



## **DEVELOPMENT and PLANNING SERVICES COMMITTEE**

**July 04, 2017**

City of Salmon Arm

**Council Chamber**

City Hall, 500 - 2 Avenue NE

**8:00 a.m.**

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Page #	Section	Item#
	<b>1.</b>	<b><u>CALL TO ORDER</u></b>
	<b>2.</b>	<b><u>REVIEW OF THE AGENDA</u></b>
	<b>3.</b>	<b><u>DECLARATION OF INTEREST</u></b>
	<b>4.</b>	<b><u>PRESENTATION</u></b> n/a
	<b>5.</b>	<b><u>REPORTS</u></b>
1 – 20	5.1	ZON-1097, Blackburn, L. & Gavin, B. / Browne Johnson Land Surveyors, 2590 – 10 Avenue (TCH) SW – A-1 to C-3
21 - 34	5.2	ZON-1098, Salmon Arm Developments Ltd. / Craven, Huston, Powers Architects, 591 & 621 – 2 Street SE – R-1 to P-3
35 - 44	5.3	VP-461, Johnson, T. & T., 1890 Okanagan Avenue SE – Servicing Variance
45 - 52	5.4	CU-53, Morris, N., 190 Highway 97B SE, Special Needs Housing
	<b>6.</b>	<b><u>FOR INFORMATION</u></b> n/a
	<b>7.</b>	<b><u>IN CAMERA</u></b> n/a
	<b>8.</b>	<b><u>LATE ITEM</u></b> n/a
	<b>9.</b>	<b><u>ADJOURNMENT</u></b>

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<http://www.salmonarm.ca/agendacenter>

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TO: Her Worship Mayor Cooper and Members of Council

DATE: June 23, 2017

SUBJECT: Zoning Amendment Application No. 1097  
Legal: Lot 15, Section 10, Township 20, Range 10, W6M, KDYD, Plan 481, Except Plans 15049, H401 & EPP13256  
Civic: 2590 – 10<sup>th</sup> Avenue (TCH) SW  
Owner / Applicant: Blackburn, L. & Gavin, B. / Browne Johnson Land Surveyors

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**MOTION FOR CONSIDERATION**

**THAT:** A bylaw be prepared for Council's consideration, adoption of which would amend Zoning Bylaw No. 2303 by rezoning a portion of Lot 15, Section 10, Township 20, Range 10, W6M, KDYD, Plan 481, Except Plans 15049, H401 & EPP13256 from A-1 (Agricultural Zone) to C-3 (Service Commercial Zone), as shown in Schedule A;

**AND THAT:** Final reading of the bylaw to rezone be withheld subject to the following:

- 1) Consolidation of the portion of Lot 15, Section 10, Township 20, Range 10, W6M, KDYD, Plan 481, Except Plans 15049, H401 & EPP13256 (2590 – 10<sup>th</sup> Avenue - TCH - SW) and the adjoining parcel Lot 2, Section 10, Township 20, Range 10, W6M, KDYD, Plan 4550, Except Plan H401 & KAP69877 (2670 – 10 Avenue – TCH SW);
- 2) Receipt of a Demolition Permit application to remove the existing single-family dwelling from Lot 15, Section 10, Township 20, Range 10, W6M, KDYD, Plan 481, Except Plans 15049, H401 & EPP13256 (2590 – 10<sup>th</sup> Avenue – TCH SW);
- 3) Registration of Section 219 Land Title Act covenant(s) registered on title acknowledging the hazard associated with the 1:200 year floodplain, and saving the city harmless from any liability or damages that may arise in the future; and
- 4) Approval of the Bylaw by the Ministry of Transportation and Infrastructure.

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**STAFF RECOMMENDATION**

It is recommended that the motion for consideration be adopted.

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**PROPOSAL**

The 3.5 hectare subject property fronts the Trans Canada Highway (TCH) just east of its 30 Street SW intersection (see Appendix 1 and 2). The purpose of this application is to rezone the northern 0.788 hectare portion of the parcel from A-1 (Agriculture Zone) to C-3 (Service Commercial Zone) along the Agricultural Land Reserve boundary to allow for a boundary adjustment as shown in Schedule A

business currently in operation on the adjacent parcel directly to the west. In particular, boat storage is the intended use, which will aid in facilitating the relocation of inventory currently stored in the future frontage road. The C-3 zone regulations are attached as Appendix 4 for reference.

As discussed further, the proposed rezoning is supported by the subject property's current Official Community Plan (OCP) land use designation of "Highway Service/Tourist Commercial (HC)" - see Appendix 5. A zoning map of the immediate area is attached as Appendix 6.

### BACKGROUND

The subject property is located along the TCH / 30<sup>th</sup> Street SW / 10 Ave SW commercial corridor of the City. This area is characterized by large format commercial use along the TCH, with agricultural use to the south and west along the Salmon River.

Adjacent zoning and land uses include the following:

North:	TCH	highway with commercial beyond
East:	C-3 (service commercial) zone	auto repair / service
South:	A-1 (agriculture) zone	agriculture
West:	C-3 (service commercial) zone	commercial (boat sales)

The subject property is currently occupied by an older single family dwelling (to be demolished) and used for agricultural purposes. Site photos are attached as Appendix 7.

### COMMENTS

#### Ministry of Transportation and Infrastructure

Pursuant to the Transportation Act, approval of the zoning amendment bylaw by the Ministry is required, as the parcel is within 800 m to an intersection of a Controlled Access Highway (Trans Canada Highway). The Ministry has granted Preliminary Approval for this rezoning. See the Trans Canada Highway section below for further comments.

#### Engineering Department

Engineering comments attached (Appendix 8).

#### Fire Department

No Fire Department concerns.

#### Building Department

No concerns with rezoning.

#### Agricultural Advisory Committee

Typically, such a proposal would be reviewed by Council's Agricultural Advisory Committee (AAC). However, at time of writing this report, an AAC is not presently in place. Staff note that some level of buffering to protect agricultural operation has been consistently suggested in previous AAC recommendations for similar parcels along 10 Street SW and 10 Avenue SW.

#### Planning Department

#### **Official Community Plan**

The subject property is subject to both commercial and agricultural policies of the OCP. The lands along the TCH corridor from the western edge of the City Centre to the 30<sup>th</sup> Street SW node are mostly

designated "Highway Service/Tourist Commercial" (HC) in the OCP, while beyond the site to south and west are lands designated for "Salmon Valley Agriculture" land use.

In terms of the OCP policy most relevant to the subject property and commercial lands in the vicinity, Policy 9.3.18.a (Urban Commercial) states:

- a. **Commercial Corridor West of City Centre to 30 Street SW** – The HC area on the west side of the City Centre is oriented toward vehicle service and retail warehousing uses. Activities have relatively low site coverage (e.g. automotive and recreation vehicle sales, large buildings and associated parking lots). This area serves the needs of the community and region. Limited expansion of this area may be considered.

The proposed C-3 zone is consistent with OCP Policy 9.3.18.a and the larger format commercial development on the west side of the City.

With respect to the agricultural lands to the south and in regards to the Agricultural Policies of the OCP, the most relevant policy to this proposal is Policy 7.3.14 which addresses developments next to agricultural land as follows:

Work to minimize conflicts between agriculture and other land uses (residential/recreational/industrial) through:

- a. access restrictions;
- b. buffer and fencing requirements for developments adjoining agricultural areas, including consideration of the Agricultural Land Commission's "Landscape Buffer Specifications"; and
- c. discouraging further residential development in rural areas.

Staff note that by eliminating the connection to the highway corridor, the agricultural portion of the property (accessed from 13 Ave SW) may be ultimately enhanced by being effectively separated from the TCH (no direct access), and buffered from highway related activity.

In consideration of the OCP's agricultural policies and the Ministry of Agriculture's 'Guide to Edge Planning' document, some form of buffer will be a required along the ALR boundary aligned with the ALC specifications (Appendix 9). Staff suggest this be detailed in the forthcoming Development Permit application as described below.

#### **OCP - Potential Hazardous Areas**

OCP Map 6.1 indicates that the subject parcel is within the 1:200 year floodplain. The covenant included in the motion for consideration is recommended in order to satisfy the Flood Hazard Development Permit Area requirements, while the underside of any floor system (or top of any pad) shall not be lower than 351 m GSC as per the floodplain provisions of the zoning bylaw. Such a covenant typically has a standard clause that saves the City harmless from liability resulting from any flood damage.

#### **Development Permit**

Should the subject parcel be rezoned to C-3 as proposed, future development would then be subject to the "Highway Service/Tourist Commercial Development Permit Area". This Development Permit Area as described within the OCP provides form and character guidelines for development. Any significant redevelopment or future development resulting from this proposed zoning amendment would require submission of a Development Permit Application to ensure these guidelines are met. This would include a detailed review of landscaping, including the ALR buffer mentioned above.

The applicant is only seeking rezoning approval at this time, but has indicated a forthcoming application for a development permit.



**Trans Canada Highway**

Ministry staff at various levels have provided City staff some level of assurance that the new frontage road will be constructed by the province in the near future (a letter has been provided to the applicant, attached as Appendix 10). However, no set dates or guarantees have been provided in writing. A conceptual image illustrating the proposed frontage road provided by the Ministry is attached (Appendix 11).

Technically speaking, if the new frontage road has not been constructed by the development / building permit stage, the owner/applicant will be responsible for upgrading the frontage road, pursuant to the City's Subdivision and Development Servicing Bylaw. With this being the likely scenario, staff anticipates the owner/applicant will request a variance to forego frontage road improvements at the Development Permit application stage.

**CONCLUSION**

The proposed C-3 zoning of the subject property is consistent with the OCP and is therefore supported by staff. This proposal will further enable commercial uses in an area of the City primarily characterized by the Trans Canada Highway corridor.



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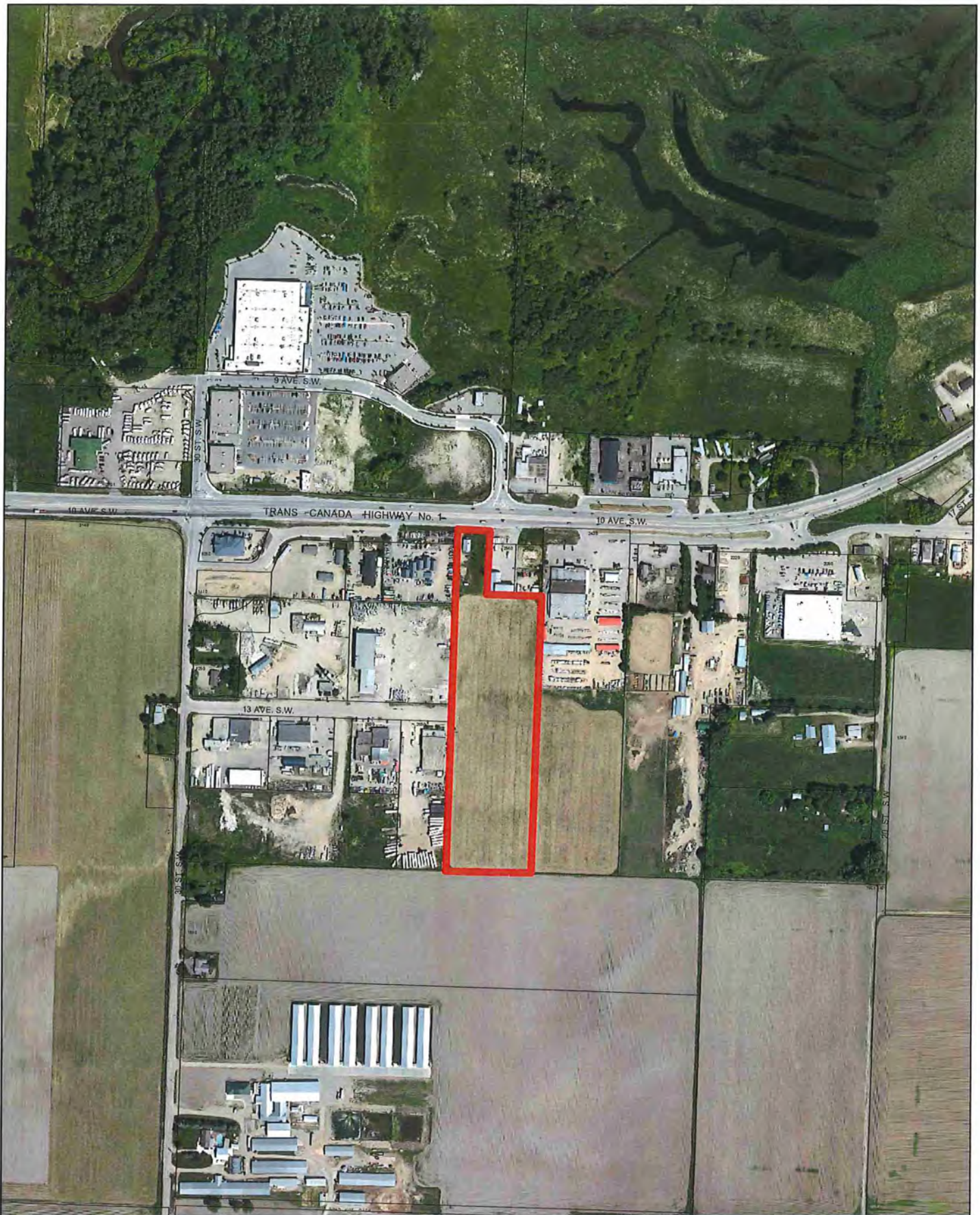
Chris Larson, MCP  
Planning and Development Officer



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Kevin Pearson, MCIP, RPP  
Director of Development Services





0 55 110 220 330 440 Meters



Subject Parcel



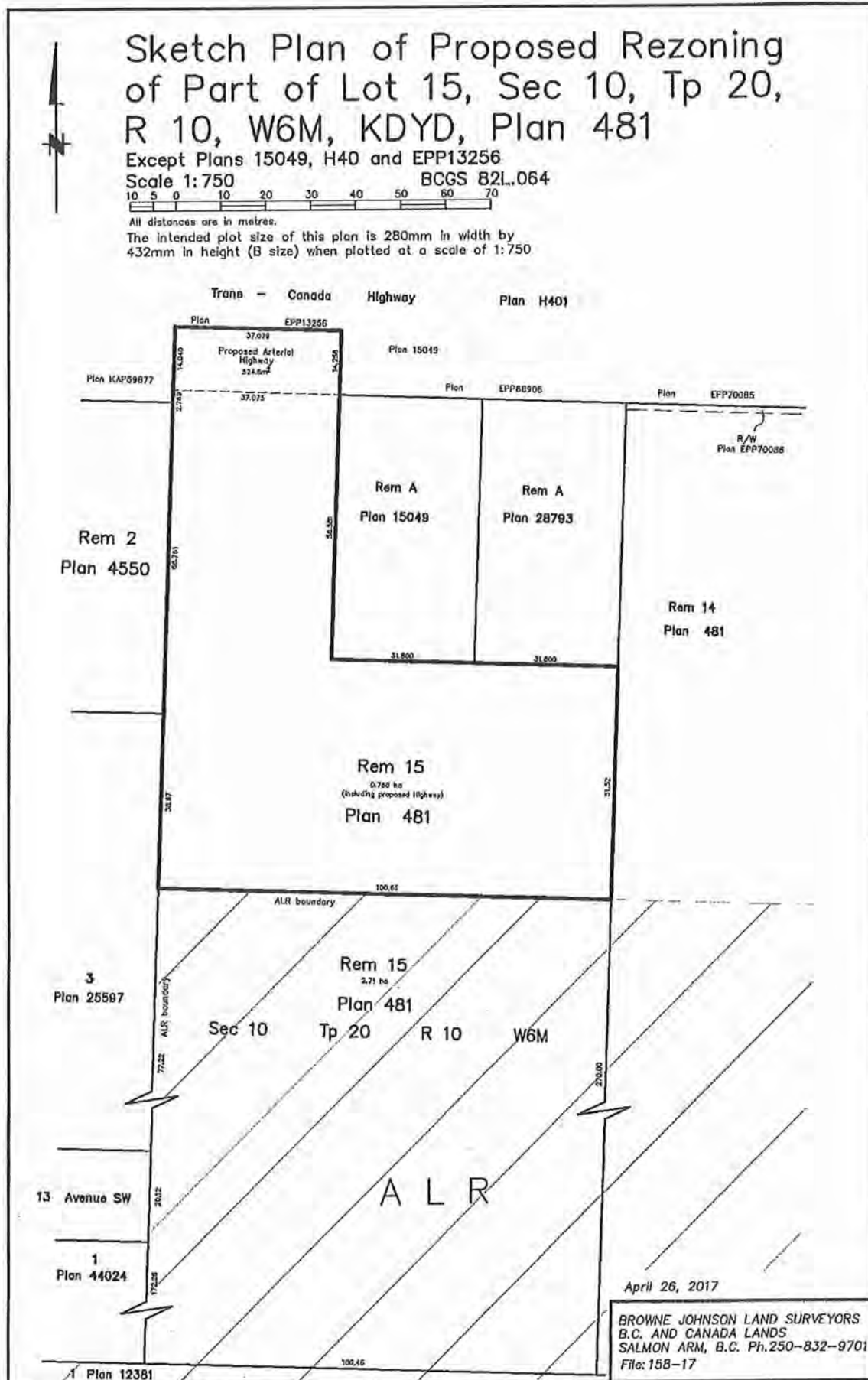


0 20 40 80 120 160 Meters



Subject Parcel





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## SECTION 17 - C-3 - SERVICE COMMERCIAL ZONE

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### Purpose

- 17.1 The C-3 Zone is intended to accommodate commercial uses which are oriented towards vehicular traffic and require large areas of land for storage and/or display purposes and/or to accommodate large *buildings*. New *developments* zoned C-3 may be required to obtain a *Development Permit* as per the requirements of the *Official Community Plan*.

### Regulations

- 17.2 On a *parcel* zoned C-3, no *building* or *structure* shall be constructed, located or altered and no plan of subdivision approved which contravenes the regulations set out in the C-3 Zone or those regulations contained elsewhere in this Bylaw.

### Permitted Uses

- 17.3 The following uses and no others are permitted in the C-3 Zone:

- .1 auto parts and accessories (new) sales;
- .2 automotive repair shop, excluding *fuel service stations*;
- .3 automotive sales and rental lots and showroom (new and used);
- .4 boat and trailer sales and rental showrooms, including minor repairs;
- .5 *building* supply establishment;
- .6 *café*;
- .7 car wash;
- .8 *commercial daycare facility*;
- .9 electrical appliance repair shop;
- .10 farm equipment sales and rental;
- .11 frozen food lockers, including retail sales;
- .12 funeral home including accessory crematorium;
- .13 greenhouses and nurseries, including retail sales;
- .14 *home occupation*;
- .15 laboratory, scientific and research;
- .16 laundromat;
- .17 locksmith shop;
- .18 *licensee retail store*;
- .19 *mini warehousing*;
- .20 *mobile home* sales;
- .21 moving and storage establishment;
- .22 *neighbourhood pub*;
- .23 *offices*;
- .24 *outside vending*;
- .25 *personal service establishment*;



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**SECTION 17 - C-3 - SERVICE COMMERCIAL ZONE - CONTINUED**


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- #2596 .26 print shop;  
 .27 *public use*;  
 .28 *public utility*;  
 .29 radiator repair shop;  
 .30 *recreation facility-indoor*;  
 #2736 .31 recreation vehicle sales, repair, rental and assembly on parcels greater than 1.0  
 hectare with maximum 25% of gross floor area to be used for *parts assembly*.  
 #4049 .32 rental and repair of tools, small equipment;  
 .33 *restaurant*;  
 .34 *retail store*;  
 .35 tire sales and repair establishment;  
 .36 *transportation use*;  
 .37 truck sales and rental lots and showroom;  
 .38 upholstery shop;  
 .39 *upper floor dwelling units*;  
 .40 veterinary hospital;  
 .41 *accessory use*;

**Maximum Height of Principal Buildings**

- 17.4 The maximum *height* of the *principal buildings* shall be 10.0 metres (32.8 feet).

**Maximum Height of Accessory Buildings**

- 17.5 The maximum *height* of *accessory buildings* shall be 6.0 metres (19.68 feet).

**Minimum Parcel Size or Site Area**

- 17.6 The minimum *parcel* size or *site* area shall be 465.0 square meters (5,005.4 square feet).

**Minimum Parcel or Site Width**

- 17.7 The minimum *parcel* or *site* width shall be 15.0 metres (49.2 feet).

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## SECTION 17 - C-3 - SERVICE COMMERCIAL ZONE - CONTINUED

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### Minimum Setback of Principal Buildings

- 17.8 The minimum *setback* of the *principal buildings* from the:
- |    |   |                        |
|----|---|------------------------|
| .1 | <i>Front parcel line</i> shall be         | 6.0 metres (19.7 feet) |
| .2 | <i>Rear parcel line</i>                   |                        |
|    | - adjacent to a residential               |                        |
|    | <i>zone</i> shall be                      | 3.0 metres (9.8 feet)  |
|    | - all other cases shall be                | 1.0 metre (3.3 feet)   |
| .3 | <i>Interior side parcel line</i>          |                        |
|    | - adjacent to a residential               |                        |
|    | <i>zone</i> shall be                      | 3.0 metres (9.8 feet)  |
|    | - all other cases shall be                | 1.0 metre (3.3 feet)   |
| .4 | <i>Exterior side parcel line</i> shall be | 6.0 metres (19.7 feet) |

### Minimum Setback of Accessory Buildings

- 17.9 The minimum *setback* of accessory *buildings* from the:
- |    |   |                        |
|----|---|------------------------|
| .1 | <i>Front parcel line</i> shall be         | 6.0 metres (19.7 feet) |
| .2 | <i>Rear parcel line</i> shall be          | 1.0 metre (3.3 feet)   |
| .3 | <i>Interior side parcel line</i> shall be | 1.0 metre (3.3 feet)   |
| .4 | <i>Exterior side parcel line</i> shall be | 6.0 metres (19.7 feet) |

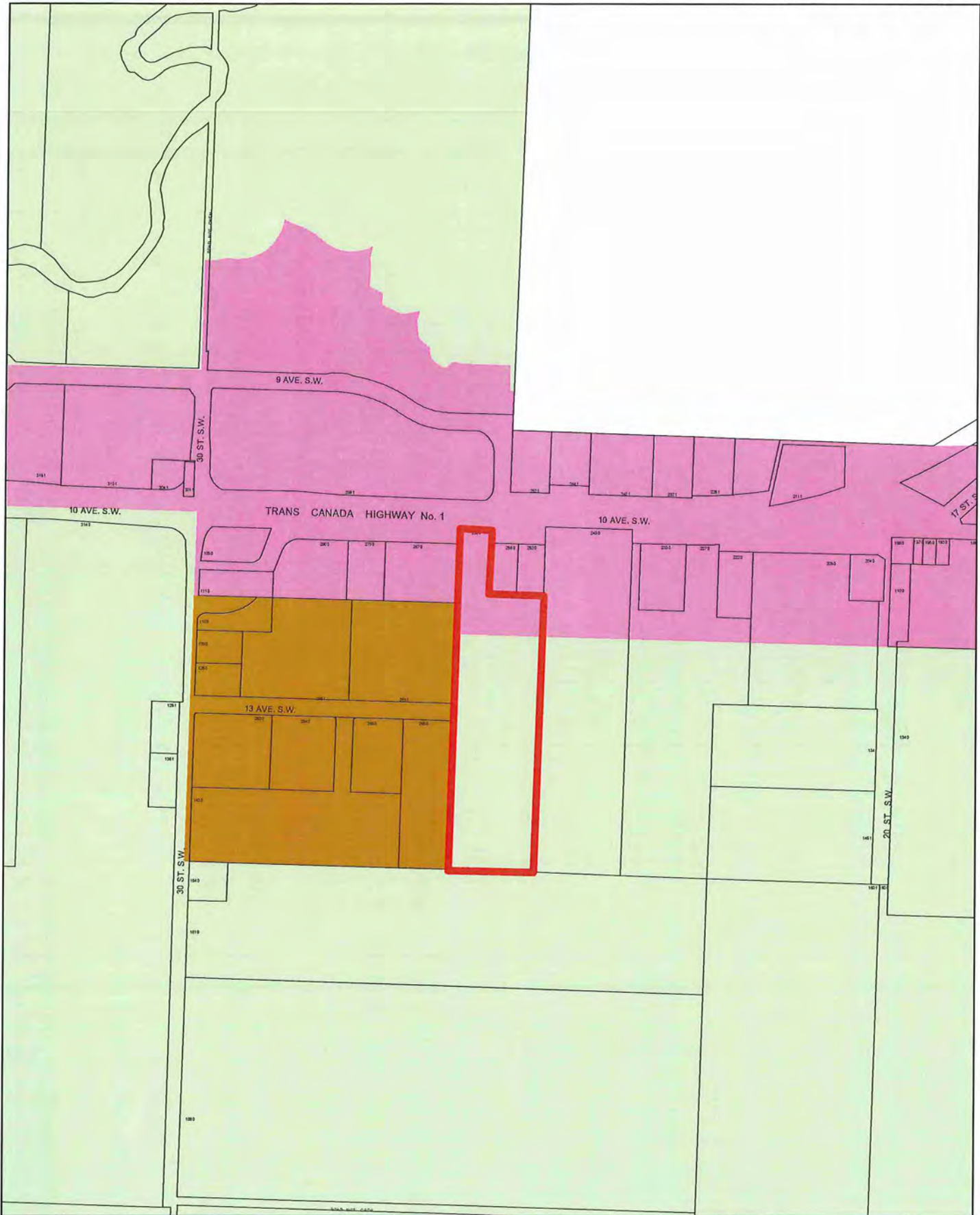
### Outside Storage

- 7.10 Outside storage shall be screened as per Appendix III.

### Parking and Loading

- 17.11 Parking and loading shall be required as per Appendix I.





02040 80 120 160  
Meters



Subject Parcel



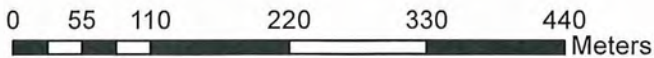
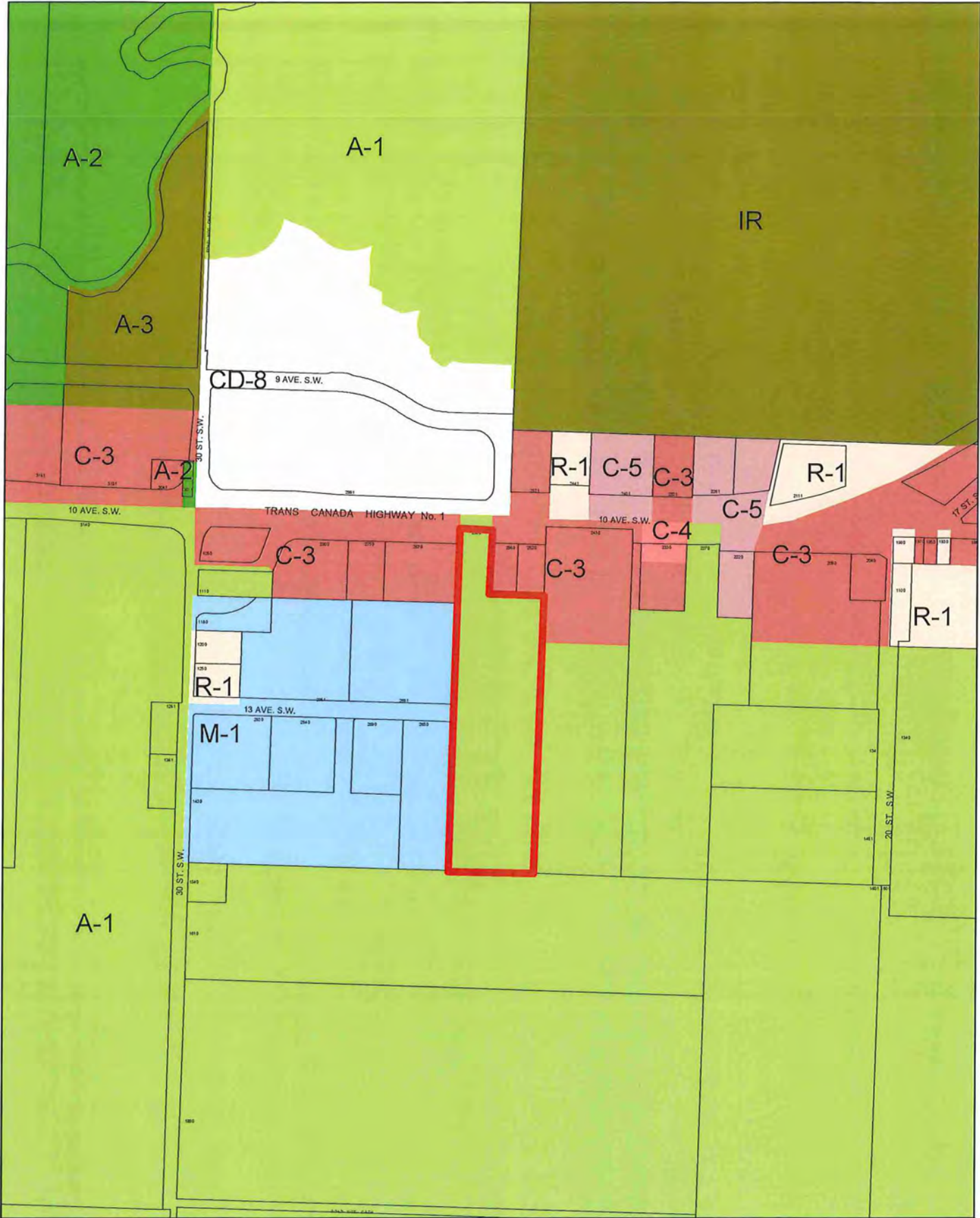
Salmon Valley  
Agriculture



Industrial - General



Commercial - Highway



Subject Parcel



## Appendix 7: Site Photos



View west of subject parcel from TCH.



View east of subject parcel from TCH.



View south of subject parcel from TCH.



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

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TO: Kevin Pearson, Director of Development Services  
 DATE: May 31, 2017  
 PREPARED BY: Chris Moore, Engineering Assistant  
 OWNER: **Blackburn, L. & Gavin, B.**, Box 311, Salmon Arm, BC V1E 4N5  
 APPLICANT: Browne Johnson Land Surveyors, Box 362, Salmon Arm, BC V1E 4N5  
 SUBJECT: **ZONING AMENDMENT APPLICATION FILE NO. ZON-1097**  
 LEGAL: Lot 15, Section 10, Township 20, Range 10, W6M, KDYD, Plan 481, Except Plans 15049, H401 & EPP13256  
 CIVIC: **2590 – 10 Avenue (TCH) SW**

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Further to your referral dated May 8, 2017, we provide the following servicing information.

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

**General:**

1. Full municipal services are required as noted herein. Notwithstanding the comments contained in this referral, it is the applicant's responsibility to ensure these standards are met.
2. Comments provided below reflect the best available information. Detailed engineering data, or other information not available at this time, may change the contents of these comments.
3. Development property must be serviced completely by underground electrical and telecommunications wiring.
4. Property 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. 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,



## ZONING AMENDMENT APPLICATION FILE NO. ZON-1097

May 31, 2017

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catchbasin(s), control/containment of surface water, contours (as required), lot/corner elevations, impact on adjacent properties, etc.

8. For the off-site improvements 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. 10 Avenue (TCH) SW on the subject property's north property line is designated as Provincial Highway including frontage road. Additional dedication or improvements and access requirements will be determined by Ministry of Transportation and Infrastructure (MoTI). A future frontage road is designate across the subject frontage; since the works are part of an approved MoTI project, the City will not require any road improvements should further development progress on the subject parcel. However, should MOTI choose not proceed with this project, the City will require upgrading, including, but is not limited to, road construction, curb & gutter, sidewalk, boulevard construction, street lighting, fire hydrants, street drainage, and underground hydro and telecommunications. Owner/developer is responsible for all associated costs.

**Water:**

1. The subject property fronts a 200mm diameter Zone 1 watermain on 10 Avenue (TCH) SW. No upgrades are anticipated.
2. The available fire flows are satisfactory according to the 2011 Water Study (Opus Dayton Knight 2012).
3. Fire protection requirements to be confirmed with the Building Department and Fire Department.
4. The subject property is to be serviced by single metered water service connection (as per Specification Drawing No. W-11) adequately sized to satisfy the proposed use (minimum 25mm). Water meter(s) will be required at time of building permit (meter provided by the City of Salmon Arm at the developers cost). Existing records indicate that the subject property is currently serviced with a 12.7mm service. All existing inadequate/unused services must be abandoned at the main. Applicant is responsible for all associated costs.

**Sanitary Sewer:**

1. The subject property currently fronts a 300mm diameter sanitary sewer main on 10 Avenue (TCH) SW. No additional upgrading will be required.



## ZONING AMENDMENT APPLICATION FILE NO. ZON-1097

May 31, 2017

Page 3

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2. Subject property is to be serviced by a single sanitary service connection adequately sized (minimum 100 mm diameter) to satisfy the servicing requirements of the development. Existing records indicate that the existing lot currently has a service of unknown size. All existing inadequate/unused services must be abandoned at the main. Applicant is responsible for all associated costs

**Drainage:**

1. The subject fronts on a 250 mm diameter storm main on 10 Avenue (TCH) SW. No upgrades are anticipated.
2. An Integrated Stormwater Management Plan (ISMP) conforming to the requirements of the Subdivision and Development Servicing Bylaw No. 4163, Schedule B, Part 1, Section 7 shall be provided. Should discharge into the City Storm Sewer be part of the ISMP, owner/developers engineer is required to prove that there is sufficient downstream capacity within the existing City Storm System to receive the proposed discharge from the development.
3. Subject to approval of the ISMP, the proposed lots may be serviced by single storm service connections adequately sized (minimum 150mm) to satisfy the servicing requirements of the development. All existing inadequate/unused services must be abandoned at the main; applicant is responsible for all associated costs. City records indicate that the existing property was not serviced with a City storm service.

**Geotechnical:**

1. A geotechnical report in accordance with the Engineering Departments Geotechnical Study Terms of Reference Category A (Building foundation design and site drainage) is required.



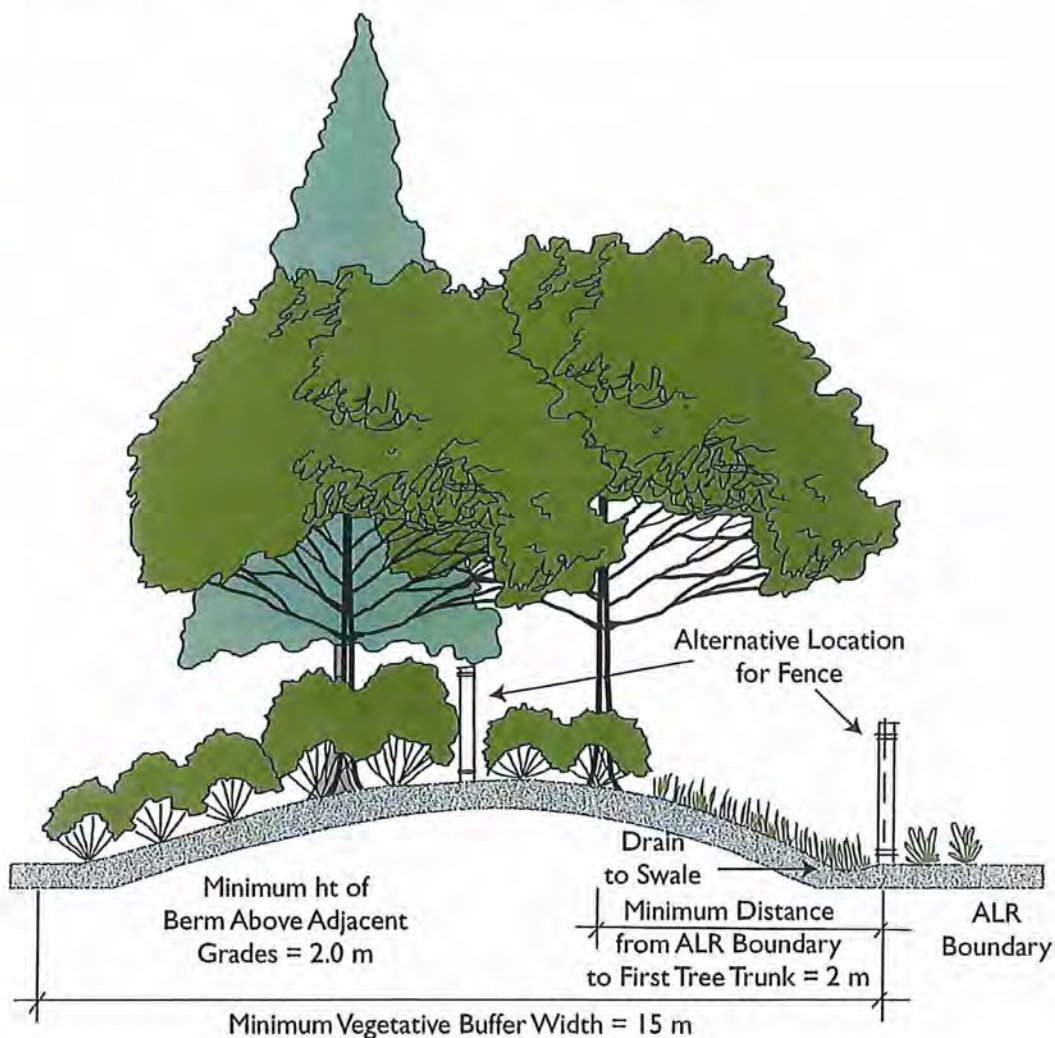
Chris Moore  
Engineering Assistant



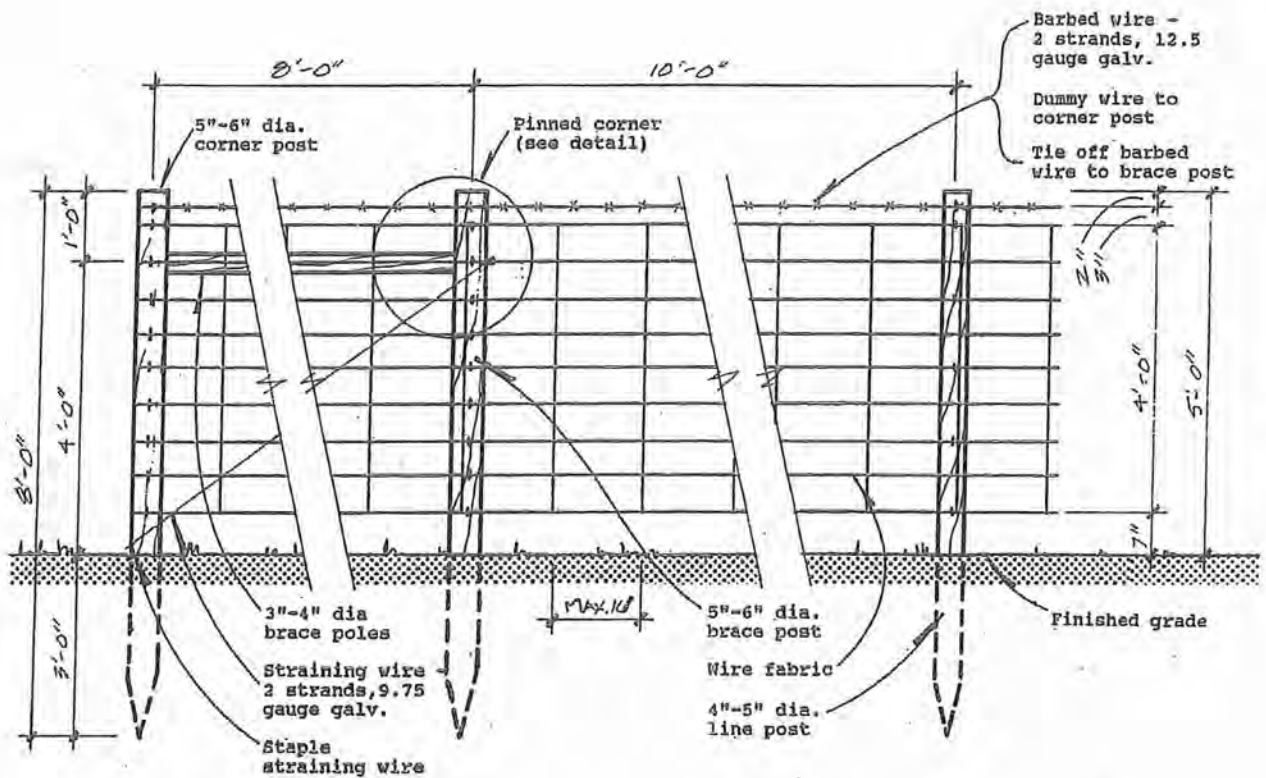
Rob Niewenhuizen, A.Sc.T.  
Director of Engineering and Public Works

### 3.8.b Urban-Side Buffer B (with berm) – Design Specifications & Layout

Urban-side **Buffer B** includes all elements of **Buffer A**, as well as a berm with a minimum height of 2 metres above the adjacent grades. There are two alternatives for locating a fence, either at the lowest or highest points of the berm. This choice should be made according to design and use of adjacent properties. The main intent of the berm in this example is to provide increased storm water retention capabilities of the buffer, although a berm may provide more effective noise reduction and visual screening as well.



## Appendix 9: ALC Buffer Fence Detail

**SCHEDULE D: FENCING SPECIFICATIONS****D.4: Wire Fabric Fence with One Strand Barbed Wire**


3/8" x 12" rebar driven into 3/8" drilled hole. Wrap brace wire around 1" rebar protruding through brace post

Tensioning batten

Not to Scale



## Appendix 10: MOTI Letter

From: **STEVE KOSA**    
 Subject: Fwd: Salmon Arm - Blackburn 2590 Letter  
 Date: May 19, 2017 at 10:06 AM  
 To: linburn@telus.net

Lindsay - please refer to the attached

Steve



Our File No.: PS733420

May 18th, 2017

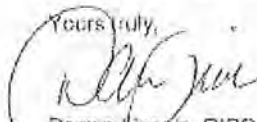
Lindsay Blackburn and Bonnie Gavin  
 PO Box 311  
 Salmon Arm, B.C.  
 V1E 4N5

Re: Address: 2590 – 10 Ave. SW, Salmon Arm, BC  
 Legal Description: Lot 15 Section 10 Township 20 Range 10 West Of The 6<sup>th</sup>  
 Meridian Kamloops Division Yale District Plan 481 Except  
 Plans 15049, H401 And EPP13256  
 Project: TCH NO. 1 (4-Laning), 30th Street – 10<sup>th</sup> ST. SW, SALMON  
 ARM, B.C.

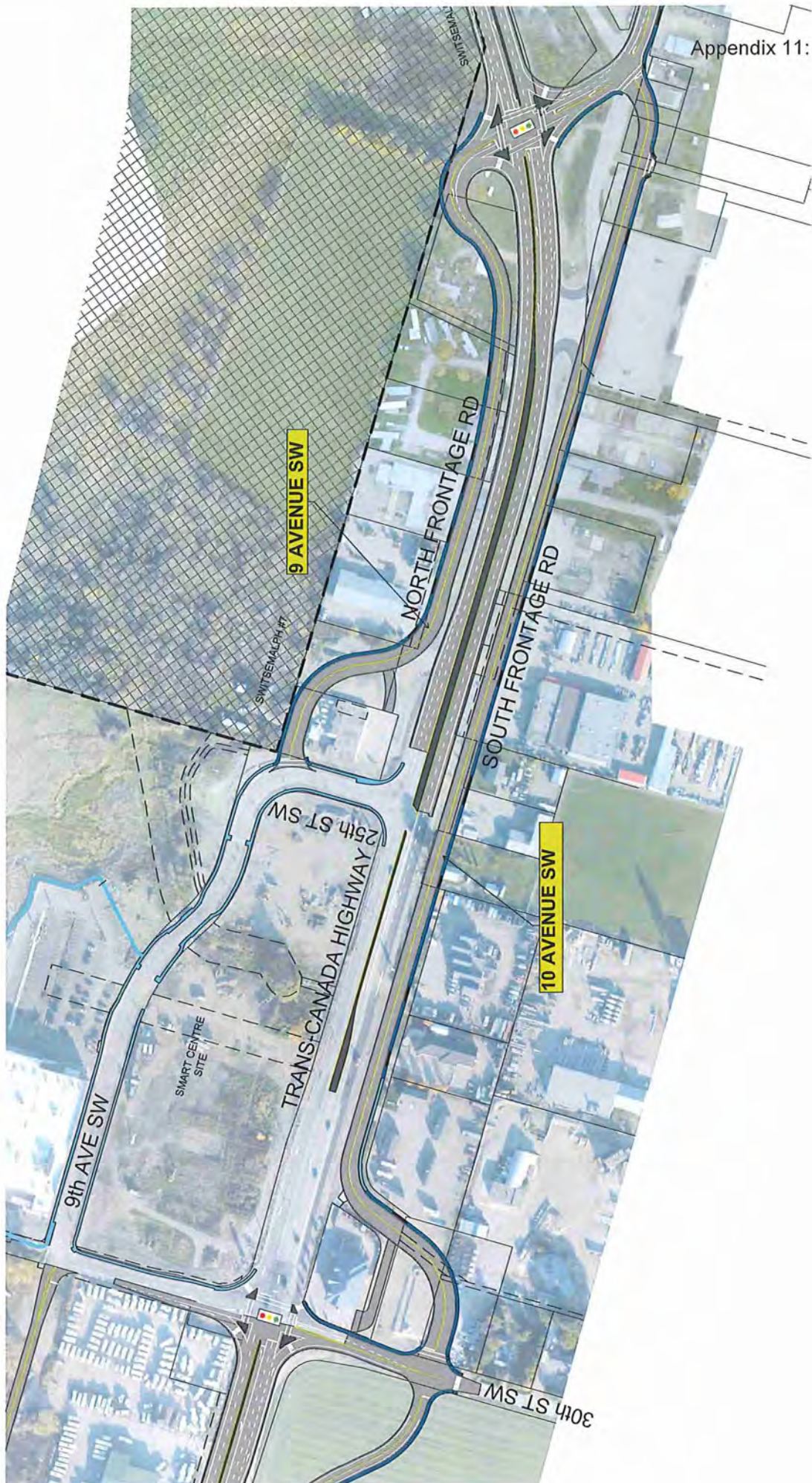
Please be advised that during Project construction the Province and their contractors will undertake to construct all undersurface and surface installations necessary and pertinent to the function and operation of the TCH NO. 1 (4-Laning) Project within the road corridor along the Trans Canada Hwy and the frontage road area of 2590 – 10<sup>th</sup> Ave. SW. This will include storm, sanitary, water, gas, hydro, telephone service utilities being reconnected at existing locations along the frontage road. Construction will be per design plans that will be provided in the Project tender package. The Province's commitment to proceed with construction (noted herein) remains contingent upon the Province attaining all necessary approvals associated with the Project. Design and plan specifications may be subject to change subsequent to the date of this correspondence.

If you have any further questions, I can be reached at (250) 371-3884 or by email at [Darren.Lincoln@gov.bc.ca](mailto:Darren.Lincoln@gov.bc.ca).

Yours truly,



Darren Lincoln RIBC  
 Manager, Property Services







*City of Salmon Arm*

*Development Services Department Memorandum*

TO: Her Worship Mayor Cooper and Members of Council

DATE: June 23, 2017

SUBJECT: Zoning Amendment Application No. 1098  
 Legal: Lot A, Section 14, Township 20, Range 10, W6M, KDYD, Plan 22764 &  
 Lot 2, Section 14, Township 20, Range 10, W6M, KDYD, Plan 17669  
 Civic: 591 & 621 – 2 Street SE  
 Owner / Applicant: Salmon Arm Developments Ltd. / Craven, Huston, Powers Architects

**MOTION FOR CONSIDERATION**

**THAT:** A bylaw be prepared for Council's consideration, adoption of which would amend Zoning Bylaw No. 2303 by rezoning Lot A, Section 14, Township 20, Range 10, W6M, KDYD, Plan 22764 and Lot 2, Section 14, Township 20, Range 10, W6M, KDYD, Plan 17669 from R-1 (Single Family Residential Zone) to P-3 (Institutional Zone);

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

**STAFF RECOMMENDATION**

It is recommended that the motion for consideration be adopted.

**PROPOSAL**

The two 688 square metre (0.17 acre) subject parcels front 2 Street SE, directly adjacent to the east of the existing Mt. Ida Mews residential care facility development (see Appendix 1). The purpose of this application is to rezone the two parcels from R-1 (Single Family Residential Zone) to P-3 (Institutional Zone) to allow for consolidation of property and subsequent development of a 60 unit building expansion of the 0.91 hectare (2.26 acre) Mt. Ida Mews care facility parcel (see proposed Site Plan - Appendix 2), which will be considered under Development Permit application (DP-413). P-3 zone regulations are attached (Appendix 3) for reference.

As discussed further, the proposed rezoning is supported by the subject property's current Official Community Plan (OCP) land use designation, "Residential High Density (HR)" - see Appendix 4. A zoning map of the immediate area is attached as Appendix 5.

**BACKGROUND**

The subject properties are located on 2 Street SE, an area characterized by residential and institutional uses. Adjacent zoning and land uses include the following:

North:	R-1 (Single Family Residential)	residential
East:	R-1	residential
West:	P-3 (Institutional)	care facility
South:	R-1 & P-3	residential & church



The subject properties currently both contain single family dwellings which are intended to be removed for the proposed facility expansion, as shown in site photos attached as Appendix 6.

#### COMMENTS

##### Ministry of Transportation and Infrastructure

No comments received at time of report.

##### Engineering Department

No concerns with rezoning. Comments attached (Appendix 7).

##### Fire Department

No Fire Department concerns.

##### Building Department

No concerns with rezoning.

##### Planning Department

The intended use of subject parcels under application is surface parking and an access route. The proposed development site is on the adjacent lot to the west, which is already zoned P-3. The ultimate intent is to consolidate the properties to create a single lot for the development under the same P-3 zoning.

##### **Official Community Plan**

The subject properties are in an area designated "Residential – High Density" (HD) in the OCP, which supports the proposed use under P-3 zoning. In terms of specific OCP policy, the Urban Residential Objectives in section 8.2 encourage and support special needs housing as proposed, while Policy 8.3.9 permits an increase in density of up to 200 units per hectare for Assisted Living housing (a total of 126 units per hectare including the existing 72 unit facility are proposed).

Furthermore, the OCP's Community Services policies detailed in Chapter 15 is supportive of institutional use, with the General Policies under section 15.3 supporting such forms of housing as proposed within the Urban Containment Boundary.

##### **Development Permit**

An associated Development Permit Application (DP-413) has been submitted to address the form and character guidelines for the proposed development. This application will allow for the detailed consideration of the building design, site plan, and landscaping.

#### CONCLUSION

The proposed P-3 zoning of the subject property is consistent with the OCP and is therefore supported by staff. This proposal will further enable the provision of supportive housing options within the City.



Chris Larson, MCP  
Planning and Development Officer



Kevin Pearson, MCP, RPP  
Director of Development Services



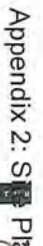


0 30 60 120 180 240 Meters



Subject Parcel







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## SECTION 26 - P-3 - INSTITUTIONAL ZONE

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### Purpose

- 26.1 The P-3 *Zone* is intended to accommodate uses which are charitable, correctional, educational, governmental, philanthropic or religious in nature.

### Regulations

- 26.2 On a *parcel zoned P-3*, no *building or structure* shall be constructed, located or altered and no plan of subdivision approved which contravenes the regulations set out in the P-3 *Zone* or those regulations contained elsewhere in this Bylaw.

### Permitted Uses

- 26.3 The following uses and no others are permitted in the P-3 *Zone*:
- .1 *assembly hall*;
  - .2 *churches*;
  - .3 *commercial daycare facility*;
  - .4 *cultural facilities*;
  - .5 *educational facilities*, public and private;
  - .6 *government offices*;
  - .7 *home occupation*;
  - .8 *hospitals and clinics*, public and private;
  - .9 *public use*;
  - .10 *public utility*;
  - .11 *recycling collection site*;
  - .12 *rest home*;
  - .13 *accessory use*, including *church manse* and detached portable class rooms.

### Maximum Height of Principal Buildings

- 26.4 The maximum *height* of the *principal buildings* shall be 12.0 metres (39.4 feet).

### Maximum Height of Accessory Buildings

- 26.5 The maximum *height* of *accessory buildings* shall be 6.0 metres (19.7 feet).

### Maximum Parcel or Site Coverage

- 26.6 The maximum *parcel or site* coverage for all *buildings and structures* shall be 40% of *parcel or site* area.

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## SECTION 26 - P-3 - INSTITUTIONAL ZONE - CONTINUED

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### Minimum Parcel Size or Site Area

- 26.7 The minimum *parcel* size or *site* area shall be 465.0 square metres (5,005 square feet).

### Minimum Parcel or Site Width

- 26.8 The minimum *parcel* or *site* width shall be 15.0 metres (49.0 feet).

### Minimum Setback of Principal and Accessory Buildings

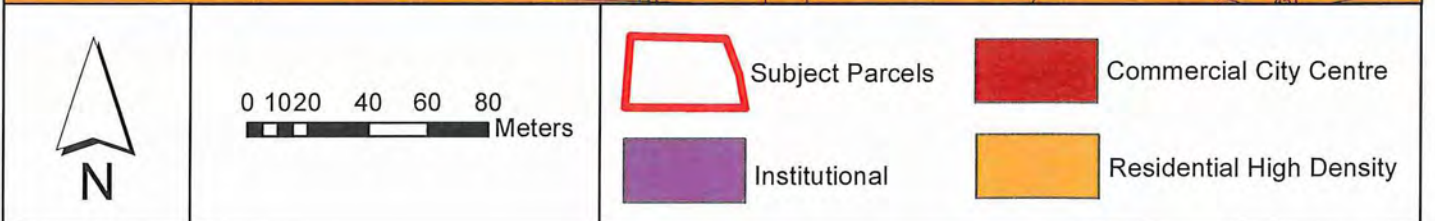
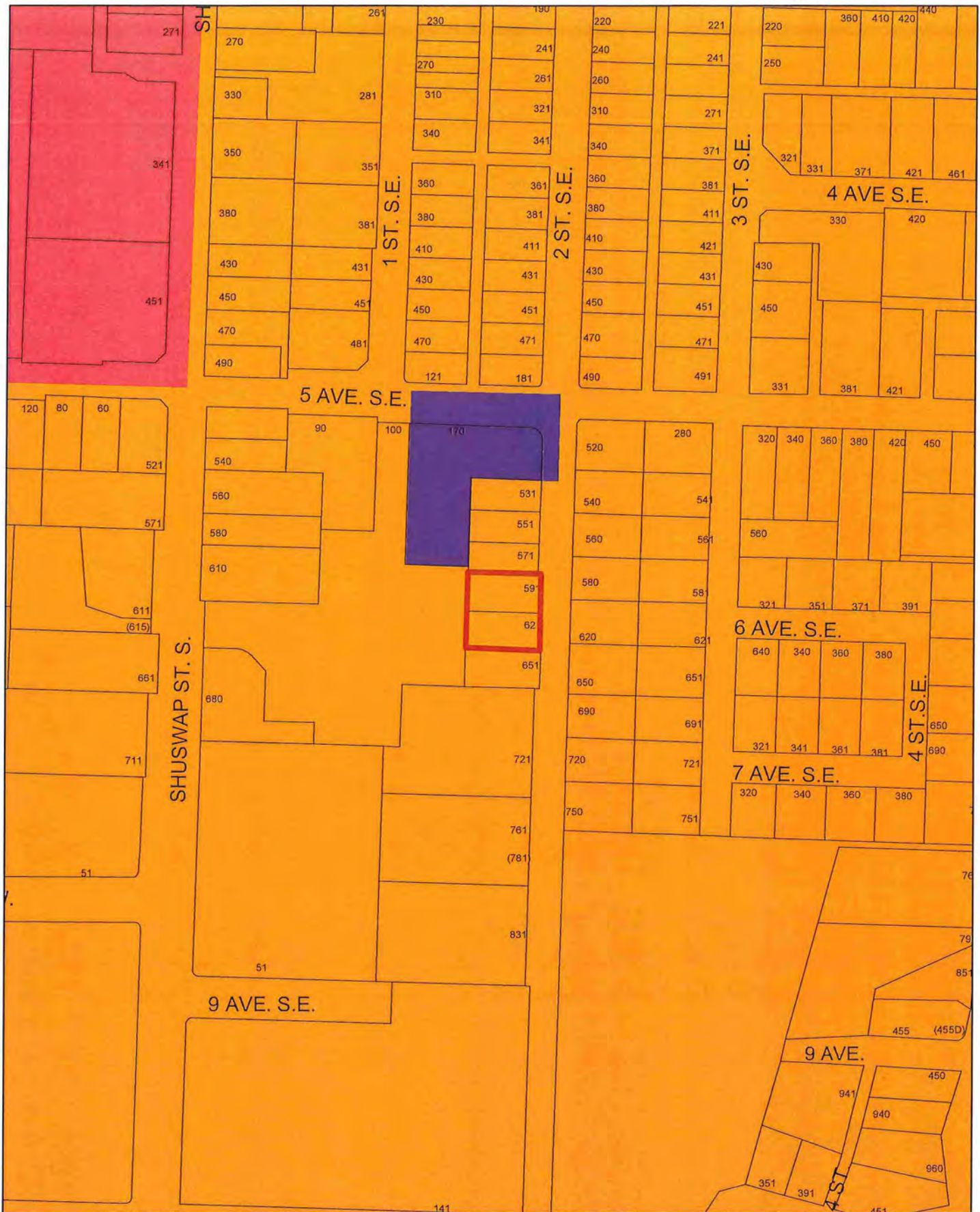
- 26.9 The minimum *setback* of the *principal* and accessory *buildings* from the:
- |    |   |                        |
|----|---|------------------------|
| .1 | <i>Front parcel line</i> shall be         | 6.0 metres (19.7 feet) |
| .2 | <i>Rear parcel line</i>                   |                        |
|    | - adjacent to a lane shall be             | 6.0 metres (19.7 feet) |
|    | - all other cases shall be                | 1.0 metre ( 3.3 feet)  |
| .3 | <i>Interior side parcel line</i> shall be | 3.0 metres ( 9.8 feet) |
| .4 | <i>Exterior parcel line</i> shall be      | 6.0 metres (19.7 feet) |

### Outside Storage

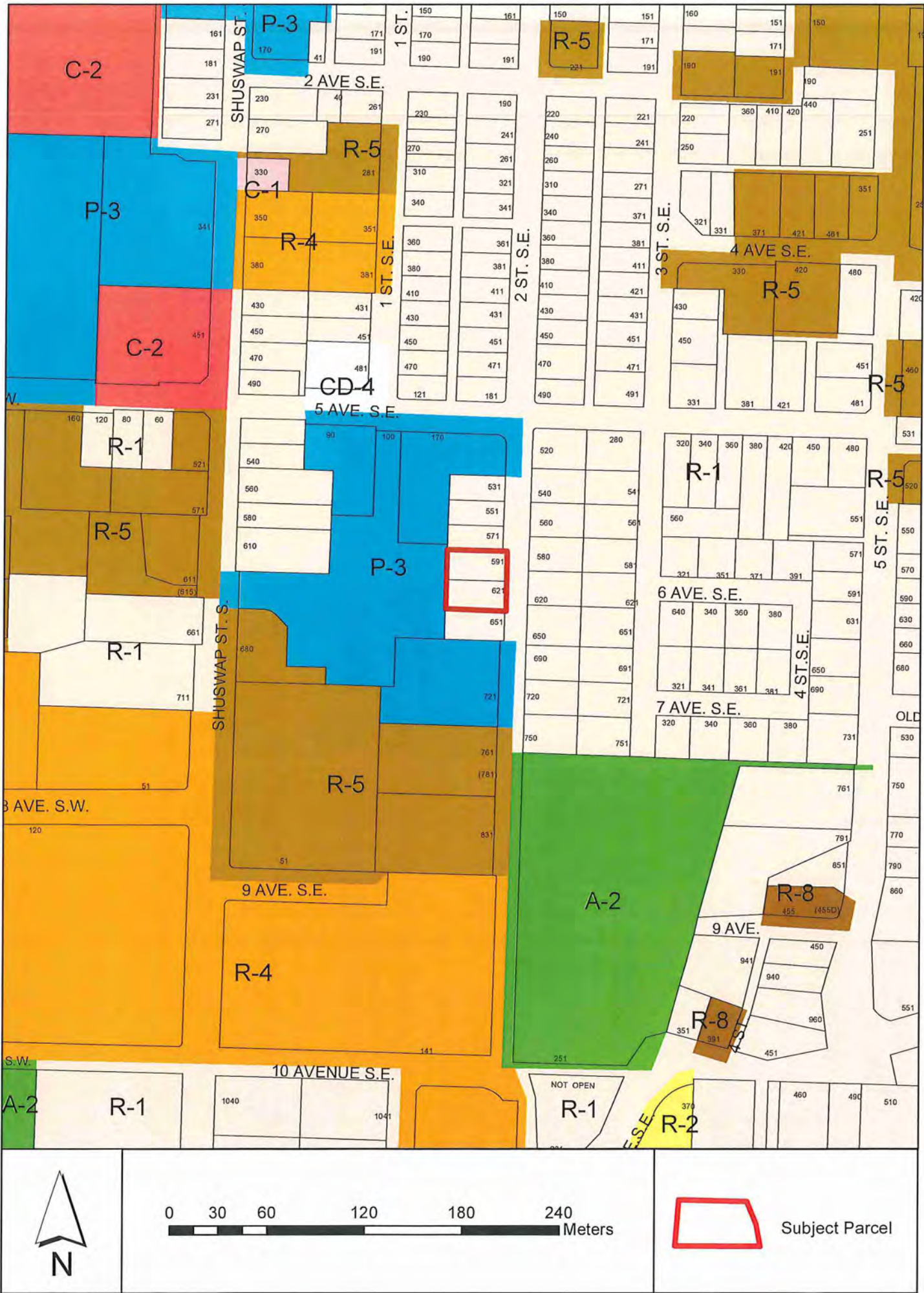
- 26.10 Outside storage shall not be permitted.

### Parking and Loading

- 26.11 Parking and loading shall be required as per Appendix I.









## Appendix 6: Site Photos



View north-west of subject parcels from 2 Street SE.



View south-west of subject parcels from 2 Street SE.





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

TO: Kevin Pearson, Director of Development Services  
 DATE: June 20, 2017  
 PREPARED BY: Darin Gerow, Engineering Assistant  
 OWNER: Salmon Arm Developments Ltd., 520 – 1122 Mainland Street, Vancouver, BC, V6B 5L1  
 APPLICANT: Craven | Huston | Powers | Architects, 9355 Young Road, Chilliwack, BC, V2P 4S3  
 SUBJECT: **ZONING AMENDMENT APPLICATION FILE NO. ZON-1098E**  
 LEGAL: Lot 1, Section 14, Township 20, Range 10, W6M, KDYD, Plan EPP14107  
 CIVIC: 100 – 5 Avenue SE

Further to your referral dated May 17, 2017, we provide the following servicing information. The following comments and servicing requirements are not conditions for the rezoning; however, these comments are provided as a courtesy in advance of any development proceeding to the next stages. These comments are generalized; more specific servicing requirements will be identified at a future stage:

**General:**

1. Full municipal services are required as noted herein. Notwithstanding the comments contained in this referral, it is the applicant's responsibility to ensure these standards are met.
2. Comments provided below reflect the best available information. Detailed engineering data, or other information not available at this time, may change the contents of these comments.
3. Development 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 of Salmon 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. 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. The applicant will be required to submit for City review and approval an engineered design (plan/profile) for any off-site improvements or works within City owned lands. Design must be prepared and submitted by a qualified professional engineer. Refer to the sections below for more information. The applicant is requested to contact the Engineering Department should additional information be required. Securities equal to 125% of the estimated off-site servicing costs will be required as a condition of development.

#### **Roads/Access:**

1. 5 Avenue SE on the subject properties north boundary is designated as an Urban Collector Road and requires 20.0 meters dedication (10.0 meters from centerline). Available records indicate that further dedication is not required from the subject property.

5 Avenue SE is currently constructed to an interim Urban Road standard. No upgrades are required.

2. Shuswap Street South on the subject properties west boundary is designated as an Urban Arterial Street and requires an ultimate 25.0m road dedication (12.5 meters from centerline). Although the City can only require 10.0m of road dedication from centerline at this time, all structures must be setback to the ultimate dedication. Available records indicate that further dedication is not required from the subject property.

Shuswap Street South is currently constructed as an interim urban road. No improvements are anticipated at this time.

3. 2 Street SE along the properties east boundary is designated as an Urban Local Road and requires 20.0 meters dedication (10.0 meters from centerline). Available records indicate that further dedication is required from the subject properties; however this is not required for Development.

2 Street SE is currently constructed to an interim urban road. Upgrading to an Urban Local Road standard as shown in specification drawing RD-2 is required. Upgrades may include but not limited to, concrete sidewalk and boulevard construction.

4. A 3.0m wide sanitary statutory right-of-way exists along the northwest property line. No concerns or upgrades required.
5. A 13.0m wide right-of-way containing a storm sewer bisects 100 - 5 Avenue SE. A 5.974m wide sanitary sewer statutory right-of-way partially overlaps the right-of-way on the west side and a 4.5m wide watermain statutory right-of-way partially overlaps the right-of-way on the east side. The total statutory right-of-way is 15.731m wide. We note that the proposed care facility appears to be located within these right-of-ways. As previously discussed with the owner's consulting engineer, if the building is proposed to be located within these right-of-



Page 3

ways, all affected utilities must be relocated to City of Salmon Arm specifications and right-of-ways shall be altered to ensure a safe trench excavation is achievable if exposing the infrastructure is necessary in the future.

It is also noted there are two (2) overhead structures proposed from the existing building to the proposed building shown on submitted plans. As these will be crossing over the above mentioned rights-of ways these overhead structures will not be permitted

6. A right-of-way containing a storm sewer and sanitary sewer runs along the southern property line. No concerns or upgrades are required.
7. Confirmation that 90 & 170 – 5 Avenue SE have a reciprocal access agreements in place.
8. The owner/developer will be required to identify existing right-of-ways and provide plan showing proper right-of-way widths. A consolidated plan may be required.

#### **Water:**

1. The sites front a 200mm watermain (Zone 1) on Shuswap Street South, a 200mm watermain (Zone 1) within the statutory right-of-way bisecting the property from north to south and a 100mm watermain (Zone 1) on 2 Street SE. Upgrading the 100mm watermain to 200mm is required; however, City of Salmon Arm has budgeted for this replacement to be completed in 2017, therefore no upgrades are required.
2. The subject property is in an area with sufficient fire flows and pressures according to the 2011 Water Study (OD&K 2012).
3. Fire protection requirements to be confirmed with the Building and Fire Departments.
4. Subject property is currently serviced from the watermain within the right-of-way that bisects the property from north to south with a 150mm to the existing building and a 150mm water service stub to the proposed building. All services shall be metered and complete with approved backflow prevention devices. Meters will be provided by the city at the owner's expense; owners shall allow for 4 week delivery on water meters, please contact Engineering Department for more information. All unused services must be abandoned at the main. Owner/developer is responsible for all associated costs

In correspondence with owner's consulting engineer a proposal to relocate the watermain will be submitted to the City of Salmon Arm to decrease a section of right-of-way to enable the proposed building construction. Owner/developer will be required to tie in all services.

#### **Sanitary Sewer:**

1. The site fronts a 200mm diameter sanitary main in the central statutory right-of-way, a 150mm diameter sanitary main in the southwest statutory right-of-way and a 150mm diameter sanitary main in the northwest statutory right-of-way and 200mm diameter sanitary

Page 4

main on 2 Street SE. As the 150mm sanitary mains are at the end of pipe they will not require upgrading.

2. Existing building is currently serviced from the 150mm diameter sanitary main in the southwest statutory right-of-way. The proposed building shall be serviced with a sanitary service connection adequately sized to suit the needs of the development. All unused services must be abandoned at the main. Owner/developer is responsible for all associated costs.

#### Drainage:

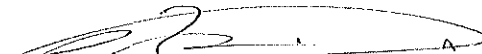
1. The site fronts a 300mm diameter storm main in a statutory right-of-way immediately adjacent to the south property line, a 1500mm diameter storm main in the central statutory right-of-way and a 300mm diameter storm main on 2 Street SE. No upgrading of the storm mains is anticipated. It should be noted that The City of Salmon Arm has budgeted for this replacement of the storm main on 2 Street SE, to be completed in 2017.
2. An Integrated Stormwater Management Plan (ISMP) conforming to the requirements of the Subdivision and Development Servicing Bylaw No. 4163, Schedule B, Part 1, Section 7 shall be provided. Should discharge into the City Storm Sewer be part of the ISMP, owner/developers engineer is required to prove that there is sufficient downstream capacity within the existing City Storm System to receive the proposed discharge from the development
3. Subject to item 2, the proposed lots may be serviced by a single storm service connection adequately sized (minimum 150mm) to satisfy the servicing requirements of the development. All existing inadequate/unused services must be abandoned at the main; applicant is responsible for all associated costs.
4. It should be noted the proposed building is positioned on the existing storm water retention system. The system shall be relocated and confirm size and orifice is sufficient.

#### Geotechnical:

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



Darin Gerow, ASCT  
Engineering Assistant



Rob Niewenhuizen, ASCT  
Director of Engineering and Public Works

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**City of Salmon Arm**  
**Development Services Department Memorandum**

TO: Her Worship Mayor Cooper and Council

FROM: Development Services Department

DATE: June 19, 2017

SUBJECT: Development Variance Permit Application No. VP-461  
Lot 4, Plan 20131, except Plan 44055, Sec. 13, Tp. 20, R.10, W6M, KDYD  
1890 Okanagan Avenue SE  
Owner: T. & T. Johnson

**Motion for Consideration**

THAT: Development Variance Permit No. VP-461 be authorized for issuance for Lot 4, Plan 20131, except Plan 44055, Sec. 13, Tp. 20, R.10, W6M, KDYD to vary the provisions of Subdivision and Development Servicing Bylaw No. 4163 as follows:

1. Section 3.8.3:
  - i) Reduce the minimum panhandle width requirement for proposed Lots A and B as shown on Appendix 3 from 6.0 metres to 5.1 metres; and
2. Section 4.0:
  - i) Waive the requirement to provide a 100% cash contribution (\$5,500.00) towards upgrading the Okanagan Avenue frontage to the Urban Collector Road standard; and
  - ii) Waive the requirement to provide a 50% cash contribution (\$2,250.00) towards upgrading the sanitary sewer main along the Okanagan Avenue SE frontage.

**Staff Recommendation**

THAT: The Motion for Consideration be defeated.

AND THAT: Development Variance Permit No. VP-461 be authorized for issuance for Lot 4, Plan 20131, except Plan 44055, Sec. 13, Tp. 20, R.10, W6M, KDYD to vary the provisions of Subdivision and Development Servicing Bylaw No. 4163 as follows:

1. Section 3.8.3:
  - i) Reduce the minimum panhandle width requirement for proposed Lots A and B as shown on Appendix 3 from 6.0 metres to 5.1 metres, subject to:
    - a) registration of reciprocal access easements over the proposed panhandles for proposed Lots A and B and Lot 2, Plan 44055, Sec. 13, Tp. 20, R. 10, W6M, KDYD.

## **Proposal**

The subject property is located at 1890 Okanagan Avenue SE. The owner has received preliminary approval to subdivide the property into two parcels as shown on Appendix 3 and is applying for three variances to Subdivision and Development Servicing Bylaw No. 4163. A location map, ortho photo and sketch plan of the proposed subdivision are attached as Appendices 1 through 3.

## **Background**

The property is an existing panhandle parcel located in Residential Development Area 'A' and designated Medium Density Residential in the Official Community Plan. The property is zoned R-1 (Single Family Residential) and is approximately 0.2 hectare in size. As shown on Appendix 2, the property contains a residence and as shown on Appendix 3, the owners wish to create a second panhandle parcel on the east side of residence.

Under Section 3.8.3 of Subdivision and Development Servicing Bylaw No. 4163, the minimum panhandle width requirement is 6.0 metres. The property's existing panhandle is 10.228 metres in width and to accommodate the proposed subdivision, the owners are proposing to reduce the panhandle widths for both new parcels to 5.1 metres.

At this location, Okanagan Avenue E is constructed to an interim Urban Collector Road standard. As a condition of subdivision approval, the owner is required to upgrade the south half of the Okanagan Avenue E frontage to the Urban Local Road standard in accordance with City of Salmon Specification Drawing No. RD-3, see Appendix 4. As the property has only 10.228 metres of frontage, the road upgrade requirement can be fulfilled by a cash contribution equivalent to 100% of the estimated costs of the upgrades (\$5,500.00). The owners are requesting that this requirement be waived.

Also at this location, a 150 mm diameter sanitary sewer main is located along the Okanagan Avenue SE frontage and a 150 mm diameter sanitary sewer main is located in a 3.0 metre wide statutory right of way adjacent to the south boundary of the property. The main along the south boundary does not require upgrading to the current diameter standard of 200 mm as it is not needed for any additional upstream properties. However, the main along the Okanagan Avenue SE frontage does service additional upstream properties and will require upgrading. As with the road improvements, due to the limited frontage of the property, the sanitary sewer main upgrade can be fulfilled by a cash contribution equivalent to 50% of the estimated costs of upgrade (\$2,250.00). The owners are proposing to service both new parcels from the main along the south boundary and are requesting that the requirement to provide a 50% cash contribution towards upgrading the main on Okanagan Avenue SE be waived.

A letter from the owner's agent is attached as Appendix 5.

## **Discussion**

Staff have reviewed the proposal and provide the following:

### Fire Department

No concerns.

### Building Department

No concerns.



Engineering Department

See Appendix 6.

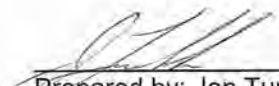
Planning Department


Staff are not concerned with requested reduction to the panhandle widths provided reciprocal access easements are registered over the panhandles for both the two new parcels and the adjacent residence at 1880 Okanagan Avenue SE (Lot 2, Plan 44055). The residence at 1880 Okanagan Avenue SE is zoned R-8 (Residential Suite) and a Land Title Act, Section 219 covenant currently prohibits direct vehicular access from this parcel to Okanagan Avenue SE. The parcel obtains its access from the panhandle portion of the subject property and a registered reciprocal access easement currently protects this access. Provided a new access easement is registered to protect both the access of this adjacent parcel and the proposed two new parcels, the combined panhandle width of 10.228 metres should be sufficient to ensure vehicle access will not be impeded.

Staff do not support waiving the cost of the frontage improvements. Although servicing the proposed subdivision will not disturb the existing works along the Okanagan Avenue SE frontage, the existing sidewalk and curb are sub-standard and the servicing bylaw requires that they be upgraded to the current standard at the time of subdivision. As previously noted, the property has only 10.228 metres of frontage and the required cash contribution of \$5,500 is not an unreasonable cost for this type of subdivision.

Staff also do not support waiving the cost of the sanitary sewer main upgrade on Okanagan Avenue SE. The property is somewhat unique in that it has sanitary sewer mains along two of its boundaries and the proposed subdivision may connect to either one, but the main on Okanagan Avenue SE is currently undersized and services a number of properties. Regardless of which main the proposed subdivision utilizes, the main on Okanagan Avenue SE will need to be upgraded and owners and developers should be contributing towards the cost of these upgrades at the time new parcels are being created.

In summary, the proposed panhandle widths are not ideal but their combined width, protected by easement, should be sufficient for the intended purpose. The servicing costs associated with the proposed subdivision are relatively low in comparison to other single lot subdivisions and if these monies are not collected at the time of subdivision, they become additional costs to the City when these services need to be installed. Staff are therefore recommending that the variance to the panhandle widths be approved and the variances to the servicing requirements be denied.

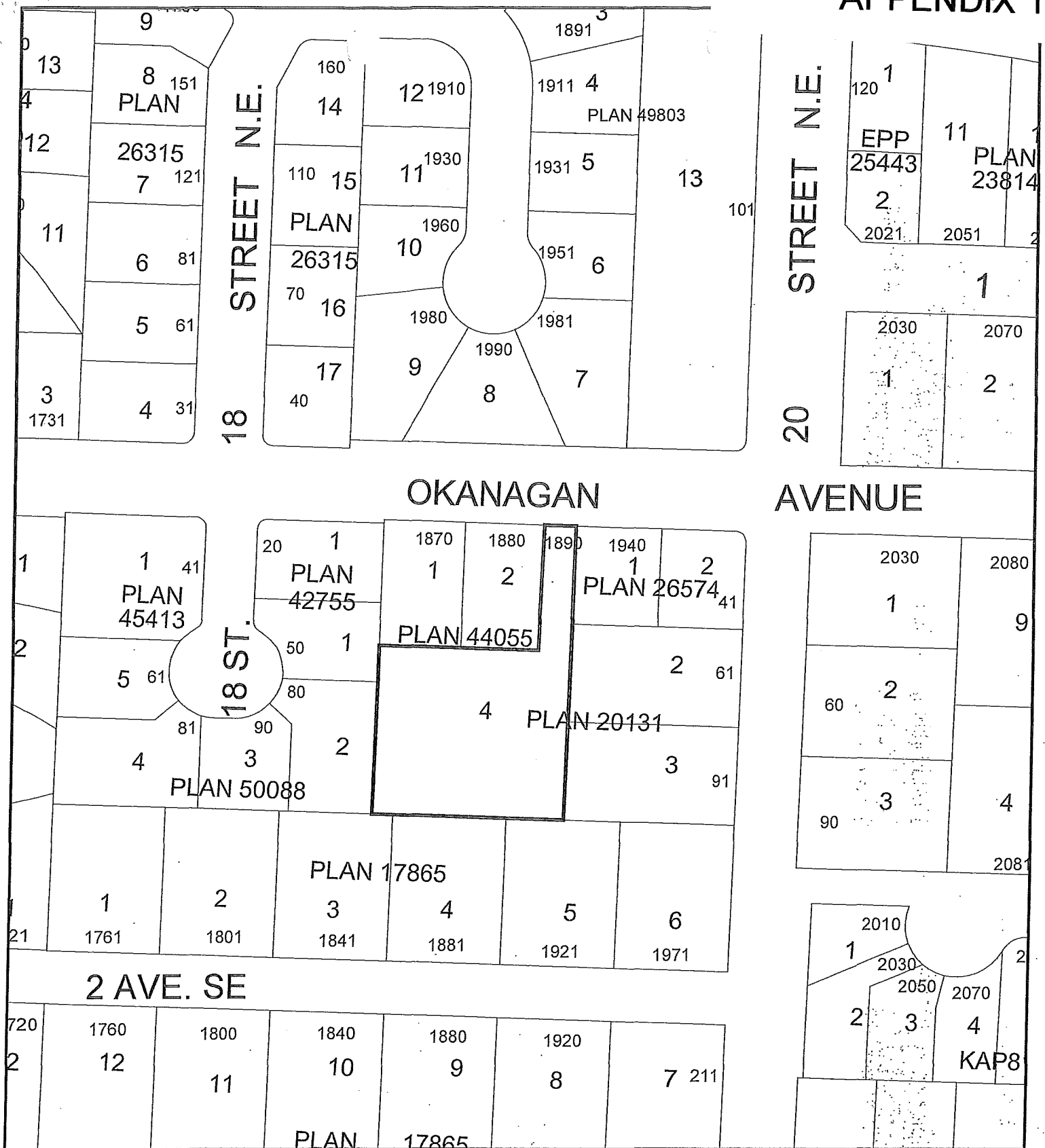
  
Prepared by: Jon Turlock  
Planning & Development Officer

  
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-3
5. Applicant's letter
6. Engineering Dept. comments

# APPENDIX 1



Subject Property

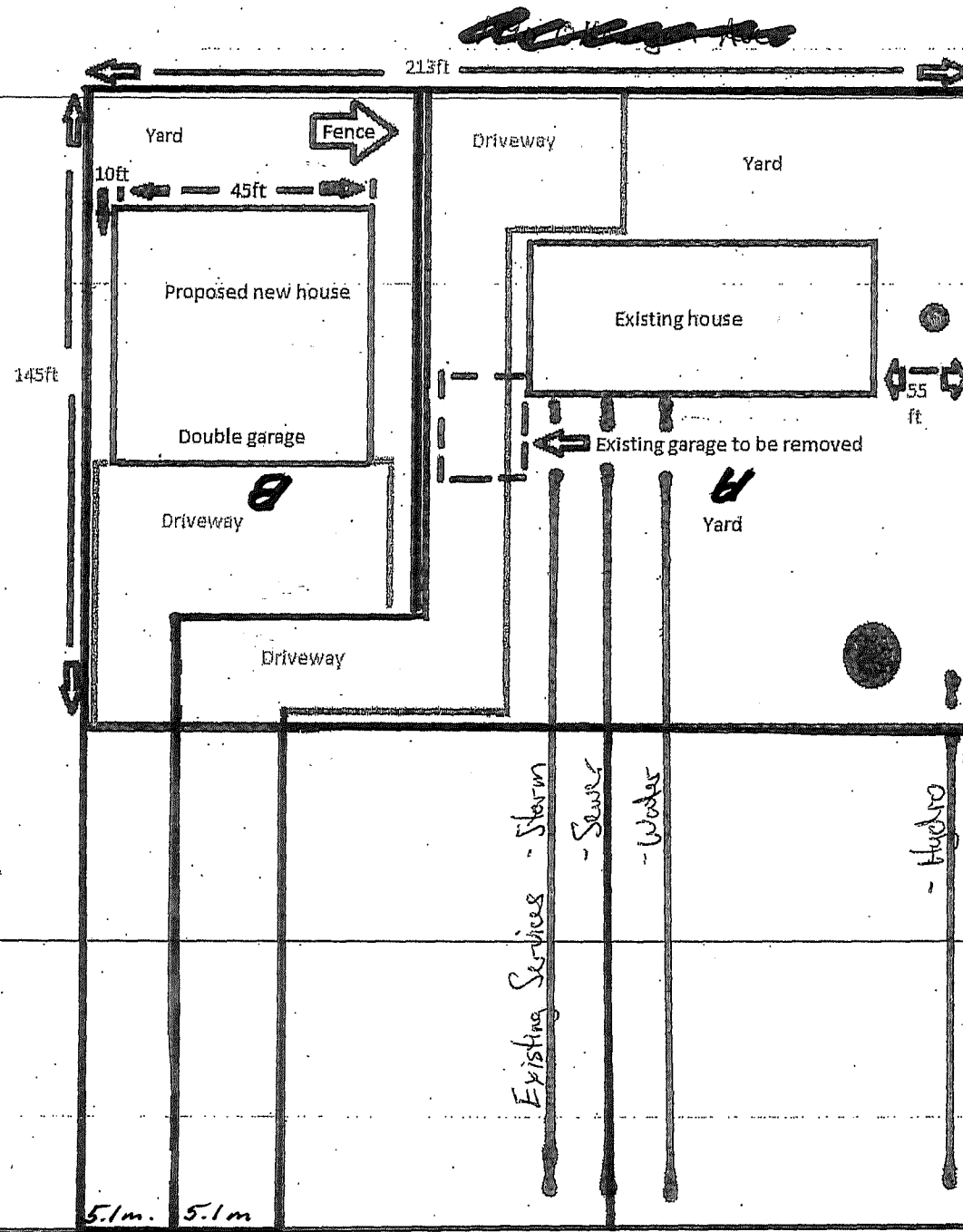




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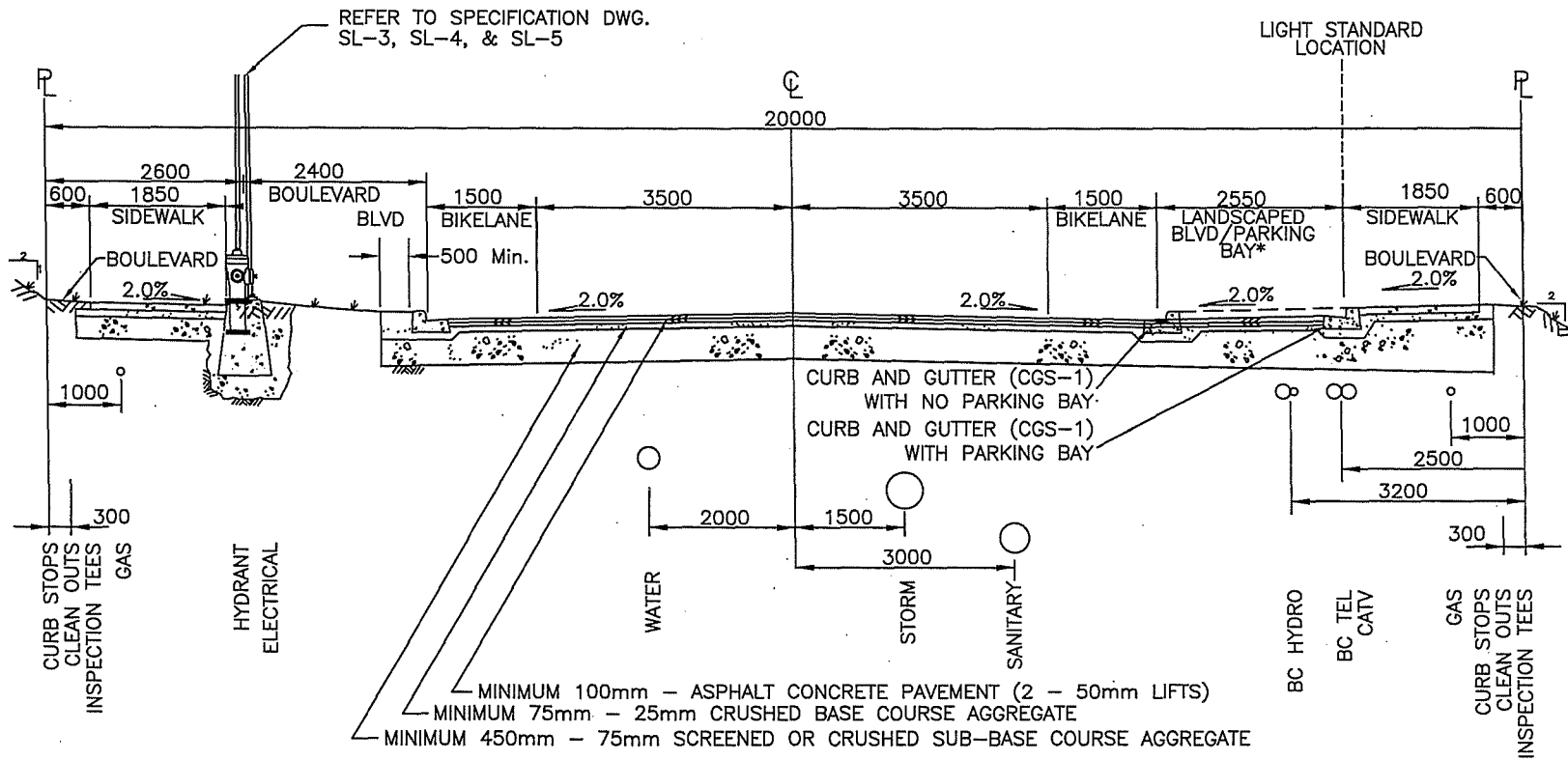


Trevor & Theresa Johnson



MAR 01 2017





NOTES:

- 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.
- \* Parking bay shall be located on either or both sides of the roadway per design criteria in Schedule B-1.0 section 4.8.14

CITY OF SALMON ARM			20m R/W Urban Collector Cross-Section		
No.	Revision	Date	Date	Approved	SPECIFICATION DRAWING No.
A.	ISSUED FOR APPROVAL	07/14/16	10-11-2016	<i>[Signature]</i> City Engineer	RD-3

Adopted by Council October 11, 2016

1890 Okanagan Ave SE Salmon Arm  
Variance Letter

Dear Council,

**Lot Configuration**

We are applying for a variance of Section 3.8 of Subdivision and Development Servicing Bylaw No.4163. We are requesting that the panhandle portion for each proposed lot be reduced from a minimum of 6.0 meters to 5.1 meters.

**Roads/Access**

We are proposing to tie into the sanitary sewer pipe south of the parcels (Would need to register 3.0 meter right of way) and propose an integrated stormwater management plan with the approval of The Engineering Department and Geotechnical report. This would eliminate any road or sidewalk construction on Okanagan Ave E.

Variance would be to waive the road upgrade contribution(Urban Collector Road standard) of \$5500.00 (the road would not be disturbed) and waive the sanitary main upgrade contribution of \$2250.00 as the sanitary main would no longer need a upgrade.

Thank you for your consideration,

Trevor and Theresa Johnson





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

---

To: Kevin Pearson, Director of Development Services  
 Date: 13 June 2017  
 Prepared by: Chris Moore, Engineering Assistant  
**OWNER: T and T Johnson**  
**SUBJECT: DEVELOPMENT VARIANCE PERMIT APPLICATION NO. VP-461**  
 LEGAL: Lot 4, Section 13, Township 20, Range 10, W6M, KDYD, Plan 20131,  
 Except Plan 44055  
 CIVIC: 1890 Okanagan Avenue SE

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Further to the request for variance dated 18 May, 2017; the Engineering Department has thoroughly reviewed the site and offers the following comments and recommendations, relative to the variances requested:

**The applicant is requesting the following variances to the Subdivision & Development Servicing Bylaw No. 4163.**

**1.) Reduce panhandle width from 6.0 metres to 5.1 metres;**

The Subdivision and Development Servicing Bylaw No 4163 requires a 6.0m minimum width for panhandles. This is the minimum width recommended to allow two vehicles to pass. Additionally, Policy No 3.11 requires minimum 4.5m clear width for fire access. On panhandle lots it is also important to ensure that sufficient width is provided to accommodate all of the services to the property. On this development there will be two adjacent panhandle lots, with a combined width of 10.2m, which meets the requirements of Policy 3.11 and the intent of the Subdivision and Development Servicing Bylaw No 4163.

**Recommendation:**

**We recommend approving the minimum width of the panhandles be reduced to 5.1 metres from 6 metres, subject to the provision of a reciprocal access easement allowing the adjacent panhandle lots access over their neighboring driveway.**

**2.) Tie into the city sewer system at the south of property and waive the cash contribution to upgrade the sanitary main on Okanagan Avenue SE;**

The subject property fronts on a 150 mm diameter sanitary sewer in a 3m wide right of way along the south property line and a 150 mm diameter sanitary sewer on Okanagan Avenue SE. Although the owner may connect to either sewer, the 150 mm diameter sanitary sewer on Okanagan Avenue is a significant sewer, serving multiple properties and is undersized. It is the owner's responsibility to upgrade to a minimum 200mm diameter under the Subdivision and Development Servicing Bylaw No 4163, regardless of whether they choose to connect to it or not. Since this upgrade is premature at this time, a 50% cash in lieu payment towards the future upgrade of this sewer across the frontage of the property will be accepted (\$2,250). Waiving this requirement would put this financial burden on the City when this sewer is upgraded in the future.

**DEVELOPMENT VARIANCE PERMIT APPLICATION NO. VP-461**

13 June 2017

Page 2

**Recommendation:**

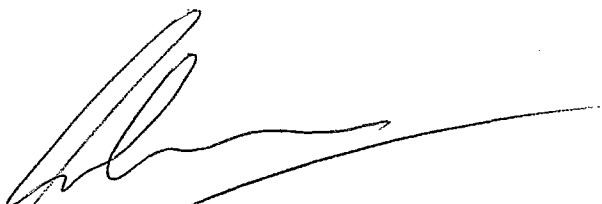
**We recommend that the request to waive the requirement to pay a 50% cash in lieu payment towards the future upgrade of the 150mm sanitary sewer on Okanagan Avenue SE be denied.**

**3.) Waive the requirement to pay a cash contribution for upgrading the south half of Okanagan Avenue SE frontage to the Urban Collector Road (RD-3) standard.**

Okanagan Avenue SE is currently constructed to an Interim Urban Collector Road Standard. Upgrading to the Urban Collector Road Standard (RD-3) across the frontage of the property is required under the Subdivision and Development Servicing Bylaw No 4163. Upgrades will include curb and gutter and sidewalk. Since this upgrade is premature at this time, a 100% cash in lieu payment towards the future upgrade of this road will be accepted (\$5,500). Waiving this requirement would put this financial burden on the City when this road is upgraded in the future.

**Recommendation:**

**We recommend that the request to waive the requirement to pay a 100% cash in lieu payment towards the future upgrade of Okanagan Avenue SE be denied.**



Chris Moore  
Engineering Assistant



Rob Niewenhuizen, A.Sc.T.  
Director of Engineering & Public  
Works



*City of Salmon Arm*  
*Memorandum from the Director of Development Services*

TO: Her Worship Mayor Cooper and Council

FROM: Development Services Department

DATE: June 23, 2017

SUBJECT: Special Needs Housing Agreement Application No. CU-53  
 Legal: Lot 2, Section 17, Township 20, Range 9, W6M, KDYD, Plan 3989, Except  
 Plans 23519, 41440 and H10964  
 Civic: 190 Highway 97B SE  
 Owner: N. Morris  
 Applicant: Owner to administer care to son, Trevor Morris

**MOTION FOR CONSIDERATION:**

**THAT: A bylaw be prepared for Council's consideration to initiate a Special Needs Housing Agreement for Lot 2, Section 17, Township 20, Range 9, W6M, KDYD, Plan 3989, Except Plans 23519, 41440 and H10964**

**AND FURTHER THAT: final reading be withheld subject to the following:**

- 1) Execution of the Special Needs Housing Agreement**

**STAFF RECOMMENDATION:**

**THAT:** The motion for consideration be adopted.

**PROPOSAL:**

The applicant is requesting authorization to permit a double wide mobile home on subject property, 190 Highway 97B SE (see Appendix 1) in accordance with the provisions of Zoning Bylaw No. 2303, i.e. Compassionate Use. The applicant is making this request in order to provide care to his son, Trevor Morris.

**BACKGROUND:**

The subject property is a 10 acre parcel, zoned A-2 Rural Holding Zone and is located within the Agricultural Land Reserve. Section 35.4.3 of Zoning Bylaw No. 2303 permits a second dwelling under the conditions set out in Section 4.13.3 for Type "C" Permits and the Special Needs Housing Agreement. One of the primary conditions to qualify for a Compassionate Use Permit is a relative in need of care, as determined by a physician. The physician of the owner/applicant's son has provided a letter confirming the applicant's son is in need of care due to a medical condition.

The applicant intends to have his son live in the temporary second dwelling and has provided a letter of rationale (see Appendix 2). The applicant's son is currently not residing on the property, and a special needs housing agreement would provide the family a convenient opportunity to care for a family member.



The intended site of the proposed mobile home is shown in Appendix 3. The applicant intends to demolish the current house and build a new house in addition to the temporary dwelling for his son. The location of the mobile home is proposed in the current location of the house as shown in Appendix 4. A Building Permit is required for the placement of the temporary dwelling and a Permit to Construct a Sewage Disposal System from the Interior Health Authority is a requirement of Building Permit issuance.

STAFF COMMENTS:

Engineering Department

- Water meter and pit have been requested with Building Permit for single family dwelling. No other concerns.

Fire Department

- No concerns.

Permits and Licensing

- Application for a Building Permit for a single family dwelling and a Riparian Areas Regulation covenant is in progress. No other concerns.

Ministry of Transportation and Infrastructure

- See Appendix 5.

Planning Department

Because there is a watercourse on the east side of the property, a Section 219 Covenant is required to restrict development 30 metres from the high water mark of the watercourse. The applicant has taken the necessary steps to have this covenant registered with Building Permit No. 15285B, for the construction of the new home.

The applicant meets the criteria of a Compassionate Use Permit and staff supports this application subject to the condition of a Special Needs Housing Agreement.

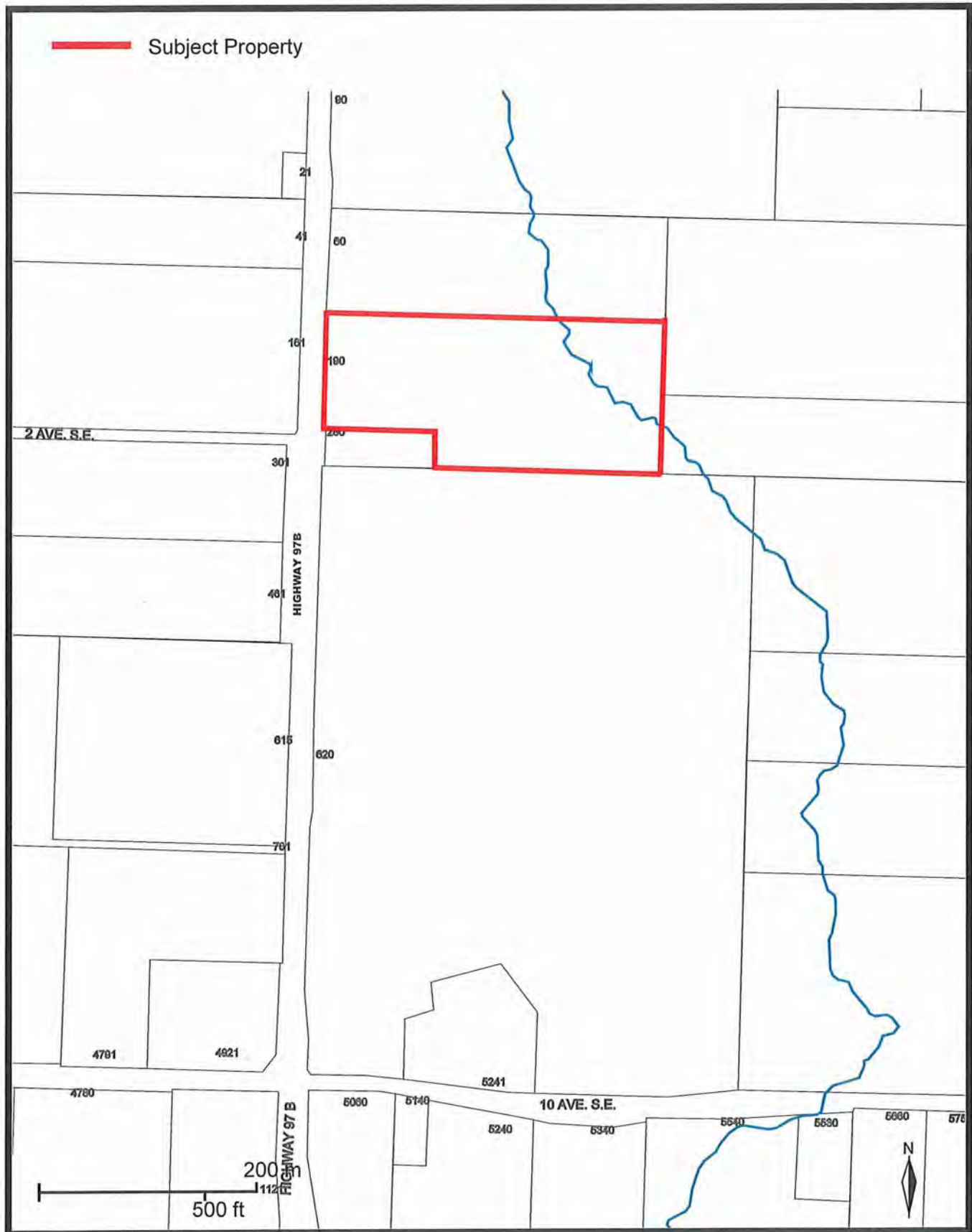


Prepared by: Denise Ackerman  
Development Services Assistant



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

## APPENDIX 1



## APPENDIX 2

## COMPASIONATE RESIDENCE LETTER

June 21, 2017

To whom it may concern,

I am writing this letter to you for the application for my son Trevor Morris to put a modular home on my property located at 190 Highway 97B Salmon Arm British Columbia. He has a disability called Arthrogriposis which is a severe joint stiffening issue. It would be in both our interests for this to happen since he needs assistance with day to day living.

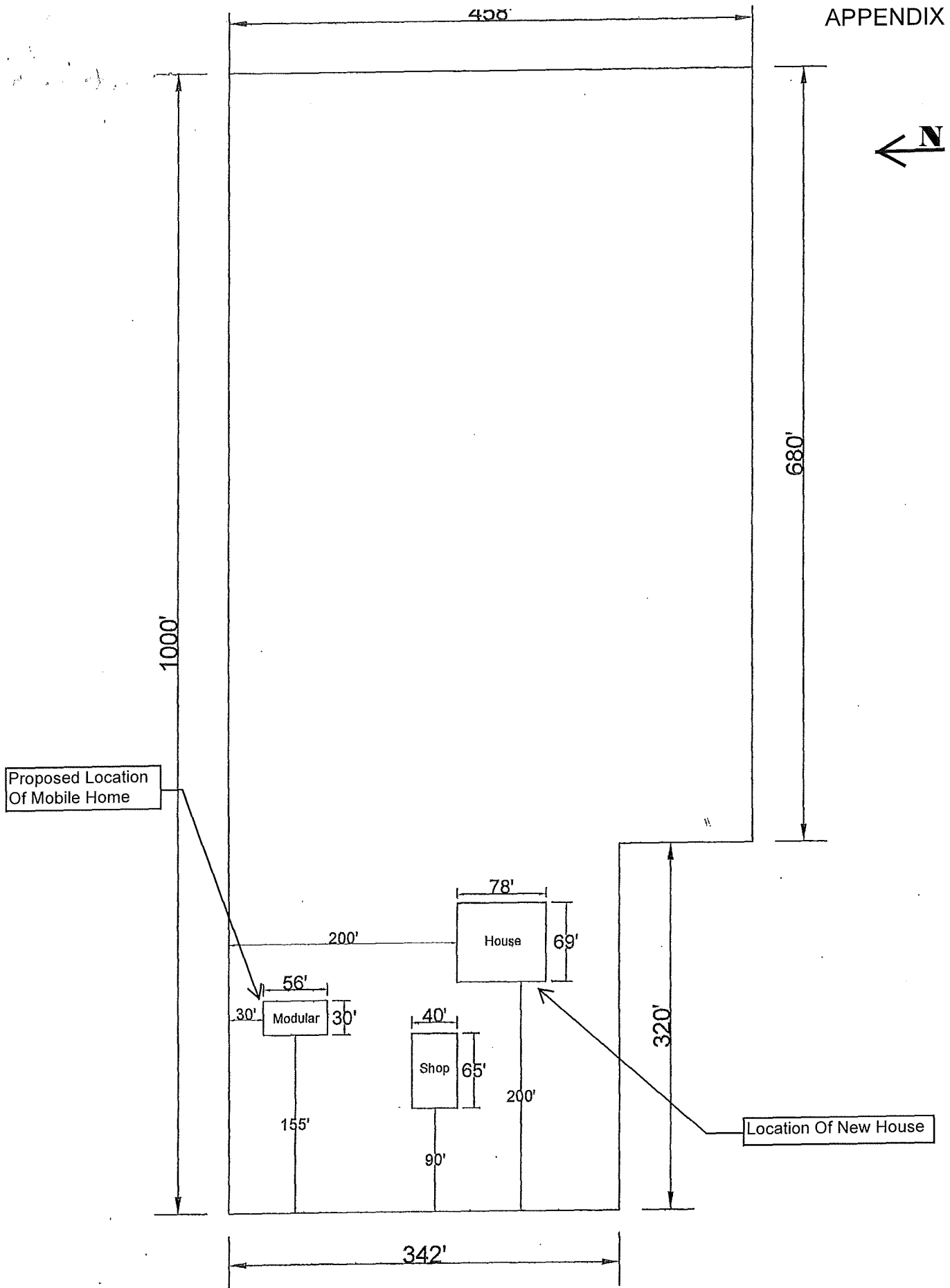
Thank You,

Norman Morris

A handwritten signature in black ink, appearing to read 'N. Morris', written over a horizontal line.



## APPENDIX 3



HIGHWAY 97B



— Subject Property





## APPENDIX 5

BRITISH  
COLUMBIAMinistry of Transportation  
and Infrastructure**DEVELOPMENT APPROVALS  
FOLLOW UP COMMUNICATION**

Your File #: CU-53  
 eDAS File #: 2017-04143  
 Date: June 26, 2017

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

Attention: City of Salmon Arm - Development Services

**Re: Proposed Municipal Referral – Compassionate Use Permit - for:  
 Lot 2, Section 17, Township 20, Range 9, W6M, KDYD, Plan 3989,  
Except Plans 23519, 41440 & H10964**

Thank you for your referral for the above noted municipal application.

While the Ministry has no objections or concerns for the Use Permit, we wish to advise that the landowner should make application to this Ministry to obtain a valid Access Permit.

Please quote file number 2017-04143 when contacting this office.

If you have any questions please feel free to call Rob Bitte at (250) 490-2280.

Yours truly,

Rob Bitte  
 District Development Technician

Local District Address
Salmon Arm Area Office Bag 100 850C 16th Street NE Salmon Arm, BC V1E 4S4 Canada Phone: (250) 503-3664 Fax: (250) 833-3380



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