



AGENDA

Regular Council Meeting

Monday, June 11, 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
	6.	CONFIRMATION OF MINUTES
3 - 14	1.	Regular Council Meeting Minutes of May 28, 2018
	7.	COMMITTEE REPORTS
15 - 18	1.	Housing Task Force Meeting Minutes of May 22, 2018
19 - 22	2.	Downtown Parking Commission Meeting Minutes of April 17, 2018
23 - 26	3.	Environmental Advisory Committee Meeting Minutes of May 3, 2018
	8.	INTRODUCTION OF BYLAWS
27 - 44	1.	City of Salmon Arm General Capital Reserve Fund Expenditure Bylaw No. 4248 – First, Second and Third Readings
45 - 50	2.	Street Solicitation Prevention Bylaw No. 4273 – First and Second Readings
51 - 64	3.	Zoning Amendment Bylaw No. 4274 [ZON-1128; Androlick, J. & Lowe, K.; 1081 – 1 Street SE; R-1 to R-4] – First and Second Readings
	9.	RECONSIDERATION OF BYLAWS

- | | | |
|---------|------------|--|
| | 10. | CORRESPONDENCE |
| 65 - 66 | 1. | Informational Correspondence |
| 67 - 70 | 2. | D. Berger, Operations Manager, Shuswap Recreation Society - email dated June 6, 2018 - Recreation Campus Redevelopment |
| | 11. | STAFF REPORTS |
| 71 - 74 | 1. | Chief Financial Officer - 2019/2020 RCMP Funding (2019 Budget) |
| 75 - 84 | 2. | Committee to Approve Public Events - Licensing of Special Events - 2018 |
| | 12. | NEW BUSINESS |
| | 13. | COUNCIL STATEMENTS |
| | 14. | COLUMBIA SHUSWAP REGIONAL DISTRICT UPDATE |
| 85 - 96 | 1. | Board in Brief - May 2018 |
| | 15. | NOTICE OF MOTION |
| | 16. | UNFINISHED BUSINESS AND DEFERRED / TABLED ITEMS |
| | 17. | OTHER BUSINESS |
| | 18. | QUESTION AND ANSWER PERIOD |

7:00 p.m.

Page #	Item #	Description
	19.	DISCLOSURE OF INTEREST
	20.	STAFF REPORTS
97 - 106	1.	Manager of Permits & Licensing - Recommendation to File Notice of Infraction of Building Bylaw No. 3939 [Brehm, E.J. & M.; 4781 Lakeshore Road NE]
	21.	HEARINGS
107 - 122	1.	Development Variance Permit Application No. VP-475 [Butler, L.; 1370 Auto Road SE; Servicing Variance]

22. STATUTORY PUBLIC HEARINGS

- 123 - 152 1. Official Community Plan Amendment Application No. OCP4000-35
[Brautigam, K. & M.; 3820 - 20 Street NE; AR to LR]
2. Zoning Amendment Application No. ZON-1125 [Brautigam, K. & M.;
3820 - 20 Street NE; A-2 to R-8]
- 153 - 164 3. Zoning Amendment Application No. ZON-1127 [Presch, B.; 7031 - 52
Street NE; R-1 to R-8]

23. RECONSIDERATION OF BYLAWS

- 165 - 170 1. Official Community Plan Amendment Bylaw No. 4269 [OCP4000-35;
Brautigam, K. & M.; 3820 - 20 Street NE; AR to LR] - Third Reading
- 171 - 174 2. Zoning Amendment Bylaw No. 4270 [ZON-1125; Brautigam, K. & M.;
3820 - 20 Street NE; A-2 to R-8] - Third Reading
- 175 - 178 3. Zoning Amendment Bylaw No. 4272 [ZON-1127; Presch, B.; 7031 - 52
Street NE; R-1 to R-8] - Third and Final Readings

24. QUESTION AND ANSWER PERIOD

- 179 - 180 **25. ADJOURNMENT**

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Item 2.

CITY OF SALMON ARM

Date: June 11, 2018

Moved: Councillor Flynn

Seconded: Councillor Jamieson

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

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Item 6.1

CITY OF SALMON ARM

Date: June 11, 2018

Moved: Councillor Wallace Richmond

Seconded: Councillor Eliason

THAT: the Regular Council Meeting Minutes of May 28, 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 Council Chambers at City Hall, 500 – 2 Avenue NE, Salmon Arm, British Columbia, on Monday, May 28, 2018.

PRESENT:

Mayor N. Cooper
 Councillor A. Harrison
 Councillor C. Eliason
 Councillor K. Flynn
 Councillor A. Harrison
 Councillor K. Jamieson
 Councillor L. Wallace Richmond

Chief Administrative Officer C. Bannister
 Chief Financial Officer M. Dalziel
 Corporate Officer E. Jackson
 Director of Engineering & Public Works R. Niewenhuizen
 Planning and Development Officer W. Miles
 Planning and Development Officer C. Larson
 Recorder B. Puddifant

ABSENT:

1. CALL TO ORDER

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

2. IN-CAMERA SESSION

0236-2018 Moved: Councillor Wallace Richmond
 Seconded: Councillor Eliason
 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 1:43 p.m.
 Council recessed until 2:30 p.m.

3. REVIEW OF AGENDA

4. DISCLOSURE OF INTEREST

Councillor Eliason declared a conflict with Item 8.2 as the applicant is a client of his firm.

4. DISCLOSURE OF INTEREST - continued

Councillor Jamieson declared a conflict with Items 10.1 and 10.5 as he is employed by School District No. 83.

5. PRESENTATIONS / DELEGATIONS**1. D. McQuarrie - Auris Loop**

Dan McQuarrie spoke regarding the Auris Loop that is installed in Council Chambers and was available to answer questions from Council.

2. P. Ryley - Accessibility at Recreation Centre and Arena and Rainbow Crosswalk

Patrick Ryley presented information on accessibility at the Recreation Centre and Arena and suggested a location for the Rainbow Crosswalk and was available to answer questions from Council.

3. C. Massey and D. Paterson, Adams River Salmon Society and J. John, Little Shuswap Indian Band - Shuswap Salmon Symposium

Carmen Massey and Don Paterson, Adams River Salmon Society and Julie John, Little Shuswap Lake Indian Band, presented information on the Shuswap Salmon Symposium and were available to answer questions from Council.

0237-2018

Moved: Councillor Jamieson

Seconded: Councillor Flynn

THAT: Council endorse the 2018 Shuswap Salmon Symposium by issuing a letter of support.

CARRIED UNANIMOUSLY

6. CONFIRMATION OF MINUTES**1. Regular Council Meeting Minutes of May 14, 2018**

0238-2018

Moved: Councillor Flynn

Seconded: Councillor Lavery

THAT: the Regular Council Meeting Minutes of May 14, 2018, be adopted as circulated.

CARRIED UNANIMOUSLY

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

0239-2018

Moved: Councillor Eliason

Seconded: Councillor Harrison

THAT: the Development and Planning Services Committee Meeting Minutes of May 22, 2018, be received as information.

CARRIED UNANIMOUSLY

7. COMMITTEE REPORTS - continued

2. Housing Task Force Meeting Minutes of May 7, 2018

0240-2018

Moved: Councillor Lavery

Seconded: Councillor Wallace Richmond

THAT: the Housing Task Force Meeting Minutes of May 7, 2018 be received as information.

CARRIED UNANIMOUSLY

8. INTRODUCTION OF BYLAWS

Councillor Eliason declared a conflict and left the meeting at 3:30 p.m.

1. Zoning Amendment Bylaw No. 4272 [ZON-1127; Presch, B.; 7031 - 52 Street NE; R-1 to R-8; Text Amendment]

0241-2018

Moved: Councillor Flynn

Seconded: Councillor Wallace Richmond

THAT: the bylaw entitled Zoning Amendment Bylaw No. 4272 be read a first and second time.

CARRIED UNANIMOUSLY

Councillor Eliason returned to the meeting at 3:31 p.m.

9. RECONSIDERATION OF BYLAWS

1. Official Community Plan Amendment Bylaw No. 4269 [OCP4000-35; Brautigam, K. & M.; 3820 - 20 Street NE; AR - LR] - Second Reading

0242-2018

Moved: Councillor Eliason

Seconded: Councillor Flynn

THAT: the bylaw entitled Official Community Plan Amendment Bylaw No. 4269 be read a second time;

AND THAT: Pursuant to Section 475 of the *Local Government Act* Council has consulted with the appropriate affected organizations and authorities;

AND THAT: Pursuant to Section 477(3)(a) of the *Local Government Act* Council has considered:

- 1) The Financial Plans of the City of Salmon Arm; and
- 2) The Liquid Waste Management Plan of the City of Salmon Arm.

CARRIED UNANIMOUSLY

9. RECONSIDERATION OF BYLAWS - continued

2. Zoning Amendment Bylaw No. 4270 [ZON-1125; Brautigam, K. & M.; 3820 - 20 Street NE; A-2 to R-8] - Second Reading

0243-2018

Moved: Councillor Harrison

Seconded: Councillor Jamieson

THAT: the bylaw entitled Zoning Amendment Bylaw No. 4270 be read a second time.

Councillor Wallace Richmond left the meeting at 3:37 p.m. and returned at 3:39 p.m.

CARRIED UNANIMOUSLY

3. Official Community Plan Amendment Bylaw No. 4260 [OCP4000-34; City of Salmon Arm; 720 - 22 Street NE; MD to Institutional] - Final Reading

0244-2018

Moved: Councillor Wallace Richmond

Seconded: Councillor Eliason

THAT: the bylaw entitled Official Community Plan Amendment Bylaw No. 4260 be read a final time.

CARRIED UNANIMOUSLY

4. Zoning Amendment Bylaw No. 4261 [ZON-1116; City of Salmon Arm; 720 - 22 Street NE; R-4 to P-1] - Final Reading

0245-2018

Moved: Councillor Lavery

Seconded: Councillor Flynn

THAT: the bylaw entitled Zoning Amendment Bylaw No. 4261 be read a final time.

CARRIED UNANIMOUSLY

5. Short Term Borrowing Bylaw No. 4244 - Final Reading

0246-2018

Moved: Councillor Wallace Richmond

Seconded: Councillor Eliason

THAT: the bylaw entitled City of Salmon Arm Short Term Borrowing Bylaw No. 4244 be read a final time.

CARRIED UNANIMOUSLY

10. CORRESPONDENCE1. Informational Correspondence

Councillor Jamieson declared a conflict and left the meeting at 4:14 p.m. and returned at 4:19 p.m.

2. C. Bannister, Chief Administrative Officer, City of Salmon Arm – letter dated April 18, 2018 – Professional Service Award Nomination for Monica Dalziel, CMA, CPA

Mayor and Council recognized Monica Dalziel, Chief Financial Officer for her outstanding service to the City and presented the Professional Service Award from the Local Government Management Association.

7. J.B. Healey, Head Coach, Waves Masters and CSSSC – letter dated May 22, 2018 – BC Masters Open Water Championship Grant Request

0247-2018

Moved: Councillor Flynn

Seconded: Councillor Eliason

THAT: Council contribute \$500.00 to Waves Masters and CSSSC for the BC Masters Open Water Championship to be funded from 2018 Council Initiatives.

CARRIED UNANIMOUSLY

9. N. Whitticase, Committee Member, Peace in the Park – letter dated May 9, 2018 – Peace in the Park – Free Community Yoga Event, August 25, 2018

0248-2018

Moved: Councillor Harrison

Seconded: Councillor Jamieson

THAT: Council authorize the Peace in the Park Committee to use Marine Peace Park on Saturday, August 25, 2018 from 10:00 a.m. to 2:00 p.m. subject to the provision of adequate liability insurance and subject to booking arrangements and payment of any applicable fees to the Shuswap Recreation Society.

CARRIED UNANIMOUSLY

0249-2018

Moved: Councillor Flynn

Councillor: Jamieson

THAT: Council authorize payment of the gazebo rental fee to Shuswap Recreation Society to the maximum amount of \$300.00 to be funded from Council initiatives.

CARRIED

Councillor Eliason Opposed

10. CORRESPONDENCE - continued1. Informational Correspondence - continued6. A. May, Sage Orienteering Club board member - email dated May 18, 2018 - Spring Orienteering events in Salmon Arm

0250-2018

Moved: Councillor Eliason

Seconded: Councillor Lavery

THAT: Council authorize the Sage Orienteering Club to use the following locations on the following dates from 5:30 p.m. to 8:00 p.m.:

- South Canoe - Monday, May 28, 2018;
- Ready Forest trail, Rotary trail and the green space behind Shuswap Middle School- Monday, June 4, 2018
- Silver Slope (Mount Ida slope above 40 Street SE - Monday, June 11, 2018;
- Pileated Woods - Monday, June 18, 2018; and
- Park Hill - Monday, June 25, 2018

subject to the provision of adequate liability insurance.

CARRIED UNANIMOUSLY

8. L. Wong, Manager, Downtown Salmon Arm - letter dated May 22, 2018 - Block Party and #thursdaysonthetown kick-off

0251-2018

Moved: Councillor Eliason

Seconded: Councillor Flynn

THAT: Council authorize Downtown Salmon Arm to use the Ross Street Plaza on Thursday, June 21, 2018, from 4:00 p.m. to 8:00 p.m. to host a Block Party subject to the provision of adequate liability insurance.

CARRIED UNANIMOUSLY

2. D. Boyd, General Manager, Shuswap Recreation Society - letter dated May 23, 2018 - Salmon Arm Pickleball Club

D. Boyd explained the fee structure for the Pickleball Court rental and was available to answer questions from Council.

0252-2018

Moved: Councillor Flynn

Seconded: Councillor Wallace Richmond

THAT: Council authorize the fee structure and placement of storage container at Klahani Park for the Salmon Arm Pickleball Club as set out in D. Boyd's correspondence dated May 23, 2018.

Councillor Eliason left the meeting at 4:50 p.m. and returned to the meeting at 4:52 p.m.

CARRIED UNANIMOUSLY

10. CORRESPONDENCE – continued**3. G. Simms – letter dated May 19, 2018 – UBCM**

0253-2018

Moved: Councillor Flynn

Seconded: Councillor Eliason

THAT: Council endorse G. Simms' application to the CSRD to attend the 2018 UBCM;

AND THAT: a letter of support be forwarded to SILGA.

CARRIED UNANIMOUSLY

The Meeting recessed at 4:56 p.m.

The Meeting reconvened at 5:02 p.m.

11. STAFF REPORTS**1. Director of Engineering & Public Works – Large Portable Generator and Transfer Switch Connection (Zone 4) Award**

0255-2018

Moved: Councillor Harrison

Seconded: Councillor Wallace Richmond

THAT: the 2018 Budget contained in the 2018 to 2022 Financial Plan be amended to increase the Large Portable Generator Budget by \$10,000.00 funded from a decrease to the Transfer Switch Connection (Zone 4) project of \$10,000.00;

AND THAT: Council award the Large Portable Generator project to All Phase Electric Ltd. in the amount of \$245,827.00 plus applicable taxes;

AND THAT: Council award the Transfer Switch Connection (Zone 4) project to All Phase Electric Ltd. in the amount of \$48,532.52 plus applicable taxes;

AND THAT: The City's Purchasing Policy No. 7.13 be waived in procurement of the services relative to Project No. ENG2018-57 to authorize the sole sourcing of same to All Phase Electric Ltd.

CARRIED UNANIMOUSLY

2. Director of Development Services – Proposed Telecommunications Facility Referral (Cellular Tower Installation) [Rogers/Cypress Land Services; 2200 – 20 Avenue SE]

0256-2018

Moved: Councillor Eliason

Seconded: Councillor Flynn

THAT: the City of Salmon Arm has been consulted regarding the proposed installation of a telecommunications facility on Lot 1, Section 15, Township 20, Range 10, W6M, KDYD, Plan 3757, Except Plan 10183, as described in the information package dated April 25, 2018;

AND THAT: Council concurs with the proposed installation of a telecommunications facility on the subject parcel as proposed.

CARRIED UNANIMOUSLY

11. STAFF REPORTS - continued

3. Corporate Officer - Housing Task Force Appointments

0257-2018

Moved: Councillor Harrison

Seconded: Councillor Eliason

THAT: Council appoint the following members to the Housing Task Force:

Calvin Berger - Citizen at Large; and

Ian McDiarmid - Development.

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

Adam Berls, Allie Landy, Lilli Rakose, Katrina Weicker, Ava Wutke and Gray Simms from the Politics 12 class addressed Council.

16. NOTICE OF MOTION

17. UNFINISHED BUSINESS AND DEFERRED / TABLED ITEMS

18. OTHER BUSINESS

19. QUESTION AND ANSWER PERIOD

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

The Meeting recessed at 5:32 p.m.

The Meeting reconvened at 7:00 p.m.

PRESENT:

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

Chief Administrative Officer C. Bannister
Corporate Officer E. Jackson
Director of Engineering & Public Works R. Niewenhuizen
Planning and Development Officer W. Miles
Planning and Development Officer C. Larson
Recorder B. Puddifant

ABSENT:**20. DISCLOSURE OF INTEREST****21. HEARINGS**

1. Temporary Use Permit Application No. TUP-15 [Salmon Arm Folk Music Society/847774 BC Ltd./Dedood, J./Thompson, J.; 550 - 10 Avenue SW/690 - 10 Avenue SW/1300 - 10 Street SW; Temporary Camping for Roots & Blues Festival]

0258-2018

Moved: Councillor Harrison
Seconded: Councillor Lavery
THAT: Temporary Use Permit No. TUP-15 be approved for:

- 1) Lot 1, Section 11, Township 20, Range 10, W6M, KDYD, Plan 27414 (550 - 10 Avenue SW);
- 2) Parcel B (Plan B5839) of the NW ¼, Section 11, Township 20, Range 10, W6M, KDYD (690 - 10 Avenue SW); and
- 3) Lot 1, Section 11, Township 20, Range 10, W6M, KDYD, Plan 4279 except Parcel A on Plan B7061, Plans 29487 and 42166 (1300 - 10 Street SW);

AND THAT: TUP-15 permit the temporary use of campgrounds as shown in Appendix 2 of the staff report dated May 15, 2018 and in accordance with the following terms and conditions:

- 1) The total number of tent or recreational vehicle sites on the subject properties shall not exceed 600;
- 2) Check-in stations are to be setback appropriately from each entrance, ideally to provide a minimum cueing distance of 100 metres (15 vehicles);

21. HEARINGS - continued**1. Temporary Use Permit Application No. TUP-15 [Salmon Arm Folk Music Society/847774 BC Ltd./Dedood, J./Thompson, J.; 550 - 10 Avenue SW/690 - 10 Avenue SW/1300 - 10 Street SW; Temporary Camping for Roots & Blues Festival] - continued**

- 3) Plumbing Permit issuance by the City's Building Department is required prior to the commencement of the Roots and Blues Festival;
- 4) Approval of a Fire Safety Plan by the City's Fire Department; and
- 5) TUP-15 is valid for a two week period during the month of August for the years 2018, 2019 and 2020, with camping limited to a maximum four day time period during the Roots and Blues Festival.

AND FURTHER THAT: Council authorize the use of the southeast baseball diamond at the corner of 10 Avenue SW and 5 Street SW of Blackburn Park for use as a volunteer and overflow campground during the 2018 Roots and Blues Festival from and including August 13 to August 23, 2018.

Following three calls for submissions and questions from Council, the Hearing for TUP-15 was declared closed at 7:03 p.m. and the motion was:

CARRIED UNANIMOUSLY

22. PUBLIC HEARING**1. Zoning Amendment Application No. ZON-1126 [Hinchliff, M. & M.; 3070 - 20 Street NE; R-7 to R-8]**

The Planning & Development Officer explained the proposed Zoning Amendment Application.

Submissions were called for at this time.

M. & M. Hinchliff, the applicants, were available to answer questions from Council.

Following three calls for submissions and questions from Council, the Public Hearing for Bylaw No. 4271 was declared closed at 7:07 p.m.

23. RECONSIDERATION OF BYLAWS**1. Zoning Amendment Bylaw No. 4271 [ZON-1126; Hinchliff, M. & M.; 3070 - 20 Street NE; R-7 to R-8] - Third Reading**

0259-2018

Moved: Councillor Flynn

Seconded: Councillor Jamieson

THAT: the bylaw entitled Zoning Amendment Bylaw No. 4271 be read a third time.

CARRIED UNANIMOUSLY

24. OTHER BUSINESS

25. QUESTION AND ANSWER PERIOD

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

26. ADJOURNMENT

0260-2018

Moved: Councillor Wallace Richmond

Seconded: Councillor Lavery

THAT: the Regular Council Meeting of May 28, 2018, be adjourned.

CARRIED UNANIMOUSLY

The meeting adjourned at 7:08 p.m.

CERTIFIED CORRECT:

CORPORATE OFFICER

Adopted by Council the day of 2018.

MAYOR

Item 7.1

CITY OF SALMON ARM

Date: June 11, 2018

Moved: Councillor Lavery

Seconded: Councillor Wallace Richmond

THAT: the Housing Task Force Meeting Minutes of May 22, 2018, be received as information.

Vote Record

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

Opposed:

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

HOUSING TASK FORCE

Housing Task Force meeting held **Monday, May 22, 2018**, at 11:00 a.m. in Meeting Room 100, City Hall, Salmon Arm, British Columbia.

PRESENT:

Councillor Tim Lavery	City of Salmon Arm, Co-Chair
Jane Shirley	Shuswap Area Family Emergency (SAFE) Society
Dawn Dunlop	Canadian Mental Health Association (CMHA)
Jeff Ragsdale	Member at Large
Louis Thomas	Neskonlith Indian Band
Steven Teed	Adams Lake Indian Band
Barry Delaney	Salmon Arm Savings and Credit Union (SASCU)
Lana Fitt	Salmon Arm Economic Development Society
Barb Puddifant	City of Salmon Arm staff

ABSENT:

Councillor Louise Wallace Richmond	City of Salmon Arm, Co-Chair
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The meeting was called to order at 11:00 a.m.

1. Call to Order
2. Introductions
3. Presentations
4. Approval/ Changes/ Additions to Agenda
5. Approval of Minutes of May 7, 2018 Housing Task Force Meeting

Moved: Jane Shirley

Seconded: Jeff Ragsdale

THAT: the minutes of the Housing Task Force meeting of May 7, 2018 be approved as circulated.

CARRIED UNANIMOUSLY

6. Old Business/Arising from Minutes

- a) Additional members
Councillor Lavery has received expressions of interest for the position of Member at Large and the position of an organization representative. Councillor Lavery has indicated to the interested parties that a letter of application needs to be provided.
- b) Dawn Dunlop confirmed that the Community Housing fund - BC Housing webinar is scheduled for May 29, 2018.
- c) Lana Fitt said that SAEDS would get the information on Social Media by way of an "eblast" regarding the upcoming webinar. Lana Fitt expressed concerns as to how to deal with responses. Jeff Ragsdale suggested compiling all request for information and discussing them at the next meeting of the Housing Task Force.

7. New Business

- a) Councillor Lavery provided an update on Trello as a means of communicating between Task Force members.
- b) Councillor Lavery provided an overview of renters in British Columbia and Salmon Arm. Dawn Dunlop said that the data as presented should be sufficient for the RFP process.
- c) BCNPHA overview
Dawn Dunlop presented information regarding both the CMHC and BC Housing call outs and the partnering requirements for each program. Additional information on the CMHC call out will be obtained and it was suggested by Dawn Dunlop that Mel Arnold's representative be contacted in this regard.
- d) Potential sites for housing
Steven Teed will provide information on potential properties available from the Adams Lake Indian Band at the June 4, 2018 meeting.
- e) Roles
Louis Thomas suggested that the roles of each individual and organizational representative be defined.
- f) Priorities, Timelines and Deliverables
For discussion at the June 4, 2018 meeting.

Next Regular Meeting

The next Regular Meeting will be held on June 4, 2018 at 11:00 am.

8. Adjournment

MOVED: Dawn Dunlop

SECONDED: Jane Shirley

THAT: the Housing Task Force Meeting of May 22, 2018 be adjourned.

CARRIED UNANIMOUSLY

The meeting adjourned at 12:05 pm

Chair

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

Item 7.2

CITY OF SALMON ARM

Date: June 11, 2018

Moved: Councillor Eliason

Seconded: Councillor Jamieson

THAT: the Downtown Parking Commission Meeting Minutes of April 17, 2018, be received as information.

Vote Record

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

Opposed:

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



DOWNTOWN PARKING COMMISSION

Tuesday, April 17, 2018

TIME: 8:00 A.M.

MEETING ROOM 100 - CITY HALL

Minutes of the Downtown Parking Commission Meeting held in Meeting Room 100, City Hall, 500 – 2 Avenue NE, Salmon Arm, BC on Tuesday, April 17, 2018 at 8:00 a.m.

Present:

City of Salmon Arm
Representatives:

Bill Laird
Vic Hamilton
Regan Ready

Downtown Improvement Association
Representatives:

Heather Finn
Jacquie Gaudreau

Resource Personnel:

Jenn Wilson, City Engineer
Marcel Bedard, Bylaw Officer
Robert Niewenhuizen, Director of Engineering & Public Works
Kevin Pearson, Director of Development Services
Chad Eliason, Councilor

Absent:

Cathy Ingebrigtsen
Gerald Foreman

The meeting was called to order at 8:00 am by Chairperson W. Laird

1. Minutes of Meeting March 20, 2018

Motion: V. Hamilton / R. Ready
Carried Unanimously

2. Downtown Parking Commission Appointments

- Carried from previous agenda.

No Action Required

3. Downtown Parking Plan

- Gant Chart Discussions:
 - o Employee Parking – at present is enough staff parking options within downtown core. Salmar and Lordco lot have many available spaces remaining if Ross St. Underpass proceeds, review options for parking on North side.
- Motion: To not deal with employee parking issues for a 12 month period

R. Ready/V. Hamilton
Carried Unanimously

Minutes – Downtown Parking Commission
Page 2

Downtown Parking Plan Cont'd

- Shared Parking Options – tough to find & keep
- Parking Types – look at adding electric vehicle charging stations at Hudson NW Lot / Marine Lot
 - Ample bike stands available
 - Not much more demand for RV/Tour bus parking
 - Consider approaching Church to allow RV Parking in summer
- **Parking Requirements for Building within Downtown Parking Specified Area**
 - KP spoke on this. Bylaw / Regulations attached
 - CE requested staff bring back recommendations to update bylaw / DT exemptions / fees / levies

Received As Information

4. Correspondence

- Committee requested ticketing/educational blitz. MB to hand out parking info w/tickets

5. Any Other Business

- None

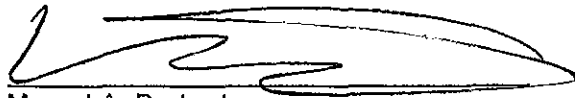
6. Adjournment

- Meeting Adjourned at 9:05 am

**Motion: J. Gaudrea/V. Hamilton
Carried Unanimously**

Next Meeting Date: May 15, 2018

Certified Correct



Marcel A. Bedard
Bylaw Enforcement Officer

Minutes received as information by Council on the day of , 2018

cc: Downtown Salmon Arm
Kevin Pearson, Director of Development Services
Council Correspondence

- X:\Operations Dept\Engineering Services\8620.02-PARKING\DPC\2018\04 - April\DPC Meeting Minutes -Apr 17.docx

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Item 7.3

CITY OF SALMON ARM

Date: June 11, 2018

Moved: Councillor Lavery

Seconded: Councillor Wallace Richmond

THAT: the Environmental Advisory Committee Meeting Minutes of May 3, 2018, be received as information.

Vote Record

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

Opposed:

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

CITY OF SALMON ARM

Minutes of the Environmental Advisory Committee Meeting held in Council Chambers of City Hall, 500 – 2 Avenue NE on **Thursday, May 3, 2018** at 9:00 a.m.

PRESENT:

Councillor Tim Lavery
Barry Wilson
Amy Vallarino
Warren Bell
Sherry Bowlby
Dan Smith
John McLeod
Sarah Weaver
Janet Pattinson
Pauline Waelti
Barb Puddifant

City of Salmon Arm, Chair
Citizen at Large
Citizen at Large
WA:TER
Citizen at Large
Shuswap Construction Industry Professionals
Salmon Arm Farmers Institute (SAFI)
Salmon Arm Bay Nature Enhancement Society
Shuswap Naturalist Club
Shuswap Environmental Action Society (SEAS)
City of Salmon Arm, Recorder

ABSENT:

Iva Jules
Ron Pederson
Luke Gubbels
Gary Arsenault
Louis Thomas

Adams Lake Indian Band
Salmon Arm Fish & Game Club
Canoe Forest Products
Shuswap Pro Development Association
Neskonlith Indian Band

GUEST:

The meeting was called to order at 9:01 a.m.

1. **Introductions**
2. **Presentations**
3. **Approval of Agenda and Additional Items**

Moved: Warren Bell

Seconded: Dan Smith

THAT: the Environmental Advisory Committee Meeting Agenda of May 3, 2018, 2018 be approved as circulated.

CARRIED UNANIMOUSLY

4. **Approval of Minutes of April 5, 2018 Environmental Advisory Committee Meeting**

Moved: Sherry Bowlby

Seconded: Sarah Weaver

THAT: the minutes of the Environmental Advisory Committee Meeting of April 5, 2018 be approved as circulated.

CARRIED UNANIMOUSLY

5. Old Business /Arising from minutes

1) Community Sustainability Fund Update -

Warren Bell spoke regarding the fund concept and creating a greenhouse gas tax that would be charged to corporations using large measured amounts of greenhouse gas and using collected amounts to finance practical reduction strategies. Councillor Lavery spoke regarding the CARIP report and the uses that other local governments anticipate using these funds for. Janet Pattinson spoke regarding the benefits of hosting an Eco Fair to provide education on how the public can be part of the solution.

2) Managing Climate Change Risks Summary -

Amy Vallerino provided a summary of the Independent Audit, Office of the Auditor General of British Columbia, and the need for a Wildfire Protection Plan, a Drought plan and a Water Sustainability plan. Councillor Lavery spoke regarding the CWPP which will be brought to Council at the May 14, 2018 Regular Council Meeting.

3) Culvert Cleaning -

Janet Pattinson questioned the City's plan for flooding and the City's accountability. Warren Bell spoke regarding the necessity of having culverts cleaned and existing ditching not having an adequate egress for water flow. Councillor Lavery said that the City has a Ditching Program in effect in Agricultural areas. Barry Wilson spoke regarding the need for a flood plan study to determine the peak flow. Sarah Weaver expressed concerns that water management should be onsite and that developers not rely solely on City storm water systems. Councillor Lavery spoke regarding the City's onsite water management policies.

6. New Business

1) Community / City Recycling Improvements / Education -

Dan Smith spoke regarding the importance of public education for recyclable materials and suggested signage that details where and what materials can be recycled as well as recycling containers for glass. Amy Vallerino suggested that recycling bins be placed in parks and Dan Smith would like to see year round garbage cans on the trails.

2) Solar Panel Uses in the City -

Dan Smith suggested that a good location for the solar panels would be at Blackburn Park as a public placement will help to educate the public. The roof of the new Pavillon constructed at Blackburn Park was suggested. Councillor Lavery said that a number of other placement areas have been offered including the Art Gallery. Warren Bell suggested working with City staff to offer awareness of the Solar Photo Voltaic Project and spoke regarding the upcoming Solar Energy Society meeting on May 15, 2018.

7. Other Business &/or Roundtable Updates

1) Rotary Tree Planting Challenge

Barry Wilson spoke regarding the Council's support of the Rotary Club of Salmon Arm Daybreak's tree planting challenge. City staff will work with the Rotary Club to identify areas for the tree planting.

2) SABNES work party

Sarah Weaver spoke regarding the SABNES work party to install signage and the upcoming AGM to be held May 23, 2018.

3) National Indigenous People Day

Barry Wilson spoke regarding the National Indigenous People Day celebrations scheduled for June 21, 2018 at Pierre's Point.

8. Next meeting - Thursday, June 7, 2018

Moved: Dan Smith

Seconded: Warren Bell

THAT: the Environmental Advisory Committee Meeting of May 3, 2018 be adjourned.

CARRIED UNANIMOUSLY

The meeting adjourned at 10:36 a.m.

Councillor Tim Lavery, Chair

Received for information by Council on the day of , 2018

Item 8.1

CITY OF SALMON ARM

Date: June 11, 2018

Moved:

Seconded:

THAT: the bylaw entitled City of Salmon Arm General Capital Reserve Fund Expenditure Bylaw No. 4248 be read a first, second and third time.

[General Capital Reserve Fund Expenditure]

Vote Record

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

Opposed:

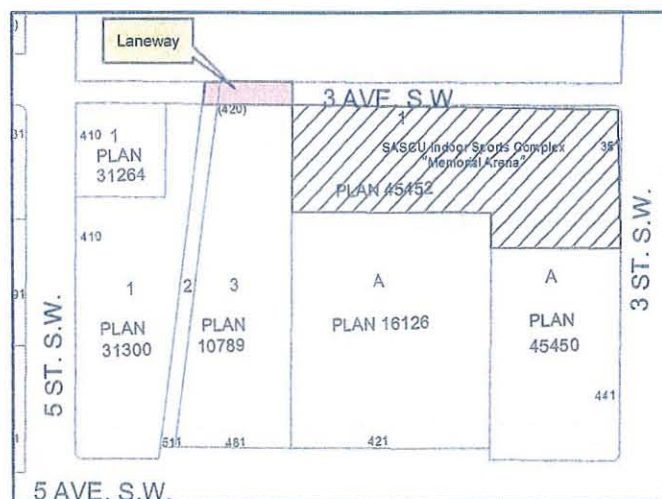
- ☐ Cooper
- ☐ Flynn
- ☐ Eliason
- ☐ Harrison
- ☐ Jamieson
- ☐ Lavery
- ☐ Wallace Richmond

The City of Salmon Arm and the Salmon Arm and Shuswap Lake Agricultural Association (SASLAA) are pleased to announce that an agreement has been reached that will see the City acquire the property and building located at 351 – 3 Street SW, also known as the SASCU Indoor Sports Complex / Memorial Arena and a portion of 481 / 511 5 - Avenue SW, a laneway, for \$420,000.00 for the purpose of improving and extending the life of the arena, for its current use.

SASLAA voted unanimously in favour of the sale at a Special Meeting held on April 19, 2018. The agreement allows SASLAA to use, at no cost for the life of the building, some office space (year round) and the building / property during the Fall Fair. Current tenants, including many youth sports organizations, will likely also be able to continue with their rental of the facilities.

“This is a win for the community and the Fall Fair because this special asset can continue to be used and maintained for years to come” said Phil Wright, SASLAA President. Mayor Nancy Cooper added, “The City is appreciative of the valuable work that SASLAA and its many volunteers do in Salmon Arm and we are pleased to be moving forward in this direction”.

The entire Purchase Agreement can be viewed at City Hall or at www.salmonarm.ca.



OFFER TO PURCHASE

DATE: April 26, 2018

BETWEEN: CITY OF SALMON ARM

(the "Purchaser")

AND: THE SALMON ARM AND SHUSWAP LAKE AGRICULTURAL ASSOCIATION

(the "Vendor")

1. BASIC TERMS

The basic terms of this Offer to Purchase are:

- (a) Address of Purchaser:** City of Salmon Arm
Box 40, 500 – 2 Avenue, Salmon Arm, BC V1E 4N2
Attention: Carl Bannister
Telephone: (250) 803-4000
Facsimile: (250) 803-4041
Email Address: cbannister@salmonarm.ca
- (b) Address of Vendor:** The Salmon Arm and Shuswap Lake Agricultural Association
351 – 3 Street SW, Salmon Arm, BC V1E 1V4
Attention: Phil Wright
Telephone: (250) 832-0442
Facsimile:
Email Address: wrightphil14@gmail.com / safallfair@shaw.ca
- (c) Property:** Those lands and premises located at: 351 – 3 Street SW, in the City of Salmon Arm and legally described as follows: PID: 017-415-900, Lot 1 Section 14 Township 20 Range 10 W6M KDYD Plan KAP45452 ("Lot 1") and portion of 481 / 511 5 - Avenue SW, in the City of Salmon Arm and legally described as follows: Portion of Lot 2 and Lot 3 Section 14 Township 20 Range 10 W6M KDYD Plan 10789 consisting of approximately 319 m², substantially as shown in red on the sketch plan attached as Schedule A (the "Subdivision Parcel") (collectively, Lot 1 and the Subdivision Parcel are the "Property")
- (d) Sale Price:** Four Hundred and Twenty Thousand Dollars (\$420,000.00) being the total price for the Property

- (e) **Allocation:** The parties agree that the Sale Price shall be allocated as follows:
- | | | |
|------|----------------------------|--------------|
| (i) | To Lot 1: | \$400,000.00 |
| (ii) | To the Subdivision Parcel: | \$20,000.00 |
| | Total | \$420,000.00 |
- (f) **Deposit:** One Thousand Dollars (\$1,000.00)
- (g) **Completion Date:** That day which is 30 days after the satisfaction or waiver of all of the Purchaser's Conditions (as defined in Section 1 of Schedule C)
- (h) **Warranty Survival Date:** That day which is 365 days after the Completion Date
- (i) **Acceptance Date:** June 1, 2018

The foregoing basic terms are approved by the parties. Any reference in this Offer to Purchase to a basic term shall be construed to include the provisions set forth above as well as any additional terms and conditions of this Offer to Purchase where the basic term is more fully set forth.

2. OFFER

The Purchaser hereby offers to purchase from the Vendor all of the Vendor's right, title and interest in the Property, free and clear of all liens, charges, encumbrances, save and except for the charges and encumbrances listed in Schedule B attached hereto (the "**Permitted Encumbrances**"), for the Sale Price and upon the terms and conditions herein set forth.

3. SALE PRICE

The Sale Price for the Property will be paid by the Purchaser to the Vendor as follows:

- (a) by payment of the Deposit by the Purchaser to the Purchaser's solicitors forthwith upon acceptance by the Vendor of this Offer to Purchase, to be deposited and held by the Purchaser's solicitors in trust as a stakeholder on behalf of the parties, pending completion of the sale and purchase of the Property or other termination of this Offer to Purchase; and
- (b) by payment of the balance of the Sale Price, subject to adjustment as provided in section 9, by payment of such amount by the Purchaser to the Vendor in accordance with the provisions of this Offer to Purchase.

The Deposit will be credited to the Sale Price and will be paid to the Vendor if the sale and purchase is completed in accordance with the terms hereof. The Deposit will be paid to the Vendor if the Purchaser is in default of its obligation to complete the sale and purchase of the Property hereunder on account of damages and without prejudice to any other right or remedy of the Vendor, or will be paid in full to the Purchaser, without prejudice to any other right or remedy of the Purchaser, in the event that the Purchaser elects to terminate this Offer to Purchase due to the Vendor being in default of its obligation to complete the sale of the Property hereunder.

4. **CONDITIONS PRECEDENT**

The obligation of the Purchaser to complete the purchase of the Property on the Completion Date is subject to and conditional upon the condition(s) precedent set out in Schedule C attached hereto being satisfied or waived by the Purchaser within the time or times specified in Schedule C.

5. **PURCHASER'S DUE DILIGENCE**

The Vendor will, within three business days (excluding Saturdays, Sundays and statutory holidays) after the Vendor accepts this Offer to Purchase, deliver to the Purchaser the following:

- (a) any legal surveys of the Property that are in the Vendor's possession;
- (b) true copies of any environmental reports, geotechnical reports (if any) and all correspondence with the British Columbia Ministry of Environment (if any) concerning the Property that are in the possession of the Vendor;
- (c) true copies of any leases, agreements to lease and offers to lease in respect of the Property which will continue in effect after the Completion Date (the "**Leases**"); and
- (d) true copies of any materials, agreements or letters of intent relating to naming rights in respect of the Property (the "**Naming Materials**").

The Purchaser agrees to maintain the confidentiality of all such surveys, reports, materials and agreements so delivered, and to return all copies of the same to the Vendor forthwith if the condition(s) precedent set out in Schedule C attached hereto are not satisfied or waived within the time or times provided therein or if the Purchaser fails to complete its purchase of the Property.

The Purchaser and its agents, employees and advisors shall be entitled upon reasonable notice to the Vendor and in accordance with the Vendor's reasonable requirements as to security to enter the Property and carry out inspections, investigations, tests and studies of the Property. Any inspections, investigations, tests or studies of the Property by the Purchaser or its agents, employees and advisors will be carried out during normal business hours. The Purchaser will be responsible for and will indemnify the Vendor for all damages, costs, expenses and other

adverse consequences of the Purchaser's actions in connection with any such inspections, investigations, tests or studies of the Property by the Purchaser or its agents, employees and advisors.

The Purchaser waives the requirement for the Vendor to provide to the Purchaser a "site profile" for the Property under the *Environmental Management Act* (British Columbia) or any regulation in respect thereto.

6. REPRESENTATIONS AND WARRANTIES

The Vendor hereby makes the representations and warranties set out in Schedule D attached hereto.

7. GOODS AND SERVICES TAX

The Vendor and the Purchaser by their acceptance hereof hereby represent and warrant that each of them is and will be at the Completion Date a resident of Canada for the purposes of the *Income Tax Act* (Canada) and the Vendor and the Purchaser confirm that they will be registered with the Canada Revenue Agency or any successor thereto ("**CRA**") in compliance with Part IX of the *Excise Tax Act* (Canada) relating to the goods and services tax ("**GST**") on the Completion Date. The Sale Price does not include GST and the Purchaser confirms that it will be responsible for any GST payable with respect to the subject transaction, will account directly to CRA with respect thereto and will confirm its GST registration number to the Vendor on the Completion Date by providing a signed certificate in the customary form.

8. COMPLETION DATE

The sale and purchase of Lot 1 will be completed on the Completion Date. The sale and purchase of the Subdivision Parcel will be completed upon final registration of the subdivision plan at the Kamloops Land Title Office.

9. ADJUSTMENTS

All usual adjustments of taxes, rates, local improvement assessments and other charges and all other costs normally adjusted for on a sale of property similar to the Property, both incoming and outgoing, will be made as of 12:01 a.m. on the Completion Date. The Vendor will receive the benefit of all income and will be responsible for all expenses incurred in operating and maintaining the Property incurred for and attributable up to 11:59 p.m. (Vancouver time) on the day preceding the Completion Date and the Purchaser will receive benefit of all income and be responsible for all expenses from and including the Completion Date.

The Purchaser and the Vendor agree that the balance owing to the Purchaser by the Vendor under the loan secured by Mortgage No. KP28181 (modified by KV37389, CA2874679 and CA6097677) registered against the Property, plus any accrued interest, will be adjusted as a credit to the Purchaser as of the Completion Date.

Any adjustments which are not capable of being calculated on the Completion Date will be adjusted between the parties as soon as possible after the Completion Date.

10. RISK

The Property will be and remain at the Vendor's risk until the Transfer (as defined paragraph 12(a)(i)) is filed for registration in the Kamloops Land Title Office, and the Vendor will hold all insurance policies and the proceeds thereof in trust for the parties as their respective interest may appear pending the Completion Date.

11. POSSESSION

- (a) Subject to subsection 11(c) and (d), the Purchaser will have vacant possession of the Property free and clear of all charges, liens and encumbrances save for the Permitted Encumbrances immediately upon completion of the sale and purchase of the Property.
- (b) The Vendor will terminate any and all leases, rentals and uses of the Property as of 11:59 p.m. (Vancouver time) on the day preceding the Completion Date except any leases, rentals and uses of the Property that the Purchaser has agreed in writing to assume.
- (c) The Vendor will be permitted to continue to use the office and storage space located at the west end of the arena located on the Property consisting of approximately 2000 sq. feet at no cost from the Completion Date up to and including December 31, 2022, provided that the Vendor provides the Purchaser with proof of insurance as described in subsection 11(e).
- (d) Subject to subsection 11(f), the Vendor will be permitted to continue to use the improvements on the Property in conjunction with the annual Salmon Arm Fair, including the foyer, the canteen, the arena floor for hosting the trade expo, and using the office space located on the eastern side of the building during the Fair, for a period of up to three (3) weeks each year, at no cost, in perpetuity, provided that the Vendor provides the Purchaser with proof of insurance as described in subsection 11(e) and subject to the scheduling requirements of the Purchaser.
- (e) The Vendor must maintain insurance:
 - i. in respect of fire, and such other perils as are from time to time set out in an "All Risks" property damage insurance policy, covering all of the Vendor's property located in the Property for the full replacement cost thereof; and
 - ii. comprehensive general business liability insurance covering bodily injury, death, property damage, personal liability, contractual liability, non-owned automobile liability and employer's liability, all on an occurrence basis with limits of not less than five million (\$5,000,000.00) dollars per occurrence.

The Purchaser shall be named as an additional insured on all of the Vendor's insurance policies with respect to the Property.

- (f) The Vendor acknowledges and agrees that, notwithstanding that the Purchaser has agreed to permit the Vendor to use the Property after the Completion Date:
- i. the Purchaser may, in its sole discretion, demolish all or any part of the buildings or improvements on the Property at any time;
 - ii. the Purchaser is under no obligation to replace any damaged or demolished buildings or improvements (or any part thereof);
 - iii. the Purchaser is under no obligation to ensure that any replacement, reconstructed or repaired building or buildings are constructed to such standards under the BC Building Code as would permit the Vendor's use of the Property in conjunction with the Salmon Arm Fair, including its use for the trade expo; and
 - iv. the Purchaser is under no obligation to make any repairs or improvements to the building(s) on the Property to accommodate the Vendor's use of the Property or compliance with BC Building Code requirements.

12. DELIVERY OF CLOSING DOCUMENTS

- (a) On or before the Completion Date, the Vendor will cause the Vendor's solicitors to deliver to the Purchaser's solicitors the following items, duly executed by the Vendor, in registrable form whenever appropriate, to be dealt with in accordance with Section 13:
- i. a Form A – Freehold Transfer, conveying Lot 1 to the Purchaser (the “**Transfer**”);
 - ii. an Application to Deposit Plan, dedicating the Subdivision Parcel as Road (the “**Application**”);
 - iii. a Vendor's Statement of Adjustments.
- (b) All documents referred to in subsection 12(a) will be prepared by the Purchaser's solicitors to the extent that preparation is required, in a form reasonably satisfactory to the Purchaser and the Vendor and, where applicable, in a form suitable for registration in the appropriate offices of public record and delivered to the Vendor's solicitors at least five business days prior to the Completion Date.

13. CLOSING PROCEDURE

- (a) On or before the Completion Date, the Purchaser will pay to the Purchaser's solicitors in trust the amount provided for in subsection 3(b) of this Offer to Purchase, less the amount to be advanced to the Purchaser on the Completion Date under any mortgage financing arranged by the Purchaser.
- (b) Forthwith following receipt by the Purchaser's solicitors of the payment pursuant to subsection 13(a) and the documents and items referred to in subsection 12(a), the Purchaser will cause the Purchaser's solicitors to file the Transfer and the Application in the appropriate Land Title Office on the Completion Date concurrently with any security documents applicable to any mortgage financing arranged by the Purchaser in connection with the purchase of the Property
- (c) Forthwith following the filing referred to in subsection 13(b) and upon the Purchaser's solicitors being satisfied as to the Purchaser's pending title to Lot 1 after conducting a post filing registration check of the property index disclosing only the following:
 - i. the existing title number to Lot 1;
 - ii. the Permitted Encumbrances;
 - iii. pending number assigned to the Transfer and ;
 - iv. pending numbers assigned to any charges granted by the Purchaser including any security documents applicable to any mortgage financing arranged by the Purchaser in connection with the purchase of the Property; and
 - v. any charges with respect to which the Vendor's solicitors have extended satisfactory undertakings regarding the discharge and release of the same;

the Purchaser will cause the Purchaser's solicitors, forthwith upon receipt by them of the proceeds of any mortgage financing arranged by the Purchaser in connection with the purchase of Lot 1, to deliver to the Vendor's solicitors on the Completion Date any document referred to in subsection 12(a) not previously provided to the Vendor in a form executed by the Purchaser and a lawyer's trust cheque for the adjusted Sale Price allocated to Lot 1.

- (d) Upon final registration of the Application and upon completion of a satisfactory search of the title indicating that the Subdivision Parcel has been dedicated as Road free and clear of all charges, encumbrances and legal notations, the Purchaser will cause the Purchaser's solicitors to deliver to the Vendor's solicitors a lawyer's trust cheque for the adjusted Sale Price allocated to the Subdivision Parcel.

14. DISCHARGE OF VENDOR'S ENCUMBRANCES

The Purchaser acknowledges and agrees that if the Vendor's title to the Property is subject to any financial encumbrance which the Vendor is required to discharge pursuant to this Offer to Purchase, the Vendor will not be required to clear title prior to the receipt of the net sale proceeds but will be obligated to do so within a reasonable time following closing and the Purchaser will pay, or cause its solicitors to pay the balance of the adjusted Sale Price to the Vendor's solicitors in trust on their undertaking to discharge any such financial encumbrance from the adjusted Sale Price and obtain and register a discharge thereof within a reasonable time.

15. FEES AND EXPENSES

All documents as are necessary to complete the sale and purchase of the Property including the Transfer will be prepared at the expense of, and registered at the expense of, the Purchaser and all documents required to clear title to the Property of any of the Vendor's financial encumbrances will be prepared and registered at the expense of the Vendor. The Purchaser will pay the expense of registering the Transfer and any property transfer tax due in respect of the transfer of the Property to the Purchaser.

All costs whatsoever incurred to dedicate the Subdivision Parcel as Road including, without limitation, the following:

- i. All fees payable for filing an approval for subdivision approval;
- ii. All other fees, costs and expenses related to an application for subdivision approval;
- iii. Preparation of the road dedication plan by a surveyor; and
- iv. Registration of the road dedication play in the Kamloops Land Title Office

will be at the sole expense of the Purchaser.

16. TENDER

Any tender of documents or money pursuant to this Offer to Purchase may be made upon the solicitor or notary public acting for the party on whom tender is desired, and it will be sufficient that a lawyer's trust cheque is tendered instead of cash.

17. ASSIGNMENT

The Purchaser shall only be entitled to assign its interest in this Agreement with the prior written consent of the Vendor. The Purchaser acknowledges and agrees that it will not be released from its obligations under this Agreement as result of any assignment of its interest in this Agreement.

18. ENTIRE AGREEMENT

This Offer to Purchase (including the Schedules attached hereto) constitutes the entire agreement between the parties in respect of the Property, and it is understood and agreed that there are no representations, warranties or guarantees or promises affecting the Property or this Offer to Purchase except for those contained herein. It is further understood and agreed that there are no covenants, agreements, collateral agreements or conditions affecting the Property or this Offer to Purchase other than as expressed in writing in this Offer to Purchase.

19. TIME

Time shall be of the essence hereof.

20. NOTICES

Any notices, requests or demands which may or are required to be given or made hereunder will be in writing and served personally, faxed or e-mailed as follows:

- (a) if to the Purchaser, to the address, fax number or e-mail address and to the person set out in subsection 1(a); and
- (b) if to the Vendor, to the address, fax number or e-mail address and to the person set out in subsection 1(b),

provided that either party may change its address by written notice to the other and in such event this section will be deemed to be amended accordingly.

21. GOVERNING LAW

This Offer to Purchase and the agreement resulting therefrom will be construed according to and governed by the laws of the Province of British Columbia.

22. BINDING EFFECT

This Offer to Purchase will enure to the benefit of and be binding upon the Vendor and the Purchaser and their representatives, administrators, successors and permitted assigns.

23. COMMISSION

- (a) Subject to paragraph (b) below, the Vendor will be solely responsible for all commission payable in respect of the purchase and sale of the Property pursuant to this Agreement.
- (b) Each of the Vendor and the Purchaser acknowledges, represents and agrees to and with the other that it has dealt with no broker in regard to the transaction contemplated by this Agreement.

24. EXECUTION BY ELECTRONIC MEANS

This Offer to Purchase may be executed by the parties and transmitted by fax or other electronic means and if so executed and transmitted this Offer to Purchase will be for all purposes as effective as if the parties had delivered an executed original Offer to Purchase.

25. OFFER

This Offer to Purchase is irrevocable and open for acceptance by the Vendor, in the manner indicated below, until but not after 4:00 p.m. (Vancouver time) on the Acceptance Date, and if not accepted on or before such time and date will be absolutely null and void. This Offer to Purchase may be accepted by the Vendor executing this Offer to Purchase and returning same to the Purchaser, and when accepted, this Offer to Purchase will constitute a binding agreement of sale and purchase of the Property in accordance with the terms hereof.

The Purchaser has executed this Offer to Purchase this 6 day of June 2018.

PURCHASER:

CITY OF SALMON ARM

Per: Carol Banister
(Authorized Signatory)
Chief Administrative Officer

NANCY COOPER
MAYOR

VENDOR'S ACCEPTANCE

In consideration of the Purchaser paying the Deposit to the Purchaser's solicitors as provided in subsection 3(a), and in further consideration of the covenants and agreements of the Purchaser contained in this Offer to Purchase, the Vendor hereby accepts the Purchaser's offer herein and agrees to sell the Property to the Purchaser in accordance with the terms of this Offer to Purchase.

IN WITNESS WHEREOF the Vendor has executed this Offer to Purchase this 28th day of May, 2018.

VENDOR:

THE SALMON ARM AND SHUSWAP LAKE AGRICULTURAL ASSOCIATION

Per: Paul Wright president
(Authorized Signatory)

Steven DeBoer Vice-President
(Authorized Signatory)

Michael Treasurer

SCHEDULE B
PERMITTED ENCUMBRANCES

This Property is subject to the following Permitted Encumbrances:

Nil.

SCHEDULE C
CONDITIONS PRECEDENT

1. PURCHASER'S CONDITIONS

The obligation of the Purchaser to complete the purchase of the Property on the Completion Date is subject to and conditional upon the following conditions precedent (the "Purchaser's Conditions") being satisfied or waived by the Purchaser:

- (a) on or before 4:00 p.m. (Vancouver time) on the date which is thirty (30) days after the Acceptance Date, the Purchaser shall have delivered written notice to the Vendor that the Purchaser has reviewed and approved the Leases, the Naming Materials, the environmental reports, geotechnical reports and correspondence from the British Columbia Ministry of Environment provided by the Vendor pursuant to section 5 of this Offer to Purchase; and
- (b) on or before 4:00 p.m. (Vancouver time) on that date which is sixty (60) days after the Acceptance Date, the council for the Purchaser adopting City of Salmon Arm General Capital Reserve Fund Expenditure Bylaw No. 4248 and City of Salmon Arm 2018 to 2022 Financial Plan Bylaw No. 4247 to enable the Purchaser to complete the purchase of the Property contemplated herein.

The Purchaser's Conditions are for the sole benefit of the Purchaser and may be unilaterally waived in writing in whole or in part by the Purchaser at any time up to and including the applicable times specified above. If the Purchaser fails to notify the Vendor in writing of the satisfaction or waiver of the Purchaser's Conditions by the applicable times specified above, this Offer to Purchase will be null and void. In such event, the Purchaser's solicitors are hereby irrevocably directed by the Vendor and the Purchaser to forthwith repay the Deposit and accrued interest, in full, to the Vendor without deduction save for the sum of Ten Dollars (\$10.00) (which will be retained by the Vendor in any event as consideration for the Vendor agreeing to not revoke or withdraw this Offer to Purchase prior to the time specified above, except as may be permitted pursuant to any other provision included in this Schedule C), and thereafter neither party will have any further obligations to the other hereunder, except for the obligation of the Purchaser to maintain the confidentiality of all disclosed documents and items delivered to it, to return all copies of such documents and items and to indemnify the Vendor as set out in section 5 of this Offer to Purchase.

SCHEDULE D

REPRESENTATIONS AND WARRANTIES

The Vendor hereby represents and warrants to the Purchaser as representations and warranties that are true at the date hereof and will be true at the time of completion and that are to continue and to survive the purchase of the Property by the Purchaser until the Warranty Survival Date (as defined in Section 1), that, subject to the limitations, if any, expressed herein:

- (a) the Vendor is a society duly incorporated and validly existing under the laws of British Columbia and duly qualified to own and sell its interest in the Property;
- (b) the Vendor is in good standing with the Office of the Registrar of Companies for British Columbia with respect to the filing of annual reports and has never been dissolved;
- (c) all necessary corporate action on the part of the directors and members of the Vendor has been taken to authorize and approve the execution and delivery of this Offer to Purchase, the completion of the transactions contemplated herein and the performance and observance of the society's obligations under this Offer to Purchase;
- (d) the Vendor will be on the Completion Date the sole beneficial owner of the Property free and clear of all liens, claims, judgments, charges, caveats and encumbrances whatsoever except the Permitted Encumbrances (subject to the provisions of this Offer to Purchase related to clearing title of the Vendor's financial encumbrances), and that the Vendor has the full right and authority to sell the Property and to transfer and assign valid title to the Property to the Purchaser.

The Purchaser acknowledges and agrees that:

- (a) subject to the representations, warranties and covenants of the Vendor specifically set out herein, the Purchaser is purchasing the Property in an "as is/where is" condition such that, from and after the Completion Date, the Purchaser will assume all responsibilities for the Property, including (without limitation) the environmental condition of the Property, without any recourse whatsoever against the Vendor therefor; and
- (b) the Purchaser is entering into this Offer to Purchase relying entirely upon its own inspections and the representations, warranties and covenants of the Vendor specifically set out herein and that there are no representations, warranties, guarantees, agreements or conditions, whether direct or collateral, or express or implied, which induced the Purchaser to enter into this Offer to Purchase or on which reliance is placed by the Purchaser, or which affect this Offer to Purchase or the Property, other than as specifically set out in this Offer to Purchase.

CITY OF SALMON ARM

BYLAW NO. 4248

A bylaw authorizing the expenditure of money in the General Capital Reserve Fund

WHEREAS under the provisions of Section 189 of the Community Charter, the Council may, by bylaw, provide for the expenditure of any money in a reserve fund and interest earned on it;

AND WHEREAS Council deems it desirable to expend a portion of the monies set aside under the District of Salmon Arm General Capital Reserve Fund for the purpose of capital works;

AND WHEREAS there is an unappropriated balance in the General Capital Reserve Fund established under District of Salmon Arm General Capital Reserve Fund Bylaw No. 1, 1979, (Bylaw No. 1304) of \$639,334.41 as at March 26, 2018 which has been calculated as follows:

Balance in General Capital Reserve Fund at March 12, 2018	\$389,334.41
Add: Additions to fund including interest earnings for current year to date	\$250,000.00
Deduct: Commitments outstanding under bylaws Previously adopted	<u>Nil</u>
Balance in General Capital Reserve Fund at March 26, 2018	<u>\$639,334.41</u>

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

1. The sum of Four Hundred and Twenty Thousand Dollars (\$420,000.00) is hereby appropriated from the General Capital Reserve Fund to be expended on land and building acquisition at 351 - 3 Street SW and a portion of 481/511 - 5 Avenue SW.
2. The expenditure to be carried out by monies hereby appropriated may be more particularly specified and authorized by resolution of the Council.
3. Should any of the above amount remain unexpended after the expenditures hereby authorized have been made, any unexpended balance shall be returned to the credit of the General Capital Reserve Fund.
4. 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.

5. 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.

6. EFFECTIVE DATE

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

7. CITATION

This bylaw may be cited for all purposes as "City of Salmon Arm General Capital Reserve Fund Expenditure Bylaw No. 4248".

READ A FIRST TIME THIS	DAY OF	2018
READ A SECOND TIME THIS	DAY OF	2018
READ A THIRD TIME THIS	DAY OF	2018
ADOPTED BY COUNCIL THIS	DAY OF	2018

MAYOR

CORPORATE OFFICER

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Item 8.2

CITY OF SALMON ARM

Date: June 11, 2018

Moved:

Seconded:

THAT: the bylaw entitled Street Solicitation Prevention Bylaw No. 4273 be read a first and second time;

AND THAT: third and final readings be withheld subject to a Public Hearing.

[Street Solicitation Bylaw No. 4273]

Vote Record

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

Opposed:

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



Report from the Director of Development Services

TO: Her Worship Mayor Cooper and Members of Council

DATE: June 5, 2018

SUBJECT: Proposed Street Solicitation Prevention Bylaw No. 4273

MOTION FOR CONSIDERATION

That: Street Solicitation Prevention Bylaw No. 4273 receive first and second readings;

And Further That: Third and Final Readings be withheld subject to a Public Hearing.

BACKGROUND

At its January 15, 2018 meeting, Council requested a staff report on the topic of street soliciting.

The issue was discussed last year by the Social Impact Advisory Committee (SIAC) after Downtown Salmon Arm (DSA) received complaints from several merchants who expressed concerns about increased soliciting and nuisance activities in front of their businesses. City staff met with City Council, the SIAC, DSA Board and staff, and local RCMP members on several occasions to discuss the issue.

When Council reviewed the undersigned's report dated February 13, 2018 at the February 26 Council meeting, staff was directed to draft a bylaw to regulate street solicitation activities and to model the bylaw on ones in effect in Kelowna and Kamloops, along with the intent of the bylaw to be an extension to the Provincial Safe Street Act.

The majority of solicitation activity occurs along Alexander Street between Hudson Avenue and Lakeshore Drive NE.

PROPOSED BYLAW

Proposed Bylaw No. 4273 (attached) is similar to the bylaws in Kamloops and Kelowna. It incorporates the term "solicitation" instead of "panhandling" with a similar definition to that in the Safe Streets Act. The definition of solicitation in this draft bylaw was modified due to recent complaints about busking in the downtown core area.

The concerns on busking have been echoed to staff by some of the DSA Board members, and the Bylaw Enforcement Officer periodically receives complaints. It was determined by staff that the busking activities in question are not programmed or organized in anyway, and some of the actions cross into the realm of street solicitation, are a nuisance to some members of the public and merchants, and in some rare cases have involved complaints of public harassment. Under the Safe Streets Act and Criminal Code, it is the RCMP members who deal with matters crossing into harassment. The local RCMP detachment has been responsive the local concerns and has recently increased its on-foot presence in the downtown core.

Section 4 of the proposed bylaw increases the restriction zone of solicitation activities from the 5 m prescribed in the Safe Streets Act to 15 m in proximity to various kinds of businesses and land uses. The proposed 15 m buffer is a greater restrictive zone compared to Kamloops and Kelowna, each with a 10 m proximity to various land uses such as banks and ATMs. Other types of uses and locations, such as public facilities, theatres, and restaurants without approved outside seating (e.g street cafes) are included in the proposed Bylaw.

The penalties of the proposed bylaw are consistent with Kelowna and Kamloops. Should Bylaw No. 4273 be adopted, staff will prepare amendments to the City's Ticket Information Utilization Bylaw. At this time, appropriate ticketing levies have not been contemplated.

COMMUNITY CHARTER

Proposed Bylaw No. 4273 would appear to fall within the scope of the Community Charter which, broadly speaking, allows a municipality as a fundamental power to regulate matters concerning:

- 1) the health, safety or protection of persons or property; and
- 2) the protection and enhancement of the well-being of its community in relation to nuisances, disturbances and other objectionable situations.

These types of bylaws do not require a statutory public hearing, and can in fact receive three readings at a single Council meeting followed by final reading at a subsequent Council meeting without public notification. Staff suggests that proposed Bylaw No. 4273 receive two readings at a single Council meeting, followed by a non-statutory public hearing at a subsequent meeting prior to third and final readings, which could potentially be at the same meeting as the public hearing.

CONCLUSION

Proposed Bylaw No. 4273 is intended to have the effect of increasing the restriction zones for solicitation activities beyond the distance prescribed in the Provincial Safe Streets Act. The idea of having an entire street restricted was contemplated; however, it is determined that doing so would simply displace solicitation activities to other streets. The idea of restricting the entire downtown commercial core could be seen as an over-reach in the context of Charter of Rights.

Finally, staff remains concerned on the City's ability and capacity to enforce proposed Bylaw No. 4273. Recent examples of the challenges associated with repeated enforcement and court proceeding involving one person in Penticton were noted in the previous staff report. Specifically, potential challenges related to an inability to collect fines, and the staff time and court costs involved to either collect ticket fines or prosecute as an offence. This bylaw is coming forward as a result of political direction.



Kevin Pearson, MCIP, RPP
Director of Development Services

CITY OF SALMON ARM

BYLAW NO. 4273

A bylaw to regulate street solicitation in the City of Salmon Arm

WHEREAS street solicitation is deemed to be a cause of public nuisances, disturbances and other objectionable situations within the City of Salmon Arm;

AND WHEREAS the Council of the City of Salmon Arm is authorized by the Community Charter to regulate street solicitation for the purpose of protecting and enhancing the well-being of its community;

NOW THEREFORE the Council in open meeting assembled enacts as follows:

1. This Bylaw may be cited as "Street Solicitation Bylaw No. 4273"
2. DEFINITIONS

All word or phrases shall have their normal or common meaning except where this is changed, modified or expanded by the definitions set forth in this bylaw.

"Automated teller machine" means a device linked to a financial institution's account records which is able to carry out transactions including, but not limited to account transfer, deposits, withdrawals, balance inquiries and mortgage and loan payments.

"Bylaw Enforcement Officer" means the person appointed by the City of Salmon Arm and any person delegated to assist him/her in enforcing municipal bylaws and regulations as set out in the bylaw.

"Peace Officer" means any member of the Royal Canadian Mounted Police and any person delegated to assist him/her in carrying out his/her duties under the bylaw.

"Solicitation" means an act to solicit by communicating in person using the spoken, written or printed word, or by a gesture or another means, including the playing of musical instruments or equipment that causes a nuisance to the public and businesses, any of which being for the purpose of receiving money or another item of value, regardless of whether consideration is offered or provided in return.

"Street" includes a public road, highway, bridge, viaduct, underpass, lane, sidewalk and any walkway or space normally open to the use of the public.

"Traffic control signal" means a traffic control signal as defined in the Motor Vehicle Act.

"Trust company" means an office or branch of a trust company to which the Trust and Loans Companies Act (Canada) applies and in which deposit accounts are held.

3. AUTHORITIES

Peace Officers and Bylaw Enforcement Officers are authorized and empowered to enforce all sections of this bylaw.

4. APPLICATION

- .1 No person shall solicit on a street within 15 metres of:
 - a) an entrance to a bank, credit union or trust company,
 - b) an automated teller machine,
 - c) a bus stop or bus shelter,
 - d) a restaurant with outdoor seating, or
 - e) the entrance to a theatre or art gallery.
- .2 No person shall solicit from an occupant of a motor vehicle which is:
 - a) parked,
 - b) stopped at a traffic control signal, or
 - c) standing temporarily for the purpose of loading or unloading.
- .3 No person shall solicit at any time during the period from sunset to sunrise.
- .4 No person shall sit or lie on a street for the purpose of solicitation.
- .5 No person shall solicit from a public bench, seating or within a public plaza.
- .6 No person shall continue to solicit on a street from a person after that person has made a negative response.

5. PENALTY

- .1 Every person who offends against any provision of this bylaw, or who suffers or permits any act or thing to be done in contravention of, or in violation of, any provisions of this bylaw, or who neglects to do, or refrains from doing anything required to be done by any of the provisions of this bylaw, or who does any act or thing which violates any of the provisions of this bylaw, shall be deemed to guilty of an infraction of the bylaw, and shall be liable to the penalties hereby imposed.
- .2 Offences for which tickets can be issued and fines imposed are prescribed in the City of Salmon Arm Ticket Information Utilization Bylaw No. 2760.
- .3 Every person who commits an offence against this bylaw is liable to a fine and penalty of not more than \$2,000 and not less than \$50 for each offence.

6. 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 are invalid shall not affect the validity of the remaining portions of this bylaw.

7. EFFECTIVE DATE

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

READ A FIRST TIME THIS	DAY OF	2018
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READ A SECOND TIME THIS	DAY OF	2018
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READ A THIRD TIME THIS	DAY OF	2018
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ADOPTED BY COUNCIL THIS	DAY OF	2018
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MAYOR

CORPORATE OFFICER

Item 8.3

CITY OF SALMON ARM

Date: June 11, 2018

Moved: Councillor Flynn

Seconded: Councillor Eliason

THAT: the bylaw entitled Zoning Amendment Bylaw No. 4274 be read a first and second time.

[ZON-1128; Androlick, J. & Lowe, K.; 1081 - 1 Street SE; R-1 to R-4]

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: June 5, 2018

SUBJECT: Zoning Bylaw Amendment Application No. 1128 (R-1 to R-4)
 Legal: Lot 3, Section 11, Township 20, Range 10, W6M, KDYD, Plan 9916
 Civic Address: 1081 – 1 Street SE
 Owner/Applicant: J. Androlick & K. Lowe

MOTION FOR CONSIDERATION

THAT: a bylaw be prepared for Council's consideration, adoption of which would amend Zoning Bylaw No. 2303 by rezoning Lot 3, Section 11, Township 20, Range 10, W6M, KDYD, Plan 9916 from R-1 (Single Family Residential Zone) to R-4 (Medium Family Residential Zone);

STAFF RECOMMENDATION

THAT: The motion for consideration be adopted.

PROPOSAL

The subject parcel is located at 1081 – 1 Street SE and currently has an existing single family dwelling (APPENDICES 1 and 2). The proposal is to rezone the parcel from R-1 (Single Family Residential) to R-4 (Medium Family Residential) for sales marketing purposes. The current owners and applicants do not have any intention of developing the property at this time, therefore no development plan is available.

Site photos are attached as APPENDIX 5.

SITE CONTEXT

The subject parcel has approximately 36 m of frontage on 1 Street SE and is 1,937 m² in size. The property is designated Medium Density Residential in the City's Official Community Plan (OCP) and zoned Single Family Residential (R-1) in the Zoning Bylaw as shown in APPENDICES 3 and 4 respectively. The adjacent land uses are described as follows:

North: Single Family Residential (R-1)
 South: Medium Density Residential (R-4)
 East: 1 Street SE / Medium Density Residential (R-4)
 West: Single Family Residential (R-1)

COMMENTS

Fire Department

No concerns.

Building Department

No concerns with rezoning application.

Engineering Department

Comments are attached as APPENDIX 6.

Planning Department*OCP Policy*

The subject property is designated Medium Density Residential in the OCP, and is within Residential Area B, the second highest priority area for development. The maximum allowed density under R-4 is (40 units/ per hectare) or 7 units on the 0.19 ha subject property, not including any potential density bonus.

The existing neighborhood is a mix between single family dwellings, suite residential, and medium density including a small four unit row-house development to the west and the Valley Vista multi-family development to the east across 1 Street SE.

Future Development Scenario

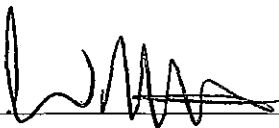
The proposal is to rezone the subject property to R-4 for future development, no site plan or development plan has been submitted. The applicants originally proposed rezoning only the back portion of the property to R-4 with the house to remain R-1. However, without any plan of subdivision or development plan, rezoning the whole property is simpler and leaves more development options for the owners or potential buyers.

The site currently has a single family dwelling located in the south-east portion of the property. The house is in good repair and not anticipated to be demolished at this time. The property has approximately 36 m of frontage on 1 Street SE with approximately 15 m to the north of the dwelling which could provide access to the open space at the rear of the property. Given the location of the current dwelling, there would be approximately 1,022 m² for a building envelope for future development if the dwelling was retained. The maximum density would be 4 units based on this area estimation.

If rezoned to R-4, a form and character development permit application would be required for any number of units over two prior to development to demonstrate the proposed building, site and landscape designs. A lot grading plan would be required at the development permit stage to confirm finished grades. Review of such an application would proceed through City staff, the Design Review Panel, and Council for consideration of approval.

CONCLUSION

The proposed R-4 zoning of the subject properties is consistent with the OCP and is therefore supported by staff.

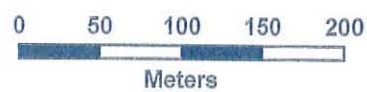


Prepared by: Wesley Miles, MCIP, RPP
Planning and Development Officer



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

Location Map



Subject Parcel

Orthophoto

2

1041

3

1081

6

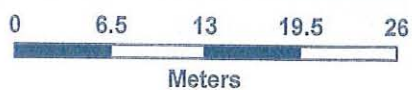
1021

PLAN 1916

0920

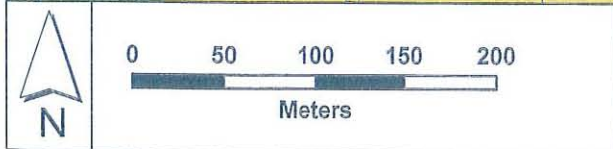
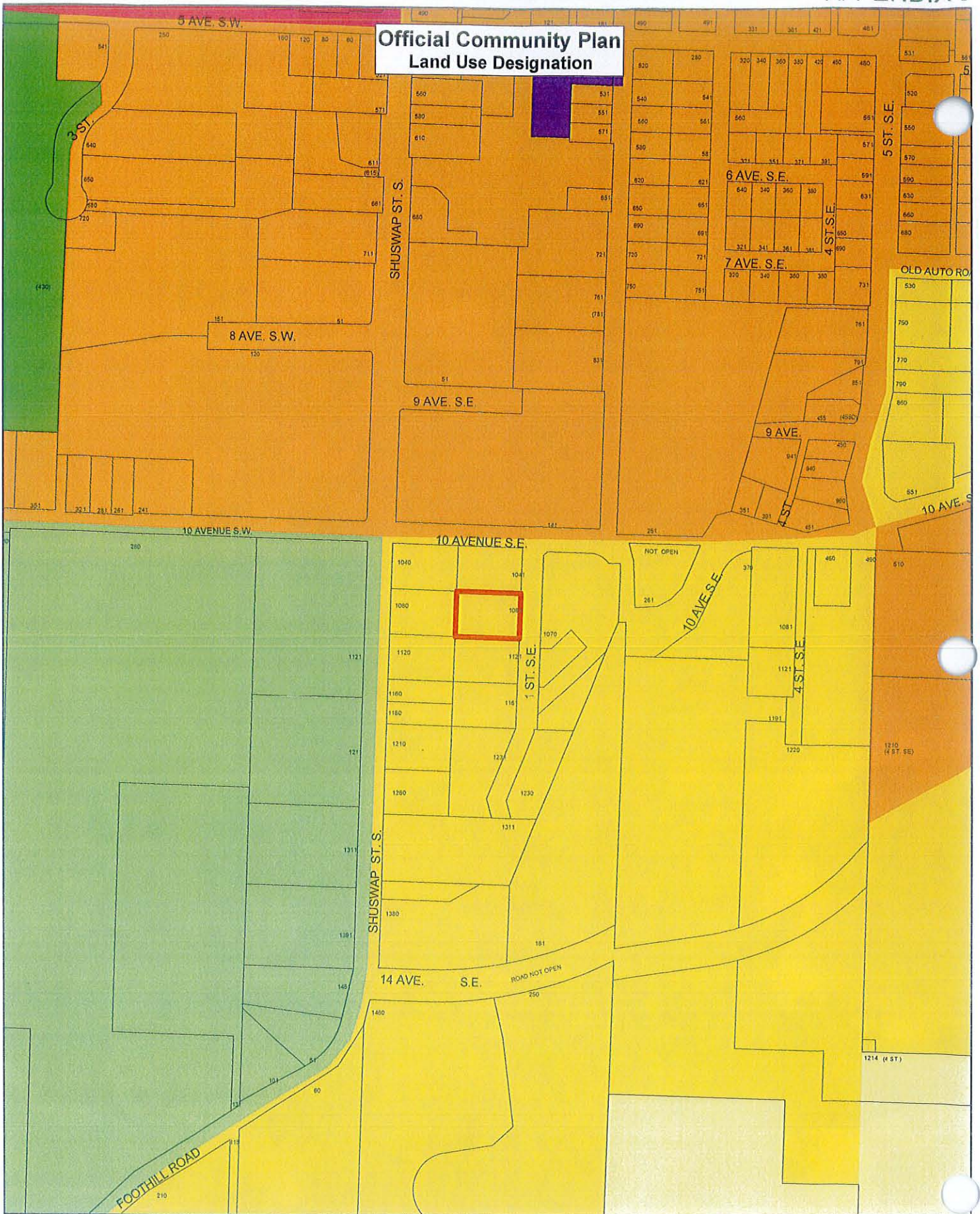
1ST.S.E.





K



Subject Parcel

Official Community Plan Land Use Designation



-  Subject Parcel
-  Residential Medium Density
-  Acreage Reserve
-  Residential High Density

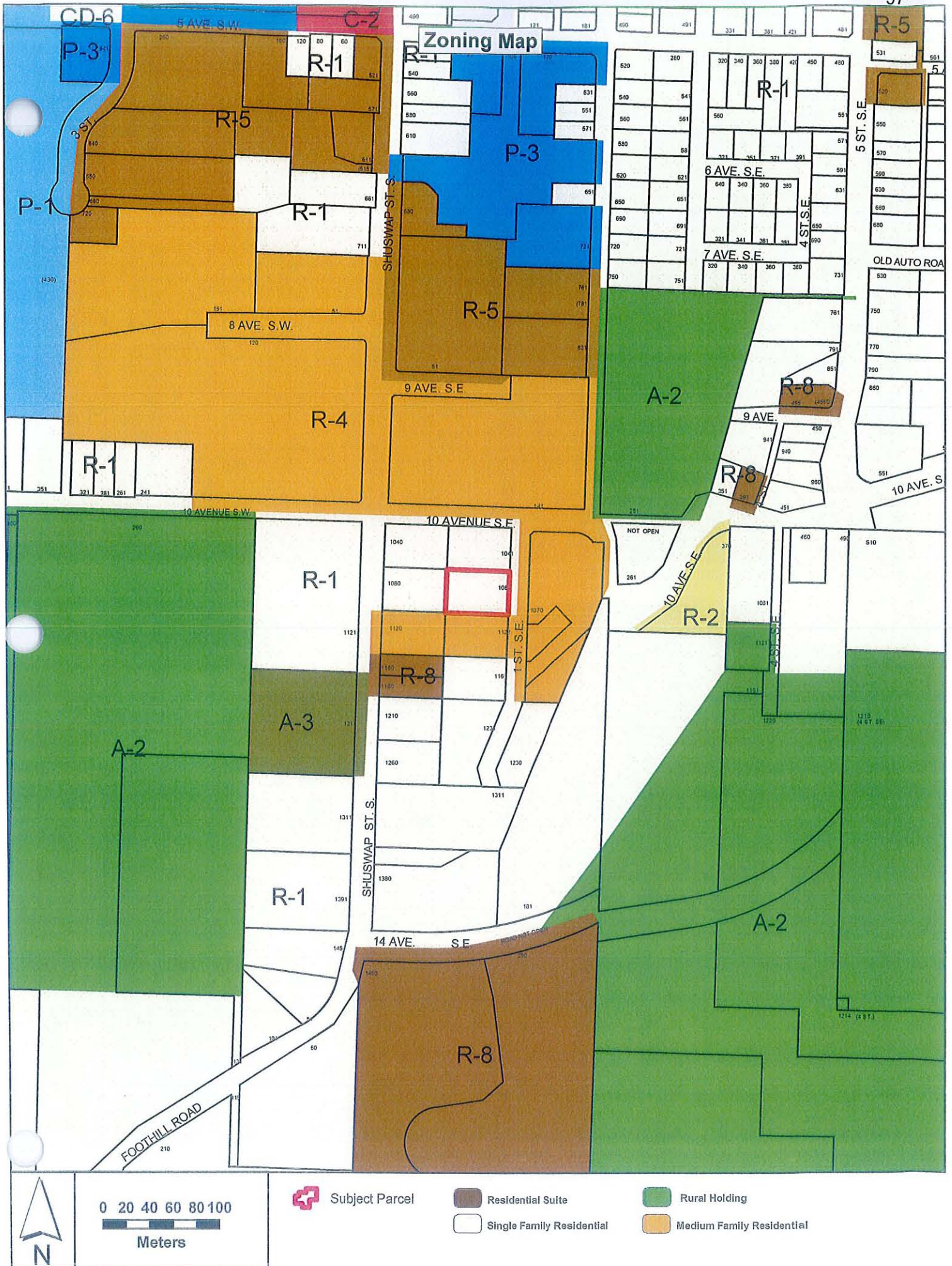




Photo 1: Photo looking south west from 1 Street SE at the subject property.



Photo 2: Photo looking south west at the rear of the property behind the house.



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

To: Kevin Pearson, Director of Development Services
 Date: 09 May 2018
 Prepared by: Chris Moore, Engineering Assistant
OWNER: J. Androlick / K. Lowe
SUBJECT: ZONING AMENDMENT APPLICATION FILE NO. ZON-1128
 LEGAL: Lot 3, Sec 11, Township 20, Range 10 W6M KDYD, Plan 9916
 CIVIC: 1081 1 Street SE

Further to your referral dated 24 April, 2018, we provide the following servicing information. **The following comments and servicing requirements are not conditions for Re-zoning; however, these comments are provided as a courtesy in advance of any development proceeding to the next stages:**

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 electrical and telecommunications wiring. Due to the location of the existing service pole, an easement across the remainder lot, to service the proposed lot may be required.
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.
6. Any existing services (water, sewer, hydro, telus, gas, etc) traversing proposed lots must be protected by easement or relocated and located outside of the proposed building envelope. Owner/developer is responsible for all associated costs
7. At the time of development 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.
8. For the off-site improvements at the time of development/building permit 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.

ZONING AMENDMENT APPLICATION FILE NO. ZON-1128

9 May 2018

Page 2

Roads/Access:

1. 1 Street SE on the subject property's east boundary is classified as an Urban Local Road, requiring an ultimate road right-of-way dedication of 20 meters (10 meters on either side of road centerline). Available records indicate that 2.38m additional road dedication is required (to be confirmed by BCLS).
2. 1 Street SE is currently constructed to an Interim Urban Local Road Standard. Upgrading to the Urban Local Road Standard (RD-2) across the frontage of the property is required. Upgrades will include (but may not be limited to) road widening, curb and gutter, boulevard and installation of ducting for future underground hydro, telecom and cable. Owner / Developer is responsible for all associated costs.
3. Boulevard shall be graded towards the road at 2%.

Water:

1. The subject property fronts on a 200 mm diameter (Zone 1) watermain on 1 Street SE. No upgrades are required at this time.
2. The proposed lot is to be serviced by a single water service connection, adequately sized to satisfy the proposed use (minimum 25mm). Water meter will be supplied by the City at the time of building permit at the owner/developers cost. Owner / Developer is responsible for all associated costs.
3. The existing lot is to be serviced by a single water service connection, adequately sized to satisfy the proposed use (minimum 25mm). Water meter will be supplied by the City at the time of subdivision, at the owner/developers cost. Owner / Developer is responsible for all associated costs.
4. Records indicate that the existing property is serviced by a service of unknown size from the watermain on 1 Street SE. Due to the age of the existing service, it is to be upgraded to a new 25mm service. All existing inadequate/unused services must be abandoned at the main. Owner/Developer is responsible for all associated costs.
5. The subject property is in an area with sufficient fire flows and pressures according to the 2011 Water Study (OK&K 2012).

Sanitary:

1. The subject property fronts on a 200 mm diameter sanitary sewer on 1 Street SE and a 200 mm diameter sanitary sewer at the rear of the property on the west property line. No upgrades are required at this time, however the City will require an additional 3m of right of way for this sewer along the entire west property line and the relocation of the existing shed outside of this right of way.
2. The remainder and proposed lots are each to be serviced by a single sanitary service connection adequately sized (minimum 100mm diameter) to satisfy the servicing requirements of the development. Owner / Developer is responsible for all associated costs.

ZONING AMENDMENT APPLICATION FILE NO. ZON-1128

9 May 2018

Page 3

3. Records indicate that the existing property is serviced by a 100mm diameter service from the sanitary sewer on the west property line. All existing inadequate/unused services must be abandoned at the main. Owner/developer is responsible for all associated costs.
4. The service to the existing residence will traverse the proposed new lot. The owner/developer will be responsible for ensuring an adequate building envelop exists within the proposed new lot. The service will also require a registered easement to protect this service. It may be necessary to relocate the existing service to accommodate the proposed lot. The owner/developer is responsible for all associated costs.

Drainage:

1. The subject property fronts a 250mm diameter storm sewer main on 1 Street SE. No upgrades are required at this time.
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.
3. Where onsite disposal of stormwater is recommended by the ISMP, an "Alternative Stormwater System" shall be provided in accordance with Section 7.2.
4. Where discharge into the Municipal Stormwater Collection System is recommended by the ISMP, this shall be in accordance with Section 7.3. The proposed lot(s) shall be serviced (each) by a single storm service connection adequately sized (minimum 150mm) to satisfy the servicing requirements of the development. Owner / Developer's engineer may be required to prove that there is sufficient downstream capacity within the existing City Storm System to receive the proposed discharge from the development. All existing inadequate / unused services must be abandoned at the main. Owner / Developer is responsible for all associated costs.

Geotechnical:

1. A geotechnical report in accordance with the Engineering Departments Geotechnical Study Terms of Reference Category A (Building Foundation Design).


Chris Moore
Engineering Assistant
Jenn Wilson P.Eng., LEED® AP
City Engineer

CITY OF SALMON ARM

BYLAW NO. 4274

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 in Council Chambers at City Hall, 500 - 2 Avenue NE, Salmon Arm, British Columbia, on June 25, 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 3, Section 11, Township 20, Range 10, W6M, KDYD, Plan 9916 from R-1 Single Family Residential Zone to R-4 Medium Density Residential 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. 4274**"

READ A FIRST TIME THIS DAY OF 2018

READ A SECOND TIME THIS DAY OF 2018

READ A THIRD TIME THIS DAY OF 2018

ADOPTED BY COUNCIL THIS DAY OF , 2018

MAYOR

CORPORATE OFFICER

SCHEDULE "A"



INFORMATIONAL CORRESPONDENCE - JUNE 11, 2018

1. Building Department - Revised Building Statistics - April 2018
2. Building Department - Building Statistics - May 2018
3. Building Department - Building Permits - Yearly Statistics
4. P. Peach - letter dated February 13, 2018 - November Diabetes Month
5. B. Rogers - letter dated May 27, 2018 - Plug and Play
6. M. Sinhuber - letter dated May 28, 2018 - Water Supply for the Community Gardens
7. D. McDonald - email dated June 6, 2018 - Canoe Beach event
8. L. Wong, Manager, Downtown Salmon Arm - letter received June 5, 2018 - Inspiring Communities Program - Fun in the Park Grant
9. K. Bubola, Co-Chair Salmon Arm Children's Festival Society - letter dated May 22, 2018 - Salmon Arm Children's Festival
10. L. Onson, Citizens for Safe Technology - Shuswap-North Okanagan - email dated May 28, 2018 - "Smart" Technology
11. R.J. Haney Heritage Village & Museum - Father's Day at R.J. Haney Heritage Village & Museum
12. The Salmon Arm Pottery Club - email dated May 30, 2018 - A Thank You
13. RCMP Musical Ride - Partnership Opportunities
14. School District #83 - May 23, 2018 - Newsline
15. Salmon Arm Chamber of Commerce - email dated May 23, 2018 - Business after Hours Program
16. Okanagan Regional Library, 2017 Annual Report
17. G. Mandziuk, President & CEO, Thompson Okanagan Tourism Association - letter dated May 4, 2018 - Drive for Sustainability
18. D. Sharman, Community Relations Manager, Thompson/Okanagan/Columbia, BC Hydro - email dated May 17, 2018 - 2018 UBCM Convention
19. F. Katz, National Director, Corporate & Community Development, Prostate Cancer Canada - email dated May 24, 2018 - Plaid for Dad Political Ambassador Request
20. L. Embury-Williams, Executive Director, Wood WORKS! BC - letter dated May 15, 2018 - The 2018 Community Recognition Awards Call for Nominations
21. T. Rysz, Mayor, District of Sicamous - letter dated May 9, 2018 - KM Trans Mountain Pipeline impasse with the Province of Alberta

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Item 10.2

CITY OF SALMON ARM

Date: June 11, 2018

D. Berger, Operations Manager, Shuswap Recreation Society
Email dated June 6, 2018
Recreation Campus Redevelopment

Vote Record

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

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

Carl Bannister

From: Dale Berger [DBerger@salmonarmrecreation.ca]
Sent: June 6, 2018 4:10 PM
To: Carl Bannister
Cc: Darby Boyd; Erin Jackson
Subject: Recreation Campus Redevelopment

Hi Carl,

We are organizing the kickoff of the Recreation Campus Redevelopment Plan and will be starting tentatively on June 19 – 20 for stakeholder meetings. Can you advise me on the following;

- City staff to be involved
- Council participation
- CSRD involvement
- First Nations consultation

HCMA has blocked out 1 hour timeslots beginning the afternoon of June 19, and all day till 6pm June 20th. The Client meeting (City Staff and Rec Society) would most likely be the first order of business on June 19th at 2:00pm

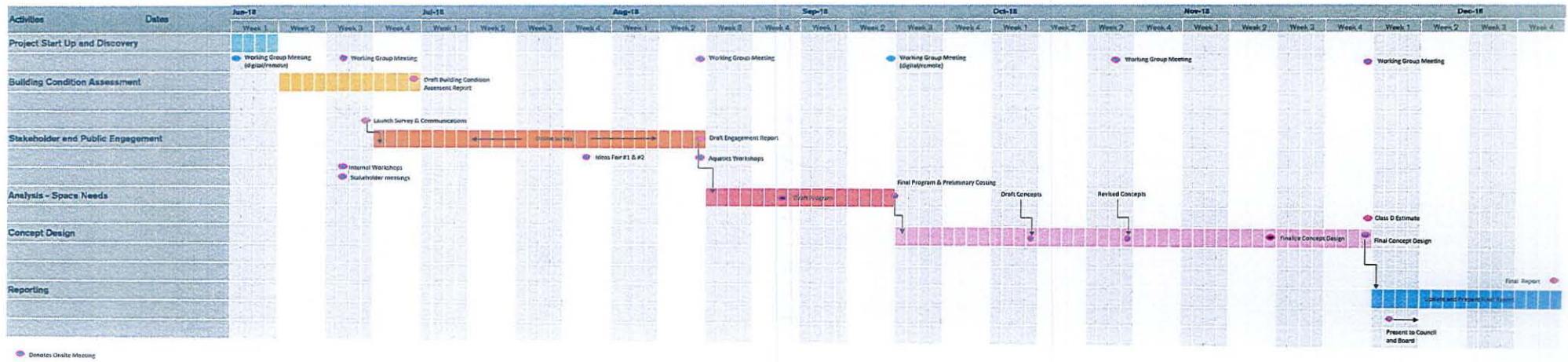
Thanks

Dale

Dale Berger

Operations Manager
Shuswap Recreation Society
dberger@salmonarmrecreation.ca
250 832 4044

2.3 Work Schedule (Revised June 4, 2018)



)

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Item 11.1

CITY OF SALMON ARM

Date: June 11, 2018

Moved:

Seconded:

THAT: Council approve in principle the 2019/2020 budget of \$3,814,515.00 under the Municipal Policing Contract of which the City is responsible for 90% thereof;

AND THAT: the City of Salmon Arm advise that it has not approved or authorized any increase to member strength.

[2019/2020 RCMP Funding (2019 Budget)]

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: May 30, 2018
 Subject: 2019/2020 RCMP Funding (2019 Budget)

Recommendation

That the City of Salmon Arm approve in principle the 2019/2020 budget of \$3,814,515.00 under the Municipal Policing Contract of which the City is responsible for 90% thereof;

And that the City of Salmon Arm advise that it has not approved or authorized any increases to member strength.

Background - Federal Treasury Board Funding Process

RCMP Headquarters (Provincial level) has advised that this 'letter of approval in principle' regarding the 2019/2020 budget is required by the Ministry of Public Safety and Solicitor General to conform with Federal Treasury Board requirements.

This 'letter of approval in principle' does not mean that Council endorses the budget set for the City of Salmon Arm (City), but rather, it is a budget allocation/planning tool used by the Federal Treasury Board. The Federal Treasury Board must have this letter by mid June of each year for the following fiscal year in order to set aside sufficient financial resources to fund their share of the Municipal RCMP Contract costs. If the 'letter of approval in principle' is not received, services could be reduced to our community due to a shortfall in funding from the Federal level to the Provincial level.

The revised five (5) year forecast largely represents an increase in costs in each year as compared to the last five (5) year forecast received by the City. It has been noted that the 2019/2020 budget contains an increase of \$133,243.00 which is largely attributed to increases associated with wages (reflects ongoing contract negotiations), training, fuel and divisional administration costs related to Health Services and Special Leave.

The E Division 2019/2020 forecast for the City's budget year 2019 equates to a .77 increase in taxes which is up from the forecast submitted and presented to Council in 2017 (.45%). All future years reflect approximately a one half percent tax increase in each year.

Respectfully Submitted,

Chelsea Van de Cappelle, CPA, BBA

Policing Costs**Budget Projections - Next Five Years**

<i>Summary</i>	<i>2018</i>	<i>2019</i>	<i>2020</i>	<i>2021</i>	<i>2022</i>	<i>2023</i>
Total Costs	\$ 3,666,467	\$ 3,814,515	\$ 3,879,178	\$ 3,974,642	\$ 4,072,960	\$ 4,174,307
Less: Vehicles	(105,000)	(105,000)	(70,000)	(70,000)	(70,000)	(70,000)
	<u>\$ 3,561,467</u>	<u>\$ 3,709,515</u>	<u>\$ 3,809,178</u>	<u>\$ 3,904,642</u>	<u>\$ 4,002,960</u>	<u>\$ 4,104,307</u>
CSA Cost @ 90%	\$ 3,205,320	\$ 3,338,564	\$ 3,428,260	\$ 3,514,178	\$ 3,602,664	\$ 3,693,876
No. of Members	19	19	19	19	19	19
Cost Per Member	<u>\$ 168,701.07</u>	<u>\$ 175,713.87</u>	<u>\$ 180,434.75</u>	<u>\$ 184,956.73</u>	<u>\$ 189,613.89</u>	<u>\$ 194,414.54</u>

Status Quo

Per Member Increase	\$ 7,012.80	\$ 4,720.88	\$ 4,521.98	\$ 4,657.17	\$ 4,800.65
No. of Members	19	19	19	19	19
Total Cost Increase	<u>\$ 133,243.20</u>	<u>\$ 89,696.70</u>	<u>\$ 85,917.60</u>	<u>\$ 88,486.20</u>	<u>\$ 91,212.30</u>
Equivalent Tax Increase	<u>0.77</u>	<u>0.52</u>	<u>0.50</u>	<u>0.51</u>	<u>0.53</u>

Increase to Members (if any)

Per Member Increase	\$ 7,012.80	\$ 4,720.88	\$ 4,521.98	\$ 4,657.17	\$ 4,800.65
No. of Members	19	19	19	19	19
Total Cost Increase	133,243.20	89,696.70	85,917.60	88,486.20	91,212.30
Cost of Additional Members	-	-	-	-	-
	<u>\$ 133,243.20</u>	<u>\$ 89,696.70</u>	<u>\$ 85,917.60</u>	<u>\$ 88,486.20</u>	<u>\$ 91,212.30</u>
Equivalent Tax Increase	<u>0.77</u>	<u>0.52</u>	<u>0.50</u>	<u>0.51</u>	<u>0.53</u>

Total Cost Per Member	\$ 175,713.87	\$ 180,434.75	\$ 184,956.73	\$ 189,613.89	\$ 194,414.54
No. of Members	19	19	19	19	19
Total Annual Cost	<u>\$ 3,338,563.50</u>	<u>\$ 3,428,260.20</u>	<u>\$ 3,514,177.80</u>	<u>\$ 3,602,664.00</u>	<u>\$ 3,693,876.30</u>

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Item 11.2

CITY OF SALMON ARM

Date: June 11, 2018

Moved: Councillor Lavery

Seconded: Councillor Wallace Richmond

THAT: the following Special Occasion Licenses be approved for 2018:

- 1) **Salmon Arm Folk Music Society (Roots & Blues Festival)**
Location: Salmon Arm Fair Grounds

Main Beverage Garden & Summer Hill Wine Lounge (patron area)

- Friday, August 17 – 5:00 p.m. to 11:30 p.m.
- Saturday, August 18 – 11:00 a.m. to 11:30 p.m.
- Sunday, August 19 – 11:00 a.m. to 11:30 p.m.

Jack Daniels Barn Stage & Beverage Garden (patron area)

- Thursday, August 16 – 7:30 p.m. to 11:00 p.m.
- Friday, August 17 – 5:00 p.m. to 11:30 p.m.
- Saturday, August 18 – 11:00 a.m. to 11:55 p.m.
- Sunday, August 19 – 11:00 a.m. to 11:55 p.m.

Motts Tasting Bar Lounge (patron area)

- Friday, August 17 – 6:00 p.m. to 8:00 p.m.
- Saturday, August 18 – 1:00 p.m. to 6:00 p.m.
- Sunday, August 19 – 1:00 p.m. to 6:00 p.m.

Backstage Lounge (private access area)

- Thursday, August 16 – 3:00 p.m. to 8:00 p.m.
- Friday, August 17 – 4:00 p.m. to 11:45 p.m.
- Saturday, August 18 – 10:30 a.m. to 11:45 p.m.
- Sunday, August 19 – 10:30 a.m. to 11:45 p.m.

Vote Record

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

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

Item 11.2 – continued

CITY OF SALMON ARM

Date: June 11, 2018

Volunteer Party (private area)

- Sunday, August 19 – 8:00 p.m. to 3:00 a.m.
- 2) **Salmon Arm Rescue Unit (Demolition Derby)**
 Location: Salmon Arm Fair Grounds
 Hours of Operation:
- Sunday, August 26 – 11:00 a.m. to 6:00 p.m.
- 3) **The Lewiston Ultra**
 Location: Klahani Park
 Hours of Operation:
- Saturday, September 29 – 12:00 p.m. to 8:00 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 Committee to Approve Public Events

TO: Her Worship Mayor Cooper and Council
 FROM: Committee to Approve Public Events
 DATE: June 5, 2018
 SUBJECT: Licensing of Special Events - 2018

MOTION FOR CONSIDERATION:

THAT: *the following Special Occasion Licenses be approved for 2018:*

- 1) **Salmon Arm Folk Music Society (Roots & Blues Festival)**
 Location: Salmon Arm Fair Grounds

Main Beverage Garden & Summer Hill Wine Lounge (patron area)

- Friday, August 17 – 5:00 p.m. to 11:30 p.m.
- Saturday, August 18 – 11:00 a.m. to 11:30 p.m.
- Sunday, August 19 – 11:00 a.m. to 11:30 p.m.

Jack Daniels Barn Stage & Beverage Garden (patron area)

- Thursday, August 16 – 7:30 p.m. to 11:00 p.m.
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- Saturday, August 18 – 11:00 a.m. to 11:55 p.m.
- Sunday, August 19 – 11:00 a.m. to 11:55 p.m.

Motts Tasting Bar Lounge (patron area)

- Friday, August 17 – 6:00 p.m. to 8:00 p.m.
- Saturday, August 18 – 1:00 p.m. to 6:00 p.m.
- Sunday, August 19 – 1:00 p.m. to 6:00 p.m.

Backstage Lounge (private access area)

- Thursday, August 16 – 3:00 p.m. to 8:00 p.m.
- Friday, August 17 – 4:00 p.m. to 11:45 p.m.
- Saturday, August 18 – 10:30 a.m. to 11:45 p.m.
- Sunday, August 19 – 10:30 a.m. to 11:45 p.m.

Volunteer Party (private area)

- Sunday, August 19 – 8:00 p.m. to 3:00 a.m.

- 2) **Salmon Arm Rescue Unit (Demolition Derby)**
 Location: Salmon Arm Fair Grounds
 Hours of Operation:
 • Sunday, August 26 – 11:00 a.m. to 6:00 p.m.


- 3) **The Lewiston Ultra**
 Location: Klahani Park
 Hours of Operation:
 • Saturday, September 29 – 12:00 p.m. to 8:00 p.m.


The three organizations above are requesting Special Occasion Licenses (SOL). A SOL is to license an event at which liquor is served or sold. If an organization plans to have an event on Local Government property, then the organization must obtain approval from that Local Government. The Committee to Approve Public Events (C.A.P.E) is responsible for coordinating, evaluating and recommending to Council the approval or disapproval of SOL's. The City of Salmon Arm's C.A.P.E. was established in 1990 and is comprised of Local Government Bylaw Officer, RCMP, Local LCLB representative and one member at large. Every year, two notices are placed in the Salmon Arm Observer inviting applications for Special Occasion Licenses. Once the applications are received, C.A.P.E reviews the applications and makes their recommendations in the form of a staff report. Written approval from Local Government is a requirement of the BCLCLB to obtain a SOL. The City of Salmon Arm submits a council resolution to BCLCLB to obtain approval.

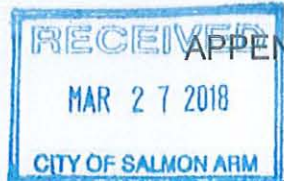
This year, the invitation to make a request to the City for approval for a Special Occasion License was advertised in the Salmon Arm Observer April 4th, April 11th, May 2nd and May 9th issues. The deadline to submit an application was 4:00 p.m., Friday, May 11, 2018; and, the City received three applications, see Appendices 1 - 3.

The members of the C.A.P.E discussed the applications on May 17, 2018 and the Committee had no objections to the hours of operation for the three events.

The motion for consideration reflects the Committee's decisions with respect to each request.


 Prepared by: Denise Ackerman
 Development Services Assistant


 Reviewed by: Maurice Roy, RBO CRBO
 Chief Licensing Officer



APPENDIX 1



Salmon Arm Folk Music Society
 Box 21, Salmon Arm, British Columbia, V1E 4N2
 250-833-4096 Fax: 250-833-4097

March 22, 2018

Attn. Bylaw Enforcement Officer
 Chairman C.A.P.E.
 City of Salmon Arm
 Box 40, 500 - 32 Avenue N.E.
 Salmon Arm, BC V1E 4N2

RE: BEER GARDEN REQUEST

ATT. Bylaw Officer:

The Salmon Arm Folk Music Society (SAFMS) would like to request a permit to operate five alcohol serving areas during the Salmon Arm Roots and Blues Festival from August 16th to 19th, 2018.

Changes for the 26th Annual:

1. The Summerhill Wine Lounge will be moved to be inside the Main Beer Garden area.
2. Motts Shade Lounge located next to the Shade Stage.
3. On Thursday August 16, 2018 at 5pm we will be holding a Sponsor/VIP/Media appreciation event in the Jack Daniels Barn Stage and Beverage Garden.

Five Alcohol Serving Area Schedules:

- Main Beverage Garden and Summer Hill Wine Lounge (patron area)
 - Aug 16th – not open
 - Aug 17th - 5pm to 11:30pm
 - Aug 18th – 11:00am to 11:30pm
 - Aug 19th – 11:00am to 11:30pm
- Jack Daniels Barn Stage and Beverage Garden (patron area)
 - Aug 16th – 7:30pm to 11:00pm
 - Aug 17th - 5pm to 11:30pm
 - Aug 18^h – 11am to 11:55pm
 - Aug 19th – 11am to 11:55pm

Five Alcohol Serving Area Schedules (cont.):

- Motts Tasting Bar Lounge (patron area)
 - Aug 16th – not open
 - Aug 17th - 6pm to 8:00pm
 - Aug 18th – 1pm to 6:00pm
 - Aug 19th – 1pm to 6:00pm
- Backstage Lounge (private access area)
 - Aug 16th - 3pm to 8pm
 - Aug 17th - 4pm to 11:45
 - Aug 18th – 10:30am to 11:45
 - Aug 19th – 10:30am to 11:45
- Volunteer Party (private access area)
 - Starts on Aug 19th at 8pm and we prefer it ends on Aug 20th at 3am

Thank you,



David Gonella
Executive Director
Salmon Arm Folk Music Society
26th Annual Roots and Blues Festival
PO Box 21, Salmon Arm, BC V1E 4N2
Phone: 250-833-4096
Fax: 250-833-4097

Salmon Arm Rescue Unit
580-14 ST NE
Salmon Arm BC V1E 2S5

To Marcel Bedard

Date May 09, 2018

We are asking for your approval for a Special Occasion Licence for a Beer Garden.

Place: Salmon Arm Fair Grounds

Date: August 26, 2017

Event: Salmon Arm Demolition Derby

Time: 11:00 am to 6:00 pm

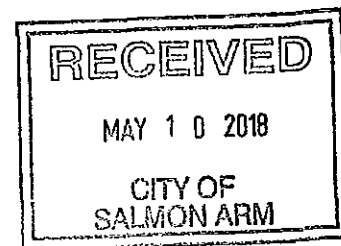
Should you have any question in respect to this request please contact me directly at 832-2200 or cell 833-7990.

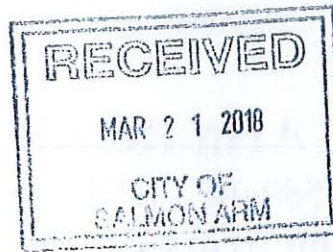
Yours truly,



Wes Henry

Chairperson for Salmon Arm Demolition Derby





March 21, 2018

RE:REQUEST TO SERVE ALCOHOL AT THE LEWISTON ULTRA FINISH LINE FESTIVITIES

Good morning,

My name is Kara Leinweber and I am organizing a sanctioned ultra trail race event, The Lewiston Ultra, in the Shuswap area and on the Larch Hills Traverse trail system (connecting Sicamous to Salmon Arm) on Saturday, September 29, 2018. The Lewiston Ultra is a 50km solo & relay and will finish in Klahani Park and the finish line festivities will run from 12pm-8pm. I have connected with Donna Flatman and have reserved the ball diamonds for the day (I have attached this communication as well as Council approval for this event & confirmation no city licence is required).

I am forwarding Letter of Request to Mayor & Council of Salmon Arm for City Council Approval as well as C.A.P.E. (committee to approve public events) for The Lewiston Ultra trail race event to serve alcohol at the finish line festivities.

I understand I will require a SEP (special events permit) to serve alcohol and plan to apply for this in April, 2018.

Race registration opened on January 12, 2018 and I am very close to selling out and believe it will sell out in the first year! This would bring 300 runners, 60 volunteers, family, crew, etc to the community. I believe the liquor licence is a great way to showcase local vendors in the shoulder season; I have reached out to Larch Hills Winery and they have provided prizeing for my top finishers and would love to be included at the finish line festivities to serve wine. I have also reached out to The Barley Station Brewpub and they would also love to be part of the finish line festivities and serve craft beer, kombucha, etc. I believe this is a great way to showcase and support local establishments in the shoulder season. It would be an honour and I would love to feature these amazing local community vendors. If the weather is in our favour, I believe the finish line festivities will see approximately 400 people coming and going through out the day.

The finish line festivities will include BBQ, raffle prizeing, music, etc. The finish line will be set up and operate from 12pm to 8pm on Saturday, September 29, 2018. I believe my elite runners will come through around 1pm with the majority between 3-6pm.

The community is absolutely lit up to host and contribute to The Lewiston Ultra. I was recently awarded a \$1000.00 grant from the Provincial Tourism Levy & the Salmon Arm Economic Development event hosting fund. These monies will be used towards the finish line events and a charity BBQ for all participants, volunteers, friends & family. I've attached letter from the incredibly supportive Shuswap community.

The Lewiston Ultra is named after a baby boy, Lewiston James Olstad. Lewiston lost his battle with SMA Type 1 in December 2016, just shy of his six month birthday. The Olstad family is extremely active in the Calgary fitness community and support many community events. The Calgary community and beyond has pulled together to support them financially, emotionally and provide awareness on this terminal disease. I have attended several fundraisers for www.loveforlewiston.ca and for all of these reasons, The Lewiston Ultra, will be special, unique, mindful and will give back to community. To learn more of Lewiston and this incredible movement visit www.loveforlewiston.ca

For more information on The Lewiston Ultra including Racer Rules & Guidelines, lists of sponsors, wavier, etc, please visit www.thelewistonultra.com



I look forward to hearing from you and please let me know if more information is needed, etc.

With gratitude,

Kara Leinweber, Race Director
The Lewiston Ultra
www.thelewistonultra.com
Instagram @TheLewistonUltra
587.899.7125

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Item 14.1

CITY OF SALMON ARM

Date: June 11, 2018

Columbia Shuswap Regional District Board in Brief – May, 2018

Vote Record

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

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



COLUMBIA SHUSWAP REGIONAL DISTRICT

www.csr.bc.ca



BOARD IN BRIEF

May 2018

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

[View web version](#)

HIGHLIGHTS

Tourism Golden

CSRD 2017 Annual Report

Letter from the Honourable Claire Trevena, Minister of Transportation & Infrastructure, in response to CSRD letter regarding winter maintenance issues in the CSRD. [View response](#). [View original letter to Minister](#).

The Board will submit a resolution to the Union of BC Municipalities (UBCM) 2018 Conference for endorsement. [View resolution.](#)

The Board received correspondence from the Southern Interior Local Government Association (SILGA) regarding nominations for youth attendees at the UBCM Conference. The Board then passed a resolution to sponsor a youth delegate to attend the UBCM Conference for 2018. [View letter from SILGA.](#)

Appointment of Deputy Chief Election Officer for 2018 General Local Election and Assent Voting

Due to a recent CSRD staff resignation, the Board has rescinded the appointment of Jennifer Graham as Deputy Chief Election Officer. The Board then appointed Coleen Goodey of Salmon Arm, BC as Deputy Chief Election Officer for conducting the 2018 general local election and assent voting.

Recreation Plans for Revelstoke/Electoral Area B

The Board passed a resolution to send a letter to the Minister of Forests, Lands and Natural Resource Operations requesting that the Minister's office take the lead on Back Country Recreation Plans for the Revelstoke (Electoral Area B) Area, that look at the cumulative effect of the current Crown land tenures and requests for future recreation tenures plans.

Three Valley Gap, Trans-Canada Highway

Brought forward by Chair Martin requesting the Board support a letter be sent to the Ministry of Transportation and Infrastructure to request an update of long range plans for highway improvements for the Trans-Canada Highway at Three Valley Gap and the future vision for Sorrento.

Update on Waste Gypsum Material

Ben Van Nostrand, Team Leader of Environmental Services provided the Board with an update on gypsum board (drywall). He informed the Board that the CSRD was notified by the recycling service provider that stockpiled drywall at CSRD refuse disposal facilities would no longer be accepted for recycling. Similar program notifications occurred between gypsum recycling contractors and neighbouring regional districts (TNRD, RDNO, and RDOS) as well as the City of Kelowna. These local governments formed an informal working group to examine new acceptance, recycling and disposal provisions and options for waste drywall disposal. [**View report.**](#)

Update on Recycling Program Delivery in the CSRD

The Board received another report from Ben Van Nostrand, Team Leader of Environmental Services, providing an update on Recycle BC's proposed amendments to its stewardship program and the CSRD's feedback on the change. Staff has some concerns with the changes so the Board endorsed staff recommendation that a letter be sent to the Minister of Environment outlining the

CSRD's concerns. [View report.](#)

Charles and Sandra Moody – Park Land Deferral Agreement Electoral Area E

A Parkland Deferral Agreement was entered into by the Board and the property owner at the time of subdivision in 2014. A restrictive covenant was placed on title as a requirement of the deferral agreement. The term of the Parkland Deferral Agreement expired on July 16, 2017. The CSRD requested payment in full, however, the land owners claimed financial hardship and are requesting an extension. The Board approved the extension request to July 2020 and July 2021, respectively. [View report.](#)

Sorrento Waterworks Service Area Amendment Bylaw No. 5778

The Board gave first, second and third reading to the Sorrento Water Service Area, with the bylaw to be scheduled for adoption at the June Board meeting. The purpose of the bylaw is to add a property to the Sorrento Waterworks Service Area. [View report.](#) [View Bylaw amendment.](#)

Financial Decisions

Grant in Aids Requests

THAT: the Board approve the following allocations from the 2018 electoral grant-in-aids, [view report](#):

Area A

\$2,500 Town of Golden (Wildsafe BC Program funding)

Area C

\$3,000 The Adams River Salmon Society (Salute to the Sockeye Festival and Shuswap Salmon Symposium)

\$4,000 White Lake Fire Department (Halloween event)

\$1,900 Eagle Bay Fire Department (Annual open house)

\$20,000 Cedar Heights Community Association (upgrade greens on golf course)

\$13,250 Sorrento & Area Community Association (Beautification and Community toilet)

\$3,895 White Lake Community Hall Society (Audio-visual system)

\$1,000 Pink Piston Paddlers Dragonboat Team (lifejackets)

Area D

\$3,000 Silver Creek Fire Department (Halloween event)

\$5,000 Silver Creek Community Association (Equipment and upgrades to hall)

Area E

\$3,000 The Adams River Salmon Society (Salute to the Sockeye Festival and Shuswap Salmon Symposium)

\$2,000 The Joe Schandelle Firefighters Foundation (Halloween event)

Area F

\$3,000 The Adams River Salmon Society (Salute to the Sockeye Festival and Shuswap Salmon Symposium).

Grant in Aid – Exception from Policy F-30

The Board endorsed staff recommendation to waive the policy F-30 requirement with respect to the post-application documentation for the Blind Bay Community Society and the Swansea Point Community Association grant in aids to allow these organizations to make additional 2018 applications for grant in aids while the post-application documentation for the grants approved in February 2018 remain outstanding;

With that, the Board then approved an allocation from the 2018 Area C and E grant in aid funds to the Blind Bay Community Society in the amount of \$725 for hall signage and the Swansea Point Community Association in the amount of \$6,000 for operating expenses and Mara Heights life jacket kiosk. **View report.**

FCM Asset Management Grant Application

The Board authorized staff to prepare an application for a \$50,000 grant opportunity from the Federation of Canadian Municipalities' Municipal Asset Management Program to support the development of an Asset Inventory Migration project. The CSRD will provide in-house contributions to support overall grant and project management. Should the application be successful, the CSRD will enter into an agreement with WSP/Opus International Consultants to conduct the Asset Inventory Migration project. **View report.**

Electoral Area A – Parson Warming Hut and Picnic Shelter and Cedar Lake Recreation Site

The Board approved access to the Area A Community Works Fund for up to \$80,000 plus applicable taxes for construction of a warming hut at Parson Recreation Park and for up to \$30,000 plus applicable taxes for expansion of camping sites at Cedar Lake Recreation Site. **View report.**

Revelstoke/Area B EOF Application – Revelstoke Flight Service

The Board approved funding from the Revelstoke and Area B Economic Opportunity Fund to the City of Revelstoke in the amount of \$90,000 toward the 2019 Revelstoke Air Charter Service subject to continued financial support from

the Revelstoke Accommodation Association and Revelstoke Mountain Resort Limited Partnership for this initiative. [View report.](#)

Electoral Area D: Falkland Fire Department – Tender Replacement

The Board approved the CSRD enter into purchase agreement with BKC Fire Trucks for the purchase of a 2012 International Water Tender for a total cost of \$185,000 including applicable taxes and vehicle delivery. [View report.](#)

Electoral Area F - Bristow Road Boat Launch

The Board approved access to the Electoral Area Community Works Fund be approved in the amount of \$400,000, plus applicable taxes, from the Electoral Area F Community Works Fund allocation for construction of a boat launch. [View report.](#)

City of Revelstoke – Security Issuing Bylaw No. 9107

Upon a request from the City of Revelstoke, the Board has adopted Security Issuing Bylaw No. 9107. This bylaw was approved for \$708,000 which is for the estimated cost of carrying out the construction of the Thomas Brook Water and Sewer Utility Services, including related contingencies and incidental expenses. Security Issuing Bylaw No. 9107 is the mechanism that is used to arrange long term borrowing from the Municipal Finance Authority of British Columbia for the up to \$708,000 needed by the City of Revelstoke to finance the construction works for this project. [View report.](#)

City of Revelstoke – Security Issuing Bylaw No. 9108

Upon a request from the City of Revelstoke, the Board has adopted Security Issuing Bylaw No. 9108. This bylaw was approved for \$1,900,000 which is for the estimated cost of carrying out the construction of the Big Eddy Water Utility Service, including related contingencies and incidental expenses. Security Issuing Bylaw No. 9108 is the mechanism that is used to arrange long term borrowing from the Municipal Finance Authority of British Columbia for the up to \$1,900,000 needed by the City of Revelstoke to finance the construction works for this project. [View report.](#)

Amendment to Shuswap Economic Development Service Bylaw

The District of Sicamous has given formal notice to the CSRD to withdraw from the Economic Development Service established by Bylaw No. 5268. The adoption of an amending Bylaw No. 5775, will provide for the formal removal of the District of

Sicamous as a participant from the Economic Development Service. The bylaw amendment was given first, second and third readings and will now be submitted to the Inspector of Municipalities for approval. [View report.](#) [View bylaw.](#)

Amendment to Regional District Board and Committees Procedure Bylaw No. 5739

The Board has amended its Procedure Bylaw to provide for a Director to attend a Board meeting by electronic participation from two to four consecutive Board meetings. [View report.](#)

Proposed Golden-Area A Core Facilities Contribution Agreement Establishment Bylaw

The Town of Golden (the Town) and Electoral Area A (Area A) have funding partnerships for a variety of services and facilities in the community, however, the Town is the owner of other recreational and cultural facilities within the Town that are not subject to a funding partnership. These facilities are managed, maintained, and paid for by the Town, but the facilities are also used by many individuals and groups in the neighbouring rural area. The Town and the CSRD have been in discussions since August 2016 about a new cost sharing arrangement that would account for those services and facilities that are available and utilized by both Town and rural residents yet paid for solely by Town of Golden taxpayers. The Board approved staff recommendations to request Inspector of Municipalities approval for a service establishment bylaw and a referendum question to the Electoral Area A electorate that is proposed to be held in conjunction with general local Election Day, on October 20, 2018. [View report.](#)



LAND USE MATTERS

Agricultural Land Commission (ALC) Applications

Electoral Area A – Nicholson Boat Launch: Application to ALC for Non-Farm Use in ALR

CSRD Parks would like to utilize the area of Parcel A (Sketch Plan 5055I), Section 30, Township 26, Range 21, West of the Fifth Meridian, Kootenay District, Except Plans NEP65016 and NEP66542, that is currently delineated in Statutory Right-of-Way CA6757194 and CA6757195, which reserves this area for public use for construction and operation of a day-use area, boat launch and parking. The property lies within the Agricultural Land Reserve (ALR). The proposed use is not permitted in the Agricultural Land Commission (ALC) Act or regulations. The property lies within an area that is not subject to any land use bylaws. The Board endorsed staff recommendation to forward to the ALC for approval. [View report.](#)

Development Variance Permits (DVP)

Electoral Area C: Development Variance Permit 701-78 (Sigalet) – 3553 Eagle Bay Road, Eagle Bay

The subject property is located in Eagle Bay, at 3553 Eagle Bay Road and is subject to South Shuswap Zoning Bylaw No. 701 and Electoral Area 'C' Official Community Plan Bylaw No. 725. The owner would like to construct a new single family dwelling and attached garage on the property using the existing foundation. This project requires variances to the front and interior side parcel line setbacks as well as to the maximum height of the building. The Board approved issuance of the Development Permit. [View report.](#)

Electoral Area F: Development Variance Permit No. 800-29 (Huhn) – 6729 Magna Bay Drive, Magna Bay

The owner has applied for an 'After the Fact' Development Variance Permit for two new accessory buildings located on the property. Each of the new accessory buildings has a gross floor area of 167.22 m² which is larger in area than the maximum 55 m² permitted for each building in the zoning bylaw. The Board approved issuance of the Development Variance Permit. [View report.](#)

Zoning Amendments

Electoral Area C: South Shuswap Zoning Amendment (Ron Lindblad) Bylaw No. 701-89 - #1 to #6, 1541 Blind Bay Road Blind Bay

The owners of Strata Plan EPS162 have applied for a rezoning amendment to address several illegal non-conforming issues, as a result of bylaw enforcement action. The property is currently regulated by a special regulation within the CH2 - Cluster Housing 2 Zone, which does not reflect on the current site development. In addition to the rezoning amendment, staff noted that proposed Bylaw No. 701-89, given first reading at the November 16, 2017 regular meeting would approve densities which are not consistent with those indicated in the RR Rural Residential designation in Electoral Area C Official Community Plan Bylaw No. 725. For this reason, an Official Community Plan amendment bylaw application was required to be submitted by the applicant. Bylaw No. 725-10 was given first and second readings and Bylaw No. 701-89 was given second reading at the February 15, 2018 regular meeting and a Public Hearing was held for both bylaws on March 28, 2018 at the Sorrento Memorial Hall. The Board considered public input and gave the OCP Amendment Bylaw third reading and adoption and third reading of the rezoning amendment Bylaw at the April 19, 2018 regular meeting. Now it is appropriate for the Board to consider adoption of the rezoning amendment bylaw, which they did and it will now be incorporated into the South Shuswap Zoning Bylaw No. 701. **View report.**

Electoral Area D: Ranchero/Deep Creek Zoning Amendment (Linda Parker) Bylaw No. 751-1 - 5192 Highway 97B, Ranchero

The property that is the subject of this rezoning application is located at 5192 Highway 97B in the Ranchero area of Electoral Area 'D'. The original proposal was for a text amendment to the CR - Country Residential Zone of the Ranchero/Deep Creek Land Use Bylaw No. 2000 that would add a new permitted use, specific to the subject property, to permit three (3) single family dwellings to remain on the subject property. The applicant amended the proposal so that only two (2) single family dwellings would be permitted. The application was amended after first reading of the bylaw to reflect staff concerns in the first reading report regarding site servicing issues. The Board gave Bylaw No. 2133 second reading, July 20, 2017 and delegated a Public Hearing, at the February 15, 2018 regular meeting. At the same meeting the Board gave third reading to Ranchero/Deep Creek Zoning Bylaw No. 751. As it was unlikely that staff would be able to schedule a Public Hearing for Bylaw No. 2133 and process the rezoning amendment bylaw further, before Bylaw No. 2000 was repealed through the adoption of Bylaw No. 751, staff did not schedule the Public Hearing, and is instead proposing to amend Bylaw No. 751. It is now appropriate to schedule a Public Hearing under Bylaw Amendment 751-1. **View report.**

Electoral Area F: Anglemont Zoning Amendment (Anglemont Estates Golf Course Ltd.) Bylaw No. 650-13 - 7838 Golf Course Road, Anglemont

The subject property is part of the Anglemont Estates Golf Course operation located in Anglemont in Electoral Area F. Through recent correspondence with the owner, it was determined that the existing upper floor dwelling unit located on the subject property is not permitted with the current zoning of the property. The owner has applied for a zoning text amendment to include an upper floor dwelling unit as a permitted use in the P-4 zone in Anglemont Zoning Bylaw No. 650 for the subject property. The owner also expressed concern regarding what associated uses are permitted within a golf course operation as golf course is currently not defined in Bylaw No. 650. Staff are proposing to add a definition for golf course use to Bylaw No. 650 to provide clarity regarding what associated uses are permitted with golf course. The Board gave the amendment first reading and will now be referred out to various agencies for comment. [View report.](#)

NEXT BOARD MEETING

Thursday, June 21, 2018 at 9:30 AM

**(Note Committee of the Whole (Policy) Meeting at 9:00 AM), CSRD
Boardroom, 555 Harbourfront Drive NE, Salmon Arm, BC**

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

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Item 20.1

CITY OF SALMON ARM

Date: June 11, 2018

Moved:

Seconded:

THAT: a Notice be filed against the Title of Lot 3, Plan 30664, Section 25, Township 20, Range 10, W6M, KDYD (4781 Lakeshore Road NE) pursuant to Section 57 of the Community Charter.

[Recommendation to File Notice of Infraction of Building Bylaw No. 3939; Brehm, E.J. & M.; 4781 Lakeshore Road NE]

Vote Record

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

Opposed:

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



City of Salmon Arm
Memorandum from the Manager of Permits and Licensing

TO: Her Worship Mayor Cooper and Council

DATE: May 07, 2018

SUBJECT: Recommendation to File Notice of Infraction of Building Bylaw No. 3939, Section 3.1.6 (no occupancy approval) against Title of Lot 3, Plan 30664, Section 25, Township 20, Range 10, W6M, KDYD (4781 – Lakeshore Road NE).

Property Owners: Edgar J. Brehm
 Marcella Brehm

MOTION FOR CONSIDERATION:

THAT: A notice be filed against Title of Lot 3, Plan 30664, Section 25, Township 20, Range 10, W6M, KDYD (4781 – Lakeshore Road NE) pursuant to Section 57 of the Community Charter.

BACKGROUND:

1. A building permit to construct a multi-tiered sundeck addition to a single family dwelling was issued on July 07, 2009.
2. The City was relying on a professional engineer for the design and review of the glass guard rail component of the project.
3. A framing inspection was conducted on December 09, 2009 at which time several structural deficiencies were noted. The inspector had a subsequent discussion with the owner and was made aware that the owner intended to place a fire pit on the deck. The owner advised that he would complete corrections and call for an inspection in the spring of 2010.
4. The building permit expired on July 07, 2011 without the owner calling for the reinspection. The permit was renewed on July 27, 2011.
5. The building inspector next reviewed the site on June 10, 2013 as the renewal permit was nearing expiry. A list of construction deficiencies and requirements were left with the owner which included the completion of the engineered guardrails around the deck. It is worth noting that there is approximately a ten foot drop from the rear of the deck to the grade below.
6. A letter was sent to the owner on June 11, 2013 indicating that the permit was about to expire and since the permit had been renewed once already works had to be completed or an entirely new permit had to be issued with the fee being based on the value of the incomplete works. Owner indicated he would look after everything but never called for an inspection. A second notice was sent on September 30, 2013 which went unanswered by the owner.

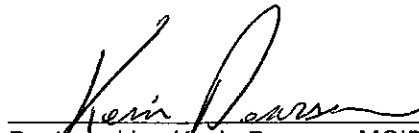
7. A Section 57 Notice on Title process was commenced on November 08, 2013 and notification of same was sent to the owner via registered mail. The owner obtained a new building permit on November 20, 2013.
8. A year and a half passed with no further requests for inspections by the owner. A letter notifying of the expiry of the deck permit was sent to the owner on June 10, 2015, for which there was no response. The building inspector again commenced a Section 57 Notice on Title Process which prompted the owner to again renew the permit on August 06, 2015. Two more years subsequently passed with no progress being made to complete the project.
9. In December of 2017 the file was taken up by the Manager of Permits and Licences. Mr. Brehm was contacted and appointment made to review the site on December 19, 2017. Some progress had been made in completing some of the framing deficiencies however the incomplete guardrails and handrails continued to constitute a significant safety risk for any persons using the deck or stairs. One over span beam was identified and the metal framing supporting the fire pit required approval from the structural engineer.
10. Again the Section 57 process has been commenced. (checklist attached as Appendix 1.) Mr. Brehm received a registered letter dated January 05, 2018 (attached as appendix 3) outlining all deficiencies and time lines to comply. Mr. Brehm barricaded the deck to prevent access as requested however the May 4th deadline to complete the project has passed. As stated in the letter of January 05, "the City of Salmon Arm is not prepared to authorize the continuation of such hazard with an additional permit cycle".

CONCLUSION:

It is recommended that the City of Salmon Arm proceed with the filing of a Section 57 Notice on the title of the subject property. Once registered on title the Notice will provide warning to prospective buyers of the bylaw infraction. The Notice on Title may be removed provided all outstanding objections are rectified and the appropriate fee is paid as indicated in the City Fee for Service Bylaw.



Prepared by: Maurice Roy, RBO CRBO
Manager of Permits & Licensing



Reviewed by: Kevin Pearson, MCIP
Director of Development Services

:mr

Appendices

1. Checklist
2. Location Map
3. Letter of January 05, 2018

CHECKLIST FOR SECTION 57 OF THE COMMUNITY CHARTER FILING NOTICE IN LAND TITLE OFFICE OF BUILDING BYLAW CONTRAVENTIONS

Premise: Legal Description LOT 3 PLAN 30664 25-20-10
Civic Address 4281 - LAKE SHORE RD NE
Registered Owner(s) EDGAR J. BREHM
MARCELLA BREHM

Date:

DEC 19, 2017 1. Building Inspector should inspect property. Take photos, date and sign, note details of contraventions of Building Bylaw or other regulations relating to buildings and structures and how contravention renders the building unsafe (if applicable). If building is unsafe, a review with the Clerk and the Director of Planning is required to evaluate "time frame".

JAN. 04, 2018 2. Inspector should send letter "Via Courier" or "Registered Mail" to owner and occupier detailing contraventions, citing contravened regulations and directing remedial action within a "time frame" of thirty (30) days or otherwise court action to enforce the regulation or Section 57 of the Community Charter. Send a copy of Section 57.

* FEB 06/18 3. On the thirtieth (30th) day, inspect again. Note condition of property. Take photos if any change.
** FEB 13/18
NOT COMPLETED MAY 4/18 3b ON THE ONE HUNDRED & TWENTY-ETH (120th) DAY, INSPECT AGAIN: (MAY 04/18)
MAY 07/18 4. If no change or further contraventions, Inspector prepares report and recommendation that a resolution to file notice against Title pursuant to Section 57(3) be considered by Council and files it with the Municipal Clerk.

_____ 5. Municipal Clerk sends owner a notice of Meeting of Council where Inspector's report and recommendation will be considered, together with copy of report and recommendation, by Registered Mail or Courier. Clerk should prepare resolution (see form).

_____ 6. On day of Council Meeting, item should be announced and Mayor should ask if owner of property present and wishes to make representations. Council should listen fairly to owner, as well as to Inspector. If Council decides that a notice should be filed against Title, Council should pass resolution (see form).

_____ 7. Clerk should prepare notice of resolution and send or deliver to Registrar of Land Titles with payment of prescribed fee.

* NO BARRICADE COMPLETED.
HE MISUNDERSTOOD THE LETTER.
EXPLAINED CLEARLY WHAT NEEDS TO BE DONE.
GAVE HIM UNTIL MONDAY TO COMPLETE.
RECALL TUESDAY FEB 13 9AM.
MR

* BARRICADE COMPLETED.
MAY 04 DEADLINE FOR PERMIT COMPLETION.
MR

50 AVE. N.E.

14 ST. N.E.

Subject

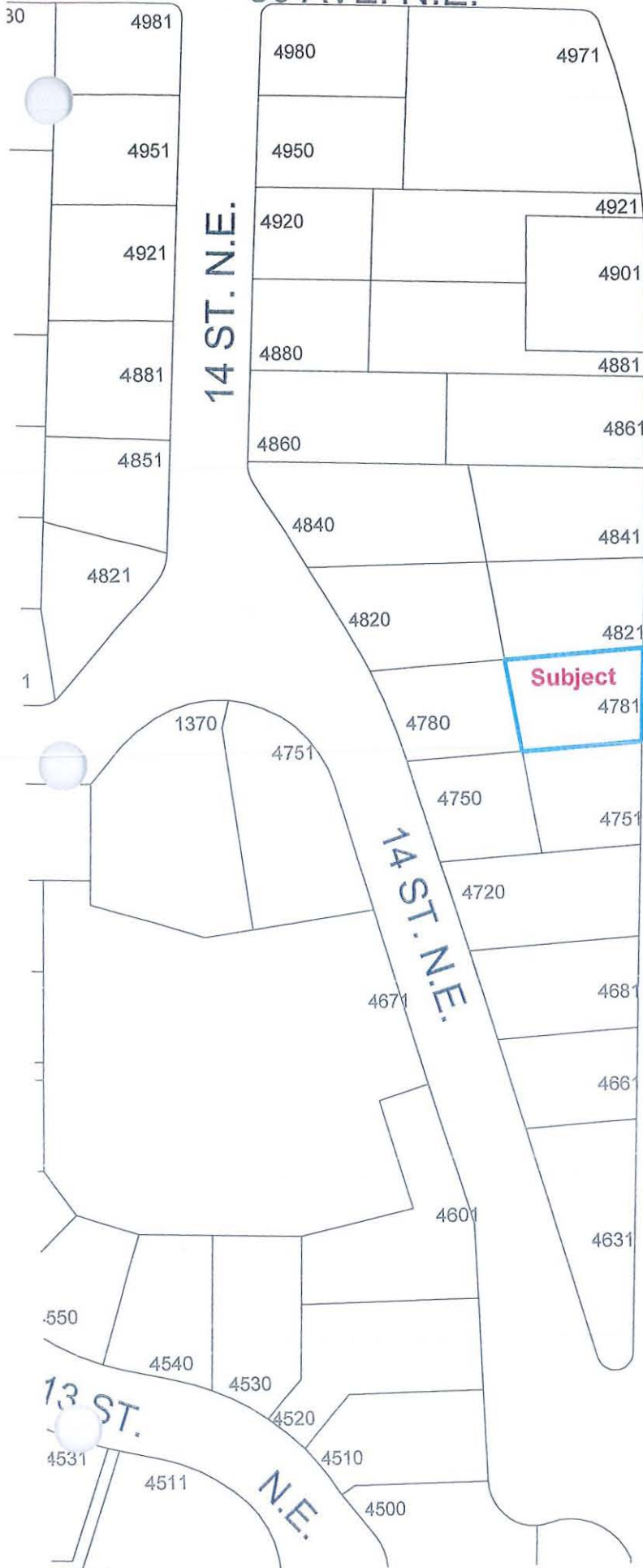
LAKESHORE ROAD

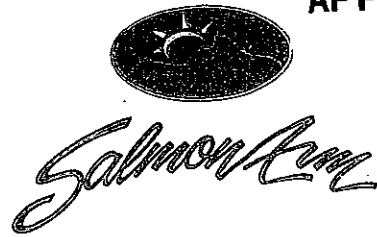
16 ST. N.E.

16 ST. N.E.

13 ST.

N.E.



City of Salmon Arm**500 - 2 Avenue NE****Mailing Address: Box 40****Salmon Arm, BC V1E 4N2****Tel: 250.803.4000 Fax: 250.803.4041****www.salmonarm.ca**

January 5, 2018

Joe Brehm
 4781 Lakeshore Road NE
 Salmon Arm BC V1E 3N8

REGISTERED MAIL

Dear Mr. Brehm

RE: Building Permits for a deck constructed at 4781 Lakeshore Road NE

The referenced permit was issued on July 07, 2009 for the construction of a multi tiered sundeck of approximately 900 ft² in size. The permit has subsequently been renewed on three occasions with the most recent permit having expired on July 08, 2017. As this permit has again expired while remaining incomplete, and as there remains a safety hazard in the form of incomplete or missing guard railings, the City of Salmon Arm is not prepared to authorize the continuation of such hazard with an additional building permit cycle.

Further to the site review of December 19, 2017 please be advised that an immediate resolution to the safety hazard is required in the form of barricading all access to the sundeck from the house and further barricading access to the stairs serving the sundeck from both the upper driveway and the lower yard.

Further to the matter, the following deficiencies must be completed in order for the permit file to be closed:

1. The over spanned beam at the centre deck span must be re-supported at center span with a pier and footing or increased to 3 ply 2x10. (see attached diagram)
2. The metal joists, concrete deck and joisting supporting the fire pit must be reviewed and approved by a structural engineer.
3. All stairs providing access to the deck (excluding landscape stairs) must be equipped with hand rails on at least one side of the stair.
4. All stairs which are more than 24" above the adjacent ground must be equipped with guard rails conforming to BC Building Code (ie: non-climbable, 4" max spacing of pickets, 36" height etc.).
5. All areas of the deck which are more than 24" above the adjacent grade or adjacent deck must be equipped with a guard rail. Decks greater than 6' above grade require 42" high guards.
6. All glass guardrails must be approved by a structural engineer.

Joe Brehm

Page 2

A process has commenced which may result in forwarding a recommendation to City Council to invoke Section 57 of the Community Charter. If completed, this action will result in the filing of a bylaw infraction notice on the property title at the BC Land Titles Office. Find enclosed a copy of Section 57 and its related checklist for your review. Please ensure remedial action in the form of the barricading is taken within 30 days of this notice (**on or before February 05, 2018**).

Additionally, the outstanding works listed above must be completed within 120 days of this notice (**on or before May 04, 2018**).

Should you have any questions regarding this matter do not hesitate to contact the undersigned at 250-803-4013 or via email at mroy@salmonarm.ca.

Yours truly,



Maurice Roy, RBO/CRBO
Manager of Permits and Licensing

MR/sg

encl.

**CHECKLIST FOR SECTION 57 OF THE COMMUNITY CHARTER
FILING NOTICE IN LAND TITLE OFFICE OF BUILDING BYLAW
CONTRAVENTIONS**

Premise: Legal Description Lot 3, Section 25, Township 20, Range 10, W6M, KDYD, Plan 30664
Civic Address 4781 Lakeshore Road NE, Salmon Arm
Registered Owner(s) Edgar J. Brehm and Marcella Brehm

Date:

- | | | |
|----------------------|----|---|
| <u> x </u> | 1. | Building Inspector should inspect property. Take photos, date and sign, note details of contraventions of Building Bylaw or other regulations relating to buildings and structures and how contravention renders the building unsafe (if applicable). If building is unsafe, a review with the Clerk and the Director of Planning is required to evaluate "time frame". |
| <u> x </u> | 2. | Inspector should send letter "Via Courier" or "Registered Mail" to owner and occupier detailing contraventions, citing contravened regulations and directing remedial action within a "time frame" of thirty (30) days or otherwise court action to enforce the regulation or Section 57 of the Community Charter. Send a copy of Section 57. |
| <u> x </u> | 3. | On the thirtieth (30 th) day, inspect again. Note condition of property. Take photos if any change. |
| <u> x </u> | 4. | If no change or further contraventions, Inspector prepares report and recommendation that a resolution to file notice again Title pursuant to Section 57(3) be considered by Council and files it with the Municipal Clerk. |
| <u> x </u> | 5. | Municipal Clerk sends owner a notice of Meeting of Council where Inspector's report and recommendation will be considered, together with copy of report and recommendation, by Registered Mail or Courier. Clerk should prepare resolution (see form). |
| <u> </u> | 6. | On day of Council Meeting, item should be announced and Mayor should ask if owner of property present and wishes to make representations. Council should listen fairly to owner, as well as to Inspector. If Council decides that a notice should be filed against Title, Council should pass resolution (see form). |
| <u> </u> | 7. | Clerk should prepare notice of resolution and send or deliver to Registrar of Land Titles with payment of prescribed fee. |

57. Note against land title that building regulations contravened

57. (1) A building inspector may recommend to the council that it consider a resolution under subsection (3) if, during the course of carrying out duties, the building inspector
- (a) observes a condition, with respect to land or a building or other structure, that the inspector considers
 - (i) results from the contravention of, or is in contravention of,
 - (A) a municipal bylaw,
 - (B) a Provincial building regulations, or
 - (C) any other enactment
 - that relates to the construction or safety of buildings or other structures, and
 - (ii) that, as a result of the condition, a building or other structure is unsafe or is unlikely to be usable for its expected purpose during its normal lifetime, or
 - (b) discovers that
 - (i) something was done with respect to a building or other structure, or the construction of a building or other structure, that required a permit or an inspection under a bylaw, regulation or enactment referred to in paragraph (a) (i), and
 - (ii) the permit was not obtained or the inspection not satisfactorily completed.
- (2) A recommendation under subsection (1) must be given in writing to the corporate officer, who must
- (a) give notice to the registered owner of the land to which the recommendation relates, and
 - (b) after notice under paragraph (a), place the matter before the council.
- (3) After providing the building inspector and the owner an opportunity to be heard, the council may confirm the recommendations of the building inspector and pass a resolution directing the corporate officer to file a notice in the land title office stating that
- (a) a resolution relating to that land has been made under this section, and
 - (b) further information about it may be inspected at the municipal hall.
- (4) The corporate officer must ensure that all records are available for the purpose of subsection (3) (b).
- (5) If the registrar of land titles receives a notice under subsection (3) and payment of the prescribed fee, the registrar must make a note of the filing against the title to the land that is affected by the notice.
- (6) the note of a filing of a notice under this section is extinguished when a new title to the land is issued as a result of the deposit of a plan of subdivision or a strata plan.
- (7) In the event of any omission, mistake or misfeasance by the registrar or an employee of the registrar in relation to the making of a note of the filing under subsection (5), or a cancellation under section 58, after the notice is received by the land title office,
- (a) the registrar is not liable and neither the Provincial government nor the Land Title and Survey Authority of British Columbia is liable vicariously,
 - (a.1) the assurance fund of the Land Title and Survey Authority of British Columbia as a nominal defendant is not liable under Part 19.1 of the *Land Title Act*, and
 - (b) the assurance fund or the minister charged with the administration of the *Land Title Act* as a nominal defendant is not liable under Part 20 of the *Land Title Act*.
- (8) Neither the building inspector nor the municipality is liable for damage of any kind for the doing of anything, or the failure to do anything, under this section or section 58 that would have, but for this subsection, constituted a breach of duty to any person.
- (9) the authority under this section is in addition to any other action that a building inspector is authorized to take in respect of a matter referred to in subsection (1).

Cancellation of note against land title

58. (1) On receiving a report from a building inspector that the condition that gave rise to the filing of the notice under section 57 (3) has been rectified, the corporate officer must file a cancellation notice and, on receiving the notice, the registrar of land titles must cancel the note against the title to which it relates.
- (2) An owner of land with respect to which a notice has been filed under section 57 (3), may apply to the council for a resolution that the note be cancelled.
- (3) After hearing an applicant under subsection (2), the council may pass a resolution directing the corporate officer to file a cancellation notice.
- (4) If a resolution has been passed under subsection (3), the corporate officer must file a cancellation notice in the land title office and, on receiving the notice, the registrar of land titles must cancel the note against the title to which it relates.
- (5) If the council does not pass a resolution under subsection (3), the owner may apply to the Supreme Court and notify the municipality to attend before the court to show cause why the note should not be cancelled.
- (6) On an application under subsection (5), after reviewing any evidence that the owner and the municipality may adduce, the court may make an order directing the registrar to cancel the note made under section 57 (5) and, on receiving the order, the registrar of land titles must cancel the note accordingly.

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Item 21.1

CITY OF SALMON ARM

Date: June 11, 2018

Moved: Councillor Lavery

Seconded: Councillor Jamieson

THAT: Development Variance Permit No. VP-475 be authorized for issuance for Lot 1, Plan 42698, Section 13, Township 20, Range 10, W6M, KDYD to vary the provisions of Subdivision & Development Servicing Bylaw No. 4163 as follows:

1. Section 3.0

- i) Waive the requirement to upgrade the south half of the Auto Road SE frontage to the Interim Urban Arterial standard.

[VP-475; Butler, L.; 1370 Auto Road SE; Servicing Variance]

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 Council

FROM: Development Services Department

DATE: May 17, 2018

SUBJECT: Development Variance Permit Application No. VP-475
Lot 1, Plan 42698, Sec. 13, Tp. 20, R.10, W6M, KDYD
1370 - Auto Road SE
Owner/Applicant: L. Butler

Motion for Consideration

THAT: Development Variance Permit No. VP-475 be authorized for issuance for Lot 1, Plan 42698, Sec. 13, Tp. 20, R.10, W6M, KDYD to vary the provisions of Subdivision & Development Servicing Bylaw No. 4163 as follows:

1. Section 3.0
 - i) Waive the requirement to upgrade the south half of the Auto Road SE frontage to the Interim Urban Arterial standard.

Staff Recommendation

THAT: The Motion for Consideration be defeated.

AND THAT: Development Variance Permit No. VP-475 be authorized for issuance for Lot 1, Plan 42698, Sec. 13, Tp. 20, R.10, W6M, KDYD to vary the provisions of Subdivision & Development Servicing Bylaw No. 4163 as follows:

1. Section 3.0
 - i) Reduce the requirement to upgrade the south half of the Auto Road SE frontage to the Interim Urban Arterial standard (RD-4) to a cash contribution equivalent to the estimated cost of the required works.

Proposal

The subject property is located at 1370 Auto Road SE. The owner has applied to subdivide the property into two parcels and is requesting that the requirement to upgrade the Auto Road SE frontage be waived. A location map, ortho photo, sketch plan of the proposed subdivision and a written submission from the applicant together with engineering cost estimates are attached as Appendices 1 through 4.

Background

The property is located in Residential Development Area 'A' and is designated Low Density Residential in the Official Community Plan. The property is zoned R-8 (Residential Suite) and is approximately 0.27 hectare in size.

The property and the adjacent parcel to the west were created in 1990 under Subdivision Plan 42698. At that time, Auto Road SE was south of its current location and when it was later realigned northward, a fairly wide boulevard area was created between these parcels and the current travelled portion of Auto Road SE. Also at that time, a Road Reserve Covenant was registered along the common boundary between the two parcels to allow for a future access to the parcels to the south which also have subdivision potential. A copy of Plan 42698 showing the area covered by the road reserve is attached as Appendix 5.

With the current subdivision proposal, the owner is required to upgrade the south half of the Auto Road SE frontage to the Interim Urban Arterial Road standard in accordance with City of Salmon Arm Specification Drawing No. RD-4. A copy of Specification Drawing No. RD-4 is attached as Appendix 6.

Discussion

Staff and affected agencies have reviewed the proposal and provide the following:

BC Hydro

No concerns.

Telus

No concerns.

Building Department

No concerns with requested variances.

Fire Department

No concerns.

Engineering Department

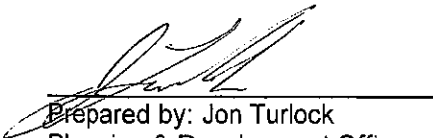
See Appendix 7.

Planning Department

Arterial roads have higher traffic volumes than local roads and as properties develop along these roadways, it's important that road improvements and utilities are extended in an orderly manner and that each development contributes an equitable share to the cost of the improvements. The creation of partially serviced parcels hinders this orderly progression and creates additional costs to the City when works and services have to be extended across unserved parcels.

As these roadways are also much busier than local roads, road safety becomes a primary concern. As outlined in the Engineering Department comments, construction to the Interim Arterial Road standard ensures there is adequate separation between vehicular traffic and pedestrians by means of curb, gutter and sidewalk along both sides and improved street lighting.

There are number of properties along the south side of Auto Road SE that have further subdivision and development potential and road improvements should be applied consistently and fairly as development proceeds. Staff recognize however that it would be preferable to install the works and services across multiple frontages and are recommending that for this proposed one lot subdivision, a cash contribution be provided for the required works.



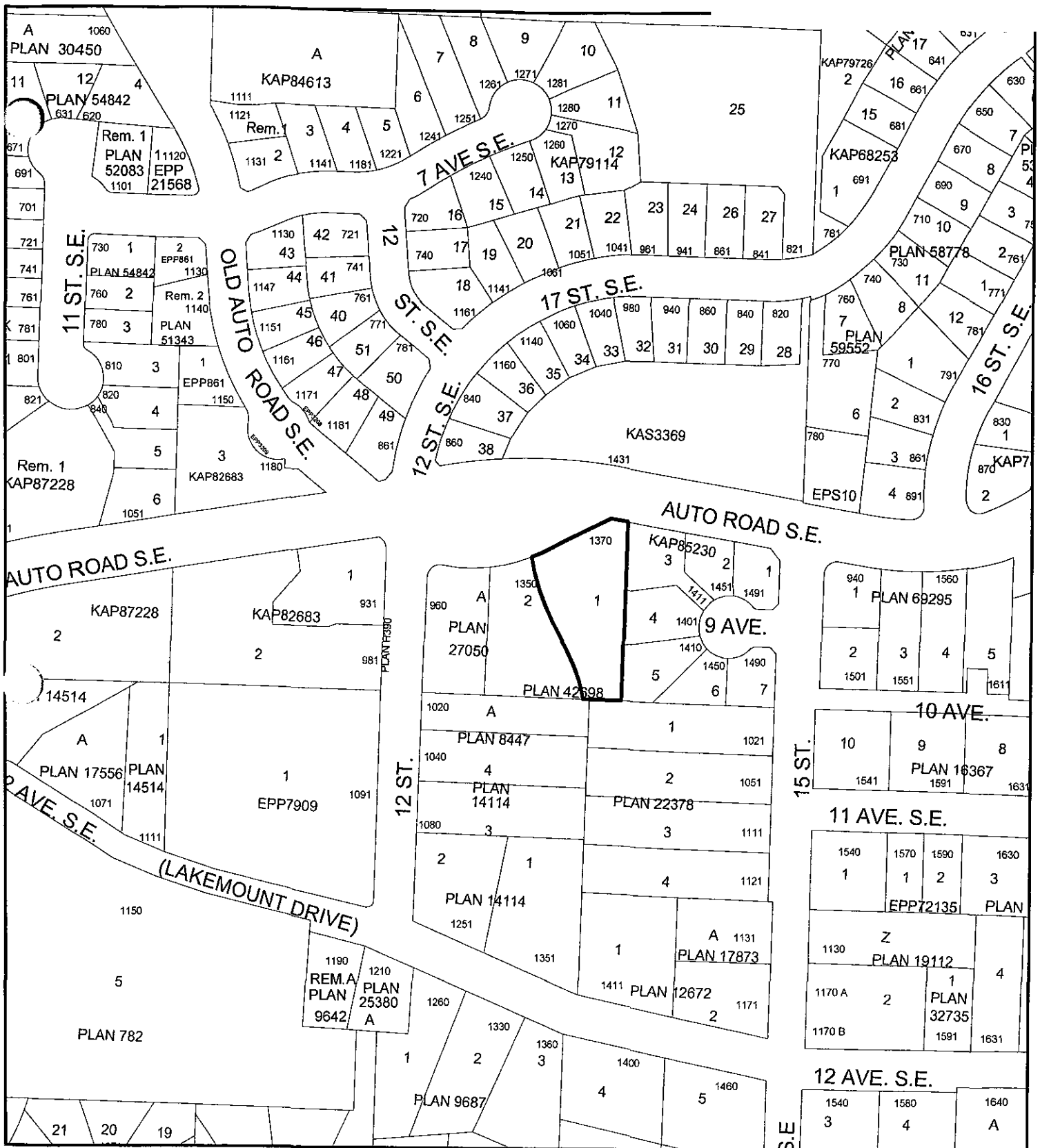
Prepared by: Jon Turlock
Planning & Development Officer



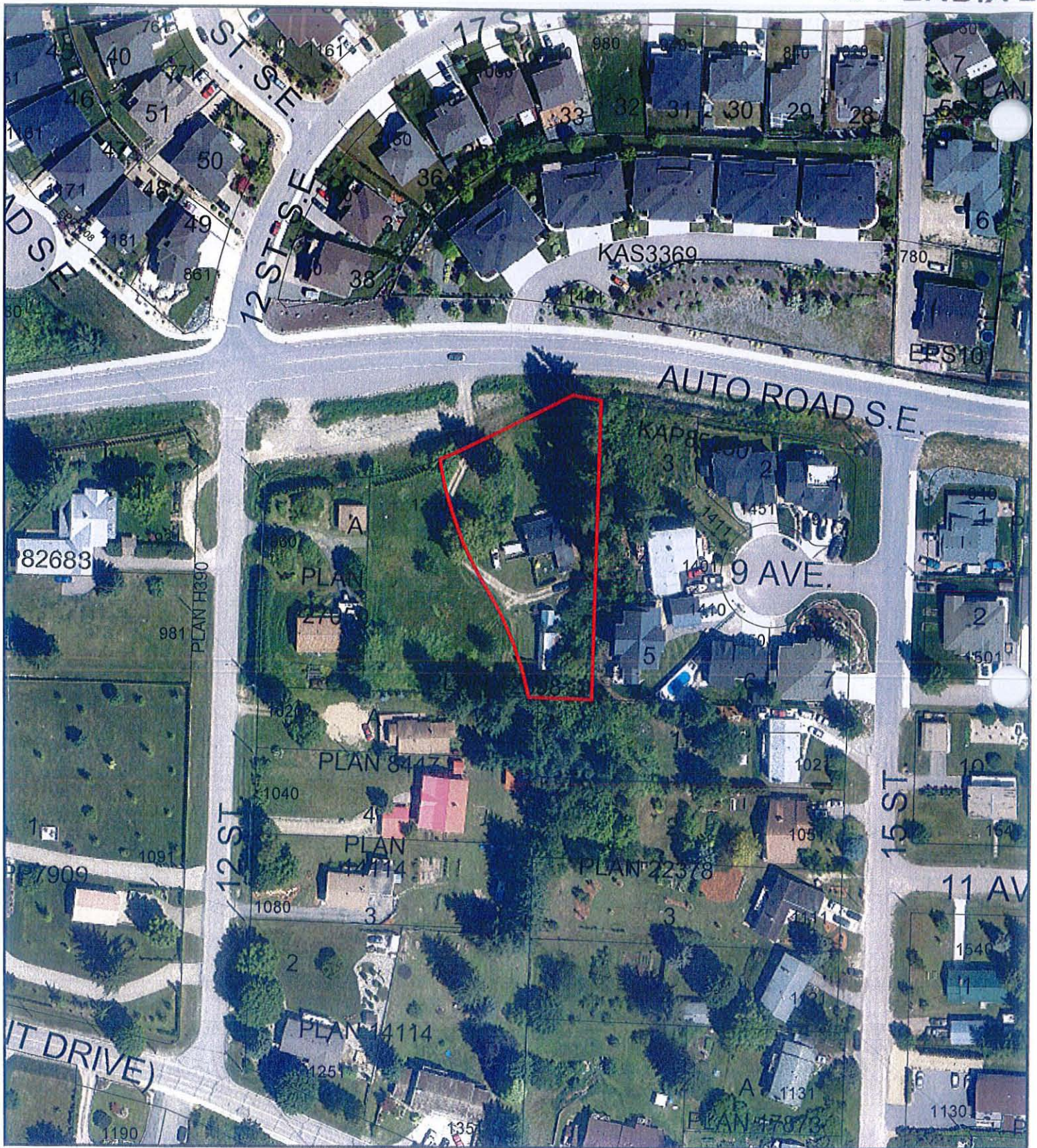
Reviewed by: Kevin Pearson MCIP
Director of Development Services

Appendices

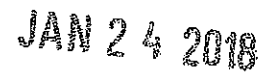
1. Location map
2. Ortho photo
3. Sketch plan of proposed subdivision
4. Specification Drawing No. RD-4
5. Letter from applicant
6. Engineering Dept. comments



Subject Property



Subject Property



Scale 1:500 BCGS 82L.064

All distances are in metres.

The intended plot size of this plan is 432mm in width by 280mm in height (A size) when plotted at a scale of 1:500



Lisa Butler <lisa.butler@century21.ca>

variance

1 message

Lisa Butler <lisa.butler@century21.ca>
To: Butler Butler <lisa.butler@century21.ca>

Wed, Mar 21, 2018 at 9:27 AM

Variance application is requesting NOT upgrade the Southside of Auto Rd. No, road widening, curb, gutter, sidewalks and streetlights.

It does not make sense to upgrade the road when there are no existing sidewalks, curbs and gutters and street lights on the south side of Auto rd from the top of road to the bottom of the road. The road has been this way since the 1970's with no change. There is also a Blind spot just outside the property and around the bend that would be very dangerous to have a sidewalk.

There is already and existing Davit light.

Thank you.

Kind Regards,
Lisa



Lisa Butler | Professional Real Estate Agent
Cell 250.804.7955

www.LisaSells.ca

<https://www.facebook.com/www.LisaSells.ca/>

**LISA BUTLER
MARCH 2018
LOT 1, PLAN 42698 SUBDIVISION
OPINION OF PROBABLE COST**

**SCHEDULE OF APPROXIMATE QUANTITIES AND UNIT PRICES
(*Denotes Nominal Quantity)**

Item No.	DESCRIPTION OF WORK	UNIT	QUANTITY	UNIT PRICE \$	AMOUNT \$
1.0	ROADS AND EARTHWORKS SECTION 1				
1.1	Clearing & Grubbing	LS	1	\$ 1,000.00	\$ 1,000.00
1.2	Asphalt Removal	m ²	65 *	\$ 10.00	\$ 650.00
1.3	Common Excavation & Disposal	m ³	85 *	\$ 15.00	\$ 1,275.00
1.4	Supply & Place Sub-Base	m ³	50 *	\$ 55.00	\$ 2,750.00
1.5	Supply & Place Base	m ³	15 *	\$ 85.00	\$ 1,275.00
1.6	Supply & Place 100mm Asphalt	m ²	75 *	\$ 75.00	\$ 5,625.00
1.7	Supply & Place Shouldering/Backing	m ³	5 *	\$ 95.00	\$ 475.00
	Sub-Total: Roads and Earthworks				\$ 13,050.00
2.0	WATER DISTRIBUTION WORKS SECTION 2				
2.1	Supply & Install 25ø Water Service c/w Tracer Wire	ea	2 *	\$ 1,500.00	\$ 3,000.00
	Sub-Total: Water Distribution Works				\$ 3,000.00
3.0	SANITARY SEWER WORKS SECTION 3				
3.1	Supply & Install 100ø PVC Sanitary Service	ea	1 *	\$ 1,000.00	\$ 1,000.00
	Sub-Total: Sanitary Sewer Works				\$ 1,000.00
4.0	STORM SEWER WORKS SECTION 4				
4.1	Supply & Install 150ø PVC Storm Service	ea	2 *	\$ 1,500.00	\$ 3,000.00
	Sub-Total: Storm Sewer Works				\$ 3,000.00

LOT 1, PLAN 42698 SUBDIVISION
OPINION OF PROBABLE COST

Item No.	DESCRIPTION OF WORK	UNIT	QUANTITY	UNIT PRICE \$	AMOUNT \$
5.0	CONCRETE, CURB, GUTTERS, SIDEWALKS, STAIRS SECTION 5				
5.1	Supply & Install CGS-1 Curb and Gutter	m	50 *	\$ 75.00	\$ 3,750.00
5.2	Supply & Install 150mm Concrete Sidewalk	m ²	100 *	\$ 95.00	\$ 9,500.00
	Sub-Total: Concrete, Curb, Gutters, Sidewalks, Stairs				\$ 13,250.00 ✓
6.0	STREET LIGHTING SECTION 6				
6.1	Supply & Install Ornamental Street Light c/w Power Base	ea	1 *	\$ 4,500.00	\$ 4,500.00
6.2	Supply & Install 32ø Conduit c/w Conductor	m	25 *	\$ 45.00	\$ 1,125.00
	Sub-Total: Street Lighting				\$ 5,625.00 ✓
7.0	HYDRO, TELEPHONE, GAS, CATV SECTION 7				
7.1	Hydro Civil Works	LS	1	\$ 1,500.00	\$ 1,500.00
7.2	Telus Civil Works	LS	1	\$ 1,500.00	\$ 1,500.00
7.3	Cable Civil Works	LS	1	\$ 1,000.00	\$ 1,000.00
	Sub-Total: Hydro, Telephone, Gas, CATV				\$ 4,000.00 ✓
8.0	LANDSCAPING SECTION 8				
8.1	Boulevard Restoration	LS	1	\$ 1,500.00	\$ 1,500.00
	Sub-Total: Landscaping				\$ 1,500.00

LOT 1, PLAN 42698 SUBDIVISION
OPINION OF PROBABLE COST

Item No.	DESCRIPTION OF WORK	UNIT	QUANTITY	UNIT PRICE \$	AMOUNT \$
	SUMMARY				
1.0	ROADS AND EARTHWORKS				\$ 13,050.00 ✓
2.0	WATER DISTRIBUTION WORKS				\$ 3,000.00
3.0	SANITARY SEWER WORKS				\$ 1,000.00
4.0	STORM SEWER WORKS				\$ 3,000.00
5.0	CONCRETE, CURB, GUTTERS, SIDEWALKS, STAIRS				\$ 13,250.00 ✓
6.0	STREET LIGHTING				\$ 5,625.00 ✓
7.0	HYDRO, TELEPHONE, GAS, CATV				\$ 4,000.00 ✓
8.0	LANDSCAPING				\$ 1,500.00 ✓
	SUB-TOTAL				\$ 44,425.00 37,425
9.0	ENGINEERING				
	Design (5%)			\$ 2,221.25	
	Inspection (6%)			\$ 2,665.50	
	Records (2%)			\$ 888.50	
	Geotechnical Testing (2%)			\$ 888.50	\$ 6,663.75 ENG 15% 5613.75
	SUB-TOTAL				\$ 51,088.75
	GST (5%)				\$ 2,554.44 No GST.
	TOTAL				\$ 53,643.19 43038.75

***Opinion of Probable Cost Notes**

- 1) Quantities may vary depending on field revisions and/or conditions encountered at the time of construction, thereby affecting the final cost.
- 2) Unit Prices are influenced by supply & demand for both contractors and materials at the time of construction, thereby affecting the final cost.
- 3) Prices do not include BC Hydro, Telus, Gas, Legal Survey (BCLS) and property/right-of-way acquisitions.
- 4) Prices do not include Geotechnical, Environmental and Archaeological studies, reviews and approvals.
- 5) Unit Prices are estimated in 2018 Canadian Dollars for similar works and exclude taxes.

Plan of Subdivision of
Lots 1 and 2, Plan 36325,
Sec. 13, Tp. 20, Rge. 10, W6M, K.D.Y.D.

20^c-CS.322

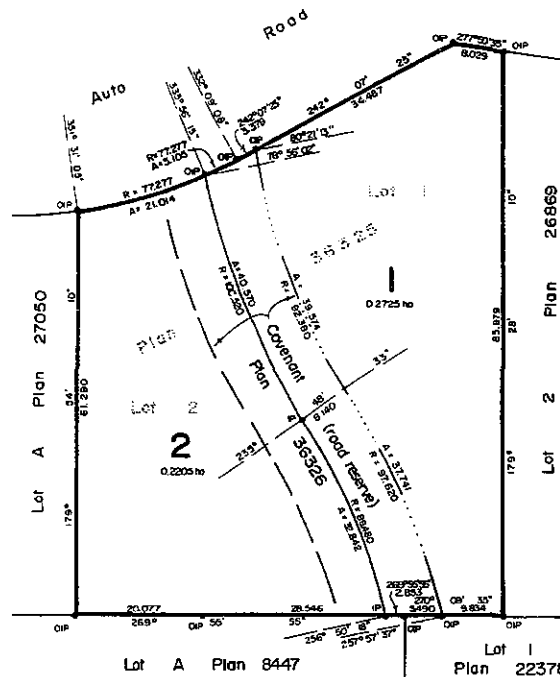
PLAN NO. 42698

Deposited in the Land Title Office at Kamloops, B.C.
this 22 day of March 1990

[Signature]
26/ Registrar

KD24424
MS.

Scale 1:500
B.C.G.S. 82L.064
All distances are in metres



LEGEND

Bearings are astronomic and are derived from
Plan 36325.

- OIP Denotes iron post found
- IP Denotes iron post set

APPROVAL

Approved under the Land Title Act
this 15 day of March 1990.

[Signature]
Approving Officer for the District
of Salmon Arm.

This plan lies within Columbia - Shuswap Regional District

Mortgages:

Salmon Arm Savings and Credit Union

[Signature]
Authorized Signatory

[Signature]
Authorized Signatory

The registered owners designated herein
declare that they have entered into a covenant
in favour of the District of Salmon Arm under
Section 578(4) of the Municipal Act.

Owner *[Signature]*
Alan Henry Hooper

Owner *[Signature]*
Nancy Jacqueline Hooper

Witness
as to fact
occupation
address
[Signature]
Notary Public
Salmon Arm
[Signature]

I, J. C. Johnson, a British Columbia land surveyor,
of the District of Salmon Arm, in British Columbia,
certify that I was present at and personally
superintended the survey represented by this plan,
and that the survey and plan are correct. The survey
was completed on the 22nd day of February, 1990.

[Signature]
J. C. Johnson
B.C.L.S.

BROWNE & ASSOC.,
B.C. LAND SURVEYORS,
SALMON ARM, B.C.
File: P. R44
7-29-91



- 1) All utility appurtenances to be set to designed boulevard grade.
- 2) Boulevards to be graded towards the Roadway (Maximum 5% and Minimum 2%)
- 3) All materials shall be supplied and placed in accordance with schedule B, Part 3.0 and Schedule D, Approved material list.
- 4) Grades in excess of 2H:1V shall be recommended by a geotechnical engineer and approved by the City Engineer.

 CITY OF SALMON ARM			25m R/W Urban Arterial Road Cross-Section		
No.	Revision	Date	Date	Approved	SPECIFICATION DRAWING No. RD-4
A	ISSUED FOR APPROVAL	07/14/16	10-11-2016	 City Engineer	

Adopted by Council Octol , 11, 20



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

TO: Kevin Pearson, Director of Development Services
 DATE: 15 May, 2018
 Prepared by: Chris Moore, Engineering Assistant
 OWNER: **Butler, L.**
 SUBJECT: **DEVELOPMENT VARIANCE PERMIT APPLICATION NO. VP-475**
 LEGAL: Lot 1, Section 13, Township 20, Range 10 W6M, KDYD, Plan 42698
 CIVIC: **1370 Auto Road SE**

Further to the request for variance dated 17 April, 2018; the Engineering Department has thoroughly reviewed the site and offers the following comments and recommendations, relative to the variance requested:

The applicant is requesting a variance to Subdivision & Development Servicing Bylaw No. 4163, Section 4.0 – waive the requirement to upgrade Auto Road SE to a RD-4 Interim Urban Arterial Road Standard.

Auto Road SE is an important, busy Arterial Road, surrounded by many residential subdivisions. Upgrading to the RD-4 Interim Urban Arterial Road Standard across the frontage of the property is a requirement of subdivision, under the bylaw. The RD-4 standard will require road widening, curb and gutter, sidewalk, street drainage, streetlights and underground Hydro and Telephone.

Although Auto Road SE benefits from a sidewalk on the north side, an important feature of Arterial Roads is that they have sidewalks on both sides. Since they are much busier than local roads, there is considerably more vehicular and foot traffic. For safety reasons, sidewalks on both sides reduces the need for pedestrians to cross the road, leading to less conflict between vehicles and pedestrians. Curb and gutter also contribute to road safety by keeping vehicles on the road and away from pedestrian and also better controls the flow and capture of road drainage. Hydro and Telus are moved underground on urban roads as this is more aesthetically pleasing and avoids conflicts between the proposed sidewalk and existing poles. Finally Street Lighting also improves road safety by increasing visibility at night and must be provided with freestanding street lights as existing lights mounted on the hydro poles will be removed when the lines are put underground.

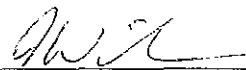
At this time most of Auto Road has sidewalk, curb and gutter located on the north side and the south side is largely without curb or sidewalk, with the occasional ditch. There is an argument that this short piece of sidewalk is unnecessary since there is no sidewalk on either side of this property. However, there are other potential development properties on the south side of Auto Road, notably 1017 has recently been purchased for development. Therefore it is important that each property pays for their frontage to be upgraded as they develop, so that eventually the sidewalk, curb and gutter and street lights on the south side of Auto Road will be complete, without the taxpayers having to pay the bill.

Recommendation:

The Engineering Department recommends that the request to waive the requirement to upgrade Auto Road SE to the RD-4 Interim Urban Arterial Road Standard be denied. Since it is premature to undertake this work in isolation, we recommend that a 100% cash in lieu payment be requested for the frontage improvements, the City will use these funds to carry out this work at some time in the future, in conjunction with adjacent frontage improvement works. Based on the owner's Engineer's OPC, the estimated cost for this frontage upgrade is \$43,038.75 (to be confirmed).



Chris Moore
Engineering Assistant



Jenn Wilson, P.Eng., LEED® AP
City Engineer

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CITY OF SALMON ARM
NOTICE OF PUBLIC HEARING

123

Notice is hereby given that the Council of the City of Salmon Arm will hold Public Hearings in Council Chambers at City Hall, 500 - 2 Avenue NE, Salmon Arm, BC, on **Monday, June 11, at 7:00 p.m.**

- a) **Proposed Amendment to Official Community Plan Bylaw No. 4000:**
Redesignate the westerly 1.78 ha of Lot 2, Section 25, Township 20, Range 10, W6M, KDYD, Plan 3890 from "Acreage Reserve" to "Low Density Residential".
- b) Amend Map 4.1 (Urban Containment) include the westerly 1.78 ha of Lot 2, Section 25, Township 20, Range 10, W6M, KDYD, Plan 3890 within the Urban Containment Area

Civic Address: 3820 - 20 Street NE

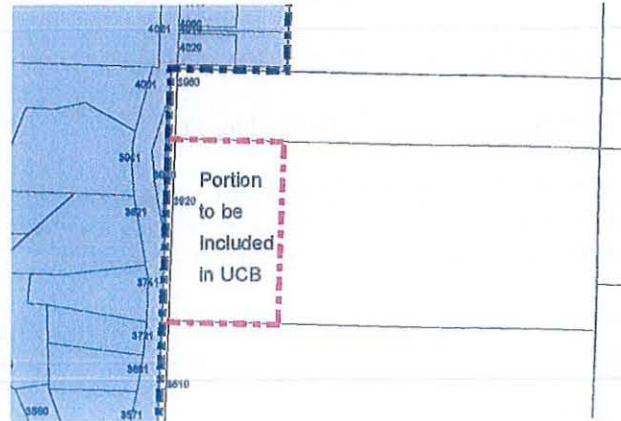
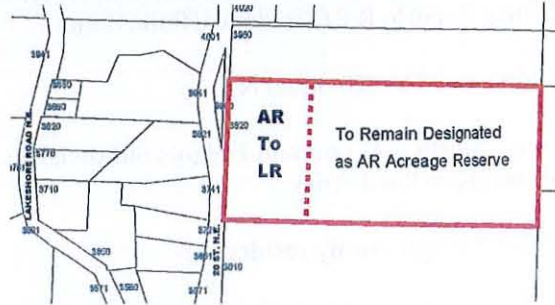
Location: North of Woodland Heights Subdivision; Upper Lakeshore Road Area

Present Use: Single family residential

Proposed Uses: To facilitate future development of 10 residential suite lots

Owners / Applicant: M. & K. Brautigam

Reference: OCP4000-35/Bylaw No. 4269



The files for the proposed bylaws are available for inspection between the hours of 8:30 a.m. and 4:00 p.m., Monday through Friday, excluding holidays from May 29, 2018 to June 11, 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

Advertise Salmon Arm Observer: May 30 and June 6, 2018

22.1/23.1

CITY OF SALMON ARM
NOTICE OF PUBLIC HEARING

124

Notice is hereby given that the Council of the City of Salmon Arm will hold Public Hearings in Council Chambers at City Hall, 500 - 2 Avenue NE, Salmon Arm, BC, on **Monday, June 11, at 7:00 p.m.**

2. Proposed Amendment to Zoning Bylaw No 2303:

Rezone the westerly 1.78 ha of Lot 2, Section 25, Township 20, Range 10, W6M, KDYD, Plan 3890 from A-2 (Rural Holding Zone) to R-8 (Residential Suite Zone).

Civic Address: 3820 - 20 Street NE

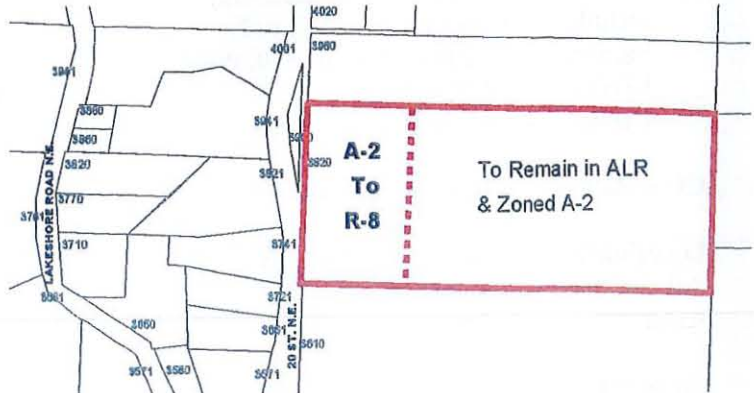
Location: North of Woodland Heights Subdivision;
Upper Lakeshore Road Area

Present Use: Single family residential

Proposed Uses: To facilitate future development
of 10 single family residential lots

Owners / Applicant: M. & K. Brautigam

Reference: ZON-1125/ Bylaw No. 4270



The files for the proposed bylaws are available for inspection between the hours of 8:30 a.m. and 4:00 p.m., Monday through Friday, excluding holidays from May 29, 2018 to June 11, 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

Advertise Salmon Arm Observer: May 30 and June 6, 2018

22.2/23.2



City of Salmon Arm

Development Services Department Memorandum

TO: Her Worship Mayor Cooper and Members of Council

DATE: April 19, 2018

SUBJECT: Official Community Plan Amendment Application No. OCP4000-35
Zoning Amendment Application No. 1125

Legal: Lot 2, Section 25, Township 20, Range 10, W6M, KDYD, Plan 3890
Civic: 3820 – 20 Street NE
Applicants: Brautigam, K. & M.

MOTION FOR CONSIDERATION

THAT: A bylaw be prepared for Council's consideration, adoption of which would amend Official Community Plan (OCP) Bylaw No. 4000 as follows:

1. Map A-1 (Land Use) - redesignating the westerly 1.78 ha of Lot 2, Section 25, Township 20, Range 10, W6M, KDYD, Plan 3890 from AR (Acreage Reserve) to LR (Low Density Residential); and
2. Map 4.1 (Urban Containment Boundary) - Including the westerly 1.78 ha of Lot 2, Section 25, Township 20, Range 10, W6M, KDYD, Plan 3890 within the Urban Containment Area.

AND THAT: Pursuant to Section 475 of the *Local Government Act*, Council has considered this Official Community Plan amendment after appropriate consultation with affected organizations and authorities.

AND THAT: Subsequent to First Reading and Prior to Second Reading, and Pursuant to Section 477 (3) (a) of the *Local Government Act*, Council has considered the proposed OCP amendment in conjunction with:

- 1) The Financial Plans of the City of Salmon Arm; and
- 2) The Liquid Waste Management Plan of the City of Salmon Arm.

AND THAT: A bylaw be prepared for Council's consideration, adoption of which would amend Zoning Bylaw No. 2303 by rezoning the westerly 1.78 ha of Lot 2, Section 25, Township 20, Range 10, W6M, KDYD, Plan 3890 from A-2 (Rural Holding Zone) to R-8 (Residential Suite Zone).

AND THAT: The Zoning Amendment Bylaw for westerly 1.78 ha of Lot 2, Section 25, Township 20, Range 10, W6M, KDYD, Plan 3890 receive First Reading only, with Second Reading withheld subject to approval of Second Reading of the associated OCP Amendment Bylaw.

AND FURTHER THAT: Final reading of the Official Community Plan and rezoning bylaws be withheld pending construction of a Type 2 Trail within the linear park to be dedicated.

STAFF RECOMMENDATION

THAT: The motion for consideration be adopted.

PROPOSAL

The subject parcel is located at 3820 20 Street NE in the Upper Lakeshore area of the City (Appendix 1). The owners have received conditional approval from the Agricultural Land Commission (ALC) to exclude a 1.78 ha (3.7 acre) portion of the parcel from the Agricultural Land Reserve (ALR). The owners are now applying for OCP and zoning amendments to permit residential subdivision (10 new lots) and development in alignment with ALC conditions. A letter of intent and preliminary subdivision plan are attached (Appendix 2 and 3).

BACKGROUND

The subject parcel is designated Acreage Reserve in the City's Official Community Plan (OCP) and zoned A-2 (Rural Holding) in the Zoning Bylaw (Appendix 4 and 5). The 6.8 ha (39.5 ac) subject parcel is largely forested, has not been farmed and contains a single family dwelling with accessory buildings. This 1.78 ha portion under application has been identified to be added into the Urban Containment Boundary and Residential Development Area C (Appendix 6) as per OCP Policy 4.4.2. The dwelling is centrally located near the southern boundary of the parcel and is accessed from 20 Street NE to the west. Site photos are attached as Appendix 7.

Adjacent land uses include the following:

- North: Forested A-2 zoned parcel
- South: Forested A-2 zoned parcel
- East: Proposed remainder of the subject parcel (forested A-2 zoned parcel)
- West: 20 Street NE, with R-1 zoned parcels ranging in area from 0.30 ha – 0.88 ha (each containing a single family dwelling) beyond

The subject parcel was previously considered by Council in June 2015, with application No. ALC-362, for the exclusion of a portion of the parcel from the ALR (to permit residential subdivision and development). That application was authorized for submission to the ALC with support by resolution of Council on June 8, 2015.

In December 2015, the ALC approved the application (resolution #450/2015) to exclude the properties from the ALR subject to the following conditions:

- the submission of a subdivision plan delineating the proposed exclusion area and linear park that is in substantial compliance with the plan submitted with the application;
- the construction of a trespass proof fence on both sides of the linear park;
- the registration of covenants that prohibit the construction of a new residence within 30 metres of the ALR boundary, and a 5 metre wide "no disturbance" area adjacent to the linear park; and
- the subdivision must be completed within three (3) years from the date of this decision.

A copy of the ALC's decision is attached as Appendix 8.

The ALC's conditional approval for exclusion is consistent with Policy 4.4.2 of the OCP which states:

"Support two areas of UCB (Urban Containment Boundary) expansion for low density residential development (see Map 4.1 Urban Containment Boundary). ALR exclusion in these areas will be subject to a public linear park as a buffer (a minimum of 10 metres wide) in addition to fencing, vegetative buffering and residential setbacks of a minimum of 30 metres from the ALR boundary.

For these two areas, ALR exclusion applications will need to be approved by the ALC and OCP amendment applications will need to be approved by City Council."

In July 2013, Council adopted OCP Amendment Bylaw No. 3982, which designates a proposed Type 2 Greenway over the required linear park. A copy of OCP Map 11.2 (Existing and Proposed Greenways) is attached as Appendix 9.

Section 879 - Local Government Act

Pursuant to Section 879 of the Local Government Act (consultation during OCP development / amendments), the proposed OCP amendments were referred to the following external organizations on March 8, 2018:

Adams Lake Indian Band:	No response to date
Neskonlith Indian Band:	No response to date
Economic Development Society:	The Salmon Arm Economic Development Society Board of Directors felt that this location is very suitable for the proposed residential development (comments attached as Appendix 10).

Section 882 - Local Government Act

Pursuant to Section 882 of the Local Government Act (adoption procedures for an OCP amendment), Council must consider this proposed OCP amendment in relation to the City's financial and waste management plans. In the opinion of staff, this proposed OCP amendment is consistent with both the City's financial and waste management plans.

Agricultural Advisory Committee

This proposal was reviewed by the Agricultural Advisory Committee (AAC) at its meeting of May 13, 2014. The Committee adopted the following resolution:

THAT: the Agricultural Advisory Committee advises Council that it supports the application for exclusion.

Unanimous

The Committee discussed points including: buffer requirements of fencing and covenants, the benefit of park trails as buffers, access off of 20 Street NE, and similar developments to the north and south.

COMMENTS

Engineering Department

No concerns. Engineering comments attached as Appendix 11.

Fire Department

No Fire Department concerns.

Building Department

No concerns.

Planning Department

The ALC's conditional approval, the proposed OCP and zoning amendments and the associated subdivision are all consistent with the OCP and are supported by staff. The OCP supports the inclusion of the subject parcel into the Urban Containment Area and the proposed Low Density Residential designation and the R-8 zoning is consistent with adjacent residential land uses.

The preliminary subdivision plan, showing a total of 11 lots (10 proposed lots and 1 remainder lot) and a linear park buffer (Appendix 3), comply with the ALC's conditional approval and OCP Policy 4.4.2:

- i) The plans are the same as those submitted with the ALC exclusion application and there are no roads terminating at the ALR boundary;
- ii) The plans include a 10 metre wide linear park of approximately 0.79 hectare along the east boundaries of all the proposed properties that will be dedicated to the City as parkland; and
- iii) The applicants have confirmed they are prepared to complete the fencing requirements along the linear park and register the necessary covenants to prohibit the construction of residential dwellings within 30 metres of the ALR boundary and the removal of vegetation (trees) within 5 metres of the north boundary of the linear park.

The alignment of the linear park approximately coincides with a proposed trail identified in the City's Greenways Strategy and OCP (see Appendix 9). Policy 11.3.18 of the OCP states "Require, at the discretion of City Council, land to be dedicated and paths, trails and roadside corridors to be constructed for greenways as a consideration for the approval of rezoning applications." In instances where a greenway is designated but rezoning is not required, Policy 11.3.19 of the OCP provides similar direction to the Approving Officer with subdivision applications.

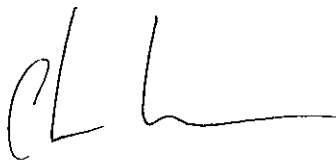
Should the proposed OCP and zoning bylaw amendments proceed to third reading, the motion for consideration indicates that final reading of the bylaws are to be withheld subject to the construction of a trail (a Type 2 Greenway) within the linear park to be dedicated

If Council chooses to approve the proposed OCP and Zoning bylaw amendments, and the ALC confirms exclusion of the portion of the subject property from the ALR, the owner/applicant would then be able to proceed with meeting the conditions for the proposed residential subdivision (an application has been made to the City and preliminary approval has been granted subject to a range of conditions including OCP and Zoning amendments). The proposed subdivision will require full municipal services to the "Urban Development Standard" of the Subdivision and Development Servicing Bylaw.

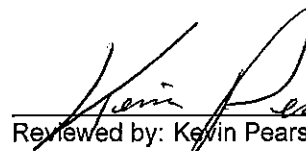
The proposed layout (Appendix 3) involves fairly large panhandle lots (0.33 to 0.4 acres) with individual driveways (required panhandle width is a minimum of 6 metres). The 5 eastern parcels have somewhat restricted building envelopes based on the requisite 30 metre ALC setback.

CONCLUSION

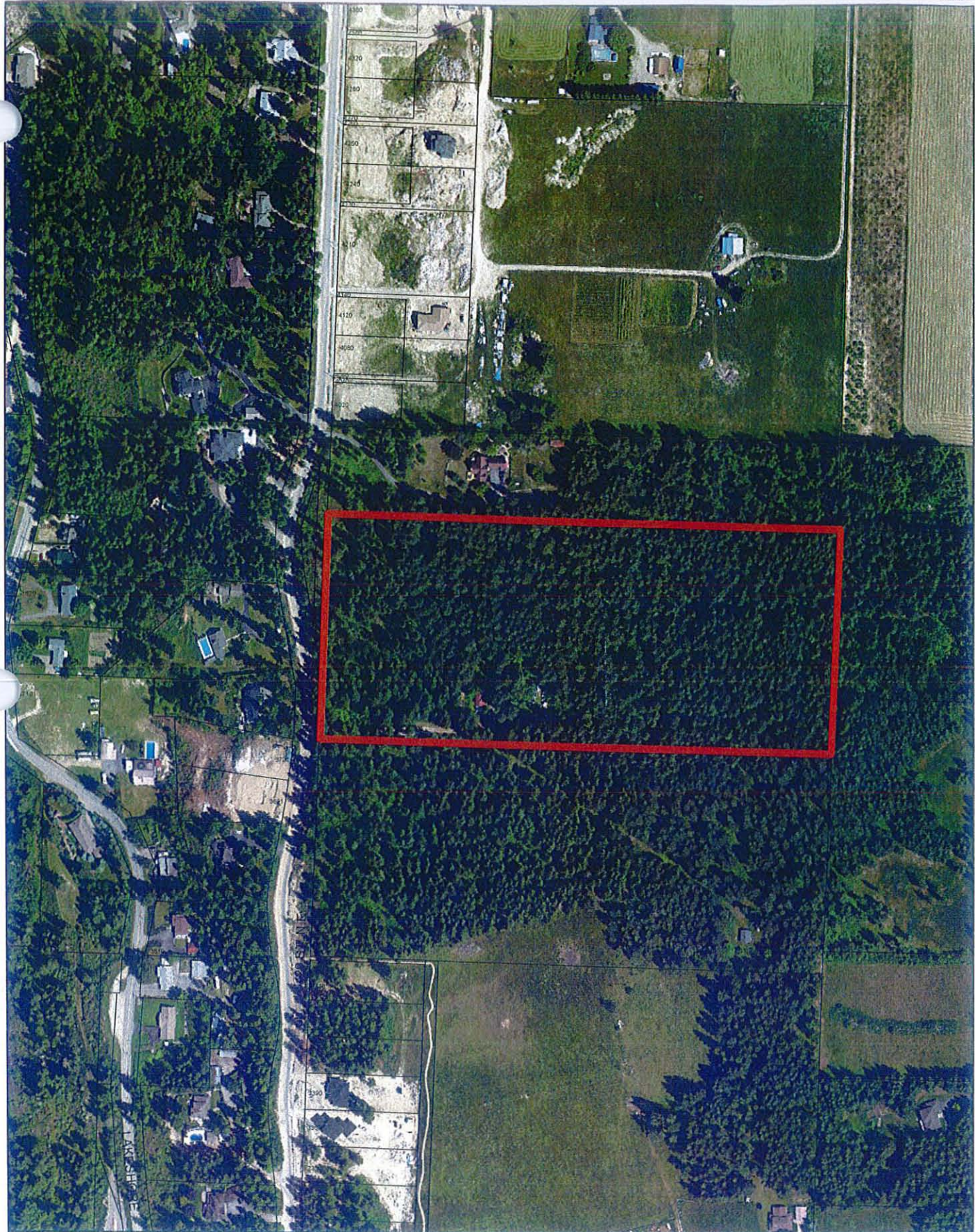
The owners have received conditional approval from the ALC to exclude an approximate 1.78 ha (3.7 acre) portion of the subject parcel from the ALR. The owners are now applying for OCP and zoning amendments to permit residential subdivision and development. The proposed OCP and Zoning bylaw amendments as presented are consistent with OCP policies and therefore supported by staff.



Prepared by: Chris Larson, MCP
Planning and Development Officer



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

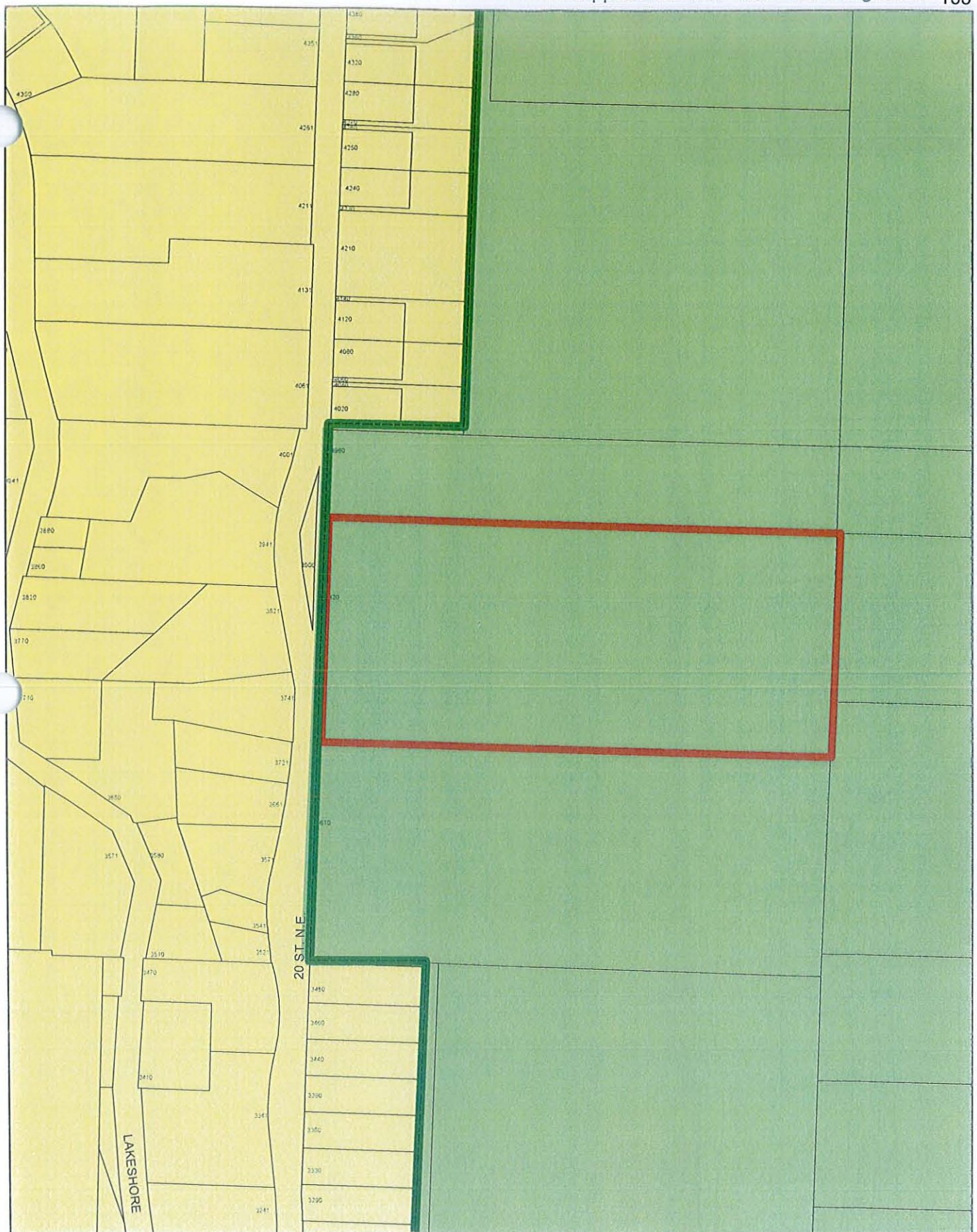


Subject Parcel

Feb 15, 2018

The subject property is located at 3820 - 20th st NE as shown in appendices 1 & 2. The property is approximately 6.83 ha in size. 5.05 ha of this property will remain in the ALR and contains the primary residence and a small accessory building.

The proposal is to subdivide the 1.78 ha of land along the 20th street NE frontage already removed from the ALR. Our plan is to create 10 lots of roughly equal size, rezoned R8, while allowing access to the remainder of the property where the lane to the residence already exists. These lots will be roughly 0.14 ha in size which will fit in with recent developments in the area.



0 20 40 80 120 160 Meters



Subject Parcel

ALR Boundary



Acreage Reserve

Residential - Low Density



0 37.5 75 150 225 300 Meters



Subject Parcel





View south along 20 Street NE at the north-west corner of the subject property.



View north along 20 Street NE at the south-west corner of the subject property.



AGRICULTURAL LAND COMMISSION FILE 54366

REASONS FOR DECISION OF THE OKANAGAN PANEL

Application submitted pursuant to s. 30(1) of the *Agricultural Land Commission Act*

Applicant:

Patricia Marsh
Krista Marsh
(the "Applicants")

Agent:

Jason Wagner
Onsite Engineering Ltd.
(the "Agent")

Application before the Okanagan Regional Panel:

Gerry Zimmermann, Panel Chair
Jim Johnson
Greg Norton



THE APPLICATION

- [1] The legal description of the property involved in the application is:

Parcel Identifier: 005-563-275

Lot 2, Section 25, Township 20, Range 10 West of the 6th Meridian, Kamloops

Division Yale District, Plan 3890

(the "Property")

- [2] The Property is 6.8 ha in area.

- [3] The Property has the civic address 3820 – 20th Street NE, Salmon Arm.

- [4] The Property is located within a designated agricultural land reserve ("ALR") as defined in s. 1 of the *Agricultural Land Commission Act* (the "ALCA").

- [5] The Property is located within Zone 1 as defined in s. 4.2 of the ALCA.

- [6] Pursuant to s. 30(1) of the ALCA, the Applicants are applying to exclude 1.78 ha of land along the 20 Street NE frontage to accommodate future subdivision. The remainder will stay within the ALR and be buffered by fencing, dedicated park, setback and vegetation covenants. The proposal meets the intent of the agricultural policies of the OCP as well as the UCB expansion policies (the "Application").

- [7] On November 4, 2015, the Chair of the Agricultural Land Commission (the "Commission") referred the Application to the Okanagan Regional Panel (the "Panel").

RELEVANT STATUTORY PROVISIONS

- [8] The Application was made pursuant to s. 30(1) of the ALCA:



Agricultural Land Commission Decision, ALC File 54366

30 (1) An owner of land may apply to the commission to have their land excluded from an agricultural land reserve.

[9] The Panel considered the Application within the context of s. 6 of the ALCA:

6 The following are the purposes of the commission:

- (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 BEFORE THE PANEL

[10] The Panel considered the following evidence:

- 1. The Application
- 2. Local government documents
- 3. Previous application history
- 4. Agricultural capability map, ALR context map, and satellite imagery

All documentation noted above was disclosed to the Agent in advance of this decision.

[11] The City of Salmon Arm Council authorized the Application be forwarded to the Commission with a recommendation of support. The Property is located in the proposed Urban Containment Boundary (UCB) expansion area as identified in the City's OCP for the east side of 20 Street NE with developments of similar nature to the north and south.

[12] The Panel reviewed two relevant applications relating to the application:

Application ID: 53218
(Miller, 2013)

To exclude 4 ha from the westerly edge (along the



Agricultural Land Commission Decision, ALC File 54366

frontage to 20th Street NE) of the 16 ha property for residential development and a 10 meter wide linear park.

The Commission endorsed a revised Urban Growth Boundary (UGB) for the City of Salmon Arm in 2011; the UGB identified the subject property for exclusion. The Commission, by Resolution #269/2013, approved the application subject to the following:

- A 10 m wide public linear park buffer which borders the east property line of the proposed ALR exclusion boundary.
- The fencing of both sides of the linear park with trespass proof fencing.
- A 5 m wide buffer no soil disturbance / tree removal covenant immediately west of the linear park to provide a buffer for the vegetation in the linear park.
- Registration of a covenant prohibiting the construction of residential dwellings within 30 m of the ALR boundary.

Application ID: 17936
Legacy File: 21560
(1987, Kelln)

To exclude 4.0 ha of the 11.53 ha property along the eastern boundary (20 Street NE) for residential development. The Commission, by Resolution #1312/87, allowed the proposal on the grounds this area of the property is comprised of rock outcropping, and subject to the registration of the proposed restrictive covenant to ensure that residential uses are kept to the west of the rock outcropping in order to lessen the impact on ALR lands to the east.



Agricultural Land Commission Decision, ALC File 54366

SITE VISIT

[13] On November 18, 2015, the Panel conducted a walk-around and meeting site visit in accordance with the *Policy Regarding Site Visits in Applications* (the "Site Visit").

COMMISSION REPRESENTATIVES:

Gerry Zimmermann	Vice Chair, Okanagan Panel
Jim Johnson	Commissioner, Okanagan Panel
Greg Norton	Commissioner, Okanagan Panel
Ron Wallace	Land Use Planner

AGENT:

Jason Wagner	Onsite Engineering Ltd.
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The Commission representatives met the Agent along 20 Street NE adjacent to the Property. The participants viewed the portion of the Property proposed for exclusion from the ALR and noted that the western portion of the Property has topographic and rocky outcropping limitations.

FINDINGS

[14] In assessing agricultural capability, the Panel referred in part to agricultural capability mapping and ratings. The ratings are identified using the Canada Land Inventory (CLI), 'Soil Capability Classification for Agriculture' system. The improved agricultural capability ratings identified on CLI map sheet 82L/11 for the mapping units encompassing the Property is Class 6 specifically 6TR.

Class 6 - land is important in its natural state as grazing land. These lands cannot be cultivated due to soil and/or climate limitations.

The limiting subclasses associated with this parcel of land are T (topographic limitations) and R (rock outcropping).

[15] The Panel concurs with the agricultural capability rating from the site visit.



Agricultural Land Commission Decision, ALC File 54366

- [16] The Panel supports the Application as it is consistent with the Commission's endorsement of the City of Salmon Arm Urban Growth Boundary in 2011.

DECISION

- [17] For the reasons given above, the Panel approved the Application to exclude 1.78 ha of land along the 20 Street NE frontage to accommodate future subdivision.

- [18] The approved Application is subject to the following conditions:

- a. the submission of a subdivision plan to delineate the approved exclusion area and linear park that is in substantial compliance with the plan submitted with the Application;
- b. the construction of a trespass proof fence on both sides of the linear park;
- c. the registration of covenants that prohibit the construction of a new residence within 30 meters of the ALR boundary, and a 5 meter wide no soil disturbance / tree removal covenant immediately west of the linear park;
- d. the subdivision plan must be completed within three (3) years from the date of this decision;

- [19] This decision does not relieve the owner or occupier of the responsibility to comply with applicable Acts, regulations, bylaws of the local government, and decisions and orders of any person or body having jurisdiction over the land under an enactment.

- [20] Panel Chair **Gerry Zimmermann**, concurs with the decision.

Commissioner **Jim Johnson**, concurs with the decision.

Commissioner **Greg Norton**, concurs with the decision.

- [21] Decision recorded as Resolution #450/2015.

A decision of the Panel is a decision of the Commission pursuant to s. 11.1(5) of the Agricultural Land Commission Act.



Agricultural Land Commission Decision, ALC File 54366

Upon instruction of the Panel, I have been authorized to release the Reasons for Decision by Resolution #450/2015. The decision is effective upon release.



Colin J. Fry, Chief Tribunal Officer

December 10, 2015

Date Released

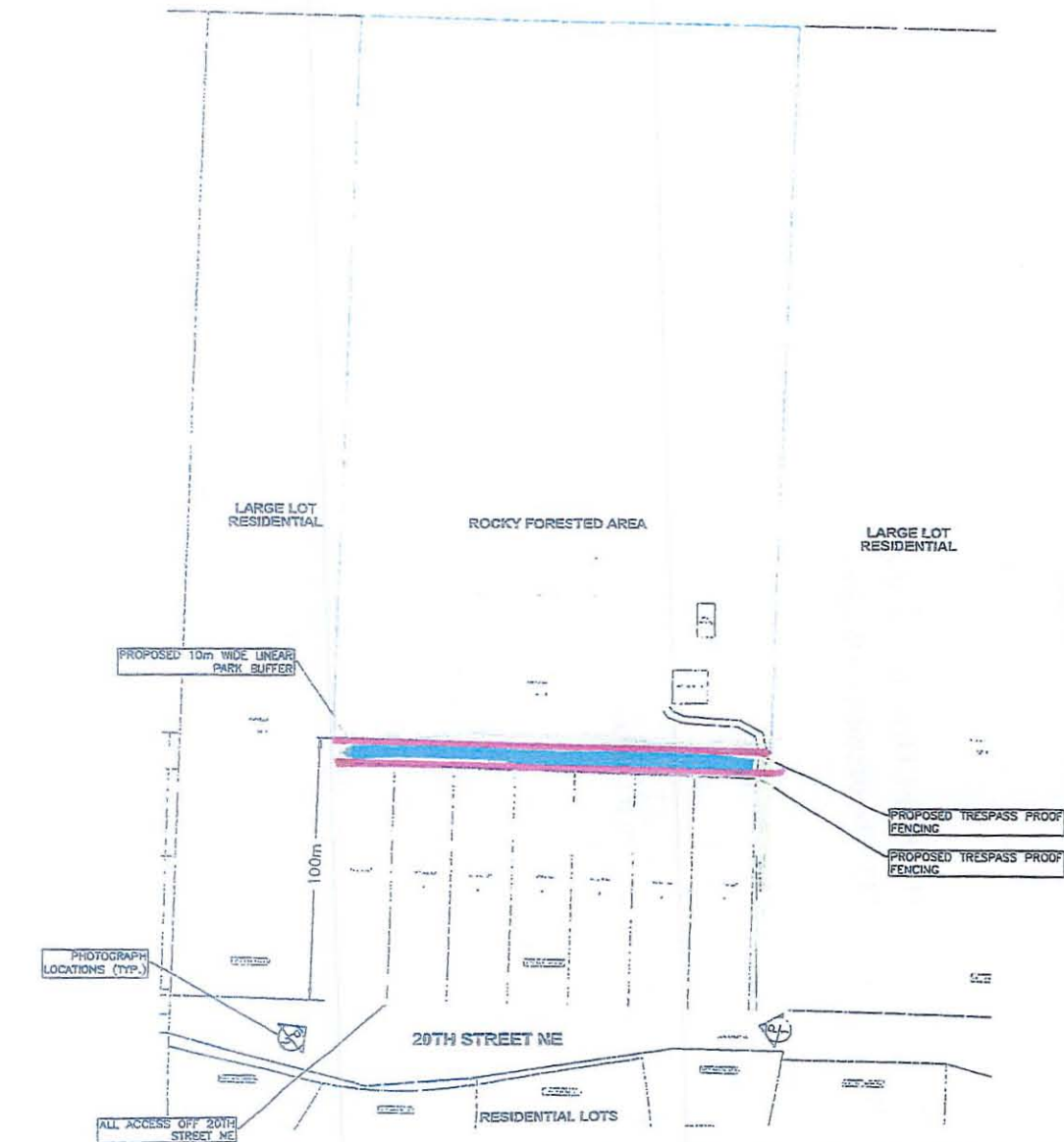


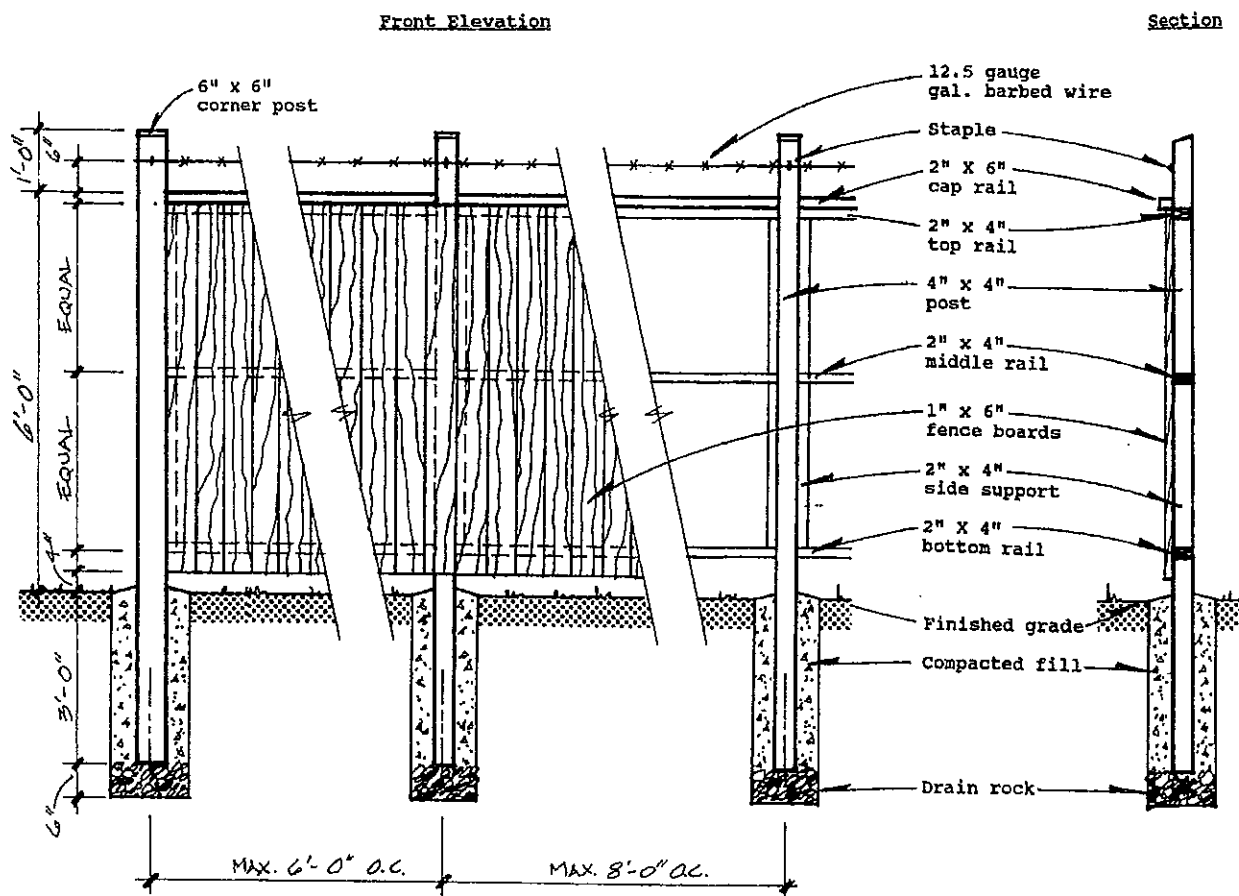
SUBJECT PROPERTY:

LOT 2, SEC. 25, TP. 20, R. 10, WEST
OF THE 6TH MERIDIAN, KAMLOOPS
DIVISION YALE DISTRICT PLAN 3890
(6.83 HA.)

Provincial Agricultural Land Commission
Application #54366
Resolution #450/2015

-  ±1.78 ha approved for exclusion
-  Approved 10 m wide linear park
-  Location of fencing



SCHEDULE D: FENCING SPECIFICATIONS**D.2: Solid Wood Fence with One Strand Barbed Wire**

Not to Scale

SCHEDULE D: FENCING SPECIFICATIONS**D.2: SOLID WOOD FENCE WITH ONE STRAND BARBED WIRE**

1. All posts and rails shall be rough sawn of "No. 1 Structural" grade, pressure treated with a wood preservative non-toxic to surrounding plant material, in accordance with CSA Standard 080.2 and compatible with staining requirements below. Stain to match fence boards.
2. All fence boards and planks shall be rough sawn of "Quality Fencing" grade, finished with penetrating stain with preservative, conforming to CGSB Standards 1-GP145M and 204M, applied to all surfaces prior to installation and on any cuts thereafter.
3. Line posts shall be minimum 10.0 ft. in length and at least (standard) 4"x 4".
4. Corner posts shall be minimum 10.0 ft. in length and at least (standard) 6"x 6".
5. Fence rails (min. 3) shall be maximum 7.5 ft. in length and at least (standard) 2"x 4".
6. Cap rails shall be maximum 7.5 ft in length and at least (standard) 2"x 6". Cant to drain.
7. The finished height of opaque fencing shall be at least 6.0 ft.
8. The barbed wire shall meet the following specifications:
 - 8.1 Number of wire strands - 2
 - 8.2 Minimum wire gauge - 12.5 A.W.G.
 - 8.3 Maximum spacing between barbs - 6"
 - 8.4 Number of points per barb - 4
9. Fastening materials (nails and staples) shall meet the following specifications:
 - 9.1 Minimum gauge of nails used - #9, common in post/rail connections
 - 9.2 Minimum gauge of nails used - #11.5, common in rail/fence board connections
 - 9.3 Minimum wire gauge of staple - 9.0 A.W.G.
 - 9.4 Minimum length of staple - 2"
 - 9.5 Galvanized - CSA G164
10. Line posts shall be placed no more than 8.0 ft. O.C. and be firmly anchored in the soil to a depth of not less than 3.0 ft.
11. The fence shall be constructed in accordance with these specifications and details provided in the Schedule D.1 drawing which forms part of these specification.

Map 11.2
Existing and Proposed
Greenways

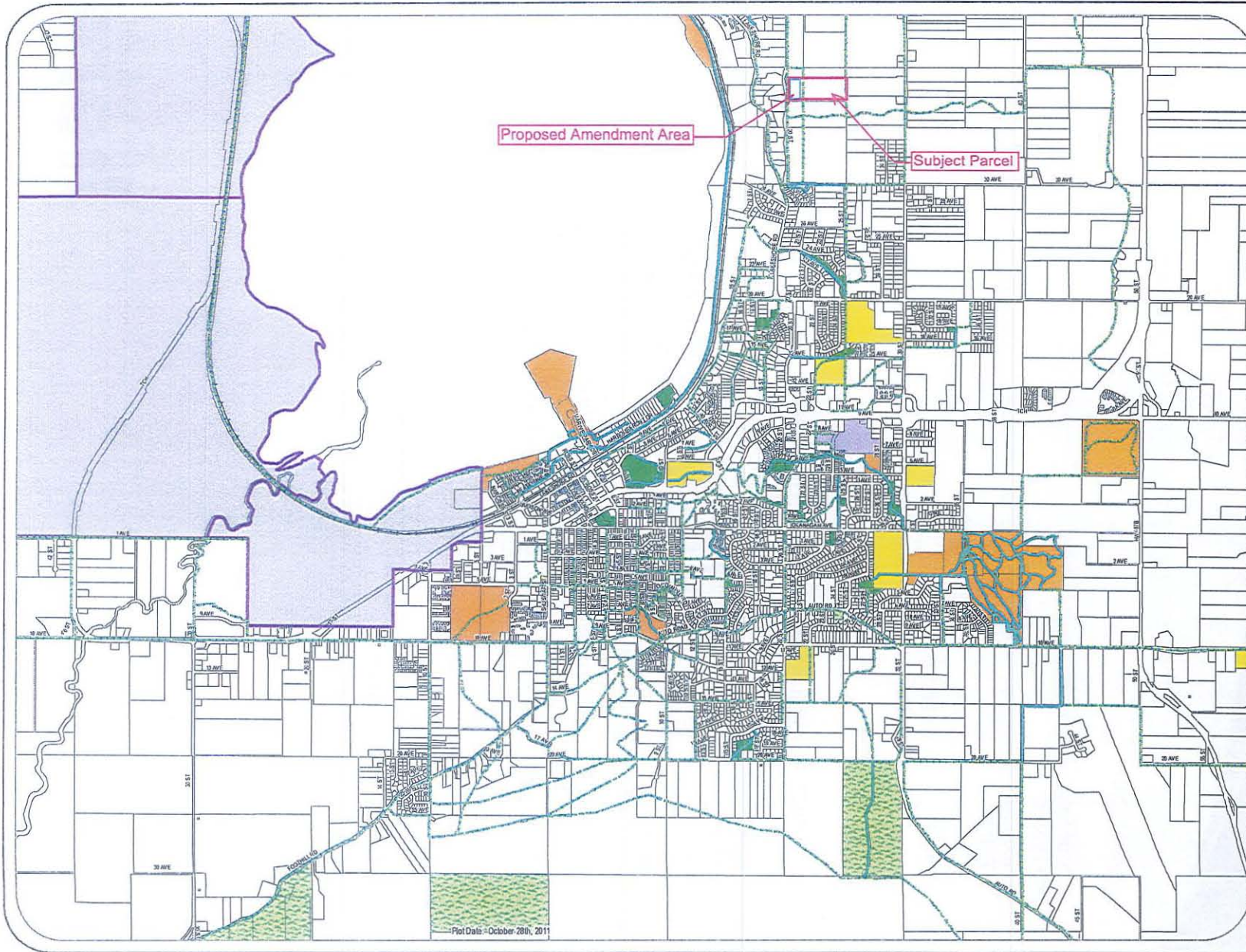
Legend

-  Existing Greenways
-  Proposed Greenways
-  Community Park
-  Neighbourhood Park
-  Open Space
-  Indoor Recreation Facilities
-  Schools
-  City Boundary
-  Indian Reserves
-  East Canoe Creek Watershed Boundary
-  Parcels

Note:

For Type and Priority of each existing and proposed greenway refer to Greenways Strategy.

Key Map



Plot Date: October 20th, 2011

April 11, 2018

City of Salmon Arm
PO Box 40
Salmon Arm BC
V1E 4N2

Attention: Kevin Pearson
Director of Development Services

Dear Sir:

Re: OCP Amendment Application No OCP4000-35

The Salmon Arm Economic Development Society (SAEDS) Board of Directors has reviewed the information for the above-noted OCP Amendment Referral to redesignate the property located at 3820 – 20 Street NE from AR- Acreage Reserve to LR – Low Density Residential, to facilitate a phased subdivision of 10 lots.

The SAEDS Board fully supports this application, with no noted concerns.

We thank you for the opportunity to comment on this OCP Amendment Referral.

Sincerely,



William Laird, Chairperson
Salmon Arm Economic Development Society



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

TO: Kevin Pearson, Director of Development Services
 DATE: 22 March 2018
 PREPARED BY: Chris Moore, Engineering Assistant
 OWNER: K. Brautigam, 3820 – 20 Street NE, Salmon Arm, BC V1E 2G9
 APPLICANT: Owner
 SUBJECT: **OFFICIAL COMMUNITY PLAN AMENDMENT APP. NO. OCP4000-35**
ZONING AMENDMENT APPLICATION FILE NO. ZON-1125
 LEGAL: Lot 2, Section 25, Township 20, Range 10, W6M, KDYD, Plan 3890
 CIVIC: 3820 – 20 Street NE

Further to your referral dated 8 March 2018, we provide the following servicing information. **The following comments and servicing requirements are not conditions for Rezoning and OCP amendment; however, these comments are provided as a courtesy in advance of any development proceeding to the next stages:**

Engineering Department does not have any concerns related to the Re-zoning and OCP Amendment and recommends that they be granted

General:

1. Full municipal services are required as noted herein. Owner / Developer to comply fully with the requirements of the Subdivision and Development Services Bylaw No 4163. 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.
6. Erosion and Sediment Control measures will be required at time of construction. ESC plans to be approved by the City of Salmon Arm.
7. Any existing services (water, sewer, hydro, telus, gas, etc) traversing the proposed lot must be protected by easement or relocated outside of the proposed building envelope. Owner/Developer will be required to prove the location of these services. Owner / Developer is responsible for all associated costs.
8. 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

OFFICIAL COMMUNITY PLAN AMENDMENT APP. NO. OCP4000-35

ZONING AMENDMENT APPLICATION FILE NO. ZON-1125

22 March 2018

Page 2

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.

9. For the off-site improvements at the time of subdivision/building permit 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. 20 Street NE, on the subject properties western boundary, is designated as a Local Road standard, requiring 20.0m road dedication (10.0m on either side of road centerline). Available records indicate that no additional road dedication is required (to be confirmed by a BCLS).
2. 20 Street NE is currently constructed to an Interim Local Road standard. Upgrading to an Urban Local Road Standard is required, in accordance with Specification Drawing No. RD-2. Upgrading may include, but is not limited to, road widening and construction, curb & gutter, sidewalk, boulevard construction, street lighting, fire hydrants, street drainage and hydro and telecommunications. An Urban / Rural Transition Section was approved by Council for similar properties to the north and south of the subject property through a Variance Permit and may be utilized on this subdivision, subject to approval of a variance application. Owner / Developer is responsible for all associated costs.
3. Owner / Developer is responsible in ensuring all boulevards and driveways are graded at 2.0% towards the existing roadway.

Water:

1. The subject property fronts a 300mm diameter Zone 2 watermain on 20 Street NE. No upgrades will be required at this time.
2. The existing lot is to be serviced by a single metered water service connection (as per Specification Drawing No. W-10), adequately sized to satisfy the proposed use. Records indicate that the existing property is serviced by a 19mm service from the 300mm diameter watermain on 20 Street NE, installed in 2011. All existing inadequate / unused services must be abandoned at the main. Owner / Developer is responsible for all associated costs.
3. The proposed lots are each to be serviced by a single metered water service connection (as per Specification Drawing No. W-10), adequately sized to satisfy the proposed use (minimum 25mm). Water meter will be supplied by the City at the time of building permit, at the Owner / Developer's cost. Owner / Developer is responsible for all associated costs.
4. The subject property is in an area with sufficient fire flows and pressures according to the 2011 Water Study (OD&K 2012).
5. Fire protection requirements to be confirmed with the Building Department and Fire Department.

6. Fire hydrant installation will be required. Owners consulting Engineer shall review the site to ensure placement of fire hydrants meets the Low Density residential spacing requirements of 150m.

Sanitary:

1. The subject property fronts a 200mm diameter sanitary sewer on 20 Street NE which was installed by Green Emerald Investments Ltd under Subdivision 15-04. No improvements are required, however a Latecomers Charge has been registered against the property and this charge must be paid in full by the Owner / Developer before connecting to this sewer or final subdivision.
2. The proposed lots are each to be serviced by a single sanitary service connection adequately sized (minimum 100mm diameter) to satisfy the servicing requirements of the development. Owner / Developer is responsible for all associated costs.
3. Records indicate that the existing property is outside of the Urban Containment Boundary and is served by a private on-site disposal system. Owner / Developer to confirm that the septic system is contained entirely within the remainder property and that it does not trespass on the new lots or the proposed trail and ALC buffer.

Drainage:

1. The subject property fronts a 450mm diameter storm sewer on 20 Street NE which was installed by Green Emerald Investments Ltd under Subdivision 15-04. No improvements are required, however a Latecomers Charge has been registered against the property and this charge must be paid in full by the Owner / Developer before connecting to this sewer or final subdivision.
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.
3. Where onsite disposal of stormwater is recommended by the ISMP, an "Alternative Stormwater System" shall be provided in accordance with Section 7.2.
4. Where discharge into the Municipal Stormwater Collection System is recommended by the ISMP, this shall be in accordance with Section 7.3. The proposed lot(s) shall be serviced (each) by a single storm service connection adequately sized (minimum 150mm) to satisfy the servicing requirements of the development. Owner / Developer's engineer may be required to prove that there is sufficient downstream capacity within the existing City Storm System to receive the proposed discharge from the development. All existing inadequate / unused services must be abandoned at the main. Owner / Developer is responsible for all associated costs.

OFFICIAL COMMUNITY PLAN AMENDMENT APP. NO. OCP4000-35

ZONING AMENDMENT APPLICATION FILE NO. ZON-1125

22 March 2018

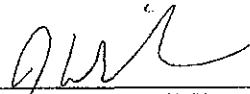
Page 4

Geotechnical:

1. A geotechnical report in accordance with the Engineering Departments Geotechnical Study Terms of Reference for: Category A (Building Foundation Design) and Category B (Pavement Structural Design) is required



Chris Moore
Engineering Assistant



Jenn Wilson P.Eng., LEED® AP
City Engineer

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 Council Chambers of the City Hall, 500 - 2 Avenue NE, Salmon Arm, BC, on **Monday, June 11, 2018 at 7:00 p.m.**

1) Proposed Amendment to Zoning Bylaw No 2303:

Proposed Rezoning of Lot 14, Block 5, Section 5, Township 21, Range 9, W6M, KDYD, Plan 1004 from R-1 (Single Family Residential Zone) to R-8 (Residential Suite Zone).

Civic Address: 7031 – 52 Street NE

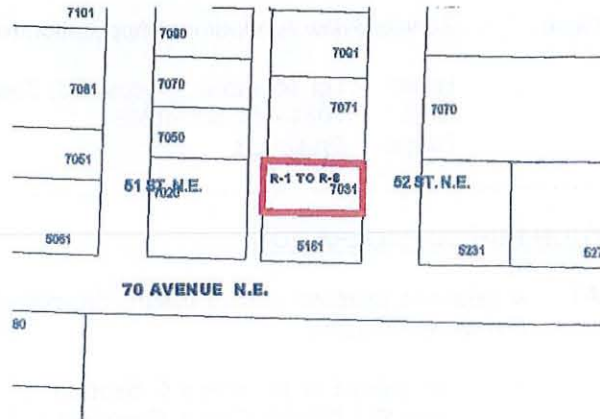
Location: Northwest of 70 Avenue NE and 52 Street NE Intersection

Present Use: Single family residential

Proposed Use: Single family dwelling with a detached suite

Owner / Applicant: B. Presch

Reference: ZON-1127/ Bylaw No. 4272



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 May 29, 2018 to June 11, 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: May 30 and June 6

22.3/23.3



City of Salmon Arm

Development Services Department Memorandum

To: Her Worship Mayor Cooper and Members of Council

Date: May 10, 2018

Subject: Zoning Bylaw Amendment Application No. 1127

Legal: Lot 14, Block 5, Section 5, Township 21, Range 9, W6M, KDYD, Plan 1004

Civic: 7031 – 52 Street NE

Owner: Presch, B.

MOTION FOR CONSIDERATION

THAT: a bylaw be prepared for Council's consideration, adoption of which would amend Zoning Bylaw No. 2303 by:

1. rezoning Lot 14, Block 5, Section 5, Township 21, Range 9, W6M, KDYD, Plan 1004 from R-1 (Single Family Residential Zone) to R-8 (Residential Suite Zone); and
2. add a provision to Section 13.8 that would read:

The total maximum parcel coverage for principal and accessory buildings shall be 45% of the parcel area, of which 10% shall be the maximum parcel coverage for all accessory buildings, which may be increased to a maximum of 15% for all accessory buildings including those containing a detached suite provided the accessory building containing the detached suite has a lesser building area than the single family dwelling.

STAFF RECOMMENDATION

THAT: The motion for consideration be adopted.

PROPOSAL

The subject parcel is located at 7031 52 Street NE (Appendix 1 and 2) and presently contains an existing single family dwelling. The proposal is to rezone the parcel from R-1 (Single Family Residential) to R-8 (Residential Suite) to permit the construction of a *detached suite*.

BACKGROUND – SECONDARY SUITES

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 & 4). The subject parcel is located in Canoe, largely comprised of R-1 zoned parcels containing single family dwellings. There are currently nine R-8 zoned parcels within the proximity of the subject parcel.

The subject parcel contains an existing single family dwelling, and meets the conditions as specified by the proposed R-8 zone. The intent of the applicant is to develop a conforming *detached suite* as shown in the site plans attached as Appendix 5. Site photos are attached as Appendix 6.

Any development of a secondary suite would require a building permit and will be subject to meeting Zoning Bylaw and BC Building Code requirements.

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. Based on parcel area, the subject property has potential to meet the conditions for the development of a *detached suite*, including sufficient space for an additional off-street parking stall.

The owner is proposing to construct a 576 square foot detached suite in the south-west corner of the double-fronting lot, adjacent to the lane. Maximum permitted height of an accessory building containing a detached suite is 7.5 metres. Applicable setbacks include 2 metres (6.5 feet) from the interior side parcel line, and 2.411 metres from the ultimate width of the lane (assuming an additional 1.211 m of future lane dedication). Proposed development (26%) would be well below the 45% maximum parcel coverage.

This application has allowed staff to consider a text amendment to address *detached suites* on smaller parcels. The applicant has proposed a modest-sized *detached suite* (576 square feet) above a reasonably-sized double garage (also 576 square feet), which slightly exceeds the *maximum parcel coverage* allotted for *accessory buildings* (10%, which would limit the building to 500 square feet), an unforeseen limitation. Staff recommend that in cases where a *detached suite* is proposed, that the allowance for parcel coverage be slightly increased to 15%, which would allow for a reasonable but still limited 750 square feet on the smallest permitted parcels (465 square meters or 5,005 square feet). Total parcel coverage would remain at 45%. By limiting this increase specifically to *accessory buildings* with *detached suites*, the intent is to avoid inadvertently permitting larger workshops, which could have potential for nuisance (industrial workshop) activity in residential areas. Potential nuisance (industrial workshop) activity could be limited by the presence of a residential suite. Additionally, by limiting the parcel coverage increase relative to the *building area* of the *single family dwelling*, the character of the parcel would not be unreasonably altered.

COMMENTS

Engineering Department

No concerns with rezoning. Building setbacks to conform to ultimate 7.3 metre setback (lane). Water meter installation will be required at time of building permit. Sufficient onsite parking to be provided. Comments attached as Appendix 7.

Building Department

BC Building Code will apply. Ultimate lane width may push the detached suite back further into the property. Amount of glazed openings permitted in the detached suite wall may be affected as the distance to the existing house is decreased.

Development Cost Charges (DCCs) are payable at the time of Building Permit for a Detached Suite in the amount of \$6,064.31 (same as the DCCs for a High Density Residential Unit).

Fire Department

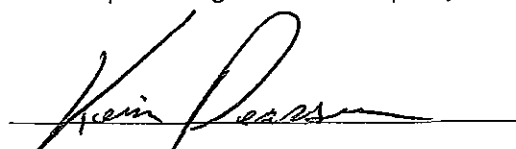
No concerns.

Planning Department

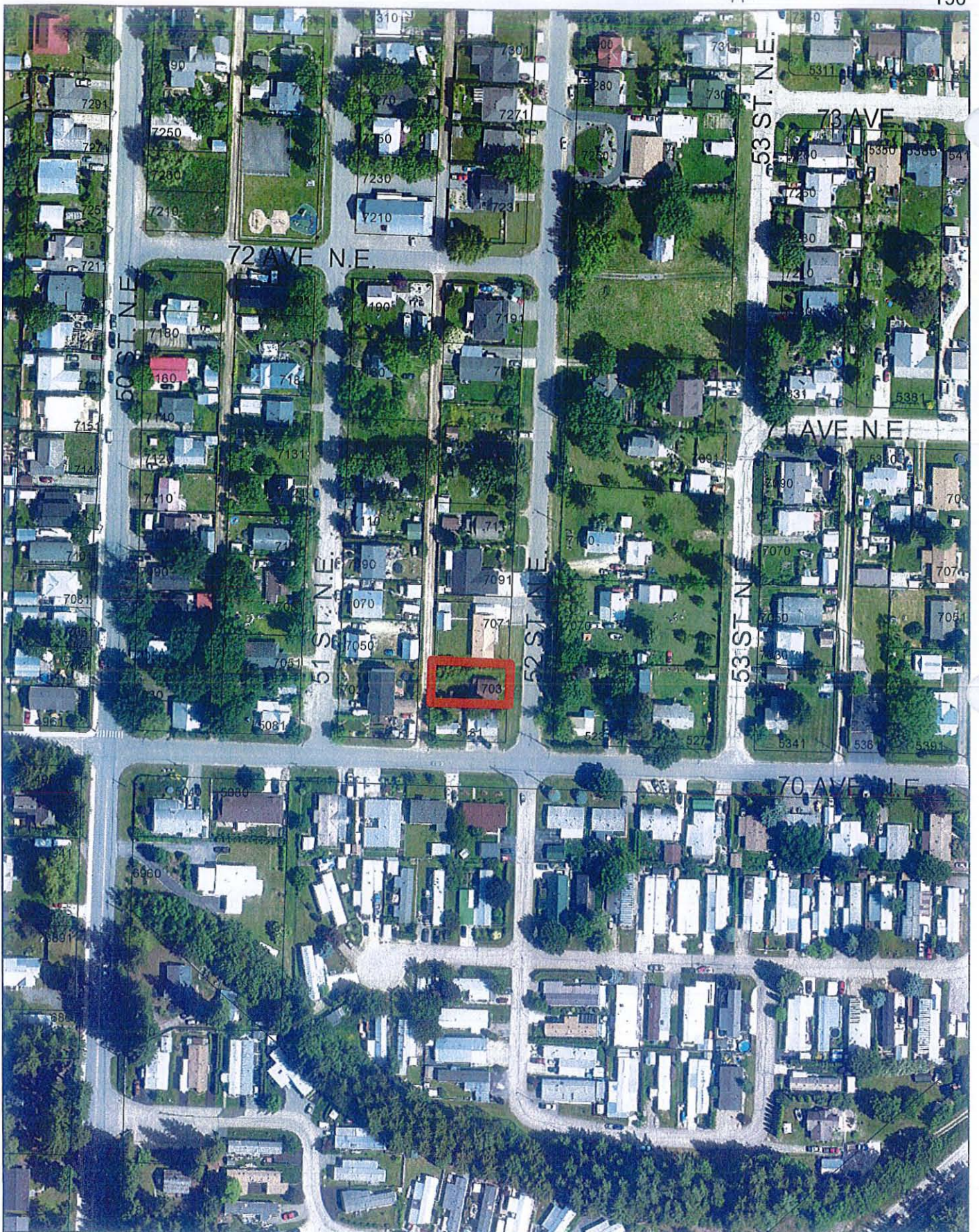
The proposed R-8 zoning of the subject parcel is consistent with the OCP and is therefore supported by staff. Any development of a detached suite would require a building permit and will be subject to applicable Development Cost Charges, as well as meeting Zoning Bylaw and BC Building Code requirements. The text amendment will reasonably support R-8 development aligned with OCP policy.



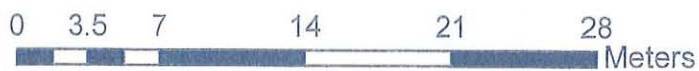
Prepared by: Chris Larson, MCP
Planning and Development Officer



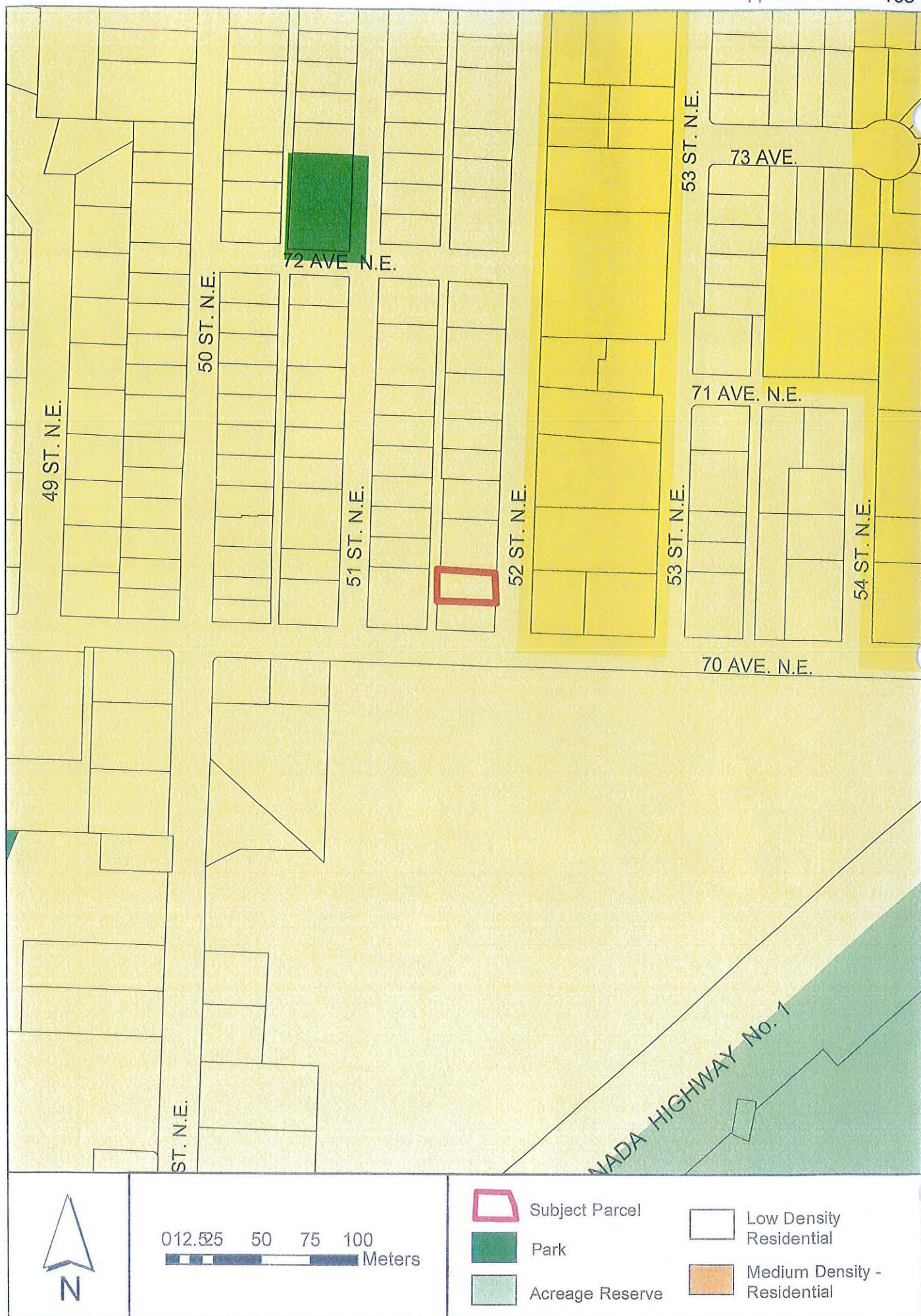
Reviewed by: Kevin Pearson, MCIP, RPP
Director of Development Services

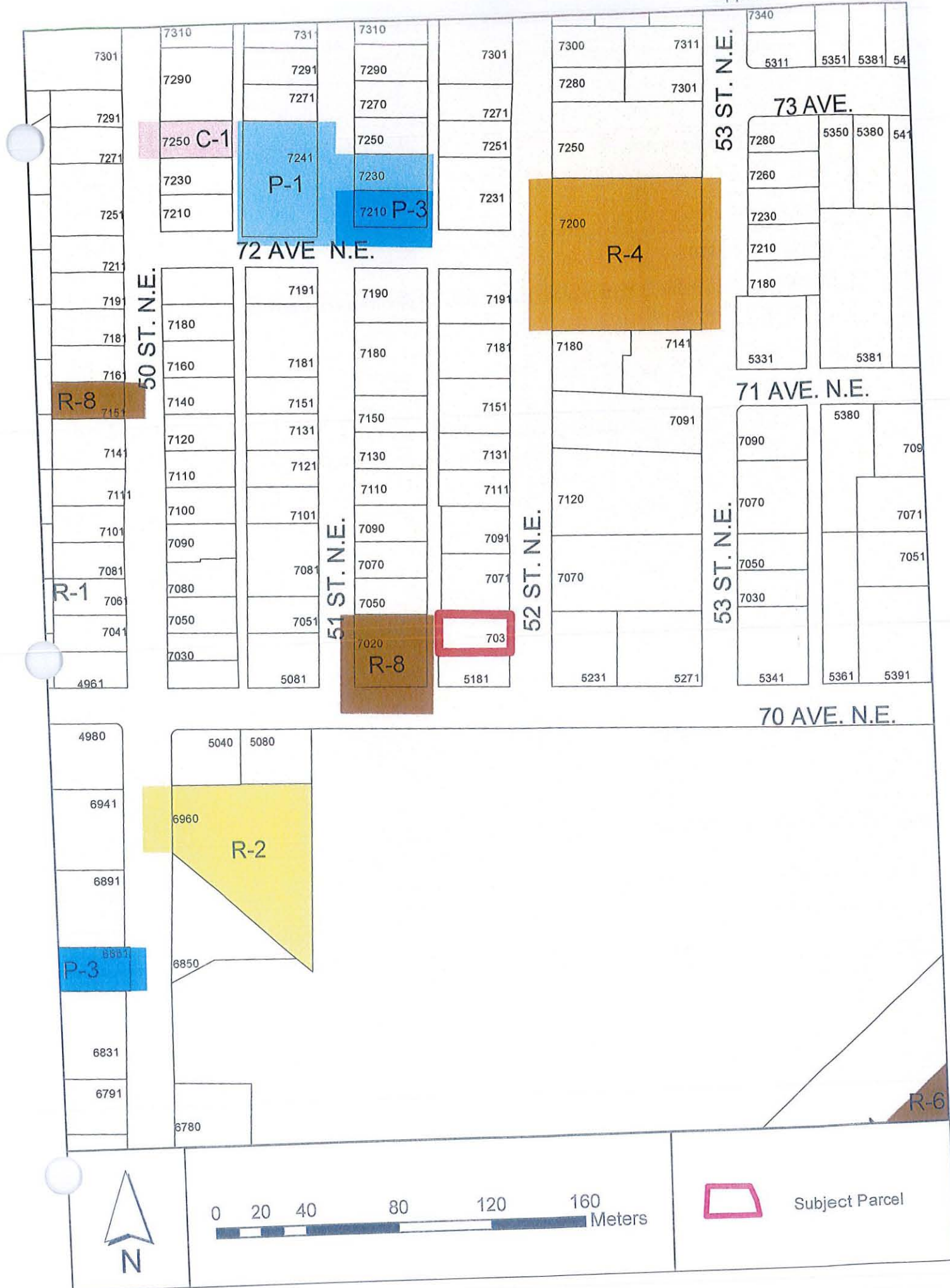


Subject Parcel



Subject Parcel





7031 52 St NE, Salmon Arm, BC

Existing use:

Age of house: 1950

Residential wood frame, 1 ½ story cedar house, updated plumbing and electrical, newer roof, hot water tank, windows.

Proposed use:

Addition of a 576 sq. ft. 2 car garage with a 1 bedroom, 1 bathroom suite above the garage. To be built in the area of the existing parking pad. Parking to accommodate at least 2 vehicles will be located on the north side of the garage. There is existing back lane access.

The existing shed will be removed.



Front (52 ST NE)



Back



Subject parcel looking south-west from 52 Street NE.



Subject parcel looking north-west from 52 Street NE.



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

To: Kevin Pearson, Director of Development Services
 Date: March 28, 2018, 2018
 Prepared by: Darin Gerow, Engineering Assistant
 Subject: Proposed Rezoning Application ZON-1127E – **AMMENDMENT 1**
 Legal: Lot 14, Block 5, Section 5, Township 21, Range 9, W6M, KDYD, Plan 1004
 Civic: 7031 – 52 Street NE
 Owner: Presch, Barbara, 4009 – 19 Street SE, Calgary, AB, T2T 4Y1
 Applicant: Owner

Further to your referral dated March 28, 2018, the Engineering Department has thoroughly reviewed the site and has no objections to the proposed rezoning, subject to the following:

- The laneway on the subject properties western property boundary requires 7.3 meters road dedication. (3.65 meters on either side of road centerline). Available records indicate that 1.211 meters of additional road dedications is required. City does not require the dedication at this time, however all building setbacks will be required to conform to the ultimate 7.3 meter cross section. To be confirmed by BCLS.
- Owner/developer to install a water meter at time of building permit (as per specification Drawing No. W-10). City will supply the meter at the owners cost. Inspection will be required to ensure the meter has been provided before the connection to the detached suite.
- Sufficient onsite parking being provided.

Darin Gerow, ASCT
Engineering Assistant

Jenn Wilson, P, Eng.
City Engineer

Item 23.1

CITY OF SALMON ARM

Date: June 11, 2018

Moved: Councillor Wallace Richmond

Seconded: Councillor Eliason

THAT: the bylaw entitled Official Community Plan Amendment Bylaw No. 4269 be read a third time.

[OCP4000-35; Brautigam, K. & M.; 3820 – 20 Street NE; AR to LR]

Vote Record

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

Opposed:

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

CITY OF SALMON ARM

BYLAW NO. 4269

A bylaw to amend "City of Salmon Arm Official Community Plan Bylaw No. 4000"

WHEREAS notice of a Public Hearing to be held by the Council of the City of Salmon Arm in Council Chambers at City Hall, 500 - 2 Avenue NE, Salmon Arm, British Columbia, on June 11, 2018, at the hour of 7:00 p.m. was published in the May 30, 2018 and June 6, 2018, issue 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. "City of Salmon Arm Official Community Plan Bylaw No. 4000" is hereby amended as follows:
 1. Re-designate the westerly 1.78 ha of Lot 2, Section 25, Township 20, Range 10, W6M, KDYD, Plan 3890 from "Acreage Reserve" to "Low Density Residential", on the Land Use Map A-1, A-1a and A-1b as shown on Schedule "A" attached hereto and forming part of this bylaw; and
 2. Amend Map 4.1 (Urban Containment Boundary) include the westerly 1.78 ha of Lot 2, Section 25, Township 20, Range 10, W6M, KDYD, Plan 3890 within the Urban Containment Area.

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 Official Community Plan Amendment Bylaw No. 4269"**.

READ A FIRST TIME THIS 14th DAY OF May 2018

READ A SECOND TIME THIS 28th DAY OF May 2018

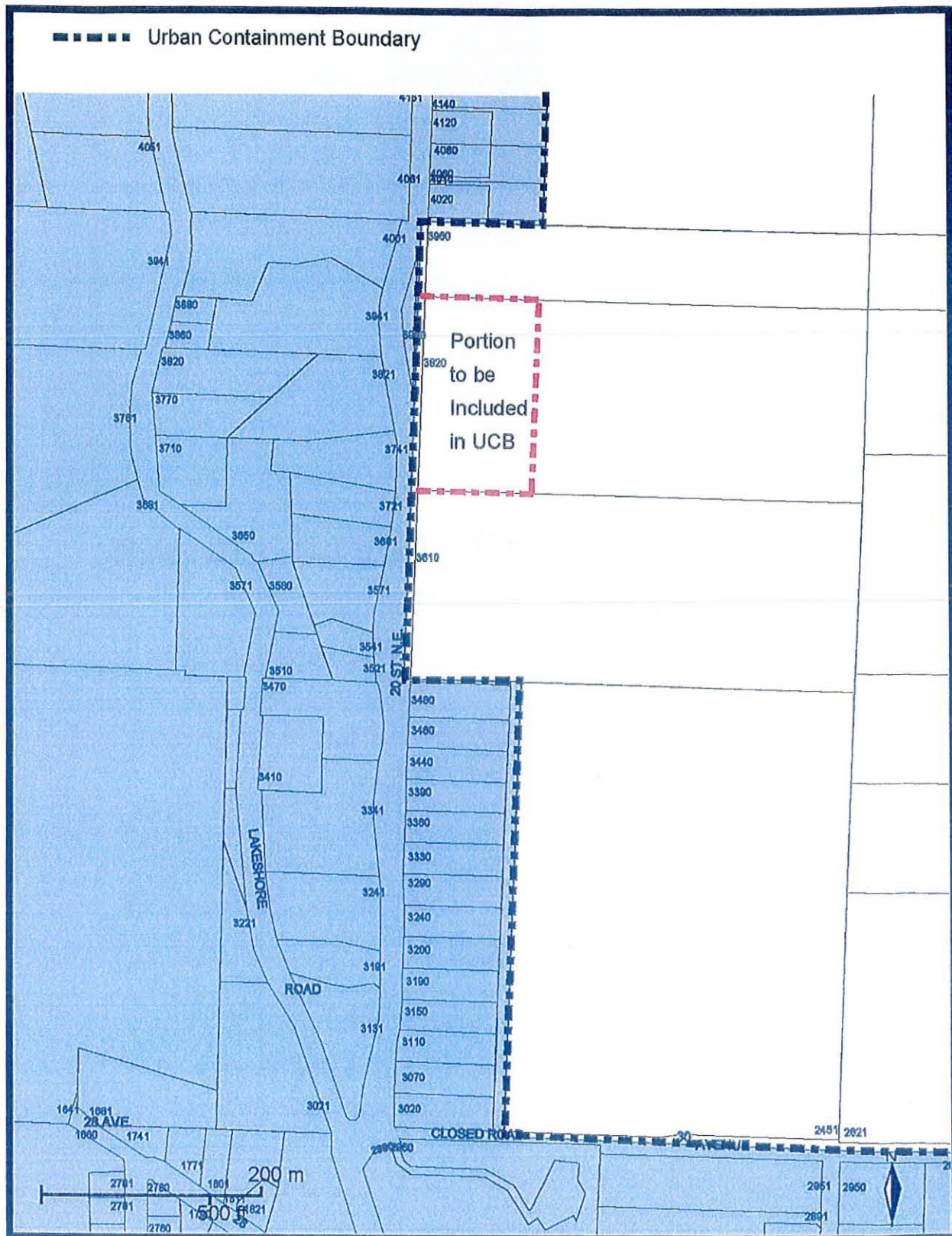
READ A THIRD TIME THIS DAY OF 2018

ADOPTED BY COUNCIL THIS DAY OF 2018

MAYOR

CORPORATE OFFICER





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Item 23.2

CITY OF SALMON ARM

Date: June 11, 2018

Moved: Councillor Jamieson

Seconded: Councillor Lavery

THAT: the bylaw entitled Zoning Amendment Bylaw No. 4270 be read a third time.

[ZON-1125; Brautigam, K. & M.; 3820 – 20 Street NE; A-2 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. 4270

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 in Council Chambers at City Hall, 500 - 2 Avenue NE, Salmon Arm, British Columbia, on June 11, 2018 at the hour of 7:00 p.m. was published in the May 30, 2018 and June 6, 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 the westerly 1.78 ha of Lot 2, Section 25, Township 20, Range 10, W6M, KDYD, Plan 3890 from A-2 Rural Holding 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. 4270**"

READ A FIRST TIME THIS 14th DAY OF May 2018

READ A SECOND TIME THIS 28th DAY OF May 2018

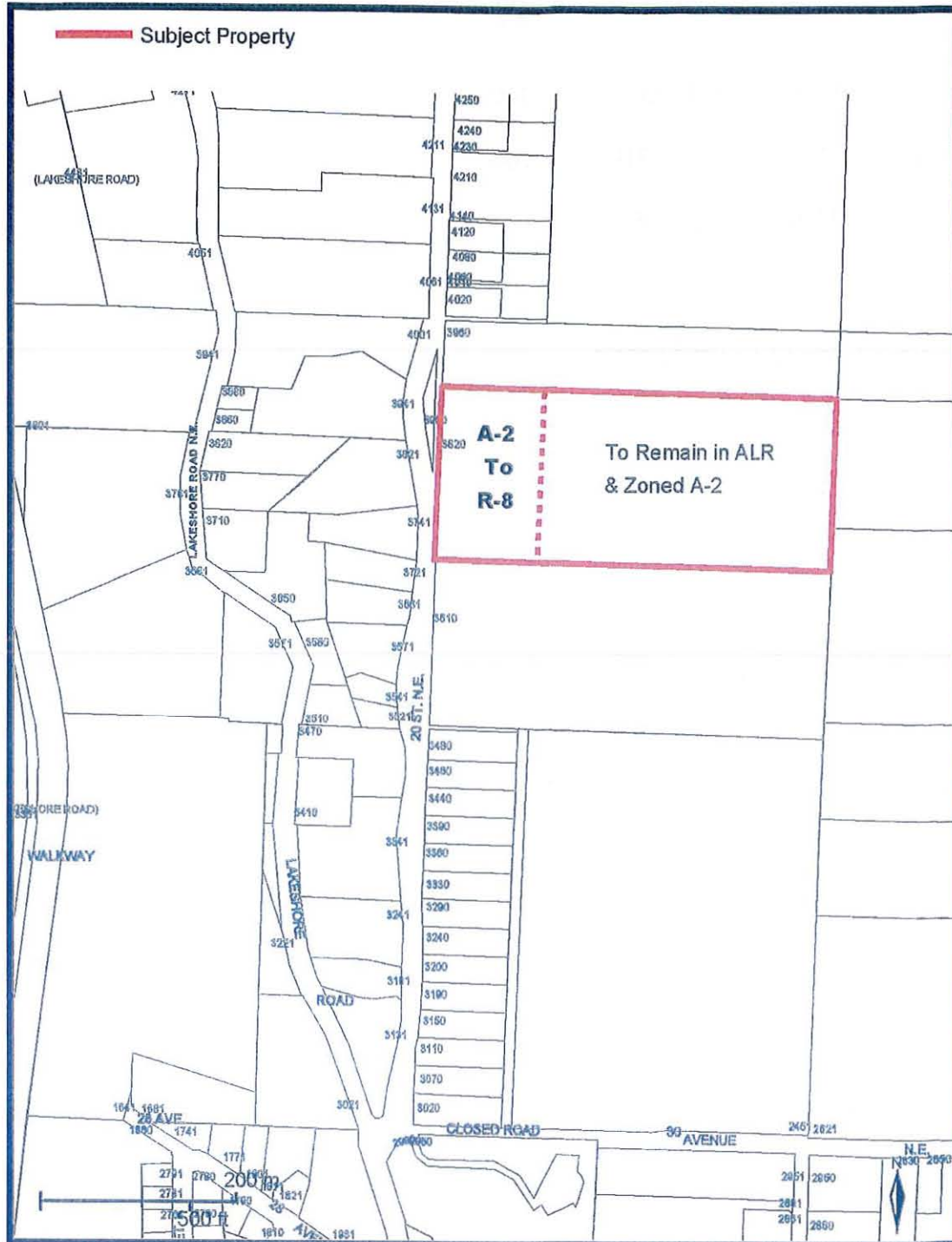
READ A THIRD TIME THIS DAY OF 2018

ADOPTED BY COUNCIL THIS DAY OF 2018

MAYOR

CORPORATE OFFICER

SCHEDULE "A"



Item 23.3

CITY OF SALMON ARM

Date: June 11, 2018

Moved: Councillor Jamieson

Seconded: Councillor Flynn

THAT: the bylaw entitled Zoning Amendment Bylaw No. 4272 be read a third and final time.

[ZON-1127; Presch, B.; 7031 – 52 Street 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

BYLAW NO. 4272

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 in the Council Chambers at City Hall, 500 - 2 Avenue NE, Salmon Arm, British Columbia, on June 11, 2018 at the hour of 7:00 p.m. was published in the May 30, 2018 and June 6, 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:

- 1) Add the following:

Rezone Lot 14, Block 5, Section 5, Township 21, Range 9, W6M, KDYD, Plan 1004 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; and

- 2) add a provision to Section 13.8:

The total maximum parcel coverage for principal and accessory buildings shall be 45% of the parcel area, of which 10% shall be the maximum parcel coverage for all accessory buildings, which may be increased to a maximum of 15% for all accessory buildings including those containing a detached suite provided the accessory building containing the detached suite has a lesser building area than the single family dwelling.

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. 4272"**

READ A FIRST TIME THIS 28th DAY OF May 2018

READ A SECOND TIME THIS 28th DAY OF May 2018

READ A THIRD TIME THIS DAY OF 2018

ADOPTED BY COUNCIL THIS DAY OF 2018

MAYOR

CORPORATE OFFICER

SCHEDULE "A"



Item 26.

CITY OF SALMON ARM

Date: June 11, 2018

Moved: Councillor Flynn

Seconded: Councillor Wallace Richmond

THAT: the Regular Council Meeting of June 11, 2018, be adjourned.

Vote Record

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

Opposed:

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

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