

Development Services // For more information contact: planning@salmonarm.ca or 250.803.4000

DEVELOPMENT VARIANCE PERMIT

Local Government Act (Part 14)

PERMIT NUMBER: VP-612

Bylaw No. 4640

SCHEDULE "B"

TO: R. Scorgie and C. McMinn

For Location at: 370 – 20 Street SE PID: 017-815-088

1. This Development Variance Permit is issued subject to compliance with all applicable City of Salmon Arm Bylaws except as specifically varied by the Permit.
2. This Development Variance Permit applies to, and only to, (legal description),
Lot 1, Section 13, Township 20, Range 10, W6M KDYD, Plan KAP47381
3. The City of Salmon Arm
☐ Zoning Bylaw No. 2303
☒ Subdivision and Development Servicing Bylaw No. 4293
☐ Sign Bylaw No. 2880
☐ Required under Development Permit Areas (Official Community Plan Bylaw No. 4000)

is hereby varied as follows:

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

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

4. The land described herein shall be developed strictly in accordance with the terms and conditions and provisions of this Permit.
5. This Permit is not a Building or Sign Permit.
6. Notice shall be filed in the Land Title Office that the land described herein is subject to this Permit.
7. The terms of the Permit or any amendment to it are binding on all persons who acquire an interest in the land affected by the Permit.
8. **If the holder of a land use permit does not substantially start any construction with respect to which the permit was issued within 2 years after the date it is issued, the permit lapses.**

AUTHORIZING RESOLUTION ADOPTED BY COUNCIL on the ____ day of _____ **2025.**

ISSUED this ____ day of _____ **2025.**

CORPORATE OFFICER
Rhonda West



INFORMATION ONLY

To: Mayor & Members of Council

Title: Senior Planner - Development Variance Permit Application No. VP-612

Date: April 22, 2025

Background:

At their April 7 Planning and Development Services Committee Meeting, Council requested additional information regarding Development Variance Permit Application No. VP-612, including:

- implications of the Provincial Small Scale Multi Unit Housing (SSMUH) legislation,
- anticipated updates to the Subdivision and Development Servicing Bylaw,
- potential maximum building area, and
- costing from the Applicant's Engineer.

Implications of SSMUH and Covenants

Further to the discussion at the April 7 Planning and Development Meeting and in considering the proposal to use a Land Title Act Section 219 covenant to restrict the density on the subject property staff have reviewed the proposal and considered Local Government Act (section 506 (2) – Appendix 1) and do not recommend the use of a covenant. The registration of the 219 covenant at this stage would advance the reduced service levels required by subdivision for this applicant/owner; however, Council could be seen to be restricting density permitted under the Zoning Bylaw.

It should be noted that prior to recent SSMUH legislation amendments addressing servicing requirements, the full extent of servicing requirements could only be addressed at the time of subdivision. Under the new legislation, requirements may be imposed at either subdivision or building permit. Staff have been preparing amendments to the Subdivision and Development Servicing Bylaw to reflect these recent changes in legislation. Below, the Manager of Engineering has included a summary of how those proposed amendments may affect the requirements for this development.

(Draft) Subdivision and Development Servicing Bylaw Amendments

The proposed revisions to the works and services regulations would allow one lot to be created with the storm, water and sanitary main upgrades exempt, assuming the mains have capacity for the proposed development (which these do, however they do not have capacity for future build-out).

Future building permits on the lots (under the proposed revisions) are completely exempt from utility main upgrades with the same exception where mains do not have capacity for the proposed development.

Based on the above (and current bylaw options), this subdivision stage is the City's only opportunity to require the developer to fund the required upgrades. Based on the principles outlined in the proposed updates, we would not be able to require the upgrades in the future.

Potential Maximum Building Area

Appendix 2 provides the maximum potential building area based on setbacks and right-of-ways, calculated by staff as approximately 168 square metres or 1,808 square feet. This is slightly larger than what the applicant has indicated as their intent (141 square metres), as shown in the same site plan.

Opinion of Probable Costs

As requested, the applicant has provided an opinion of probable costs from their Engineer (Appendix 3). The associated works are expected to total \$163,485 including taxes and contingency.

Legislative authority / plans / reports:

X	Local Government Act
X	Subdivision and Development Servicing Bylaw
X	Zoning Bylaw

Financial Considerations:

N/A

Alternatives & Implications:

Information Only – No Motion Required.

Communication:

As per VP-612.

Prepared by: Senior Planner
Reviewed by: Manager of Planning and Building
Reviewed by: Director of Planning & Community Services
Approved by: Chief Administrative Officer

Attachments:

- Appendix 1 – LGA Section 506 (2)
- Appendix 2 – Site Plan
- Appendix 3 - OPC

Local Government Act

Division 11 — Subdivision and Development: Requirements and Related Matters

Works and services requirements

506 (1) A local government may, by bylaw, regulate and require the provision of works and services in respect of the development of land, and for that purpose may, by bylaw, do one or more of the following:

(a) regulate and prescribe minimum standards for the dimensions, locations, alignment and gradient of highways in connection with the development of land;

(b) require that a water distribution system, a fire hydrant system, a sewage collection system, a sewage disposal system, a drainage collection system or a drainage disposal system be provided, located and constructed in accordance with the standards established in the bylaw;

(c) regulate and require that the following be provided, located and constructed in accordance with the standards established by the bylaw:

(i) highways, sidewalks, boulevards, boulevard crossings, street lighting, transit bays or underground wiring;

(ii) amenities, including benches, bollards, bicycle parking facilities, directional signage, parklets, street lamps, street signs, transit shelters or waste disposal and recycling containers;

(iii) transportation infrastructure that supports walking, bicycling, public transit or other alternative forms of transportation, including traffic calming measures;

(iv) sustainable design features that provide for energy and water conservation, reduction of greenhouse gas emissions and climate resilience;

(v) any other thing, or classes of things, prescribed by regulation.

(2) A bylaw under subsection (1) must not be used to prevent the development of land to the density allowed in respect of that permitted use under the applicable zoning bylaw.

(3) A bylaw under subsection (1) may be different in relation to one or more of the following:

(a) different circumstances;

(b) different areas;

(c) different land uses;

(d) different zones;

(e) different classes of highways.


(4) A local government's authority under subsection (1) (b) or (c) may be exercised only in accordance with the regulations made under subsection (5).


(5) The Lieutenant Governor in Council may make regulations


(a) prescribing the local governments, or classes of local governments, that may make bylaws described in subsection (1) (b) or (c), and

(b) prescribing the dimensions, location or number of works and services referred to in subsection (1) (b) or (c).

(6) A local government must not impose a requirement under subsection (1) (b) or (c) in respect of a subdivision under the [*Strata Property Act*](#).


 = Proposed New Lot

 = Proposed New Location of Building Footprint

 = Remainder Lot containing original home

 = City Storm System

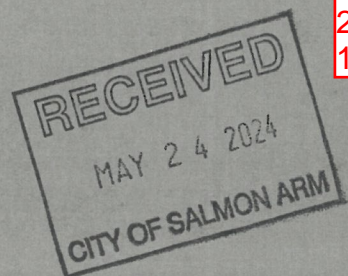
 = City Sanitary System

 = City Water System

 = Water Shut Off

 = Gas Line

Maximum Buildable Area:
21 x 8 m =
168 m² (1,808 square feet)



PROPOSED SUBDIVISION OF 370 20th STREET SE SALMON ARM
14-Apr-25
OPINION OF PROBABLE COST FOR OFFSITE UPGRADES

SCHEDULE OF APPROXIMATE QUANTITIES AND UNIT PRICES

Item No.	DESCRIPTION OF WORK	UNIT	QUANTITY	UNIT PRICE	AMOUNT \$
1.0	OFFSITE SANITARY MAIN UPGRADE - 20th SECTION 1 Supply & Install, Complete				
1.1	Supply & Install 200mm sanitary main c/w road restoration to center line	m	41	600.00	24,600.00
1.2	landscape repair	ea	1	5,000.00	5,000.00
1.3	Curb & Gutter Remove & Replace	m	41	200.00	8,200.00
1.4	traffic control	ea	1	6,000.00	6,000.00
1.5	Tie in to existing manhole	ea	1	2,500.00	2,500.00
1.6	Supply & Install manhole - 1050mm	ea	1	6,500.00	6,500.00
	SUBTOTAL				\$52,800.00
2.0	OFFSITE STORM MAIN UPGRADE - EAST PL SECTION 2 Supply & Install, Complete				
2.1	Large Tree Removal c/w disposal offsite	ea	1	1,500.00	1,500.00
2.2	Supply & Install 250mm storm main c/w asphalt replacement	m	16	700.00	11,200.00
2.3	Supply & Install 250mm storm main	m	25	400.00	10,000.00
2.4	Supply & Install Manhole 1050mm dia	ea	1	6,500.00	6,500.00
2.5	Tie in to existing manhole	ea	1	2,500.00	2,500.00
2.6	Remove & Replace existing 200mm storm main retaining wall apporximately 4ft heighth, remove & replace	m	41	50.00	2,050.00
2.7		m	10	1,500.00	15,000.00
2.8	Remove & Replace concrete sidewalk	m ²	15	250.00	3,750.00
	SUBTOTAL				51,000.00

OPINION OF PROBABLE COST FOR OFFSITE UPGRADES

Item No.	DESCRIPTION OF WORK	UNIT	QUANTITY	UNIT PRICE	AMOUNT \$
	SUMMARY				
1.0	OFFSITE SANITARY MAIN UPGRADE - 20th				\$ 52,800.00
2.0	OFFSITE STORM MAIN UPGRADE - EAST PL				\$ 51,000.00
	SUMMARY				
	SUB TOTAL				\$ 103,800.00
	ENGINEERING (10%)				\$ 10,380.00
	CONTINGENCY (40%)				\$ 41,520.00
	GST (5%)				\$ 7,785.00
	TOTAL				\$ 163,485.00
	<p>1) Quantities may vary depending on field revisions and/or conditions encountered at the time of construction, thereby affecting the final cost.</p> <p>2) Unit Prices are influenced by supply & demand for both contractors & materials at the time of construction, thereby affecting the final cost.</p> <p>3) Excludes BC Hydro Contribution, BCLS, Site Geotechnical, Environmental Impact Assessments.</p> <p>4) Unit rates have been derived from historical pricing on similar projects. Unit rates provided by the contractor at time of construction may vary</p> <p>5) Above pricing is refelctive of PLR 24.04 main upgrades only. Above pricing EXCLUDES PLR 24-04 request for sanitary sewer upgrades along the east parcel line based on city repsonse VP - 612 noting city approval of excluding this work</p>				

DRAFT

David Sonmor P.Eng
Lawson Engineering Permit No. 1001279