



AGENDA

**City of Salmon Arm
Development and Planning Services
Committee**

**Monday, October 21, 2019
8:00 a.m.
Council Chambers, City Hall
500 – 2 Avenue NE**

Page #	Item #	Description
	1.	CALL TO ORDER
	2.	REVIEW OF AGENDA
	3.	DISCLOSURE OF INTEREST
	4.	PRESENTATIONS
	5.	REPORTS
1 - 14	1.	Development Variance Permit Application No. VP-489 [Wandeler, R. & D./2321 Okanagan Holdings Ltd./Wilson, M.; 79 – 24 Street NE; Retaining Wall and Fence]
15 - 28	2.	Development Variance Permit Application No. VP-490 [Westhaver, A. & E./2321 Okanagan Holdings Ltd./Wilson, M.; 71 – 24 Street NE; Retaining Wall and Fence]
29 - 38	3.	Development Variance Permit Application No. VP-504 [0815605 BC Ltd./Wickner, J./Franklin Engineering Ltd.; 1441 20 Avenue SE; Servicing]
	6.	FOR INFORMATION
	7.	IN CAMERA
	8.	LATE ITEM
	9.	ADJOURNMENT

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CITY OF SALMON ARM

TO: His Worship Mayor Harrison and Members of Council

FROM: Director of Development Services

DATE: October 2, 2019

SUBJECT: Development Variance Permit Application No. VP-489
 Legal: Lot 6, Section 13, Township 20, Range 10, W6M, KDYD, Plan EPP79116
 Civic Address: 79 – 24 Street NE
 Owner: R. & D. Wandeler
 Applicant / Agent: 2321 Okanagan Holdings Ltd. / M. Wilson

MOTION FOR CONSIDERATION

THAT: Development Variance Permit No. VP-489 be authorized for issuance for Lot 6, Section 13, Township 20, Range 10, W6M, KDYD, Plan EPP79116, which will vary Zoning Bylaw No. 2303 as follows:

Section 4.12.1 Fences and Retaining Walls - increase the maximum permitted combined height of a retaining wall and fence from 2.0 m (6.5 ft) to 5.0 m (16.5 ft).

STAFF RECOMMENDATION

THAT: The motion for consideration be adopted.

PROPOSAL

The subject property is located in the Maplewoods subdivision at 79 – 24 Street NE (Appendix 1 & 2). The variance request is for a retaining wall with an affixed fence on top along the west and north parcel lines at the rear and interior side of the house (Appendix 3). The applicant is requesting a variance to increase the maximum permitted height of the combined height of a retaining wall and fence from 2.0 m (6.5 ft) to 5.0 m (16.5 ft). The applicant has provided a letter of rationale (Appendix 4); and, site photos are attached as Appendix 5.

BACKGROUND

The subject property is designated Medium Density Residential in the City's Official Community Plan (OCP) and zoned CD-7, Comprehensive Development Zone in the City's Zoning Bylaw (Appendix 6 & 7). The CD-7 Zone is similar to the R-8 Residential Suite Zone; although, setbacks, parcel area and parcel width are reduced in the CD-7 Zone.

This application is for an existing retaining wall. A building permit was issued for the wall in June 2018. It was noted on the building permit that a variance permit was required if the wall was over 2.0 m (6.5 ft). The applicant submitted a variance permit application in November 2018. The application was placed on hold due to an additional wall that was planned to be built on the neighbouring property to the west. This additional wall would raise the grade in front of the existing wall. Thus, the actual height of the existing wall could not be determined prior to the construction of the wall on the western property.

5.1

The retaining wall on the subject property is constructed using large retaining wall blocks, 0.76 m x 0.76 m (2.5 ft x 2.5 ft). The retaining wall starts at 2.4 m (8.0 ft) along the north interior parcel line and ends at 2.6 m (8.5 ft) at the southwest corner of the property. The highest point of the retaining wall is 3.81 m (12.5 ft) at the northwest corner of the property. For safety, a fence will be affixed to the top of the retaining wall which will add another 1.2 m (4 ft). A building permit requirement for retaining walls over the height of 1.2 m. (4 ft) is the approval from a professional structural engineer. A stamped letter of approval from Syme Structural Engineering Ltd. was received in August 2018.

STAFF COMMENTS

Fire Department

No Fire Department Concerns.

Building Department

See attached referral comments (Appendix 8).

Engineering Department

No Engineering Concerns.

Planning Department

The applicant is requesting a variance to Section 4.12 of the Zoning Bylaw. The Zoning Bylaw permits a maximum combined height of a retaining wall and fence of 2.0 m (6.5 ft) in all rear and interior side yards in residential zones. The applicant requires a variance as a wall has been built over the maximum 2.0 m (6.5 ft) height to create a backyard with functional space.

The CD-7 Comprehensive Development Zone is a medium density, single family residential zone in which secondary suites are permitted. In comparison to the R-8, Residential Suite Zone, the CD-7 Zone has reduced setbacks, parcel area and width. In the CD-7 Zone the minimum setback from the principal building to the rear parcel line is 5.0 m (16.4 ft). In this situation, the house meets the minimum setback as the house is sited 5.0 m (16.4 ft) from the rear parcel line (Appendix 9). The large grade change between the subject property and the established property to the west, combined with the small backyard, creates a situation where it is difficult to achieve level and useable space in the backyard without the construction of retaining walls. The option of having stepped or off-set retaining walls to address the large grade change is also not viable, due to the small backyard.

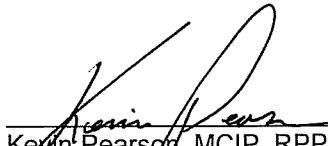
Due to the topography of Salmon Arm, there are many residential neighbourhoods built on steep slopes and construction of retaining walls is a common approach to creating level backyards in residential neighbourhoods such as this. Although OCP Policy 8.3.22 suggests minimizing cut, fill and retaining walls on hillside areas, as well as the preparation of grading plans prior to servicing and construction, this lot is one of the last phases in the Maplewoods subdivision. Thus far, this is one of two retaining wall height variance requests. With approximately 50 lots, the subdivision is almost complete and the expectation is there may be similar retaining wall height variances requested for the last few remaining lots not yet built on.

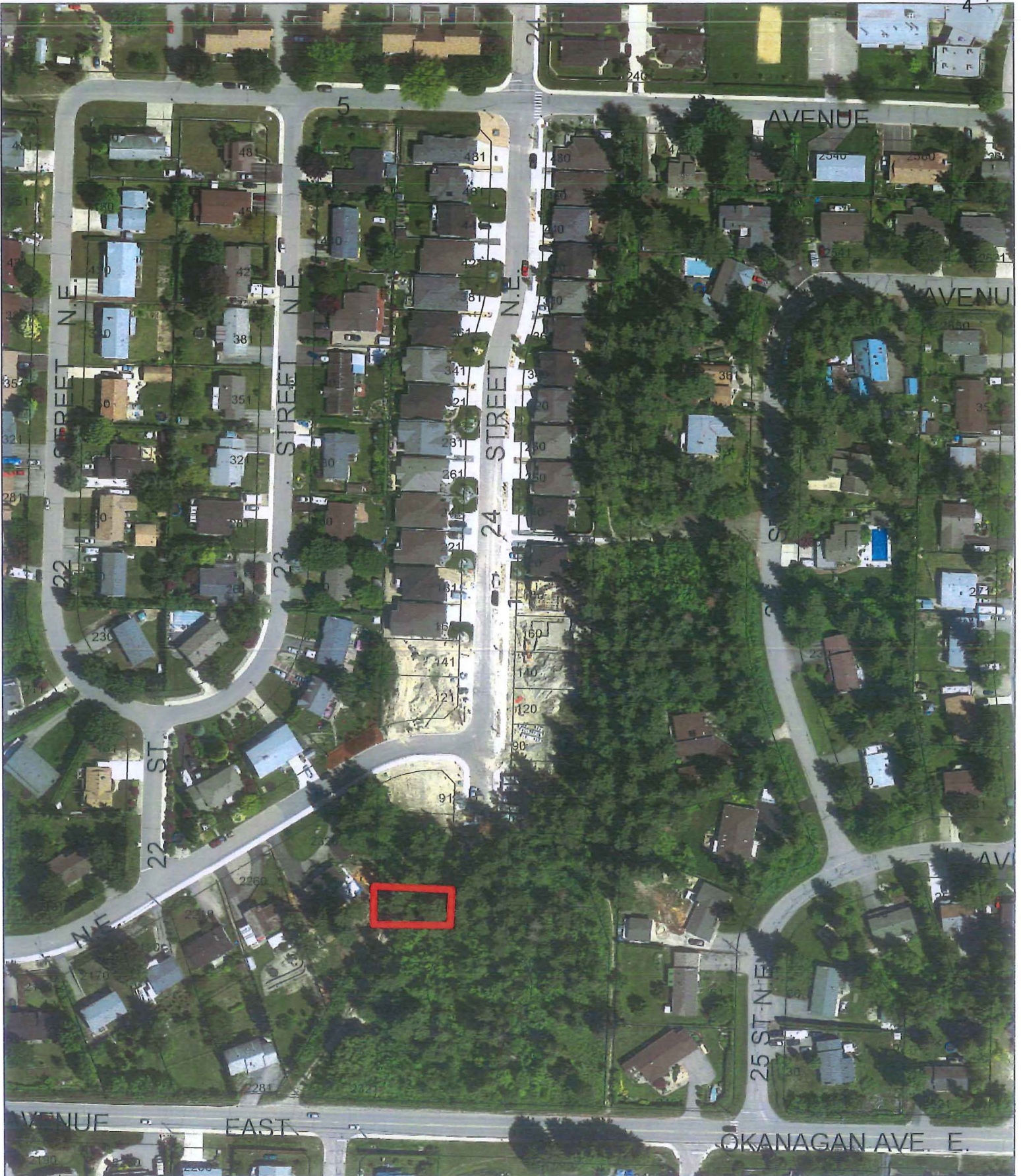
As previously mentioned in the report, a wall was built by the applicant/developer on the neighbouring property to the west. This wall built on 2320 – 1 Avenue NE raises the grade; and, more importantly provides another level that is landscaped. Trees and shrubs have been planted on this extra level between the two walls which softens and reduces the aesthetic impact of a 3.7 m (12 ft) wall. The property owner of 2320 – 1 Avenue NE has written a letter stating that she does not object to the height of the wall and is attached as Appendix 10.

CONCLUSION

Although the applicant is asking for over double the maximum permitted height of 2.0 m (6.5 ft) for a combined wall and fence, the applicant has taken significant steps to lessen the aesthetic impact and integrate the retaining wall with established neighbouring properties; while, still providing level and functional backyards for new properties. Due to the topography and site conditions, staff feel it is a justified request.


Denise Ackerman
Planner, Development Services Department

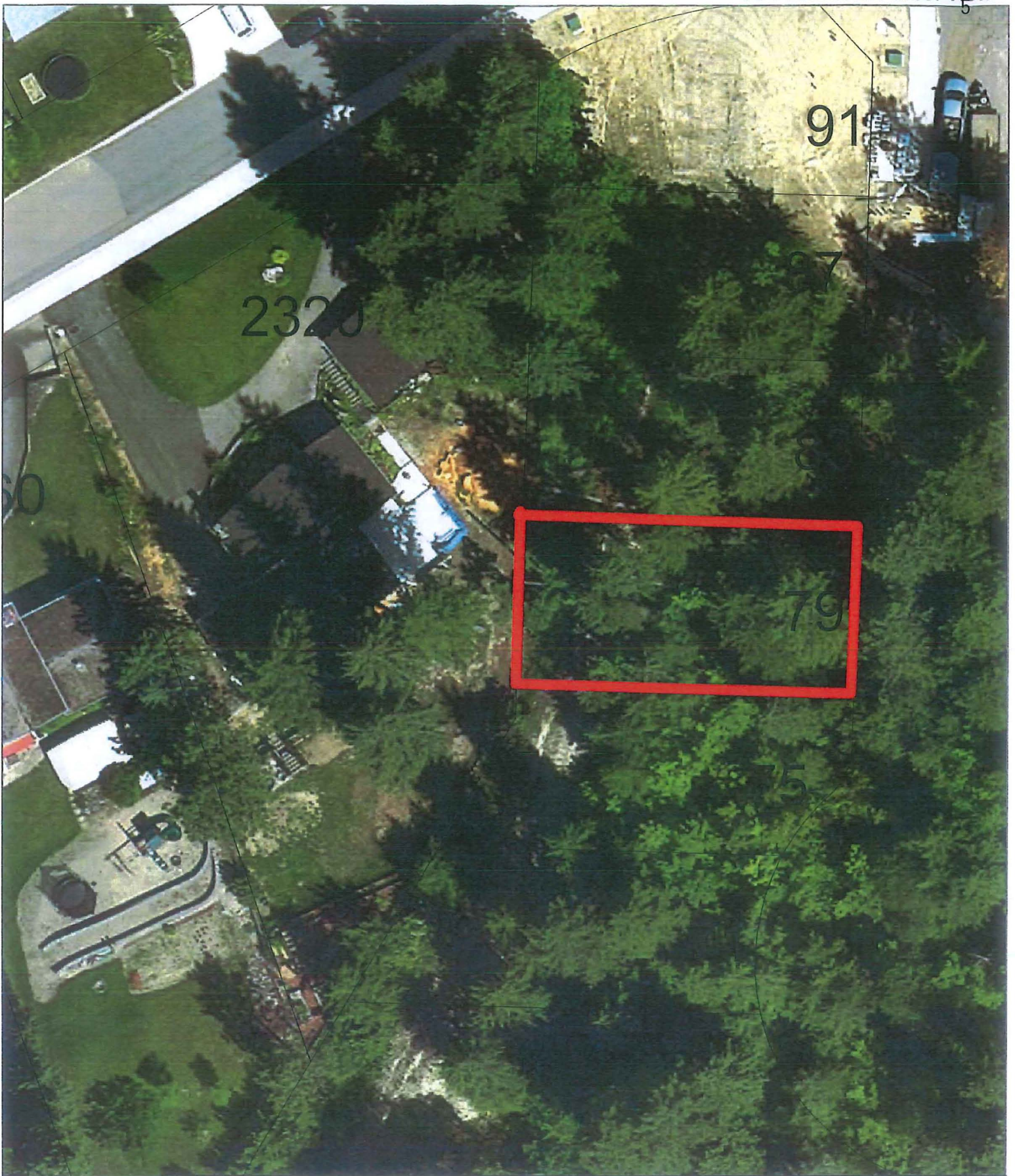

Kevin Pearson, MCIP, RPP
Director of Development Services



0 15 30 60 90 120 Meters



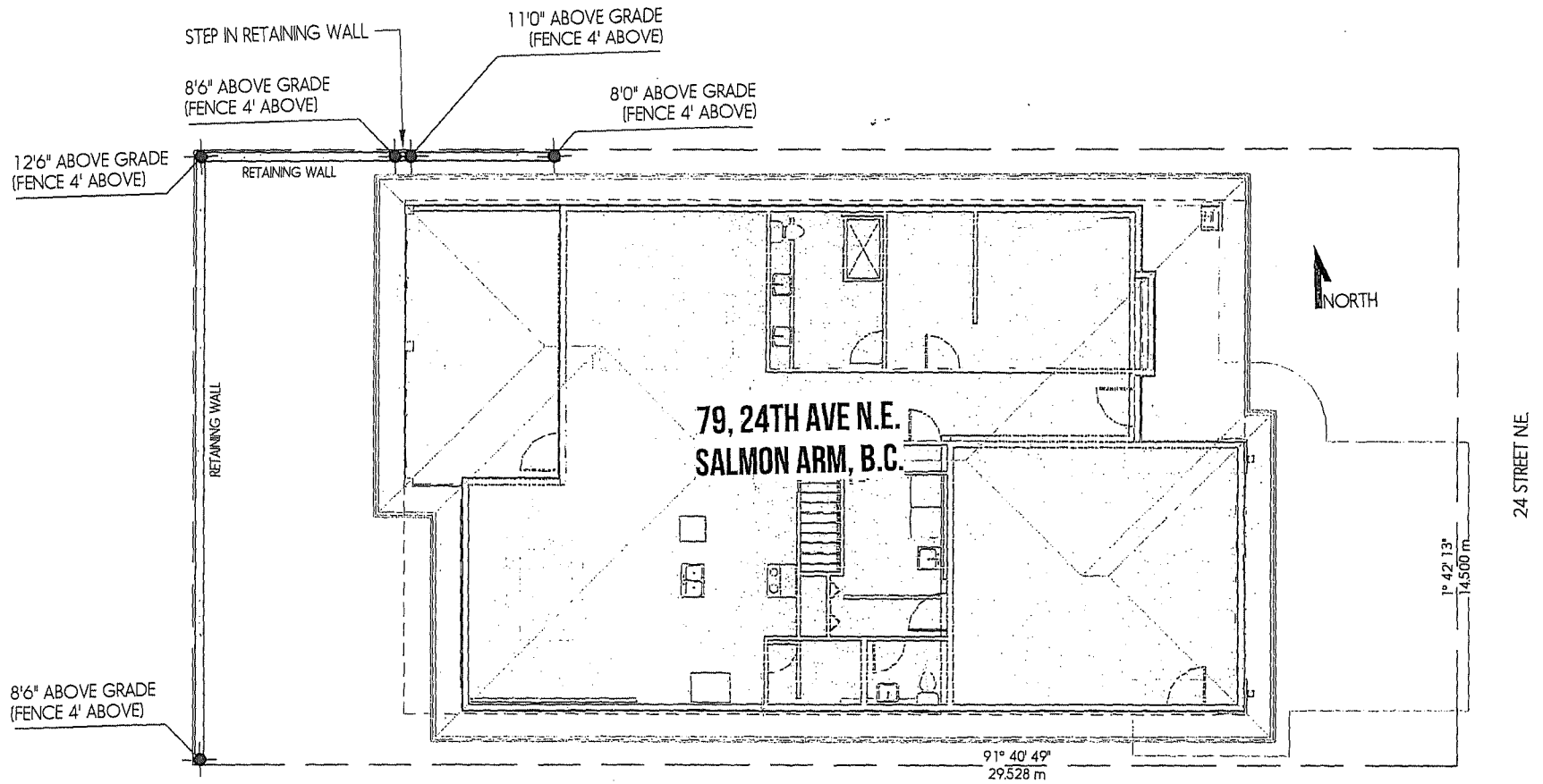
Subject Parcel



0 3.5 7 14 21 28 Meters



Subject Parcel



1 SITE
1:100
79, 24TH STREET, N.E.
NOV 22 2018
RETAINING WALL PLAN

2321 OKANAGAN HOLDINGS LTD.
BOX 716
SALMON ARM B.C. V1E 4N8
Phone (250) 832-2567, Fax (250) 832-5210

November 20, 2018

City of Salmon Arm
Development Services Department
500 – 2nd Avenue NE
Box 40
Salmon Arm BC,
V1E 4N2

To whom it may concern,

Re: 79 2th Street NE, PID 030-363-659, The *Maplewood's* subdivision

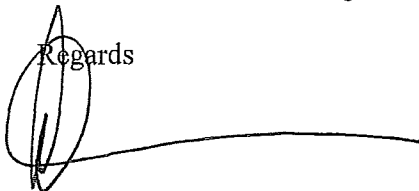
This letter is to request a variance be granted to allow for additional height for an existing retaining wall and for a future fence. We request a variance for interior side yard fence and retaining wall to range from 12' to 15' (8'to 11'1 retaining wall plus 4' fence) and a rear property line retaining wall and fence to range from 12'6" to 16'6" (8'6"to 12'6" retaining wall plus 4' fence).

Reasons for the request are as follows:

1. The variance would allow for all homes facing 24th Street NE to have a similar look and would allow for the subdivision's consistency of function and design to continue.
2. The slope of the land and the existing levels of yards to the west of the development have made usable back yard space in this phase of the development difficult. The requested variance allows for usable back yard space for the home. In the long run it improves the privacy of the neighboring properties.
3. The variance would ensure the neighbors yards are fully usable with no material sluff or run off from this yard, that existed prior to the installation of the retaining wall.

Thank you for considering

Regards

A handwritten signature in black ink, appearing to be 'Mark Wilson', with a long horizontal line extending to the right.

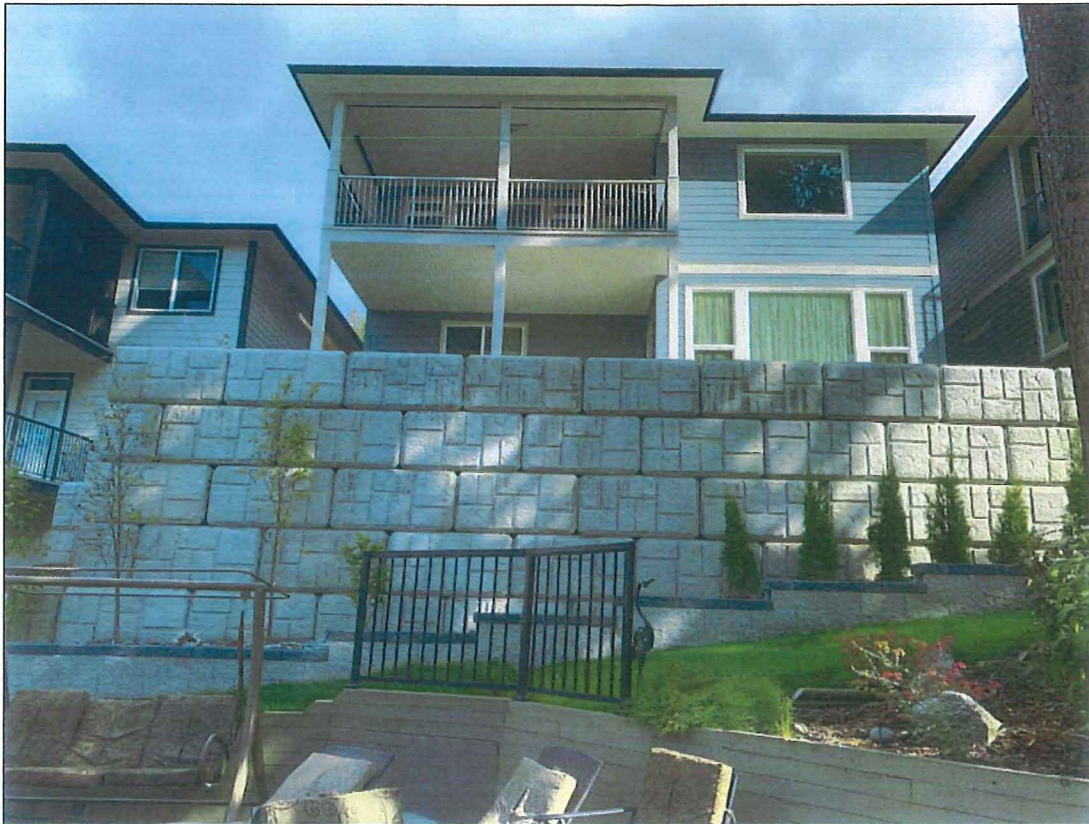
Mark Wilson CPA CMA



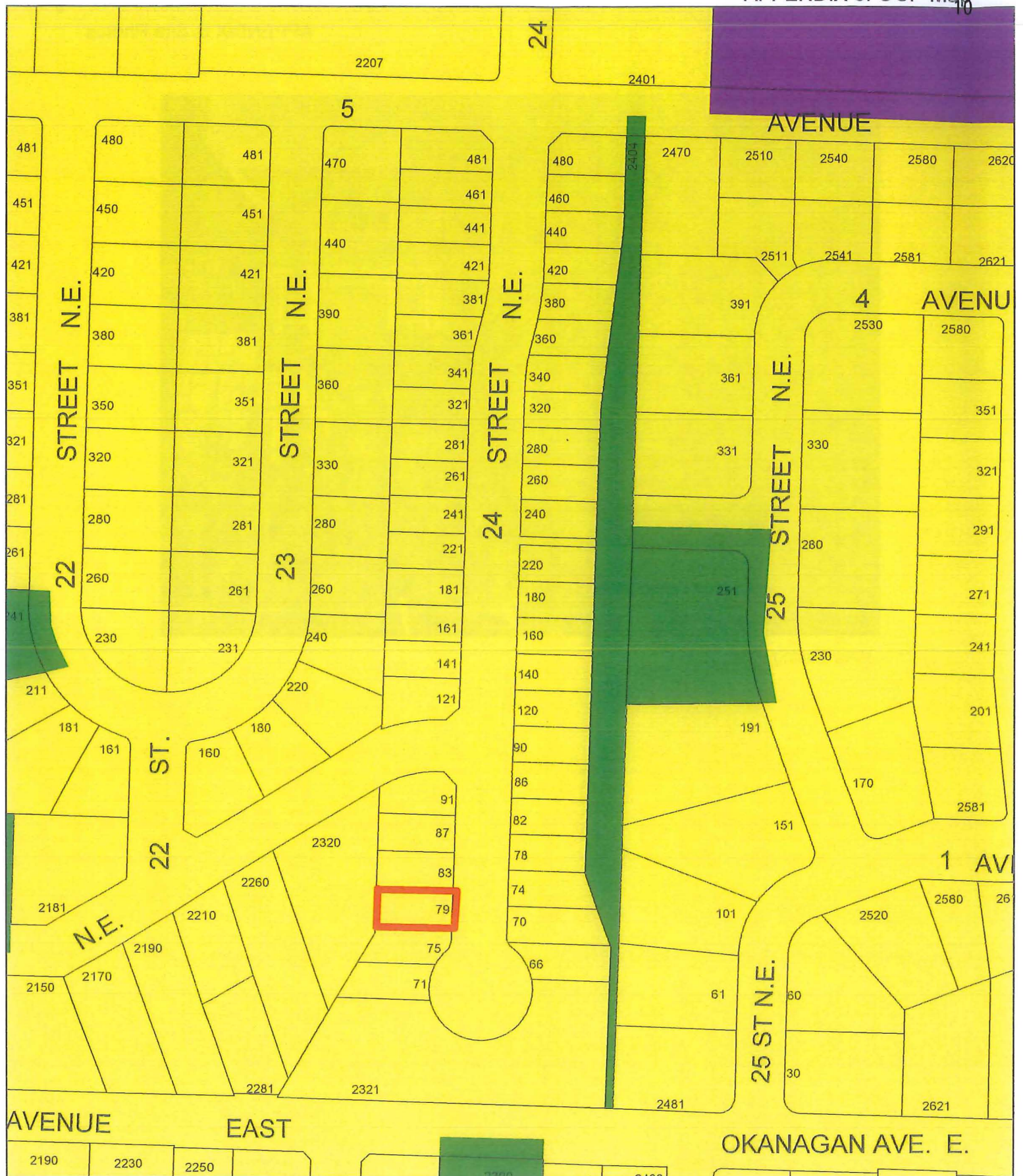
View Facing North



View Facing South



View Facing East





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DEVELOPMENT SERVICES DEPARTMENT
 Box 40, 500 - 2nd Avenue NE, Salmon Arm, BC, V1E 4N2
 Phone: 250-803-4021 FAX: 250-803-4041

TO:

DIRECTOR OF DEVELOPMENT SERVICES (Kevin)
 PLANNING AND DEVELOPMENT OFFICER (Jon)
 PLANNING AND DEVELOPMENT OFFICER (Wes)
 PLANNING AND DEVELOPMENT OFFICER (Chris)
 MANAGER OF PERMITS & LICENSING (Maurice)
 FIRE DEPARTMENT (Brad)
 ENGINEERING & PUBLIC WORKS DEPARTMENT (Rob, Jenn & Shelly)
 BC HYDRO, via email utilities group
 FORTISBC, via email utilities group
 TELUS, via email utilities group
 SHAW CABLESYSTEMS, via email utilities group

REFERRAL:

OWNER:	Wandeler, R. & D., 79 – 24 Street NE, Salmon Arm, BC V1E 0C2
APPLICANT / AGENT:	Wilson, M., Box 716, Salmon Arm, BC V1E 4N8
DATE:	December 12, 2018
SUBJECT:	DEVELOPMENT VARIANCE PERMIT APPLICATION NO. VP-489
LEGAL:	Lot 6, Section 13, Township 20, Range 10, W6M, KDYD, Plan EPP79116
CIVIC:	79 – 24 Street NE
ASSOCIATED:	n/a
PREVIOUS:	n/a

Attached is an application and supporting documentation. The applicant is requesting a variance to Zoning Bylaw 2303, Section 4.12 – increase the maximum combined height of retaining wall and fence from 2.0 m (6.5 ft) to 5.0 m (16.5 ft)

Your comments are required A.S.A.P.

Thank you.

Kevin Pearson, MCIP, RPP
 Director of Development Services

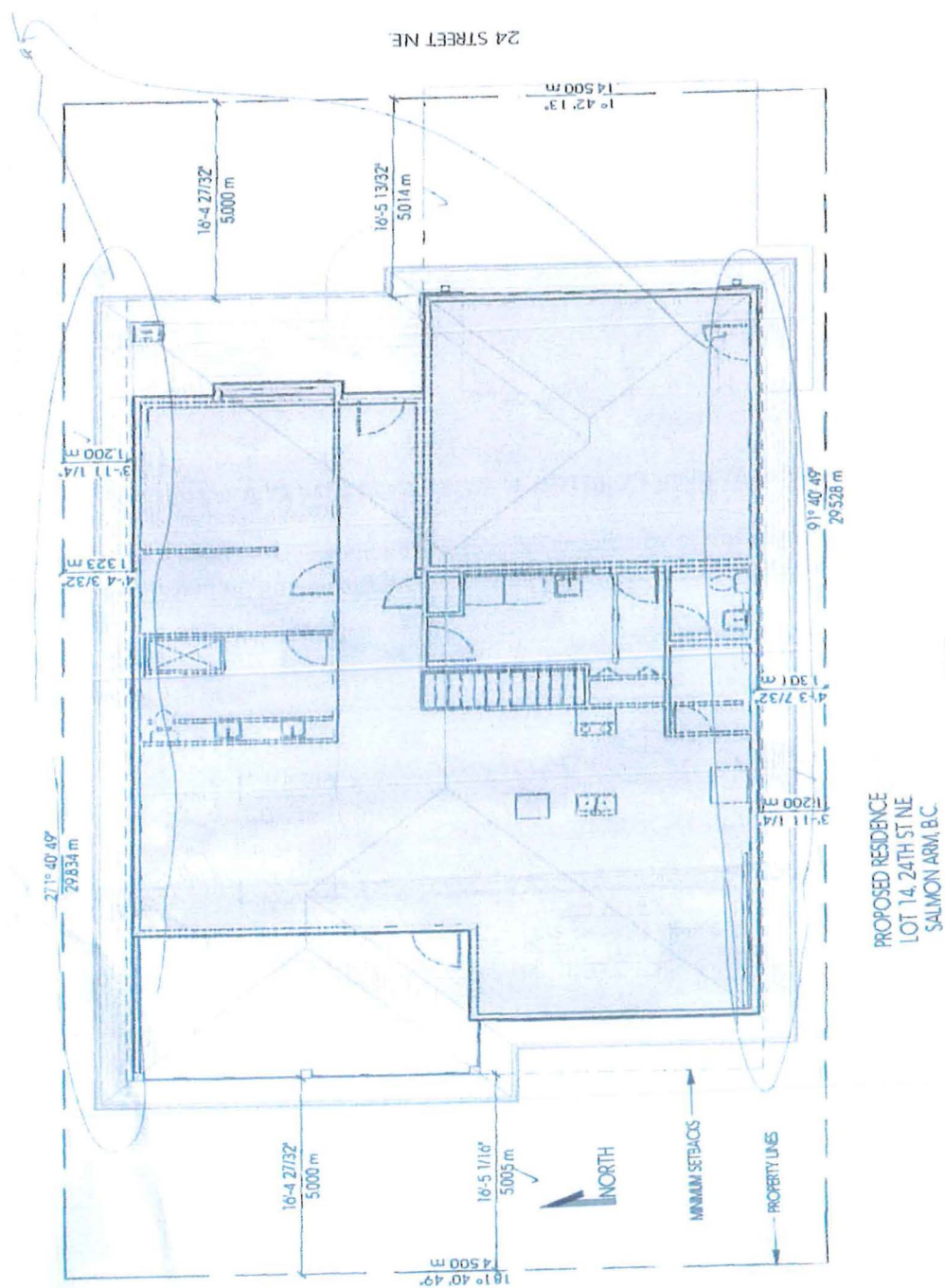
COMMENTS for VP-489

Wall is already constructed and is substantially over height however the installation of the fence will put the combined height well over the limit. No concerns from building point of view as there is a registered professional involved in construction.

SIGNATURE: MR

DATE: December 18, 2018

APPENDIX 9: Site Plan (Setbacks)



Terry Bonar
2320 - 1ST AVENUE NE
SALMON ARM, BC
V1E 1Z5

January 23, 2019

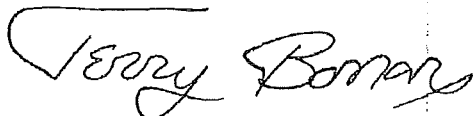
City of Salmon Arm
Development Services Department
500 – 2nd Avenue NE
Box 40
Salmon Arm BC.
V1E 4N2

Attention: Kevin Pearson

Re: Retaining Wall on Properties to East Side of 2320 1st Ave NE

This letter is to advise you that as the property owner of 2320 1st ave NE, I find the height of the retaining wall on the eastern properties, adjacent to my property, an acceptable height.

Regards

A handwritten signature in black ink that reads "Terry Bonar". The signature is written in a cursive, flowing style with a large initial 'T'.

Terry Bonar

CITY OF SALMON ARM

TO: His Worship Mayor Harrison and Members of Council

FROM: Director of Development Services

DATE: October 2, 2019

SUBJECT: Development Variance Permit Application No. VP-490
 Legal: Lot 10, Section 13, Township 20, Range 10, W6M, KDYD, Plan EPP81646
 Civic Address: 71 – 24 Street NE
 Owner: A. & E. Westhaver
 Applicant / Agent: 2321 Okanagan Holdings Ltd. / M. Wilson

MOTION FOR CONSIDERATION

THAT: Development Variance Permit No. VP-490 be authorized for issuance for Lot 10, Section 13, Township 20, Range 10, W6M, KDYD, Plan EPP81646, which will vary Zoning Bylaw No. 2303 as follows:

Section 4.12.1 Fences and Retaining Walls - increase the maximum permitted combined height of a retaining wall and fence from 2.0 m (6.5 ft) to 3.8 m (12.5 ft).

STAFF RECOMMENDATION

THAT: The motion for consideration be adopted.

PROPOSAL

The subject property is located in the Maplewoods subdivision at 71 – 24 Street NE (Appendix 1 & 2). The variance request is for a retaining wall with an affixed fence on top along the west parcel line at the rear of the house (Appendix 3). The applicant is requesting a variance to increase the maximum permitted height of the combined height of a retaining wall and fence from 2.0 m (6.5 ft) to 3.8 m (12.5 ft). The applicant has provided a letter of rationale (Appendix 4); and, site photos are attached as Appendix 5.

BACKGROUND

The subject property is designated Medium Density Residential in the City's Official Community Plan (OCP) and zoned CD-7, Comprehensive Development Zone in the City's Zoning Bylaw (Appendix 6 & 7). The CD-7 Zone is similar to the R-8 Residential Suite Zone; although, setbacks, parcel area and parcel width are reduced in the CD-7 Zone.

This application is for an existing retaining wall. A building permit was issued for the wall in June 2018. It was noted on the building permit that variance permits are required for walls built over 2.0 m (6.5 ft). The applicant submitted a variance permit application in November 2018. The application was placed on hold due to an additional wall that was planned to be built on the neighbouring property to the west. This additional wall would raise the grade in front of the existing wall. Thus, the actual height of the existing wall could not be determined prior to the construction of the wall on the western property.

5.2

The retaining wall on the subject property is constructed using large retaining wall blocks, 0.76 m x 0.76 m (2.5 ft x 2.5 ft). The retaining wall is built along the west parcel line and ranges in height between 2.3 m (7.5 ft) at the northwest corner and 1.8 m (6 ft) at the southwest corner of the property. For safety, a fence will be affixed to the top of the retaining wall which will add another 1.5 m (5 ft). A building permit requirement for retaining walls over the height of 1.2 m. (4 ft) is the approval from a professional structural engineer. A stamped letter of approval from Syme Structural Engineering Ltd. was received in August 2018.

STAFF COMMENTS

Fire Department

No Fire Department Concerns.

Building Department

See attached referral comments (Appendix 8).

Engineering Department

No Engineering Concerns.

Planning Department

The applicant is requesting a variance to Section 4.12 of the Zoning Bylaw. The Zoning Bylaw permits a maximum combined height of a retaining wall and fence of 2.0 m (6.5 ft) in all rear and interior side yards in residential zones. The applicant requires a variance as a wall has been built over the maximum 2.0 m (6.5 ft) height to create a backyard with functional space.

The CD-7 Comprehensive Development Zone is a medium density, single family residential zone in which secondary suites are permitted. In comparison to the R-8, Residential Suite Zone, the CD-7 Zone has reduced setbacks, parcel area and width. In the CD-7 Zone the minimum setback from the principal building to the rear parcel line is 5.0 m (16.4 ft). In this situation the house is well within the minimum setback, as the house is sited more than 5.0 m (16.4 ft) from the rear parcel line (Appendix 9). However, the rear yard is still considered small in comparison to many residential lots. The large grade change between the subject property and the established property to the west, combined with the small backyard, creates a situation where it is difficult to achieve level and useable space in the backyard without the construction of retaining walls. The option of having stepped or off-set retaining walls to address the large grade change is also not viable, due to the small backyard.

Due to the topography of Salmon Arm, there are many residential neighbourhoods built on steep slopes and construction of retaining walls is a common approach to creating level backyards in residential neighbourhoods such as this. Although OCP Policy 8.3.22 suggests minimizing cut, fill and retaining walls on hillside areas, as well as the preparation of grading plans prior to servicing and construction, this lot is one of the last phases in the Maplewoods subdivision. Thus far, this is one of two retaining wall height variance requests. With approximately 50 lots, the subdivision is almost complete and the expectation is there may be similar retaining wall height variances requested for the last few remaining lots not yet built on.

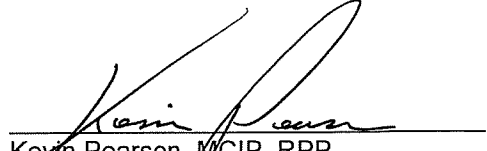
As previously mentioned in the report, a wall was built by the applicant/developer on the neighbouring property to the west. This wall built on 2320 – 1 Avenue NE raises the grade; and, more importantly provides another level that is landscaped. Trees and shrubs have been planted on this extra level between the two walls which softens and reduces the aesthetic impact of a 2.3 m (7.5 ft) wall. The property owner of 2320 – 1 Avenue NE has written a letter stating that she does not object to the height of the wall and is attached as Appendix 10.

CONCLUSION

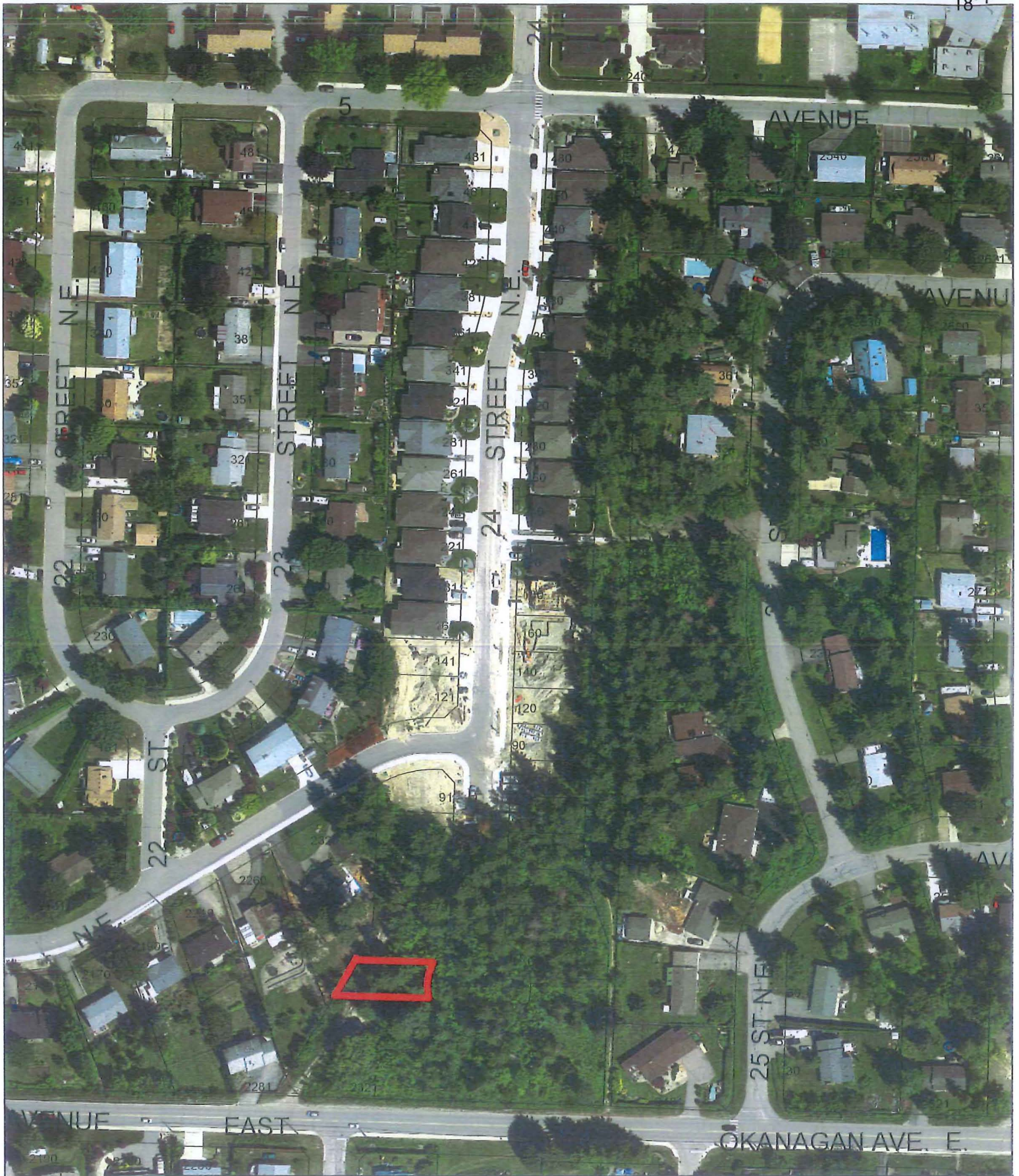
Staff feel this is a justified request due to the topography and site conditions of the property. Furthermore, the applicant has taken significant steps to lessen the aesthetic impact and integrate the retaining wall with established neighbouring properties; while, still providing level and functional backyards for new properties.



Denise Ackerman
Planner, Development Services Department



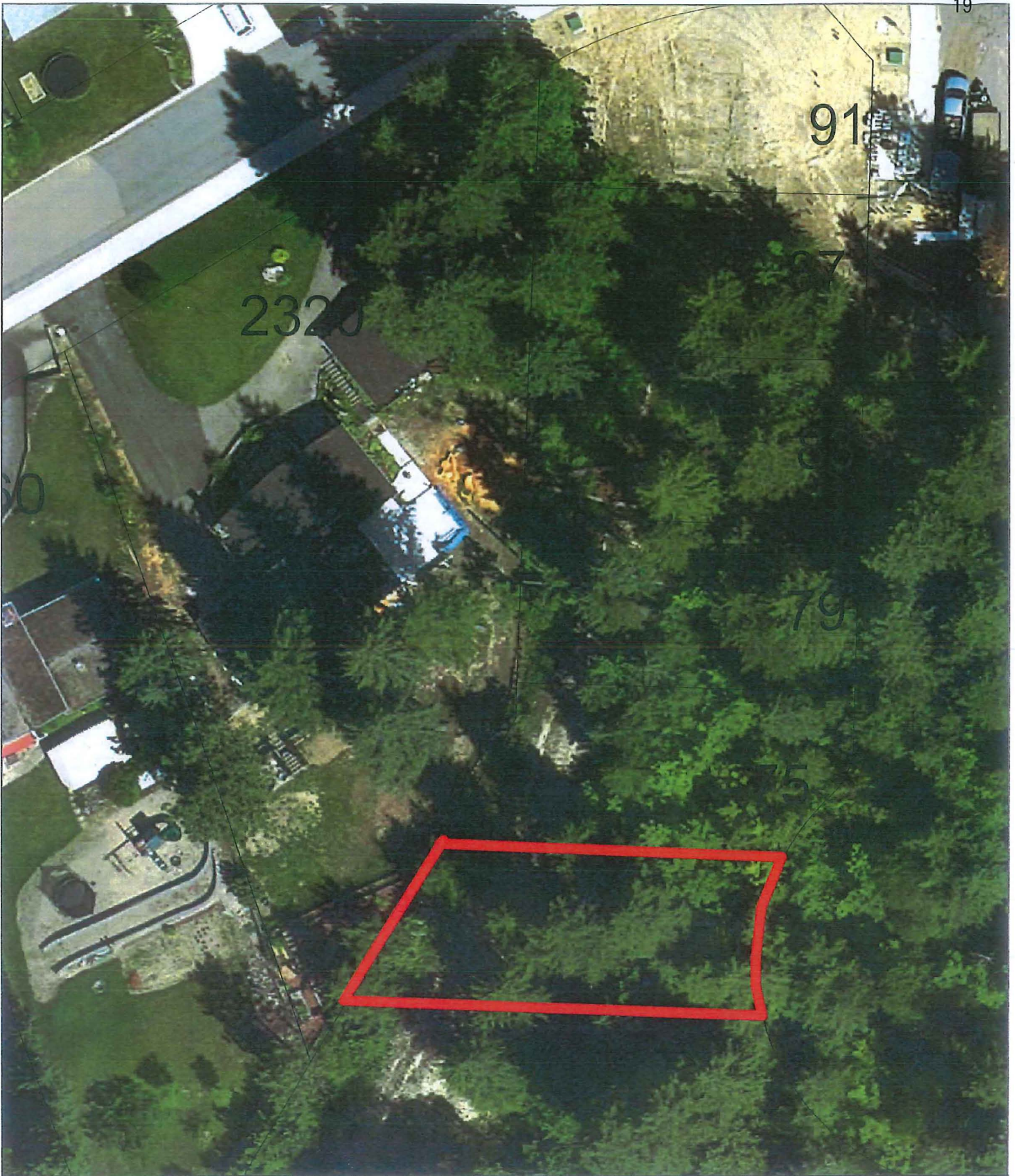
Kevin Pearson, MCIP, RPP
Director of Development Services



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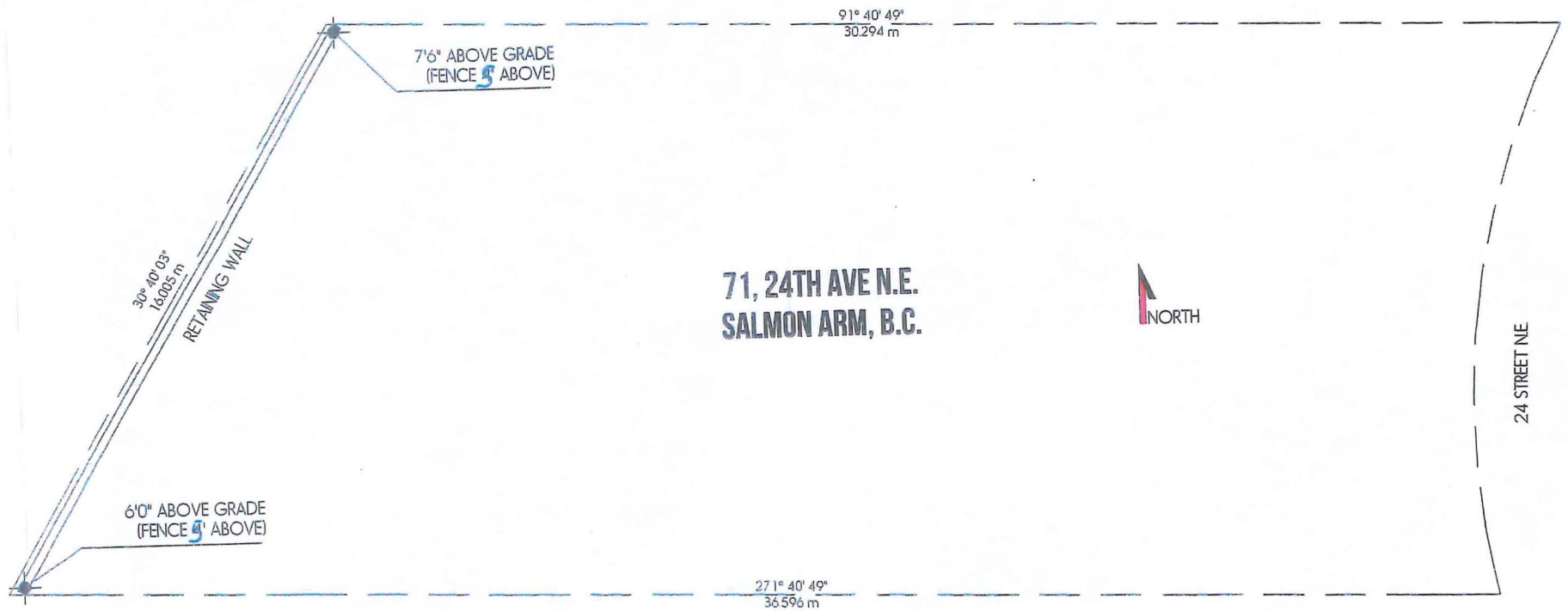


Subject Parcel



0 3.5 7 14 21 28 Meters

 Subject Parcel



1 SITE
1:100

71, 24TH STREET, N.E.
NOV 22 2018
RETAINING WALL PLAN

2321 OKANAGAN HOLDINGS LTD.
BOX 716
SALMON ARM B.C. V1E 4N8
Phone (250) 832-2567, Fax (250) 832-5210

November 20, 2018

City of Salmon Arm
Development Services Department
500 – 2nd Avenue NE
Box 40
Salmon Arm BC.
V1E 4N2

To whom it may concern,

Re: 71 24th Street NE, PID 030-422-621 The *Maplewood's* subdivision

This letter is to request a variance be granted to allow for additional height for a retaining wall and fence. We request a variance for a rear property line retaining wall and fence to range from 11' to 13' (6'to 8' retaining wall plus 5' fence).

Reasons for the request are as follows:

1. The variance would allow for all homes facing 24th Street NE to have a similar look and would allow for the subdivision's consistency of function and design to continue.
2. The slope of the land and the existing levels of yards to the west of the development have made having usable back yard space in this phase of the development difficult. The requested variance allows for a more usable back yard for this home.
3. The variance would ensure the neighbors yards are fully usable with no material sluff from this yard.

Thank you for considering

Regards

A handwritten signature in black ink, consisting of a stylized 'M' followed by a horizontal line.

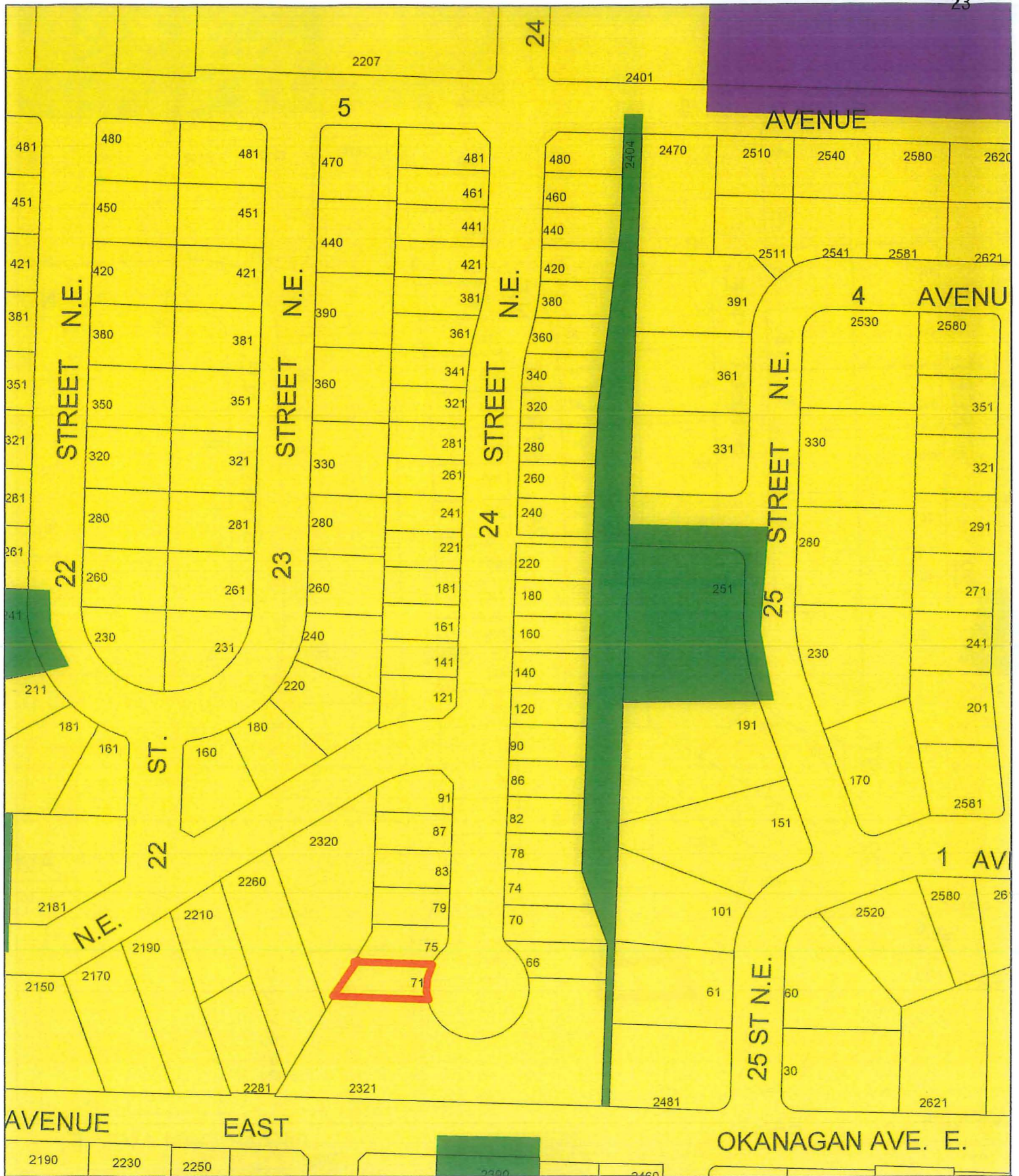
Mark Wilson CPA CMA

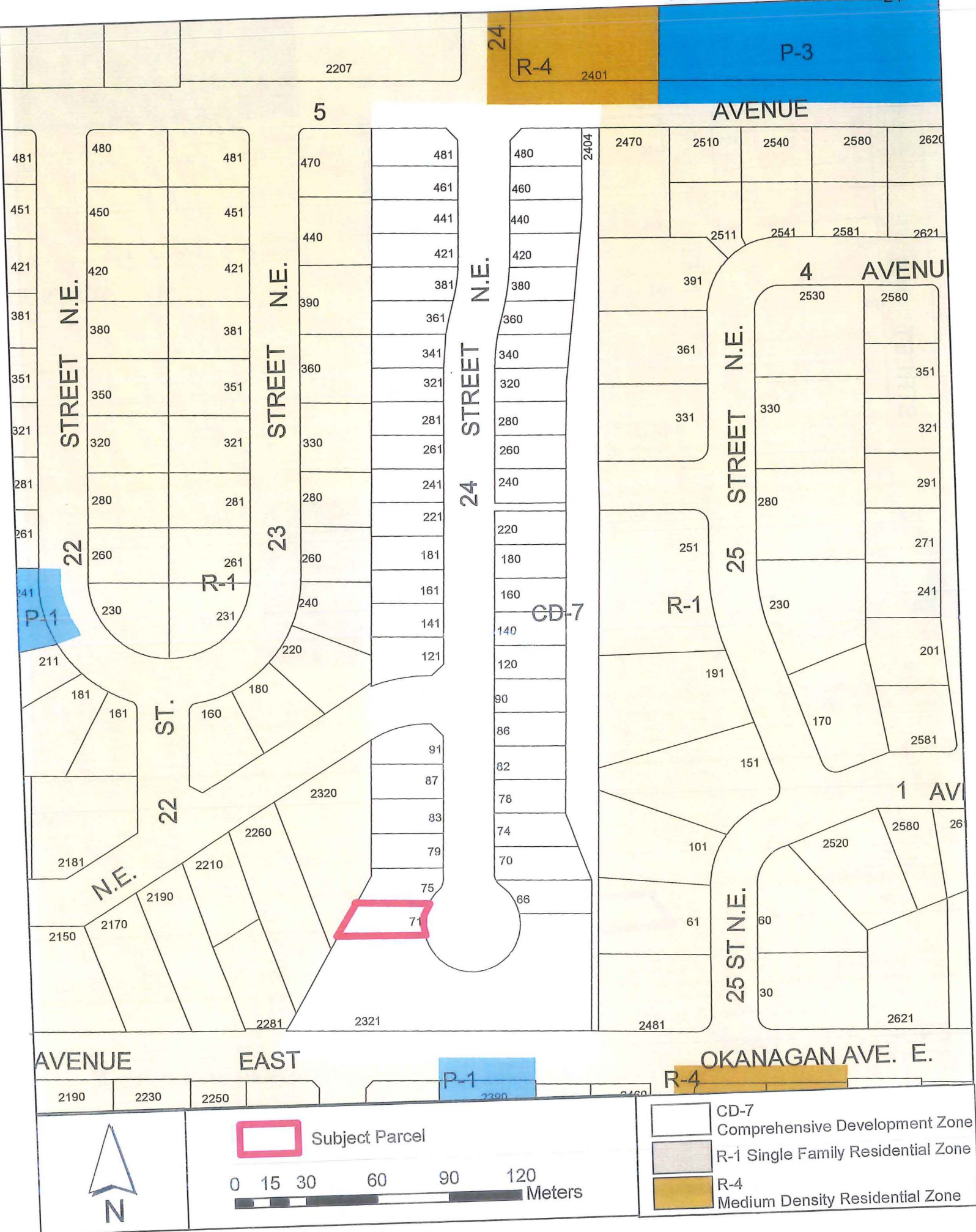


View Facing East



View Facing Southeast





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DEVELOPMENT SERVICES DEPARTMENT
 Box 40, 500 - 2nd Avenue NE, Salmon Arm, BC, V1E 4N2
 Phone: 250-803-4021 FAX: 250-803-4041

TO:

DIRECTOR OF DEVELOPMENT SERVICES (Kevin)
 PLANNING AND DEVELOPMENT OFFICER (Jon)
 PLANNING AND DEVELOPMENT OFFICER (Wes)
 PLANNING AND DEVELOPMENT OFFICER (Chris)
 MANAGER OF PERMITS & LICENSING (Maurice)
 FIRE DEPARTMENT (Brad)
 ENGINEERING & PUBLIC WORKS DEPARTMENT (Rob, Jenn & Shelly)
 BC HYDRO, via email utilities group
 FORTISBC, via email utilities group
 TELUS, via email utilities group
 SHAW CABLESYSTEMS, via email utilities group

REFERRAL:

OWNER: 2321 Okanagan Holdings Ltd. Box 716, Salmon Arm, BC V1E 4N8
APPLICANT / AGENT: Wilson, M., Box 716, Salmon Arm, BC V1E 4N8
DATE: December 12, 2018
SUBJECT: DEVELOPMENT VARIANCE PERMIT APPLICATION NO. VP-490
LEGAL: Lot 10, Section 13, Township 20, Range 10, W6M, KDYD, Plan EPP81646
CIVIC: 71 – 24 Street NE
ASSOCIATED: n/a
PREVIOUS: n/a

Attached is an application and supporting documentation. The applicant is requesting a variance to Zoning Bylaw 2303, Section 4.12 – increase the maximum combined height of retaining wall and fence from 2.0 m (6.5 ft) to 4.0 m (13.1 ft)

Your comments are required A.S.A.P.

Thank you.

Kevin Pearson, MCIP, RPP
 Director of Development Services

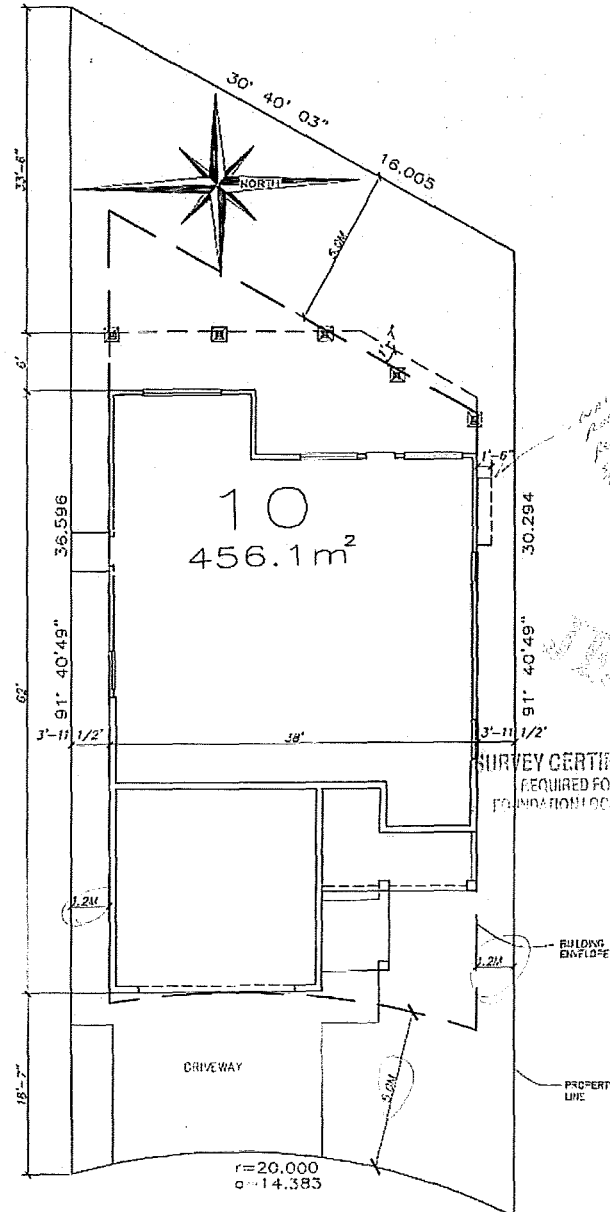
COMMENTS for VP-490

Wall is already constructed and is marginally over height however the installation of the fence will put the combined height well over the limit. No concerns from building point of view as there is a registered professional involved in construction.

SIGNATURE: MR

DATE: December 18, 2018

APPENDIX 9: Site Plan (Setbacks)



Lot 10
SITE PLAN
 SCALE = 1/8" = 1'-0"

PROPOSED DWELLING	
MAIN FLOOR ELEV:	
BSMT. FLOOR ELEV:	
M.D.E.:	

This drawing is provided for general lot information only. The lot purchaser is responsible for verifying all information shown, including but not limited to dimensions, elevations, geotechnical requirements and service locations.

FIRE RATING

45 MINUTE I	
CEILING: 2 LAYERS	
CR: 1 LAYER	
SEPARATING WALL:	
SEPARATING DOOR:	

30 MINUTE I	
(DWELLING I	
PHOTOELECT	
CEILING: 2 LAYERS	
CR: 1 LAYER	
SEPARATING WALL:	
SEPARATING DOOR:	

Terry Bonar
2320 - 1ST AVENUE NE
SALMON ARM, BC
V1E 1Z5

January 23, 2019

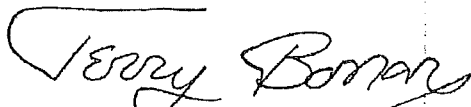
City of Salmon Arm
Development Services Department
500 - 2nd Avenue NE
Box 40
Salmon Arm BC.
V1E 4N2

Attention: Kevin Pearson

Re: Retaining Wall on Properties to East Side of 2320 1st Ave NE

This letter is to advise you that as the property owner of 2320 1st ave NE, I find the height of the retaining wall on the eastern properties, adjacent to my property, an acceptable height.

Regards



Terry Bonar

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CITY OF SALMON ARM

TO: His Worship Mayor Harrison and Members of Council

DATE: October 15, 2019

SUBJECT: Variance Permit Application No. VP-504 (Servicing)
 Legal: Lot 2, Section 12, Township 20, Range 10, W6M, KDYD, Plan 19098
 Civic Address: 1441 20 Avenue SE
 Owner: 0815605 BC Ltd.
 Applicant: Jason Wickner, Franklin Engineering Ltd.

MOTION FOR CONSIDERATION

THAT: Development Variance Permit No. VP-504 be issued to vary the City of Salmon Arm Subdivision and Development Servicing Bylaw No. 4163 by waiving:

1. The requirements of Section 4.4 Road Classification Urban Collector Road from the RD-3 full standard to providing cash in lieu for a 2 m of road widening along the full frontage of the property and waiving the provision of a new sidewalk and light standard; and,
 2. Section 7.0 Storm Water Management to waive the requirement for the extension of the storm sewer in Right of Way KAP80330 from west of the west property line to the east property line.
-

STAFF RECOMMENDATION

THAT The motion for consideration be defeated.

PROPOSAL

The subject property is located at 1441 20th Avenue SE, as shown on Appendix 1 and 2, and is subject to preliminary subdivision approval to create 7 bare land strata parcels. The applicant is requesting that Council vary the provisions of the Subdivision and Development Servicing (SDS) Bylaw No. 4163 by waiving the requirement to construct 20th Avenue SE to the full Urban Collector Standard (RD-3) and waiving the requirement for the extension of the storm sewer main. The plan of the subdivision is attached as Appendix 3 and a letter of rationale from Jason Wickner, P. Eng. dated September 30, 2019 is attached as Appendix 4.

BACKGROUND

The property is currently designated Low Density in the City's Official Community Plan (OCP), and was rezoned to R-8 Single Family/Secondary Suite Residential in the Zoning Bylaw on May 13, 2019. The property is approximately 6,070 m² in size. The subdivision would create six new strata parcels, 450-553 m², leaving a remainder strata parcel with an area of 2,575 m² and an existing single family dwelling.

5.3

Section 4.0 of the SDS Bylaw No. 4163 requires that all subdivisions provide works and services in accordance with the standards and specifications set out in Schedule B. In this case, that includes road upgrades, utility upgrades and utility extensions to the urban standard.

The area of the property far exceeds the area in which the Infill Exemption criteria of the SDS Bylaw apply; therefore, full works and services of the bylaw are required.

The PLA requires upgrading to the Urban Collector Road Standard. The present level of service in this area, and fronting the subject property, are below this standard due to non-conforming sidewalk offsets and lack of bicycle lanes; however, new curb, gutters and sidewalk were constructed in 2014 adjacent to this parcel at similar offsets. The location of the curb let-down requires that 20 m, of the 30 m total frontage, will need replacing. Due to the relatively new 2014 improvements and required 20 m of curb replacement the developer is offering to pay cash in lieu of approximately \$4,600 for the road widening to accommodate the future bicycle lane requirement. No additional road dedication is required.

Street lighting, and underground hydro / telecommunication infrastructure is also a requirement of the standard. In the letter from Franklin Engineering it is noted that the existing hydro lines would need to be relocated and the provision of street lighting would be costly. Cash in lieu is an option, but the applicant has requested waiving the approximately \$5,675 cost to provide street lighting.

The PLA allows for discharge to the municipal storm water system or onsite disposal, subject to an Integrated Stormwater Management Plan (ISMP). Initial observations support on site treatment.

The PLA requires extension of the storm main across the subject property within Right of Way KAP80330 to serve the adjacent parcel to the east (1481 20 Avenue SE). The applicant is requesting that Council waive the requirement for an extension of the storm main. If the adjacent property is subdivided in the future and an ISMP supports on-site treatment, the main extension would not be used. However if the adjacent property requires connection the entire costs to provide a connection through the right of way will be borne by that property owner. Another option may be to accept cash in lieu of approximately \$11,290 to be used when the adjacent property is subdivided (if it is subdivided at all) and requires storm service. If the extension is not required the cash in lieu could potentially be returned.

COMMENTS

Engineering Department

Comments pending.

Planning Department

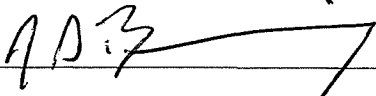
CONCLUSION

If this section of the road was reconfigured to meet the Urban Collector Road standard it would be inconsistent with the rest of the road. The curb, gutter and sidewalks are relatively new and the developer will need to and is willing to replace approximately 20 m of the 30 m frontage in any case. A variance to accept cash in lieu for 2 m road widening to accommodate a bike lane on the opposite side of the road, is reasonable. It is unlikely that davit street lights could be accommodated in this location due to the overhead 3-phase power lines; however, cash in lieu could be used for alternative street lighting types along the property frontage. Varying the requirement for an extension of the storm sewer may result in an unfair burden on the adjacent property when/if it is developed.

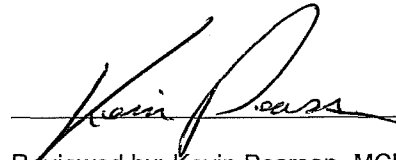
To summarize, the owner/applicant is willing to meet the subdivision requirements of Bylaw No. 4163 with exception to:

1. The installation of street light at an estimated cost of \$5,675; and
2. Extension of the City storm sewer along right of way a distance approximately 30 m and probable cost of \$11,290.

The above two items represent what is being requested to be varied.

A handwritten signature in black ink, appearing to read 'S. Beeching', written over a horizontal line.

Prepared by: Scott Beeching, MCIP, RPP
Senior Planner

A handwritten signature in black ink, appearing to read 'Kevin Pearson', written over a horizontal line.

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



DEVELOPMENT VARIANCE PERMIT

Local Government Act (Part 14)

PERMIT NUMBER: VP-504

Bylaw No. 3024
SCHEDULE "B"

TO: 0815605 BC Ltd.

1. This Development Variance Permit is issued subject to compliance with all applicable City of Salmon Arm Bylaws except as specifically varied by the Permit.
2. This Development Variance Permit applies to, and only to, (legal description),
Lot 2, Section 12, Township 20, Range 9, W6M, KDYD, Plan 19098 (PID: 008-133-352)
as shown on Schedule 'A'.
3. The City of Salmon Arm
 - ☐ Zoning Bylaw No. 2303
 - ☒ Subdivision and Development Servicing Bylaw No. 4163
 - ☐ Sign Bylaw No. 2880
 - ☐ Mobile Home Park Bylaw No. 1435

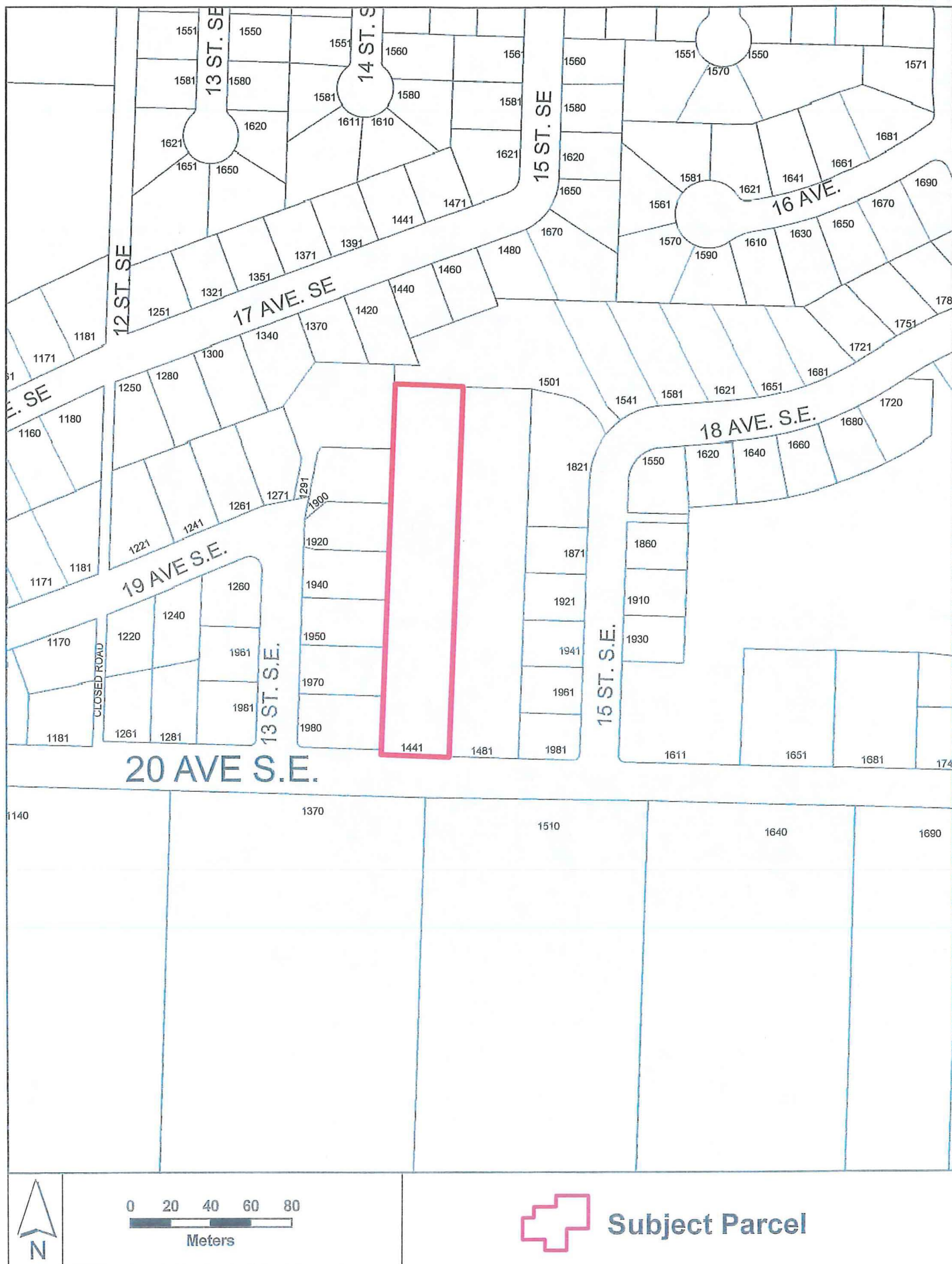
The City of Salmon Arm Subdivision and Development Servicing Bylaw No. 4163 is hereby varied as follows:

1. **Section 4.4 Road Classification Urban Collector Road from the RD-3 full standard to providing cash in lieu for 2 m of road widening along the full frontage of the property and waiving the provision for a new sidewalk and light standard.**
2. **Section 7.0 Storm Water Management to waive the requirement for the extension of the storm sewer in Right of Way KAP80330 from west of the west property line to the east property line.**
4. The land described herein shall be developed strictly in accordance with the terms and conditions and provisions of this Permit.
5. If the holder of a land use permit does not substantially start any construction with respect to which the permit was issued within 2 years after the date it is issued, the permit lapses.
6. Notice shall be filed in the Land Title Office that the land described herein is subject to this Permit.
7. The terms of the Permit or any amendment to it are binding on all persons who acquire an interest in the land affected by the Permit.
8. **This Permit is not a Building or Sign Permit.**
9. Security in the amount of \$ n/a has been deposited as per Council's direction, in conjunction with subsection 15 of District of Salmon Arm Development Variance Permit Procedure Bylaw No. 2651.

AUTHORIZING RESOLUTION ADOPTED BY COUNCIL on the ____ day of _____, 2019.

ISSUED this ____ day of _____, 2019.

CORPORATE OFFICER

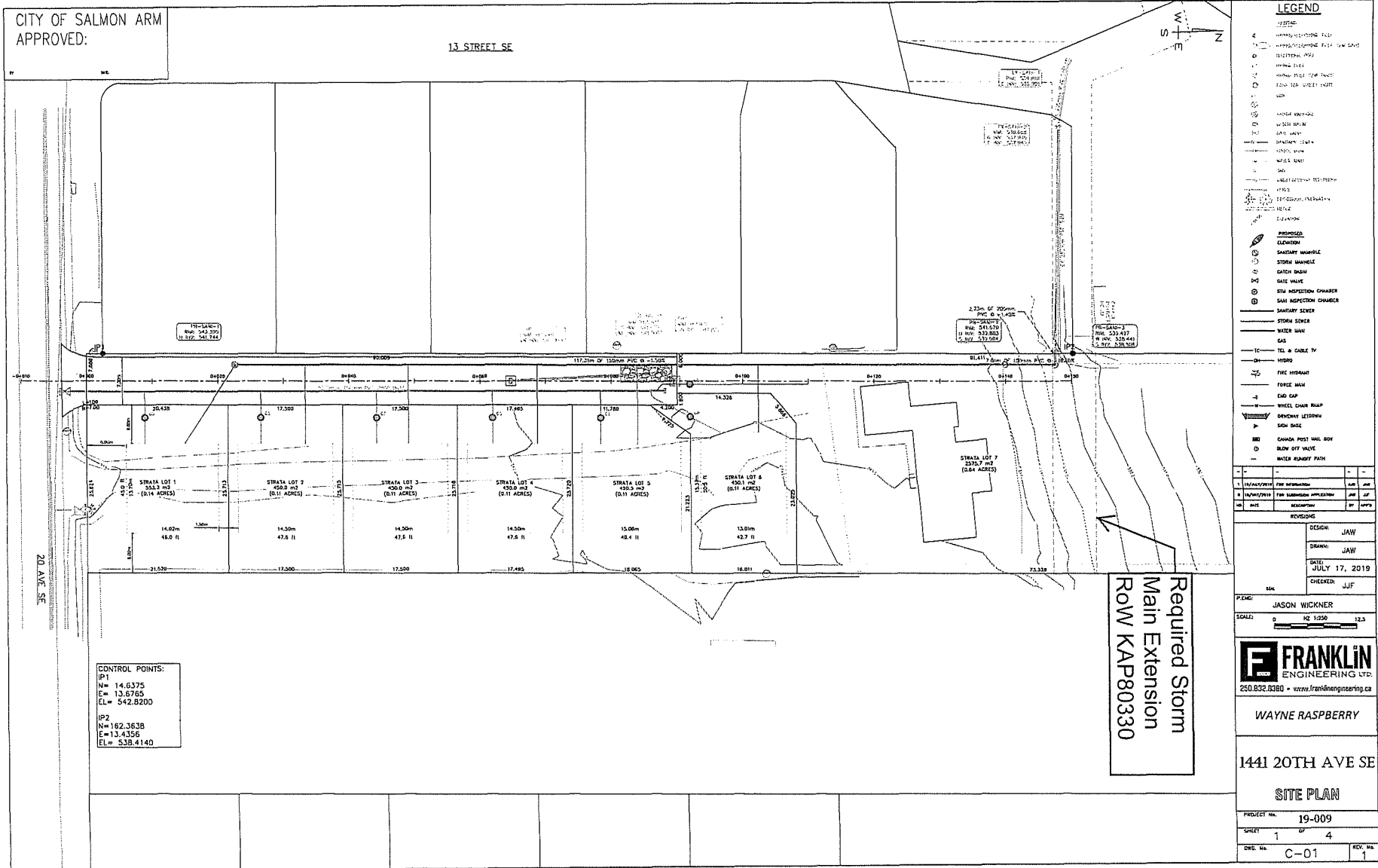




0 20 40 60 80
Meters



Subject Parcel





PO Box 2590, 416A 4th Street NE
Salmon Arm, BC, V1E 4R5
Phone 250.832.8380

Kevin Pearson, Approving Officer
City of Salmon Arm
PO Box 40, 500 2nd Ave NE
Salmon Arm, BC V1E 4N2

September 30, 2019

RE: Subdivision Variance Permit Application for 1441 20 Ave SE (file 19.13)

Dear Mr. Pearson,

This letter supports a request for variances to the Subdivision Servicing Bylaw for the proposed subdivision at 1441 20 Ave SE, under City file 19.13, submitted by Jason Wickner. Thank you for your review of this letter, which describes the variances that the developers have requested and reasons for this application.

The proposed subdivision lies at the top of the Hillcrest area on 20th Ave SE between 13th Street and 15th Street SE. The site is lower than the road and flat until north of the existing house where it slopes down towards 17th Ave SE.

These variances are intended to lift constraints on development that would negatively impact the existing road and provide unnecessary servicing that will never be used. Through this subdivision, the developer intends to appeal to a shortage of housing available to first time homeowners offered in Salmon Arm. It is our opinion that these requested variances are reasonable and sensible, given the existing infrastructure and potential for future development.

1. Subdivision Servicing Bylaw 4163, Section 4.4: Road Cross Section

Modify the requirement to upgrade 20th Ave SE to RD-3 cross section to eliminate a separated sidewalk and street lighting and pay cash-in-lieu for future bike lane widening. 20th Ave SE is currently built to an Interim Urban Road Standard. The client is prepared to upgrade the road to standard RD-3 cross section, however we believe it is in everybody's best interest to waive the requirement at this time in favour of keeping a constant cross section along 20th Ave SE. The City's Engineering Department has indicated the road would likely have an offset centerline when upgraded to keep the relatively new curb and sidewalk along the north side and widen the road to the south to incorporate bike lanes. Therefore, if this subdivision is required to upgrade to RD-3 for the 30m frontage, this would conflict with future planning by the engineering



PO Box 2590, 416A 4th Street NE
 Salmon Arm, BC, V1E 4R5
 Phone 250.832.8380

department. The installation of street lighting is not possible currently due to 3 phase overhead BC Hydro power transmission lines.

2. Subdivision Servicing Bylaw 4163, Section 4.4: Storm Sewer Servicing

Eliminate the of requirement for extension of storm main through easement at north end of property. The proposed stormwater system uses infiltration for ground disposal. The site is highly suited to storm infiltration due to favourable soils. Site tests have revealed subsurface gravels that are fully capable of infiltrating all the site stormwater flows. Since the only property that could use the extended storm main is directly adjacent to the property, it is reasonable to assume ground infiltration would also be used if the property were to ever be subdivided/developed. Therefore, the requirement to extend the storm main seems premature based on the assumption that it will never be used.

A summary of cost associated with this project is in the table below:

Item	Cash-in-lieu Contribution	Eliminate Requirement
Road widening for Bike Lane	\$4,600	
Sanitary main extension	\$6,120	
Storm main extension		\$11,290
Street lighting		\$5,675

We welcome your review of these proposed variance requests and look forward to questions you may have regarding them. We trust that we have presented a case that these are reasonable, sound variances to the applicable bylaws, which allow for an efficient use of this site. This proposal offers the advantage of viable view lots that increase the city's housing offering, while maintaining standards that are acceptable in the engineering practice and are applied in other cities in the province.

Thank you for your attention to this variance permit application.

Sincerely,

A handwritten signature in blue ink, appearing to read 'Jason Wickner', is written over a light blue horizontal line.

Jason Wickner, P.Eng

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