

DEVELOPMENT PERMIT APPLICATION FORM

Applicant: _____

Phone: _____ Fax : _____ E-mail: _____

Applicant's Mailing Address: _____

Address of Property: _____

Legal Description: _____

Owner (if not the applicant): _____

Official Community Plan Designation: _____ Zoning Category: _____

Development Permit Area Type:

- _____ Environmentally Sensitive Riparian Areas Development Permit Area
- _____ Potential Hazardous Areas Development Permit Area
- _____ Residential Development Permit Area
- _____ City Centre Development Permit Area
- _____ Highway Service/Tourist Commercial and Neighborhood Commercial Development Permit Area
- _____ Industrial Development Permit Area

Proposed Development - describe the development proposal and intended use and include plans and specifications of the proposed development drawn to an appropriate scale (see submission requirements) together with a full description of landscaping, location and description of any signs, parking lots, access, egress, etc. Applicants are to include a "Letter of Proposal" as one of the submission requirements.

Proposed Variances - indicate any proposed variances to Municipal Bylaws. Provide reason(s) for variance(s) in letter format. _____

Zoning Bylaw in Section _____

_____ Subdivision & Development Servicing Bylaw in Section _____

_____ Sign Bylaw in Section _____

Council Meeting - does Owner, Applicant or Agent wish to appear before Council to explain the proposal?

Yes _____ No _____ Contact Numbers: Telephone _____ Fax _____

Submission Requirements - please ensure the following items are included with the completed application form:

- Application Fee: \$ 1,000
- \$ 1,200 With Servicing Variance(s)
- Development Permit Waiver Application Form
- Provincial Government Contaminated Sites Legislation – Site Profile
- Current Title, may be obtained online at www.ltsa.ca or by contacting the Land Titles Office by phone at 1-877-577-5872
- Letter of Proposal
- Two sets of full size plans, as well as one set of 8 ½" x 11", and a .pdf file of each to be emailed to the project Planner, including:
 - 1) legible site plan
 - 2) elevations
 - 3) cross-section of original and proposed grades (i.e. lot grading plan)
 - 4) landscape plan
 - 5) colour renderings
- Project name as well as overall address concept plan to be approved by the Municipality

DEVELOPMENT PERMIT APPLICATION - CONSENT FORM

Complete one of the following statements:

IF OWNER(S) IS/ARE PERSONALLY APPLYING

I (we) _____
(please print)

(attach separate paper if more than three (3) owners - all owners must sign).

solemnly declare that I/we am/are the owner(s) of the real property legally described as:

and that I/we am/are registered as such in the Land Title Office in Kamloops, B.C.

Signature: _____

Date: _____

Signature: _____

Date: _____

Signature: _____

Date: _____

CONTACT INFORMATION FOR OWNER(S) (choose one main contact only)

Name: _____

Telephone: _____

FAX: _____

E-mail: _____

IF AN AGENT IS APPLYING ON BEHALF OF THE OWNER(S):

I, _____ solemnly declare that I am the authorized agent of: (attach separate paper if more than three (3) owners - all owners must sign)

who is/are the registered owner (s) of the real property legally described as: _____

It is understood that until the City of Salmon Arm is advised in writing that I am no longer acting on behalf of the undersigned registered owner, the City shall deal exclusively with me with respect to all matters pertaining to the proposed rezoning application.

I hereby declare that the foregoing information is true and proper and I make this declaration knowing that it is of the same force and effect as if made under oath and by virtue of the Canada Evidence Act.

Signature of Owner: _____

Date: _____

Signature of Owner: _____

Date: _____

Signature of Owner: _____

Date: _____

Signature of Agent: _____

Date: _____

Agent's Contact Information (mailing address):

Telephone: _____

FAX: _____

E-mail: _____



DEVELOPMENT SERVICES DEPARTMENT (250) 803-4010

A GUIDE TO DEVELOPMENT PERMITS

This guide is not a legal document and is intended only to assist you through the Development Permit application process. Following the information herein does not constitute approval of an application. While every care is taken in the preparation of this brochure, the City of Salmon Arm assumes no responsibility or liability with respect to its contents. The public is advised to review the applicable legislation and bylaws and conduct its own enquiries with City staff.

WHAT IS A DEVELOPMENT PERMIT?

Official Community Plan

The City of Salmon Arm Official Community Plan (OCP) Bylaw No. 4000 (2011) includes policies to achieve the City's long term goals and objectives for land use and development within its boundaries. The OCP and associated maps are available at the front counter at City Hall or on the City's website at www.salmonarm.ca

Development Permit Areas

The City's OCP designates different areas of Salmon Arm as Development Permit Areas (DPAs), within which certain types of development require a Development Permit approved by Council prior to the construction phase of a project, and in some cases prior to subdivision. DPAs in Salmon Arm include the following:

- Residential (for multiple family dwellings)
- City Centre
- Highway Service / Tourist Commercial
- Neighbourhood Commercial
- Industrial
- Environmentally Sensitive Riparian Areas*
- Potential Hazardous Areas*

*See attached Development Permit Waiver Application Form.

Development Permits

The Development Permit process provides Council with an opportunity to review certain types of development proposed within DPAs and consider approval of those developments based on guidelines in the OCP.

Development Permit requirements are in place for the following reasons:

- To ensure the form and character of new development is consistent with the design guidelines in the OCP
- To promote quality building, site, landscape and streetscape design that enhances the character of Salmon Arm
- To provide a consistent approach to reviewing new developments
- To help protect environmentally sensitive riparian areas and to help protect people and property from hazardous conditions such as flooding and land slippage

WHEN IS A DEVELOPMENT PERMIT REQUIRED?

Development Permits are only required within DPAs. In order to determine if a property is within a DPA, please review the "designation" sections of the OCP and the associated maps.

Some types of development are exempt from the requirement to obtain a Development Permit and are listed under the "exemptions" sections. For example, single family dwellings are exempt from the requirement to obtain a Development Permit to address form and character.

If you are unsure if a property is within a DPA or if a development is exempt, please contact the Development Services Department.

PRE-APPLICATION STAGE

Pre-Application Meeting

Once it is confirmed that a Development Permit is required, the owner or developer should meet with Development Services Department (Planning and Building) and Engineering Department staff to discuss the proposal and identify requirements.

APPLICATION STAGE

Submit the Application

Mail or deliver your completed application form to the City's Development Services Department along with the required supporting documentation and application fee, as identified on the application form.

Application Checked for Completeness

City staff will check to ensure that the application has been filled out correctly and that all supporting documentation and information has been provided. The applicant will receive a letter from the City confirming whether or not the application is complete. Once this is confirmed, a file is opened.

Incomplete applications will not be processed until all outstanding items have been submitted to the Development Services Department.

Technical Planning Committee

The Technical Planning Committee meets once a week to complete a preliminary review of new applications. Committee members consist of representatives from the Development Services Department (Planning and Building) and the Engineering Department.

The Committee identifies any initial concerns that may require further input or additional information from the applicant prior to the application entering the referral process. Some of the matters addressed by the Committee include the following:

- Servicing (water, sanitary, storm sewer and roads)
- Parking, Access & Egress
- Siting & Setbacks
- Riparian Areas Regulation (watercourses)
- Site Characteristics (topography, hazards)
- B.C. Building Code
- Building and Site Design
- Signage
- Landscaping Plans
- Tree Retention Plans

If concerns do arise at the Committee meeting, you will be contacted to supply the required information (the application may be delayed until the additional information is received).

Application Circulated

A referral package is circulated to all City departments and affected external agencies for their written comments and recommendations. Some departments and agencies are shown on the attached flow chart. Additional referral agencies may include Fisheries and Oceans Canada, School District No. 83, Royal Canadian Mounted Police, Columbia Shuswap Regional District and the BC Ministry of Environment.

Comments received by the City provide information with respect to how the proposal is affected by the policies, legislation, regulations and other requirements of each external agency and City department responding to a Development Permit referral. If the referral process highlights concerns not previously addressed or identified, City staff will contact the applicant to advise them accordingly and encourage them to address these concerns prior to the application being considered by Council.

Design Review Panel

New form and character Development Permit applications will be reviewed by the City's Design Review Panel. The Panel, which consists of seven members appointed by Council, reviews Development Permit application proposals within the context of the design guidelines in the OCP.

The Panel meets at City Hall to review applications and make recommendations to Council. Applicants are invited to attend Panel meetings.

Site Inspection

City staff will conduct a site inspection of the subject property to identify the potential impacts of the proposal on adjacent properties.

Report Written

Following receipt of all referral comments and completion of a site inspection, a Report to Council with a staff recommendation is prepared and provided to applicants once agendas have been finalized.

Development & Planning Services Committee

Before the report proceeds to Council, it is reviewed by the Development and Planning Services Committee. The Committee, consisting of all Members of Council, reviews applications and makes recommendations to Council.

Public Notification and Hearing

At least 10 days before the application is considered by Council, the surrounding neighbours (owners and occupiers) within 30 metres of the subject property are notified of the application and the date of the Hearing at which Council will consider the proposal.

Affected parties may present their comments to Council in writing, in person or by representative. Applicants are encouraged to discuss their Development Permit

proposal with their neighbours prior to making an application and/or prior to the Hearing.

COUNCIL DECISION

Council considers the application and submissions from notified property owners and occupiers at a Hearing.

Council will make a decision to authorize or refuse issuance of the Development Permit. In some instances, Council may request amendments or additional information.

POST-COUNCIL MEETING

Applicant to Address Conditions

If there are conditions attached to issuance of the Development Permit, the applicant will be advised accordingly, and issuance of the Permit will be withheld until all of the conditions have been addressed. Some common conditions include the following:

- Submission of an irrevocable Letter of Credit for landscaping in the amount of 125% of a landscape designer / landscape architect's estimate for landscaping
- Registration of legal documents such as covenants, easements and statutory rights of way

Development Permit Issuance

When all matters have been addressed to the satisfaction of the City, the Development Permit will be issued.

Building Permit Application

A Building Permit cannot be issued until the Development Permit is issued.

Registration on Title and Lapse of Permit

Under the provisions of the *Local Government Act* (provincial legislation), a Development Permit must be registered on the Title of the subject property.

If the holder of a Development Permit does not substantially start any construction with respect to which the permit was issued within two years after the date it is issued, the permit lapses.

Inspection of Landscaping

Upon notification by the applicant, City staff will review the landscaping at the completion of the project and advise of any deficiencies requiring attention. A landscape designer / landscape architect may need to confirm in writing that the landscaping has been completed as per the approved landscape plan.

Once landscaping deficiencies have been remedied, the landscaping security will be released. If the landscaping is not completed in the manner approved

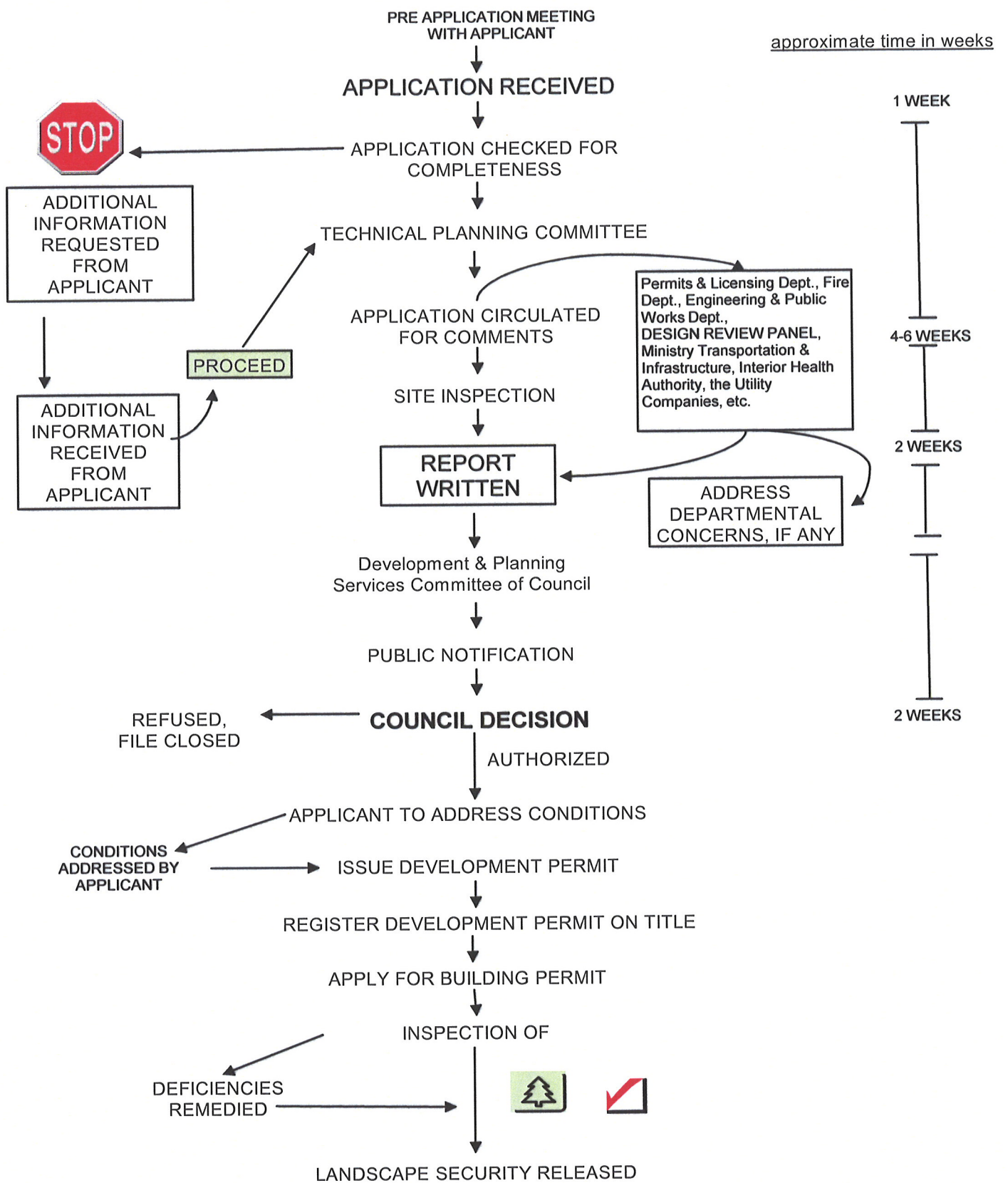
by Council, the City may draw on the Letter of Credit to ensure compliance.

QUESTIONS

If you have any questions regarding the Development Permit application process, please contact the Development Services Department or visit City Hall between the hours of 8:30 a.m. to 4:00 p.m., Monday to Friday:

City of Salmon Arm
Development Services Department
500 - 2 Avenue NE, Box 40
Salmon Arm, BC V1E 4N2

Telephone: (250) 803-4021
Facsimile: (250) 803-4041
E-mail: devservices@salmonarm.ca



CITY OF SALMON ARM

DEVELOPMENT PERMIT REQUIREMENTS

PROJECT DESCRIPTION

- Letter of Proposal indicating the design merits of the proposed development relative to the appropriate Development Permit Area Guidelines; an architect's rationale and reasons for any variances requested.

SITE PLAN

- two (2) sets of full size as well as one (1) set of 8-1/2" x 11" dimensioned: site plan showing building locations, elevations, cross-section of original and proposed grades (i.e. lot grading plan), parking, access and egress, all setbacks, heights.
- must comply with all requirements including building and lot coverage for appropriate zone listed; if not, list details and reasons for variance.
- locational signage details, dimensions and fencing (height, material, type, colour).
- dimensioned elevation drawings of buildings detailing exterior materials, colours and any special features or fascia signage.
- phasing details including project name as well as overall address concept plan to be approved by the Municipality.
- lot consolidation, where required.
- location of exterior lighting (parking areas).
- parking stalls indicated, dimensioned, numbered and identified (whether small car, handicap, etc.).
- colour renderings.

LANDSCAPE PLAN

- comprehensive landscaping plan (all irrigated) detailing mature vegetation to be retained, common name, botanical name, size to be planted, mature size, quantity to be planted, grassed areas, fencing/screening details, garbage dumpster location and screening details for same. An estimate from a local landscaper for which an Irrevocable Letter of Credit in the amount of 125% of same will be required.
- wherever pavement abuts landscaped areas, property lines or buildings, same shall be separated by concrete curb or sidewalk; permanent wood foundation (PWF) not acceptable.
- 6.5 cm caliper minimum size for deciduous trees, 1.5 metre height minimum for coniferous trees.
- **To assist with control of the codling moth, the planting of codling moth host trees, including all apples and crabapples (*Malus spp.*), all pears (*Pyrus spp.*), quince (*Cydonia oblonga*) and flowering quince or japonica (*Chaenomeles japonica*) is discouraged on all developments, excluding commercial orchards.**
- garbage dumpsters screened, landscaped and located in accordance with setbacks with 100mm thickness concrete pad extended to accommodate front wheels of truck.
- provision of pictures for illustrative purposes is encouraged.

SERVICING

- road dedication, servicing and construction details, both off-site and on-site.
- internal roads (private) to be minimum of 7.5 metres in width.
- Fire Department, Building Department and Engineering Department concerns to be addressed early in review.
- all interior sidewalks to be minimum 1.5 metres in width.
- all concrete walks located perpendicular to vehicular parking shall be 2 metres minimum width (if used as curb stops).

MISCELLANEOUS

- all to be in accordance with the pertinent section of the Zoning By-Law and Official Community Plan.



Address Map / Directional Sign Guidelines

Signage that identifies the internal addressing scheme for a private development (i.e. bare land strata subdivision, townhouse developments, or apartment developments) provides visitors and emergency services with a helpful guide to their destination. These signs should be of a form and character that are reflective of the development, while providing pertinent information for pedestrian and vehicular traffic.

These guidelines are not intended to be restrictive, rather, they are to provide property owners/developers with guidelines that will ensure that the use and design of the signage will be informative and withstand the lifetime of the development.

The signs must be in compliance with regulations for directional and identification signs as outlined in City of Salmon Arm Sign Bylaw No. 2880.

For Development Permit applications, a sign concept should be included for review by City staff. Concepts should be drawn to scale showing dimensions, materials, and font sizes. Sign locations should also be shown on the development permit site plan.

- 1) The unit addressing that appears on the signage must be the addressing scheme approved by the City of Salmon Arm. The City will approve addressing at the development permit approval stage or at the subdivision approval stage, whichever is applicable.
- 2) If only one sign is required, the sign should have a map of the entire property. Each unit on the map should be clearly labeled with the unit number, internal roads identified, and property boundaries shown.
- 3) Signage should be designed to be permanently affixed in place.
- 4) Signage must be clearly visible and posted in a convenient location for passing traffic at access route entrances from public roads. Map signage should be located to permit visitors in motor vehicles to view the map without stopping on public roads. Signage at pedestrian entrances should be considered.





SCHEDULE 1 SITE DISCLOSURE STATEMENT

I. CONTACT INFORMATION

A: SITE OWNER(s) or OPERATOR(s)			
LAST NAME		FIRST NAME(s)	
COMPANY (if applicable)			
ADDRESS - STREET		CITY	
PROVINCE/STATE	COUNTRY		POSTAL CODE
PHONE		E-MAIL	

B: PERSON COMPLETING SITE DISCLOSURE STATEMENT (Leave blank if same as above)	
<input type="checkbox"/> Agent authorized to complete form on behalf of the owner or operator	
LAST NAME	FIRST NAME(s)
COMPANY (if applicable)	

C: PERSON TO CONTACT REGARDING THE SITE DISCLOSURE STATEMENT			
LAST NAME		FIRST NAME(s)	
COMPANY (if applicable)			
ADDRESS - STREET		CITY	
PROVINCE/STATE	COUNTRY		POSTAL CODE
PHONE		E-MAIL	

II. SITE INFORMATION

Coordinates (using the North American Datum 1983 convention) for the centre of the site:

Latitude			Longitude		
DEGREES	MINUTES	SECONDS	DEGREES	MINUTES	SECONDS

Attach a map of appropriate scale showing the location and boundaries of the site.

For Legally Titled, Registered Property

SITE ADDRESS (or nearest street name/intersection if no address assigned)	
CITY	POSTAL CODE

PID	Land Description	Add	Delete
		+	-
		+	-

For Untitled Crown Land

PIN numbers and associated Land Description (if applicable)

PIN	Land Description	Add	Delete
		+	-
		+	-

And if available

Crown Land File Numbers	Add	Delete
	+	-
	+	-

III. INDUSTRIAL OR COMMERCIAL PURPOSES OR ACTIVITIES

Has the site been used for any industrial or commercial purposes or activities described in **SCHEDULE 2** of the Contaminated Sites Regulation?

Yes No

If you answered YES to the question above, please indicate below, in the format of the example provided, which of the industrial or commercial purposes or activities have occurred or are occurring on this site.

EXAMPLE

Schedule 2 Reference	Description
E1	appliance, equipment or engine maintenance, repair, reconditioning, cleaning or salvage
F10	solvent manufacturing, bulk storage, shipping or handling

Schedule 2 Reference	Description	Add	Delete
		+	-
		+	-

IV. ADDITIONAL INFORMATION

1. Provide a brief summary of the planned activity and proposed land use at the site.

2. Indicate the information used to complete this site disclosure statement including a list of record searches completed.

3. List any past or present government orders, permits, approvals, certificates or notifications pertaining to the environmental condition of the site. *(Attach extra pages, if necessary):*

V. DECLARATIONS

1. Exemptions (See the Contaminated Sites Regulation, Division 3 of Part 2):

Does the application qualify for an exemption from submitting a site disclosure statement?

Yes No

If yes, indicate which exemption applies _____

2. Where a municipal approval is not required, please indicate the reason for submission directly to the registrar:

Under Order Foreclosure CCAA Proceedings BIA Proceedings

Decommissioning Ceasing Operations

By signing below, I confirm that the information in this form is complete and accurate to the best of my knowledge:

SIGNATURE

DATE SIGNED (YYYY-MM-DD)

APPROVING AUTHORITY CONTACT INFORMATION

NAME	AGENCY
ADDRESS	
PHONE	E-MAIL

Reason for submission (Please check one or more of the following):

Building Permit Subdivision Zoning Development Permit

DATE RECEIVED (YYYY-MM-DD)

DATE SUBMITTED TO REGISTRAR (YYYY-MM-DD)

Deposited December 16, 1996
effective April 1, 1997

This consolidation is current to December 31, 2021.

[Link to consolidated regulation \(PDF\)](#)

[Link to Point in Time](#)

Environmental Management Act

CONTAMINATED SITES REGULATION

[Last amended July 7, 2021 by B.C. Reg. 179/2021]

Schedule 2

[en. B.C. Reg. 131/2020, App. s. 9.]

Specified Industrial or Commercial Uses

A	<p>Chemical industries and activities</p> <ol style="list-style-type: none"> 1. adhesives manufacturing, bulk storage, shipping or handling 2. chemical manufacturing, bulk storage, shipping or handling 3. explosives or ammunition manufacturing, bulk storage, shipping or handling 4. fire retardant manufacturing, bulk storage, shipping or handling 5. fertilizer manufacturing, bulk storage, shipping or handling 6. ink or dye manufacturing, bulk storage, shipping or handling 7. leather or hides tanning 8. paint, lacquer or varnish manufacturing, formulation, recycling, bulk storage, shipping or handling, not including retail stores 9. pharmaceutical products, or controlled substances as defined in the <i>Controlled Drugs and Substances Act</i> (Canada), manufacturing or operations 10. plastic products (foam or expanded plastic) manufacturing or repurposing 11. textile dyeing 12. pesticide manufacturing, formulation, bulk storage, shipping or handling 13. resin or plastic monomer manufacturing, formulation, bulk storage, shipping or handling
B	<p>Electrical equipment and activities</p> <ol style="list-style-type: none"> 1. battery manufacturing, recycling, bulk storage, shipping or handling 2. facilities using equipment that contains PCBs greater than or equal to 50 ppm 3. electrical equipment manufacturing, refurbishing, bulk storage, shipping or handling 4. electrical transmission or distribution substations 5. electronic equipment manufacturing 6. transformer oil manufacturing, processing, bulk storage, shipping or handling 7. electrical power generating operations fuelled by coal or petroleum hydrocarbons that supply electricity to a community or commercial or industrial operation, excluding emergency generators.

C	<p>Metal smelting, processing or finishing industries and activities</p> <ol style="list-style-type: none"> 1. foundries 2. galvanizing 3. metal plating or finishing 4. metal salvage operations 5. metal smelting or refining 6. welding or machine shops (repair or fabrication)
D	<p>Mining, milling or related industries and activities at or near land surface</p> <ol style="list-style-type: none"> 1. asbestos mining, milling, bulk storage, shipping or handling 2. coal coke manufacture, bulk storage, shipping or handling 3. coal or lignite mining, milling, bulk storage, shipping or handling 4. milling reagent manufacture, bulk storage, shipping or handling 5. metal concentrate bulk storage, shipping or handling 6. metal ore mining or milling
E	<p>Miscellaneous industries, operations or activities</p> <ol style="list-style-type: none"> 1. appliance, equipment or engine maintenance, repair, reconditioning, cleaning or salvage 2. ash deposit from boilers, incinerators or other thermal facilities 3. asphalt and asphalt tar manufacture, storage and distribution, including stationary asphalt batch plants 4. coal gasification (manufactured gas production) 5. medical, chemical, radiological or biological laboratories 6. outdoor firearm shooting ranges 7. road salt or brine storage 8. measuring instruments (containing mercury) manufacture, repair or bulk storage 9. dry cleaning facilities or operations and dry cleaning chemical storage, excluding locations at which clothing is deposited but no dry cleaning process occurs 10. contamination or likely contamination of land by substances migrating from an industrial or commercial site 11. fire training facilities at which fire retardants are used 12. single or cumulative spills to the environment greater than the reportable quantities of substances listed in the Spill Reporting Regulation

F	<p>Petroleum (including blends and biodiesels) and natural gas drilling, production, processing, retailing, distribution and commercial storage</p> <ol style="list-style-type: none"> 1. petroleum or natural gas drilling 2. petroleum or natural gas production facilities 3. natural gas processing 4. petroleum coke manufacture, bulk storage, shipping or handling 5. petroleum product, other than compressed gas, dispensing facilities, including service stations and card locks 6. petroleum, natural gas or sulfur pipeline rights of way excluding rights of way for pipelines used to distribute natural gas to consumers in a community 7. petroleum product (other than compressed gas), or produced water storage in non-mobile above ground or underground tanks, except tanks associated with emergency generators or with secondary containment 8. petroleum product, other than compressed gas, bulk storage or distribution 9. petroleum refining 10. solvent manufacturing, bulk storage, shipping or handling 11. sulfur handling, processing or bulk storage and distribution
G	<p>Transportation industries, operations and related activities</p> <ol style="list-style-type: none"> 1. aircraft maintenance, cleaning or salvage 2. automotive, truck, bus, subway or other motor vehicle maintenance, repair, salvage or wrecking 3. dry docks, marinas, ship building or boat repair and maintenance, including paint removal from hulls 4. marine equipment salvage 5. rail car or locomotive maintenance, cleaning, salvage or related uses, including railyards
H	<p>Waste disposal and recycling operations and activities</p> <ol style="list-style-type: none"> 1. antifreeze bulk storage, recycling, shipping or handling 2. barrel, drum or tank reconditioning or salvage 3. biomedical waste disposal 4. bulk manure stockpiling and high rate land application or disposal (nonfarm applications only) 5. landfilling of construction demolition material, including without limitation asphalt and concrete 6. contaminated soil or sediment storage, treatment, deposit or disposal 7. dry cleaning waste disposal

	<ol style="list-style-type: none"> 8. electrical equipment recycling 9. industrial waste lagoons or impoundments 10. industrial waste storage, recycling or landfilling 11. industrial woodwaste (log yard waste, hogfuel) disposal 12. mine tailings waste disposal 13. municipal waste storage, recycling, composting or landfilling 14. organic or petroleum material landspreading (landfarming) 15. sandblasting operations or sandblasting waste disposal 16. septic tank pumpage storage or disposal 17. sewage lagoons or impoundments 18. hazardous waste storage, treatment or disposal 19. sludge drying or composting 20. municipal or provincial road snow removal dumping or yard snow removal dumping 21. waste oil reprocessing, recycling or bulk storage 22. wire reclaiming operations
I	<p>Wood, pulp and paper products and related industries and activities</p> <ol style="list-style-type: none"> 1. particle or wafer board manufacturing 2. pulp mill operations 3. pulp and paper manufacturing 4. treated wood storage at the site of treatment 5. veneer or plywood manufacturing 6. wood treatment (antisapstain or preservation) 7. wood treatment chemical manufacturing, bulk storage

Division 3 — Exemptions from Providing Site Disclosure Statements

Exemption — other processes apply under the Act

- 4 (1) A person is exempt from the requirement to provide a site disclosure statement under section 40 (1) or (2) of the Act in relation to a site if
- (a) the site is the subject of an approval in principle or certificate of compliance relevant to
 - (i) the current use of the site, or
 - (ii) any use of the site proposed by the person, and
 - (b) the person, after making reasonable inquiries, has no reason to believe that any further contamination occurred at the site after the approval in principle or certificate was issued.
- (2) A person is exempt from the requirement to provide a site disclosure statement under section 40 (1) or (2) of the Act in relation to a site if
- (a) the site is located within an environmental management area for which a director has approved
 - (i) a wide area remediation plan, or
 - (ii) the scope of a proposed wide area remediation plan, and
 - (b) the site disclosure statement would be provided only as a result of uses or activities that caused contamination that is dealt with in the approved plan or scope.
- (3) A person is exempt from the requirement to provide a site disclosure statement under section 40 (1) or (2) of the Act in relation to a site if
- (a) a determination was made under section 44 of the Act that the site is not a contaminated site, and
 - (b) the person, after making reasonable inquiries, has no reason to believe that any contamination occurred at the site after the determination was made.

[en. B.C. Reg. 161/2020, App. 2, s. 3.]

Exemption — persons applying to approving officers

- 4.1 (1) A person is exempt from the requirement to provide a site disclosure statement to an approving officer under section 40 (1) (a) of the Act if either of the following applies:
- (a) the person is an applicant for subdivision under section 114 of the *Land Title Act*;
 - (b) the proposed subdivision consists only of
 - (i) an adjustment to the boundary of a parcel, or
 - (ii) a consolidation of 2 or more parcels into a single parcel.
- (2) If, in relation to a development on land, a person applies for or otherwise seeks from an approving officer more than one approval for subdivision at the same time, the person may comply with the requirement under section 40 (1) (a) of the Act by providing a single site disclosure statement relating to the land for the purposes of all those approvals.

[en. B.C. Reg. 161/2020, App. 2, s. 3.]

Exemption — persons applying to municipalities

- 4.2 (1) A person is exempt from the requirement to provide a site disclosure statement to a municipality under section 40 (1) (b) (i) of the Act if
- (a) the land in relation to which the person is seeking approval for zoning is being used for a specified industrial or commercial use, and
 - (b) the specified industrial or commercial use would continue to be authorized on the land if the zoning were approved.
- (2) A person is exempt from the requirement to provide a site disclosure statement to a municipality under section 40 (1) (b) (ii) of the Act if the development permit or building permit in relation to which the person is seeking approval is for only one or more of the following purposes:
- (a) demolition;
 - (b) installing or replacing underground utilities;
 - (c) installing or replacing fencing or signage;
 - (d) paving;
 - (e) landscaping.
- (3) If, in relation to a development on land, a person applies for or otherwise seeks from a municipality more than one approval for zoning or permits at the same time, the person may comply with the requirement under section 40 (1) (b) of the Act by providing a single site disclosure statement relating to the land for the purposes of all those approvals.

[en. B.C. Reg. 161/2020, App. 2, s. 3.]

Exemption — municipalities undertaking zoning or rezoning

- 4.3 A municipality undertaking to zone or rezone land is exempt from the requirement to provide a site disclosure statement under section 40 (1) (b) (i) of the Act if either of the following applies:
- (a) the municipality does not have an ownership interest in the land;
 - (b) the municipality does not intend to develop any parcels of land in which it has an ownership interest that are located within the area being zoned or rezoned.

[en. B.C. Reg. 161/2020, App. 2, s. 3.]

Exemption — more than one owner or operator required to provide site disclosure statement when ceasing operations on land

- 4.4 A person is exempt from the requirement to provide a site disclosure statement under section 40 (2) (a) of the Act in relation to land if
- (a) one or more other persons are also required to provide a site disclosure statement under that section as a result of a site being decommissioned on the land or operations ceasing on the land, as applicable, and
 - (b) the site disclosure statement is provided by one of those other persons.

[en. B.C. Reg. 161/2020, App. 2, s. 3.]

Exemption — operating areas under the *Oil and Gas Activities Act*

4.5 A person is exempt from the requirement to provide a site disclosure statement under section 40 (2) (b) and (c) of the Act in relation to land if the land is an operating area within the meaning of the *Oil and Gas Activities Act*.

[en. B.C. Reg. 161/2020, App. 2, s. 3.]

Exemption — vendors of real property

4.6 A vendor of real property is exempt from the requirement to provide a site disclosure statement under section 40 (6) of the Act if any of the following apply:

- (a) the vendor does not have an ownership interest in the real property;
- (b) the prospective purchaser waives, in writing, the entitlement to be provided with the site disclosure statement;
- (c) at the time of the contract for purchase and sale, the real property
 - (i) is used primarily for a residential purpose, or
 - (ii) has never been zoned for any use other than primarily for residential purposes.

[en. B.C. Reg. 161/2020, App. 2, s. 3.]

Exemption — previous submission of site profile

4.7 (1) In this section, "site profile" means a site profile under section 40 of the Act as that section read immediately before February 1, 2021.

(2) A person is exempt from the requirement to provide a site disclosure statement under section 40 (1) of the Act in relation to land if all of the following criteria are met:

- (a) a site profile that relates to the land was provided to a municipality or approving officer before February 1, 2021;
- (b) the municipality or approving officer, after assessing the site profile, forwarded the site profile to the registrar instead of the director in accordance with section 6 (1) (c) (ii) of this regulation, as it read immediately before February 1, 2021;
- (c) the land has not been used for a specified industrial or commercial use after the date on which the site profile was provided to the municipality or approving officer.

[en. B.C. Reg. 161/2020, App. 2, s. 3.]

Division 4 — Requirements for Site Disclosure Statement

Requirements for completing site disclosure statement

5 (1) The requirement of a person to provide a site disclosure statement under section 40 of the Act is not satisfied until the following occurs:

- (a) in the case of a site disclosure statement required to be provided under section 40 (1) of the Act, the municipality or approving officer assesses, in accordance with section 40 (4) (a) of the Act and section 6 of this regulation, that the site disclosure statement form is satisfactorily complete;
- (b) in any other case, the person provides all the information required by the site disclosure statement form.

(2) A site disclosure statement must be completed using the form set out in Schedule 1.

- (3) Only the following persons may complete a site disclosure statement:
- (a) an owner of the land to which the site disclosure statement relates;
 - (b) an operator of a site on the land to which the site disclosure statement relates;
 - (c) a person authorized by
 - (i) an owner referred to in paragraph (a), or
 - (ii) an operator referred to in paragraph (b).
- (4) Only a person referred to in subsection (3) (a) or (b) may sign the declaration on a site disclosure statement.

[en. B.C. Reg. 131/2020, App. s. 3.]



File No. DPW- _____

Development File No. _____

Development Services Department
Box 40, 500 – 2 Avenue NE
Salmon Arm, BC V1E 4N2
Ph: (250)803-4000 Fax: (250)803-4041

DEVELOPMENT PERMIT WAIVER APPLICATION FORM

As of March 31, 2006 as part of the City of Salmon Arm's implementation of the Provincial Riparian Areas Regulation, this form is to be submitted in conjunction with the following development applications (Please check applicable box(es):

- Building Permit;
- Demolition Permit;
- Subdivision Approval;
- Strata Title Conversion;
- Site Specific Bylaw Amendment (eg. Zoning and/or OCP change);
- Development Permit;
- Development Variance Permit;
- Temporary Commercial and Industrial Permits;
- Special Needs Housing Application;
- Tree Cutting Permit

If you intend to develop, subdivide or alter land on property located within the **Environmentally Sensitive Riparian Areas Development Permit Area** or **Potential Hazardous Areas Development Permit Area**, you must first obtain a Development Permit. You may be eligible for a waiver from this requirement. If a waiver form is approved by the Director of Development Services, then a Development Permit application is not required. An approved **Waiver** exempts some or all Development Permit Area Guideline requirements and may also be subject to the registration of a Covenant or other terms and conditions outlined in this form.

Applicant: _____

Phone: _____ Fax: _____ E-mail: _____

Applicant's Mailing Address: _____

Address of Property: _____

Legal Description: _____

Owner (if not the applicant): _____

Official Community Plan Designation: _____ Zoning Category: _____

Provide a brief description of the proposal:

Map 5.2 – Environmentally Sensitive Riparian Areas and Map 6.1 – Potential Hazard Areas of the City of Salmon Official Community Plan are included as part of the attached information. Please note that the approximate locations of Environmentally Sensitive Riparian Areas are shown, but the inventory is incomplete and additional mapping and review may be required from the property owner or their agent, including site survey and/or assessment by a Qualified Environmental Professional (QEP) as set out in the Riparian Areas Regulation.

Does the property contain any of the following:

1. Potential Hazardous Area? Yes No Maybe

Describe (if required) _____

2. Environmentally Sensitive Riparian Area? Yes No Maybe

Describe (if required) _____

3. Environmentally Sensitive Stream*? Yes No Maybe

Describe (if required) _____

(*An environmentally sensitive stream is defined by the Riparian Areas Regulation – see attached Guide)

4. Riparian Assessment Area* of an Environmentally Sensitive Stream? Yes No Maybe

Describe (if required) _____

(*A riparian assessment area is as defined by the Riparian Areas Regulation – see attached Guide)

A detailed Site Plan may be required to be submitted by the property owner. A detailed Site Plan would need to include:

- parcel boundaries, location of any existing or proposed buildings, drainage, access, egress, large rock outcrops, treed areas, embankments, slopes, and any other significant natural features.
- If applicable, show streams and ravines, as well as riparian assessment areas, as each is defined in the Provincial Riparian Areas Regulation and Environmentally Sensitive Riparian Areas Development Permit Area and Potential Hazardous Areas Development Permit Area of City of Salmon Arm Official Community Plan.
- Development, as defined by the Riparian Areas Regulation, if it is proposed within a riparian assessment area.

I, _____ am the registered property owner and
(please print)

acknowledge that the foregoing is true and correct:

Signature of Property Owner

Signature of Agent

Date _____

Date _____

The following is to be filled out by City of Salmon Arm staff:

Staff Initials

Property Status:

- Site visit completed? If no explain _____
- No riparian streams, ravines, or riparian assessment areas on the property.
- Riparian streams, ravines, or riparian assessment areas on the property.
For development purposes
 - Development within footprint of existing building.
 - Demolition.
 - Development >30m from the high water mark of a water course.
 - Development ≤30m from the high water mark of a water course.
- No Hazardous Areas on the property.
- Potential Hazardous Areas (slopes ≥ 30%) on the property.
For development purposes
 - Development within footprint of existing building.
 - Demolition.
 - Development unaffected by hazard.
 - Development may be affected by hazard.

Comments: _____

Waiver application approved: Yes No Yes, subject to terms and conditions

Terms and conditions of this waiver (if applicable):

- Restrictive Covenant for riparian assessment area: Yes No
- Assessment prepared by a Qualified Environmental Professional (QEP): Yes No
- Restrictive Covenant for streamside protection and enhancement area identified by QEP: Yes No
- Geotechnical Report: Yes No
- Restrictive Covenant associated with Geotechnical Report: Yes No
- Other: _____

Reason(s) this waiver application has been denied (if applicable):

DEVELOPMENT PERMIT WAIVER

This waiver application is hereby: **APPROVED** **DENIED** by:

Director of Development Services

Date



Map 5.2 Environmentally Sensitive Riparian Areas

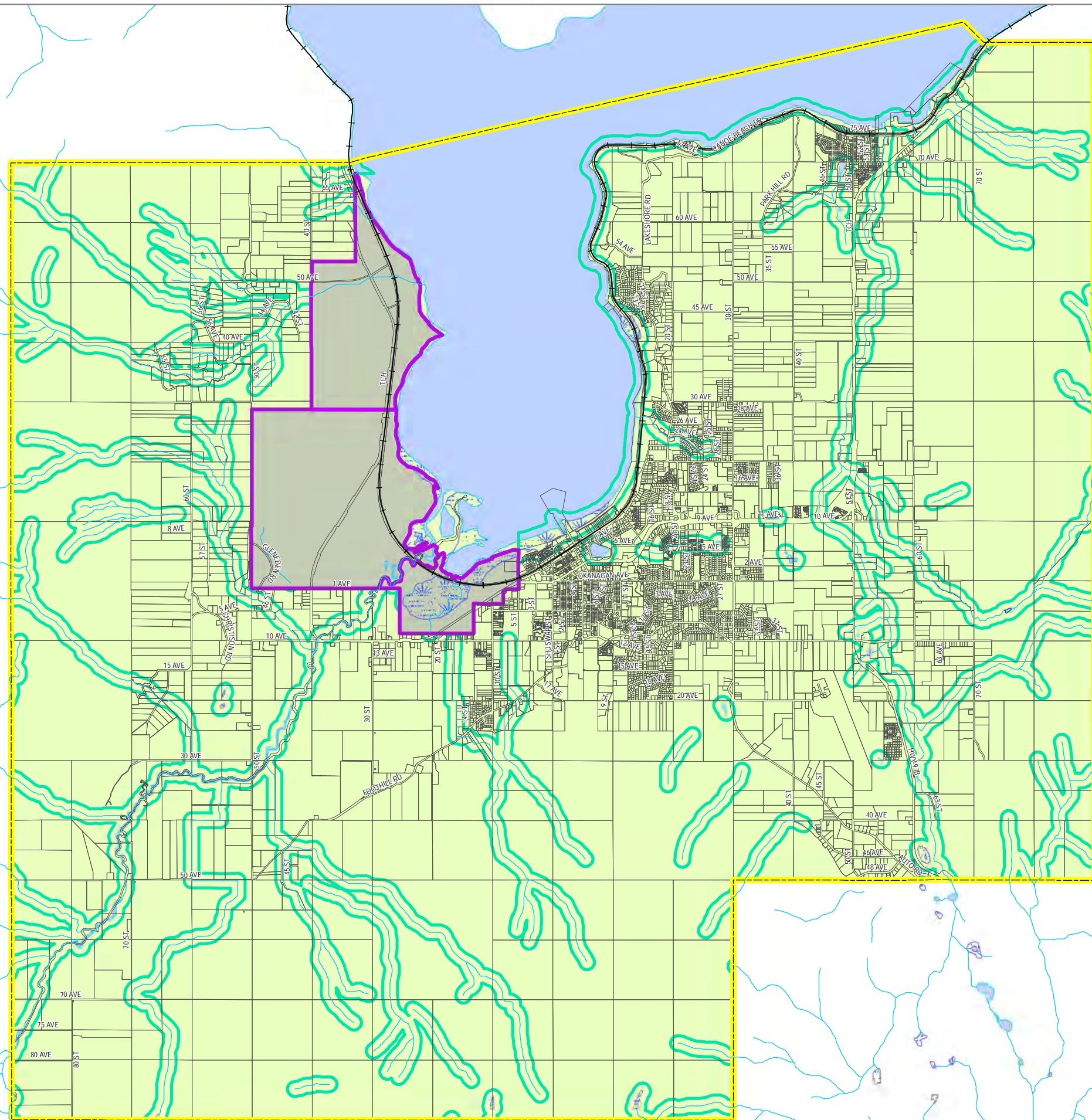
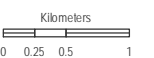
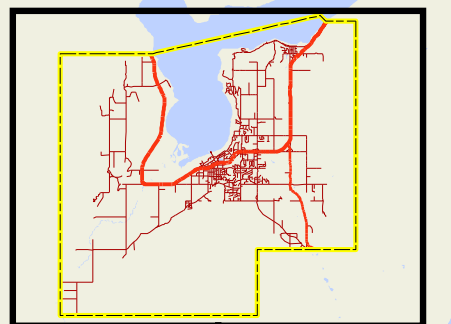
Legend

- Environmentally Sensitive Riparian Areas
- City Boundary
- Indian Reserves
- Parcels
- Streams

Note:

1. The approximate locations of Environmentally Sensitive Riparian Areas are shown as but this inventory is incomplete and additional mapping is required, including site survey and/or assessment by a QEP as per Riparian Areas Regulation.
2. Width of Environmentally Sensitive Riparian Areas are not to scale. Refer to Policy 5.4
3. All Designations are conceptual only, subject to site survey.

Key Map



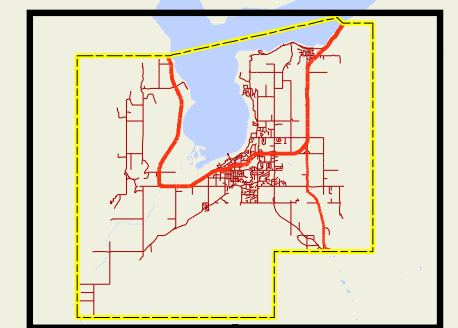


Map 6.1 Potential Hazard Areas

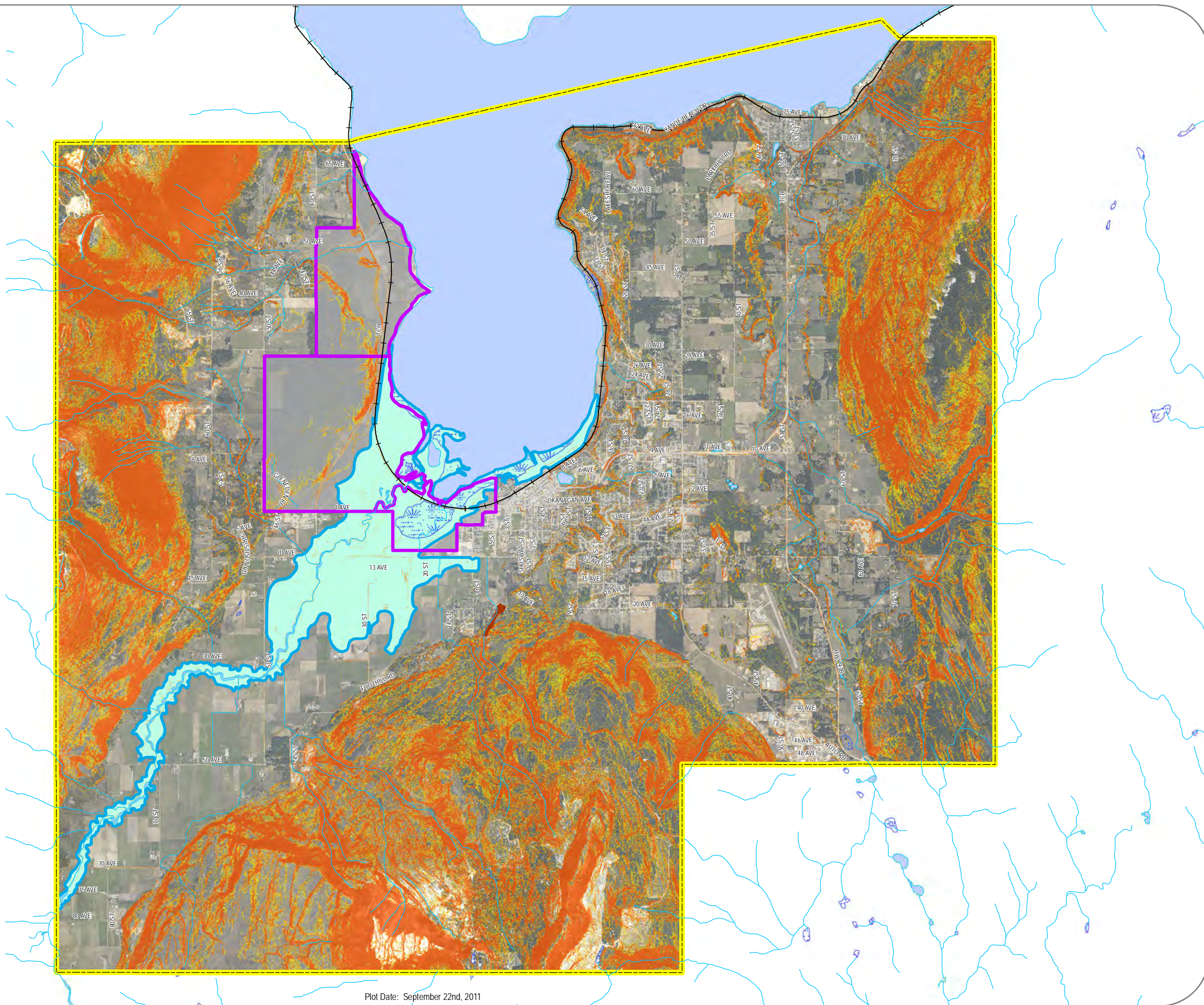
Legend

- 1:200 Year Floodplain
- 20-30% Slope
- >30% Slope
- Debris Hazard (Golder Associates Ltd.)
- City Boundary
- Indian Reserves
- Streams

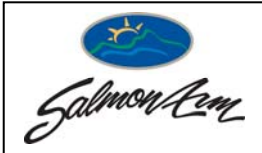
Key Map



Kilometers
0 0.25 0.5 1



DEVELOPMENT SERVICES DEPARTMENT 803-4000



A GUIDE TO PROVINCIAL RIPARIAN AREAS REGULATION and ENVIRONMENTALLY SENSITIVE RIPARIAN AREAS

This guide is not a legal document; it is intended to provide information about the Provincial Riparian Areas Regulation and development of properties with or near riparian areas. Following the steps herein does not constitute approval of an application. While every care is taken in the preparation of this brochure, the City of Salmon Arm assumes no responsibility or liability with respect to its contents. The public is advised to review the applicable legislation and bylaws and conduct its own enquiries with Development Services Department staff.

WHAT IS THE PROVINCIAL RIPARIAN AREAS REGULATION?

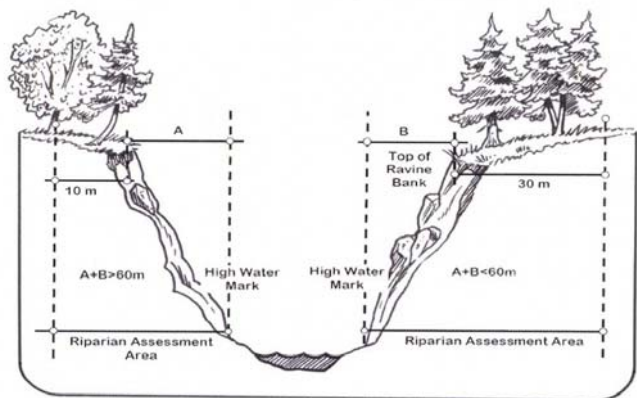
The Riparian Areas Regulation (RAR) is a Provincial initiative, under the *Fish Protection Act*, to protect fish and fish habitat.

As required by RAR, local governments must protect fish and fish habitat as they are impacted by new residential, commercial and industrial development on private lands or privately-used Crown lands. Any development intended within a riparian assessment area is to be subject to an assessment conducted by a Qualified Environmental Professional (QEP), who will certify how the land may be developed so there will be no harmful alteration, disruption or destruction of natural features, functions and conditions that support life processes in the riparian assessment area.

The riparian assessment area, as defined in RAR means:

- for a stream, the 30 metre strip on both sides of the stream measured from the high water mark;
- for a ravine less than 60 metres wide, a strip on both sides of the stream measured from the high water mark to a point that is 30 metres beyond the top of the ravine bank; and
- for a ravine 60 metres wide or greater, a strip on both sides of the stream measured from the high water mark to a point that is 10 metres beyond the top of the ravine bank.

Figure 3.1: Riparian Assessment Areas



Stream, as defined in RAR, means any of the following that provide fish habitat:

- a watercourse, whether it usually contains water or not;
- a pond, lake, river, creek, or brook;
- a ditch, spring or wetland that is connected by surface flow to something referred to in paragraph (a) or (b).

Development, as defined in RAR, means any of the following associated with or resulting from the local government regulation or approval of residential, commercial, or industrial activities or ancillary activities:

- removal, alteration, disruption or destruction of vegetation;
- disturbance of soils;
- construction or erection of buildings or structures;
- creation of non-structural impervious or semi-pervious surfaces;
- flood protection works;
- construction of roads, trails, docks, wharves, and bridges;
- provision and maintenance of sewer and water services;
- development of drainage systems;
- development of utility corridors; and
- subdivision as defined in Section 872 of the *Local Government Act*.

Under RAR, local governments may allow development within 30 metres of the high water mark of a stream or the top of a ravine bank within the riparian assessment area, provided that:

- the prescribed riparian assessment methods outlined in RAR have been undertaken by a QEP;
- the QEP provides an opinion in an assessment report to the Provincial Ministry of the Environment that the development will not result in any harmful alteration of riparian fish habitat if the streamside protection and enhancement area is to be less than the riparian assessment area; and
- the City is notified by the Ministry of Environment that an assessment certified by a QEP to identify the streamside protection and enhancement area has been prepared in accordance with the Riparian Areas Regulation.

The QEP can help plan a development so that it will avoid impacting fish habitat and identify measures to maintain the integrity of the riparian area in a development project.

Further information about the Provincial Riparian Areas Regulation may be found at:

http://www.env.gov.bc.ca/habitat/fish_protection_act/riparian/riparian_areas.html.

For a list of Qualified Environmental Professionals (QEP's) active in the Shuswap Watershed, please go to the Shuswap Lake Integrated Planning Process (SLIPP) website at the location:

<http://slippbc.com/qeps-in-the-shuswap>

WHAT IS AN ENVIRONMENTALLY SENSITIVE WATERCOURSE?

The implementation of RAR in the City of Salmon Arm has included the designation of riparian assessment areas for Environmentally Sensitive Riparian Areas and the requirements of an Environmentally Sensitive Riparian Areas Development Permit.

Environmentally Sensitive Riparian Areas shown on Map 5.2 of the City of Salmon Arm Official Community Plan are designated Environmentally Sensitive Riparian Areas Development Permit Area (Map 5.2 is attached to the Development Permit Waiver Application Form). Map 5.2 designates the entire City of Salmon Arm as an Environmentally Sensitive Riparian Area. The approximate locations of known Environmentally Sensitive Riparian Areas are shown on Map 5.2, but this inventory is incomplete and additional mapping is required.

All property owners or their agents applying for a development application are required to submit a completed "Waiver Application." Refer below for information about the types of development applications and the Waiver Application process.

The onus is on property owners or their agents to determine if an Environmentally Sensitive Riparian Area and its riparian assessment areas affects their property. In order to determine the location of an Environmentally Sensitive Riparian Area on a parcel, a property owner/agent may be required to submit a plan prepared by a BC Land Surveyor (BCLS) that identifies the high water mark (and/or top of ravine bank) and the boundaries of the riparian assessment area. The high water mark and the boundaries of the riparian area assessment area may need to be confirmed by a QEP hired by the property owner/agent.

WHAT IS AN ENVIRONMENTALLY SENSITIVE RIPARIAN AREAS DEVELOPMENT PERMIT AREA?

Environmentally Sensitive Riparian Areas Development Permit Areas affect all parcels of land adjacent to or containing a stream as defined in RAR. The Environmentally Sensitive Riparian Areas Development Permit Area is equivalent to the riparian assessment area of the Riparian Areas Regulation.

WHAT IS AN ENVIRONMENTALLY SENSITIVE RIPARIAN AREAS DEVELOPMENT PERMIT?

All properties that are affected by an Environmentally Sensitive Riparian Areas will require an Environmentally Sensitive Riparian Areas Development Permit prior to:

- (a) alteration of land;
- (b) subdivision; or
- (c) construction of, addition to, or alteration of a building or structure.

A Development Permit application, including information submitted by the applicant, a staff report, and public input received at a hearing, is considered for issuance by City Council. The issuance of a Development Permit is at the discretion of City Council.

The following development applications proposed for a property affected by an Environmentally Sensitive Riparian Area will require an Environmentally Sensitive Riparian Areas Development Permit to be issued prior to approval being considered by the City:

- Building Permit;
- Demolition Permit;
- Subdivision Approval;
- Strata Title Conversion;
- Site Specific Bylaw Amendment (e.g. Zoning and/or OCP change);
- Development Permit;
- Development Variance Permit;
- Temporary Commercial and Industrial Permits;
- Special Needs Housing Application;
- Tree Cutting Permit.

Alternatively, property owners or their agents may apply for a waiver for an Environmentally Sensitive Riparian Areas Development Permit.

WHAT IS A WAIVER FOR AN ENVIRONMENTALLY SENSITIVE RIPARIAN AREAS DEVELOPMENT PERMIT?

Before making application for a Development Permit, property owners or their agents may complete and submit a "Waiver Application" form (copy attached) to determine whether the proposed development qualifies for a waiver of the Development Permit process.

Qualifying projects may be issued a waiver by the Director of Development Services in the following circumstances:

- The registration of a restrictive covenant on the subject property by the owner in favour of and to the satisfaction of the City of Salmon Arm that protects the riparian assessment area from development as defined in RAR and specifies how the area is to be protected and/or maintained.

- Notification to the City by the Ministry of the Environment that an assessment certified by a QEP to identify the streamside protection and enhancement area has been prepared in accordance with RAR and the registration of a restrictive covenant on the subject property by the owner in favour of and to the satisfaction of the City of Salmon Arm that protects the streamside protection and enhancement area identified in the assessment and specifies how the area is to be protected and/or maintained.

An applicant for a waiver may be required to submit a plan prepared by a BC Land Surveyor (BCLS) that identifies the high water mark (and/or top of ravine bank) and the boundaries of the riparian area assessment area and/or the streamside protection and enhancement area as identified in a certified assessment prepared by the Qualified Environmental Professional. The plan may be required to be a schedule as part of a restrictive covenant registered as a condition of a waiver approval.

Any breach of the waiver terms may result in the cancellation of the waiver. Such cancellation may require that the property owner apply for a Development Permit. The granting of a waiver does not absolve the applicant from other necessary approvals (e.g. Building Permits, etc.). Where waivers cannot be granted, a Development Permit will be required before the project can proceed.

ADDITIONAL INFORMATION

Additional information can be found in Section 5 – Environment of the City of Salmon Arm Official Community Plan Bylaw No. 4000.

If you have any questions or require assistance completing the "Waiver Application", please telephone the:

City of Salmon Arm
Development Services Department
500 - 2nd Avenue NE
Box 40
Salmon Arm, BC, V1E 4N2

Telephone: (250) 803-4000
Facsimile: (250) 803-4041

For a list of Qualified Environmental Professionals (QEP's) active in the Shuswap Watershed, please go to the Shuswap Lake Integrated Planning Process (SLIPP) website at the location:

<http://slippbc.com/qeps-in-the-shuswap>