

May 1, 2025

Hearing Notice

Council Consideration:

Development Variance Permit No. VP-616

- Beginning at 7:00 pm, Monday May 12, 2025, during the Regular City Council Meeting
- Council Chambers - Salmon Arm City Hall, 500 – 2 Avenue NE

PROPERTY:

70 – 2 Street SE

Lot 6, Block 3, Section 14, Township 20, Range 10, W6M, KDYD, Plan 392

LOCATION:

Southeast of the Trans Canada HWY between Okanagan Avenue and 2 Avenue on the East side of 2 Street SE

PROPOSAL:

Reduce the North side Interior Parcel Line to accommodate an Accessory Dwelling Unit.

VARIANCE REQUEST:

Zoning Bylaw 2303 Section 6 - Residential Zone R-10

6.12.5 – Interior Parcel line from 4.0m (6.5ft) to 1.5m (4.9ft)



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CITY OF
SALMON ARM

INFORMATION:

The staff report for the proposed Development Variance Permit No. VP-616 is available for viewing on the City of Salmon Arm website at <https://www.salmonarm.ca/468/Notices> from **May 1 - 12, 2025** inclusive.

If you wish to participate electronically, a link to the virtual meeting is available in the Agenda section on the City's website at www.salmonarm.ca. Electronic participation is accommodated through computer with internet access or telephone.

All persons who wish to register an opinion to Council for consideration on the proposed Development Variance Permit may do so either by:

- Written submission, that may be dropped off at City Hall in the drop box to the left of the main entrance;
- Email submission to cityhall@salmonarm.ca;
- Appearing in person or electronically, or represented by an agent, at the Hearing on **Monday May 12, 2025**.

Please note written and/or email submissions must be presented to the Administration Department no later than **10:00am on Monday May 12, 2025**.

Respectfully,

Development Services // For more information contact: planning@salmonarm.ca or 250.803.4000

DEVELOPMENT VARIANCE PERMIT

Local Government Act (Part 14)

PERMIT NUMBER: VP-616

Bylaw No. 4640

SCHEDULE "B"

TO: D. Walters

For Location at: 70 – 2 Street SE

PID: 012-410-497

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 6, Block 3, Section 14, Township 20, Range 10, W6M KDYD Plan 392
3. The City of Salmon Arm
☒ Zoning Bylaw No. 2303
☐ Subdivision and Development Servicing Bylaw No. 4293
☐ Sign Bylaw No. 2880
☐ Required under Development Permit Areas (Official Community Plan Bylaw No. 4000)

is hereby varied as follows:

THAT: Development Variance Permit No. 616 be authorized for issuance to vary the provisions of Zoning Bylaw No. 2303 as follows:

Section 6.12.5 – reduce the interior side parcel line setback from 4.0m (6.5 ft) to 1.5m (4.9 ft).

4. The land described herein shall be developed strictly in accordance with the terms and conditions and provisions of this Permit.
5. This Permit is not a Building or Sign Permit.
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. **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.**

AUTHORIZING RESOLUTION ADOPTED BY COUNCIL on the ____ day of _____ **2025.**

ISSUED this ____ day of _____ **2025.**

CORPORATE OFFICER
Rhonda West



REQUEST FOR DECISION

To: Development & Planning Services Committee

Title: Planner I - Development Variance Permit No. 616

Legal: Lot 6, Block 3, Section 14, Township 20, Range 10, W6M, KDYD, Plan 392
Civic: 70 2 Street SE
Owner: Duncan Walters
Agent: Reg Walters

Date: May 5, 2025

Executive Summary/Purpose:

The proposal is to reduce the side yard setback from 4.0 m to 1.5 m in order to construct a 2-story detached shop with an upper floor dwelling unit.

Motion for Consideration:

THAT: the Development and Planning Services Committee recommend to Council the issuance of the Development Variance Permit No. 616 for Lot 6, Block 3, Section 14, Township 20, Range 10, W6M, KDYD, Plan 392 (70 2 Street SE) to facilitate the construction of an accessory building with an upper floor dwelling unit, varying Zoning Bylaw No. 2303, Section 6.12.5 – reducing the interior side parcel line setback from 4.0 metres to 1.5 metres.

Staff Recommendation:

The motion for consideration be adopted.

Proposal:

The proposal is to reduce the side yard setback from 4.0 m to 1.5 m to accommodate construction of a 2-story detached shop with an upper floor dwelling unit.

Background:

The subject property is located at 70 2 Street SE (Appendices 1 and 2). It is designated in the Official Community Plan (OCP) as High Density Residential (HR) and is zoned R10 - Residential Zone in Zoning Bylaw No.2303 (Appendices 3 & 4).

Adjacent land uses:

North:	R-10 (Residential Zone)	Single Family Dwelling
South:	R-10 (Residential Zone)	Single Family Dwelling
East:	R-10 (Residential Zone)	Single Family Dwelling
West:	P-3 (Institutional Zone)	Church

The subject property is approximately 463.66 square meters (4,990.79 square feet) in area and is comprised of a single family dwelling and an attached carport as shown in the site photos attached as Appendix 5. The applicant is requesting to construct a detached shop with an upper floor dwelling unit located in the northeast corner of the subject parcel (Appendix 6). The height of the proposed new build is 7.5 meters (24.6 feet). The proposed location requires a variance for the interior side parcel line from 4.0 metres (6.5 feet) to 1.5 metres (4.9 feet) to allow for parking next to the new building (Appendix 7).

Relevant Policy(ies):

N/A

Referral Comments:

Fire Department

No concerns.

Building Department

No concerns. Building permit will be required for proposed accessory building with upper floor dwelling unit.

Engineering Department

The Engineering Department has no concerns to the requested setback variance.

Other

N/A

Planning Department

Development Variance Permits are considered on a case-by-case basis and in doing so a number of factors are taken into consideration when reviewing a request. These factors include site-specific conditions such as lot configuration and existing structures, negative impact to general form and character of the surrounding neighbourhood and, potential negative impact(s) on adjacent properties.

The proposed building location is near the rear of the property, 1.5 metres (4.9 feet) from the interior (north) side property line, as illustrated in the site plan (Appendix 6). In the R-10 zoning regulations, the minimum required setback from an interior side parcel line for an accessory dwelling unit (ADU) with a height between 6.0 metres and 7.5 metres (19.7 to 24.6 feet) is 4.0 metres (13.1 feet) (Appendix 8). This increased setback, compared to the 2.0 metre requirement for ADUs under 6.0 metres in height, is intended to reduce potential impacts on adjacent properties, such as building shadow and loss of privacy.

The adjacent property to the north contains a single family dwelling that is situated in alignment with the existing dwelling on the subject property. In the opinion of staff, the proposed location of the new structure would not substantially impose on the neighboring property to the north. Additionally, the property to the north has mature trees situated along the property line, providing privacy. Within the context of the neighbourhood, the adjacent properties are characterized by laneway structures, and the proposed building is similar to structures nearby.

With regard to parking, the applicant must provide a minimum of one (1) off-street parking space for the proposed dwelling unit above the shop. However, available space for parking is constrained due to the installation of a French drain along the south side of the property. The proposed structure is set to the north to provide parking and avoid impact on the French drain.

Minimum setback requirements in the Zoning Bylaw are in place to ensure minimum distances between buildings across parcel lines and to ensure continuity of development amongst multiple parcels in a given area of similar zoning. In considering the factors noted above, staff are not concerned with variance request.

Financial Considerations:

N/A

Committee Recommendations:

N/A

Public Consultation:

Pursuant to the Local Government Act and City of Salmon Arm Development Procedures Bylaw notices are mailed to landowners within a 30m radius of the application. The notices outline the proposal and advises those with an interest in the proposal to provide written submission prior to the Hearing and information regarding attending the Hearing. It is expected that Council will consider issuance of this Development Variance Permit on May 12, 2025.

Alternatives & Implications:

N/A

Prepared by: Planner I

Reviewed by: Manager of Planning & Building

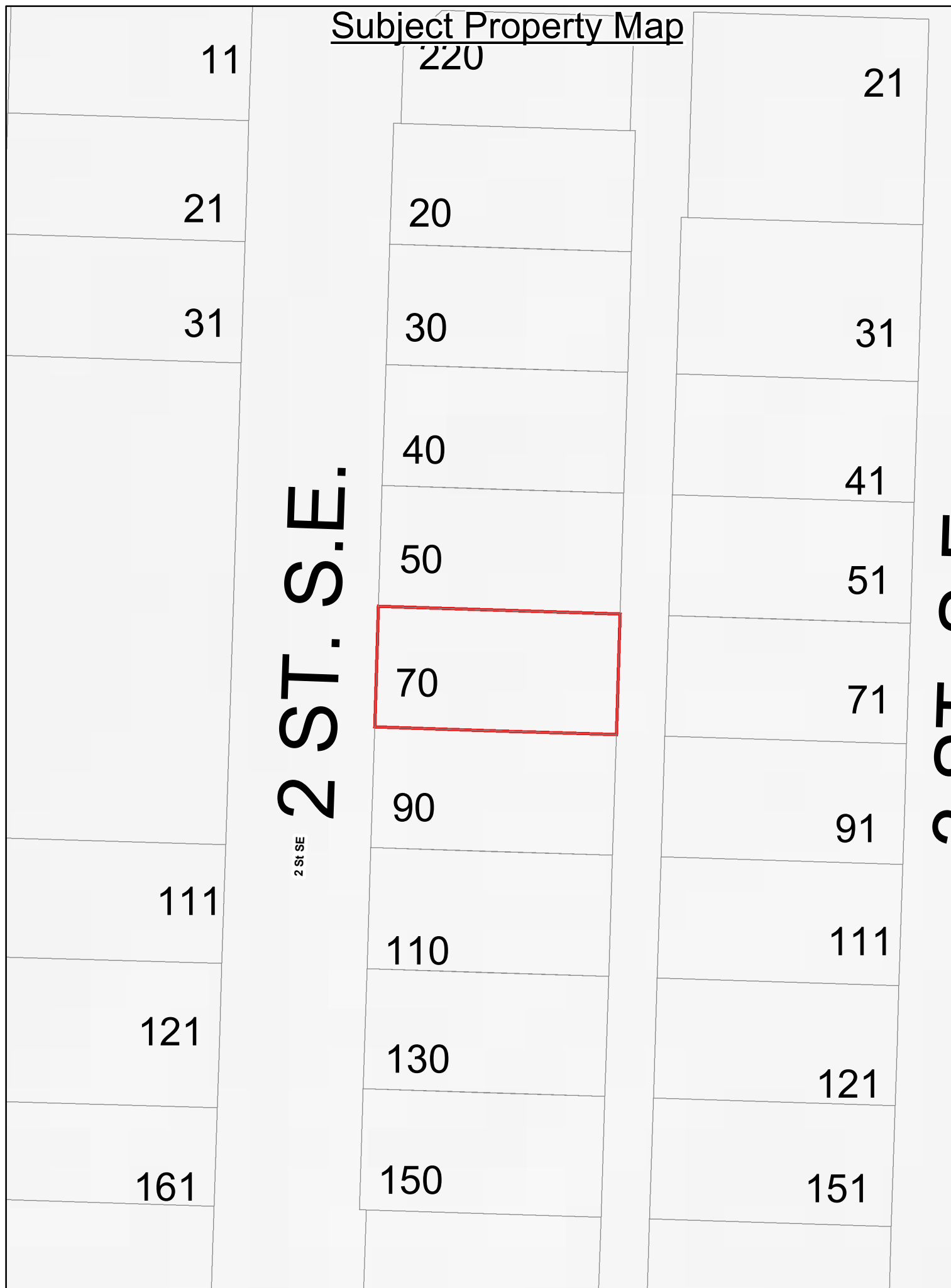
Reviewed by: Director of Planning & Community Services

Approved by: Chief Administrative Officer

Attachments:

- Appendix 1 – Subject Property Map
- Appendix 2 – Ortho Maps
- Appendix 3 – OCP Map
- Appendix 4 – Zoning Map
- Appendix 5 – Site Photos
- Appendix 6 – Site Plan
- Appendix 7 – Letter of purpose
- Appendix 8 – R10 Zoning Regulations

Subject Property Map




0 5 10 20 30 40 Meters

Legend


 Parcels  Subject Property





Ortho Map



0 10 20 40 60 80 Meters



Legend

 Parcels	 Subject Property
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Ortho Map



0 2 4 8 12 16 Meters

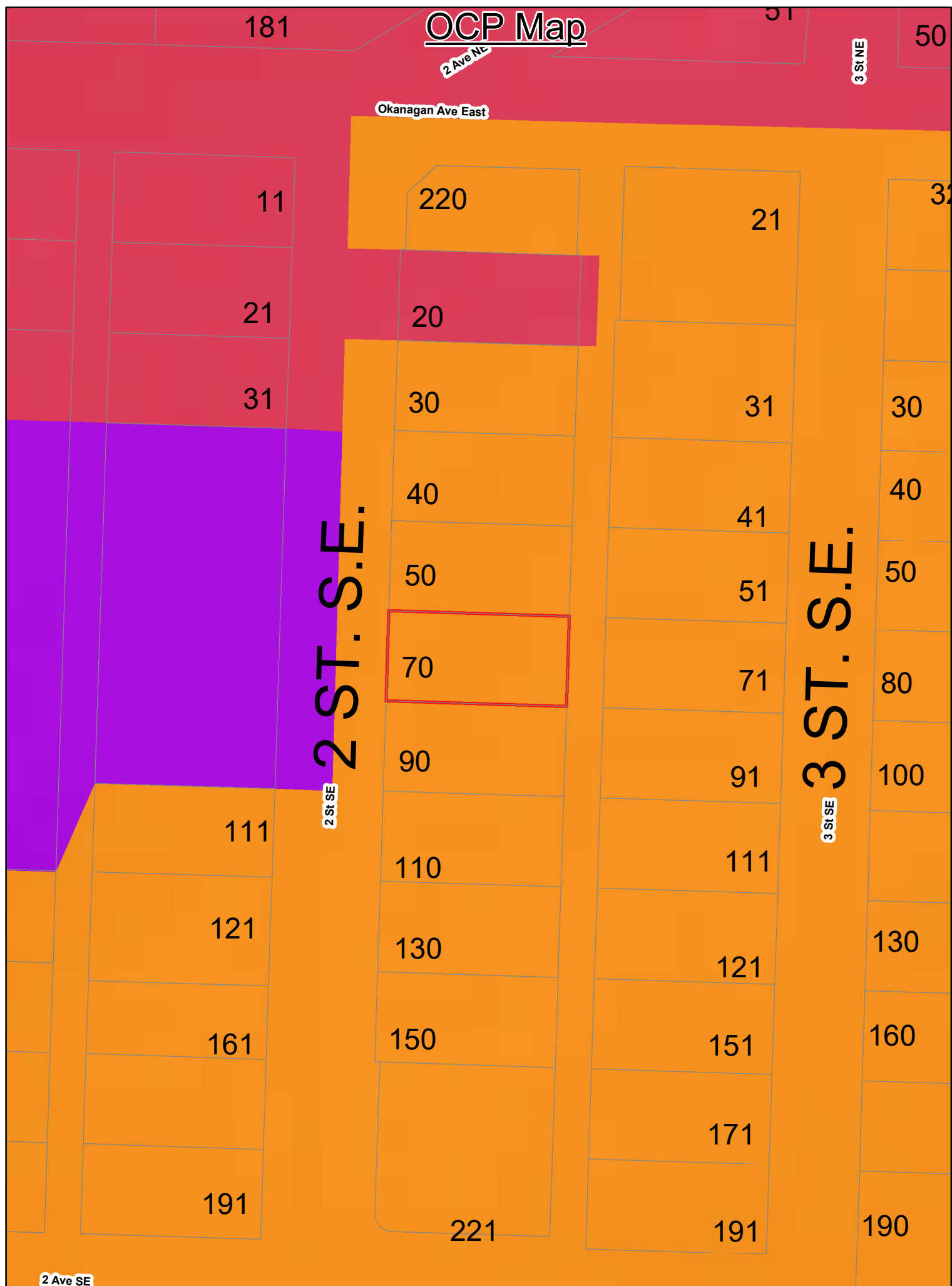
Legend

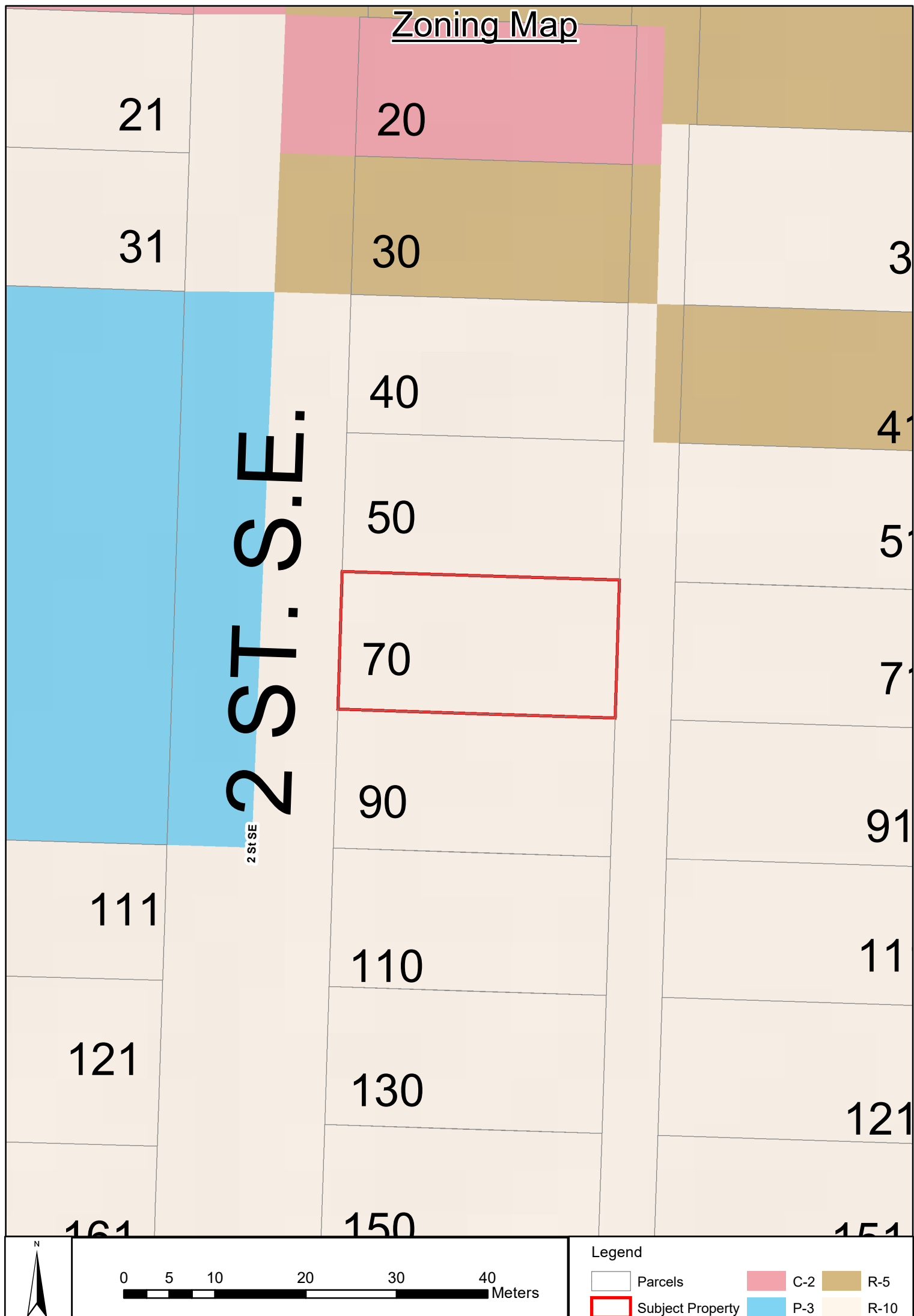


Parcels



Subject Property







1. View of subject property from 2 Street SE. Facing east from the front property line.



2. View of the subject property from the rear property line/ lane. Facing west towards 2 street SE.



3. View of lane along the rear of the subject property. Facing north towards Okanagan Avenue.

OWNER:
Duncan Walters

CIVIC ADDRESS:
70 2nd Street SE, Salmon Arm, BC

LEGAL DESCRIPTION:
Lot 6, Block 3
Sec 14 Tp 20 R 10 W6M KDYD
Plan 392

PARCEL IDENTIFIER:
012-410-497

ZONING:
R-10

PARCEL AREA:
463.66 sq m

EXISTING HOUSE:

GROSS FLOOR AREA (To outside of walls):
87.79 sq m

STOREYS:
1 above grade (crawlspace below grade)

PARCEL COVERAGE (Existing House / Parcel Area x 100):
18.9%

PROPOSED ACCESSORY BUILDING:

GROSS FLOOR AREA (To outside of walls):
71.35 sq m

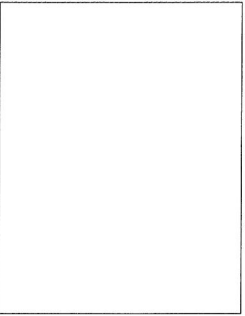
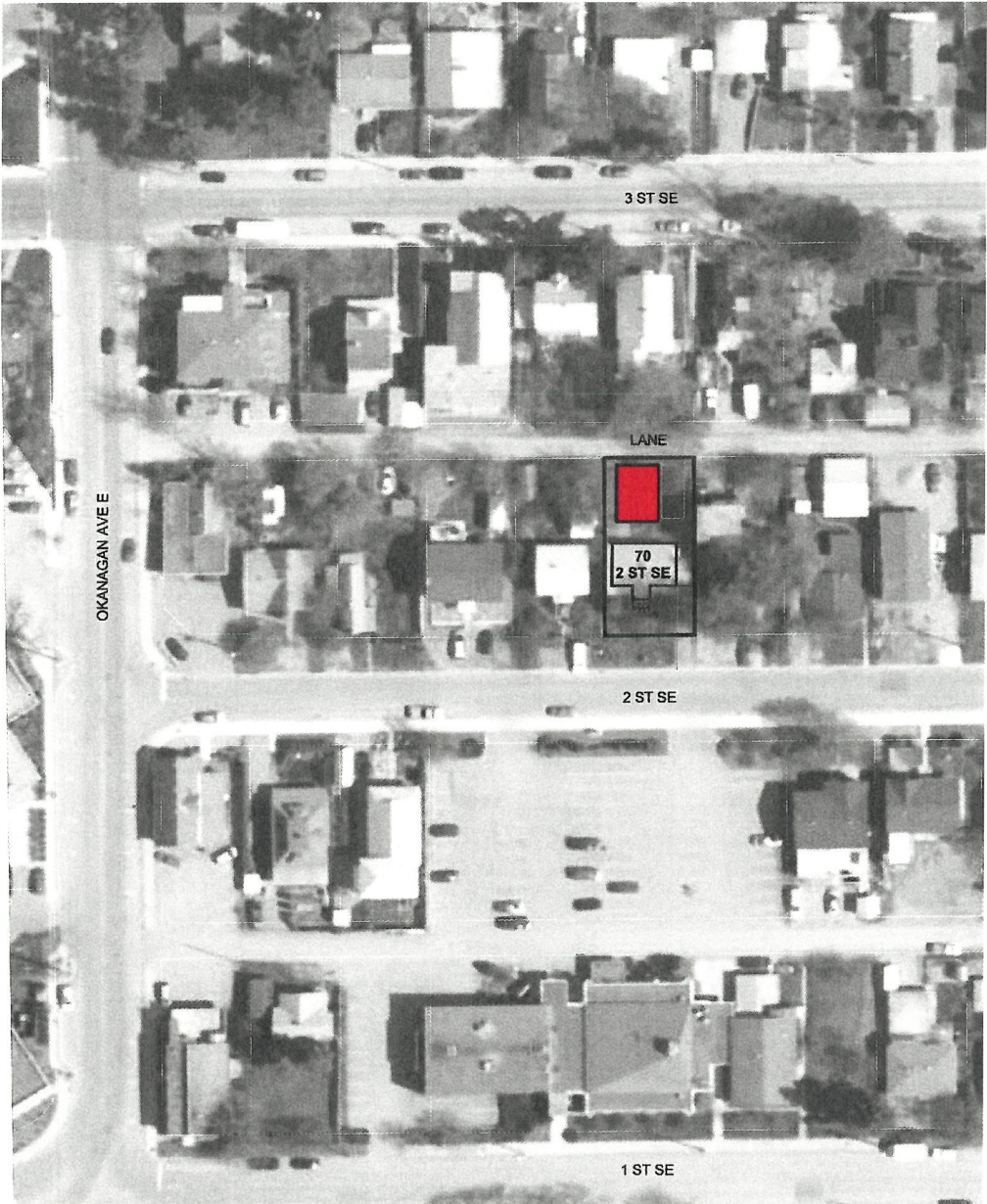
STOREYS:
2 above grade

PARCEL COVERAGE (Accessory Building / Parcel Area x 100):
15.4%

ISSUE:	DATE:
ISSUED FOR VARIANCE	
23 JAN 2025	

DATE:	Jan. 23, 2025
SCALE:	NTS

NORTH



WALTERS
RESIDENCE

SHOP & COACH
HOUSE

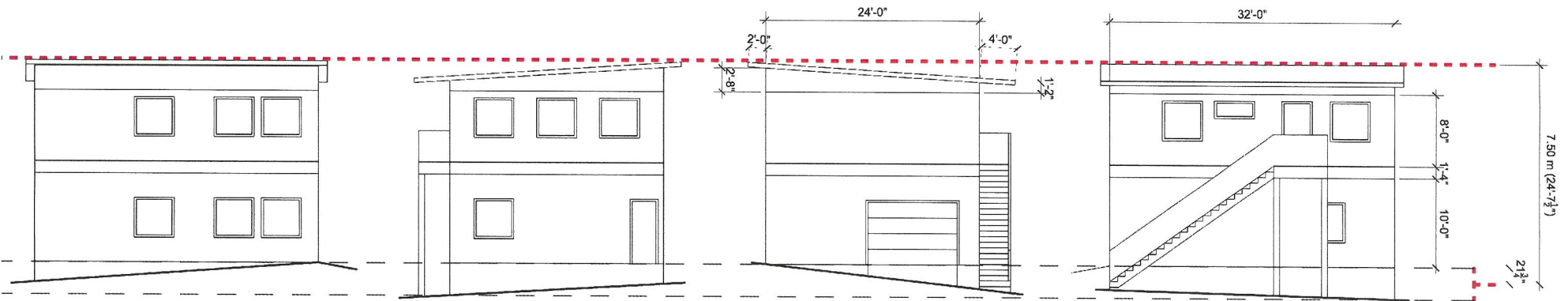
70 2nd St SE
Salmon Arm, BC

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COVER
PAGE
+
CONTEXT
PLAN

DRAWING NUMBER:

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ISSUE: DATE:

ISSUED FOR VARIANCE

23 JAN 2025

DATE: Jan. 24, 2025
SCALE: 3/32" = 1'-0"
(1:128)

WALTERS
RESIDENCE
SHOP & COACH
HOUSE
70 2nd St SE
Salmon Arm, BC

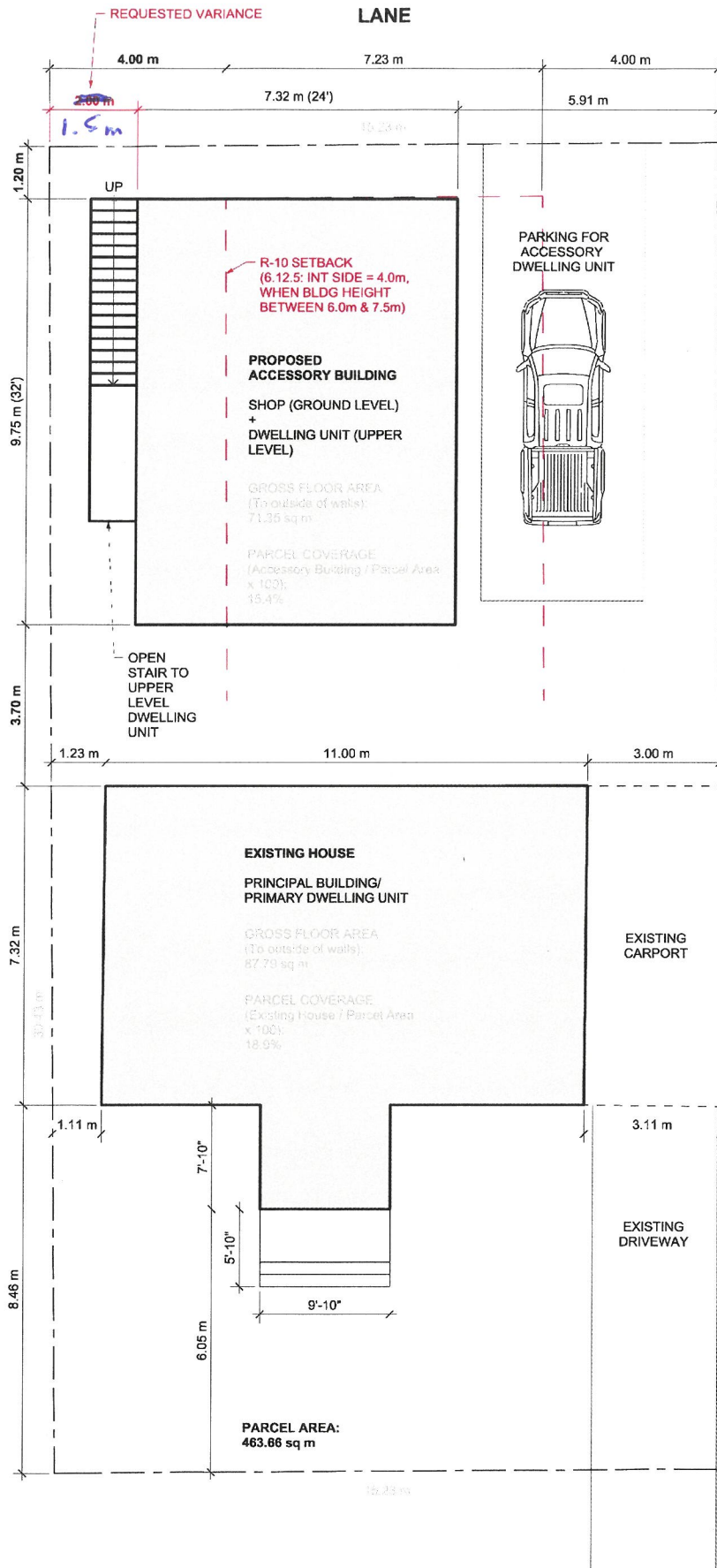
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ELEVATIONS

DRAWING NUMBER:

02

NORTH



2ND STREET SE

ISSUE: DATE:

ISSUED FOR VARIANCE

23 JAN 2025

DATE: Jan. 23, 2025

SCALE: 1/8" = 1'-0"
(1:96)

WALTERS
RESIDENCE

SHOP & COACH
HOUSE

70 2nd St SE
Salmon Arm, BC

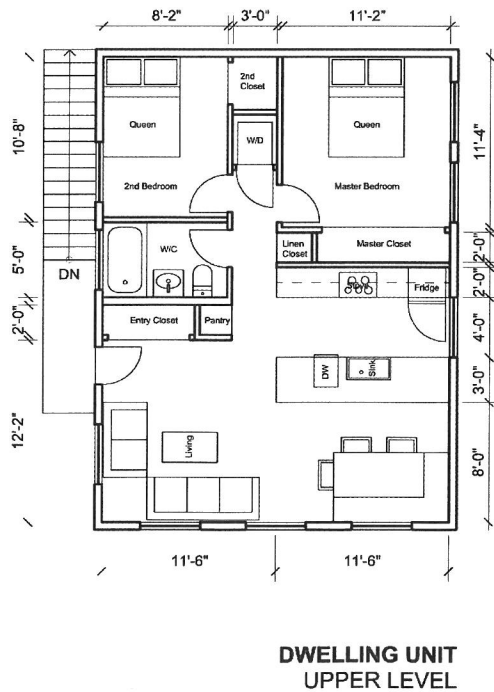
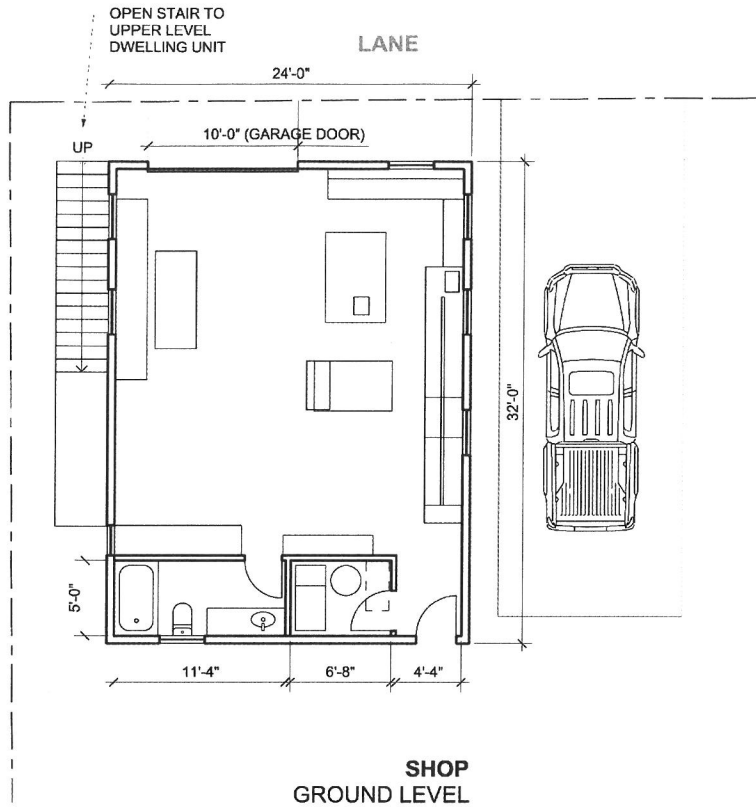
DRAWING TITLE:

SITE PLAN

DRAWING NUMBER:

01

NORTH



ISSUE: DATE:

ISSUED FOR VARIANCE

23 JAN 2025

DATE: Jan. 24, 2025

SCALE: 1/8" = 1'-0"
(1:96)

WALTERS
RESIDENCE

SHOP & COACH
HOUSE

70 2nd St SE
Salmon Arm, BC

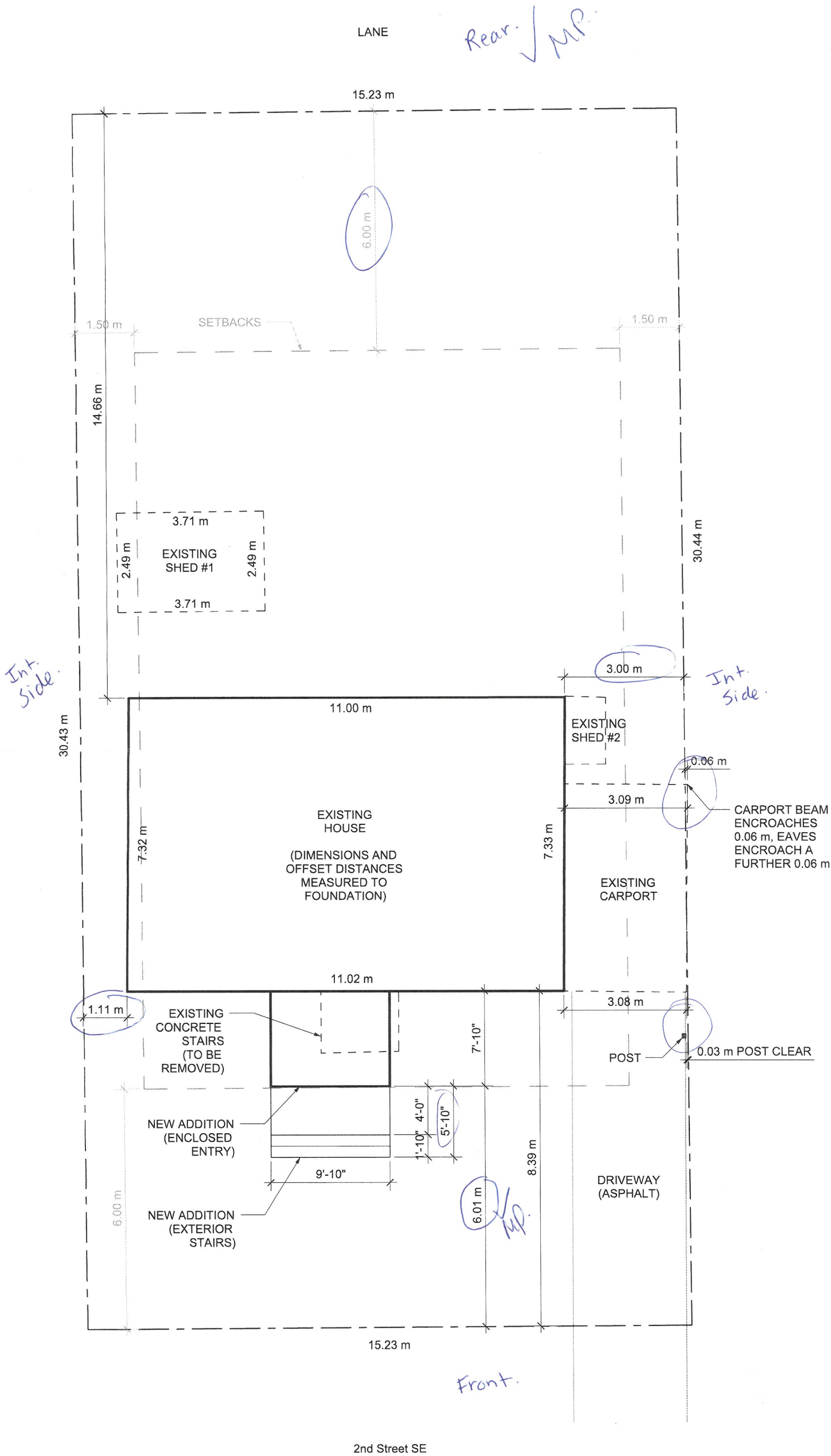
DRAWING TITLE:

FLOOR
PLANS

DRAWING NUMBER:

03

NORTH ←



ISSUE:	DATE:
ISSUED FOR BP 28 NOV 2023	

DSN: SN

DRN: SN

DATE: Dec 1, 2023

SCALE: 1/8" = 1'-0" (1:96)

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sirinikic@gmail.com

PROJECT: 23-001

WALTERS
RESIDENCE
RENOVATION +
ADDITION

70 2nd St SE
Salmon Arm, BC

DRAWING TITLE:

SITE PLAN

DRAWING NUMBER:

A001

DSN: SN
DRN: SN
DATE: 28 Nov 2023
SCALE: 1/4" = 1'-0"
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PROJECT: 23-001

WALTERS
RESIDENCE
RENOVATION +
ADDITION

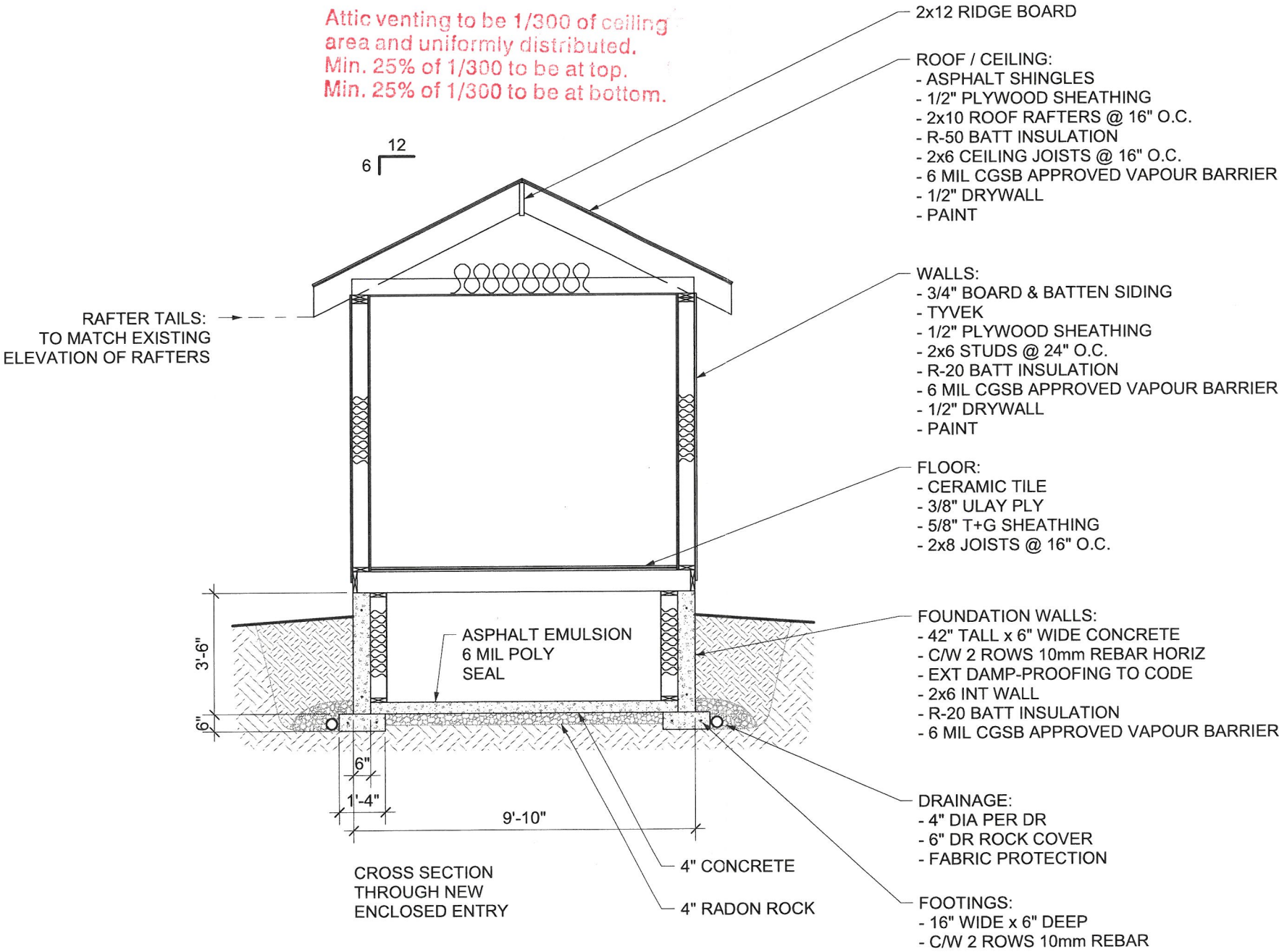
70 2nd St SE
Salmon Arm, BC

DRAWING TITLE:

SECTION
DETAILS

DRAWING NUMBER:

A004



Feb 3, 2025

Letter of Purpose

Duncan Walters
70 2 ST SE
Salmon Arm, BC,
V1E1G8

Re: Construction of shop with above 2-bedroom suite - Requesting setback variance

To the members of Salmon Arm City Council,

I am writing to request a variance from the city's setback regulations for the property located at 70 2 ST SE, Salmon Arm. My intention is to build a 2-story detached structure with a shop on the lower floor and a 2 bedroom suite above. Currently the zoning states that a 4 m interior side setback is required. I am requesting a 1.5 meter setback from the North property line due to the following:

1. Due to parking congestion on 2nd street I intend to provide off-lane parking for the proposed suite. A 4 meter setback places the structure in the middle of the yard with little usable space adjacent.
2. Intend to construct a French drain parallel to neighboring property to the South in order to intercept water and divert to a previously installed storm drain. Would like the french drain to not be within the parking stall for its proper functioning.
3. When assessing the viability of constructing the building less than 6 meters in height (with associated 2 meter setbacks) it was noted that the usability of the shop would be greatly impacted.

I am committed to ensuring that the design and use of my property will be in harmony with the neighborhood and will not negatively affect the public welfare or surrounding properties.

Thank you for your consideration,

Duncan Walters

Schedule “A”

SECTION 6 – R-10 - RESIDENTIAL ZONE

Purpose

- 6.1 The purpose of the R-10 Zone is to permit ground-oriented small scale residential use comprising of *single family dwellings* and *duplexes*, either with or without *secondary suites*, and detached *accessory dwelling units*, developed up to a maximum density that is based upon *parcel* area.

Regulations

- 6.2 On a *parcel zoned* R-10, no *building* or *structure* shall be constructed, located or altered and no plan of subdivision approved which contravenes the regulations set out in the R-10 Zone or those regulations contained elsewhere in this Bylaw.

Permitted Uses

- 6.3 The following uses and no others are permitted in the R-10 Zone:
- .1 *single family dwelling with or without secondary suite(s)*;
 - .2 *duplex with or without secondary suite(s)*;
 - .3 *accessory dwelling unit(s)* in compliance with s. 4.2 of this Bylaw;
 - .4 *accessory use*;
 - .5 *bed and breakfast* limited to two let rooms within a *principal single family dwelling only*;
 - .6 *boarders*, limited to a maximum of two;
 - .7 *family childcare facility* within a *principal single family dwelling only*;
 - .8 *group childcare* within a *principal single family dwelling only*;
 - .9 *home occupation*;

Maximum Number of Buildings and Dwellings Units

- 6.4 No more than two *dwelling units* are permitted on a *parcel* of area 4050 square metres (1 acre) or more, where the largest *building* is deemed the *principal building*; and
- No more than three *dwelling units* are permitted per *parcel* of area less than 280 square metres (3014 square feet), where the largest *building* is deemed the *principal building*; and
- No more than four *dwelling units* are permitted per *parcel* of area between 280 and 4050 square metres (3014 square feet and 1 acre), where the largest *building* is deemed the *principal building*.

Maximum Height of Principal Building

- 6.5 The maximum *height* of the *principal building* shall be 10.0 metres (32.8 feet).

Maximum Height of Accessory Buildings

- 6.6
- .1 The maximum *height* of an *accessory building* shall be 6.0 metres (19.7 feet).
 - .2 Subject to increased setbacks, the maximum *height* of an *accessory building* containing one or more *accessory dwelling units* shall be 7.5 metres (24.6 feet).

Maximum Building Parcel Coverage

- 6.7 The total maximum *parcel coverage* for all *buildings* shall be 45% of *parcel area*; whereby, within this cap, up to 20% of *parcel area* may comprise *accessory buildings* containing one or more *accessory dwelling units*; and up to 10% may comprise any and all other *accessory buildings*.

Permeable Surface Parcel Coverage

- 6.8 Water permeable surfaces, as regulated in Section 4 of this Bylaw, shall cover at minimum 40% of the *parcel area*.

Minimum Parcel Area

- 6.9 The minimum *parcel area* for the purposes of subdivision shall be 450 square metres (4,843.9 square feet).

Minimum Parcel Width

- 6.10 The minimum *parcel width* shall be 14 metres (45.9 feet).

Minimum Setback of Principal Building

- 6.11 The minimum *setback* of the *principal building* from the:
- .1 *Front parcel line* shall be 6.0 metres (19.7 feet)
 - .2 *Rear parcel line* shall be 6.0 metres (19.7 feet)
 - .3 *Interior side parcel line* shall be 1.5 metres (4.9 feet)
 - .4 *Exterior side parcel line* shall be 6.0 metres (19.7 feet)
 - .5 Notwithstanding the preceding a *principal building* on a corner *parcel* may be sited not less than 1.5 metres (4.9 feet) from the *rear parcel line* provided the combined total of the *rear* and *interior side yards* shall be not less than 6.0 metres (19.7 feet).
 - .6 Refer to Section 4.9 for "Special Building Setbacks" which may apply

Minimum Setback of any Accessory Dwelling Unit

- 6.12 The minimum *setback* of any building with one or more *accessory dwelling unit(s)* from the:
- .1 *Front parcel line* shall be 6.0 metres (19.7 feet)
 - .2 *Rear parcel line* shall be 3.0 metres (9.8 feet) where 6.0 metres or less in *height*
 - .3 *Rear parcel line* shall be 6.0 metres (9.8 feet) where 6.0 to 7.5 metres in *height*
 - .4 *Interior side parcel line* shall be 2.0 metres (6.5 feet) where 6.0 metres or less in *height*
 - .5 *Interior side parcel line* shall be 4.0 metres (6.5 feet) where 6.0 to 7.5 metres in *height*
 - .6 *Exterior side parcel line* shall be 6.0 metres (19.7 feet)
 - .7 *Parcel line* adjacent to a lane 1.2 metres (3.9 feet)
- 6.13 The minimum separation between buildings with dwelling units upon a parcel shall be 3.0 metres (9.8 feet).

Minimum Setback of Accessory Buildings

- 6.14 The minimum *setback* of *accessory buildings* from the:
- .1 *Front parcel line* shall be 6.0 metres (19.7 feet)
 - .2 *Rear parcel line* shall be 1.0 metre (3.3 feet)
 - .3 *Interior side parcel line* shall be 1.0 metre (3.3 feet)
 - .4 *Exterior side parcel line* shall be 6.0 metres (19.7 feet)
 - .5 Refer to "Pound and Animal Control Bylaw" for special setbacks which may apply.

Parking

6.15 Required off-street parking shall be as prescribed in Appendix I.