

**CITY OF ENDERBY
DEVELOPMENT VARIANCE PERMIT APPLICATION**



File No: 0042-22-DVP-END

February 4, 2022

APPLICANT: Chad Eliason

OWNER(S): Jim's Finishing Ltd., 633176 Alberta Ltd., Case Holdings Ltd.

LEGAL DESCRIPTION: LOT 2 SECTION 27 TOWNSHIP 18 RANGE 9 WEST OF THE 6TH MERIDIAN
KAMLOOPS DIVISION YALE DISTRICT PLAN KAP46537 EXCEPT PLAN KAP92074

PID #: 017-638-691

LOCATION: 222 Salmon Arm Drive, Enderby BC

PROPERTY SIZE: 0.6 acres (2,428 square meters)

ZONING: Residential Multi-Family Low Intensity (R.3-A)

**O.C.P
DESIGNATION:** Residential Medium Density

PROPOSAL: Three-lot subdivision

**PROPOSED
VARIANCES:** Vary Subdivision Servicing and Development Bylaw by i) not requiring the dedication and construction to centreline for Salmon Arm Drive, Preston Drive West, and unnamed road adjacent to proposed lots, ii) not requiring provision of ornamental street lighting, and iii) not requiring the provision of underground wiring for power, telephone and cablevision.

RECOMMENDATION:

THAT Council authorizes the issuance of a Development Variance Permit for the property legally described as LOT 2 SECTION 27 TOWNSHIP 18 RANGE 9 WEST OF THE 6TH MERIDIAN KAMLOOPS DIVISION YALE DISTRICT PLAN KAP46537 EXCEPT PLAN KAP92074 and located at 222 Salmon Arm Drive, Enderby B.C. to permit variances to the following Sections of City of Enderby Subdivision Servicing and Development Bylaw No. 1278, 2000:

- Section 2.0 of Schedule "A" by not requiring the dedication and construction of Salmon Arm Drive to the centreline of the road in accordance with the Local Road Standards;

- Section 2.0 of Schedule "A" by not requiring the dedication and construction of Preston Drive West to the centreline of the road in accordance with the Local Road Standards;
- Section 2.0 of Schedule "A" by not requiring the dedication and construction of the unnamed road adjacent to the proposed lots to the centreline of the road in accordance with the Collector Road Standards;
- Section 6.0 of Schedule "A" and Schedule "B" by not requiring the provision of ornamental street lighting; and
- Section 7.0 of Schedule "A" and Schedule "B" by not requiring the provision of underground wiring for power, telephone and cablevision.

BACKGROUND:

This report relates to Development Variance Permit Application for the property located at 222 Salmon Arm Drive, Enderby BC. The applicant is proposing a three-lot subdivision which would create a new lot along Salmon Arm Drive and two new lots along Preston Drive West, as shown on the attached Schedule 'A'. The applicant is seeking variances to the City of Enderby Subdivision Servicing and Development Bylaw No. 1278, 2000 in order to, i) not require the dedication and construction to centreline for Salmon Arm Drive, Preston Drive West, and the unnamed road adjacent to the proposed lots, ii) not require the provision of ornamental street lighting, and iii) not require the provision of underground wiring for power, telephone and cablevision.

Site Context

The 0.6 acre (2,428 square meter) subject property is located on the eastern side of Preston Drive West, at the terminus of the cul-de-sac, and on the southern side of Salmon Arm Drive. The portion of the property immediately adjacent to Preston Drive West slopes steeply to the northeast, with the remainder of the lot being a relatively flat bench. The property is located adjacent to a multi-use walkway to the south, which provides access to an unconstructed road off of Preston Crescent that the neighbourhood self-maintains as an enhanced open space amenity.

The property is bisected by an unconstructed road dedication that runs in a southwest to northeast direction. A covenant is registered on the title of the property which restricts vehicular access across the aforementioned road dedication; this covenant prevents the property from having dual access off of both Salmon Arm Drive and Preston Drive West.

A two-family dwelling is currently under construction on the portion of the lot fronting Preston Drive West.

The subject property is zoned *Residential Multi-Family Low Intensity (R.3-A)* and is designated in the OCP as *Residential Medium Density* while the properties to the north, east, south, and southwest are zoned *Residential Single Family (R.1-A)* and are designated in the OCP as *Residential Low Density*; the

properties to the west and northwest are zoned *Country Residential (C.R)* and are designated in the OCP as *Residential Low Density*.

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

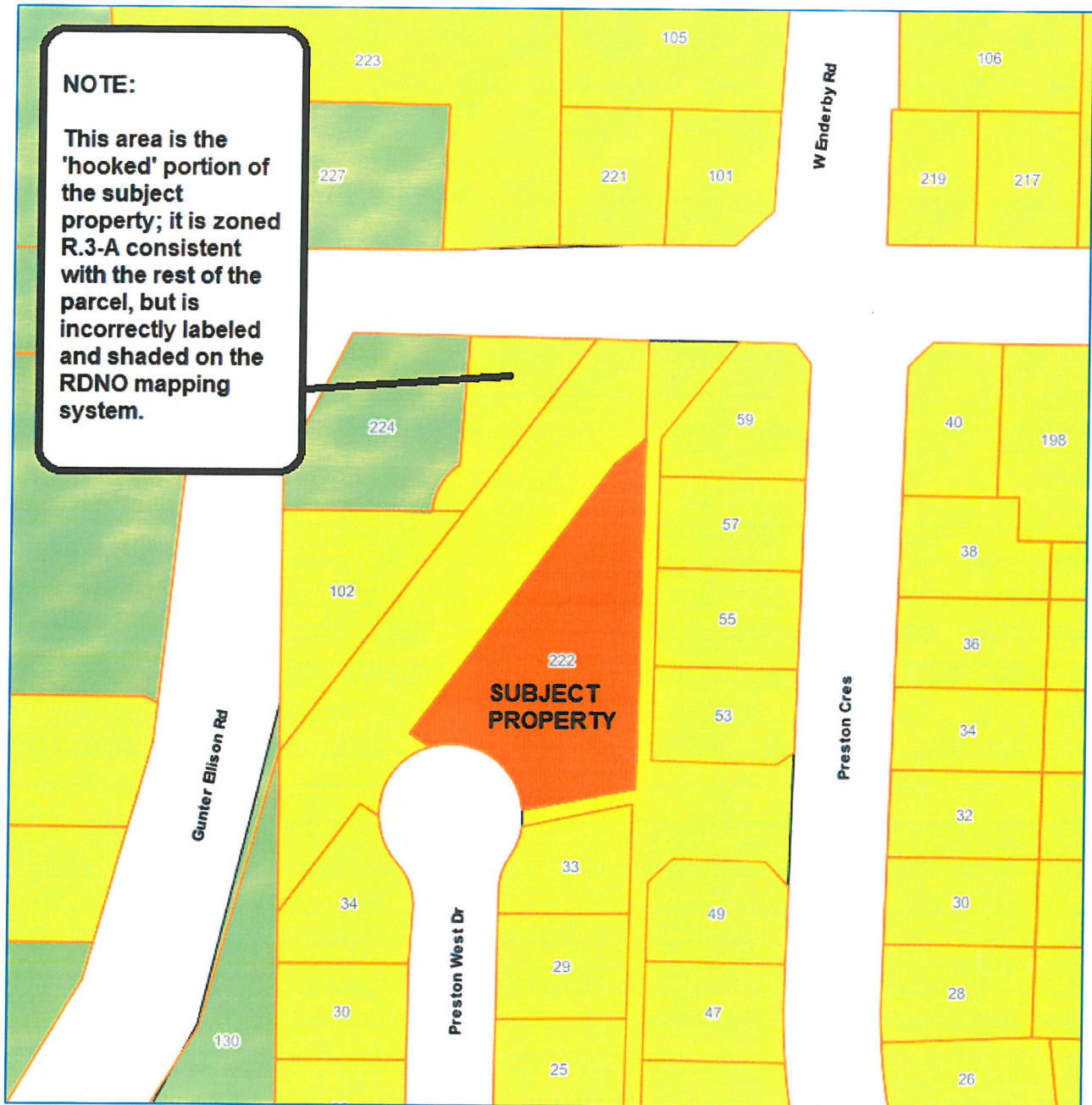


Figure 1: Zoning Map

- Green: Country Residential (C.R)
- Yellow: Residential Single Family (R.1-A)
- Orange: Residential Multi-Family Low Intensity (R.3-A)

The following orthophoto of the subject and surrounding properties was taken in 2019:



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.

The Proposal

In 2021, the property owner successfully changed the OCP future land use designation of the property from *Residential Low Density* to *Residential Medium Density* and rezoned the property from the *Residential Single Family (R.1-A)* zone to the *Residential Multi-Family Low Intensity (R.3-A)* zone; at that time, the applicant had stated that they intended to develop a four-family dwelling on the subject property, which would be used for rental purposes. The property owner has since modified their development plans and is now pursuing a three-lot subdivision, whereby the 'hooked' portion of the lot would become a new lot along Salmon Arm Drive, while two new lots would be created along Preston Drive West, as shown on the attached Schedule 'A'. The residential use of the proposed lot adjacent to Salmon Arm Drive would be limited to a single-family dwelling, given its limited lot area, while the proposed lots along Preston Drive West are intended to each house a half-duplex dwelling, which is currently under construction.

ZONING BYLAW:

The subject property is zoned Residential Multi-Family Low Intensity (R.3-A) and uses permitted within this zone include:

- Four family dwellings;
- Row housing;
- Three family dwellings;
- Two family dwellings;
- Single family dwellings;
- Accessory residential;
- Boarding, lodging or rooming houses;
- Convalescent, nursing and personal care homes;
- Restricted agricultural use;
- Attached secondary suites;
- Bed and breakfasts; and
- Civic and public service use.

SUBDIVISION SERVICING AND DEVELOPMENT BYLAW:

Section 2.0 of Schedule "A" of the Subdivision Servicing and Development Bylaw requires the dedication and construction of local roads and collector roads adjacent to properties zoned Residential Multi-Family in accordance with Design, Materials, and Installation standards outlined in Section 2.0 of Schedule "A" of the Bylaw; Sections 6.0 and 7.3 of Schedules "A" and "B" of the Bylaw require the provision of ornamental street lighting and underground wiring for power, telephone and cablevision.

As the applicant is seeking to maintain the existing road standards for Salmon Arm Drive, Preston Drive West, and the unnamed road adjacent to the proposed lots, while not providing additional street lighting or underground wiring, the applicant is seeking variances to the following Sections of the Subdivision Servicing and Development Bylaw No. 1278, 2000:

- Section 2.0 of Schedule "A" by not requiring the dedication and construction Salmon Arm Drive to the centreline of the road in accordance with the Local Road Standards;
- Section 2.0 of Schedule "A" by not requiring the dedication and construction of Preston Drive West to the centreline of the road in accordance with the Local Road Standards;
- Section 2.0 of Schedule "A" by not requiring the dedication and construction of the unnamed road adjacent to the proposed lots to the centreline of the road in accordance with the Collector Road Standards;
- Section 6.0 of Schedule "A" and Schedule "B" by not requiring the provision of ornamental street lighting; and
- Section 7.0 of Schedule "A" and Schedule "B" by not requiring the provision of underground wiring for power, telephone and cablevision.

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 8.3.h - Council will support infill and redevelopment within the community.
- Policy 20.3.f - Council will encourage infill, redevelopment and brownfield strategies that focus growth towards areas with existing infrastructure.
- 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.

No comments were received in response to the referral.

PLANNING ANALYSIS:

Road Dedication

The City of Enderby Planner raises no objections to the applicant's request to vary Section 2.0 of Schedule "A" of the City of Enderby Subdivision Servicing and Development Bylaw No. 1278, 2000 by not

requiring Salmon Arm Drive and Preston Drive West to be dedicated a minimum of 9.0 m from the existing mean centreline of the road, and not requiring the unnamed road adjacent to the proposed lots to be dedicated a minimum of 20 m (65.6 feet), given that these roads have already been dedicated to meet the 'local road' standard of 18.0 m (59.1 feet) and the 'collector road' standard of 20.0 m (65.6 feet), respectively.

Construction to Centreline

The City of Enderby Planner raises no objections to the applicant's request to vary Section 2.0 of Schedule "A" of the City of Enderby Subdivision Servicing and Development Bylaw No. 1278, 2000 by not requiring construction to centreline for Salmon Arm Drive, Preston Drive West, and the unnamed road adjacent to the proposed lots, for the following reasons:

- The proposed subdivision is only adding a relatively minor amount of residential density to the neighbourhood, and the additional wear and tear on Salmon Arm Drive and Preston Drive West associated with the proposed subdivision is not sufficient to warrant the collection of significant funds for off-site improvements;
- The unnamed road adjacent to the proposed lots was originally secured for the purposes of an eventual realignment of Gunter Ellison Road; it was anticipated that this realignment would be triggered when future development of the western uplands resulted in additional traffic demands that could not be accommodated by the existing Gunter Ellison Road/Salmon Arm Drive alignment, due to its steep grades, sharp 90-degree corner, and minimal distance between intersection and the corner; given the limited growth within the western uplands to date, it is not anticipated that this realignment of Gunter Ellison Road will be necessary in the foreseeable future, and therefore the collection of significant funds for off-site improvements for a relatively small subdivision is not necessary; and
- Supporting infill development is a critical strategy in facilitating additional development within the community and meeting the City's housing needs; requiring the provision of significant off-site improvement funds for a subdivision of this scale would likely make it economically unviable, and thus would act as a barrier to infill development.

Provision of Street Lighting and Underground Wiring

The City of Enderby Planner raises no objections to the applicant's request to vary Section 6.0 of Schedule "A" and Schedule "B" of the City of Enderby Subdivision Servicing and Development Bylaw No. 1278, 2000 by not requiring the provision of ornamental street lighting, for the following reasons:

- Ornamental street lighting is already installed along Preston Drive West, in accordance with the standards of the Subdivision Servicing and Development Bylaw;
- The ornamental street lighting standard along Salmon Arm Drive does not extend beyond the intersection of Salmon Arm Drive and West Enderby Road, with street lighting beyond that point

being in the form of street lights affixed to hydro poles, which is fitting with the more rural standard of that area; and

- The street lights affixed to hydro poles along Salmon Arm Drive and Gunter Ellison provide sufficient light to accommodate the needs of traffic in that area, such that additional lighting is unnecessary.

The City of Enderby Planner also raises no objections to the applicant's request to vary Section 7.0 of Schedule "A" and Schedule "B" of the City of Enderby Subdivision Servicing and Development Bylaw by not requiring the provision of underground wiring for power, telephone and cablevision for the following reasons:

- Underground wiring is already installed along Preston Drive West, in accordance with the standards of the Subdivision Servicing and Development Bylaw; and
- Overhead wiring is the existing standard along the entirety of the Salmon Arm Drive corridor and requiring the installation of underground wiring for the subject property's minimal frontage along Salmon Arm Drive is unnecessary and would have no impact on improving the broader service standard of the neighbourhood.

SUMMARY

This report relates to a Development Variance Permit application for the property located at 222 Salmon Arm Drive, Enderby BC. The applicant is proposing a three-lot subdivision and is seeking variances to the City of Enderby Subdivision Servicing and Development Bylaw No. 1278, 2000 in order to, i) not require the dedication and construction to centreline for Salmon Arm Drive, Preston Drive West and the unnamed road adjacent to the proposed lots, ii) not require the provision of street lighting, and iii) not require the provision of underground wiring for power, telephone and cablevision.

The City of Enderby Planner is supportive of the variance requests.

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

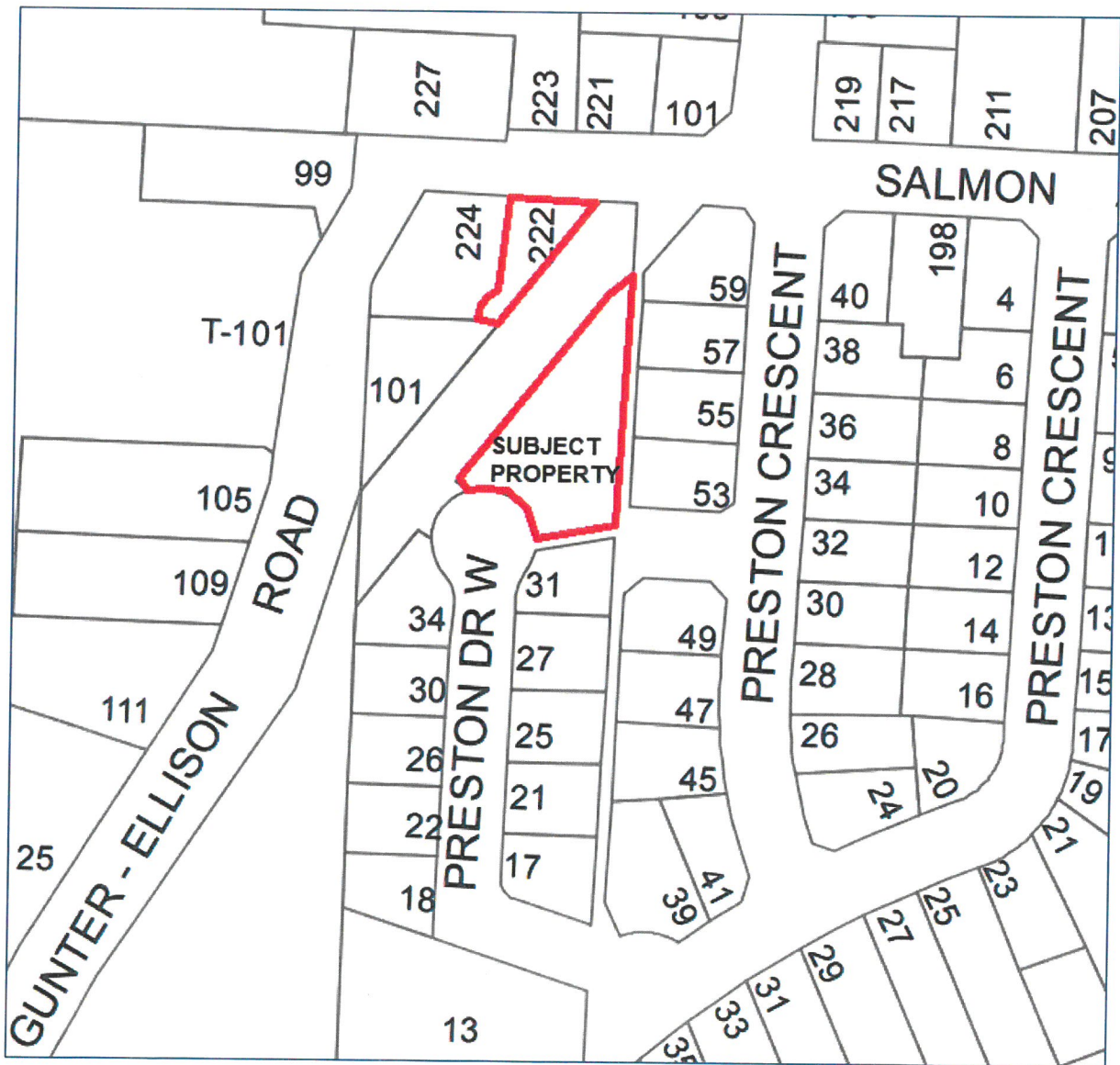
SUBJECT PROPERTY MAP

File: 0042-22-DVP-END

Applicant: Chad Eliason

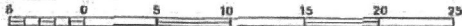
Owner: Jim's Finishing Ltd., 633176 Alberta Ltd., Case Holdings Ltd.

Location: 222 Salmon Arm Drive, Enderby BC



Compiled Plan of Lot 2, Sec 27, Tp 18, Rge 9, W6M, KDYD, Plan KAP46537 Except KAP92074

Scale 1:250

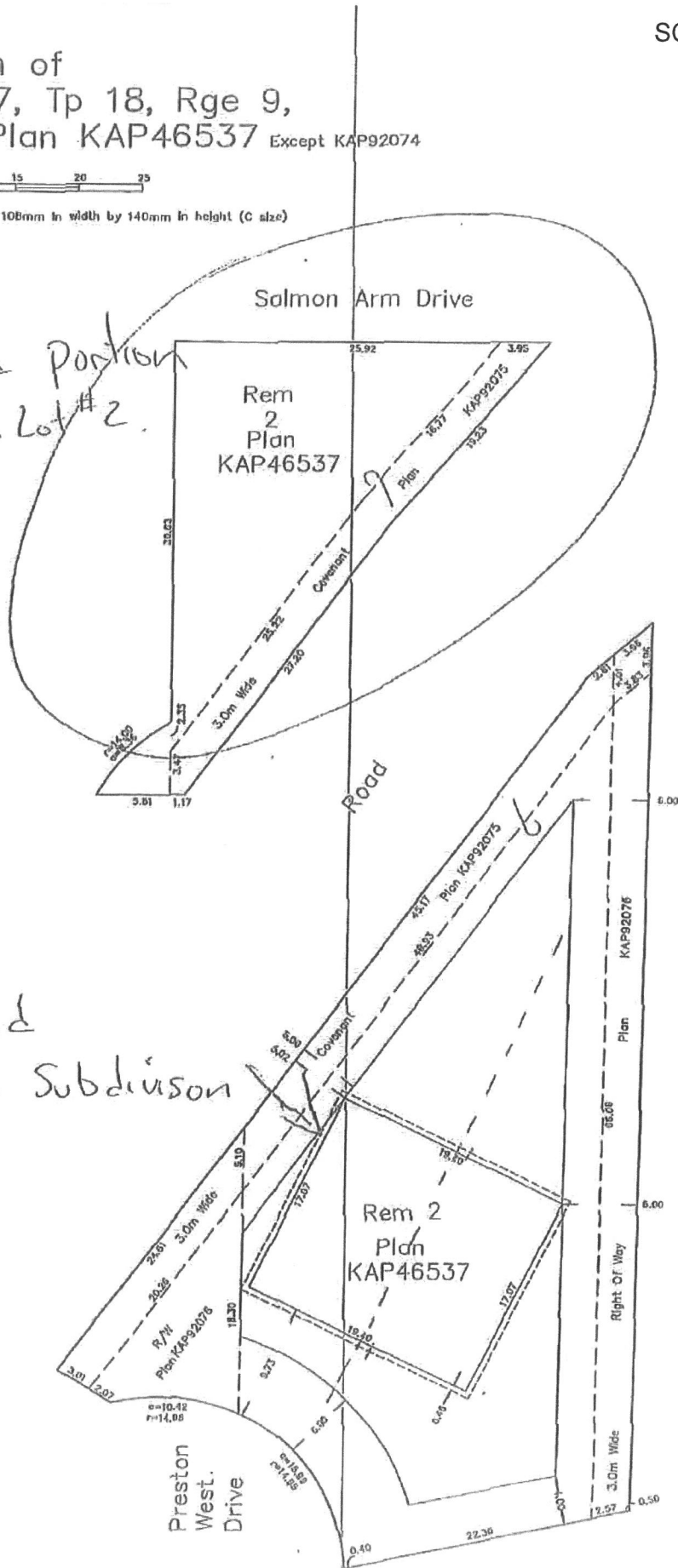


All distances are in metres.

The intended plot size of this plan is 108mm in width by 140mm in height (C size) when plotted at a scale of 1:250

Hooked portion of rem. lot #2.

Proposed Duplex Subdivision

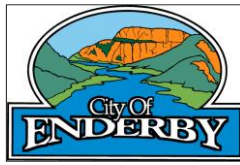


Zoning R.3-A
Civic Address:
222 - Salmon Arm Drive Endeby, BC
PID: 017-638-691

This plan was prepared for construction planning purposes and is for the exclusive use of our client, BROWNE JOHNSON LAND SURVEYORS accept no responsibility or liability for any damages that may be suffered by a third party as a result of reproduction, transmission or circulation in this document without consent of BROWNE JOHNSON LAND SURVEYORS.

Added proposed duplex August 25, 2021
Added proposed building August 18, 2021
Date Prepared: April 18 2021

BROWNE JOHNSON LAND SURVEYORS
B.C. AND CANADA LANDS
SALMON ARM, B.C. 250-832-9701
File: 193-21



DEVELOPMENT VARIANCE PERMIT

Application / File No.: 0042-21-DVP-END

To: Chad Eliason
Jim's Finishing Ltd., 633176 Alberta Ltd., Case Holdings Ltd.

Address: 222 Salmon Arm Drive, 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 2 SECTION 27 TOWNSHIP 18 RANGE 9 WEST OF THE 6TH
MERIDIAN KAMLOOPS DIVISION YALE DISTRICT PLAN KAP46537
EXCEPT PLAN KAP92074

P.I.D.: 017-638-691

3. City of Enderby Zoning Bylaw No. 1550, 2014 is hereby supplemented or varied as follows: **N/A**
4. City of Enderby Subdivision Servicing and Development Bylaw No. 1278, 2000 is hereby supplemented or varied as follows:
 - Section 2.0 of Schedule "A" by not requiring the dedication and construction of Salmon Arm Drive to the centreline of the road in accordance with the Local Road Standards;
 - Section 2.0 of Schedule "A" by not requiring the dedication and construction of Preston Drive West to the centreline of the road in accordance with the Local Road Standards;
 - Section 2.0 of Schedule "A" by not requiring the dedication and construction of the unnamed road adjacent to the proposed lots to the centreline of the road in accordance with the Collector Road Standards;
 - Section 6.0 of Schedule "A" and Schedule "B" by not requiring the provision of ornamental street lighting; and
 - Section 7.0 of Schedule "A" and Schedule "B" by not requiring the provision of underground wiring for power, telephone and cablevision.

5. Requirements, conditions or standards applicable to Section 491 of the Local Government Act: **N/A**

6. 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**.

7. 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.

8. 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.

9. 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.