



DEVELOPMENT and PLANNING SERVICES COMMITTEE

Monday, July 16, 2018

City of Salmon Arm

Council Chamber

City Hall, 500 - 2 Avenue NE

8:00 a.m.

Page #	Section	Item#
	1.	<u>CALL TO ORDER</u>
	2.	<u>REVIEW OF THE AGENDA</u>
	3.	<u>DECLARATION OF INTEREST</u>
	4.	<u>PRESENTATION</u> n/a
	5.	<u>REPORTS</u>
1 - 10	5.1	VP-478, Church of Latter Day Saints Canada / L.A. West Associates, 1400 – 20 Street NE, Retaining Wall Variance
11 - 20	5.2	VP-480, Popoff, B. & B. / Hindbo Construction Group Ltd., 1111 – 19 Avenue SE, Retaining Wall Variance
	6.	<u>FOR INFORMATION</u> n/a
	7.	<u>IN CAMERA</u> n/a
	8.	<u>LATE ITEM</u> n/a
	9.	<u>ADJOURNMENT</u>

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

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City of Salmon Arm

Development Services Department Memorandum

TO: Her Worship Mayor Cooper and Members of Council

DATE: July 11, 2018

SUBJECT: Variance Permit Application No. VP-478 (Retaining Wall)
 Legal: Lot A, Section 24, Township 20, Range 10, W6M, KDYD, Plan 27915
 Civic Address: 1400 – 20 Street NE
 Owner/Applicant: LDS Church / L.A. West Associates

MOTION FOR CONSIDERATION

THAT: Development Variance Permit No. VP-478 be authorized for issuance for Lot A, Section 24, Township 20, Range 10, W6M, KDYD, Plan 27915, which will vary Zoning Bylaw No. 2303 as follows:

- 1. Section 4.12.3 (a) Fences and Retaining Walls - increase the maximum permitted combined height of a retaining wall and fence from 1.2 m to 2.9 m.**

STAFF RECOMMENDATION

THAT: The motion for consideration be adopted.

PROPOSAL

The subject property is located at 1400 - 20 Street NE (Appendix 1 and 2). The proposal is to rebuild an existing retaining wall and the applicant is requesting a variance to increase the 1.2 m maximum combined height of a retaining wall in conjunction with a fence to 2.9 m (1.7 m retaining wall + 1.2 m fence). The applicant has provided a rationale letter attached as Appendix 3, with the proposed siting and elevations shown in Appendix 4. Site photos are attached as Appendix 5.

BACKGROUND

The subject property is designated Institutional in the City's Official Community Plan (OCP) and zoned P-3 (Institutional) in the City's Zoning Bylaw. The subject property currently features a church building with associated parking area and landscaped grounds. The lot slopes significantly down to the west towards the road, a decrease in elevation of approximately 8 m from the east to west, with the grade change made more prominent by the road right-of-way.

As noted in the attached letter of rationale, the existing retaining wall located at the north-west corner of the subject property adjacent to the corner of 20 Street NE and 15 Avenue NE is failing, extends at points into the City's dedicated roadways (both 20 Street NE and 15 Avenue NE), and is to be removed.

The proposed 1.7 m block retaining wall is intended to be positioned entirely on private property, and topped with a 1.2 m black vinyl chain link fence. The combined 2.9 m height of the fence and retaining wall is being considered with this application.

COMMENTSFire Department

No concerns.

Building Department

No concerns. Retaining wall requires Building Permit, registered professional design and review.

Engineering Department

No concerns.

Planning Department

The applicant is requesting a Zoning Bylaw variance for an increase to the maximum height of a retaining wall in conjunction with a fence to allow for reconstruction of a retaining wall and new fence installation. The Zoning Bylaw allows the combined height of a retaining wall and fence to be a maximum of 1.2 m in a front and exterior side yards in the Institutional zone. In this case, the retaining wall proposed is 1.7 m high with a 1.2 m high fence on top of the structure. The purpose of the retaining wall is to raise the original grade to allow for a more level site on an otherwise steep slope, as well as for aesthetic purposes. Due to the potential fall hazard associated with the wall, constructing a fence along the top of the wall would address potential safety concerns.

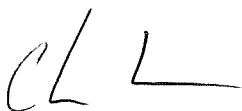
Staff is recommending approval in consideration of the following:

1. The increased height (1.7 m) requested for the new retaining wall is relatively minor with respect to both height and length, and reasonable for both aesthetics and to provide a suitable grade for the site above the wall.
2. The proposed retaining wall is a replacement for an existing retaining wall positioned on exterior parcel lines. The siting will be improved through this proposal, adjacent neighbours are separated by roadways and are minimally affected, and the replacement will maintain the slope from failing onto the City road dedications and sidewalk.
3. The combined height of retaining wall and fence (2.9 m) is mitigated by the fencing proposed which is relatively transparent and reasonable for safety reasons. The fence will act towards improving safety conditions on site.

Staff does not anticipate any negative impacts by the requested variances and note that the repositioning of the wall to private property should improve sightlines at the City's intersection.

CONCLUSION

The requested variance for retaining wall/fence height is recommended for approval by staff for the above noted reasons.




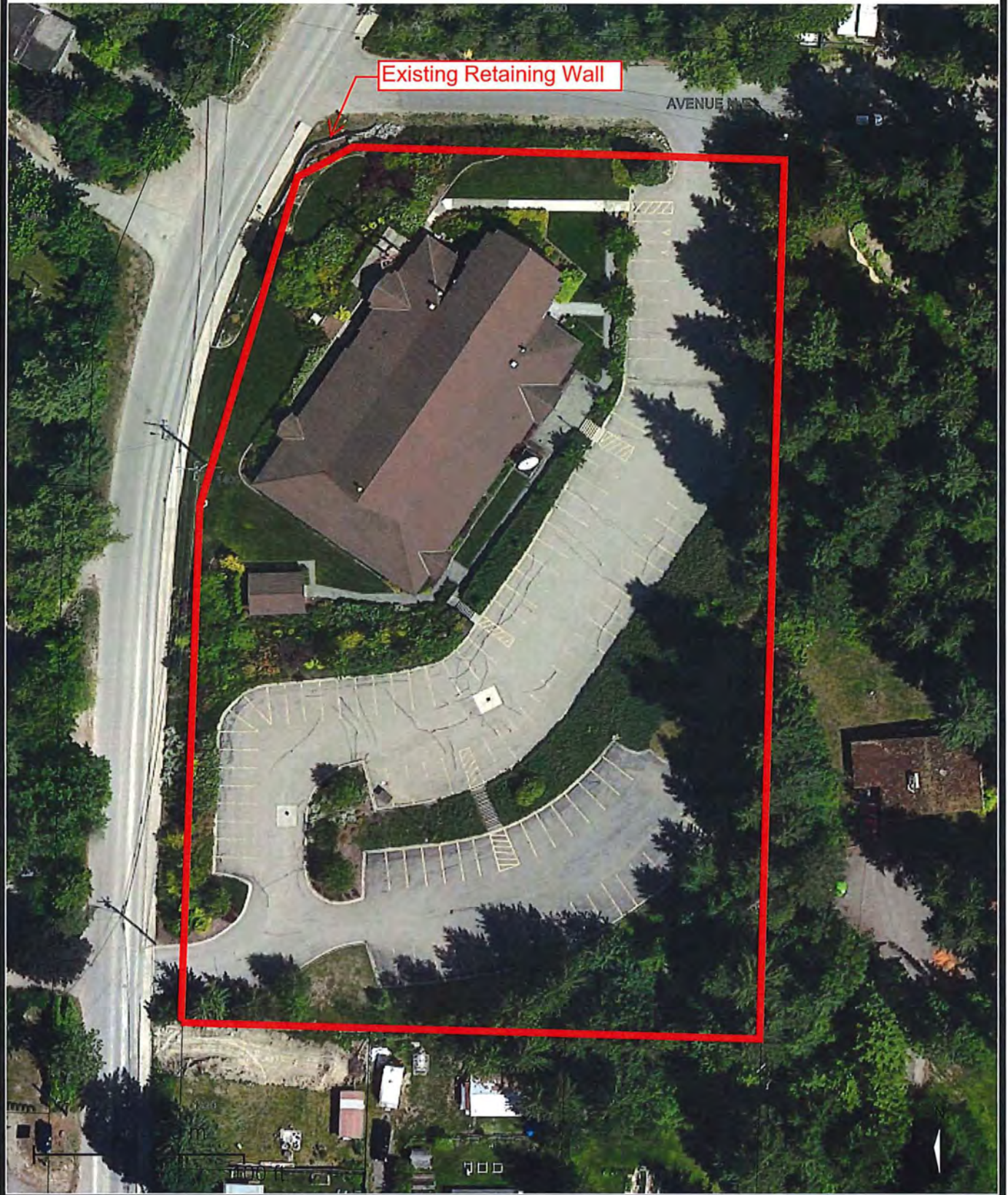
Prepared by: Chris Larson, MCP
Planning and Development Officer

Reviewed by: Carl Bannister, C.A.O.



0 55 110 220 330 440 Meters

 Subject Parcel



L.A. West *Associates (Kamloops) Inc.* **Landscape Architecture Environmental Planning**
#104, 147 Victoria St. Kamloops BC V2C 1Z4 Tel: (250) 374-9831 Fax: (250) 374-1294 Web: www.lawest.ca

June 01, 2018

City of Salmon Arm
Development Services
500-2nd Avenue N.E.
Salmon Arm, BC V1E 4N2

**Re: Letter of Rationale - LDS Church of Latter Day Saints,
1400 – 20th Street N.E. – Proposed Allan Block Retaining Wall**

To Whom it May Concern,

On behalf of our client, LDS Church of Latter Day Saints (contact: Eric Perrin), please find enclosed our applications for variance and building permits for the project: LDS Church Proposed Allan Block Retaining Wall.

This project proposes removal of an existing stacked rock retaining wall which is currently compromised and crosses over the property line. As per the drawings, details and specifications submitted as part of this application, the proposed Allan Block retaining wall is proposed to be built within the LDS Church property located at 1400 – 20th Street N.E.. As the proposed retaining wall exceeds a height of 1.2M (4'-0") a black vinyl chain link fence has been proposed at the top of the wall for safety.

We hope you find this application acceptable. Please feel free to contact me if you wish to discuss or require further information.

Sincerely,

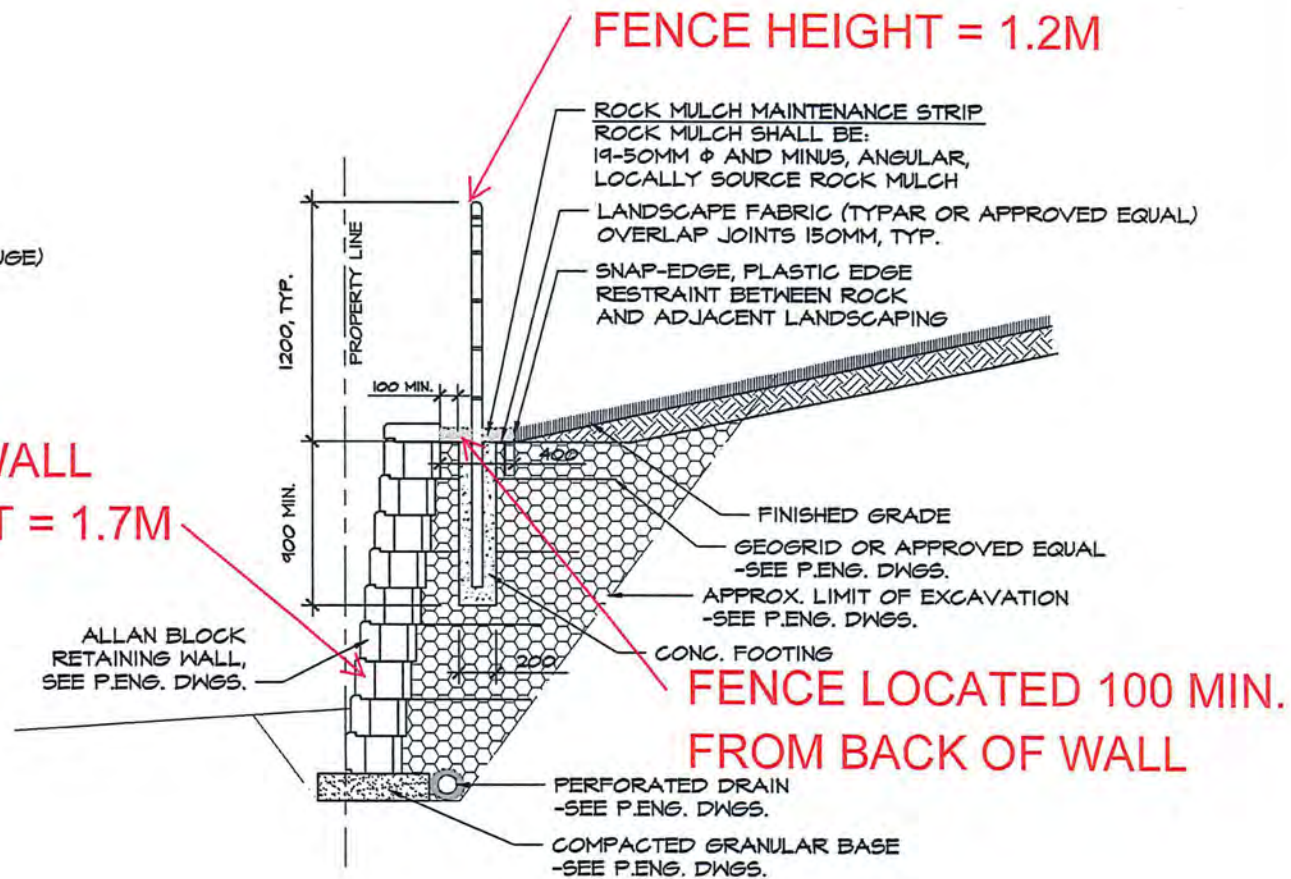


Elise Menard Jonker, MLA
LA West Associates (*Kamloops*) Inc.

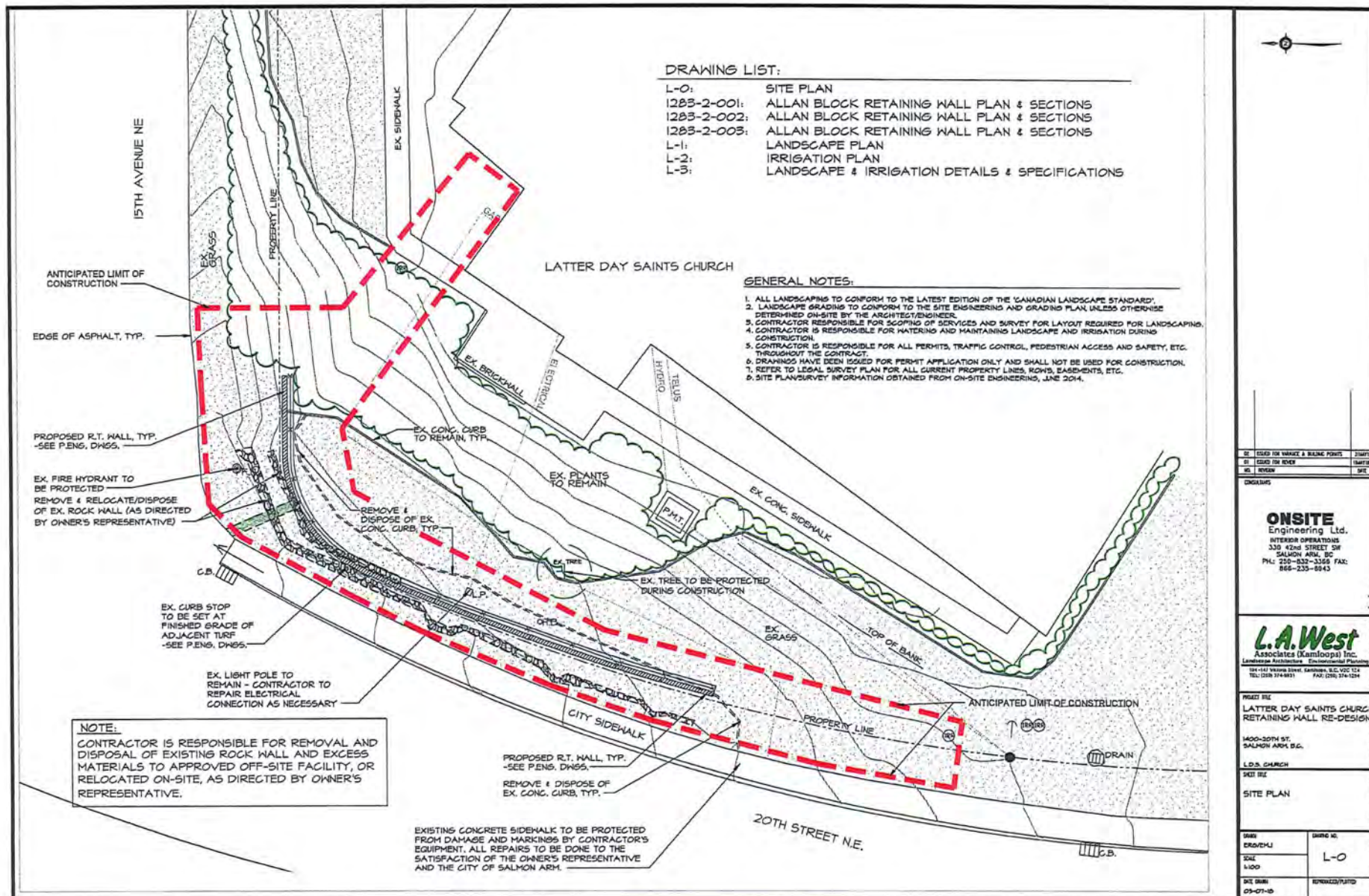
1M

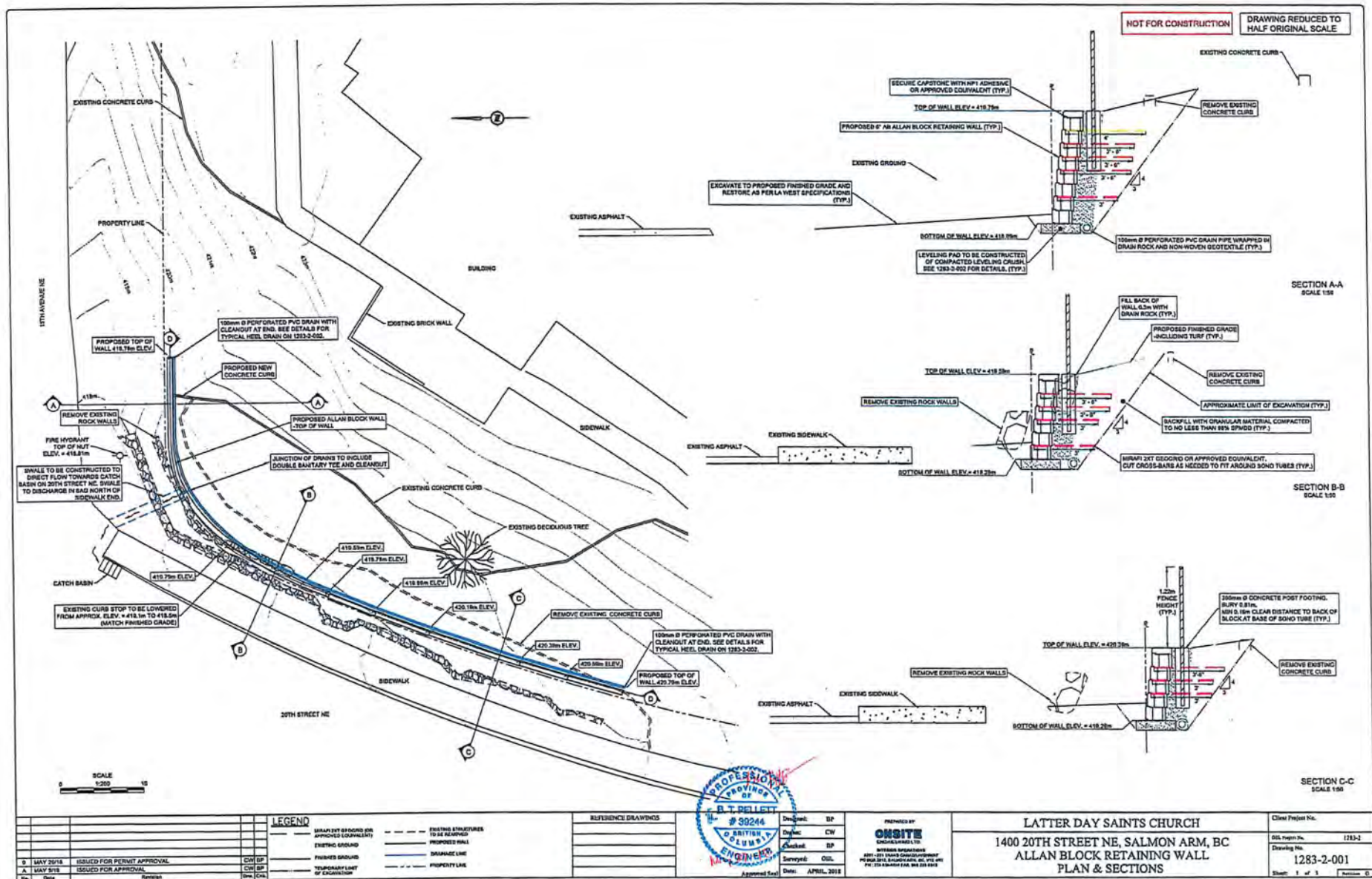
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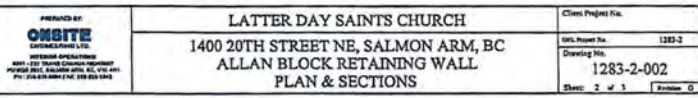
MAX. WALL
HEIGHT = 1.7M



SECTION:







Appendix 5: Site Photos



View south from 20 Street NE showing existing retaining wall.



View north from 20 Street NE showing existing retaining wall.



City of Salmon Arm

Development Services Department Memorandum

TO: Her Worship Mayor Cooper and Members of Council

DATE: July 12, 2018

SUBJECT: Variance Permit Application No. VP-480 (Retaining Wall)
 Legal: Lot 6, Section 12, Township 20, Range 10, W6M, KDYD, Plan EPP56083
 Civic Address: 1111 – 19 Avenue SE
 Owner/Applicant: Popoff, B. & B. / Hindbo Construction Group Inc.

MOTION FOR CONSIDERATION

THAT: Development Variance Permit No. VP-480 be authorized for issuance for Lot 6, Section 12, Township 20, Range 10, W6M, KDYD, Plan EPP56083, which will vary Zoning Bylaw No. 2303 as follows:

1. Section 4.12.1 (a) Fences and Retaining Walls - increase the maximum permitted combined height of a fence in conjunction with a retaining wall from 2 m (6.5 feet) to 6 m (19.5 feet).

STAFF RECOMMENDATION

THAT: The motion for consideration be adopted.

PROPOSAL

The subject property is located at 1111 – 19 Avenue SE (Appendix 1 and 2). The request is for a variance to increase the 2 m (6.5 feet) maximum height of a fence in conjunction with a retaining wall to 6 m (19.5 feet). This would permit a proposal to build a 4.9 m (16 feet) tall by 19.5 m (64 foot) wide retaining wall topped with a 42 inch railing in support of a swimming pool. The proposed siting and elevations are shown in Appendix 3, with site photos (Appendix 4) and a contour map (Appendix 5) also attached.

BACKGROUND

The subject property is designated Low Density Residential in the City's Official Community Plan (OCP) and zoned R-1 (Single Family Residential) in the City's Zoning Bylaw. The subject property is within the "Byersview" subdivision, is currently undeveloped and slopes significantly north from 19 Avenue SE. The proposed 4.9 m block retaining wall is intended to be positioned in the rear yard towards the north-west portion of the subject property (as a right-of-way follows the east parcel line), approximately 4 m from the rear parcel line. The north-west corner of the proposed retaining wall is set at a point on the west parcel line (Appendix 3) within the rear and side yard setback areas. The Zoning Bylaw provides a setback exception for retaining walls, permitting retaining walls to be sited within the setback areas.

COMMENTS

Fire Department

No concerns.

Building Department

No concerns. Retaining wall requires Building Permit, registered professional design and review. Potential visual impact.

Engineering Department

No concerns.

Planning Department

The applicant is requesting a Zoning Bylaw variance to increase the maximum height of a fence in conjunction with a retaining wall from the maximum of 2 m in a rear and interior side yard within the residential zone to a proposed combined height of 6 m (a 16 foot high retaining wall topped with a 3.5 foot railing). The purpose of the retaining wall is to raise the original grade to allow for a level swimming pool site on a steep slope.

Staff have concerns regarding the requested variance considering the following:

1. The 6 m increased height requested is relatively large with respect to the 2 m maximum, which should be considered in combination with the proposed wall's length (19.5 m / 64 feet) relative to the subject property.
2. The base of the proposed retaining wall is positioned on or relatively close to interior parcel lines, potentially visually affecting the adjacent properties, most significantly the parcel directly to the west.
3. The combination of the proposed retaining wall and railing, and the associated future home (a Building Permit has been submitted for an approximately 8.5 m / 28 foot tall single family dwelling – a 10 m / 32.8 foot maximum height is permitted) could create an overall imposing structure resulting in visual impact on neighbouring residential parcels.

Additional factors also affect this parcel and should be considered with the requested variance, such as the steep terrain. In communication with the Applicant, it has been noted that the undeveloped parcel directly north, likely the parcel most directly affected by this proposal, has not been sold at time of writing this report and is in the hands of the developer. Further, Staff note that the proposed wall is set back from the north and east parcel lines, allowing for maintenance access, with the setback from the north parcel line presenting an opportunity for landscaping to mitigate the visual impact of the proposed retaining wall (although such landscaping would be up to the homeowner, and may be unlikely).

Thus, in support of the requested variance, staff note the following:

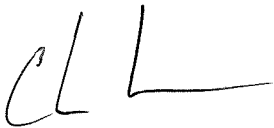
1. There is an opportunity (at the homeowner's discretion) for landscaping between the rear parcel line and the proposed wall to mitigate the visual impact of the proposed retaining wall.
2. The setback from the rear parcel line allows for maintenance access.
3. The steep sloping terrain provides a reasonable rationale for some form of retaining wall to create level yard areas across this development, and is a common approach for single family developments in Salmon Arm.
4. The directly adjacent parcel below and most impacted by the proposed wall is owned by the developer and a future purchaser will be able to consider the presence of the retaining wall.

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. As noted in the OCP, such a grading plan undertaken in advance can help ensure consistency between neighbouring parcels. While beyond

the scope of a typical grading plan, such a plan could proactively direct a related variance application to address steep slopes across multiple parcels. Considering the steep slopes affecting this development and in anticipation of future variance requests, staff would encourage such an approach for consistency across neighbouring parcels.

CONCLUSION

Typically staff would not be in support of a variance of such magnitude, however considering the steep slopes present, the largely undeveloped stage of the area, and the siting of the retaining wall off the rear parcel line (allowing for maintenance and potential landscaping), Staff can support the requested variance.

A handwritten signature in black ink, appearing to be 'CL' followed by a horizontal line.

Prepared by: Chris Larson, MCP
Planning and Development Officer

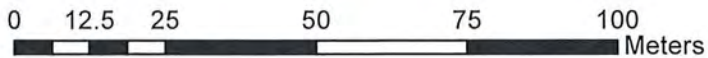
Reviewed by: Carl Bannister, C.A.O.



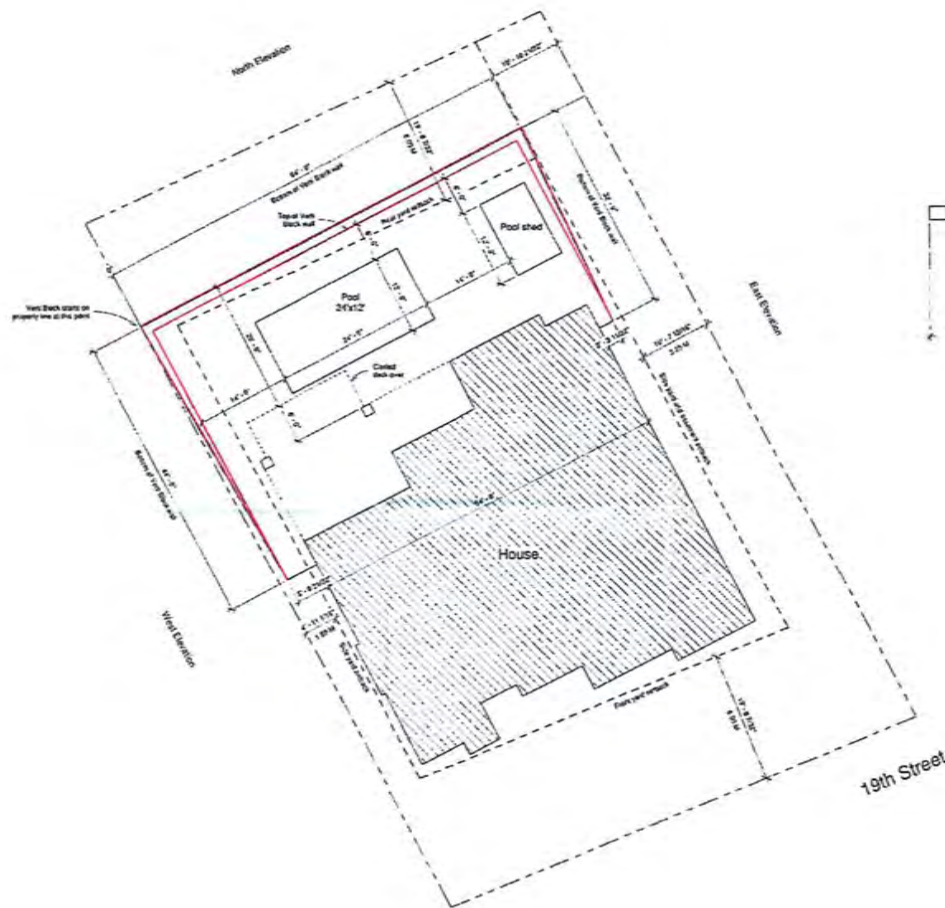
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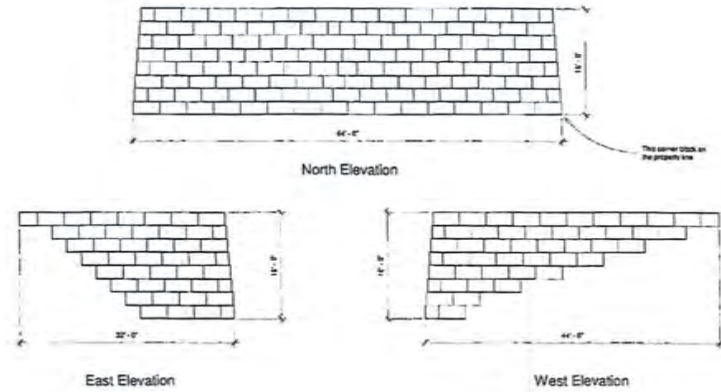
Subject Parcel



Subject Parcel



1 Retaining Wall Plan
1/8" = 1'-0"



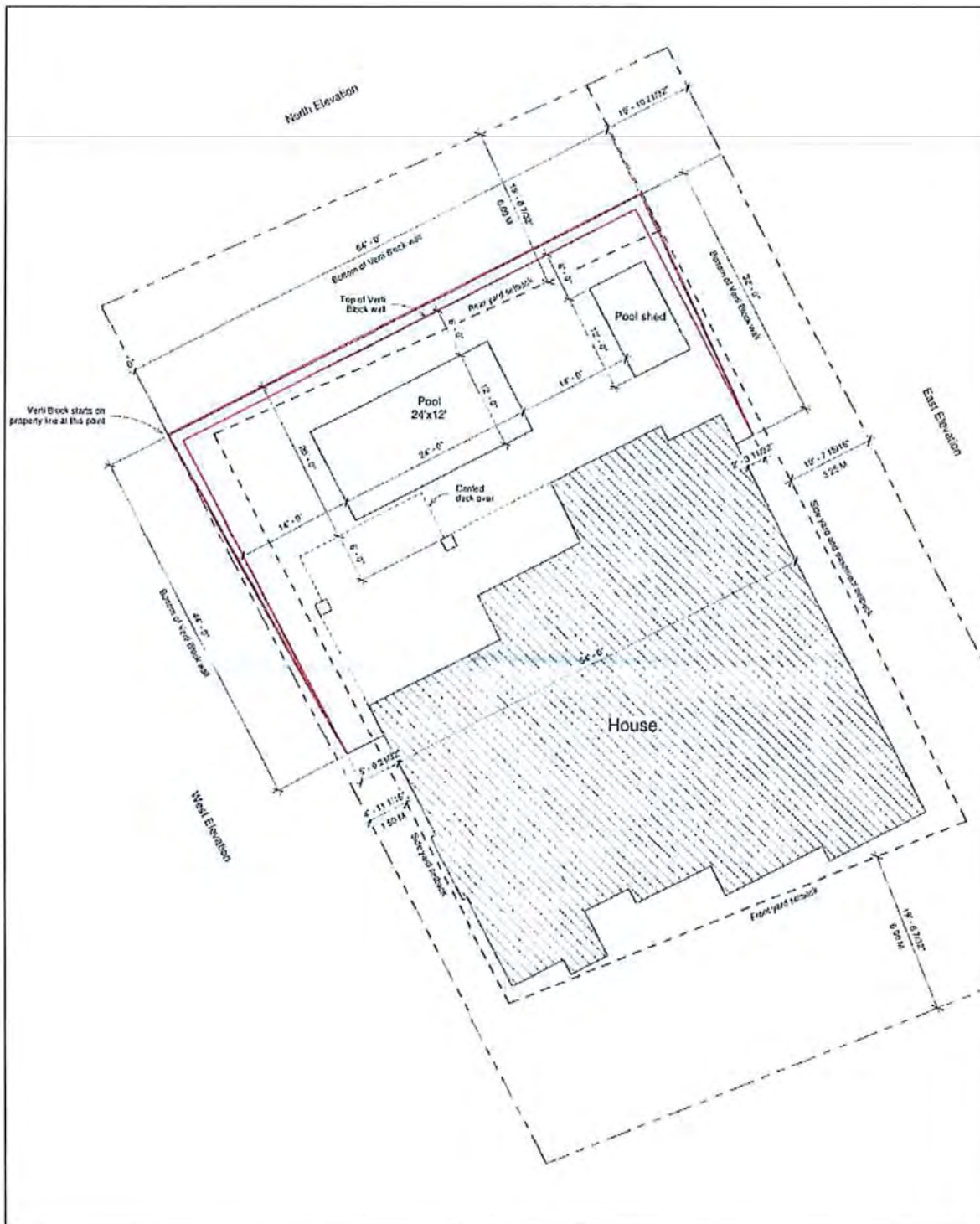
2 Retaining Wall Elevations
1/8" = 1'-0"

Retaining system construction details to be provided by Tera Back

For Permit and Construction v1.0

 MEYER DESIGNS 600 Mt. Todd Drive Coquitlam, BC V1B 3Y6 250-523-4579 kelly@meyerdesigns.ca kelly@meyerdesigns.ca	
Retaining Wall Plan	
Project Number Date Drawn by	2017-040 May 24, 2018 Kelly Meyer
Popoff Residence Lot 6 Eyemore Salmon Arm, BC	
9	

Appendix 3: Site Plan



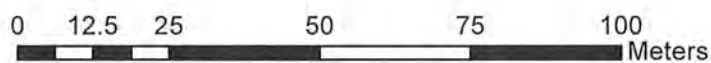
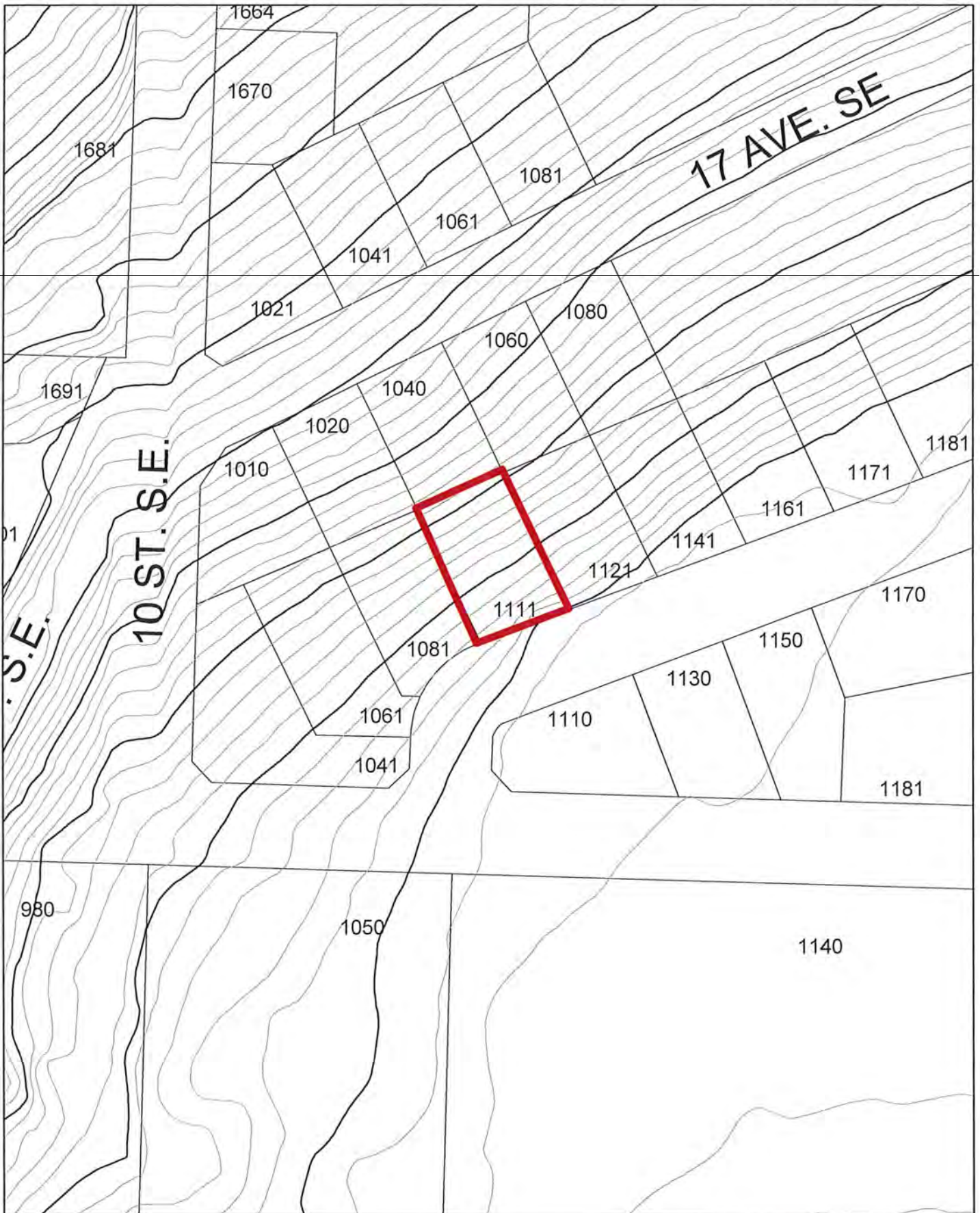
Appendix 4: Site Photos



View south-west of subject parcel from 17 Avenue SE showing adjacent development.



View south of subject parcel showing right-of-way.



Subject Parcel

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