

THE CORPORATION OF THE CITY OF VERNON

BYLAW NUMBER 5890

A bylaw to amend the City of Vernon
Zoning Bylaw Number 5000

WHEREAS the Council of The Corporation of the City of Vernon has determined to amend the City of Vernon Zoning Bylaw Number 5000 to prohibit fences with pickets or finials extending above a horizontal rail within the City of Vernon;

AND WHEREAS all persons who might be affected by this amendment bylaw have, before the passage thereof, been afforded an opportunity to be heard on the matters herein before the said Council, in accordance with the provisions of Section 464 of the Local Government Act, and all amendments thereto;

NOW THEREFORE the Council of The Corporation of the City of Vernon, in open meeting assembled, enacts as follows:

1. This bylaw may be cited as the "**Zoning Text (Fence Regulations) Amendment Bylaw Number 5890, 2022**".
2. The City of Vernon Zoning Bylaw Number 5000 be, and is hereby amended, as follows:
 - (i) **AMENDING** Section 6.0 Landscape & Screening, 6.5 Fencing and Retaining Walls, 6.5.7 to add fence regulations as shown in **red** on attached Schedule 'A', attached to and forming part of this bylaw; and
3. Zoning Bylaw Number 5000 is hereby ratified and confirmed in every other respect.

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PUBLIC HEARING WAIVED this 14th day of February, 2022
(pursuant to Sections 464(2) and 467 of the Local Government Act)

READ A FIRST TIME this 14th day of March, 2022.

READ A SECOND TIME this 14th day of March, 2022.

READ A THIRD TIME this 14th day of March, 2022.

Approved pursuant to section 52(3)(a) of the *Transportation Act* this ___15___ day
of March, 2022.



for Minister of Transportation & Infrastructure
BYLAW 5890/eDAS 2022-00993

ADOPTED this day of _____, 2022.

Mayor

Corporate Officer

*Notice of the **Waiver** of Public Hearing was advertised in the March 3rd and March 10th, 2022 issues of the Morning Star newspaper, circulated in the City of Vernon.*

SCHEDULE 'A'
Attached to and Forming Part of Bylaw 5890
"Zoning Text (Fence Regulations) Amendment Bylaw Number 5890, 2022"

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 to prevent sagging and to minimize rot. Along sloping ground, the top of wood **fences** shall be horizontal with vertical drops at the posts.
- 6.5.6 Screening **fences** shall be opaque double-sided **construction**. Where screen **fences** are allowed or required by this Bylaw, they shall be of an opaque or a combination of opaque, translucent or lattice design.
- 6.5.7 No **fence** constructed at the **natural grade** in residential **zones**, shall exceed 2.0m in **height**, except where **abutting** an **agricultural** or **commercial zone** the maximum **height** is 2.4m. **No fence shall have pickets or finials extending above a horizontal rail that may pose a danger to wildlife.**