

To: Mayor and Council
From: Paul Gipps, CAO
Meeting Date: October 7, 2025
Meeting Type: Regular Council Meeting

Prepared by: Trevor Empey, Senior Planner
Department: Planning and Development

Title: Timeline Extension to Satisfy Development Permit Conditions | DP000802 | 10660 Hwy.97
Description: Request for Council to Extend the Timeline to Satisfy Conditions of this Council Approved Development Permit

RECOMMENDATION

THAT Development Permit with Variance DP000802 (Attachment A to the Report to Council dated October 7, 2025) for a portion of the property at 10660 Hwy. 97, be re-renewed to allow the applicant additional time to satisfy conditions.

EXECUTIVE SUMMARY

The applicant has requested that Council consider extending the timeline for permit issuance to allow the applicant additional time to satisfy council’s conditions of this Development Permit.

On March 19, 2024, Council approved this Development Permit with Variance (Attachment A), to permit a 76-unit townhouse development at 10660 Hwy. 97 (subject property). To expedite this application and following OCP policy direction, the applicant voluntarily agreed to register a 10-year rental tenure covenant on title as a condition of this Development Permit.

The Development Approval Procedures Bylaw outlines that applicants are permitted 12 months to satisfy conditions of a Development Permit, with the possibility of an extension of 6 additional months provided the total time does not exceed 18 months from the date the permit was approved. The Development Approval Procedures Bylaw also provides direction that if the permit has not been issued the applicant would be required to reapply.

The applicant has yet to satisfy this condition of the Development Permit, and a 6-month extension was granted by staff on March 20, 2025, to support the applicant meeting this condition. As this 6-month extension concluded September 20, 2025, the 18-month timeline has passed and the Development Permit will expire unless an additional extension is granted by Council. The applicant submitted an extension request on September 16, 2025.

Staff support the re-approval of the Development Permit to provide more time for the applicant to satisfy the conditions of this Development Permit.

BACKGROUND

Application Information			
Application Type	Development Permit	Application Date:	November 2, 2021
Applicant:	Saba Construction	Owner:	1151716 BC LTD
Application Description	Proposed 76-unit townhouse development. Request to extend the timeline of this Development Permit for the applicant to satisfy council conditions.		

Property Information: General	
Folio/Roll #:	11518.000
Legal Description:	Lot 9 District Lot 169 ODYD Plan 216 except Plans 3028,7818, & 40583
PID:	012-592-641
Civic Address:	10660 Highway 97

Property Information: Land Use		
OCP Designation:	Urban Residential	
Zoning Designation:	RM2 – Low Density Row Housing	
Land Use Contract	n/a	
ALR:	n/a	
Parcel Size:	2.0 Hectares / 5.0 Acres	
Development Permit Areas:	Multiple Unit	
Adjacent Land Summary:	Zoning:	Use:
<i>North:</i>	RR1 – Rural Residential	Vacant
<i>East:</i>	RM2 – Low Density Row Housing RM4 – Low Density Multiple Housing	RM2 – Low Density Row Housing
<i>South:</i>	C10 – Service Commercial	Service Station
<i>West:</i>	RU1 – Small Scale Multiple Unit Housing	Vacant

ANALYSIS

Site Context

The subject property (10660 Hwy 97) is urban in nature and is bisected by the Pretty/Newene Road dedication. The focus of this development permit application is on the smaller portion of the subject property that is located directly adjacent to Highway 97 (Attachment B).

Conditions and Timelines of Development Permit

This Multiple Unit Development Permit with Variance (Attachment A) was considered and approved by Council on March 19, 2024, at which time, the applicant voluntarily agreed to register a 10-year rental tenure covenant on title to support expedition of this application which is permitted as per OCP s.7.1.7(b). Staff have yet to issue the Development Permit as conditions of the Development Permit remain outstanding. Specifically, the applicant provided correspondence to staff in January 2025 indicating that there was difficulty getting the covenant executed as it would result in the rental tenure agreement being applied to the entire parcel of land, rather than only the Phase 1 townhouses as proposed.

The Development Approval Procedures Bylaw s13.1 outlines that applicants are permitted 12 months to satisfy conditions of a Development Permit, with the possibility of extension of 6 additional months provided the total time does not exceed 18 months from the date the permit was approved. Bylaw s.13.4 goes on to state that if the permit has not been issued the applicant would be required to reapply.

On January 30, 2025, the applicant was notified of the deadline to satisfy the conditions of this Development Permit, after which the applicant requested a 6-month extension until September 20, 2025. This request was reviewed and approved by staff as per the Development Approval Procedures Bylaw s 13.3. As the applicant has not satisfied the conditions of this Development Permit by the 18-month timeline, a further extension (re-approval) has been requested for Council review. This extension (re-approval) would allow the applicant to proceed with the existing development permit plans rather than re-applying to start the permitting process from the beginning.

Staff support the re-approval of the Development Permit to support the applicant in satisfying the conditions of this Development Permit.

Applicant's Request for Subdivision

To aid in having the covenant executed and applied to only the townhouse development, the applicant has applied to subdivide 10660 Hwy 97. The request for subdivision reflects the applicant's proposed phased development approach with Phase 1 as the 76-unit townhouse development. The District's Engineering Department issued a Preliminary Layout Review (PLR) on February 5, 2025, to the applicant which expires February 6, 2026. The expiration date of the PLR can be extended as determined by the District's Approving Officer.

FINANCIAL IMPLICATIONS

None Budget Previously Approved Other (see below)

COMMUNICATION

N/A

ALTERNATE RESOLUTION OPTION(S)

1. THAT Development Permit with Variance DP00802 (Attachment A to the Report to Council dated October 7, 2025) for the property at 10660 Highway 97 (PID: 012-592-641) not be re-approved and this application be closed.

Respectfully Submitted,

Trevor Empey, Senior Planner
RPP, MCIP

Report Approval Details

Document Title:	DP000802 - Request to Extend DP Conditions Timeline.docx
Attachments:	- Attachment A - DP000802 - Development Permit Draft.pdf - Attachment B - DP000802 - Location Map.pdf
Final Approval Date:	Oct 1, 2025

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

Carie Liefke, Manager of Current Planning - Sep 22, 2025 - 12:10 PM

Matthew Salmon, Infrastructure & Development Engineering Director - Sep 22, 2025 - 3:22 PM

Jeremy Frick, Director of Development Approvals - Sep 29, 2025 - 1:57 PM

Reyna Seabrook, Director of Corporate Services - Sep 29, 2025 - 2:54 PM

Paul Gipps, Chief Administrative Officer - Oct 1, 2025 - 8:19 AM

Makayla Ablitt, Manager of Corporate Administration - Oct 1, 2025 - 12:35 PM