



AGENDA
City of Salmon Arm
Development and Planning Services
Committee

Monday, January 6, 2020
8:00 a.m.
Council Chambers, City Hall
500 – 2 Avenue NE

Page #	Item #	Description
	1.	CALL TO ORDER
	2.	REVIEW OF AGENDA
	3.	DISCLOSURE OF INTEREST
	4.	PRESENTATIONS
	5.	REPORTS
1 - 10	1.	Zoning Amendment Application No. ZON-1162 [Soley, A. & Tigh, D.; 1791 22 Street NE; R-1 to R-8]
11 - 22	2.	Zoning Amendment Application No. ZON-1163 [Ewan, D. & L.; 940 9 Avenue NE; R-1 to R-8]
23 - 32	3.	Zoning Amendment Application No. ZON-1164 [Pringle, J. & S.; 1664 10 Street SE; R-1 to R-8]
33 - 54	4.	Agricultural Land Commission Application No. ALC-388 [Salmon Arm Folk Music Society/0847774 BC Ltd./Dedood, J. & Dedood, L./Thompson, J.; 550 10 Avenue SW/690 10 Avenue SW/1300 10 Street SW; Non-Farm Use]
	6.	FOR INFORMATION
	7.	IN CAMERA
	8.	LATE ITEM
	9.	ADJOURNMENT

This page intentionally left blank.



To: His Worship Mayor Harrison and Members of Council

Date: November 27, 2019

Subject: Zoning Bylaw Amendment Application No. 1162

Legal: Lot 4, Section 24, Township 20, Range 10, W6M, KD~~Y~~D, Plan EPP73048

Civic: 1791 – 22 Street NE

Owner/Applicant: Soley, A. & Tigh, D.

MOTION FOR CONSIDERATION

THAT: a bylaw be prepared for Council’s consideration, adoption of which would amend Zoning Bylaw No. 2303 by rezoning Lot 4, Section 24, Township 20, Range 10, W6M, KD~~Y~~D, Plan EPP73048 from R-1 (Single Family Residential Zone) to R-8 (Residential Suite Zone);

AND THAT: Final Reading of the Zoning Amendment Bylaw be withheld subject to Ministry of Transportation and Infrastructure approval.

STAFF RECOMMENDATION

THAT: The motion for consideration be adopted.

PROPOSAL

The subject parcel is located at 1791 – 22 Street NE (Appendix 1 and 2). The proposal is to rezone the parcel from R-1 (Single Family Residential) to R-8 (Residential Suite) to permit a secondary suite within a new single family dwelling which is currently being constructed.

BACKGROUND

The subject parcel is designated Medium Density Residential in the City’s Official Community Plan (OCP) and zoned R-1 (Single Family Residential) in the Zoning Bylaw (Appendix 3 & 4). The subject parcel is located in a residential neighbourhood (Lakeview Meadows). There are presently six R-8 zoned parcels in the Lakeview Meadows subdivision. This lot, along with three other lots were created via subdivision in 2017. One of these new lots, the adjacent parcel to the north, was rezoned from R-1 to R-8 in August of this year, to permit a secondary suite in a new house.

The subject parcel is approximately 56 m (184 ft) long and 23 m (75.5 ft) wide with an area of approximately 0.13 hectares (.32 acres). The subject parcel is a relatively large lot and can meet the conditions as specified to permit either a secondary suite or a detached suite within the proposed R-8 Zone.

A house is currently being constructed on the property; site photos are attached as Appendix 5. The applicant wishes to build a secondary suite on the lower level and has provided elevation, site and floor plans (Appendix 6). The lower level floor plan indicates the proposed suite to be 41.2 m² (443 ft²) and the site plan shows a double car garage and a large driveway. Thus, the size of the suite is within the maximum 90 m² (968.8 ft²); and, the provision to provide an additional off-street parking stall for the suite can be fulfilled.

5.1

Secondary Suites

Policy 8.3.25 of the OCP provides for the consideration of *secondary suites* in all Residential designated areas subject to compliance with the Zoning Bylaw and the BC Building Code.

COMMENTS

Ministry of Transportation & Infrastructure

No comments to date.

Engineering Department

No concerns.

Building Department

BC Building Code will apply. No concerns with proposed zoning.

Fire Department

No concerns.

Planning Department

The proposed construction of a single family dwelling with a secondary suite will conform and fit in well with the surrounding neighbourhood. The proposed R-8 zoning of the subject parcel is consistent with the OCP and the plans provided indicate that all R-8 Zone requirements can be met, including the provision of onsite parking. Therefore, this application is supported by staff. Any development of a *secondary suite* requires a building permit and is subject to meeting Zoning Bylaw and BC Building Code regulations.



Prepared by: Denise Ackerman
Planner, Development Services



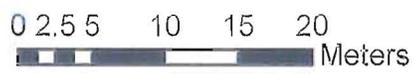
Reviewed by: Kevin Pearson, MCIP, RPP
Director of Development Services



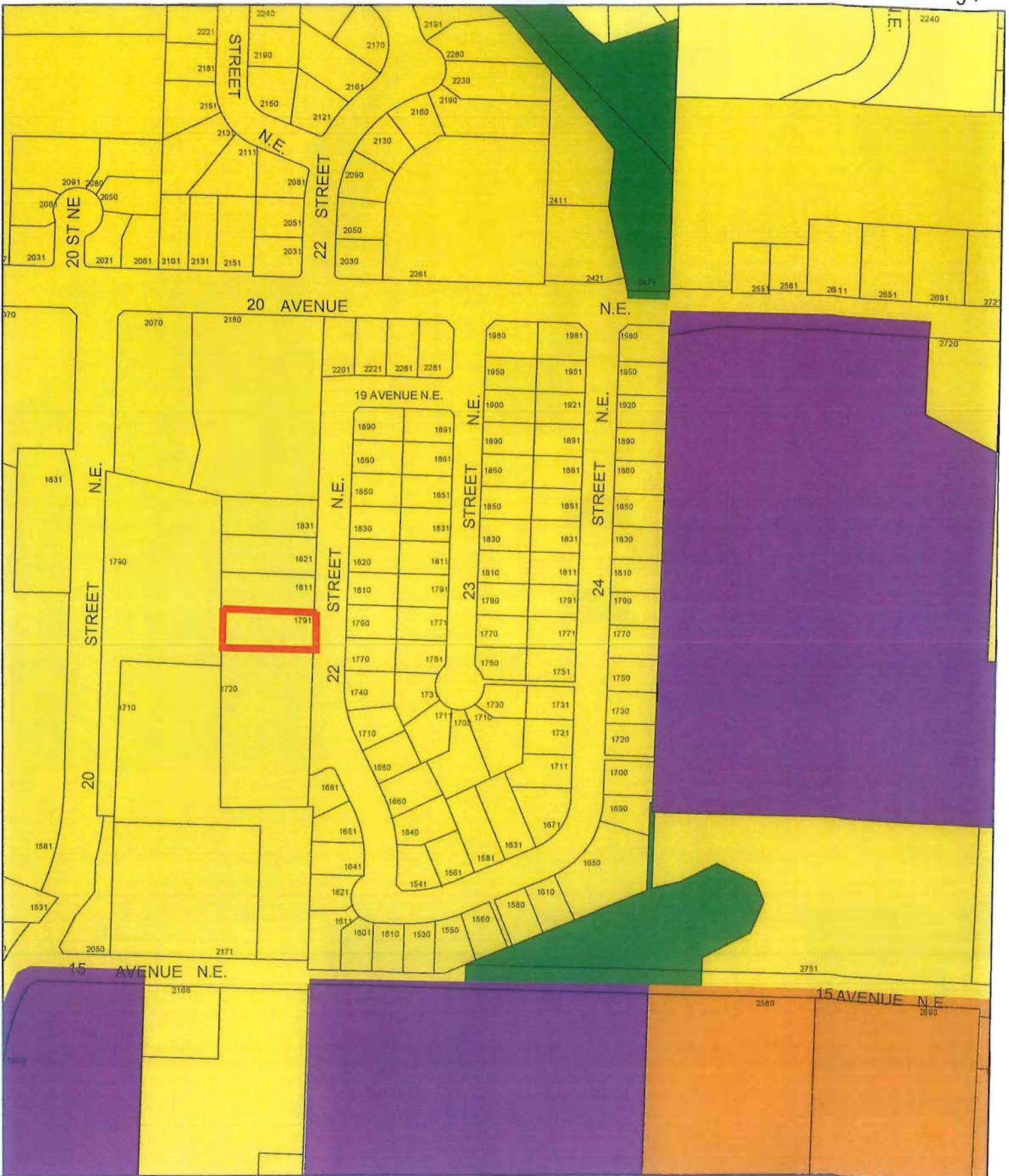
0 15 30 60 90 120
Meters



Subject Parcel



Subject Parcel



	 Subject Parcel	 Low Density Residential	 Park
		 Medium Density Residential	 Institutional
		 High Density Residential	



View of subject property, facing northeast



View of subject property, facing north

OFFICE COPY



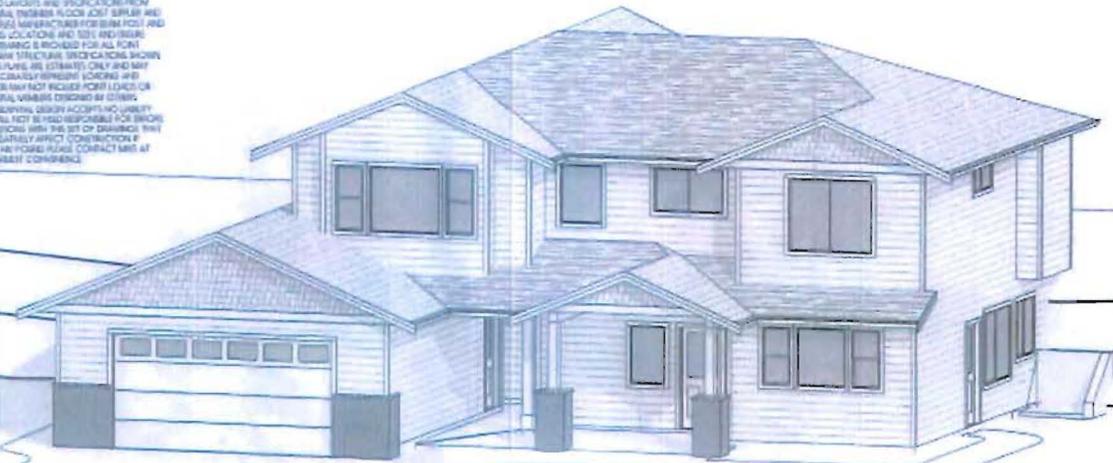
250.804.5403
MIDLAND, ONTARIO

GENERAL NOTES

1. ALL CONSTRUCTION MATERIALS & WORKMANSHIP TO BE IN ACCORDANCE WITH THE CURRENT EDITION OF THE BC BUILDING CODE, PLUMBING CODE, ELECTRICAL CODE, & ALL OTHER CODES (STEELING AND SLOAN) THAT APPLY.
2. THE CONTRACTOR AND ALL SUBCONTRACTORS ARE RESPONSIBLE FOR THE REVIEW OF ALL DRAWINGS AND SITE CONDITIONS PRIOR TO COMMENCING WORK. IN THE EVENT OF ANY DISCREPANCY, THE CONTRACTOR SHALL REPORT AND OBTAIN CLARIFICATION FROM THE ARCHITECT IMMEDIATELY.
3. ALL FINISHING MATERIALS TO BE SPECIFIED BY THE ARCHITECT.
4. CONCRETE FOOTINGS AND WALLS TO BE MINIMUM 200MM R 28 DAYS FLOOR SLAB AND 100MM R 28 DAYS TO BE FINISHED TO FINISH GRADE.
5. ALL CONCRETE FOOTINGS TO BE PLACED ON ORIGINAL UNDISTURBED GROUND FREE OF ALL ORGANIC MATTER OR OTHER MATERIAL.
6. EXTERIOR FOUNDATION WALLS TO BE FINISHED WITH 2 COATS OF STAINLESS STEEL EMULSION PAINT OR 1/2" EPS INSULATION COMPACTIBLE WITH EXTERIOR GARAGE SLAB OR 1/2" OF 3/8" DIAMETER OF OTHER MATERIALS, SETTABLE FLOOR FINISH TO BE FINISHED TO FINISH GRADE.
7. ALL FOUNDATION WALLS TO BE FINISHED WITH 2 COATS OF STAINLESS STEEL EMULSION PAINT OR 1/2" EPS INSULATION COMPACTIBLE WITH EXTERIOR GARAGE SLAB OR 1/2" OF 3/8" DIAMETER OF OTHER MATERIALS, SETTABLE FLOOR FINISH TO BE FINISHED TO FINISH GRADE.
8. ALL FOUNDATION WALLS TO BE FINISHED WITH 2 COATS OF STAINLESS STEEL EMULSION PAINT OR 1/2" EPS INSULATION COMPACTIBLE WITH EXTERIOR GARAGE SLAB OR 1/2" OF 3/8" DIAMETER OF OTHER MATERIALS, SETTABLE FLOOR FINISH TO BE FINISHED TO FINISH GRADE.
9. ALL WALLS, CEILING, FLOOR OR OTHER STRUCTURAL MEMBERS NOT COVERED BY BC BUILDING CODE TO BE DESIGNED AND ENGINEERED BY THE ARCHITECT OR STRUCTURAL ENGINEER TO ANY FABRICATOR CONTRACTOR TO VERIFY ALL DIMENSIONS & CONNECTIONS WITH A QUALITY CONTROL SERVICE PRIOR TO BEING INSTALLED ON SITE.
10. ALL ROOF FRAMES TO BE FINISHED WITH 28 DAY ROOF JOISTS WITH A MINIMUM CROSS SECTION AREA OF 1750 & MINIMUM OF 20% OF JOISTS TO BE LOCATED AT ROOF AND MINIMUM 25% TO BE LOCATED AT GABLES.
11. ROOF FRAMES AT BAY SPACES AND OVERHANG SPACES TO OVERLAP JOISTS AND BE BOLDED TO ADJACENT JOISTS AND TRUSSES AT THE HEIGHT OF THE GABLE TO REST THEREON.
12. ALL GABLE END ROOF SPACES TO BE FINISHED WITH 28 DAY ROOF JOISTS WITH A MINIMUM CROSS SECTION AREA OF 1750 & MINIMUM OF 20% OF JOISTS TO BE LOCATED AT ROOF AND MINIMUM 25% TO BE LOCATED AT GABLES.
13. ROOF FRAMES AT BAY SPACES AND OVERHANG SPACES TO OVERLAP JOISTS AND BE BOLDED TO ADJACENT JOISTS AND TRUSSES AT THE HEIGHT OF THE GABLE TO REST THEREON.
14. ALL GABLE END ROOF SPACES TO BE FINISHED WITH 28 DAY ROOF JOISTS WITH A MINIMUM CROSS SECTION AREA OF 1750 & MINIMUM OF 20% OF JOISTS TO BE LOCATED AT ROOF AND MINIMUM 25% TO BE LOCATED AT GABLES.
15. ROOF FRAMES AT BAY SPACES AND OVERHANG SPACES TO OVERLAP JOISTS AND BE BOLDED TO ADJACENT JOISTS AND TRUSSES AT THE HEIGHT OF THE GABLE TO REST THEREON.
16. ALL GABLE END ROOF SPACES TO BE FINISHED WITH 28 DAY ROOF JOISTS WITH A MINIMUM CROSS SECTION AREA OF 1750 & MINIMUM OF 20% OF JOISTS TO BE LOCATED AT ROOF AND MINIMUM 25% TO BE LOCATED AT GABLES.
17. ROOF FRAMES AT BAY SPACES AND OVERHANG SPACES TO OVERLAP JOISTS AND BE BOLDED TO ADJACENT JOISTS AND TRUSSES AT THE HEIGHT OF THE GABLE TO REST THEREON.
18. ALL GABLE END ROOF SPACES TO BE FINISHED WITH 28 DAY ROOF JOISTS WITH A MINIMUM CROSS SECTION AREA OF 1750 & MINIMUM OF 20% OF JOISTS TO BE LOCATED AT ROOF AND MINIMUM 25% TO BE LOCATED AT GABLES.

GENERAL NOTES

12. APPROVED SMOKE ALARMS TO BE INSTALLED WITH LOCATION APPROVED BY APPROPRIATE LOCAL MUNICIPALITY.
14. REFER TO LAYOUT AND SPECIFICATIONS FROM STRUCTURAL ENGINEER FOR ALL DIMENSIONS AND JOIST & TRUSS MANUFACTURERS FOR DIMENSIONS AND FOOTING LOCATIONS AND SIZE AND SPACING FROM FINISH & PROVIDED FOR ALL FOOTING JOISTS AND STRUCTURAL SPECIFICATIONS SHOWN ON THIS PLAN ARE ESTIMATES ONLY AND MAY NOT ACCURATELY REFLECT EXISTING AND NEW ITEMS OR MAY NOT INCLUDE FOOTING LOADS OR STRUCTURAL MEMBERS DESIGNED BY OTHERS.
16. MRG RESIDENTIAL DESIGN ACCEPTS NO LIABILITY FOR THIS SET OF DRAWINGS FOR ANY WORK OR CONDITIONS WITH THE SET OF DRAWINGS THAT MAY BE NEARBY AFFECT CONSTRUCTION IF SUCH ARE POSSIBLE PLEASE CONTACT MRG AT YOUR NEAREST CONVENIENCE.



2 3D VIEW



1 FRONT ELEVATION

GLAZING CALCULATION

WALL AREA (SQ FT)	1083 SF	100% RPT
WINDOW AREA	108.8 SF	10% RPT
RATIO	10%	
ALSO CHECK	USING	2019 BC
MINIMUM DISTANCE	10' 0"	TO OTHER GLAZING

SHEET LEGEND

- A1 NOTED
- A2 BARREN
- A3 MAIN FLOOR
- A4 BAY SPACES
- A5 BAY SPACES
- A6 SECTION

FINISHED AREA

- BAYMENT 247 SF
- MAIN FLOOR 1088 SF
- TOTAL AREA 1335 SF

OPTIONAL SUITE

- BAYMENT 443 SF

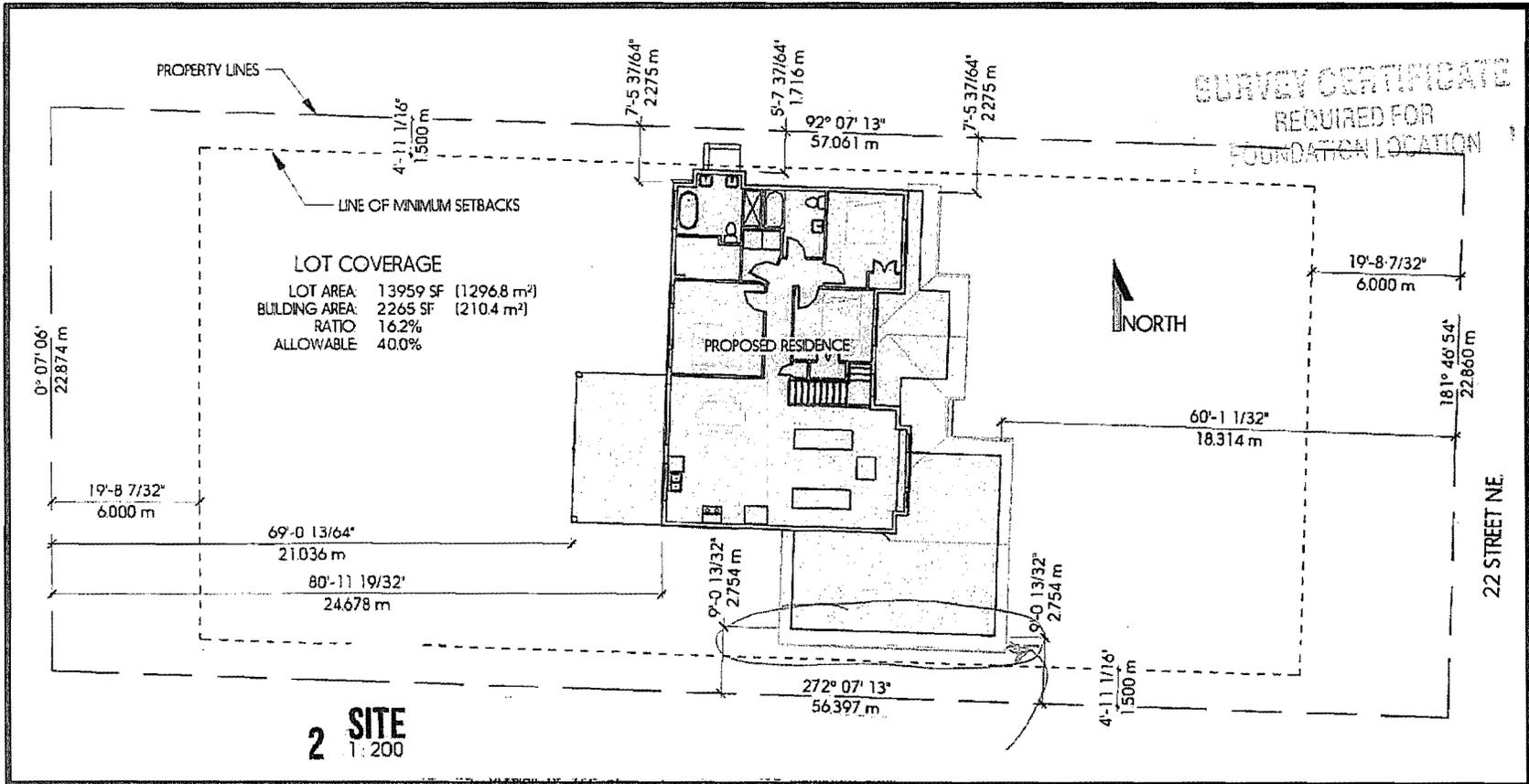
CONSTRUCTION NOTES

- NO HVEY INSTALLED
- NO SPRINKLER SYSTEM
- FOUNDED AS
- ICF FOUNDATION

- MIN. CLOS. 19'-2 1/4"
- MIN. FLOOR 10'-1 3/8"
- MIN. CLOS. 9'-8 3/4"
- BAYMENT 9'

CLIENT	SOLEY
JOB	RESIDENCE
	1791 33 STREET NE SALMON ARM BC
JOB #	7613
REVISIONS	
CONCEPT	SEPT 3 2019
REVISED DRA.	SEPT 5 2019
ATTACHED GARAGE	SEPT 7 2019
FLOOR LAYOUT	SEPT 10 2019
BAYMENT	SEPT 14 2019
PERMIT	SEPT 18 2019
REVISOR GRACE	OCT 3 2019
DATE	OCT 3 2019
DRAWING	NOTES/3D
SCALE	1/4" = 1'-0"
PAGE	A1

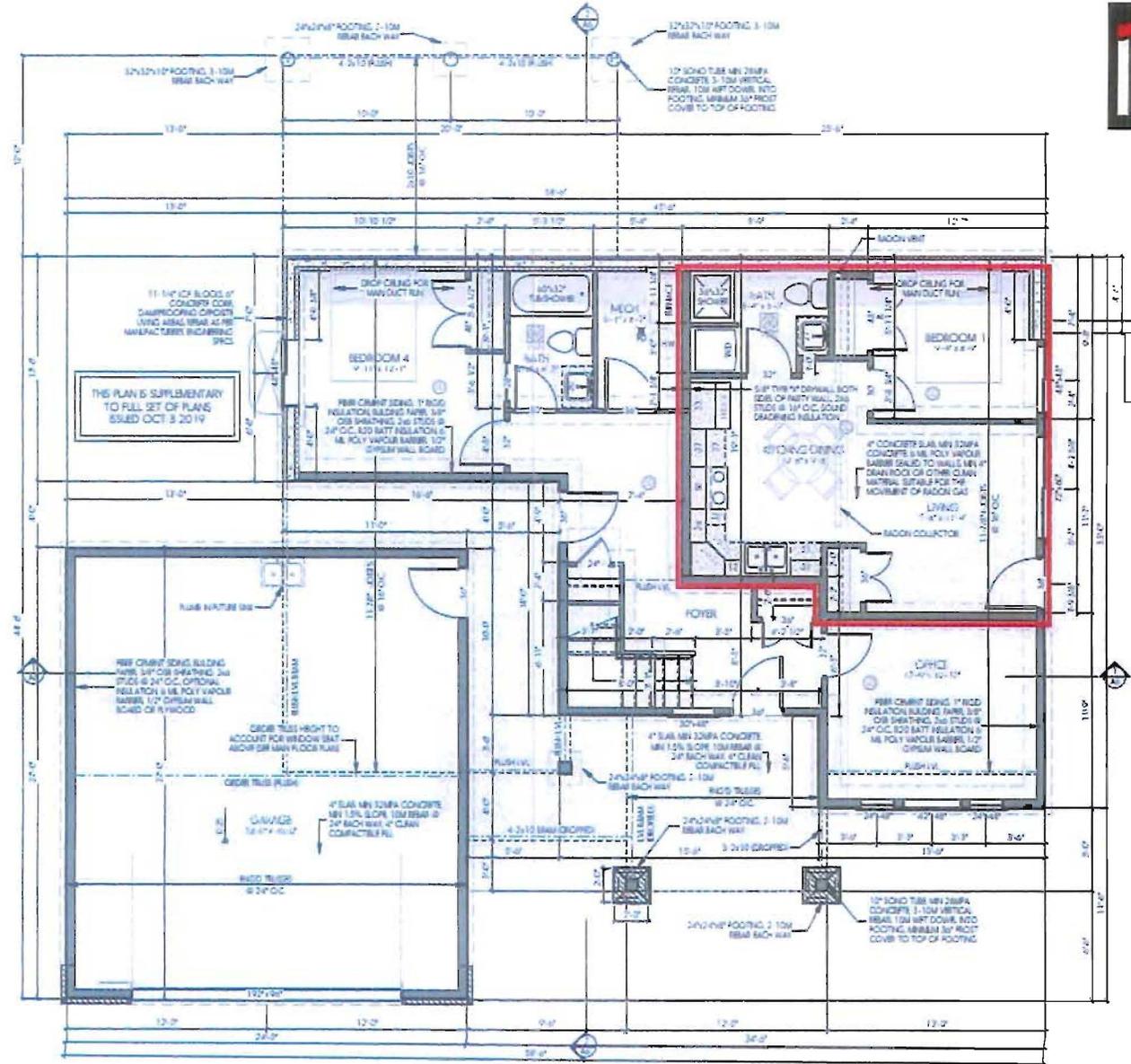






250.804.5403
MIDDLETOWN

- FLOOR NOTES**
1. FINISH EXTERIOR WALLS INCLUDE EXTERIOR SWATHING.
 2. ALL DIMENSIONS SHOWN ARE TO FINISH AND DO NOT INCLUDE DRYWALL OR OTHER FINISHES.
 3. ALL HEIGHTS TO FINISH UNLESS NOTED OTHERWISE.
 4. ALL DOORS AND WINDOWS FINISH 4" FROM ADJACENT WALLS UNLESS NOTED OTHERWISE.
 5. ALL DOOR SLABS TO FINISH 1/2" IN HEIGHT UNLESS NOTED OTHERWISE.
 6. INDIVIDUAL ROOM AREAS ARE CALCULATED FROM THE INSIDE OF FINISHING WHEREAS THE OVERALL FLOOR AREA IS CALCULATED TO THE OUTSIDE OF EXTERIOR WALLS.
- BASEMENT AREA**
- | | |
|------------------------|----------------|
| FINISH | 247 SF |
| CONCRETE | 175 SF |
| CONCRETE | 133 SF |
| CONCRETE | 648 SF |
| TOTAL FOOTPRINT | 1743 SF |



CLIENT	SOLEY
JOB	RESIDENCE
	1791 22 STREET NE SALMON ARM B.C.
JOB #	7613
REVISIONS	
CONCEPT	SEPT 2 2019
REVISED LPRN	SEPT 5 2019
ATTACHED GARAGE	SEPT 7 2019
DETACHED GARAGE	SEPT 9 2019
PRELIM CIRCULAR	SEPT 10 2019
BASEMENT	SEPT 14 2019
FOUNT	SEPT 18 2019
REVISED GRADE	NOV 4 2019
FINISHED SITE	
DATE	NOV 4 2019
DRAWING	BASEMENT
SCALE	1/4" = 1'-0"
PAGE	A2

CITY OF SALMON ARM

TO: His Worship Mayor Harrison and Members of Council

Date: December 11, 2019

Subject: Zoning Bylaw Amendment Application No. 1163

Legal: Lot 1, Section 14, Township 20, Range 10, W6M, KDYD, Plan EPP5318
 Civic: 940 – 9 Avenue NE
 Owner/Applicant: Ewan, D. & L.

MOTION FOR CONSIDERATION

THAT: a bylaw be prepared for Council's consideration, adoption of which would amend Zoning Bylaw No. 2303 by rezoning Lot 1, Section 14, Township 20, Range 10, W6M, KDYD, Plan EPP5318 from R-1 (Single Family Residential Zone) to R-8 (Residential Suite Zone):

AND THAT: Final reading of the zoning amendment bylaw be withheld subject to Ministry of Transportation & Infrastructure approval.

STAFF RECOMMENDATION

THAT: The motion for consideration be adopted.

PROPOSAL

The subject parcel is located at 940 9 Avenue NE (Appendix 1 and 2) and presently contains a single family dwelling and accessory buildings. The proposal is to rezone the parcel from R-1 (Single Family Residential) to R-8 (Residential Suite) to permit the construction of a secondary suite in an existing accessory building.

BACKGROUND

The relatively large (0.106 hectare) subject parcel is designated High Density Residential in the City's Official Community Plan (OCP) and zoned R-1 (Single Family Residential) in the Zoning Bylaw (Appendix 3 & 4). The subject parcel is located in the McGuire Lake area, largely comprised of R-1, R-4, R-7 and R-8 zoned parcels containing single family dwellings with associated accessory buildings. There are currently seven R-8 zoned parcels within the proximity of the subject parcel. The subject parcel was subdivided from the adjacent parcel to the south in 1962.

Policy 8.3.25 of the OCP provides for the consideration of secondary suites in all Residential (High, Medium, and Low) designated areas via a rezoning application, subject to compliance with the Zoning Bylaw and the BC Building Code. Development of either a *detached suite* or *secondary suite* within a dwelling would require a building permit and will be subject to meeting Zoning Bylaw and BC Building Code requirements.

The subject parcel easily meets the conditions as specified to permit a *detached suite* within the proposed R-8 zone. Site photos are attached as Appendix 5. The intent of the applicant is to develop a conforming *detached suite* within an existing accessory building (as shown in the plans attached as Appendix 6).

Staff note that a variance with respect to the rear parcel line setback would be required to permit a *detached suite* in the existing accessory building as proposed. This is due to the minimum setback requirement being slightly more restrictive for a *detached suite* (3 m) as opposed to an *accessory building* (1 m). The existing *accessory building* is presently sited approximately 1.2 m from this parcel line, exceeding the 1 m setback requirement that applies to an *accessory building*, but falling short of the 3 m *detached suite* requirement.

COMMENTSMinistry of Transportation and Infrastructure

No response to date.

Engineering Department

No concerns with rezoning. Only one 6 m wide access onto 9 Avenue NE is permitted.

Building Department

BC Building Code will apply.

As it is proposed to serve the main dwelling, a fire separation will be required between the suite and the garage.

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

Fire Department

No concerns.

Planning Department

Staff note that a variance with respect to the rear parcel line setback would be required to permit a *detached suite* in the existing accessory building as proposed, however the subject property has potential to meet the conditions for the development of a *detached suite*, including sufficient space for an additional off-street parking stall.

The variance required would have to be addressed through a separate application.

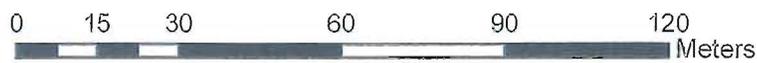
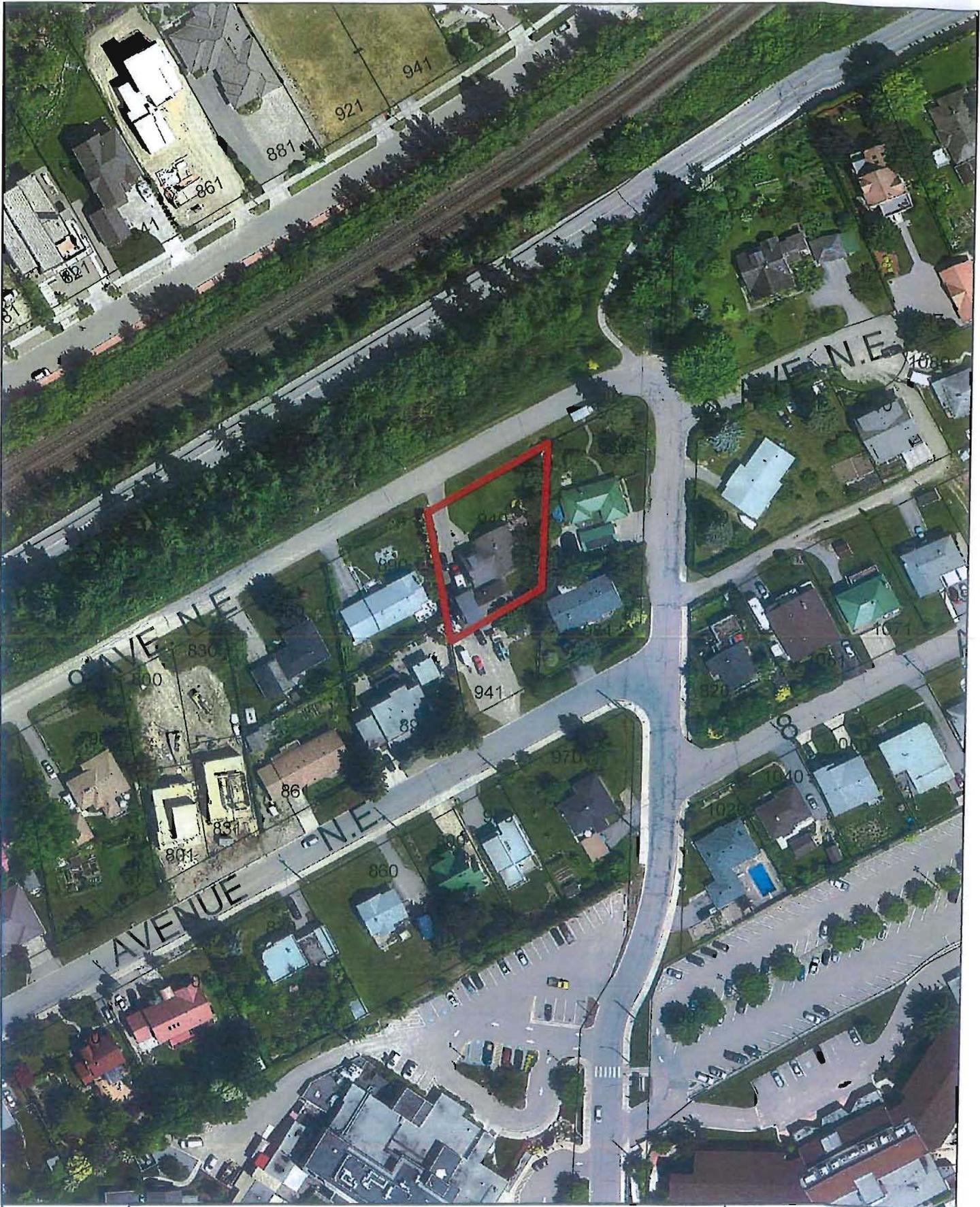
The proposed R-8 zoning is consistent with the OCP and is therefore supported by staff.



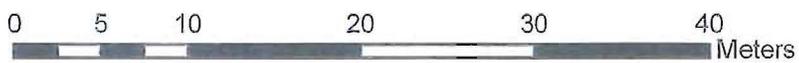
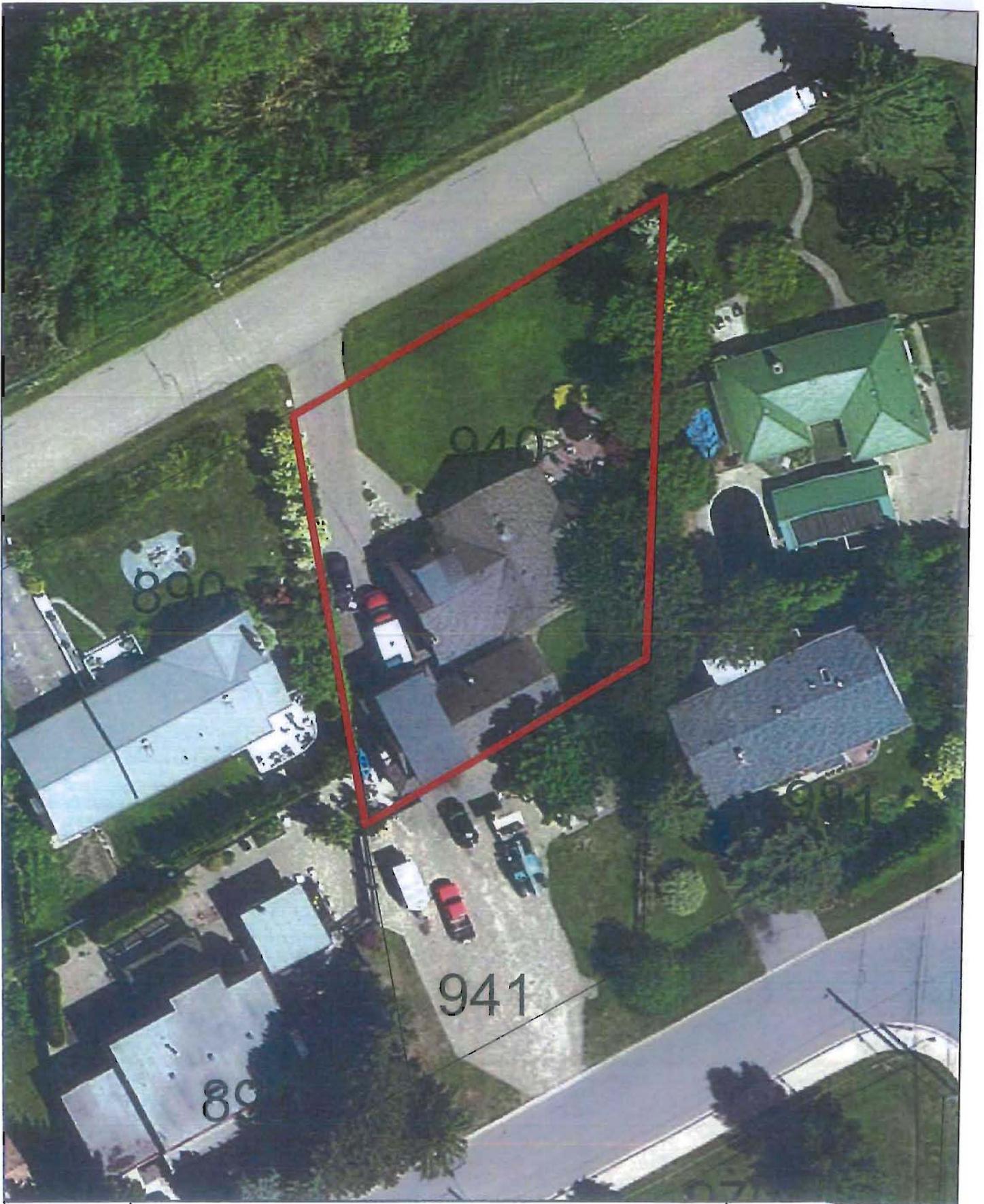
Prepared by: Chris Larson, MCP
Planning and Development Officer



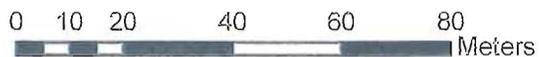
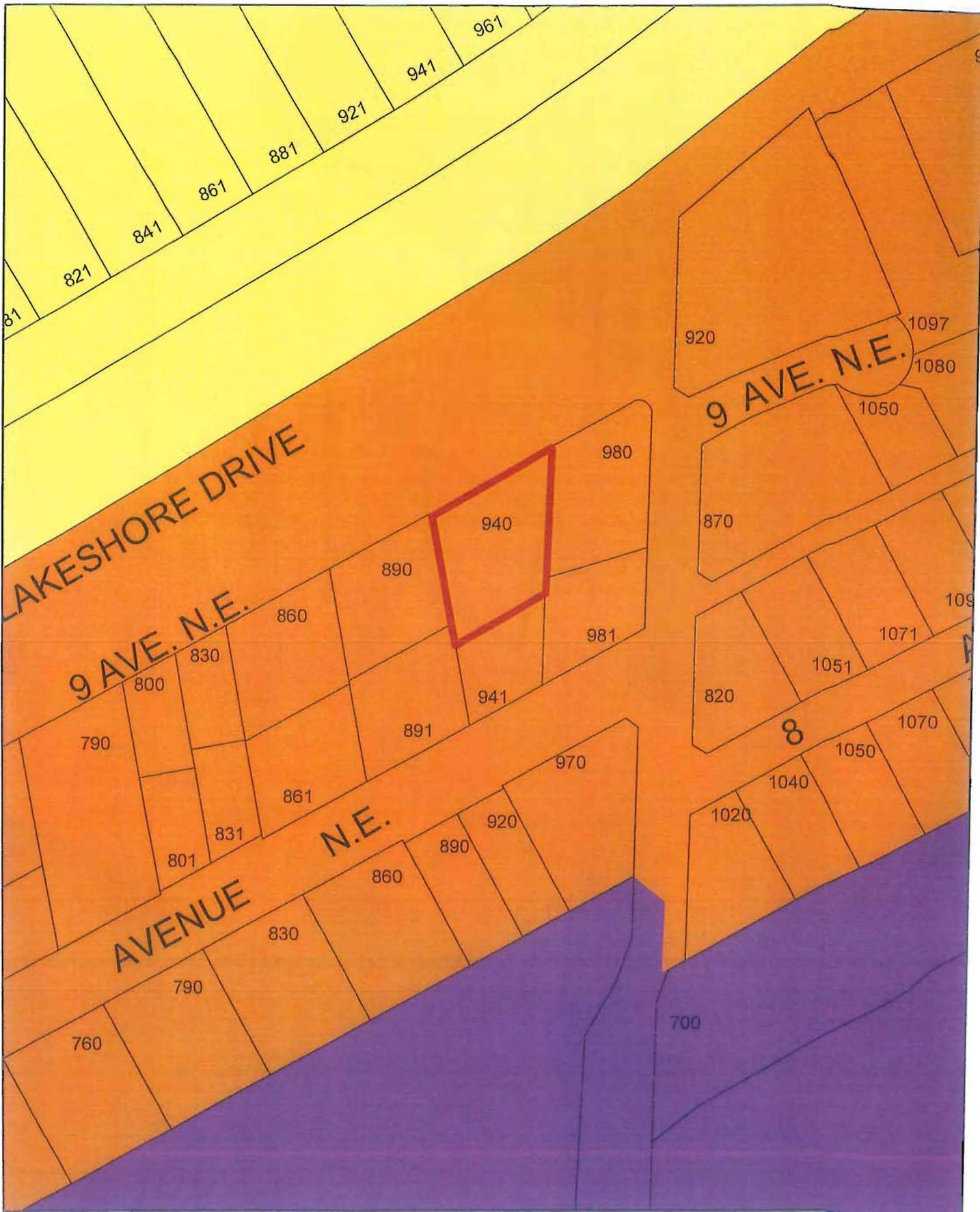
Reviewed by: Kevin Pearson, MCIP, RPP
Director of Development Services



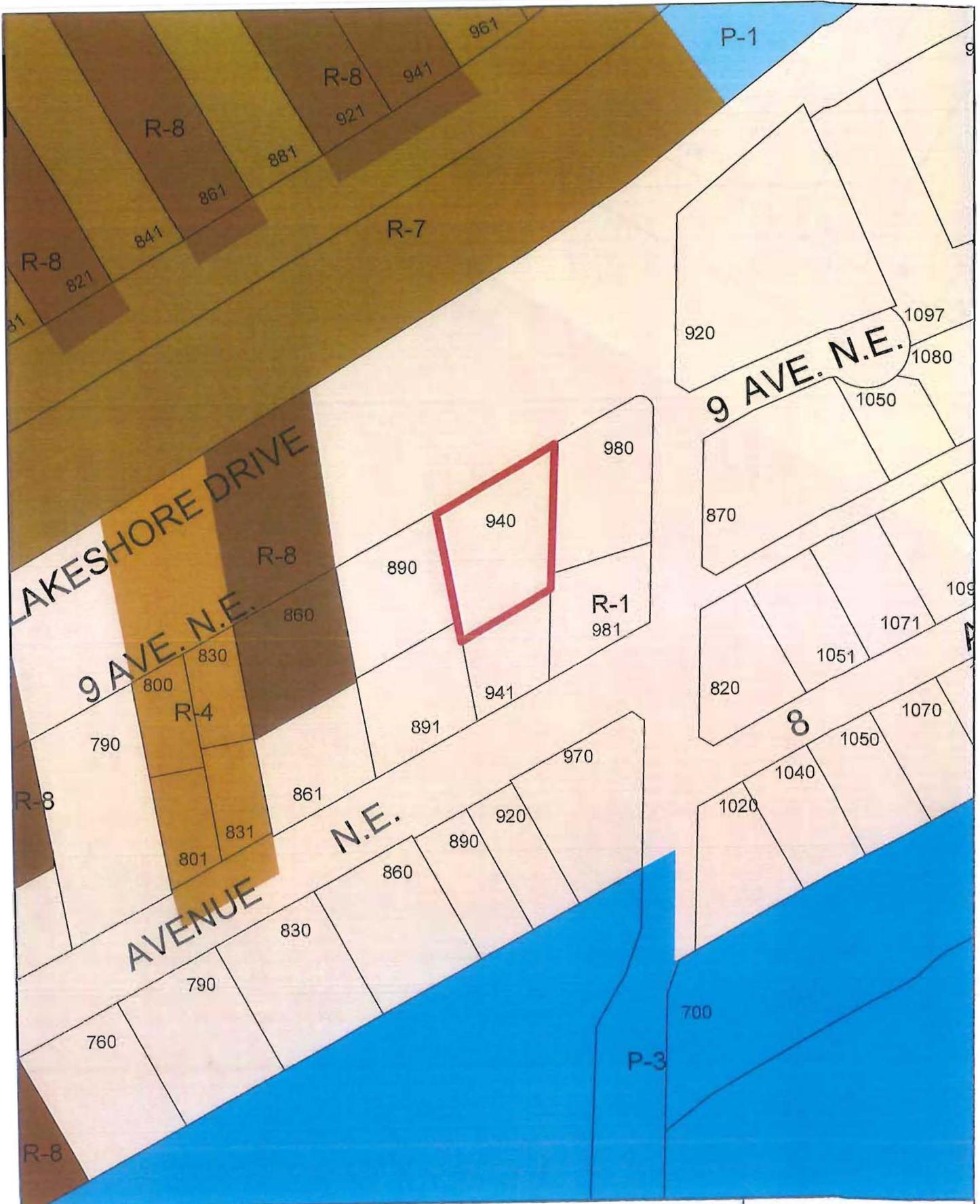
 Subject Parcel



 Subject Parcel

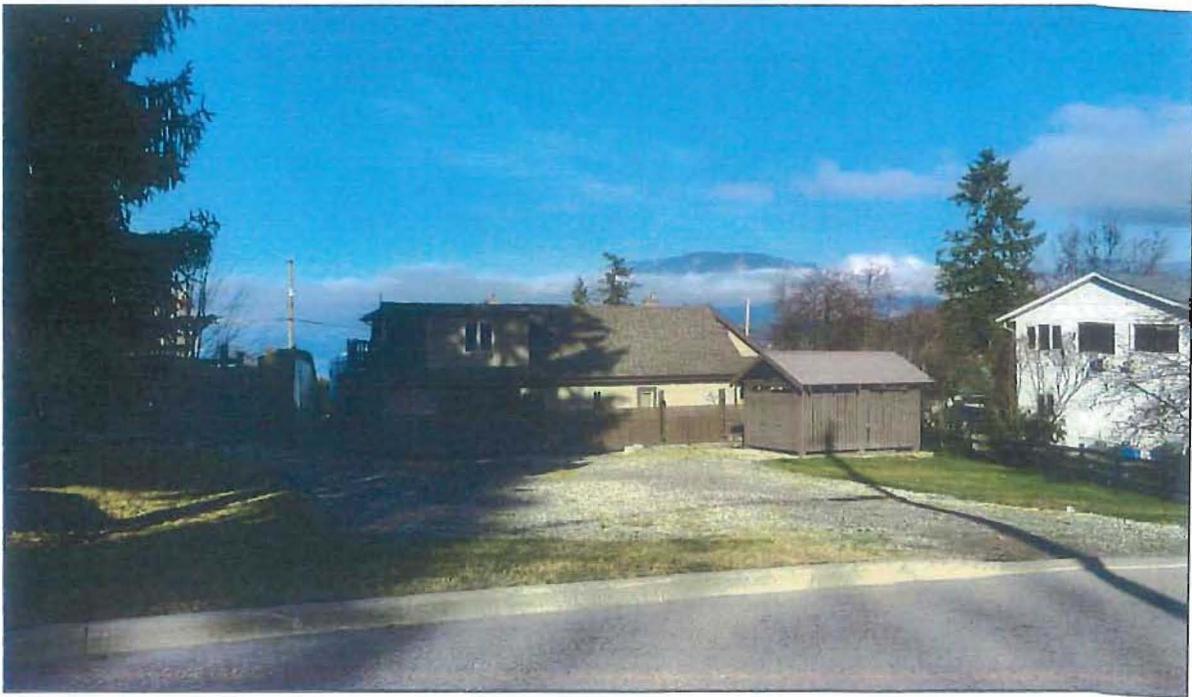


-  Subject Parcel
-  Low Density Residential
-  Institutional
-  Medium Density Residential



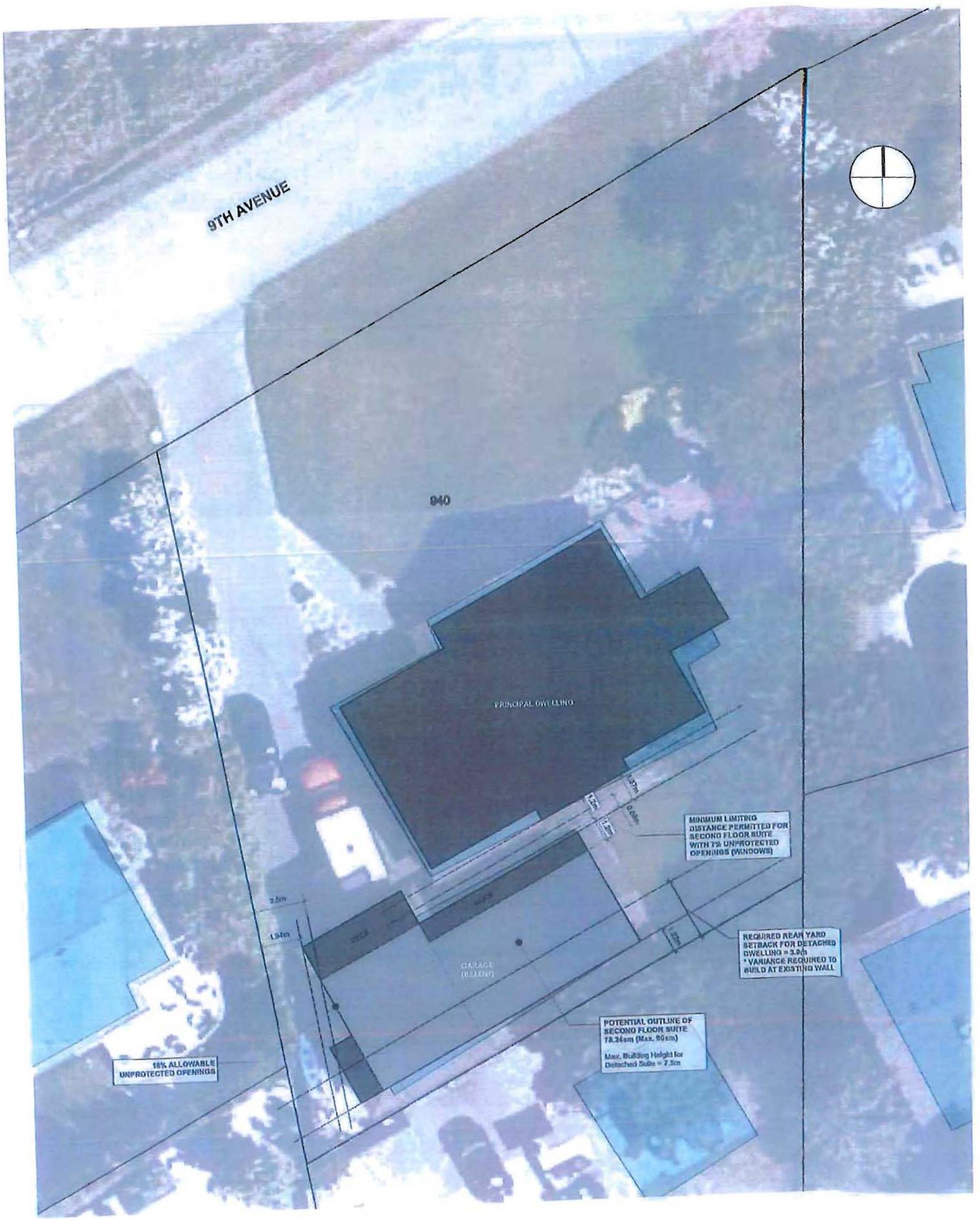


View looking southeast of subject parcel from 9 Avenue NE.

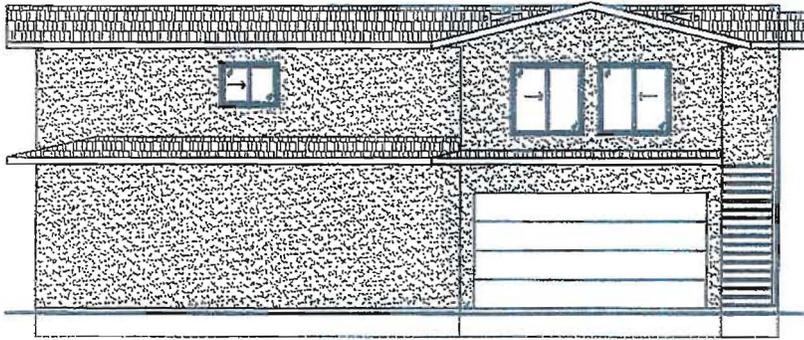


View looking north of subject parcel from 8 Avenue NE.

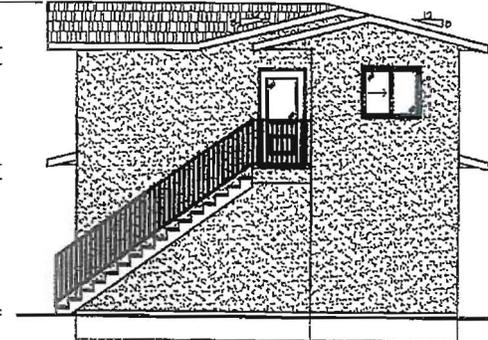
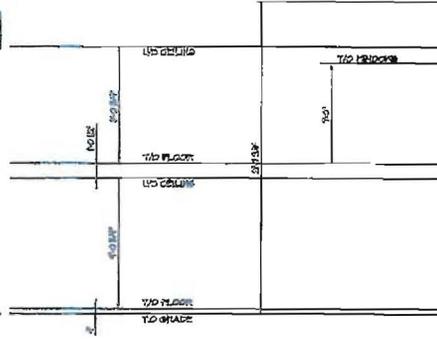
940 - 9th Ave. NE



WALL AREA = 17030 SQ. FT. = 1580 SQ. METERS
 12 METERS FROM PROPERTY LINE EQUALS 7 PERCENT ALLOWABLE OPENINGS
 THEREFORE 12.80 X 7 PERCENT = 1.16 SQ. METERS ALLOWED
 ACTUAL OPENINGS = 12 SQ. FT. = 1.11 SQ. METERS

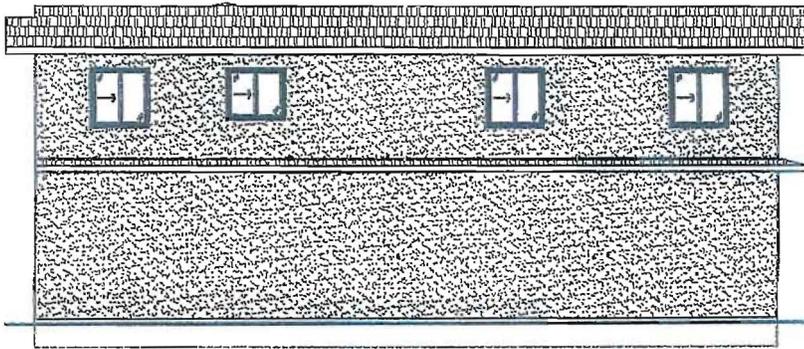


NORTH ELEVATION
 1/8" = 1'-0"



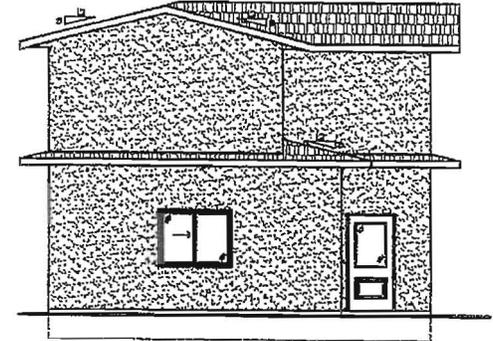
WALL AREA = 14002 SQ. FT. = 1294 SQ. METERS
 12 METERS FROM PROPERTY LINE EQUALS 7 PERCENT ALLOWABLE OPENINGS
 THEREFORE 14.00 X 7 PERCENT = 1.00 SQ. METERS ALLOWED
 ACTUAL OPENINGS = 41 SQ. FT. = 3.82 SQ. METERS

WEST ELEVATION
 1/8" = 1'-0"



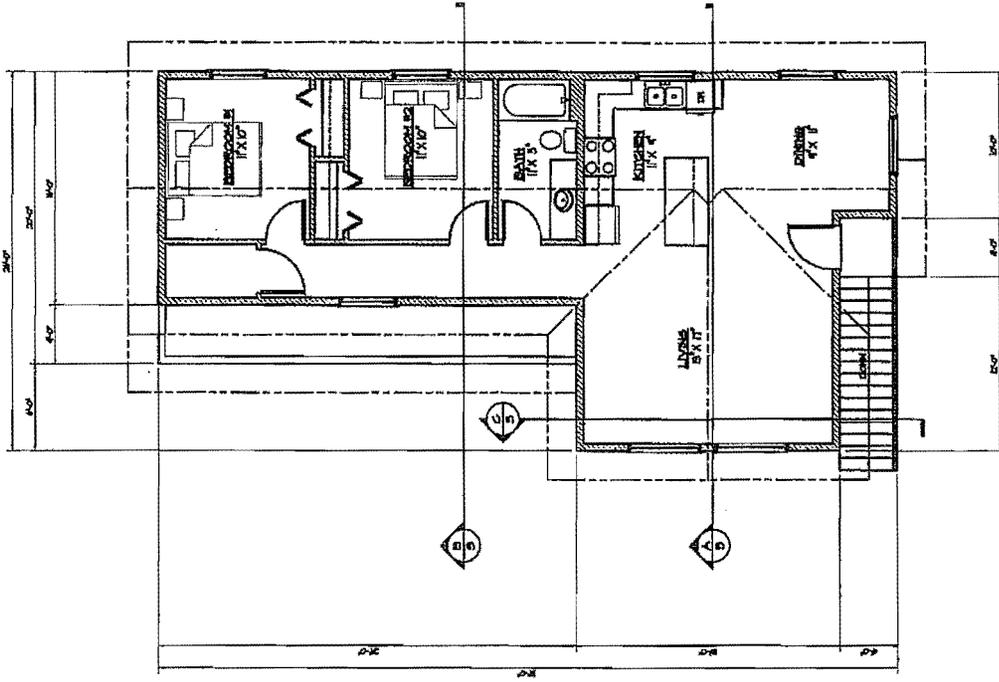
SOUTH ELEVATION
 1/8" = 1'-0"

WALL AREA = 16750 SQ. FT. = 1550 SQ. METERS
 12 METERS FROM PROPERTY LINE EQUALS 7 PERCENT ALLOWABLE OPENINGS
 THEREFORE 16.75 X 7 PERCENT = 1.27 SQ. METERS ALLOWED
 ACTUAL OPENINGS = 62 SQ. FT. = 5.75 SQ. METERS

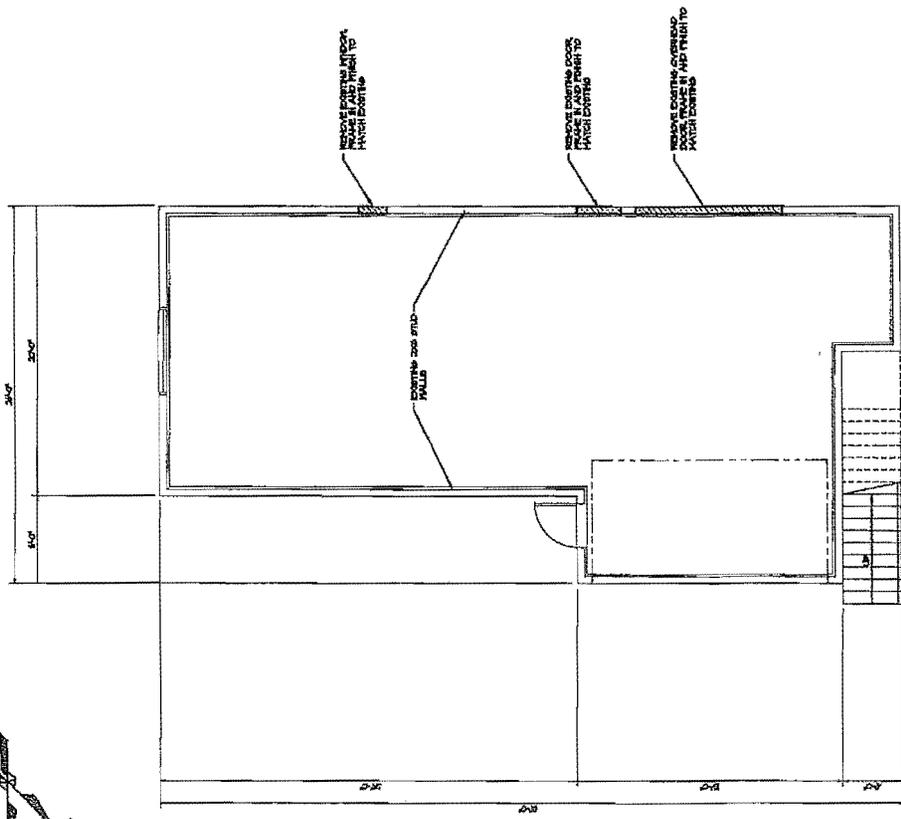


EAST ELEVATION
 1/8" = 1'-0"

REVISION NO.		DATE	DESCRIPTION	PEDERSON DRAFTING & DESIGN LTD. 2840 - 191 AVE. S.E. BURNABY, B.C. V5C 2G5 TEL: 280-462-9488 FAX: 280-462-4981 EMAIL: rpederson@pederson.ca WWW: www.pederson.ca	01201 LANCE EWAN & DIANA SCARINI 440 - 4TH AVE. N.E. SALMON ARMS B.C. SCALE: 1/8" = 1'-0" DATE: 08.17.2020 PROJECT:	DRAWN BY: BJA PROJECT NO.: PEDERSON
THESE DRAWINGS REPRESENT THE SUBJECT MATTER, HEREIN AND ARE CONFIDENTIAL AND NOT TO BE REPRODUCED, COPIED OR USED IN ANY MANNER WITHOUT THE WRITTEN CONSENT OF PEDERSON DRAFTING & DESIGN LTD.					ADDITION TO EXISTING GARAGE GARAGE ELEVATIONS DRAWING NO.: 14-086-01	



NEW SECOND FLOOR PLAN
 1/4" = 1'-0"
 LIVING AREA, BRIDGE = 644 SQ. FT.



EXISTING MAIN FLOOR PLAN
 1/4" = 1'-0"

NO.	DATE	DESCRIPTION

THESE DRAWINGS, SPECIFICATIONS AND RELATED MATERIALS, UNLESS OTHERWISE SPECIFIED, SHALL BE THE PROPERTY OF THE ARCHITECT AND SHALL BE KEPT IN THE ARCHITECT'S OFFICE. NO PART OF THESE DRAWINGS SHALL BE REPRODUCED OR TRANSMITTED IN ANY FORM OR BY ANY MEANS, ELECTRONIC OR MECHANICAL, INCLUDING PHOTOCOPYING, RECORDING, OR BY ANY INFORMATION STORAGE AND RETRIEVAL SYSTEM, WITHOUT THE WRITTEN PERMISSION OF THE ARCHITECT.

CLIENT	LANCE EVAN & DIANA SCARIN
ADDRESS	460 W. 11TH AVE. N.E. BANGOR, ME 05901
PROJECT	ADDITION TO EXISTING GARAGE
DATE	14-06-02
SCALE	1/4" = 1'-0"
PROJECT NO.	14-06-02
ARCHITECT	PEDERSON ENGINEERING & ARCHITECTURE
ARCHITECT ADDRESS	240 - PRINCE ST. BANGOR, ME 05901
ARCHITECT PHONE	207-693-1111
ARCHITECT FAX	207-693-1111
ARCHITECT EMAIL	pederson@pederson-engineering.com





This page intentionally left blank.

CITY OF SALMON ARM

TO: His Worship Mayor Harrison and Members of Council

Date: December 10, 2019

Subject: Zoning Bylaw Amendment Application No. 1164

Legal: Lot 25, Section 12, Township 20, Range 10, W6M, KDYD, Plan EPP69286

Civic: 1664 – 10 Street SE

Owner/Applicant: Pringle, J. & S.

MOTION FOR CONSIDERATION

THAT: a bylaw be prepared for Council's consideration, adoption of which would amend Zoning Bylaw No. 2303 by rezoning Lot 25, Section 12, Township 20, Range 10, W6M, KDYD, Plan EPP69286 from R-1 (Single Family Residential Zone) to R-8 (Residential Suite Zone).

STAFF RECOMMENDATION

THAT: The motion for consideration be adopted.

PROPOSAL

The subject parcel is located at 1664 10 Street SE (Appendix 1) and presently contains a single family dwelling under construction. The proposal is to rezone the parcel from R-1 (Single Family Residential) to R-8 (Residential Suite) to permit the construction of a *secondary suite* within the single family dwelling.

BACKGROUND

The relatively large (0.33 acre, 1,350 square metre) subject parcel is designated Low Density Residential in the City's Official Community Plan (OCP) and zoned R-1 (Single Family Residential) in the Zoning Bylaw (Appendix 2 & 3). The subject parcel is located in the "Byersview" development, in an area largely comprised of R-1 zoned parcels containing single family dwellings with associated accessory buildings. There are currently four R-8 zoned parcels within the proximity of the subject parcel, including a large parcel to the west where future subdivision is anticipated.

Policy 8.3.25 of the OCP provides for the consideration of secondary suites in all Residential (High, Medium, and Low) designated areas via a rezoning application, subject to compliance with the Zoning Bylaw and the BC Building Code. The subject parcel easily meets the conditions as specified within the proposed R-8 zone to permit a *secondary suite*. Site photos are attached as Appendix 4. The intent of the applicant is to develop a conforming *secondary suite* within the single family dwelling (as shown in the site plans attached as Appendix 5). Development of a *secondary suite* within a dwelling as proposed would require a building permit and will be subject to meeting Zoning Bylaw and BC Building Code requirements.

COMMENTS

Engineering Department

No concerns with rezoning.

Building Department

BC Building Code will apply.

Fire Department

No concerns.

Planning Department

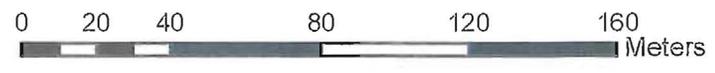
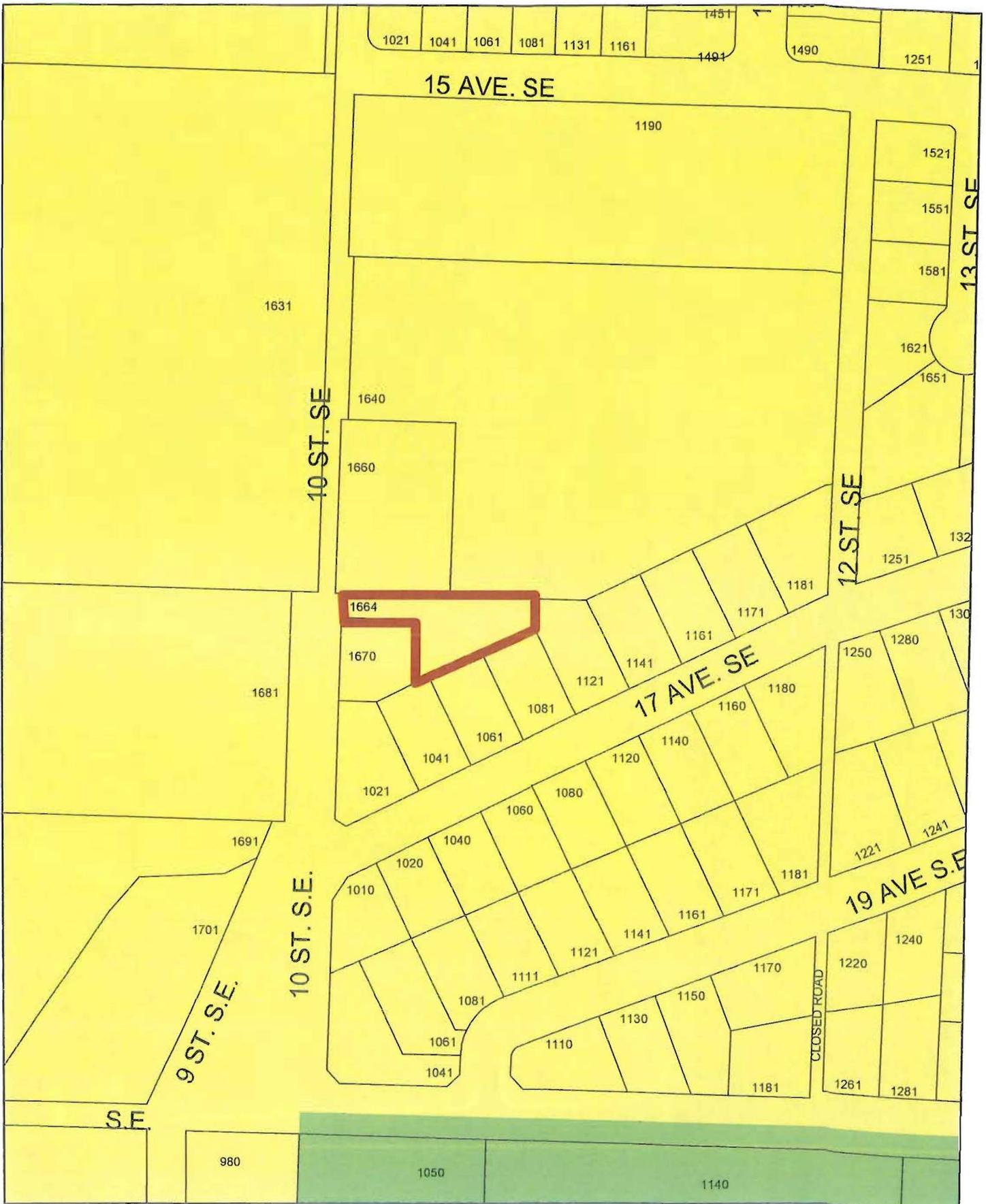
The proposed R-8 zoning is consistent with the OCP and is therefore supported by staff.



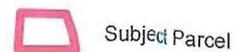
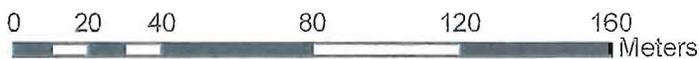
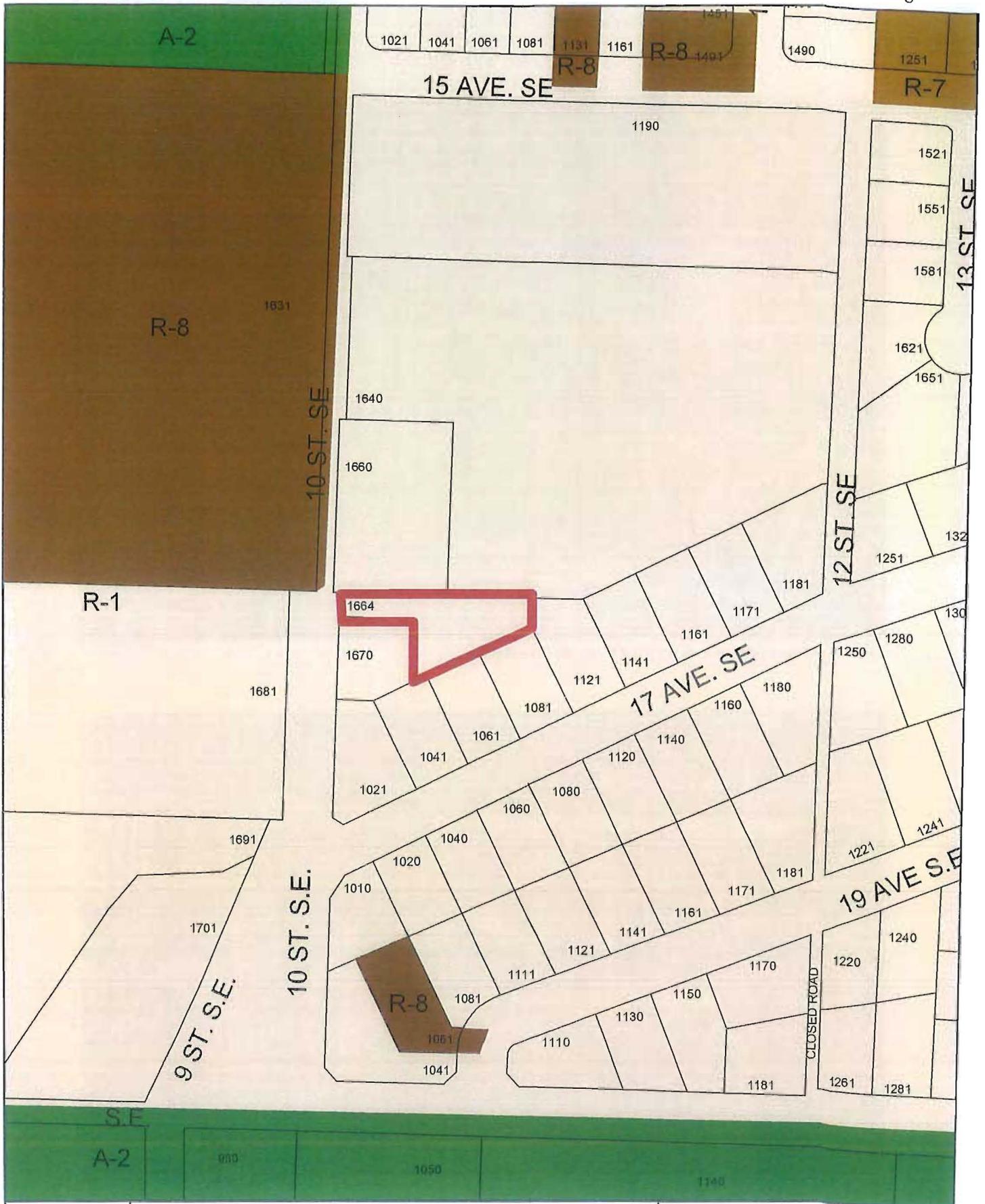
Prepared by: Chris Larson, MCP
Planning and Development Officer



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



-  Subject Parcel
-  Low Density Residential
-  Acreage Reserve





View of subject parcel looking east from 10 Street SE.



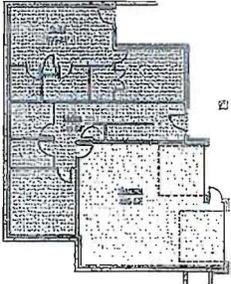
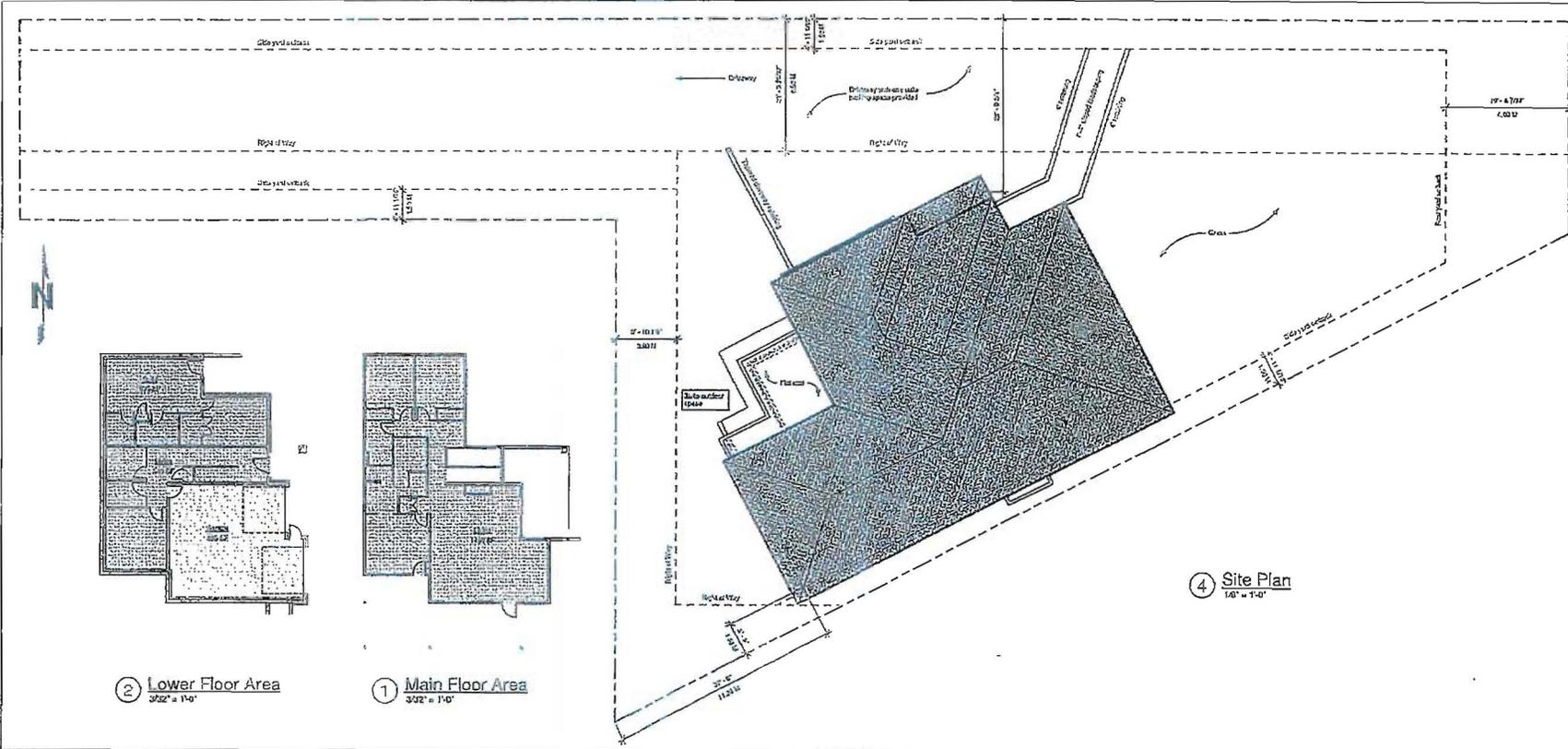
View of subject parcel looking west from 17 Avenue SE.

Drawing Index	
Drawing Number	Drawing Name
1	Cover Page and Site Plan
2	Foundations and Details
3	Roof Deck Plan
4	Main Floor Plan
5	Second Floor Perspectives
6	Basement and Details
7	Sections and Details

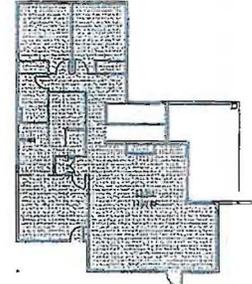
Legal Address
Lot 25

Civic Address
1664 10th St SE
Salmon Arm BC V1E 2R5

Zoning
R1 Single Family
1.5m Side yard setback
6.0m Front yard setback
10.0m Rear yard setback
15.0m Max height
45% Coverage



2 Lower Floor Area
3722' x 114'



1 Main Floor Area
3722' x 114'

4 Site Plan
160' x 140'

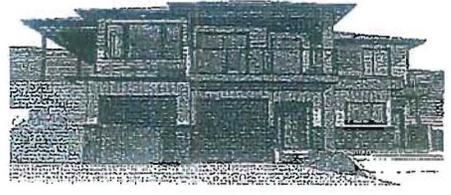
This drawing was prepared with the intent to comply with the BC Building Code (2006, 2011).
This drawing is developed to use a building information system (BIM) and is subject to the BC Building Code (2006, 2011).
A 100% of the building information system (BIM) model is required to be submitted to the BC Building Code (2006, 2011).

General Notes

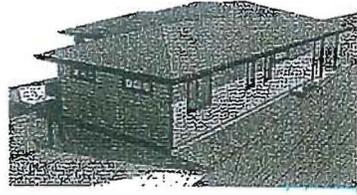
- All work to be in compliance with the current residential standards of the National Building Code of Canada, current electrical and plumbing codes and all local building codes and bylaws which may take precedence.
- All work shall be performed in all aspects to good building practice.
- Written instructions to be followed. Do not scale from the drawings.
- Site**
 - Building location to be verified by surveyor prior to construction.
 - Foundations to be poured on undisturbed engineered building pad.
 - All measurements, grades and levels to be verified on-site before commencing construction.
- Finishes and Foundations**
 - All dimensions to faces of solid masonry elements noted.
 - All basements, beams, columns and supporting foundations to be confirmed by the soil tests and test reports required.
 - Floor truss and floor joist layout will be provided by the manufacturer.
 - All suspended slabs and foundations walls over 8' must be designed and/or approved by a professional engineer.
 - All standard foundations to conform with engineering, soil conditions and best practices.
 - All concrete to have a minimum compressive strength of 28mpa at 28 days. Do not backfill till foundation wall floor structure is complete.
 - Structural steel work shall be completed prior to the application of any finish.
 - Structural steel work shall be installed by the time work is on.
 - All pipe penetrations through roof shall be bridged at each penetration and designed to meet as per R.I.C.C.
 - Flashing to be installed at all penetrations in roof systems and changes in roof plane.
 - Flashing to be installed at all changes in horizontal exterior finishes and over all unpermitted openings. Capping to be installed around all unpermitted exterior openings.

- Thermal Performance**
 - All new construction must conform to R2000 level thermal performance codes.
 - Plumbing, Electrical and Mechanical Systems**
 - All plumbing to be designed and installed per current plumbing codes and by a qualified plumber.
 - Confirm layout and dimensions with supplier of all fixtures, basins, washrooms, laundry rooms, utility rooms, in-floor heating, etc.
 - All fixtures to be approved by the owner.
 - Heating and venting calculations and system design by engineer, supplier or qualified installer.
 - Electrical system to be designed and installed by qualified electrician.
 - Local Bylaws and Development Regulations**
 - All construction will be within local bylaw requirements. These include design restrictions, height restrictions, front coverage, water run off considerations, yard coverage, landscaping, etc.
 - Any changes required to these designs should be reported to Meyer Design.
 - Perimeter drainage shall be installed where required by local authorities having jurisdiction and to their approval.
- Meyer Design shall not be responsible for any variances from the structural drawings and specifications, or adjustments required resulting from construction at the job site, and is the sole responsibility of the owner and contractor.
- Meyer Design makes every effort to provide complete and accurate construction drawings. However, we assume no liability for errors or omissions which may affect construction. It is the responsibility of all trades and subcontractors to check and verify all dimensions and details before commencing work with their portion of the construction. Should any discrepancies be found on these plans please advise Meyer Design so the necessary corrections can be made.

Proposed Residence for Jeremy and Sarah Pringle



3 Front Perspective



5 Rear Perspective

Meyer Design LTD
600 In Tot Drive
Coltsden, BC
V1B 3Y6
250-933-4570
Kelly@MeyerDesign.ca
MeyerDesign.ca

Cover Page and Site Plan

Dec 10, 2010
Oct 8, 2010
Drawn by Kelly Meyer

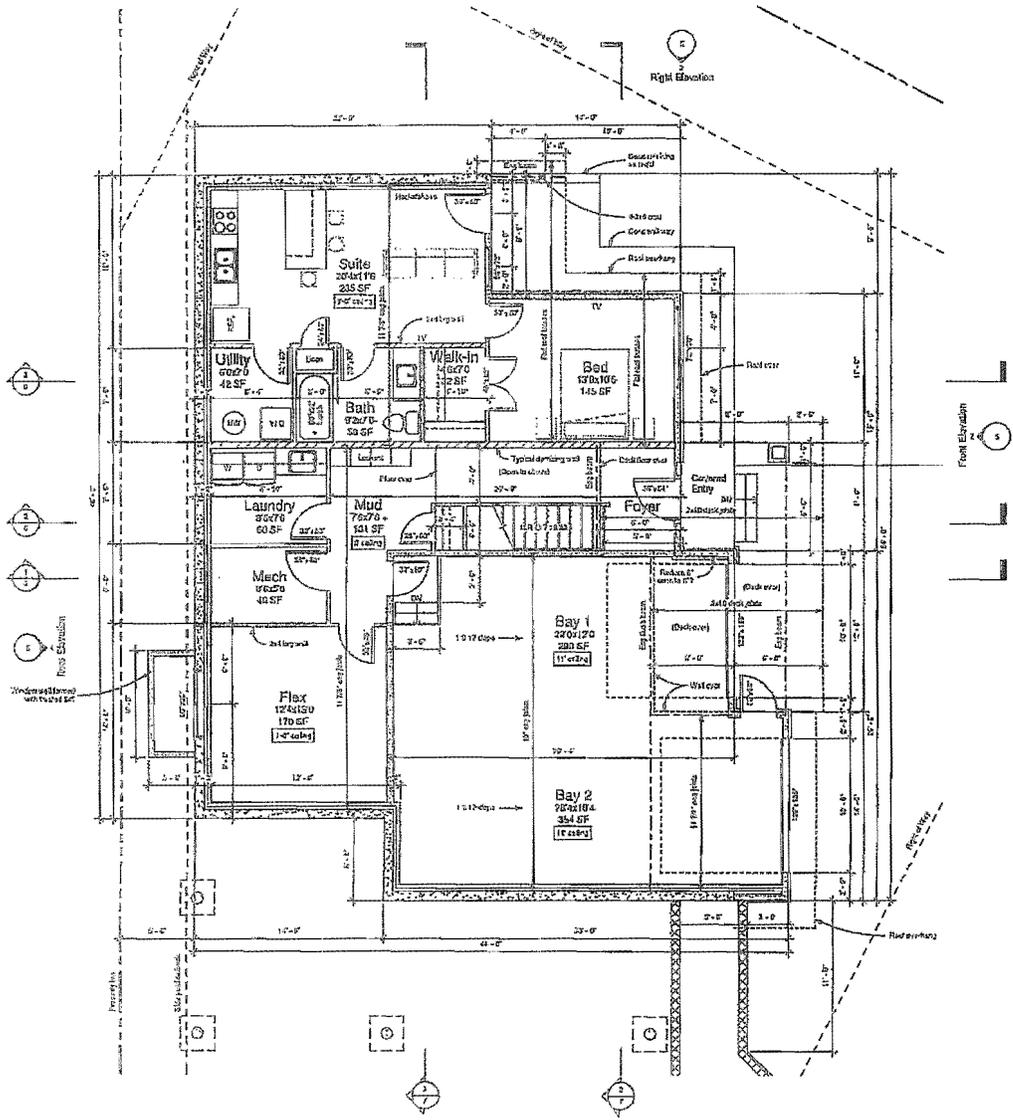
Pringle Residence
Lot 25 Myerway
1664 10th St SE
Salmon Arm, BC

1

For Permit and Construction v1.1

Appendix 5: Site Plans

Dimensions are in feet to nearest half inch to center unless noted for better work.
 Size for doors, if not dimensioned, use 3' height or as shown by 50' standard on the wall.



1 Lower Floor Plan
 164' x 170'



**MEYER
DESIGN LTD**

600 PA Top Drive
 Colchester, BC
 V1B 3Y6

250-503-1578
 Kathy@MeyerDesign.com
 MeyerDesigns.ca

Lower Floor Plan

Project Number	2019-013
Date	Oct 8, 2019
Designer	Kathy Meyer

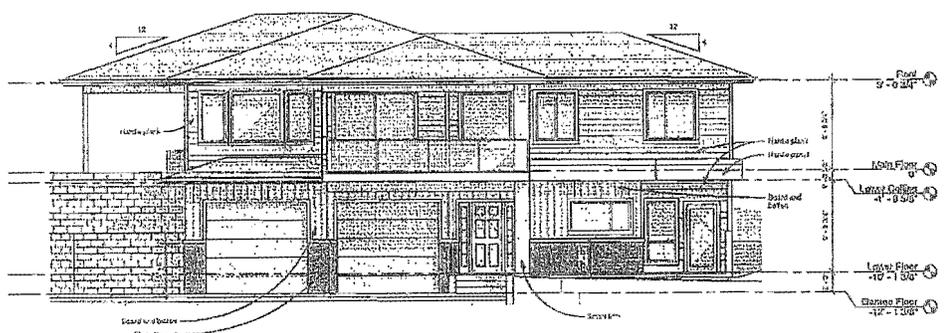
Pinnacle Residence
 Lot 25 Dysartview
 1024 10th St SE
 Salmon Arm, BC

3

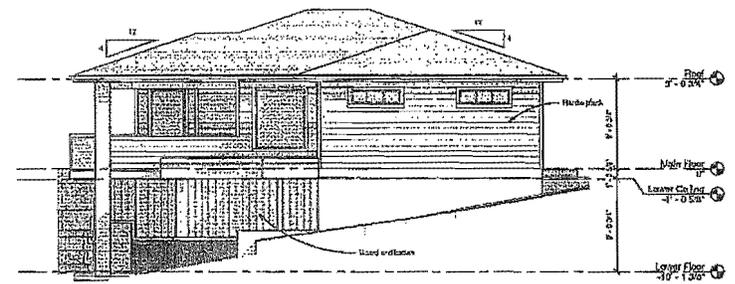
For Permit and Construction v1.1

Appendix 5 - Site Plans

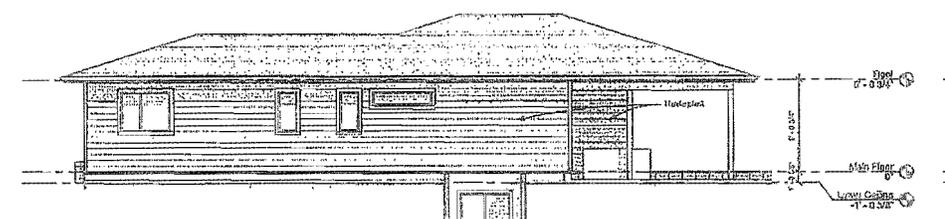
Dimensions are to stud on exterior walls and to centerline of stud for interior walls.
 Member sizes, if not dimensioned, are 2" from 2x4 corner to 2x6 or covered in 2" x 4's.



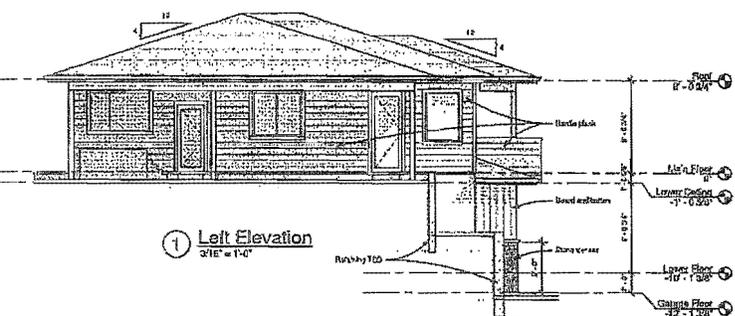
2 Front Elevation
3/16" = 1'-0"



3 Right Elevation
3/16" = 1'-0"



4 Rear Elevation
3/16" = 1'-0"



1 Left Elevation
3/16" = 1'-0"

Typical Cladding

Main Floor Horizontal Siding
 Hand-plank - 2" reveal
 1st painted over trim measure and window door trim

Lower Floor Board and Batten
 Hand-plank with vertical 2" reveal
 1st painted over trim measure and window door trim

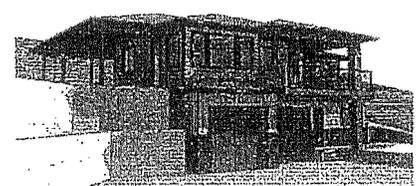
Decking
 Hand-plank
 1st painted over trim measure and window door trim

Garage Floor
 1st painted over trim measure and window door trim
 Hand-plank on flat roof vertical edge
 2" reveal
 Vertical aluminum 2" x 2" (hand-plank optional over deck or garage)

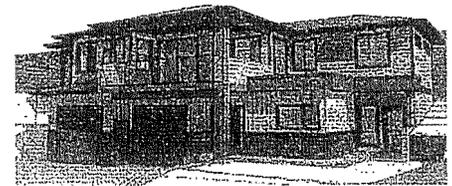
Decking and Siding
 Deck with painted 2" x 4's

Windows and Doors

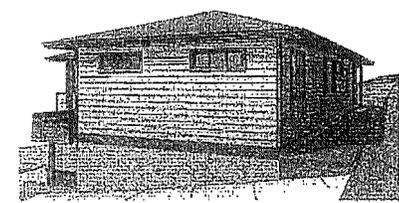
All window and door units, including casings, lintels, and sills, are to be installed by the contractor and are to be installed in accordance with the manufacturer's instructions.
 What is shown on this plan is a representation of the look and feel of the windows and doors. The type of window and door units to be installed is to be confirmed by the contractor.



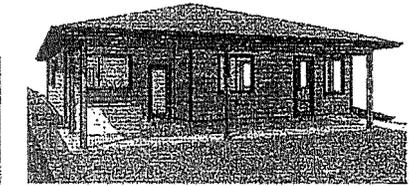
5 Front Left Perspective



6 Front Right Perspective



8 Rear Left Perspective



7 Rear Right Perspective

For Permit and Construction v1.1



MEYER DESIGN LTD
 600 Mt Todd Drive
 Coquitlam, BC
 V1B 3Y6
 250-603-4570
 Kelly@MeyerDesign.ca
 MeyerDesign.ca

Elevations and Perspectives

Project No:	2018-043
Date:	Oct 6, 2019
Designer:	Kelly Meyer

Plotting Residence:
 Lot 25 Blyssview
 1564 100th St SE
 Salmon Arm, BC

5

Appendix 5 - Site Plans

This page intentionally left blank.

CITY OF SALMON ARM

To: His Worship Mayor Harrison and Members of Council

Date: December 12, 2019

Subject: Agricultural Land Commission Application No. ALC-388
Agricultural Land Commission Application ID. 56448 (Non-Farm Use)

Applicant: Salmon Arm Folk Music Society - Roots & Blues Campground

Owner: 1) 0847774 BC Ltd. (550 – 10 Avenue SW)
2) J. Dedood & L. Dedood (690 – 10 Avenue SW)
3) J. Thompson (1300 – 10 Street SW)

Legal: 1) Lot 1, Sec. 11, Twp. 20, R. 10 W6M, KDYD, Plan 27414
2) Parcel B (Plan B5839) of the NW ¼ of Sec. 11, Twp. 20, R. 10, W6M, KDYD
3) Lot 1, Sec. 11, Twp. 20, R. 10, W6M, KDYD, Plan 4279, Except Parcel A on Plans B7061, 29487 & 42166

STAFF RECOMMENDATION

THAT: Non-Farm Use Application No. ALC-388 be forwarded to the Agricultural Land Commission with a resolution of support by City Council.

PROPOSAL

With consent from the property owners, the Salmon Arm Folk Music Society (the applicant) is proposing to use portions of the three parcels of land in the ALR as a festival campground for a two week period in August during each festival year. The three parcels are located at 550 - 10 Avenue SW, 690 - 10 Avenue SW and 1300 - 10 Street SW (Appendix 1). The application under review and filed to the Agricultural Land Commission (ALC) is attached as Appendix 2.

BACKGROUND

The ALC and City Council have approved temporary festival campground use on the properties since 2005. The campground has served as a critical accommodation and convenient location for festival goers with over 500 campsites in 2019.

ALC Non-Farm Use approvals have been for periods of three to four years. As the use is not permitted in the A-2 zone, the City has approved the use with Temporary Use Permits (TUP) for periods of two to three years over that same 15 year period.

The last ALC approval for temporary campground use in the ALR expired after the August 2019 festival; and, the current TUP will expire after the August 2020 festival. The previous ALC's approval is attached as Appendix 3; and, the TUP is attached as Appendix 4.

The current TUP (TUP-15) was amended last year. This amendment expanded the campground area on 1300 – 10 Street SW and extended the number of camping days on all three properties from a maximum of four to seven days. With this application, the applicant is requesting to further expand the campground area on 1300 – 10 Street SW to encompass the property in it's entirety. Previous ALC and TUP approvals

allowed up to 600 campsites. The applicant wishes to utilize all of 1300 – 10 Street SW so they have the flexibility to increase the number of campsites to 1,000, should they have the demand from festival patrons. If the ALC approves this application, another amendment to TUP-15 would be required; or, a new TUP would need to be issued, as the current TUP only permits the campground site on the northern portion of the property and up to 600 campsites over all three properties.

SITE CONTEXT

The three sites are located along the north end of "ALR Island". To the north across 10 Avenue SW is Blackburn Park and the Fall Fair grounds where the site of the festival is located. Also to the north and west is a mix of commercial and varying densities of residential uses. To the south and east are rural holding zone (A-2) properties in the ALR.

SOIL CAPABILITY

The properties have an Improved Soil Capability Rating of 60% Class 2 and 40% Class 4, see Appendix 6. Improved soil classifications range from Class 1, arable land with no significant limitations, to Class 7, non-arable land with significant limiting factors. Typically, all three properties have crops of hay and 1300 – 10 Street SW also has cattle grazing on the property. Subsequent to each festival, the applicant has restored the campground sites appropriately for continued agricultural use. Appendix 5 includes post-event site photos.

AGRICULTURAL ADVISORY COMMITTEE

The City's AAC reviewed the application on December 11, 2019. The Committee passed the following motion:

THAT: The AAC recommends support for the short-term camping over two weeks during Roots and Blues Festival.

CONCLUSION

Due to the convenient location of the campsites to the festival grounds, and the precedence of the Salmon Arm Roots and Blues restoring the land so an agricultural use can continue, staff recommends the application be authorized for submission to the ALC.



Prepared by: Denise Ackerman
Planner, Development Services



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



0 25 50 100 150 200
Meters



Subject Properties



Proposed Campgrounds



Provincial Agricultural Land Commission - Applicant Submission

Application ID: 56448

Application Status: Under LG Review

Applicant: 0847774 BC LTD INC. NO. BC084774 - Jerald Thompson

Agent: Salmon Arm Folk Music Society

Local Government: City of Salmon Arm

Local Government Date of Receipt: 11/13/2019

ALC Date of Receipt: This application has not been submitted to ALC yet.

Proposal Type: Non-Farm Use

Proposal: For over a decade and a half the Salmon Arm Folk Music Society has worked with the ALC and the property owners to install and provide short term campsites during the two week period the annual Salmon Arm ROOTS and BLUES Festival. The campsites are located across from the Salmon Arm Fairgrounds and have proved to be well supported by both the local and regional community. With a deep sense of obligation to preserving the land our annual goal is to leave the land in a better state than it was received.

Agent Information

Agent: Salmon Arm Folk Music Society

Mailing Address:

box 21

Salmon Arm, BC

V1E 4N2

Canada

Primary Phone: (250) 833-4096

Email: davidg@rootsandblues.ca

Parcel Information

Parcel(s) Under Application

1. **Ownership Type:** Fee Simple

Parcel Identifier: 004-831-853

Legal Description: Lot 1, Section 11, Township 20, Range 10, West of the 6th Meridian, Kamloops Division of Yale District, Plan 27414

Parcel Area: 5 ha

Civic Address: 550-10 Avenue SW, Salmon Arm, BC

Date of Purchase: 09/08/2019

Farm Classification: No

Owners

1. **Name:** 0847774 BC LTD INC. NO. BC084774 - Jerald Thompson

Address:

PO Box 1006

Salmon Arm, BC, BC

V1E 4P2

Applicant: 0847774 BC LTD INC. NO. BC084774 - Jerald Thompson

Canada
Phone: (250) 832-2040

2. Ownership Type: Fee Simple

Parcel Identifier: 014-072-009

Legal Description: Parcel B (Plan B5839), of the North West 1/4, Section 11, Township 20, Range 10, West of the 6th Meridian, Kamloops Division of Yale District

Parcel Area: 2.1 ha

Civic Address: South of 10th ave in Salmon Arm

Date of Purchase: 01/01/1999

Farm Classification: No

Owners

1. **Name:** Judy Dedood

Address:

690 10 Avenue SW

Salmon Arm, BC

V1E 1V4

Canada

Phone: (250) 832-7581

3. Ownership Type: Fee Simple

Parcel Identifier: 009-460-411

Legal Description: Lot 1, Section 11, Township 20, Range 10, West of the 6th Meridian, Kamloops Division of Yale District, EXCEPT Parcel A on Plan B7061, Plans 29487 and 42166

Parcel Area: 8.6 ha

Civic Address: 1300-10 Avenue SW, Salmon Arm, BC

Date of Purchase: 06/09/2013

Farm Classification: Yes

Owners

1. **Name:** Jerald Thompson

Address:

PO Box 1006

Salmon Arm, BC

V1E 4P2

Canada

Phone: (250) 832-2040

Current Use of Parcels Under Application

1. Quantify and describe in detail all agriculture that currently takes place on the parcel(s).

Parcel 1: 100% hay crop. Parcel 2: 100% hay crop. Parcel 3: Mixed use 50/50% hay crop and cattle grazing.

2. Quantify and describe in detail all agricultural improvements made to the parcel(s).

No agricultural improvements

3. Quantify and describe all non-agricultural uses that currently take place on the parcel(s).

Parcel 1 and 2 have a house and detached shops. Parcel 3 has no structures. All three parcels have previously been approved to be used as a campsite for a two week period in the month of August. Event organizers ensure the parcel will be restored to pre-non-agricultural conditions.

Adjacent Land Uses**North****Land Use Type:** Other**Specify Activity:** Two parcel have farms on northern border and the third parcel has residential**East****Land Use Type:** Agricultural/Farm**Specify Activity:** Hay crop**South****Land Use Type:** Recreational**Specify Activity:** Third parcel has senior residential facility. The remaining two have the fairground and park across the 10avenue.**West****Land Use Type:** Commercial / Retail**Specify Activity:** Small businesses and 50+ housing complex**Proposal****1. How many hectares are proposed for non-farm use?***12.7 ha***2. What is the purpose of the proposal?***For over a decade and a half the Salmon Arm Folk Music Society has worked with the ALC and the property owners to install and provide short term campsites during the two week period the annual Salmon Arm ROOTSandBLUES Festival. The campsites are located across from the Salmon Arm Fairgrounds and have proved to be well supported by both the local and regional community. With a deep sense of obligation to preserving the land our annual goal is to leave the land in a better state than it was received.***3. Could this proposal be accommodated on lands outside of the ALR? Please justify why the proposal cannot be carried out on lands outside the ALR.***The local community does not have suitable replacement property close enough the event grounds. The event has multiple alcohol serving area, and although all liquor board rules are followed, the proximity of the campsite to the event significantly reduces the opportunity for patrons to drive while intoxicated.***4. Does the proposal support agriculture in the short or long term? Please explain.***We treat the property owners as a partner and they share in the net revenue the campgrounds generate through the sale of campsite fees. The revenue the property owners receive go towards crop management and other agricultural related expenses which aid the property owner to keep the land productive.***5. Do you need to import any fill to construct or conduct the proposed Non-farm use?***No***Applicant Attachments**

- Agent Agreement - Salmon Arm Folk Music Society
- Other correspondence or file information - Cover Letter

- Proposal Sketch - 56448
- Other correspondence or file information - 2019 Post Event Report
- Certificate of Title - 004-831-853
- Certificate of Title - 014-072-009
- Certificate of Title - 009-460-411

ALC Attachments

None.

Decisions

None.



Salmon Arm Folk Music Society
Mail: PO Box 21, Salmon Arm, BC V1E 4N2
Location: 541 3rd St. SW, Salmon Arm, BC
Phone: 250.833.4096 | Fax: 250.833.4097
General Inquiries: info@rootsandblues.ca
Sponsor: sponsor@rootsandblues.ca
Volunteer and Grants: volunteer@rootsandblues.ca
www.rootsandblues.ca

November 7, 2019

Agricultural Land Commission
#133 – 4940 Canada Way
Burnaby, BC V5G 4K6

RE: Non-Farm Use Permit Application
Attn: Application Committee

The Salmon Arm Folk Music Society (SAFMS) is submitting a new non-farm use application to the ALC to allow camping during the ROOTS and BLUES Festival scheduled in the third week of August on the properties listed below:

- 550-10th Avenue SW, Salmon Arm, BC (Owner: 0847774 BC LTD INC. NO. BC084774 - Jerry Thompson)
- 690-10th Avenue SW, Salmon Arm, BC (Owner: Judy Dedood)
- 1300-10th Avenue SW, Salmon Arm, BC (Owner: Jerry Thompson)

Based on the previous approval from the ALC, the applicant would like the flexibility to increase the number of site spaces available on all of the properties to 1000 temporary campsites. Currently the event averages 600 temporary campsites per year and we would only increase additional sites if required by an increase demand from the patron. The increased site allowance will not restrict our ability to continue to properly maintain the properties or decrease the quality of care and maintenance to the properties to ensure no future agricultural activity is negatively affected.

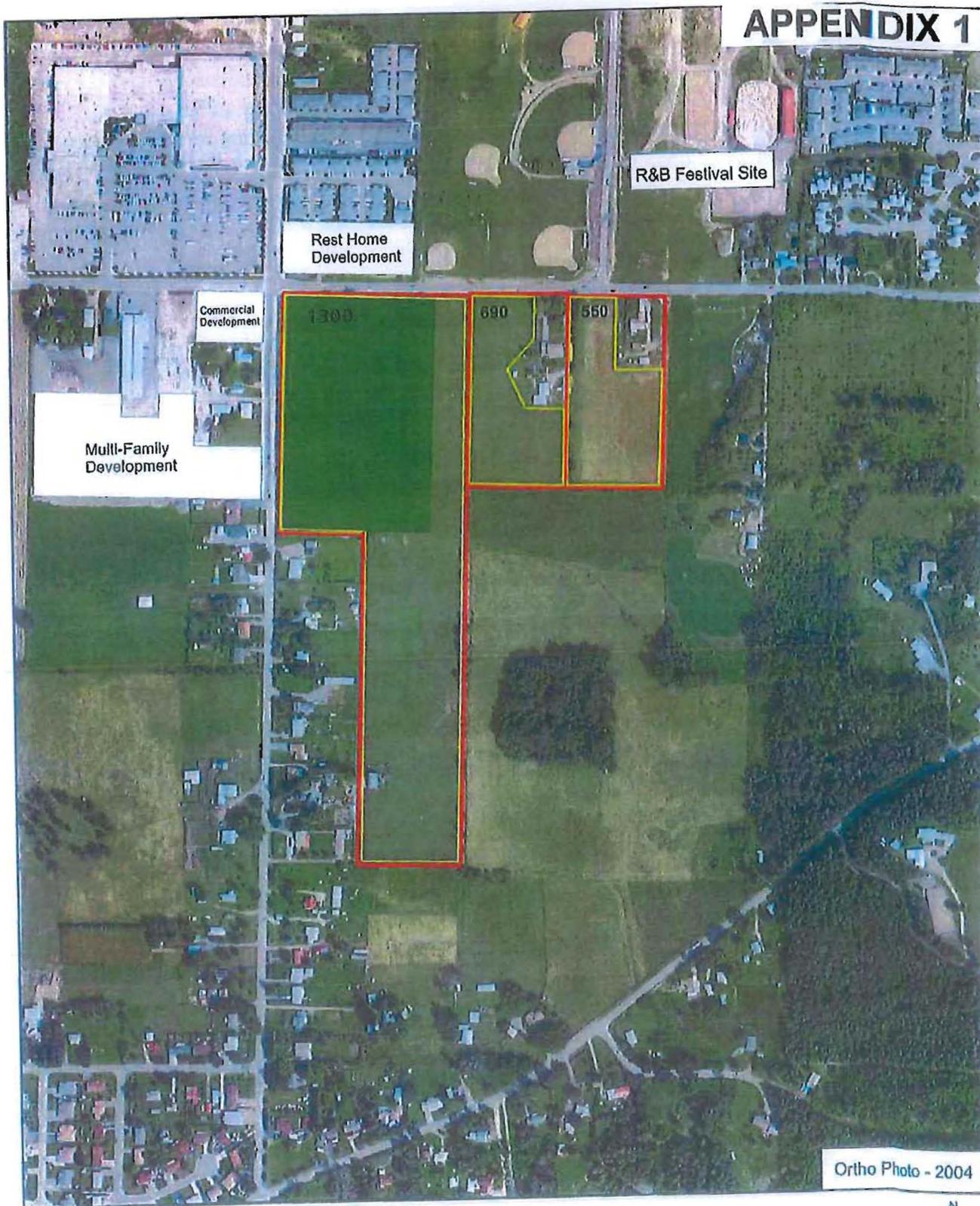
We are most appreciative of the support we have previously received from the ALC in assisting us with the accommodation needs of our audience. With the low vacancy rates in the summer months amongst accommodation providers the use of these campsite properties is crucial to the long-term viability of the event and allows the event organizers to offer attendees a low cost accommodation alternative. We strongly believe the ALC approved properties directly lessens campers from illegally camping on other properties in the area during the event as well.

The SAFMS would like to thank the Agricultural Land Commission for taking the time to consider this application. If you require any further information or clarifications, please contact me at any time.

Respectfully,



David Gonella
Executive Director



APPENDIX 1

Rest Home Development

R&B Festival Site

Commercial Development

Multi-Family Development

1300

690

550

Ortho Photo - 2004

-  Subject Proprties
-  Proposed Campsite Locations





July 13, 2015

Agricultural Land Commission
 133-4940 Canada Way
 Burnaby, British Columbia V5G 4K6
 Tel: 604 660-7000
 Fax: 604 660-7033
 www.alc.gov.bc.ca
 ALC File: 53963

Salmon Arm Roots and Blues Festival
 PO Box 21
 Salmon Arm, BC V1E 4N2

Attention: Mr. David Gonella, Site Manager

Re: Application for Non-Farm Use in the Agricultural Land Reserve (ALR)

Please find attached the Reasons for Decision of the Agricultural Land Commission (Resolution #177/2015) as it relates to the above noted application. As agent, it is your responsibility to notify your clients accordingly. A sketch plan depicting the decision has been attached.

Your attention is drawn to s. 33(1) of the *Agricultural Land Commission Act* which provides a person affected the opportunity to submit a request for reconsideration.

33(1) On the written request of a person affected or on the commission's own initiative, the commission may reconsider a decision of the commission under this Act and may confirm, reverse or vary it if the commission determines that:

- (a) evidence not available at the time of the original decision has become available,
- (b) all or part of the original decision was based on evidence that was in error or was false.

Please note that pursuant to s. 33.1 of the *Agricultural Land Commission Act*, the Chair may direct the executive committee to reconsider this panel decision if, within 60 days from the date of this decision, he considers that the decision "may not fulfill the purposes of the commission as set out in section 6". I can advise you that in this case, the Chair has already reviewed the decision and has instructed me to communicate to you that he does not intend to exercise that authority in this case.

Further correspondence with respect to this application is to be directed to Ron Wallace at (Ron.Wallace@gov.bc.ca).

Yours truly,

PROVINCIAL AGRICULTURAL LAND COMMISSION

Per:

Colin J. Fry, Chief Tribunal Officer

Enclosures: Reasons for Decision (Resolution #177/2015)
 Sketch plan

cc: City of Salmon Arm

53963d1



AGRICULTURAL LAND COMMISSION FILE 53963

REASONS FOR DECISION OF THE OKANAGAN PANEL

Application submitted pursuant to s. 20(3) of the *Agricultural Land Commission Act*

Applicants:

**Jerald Thompson
Johan DeDood
Judy DeDood
0847774 BC Ltd.
(the "Applicants")**

Agent:

**Salmon Arm Roots and Blues
Festival, c/o David Gonella
(the "Agent")**

Application before the Okanagan Regional Panel:

**Gerry Zimmermann, Chair
Jim Johnson
Greg Norton**



THE APPLICATION

- [1] The legal description of the properties involved in the application are:
- a. Parcel Identifier: 009-460-411
 Lot 1, Section 11, Township 20, Range 10, West of the 6th Meridian
 Kamloops Division Yale District, Plan 4279 Except Parcel A on Plan B7061,
 Plans 29487 and 42166
 - b. Parcel Identifier: 009-072-009
 Parcel B (Plan B5839) of the North West ¼ of Section 11, Township 20,
 Range 10, West of the 6th Meridian Kamloops Division Yale District
 - c. Parcel Identifier: 004-831-853
 Lot 1, Section 11, Township 20, Range 10, West of the 6th Meridian
 Kamloops Division Yale District, Plan 27414
- (collectively the "Properties")
- [2] The Properties have the civic addresses: 550 – 10th Avenue SW, Salmon Arm; 690 – 10th Avenue SW, Salmon Arm; and 1300 – 10th Avenue SW, Salmon Arm.
- [3] The Properties total 12.7 ha in area.
- [4] The Properties are located within a designated agricultural land reserve ("ALR") as defined in s. 1 of the *Agricultural Land Commission Act* (the "ALCA").
- [5] The Properties are located within Zone 1 as defined in s. 4.2 of the ALCA.
- [6] Pursuant to s. 20(3) of the ALCA, the Applicants are applying for the use of approximately 5 ha of the Properties as a temporary campground during the annual Salmon Arm Roots and Blues Festival, taking place each August. The request is for 10 days in late August for set up, camping (days) and tear down and clean up (the "Application") for a period of five (5) years.



[7] On May 25, 2015, the Chair of the Agricultural Land Commission (the "Commission") referred the Application to the Okanagan Regional Panel (the "Panel").

RELEVANT STATUTORY PROVISIONS

[8] The Application was made pursuant to s. 20(3) of the ALCA:

20(3) An owner of agricultural land or a person with a right of entry to agricultural land granted by any of the following may apply to the commission for permission for a non-farm use of agricultural land.

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

6 The following are the purposes of the commission:

- (a) to preserve agricultural land;
- (b) to encourage farming on agricultural land in collaboration with other communities of interest; and
- (c) to encourage local governments, first nations, the government and its agents to enable and accommodate farm use of agricultural land and uses compatible with agriculture in their plans, bylaws and policies.

EVIDENTIARY RECORD BEFORE THE PANEL

[10] The Panel considered the following evidence:

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

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



[11] The City of Salmon Arm (the "City") Council authorized the submission of the Application to the Commission with a recommendation of support.

The City's Agricultural Advisory Committee advised Council that it supports the Application subject to the fields being maintained to the same condition pre and post festival.

The City's planning staff has no concerns, and recommends approval.

[12] The Panel reviewed previous applications involving the Properties:

Application ID: 52608
(Roots and Blues Festival, 2012)

To use approximately 5 ha of ALR, comprising three adjoining parcels, for a temporary campground (i.e., two weeks in August) for the Salmon Arm Roots and Blues Festival. The Commission by Resolution #209/2012, allowed the application for camping subject to the following conditions:

- The camping activities being limited to 5 ha;
- The campground uses are limited to a 14 day period in August (including set-up, festival days and clean-up) for the annual Roots and Blues Festival Weekend;
- The permission for camping uses expires September 1, 2014;
- No permanent facilities are to be placed or constructed on the land;
- The submission of an annual status report (including photos) from the applicant/landowners verifying the land has been returned to an equal or better agricultural standard.

Application ID: 45759
(Roots and Blues Festival 2009)

To use 5 ha on three properties for 600 temporary campsites for the Salmon Arm Roots and Blues Festival



Decision: Allow for three years subject to reclamation -
Resolution #97/2009

Application ID: 43907
Legacy (37325)
(Roots and Blues Festival, 2007)

To use 4.7 ha of the 8.6 ha subject property for overflow
camping for the annual Salmon Arm Roots and Blues
Festival

Decision: Allow subject to reclamation - Resolution
#278/2007.

Application ID: 41968
Legacy (35986)
(Roots and Blues Festival, 2005)

To use 3 ha of the two adjoining subject properties
(totaling 4.2 ha) for temporary camping for the annual
Salmon Arm Roots and Blues Festival.

Decision: Allow for three years, subject to reclamation –
Resolution # 203/2005.

[13] The Panel confirmed that the Commission previously approved camping uses on the Properties beginning in 2005 and 2007 and continuing uninterrupted until 2015.

SITE VISIT

[14] The Panel did not consider it necessary to conduct a site visit to the Properties based on the evidentiary record associated with previous Applications.

FINDINGS

[15] In assessing agricultural capability, the Panel referred in part to agricultural capability mapping and ratings. The ratings are identified using the Canada Land Inventory (CLI), 'Soil Capability Classification for Agriculture' system. The improved agricultural capability ratings identified on CLI map sheet 82L/11 for the mapping units encompassing the Properties are Class 2 and Class 4, more specifically (6:2X – 4:4W).



Agricultural Land Commission Decision, ALC File 53963

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

Class 4 - land is capable of a restricted range of crops. Soil and climate conditions require special management considerations.

The limiting subclasses associated with this parcel of land are X (combination of soil factors) and W (excess water).

[16] The Panel reviewed the CLI ratings and confirmed that the Properties have very good agricultural capability and are suitable for agricultural use. The Panel also noted that the lands continue to produce hay (two cuts) and support livestock grazing during the past decade, even while accommodating temporary camping uses for the Salmon Arm Roots and Blues Festival.

[17] The Panel reviewed its previous approvals for the temporary camping uses, noting that the Applicant was very diligent in rehabilitating the Properties post festival so that they can continue to be used for agriculture. Given the temporary (10 day) nature of the non-farm use, and the Commission's history of allowing festival camping on the Properties, the Panel believes an extension of the temporary camping approval is appropriate. Therefore, the Panel is prepared to permit temporary camping uses for another five years to accommodate the Salmon Arm Roots and Blues Festival.

DECISION

[18] For the reasons given above, the Panel approves the Application for the temporary campground use of ~ 5 ha of the Properties during the annual Salmon Arm Roots and Blues Festival.

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

- a. the camping activities being limited to the three sites (involving approximately 5 ha) as shown in the Location Map submitted with the Application;



- b. the campground uses are limited to a 10 day period in August (including set-up, festival days and clean up) for the annual Salmon Arm Roots and Blues Festival;
- c. the permission for camping uses expires September 1, 2019;
- d. no permanent facilities or fill are to be constructed or placed on the Properties;
- e. the submission of an annual status report (including photos) from the Applicants/landowners verifying the Properties have been returned to an equal or better agricultural standard; and
- f. approval for non-farm use is granted for the sole benefit of the Applicant and is non-transferable.

[20] 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.

[21] Panel Chair Gerry Zimmermann concurs with the decision.

Commissioner Jim Johnson concurs with the decision.

Commissioner Greg Norton concurs with the decision.

[22] Decision recorded as Resolution #177/2015.

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

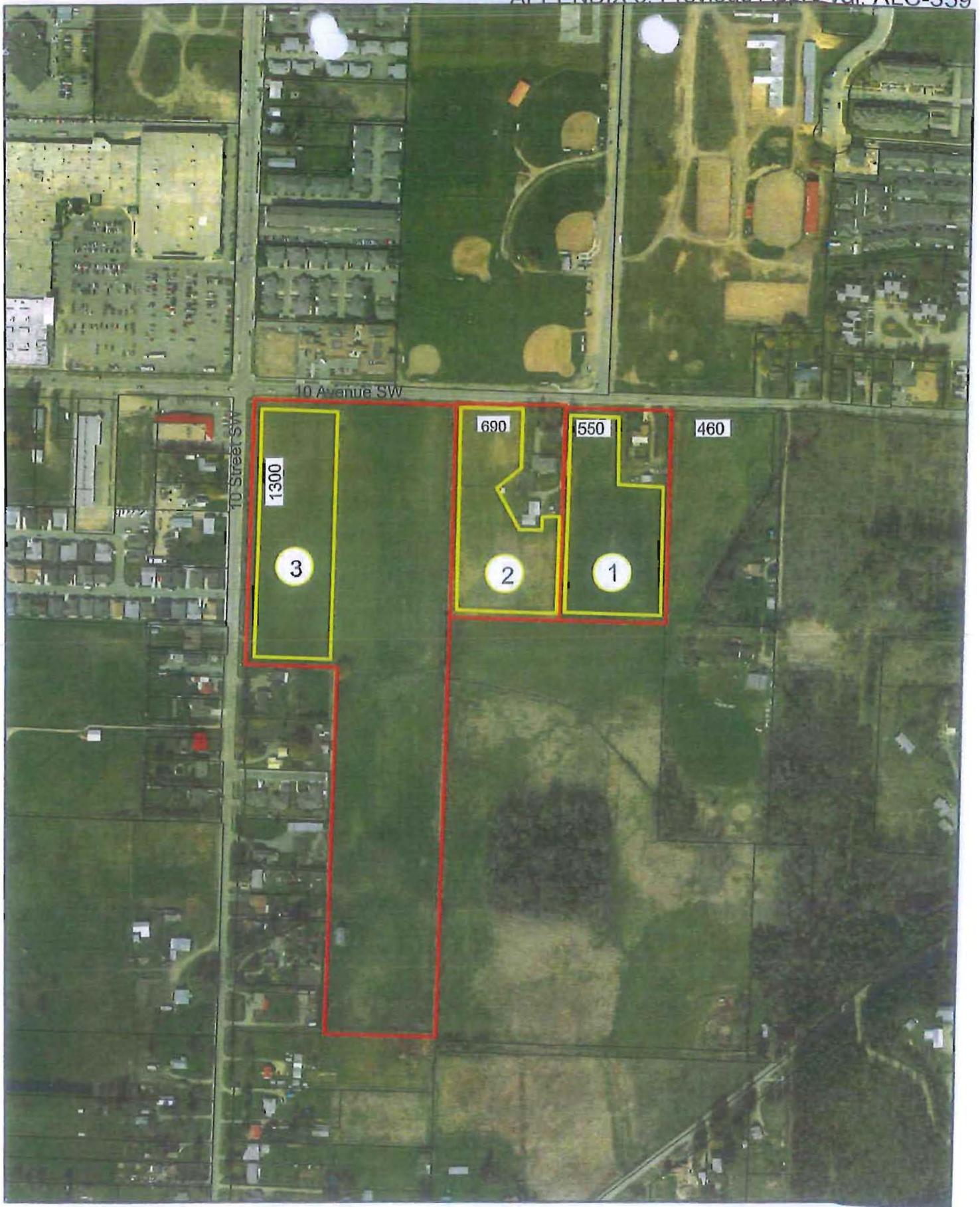
Upon instruction of the Panel, I have been authorized to release the Reasons for Decision by Resolution #177/2015. The decision is effective upon release.



 Colin J. Fry, Chief Tribunal Officer

July 13, 2015

 Date Released



 Subject Properties
 ~~APPELVED~~ Temporary Campground

Sketch Plan ALC Application #53963
Resolution # 171/2015



TEMPORARY USE PERMIT

Local Government Act (Part 14)

PERMIT NUMBER: TUP- 15 Amendment

Bylaw No. 3548
SCHEDULE "B"

TO: SALMON ARM FOLK MUSIC SOCIETY

1. This Temporary Use Permit is issued subject to compliance with all applicable City of Salmon Arm Bylaws except for the permitted temporary uses as set out in this Permit.
2. This Temporary Use Permit applies to, and only to, (legal descriptions)
 - 1) Lot 1, Section 11, Township 20, Range 10, W6M, KDYD, Plan 27414 (PID 004-831-853)
 - 2) Parcel B (Plan B5839) of the North West ¼ of Section 11, Township 20, Range 10, W6M, KDYD (PID 014-072-009)
 - 3) Lot 1, Section 11, Township 20, Range 10, W6M, KDYD, Plan 4279 except Parcel A on Plan B7061, Plans 29487 and 42166 (PID 009-460-411)

and any and all buildings, structures and other development thereon.

3. The City of Salmon Arm Council resolved the following:

THAT: Temporary Use Permit No. TUP-15 Amendment be approved for:

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

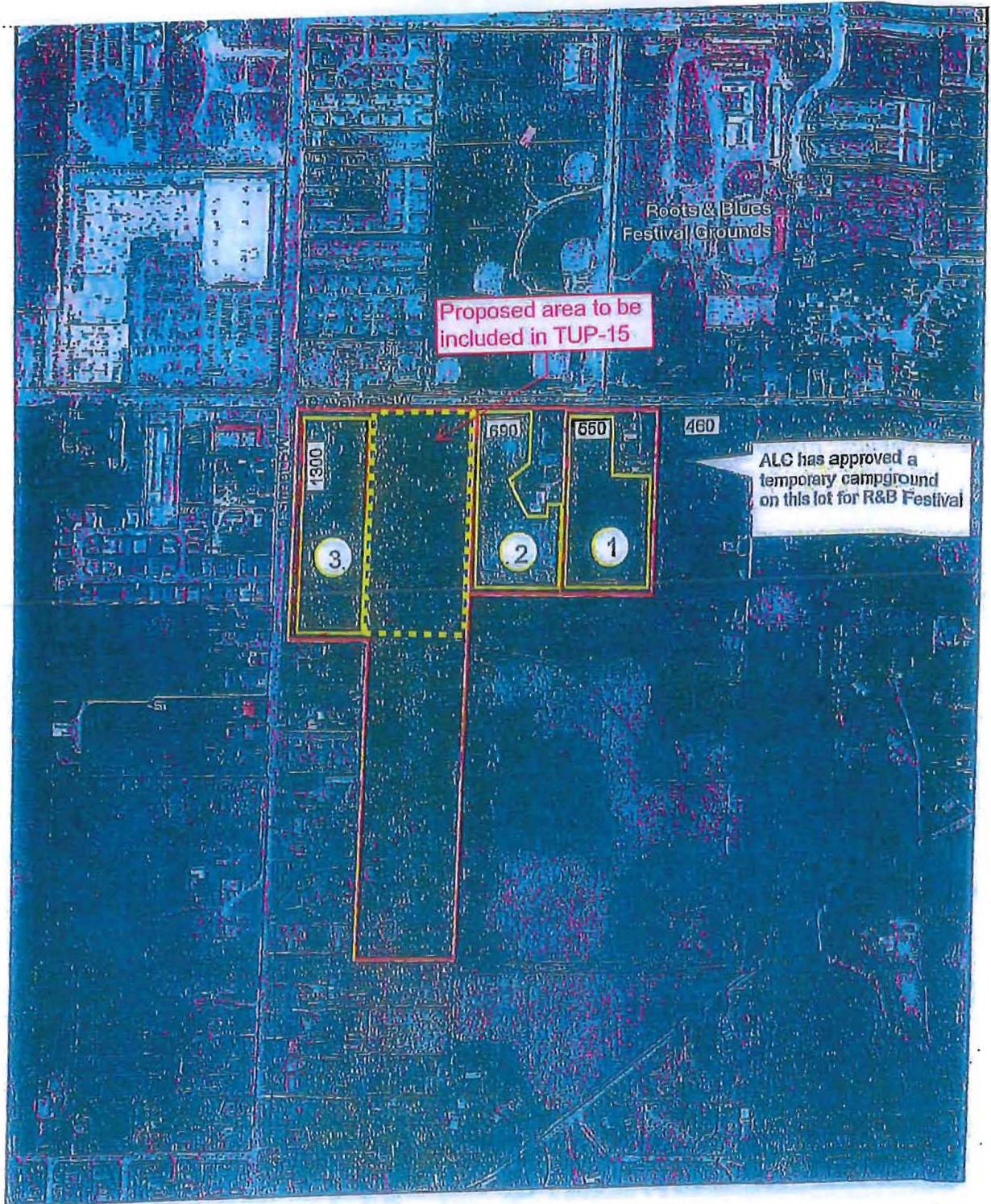
AND THAT: TUP-15 permit the temporary use of campgrounds as shown in Appendix 2 of the Staff Report dated January 10, 2019 and in accordance with the following terms and conditions:

- 1) TUP-15 is valid for a two week period during the month of August for the years 2018, 2019 and 2020, with camping limited to a maximum seven day time period during the Roots and Blues Festival; and
 - 2) TUP-15 camping area is expanded on Lot 1, Section 11, Township 20, Range 10, W6M, KDYD, Plan 4279 except Parcel A on Plan B7061, Plans 29487 and 42166 (1300 - 10 Street SW)
4. The land described herein shall be used strictly in accordance with the terms and conditions and provisions of this Permit.
 5. Notice shall be filed in the Land Title Office that the land described herein is subject to this Permit.
 6. The terms of the Permit or any amendment to it are binding on all persons who acquire an interest in the land affected by the Permit.
 7. Security in the amount of \$ n/a has been deposited as per Council's resolution, in accordance with Section 496 of the *Local Government Act*.

AUTHORIZING RESOLUTION ADOPTED BY COUNCIL on the 28 day of January, 2019.

ISSUED this 01 day of February, 2019.


CORPORATE OFFICER



Proposed area to be included in TUP-15

ALC has approved a temporary campground on this lot for R&B Festival

Roots & Blues Festival Grounds

3

2

1

1300

690

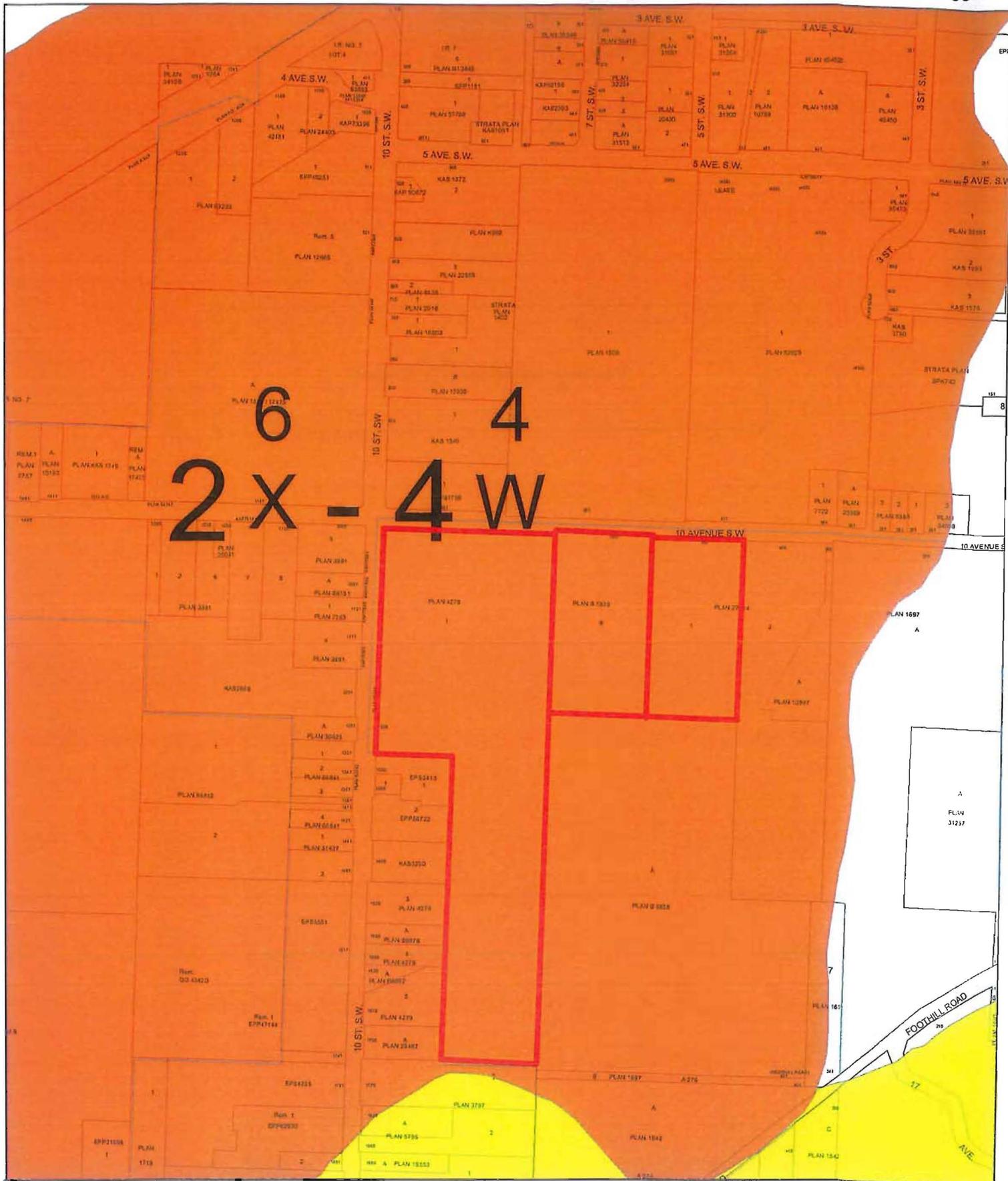
660

460

- Subject Properties
- Proposed Temporary Campground

LOCATION MAP





0 250 100 150 200
 Meters



Subject Property

This page intentionally left blank.