

June 11, 2026

Hearing Notice

Council Consideration:

Development Variance Permit No. VP-628

- Beginning at 7:00 pm, Monday June 22, 2026, during the Regular Council Meeting
- Council Chambers - Salmon Arm City Hall, 500 – 2 Avenue NE

PROPERTY:

15 481 Hwy 97B NE

Strata Lot 14, Section 18, Township 20, Range 9, W6M, KDYD, Strata Plan EPS2062

LOCATION:

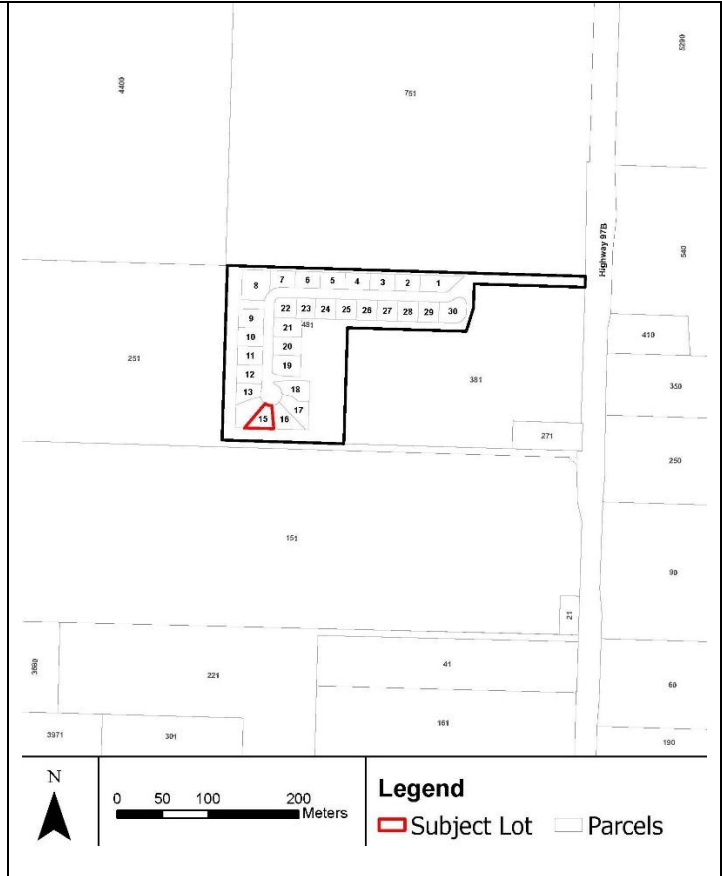
West of Highway 97B, South of RJ Haney Heritage Village, within the Carriage Lane Strata.

PROPOSAL:

To reduce the rear setback from 6.0 m to 3.02 m in order to construct a single-family dwelling.

VARIANCE REQUEST:

Zoning Bylaw No.2303, Section 6.11.2



INFORMATION:

The staff report for the proposed Development Variance Permit No. VP-628 is available for viewing on the City of Salmon Arm website at [Public Hearing Notices | Salmon Arm, BC - Official Website](#) from **June 11 – June 22, 2026** inclusive.

If you wish to participate electronically, a link to the virtual meeting is available in the Agenda section on the City's website at www.salmonarm.ca. Electronic participation is accommodated through computer with internet access or telephone.

All persons who wish to register an opinion to Council for consideration on the proposed Development Variance Permit may do so either by:

- Written submission, that may be dropped off at City Hall in the drop box to the left of the main entrance;
- Email submission to cityhall@salmonarm.ca;
- Appearing in person or electronically, or represented by an agent, at the Hearing on **Monday June 22, 2026**.

Please note written and/or email submissions must be presented to the Administration Department no later than **10:00am on June 22, 2026**.

Respectfully,

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

DEVELOPMENT VARIANCE PERMIT

Local Government Act (Part 14)

PERMIT NUMBER: VP-628

Bylaw No. 4640

SCHEDULE "B"

TO: A. Muto, G. Muto

RE: Unit 15, 481 Highway 97B NE (PID: 029-687-586)

-
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),
Strata Lot 14, Section 18, Township 20, Range 9, W6M, KDYD, Strata Plan EPS2062 together with an interest in the common property in proportion to the unit entitlement of the strata lot as shown on form V
 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:

THAT: Development Variance Permit No. VP-628 be authorized for issuance to vary the provisions of Zoning Bylaw No. 2303 as follows:

Section 6.11.2 – reducing the rear parcel line setback from 6.0 m to 3.2 m to facilitate the construction of a single-family dwelling.

-
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 _____ 2026.

ISSUED this ____ day of _____ 2026.

CORPORATE OFFICER
Rhonda West



REQUEST FOR DECISION

To: Development & Planning Services Committee

Title: Manager of Planning & Building - Development Variance Permit Application No. VP- 628

Legal: Strata Lot 14, Section 18, Township 20, Range 9, W6M, KDYD, Strata Plan EPS2062 together with an interest in the common property in proportion to the unit entitlement of the strata lot as shown on form V

Civic: Unit 15, 481 Highway 97B NE

Owner: A. Muto, G. Muto

Agent: Owner

Date: June 15, 2026

Executive Summary/Purpose:

The subject property is located at Unit 15 481 Highway 97B NE (Appendices 1 and 2). The proposal is to reduce the rear parcel line setback from 6.0 m to 3.02 m for construction of a single-family dwelling (SFD).

Motion for Consideration:

THAT: the Committee recommends to Council that Development Variance Permit No. VP-628 be authorized for issuance for Strata Lot 14, Section 18, Township 20, Range 9, W6M, KDYD, Strata Plan EPS2062 (15 481 Highway 97B NE), varying Zoning Bylaw No. 2303, Section 6.11.2 - reducing the rear parcel line setback from 6.0 m to 3.02 m to facilitate the construction of a single family dwelling.

Staff Recommendation:

That the motion for consideration be adopted.

Proposal:

The proposal is to reduce the rear parcel line from 6.0 m to 3.02 m for construction of a SFD. A letter submitted by the applicant is included as Appendix 8.

Background:

In the attached mapping, the strata development is outlined in heavy black and the subject property is outlined in red (Appendices 1-5). The strata development is located directly south of Haney Heritage Village and is bordered on all sides by the Agricultural Land Reserve (ALR). The subject property is located within the ALR and designated Residential Medium Density (MR) in the Official Community Plan (OCP) (Appendices 3 and 4). Staff note that under previous administration of the ALC, the strata subdivision (Carriage Lane) was supported and has developed as approved by the ALC under the legislation at that time. A similar subdivision would likely not be supported by the ALC under the current legislation without an ALC Exclusion being approved.

The strata is currently zoned R-10 (Residential Zone) in Zoning Bylaw No.2303 (Appendices 5 and 9). A rezoning of the strata was initiated by the City in 2024 (to be compliant with the SSMUH legislation), prior to that, the site was zoned R6 (Mobile Home Park Residential) and was subject to the setbacks of the R6 zone and the Mobile Home Park Bylaw No. 1435.

Beyond the immediately adjacent strata lots containing single-family dwellings, land uses adjacent to the subject property include the following:

North:	Haney Heritage Village	P-1 (Park Zone)
South:	Single Family Dwelling/Agriculture	A-2 (Acreage Reserve Zone)
East:	Campground	C-5 (Tourist Commercial Zone)
West:	Agricultural Use	A-2 (Acreage Reserve Zone)

The subject property (Appendices 1 and 2) is a vacant strata lot, approximately 532.1 square metres (5727 square feet) in area. Site photos are attached as Appendix 6.

The property owner is proposing a 182.1 square metre (1960 square feet) SFD. The proposed location of the SFD is central to the strata lot. In the R-10 zone, the minimum rear parcel line setback is 6.0 m. The proposed SFD is located 3.02 m from the rear parcel line. See attached Site Plan (Appendix 7).

Relevant Policies:

N/A

Referral Comments:

Fire Department

No concerns.

Building Department

No concerns.

Engineering Department

No concerns.

Other

N/A

Planning Department

Development Variance Permits are considered on a case-by-case basis and in doing so, several factors are taken into consideration when reviewing a request. These factors include site-specific conditions such as lot configuration, existing structures, and potential impact(s) on adjacent properties. Should Council not support the issuance of the Development Variance Permit, the applicant would have to redesign the building to conform to the R-10 setbacks.

Minimum setback requirements in the Zoning Bylaw are in place to ensure minimum distances between buildings across parcel lines, and to ensure continuity of development amongst multiple parcels in an area of similar zoning. Staff note that under the previous R-6 zoning, all developments within the strata were to be compliant with the Mobile Home Park Bylaw No. 1435. As such, those developments were subject to different setback regulations than that of the current

R-10 zone. Table 1.0, below, shows the differences between the required setbacks of the different zones. Developing the last vacant parcel of the strata to be compliant with the R-10 zone would result in a noticeable difference in the otherwise uniform form and character of the strata homes. As this is the final remaining lot to be developed within the strata, maintaining the consistency that has already been formed by the neighbouring units is supportable from a staff perspective.

Table 1.0 - Zoning Setbacks Comparison

<u>Regulation</u>	<u>R-6 Mobile Home Park Zone</u>	<u>Mobile Home Park Bylaw No.1435</u>	<u>R-10 Residential Zone</u>
Front Parcel Setback	N/A	3.0 m	6.0 m
Rear Parcel (Buffer) Setback	N/A	3.0 m	6.0 m
Side Parcel Setback (Interior)	N/A	1.5 m	1.5 m

Note: R-6 Zone defers all setback distances to Mobile Home Park Bylaw No. 1435.

The proposed building location shown on the site plan (Appendix 7) is located as close to the front yard setback as is permitted and as such, provides streetscape uniformity with neighbouring units. The narrow frontage of the “pie-shaped” lot precludes the ability to widen the footprint of the proposed development in order to reduce the length of the house and subsequent incursion into the required 6.0 m rear setback. Additionally, the proposal does not include deck or patio space that might further project into the proposed 3.02 m rear yard. This would provide continuity of rear yard depth with the neighbouring units, once again promoting strata uniformity.

Staff also note that the strata is separated from the adjacent agricultural property by a 14.0 m buffer zone. This buffer, combined with the proposed 3.02 m setback helps mitigate the non-adherence to the required 6.0 m setback in that there is no clearly defined boundary between the rear yard and the buffer zone. This is illustrated by the mature forest area (buffer zone) seen in the background of Photo 1 (Appendix 6).

In considering the factors noted above, staff have no concerns and are in support of the variance request.

Financial Considerations:

N/A

Committee Recommendations:

N/A

Public Consultation:

Pursuant to the *Local Government Act* and Development Procedures Bylaw, notices are mailed to land owners within a 30m radius of the application. The notices outline the proposal and advises those with an interest in the proposal to provide written submission prior to the Hearing. It is expected that Council will consider issuance of this Development Variance Permit on June 22, 2026 at 7:00pm.

Alternatives & Implications:

N/A

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

Attachments:

- Appendix 1 – Subject Property Maps
- Appendix 2 – Ortho Maps
- Appendix 3 – ALR Map
- Appendix 4 – OCP Map
- Appendix 5 – Zoning Map
- Appendix 6 – Site Photos
- Appendix 7 – Site Plan
- Appendix 8 – Letter of Rationale

Subject Property Map

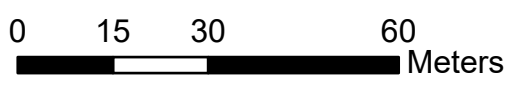
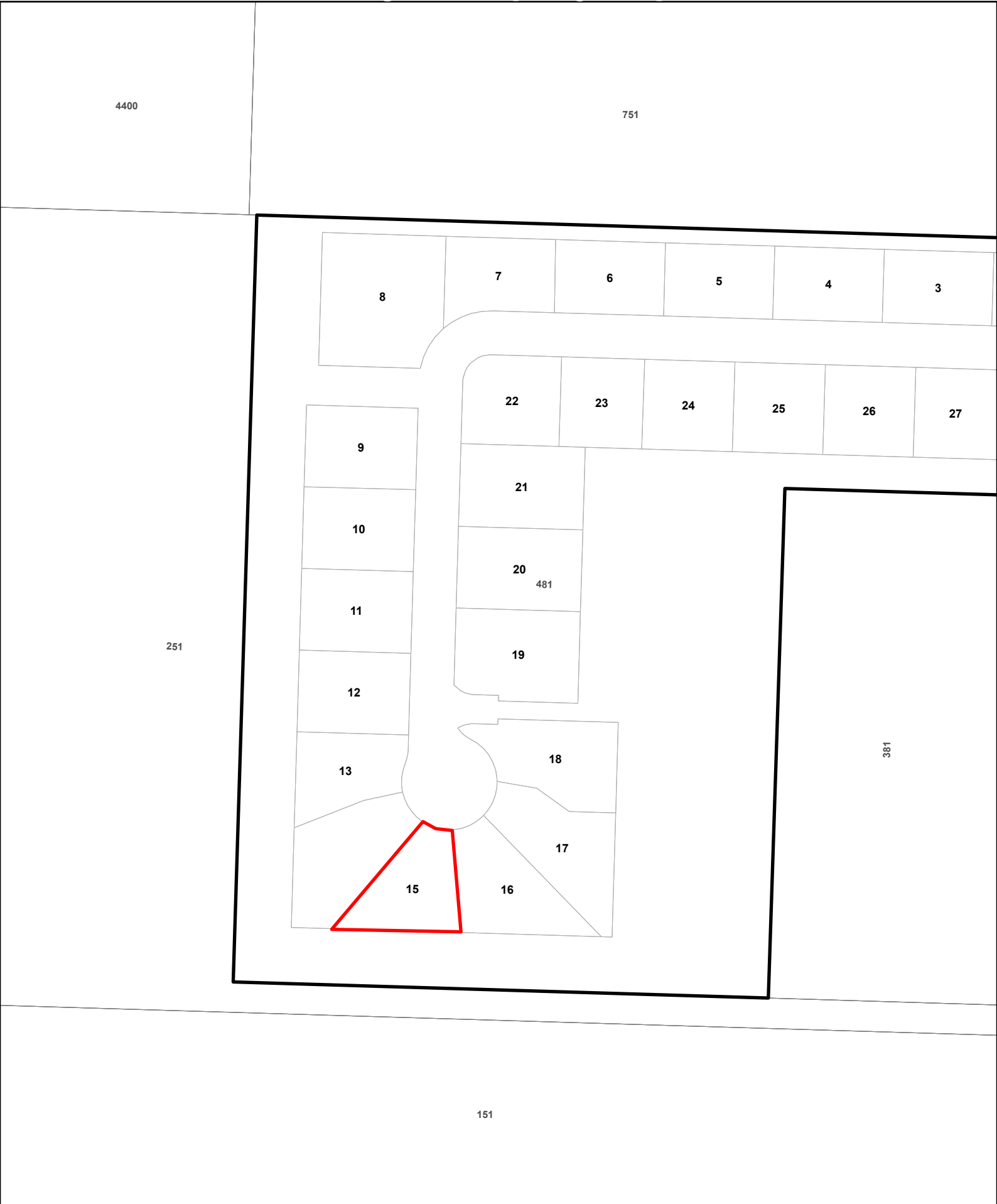
Appendix 1



Legend

 Subject Lot  Parcels

Subject Property Map



Legend

-  Subject Lot
-  Parcels



Legend

-  Subject Lot
-  Parcels
-  Strata Lots

Ortho Map



N

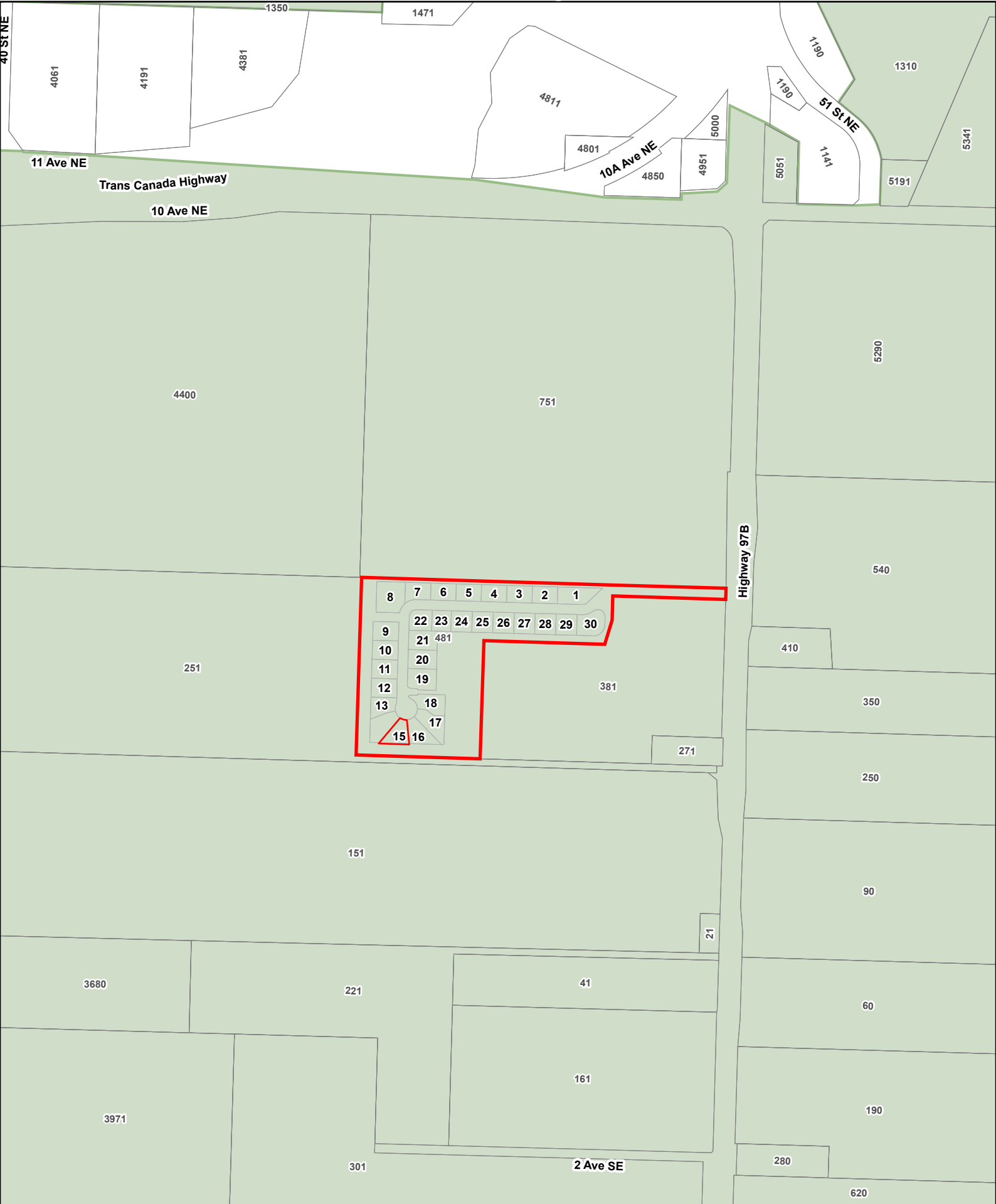


0 15 30 60
Meters

Legend

 Subject Lot  Parcels

ALR Map

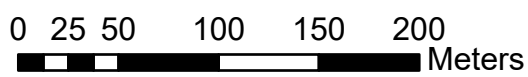
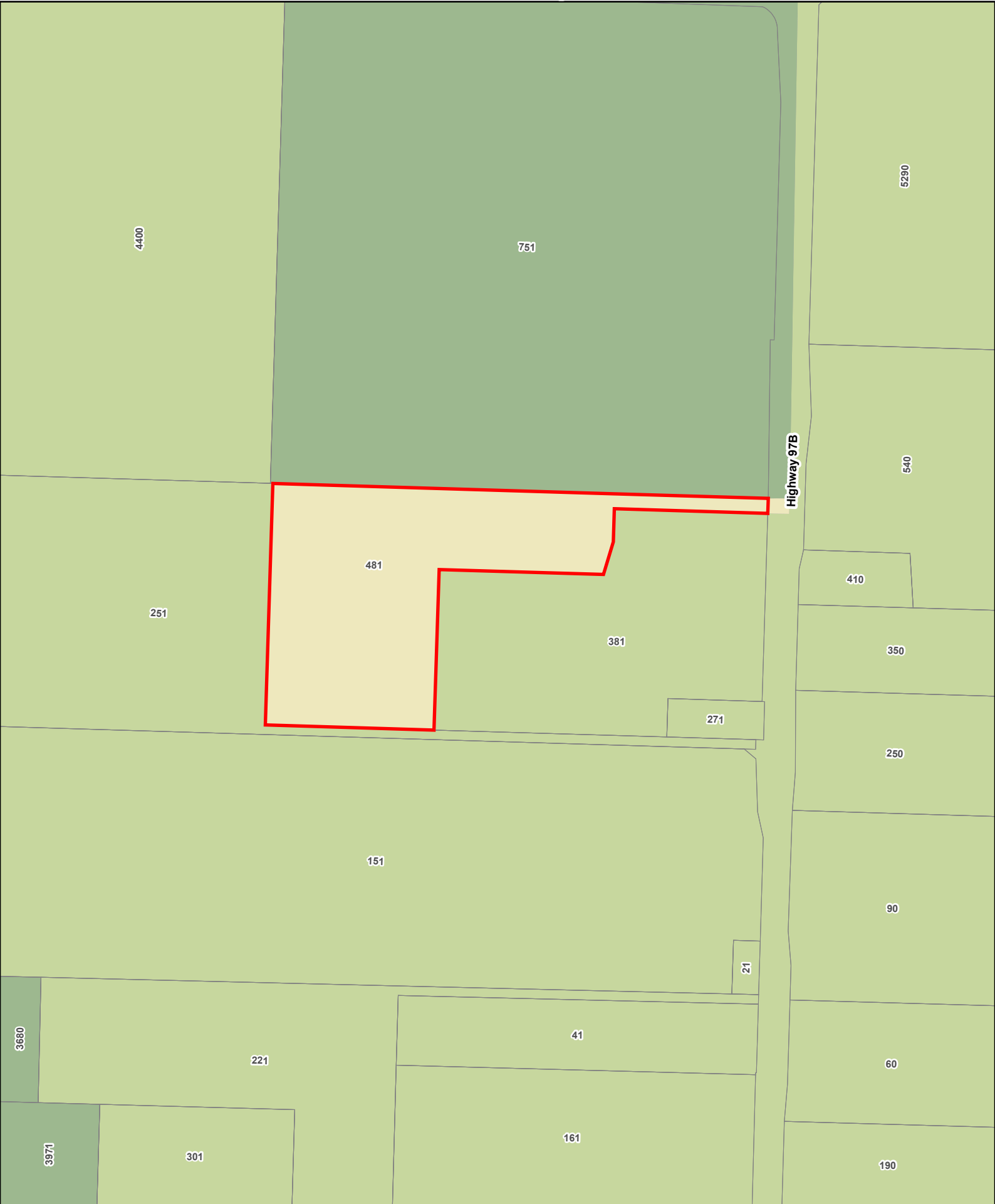


Legend

- Parcels
- Subject Property
- Strata Lots
- ALR

Scale: 0 45 90 180 270 Meters

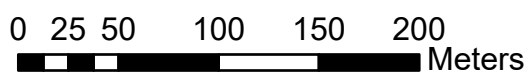
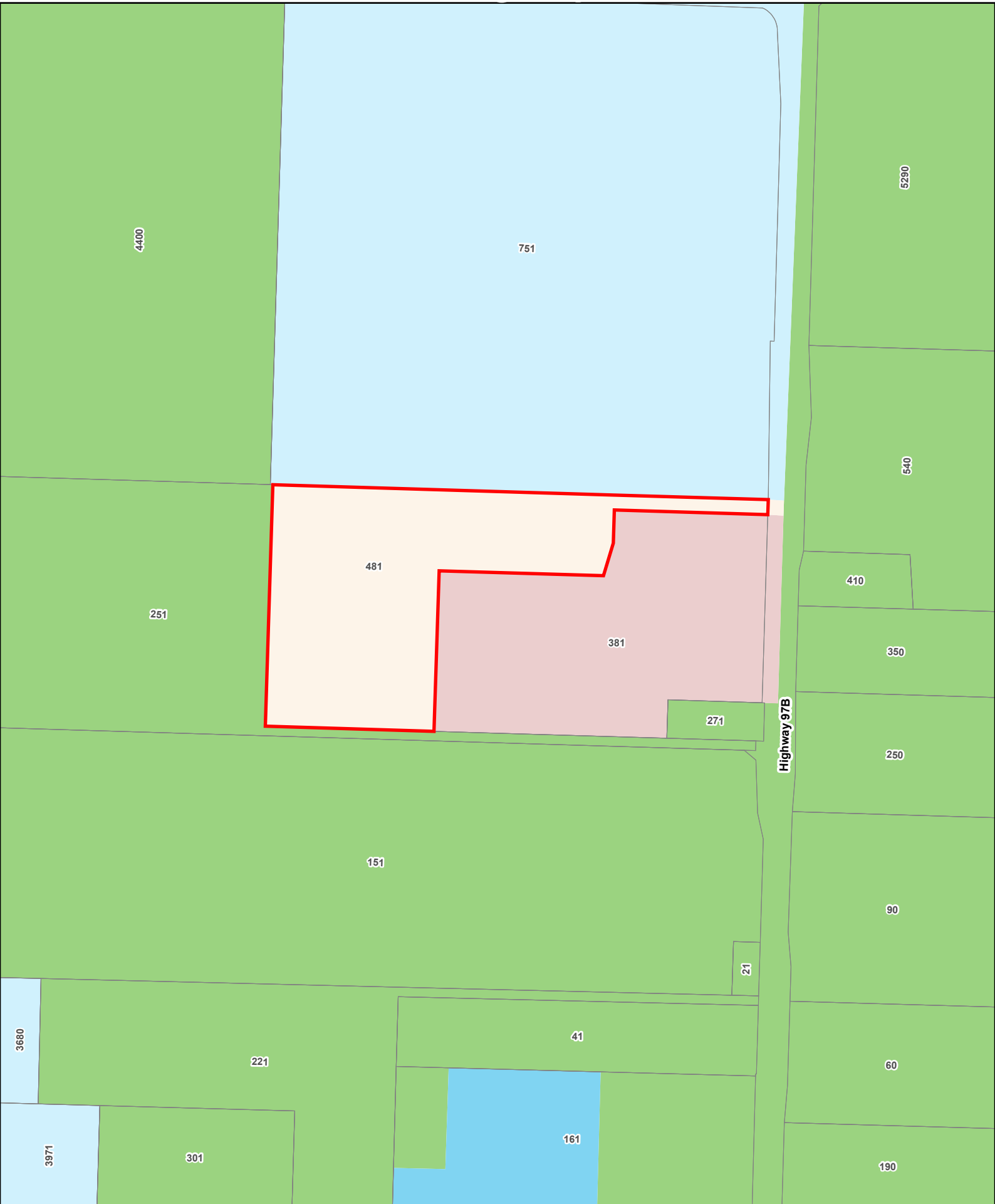
North Arrow: N



Legend

- Parcels
- Subject Property
- Acreage Reserve
- Park
- Residential Medium Density

Zoning Map



Legend

- Parcels
- Subject Property
- A-2
- C-5
- P-1
- P-3
- R-10

Site Photos



Photo 1 - View from front (north) parcel line - April 7, 2026



Photo 2 - View from rear (southeast) corner of parcel - April 7, 2026



Photo 3 - View from rear (southwest) corner of parcel - April 7, 2026

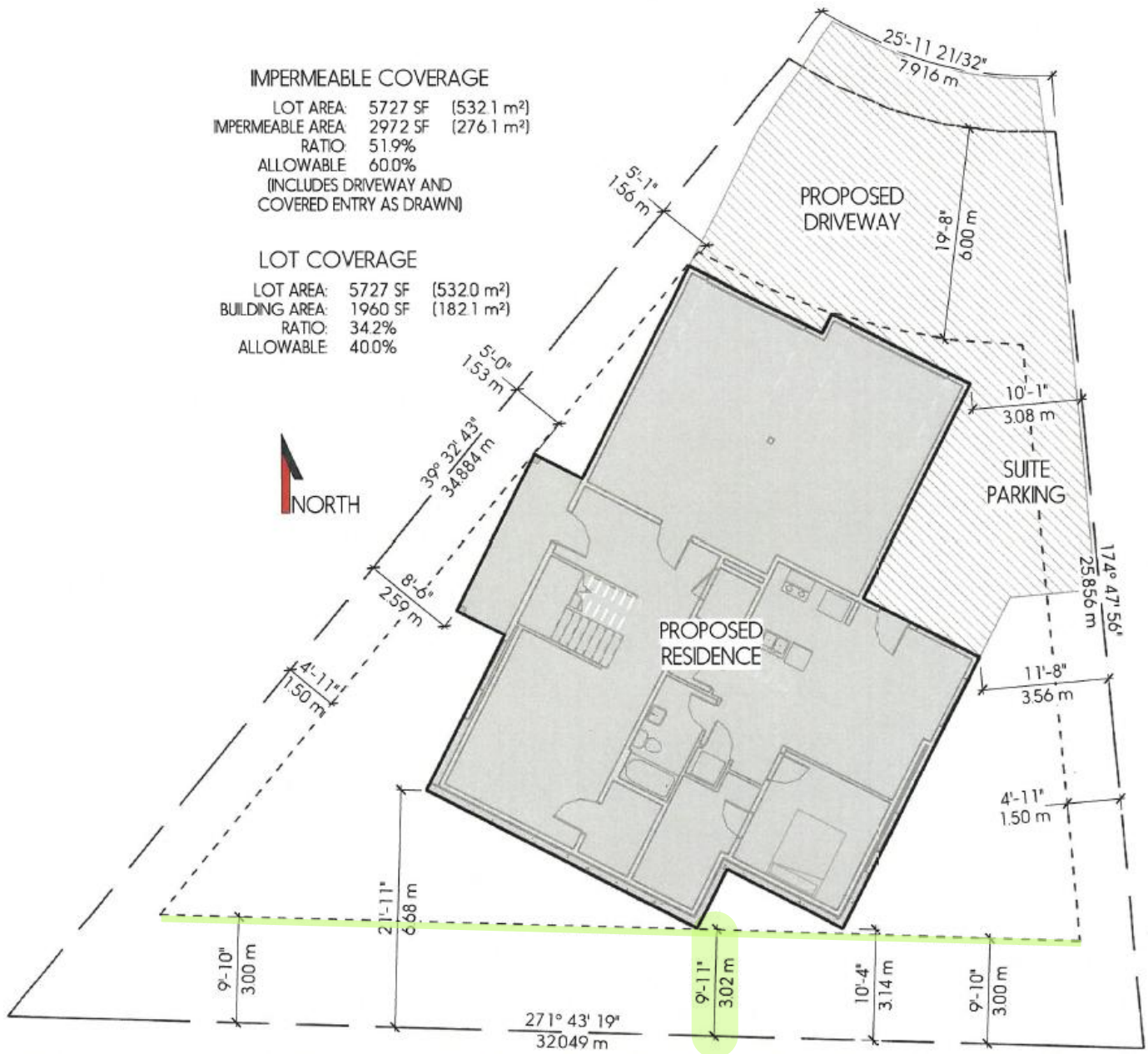
Site Plan

IMPERMEABLE COVERAGE

LOT AREA: 5727 SF (532.1 m²)
 IMPERMEABLE AREA: 2972 SF (276.1 m²)
 RATIO: 51.9%
 ALLOWABLE: 60.0%
 (INCLUDES DRIVEWAY AND COVERED ENTRY AS DRAWN)

LOT COVERAGE

LOT AREA: 5727 SF (532.0 m²)
 BUILDING AREA: 1960 SF (182.1 m²)
 RATIO: 34.2%
 ALLOWABLE: 40.0%



Letter of Rationale

Antonietta Muto
381 HWY 97B NE
Salmon Arm, BC V1E 1X5



March 9, 2026

Attention: City Planning Department
Box 40, 500-2 Avenue NE
Salmon Arm, BC V1E 4N2

Dear Mayor & Council
RE: Rear Setback at lot 15, 481 HWY 97B NE

We enclose for your review the email sent to us by Dennis Lowe, City Planner. We are seeking a variance of the back setback for the following reasons:

- 1) Carriage Lane Strata was required to provide a 14-meter setback to the Agricultural Land Reserve to ensure the neighbouring farm property was not disturbed by the development. Please see attached Covenant CA1593299 at page 5 of 7 indicating the 14-meter buffer and highlighted area behind lot 15;
- 2) The setback at lot 15 is currently 3 meters, however, if you incorporate the ALC buffer of 14-meters, there is a total of 17 meters that cannot be built on and cannot encroach on neighbouring properties already (thus satisfying the philosophy of a setback not to encroach on other's properties);
- 3) Carriage Lane was initially zoned R6 which only required a 3-meter setback. Surely, it would be absurd for the city to require all of those lots to now comply with the new zoning R10 setback of 6-meters – why was this lot not included in some sort of grandfathering clause that matches the rest of the development.

It seems quite onerous to require a variance permit where the lot matches the rest of the development based on its initial zoning and where there is an additional buffer that precludes an owner from building and encroaching on practically 17 meters total of "setback".

Yours Truly,

Antonietta Muto

Handwritten initials "AM" in blue ink.



SECTION 6 - R-10 - RESIDENTIAL ZONE**Purpose**

6.1 The purpose of the R-10 Zone is to permit ground-oriented small scale residential use comprising of *single family dwellings* and *duplexes*, either with or without *secondary suites*, and detached *accessory dwelling units*, developed up to a maximum density that is based upon *parcel* area.

Regulations

6.2 On a *parcel zoned R-10*, no *building* or *structure* shall be constructed, located or altered and no plan of subdivision approved which contravenes the regulations set out in the R-10 Zone or those regulations contained elsewhere in this Bylaw.

Permitted Uses

6.3 The following uses and no others are permitted in the R-10 Zone:

- .1 *single family dwelling with or without secondary suite(s)*;
- .2 *duplex with or without secondary suite(s)*;
- .3 *accessory dwelling unit(s)* in compliance with s. 4.2 of this Bylaw;
- .4 *accessory use*;
- .5 *bed and breakfast* limited to two let rooms within a *principal single family dwelling only*;
- .6 *boarders*, limited to a maximum of two;
- .7 *family childcare facility* within a *principal single family dwelling only*;
- .8 *group childcare* within a *principal single family dwelling only*;
- .9 *home occupation*;

Maximum Number of Building and Dwelling Units

6.4 No more than two *dwelling units* are permitted on a *parcel* of area 4050 square metres (1 acre) or more, where the largest *building* is deemed the *principal building*; and

No more than three *dwelling units* are permitted per *parcel* of area less than 280 square metres (3014 square feet), where the largest *building* is deemed the *principal building*; and

No more than four *dwelling units* are permitted per *parcel* of area between 280 and 4050 square metres (3014 square feet and 1 acre), where the largest *building* is deemed the *principal building*

Maximum Height of Principal Building

6.5 The maximum *height* of the *principal building* shall be 10.0 metres (32.8 feet).

Maximum Height of Accessory Building

- 6.6
- .1 The maximum *height* of an *accessory building* shall be 6.0 metres (19.7 feet).
 - .2 Subject to increased setbacks, the maximum *height* of an *accessory building* containing one or more *accessory dwelling units* shall be 7.5 metres (24.6 feet).

Maximum Building Parcel Coverage

6.7 The total maximum *parcel coverage* for all *buildings* shall be 45% of *parcel area*; whereby, within this cap, up to 20% of *parcel area* may comprise *accessory buildings* containing one or more *accessory dwelling units*; and up to 10% may comprise any and all other *accessory buildings*.

Permeable Surface Parcel Coverage

6.8 Water permeable surfaces, as regulated in Section 4 of this Bylaw, shall cover at minimum 40% of the *parcel area*.

Minimum Parcel Area

6.9 The minimum *parcel area* for the purposes of subdivision shall be 450 square metres (4,843.9 square feet).

Minimum Parcel Width

6.10 The minimum *parcel width* shall be 14 metres (45.9 feet)

SECTION 6 - R-10 - RESIDENTIAL ZONE - CONTINUED

Minimum Setback of Principal Building

6.11 The minimum *setback* of the *principal building* from the:

- .1 *Front parcel line* shall be 6.0 metres (19.7 feet)
- .2 *Rear parcel line* shall be 6.0 metres (19.7 feet)
- .3 *Interior side parcel line* shall be 1.5 metres (4.9 feet)
- .4 *Exterior side parcel line* shall be 6.0 metres (19.7 feet)
- .5 Notwithstanding the preceding a *principal building* on a corner *parcel* may be sited not less than 1.5 metres (4.9 feet) from the *rear parcel line* provided the combined total of the *rear* and *interior side yards* shall be not less than 6.0 metres (19.7 feet).
- .6 Refer to Section 4.9 for “Special Building Setbacks” which may apply

Minimum Setback of any Accessory Dwelling Unit

6.12 The minimum *setback* of any building with one or more *accessory dwelling unit(s)* from the:

- .1 *Front parcel line* shall be 6.0 metres (19.7 feet)
- .2 *Rear parcel line* shall be 3.0 metres (9.8 feet) where 6.0 metres or less in *height*
- .3 *Rear parcel line* shall be 6.0 metres (9.8 feet) where 6.0 to 7.5 metres in *height*
- .4 *Interior side parcel line* shall be 2.0 metres (6.5 feet) where 6.0 metres or less in *height*
- .5 *Interior side parcel line* shall be 4.0 metres (6.5 feet) where 6.0 to 7.5 metres in *height*
- .6 *Exterior side parcel line* shall be 6.0 metres (19.7 feet)
- .7 *Parcel line* adjacent to a lane 1.2 metres (3.9 feet)

6.13 The minimum separation between buildings with dwelling units upon a parcel shall be 3.0 metres (9.8 feet).

Minimum Setback of Accessory Buildings

6.14 The minimum *setback* of *accessory buildings* from the:

- .1 *Front parcel line* shall be 6.0 metres (19.7 feet)
- .2 *Rear parcel line* shall be 1.0 metre (3.3 feet)
- .3 *Interior side parcel line* shall be 1.0 metre (3.3 feet)
- .4 *Exterior side parcel line* shall be 6.0 metres (19.7 feet)
- .5 Refer to “Pound and Animal Control Bylaw” for special setbacks which may apply.

Parking

6.15 Required off-street parking shall be as prescribed in Appendix I.