



**TYPE "C" APPLICATION
for TEMPORARY PLACEMENT of a
SECOND DWELLING for SPECIAL NEEDS HOUSING**

CITY OF SALMON ARM
P.O. Box 40, 500 - 2 Avenue NE
Salmon Arm, BC, V1E 4N2

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

Name of Applicant _____ Phone _____

Email _____

Applicant's Mailing Address _____

Owner of Property _____ Phone _____

Owner's Mailing Address _____

Civic Address of Property Under Application _____

Legal Description: Lot _____ Plan _____ Section _____ Township _____ Range _____

Zoning _____ Roll No. _____ Parcel Size _____

Dimensions of Second Dwelling _____

Please complete one of the following statements:

The Second Dwelling is to be occupied by _____ who
receives care and maintenance from _____ who
occupies the principal building.

or

The Second Dwelling is to be occupied by _____ who
administers care and maintenance to _____ who
occupies the principal building.

The following items must accompany the completed application form:

- Development Permit Waiver Application Form
- A physician's statement that such care and maintenance is necessary
- A plot plan indicating the location of the current principal dwelling and proposed location of second dwelling (with dimensions, access, egress, etc.)
- Application Fee of \$300.00
- Current Title which can be obtained online at www.ltsa.ca or by contacting the Land Titles Office by phone at 1-877-577-5872

I understand that in consideration of making this application for a Type "C" Permit, as per the provisions of Zoning By-Law No. 2303, that it is my responsibility, as property owner, to ensure that the second dwelling can be adequately serviced to City standards and to apply for and obtain a Building Permit prior to installation.

Signature - Property Owner

Date

Witness to Property Owner's Signature

Applicant's Signature

Information contained in this form may be subject to *Freedom of Information and Protection of Privacy Act* inquiries

OFFICE USE ONLY

DATE

- | | | |
|--------------------------|--|-------|
| <input type="checkbox"/> | Application Fee Received | _____ |
| <input type="checkbox"/> | State of Title Certificate | _____ |
| <input type="checkbox"/> | Development Permit Waiver Application | _____ |
| <input type="checkbox"/> | Physician's Statement | _____ |
| <input type="checkbox"/> | Plot Plan | _____ |
| <input type="checkbox"/> | By-Law Prepared | _____ |
| <input type="checkbox"/> | First and Second Reading of By-Law | _____ |
| <input type="checkbox"/> | Hearing Notification to Neighbours | _____ |
| <input type="checkbox"/> | Hearing Held | _____ |
| <input type="checkbox"/> | Third Reading of By-Law | _____ |
| <input type="checkbox"/> | Special Needs Housing Agreement Signed | _____ |
| <input type="checkbox"/> | By-Law to Ministry of Transportation for Approval, if required | _____ |
| <input type="checkbox"/> | Final Reading of By-Law | _____ |
| <input type="checkbox"/> | Notice of Housing Agreement Registered on Title | _____ |
| <input type="checkbox"/> | Anniversary Date for Annual Sworn Declaration Entered | _____ |

DEVELOPMENT SERVICES DEPARTMENT 803-4000



A GUIDE TO SPECIAL NEEDS / COMPASSIONATE USE HOUSING PERMITS

This guide is not a legal document, it is intended only to assist you through the Compassionate Use application process. 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 staff.

WHAT IS A COMPASSIONATE USE PERMIT?

A Compassionate Use Permit is for a temporary second dwelling located on parcels of land zoned A-1, A-2, A-3, CD-3 or M-6 which are .4 hectares (1 acre) or more. The temporary second dwelling is for a relative who either receives care and maintenance from, or administers care and maintenance to the occupant of the principal dwelling. The second, temporary dwelling is limited to a maximum of one mobile home as defined in the City of Salmon Arm Zoning Bylaw.

MAKING APPLICATION

The Owner of the property must make application for this permit at the City of Salmon Arm Development Services Department. The application must be accompanied by the following items:

- Current State of Title Certificate.
- A physician's written statement that such care and maintenance is necessary.
- A plot plan indicating the location of the current principal dwelling and proposed location of second dwelling (with dimensions, access, egress, etc.).

APPROVAL PROCESS

The application is reviewed by the Development Services Department to ensure that all the pertinent information is enclosed and the zoning and parcel size accommodates this permit. If all the information is present, staff forward the application to the Technical Planning Committee for preliminary review.

Technical Planning Committee

The Technical Planning Committee meets once a week. The members consist of representatives from the Planning, Building, Fire and Engineering Departments.

All new applications and support documentation are forwarded to the Committee for a preliminary review to identify any initial concerns or additional information that may require further input from the Applicant prior to the application entering the referral process.

Application Circulated

A referral package is now circulated to all internal departments and affected external agencies for their written comments and recommendations. Some agencies may include: School District No. 89, Royal Canadian Mounted Police, Columbia Shuswap Regional District, Hydro, Gas, Telephone, etc.

Report Written

Following receipt of all referral comments and completion of an inspection, the Department prepares a Report to Council with their recommendations.

Public Notification

At least 10 days before the application is presented to Council, a letter outlining the proposed development is forwarded to all property owners and occupiers within 30 metres of the subject property. The letter advises them of the date Council will consider the application, and of their right to register an opinion regarding the application.

COUNCIL DECISION

Council may grant third reading to the Bylaw after the Hearing. If third reading is granted by Council, the Applicant may reasonably expect the Special Needs Housing Agreement Bylaw to be approved.

Ministry of Transportation Approval

If the subject property is within 800 metres (1/2 mile) of a controlled access highway (ie: Trans Canada, Highway 97B), the Bylaw must be endorsed by the Ministry of Transportation (MOT).

After third reading, the Bylaw is sent to the Regional Approving Officer of the Ministry of Transportation for approval. Council cannot consider the bylaw for adoption before it is endorsed by M.O.T.

SPECIAL NEEDS HOUSING AGREEMENT

The Special Needs Housing Agreement bonds the applicant to the original criteria for the application and directs them to provide a sworn declaration on the anniversary date of each year verifying that the circumstances still exist. The agreement must be signed prior to Final reading of the Bylaw.

Final Reading

When Council has granted Final Reading to the Special Needs Housing Bylaw, the Applicant may apply for a Building Permit for placement of the temporary second dwelling.

BUILDING PERMIT

Upon adoption of the Special Needs Housing Agreement Bylaw a building permit must be obtained for siting, anchorage, etc. and to ensure all conditions of the compassionate use permit are satisfied. Other requirements of the building permit may include:

Private Sewage Disposal System Installation

Where the City of Salmon Arm's sanitary sewer is not available, a copy of the permit from the Public Health Officer must be included. Details regarding this required permit are to be obtained from Environmental Health Services - North Okanagan, 851 - 16 Street NE, Salmon Arm, Phone (250) 833-4100.

Water

A water meter must be installed for all buildings connected to the City water supply.

Potable water must be provided when the property is not serviced by the City of Salmon Arm's water system. A covenant is required stating the City of Salmon Arm will be "saved harmless" from supplying potable water.

If you have any questions regarding completion of the Application form, 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

File No: DPW-

Development File No. _____

Planning for Tomorrow



CITY OF SALMON ARM
Development Services Department
Box 40, 500 – 2nd Avenue NE
Salmon Arm, BC, V1E 4N2
TEL: (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

SECTION 2 - DEFINITIONS - CONTINUED

#3060

PRIVATE UTILITY means a system, work, *building*, plant, equipment or resource owned privately for the provision of water, sewer, drainage, gas, electricity or telecommunications services (excluding transmission towers). A *private utility* does not include a *sanitary landfill* or a *recycling depot*.

PUBLIC USE means land, *buildings* or facilities provided by a government or agency of government for public *park* and recreation, excluding *offices*.

PUBLIC UTILITY means a system, work, *building*, plant, equipment or resources owned by a *Municipality*, Regional District, the Province of British Columbia, the Government of Canada, an Improvement District, Crown Corporation or other government agency for the provision of water, sewer, drainage, gas, electricity, transportation, communication services, fire hall, or public works storage but does not include a *sanitary landfill* or a *recycling depot*.

REAR PARCEL LINE means the boundary of a *parcel* which lies the most opposite to and is not connected to the *front parcel line*.

#2804

RECREATION FACILITY - INDOOR means a facility for the provision of recreation, sports and cultural activities conducted primarily indoors such as arcades, arenas, fitness *clubs*, racquet courts, gymnasias, dance studios, swimming pools, bowling alleys, and indoor rifle ranges.

#2804

RECREATION FACILITY - OUTDOOR means a facility for the provision of recreation, cultural and sports activities conducted primarily out-of-doors such as a golf course, driving range, field sports, downhill skiing, waterslide, mini-golf, theme park, bumper boats and go-cart tracks, excluding shooting ranges.

#2865

RECYCLING BEVERAGE CONTAINER RETURN CENTRE means a premises for the collection, temporary storage, packaging, preparation for shipment and shipment of used beverage containers.

#2735

RECYCLING COLLECTION SITE means a site at which the Regional Government Recycling Program provides bins for recyclable products, the scope of which is determined by that government body.

RECYCLING DEPOT means a *building* or *structure* in which used material is separated and processed prior to shipment to others who will use those materials to manufacture new products.

RELATIVE means father, mother, father-in-law, mother-in-law, son, daughter, sister, brother, grandchildren, grandparents and great-grandparents.

SECTION 4 - GENERAL REGULATIONS - CONTINUED

- .2 A deposit of Five Thousand Dollars (\$5,000.00) in the form of a cash deposit or irrevocable letter of credit shall be deposited with the *Municipality* for Type "B" Permits. Such deposit will be refunded subject to the removal of the temporary *building* prior to the permit expiry date or the expiry date of any approved extension. Failure to remove the temporary *building* or convert the first residence to a permitted use building to the satisfaction of the Building Inspector by the expiry date shall result in forfeiture of the \$5,000.00 deposit and may also result in implementation of the Municipal Ticket Information Utilization Bylaw until compliance has been achieved;
- .3 Type "B" Permits may be issued by the Building Inspector; and
- .4 Type "B" Permits shall be for a maximum time period of one (1) year, however, a one (1) year extension may be granted on receipt of a written request prior to the permit expiry date.

#3544

3. Type "C" Permits are for the placement of a second dwelling within the A-1, A-2, A-3, CD-3 or M-6 Zones on parcels of 0.4 hectares [1 acre] or more and limited to a mobile home provided the following criteria are met:

- .1 The second dwelling shall be occupied by a relative who either receives care and maintenance from or administers care and maintenance to the occupants of the principal dwelling;
 - (a) The second dwelling shall be removed forthwith from the parcel when the circumstances in Clause .1 no longer exist.
 - (b) If the second dwelling is not removed from the parcel as specified in Clause .1(a) and in the Housing Agreement under Clause .5, Council may direct the owner of the parcel on which the second dwelling is located to remove it and Part 8 of the *Community Charter* will apply if the owner fails to remove it as directed.
- .2 A physician has certified that such care and maintenance is necessary;
- .3 Upon adoption of a "Special Needs Housing Agreement Bylaw", application for a Building Permit is to be made to ensure Building Code Regulation compliance for the following:
 - (a) The second dwelling shall be sited in accordance with the minimum setbacks prescribed in each zone and shall be sited not less than 5.0 metres [16.4 ft.] from the principal dwelling or any accessory building and must meeting Building Code Regulations for spatial separation between buildings.

#3075

SECTION 4 - GENERAL REGULATIONS - CONTINUED

(b) The second dwelling shall not be anchored to a permanent foundation [provisions for temporary anchorage such as ground anchors, etc. will be acceptable].

#3075

.4 The owner of the *parcel* shall enter into a housing agreement pursuant to Section 905 of the Local Government Act and that agreement shall, amongst other things, specify that the second dwelling shall be removed upon termination of the conditions specified in Section 4.13.3.1. and shall be substantially in the form attached hereto as Schedule "E" and forming part of this bylaw;

#2535

.5 An application for a Type "C" Permit shall be submitted to the Planning Department including siting plans.

Posting of Notice

#2820

#3283

#3737

4.14 .1 *Applicants*, except those applying for the R-8 (Single Family/Secondary Suite Residential Zone) where the current zoning is R-1 (Single Family Residential) and the parcel area of the subject property is less than 0.4 ha (0.99 acre), are advised they shall post a rezoning sign on the subject property within at least ten (10) days prior to the date of the scheduled Public Hearing. The sign shall remain in place until the bylaw is either granted third (3rd) reading or refused by *Council*. The sign shall be removed within seven (7) days following third (3rd) reading or refusal of the bylaw by *Council*.

.2 To be consistent, the *applicant* is required to submit a written statement on the intent and purpose of the rezoning as it will appear on the rezoning sign(s). The statement must accompany the rezoning application.

An example is:

From R-1 (Single Family Residential) to R-5 (High Density Residential) to permit construction of a 30 unit apartment building.

Planning Staff will advise whether the statement is suitable for the rezoning sign(s).

#3283

.3 The sign must be located on street frontage of the subject property.

.4 The sign(s) should be placed approximately 3 metres inside the property line so they do not interfere with pedestrian or vehicular traffic or obstruct visibility from streets, lanes, walkways or driveways.

.5 The sign(s) shall be installed and maintained by the *applicant*. The sign(s) must be informative to the public and shall be kept in a sound workmanlike manner, capable of withstanding wind and weather.

.6 Once the rezoning sign is erected, the *applicant* must call the Development Services Department at 803-4000 so that staff may inspect same.

CITY OF SALMON ARM

**CONDITIONS FOR ISSUANCE OF TYPE "C" PERMIT
(PLACEMENT OF MOBILE HOME)**

With respect to placing mobile homes regarding a Type "C" Permit, the following policy will apply:

SITING:

To be in accordance with Zoning Bylaw (Example: A-1, A-2, A-3, CD-3 and M-6 Zones):

- (i) 6.0 m. (19.68') from any front or rear lot line, or any lot line adjoining a street.
- (ii) 3.0 m. (9.842') from any side lot line, except A3 requires 6.0 m. (19.68') from side lot line.
- (iii) Not closer than 5.0 m. (16.4") to the principal dwelling or any other building.
- (iv) Not closer than 15 m. (49.2") from an agricultural building
- (v) Council desires *obscure* placement when possible.
- (vi) Building Code also has requirements for distances between buildings.
- (vii) Buildings and structures shall be sited so as to facilitate the provisions of future roads.

PARCEL SIZE & INHABITANTS: as defined in Zoning Bylaw.

ALC RESTRICTIONS FOR MOBILE DWELLING SIZE & ADDITIONS:

- (i) The second, temporary dwelling is limited to a maximum of one manufactured home, up to 9 metres in width.
- (ii) Any additions to the mobile home are limited to a total area of 24 sq. m. (258 sq.ft.) including porches.

MOBILE:

Mobile Home shall:

- (i) be constructed to a minimum CSA Standard such as A-277 or Z-240.
- (ii) be defined as a dwelling unit designed to be towed on its own chassis which is for residential use, without a permanent foundation, yet can be connected to utilities.
- (iii) contain provisions for anchorage which meet CSA Z240.10.1 standards;
- (iv) mobile to be supported with double blocking (a system of blocking where blocks of alternate courses are placed at 90 degrees - blocking to be supported on a footing or slab);
- (v) not to be sited on a permanent foundation with a basement excavation. Permanent foundation shall be defined as a foundation that irreversibly alters the land that is constructed on and is physically difficult to remove once the mobile home is no longer required. Concrete columns and pier foundations or slabs that are easily removed are permissible;
- (vi) have all stairs, landings, handrails and guards installed to Building Code requirements.

MOBILE HOME PADS & FOUNDATION:

Mobile home pad shall:

- (i) be constructed of compacted gravel, or equal drainage-support base;
- (ii) be suitably crowned to prevent an accumulation of water;

SKIRTINGS:

- (i) Skirtings shall be installed within 60 days of installation of a mobile home on a mobile home pad and shall have two easily removable access panels of a minimum width of 1.2 m. (3.937 ft.); one providing access to the area enclosed by the skirting for inspecting or servicing the service connections to the mobile home. The access panels shall be located close to the point where services are located under the mobile home and also provide access to the storage area enclosed by the skirting.

.../2

-
- (ii) Skirtings shall be factory prefabricated or of equivalent quality and shall be painted or prefinished so that the design and construction shall complement the main structure.
 - (iii) Skirting shall have not less than two (2) screened openings of a ratio not less than 1/500 for the purpose of providing cross ventilation beneath the mobile home and heated additions.

B.C. BUILDING CODE - 9.23.6. ANCHORAGE

9.23.6.2. - Anchorage of Columns & Posts

- Exterior columns and posts shall be anchored to resist uplift and lateral movement.

9.23.6.3.

- (i) Buildings not more than 4.3 m. wide and not more than 1 storey in building height may be anchored by means of corrosion-resistant steel rods or cables of not less than 12.7 mm. diameter, attached to the building frame near each corner of the building in a manner that will develop full strength of the rod or cable.
- (ii) Each rod or cable described in Sentence (1) shall be anchored to the ground by means of ground anchors having a withdrawal resistance of not less than 500 N. for each metre of length of the building (34 lbs. per foot.).

POTABLE WATER:

- Verification of potable water - all wells to have a covenant registered against the title saving the District from harm. See Schedule "A".

SEPTIC & SEWAGE SYSTEM:

- Verification that an "Authorized Person" (pursuant to the Sewerage System Regulation) has inspected and approved the septic sewage system.

APPLICATION FEES, BUILDING PERMITS & SERVICE CONNECTIONS:

The application fee only covers the cost of processing the Special Needs Agreement, therefore, an additional Building Permit is required to cover the actual installation of the mobile home. The building permit fee is not charged at full value as the City of Salmon Arm relies on factory inspections of the mobile home (above foundation). There will be fees charged for hook-up to City services plus inspections. Any additions are to meet Building Code requirements and require a separate building permit for construction.

REMOVAL OF MOBILE HOME:

When the conditions under which a permit is granted ceases to exist, the mobile home shall be removed from the lot in question within ninety (90) days. The site shall be rehabilitated and restored to a condition that does not debilitate or impair the designated potential of the land.

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

Development Permit Area:

- Environmentally Sensitive Riparian Area
- Potential Hazardous Areas Development Permit Area

Is there evidence of streams, ravines, or riparian assessment areas on the property? Yes No Maybe

• Describe (if applicable)

Site visit completed? Yes No

Is the proposal eligible for waiver? Yes No If NO, reason _____

If yes, specify applicable waiver section(s) of Official Community Plan Bylaw No. 4000:

- Not affected by riparian streams, ravines, or riparian assessment areas on the property.
- Section 5.4 Environmentally Sensitive Riparian Area
- Section 6.4 Potential Hazardous Area

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

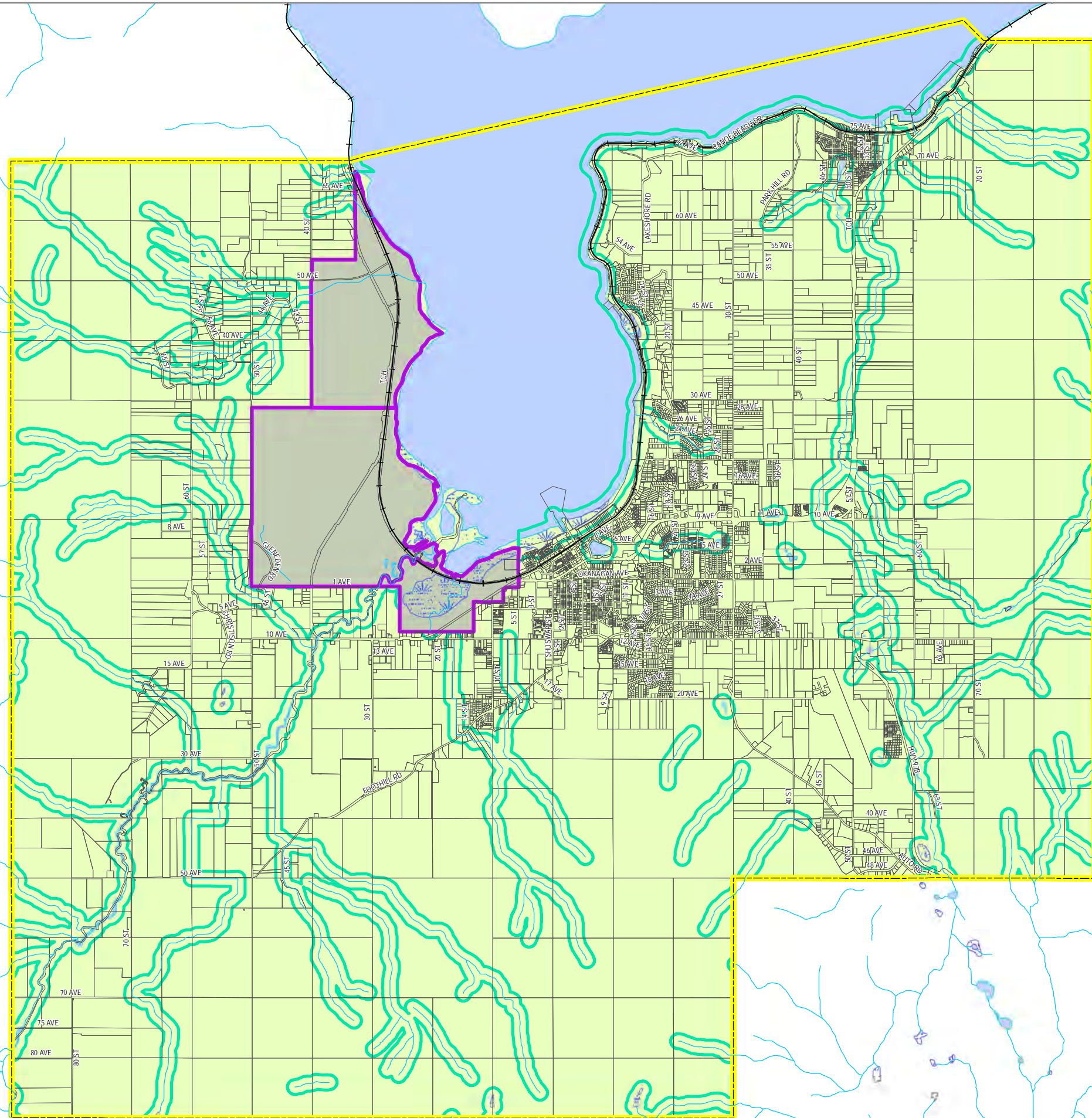
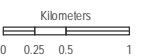
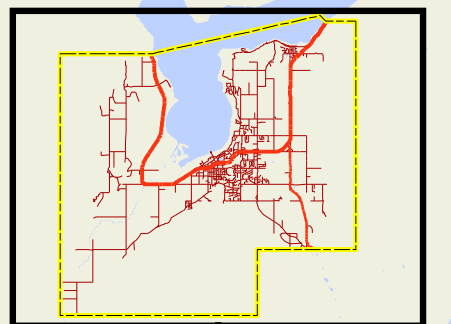
Legend

- 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



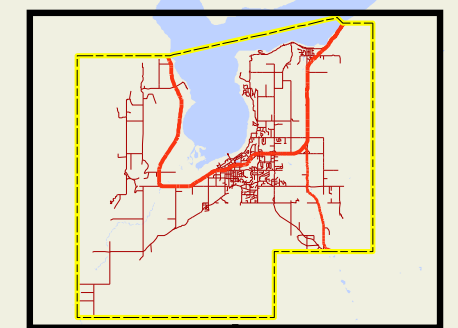


Map 6.1 Potential Hazard Areas

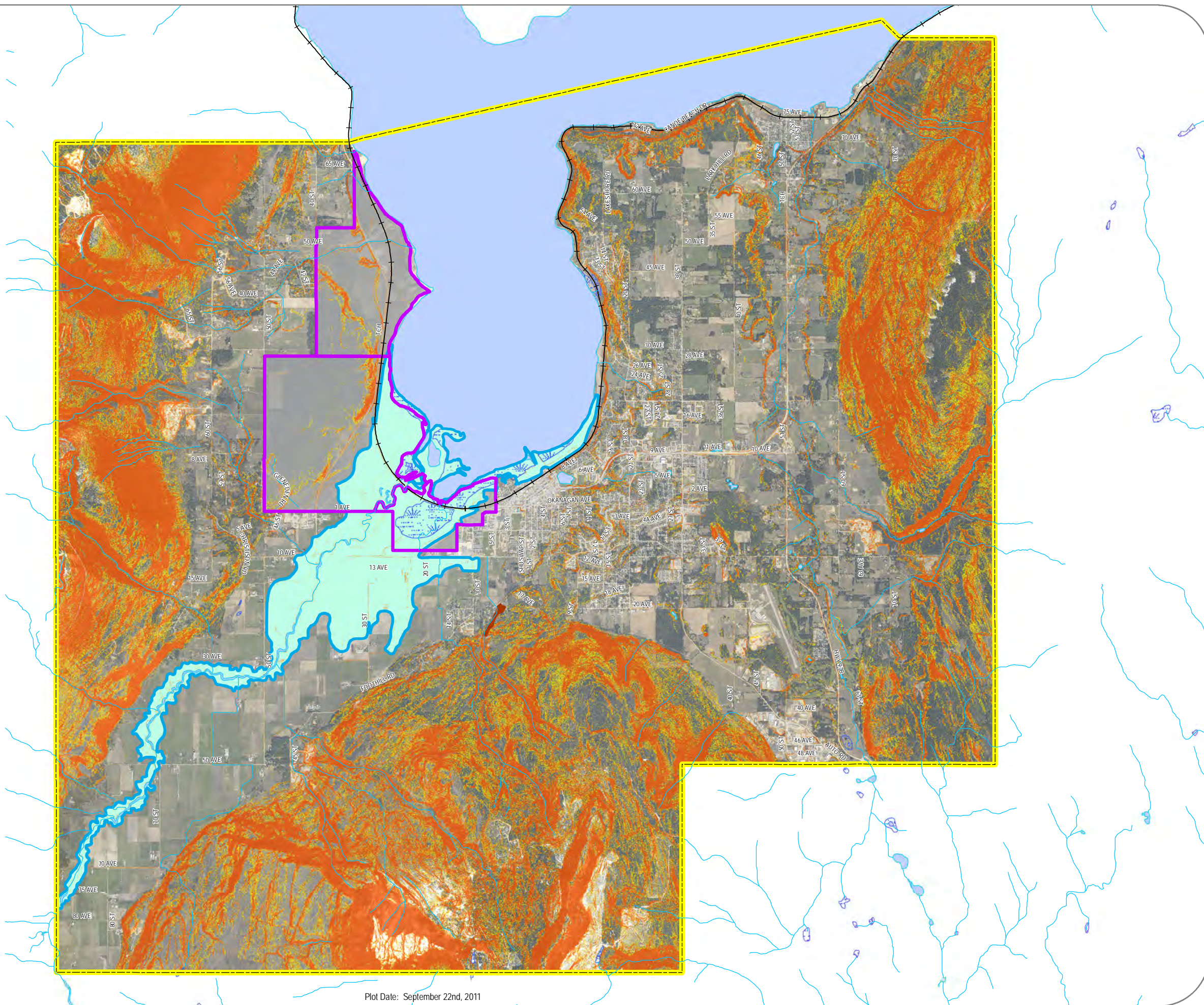
Legend

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

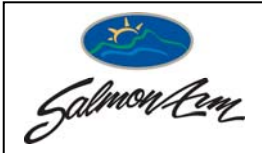
Key Map



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?

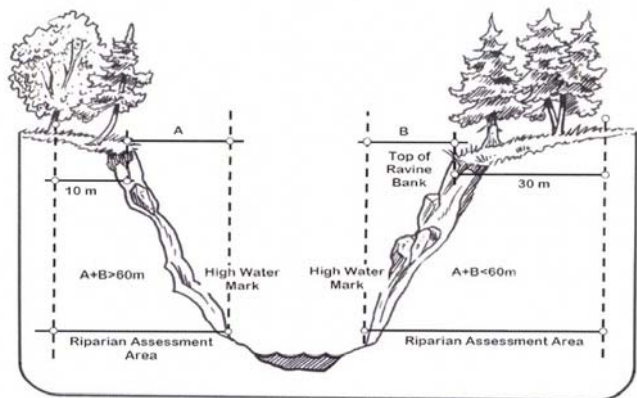
The Riparian Areas Regulation (RAR) is a Provincial initiative, under the *Fish Protection Act*, to protect fish and fish habitat.

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>