



REQUEST FOR DECISION

To: Development & Planning Services Committee

Title: 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 recommends to Council that Development Variance Permit No. 616 be authorized for issuance 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