

City of Campbell River Report/ Recommendation to Council

Date: January 27, 2023 File No. P2200083

Submitted by: Development Services Department, Development Planning Division

Subject: Development Variance Permit Application at 1650 Galerno Road and 0

Alder Street.

Executive Summary

This Development Variance Permit application proposes to vary Section 6, Underground and Overhead Wiring of the Subdivision and Development Servicing Bylaw 3419, 2010, to eliminate the requirement for underground utility wiring at 1650 Galerno and 0 Alder Street. The requested variance is related to a Major Development Permit application with a height variance received by the City in early January 2023. The proposed variance does not meet the criteria of conformance with guidelines or objectives of the Sustainable Official Community Plan (SOCP) when considering a variance, and therefore Staff do not support the proposed variance.

Recommended Resolution

THAT Development Variance Permit P2200083 to vary Section 6, Underground and Overhead Wiring of the Subdivision and Development Servicing Bylaw 3419, 2010, to reduce the requirement for underground utility wiring from 100% to 50% at 1650 Galerno Road and 0 Alder Street be approved subject to receipt of a cost estimate and cash-in-lieu contribution for the required undergrounding works.

Reviewed for Form and Content / Approved for Submission to Council:
Eswall
Elle Brovold, Acting City Manager

Development Variance Permit Application at 1650 Galerno Road and 0 Alder Street. January 27, 2023

Background

The subject property, shown in Figure #1, is located between Alder Street and Galerno Road. Simms Creek is located at the south side of 1650 Galerno Rd. (Attachment #1). Together, the properties have an area of ~18 acres (7.3 ha) and have a land use designation of Neighbourhood within the SOCP. The property is within the Residential Multiple One (RM-1) zone.

A Minor and Major Development Permit with a height variance application have been received and will be brought before Council later this year. For information purposes only, the proposal is for three multi-family buildings with 200 units and underground parking as shown in Figure #2.

Alder Street is a priority street requiring undergrounding of utility wires in accordance with the Subdivision and Development Servicing (SDS) Bylaw as shown in Attachment #2.



Figure #1. Location Map



Figure #2. Proposed Development

Proposal

The applicant is proposing to vary the SDS Bylaw to eliminate the requirement for underground utility wiring on Alder Street. A Letter of Intent with the variance rationale can be found in Attachment #3 and the location of the proposed variance is in Attachment #4.

Discussion

Map B: Priorities for Undergrounding Electrical (Attachment #2) illustrates the City's priorities for underground of existing overhead wiring. Section 6.3 of the SDS Bylaw states:

Developments which front on 'High Priority for Undergrounding' roadways shall be required to construct on-parcel ducting and in-building provisions for underground connection to the future underground service at the street, to the satisfaction of the City. <u>Developments with works and services on frontages of 45m or more shall also be required to underground wires on the fronting roadway(s).</u>

Development Variance Permit Application at 1650 Galerno Road and 0 Alder Street. January 27, 2023

The applicant's rationale is based on a perception of low development potential along Alder Street in the future, impact on views, avoidance of encroachment into the environmentally sensitive areas (ESAs). The frontage of the two properties on Alder Street is approximately 214 meters. Of the 214 m approximately 87 m is within the ESAs on the site, less than half of the frontage as shown in Figure #3. The rationale doesn't align with the intent of locating/relocating power lines underground on roadways. which is to:

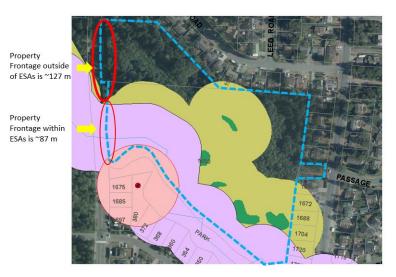


Figure #3. Frontage within and outside ESAs

- a. improve the overall aesthetic of the street and community; and
- b. provide more efficient delivery with less impacts to infrastructure from weather events.

A sidewalk will be required on Alder Street for the length of both parcels as part of development of the site and the physical location of the existing hydro poles and grade of the boulevard will be analyzed during review of the new applications. In reference to the ESAs, the undergrounding of wires, when undertaken as part of a large-scale capital project, would occur in this location. At that time the funds, secured through development, would be applied to the capital project.

A cost estimate for the undergrounding work was requested as part of the application, however, it was not provided. Six variances have been approved since 2010 (Attachment #5). Most of the development within the priority areas for undergrounding have fulfilled the requirement or a representative portion (as cash-in-lieu) thereof. The requested variance does not align with recent Council decisions or an equitable approach to development. Staff feel that cash-in-lieu proportional to total project costs should be evaluated by estimate and provided.

Approval of the proposed variance would shift 100% of the cost burden of installing underground wires from the developer to the taxpayer, therefore, staff do not support the proposed variance.

Options

The following options are available for Council's consideration for this Development Variance Application.

Option 1: (Recommended)

THAT Development Variance Permit P2200083 to vary Section 6, Underground and Overhead Wiring of the Subdivision and Development Servicing Bylaw 3419, 2010, to reduce the requirement for underground utility wiring from 100% to 50% at 1650 Galerno

Development Variance Permit Application at 1650 Galerno Road and 0 Alder Street. January 27, 2023

Road and 0 Alder Street be approved subject to receipt of a cost estimate and cash-in-lieu contribution for the required works.

This option allows the applicant to proceed with development varying the Subdivision and Development Servicing Bylaw 3410, 2010 by providing a proportional and equitable contribution to future works and services.

Option 2:

THAT Development Variance Permit P2200083 to vary Section 6, Underground and Overhead Wiring of the Subdivision and Development Servicing Bylaw 3419, 2010, to eliminate the requirement for underground utility wiring at 1650 Galerno Road and 0 Alder Street be deferred.

This option would allow Council to request additional information. This application would proceed to Council at a future date when the information was available.

Option 3:

THAT Development Variance Permit P2200083 to vary Section 6, Underground and Overhead Wiring of the Subdivision and Development Servicing Bylaw 3419, 2010, to eliminate the requirement for underground utility wiring at 1650 Galerno Road and 0 Alder Street be denied.

This option recognizes the proposal is not consistent with the SOCP and allows Council to deny the variance application. This decision would close the file and the variance would not be granted. The applicant would have to provide the Works and Services to the Design Standards (or cashin-lieu thereof) for undergrounding overhead utility lines in accordance with the Subdivision and Development Servicing Bylaw 3410, 2010.

Financial /Operational Considerations

There are no financial considerations at this time.

Communications

In accordance with the Development Applications Procedures Bylaw No. 3856, 2022, the applicant sent letters describing the proposal to properties within 100 m. Materials from the NPO and additional public input can be found in Attachment #6 and Attachment #7.

Notification was provided by the City in accordance with the *Local Government Act* and the City's Development Applications Procedures Bylaw No. 3856, 2022. All correspondence received prior to the regular Council meeting will be forwarded for consideration.

Conclusion

It is recommended that Development Variance Permit P2200083 to vary Section 6, Underground and Overhead Wiring of the Subdivision and Development Servicing Bylaw 3419, 2010, to vary the requirement for underground utility wiring at 1650 Galerno Road and 0 Alder Street from 100%

Development Variance Permit Application at 1650 Galerno Road and 0 Alder Street. January 27, 2023

to 50% be approved subject to receipt of a cost estimate and cash-in-lieu contribution of the required works. This would be consistent with recent decisions made on undergrounding wires within the City. A request for a cost estimate for the undergrounding works was refused by the applicant, whereas other development projects have provided the cost estimate and works (or cash-in-lieu thereof) in accordance with the SDS Bylaw. The costs of works and services are to be borne by development in accordance with the SOCP. The proposed development is significant. Based on the forgoing, staff do not support the requested variance and recommend Council pass the recommended resolution.

Attachments:

- 1. Subject Property Map (1 page)
- 2. Priority Areas for Undergrounding Wires Map (1 page)
- 3. Letter of Intent (1 page)
- 4. Location of Proposed Variance (1 page)
- 5. Table of Variances, 2010 to present (2 pages)
- 6. Neighbourhood Public Outreach (14 pages)
- 7. Additional Public Petition (11 pages)
- 8. Development Variance Permit (3 pages)

Prepared by:	Reviewed by:
Markale.	Country
Keltie Chamberlain	Dave Pady, RPP, MCIP
Planner II, MCP, RPP, MCIP	Development Planning Manager
Approved by:	
	A. L.
	lan Buck, RPP, MCIP
	Director of Development Services

ATTACHMENT #1 SUBJECT PROPERTY MAP (1 PAGE)

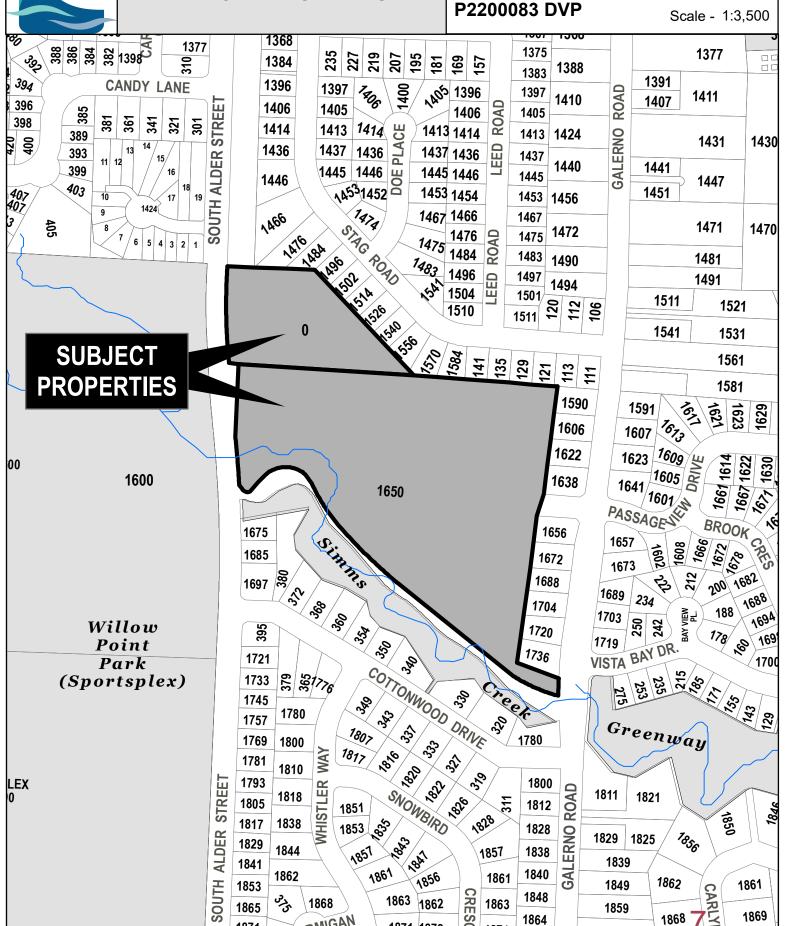
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CITY OF CAMPBELL RIVER

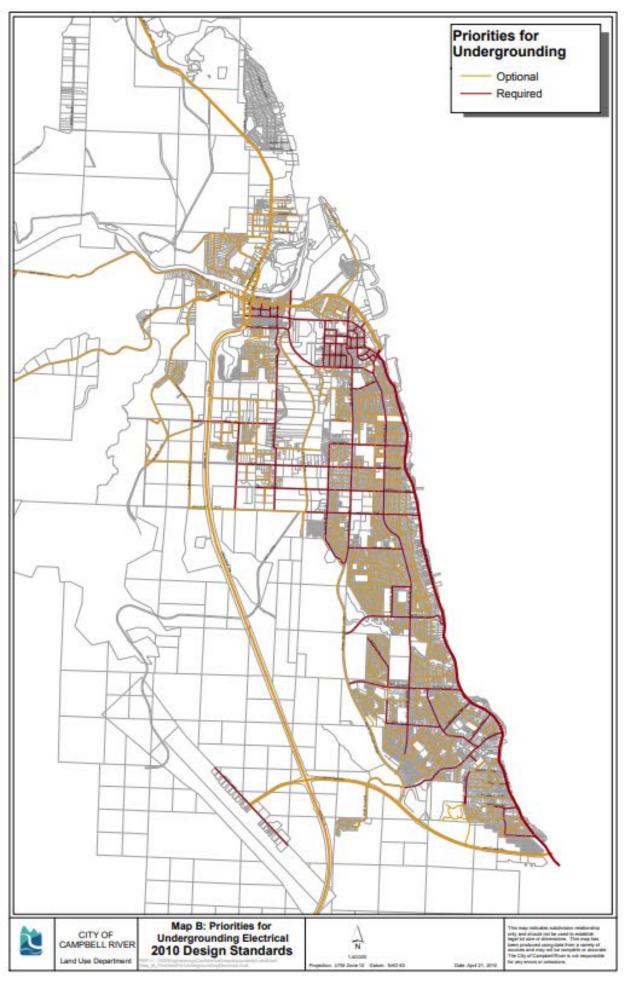
DEVELOPMENT SERVICES

Subject Properties Map 1650 Galerno Road '0' South Alder Street P2200083 DVP





ATTACHMENT #2 PRIORITIES FOR UNDERGROUNDING WIRES MAP (1 PAGE)



ATTACHMENT #3 LETTER OF INTENT (1 PAGE)



111-2036 South Island Hwy Campbell River, BC V9W 0E8 Phone: (250)-914-8485

Fax: (250) 914-8490

11 January 2023

City of Campbell River
Development Services Department
301 St. Ann's Road
Campbell River, BC
V9W 4C7

RE: DEVELOPMENT VARIANCE PERMIT; 1650 GALERNO ROAD & 0 ALDER STREET

WestUrban Developments Ltd. is requesting a variance to the *Subdivision and Development Servicing Bylaw No. 3419, 2010*, in order to waive the requirement to underground the overhead utility lines for the frontage of parcels 0 Alder Street and 1650 Galerno Road (frontage of both parcels along Alder Street South). The rationale for requesting this variance is the following:

- This is likely to be the only site on Alder Street that will redevelop in the short, medium, and long-term creating an incongruent section of underground electrical wires. The majority of parcels on Alder Street have a frontage that is less than 45m and therefore exempt of the requirement to underground wires under the Bylaw, and the larger parcels are either public or institutional land uses and unlikely to redevelop.
- The overhead wires fronting the subject lands do not impede residential views to the east and west in this location and do not present aesthetic concerns the same as other locations may.
- Undergrounding of wires along this stretch of Alder Street South would mean further digging, trenching, and encroachment in a highly environmentally sensitive area (ESA), including Simms Creek and the surrounding riparian and wetland areas. Encroachment in this ESA area will likely trigger Provincial and Federal approvals, adding additional time and costs to the project.

The following items have been submitted with the application:

- Site Plan
- BC Company Summary
- Certificate of titles (1650 Galerno, 0 Alder Street)

Regards,

Meghan Norman, MCP, RPP, MCIP Development Manager WestUrban Developments Ltd. 111-2036 Island Hwy S

Campbell River, BC Canada V9W 0E8

C: (250) 201-8864 www.westurban.ca

ATTACHMENT #4

LOCATION OF

PROPOSED VARIANCE

(1 PAGE)

CLIENT REF: TOPOGRAPHIC SURVEY PLAN OVER PARTS OF: WESTURBAN LOT A, DISTRICT LOT 210, PLAN 20750, EXCEPT PART IN PLANS 21822, 23524, 23747, 30669 AND 33688, AND PARCEL B (DDA74739) OF THE THIS PLAN WAS PREPARED FOR DESIGN PURPOSES AND IS FOR THE EXCLUSIVE USE OF WESTURBAN DEVELOPMENT. FRACTIONAL SOUTH EAST $\frac{1}{4}$, SECTION 29, TOWNSHIP 1, PLAN 522, EXCEPT PART IN PLANS 31448, 31938, 32672 AND 34335, BOTH OF COMOX DISTRICT. THIS PARCEL IS AFFECTED BY CERTIFICATE OF PENDING LITIGATION CA3164869. CONFORMANCE WITH CHARGE(S) HAVE NOT BEEN VERIFIED BY McELHANNEY. PID: 001-169-011 - LOT A TOPOGRAPHIC DATA WAS OBTAINED FROM A SURVEY COMPLETED ON MAY 31ST TO JUNE 13TH, 2022. PID: <u>002-170-108</u> - PARCEL B (DDA74739) ALL ELEVATIONS ARE GEODETIC AND REFERENCED TO OCM94H1260. 100m CONTOUR INTERVAL: 1.0m ALL DISTANCES ARE IN METRES. THE INTENDED PLOT SIZE OF THIS PLAN IS 560mm IN WIDTH AND 864mm IN HEIGHT (D SIZE) WHEN PLOTTED AT A SCALE OF 1:750. CIVIC ADDRESS 1650 GALERNO ROAD, CAMPBELL RIVER, B.C. PLAN Rem. 1 VIP53589 PLAN 11 10 11487 12 FENCE LINE CPP CULVERT CPP CULVERT DIA: 0.10m INV ELEV: 24.22m DIA: 0.10m INV ELEV: 24.02m 34 PCL. B SEC. 29 CPP CULVERT (DD A74739) DIA: 0.10m INV ELEV: 25.41m PLAN VIP552 CPP CULVERT DIA: 0.10m INV ELEV: 25.29m Φ CPP CULVERT DIA: 0.10m INV ELEV: 24.34m CPP CULVÈRT[/] DIA: 0.10m INV ELEV: 24.38m CPP CULVERT DIA: 0.10m INV ELEV: 23.88m 6 13 12 $3 \ 4 \ 3/3 \ 5$ 11 163.78 10 PLAN D 3 2 6 7 2 FENCE LINE 133.59 Ш CSP CULVERT⁾ DIA: 0.40m INV ELE<mark>V</mark>: 12.30m CPP CULVERT DIA: 0.10m \mathcal{R} S \dashv FLAGGING \mathcal{R} 2 П П 3 a=9.27 FLAGGING a=8.93 Rem. A MAIL BOX PLAN 20750 CREEK 0 SHED V PLAN 0 \propto 65 0 Z 16 45031 \propto BOUNDARY 9 3 NATURAL BOUNDARY OF SIMMS CREEK NOT LOCATED BY SURVEY 64 0 15 PARK 62 14 61 ⋖ 60 Δ. COTTONWOOD DRIVE 13 3 3 6 8 Α В 37543 PLAN The signatory accepts no responsibility or liability for any damages that may be suffered by a third party as a result of any decisions made, or All clearance distances are shown to an accuracy McELHANNEY ASSOCIATES LAND SURVEYING LTD.
PROFESSIONAL LAND SURVEYORS
1196 DOGWOOD STREET
CAMPBELL RIVER, B.C.
V9W 3A2 of plus or minus 0.04 metres unless indicated actions taken based on this document. This document shows the relative location of the All rights reserved. No person may copy, reproduce, transmit or alter this document in surveyed structures and features with respect to the parcel described above. This document shall not be used to define property lines or corners. whole or in part without the consent of the TEL. (250) 287-7799 signatory. FILE 2222 02280 TOPO

ATTACHMENT #5 TABLE OF VARIANCES FROM 2010 TO PRESENT (2 PAGES)

Table 1: Previous Development Variance Permits, 2010 to Present That Considered Underground Wires

Property Description and File No.	Variance Purposed	Date of Council Meeting	Frontage Length (approximate)	Zoning	Staff Recommendation	Council's Decision
701 Merecroft Rd DVP-12-29	Waive the underground wire requirement along the Dogwood and Merecroft Property frontages	Aug 14/12	69 m	C-2	Non-Support	Variance Granted
1250 Dogwood St DVP-15-026	Waive the underground wire requirement along Dogwood Street.	Mar 7/16	105 m	C-1	Non-support	Variance Granted
402 Evergreen Road (City owned) DVP-15-004	Waive the underground wire requirement along Evergreen Road. City infrastructure station.	Nov 23/15	~52 m	PA-1	Support	Variance Granted
700 Peterson Rd and 2200 Shetland Rd P1700100	Waive the underground wire requirement along Peterson Road Waive the frontage improvements for a section of Shetland Road Reduce the required road standard from 'Urban' to 'Rural' for a section of Shetland Road	Feb 19/18	142 m on Peterson Rd 1100 m on Shetland Rd	CD-3	Support	Variance Granted
175 Evergreen Rd P1900014	Waive the requirement to construct underground wires along the property frontages of Alder Street South and Evergreen Road Waive the requirement to construct a sidewalk along the McLean Street South frontage.	Nov 4/19	135 m	R-1	Support	Variance Granted
1400 Dogwood	Variance not requested	Mar 5/07	150 m	C-1	NA	Cash-in-lieu provided
550 Island Hwy S	Variance not requested	NA	96 m	RM-3	NA	Cash-in-lieu provided
808 Island Hwy S	Variance not requested	Mar 25/13	51 m	RM-3	NA	Cash-in-lieu provided

Table 1: Previous Development Variance Permits, 2010 to Present That Considered Underground Wires

1400 Doggood	
1400 Dogwood	
Mariner's Square	Variance not triggered: cash-in-lieu provided
-	
550 Island Hwy S	
Bon Aventure	Variance not triggered: cash-in-lieu provided
550 Island	
Highway S	
Dan Arrantina	Variance not triggered: cash-in-lieu provided
Bon Aventure	
808 Island	
Highway S	
3 1,1	Variance not triggered: cash-in-lieu provided
327 Hilchey Rd	
	Variance provided for 50%: cash-in-lieu provided
2702 Island Hwy	
2702 Island Hwy	
	Variance not triggered: cash-in-lieu provided
1170 & 1192	
Evergreen Road	
2.5.9.55.17.566	Variance provided for 50%: cash-in-lieu anticipated
0.4.0.7.14.77111	
2185 Willis Road	
	Variance not triggered: cash-in-lieu anticipated

ATTACHMENT #6 NEIGHBOURHOOD PUBLIC OUTREACH (14 PAGES)



111-2036 South Island Hwy Campbell River, BC V9W 0E8 Phone: (250)-914-8485

Fax: (250) 914-8490

4 January 2023

City of Campbell River
Development Services Department
301 St. Ann's Road
Campbell River, BC
V9W 4C7

RE: Neighbourhood Public Outreach Summary for P2200083 (1650 Galerno)

WestUrban Developments Ltd. (WestUrban) has applied to waive the *Subdivision and Development Servicing Bylaw No. 3419, 2010* requirement to underground the overhead utility lines along South Alder Street. The City of Campbell River's Development Application Procedures (Bylaw 3856, 2022) require the applicant of a variance application to conduct a Neighbourhood Public Meeting to inform and seek comments from nearby properties. As per the Development Application Procedures, the Director can authorize an Alternative Neighbourhood Public Meeting, via delivery of notices with a comment period for the public to respond to. WestUrban delivered 118 notices (Attachment #1) to properties within 100m of the subject lands (buffer map of properties that received notices in Attachment #2).

To date, WestUrban has received four (4) email responses related to the notices that went out. A summary of comments received is discussed below:

- One response was from a property that received a notice and was looking for further information about future development on the property. WestUrban responded to this email and provided further clarification about the variance application.
- The second response came from a property that is just outside the 100m notification buffer and did not receive a notice, however, is aware of the variance application. The email message stated the following:
 - 1. "We are opposed to the variance request by WestUrban. If any development has to take place it needs to comply with the bylaw. The cost of updating the aging infrastructure should be bourn by the new development, so utilities need to go underground."
 - "We are opposed to the whole development as we were hoping for a future wildlife corridor around the Simms creek. I am very concerned for the health of Simms creek."

WestUrban responded to this email and confirmed the comments would be provided in the response summary that must be submitted to the City once the comment period has ended. In response to the comments provided in the email above, WestUrban has the following information to provide:

 WestUrban's understanding is that the requirement to underground utility lines is not related to the age of the existing infrastructure and instead is in place for aesthetic preferences. Any costs related to upgrading power to service the development



111-2036 South Island Hwy Campbell River, BC V9W 0E8 Phone: (250)-914-8485

Fax: (250) 914-8490

will be covered by WestUrban. WestUrban intends to provide all other offsite requirements as stated in the *Subdivision and Development Servicing Bylaw No. 3419, 2010.*

- 2. At this stage, it would be a challenge for the author of this email to address the whole development as the proposed development concept was not finalized at the time the notices were delivered. Future development proposed on the subject property will remain outside of the environmental sensitive areas, with development proposed only on the northern portion of the site, outside of SPEA boundaries.
- The third response did not address the requested variance application that was the subject
 of the notice but did speak to future development of the subject lands. The individual has
 concerns about development, stormwater and future impacts to Simms Creek.
 - WestUrban responded to this email stating that the proposed development will be outside of ESA areas and a stormwater management plan is a requirement to submit with a Building Permit application and will meet City standards.
- The fourth response addressed concerns around future development of the property and stated they are not in support of the request to vary the underground wires requirement.

WestUrban responded to this email clarifying the variance request.

The notices were delivered between December 7 and 8, 2022, and gave a 4-week window for the public to review and comment. No other calls or emails were received in response to the Neighbourhood Public Meeting notices that were delivered.

Regards,

Meghan Norman, MCP, RPP, MCIP Development Manager WestUrban Developments Ltd. 111-2036 Island Hwy S Campbell River, BC Canada V9W 0E8 C: (250) 201-8864 www.westurban.ca

Attachments enclosed:

Attachment #1 - Neighbourhood Public Outreach Notice

Attachment #2 - Buffer map indicating properties within 100m of subject lands that are to receive notices

Attachment #3 - Correspondence

NEIGHBOURHOOD PUBLIC OUTREACH NOTICE

Date: Wednesday December 7, 2022

City File: P2200083

Address of Proposed Project: 1650 Galerno Road

We, <u>WestUrban Developments Ltd.</u>, are initiating Neighbourhood Public Outreach, as per City of Campbell River requirements, to receive and respond to the public's comments and questions related to our request for a variance to the *Subdivision and Development Servicing Bylaw No. 3419, 2010*, to waive the requirement to underground the overhead utility lines for the frontage of parcels 0 Alder Street and 1650 Galerno Road. Should you have any comments or questions on the proposal please do not hesitate to contact the applicant, Meghan Norman, Development Manager, WestUrban Developments Ltd, 250-201-8864 or mnorman@westurban.ca.

Description of the Proposal	Requesting a variance to the Subdivision and Development Servicing Bylaw No. 3419, 2010 to waive the requirement to underground the overhead utility lines for the frontage of parcels 0 Alder Street and 1650 Galerno Road. Please refer to site plan on the back of this notice for further information.
Applicant information	Meghan Norman MCP, RPP, MCIP, Development Manager, mnorman@westurban.ca, 250-201-8864
Time Frame	Please submit any comments or questions to WestUrban Developments (Meghan Norman, Development Manager) by Wednesday, January 4, 2023. A summary of all comments, questions, and relevant answers will be prepared and sent to the file manager at the City of Campbell River (contact information below).
Contact at the City of Campbell River	Keltie Chamberlain; keltie.chamberlain@campbellriver.ca, 250-286-5729

What is a Neighbourhood Public Outreach?

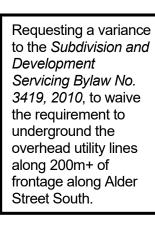
Neighbourhood Public Outreach is completed by the owner/applicant to discuss and answer any questions relating to the proposed development or project with all adjacent landowners within 100 metres of the limits of the subject land under consideration. Refer to the City of Campbell River *Planning and Procedures Bylaw, 3856, 2022.*

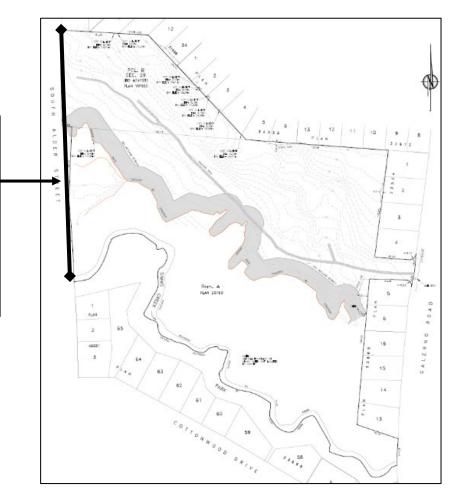
Additional questions and concerns can be directed to the City of Campbell River Development Services staff at 250-286-5726. Please quote City File: P2200083.

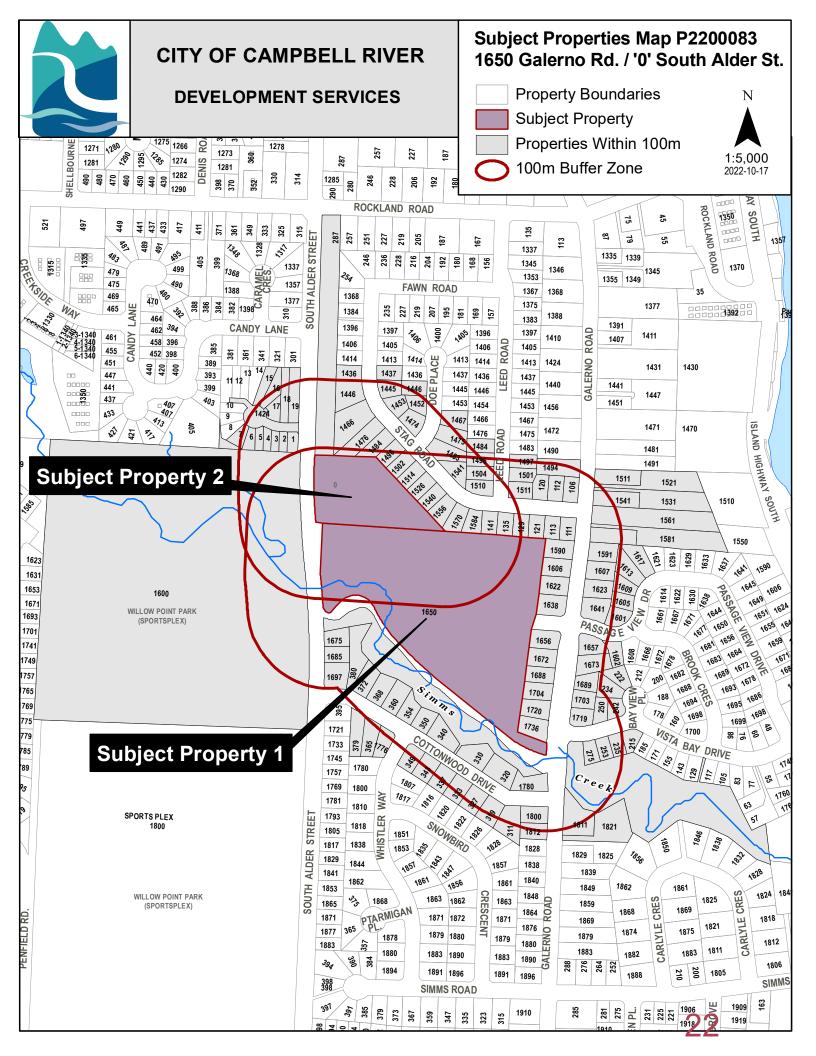
The applicant is required to submit the letter delivered to adjacent landowners and a summary of the process documenting the information provided and the questions and comments received to Development Services.

Site Plan









From: <u>Meghan Norman</u>

To: keltie.chamberlain@campbellriver.ca

Subject: RE: 1650 Galerno

Date: December 8, 2022 12:01:00 PM

Hi Anne-Marie -

The site plan is on the back of the notice you received. The City's Works and Services bylaw requires that development at 1650 Galerno must underground the hydro lines, WestUrban has an application in to the City to waive this requirement so the powerlines can remain above ground. More than happy to discuss the reasons we are requesting this variance, likely easier to discuss over the phone. If you would like to discuss further, please feel free to give me a call (250-201-8864).

WestUrban is looking to develop the property, at this point we are working on a concept and do not have further information to share at this stage on the development of the land. The current zone of the property is RM-1 and we are not intending at this point to rezone the lands - so a development application that WestUrban would submit for this property would meet the purpose and intent of the RM-1 zone.

At this point, the notice you received only pertains to our current application which is the request to vary the underground hydro requirement. Thank you, Meghan

Meghan Norman MCP, RPP, MCIP Development Manager WestUrban Developments Ltd. 111-2036 Island Hwy S Campbell River, BC, Canada V9W 0E8 Cell: 250-201-8864

Cell: 250-201-8864 mnorman@westurban.ca www.westurban.ca

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----Original Message-----

From:

Sent: December 8, 2022 11:54 AM

To: Meghan Norman <mnorman@westurban.ca>; keltie.chamberlain@campbellriver.ca

Subject: 1650 Galerno

Good morning,

I received a notice in my door last night with regards to a project for West Urban at 1650 Galerno. Is there a site plan or development plan that could be forwrded to me so we can see (more clearly) what could be happening?

Thank you in advance Anne-Marie

From: <u>Meghan Norman</u>

To: Cc:

Date:

Subject:

Keltie Chamberlain RE: City File p2200083 January 3, 2023 9:30:00 AM

Attachments: <u>image001.jpg</u>

Hi Myriam,

Thank you for your comments, they will be included in the summary report that WestUrban will submit to the City.

Meghan Norman MCP, RPP, MCIP Development Manager

WestUrban Developments Ltd. 111-2036 Island Hwy S Campbell River, BC, Canada

V9W 0E8

Cell: 250-201-8864 mnorman@westurban.ca www.westurban.ca



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From:

Sent: December 31, 2022 12:46 PM

To: keltie.chamberlain@campbellriver.ca; Meghan Norman <mnorman@westurban.ca>

Subject: City File p2200083

Hi,

Re: Proposed Project 1650 Galerno Road

Or address: Cliff and Myriam Duke

1413 Leed Road Campbell River V9W 5R3

We are opposed to the variance request by WestUrban. If any development has to take place it needs to comply with the bylaw. The cost of updating the aging infrastructure should be bourn by the new development, so utilities need to go underground.

We are opposed to the whole development as we were hoping for a future wildlife corridor around the Simms creek. I am very concerned for the health of Simms creek.

Sincerely, Myriam Duke Cliff Duke

--

Myriam & Cliff

From: Meghan Norman

To:

keltiechamberlain@campbellriver.ca; Mayor.Dahl@campbellriver.ca; Councillor.Chapman@campbellriver.ca; Councillor.Tanille@campbellriver.ca; Councillor.Kerr@campbellriver.ca; Councillor.Lanyon@campbellriver.ca;

<u>Councillor.Tanille@campbellriver.ca; Councillor.Kerr@campbellriver.ca; Councillor.Lanyon@campbellriver.ca; Councillor.Sinnott@campbellriver.ca; Councillor.Smyth@campbellriver.ca; Cameron Salisbury; Dave Pady</u>

Subject: RE: City File P2200083 - 1650 Galerno Road and 0 Alder Street/Simms Creek

Date: January 4, 2023 11:56:00 AM

Attachments: <u>image001.jpq</u>

Hi Debbie -

Thank you for your comments. WestUrban is in the process of submitting the Form and Character development permit application and once the City has confirmed it is a complete application, the application will be available for review on the City's website

(http://gisportal.campbellriver.ca/arcgis2/apps/PublicInformation/index.html? appid=cf6f6aeaeceb4db5ac2434e2cff00e14). When you have the chance to review the plans you will see the proposed development is clustered on the most northern portion of the subject lands to remain outside of the environmentally sensitive areas.

The development proposed is also within the steep slope hazard development permit area. WestUrban has completed and submitted a Geotechnical Assessment that states the land is safe for the use intended. Additionally, as per City standards, at the time of Building Permit submission an applicant is required to submit a Stormwater Management Plan (this plan is prepared in coordination with the data and recommendations that come from a higher-level study – such as the integrated stormwater report).

Your comments provided below will be part of the summary report the City requires for applications with variances, which will also be part of the report that goes to Council for their review. Thank you, Meghan

Meghan Norman MCP, RPP, MCIP Development Manager

WestUrban Developments Ltd. 111-2036 Island Hwy S Campbell River, BC, Canada V9W 0E8

Cell: 250-201-8864 mnorman@westurban.ca www.westurban.ca



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From: Debbie B

Sent: January 3, 2023 4:35 PM

To: Meghan Norman <mnorman@westurban.ca>

Cc: keltiechamberlain@campbellriver.ca; Mayor.Dahl@campbellriver.ca; Councillor.Chapman@campbellriver.ca; Councillor.Tanille@campbellriver.ca; Councillor.Kerr@campbellriver.ca; Councillor.Lanyon@campbellriver.ca; Councillor.Sinnott@campbellriver.ca; Councillor.Smyth@campbellriver.ca

Subject: City File P2200083 - 1650 Galerno Road and 0 Alder Street/Simms Creek

Dear Ms. Norman,

We are writing in response to the Neighbourhood Public Outreach Notice regarding a request to waive the requirement to underground the overhead utility lines for the above referenced parcels adjacent to Simms Creek.

We recognize this is a first step in WestUrban's plan to develop these parcels, yet it appears no plans are currently on file with the City of Campbell River that allows us or other residents to see the potential full scope of the project. We understand the properties are zoned Residential Multiple One (RM-1) and, based solely on acreage, the number of dwelling units allowable is significant and would be both neighbourhood and environment changing.

The prospect of **any** development raises many questions and serious concerns for such an environmentally sensitive watershed and a request for variance of **any** nature seems premature given the lack of any other information. It would behoove both WestUrban and the City to reference, and have updated, the Integrated Stormwater Management Plan Simms Creek Watershed report prepared by Urban Systems dated May 16, 2005.

Our initial concerns include but are not limited to:

- The property encompasses a steep slope directly adjacent to the north side of Simms Creek. The City has expressed concerns about the integrity of steep slopes throughout Campbell River, specifically the loss of trees (including tree cover) and erosion. There are significant trees on the Alder Street parcel, and we believe all trees and understory plants are critical to controlling water as well as checking and preventing erosion.
- Simms Creek already has erosion problems, most particularly where the creek flows under Galerno Road at Vista Bay Drive, and hydrology issues related to development cannot be overstated, particularly in these days of climate change. The proximity to housing on the south side of the creek (Cottonwood Road) and the housing above and on the north slope of the subject properties (Stag Road) makes both areas vulnerable to slope destabilization in the event of development and weather events during and/or post development.
- Simms Creek watershed has been and continues to be stewarded by Greenways Land

Trust and the Simms Creek Streamkeepers. This stewardship has been necessary as the creek and wetlands are still trying to recover from degradation due to development more than 40 years ago. Continued stewardship, restoration and conservation is worthwhile and critical for the preservation of biodiversity, including coho salmon, bald eagles and frogs, and to maintain a greenway for other flora and fauna.

We moved to Campbell River four years ago and were attracted to the City by the abundance of natural spaces and recreational opportunities. Beaver Lodge Lands and the watersheds, including Simms Creek, are the jewels of Campbell River, not unlike Stanley Park is considered the jewel of Vancouver.

We propose protecting and conserving the Simms Creek ecosystem and greenspace is a superior use of the subject properties and adds more long-term value to livability and attraction to Campbell River than the wrong development in the wrong place.

Regards,

Deborah Broadley and W.D. Burton 1483 Doe Place Campbell River From: Meghan Norman
To:

Keltie Chamberlain; Cameron Salisbury; Dave Pady

Subject: RE: City File: P2200083 - Proposed Project for 1650 Galerno Road

Date: January 4, 2023 11:56:00 AM

Attachments: <u>image001.jpg</u>

Hi Fric -

Thank you for your comments. WestUrban is in the process of submitting a form and character development permit and once the City has confirmed it is a complete application, the application will be available for review on the City's website. The application for the variance request for the utility lines, which includes a cover letter and rationale for the request, should also available for review online (http://gisportal.campbellriver.ca/arcgis2/apps/PublicInformation/index.html? appid=cf6f6aeaeceb4db5ac2434e2cff00e14).

As part of the form and character application WestUrban is seeking another variance, therefore properties within 100m of the subject lands will receive another notice to provide comments on that requested variance. WestUrban is not seeking a rezoning at this time and the use intended for the site will comply with the existing zoning and City development permit guidelines.

The notice you received only pertains to the variance application that was submitted to request to vary the requirement to underground powerlines along Alder Street, the powerlines on Galerno do not front the subject lands proposed for development and therefore are not part of the requirement for frontage improvements on this parcel of land. There is a site plan on the back of the notice that indicates the location of the variance request.

Your comments provided below will be part of the summary report the City requires for applications with variances, which will also be part of the report that goes to Council for their review. Thank you, Meghan

Meghan Norman MCP, RPP, MCIP Development Manager

WestUrban Developments Ltd. 111-2036 Island Hwy S Campbell River, BC, Canada V9W 0E8

Cell: 250-201-8864 mnorman@westurban.ca www.westurban.ca



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prohibited by law. If you have received this message in error, please notify us immediately by return email and destroy/delete any and all copies of this communication.

From: Eric Strebel

Sent: January 3, 2023 4:43 PM

To: keltie.chamberlain@campbellriver.ca

Cc: Meghan Norman <mnorman@westurban.ca>

Subject: City File: P2200083 - Proposed Project for 1650 Galerno Road

Dear Sir or Madam:

I am the owner of the home located at 1673 Galerno Road and have been so since 1980.

I am writing you in response to the request from the representative of West Urban Developments Ltd regarding that company's proposed project for their property located at 1650 Galerno Road and running across to Alder Street.

While the notice specifically requests comments and questions regarding their request for a variance on the requirement to "underground the overhead utility lines for the frontage of parcels O Alder Street and 1650 Galerno Road", I would like to add a few more comments on the project, the outreach notice, and the specific request itself.....

I find the outreach notice is lacking information that I, as an affected homeowner, would want in order to be able to provide support (or otherwise for this variance request or the project as a whole). Therefore, at this time, I am opposed to the City granting their request for a variance.

The request does not sufficiently identify the plans for the development. It refers to "undergrounding the overhead utility lines for **the frontage of parcels O Alder Street and 1650 Galerno Road".** Does this mean West Urban is requesting to run overhead lines into the project from both Alder St <u>and</u> Galerno Roads? As you know, the power lines on Galerno Road run on the east side of Galerno so this would mean running power lines over Galerno Road.

The details of the proposed routing and the reasons for the request for variance have not been provided to us.....perhaps if they had been, we would understand the justification, but, as it stands, we are unable to support the request.

We, the occupants of my home, do not understand why power should need to be run in from Galerno Road at all since the subject property at the Galerno side is very narrow and likely does not have sufficient room for housing installation at the Galerno Road end at all, given that the project likely plans to run an access road in from both Alder and Galerno, we would think.

In addition, it is our hope that, one day, all utility lines, including the present overhead ones, will be undergrounded, thereby getting eliminating the risk from trees, storms, ice, etc as well as improving sightlines and community beauty.

The absence of provision of any drawings or information on the scope/content of the proposed

development means that adjacent and affected property owners really cannot see what they are being asked to support or to object to.

Are there further requests for variances coming in the future for this project? We neighbourhood residents do not know because the project information has not been published and distributed.

I would much prefer we are sent the entire package of the proposed development together with ALL its variance requests which may be coming our way, rather than seeing a piecemeal opaque approach taken.

I am writing to you, and copying the West Urban rep in the interest of ensuring clear and documented communication on this project for our neighbourhood.

Let's keep up our standards.

Thank you for your attention,

Eric Strebel

Sent from Mail for Windows

ATTACHMENT #7
PUBLIC INPUT
(11 PAGES)

From: Keltie Chamberlain Sent: January 4, 2023 12:04 PM

To: Barb Round

Subject: RE: City File P2200083, 1650 Galerno Road

Hi Barb.

That's correct, P2200083 is a variance to the Subdivision and Development Servicing Bylaw for undergrounding wires. The applicant, WestUrban, has provided the Neighbourhood Public Outreach (mailed letters) for the consultation requirements in accordance with the Development Applications Procedures Bylaw (not a Neighbourhood Public Meeting). The next step is more complex as we have now received the development application for review. We anticipate that the review of the application will be completed today and then the application will be available to the public for review on the City's webpage (takes a bit of time to put onto the page). Another stage of consultation will take place and a Neighbourhood Public meeting as part of the new application, for which you will receive notification in in the coming weeks. You'll have additional opportunities to provide input.

Let me know if have any further questions, Barb.

Regards,

Keltie Chamberlain, MCP, RPP, MCIP (she/her)

From: Barb Round

Sent: January 4, 2023 11:49 AM

To: Keltie Chamberlain < Keltie. Chamberlain@campbellriver.ca>

Subject: Re: City File P2200083, 1650 Galerno Road

Thank you for your response. I think that you have answered my outstanding question.

I looked up the Variance Applications document on the City website, and could not figure out whether this would be a Board of Variance or Development Variance Permit, but as you have indicated that it will go to Council, I see that it therefore is under the Development Variance Permit.

Given that, I see that the next step is a Neighbourhood Public Meeting, is that correct?

Thank you, Barb Round

On Wed, Jan 4, 2023 at 9:42 AM Keltie Chamberlain < Keltie.Chamberlain@campbellriver.ca wrote:

Good morning, Barb.

Thank you for this input for the current Development Variance Permit application P2200083 for the variance to undergrounding wiring that WestUrban has with the City. Your feedback is in response to their notification for the Neighbourhood Public Outreach, and the file manager for WU's application will record a summary. The City will provide it's own statutory notification prior to the application going to Council for a decision. I'll keep your input below in our public record.

If you have any further questions regarding the current application, please let me know.

Regards,

Keltie Chamberlain, MCP, RPP, MCIP (she/her)

City of Campell River

Tel: (250) 286-5729

Email: <u>keltie.chamberlain@campbellriver.ca</u>



From: Barb Round

Sent: January 3, 2023 9:17 PM

To: Keltie Chamberlain < Keltie.Chamberlain@campbellriver.ca >

Subject: City File P2200083, 1650 Galerno Road

Dear Ms Chamberlain,

I would like to go on record as opposing the variance request by West Urban to waive the requirement for underground utility lines for the frontage of parcels 0 Alder Street and 1650 Galerno Road.

Apparently this is a standing requirement of developers in Campbell River to place the utility lines underground for new developments. I note that in the recent development on the upland near Jubilee Parkay that underground utilities have been installed. I see no reason that this developer should be exempt from the requirements.

Underground power lines, besides providing a better appearance to a housing development, also reduce costs associated with wind and weather damage, as well as eliminating the need for lop-sided trimming or removal of trees to keep them away from the power lines.

sincerely,

Barb Round

1556 Stag Road, Campbell River, V9W6E4

January 4, 2023

Mayor Kermit Dahl and Council City of Campbell River 301 St. Ann's Road Campbell River, B.C. V9W 4C7

Re: Petition Against Variance for City File #P2200083

The parcel identified on the Public Outreach Notice delivered on December 7, 2022, by WestUrban Developments Ltd. borders on properties along Galerno Road between Stag and Cottonwood Roads. The area has a salmon-bearing creek and is home to bears, deer, eagles, herons, owls, pileated woodpeckers, minks, otters, beavers, hawks, hummingbirds and possibly a cougar, along with a wetland that drains into Simms Creek. These animals travel from the Beaver Lodge Lands through to the park at the Sportsplex and across Alder.

Our first choice as residents bordering this area is that the City purchase the piece of land and make it an urban forestry park that benefits all the residents of Campbell River and protects Simms Creek. However, as development may be inevitable, anything proposed should not change the quality of life or the spirit of the neighbourhood. In the past two years, at least 60 large trees have been removed between Rockland and Stag Road on Galerno alone. At the very least, an undisturbed ribbon of forest along the fence lines be maintained for privacy and wildlife.

We ask that you consider the attached petition signed by 81 of 56 residents of the area against the proposed variance and hope that you will consider preserving this biodiverse piece of land.

Sincerely,

Karen Brinson

1606 Galerno Road

Campbell River, B.C. V9W 1K4

Laver Buison

PETITION CITY FILE #P2200083 - City of Campbell River

TO:

Keltie Chamberlain, City of Campbell River

Mayor Kermit Dahl

Councillor Doug Chapman
Councillor Tanille Johnston

Councillor Ron Kerr Councillor Ben Lanyon Councillor Susan Sinnott Councillor Sean Smyth

Meghan Norman, Development Manager, WestUrban Developments Ltd.

We object to a variance being proposed for the *Subdivision and Development Servicing Bylaw No. 3419, 2010* waiving the requirement to underground utility lines for frontage along 1650 Galerno Road and 0 Alder Street for the following reasons.

- 1. Underground utility is a safer, more secure and more esthetically pleasing choice for new development.
- 2. The subdivision on Candy Cane Lane was required to have underground services and this development should not be any different.
- 3. New construction at Jubilee, Little America and South Dogwood all has underground utility.

We also object to any roadway or driveway being established at 1650 Galerno in the area where a community mailbox is located and propose that only access be given from Alder Street for the following reasons:

- 1. The area is too close to Sims Creek a salmon-bearing stream with an abundance of fish in it this year and travels through a wetland with a steep slope, within an environmentally sensitive area.
- 2. Traffic caused by development onto Galerno Road would change the neighbourhood and make Galerno a through-fare with constant traffic. This was the case with the construction of the round-a-bout on the Island Highway with cars driving in excess of 70 kms an hour constantly.
- 3. The lack of sidewalks on Galerno Road would make it unsafe for pedestrians, and more importantly, for kids walking to school.

FILE # P2200083

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ATTACHMENT #8
DEVELOPMENT
VARIANCE PERMIT
(3 PAGES)



Development Variance Permit

Permit No: P2200083

Registered Owner: WestUrban GP INC., INC. NO. BC1366243

Subject Property:

1650 Gallerno Road & 0 Alder Street, Campbell River, BC

Description of Land:

Parcel Identifier: 002-170-108 & 002-169-011

Legal Description: PARCEL B (DD A74739) OF THE FRACTIONAL SOUTH EAST 1/4, SECTION 29,

TOWNSHIP 1, COMOX DISTRICT, PLAN 552, EXCEPT PART IN PLANS 31448,

31938, 32672 AND 34335, and

LOT A, DISTRICT LOT 210, COMOX DISTRICT, PLAN 20750, EXCEPT PART

IN PLANS 21822, 23524, 23747, 30669 AND 33688

Proposal: Development Variance Permit to vary the Subdivision and

Development Servicing Bylaw No. 3419, 2010, to reduce the requirement for underground utility wiring from 100% to 50% at 1650

Galerno Road and 0 Alder Street.

Conditions of Permit:

- 1. This permit is issued subject to compliance with all relevant City of Campbell River bylaws, except as specifically varied or supplemented by this Permit.
- 2. This permit applies to the lands described above, and any buildings, structures, and other development thereon (hereinafter called 'the Lands').
- 3. This Development Variance Permit varies the Subdivision and Development Servicing Bylaw No. 3419, 2010, by amending the required frontage improvements as follows;
 - 3.1 Section 6, Underground and Overhead Wiring of the Subdivision and Development Servicing Bylaw 3419, 2010, to reduce the requirement for underground utility wiring from 100% to 50% subject to receipt of a cash-in-lieu contribution for the required undergrounding works.

4. The Lands and building(s) which are subject to this Permit shall be developed strictly in accordance with the terms and conditions of this Permit and in accordance with the following schedules:

SCHEDULE A: SITE PLAN

- 5. Pursuant to section 504(1) of the *Local Government Act*, this permit will lapse two years from the date of the Development Variance Permit approval unless construction, in accordance with the terms and conditions of this permit, has substantially started.
- 6. This approval does not waive the requirement for any building and / or development permits. It is your responsibility to ensure the applicable approvals have been granted prior to any works being initiated on the subject property.

OF, 2023.	PASSED BY COUNCIL ON THIS _		_ DAY
THIS PERMIT IS ISSUED ON THIS	DAY OF	_, 2023.	

