

# AGENDA

City of Salmon Arm  
Regular Council Meeting

Monday, February 22, 2021  
1:30 p.m.

*[Public Session Begins at 2:30 p.m.]*  
*Council Chambers of City Hall*  
*500 – 2 Avenue NE and by Electronic means*  
*as authorized by Ministerial Order M192*

Page #	Item #	Description
	1.	CALL TO ORDER
1 – 2	2.	IN-CAMERA SESSION
	3.	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>
	4.	ADOPTION OF AGENDA
	5.	DISCLOSURE OF INTEREST
	6.	CONFIRMATION OF MINUTES
3 – 14	1.	Regular Council Meeting Minutes of February 8, 2021
	7.	COMMITTEE REPORTS
15 – 20	1.	Development and Planning Services Committee Meeting Minutes of February 16, 2021
21 – 24	2.	Agricultural Advisory Committee Meeting Minutes of February 10, 2021
25 – 28	3.	Social Impact Advisory Committee Meeting Minutes of January 15, 2021
	8.	COLUMBIA SHUSWAP REGIONAL DISTRICT UPDATE
	9.	STAFF REPORTS
29 – 34	1.	Director of Development Services – Salmon Arm Wharf – Demolition Permit – Heritage Register
35 – 40	2.	Manager of Permits & Licensing – Marionette Winery (License extension to include lounge) 2540 40 Street NE
41 – 44	3.	Director of Engineering and Public Works – Lakeshore Road Stability – Preliminary Design Engineering Award
45 – 48	4.	Director of Engineering and Public Works – WPCC Stage IV Expansion – Process Selection

- |           |            |   |
|-----------|------------|---|
|           | <b>10.</b> | <b>INTRODUCTION OF BYLAWS</b>   |
| 49 – 72   | 1.         | City of Salmon Arm Zoning Amendment Bylaw No. 4428 [ZON-1192; Charlton, S. & H./Mierau, B. & R/Laird, B.; 3831 20 Avenue SE; A2 to M2] – First and Second Readings  |
| 73 – 76   | 2.         | City of Salmon Arm Zoning Amendment Bylaw No. 4441 [ZON-1192; Charlton, S. & H./Mierau, B. & R/Laird, B.; 4270 10 Avenue SE; A2 to M2] ( <i>See item 10.1 for Staff Report</i> ) – First and Second Readings  |
| 77 – 104  | 3.         | City of Salmon Arm Zoning Amendment Bylaw No. 4440 [ZON-1200; LST Ventures Ltd./West Urban Developments Ltd.; 1230, 1260 & 1290 10 Avenue SW; C-3 to C-2] – First and Second Readings   |
| 105 – 118 | 4.         | City of Salmon Arm Highway Closure Bylaw No. 4427 [Kearl, R.; part of 18 Street NE; Proposed Road Closure and Disposal] – First, Second and Third Readings  |
|           | <b>11.</b> | <b>RECONSIDERATION OF BYLAWS</b>  |
| 119 – 144 | 1.         | City of Salmon Arm Zoning Amendment Bylaw No. 4421 [ZON-1191 Brentwell Construction Ltd.; 31 – 4 Street SE; R-1 to R-5] – Final Reading   |
| 145 – 212 | 2.         | City of Salmon Arm Land Use Contract Termination Bylaw No. 4430 [LUC N54304; Abacus Cities Ltd.; Units 101 – 506, 1449 – 1 Avenue NE; Units 302 – 806, 1451 – 1 Avenue NE; 130 – 230 – 15 Street NE; 1480 – 1570 – 1 Avenue NE; 1451 – 1531 Okanagan Avenue NE] – Final Reading |
| 213 – 218 | 3.         | City of Salmon Arm Zoning Amendment Bylaw No. 4431 [ZON-1196; Abacus Cities Ltd.; Units 101 – 506, 1449 – 1 Avenue NE; Units 302 – 806, 1451 – 1 Avenue NE; 1451 – 1531 Okanagan Avenue NE; R-1 – R-4] ( <i>See item 11.2 for Staff Report</i> ) – Final Reading                |
| 219 – 222 | 4.         | City of Salmon Arm Fee for Service Amendment Bylaw No. 4436 [Sidewalk Café Program] – Final Reading   |
| 223 – 260 | 5.         | City of Salmon Arm Official Community Plan Amendment Bylaw No. 4419 [OCP4000-44; McGregor, D.; 1910 11 Avenue NE; HC to HR] – Final Reading   |
| 261 – 266 | 6.         | City of Salmon Arm Zoning Amendment Bylaw No. 4420 [ZON-1190; McGregor, D.; 1910 11 Avenue NE; R-1 to R-5] ( <i>See item 11.5 for Staff Report</i> ) – Final Reading  |
|           | <b>12.</b> | <b>CORRESPONDENCE</b>   |
| 267 – 268 | 1.         | Informational Correspondence  |
| 269 – 272 | 2.         | R. Parenteau, Manager, Shuswap Community Foundation – letter dated February 10, 2021 – Grant-in-Aid and Endowment   |
|           | <b>13.</b> | <b>NEW BUSINESS</b>   |
|           | <b>14.</b> | <b>PRESENTATIONS/DELEGATIONS</b>  |
| 273 – 296 | 1.         | Presentation 4:00 – 4:15 p.m. (approximately)<br>Kevin Smith, Charlie Burt, Len Lazzarotto & Fire Chief Brad Shirley – Fire Smart   |



15. COUNCIL STATEMENTS
16. SALMON ARM SECONDARY YOUTH COUNCIL
17. NOTICE OF MOTION
18. UNFINISHED BUSINESS AND DEFERRED / TABLED ITEMS
19. OTHER BUSINESS
20. QUESTION AND ANSWER PERIOD

**7:00 p.m.**

Page #	Item #	Description
	21.	DISCLOSURE OF INTEREST
	22.	HEARINGS
297 - 316	1.	Development Permit Application No. DP-428 [Uptown Ventures Ltd.; 2810 15 Avenue NE; Setback requirements]
	23.	STATUTORY PUBLIC HEARINGS
	24.	RECONSIDERATION OF BYLAWS
	25.	QUESTION AND ANSWER PERIOD
317 - 318	26.	ADJOURNMENT

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Item 2.

## CITY OF SALMON ARM

Date: February 22, 2021

Moved: Councillor Eliason

Seconded: Councillor Wallace Richmond

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

### Vote Record

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

Opposed:

- ☐ Harrison
- ☐ Cannon
- ☐ Eliason
- ☐ Flynn
- ☐ Lavery
- ☐ Lindgren
- ☐ Wallace Richmond

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Item 6.1

## CITY OF SALMON ARM

Date: February 22, 2021

Moved: Councillor Eliason

Seconded: Councillor Lavery

THAT: the Regular Council Meeting Minutes of February 8, 2021, be adopted as circulated.

### Vote Record

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

Opposed:

- ☐ Harrison
- ☐ Cannon
- ☐ Eliason
- ☐ Flynn
- ☐ Lavery
- ☐ Lindgren
- ☐ Wallace Richmond

## REGULAR COUNCIL

Minutes of a Regular Meeting of Council of the City of Salmon Arm held in the Council Chambers and by electronic means as authorized by Ministerial Order M192, at 1:30 p.m. and reconvened at 2:30 p.m. of the City Hall, 500 – 2 Avenue NE, Salmon Arm, British Columbia on Monday, February 8, 2021.

### PRESENT:

Mayor A. Harrison  
 Councillor D. Cannon (participated remotely)  
 Councillor C. Eliason (participated remotely)  
 Councillor K. Flynn  
 Councillor T. Lavery (participated remotely)  
 Councillor S. Lindgren  
 Councillor L. Wallace Richmond (participated remotely)

Chief Administrative Officer C. Bannister  
 Director of Engineering & Public Works R. Niewenhuizen  
 Director of Corporate Services E. Jackson  
 Director of Development Services K. Pearson (participated remotely)  
 Chief Financial Officer C. Van de Cappelle  
 City Engineer J. Wilson  
 Recorder C. Simmons

### 1. CALL TO ORDER

Mayor Harrison called the meeting to order at 1:31 p.m.

### 2. IN-CAMERA SESSION

0098-2021                      Moved: Councillor Cannon  
                                       Seconded: Councillor Lindgren  
                                       THAT: pursuant to Section 90(1) of the Community Charter, Council move In-Camera.

CARRIED UNANIMOUSLY

Council moved In-Camera at 1:31 p.m.  
 Council returned to Regular Session at 2:20p.m.  
 Council recessed until 2:30 p.m.

### 3. ACKNOWLEDGEMENT OF TRADITIONAL TERRITORY

Mayor Harrison read the following statement: "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."

**4. REVIEW OF AGENDA**

Additional information under item 9.4 – Project Location Map

Addition under item 12.2 A. Slater, General Manager, Southern Interior Local Government Association – email dated February 5, 2021 – SILGA Speaker Services – COVID Chaos, COVID Convenience, COVID Crystal Ball

Addition under item 23.1 D. and M. Woolliams – letter dated February 8, 2021 – Notice for Development Variance Permit Hearing February 8, 2021 Permit No. VP-525 (2671 17 Street NE)

Addition under item 24.1/24.2 S/Sgt. S. West, Salmon Arm RCMP Detachment – letter dated February 4, 2021 – Variance /re-zoning application for the property located at 1910 11<sup>th</sup> Avenue NE, Salmon Arm

**5. DISCLOSURE OF INTEREST**

Councillor Flynn declared a conflict of interest with Item 23.1 as the applicants family are clients of his firm.

**6. CONFIRMATION OF MINUTES****1. Special Council Meeting Minutes of January 18, 2021**

0099-2021

Moved: Councillor Eliason

Seconded: Councillor Lavery

THAT: the Special Council Meeting Minutes of January 18, 2021, be adopted as circulated.

CARRIED UNANIMOUSLY

**2. Regular Council Meeting Minutes of January 25, 2021**

0100-2021

Moved: Councillor Flynn

Seconded: Councillor Lindgren

THAT: the Regular Council Meeting Minutes of January 25, 2021, be adopted as circulated.

CARRIED UNANIMOUSLY

**7. COMMITTEE REPORTS****1. Development and Planning Services Committee Meeting Minutes of February 1, 2021**

0101-2021

Moved: Councillor Lavery

Seconded: Councillor Cannon

THAT: the Development and Planning Services Committee Meeting Minutes of February 1, 2021 be received as information.

CARRIED UNANIMOUSLY

7. COMMITTEE REPORTS – continued

2. Environmental Advisory Committee Meeting Minutes of January 15, 2021

0102-2021

Moved: Councillor Lindgren  
Seconded: Councillor Wallace Richmond  
THAT: the Environmental Advisory Committee Meeting Minutes of January 15, 2021, be received as information.

CARRIED UNANIMOUSLY

3. Downtown Parking Commission Meeting Minutes of January 19, 2021

0103-2021

Moved: Councillor Eliason  
Seconded: Councillor Flynn  
THAT: the Downtown Parking Commission Meeting Minutes of January 19, 2021, be received as information.

CARRIED UNANIMOUSLY

4. Active Transportation Task Force Meeting Minutes of February 1, 2021

0104-2021

Moved: Councillor Lavery  
Seconded: Mayor Harrison  
THAT: the Active Transportation Task Force Meeting Minutes of February 1, 2021, be received as information.

CARRIED UNANIMOUSLY

5. Community Heritage Commission Meeting Minutes of February 1, 2021

0105-2021

Moved: Councillor Cannon  
Seconded: Councillor Flynn  
THAT: the Community Heritage Commission Meeting Minutes of February 1, 2021, be received as information.

CARRIED UNANIMOUSLY

8. COLUMBIA SHUSWAP REGIONAL DISTRICT UPDATE

1. Board in Brief – January 2021

Received for information.



9. **STAFF REPORTS**

1. **Chief Financial Officer – Court of Revision**

0106-2021

Moved: Councillor Flynn

Seconded: Councillor Wallace Richmond

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

AND THAT: the Court of Revision for the Water and Sewer Frontage Tax, Transportation Parcel Tax and the 73<sup>rd</sup> Avenue Water Main Extension Parcel Tax Roll be held in the Council Chambers of City Hall and by electronic means as authorized by Ministerial Order M192 on Monday March 8, 2021 at 7:00 p.m.

**CARRIED UNANIMOUSLY**

2. **Director of Engineering and Public Works – WPCC Site Selection Results and Recommendation**

0107-2021

Moved: Councillor Eliason

Seconded: Councillor Wallace Richmond

THAT: Council authorize staff to proceed with next steps for the Waste Pollution Control Centre Stage IV expansion on the existing site located at 121 Narcisse Street NW.

**CARRIED UNANIMOUSLY**

Councillor Flynn declared a conflict of interest as SCV Waste Solutions is a client of his firm and left the meeting at 3:19 p.m.

3. **Director of Engineering and Public Works – Contract Extension – Biosolids Collection and Disposal**

0108-2021

Moved: Councillor Lindgren

Seconded: Councillor Wallace Richmond

THAT: the contract for the collection and disposal of biosolids from the Water Pollution Control Centre be extended for a period of 4 months, from January 1<sup>st</sup> to April 30<sup>th</sup>, 2021 based on the quoted price of SCV Waste Solutions, outlined in the staff report dated February 2, 2021.

**CARRIED UNANIMOUSLY**

Councillor Flynn returned to the meeting at 3:21 p.m.

4. **Director of Engineering and Public Works – Raven Foreshore Foremain Replacement at 47 Avenue NE Drilling Services Award**

0109-2021

Moved: Councillor Wallace Richmond

Seconded: Councillor Lavery

THAT: Council approve the award for Drilling Services to Iron Man Directional Drilling Ltd. for the quoted rate of \$165 per lineal meter, at the estimated contract value of \$50,000.00 plus taxes as applicable;

9. STAFF REPORTS - continued

4. Director of Engineering and Public Works – Raven Foreshore Forcemain Replacement at 47 Avenue NE Drilling Services Award – continued

AND THAT: the City's Purchasing Policy No. 7.13 be waived in the procurement of a Directional Drilling Services related to Project No. 2021-44 to authorize sole sourcing of same to Iron Man Directional Drilling Ltd.

CARRIED UNANIMOUSLY

5. Director of Engineering and Public Works – Zone 1 Motor/Pump Rebuild – Canoe Pump Station

0110-2021

Moved: Councillor Eliason

Seconded: Councillor Flynn

THAT: Council approve the repairs to the 350 Hp Zone 1 Motor by Electric Motors & Pump Service Ltd. (EMPS) for the quoted a price of \$7,600.00 plus applicable taxes;

AND THAT: Council approve the rebuild and installation of the associated Vertical Turbine pump by Mearl's Machine Works Ltd. for the quoted price of \$23,700.00 plus applicable taxes;

AND FURTHER THAT: the City's Purchasing Policy No. 7.13 be waived in the procurement of the works and to authorize sole sourcing of same to Electric Motors & Pump Service Ltd. and Mearl's Machine Works Ltd.

CARRIED UNANIMOUSLY

6. Director of Engineering and Public Works – Award for Engineering Services (Phase 2.6) Ross Street Underpass – Engineering Tender Services Award

0111-2021

Moved: Councillor Cannon

Seconded: Councillor Wallace Richmond

THAT: the Engineering Services Contract for Phase 2.6 of the Ross Street Underpass Tender Services be awarded to RF Binnie & Associates Ltd. in the amount of \$172,639.00 plus taxes as applicable;

AND THAT: the City's Purchasing Policy No. 7.13 be waived in procurement of the additional Engineering Services relative to Project No. ENG2019-36 to authorize sole sourcing of same to RF Binnie & Associates Ltd.

CARRIED UNANIMOUSLY

10. INTRODUCTION OF BYLAWS

1. City of Salmon Arm Fee for Service Amendment Bylaw No. 4436 [Sidewalk Café Program] - First, Second and Third Readings

0112-2021

Moved: Councillor Eliason

Seconded: Councillor Cannon

THAT: the bylaw entitled City of Salmon Arm Fee for Service Amendment Bylaw No. 4436 be read a first, second and third time.

CARRIED UNANIMOUSLY

**11. RECONSIDERATION OF BYLAWS****1. City of Salmon Arm 2021 to 2025 Financial Plan Bylaw No. 4429 – Final Reading**

0113-2021

Moved: Councillor Lindgren

Seconded: Councillor Flynn

THAT: the bylaw entitled City of Salmon Arm 2021 to 2025 Financial Plan Bylaw No. 4429 be read a final time.

CARRIED UNANIMOUSLY**2. City of Salmon Arm Revenue Anticipation Borrowing Bylaw No. 4435 – Final Reading**

0114-2021

Moved: Councillor Wallace Richmond

Seconded: Councillor Cannon

THAT: the bylaw entitled City of Salmon Arm Revenue Anticipation Borrowing Bylaw No. 4435 be read a final time.

CARRIED UNANIMOUSLY

The Meeting recessed at 3:33 p.m.

The Meeting reconvened at 3:40 p.m.

**14. PRESENTATIONS****1. Frederick Vroom and Wayne Spencer, Shuswap Climate Action - Climate Action Possibilities for the City of Salmon Arm**

Frederick Vroom and Wayne Spencer, Shuswap Climate Action presented on suggested climate initiatives for the City of Salmon Arm. They were available to answer questions from Council.

**12. CORRESPONDENCE****1. Informational Correspondence****4. S, Hardy, Shuswap Cycling Winter Grooming Committee – letter received February 2021 – Request for placement of shipping container at South Canoe Trails**

0115-2021

Moved: Councillor Eliason

Seconded: Councillor Flynn

THAT: Council authorize the placement of a 20 foot storage container for the Shuswap Cycling Club for trail grooming equipment and tools subject to the Shuswap Cycling Club working with staff on a location and adequate liability insurance;

AND THAT: all costs associated with the container and its transportation be the responsibility of the Shuswap Cycling Club.

CARRIED UNANIMOUSLY

**12. CORRESPONDENCE - continued**

2. A. Slater, General Manager, Southern Interior Local Government Association - email dated February 5, 2021 - SILGA Speaker Services - COVID Chaos, COVID Convenience, COVID Crystal Ball

0116-2021                      Moved: Councillor Wallace Richmond  
                                    Seconded: Councillor Lavery  
                                    THAT: the Mayor and Councillors be authorized to virtually attend the 2021 SILGA Speaker Services - COVID Chaos, COVID Convenience, COVID Crystal Ball.

CARRIED UNANIMOUSLY

**13. NEW BUSINESS****15. COUNCIL STATEMENTS**

0117-2021                      Moved: Councillor Eliason  
                                    Seconded: Councillor Flynn  
                                    THAT: a letter of appreciation be sent to The Honourable Selina Robinson, Minister of Finance; Honourable Josie Osborne, Minister of Minister of Municipal Affairs and Honourable John Horgan, Premier for the COVID 19 Safe Restart Grant.

CARRIED UNANIMOUSLY

**16. SALMON ARM SECONDARY YOUTH COUNCIL****17. NOTICE OF MOTION****18. UNFINISHED BUSINESS AND DEFERRED / TABLED ITEMS****19. OTHER BUSINESS****20. QUESTION AND ANSWER PERIOD**

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

**2. IN-CAMERA SESSION - continued**

0118-2021                      Moved: Councillor Flynn  
                                    Seconded: Councillor Lindgren  
                                    THAT: pursuant to Section 90(1) of the Community Charter, Council move In-Camera.

CARRIED UNANIMOUSLY



Council moved In-Camera at 4:29 p.m.  
Council returned to Regular Session at 4:49 p.m.  
Council recessed until 7:00 p.m.

**PRESENT:**

Mayor A. Harrison  
Councillor D. Cannon (participated remotely)  
Councillor C. Eliason (participated remotely)  
Councillor K. Flynn (participated remotely)  
Councillor T. Lavery (participated remotely)  
Councillor Lindgren (participated remotely)  
Councillor L. Wallace Richmond (participated remotely)  
  
Chief Administrative Officer C. Bannister  
Director of Corporate Services E. Jackson  
Director of Engineering & Public Works R. Niewenhuizen  
Director of Development Services K. Pearson  
Recorder C. Simmons

**21. DISCLOSURE OF INTEREST**

**22. SPECIAL PRESENTATION**

**1. Heritage Conservation Award Presentation**

Councillor Cannon and the City of Salmon Arm Community Heritage Committee presented the Heritage Conservation Awards to Maureen Shaffer (The Ball House), Rod and Carol Hostman (Tyn-y-Coed Bed and Breakfast), Courtyard Properties Inc./Doug Hearn, John Drew, Bernd Hermanski (Old Courthouse) and 1190239 BC Ltd./Parmjit and Kulwinder Chahal (Salmon Arm Elementary School). The recipients were thanked for the commitment to heritage in the City.

**23. HEARINGS**

Councillor Flynn declared a conflict of interest and left the meeting at 7:23 p.m.

**1. Development Variance Permit Application No. VP-525 [Lawson, A. & L.; 2671 17 Street NE; Setback requirements]**

0119-2021

Moved: Councillor Cannon  
Seconded: Councillor Lindgren  
THAT: Development Variance Permit No. VP-525 be authorized for issuance for Lot 1, Section 24, Township 20, Range 10, W6M, KDYD, Plan EPP93080 (2671 17 Street NE) to vary the provisions of Zoning Bylaw No. 2303 as follows:  
  
a) Section 6.10.1 – R-1 Single Family Residential Zone – reduce the minimum building setback from the front parcel line from 6.0 m (19.6 ft) to 2.5 m (8.2 ft) to allow for the construction of a new addition to a single family dwelling.

23. HEARINGS – continued

1. Development Variance Permit Application No. VP-525 [Lawson, A. & L.; 2671 17 Street NE; Setback requirements] – continued

The Director of Development Services explained the proposed Development Variance Permit Application.

Submissions were called for at this time.

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

D. and M. Woolliams – letter dated February 8, 2021 – Notice for Development Variance Permit Hearing February 8, 2021 Permit No. VP-525 (2671 17 Street NE)

Following three calls for submissions and questions from Council, the Hearing was closed at 7:28 p.m. and the Motion was:

CARRIED UNANIMOUSLY

Councillor Flynn returned to the meeting at 7:29 p.m.

24. STATUTORY PUBLIC HEARINGS

1. Official Community Plan Amendment Application No. OCP4000-44 [McGregor, D.; 1910 11 Avenue NE; HC to HR]

The Director of Development Services explained the proposed Official Community Plan Amendment Application.

Submissions were called for at this time.

D. McGregor, the applicant, outlined the application, addressed concerns outlined in the letter form S/Sgt. S. West, Salmon Arm RCMP Detachment and was available to answer questions from Council.

S/Sgt. S. West, Salmon Arm RCMP Detachment advised that adjacent to the subject property is where the RCMP's generators are located which may cause additional noise. He was available to answer questions from Council.

S/Sgt. S. West, Salmon Arm RCMP Detachment – letter dated February 4, 2021 – Variance /re-zoning application for the property located at 1910 11<sup>th</sup> Avenue NE, Salmon Arm

Following three calls for submissions and questions from Council, the Public Hearing was closed at 7:40 p.m. and the next item ensued.

24. STATUTORY PUBLIC HEARINGS – continued

2. Zoning Amendment Application No. ZON-1190 [McGregor, D.; 1910 11 Avenue NE; R-1 to R-5]

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

Submissions were called for at this time.

D. McGregor, the applicant, confirmed that the entire property would be fenced during development and was available to answer questions from Council.

Following three calls for submissions and questions from Council, the Public Hearing was closed 7:42 p.m.

25. RECONSIDERATION OF BYLAWS

1. City of Salmon Arm Official Community Plan Amendment Bylaw No. 4419 [OCP4000-44; McGregor, D.; 1910 11 Avenue NE; HC to HR] – Third Reading

0120-2021

Moved: Councillor Cannon

Seconded: Councillor Lindgren

THAT: the bylaw entitled City of Salmon Arm Official Community Plan Amendment Bylaw No. 4419 be read a third time.

CARRIED UNANIMOUSLY

2. City of Salmon Arm Zoning Amendment Bylaw No. 4420 [ZON-1190; McGregor, D.; 1910 11 Avenue NE; R-1 to R-5] – Third Reading

0121-2021

Moved: Councillor Cannon

Seconded: Councillor Wallace Richmond

THAT: the bylaw entitled City of Salmon Arm Zoning Amendment Bylaw No. 4420 be read a third time.

CARRIED UNANIMOUSLY

26. QUESTION AND ANSWER PERIOD

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

27. ADJOURNMENT

0122-2021

Moved: Councillor Lindgren

Seconded: Councillor Flynn

THAT: the Regular Council Meeting of February 8, 2021, be adjourned.

CARRIED UNANIMOUSLY

The meeting adjourned at 7:48 p.m.

CERTIFIED CORRECT:

\_\_\_\_\_  
CORPORATE OFFICER

Adopted by Council the            day of            , 2021.

\_\_\_\_\_  
MAYOR



Item 7.1

## CITY OF SALMON ARM

Date: February 22, 2021

Moved: Councillor Eliason

Seconded: Councillor Wallace Richmond

THAT: the Development and Planning Services Committee Meeting Minutes of February 16, 2021 be received as information.

### Vote Record

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

- ☐ Harrison
- ☐ Cannon
- ☐ Eliason
- ☐ Flynn
- ☐ Lavery
- ☐ Lindgren
- ☐ Wallace Richmond

## **DEVELOPMENT AND PLANNING SERVICES COMMITTEE**

Minutes of a Meeting of the Development and Planning Services Committee of the City of Salmon Arm held by electronic means by Ministerial Order M192, on Tuesday, February 16, 2021.

### **PRESENT:**

Mayor A. Harrison  
 Councillor T. Lavery (participated remotely)  
 Councillor L. Wallace Richmond (participated remotely)  
 Councillor D. Cannon (participated remotely)  
 Councillor S. Lindgren (participated remotely) left the meeting at 9:39 a.m.  
 Councillor K. Flynn (participated remotely)  
 Councillor C. Eliason (participated remotely)

Chief Administrative Officer C. Bannister  
 Director of Corporate Services E. Jackson  
 Chief Financial Officer C. Van de Cappelle (participated remotely)  
 Director of Engineering & Public Works R. Niewenhuizen  
 Director of Development Services K. Pearson  
 Recorder B. Puddifant

### **ABSENT:**

#### **1. CALL TO ORDER**

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

#### **2. ACKNOWLEDGEMENT OF TRADITIONAL TERRITORY**

Mayor Harrison read the following statement: "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."

#### **3. REVIEW OF THE AGENDA**

#### **4. DISCLOSURE OF INTEREST**

#### **5. REPORTS**

1. **Zoning Amendment Application No. ZON-1192 [Charlton, S. & H./Mierau, B. & R./Laird, B.; 4270 10 Avenue SE and 3831 20 Avenue SE; A-2 to M-2]**

Moved: Councillor Flynn

Seconded: Councillor Eliason

THAT: the Development and Planning Services Committee recommends to Council that a bylaw be prepared for Council's consideration, adoption of which would amend Zoning Bylaw No. 2303 by rezoning Lot 17, Section 7, Township 20,

**5. REPORTS - continued****1. Zoning Amendment Application No. ZON-1192 [Charlton, S. & H./Mierau, B. & R./Laird, B.; 4270 10 Avenue SE and 3831 20 Avenue SE; A-2 to M-2] - continued**

Range 9, W6M, KDYD, Plan 1230 from A-2 (Rural Holding Zone) to M-2 (Light Industrial Zone);

AND THAT: a bylaw be prepared for Council's consideration, adoption of which would amend Zoning Bylaw No. 2303 by rezoning Lot 1, Section 7, Township 20, Range 9, W6M, KDYD, Plan 1538 Except: Plans B4356, B5847, 6971 and 18058 from A-2 (Rural Holding Zone) to M-2 (Light Industrial Zone);

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

- 1) Registration of a Section 219 Covenant and survey plan to secure road reserve alignment consistent with the road network preplan dated December 1, 2006;
- 2) The exclusion of the subject property from the Agricultural Land Reserve; and
- 3) Ministry of Transportation and Infrastructure approval.

B. Laird, the applicant, outlined the application and was available to answer questions from the Committee.

CARRIED UNANIMOUSLY

**2. Zoning Amendment Application No. ZON-1200 [LST Ventures Ltd./West Urban Developments Ltd.; 1230, 1260 & 1290 10 Avenue SW; C-3 to C-2]**

Moved: Councillor Cannon

Seconded: Councillor Wallace Richmond

THAT: the Development and Planning Services Committee recommends to Council that a bylaw be prepared for Council's consideration, adoption of which would amend Zoning Bylaw No. 2303 by rezoning 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 Plan 6136, 35041 and KAP76862 from C-3 (Service Commercial Zone) to C-2 (Town Centre Commercial Zone);

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

- 1) Ministry of Transportation and Infrastructure approval; and
- 2) Registration of a Section 219 Land Title Act Covenant on the titles of the subject properties restricting development until such time that a geotechnical report is provided to the City of Salmon Arm addressing the 200-year floodplain, confirming that the land is safe for the intended use and saving the City harmless.

5. REPORTS – continued

2. Zoning Amendment Application No. ZON-1200 [LST Ventures Ltd./West Urban Developments Ltd.; 1230, 1260 & 1290 10 Avenue SW; C-3 to C-2] - continued

S. Alexander, Director of Development, West Urban Developments, outlined the application and was available to answer questions from the Committee.

CARRIED UNANIMOUSLY

3. Development Permit Application No. DP-428 [Uptown Ventures Ltd.; 2810 15 Avenue NE; Setback requirements]

Moved: Councillor Lindgren

Seconded: Councillor Cannon

THAT: the Development and Planning Services Committee recommends to Council that Development Permit No. 428 be authorized for issuance for Lot 1, Section 24, Township 20, Range 10, W6M, KDYD, Plan EPP90400 Except Phases 1-7, Strata Plan EPS5686 (2810 15 Avenue NE) in accordance with the drawings attached to the Staff Report dated February 9, 2021;

AND THAT: Development Permit No. 428 include the following variance to Zoning Bylaw No. 2303:

- 1) Section 10.9.2 – decrease the minimum rear parcel line setback for a principal building from 5.0 metres (16.4 feet) to 3.0 metres (9.9 feet) in accordance with the drawings dated November 30, 2020 attached to the Staff Report dated February 9, 2021;

AND FURTHER THAT: Issuance of Development Permit No. 428 be withheld subject to receipt of an Irrevocable Letter of Credit in the amount of 125% of a landscaper's estimate for completion of the landscaping plan.

CARRIED UNANIMOUSLY

4. Highway Closure Bylaw No. 4427 [Kearl, R.; part of 18 Street NE; Proposed Road Closure and Disposal]

Moved: Councillor Eliason

Seconded: Councillor Cannon

THAT: the Development and Planning Services Committee recommends to Council that Highway Closure Bylaw No. 4427 proceed to first, second and third readings;

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

- 1) Compliance with Section 26 (Notice of Proposed Property Disposition) and Section 94 (Requirements for Public Notice) of the Community Charter;
- 2) The registration of a Statutory Right of Way in favour of BC Hydro and Telus;

5. REPORTS - continued4. Highway Closure Bylaw No. 4427 [Kearl, R.; part of 18 Street NE; Proposed Road Closure and Disposal - continued

- 3) Payment of \$89,000.00 to the City of Salmon Arm prior to September 1, 2021; and
- 4) Ministry of Transportation and Infrastructure approval.

CARRIED UNANIMOUSLY6. IN-CAMERA

Moved: Councillor Flynn

Seconded: Councillor Lavery

THAT: the Development and Planning Services Committee move In-Camera.

CARRIED UNANIMOUSLY

The Committee moved In-Camera at 9:18 a.m.

The Committee returned to Regular Session at 9:43 a.m.

7. FOR INFORMATION8. CORRESPONDENCE9. ADJOURNMENT

Moved: Councillor Flynn

Seconded: Councillor Wallace Richmond

THAT: the Development and Planning Services Committee meeting of February 16, 2021, be adjourned.

CARRIED UNANIMOUSLY

The meeting adjourned at 9:43 a.m.

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Mayor Alan Harrison  
Chair

Minutes received as information by Council  
at their Regular Meeting of \_\_\_\_\_, 2020.

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Item 7.2

## CITY OF SALMON ARM

Date: February 22, 2021

Moved: Councillor Lavery

Seconded: Councillor Cannon

THAT: the Agricultural Advisory Committee Meeting Minutes of February 10, 2021, be received as information.

### Vote Record

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

Opposed:

- ☐ Harrison
- ☐ Cannon
- ☐ Eliason
- ☐ Flynn
- ☐ Lavery
- ☐ Lindgren
- ☐ Wallace Richmond

# CITY OF SALMON ARM

Minutes of the Agricultural Advisory Committee Meeting held in Room 100 of City Hall, 500 – 2 Avenue NE, Salmon Arm, BC, on February 10, 2021 at 2:00 p.m. (GoTo Meeting)

## Present

Councillor Tim Lavery, Chair

Serena Canner

Jen Gamble

Mike Schroeder (entered meeting at 2:11pm)

Ron Ganert

Don Syme

James Hanna

John McLeod

Sara Huber, ALC, Presenter (non-voting)

Shannon Lambie, ALC, Presenter (non-voting)

Melinda Smyrl, Planner/Recorder - staff (non-voting)

Kevin Pearson, Director of Development Services (non-voting) (entered meeting at 2:37pm)

Alan Harrison, Mayor, (non-voting)

Sylvia Lindgren, Councillor, (non-voting)

Lindsay Benbow, Ministry of Agriculture (non-voting)

Sharleen Miller, Applicant (non-voting)

Jessica Johnson, Applicant Agent (non-voting)

## Absent

Barrie Voth

The meeting was called to order at 2:04pm

1. **Call to Order**
2. **Acknowledgment of Traditional Territory**
3. **Approval of Agenda**

No late items presented

Moved: John McLeod

Seconded: Jen Gamble

THAT: the agenda of the Agricultural Advisory Committee Meeting of February 10, 2021 be approved as circulated.

**CARRIED UNANIMOUSLY**

4. **Approval of minutes from December 9, 2020**

Moved: John McLeod



Seconded: Jen Gamble

THAT: the minutes of the Agricultural Advisory Committee Meeting of December 5, 2020 be approved as circulated.

**CARRIED UNANIMOUSLY**

**5. New Business**

**5.1. Lawson Engineering/Sharleen Miller – ALC No. 403 Subdivision (2240 Highway 97B)**

Staff provided a summary of the application. Sharleen Miller, the owner, provided a summary of her application. Jessica Johnson, the Agent, provided technical background.

The Committee asked questions of the owner and applicant.

Mike Schroeder declared a conflict and did not participate in the discussion or vote.

Moved: Ron Ganert

Seconded: James Hanna

THAT: the Agricultural Advisory Committee recommends that Council support ALC Application No. 403

**CARRIED**

Opposed: Jen Gamble, Don Syme, John McLeod

**6. Agricultural Land Reserve Overview Presentation (Presenters: Sara Huber, Regional Planner – Okanagan, Interior Northeast, ALC & Shannon Lambie, Regional Planner, ALC).**

ALC staff presented an overview of the Agricultural Land Reserve, Agricultural Land Commission. The presentation included a brief history, applications types and recent legislative changes.

Discussion and questions followed.

**7. Next Meeting – March 10, 2021, 2:00-3:30pm**

**7.1 FoodBC Presentation**

**7.2 ALC Application update**

**8. Adjournment**

Moved: Jen Gamble

Seconded: John McLeod

THAT: the Agricultural Advisory Committee Meeting of February 10, 2021 be adjourned.

**CARRIED UNANIMOUSLY**

The meeting was adjourned at 3:48 pm

---

Endorsed by Meeting Chair

Received for information by Council on the      day of      , 2020

Item 7.3

## CITY OF SALMON ARM

Date: February 22, 2021

Moved: Councillor Wallace Richmond

Seconded: Councillor Lavery

THAT: the Social Impact Advisory Committee Meeting Minutes of January 15, 2021, be received as information.

### Vote Record

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

Opposed:

- ☐ Harrison
- ☐ Cannon
- ☐ Eliason
- ☐ Flynn
- ☐ Lavery
- ☐ Lindgren
- ☐ Wallace Richmond

## CITY OF SALMON ARM

Minutes of the **Social Impact Advisory Committee** meeting held electronically on **Friday, January 15, 2021**, at 8:00 a.m.

**PRESENT:**

Councillor Louise Wallace Richmond	City of Salmon Arm, Chair
Dawn Dunlop	Canadian Mental Health Association
Kristy Smith	Okanagan Regional Library
Gudrun Malmqvist	Shuswap Family Centre
June Stewart	Shuswap Children's Association
Jen Gamble	Shuswap Immigrant Services
David Parmenter	Interior Health Association-Mental Health
Paige Hilland	Shuswap Area Family Emergency (SAFE) Society
Kim Sinclair	Aspiral Youth Partners
Jo-Anne Crawford	Shuswap Association for Community Living (SACL)
Erin Jackson	City of Salmon Arm, Recorder

**ABSENT:**

Kristy Smith	Okanagan College
Jen Gamble	Okanagan Regional Library
	Shuswap Immigrant Services

**GUEST:**

Lindsay Wong	Downtown Salmon Arm
Tristan Markle	SPARC BC
Lorraine Copas	SPARC BC
Allie Lynch	SPARC BC

The meeting was called to order at 8:00 a.m.

**1. Introductions****2. Presentations****a) SPARC BC**

Tristan Markle presented regarding local geography and community indicators as they pertain to the Social Supports Inventory and Assessment project. He reviewed the proposed engagement plan, Phase One: Gap Analysis Surveys and Phase Two: Solutions Workshops and Key Informant Interviews.

**3. Approval of Agenda and Additional Items**

Moved: Kim Sinclair

Seconded: Dawn Dunlop

THAT: the Social Impact Advisory Committee Meeting Agenda of January 15, 2021, be approved as circulated.

**CARRIED UNANIMOUSLY**

**4. Approval of Minutes of November 20, 2020 Social Impact Advisory Committee Meeting**

Moved: David Parmenter

Seconded: Paige Hilland

THAT: the minutes of the Social Impact Advisory Committee Meeting of November 20, 2020 be approved as circulated.

**CARRIED UNANIMOUSLY**

**5. Old Business/Arising from minutes**

**a) Fall Fair Grounds - Update**

Councillor Wallace Richmond spoke regarding the upcoming January 20, 2021 meeting of community partners to support the Salmon Arm and Shuswap Lake Agricultural Association with respect to issues at the Fall Fair Grounds.

**6. New Business**

**a) Downtown Salmon Arm**

Lindsay Wong spoke regarding overdose concerns in the downtown area, specifically in and around the Ross Street Plaza washrooms.

**7. Other Business &/or Roundtable Updates**

**8. Next meeting - TBD**

**9. Adjournment**

Moved: David Parmenter

Seconded: Kim Sinclair

THAT: the Social Impact Advisory Committee Meeting of January 15, 2021 be adjourned.

**CARRIED UNANIMOUSLY**

The meeting adjourned at 8:52 a.m.

---

Councillor Louise Wallace Richmond, Chair

Minutes received as information by Council at their Regular Meeting of 2020.

Item 9.1

## CITY OF SALMON ARM

Date: February 22, 2021

Moved: Councillor

Seconded: Councillor

THAT: Council waive the requirement to review a Demolition Permit application for the Salmon Arm wharf and marina rehabilitation project and not issue an order for 30 days of temporary protection.

### Vote Record

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

Opposed:

- ☐ Harrison
- ☐ Cannon
- ☐ Eliason
- ☐ Flynn
- ☐ Lavery
- ☐ Lindgren
- ☐ Wallace Richmond

**CITY OF  
SALMON ARM**

---

TO: His Worship Mayor Harrison and Members of Council

FROM: Director of Development Services

DATE: February 4, 2021

SUBJECT: Salmon Arm Wharf – Demolition Permit – Heritage Register

---

**MOTION FOR CONSIDERATION**

THAT Council waive the requirement to review a Demolition Permit application for the Salmon Arm wharf and marina rehabilitation project and not issue an order for 30 days of temporary protection.

---

**BACKGROUND**

The Salmon Arm wharf, marina and Marine Park have been on the City's Heritage Register since 2013 (added to Phase 3 of the Heritage Register - attached).

Wharf and marina structures are planned for rehabilitation works in April 2021 at an estimated cost of \$850,000. The Provincial approval authorities (FLRNO and Heritage Branch) are seeking clarification that the heritage status of the wharf and marina is not an issue for City Council (e-mail attached).

In terms of the design of the works, comments from Manager of Capital Works suggest:

"The new is basically replacement of existing with the footprint being very similar in size.

Existing = 690m<sup>2</sup> vs New = 702m<sup>2</sup>

24 piles will be removed and replaced with 15 new (anchoring the wharf section thru the middle allows decreasing the quantity of piles.

The proposed materials are steel frame structure on pontoon floats with slip resistant PVC grating that allows light to pass thru."

Fewer piles and light infiltration measures in the design are intended and required for environmental protection.

**PROCESS**

Procedures Bylaw No. 3873 (2013): when a building is adopted to the Heritage Register, a process involving City staff and council is triggered when a Demolition Permit application is made. Essentially, Council may delay the demolition permit issuance by granting heritage protection for a period of 30 days, or opt to take no action. These instances have been rare since the inception of the HR, and this instance may be the first involving public property.



Kevin Pearson  
Director of Development Services

cc Director of Engineering & Public Works



## 40

**Wharf and Marine Park**  
 750 Marine Park Drive NE  
 814 Marine Park Drive NE  
 Salmon Arm, B.C.  
 1907

**Description**

Wharf and Marine Park is comprised of two properties encompassing a community park, and a wharf and marina that extend into the Salmon Arm Bay of Shuswap Lake. The wharf and park are located at the end of Marine Park Drive north of the railway tracks near the downtown area of Salmon Arm, British Columbia. The historic place encompasses the park, wharf, marina, breakwater and the various buildings and structures.

**Values**

Wharf and Marine Park, which dates back to the construction of the first government wharf in 1907, is valued for its historic, social, cultural, scientific and aesthetic significance within the community, particularly as one of the iconic features of Salmon Arm and its historic and enduring use as a place for community members to come together to celebrate various annual events and momentous occasions.

Wharf and Marine Park is important for its proximity to the downtown area and the railway, and it is believed that during the construction of the Canadian Pacific Railway, crews were supplied by sternwheelers in the general area where the wharf sits today. The original government wharf was valued by community members during Salmon Arm's early history as a symbol of continued growth and development. The Enderby Progress newspaper reported in 1907 that citizens were pleased to see that construction of the wharf would be going ahead, and its construction was seen as an important component of what it would take to promote continued expansion and growth of the town. The wharf may have opened up additional opportunities for water transportation to and from other communities in the area.

750 Marine Park Drive NE contains the Brighthouse Nature Centre, operated by the Salmon Arm Bay Nature Enhancement Society (SABNES). The Centre is significant for the role it plays in increasing the community's awareness and knowledge of the natural environment within the Salmon Arm Bay. The adjacency of the parklands to the Salmon Arm Bay provides visitors with an opportunity to view the wildlife and experience the natural processes that have been occurring in the bay long before Salmon Arm was settled.

The park to the south of the wharf is significant as the site of cultural and social events and recreational activities. Historically, the surrounding lands were used for various sports, including tennis played on grass courts, cricket, golf, badminton and lawn bowling. The special events that have been held on the Wharf and Marine Park, such as the Children's Festival on Canada Day, the Twilight Market, the Shuswap Dragon Boat Festival, the Salmon Arm Centennial celebrations and Wednesdays on the Wharf, add to the historic place's importance to the community.

The gazebo is significant because it was originally from the 1986 World Exposition on Transportation and Communication (Expo 86) held in Vancouver, British Columbia, and was purchased by the City (District at that time) for the park. The gazebo, gardens and mature trees add to the aesthetic value of Wharf and Marine Park.



City of Salmon Arm photo



City of Salmon Arm photo

**Character Defining Elements**

Key elements that define the heritage character of Wharf and Marine Park include:

**Site:**

- Location near the downtown and the railway
- Historic use for various sports activities
- Historic and enduring use by the community as a park and as a place for social and cultural events
- Variety of species of mature trees
- Landscaping and gardens

**Building:**

- Use of Brighthouse Nature Centre for public education and awareness of Salmon Arm Bay
- Gazebo from Expo 86
- Importance of the wharf in the early development and growth of the community
- Wharf is one of the iconic features of Salmon Arm



**From:** Tim Perepolkin  
**Sent:** February 1, 2021 12:53 PM  
**To:** Meldrum, Tracy FLNR:EX  
**Cc:** Kevin Pearson  
**Subject:** RE: Salmon Arm Wharf: 3006784 Question #3

Tracy,

The planning department will be seeking council resolution to address question 3, will be going to the Feb 8 meeting. Once approved we will forward.

I will call you to discuss question 1 and question 3 has been forwarded to the design contractor/consultant to address.....will be following up with tem this week.

Thanks,

Tim

---

**From:** Meldrum, Tracy FLNR:EX <Tracy.Meldrum@gov.bc.ca>  
**Sent:** January-29-21 10:05 AM  
**To:** Tim Perepolkin <tperepolkin@salmonarm.ca>; XT:Ayotte, Jeremy B ENV:IN <jeremy.ayotte@gmail.com>  
**Subject:** Salmon Arm Wharf: 3006784 Question #3

Hi Tim,

In order to alter a historic site, you are going to need to meet with some people internally at the City. As per the below, the local government, the City of Salmon Arm, determined in 2013 this wharf and marine should be recognized and preserved.

I would like a letter of assurance from someone in the planning department this current proposal is not contravening the preservation intent by the City.

Thanks,

Tracy

---

**From:** McFarland, Theresa FLNR:EX <[Theresa.McFarland@gov.bc.ca](mailto:Theresa.McFarland@gov.bc.ca)>  
**Sent:** January 29, 2021 9:04 AM  
**To:** Meldrum, Tracy FLNR:EX <[Tracy.Meldrum@gov.bc.ca](mailto:Tracy.Meldrum@gov.bc.ca)>  
**Subject:** RE: Altering a Historic Site

Hi Tracy,

Your message was forwarded to me in the Office of the BC Register of Historic Places. According to our records EeQt-49 or the Salmon Arm 'Wharf and Marine' was added to the Salmon Arm Community Heritage Register under the *Local Government Act* in 2013. It has no provincial protection or recognition under the *Heritage Conservation Act*. A Community Heritage Register is not official protection or designation under the *Local Government Act* but does indicate the community has registered and acknowledged the site's heritage value and I would recommend you contact the local government in Salmon Arm to discuss the plans. Their planning department's phone number is: 250.803.4010

Please feel free to give me a call if you have any questions about this information.

Kind regards,  
Theresa



**Theresa McFarland, MA**  
 Provincial Heritage Registrar  
 BC Register of Historic Places | Heritage Branch  
 Ministry of Forests, Lands, Natural Resource Operations and Rural Development  
 Phone: 778 698-4190  
[Theresa.McFarland@gov.bc.ca](mailto:Theresa.McFarland@gov.bc.ca)

*I respectfully acknowledge that I work and live on the traditional territory of the Lekwungen peoples.*

**From:** Thorogood, Paula FLNR:EX <[Paula.Thorogood@gov.bc.ca](mailto:Paula.Thorogood@gov.bc.ca)>  
**Sent:** January 28, 2021 10:56 AM  
**To:** Casault, Genevieve FLNR:EX <[Genevieve.Casault@gov.bc.ca](mailto:Genevieve.Casault@gov.bc.ca)>  
**Cc:** Meldrum, Tracy FLNR:EX <[Tracy.Meldrum@gov.bc.ca](mailto:Tracy.Meldrum@gov.bc.ca)>  
**Subject:** FW: Altering a Historic Site

Hi Genevieve,

I believe this question is best directed to your Branch?

Thanks!

**Paula Thorogood | Manager - Archaeological Operations**

**Archaeology Branch**  
 Phone: 250-953-3300  
 Visit our website at: [www.gov.bc.ca/archaeology](http://www.gov.bc.ca/archaeology)

**From:** Meldrum, Tracy FLNR:EX <[Tracy.Meldrum@gov.bc.ca](mailto:Tracy.Meldrum@gov.bc.ca)>  
**Sent:** January 28, 2021 8:03 AM  
**To:** Thorogood, Paula FLNR:EX <[Paula.Thorogood@gov.bc.ca](mailto:Paula.Thorogood@gov.bc.ca)>  
**Subject:** Altering a Historic Site

Good Morning Paula,

I have a proponent, City of Salmon Arm, who are proposing to demolish and rebuild a wharf and dock system (attached kmz). It is a designated 'Historic Place', not an Archeology site, see attached RAAD map. This is still governed by the HCA, but Section 9(2)(c) suggests the heritage property is protected under the Local Government Act and then the province endorses that designation.

Do you have a 'heritage' contact or equivalent, or is this administered by local government?

Thanks,

Tracy Meldrum, M.Sc., P.Geo.  
 Regional Hydrologist and Assistant Water Manager  
 Regional Water Management  
 Thompson-Okanagan Region  
 Ministry of Forests, Lands, Natural Resource Operations and Rural Development, 1259 Dalhousie Drive, Kamloops, BC  
**NEW VOIP Phone: 250 312-7417**

Item 9.2

## CITY OF SALMON ARM

Date: February 22, 2021

Moved: Councillor

Seconded: Councillor

THAT: Council of the City of Salmon Arm has no objection to the increase of the license area to include a lounge at the Marionette Winery located at 2540 40 Street NE;

AND THAT: Council of the City of Salmon Arm is opting out of the comment and public consultation process.

### Vote Record

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

Opposed:

- ☐ Harrison
- ☐ Cannon
- ☐ Eliason
- ☐ Flynn
- ☐ Lavery
- ☐ Lindgren
- ☐ Wallace Richmond

CITY OF  
**SALMON ARM**

---

TO: His Worship Mayor Harrison and Council

DATE: February 09, 2021

SUBJECT: Marionette Winery (License extension to include lounge)  
2540 – 40 Street NE

OWNER: Jamie Smith

**MOTION FOR CONSIDERATION:**

***BE IT RESOLVED THAT: Council of the City of Salmon Arm has no objection to the increase of the license area to include a lounge at the Marionette Winery.***

***AND THAT: Council of the City of Salmon Arm is opting out of the comment and public consultation process.***

---

**BACKGROUND:** The owner of the Marionette winery has applied to expand their interior license area to include a lounge which will be located adjacent the current tasting room. The structural change to the current license will provide options for small group gatherings in a licensed environment as well as additional space for distancing. There will be no impact on the surrounding residents as the lounge is indoors and the nearest residence is at least 150m away. Attached for review is a site plan as well as the proposed floor plans.



Maurice Roy, RBO/CRBO  
Manager of Permits & Licensing

MR:mr

attach. Site Plans  
Floor Plans



32 AVE

31 AVE NE

TRANS CANADA HIGHWAY No. 1

(50 ST. N.E.)

TRANS CANADA HIGHWAY No. 1

(50 ST. N.E.)

TRANS CANADA HIGHWAY No. 1

(51 ST. N.E.)

TRANS CANADA HIGHWAY

10 AVE NE

51 ST. N.E.

50 AVE NE

SUBJECT

20 AVE N.E.

20 AVE N.E.

TRANS CANADA HIGHWAY No. 1

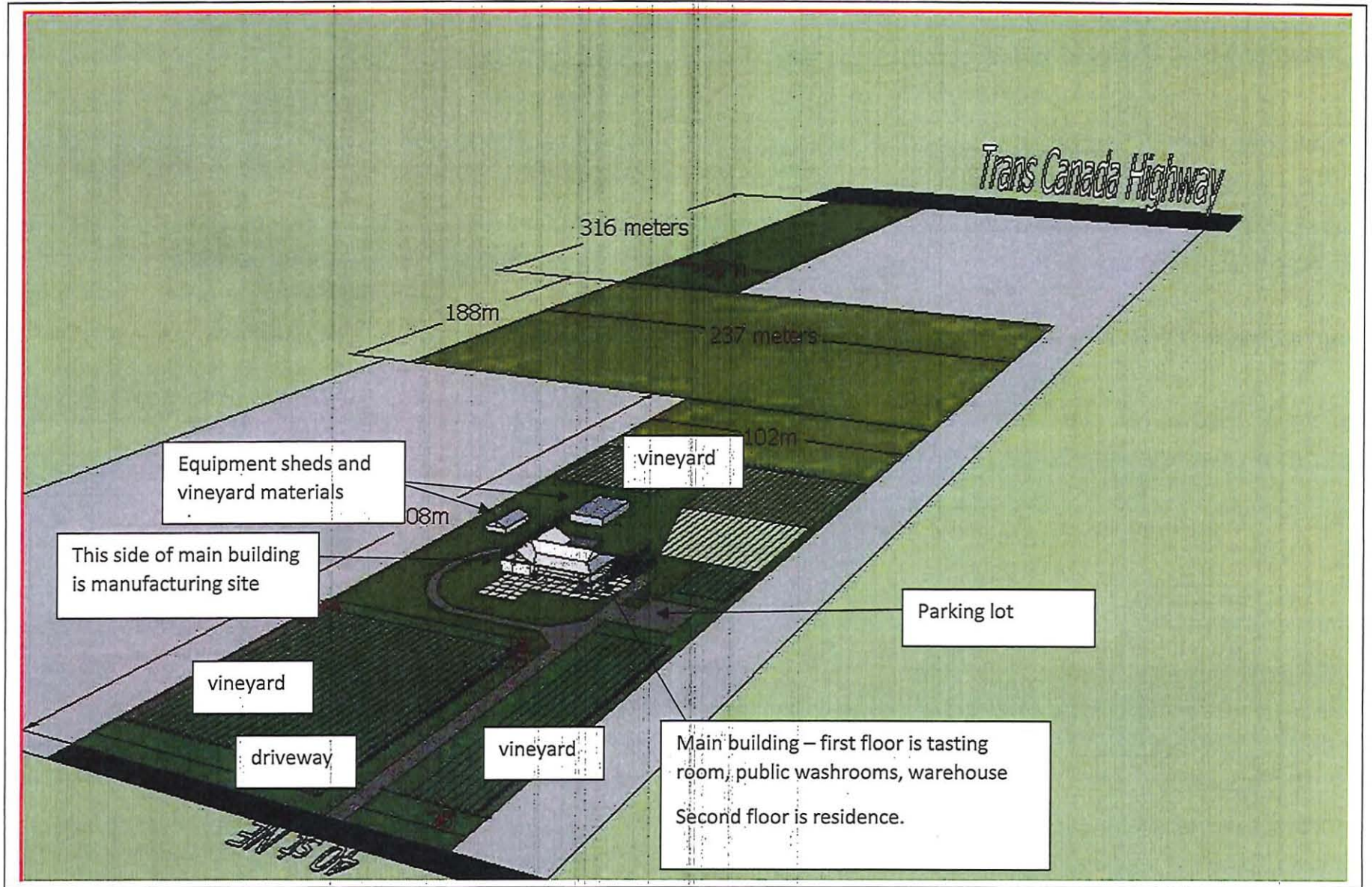
(10 AVE N.E.)

11 AVE NE

40 ST. N.E.

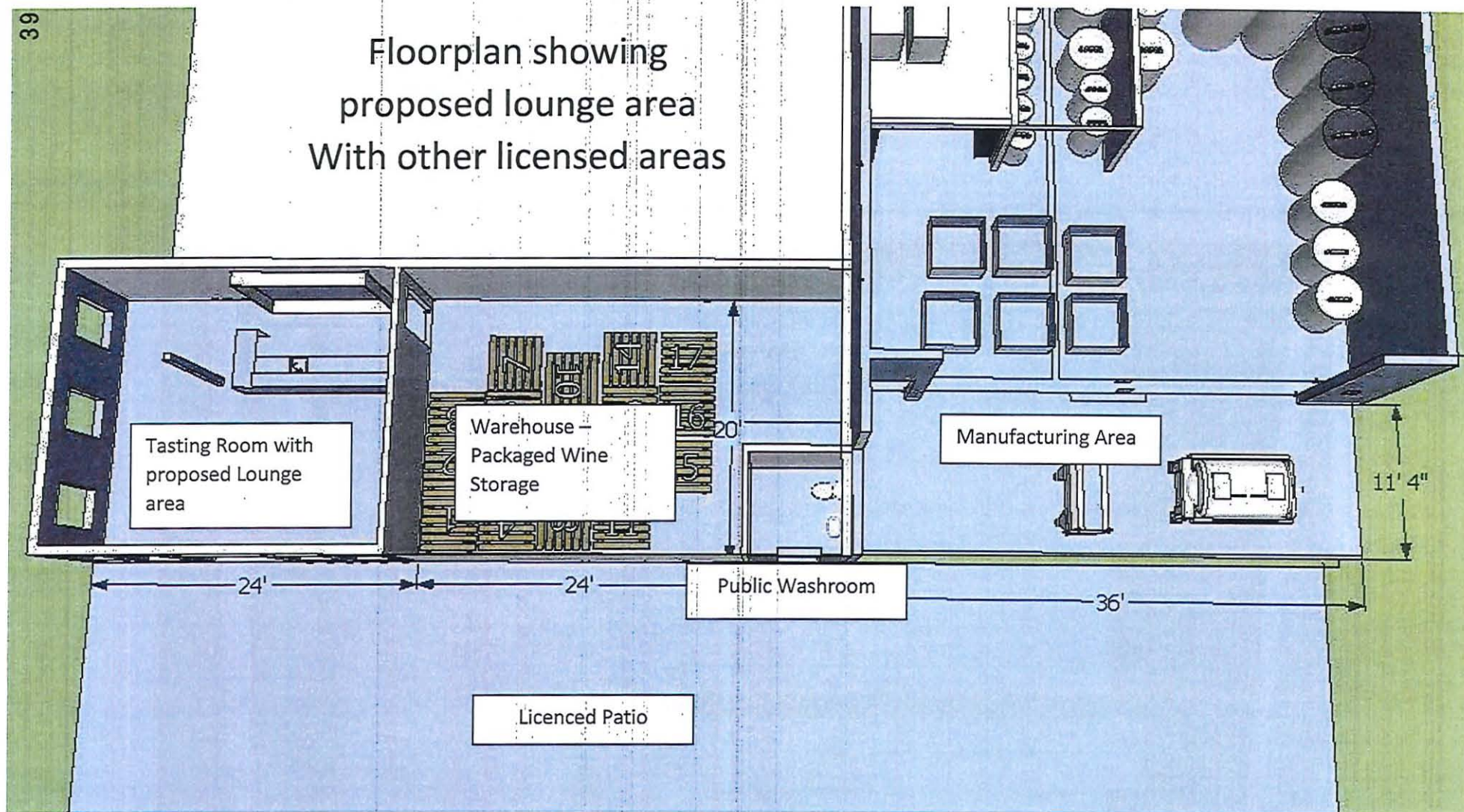
VE

30 ST. N.E.



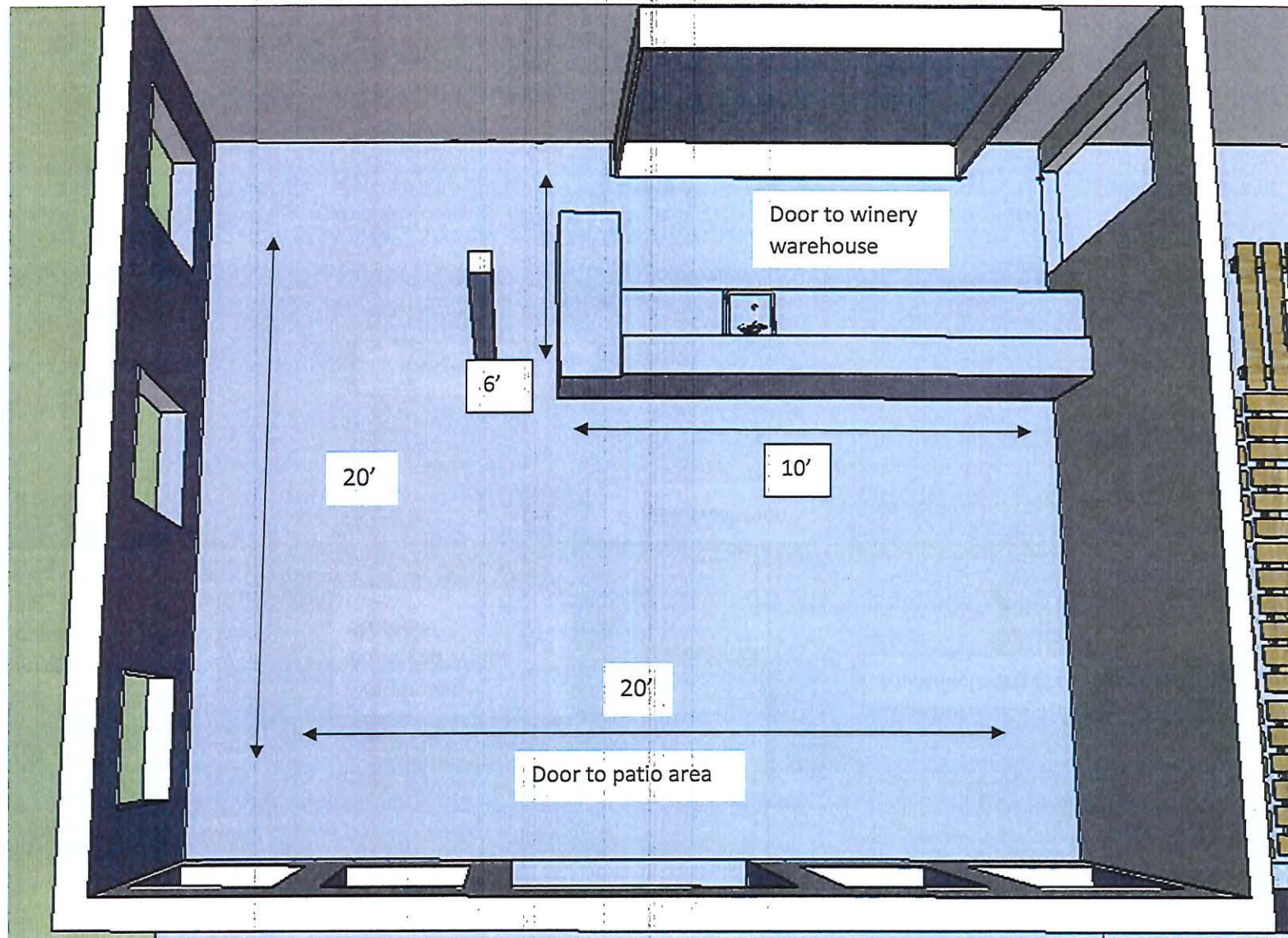


Floorplan showing  
proposed lounge area  
With other licensed areas





## Floorplan of Proposed Lounge Area



## Proposed Lounge Area

Item 9.3

## CITY OF SALMON ARM

Date: February 22, 2021

Moved: Councillor

Seconded: Councillor

THAT: Council approve the award for Preliminary Design Engineering Services for the Lakeshore Road Stabilization Design project to onsite Engineering Ltd., for a total quote price of \$29,360.00 plus taxes as applicable;

AND THAT: the City's Purchasing Policy No. 7.13 be waived in the procurement of Engineering Design Services related to Project No. 2019-47 to authorize sole sourcing of same to Onsite Engineering Ltd.

### Vote Record

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

Opposed:

- ☐ Harrison
- ☐ Cannon
- ☐ Eliason
- ☐ Flynn
- ☐ Lavery
- ☐ Lindgren
- ☐ Wallace Richmond



File: 2019-47

TO: His Worship Mayor Harrison and Members of Council

FROM: Robert Niewenhuizen, Director of Engineering and Public Works

PREPARED BY: Jenn Wilson, City Engineer

DATE: February 16, 2021

SUBJECT: **LAKESHORE ROAD STABILIZATION DESIGN  
PRELIMINARY DESIGN ENGINEERING AWARD**

---

### **STAFF RECOMMENDATION**

**THAT: Council approve the award for Preliminary Design Engineering Services for the Lakeshore Road Stabilization Design project to Onsite Engineering Ltd., for a total quoted price of \$29,360 plus taxes as applicable;**

**AND THAT: The City's Purchasing Policy No. 7.13 be waived in the procurement of Engineering Design Services related to Project No. 2019-47 to authorize sole sourcing of same to Onsite Engineering Ltd.**

### **BACKGROUND**

Lakeshore Road NE between 10 and 20 Avenue NE has been subject to ongoing failures over many decades and several failures in the last few years. Several geotechnical studies have been commissioned over this stretch of roadway and many improvements completed reducing the severity of the failures.

Due to a multitude of failures over a short period of time, the City commissioned a geotechnical review of the entirety of the approximately four (4) kilometer section of Lakeshore between 10 and 20 Avenue NE. The report titled 'Geotechnical Investigations and Report; Lakeshore Drive NE Slope Assessment; From 10<sup>th</sup> Ave NE to 20<sup>th</sup> Ave NE, Salmon Arm, BC' was completed by Fletcher Paine Associates Ltd. (FPA) and dated August 16, 2018. The report indicated that portions of roadway had concerning factors of safety and were subject to potential catastrophic failure.

The City subsequently commissioned a cost/benefit analysis of future rehabilitation options; Onsite Engineering Ltd. (OEL) was the successful proponent and completed the report in the winter of 2020.



OEL reviewed the site and previous geotechnical reports and conducted further geotechnical inspections and reviews (such as water table monitoring). Presence of water can exacerbate slope instability significantly and as such various potential water sources were identified.

Several options for stabilization were identified and discussed within the OEL report; however, regardless of the option selected to move forward, there are preliminary engineering items recommended prior to moving forward with detailed design:

- Completion of a base plan
- Shallow Geotechnical Assessment (includes ongoing water table monitoring and location of existing road drains)
- Harmonization of Watermain and Storm Sewer with Geotechnical Assessment

### **STAFF COMMENTS**

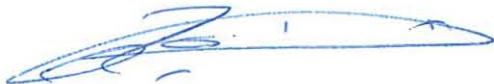
Due to the identified risk on Lakeshore Drive it is important to keep the stabilization project moving forward. The first two items are necessary to gather baseline data, continue to monitor groundwater levels for more accurate geotechnical information all of which will help with the accuracy and expedite the detailed design process. These items do not need to take into account the preferred OEL design option. The third item is necessary to proceed with two approved capital works projects in the 2021 budget which are the replacement of the waterline along Lakeshore (helps mitigate risk by reducing likelihood of watermain failure) and storm extension along 20 Avenue NE (helps mitigate risk by controlling drainage) and although may be influenced by the remedial option chosen, will mainly be set by existing geotechnical conditions and offsets from existing infrastructure.

OEL has completed the monitoring works to date and is intimately familiar with the project and history due to their work on the project to date. Staff believe that OEL is the local firm uniquely qualified to work on this project with their in house blend of geotechnical and civil engineering expertise.

### **Staff Recommendation**

Further to the above, staff recommend that Council approve the award for Preliminary Design Engineering Services for the Lakeshore Road Stabilization Design project to Onsite Engineering Ltd., for a total quoted price of \$29,360 plus taxes.

Respectfully submitted,



Robert Niewenhuizen, AScT  
Director of Engineering and Public Works

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Item 9.4

## CITY OF SALMON ARM

Date: February 22, 2021

Moved: Councillor

Seconded: Councillor

THAT: Council authorize staff to proceed with the investigations for a pilot project for Activated Granular Sludge in relation to the Stage IV Upgrade project.

### Vote Record

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

Opposed:

- ☐ Harrison
- ☐ Cannon
- ☐ Eliason
- ☐ Flynn
- ☐ Lavery
- ☐ Lindgren
- ☐ Wallace Richmond



File: 2019-48

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TO: His Worship Mayor Harrison and Members of Council

FROM: Robert Niewenhuizen, Director of Engineering and Public Works

PREPARED BY: Jenn Wilson, City Engineer

DATE: February 2, 2021

SUBJECT: **WPCC STAGE IV EXPANSION – PROCESS SELECTION**

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### **STAFF RECOMMENDATION**

**THAT: Council authorize staff to proceed with the investigations for a pilot project for Activated Granular Sludge in relation to the Stage IV Upgrade project**

### **BACKGROUND**

The City engaged WSP Canada Inc. to complete a Site Selection Study for the Stage IV expansion of the WPCC further to commitments contained within the City's Liquid Waste Management Plan. The final site selection report, including public engagement results, were presented to Council and Council authorized staff to proceed with the Stage IV expansion at the existing site. The next steps were noted as:

- Process Selection (regardless of location selected)
- Potentially a pilot of preferred process if different than the existing process
- Updating the City's Financial Plan
- Detailed Design; and
- Tender and Construction

WSP completed a WPCC Process Selection memo (February, 2021) discussing options for different process technologies with potential for the Stage IV upgrade at the existing site. The Site Selection study indicated that dealing with odour concerns was imperative for a successful expansion on the existing site and that although there is existing space for an expansion with existing processes, space will be a limiting factor on the site into the future.

Although it is feasible to complete the Stage IV expansion using the existing Convention Activated Sludge (CAS) process, the most promising option for the existing site is a newer technology called Aerobic Granular Sludge (AGS). The AGS process is a Biological Nutrient Removal (BNR) technology, similar to the existing plant processes (minimal retraining for staff); however, uses granulars with both aerobic and anaerobic layers allowing the entire nutrient removal process to be completed in a single enclosed reactor. Reactors are added in parallel as required. This technology allows for a very small footprint in comparison to traditional BNR and would allow the City to remove the majority of the existing open air portions of the plant maximizing odour control. The operation and maintenance cost of AGS technology is also significantly less (due to less



City to remove the majority of the existing open air portions of the plant maximizing odour control. The operation and maintenance cost of AGS technology is also significantly less (due to less energy usage) and is predicted to have a lower capital and lifecycle cost than traditional CAS BNR (Approximately 15% less).

Wastewater Treatment Plants using the AGS technology were first commissioned in 2006 and there are now over 70 full-scale plants around the world. There are currently only three (3) in North America and very few in cold climate areas; however, it is WSPs understanding that the City of Calgary and the City of Edmonton are moving forward with this technology in the near future.

Two other technologies were evaluated for the site, but were not considered a good fit by staff.

### **STAFF COMMENTS**

The AGS technology as reported would be extremely beneficial for expanding on the existing site for the following reasons:

- Replaces the vast majority of the existing open air processes with enclosed processes achieving the desired odour control
- Is a small footprint technology which will allow room for future onsite expansions leaving the additional City owned land for park expansion
- Smaller capital and operations and maintenance costs including replacement of a large portion of existing assets (leaves a large portion of the plant in new condition for the reduced cost)

Staff have many questions as to how the AGS technology would work with our local conditions and how the change would affect day-to-day operations. Without a plant in an equivalent environment to tour it is difficult to grasp the consequences of changing technologies.

A pilot unit for AGS is available in Canada and WSP and staff believe it would be advantageous to run a pilot study at our plant. A pilot would answer many of staff's questions, help produce site specific parameters for detailed design (regardless of final technology choice) and help with operator training. We would anticipate the pilot staff would be able to reach out to other AGS plant operators and discuss the technology from a more informed stand point. The City could then make an educated decision on the viability of this technology.

Staff therefore recommend that Council authorize staff to proceed with getting a quote to complete an AGS pilot study for the WPCC Stage IV expansion at the existing site. Once a quote has been received and reviewed by Staff it will be brought back to Council for further discussion.

Respectfully submitted,



Robert Niewenhuizen, ASCT  
Director of Engineering and Public Works

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Item 10.1

## CITY OF SALMON ARM

Date: February 22, 2021

Moved: Councillor

Seconded: Councillor

THAT: the bylaw entitled City of Salmon Arm Zoning Amendment Bylaw No. 4428 be read a first and second time;

AND THAT: final reading of the bylaw be withheld subject to:

- 1) Registration of a Section 219 Land Title Act restricting Development or Development Permit issuance until Road Reserves are registered on the subject properties to the satisfaction of the City and the owner/developer, with said Road Reserves aligning more or less consistently with the Road Network Preplan dated December 1, 2006; and
- 2) The exclusion of the subject property from the Agricultural Land Reserve.

[ZON-1192; Charlton, S. & H./Mierau, B. & R/Laird, B.; 3831 20 Avenue SE; A2 to M2]

### Vote Record

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

Opposed:

- ☐ Harrison
- ☐ Cannon
- ☐ Eliason
- ☐ Flynn
- ☐ Lavery
- ☐ Lindgren
- ☐ Wallace Richmond

# CITY OF SALMON ARM

To: His Worship Mayor Harrison and Members of Council

Date: February 16, 2021

Subject: Zoning Bylaw Amendment Application No. 1192

Legal: Lot 1, Section 7, Township 20, Range 9, W6M, KDYD, Plan 1538, Except: Plans B4356, B5847, 6971 and 18058 and Lot 17, Section 7, Township 20, Range 9, W6M, KDYD, Plan 1230  
Civic Address: 4270 10 Avenue SE and 3831 20 Avenue SE  
Owner: Stephen and Helen Charlton and Bruce and Rose Mierau  
Applicant: Bill Laird

## STAFF RECOMMENDATION

**THAT:** a Bylaw be prepared for Council's consideration, adoption of which would amend Zoning Bylaw No. 2303, 1995 by rezoning Lot 17, Section 7, Township 20, Range 9, W6M, KDYD, Plan 1230 from A2 (Rural Holding Zone) to M2 (Light Industrial Zone);

**AND THAT:** a Bylaw be prepared for Council's consideration, adoption of which would amend Zoning Bylaw No. 2303, 1995 by rezoning Lot 1, Section 7, Township 20, Range 9, W6M, KDYD, Plan 1538, Except: Plans B4356, B5847, 6971 and 18058 from A2 (Rural Holding Zone) to M2 (Light Industrial Zone);

**AND THAT:** Fourth reading and adoption of the bylaws be withheld subject to:

- 1) Registration of a Section 219 Land Title Act restricting Development or Development Permit issuance until Road Reserves are registered on the subject properties to the satisfaction of the City and the owner/developer, with said Road Reserves aligning more or less consistently with the Road Network Preplan dated December 1, 2006;
- 2) The Exclusion of the subject property from the Agricultural Land Reserve; and
- 3) Final reading of the Bylaw for Lot 1, Section 7, Township 20, Range 9, W6M, KDYD, Plan 1538, Except: Plans B4356, B5847, 6971 and 18058 be withheld subject to Ministry of Transportation and Infrastructure approval.

## PROPOSAL

The applicant is requesting to rezone two properties from A2 (Rural Holding Zone) to M2 (Light Industrial Zone).

## BACKGROUND

The subject properties are 4270 10 Avenue SE and 3831 20 Avenue SE (Appendices 1 and 2). Both properties are designated Light Industrial in the Official Community Plan (OCP) (Appendix 3), zoned A2 (Rural holding Zone) (Appendix 4) and within a Special Development Area (SDA) (Appendix 5). The subject properties total approximately 8.0ha (19.8ac) with each property equally sized at 4.0ha (9.9ac). Both properties are within the Agricultural Land Reserve (ALR).

The SDA for Industrial development comprises of eighteen (18) lots that are largely under-developed with an undulating topography characterized by a mixture of agriculture and industrial uses. Existing structures on the subject properties include a single family dwelling and related residential buildings.

Adjacent land uses of 4270 10 Avenue SE include the following:

North: Rural Holding (A-2)/rural residential  
South: Airport (P-2)/CSRD Landfill and City Airport  
East: Rural Holding (A-2)/City owned land/recreation area  
West: Rural Holding (A-2)/residential/agriculture property

Adjacent land uses of 3831 20 Avenue SE include the following:

North: Rural Holding (A-2)/rural residential  
South: Rural Holding (A-2)/rural residential  
East: Rural Holding (A-2)/City owned land/recreation area  
West: Rural Holding (A-2)/residential/agriculture property

The proposed M2 (Light Industrial Zone), attached as Appendix 6, allows for 40 uses that range from manufacturing to larger scale repair and other uses that may require extensive outdoor storage. Single Family Dwelling is not a permitted use in the zone; therefore, should the bylaw be adopted the existing dwellings would be deemed legal non-conforming.

The rezoning application is separated into two bylaws as staff have recommended that the rezoning of each property is dependant on the conclusion of separate ALR Exclusion applications and is discussed in more detail later in this report.

#### OCP Policy

OCP Policy sections 10.3.13 to 10.3.15 identify the SDA and support the rezoning of the subject property for industrial uses. The SDA has been earmarked for the expansion of the City's Industrial land base since the mid 1980's. The area is strategically located in close proximity to the City's Airport, existing Industrial Park and access to Highway 97B. A significant portion of the SDA is within the Agricultural Land Reserve and in 1988 the ALC recognized the area for Industrial Park expansion and supported the plan to remove the area from the ALR (see Appendix 5). The 1988 ALC decision stated that the Exclusion of the lands could occur by application of individual property owner or by way of a block Exclusion application by the City. To date, there are four properties that have been Excluded from ALR within the SDA and one application (4270 10 Avenue SE) that is currently being considered by the ALC. To further the development of the SDA, in 2009 the City completed work on engineering pre-plans for the internal road network and servicing of the SDA (see Appendix 9), and shared the pre-plans with property owners.

In 2011 393ha (971ac) of land within the City was designated for Industrial use in the OCP and 342ha (845ac) of land were zoned for Industrial, including the approximately 58.7ha (145ac) of the SDA. As part of the same OCP review, Urbanics Consulting completed a Retail and Industrial Land Study that analyzed the state of the Industrial land base and provided projections in order to determine if the lands zoned or designated Industrial in the OCP would be sufficient for the community's needs in 2021 and 2026. The study concluded that, with the SDA included, in 2021 21ha (52ac) to 27.5ha (68ac) of additional land designated for Industrial would be needed and in 2026, 29.5ha (73ac) to 38ha (95ac) of additional industrial land would be needed. Should the lands not be Excluded from the ALR there would be a deficit of Industrial land. Further to this, the City would have to abandon the 30+ years of effort focussed on the SDA and seek to designate other lands for future industrial development. Given growth projections and analysis it is likely that those other lands would be within the ALR and not adjacent to the City's Airport.

The OCP further encourages the development of Industrial lands in the SDA by way of an Industrial Tax Exemption Bylaw. Effectively, the Bylaw exempts the municipal portion of the taxes on new construction or new alterations and improvements in excess of \$300,000.00. In order to qualify for the incentive the development must occur within one of the areas identified by the bylaw and the development must be new construction or alteration of an existing industrial development.



## COMMENTS

### Engineering Comments

The Engineering Department has provided comments for each site with the caveat that the requirements noted would be applicable at the time of development (i.e. Building Permit) and not at rezoning. The comments in their entirety are included as Appendix 7 (4270 10 Avenue SE) and Appendix (3831 20 Avenue SE).

The closest location to connect into the City's sanitary sewer system is more than 100m away; therefore, the developer is exempt from extending and connecting to sanitary sewer service at the time of development. The subject properties would be serviced on-site. While water flows are sufficient in the area, existing watermains and connections are insufficient for industrial development; therefore, at the time of development service line upgrades are required. In addition, fire hydrants may be required at the time of development and spaced to meet the high density requirements of 90m between units.

At later stages of development, the existing Interim Rural Road Standard for both 10 Avenue SE and 20 Avenue SE will require upgrades to an Urban Interim Arterial Road Standard. For the portion along 10 Avenue SE, the cross-section includes a pathway that can accommodate a separated multi-use path for cycling and pedestrian traffic and is consistent with the Type 6 Trail of the Greenways Strategy. It is anticipated that road dedication of approximately 2.356m along 10 Avenue SE would be required to achieve the improvements within the City right of way. For the affected portion of 20 Avenue SE the road improvements include a 20m road width with a cross-section that includes 10m paved road surface with space to accommodate a 7.0m travel lane with a 1.5m area on either side for pedestrian or bike traffic. No additional road dedication would be required along 20 Avenue SE.

The proposed lot configuration in the SDA preplan illustrates small lots within a fully serviced Industrial area. Until the services and infrastructure are extended to this area, either by developer or the City, it is expected that lot sizes will be designed to accommodate on-site services (minimum 10,000m<sup>2</sup>/1 hectare parcel areas). With regard to future servicing, staff note that the SDA is not included as a project in the Development Cost Charges (DCC) Bylaw nor is it identified as a priority in the City's Financial Plan. It is anticipated that the servicing of Industrial land in this area would be a capital project undertaken by the City as more demand on services in this area occurs. It is known that the current condition of the Industrial land in this area lack servicing and infrastructure; however, the extension of services to this area is not identified as an immediate priority for the City at this time.

The proposed internal road network of the SDA is part of the pre-plan, dated December 1, 2006 (Appendix 9). Staff are recommending that the network be secured by the registration of a Road Reserve Plan aligning with the pre-plan. The actual dedication and construction of the road network would occur at the time of subdivision or development as each affected lot develops. The road alignment may change as development occurs and the priority road alignment is to ensure east-west and north-south connectivity consistent with proposed parcel areas and the pre-plan. The required RD-6B Road Standard through the SDS is an 18.75m wide roadway that includes a 10m wide paved travel lane. The covenant and road reserve plan would inform future developers of the road alignment and that road dedication and construction is required. Staff is recommending the covenant and road reserve plan as the dedication and construction of the road network is premature at this time. The applicant is amenable to the conditions as noted in the motion.

### Ministry of Transportation and Infrastructure

No concerns.

### Building Department

No concerns.

### Fire Department

No concerns.

Planning Department

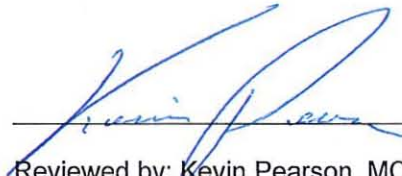
When considering rezoning applications a number of factors are considered including – long term servicing and land use plans, current land inventory and negative or positive impacts on adjacent properties. In considering this application the subject properties are within an area earmarked for the expansion of the Industrial Park and the City has invested in pre-planning road networks and servicing for the eventual shift in land use to industrial. Given the size of the parcels due to servicing and location it is not likely that proposed use would have a negative impact on adjacent properties.

Recently, applications for ALR Exclusion, Rezoning and Development Permit have been supported for 3701 20 Avenue SE (Access Precision). Support has also been granted by the City and ALC to exclude another three parcels for Industrial development. In addition to those parcels, an ALR Exclusion application for 4270 10 Avenue SE is being considered by the ALC (it was supported by Council in October 2020, ALC No. 398) and should the Bylaw for 3831 20 Avenue NE be adopted, the applicant (with the City as applicant) would make application for Exclusion from the ALR.

Lands designated in the OCP and zoned for Industrial uses ensure space within the City boundaries for diverse employment opportunities and innovation. Given that the rezoning of the subject property from A2 (Rural Holding Zone) to M2 (Light Industrial Zone) is consistent with the Official Community Plan staff are supportive of the zoning bylaw amendments.



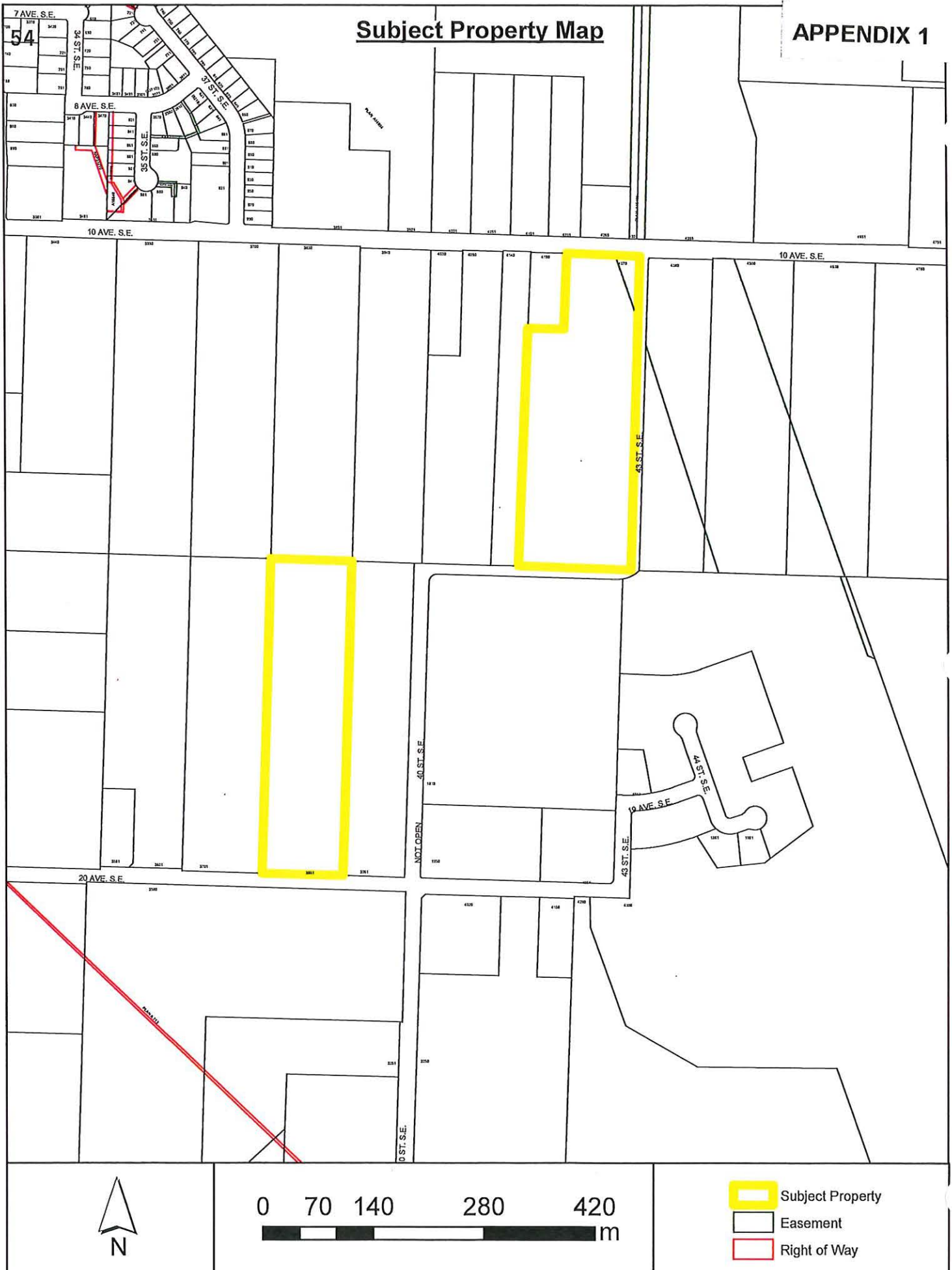
Prepared by: Melinda Smyrl, MCIP, RPP  
Planner



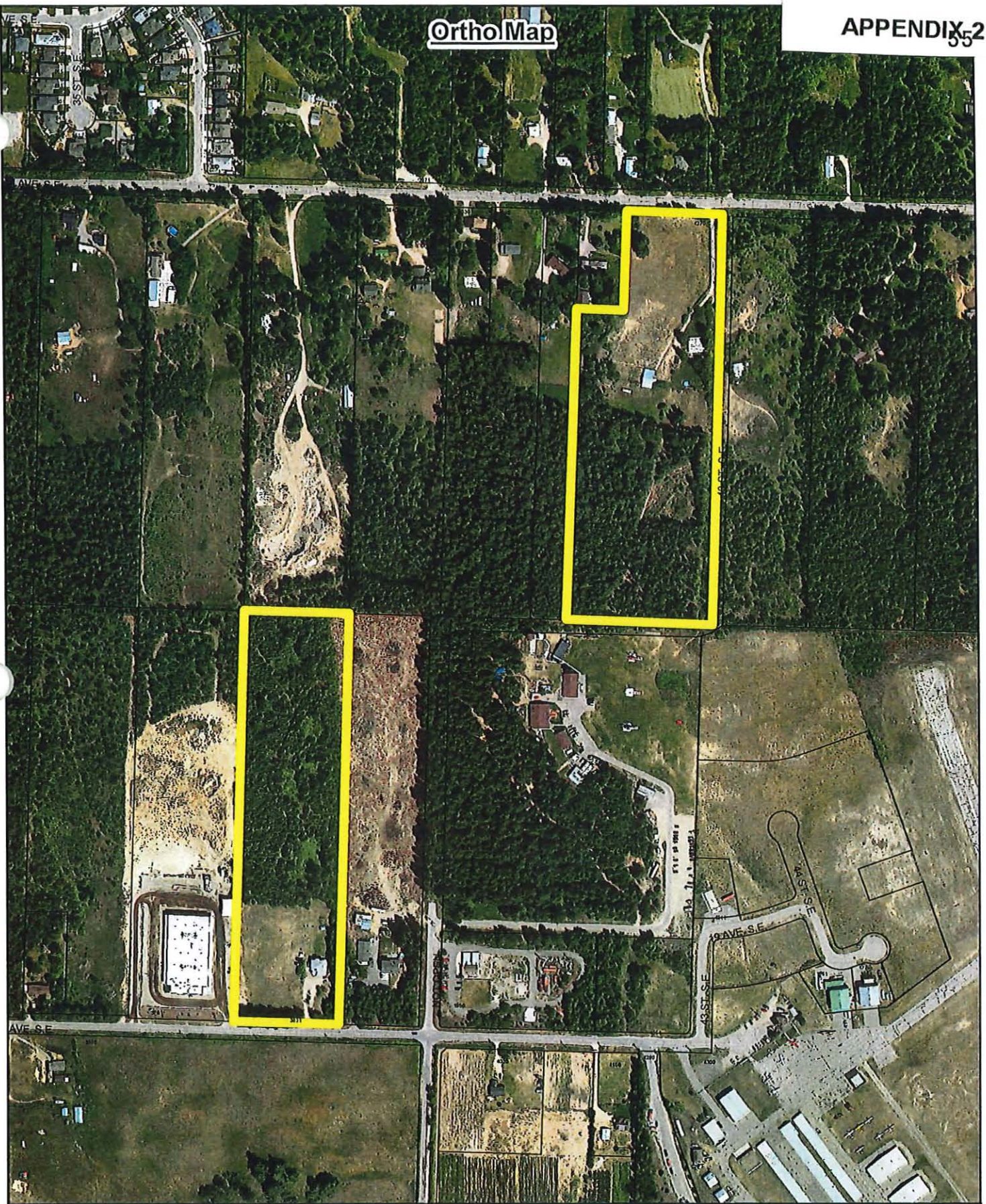
Reviewed by: Kevin Pearson, MCIP, RPP  
Director of Development Services

# Subject Property Map

## APPENDIX 1





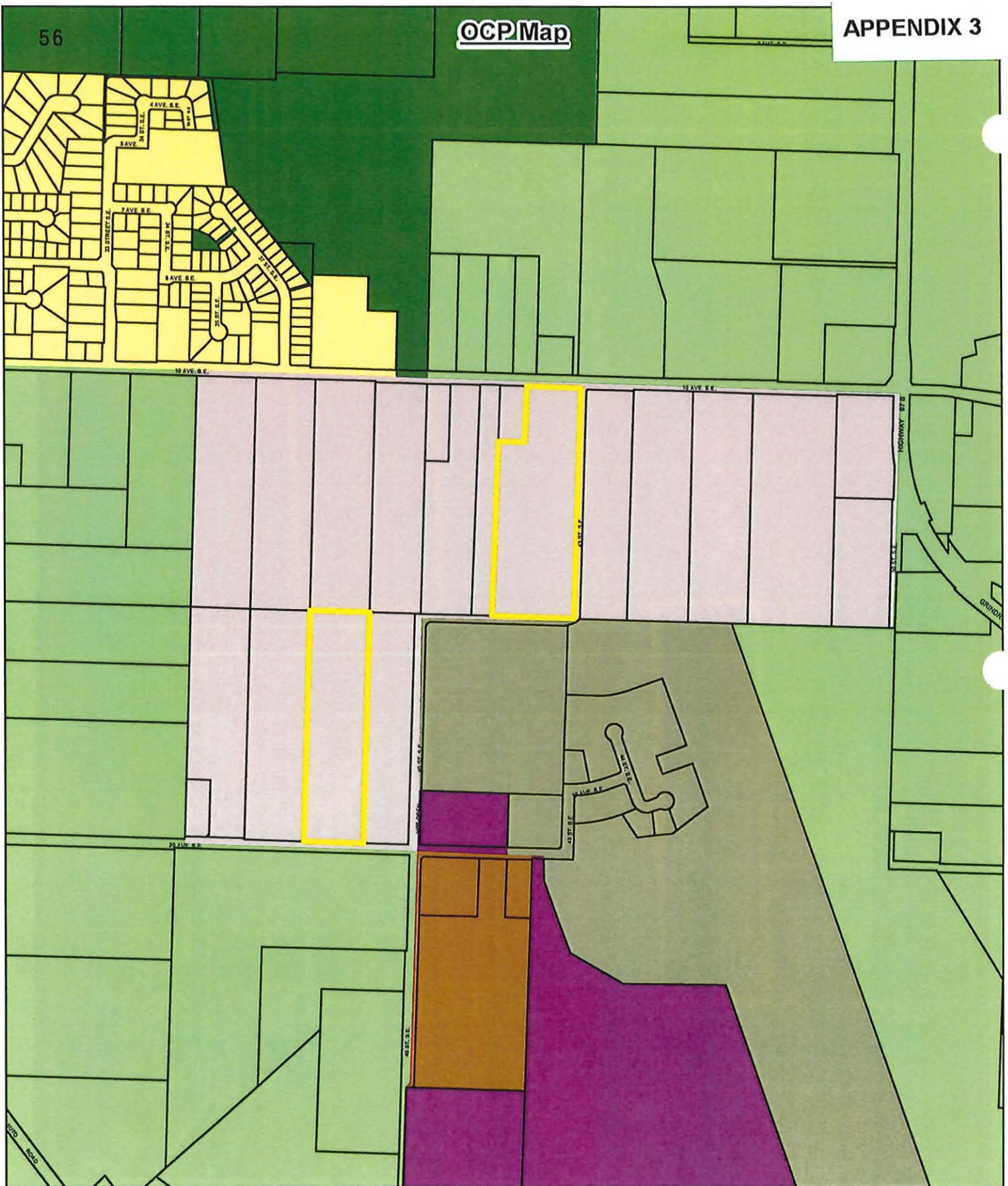


0 55 110 220 330 m



Subject Property





0 75 150 300 450 m

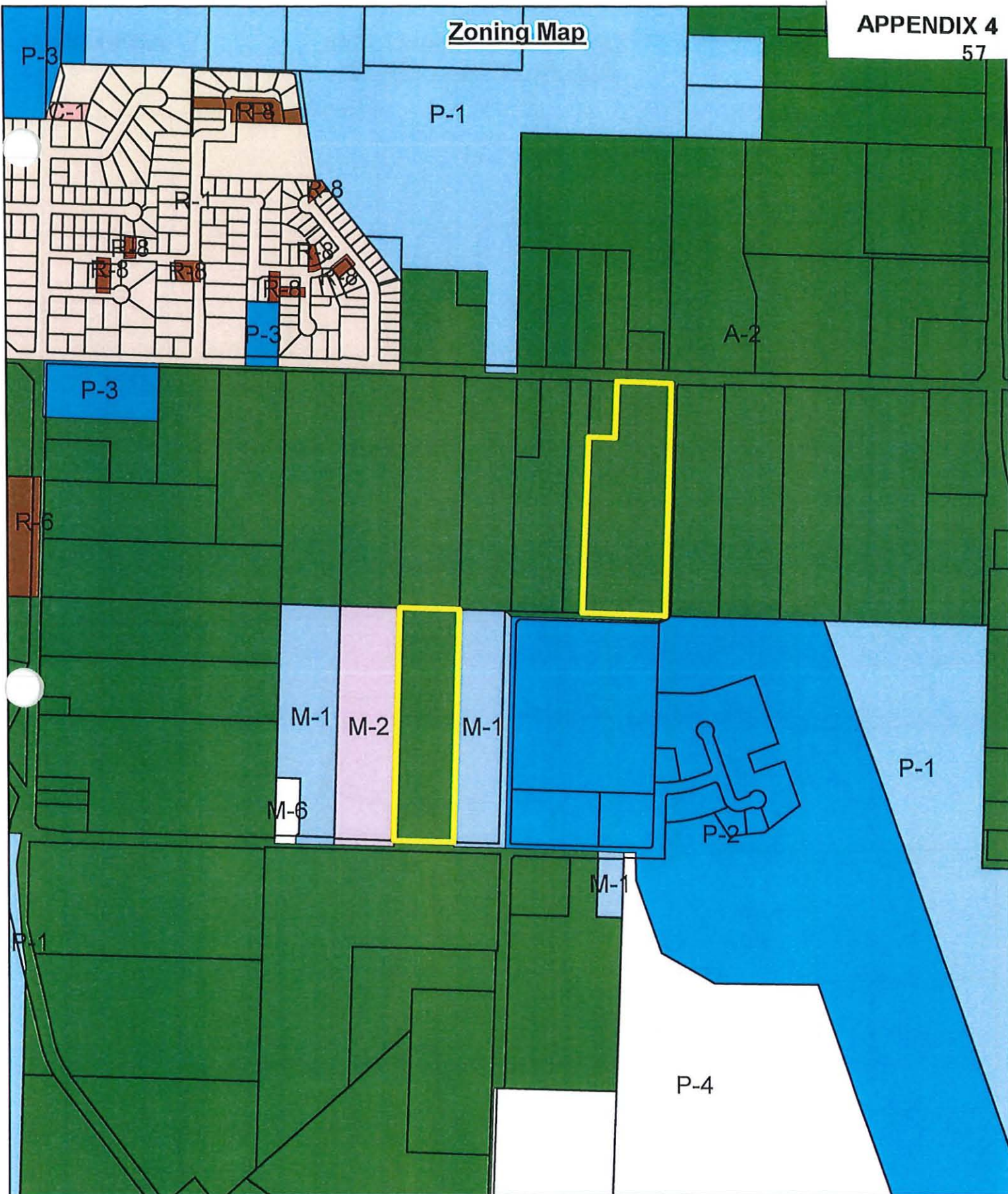
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|------------------|---------------------------|----------------------------|
| Subject Property | Acreage Reserve           | Commercial - Neighbourhood |
| Parcels          | Park                      | Industrial - General       |
|                  | Institutional             | Industrial - Light         |
|                  | Residential - Low Density | Industrial - Airside       |



# Zoning Map

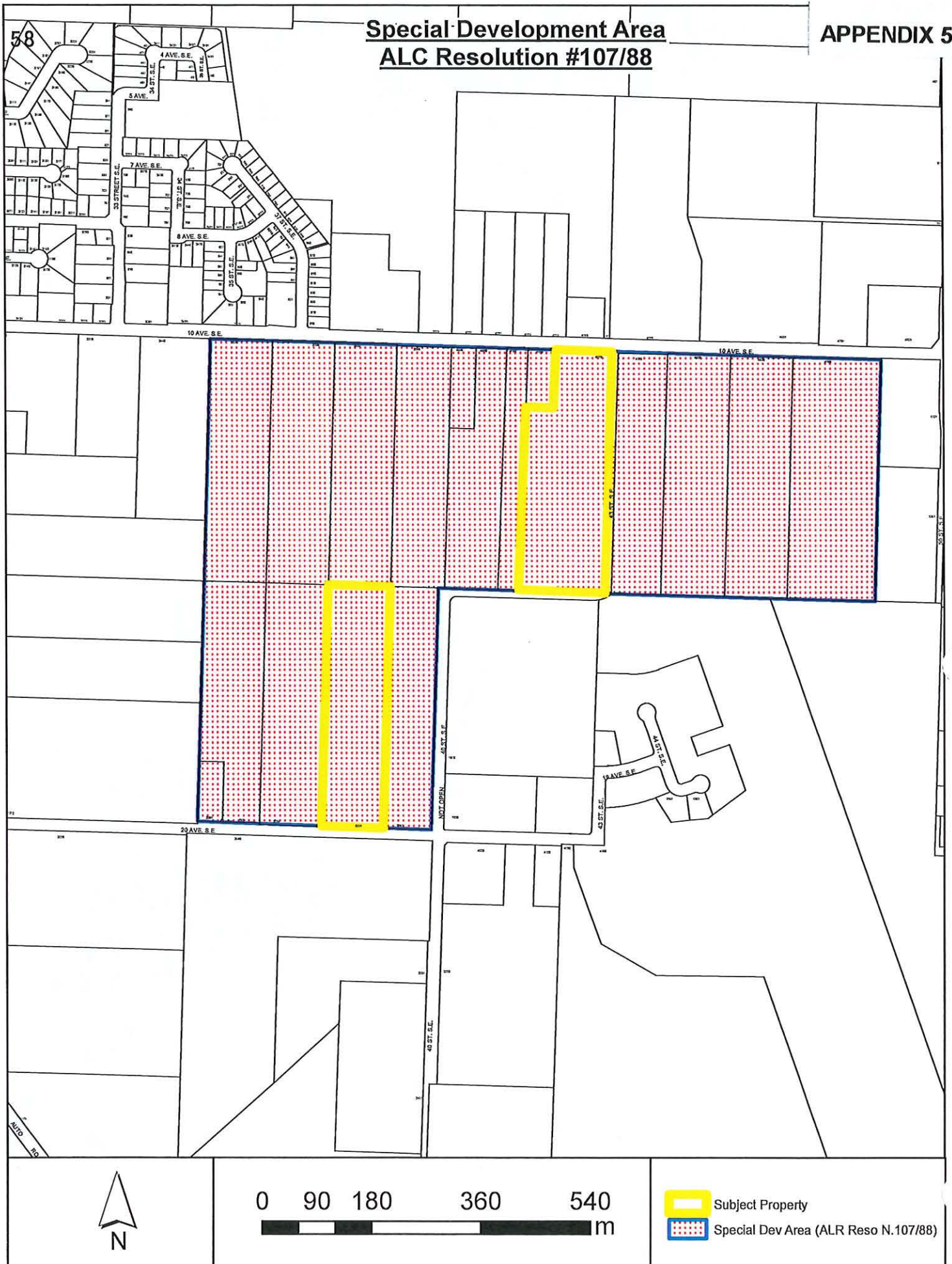
APPENDIX 4

57



	Subject Property		A-2		P-2
	Parcels		C-1		P-3
			M-1		R-1
			M-2		R-6
			P-1		R-8





**Purpose**

- 29.1 The M-2 Zone provides for the location of light manufacturing and related uses to be located in areas where conflict with surrounding uses is unlikely to occur.

**Regulations**

- 29.2 On a *parcel zoned M-2*, no *building or structure* shall be constructed, located or altered and no plan of subdivision approved which contravenes the regulations set out in the M-2 Zone or those regulations contained elsewhere in this Bylaw.

**Permitted Uses**

- 29.3 The following uses and no others are permitted in the M-2 Zone:

- .1 auction yards;
- .2 automotive and truck repair shop, including body repair and painting, excluding *fuel service station*; #3375
- .3 auto sales and rental lots, showroom (new and used); #2736
- .4 boat and boat trailer sales and rental showroom, including minor repairs; #2736
- .5 *cafe*; #2736
- .6 distillery and brewery #2736;
- .7 distribution of refurbished/recycled goods; #3001
- .8 farm equipment sales and rentals; #2736
- .9 frozen food lockers, including retail sales; #2736
- .10 funeral services, including crematorium, embalming and related viewing rooms; #2958
- .11 greenhouses, and nurseries, including retail sales; #2736
- .12 *home occupation*; #2782
- .13 *key lock fuel installation*;
- .14 laboratory, scientific and research; #2736
- .15 *light industry*;
- .16 machinery sales, rental;
- .17 *mini warehousing*;
- .18 *mobile food vending*; #4240
- .19 *mobile home sales*; #2736
- .20 moving and storage establishment #2736;
- .21 *office*, in association with a permitted industrial use, where the *office* does not exceed 50% of the lot area; #2736
- .22 *outside vending*; #2837
- .23 print shop; #2736
- .24 *private utility*; #2736
- .25 *public use*;
- .26 *public utility*;
- .27 recreation vehicle sales and rental lots, and showroom (new and used); #2736
- .28 *recycling depot*;
- .29 rental and repair of tools, small equipment; #2736
- .30 *transportation use*;
- .31 truck sales and rental lots, and showroom (new and used); #2736
- .32 upholstery shop; #2736
- .33 *ancillary retail sales*; #2736
- .34 *accessory use*, including one *dwelling unit*, or one *single family dwelling*, or one *upper floor dwelling unit*. #2761

**Maximum Height of Principal and Accessory Buildings**

- 29.4 The maximum *height of principal* and *accessory buildings* shall be 15.0 metres (49.2 feet).

**SECTION 29 - M-2 - LIGHT INDUSTRIAL ZONE - CONTINUED****Maximum Parcel or Site Coverage**

29.5 The maximum *parcel* or *site* coverage for all *buildings* and *structures* shall be 70% of the *parcel* or *site* area.

**Minimum Parcel Size or Site Area**

29.6 The minimum *parcel* size or *site* area shall be 465.0 square metres (5,005.4 square feet).

**Minimum Parcel or Site Width**

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

**Minimum Setback of Principal and Accessory Buildings**

29.8 The minimum *setback* of the *principal* or accessory *buildings* from the:

- |    |   |                        |
|----|---|------------------------|
| .1 | <i>Front parcel line</i> shall be         | 6.0 metres (19.7 feet) |
| .2 | <i>Rear parcel line</i>                   |                        |
|    | - adjacent to a <i>parcel</i> not zoned   |                        |
|    | Industrial shall be                       | 6.0 metres (19.7 feet) |
|    | - all other cases shall be                | 3.0 metres ( 9.8 feet) |
| .3 | <i>Interior side parcel line</i>          |                        |
|    | - adjacent to a <i>parcel</i> not zoned   |                        |
|    | Industrial shall be                       | 6.0 metres (19.7 feet) |
|    | - where the <i>parcel</i> has access to   |                        |
|    | a lane shall be                           | 1.5 metres ( 4.9 feet) |
|    | - where the <i>parcel</i> does not have   |                        |
|    | access to a lane shall be                 | 4.0 metres (13.1 feet) |
| .4 | <i>Exterior side parcel line</i> shall be | 6.0 metres (19.7 feet) |

**Accessory Retail Use**

29.9 Accessory retail uses, including showrooms and display areas, shall not exceed 25% of the maximum *floor area* of the *principal building* as defined under *Light Industry*.

**Outside Storage**

29.10 Outside storage shall be screened from public view and any adjacent *parcel* not zoned Industrial as per Appendix III.

**Parking and Loading**

29.11 Parking and loading shall be required as per Appendix I.





*Memorandum from the  
Engineering and Public  
Works Department*

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TO: Kevin Pearson, Director of Development Services  
 DATE: 18 January 2021  
 PREPARED BY: Chris Moore, Engineering Assistant  
 OWNER: **Stephen and Helen Charlton**  
 APPLICANT: **Bill Laird, Box 1022, Salmon Arm, V1E 4N2**  
 SUBJECT: **Rezoning Application No. 1192 (Referral 1 of 2)**  
 LEGAL: Lot 1, Section 7 Township 20, Range 9, W6M, KDYD, Plan 1538 Except:  
 Plans B4356, B5847, 6971 and 18058  
 CIVIC: **4270 – 10 Avenue SE**

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Further to your referral dated 17 December 2020, we provide the following servicing information. **The following comments and servicing requirements are not conditions for Rezoning; however, these comments are provided as a courtesy in advance of any development proceeding to the next stages:**

**Engineering Department does not have any concerns related to the Re-zoning and recommends that it be approved.**

**General:**

1. Development layout and design must conform to "Industrial Park Conceptual Design SA06-0822" (Gentech Engineering, December 2006). Alternatively, developer may submit for approval a revised preplan for the area, to suit the proposed development.
2. 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.
3. 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.
4. Properties shall have all necessary public infrastructure installed to ensure properties can be serviced with electrical and telecommunication wiring upon development.
5. Property under the control and jurisdiction of the municipality shall be reinstated to City satisfaction.
6. Owner / Developer will be responsible for all costs incurred by the City of Salmon Arm during construction and inspections. This amount may be required prior to construction. Contact City Engineering Department for further clarification.
7. Erosion and Sediment Control measures will be required prior to the commencement of construction. ESC plans to be approved by the City of Salmon Arm.
8. At the time of subdivision / 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,

**Rezoning Application No. 1192 (Referral 1 of 2)**  
**18 January, 2021**  
 Page 2

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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 on-site development, prior to commencement the applicant will be required to submit to the City for review and approval detailed engineering plans in accordance with the requirements of the Subdivision and Development Servicing bylaw 4163. These plans must be prepared by a qualified professional engineer. As a condition of final subdivision approval, the applicant will be required to deposit with the City for a period of 1 year, funds equaling 10% of the estimated cost for all works that are to be transferred to the City.
10. For the off-site improvements at the time of subdivision / building permit the applicant will be required to submit for City review and approval detailed engineered plans for all off-site construction work. These plans must be prepared by a qualified engineer. As a condition of subdivision / 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 SE, 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). Although the City only requires an Interim total of 20.0m of road dedication (10.0m on either side of road centerline) at this time, all building setbacks will be required to conform to the ultimate 25.0m cross section. Available records indicate that 2.356m of additional dedication is required (to be confirmed by BCLS). The City may require a ROW covering the additional dedication in the interim if required to accommodate the improvements indicated below.
2. 10 Avenue SE is currently constructed to an Interim Urban Arterial Road standard. Upgrading to the current Urban Interim Arterial Road standard is required, in accordance with Specification Drawing No. RD-4. Upgrading may include, but is not limited to, road widening and construction, curb & gutter, 3m wide multi use path, boulevard construction, street lighting, fire hydrants, street drainage and hydro and telecommunications. Owner / Developer is responsible for all associated costs.
3. As 10 Avenue SE is designated as an Arterial Road, no driveway direct access onto 10 Avenue SE shall be permitted and all access shall be from within the property.
4. Future roadways (Roads 1, 2 and 5) are proposed within the Industrial Park Conceptual Design (Prepared by Gentech Engineering Inc. drawings, Project No. SA06-0822 - attached). Road reserves will be required at time of development, or dedication and construction will be required upon subdivision in accordance with the New Industrial Park Cross-Section (Drawing No. RD-6B).
5. The maximum allowable cul-de-sac length in urban areas is 160 m. This measurement shall be measured along centerline from the center of the first intersection having access from two alternate routes. Where cul-de-sac length is exceeded a secondary emergency access shall



**Rezoning Application No. 1192 (Referral 1 of 2)**  
**18 January, 2021**  
**Page 3**

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be provided (Temporary where road connectivity will be provided in the future). Emergency accesses are to be constructed in conformance with Policy No. 3.11.

6. The construction of a temporary turnaround as per specification drawing No. RD-13 will be required at the end of each constructed roadway. A statutory right of way will be required for this turnaround area.
7. Corner cuts will be required at the intersections of all streets measuring 5.0 meter x 5.0 meter.

**Water:**

1. The subject property fronts a 300mm diameter Zone 4 watermain on 10 Avenue SE. No upgrades will be required at this time.
2. Records indicate that the existing property is serviced by a service of unknown size from the 300mm diameter watermain on 10 Avenue SE. All existing inadequate / unused services must be abandoned at the main. Owner / Developer is responsible for all associated costs.
3. Extension of a 250mm water main from 10 Avenue NE to the south west corner of the subject property for looping shall be required. Owner / Developer is responsible for all associated costs.
4. Proposed parcels shall be serviced by a single metered water service connections (as per Specification Drawing No. W-11), adequately sized to satisfy the proposed use (minimum 25mm). Water meters will be supplied by the City at the time of building permit, at the Owner / Developer's cost. Owner / Developer is responsible for all associated costs.
5. The subject property is in an area with sufficient fire flows and pressures according to the 2011 Water Study (OD&K 2012).
6. Fire protection requirements to be confirmed with the Building Department and Fire Department.
7. Fire hydrant installation will be required. Owners consulting Engineer shall review the site to ensure placement of fire hydrants meet the high-density spacing requirements of 90 meters.

**Sanitary:**

1. Records indicate that the existing parcel is currently serviced by a septic field. Decommissioning of the septic field, in accordance with building departments requirements will be a condition of subdivision. Owner / Developer responsible for all associated costs.
2. The subject property is not within 100m of the City of Salmon Arm sanitary sewer system and is therefore exempt from extension and connection. Subject to the required approvals from Interior Health Authority, private on-site disposal systems will be required for each lot.

Rezoning Application No. 1192 (Referral 1 of 2)  
18 January, 2021  
Page 4

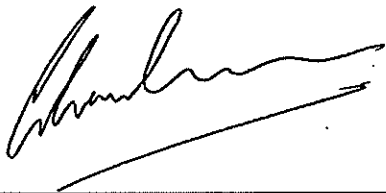
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**Drainage:**

1. The subject property does not front on an enclosed storm sewer system.
2. An Integrated Stormwater Management Plan (ISMP) conforming to the requirements of the Subdivision and Development Servicing Bylaw No. 4163, Schedule B, Part 1, Section 7 shall be provided.
3. Where onsite disposal of stormwater is recommended by the ISMP, an "Alternative Stormwater System" shall be provided in accordance with Section 7.2.
4. The long-term plan for the industrial park includes stormwater servicing. ISMP may consider an 'intermediate' design with ultimate connection to a storm sewer.

**Geotechnical:**

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



Chris Moore  
Engineering Assistant



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



*Memorandum from the  
Engineering and Public  
Works Department*

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TO: Kevin Pearson, Director of Development Services  
 DATE: 18 January 2021  
 PREPARED BY: Chris Moore, Engineering Assistant  
 OWNER: **Bruce and Rose Mierau**  
 APPLICANT: **Bill Laird, Box 1022, Salmon Arm, V1E 4N2**  
 SUBJECT: **Rezoning Application No. 1192 (Referral 2 of 2)**  
 LEGAL: Lot 17, Section 7, Township 20, Range 9, W6M, KDYD, Plan 1230  
 CIVIC: **3831 – 20 Avenue SE**

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Further to your referral dated 17 December 2020, we provide the following servicing information. **The following comments and servicing requirements are not conditions for Rezoning; however, these comments are provided as a courtesy in advance of any development proceeding to the next stages:**

**Engineering Department does not have any concerns related to the Re-zoning and recommends that it be approved.**

**General:**

1. Development layout and design must conform to "Industrial Park Conceptual Design SA06-0822" (Gentech Engineering, December 2006). Alternatively, developer may submit for approval a revised preplan for the area, to suit the proposed development.
2. 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.
3. 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.
4. Properties shall have all necessary public infrastructure installed to ensure properties can be serviced with electrical and telecommunication wiring upon development.
5. Property under the control and jurisdiction of the municipality shall be reinstated to City satisfaction.
6. Owner / Developer will be responsible for all costs incurred by the City of Salmon Arm during construction and inspections. This amount may be required prior to construction. Contact City Engineering Department for further clarification.
7. Erosion and Sediment Control measures will be required prior to the commencement of construction. ESC plans to be approved by the City of Salmon Arm.
8. At the time of subdivision / 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,

**Rezoning Application No. 1192 (Referral 2 of 2)**  
**18 January 2021**  
 Page 2

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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 on-site development, prior to commencement the applicant will be required to submit to the City for review and approval detailed engineering plans in accordance with the requirements of the Subdivision and Development Servicing bylaw 4163. These plans must be prepared by a qualified professional engineer. As a condition of final subdivision approval, the applicant will be required to deposit with the City for a period of 1 year, funds equaling 10% of the estimated cost for all works that are to be transferred to the City.
10. For the off-site improvements at the time of subdivision / building permit the applicant will be required to submit for City review and approval detailed engineered plans for all off-site construction work. These plans must be prepared by a qualified engineer. As a condition of subdivision / building permit approval, the applicant will be required to deposit with the City funds equaling 125% of the estimated cost for all off-site construction work.

**Roads / Access:**

1. 20 Avenue SE, on the subject properties southern boundary, is designated as a Rural Collector Road standard, requiring 20.0m road dedication (10.0m on either side of road centerline). Available records indicate that no additional road dedication is required (to be confirmed by a BCLS).
2. 20 Avenue SE is currently constructed to an Interim Rural Paved Road standard. Upgrading to a Rural Collector Road standard is required, in accordance with Specification Drawing No. RD-8. Upgrading may include, but is not limited to, road widening and construction, curb & gutter, sidewalk, boulevard construction, street lighting, fire hydrants, street drainage and hydro and telecommunications. Owner / Developer is responsible for all associated costs.
3. Future roadways (Roads 3 and 4) are proposed within the Industrial Park Conceptual Design (Prepared by Gentech Engineering Inc. drawings, Project No. SA06-0822 - attached). Road reserves will be required at time of development, or dedication and construction will be required upon subdivision in accordance with the New Industrial Park Cross-Section (Drawing No. RD-6B).
4. The maximum allowable cul-de-sac length in urban areas is 160 m. This measurement shall be measured along centerline from the center of the first intersection having access from two alternate routes. Where cul-de-sac length is exceeded a secondary emergency access shall be provided (temporary where road connectivity will be provided in the future). Emergency accesses are to be constructed in conformance with Policy No. 3.11.
5. The construction of a temporary turnaround as per specification drawing No. RD-13 may be required at the end of each constructed roadway, depending upon the timing of the construction of connecting roads. A statutory right of way will be required for this turnaround area.
6. Corner cuts will be required at the intersections of all streets measuring 5.0 meter x 5.0 meter.

**Rezoning Application No. 1192 (Referral 2 of 2)****18 January 2021****Page 3**

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**Water:**

1. The subject property fronts a 200mm diameter Zone 5 watermain on 20 Avenue SE. Upgrading this watermain to a 250mm diameter across the frontage of the subject property is required. Subject to Item 2 below this work is considered premature and the Engineering Department will support a 100% cash contribution in lieu for future works to upgrade to 250mm diameter.
2. Records indicate that the existing property is serviced by a 25mm service from the 200mm diameter watermain on 20 Avenue SE. All existing inadequate / unused services must be abandoned at the main. Owner / Developer is responsible for all associated costs.
3. Extension of a 250mm water main along Roads 3 and 4 will be required at time of subdivision of phases fronting onto those roads.
4. Proposed parcels shall each be serviced by a single metered water service connections (as per Specification Drawing No. W-11), adequately sized to satisfy the proposed use (minimum 25mm). Water meters will be supplied by the City at the time of building permit, at the Owner / Developer's cost. Owner / Developer is responsible for all associated costs.
5. The subject property is in an area with sufficient fire flows and pressures according to the 2011 Water Study (OD&K 2012).
6. Fire protection requirements to be confirmed with the Building Department and Fire Department.
7. Fire hydrant installation will be required. Owners consulting Engineer shall review the site to ensure placement of fire hydrants meet the high-density spacing requirements of 90 meters for onsite roads. One additional hydrant is also required on 20 Ave SE to comply with the high-density Industrial spacing.

**Sanitary:**

1. Records indicate that the existing parcel is currently serviced by a septic field. Decommissioning of the septic field, in accordance with building departments requirements will be a condition of subdivision. Owner / Developer responsible for all associated costs.
2. The subject property is not within 100m of the City of Salmon Arm sanitary sewer system and is therefore exempt from extension and connection. Subject to the required approvals from Interior Health Authority, private on-site disposal systems will be required for each lot.

**Rezoning Application No. 1192 (Referral 2 of 2)****18 January 2021****Page 4**

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**Drainage:**

1. The subject property does not front on an enclosed storm sewer system.
2. An Integrated Stormwater Management Plan (ISMP) conforming to the requirements of the Subdivision and Development Servicing Bylaw No. 4163, Schedule B, Part 1, Section 7 shall be provided.
3. Where onsite disposal of stormwater is recommended by the ISMP, an "Alternative Stormwater System" shall be provided in accordance with Section 7.2.
4. The long-term plan for the industrial park includes stormwater servicing. ISMP may consider an 'intermediate' design with ultimate connection to a storm sewer.

**Geotechnical:**

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



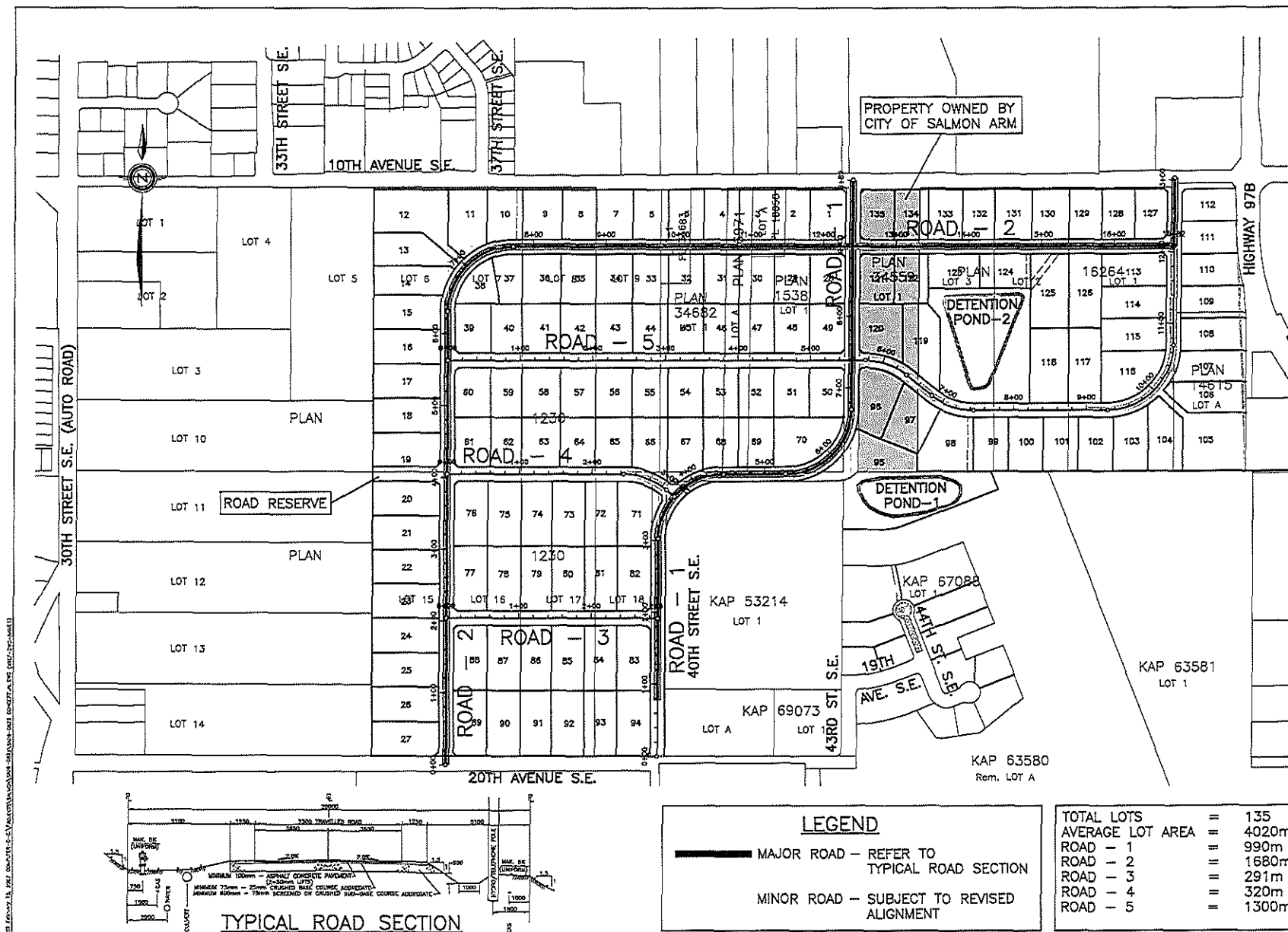
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**Chris Moore**  
Engineering Assistant




































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



### LEGEND

- LEGEND**
-  MOTOR/TELEPHONE POLE  
 MOTOR/TELEPHONE POLE C/W SWITCH  
 TELEPHONE POLE  
 MOTOR POLE  
 MOTOR POLE C/W TRAIL  
 WEST TOP STREET LIGHT  
 GUY  
 SHERMANT HAWKMOLE  
 STORM HAWKMOLE  
 OUTHOUSE  
 FIRE HYDRANT  
 GATE VALVE  
 SHERMANT JENNY  
 FORCE MAIN  
 WOOD MAIN  
 GUY  
 LONG-DURATION TELEPHONE  
 FENCE  
 DECK/CLIMB/OUTHOUSE  
 MOBILE
- SYMBOLS**
-  SHERMANT HAWKMOLE  
 STORM HAWKMOLE  
 OUTHOUSE  
 GATE VALVE  
 FIRE HYDRANT  
 SHERMANT JENNY  
 STORM BOX  
 WATER MAIN  
 SHERMANT HAWKMOLE  
 DSD GUY  
 WEST MAIN PUMP  
 WEST MAIN PUMP  
 FENCE MARK

NOTES:

- 1) CONTRACTOR TO VERIFY LOCATION OF ALL EXISTING UTILITIES WITH ALL UTILITY COMPANIES PRIOR TO GRADING.
- 2) CONTRACTOR TO CO-ORDINATE UTILITY RELOCATION WORKER WITH UTILITY COMPANIES AS REQUIRED.
- 3) ALL CONSTRUCTION TO BE IN ACCORDANCE WITH CITY OF BALTIMORE AND SUBURBAN DEVELOPMENT DEPARTMENT'S STANDARDS AND SPECIFICATIONS.

NO.	DATE	REVISION	BY	APP
REVISIONS				
		DESIGN	JLA	
		DRAWN	JLA	
		DATE	2005-12-	
		CHECKED	BNW	

F.DIC			
SCALE	0	NOISE = 12500	125

**GENTECH  
ENGINEERING  
INC.**

CITY OF  
SALMON ARM

INDUSTRIAL PARK  
CONCEPTUAL DESIGN  
SALMON ARM, B.C.

CONCEPTUAL  
LOT & ROOF  
LAYOUT

PLAN VIEW

PROJECT No. **SACB-**

SAUB-  
PAGE OF

17



## CITY OF SALMON ARM

### BYLAW NO. 4428

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

---

WHEREAS notice of a Public Hearing to be held by the Council of the City of Salmon Arm in the Council Chambers at City Hall, 500 – 2 Avenue NE, Salmon Arm, British Columbia and by electronic means as authorized by Ministerial Order M192, British Columbia, on \_\_\_\_\_ at the hour of 7:00 p.m. was published in \_\_\_\_\_ and \_\_\_\_\_ issues of the Salmon Arm Observer;

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

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

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

Rezone Lot 17, Section 7, Township 20, Range 9, W6M, KDYD, Plan 1230 from A2 (Rural Holding Zone) to M2 (Light Industrial Zone), attached as Schedule "A".

2. SEVERABILITY

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

3. ENACTMENT

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

4. EFFECTIVE DATE

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

City of Salmon Arm  
Zoning Amendment Bylaw No. 4428

5. CITATION

This bylaw may be cited as "City of Salmon Arm Zoning Amendment Bylaw No. 4428"

READ A FIRST TIME THIS DAY OF 2021

READ A SECOND TIME THIS DAY OF 2021

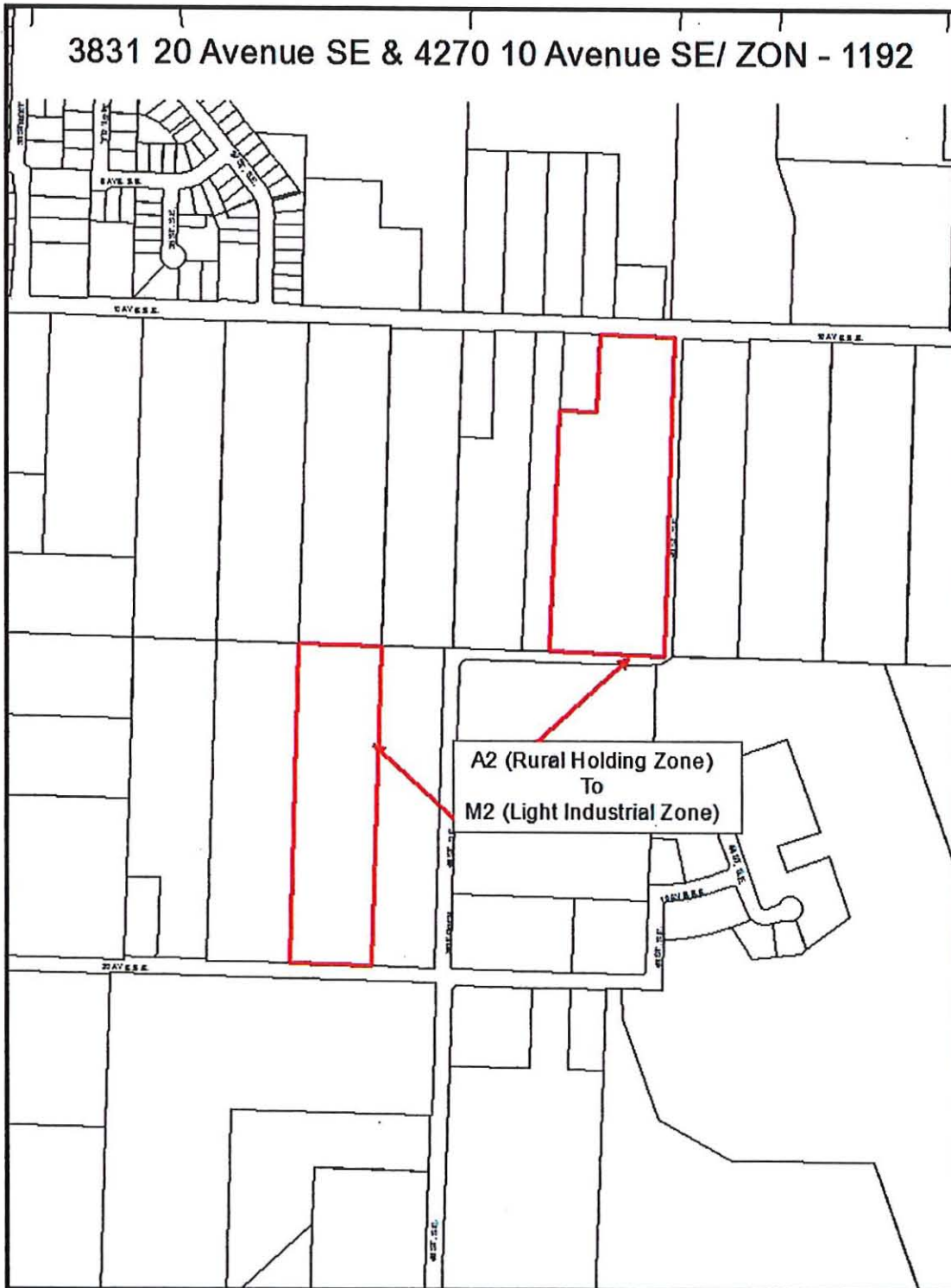
READ A THIRD TIME THIS DAY OF 2021

ADOPTED BY COUNCIL THIS DAY OF 2021

\_\_\_\_\_  
MAYOR

\_\_\_\_\_  
CORPORATE OFFICER

SCHEDULE "A"



## Item 10.2

**CITY OF SALMON ARM**Date: February 22, 2021

Moved: Councillor

Seconded: Councillor

THAT: the bylaw entitled City of Salmon Arm Zoning Amendment Bylaw No. 4441 be read a first and second time;

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

- 1) Registration of a Section 219 Land Title Act restricting Development or Development Permit issuance until Road Reserves are registered on the subject properties to the satisfaction of the City and the owner/developer, with said Road Reserves aligning more or less consistently with the Road Network Preplan dated December 1, 2006;
- 2) The exclusion of the subject property from the Agricultural Land Reserve; and
- 3) Ministry of Transportation and Infrastructure approval.

[ZON-1192; Charlton, S. & H./Mierau, B. & R/Laird, B.; 4270 10 Avenue SE; A2 to M2]

**Vote Record**

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

Opposed:

- ☐ Harrison
- ☐ Cannon
- ☐ Eliason
- ☐ Flynn
- ☐ Lavery
- ☐ Lindgren
- ☐ Wallace Richmond

## CITY OF SALMON ARM

### BYLAW NO. 4441

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

---

WHEREAS notice of a Public Hearing to be held by the Council of the City of Salmon Arm in the Council Chambers at City Hall, 500 - 2 Avenue NE, Salmon Arm, British Columbia and by electronic means as authorized by Ministerial Order M192, British Columbia, on at the hour of 7:00 p.m. was published in and issues of the Salmon Arm Observer;

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

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

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

Rezone Lot 1, Section 7, Township 20, Range 9, W6M, KDYD, Plan 1538, Except Plans B4356, B5847, 6971 and 18058 from A2 (Rural Holding Zone) to M2 (Light Industrial Zone), attached as Schedule "A".

2. SEVERABILITY

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

3. ENACTMENT

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

4. EFFECTIVE DATE

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

City of Salmon Arm  
Zoning Amendment Bylaw No. 4441

5. CITATION

This bylaw may be cited as "City of Salmon Arm Zoning Amendment Bylaw No. 4441"

READ A FIRST TIME THIS DAY OF 2021

READ A SECOND TIME THIS DAY OF 2021

READ A THIRD TIME THIS DAY OF 2021

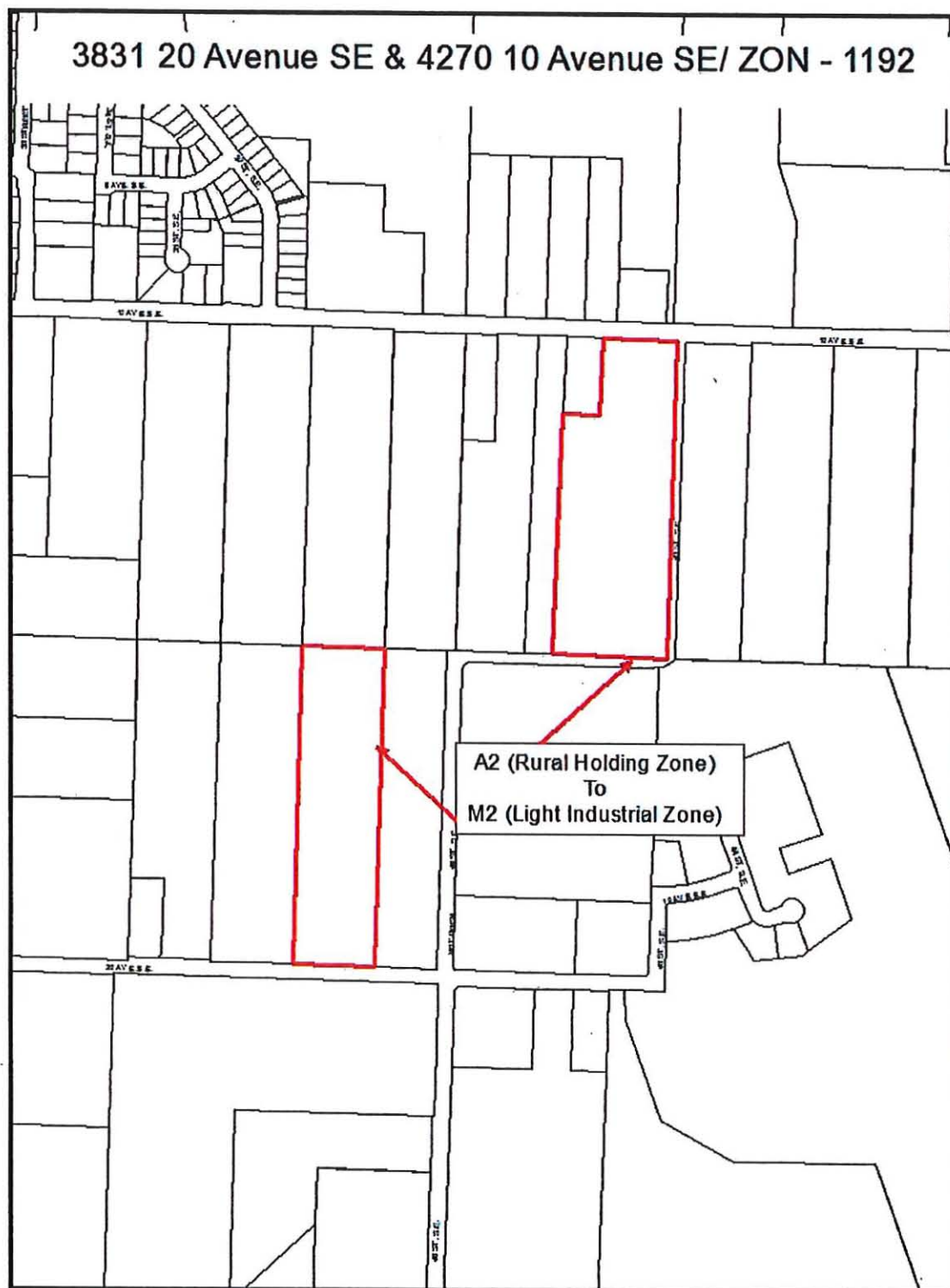
APPROVED PURSUANT TO SECTION 52 (3) (a) OF THE TRANSPORTATION ACT  
ON THE DAY OF 2021

\_\_\_\_\_  
For Minister of Transportation & Infrastructure

ADOPTED BY COUNCIL THIS DAY OF 2021

\_\_\_\_\_  
MAYOR

\_\_\_\_\_  
CORPORATE OFFICER





Item 10.3

## CITY OF SALMON ARM

Date: February 22, 2021

Moved: Councillor

Seconded: Councillor

THAT: the bylaw entitled City of Salmon Arm Zoning Amendment Bylaw No. 4440 be read a first and second time;

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

- 1) Ministry of Transportation and Infrastructure approval; and
- 2) Registration of a Section 219 Land Title Act Covenant on the titles of the subject properties restricting development until such time that a geotechnical report is provided to the City of Salmon Arm addressing the 200-year floodplain, confirming that the land is safe for the intended use and saving the City harmless.

[ZON-1200; LST Ventures Ltd./West Urban Developments Ltd.; 1230, 1260 & 1290 10 Avenue SW; C-3 to C-2]

### Vote Record

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

Opposed:

- ☐ Harrison
- ☐ Cannon
- ☐ Eliason
- ☐ Flynn
- ☐ Lavery
- ☐ Lindgren
- ☐ Wallace Richmond

TO: His Worship Mayor Harrison and Members of Council

DATE: February 9, 2021

SUBJECT: Zoning Bylaw Amendment Application No. 1200 (C-3 to C-2)  
 1230, 1260 & 1290 10 Ave. SW  
 Owner: LST Ventures Ltd.  
 Applicant: West Urban Developments Ltd.

### STAFF RECOMMENDATION

**THAT:** A Bylaw be prepared for Council's consideration, adoption of which would rezone 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 Plan 6136, 35041 and KAP76862 from C-3 Service Commercial Zone to C-2 Town Centre Commercial Zone;

**AND THAT:** Fourth reading be withheld subject to:

- 1) Approval of the Bylaw by the Ministry of Transportation and Infrastructure; and
- 2) Registration of a Section 219 Land Title Act Covenant on the titles of subject property restricting development until such time that a geotechnical report is provided to the City of Salmon Arm addressing the 200-year floodplain, confirming the land is safe for the intended use, and saving the City harmless.

### BACKGROUND

The proposal is to rezone the three lots from C-3 to C-2 to accommodate a mixed commercial / residential use development. The development concept consists of a six-storey, L-shaped building mass with underbuilding parking, main level commercial and upper residential floor space; potentially 140 residential units and a combined floor area of 11,364 m<sup>2</sup> (122,321 ft<sup>2</sup>).

The combined area of the properties is approximately 0.88 hectares (2.17 acres). The 10 Avenue SW frontage is approximately 72 m in length and the lot depth is approximately 104 m. Floor space ratio of 1.14 would be relatively for Salmon Arm even with most of the lot area needed for surface parking.

Official Community Plan: the lots are designated "City Centre Commercial" (Land Use); "Potentially Hazardous Areas" (200-Year Floodplain); and City Centre Development Permit Area. Reference maps, the development proposal and the C-2 zone regulations are attached.

### COMMENTS

The proposed zoning is consistent with the land use policies of the OCP. The C-2 zone mostly encompasses the original downtown core area of Salmon Arm. This zone allows for the largest building masses and development densities in the City. The zone allows for zero building setbacks and a maximum building height of 20 m.

The subject properties and immediate area have been subject to a slow yet steady transformation involving the redevelopment of various land use uses over the past 20 years. In 2011, recognizing the emerging mixed-use development node in the vicinity of 10 Ave. / 10 St. SW, the OCP Land Use category of the subject properties was changed from "Service Commercial" to "City Centre Commercial".

With new office building development and residential stratas of various densities and forms, the 10 / 10 node has been slowly transforming from service commercial to a more retail and multi-family residential landscape. Adjacent land uses and zoning are described as follows:

North: Piccadilly Mall	Zoned C-7 – Shopping Centre Commercial
South: Village at 10 <sup>th</sup> & 10 <sup>th</sup>	Zoned R-4 – Medium Density Residential
East: Dwelling and City Furniture	Zoned R-1 / C-3
West: Farmland	Zoned A-1 / C-3 – Agriculture / Service Commercial

If the rezoning is approved and then followed by lot consolidation, the next step would be for the applicant to apply for a form and character Development Permit. The land is subject to the "City Centre Development Permit Area" guidelines. The applicant has engaged an architect for this next step. Detailed site and landscaping plans and exterior building design drawings would be required at that point for review by City staff, the Design Review Panel and Council.

Registration of the covenant referred to in the motion for consideration would satisfy the "Potentially Hazardous Areas Development Permit Area" guidelines of the OCP.

The proposed development concept intends to meet the Zoning Bylaw requirements for off-street parking, unlike in the C-2 zone of the downtown core where properties are subject to the Specified Parking Area levy and parking relaxations.

#### OTHER COMMENTS

The Engineering Department has provided a memorandum outlining the anticipated off-site servicing requirements (attached).

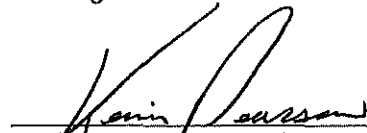
The Ministry of Transportation and Infrastructure (MOTI) has received the referral for this application but has not provided preliminary approval at this time. MoTI approval is required for rezoning pursuant to Section 52 of the Transportation Act.

Fortis BC has responded indicating no objections subject to the abandonment of all utility connections at the time of development.

The Fire Department has expressed no concerns with the rezoning.

#### CONCLUSION

Staff support the proposed rezoning. The development concept and land use would fit well within this area of the City Centre, providing ground level commercial floor space and much needed higher density housing units.



Kevin Pearson, MCIP, RPP  
Director of Development Services





100 50 0 100 Meters



Subject Properties

2016 Image





111-2036 South Island Hwy  
Campbell River, BC V9W 0E8  
Phone: (250) 914-8485  
Fax: (250) 914-8490

January 6, 2021

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

Attention Development Services:

**RE: Rezoning Amendment Application – 1230, 1260, 1290 10<sup>th</sup> Ave. SW**

---

The enclosed rezoning application is being submitted by WestUrban Developments Ltd. to amend the zoning on the properties located at 1230, 1260, 1290 10<sup>th</sup> Ave. SW. from Service Commercial (C3) to Tourist/Recreation Commercial (C6).

Further to our pre-application discussions, we are pleased to propose a building comprised of a blend of street-oriented commercial on the main floor and purpose-built rental apartments units on the upper floors. We are excited to introduce a new commercial option to the main floor of this property, that will make up part of this transitional and vibrant area of the city. Also, the variety of residential floorplans will offer choice to a broad demographic to make these new residences their home. The development is committed to offer a long-term, purpose-built rental solution to Salmon Arm residents who desire a housing option close to the downtown core.

**Project Description**

The application proposes 600 square meters of commercial space fronting on to 10<sup>th</sup> Avenue SW. Above the commercial space, we have provided 140 residential units that range from studio to three-bedrooms that will be built on the 2-6 floors. To serve both the commercial and residential tenants, 172 surface and covered parking stalls have been provided. The new building is responsive to the neighboring properties and is a positive introduction to the streetscape. Careful attention has been given to responding to the residential dwellings to the south and the busy streetscape along 10<sup>th</sup> Ave SW. The proposed increase in density is an appropriate approach for this location.



111-2036 South Island Hwy  
Campbell River, BC V9W 0E8  
Phone: (250) 914-8485  
Fax: (250) 914-8490

### Project Rationale

The proposed project aligns to the Salmon Arm Official Community Plan (OCP), Housing needs Assessment Report and Zoning Bylaw No. 2303. The following table details alignment to these policy and guiding documents.

Policy/Guiding Document	Project Rationale
<p><b>OCP vision:</b> <i>Salmon Arm will be a place where residents enjoy quality, affordable services in a compact urban form. Salmon Arm will:</i></p> <ul style="list-style-type: none"> <li>• <i>increase development densities and discourage urban sprawl.</i></li> <li>• <i>provide a mix of land uses and densities that are sensitively integrated.</i></li> </ul>	<p>The 10<sup>th</sup> Ave. SW corridor is a location suitable for increased density with recent projects representative of this proposed development.</p> <p>The proposal includes a mix of commercial and residential with studio, one, two and three-bedroom units.</p>
<p><b>OCP Goal:</b> To provide a variety of housing types to meet the needs of all residents in the community.</p>	<p>We believe the requested rezoning is an appropriate designation for the subject site and will complement not only the existing commercial property of Piccadilly Mall, but also the need to provide rental housing for the City of Salmon Arm.</p>
<p><b>Housing Diversity.</b> Encourage a variety of housing types, including affordable housing, to meet the needs of all residents in the community.</p>	<p>Purpose-built rental units are a more affordable option than purchasing a single-family home.</p>
<p><b>Growth rate:</b> By 2020, there will be another 932 to 2000 residents, requiring an additional 388 to 833 units. The total number of new units required over the next 9 years will therefore be between 758 and 1,516.</p>	<p>The Salmon Arm community continues to grow in population. The development proposal provides 140 of the required 758-1516 new units to serve the growing population.</p>
<p><b>Housing needs:</b> Addressing rental housing needs as one of the Strategic Themes for action that has been identified in the Housing Needs Assessment report.</p>	<p>Providing rental housing is a key priority for the community. Providing housing within the Urban Core is a mandate of the present Council.</p>





111-2036 South Island Hwy  
Campbell River, BC V9W 0E8  
Phone: (250) 914-8485  
Fax: (250) 914-8490

<p><b>Smart Growth:</b> Create a range of housing opportunities and choices:</p> <ul style="list-style-type: none"> <li>• Create walkable and accessible communities</li> <li>• Emphasize the need for a mix of land uses</li> <li>• Strengthen and direct development towards existing developed areas and communities</li> </ul>	<p>The development is in a walkable community that provides a mix of residential and commercial offerings. The site is located in a developed area taking advantage of existing amenities, services and infrastructure.</p>
<p><b>4.4 Growth Management Policies:</b> 4.4.7 Continue to support a wide range of housing types in Salmon Arm in order to meet the needs of the diverse lifestyles and aging population, including affordable housing, sensitively integrated infill and intensification of existing development areas, and provision of low density single family developments. 4.4.8 Continue to recognize and support the City Centre as the principal commercial, business, cultural and administrative centre, encouraging it to be a vibrant, compact, accessible downtown that reinforces the comfortable, safe atmosphere of Salmon Arm, including opportunities for upper floor dwelling units as part of mixed use developments (see Map A-1).</p>	<p>To support the needs of a diverse population a wide range of housing types with the apartment rental classification have been provided including studio, one, two three-bedrooms. Also, work live units will be provided. The development will be sensitively integrated into the exiting development area.</p> <p>The 140 upper floor dwelling units proposed will encourage the vibrancy, compactness and accessibility and safe atmosphere of Salmon Arm.</p>
<p>Zoning Bylaw No. 2303 Highway Service/ Tourist Policies 9.3.15 Encourage land uses in the Highway Service/Tourist Commercial area which are distinguished by an orientation toward access by vehicular traffic. Uses included are automotive services, tourist accommodation, entertainment and recreational tourist services, minor repair, retail commercial warehousing, retail and food outlets, and upper floor dwelling units.</p>	<p>140 upper floor dwelling units have been provided. The orientation of the building is toward 10<sup>th</sup> Ave SW to facilitate vehicular traffic access.</p>

The scale and exterior materials selected are also responsive to the architectural language of the Urban Core. A resident in this location will enjoy close community amenities, walkable activities, and everything the City of Salmon Arm area offers while realizing an affordable rental lifestyle.





111-2036 South Island Hwy  
Campbell River, BC V9W 0E8  
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Fax: (250) 914-8490

### **Site Access and Vehicle Movement**

Extensive efforts have gone into streamlining traffic circulation. The parking levels are situated to the rear of the property with entrance doors concealed from the back of the buildings utilizing landscape and architectural screening. Surface parking is also contained within the drive aisle to streamline the tenant and visitor experience.

### **Landscape and Lifestyle Amenities**

The commercial units that line the frontage of 10<sup>th</sup> Ave SW all have front entry doors that are oriented to the streetscape as well as a dedicated parking stalls connected to the units in the back. As you make your way up in the building, second level apartments will have outdoor patio areas for private use. Having the ability to enjoy the indoor/outdoor climate in the Okanagan is a priority for planning in this development. Other lifestyle amenities contemplated include a fitness area, dog wash, and relaxation areas. Planning for the development is aimed at a lifestyle for long-term rental residents. We want to ensure this building will feel like 'home'.

### **Community Well-Being and Connectedness**

These are two primary considerations in this section, crime prevention and urban interaction. As part of the community well-being, safety measures such as security cameras, secure tenant access, generous lighting, and activated building faces have all been contemplated. Crime prevention and a sense of safety is a primary need for all of us. An active property manager and welcoming lobby environment will also add to the comfort of all residents within the development. The urban interaction surrounding the subject property is significant. The Blackburn Park is very close to the development and provides a beautiful public park for residents to enjoy. The proposed development is a significant opportunity to add new commercial and housing options within the downtown commercial neighborhood. The rezone to Tourist/Recreation Commercial (C6) offers a variety of commercial/residential space that responds to the continued demand and sustainability of Salmon Arm. We look forward to receiving the support of Staff and Council for this Rezoning Application and welcome your feedback as we work together to enhance the community.

Kind Regards,

Blair Sampson  
WestUrban Developments

PROJECT DATA
--------------

**LEGAL ADDRESS:**

**CIVIC ADDRESS:**  
10TH AVENUE SALMON ARM BC

**ZONING:**  
CD6

**LOT SIZE**  
+/- 8387 SQ.M.

**BUILDING AREA:**  
PROPOSED FOOTPRINT 874 SQ.M. (AT GRADE)  
2098 SQ.M. (RESIDENTIAL OVER)

**FLOOR AREAS:**

MAIN	722 SQ.M.
SECOND	1771 SQ.M.
THIRD	1771 SQ.M.
FOURTH	1771 SQ.M.
FIFTH	1771 SQ.M.
SIXTH	1771 SQ.M.
<b>TOTAL (NET)</b>	<b>9577 SQ.M.</b>
COMMON (MAIN)	152 SQ.M.
COMMON (SECOND)	327 SQ.M.
COMMON (THIRD)	327 SQ.M.
COMMON (FOURTH)	327 SQ.M.
COMMON (FIFTH)	327 SQ.M.
COMMON (SIXTH)	327 SQ.M.
<b>TOTAL (NET)</b>	<b>1787 SQ.M.</b>
<b>TOTAL (GROSS)</b>	<b>11,364 SQ.M.</b>

**FLOOR AREA RATIO:**  
PROPOSED: 1.14

**DENSITY:**  
PROPOSED: 140 UNITS

**LOT COVERAGE:**  
10% (AT GRADE)  
25% (RESIDENTIAL FOOTPRINT OVER)

**OPEN SPACE:**  
PROVIDED = 892 SQ.M.

**BUILDING HEIGHT:**  
6 STOREYS

UNIT COUNT:	MAIN	2-6TH FLOORS	BUILDING
STUDIO BEDROOM	0	0 (*5)	0
ONE BEDROOM	0	16 (*5)	80
TWO BEDROOM	0	12 (*5)	60
THREE BEDROOM	0	0 (*5)	0
<b>TOTAL</b>	<b>0</b>	<b>28 (*5)</b>	<b>140</b>

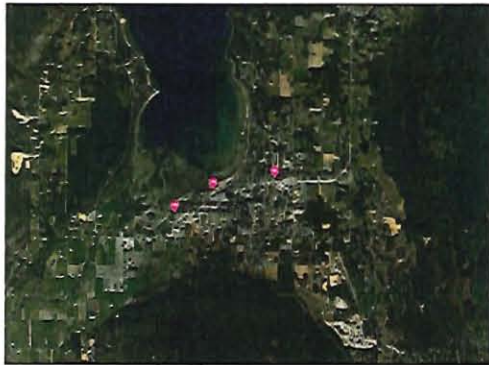
**SETBACKS**

FRONT (NORTH)	PROPOSED	3.3M
REAR (SOUTH)	PROPOSED	15.48M
SIDE (EAST)	PROPOSED	10.41M
SIDE (WEST)	PROPOSED	4.48M

**PARKING:**

REQUIRED	RESIDENTIAL 1 PER UNIT:	140
	COMMERCIAL 1:20 SQ.M	30
<b>TOTAL</b>		<b>170</b>

PROVIDED	STANDARD:	168
	HANDICAP STALLS (2% REQ.D)	4
	SMALL CAR	0
<b>TOTAL</b>		<b>172</b>



## LOCATION PLAN

N.T.S.

### PROJECT DATA

#### LEGAL ADDRESS:

CIVIC ADDRESS:  
10TH AVENUE SALMON ARM BC

ZONE:  
CDS

LOT SIZE:  
41,867 SQ.M.

BUILDING AREA:  
PROPOSED FOOTPRINT 824 SQ.M. (AT GRADE)  
2098 SQ.M. (RESIDENTIAL OVER)

FLOOR AREAS:  
MAIN 722 SQ.M.  
SECOND 1771 SQ.M.  
THIRD 1771 SQ.M.  
FOURTH 1771 SQ.M.  
FIFTH 1771 SQ.M.  
SIXTH 1771 SQ.M.  
TOTAL (NET) 8677 SQ.M.  
COMMON (MAIN) 182 SQ.M.  
COMMON (SECOND) 327 SQ.M.  
COMMON (THIRD) 327 SQ.M.  
COMMON (FOURTH) 327 SQ.M.  
COMMON (FIFTH) 327 SQ.M.  
COMMON (SIXTH) 327 SQ.M.  
TOTAL (NET) 1782 SQ.M.  
TOTAL (GROSS) 11,264 SQ.M.

FLOOR AREA RATIO:  
PROPOSED: 1.14

#### DENSITY:

PROPOSED: 140 UNITS

#### LOT COVERAGE:

10% (AT GRADE)  
25% (RESIDENTIAL FOOTPRINT OVER)

#### OPEN SPACE:

PROVIDED: 482 SQ.M.

#### BUILDING HEIGHT:

5 STOREYS

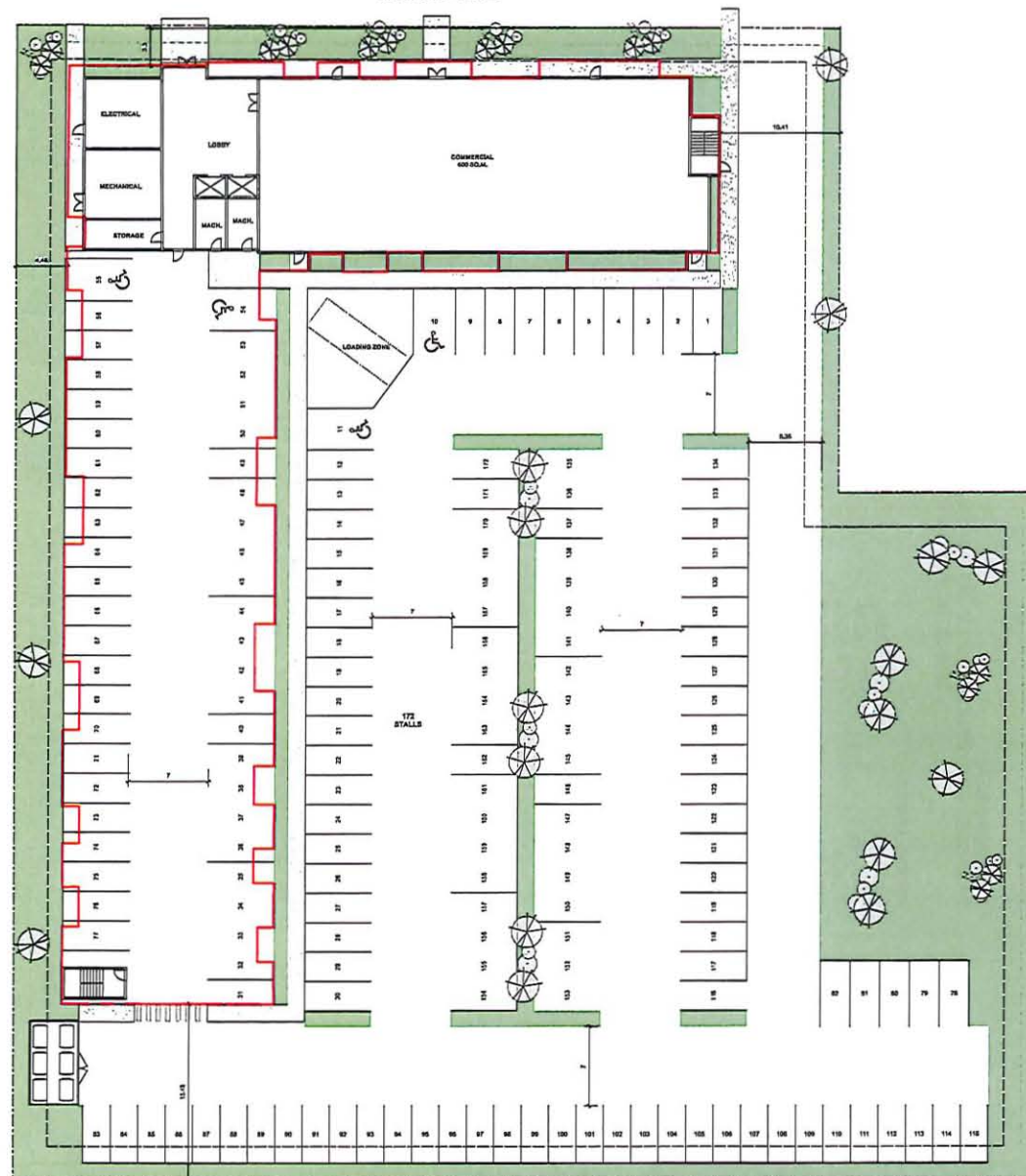
UNIT COUNT:	MAIN	2-4TH FLOORS	BUILDING
STUDIO BEDROOM	0	0 (7%)	0
ONE BEDROOM	0	18 (7%)	0
TWO BEDROOM	0	12 (7%)	60
THREE BEDROOM	0	0 (7%)	0
TOTAL	0	28 (7%)	140

SETBACKS:  
FRONT (NORTH) PROPOSED 3.3M  
REAR (SOUTH) PROPOSED 15.45M  
SIDE (EAST) PROPOSED 15.41M  
SIDE (WEST) PROPOSED 4.45M

PARKING:  
REQUIRED: RESIDENTIAL 1 PER UNIT: 140  
COMMERCIAL 170 SQ.M.  
TOTAL 170

PROVIDED STANDARD:  
HANDICAP STALLS (2% REQ.) 4  
TOTAL 172

## 10TH AVENUE



**SITE PLAN**  
SCALE: 1:100 METRIC

CONTRACTOR TO VERIFY ALL UNITS, 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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**THUJA**  
architecture + design

Tania Schulte Architect AIBC, LEED AP  
41289 Harrison Dr. Squamish BC V8B 0T7  
T: 250.655.7901 E: tania@thujaarchitecture.ca

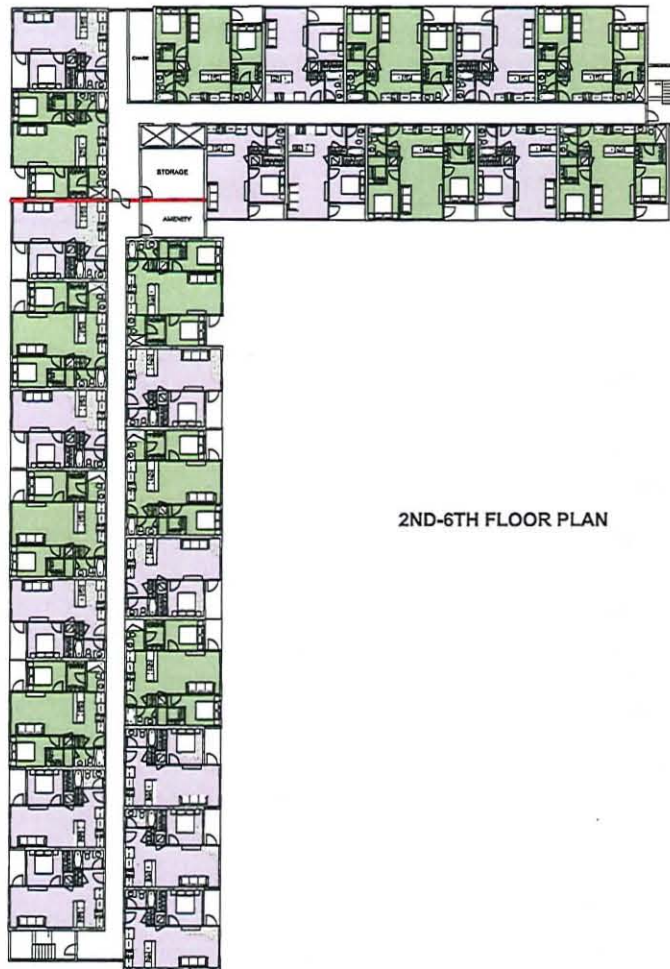
ISSUED FOR REVIEW JAN 08 2020

PROJECT:  
SALMON ARM DEVELOPMENT

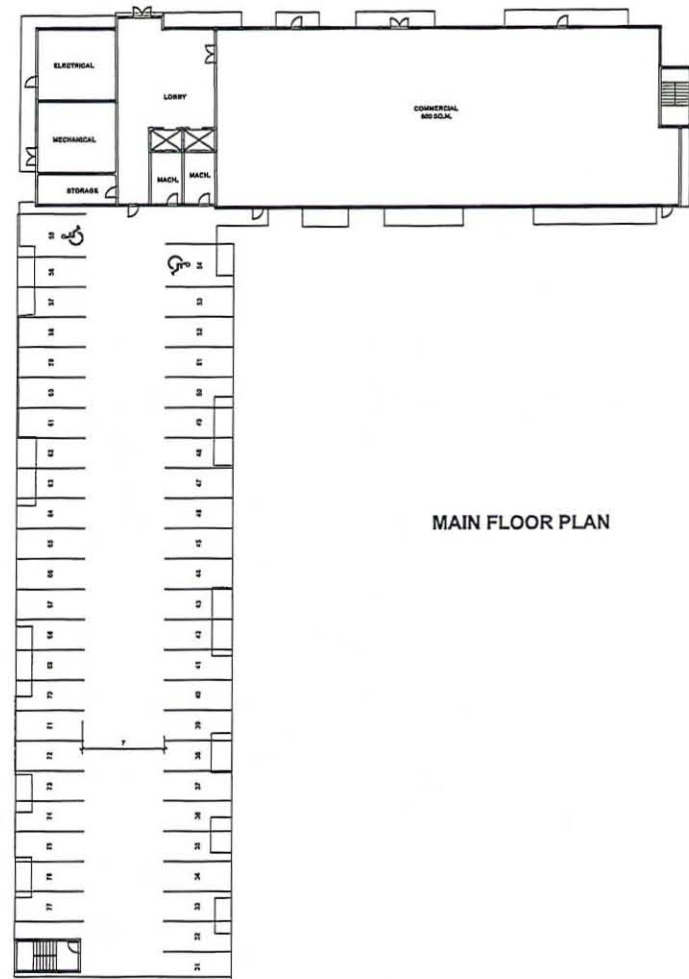
SCHEMATIC SITE PLAN

DATE:	AS NOTED	PROJECT NO.:	
DATE:	REVISED BY:	DATE:	TS
DATE:			

**PR1**



2ND-6TH FLOOR PLAN



MAIN FLOOR PLAN

CONTRACTOR TO VERIFY ALL LEVEL, LEVEL, SURVEYS, 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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**THUJA**  
architecture + design

Tania Schulte Architect AIBC LEED AP  
41289 Hurlton Dr. Squemish BC V8B 0T7  
715.625.7901 E:info@thujaarchitecture.ca

DATE: 2020

ISSUED FOR REVIEW JAN 08 2020

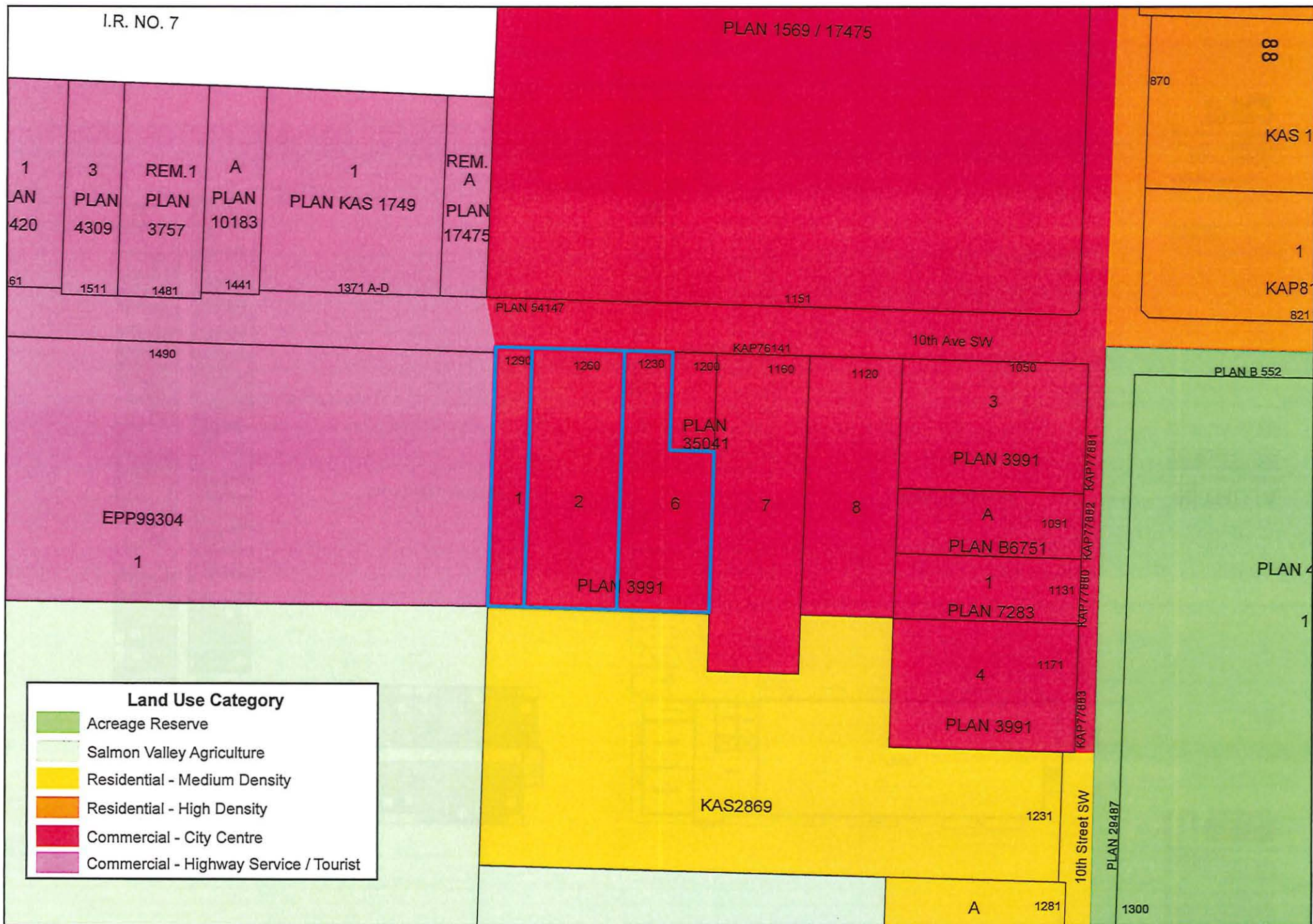
PROJECT  
SALMON ARM DEVELOPMENT

DESCRIPTION  
SCHEMATIC FLOOR PLANS

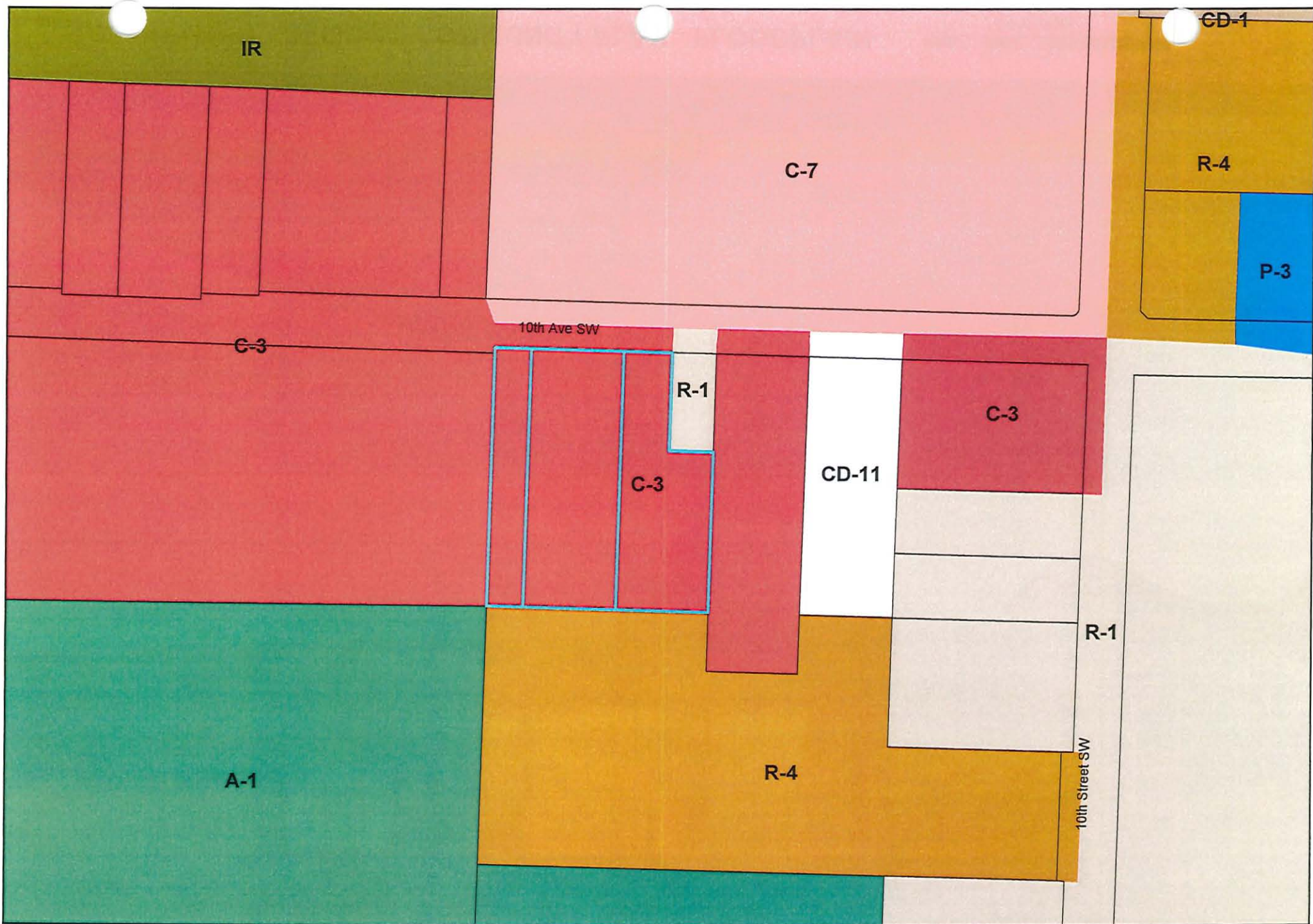
NAME	AS NOTED	PROJECT NO.	2020-001
DATE	2020-01-08	REVISION NO.	TS
BY			

**PR2**









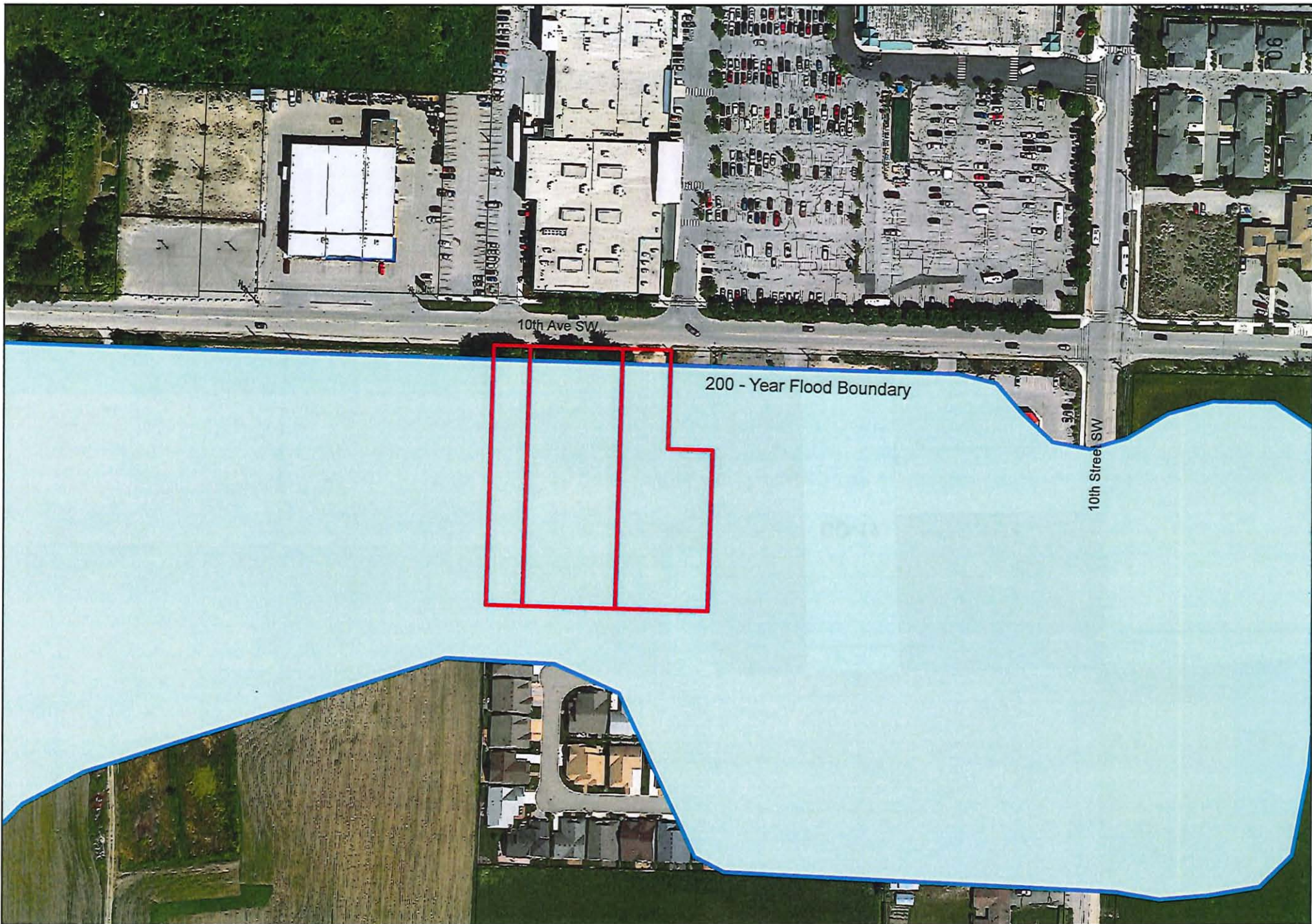
 Subject Properties

## Zoning Bylaw - Zone Categories

50 25 0 50 Meters  
2016 Image







 Subject Properties **OFFICIAL COMMUNITY PLAN - FLOODPLAIN**





**Purpose**

- 16.1 The C-2 Zone is intended to function as the central business district of the *Municipality* and as such be oriented to pedestrian traffic and provide for a wide variety of activities including retail, business, entertainment, cultural and limited residential uses. New *developments zoned C-2* may be required to obtain a *Development Permit* as per the requirements of the *Official Community Plan*.

**Regulations**

- 16.2 On a *parcel zoned C-2*, no *building or structure* shall be constructed, located or altered and no plan of subdivision approved which contravenes the regulations set out in the *C-2 Zone* or those regulations contained elsewhere in this Bylaw.

**Permitted Uses**

- 16.3 The following uses and no others are permitted in the C-2 Zone:

- .1 assembly hall;
- .2 auto parts retail; #3001
- .3 cabaret;
- .4 cafe; #2900
- .5 churches; #2819
- .6 commercial daycare facility;
- .7 congregate housing; #3067
- .8 education/training facility;
- .9 entertainment facility;
- .10 financial institution;
- .11 health services centre;
- .12 home occupation; #2782
- .13 hotel;
- .14 licensee retail store; #3223
- .15 lower floor dwelling units; #3951
- .16 neighbourhood pub;
- .17 mobile food vending; #4240
- .18 nightclub;
- .19 outside display of goods and wares;
- .20 office;
- .21 parkade/off street parking;
- .22 personal service establishment;
- .23 print service;
- .24 public use;
- .25 private utility; #3060
- .26 public utility;
- .27 radio and television broadcasting station;
- .28 recreation facility - indoor;
- .29 restaurant;
- .30 retail store;
- .31 sporting goods stores;
- .32 tourist retail shop;
- .33 transportation use;
- .34 upper floor dwelling units;
- .35 upholstery shop;
- .36 accessory use.

**Maximum Height of Principal Buildings**

- 16.4 The maximum *height* of the *principal buildings* shall be 20.0 metres (65.6 feet).

**SECTION 16 - C-2 - TOWN CENTRE COMMERCIAL ZONE - CONTINUED****Maximum Height of Accessory Buildings**

16.5 The maximum *height* of an accessory *building* shall be 6.0 metres (19.7 feet).

**Maximum Parcel or Site Coverage**

16.6 The maximum *parcel* or *site coverage* shall be 100% of the *parcel* or *site* area.

**Minimum Parcel Size or Site Area**

16.7 The minimum *parcel* size or *site* area shall be 300.0 square metres (3,229.3 square feet).

**Minimum Parcel or Site Width**

16.8 The minimum *parcel* or *site* width shall be 10.0 metres (32.8 feet).

**Outside Storage**

16.9 Outside storage shall not be permitted.

**Parking and Loading**

16.10 Parking and loading shall be required as per Appendix I.



*Memorandum from the  
Engineering and Public  
Works Department*

---

TO: Kevin Pearson, Director of Development Services  
 DATE: February 3, 2021  
 PREPARED BY: Matt Gienger, Engineering Assistant  
 OWNER: **LST Ventures Ltd.**  
 APPLICANT: WestUrban Developments Ltd  
 SUBJECT: **Rezoning Application No. 1200**  
 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 January 14, 2021, we provide the following servicing information. **The following comments and servicing requirements are not conditions for Rezoning; however, these comments are provided as a courtesy in advance of any development proceeding to the next stages. These comments are based on amalgamation of the three subject lots, as indicated in the rezoning application:**

**Engineering Department does not have any concerns related to the Rezoning and recommends that they be approved.**

**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 2.38m of additional dedication is required, with an additional 2.50m of Right of Way required (dedication requested). All dimensions and areas of dedication and Right of Ways 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, multi-use path, 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 Glenger  
Engineering Assistant



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



## 1230 – 1290 10<sup>th</sup> Avenue – Rezoning Application

City of Salmon Arm, Development and Planning Services Committee Meeting  
February 16, 2020



## Community Context

Salmon Arm's population count closing in on 20,000

Salmon Arm named best community in B.C.

### Salmon Arm Community Housing Strategy

- Consider density and diversity that fits with the character of the community
- Address rental housing needs

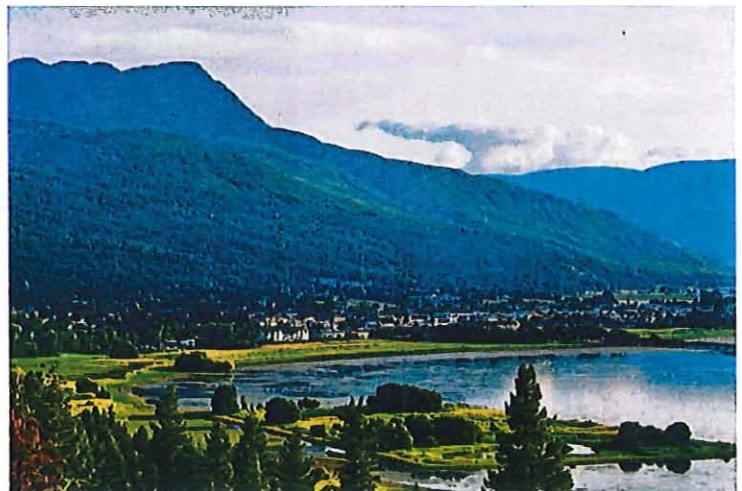
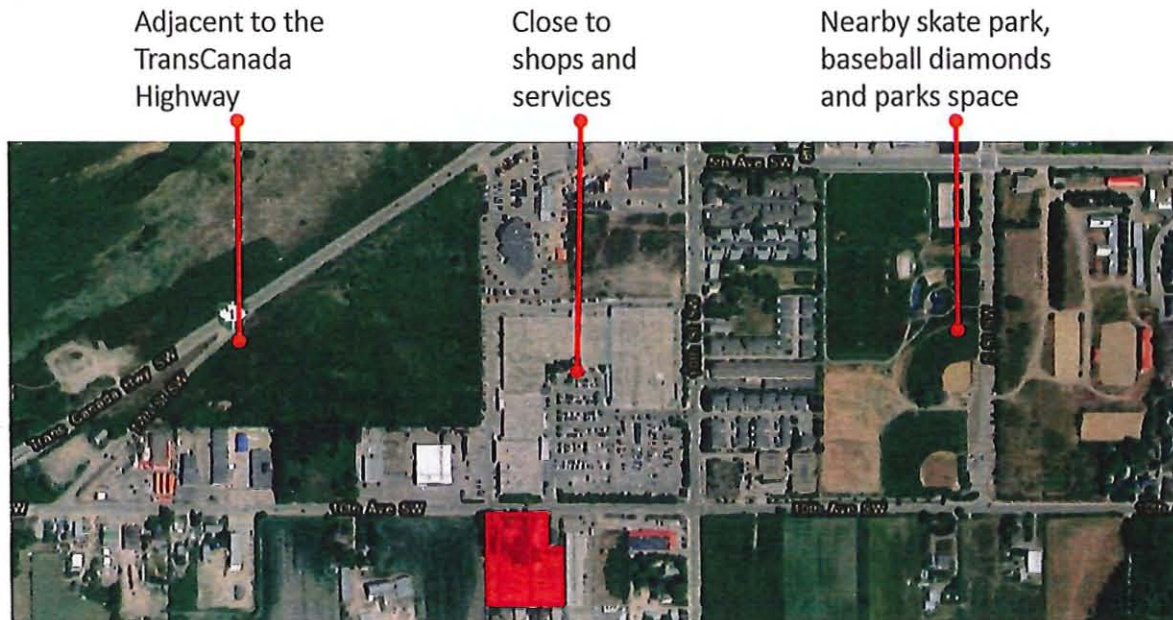


Photo Source: Salmon Arm Observer News File Photo



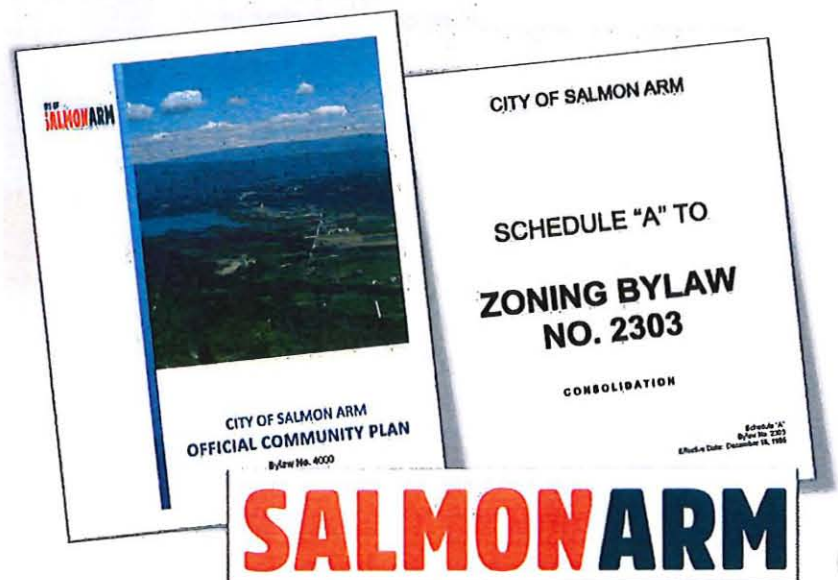
## Site Context



1230 to 1290 10<sup>th</sup> Ave SW | Development and Planning Services Committee Meeting | 2021-02-16 | Page 3

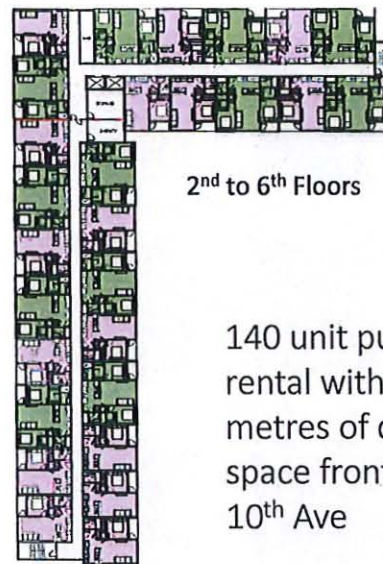
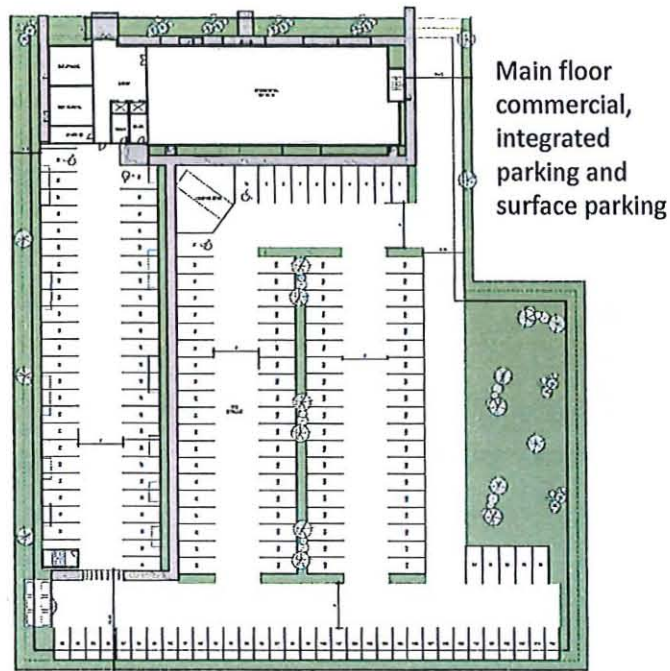
## Official Community Plan & Zoning Bylaw Alignment

- OCP Designation: Commercial City Centre
- OCP supports C-2 zoning: Town Centre Commercial
- Allows for 20 m, accommodates 6 storeys



1230 to 1290 10<sup>th</sup> Ave SW | Development and Planning Services Committee Meeting | 2021-02-16 | Page 4

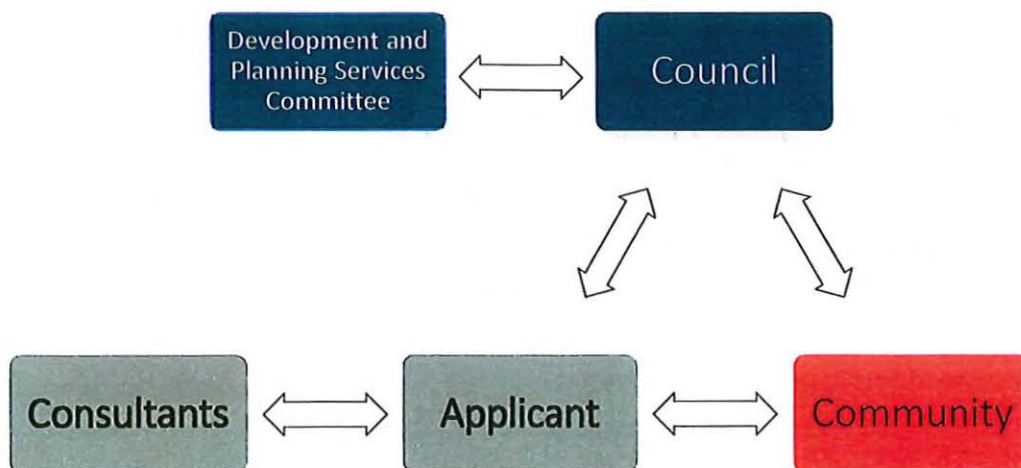
## Site & Floor Plans



140 unit purpose-built rental with 600 square metres of commercial space fronting on to 10<sup>th</sup> Ave

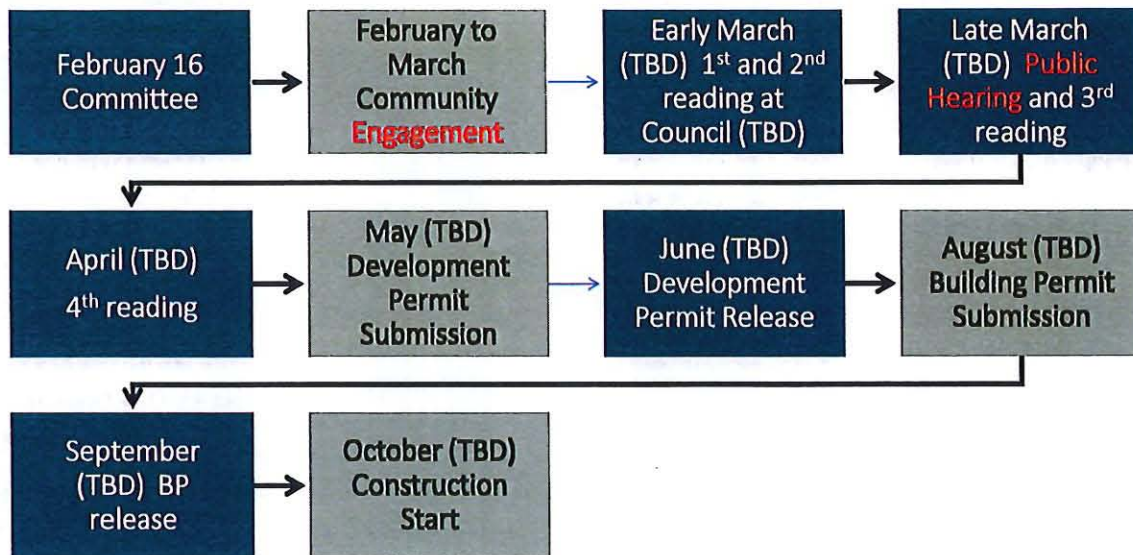
1230 to 1290 10<sup>th</sup> Ave SW | Development and Planning Services Committee Meeting | 2021-02-16 | Page 5

## Consultation and Engagement Team



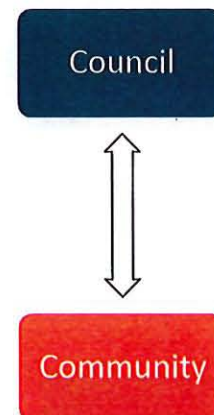


## Next Steps



## Benefits of the Proposal

- Frontage improvements along 10th Ave
- Increased property tax
- Contributes to the vitality of the community through economic development and population influx
- Market rental development in alignment with Salmon Arm Housing Needs Report
- Provides a variety of high-quality residential units for various ages and incomes
- Creates homes for a growing population



# Developer Overview



Fully Integrated Company

- We plan, build and manage

Specialty

- Purpose Built Rentals
- Complex Developments Sites

Vancouver Island Based

- Head office in Campbell River



## Thank You





## CITY OF SALMON ARM

### BYLAW NO. 4440

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

---

WHEREAS notice of a Public Hearing to be held by the Council of the City of Salmon Arm in the Council Chambers at City Hall, 500 – 2 Avenue NE, Salmon Arm, British Columbia and by electronic means as authorized by Ministerial Order M192, British Columbia, on \_\_\_\_\_ at the hour of 7:00 p.m. was published in \_\_\_\_\_ and \_\_\_\_\_ issues of the Salmon Arm Observer;

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

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

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

Rezone 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 Plan 6136, 35041 and KAP76862 from C3 (Service Commercial Zone) to C2 (Town Centre Commercial Zone), attached as Schedule "A".

2. SEVERABILITY

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

3. ENACTMENT

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

4. EFFECTIVE DATE

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

5. CITATION

This bylaw may be cited as "City of Salmon Arm Zoning Amendment Bylaw No. 4440"

READ A FIRST TIME THIS DAY OF 2021

READ A SECOND TIME THIS DAY OF 2021

READ A THIRD TIME THIS DAY OF 2021

APPROVED PURSUANT TO SECTION 52 (3) (a) OF THE TRANSPORTATION ACT  
ON THE DAY OF 2021

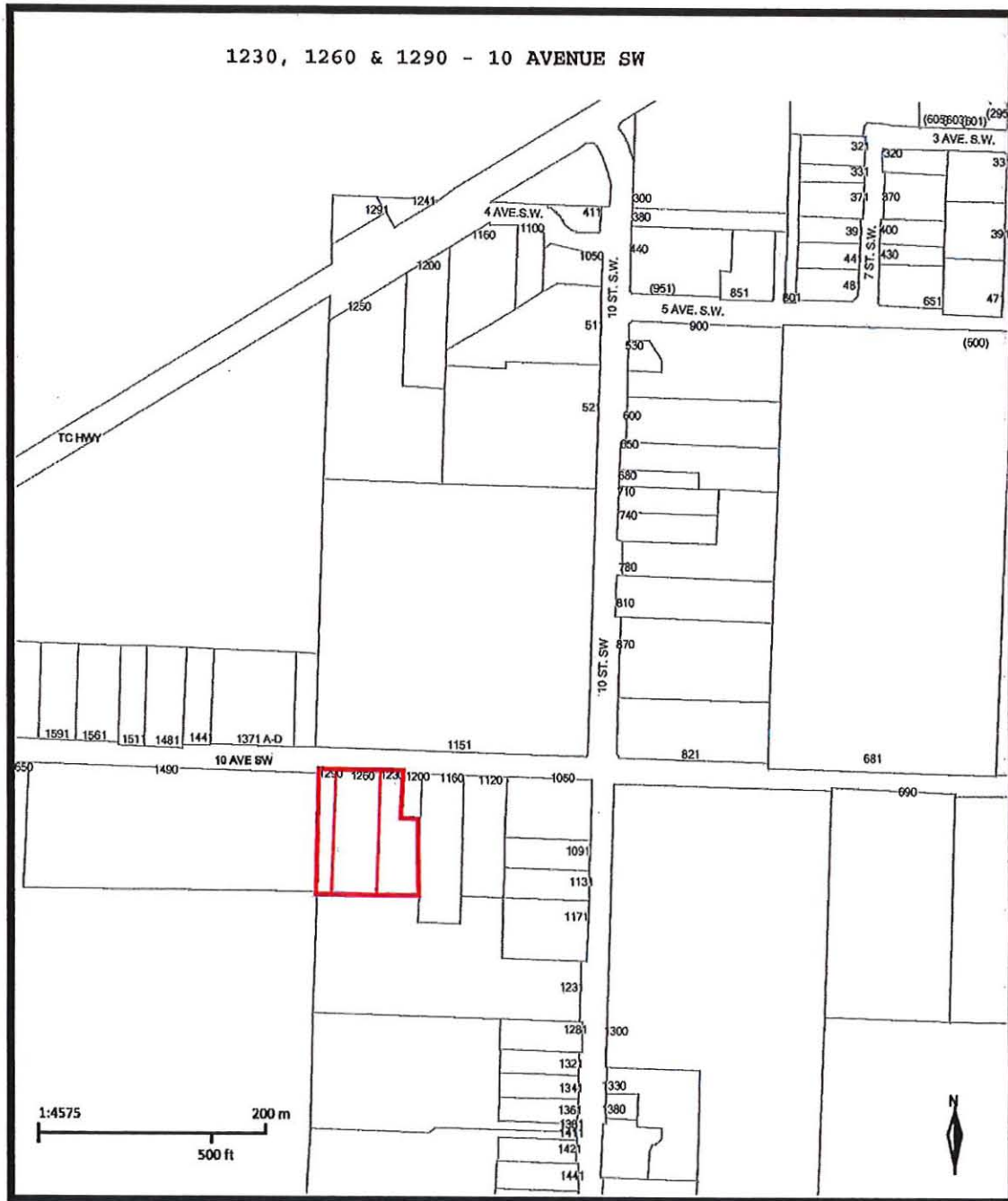
\_\_\_\_\_  
For Minister of Transportation & Infrastructure

ADOPTED BY COUNCIL THIS DAY OF 2021

\_\_\_\_\_  
MAYOR

\_\_\_\_\_  
CORPORATE OFFICER

SCHEDULE "A"



Item 10.4

## CITY OF SALMON ARM

Date: February 22, 2021

Moved: Councillor

Seconded: Councillor

THAT: the bylaw entitled City of Salmon Arm Highway Closure Bylaw No. 4427 be read a first, second and third time;

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

- 1) Compliance with Section 26 (Notice of Proposed Property Disposition) and Section 94 (Requirements for Public Notice) of the Community Charter;
- 2) The registration of a Statutory Right of Way in favour of BC Hydro and Telus;
- 3) Payment of \$89,000.00 to the City of Salmon Arm prior to September 1, 2021; and
- 4) Ministry of Transportation and Infrastructure approval.

[Kearl, R.; part of 18 Street NE; Proposed Road Closure and Disposal]

### Vote Record

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

Opposed:

- ☐ Harrison
- ☐ Cannon
- ☐ Eliason
- ☐ Flynn
- ☐ Lavery
- ☐ Lindgren
- ☐ Wallace Richmond



# CITY OF SALMON ARM

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To: His Worship Mayor Harrison and Members of Council  
 Date: February 10, 2021  
 Subject: Proposed Road Closure and Disposal – Part of 18 Street NE  
 Owner/Applicant: Russell Kearl

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## STAFF RECOMMENDATION

- THAT:** City of Salmon Arm Road Closure Bylaw No. 4427 proceed to first, second and third readings;
- AND THAT:** Final reading of City of Salmon Arm Highway Road Closure Bylaw No. 4427 be subject to:
- 1) Compliance with Section 26 (Notice of Proposed Property Disposition) and Section 94 (Requirements for Public Notice) of the Community Charter;
  - 2) The registration of a Statutory Right of Way in favour of BC Hydro and Telus and;
  - 3) Payment of \$89,000.00 to the City of Salmon Arm prior to September 1, 2021.
- 

## PROPOSAL

The subject portion of road is located between 1050 and 1091 18 Street NE (Appendix 1 and 2). The road has been deemed surplus to the City's needs and is proposed to be closed. Should the Road Closure Bylaw be supported, the road would be sold to the adjacent property owner to be incorporated into development plans for the two adjacent properties.

## BACKGROUND

As shown by the Reference Plan provided by the applicant, the subject portion of road is 823.9m<sup>2</sup> (see Appendix 3). To date the following events have precipitated the subject road closure and purchase:

1. In December 2020 Council adopted Bylaws 4410 (OCP Amendment) and 4411 (Zoning Amendment Bylaw) redesignating and rezoning the properties adjacent to the subject road closure area to accommodate future development of a dentist office and residential unit with potential for other commercial uses. The Bylaw amendments had the effect of redesignating and rezoning the subject portion of road and;
2. In October 2020 Mr. Kearl submitted an offer letter to Council to purchase the portion of 18 St NE adjacent to 1050 and 1091 18 Street NE for \$89,000.00. Council accepted the offer subject to the adoption of a Road Closure Bylaw. The offer was based on an estimated land area of 675m<sup>2</sup> and an averaging of the recent purchase price of the adjacent parcels.

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 3) and a Plan of Consolidation (Appendix 4) which are to be registered concurrently. Staff are recommending that prior to the adoption of the Road Closure Bylaw that the conditions of BC Hydro and Telus be satisfied by the applicant.

COMMENTSEngineering Department

Engineering comments regarding the road closure are enclosed as Appendix 8. The report notes that there is a watermain within 18 Street NE and would require the decommissioning of the service by the developer.

There are also watermain services for each existing lot in 18 Street NE which would have to also be decommissioned. With regard to roads, an existing letdown onto 18 Street NE which, with future development would require upgrading and/or removal such that the site has only one access from 11 Avenue NE.

Ministry of Transportation and Infrastructure

The Ministry of Transportation and Infrastructure (MOTI) has given preliminary approval of the rezoning provided that there is no direct access to the Trans-Canada Highway and that all new structures must be located outside of the provincial setback of 4.5m from the Trans-Canada Highway road/property line. These requirements were echoed under the review for the road closure.

The Explanatory Plan highlights a portion of the "road" adjacent to the south property line of 1091 18 Street. This portion of road is not included in this Road Closure Bylaw and would not form part of the proposed Property Disposition because the area is a residual portion of private land left from a previous subdivision in 1963. The area shows as "road" on plans; however, the applicant's BCLS researched the history of road dedications in this area and concluded that it was not properly dedicated at the Land Title Office at the time of the previously mentioned 1963 subdivision; therefore, it is owned by another land owner.

BC Hydro & Telus

BC Hydro requires a new Statutory Right of Way Agreement to protect the hydro services and an osprey pole located in 18 Street NE. The SRW agreements would need to be registered on the title before the land is transferred to the adjacent land owners. 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 SRW 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

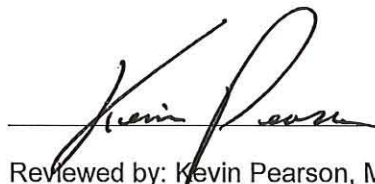
No concerns.

Planning Department

The additional development area provided by the road closure and consolidation would provide a larger developable area over the area least impacted by the sloping terrain. Plans detailing the development proposal have not been submitted at this time and it is unknown how the Road Closure area is to be incorporated in to the development proposal. Given the address sequence for this portion of 11 Avenue NE, at the time of lot consolidation staff may have to readdress the site to apply an 11 Avenue NE address. Planning staff are supportive of the Road Closure and proposed sale of the property to the adjacent property owner to incorporate the land into the development of the adjacent properties.

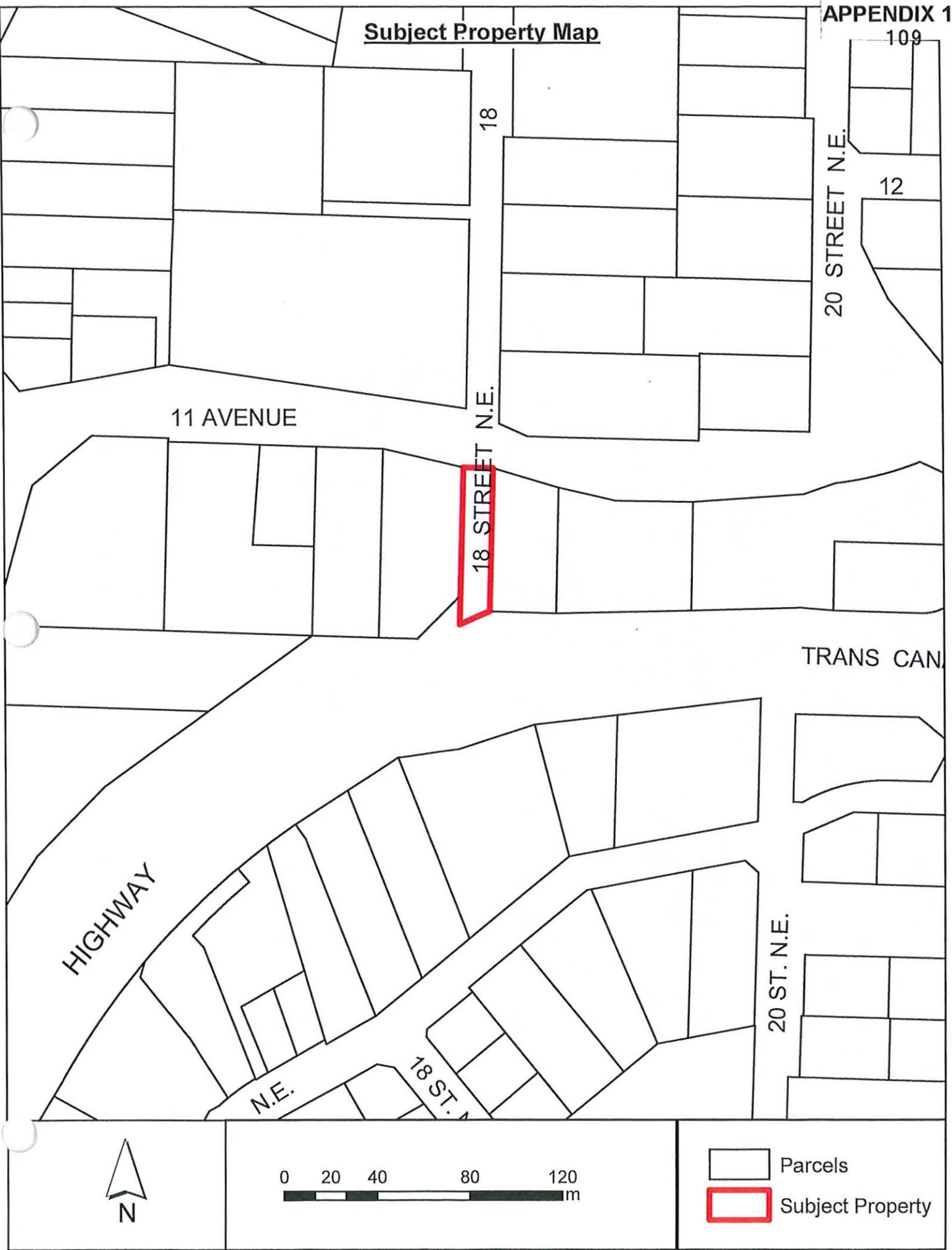


Prepared by: Melinda Smyrl, MCIP, RPP  
Planner



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

Subject Property Map







0 20 40 80 120 m



Parcels



Subject Property



Scale 1:500 BCGS 82L074

The intended plot size of this plan is 864mm in width by 360mm in height (D size) when plotted at a scale of 1:500



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

This plan shows horizontal ground level distances, unless otherwise specified. To compute grid distances, multiply ground level distances by the average combined factor of 0.9998515. The average combined factor has been determined based on an ellipsoidal elevation of 400.2 metres.

The UTM coordinates and estimated absolute accuracy achieved are derived from differential dual frequency GNSS observations post processed using the Natural Resources Canada Precise Point Positioning Service.

- Standard Iron Post Found (OIP)
  - Standard Iron Post Placed (IP)
  - △ Traverse Hub Placed
  - ⊙ Standard Capped Post Found
  - ⊖ Non-Standard Iron Post Found
- W Denotes Witness
- NF Denotes Nothing Found

Note: This plan shows one or more witness posts which are not set on the true corner(s).

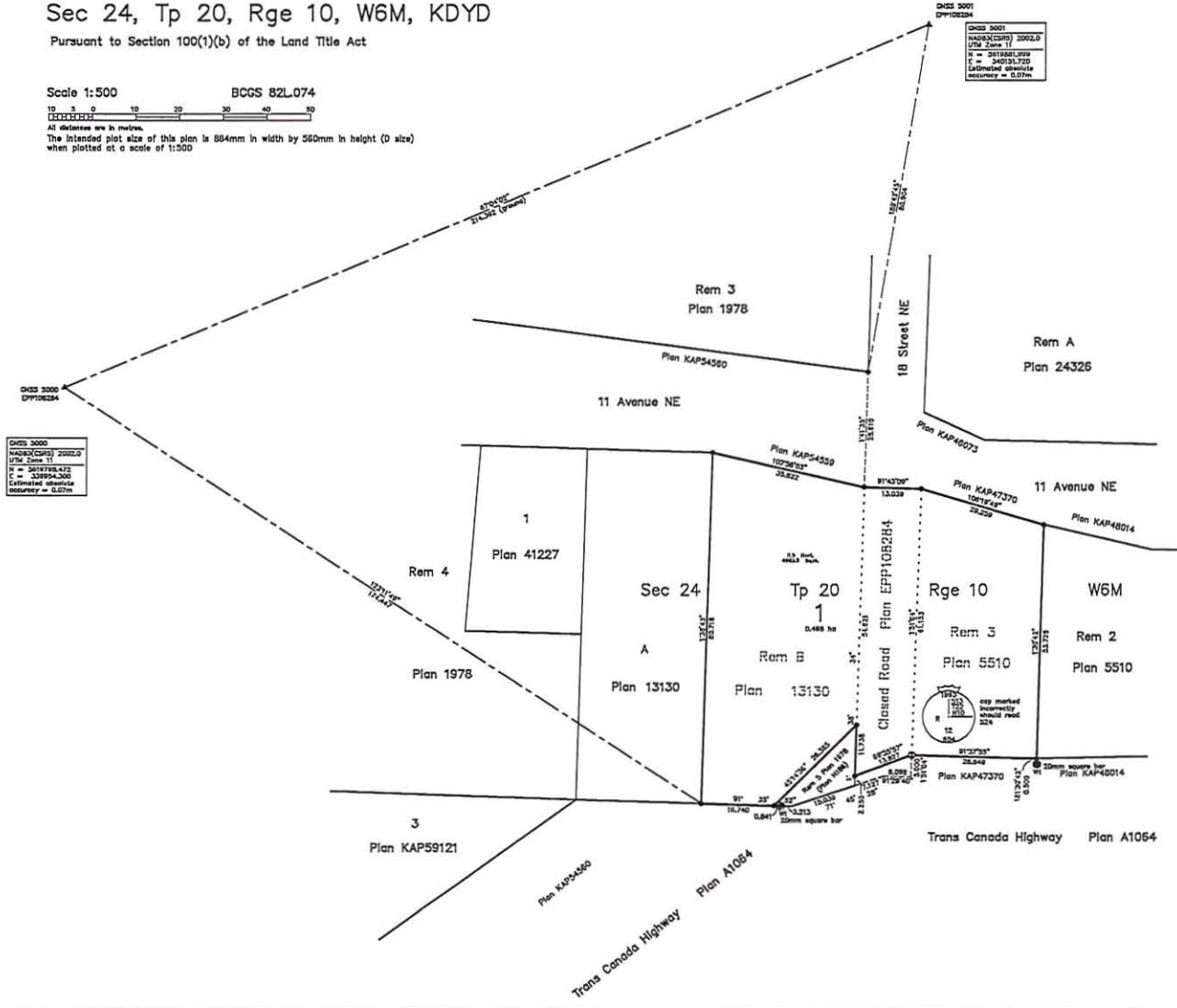
This plan lies within the Columbia Shuswap Regional District

The field survey represented by this plan was completed on the 11th day of January, 2021  
Joseph Charles Johnson, BCLS (8D4)

BROWNE JOHNSON LAND SURVEYORS  
B.C. AND CANADA LANDS  
SALMON ARM, B.C. 250-833-1111  
File: 559-20 559-20.rev

Reference Plan of Consolidation of  
 Lot B, Plan 13130 Except Plan KAP54559,  
 Lot 3, Plan 5510 Except Plan KAP47370  
 and Closed Road, Plan EPP108284,  
 Sec 24, Tp 20, Rge 10, W6M, KDYD  
 Pursuant to Section 100(1)(b) of the Land Title Act

Scale 1:500 BCGS 82L074  
 10 0 10 20 30 40 50  
 All distances are in metres.  
 The intended plot size of this plan is 884mm in width by 560mm in height (D size)  
 when plotted at a scale of 1:500



**LEGEND**  
 Grid bearings are derived from differential dual frequency GNSS observations and are referred to the central meridian of UTM Zone 11.  
 This plan shows horizontal ground level distances, unless otherwise specified. To compute grid distances, multiply ground level distances by the average combined factor of 0.9998215. The average combined factor has been determined based on an ellipsoidal elevation of 400.2 metres.  
 The UTM coordinates and estimated absolute accuracy achieved are derived from differential dual frequency GNSS observations post processed using the Natural Resources Canada Precise Point Positioning Service.  
 ● Standard Iron Post Found (SIP)  
 ▲ Traverse Hub Found  
 ○ Standard Capped Post Found  
 ● Non-Standard Iron Post Found  
 W Denotes Witness

Note: This plan shows one or more witness posts which are not set on the true corner(s).  
 This plan lies within the Columbia Shuswap Regional District  
 The field survey represented by this plan was completed on the 11th day of January Joseph Charles Johnson, BCLS (904)

BROWNIE JOHNSON LAND S.L.  
 B.C. AND CANADA LANDS  
 SALMON ARM, B.C. 250-5  
 File 8-21 559-2019w

**CITY OF SALMON ARM****BYLAW NO. 4277**

Being a Bylaw to Close to Traffic, Remove the Dedication as Highway and Dispose of a Portion of Road, Section 24, Township 20, Range 10, W6M, KDYD, Plan 1978

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

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

AND WHEREAS the Council deems it expedient to close to traffic, remove the dedication of highway and dispose of that portion of Road, comprising 823.9 m<sup>2</sup> dedicated at the Kamloops Land Title Office by Section 24, Township 20, Range 10, W6M, KDYD, Plan 1978 which is shown outlined in bold black ("Closed Road") on the Reference Plan EPP108284 prepared by Joseph Charles Johnson, BCLS, Browne Johnson Land Surveyors, on January 11, 2021, a reduced copy of which is attached hereto (the "Plan") as Schedule A;

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

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

AND WHEREAS the disposition of Closed Road will be to 0832915 BC Ltd., the registered owner of the adjacent properties (legally described as Lot 3, Section 24, Township 20 Plan 5510, Except Plan KAP47370 and Lot B, Section 24, Township 20, Plan 13130, Except Plan KAP54559) and will be consolidated into the adjacent properties a reduced copy of which is attached hereto (the "Plan") as Schedule B;



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

1. Attached to this Bylaw, as Schedule "A" and forming part of this Bylaw is a reduced copy of the Reference Plan EPP108284 (the "Plan").
2. The City of Salmon Arm is hereby authorized to dispose of and convey the Closed Road to 0832915 BC Ltd, the registered owner of the adjacent parcels.
3. The City of Salmon Arm hereby authorizes the closure to traffic and removal of the highway dedication of that portion of Road, comprising 823.9 m<sup>2</sup> dedicated at the Kamloops Land Title Office by Section 24, Township 20, Range 10, W6M, KDYD, Plan 1978 attached hereto (the "Plan") as Schedule A;
4. On deposit of the Plan and all other applicable documentation for the removal of the highway dedication, in the Kamloops Land Title Office, the highway dedication of that portion of the road is cancelled.
5. The Mayor and Corporate Officer are hereby authorized to execute such conveyances, deeds, maps, plans, receipts and documents on behalf of the City of Salmon Arm as may be necessary for the purposes aforesaid and to affix the Corporate Seal of the City of Salmon Arm thereto.
6. The Council shall, before adopting this Bylaw, cause public notice of its intention to do so to be given by advertisement once each week for two consecutive weeks in a newspaper published or circulated in the City of Salmon Arm, and has provided an opportunity for persons who consider they are affected by the closure and disposition of the Closed Road to make representations to Council.

#### SEVERABILITY

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

#### ENACTMENTS

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

#### EFFECTIVE DATE

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

CITATION

10. This Bylaw may be cited for all purposes as the "City of Salmon Arm Highway Closure Bylaw No. 4427".

READ A FIRST TIME THIS DAY OF , 2021

READ A SECOND TIME THIS DAY OF , 2021

READ A THIRD TIME THIS DAY OF , 2021

APPROVED PURSUANT TO SECTION 41 (3) OF THE COMMUNITY CHARTER ON THE  
DAY OF , 2021

\_\_\_\_\_  
For Minister of Transportation and Infrastructure

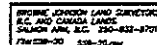
PUBLIC NOTICE OF INTENTION TO PROCEED ADVERTISED IN THE SALMON ARM  
OBSERVER ON THE DAY OF , 2021 AND THE DAY OF  
, 2021.

PUBLIC INPUT PROVIDED ON THIS DAY OF , 2021

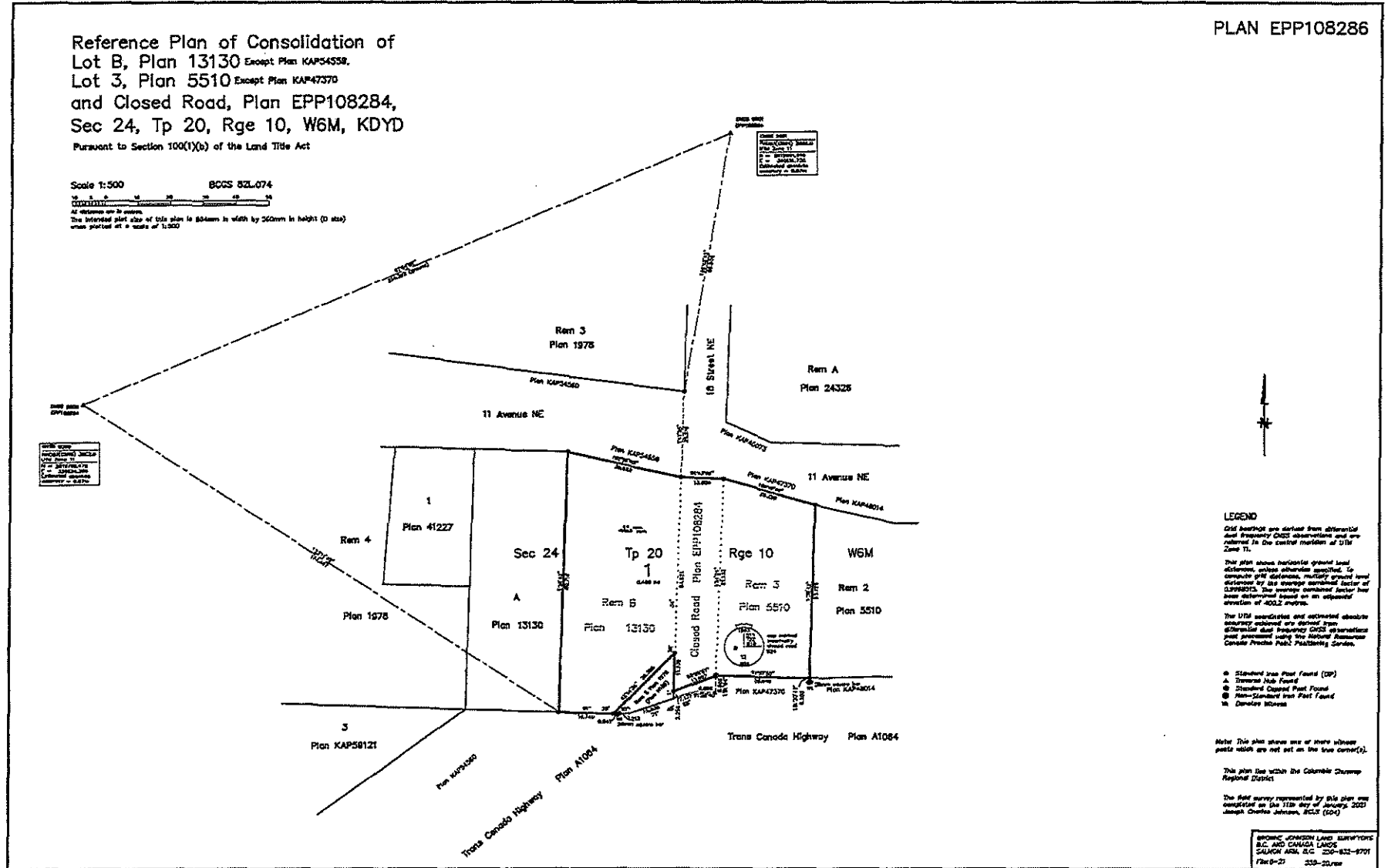
ADOPTED BY COUNCIL THIS DAY OF , 2021

\_\_\_\_\_  
MAYOR

\_\_\_\_\_  
CORPORATE OFFICER



SCHEDULE "B"





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Item 11.1

## CITY OF SALMON ARM

Date: February 22, 2021

Moved: Councillor

Seconded: Councillor

THAT: the bylaw entitled City of Salmon Arm Zoning Amendment Bylaw No. 4421 be read a final time.

[ZON-1191 Brentwell Construction Ltd.; 31 – 4 Street SE; R-1 to R-5]

### Vote Record

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

Opposed:

- ☐ Harrison
- ☐ Cannon
- ☐ Eliason
- ☐ Flynn
- ☐ Lavery
- ☐ Lindgren
- ☐ Wallace Richmond



TO: His Worship Mayor Harrison and Members of Council

DATE: November 27, 2020

SUBJECT: **Zoning Bylaw Amendment Application No. 1191**  
**Development Variance Permit Application No. 521**

Legal: Lot 3, Block 1, Section 14, Township 20, Range 10, W6M KDYD, Plan 936

Civic: 31 – 4 street SE

Owner/Applicant: Brentwell Construction Ltd, Crevier, L. A. & S. P.

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### **MOTION FOR CONSIDERATION**

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

- 1) rezoning Lot 3, Block 1, Section 14, Township 20, Range 10, W6M KDYD, Plan 936 from R-1 (Single-Family Residential) to R-5 (High Density Residential); and
- 2) adding "Duplex" as a permitted use under Section 10.3 of the R-5 (High Density Residential) zone.

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

AND THAT: Development Variance Permit No. 521 be authorized for issuance for Lot 3, Block 1, Section 14, Township 20, Range 10, W6M KDYD, Plan 936 to vary the provisions of Zoning Bylaw No. 2303 as follows:

- 1) Section 10.9.3 – R-5 High Density Residential Zone – reduce the minimum setback from an interior side parcel line from 2.4 m (7.8 ft) to 2.0 m (6.6 ft) for the north parcel line; and
- 2) Section 10.9.3 – R-5 High Density Residential Zone – reduce the minimum setback from an interior side parcel line from 2.4 m (7.8 ft) to 2.0 m (6.6 ft) for the south parcel line.

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### **STAFF RECOMMENDATION**

THAT: The motion for consideration be adopted.

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### **PROPOSAL**

The subject parcel is located at 31 – 4 Street SE, just south of Fletcher Park (Appendices 1 and 2). It is designated High Density Residential (HR) in the City's Official Community Plan (OCP) and zoned R-1 (Single Family Residential) in the Zoning Bylaw (Appendix 3 and 4). The parcel dates back to 1911, is approximately 460 square metres in area, and is currently vacant (site photos attached as Appendix 5).

The purpose of this application is to rezone the subject parcel to accommodate the development of a duplex.

The Zoning Map attached shows the mix of zones in the immediate area, predominantly Residential (R-1, R-5 and R-8), with nearby Institutional and Commercial zones further to the north, west and east. Land uses adjacent to the subject parcel include the following:

North: Residential land (R-1 Single Family Residential)  
South: Residential land (R-5 Multi Family Residential)  
East: Road (4 Street SE) and P-3 (Institutional) land beyond  
West: Residential land (R-1 Single Family Residential)

A detailed preliminary site plan and building designs (Appendix 6) have been submitted to illustrate the development proposal. Staff note that under Section 8.4.46 of the OCP, *duplex* development that is not part of a multiple family development is exempt from a form and character residential development permit application.

### OCP POLICY

Within the OCP, the subject parcel is designated High Density Residential (HR) and is in Residential Development Area A, considered the highest priority for development. The proposed zoning amendment would align with the OCP's Urban Residential Objectives listed in Section 8.2 and the Urban Residential Policies listed in Section 8.3, including providing a variety of housing types, providing housing options, and supporting compact communities. In terms of siting, the proposal appears aligned with OCP Siting Policies under Section 8.3.19, including good access to transportation routes, recreation, community services, and utility servicing.

### COMMENTS

#### Ministry of Transportation & Infrastructure

MOTI has granted preliminary approval (Appendix 7).

#### Engineering Department

No Concerns. Servicing information provided to applicant in advance of development (Appendix 8).

#### Planning Department

The surrounding neighbourhood has been undergoing slow redevelopment with a mix of old and new single family housing, newer multi-family development, as well as institutional and commercial development. The subject parcel is located in an area well-suited for higher density residential development featuring sidewalks and transit routes, within close walking distance of the City Centre.

At present, the subject parcel presents some challenges for a high density development, considering the relative small size of the parcel. As noted, the Residential – High Density (HD) designation in the City's Official Community Plan (OCP) supports the proposed development scenario, which in the opinion of staff aligns with broad OCP policies.

The maximum residential density permitted under R-5 zoning is 100 dwelling units per hectare of land. As the subject property is 0.046 hectares in area, the maximum permitted density would be 4 dwelling units assuming: 1) the present gross areas of the subject parcel; and 2) no density bonus. With a density bonus under R-5 zoning, the maximum density is 130 units per hectare, or 5 units on 0.046 hectares, with a height increase to 15 m. All that being said, the constraints presented by the small parcel area of the subject parcel limits the development potential to less than 5 units.



Table 1 – R-5 Zoning Analysis (0.046 hectare area)

	<b>R-5 Permitted/Required</b>	<b>R-5 with Bonus</b>	<b>Proposed</b>
<b>Density</b>	4 units	5 units	2 units
<b>Height</b>	12 m	15 m	8.8 m
<b>Parcel Coverage</b>	55 %	70 %	35%
<b>Setback – front</b>	5 m	5 m	8.8 m
<b>Setback – interior side</b>	2.4 m	2.4 m	2.0 m
<b>Setback – rear</b>	5 m	5 m	5.6 m
<b>Parking</b>	5	5/6	4
<b>Small Car Spaces</b>	20 % (1)	20 % (1)	n/a

The minimum residential density currently permitted under R-5 zoning is 3 units in the form of a triplex. The applicant is currently proposing a 2-unit duplex development, and has requested the addition of "Duplex" as a permitted use in the R-5 Zone. Duplex is defined in the Zoning Bylaw as "any *building* divided into two *dwelling units*." Staff consider the addition of *Duplex* use to the R-5 Zone to be a positive option, allowing an additional housing option and increased density on smaller high density residential designated parcels, which would otherwise require some form of consolidation with adjacent parcels in order to achieve a developable minimum parcel area.

Duplex development is permitted in the R-2 and R-4 zones. Historically, duplexes and single family dwellings have not been permitted in the R-5 zone, in order to mandate and encourage higher density built forms in that zone. Given trends over the past 20 years and the small lot sizes in the High Density Residential designated city centre area, staff believe it is reasonable to allow duplex developments on smaller lots, which may not have realistic or timely potential for consolidation to larger parcel sizes.

Considering the proposed development concept, a 2-unit development within the R-5 Zone would be required to provide 3 parking stalls. 4 parking spaces are proposed. The provision of on-site parking is practical and necessary, as the opportunity for on-street parking at this site is very limited. Any future redevelopment to add additional dwelling units may be limited by parking requirements. Staff note that parking areas are required to meet the standards specified in the Zoning Bylaw, including hard surfacing, grading, drainage, and delineation (painted lines) of parking spaces.

Considering the requested interior side parcel line variances from 2.4 m to 2m, staff are not concerned as this request aligns with the typical 2 m setback required for a Duplex in the R-2 Duplex zone.

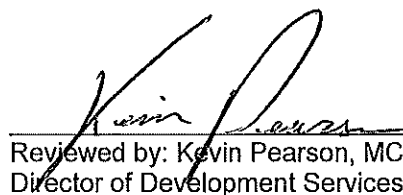
Staff are of the opinion that the proposed development should align well with the residential development to the north, south, and west. Staff have discussed the proposal with the applicant and given the detailed information the applicant has provided to date and their diligent approach. Staff are comfortable with the concept as proposed at this stage.

### CONCLUSION

The proposed R-5 zoning of the subject properties is consistent with OCP residential policy and is therefore supported by staff.

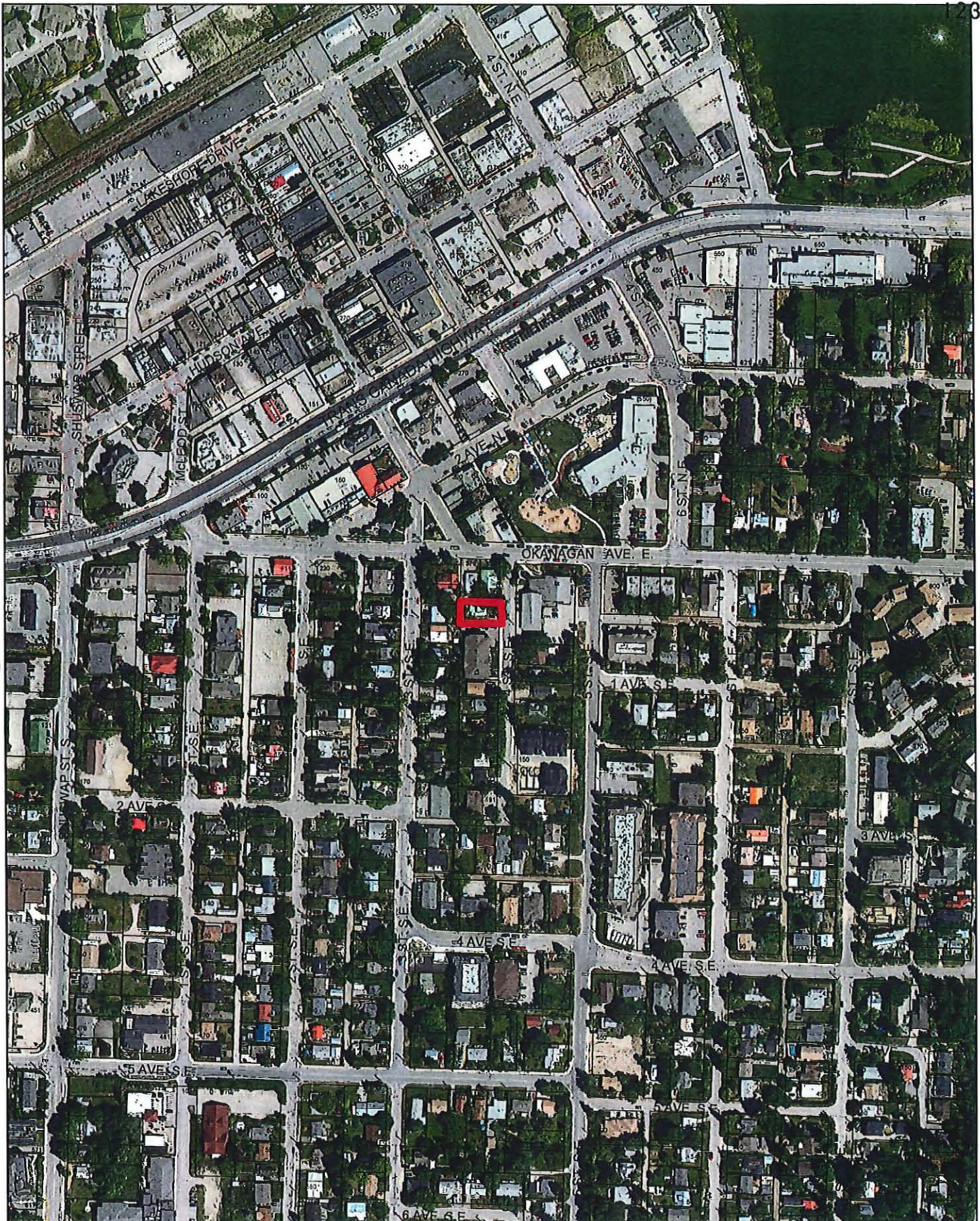


Prepared by: Chris Larson, MCIP, RPP  
Senior Planner



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



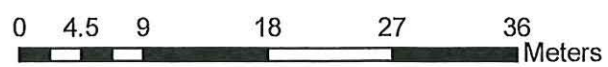


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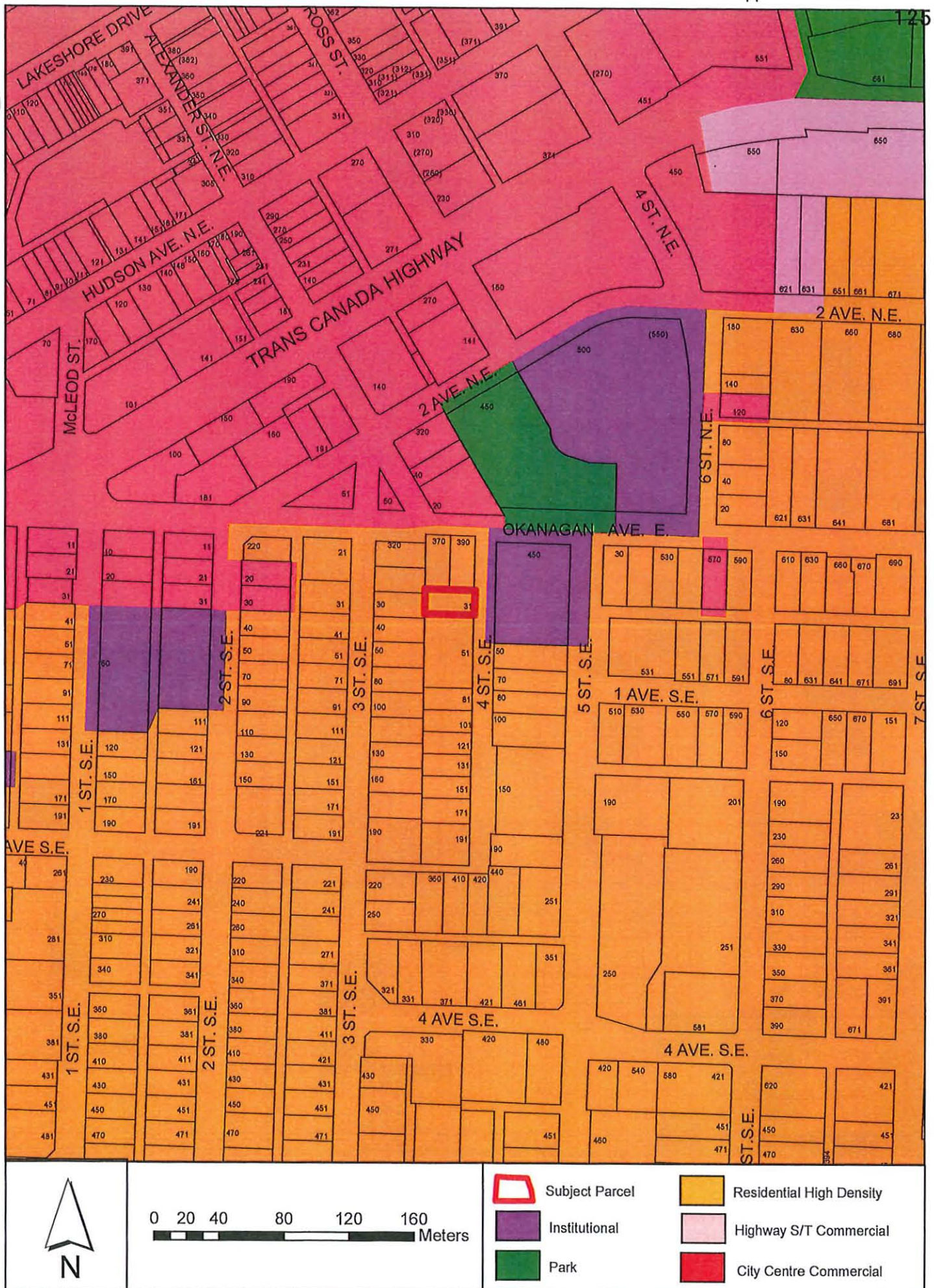
Subject Parcel



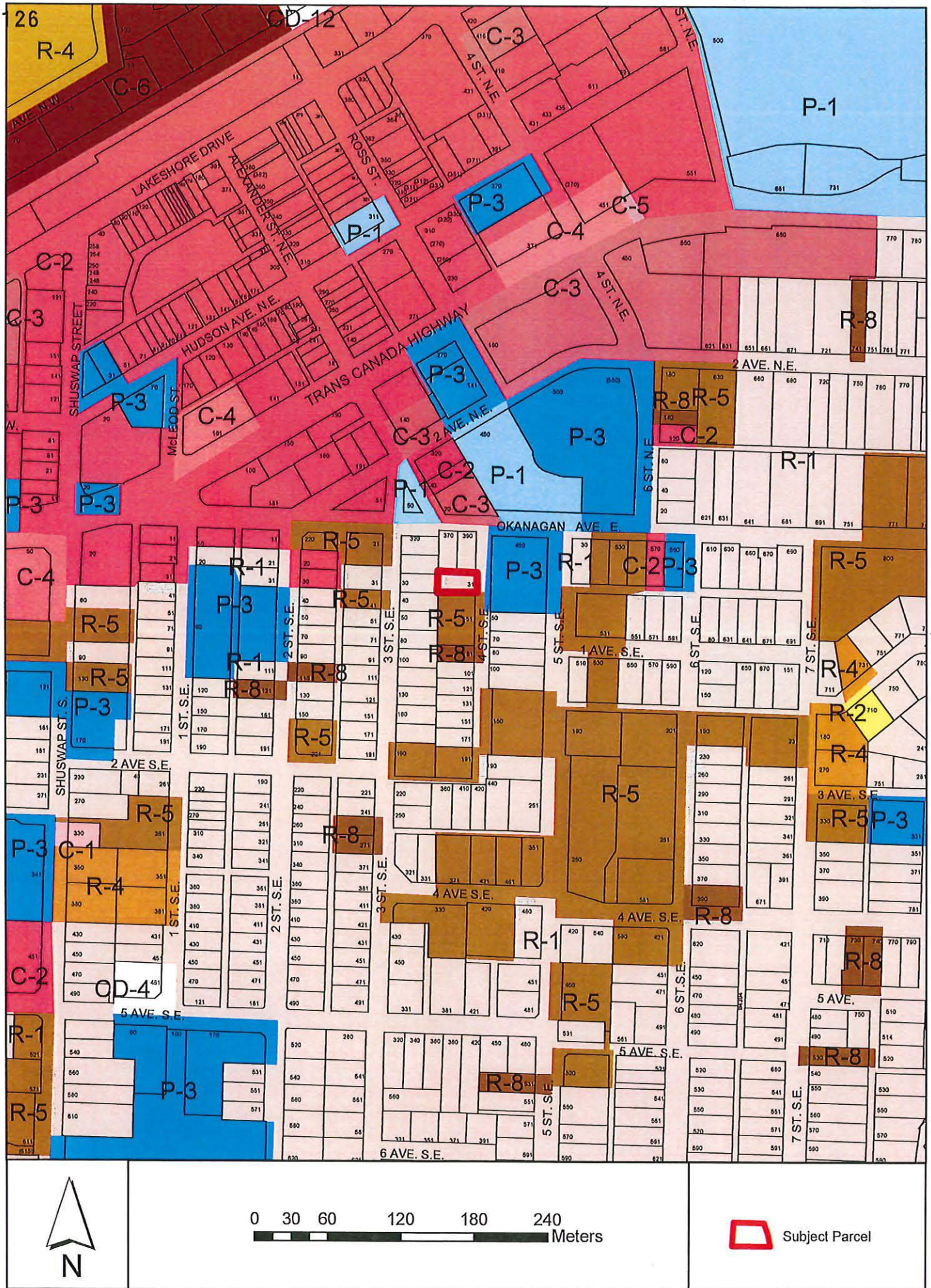


Subject Parcel













View of subject parcel southwest from 4 Street SE.



View of subject parcel northwest from 4 Street SE.





# A.1 SITE PLAN

SCALE 1/8" = 1'-0"

NOTE: Existing Neighbouring Garage & "Board Fence" Encroachment on Property

LINE OF BUILDING PROJECTION ALLOWANCE (MEASURED FROM PROPOSED SETBACK) "Please see T.2 below for details"

LINE OF PROPOSED BUILDING SETBACK "Please see T.2 below for details"

LINE OF BUILDING SETBACK (MEASURED FROM ADJACENT ROAD RIGHT-OF-WAY) "Please see T.2 below for details"

LINE OF BUILDING PROJECTION ALLOWANCE "Please see T.2 below for details"

LINE OF BUILDING PROJECTION ALLOWANCE (MEASURED FROM PROPOSED SETBACK) "Please see T.2 below for details"

LINE OF PROPOSED BUILDING SETBACK "Please see T.2 below for details"

LINE OF PROPOSED SETBACK ALLOWANCE "Please see T.2 below for details"

SITE PLAN PROVIDED BY BROWNE JOHNSON LAND SURVEYORS - FILE 204-20

Variance requested

Variance requested

## SHEET LIST

SHEET 1.0

- A.1 - Proposed Site Plan
- T.1-T.4 - General Notes & Information
- SHEET 2.0
- A.2 - Basement Floor Plan
- SHEET 3.0
- A.3 - Main Floor Plan
- SHEET 4.0
- A.4 - Upper Floor Plan
- SHEET 5.0
- E.1-E.3 - Elevations
- SHEET 6.0
- E.3-E.4 - Elevations

## T.4 - AREAS OF BUILDING

ALL AREAS LIMITED TO 15 SQUARE FEET

	TOTAL PER FLOOR
<b>BASEMENT LEVEL</b>	
UNIT 1	689.50
UNIT 2	689.50
<b>TOTAL FLOOR</b>	<b>1,379.0</b>
<b>MAIN FLOOR</b>	
UNIT 1	689.50
UNIT 2	689.50
<b>TOTAL FLOOR</b>	<b>1,379.0</b>
<b>UPPER FLOOR</b>	
UNIT 1	611.58
UNIT 2	611.58
<b>TOTAL FLOOR</b>	<b>1,223.16</b>
<b>UNIT 1 TOTAL FINISHED LIVING AREA</b>	<b>1,990.58</b>
<b>UNIT 2 TOTAL FINISHED LIVING AREA</b>	<b>1,990.58</b>
<b>TOTAL FINISHED LIVING AREA</b>	<b>3,981.16</b>

## T.1 - PROPERTY AND BUILDING INFORMATION

31 4TH STREET SE- ZONING R5  
LEGAL DESCRIPTION: LOT 3, BLK 1, PLAN 936,  
RANGE 10, TOWNSHIP 20, MERIDIAN 6  
PID 011-894-504

**SITE DENSITY:**  
ALLOWED: 4.21 UNITS (40.5 UNITS PER ACRE)  
PROPOSED: 2 UNITS

**SITE COVERAGE: (420.25m<sup>2</sup>)**  
BUILDINGS: 129.97m<sup>2</sup> = 30.93%  
ENTRY STEPS & SIDEWALKS: 20.20m<sup>2</sup> = 4.81%  
DRIVEWAY & PARKING: 79.02m<sup>2</sup> = 18.80%  
**TOTAL COVERAGE: 217.57m<sup>2</sup> = 54.54% (MAX 55%)**

**PARKING REQUIREMENTS:**  
DUPLX: 2.00 SPACES PER UNIT = 4.0  
BUILDINGS REQUIRED: 4.0  
PARKING PROVIDED: 4.0

## T.2 - BUILDING SETBACKS / PROJECTIONS INTO YARDS / BUILDING HEIGHT (BYLAW 2303):

R5 - HIGH DENSITY RESIDENTIAL SETBACKS	ALLOWED	PROPOSED	VARIANCE REQUESTED
FRONT YARD	5.00	8.80	NO
REAR YARD	5.00	5.57	NO
SIDE YARDS	2.40	2.00	YES

R5 - HIGH DENSITY RESIDENTIAL PROJECTIONS:	ALLOWED	PROPOSED	VARIANCE REQUESTED
FRONT YARD	0.60	N/A	NO
REAR YARD	0.60	0.60	NO
SIDE YARDS	0.60	0.60	NO
MAXIMUM AREA OF PROJECTIONS (EACH YARD)	1.60M <sup>2</sup>	<1.60M <sup>2</sup>	NO
MAXIMUM BUILDING HEIGHT	12.00	8.846	NO

## FIRE DEPARTMENT RESPONSE IS 10.15.3 BCBC:

\*NOTE: THE BELOW CALCULATIONS HAVE BEEN COMPLETED UNDER THE ASSUMPTION THAT THIS PROPERTY IS LOCATED WITHIN A 10 MINUTE FIRE RESPONSE TIME AREA; THE BELOW CALCULATIONS HAVE BEEN COMPLETED ACCORDINGLY

## T.3 - BCBC BUILDING REQUIREMENTS

GLAZED OPENINGS Table 9.10.15.4.						CONSTRUCTION REQUIREMENTS 9.10.15.5.		
EXPOSING FACE	LIMITING DISTANCE ACTUAL (m)	LIMITING DISTANCE FOR CALC (m)	AREA OF FACE (m <sup>2</sup> )	MAX ALLOW. GLAZING %	PROPOSED GLAZING %	MIN. REQ'D FIRE RESISTANCE RATING	TYPE OF CONSTRUCTION REQUIRED	TYPE OF GLAZING REQUIRED
EAST FACING	19.42	19.42	72.56	100	>100	N/A	COMBUSTIBLE OR NONCOMBUSTIBLE	COMBUSTIBLE OR NONCOMBUSTIBLE
SOUTH FACING	1.46	1.46	71.92	7	6.27	N/A	COMBUSTIBLE OR NONCOMBUSTIBLE	COMBUSTIBLE OR NONCOMBUSTIBLE
WEST FACING	5.57	5.57	77.22	28	14.92	N/A	COMBUSTIBLE OR NONCOMBUSTIBLE	COMBUSTIBLE OR NONCOMBUSTIBLE
NORTH FACING	1.46	1.46	71.92	7	6.27	N/A	COMBUSTIBLE OR NONCOMBUSTIBLE	COMBUSTIBLE OR NONCOMBUSTIBLE

BUILD BY:

**BRENTWELL**  
Construction Inc.

DESIGN BY:

**J3 | JADE BAY**  
Design Concept

4168 Evans Road  
Ottawa, K1C 4V9  
1.203.418.3242  
a.davis@brentwellconstruction.com

project:  
**BRENTWELL**  
**CONSTRUCTION**

DUPLX

31

4th STREET SE  
SALMON ARM, BC

revision:  
1: 08.27.2020 - FOR  
PARKING REVIEW  
2: 09.21.2020 - REVISED  
LAYOUT  
3: 10.02.2020 - FOR  
REZONING

note:

\*ALL MEASUREMENTS  
SHOWN IN METERS UNLESS  
OTHERWISE INDICATED

date drawn:  
AUGUST 25th, 2020

date issued:  
OCTOBER 2nd, 2020

scale:  
1/8" = 1'-0"

drawing:  
A.1 - SITE PLAN  
T.1 - PROPERTY & BLDG INFO  
T.2 - BLDG SETBACKS  
T.3 - BCBC REQUIREMENTS

sheet:  
1.0 OF 6.0

Appendix 6: Site Plan and Building Elevations



**D.2 WALL CONSTRUCTION DETAILS**

**TYPICAL EXTERIOR WALL CONSTRUCTION**  
 - 1/2" Gypsum Board;  
 - 1/2" Rigid Vapor Barrier (Warm Side);  
 - 2x4 Studs @ 16" O.C.;  
 - All Parts noted to later system below;  
 - 1/2" Gypsum Board;  
 - 1/2" Rigid Vapor Barrier;  
 - 2x4 Studs @ 16" O.C.;  
 - 1/2" Gypsum Board;  
 - 1/2" Rigid Vapor Barrier;  
 - 2x4 Studs @ 16" O.C.

**EW1 TYPICAL EXTERIOR WALL**

**TYPICAL PARTY WALL CONSTRUCTION**  
 - 1/2" Gypsum Board;  
 - 1/2" Rigid Vapor Barrier (Warm Side);  
 - 2x4 Studs @ 16" O.C.;  
 - All Parts noted to later system below;  
 - 1/2" Gypsum Board;  
 - 1/2" Rigid Vapor Barrier;  
 - 2x4 Studs @ 16" O.C.;  
 - 1/2" Gypsum Board;  
 - 1/2" Rigid Vapor Barrier;  
 - 2x4 Studs @ 16" O.C.

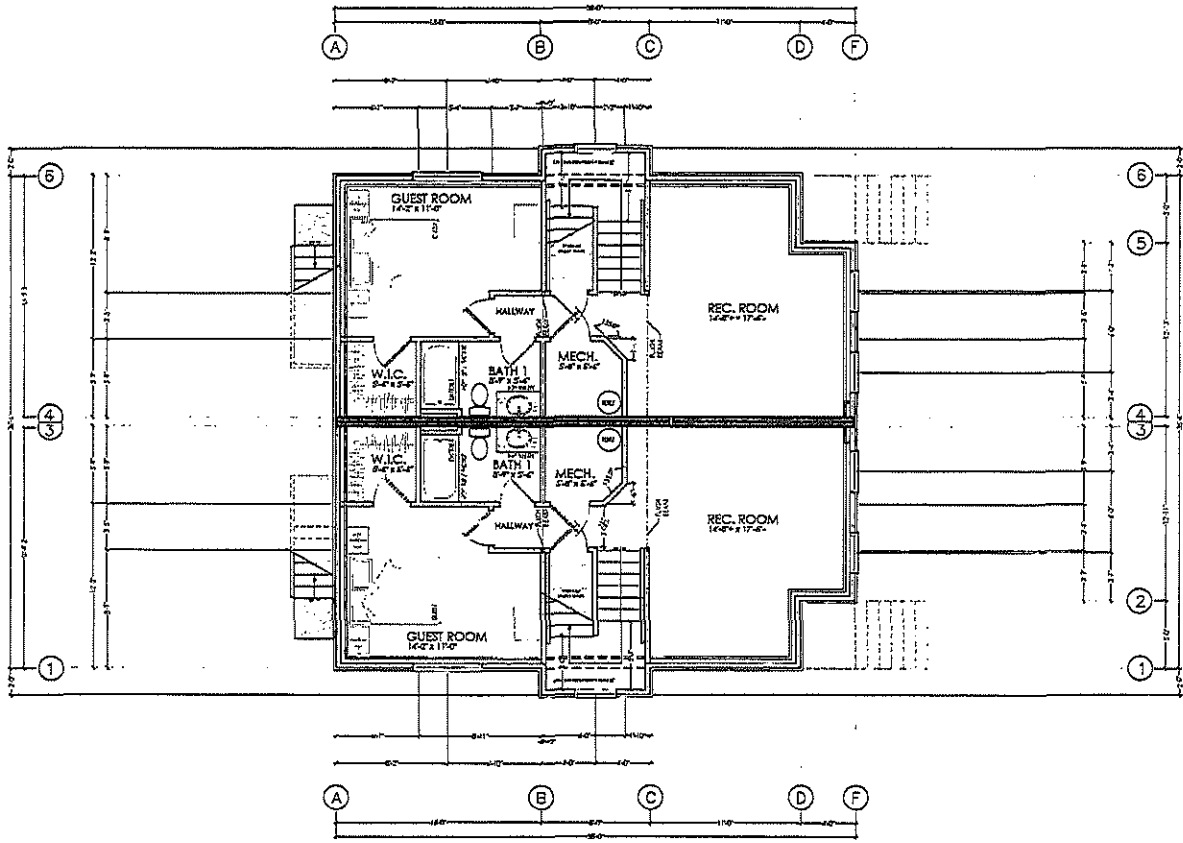
**W122 TYPICAL PARTY WALL**

**TYPICAL INTERIOR WALL CONSTRUCTION**  
 - 1/2" Gypsum Board;  
 - 1/2" Rigid Vapor Barrier (Warm Side);  
 - 2x4 Studs @ 16" O.C.;  
 - All Parts noted to later system below;  
 - 1/2" Gypsum Board;  
 - 1/2" Rigid Vapor Barrier;  
 - 2x4 Studs @ 16" O.C.

**W1 TYPICAL INT. PARTITION**

**TYPICAL INTERIOR MASONRY WALL CONSTRUCTION**  
 - 1/2" Gypsum Board;  
 - 1/2" Rigid Vapor Barrier (Warm Side);  
 - 2x4 Studs @ 16" O.C.;  
 - All Parts noted to later system below;  
 - 1/2" Gypsum Board;  
 - 1/2" Rigid Vapor Barrier;  
 - 2x4 Studs @ 16" O.C.

**W1 TYPICAL BEARING WALL**



**BASEMENT FLOOR PLAN**  
 SCALE 1/4" = 1'-0"  
**A-2**  
 2.0

**BUILD BY:**  
**BRENTWELL CONSTRUCTION**

**DESIGN BY:**  
**J.B. JADE BAY**  
 Design Consultant

**PROJECT:**  
**BRENTWELL CONSTRUCTION**  
 DUPLEX

**31**  
**4th STREET SE**  
 SALMON ARM, B.C.

**REVISION:**  
 1: 08.27.2020 - FOR  
 PARKING REVIEW  
 2: 09.21.2020 - REVISION  
 LAYOUT  
 3: 10.02.2020 - FOR  
 REDLINING

**note:**  
 - ALL CEILING 8'-0"  
 - AFF = ABOVE FINISHED  
 FLOOR  
 - CONFIRM ALL FIGURES  
 LOCATIONS WITH SUPPLIERS  
 - SEE FLOOR JOIST PLAN  
 FOR JOIST DIRECTION

**date drawn:**  
 SEPTEMBER 22nd, 2020

**date issued:**  
 OCTOBER 2nd, 2020

**scale:**  
 1/4" = 1'-0"

**drawing:**  
 A-2 - BASEMENT FLOOR  
 PLAN

**sheet:**  
 2.0 OF 4.0

# D.2 WALL CONSTRUCTION DETAILS

TYPICAL EXTERIOR WALL CONSTRUCTION  
 - 1/2" Drywall Board  
 - 1/2" Vapor Barrier (Membrane)  
 - 2x4 Studs @ 16" O.C.  
 - 2x6 Posts (noted in floor system below)  
 - 2x12 Sill (noted in floor system below)  
 - 2x6 Exterior Sheathing  
 - 2x6 Sill (noted in floor system below)  
 - 2x6 Sill (noted in floor system below)  
 - 2x6 Sill (noted in floor system below)  
 - 2x6 Sill (noted in floor system below)

W1 TYPICAL EXTERIOR WALL

TYPICAL PARTY WALL CONSTRUCTION  
 - 1/2" Drywall Board  
 - 2x4 Studs @ 16" O.C.  
 - 2x6 Posts (noted in floor system below)  
 - 2x6 Sill (noted in floor system below)  
 - 2x6 Sill (noted in floor system below)  
 - 2x6 Sill (noted in floor system below)  
 - 2x6 Sill (noted in floor system below)

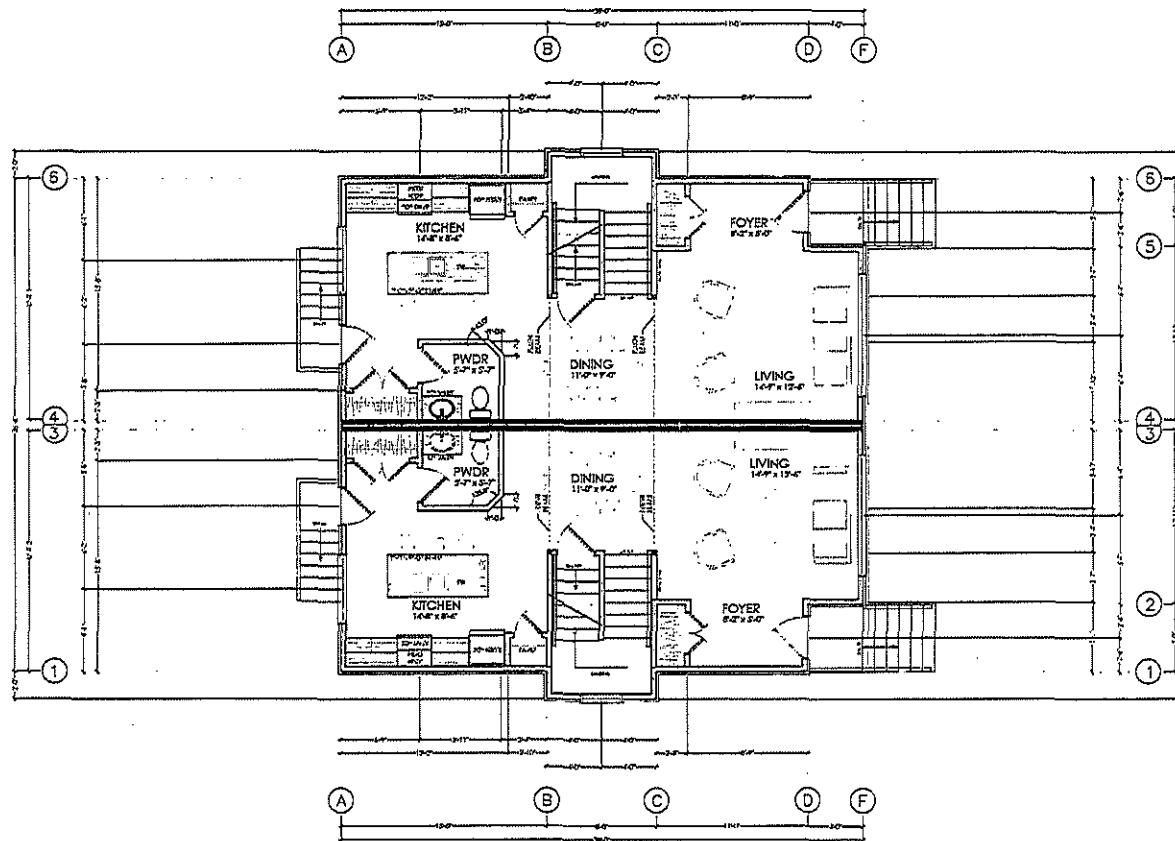
W2 TYPICAL PARTY WALL

TYPICAL INTERIOR WALL CONSTRUCTION  
 - 1/2" Drywall Board (both sides)  
 - 2x4 Studs @ 16" O.C.  
 - 2x6 Posts (noted in floor system below)  
 - 2x6 Sill (noted in floor system below)  
 - 2x6 Sill (noted in floor system below)  
 - 2x6 Sill (noted in floor system below)

W3 TYPICAL INT. PARTITION

TYPICAL INTERIOR BEARING WALL CONSTRUCTION  
 - 1/2" Drywall Board (both sides)  
 - 2x4 Studs @ 16" O.C.  
 - 2x6 Posts (noted in floor system below)  
 - 2x6 Sill (noted in floor system below)  
 - 2x6 Sill (noted in floor system below)  
 - 2x6 Sill (noted in floor system below)

W4 TYPICAL BEARING WALL



MAIN FLOOR PLAN  
 SCALE: 1/4" = 1'-0"

**BUILD BY:**  
 BRENTWELL CONSTRUCTION

**DESIGN BY:**  
 B | JADE BAY  
 Design Group

**PROJECT:**  
 BRENTWELL CONSTRUCTION  
 DUPLEX

**31**  
 4th STREET SE  
 SALMON ARM, BC

**REVISION:**  
 1: 09.27.2020 - FOR PARKING REVIEW  
 2: 09.21.2020 - REVIEW LAYOUT  
 3: 10.22.2020 - FOR REZONING

**NOTE:**  
 - ALL CEILING 9'-0" EXCEPT WHERE DROPPED AS REQUIRED FOR HVAC  
 - AFF = ABOVE FINISHED FLOOR  
 - \*CONFIRM ALL FEATURE LOCATIONS WITH SUPPLIER  
 - \*SEE ROOF PLAN FOR TOPOGRAPHY DIRECTION

**DATE DRAWN:**  
 SEPTEMBER 18th, 2020

**DATE ISSUED:**  
 OCTOBER 2nd, 2020

**SCALE:**  
 1/4" = 1'-0"

**DRAWING:**  
 A.3 - MAIN FLOOR PLAN

**SHEET:**  
 30 OF 60

D.2  
3.0 WALL CONSTRUCTION DETAILS

**TYPICAL EXTERIOR WALL CONSTRUCTION**  
 -1/2" Gypsum Board  
 -4 mil Vapor Barrier (Warm Side)  
 -2x4 Stud @ 24" O.C.  
 -2x4 Rafter nailed to Stud (Warm Side)  
 -4-2x10 Ins. Batt Insulation  
 -1/2" Exterior Sheathing  
 -Cladding (Warm)  
 -Exterior Cladding (Warm)  
 -4x10 V-Join (Warm) 4-2x10

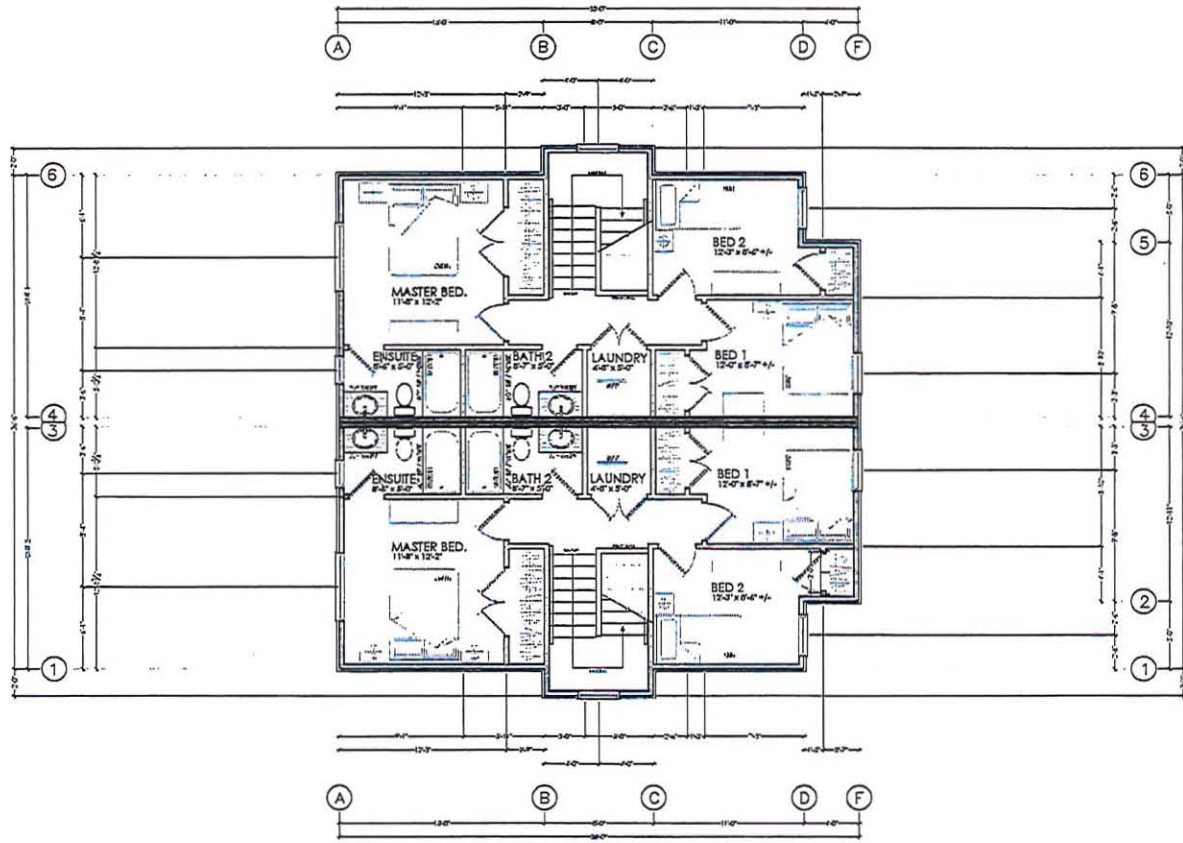
EW1 TYPICAL EXTERIOR WALL

**TYPICAL PARTY WALL CONSTRUCTION**  
 -1/2" Gypsum Board  
 -2x4 Stud @ 24" O.C.  
 -4-2x10 Ins. Batt Insulation  
 -1/2" Exterior Sheathing  
 -Cladding (Warm)  
 -Exterior Cladding (Warm)  
 -4x10 V-Join (Warm) 4-2x10

WP10 TYPICAL PARTY WALL

**TYPICAL INTERIOR WALL CONSTRUCTION**  
 -1/2" Gypsum Board  
 -2x4 Stud @ 24" O.C.  
 -4-2x10 Ins. Batt Insulation  
 -1/2" Exterior Sheathing  
 -Cladding (Warm)  
 -Exterior Cladding (Warm)  
 -4x10 V-Join (Warm) 4-2x10

WI1 TYPICAL INTERIOR PARTITION



UPPER FLOOR PLAN  
SCALE 1/4" = 1'-0"

**BUILD BY:**  
BRENTWELL CONSTRUCTION

**DESIGN BY:**  
JB | JADE BAY  
Design Consult

**PROJECT:**  
BRENTWELL CONSTRUCTION  
DUPLEX  
31  
4th STREET  
SALMON ARM, BC

**REVISION:**  
1: 08.27.2020 - FOR PARKING REVIEW  
2: 09.21.2020 - REVISED LAYOUT  
3: 10.02.2020 - FOR REZONING

**NOTE:**  
-ALL CEILINGS 8'-0"  
-APP = ABOVE FINISHED FLOOR  
-CONFIRM ALL FUTURE LOCATIONS WITH SUPPLIERS  
-SEE ROOF PLAN FOR TOPOGRAPHY DIRECTION

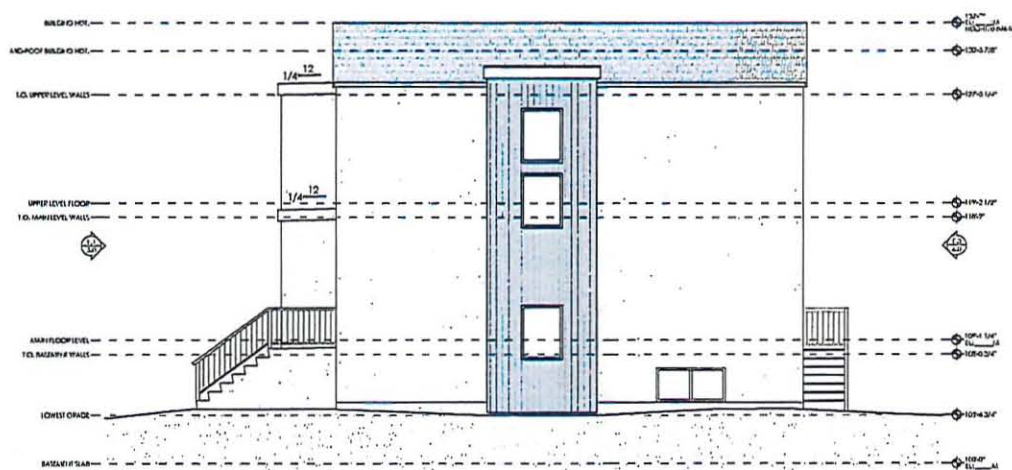
**DATE DRAWN:**  
SEPTEMBER 22nd, 2020

**DATE ISSUED:**  
OCTOBER 2nd, 2020

**SCALE:**  
1/4" = 1'-0"

**DRAWING:**  
A.4 - UPPER FLOOR PLAN

**SHEET:**  
4.0 OF 6.0



ELEVATION 2 - NORTH  
SCALE: 1/4" = 1'-0"

sheet:  
5.0 OF 6.0





Your File #: ZON-1191  
 eDAS File #: 2020-05044  
 Date: Oct/19/2020

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

Attention: City of Salmon Arm Development Services

**Re: Proposed Bylaw 4421 for:**  
**LOT 3 BLOCK 2 14-20-10 W6M KDYD PLAN 936**

Preliminary Approval is granted for the rezoning for one year pursuant to section 52(3)(a) of the *Transportation Act*.

If you have any questions please feel free to call Tara Knight at (250) 833-3374.  
 Yours truly,

Tara Knight  
 Development Officer

Local District Address
Salmon Arm Area Office Bag 100 850C 16th Street NE Salmon Arm, BC V1E 4S4 Canada Phone: (250) 712-3660 Fax: (250) 833-3380



*Memorandum from the  
Engineering and Public  
Works Department*

---

TO: Kevin Pearson, Director of Development Services  
DATE: November 26, 2020  
PREPARED BY: Matt Gienger, Engineering Assistant  
APPLICANT: **Brentwell Construction Ltd., 1009 Kalamalka Lake Road,  
Vernon, B.C., V1T 6V4**  
SUBJECT: **ZONING AMENDMENT NO. ZON-1191  
VARIANCE APPLICATION FILE VP-521**  
LEGAL: Lot 3, Block 1, Section 14, Township 20, Range 10, W6M KDYD, Plan 936  
CIVIC: **31 – 4 Street SE**

---

Further to your referral dated October 15, 2020, we provide the following servicing information. **The following comments and servicing requirements are not conditions for Rezoning or Variance application; however, these comments are provided as a courtesy in advance of any development proceeding to the next stages:**

**Engineering Department does not have any concerns related to the Re-zoning or Variance application and recommends that they be approved.**

**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.

**ZONING AMENDMENT NO. ZON-1191**  
**VARIANCE APPLICATION FILE VP-521**  
November 26, 2020  
Page 2

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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. 4 Street SE, on the subject property's eastern boundary, is designated as an Urban Local Road standard, requiring 18.0m road dedication (9.0m on either side of road centerline). Available records indicate that 2.902m of additional road dedication is required (to be confirmed by a BCLS). Low traffic volume and historic requirements of development on this area of 4 Street SE indicates that a 20.0m ROW is not required (RD-2) and 18.0m is suitable for demand.
2. 4 Street SE is currently constructed to an Interim Local Paved Road standard. Upgrading to an Urban Paved Local Road standard is required, in accordance with Specification Drawing No. RD-1. Upgrading may include, but is not limited to, road widening and construction, curb & gutter, sidewalk, boulevard construction, street lighting, street drainage 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. Accesses shall be designed by keeping to a minimum number. Only one (1), 8.0m wide curb letdown and driveway access will be permitted onto 4 Street SE. Owner / Developer responsible for all associated costs.

**Water:**

1. The subject property fronts a 200mm diameter Zone 1 watermain on 4 Street SE. No upgrades will be required at this time.

**ZONING AMENDMENT NO. ZON-1191**  
**VARIANCE APPLICATION FILE VP-521**  
November 26, 2020  
Page 3

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2. Records indicate that the existing property is serviced by a 19mm service from the 200mm diameter watermain on 4 Street SE. Due to the size of the existing service, upgrading to a new metered service (minimum 25mm) will be required. Owner / Developer is responsible for all associated costs.
3. The subject property is to be serviced by a single metered water service connection (as per Specification Drawing No. W-10), adequately sized to satisfy the proposed use (minimum 25mm). Water meter will be supplied by the City at the time of building permit, at the Owner / Developer's cost. Owner / Developer is responsible for all associated costs.
4. The subject property is in an area with sufficient fire flows and pressures according to the 2011 Water Study (OD&K 2012).
5. Fire protection requirements to be confirmed with the Building Department and Fire Department.

**Sanitary:**

1. The subject property fronts a 200mm diameter sanitary sewer on 4 Street SE. No upgrades will be required at this time.
2. The subject parcel is to be serviced by a single sanitary service connection adequately sized (minimum 100mm diameter) to satisfy the servicing requirements of the development. Owner / Developer is responsible for all associated costs.
3. Records indicate that the existing property is serviced by a 100mm service from the sanitary sewer on 4 Street SE. No upgrades are required at this time, provided the existing service is adequately size for the proposed development.
4. Owner/Developer's engineer may need to confirm the downstream sanitary main can accommodate additional capacity of the proposed development, subject to the approval of the City Engineer. Owner/Developer is responsible for all associated costs.

**Drainage:**

1. The subject property fronts a 250mm diameter storm sewer on 4 Street SE. No upgrades will be required at this time.
2. Records indicate that the existing property is not currently connected to 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.



**ZONING AMENDMENT NO. ZON-1191**  
**VARIANCE APPLICATION FILE VP-521**  
November 26, 2020  
Page 4

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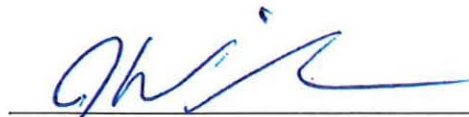
4. Where onsite disposal of stormwater is recommended by the ISMP, an "Alternative Stormwater System" shall be provided in accordance with Section 7.2.
5. Where discharge into the Municipal Stormwater Collection System is recommended by the ISMP, this shall be in accordance with Section 7.3. The subject parcel shall be serviced by a single storm service connection adequately sized (minimum 150mm) to satisfy the servicing requirements of the development. All existing inadequate / unused services must be abandoned at the main. 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), Category B (Pavement Structural Design), is required.



**Matt Gienger**  
Engineering Assistant



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

-----Original Message-----

From: Patricia ponich

Sent: January-13-21 11:31 AM

To: Caylee Simmons

Subject: Proposed Amendment to Zoning Bylaw No. 2303

To Whom It May Concern,

I am writing in regards to the rezoning proposal at 31- 4th St. SE. As the owner of the neighbouring apartment building (Patricia Manor) located at 51- 4th St. SE, I am concerned about the provisions for parking in the proposal. It appears that only 4 parking stalls are in the provisions and that will be insufficient. After the development of Maplelane Townhomes located at 150 4th St. SE, it lead to a huge increase in street parking to the south end of 4th St. This was due to the lack of sufficient parking that should have been in the provisions for that particular development. Our concern is that the lack of sufficient parking for the proposal at 31- 4th St. SE will lead to the same increase to street parking to the north end of 4th St. As you are already well aware, 4th St. SE was not built to accommodate the volume of street parking we already have and certainly not built to accommodate more.

Now that you know my concern, my question is: what is the city's plan for off site/street parking on 4th St. SE with the proposal of another R-5 (high density residential) lot knowing that there is already high volume street parking issues that exist?

Thank you for taking my concerns and question. I look forward to hearing your response.

Murray Ponich

Sent from my iPad

23. STATUTORY PUBLIC HEARINGS

1. Zoning Amendment Application No. ZON-1191 [Brentwell Construction Ltd.; 31 ~ 4 Street SE; R-1 to R-5]

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

Submissions were called for at this time.

Following three calls for submissions and questions from Council, the Public Hearing was closed at 7:37 p.m. and the next item ensued.

22. HEARINGS

2. Development Variance Permit Application No. VP-521 [Brentwell Construction Ltd.; 31 - 4 Street SE; Setback Requirements]

0079-2021

Moved: Councillor Cannon

Seconded: Councillor Wallace Richmond

THAT: Development Variance Permit No. VP-521 be authorized for issuance for Lot 3, Block 1, Section 14, Township 20, Range 10, W6M, KDYD, Plan 936 to vary the provisions of Zoning Bylaw No. 2303 as follows:

- 1) Section 10.9.3 – R-5 High Density Residential Zone – reduce the minimum setback from an interior side parcel line from 2.4 m (7.8 ft) to 2.0 m (6.6 ft) for the north parcel line; and
- 2) Section 10.9.3 – R-5 High Density Residential Zone – reduce the minimum setback from an interior side parcel line from 2.4 m (7.8 ft) to 2.0 m (6.6 ft) for the south parcel line.

The Director of Development Services explained the proposed Development Variance Permit Application.

Submissions were called for at this time.

Following three calls for submissions and questions from Council, the Hearing was closed at 7:32 p.m. and the Motion was:

CARRIED UNANIMOUSLY



## CITY OF SALMON ARM

### BYLAW NO. 4421

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

---

WHEREAS notice of a Public Hearing to be held by the Council of the City of Salmon Arm in the Council Chambers at City Hall, 500 – 2 Avenue NE, Salmon Arm, British Columbia and by electronic means as authorized by Ministerial Order M192, British Columbia, on January 25, 2021 at the hour of 7:00 p.m. was published in the January 13 and 20, 2021 issues of the Salmon Arm Observer;

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

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

1. "District of Salmon Arm Zoning Bylaw No. 2303" is hereby amended as follows:
  - 1) Rezone Lot 3, Block 1, Section 14, Township 20, Range 10, W6M, KDYD, Plan 936 from R-1 (Single Family Residential Zone) to R-5 (High Density Residential Zone), shown on Schedule "A" attached hereto and forming part of this bylaw; and
  - 2) Addition of the defined "Duplex" use to the R-5 (High Density Residential) zone.

#### 2. SEVERABILITY

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

#### 3. ENACTMENT

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

#### 4. EFFECTIVE DATE

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

City of Salmon Arm  
Zoning Amendment Bylaw No. 4421

5. CITATION

This bylaw may be cited as "City of Salmon Arm Zoning Amendment Bylaw No. 4421"

READ A FIRST TIME THIS 14 DAY OF December 2020

READ A SECOND TIME THIS 14 DAY OF December 2020

READ A THIRD TIME THIS 25 DAY OF January 2021

APPROVED PURSUANT TO SECTION 52 (3) (a) OF THE TRANSPORTATION ACT  
ON THE 5th DAY OF February 2021



For Minister of Transportation & Infrastructure

ADOPTED BY COUNCIL THIS DAY OF 2021

\_\_\_\_\_  
MAYOR

\_\_\_\_\_  
CORPORATE OFFICER

SCHEDULE "A"



Item 11.2

## CITY OF SALMON ARM

Date: February 22, 2021

Moved: Councillor

Seconded: Councillor

THAT: the bylaw entitled City of Salmon Arm Land Use Contract Termination Bylaw No. 4430 be read a final time.

[LUC N54304; Abacus Cities Ltd.; Units 101 – 506, 1449 – 1 Avenue NE; Units 302 - 806, 1451 – 1 Avenue NE; 130 – 230 – 15 Street NE; 1480 – 1570 – 1 Avenue NE; 1451 – 1531 Okanagan Avenue NE]

### Vote Record

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

Opposed:

- ☐ Harrison
- ☐ Cannon
- ☐ Eliason
- ☐ Flynn
- ☐ Lavery
- ☐ Lindgren
- ☐ Wallace Richmond



To: His Worship Mayor Harrison and Members of Council

Date: November 23, 2020

Subject: Land Use Contract Termination and Zoning Bylaw Amendment – Abacus Cities Ltd.

### **MOTION FOR CONSIDERATION**

**THAT: A bylaw be prepared for Council's consideration, adoption of which would terminate the following Land Use Contract N54304 for the parcels legally described as:**

<b>028-875-656</b>	Strata Lot 1, Section 13, Township 20, Range 10, W6M, KDYD, Strata Plan EPS740	201, 1449 1 Avenue NE
<b>028-875-664</b>	Strata Lot 2, Section 13, Township 20, Range 10, W6M, KDYD, Strata Plan EPS740	202, 1449 1 Avenue NE
<b>028-875-672</b>	Strata Lot 3, Section 13, Township 20, Range 10, W6M, KDYD, Strata Plan EPS740	203, 1449 1 Avenue NE
<b>028-875-681</b>	Strata Lot 4, Section 13, Township 20, Range 10, W6M, KDYD, Strata Plan EPS740	204, 1449 1 Avenue NE
<b>028-875-699</b>	Strata Lot 5, Section 13, Township 20, Range 10, W6M, KDYD, Strata Plan EPS740	205, 1449 1 Avenue NE
<b>028-875-702</b>	Strata Lot 6, Section 13, Township 20, Range 10, W6M, KDYD, Strata Plan EPS740	206, 1449 1 Avenue NE
<b>029-092-736</b>	Strata Lot 7, Section 13, Township 20, Range 10, W6M, KDYD, Strata Plan EPS740	101, 1449 1 Avenue NE
<b>029-092-744</b>	Strata Lot 8, Section 13, Township 20, Range 10, W6M, KDYD, Strata Plan EPS740	102, 1449 1 Avenue NE
<b>029-092-752</b>	Strata Lot 9, Section 13, Township 20, Range 10, W6M, KDYD, Strata Plan EPS740	103, 1449 1 Avenue NE
<b>029-092-761</b>	Strata Lot 10, Section 13, Township 20, Range 10, W6M, KDYD, Strata Plan EPS740	104, 1449 1 Avenue NE
<b>029-092-779</b>	Strata Lot 11, Section 13, Township 20, Range 10, W6M, KDYD, Strata Plan EPS740	105, 1449 1 Avenue NE
<b>029-092-787</b>	Strata Lot 12, Section 13, Township 20, Range 10, W6M, KDYD, Strata Plan EPS740	106, 1449 1 Avenue NE
<b>029-501-237</b>	Strata Lot 13, Section 13, Township 20, Range 10, W6M, KDYD, Strata Plan EPS740	301, 1449 1 Avenue NE
<b>029-501-245</b>	Strata Lot 14, Section 13, Township 20, Range 10, W6M, KDYD, Strata Plan EPS740	302, 1449 1 Avenue NE
<b>029-501-253</b>	Strata Lot 15, Section 13, Township 20, Range 10, W6M, KDYD, Strata Plan EPS740	303, 1449 1 Avenue NE
<b>029-501-261</b>	Strata Lot 16, Section 13, Township 20, Range 10, W6M, KDYD, Strata Plan EPS740	304, 1449 1 Avenue NE
<b>029-501-270</b>	Strata Lot 17, Section 13, Township 20, Range 10, W6M, KDYD, Strata Plan EPS740	305, 1449 1 Avenue NE
<b>029-501-288</b>	Strata Lot 18, Section 13, Township 20, Range 10, W6M, KDYD, Strata Plan EPS740	306, 1449 1 Avenue NE
<b>029-686-121</b>	Strata Lot 19, Section 13, Township 20, Range 10, W6M, KDYD, Strata Plan EPS740	401, 1449 1 Avenue NE
<b>029-686-130</b>	Strata Lot 20, Section 13, Township 20, Range 10, W6M, KDYD, Strata Plan EPS740	402, 1449 1 Avenue NE
<b>029-686-148</b>	Strata Lot 21, Section 13, Township 20, Range 10, W6M, KDYD, Strata Plan EPS740	403, 1449 1 Avenue NE
<b>029-686-156</b>	Strata Lot 22, Section 13, Township 20, Range 10, W6M, KDYD, Strata Plan EPS740	404, 1449 1 Avenue NE

<b>029-686-164</b>	Strata Lot 23, Section 13, Township 20, Range 10, W6M, KDYD, Strata Plan EPS740	405 1449 1 Avenue NE
<b>029-686-172</b>	Strata Lot 24, Section 13, Township 20, Range 10, W6M, KDYD, Strata Plan EPS740	406, 1449 1 Avenue NE
<b>029-775-698</b>	Strata Lot 25, Section 13, Township 20, Range 10, W6M, KDYD, Strata Plan EPS740	501, 1449 1 Avenue NE
<b>029-775-701</b>	Strata Lot 26, Section 13, Township 20, Range 10, W6M, KDYD, Strata Plan EPS740	502, 1449 1 Avenue NE
<b>029-775-710</b>	Strata Lot 27, Section 13, Township 20, Range 10, W6M, KDYD, Strata Plan EPS740	503, 1449 1 Avenue NE
<b>029-775-728</b>	Strata Lot 28, Section 13, Township 20, Range 10, W6M, KDYD, Strata Plan EPS740	504, 1449 1 Avenue NE
<b>029-775-736</b>	Strata Lot 29, Section 13, Township 20, Range 10, W6M, KDYD, Strata Plan EPS740	505, 1449 1 Avenue NE
<b>029-775-744</b>	Strata Lot 30, Section 13, Township 20, Range 10, W6M, KDYD, Strata Plan EPS740	506, 1449 1 Avenue NE
<b>002-206-854</b>	Strata Lot 1, Section 13, Township 20, Range 10, W6M, KDYD, Strata Plan KAS507	603, 1451 1 Avenue NE
<b>002-206-862</b>	Strata Lot 2, Section 13, Township 20, Range 10, W6M, KDYD, Strata Plan KAS507	601, 1451 1 Avenue NE
<b>002-206-871</b>	Strata Lot 3, Section 13, Township 20, Range 10, W6M, KDYD, Strata Plan KAS507	604, 1451 1 Avenue NE
<b>002-206-897</b>	Strata Lot 4, Section 13, Township 20, Range 10, W6M, KDYD, Strata Plan KAS507	602, 1451 1 Avenue NE
<b>002-206-901</b>	Strata Lot 5, Section 13, Township 20, Range 10, W6M, KDYD, Strata Plan KAS507	503, 1451 1 Avenue NE
<b>002-206-919</b>	Strata Lot 6, Section 13, Township 20, Range 10, W6M, KDYD, Strata Plan KAS507	501, 1451 1 Avenue NE
<b>002-206-927</b>	Strata Lot 7, Section 13, Township 20, Range 10, W6M, KDYD, Strata Plan KAS507	504, 1451 1 Avenue NE
<b>002-206-935</b>	Strata Lot 8, Section 13, Township 20, Range 10, W6M, KDYD, Strata Plan KAS507	502, 1451 1 Avenue NE
<b>002-206-943</b>	Strata Lot 9, Section 13, Township 20, Range 10, W6M, KDYD, Strata Plan KAS507	703, 1451 1 Avenue NE
<b>002-206-951</b>	Strata Lot 10, Section 13, Township 20, Range 10, W6M, KDYD, Strata Plan KAS507	701, 1451 1 Avenue NE
<b>002-206-960</b>	Strata Lot 11, Section 13, Township 20, Range 10, W6M, KDYD, Strata Plan KAS507	704, 1451 1 Avenue NE
<b>002-206-978</b>	Strata Lot 12, Section 13, Township 20, Range 10, W6M, KDYD, Strata Plan KAS507	702, 1451 1 Avenue NE
<b>002-206-986</b>	Strata Lot 13, Section 13, Township 20, Range 10, W6M, KDYD, Strata Plan KAS507	405, 1451 1 Avenue NE
<b>002-206-994</b>	Strata Lot 14, Section 13, Township 20, Range 10, W6M, KDYD, Strata Plan KAS507	403, 1451 1 Avenue NE
<b>002-207-001</b>	Strata Lot 15, Section 13, Township 20, Range 10, W6M, KDYD, Strata Plan KAS507	401, 1451 1 Avenue NE
<b>002-207-010</b>	Strata Lot 16, Section 13, Township 20, Range 10, W6M, KDYD, Strata Plan KAS507	406, 1451 1 Avenue NE
<b>002-207-028</b>	Strata Lot 17, Section 13, Township 20, Range 10, W6M, KDYD, Strata Plan KAS507	404, 1451 1 Avenue NE
<b>002-207-036</b>	Strata Lot 18, Section 13, Township 20, Range 10, W6M, KDYD, Strata Plan KAS507	402, 1451 1 Avenue NE
<b>002-207-044</b>	Strata Lot 19, Section 13, Township 20, Range 10, W6M, KDYD, Strata Plan KAS507	805, 1451 1 Avenue NE
<b>002-207-052</b>	Strata Lot 20, Section 13, Township 20, Range 10, W6M, KDYD, Strata Plan KAS507	803, 1451 1 Avenue NE
<b>002-207-061</b>	Strata Lot 21, Section 13, Township 20, Range 10, W6M, KDYD, Strata Plan KAS507	801, 1451 1 Avenue NE
<b>002-207-079</b>	Strata Lot 22, Section 13, Township 20, Range 10, W6M, KDYD, Strata Plan KAS507	806, 1451 1 Avenue NE
<b>002-207-087</b>	Strata Lot 23, Section 13, Township 20, Range 10, W6M, KDYD, Strata Plan KAS507	804, 1451 1 Avenue NE

002-207-095	Strata Lot 24, Section 13, Township 20, Range 10, W6M, KDYD, Strata Plan KAS507	802, 1451 1 Avenue NE
002-207-109	Strata Lot 25, Section 13, Township 20, Range 10, W6M, KDYD, Strata Plan KAS507	305, 1451 1 Avenue NE
002-207-117	Strata Lot 26, Section 13, Township 20, Range 10, W6M, KDYD, Strata Plan KAS507	303, 1451 1 Avenue NE
002-207-125	Strata Lot 27, Section 13, Township 20, Range 10, W6M, KDYD, Strata Plan KAS507	301, 1451 1 Avenue NE
002-207-133	Strata Lot 28, Section 13, Township 20, Range 10, W6M, KDYD, Strata Plan KAS507	306, 1451 1 Avenue NE
002-207-141	Strata Lot 29, Section 13, Township 20, Range 10, W6M, KDYD, Strata Plan KAS507	304, 1451 1 Avenue NE
002-207-150	Strata Lot 30, Section 13, Township 20, Range 10, W6M, KDYD, Strata Plan KAS507	302, 1451 1 Avenue NE
003-248-429	Lot 1, Section 13, Township 20, Range 10, W6M, KDYD, PLAN 33113	131 15 Street NE
003-248-437	Lot 2, Section 13, Township 20, Range 10, W6M, KDYD, Plan 33113	161 15 Street NE
003-248-453	Lot 3, Section 13, Township 20, Range 10, W6M, KDYD, Plan 33113	191 15 Street NE
003-248-461	Lot 4, Section 13, Township 20, Range 10, W6M, KDYD, Plan 33113	211 15 Street NE
003-248-470	Lot 5, Section 13, Township 20, Range 10, W6M, KDYD, Plan 33113	230 15 Street NE
003-248-488	Lot 6, Section 13, Township 20, Range 10, W6M, KDYD, PLAN 33113	210 15 Street NE
003-248-496	Lot 7, Section 13, Township 20, Range 10, W6M, KDYD, PLAN 33113	190 15 Street NE
003-248-500	Lot 8, Section 13, Township 20, Range 10, W6M, KDYD, Plan 33113	160 15 Street NE
003-248-518	Lot 9, Section 13, Township 20, Range 10, W6M, KDYD, Plan 33113	130 15 Street NE
003-248-526	Lot 10, Section 13, Township 20, Range 10, W6M, KDYD, PLAN 33113	1570 1 Avenue NE
003-248-551	Lot 11, Section 13, Township 20, Range 10, W6M, KDYD, Plan 33113	1540 1 Avenue NE
003-248-569	Lot 12, Section 13, Township 20, Range 10, W6M, KDYD, Plan 33113	1500 1 Avenue NE
003-248-577	Lot 13, Section 13, Township 20, Range 10, W6M, KDYD, Plan 33113	1480 1 Avenue NE
025-681-401	Strata Lot 1, Section 13, Township 20, Range 10, W6M, KDYD, Strata Plan KAS2541	1451 Okanagan Avenue NE
025-681-419	Strata Lot 2, Section 13, Township 20, Range 10, W6M, KDYD, Strata Plan KAS2541	1453 Okanagan Avenue NE
018-189-661	Strata Lot 1, Section 13, Township 20, Range 10, W6M, KDYD, Strata Plan KAS1227	1481 Okanagan Avenue NE
018-189-679	Strata Lot 2, Section 13, Township 20, Range 10, W6M, KDYD, Strata Plan KAS1227	1491 Okanagan Avenue NE
017-800-943	Strata Lot 1, Section 13, Township 20, Range 10, W6M, KDYD, Strata Plan KAS1054	1521 Okanagan Avenue
017-800-951	Strata Lot 2, Section 13, Township 20, Range 10, W6M, KDYD, Strata Plan KAS1054	1531 Okanagan Avenue

**AND THAT:** a bylaw be prepared for Council's consideration, adoption of which would amend Zoning Bylaw No. 2303, 1995 rezoning Strata Lots 1 to 30, Section 13, Township 20, Range 10, W6M, KDYD, Strata Plan KAS507 and Strata Lots 1 to 30, Section 13, Township 20, Range 10, W6M, KDYD, Strata Plan EPS740 and Strata Lots 1 and 2, Section 13, Township 20, Range 10, W6M, KDYD, Strata Plan KAS2541 and Strata Lots 1 and 2, Section 13, Township 20, Range 10, W6M, KDYD, Strata Plan KAS1227 and Strata Lots 1 and 2, Section 13, Township 20, Range 10, W6M, KDYD, Strata Plan KAS1054 from R1 – Single Family Residential to R4 – Medium Density Residential, as shown on 'Schedule A';

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

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### **STAFF RECOMMENDATION**

THAT: The motion for consideration be adopted.

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### **PURPOSE**

To provide background in the early termination of Land Use Contract (LUC) N54304 for the area governing the Orchard Terrace multifamily development and surrounding single family and duplex units on Okanagan Avenue, 1<sup>st</sup> Avenue NE and 15<sup>th</sup> St NE. To rezone those multi-family properties of the LUC area that are currently zoned R1 (Single-Family Residential) to R4 (Medium Density Residential) to reflect the existing development(s).

### **BACKGROUND**

LUC N54304 between the City and Abacus Cities Ltd. permitted an eighteen (18) lot subdivision, including seventeen (17) R1 – Single Family Residential lots, one (1) R-4 Multi Family Residential lot of eleven (11) multiple family residential buildings containing a maximum of sixty (60) units, to be developed as per Zoning Bylaw 1180, 1976. In 1988, the contract was amended to permit the development of three (3) duplex units along Okanagan Avenue. In 2015, the City discharged LUC N54304 from the title of Lot 14, in conjunction with a R8 rezoning application, to permit the development of a secondary suite on the property. Appendix 1 illustrates the boundary of the LUC area.

The subject property includes sixty (60) multifamily dwellings (KAS507 and EPS740), three (3) duplexes along Okanagan Avenue (KAS2541, KAS1227 and KAS1054) and seventeen (17) single-family dwellings (Plan 33113). With regard to the multi-family development, the first phase of the development with six buildings (Phase 1, KAS507). In 2007 a developer completed the development to the specifications of the LUC, adding five (5) multifamily buildings (EPS740), completing Phase 2 of Orchard Terrace. The site servicing for water, sewer, roads and lighting at the conclusion of the last phase of the multifamily development met the standards set out in the LUC.

The Official Community Plan (OCP) designates the subject property as Medium Density Residential (MDR) and High Density Residential (HDR) (Appendix 2). The area governed by the LUC is currently zoned R1 – Single Family Residential in Zoning Bylaw 2303, 1995 (Appendix 3). While the R1 zoning appropriately captures the existing single family dwellings constructed on 1 Avenue NE and 15 Street NE, the zoning does not accurately reflect the duplex unit developments on Okanagan Avenue or the multi-family strata development of the Orchard Terrace. In conjunction with the LUC Termination Bylaw staff are recommending to rezone those portions of the multifamily developments to accurately reflect the existing land uses. Appendix 4 shows the proposed areas to be rezoned.

### **COMMENTS**

#### **Engineering Department**

The Engineering Department is unaffected by the proposed LUC termination and rezoning.

Under the current Subdivision and Servicing Bylaw No. 4163 a future development proposal of similar scale would, likely, be required to meet different standards with regard to street lighting, sidewalks and other off-site works. However, the existing condition of the services and associated rights-of way are consistent with other developments of a similar age and the proposed change in zoning does not trigger the modernizing of off-site works in the area.

#### **Building Department**

No comments.

#### **Fire Department**

No comments.



### BC Assessment

The referral package sent to BC Assessment included the proposed LUC Termination and proposed rezoning. After a review from available information, BC Assessment concluded that the current property assessments would remain relatively unchanged.

### Planning Department

#### ***Rezoning From R1 to R4: 1449 and 1451 1 Avenue NE (Orchard Terrace Strata – Phases 1 and 2)***

Staff are recommending that the Orchard Terrace development be rezoned from R1 (Single Family Residential) to R4 (Medium Density Residential). The R4 zone allows for 'multiple family dwellings', consistent with the existing buildings. Given parking requirements, setbacks and legal implications of amending an existing strata plan it is unlikely the amendment and rezoning would result in additional units.

#### ***Rezoning from R1 to R4: 1451-1531 Okanagan Avenue NE (Duplex Units)***

The duplex units along Okanagan Avenue developed in the early 1990's and were the result of approvals for an amendment to the LUC in order to permit duplexes. The existing R1 zone does not permit duplexes; therefore, the zoning for those three properties along Okanagan Avenue would become non-conforming by the reverting to the R1 zone at the termination of the LUC. Staff are recommending that the duplex properties be rezoned to R4 to reflect the existing development (see Appendix 4). There are no known setback issues with the rezoning of these properties to R4. An OCP Amendment would not be required because the R4 zone is consistent with Medium Density Residential (MDR) OCP designation.

The R4 zone would support the conversion of the duplexes to four-plexes. Should an owner request to convert a duplex to add additional units, the site would have to meet additional parking and BC Building Code requirements. In addition, the owner would have to pay Development Cost Charges (DCC) for new units at the DCC rate applicable at the time of the conversion.

#### ***No Rezoning Needed: 1480 – 1570 1 Avenue NE & 130 – 230 15 St NE (Single Family Dwellings)***

The MDR designation in the OCP and the R1 zone is appropriate for those single family units in the LUC area. The termination of the LUC for these properties would not result in a non-conforming status; therefore, staff are not recommending any changes to the zoning for these properties.

### ***Notification***

As part of the LUC Early Termination project, owners of land affected by a LUC received information letters in advance of the process beginning. Letters sent on October 9, 2020 advised all property owners that the LUC Early Termination process was to begin and they would receive further information as staff progressed through a list of outstanding LUC areas. In addition to letters, staff have created a "Land Use Contract – Early Termination" page on the City's website that provides more information to property owners.

On November 27, 2020, the City sent a second information letter to owners specific to this LUC Termination and rezoning proposal. A third letter, pursuant to Section 466 (5) of the *Local Government Act*, are to be mailed to all property owners and tenants within the LUC area and ads placed in the newspaper advising of the LUC termination. Given that there are more than 10 properties affected by the rezoning of the lands, notices are not required to be mailed to adjacent property owners for the rezoning component; however, newspaper ads are required advising of the proposed rezoning.

### ***Conclusion***

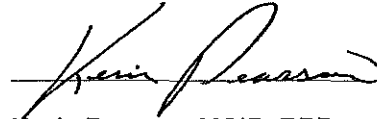
In 2014 amendments were enacted to the *Local Government Act* that established June 30, 2024 as the expiry date for all LUCs in the province. After that date, the LUCs no longer have force or effect. The same amendments included the establishment of an 'early termination' process for Local Governments to address the discharge of the LUCs and consider how or if the other development tools need to be utilized to ensure properties governed by LUCs are conforming to existing bylaws in the absence of the LUC. The benefits of the early termination process is that, rather than relying on existing rules which may not adequately capture the provisions of the LUC, the City and landowners have an opportunity to consider the introduction of zoning or variances that might better reflect currently permitted uses and density. The zoning presently overlaid, in this situation, does not capture the existing uses for some properties and termination of the LUC without rezoning renders the uses on those properties lawfully non-conforming.

Typically, with the completion of the last phase of the development to the satisfaction of the terms within the LUC, the City and developer would have initiated the termination or discharge of the LUC. The six outstanding

LUCs did not go through the discharge process. Given the changes in legislation setting an expiry date for LUCs, consistency with OCP designation and appropriate zoning, staff are supportive of the termination of LUC N54304. For reference LUC No. N54304 is included as Attachment 5.



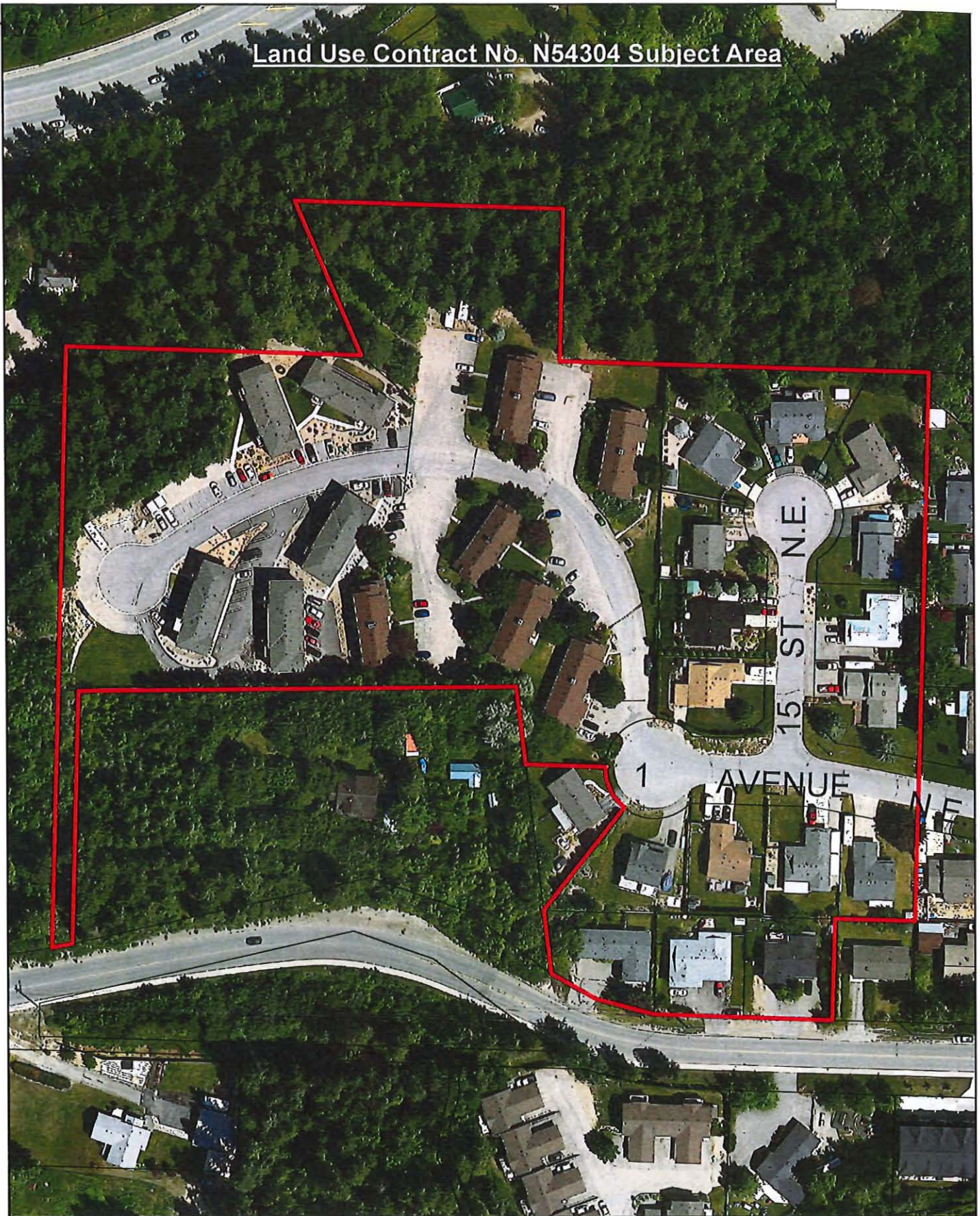
Melinda Smyrl, MCIP, RPP  
Planner



Kevin Pearson, MCIP, RPP  
Director of Development Services



Land Use Contract No. N54304 Subject Area



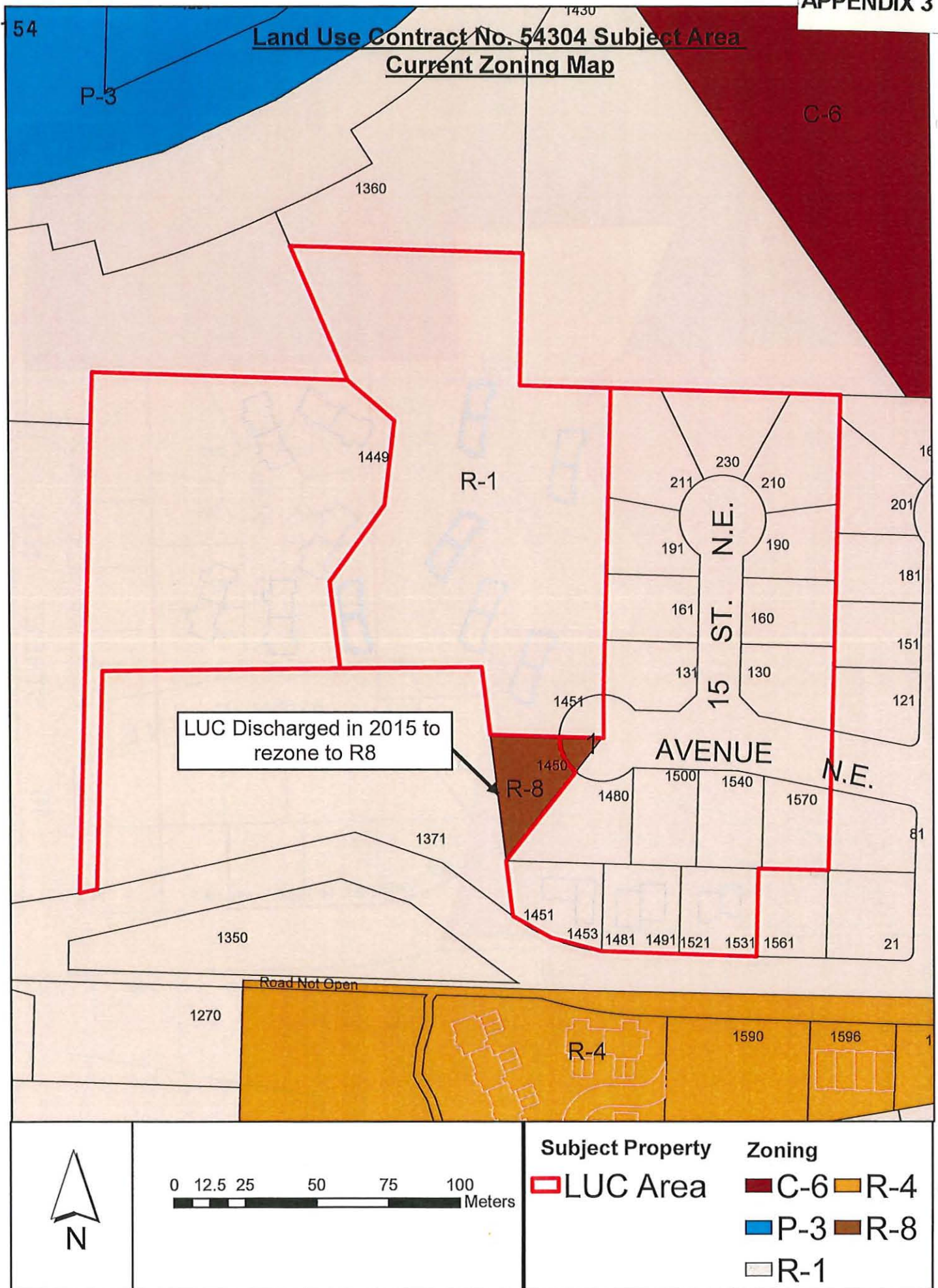
0 10 20 40 60 80 Meters

 Subject Property (LUCs)











## 1360

R4

15 ST. N.E.

AVENUE

STREET N.E.

N.E.

Road Not Open

1270

1371

R4

481 1

100

10

□



Pre

□ R



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N 54304

LAND USE CONTRACT RECEIVED  
LAND REGISTRY OFFICE  
KAMLOOPS B.C.

THIS AGREEMENT made the 11<sup>th</sup> day of September, A.D., 1978.

'78 SEP 22 12:08

BETWEEN:

DISTRICT OF SALMON ARM

a municipal corporation having its  
municipal offices at 8640 Harris Street,  
in the District of Salmon Arm,  
Province of British Columbia

(hereinafter called the "Municipality")

OF THE FIRST PART

AND:

ABACUS CITIES LTD.

(Registration No. 10491-A)

a company duly incorporated under the  
laws of the Province of Alberta and  
registered extra provincially in the  
Province of British Columbia and having  
an office at 510 - 175 Second Avenue,  
in the City of Kamloops, Province of  
British Columbia

(hereinafter called the "Developer")

OF THE SECOND PART

WHEREAS the Municipality, pursuant to Section 702A of the  
Municipal Act, may, notwithstanding any by-law of the Municipality, or  
Section 712 or 713 of the Municipal Act, enter into a land use contract  
containing such terms and conditions for the use and development of land as  
may be agreed upon with a developer, and thereafter the use and development  
of the land shall be in accordance with the land use contract;

AND WHEREAS the Municipal Act requires that the Municipal Council  
consider the criteria set out in Section 702(2) and 702A(1) in arriving at  
the terms, conditions and consideration contained in a land use contract;

Substitute - Forms 'A', 'C', 'D' & 'E'  
Particulars  
Applicant: Rogger, Hunter & Co  
Address: 538 Seymour St  
Phone No: 372-5540  
Solicitor/Agent for: Abacus Cities Ltd.  
Declared Value: Nominal  
Nature of Document/Charge: Land Use Contract  
Forward duplicate C/T to applicant  
(Yes or No) Yes  
Signature of Applicant/Solicitor/Agent: Baillard Hunter

SEP 25 1978

Registered the Day of  
10 On Application Received  
At the time Written or Stamped  
On the Application.

3614 000500

27 SEP 78

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AND WHEREAS the Developer has presented to the Municipality a scheme of use and development of the within described lands and premises that would be in contravention of a by-law of the Municipality, of Section 712 or 713 of the Municipal Act, or both, and has requested that the Council of the Municipality enter into this contract under the terms, conditions and for the consideration hereinafter set forth;

AND WHEREAS the Council of the Municipality, having given due consideration to the criteria set forth in Sections 702(2) and 702A(1) of the Municipal Act, have agreed to the terms, conditions and consideration herein contained;

AND WHEREAS if the land is within a radius of one-half mile of the intersection of a controlled access highway and another highway, the approval of the Minister of Highways to the terms hereof must be obtained;

AND WHEREAS the land is within a development area of the Municipality;

AND WHEREAS the Municipality and the Developer both acknowledge that the Council of the Municipality could not enter into this Agreement, until the Council held a public hearing in relation to this Agreement, and considered any opinions expressed at such hearing, and unless a majority of all of the members of the Council present at the meeting at which the vote is taken and entitled to vote on the by-law, voted in favour of the by-law authorizing the Municipality to enter into this Contract;

NOW THEREFORE THIS AGREEMENT WITNESSETH that in consideration of the premises and the conditions and covenants hereinafter set forth, the Municipality and the Developer covenant and agree as follows:

OWNER

1. The Developer is the registered owner of an estate in fee simple of ALL AND SINGULAR that certain parcel or tract of land and premises, situate, lying and being in the District of Salmon Arm, in the Province of British Columbia and being more particularly known and described as:

✓ Lot "A"  
Section 13  
Township 20  
Range 10  
West of the 6th Meridian  
Kamloops Division Yale District  
Plan 28106

(hereinafter called the "Land")

MCd  
Sal-

HP



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- CONSENTS 2. The Developer has obtained the consent of all persons having a registered interest in the Land to the use and development set forth herein which consents are attached hereto as Schedule "G".
- SUBDIVISION 3. The Land may be subdivided by a plan of subdivision registered in the Land Registry Office at Kamloops creating thereby eighteen (18) lots each having a configuration and a size and in a location in accordance with the sketch plan attached hereto as Schedule "A" hereof (hereinafter called the "Subdivision").
- USE 4. The use and development of Lots 1 to 17 inclusive of the Subdivision shall be regulated by and the Developer in respect thereof shall comply with the provisions of the R-1 Zone of "The Salmon Arm Zoning By-law 1976 No. 1180" as amended from time to time.
5. Lot 18 of the Subdivision and any and all buildings and structures erected thereon, thereover or therein may be used for the purposes of comprehensive residential use and for no other purposes and in developing Lot 18 for the permitted use thereof the Developer, subject to paragraph 6 hereof, shall comply with the provisions of the R-4 Zone of "The Salmon Arm Zoning By-law 1976 No. 1180" as amended from time to time.
- DEVELOPMENT OF LOT 18 6. Subject always to the terms and conditions hereinafter appearing:
- (a) Lot 18 of the Subdivision may be developed to accommodate eleven (11) multiple family residential buildings containing therein a maximum of sixty (60) single family residential dwelling units sited on Lot 18 in essentially the locations specified in Schedule "B" hereof and in any event sited in compliance with the provisions of the R-4 Zone of Zoning By-law No. 1180;
  - (b) Lot 18 of the Subdivision may be subdivided by way of a two phased strata plan in accordance with the provisions of Part 11 of the Strata Titles Act.
7. The development and subdivision of Lot 18 of the Subdivision may be phased in accordance with the development plan attached hereto as Schedule "B" hereof and references to Phase 1 and Phase 2 hereinafter appearing shall be references to those phases as more particularly shown on Schedule "B" hereof.

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## COMPLETION

8. The parties acknowledge that it is the Developer's intent to complete Lots 1 to 17 inclusive of the Subdivision and Phase 1 of the Strata Plan Development in accordance with the terms of this Agreement by the 31st day of October, A.D., 1979 and to complete Phase 2 of the Strata Plan Development in accordance with the terms of this Agreement by the 31st day of October, A.D., 1981.

SUBDIVISION  
SERVICING

9. The Developer shall, at its sole cost, prior to obtaining the Approving Officer's approval of the plan of the Subdivision:

- (a) Construct, provide and install the services required within the Subdivision pursuant to and in strict compliance with the provisions of "District of Salmon Arm Subdivision Control By-law 1973 No. 1087" as amended from time to time and as specifically supplemented by the plans and specifications set out in Schedule "C" hereof;
- (b) Construct, provide and install the sanitary and storm sewer works and services outside of the boundaries of the Subdivision and within the boundaries of Lot 18 of the Subdivision more particularly described in and in strict compliance with the plans and specifications set out in Drawing Nos. 1090-8-1-7, 1090-8-1-8 and 1090-8-1-9 of Schedule "D" hereof;
- (c) Cause to be prepared by a British Columbia Land Surveyor a plan or plans of right-of-way in respect of any rights-of-way required over any lands for the construction, maintenance or repair of the works and services required to be installed by the Developer pursuant to paragraph 9(a) and (b) hereof, and:
  - (i) register such plans in the Land Registry Office at Kamloops;
  - (ii) acquire from the owners of the lands contained within such plans a registerable right-of-way agreement in favour of the Municipality in the form set out in Schedule "E" hereof together with such consents and priority agreements from the owners of any registered charges against such lands as the circumstances may in any particular case require;
  - (iii) deliver to the Municipality such agreements for registration, at the Developer's expense, in the Land Registry Office at Kamloops concurrently with the said plan of subdivision;

JED

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- (d) Deposit with the Municipality as security for the Developer's covenant set out in paragraph 13 hereof, an unconditional irrevocable Letter of Credit drawn on a Canadian Chartered Bank in an amount equal to fifteen percent (15%) of the total cost, as certified by the Municipality, of the works and services required to be installed by the Developer pursuant to paragraphs 9(a) and (b) hereof for a term of not less than one (1) year and in the form set out in Schedule "F" hereof.

## PAVING

10. Notwithstanding the provisions of paragraph 9(a) hereof the Developer may obtain approval of the plan of the Subdivision prior to paving the roads therein PROVIDED ALWAYS that in such event the Developer shall:

- (a) Deposit with the Municipality as security for the Developer's covenant set out in paragraph 10(b) hereof, an unconditional Irrevocable Letter of Credit drawn on a Canadian Chartered Bank in an amount equal to one hundred and ten percent (110%) of the Municipality's estimate of the cost of providing such paving for a term of not less than one (1) year from the date of approval of the said plan and in the form set out in Schedule "F" hereof;
- (b) Complete the said paving in accordance with the provisions of this Agreement within eleven (11) months of the date of approval of the said plan.

INTERNAL  
SERVICING OF  
LOT 18

11. The Developer shall, at its sole cost, construct, provide and install the road works, water distribution works, sanitary sewer works, storm sewer works, street lighting, underground wiring and walkways more particularly described in and in accordance with the plans and specifications set out in Drawing Nos. 1090-8-1-4, 1090-8-1-5, 1090-8-1-6 of Schedule "D" hereof:

- (a) Within Phase 1 prior to:
- (i) obtaining the Approving Officer's approval of any strata plan within Phase 1 or Phase 2; or
- (ii) obtaining an occupancy permit in respect of any residential dwelling unit within any building in Phase 1 or Phase 2;
- whichever application shall sooner be made by the Developer;
- (b) Within Phase 2 prior to:
- (i) obtaining the Approving Officer's approval of any strata plan within Phase 2; or
- (ii) obtaining an occupancy permit in respect of any residential dwelling unit within any building in Phase 2
- whichever application shall sooner be made by the Developer.

JED

-6-

WATER MAIN  
WITHIN LOT 18

11A. The Developer shall, prior to obtaining the approvals or permits in respect of Phase 1 and Phase 2 set out in paragraph 11 hereof:

- (a) Cause to be prepared by a British Columbia Land Surveyor the plan of right-of-way over and through Lot 18 of the Subdivision required for the construction, maintenance or repair of the water main works within Phase 1 or Phase 2, as the case may be, more particularly described in Drawing Nos. 1090-8-1-7, 1090-8-1-8, and 1090-8-1-9 of Schedule "D" hereof;
- (b) Deliver to the Municipality in registrable form a right-of-way agreement in the form set out in Schedule "E" hereof together with such consents and priority agreements from the owners of any registered charges against Lot 18 as the circumstances may require;
- (c) Deposit with the Municipality, as security for the Developer's covenants set out in paragraph 13 hereof, an unconditional irrevocable Letter of Credit drawn on a Canadian Chartered Bank in an amount equal to fifteen percent (15%) of the total cost as certified by the Municipality of the water main works and services contained within the said right-of-way for a term of not less than one (1) year and in the form set out in Schedule "F" hereof.

12. No person shall occupy any of the residential dwelling units constructed upon Lot 18 of the Subdivision unless and until the said works and services have been installed by the Developer as provided in paragraph 11 hereof.

MAINTENANCE  
OF SERVICES

13. The Developer shall:

- (a) Maintain the works and services installed by the Developer pursuant to paragraphs 9(a) and (b) and those referred to in paragraph 11A hereof in complete repair for a period of one (1) year from the completion thereof to the satisfaction of the Municipal Engineer;
- (b) Remedy any defects appearing in the said works and services and pay for any damage to other property or works resulting therefrom for a period of one (1) year from completion of the said works and services save and except for defects caused by reasonable wear and tear, negligence of the Municipality, its servants or agents or acts of God.

JUD



-7-

USE OF  
SECURITY

14. In the event that the Developer fails to perform any of the covenants on its part to be performed pursuant to paragraphs 10 or 13 hereof within the time limited therein for performance the Municipality may call for and receive all funds secured by the Letter of Credit deposited by the Developer in respect of such covenants and may complete the work at the cost of the Developer and deduct from any such funds the costs of such completion and the balance of such funds, if any, without interest thereon shall be returned to the Developer, ~~less any administration fees required by the Municipality.~~ If there is insufficient money on deposit with the Municipality then the Developer shall pay such deficiency to the Municipality upon receipt of the Municipality's bill for completion. It is understood that the Municipality may do such work either by itself or by contractors employed by the Municipality. If the Developer performs the said covenants within the time limited for such performance by this Agreement the Municipality shall deliver up the Letters of Credit to the Developer for cancellation. JCP

OWNERSHIP  
OF SERVICES

15. All works and services installed by the Developer pursuant to the provisions of paragraphs 9(a) and (b) and those referred to in paragraph 11A hereof, constructed, placed or carried out upon property that is now vested in the Municipality or located on highways presently dedicated or by this Agreement required to be dedicated as highways or within any rights-of-way in favour of the Municipality shall, upon their acceptance by the Municipality as hereinafter provided, become the property of the Municipality free and clear of any claim by the Developer or any person claiming through the Developer and the Developer shall save harmless the Municipality from any such claim.

AS-BUILT  
DRAWINGS and  
those referred  
to in Para 11A

16. The Developer shall, at its cost, prior to the acceptance of the works and services installed by the Developer pursuant to paragraph 9(a) and (b) hereof by the Municipality submit to the Municipality two (2) sets of reproducible as-built engineering drawings of such works and services as constructed. JCP

## ACCEPTANCE

17. The Municipality shall, upon the expiration of the one (1) year period referred to in paragraph 13 hereof and provided such works and services have been constructed and maintained in accordance with the provisions of this Agreement and are functioning properly, accept the works and services referred to in paragraph 15 hereof and thereafter the Municipality shall be solely responsible for the operation, upkeep and maintenance thereof.

JCP

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EXTRA OFF-SITE 18.  
COSTS

It is acknowledged by the parties hereto that as a result of the Developer paying the funds hereinafter specified, the development proposed will not create an excessive cost to be borne by the Municipality. It is further acknowledged by the parties hereto that the impact of the proposed development on present and future public costs have been partially eliminated as a result of the Developer providing the funds hereinafter specified and carrying out the works provided for in this Agreement.

The Developer shall pay to the Municipality in cash at the time of final approval by the Approving Officer of the plan of the Subdivision, the sum of One Thousand One Hundred and Seventy-Five Dollars (\$1,175.00) for each of the seventeen (17) single family residential lots to be created thereby making together the total sum of Nineteen Thousand Nine Hundred and Seventy-Five Dollars (\$19,975.00).

The Developer shall pay to the Municipality in cash at the time of obtaining any building permit in respect of Lot 18 of the Subdivision, a sum equal to One Thousand One Hundred and Seventy-Five Dollars (\$1,175.00) (or such lower amount as may then be charged by the Municipality in respect of similar developments in the Municipality) multiplied by the number of single family residential dwelling units contained within any such building.

It is understood and agreed that the said sum of One Thousand One Hundred and Seventy-Five Dollars (\$1,175.00) is made up of Three Hundred and Seventy-Five Dollars (\$375.00) being the estimated additional cost to the Municipality of providing waterworks; Five Hundred Dollars (\$500.00) as the additional sum required by the Municipality for the provision of drainage work and Three Hundred Dollars (\$300.00) as the additional sum required by the Municipality for providing the park space required to properly service the subdivision.

## FEES

19. The Developer shall pay to the Municipality:

- (a) At the time of application for approval of the plan of the Subdivision or any strata plan in respect of any building on Lot 18, an inspection fee of Twenty Dollars (\$20.00) for each lot created thereby;
- (b) Upon demand, any legal costs incurred by the Municipality in the preparation and registration of this Agreement.

The developer, without payment of any further monies to the Municipality shall be entitled to connect with, or hookup to, all off-site utilities and services owned by the Municipality.

Jed

Jed

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- COMPLIANCE 20. Except as herein specifically provided the Developer shall in its use and development of the Land comply with all of the by-laws of the Municipality.
- INCORPORATION 21. Schedules "A" to "G" hereof are hereby incorporated into and made part of this Agreement.
- REPRESENTATION 22. It is understood and agreed that the Municipality has made no representations, covenants, warranties, guarantees, promises or agreements (verbal or otherwise) with the Developer and the Developer has made no representations, covenants, warranties, guarantees, promises or agreements (verbal or otherwise) with the Municipality in either case other than those in this Agreement.
- REGISTRATION 23. This Agreement shall be construed as running with the Land and shall be registered in the Land Registry Office, Kamloops, British Columbia by the Municipality pursuant to the provisions of Section 702A(4) of the Municipal Act.
- INTERPRETATION 24. Whenever the singular or masculine is used herein the same shall be construed as meaning the plural, feminine, or body corporate or politic where the context or the parties so require.
25. Words, phrases and expressions not defined herein shall have the meaning and be construed and be read in light of the definitions of similar words, phrases and expressions set out in "The Salmon Arm Zoning By-law 1976 No. 1180" as amended from time to time.
- BINDING 26. Except as hereinafter provided this Agreement shall enure to the benefit of and be binding upon the parties hereto and their respective heirs, executors, successors and assigns.
- DISCHARGE 27. It is further understood and agreed by the parties hereto that upon acceptance by the Municipality of the on-site and off-site services described in paragraphs 9 and 11A hereof, following the one (1) year maintenance period therefor, this Agreement shall be discharged by the Municipality at the Developer's cost by the registration in the Land Registry Office at Kamloops of a Quit Claim Deed referring to the registration of this Agreement; PROVIDED, HOWEVER, this Agreement may not be discharged by the Municipality if the discharge thereof will render any of the lands or improvements thereon non-conforming with the by-laws of the Municipality.

Jed

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A Public Hearing on this Agreement was held on the 17<sup>th</sup> day of August, A.D., 1978.

This Agreement was approved on the 11<sup>th</sup> day of SEPTEMBER A.D., 1978 by a majority vote of all the members of the Council present at the meeting at which the vote was taken and entitled to vote on the authorizing by-law.

IN WITNESS WHEREOF the parties hereto have hereunto set their hands and seals the day and year first above written.

THE CORPORATE SEAL OF THE  
DISTRICT OF SALMON ARM  
was hereunto affixed in  
the presence of:

Margaret Lund  
Mayor

[Signature]  
Clerk

THE CORPORATE SEAL OF ABACUS  
CITIES LTD. was hereunto  
affixed in the presence of  
its proper officers in that  
behalf:

John L. Donaldson  
DIVISION GENERAL MANAGER



## DISTRICT OF SALMON ARM

BY-LAW NO. 1260

Being a by-law to authorize the District of  
Salmon Arm to enter into a Land Use Contract.

WHEREAS it is considered desirous to enter into a Land Use Contract  
with Marraw Holdings Ltd., The Garden of Eatin Ltd. pertaining to the development  
of Lot A, Plan 28106, NW¼ Section 13, Township 20, Range 10; AREA.

AND WHEREAS pursuant to Section 702A(3) of the Municipal Act the Council  
may, upon the application of an owner of land within the development area, or his  
agent, enter into a land use contract;

AND WHEREAS the public hearing required by Section 702A(6) of the  
Municipal Act was held on the 17th day of August, 1978;

NOW THEREFORE the Municipal Council of the District of Salmon Arm, in  
open meeting assembled, enacts as follows:-

1. The Mayor and Clerk are hereby authorized to execute the Land Use Contract  
with Marraw Holdings Ltd. et al attached hereto and marked Schedule "A".
2. The Clerk is hereby authorized to register the said Land Use Contract as a  
charge against the aforementioned property of Marraw Holdings Ltd. et al  
which shall have the force and effect of a restrictive covenant running with  
the land, and is further authorized to do all things necessary to complete  
registration in the Land Registry Office in Kamloops.
3. This by-law may be cited as "District of Salmon Arm Land Use Contract By-law  
No. 4, 1978".

READ A FIRST TIME this 14th day of August, 1978.

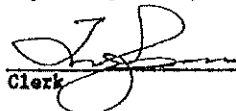
READ A SECOND TIME this 21st day of August, 1978.

READ A THIRD TIME this 21st day of August, 1978.

RECONSIDERED, FINALLY PASSED AND ADOPTED by the District Council on the  
11th day of September, 1978.

I HEREBY CERTIFY the foregoing to be a  
true and correct copy of By-law No. 1260  
cited as "District of Salmon Arm Land  
Use Contract By-law No. 4, 1978" as  
adopted by Council on the 11th day of  
September, 1978.

Dated at Salmon Arm, B.C. this 12th  
day of September, 1978.

  
Clerk

"L.M. Lund"  
Mayor

"F.W. Spence"  
Clerk

SCHEDULE "A"

PLAN OF THE 18 LOT SUBDIVISION

Jed

SCHEDULE "B"

DEVELOPMENT PLAN PREPARED BY ABACUS CITIES LTD.  
SHOWING THE TWO PHASES OF THE STRATA PLAN DEVELOPMENT

JW

SCHEDULE "C"

SUPPLEMENTARY DESIGN DRAWINGS FOR THE SUBDIVISION SERVICES

JED



SCHEDULE "D"

ENGINEERING DRAWINGS PREPARED BY STANLEY & ASSOCIATES

200

SCHEDULE "E"

FORM OF RIGHT-OF-WAY DOCUMENT

200

SCHEDULE "F"  
LETTER OF CREDIT

200

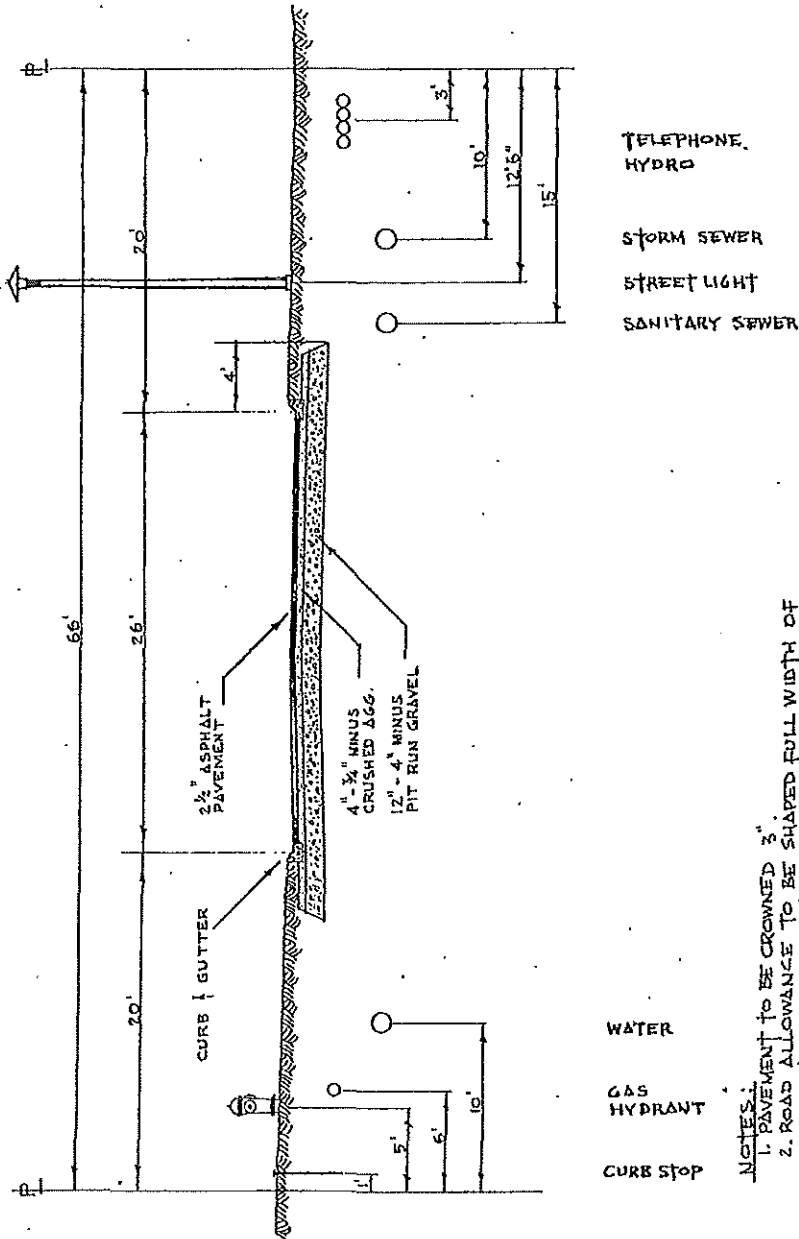
SCHEDULE "G"

CONSENTS

200



# SCHEDULE "C"



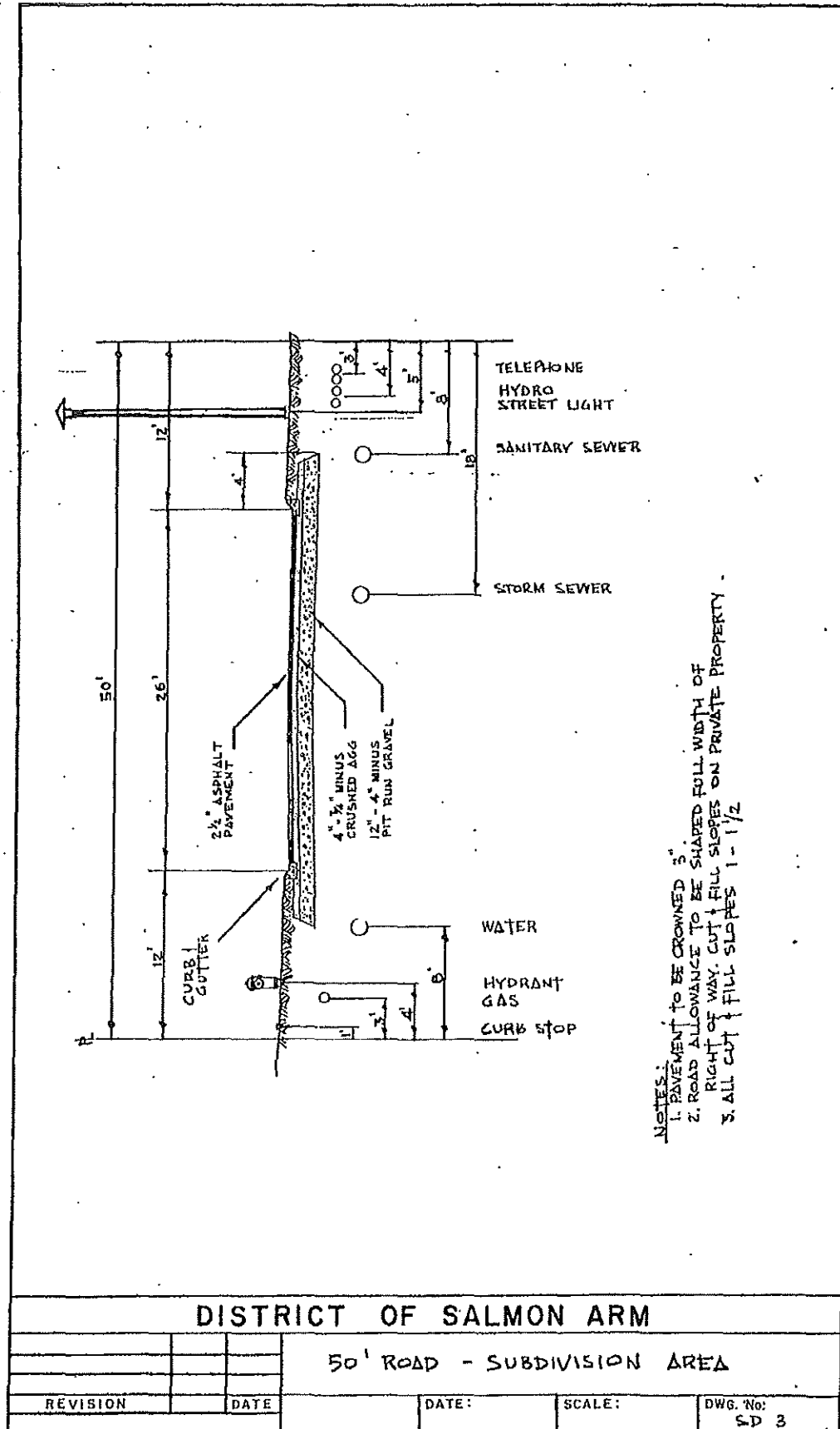
- NOTES:
1. PAVEMENT TO BE CROWNED 3"
  2. ROAD ALLOWANCE TO BE SHAPED FULL WIDTH OF
  3. ALL CUT & FILL SLOPES ON PRIVATE PROPERTY 1 - 1 1/2

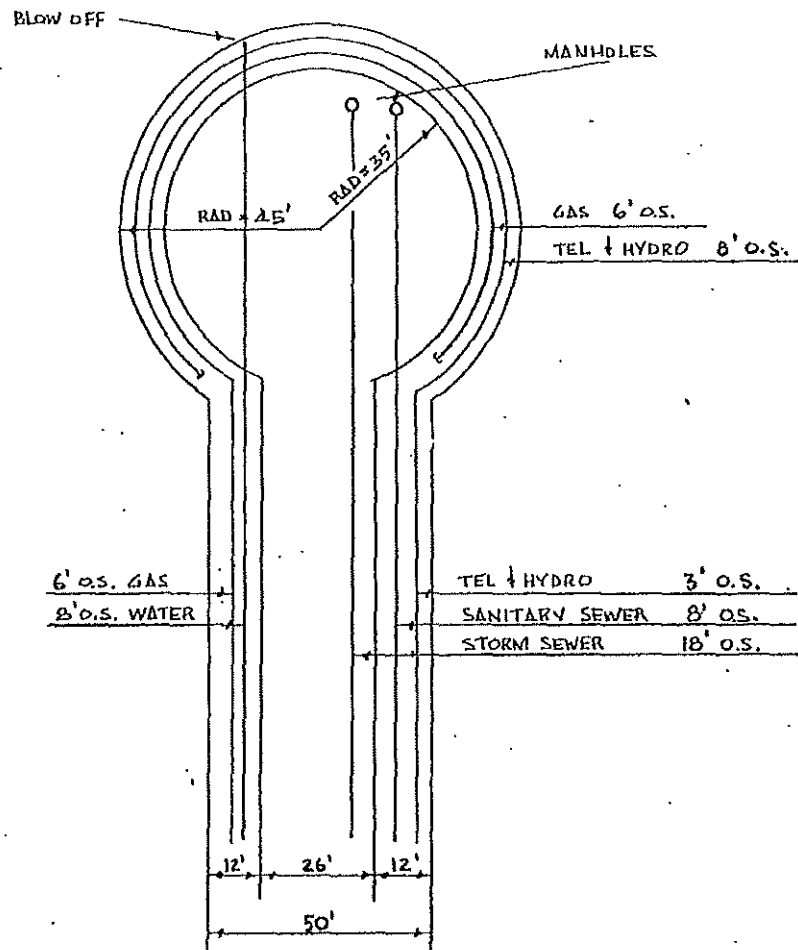
DISTRICT OF SALMON ARM

66' ROAD - SUBDIVISION AREA

REVISION	DATE	DATE:	SCALE:	DWG. No:
		MAR 77		SD-1







## DISTRICT OF SALMON ARM

SERVICING ARRANGEMENT  
50' ROAD + CUL DE SAC

REVISION

DATE

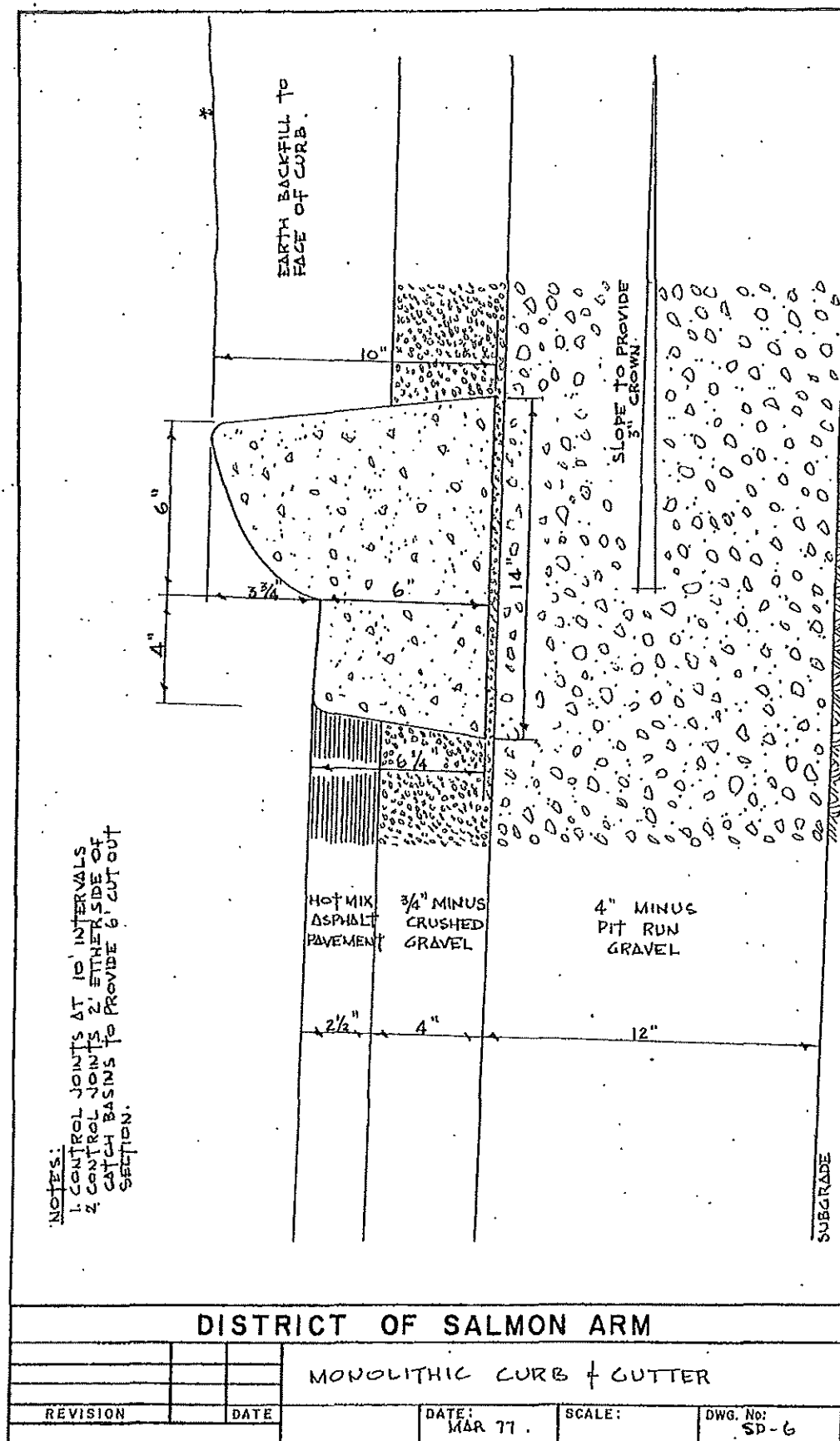
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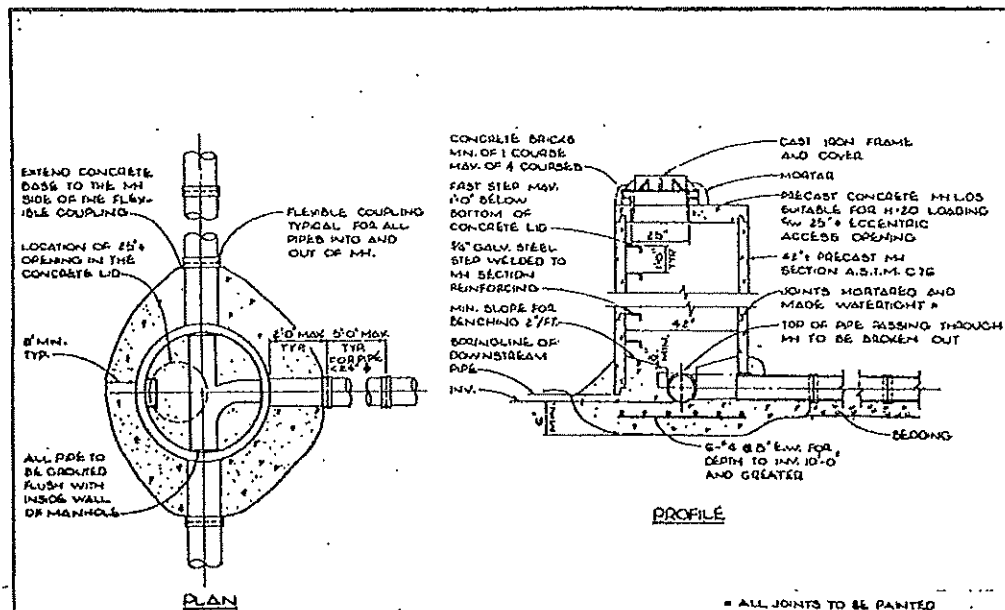
SCALE:

DWG. No:

SD 4

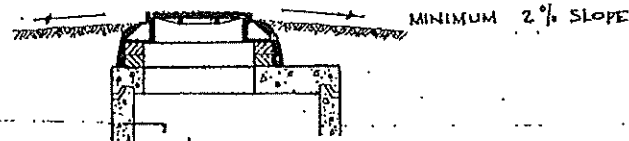




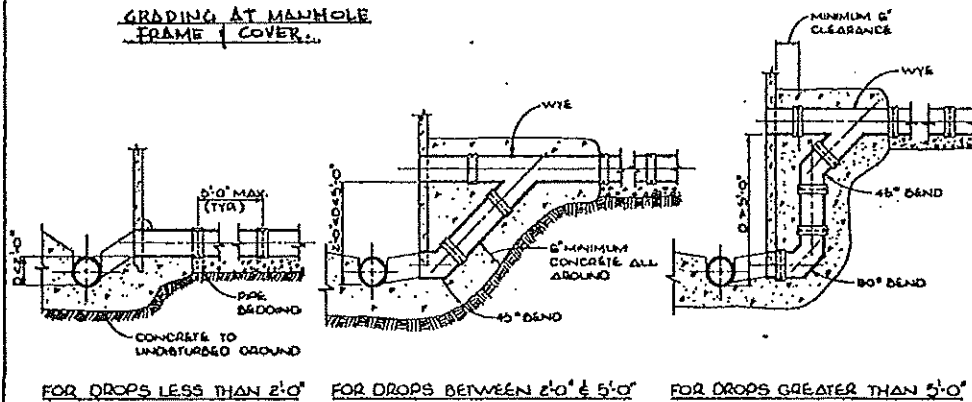


TYPICAL MANHOLE DETAIL

\* ALL JOINTS TO BE PAINTED WITH STATIC ASPHALT PROTECTIVE COATING TYPE 1 AS MANUFACTURED BY FLINT COKE OF CANADA LTD.



GRADING AT MANHOLE FRAME &amp; COVER

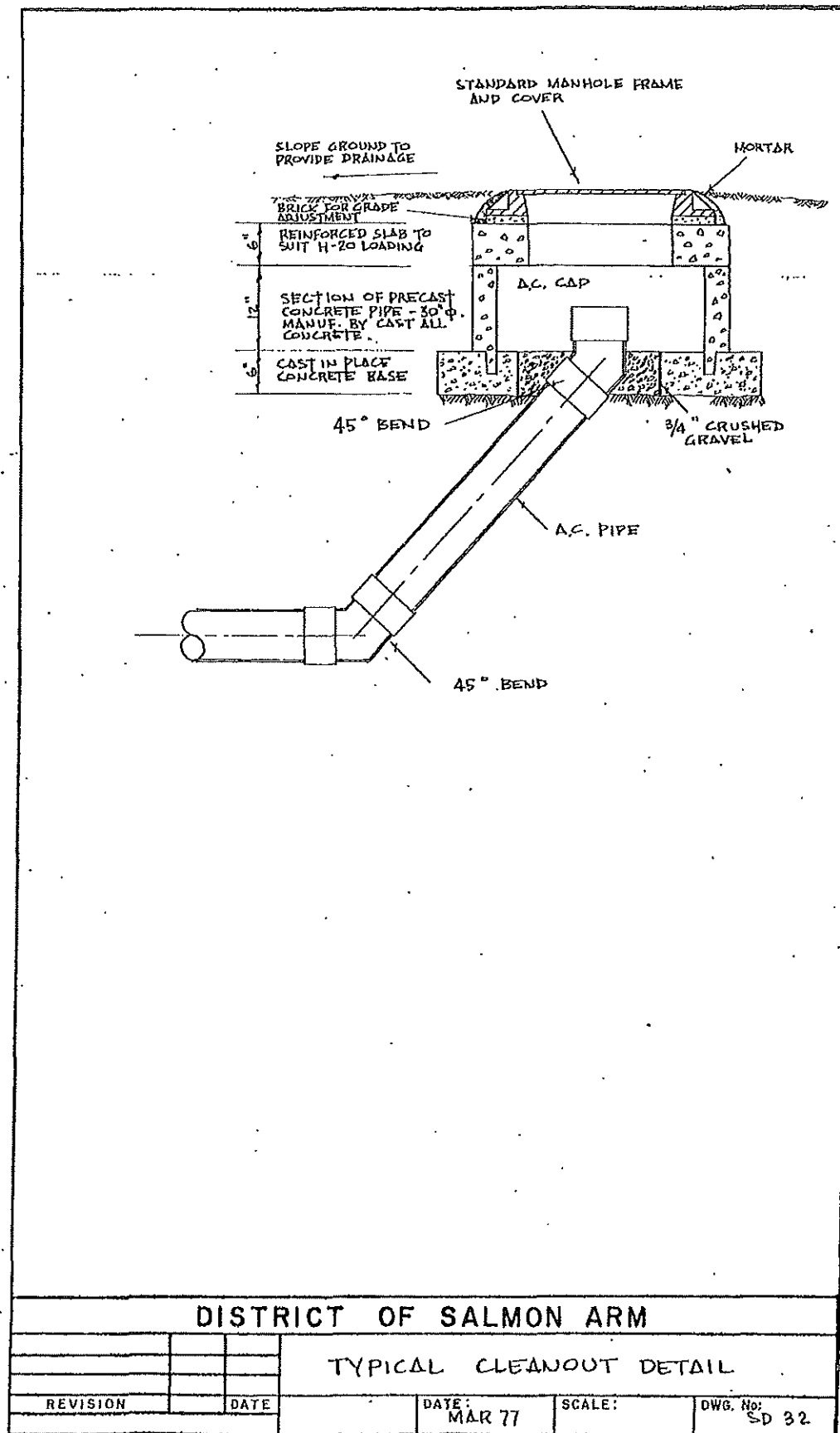


TYPICAL DROP MANHOLE DETAIL

## DISTRICT OF SALMON ARM

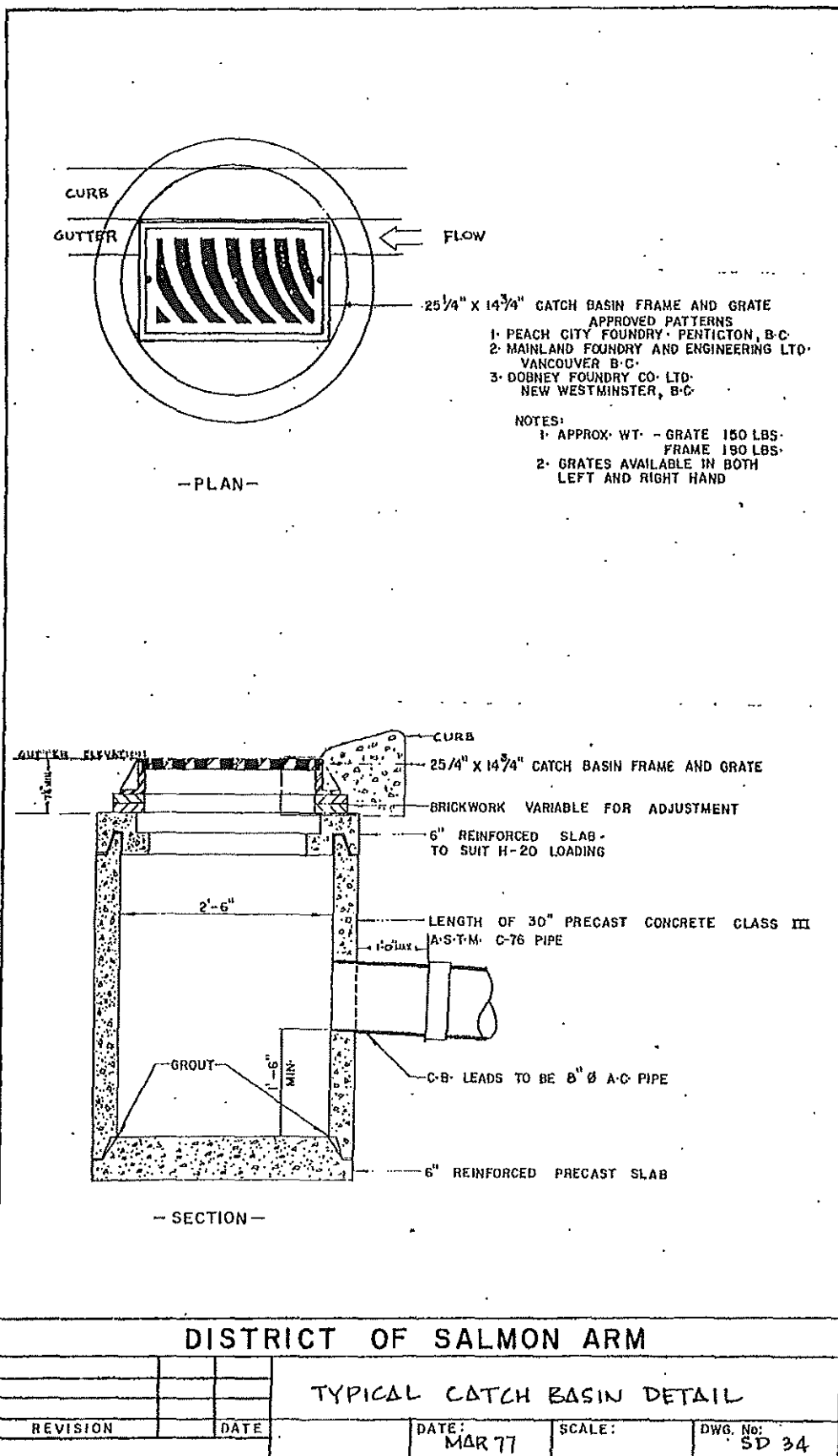
## TYPICAL MANHOLE DETAILS

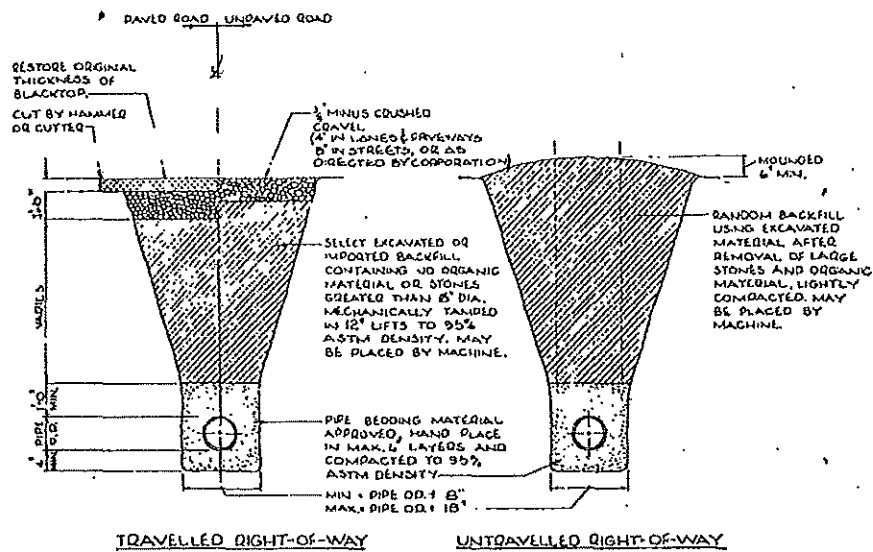
REVISION	DATE	DATE: MAR 77	SCALE:	DWG. No: SD 31
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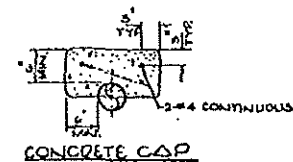
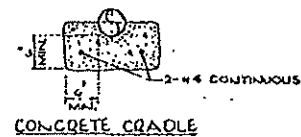
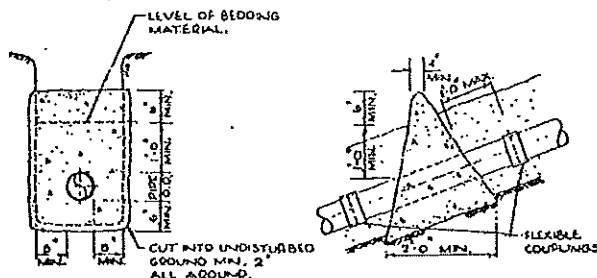








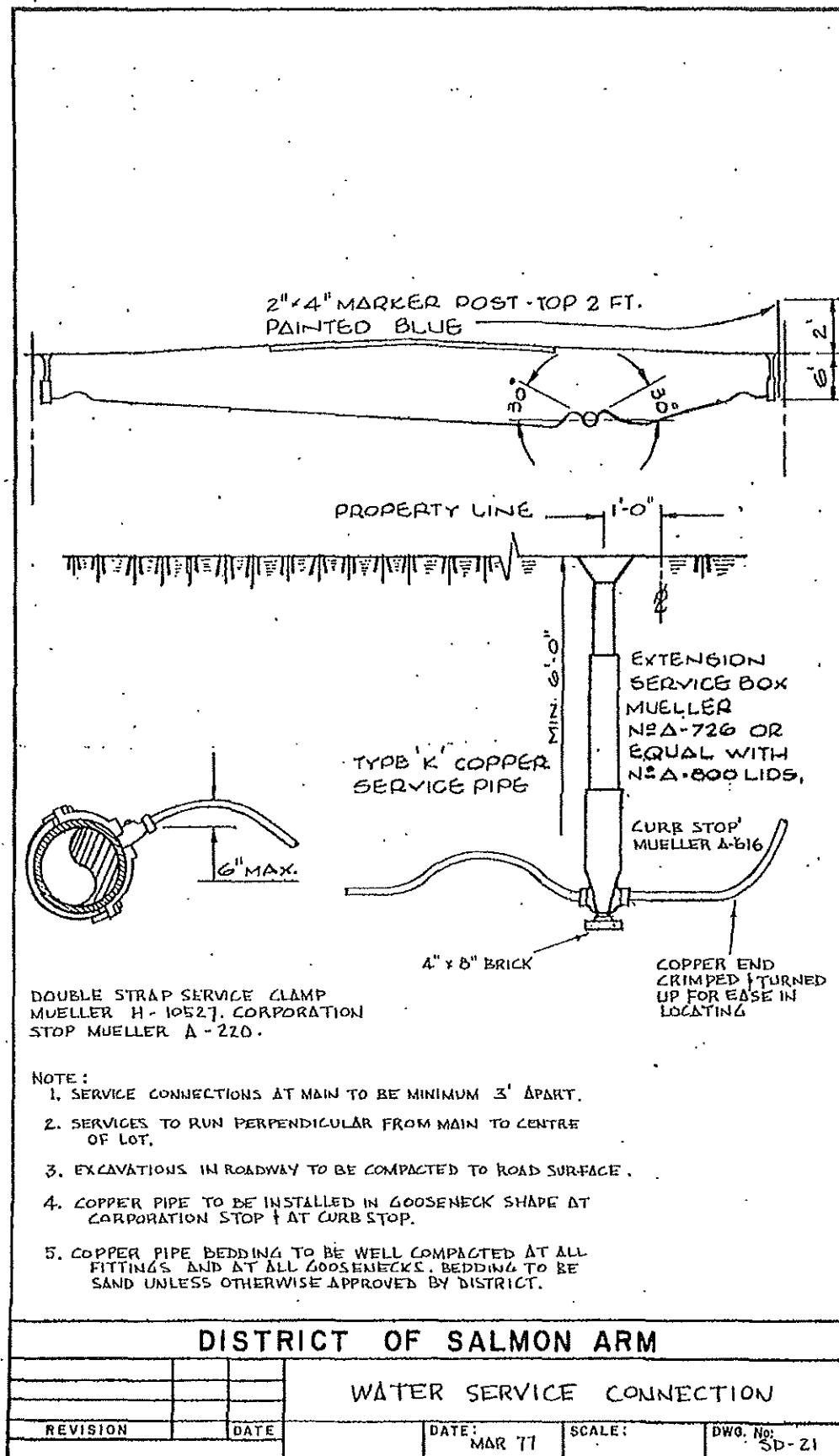
NOTE: ALL CONCRETE CLASS B.  
ALL CRADLES, ARCHES AND ENCASMENTS  
SHALL BE TERMINATED AT A  
FLEXIBLE COUPLING



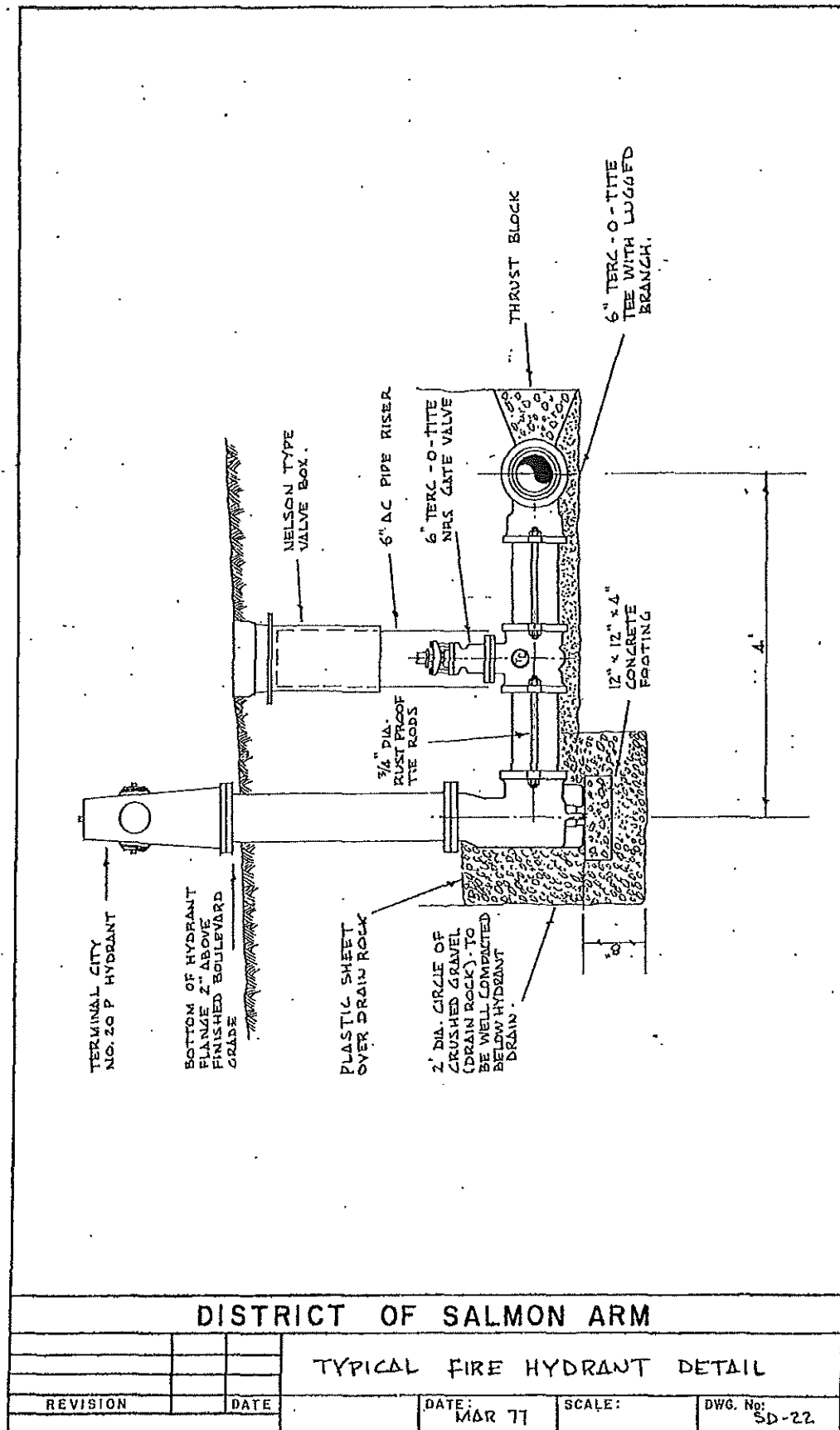
## DISTRICT OF SALMON ARM

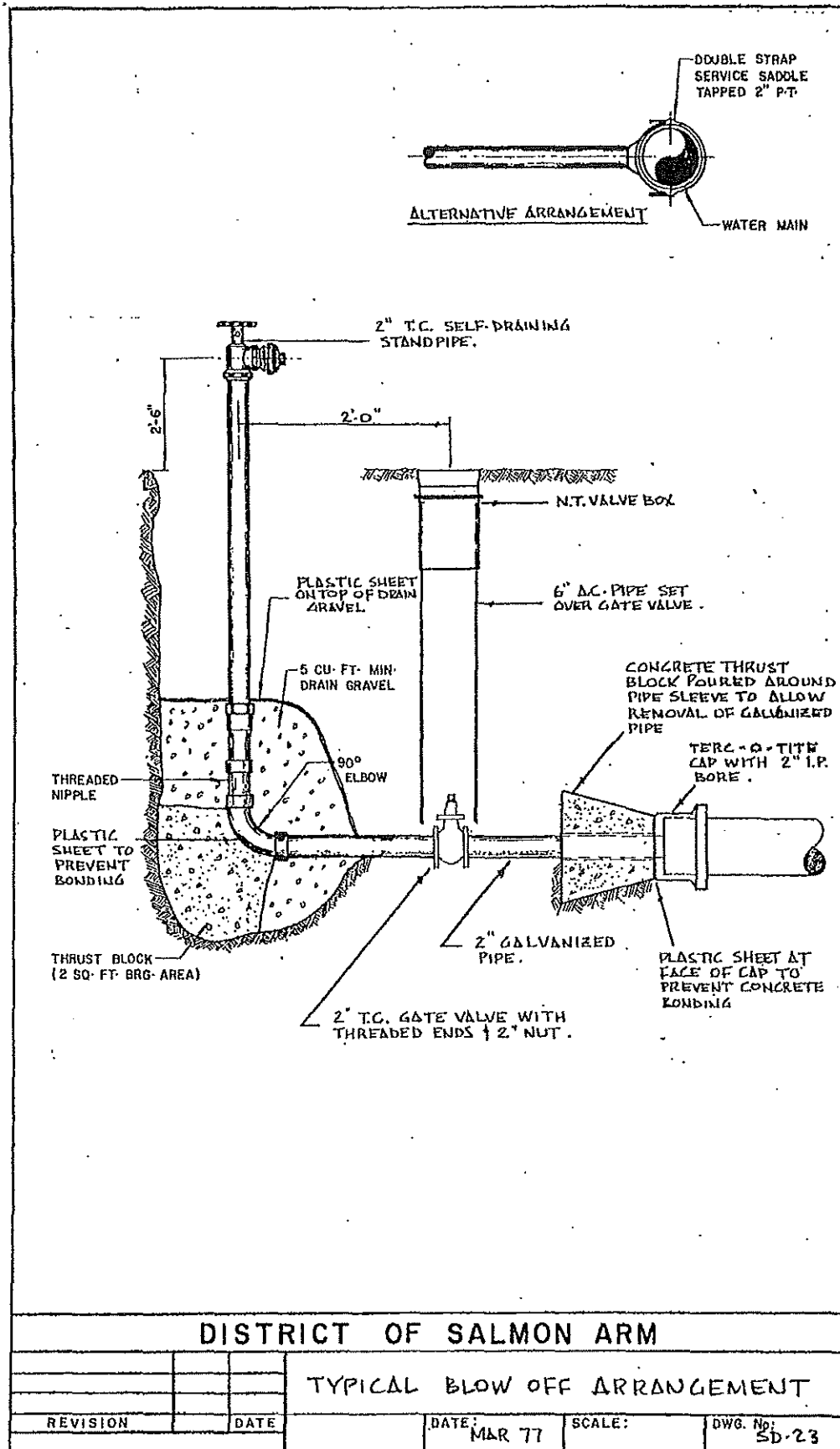
			TYPICAL TRENCH DETAILS		
REVISION		DATE	DATE: MAR 77	SCALE:	DWG. No: SD-35

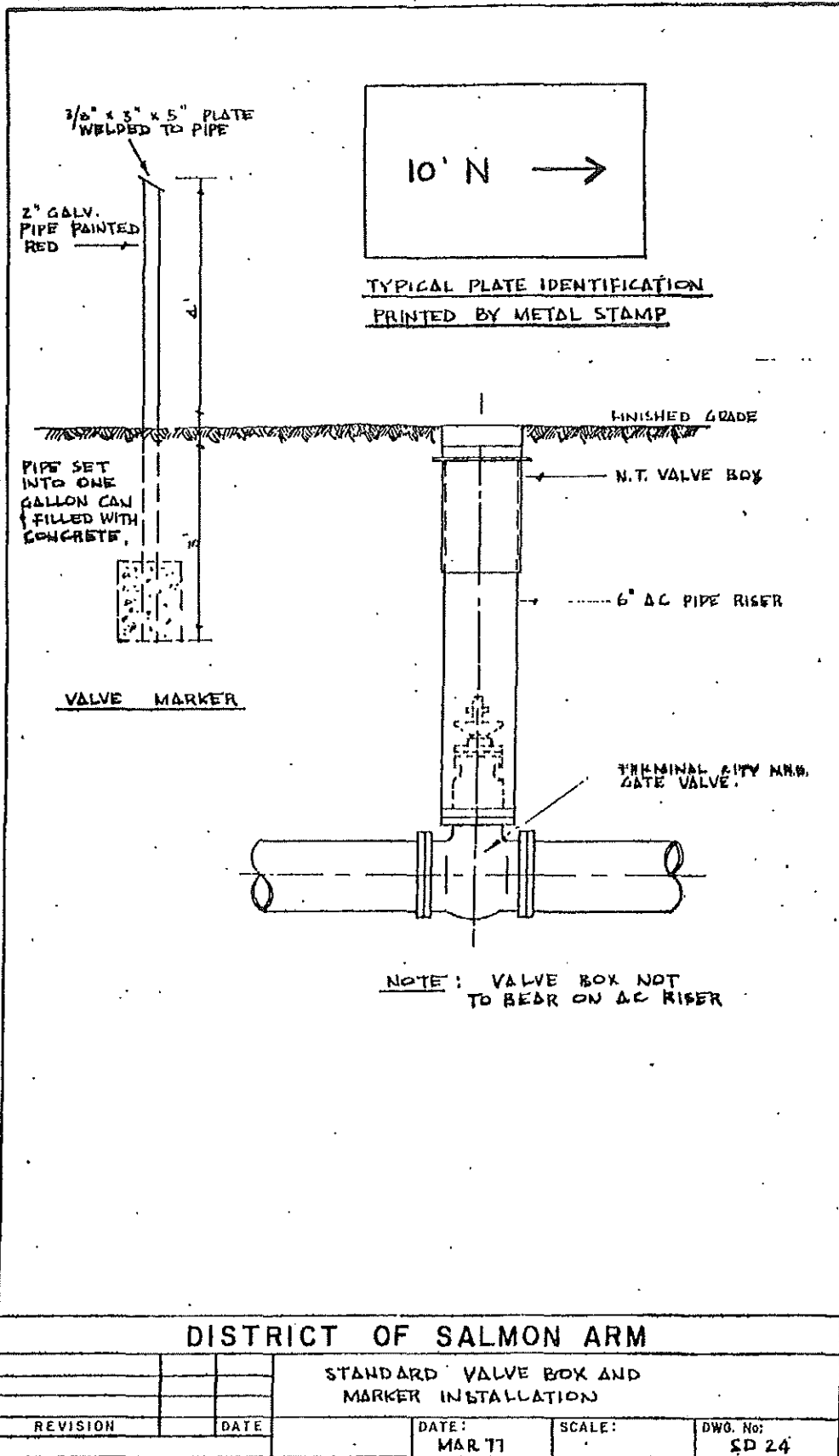




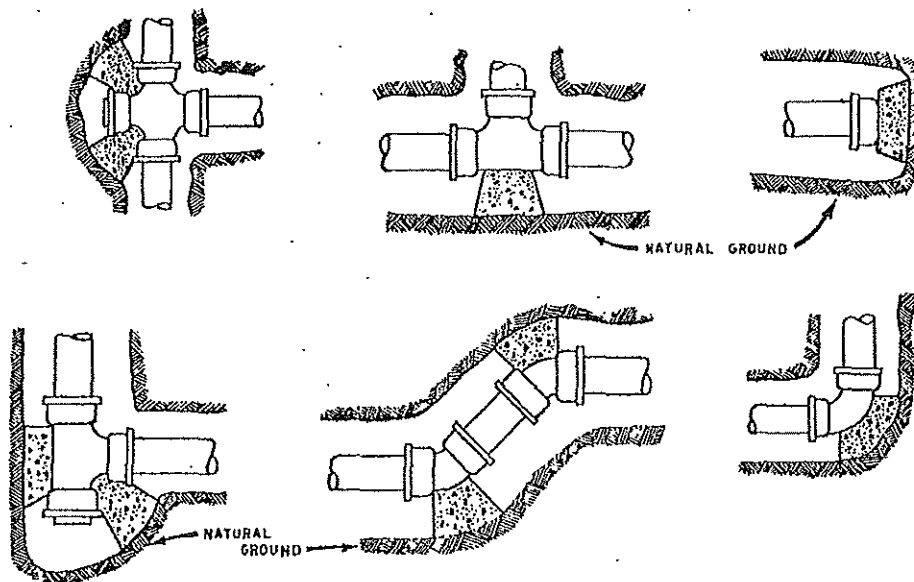








BLOCKING REQUIRED AT 150 PSI WATER PRESSURE								
	CAPS, PLUGS, TEES		90° ELBOWS		45° ELBOWS		22½° ELBOWS	
FITTING SIZE	THRUST LBS.	MINIMUM BLOCK BASE AREA SQ. FT.	THRUST LBS.	MINIMUM BLOCK BASE AREA SQ. FT.	THRUST LBS.	MINIMUM BLOCK BASE AREA SQ. FT.	THRUST LBS.	MINIMUM BLOCK BASE AREA SQ. FT.
4"	2,775	1.1	3,915	1.6	2,130	1.0	1,080	0.5
6"	5,700	2.3	8,955	3.3	4,365	1.8	2,205	1.0
8"	9,870	4.0	13,950	5.6	7,560	3.0	3,825	1.5
10"	16,125	6.5	22,800	9.1	12,360	5.0	6,255	2.5
12"	22,965	9.2	32,460	13.0	17,580	7.0	8,910	3.5

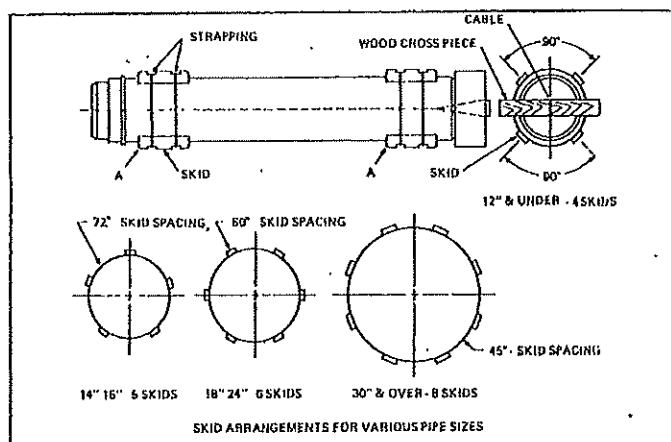
**NOTE:**

1. THRUST BLOCK AREAS BASED ON SAFE BEARING LOAD OF SOIL OF 2500 PSF. 1c FIRM CLAY, SAND & GRAVEL. FOR SOILS OTHER THAN THESE DESIGN AREA TO BE CONFIRMED WITH DISTRICT OF SALMON ARM.
2. THRUST BLOCKS TO EXTEND INTO UNDISTURBED SOIL. UNSTABLE SOILS ARE TO BE REMOVED AND REPLACED WITH STABLE COMPACTED FILL OR A SPECIAL ANCHOR BLOCK AS DIRECTED BY THE DISTRICT.
3. CONCRETE STRENGTH TO BE 3000 PSI.
4. PLASTIC SHEETING TO BE PLACED OVER ALL FITTINGS TO PREVENT BONDING TO CONCRETE.

**DISTRICT OF SALMON ARM****TYPICAL THRUST BLOCK REQUIREMENTS**

REVISION		DATE		DATE: MAR 77	SCALE:	DWG. No: SD-25
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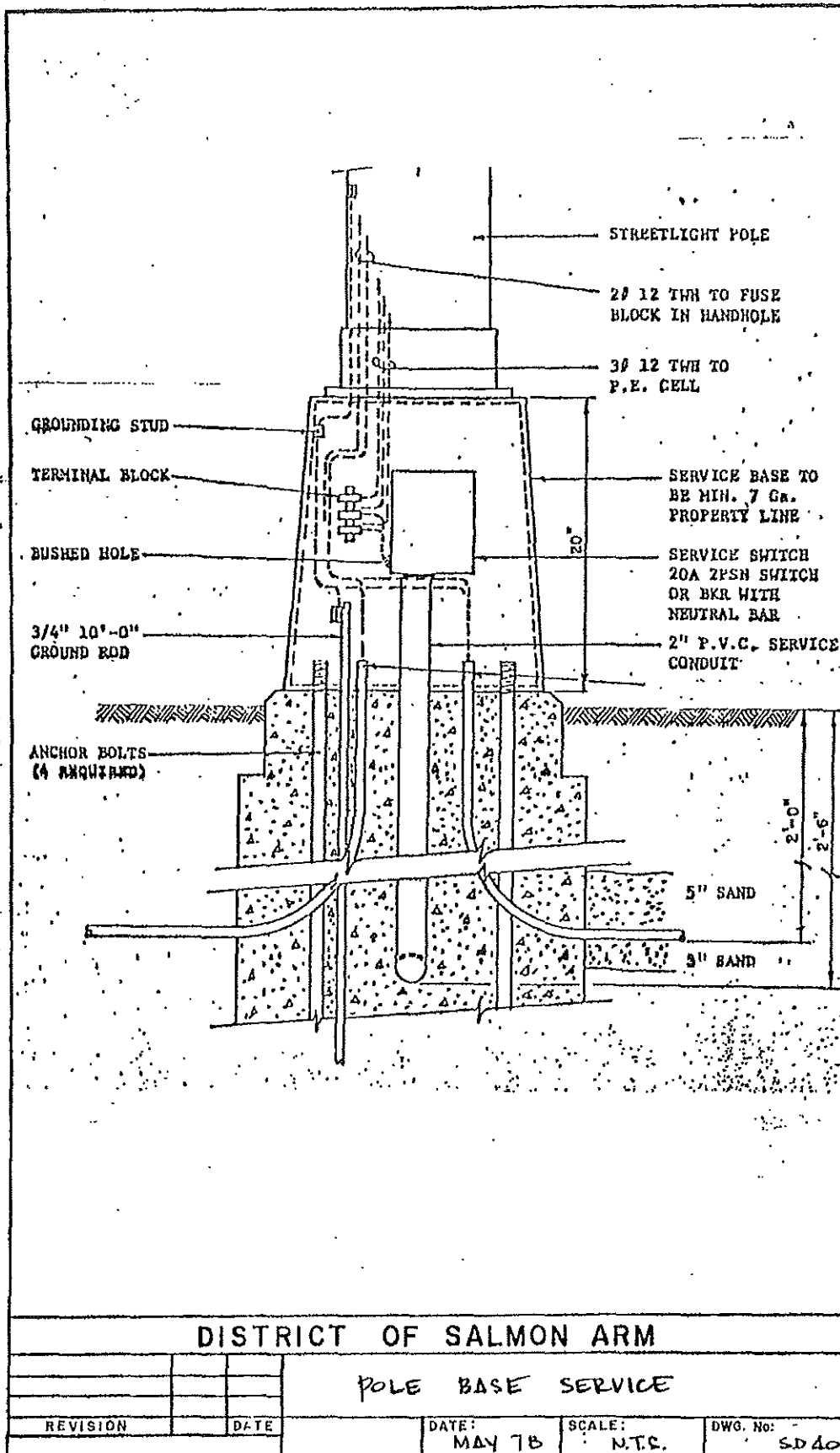
Pipe Size (Diameter in inches)	Casing Size (Diameter in inches)
3	9
4	10
6	12
8	16
10	18
12	20
14	22
16	24
18	26
20	28
24	34

NOTE:

1. SKIDS TO BE TREATED WITH WOOD PRESERVATIVE.
2. INSTALLATION LUBRICANT TO BE "FLAX SOAP" OR EQUIVALENT. PETROLEUM PRODUCTS NOT TO BE USED.
3. SKIDS TO BE 24" - 30" LONG AND HIGH ENOUGH TO ALLOW FOR CLEARANCE BETWEEN COUPLINGS AND BOTTOM OF CAGING.
4. SKIDS TO BE FASTENED SECURELY WITH HEAVY STEEL STRAPPING OR WIRE AND TO BE LOCATED AT POINTS  $\frac{1}{5}$  TH PIPE LENGTH FROM EACH END.

## DISTRICT OF SALMON ARM

			TYPICAL PIPE CASING DETAIL			
				DATE:	SCALE:	DWG. No:
REVISION		DATE		MAR 77		SD-26



DISTRICT OF SALMON ARM  
UTILITY RECORD

ADDRESS \_\_\_\_\_

LOT \_\_\_\_\_

PLAN \_\_\_\_\_

SECTION \_\_\_\_\_

SUBDIVISION \_\_\_\_\_

WATER		STORM SEWER		LOCATION PLAN
Date Installed: _____	Date Installed: _____	<p>Scale: _____</p>		
Installed By: _____	Installed By: _____			
Size: _____	Size: _____			
Material: _____	Material: _____			
Service Turn Off _____ Ft. From N E S W P.L. and _____ ft. from lot line.	Depth at P.L. _____ Tee Location _____ Ft. From N E S W P.L. and _____ ft. from lot line.			
SANITARY SEWER		NOTES		
Date Installed: _____				
Installed By: _____				
Size: _____				
Material: _____				
Depth at P.L. _____ Type Location _____ ft From N E S W P.L. and _____				

THIS INDENTURE made the            day of            , 197

BETWEEN:

(hereinafter called the "Grantor")

OF THE FIRST PART

AND:

OF THE SECOND PART

WHEREAS the Grantor is the registered owner or is entitled to become the registered owner of an estate in fee simple of ALL AND SINGULAR those certain parcels or tracts of land and premises situate, lying and being in the  
in the Province of British Columbia and being more particularly  
known and described as:

(hereinafter called the "Lands of the Grantor")

AND WHEREAS to facilitate the installation of a system of sewerage works, and/or water works, and/or drainage works, and/or gas works including all pipes, valves, fittings and facilities in connection therewith and/or hydro electric works including all wires, poles, conduits and other facilities in connection therewith;

(hereinafter called the "Works")

The Grantor has agreed to permit the construction by the Grantee of the aforementioned works on a portion of the said land and to grant for that purpose the right-of-way hereinafter described;



-2-

NOW THEREFORE THIS INDENTURE WITNESSETH that in consideration of the sum of  
Dollars  
(\$ ) of lawful money of Canada, now paid by the Grantee to the  
Grantor (the receipt and sufficiency of which is hereby acknowledged by the  
Grantor), and in consideration of the covenants and conditions hereinafter  
contained to be observed and performed by the Grantee and for other valuable  
consideration:

1.0 THE GRANTOR DOETH HEREBY:

1.1 Grant, convey, confirm and transfer, in perpetuity, unto the Grantee  
the full, free and uninterrupted right, license, liberty, privilege,  
permission and right-of-way to lay down, install, construct, entrench,  
operate, maintain, inspect, alter, remove, replace, bury, cleanse,  
string, and otherwise establish one or more systems of Works upon,  
over, under and across that part of the Land of the Grantor as shown  
outlined in red on Right-of-Way Plan number

(hereinafter called the "Perpetual Right-of-Way")

1.2. Covenant and agree to and with the Grantee that for the purposes  
aforesaid and upon, over, under and across the Perpetual Right-of-Way  
the Grantee shall for itself and its servants, agents, workmen,  
contractors and all other licensees of the Grantee together with  
machinery, vehicles, equipment, and materials be entitled at all  
times to enter, use, pass and repass, labour, construct, erect,  
install, dig, carry away soil or other surface or subsurface materials,  
clear of all trees, growth, buildings or obstruction now or hereafter  
in existence, as may be necessary, useful, or convenient in connection  
with the operations of the Grantee in relation to the Works;

1.3 Grant, convey, confirm and transfer unto the Grantee for itself, and  
its servants, agents, workmen, contractors and all other licensees  
of the Grantee together with machinery, vehicles, equipment and  
materials the right at all reasonable times to enter upon and to pass  
and repass over such of the Lands of the Grantor as may reasonably  
be required for the purpose of ingress to and egress from the  
Perpetual Right-of-Way;

1.4 Grant, convey, confirm and transfer unto the Grantee for itself, and  
its servants, agents, workmen, contractors and all other licensees  
of the Grantee together with machinery, vehicles, equipment and  
materials for a period of days only from the date of  
this Agreement, the full, free and uninterrupted right, license, liberty,  
privilege, permission and right-of-way to enter upon, pass and repass,  
clear, labour, and use for the purpose of ingress and egress to and  
from the Perpetual Right-of-Way and for the purpose of storing machinery,

-3-

vehicles, equipment, material or supplies used or to be used in connection with the construction of the Works herein described, and for the purpose of placing or storing the surface or subsurface material to be excavated from the Perpetual Right-of-Way upon and over, but not under that part or parts of the Lands of the Grantor, shown outlined in green on Right-of-Way Plan number

(hereinafter called the "Working Right-of-Way")

Provided always, and it is hereby agreed that nothing herein contained shall permit the Grantee to dig, trench or otherwise disturb the subsurface of the Working Right-of-Way and the Grantee shall only clear such trees and growth and interfere and disturb the surface of the Working Right-of-Way in a manner that is reasonably necessary in the conduct of its operations thereon;

2.0 THE GRANTOR HEREBY COVENANTS TO AND AGREES WITH THE GRANTEE, as follows;

2.1 That the Grantor will not, nor permit any other person to erect, place, install or maintain any building, structure, mobile home, concrete driveway or patio, pipe, wire or other conduit on, over or under any portion of the Perpetual Right-of-Way so that it in any way interferes with or damages or prevents access to, or is likely to cause harm to Works authorized hereby to be installed in or upon the Perpetual Right-of-Way;

2.2 That the Grantor will not do nor knowingly permit to be done any act or thing which will interfere with or injure the said Works and in particular will not carry out any blasting on or adjacent to the Perpetual Right-of-Way without the consent in writing of the Grantee, provided that such consent shall not be unreasonably withheld;

2.3 That the Grantor will not substantially diminish the soil cover over any of the Works installed in the Perpetual Right-of-Way and in particular, without in any way limiting the generality of the foregoing, will not construct open drains or ditches along or across any of the Works installed in the Perpetual Right-of-Way;

-4-

- 2.4 That the Grantor will from time to time and at all times upon every reasonable request and at the cost of the Grantee do and execute or cause to be made, done or executed all such further and other lawful acts, deeds, things, devices, conveyances and assurances in law whatsoever for the better assuring unto the Grantee of the rights hereby granted.
- 3.0 THE GRANTEE HEREBY COVENANTS TO AND AGREES WITH THE GRANTOR, as follows:
- 3.1 That the Grantee will not bury any debris or rubbish of any kind in excavations or backfill, and will remove shoring and like temporary structures as backfilling proceeds;
- 3.2 That the Grantee will thoroughly clean all lands to which it has had access hereunder of all rubbish and construction debris created or placed thereon by the Grantee and will leave such lands in a neat and clean condition;
- 3.3 That the Grantee will, as soon as weather and soil conditions permit, and so often as it may exercise its right of entry hereunder to any of the Lands of the Grantor, replace the surface soil as nearly as may be reasonably possible to the same condition as it was prior to such entry, in order to restore the natural drainage to such lands. PROVIDED HOWEVER that nothing herein contained shall require the Grantee to restore any trees or other surface growth but the Grantee shall leave such lands in a condition which will not inhibit natural regeneration of such growth;
- 3.4 That the Grantee will, as far as reasonably possible, carry out all work in a proper and workmanlike manner so as to do as little injury to the Lands of the Grantor as possible;
- 3.5 That the Grantee will make good at its own expense all damage or disturbance which may be caused to the surface soil of the Lands of the Grantor in the exercise of its rights hereunder;
- 3.6 The Grantee will, as far as reasonably possible, restore any fences, lawns, flower beds, at its cost as nearly as may be reasonably possible to the same condition that they were in prior to any entry by the Grantee upon the Lands.

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- 4.0 THE PARTIES HERETO EACH HEREBY COVENANT TO AND AGREE WITH THE OTHER, as follows:
- 4.1 The said Works referred to above, together with all pipes, valves, conduits, wires, casings, fittings, lines, meters, appliances, facilities, attachments or devices used in connection therewith shall constitute the Works;
- 4.2 Notwithstanding any rule of law or equity to the contrary, the Works brought on to, set, constructed, laid, erected in, upon or under the Perpetual Right-of-Way by the Grantee shall at all times remain the property of the Grantee notwithstanding that the same may be annexed or affixed to the freehold and shall at any time and from time to time be removable in whole or in part by the Grantee;
- 4.3 In the event that the Grantee abandons the Works or any part thereof the Grantee may, if it so elects, leave the whole or any part thereof in place;
- 4.4 That no part of the title in fee simple to the soil shall pass to or be vested in the Grantee under or by virtue of these presents and the Grantor may fully use and enjoy all of the Lands of the Grantor subject only to the rights and restrictions herein contained;
- 4.5 That the covenants herein contained shall be covenants running with the land and that none of the covenants herein contained shall be personal or binding upon the parties hereto, save and except during the Grantor's seisin or ownership of any interest in the Lands of the Grantor, and with respect only to that portion of the Lands of the Grantor of which the Grantor shall be seised or in which he shall have an interest, but that the Lands of the Grantor; nevertheless, be and remain at all times charged therewith;
- 4.6 If at the date hereof the Grantor is not the sole registered owner of the Lands of the Grantor, this Agreement shall nevertheless bind the Grantor to the full extent of his interest therein, and if he shall acquire a greater or the entire interest in fee simple, this Agreement shall likewise extend to such after-acquired interests;

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4.7 Where the expression "Grantor" includes more than one person, all covenants herein on the part of the Grantor shall be construed as being several as well as joint;

4.8 This Agreement shall enure to the benefit of and be binding upon the parties hereto and their respective heirs, administrators, executors, successors and assigns as the case may be and wherever the singular or masculine is used, it shall be construed as if the plural or the feminine or neuter, as the case may be, had been used, where the parties or the context hereto so require and the rest of the sentence shall be construed as if the grammatical and terminological changes thereby rendered necessary had been made.

IN WITNESS WHEREOF the parties hereto have executed these presents in the manner and on the date hereinafter appearing.

SIGNED, SEALED AND DELIVERED  
by the Grantor this  
day of 197  
in the presence of;

(Se

Signature of Witness

Address

Occupation  
(as to all signatures of  
Grantor)

The Corporate Seal of the  
Grantor was hereunto affixed  
this day of  
197 in the presence of;

(Se

The Corporate Seal of the  
was hereunto  
affixed this day of  
197  
in the presence of;

(Se

Mayor

Clerk



SCHEDULE "F"

The Corporation of the District of Salmon Arm  
Salmon Arm, B.C.

Dear Sirs:

IRREVOCABLE COMMERCIAL LETTER OF CREDIT NO.

We hereby authorize you to draw on  
, for account of  
up to an aggregate amount of  
available by drafts at sight for 100% of value.

COVERING SERVICES TO PART OF LOT , PLAN , SECTION  
TOWNSHIP , RANGE , W6M, K.D.Y.D.

1. Drawings are to be made in writing to
2. Partial drawings may be made.
3. The bank will not inquire as to whether or not the Corporation has a right to make demand on the Letter of Credit.
4. This Letter of Credit is irrevocable up to the expiry date.

DRAFTS MUST BE DRAWN AND NEGOTIATED NOT LATER THAN

The drafts drawn under this credit are to be endorsed hereon and shall state on their face that they are drawn under  
Letter of Credit No.

Countersigned,

Yours truly,

SCHEDULE "B" *BA*CONSENT

KNOW ALL MEN by these presents that:

\_\_\_\_\_ of  
\_\_\_\_\_ being  
the holder of a charge by way of \_\_\_\_\_ registered  
in the Land Registry Office at \_\_\_\_\_ under  
Number \_\_\_\_\_ against all and singular that certain parcel or  
tract of land and premises being in the \_\_\_\_\_  
in the Province of British Columbia and known and described as:

in consideration of the sum of One Dollar (\$1.00) hereby agrees and consents  
to the registration of a Land Use Contract, made between the registered owner  
of the said Lands and the \_\_\_\_\_ dated  
the \_\_\_\_\_ day of \_\_\_\_\_ 1976, against the aforementioned Lands in priority  
to the said charge in the same manner and to the same effect as if it had been  
dated and registered prior to the said charges.

CONSENT TO GRANT OF RIGHT-OF-WAY

KNOW ALL MEN BY THESE PRESENTS that  
is the registered holder of a charge by way of  
against the within described property which said  
charge is registered in the Land Registry Office, City of Kamloops,  
under number , for and in consideration of the sum of One  
Dollar (\$1.00) paid by the to the said Chargeholder  
(the receipt whereof is hereby acknowledged), agrees with the  
its successors and assigns, that the within Right-of-Way  
shall be an encumbrance upon the within described property in priority  
to the said charge in the same manner and to the same effect as if it  
had been dated and registered prior to the said charge.

IN WITNESS WHEREOF the parties hereto have caused these  
presents to be signed, sealed and delivered in the presence of or in  
the presence of its duly authorized officers this day of  
, 197

SIGNED, SEALED AND DELIVERED  
by the Grantor this  
day of 197  
in the presence of:

\_\_\_\_\_  
Signature of Witness

\_\_\_\_\_  
Address

\_\_\_\_\_  
Occupation  
(as to all signatures of  
Grantor)

The Corporate Seal of the  
Grantor was hereunto affixed  
this day of  
197 in the presence of:

(Seal)

(Seal)

Status: Registered

Doc #: N54304

RCVD: 1978-09-22 RQST: 2020-10-14 08.47.19

MACK PRINTERS AND STATIONERS LTD., VANCOUVER, B.C. ©  
LAW AND COMMERCIAL STATIONERS FORM No. 92

## Acknowledgment of Officer of a Corporation

I HEREBY CERTIFY that, on the \_\_\_\_\_ day of \_\_\_\_\_, 1978,  
at Salmon Arm \_\_\_\_\_, in the Province of British Columbia,  
(whose identity has been proved by the evidence on \_\_\_\_\_  
oath of \_\_\_\_\_, who is) personally known to me,  
appeared before me and acknowledged to me that he is the \_\_\_\_\_ of  
DISTRICT OF SALMON ARM \_\_\_\_\_, and that he is the person  
who subscribed his name to the annexed instrument as \_\_\_\_\_ of the said  
DISTRICT OF SALMON ARM \_\_\_\_\_ and affixed the seal of the  
DISTRICT OF SALMON ARM \_\_\_\_\_  
to the said Instrument, that he was first duly authorized to subscribe his name as aforesaid, and affix the said seal  
to the said Instrument, and that such corporation is legally entitled to hold and dispose of land in the Province of  
British Columbia.

IN TESTIMONY whereof I have hereunto set my Hand and Seal of Office,  
at Salmon Arm \_\_\_\_\_ in the Province of  
British Columbia, this \_\_\_\_\_ day of \_\_\_\_\_  
one thousand nine hundred and seventy-eight.

\_\_\_\_\_  
A Notary Public in and for the Province of British Columbia.  
A Commissioner for taking Affidavits for British Columbia.

200

MACK PRINTERS AND STATIONERS LTD., VANCOUVER, B.C. ©  
LAW AND COMMERCIAL STATIONERS  
FORM No. 92

### Acknowledgment of Officer of a Corporation

I HEREBY CERTIFY that, on the 13<sup>th</sup> day of September, 1978,  
at KARLOOPS, in the Province of British Columbia,  
JOHN DONALDSON (whose identity has been proved by the evidence on  
oath of / ABACUS CITIES LTD., who is) personally known to me,  
appeared before me and acknowledged to me that he is the REGIONAL GENERAL MANAGER  
who subscribed his name to the annexed instrument as REGIONAL GENERAL MANAGER  
ABACUS CITIES LTD., and that he is the person  
of the said  
to the said Instrument, that he was first duly authorized to subscribe his name as aforesaid, and affix the said seal  
to the said Instrument, and that such corporation is legally entitled to hold and dispose of land in the Province of  
British Columbia.

IN TESTIMONY whereof I have hereunto set my Hand and Seal of Office,  
at KARLOOPS in the Province of  
British Columbia, this 13<sup>th</sup> day of September  
one thousand nine hundred and seventy-eight.

M. D. 11/11/78  
A Notary Public in and for the Province of British Columbia  
A Commissioner for taking oaths



DATED

---

BETWEEN:

DISTRICT OF SALMON ARM

AND:

ABACUS CITIES LTD.

---

LAND USE CONTRACT

---

WILSON, BAUMAN

*Barristers & Solicitors*

202 - 215 Lawrence Avenue  
Kelowna, B.C. V1Y 5L2

23. STATUTORY PUBLIC HEARINGS

2. Land Use Contract Termination No. LUC N54304 [Abacus Cities Ltd.; Units 101 - 506, 1449 - 1 Avenue NE; Units 302 - 806, 1451 - 1 Avenue NE; 130 - 230 - 15 Street NE; 1480 - 1570 - 1 Avenue NE; 1451 - 1531 Okanagan Avenue NE]

The Director of Development Services explained the proposed Land Use Contract Termination.

Submissions were called for at this time.

Following three calls for submissions and questions from Council, the Public Hearing was closed at 7:40 p.m. and the next item ensued.

## CITY OF SALMON ARM

### BYLAW NO. 4430

#### A bylaw to terminate Land Use Contracts in the City of Salmon Arm

WHEREAS pursuant to section 548 of the *Local Government Act* the City of Salmon Arm may address early termination of a land use contract that is entered into and registered in a land title office subject to the terms and conditions therein set out;

AND WHEREAS mandatory notice required under section 466(5) of the *Local Government Act* for a Public Hearing to be held by the Council of the City of Salmon Arm in the Council Chambers at City Hall, 500 – 2 Avenue NE, Salmon Arm, British Columbia, on January 25, 2021 at the hour of 7:00 p.m. and was published in January 13 and 20, 2021 issues of the Salmon Arm Observer and delivered at least 10 days prior of all parcels, any part of which is subject to the land use contract that the bylaw will terminate or is within a distance specified by bylaw from that part of the area that is subject to that land use contract;

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

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

1. That "District of Salmon Arm Land Use Contract Bylaw No. 1260, 1978", registered in the Kamloops Land Title Office under document number N54304 against title to the lands in the table below and further shown on Schedule 'A', is terminated:

028-875-656	Strata Lot 1, Section 13, Township 20, Range 10, W6M, KDYD, Strata Plan EPS740	201, 1449 1 Avenue NE
028-875-664	Strata Lot 2, Section 13, Township 20, Range 10, W6M, KDYD, Strata Plan EPS740	202, 1449 1 Avenue NE
028-875-672	Strata Lot 3, Section 13, Township 20, Range 10, W6M, KDYD, Strata Plan EPS740	203, 1449 1 Avenue NE
028-875-681	Strata Lot 4, Section 13, Township 20, Range 10, W6M, KDYD, Strata Plan EPS740	204, 1449 1 Avenue NE
028-875-699	Strata Lot 5, Section 13, Township 20, Range 10, W6M, KDYD, Strata Plan EPS740	205, 1449 1 Avenue NE
028-875-702	Strata Lot 6, Section 13, Township 20, Range 10, W6M, KDYD, Strata Plan EPS740	206, 1449 1 Avenue NE
029-092-736	Strata Lot 7, Section 13, Township 20, Range 10, W6M, KDYD, Strata Plan EPS740	101, 1449 1 Avenue NE
029-092-744	Strata Lot 8, Section 13, Township 20, Range 10, W6M, KDYD, Strata Plan EPS740	102, 1449 1 Avenue NE
029-092-752	Strata Lot 9, Section 13, Township 20, Range 10, W6M, KDYD, Strata Plan EPS740	103, 1449 1 Avenue NE

029-092-761	Strata Lot 10, Section 13, Township 20, Range 10, W6M, KDYD, Strata Plan EPS740	104, 1449 1 Avenue NE
029-092-779	Strata Lot 11, Section 13, Township 20, Range 10, W6M, KDYD, Strata Plan EPS740	105, 1449 1 Avenue NE
029-092-787	Strata Lot 12, Section 13, Township 20, Range 10, W6M, KDYD, Strata Plan EPS740	106, 1449 1 Avenue NE
029-501-237	Strata Lot 13, Section 13, Township 20, Range 10, W6M, KDYD, Strata Plan EPS740	301, 1449 1 Avenue NE
029-501-245	Strata Lot 14, Section 13, Township 20, Range 10, W6M, KDYD, Strata Plan EPS740	302, 1449 1 Avenue NE
029-501-253	Strata Lot 15, Section 13, Township 20, Range 10, W6M, KDYD, Strata Plan EPS740	303, 1449 1 Avenue NE
029-501-261	Strata Lot 16, Section 13, Township 20, Range 10, W6M, KDYD, Strata Plan EPS740	304, 1449 1 Avenue NE
029-501-270	Strata Lot 17, Section 13, Township 20, Range 10, W6M, KDYD, Strata Plan EPS740	305, 1449 1 Avenue NE
029-501-288	Strata Lot 18, Section 13, Township 20, Range 10, W6M, KDYD, Strata Plan EPS740	306, 1449 1 Avenue NE
029-686-121	Strata Lot 19, Section 13, Township 20, Range 10, W6M, KDYD, Strata Plan EPS740	401, 1449 1 Avenue NE
029-686-130	Strata Lot 20, Section 13, Township 20, Range 10, W6M, KDYD, Strata Plan EPS740	402, 1449 1 Avenue NE
029-686-148	Strata Lot 21, Section 13, Township 20, Range 10, W6M, KDYD, Strata Plan EPS740	403, 1449 1 Avenue NE
029-686-156	Strata Lot 22, Section 13, Township 20, Range 10, W6M, KDYD, Strata Plan EPS740	404, 1449 1 Avenue NE
029-686-164	Strata Lot 23, Section 13, Township 20, Range 10, W6M, KDYD, Strata Plan EPS740	405, 1449 1 Avenue NE
029-686-172	Strata Lot 24, Section 13, Township 20, Range 10, W6M, KDYD, Strata Plan EPS740	406, 1449 1 Avenue NE
029-775-698	Strata Lot 25, Section 13, Township 20, Range 10, W6M, KDYD, Strata Plan EPS740	501, 1449 1 Avenue NE
029-775-701	Strata Lot 26, Section 13, Township 20, Range 10, W6M, KDYD, Strata Plan EPS740	502, 1449 1 Avenue NE
029-775-710	Strata Lot 27, Section 13, Township 20, Range 10, W6M, KDYD, Strata Plan EPS740	503, 1449 1 Avenue NE
029-775-728	Strata Lot 28, Section 13, Township 20, Range 10, W6M, KDYD, Strata Plan EPS740	504, 1449 1 Avenue NE
029-775-736	Strata Lot 29, Section 13, Township 20, Range 10, W6M, KDYD, Strata Plan EPS740	505, 1449 1 Avenue NE
029-775-744	Strata Lot 30, Section 13, Township 20, Range 10, W6M, KDYD, Strata Plan EPS740	506, 1449 1 Avenue NE
002-206-854	Strata Lot 1, Section 13, Township 20, Range 10, W6M, KDYD, Strata Plan KAS507	603, 1451 1 Avenue NE
002-206-862	Strata Lot 2, Section 13, Township 20, Range 10, W6M, KDYD, Strata Plan KAS507	601, 1451 1 Avenue NE
002-206-871	Strata Lot 3, Section 13, Township 20, Range 10, W6M, KDYD, Strata Plan KAS507	604, 1451 1 Avenue NE
002-206-897	Strata Lot 4, Section 13, Township 20, Range 10, W6M, KDYD, Strata Plan KAS507	602, 1451 1 Avenue NE

002-206-901	Strata Lot 5, Section 13, Township 20, Range 10, W6M, KDYD, Strata Plan KAS507	503, 1451 1 Avenue NE
002-206-919	Strata Lot 6, Section 13, Township 20, Range 10, W6M, KDYD, Strata Plan KAS507	501, 1451 1 Avenue NE
002-206-927	Strata Lot 7, Section 13, Township 20, Range 10, W6M, KDYD, Strata Plan KAS507	504, 1451 1 Avenue NE
002-206-935	Strata Lot 8, Section 13, Township 20, Range 10, W6M, KDYD, Strata Plan KAS507	502, 1451 1 Avenue NE
002-206-943	Strata Lot 9, Section 13, Township 20, Range 10, W6M, KDYD, Strata Plan KAS507	703, 1451 1 Avenue NE
002-206-951	Strata Lot 10, Section 13, Township 20, Range 10, W6M, KDYD, Strata Plan KAS507	701, 1451 1 Avenue NE
002-206-960	Strata Lot 11, Section 13, Township 20, Range 10, W6M, KDYD, Strata Plan KAS507	704, 1451 1 Avenue NE
002-206-978	Strata Lot 12, Section 13, Township 20, Range 10, W6M, KDYD, Strata Plan KAS507	702, 1451 1 Avenue NE
002-206-986	Strata Lot 13, Section 13, Township 20, Range 10, W6M, KDYD, Strata Plan KAS507	405, 1451 1 Avenue NE
002-206-994	Strata Lot 14, Section 13, Township 20, Range 10, W6M, KDYD, Strata Plan KAS507	403, 1451 1 Avenue NE
002-207-001	Strata Lot 15, Section 13, Township 20, Range 10, W6M, KDYD, Strata Plan KAS507	401, 1451 1 Avenue NE
002-207-010	Strata Lot 16, Section 13, Township 20, Range 10, W6M, KDYD, Strata Plan KAS507	406, 1451 1 Avenue NE
002-207-028	Strata Lot 17, Section 13, Township 20, Range 10, W6M, KDYD, Strata Plan KAS507	404, 1451 1 Avenue NE
002-207-036	Strata Lot 18, Section 13, Township 20, Range 10, W6M, KDYD, Strata Plan KAS507	402, 1451 1 Avenue NE
002-207-044	Strata Lot 19, Section 13, Township 20, Range 10, W6M, KDYD, Strata Plan KAS507	805, 1451 1 Avenue NE
002-207-052	Strata Lot 20, Section 13, Township 20, Range 10, W6M, KDYD, Strata Plan KAS507	803, 1451 1 Avenue NE
002-207-061	Strata Lot 21, Section 13, Township 20, Range 10, W6M, KDYD, Strata Plan KAS507	801, 1451 1 Avenue NE
002-207-079	Strata Lot 22, Section 13, Township 20, Range 10, W6M, KDYD, Strata Plan KAS507	806, 1451 1 Avenue NE
002-207-087	Strata Lot 23, Section 13, Township 20, Range 10, W6M, KDYD, Strata Plan KAS507	804, 1451 1 Avenue NE
002-207-095	Strata Lot 24, Section 13, Township 20, Range 10, W6M, KDYD, Strata Plan KAS507	802, 1451 1 Avenue NE
002-207-109	Strata Lot 25, Section 13, Township 20, Range 10, W6M, KDYD, Strata Plan KAS507	305, 1451 1 Avenue NE
002-207-117	Strata Lot 26, Section 13, Township 20, Range 10, W6M, KDYD, Strata Plan KAS507	303, 1451 1 Avenue NE
002-207-125	Strata Lot 27, Section 13, Township 20, Range 10, W6M, KDYD, Strata Plan KAS507	301, 1451 1 Avenue NE
002-207-133	Strata Lot 28, Section 13, Township 20, Range 10, W6M, KDYD, Strata Plan KAS507	306, 1451 1 Avenue NE
002-207-141	Strata Lot 29, Section 13, Township 20, Range 10, W6M, KDYD, Strata Plan KAS507	304, 1451 1 Avenue NE



002-207-150	Strata Lot 30, Section 13, Township 20, Range 10, W6M, KDYD, Strata Plan KAS507	302, 1451 1 Avenue NE
003-248-429	Lot 1, Section 13, Township 20, Range 10, W6M, KDYD, PLAN 33113	131 15 Street NE
003-248-437	Lot 2, Section 13, Township 20, Range 10, W6M, KDYD, Plan 33113	161 15 Street NE
003-248-453	Lot 3, Section 13, Township 20, Range 10, W6M, KDYD, Plan 33113	191 15 Street NE
003-248-461	Lot 4, Section 13, Township 20, Range 10, W6M, KDYD, Plan 33113	211 15 Street NE
003-248-470	Lot 5, Section 13, Township 20, Range 10, W6M, KDYD, Plan 33113	230 15 Street NE
003-248-488	Lot 6, Section 13, Township 20, Range 10, W6M, KDYD, PLAN 33113	210 15 Street NE
003-248-496	Lot 7, Section 13, Township 20, Range 10, W6M, KDYD, PLAN 33113	190 15 Street NE
003-248-500	Lot 8, Section 13, Township 20, Range 10, W6M, KDYD, Plan 33113	160 15 Street NE
003-248-518	Lot 9, Section 13, Township 20, Range 10, W6M, KDYD, Plan 33113	130 15 Street NE
003-248-526	Lot 10, Section 13, Township 20, Range 10, W6M, KDYD, PLAN 33113	1570 1 Avenue NE
003-248-551	Lot 11, Section 13, Township 20, Range 10, W6M, KDYD, Plan 33113	1540 1 Avenue NE
003-248-569	Lot 12, Section 13, Township 20, Range 10, W6M, KDYD, Plan 33113	1500 1 Avenue NE
003-248-577	Lot 13, Section 13, Township 20, Range 10, W6M, KDYD, Plan 33113	1480 1 Avenue NE
025-681-401	Strata Lot 1, Section 13, Township 20, Range 10, W6M, KDYD, Strata Plan KAS2541	1451 Okanagan Avenue NE
025-681-419	Strata Lot 2, Section 13, Township 20, Range 10, W6M, KDYD, Strata Plan KAS2541	1453 Okanagan Avenue NE
018-189-661	Strata Lot 1, Section 13, Township 20, Range 10, W6M, KDYD, Strata Plan KAS1227	1481 Okanagan Avenue NE
018-189-679	Strata Lot 2, Section 13, Township 20, Range 10, W6M, KDYD, Strata Plan KAS1227	1491 Okanagan Avenue NE
017-800-943	Strata Lot 1, Section 13, Township 20, Range 10, W6M, KDYD, Strata Plan KAS1054	1521 Okanagan Avenue
017-800-951	Strata Lot 2, Section 13, Township 20, Range 10, W6M, KDYD, Strata Plan KAS1054	1531 Okanagan Avenue

3. The Mayor and Corporate Office are hereby authorized to execute any documents necessary to terminate, release and discharge the Land Use Contracts above mentioned.

## 4. SEVERABILITY

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

## 5. ENACTMENT

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

## 7. EFFECTIVE DATE

This bylaw shall come into full force and effective one year and one day from the date of adoption.

## 8. CITATION

This bylaw may be cited as "City of Salmon Arm Land Use Contract Termination Bylaw No. 4430"

READ A FIRST TIME THIS                      14                      DAY OF                      December                      2020

READ A SECOND TIME THIS                      14                      DAY OF                      December                      2020

READ A THIRD TIME THIS                      25                      DAY OF                      January                      2021

ADOPTED BY COUNCIL THIS                      DAY OF                      2021

\_\_\_\_\_  
MAYOR

\_\_\_\_\_  
CORPORATE OFFICER

[illegible]

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Item 11.3

## CITY OF SALMON ARM

Date: February 22, 2021

Moved: Councillor

Seconded: Councillor

THAT: the bylaw entitled City of Salmon Arm Zoning Amendment Bylaw No. 4431 be read a final time.

[ZON-1196; Abacus Cities Ltd.; Units 101 – 506, 1449 – 1 Avenue NE; Units 302 – 806, 1451 – 1 Avenue NE; 1451 – 1531 Okanagan Avenue NE; R-1 – R-4]

### Vote Record

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

Opposed:

- ☐ Harrison
- ☐ Cannon
- ☐ Eliason
- ☐ Flynn
- ☐ Lavery
- ☐ Lindgren
- ☐ Wallace Richmond



23. STATUTORY PUBLIC HEARINGS

3. Zoning Amendment Bylaw No. ZON-1196 [Abacus Cities Ltd.; Units 101 – 506, 1449 – 1 Avenue NE; Units 302 – 806, 1451 – 1 Avenue NE; 1451 – 1531 Okanagan Avenue NE; R-1 – R-4]

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

Submissions were called for at this time.

Following three calls for submissions and questions from Council, the Public Hearing was closed at 7:41 p.m. and the next item ensued.

## CITY OF SALMON ARM

### BYLAW NO. 4431

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

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WHEREAS notice of a Public Hearing to be held by the Council of the City of Salmon Arm in the Council Chambers at City Hall, 500 – 2 Avenue NE, Salmon Arm, British Columbia and by electronic means as authorized by Ministerial Order M192, British Columbia, on January 25, 2021 at the hour of 7:00 p.m. was published in the January 16 and 20, 2021 issues of the Salmon Arm Observer;

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

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

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

Rezone Strata Lots 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17, 18, 19, 20, 21, 22, 23, 24, 25, 26, 27, 28, 29 and 30, Section 13, Township 20, Range 10, W6M, KDYD, Strata Plan EPS370; Strata Lots 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17, 18, 19, 20, 21, 22, 23, 24, 25, 26, 27, 28, 29 and 30, Section 13, Township 20, Range 10, W6M, KDYD, Strata Plan KAS507; Strata Lots 1 and 2, Section 13, Township 20, Range 10, W6M, KDYD, Strata Plan KAS2541; Strata Lots 1 and 2, Section 13, Township 20, Range 10, W6M, KDYD, Strata Plan KAS1227; Strata Lots 1 and 2, Section 13, Township 20, Range 10, W6M, KDYD, Strata Plan KAS1054 from R-1 (Single Family Residential Zone) to R-4 (Medium Density Residential Zone), shown on Schedule "A" attached hereto and forming part of this bylaw.

2. SEVERABILITY

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

3. ENACTMENT

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

City of Salmon Arm  
Zoning Amendment Bylaw No. 4431

4. EFFECTIVE DATE

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

5. CITATION

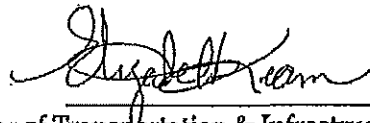
This bylaw may be cited as "City of Salmon Arm Zoning Amendment Bylaw No. 4431"

READ A FIRST TIME THIS 14 DAY OF December 2020

READ A SECOND TIME THIS 14 DAY OF December 2020

READ A THIRD TIME THIS 25 DAY OF January 2021

APPROVED PURSUANT TO SECTION 52 (3) (a) OF THE TRANSPORTATION ACT  
ON THE 2nd DAY OF February 2021



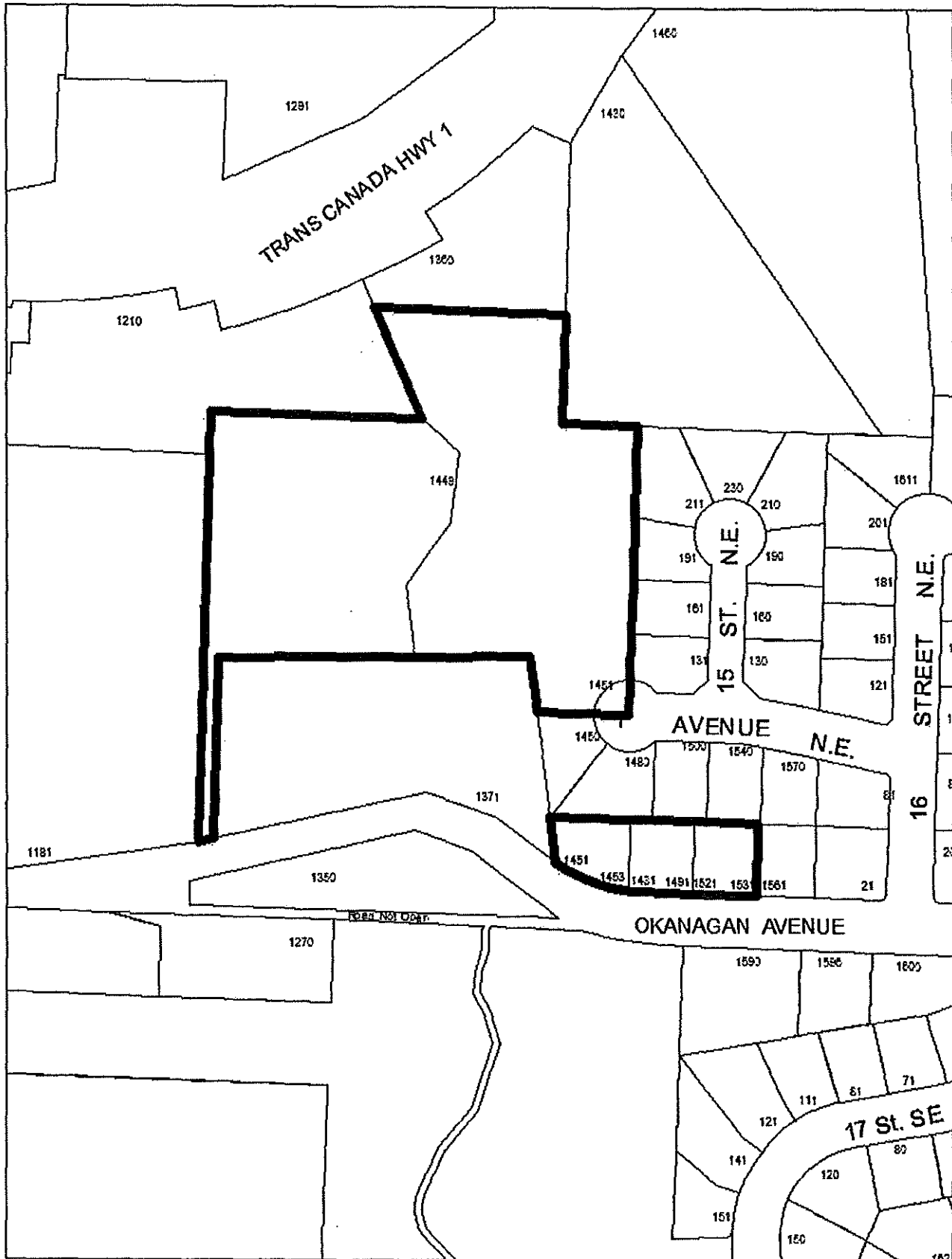
For Minister of Transportation & Infrastructure

ADOPTED BY COUNCIL THIS DAY OF 2021

\_\_\_\_\_  
MAYOR

\_\_\_\_\_  
CORPORATE OFFICER

SCHEDULE "A"



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Item 11.4

## CITY OF SALMON ARM

Date: February 22, 2021

Moved: Councillor

Seconded: Councillor

THAT: the bylaw entitled City of Salmon Arm Fee for Service Amendment Bylaw No. 4436 be read a final time.

[Sidewalk Café Program]

### Vote Record

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

- ☐ Harrison
- ☐ Cannon
- ☐ Eliason
- ☐ Flynn
- ☐ Lavery
- ☐ Lindgren
- ☐ Wallace Richmond

## CITY OF SALMON ARM

BYLAW NO. 4436

A bylaw to amend "District of Salmon Arm Fee for Service Bylaw No. 2498"

---

WHEREAS it is deemed desirable and expedient to alter the fees imposed by "District of Salmon Arm Fee for Service Bylaw No. 2498";

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

1. Schedule "B" – Appendix 3 – Miscellaneous Fee Schedule of "District of Salmon Arm Fee for Service Bylaw No. 2498" is hereby amended by the addition of:

15. Sidewalk Café Extension Program (Policy 1.13)	GST Exempt
Application Fee	\$0.00
Security Deposit	\$500.00
Permit Fee	\$0.00

2. SEVERABILITY

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

3. ENACTMENT

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

4. TRANSITION PROVISIONS

- 1) Application Fee is amended by deleting "\$0.00" and substituting "\$300.00".
- 2) Permit Fee is amended by deleting "\$0.00" and substituting "\$150.00 per parking stall".

5. EFFECTIVE DATE

This bylaw shall come into full force upon adoption, except Section 4 shall come into force on January 1, 2022.

6. CITATION

This bylaw may be cited as "City of Salmon Arm Fee for Service Amendment Bylaw No. 4436".

READ A FIRST TIME THIS	8th	DAY OF	February	2021
READ A SECOND TIME THIS	8th	DAY OF	February	2021
READ A THIRD TIME THIS	8th	DAY OF	February	2021
ADOPTED BY COUNCIL THIS		DAY OF		2021

\_\_\_\_\_  
MAYOR

\_\_\_\_\_  
CORPORATE OFFICER

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Item 11.5

## CITY OF SALMON ARM

Date: February 22, 2021

Moved: Councillor

Seconded: Councillor

THAT: the bylaw entitled City of Salmon Arm Official Community Plan Amendment Bylaw No. 4419 be read a final time.

[OCP4000-44; McGregor, D.; 1910 11 Avenue NE; HC to HR]

### Vote Record

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

- ☐ Harrison
- ☐ Cannon
- ☐ Eliason
- ☐ Flynn
- ☐ Lavery
- ☐ Lindgren
- ☐ Wallace Richmond





---

TO: His Worship Mayor Harrison and Members of Council

Date: December 11, 2020

Subject: Official Community Plan Amendment Application No. OCP4000-44  
Zoning Bylaw Amendment Application No. 1190

Legal: Lot 2, Section 24, Township 20, Range 10, W6M KDYD, Plan 5510 Except Plans 14376, 24326 and KAP48014  
Civic: 1910 – 11 Avenue NE  
Owner/Applicant: McGregor, D.

---

#### **MOTION FOR CONSIDERATION**

**THAT:** A bylaw be prepared for Council's consideration, adoption of which would amend the Official Community Plan Bylaw No. 4000 Land Use Designation of Lot 2, Section 24, Township 20, Range 10, W6M, KDYD, Plan 5510 Except Plans 14376, 24326 and KAP48014 from HC (Commercial – Highway Service / Tourist) to HR (Residential High Density);

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

**AND THAT:** Pursuant to Section 476 of the *Local Government Act*, Council has considered this Official Community Plan amendment after required consultation with School District No. 83;

**AND THAT:** Pursuant to Section 477 (3) (a) of the *Local Government Act*, Second Reading of the Official Community Plan bylaw be withheld pending Council's consideration of the amendment in conjunction with:

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

**AND THAT:** A bylaw be prepared for Council's consideration, adoption of which would amend Zoning Bylaw No. 2303 by rezoning Lot 2, Section 24, Township 20, Range 10, W6M, KDYD, Plan 5510 Except Plans 14376, 24326 and KAP48014 from R-1 (Single-Family Residential Zone) to R-5 (High Density Residential Zone);

**AND FURTHER THAT:** Final Reading of the Zoning Amendment Bylaw be withheld subject to:

- 1) Ministry of Transportation and Infrastructure approval; and
  - 2) Adoption of the associated Official Community Plan Amendment Bylaw.
- 

#### **STAFF RECOMMENDATION**

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

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## BACKGROUND

The subject parcel is located at 1910 – 11 Street NE, directly west of the RCMP station and north of the Trans Canada Highway (Appendix 1 and 2). The subject parcel is designated Highway Service / Tourist Commercial (HC) in the City's Official Community Plan (OCP), and zoned R-1 (Single-Family Residential) in the Zoning Bylaw (Appendix 3 and 4). This area is generally residential with a mix of zones, predominantly Residential (R-1), Institutional (P-3) and Commercial zones, with some Medium and High Density Residential (R-4 and R-5) zoned parcels also in the vicinity.

The subject parcel is approximately 2,821 square metres (0.7 acres) in area, with approximately 58 metres of frontage along 11 Street NE, and currently contains a single family dwelling. Site photos are attached as Appendix 5.

Land uses adjacent to the subject parcel include the following:

South: Road – Trans Canada Highway (TCH)  
North: Road (11 Street NE), with Residential (R-1 and R-4) parcels beyond  
East: Institutional (P-3) parcel  
West: High Density Residential (R-5), currently under consideration for C-6 commercial

The proposal is to amend the OCP to the High Density Residential Land Use Designation and rezone the subject parcel to R-5 (High Density) to facilitate future high density residential development. Although not required at this rezoning stage, a development concept showing 18 units has been provided (Appendix 6). Staff note that while the provision of the development concept illustrates the intent of the applicant, this concept fails to address the requirements of the proposed R-5 Zone. Further details and professional analysis would be required to demonstrate feasibility and compliance with applicable regulations.

If rezoned to R-5 as proposed, a multi-family development would require a Development Permit application, and such an application is expected to be detailed in expressing the proposed development concept. A Development Permit application would consider precisely the form and character details of the proposed development concept, including a site plan, landscape plan, and building elevations.

## OCP POLICY

The subject parcel is designated Highway Service / Tourist Commercial in the OCP. The request to amend the OCP to the High Density Residential designation would support R-5 zoning.

However, the proposal would result in a reduction of Commercial designated land. In terms of commercial policies of the current HC (Highway Service / Tourist Commercial) OCP designation, the subject parcel aligns with the Commercial Objectives and Policies listed in OCP Section 9, including supporting commercial uses within the primary commercial areas of the City, in proximity to the TCH. As previously noted, this parcel has highway exposure, a limited feature supporting commercial use. Furthermore, staff note OCP policy 9.3.3 which states that the intrusion of primary residential uses in commercially designated areas should be minimized.

The current OCP HC designation would support C-6 Tourist/Recreation Commercial zoning. The subject parcel is considered by staff to be well-suited for commercial use, being within close proximity to the TCH, residential areas, as well as the recreation centre and arena. Staff note that the C-6 Zone allows for residential use, including *upper floor dwelling units and work/live studios*.

## Section 475 – Local Government Act

Pursuant to Section 475 of the *Local Government Act* (consultation during OCP development / amendments) the proposed OCP amendments were referred to the following external organizations:

Economic Development Society	No response to date
Adams Lake Indian Band	Appendix 7
Neskonlith Indian Band	No response to date

Formal response was received from the Title and Rights Coordinator of the Adams Lake Indian Band noting concerns on October 28, 2020. Subsequently, the City inquired via Data Request to the Archeological Branch of British Columbia on November 5, 2020 as to the status of the subject property. The response from the Archeological Branch on November 18, 2020 asserts the following:

1. Provincial records indicate no known archeological sites are recorded on the property, however Archeological Potential Mapping indicates portions of the property could contain unknown archaeological sites.
2. No study or permit is required at this time however it is the responsibility of the proponent to proceed under the *Heritage Conservation Act* accordingly.

## COMMENTS

### Ministry of Transportation and Infrastructure

It is recommended that final reading of the Bylaw be withheld subject to approval of the Bylaw by the Ministry of Transportation and Infrastructure. Preliminary approval granted December 8, 2020. Comments provided to applicant (Appendix 8).

### Engineering Department

Comments provided to applicant (Appendix 9). Frontage improvements as per the Subdivision and Servicing Bylaw would be required for development.

### Building Department

No concerns with rezoning. Architect required for 5-plex.

### Planning Department

The surrounding neighbourhood is characterized by a mix of older, single family housing and newer residential, commercial and institutional development, most significantly the uptown SASCU / Askew's location and the 21 Street NE underpass. The subject parcel is located in an area adjacent the TCH within close walking distance of the eastern commercial node, recreation centre, arena, schools including Okanagan College, and transit routes, with the City Centre and hospital approximately 1 km to the west.

The maximum residential density permitted under R-5 (High Density) zoning is 100 dwelling units per hectare of land. As the subject property is approximately 0.28 hectares in area (0.7 acres), the maximum permitted density under R-5 would be 28 dwelling units assuming: 1) some form of strata development; 2) the present gross area of the subject parcel; and 3) no density bonus. The R-5 Zoning regulations are attached as Appendix 10.

This proposal includes an 18 unit multi-family development concept at this preliminary stage. Staff note that if rezoned to R-5, a number of multi-family residential development scenarios could present themselves, potentially involving subdivision, or stratification.

It should be noted that there have been eight OCP amendments in this general area since 2015 involving amendments to commercial designated land, with approximately 1.25 hectares of land redesignated from commercial to other (generally residential) land use designations. This represents a minor erosion of commercial inventory in this uptown area. Recently however, there have been applications for lands adjacent the TCH in close proximity to this subject parcel for commercial land use. Should this proposal be supported, it would represent a decrease in the commercial land base of the City.

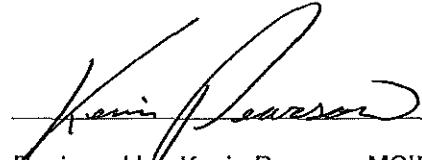
Staff recognize the need for a range of diverse housing options within the community, however the need for commercial options must also be acknowledged. The TCH frontage adds specific value at this location as a potential commercial site. Staff note that C-6 zoning is supported under the current OCP land use designation, which would allow for both commercial and residential development permitting residential use in the form of both *upper floor dwelling units* and *work/live studios*. Such a commercial development would similarly involve a Development Permit application to address form and character.

CONCLUSION

Staff's opinion is that the location and specific site characteristics are suited to commercial development. Given the OCP policy to minimize the intrusion of primary residential uses in commercially designated areas, and the recent trend towards commercial development in the area, the proposed HR land use designation and R-5 zoning of the subject property is not supported by staff.

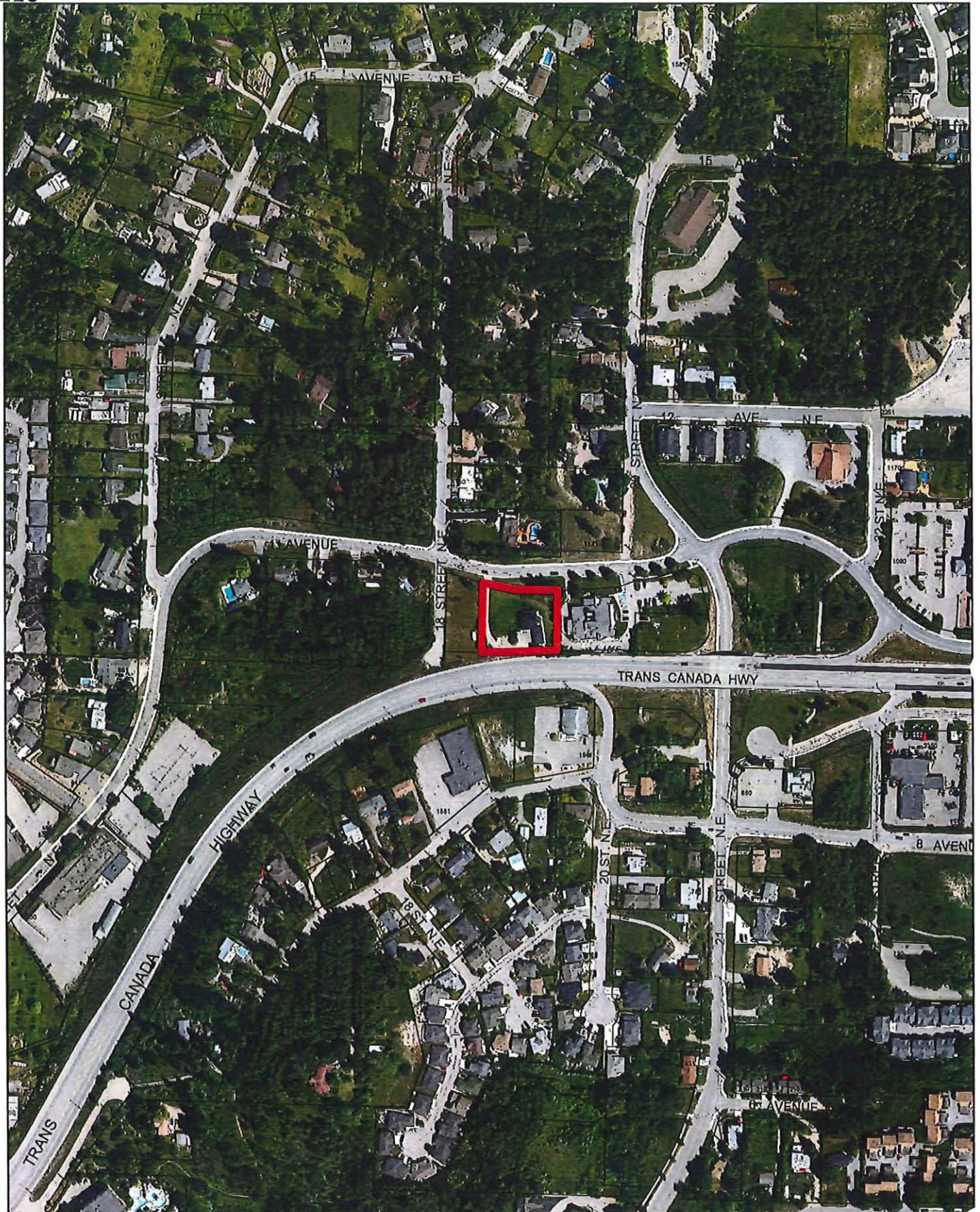


Prepared by: Chris Larson, RPP, MCIP  
Senior Planner



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






0 30 60 120 180 240  
Meters

 Subject Parcel

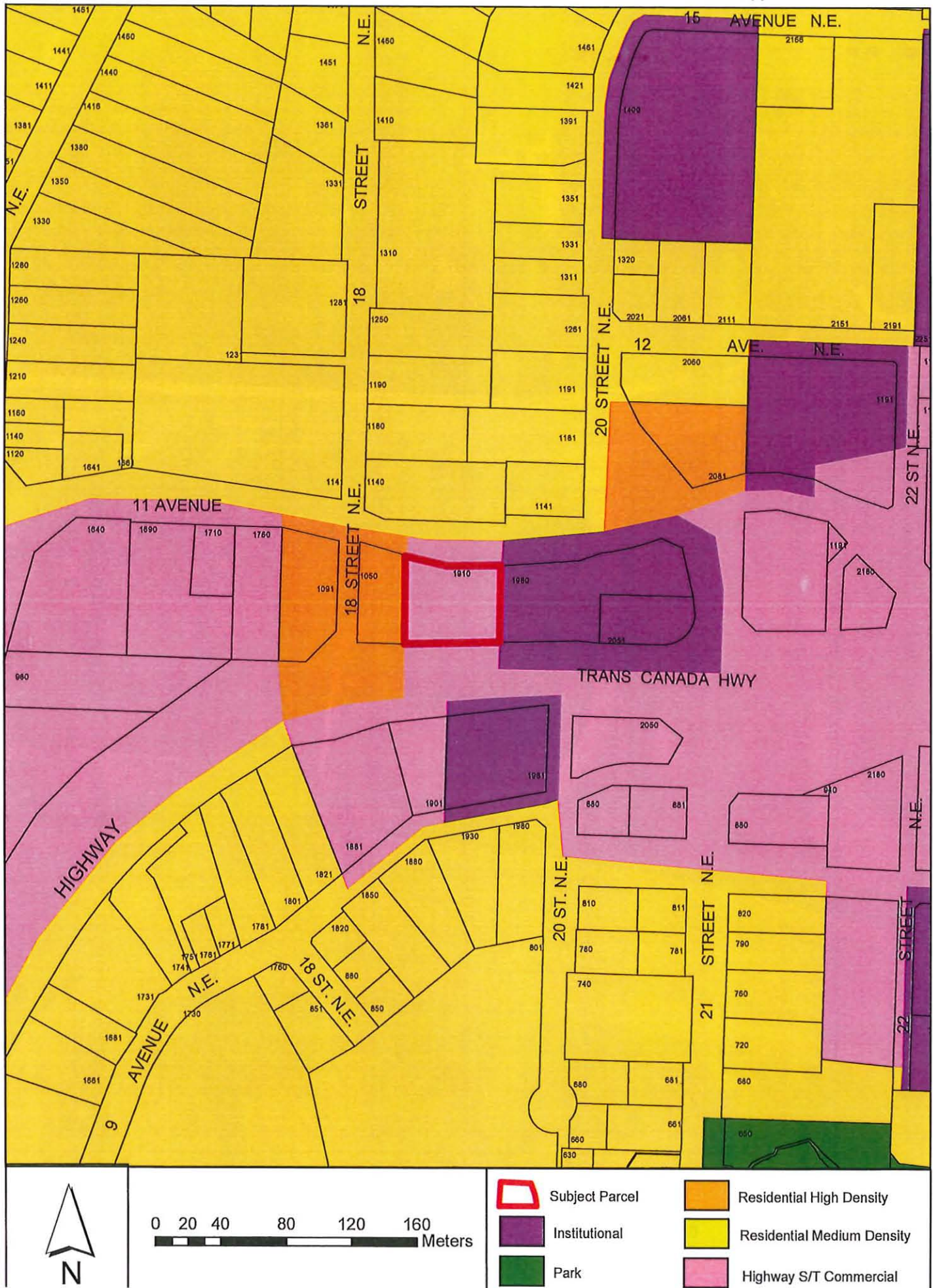




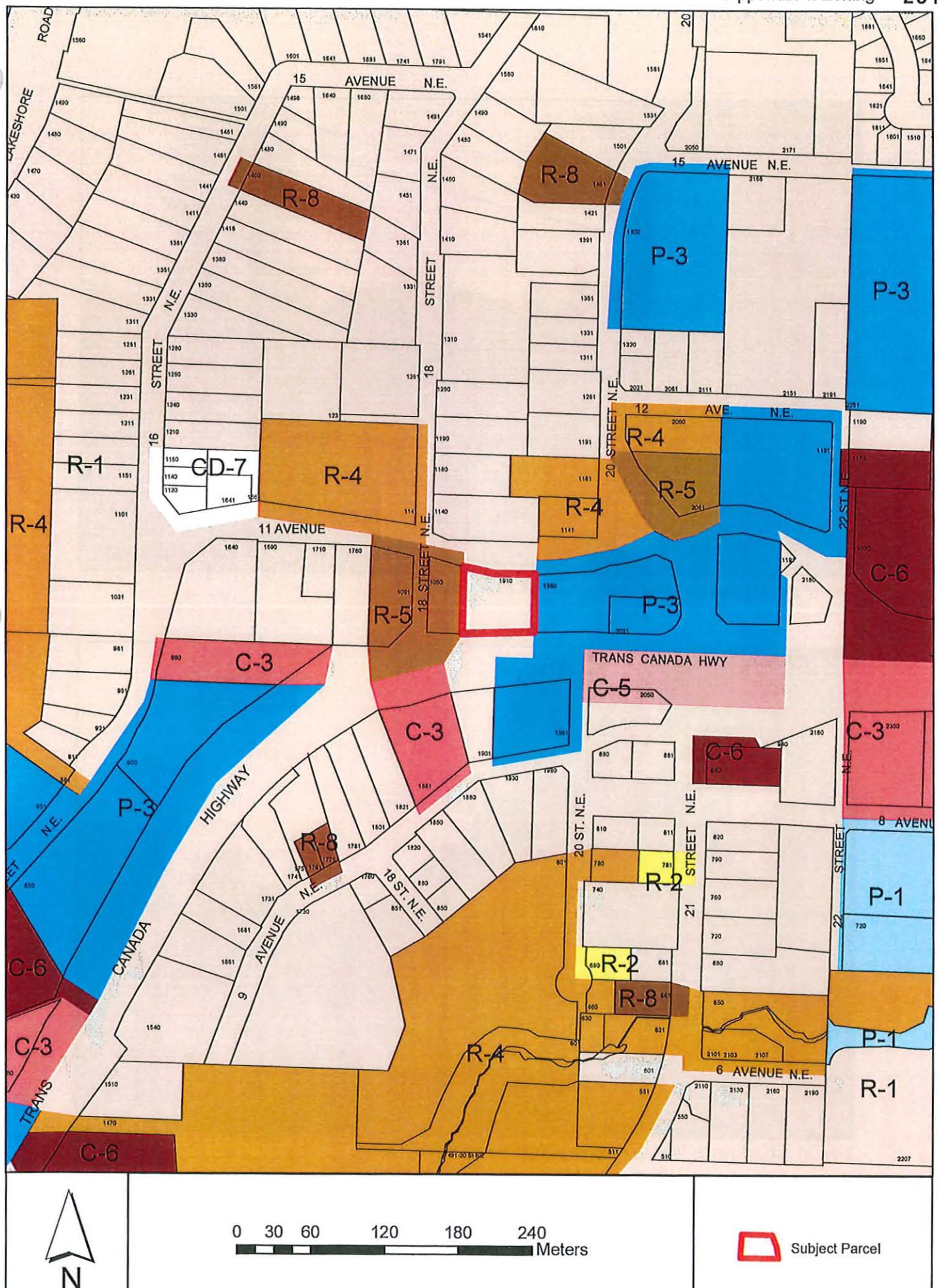
0 5 10 20 30 40  
Meters

 Subject Parcel











View of subject parcel looking southeast from 11 Avenue NE.



View of subject parcel looking southwest from 11 Avenue NE.



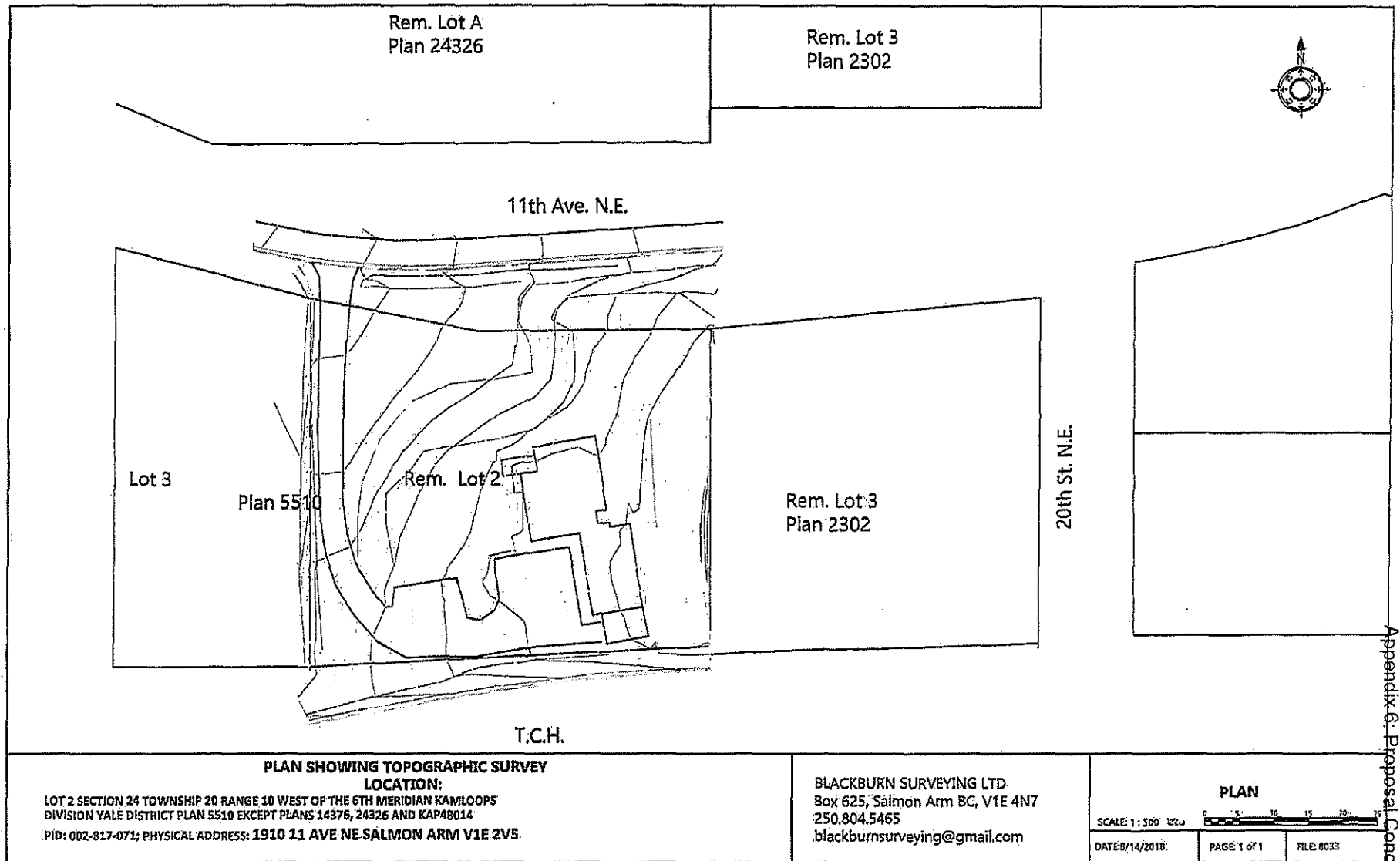


Proposed plan – Townhomes - 18 units





Staff note this proposed concept does not conform to R-5 Zoning Bylaw requirements. Site plans submitted at the development permit stage are required to address Zoning requirements relative to the subject parcel.





## Adams Lake Indian Band

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**Project Name:**

Salmon Arm OCP amend proposed High Density Residential Development

**Consulting Org Contact:**

Kathe Frese

**Consulting Organization:**

[City of Salmon Arm](#)

**Date Received:**

Wednesday, October 28, 2020

The Adams Lake Indian Band has concerns with the Salmon Arm OCP amend proposed High Density Residential Development. Through a preliminary analysis we have identified some concerns which include:

- 340 overlapping or nearby traditional use sites.
- nearby archeological sites.

We reiterate that Adams Lake holds constitutionally protected Aboriginal rights including title throughout the entirety of its traditional territory. Members of Adams Lake continue to exercise their Aboriginal rights as their ancestors have done for generations, including hunting, trapping, gathering and fishing, along with rights associated with spiritual and cultural traditions which are practiced in accordance with Secwepemc customs, laws and governance structures. al title based on a pattern of regular occupation throughout the various seasons for hunting and gathering, as well as spiritual practices within Sun Peaks. [Emphasis added]

Therefore we require that you satisfy any appropriate archeological studies needed.  
Regards,

Dave Nordquist, RPF  
Title and Rights Coordinator  
Adams Lake Indian Band

---



**Chris Larson**

---

**From:** Cooper, Diana FLNR:EX <Diana.Cooper@gov.bc.ca>  
**Sent:** November-18-20 12:58 PM  
**To:** Chris Larson  
**Subject:** RE: Data Request: Chris Larson - City of Salmon Arm

Hello Chris,

Thank you for your referral regarding 1910 11 Avenue NE, Salmon Arm, PID 002817071, LOT 2 SECTION 24 TOWNSHIP 20 RANGE 10 WEST OF THE 6TH MERIDIAN KAMLOOPS DIVISION YALE DISTRICT PLAN 5510 EXCEPT PLANS 14376, 24326 AND KAP48014. Please review the screenshot of the property below (outlined in yellow) and notify me immediately if it does not represent the property listed in your referral.

**Results of Provincial Archaeological Inventory Search**

According to Provincial records, there are no known archaeological sites recorded on the subject property.

Data is not currently available to the Province that describes the potential for previously unidentified archaeological sites to occur in the area.

**Archaeology Branch Advice**

The Archaeology Branch does not identify a need for archaeological study or Provincial heritage permit(s) at the time of this referral.

Please notify all individuals (e.g., owners, developers, equipment operators) involved in land-altering activities (e.g., home renovations, property redevelopment, landscaping, service installation) that if archaeological material is encountered during development, they **must stop all activities immediately** and contact the Archaeology Branch for direction at 250-953-3334.

**Rationale and Supplemental Information**

- Archaeological study and Provincial heritage permit(s) are not required in the absence of an archaeological site.
- There is always a possibility for previously unidentified archaeological sites to exist on the property.
- Archaeological sites are protected under the *Heritage Conservation Act* and must not be damaged or altered without a Provincial heritage permit issued by the Archaeology Branch. This protection applies even when archaeological sites are previously unidentified or disturbed.

**Questions?**

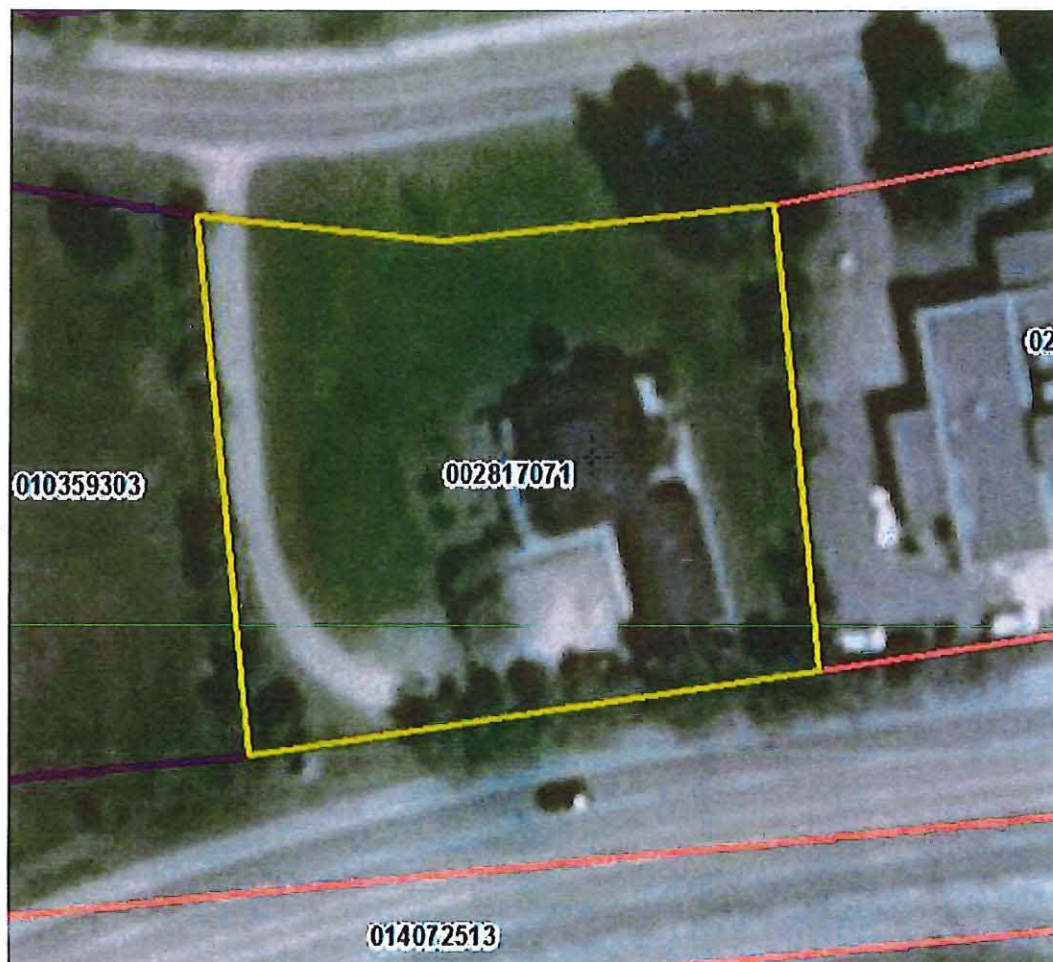
For questions about the archaeological permitting and assessment process, please contact the Archaeology Branch at 250-953-3334 or [archaeology@gov.bc.ca](mailto:archaeology@gov.bc.ca).

For more general information, visit the Archaeology Branch website at [www.gov.bc.ca/archaeology](http://www.gov.bc.ca/archaeology).

Please let me know if you have any questions regarding this information.

Kind regards,

*Diana*



*Please note that subject lot boundaries (yellow) indicated on the enclosed screenshot are based on information obtained by the Archaeology Branch on the date of this communication and may be subject to error or change.*



**Diana Cooper**

**Archaeologist/Archaeological Information Administrator**

Archaeology Branch | [Ministry of Forests, Lands, Natural Resource Operations and Rural Development](#)

Phone: (250) 953-3343 | Email: [diana.cooper@gov.bc.ca](mailto:diana.cooper@gov.bc.ca) | Website [www.gov.bc.ca/archaeology](http://www.gov.bc.ca/archaeology)

**From:** [clarson@salmonarm.ca](mailto:clarson@salmonarm.ca) <[clarson@salmonarm.ca](mailto:clarson@salmonarm.ca)> On Behalf Of [ArchDataRequest@gov.bc.ca](mailto:ArchDataRequest@gov.bc.ca)

**Sent:** November 5, 2020 4:16 PM

**To:** Arch Data Request FLNR:EX <[ArchDataRequest@gov.bc.ca](mailto:ArchDataRequest@gov.bc.ca)>

**Subject:** Data Request: Chris Larson - City of Salmon Arm

Terms and Conditions    Yes  
Accepted

Name                      Chris Larson

Email                     [clarson@salmonarm.ca](mailto:clarson@salmonarm.ca)

I am a                     Local Government Representative



## Appendix 7: Adams Lake &amp; Archeology Branch

Affiliation	City of Salmon Arm
Address	500 - 2 Avenue NE Box 40
City	Salmon Arm
Province	BC
Postal Code	V1E 4N2
Phone Number	250-803-4051
Information Requested	I request information and advice about archaeological sites on the parcel(s) described below (include civic address, PID, legal description; attach maps below if available): Lot 2, Section 24, Township 20, Range 10, W6M KDYD, Plan 5510 Except Plans 14376, 24326 and KAP48014 CIVIC: 1910 – 11 Avenue NE PID: 002-817-071
Why Site Information is Required	Other (describe below):  Official Community Plan Amendment Application No. OCP 4000-44 Zoning Amendment Application No. ZON-1190. Owner wishes to redesignate and rezone the property to accommodate future residential development.
Third Party Access	The following person(s) may have access to this information: City of Salmon Arm staff, owner/applicant, Adams Lake Band
Format Required	PDF, Map(s)
Who Prompted	<a href="#">Archaeology Branch web site</a>
File Attachment#1	APP1 - Aerial ZON1190.pdf
File Attachment#2	APP2 - parcel - ZON1190.pdf
File Attachment#3	
File Attachment#4	
File Attachment#5	



BRITISH  
COLUMBIA

Ministry of Transportation  
and Infrastructure

Appendix 8: MOTI  
**DEVELOPMENT SERVICES  
PRELIMINARY BYLAW  
COMMUNICATION**

Your File #: OCP4000-44 &  
ZON-1190  
eDAS File #: 2020-05636  
Date: Dec/08/2020

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

Attention: City of Salmon Arm Development Services

**Re: Proposed Bylaw 4420 for:  
Lot 2, 24-20-10 W6M KDYD Plan 5510 Except Plans 14376, 24326 and  
KAP48014**

Preliminary Approval is granted for the rezoning for one year pursuant to section 52(3)(a) of the *Transportation Act*.

The land owner must be aware of the following:

The subject property must have access off a municipal road as direct access to the Trans-Canada Highway will not be permitted.

All new structures must be located outside of the provincial setback of 4.5m from the Trans-Canada Highway road/property line.

If you have any questions please feel free to call Tara Knight at (250) 833-3374.

Yours truly,

Tara Knight  
Development Officer

Local District Address
Salmon Arm Area Office
Bag 100
850C 16th Street NE
Salmon Arm, BC V1E 4S4
Canada
Phone: (250) 712-3660 Fax: (250) 833-3380

# CITY OF SALMON ARM

*Memorandum from the  
Engineering and Public  
Works Department*

---

<b>TO:</b>	Kevin Pearson, Director of Development Services
<b>DATE:</b>	27 October 2020
<b>PREPARED BY:</b>	Chris Moore, Engineering Assistant
<b>OWNER:</b>	McGregor, D., PO Box 10023, Salmon Arm, BC V1E 3B9
<b>APPLICANT:</b>	Owner
<b>SUBJECT:</b>	OCP AMENDMENT APPLICATION No. OCP4000-44 ZONING AMENDMENT APPLICATION FILE No. ZON-1190
<b>LEGAL:</b>	Lot 2, Section 24, Township 20, Range 10, W6M KDYD, Plan 5510 Except Plans 14376, 24326 and KAP48014
<b>CIVIC:</b>	1910 – 11 Avenue NE

---

Further to your referral dated 21 October 2020, we provide the following servicing information. The following comments and servicing requirements are not conditions for Rezoning and OCP amendment; however, these comments are provided as a courtesy in advance of any development proceeding to the next stages:

## **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. 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.

OCP AMENDMENT APPLICATION No. OCP4000-44  
ZONING AMENDMENT APPLICATION FILE No. ZON-1190  
27 October 2020  
Page 2

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8. For the on-site development, prior to commencement the applicant will be required to submit to the City for review and approval detailed engineering plans in accordance with the requirements of the Subdivision and Development Servicing bylaw 4163. These plans must be prepared by a qualified professional engineer. As a condition of final subdivision approval, the applicant will be required to deposit with the City for a period of 1 year, funds equaling 10% of the estimated cost for all works that are to be transferred to the City.
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. 11 Avenue NE, on the subject property's northern boundary, is designated as an Urban Local Road standard, requiring 20.0m road dedication (10.0m on either side of road centerline). Available records indicate that no additional road dedication is required (to be confirmed by a BCLS).
2. 11 Avenue NE is currently constructed to an Interim Local Road standard. Upgrading to an Urban Local Road standard is required, in accordance with Specification Drawing No. RD-2. Upgrading may include, but is not limited to, offset sidewalk, boulevard construction, street lighting, and hydro and telecommunications. Offsets and streetlight specifications to conform to Specification Drawing No. RD-3. Owner / Developer is responsible for all associated costs.
3. Trans Canada Highway on the subject properties southern boundary is a provincial controlled access highway. Additional dedication/improvements will be determined by Ministry of Transportation.
4. Owner / Developer is responsible for ensuring all boulevards and driveways are graded at 2.0% towards the existing roadway.
5. Only one (1) driveway access will be permitted onto 11 Avenue NE. The existing letdown may be relocated at time of building permit, subject to approval of City Engineer. Owner / Developer responsible for all associated costs.
6. 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.

OCP AMENDMENT APPLICATION No. OCP4000-44  
ZONING AMENDMENT APPLICATION FILE No. ZON-1190  
27 October 2020  
Page 3

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**Water:**

1. The subject property fronts a 200mm diameter Zone 2 watermain on 11 Avenue NE. No upgrades will be required at this time.
2. The subject property is to be serviced by a single metered water service connection (as per Specification Drawing No. W-10), adequately sized to satisfy the proposed use. Water meter will be supplied by the City at the time of building permit, at the Owner / Developer's cost. Owner / Developer is responsible for all associated costs.
3. Records indicate that the subject property is currently serviced by a 19mm service from the 200mm diameter watermain on 11 Avenue NE. Due to the size and / or age of the existing service, upgrading to a new metered service (minimum 25mm) will be required. All existing inadequate / unused services must be abandoned at the main. Owner / Developer is responsible for all associated costs.
4. Bare Land Strata developments with ground oriented access have the option of a bulk water meter installed at property line at time of subdivision with invoicing to the Strata Corporation or individual strata lot metering with invoicing to each strata lot (currently on an annual flat rate). To qualify for the second option each unit requires a separate outside water service shut-off connected to the onsite private water main. Contact Engineering Department for more information. All meters will be provided at time of building permit by the City, at the owner/developers cost.
5. The subject property is in an area with sufficient fire flows and pressures according to the 2011 Water Study (OD&K 2012).
6. Fire protection requirements to be confirmed with the Building Department and Fire Department.

**Sanitary:**

1. The subject property fronts a 200mm diameter sanitary sewer on 11 Avenue NE. No upgrades will be required at this time.
2. The subject property is to be serviced by a single sanitary service connection adequately sized (minimum 100mm diameter) to satisfy the servicing requirements of the development. Owner / Developer is responsible for all associated costs.
3. Records indicate that the existing property is serviced by a 100mm service from the sanitary sewer on 11 Avenue NE. All existing inadequate/unused services must be abandoned at the main. Owner / Developer is responsible for all associated costs.



OCP AMENDMENT APPLICATION No. OCP4000-44  
ZONING AMENDMENT APPLICATION FILE No. ZON-1190  
27 October 2020  
Page 4

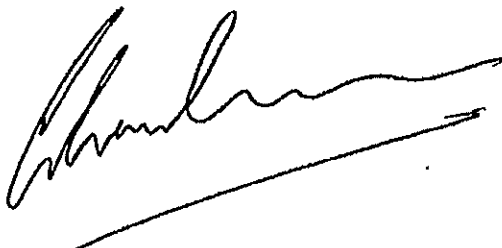
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**Drainage:**

1. The subject property fronts a 525mm diameter storm sewer on 11 Avenue NE. No upgrades will be required at this time.
2. Records indicate that the existing property is not currently serviced with a storm service connection.
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. Where onsite disposal of stormwater is recommended by the ISMP, an "Alternative Stormwater System" shall be provided in accordance with Section 7.2.
5. Where discharge into the Municipal Stormwater Collection System is recommended by the ISMP, this shall be in accordance with Section 7.3. The proposed parcel(s) shall be serviced (each) by a single storm service connection adequately sized (minimum 150mm) to satisfy the servicing requirements of the development. Owner / Developer's engineer may be required to prove that there is sufficient downstream capacity within the existing City Storm System to receive the proposed discharge from the development. All existing inadequate / unused services must be abandoned at the main. Owner / Developer is responsible for all associated costs.

**Geotechnical:**

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



Chris Moore  
Engineering Assistant



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

From: Debbie McGregor  
Date: 2020-12-16 7:35 a.m. (GMT-08:00)  
To: Chris Larson , Kevin Pearson  
Subject: Re: 1910 11 Avenue NE - OCP-44 ZON-1190

Good morning,

And thank you again, for sending the list of 'uses' that apply under C-6 zoning. I've looked it over, and just can't envision any of the suggested uses, on the property at 1910 - 11th Ave NE.

With the need for housing so high, and with so many vacant commercial buildings and lots, I really think it is in the best interest of the City/young families that are moving here, that I go forward with my application to change the zoning to R5 and ideally go ahead with the project to build 18 affordable townhomes with tandem garages and 2-car driveways. I realize the concept plan I submitted will need to be adjusted to conform with the BC Building Code, but that will be taken care of when I have my architect create the final plans.

Thank you for your time, and if you need any further information, feel free to email or call me at 604-307-9714. I look forward to meeting you in person at the first reading.

Regards,  
Debbie McGregor

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## SECTION 10 - R-5 - HIGH DENSITY RESIDENTIAL ZONE

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### Purpose

- #1789 10.1 The purpose of the R-5 Zone is to provide for high *density, multiple family* residential *development* in selected locations throughout the *Municipality*. New *developments* zoned R-5 shall be required to obtain a *Development Permit* as per the requirements of the *Official Community Plan*, and shall comply with the provisions of the *Fire Services Act, British Columbia Building Code*, and other applicable legislation.

### Regulations

- 10.2 On a *parcel zoned R-5*, 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-5 Zone or those regulations contained elsewhere in this Bylaw.

### Permitted Uses

- 10.3 The following uses and no others are permitted in the R-5 Zone:

- #1789 .1 *boarders*, limited to two;
- #1789 .2 *boarding home*;
- #1789 .3 *commercial daycare facility*;
- #1789 .4 *home occupation*;
- #1789 .5 *multiple family dwellings*;
- #1789 .6 *public use*;
- #1789 .7 *public utility*;
- #1789 .8 *rooming house*;
- #1789 .9 *triplex*;
- #1789 .10 *accessory use*.

### Maximum Height of Principal Building

- 10.4 The maximum *height* of the *principal buildings* shall be 12.0 metres (39.4 feet). This may be increased to 15.0 metres (49.2 ft.), via the Development Permit process, if any of the special amenity(ies) in Table 3 are provided.

### Maximum Height of Accessory Building

- 10.5 The maximum *height* of an *accessory building* shall be 6.0 metres (19.7 feet).

### Maximum Parcel Coverage

- #1789 10.6 .1 The total maximum *parcel coverage* for *principal and accessory buildings* shall be 55% of the *parcel area*, of which 10% shall be the maximum parcel coverage for *accessory buildings*.
- .2 The above *parcel coverage* may be increased to 70% of the *parcel area* if all requisite parking, except for visitors, is provided underground.

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## SECTION 10 - R-5 - HIGH DENSITY RESIDENTIAL ZONE - CONTINUED

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### Minimum Parcel Area

- 10.7 The minimum *parcel area* shall be 775.0 square metres (8,342.3 square feet).

### Minimum Parcel Width

- 10.8 The minimum *parcel width* shall be 30.0 metres (98.5 feet).

### Minimum Setback of Principal Buildings

- 10.9 The minimum *setback* of buildings from the:

- |    |   |                        |
|----|---|------------------------|
| .1 | <i>Front parcel line</i> shall be                                     | 5.0 metres (16.4 feet) |
| .2 | <i>Rear parcel line</i> shall be                                      | 5.0 metres (16.4 feet) |
| .3 | <i>Interior side parcel line</i> shall be                             | 2.4 metres (7.8 feet)  |
| .4 | <i>Exterior side parcel line</i> shall be                             | 5.0 metres (16.4 feet) |
| .5 | Refer to Section 4.9 for "Special Building Setbacks" which may apply. |                        |

#2811

### Minimum Setback of Accessory Buildings

- 10.10 The minimum *setback* of accessory buildings from the:

- |    |   |                        |
|----|---|------------------------|
| .1 | <i>Front parcel line</i> shall be   | 5.0 metres (16.4 feet) |
| .2 | <i>Rear parcel line</i> shall be  | 1.0 metre (3.3 feet)   |
| .3 | <i>Interior side parcel line</i> shall be                                       | 1.0 metre (3.3 feet)   |
| .4 | <i>Exterior side parcel line</i> shall be                                       | 5.0 metres (16.4 feet) |
| .5 | Refer to "Pound and Animal Control Bylaw" for special setbacks which may apply. |                        |

#2811

### Maximum Density

Note: The following *density* provisions are based on the *gross parcel area*. Parking requirements, *setback* requirements, road dedication, etc. have not been taken into consideration.

- 10.11 .1 The maximum *density* shall be a total of 100 *dwelling units* or *sleeping units* per hectare (40.5 *dwelling units* or *sleeping units* per acre).
- .2 Notwithstanding Section 10.11.1, the maximum *density* in the R-5 Zone may be increased to a maximum of 130 *dwelling units* per hectare (52.6 units per acre) in accordance with Table 3. In Table 3, Column I sets out the special amenity to be provided and Column II sets out the added *density* assigned for each amenity.

#2789

## SECTION 10 - R-5 - HIGH DENSITY RESIDENTIAL ZONE - CONTINUED

TABLE 3

COLUMN I SPECIAL AMENITY TO BE PROVIDED	COLUMN II ADDED DENSITY
1. Provision of each <i>dwelling unit</i> which caters to the disabled (e.g. wheelchair access)	▪ 2 units per hectare (0.8 units per acre)
2. Provision of <i>commercial daycare facility</i>  7 - 10 children 11 - 15 children 16 or more children	▪ 4 units per hectare (1.6 units per acre) ▪ 6 units per hectare (2.4 units per acre) ▪ 8 units per hectare (3.2 units per acre)
3. Provision of below <i>grade</i> or parkade type parking for at least 50% of the required off street parking	▪ 10 units per hectare (4.0 units per acre)
4. Provision of each rental <i>dwelling unit</i>	▪ 2 units per hectare (0.8 units per acre)
5. Provision of affordable rental <i>dwelling unit</i> in accordance with special agreement under Section 904 (s)218)	▪ 5 units per hectare (2.0 units per acre)

Parking

10.12 Parking shall be required as per Appendix I.



## SECTION 20 - C-6 - TOURIST / RECREATION COMMERCIAL ZONE

### Purpose

- 20.1 The C-6 Zone is intended to accommodate pedestrian oriented tourist/recreation businesses. The area zoned C-6 is envisioned to be developed with a mixture of land uses in an integrated manner and is intended to cater to the resident and tourist alike with a small shop and resort atmosphere. *Development* within the C-6 Zone shall be subject to a *Development Permit* as per the *Official Community Plan*.

### Regulations

- 20.2 On a *parcel zoned C-6*, no *building or structure* shall be constructed, located or altered and no plan of subdivision approved which contravenes the regulations set out in the C-6 Zone or those regulations contained elsewhere in this Bylaw.

### Permitted Uses

- 20.3 The following uses and no others are permitted in the C-6 Zone:

- .1 art gallery;
- .2 banking kiosk;
- .3 boat and marine sales, repair and rental, including outside covered or screened storage;
- #3637 .4 *commercial daycare facility*
- .5 convention centre;
- .6 craft making and sales;
- .7 farmers market;
- .8 *health service centre*;
- #2782 .9 *home occupation*;
- .10 *hotel*;
- .11 library;
- #3223 .12 *licensee retail store*;
- .13 *motel*;
- .14 museum;
- .15 night club;
- #3426 .16 *offices*;
- #2837 .17 *outside vending*;
- #3163 .18 parkade/off-street parking, in Areas "A", "B" and "C" [Waterfront Area] as shown on Schedule "C" attached hereto and forming part of this bylaw.
- .19 *personal service establishment*;
- .20 pub;
- .21 *public use*;
- #3060 .22 *private utility*;
- .23 *public utility*;

---

**SECTION 20 - C-6 - TOURIST / RECREATION COMMERCIAL ZONE - CONTINUED**


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- |       |     |                                       |
|-------|-----|---------------------------------------|
|       | .24 | <i>recreation facility - indoor;</i>  |
|       | .25 | <i>recreation facility - outdoor;</i> |
| #3517 | .26 | <i>resort accommodation;</i>          |
|       | .27 | <i>restaurant;</i>                    |
| #4005 | .28 | <i>retail store;</i>                  |
|       | .29 | <i>theatre;</i>                       |
| #2554 | .30 | <i>upper floor dwelling units;</i>    |
| #3167 | .31 | <i>work/live studios; and</i>         |
|       | .32 | <i>accessory use.</i>                 |

**Accessory Uses**

- |       |      |    |   |
|-------|------|----|---|
| #2554 | 20.4 | .1 | Outside storage and <i>warehouse</i> facilities are only permitted within Area "B" as shown on Schedule "C" attached to and forming part of this Bylaw. |
| #3426 |      |    |   |

**Maximum Height of Principal Buildings**

- |       |      |   |
|-------|------|---|
| #2748 | 20.5 | The maximum <i>height</i> of <i>principal buildings</i> shall be 19.0 metres (62.3 feet). |
|-------|------|---|

**Maximum Height of Accessory Buildings**

- |  |      |  |
|--|------|--|
|  | 20.6 | The maximum <i>height</i> of <i>accessory buildings</i> shall be 6.0 metres (19.7 feet). |
|--|------|--|

**Minimum Parcel Size or Site Area**

- |  |      |  |
|--|------|--|
|  | 20.7 | The minimum <i>parcel</i> size or <i>site</i> area shall be 325.0 square metres (3,498.4 square feet). |
|--|------|--|

**Minimum Parcel or Site Width**

- |  |      |  |
|--|------|--|
|  | 20.8 | The minimum <i>parcel</i> or <i>site</i> width shall be 10.0 metres (32.8 feet). |
|--|------|--|

**Minimum Setback of Principal and Accessory Buildings**

- |  |      |   |
|--|------|---|
|  | 20.9 | The minimum <i>setback</i> of the <i>principal</i> and <i>accessory buildings</i> from the: |
|--|------|---|

- |    |   |                       |
|----|---|-----------------------|
| .1 | <i>Rear parcel line</i> adjacent to a residential <i>zone</i> shall be          | 3.0 metres (9.8 feet) |
| .2 | <i>Interior side parcel line</i> adjacent to a residential <i>zone</i> shall be | 3.0 metres (9.8 feet) |

---

**SECTION 20 - C-6 - TOURIST / RECREATION COMMERCIAL ZONE - CONTINUED**

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**Outside Storage**

20.10 Outside storage shall be screened as per Appendix III.

**Parking and Loading**

20.11 Parking and loading shall be required as per Appendix I.



Royal Canadian  
Mounted Police

Gendarmerie Royale  
du Canada

Security Classification/Designation  
Classification/désignation sécuritaire  
  
Unclassified

NCO i/c Salmon Arm Detachment  
1980 11<sup>th</sup> Avenue N.E. Salmon Arm, BC  
V1E 2V5

CRCC File # - CCETP no de reference

Our File - Notre référence

Salmon Arm City Council

Date:

February, 4, 2020

**RE: Variance / re-zoning application for the property located at 1910 11<sup>th</sup> Avenue NE,  
Salmon Arm.**

Dear Salmon Arm Council,

I am writing this letter to provide council information on issues that I foresee arising from the proposal of development of a property adjacent to the current RCMP Detachment located at the civic address of 1980 11<sup>th</sup> Avenue NE here in Salmon Arm.

As I understand it, the land usage of the lot under discussion for re zoning at 1910 – 11<sup>th</sup> Avenue NE is listed under the OCP as being designated Highway Service /Tourist Commercial. The proposal before council is to re zone that property to a multi-family residential complex of some description. The scale that has been discussed is 12 to 28 units as I understand it.

I have been lead to believe that historically the residential structure next to our office has contained 2 tenants. I do know there has been occasions for our detachment members to interact with the tenants who were displeased with the noise and lights that our operations create. Specifically the noise that our operation creates on a 24 / 7 schedule has created angst with tenants on the adjacent property and lead to complaints to the Detachment Commander as it echo's on the building.

At times Our 24 hour operation requires:

- Police vehicles to run constantly in our back lot to facilitate emergency response.

- Police vehicles to use the western entrance and egress point 24/7 which borders 1910 11<sup>th</sup> Ave, NE. The sound then can echo off of our own building toward the west.
- In conducting vehicle checks at the beginning of shift sirens are sounded to ensure they work.
- Emergency operations require the use of sirens and emergency lighting when the risk dictates it which results in their use when leaving and sometimes on return to the Detachment depending on the risk assessment.
- Attendance of ambulances is required at the West entrance where our cells are located and they may be required to utilize emergency response equipment depending on the risk analysis.
- When our police vehicles enter a roadway and are engaging in an emergency response they are required by the provincial Emergency Vehicle Operation's regulations contained in the Motor Vehicle Act to engage lights and sirens. Only under exceptions would an officer choose not to use them.
- All prisoners are released from cells on the west side of our building and our office has received complaints as a result of this activity.

While other areas of the community do hear our "Code 3" response the adjacent property at 1910 11<sup>th</sup> Avenue NE would potentially be subject to the lights and sirens as we confirm their operation at the beginning of shift and as we leave to emergency calls on the city street and upon entering the highway. I mention the highway because a large portion of our policing area is to the west of our office. Any residents to the west may be subject to direct noise and flashing strobe lights at all hours of the day and night not once but potentially twice in the case of 1910 11<sup>th</sup> Ave NE.

While all officers are aware of the impact of their Code 3 responses on our neighbours it is completely unavoidable. It is required by the Provincial Motor Vehicle Act and not following these well-defined policies may constitute some form of negligence resulting in criminal investigations and civil liability.

Asking our officers not to engage emergency equipment to its full extent when they are of the opinion it is necessary is not an option. The risks to the public, civil litigation and criminal prosecution in this day and age are too high.

It is this office's opinion that a multifamily residential would lead to continuing issues for the Department as well as the City of Salmon Arm and complaints may become more frequent as the property is more densely occupied with limited sound barriers. If it was to remain within



the community land usage plan as it is now the mix of commercial and residential usage could be engineered in such a way as to reduce the impact of police operations.

I have attached the excerpt from the Provincial Motor Vehicle Act for reference.

A rectangular box containing a handwritten signature in blue ink. The signature is stylized and appears to read 'Scott West'.

S/Sgt. Scott West  
NCO i/c Salmon Arm RCMP Detachment

# Motor Vehicle Act Emergency Driving Regulation B.C. Reg. 133 Section 4.

## Emergency response by peace officer

4 (1) A peace officer operating an emergency vehicle for purposes other than pursuit may exercise the privileges granted by section 122 (1) of the [Motor Vehicle Act](#) if

(a) the peace officer has reasonable grounds to believe that the risk of harm to members of the public from the exercise of those privileges is less than the risk of harm to members of the public should those privileges not be exercised, and

(b) the peace officer operates the following emergency equipment, as applicable:

(i) in the exercise of privileges described in section 122 (1) (a) to (c) of the [Motor Vehicle Act](#), an emergency light and siren;

(ii) in the exercise of privileges described in section 122 (1) (d) of the [Motor Vehicle Act](#), an emergency light or an emergency light and siren.

(2) Having determined that there are reasonable grounds referred to in subsection (1) (a), the peace officer referred to in subsection (1) may, in the following circumstances, exercise any of the privileges granted by section 122 (1) of the [Motor Vehicle Act](#) without operating an emergency light and siren or by operating an emergency light alone:

(a) the peace officer is responding to an incident and has reasonable grounds to believe that an offence has been, is being or is about to be committed and that the risk of harm to members of the public entailed in operating an emergency siren or an emergency light and siren, as the case may be, outweighs the risk of harm to members of the public entailed in not operating them;

(b) the peace officer is engaged in the lawful execution of his or her duty other than as described in paragraph (a) or section 3 and has reasonable grounds to believe that it is safe to operate the emergency vehicle without operating an emergency siren or an emergency light and siren, as the case may be.

(3) In considering whether there are reasonable grounds under subsection (1), (2) or (5) a peace officer must

(a) consider the factors described in section 3 (2), and

(b) weigh the degree of risk of harm to members of the public against the seriousness of the nature and circumstances of the suspected offence or incident.

(4) Subsection (2) does not apply if the peace officer must disregard a stop sign or approach or pass signs described in section 147 of the [Motor Vehicle Act](#) relating to schools and playgrounds.

(5) A peace officer operating an emergency vehicle in the circumstances set out in subsection (2) must stop at a red light and may then disregard the red light and proceed through the intersection if the peace officer has reasonable grounds to believe it is safe to do so without operating relevant emergency equipment.

(6) Factors which will increase the risk of harm to members of the public for purposes of subsections (1), (2) and (5) include

(a) attempting to close the distance between a peace officer's vehicle and another vehicle,

(b) if there is poor visibility,

- (c) if there is pedestrian or other vehicular traffic on the highway, and
  - (d) if the peace officer must disregard a yield sign or pass through a crosswalk or uncontrolled intersection.
- (7) For the purposes of subsection (2), the greater the distance, speed or length of time required or likely to be required in exercising the privileges granted by section 122 (1) of the Motor Vehicle Act, the greater the risk to the safety of members of the public.
- (8) For the purposes of subsection (2), the risk of harm to members of the public must be considered to be substantially increased when a peace officer is attempting to close the distance if the other vehicle is not in the sight of the peace officer.

### **Motor Vehicle Act, Part 3, Section 122.**

#### **Exemption for emergency vehicles**

**122** (1) Despite anything in this Part, but subject to subsections (2) and (4), a driver of an emergency vehicle may do the following:

- (a) exceed the speed limit;
- (b) proceed past a red traffic control signal or stop sign without stopping;
- (c) disregard rules and traffic control devices governing direction of movement or turning in specified directions;
- (d) stop or stand.

(2) The driver of an emergency vehicle must not exercise the privileges granted by subsection (1) except in accordance with the regulations.

(3) [Repealed 1997-30-2.]

(4) The driver of an emergency vehicle exercising a privilege granted by subsection (1) must drive with due regard for safety, having regard to all the circumstances of the case, including the following:

- (a) the nature, condition and use of the highway;
- (b) the amount of traffic that is on, or might reasonably be expected to be on, the highway;
- (c) the nature of the use being made of the emergency vehicle at the time.

24. STATUTORY PUBLIC HEARINGS

1. Official Community Plan Amendment Application No. OCP4000-44 [McGregor, D.; 1910 11 Avenue NE; HC to HR]

The Director of Development Services explained the proposed Official Community Plan Amendment Application.

Submissions were called for at this time.

D. McGregor, the applicant, outlined the application, addressed concerns outlined in the letter from S/Sgt. S. West, Salmon Arm RCMP Detachment and was available to answer questions from Council.

S/Sgt. S. West, Salmon Arm RCMP Detachment advised that adjacent to the subject property is where the RCMP's generators are located which may cause additional noise. He was available to answer questions from Council.

S/Sgt. S. West, Salmon Arm RCMP Detachment – letter dated February 4, 2021 – Variance /re-zoning application for the property located at 1910 11<sup>th</sup> Avenue NE, Salmon Arm

Following three calls for submissions and questions from Council, the Public Hearing was closed at 7:40 p.m. and the next item ensued.

**CITY OF SALMON ARM****BYLAW NO. 4419****A bylaw to amend "City of Salmon Arm Official Community Plan  
Bylaw No. 4000"**

---

WHEREAS notice of a Public Hearing to be held by the Council of the City of Salmon Arm in the Council Chambers at City Hall, 500 – 2 Avenue NE, Salmon Arm, British Columbia and by electronic means as authorized by Ministerial Order M192, British Columbia, on February 8, 2021 at the hour of 7:00 p.m. was published in the January 27 and February 3, 2021 issues of the Salmon Arm Observer;

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

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

1. "City of Salmon Arm Official Community Plan Bylaw No. 4000" is hereby amended as follows:

1. Re-designate Lot 2, Section 24, Township 20, Range 10, W6M, KDYD, Plan 5510, Except Plans 14376, 24326 and KAP48014 from HC (Highway Service/Tourist Commercial) to HR (Residential High Density), as shown on Schedule "A" attached hereto and forming part of this bylaw.

2. SEVERABILITY

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

3. ENACTMENT

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

4. EFFECTIVE DATE

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



5. CITATION

This bylaw may be cited as "City of Salmon Arm Official Community Plan Amendment Bylaw No. 4419".

READ A FIRST TIME THIS 11th DAY OF January 2021

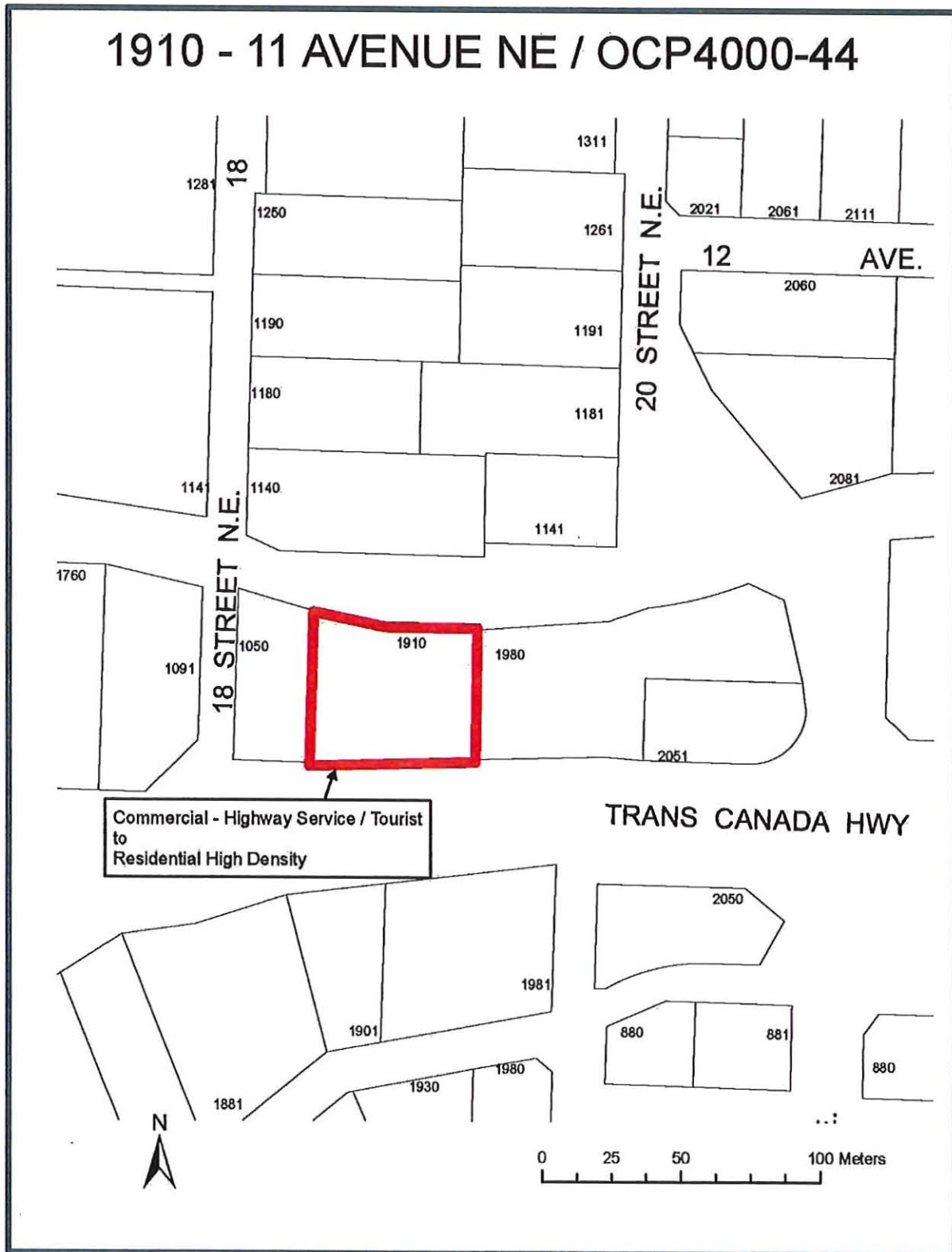
READ A SECOND TIME THIS 25th DAY OF January 2021

READ A THIRD TIME THIS 8th DAY OF February 2021

ADOPTED BY COUNCIL THIS DAY OF 2021

\_\_\_\_\_  
MAYOR

\_\_\_\_\_  
CORPORATE OFFICER



Item 11.6

## CITY OF SALMON ARM

Date: February 22, 2021

Moved: Councillor

Seconded: Councillor

THAT: the bylaw entitled City of Salmon Arm Zoning Amendment Bylaw No. 4420 be read a final time.

[ZON-1190; McGregor, D.; 1910 11 Avenue NE; R-1 to R-5]

### Vote Record

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

Opposed:

- ☐ Harrison
- ☐ Cannon
- ☐ Eliason
- ☐ Flynn
- ☐ Lavery
- ☐ Lindgren
- ☐ Wallace Richmond

24. STATUTORY PUBLIC HEARINGS

2. Zoning Amendment Application No. ZON-1190 [McGregor, D.; 1910 11 Avenue NE; R-1 to R-5]

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

Submissions were called for at this time.

D. McGregor, the applicant, confirmed that the entire property would be fenced during development and was available to answer questions from Council.

Following three calls for submissions and questions from Council, the Public Hearing was closed 7:42 p.m.

## CITY OF SALMON ARM

### BYLAW NO. 4420

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

---

WHEREAS notice of a Public Hearing to be held by the Council of the City of Salmon Arm in the Council Chambers at City Hall, 500 - 2 Avenue NE, Salmon Arm, British Columbia and by electronic means as authorized by Ministerial Order M192, British Columbia, on February 8, 2021 at the hour of 7:00 p.m. was published in the January 27 and February 3, 2021 issues of the Salmon Arm Observer;

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

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

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

Rezone Lot 2, Section 24, Township 20, Range 10, W6M, KDYD, Plan 5510, Except Plans 14376, 24326 and KAP48014 from R-1 (Single Family Residential Zone) to R-5 (High Density Residential Zone), attached as Schedule "A".

2. SEVERABILITY

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

3. ENACTMENT

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

4. EFFECTIVE DATE

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



City of Salmon Arm  
Zoning Amendment Bylaw No. 4420

5. CITATION


This bylaw may be cited as “City of Salmon Arm Zoning Amendment Bylaw No. 4420”

READ A FIRST TIME THIS            11th            DAY OF            January            2021

READ A SECOND TIME THIS        25th            DAY OF            January            2021

READ A THIRD TIME THIS        8th            DAY OF            February            2021

APPROVED PURSUANT TO SECTION 52 (3) (a) OF THE TRANSPORTATION ACT  
ON THE            12th            DAY OF            February            2021



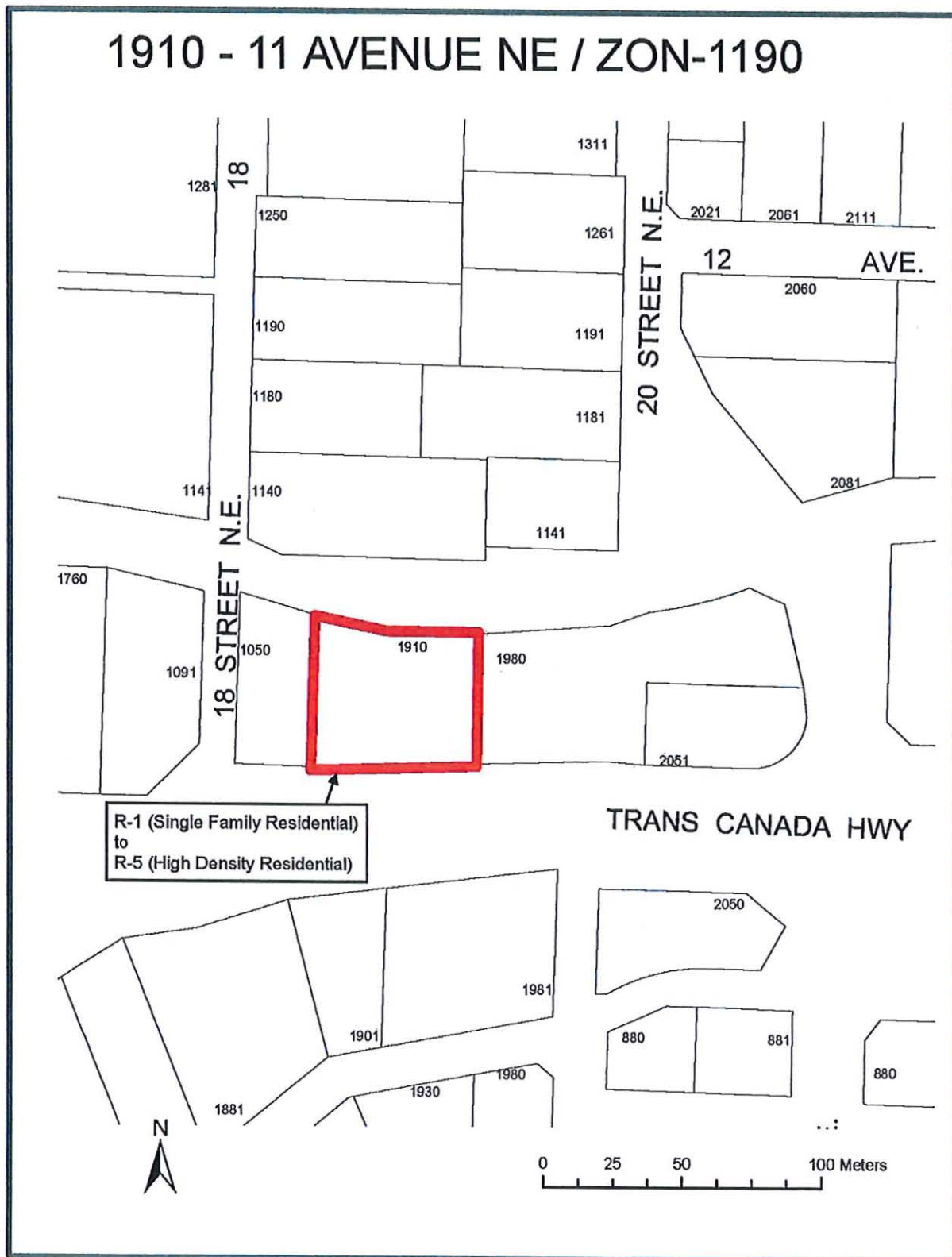
For Minister of Transportation & Infrastructure

ADOPTED BY COUNCIL THIS            DAY OF            2021

\_\_\_\_\_  
MAYOR

\_\_\_\_\_  
CORPORATE OFFICER

SCHEDULE "A"



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### INFORMATIONAL CORRESPONDENCE - FEBRUARY 22, 2021

- |    |  |   |
|----|--|---|
| 1. | Innovation, Science and Economic Development Canada from C. Bannister, Chief Administrative Office – letter dated February 9, 2021 – TELUS Application: Universal: Broadband Fund – City of Salmon Arm | N |
| 2. | C. Stromgren, Jackson Secondary School – letter dated January 29, 2021 – Jackson Secondary School Mountain Biking Academy  | A |
| 3. | J.L. Jackson Secondary Science Humanities 9 – letter received February 2021 – City of Salmon Arm Official Flag   | A |
| 4. | L. Wong, Manager, Downtown Salmon Arm – letter dated February 10, 2021 – RSU Design  | A |
| 5. | Interior Health Authority – monthly newsletter dated February 2021 – Health Communities  | N |
| 6. | M. Arnold, MP, North Okanagan – Shuswap – letter dated February 16, 2021 – 3-digit (988) Suicide Prevention Hotline  | N |
| 7. | BC Services Card – Service BC – email dated February 11, 2021 – Get you COVID test results using your mobile BC Services Card. One card, many services.  | N |
| 8. | A. Fung, Environmental Management Analyst, Ministry of Environment and Climate Change Strategy – email dated February 12, 2021 – Feb 15 – Plastic Pollution Awareness Day                              | N |
| 9. | D. Langman, Chair, Regional District of Kootenay Boundary – letter dated February 4, 2021 – Letter of Support for The Corporation of the City of Vernon  | N |

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Item 12.2

## CITY OF SALMON ARM

Date: February 22, 2021

R. Parenteau, Manager, Shuswap Community Foundation – letter dated  
February 10, 2021 – Grant-in-Aid and Endowment

### Vote Record

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

Opposed:

- ☐ Harrison
- ☐ Cannon
- ☐ Eliason
- ☐ Flynn
- ☐ Lavery
- ☐ Lindgren
- ☐ Wallace Richmond



**SHUSWAP  
COMMUNITY  
FOUNDATION**

PO Box 624  
102-160 Harbourfront Drive NE  
Salmon Arm BC, V1E 4P9  
Ph: 250- 832-5428  
Email: [info@shuswapfoundation.ca](mailto:info@shuswapfoundation.ca)

February 10, 2021

Mayor and Council  
City of Salmon Arm  
Box 40  
Salmon Arm, BC V1E 4N2

Dear Mayor and Council,

The Shuswap Community Foundation's Grants-in-Aid Adjudication Committee met on January 14 to review the applications for funding received for the City of Salmon Arm Grants-In-Aid Program.

The Committee is comprised of Mayor Alan Harrison and Shuswap Community Foundation Board members: Ralph Segreto, Lindsay Wong, Kathryn Vennard and Manager, Roger Parenteau.

With \$64,039 available and requests totalling \$72,910, the Committee faced difficult decisions. We are pleased to announce that 14 groups were approved and will receive funds shortly. A spreadsheet with a list of the allocations is attached. With funds remaining, we would like to suggest reinvestment of those funds to the City of Salmon Arm Endowment fund to allow that fund to grow further to support self-sufficiency.

Once adjudication was complete, \$17,111 unallocated funds remained. SCF is awaiting council direction as to the use of these funds.

Following the adjudication, \$17,111.00 remained unallocated. SCF requests council direction as to the use of these funds. We have included the City of Salmon Arm's quarterly letter for the City's Endowment as this would be an excellent opportunity to increase the Endowment Fund.

We thank you for this opportunity to serve our community.

Regards,

A handwritten signature in black ink, appearing to read 'Roger Parenteau', with a stylized flourish at the end.

Roger Parenteau, SCF Manager

On behalf of  
Lindsay Wong, Chair of the City of Salmon Arm Grants-in-Aid Committee



**SHUSWAP  
COMMUNITY  
FOUNDATION**

PO Box 624  
102-160 Harbourfront Drive NE  
Salmon Arm BC, V1E 4N7  
Ph: 250- 832-5428  
Email: [info@shuswapfoundation.ca](mailto:info@shuswapfoundation.ca)

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January 15, 2021

Friends  
Box 40  
Salmon Arm BC V1E 4N2

Dear Friends,

Please find your quarterly fund statements for: City of Salmon Arm Endowment

Contributed Capital as of December 31, 2020:	\$204,945
Retained Earnings as of December 31, 2020:	\$126,300
Market Value of fund as of December 31, 2020:	\$331,245
Grant Reserve accumulated to date:	\$5,735

(\*Grant Reserve" represents the funds accumulated for 2020/21 fiscal year for distribution in the 2021/22 fiscal year. (July -June))

Shuswap Community is grateful for the continued support of our Donors and Fundholders whose commitment to building a strong and vibrant Shuswap Community guides SCF in all that we do.

If this letter was sent to you via mail, please connect with the Foundation office to provide an email address as we continue to work at reducing our environmental footprint.

Roger Parenteau, Manager

## 2021 City of Salmon Arm - Grants In Aid

Balance in account March 5, 2019:			\$624
2020 funds returned from Children's Festival			\$4,000
2020 funds returned from Shuswap District Arts Council for WOW			\$750
2020 funds returned from Women who Wine			\$1,100
Interest:			\$65
Balance in account December 31, 2020:			\$6,539

[illegible]

Funds Available	\$54,625	
plus admin fees waived	\$2,875	
Balance in account	\$6,539	\$64,039

total remaining after grants	\$17,111.00
------------------------------	-------------

Item 14.1

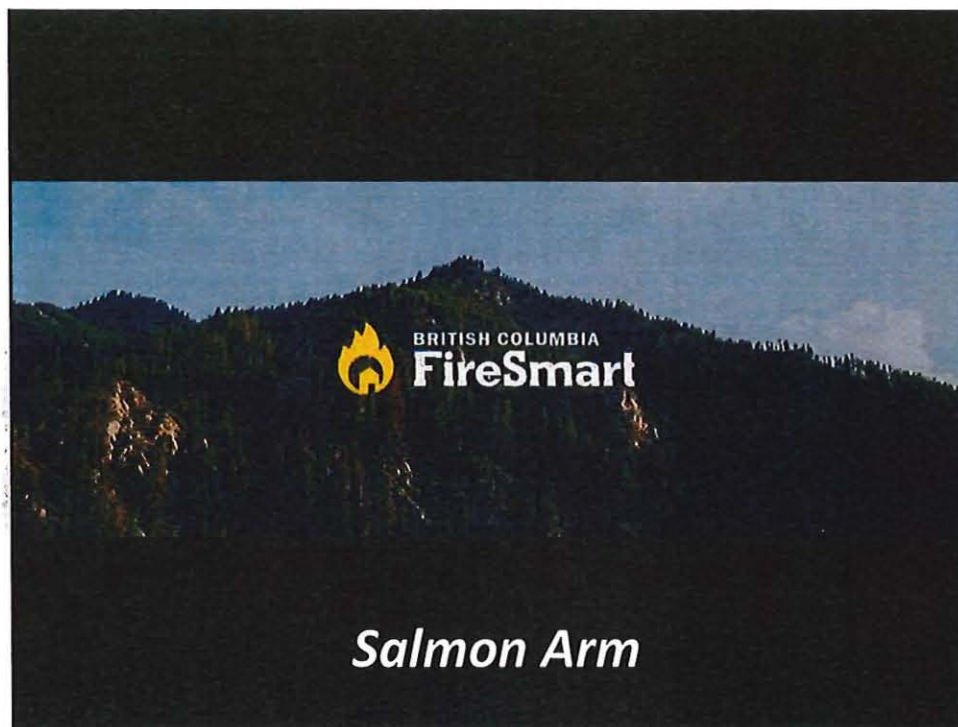
**CITY OF SALMON ARM**Date: February 22, 2021**Presentation 4:00 p.m. (approximately)****NAME:** Kevin Smith, Charlie Burt, Len Lazzarotto & Fire Chief Brad Shirley**TOPIC:** Fire Smart**Vote Record**

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

Opposed:

- ☐ Harrison
- ☐ Cannon
- ☐ Eliason
- ☐ Flynn
- ☐ Lavery
- ☐ Lindgren
- ☐ Wallace Richmond





## Agenda



- Review of recent wildfire seasons
- Role of FireSmart
- FireSmart Community Recognition program
- FireSmart BC





In 2017 **1.22 million hectares** of land was  
burned by 1,347 wildfires  
**1.34 million hectares** of land burned by 2,068  
wildfires in 2018



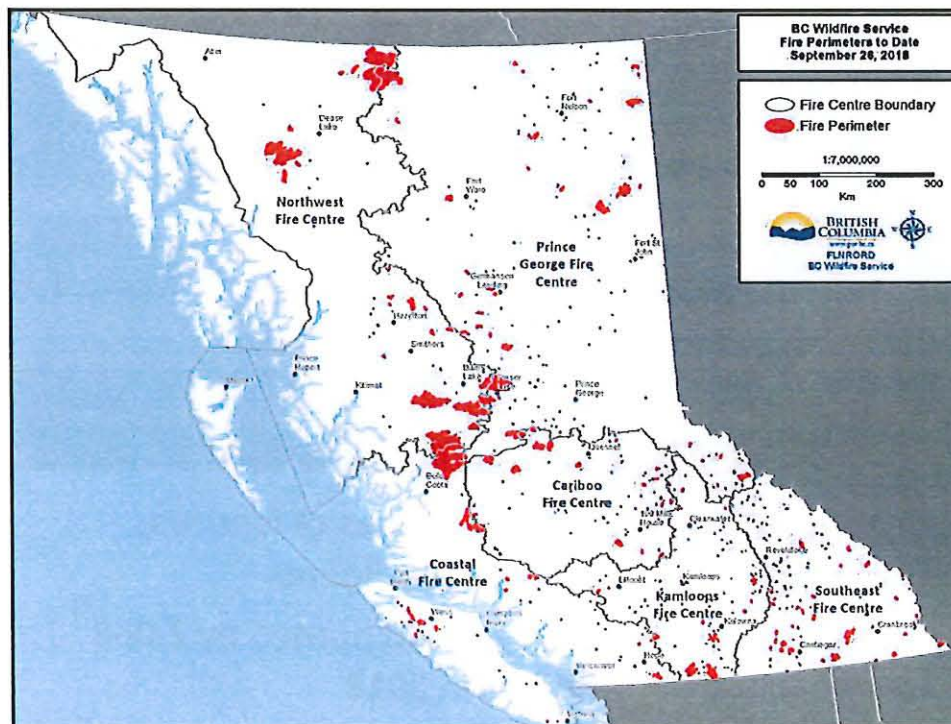
## Human impact

(statistics courtesy of Emergency Management BC)

	2017	2018
<b>EVACUATION ORDERS</b>	120	66
<b>EVACUATION ALERTS</b>	166	124
<b>PROPERTIES ON ORDER</b>	18,737	2,211
<b>PROPERTIES ON ALERT</b>	10,656	17,939
<b>EMERGENCY SOCIAL SERVICE RECIPIENTS</b>	NOT AVAILABLE	5,482
<b>TOTAL DAYS ON PROVINCIAL STATE OF EMERGENCY</b>	<b>71</b> (July 7 to Sept 15)	<b>24</b> (Aug 15 to Sept 7)



**BRITISH COLUMBIA**  
**FireSmart**



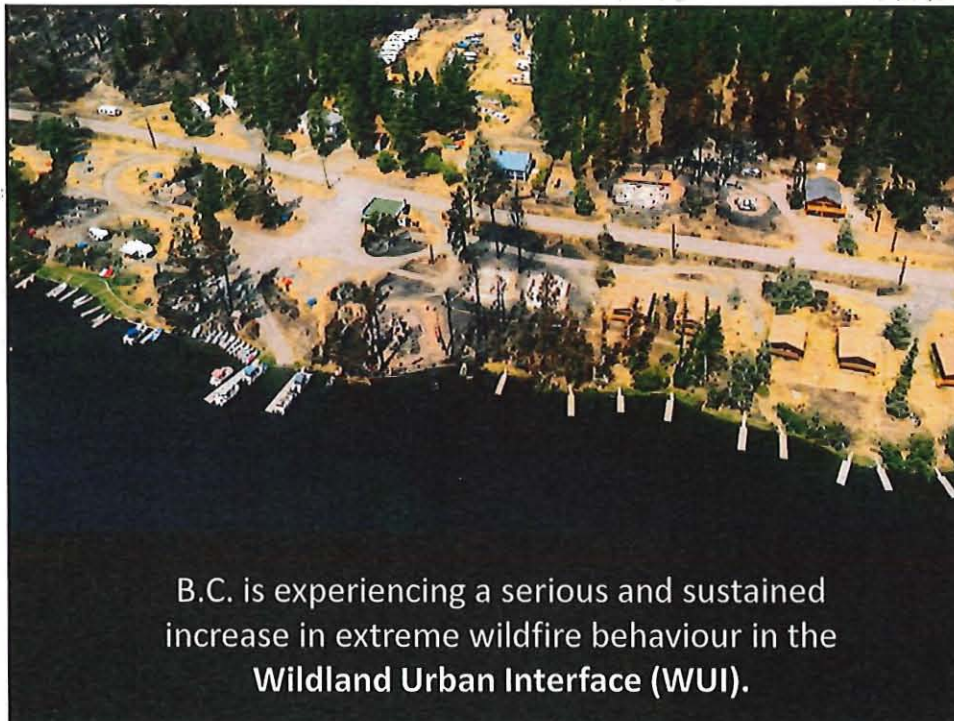


**Wildfires in B.C. 1998**



**Lest we Forget**





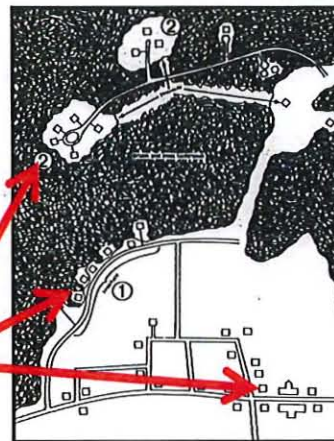
## Wildland Urban Interface



### What is the WUI?

- WUI refers to the “wildland urban interface”.
- It is the zone of transition between wildland forest and human development.
- The lands and communities next to and surrounded by wildlands are at risk of wildfires.

**Wildland Urban Interface**







## The role of FireSmart



### FireSmart is about living with wildfire and managing for it on our landscapes

- FireSmart is the Canadian standard recognized by all provinces and territories.
- It's based on National Fire Protection Association (NFPA) standards and has evolved over 40 years.
- It's backed by a vast amount of field, laboratory and modelling research.
- FireSmart guidelines have proven their legitimacy as measures of hazard.
- FireSmart methods have been demonstrated time and time again to reduce the risk of losses, under even the most extreme fire conditions.



## The seven disciplines



**Education**

**Vegetation management**

**Emergency planning**

**Cross-training**

**Interagency cooperation**

**Development considerations**

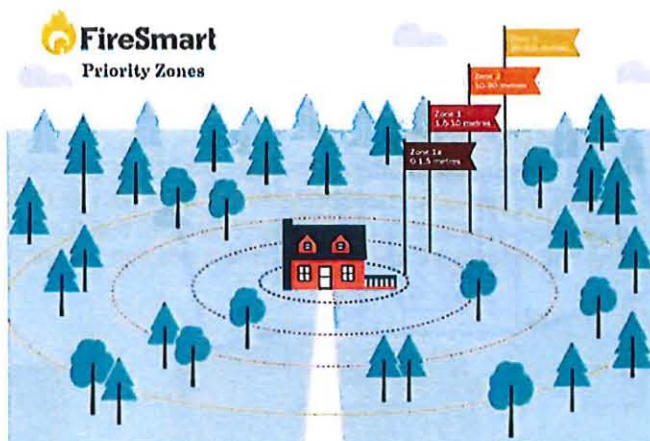
**Legislation and planning**



## Wildfire structure survival statistics



- 4% survival: flammable roof, no treatment and no defensive action
- 20% survival: flammable roof
- 70% survival: non-flammable roof
- 90% survival: < 10 metres (Zone 1) or more of vegetation is treated

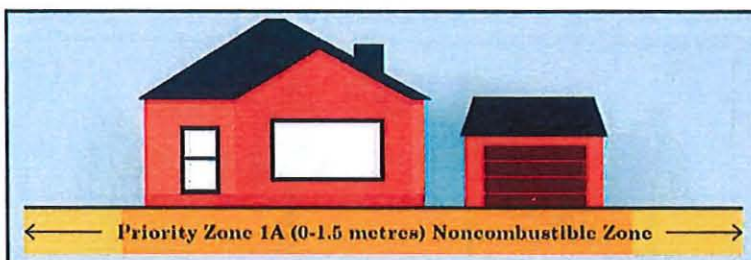


Work with your neighbours in any overlapping priority zones!

## Zone 1A



- **The most critical zone (0 to 1.5 metres from the home)**
- Remove combustible material right down to the mineral soil
- Use non-flammable materials such as gravel, brick or concrete in this critical area adjacent to your home
- Avoid having woody shrubs, trees or tree branches in this zone



## Zone 1



- **1.5 to 10 metres from the home**
- Create a FireSmart yard so that fire will not easily transmit to your home.
- Plant low-density, fire-resistant plants and shrubs.
- Avoid planting coniferous trees (cones and needles) in this zone, since they are highly flammable.
- Keep lawns mowed.
- Move firewood piles, construction materials, storage sheds and other combustible structures out of this zone and into Zone 2.

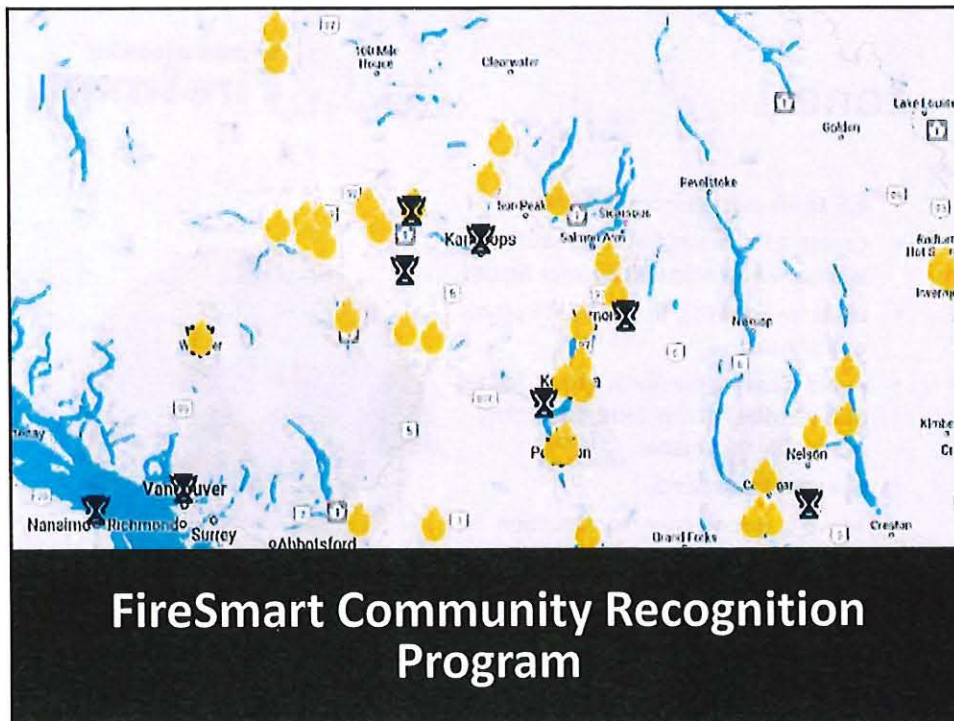
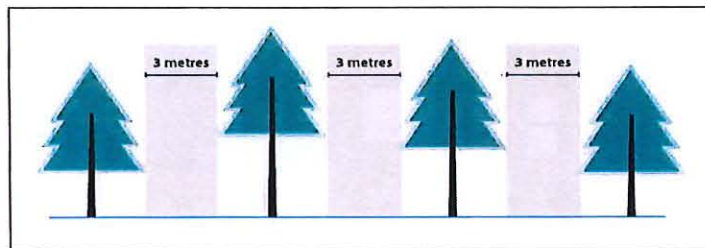




## Zone 2



- **10 to 30 metres from home**
- Prune and trim evergreen trees to create at least 3 metres of horizontal space between single or grouped tree crowns.
- On the remaining evergreen trees, remove all branches to a height of 2 metres above the ground.
- Regularly clean up fallen branches, dry grass and needles from the ground to eliminate potential surface fuels.



## Community recognition program



1. Contact a Local FireSmart Representative (LFR).
2. Form a FireSmart Neighbourhood Committee.
3. LFR Conducts Neighbourhood Site Visit.
4. Create a FireSmart Neighbourhood Plan.
5. Implement FireSmart Events
6. Apply for recognition.
7. Renew your recognition status and work to increase the number of FireSmart homes in your neighbourhood.





## The BC FireSmart Committee **BRITISH COLUMBIA FireSmart**

### Membership:

- Ministry of Forests, Lands, Natural Resource Operations and Rural Development, as represented by the BC Wildfire Service
- Office of the Fire Commissioner
- Union of B.C. Municipalities
- Fire Chiefs' Association of B.C.
- Emergency Management BC
- Forest Enhancement Society of B.C.
- First Nations' Emergency Services Society of B.C.
- FireSmart Canada



**First Nations'  
Emergency Services Society**  
OF BRITISH COLUMBIA



**Forest Enhancement  
Society of British Columbia**



**Emergency  
ManagementBC**

## Committee purpose



The B.C. FireSmart Committee works to collaboratively maintain and improve the delivery of the BC FireSmart program by ensuring alignment with the seven FireSmart disciplines, to better support wildfire preparedness, prevention and mitigation in B.C.

In meeting their purpose, they commit to aligning with FireSmart Canada, developing an annual work plan and budget, and providing stakeholders and interested parties with one governing agency for FireSmart in B.C.



The screenshot shows the homepage of the British Columbia FireSmart website. At the top, there is a navigation bar with the FireSmart logo on the left and links for Search, Events, Courses, Who We Are, Resource Library, and a Get FireSmart button on the right. The main content area has a dark background with the heading "Take Action." in white. Below this heading, there are three links on the left: "Download or order FireSmart resources", "Contact your local FireSmart Representative", and "Become a FireSmart Canada Recognized Community". To the right of these links is a paragraph of text: "Whether you live in a home, a business, or a school, there are things you can do today to prepare for the inevitability of wildfire in your area." Below this text is a form field labeled "Your email" with the placeholder text "name@email.com" and a "Submit" button. At the bottom of the page, there are logos for FireSmart BC and the FireSmart is a Request of FireSmart BC, and a footer with social media icons and contact information. The website URL "www.FireSmartBC.ca" is displayed prominently at the bottom.

**BRITISH COLUMBIA FireSmart**

Search Events Courses Who We Are Resource Library Get FireSmart

## Take Action.

Whether you live in a home, a business, or a school, there are things you can do today to prepare for the inevitability of wildfire in your area.

Your email  
name@email.com

Submit

Download or order FireSmart resources  
Contact your local FireSmart Representative  
Become a FireSmart Canada Recognized Community

**www.FireSmartBC.ca**

This slide is titled "FireSmart resources" and features the British Columbia FireSmart logo in the top right corner. The logo consists of a stylized flame icon and the text "BRITISH COLUMBIA FireSmart". Below the title, there is a bulleted list of resources: "Brochures", "Guides", "Latest articles and research", "Links to relevant websites", "Videos, posters and graphics", and "online resource ordering form". The bottom half of the slide has a background image of a forest with large tree trunks and a path. Overlaid on this image is the text "Resource Library" in a large, white, sans-serif font.

## FireSmart resources

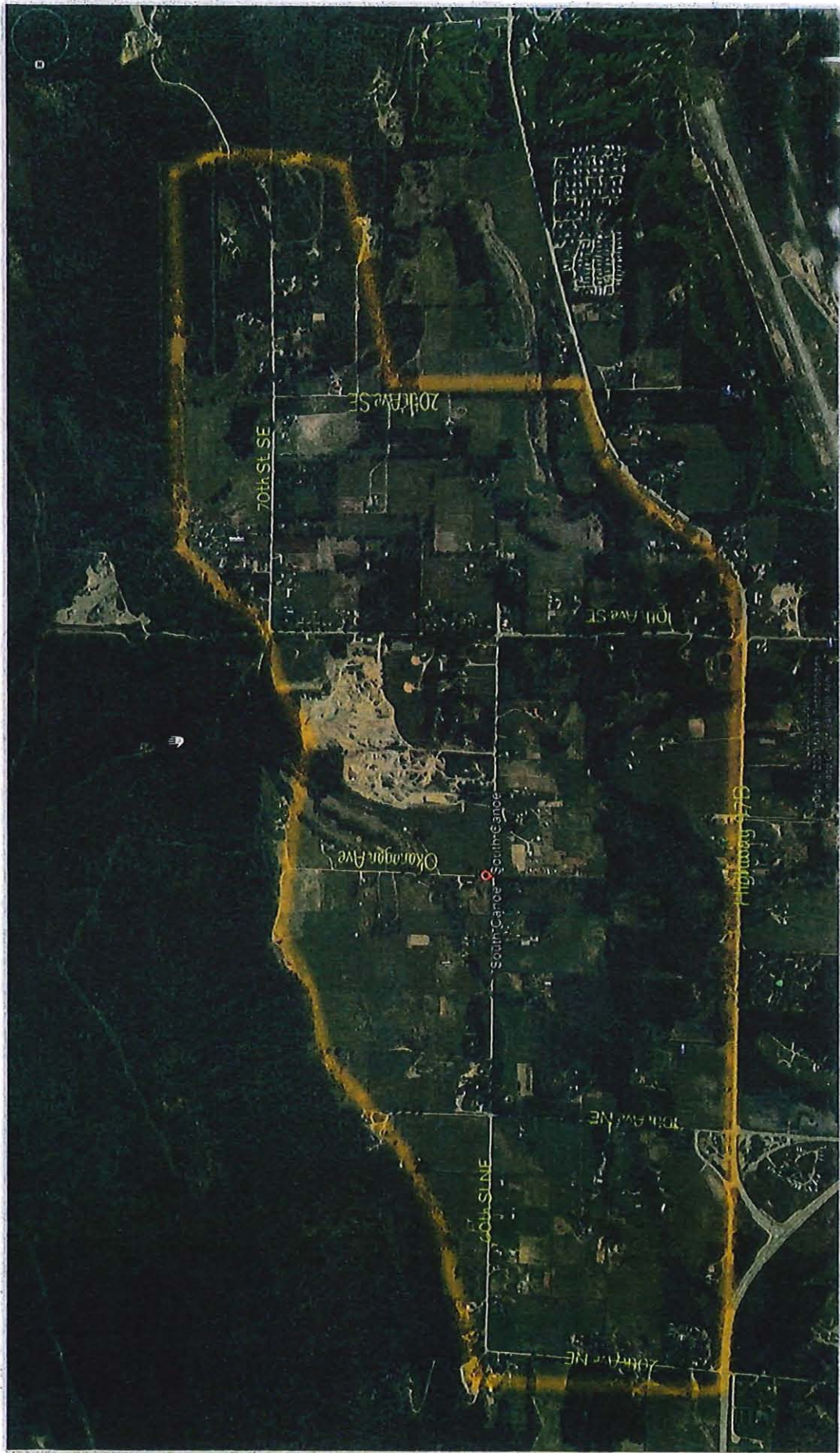
**BRITISH COLUMBIA FireSmart**

- Brochures
- Guides
- Latest articles and research
- Links to relevant websites
- Videos, posters and graphics
- online resource ordering form

## Resource Library









## SOUTH CANOE FIRESMART COMMITTEE

asks you to join our FireSmart Community  
Activity Day

**Saturday,  
August 22, 2020**

Help us achieve FireSmart Community status  
by participating in one of the following activities  
on your premises



Please refer to your "FireSmart Begins at Home  
Manual":

-pages 10 to 15 : a) Non-Combustible Zone: 0-1.5 metres  
from Home ;

b) Zone 1 : 1.5 -10 metres from Home ;

1: Clean your roof of combustible materials

2: Remove debris from your gutters.

3: Clean under decks and provide  
fire resistant barriers to sparks and  
embers that could gather in these areas.

Additional information is on the back of this sheet

### Background:

In these times of Covid-19 restrictions for community gatherings, the South Canoe FireSmart Board is asking residents to participate *individually* on projects that address priorities in our FireSmart Plan. While we are unable to hold a community event, we are hoping that by working at any or several of these 3 activities each of us can contribute to the reduction of the overall Wildfire Risk in our community.

The FireSmart Communities Program benefits individual residents, whole communities, and Wildfire Urban Interface fire response agencies and departments. Participants become problem solvers, communities develop improved, beneficial relationships with emergency responders, and the effectiveness of firefighting increases. Residents can contribute to forest health and most importantly, local wildfire readiness is improved.

In order to apply for FireSmart Community Recognition it is essential for us to meet a \$2 per capita community investment in cash, equipment costs, in-kind services, rental costs and volunteer hours. Volunteer hours are valued at approximately \$20 per hour and are submitted to the FireSmart Board at the end of the FireSmart Activity Day (August 22) for a final tally.

Additional information will be located on our South Canoe Webpage at: <https://www.southcanoe.ca/firesmart.html>

A Volunteer Sign-up Sheet and Time Sheet are available at: <https://firesmartbc.ca/resource/fccp-volunteer-and-resource-tracker/>. If you are unable to participate but would like to be on our mailing list, please share your email address with us.

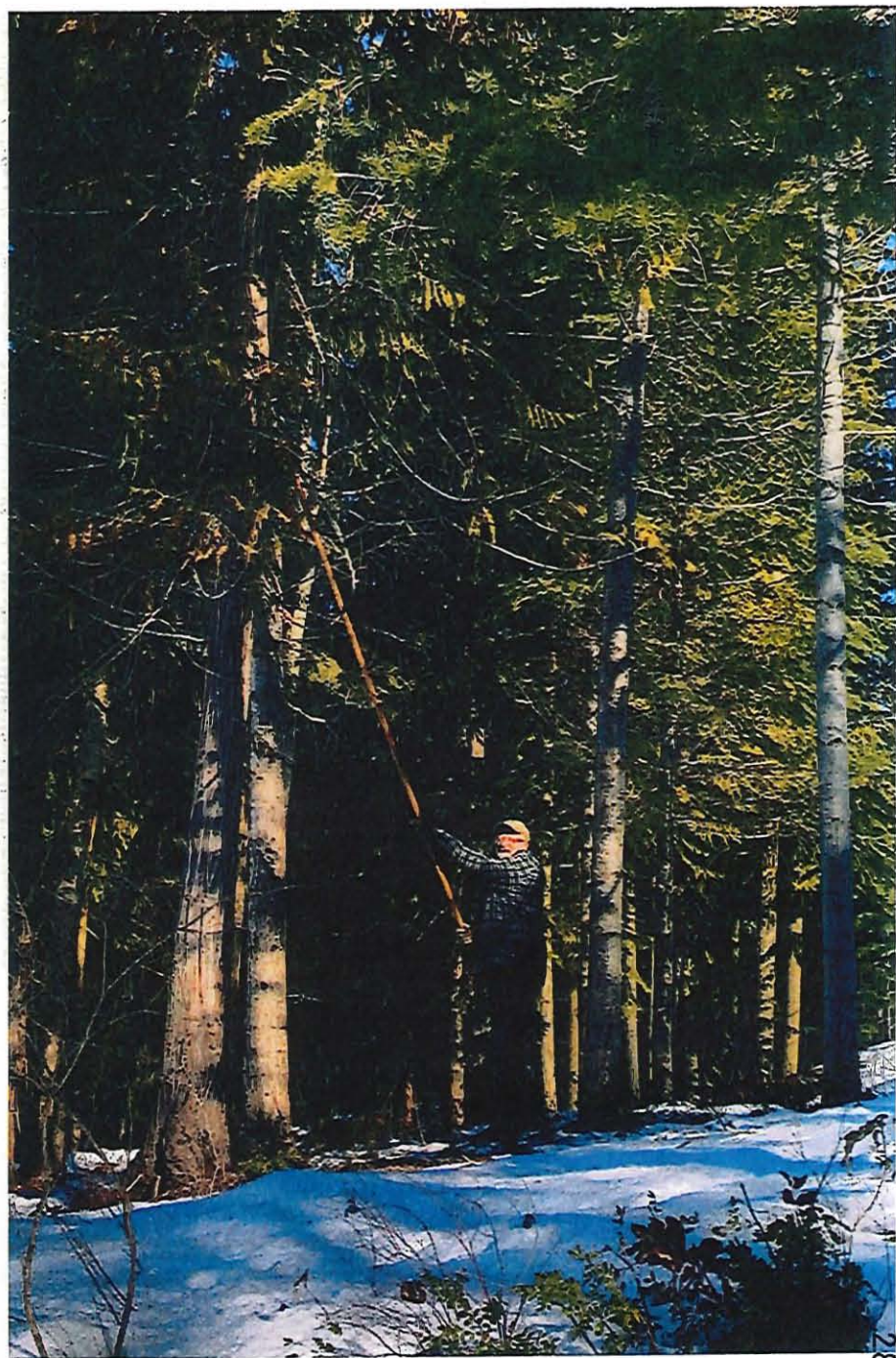
You can also fill in the abbreviated form below, take a photo with your cell phone or tablet and send a copy to either

Len Lazzarotto at 250-832-5860 or Charlie Burt at 250-253-0094 or email it to [southcanoe@shaw.ca](mailto:southcanoe@shaw.ca).

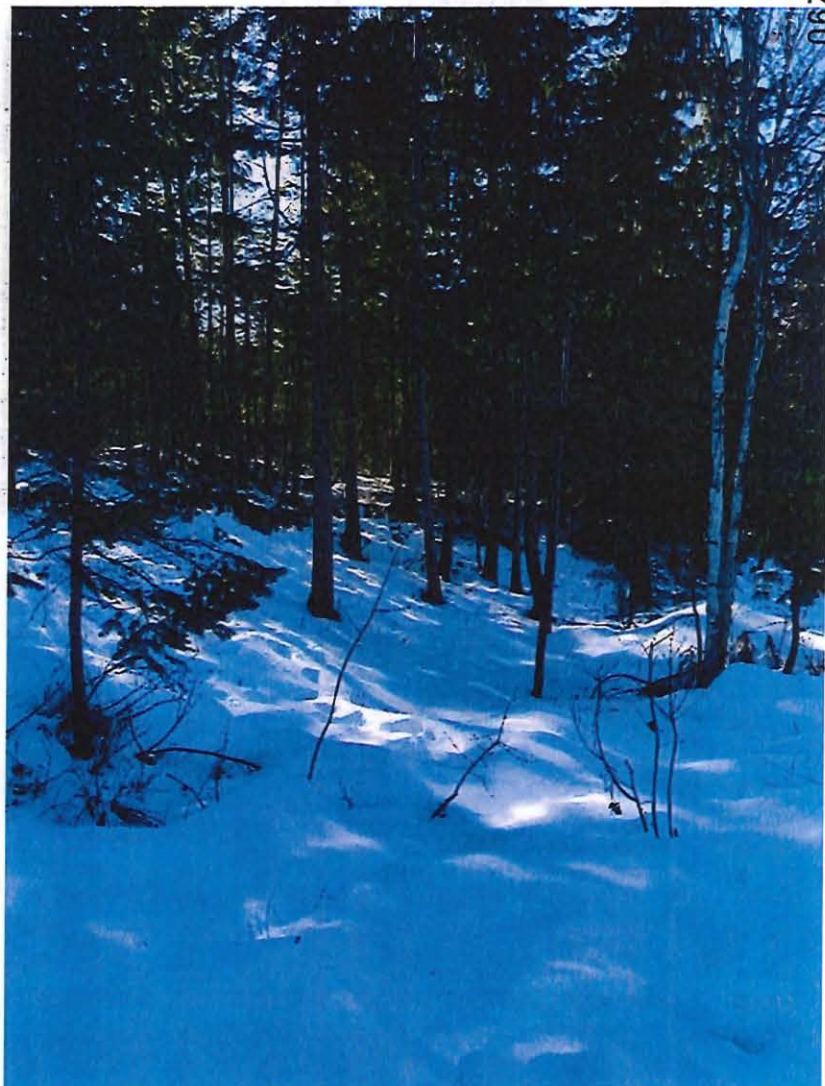
### FireSmart Volunteer Sign-Up and Time Sheet

1	Name:	Telephone:	
	Address:	Date :	Hours:
	E-mail Address	Activity:	
2	Name:	Telephone:	
	Address:	Date :	Hours:
	E-mail Address	Activity:	
3	Name:	Telephone:	
	Address:	Date :	Hours:
	E-mail Address	Activity:	
4	Name:	Telephone:	
	Address:	Date :	Hours:
	E-mail Address	Activity:	
5	Name:	Telephone:	
	Address:	Date :	Hours:
	E-mail Address	Activity:	

















## **South Canoe FireSmart Committee - 2021 Plans**

### ***With Covid-19 Health Protocols in place:***

**A: Yard Cleanup Days May 15 & 16 with potential extensions to May 22 & 23 if there is demand.**

Residents would be encouraged to learn about ways to reduce the fuel loads near their premises

1. Remove debris that is easily ignited by sparks and embers in the Zone1, 1.5 -10 meters
2. Gather dry leaves, twigs and branches from their yards and gutters.
3. Pruning branches to a height of 2 meters from the ground on coniferous trees within 30 meters of their homes.

**B: If a resident has removed and piled the debris and limbs in a convenient location, at the entranceway to their residences, our team will load the materials into the trailer and take them to the dump to be chipped.**

#### **Action to Date:**

1. We have obtained a quote for the costs of the trailer ( \$179.20 per weekend ) and we have submitted an application for FireSmart Activity Day grant that would include \$358.40 for trailer rental on 2 weekends and \$50 funding for fuel for a truck to tow the trailer.

2. Charlie Burt will provide the loader tractor with grapple bucket.

**C: Identify 3 activities that residents could initiate on their own, in the run up to this Activity Day**

- 1) Prepare ( Checklist for Personal Evacuation) an inventory list of home valuables and "keepsake" and prepare an evacuation plan in case of an emergency that includes a method to quickly gather these items and prepare for their removal.( Grab 'n Go Kit).
- 2) Encourage residents to do a video of their home's interiors or take still photos of rooms and contents and prepare for offsite storage of these videos and photos for insurance purposes.
- 3) Prepare a list of Vehicle and Response Equipment/Resources that they may possess and may be prepared to share in an emergency.

#### **Action Plan:**

1. All residents have been provided with a " FireSmart Begins At Home " Manual last summer
2. Additional information will be sent by email, beginning May 1. The emails will include excerpts from the "Guide to completing a Farm/Ranch Wildfire Plan" and information about the activities planned for May 15 & 16 .



3. Team members will be encouraged to open conversations with residents to determine how their inventories are going or if they have any questions, when we are visiting their premises to load the limbs and debris.

**D. Inviting other groups that have activities and facilities in our area ( eg. Gun Club) to participate in our FireSmart Activities and to encourage them to join us on "Clean Up Day"**

1. Action has been taken to invite the Gun Club to participate and they have confirmed that they will be working on assessing the combustible load on their site and will be participating with us on May 16 to get the materials to the landfill.

**E. We have agreed to try to expand our South Canoe contact list to include more of our residents that we appear to be missing currently.**

**F. If we are given the opportunity to have input into the location for the FireSmart Community Sign, we are recommending it be located on the south side of 10th Avenue SE, perhaps near or on the sign for Klahanni Park and Trails.**

***Post Covid-19 Health Protocols:***

**For many years the residents in South Canoe gathered in Klahanni Park for the annual "Strawberry Social" on or near the May long weekend. When the restrictions for public gatherings are removed, we hope to be re-energized this day into our FireSmart Activity Day and Social**

1. Open house at the South Canoe School , with scheduled speakers and educational videos to inform residents about the risks with Wildfires. Throughout the afternoon we would be offering local non-alcoholic Beverages and locally made Strawberry Shortcake.
2. Provide introductory courses in Wildfire Risk assessment for residents
3. Have an Open House on several premises for residents to see firsthand solutions to specific fire mitigation solutions. eg. power isolation for water wells, sprinkler and irrigations systems.
4. Displays and education promotions from the Fire Department.
5. Close the afternoon with a Barbecue.



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Item 22.1

## CITY OF SALMON ARM

Date: February 22, 2021

Moved: Councillor

Seconded: Councillor

THAT: Development Permit No. 428 be authorized for issuance for Lot 1, Section 24, Township 20, Range 10, W6M, KDYD, Plan EPP90400 Except Phases 1-7, Strata Plan EPS5686 (2810 15 Avenue NE) in accordance with the drawings attached to the Staff Report dated February 9, 2021;

AND THAT: Development Permit No. 428 include the following variance to Zoning Bylaw No. 2303:

- 1) Section 10.9.2 – decrease the minimum rear parcel line setback for a principal building from 5.0 metres (16.4 feet) to 3.0 metres (9.9 feet) in accordance with the drawings dated November 30, 2020 attached to the Staff Report dated February 9, 2021;

AND FURTHER THAT: Issuance of Development Permit No. 428 be withheld subject to receipt of an Irrevocable Letter of Credit in the amount of 125% of a landscaper's estimate for completion of the landscaping plan.

[Uptown Ventures Ltd.; 2810 15 Avenue NE; Setback requirements]

### Vote Record

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

Opposed:

- ☐ Harrison
- ☐ Cannon
- ☐ Eliason
- ☐ Flynn
- ☐ Lavery
- ☐ Lindgren
- ☐ Wallace Richmond



To: His Worship Mayor Harrison and Members of Council

DATE: February 9, 2021

SUBJECT: Development Permit Application No. DP-428 (12 Unit - High Density Residential)

Legal: Lot 1, Section 24, Township 20, Range 10, W6M, KDYD, Plan EPP90400, Except Phases 1-7, Strata Plan EPS5686

Civic: 2810 - 15 Avenue NE

Owner/Applicant: Uptown Ventures LTD.

#### **STAFF RECOMMENDATION**

**THAT:** Development Permit No. 428 be authorized for issuance for Lot 1, Section 24, Township 20, Range 10, W6M, KDYD, Plan EPP90400 Except Phases 1-7, Strata Plan EPS5686 (2810 - 15 Avenue NE) in accordance with the attached drawings;

**AND THAT:** Development Permit No. 428 include the following variance to Zoning Bylaw No. 2303:

Section 10.9.2 – decrease the minimum rear parcel line setback for a principal building from 5.0 metres (16.4 feet) to 3.0 metres (9.9 feet) in accordance with the attached drawings dated November 30, 2020;

**AND FURTHER THAT:** Issuance of Development Permit No. 428 be withheld subject to receipt of an Irrevocable Letter of Credit in the amount of 125% of a landscaper's estimate for completion of the landscaping plan.

#### **PROPOSAL**

This application is to permit a new 12-unit residential development in the form of 4 triplex multi-family buildings as shown on the site plans and building elevations attached (Appendix 1).

#### **BACKGROUND**

The subject parcel is located at 2810 - 15 Avenue NE (Appendix 2 and 3), 0.462 hectares in area, designated Residential – High Density (HD) in the City's Official Community Plan (OCP), with the portion under application zoned R-5 (High Density Residential) in the Zoning Bylaw (Appendix 4 and 5). The site under proposal is currently vacant (site photos - Appendix 6).

The Zoning Map (Appendix 4) shows the mix of zones in the immediate area, predominantly Residential (R-1 and R-4), with Institutional, Commercial and Agricultural zones further beyond. The subject property has been under the consideration of Council recently, with a zoning application and a subsequent Development Permit application for the northern portion of the parcel approved in 2017/18. At that point in time, two larger condominium buildings were contemplated on this portion of the lot with a total of approximately 56 dwelling units. This proposal for 12 units could fit within the R-4 zone regulations and is considered to be "medium density".

The 4 proposed buildings are a contemporary style triplex with traditional pitched rooflines broken by modern garage structures, situated along 2 two-way accesses. While 15 parking spaces are required (1.25 spaces per unit), a total of 27 are proposed (including 11 small car spaces).



The variance requested with the proposal is to decrease the minimum permitted rear setback (from 5 m to 3 m) adjacent to Unit 6 of proposed Triplex B at the southeast corner of the site.

## COMMENTS

### Building Department

No concerns.

### Fire Department

Confirm cul-de-sac radius meets 12 m in diameter as road exceeds 90 m. Confirmed by applicant.

### Engineering Department

Engineers design to be approved by the City prior to commencement.

### Design Review Panel

Proposal for multi-family residential development triggered referral to the Design Review Panel (DRP). The DRP noted no concerns with the proposal.

### Planning Department

The surrounding neighbourhood has been gradually re-developing with a mix of older, single family housing and newer condominium, commercial and institutional development. The subject parcel is located in an area well-suited for higher density residential development featuring developed sidewalks, greenways, bike and transit routes, within close walking distance of commercial services, the recreation centre and arena, schools including Okanagan College, as well as the City Centre and hospital just over 1 km to the west. Continued development, including future roads to support access and circulation, is anticipated to proceed at some point in the future (Appendix 7).

The proposed development is subject to the Zoning Bylaw and the guidelines of the "Residential Development Permit Area" as described in the OCP, suggesting characteristics under the topics of siting and building, access, circulation and parking area, as well as landscape and screening guidelines.

### *Siting and Building*

The applicant is proposing a 12-unit residential development in the form of four triplex buildings. The buildings are situated along two access lanes, with the separate buildings allowing for articulation, greenspace, and a reduced overall massing. The building design is a contemporary or modern style with some facade and roofline variations, similar to existing development on the parcel. The building forms are largely complimentary to existing residential development in the area.

OCP Residential Development Permit Area policy 8.4.10 encourage breaking up building massing, while policies 8.4.14 and 8.4.17 encourage varied facades and rooflines, all of which staff feel is reasonably achieved by the proposed design. The articulation of the facades and rooflines limit related impacts and the varied facade materials could be considered an enhancement. As such, staff feel the design achieves the intent of the guidelines outlined in the OCP. Staff note that the DRP had no concerns.

### *Access and Parking Area*

The subject property has 2-way vehicle access proposed via 15 Avenue NE to the north. Considering offsite access to the subject property as 15 Avenue NE is currently a dead-end road, future offsite road network development including a connection to the west (Appendix 7) should provide an option during times of busier traffic.

The 27 parking spaces as proposed exceeds the 15 required (1.25 parking spaces per dwelling unit) as specified by the Zoning Bylaw. Given the limited street parking at this location, staff feel the additional parking proposed will be well-used.

A sidewalk and pathway through the northern portion of the parcel will provide pedestrian access through the subject parcel as prescribed by the OCP and Greenways Strategy, with connectivity expected to be ultimately achieved as the adjacent lands to the west develop in the future.

*Landscape and Screening*

The landscape plan prescribes a range of trees and shrubs for screening along the parcel lines, between buildings, as well as decorative ground cover, which staff view as meeting OCP guidelines.

*Height and Density*

The maximum residential density permitted under R-5 zoning is 100 dwelling units per hectare of land. The resulting maximum density permitted is 46 units based on the area (0.462 hectares) of the subject parcel. A medium density development of 12 units is now being proposed.

Under the Zoning Bylaw regulations a maximum permitted height of 12 m is permitted, which may be increased to 15 m with an amenity provision. Considering this, the proposed maximum 6.1 m building height is well within the range of height permitted in the R-5 zone.

*Variance*

The proposed development includes a variance request to decrease the minimum permitted rear setback (from 5 m to 3 m) adjacent to Unit 6 of proposed Triplex B at the southeast corner of the site. Noting the directly adjacent land is a portion of a panhandle for access, the relatively small scale and height of the proposed building, and that there are no additional variances requested, staff are not concerned with this request. Staff note that while this south parcel line is the rear parcel line of the subject property, the proposed development is aligned as though this is a side parcel line similar to the development to the east and the 3 m setback proposed exceeds the 2.4 side parcel line setback. Landscaping is proposed to help buffer any related impacts.

CONCLUSION

In the opinion of staff, the proposed design achieves the intent of the OCP guidelines. Staff recommends approval of Development Permit No. 428 and the associated variance.



Prepared by: Chris Larson, MCIP, RPP  
Senior Planner



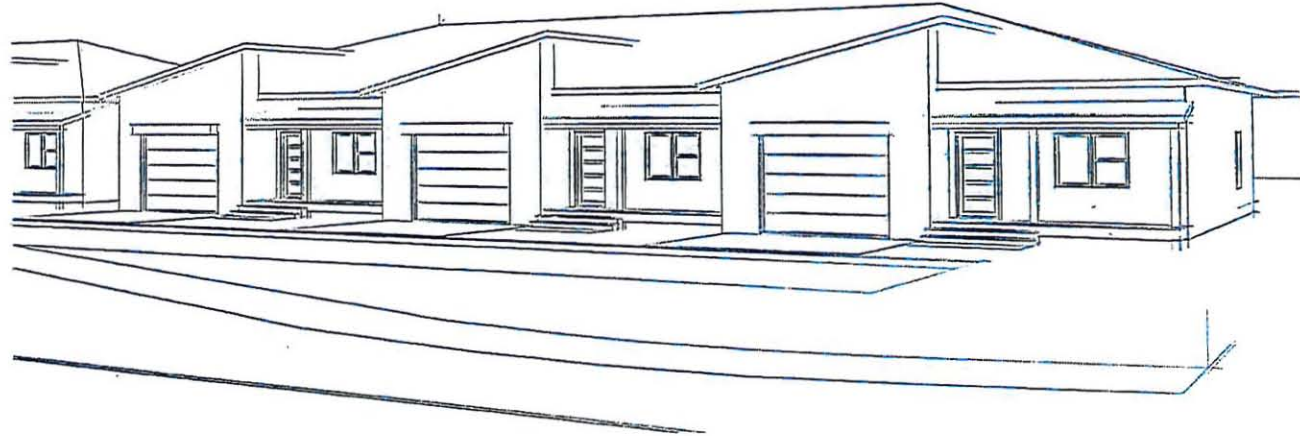
Reviewed by: Kevin Pearson, MCIP, RPP  
Director of Development Services

# UPTOWN RIDGE - Residential Triplexes - Development Permit

Salmon Arm, BC

## DRAWING LIST:

- A00 COVER
- A01 SITE PLAN
- A02 BASEMENT FLOOR PLAN
- A03 MAIN FLOOR PLAN
- A04 ROOF PLAN
- A05 ELEVATIONS
- A06 ELEVATIONS
- A07 3D VIEWS
- A08 3D SITE VIEWS



ISSUE	DATE
Drawn by: H.C.	Created: 11/1/20
DRAWN BY: H.C. DATE: November 2020 SCALE: 1/4" = 1'-0"	
412 - 11th St. E. PO BOX 220 SALMON ARM, BC V1C 4B3 Tel: 250.835.4881 Email: info@avexarchitect.com Web: www.avexarchitect.com	
PROJECT: 20-000 <b>Uptown Ridge</b> Triplex Development	
2810 - 12th Ave. E. Salmon Arm, BC	
DRAWING TITLE: <b>COVER</b>	
DRAWING NO: <b>A00</b>	



## DEVELOPMENT INFO

## LEGAL DESCRIPTION:

Lot 7, Plan 00059, Section 25, Township 20, Range 10, W8M, KD9D

## LOT SIZE:

Total Property = 1.44 ha (3.55 acres)  
R-5 (Phase 2) portion of the property = 0.462 ha (1.14 acres)

## ZONING:

Phase 2 - High Density Residential (R-5)  
Residential Triplexes (Permitted)

## DENSITY

Allowable = 100 dwelling units per hectare  
(40.5 dwelling units per acre)  
0.462 ha (1.14 acres) @ 40.5 units/acre = 48 Units  
Proposed = 12 Units

## SITE COVERAGE

Allowable = 55.0%  
Proposed = 34.4%

## PARKING:

Dwelling Units 12 Units  
Parking Spaces Per Unit x 1.25  
Total Stalls Required: 15 Stalls  
Surface Parking Stalls 3 Stalls  
Drive Way Stalls 1 Stalls  
Garage Stalls 12 Stalls  
Total Proposed Stalls: 16 Stalls  
+ Drive Way Stalls (2 small Car) \*Additional: 11 Stalls

## REQUIRED SETBACKS:

Front Yard = 5.0m (16.4ft)  
Rear Yard R-5 = 5.0m (16.4ft)  
all other = 5.0m (16.4ft)  
Side Yard Interior R-5 = 2.4m (7.8ft)  
Interior other = 2.4m (7.8ft)  
Minimum Separation between Residential Buildings  
More than 1 Storey = 3.0m (9.8ft)

## MAXIMUM HEIGHT:

Permitted = 12.0m (39.4ft)  
Proposed = see Elevations

## PROJECT SUMMARY

## TRIPLIX 'A'

- 1 Level = Basement (Basement - Unfinished, Family Room, Bathroom, Guest Room; Main Floor - Living Spaces, Kitchen, Master Bedroom, Ensuite, Second Bedroom, Laundry & Garage.)  
- 101.2m (1,059sq)  
+ Garage (210sq) & Unfinished Basement (902sq)  
- 3 Units

## TRIPLIX 'B'

- 1 Level = Basement (Basement - Unfinished, Family Room, Bathroom, Guest Room; Main Floor - Living Spaces, Kitchen, Master Bedroom, Ensuite, Second Bedroom, Laundry & Garage.)  
- 101.2m (1,059sq)  
+ Garage (210sq) & Unfinished Basement (902sq)  
- 3 Units

## TRIPLIX 'C'

- 1 Level = Basement (Basement - Unfinished, Family Room, Bathroom, Guest Room; Main Floor - Living Spaces, Kitchen, Master Bedroom, Ensuite, Second Bedroom, Laundry & Garage.)  
- 101.2m (1,059sq)  
+ Garage (210sq) & Unfinished Basement (902sq)  
- 3 Units

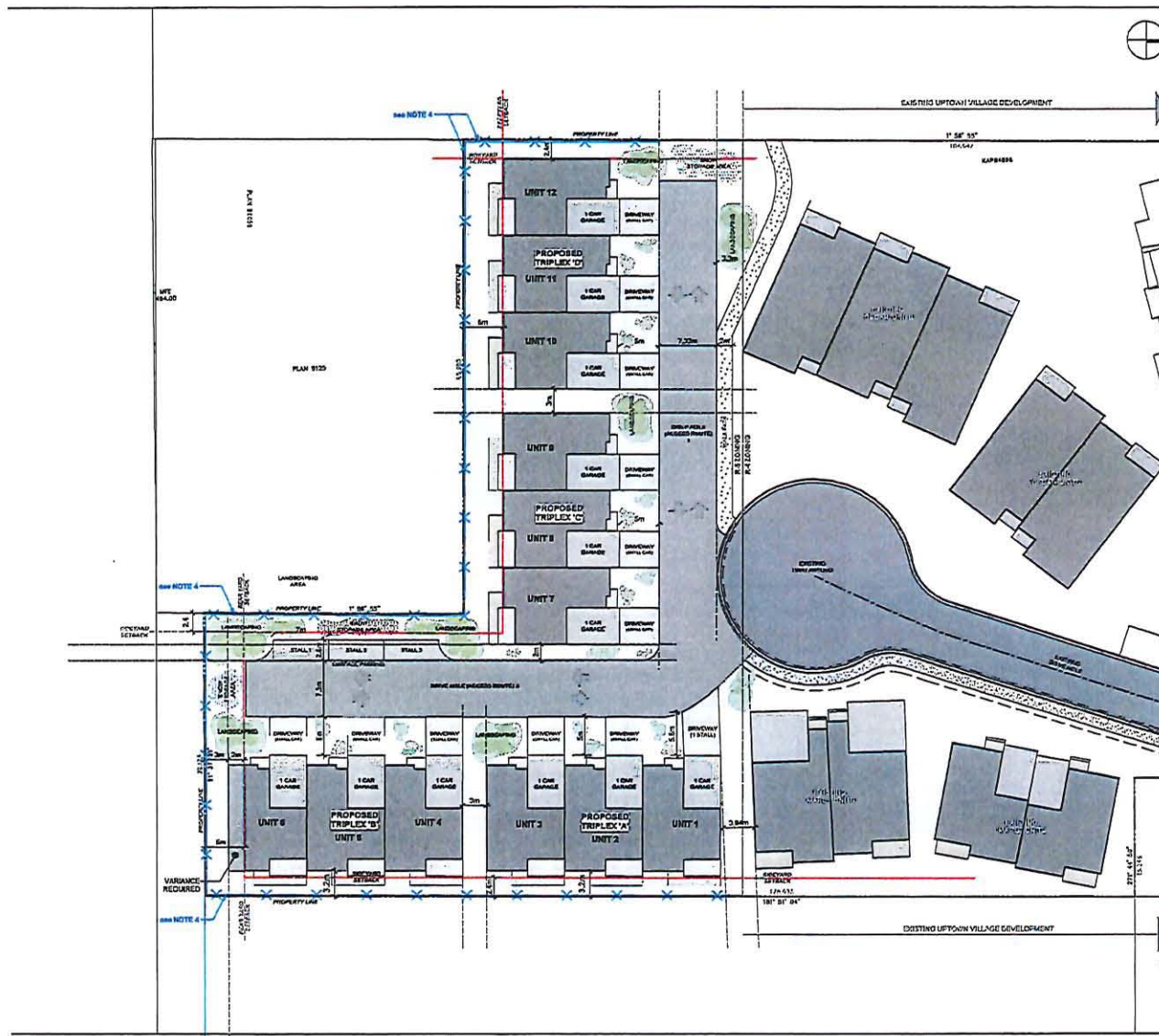
## TRIPLIX 'D'

- 1 Level = Basement (Basement - Unfinished, Family Room, Bathroom, Guest Room; Main Floor - Living Spaces, Kitchen, Master Bedroom, Ensuite, Second Bedroom, Laundry & Garage.)  
- 101.2m (1,059sq)  
+ Garage (210sq) & Unfinished Basement (902sq)  
- 3 Units

## TOTAL UNITS = 12

## SITE PLAN NOTES

1. See Civil drawings for site servicing and grading information.
2. See Landscape drawings (and Plant List) for landscape design.
3. Exact alignment of unit driveways and walkways to be determined.
4. Developers to provide 6" solid fence (white vinyl or painted wood).





UPTOWN VILLAGE

ISSUE	DATE
Development Phase	Issue for P.O. 000

DRAWN BY: PLCI

DATE: November 2020

SCALE: 1:250



AVEX  
ARCHITECTURE

416-461-1141  
PO BOX 1103  
SAUNDERS AVENUE #103  
West Lonsdale, Ontario M3C 1K3  
T 416-461-1141  
E info@avexarchitect.com  
W www.avexarchitect.com



Uptown  
Village

PROJECT: 20-002

**Uptown  
Ridge**

Triplex Development

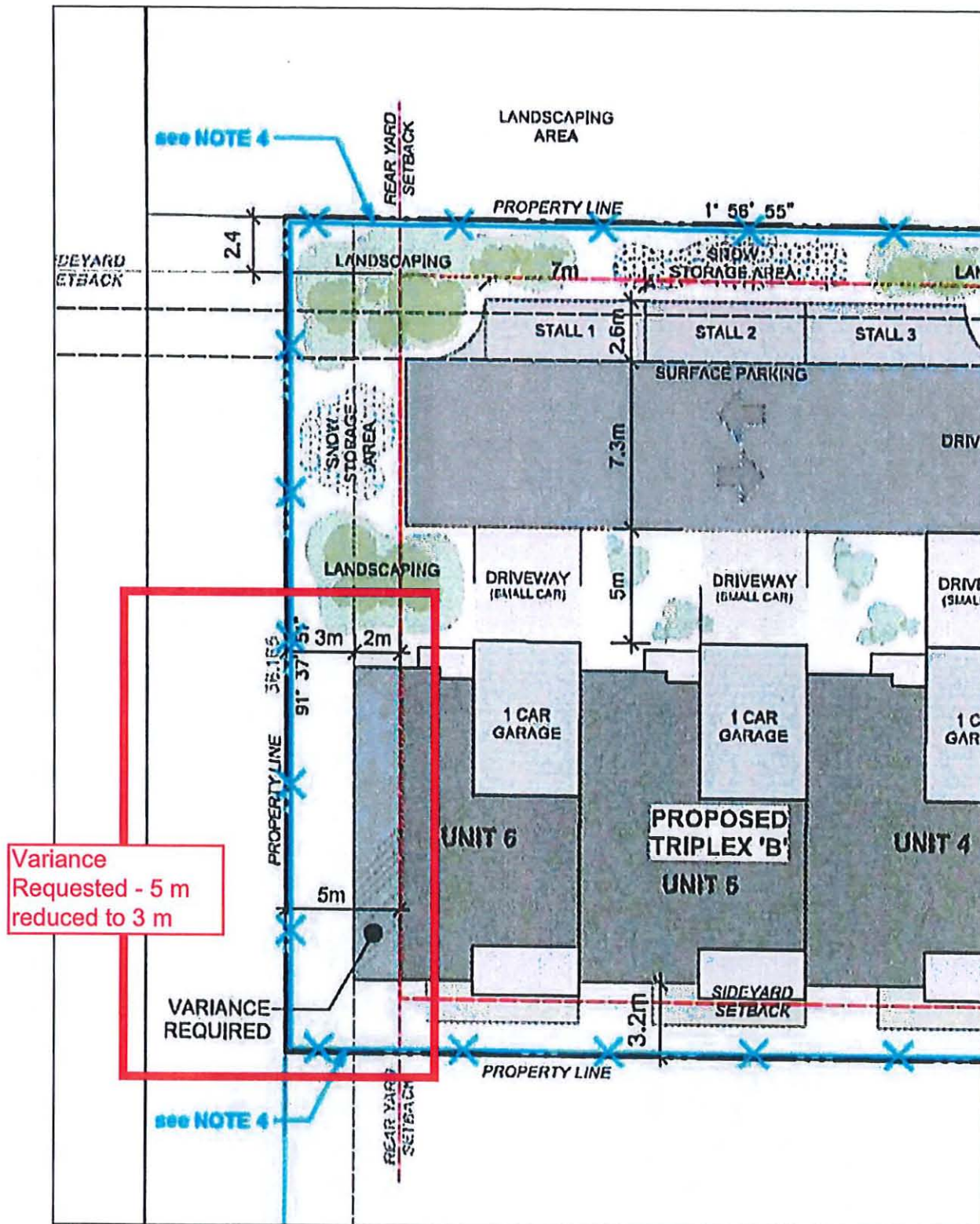
2510 - 15th Ave NE  
Calgary AB T2C 1A5

DRAWING TITLE:

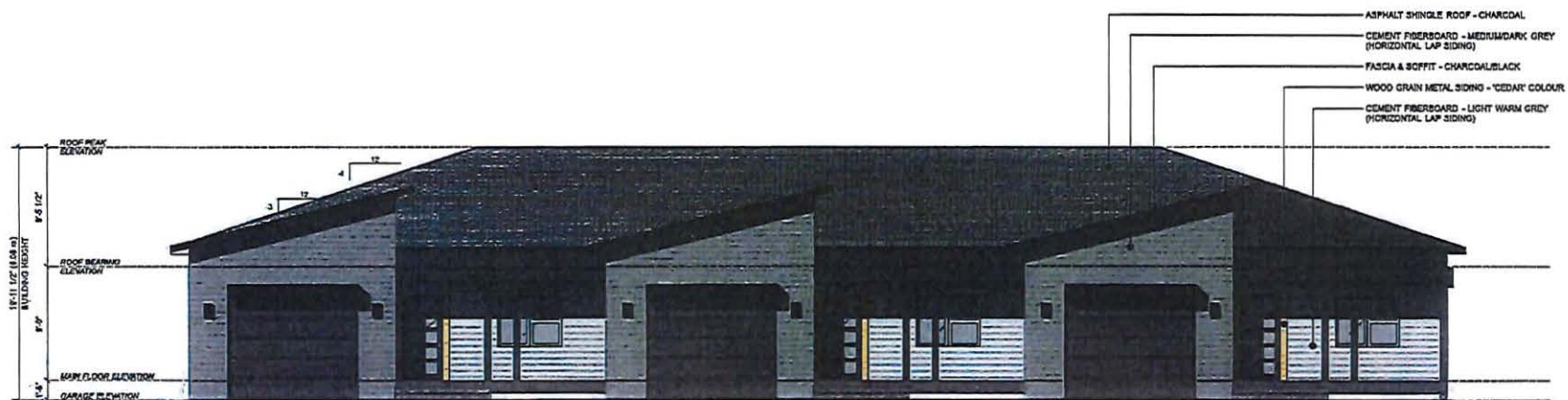
**SITE PLAN  
STUDY**

DRAWING NO:

**A01**







1 FRONT ELEVATION  
Scale: 1/4" = 1'-0"



2 BACK ELEVATION  
Scale: 1/4" = 1'-0"



ISSUE DATE  
Drawn by: JLD  
Checked by: JLD

DATE  
November 2020

SCALE  
1/4" = 1'-0"

DRAWN BY: JLD

DATE: November 2020

SCALE: 1/4" = 1'-0"



AVEX-401 STRE  
PO BOX 1200  
SAATCHI/SCOTT & J  
1 (202) 555-1100  
1 (800) 555-1100  
WWW.AVEXARCHITECTURE.COM



PROJECT: 20-000  
Uptown Ridge  
Triplex Development

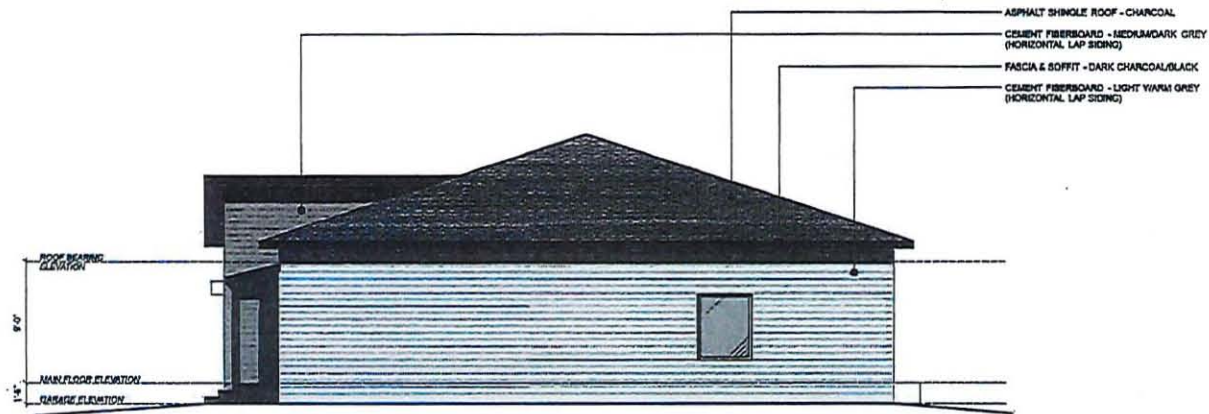
2810 - 15th Ave NE  
Salem, BC

DRAWING TITLE:  
ELEVATIONS

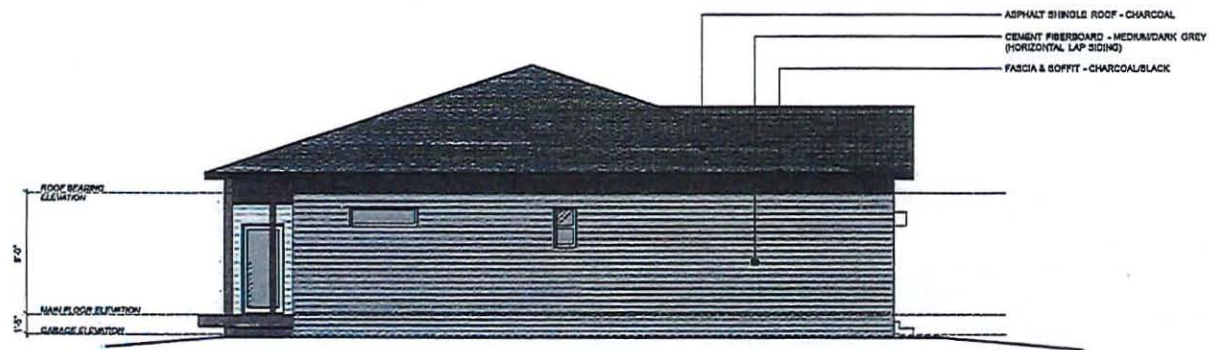
DRAWING NO:

A05

Appendix 1



1 RIGHT ELEVATION  
Scale: 1/4" = 1'-0"



2 LEFT ELEVATION  
Scale: 1/4" = 1'-0"



AVEX  
ARCHITECTURE

4108-4th St NE  
PO BOX 2205  
SACRAMENTO, CA 95811-0205  
Phone: 916.441.1111  
Fax: 916.441.1112  
www.avexarchitect.com



Uptown  
Village

<p>PROJECT: 20400 <b>Uptown Ridge</b> Triplex Development</p> <p>2310 - 15th Ave NE Edmonton, Alberta, Canada</p> <p>CRAWLING TITLE: <b>ELEVATIONS</b></p> <p>DRAWING NO: <b>A06</b></p>	<p>ISSUE: _____ DATE: _____</p> <p>Drawn by: _____</p> <p>Checked by: _____</p> <p>Reviewed by: _____</p> <p>DATE: November 2020</p> <p>SCALE: 1/4" = 1'-0"</p>
--	---

Appendix-1





VIEW ALONG ACCESS ROUTE 1 TO EAST



AT PROJECT ENTRANCE TO SOUTHEAST



VIEW ALONG ACCESS ROUTE 2 TO NORTH



ISSUE	DATE
Client/Project Name	November 10, 2020

DRAWN BY: MLC  
DATE: November 2020  
SCALE: 3/8"



4108 - 40 ST SE  
PO BOX 2210  
SAPOCHKA, BC V1E 4P3  
West Vancouver, British Columbia  
Tel: 604-261-1100  
E: info@avexarchitect.com  
W: www.avexarchitect.com



Project: 20-000  
**Uptown Ridge**  
Triplex Development

2810 - 15th Ave. NE  
Salem, Ariz., AZ

DRAWING TITLE:  
**3D VIEWS**

DRAWING NO:




**A07**



BIRD'S EYE VIEW - FROM NORTHWEST

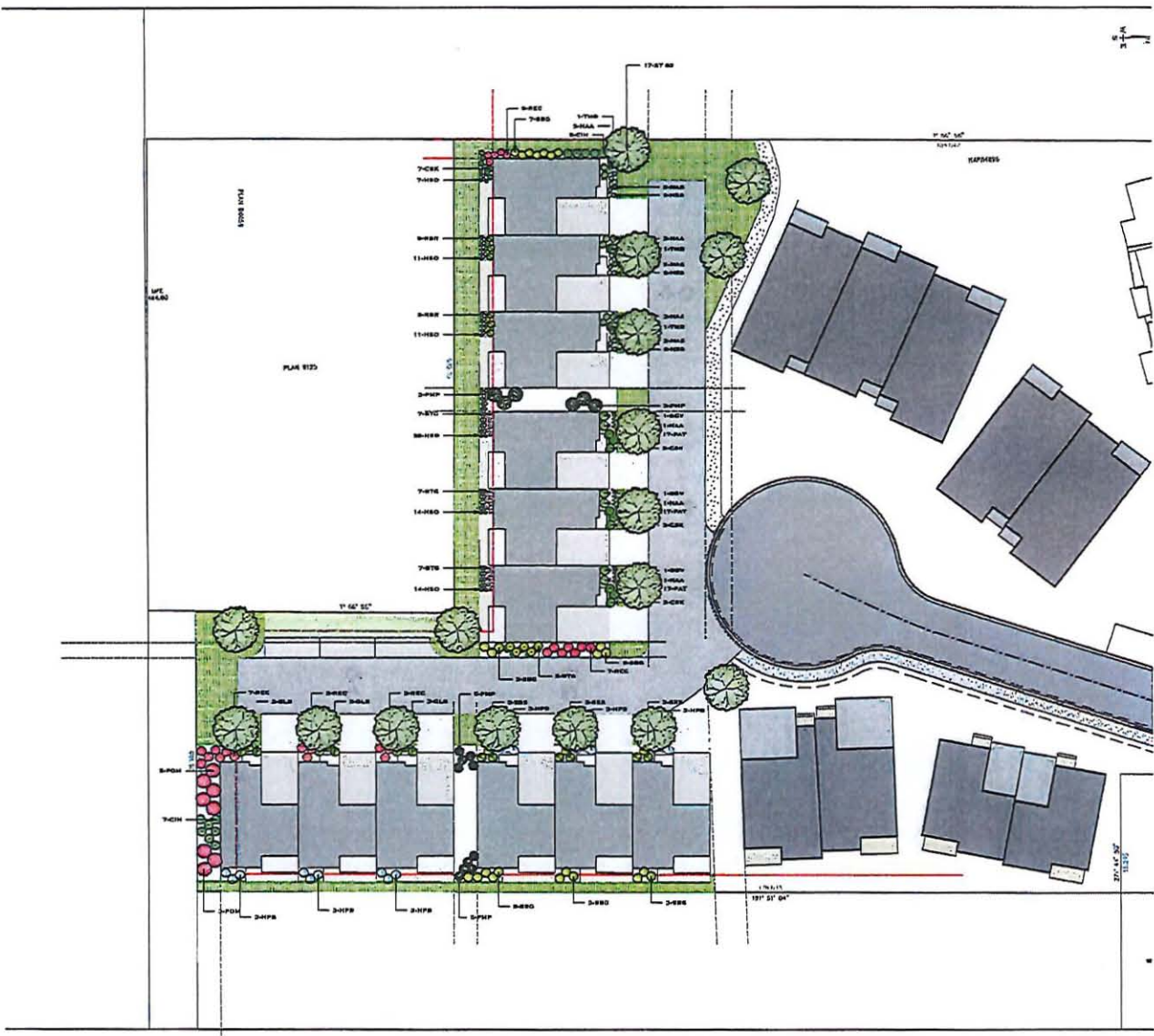


BIRD'S EYE VIEW - FROM SOUTHWEST

	
ISSUE	DATE
Development Phase	November 18, 2020
DRAWN BY: M.C.	
DATE: November 2020	
SCALE: N/A	
	
4142 - 15th CT NE POLSON 2100 SUITE 100, SUITE 400 15th Avenue, Unit 400 T 200-115-4000 11 West 1st Avenue, Suite 100 VV www.avexarchitecture.ca	
	
PROJECT: 3040 <b>Uptown Ridge</b> Triplex Development	
2810 - 15th Ave. NE Simon Am, BC	
DRAWING TITLE: <b>3D VIEWS</b> SITE	
DRAWING NO: <b>A08</b>	

Appendix-1





ISSUE	DATE
2022 12 04	ON SUBMISSION,

DRAWN BY: MLC

DATE: 7 September 2020

SCALE:



4145 - 4th ST. NE  
ED. BOX 2350  
SALMON ARM, BC, V1E 4T3  
Marc Lamerton, Architect AIBC  
T 250-515-4201  
E [marc@lamertonincure.ca](mailto:marc@lamertonincure.ca)  
W [www.lamertonincure.ca](http://www.lamertonincure.ca)



**ERIC REYNARD**  
*Landscape Architect*

Eric Reynard BCSLA CSLA

487 Military Road • Esquimalt, BC • V8E 1V5  
250-812-7766 • [eric@reynardlandscape.com](mailto:eric@reynardlandscape.com)

PROJECT: 25-002  
**Uptown  
Ridge**  
Triplex Development

2810 - 15th Ave. NE  
Salmon Arms, DC

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**DRAWING TITLE:**

DRAWING NO:



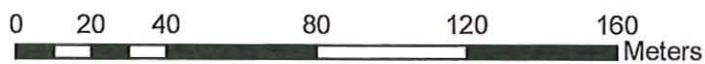
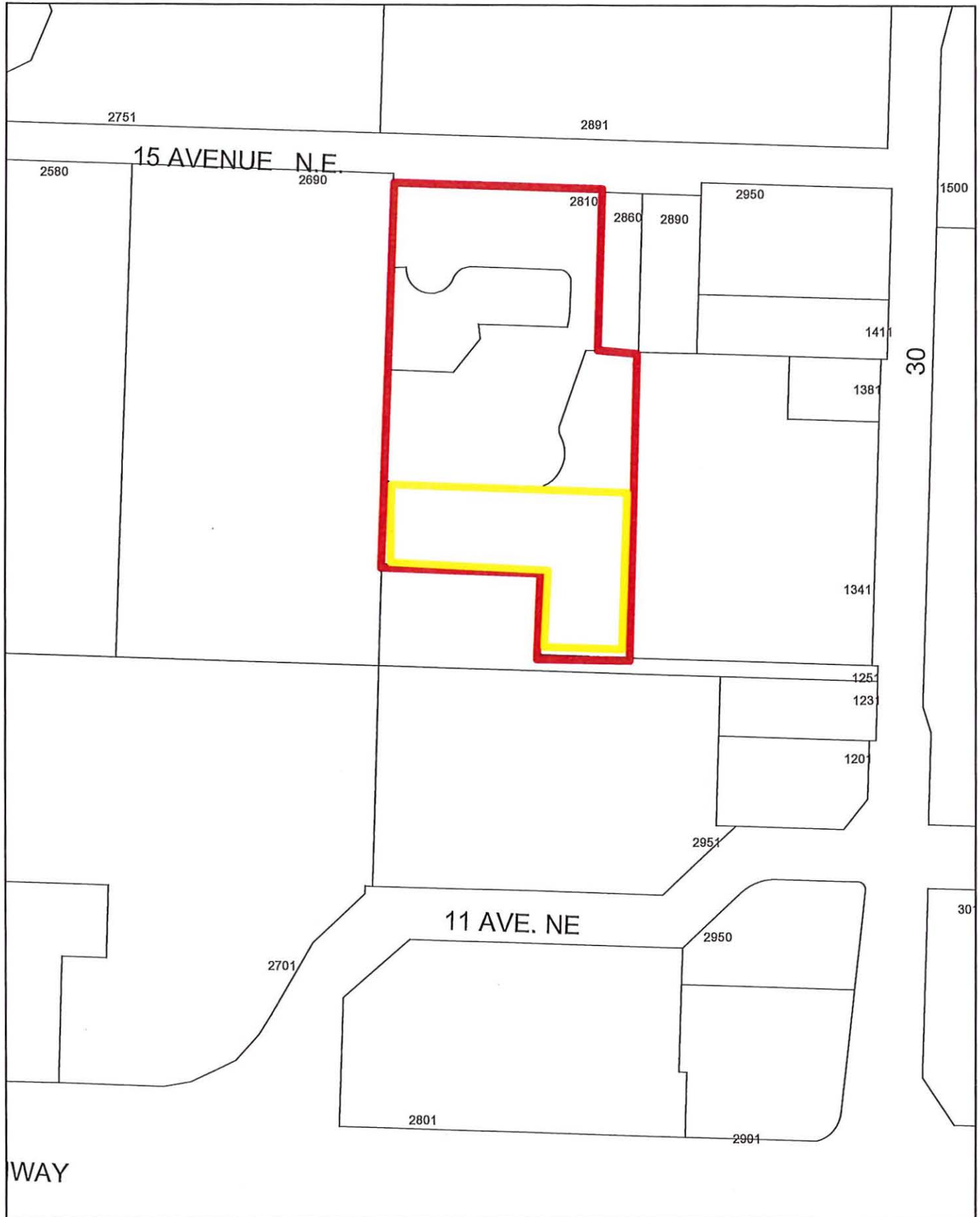




ERIC REYNARD  
Landscape Architect

**UPTOWN RIDGE - SALMON ARM. 04 DECEMBER 2020**

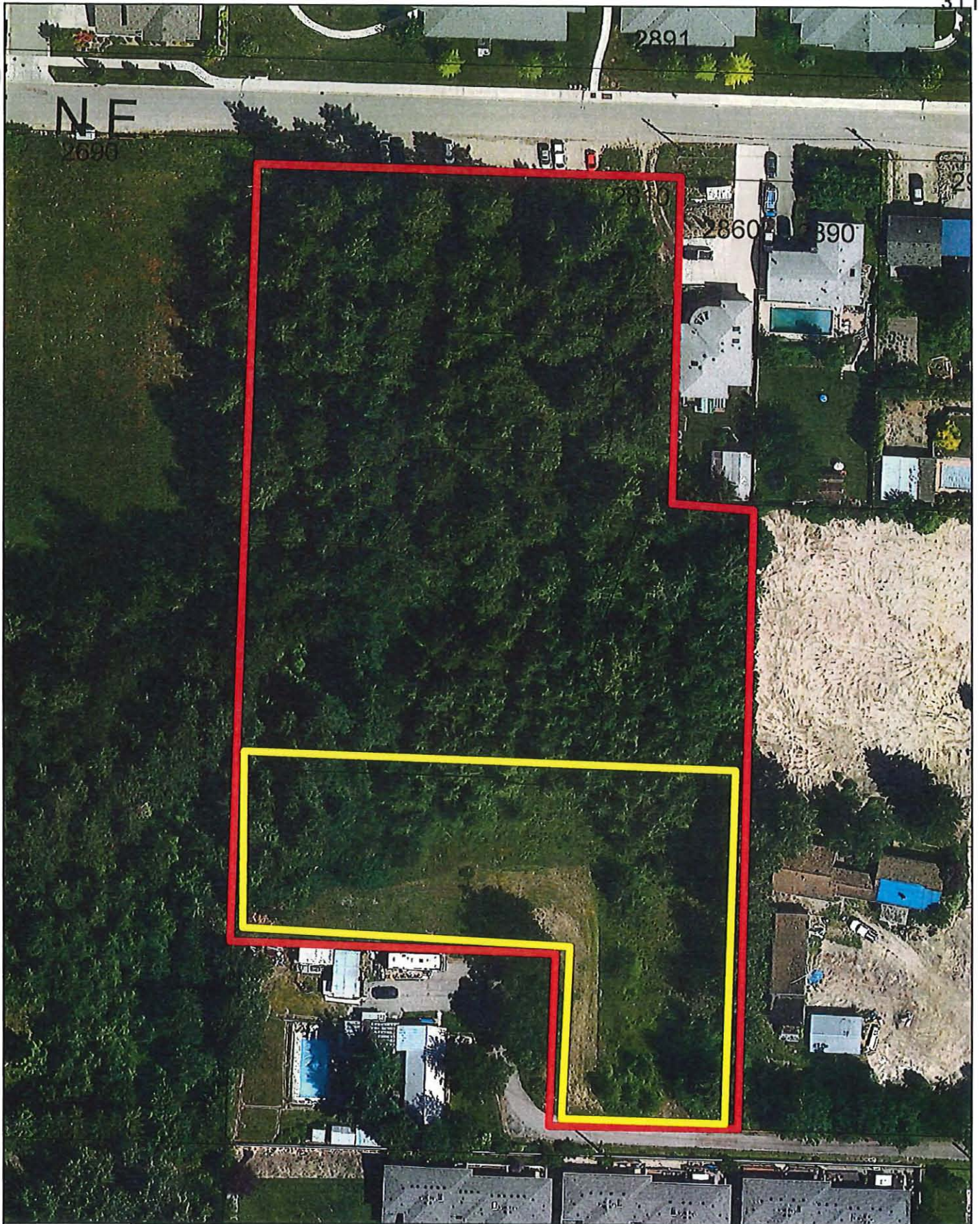
QTY	ID	BOTANICAL NAME	COMMON NAME	SIZE
<b>TREES</b>				
17	AAB	Acer x freemanii 'Autumn Blaze'	Autumn Blaze Maple	7cm cal.
<b>SHRUBS</b>				
5	BTS	Berberis thunbergii 'Sunsation'	Sunsation Japanese Barberry	#2 pot
21	BTG	Berberis thunbergii 'Gentry'	Royal Burgundy Japanese Barberry	#2 pot
3	BGV	Buxus x 'Green Velvet'	Korean Box	#2 pot
12	CIH	Cornus alba 'Baihalo'	Ivory Halo Dogwood	#2 pot
16	CSK	Cornus sericea 'Kelseyil'	Kelsey Dogwood	#2 pot
9	GLB	Genista lydia 'Bangles'	Bangles Lydia Woadwaxe	#1 pot
86	HSO	Hemerocallis 'Stella De Oro'	Stella De Oro Daylily	#1 pot
15	HSS	Hosta x 'Sum and Substance'	Sum and Substance Plantain Lily	#2 pot
12	HAA	Hydrangea arborescens 'Annabelle'	Annabelle Hydrangea	#2 pot
18	HPB	Hydrangea paniculata 'Bombshell'	Bombshell Panicked Hydrangea	#2 pot
7	MAS	Matteuccia struthiopteris	Ostrich Fern	#1 pot
51	PAT	Pachysandra terminalis	Japanese Spurge	10cm pot
16	PMP	Poinus mugo 'Pumillo'	Dwarf Mugo Pine	#2 pot
8	POM	Physocarpus opulifolius 'Minda'	Coppertina Ninebark (R)	#2 pot
10	RBR	Rosa Canadian Artist 'Bill Reid'	Bill Reid Canadian Artist Rose	#2 pot
25	REC	Rosa Canadian Artist 'Emily Carr'	Emily Carr Rose	#2 pot
9	SSS	Sorbaria sorbifolia 'Sem'	False Spiraea	#2 pot
24	SBG	Spiraea betulifolia 'Glo Girl'	Glo Girl Birch-Leaf Spiraea	#2 pot
3	TMD	Taxus x media 'Densiformis'	Dense Yew	#5 pot

No substitutions without written permission of the Landscape Architect.





-  Subject Parcel
-  Portion Under Consideration

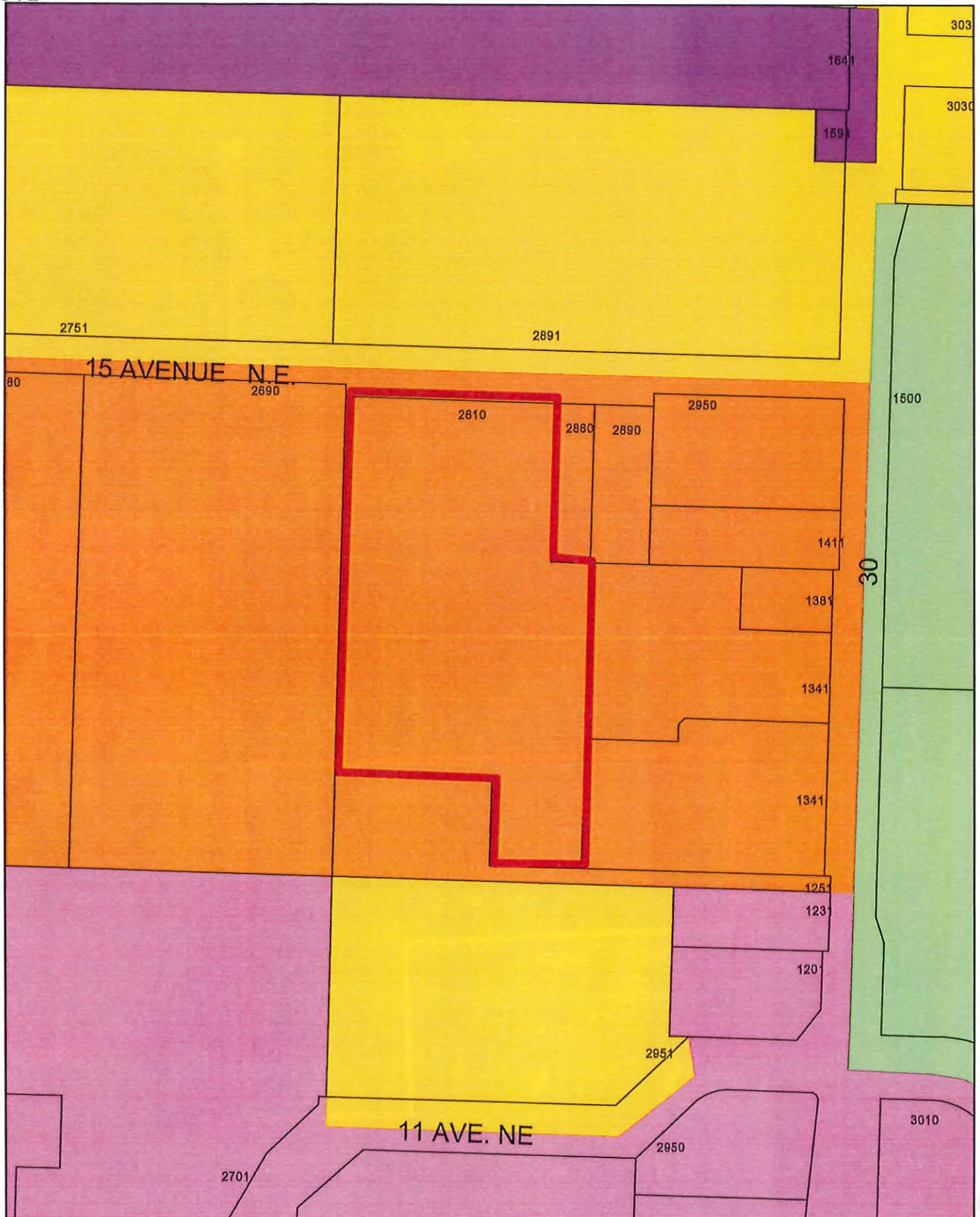




0 10 20 40 60 80 Meters

-  Subject Parcel
-  Portion Under Consideration



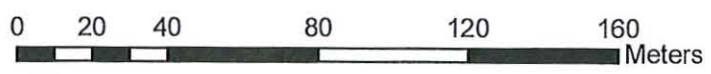
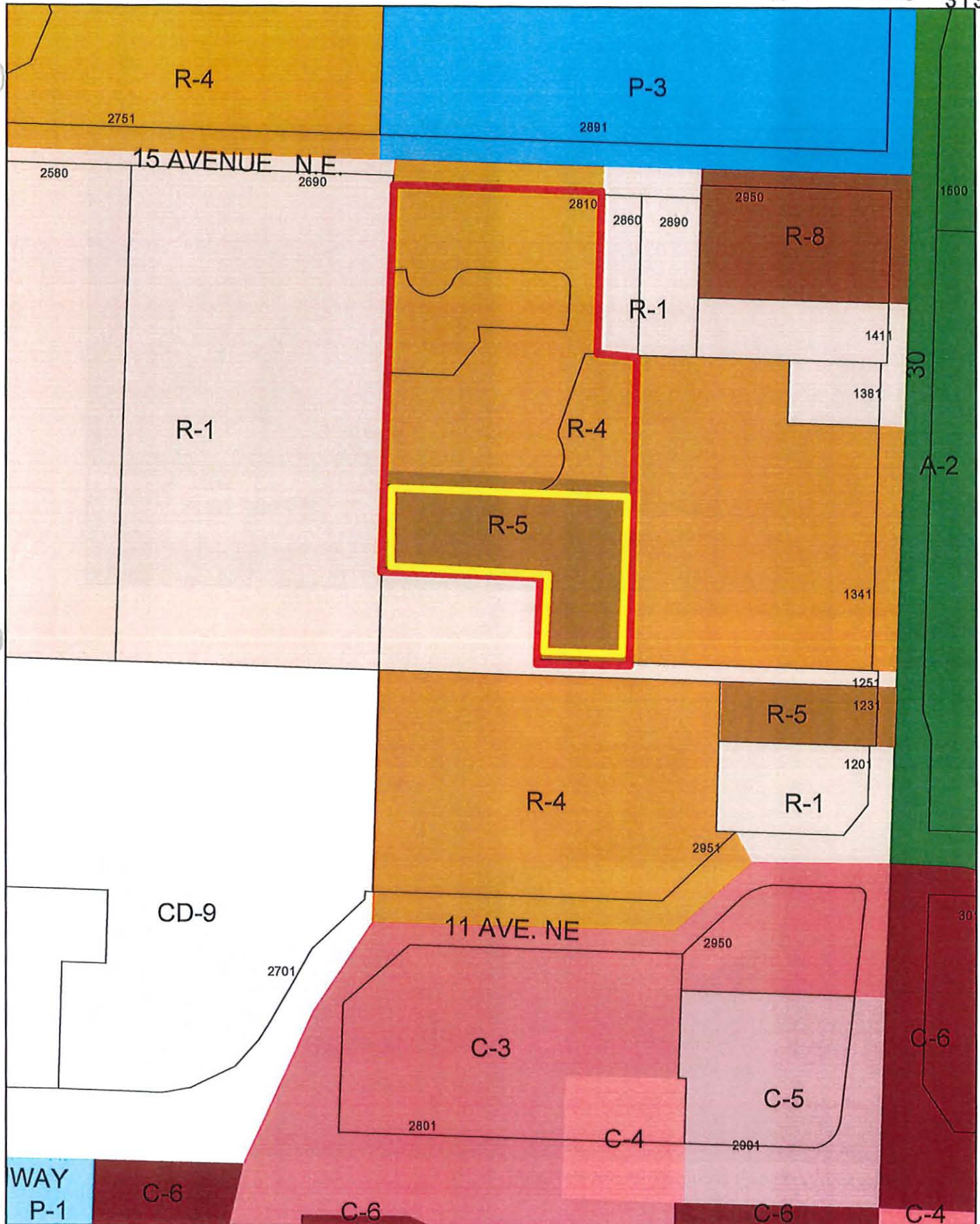




0 510 20 30 40  
Meters

- High Density Residential
- Medium Density Residential
- Highway Service/Tourist Commercial

- Acreage Reserve
- Institutional
- Subject Parcel





-  Subject Parcel
-  Portion Under Consideration





View southeast over proposed development site.



View southwest over proposed development site.







**From:** Sharon

**Sent:** February-18-21 9:55 AM

**To:** Caylee Simmons

**Subject:** Proposed Development on 15th Ave. NE

I reside at [REDACTED] 15th Ave NE in the Shuswap Ridge Strata Development. I have concerns with more development on this already busy 15th avenue. It is a dead end avenue with an elementary school at one end which brings traffic with drop off/pick up of children, not to mention children walking. There is the seniors residence with continual traffic as well and the newly built development by Uptown Ventura has also brought more traffic to the area. Sometimes it is almost impossible to have two vehicles meet. It was proposed in years past to extend 15th Ave to continue up past the school and exit near the Uptown Askews area. Maybe it is time to re-visit this extension – for safety reasons.

Respectfully submitted

S. Pierce

Item 26.

## CITY OF SALMON ARM

Date: February 22, 2021

Moved: Councillor Lavery

Seconded: Councillor Cannon

THAT: the Regular Council Meeting of February 22, 2021, be adjourned.

### Vote Record

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

Opposed:

- ☐ Harrison
- ☐ Cannon
- ☐ Eliason
- ☐ Flynn
- ☐ Lavery
- ☐ Lindgren
- ☐ Wallace Richmond



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