



REQUEST FOR DECISION

To: Development & Planning Services Committee

Title: Development Variance Permit Application No. VP-612 (Servicing)

Legal: Lot 1, Section 13, Township 20, Range 10, W6M, KDYD, Plan KAP47381

Civic: 370 20 Street SE

Owner: McMinn, C. & Scorgie, R.

Date: April 7, 2025

Executive Summary/Purpose:

The applicant is requesting to vary servicing requirements triggered through a subdivision application to subdivide one residential parcel into two parcels.

Motion for Consideration:

THAT: the Committee recommends to Council that Development Variance Permit No. VP – 612 be authorized for issuance varying the Subdivision and Development Servicing Bylaw No. 4293, for frontage of Lot 1, Section 13, Township 20, Range 10, W6M, KDYD, Plan KAP47381 (370 20 Street SE) as follows:

1. Section 6.4.8. - waive the sanitary main upgrade requirement along the east parcel line; and
2. Section 7.5.3. - waive the storm main upgrade (cash-in-lieu) requirement along the east parcel line.

Staff Recommendation:

The motion for consideration be defeated.

Proposal:

The applicant has applied to subdivide one residential parcel into two parcels and is requesting to vary the Subdivision and Development Servicing (SDS) Bylaw to waive sanitary and storm service upgrades required through the Subdivision Application.

Background:

The subject parcel is located on 20 Street SE between Okanagan Avenue and Auto Road, and is just over 1,330 square metres in area (Appendices 1, 2 and 3). The subject property is designated Low Density Residential in the City's Official Community Plan (OCP) and zoned R10 – Residential Zone in Zoning Bylaw No. 2303 (Appendix 4 and 5).

Adjacent land use is similarly designated R10 Zoned residential parcels in all directions.

The applicant has made a Subdivision application (SUB 24.04) which triggers the provisions of the Subdivision and Development Servicing (SDS) Bylaw No 4293 requiring the completion of service works.

Through this development, the applicant would be required to complete service upgrade works including sanitary main and storm main upgrades. The applicant has provided a letter detailing their request to reduce these requirements (Appendix 6). The City's Engineering and Public Works Department has commented on this in their review of the proposal (Appendix 7).

Relevant Policy(ies):

OCP Policy

The subject parcel is within the Low Density Residential designated area of the OCP. The subdivision and residential use proposed is in alignment with the OCP.

Zoning Bylaw

The subject parcel is zoned R10 - Residential in Zoning Bylaw which permits the current and proposed use and regulates building heights and setback requirements.

Subdivision and Development Servicing Bylaw

The SDS Bylaw details servicing levels required for development. The subject property is within the Urban Development Area; therefore, while full upgrades to the services along the subject parcel's frontages to the applicable standard are required, the proposal is exempt from frontage upgrades (such as sidewalk, curb/gutter, and streetlights). Standard service levels (sanitary, water, and storm water infrastructure) must be met.

Referral Comments:

Fire Department

No concerns.

Building Department

No concerns.

Engineering Department

The Engineering Department has provided comments and alternatives which form the basis for the above staff recommendation to deny the requested variances. The Engineering Department comments are attached as Appendix 7.

As stated in these comments, the subject property is within the Urban Development Area of the Subdivision and Development Servicing Bylaw, and subdivision requires upgrades of the sanitary and storm main services along the subject parcel's frontages to meet current standards.

The Engineering Department supports the request to waive the upgrade of the east sanitary sewer main, as calculations show the existing main can convey future flow for maximum development potential at this location.

The Engineering Department does not support the request to waive the upgrade of the storm sewer main along the east portion of the subject parcel. This storm main is 200mm in diameter, and an upgrade to 250mm is required. As this is premature, a cash in lieu payment for the future upgrade would be acceptable. As calculations show that potential storm events in combination with maximum upstream development potential would exceed the capacity of the existing 200mm main. The alternative motion contained in this Staff Report has been crafted to achieve this recommendation.

Other
None

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 R10 (Residential Zone), which supports the proposed subdivision and residential use of the parcel.

Staff note that the subject parcel is situated within an established residential area, close to a number of community facilities including schools and recreation facilities. Staff recognize that scope of requisite improvements is large relative to the proposed project; however, completely offsetting the cost of upgrading and constructing servicing works onto the City is problematic. Waiving the requirements places additional financial burden on the City for the improvements in the future and increased costs on future developers of adjacent properties. Servicing requirements are in place to support the parcels being developed and the population growth in an area. As such, staff do not fully support the servicing variances as requested by the applicant be granted.

While staff recommend not issuing the full servicing variance request, an alternative for consideration to partially support the variances requested has been suggested. This alternative motion supports for the request to vary the sanitary sewer requirements, however staff do not recommend support for the storm main upgrade request.

Table 1: DVP-612 – Applicant’s Proposal, Alternate and Staff Recommendations

SDS Bylaw Requirements	Applicant’s Proposal	Staff Alternate Recommendation
Storm sewer main upgrade along east parcel line	Waive upgrade requirement.	Deny request to waive requirement. Note need for improved storm capacity.
Sanitary sewer main upgrade along east parcel line	Waive upgrade requirement.	Support the request.

Financial Considerations:

Waiving servicing requirements places potential increased financial burden on the City in the completion of the improvements in the future.

Committee Recommendations:

N/A

Public Consultation:

Pursuant to the *Local Government Act* and City of Salmon Arm Development Variance Permit 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 advance in alignment with the staff recommendations above, staff propose the following Motion for Consideration:

THAT: the Committee recommends to Council that Development Variance Permit No. VP – 612 be authorized for issuance varying the Subdivision and Development Servicing Bylaw No. 4293, for frontage of Lot 1, Section 13, Township 20, Range 10, W6M, KDYD, Plan KAP47381 (370 20 Street SE) as follows:

1. Section 6.4.8. - waive the sanitary main upgrade requirement along the east parcel line.

The alternative motion above assumes all other upgrades to the applicable standards are completed, specifically the cash-in-lieu for storm main upgrades.

In considering the above motion, staff recognize that scope of requisite improvements in this case may be considered to be large relative to the proposed project. Council may wish to advance any alternative option or support the Motion for Consideration as requested by the applicant with further decreased service levels more supportive of the applicant's proposal.

As noted previously in this report, one of the implications of granting serving variances is potential increased financial burden on future developers or the City for the completion of the works.

Prepared by: Senior Planner

Reviewed by: Manager of Planning & Building, Director of Planning & Community Services

Approved by: Chief Administrative Officer

Attachments:

- Appendix 1 – Location
- Appendix 2 – Ortho Map
- Appendix 3 – Ortho Map – Parcel View
- Appendix 4 – OCP

- Appendix 5 – Zoning
- Appendix 6 – Applicant's Letter
- Appendix 7 – Engineering Report