



## **CORPORATION OF THE CITY OF VERNON**

### **ADVISORY PLANNING COMMITTEE**

**TUESDAY, APRIL 28, 2020 @ 4 P.M.**

**OKANAGAN LAKE ROOM**

## **A G E N D A**

**1) ADOPTION OF AGENDA**

**2) ADOPTION OF MINUTES**

March 26, 2020 (attached)

**3) NEW BUSINESS:**

a) **ZON00348** – Rezoning Application for 2103 39<sup>th</sup> Street

b) **DVP00484** - Development Variance Permit Application for 3417 30<sup>th</sup> Avenue

**4) INFORMATION ITEMS:**

a) The Staff Liaison reviewed APC related items discussed at the April 27, 2020 Council meeting.

**5) DATE OF NEXT MEETING:**

The next meeting is to tentatively scheduled for May 12, 2020.

**6) ADJOURNMENT**



## **THE CORPORATION OF THE CITY OF VERNON**

### **MINUTES OF ADVISORY PLANNING COMMITTEE MEETING**

**HELD**

**THURSDAY, MARCH 26, 2020**

**PRESENT:** VOTING

Larry Lundgren  
Doug Neden  
Joshua Lunn  
Monique Hubbs-Michiel  
Phyllis Kereliuk  
Don Schuster  
Mark Longworth

**NON-VOTING**

Mayor Cumming (Alternate Member)

**ABSENT:** Bill Tarr

Harpreet Nahal  
Lisa Briggs  
Jamie Paterson  
Councillor Mund (Appointed Member)

**STAFF:** Craig Broderick, Manager, Current Planning/Staff Liaison  
Keltie Chamberlain, Planning Assistant  
Roy Nuriel, Economic Development Planner  
Janice Nicol, Legislative Committee Clerk

**ORDER**

The Chair called the meeting to order at 4:00 p.m.

**ADOPTION OF  
AGENDA**

Moved by Monique Hubbs-Michiel, seconded by Don Schuster;

THAT the agenda of the Advisory Planning Committee meeting for March 24, 2020 be adopted.

**CARRIED.**

**ADOPTION OF  
MINUTES**

Moved by Don Schuster, seconded by Larry Lungren;

THAT the minutes for the Advisory Planning Committee meeting of March 10, 2020 be adopted.

**CARRIED.**

**NEW BUSINESS:**

**DEVELOPMENT  
VARIANCE PERMIT  
FOR 1103 35<sup>th</sup> AVENUE**

The Planning Assistant reviewed Development Variance Permit application #00477. The Committee noted the following:

- Work has already started by the looks of the site
- Great to see neighbours support included in the package.

Moved by Doug Neden, seconded by Phyllis Kereliuk;

THAT the Advisory Planning Committee recommends that Council support the Development Variance Permit Application (DVP00477) to vary the following section of Zoning Bylaw #5000 on Pt. Lot 2, Plan 21392, Section 2, Twp 8, ODYD (1103 35<sup>th</sup> Avenue):

- a) to vary Section 9.3.5 to reduce the minimum rear yard setback from 7.5m to 3.5m in order to construct a proposed addition with a roof top deck to an existing single family dwelling;

AND FURTHER, that the Advisory Planning Committee recommends that Council's support of DVP00477 is subject to the following:

- a) That the site plan shown as Attachment 2 in the report titled "Development Variance Permit application for 1103 35<sup>th</sup> Avenue", dated March 18, 2020, by the Current Planning Assistant be attached to and form part of Development Variance Permit #DVP00477 as Schedule 'A'.

**CARRIED.**

**DEVELOPMENT  
VARIANCE PERMIT  
FOR 2600 25<sup>TH</sup> AVENUE**

The Manager, Current Planning reviewed Development Variance Permit application #00474. The Committee noted the following:

- Concern for the curved property line and future fencing construction, etc
- Where will parking be located as there is a significant slope on property, there is not a lot of parking.

Joshua Lunn and Larry Lundgren left the meeting at 4:10 p.m. due to a perceived conflict of interest

Moved by Monique Hubbs-Michiel, seconded by Doug Neden;

THAT the Advisory Planning Committee recommends that Council support Development Variance Permit Application #DVP00474 to vary the following section of Zoning Bylaw #5000 in order to allow the further subdivision of the easterly 82 feet of Lot 1 measured along the northerly and southerly boundaries thereof Sec 34, Twp 9, ODYD, Plan 550, Pine Grove (2600 25<sup>th</sup> Avenue) which contains an existing residence:

- a) to vary Section 9.3.5. to reduce the rear yard setback for a 2 or 2.5 storey portion of the existing building from 7.5 m to 7.1 m.

**CARRIED.**

Joshua Lunn and Larry Lundgren returned to the meeting at 4:14 p.m.

**SHORT-TERM RENTAL REGULATIONS**

Roy Nuriel, Economic Development Planner, gave an overview of the proposed Short-term Rental Regulations and distributed a package of information to Committee members. Public engagement has started and the Committee's input was requested.

The following points were noted:

- Plan to hold open houses remotely and have online platforms for input
- Short term Rental (STR) – accommodation is defined as private, residential dwelling (or part of dwellings) that are rented to provide sleeping accommodation to a person or person on a temporary basis (less than 30 days, with daily or weekly rates)
- The Zoning Bylaw does not currently allow for short-term rentals other than the provision defined in the 'apartment housing, tourist' definition and provision under 'bed and breakfast'
- There has seen huge growth in short term rental in last 10 years, both within Vernon and worldwide
- There are now more than 150 online platforms for booking short-term rentals
- Many municipalities are starting to draft guidelines as it is having a significant impact on communities

- Within Vernon's boundary we have 275 short term rental units and over 340 active listings, median nightly rate is \$136
- Types of dwelling used as short term – 74% part of single family, 19% multi-family and 7% unknown
- 89% are short-term renting of an entire house – these houses are now removed from the inventory for long-term rentals in the City of Vernon
- There is a 15% year over year of listings and 23% year over year of rental unit growth
- Investors purchasing properties for short-term rental
- There are benefits for short-term rentals (more accommodation options, cultural exchange of residents/visitors, increase and/or maintain property values, etc) but they displace long-term tenants, alter neighbourhood character and raise legitimate parking, noise, safety, trash and fairness concerns.
- Vernon's vacancy rate is currently 1.9%, with 89% of short-term rentals being the entire dwelling unit – may be impacting rental availability
- The information will be emailed out to the Committee with a link to the EngageVernon platform for survey completion.
- If you have any other input, please contact Roy Nuriel,

The Committee provided the following input:

- Suggestion to combine Bed and Breakfasts regulations with Short-term rentals although it was noted that a Bed and Breakfast provides a different experience
- How was the data gathered? A start-up company scans all platforms and compares the folios/addresses with BC Assessment information. This information can be provided to the City for a fee
- It will be good to have public input for those that don't want a short-term rental next door
- Strata developments will have freedom to decide on the future of short-term rentals in their complex and their regulations will take precedent over the City's
- Suggestion to track other cities that have gone through this process
- Secondary suites have an inspection process, suggestions to have similar regulations for short-term rentals
- There is a risk that new regulations could make secondary suites less desirable

- Concern that there are currently no business licences required for a short-term rentals
- The Committee requested to see the results of the consultation process.

Moved by Don Schuster, seconded by Monique Hubbs-Michiel;

THAT the Advisory Planning Committee receive the Short-term Rental Regulations Presentation for information.

**CARRIED.**

The Manager, Current Planning reviewed the following APC related applications discussed at the March 23<sup>rd</sup>, 2020, Council meeting:

- DVP00471 – 1909 37<sup>th</sup> Avenue – issued once all conditions are satisfied
- Recommendation from APC re: bus stop inventory – accessibility assessment has been completed and a four-year improvement plan is in place
- Extension for DVP00466 – 9738 Delcliff Road to Feb. 25, 2021
- PH OCP Amendment (Boundary Extensions) BX Elementary – cancelled due to lack of quorum for Council. PH will need to be re-scheduled.

**NEXT MEETING**

The next meeting of the Advisory Planning Committee is to be announced.

**ADJOURNMENT**

The meeting of the Advisory Planning Committee adjourned at: 4:53 p.m.

**CERTIFIED CORRECT:**

\_\_\_\_\_Chair



# THE CORPORATION OF THE CITY OF VERNON REPORT TO COUNCIL

**SUBMITTED BY:** Keltie Chamberlain, Planning Assistant, Current Planning & Economic Development

**COUNCIL MEETING:** REG  COW  I/C   
**COUNCIL MEETING DATE:** May 25, 2020  
**REPORT DATE:** April 20, 2020  
**FILE:** ZON00348

**August**

**SUBJECT:** REZONING APPLICATION FOR 2103 39TH STREET

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**PURPOSE:**

To review the application to rezone the subject property from R2: Large Lot Residential to R2h to allow for a “home based business, major” use within the existing single family dwelling at 2103 39<sup>th</sup> Street.

**RECOMMENDATION:**

THAT Council support the application to rezone Lot 7, District Lot 74, Plan 23255, ODYD (2103 39<sup>th</sup> Street) from R2: Large Lot Residential to R2h to allow for a “home based business, major” use within the existing single family dwelling at 2103 39<sup>th</sup> Street, subject to the following conditions:

- a) That no person other than residents of the primary residence shall be engaged in the home based business, major;
- b) That the home based business, major shall not generate more than one client to the site at any given time;
- c) That the home based business, major be limited to a one-chair hair salon; and
- d) That stipulates details of any signage for the home based business to one sign, non-illuminated, 0.5m<sup>2</sup>, no higher than 1.2m, attached to the dwelling or ground mounted near the vehicle entrance with consideration of sight lines.

AND FURTHER, that Council support of ZON00348 is subject to the following:

- a) that the site and floor plans, generally shown as Attachment 1 in the report titled “Rezoning Application for 2103 39<sup>th</sup> Street” dated April 20, 2020, by the Planning Assistant be attached to and form part of ZON00348 as Schedule ‘A’.

**ALTERNATIVES & IMPLICATIONS:**

1. THAT Council not support the application to rezone Lot 7, District Lot 74, Plan 23255, ODYD (2103 39<sup>th</sup> Street) from R2: Large Lot Residential to R2h to allow for a “home based business, major” use within the existing single family dwelling at 2103 39<sup>th</sup> Street;

*Note: This alternative does not support the rezoning application. The applicant could apply to conduct a “home based business, minor” use in the existing dwelling.*

**ANALYSIS:**

**A. Committee Recommendations:**

At its meeting of April 28, 2020, the Advisory Planning Committee adopted the following resolution:

“ ”

**B. Rationale:**

1. The subject property at 2103 39<sup>th</sup> Street, as shown on Figures 1 and 2, is located in the Mission Hill neighbourhood, and is 719 m<sup>2</sup> (0.18 ac) in area. There is an existing single family dwelling on the property with driveway access from 39<sup>th</sup> Street.
2. The property is designated as “Residential Low Density” in the Official Community Plan (OCP) as shown in Attachment 2. The R2 and R2h zoning districts (Attachment 3) comply with the OCP land use designation. The surrounding land uses are currently single family dwellings. Mission Hill Park is located to the south and Okanagan Avenue to the north.
3. The applicant has submitted a rezoning application to rezone the property from R2: Large Lot Residential to R2h to allow for a one-chair hair salon to operate under “home based business, major” use. The R2h sub-zoning district is not a stand-alone zone, as it only allows the additional specific “home based business, major” use on the property.
4. In the rezoning application, the owner is requesting to operate a one-chair hair salon out of the house on the subject property, and remove an existing suite in order to operate the business.
5. The “home based business, major” regulations (Attachment 5) allow up to three clients at one time with no limit on the number of clients per day, and allows up to two non-resident employees on the site. The maximum allowed floor area for the business is 40% of the floor area of the dwelling unit and cannot exceed 50m<sup>2</sup>. As illustrated in Attachment 1, the proposed business would be located on the main floor of the dwelling unit. The floor area of the business is 40.7m<sup>2</sup> (which is 23% of the floor area of the dwelling), and consists of a salon and washroom. The private residence area (178.2 m<sup>2</sup>) is located on the first and second floor. Given the scale of the property and the residential nature of the neighbourhood, Administration recommends that a restrictive covenant be registered on title to limit the number of staff engaging in the



**Figure 1: Property Location Map**



**Figure 2: Aerial Photo of Property**

home based business, major to the primary residence occupant. There would be no opportunity for additional employees with one chair available for service.

6. The “home based business, major” regulations (Attachment 5), also allow up to one business related fascia or freestanding sign with a maximum area of 6.0m<sup>2</sup>. Due to the residential character of the neighbourhood, Administration also recommends that the signage be restricted by a covenant to one sign, non-illuminated, 0.5m<sup>2</sup> in area, no higher than 1.2m, which would be attached to the dwelling or ground mounted near the vehicle entrance at 39<sup>th</sup> Street, with consideration of sight lines.
7. As required by zoning regulations, the proposed parking area includes two parking spaces for the primary dwelling and one space for the business. There is a garage and carport to accommodate tandem parking for the primary dwelling and there is one space available for a client and an additional parking space available which is located on the side of the house/carport (Attachment 1).
8. The proposed rezoning to R2h to allow a “home based business, major” at 2103 39<sup>th</sup> Street is supported by Administration subject to the registration of restrictive covenant to limit the number of employees of the home based business, major to occupants of the primary residence, to limit the number of clients to one at any given time, to limit the business to a one-chair hair salon, and to preserve the residential character of the area and limit the sign area to 0.5 m<sup>2</sup>. The site location is well suited to accommodate the proposed use due the layout of the existing dwelling and the available parking on the subject property.

**C. Attachments:**

- Attachment 1 – Proposed site and floor plan
- Attachment 2 – OCP map
- Attachment 3 – Zoning map
- Attachment 4 – R2: Large Lot Residential zoning district
- Attachment 5 – “Home based business, major” regulations

**D. Council’s Strategic Plan 2019 – 2022 Goals/Actions:**

N/A

**E. Relevant Policy/Bylaws/Resolutions:**

1. The subject property is designated Residential Low Density in the Official Community Plan (OCP) and zoned R2 – Large Lot Residential as per Zoning Bylaw #5000.
2. The Local Government Act provides Council with the authority to vary local bylaws based on site specific considerations. The granting of such variances does not set a precedent within the community for future variances to be based upon, as each variance application must be evaluated on its own merit and potential implications to the whole community and the specific neighbourhood.

**BUDGET/RESOURCE IMPLICATIONS:**

N/A

Prepared by:

Approved for submission to Council:

**X**

\_\_\_\_\_  
Signer 1

Keltie Chamberlain  
Planning Assistant

\_\_\_\_\_  
Will Pearce, CAO

Date: \_\_\_\_\_

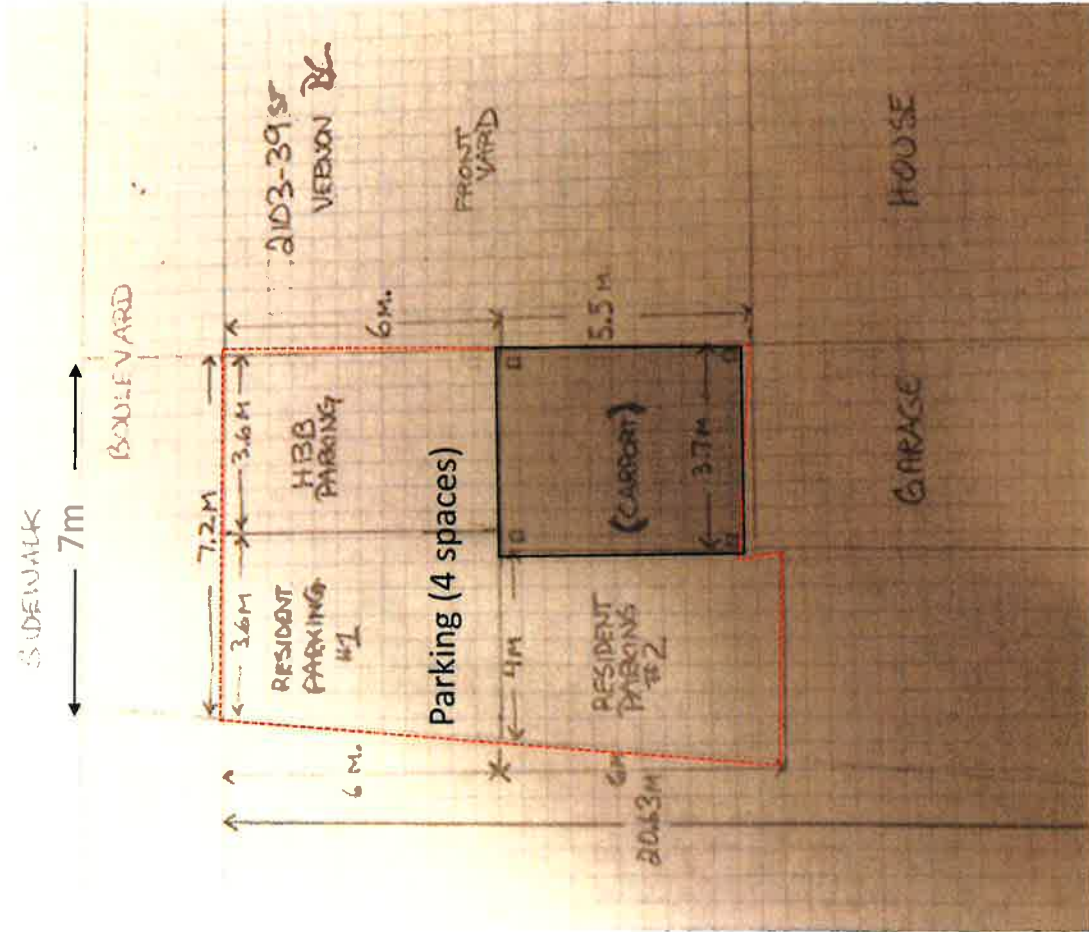
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Signer 2

Kim Flick  
Director, Community Infrastructure and Development

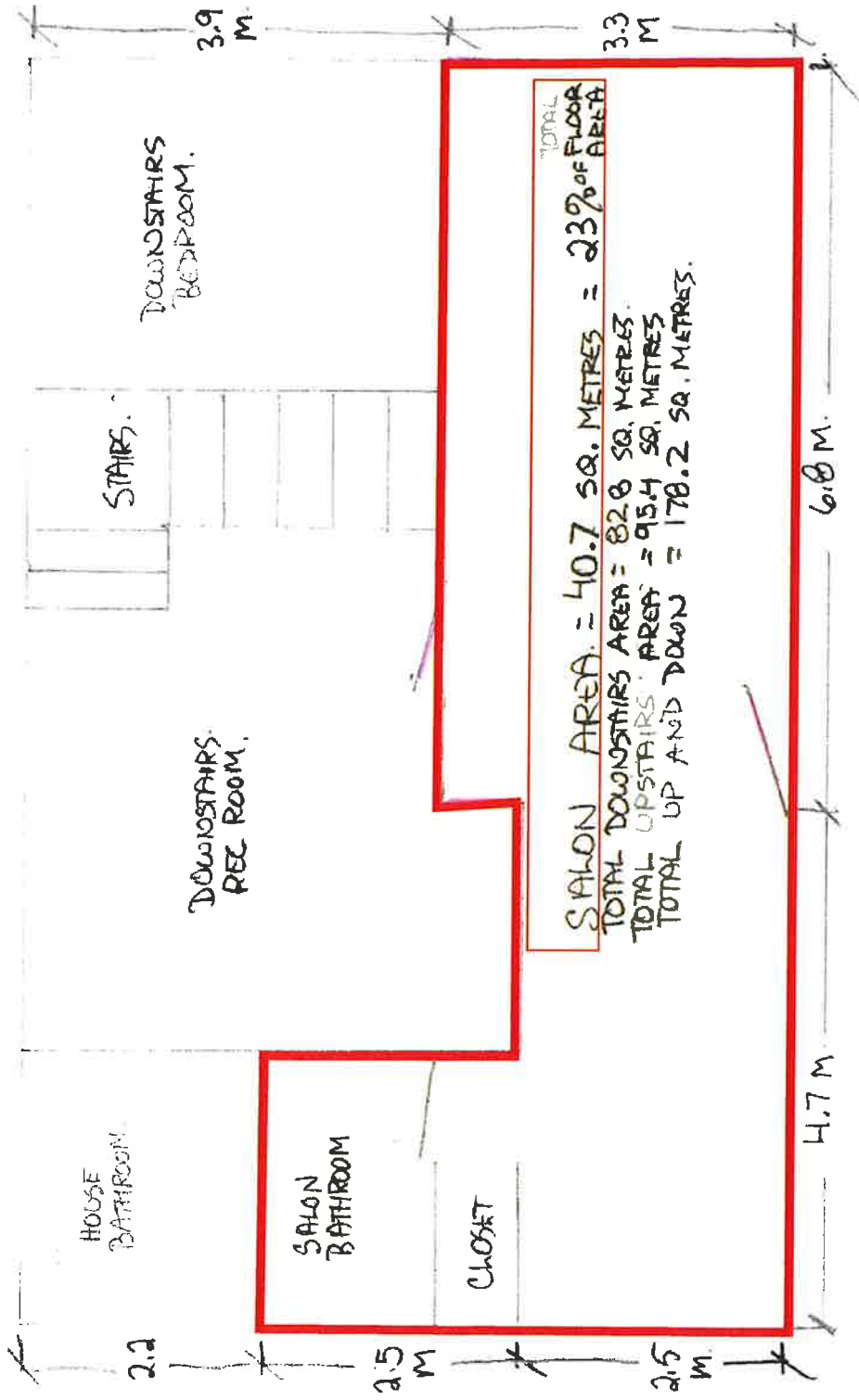
**REVIEWED WITH**

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| <input type="checkbox"/> Bylaw Compliance                         | <input type="checkbox"/> Public Works/Airport | <input 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 type="checkbox"/> Engineering & Development                 |
| <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 checked="" type="checkbox"/> Economic Development & Tourism |
| <input checked="" type="checkbox"/> COMMITTEE: APC (Apr 28, 2020) |   |  |
| <input type="checkbox"/> OTHER:                                   |   |  |

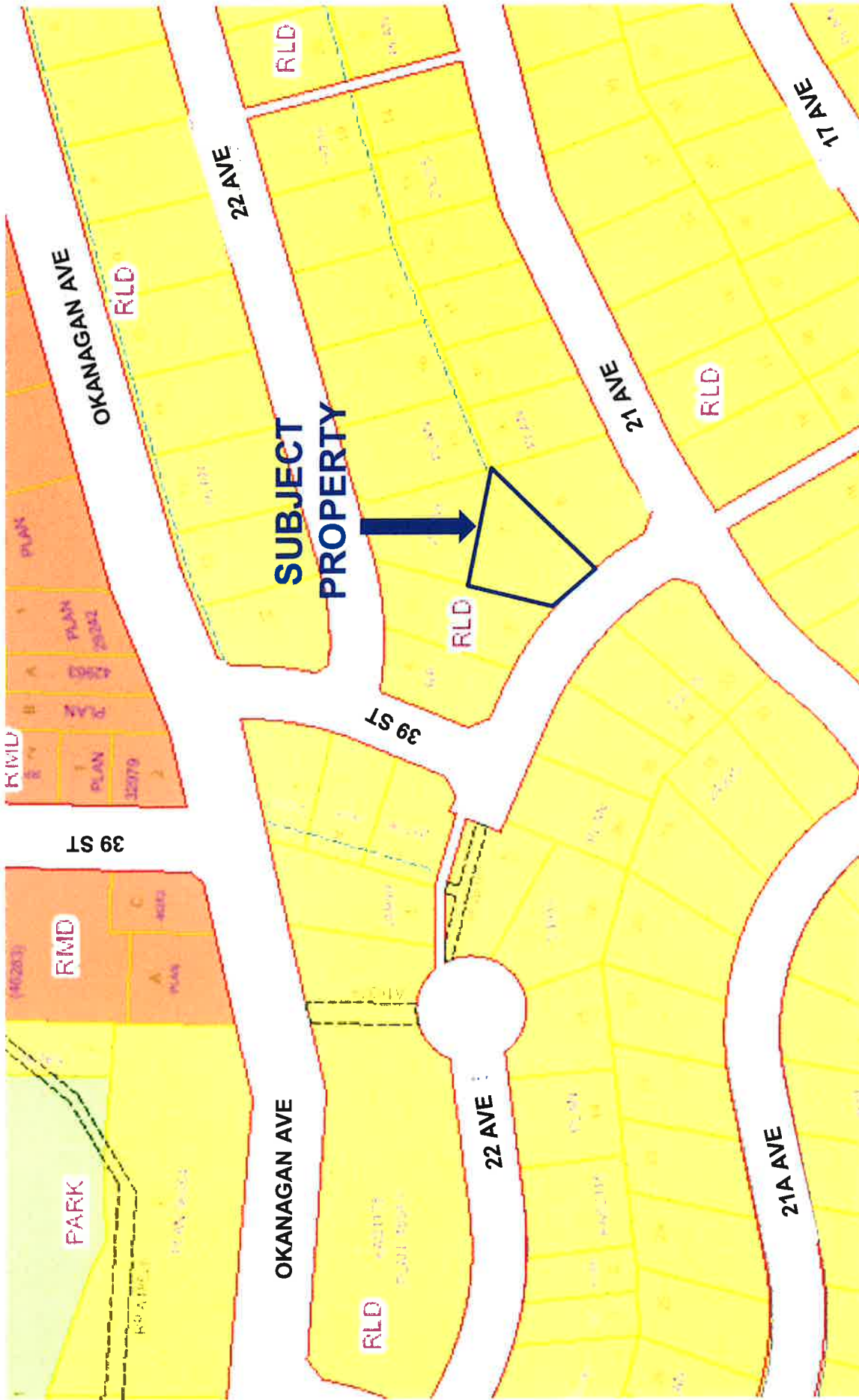


**Site Plan**  
**Parking Layout**  
2103 39 Street  
ZON348

Proposed Floor Layout of Home Based Business Major SCALE: 2cm = 1 METRE



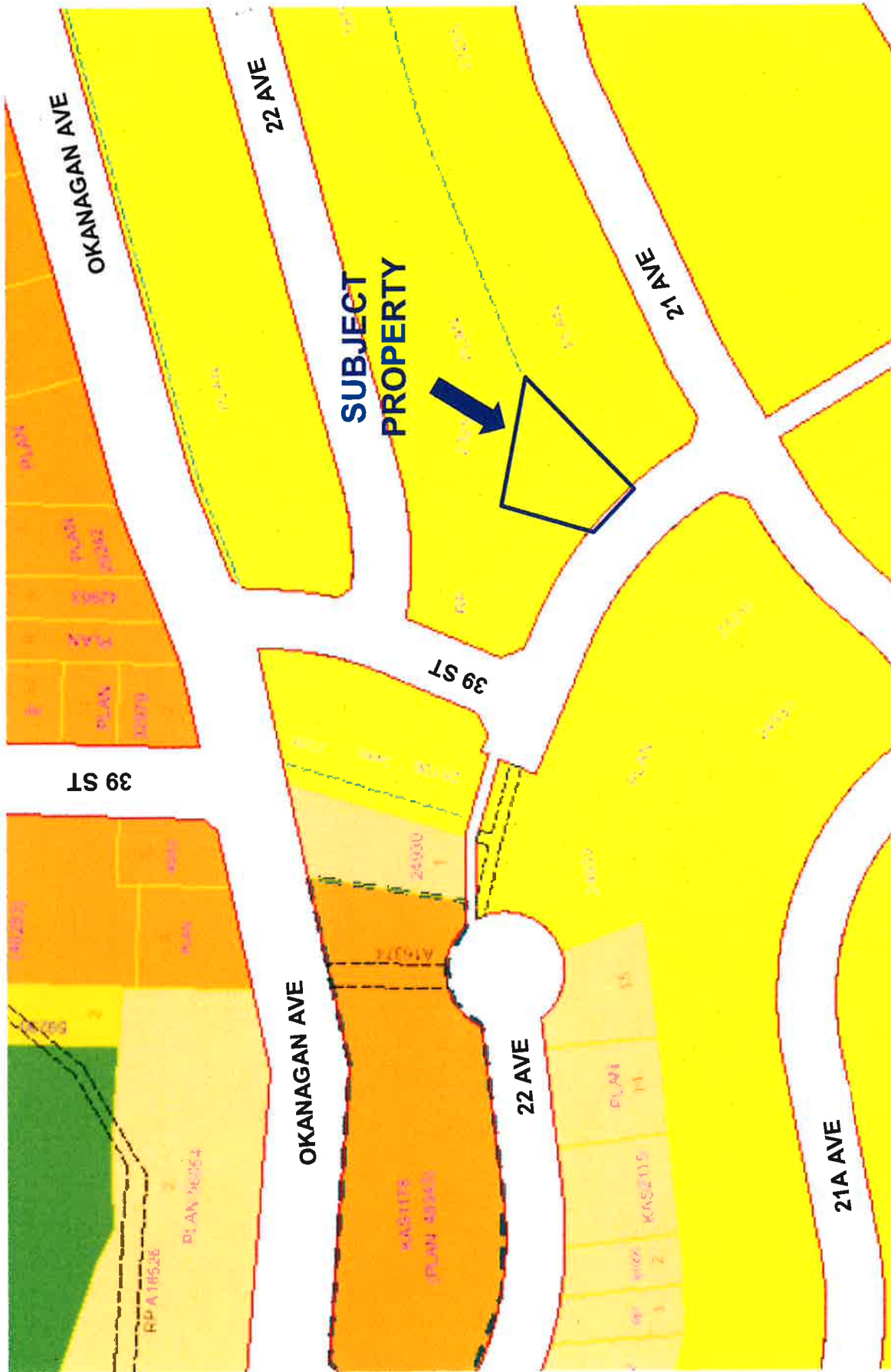
2103-39 ST VERNON BC V1T 6Y3




-  PARK – Parks and Open Space
-  RMD – Residential – Medium Density
-  RLD – Residential – Low Small Lot

# OCP Designation





-  P1: Parks and Open Space
-  RM2: Multiple Housing Residential
-  R5: Four-Plex Residential
-  R2: Large Lot Residential
-  R3: Medium Lot Residential

# Zoning Designation





## 9.3 R2 : Large Lot Residential

### 9.3.1 Purpose

The purpose is to provide a **zone** for **single detached housing**, and compatible **secondary uses**, on large sized urban serviced **lots**. The R2c sub-zoning district allows for **care centre, major** as an additional use. The R2h sub-zoning district allows for **home based business, major** as an additional use. *(Bylaw 5467)*

### 9.3.2 Primary Uses

- **care centre, major** *(use is only permitted with the R2c sub-zoning district)*
- **single detached housing**

### 9.3.3 Secondary Use

- **boarding rooms**
- **bed and breakfast homes** *(in single detached housing only) (Bylaw 5498)*
- **care centres, minor**
- **group home, minor**
- **home based businesses, minor**
- **home based businesses, major** *(use is only permitted with the R2h sub-zoning district)*
- **secondary suites**
- **seniors supportive housing**

### 9.3.4 Subdivision Regulations

- Minimum **lot width** is 18.0m.
- Minimum **lot area** is 557m<sup>2</sup>, or 10,000m<sup>2</sup> if not serviced by a **community sewer system**.

### 9.3.5 Development Regulations

- Maximum **site coverage** is 40% and together with driveways, parking areas and **impermeable surfaces** shall not exceed 50%.
- Maximum **height** is the lesser of 10.0m or 2.5 **storeys**, except it is 4.5m for **secondary buildings** and **secondary structures**.
- Minimum **front yard** is 5.0m.
- Minimum **side yard** is 1.5m, except it is 5.0m from a **flanking street**. Where there is no direct vehicular access to the **rear yard** or to an attached garage or **carport**, one **side yard** shall be at least 3.0m.
- Minimum **rear yard** is 7.5m, except it is 1.0m for **secondary buildings**. Where the **lot width** exceeds the **lot depth**, the minimum **rear yard** is 4.5m provided that one **side yard** shall have a minimum width of 4.5m.
- The maximum **height** of any vertical wall element facing a **front, flanking or rear yard** (including **walkout basements**) is the lesser of 6.5m or 2.5 **storeys**, above which the **building** must be **set back** at least 1.2m.

### 9.3.6 Other Regulations

- There shall be no more than one **single detached house** per lot.
- Where **development** has access to a rear **lane**, vehicular access to the **development** is only permitted from the rear **lane**.
- For **seniors supportive housing**, a safe drop-off area for patrons shall be provided on the **site**.

- **Seniors supportive housing** shall be for no more than four residents. *(Bylaw 5467)*
- 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)*

## Zoning Bylaw #5000 Excerpt

### 5.3 Home Based Businesses, Major

- 5.3.1 All **major home based businesses** shall be **secondary uses** and must comply with the following:
- a **major home based business** shall only be conducted within the primary **building** and/or one **secondary building/structure**;
  - no **outdoor storage** or operation of the **major home based business** shall be permitted;
  - no variation from the residential character and appearance of land or **buildings** shall be permitted and no external structural change to any primary **building** or **structure** for the purpose of accommodating a **major home based business** shall be permitted;
  - no **nuisance** shall be produced by the **major home based business** and, at all times, the privacy and enjoyment of **adjacent lots** shall be preserved and the **major home based business** shall not adversely affect the amenities of the neighbourhood; and,
  - the **major home based business** shall not generate more than three clients to the **site** from which the **business** is being operated at any given time; and
  - this **use** does not include the repair or painting of **vehicles**, trailers or boats; welding or machine shops; care centres; or cutting and wrapping of meat, including wild game.
- 5.3.2 No more than two persons, other than residents of the primary residence, shall be engaged in the **major home based business**.
- 5.3.3 The **major home based business** shall not occupy more than 40% of the floor area of the **dwelling** unit, and in no case shall the combined area of the residence used for the **business** and a **secondary building** used for the **business** exceed 50m<sup>2</sup>. (*Bylaw 5339*)
- 5.3.4 The display and retail sales of goods not produced on the **premises** shall not be permitted in a **major home based business**, with the exception of
- products that are associated with the goods produced on the **site**,
  - agricultural products only in the A1, A2 and A3 **Agricultural zones**,
  - mail order sales,
  - telephone sales,
  - goods where the customer does not enter the **premises** to inspect or pick up the goods, and
  - products incidental to the service provided,
- subject to Section 5.3.7.
- 5.3.5 Parking shall be in conformance with the regulations of this Bylaw. No parking of commercial **vehicles** larger than 4100kg gross **vehicle** weight on or about the **site** is allowed for a **major home based business**.
- 5.3.6 A **major home based business** sign is permitted according to the provisions of the *City of Vernon Sign Bylaw No. 4489*, as amended.
- 5.3.7 The following **uses** are prohibited as **home based businesses**: automotive repair, welding, **care centres**, cutting & wrapping of meat, including wild game, escort services, and gun shops.



# THE CORPORATION OF THE CITY OF VERNON REPORT TO COUNCIL

**SUBMITTED BY:** Keltie Chamberlain,  
Planning Assistant, Current  
Planning & Economic  
Development

**COUNCIL MEETING:** REG  COW  I/C   
**COUNCIL MEETING DATE:** May 25, 2020  
**REPORT DATE:** April 23, 2020  
**FILE:** DVP00484

**SUBJECT:** DEVELOPMENT VARIANCE PERMIT APPLICATION FOR 3417 30<sup>TH</sup> AVENUE

**PURPOSE:**

To review the development variance permit application to vary Sign Bylaw #4489 at 3417 30<sup>th</sup> Avenue.

**RECOMMENDATION:**

THAT Council support the development variance permit application for the subject property located on Lot A, Plan 34416, District Lot 71-72, ODYD (3417 30<sup>th</sup> Avenue) to vary Sign Bylaw #4489 to have signs that exceed the maximum sign area and number of signs permitted for fascia signs;

AND FURTHER, that Council support of DVP00484 is subject to the following:

- a) That the site plan, sign details, and rational generally shown as Attachment 1, 2, and 3 inclusive in the report titled "Development Variance Permit Application for 3417 30<sup>th</sup> Avenue and dated April 23, 2020 by the Planning Assistant, be attached to and form part of DVP00484 as Schedule 'A'.

**ALTERNATIVES & IMPLICATIONS:**

1. THAT Council receive the development variance permit application for the subject property located on Lot A, Plan 34416, District Lot 71-72, ODYD (3417 30<sup>th</sup> Avenue);

*Note: This alternative does not support the development variance permit application subject to the conditions cited by Administration, as well as any other conditions cited by Council. The owner would have to apply to place signage in accordance with Sign Bylaw #4489.*

**ANALYSIS:**

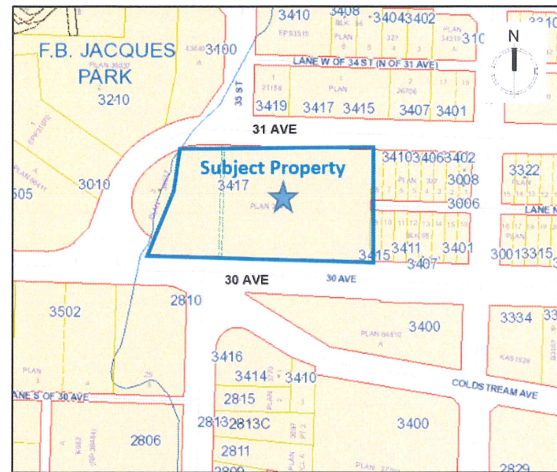
**A. Committee Recommendations:**

At its meeting of April 28, 2020, the Advisory Planning Committee adopted the following resolution:

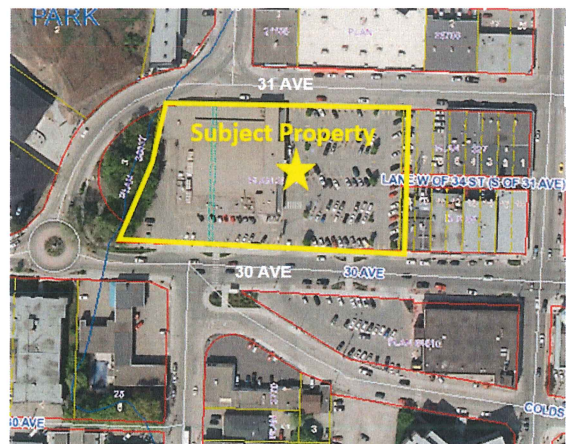
" "

**B. Rationale:**

1. The subject property at 3417 30<sup>th</sup> Avenue, as shown on Figures 1 and 2, is 1.04 hectares (2.5 acre) in area. The property is designated MXDHDCOMRES – Mixed Use – High Density Commercial and Residential in the Official Community Plan (OCP) and is zoned C8: Central Business District in Zoning Bylaw #5000 (Attachments 4 and 5).
2. The subject property is an existing commercial grocer, formerly Safeway and now FreshCo. The owner has submitted a sign permit application and development variance permit application to increase the maximum sign area on the building from 14m<sup>2</sup> to 51m<sup>2</sup>.
3. Sign Bylaw #4489 permits a maximum of fascia sign area of 1.0m<sup>2</sup> (10.76ft.<sup>2</sup>) per 1.0m (3.28ft.) of lineal building wall to which the sign is affixed, up to a maximum sign area of 14.0m<sup>2</sup> (150.69ft.<sup>2</sup>) in the C8 zone. Only the street frontage of the business on which the sign is located is used for sign area calculations as per the bylaw (Attachment 6). The building has approximately 51 lineal metres of building wall on the south side and 58m on the north side and is therefore permitted to have a total of 14m<sup>2</sup>.
4. The newly-renovated existing building is oriented towards the parking lot on the east side of the property. The building walls on 30<sup>th</sup> Avenue (south) and 31<sup>st</sup> Avenue (north) would each have a single sign (9.4m<sup>2</sup> each) that ties into the new building exterior. The former Safeway signage facing into the parking lot on the east side consisted of three signs with an area of approximately 21m<sup>2</sup> and is proposed to be replaced with four FreshCo signs with an area of 32.3m<sup>2</sup>. The location of the various signs are illustrated on the site plan (Attachment 1).
5. The applicant has submitted a letter of rationale to explain the requested sign variance (Attachment 3) stating that the larger signage:
  - a. is part of a national corporate branding at a consistent size with existing FreshCo signage across Canada,
  - b. would allow for better vehicular and pedestrian visibility,
  - c. would complement the architecture of the building,
  - d. help promote the character of the community, and
  - e. would not adversely affect the adjacent properties as it is not illuminated.
6. The proposed increase to the sign area would allow more signage along the east wall of the building to increase visual cues at the main entrance. Allowing more signage on the east wall allows for a single sign on each of the street frontages which reduces visual clutter on the street. The proposed signage



**Figure 1: Property Location Map**



**Figure 2: Aerial Photo of Property**

also adds vibrant colour on the exterior of the building which helps define the brand and enhance place-making within the downtown core. Administration is in support of the increase to the sign area and number of signs.

**C. Attachments:**

- Attachment 1 – Site Plan
- Attachment 2 – Proposed Sign details
- Attachment 3 – Letter in support of application
- Attachment 4 – OCP Designation
- Attachment 5 – Zoning Designation
- Attachment 6 – Excerpt from Sign Bylaw #4489 – Fascia Signs

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

The subject involves the following goals/action items in Council’s Strategic Plan 2019 – 2022:

- Increased public participation in decision making.

**E. Relevant Policy/Bylaws/Resolutions:**

1. The subject property is designated MXDHDCOMRES – Mixed Use – High Density Commercial and Residential in the Official Community Plan (OCP) and is zoned C8: Central Business District in Zoning Bylaw #5000.
2. The Local Government Act provides Council with the authority to vary local bylaws based on site specific considerations. The granting of such variances does not set a precedent within the community for future variances to be based upon, as each variance application must be evaluated on its own merit and potential implications to the whole community and the specific neighbourhood.

**BUDGET/RESOURCE IMPLICATIONS:**

N/A

---

Prepared by: \_\_\_\_\_ Approved for submission to Council: \_\_\_\_\_

**X**

\_\_\_\_\_  
Signer 1

Keltie Chamberlain  
Planning Assistant

\_\_\_\_\_  
Will Pearce, CAO

Date: \_\_\_\_\_

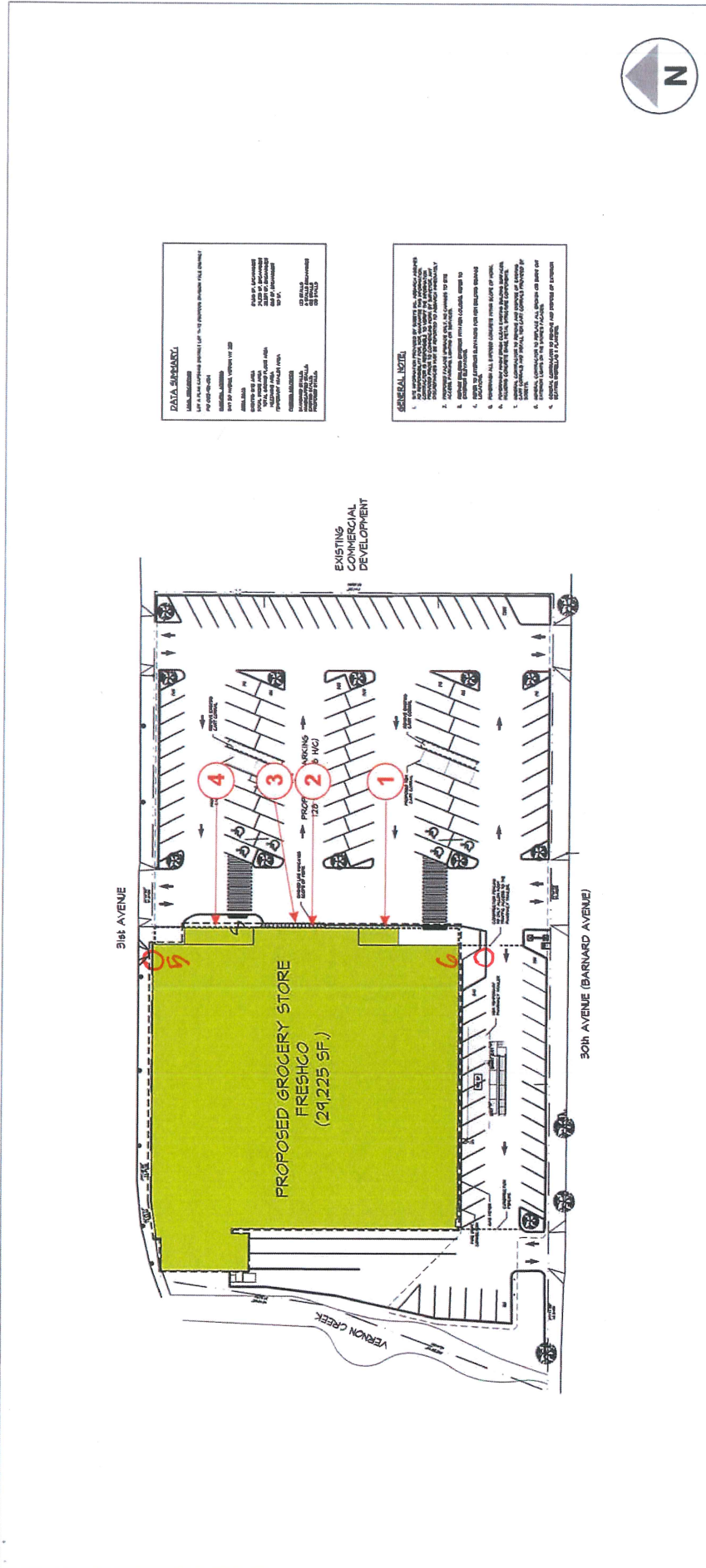
**X**

\_\_\_\_\_  
Signer 2

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 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                 |
| <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 checked="" type="checkbox"/> Economic Development & Tourism |
| <input checked="" type="checkbox"/> COMMITTEE: APC (April 28, 2020) |   |  |
| <input type="checkbox"/> OTHER:                                     |   |  |



**DATA SUMMARY:**  
 LAYOUT: 1/18/2020  
 DATE: 1/18/2020  
 SCALE: 1/4"=1'-0"  
 DESIGNER: VB  
 ACCOUNT MGR: DAN BOVVAIR  
 FILE: I:\Drawings\2020\Sobory\FreshCo\3417\_30th Avenue\_Permit Drawings.dwg

**GENERAL NOTE:**  
 1. THE CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND APPROVALS FROM THE APPROPRIATE AGENCIES.  
 2. THE CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND APPROVALS FROM THE APPROPRIATE AGENCIES.  
 3. THE CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND APPROVALS FROM THE APPROPRIATE AGENCIES.  
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 8. THE CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND APPROVALS FROM THE APPROPRIATE AGENCIES.  
 9. THE CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND APPROVALS FROM THE APPROPRIATE AGENCIES.  
 10. THE CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND APPROVALS FROM THE APPROPRIATE AGENCIES.

**SP** SITE PLAN  
 SCALE: 1/4"=1'-0"

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**Customer:** FreshCo  
 Address: 3417, 30th Avenue,  
 Vernon, BC

Date: Feb. 18/20  
 Scale: as shown  
 Designer: VB  
 Account Mgr: Dan Bovair  
 File: I:\Drawings\2020\Sobory\FreshCo\3417\_30th Avenue\_Permit Drawings.dwg

**Revisions:**

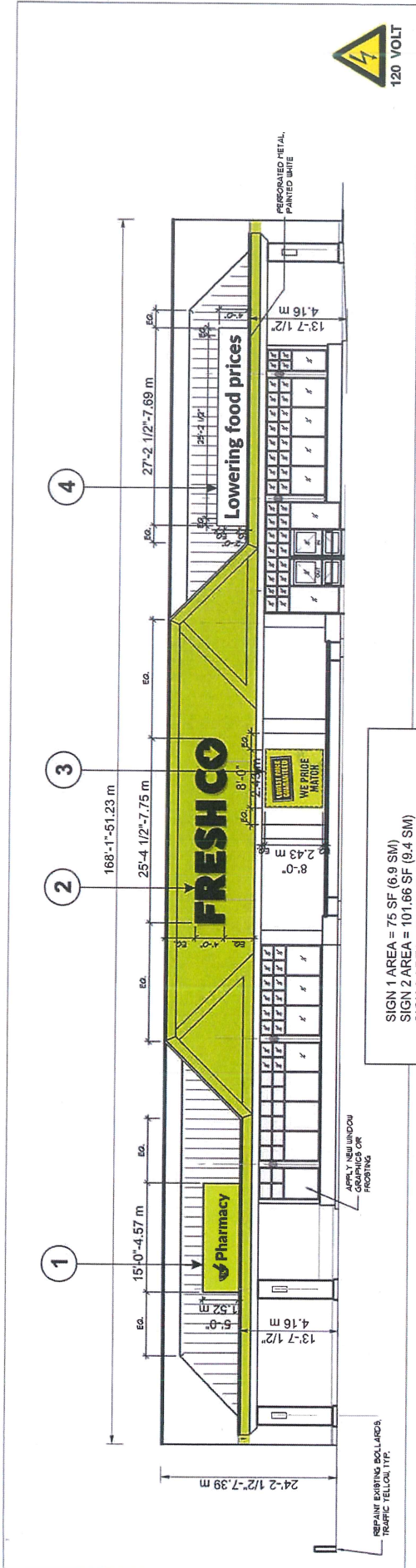
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2	Conceptual artwork
3	Production artwork
4	Site check completed
5	Indoor
6	Outdoor

**Page: 8 of 8**

**Production Approval:**  
 Signature: \_\_\_\_\_  
 Date: \_\_\_\_\_

**JONES**  
 neon displays

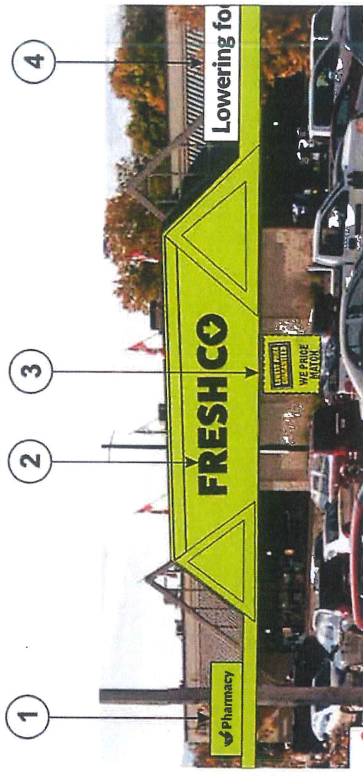
1140 Blair Road, Burlington, ON L7M 1K9  
 e: info@jonesneonsgns.com  
 t: 905.335.6664 | f: 905.335.2712



**A** EAST ELEVATION @ FRONT ENTRANCE

SCALE: 1/16"=1'-0"

SIGN 1 AREA = 75 SF (6.9 SM)  
 SIGN 2 AREA = 101.66 SF (9.4 SM)  
 SIGN 3 AREA = 64 SF (5.9 SM)  
 SIGN 4 AREA = 109 SF (10.1 SM)  
 TOTAL AREA USED = 349.66 SF (32.3 SM)



EXISTING EAST ELEVATION  
N.T.S.

PROPOSED EAST ELEVATION  
N.T.S.

BLACK  
PANTONE 382 C

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Customer: **FreshCO**  
 Address: 3417, 30th Avenue,  
 Vernon, BC

Date: Feb. 18/20  
 Scale: as shown  
 Designer: VB  
 Account Mngr: Dan Bovair  
 File: D:\m\ng\020\Sub\y\y\FreshCO\Vernon BC 3417\_30th Avenue\_Permit Drawings.dwg

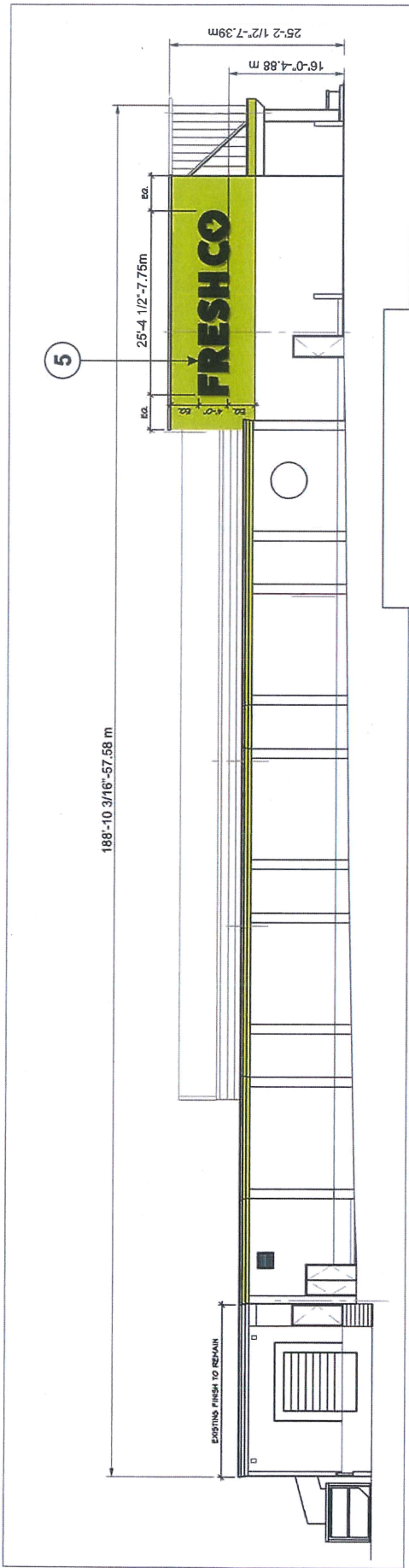
Revision:

Page: 1 of 8

Permit Required   
 Conceptual artwork   
 Production artwork   
 Site check completed   
 Indoor   
 Outdoor

Production Approval:  
 Signature: \_\_\_\_\_  
 Date: \_\_\_\_\_

**JONES**  
 Neon Displays Ltd.  
 1140 Blair Road, Burlington, ON L7M 1K9  
 e: info@jonesneon.com  
 t: 905.335.6664 | f: 905.335.2712



**B** SOUTH ELEVATION @ 30TH AVENUE

SCALE: 1/16"=1'-0"

SIGN 5 AREA = 101.66 SF (9.4 SM)



EXISTING SOUTH ELEVATION  
N.T.S.



PROPOSED SOUTH ELEVATION  
N.T.S.

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<p>Customer: <b>FreshCO</b> Address: 3417, 30th Avenue, Vernon, BC</p>	<p>Date: Feb. 18/20 Scale: as shown Designer: VB Account Mngr: Dan Bovair</p>	<p>Revision:</p>	<p>Permit Required <input checked="" type="checkbox"/></p> <p>Conceptual artwork <input checked="" type="checkbox"/></p> <p>Production artwork <input checked="" type="checkbox"/></p> <p>Site check completed <input checked="" type="checkbox"/></p> <p>Indoor <input type="checkbox"/></p> <p>Outdoor <input checked="" type="checkbox"/></p>	<p>Production Approval: Signature: _____ Date: _____</p>
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File: D:\work\p2020\Sabhy\FreshCO\Vernon BC 3417, 30th Avenue, Permit Drawings.cdr

Page: 2 of 10

**JONES**  
neon displays  
1140 Blair Road, Burlington, ON L7M 1K9  
e: info@jonesneon.com  
t: 905.335.6664 | f: 905.335.2712

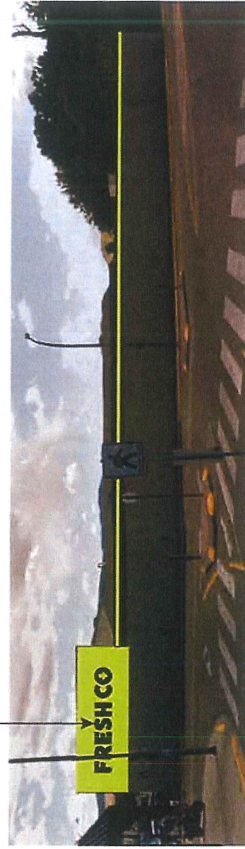


SIGN 6 AREA = 10.66 SF (9.4 SM)

**C** NORTH ELEVATION @ REAR OF BUILDING  
SCALE: 1/16"=1'-0"



EXISTING NORTH ELEVATION  
N.T.S.



PROPOSED NORTH ELEVATION  
N.T.S.

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<p>Customer: <b>FreshCO</b> Address: 3417, 30 th Avenue, Vernon, BC</p>	<p>Date: Feb. 18/20 Scale: as shown Designer: VB Account Mngr: Dan Bovair File: \Drawings\2020\Subs\FreshCO\Vernon BC 3417_30th Avenue_Permit Drawings.cdr</p>	<p>Revision:</p> <p>Page: 3 of 10</p>	<p>Permit Required <input checked="" type="checkbox"/></p> <p>Conceptual artwork <input checked="" type="checkbox"/></p> <p>Production artwork <input checked="" type="checkbox"/></p> <p>Site check completed <input checked="" type="checkbox"/></p> <p>Indoor <input type="checkbox"/> Outdoor <input checked="" type="checkbox"/></p>	<p>Production Approval: Signature: _____ Date: _____</p>
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**JONES**  
neon displays  
1140 Blair Road, Burlington, ON L7M 1K9  
e: info@jonesneon.com  
t: 905.335.6664 | f: 905.335.2712



1140 BLAIR ROAD  
BURLINGTON ONTARIO, L7M 1K9  
ph: 905-335-6664 fx: 905-335-2712  
e-mail: info@jonesneonsigns.com  
web site: www.jonesneonsigns.com

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Established 1941

April 13, 2020

Corporation of the City of Vernon  
3001 32 Ave,  
Vernon, BC  
V1T 2L8

Re: Frescho – 3417 30 Avenue

On behalf of Sobeys Capital Incorporated, we request your consideration and approval for a sign variance to the City's Sign By-law 4489 to allow for four fascia signs to be installed on the East elevation with a total sign area of 32.3sm which is over the allowed 14sm.

The proposed signage is for a new grocery store opening replacing the existing Safeway. The size of the signage is part of a national corporate branding set forth and is proposed at size which is consistent with existing Freshco signage across Canada.

The existing Safeway signage which is being replaced by the new Freshco signage has a sign area of approximately 21sm which is over the allowed sign area set forth in the Sign Bylaw #4489. The new Freshco signage is slightly larger in size but this is to allow for better vehicular & pedestrian visibility and to compliment the architecture of the building & helps promote the character of the community. The 4 proposed fascia wall signs are also non illuminated and will not adversely affect the adjacent properties at the proposed sizes.

We appreciate your time and consideration on this request. If you have any questions or concerns, please don't hesitate to contact me.

Yours truly,  
**JONES NEON DISPLAYS LIMITED**

A handwritten signature in blue ink, appearing to read "CW", is written over a horizontal line.

*Christina Wiggins*  
Coordinator

Phone: (905) 335-6664

Fax: (905) 335-2712

Email: christina@jonesneonsigns.com



[www.jonesneonsigns.com](http://www.jonesneonsigns.com)



# 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 : 1,002

# Vernon Essentials Site



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



51 Meters



1:1,002

## Sign Bylaw #4489 Excerpt

### Part III General Sign Specifications

#### A. FASCIA SIGNS

##### 1. Sign Area

- a) The total area of all fascia signs on a building wall shall not exceed 1.0 m<sup>2</sup> (10.76 ft.<sup>2</sup>) per 1.0 m (3.28 ft.) of lineal building wall to which the sign is affixed, up to a maximum sign area of 14.0 m<sup>2</sup> (150.69 ft.<sup>2</sup>).
- b) Only the street frontage of the business on which the sign is located shall be used for sign area calculations.

##### 2. Projection

- a) A fascia sign shall not project more than 0.3 m (0.98 ft.) horizontally from the building face to which it is attached.
- b) Where more than one fascia sign is permitted, the signs may be extended horizontally along each street frontage to meet at the corner of the building common to both signs.
- c) A fascia sign shall not extend above the roof line of a building to which it is affixed.

##### 3. Clearance

- a) A fascia sign shall have a minimum vertical clearance from grade of 2.75 m (9.0 ft.)

# Sign Bylaw #4489 Excerpt

## Part IV Sign Specifications by Zone/Secondary Use

2. The following signs are permitted on land in the Downtown Commercial Zones (C1, C2, C3, C7 and C8) except as otherwise prohibited or regulated by the City of Vernon Building Façade Design Guidelines or Plan Vernon:
  - a) Fascia signs as advertising signs.
  - b) Awning, canopy or under canopy/awning signs as advertising signs.
  - c) Freestanding signs as advertising signs.
  - d) Projecting signs as advertising signs.
  - e) Sandwich board signs as advertising signs.
  - f) Window signs as advertising signs.
  - g) Two (2) fascia, freestanding or window signs as real estate signs provided that the sign area shall not exceed 20.0 m<sup>2</sup> (215.28 ft<sup>2</sup>).
  - h) Murals and banners.
  - i) Inflatable signs.
  - j) Portable signs (not allowed in Downtown Commercial Zone C7)