

CITY OF ENDERBY
DEVELOPMENT VARIANCE PERMIT APPLICATION



File No: 0041-22-DVP-END

February 4, 2022

APPLICANT: Scott Barroca

OWNER(S): Barroca Enterprises Ltd.

LEGAL DESCRIPTION: LOT A DISTRICT LOT 150 KAMLOOPS DIVISION YALE DISTRICT PLAN 35976

PID #: 002-309-238

LOCATION: 130 Cliffview Lane, Enderby BC

PROPERTY SIZE: 8.63 acres (3.49 hectares)

ZONING: Residential Single Family (R.1-A)

O.C.P

DESIGNATION: Residential Low Density

PROPOSAL: Development of additional phases of modular home park

PROPOSED VARIANCES: Vary Mobile Home Park Bylaw in order to, i) reduce the minimum area for mobile home spaces, ii) reduce the minimum number of required visitor parking spaces, iii) reduce the minimum common storage area, iv) not require security fencing for common storage area, v) not require screening or fencing for recreation areas, vi) reduce the minimum paved width for access roads, vii) reduce the minimum right-of-way width for minor roads, viii) permit a cul-de-sac to exceed 100 m in length, ix) not require roads to have a 1 m gravel shoulder, x) permitting a dead end road to have a hammerhead style turnaround, and xi) not requiring street lighting for turnaround area.

RECOMMENDATION:

THAT Council authorizes the issuance of a Development Variance Permit for the property legally described as LOT A DISTRICT LOT 150 KAMLOOPS DIVISION YALE DISTRICT PLAN 35976 and located at 130 Cliffview Lane, Enderby B.C. to permit variances to the following Sections of City of Enderby Mobile Home Park Bylaw No. 827, 1980:

1. Section 606.1 by reducing the minimum area for a Mobile Home Space below 450 m² (4,855 square feet) for Mobile Home Space #2, #4 through 21, and #23, as shown on the attached Schedule 'A';

2. Section 614.1 by reducing the minimum number of required visitor parking spaces from 19 to 8, as shown on the attached Schedule 'A';
3. Section 616.2 by reducing the minimum common storage area for the storage of recreation vehicles, boats, etc. from 540 m² (5,812.5 square feet) to 503 m² (5,414.2 square feet), as shown on the attached Schedule 'A';
4. Section 616.3 by not requiring security fencing along the boundaries of common storage areas for security purposes, as shown on the attached Schedule 'A';
5. Section 701.5 by not requiring screening or fencing between the recreation area identified as 'Park 2 (1,113.90 m²)' and other uses within the modular home park, as shown on the attached Schedule 'A';
6. Section 901.2.b.i by reducing the minimum paved width of access roads from 8.5 m (27.9 feet) to 6.25 m (20.5 feet), as shown on the attached Schedule 'A';
7. Section 901.2.b.iii by reducing the minimum right-of-way width of minor roads from 15 m (49.2 feet) to 12 m (39.3 feet), as shown on the attached Schedule 'A';
8. Section 901.2.b.iii.d by permitting a cul-de-sac to exceed 100 m (328.1 feet) in length, as shown on the attached Schedule 'A';
9. Section 901.2.c by not requiring roads in a modular home park to be accompanied by a 1 m (3.28 feet) gravel shoulder, as shown on the attached Schedule 'A';
10. Section 901.2.d by permitting a dead end road/cul-de-sac to have a hammerhead style turnaround in lieu of a turning circle with a minimum radius of 12 m (39.37 feet), as shown on the attached Schedule 'A'; and
11. Section 906 by not requiring street lighting to be installed to illuminate the proposed hammerhead style turnaround at the western terminus of the roadway, as shown on the attached Schedule 'A',

subject to the following conditions:

- i. The applicant providing the City of Enderby with a letter of undertaking committing to pave the area outlined in red on the attached Schedule 'B' no later than June 30, 2023 ("the Letter of Undertaking"); and
- ii. The applicant registering a covenant on the title of the property which requires the property owner to:
 1. Maintain a gate along the western property boundary in order to prevent access through the site from the public road network to the west of the subject property;
 2. Provide the City of Enderby and Fire Department with keys to access the gate on an on-going basis;
 3. Prohibit the parking of vehicles along any internal roads located on the property; and
 4. Contain all parking associated with the modular home park on site.

AND THAT Council confirms that, should further technical review determine that the paving of the area outlined in red on the attached Schedule 'B' is not necessary or preferred from the City's perspective, that the City in its sole discretion, may waive the obligations of the applicant as expressed in the Letter of Undertaking;

AND THAT Council NOT authorize the issuance of a Development Variance Permit for the property legally described as LOT A DISTRICT LOT 150 KAMLOOPS DIVISION YALE DISTRICT PLAN 35976 and located at 130 Cliffview Lane, Enderby B.C. to permit a variance to Section 701.5 by not requiring screening or fencing between the proposed recreation area identified as 'Park (276.10 m²)' and other uses within the modular home park, as shown on the attached Schedule 'A'.

BACKGROUND:

This report relates to Development Variance Permit Application for the property located at 130 Cliffview Lane, Enderby BC. The applicant is the owner of the Cliffview Lane modular home park, which has seen several phases of the park develop prior to their purchase of the property. The applicant is seeking variances to the City of Enderby Mobile Home Park Bylaw No. 827, 1980 in order to develop additional phases of the modular home park, to bring existing non-conformities into bylaw compliance, and to introduce incremental improvements to the park (i.e. turnaround area, recreational areas); the proposed variances are summarized as follows:

1. Section 606.1 by reducing the minimum area for a Mobile Home Space below 450 m² (4,855 square feet) for Mobile Home Space #2, #4 through 21, and #23, as shown on the attached Schedule 'A';
2. Section 614.1 by reducing the minimum number of required visitor parking spaces from 19 to 8, as shown on the attached Schedule 'A';
3. Section 616.2 by reducing the minimum common storage area for the storage of recreation vehicles, boats, etc. from 540 m² (5,812.5 square feet) to 503 m² (5,414.2 square feet), as shown on the attached Schedule 'A';
4. Section 616.3 by not requiring security fencing along the boundaries of common storage areas for security purposes, as shown on the attached Schedule 'A';
5. Section 701.5 by not requiring screening or fencing between recreation areas and other uses within the modular home park, as shown on the attached Schedule 'A';
6. Section 901.2.b.i by reducing the minimum paved width of access roads from 8.5 m (27.9 feet) to 6.25 m (20.5 feet), as shown on the attached Schedule 'A';
7. Section 901.2.b.iii by reducing the minimum right-of-way width of minor roads from 15 m (49.2 feet) to 12 m (39.3 feet), as shown on the attached Schedule 'A';
8. Section 901.2.b.iii.d by permitting a cul-de-sac to exceed 100 m (328.1 feet) in length, as shown on the attached Schedule 'A';
9. Section 901.2.c by not requiring roads in a modular home park to be accompanied by a 1 m (3.28 feet) gravel shoulder, as shown on the attached Schedule 'A';
10. Section 901.2.d by permitting a dead end road/cul-de-sac to have a hammerhead style turnaround in lieu of a turning circle with a minimum radius of 12 m (39.37 feet), as shown on the attached Schedule 'A'; and
11. Section 906 by not requiring street lighting to be installed to illuminate the proposed hammerhead style turnaround at the western terminus of the roadway, as shown on the attached Schedule 'A',

Site Context

The 8.63 acre (3.49 hectare) subject property is a modular home park located to the east of Highway 97A. A total of 29 modular home spaces have been approved and developed on the site, with ultimate build-out of the site proposed at 43 modular home spaces. The subject property is flat and is located within the 200-year flood plain. Access to the site is gained via a private access road off of Meadow Crescent (Cliffview Lane). An easement is registered on the title of the subject property in order to provide access through the site for the adjacent Meadow Crescent Mobile Home Park. A gate is located along the western property boundary in order to prevent traffic from the Northern Avenue/Northern Crescent neighbourhood from using an internal road of the subject property in order to access Highway 97A.

The zoning and OCP designations of the subject property and surrounding properties are as follows:

- Subject property - Zoned Residential Single Family (R.1-A) and designated in the Official Community Plan (OCP) as Residential Low Density.
- North property – Zoned Residential Mobile Home Park (R.5) and designated in the OCP as Residential Low Density.
- South properties – Zoned a combination of Residential Single Family (R.1-A) and Residential Multi-Family Medium Intensity (R.3) and designated in the OCP as Residential Low Density and Residential Medium Density, respectively.
- East properties – Zoned Highway and Tourist Commercial (C.2) and Assembly, Civic and Public Service Use (S.1) and designated in the OCP as Highway and Tourist Commercial.
- West properties – Zoned Residential Single Family (R.1-A) and designated in the OCP as Residential Low Density.

The following figure shows the zoning designations of the subject and surrounding properties:

The following orthophoto of the subject and surrounding properties was taken in 2018:



Figure 3: Orthophoto

****NOTE:** *The property lines shown above are not an accurate representation of their true locations and are intended for display purposes only.*

Development History/Proposal

The property is subject to a Land Use Contract, which was originally registered in 1978. A Land Use Contract is an agreement between a local government and a land owner that provides the land owner with site-specific development rights despite the current Zoning Bylaw. The particular Land Use Contract registered for the property has the effect of making it subject to the regulations outlined in the City of Enderby Mobile Home Park Bylaw No. 827, 1980, which overrides its base zoning designation of Residential Single Family (R.1-A).

The Province has legislated that all Land Use Contracts are effectively terminated as of 2024. Once the Land Use Contract is terminated, the property will be subject to the regulations of its base R.1-A zoning designation, which does not permit a modular home park. The City is in the process of rezoning the property to the Residential Mobile Home Park (R.5) zone in anticipation of the Land Use Contract terminating, such that the current use would continue in a legal conforming state moving forward. It should be noted that the Land Use Contract requires the property to develop in accordance with the R.5 zoning regulations, so the rezoning would have no impact on the manner in which the site develops.

In order to proceed with the development of additional phases of the modular home park, the applicant must obtain a Mobile Home Park Permit from the City in accordance with Mobile Home Park Bylaw No. 827, 1980 (note: when the Bylaw makes reference to mobile homes, this is inclusive of modular homes as per the bylaw definitions); for the Mobile Home Park Permit to be issued for the property, the applicant must demonstrate that the development is consistent with the Mobile Home Park Bylaw. In order to develop additional phases of the modular home park, to bring existing non-conformities into bylaw compliance, and to introduce incremental improvements to the park (i.e. turnaround area, recreational areas), the applicant is proposing the following variances to the Mobile Home Park Bylaw:

1. Section 606.1 by reducing the minimum area for a Mobile Home Space below 450 m² (4,855 square feet) for Mobile Home Space #2, #4 through 21, and #23, as shown on the attached Schedule 'A';
2. Section 614.1 by reducing the minimum number of required visitor parking spaces from 19 to 8, as shown on the attached Schedule 'A';
3. Section 616.2 by reducing the minimum common storage area for the storage of recreation vehicles, boats, etc. from 540 m² (5,812.5 square feet) to 503 m² (5,414.2 square feet), as shown on the attached Schedule 'A';
4. Section 616.3 by not requiring security fencing along the boundaries of common storage areas for security purposes, as shown on the attached Schedule 'A';
5. Section 701.5 by not requiring screening or fencing between recreation areas and other uses within the modular home park, as shown on the attached Schedule 'A';
6. Section 901.2.b.i by reducing the minimum paved width of access roads from 8.5 m (27.9 feet) to 6.25 m (20.5 feet), as shown on the attached Schedule 'A';
7. Section 901.2.b.iii by reducing the minimum right-of-way width of minor roads from 15 m (49.2 feet) to 12 m (39.3 feet), as shown on the attached Schedule 'A';
8. Section 901.2.b.iii.d by permitting a cul-de-sac to exceed 100 m (328.1 feet) in length, as shown on the attached Schedule 'A';
9. Section 901.2.c by not requiring roads in a modular home park to be accompanied by a 1 m (3.28 feet) gravel shoulder, as shown on the attached Schedule 'A';
10. Section 901.2.d by permitting a dead end road/cul-de-sac to have a hammerhead style turnaround in lieu of a turning circle with a minimum radius of 12 m (39.37 feet), as shown on the attached Schedule 'A'; and
11. Section 906 by not requiring street lighting to be installed to illuminate the proposed hammerhead style turnaround at the western terminus of the roadway, as shown on the attached Schedule 'A',

Once the applicant has demonstrated consistency with the Mobile Home Park Bylaw, or obtained the necessary variances, Staff will proceed with issuing the Mobile Home Park Permit and the applicant can proceed with developing additional phases of the park (except Phase 4, for which the applicant has yet to provide an accepted servicing plan).

ZONING BYLAW:

The subject property is zoned Residential Single Family (R.1-A) and the permitted uses within this zone include accessory residential buildings, single-family dwellings, secondary suites, bed and breakfasts, civic and public service use, and restricted agricultural use.

As previously mentioned, the City is in the process of rezoning the subject property to the Residential Mobile Home Park (R.5) zone, such that the property's base zoning designation will align with its current use once the Land Use Contract terminates. Uses permitted within the R.5 zone include mobile homes, modular/manufactured homes, accessory buildings and structures, one dwelling unit for the owner/operator, recreation areas, and utility service buildings.

MOBILE HOME PARK BYLAW:

The Land Use Contract registered for the subject property, and the proposed R.5 zoning designation, require the property to develop in accordance with the regulations of the City of Enderby Mobile Home Park Bylaw No. 827, 1980. The proposal as compared to the requirements of the Mobile Home Park Bylaw is as follows (highlighted items require a variance):

CRITERIA	MOBILE HOME PARK BYLAW REQUIREMENTS	PROPOSAL
Number, height, and area of identification sign (max.)	Number = One identification sign Height = 2 m (6.5 feet) Area = 1 m ² (10.76 square feet)	Number = One identification sign Height = < 2 m (6.5 feet) Area = < 1 m ² (10.76 square feet)
Site area (min.)	2 hectares (4.942 acres)	2.028 hectares (5.011 acres)
Mobile Home Space area (min.)	450 m ² (4,844 square feet)	Mobile Home Space #2, #4 through 21, and #23 = < 450 m ² (4,844 square feet)
Frontage (min.)	15 m (49.21 feet)	Greater than or equal to 15 m (49.21 feet)
Buffer area width between mobile home spaces and park boundaries (min.)	4.5 m (14.76 feet)	4.5 m (14.76 feet)
Number of visitor parking spaces (min.)	19	8
Common storage area for the storage of recreational vehicles, boats, etc. (min.)	540 m ² (5,812.5 square feet)	503 m ² (5,414.2 square feet)
Security fencing	Must be provided along the boundaries of common storage areas for security purposes	Not provided
Recreational space (min.)	1,014 m ² (10,915 square feet)	1,372.5 m ² (14,773 square feet)
Number of recreational spaces (min.)	Where more than 1,000 m ² in recreational space is required, 2 or more recreational areas shall be provided	2 areas provided

CRITERIA	MOBILE HOME PARK BYLAW REQUIREMENTS	PROPOSAL
Landscaping of recreational spaces	Grass or asphaltic surface	Grassed with ornamental plantings
Fencing/screening or recreational areas	Fencing or screening to be provided between recreation areas and other uses within park	No fencing or screening between recreation areas and other uses within park
Setback of ancillary buildings from any mobile home space (min.)	6 m (19.68 feet)	6 m (19.68 feet)
Setback of ancillary buildings from any other building (min.)	3 m (9.84 feet)	> 3 m (9.84 feet)
Right-of-way width for access roads (min.)	15 m (49.21 feet)	15 m (49.21 feet)
Paved width of access roads (min.)	8.5 m (27.89 feet)	6.25 m (20.51 feet)
Right-of-way width for minor roads (min.)	15 m (49.21 feet)	12 m (39.37 feet)
Paved width for minor roads (min.)	6 m (19.68 feet)	6.9 m (22.64 feet)
Cul-de-sac length (max.)	100 m (328.08 feet)	~325 m (1,066 feet)
Gravel shoulder	All roads shall have a 1 m (3.28 feet) gravel shoulder	No gravel shoulder along roads
Turn around area for dead end roads and cul-de-sacs	Dead end roads and cul-de-sacs shall have a turning circle right-of-way with a radius of at least 12 m (39.37 feet)	Hammerhead style turnaround in lieu of turning circle
Street lighting	Street lighting shall be installed and maintained to adequately illuminate the travelled portion of the roadway at, i) intersections of access roads and highways, ii) all internal intersections, iii) the turning circle or cul-de-sacs, iv) any point in which an internal roadway changes direction 30 degrees or more	No street lighting to illuminate the proposed hammerhead style turn around area

OFFICIAL COMMUNITY PLAN:

Policies contained within the OCP which apply to this development include:

- Policy 3.3.c - Council recognizes that development of land has social impacts and will act through the approval process to minimize negative and maximize positive impacts.

- Policy 4.4.c - Council will encourage and support a spectrum of housing choices throughout the community, including secondary suites, in order to meet the diverse housing needs of residents.
- Policy 20.3.g - Council will support innovative options that will assist in maintaining appropriate levels of infrastructure and service delivery in a fiscally responsible manner.

REFERRAL COMMENTS:

The application was referred to the following individuals/agencies:

- City of Enderby Public Works Manager;
- Fire Chief; and
- Building Inspector.

The Fire Chief provided the following comments:

“With regards to the proposed hammerhead turnaround, I have no concerns with this design given that it exceeds the Ministry of Transportation & Infrastructure’s design standards and it will be able to accommodate the turnaround needs of Fire Department apparatus.

With respect to the proposed length of the cul-de-sac, although this is not ideal from a response perspective, it could be mitigated by:

- i. enabling the Fire Department to use the road intersection between the Cliffview Lane Modular Home Park and the Meadow Crescent Mobile Home Park as a turnaround area for Fire Department apparatus; this would likely need to involve paving the small, landscaped area adjacent to the intersection to create an adequate turning radius for apparatus; and*
- ii. providing the Fire Department with keys to the gate installed at the west end of the park to provide alternate or secondary access to the site for firefighting purposes.”*

PLANNING ANALYSIS:

Mobile Home Space Size

The City of Enderby Planner raises no objections to the applicant's request to vary Section 606.1 of the City of Enderby Mobile Home Park Bylaw No. 827, 1980 by reducing the minimum area for a Mobile Home Space below 450 m² (4,855 square feet) for Mobile Home Space #2, #4 through 21, and #23, as shown on the attached Schedule ‘A’, given that the proposed reductions are relatively minor (i.e. smallest Mobile Home Space is 442.64 m² which only represents an approximately a 1.6% reduction in the minimum area), would not result in a significant increase in density for the site, and would not detract from the built character of the modular home park.

Visitor Parking

The City of Enderby Planner raises no objections to the applicant's request to vary Section 614.1 of the City of Enderby Mobile Home Park Bylaw No. 827, 1980 by reducing the minimum number of required visitor parking spaces from 19 to 8, as shown on the attached Schedule 'A', for a number of reasons. Firstly, the City of Enderby Mobile Home Park Bylaw No. 827, 1980 is quite dated and appears inconsistent with more contemporary Mobile Home Park Bylaw standards. More contemporary standards involve specifying a minimum number of visitor parking spaces that are to be provided on each Mobile Home Space, instead of within communal visitor parking areas, such that each Mobile Home Space can adequately accommodate parking on site for its residents and visitors. The applicant has confirmed that of the 29 Mobile Home Spaces that are currently developed, 22 of them have adequate driveway space to accommodate 2 visitor parking spaces in addition to 2 parking spaces for the residents; the remaining 7 Mobile Home Spaces can only accommodate 1 visitor parking space. In total, this represents 51 visitor parking spaces that are currently accommodated within the existing Mobile Home Spaces, in addition to the 8 visitor parking spaces that are proposed at the east and west ends of the park. Furthermore, the applicant has advised that their internal park bylaws restrict owners from parking recreational vehicles, boats, or uninsured vehicles on their Mobile Home Space (must be parked in common storage area), which helps to avoid situations where potential off-street visitor parking spaces are utilized for vehicle storage, which could result in parking spillover to other areas of the park.

To ensure that any parking from the proposed development (including visitor parking) does not spill over into the adjacent municipal road network, it is recommended that the issuance of the variance be subject to the applicant registering a covenant on the title of the property which requires the property owner to contain all parking associated with the modular home park on-site.

Common Storage Area Size

The City of Enderby Planner raises no objections to the applicant's request to vary Section 616.2 of the City of Enderby Mobile Home Park Bylaw No. 827, 1980 by reducing the minimum common storage area for the storage of recreation vehicles, boats, etc. from 540 m² (5,812.5 square feet) to 503 m² (5,414.2 square feet), as shown on the attached Schedule 'A', for the following reasons:

- The proposed reduction in the minimum common storage area is relatively minor, representing an approximately 7% reduction in the minimum area; and
- It is not anticipated that the proposed variance would negatively impact the use and enjoyment of the subject or surrounding properties.

Security Fencing for Common Storage Area

The City of Enderby raises no objections to the applicant's request to vary Section 616.3 of the City of Enderby Mobile Home Park Bylaw No. 827, 1980 by not requiring security fencing along the boundaries of

common storage areas for security purposes, as shown on the attached Schedule 'A', for the following reasons:

- Requiring security fencing along the boundaries of a common storage area could have the effect of reducing the security of the site by restricting natural surveillance; and
- It is not anticipated that the proposed variance would negatively impact the use and enjoyment of the subject or surrounding properties.

Fencing/Screening Between Recreation Areas and Other Uses Within the Park

The requirement to provide fencing/screening between recreation areas and other uses within the park is intended to avoid situations where activities occurring in the recreation area disturbs the residents of adjacent Mobile Home Spaces, or encroaches upon those Spaces. The City of Enderby Planner raises no objections to the applicant's request to vary Section 701.5 of the City of Enderby Mobile Home Park Bylaw No. 827, 1980 by not requiring screening or fencing between the recreation area identified as 'Park 2 (1,113.90 m²)' and other uses within the modular home park, as shown on the attached Schedule 'A', given that this is a grassy area with ornamental plantings and a pond, which is an amenity to park residents for which a visual barrier would not be necessary, and the nature of activities that could occur here is limited to passive activities. However, the City of Enderby Planner has concerns with the applicant's request to not require screening or fencing between the recreation area identified as 'Park (276.10 m²)' and other uses within the modular home park, as shown on the attached Schedule 'A', given that this area is likely to involve more *active* activities which could conflict with the adjacent common storage area. The provision of a fence will improve the safety of this recreation area given that it would reduce the potential for conflict between recreational users (including children) and vehicles in the common storage area, and for that reason the City of Enderby Planner is recommending that this variance request not be supported.

Paved Width of Access Roads, Right-of-Way Width of Minor Roads, Provision of Gravel Shoulder

The City of Enderby Planner raises no objections to the applicant's request to vary Section 901.2.b.i of the City of Enderby Mobile Home Park Bylaw No. 827, 1980 by reducing the minimum paved width of access roads from 8.5 m (27.9 feet) to 6.25 m (20.5 feet), as shown on the attached Schedule 'A', for the following reasons:

- The access road has already been constructed and paved to its existing width of 6.25 m (20.5 feet) and has functioned adequately since that time;
- A 6.25 m (20.5 feet) paved width standard is consistent with contemporary road standards and can adequately accommodate the traffic demands of the proposed development; for reference, the City of Kelowna's local road standard for hillside development only requires a paved road width of 7 m (22.97 feet);
- As per the modular home park's internal bylaws, on-street parking is not permitted which reduces the potential for traffic conflicts associated with a narrower road width (the property owner will be required by covenant to prohibit on-street parking in perpetuity, as discussed later in this Report); and

- It is not anticipated that the proposed variance would negatively impact the use and enjoyment of the subject or surrounding properties.

The City of Enderby Planner raises no objections to the applicant's request to vary Section 901.2.b.iii of City of Enderby Mobile Home Park Bylaw No. 827, 1980 by reducing the minimum right-of-way width of minor roads from 15 m (49.2 feet) to 12 m (39.3 feet), as shown on the attached Schedule 'A', for the following reasons:

- The reduced right-of-way width has not impacted the applicant's ability to provide the necessary services within the right-of-way area (i.e. hydrants, street lighting, stormwater infrastructure);
- The applicant is still able to meet the minimum paved width requirements for minor roads within the reduced right-of-way area;
- Requiring the applicant to provide a wider right-of-way area could only be accommodated by reducing the size of the adjacent Mobile Home Spaces, which would create a host of challenges for the applicant and park residents with no tangible benefit to be realized; and
- It is not anticipated that the proposed variance would negatively impact the use and enjoyment of the subject or surrounding properties.

The City of Enderby Planner raises no objections to the applicant's request to vary Section 901.2.c of the City of Enderby Mobile Home Park Bylaw No. 827, 1980 by not requiring roads in a modular home park to be accompanied by a 1 m (3.28 feet) gravel shoulder, as shown on the attached Schedule 'A', given that the existing road standard is sufficient for the proposed development, and the provision of a gravel shoulder would generally only be preferred in cases where on-street parking is permitted (in order to avoid the adjacent landscaped areas from becoming damaged), which is not the case for the proposed development. Moreover, the road cross-section features rollover rather than barrier curb, so there is an additional degree of maneuverability in the event of a traffic conflict.

Length of Cul-De-Sac/Dead End Road

Section 901.2.b.iii.d of the City of Enderby Mobile Home Park Bylaw No. 827, 1980 requires that cul-de-sacs shall not exceed 100 m (327.1 feet) in length. The rationale for limiting the length of a cul-de-sac/dead end road is related to emergency response and traffic volume concerns. As shown on the attached Schedule 'A', the applicant's proposed road network involves a cul-de-sac/dead end road that is ~325 m (1,066 feet) in length, and therefore they are seeking a variance to Section 901.2.b.ii.d; the City of Enderby Planner supports the variance request, subject to conditions, as discussed below.

With regards to traffic volume concerns, it is not anticipated that the density associated with the proposed development would result in traffic demands that could not be accommodated by the proposed 325 m cul-de-sac/dead end road. Having said that, the subject property has frontage along Northern Crescent to the west and if the applicant wished to extend the internal road system into Northern Crescent, this could result in traffic from the Salmon Arm Drive/Northern Avenue/West Enderby Road driving through the subject property in order to reach Highway 97A more quickly; if that were to occur, the resulting traffic volumes could potentially overwhelm a cul-de-sac/dead end road of that length. Given this, it is

recommended that issuance of the variance be subject to the applicant registering a covenant on the title of the subject property which requires the property owner to maintain a gate along the western property boundary in order to prevent access through the site from the adjacent road network to the west of the subject property; this will ensure that the cul-de-sac/dead end road is only being used by the residents and visitors of the modular home park, and that off-site traffic is not resulting in excessive traffic volumes on the site.

With regards to emergency response, limiting the distance of a cul-de-sac/dead end road ensures that emergency responders are able to reach the turn around area (if necessary) in a reasonable amount of time. Given that the access road to the turnaround area is flat and straight, it is anticipated that emergency responders should be able to reach the turnaround area to the west relatively quickly and efficiently. Having said that, the Fire Chief has stated that it would be beneficial to enable emergency responders to use the road intersection between the Cliffview Lane Modular Home Park and the adjacent Meadow Crescent Mobile Home Park in order to provide a turnaround for fire apparatus near the park entrance. Currently, the angle of the road intersection would make such a turn around extremely challenging; however, should the small, landscaped area outlined in red on the attached Schedule 'B' be paved, this would potentially improve the ability for emergency response vehicles to turnaround at this intersection. Given this, Staff are recommending that the variance be issued subject to the applicant providing a letter of undertaking committing to pave the area outlined in red on the attached Schedule 'B' no later than June 30, 2023. Furthermore, the Fire Chief advised that having the ability to access the subject property via Northern Crescent would provide an alternate or secondary access to the site for fire fighting purposes, which would mitigate the challenges associated with a long cul-de-sac/dead end road. Given this, Staff are recommending that the covenant require the property owner to provide the City of Enderby and Fire Department with key access to the gate on an on-going basis. Lastly, it is also recommended that the covenant require the property owner to prohibit the parking of vehicles along any internal roads located on the property, in perpetuity; this will ensure that the current and future property owners take the necessary steps to prevent on-street parking, in order to avoid scenarios where on-street parking conflicts with emergency responder vehicle access.

Type of Turnaround Area and the Provision of Lighting for Turnaround Area

The City of Enderby Planner raises no objections to the applicant's request to vary Section 901.2.d by permitting a dead end road/cul-de-sac to have a hammerhead style turnaround in lieu of a turning circle with a minimum radius of 12 m (39.37 feet), as shown on the attached Schedule 'A', for the following reasons:

- The proposed hammerhead style turnaround was designed based on the Ministry of Transportation & Infrastructure's design standards, with the applicant's proposed hammerhead design exceeding the Ministry's specifications;
- The Fire Chief has confirmed that the proposed hammerhead style turnaround is sufficient to accommodate the turnaround needs of Fire Department apparatus;
- It is not anticipated that the proposed variance would negatively impact the use and enjoyment of the subject or surrounding properties.

The City of Enderby Planner raises no objections to the applicant's request to vary Section 906 by not requiring street lighting to be installed to illuminate the proposed hammerhead style turnaround at the western terminus of the roadway, as shown on the attached Schedule 'A', for the following reasons:

- Streetlighting is located along Northern Crescent, directly adjacent to the turnaround area;
- There are no Mobile Home Spaces located in the vicinity of the turnaround area; and
- It is not anticipated that the proposed variance would negatively impact the use and enjoyment of the subject or surrounding properties.

SUMMARY

This report relates to Development Variance Permit Application for the property located at 130 Cliffview Lane, Enderby BC. The applicant is seeking variances to the City of Enderby Mobile Home Park Bylaw No. 827, 1980 in order to develop additional phases of the modular home park, to bring existing non-conformities into bylaw compliance, and to introduce incremental improvements to the park (i.e. turnaround area, recreational areas).

The City of Enderby Planner is supportive of the variance requests, subject to the conditions described in this report.

Prepared By:



Kurt Inglis, MCIP, RPP
Planner and Deputy Corporate Officer

Reviewed By:



Tate Bengtson
Chief Administrative Officer

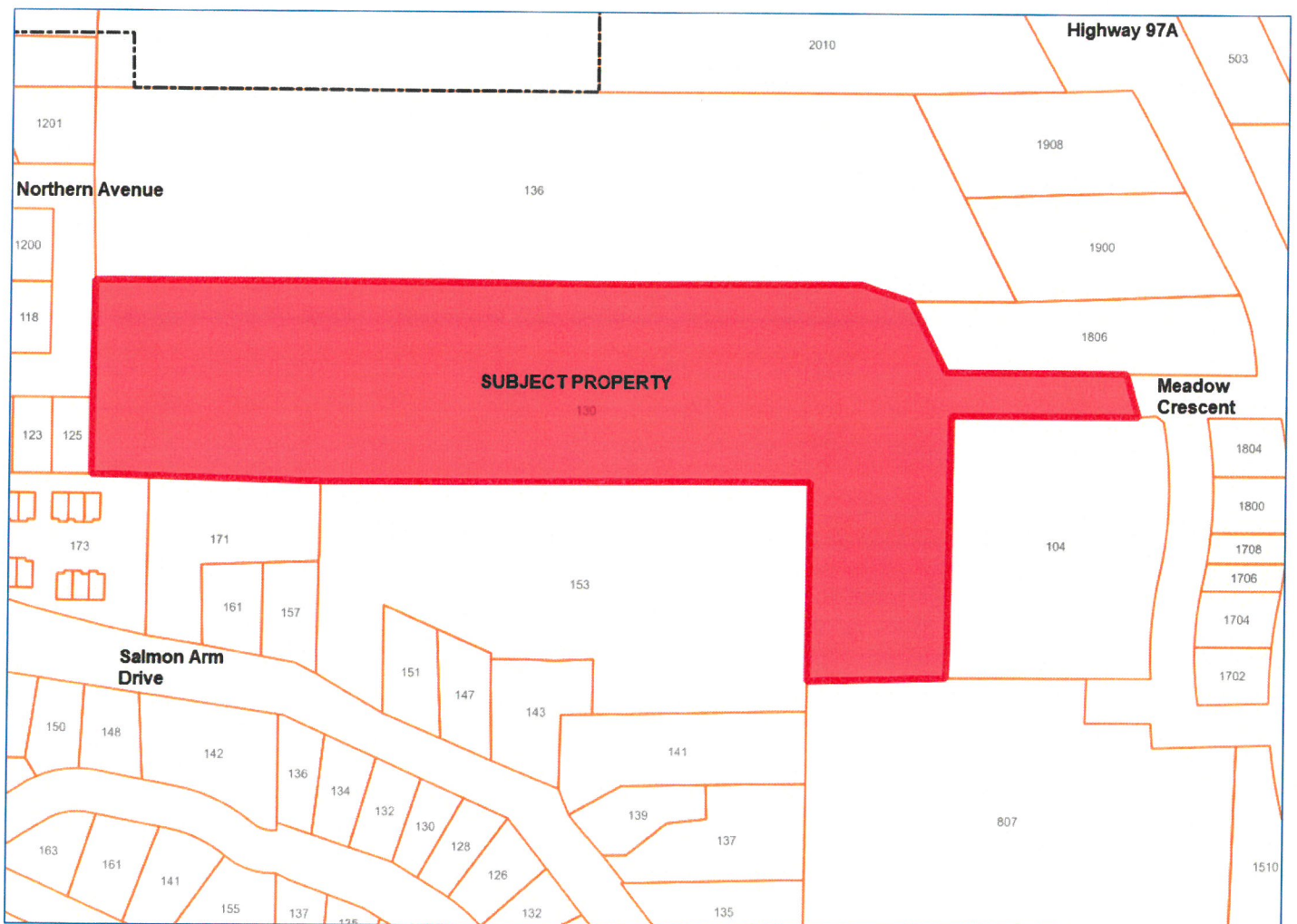
THE CORPORATION OF THE CITY OF ENDERBY
DEVELOPMENT VARIANCE PERMIT APPLICATION
SUBJECT PROPERTY MAP

File: 0041-22-DVP-END (Barroca)

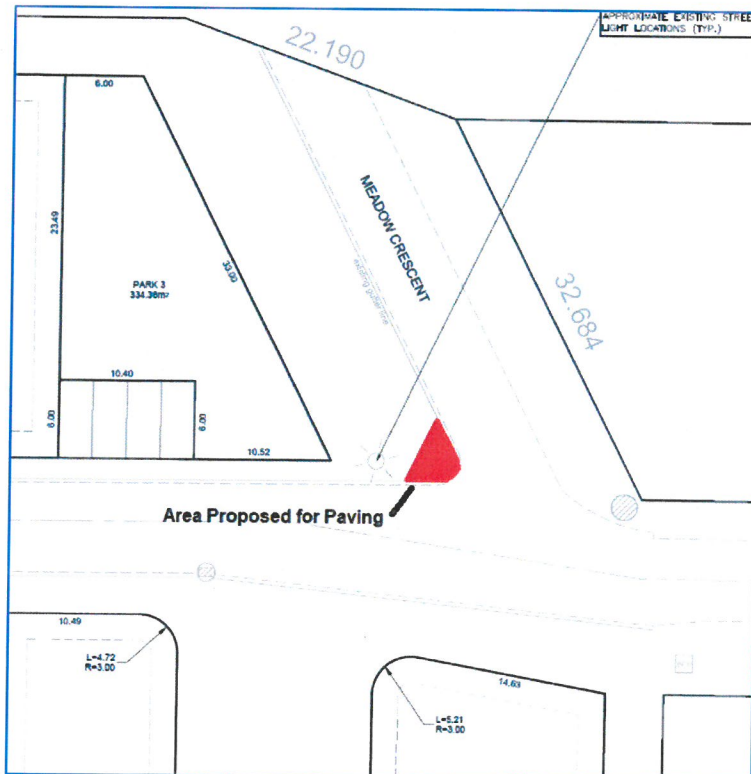
Applicant: Scott Barroca

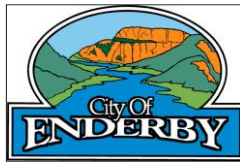
Owner: Barroca Enterprises Ltd.

Location: 130 Cliffview Lane, Enderby BC



SCHEDULE 'B'





DEVELOPMENT VARIANCE PERMIT

Application / File No.: 0041-22-DVP-END

To: Scott Barroca
Barroca Enterprises Ltd.

Address: 130 Cliffview Lane, Enderby BC

1. This Development Variance Permit is issued in accordance with the provisions of Section 498 of the Local Government Act and subject to compliance with all of the Bylaws of the City of Enderby applicable thereto, except as specifically varied by this permit.
2. This Development Variance Permit applies to and only to those lands within the City of Enderby described below, and any and all buildings, structures, and other development thereon:

LOT A DISTRICT LOT 150 KAMLOOPS DIVISION YALE
DISTRICT PLAN 35976

P.I.D.: 002-309-238

3. City of Enderby Zoning Bylaw No. 1550, 2014 is hereby supplemented or varied as follows: **N/A**
4. City of Enderby Mobile Home Park Bylaw No. 827, 1980 is hereby supplemented or varied as follows:
 - i. Section 606.1 by reducing the minimum area for a Mobile Home Space below 450 m² (4,855 square feet) for Mobile Home Space #2, #4 through 21, and #23, as shown on the attached Schedule 'A';
 - ii. Section 614.1 by reducing the minimum number of required visitor parking spaces from 19 to 8, as shown on the attached Schedule 'A';
 - iii. Section 616.2 by reducing the minimum common storage area for the storage of recreation vehicles, boats, etc. from 540 m² (5,812.5 square feet) to 503 m² (5,414.2 square feet), as shown on the attached Schedule 'A';
 - iv. Section 616.3 by not requiring security fencing along the boundaries of common storage areas for security purposes, as shown on the attached Schedule 'A';
 - v. Section 701.5 by not requiring screening or fencing between recreation areas and other uses within the modular home park, as shown on the attached Schedule 'A';
 - vi. Section 901.2.b.i by reducing the minimum paved width of access roads from 8.5 m (27.9 feet) to 6.25 m (20.5 feet), as shown on the attached Schedule 'A';

- vii. Section 901.2.b.iii by reducing the minimum right-of-way width of minor roads from 15 m (49.2 feet) to 12 m (39.3 feet), as shown on the attached Schedule 'A';
 - viii. Section 901.2.b.iii.d by permitting a cul-de-sac to exceed 100 m (328.1 feet) in length, as shown on the attached Schedule 'A';
 - ix. Section 901.2.c by not requiring roads in a modular home park to be accompanied by a 1 m (3.28 feet) gravel shoulder, as shown on the attached Schedule 'A';
 - x. Section 901.2.d by permitting a dead end road/cul-de-sac to have a hammerhead style turnaround in lieu of a turning circle with a minimum radius of 12 m (39.37 feet), as shown on the attached Schedule 'A'; and
 - xi. Section 906 by not requiring street lighting to be installed to illuminate the proposed hammerhead style turnaround at the western terminus of the roadway, as shown on the attached Schedule 'A',
5. City of Enderby Subdivision Servicing and Development Bylaw No. 1278, 2000 is hereby supplemented or varied as follows: **N/A**
6. Requirements, conditions or standards applicable to Section 491 of the Local Government Act: **N/A**
7. As a condition of the issuance of this Permit, the Council is holding the security set out below to ensure that development is carried out in accordance with the terms and conditions of this Permit. Should any interest be earned upon the security, it shall accrue to the Permittee and be paid to the Permittee if the security is returned. The condition of the posting of the security is that should the Permittee fail to carry out the development hereby authorized, according to the terms and conditions of this Permit within the time provided, the City of Enderby may use the security to carry out the work by its servants, agents, or contractors, and any surplus shall be paid over to the Permittee, or should the Permittee carry out the development permitted by this Permit within the time set out above, the security shall be returned to the Permittee. There is filed accordingly:
- a. a Bearer Bond in the amount of \$ **N/A**; or
 - b. a Performance Bond in a form acceptable to the City of Enderby in the amount of \$ **N/A**; or
 - c. an Irrevocable Letter of Credit in the amount of \$ **N/A**; or
 - d. a certified cheque in the amount of \$ **N/A**.
8. The land described herein shall be developed strictly in accordance with the terms and conditions and provisions of this Permit and any plans and specifications attached to this Permit which shall form a part hereof.

9. If the Permittee does not commence the development permitted by this Permit within two (2) years of the date of issuance of this Permit, this Permit shall lapse.

10. This Permit is not a Building Permit.

AUTHORIZING RESOLUTION PASSED BY COUNCIL THE DAY OF , 2022.

ISSUED THIS DAY OF , 2022.

Corporate Officer

NOTICE OF PERMIT:

Issued	
Amended	
Cancelled	

Filed with the Land Title Office this day of , 2022.