



AGENDA

Regular Council Meeting

Tuesday, February 13, 2018

1:30 p.m.

[Public Session Begins at 2:30 p.m.]

Council Chamber of City Hall

500 – 2 Avenue NE

Page #	Item #	Description
	1.	CALL TO ORDER
1 - 2	2.	IN-CAMERA SESSION
	3.	ADOPTION OF AGENDA
	4.	DISCLOSURE OF INTEREST
	5.	PRESENTATIONS / DELEGATIONS
3 - 4	1.	G. Johnson – Magnetic Resonance Imaging Machine
5 - 8	2.	Staff Sergeant West, Salmon Arm RCMP Detachment – Quarterly Policing Report – September 1 to December 31, 2017
9 - 10	3.	B. Delaney – Chief Executive Officer, Salmon Arm Savings and Credit Union – Annual Report
	6.	CONFIRMATION OF MINUTES
11 - 22	1.	Regular Council Meeting Minutes of January 29, 2018
	7.	COMMITTEE REPORTS
23 - 26	1.	Development and Planning Services Committee Meeting Minutes of February 5, 2018
27 - 30	2.	Agricultural Advisory Committee Meeting Minutes of January 17, 2018
	8.	INTRODUCTION OF BYLAWS
	9.	RECONSIDERATION OF BYLAWS
31 - 44	1.	Zoning Amendment Bylaw No. 4239 [ZON-1113; Lawson, S., Barnard, K. and Barnard, A. / Lawson Engineering & Development Services Ltd.; 3310 – 16 Avenue NE; R-1 to R-8] – Final Reading

- | | | |
|---------|-----|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| 45 - 50 | 8. | RECONSIDERATION OF BYLAWS - continued |
| | 2. | Highway Closure Bylaw No. 4230 – Portion of 7 Street SE – Final Reading |
| 51 - 52 | 10. | CORRESPONDENCE |
| | 1. | Informational Correspondence |
| 53 - 56 | 11. | STAFF REPORTS |
| | 1. | Director of Development Services – Agricultural Land Commission Application No. ALC-374 [The Board of Education of School District No. 83 (North Okanagan-Shuswap); 5970 – 10 Avenue SE; Non-Farm Use] |
| 57 - 60 | 2. | Chief Financial Officer – Court of Revision – 2018 |
| | 12. | NEW BUSINESS |
| | 13. | COUNCIL STATEMENTS |
| 61 - 66 | 14. | COLUMBIA SHUSWAP REGIONAL DISTRICT UPDATE |
| | | Board in Brief – January 2018 |
| | 15. | SALMON ARM SECONDARY YOUTH COUNCIL |
| 67 - 68 | 16. | NOTICE OF MOTION |
| | 1. | Councillor Lavery – BC Strategic Wildfire Protection Initiative – Community Wildfire Protection Plan |
| 69 - 88 | 17. | UNFINISHED BUSINESS AND DEFERRED / TABLED ITEMS |
| | 1. | Director of Development Services – Sanitary Sewer Main to Elks Hall Property [3960 – 30 Street NE] |
| 89 - 90 | 18. | OTHER BUSINESS |
| | 1. | Open for Business Awards Ceremony – February 23, 2018 |
| | 19. | QUESTION AND ANSWER PERIOD |

7:00 p.m.

Page #	Item #	Description
	20.	DISCLOSURE OF INTEREST
	21.	HEARINGS

- 91 - 112 **22. STATUTORY PUBLIC HEARINGS**
1. Zoning Amendment Application ZON-1114 [0703904 BC Ltd. /
Lawson Engineering & Development Services Ltd.; 821 - 17 Street SE;
P-3 to R-8]
- 113 - 116 **23. RECONSIDERATION OF BYLAWS**
1. Zoning Amendment Bylaw No. 4243 [ZON-1114; 0703904 BC
Ltd./Lawson Engineering & Development Services Ltd.; 821 - 17
Street SE; P-3 to R-8] - Third and Final Readings
- 24. QUESTION AND ANSWER PERIOD**
- 117 - 118 **25. ADJOURNMENT**

)

THIS PAGE INTENTIONALLY LEFT BLANK

Item 2.

CITY OF SALMON ARM

Date: February 13, 2018

Moved: Councillor Flynn

Seconded: Councillor Lavery

THAT: pursuant to Section 90(1) of the Community Charter, Council move In-Camera.

Vote Record

- ☐ Carried Unanimously
- ☐ Carried
- ☐ Defeated
- ☐ Defeated Unanimously

Opposed:

- ☐ Cooper
- ☐ Flynn
- ☐ Eliason
- ☐ Harrison
- ☐ Jamieson
- ☐ Lavery
- ☐ Wallace Richmond

THIS PAGE INTENTIONALLY LEFT BLANK

Item 5.1

CITY OF SALMON ARM

Date: February 13, 2018

PRESENTATION

Name: Gary Johnson
Magnetic Resonance Imaging Machine
Shuswap Lake General Hospital

Vote Record

- ☐ Carried Unanimously
 - ☐ Carried
 - ☐ Defeated
 - ☐ Defeated Unanimously
- Opposed:

- ☐ Cooper
- ☐ Flynn
- ☐ Eliason
- ☐ Harrison
- ☐ Jamieson
- ☐ Lavery
- ☐ Wallace Richmond

)

THIS PAGE INTENTIONALLY LEFT BLANK

Item 5.2

CITY OF SALMON ARM

Date: February 13, 2018

PRESENTATION

Name: Staff Sergeant West, Salmon Arm RCMP Detachment
Quarterly Policing Report - September 1 - December 31, 2017

Vote Record

- ☐ Carried Unanimously
- ☐ Carried
- ☐ Defeated
- ☐ Defeated Unanimously

Opposed:

- ☐ Cooper
- ☐ Flynn
- ☐ Eliason
- ☐ Harrison
- ☐ Jamieson
- ☐ Lavery
- ☐ Wallace Richmond



Royal Canadian
Mounted Police

Gendarmerie royale
du Canada

Security Classification/Designation
Classification/désignation sécuritaire

NCO i/c Salmon Arm Detachment
1980 11th Ave NE,
Salmon Arm, BC.
V1E 2V5

Your File - Votre référence

Our File - Notre référence

195-7

Date

January 25, 2017

Mayor and Council City of Salmon Arm

RE: Salmon Arm RCMP Detachment

Quarterly Policing Report – September 2017 to December 2018

Dear Mayor and Council,

I hope the holiday season found you and your families well. I would also like to offer you all a Happy New Year as we move into 2018.

Detachment News

Our files in the quarter were down from 2016 by 1% over the same quarter. In October, November, and December we attended to 1132 calls for service within the city. Overall for the year 2017 we attended 5208 calls for service. This represents an increase of 5% over 2016 and an increase of 8% over 2015.

On the administrative side of our house the municipally supplied staff members have stabilized. We are now at a full compliment. We continue to train these staff who are attending records program training at the Pacific Regional Training Center in Chilliwack. As we bring these staff members up to speed all core policing activities have been maintained and service has not been adversely affected. We have experienced an administrative back log which is now being cleared up.

Our regular officer staffing levels have fluctuated as we recently filled a vacant Corporal position and await his arrival, pending a home sale. We do have one vacancy in our Constable ranks but have a named replacement and are again waiting on a home sale to complete the transfer. Both officers are excited to be posted in Salmon Arm.

As in the previous quarter we remain committed to reducing property crime, domestic violence and enforcing Provincial Traffic Laws.

Canada

RCMP GRC 2823 (2002-11) WPT

Page 1 of 8: 2

- In the quarter 311 traffic stops were made,
- 43 high risk driving charges were laid,
- 18 drivers were removed from the highway for Impaired Driving,
- We also noted a decrease in property crime overall with a sustained reduction in Break and Enter reports to us.

As of December our complaints have increased in 2017 but trends indicate:

- Violent crime statistics
 - Are showing their typical cyclical fall trend downward.
 - Violent crime is still down over 2015 and 2016 levels.
- The property crime statistics had showed signs of creeping up,
 - Mischief to property and theft from vehicles have continued to drive that trend.
 - Reports of break and enter to residences and businesses have remained low.

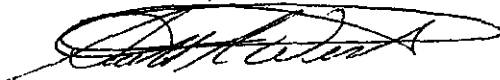
In the last quarter and in the last year our office investigated a number of interesting matters which included, of things, a parachute failure. The one case alone underlines the diversity of our jobs from day to day. In another case, which occurred in September, our officers were conducting traffic enforcement in the area of Shuswap Street and the Trans Canada Highway. As a result of a cell phone ticket a male was arrested for possession of cannabis. In a subsequent search more cannabis was located with a loaded handgun. The Salmon Arm resident is now facing 8 new criminal charges which include breaching conditions he was on as a result of previous charges.

As our building ages we are working with city staff to begin execution of projects that maintain and add to the detachment's infrastructure.

- The replacement of some flooring within the detachment is completed.
- The room for the ion scanner and fume hood is in a holding pattern while Divisional Requirements are completed but both pieces of equipment are operational even though it is not under the best of circumstances.
- The tender documents for the RCMP Cell upgrade is being drafted

I would like to thank council for their approval of the budgets pertaining to the window coverings, landscaping, sidewalks, communication upgrades and front counter upgrades. I would also like to voice my appreciation to Council and city staff for the financial support of reserve funds to support future projects.

Yours in Service,



S/Sgt. Scott West
NCO i/c Salmon Arm RCMP Detachment
January 26, 2018

Canada

RCMP GRC 2823 (2002-11) WPT

Page 2 of 2: 2



SALMON ARM RCMP
MAYOR'S REPORT
QUARTER 4, 2016

Salmon Arm Detachment

1980 11th Ave N.E.

Salmon Arm, BC

V1E 2V5

Telephone (250) 832-6044 Fax (250) 832-6842

City of Salmon Arm

500 2nd Ave N.E.

Salmon Arm, BC

V1E 4 N2

January 15, 2018

Dear Mayor Nancy Cooper,

RE: Quarterly Crime Statistics - October / November / December

CRIME CATEGORIES	CITY Q4 2016	CITY Q4 2017	RURAL Q4 2016	RURAL Q4 2017
Homicide / Attempted Homicide	0	0	0	0
Assaults	17	10	5	5
Sexual Offences	2	4	1	1
Robbery	0	0	1	1
Auto Theft	10	5	7	5
Break and Enters	3	2	7	4
Theft From Motor Vehicle	29	33	5	10
Drug Investigations	10	14	7	2
Motor Vehicle Collisions	68	61	25	32
Motor Vehicle Collisions W Fatality	0	0	1	0
Impaired Driving - CC	17	3	5	1
Impaired Driving - MVA (IRPs)	18	15	3	4
TOTAL PERSONS/VIOLENT CC	40	25	8	12
TOTAL PROPERTY CC	112	99	49	38
TOTAL OTHER CC	42	39	8	9
TOTAL CRIMINAL CODE (CC)	194	163	65	59

TOTAL CALLS FOR SERVICE	1132	1110	438	438
-------------------------	------	------	-----	-----

COMMUNITY	CITY Q4 2016	CITY Q4 2017	RURAL Q4 2016	RURAL Q4 2017
Files with youth negative contacts	4	12	4	0
Mental Health Related Calls	89	67	18	12
Files involving Alcohol / Drugs	190	174	75	66
Domestic Violence	28	23	11	10

Should you have any questions or concerns, or should you wish to discuss these statistics, please do not hesitate to contact me at 250-832-6044.

Yours truly,

Scott West, S/Sgt., NCO I/C

Salmon Arm RCMP Detachment

Item 5.3

CITY OF SALMON ARM

Date: February 13, 2018

PRESENTATION

Name: Barry Delaney, Chief Executive Officer
Salmon Arm Savings and Credit Union Annual Report

Vote Record

- ☐ Carried Unanimously
- ☐ Carried
- ☐ Defeated
- ☐ Defeated Unanimously

Opposed:

- ☐ Cooper
- ☐ Flynn
- ☐ Eliason
- ☐ Harrison
- ☐ Jamieson
- ☐ Lavery
- ☐ Wallace Richmond

)

THIS PAGE INTENTIONALLY LEFT BLANK

Item 6.1

CITY OF SALMON ARM

Date: February 13, 2018

Moved: Councillor Wallace Richmond

Seconded: Councillor Harrison

THAT: the Regular Council Meeting Minutes of January 29, 2018, be adopted as circulated.

Vote Record

- ☐ Carried Unanimously
- ☐ Carried
- ☐ Defeated
- ☐ Defeated Unanimously

Opposed:

- ☐ Cooper
- ☐ Flynn
- ☐ Eliason
- ☐ Harrison
- ☐ Jamieson
- ☐ Lavery
- ☐ Wallace Richmond

REGULAR COUNCIL

Minutes of a Regular Meeting of Council of the City of Salmon Arm held in the Council Chamber of the City Hall, 500 - 2 Avenue NE, Salmon Arm, British Columbia, on Monday, January 29, 2018.

PRESENT:

Deputy Mayor K. Flynn
Councillor T. Lavery
Councillor L. Wallace Richmond
Councillor A. Harrison
Councillor C. Eliason
Councillor K. Jamieson

Chief Administrative Officer C. Bannister
Chief Financial Officer M. Dalziel
Corporate Officer E. Jackson
Director of Engineering & Public Works R. Niewenhuizen
Director of Development Services K. Pearson
Recorder B. Puddifant

ABSENT:

Mayor N. Cooper

1. CALL TO ORDER

Deputy Mayor Flynn called the meeting to order at 1:30 p.m.

2. IN-CAMERA SESSION

0024-2018

Moved: Councillor Jamieson
Seconded: Councillor Lavery
THAT: Pursuant to Section 90 (1) of the Community Charter, Council move In-Camera.

CARRIED UNANIMOUSLY

Council moved In-Camera at 1:30 p.m.
Council returned to Regular Session at 1:58 p.m.
Council recessed until 2:30 p.m.

3. REVIEW OF AGENDA

Addition under item 10.1.26 - R. Martin, Chair, Columbia Shuswap Regional District - letter dated January 26, 2018 - CSRD Support for An Additional CP Re-Spray Facility East of Salmon Arm, BC.

3. REVIEW OF AGENDA - continued

Addition under item 10.1.27 – B. M'Clellan, Chairman, 2018 U18 Curling Championship – letter dated January 29, 2018 – The Optimist U18 Provincial Junior Championships.

Addition under Item 10.1.28 – M. Simpson, Senior Regional Manager, Fraser Basin Council – letter dated December 14, 2017 – Thompson Watershed Flood and Debris Flow Disaster Mitigation Risk Assessment.

4. DISCLOSURE OF INTEREST**5. PRESENTATIONS / DELEGATIONS****1. T. Kutschker, Director/Curator, Salmon Arm Arts Centre - Update**

Tracey Kutschker, Director/Curator, presented a Salmon Arm Arts Centre update and was available to answer questions from Council.

2. A. Spencer, BDO - Planning Report

Angela Spencer, BDO, presented the 2017 Audit Planning Report and was available to answer questions from Council.

Councillor Wallace Richmond left the meeting at 3:02 p.m.

Councillor Wallace Richmond returned to the meeting at 3:04.

3. V. Olynik, Shuswap Branch Manager, BC SPCA - 2018 spay/neuter Project

Councillor Eliason left the meeting at 3:04 p.m.

Councillor Eliason returned to the meeting at 3:12.

Victoria Olynik, Shuswap Branch Manager, BC SPCA presented the 2018 spay/neuter project and was available to answer questions from Council.

6. CONFIRMATION OF MINUTES**1. Regular Council Meeting Minutes of January 15, 2018**

0025-2018

Moved: Councillor Eliason

Seconded: Councillor Harrison

THAT: the Regular Council Meeting Minutes of January 15, 2018, be adopted as circulated.

CARRIED UNANIMOUSLY

7. COMMITTEE REPORTS**1. Development and Planning Services Committee Meeting Minutes of January 22, 2018**

0026-2018 Moved: Councillor Wallace Richmond
 Seconded: Councillor Jamieson
 THAT: the Development and Planning Services Committee Meeting Minutes of
January 22, 2018, be received as information.

CARRIED UNANIMOUSLY

2. Environmental Advisory Committee Meeting Minutes of January 4, 2018

0027-2018 Moved: Councillor Lavery
 Seconded: Councillor Harrison
 THAT: the Environmental Advisory Committee Meeting Minutes of January 4,
2018, be received as information.

CARRIED UNANIMOUSLY

0028-2018 Moved: Councillor Lavery
 Seconded: Councillor Eliason
 THAT: Council send a letter to CP Rail in support of an additional CP re-spray
Facility East of Salmon Arm.

CARRIED UNANIMOUSLY

8. INTRODUCTION OF BYLAWS**1. Highway Closure Bylaw No. 4230 – Portion of 7 Street SE – first, second and third readings**

0029-2018 Moved: Councillor Lavery
 Seconded: Councillor Eliason
 THAT: the bylaw entitled City of Salmon Arm Highway Closure Bylaw No.
4230, be read a first, second and third time;

AND THAT: Authorization be granted for closure and disposal of Closed Road, a
portion of 7 Street SE Plan B436, Section 11, Township 20, Range 10, W6M, KDYD
for an area of 474.3 m² as shown on Appendix 2 of the staff report dated January
24, 2018, in exchange for road dedication shown on Plan EPP77066 for an area of
2015.7 m² as shown on Appendix 3 of the staff report dated January 24, 2018;

AND THAT: Final reading of City of Salmon Arm Highway Closure Bylaw No.
4230 and conveyance of the above noted lands be subject to the following:

1. compliance with Section 26 (Notice of Proposed Property Disposition)
and Section 94 (Requirements for Public Notice) of the Community
Charter and Policy 3.16 (Notification).

CARRIED UNANIMOUSLY

8. INTRODUCTION OF BYLAWS - continued

2. Zoning Amendment Bylaw No. 4243 [ZON-1114; 0703904 BC Ltd. / Lawson Engineering & Development Services Ltd.; 821 - 17 Street SE; P-3 to R-8] - first and second readings

0030-2018

Moved: Councillor Harrison

Seconded: Councillor Jamieson

THAT: the bylaw entitled Zoning Amendment Bylaw No. 4243, be read a first and second time.

CARRIED UNANIMOUSLY

9. RECONSIDERATION OF BYLAWS

1. Zoning Amendment Bylaw No. 4237 [ZON-1112; Peters-Durston, C.; 2790 - 25 Street NE; R-1 to R-8] - final reading

0031-2018

Moved: Councillor Wallace Richmond

Seconded: Councillor Lavery

THAT: the bylaw entitled Zoning Amendment Bylaw No. 4237 be read a final time.

CARRIED UNANIMOUSLY

10. CORRESPONDENCE

1. Informational Correspondence

9. B. Moffat, Chairman, Shuswap Youth Soccer Association - letter dated January 18, 2018 - Bench Project Proposal - Blackburn Park

B. Moffat explained the request outlined in the letter and was available to answer questions from Council.

0032-2018

Moved: Councillor Lavery

Seconded: Councillor Wallace Richmond

THAT: Council authorize staff to review SYSA's Bench Project Proposal request and to provide a report to Council.

CARRIED UNANIMOUSLY

25. J. Brown, Mayor of Spallumcheen - letter dated January 16, 2018 - Letter of Support of Adoption of a Flexible Ride-Sharing Regulation in the Province of BC

0033-2018

Moved: Councillor Wallace Richmond

Seconded: Councillor Lavery

THAT: Council issue a letter in support of the City of Enderby's initiatives toward a Flexible Ride-Sharing Regulation in the Province of BC.

CARRIED UNANIMOUSLY

10. CORRESPONDENCE - continued

Councillor Wallace Richmond left the meeting at 4:03 p.m.

Councillor Wallace Richmond returned to the meeting at 4:05 p.m.

1. Informational Correspondence - continued**15. A. Slater, Executive Director, SILGA - email dated January 19, 2018 - Community Excellence Awards**

0034-2018

Moved: Councillor Lavery

Seconded: Councillor Eliason

THAT: Council nominate Salmon Arm Economic Development Society for a SILGA Community Excellence Award in the Economic Development Category.

CARRIED UNANIMOUSLY

Councillor Jamieson left the meeting at 4:08 p.m.

Councillor Jamieson returned to the meeting at 4:10 p.m.

28. M. Simpson, Senior Regional Manager, Fraser Basin Council - letter dated December 14, 2017 - Thompson Watershed Flood and Debris Flow Disaster Mitigation Risk Assessment

0035-2018

Moved: Councillor Eliason

Seconded: Councillor Wallace Richmond

THAT: Councillor Lavery be appointed as the City of Salmon Arm representative to attend the Thompson Watershed Disaster Mitigation Community to Community Forum in Kamloops, BC on February 14, 2018 and that mileage and per diem up to \$300.00 will be funded from Council Initiatives.

CARRIED UNANIMOUSLY

27. B. M'Clellan, Chairman, 2018 U18 BC Curling Championship - The Optimist U18 Provincial Junior Championships

0036-2018

Moved: Councillor Harrison

Seconded: Councillor Eliason

THAT: Council authorize payment to The Optimist U18 Provincial Junior Championships in the amount of \$750.00 from unallocated funds in the Shuswap Community Foundation City of Salmon Arm Grant 2018 contribution;

AND THAT: the 2018 Budget contained in the 2018 - 2022 Financial Plan be amended.

CARRIED UNANIMOUSLY

11. STAFF REPORTS**1. Director of Development Services – Design Review Panel Appointments**

0037-2018

Moved: Councillor Eliason

Seconded: Councillor Lavery

THAT: Council appoint Trent Sismey and Dennis Lowe to the Design Review Panel from January 31, 2018 to December 31, 2018 for the remainder of the three (3) year term.

CARRIED UNANIMOUSLY

2. Director of Development Services – City Greenways Liaison Committee Terms of Reference, Committee Appointments, and Trail Agreement

0038-2018

Moved: Councillor Eliason

Seconded: Councillor Jamieson

THAT: Council adopt the Greenways Liaison Committee Terms of Reference attached to the staff report dated January 12, 2018;

AND THAT: Council appoint the following persons to the Greenways Liaison Committee for a three (3) year term (from January 2018 to December 31, 2020):

Anita Ely (Salmon Arm Greenways);

Robert Bickford (citizen-at-large);

Joe Johnson (citizen-at-large);

Brian Browning (The Shuswap Trail Alliance); and

Joan Mitchell (The Shuswap Trail Alliance).

CARRIED UNANIMOUSLY

3. Corporate Officer – Environmental Advisory Committee Terms of Reference

0039-2018

Moved: Councillor Lavery

Seconded: Councillor Wallace Richmond

THAT: Council approve the Environmental Advisory Committee change in membership from seventeen (17) voting members to fifteen (15) by removing the following organizations from the Terms of Reference:

- Salmon Arm Greenways Committee; and
- Salmon River Watershed Roundtable

CARRIED UNANIMOUSLY

11. STAFF REPORTS - continued

4. Corporate Officer – Cultural Master Plan Task Force Recommendations

0040-23018

Moved: Councillor Eliason

Seconded: Councillor Wallace Richmond

THAT: Council authorize staff to issue a Request for Proposals inviting submissions from consultants to prepare a Cultural Master Plan, at a cost not to exceed \$20,000.00;

AND THAT: the 2018 Budget contained in the 2018 – 2022 Financial Plan be amended to reflect the Cultural Master Plan project with funding from Reserve and Other Contributions.

CARRIED UNANIMOUSLY

12. NEW BUSINESS

13. COUNCIL STATEMENTS

1. Committees of Council/Agency Representatives

Members of Council reported on the Committees and Agencies they represent.

14. COLUMBIA SHUSWAP REGIONAL DISTRICT UPDATE

15. SALMON ARM SECONDARY YOUTH COUNCIL

16. NOTICE OF MOTION

17. UNFINISHED BUSINESS AND DEFERRED / TABLED ITEMS

18. OTHER BUSINESS

1. S. Hall, CEO, Okanagan Regional Library

0041-2018

Moved: Councillor Lavery

Seconded: Councillor Eliason

THAT: Council issue a letter of support to Stephanie Hall, CEO of the Okanagan Regional Library.

CARRIED UNANIMOUSLY

19. QUESTION AND ANSWER PERIOD

Council held a Question and Answer session with the members of the public present.

The Meeting recessed at 4:49 p.m.

The Meeting reconvened at 7:00 p.m.

PRESENT:

Deputy Mayor K. Flynn
Councillor A. Harrison
Councillor T. Lavery
Councillor L. Wallace Richmond
Councillor K. Jamieson

Chief Administrative Officer C. Bannister
Corporate Officer E. Jackson
Director of Engineering & Public Works R. Niewenhuizen
Director of Development Services K. Pearson
Recorder B. Puddifant

ABSENT:

Mayor N. Cooper
Councillor C. Eliason

20. DISCLOSURE OF INTEREST

21. HEARINGS

22. PUBLIC HEARING

1. Zoning Amendment Application No. ZON-1111 [Wonderland Investments Inc.; 50 – 30 Street NE; R-1 to R-4]

The Director of Development Services explained the proposed Zoning Amendment Application.

Submissions were called for at this time

F. Beaudet and M. Barron, the applicants, were available to answer questions from Council.

Following three calls for submissions and questions from Council, the Public Hearing for Bylaw No. 4238 was declared closed at 7:05 p.m. and consideration of the next item ensued.

2. Zoning Amendment Application No. ZON-1113 [Lawson, S., Barnard, K. & Barnard, A. / Lawson Engineering & Development Services Ltd.; 3310 – 16 Avenue NE; R-1 to R-8]

The Director of Development Services explained the proposed Zoning Amendment Application.

Submissions were called for at this time.

B. Lawson, the applicant, was available to answer questions from Council.

22. PUBLIC HEARING - continued**2. Zoning Amendment Application No. ZON-1113 [Lawson, S., Barnard, K. & Barnard, A. / Lawson Engineering & Development Services Ltd.; 3310 - 16 Avenue NE; R-1 to R-8] - continued**

C. Young, 3390 - 16 Avenue NE, expressed concern about the shortage of off street parking and the narrow width of the road and the possibility of increased traffic. She also had concerns regarding the possibility of the property being subdivided.

D. Schiefke, 3301 - 16 Avenue NE, expressed concerns regarding the narrow street width and the number of vehicles parking on the street.

Following three calls for submissions and questions from Council, the Public Hearing for Bylaw No. 4239 was declared closed at 7:15 p.m. and consideration of the next item ensued.

3. Zoning Amendment Application ZON-1117 [City of Salmon Arm; Text Amendment]

The Director of Development Services explained the proposed Zoning Amendment Application.

Submissions were called for at this time.

Following three calls for submissions and questions from Council, the Public Hearing for Bylaw No. 4240 was declared closed at 7:17 p.m.

23. RECONSIDERATION OF BYLAWS**1. Zoning Amendment Bylaw No. 4238 [ZON-1111; Wonderland Investments Inc.; 50 - 30 Street NE; R-1 to R-4] - third reading**

0042-2018

Moved: Councillor Harrison

Seconded: Councillor Wallace Richmond

THAT: the bylaw entitled Zoning Amendment Bylaw No. 4238 be read a third time.

CARRIED UNANIMOUSLY**2. Zoning Amendment Bylaw No. 4239 [ZON-1113; Lawson, S., Barnard, K. & Barnard, A. / Lawson Engineering & Development Services Ltd.; 3310 - 16 Avenue NE; R-1 to R-8] - third reading**

0043-2018

Moved: Councillor Harrison

Seconded: Councillor Lavery

THAT: the bylaw entitled Zoning Amendment Bylaw No. 4239 be read a third time.

CARRIED UNANIMOUSLY

23. RECONSIDERATION OF BYLAWS - continued**3. Zoning Amendment Bylaw No. 4240 [ZON-1117; City of Salmon Arm; Text Amendment] - third and final readings**

0044-2018 Moved: Councillor Wallace Richmond
 Seconded: Councillor Jamieson
 THAT: the bylaw entitled Zoning Amendment Bylaw No. 4240 be read a third and final time.

CARRIED UNANIMOUSLY

4. Ticket Information Utilization Amendment Bylaw No. 4241 - final reading

0045-2018 Moved: Councillor Lavery
 Seconded: Councillor Wallace Richmond
 THAT: the bylaw entitled Ticket Information Utilization Amendment Bylaw No. 4241 be read a final time.

CARRIED UNANIMOUSLY

5. Fee for Service Amendment bylaw No. 4242 [Mobile Food Vending] - final reading

0046-2018 Moved: Councillor Jamieson
 Seconded: Councillor Lavery
 THAT: the bylaw entitled City of Salmon Arm Fee for Service Amendment Bylaw No. 4242 be read a final time.

CARRIED UNANIMOUSLY

24. OTHER BUSINESS**1. Director of Development Services - Mobile Food Vending Policy**

0047-2018 Moved: Councillor Jamieson
 Seconded: Councillor Harrison
 THAT: Council adopt 'City of Salmon Arm Mobile Food Vending Policy No. 3.19'.

CARRIED UNANIMOUSLY

25. QUESTION AND ANSWER PERIOD

Council held a Question and Answer session with the members of the public present.

26. ADJOURNMENT

0048-2018

Moved: Councillor Jamieson

Seconded: Councillor Lavery

THAT: the Regular Council Meeting of January 29, 2018, be adjourned.

CARRIED UNANIMOUSLY

The meeting adjourned at 7:33 p.m.

CERTIFIED CORRECT:

Adopted by Council the day of 2018.

CORPORATE OFFICER

MAYOR

Item 7.1

CITY OF SALMON ARM

Date: February 13, 2018

Moved: Councillor Lavery

Seconded: Councillor Eliason

THAT: the Development and Planning Services Committee Meeting Minutes of February 5, 2018, be received as information.

Vote Record

- ☐ Carried Unanimously
 - ☐ Carried
 - ☐ Defeated
 - ☐ Defeated Unanimously
- Opposed:

- ☐ Cooper
- ☐ Flynn
- ☐ Eliason
- ☐ Harrison
- ☐ Jamieson
- ☐ Lavery
- ☐ Wallace Richmond

DEVELOPMENT AND PLANNING SERVICES COMMITTEE

Minutes of a Meeting of the Development and Planning Services Committee of the City of Salmon Arm held in the Council Chambers of the City Hall, 500 - 2 Avenue NE, Salmon Arm, British Columbia, on **Monday, February 5, 2018.**

PRESENT:

Deputy Mayor K. Flynn
Councillor L. Wallace Richmond
Councillor T. Lavery
Councillor A. Harrison
Councillor K. Jamieson
Councillor C. Eliason

Chief Administrative Officer C. Bannister
Corporate Officer E. Jackson
Director of Development Services K. Pearson
Director of Engineering & Public Works R. Niewenhuizen
City Engineer J. Wilson
Recorder B. Puddifant

ABSENT:

Mayor N. Cooper

1. CALL TO ORDER

Deputy Mayor Flynn assumed the Chair.

Deputy Mayor Flynn called the meeting to order at 8:00 a.m.

2. REVIEW OF THE AGENDA

3. DECLARATION OF INTEREST

Councillor Jamieson declared a conflict of interest with item 5.1 as he is employed by School District No. 83.

Councillor Wallace Richmond declared a conflict of interest with item 5.1 as her firm is under contract with School District No. 83.

4. PRESENTATIONS

Councillors Jamieson and Wallace Richmond declared conflicts and left the meeting at 8:01a.m.

5. REPORTS

1. Agricultural Land Commission Application No. ALC-374 [The Board of Education of School District No. 83 (North Okanagan-Shuswap); 5970 - 10 Avenue SE - Non-Farm Use]

C. Cooper, Director of Instruction for School District No. 83, was available to answer questions from the Committee.

Moved: Councillor Lavery

Seconded: Councillor Eliason

THAT: the Development and Planning Services Committee recommends to Council that Agricultural Land Commission Application No. ALC-374 be authorized for submission to the Agricultural Land Commission.

CARRIED UNANIMOUSLY

Amendment:

Moved: Councillor Harrison

Seconded: Councillor Lavery

THAT: the Development and Planning Services Committee recommends that Council strongly support Agricultural Land Commission Application No. ALC-374 at this location for the following reasons:

1. the property was used as a School from 1956 - 2003;
2. the proposed use of the property will be an outdoor learning centre; and
3. the program at the school will include an agricultural component including gardening and food production.

Motion as amended:

CARRIED UNANIMOUSLY

Councillors Jamieson and Wallace Richmond returned to the meeting at 8:18 a.m.

6. FOR INFORMATION

1. Agricultural Land Commission Application No. ALC-370 [Agricultural Land Commission Resolution #3/2018; Lamb, K.B., J.M. & D.B. / Regency Consultants Ltd.; 5421 - 10 Avenue NW - Subdivision within the ALR]

Received for Information.

2. Agricultural Land Commission Application No. ALC-371 [Agricultural Land Commission Resolution #21/2018; Renaud, B. & B. / Browne Johnson Land Surveyors; 1400 - 65 Street SW - Non-Farm Use]

Received for Information.

7. IN CAMERA

8. LATE ITEMS

No Items.

9. ADJOURNMENT

Moved: Councillor Eliason

Seconded: Councillor Jamieson

THAT: the Development and Planning Services Committee meeting of February 5, 2018, be adjourned.

CARRIED UNANIMOUSLY

The meeting adjourned at 8:22 a.m.

Minutes received as information by Council
at their Regular Meeting of , 2018.

Deputy Mayor Kevin Flynn
Chair

Item 7.2

CITY OF SALMON ARM

Date: February 13, 2018

Moved: Councillor Flynn

Seconded: Councillor Harrison

THAT: the Agricultural Advisory Committee Meeting Minutes of January 17, 2018, be received as information.

Vote Record

- ☐ Carried Unanimously
- ☐ Carried
- ☐ Defeated
- ☐ Defeated Unanimously

Opposed:

- ☐ Cooper
- ☐ Flynn
- ☐ Eliason
- ☐ Harrison
- ☐ Jamieson
- ☐ Lavery
- ☐ Wallace Richmond

AGRICULTURAL ADVISORY COMMITTEE

Minutes of a Meeting of the Agricultural Advisory Committee of the City of Salmon Arm held in Room 100 of City Hall, 500 - 2 Avenue NE, Salmon Arm, British Columbia, on **Wednesday, January 17, 2018.**

PRESENT:

Councillor Ken Jamieson, Chair
 John Schut (Chair, for item 5.1 only)
 Ron Ganert
 Bruce Cook
 John McLeod
 James Olafson
 Don Syme
 Kirsten Bevandick
 Nicole Bittante, Secretary-Treasurer SD #83, applicant (Item 5.1)
 Wesley Miles, Planning & Development Officer - staff/recorder (non-voting)
 Chris Larson, Planning & Development Officer – staff (non-voting)

ABSENT: Lana Fitt, James Hanna

1. Call to Order

Councillor Jamieson called the meeting to order at 3:02 p.m.

2. Declaration of Interest

Councillor Ken Jamieson declared a conflict of interest for item 5.1. John Schut was elected Chair for item 5.1.

3. Presentations / Delegations

n/a

4. Previous Meeting Minutes

n/a

5. Items

1. **Agricultural Land Reserve Application No. ALC-374
 (Non-Farm Use in the ALR)
 Owner/Applicant: School District No. 83
 5970 – 10 Avenue SE**

Moved: Ron Ganert
 Second: Jim Olafson

THAT: the Agricultural Advisory Committee advises Council that it support the application to re-open the elementary school and forward it onto to the Agricultural Land Commission.

Unanimous

Staff briefly outlined the proposal as a Non-Farm Use application and clarified that the ALC required the application to re-open the school. The School District representative explained the proposal to re-open the school with an 'outdoor learning program' and potentially as a more traditional neighborhood school in the future due to increasing enrollment numbers. The Committee discussed if the outdoor learning program would have any agricultural programs however it was undetermined at this time. In general, the Committee supported the application to re-open for school use.

2. OCP4000-33, 2750 – 40 Street SE, A-2 (Rural Holding Zone) to P-4 (Regional Landfill Zone) – FOR INFORMATION

Staff explained the process and timelines regarding the application including its relation to the CSRD and other public meetings. The item was received for information and could be brought back to the next AAC meeting if the Committee wished to discuss after further review.

3. ALC-370 (Lamb), 5421 – 10 Avenue NW, ALC Resolution #3/2017) – FOR INFORMATION

The Committee briefly discussed the item and other recent ALC decisions.

4. Ministry of Agriculture – Agricultural Advisory Committee Workshops – FOR INFORMATION

The Committee discussed past attendance to the workshops and a few members expressed interest in attending.

6. Late Items

1. Land Matching / Food Action Cooperative

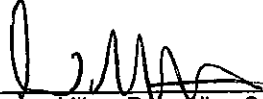
A member of the Committee and past president of the Food Action Cooperative, expressed his thanks to City Staff and Council for providing information to assist in the agricultural workshop and land matching exercise which included local members of the Young Agrarians. The workshop was successful with approximately 60 attendees which used the information to match land owners with interested start-up farmers.

2. Boathouse Development Discussion and Clarification

Concern over the Boathouse development was expressed. However, it was clarified that the development did not involve an ALR exclusion and no ALR land was directly impacted. Application timelines and circumstances of the application were also discussed.

7. Adjournment

The meeting adjourned at 4:01 p.m.



Wesley Miles, Recording Secretary
(Endorsed By Meeting Chair)

Item 9.1

CITY OF SALMON ARM

Date: February 13, 2018

Moved: Councillor Eliason

Seconded: Councillor Harrison

THAT: the bylaw entitled Zoning Amendment Bylaw No. 4239 be read a final time.

[ZON-1113; Lawson, S., Barnard, K. and Barnard, A. / Lawson Engineering & Development Services Ltd.;
3310 -16 Avenue NE; R-1 to R-8]

Vote Record

- ☐ Carried Unanimously
- ☐ Carried
- ☐ Defeated
- ☐ Defeated Unanimously

Opposed:

- ☐ Cooper
- ☐ Flynn
- ☐ Eliason
- ☐ Harrison
- ☐ Jamieson
- ☐ Lavery
- ☐ Wallace Richmond



City of Salmon Arm

Development Services Department Memorandum

To: Her Worship Mayor Cooper and Members of Council

Date: December 19, 2017

Subject: Zoning Bylaw Amendment Application No. 1113

Legal: Lot C, Section 19, Township 20, Range 9, W6M, KDYD, Plan 17284

Civic: 3310 16 Avenue NE

Owner: Barnard, A., Barnard, K. & Lawson, S.

Applicant: Lawson Engineering & Development Services Ltd.

MOTION FOR CONSIDERATION

THAT: a bylaw be prepared for Council's consideration, adoption of which would amend Zoning Bylaw No. 2303 by rezoning Lot C, Section 19, Township 20, Range 9, W6M, KDYD, Plan 17284 from R-1 (Single Family Residential Zone) to R-8 (Residential Suite Zone).

AND THAT: Final reading of the Bylaw be withheld subject to approval by the Ministry of Transportation and Infrastructure.

STAFF RECOMMENDATION

THAT: The motion for consideration be adopted.

PROPOSAL

The subject parcel is located at 3310 16 Avenue NE which currently has an existing single family dwelling on the property (Appendix 1 and 2). The proposal is to rezone the parcel from R-1 (Single Family Residential) to R-8 (Residential Suite), followed by a potential subdivision (an application to subdivide has been submitted: SUB17-32). Should the zoning proposal proceed, this subdivision would allow for a single-family dwelling with some form of a *secondary suite* on each proposed lot.

BACKGROUND

The subject parcel is designated Low Density Residential in the City's Official Community Plan (OCP) and zoned R-1 (Single Family Residential) in the Zoning Bylaw (Appendix 3 and 4). The subject parcel is located east of Salmon Arm Secondary School, a residential area largely comprised of R-1 zoned parcels. There are currently three R-8 zoned parcels within close proximity of the subject parcel.

The subject parcel is approximately 0.34 acres in area, roughly 35 metres wide, and meets the conditions of minimum parcel area and minimum parcel width as specified by the proposed R-8 zone. Site photos are attached as Appendix 5. The intent of the application is to facilitate the subdivision of the parcel (concept attached as Appendix 6), which would allow for the creation of two parcels.

The proposed east parcel would be 19.4 m x 39.9 m (approximately 774 square metres) and would contain the existing house should the subdivision proceed. Based on this proposed area, this proposed lot would meet Zoning Bylaw requirements to permit either a *secondary suite* (within a house) or *detached suite*.

The proposed west parcel would be 15.5 m x 39.9 m (approximately 618 square metres). Based on the proposed area, this new lot would meet Zoning Bylaw requirements to permit a *secondary suite* but not a *detached suite*.

This amendment would facilitate future development and use. Any development of a single family dwelling, *secondary suite* or *detached suite* would require a building permit and will be subject to meeting Zoning Bylaw and BC Building Code requirements.

OCP - Secondary Suites

Policy 8.3.25 of the OCP provides for the consideration of secondary suites in Low Density Residential designated areas via a rezoning application, subject to compliance with the Zoning Bylaw and the BC Building Code. The subject parcel as it currently exists and the proposed parcels which would be created by a future subdivision all meet the conditions of the R-8 Zone and would allow for some form of *secondary suite* to be developed

The Zoning Bylaw requires secondary suites to have one designated offstreet parking stall in addition to the two stalls required for a single family dwelling. The subject parcel (and proposed parcels) has more than adequate space to accommodate this requirement.

COMMENTS

Ministry of Transportation and Infrastructure

MoTI has granted Preliminary Approval for the rezoning.

Engineering Department

No concerns.

Building Department

No Concerns. A secondary suite is subject to BC Building Code requirements.

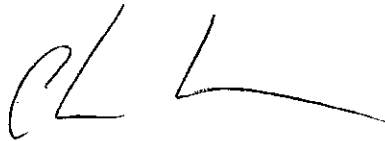
Fire Department

No concerns.

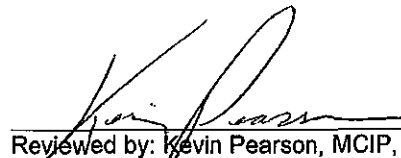
Planning Department

The proposed R-8 zoning of the subject parcel is consistent with the OCP and is therefore supported by staff. Any development of a *secondary suite* would require a building permit and will be subject to meeting Zoning Bylaw and BC Building Code requirements.

The proposed subdivision under the proposed R-8 Zone regulations, which would result in two lots should the applicant proceed, would substantially align with current development patterns in the area.



Prepared by: Chris Larson, MCP
Planning and Development Officer



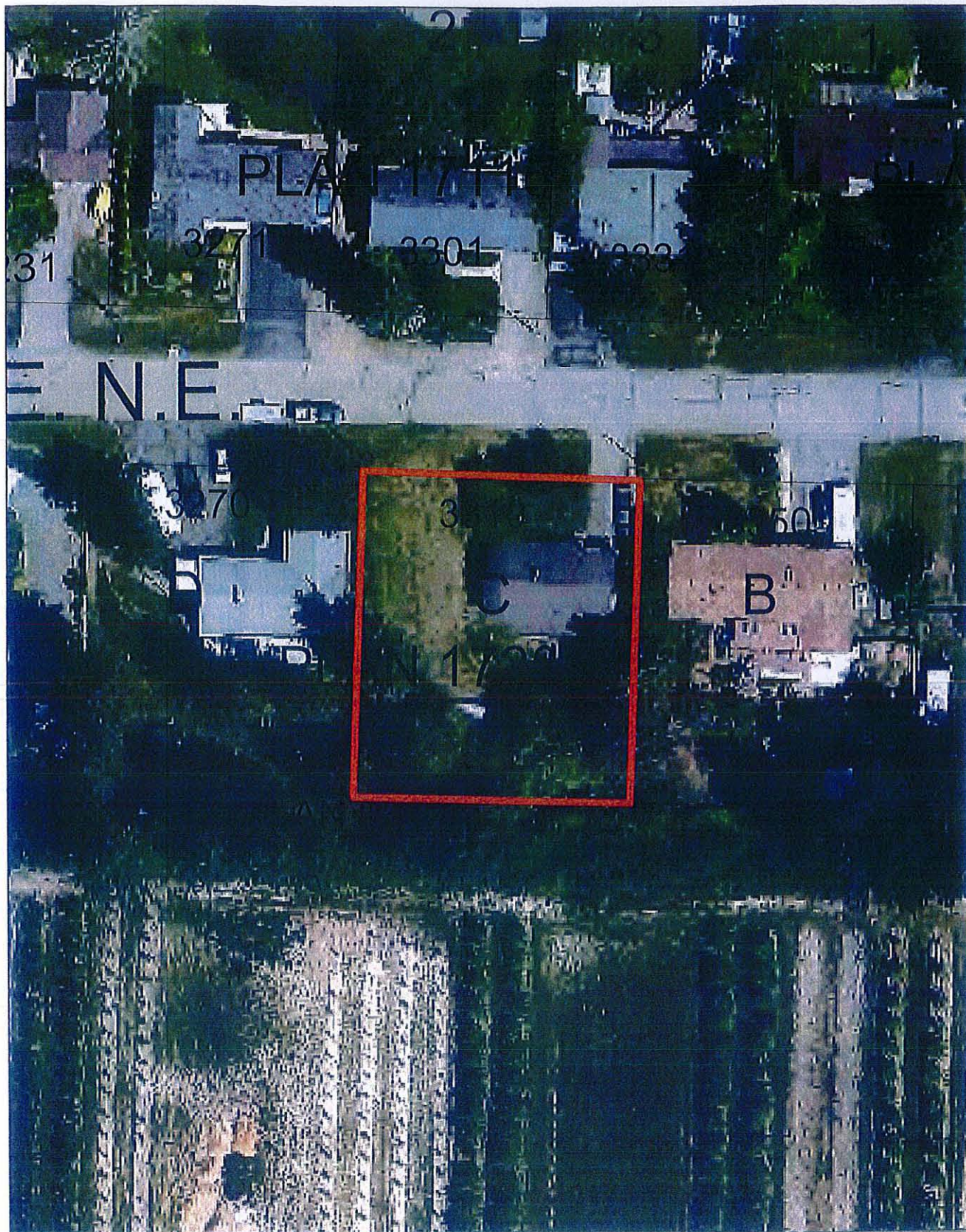
Reviewed by: Kevin Pearson, MCIP, RPP
Director of Development Services



0 40 80 160 240 320 Meters



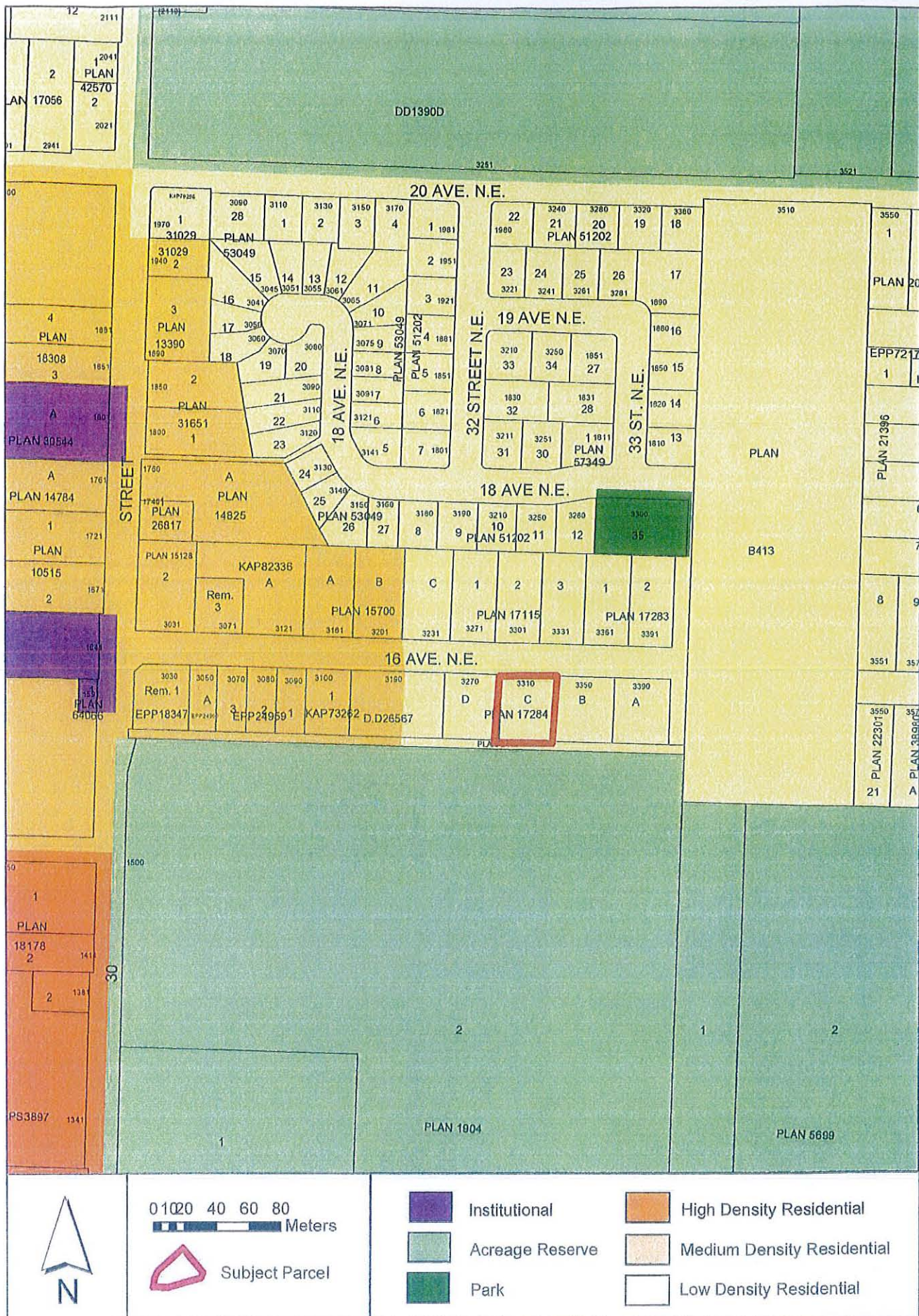
Subject Parcel



0 5 10 20 30 40 Meters



Subject Parcel





Appendix 5: Site Photos

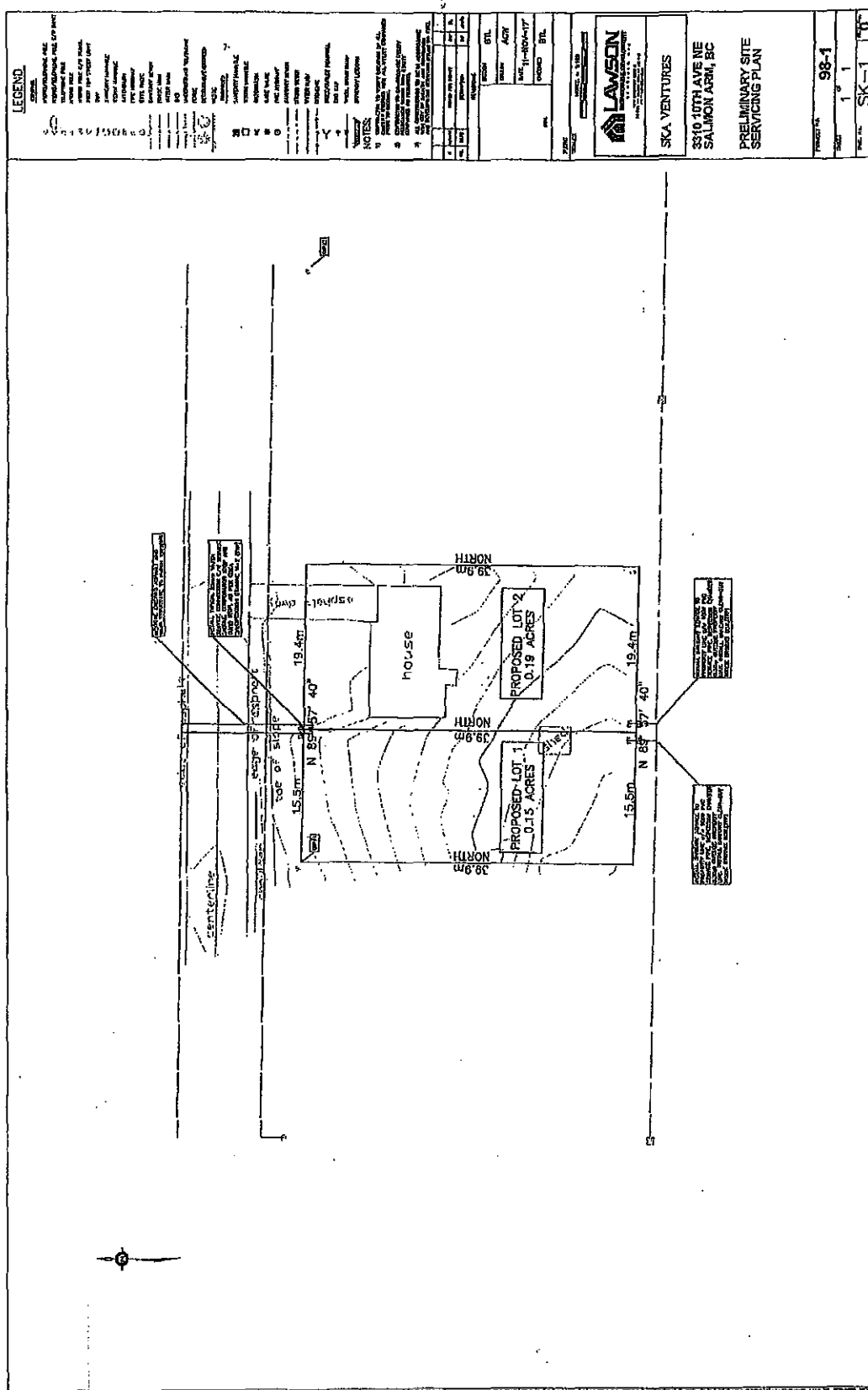


View south-west of subject parcel from 16 Avenue NE.



View south-east of subject parcel from 16 Avenue NE.

Appendix 6: Site Plan



CITY OF SALMON ARM

BYLAW NO. 4239

A bylaw to amend "District of Salmon Arm Zoning Bylaw No. 2303"

WHEREAS notice of a Public Hearing to be held by the Council of the City of Salmon Arm at the Council Chambers at City Hall, 500 - 2 Avenue NE, Salmon Arm, British Columbia, on January 29, 2018 at the hour of 7:00 p.m. was published in the January 17, 2018 and January 24, 2018 issues of the Salmon Arm Observer;

AND WHEREAS the said Public Hearing was duly held at the time and place above mentioned;

NOW THEREFORE the Council of the City of Salmon Arm in open meeting assembled enacts as follows:

1. "District of Salmon Arm Zoning Bylaw No. 2303" is hereby amended as follows:

Rezone Lot C, Section 19, Township 20, Range 9, W6M, KDYD, Plan 17284 from R-1 Single Family Residential Zone to R-8 Residential Suite Zone as shown on Schedule "A" attached hereto and forming part of this bylaw.

2. SEVERABILITY

If any part, section, sub-section, clause of this bylaw for any reason is held to be invalid by the decisions of a Court of competent jurisdiction, the invalid portion shall be severed and the decisions that it is invalid shall not affect the validity of the remaining portions of this bylaw.

3. ENACTMENT

Any enactment referred to herein is a reference to an enactment of British Columbia and regulations thereto as amended, revised, consolidated or replaced from time to time.

4. EFFECTIVE DATE

This bylaw shall come into full force and effect upon adoption of same.

5. CITATION

This bylaw may be cited as “**City of Salmon Arm Zoning Amendment Bylaw No. 4239**”

READ A FIRST TIME THIS 15th DAY OF January 2018

READ A SECOND TIME THIS 15th DAY OF January 2018

READ A THIRD TIME THIS 29th DAY OF January 2018

APPROVED PURSUANT TO SECTION 52 (3) (a) OF THE TRANSPORTATION ACT
ON THE 1st DAY OF February 2018

“T. KNIGHT”

For Minister of Transportation & Infrastructure

ADOPTED BY COUNCIL THIS DAY OF 2018

MAYOR

CORPORATE OFFICER

SCHEDULE "A"



22. PUBLIC HEARING**2. Zoning Amendment Application No. ZON-1113 [Lawson, S., Barnard, K. & Barnard, A. / Lawson Engineering & Development Services Ltd.; 3310 – 16 Avenue NE; R-1 to R-8]**

The Director of Development Services explained the proposed Zoning Amendment Application.

Submissions were called for at this time.

B. Lawson, the applicant, was available to answer questions from Council.

C. Young, 3390 – 16 Avenue NE, expressed concern about the shortage of off street parking and the narrow width of the road and the possibility of increased traffic. She also had concerns regarding the possibility of the property being subdivided.

D. Schiefke, 3301 – 16 Avenue NE, expressed concerns regarding the narrow street width and the number of vehicles parking on the street.

Following three calls for submissions and questions from Council, the Public Hearing for Bylaw No. 4239 was declared closed at 7:15 p.m. and consideration of the next item ensued.

THIS PAGE INTENTIONALLY LEFT BLANK

Item 9.2

CITY OF SALMON ARM

Date: February 13, 2018

Moved: Councillor Flynn

Seconded: Councillor Lavery

THAT: the bylaw entitled City of Salmon Arm Highway Closure Bylaw No. 4230 be read a final time.

[ZON-1117; Portion of 7 Street SE]

Vote Record

- ☐ Carried Unanimously
 - ☐ Carried
 - ☐ Defeated
 - ☐ Defeated Unanimously
- Opposed:

- ☐ Cooper
- ☐ Flynn
- ☐ Eliason
- ☐ Harrison
- ☐ Jamieson
- ☐ Lavery
- ☐ Wallace Richmond

CITY OF SALMON ARM

BYLAW NO. 4230

Being a Bylaw to Close to Traffic, Remove the Dedication as Highway and Dispose of a Portion of 7 Street SE, Plan B436, Section 11, Township 20, Range 10, W6M, KDYD

WHEREAS, pursuant to Section 40 of the Community Charter, SBC, 2003 Chapter 26, and amendments thereto, Council may, by bylaw, close a portion of highway to traffic and remove the dedication of a highway, if prior to adopting the bylaw, Council publishes notice of its intention in a newspaper and posts the notice in the public notice posting place, and provides an opportunity for persons who consider they are affected by the bylaw to make representations to Council;

AND WHEREAS the Provincial Government's right of resumption under Section 35(8) of the Community Charter, SBC, 2003, Chapter 26 and amendments thereto, in relation to a highway or portion of a highway that was vested in a municipality pursuant to Section 35(1) of this Act, is cancelled if the Corporate Officer of the municipality files with the Land Title Office a statement certifying that the highway closure and removal of dedication complies with the Regulation of the Minister of Transportation B.C. Regulation 245/2004 (June 4, 2004) as amended by B.C. Regulation 18/2008 (January 25, 2005), made under the authority of the Community Charter, Section 35(10)(b);

AND WHEREAS the Council deems it expedient to close to traffic, remove the dedication of highway and dispose of that portion of 7 Street SE, comprising 474.3 m² dedicated at the Kamloops Land Title Office by Plan B436, Section 11, Township 20, Range 10, W6M, KDYD which is shown outlined in bold black ("Closed Road") on the Reference Plan prepared by Joseph Charles Johnson, BCLS, Browne Johnson Land Surveyors, on November 17, 2017, a reduced copy of which is attached hereto (the "Plan");

AND WHEREAS notices of the Council's intention to close the portion of highway to traffic, to remove its dedication as highway, and to dispose of it were published in a newspaper and posted in the public notice posting place;

AND WHEREAS the Council does not consider that the closure of the portion of highway will affect the transmission or distribution facilities or works of utility operators;

AND WHEREAS the disposition of Closed Road will be to Interior Health Authority, the registered owner of the adjacent property (legally described as Lot 1, Section 11 Township 20, Range 10, W6M, KDYD Plan 1658) and will be consolidated into the adjacent property;

NOW THEREFORE, the Council of the City of Salmon Arm, Province of British Columbia in open meeting assembled hereby enacts as follows:

1. Attached to this Bylaw, as Schedule "A" and forming part of this Bylaw is a reduced copy of the Reference Plan (the "Plan").
2. The City of Salmon Arm is hereby authorized to dispose of and convey the Closed Road to Interior Health Authority, the registered owner of the adjacent parcel.
3. The City of Salmon Arm hereby authorizes the closure to traffic and removal of the highway dedication of that portion of 7 Street SE, comprising 474.3 m² dedicated at the Kamloops Land Title Office by Plan B436, Section 11, Township 20, Range 10, W6M, KDYD which is shown outlined in bold black ("Closed Road") on the Plan.
4. On deposit of the Plan and all other applicable documentation for the removal of the highway dedication, in the Kamloops Land Title Office, the highway dedication of that portion of the road is cancelled.
5. The Mayor and Corporate Officer are hereby authorized to execute such conveyances, deeds, maps, plans, receipts and documents on behalf of the City of Salmon Arm as may be necessary for the purposes aforesaid and to affix the Corporate Seal of the City of Salmon Arm thereto.
6. The Council shall, before adopting this Bylaw, cause public notice of its intention to do so to be given by advertisement once each week for two consecutive weeks in a newspaper published or circulated in the City of Salmon Arm, and has provided an opportunity for persons who consider they are affected by the closure and disposition of the Closed Road to make representations to Council.

SEVERABILITY

7. If any part, section, sub-section, clause, or sub-clause of this bylaw for any reason is held to be invalid by the decision of a Court of competent jurisdiction, the invalid portion shall be severed and the decision that it is invalid shall not affect the validity of the remaining portions of this bylaw.

ENACTMENTS

8. Any enactments referred to herein is a reference to an enactment of British Columbia and regulations thereto, as amended, revised, consolidated or replaced from time to time.

EFFECTIVE DATE

9. This bylaw shall come into full force and effect upon adoption of same.

CITATION

10. This Bylaw may be cited for all purposes as the "City of Salmon Arm Highway Closure Bylaw No. 4230".

READ A FIRST TIME THIS 29th DAY OF January 2018

READ A SECOND TIME THIS 29th DAY OF January 2018

READ A THIRD TIME THIS 29th DAY OF January 2018

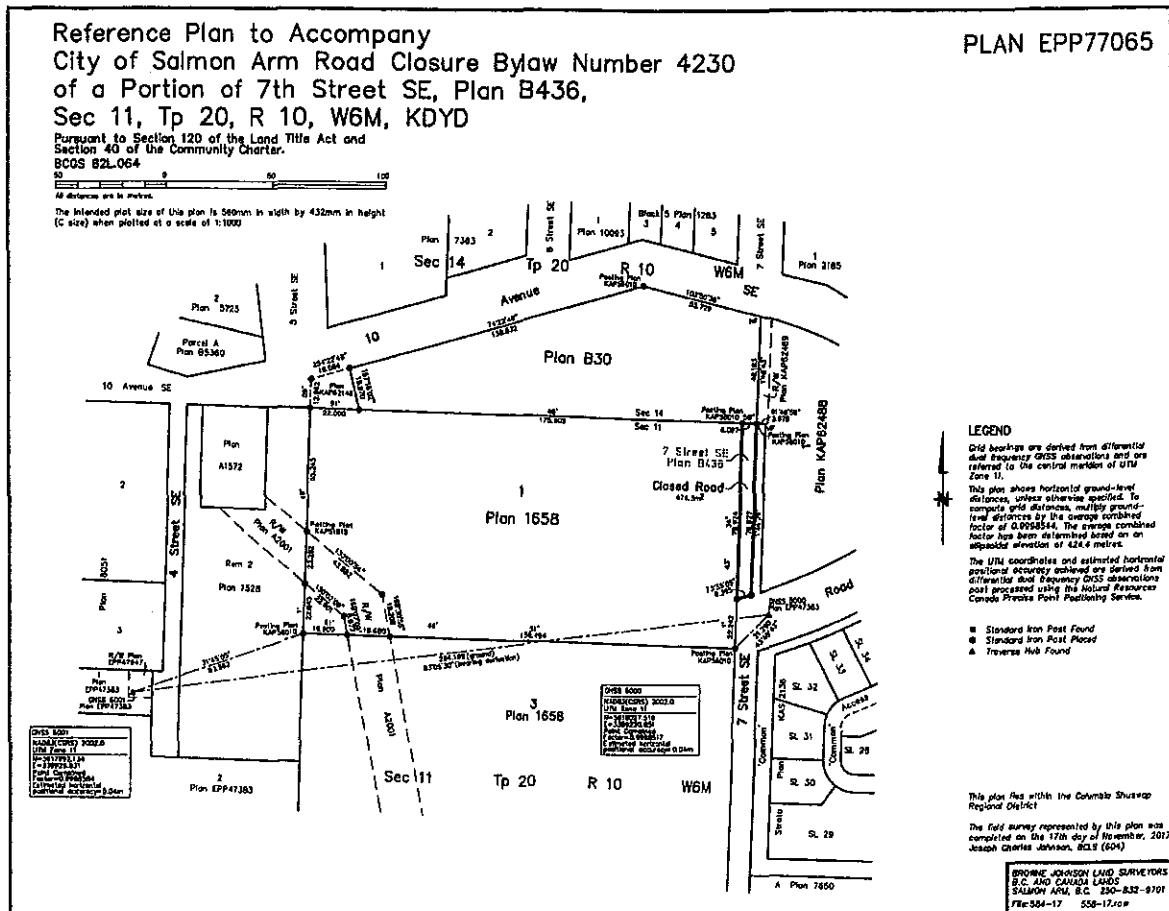
PUBLIC NOTICE OF INTENTION TO PROCEED ADVERTISED IN THE SALMON ARM OBSERVER ON THE 31st DAY OF January, 2018 AND THE 7th DAY OF February, 2018.

ADOPTED BY COUNCIL THIS DAY OF 2018

MAYOR

CORPORATE OFFICER

SCHEDULE A



8. INTRODUCTION OF BYLAWS**1. Highway Closure Bylaw No. 4230 – Portion of 7 Street SE – first, second and third readings**

0029-2018

Moved: Councillor Lavery

Seconded: Councillor Eliason

THAT: the bylaw entitled City of Salmon Arm Highway Closure Bylaw No. 4230, be read a first, second and third time;

AND THAT: Authorization be granted for closure and disposal of Closed Road, a portion of 7 Street SE Plan B436, Section 11, Township 20, Range 10, W6M, KDYD for an area of 474.3 m² as shown on Appendix 2 of the staff report dated January 24, 2018, in exchange for road dedication shown on Plan EPP77066 for an area of 2015.7 m² as shown on Appendix 3 of the staff report dated January 24, 2018;

AND THAT: Final reading of City of Salmon Arm Highway Closure Bylaw No. 4230 and conveyance of the above noted lands be subject to the following:

1. compliance with Section 26 (Notice of Proposed Property Disposition) and Section 94 (Requirements for Public Notice) of the Community Charter and Policy 3.16 (Notification).

CARRIED UNANIMOUSLY

INFORMATIONAL CORRESPONDENCE - FEBRUARY 13, 2018

1. Building Department - Building Statistics - January 2018
2. Building Department - Building Permits - Yearly Statistics
3. R. Lipscomb - letter dated January 23, 2018 - Fire Smart
4. L. Wong, Manager, Downtown Salmon Arm - letter dated January 23, 2018 - Eats and Beats, Food and Music Fundraiser
5. T. Peasgood, Salty Street Festival Organizing Committee - letter dated January 31, 2018 - 2018 Salty Dog Street Festival, May 12th, 2018, Street Closure 7 am to 5 pm
6. R.J. Haney Heritage Village & Museum - Heritage Week at the Mall at Piccadilly
7. School District 83 - North Okanagan-Shuswap - Newsline
8. L. Shykora, Deputy Manager, CSRD - letter dated January 24, 2018 - Shuswap Regional Airport Commission - 2018 Appointees
9. EDEN Medicinal Society - letters received January 30, 2018 - support of EDEN
10. Salmon Arm Chamber of Commerce - email dated January 26, 2018 - Board Nominations Invites & Chamber Survey
11. Salmon Arm Chamber of Commerce - email dated January 30, 2018 - Trade Accelerator Program - Invitation to Participate
12. G. Heyman, Minister of Environment and Climate Change Strategy - email dated January 25, 2018 - Preventing the Spread of Invasive Mussels
13. G. Paget, Chair, Board of Examiners - letter dated January 31, 2018 - Certificate in Local Government Executive Management - Professional Development Endorsement
14. C. Trevena, Minister of Transportation and Infrastructure - letter dated January 25, 2018 - UBCM Meeting - Thank You
15. Conservation Planning Unit, Canadian Wildlife Service - Pacific Region, Environment and Climate Change Canada - email dated February 1, 2018 - Consultation on Amending the List of Species under the Species at Risk Act Terrestrial Species
16. Health Canada - email dated January 18, 2018 - Health Canada Information Update: Shortage of EpiPen (0.3 mg) auto-injector in Canada
17. J. Brown, Mayor, Township of Spallumcheen - letter dated January 23, 2018 - Cannabis Sales Revenue Sharing
18. J. Garlick, Mayor, District of Coldstream - letter dated January 22, 2018 - Prevention of Quagga and Zebra Mussels

THIS PAGE INTENTIONALLY LEFT BLANK

Item 11.1

CITY OF SALMON ARM

Date: February 13, 2018

Moved: Councillor Eliason

Seconded: Councillor Flynn

THAT: Agricultural Land Commission Application No. ALC-374 be authorized for submission to the Agricultural Land Commission.

Vote Record

- ☐ Carried Unanimously
- ☐ Carried
- ☐ Defeated
- ☐ Defeated Unanimously

Opposed:

- ☐ Cooper
- ☐ Flynn
- ☐ Eliason
- ☐ Harrison
- ☐ Jamieson
- ☐ Lavery
- ☐ Wallace Richmond



To: Her Worship Mayor Cooper and Members of Council

Date: February 5, 2018

Subject: Agricultural Land Commission Application No. ALC-374 (Non-Farm Use)

Legal: Lot 1, Section 8, Township 20, Range 9, W6M, KDYD, Plan 17118
 Civic: 5970 – 10 Avenue SE
 Owner/Applicant: The Board of Education of School District No. 83
 (North Okanagan-Shuswap)

MOTION FOR CONSIDERATION

THAT: Agricultural Land Commission Application No. ALC-374 be authorized for submission to the Agricultural Land Commission.

STAFF RECOMMENDATION

THAT: The motion for consideration be adopted.

PROPOSAL

The subject property is located at 5970 - 10 Avenue SE as shown in APPENDICES 1 and 2. The property is 2.06 ha (5.10 acres) in size and was previously used by School District No. 83 as the South Canoe Elementary School. The facility first opened in 1956 and ceased its main elementary school course programming 2003. The School District is proposing to re-open the elementary school with an 'Outdoor Learning Program' as a focus. Site photos are attached as APPENDIX 3.

BACKGROUND

The property is designated "Acreage Reserve" in the Official Community Plan (OCP), zoned P-3 "Institutional" and is totally within the ALR (APPENDICES 4, 5 and 6 respectively). The existing P-3 zoning has been in place since at least 1972 and includes *public educational facilities* as a permitted use required for an elementary school.

A previous application (ALC-367) was made in 2016 by the City of Salmon Arm for a Non-Farm Use and proposed public works yard. The application was denied by the ALC through Resolution #395/2016. The current application to re-open the school was a requirement of the ALC due to the discontinuance of use from 2003. This was confirmed by City Staff and the applicant prior to moving forward with the proposal.

The site contains approximately 1,486 m² (16,000 ft²) of building area comprising of the discontinued classrooms, gymnasium and mezzanine in addition to two large outside playing fields. Adjacent zoning and land uses include the following:

North: 10 Avenue SE / Rural Holding (A-2)	within ALR
South: Rural Holding (A-2)	within ALR
East: 60 Street SE / Rural Holding (A-2)	partially within ALR
West: Small Holding (A-3)	within ALR

Improved Soil Classification

The subject property has two soil ratings identified. The large majority of the property has an Improved Soil Capability Rating of 60% Class 4(PM) and 40% Class 5(TP). The south-west corner has an Improved Soil Capability Rating of 60% Class 5(T) and 40% Class 2(T). Soil Classification Mapping is shown in APPENDIX 7. (Soil capability rating ranges from Class 1 to Class 7. The best agricultural lands are rated Class 1 because they have ideal climate and soil to allow a farmer to grow the widest range of crops. Class 7 is considered non-arable, with no potential for soil bound agriculture.)

COMMENTS

Agricultural Advisory Committee

This proposal was reviewed by the Agricultural Advisory Committee (AAC) at its meeting of January 14, 2018. The Committee adopted the following resolution:

THAT: the Agricultural Advisory Committee advises Council that it support the application to re-open the elementary school and forward it onto to the Agricultural Land Commission.

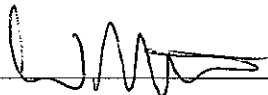
Unanimous

The Committee discussed items including the necessity of the application, the Outdoor Learning Program, and any potential agricultural components to the program. Inclusion of an agricultural component is undetermined at this time. In general, the Committee supported the application to re-open for school use.

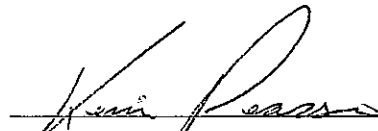
Planning Department

The current P-3 zoning allows for the proposed use and has been in place since at least 1972. The current Acreage Reserve land use designation of the subject property assumes the school has been closed for over a decade and the lot up for sale during that time. Had the school remained open, the Institutional land use designation of the OCP would have been appropriate for the lot. It is undetermined at this point if there will be an agricultural component to the school's program or any accessory agricultural use on the property. However, given the historic use, existing buildings and proposed continued use as an educational facility Staff recommends that this application be forwarded on to the ALC for consideration.

As mentioned by School District staff at the February 5, 2018 Development and Planning Services Committee, there are plans for the school to have an agricultural program. The School District will attempt to amend its ALC application to explain and detail the agricultural component.



Prepared by: Wesley Miles, MCIP, RPP
Planning and Development Officer



Reviewed by: Kevin Pearson, MCIP, RPP
Director of Development Services

5. REPORTS

1. Agricultural Land Commission Application No. ALC-374 [The Board of Education of School District No. 83 (North Okanagan-Shuswap); 5970 – 10 Avenue SE – Non-Farm Use]

C. Cooper, Director of Instruction for School District No. 83, was available to answer questions from the Committee.

Moved: Councillor Lavery

Seconded: Councillor Eliason

THAT: the Development and Planning Services Committee recommends to Council that Agricultural Land Commission Application No. ALC-374 be authorized for submission to the Agricultural Land Commission.

CARRIED UNANIMOUSLY

Amendment:

Moved: Councillor Harrison

Seconded: Councillor Lavery

THAT: the Development and Planning Services Committee recommends that Council strongly support Agricultural Land Commission Application No. ALC-374 at this location for the following reasons:

1. the property was used as a School from 1956 – 2003;
2. the proposed use of the property will be an outdoor learning centre; and
3. the program at the school will include an agricultural component including gardening and food production.

Motion as amended:

CARRIED UNANIMOUSLY

Item 11.2

CITY OF SALMON ARM

Date: February 13, 2018

Moved: Councillor Flynn

Seconded: Councillor Lavery

THAT: Council be appointed as members of the Water and Sewer Frontage Tax, Transportation Parcel Tax and the 73rd Avenue Water Main Extension Parcel Tax Roll Review Panel for 2018;

AND THAT: the Court of Revision for the Water and Sewer Frontage Tax, Transportation Parcel Tax and the 73rd Avenue Water Main Extension Parcel Tax Roll be held in the Council Chambers of City Hall on Monday, March 12, 2018 at 7:00 p.m.

Vote Record

- ☐ Carried Unanimously
- ☐ Carried
- ☐ Defeated
- ☐ Defeated Unanimously

Opposed:

- ☐ Cooper
- ☐ Flynn
- ☐ Eliason
- ☐ Harrison
- ☐ Jamieson
- ☐ Lavery
- ☐ Wallace Richmond



City of Salmon Arm

Memorandum from the Chief Financial Officer

To: Mayor Cooper and Members of Council
 Date: February 5, 2018
 Subject : Court of Revision

Recommendation

That Council be appointed as members of the Water and Sewer Frontage Tax, Transportation Parcel Tax and the 73rd Avenue Water Main Extension Parcel Tax Roll Review Panel.

And that the Court of Revision for the Water and Sewer Frontage Tax, Transportation Parcel Tax and the 73rd Avenue Water Main Extension Parcel Tax Roll be held in the Council Chambers of City Hall on Monday, March 12, 2018 at 7:00 p.m.

Background

In accordance with Section 204 of the Community Charter, the Tax Roll Review Panel must consider any complaints respecting the Water and Sewer Frontage Tax, Transportation Parcel Tax and the 73rd Avenue Water Main Extension Parcel Tax Roll and must authenticate the rolls in accordance with this Division.

For the purposes of this Division, the Council must:

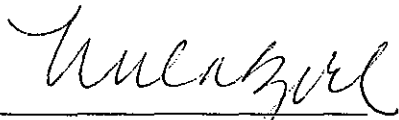
- a) appoint at least three persons as the members of the Parcel Tax Roll Review Panel;
- b) establish the time and place for the sitting of the panel, and;
- c) have advance notice of the time and place published in accordance with Section 94 of the Community Charter (public notice).

Pursuant to Section 205(1) of the Community Charter, a person may make a complaint to the Parcel Tax Roll Review Panel on one or more of the following grounds:

- a) there is an error or omission respecting a name or address on the parcel tax roll;

- b) there is an error or omission respecting the inclusion of a parcel;
- c) there is an error or omission respecting the taxable area or the taxable frontage of a parcel;
- d) an exemption has been improperly allowed or disallowed.

Pursuant to Section 205 (2) of the Community Charter, a complaint must not be heard by the Parcel Tax Roll Review Panel unless written notice of the complaint has been given to the municipality at least 48 hours before the time set for the first sitting of the review panel. The Parcel Tax Roll Review Panel may direct the correction of the parcel tax roll respecting any matter referred to under Section 205(1).



Monica Dalziel, CPA, CMA
Chief Financial Officer

)

THIS PAGE INTENTIONALLY LEFT BLANK

Item 14.1

CITY OF SALMON ARM

Date: February 13, 2018

Columbia Shuswap Regional District Board In Brief – January 2018

Vote Record

- ☐ Carried Unanimously
- ☐ Carried
- ☐ Defeated
- ☐ Defeated Unanimously

Opposed:

- ☐ Cooper
- ☐ Flynn
- ☐ Eliason
- ☐ Harrison
- ☐ Jamieson
- ☐ Lavery
- ☐ Wallace Richmond



**COLUMBIA SHUSWAP
REGIONAL DISTRICT**

www.csrld.bc.ca



BOARD IN BRIEF

January 2018

[Tweet](#) [Like](#)

[View web version](#)

HIGHLIGHTS

**Presentation of Certificate to Cathy Semchuk, SEP
Assistant/ESS Director, Community Services, CSRD**

Chair Martin presented to Cathy Semchuk a Certificate in Recognition of 'The Above and Beyond Award' and letter from the Premier of British Columbia, John Horgan for her service in response to B.C.'s 2017 wildfire and flood season.



**Presentation by Bob Fleming, Chair and David Sewell,
Chief Administrative Officer, Regional District North
Okanagan**

Bob Fleming and David Sewell were in attendance acknowledging the acquisition of the CP rail trail property. [See media release.](#)

Free Disposal Year Round - Metal, Ozone Depleting Substance (ODS) and Yard and Garden Waste

The CSRD Board approved an update to the CSRD Solid Waste Tipping Fee Bylaw. Effective February 1, 2018, metal waste (including fees for refrigeration appliances - ODS), and yard and garden waste can be deposited at any CSRD refuse disposal site for NO CHARGE! In addition, the disposal fee for concrete will be reduced to \$80 per tonne from the previous \$100 per tonne, and the sale of we-load Kickin' Compost has been reduced to \$15 per cubic metre from the previous \$30.

Rescheduling 2018 Committee of the Whole (Budget) Meetings

The Board approved the new proposed dates for the Budget meetings: Wednesday, February 7, 2018 at 9:30 AM and Friday, March 16, 2018 at 9:30 AM in the CSRD Boardroom.

Okanagan Nation Alliance (ONA)

Michael Zimmer, Columbia Region Fisheries Biologist, presented the ONA's Columbia Salmon Reintroduction Workplan. The Board authorized writing a letter in support of the workplan. [View workplan.](#)

Fraser Basin Council – Community to Community Forum Invitation

Mike Simpson, Senior Regional Manager, Fraser Basin Council - Thompson, attended the Board meeting and invited the Board Directors to a Community to Community Forum on February 14, 2018 to initiate a Thompson Watershed Flood and Debris Flow Disaster Mitigation Risk Assessment process. [View presentation.](#)

CP Coal Trains and Proposed Re-spray Facility East of Salmon Arm

Marijke Dake was in attendance requesting support from the Board for a CP re-spray facility to be built east of Salmon Arm to mitigate coal dusting from westbound CP coal trains. The Board passed a resolution to write a letter to CP Rail supporting this initiative. [View letter to Board.](#)

School District No. 83 (North Okanagan-Shuswap)

A letter from Mike McKay, Official Trustee, School District No. 83, to the Honourable Rob Fleming, Minister of Education, recommending that the Minister establish a five member Board of Education for School District No. 83 commencing October 2018 was received for information. A resolution was passed to request a presentation from Mr. MacKay. [View letter.](#)

2018 Appointments to Committees and other External Boards/Agencies

The Board endorsed the listing of appointments to Committees, external Boards and Agencies for 2018. [View report.](#)

Financial Decisions

City of Revelstoke Tourism Planning – Funding Request Approved

The Board authorized funding be allocated from the Economic Opportunity Fund to the City of Revelstoke towards a tourism planning project in the amount of \$30,000.

Electoral Area D – Salmon River Road Parallel Trail BikeBC Grant Application

The Board endorsed a future BikeBC grant application for the construction of a parallel trail along Salmon River Road trails in Area D. [View report.](#)

Magna Bay and Ross Creek Community Parks- Licence of Occupation

The CSRD has held a Licence of Occupation over the foreshore at Magna Bay and Ross Creek Community Parks in Electoral Area F since 2008. The Board endorsed a ten year term renewal of the Licence of Occupation as the existing licence is set to expire. [View report.](#)

Community Works Funding– Malakwa Community Centre Association

The Malakwa Community Centre Association is in the process of signing a long-term lease for the use of the former Malakwa Elementary School. Once the lease has been signed, the association is eligible to apply for Gas Tax funds for the radon remediation of the property. Radon is a potentially dangerous gas that is present in the school building and is considered a health hazard, however, remediation can protect the air quality within the building. The Board approved access to the Area E Community Works Fund in the amount of \$89,210 subject to successful lease negotiation and subject to the 2018 Community Works Fund distributions. [View report.](#)

Cedar Heights Waterworks Service Area Expansion

The Board gave three readings to an expansion of the Cedar Heights Waterworks service area for one property located outside the boundaries of the existing service area. The property must also be included in the Lakeview Place Water Upgrade Service Area. [View report.](#)

Falkland Waterworks Service Bylaw No. 5765 Adoption

The Board adopted this Service Bylaw amendment to increase the maximum parcel tax requisition for this service. [View bylaw.](#)

Amendments to CSRD Ticket Information Utilization Bylaw No. 5296

Municipal ticket information (MTI) are one of the bylaw enforcement tools available to be utilized by Bylaw Enforcement Officers. The CSRD Ticket Information Utilization Bylaw has been updated to include seven additional land use bylaws outlining the offences and fines applicable to each bylaw for which an MTI may be written. The Board adopted the amendments to this bylaw. [View report.](#) [View bylaw amendment.](#)

Noise Regulation and Service Establishment Bylaws

Further amendments were made to the Noise Bylaw No. 5754 as requested by the Board. The Board endorsed the amendments and gave third reading. After significant consideration, the Director for Electoral Area A has decided to withdraw Area A from this service bylaw. Once further amendments are made, the Noise Service Establishment Bylaw will go to the Inspector of Municipalities for approval, following which, these bylaws will be considered for adoption (spring 2018). CSRD Bylaw Enforcement Policy A-69 will also be updated to clarify that the RCMP, at its discretion, will be enforcing this bylaw.



LAND USE MATTERS

Agricultural Land Reserve (ALR)

Electoral Area D: Agricultural Land Commission (ALC) Application Section 20 (3) - Non-Farm Use LC2542D (0764577 BC Ltd.)

There is an application to the ALC for non-farm use to expand the Valley Mobile Home Park property located at 1225 Salmon River Road in Silver Creek. The Board is recommending refusal of this non-farm use in the Agricultural Land Reserve (ALR). The application and resolution will be forwarded to the ALC for consideration. [View report.](#)

Electoral Area F: Agricultural Land Commission (ALC) Application Section 20(3) – Non-Farm Use LC2546F (Isley)

The Board is recommending approval of a non-farm use application in the ALR. The owner is applying to the ALC to use a 0.2 ha portion of the 2.02 ha property located at 6929 Squilax Anglemont Road in the ALR and south of Ross Creek, for 2.5 camping spaces which were inadvertently developed on the ALR portion when the Ross Creek General Store and Campground was originally developed. The application and resolution will be forwarded to the ALC for consideration. [View report.](#)

Development Services Bylaws

Areas B, E and F: Building Bylaw No. 660 – Building Inspection Services

The CSRD is on schedule to begin providing Building Inspection services to Electoral Areas B and E and expanded services to Area F on March 5, 2018. The proposed bylaw represents a minimum but effective standard for building regulation in the province for a primarily rural district which also takes into account the most recent BC Building Act changes that are now in effect. The Board gave the bylaw first, second and third readings. [View report.](#)

Development Permits (DP) and Development Variance Permits (DVP)

Electoral Area B: Development Variance Permit 851-02 (Dickinson) – 1617 Ferguson Road

A single family dwelling was constructed on the property in 2015 and is sited within the required front yard setback. The owner has made application for a Development Variance Permit to vary the required setback from the front parcel boundary to bring the property into compliance. The Board approved the variance. [View report.](#)

Zoning, Lakes Zoning and Official Community Plan (OCP)**Electoral Area C: South Shuswap Zoning Amendment (CSRD) Bylaw No. 701-86**

The Board adopted this bylaw amendment that will allow the Sorrento Memorial Hall Association and the Cedar Heights Community Association to display advertisements which are considered off-site signage, on these properties only. The amendment also introduces regulations for third party signs and illuminated signs which are consistent with regulations recently adopted and proposed in other CSRD zoning bylaws. [View report.](#)

NEXT BOARD MEETING

Thursday, February 15, 2018
CSRD Boardroom, 555 Harbourfront Drive NE, Salmon Arm

COMMITTEE OF THE WHOLE (BUDGET) MEETING

Wednesday, February 7, 2018
CSRD Boardroom, 555 Harbourfront Drive NE, Salmon Arm



Columbia Shuswap Regional District
555 Harbourfront Drive NE, PO Box 978
Salmon Arm, BC V1E 4P1
www.csrld.bc.ca | 250.832.8194

You are receiving this because you are currently involved in or were previously involved with one of the CSRD's programs, or have subscribed to the CSRD Newsletter. [Unsubscribe](#)

Item 16.1

CITY OF SALMON ARM

NOTICE OF MOTION

BC Strategic Wildfire Protection Initiative Community Wildfire Protection Plan

Date: February 13, 2018

Moved: Councillor Lavery

Seconded:

THAT: Council direct staff to prepare a report regarding an application to the UBCM administered Strategic Wildfire Prevention Initiative (SWPI) Fuel Management Prescription Program, to include:

- a) the current status of the Community Wildfire Prevention Plan funding stream;
- b) a recommended RFP process to proceed with a first phase of fuel management prescriptions;
- c) the anticipated budgetary implications and staff resource requirements; and
- d) potential collaboration with neighbouring First Nations.

Vote Record

- ☐ Carried Unanimously
 - ☐ Carried
 - ☐ Defeated
 - ☐ Defeated Unanimously
- Opposed:

- ☐ Cooper
- ☐ Flynn
- ☐ Eliason
- ☐ Harrison
- ☐ Jamieson
- ☐ Lavery
- ☐ Wallace Richmond

THIS PAGE INTENTIONALLY LEFT BLANK

Item 17.1

CITY OF SALMON ARM

Date: February 13, 2018

Sanitary Sewer Main Extension to Elks Hall Property

Vote Record

- ☐ Carried Unanimously
 - ☐ Carried
 - ☐ Defeated
 - ☐ Defeated Unanimously
- Opposed:

- ☐ Cooper
- ☐ Flynn
- ☐ Eliason
- ☐ Harrison
- ☐ Jamieson
- ☐ Lavery
- ☐ Wallace Richmond



Agricultural Land Commission
 133-4940 Canada Way
 Burnaby, British Columbia V5G 4K6
 Tel: 604 660-7000
 Fax: 604 660-7033
 www.alc.gov.bc.ca

January 22, 2018

Reply to the attention of: Benjamin Daly
 ALC File: 56561

Franklin Engineering
DELIVERED ELECTRONICALLY

Attention: Sean Husband

Re: Application 56561 to conduct a non-farm use in the Agricultural Land Reserve

Please find attached the Reasons for Decision of the Okanagan Panel for the above noted application (Resolution #25/2018). As agent, it is your responsibility to notify the applicant accordingly.

Review of Decisions by the Chair

Under section 33.1 of the *Agricultural Land Commission Act* (ALCA), the Chair of the Agricultural Land Commission (the Commission) has 60 days to review this decision and determine if it should be reconsidered by the Executive Committee in accordance with the ALCA. You will be notified in writing if the Chair directs the reconsideration of this decision. The Commission therefore advises that you consider this 60 day review period prior to acting upon this decision.

Request for Reconsideration of a Decision

Under section 33(1) of the ALCA, a person affected by a decision (e.g. the applicant) may submit a request for reconsideration. The request must be received within one (1) year from the date of this decision's release. For more information, refer to *ALC Policy P-08: Request for Reconsideration* available on the Commission website.

Please direct further correspondence with respect to this application to Benjamin Daly at (Benjamin.Daly@gov.bc.ca).

Yours truly,

Benjamin Daly, Land Use Planner

Enclosures: Reasons for Decision (Resolution #25/2018)
 Schedule A: Decision Map

cc: City of Salmon Arm



AGRICULTURAL LAND COMMISSION FILE 56561
REASONS FOR DECISION OF THE OKANAGAN PANEL

Utility application submitted under s. 6 of the ALR Use, Subdivision and Procedure
Regulation (BC Regulation 171/2002)

Applicants:

George Vanderheyden
Gilbert Deshima
Barbara Deshima
Salmon Arm Elks Recreation Society

Agent:

Sean Husband, Franklin Engineering

Properties:

Property 1

Parcel Identifier: 011-351-101

Legal Description: Lot 3, Section 25, Township 20,
Range 10, West of the 6th Meridian, Kamloops
Division Yale District, Plan 1705 Except Part
Outlined Red on Plan B5539

Civic: 3461 30th St NE Salmon Arm, BC

Area: 3.9 ha

**Property 2****Parcel Identifier: 011-153-784****Legal Description: Lot 2, Section 25, Township 20,
Range 10, West of the 6th Meridian, Kamloops
Division Yale District, Plan 1705 Except Plan
13691****Civic: 3601 30th St NE Salmon Arm, BC****Area: 7.4 ha****Property 3****Parcel Identifier: 010-544-364****Legal Description: Lot 3, Section 30, Township 20,
Range 9, West of the 6th Meridian, Kamloops
Division Yale District, Plan 4469****Civic: 3690 30th St NE Salmon Arm, BC****Area: 4.2 ha****Panel:****Gerald Zimmermann, Okanagan Panel Chair****Greg Norton****Jim Johnson**



OVERVIEW

- [1] The Properties are located within the Agricultural Land Reserve (ALR) as defined in s. 1 of the *Agricultural Land Commission Act* (the ALCA). The Properties are located within Zone 1 as defined in s. 4.2 of the ALCA.
- [2] The Applicants are applying to the Agricultural Land Commission (the "Commission") to register a Right-of-Way (ROW), in favour of the City of Salmon Arm (the "City"), to extend a sanitary sewer through ± 0.2 ha of ALR land from the sewer's existing terminus at 28th Street NE to Property 3 (the "Proposal"). The ROW is proposed to be 6 m wide by ± 450 m long, with ± 350 m of the ROW in the ALR. The purpose of the proposed sanitary sewer extension is to connect the Elks Recreation Society (Property 3) to municipal sanitary services, because the existing on-site sanitary disposal system on Property 3 is deficient and cannot accommodate any future expansion.
- [3] The issue in the Proposal is whether the proposed sanitary sewer extension would impact the agricultural utility of the Properties.
- [4] The issue was considered in the context of the purposes of the Commission set out in s. 6 of the ALCA. These purposes are:
- (a) to preserve agricultural land;
 - (b) to encourage farming on agricultural land in collaboration with other communities of interest; and
 - (c) to encourage local governments, first nations, the government and its agents to enable and accommodate farm use of agricultural land and uses compatible with agriculture in their plans, bylaws and policies.

EVIDENTIARY RECORD

- [5] The Proposal along with related documentation from the Applicants, Agent, local government and Commission is collectively referred to as the "Application". All documentation in the Application was disclosed to the Agent in advance of this decision.



EVIDENCE AND FINDINGS

- [6] To assess agricultural capability on the Properties, the Panel referred to agricultural capability ratings. The ratings are identified using the Canada Land Inventory (CLI), 'Soil Capability Classification for Agriculture' system. The improved agricultural capability ratings applicable to the Properties are Class 2 and Class 3, more specifically (6:2X – 4:3TM).

Class 2 - land is capable of producing a wide range of crops. Minor restrictions of soil or climate may reduce capability but pose no major difficulties in management.

Class 3 - land is capable of producing a fairly wide range of crops under good management practices. Soil and/or climate limitations are somewhat restrictive.

The limiting subclasses associated with this parcel of land are M (moisture deficiency), T (topographic limitations), and X (a combination of soil factors).

- [7] Based on the agricultural capability ratings, the Panel finds that the Properties have prime agricultural capability.
- [8] Property 1 is the only property being actively used for agriculture, with the proposed sewer crossing beneath $\pm 80\text{m}$ of cultivated hayfield. The Application submits that the sewer line will be directionally drilled to avoid surface disturbance and designed at a depth of at least 1.5 m to avoid any impacts to the farm operations. The Application also submits that the sewer has been aligned, where possible, along property boundaries and existing roads. The Panel is satisfied with the measures being taken to limit the proposed sewer's impacts on current and future agricultural activities and finds that the routing and construction methods of the proposed sanitary sewer will not impact the agricultural utility of the Properties.
- [9] The Panel is, however, concerned with potential conflicts that could arise during the construction of the sanitary sewer. The Panel finds that in order to avoid conflicts with the active agricultural operation on Property 1 the sewer must be constructed between harvesting and seeding times.



[10] The Application has proposed that the portion of the ROW that is parallel to 30th Street NE be offset by 0.5 m from the road ROW to prevent downstream properties from being subject to a municipal sanitary sewer frontage tax. In a report prepared by City of Salmon Arm Development Services, City Staff made the recommendation that the proposed sanitary sewer should be aligned with the existing 30th Street NE ROW and not in a separate ROW on private property. City Staff reasoned that including the sanitary sewer in the existing ROW is more prudent from a long-term planning and financial planning perspective.

[11] At its meeting of October 23, 2017, the City of Salmon Arm Council resolved to approve the extension of the sanitary sewer main as proposed, with the ROW being offset from 30th Street NE.

[12] The Panel agrees with City Staff's recommendation to locate the proposed sanitary sewer within the existing road ROW instead of offsetting the sanitary sewer from 30 Street NE onto ALR land. Offsetting the ROW would require further applications to the Commission if other downstream properties sought to connect to the sanitary sewer in the future.

DECISION

[13] For the reasons given above, the Panel refuses the Proposal as proposed.

[14] The Panel approves an alternate configuration to extend the sanitary sewer from 28th Street NE to Property 3 with the portion of the sewer running parallel to 30th Street NE being located within the existing road ROW as identified in Schedule A: Decision Map, subject to the following conditions:

PRE-CONSTRUCTION PHASE

- a. the submission of a survey plan delineating the area to be registered as a ROW;
- b. the location of the right-of-way for the sanitary sewer line be in substantial compliance with Schedule A: Decision Map of this decision;



- c. the submission of a written and signed agreement that indicates the construction dates of the sanitary sewer that has been mutually agreed upon by the agent and the owner of Property 1, as per condition g.
- d. the survey plan be submitted within three years from the date of release of this decision;

CONSTRUCTION PHASE

- e. the sanitary sewer must be constructed using directional drilling;
- f. the sanitary sewer must be located at a depth of at least 1.5m below Property 1;
- g. the construction of the sanitary sewer must be conducted between harvesting and seeding of Property 1, or at such a time that does not disrupt the agricultural activities occurring on Property 1;
- h. That any existing topsoil on the Property that is disturbed during construction of the Proposal must be stripped and salvaged for future soil reclamation purposes. Stock piled topsoil must not be removed from the Property; and
- i. Unauthorized fill material must not be placed on the Property.

[15] When the Commission confirms that conditions a. through d. have been met, it will authorize the Registrar of Land Titles to accept registration of the statutory right-of-way plan.

[16] These are the unanimous reasons of the Panel.

[17] A decision of the Panel is a decision of the Commission pursuant to s. 11.1(5) of the ALCA.

[18] Resolution #25/2018

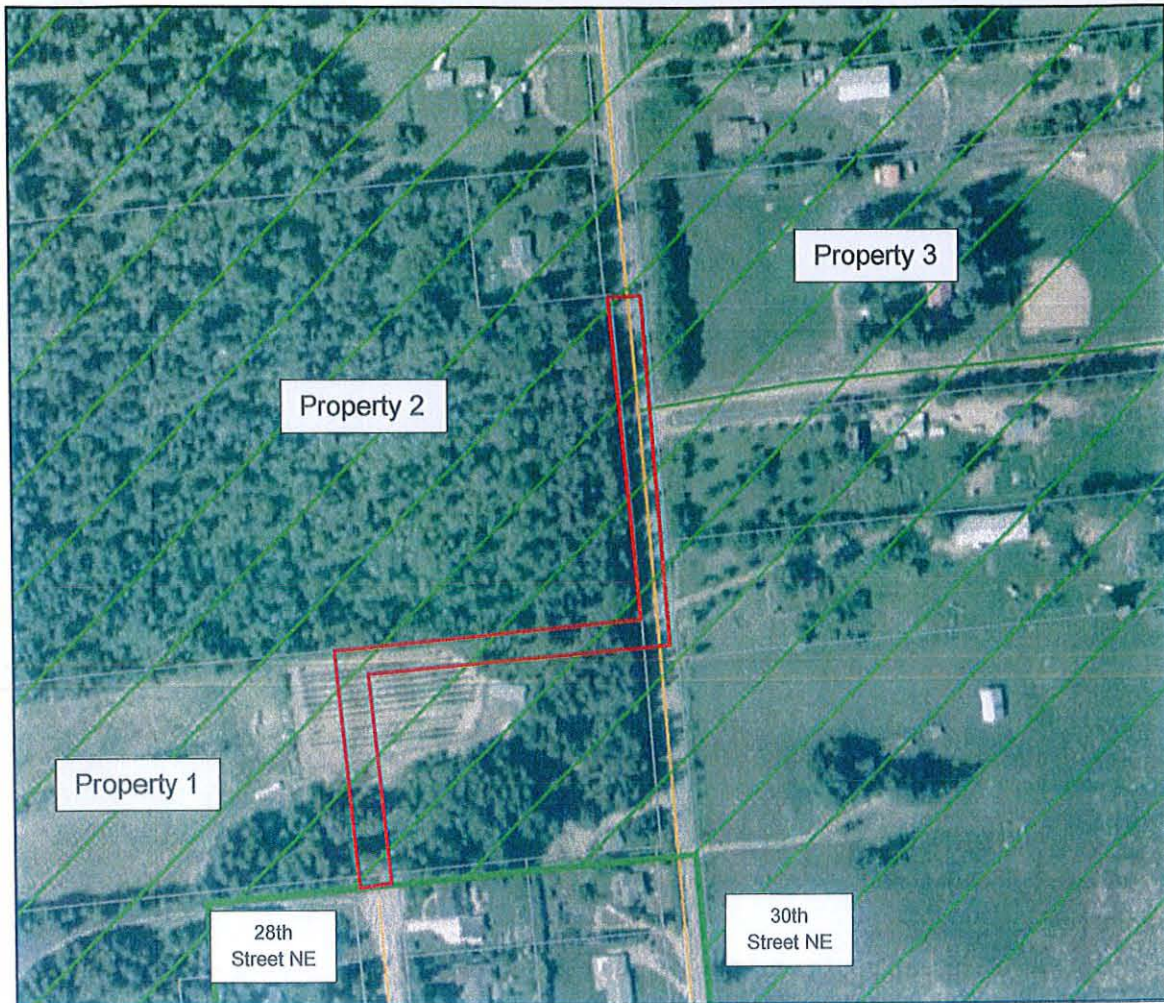
Released on January 22, 2018

Gerald Zimmermann, Chair

On behalf of the Okanagan Panel



Schedule A: Agricultural Land Commission Decision Map
ALC File 56561 (Elks Recreation Society)
Conditionally Approved Utility Right-of-Way
ALC Resolution #25/2018



 Conditionally Approved Utility Right-of-Way (0.2 ha)



Development Services Department Memorandum

TO: Her Worship Mayor Cooper and Council

FROM: Director of Development Services

DATE: October 11, 2017

SUBJECT: Sanitary Sewer Main Extension to Elks Hall Property – 3690 - 30 Street NE

MOTION FOR CONSIDERATION

THAT: Council authorize the extension of the City's sanitary sewer through the Rural Area to accommodate a connection to the property located at 3690 - 30 Street NE, owned by the Elks Recreation Society, as per the proposal from Franklin Engineering Ltd. dated August 8, 2017;

AND THAT: Approval of the above is subject to the Elks Recreation Society being responsible for all associated costs of the main extension, including payment to the City of a Capital Cost Equivalent in lieu of the Sanitary Sewer Development Cost Charge of \$2,890.04;

AND FURTHER THAT: Final design is subject to approval by the City Engineer.

STAFF RECOMMENDATION

The motion for consideration is recommended for approval, subject to the sanitary sewer main extension being aligned within the dedicated, east half of 30 Street NE, instead of within a statutory right of way over the property addressed at 3601 - 30 Street NE.

BACKGROUND

The Elks are requesting to connect to the City's sanitary sewer main and their proposal is attached as APPENDIX 1. A reference map is attached as APPENDIX 2.

The proposed extension would continue from the main's present terminus at 28 Street NE and traverse two rural properties in the ALR for a total length of 400+ m.

The proposal includes statutory rights of ways over two rural lots that would be in favour of the City. This main would not be a private connection as the ownership, operations and maintenance responsibilities would be that of the City.

The intent of the right of way over 3601 - 30 Street NE, 0.5 m off-set from the street along the east lot boundary, is to avoid a sanitary sewer frontage tax levy on two other rural lots south of the Elks property addressed at 3530 & 3590 30 Street NE. If the main was aligned within 30 Street NE, the two properties referenced along the east side of the street would be subject to an annual sewer frontage tax levy and each would have an ability to connect to the system. Furthermore, the costs involved in aligning the main within 30 Street NE would be higher for the Elks in comparison to the right of way option.

CONSIDERATIONS

The Elks on-site sanitary disposal system is deficient and cannot accommodate expansion of the campground or other facilities.

The Elks had a similar proposal prepared for Council's review approximately 9 years ago, which involved alignment of the sanitary sewer main within 30 Street NE. The Elks withdrew that previous proposal because of opposition of the extension by some of the downstream property owners who did not want to pay sewer frontage taxes.

The owners of the four properties highlighted in APPENDIX 2 who would or may be affected by Council's decision have been notified in writing by City staff of the Elks proposal and, with that, each owner has been afforded an opportunity to comment. Written responses are attached as APPENDIX 3.

The Official Community Plan (OCP) does not support the extension of City's sanitary sewer main into the Rural Area as per the OCP policy below:

"3.3.22 Do not support the extension of the sanitary sewer system outside the Urban Containment Boundary (UCB). Private sanitary sewer connections outside the UCB may be considered where main extensions are not required, subject to Council approval."

The above policy is in effect as a means to temper expectations for subdivision and development outside of the UCB, and to keep City-wide infrastructure costs down.

The proposed right of way requires consideration and approval by the Agricultural Land Commission (ALC). The Elks made an application to the ALC for this proposal, and these types of utility corridor and transportation applications are not reviewed by City Council. The ALC requested City staff's comments for that application, which were provided on September 29, 2017 (attached as APPENDIX 4). The ALC since advised its decision will follow Council's decision.

The Elks proposal references proximity to the water main along the west boulevard as being an obstacle; however according to the City Engineer, the main could be extended along the eastern boulevard, albeit with a higher construction cost compared to the right of way option proposed. Other than that, the City Engineer would require some technical tweaking of the present proposal.

Assuming the present ALR status and OCP, there is a possibility that the larger rural lot addressed at 3601 - 30 Street NE could someday be subdivided for a relative (one-lot only), subject to Section 514 of the Local Government Act, Council and ALC approval, and City Approving Officer approval. If subdivided, approximately 2.44 m width of road dedication would be required from that property to widen 30 Street NE to 10 m from the centerline.

Or there may be a time when the City negotiates a land purchase to widen the street to 12.5 m from centreline, which is the width ultimately needed for this Rural Arterial Street. In either a subdivision or land acquisition scenario, the main would become aligned within the dedicated street and properties fronting the main would be subject to the annual sewer frontage tax.

STAFF RECOMMENDATION

Notwithstanding OCP Policy 3.3.22, staff is generally supportive of the Elks property connecting to the City's sanitary sewer system, which would involve a significantly long main extension and investment. Staff appreciates the planning and work that has gone into the proposal by Franklin Engineering Ltd., and recognizes the Elks as an important, non-profit entity that provides and accommodates community recreation and other services.

Staff is concerned with the proposed main alignment through a right of way off-set from 30 Street NE. The Elks intentions are understood in that regard, to accommodate the wishes of the downstream lot owners who do not want to pay frontage tax and to lower the project's cost. However, from staff's perspective, the main should be aligned within the 30 Street NE right of way for the following reasons related to long-term planning, financial sustainability of the system and other technicalities:

- 1) The sewer main would become the City's infrastructure and should be available for future public connections and use. Current or future owners of the lots addressed at 3530 & 3590 30 Street NE may want to connect to the main; with the Elks proposal, they could not do so without either trespassing or amending the right of way, which could be illegal, complicated or uncertain.
- 2) City utility mains aligned within a street are preferred as infrastructure within rights of ways can be difficult to access and maintain. This is because many rights of ways become obstructed with landscaping improvements such as retaining walls and fencing or overgrown vegetation. These obstacles typically become more costly and difficult to manage over time with successive land ownership and in particular with land owners not aware of a right of way charge on title.
- 3) The operations and maintenance of sanitary sewer mains are financed by the sewer frontage tax regime; the more properties contributing to the levy (i.e. the higher the lot density) relative to the length of the main, the more financially sustainable the system remains. Long main extensions into the rural areas are simply more costly to the City.



Kevin Pearson, MCIP, RPP
Director of Development Services

cc Chief Administrative Officer
Chief Financial Officer
Director of Engineering and Public Works

Attention: City of Salmon Arm Mayor and Council

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

August 8th, 2017

Request for Sanitary Main Extension Resolution

Dear Nancy and City of Salmon Arm Councilors,

The Salmon Arm Elks Recreation Society is required to upgrade its Wastewater System due to deficiencies in its existing system.

It is proposed to extend the sanitary sewer reticulation from 28th St NE, to provide a gravity sewer connection to the Elks Hall. The Elks would finance the construction of the main, whose ownership would then become the City's. When crossing private land, the sewer would be located within a 6m Right-of-Way (RoW) allowing City access should it require future maintenance.

The required extension is outside the urban containment boundary as defined in Map 4.1 of the Official Community Plan (OCP), and hence requires the Council to approve this proposal by way of a resolution.

The proposed sewer alignment crosses through private property within the ALR land. The owners of the private property have been consulted and are supportive of the proposal. An application for a transportation and utilities corridor through ALC lands is being undertaken concurrently.

The alignment remains in private property as it runs parallel with 30th Street NE, with the RoW maintaining a 0.5m offset from the Roadway. Should the sewer main be located within, or without separation from the City Roadway, the two adjacent eastern land owners (3530 and 3590 30th St NE) would be unsupportive of the proposal as they would be required to pay a frontage fee on their annual taxes. By maintaining the alignment of the sanitary main within private property, the adjacent residents are supportive of the proposal as there is no increase to their taxes.

There is an existing water main within the West boulevard of 30th St NE. Due to the minimum 3m separation required between a water main and sanitary main, there is insufficient space to also include the sanitary main in the western boulevard. As the boulevard on the eastern side of the road is

unsuitable, the only remaining alignment in the city roadway is beneath the paved road, which would make the project not financially viable.

Through consultation with City Development Services staff, it is understood that access is important to enable future maintenance. It is proposed to provide widened road shoulders at the locations of the manholes adjacent to 30th St NE to provide access. This would allow maintenance vehicles to park safely on the road shoulder whilst conducting any required maintenance.

Other options have been considered; a preliminary assessment of site conditions was undertaken which show that the Elks parcel is not suitable for large onsite wastewater system. Whilst in theory it would be possible to engineer an onsite system, this was not considered a financially feasible option for a non-profit organization.

The Salmon Arm Elks Recreation Society are an active non-profit society, widely involved in benefitting the local community. Most specifically minor baseball. Please review the proposed resolution for extending the City services outside of the urban boundary, to provide a much needed wastewater disposal option for the Salmon Arm Elks organization.

Please contact Franklin Engineering if you have any further questions regarding the proposed sanitary main extension.

Prepared by:



Sean Husband
Franklin Engineering

On Behalf of: Ole Cummings
Salmon Arm Elks Recreation Society

Attached: Franklin Engineering Drawing 17-051 C-01 (Rev4)



30 Street NE

Elks Property

3601

3690

3590

3530

3461

38 STREET NE

30 AVENUE NE

- Urban Containment Boundary
- Existing Sani-System
- Proposed Sani-Extension

Reference Map



October 04, 2017

Kevin Pearson

Director of Development Services

Regarding the Request for Sanitary Main Extension Resolution by Franklin Engineering Ltd & Elks Recreation Society

Barbara & Gil Deshima just received this proposal October 02 2017 and HAVE NOT given the Elks Recreation Society approval for this proposal and will not be responsible for any cost associated with this proposal.

We are in a difficult situation as our property 3601 30th Street NE was sold and the transfer of ownership is October 27 2017. 4 days after City Council's October 23 Regular Council meeting which this proposal is scheduled to be reviewed.

We have notified our Realtor to pass along all letters in regard, to this proposal to the new owners Realtor

***Yours Truly,
Barbara and Gil Deshima***

From: Tina Cosman [tina@tinacosman.com]
Sent: October 4, 2017 12:23 PM
To: Kevin Pearson
Subject: RE: 3601 30th street letters from city

I did. I will forward it to them.

Thanks

Tina

From: Kevin Pearson [mailto:kpearson@salmonarm.ca]
Sent: Wednesday, October 4, 2017 12:21 PM
To: 'Tina Cosman'
Subject: RE: 3601 30th street letters from city

Thank you Tina. Not sure if you have seen my letter to the current owners, but here it is just in case. Please let me know if you / your clients have any questions or concerns, otherwise I will advise Council of what you mention below.

Kevin

From: Tina Cosman [mailto:tina@tinacosman.com]
Sent: October 4, 2017 12:11 PM
To: Kevin Pearson
Subject: FW: 3601 30th street letters from city

Good afternoon Kevin

My clients, Susan and Arthur Willms are the buyers of the above noted property and have spoken with Elks and are in agreement.

At this time they are out of the country. The sale is scheduled to complete at the end of this month.

Tina Cosman
Tina Cosman & Associates
www.tinacosman.com
Century 21 Executives Realty Ltd.
Salmon Arm, BC
Cell: (250) 804-6765
Office: (250) 833-9921
Fax#: 1-250-483-1598

IMPORTANT - CONFIDENTIAL INFORMATION

This message is intended only for the use of the individual or entity to which it is addressed, and may contain information that is privileged, confidential and exempt from disclosure under applicable law. Any other distribution, copying or disclosure is strictly prohibited. If you have received this message in error, please notify us immediately by

From: Shirley Gasparin [<mailto:shirleygasparin@royallepage.ca>]
Date: Wednesday, October 4, 2017 11:18 AM
To: Tina Cosman
Subject: Fwd: 3601 30th street letters from city

Hello Tina

Please find attached letters that were sent to my clients. Also you will find upon reading it that it states my clients "agree" to the proposed sewer lines. This is a false statement and my clients have written a letter to inform whom it concerns that they did not agree to the sewer system. In addition they have added in their letter that the property has been sold and that a copy of the letters have been passed onto the new buyers. I am not sure if you are able to get a hold of your clients because the as your read the letters there is some time sensitive meetings .

confirm you have received this email and attachments.

Regards,
Shirley Gasparin,
Realtor

"With you all the way"



Royal Lepage Westwin Realty
800 Seymour Street, Kamloops, BC
Direct: 250-819-8354
Office: 250-374-1461



Virus-free. www.avg.com

Kevin Pearson

From: Kevin Pearson
Sent: September 29, 2017 12:19 PM
To: 'Dorward, Caitlin ALC:EX'; Denise Ackerman
Cc: Barlow, Celeste ALC:EX; Daly, Benjamin ALC:EX
Subject: RE: Application ID 56561
Attachments: Elks_Sani.pdf

Thank you Caitlin, Celeste & Benjamin.

I am just finishing my report to Council on the Elks Sanitary Sewer Extension. Our Council will be reviewing the Elks proposal on October 23 next month. The staff recommendation to Council is to have the sanitary sewer main aligned within the dedicated road allowance of 30 Street NE rather than along a statutory right of way, offset 0.5 metres within the lot boundary of 3601 30 Street NE. I have attached a reference map.

Our reasons for this recommendation are technical and have more to do with frontage taxation, long term considerations for other properties having an ability to connect, and operations and maintenance of the system. The proposed right of way alignment through the lot addressed at 3461 30 Street NE is not as much of a concern for City staff.

Our OCP has a policy that discourages the extension of the sanitary sewer into the Rural Area. That is tied to our urban containment policies which generally discourage subdivision in the ALR. However, staff understands the Elks predicament with their failing on-site septic system, and we value the importance of their non-profit organization and the recreational amenities they offer our community.

I cannot predict how our Council will vote on the Elks proposal the ALC is reviewing, or if they will agree with the staff recommendation. So the above are obviously City staff's comments and may not represent Council's view.

Kevin Pearson
 Director of Development Services
 City of Salmon Arm
 250.803.4015

From: Dorward, Caitlin ALC:EX [mailto:Caitlin.Dorward@gov.bc.ca]
Sent: September 29, 2017 11:58 AM
To: Denise Ackerman
Cc: Kevin Pearson; Barlow, Celeste ALC:EX; Daly, Benjamin ALC:EX
Subject: RE: Application ID 56561

Hi Denise;

Just wanted to let you know that there have been some staff changes at our office and as of this week I am now covering the Island Panel Region.

I've copied my colleagues Celeste Barlow and Ben Daly, who are now the ALC Land Use Planners for the Okanagan Region. If you do intend to submit comments from the City regarding application #56561, please direct them to Celeste and Ben.

Regards,
 Caitlin

Item 18.1

CITY OF SALMON ARM

Date: February 13, 2018

Open for Business Awards Ceremony - February 23, 2018

Vote Record

- ☐ Carried Unanimously
 - ☐ Carried
 - ☐ Defeated
 - ☐ Defeated Unanimously
- Opposed:

- ☐ Cooper
- ☐ Flynn
- ☐ Eliason
- ☐ Harrison
- ☐ Jamieson
- ☐ Lavery
- ☐ Wallace Richmond

Small Business Roundtable

January 24, 2018

Erin Jackson
Corporate Officer
City of Salmon Arm
500 – 2 Avenue NE
Salmon Arm BC, V1E 4N2

Dear Ms. Jackson:

Congratulations on being selected as a finalist in the Medium Community Category of the 2018 Open for Business Awards.

We were delighted to receive your case study submission that demonstrates your leadership in supporting small business through your initiative. A video vignette will be produced by Small Business BC and made available for your use to promote your business friendly practices.

As a finalist, you have demonstrated your communities' commitment to fostering small business success by adopting Open for Business Best Practices. The BC Small Business Roundtable recognizes the critical role local government plays in supporting the growth and success of small business by establishing a business friendly culture in the community.

I look forward to seeing you at the Small Business BC Awards Gala, February 23, 2018 at the Vancouver Convention Centre where the winners will be announced. Please RSVP at your earliest convenience to elizabeth.a.johnston@gov.bc.ca as two complimentary tickets have been set aside for representatives from your community.

Congratulations again, and thank you for your efforts toward supporting a growing and thriving small business sector.

Sincerely,

Sue Adams
Chair, Awards Committee
BC Small Business Roundtable

cc. Carl Bannister, Chief Administrative Officer

CITY OF SALMON ARM
NOTICE OF PUBLIC HEARING

Notice is hereby given that the Council of the City of Salmon Arm will hold a Public Hearing in the Council Chambers of the City Hall, 500 - 2 Avenue NE, Salmon Arm, BC, on Tuesday, February 13, 2018 at 7:00 p.m.

1) Proposed Amendment to Zoning Bylaw No 2303:

Proposed Rezoning of Lot 25, Section 13, Township 20, Range 10, W6M, KDYD, Plan KAP79114 from P-3 (Institutional Zone) to R-8 (Residential Suite Zone).

Civic Address: 821 - 17 Street SE

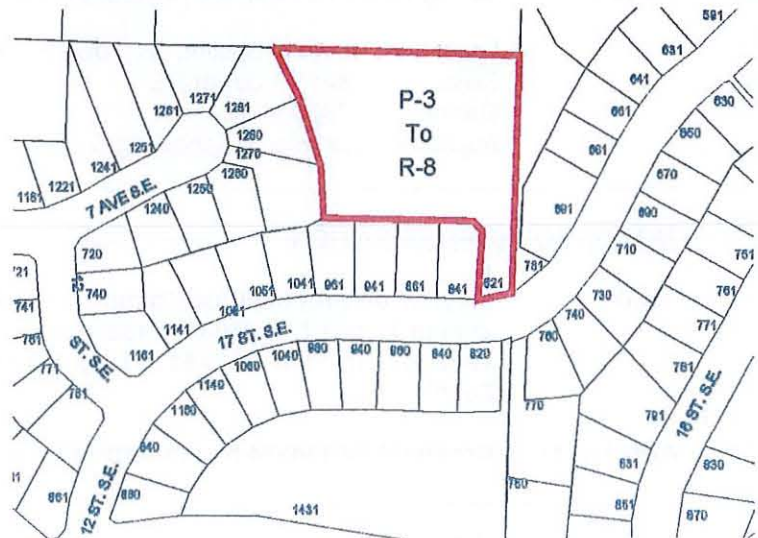
Location: Northwest of the intersection of Auto Road and 20 Avenue SE

Present Use: Vacant Property

Proposed Use: Single family dwellings with residential suites

Owner / Applicant: 0703904 BC Ltd. / Lawson Engineering & Development Services Ltd.

Reference: ZON-1114/ Bylaw No. 4243



The file for the proposed bylaw is available for inspection between the hours of 8:30 a.m. and 4:00 p.m., Monday through Friday, excluding holidays from January 30, 2018 to February 13, 2018, both inclusive, in the office of the Corporate Officer at the City of Salmon Arm, 500 - 2 Avenue NE.

Those who deem their interest affected by the proposed bylaw are urged to review the file available in the Development Services Department (or telephone 250-803-4021) to obtain the facts of the proposal prior to the Public Hearing.

Erin Jackson, Corporate Officer

Salmon Arm Observer: January 31 and February 7



Development Services Department Memorandum

To: Her Worship Mayor Cooper and Members of Council

Date: January 8, 2018

Subject: Zoning Bylaw Amendment Application No. 1114

Legal: Lot 25, Section 13, Township 20, Range 10, W6M, KDYD, Plan KAP79114

Civic: 821 17 Street SE

Owner: 703904 BC Ltd.

Applicant: Lawson Engineering & Development Services Ltd.

MOTION FOR CONSIDERATION

THAT: a bylaw be prepared for Council's consideration, adoption of which would amend Zoning Bylaw No. 2303 by rezoning Lot 25, Section 13, Township 20, Range 10, W6M, KDYD, Plan KAP79114 from P-3 (Institutional Zone) to R-8 (Residential Suite Zone);

AND THAT: Covenant KX134254 be authorized for discharge from Title of the subject property.

STAFF RECOMMENDATION

THAT: The motion for consideration be adopted.

PROPOSAL

The subject parcel is located at 821 - 17 Street SE and is currently vacant (Appendix 1 and 2). The proposal is to rezone the parcel from P-3 (Institutional) to R-8 (Residential Suite) which would facilitate a potential subdivision (an application to subdivide has been submitted: SUB17-33). The applicant intends to build one single family dwelling with potential for a *secondary suite* on each proposed lot.

BACKGROUND

The subject parcel is designated Medium Density Residential in the City's Official Community Plan (OCP) and zoned P-3 (Institutional) in the Zoning Bylaw (Appendices 3 and 4 respectively). The subject parcel is located in the residential area between Auto Road and Okanagan Avenue, an area largely comprised of R-1, R-4, and R-8 zoned parcels. There are currently 19 R-8 zoned parcels within close proximity of the subject parcel.

The subject property has been zoned for institutional use since 2005 when the Laurel Estates subdivision was under construction. The developer of Laurel Estates rezoned this panhandle lot from R-1 to P-3 with the intention of building a rest home/care facility. Around that time, Interior Health Authority was seeking lands and RFP's for such facilities.

As a result of the Public Hearing for the previous rezoning, Council required the covenant to be registered on Title, as concerns were raised by surrounding neighbours of the potential of the property being used as a correction facility with P-3 zoning (covenant is attached as Appendix 5). If Council approved this rezoning application, the covenant will no longer be applicable and should be discharged from Title, as stated in the Motion for Consideration.

The large subject parcel is just under 2 acres in area and meets the conditions of minimum parcel area and minimum parcel width as specified by the proposed R-8 zone. Site photos are attached as Appendix 6. The intent of the application is to facilitate the subdivision of the parcel (concept attached as Appendix 7), which would allow for the creation of two parcels each approximately 1 acre, and construction of two single family dwellings potentially with some form of *secondary suite* (the two new lots proposed would meet Zoning Bylaw requirements to permit either a home containing a *secondary suite* or a *detached suite*). The regulations of the current P-3 zone do not permit a primary residential use.

Any development of a single family dwelling, *secondary suite* or *detached suite* would require a building permit and will be subject to meeting Zoning Bylaw and BC Building Code requirements.

Secondary Suites

Policy 8.3.25 of the OCP provides for the consideration of secondary suites in Medium Density Residential designated areas via a rezoning application, subject to compliance with the Zoning Bylaw and the BC Building Code. Based on the parcel area, the lot as it presently exists has potential for the development of either a *secondary suite* or a *detached suite*. Through the proposed subdivision scenario, the new lots would also have potential for the development of a *secondary suite* or *detached suite*.

COMMENTS

Engineering Department

Appendix 8.

Building Department

No concerns. A secondary suite is subject to BC Building Code requirements.

Fire Department


No concerns.

Planning Department

The proposed R-8 zoning of the subject parcel is consistent with the OCP and is therefore supported by staff. Any development of a *single family dwelling*, a *secondary suite* or *detached suite* would require a building permit and will be subject to meeting Zoning Bylaw and BC Building Code requirements.

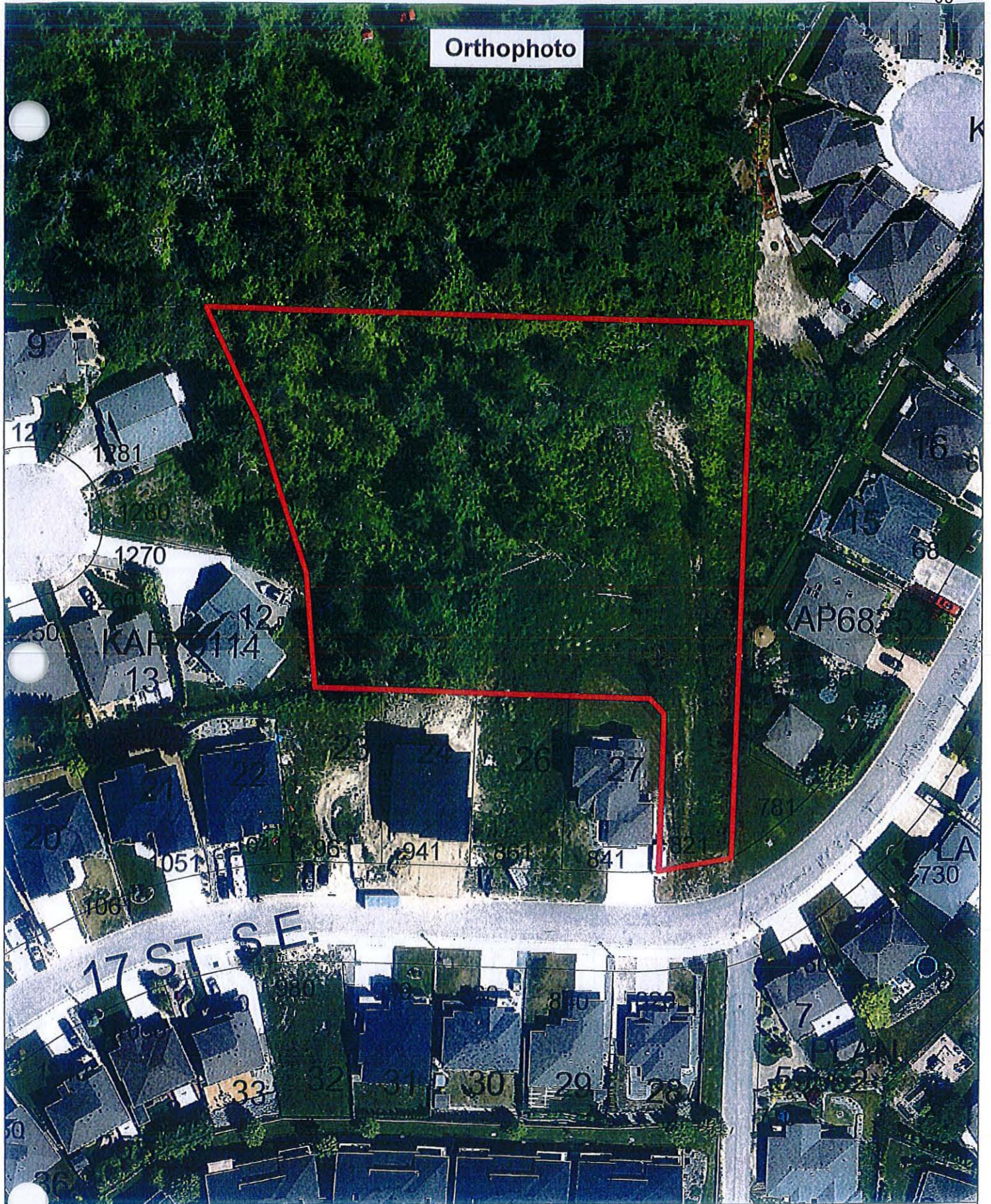
The intent of the rezoning is to facilitate future residential development in the form of a proposed subdivision which would result in two lots should the applicant proceed. The resulting parcels would substantially align with existing development patterns in the area.

The subject property is adjacent to dedicated green space to the east (Appendix 9). This green space was dedicated with a previous subdivision and allows for a pedestrian connection north to 4 Avenue SE.


Prepared by: Wesley Miles, MCIP, RPP
Planning and Development Officer


Reviewed by: Kevin Pearson, MCIP, RPP
Director of Development Services

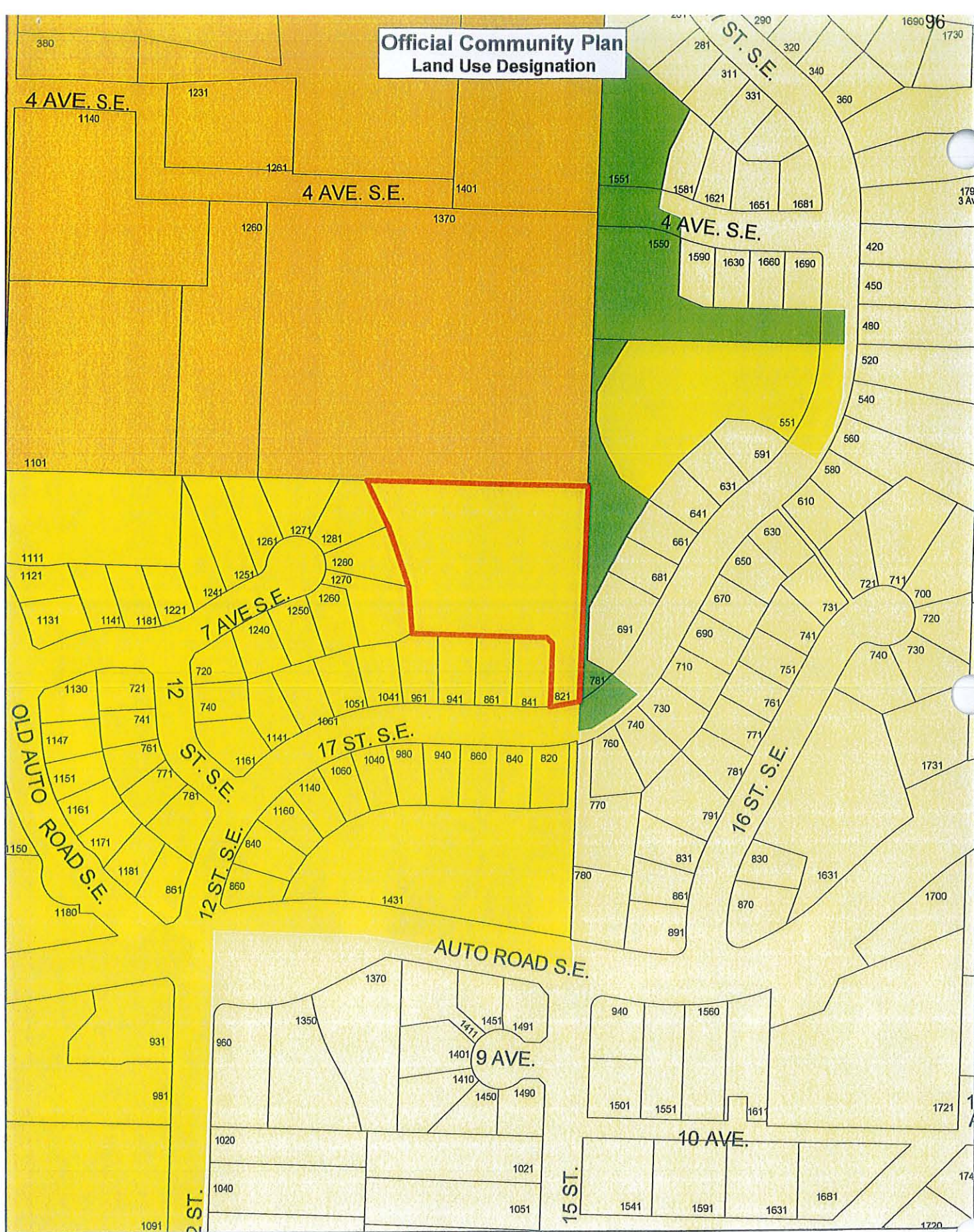
Orthophoto



0 10 20 30 40
Meters

 Subject Parcel

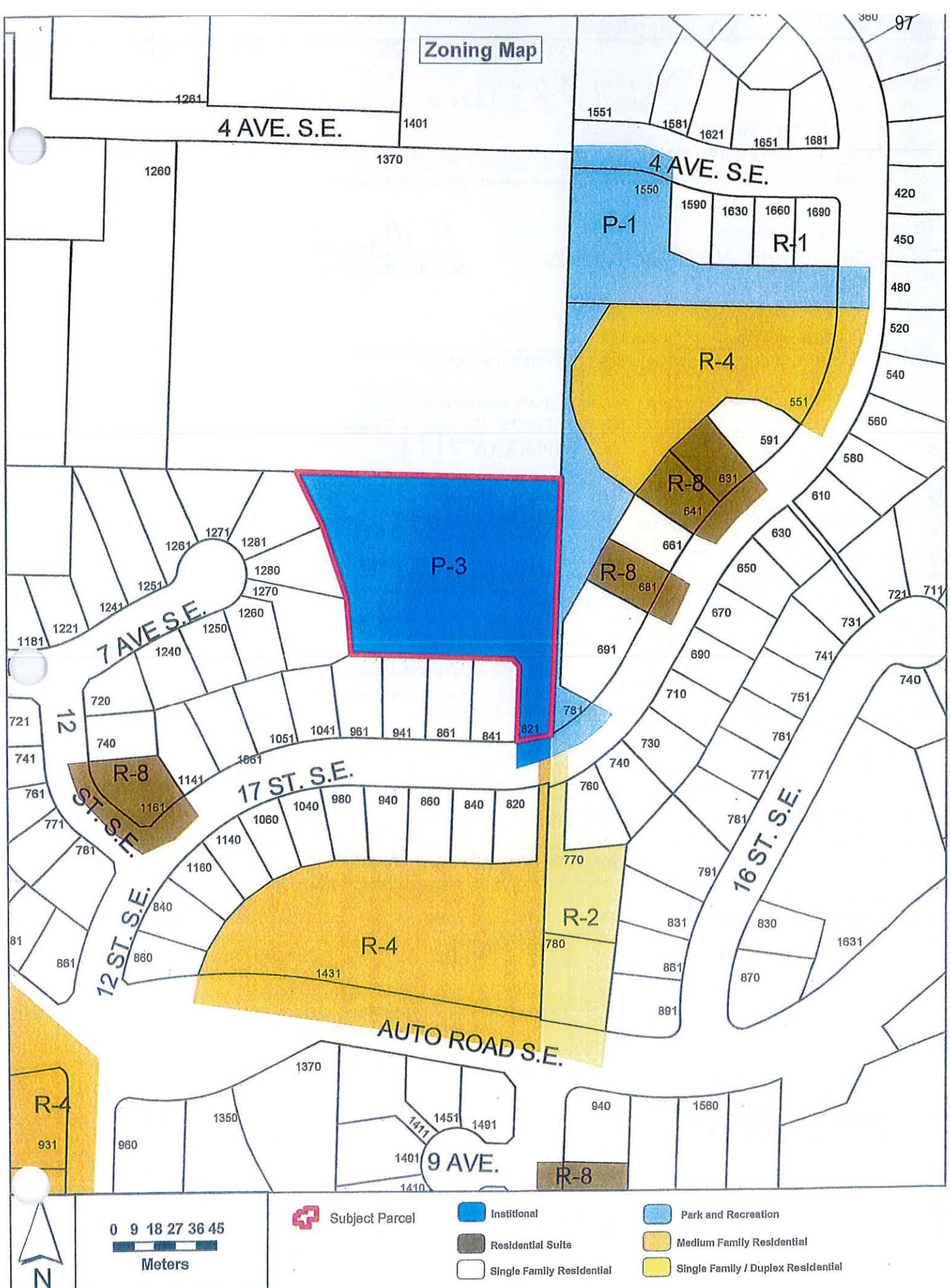
Official Community Plan
Land Use Designation



- Subject Parcel
- Park
- Residential Low Density

- Residential Medium Density
- Residential High Density

Zoning Map



005 14 25

KX134255

23 SEP 2005 14 25

KX134254

98
(592)

Land Title Act

Form C

section 233)

Province of British Columbia

Restricted P-3 Uses

821-17 st SE

GENERAL INSTRUMENT - PART 1

(This area for Land Title Office use)

Page 1 of 6 page

APPLICATION: (Name, address, phone number and signature of applicant, applicant's solicitor or agent)

Allan Francis & Pringle

Barristers & Solicitors

3009B - 28th Street, Vernon, BC V1T 4Z7

(250) 542-1177

File Reference: DLS 31014

LTO Client # 10339

A. Marinello

Signature of Applicant's Solicitor or Agent

PARCEL IDENTIFIER(S) AND LEGAL DESCRIPTION(S) OF LAND:*

(PID)

(LEGAL DESCRIPTION)

Lot 25, Section 13, Township 20, R10W6M, KDYD,
Plan KAP 79114

NATURE OF INTEREST:*

DESCRIPTION

DOCUMENT REFERENCE
(page and paragraph)

PERSON ENTITLED TO INTEREST*

Section 219 Covenant
and Priority Agreement

ENTIRE DOCUMENT

TRANSFeree

4. TERMS: Part 2 of this instrument consists of (select one only)

(a) Filed Standard Charge Terms

☐ D.F. No.

(b) Express Charge Terms

☒ Annexed as Part 2

(c) Release

☐ There is no Part 2 of this instrument

A selection of (a) includes any additional or modified terms referred to in item 7 or in a schedule annexed to this instrument. If (c) is selected, the charge described in item 3 is released or discharged as a charge on the land described in item 2.

5. TRANSFEROR(S):*

0703904 B.C. LTD., (Inc. # BC0703904) grants Covenant and Frank Frederick Shunock grants Priority

6. TRANSFeree(S): (including postal address(es) and postal code(s))*

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

7. ADDITIONAL OR MODIFIED TERMS:*

N/A

8. EXECUTION(S):** This instrument creates, assigns, modifies, enlarges, discharges or governs the priority of the interest(s) described in item 3 and the Transferor(s) and every other signatory agree to be bound by this instrument and acknowledge(s) receipt of a true copy of the filed standard charge terms, if any.

Officer Signature(s)

David L. Schaefer
DAVID L. SCHAEFER
Barrister & Solicitor
3009B - 28th Street
Vernon, B.C. V1T 4Z7
Telephone: (250) 542-1177

Execution Date

Y	M	D
05	08	09

Party(ies) Signature(s)

0703904 B.C. LTD., by it's
authorized signatory(s):*Keith Harris*
Per *Keith Harris*
Keith Harris

Officer Certification:

Your signature constitutes a representation that you are a solicitor, notary public or other person authorized by the Evidence Act, R.S.B.C. 1996 c. 124, to take affidavits for use in British Columbia and certifies the matters set out in Part 5 of the Land Title Act as they pertain to the execution of this instrument.

* If space insufficient, enter "SEE SCHEDULE" and attach schedule in Form E.

**If space insufficient, continue execution on additional page(s) in Form D.

SUBMITTED BY: KERSHAW
KUROYAMA REGISTRY

Land Title Act
FORM D

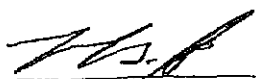
EXECUTIONS CONTINUED

Page 2 of 6 pages

Officer Signature(s)

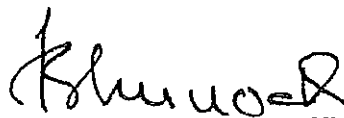
Y M D

Party(s) Signature(s)



Frank S. Sarlo
Wishart Law Firm, LLP
390 Bay St., 5th Floor
Sault Ste. Marie, On
P6A 1X2
(705) 949-6700
Barrister & Solicitor

2005 08 10



FRANK FREDERICK SHUNOCK

OFFICER CERTIFICATION:

Your signature constitutes a representation that you are a solicitor, notary public or other person authorized by the Evidence Act, R.S.B.C., 1996 c. 124, to take affidavits for use in British Columbia and certifies the matters set out in Part 5 of the Land Title Act as they pertain to the execution of this instrument.

* If space insufficient, enter "SEE SCHEDULE" and attach schedule in Form E.

** If space insufficient, continue executions on additional page(s) in Form D.

COVENANT

Terms of Instrument—Part 2

THIS AGREEMENT dated for reference the 9th day of August, 2005 is

BETWEEN:

0703904 B.C. Ltd., (Inc. #BC0703904), a company duly incorporated pursuant to the laws of the Province of British Columbia and having its registered and records offices located at 3009B - 28th Street, Vernon, B.C. V1T 4Z7

(the "Owner")

AND:

CITY OF SALMON ARM, a municipality duly incorporated pursuant to the laws of the Province of British Columbia and having its offices located at 500 - 2nd Avenue NE, P.O. Box 40, City of Salmon Arm, BC, V1B 4N2

(the "City")

GIVEN THAT:

A. The Owner is the registered owner in fee simple of the land located in the City of Salmon Arm, British Columbia, legally described as:

1. PID # 011-535-491
Parcel A (DD K5138F and Plan E11629) of Lot 5,
Section 13, Township 20, Rge 10 W6M,
KDYYD, Plan 1521 except Plan 41948; and
2. PID # 015-005-313
Lot 1,
Section 13, Township 20, Rge 10 W6M,
KDYYD, Plan 41948

(herein the "Development Lands");

- B. It is proposed that a portion of the Development Lands be subdivided and developed for R-1, R-4 and P-3 uses.
- C. The Owner has asked the City to accept the covenant created by this Agreement so that the development and a rezoning of the Development Lands sought by the Owner can proceed more expeditiously; and
- D. The Owner wishes to grant, and the City accepts, the s. 219 Covenant contained in this Agreement over the lot to be rezoned as P-3 Institutional and legally described as:

PID # _____
Lot 25, Section 13, Township 20, Rge 10 W6M, KDYD
Plan KAP 79114

(herein the "Land")

THIS AGREEMENT is evidence that in consideration of payment of \$1.00 by the City to the Owner (the receipt of which is acknowledged by the Owner), and in consideration of the promises exchanged below, the Owner covenants and agrees with the City in accordance with s. 219 of the *Land Title Act* as follows:

- (1) The Owner covenants and agrees with the City that:
 - (a) although the Land is zoned P-3, development of the Land, including by construction or placement of any building or structure on the Land, is prohibited except for the construction of seniors housing, including but not limited to a seniors rest home, Intermediate Care Facility, Congregate Care Facility, Extended Care Facility, Multi-Level Care Facility and Assisted Living Residences.
- (2) Any opinion, decision, act or expression of satisfaction provided for in this Agreement is to be taken or made by the City's Director of Development and Planning or his or her delegate authorized as such in writing.
- (3) The parties agree that this Agreement creates only contractual obligations and obligations arising out of the nature of this document as a covenant under seal. The parties agree that no tort obligations or liabilities of any kind exist between the parties in connection with the performance of, or any default under or in respect of, this Agreement. The intent of this section is to exclude tort liability of any kind and to limit the parties to their rights and remedies under the law of contract and under the law pertaining to covenants under seal.
- (4) The rights given to the City by this Agreement are permissive only and nothing in this Agreement imposes any legal duty of any kind on the City to anyone, or obliges the City to enforce this Agreement, to perform any act or to incur any expense in respect of this Agreement.

This Agreement does not:

- (a) affect or limit the discretion, rights or powers of the City under any enactment (as defined in the *Interpretation Act*, on the reference date of this Agreement) or at common law, including in relation to the use or subdivision of the Land,
 - (b) affect or limit any enactment relating to the use or subdivision of the Land, or
 - (c) relieve the Owner from complying with any enactment, including in relation to the use or subdivision of the Land.
- (6) Every obligation and covenant of the Owner in this Agreement constitutes both a contractual obligation and a covenant granted under s. 219 of the *Land Title Act* in respect of the Land and this Agreement burdens the Land and runs in perpetuity and binds the successors in title to the Land. This Agreement burdens and charges all of the Land and any parcel into which it is subdivided by any means and any parcel into which the Land is consolidated. The Owner is only liable for breaches of this Agreement that occur while the Owner is the registered owner of the Land.
- (7) The Owner agrees to do everything reasonably necessary, at the Owner's expense, to ensure that this Agreement is registered against title to the Land with priority over all financial charges, liens and encumbrances registered, or the registration of which is pending, at the time of application for registration of this Agreement.
- An alleged waiver of any breach of this Agreement is effective only if it is an express waiver in writing of the breach in respect of which the waiver is asserted. A waiver of a breach of this Agreement does not operate as a waiver of any other breach of this Agreement.
- (9) If any part of this Agreement is held to be invalid, illegal or unenforceable by a court having the jurisdiction to do so, that part is to be considered to have been severed from the rest of this Agreement and the rest of this Agreement remains in force unaffected by that holding or by the severance of that part.
- (10) This Agreement will not be modified or discharged except in accordance with the provisions of Section 219 of the *Land Title Act*. This Agreement will not be discharged without the prior written consent of the Transferee, which consent may be withheld.
- (11) This Agreement is the entire agreement between the parties regarding its subject.
- (12) This Agreement binds the parties to it and their respective successors, heirs, executors and administrators.
- (13) The Owner must do everything reasonably necessary to give effect to the intent of this Agreement, including execution of further instruments.
- (14) By executing and delivering this Agreement, each of the parties intends to create both a contract and a deed executed and delivered under seal.

Consent and Priority Agreement

Frederick

GIVEN THAT Frank Shunock (the "Chargeholder") is the holder of a Mortgage registered against the land legally described (the "Land") in the s. 219 covenant to which this Agreement is attached (the "Covenant"), which Mortgage is registered in the Kamloops Land Title Office under instrument number KW133092 (the "Charge"),

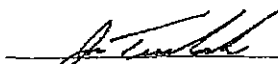
This Consent and Priority Agreement is evidence that in consideration of payment to it of \$1.00 by the transferee described in item 6 of Part 1 of the Form C to which this Agreement is attached (the "Transferee"), the Chargeholder agrees with the Transferee as follows:

- (1) The Chargeholder consents to the granting and registration of the Covenant and the Chargeholder agrees that the Covenant binds its interest in and to the Land.
- (2) The Chargeholder grants to the Transferee priority for the Covenant over the Chargeholder's right, title and interest in and to the Land and the Chargeholder postpones the Charge, and all of its right, title and interest thereunder, to the Covenant as if the Covenant had been executed, delivered and registered prior to the execution, delivery and registration of the Charge.

As evidence of its agreement with the Transferee to be bound by this Consent and Priority Agreement, as a contract and as duly executed and delivered under seal, the Chargeholder has executed and delivered this Agreement by executing Part 1 of the *Land Title Act* Form C to which this Agreement is attached and which forms part of this Agreement.

As evidence of their agreement to be bound by the above terms, the parties each have executed and delivered this Agreement under seal by executing Part 1 of the *Land Title Act* Form C to which this Agreement is attached and which forms part of this Agreement.

Approved as to form by the
City of Salmon Arm



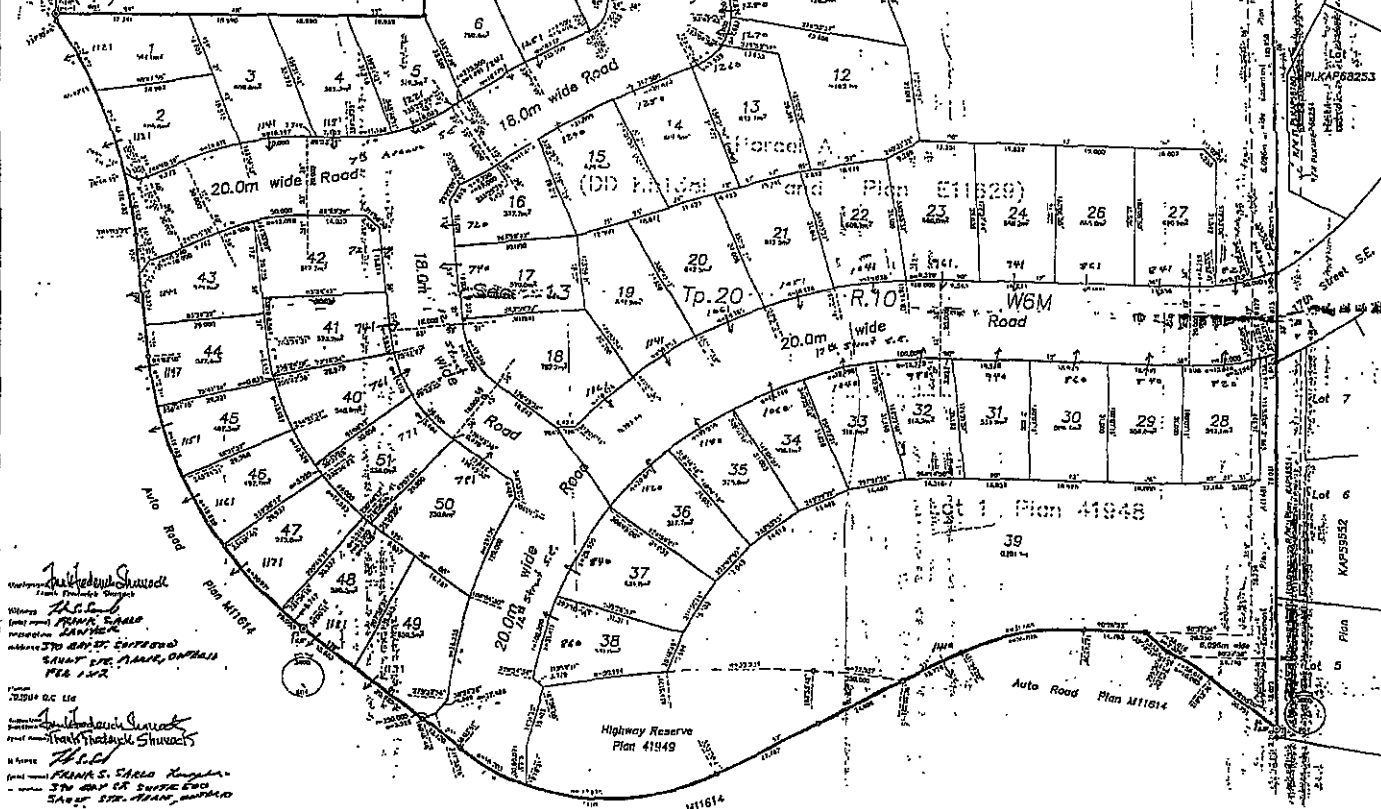
Approving Officer for the City of
Salmon Arm

END OF DOCUMENT

Plan of Subdivision of
Parcel A, (DD K5138F
and Plan E11629) of
Lot 5, Plan 1521 (Except Plan 41948)
and Lot 1, Plan 41948,
Sec.13, Tp.20, R.10, W6M, K.D.Y.D.

Scale 1:500
B.C.O.S. 82L.064

Lot A Plan 21610



Subdivision Survey
Frank Shurack
Surveyor
Plan 41948
Plan 41949
Plan 41950
Plan 41951
Plan 41952
Plan 41953
Plan 41954
Plan 41955
Plan 41956
Plan 41957
Plan 41958
Plan 41959
Plan 41960
Plan 41961
Plan 41962
Plan 41963
Plan 41964
Plan 41965
Plan 41966
Plan 41967
Plan 41968
Plan 41969
Plan 41970
Plan 41971
Plan 41972
Plan 41973
Plan 41974
Plan 41975
Plan 41976
Plan 41977
Plan 41978
Plan 41979
Plan 41980
Plan 41981
Plan 41982
Plan 41983
Plan 41984
Plan 41985
Plan 41986
Plan 41987
Plan 41988
Plan 41989
Plan 41990
Plan 41991
Plan 41992
Plan 41993
Plan 41994
Plan 41995
Plan 41996
Plan 41997
Plan 41998
Plan 41999
Plan 42000

PLAN K

Registered in the
Name



Approved as to correctness of
Plan of Subdivision
Survey of George H. Smith &
Associates
Carl H. Smith
Surveyor
Plan 41948
Plan 41949
Plan 41950
Plan 41951
Plan 41952
Plan 41953
Plan 41954
Plan 41955
Plan 41956
Plan 41957
Plan 41958
Plan 41959
Plan 41960
Plan 41961
Plan 41962
Plan 41963
Plan 41964
Plan 41965
Plan 41966
Plan 41967
Plan 41968
Plan 41969
Plan 41970
Plan 41971
Plan 41972
Plan 41973
Plan 41974
Plan 41975
Plan 41976
Plan 41977
Plan 41978
Plan 41979
Plan 41980
Plan 41981
Plan 41982
Plan 41983
Plan 41984
Plan 41985
Plan 41986
Plan 41987
Plan 41988
Plan 41989
Plan 41990
Plan 41991
Plan 41992
Plan 41993
Plan 41994
Plan 41995
Plan 41996
Plan 41997
Plan 41998
Plan 41999
Plan 42000

Not a valid
Plan
Plan 41948
Plan 41949
Plan 41950
Plan 41951
Plan 41952
Plan 41953
Plan 41954
Plan 41955
Plan 41956
Plan 41957
Plan 41958
Plan 41959
Plan 41960
Plan 41961
Plan 41962
Plan 41963
Plan 41964
Plan 41965
Plan 41966
Plan 41967
Plan 41968
Plan 41969
Plan 41970
Plan 41971
Plan 41972
Plan 41973
Plan 41974
Plan 41975
Plan 41976
Plan 41977
Plan 41978
Plan 41979
Plan 41980
Plan 41981
Plan 41982
Plan 41983
Plan 41984
Plan 41985
Plan 41986
Plan 41987
Plan 41988
Plan 41989
Plan 41990
Plan 41991
Plan 41992
Plan 41993
Plan 41994
Plan 41995
Plan 41996
Plan 41997
Plan 41998
Plan 41999
Plan 42000

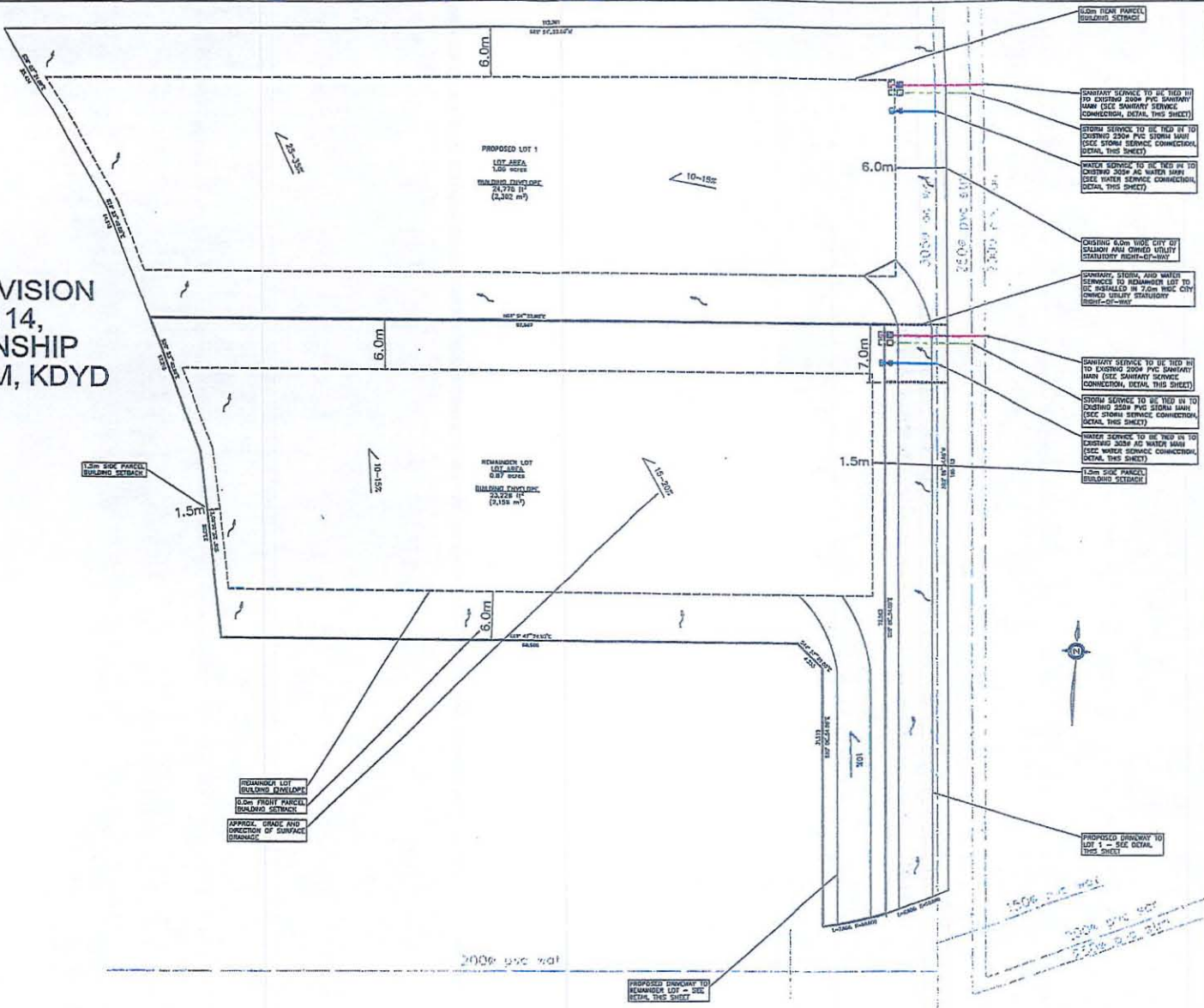


Photo 1: Photo looking north from 17 Street SE at the subject property proposed panhandle access.



Photo 2: Photo looking north-west at the subject property.

SKETCH PLAN OF
PROPOSED SUBDIVISION
OF LOT 25, KAP79114,
SECTION 13, TOWNSHIP
20, RANGE 10, W6M, KDYD
SALMON ARM, BC



LEGEND

HYDRO/TELEPHONE POLE
HYDRO/TELEPHONE POLE C/W TRAIL
TELEPHONE POLE
HYDRO POLE
HYDRO POLE C/W TRAIL
POST TOP STREET LIGHT
CUT
SANITARY MANHOLE
STORM MANHOLE
CATCHER
FIRE HYDRANT
GATE VALVE
SANITARY SEWER
FORCE MAIN
WATER MAIN
GAS
UNDERGROUND TELEPHONE
FENCE
PERGOLAS/EXTERIOR
FENCE

NOTES:

1) CONTRACTOR TO VERIFY LOCATION OF ALL EXISTING UTILITIES WITH ALL UTILITY COMPANIES PRIOR TO BEGINNING.

2) CONTRACTOR TO CO-ORDINATE UTILITY RELOCATION WORKING WITH UTILITY COMPANIES AS REQUIRED.

3) ALL CONSTRUCTION TO BE IN ACCORDANCE WITH CITY OF SALMON ARM SUBDIVISION AND DEVELOPMENT STANDARDS BYLAW BY 4162

NO.	REV.	DESCRIPTION	DATE
1	1	ISSUED FOR REVIEW	07-NOV-17
2	1	REVISION	07-NOV-17

REVISIONS

NO.	REV.	DESCRIPTION
1	1	AGW
2	1	AGW
3	1	AGW
4	1	AGW
5	1	AGW
6	1	AGW
7	1	AGW
8	1	AGW
9	1	AGW
10	1	AGW
11	1	AGW
12	1	AGW
13	1	AGW
14	1	AGW
15	1	AGW
16	1	AGW
17	1	AGW
18	1	AGW
19	1	AGW
20	1	AGW
21	1	AGW
22	1	AGW
23	1	AGW
24	1	AGW
25	1	AGW
26	1	AGW
27	1	AGW
28	1	AGW
29	1	AGW
30	1	AGW
31	1	AGW
32	1	AGW
33	1	AGW
34	1	AGW
35	1	AGW
36	1	AGW
37	1	AGW
38	1	AGW
39	1	AGW
40	1	AGW
41	1	AGW
42	1	AGW
43	1	AGW
44	1	AGW
45	1	AGW
46	1	AGW
47	1	AGW
48	1	AGW
49	1	AGW
50	1	AGW
51	1	AGW
52	1	AGW
53	1	AGW
54	1	AGW
55	1	AGW
56	1	AGW
57	1	AGW
58	1	AGW
59	1	AGW
60	1	AGW
61	1	AGW
62	1	AGW
63	1	AGW
64	1	AGW
65	1	AGW
66	1	AGW
67	1	AGW
68	1	AGW
69	1	AGW
70	1	AGW
71	1	AGW
72	1	AGW
73	1	AGW
74	1	AGW
75	1	AGW
76	1	AGW
77	1	AGW
78	1	AGW
79	1	AGW
80	1	AGW
81	1	AGW
82	1	AGW
83	1	AGW
84	1	AGW
85	1	AGW
86	1	AGW
87	1	AGW
88	1	AGW
89	1	AGW
90	1	AGW
91	1	AGW
92	1	AGW
93	1	AGW
94	1	AGW
95	1	AGW
96	1	AGW
97	1	AGW
98	1	AGW
99	1	AGW
100	1	AGW

SHUNOCK SUBDIVISION

SKETCH PLAN

**7TH STREET SE
SALMON ARM, BC**

PROJECT No. 97-1

SHEET 1 OF 1

DWG. No. S-1

REV. No. 0



*City of Salmon Arm
Memorandum from the Engineering
and Public Works Department*

TO: Kevin Pearson, Director of Development Services
DATE: December 4, 2017
PREPARED BY: Darin Gerow, Engineering Assistant
OWNER: 703904 BC Ltd., 797 River Road, Sault Ste Marie, Ontario, P6A 5K9
APPLICANT: Lawson Engineering, PO Box 106, Salmon Arm, BC, V1E 4N2
SUBJECT: **ZONING AMENDMENT APPLICATION FILE NO. ZON-1114E**
LEGAL: Lot 25, Section 12, Township 20, Range 10, W6M, KDYD, Plan KAP79114
CIVIC: **821 – 17 Street SE**

Further to your referral dated November 27, 2017, we provide the following servicing information.

Engineering Department does not have any concerns with the proposed re-zoning.

The following comments and servicing requirements are not conditions for the rezoning; however, these comments are provided as a courtesy in advance of any development proceeding to the next stages. These comments are generalized; more specific servicing requirements will be identified at a future stage:

General:

1. Full municipal services are required as noted herein. Notwithstanding the comments contained in this referral, it is the applicant's responsibility to ensure these standards are met.
2. Comments provided below reflect the best available information. Detailed engineering data, or other information not available at this time, may change the contents of these comments.
3. Properties to be serviced completely by underground electrical and telecommunications wiring
4. Properties under the control and jurisdiction of the municipality shall be reinstated to City satisfaction.
5. Owner/developer will be responsible for all costs incurred by the City of Salmon Arm during construction and inspections. This amount may be required prior to construction. Contact City Engineering Department for further clarification.
7. Erosion and Sediment Control measures will be required at time of construction. ESC plans to be approved by the City of Salmon Arm.

ZONING AMENDMENT APPLICATION FILE NO. ZON-1114E

December 4, 2017

Page 2

-
8. Any existing services traversing proposed lots must be protected by easement and located outside of the proposed building envelope. Owner/developer is responsible for all associated costs.
 9. At the time of subdivision the applicant will be required to submit for City review and approval a detailed site servicing/lot grading plan for all on-site (private) work. This plan will show such items as parking lot design, underground utility locations, pipe sizes, pipe elevations, pipe grades, catchbasin(s), control/containment of surface water, contours (as required), lot/corner elevations, impact on adjacent properties, etc.
 10. For the off-site improvements at the time of subdivision the applicant will be required to submit for City review and approval detailed engineered plans for all off-site construction work. These plans must be prepared by a qualified engineer. As a condition of building permit approval, the applicant will be required to deposit with the City funds equaling 125% of the estimated cost for all off-site construction work.

Roads/Access:

1. 17 Street SE on the subject properties south boundary is classified as an Urban Local Road requiring a road dedication of 20.0 meters (10.0 meters on either side of road centerline). Based on review of existing records, no additional dedication is required, (to be confirmed by BCLS).

17 Street SE is currently constructed to an Urban Local road standard. No upgrades are anticipated.

2. Owner/developer is responsible in ensuring all boulevards and driveways are graded at 2.0% towards the existing roadway.
3. Owner/developers Engineering Consultant to provide details that driveways shall conform to Policy 3.11 at time of subdivision.

Water:

1. The subject property fronts on a 350mm diameter (zone 2) watermain along the eastern property boundary and a 200mm diameter (zone 2) watermain along 17 Street SE. No upgrades are anticipated.
2. The subject property is in an area with sufficient fire flows and pressures according to the 2011 water Study (OD&K 2012).
3. Each proposed lot to be serviced by a single water service connection (as per Specification Drawing No. W-10) adequately sized to satisfy the proposed use (minimum 25mm). Water meters will be required at time of building permit (meter provided by the City of Salmon Arm

ZONING AMENDMENT APPLICATION FILE NO. ZON-1114E

December 4, 2017

Page 3

at the developers cost). Existing records indicate that the lot does not have existing servicing. All existing inadequate/unused services must be abandoned at the main. Applicant is responsible for all associated costs.

Sanitary Sewer:

1. The subject property fronts a 200mm diameter sanitary main along the majority of the eastern property boundary. No upgrades are anticipated.
2. Each proposed lots are to be serviced by a single sanitary service connection adequately sized (minimum 100mm diameter) to satisfy the servicing requirements of the development. Existing records indicate that the lot does not have existing servicing. All existing inadequate/unused services must be abandoned at the main; applicant is responsible for all associated costs.

Drainage:

1. The subject property fronts a 250mm storm main along the majority of the eastern property boudnary. No upgrades are anticipated. Owner/developer may be required to service the lots from this storm sewer main. Alternative methods of managing stormwater may be considered, with specific approval from the City Engineer as part of an Integrated Stormwater Management Plan, Owner/developer is responsible for all associated costs.
2. An Integrated Stormwater Management Plan (ISMP) conforming to the requirements of the Subdivision and Development Servicing Bylaw No. 4163, Schedule B, Part 1, Section 7 shall be provided. Should discharge into the City Storm Sewer be part of the ISMP, owner/developers engineer is required to prove that there is sufficient downstream capacity within the existing City Storm System to receive the proposed discharge from the development
3. The proposed lots may be serviced by a single storm service connection adequately sized (minimum 150mm) to satisfy the servicing requirements of the development. All existing inadequate/unused services must be abandoned at the main; applicant is responsible for all associated costs.

ZONING AMENDMENT APPLICATION FILE NO. ZON-1114E

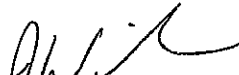
December 4, 2017

Page 4

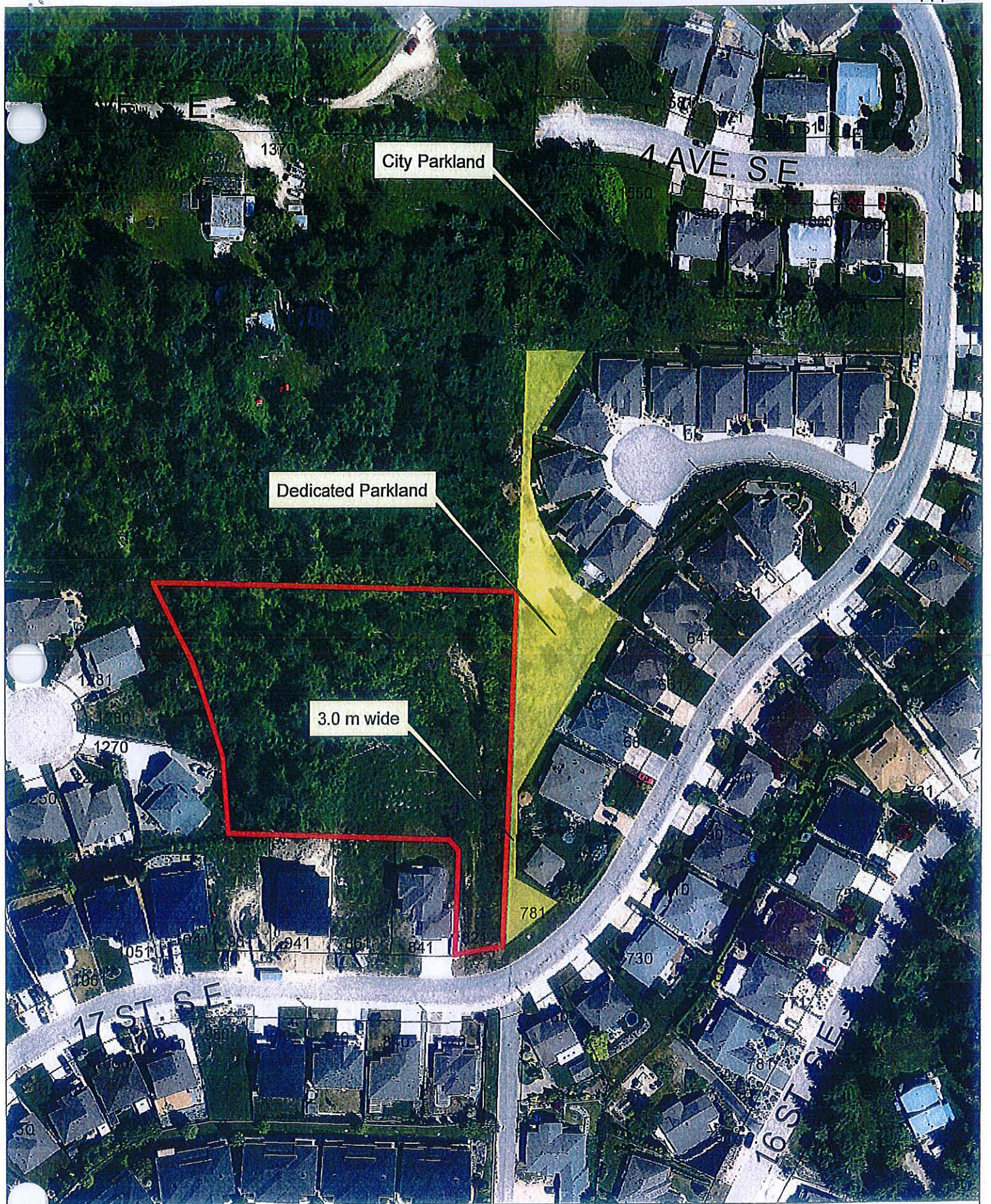
Geotechnical:

1. A geotechnical report in accordance with the Engineering Departments Geotechnical Study Terms of Reference Category A (Building Foundation and Site Drainage) is required.



Darin Gerow, ASCT
Engineering Assistant

Jeff Wilson, P.Eng.
City Engineer



0 20 40 60 80
Meters

 Subject Parcel

THIS PAGE INTENTIONALLY LEFT BLANK

Item 23.1

CITY OF SALMON ARM

Date: February 13, 2018

Moved: Councillor Harrison

Seconded: Councillor Wallace Richmond

THAT: the bylaw entitled Zoning Amendment Bylaw No. 4243 be read a third and final time.

[ZON-1114; 0703904 BC Ltd. / Lawson Engineering & Development Services Ltd.; 821 - 17 Street SE; R-1 to R-8]

Vote Record

- ☐ Carried Unanimously
- ☐ Carried
- ☐ Defeated
- ☐ Defeated Unanimously

Opposed:

- ☐ Cooper
- ☐ Flynn
- ☐ Eliason
- ☐ Harrison
- ☐ Jamieson
- ☐ Lavery
- ☐ Wallace Richmond

CITY OF SALMON ARM

BYLAW NO. 4243

A bylaw to amend "District of Salmon Arm Zoning Bylaw No. 2303"

WHEREAS notice of a Public Hearing to be held by the Council of the City of Salmon Arm at the Council Chambers at City Hall, 500 - 2 Avenue NE, Salmon Arm, British Columbia, on February 13, 2018 at the hour of 7:00 p.m. was published in the , 2018 and , 2018 issues of the Salmon Arm Observer;

AND WHEREAS the said Public Hearing was duly held at the time and place above mentioned;

NOW THEREFORE the Council of the City of Salmon Arm in open meeting assembled enacts as follows:

1. "District of Salmon Arm Zoning Bylaw No. 2303" is hereby amended as follows:

Rezone Lot 25, Section 13, Township 20, Range 10, W6M, KDYD, Plan KAP79114 from P-3 Institutional Zone to R-8 Residential Suite Zone as shown on Schedule "A" attached hereto and forming part of this bylaw.

2. SEVERABILITY

If any part, section, sub-section, clause of this bylaw for any reason is held to be invalid by the decisions of a Court of competent jurisdiction, the invalid portion shall be severed and the decisions that it is invalid shall not affect the validity of the remaining portions of this bylaw.

3. ENACTMENT

Any enactment referred to herein is a reference to an enactment of British Columbia and regulations thereto as amended, revised, consolidated or replaced from time to time.

4. EFFECTIVE DATE

This bylaw shall come into full force and effect upon adoption of same.

5. CITATION

This bylaw may be cited as **"City of Salmon Arm Zoning Amendment Bylaw No. 4243"**

READ A FIRST TIME THIS 29th DAY OF January 2018

READ A SECOND TIME THIS 29th DAY OF January 2018

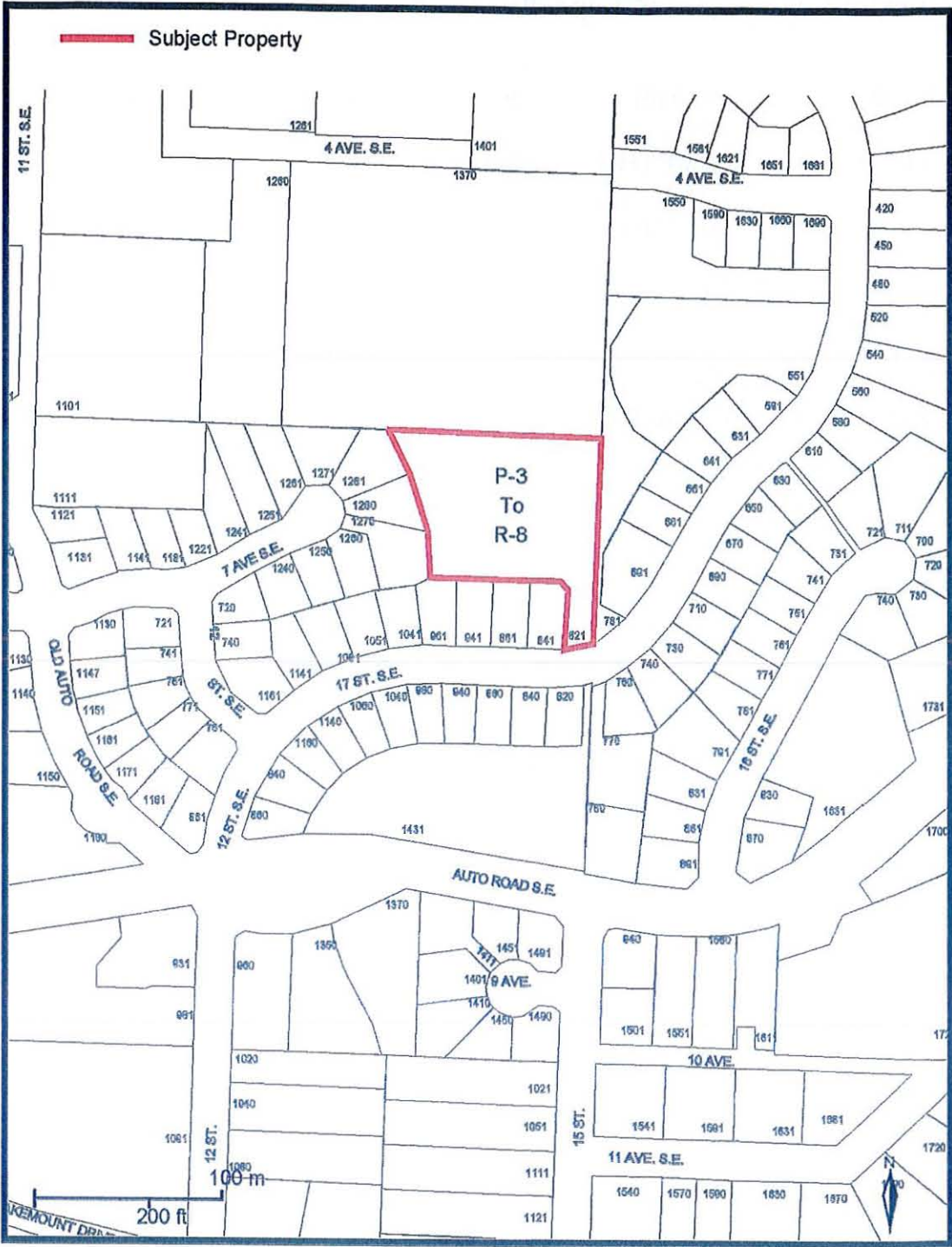
READ A THIRD TIME THIS DAY OF 2018

ADOPTED BY COUNCIL THIS DAY OF 2018

MAYOR

CORPORATE OFFICER

SCHEDULE "A"



Item 25.

CITY OF SALMON ARM

Date: February 13, 2018

Moved: Councillor Lavery

Seconded: Councillor Flynn

THAT: the Regular Council Meeting of February 13, 2018, be adjourned.

Vote Record

- ☐ Carried Unanimously
- ☐ Carried
- ☐ Defeated
- ☐ Defeated Unanimously

Opposed:

- ☐ Cooper
- ☐ Flynn
- ☐ Eliason
- ☐ Harrison
- ☐ Jamieson
- ☐ Lavery
- ☐ Wallace Richmond

)

THIS PAGE INTENTIONALLY LEFT BLANK