



BOARD REPORT

TO:**Chair and Directors****File No:** DVP701-72**SUBJECT:**

Development Variance Permit No. 701-72

DESCRIPTION:

Report from Jennifer Sham, Planner, dated March 29, 2017.
Development Variance Permit to allow a Service Station on the 0.8 ha parcel in Sorrento, BC.

RECOMMENDATION:

THAT:

In accordance with Section 498 of the Local Government Act, Development Variance Permit No. 701-72 for Lot 1, Section 16, Township 22, Range 11, W6M Plan KAP57595, located at 1298 Trans-Canada Highway, varying South Shuswap Zoning Bylaw No. 701 as follows:

Section 18.2.2:

Minimum parcel area for Service Stations where a parcel is not served by both a community water system and a community sewer system from 1 ha to 0.8 ha for Lot 1, Section 16, Township 22, Range 11, W6M, KDYD, Plan KAP57595 only,

be approved for issuance this 20th day of April, 2017.

APPROVED for Board Consideration:*Meeting Date: April 20, 2017**Charles Hamilton, CAO***SHORT SUMMARY:**

The owners of the 0.8 ha subject property located at 1298 Trans-Canada Highway in Sorrento would like to construct a multi-use building for the purpose of operating an auto repair service shop and automotive parts retail store with an office space – all permitted uses in the C1 Town Centre Commercial zone in South Shuswap Zoning Bylaw No. 701 (Bylaw No. 701); however, the minimum parcel area for service stations where a parcel is not serviced by both a community water system and a community sewer system is 1 ha. The owners are applying for a variance to the servicing requirements of Bylaw No. 701.

VOTING:Unweighted
Corporate ☐LGA Part 14 ☒
(Unweighted)Weighted
Corporate ☐Stakeholder ☐
(Weighted)**FINANCIAL:**

There are no financial implications to the CSR D.

KEY ISSUES/CONCEPTS:

Sewage Disposal

The owners will construct a new sewerage treatment system on the subject property in accordance with the design by Franklin Engineering Ltd. In a letter dated December 16, 2016, Mr. Franklin confirms that the designed system is intended for a 13 employee service station and that the system would be "suitable to serve all uses permitted under C1 zoning (save car wash) at the maximum capacity" as shown on the chart attached to the letter.

Water Supply

The property will be serviced by CSRD Sorrento Waterworks.

Access

Access to the commercial development is from the Trans-Canada Highway. An Access Permit has been granted from the Ministry of Transportation on January 10, 2017.

Covenant:

There is a covenant (KK77205) registered on title stating that any sewage disposal system will be situated within the covenant area (reference plan KAP57596). There is an existing septic system on the property and Development Services (DS) staff is in receipt of the Record of Sewerage System dated June 16, 2011. The covenant states that the "development on the Lands shall be limited to a retail shopping centre with a sewage flow not to exceed 2,600 imperial gallons per day."

The owners have been in contact with Interior Health and are in the process of registering a new covenant to reflect the proposed use (service station). Staff is in receipt of a letter of undertaking from Kathryn Vennard of Brooke Downs Vennard Lawyers dated March 23, 2017 stating that she will register the new Section 219 Covenant "upon executions of same by all required parties, and with the approval of said document by Interior Health."

SUMMARY:

The owners are requesting a variance to the servicing requirements of Bylaw No. 701 as follows:
Section 18.2.2 Minimum parcel area for Service Stations where a parcel is not served by both a community water system and a community sewer system from 1 ha to 0.8 ha for Lot 1 Section 16 Township 22 Range 11 W6M KDYD Plan KAP57595 only.

Staff is recommending issuance of DVP701-74 for the following reasons:

- APC C recommended approval;
- Franklin Engineering Ltd. has confirmed that their designed septic system is suitable for all uses in the C1 zone; and,
- The proposed use is permitted in Bylaw No. 701 - C1 zone.

IMPLEMENTATION:

If the Board issues DVP701-74, staff will forward the documentation to Land Title Office for registration on title of the subject property. Once the DVP is registered on title, the owners will continue with development of the property.

COMMUNICATIONS:

Property owners and tenants in occupation within 100 m of the subject property were given notification a minimum of 10 days prior to the CSRD Board of Directors considering this application. Notification letters will be mailed on April 3, 2017. All interested parties have had the opportunity to provide comments regarding this application prior to the Board Meeting.

Area C APC recommended approval.

Interior Health recommended approval subject to the land title covenant being amended to "protect suitable sewerage dispersal areas for this development proposal." A new Section 219 covenant protecting the sewerage disposal area will be registered on title, as per the letter of undertaking from Kathryn Vennard of Brooke Downs Vennard Lawyers.

DESIRED OUTCOMES:

That the Board endorse staff recommendation.

BOARD'S OPTIONS:

1. *Endorse the Recommendation.*
2. *Deny the Recommendation.*
3. *Defer.*
4. *Any other action deemed appropriate by the Board.*


LIST NAME OF REPORT(S) / DOCUMENT(S) AVAILABLE FROM STAFF:

1. Electoral Area C Official Community Plan Bylaw No. 725
2. South Shuswap Zoning Bylaw No. 701

Report Approval Details

Document Title:	2017-04-20_Board_DS_DVP701-72_Hary-Cro.docx
Attachments:	<ul style="list-style-type: none">- DVP701-72 Permit.pdf- APC DVP701-72.pdf- Interior Health comments DVP 701 72.pdf- DVP701-72_20161222_Franklin Engineering.pdf- DVP701-72_20161222_Plans.pdf- DP725-95 site visit photos.pdf- 2017_03_23_Letter of undertaking.pdf- Hary-Cro Holdings Access Permit.pdf
Final Approval Date:	Apr 10, 2017

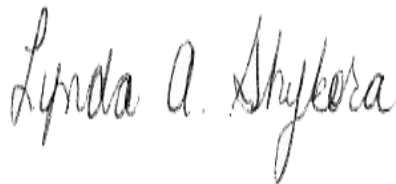
This report and all of its attachments were approved and signed as outlined below:



Corey Paiement - Apr 7, 2017 - 2:10 PM



Gerald Christie - Apr 7, 2017 - 4:05 PM



Lynda Shykora - Apr 10, 2017 - 11:37 AM



Charles Hamilton - Apr 10, 2017 - 11:49 AM