



## **DEVELOPMENT and PLANNING SERVICES COMMITTEE**

**January 9, 2017**

City of Salmon Arm

**Council Chamber**

City Hall, 500 - 2 Avenue NE

**8:00 a.m.**

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Page #	Section	Item#
	<b>1.</b>	<b><u>CALL TO ORDER</u></b>
	<b>2.</b>	<b><u>REVIEW OF THE AGENDA</u></b>
	<b>3.</b>	<b><u>DECLARATION OF INTEREST</u></b>
	<b>4.</b>	<b><u>REPORTS</u></b>
1 - 10	4.1	ZON-1081, Channer, A. & Davis, M., 80 – 16 Street NE – R-1 to R-8
11 - 18	4.2	VP-448, Edelweiss Properties Inc. / Timberline Solutions Ltd., 150 – 4 Street SE – Setback Variance
	<b>5.</b>	<b><u>PRESENTATION</u></b> n/a
	<b>6.</b>	<b><u>CORRESPONDENCE</u></b> n/a
	<b>7.</b>	<b><u>IN CAMERA</u></b> n/a
	<b>8.</b>	<b><u>LATE ITEM</u></b> n/a
	<b>9.</b>	<b><u>ADJOURNMENT</u></b>

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<http://www.salmonarm.ca/agendacenter>

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## City of Salmon Arm

### Development Services Department Memorandum

To: Her Worship Mayor Cooper and Members of Council

Date: December 23, 2016

Subject: Zoning Bylaw Amendment Application No. 1081

Legal: Lot 2, Section 13, Township 20, Range 10, W6M, KDYD, Plan 27054

Civic: 80 16 Street NE

Owner / Applicant: Channer, A. & Davis, M.

#### MOTION FOR CONSIDERATION

**THAT: a bylaw be prepared for Council's consideration, adoption of which would amend Zoning Bylaw No. 2303 by rezoning Lot 2, Section 13, Township 20, Range 10, W6M, KDYD, Plan 27054 from R-1 (Single Family Residential Zone) to R-8 (Residential Suite Zone).**

#### STAFF RECOMMENDATION

**THAT:** The motion for consideration be adopted.

#### PROPOSAL

The subject parcel is located at 80 16 Street NE and currently contains a single family dwelling (Appendix 1 and 2). The proposal is to rezone the parcel from R-1 (Single Family Residential) to R-8 (Residential Suite) to permit the construction and use of a new detached suite.

#### BACKGROUND

The subject parcel is located in an existing subdivision just north of Okanagan Avenue and west of 20 Street NE. This area is largely comprised of R-1 zoned parcels containing single family dwellings. The subject parcel is designated Medium Density Residential in the City's Official Community Plan (OCP) and zoned R-1 (Single Family Residential) in the Zoning Bylaw (Appendix 3). There are currently three R-8 zoned parcels within close proximity of the subject parcel.

Site plans are attached as Appendix 4, while site photos are attached as Appendix 5.

The wide (106 feet wide) subject parcel is approximately 0.20 acres (8,692 square feet), and exceeds the applicable requirements of minimum parcel area (7534.7 square feet) and minimum parcel width (65.6 feet) as specified to permit a detached suite within the proposed R-8 zone. The intent of the applicant is to construct a new, approximately 576 square foot, single-story detached suite.

The proposed siting of the suite in the south side yard is limited by an existing 10 foot wide easement along the east (rear) and south (interior) parcel lines, which exceeds the applicable minimum setback requirements (3 m or 9.8 feet from the rear and 2 m or 6.5 feet from the interior parcel line). Required parking for the suite is to be provided on site via an existing drive aisle.

*Detached Suites*

Policy 8.3.25 of the OCP provides for the consideration of detached suites in Medium Density Residential designated areas via a rezoning application, subject to compliance with the Zoning Bylaw and the BC Building Code. Based on Zoning Bylaw parcel area requirements, the subject property has potential for the development of a detached suite, including sufficient space for an additional off-street parking stall to serve the suite as indicated in the attached site plans.

COMMENTSEngineering Department

No concerns with rezoning. Comments attached as Appendix 6.

Building Department

No concerns with rezoning. Construction subject to BC Building Code.

Development Cost Charges (DCCs) are payable at the time of Building Permit for a Detached Suite in the amount of \$6,064.31 (same as the DCCs for a High Density Residential Unit).

Fire Department

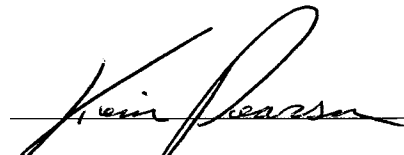
No concerns.

Planning Department

The proposed R-8 zoning of the subject parcel is consistent with the OCP and is therefore supported by staff. The size of the proposed detached suite building is relatively small (a single-story structure with less than 600 square feet of floor area). A large existing hedge, as well as the existing easement, should provide privacy and limit impacts on neighbouring parcels to the south and east, while the existing driveway has sufficient parking area to serve both the suite and primary dwelling. Development of a detached suite requires a building permit and will be subject to meeting Zoning Bylaw and BC Building Code requirements.

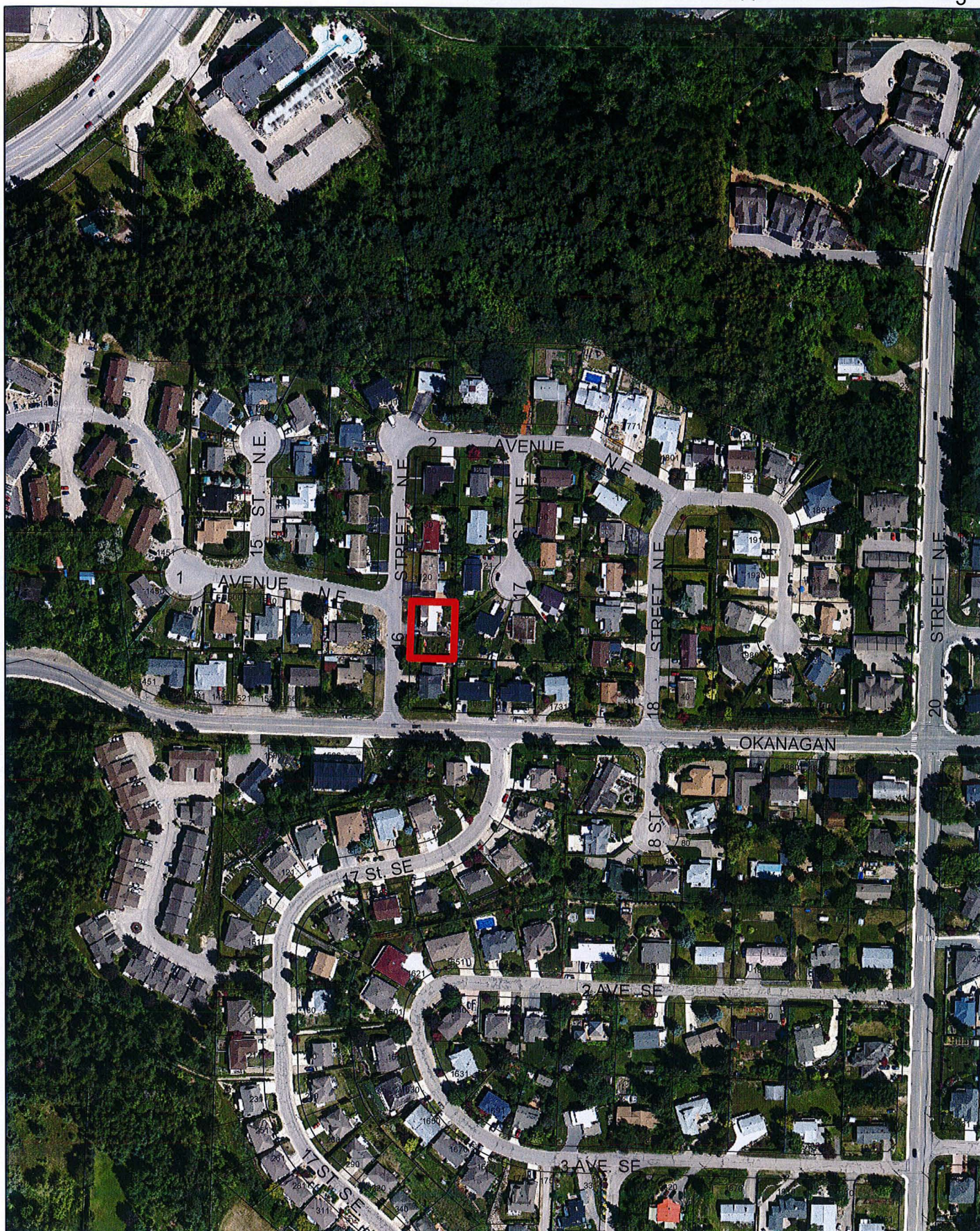


Prepared by: Chris Larson, MCP  
Planning and Development Officer



Reviewed by: Kevin Pearson, MCIP, RPP  
Director of Development Services



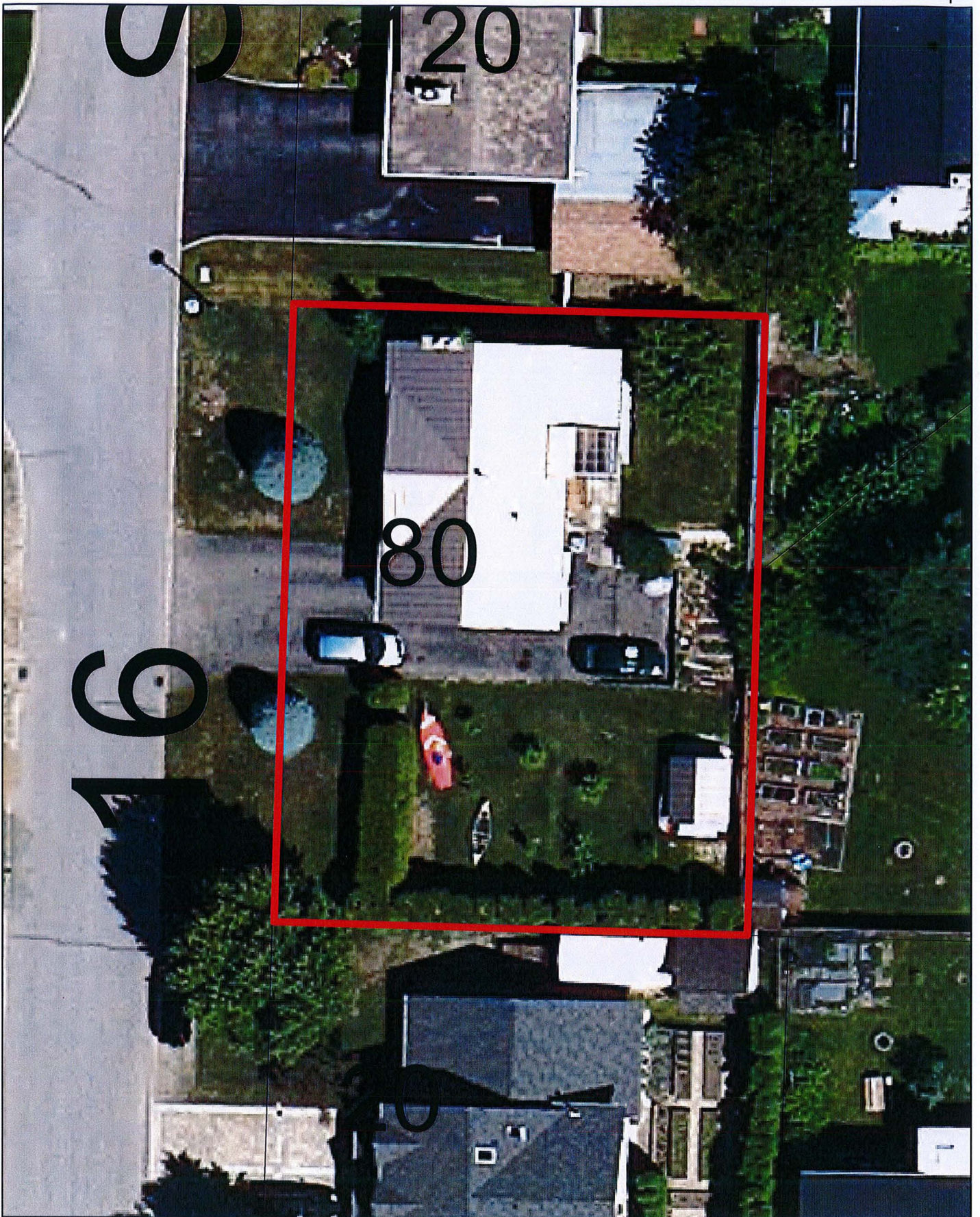


0 25 50 100 150 200 Meters



Subject Parcel



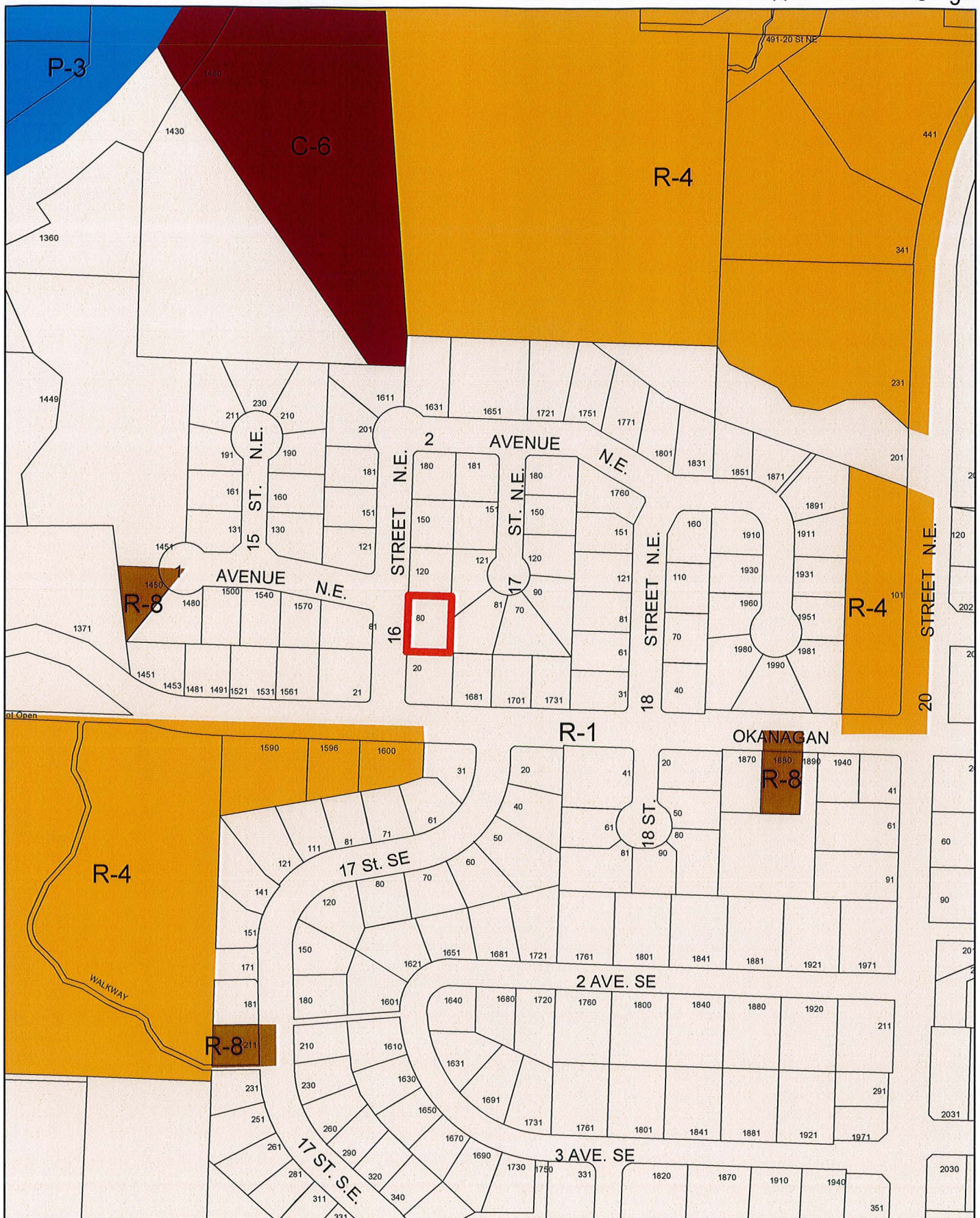


0 2.5 5 10 15 20 Meters



Subject Parcel



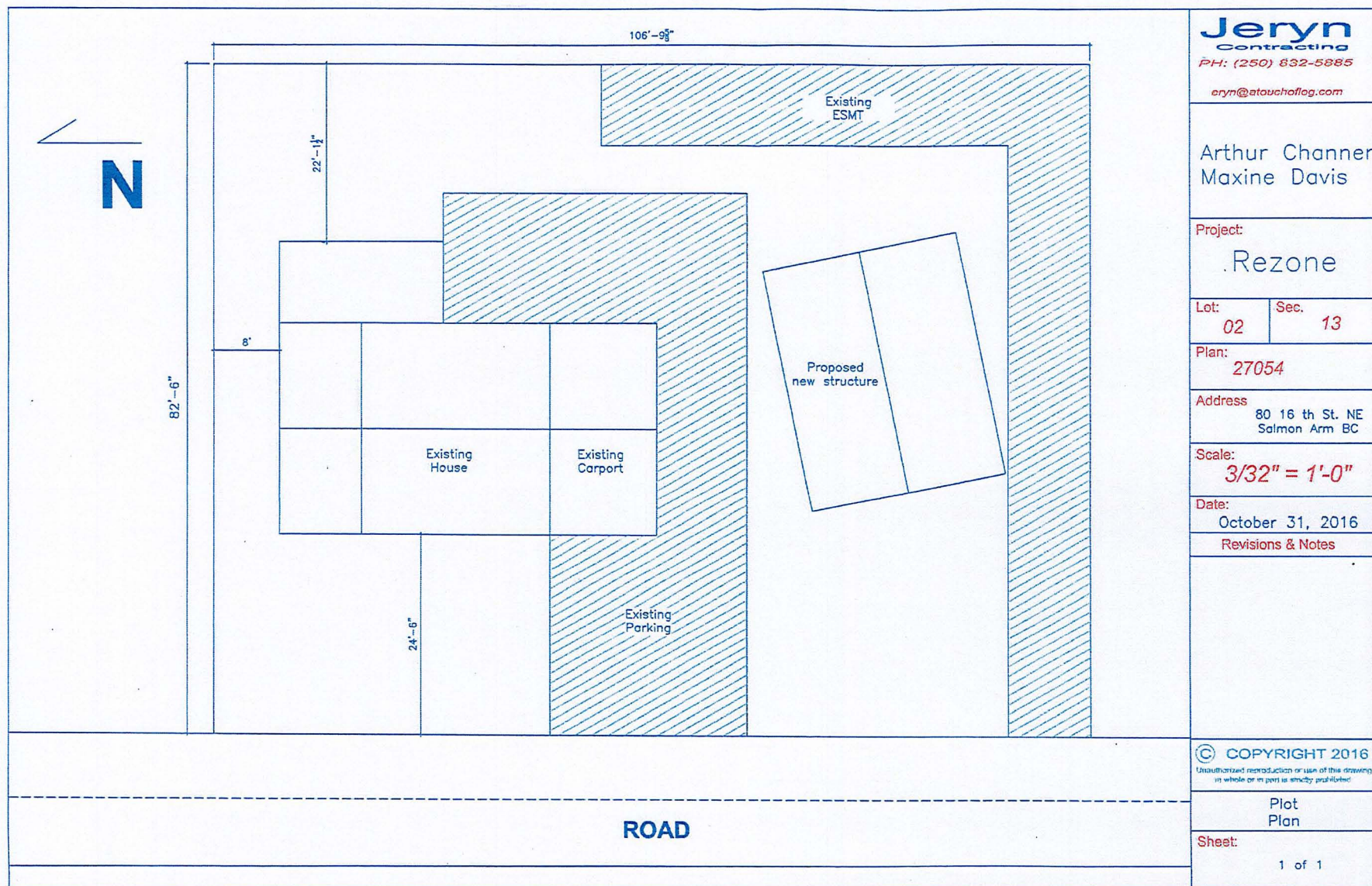


0 25 50 100 150 200 Meters



Subject Parcel



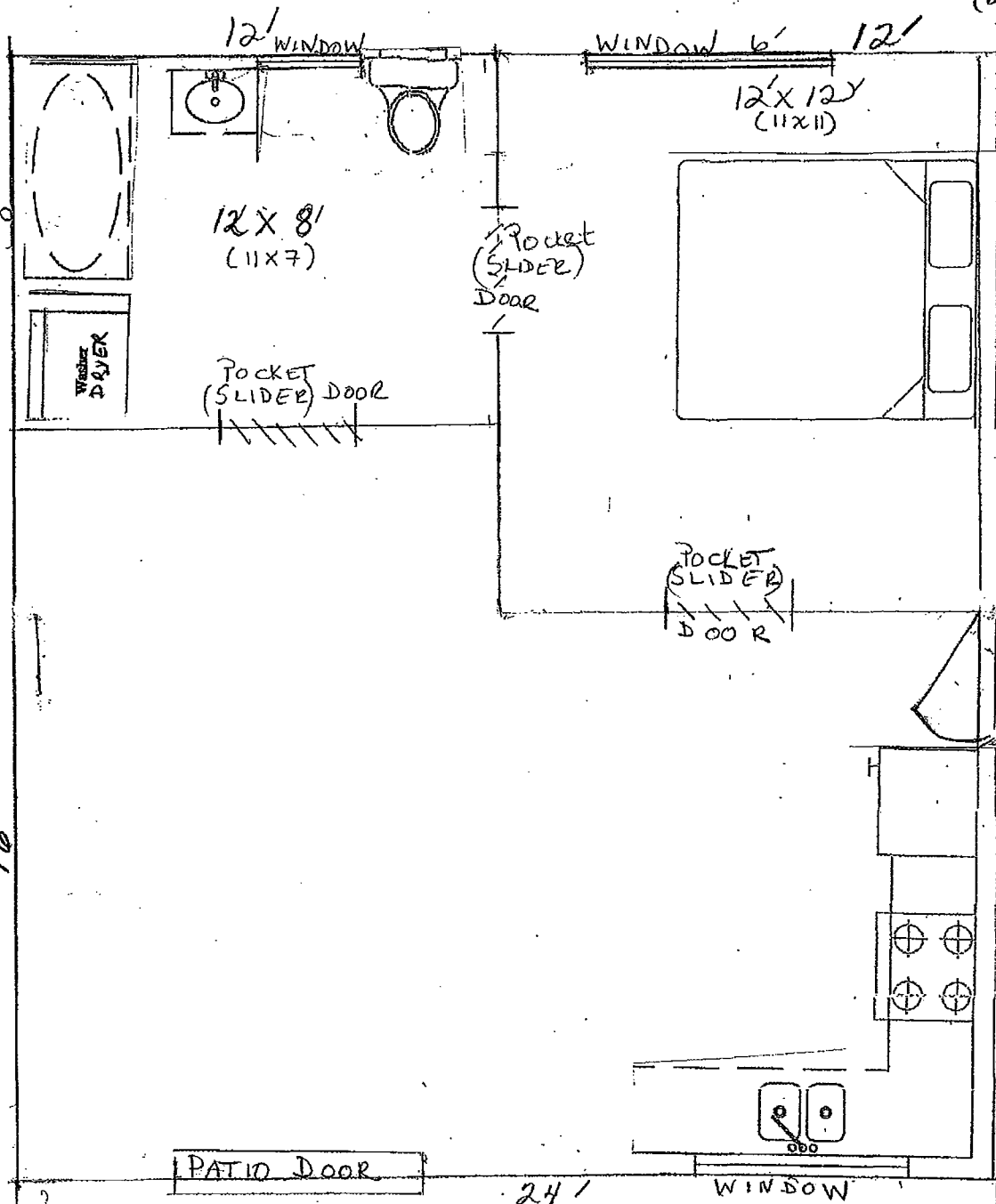


W 16th Street

← HEDGE →

← HEDGE →

(DESIGNATED SUITE DRIVEWAY)



DRIVEWAY  
SUITE  
(DESIGNATED SUITE DRIVEWAY)

PORCH (24x6)

E





View north of subject parcel from 16 Street NE.



View east from 1 Avenue NE. Proposed suite would be located in area behind hedge right of home.



View south-east of subject parcel from 16 Street NE.



*City of Salmon Arm*  
*Memorandum from the Engineering*  
*and Public Works Department*

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To: Kevin Pearson, Director of Development Services  
 Date: December 13, 2016  
 Prepared by: Darin Gerow, Engineering Assistant  
 Subject: Proposed Rezoning Application ZON-1081E  
 Legal: Lot 2, Section 13, Township 20, Range 10, W6M, KDYD, Plan 27054  
 Civic: 80 – 16 Street NE  
 Owner: Channer, Arthur & Davis, Maxine, 80 – 16 Street NE, Salmon Arm, BC,  
 V1E 1N5  
 Applicant: Owner

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Further to your referral dated December 12, 2016, the Engineering Department has thoroughly reviewed the site and has no objections to the proposed rezoning subject to the following:

- 1) Lot to be serviced by single metered water service connection (as per Specification Drawing No. W-10) adequately sized to satisfy the proposed use (minimum 19mm). A water meter will be required at **time of building permit** (meter provided by the City of Salmon Arm at the developer's cost). Existing inadequate/unused services must be abandoned at the main; owner is responsible for all associated costs.
- 2) Water service connection to the proposed new building shall be made after the installed water meter.
- 3) Driveway access shall be maintained at the current width.
- 4) **At time of Building Permit** Building certificate shall be required to ensure the proposed building does not encroach onto the City of Salmon Arm Right of Way. Developer to ensure footings are installed at a depth that will not be undermined by excavation of City main.

Darin Gerow, A.Sc.T  
 Engineering Assistant

Jenn Wilson, P. Eng., LEED® AP  
 City Engineer



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*City of Salmon Arm*

*Development Services Department Memorandum*

TO: Her Worship Mayor Cooper and Members of Council

DATE: December 16, 2016

SUBJECT: Development Variance Permit Application No. 448 (Building Setback)  
Civic: 150 - 4 Street SE  
Owner: Edelweiss Properties Inc.  
Applicant: Timberline Solutions Ltd.

**MOTION FOR CONSIDERATION**

**THAT:** Development Variance Permit No. VP-448 be authorized for issuance for Lot 1 Section 14, Township 20, Range 10, W6M, KDYD, Plan EPP29885, except Strata Plan EPS1704 (Phases 1, 2 & 3), which will vary Zoning Bylaw No. 2303 as follows:

**Section 10.9 - R-5 Residential Zone - reduce the minimum setback of the principal building along the front parcel line adjacent to 4 Street SE (previously reduced from 5.0 m (16.4 ft) to 2.9 m (9.5 ft) with the approval of Development Permit No. 397), from 2.9 m (9.5 ft) to 2.6 m (8.5 ft).**

**STAFF RECOMMENDATION**

That the motion for consideration be adopted.

**BACKGROUND**

The subject property (Lot 1) fronts 4 and 5 Streets SE approximately 170 m south of Okanagan Avenue (a location map is attached as APPENDIX 1). A three unit townhouse has been constructed on Lot 1, and the west facing wall encroaches 0.29 m (0.95 ft) into the previously varied, front yard setback area (see APPENDIX 2).

The three units constructed on Lot 1 are intended to be the fourth and final phase of a 12 unit strata development comprised of four buildings, with three townhouses in each building. Nine of the 12 townhouse units have been registered as Strata Plan EPS1704. The City's subdivision Approving Officer is unable to approve the final phase because there is a building setback encroachment within the 4 street front yard of Lot 1, which is the reason behind this Development Variance Permit application.

Lot 1 and the adjacent Strata Plan EPS1704 were rezoned from Single Family Residential (R-1) to High Density Residential (R-5) in August 2014. The form and character of this townhouse development was approved by Development Permits No.'s 392 and 397 in 2013 and 2014. With these permits, two building setback variances were approved by Council:

1. a reduction in the minimum building setback along the front parcel line adjacent to 4 Street SE from 5.0 m to 2.9 m; and
2. a reduction of the minimum building setback along the rear parcel line adjacent to 5 Street SE from 5.0 m to 3.0 m.

The previous setback variance approved along 4 Street SE is relevant to this variance application.

Also related, with the approval of Development Permit No. 392 in 2013, the owner agreed to dedicate a 2.9 m (9.5 ft) wide strip of land along the 4 Street SE frontage, which facilitated much needed road widening along this local street and associated upgrades to the Urban Standard. The development permit drawings contemplated the road dedication; however the drawings were not a product of a BC Land Surveyor.

City staff's account of events and circumstances leading up to this application are outlined below.

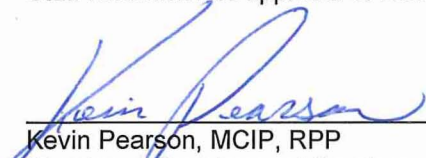
1. The site plan supplied with the Building Permit application showed the building to be sited with a 2.9 m setback. The site plan was based on the approved development permit drawings and not an updated site survey showing the precise alignment of the front parcel after road dedication (note that the front parcel line is not 100% perpendicular to the interior lot lines – there is a slight angle which may explain some of the reason for the building encroachment).
2. The Building Permit issued on May 6, 2016 had a condition that a site survey be provided to the Building Department prior to above grade works. Council may recall the requirement for a site survey for above grade works was amended to the Building Bylaw two years ago after a similar construction setback error in the Shuswap Ridge strata development.
3. The applicant constructed the foundation sometime before June 2, 2016 (the day the aerial image was taken on the location map attached as APPENDIX 1). It is assumed the applicant did not commission a BC Land Surveyor to pin the precise location of the footings and foundation relative to the lot lines.
4. Sometime after June 2, 2016, the applicant commenced with above ground works without advising the Building Department or providing a site survey certificate.
5. On November 21, 2016, proposed Phase 4 of Strata Plan was submitted to the City Approving Officer for consideration of approval, at which time the setback encroachment was noticed on the proposed strata site plans attached in APPENDIX 2.

#### RECOMMENDATION

While there are concerns by staff with the way in which this project commenced to completion without the precise measurements needed by a BC Land Surveyor prior to construction, and contrary to a main condition of the Building Permit, the building encroachments of the main wall and bump out are next to impossible to notice on the ground.

The encroachments would not impact City utilities, site lines or the streetscape. Landscaping in accordance with the approved Development Permit drawings (see APPENDIX 3) is also still required within the remaining front yard. Overall, the project is a good quality, high density residential strata and representative of the kind of development the City's OCP supports in this neighbourhood.

Staff recommends approval of Development Variance Permit No. 448.



Kevin Pearson, MCIP, RPP  
Director of Development Services







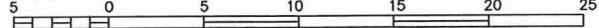
Sheet 1 of 3

# Phased Strata Plan of Lot 1, Sec 14, Tp 20, R 10, W6M, KDYD, Plan EPP29885

## Strata Plan EPS1704

Except Strata Plan EPS1704 (Phase One, Two and Three)

BCGS 82L.064

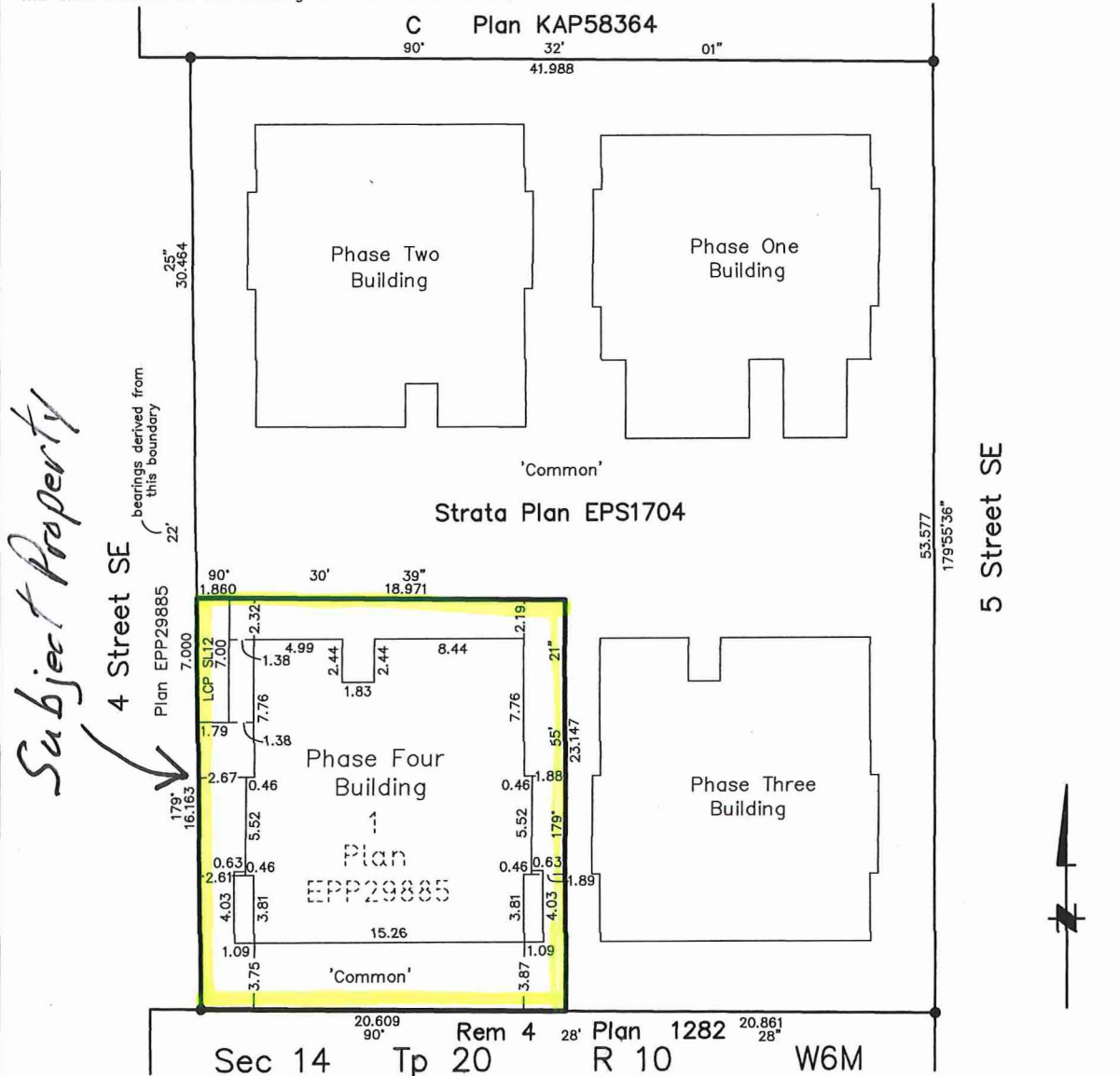


All distances are in metres.

The intended plot size of this plan is 280mm in width by 432mm in height (B size) when plotted at a scale of 1:250

This plan lies within the City of Salmon Arm, the Vernon Assessment Area and the Columbia Shuswap Regional District.

The civic address of the building is: 150-4 Street SE, Salmon Arm, B.C.



### LEGEND

Bearings are astronomic and are derived from Plan EPP29885

● Standard Iron Post Found

'Common' Denotes common property as defined in the Strata Property Act

LCP Denotes limited Common Property for the use of the strata lots indicated only

### Phase Four

This plan is Phase Four of a four phase strata plan under Section 224 of the Strata Property Act lying within the jurisdiction of the Approving Officer for the City of Salmon Arm.

The buildings included in this strata plan have not been previously occupied.

The buildings shown on this strata plan are within the external boundaries of the land that is the subject of the strata plan.

The field survey represented by this plan was completed on the 22nd day of September, 2016  
Joseph Charles Johnson, BCLS (604)

BROWNE JOHNSON LAND SURVEYORS  
B.C. AND CANADA LANDS  
SALMON ARM, B.C. Ph.250-832-9701  
File: 468-16 315-16.raw

4 Street SE

bearings derived from this boundary

Plan EPP29885

7.000  
179° 16.163

90° 1.860

30'

39" 18.971

LCP SL12 7.00

2.32

1.79

2.67

0.46

5.52

0.63

2.61

4.03

3.81

1.09

3.75

1.38

4.99

2.44

1.83

7.76

1.38

0.46

5.52

0.63

2.61

4.03

3.81

1.09

3.75

2.44

1.83

2.44

8.44

7.76

2.19

21"

55'

1.88

23.147

1.89

3.87

1.09

3.87

Phase Four Building

Plan EPP29885

15.26

'Common'

Phase Two Building

15 Phase Building

'Common'

Strata Plan EPS1704

Phase Building

20.609 90°

Rem 4

28'

Plan 1282

20.8 2

Sec 14

Tp 20

R 10

## LEGEND

Bearings are astronomic and are derived from Plan EPP29885



Standard Iron Post Found

'Common'

Denotes common property as defined in the Strata Property Act

LCP

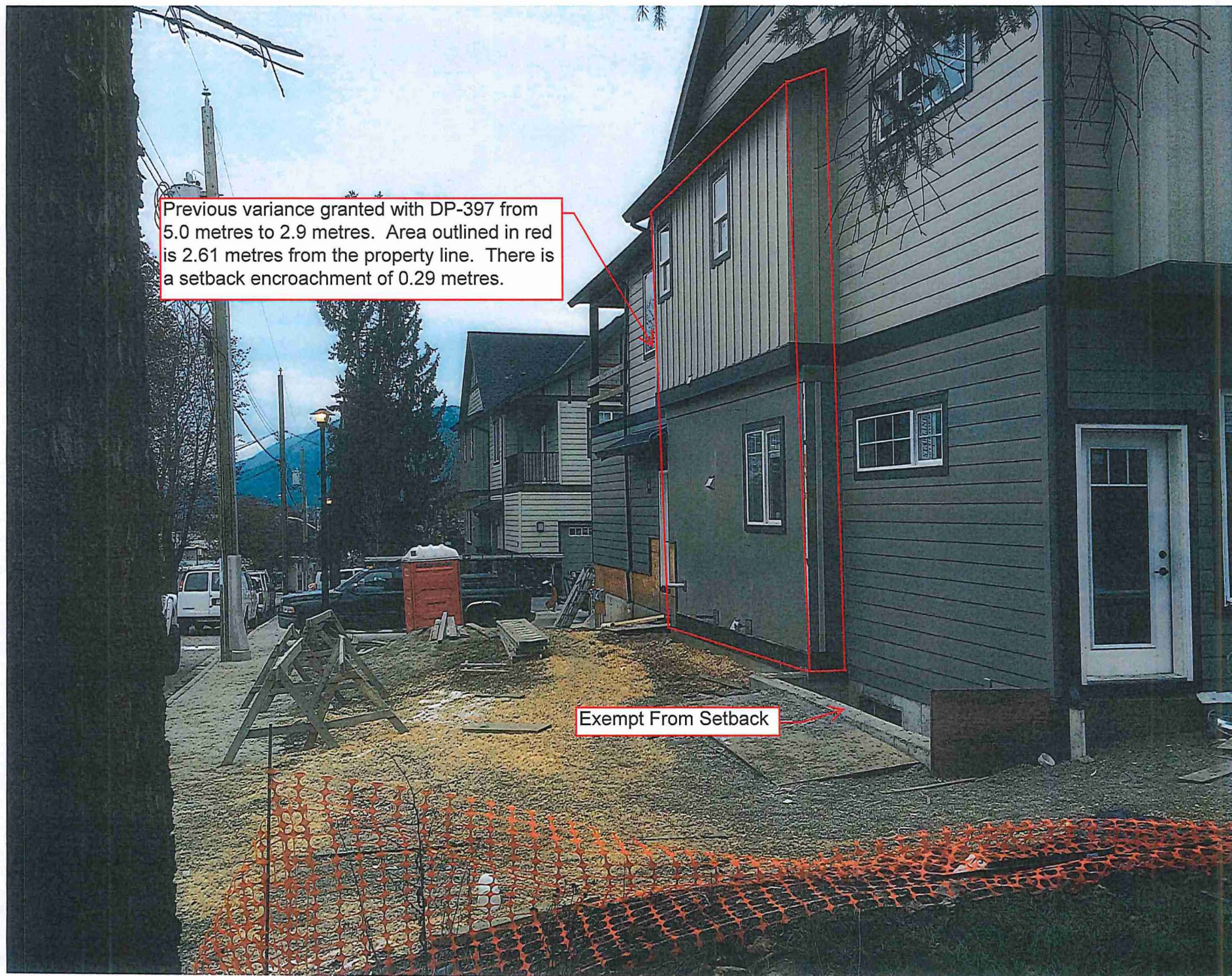
Denotes limited Common Property for the use of the strata lots indicated on

## Phase Four

This plan is Phase Four of a four phase strata plan under Section 224 of the Strata Property Act lying within the jurisdiction of the Approving Officer for the City of Salmon Arm.

The field complet Joseph









	
<b>ISSUE</b>	<b>DATE</b>
<b>DP REVIEW 30 DEC 2012</b>	
<b>REMARKS:</b> ER	
<b>DATE:</b> NOVEMBER 2012	
<b>SCALE:</b> 1 : 200	
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<b>Consultant:</b>	
	
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<b>BERND HERMANSKI</b> <b>ARCHITECT</b> INCORPORATED 401 - ALEXANDER ST. N.E. P.O. BOX 1403 SALMON ARM, B.C. V1E 4Y4 TEL: (250) 833-7485 FAX: (250) 833-7488 EMAIL: info@bha.ca	
<b>PROJECT:</b> 12-009	
<b>EDELWEISS</b> <b>150 - 4TH STREET SE</b> Buildings 3 & 4 SALMON ARM, B.C.	
<b>DRAWING TITLE:</b>	
proposed landscape plan	
<b>DRAWING NO.</b> <b>DPL1</b> OF 1	



*City of Salmon Arm*  
*Memorandum from the Engineering*  
*and Public Works Department*

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To: Kevin Pearson, Director of Development Services  
 Date: December 13, 2016  
 Prepared by: Darin Gerow, Engineering Assistant  
 SUBJECT: **DEVELOPMENT VARIANCE PERMIT APPLICATION NO. VP- 448E**  
 LEGAL: Lot 1, Section 14, Township 20, Range 10, W6M, KDYD, Plan EPP29885  
 except Strata Plan EPS1704 (Phase One, Two and Three)  
 CIVIC: 150 – 4 Street SE  
 Owner: Edelweiss Properties Ltd., 2270 – 3 Avenue SE, Salmon Arm, BC,  
 V1E 1K1  
 Applicant: Timberline Solutions Ltd., Box 352, Salmon Arm, BC, V1E 4N6

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Further to your referral dated December 8, 2016, the Engineering Department has thoroughly reviewed the site and offers the following comments and recommendations, relative to the variances requested:

The applicant is requesting to vary section 10.9.1 of Zoning Bylaw No. 2303 from 2.9 meters (previous variance granted with DP-397) to 2.61 meters.

**Engineering Department has no objection to the proposed variance to reduce set back to 2.61 meters.**

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Darin Gerow, A.Sc.T  
 Engineering Assistant

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Jennifer Wilson, P.Eng, LEED® AP  
 City Engineer