



AGENDA

**City of Salmon Arm
Development and Planning Services
Committee**

**Tuesday, August 3, 2021
8:00 a.m.
By Electronic Means**

Page #	Item #	Description
	1.	CALL TO ORDER
	2.	ACKNOWLEDGEMENT OF TRADITIONAL TERRITORY <i>We acknowledge that we are gathering here on the traditional territory of the Secwepemc people, with whom we share these lands and where we live and work together.</i>
	3.	REVIEW OF AGENDA
	4.	DISCLOSURE OF INTEREST
	5.	REPORTS
1 - 22	1.	Development Permit Application No. DP-434 [WestUrban Developments Ltd. (1307058 BC Ltd.); 1230, 1260 and 1290 10 Avenue SW; Form and Character]
23 - 36	2.	Highway Closure Bylaw No. 4468 [Baker, S. & J.; Part of 53 Street NE and Lane Adjacent to 5331 71 Avenue NE; Proposed Road Closure, Disposal and Dedication]
37 - 46	3.	Zoning Amendment Application No. ZON-1215 [Green Emerald Investments Inc.; 4380 20 Street NE; R-7 to R-8]
47 - 50	4.	Regulating Ground Water Bottling
	6.	PRESENTATIONS
	7.	FOR INFORMATION
51 - 58	1.	Agricultural Land Commission – Reason for Decision – ALC Application No. 61586
	8.	CORRESPONDENCE
	9.	ADJOURNMENT

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To: His Worship Mayor Harrison and Members of Council

Date: July 26, 2021

Subject: Development Permit Application No. DP- 434 (Form and Character)
 Civic Address: 1230, 1260 & 1290 - 10 Avenue SW
 Owner/Applicant: WestUrban Developments Ltd. (1307058 BC Ltd.)

STAFF RECOMENDATION

THAT: Development Permit No. 434 be authorized for issuance for Lot 6, Section 10, Township 20, Range 10, W6M, KDYD, Plan 3991, Except Plans 6136, 35041 and KAP76862, Lot 2, Section 10, Township 20, Range 10, W6M, KDYD, Plan 3991, Except Plan KAP76862 and Lot 1, Section 10, Township 20, Range 10, W6M, KDYD, Plan 3991, Except Plan KAP76862 (1230, 1260 & 1290 - 10 Avenue SW) in accordance with the Development Permit drawings attached as APPENDIX 1;

AND THAT: Issuance of Development Permit No. 434 be withheld subject to:

1. Receipt of an Estimate and Irrevocable Letter of Credit (in the amount of 125% of the Estimate) for landscaping and;
2. Consolidation of Lots 1 and 2, Section 10, Township 20, Range 10, W6M, KDYD, Plan 3991, Except Plan KAP76862 and Lot 6, Section 10, Township 20, Range 10, W6M, KDYD, Plan 3991, Except Plans 6136, 35041 and KAP76862 into one lot.

PROPOSAL

To review the Development Permit package attached as Appendix 1. The applicant is proposing the development of a mixed use commercial-residential building comprised of 80 one-bedroom and 60 two-bedroom units, and 496.7m² commercial space at ground level. Amenities for the residential component include secured bike storage for 140 bikes, 140 vehicle parking spaces partially underbuilding and 30 parking stalls for the commercial uses. A letter from the applicant details the development proposal and is included at Appendix 2. Large drawings to scale are available for viewing in the Planning Department.

BACKGROUND

The subject property fronts the south side of 10 Avenue SW and the development site is approximately 8948 m². On June 14, 2021 the subject property was rezoned from C3 – Service Commercial to C2 – Town Centre Commercial in order to accommodate the development as shown in Appendix 1. The subject property is designated "Town Centre Commercial" in the Official Community Plan (OCP) (see Appendices 3 to 6).

Adjacent Land Uses/Development:

North: 10 Avenue SW and shopping mall – Zoned C-7
 South: Residential Strata – Zoned R-4
 East: Single Family Residential Home – Zoned R1 and Commercial Building – Zone C3
 West: Active Agriculture operation and single family dwelling – Zone C3

COMMENTS

Building Department

Part 3 building will require review by Registered Professionals (incl. Architect) at Building Permit stage. Geotechnical report supplied by the applicant is under review. Development in the Salmon River Flood Plain - minimum flood construction level is above the 352 m Geodetic Survey Coordinate.

Fire Department

No concerns.

Engineering Department

Engineering comments have been provided in the attached Engineering Servicing Report dated July 20, 2021 and is attached as Appendix 7. The road fronting the proposed development, 10 Avenue SW, is designated as an Urban Arterial Road requiring a total 25m Road width or 12.5m road dedication from centreline. In 2004 the subject property was part of a subdivision application in which the dedication of 10 Avenue SW fronting the site was dedicated, no further road dedication is required.

The Engineering Servicing Report outlines frontage upgrades along the 10 Avenue SW corridor include modification to the Urban Arterial Standard to accommodate an open ditch system, installation of a fire hydrant, curb, sidewalk, gutter, and street lighting.

Design Review Panel

At their June 30 meeting the Design Review Panel passed the following recommendation:

"THAT the DRP supports DP 434 as presented."

Planning Department

The subject property is situated in an emerging commercial node in close proximity to newer multi-family and medium density developments. In past OCPs, a mixed-use, commercial/residential village concept was envisioned for this area near the intersection of 10 Avenue SW and 10 Street SW; the neighbouring residential strata "Village at 10 & 10", the upgraded Piccadilly Mall and Piccadilly Terrace developments being catalysts for the vision. The recent construction of office buildings to the east of the subject property also serves as an example to this vision.

In 2011 a large tract of land including the subject property and adjacent lots were re-designated from Highway Service Commercial to City Centre Commercial. The idea for a City Centre Commercial land use designation was intended to establish the highest development design standards consistent with what is expected in the downtown core, the downtown waterfront and the newer uptown highway commercial node.

The proposed development is consistent with that vision and the development of a mixed use commercial/residential development would set the tone for development on adjacent land(s). Further to this, the Development Permit drawings are generally consistent with the "City Centre" design guidelines of Section 9.5 OCP. The applicant's letter attached as Appendix 2 outlines several ways in which their careful design complies with, and even exceeds, the guidelines of the OCP. In addition to those sections of the OCP noted in the letter, staff advise that the proposal is also consistent with Section 9.3.10 which encourages "developments in the City Centre to achieve a high development density, using methods such as 100% parcel coverage, 0m lot line setbacks, underground/underbuilding parking, and upper floor residential units".

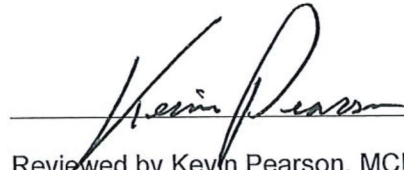
It should be noted that at the time of rezoning input from the neighbouring property owners was taken into consideration and the applicant made site plan changes with regard to landscaping and the location of the recycling and refuse bins.

CONCLUSION

Staff recognize the excellent calibre of the Development Permit application submission and that the proposed Development Permit drawings are consistent with the City Centre guidelines. Staff recommend the Development Permit for approval.



Prepared by Melinda Smyrl, MCIP, RPP
Planner



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



LOCATION PLAN

N.T.S.

SITE LOCATION

DRAWING INDEX

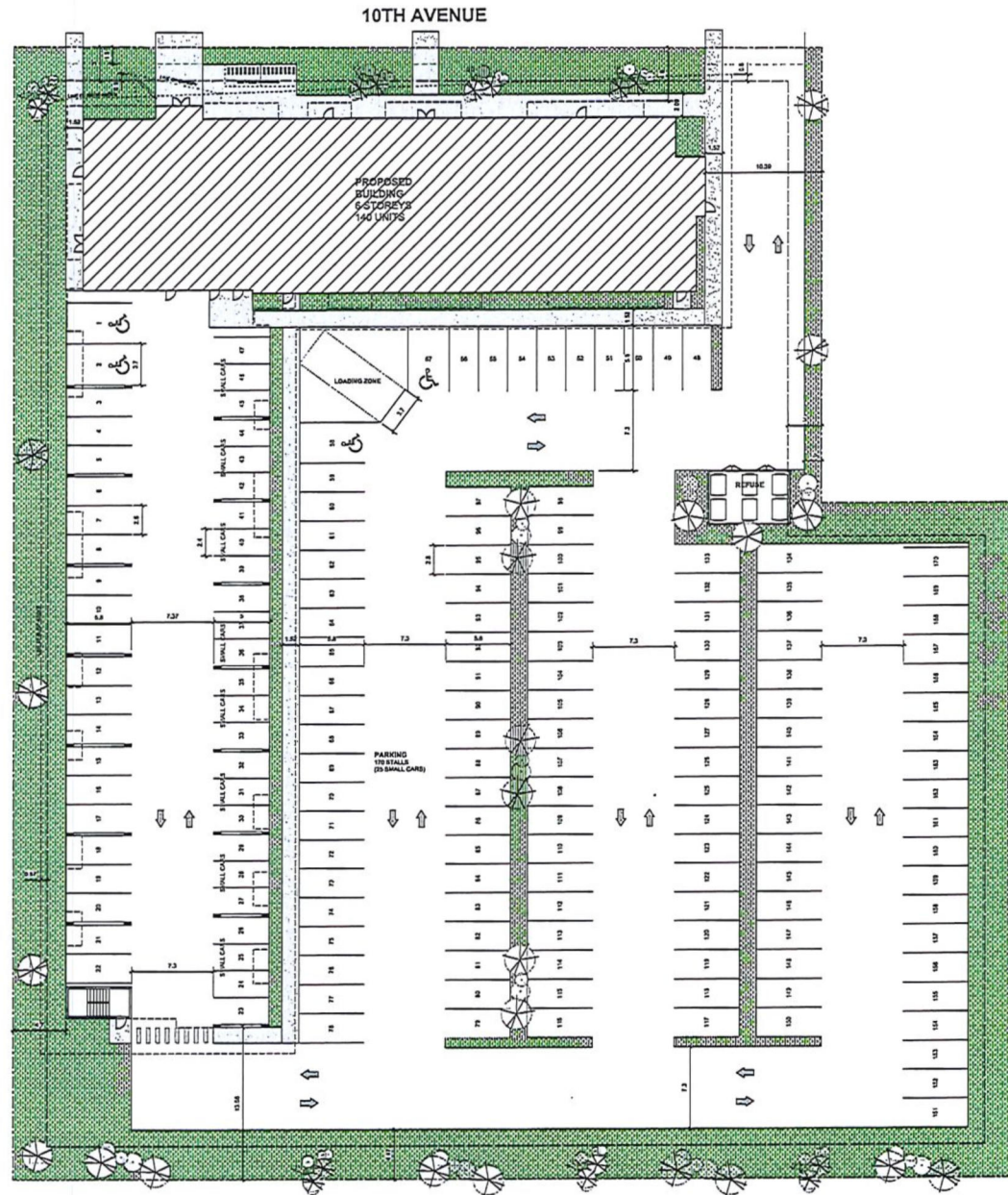
PR1 SITE PLAN & PROJECT DATA
PR2 FLOOR PLANS
PR3 UNIT PLANS
PR4 ELEVATIONS
PR5 ELEVATIONS
PR6 MATERIALS

CONSULTANT LIST

DEVELOPER/OWNER
WESTURBAN DEVELOPMENTS LTD.
Sean Roy, CEO
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ARCHITECT
THUJA ARCHITECTURE STUDIO LTD.
Tanis Frame, Architect AIBC, LEED AP
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PROJECT DATA	
LEGAL ADDRESS:	
CIVIC ADDRESS:	1266, 1268 & 1288 10TH AVENUE, SALMON ARM BC
ZONING:	CD - TOWN CENTER COMMERCIAL ZONE
TOTAL LOT SIZE	44,828 SQ.M.
BUILDING AREA:	
PROPOSED FOOTPRINT: 85.1 SQ.M (AT GRADE)	
2185.8 SQ.M. (RESIDENTIAL OVER)	
FLOOR AREA:	
MAIN COMMERCIAL:	496.7 SQ.M.
SECOND:	1724.3 SQ.M.
THIRD:	1724.3 SQ.M.
FOURTH:	1724.3 SQ.M.
FIFTH:	1724.3 SQ.M.
SIXTH:	1724.3 SQ.M.
TOTAL (NET)	9116.2 SQ.M.
COVERED DECK AREAS:	
15.1 SQ.M. 'S' & 66.5 SQ.M.	
COMMON (MAIN):	354.4 SQ.M.
COMMON (SECOND):	348.2 SQ.M.
COMMON (THIRD):	348.2 SQ.M.
COMMON (FOURTH):	348.2 SQ.M.
COMMON (FIFTH):	348.2 SQ.M.
COMMON (SIXTH):	348.2 SQ.M.
TOTAL (NET)	2034.4 SQ.M.
TOTAL (GROSS):	11779.1 SQ.M.
FLOOR AREA RATIO:	
PROPOSED: 1.40	
PERMITTED: 1.40	
PERMITTED: 15.1% (AT GRADE)	
26% (RESIDENTIAL FOOTPRINT OVER)	
BUILDING HEIGHT:	
8 STOREYS - 32M MAXIMUM	
UNIT COUNT:	
STUDIO BEDROOM	0
ONE BEDROOM	0
TWO BEDROOM	0
THREE BEDROOM	0
TOTAL	0
STREETFRONT (NORTH)	PROPOSED
REAR (SOUTH)	4.8M
SIDE (EAST)	13.88M
SIDE (WEST)	10.38M
PARKING:	
REQUIRED:	RESIDENTIAL: 1 PER UNIT: 140
TOTAL	COMMERCIAL: 120 SQ.M.: 179
PROVIDED:	
STANDARD:	141
HANDICAP STALLS (2% REQ'D)	4
SMALL CAR DOCK ALLOWED:	20
TOTAL	179



SITE PLAN
SCALE: 1:192 METRIC

CONTRACTOR TO VERIFY ALL LEVELS, LEVELS, SURVEY, DIMENSIONS, LOCATION OF BUILDING ON SITE AND LOCATION OF ALL SERVICES PRIOR TO CONSTRUCTION. ALL WORK TO BE DONE IN ACCORDANCE WITH THE B.C. BUILDING CODE, CURRENT EDITION AND ALL LOCAL BUILDING BYLAWS.

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ISSUED FOR REVIEW APR 23 2021

PROJECT
SALMON ARM DEVELOPMENT

SITE PLAN

SCALE AS NOTED PROJECT NO.
DATE: 04/23/21 SHEET NO. 179 OF 179

PR
APPENDIX 1

CONTRACTOR TO VERIFY ALL LINES, LEVELS, SURVEY, DIMENSIONS, LOCATION OF BUILDING ON SITE AND LOCATION OF ALL SERVICES PRIOR TO CONSTRUCTION. ALL WORK TO BE DONE IN ACCORDANCE WITH THE S.D. BUILDING CODE, CURRENT EDITION AND ALL LOCAL BUILDING BYLAWS.

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- MATERIAL LEGEND**
- ① FIBRE CEMENT LAP SIDING - WEATHERED WOOD
 - ② FIBRE CEMENT LAP SIDING - SHOU SUGI BAN
 - ③ CEDAR RENDITIONS 'TIMBERLINE'
 - ④ FIBRE CEMENT PANELS IN DARK GREY
 - ⑤ SOFFIT - CEDAR RENDITIONS 'TIMBERLINE'
 - ⑥ FASCIA - BLACK FIBRE CEMENT
 - ⑦ RAILINGS - BLACK ALUMINUM
 - ⑧ VINYL WINDOWS - BLACK
 - ⑨ WEATHERED WOOD BEAM
 - ⑩ DECK SOFFIT - BLACK PERFORATED ALUMINUM
 - ⑪ ROOFING - SBS 2 PLY MEMBRANE - BLACK
 - ⑫ CANOPY ROOF - STANDING SEAM METAL - BLACK



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ISSUED FOR REVIEW APR 23 2021

PROJECT
SALMON ARM DEVELOPMENT

REVISIONS
ELEVATIONS

NO.	DATE	BY	CHKD BY
1	AS NOTED		

DATE: 10/1/2021 PROJECT NO.: 10/1/2021

PR4

CONTRACTOR TO VERIFY ALL LINES, LEVELS, SURFACES, DIMENSIONS, LOCATION OF BUILDING ON SITE AND LOCATION OF ALL SERVICES PRIOR TO CONSTRUCTION. ALL WORK TO BE DONE IN ACCORDANCE WITH THE B.C. BUILDING CODE, CURRENT EDITION AND ALL LOCAL BUILDING BYLAWS.

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- MATERIAL LEGEND**
- 1 FIBRE CEMENT LAP SIDING - WEATHERED WOOD
 - 2 FIBRE CEMENT LAP SIDING - SHOU SUGI BAN
 - 3 CEDAR RENDITIONS 'TIMBERLINE'
 - 4 FIBRE CEMENT PANELS IN DARK GREY
 - 5 SOFFIT - CEDAR RENDITIONS 'TIMBERLINE'
 - 6 FASCIA - BLACK FIBRE CEMENT
 - 7 RAILINGS - BLACK ALUMINUM
 - 8 VINYL WINDOWS - BLACK
 - 9 WEATHERED WOOD BEAM
 - 10 DECK SOFFIT - BLACK PERFORATED ALUMINUM
 - 11 ROOFING - SBS 2 PLY MEMBRANE - BLACK
 - 12 CANOPY ROOF - STANDING SEAM METAL - BLACK

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ISSUED FOR REVIEW APR 23 2021



PROJECT
SALMON ARM DEVELOPMENT

Drawings
ELEVATIONS

NAME	AS NOTED	PROJECT NO.	
DATE		DATE	
DESIGNED BY	TP / BW	CHECKED BY	

PR5

CONTRACTOR TO VERIFY ALL LINES, LEVELS, SURVEY, DIMENSIONS, LOCATION OF BUILDING ON SITE AND LOCATION OF ALL SERVICES PRIOR TO CONSTRUCTION. ALL WORK TO BE DONE IN ACCORDANCE WITH THE U.S. BUILDING CODE, CURRENT EDITION AND ALL LOCAL BUILDING BYLAWS.

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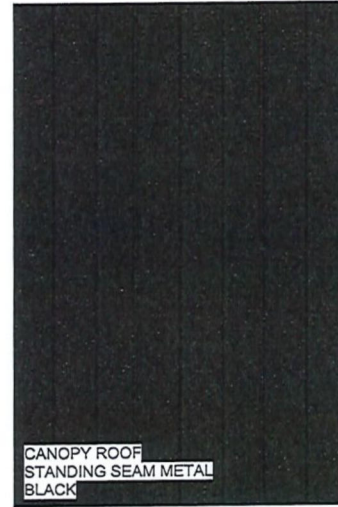
FIBRE CEMENT
LAPPED SIDING IN
SHOU SUGI BAN



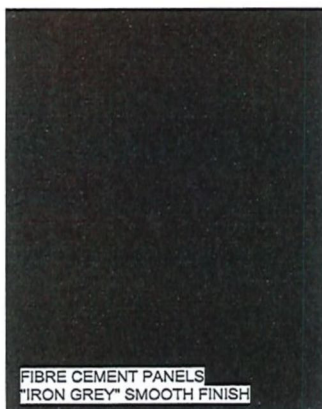
FIBRE CEMENT
LAPPED SIDING IN
WEATHERED WOOD



HANDRAILS +
DECK SOFFITS
BLACK ALUMINUM



CANOPY ROOF
STANDING SEAM METAL
BLACK



FIBRE CEMENT PANELS
"IRON GREY" SMOOTH FINISH



VINYL WINDOWS
+ MEMBRANE ROOFING
BLACK



ROOF SOFFIT +
SIDING ACCENT AREAS
CEDAR RENDITIONS
"TIMBERLINE"



FASCIAS
FIBRE CEMENT
BLACK

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DATE: 2021/04/23

ISSUED FOR REVIEW APR 23 2021

PROJECT
SALMON ARM
DEVELOPMENT

REVISIONS
MATERIALS

DATE	AS NOTED	REVISION	BY

NOTES

PR6

PROJECT PLANT LIST

SYMBOL	BOTANICAL NAME	COMMON NAME	COUNT	SIZE
TREES				
AB	Acer rubrum 'Bowhall'	Bowhall Maple	17	8.5cm Cal.
PI	Populus tremula 'Erecta'	Columnar Swedish Aspen	13	8.5cm Cal.
Ac	Abies concolor	White Fir	3	2m
PpH	Picea pungens 'Hoopsii'	Hoopsii Blue Spruce	3	2m
SHRUBS				
Rm	Berberis thunbergii 'Rose Glow'	Rose Glow Barberry	47	#2pot
CaK	Cornus sericea 'Kelsey'	Dwarf Kelsey Dogwood	31	#2pot
CaF	Cornus sericea 'Farrow'	Artic Fire Dogwood (Dwarf)	81	#2pot
HM	Rosa rugosa 'Henry Hudson'	Henry Hudson Rose (White)	8	#2pot
Ca	Malva sylvestris	Tall Oregon Grape	140	#2pot
Pm	Pinus mugo pumilio	Dwarf Mugo Pine	46	#2pot
Rn	Rosa woodii	Prairie Rose	60	#2pot
Ys	Yucca filamentosa 'Golden Sword'	Golden Sword Yucca	44	#1pot
Y	Yucca elata	Sagebrush	10	#1pot
ORNAMENTAL GRASSES				
Cl	Calamagrostis x acutifolia 'Karl Foerster'	Feather Reed Grass	49	#1pot
De	Deschampsia cespitosa 'Goldstr'	Goldstr Tufted Hairgrass	109	#1pot
H	Helictotrichon sempervirens	Blue Oak Grass	88	#1pot
K	Koeleria glauca	Blue Hair Grass	125	#1pot
Sh	Sporobolus heterolepis	Prairie Dropseed	25	#1pot
PERENNIALS/GROUNDCOVERS				
SC	Salvia nemorosa 'Caradonna'	Caradonna Sage	41	#1pot
N	Nepeta x faassenii 'Droptone'	Droptone Catmint	78	#1pot

LEGEND

- PROPERTY LINES
- LINE OF FLOORS ABOVE
- BRUSH FINISH CONCRETE WALKWAYS
- REFER TO CIVIL ENG DWGS
- DECORATIVE PAVING AREAS
BRICK UNIT PAVING, EXPOSED AGGREGATE OR STAMPED CONCRETE FINISH - TBD
- DRAIN ROCK CW 2" x 4" PTW EDGER
200 MM DEPTH MIN TYP. LOCALLY AVAILABLE
3"-6" DIA. WASHED ROUND RIVER ROCK
ON APPROVED FILTER FABRIC.
- LAWN = SOD ON 150 MM MIN DEPTH
APPROVED GROWING MEDIUM
- PLANTING BED CW 80 MM OF
3/4" WASHED ROCK GROUNDCOVER
ON FILTER FABRIC ON APPROVED
GROWING MEDIUM.
450 MM MIN DEPTH FOR SHRUBS
700 MM MIN FOR TREES
- PT WOOD PRIVACY FENCE
- STYLE VERTICAL SLATS & STAIN COLOUR
TO COMPLEMENT BLD. TBD
- 6' HEIGHT TYP.
- PT 4x4 WOOD EDGER TO SEPARATE
PLANTING FROM LAWN
- LOCALLY SOURCED ACCENT
BOULDERS
- BENCH CW BACKREST
(STYLE TO BE DETERMINED)
- CORA BIKE RACK (OR APPROVED EQUIV.)
SECURED TO CONCRETE WALKWAY
- BEAR PROOF GARBAGE BIN



NOTE: ALL WORK AND MATERIALS SHALL BE TO CANADIAN LANDSCAPE STANDARDS



Date	Revisions	By
06-10-2021	ISSUE FOR DP	LARD
06-09-2021	REVISE GARBAGE BIN AREA	LARD



Project
SALMON ARM DEVELOPMENT
10th AVE
SALMON ARM, BC

Sheet Title
Landscape Plan

Date
April 15, 2021
Scale
1:200 METERS
Drawn By
LS/SD
Project No.

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Drawing No.

L 1



May 13, 2021

City of Salmon Arm
Development Services
P.O. Box 40
500 2 Avenue NE
Salmon Arm, BC V1E 4N2

Dear Salmon Arm planners,

RE: Submission for 1290, 1260 & 1230 10th AVE SW, SALMON ARM BC

This "Letter of Proposal" is to accompany the Development Permit Submission package for 1290, 1260 & 1230 10th Ave SW.

1. Project description/analysis

The proposed project is a mixed commercial and multi-family development consisting of a six storey apartment building with 140 market rental units and 497 SQ.M. (5,346 sqft) of commercial space. The project is located on the 10th Ave SW arterial, across from the "Mall at Picadilly," which will give residents immediate access to groceries and other retail and entertainment needs within a short walk. The proposed location falls within the "C2- Commercial Town Centre Zone," although it is in fact several blocks southwest of the larger town centre commercial core. The subject property is currently a mix of low-density residential housing and a large commercial building. The proposed project will create a striking land mark for the neighborhood, and provide an attractive streetscape across from the mall parking lot. The project will increase and enhance the stock of rental housing available, ensuring that affordable housing units exist for current residents in a location that will promote use of walking, biking and public transit.

The local neighbourhood lacks a cohesive design structure, and currently combines a variety of residential houses (nestled along minor roads set back from the artery), larger-mass commercial buildings along the 10th Ave SW artery, and open, agricultural land. Although the neighbourhood falls in the "City Centre Development Permit Area," it is separated from the main core of the City Centre, and does not resemble the architecture described there. There are no neighboring buildings that will be directly adjacent to the proposed apartment, nor are there any that resemble the 3-storey buildings highlighted in the OCP for the City Centre DP area. Clearly this neighbourhood was included in the

OCP as a commercial city centre zone as a planning tool for what it has the potential to become, rather than as a reflection of its current character.

The proposed project will support the evolution of the neighborhood towards a place that feels more like a city centre. It will feature high-quality finishing materials and design elements to introduce a landmark building with a high aesthetic standard. Furthermore, it appears that existing commercial entities along 10th Ave SW have been designed with solely a vehicle-visitor focus in mind. The landscaping, design and placement of the proposed building will create a pleasant streetscape for pedestrians in this area. The site plan will also be designed to avoid conflicts with adjacent uses through sound attenuation, appropriate lighting, landscaping, traffic calming and the siting of the building to minimize impacts on adjacent development. (The building itself will actually help to shield the residential neighborhood adjacent to the south from noise and lights associated with 10th Ave SW and the Mall.)

The building will include a mix of studio, one-bed and two-bedroom units to cater to a variety of tenants. The apartments will remain in the rental pool, and not be stratified, to ensure that it will address 'market-rate' housing needs in perpetuity. The building location provides easy walking and biking access for residents to many local resources, such as groceries, restaurants, shopping, and Blackburn Park. Residents can also easily take public transit to access the city centre of Salmon arm, as well as natural features such as the McGuire Lake Park and the Pileated Woods Trail system. Increasing the population base in this location will seed the beginning of this new town centre neighbourhood to promote further pedestrian-focused growth in the area.

2. Architectural and Landscaping Design rationale

A. Form and Character

The form and character of the development provides a varying scale throughout the development by way of varying building massing and form typologies. The building utilizes similar high-quality materials to create a cohesive development, although the juxtaposition and variation of these materials creates visual interest and eliminates any monotony. The materials are selected for durability, and emulate natural tones such as weathered wood, cedar and grey stone colouring. The building has distinctive canopies at entry points, and plentiful decks and windows overlooking the sidewalks and open areas to engage the public realm. Building entrances are connected to sidewalks and show clear entry points to the building.

The location of the building allows for a buffer dedicated to landscaping and pedestrian pathways. The placement also addresses neighbouring sites, solar paths, parking needs and vehicular movement.

B. Signage

The signage for the development will be located directly on the building facade to identify the building, close to ground level as appropriate. Lighting will be directed to only illuminate the signage when required. All signage will be consistent with the architectural style of the development.

C. Siting, Landscaping and Screening

The site is subject to development permit guidelines for commercial buildings in the City Centre Development Permit Area. The lot is essentially flat, with no unusual challenges to construction. Existing vegetation consists mainly of grass, with only a few trees, which will have to be removed during construction, but extensive landscaping will be undertaken after construction to provide green space around three sides of the property, including many new trees to be planted.

All landscape and screening has been designed by a registered Landscape Architect, and the plan incorporates appropriate plant species and locations for the area of the development. Trees, shrubs and other plantings will be placed along the road frontage on 10th Ave. SW to enhance the pedestrian experience. The remaining perimeters of the property will also have a landscaped buffer to provide a barrier to the private balconies at ground level and protect the privacy of neighbouring properties, as well as to provide sound attenuation from the ground-level parking spaces.

All commercial space will be located on the ground level of the north wing of the building, aligned along the main road frontage, and adjacent to the existing commercial-use lot on the east side of the proposed project. The refuse service area and mechanical services will be screened by hard and soft landscaping features, to mitigate impacts on public view and noise pollution.

The site plan minimizes shadowing of neighboring properties by using a compact footprint, honoring wide setbacks, and placing the building right along the northern and western setbacks of the site plan.

D. Lighting

All lighting will be full cut off luminaries. The building will have soffit lighting that operates on a solar activated lens, and provides a warm glow to the underside of the roof line. Lighting will be provided at the entry canopies of the apartment by way of solar activated soffit lighting. The parking area and pedestrian pathways will be lit with full cut off lights providing security and safety at night.

E. Parking

The surface parking lot is behind the building, hidden from the view of the main road. Parking consists of 30 commercial parking stalls and 140 residential parking stalls, 47 of which are sheltered under the cover of the west wing of the building. All on-site traffic will use a single entrance point to the property, with a Two-way vehicular access drive, and pedestrian access at rear of building from parking to minimize vehicle-pedestrian interactions. Perimeter landscaping will screen parking and provide a buffer from adjacent properties.

Short term bicycle parking is located at bike racks outside, while long term secure bicycle parking is provided for each apartment within the building, off the ground floor lobby. Handicap stalls are

provided as required.

3. Rationale:

a. DP Primary Objectives Compliance

This project supports the primary objectives of the “City Centre Development Permit Area,” including:

- quality building, site, landscape and streetscape design with the highest level of architectural standards, enhancing the architectural character of the neighborhood by providing a landmark building
- supporting high levels of safe and varied pedestrian use by enhancing the street scape
- tailoring new City Centre commercial development to local site conditions by providing a local population centre in a new city centre neighbourhood
- promoting environmentally sensitive building and landscape approaches through highly efficient land use

b. DP Guideline Compliance

In most respects the project strongly complies with the *Siting and Building Guidelines* defined in the “City Centre Development Permit Area.” However, as noted above, the neighbourhood does not currently reflect many of the building types and/or character attributes defined for this permit area, and therefore due to context, the project is not able to meet certain guidelines in a literal fashion. For example:

9.5.9 Design buildings to provide visual and functional continuity with existing buildings and streetscapes.

9.5.10 Design buildings to be consistent or complementary with the proportion, scale and massing of commercial buildings adjacent to the new development.

In fact, the project will provide a streetscape with a higher quality of architecture and landscaping than the adjacent and nearby properties, which meets the design guidelines in many ways that the nearby properties do not. (Such as high-quality design, visual disruption of massing, visual division into separate storefronts, pedestrian focused streetscape, landscape buffers, locating parking behind buildings, etc.) Although the scale of the building is larger than the nearby buildings, this will be mitigated by the elements of the building designed to break up the building mass. Importantly, establishing a larger population base in this neighbourhood will help to make it more pedestrian focused, and provide an immediate local clientele for future projects in the neighbourhood to serve in a pedestrian-focused way.

In Conclusion

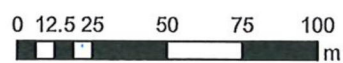
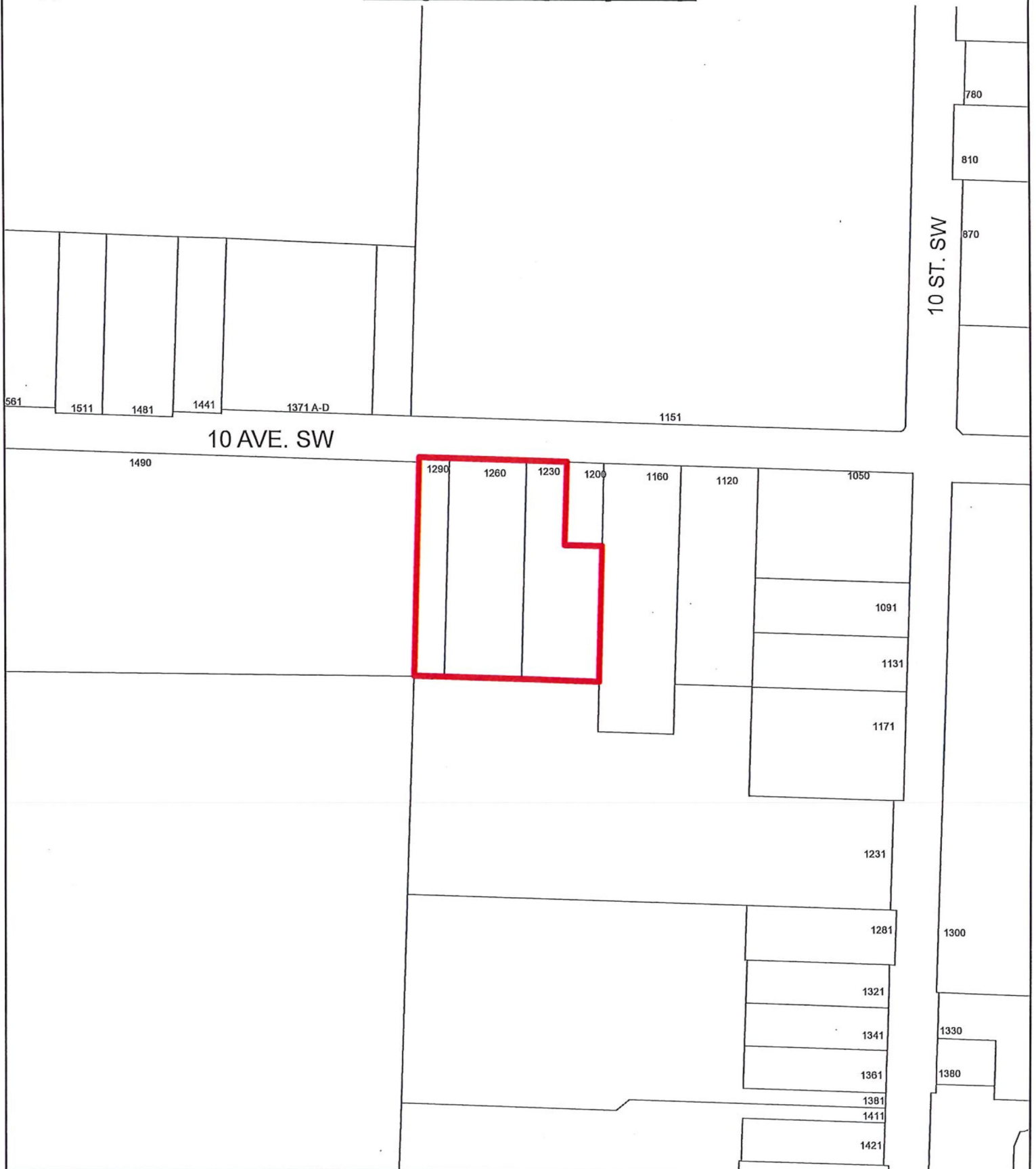
In almost all respects, the development conforms to the key objectives and guidelines for development permits in this category. The project will make highly efficient use of the available land, while providing commercial space and rental apartments in a location that will foster walking, biking and use of public transport. Overall the building will positively contribute toward the character of the neighbourhood and provide a local population base that will support further city-center character growth in that area. Should you require and further information or clarification, please do not hesitate to contact me.

Sincerely,

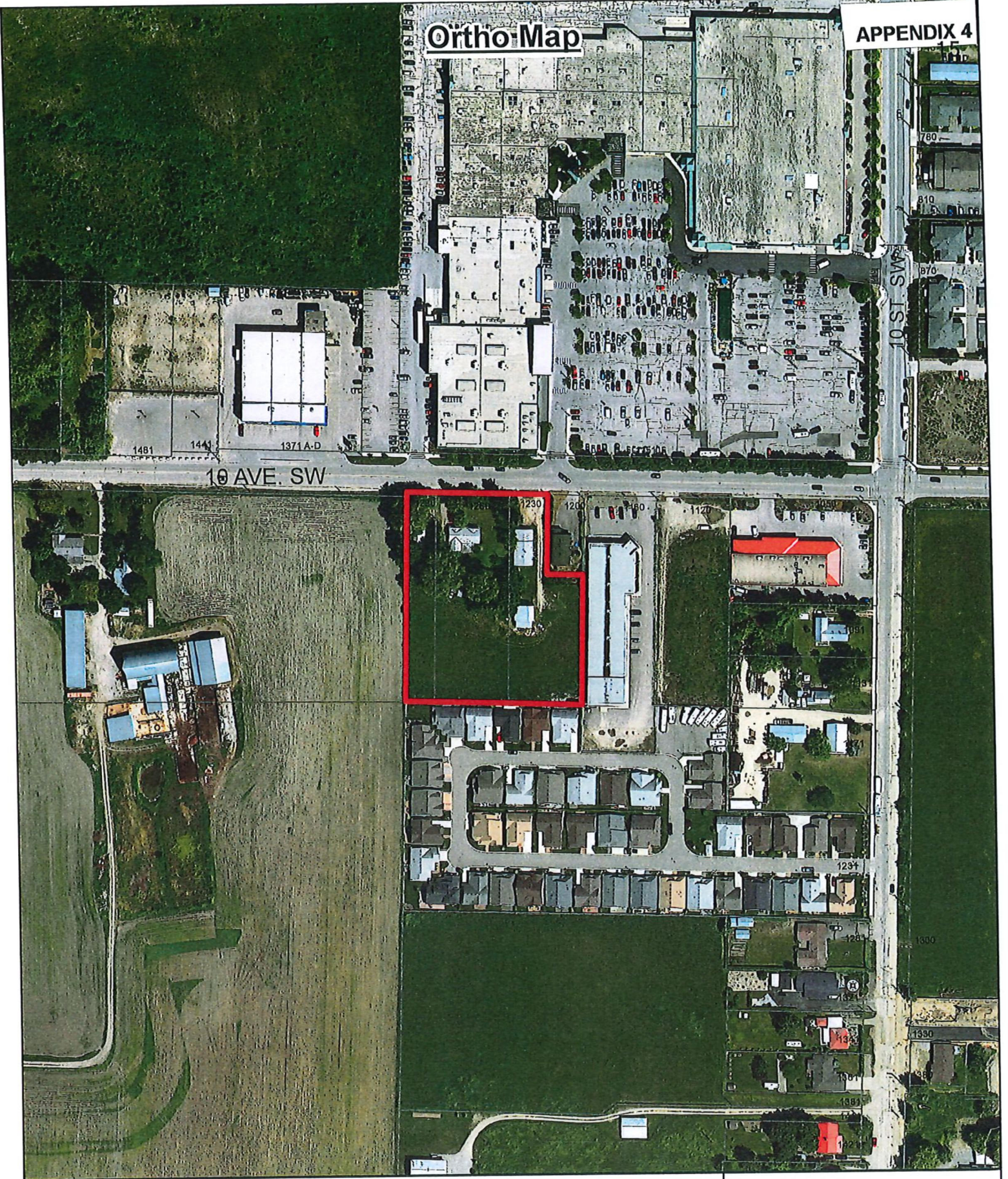


Tanis Frame
Architect AIBC, LEED AP

Subject Property Map



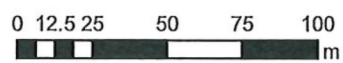
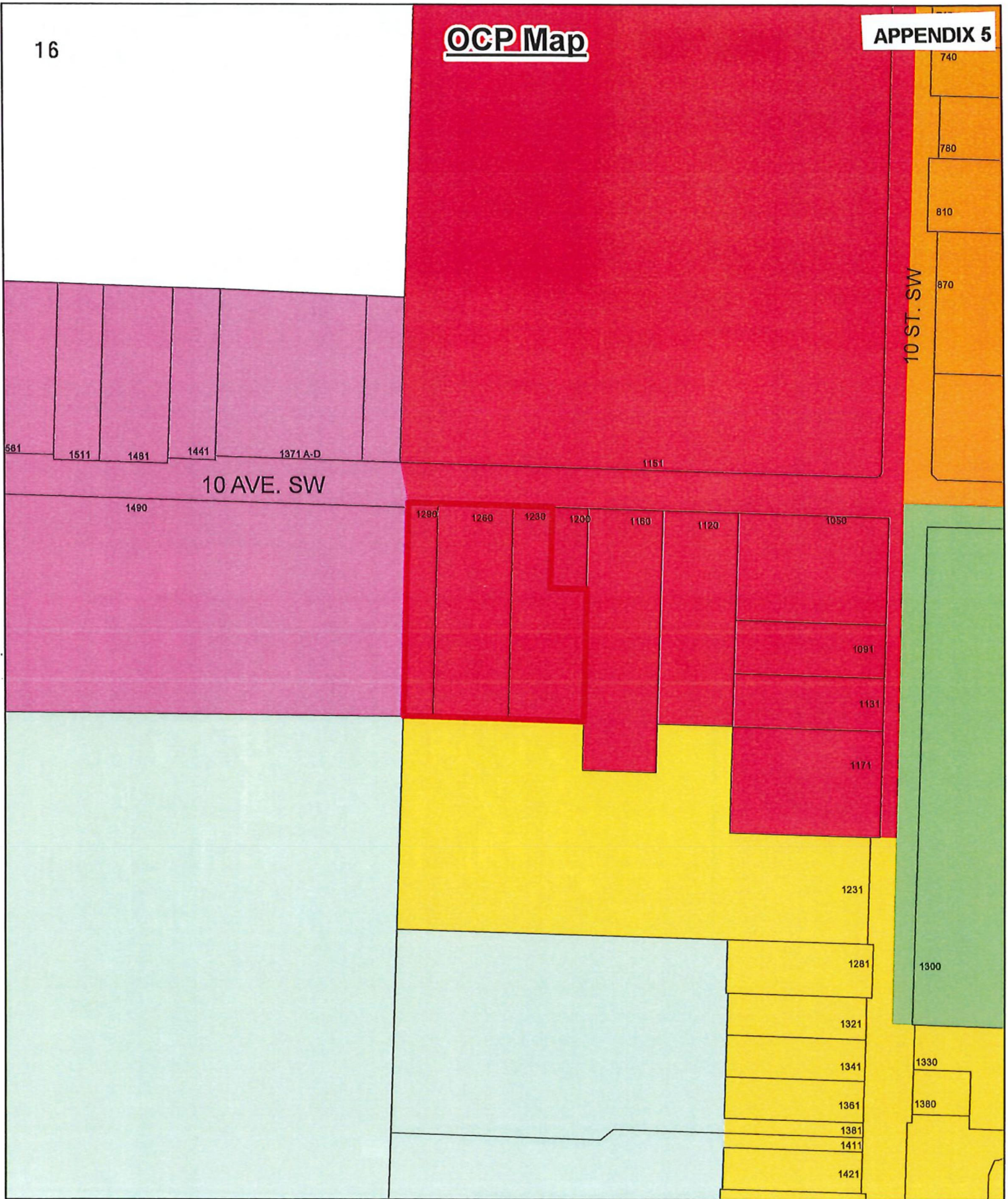
- Subject Property
- Parcels



0 12.5 25 50 75 100
m

Ortho Photo Date: 2021

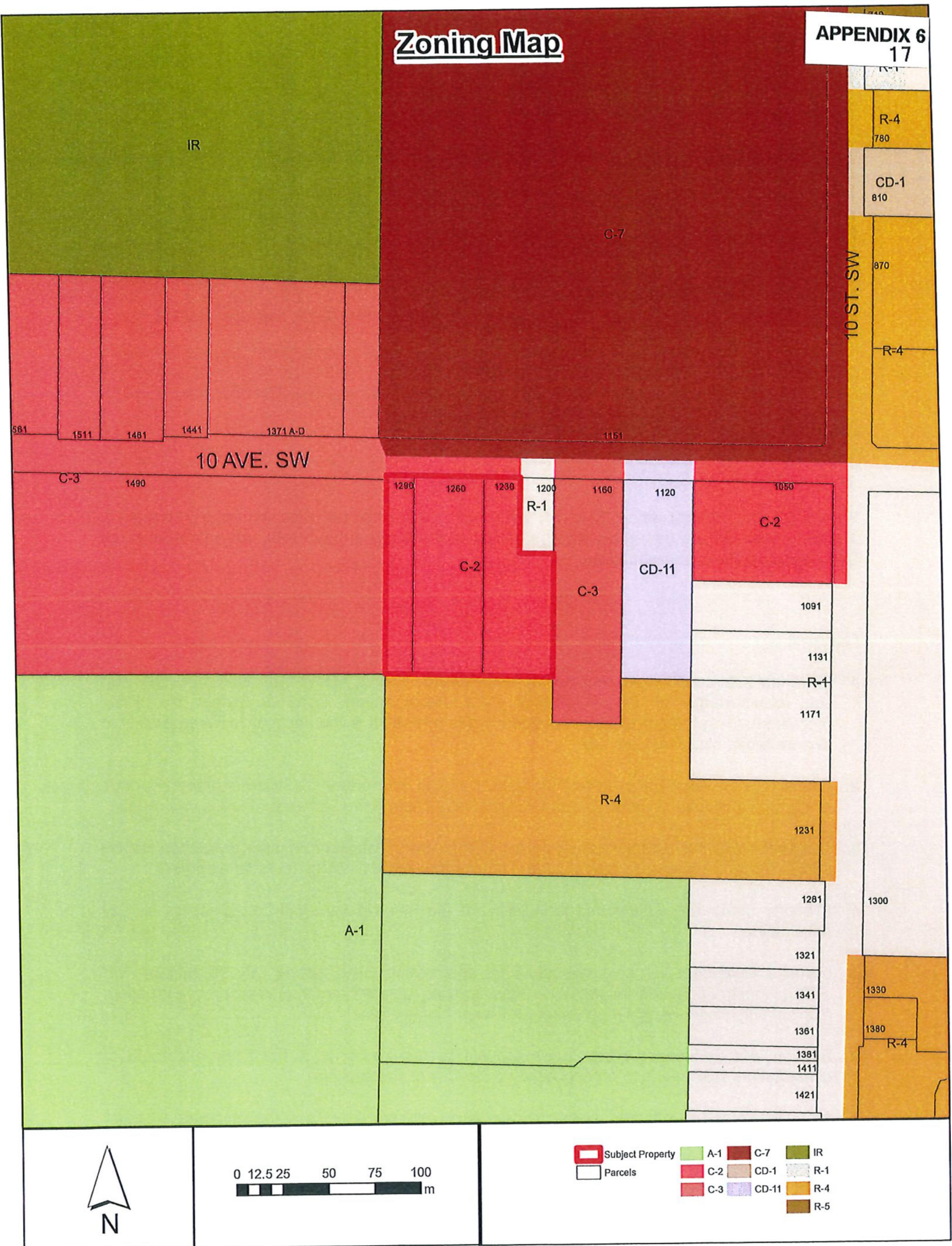
 Subject Property
 Parcels



- | | | |
|------------------|------------------------------|--|
| Subject Property | Acreage Reserve | Residential - High Density |
| Parcels | Salmon Valley Agriculture | Commercial - City Centre |
| | Residential - Medium Density | Commercial - Highway Service / Tourist |

Zoning Map

APPENDIX 6
17



TO: Kevin Pearson, Director of Development Services
 DATE: July 22, 2021
 PREPARED BY: Matt Gienger, Engineering Assistant
 OWNER: **LST Ventures Ltd.**
 APPLICANT: WestUrban Developments Ltd
 SUBJECT: **Development Permit DP-434**
 LEGAL: Lot 1, Section 10, Township 20, Range 10, W6M, KDYD, Plan 3991, Except Plan KAP76862 (PID:010-732-462)
 Lot 2, Section 10, Township 20, Range 10, W6M, KDYD, Plan 3991, Except Plan KAP76862 (PID: 010-732-446)
 Lot 6, Section 10, Township 20, Range 10, W6M, KDYD, Plan 3991, Except Plans 6136, 35041 and KAP76862 (PID: 002-834-910)
 CIVIC: **1230, 1260 & 1290 10 Avenue SW**

Further to your referral dated June 14, 2021, we provide the following servicing information. **These comments are based on amalgamation of the three subject lots, as indicated in the Development Permit application:**

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 shall have all necessary public infrastructure installed to ensure properties can be serviced with underground electrical and telecommunication wiring upon development.
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 prior to the commencement 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 and 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 building permit 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.
9. For the off-site improvements at the time of 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. 10 Avenue SW, on the subject properties northern boundary, is designated as an Urban Arterial Road standard, with an ultimate 25.0m road dedication (12.5m on either side of road centerline). Available records indicate that no additional dedication is required. All dimensions and areas of dedication to be confirmed by BCLS.
2. 10 Avenue SW is currently constructed to an Interim Urban Arterial Road standard. Upgrading to a modified Urban Arterial Road standard is required, in accordance with Specification Drawing No. RD-4, with consideration for the planned open drainage system (see Drainage Section 1). Upgrading may include, but is not limited to, road widening and construction, curb & gutter, boulevard construction, street lighting, street drainage, fire hydrants, and hydro and telecommunications. Owner / Developer is responsible for all associated costs.
3. Owner / Developer is responsible for ensuring all boulevards and driveways are graded at 2.0% towards the existing roadway.
4. As 10 Avenue SW is designated as an Arterial Road, accesses shall be designed by keeping to a minimum number. Only one (1) 8.0m wide driveway access with culvert will be permitted onto 10 Avenue SW. All unused driveways shall be removed. Owner / Developer responsible for all associated costs.
5. Internal roadways are to be a minimum of 7.3m measured from face of curb. Truck turning movements shall be properly analysed to ensure internal road network will allow emergency and service vehicle access.

Water:

1. The subject property fronts a 200mm diameter Zone 1 watermain on 10 Avenue SW. No upgrades will be required at this time.
2. Water service is to be provided by a single metered water service connection (as per Specification Drawing No. W-11), adequately sized to satisfy the proposed use. Water meter will be supplied by the City at the time of building permit, at the Owner / Developer's cost. Only one water service is permitted per parcel, all unused services to be decommissioned at main. Owner / Developer is responsible for all associated costs.

3. The subject property is in an area with sufficient fire flows and pressures according to the 2011 Water Study (OD&K 2012).
4. Fire protection requirements to be confirmed with the Building Department and Fire Department.
5. Records indicate existing fire hydrant approximately 50 meters east of easternmost frontage of 1230 10 Ave SW. Fire hydrant installation will be required, spaced 90m from existing hydrant to meet the commercial density spacing requirements.

Sanitary:

1. The subject property fronts a 305mm diameter AC sanitary sewer and a 200mm diameter sanitary sewer on 10 Ave SW. The 200mm main terminates within the frontage of 1290 10 Ave SW. No upgrades will be required at this time.
2. Records indicate that the existing properties are each serviced by City sanitary sewer. The subject parcel is to be serviced by a single sanitary service connection, adequately sized (minimum 100mm) to satisfy the requirements of the development. Only one sanitary sewer service is permitted per parcel, all unused services to be decommissioned at main. Owner / Developer is responsible for all associated costs.
3. The subject property is in an area with no known capacity issues according to the City's Sanitary Master Plan (2016), which indicates the 305mm sanitary main is able to increase capacity by approximately 20 L/s. Owner / Developer's engineer may be required to prove that there is sufficient downstream capacity within the existing City Sani System to receive the proposed discharge from the development, including review of the lift station at 681 10 Ave SW. Any necessary upgrades will be the responsibility of the Owner / Developer.

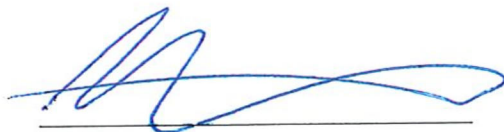
Drainage:

1. The subject property fronts a 1730mm diameter storm sewer main on 10 Ave SW. Due to the limited capacity of this storm sewer main and other considerations, an open drainage system has been designed for this area, which requires a modification to the Urban Arterial Standard. Owner / Developer's engineer will be required to incorporate this design into their drawings for the development.
2. Records indicate that the existing property is not serviced by City storm sewer.
3. 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.
4. Geotech reports in this area recommend against rock pits. Site should connect into the municipal system; however should be designed such that in the event of capacity issues in the main line, stormwater will daylight on site and have a safe flow route off the site and onto 10 Ave SW.

-
5. Discharge into the Municipal Stormwater Collection System shall be in accordance with Section 7.3. The subject property shall be serviced by a single storm service connection adequately sized (minimum 150mm) to satisfy the servicing requirements of the development. Storm infrastructure in this area is known to have capacity issues; therefore, controlling to 2 year pre-development storm flows is required. 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 for Category A (Building Foundation Design) is required.



Matt Gienger
Engineering Assistant



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

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To: His Worship Mayor Harrison and Members of Council
 Date: July 26, 2021
 Subject: Bylaw No. 4468 Road Closure, Disposal and Dedication Bylaw – Part of 53 Street NE & Lane Adjacent to 5331 71 Avenue NE
 Owner/Applicant: Stephen and Jennifer Baker

STAFF RECOMMENDATION

THAT: City of Salmon Arm Road Closure Bylaw No. 4468 proceed to first, second and third readings;

AND THAT: Final reading of City of Salmon Arm Highway Road Closure Bylaw No. 4468 be subject to:

- 1) Consideration of a Highway Closure Bylaw in accordance with Sections 26 and 94 of the Community Charter;
 - 2) The owner of 5331 71 Ave. NE (Stephen Baker) being responsible for all surveying and associated legal and registration costs;
 - 3) Dedication of that part of 53 Street NE along the west property line of 5331 71 Avenue NE and;
 - 4) Registration of a Statutory Right of Way in favour of BC Hydro.
-

PROPOSAL

To close a road located adjacent to 5331 71 Avenue NE and 5381 71 Avenue NE and consolidate that portion of road with 5331 71 Avenue NE in exchange the owner of 5331 71 Avenue NE is proposing to dedicate 53 Avenue NE.

BACKGROUND

The subject property is a lane in Canoe that was created when the adjacent lot (5331 71 Avenue NE) was subdivided in 1955. The subject property is designated in the Official Community Plan (OCP) as Residential Low Density and zoned R1 (Single Family Residential) in the Zoning Bylaw (see Appendices 1 to 4). Related to the subject property is a proposal to dedicate a portion of 5331 71 Avenue NE along the east property line as road.

As shown by the Reference Plan provided by the applicant, the subject portion of road is 191m² (see Appendix 4). In exchange for the lane, the applicant is proposing to dedicate that part of 53 Street NE as shown on the Reference Plan. The area of dedicated road along 53 Avenue NE is 152.7m²

Adjacent land uses are as follows:

North: R1 Single Family Residence
 South: R1 Single Family Residence
 East: R1 Single Family Residence
 West: R1 Single Family Residence

The applicant has stated that the intent for the subject property is to construct a garage.

For reference when calculating estimated values for land, staff use the average land value based on assessed value, multiplied by the area to be closed and, in this case, the area to be dedicated for Road. Below is a summary of these values:

5331 71 Avenue NE

2020 BC Assessment Land Value: \$165,000

Approx. Lot Area: 929.87m²

Per metre value \$177.55

5381 71 Avenue NE

2020 BC Assessment Land Value: \$184,000

Approx. Lot Area: 2013m²

Per metre value: \$91.40

Average price per metre: $\$177.55 + \$91.40 / 2 = \$134.47$

Area of road closure: 190.3m²

Area of Road Dedication: 152.7m²

Estimated Land Value (Approx.) for lane = $(\$134.47 * 190.3\text{m}^2) = \$25,589.64$

Estimated Land Value (Approx.) for road dedication = $(\$177.55 * 152.7\text{m}^2) = \$27,111.89$

Community Charter

The *Community Charter* and *Land Title Act* govern the disposition of City owned land, rights of ways otherwise. The Community Charter addresses two methods through which City owned land and right of ways may be disposed:

- 1) the scenario whereby the City initiates the disposition process or;
- 2) the scenario in which the City is approached by an adjacent landowner to initiate the process.

In the former scenario the City is not obligated to attain other bids for the land, this is the scenario that the Council is considering the offer for purchase. Council may consider any offer to purchase or exchange land. The legislative stipulation is that the should the title be raised, it must be consolidated with an adjacent lot. The Baker's provided Council with a proposal to exchange the lane for road dedication on 53 Street NE. Council supported the offer in principle, subject to the adoption of the Road Closure Bylaw and the Baker's assuming the legal and registration costs.

The *Land Title Act* allows for the process of raising the title of the road, then consolidation with the adjacent titles to be completed through an Explanatory Plan and does not require approval by the City's Approving Officer. The surveyor submits to the Land Title Office an Explanatory Plan (Appendix 5) and a Plan of Consolidation (Appendix 6) which are to be registered concurrently. In this instance, the Road Dedication Plan for that portion of 53 Street NE would be registered simultaneously.

Pursuant to the *Community Charter* sections 40 and 41, there a number of clauses that Council should take into consideration with regard to road closures. Below, staff have outlined the specific sections and how those sections are to be addressed.

Community Charter – Section 26 (1)

Before a council disposes of land or improvements, it must publish notice of the proposed disposition in accordance with section 94 [public notice].

Following third reading of the Road Closure Bylaw a meeting date will be set for adoption. Prior to considering adoption, the mayor will solicit input from the public. Council may then support or deny the bylaw.

Community Charter – Section 26 (3) In the case of property that is not available to the public for acquisition, notice under this section must include the following:

- (a) a description of the land or improvements;
- (b) the person or public authority who is to acquire the property under the proposed disposition;
- (c) the nature and, if applicable, the term of the proposed disposition;
- (d) the consideration to be received by the municipality for the disposition.

A draft version of the advertisement that is to appear in two consecutive editions of the newspaper in advance of Council considering adoption of the bylaw is enclosed as Appendix 7. Any conditions on the approval of the Road Closure Bylaw must be satisfied prior to considering adoption of the bylaw.

COMMENTS

Engineering Department

Engineering comments regarding the road closure are enclosed as Appendix 8. The Engineering Department has indicated that the ultimate road width of 71 Avenue NE is 18.0m, which would require and additional 2.76m of dedication along the frontage of the 5331 71 Avenue NE, including the southern extent of the lane which was not included in the initial offer.

BC Hydro

Within the lane is a BC Hydro pole and service connections to 5331 and 5381 71 Avenue NE. BC Hydro requires a new Statutory Right of Way Agreement to protect the existing pole and services prior to the land changing ownership. The SRW agreements would need to be registered on the title before the land is transferred to the adjacent landowners. This would be done by way of concurrent registration at the land title office of the road closure plan along with BC Hydro's new Statutory Right of Way agreement. A Telus communications line is currently within the same area and would be protected under that same Statutory Right of Way Agreement.

Fortis

No concerns.

Building Department

No concerns were raised during the review period.

Fire Department

No concerns.

Planning Department

The lane being considered for disposal has not been maintained by the City since its dedication in 1955. In considering whether a lane is surplus to the City a number of factors are taken into consideration, including road network needs, development potential and impact on adjacent properties. In this instance, under the existing zoning there is limited additional development potential with the consolidation with the adjacent parcel as the siting of the existing house is an obstacle to future development and subdivision. With regard to impact on adjacent parcels, the removal of the lane access does not affect adjacent parcels as there are established accesses for all adjacent parcels (east and north of the lane) and the lane is not needed for primary or secondary emergency access for any of the adjacent properties. Further, the sale of the lane would not encumber the development potential of the adjacent properties because under the current zoning adjacent lots have adequate lot area and lot widths to accommodate low density subdivision.

While the dedication of lane in 1955 was required for subdivision approval servicing conditions change and constructing lanes or continuing with the lane way in this area is no longer a desirable use of land. The additional taking of land at the time of development for extending the lane in a northerly direction is not

consistent with current road standards in this area. In exchange for the lane the City will obtain the dedication of 53 Street NE, bringing that portion of road to the necessary width for a Local Road Standard.



Prepared by: Melinda Smyrl, MCIP, RPP
Planner



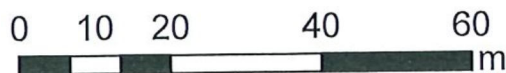
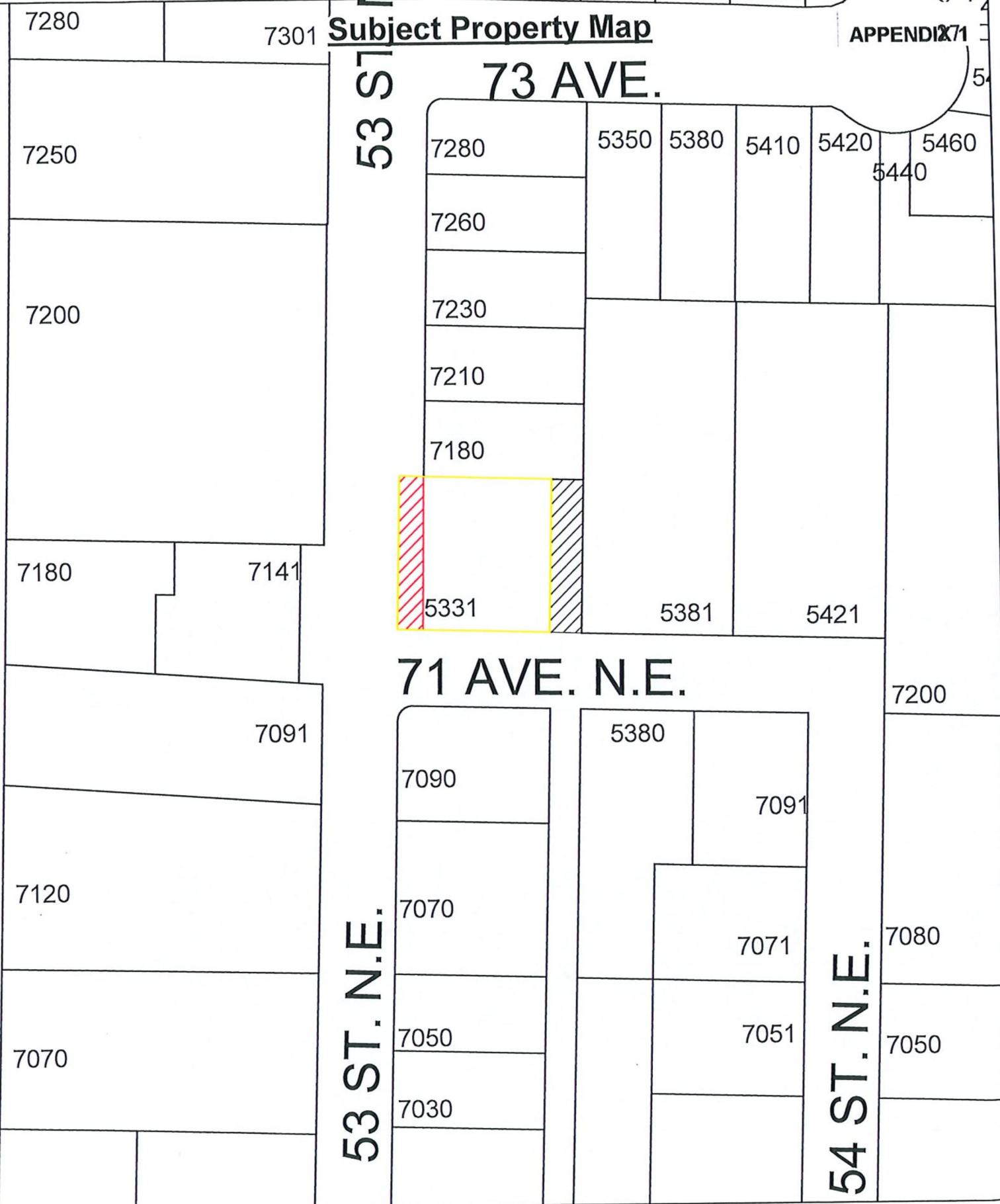
Reviewed by: Kevin Pearson, MCIP, RPP
Director of Development Services

Subject Property Map

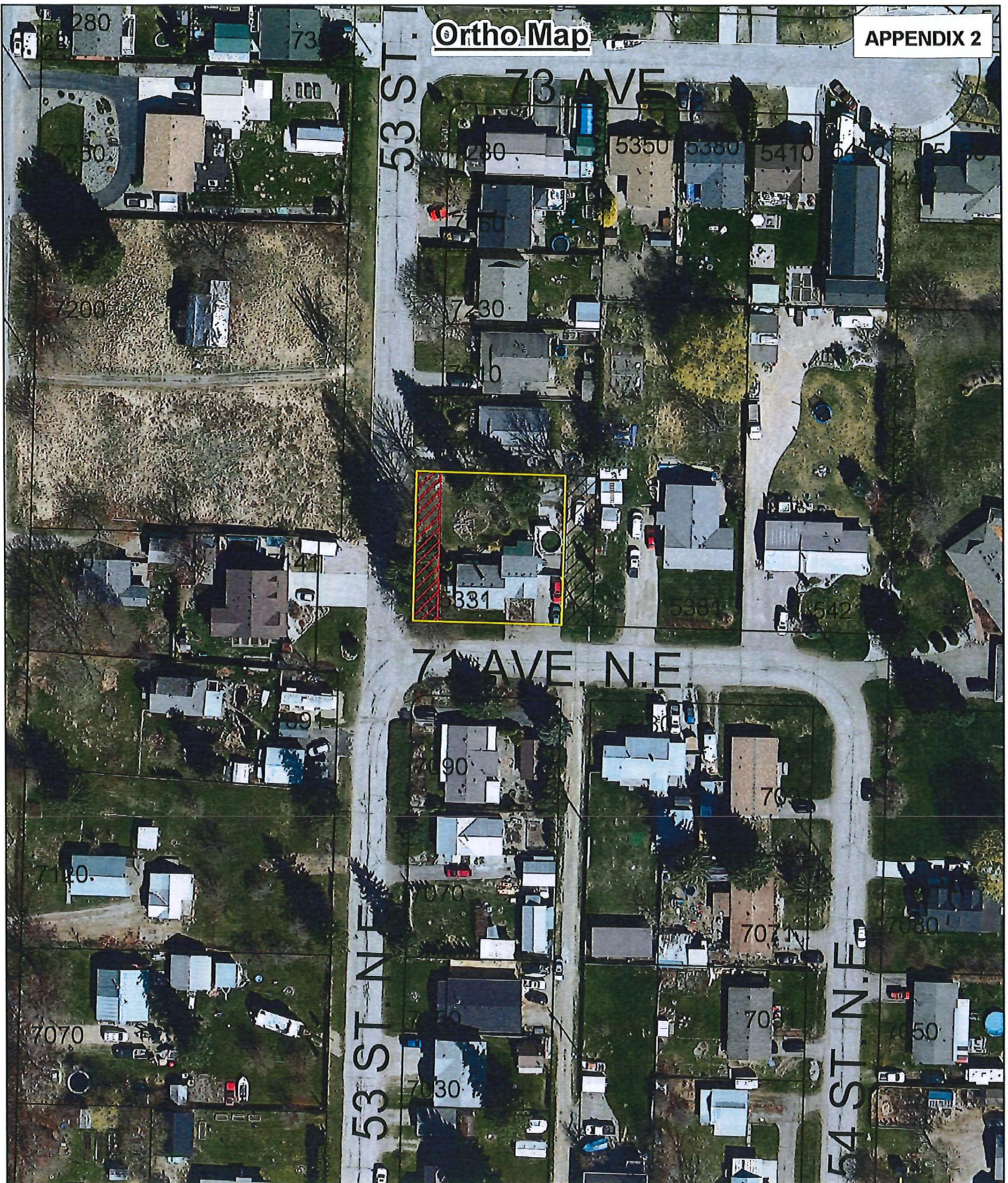
APPENDIX 71

53 ST.

73 AVE.



- Parcels
- Proposed Road Dedication (approx. 162sq.m.)
- Subject Property (approx. 193 sq.m.)
- 5331 71 Avenue NE (approx. 930 sq.m.)



Ortho Photo Date: 2021

- Parcels
- Proposed Road Dedication (approx. 162sq.m.)
- Subject Property (approx. 193 sq.m.)
- 5331 71 Avenue NE (approx. 930 sq.m)

OCP Map

53 ST.

73 AVE.

53 ST. N.E.

71 AVE. N.E.

54 ST. N.E.

7280

7301

7250

7200

7180

7141

7091

7120

7070

7280

5350

5380

5410

5420

5460

5440

7260

7230

7210

7180

5331

5381

5421

7200

7090

5380

7091

7070

7071

7050

7051

7030

7080

7050



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m

□ Parcels

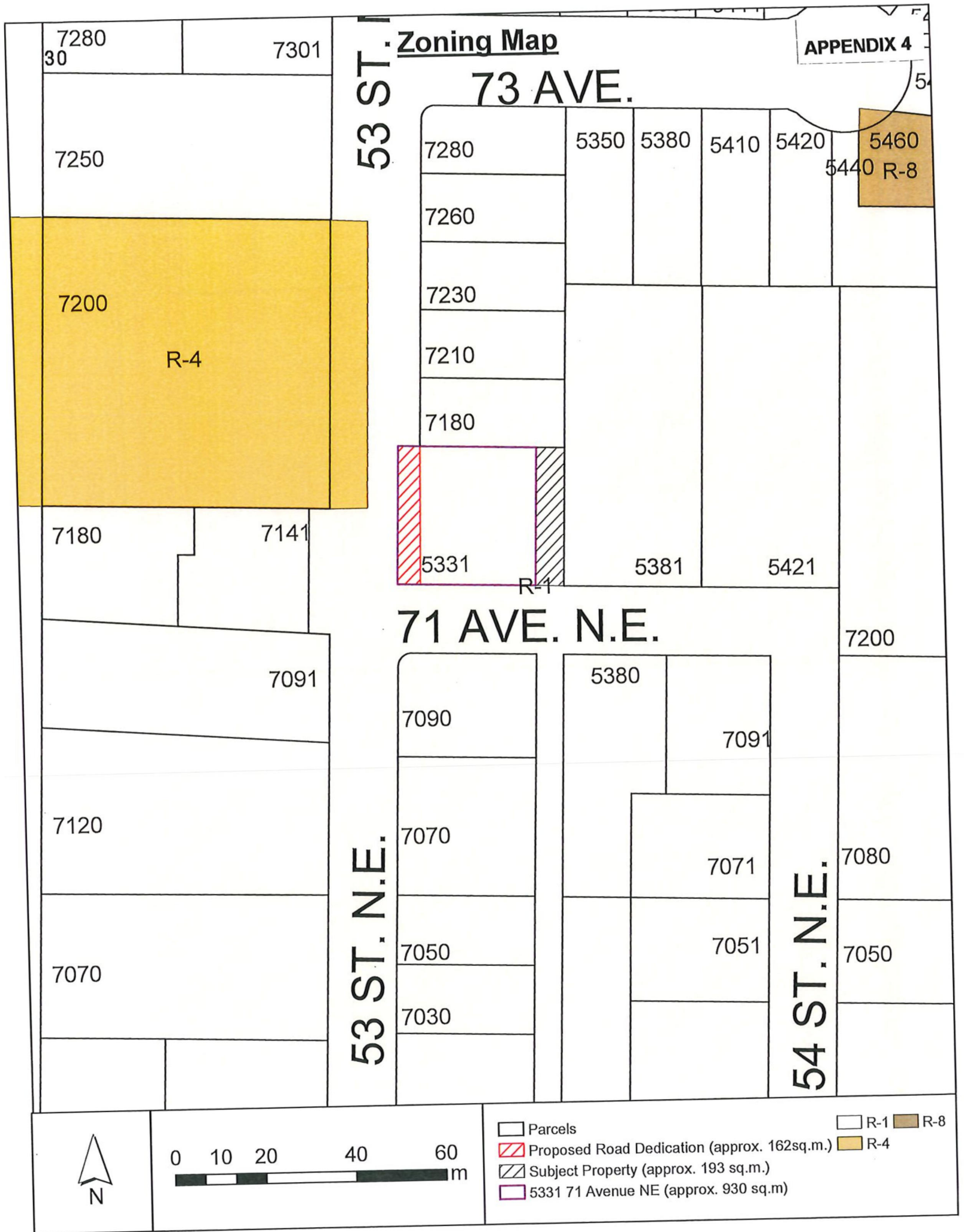
▨ Proposed Road Dedication (approx. 162sq.m.)

▤ Subject Property (approx. 193 sq.m.)

▥ 5331 71 Avenue NE (approx. 930 sq.m)

Residential - Low Density

Residential - Medium Density



Plan EPP112278

BCGS 82L074

Scale 1:200



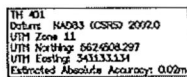
All distances are in metres.

The intended plot size of this plan is 432mm in width by 560mm in height (D size) when plotted at a scale of 1:200

Grid bearings are derived from dual frequency GNSS observations and are referred to the central meridian of UTM Zone 11.

The UTM coordinates and estimated absolute accuracy achieved are derived from dual frequency GNSS observations processed using the Natural Resources Canada PPP service.

This plan shows horizontal ground-level distances unless otherwise specified. To compute grid distances, multiply ground-level distances by the average combined factor of 0.99984961. The average combined factor has been determined based on an ellipsoidal elevation of 335.9m.



TH 400
Datum: NAD83 (CSRS) 2002.0
UTM Zone: 11
UTM Northing: 562401.494
UTM Easting: 343118.295
Estimated Absolute Accuracy: 0.02m

Legend

- Standard Iron Post Found
- Standard Iron Post Placed
- ⊕ Non-Standard Post Found
- △ Traverse Hub Placed
- TH Traverse Hub

B.D. Sansom Land Surveying Inc.
Land Surveying and Geomatics Engineering
Salmon Arm, BC sansomsurveying.com
File No: 2020090A

This plan lies within the Columbia Shuswap Regional District

The field survey represented by this plan was completed on the 3rd day of June, 2021
 Brian Sansom, BCIS 739

**Reference Plan of
Closed Road Plan EPP112278
and Lot A Plan 7042
Sec 5, Tp 21, R 9, W6M, KDYD**

Plan EPP112279

Pursuant to Sections 100(1)(b) and 107 of the Land Title Act

BCGS 82L074

Scale 1:200



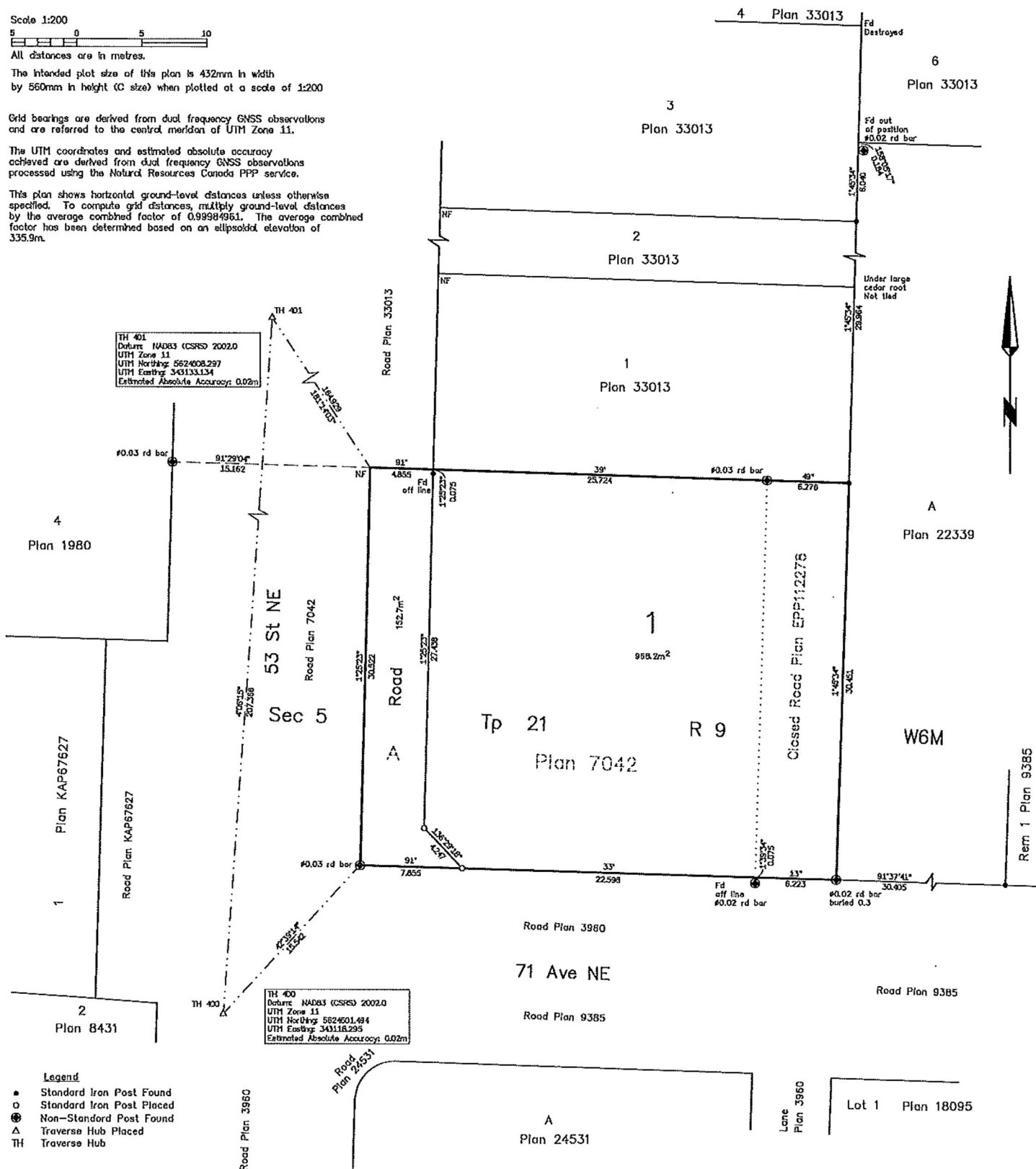
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by 560mm in height (C size) when plotted at a scale of 1:200

Grid bearings are derived from dual frequency GNSS observations
and are referred to the central meridian of UTM Zone 11.

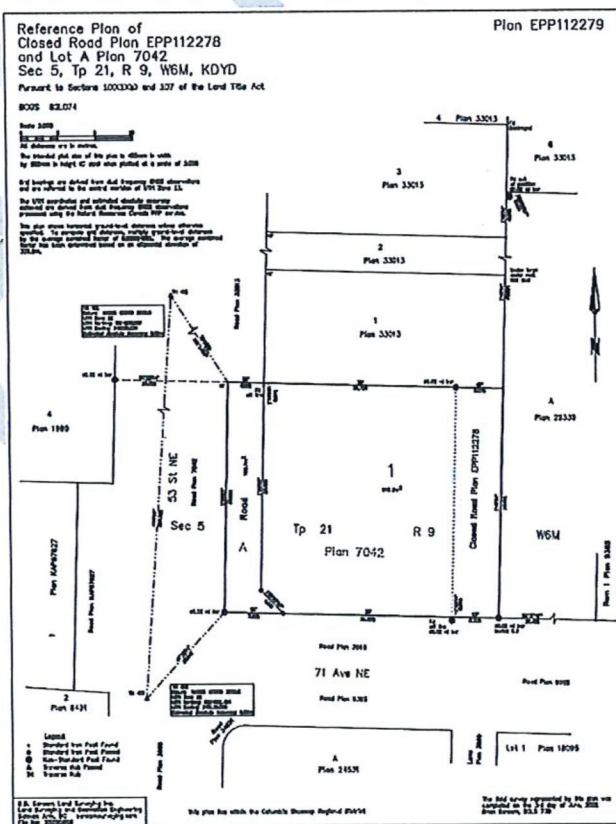
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This plan shows horizontal ground-level distances unless otherwise
specified. To compute grid distances, multiply ground-level distances
by the average combined factor of 0.99984961. The average combined
factor has been determined based on an ellipsoid elevation of
335.9m.



HIGHWAY CLOSURE BYLAW NO. 4468 AND DISPOSAL OF CLOSED ROAD

Further, pursuant to Sections 26 and 94 of the Community Charter, the City of Salmon Arm gives notice of its intention to dispose of the 190.3 m² portion of road ("the Closed Road") to Stephen and Jennifer Baker in exchange for the dedication of 152.7 m² portion of road ("the Road") shown on reference plan EPP1122797, a reduced copy of which forms part of this notice. The "Closed Road" will be consolidated with the adjacent property legally described as Lot A, Pan 7042, Section 5, Township 21, Range 9. All associated costs shall be the responsibility of the applicant.



The City of Salmon Arm invites anyone who considers their affected by the Highway Closure Bylaw to submit written comments prior to the DATE Regular Council Meeting or make a virtual presentation at the meeting on this specific agenda item. Any inquiries concerning the proposed disposition should be addressed to Erin Jackson, Director of Corporate Services, or sent via email to ejackson@salmonarm.ca or fax 250-803-4042 no later than 10:00 am on DATE. The file for the proposed bylaw is available for inspection between the hours of 8:30 am and 4:00 pm, Monday through Friday between Date and Date, both inclusive, in the office of the Director of Corporate Services at the City of Salmon Arm, 500 – 2 Avenue NE.

Erin Jackson
Director of Corporate Services

**CITY OF
SALMON ARM**

*Memorandum from the
Engineering and Public
Works Department*

TO: Kevin Pearson, Director of Development Services
DATE: 15 June 2021
PREPARED BY: Chris Moore, Engineering Assistant
REFERRAL: **SUBDIVISION APPLICATION FILE NO. SUB: 21.11 –
Road Closure (Bylaw No. 4468)**
OWNER: **City of Salmon Arm and S. Baker**
APPLICANT: Owners
LEGAL: Lane east of Lot A, Section 5, Township 21, Range 9, W6M, KDYD, Plan
7042
CIVIC: **5331 – 71 Avenue NE**

Further to your referral dated June 2, 2020, we provide the following servicing information:

1. Roads

The Engineering Department has no objection to the proposed road closure, however it is noted that 71 Avenue is only 15.24m wide currently and an additional 2.76m of dedication is required to achieve a 18m wide ROW (to be confirmed by a BCLS).

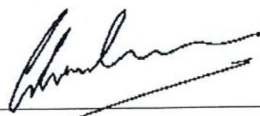
2. Utilities

There are no City utilities located in the existing Lane and the proposed closure will not affect City utilities.

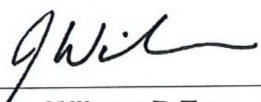
3. Shallow Utilities

Confirmation is required from all service companies that they do not have services located in the existing Lane.

A Hydro pole is located in the Lane, together with an anchor and a service line crossing to 5381 71 Ave NE. (See attached plan / photo.) The anchor and service line would be in trespass if the entire lane were transferred to the owner, however provided that 2.76m of the Lane is retained, as per item 1, this infrastructure should still be within City ROW. Owners surveyor will be required to confirm the location of these services. Owner is responsible for all associated costs.



Chris Moore
Engineering Assistant



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



To: His Worship Mayor Harrison and Members of Council

Date: July 13, 2021

Subject: Zoning Bylaw Amendment Application No. 1215

Legal: Lot 8, Section 25, Township 20, Range 10, W6M, KDYD, Plan EPP68403
 Civic Address: 4380 20 Street NE
 Owner/Applicant: Green Emerald Investments Inc.

STAFF RECOMMENDATION

THAT: A Bylaw be prepared for Council's consideration, adoption of which would amend Zoning Bylaw No. 2303 by rezoning Lot 8, Section 25, Township 20, Range 10, W6M, KDYD, Plan EPP68403 from R7 (Large Lot Single Family Residential Zone) to R8 (Residential Suite Zone).

PROPOSAL

The subject parcel is located at 4380 20 Street NE (Appendices 1 and 2). The proposal is to rezone this parcel from Large Lot Single Family Residential (R7) to Residential Suite Zone (R8) to facilitate construction of a *secondary suite* in the new single family dwelling to be constructed on this property.

Site photo is attached as Appendix 3.

BACKGROUND

This parcel is designated Low Density Residential (LDR) in the City's Official Community Plan (OCP), and zoned Large Lot Single Family Residential in the Zoning Bylaw (Appendices 4 & 5).

The subject property is located within the Urban Containment Boundary (UCB) in the Raven neighbourhood which consists largely of single family residential properties.

Land uses directly adjacent to the subject property include the following:

North: R7 (Large Lot Single Family Residential) and A2 (Rural Holding)
 South: R7 (Large Lot Single Family Residential)
 East: R7 (Large Lot Single Family Residential) and A2 (Rural Holding)
 West: R9 (Estate Residential), R8 (Residential Suite), and R1 (Single Family Residential)

The subject property is 1,560.1 m² in area and is currently vacant with no building permit application having been made for the building at the time of writing this report. A building permit will be required for the proposed single family dwelling with a *secondary suite*.

A *secondary suite* can be no larger than 40% of the habitable floor space of a building, to a maximum size of 90 m² (968.8 ft²). Compliance with BC Building Code and zoning regulations will need to be confirmed at the building permit stage (see Appendix 6 attached for R8 zoning regulations).

A previous application was made to rezone this property to R8 in 2014 as part of a rezoning application for the entire subdivision. At the time, the subdivision was just three lots; however, earlier this year a preliminary layout review letter was issued for the final five lots (bringing the total number of lots in this subdivision to 23 single family lots spanning north to 45 Avenue NE). In 2014, Council had granted first and second reading to Zoning Bylaw Amendment Application No. 1007. In anticipation of potential neighbourhood

opposition, the applicant withdrew the application and the Public Hearing for that rezoning was cancelled. Since that time, only 4080 20 Street NE has been rezoned to R8, all other lots in this subdivision remain R7.

COMMENTS

Engineering Department

Secondary suites are generally exempt from off-site works and services. Engineering comments related to this proposal and site servicing will be provided directly to the applicant.

Building Department

No concern with rezoning. BC Building Code applies.

Fire Department

No comment.

Planning Department

Policy 8.3.25 within the OCP provides support for either a *secondary suite* or *detached suite* within all Residential (High, Medium, and Low) designated areas via a rezoning application, subject to compliance with the Zoning Bylaw and the BC Building Code.

While the R8 zone would allow a separate *detached suite* instead of a *secondary suite* within a single family dwelling, it does not appear that this lot would be large enough to accommodate this in addition to the proposed residence.

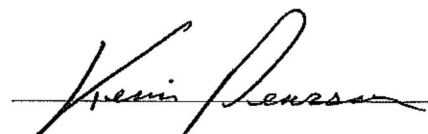
Three parking spaces will be required for uses on the property (two for the single family dwelling and one for the *secondary suite*). It is unclear if adequate parking can be provided at on the subject property but given that this lot is almost identical in size to the lots to the south and the proposed single family dwelling is likely to be of similar size and form, staff feel that there is likely ample room to accommodate three parking spaces.

Parking requirements and suite footprint must be confirmed at the building permit stage.

This property is well suited to a *secondary suite* given their size and location. Subject to compliance with the BC Building Code, staff are in support of this rezoning application.



Prepared by: Brenda Kolenbrander
Planner



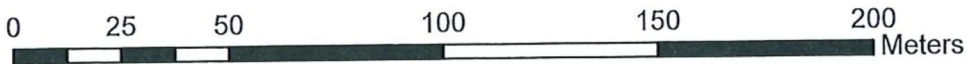
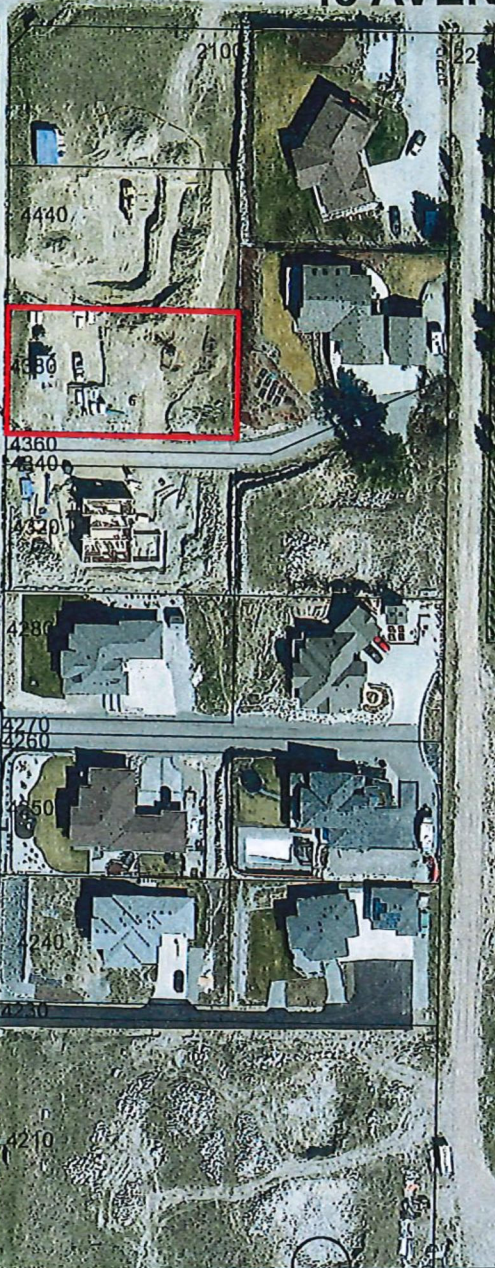
Reviewed by: Kevin Pearson, MCIP, RPP
Director of Development Services

Appendices:

- Appendix 1 – Location Map
- Appendix 2 – Subject Property Map
- Appendix 3 – Site Photo
- Appendix 4 – OCP Map
- Appendix 5 – Zoning Map
- Appendix 6 – R8 Zoning Regulations

20 STREET NE

45 AVENUE NE



- Subject Property
- Parcels

Subject Property

4440

40

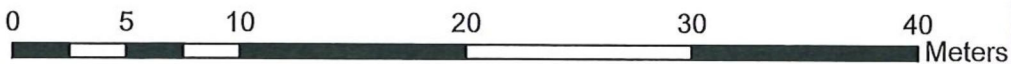
20 STREET NE



4380

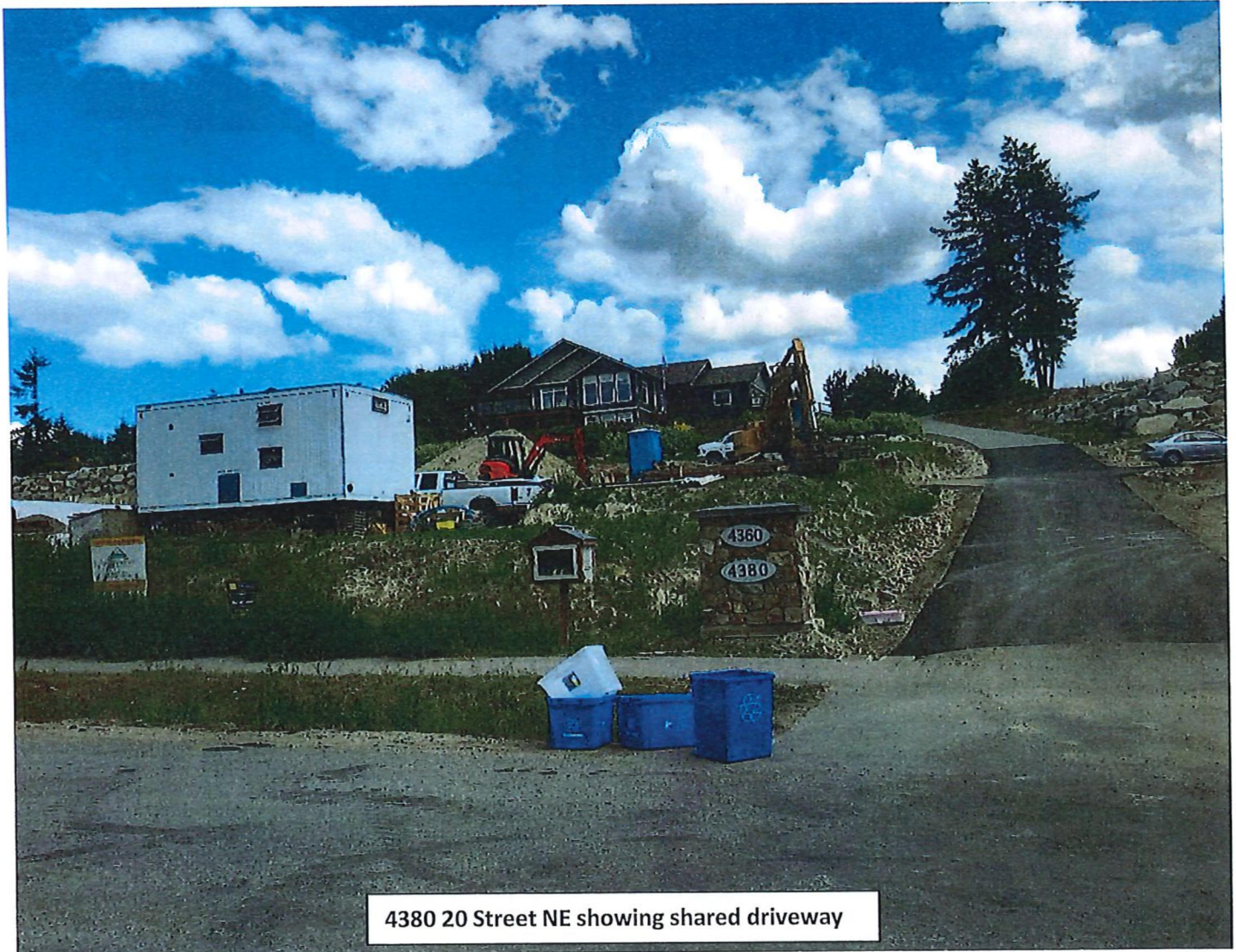
4360

4340

4320



-  Subject Property
-  Parcels



4380 20 Street NE showing shared driveway

OCP Map

42

4551

4521

4461

4401

4351

4281

4211

20 STREET NE

45 AVENUE NE

2100

2200

4440

4380

4360

4340

4320

4280

4270

4260

4250

4240

4230

4210



0 10 20 40 60 80 Meters

Land Use Designation

 Acreage Reserve

 Residential - Low Density

 Subject Property

 Parcels

4551

4521

4461

4401

4351

4281

4211

20 STREET NE

45 AVENUE NE

2100

2200

4440

4380

4360

4340

4320

4280

4270

4260

4250

4240

4230

4210



0 10 20 40 60 80 Meters

Zoning



A-2



R-7



R-9



R-1



R-8



Subject Property



Parcels

44

Purpose

- 13.1 The purpose of the R-8 Zone is to permit the use of a *secondary suite* contained within a *single family dwelling* or a *detached suite* contained within an *accessory building*.

Regulations

- 13.2 On a *parcel zoned R-8*, no *building* or *structure* shall be constructed, located or altered and no plan of subdivision approved which contravenes the regulations set out in the *R-8 Zone* or those regulations contained elsewhere in this Bylaw.

Permitted Uses

- 13.3 The following uses and no others are permitted in the R-8 Zone:

- .1 *boarders*, limited to two;
- .2 *family childcare facility*; #3082
- .3 *group childcare*; #3082
- .4 *home occupation*;
- .5 *public use*;
- .6 *public utility*;
- .7 *single family dwelling*;
- .8 *accessory use*, including *secondary suite* or *detached suite*.

Maximum Number of Single Family Dwellings

- 13.4 One (1) *single family dwelling* shall be permitted per *parcel*.

Maximum Number of Secondary Suites

- 13.5 One (1) *secondary suite* or one (1) *detached suite* is permitted per *parcel*.

Maximum Height of Principal Building

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

Maximum Height of Accessory Buildings

- 13.7
- .1 The maximum *height* of an *accessory building* shall be 6.0 metres (19.7 feet).
 - .2 The maximum *height* of an *accessory building* containing a *detached suite* shall be 7.5 metres (24.6 feet).

Maximum Parcel Coverage

- 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*. #4272

Minimum Parcel Area

- 13.9
- .1 The minimum *parcel area* shall be 450.0 square metres (4,843.9 square feet).
 - .2 The minimum *parcel area* of a *parcel* containing a *detached suite* shall be:
 - .1 With lane or second *street* frontage 465.0 square metres (5,005.2 square feet)
 - .2 Without lane or second *street* frontage 700.0 square metres (7534.7 square feet)

Minimum Parcel Width

- 13.10
- .1 The minimum *parcel width* shall be 14.0 metres (45.9 feet).
 - .2 The minimum *parcel width* of a *parcel* containing a *detached suite* shall be:
 - .1 With lane or second *street* frontage 15.0 metres (49.2 feet)
 - .2 Without lane or second *street* frontage 20.0 metres (65.6 feet)

Maximum Floor Area and Floor Area Ratio

13.11

- .1 The maximum *floor area* of a *detached suite* shall be 90.0 square metres (968.8 square feet).
- .2 The maximum *floor area ratio* of a *single family dwelling* shall be 0.65.

Minimum Setback of Principal Building13.12 The minimum *setback* of the *principal building* from the:

- .1 *Front parcel line* shall be 6.0 metres (19.7 feet)
- .2 *Rear parcel line* shall be 6.0 metres (19.7 feet)
- .3 *Interior side parcel line* shall be 1.5 metres (4.9 feet)
- .4 *Exterior side parcel line* shall be 6.0 metres (19.7 feet)
- .5 Notwithstanding Sections 13.12.2 and 13.12.3., a *principal building* on a corner *parcel* may be sited not less than 1.5 metres (4.9 feet) from the *rear parcel line* provided the combined total of the *rear* and *interior side yards* shall be not less than 6.0 metres (19.7 feet). #3426
- .6 Refer to Section 4.9 for "Special Building Setbacks" which may apply #2811

Minimum Setback of Accessory Buildings13.13 The minimum *setback* of accessory *buildings* from the:

- .1 *Front parcel line* shall be 6.0 metres (19.7 feet)
- .2 *Rear parcel line* shall be 1.0 metre (3.3 feet)
- .3 *Interior side parcel line* shall be 1.0 metre (3.3 feet)
- .4 *Exterior side parcel line* shall be 6.0 metres (19.7 feet)
- .5 Refer to "Pound and Animal Control Bylaw" for special setbacks which may apply. #2811

Minimum Setback of a Detached Suite13.14 The minimum *setback* of an accessory *building* containing a *detached suite* from the:

- .1 *Front parcel line* shall be 6.0 metres (19.7 feet)
- .2 *Rear parcel line* shall be 3.0 metres (9.8 feet)
- .3 *Interior side parcel line* shall be 2.0 metres (6.5 feet)
- .4 *Exterior side parcel line* shall be 6.0 metres (19.7 feet)
- .5 *Parcel line* adjacent to a lane 1.2 metres (3.9 feet)

Parking

13.15

- .1 Parking shall be required as per Appendix I.
- .2 An offstreet parking space provided for a *secondary suite* or *detached suite* shall not be sited in tandem to a parking space provided for a *single family dwelling*.

Detached Suite

13.16 Refer to Section 4.2 for General Regulations.

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To: Development and Planning Services Committee

From: Director of Development Services

Date: July 27, 2021

Subject: Regulating Ground Water Bottling

Background

This report follows up to the June 28, 2021 Council Resolution (0364-2021) - attached.

A recent ground water extraction licence application to the Province for land within the municipality raised concerns by Council on the possibility of water bottling industries/facilities locating in the City. A water bottling facility, as is the case for other types of beverage production facilities, is permitted in the General Industrial (M1) and Light Industrial (M2) zones under the use *light industry*. The use "distillery and brewery" (undefined) is also permitted in the M1 and M2 zones.

Light industry is a light manufacturing use defined as: "means the wholesaling, warehousing, testing, processing, service, repair or maintenance of an article, substance, material, fabric or compound...".

Somewhat related, there are several business operating in Salmon Arm dispensing bulk treated City water for commercial retail sale (permitted as *retail store* in various commercial zones). Two business licences and numerous water vending machines exist in various locations and grocery stores.

Options

The Zoning Bylaw along with business licencing appear to be the only tools available to regulate the matter at hand. The following are options:

1. Add a General Regulation or General Prohibition in the Zoning Bylaw prohibiting the bottling of ground water for commercial sale in all zones. (or similar wording)
2. Add to the definition of *light industrial* "...but does not include the bottling of ground water for commercial sale."
3. Combination of 1. and 2.

Discussion

It has come to staff's attention that the City of Courtney and the Comox Valley Regional District are two local governments in BC using zoning bylaws to regulate the bottling of ground water in a similar fashion to Options 1 - 3. Should Council wish to proceed with regulating the bottling of ground water, staff would require a motion to prepare a bylaw to that effect.

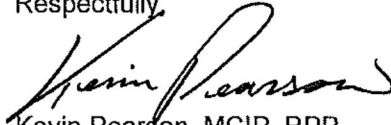
As per Council's direction, the matter was referred to the Economic Development Society for comment (EDS comments are also attached). On June 7, 2021, letters from the Mayor concerning the broader topic of Provincial ground water extraction regulations were sent to the Premier, the Minister of Environment and Climate Change Strategy and the Ministry of Forest, Lands and Natural Resource Operations and Rural Development.

Light industry is a long-standing land use in Salmon Arm's M1 and M2 zones. The use *light industry* is wide open to light manufacturing options and consistent with the Official Community Plan.

The ability to regulate land use under Section 479 (1) (c) (i) does not appear to include an ability to regulate *where* raw materials of production are derived from and attempting to do so may be beyond the scope of zoning powers, unless a higher level government regulation (e.g. Cannabis Control and Licensing Act or Agricultural Land Commission Act) enables that for consistency reasons.

Given the above, the undersigned is uncertain about the legal ability to regulate this use by zoning. Should Council wish to proceed, is it recommended a legal opinion on this matter could be sought, and with that other options may come to light.

Respectfully,

A handwritten signature in black ink, appearing to read "Kevin Pearson". The signature is fluid and cursive, with a large loop at the end.

Kevin Pearson, MCIP, RPP
Director of Development Services

19. OTHER BUSINESS

1. Councillor Lavery Notice of Motion from June 14, 2021 - Prohibition of Commercial Bottling of Groundwater in Bylaws

0364-2021

Moved: Councillor Lavery

Seconded: Councillor Lindgren

WHEREAS Council recently endorsed a motion opposing the extraction of groundwater for the purposes of commercial bottled or bulk water sales and advised the province of that motion;

AND WHEREAS the City can control the commercial bottling of ground water through its own zoning bylaws;

THEREFORE BE IT RESOLVED THAT: Council ask staff to report on options to prohibit the commercial bottling of groundwater in all zones of our land use bylaws.

CARRIED
Councillor Flynn Opposed

May 19th, 2021

Kevin Pearson, Director of Development Services
City of Salmon Arm
Box 40
Salmon Arm BC, V1E 4N2

Dear Kevin,

Re: Water Extraction/Bottling

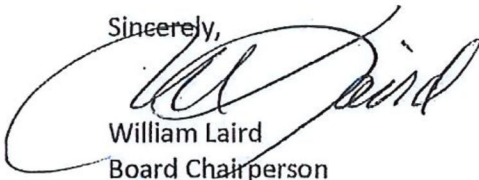
In response to your April 29th, 2021, letter requesting comment from Salmon Arm Economic Development Society (SAEDS) regarding the pending water extraction application, SAEDS has reviewed available information and has compiled the following comments.

The Salmon Arm Economic Development Society board of directors supports the resiliency and growth of our local entrepreneurs, new business development, and related job creation. We actively support our community's start-up economy. Our organization acknowledges the important economic contribution of every business operating within the City of Salmon Arm. Further, SAEDS values the applicants' reputations for providing environmental solutions, as well as the significant community economic contribution which continues to be generated through their existing businesses.

The board has concerns related to how an application for water extraction aligns with our community brand, affects environmental sustainability, and potentially impacts the community in the long-term. Core to our community's brand pillars is a commitment to the long-term sustainability of our natural environment, which includes water resources. The SAEDS board noted concern related to the unknown long-term implications to community water availability.

This application is a unique and nuanced proposal with numerous intricacies. There are many factors at play, some of which our organization has not previously encountered. As a result, this was a carefully considered but difficult response.

Sincerely,



William Laird
Board Chairperson



Agricultural Land Commission
 201 – 4940 Canada Way
 Burnaby, British Columbia V5G 4K6
 Tel: 604 660-7000
 Fax: 604 660-7033
www.alc.gov.bc.ca

July 5, 2021

ALC File: 61586

Brad DeMille
DELIVERED ELECTRONICALLY

Dear Brad DeMille:

Re: Reasons for Decision - ALC Application 61586

Please find attached the Reasons for Decision of the Okanagan Panel for the above noted application (Resolution #308/2021). As agent, it is your responsibility to notify the applicant accordingly.

Please note that the submission of a \$150 administrative fee may be required for the administration, processing, preparation, review, execution, filing or registration of documents required as a condition of the attached Decision in accordance with s. 11(2)(b) of the ALR General Regulation.

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

Under section 33 of the *Agricultural Land Commission Act* (ALCA), a person affected by a decision (e.g. the applicant) may submit a request for reconsideration. A request to reconsider must now meet the following criteria:

- No previous request by an affected person has been made, and
- The request provides either:
 - Evidence that was not available at the time of the original decision that has become available, and that could not have been available at the time of the original decision had the applicant exercised due diligence, or
 - Evidence that all or part of the original decision was based on evidence that was in error or was false.

The time limit for requesting reconsideration of a decision is one year from the date of the decision's release, as per [ALC Policy P-08: Request for Reconsideration](#).

Please refer to the ALC's [Information Bulletin 08 – Request for Reconsideration](#) for more information.

Please direct further correspondence with respect to this application to ALC.Okanagan@gov.bc.ca

7.1

Yours truly,

A handwritten signature in black ink, appearing to read "Claire Buchanan", with a long horizontal flourish extending to the right.

Claire Buchanan, Land Use Planner

Enclosures: Reasons for Decision (Resolution #308/2021)
 Schedule A: Decision Map

cc: City of Salmon Arm (File: ALC 400). Attention: Kathy Frese

61586d1



AGRICULTURAL LAND COMMISSION FILE 61586
REASONS FOR DECISION OF THE OKANAGAN PANEL

Non-Farm Use Application Submitted Under s.20(2) of the *Agricultural Land Commission Act*

Applicant: Birch Haven Farms Ltd.

Agent: Brad DeMille

Property: Parcel Identifier: 008-678-111
Legal Description: Lot B Section 9 Township 20
Range 10 West of the 6th Meridian Kamloops
Division Yale District Plan 1901 Except Plan 32284
Civic: 3710 10 Ave SW, Salmon Arm, BC
Area: 27.7 ha (entirely within the ALR)

Panel: Gerald Zimmermann, Okanagan Panel Chair
Joe Deuling



OVERVIEW

[1] The Property is located within the Agricultural Land Reserve ("ALR") as defined in s. 1 of the *Agricultural Land Commission Act* ("ALCA").

- [2] The Property currently contains DeMille's Farm Market which is comprised of:
- a. a 350 m² main retail area sited within a 605 m² building ("DeMille's Farm Market Retail Area");
 - b. a 275 m² seasonal mercantile building ("Seasonal Mercantile Building");
 - c. a 25 m² washroom building; and
 - d. a 510 m² cold storage building.

The DeMille's Farm Market Retail Area is used to sell a variety of farm goods and general grocery items throughout the year. The Seasonal Mercantile Building is used to sell jams, jellies, and local crafts during the summer season.

[3] Pursuant to s. 20(2) of the ALCA, the Applicant is applying to the Agricultural Land Commission (the "Commission" or "ALC") to utilize a 55.7 m² portion of the existing 350 m² DeMille Farm Market Retail Area to sell wine, beer, and spirits produced in British Columbia (the "Proposal").

[4] The Proposal was considered in the context of the purposes and priorities of the Commission set out in s. 6 of the ALCA:

6 (1) The following are the purposes of the commission:

- (a) to preserve the agricultural land reserve;
- (b) to encourage farming of land within the agricultural land reserve 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 land within the agricultural land reserve and uses compatible with agriculture in their plans, bylaws and policies.



- (2) The commission, to fulfill its purposes under subsection (1), must give priority to protecting and enhancing all of the following in exercising its powers and performing its duties under this Act:
- (a) the size, integrity and continuity of the land base of the agricultural land reserve;
 - (b) the use of the agricultural land reserve for farm use.

EVIDENTIARY RECORD

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

BACKGROUND

- [6] The DeMille family has owned the Property since 1979 and started DeMille's Farm Market approximately 51 years ago, originally as a roadside stand, before expanding to the current DeMille Farm Market Retail Area.
- [7] In 1983, Application ID 31751 was submitted to the Commission to sell farm produce not grown on the Applicant's farm on the Property. By Resolution #694/83, the Commission approved the proposal, provided that no additional buildings were constructed for the purpose of selling farm produce not grown on the applicant's property or for the sale of non-agricultural products. The Applicant submits that the building that DeMille's Farm Market Retail Area is currently housed in is the same building that was on the Property in 1983.
- [8] In 2009, Application ID 38969 was submitted to the Commission to change the use of a 275 m² building on the Property from storage to retail sales of local artists' products, and value-added products from produce grown on the Property (including jams, jellies, and preserves). By Resolution #341/2009, the Commission approved the proposal. This building is currently the Seasonal Mercantile Building.



EVIDENCE AND FINDINGS

- [9] In addition to the buildings associated with DeMille's Farm Market, approximately 23.5 ha of the Property is actively farmed, with crops of hay, corn, pumpkin, squash, sunflowers, potatoes, lettuces, and a variety of cold crops. According to the Application material, many of these products are sold in the DeMille's Farm Market. The Applicants also run a seasonal corn maze on the Property and have done so for the last 20 years.
- [10] The Application materials indicate that all liquor sold within the proposed liquor sales area will consist of BC wine, beer, and spirits and that the purpose of the Application is to support and promote local wineries, cideries, breweries and distilleries.
- [11] The Applicant states that the 55.7 m² proposed liquor sales area will be sited within the existing 350 m² DeMille Farm Market Retail Area. The Applicant submits that the footprint of the DeMille Farm Market Retail Area will remain unchanged and no additional infrastructure (e.g., parking) would be required for the Proposal.
- [12] The Panel considered the proposed siting for the liquor sales area within the existing DeMille Farm Market Retail Area, and whether the Proposal would have any impacts on the existing agricultural operation on the Property. The Panel finds the Proposal would have no negative impact on the current agricultural activities on the Property, as no additional buildings or infrastructure would be required.
- [13] In consideration of the products proposed for sale, the Panel finds that the Proposal will support local agricultural producers.

DECISION

- [14] For the reasons given above, the Panel approves the Proposal to utilize a 55.7 m² portion of the existing 350 m² DeMille Farm Market Retail Area to sell BC made wine, beer, and spirits subject to the following conditions:
- a. Siting and size of the non-farm use in accordance with Schedule A; and



b. No additional buildings are to be constructed for the purpose of liquor sales.

[15] 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.

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

[17] A decision of the Panel is a decision of the Commission pursuant to s. 11.1(3) of the ALCA.

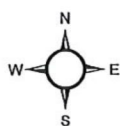
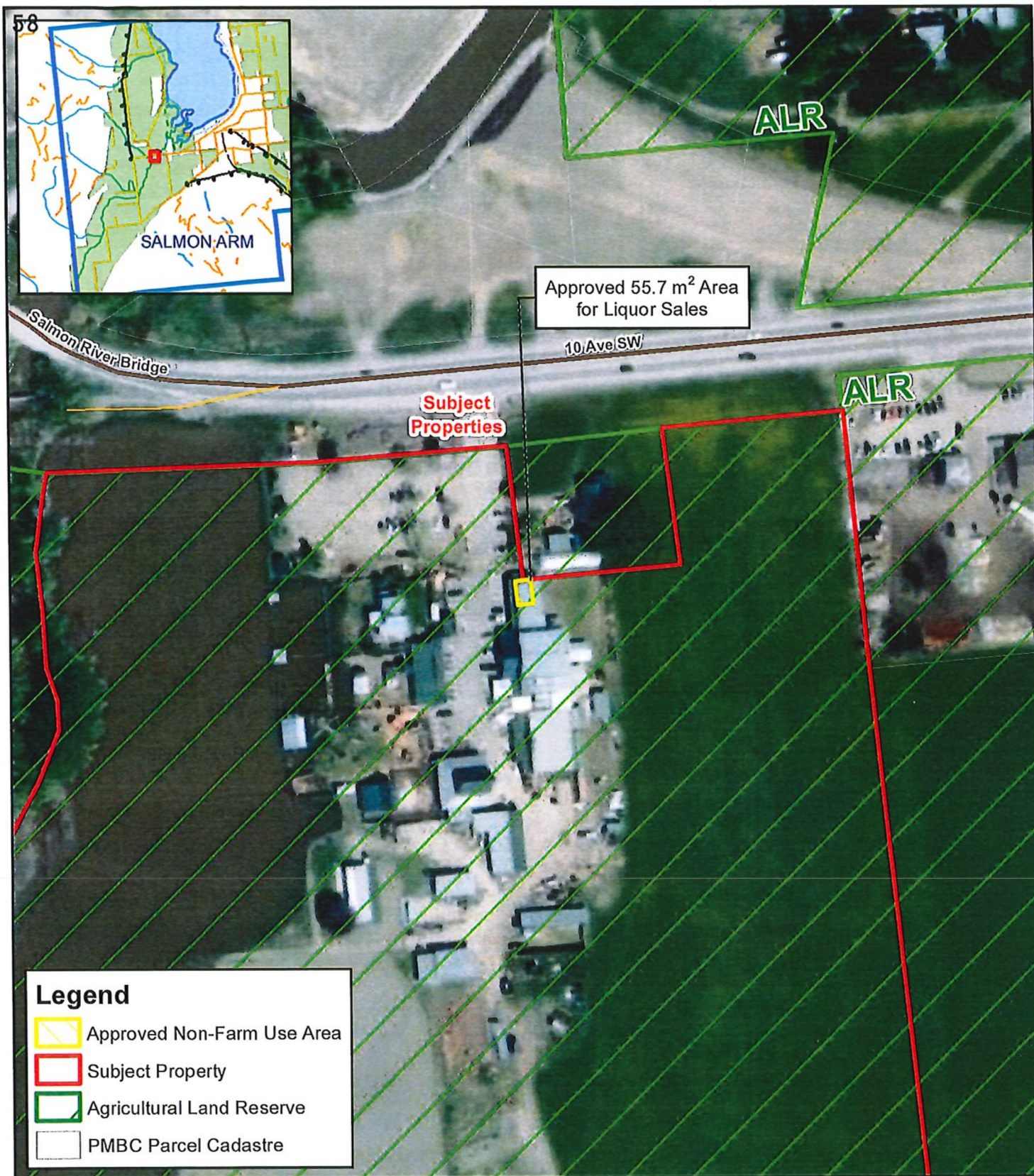
[18] Resolution #308/2021

Released on July 5, 2021

A handwritten signature in black ink, appearing to read 'G. Zimmermann', is positioned above the printed name.

Gerald Zimmermann, Panel Chair

On behalf of the Okanagan Panel



Schedule A: Decision Map

2019 ESRI / Maxar Orthophoto

Map Scale: 1:2,000



ALC File #:	61586
Resolution #:	308/2021
Mapsheet #:	82L.064 & 82L.074
Map Produced:	June 18, 2021
Regional District:	Columbia-Shuswap