



REQUEST FOR DECISION

To: Development & Planning Services Committee

Title: Development Variance Permit Application No. VP-610

Legal: Lot 9, Section 12, Township 20, Range 10, W6M, KDYD, Plan 9687
Civic: 1281 15 Street SE
Owner: L. & C. Fitt
Agent: L. & C. Fitt

Date: April 7, 2025

Executive Summary/Purpose:

The applicant is requesting to waive servicing upgrades that would be triggered by the proposal for a two (2) lot subdivision.

Motion for Consideration:

THAT: the Committee recommends to Council that Development Variance Permit No. VP-610 be authorized for issuance to vary the Subdivision and Development Servicing Bylaw No. 4293, for the frontages of Lot 9, Section 12, Township 20, Range 10, W6M, KDYD, Plan 9687, as follows:

1. waive the requirement to upgrade 13 Avenue SE to the Urban Local Road (RD-2) standard; and
2. waive the requirement to install three (3) street lights along 13 Avenue SE and 15 Street SE.

Staff Recommendation:

THAT: The motion for consideration be defeated.

An alternative motion has been provided in this report.

Proposal:

The applicant is requesting to waive servicing upgrades that would be triggered by the proposal for a two (2) lot subdivision. A letter submitted by the applicant in support of their application is attached as Appendix 9.

Background:

The subject property is located at 1281 15 Street SE (Appendices 1, 2 & 3). The subject property is designated Low Density Residential (LR) in the City's Official Community Plan (OCP) and zoned R-10 (Residential) in the Zoning Bylaw (Appendices 4 & 5). The subject property is 0.2 ha

(0.5 ac) in area and contains a single-family dwelling. A sketch plan is attached as Appendix 6. Site photos are attached as Appendix 7.

Adjacent land uses include the following:

North:	Single-Family Dwelling	R-17 (Large Parcel Residential)
South:	Vacant	R-10 (Residential)
East:	Single-Family Dwelling	R-17 (Large Parcel Residential)
West:	Single-Family Dwelling	R-17 (Large Parcel Residential)

The applicant has submitted a Subdivision Application for a two (2) lot subdivision. This triggers the provisions of the Subdivision and Development Servicing (SDS) Bylaw No. 4293 for frontage and service works.

Through this proposed development, the applicant is required under the SDS Bylaw to upgrade the frontage along 13 Avenue SE to the current Urban Local Road standard in accordance with Specification Drawing No. RD-2 (Appendix 8). This may include, but is not limited to, road widening and construction, curb and gutter, boulevard construction, street lighting, and street drainage.

To meet the lighting standards of the SDS Bylaw, three (3) additional street lights would be required, assuming that the existing pole mounted lease lights are removed, as per City policy. One (1) light would be required at the intersection of 15 Street SE and 13 Avenue SE and one (1) light on each road approximately 40m from the first light.

The Opinion of Probable Costs (OPC) provided by the applicant's consulting Engineer total \$71,020.00 for these works. The Engineer's estimates are dated February 2025 and are included as a part of Appendix 9.

Table 1 (later in this report) provides a summary of the requirements of the SDS Bylaw and the applicant's requests.

Relevant Policy(ies):

The SDS Bylaw identifies the requisite service levels.

Referral Comments:

Fire Department

No concerns.

Building Department

N/A

Engineering Department

The Engineering Department has provided comments and alternatives which form the basis for the staff recommendation to deny the requested variances. The Engineering Department comments are attached as Appendix 10.

As stated in these comments, the subject property is within the Urban Development Area of the SDS Bylaw, which requires full upgrades of the roads, works, and services along the subject

parcel's frontages. The City's servicing report in response to the Subdivision application noted these requisite upgrades.

The SDS Bylaw exempts the provision of underground distribution wiring, ornamental street lighting, constructed highways including curb and gutter, sidewalks, trails, roadside corridors, boulevards and signage at the time of subdivision if all of the following apply:

- a. the subdivision is located in an Urban Development Area;
- b. the parcel being subdivided is zoned and intended for a low density residential development;
- c. the total parcel area is less than 1,800m²;
- d. new street or street extensions are not required to service the subdivision; and
- e. existing works and services have sufficient capacity for any demands directly attributable to the proposed development.

Since the total parcel area is 2,000m² it does not meet this exemption.

Other

N/A

Planning Department

When considering servicing variances a number of factors are taken into consideration, including physical or legal constraints, scale of proposed development, and growth potential in the area. The subject property is within the Urban Containment Boundary and zoned R-10 (Residential). Given the OCP designation of Low Density Residential (LDR), the land is intended for development as proposed. Staff note that under the zoning regulations for the R-10 zone, up to four Accessory Dwelling units could be developed on each proposed lot.

Waiving the requirements entirely would place additional financial burden on the City for the improvements in the future or increase costs onto future developers of adjacent properties. Servicing requirements are in place to support the parcels being developed and the population growth in an area, which increases the need for safety improvements. Staff do not recommend the variances as requested by the applicant be granted and have provided an alternative to providing the full scope of servicing requirements if Council chooses to waive part of the requirements.

Generally, road improvements, such as road widening and construction, occur at the time of development or as capital projects. The SDS Bylaw is structured so that should a Subdivision or Building Permit be applied for there is an opportunity for the City to evaluate existing infrastructure and require service levels be brought to current standards. In the staff analysis of a servicing variance, the timing and location of capital projects and the development potential of adjacent lands are considered.

Should Council wish to move forward in alignment with these suggestions in whole or in part, staff recommend the following conditions be applied:

1. require upgrades to 13 Avenue SE to the Urban Local Road (RD-2) standard; and
2. require the installation of one (1) street light along 15 Street SE.

Staff have attempted to summarize these options in Table 1 below.

Table 1: VP-610 – Applicant’s Proposal, Alternate, and Staff Recommendations

SDS Bylaw Requirements	Applicant’s Proposal	Staff Alternate Recommendation	Minimum Suggested Requirements
Upgrade 13 Avenue SE to the Urban Local Road (RD-2) standard. <ul style="list-style-type: none"> • General Requirements (\$15,000.00) • Concrete Works (\$11,660.00) • Earthworks (\$1,380.00) • Road and Site Improvements (\$17,480.00) \$45,520.00	Waive the requirement to upgrade 13 Avenue SE to the Urban Local Road (RD-2) standard. \$0.00	Deny request to waive requirements. \$45,520.00	Require upgrades to 13 Avenue SE to the Urban Local Road (RD-2) standard. \$45,520.00
Install three (3) street lights along 13 Avenue SE and 15 Street SE. \$25,500.00 (3 x 8,500.00)	Waive the requirement to install three (3) street lights along 13 Avenue SE and 15 Street SE. \$0.00 (0 x 8,500.00)	Deny request to waive requirements. \$25,500.00 (3 x 8,500.00)	Require the installation of one (1) street light along 15 Street SE (waive the requirement for two (2) streetlights along 13 Avenue SE) \$8,500.00 (1 x 8,500.00)

Financial Considerations:

Waiving servicing requirements will place additional financial burden on the City for the improvements in the future.

Committee Recommendations:

N/A

Public Consultation:

Pursuant to the *Local Government Act* and City of Salmon Arm Development Procedures Bylaw notices are mailed to land owners 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 the Hearing for this application will be held on April 14, 2025 at 7:00pm.

Alternatives & Implications:

Should Council wish to waive part of the requirements, staff propose the following motion for consideration:

THAT: Development Variance Permit No. VP-610 be authorized for issuance to vary the Subdivision and Development Servicing Bylaw No. 4293, for the frontages of Lot 9, Section 12, Township 20, Range 10, W6M, KDYD, Plan 9687, waiving the requirement to install two (2) street lights along 13 Avenue SE.

The alternative motion above assumes all other upgrades to the applicable standards are completed.

Prepared by: Planner II

Reviewed by: Manager of Planning & Building

Reviewed by: Director of Planning & Community Services

Approved by: Chief Administrative Officer

Attachments:

- Appendix 1 – Location Map
- Appendix 2 – Ortho Map
- Appendix 3 – Subject Property
- Appendix 4 – OCP Map
- Appendix 5 – Zoning Map
- Appendix 6 – Sketch Plan
- Appendix 7 – Site Photos
- Appendix 8 – RD-2 Road Cross Section
- Appendix 9 – Letter of Purpose and Cost Estimate
- Appendix 10 – Engineering Comments