

# AGENDA

City of Salmon Arm  
Development and Planning Services  
Committee

Tuesday, July 2, 2019  
8:00 a.m.

Council Chambers, City Hall  
500 – 2 Avenue NE

Page #	Item #	Description
	1.	CALL TO ORDER
	2.	REVIEW OF AGENDA
	3.	DISCLOSURE OF INTEREST
	4.	PRESENTATIONS
	5.	REPORTS
1 - 18	1.	Agricultural Land Commission Application No. ALC-381 [Brackhaus, G., McDonald, D., Nash J. & D.; 4395 - 10 Avenue SE; Non-Adhering Residential Use - Additional Residence for Farm Use]
19 - 36	2.	Agricultural Land Commission Application No. ALC-383 [Veerman, R. & B.; 6740 - 56 Street NE; Non-Adhering Residential Use - Additional Residence for Farm Use]
37 - 52	3.	Agricultural Land Commission Application No. ALC-384 [Rasmussen, C. & J.; Weicker, K. & C.; 4850 40 Street NE and 4951 50 Street NE; Boundary Adjustment - Subdivision in the ALR]
53 - 62	4.	Zoning Amendment Application No. 1152 [Bennett, K. & S.; 1811 22 Street NE; R-1 to R-8]
63 - 64	5.	Proposed Amendment to Municipal Ticket Information Bylaw No. 2670 - Fees for enforcement of Street Solicitation Bylaw No. 4373
65 - 76	6.	Proposed Amendment to Fee for Services Bylaw No. 2498 - Development Service Application Fees
	6.	FOR INFORMATION
	7.	IN CAMERA
	8.	LATE ITEM
	9.	ADJOURNMENT

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To: His Worship Mayor Harrison and Council

Date: June 18, 2019

Subject: Agricultural Land Commission Application No. ALC-381  
Non-Adhering Residential Use – Additional Residence for Farm Use

Legal: Lot 2, Section 18, Township 20, Range 9, W6M, KDYD, Plan 28689, Except Plan KAP47129

Civic: 4395 – 10 Avenue SE

Owner: Gerhard Brackhaus/Deborah McDonald/Justin Nash/Shautel Nash

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#### MOTION FOR CONSIDERATION

**THAT: Agricultural Land Commission Application No. ALC-381 not be authorized for submission to the Agricultural Land Commission.**

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#### STAFF RECOMMENDATION

THAT: The motion for consideration be adopted.

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#### PROPOSAL

The subject property is located at 4395 10 Avenue SE as shown in Appendices 1 and 2. The property is approximately 5.29 ha in size which contains a new primary residence and an accessory building. The accessory building was the original residence that was to be decommissioned when the new residence was constructed. The property is entirely within the Agricultural Land Reserve (ALR) as shown on Appendix 3 with the applicant proposing to have the Agricultural Land Commission (ALC) approve the 111 m<sup>2</sup> accessory building as an additional residence for farm use. The proposed site plan and letter from the applicant are attached as Appendix 4.

#### BACKGROUND

The subject property is designated Acreage Reserve in the Official Community Plan (OCP), outside the Urban Containment Boundary (UCB), and the property is zoned Rural Holding (A-2) as shown on Appendices 5 and 6. The proposed additional residence has existed since the 1950s and the new primary residence was constructed in 2018. As a condition of issuing the building permit the owners signed a declaration (attached as Appendix 7) stating the existing residence will be decommissioned and no longer used for residential purposes prior to occupancy of the new residence. When occupancy was issued for the new primary residence a second building permit was issued to convert the original residence to an accessory building.

The parcel is accessed from 10 Avenue SE, there are two driveways. The proposed additional residence is closer to the southern property line, the new residence is further north. It is proposed that the additional residence would be above a garage and equipment storage area resembling a carriage house.

Currently the lot is almost completely forested with no agricultural use at this time. It is intended that the property will remain in the ALR and be used for an agricultural purpose. The proponent is proposing to utilize irrigation and erect a 24' x 80' Harnois commercial greenhouse.

Adjacent zoning and land uses include the following:

- North: Rural Holding (A-2) and (P-1) – Single Family Dwelling and Forested / Little Mountain Park
- South: 10 Street SE, Rural Holding (A-2) – Single Family Dwelling and Forested / City Owned Land
- East: Rural Holding (A-2) – Single Family Dwelling Agriculture and Forested
- West: Rural Holding (A-2) – Single Family Dwelling and Agriculture

The subject property is outside the UCB; however, properties across 10<sup>th</sup> Avenue SE are within the ALR, UCB and designated Light Industrial. A greenway is proposed connecting 10<sup>th</sup> Avenue SE with the trails at Little Mountain Park.

#### Agricultural Land Commission Act (ALCA)

The purposes of the commission as stated in Section 6 of the *Agricultural Land Commission Act* are:

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

An owner may apply to the commission for permission under Section 25 of the ALCA for a non-adhering residential use. With respect to an application for a non-adhering residential use, the Commission is prohibited from granting permission for an additional residence unless the additional residence is necessary for farm use.

The ALC suggests that an owner/applicant should demonstrate how the purposes Section 6 of the ALCA will be supported if the application is approved, prevent the loss of productive agricultural land and prevent additional residences on ALR land unrelated to farming activities. Non-adhering residential uses should be commensurate with the type and scale agriculture taking place on the property. Some intensive agricultural activities and livestock require on-site farm help either seasonally or year round.

When the ALC is considering if a non-adhering residential use is necessary for, or supportive of, farm use; the ALC has consistently considered residential uses based on:

- current level of agriculture on the property (e.g. intensive agricultural operations)
- number of people involved in agriculture on the property (i.e. most or all of the people in the residences are involved with agriculture on the property)
- minimizing the loss of arable land (i.e. size and siting of residence)

#### Improved Soil Classification

The subject property has the Improved Soil Capability Rating of 70% Class 5 and 30% Class 4 with topography being the limiting factor as shown on Appendix 8. Soil capability rating ranges from Class 1 to Class 7. The best agricultural lands are rated Class 1 because they have ideal climate and soil to allow a farmer to grow the widest range of crops. Class 7 is considered non-arable, with no potential for soil bound agriculture.

#### Planning Department Comments

##### City of Salmon Arm Official Community Plan Bylaw No. 4000

Section 7.3.15 A second dwelling for farm help may be supported on a parcel, subject to zoning and ALC Regulations, where the type or scale of agricultural use on the parcel requires a second family to reside on the parcel. In determining the need for a second dwelling, the City may seek advice from the ALC and/or require an application to the ALC.

Section 7.3.16 Either a conventional secondary suite contained within a dwelling or a detached suite is supported as an accessory residential use in the Acreage Reserve, Salmon Valley Agriculture and Forest Reserve designations. This policy supports a secondary suite in the new dwelling and remains consistent with the ALC's new residential regulations.



Section 7.3.17 Encourage and support the development and expansion of alternative, smaller scale agricultural businesses, such as production and marketing of locally grown foods, organic farms, on-site sales of onsite and locally grown food, incentives for farmers to remain on their land, and support for new farmers to obtain land.

#### City of Salmon Arm Zoning Bylaw No. 2303

The A-2 zone as shown on Appendix 9 permits a second dwelling if the parcel is greater than 8 ha in the form of a mobile home for the exclusive use of someone employed to work on the farm full-time and complies with provisions of the ALC. The subject parcel is less than 8 ha and the proposed second dwelling is not consistent with the Zoning Bylaw.

The A-2 zone permits a 90 m<sup>2</sup> detached suite accessory to a single family dwelling. The existing accessory building is 111 m<sup>2</sup>. To conform to the Zoning Bylaw the area of the single family dwelling would need to be reduced, or the area of the detached suite would need to be addressed through a Development Variance Permit.

The CD 15 Zone is the only zone that allows for a second single family dwelling. The CD 15 Zone applies to a single parcel in the Salmon Valley and allows for a second single family dwelling for farm help on a parcel 3 ha or larger.

#### Greenways/Trails

The OCP identifies a proposed greenway on the western boundary of this property connecting Little Mountain Park to existing greenway and trails across 10 Avenue SE.

#### Development Approvals

If Council chooses to approve submission of this application to the ALC, and it is subsequently approved by the ALC, the applicant would need to confirm that the detached suite meets the definition as follows:

"A dwelling unit with a maximum floor area of 90 square metres that is contained within a building which is accessory to a single family dwelling, and shall not include a mobile home, manufactured home, travel trailer, recreational vehicle or storage container."

Considering the new ALC Regulations, although permitted by Section 4.13 of the Zoning Bylaw, a Type C Permit (Compassionate Use) is no longer an option for properties located in the ALR.

#### Agricultural Advisory Committee

The application was considered by the Agricultural Advisory Committee (AAC) at their June 12, 2019 meeting. The AAC recommends the application be forwarded to the ALC on the condition that the dwelling be sized to meet the Zoning Bylaw. The minutes of the meeting are attached.

#### CONCLUSION

The proposal is ultimately for approval of an additional residence for farm use on 10 Avenue SE within the ALR. A new single family dwelling has been constructed and the applicant is proposing to maintain the previously existing dwelling on the property for the purpose of farming the property. The additional residence appears to be necessary if the property is to be used for an agricultural purpose and it will be for farm use; however, the proposal does not meet the zoning regulations. If Council and the ALC approve this application property will need to be rezoned, a DVP will be required, or the area of the second residence will need to be reduced.

Staff recommends this application not be forwarded on to the ALC for consideration for the above noted reasons; the second residence does not meet the definition of detached suite in Zoning Bylaw No. 2303.

  
Prepared by: Scott Beeching, MCIP, RPP  
Senior Planner

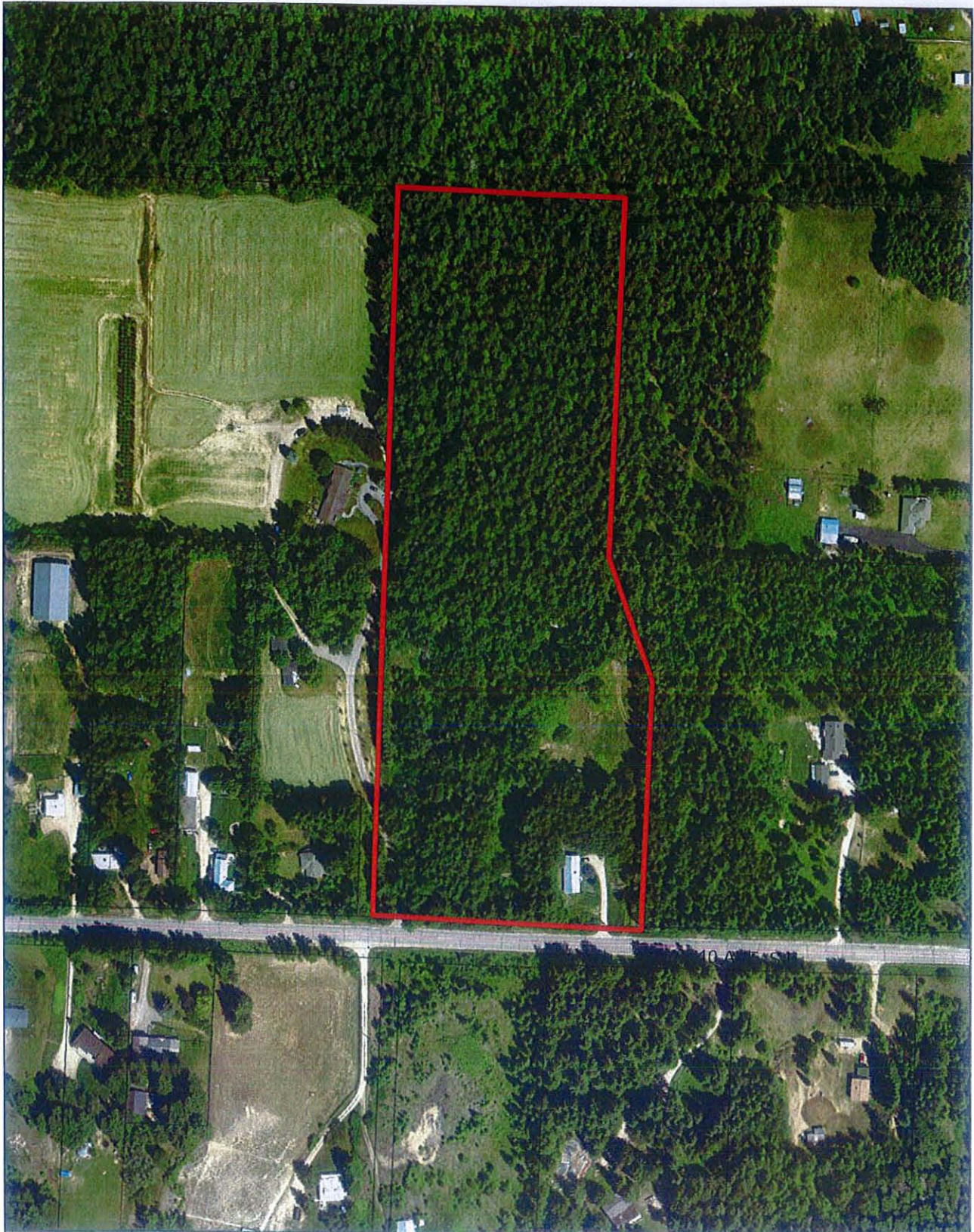
  
Reviewed by: Kevin Pearson, MCIP, RPP  
Director of Development Services



# Appendix 1: Location







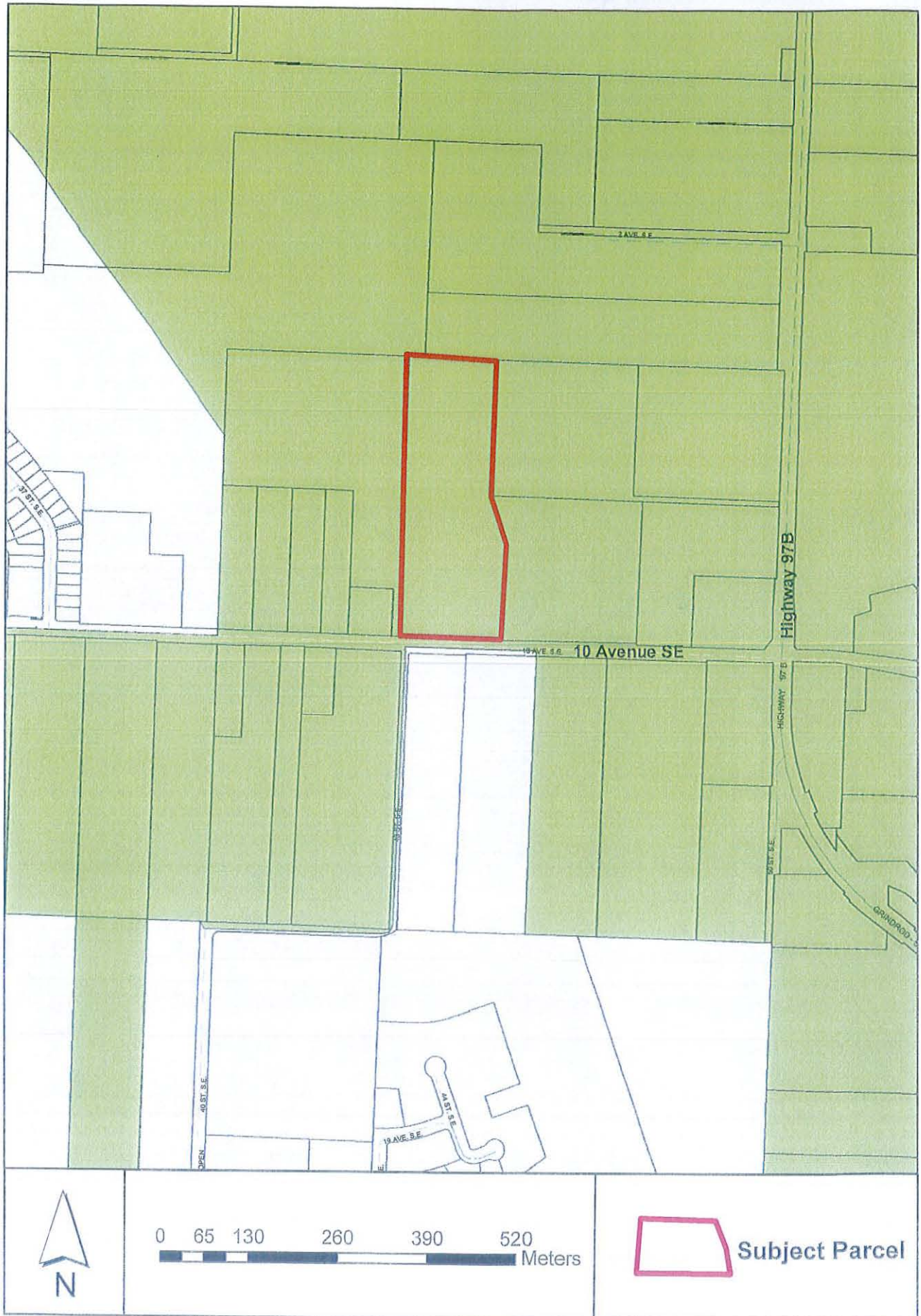
0 25 50 100 150 200 Meters



Subject Parcel



# Appendix 3: ALR Boundary





Application For Second Dwelling-4395,10th.Ave.,SE

In this application, we are asking to have the existing house remain as a second dwelling in combination with a new construction currently in the completion stage.

This second dwelling would be occupied by the parents of the owners of the new home. This property is owned jointly by the Nash family and their parents, Deborah McDonald and Gerhard Brackhaus.

The description of this property is approximately 14 acres located at 4395, 10th avenue Southeast, Salmon Arm, BC. This property is within the city limits of Salmon Arm, zoned A2 and also in the Agricultural Land Reserve.

We have researched this issue to the best of our ability and present the following as our argument;

- 1) We, the parents, Brackhaus/McDonald, currently engage in active farming and I, Gerhard/Brackhaus have had farm status for most of my working career. It is our intention to sell our current farm in Louis Creek and retire to the above mentioned property.
- 2) We have, for many years, carried on a greenhouse activity involving flowers, shrubs and trees as a hobby which we want to further develop at Salmon Arm to obtain farm status. This can only be possible if we live there.
- 3) The existing house closely conforms to Salmon Arm's carriage house requirements. It is approximately 1000sq.ft. living space over a concrete basement/garage/shop. We would redevelop this house to fully comply with Salmon Arm's regulations and our needs.
- 4) Unfortunately, we don't have farm status at this time (application in process) so we are applying under the ALC new policy, Non-Adhering Residential Use. In this case we request the preservation of an existing dwelling to provide an additional residence. The ALC further states that the Commission must not grant permission for an additional residence unless the residence is necessary for a farm use. As we have stated before, farming this property would be impossible unless we live there.

5) A slight conflict occurs on this point;

A) The ALC requires the parcel of land to have farm status for accommodation above an existing building (carriage house). This is not a requirement if it is a manufactured home. The City of Salmon Arm would encourage a carriage house in all cases.

B) This leaves us with a dilemma; our preference by far would be remodel/modify the existing house to comply with Salmon Arm and ALC carriage house regulations.

C) We are farming parents, currently farming, owning all necessary equipment and structures to establish farm status for the Salmon Arm property. This is almost impossible to accomplish without a place to live. The Salmon Arm house is perfect for us. We would also bring our greenhouse (24x80 Harnois commercial unit) tractors, irrigation etc. to further compliment our endeavour. Please refer to Table 1 and Table 2 for the equipment and plant inventory that will be moved to Salmon Arm.

D) We also feel that allowing the existing house to remain would comply with the ALC's mandate to preserve farmland as much as possible. In this case we preserve scarce farmland that would be required to situate a manufactured home and its associated requirements. All this is already in place.



There is another aspect that may be of interest to the city of Salmon Arm in that we bought this parcel of land from the Cave family. Phillip Cave was a long time councillor for the City, from January 1968 to December 1990. He hand built the house in the early 50s and raised his family on this property. We bought this property in 2014. The house is original, still in good shape and it would be a great shame to order it demolished.

We would also like to present one last issue. This is the fact that we are at the stage of 'retiring farmers'. I am 70 years old and Deb is 65 years old. I have had open heart surgery while Deb has had hip surgery. Shauntel Nash, (daughter constructing house on property) is a qualified caregiver. She has a diploma in Human Service Work from the Okanagan College. Currently, she is employed as a recreation assistant at Mt. Ida Mews Long Term Care Facility. If the situation arises, a type 'C' permit could apply. This is Salmon Arm's "Special Needs Housing Agreement Bylaw," allowing a second dwelling for care and maintenance.

We sincerely hope these arguments are convincing enough to allow us to move forward in our future. Again, many thanks for your considerations.

Sincerely,

Gerhard Brackhaus/Deborah McDonald

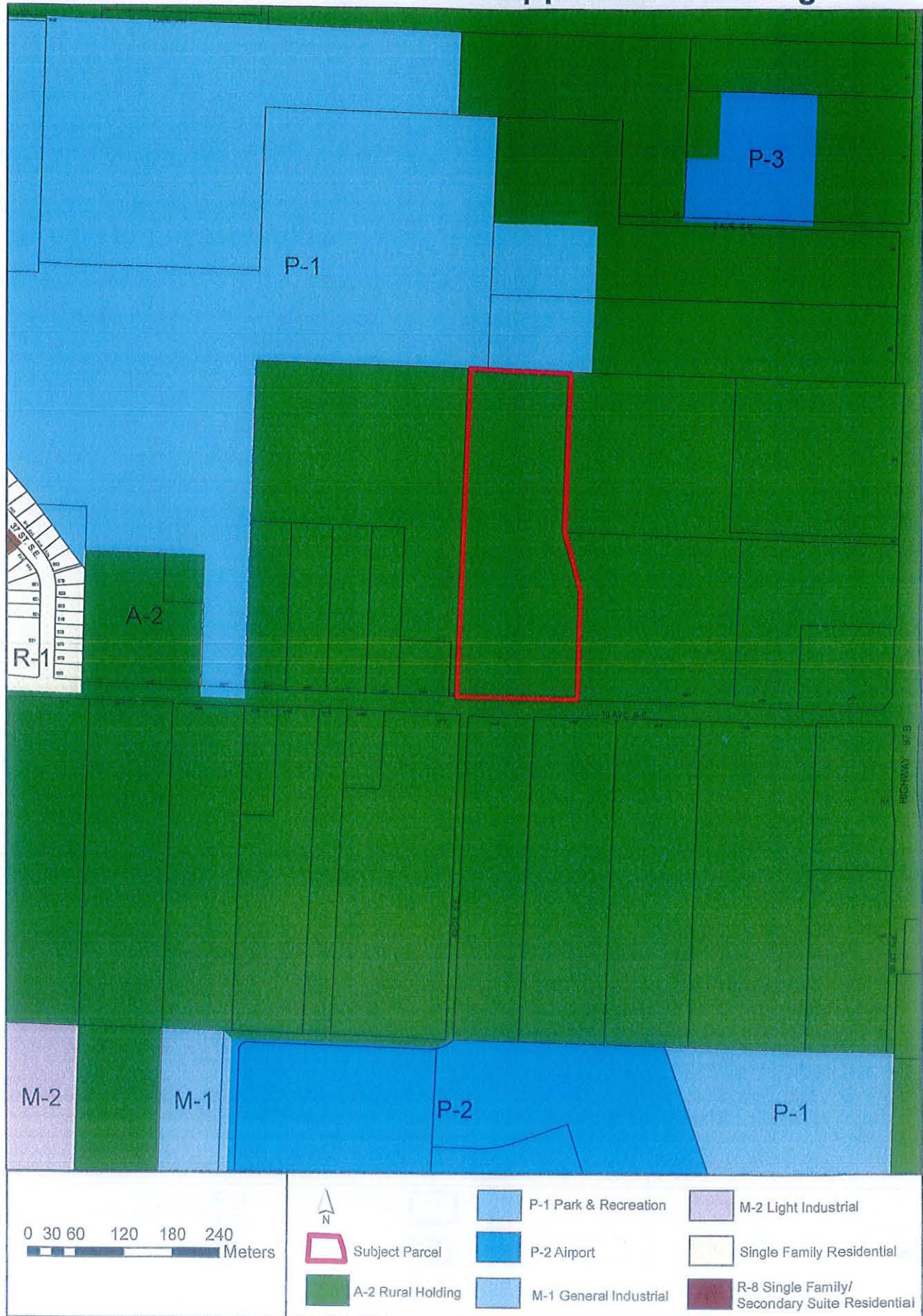








# Appendix 6: Zoning



## Appendix 7: Declaration

## SCHEDULE "G-2"

TYPE "B" - SECOND DWELLING AGREEMENT

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

Dear Sir(s):

Re: Civic Address 4395 10 Ave SE Salmon Arm BC Roll # 322 01169.020

Legal Description lot 2 Sec 18 Twp 20 Range 9 west of the 6th Meridian Kamloops  
Div Var District Plan 28689 except Plan KAP47129

It is my wish to construct a new single family residence on the above described property, but to reside in the existing residence during the construction period. Under the City of Salmon Arm Zoning Bylaw No. 2303, only one (1) single family residence is permitted per parcel. In order that I, Justin Nash and Shaunte Nash owner of the property, may obtain a building permit for the new residence from the building inspector, I hereby voluntarily agree to the following:

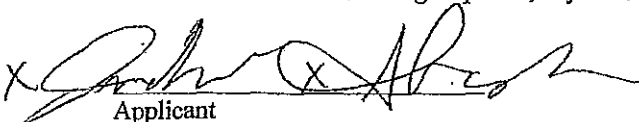
1. To submit to the City of Salmon Arm a performance bond by cash or certified cheque, or by an irrevocable letter of credit drawn upon a local chartered bank or local registered credit union for a period of one (1) year, the sum of five thousand dollars (\$5,000.00).
2. To conform to the requirements of Zoning Bylaw No. 2303 and all other municipal bylaws within one (1) year from the date of this agreement, or upon approval of the new residence for occupancy, whichever is earlier, by:

Check a) or b):

- ☐ a) conversion of the first residence to a permitted use building to the satisfaction of the building inspector, (requires a separate building permit for change of use) or;
- ☐ b) removal of the first residence to the satisfaction of the building inspector (requires a demolition permit).

Further it is my understanding that:

1. In the event of my failure to comply with the provisions of paragraph 2, within the specified time period, the City of Salmon Arm shall have the right to enter upon the land and to remove or demolish the first residence at my cost, drawing upon the deposit or letter of credit if necessary.
2. If my new residence is not completed within one (1) year, I have the right to reapply to the building inspector for an extension, not exceeding one (1) year, and conditional upon renewal of any letter of credit for a one (1) year period. Application fee is \$200; renewal prior to expiry is \$200.
3. Upon completion of the demolition or removal, or conversion to an accessory building to the satisfaction of the building inspector, any unused portion of my deposit will be refunded.

  
Applicant

MAY 30 2018

Date

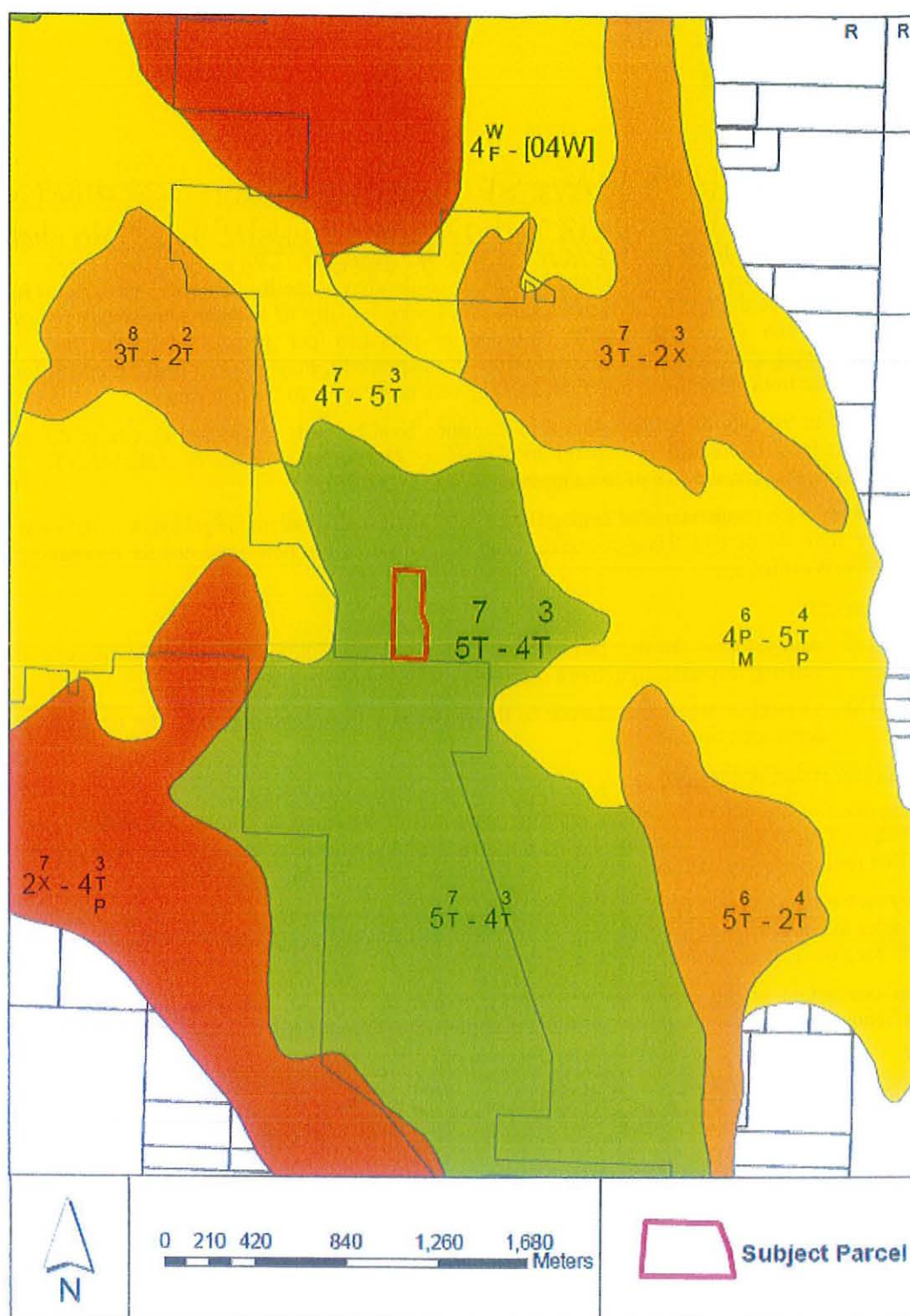
  
Witness (Notary Public)

**ZOË STEVENS**  
A Notary Public in and for  
The Province of British Columbia  
#3 - 120 Harbourfront Drive NE  
Salmon Arm, BC V1E 2T3

Information provided by this form may be subject to Freedom of Information and Protection of Privacy Act inquiries.



## APPENDIX 8: SOILS





## SECTION 35 - A-2 - RURAL HOLDING ZONE

Purpose

- 35.1 The A-2 Zone is intended to provide predominantly residential *parcels* in a rural setting.

Regulations

- 35.2 On a *parcel* zoned A-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 A-2 Zone or those regulations contained elsewhere in this Bylaw.

Permitted Uses

- 35.3 The following uses and no others are permitted in the A-2 Zone:

- |              |     |   |
|--------------|-----|---|
|              | .1  | <i>agriculture</i> ;  |
|              | .2  | <i>bed and breakfast</i> , limited to three let rooms;  |
| #2767        | .3  | <i>boarders</i> , limited to two;   |
| #4018, #4193 | .4  | <i>detached suite</i> ( <i>development</i> of a <i>detached suite</i> in the Agricultural Land Reserve is subject to the Agricultural Land Commission Act and Regulations); |
| #3218        | .5  | <i>equestrian facility</i> ;  |
| #3218        | .6  | <i>equestrian facility campsite</i> ;   |
| #3082        | .7  | <i>family childcare facility</i> ;  |
| #3426        | .8  | <i>group childcare</i> ;  |
|              | .9  | <i>home occupation</i> ;  |
|              | .10 | <i>kennel</i> ;   |
|              | .11 | <i>outdoor recreation</i> ;   |
|              | .12 | <i>public use</i> ;   |
|              | .13 | <i>public utility</i> ;   |
| #3212        | .14 | <i>secondary suite</i> ;  |
|              | .15 | <i>silviculture</i> ;   |
|              | .16 | <i>single family dwelling</i> ;   |
|              | .17 | <i>accessory use</i> , including the retail sale of agricultural products produced on the <i>parcel</i> .   |

Maximum Number of Single Family Dwellings

- |       |    |  |
|-------|----|--|
| 35.4  | .1 | On <i>parcels</i> less than 8.0 hectares (19.8 acres) in area, the maximum number of <i>single family dwellings</i> shall be one (1) per <i>parcel</i> .   |
| #3322 | .2 | On <i>parcels</i> 8.0 hectares (19.8 acres) or larger in area, a second dwelling is permitted provided the second dwelling is used for farm help and is a mobile home. The additional dwelling shall be for the exclusive use of a person employed full-time to work on the farm or for temporary farm help and, where applicable, shall comply with the provisions of the <u>Agricultural Land Commission Act</u> and amendments thereto. The property owner will sign a Declaration, substantially in the form attached hereto as Schedule "H" and forming part of this bylaw, that the second dwelling is to be for the exclusive use of a person employed full-time to work on the farm. |

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## SECTION 35 - A-2 - RURAL HOLDING ZONE – CONTINUED

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- .3 A second dwelling may be permitted under Section 4.13 of this bylaw.

#4018

### **Maximum Number of Secondary Suites**

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

#4223

### **Maximum Residential Building Area**

- 35.6 The maximum combined building area for all dwelling units (single family dwelling, detached suite and farm help) shall be no greater than 500 m<sup>2</sup> (5,382ft<sup>2</sup>).

### **Maximum Height of Residential Buildings**

- 35.7 The maximum *height* of a residential *building* shall be 10.0 metres (32.8 feet).

### **Maximum Height of Accessory Buildings**

- 35.8 The maximum *height* of accessory *buildings* shall be 12.0 metres (39.4 feet).

### **Minimum Parcel Size**

- 35.9 The minimum *parcel* size shall be 4.0 hectares (9.9 acres).

### **Minimum Parcel Width**

- 35.10 The minimum *parcel width* shall be 100.0 metres (328.1 feet).

### **Minimum Setback of Principal and Accessory Buildings Intended to Accommodate Non-Agricultural Uses**

- 35.11 The minimum *setback* of *principal* and accessory *buildings* intended to accommodate non-agricultural uses from the:

- |    |   |                        |
|----|---|------------------------|
| .1 | <i>Front parcel line</i> shall be                                     | 6.0 metres (19.7 feet) |
| .2 | <i>Rear parcel line</i> shall be                                      | 6.0 metres (19.7 feet) |
| .3 | <i>Interior side parcel line</i> shall be                             | 3.0 metres ( 9.8 feet) |
| .4 | <i>Exterior side parcel line</i> shall be                             | 6.0 metres (19.7 feet) |
| .5 | Refer to Section 4.9 for "Special Building Setbacks" which may apply. |                        |

#2811

#4018

### **Minimum Setback of Detached Suites**

- 35.12 The minimum *setback* of a *detached suite* from all *parcel* lines shall be 6.0 metres (19.7 feet).

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## SECTION 35 - A-2 - RURAL HOLDING ZONE - CONTINUED

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### Minimum Setback of Buildings or Structures Intended to Accommodate Agricultural Uses

35.13 The minimum *setback* of *buildings* and *structures* intended to accommodate agricultural uses from the:

- |    |   |                         |
|----|---|-------------------------|
| .1 | <i>Front parcel line</i> shall be   | 30.0 metres (98.4 feet) |
| .2 | <i>Rear parcel line</i> shall be  | 15.0 metres (49.2 feet) |
| .3 | <i>Interior side parcel line</i> shall be                                       | 15.0 metres (49.2 feet) |
| .4 | <i>Exterior side parcel line</i> shall be                                       | 30.0 metres (98.4 feet) |
| .5 | Any <i>single family dwelling</i> shall be                                      | 15.0 metres (49.2 feet) |
| .6 | Any <i>watercourse</i> or body of water shall be                                | 30.0 metres (98.4 feet) |
| .7 | Refer to "Pound and Animal Control Bylaw" for special setbacks which may apply. |                         |

#2811

### Minimum Setback of Kennels

35.14 The minimum *setback* of *kennels* from all *parcel* lines shall be 30.0 metres (98.4 feet).

### Sale of Agricultural Products

35.15 The retail sale of agricultural products produced on the *parcel* is permitted provided the maximum *floor area* of the retail sale stand is 40.0 square metres (430.5 square feet).

### Parking

35.16 Parking shall be required as per Appendix I.

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# CITY OF SALMON ARM

TO: His Worship Mayor Harrison and Members of Council

DATE: June 19, 2019

SUBJECT: Agricultural Land Commission Application No. ALC-383  
Non-Adhering Residential Use – Additional Residence for Farm Use  
Legal: Lot 2, Section 32, Township 20, Range 9, W6M, KDYD, Plan 1762  
Civic Address: 6740 – 56 Street NE  
Owner / Applicant R. & B. Veerman

## MOTION FOR CONSIDERATION

THAT: **Agricultural Land Commission Application No. ALC-383 be authorized for submission to the Agricultural Land Commission.**

## STAFF RECOMMENDATION

THAT: The motion for consideration be adopted.

## Proposal

The subject property is located at 6740 – 56 Street NE and is located in the Agriculture Land Reserve (Appendix 1). The property is approximately 4.0 hectares (10 acres) in size and currently contains a single family dwelling and multiple accessory buildings (Appendices 2 & 3). The owner/applicants wish to build an additional farm building with an attached dwelling for farm help. ALC Application ID 58880 with site photos and a sketch of the proposed building is attached as Appendix 4.

## Background

The subject property is designated Acreage Reserve in the Official Community Plan (OCP) and outside of the Urban Containment Boundary (UCB) (Appendix 5). The property is zoned A-2, Rural Holding Zone (Appendix 6). The total area of the property is 4.0 hectares and approximately 1.5 hectares of the property is heavily treed. The primary use on the remaining 2.5 hectares is agriculture and the existing farm contains a wide variety of animals and livestock producing eggs & meat (pork, beef, lamb & chicken).

There are multiple farm buildings on the property which provide protection for the animals. The applicants wish to build a building to store tools and light farm equipment. The proposed building will also include pens to accommodate animals. The proposal includes an 89.1 m<sup>2</sup> suite attached to this building for farm help. The suite will provide housing to family members who will aid in the daily operations of the farm.

The new building is proposed to be built on the far west of property which is not currently being utilized. The building is proposed to be approximately 205 m<sup>2</sup> (2,210 ft<sup>2</sup>). The part of the building proposed for storage and animals is designed to be 116 m<sup>2</sup> (1250 ft<sup>2</sup>) and the suite is designed to be 89 m<sup>2</sup> (960 ft<sup>2</sup>). Extending the existing access road will be required to reach the new building.

Adjacent zoning and land uses include the following:

North: A-2, Rural Holding Zone - Single Family Dwelling, Agriculture & Forested Areas  
South: A-2, Rural Holding Zone & R-6, Mobile Home Park Residential Zone – Agriculture & Mobile Home Park  
East: R-6, Mobile Home Park Residential Zone – Mobile Home Park  
West: A-2, Rural Holding Zone – Agriculture

### **Agricultural Land Commission Act (ALCA)**

Effective February 22, 2019, the Agricultural Land Commission Act (ALCA) was amended. These amendments created new regulations pertaining to residential use on properties in the Agricultural Land Reserve (ALR). Generally speaking, land in the ALR may have no more than one residence per parcel.

An owner/applicant may apply to the commission for permission under Section 25 of the ALCA for a non-adhering residential use. With respect to an application for a non-adhering residential use, the Commission is prohibited from granting permission for an additional residence unless the additional residence is necessary for farm use.

The onus is on the applicant to demonstrate the non-adhering residential use is necessary for, or supportive of farm use. Non-adhering residential uses should correspond with the type and scale of farming activity. The ALC makes the following considerations when reviewing non-adhering residential use applications

- Current level of agriculture on the property (e.g. intensive agricultural operations)
- Number of people involved in agriculture on the property (i.e. most or all of the people in the residences are involved with agriculture on the property)
- Minimizing the loss of arable land (i.e. size and siting of residence)

### **Improved Soil Classification**

The subject property has the Improved Soil Classification Rating of 60% Class 3 and 40% 4, with topography (T) and undesirable soils structure and / or low permeability (D) being the limiting factors (Appendix 7). Improved soil classifications range from class 1, arable land with no significant limitations, to class 7, non-arable land with significant limiting factors.

### Planning Department Comments

### **Zoning Bylaw 2303**

There are three provisions within the A-2 Rural Holding Zone which allow for a second dwelling on the property.

1. Detached suites up to a maximum of 90 m<sup>2</sup> are a permitted use;
2. On parcels 8.0 hectares or larger, a second dwelling is permitted provided the second dwelling is used for farm help and is a mobile home;
3. Type "C" Permits (Compassionate Use Permits) are permitted for an immediate family member in need of care.

Being that the suite is proposed to be 89 m<sup>2</sup> and it can meet the detached suite definition as follows: "a dwelling unit with a maximum floor area of 90 m<sup>2</sup> that is contained within a building which is accessory to a single family dwelling, and shall not include a mobile home, manufactured home, travel trailer, recreational vehicle or storage container", the proposal would meet the A-2 zoning requirements.

### **Official Community Plan Bylaw No. 4000**

Section 7.2.2 Support agriculture on both ALR and non-ALR land.

Section 7.3.12 Support the maintenance and enhancement of lands for agricultural use within the Agricultural Land Reserve.

Section 7.3.15 A second dwelling for farm help may be supported on a parcel, subject to zoning and ALC Regulations, where the type or scale of agricultural use on the parcel requires a second family to reside on the parcel. In determining the need for a second dwelling, the City may seek advice from the ALC and/or require an application to the ALC.

Section 7.3.16 Either a conventional secondary suite contained within a dwelling or a detached suite is supported as an accessory residential use in the Acreage Reserve, Salmon Valley Agriculture and Forest Reserve designations.

Section 7.3.17 Encourage and support the development and expansion of alternative, smaller scale agricultural businesses, such as production and marketing of locally grown foods, organic farms, on-site sales of on-site and locally grown food, incentives for farmers to remain on their land, and support for new farmers to obtain land.

It is important to note that some of the above City policies and regulations may no longer have force or effect in relation to Bill 52 and the new ALC Regulations.

Building Department Comments

BC Building Code applies and could require as much as a 2 hour fire rated separation between the suite and the farm building. City Policy 3.11 regarding access and driveways would also be relevant for the proposed suite.

Engineering Department Comments

No concerns.

Agriculture Advisory Committee Comments

The application was considered by the Agricultural Advisory Committee (AAC) at their June 12, 2019 meeting. The AAC recommended that Council forward the application to the ALC. The minutes of the meeting are attached as Appendix 8.

Conclusion

This application includes constructing a farm building with an attached suite for farm help. The proposed suite meets the requirements of Zoning Bylaw 2303 and the proposal is supported by a number of OCP policies; therefore, staff recommends the application be forwarded to the ALC. It will be up to the ALC to decide if the proposed suite is warranted for farm help purposes.

  
Denise Ackerman,  
Planner

  
Kevin Pearson, MCIP, RPP  
Director of Development Services



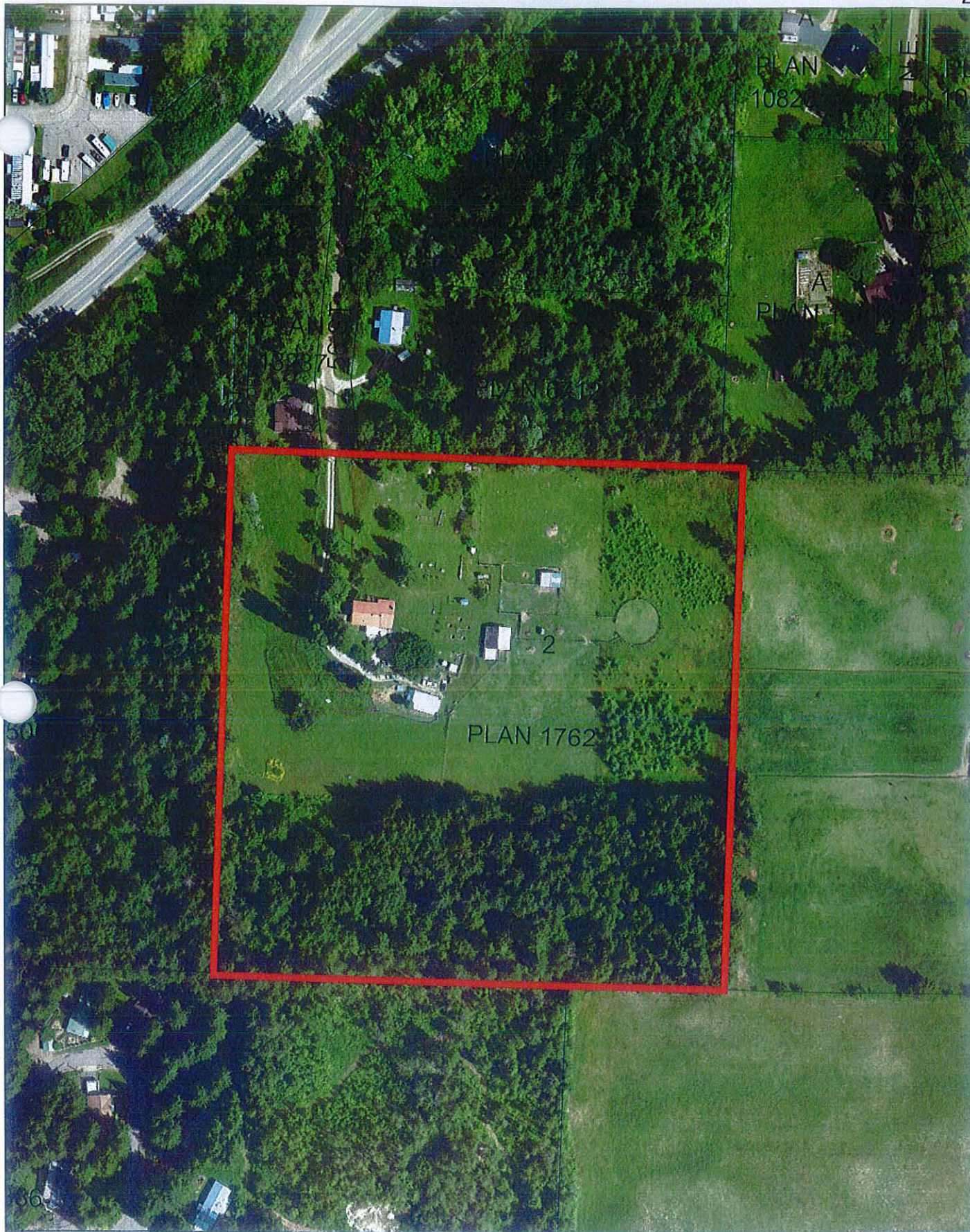


0 50 100 200 300 400 Meters



Subject Parcel





0 20 40 80 120 160 Meters



Subject Parcel



AutoDWG DWG to PDF Converter Trial Version

Note: Please buy the software, enter the license code,  
the note and watermark will be removed.

Proposed Location of New  
Farm Building with Suite



# Provincial Agricultural Land Commission - Applicant Submission

**Application ID:** 58880

**Application Status:** Under LG Review

**Applicant:** Brenda Veerman , Ron Veerman

**Agent:** Brenda Veerman

**Local Government:** City of Salmon Arm

**Local Government Date of Receipt:** 03/26/2019

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

**Proposal Type:** Non-Adhering Residential Use - Additional Residence for Farm Use

**Proposal:** We are applying to construct an implement shed with detached suite where our son and his wife will reside, so as a family unit, we can sustain our ability to continue farming for generations to come.

At present time, it is a struggle for Ron and I to complete all that is required, throughout the year. Having family on the property will enable us to continue our dream and lifestyle, as there will be 4 of us to care for the animals/livestock, land, and buildings.

Having family live on the property will increase our ability to sell more meat, eggs etc., as there will be assistance to coordinate/load/unload livestock, and supplies, care the young stock, maintain pastures.

As a family unit, we can team up, and farm tasks become safer with 2 people, than one!

Ron and I are so grateful and delighted, that our son and his wife want the farming lifestyle, we so enjoy!

## Agent Information

**Agent:** Brenda Veerman

**Mailing Address:**

6740 56th Street NE

Salmon Arm, BC

V0E 1K0

Canada

**Primary Phone:** (250) 253-2352

**Mobile Phone:** (250) 832-1946

**Email:** veermanr@telus.net

## Parcel Information

### Parcel(s) Under Application

1. **Ownership Type:** Fee Simple

**Parcel Identifier:** 011-354-283

**Legal Description:** Lot 2, Plan KAP1762, Section 32, Township 20, Range 9, Meridian W6, Kamloops Div of Yale Land District

**Parcel Area:** 4 ha

**Civic Address:** 6740 56th St NE Salmon Arm BC

**Date of Purchase:** 02/02/1990

**Farm Classification:** Yes

**Owners**

1. Name: Brenda Veerman

**Applicant:** Brenda Veerman , Ron Veerman



**Address:**

6740 56th Street NE  
 Salmon Arm, BC  
 V0E 1K0  
 Canada

**Phone:** (250) 253-2352**Cell:** (250) 832-1946**Email:** veermanr@telus.net2. **Name:** Ron Veerman**Address:**

6740 56th St NE  
 Salmon Arm, BC  
 V0E 1K0  
 Canada

**Phone:** (250) 253-2352**Cell:** (250) 832-1946**Email:** veermanr@telus.net**Current Use of Parcels Under Application****1. Quantify and describe in detail all agriculture that currently takes place on the parcel(s).**

*PID 011-354-283: 1.619 ha used for pasture for 47 sheep, 2 steers, 2 milking goats, 1 donkey.  
 .405 ha used for 3 pigs, 50-120 chickens, 10 breeding ducks, a pair of breeding turkeys, 20 quail. 6  
 breeding meat rabbits*

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

*1.619 ha fencing upgrade for sheep, 2015-2019. multiple cross fences to provide grazing options, 2016  
 multiple shelters for protection from weather/breeding, 2016-2019. New feeders and restructuring to  
 barn, 2017-2019. extension of pig pen 2018. new rabbit hutches, 2018. installation of 2 hay structures  
 (portable) 2017. Various gates and holding pens, 2018-2019.*

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

*no non -agricultural activity.*

**Adjacent Land Uses****North****Land Use Type:** Residential**Specify Activity:** small acreage**East****Land Use Type:** Agricultural/Farm**Specify Activity:** horse boarding**South****Land Use Type:** Residential**Specify Activity:** Mobile home park**West****Applicant:** Brenda Veerman , Ron Veerman

**Land Use Type:** Recreational

**Specify Activity:** mobile home park/campground

## Proposal

### 1. What is the purpose of the proposal?

*We are applying to construct an implement shed with detached suite where our son and his wife will reside, so as a family unit, we can sustain our ability to continue farming for generations to come. At present time, it is a struggle for Ron and I to complete all that is required, throughout the year. Having family on the property will enable us to continue our dream and lifestyle, as there will be 4 of us to care for the animals/livestock, land, and buildings.*

*Having family live on the property will increase our ability to sell more meat, eggs etc., as there will be assistance to coordinate/load/unload livestock, and supplies, care the young stock, maintain pastures.*

*As a family unit, we can team up, and farm tasks become safer with 2 people, than one!*

*Ron and I are so grateful and delighted, that our son and his wife want the farming lifestyle, we so enjoy!*

### 2. Describe the necessity for an additional residence for farm use and how it will support agriculture in the short or long term.

*Our farm has a very diversified amount of animals and fowl.*

*Due to the intense work involved, our son, and his wife, wish to live with us, in a separate dwelling, to help Ron and I, continue to provide meat, (pork, beef, lamb, chicken), duck, quail and chicken eggs, for our family, and the surrounding community, for many years to come!*

*The young people will participate in and assist in feeding/watering the livestock, cleaning the 19 pens, 12 cages.*

*They will assist with hauling hay, and grain, to the various grain storage areas.*

*The extra help, will also include, maintaining driveways (plowing downhill, from their residence, to keep pathways and driveway open, to allow buyers to access pens, when picking up livestock, sorting of livestock, for sale, or breeding purposes.*

*Having family live at the top of the property, they will be able monitor and overlook the pastures, for wild animals such as bears, coyotes, lynx etc. and observe the livestock in the pastures, for safety. (Essentially, another 2 sets of eyes and ears.)*

*They will assist with feeding the regular stock, and the very young animals, (bottle babies included)*

*In the event there is a family crisis, or when we are out of town, (buying livestock), Ron and I could leave, knowing the farm will be cared for. Currently when we are away, it is a real struggle to have family/friends assist with the farm work.*

*We have a small tractor, implements, trailers, ride on mower, quad.*

*All work for cleaning pens and cages, large and small, is done with wheelbarrows, small carts attached to quad, hand rakes and shovels.*

*Our farm is very labour intensive, and hard work.*

*The farming lifestyle is wonderful, and we feel very fortunate and grateful to be in the ALR, have farm class, and be able to continue to provide a variety of 'naturally' grazed, and cared for, farm animals. As a family unit we will be able to farm for a very long time!*

*As Ron and I progress in years, our son and his wife totally see the need for our assistance, and want to be here for us, and generations to come!*

*Their names will be added to the title of our property, once the application is approved.*

### 3. Describe the size, type and number, as well as occupancy of all residential structures currently located on the property.

*Main house, (living) floor space is 1400 sq feet.*

### 4. What is the total floor area of the proposed additional residence in square metres?

*89.1 m<sup>2</sup>*

**Applicant:** Brenda Veerman , Ron Veerman

**5. Describe the rationale for the proposed location of the additional residence.**

*The rationale for the proposed location of the additional residence, is as follows:*

- 1) Land is arid and has been non productive, for pasture, for many years.*
- 2) New forest has developed in the area, over the past 12 years.*
- 3) Unsafe trees have fallen from neighbours property, on fence lines yearly.*
- 4) Safety concerns in the past, with horse boarding facility, and livestock, at fence line.*
- 5) This area, is not included in our 'Farm Class' application.*
- 6) In between the 2 new forested area's, there is a fairly flat small open area, well suited for a farm implement shed with attached small residence.*

**6. What is the total area of infrastructure necessary to support the additional residence?**

*The infrastructure required to accommodate the additional residence and approximate area required for the infrastructure, will be less than 2023.43m<sup>2</sup> ( 0.5 acre) The contractor, is aware, we want the footprint to be as minimal as possible.*

*Septic field, farm structure attached to living accommodation, landscaping, parking area.*

**7. Do you need to import any fill to construct the additional residence or infrastructure?**

*No*

**Applicant Attachments**

- Agent Agreement - Brenda Veerman
- Site Photo - photo5
- Site Photo - photo1
- Site Photo - photo2
- Site Photo - photo3
- Site Photo - photo4
- Proposal Sketch - 58880
- Certificate of Title - 011-354-283

**ALC Attachments**

None.

**Decisions**

None.

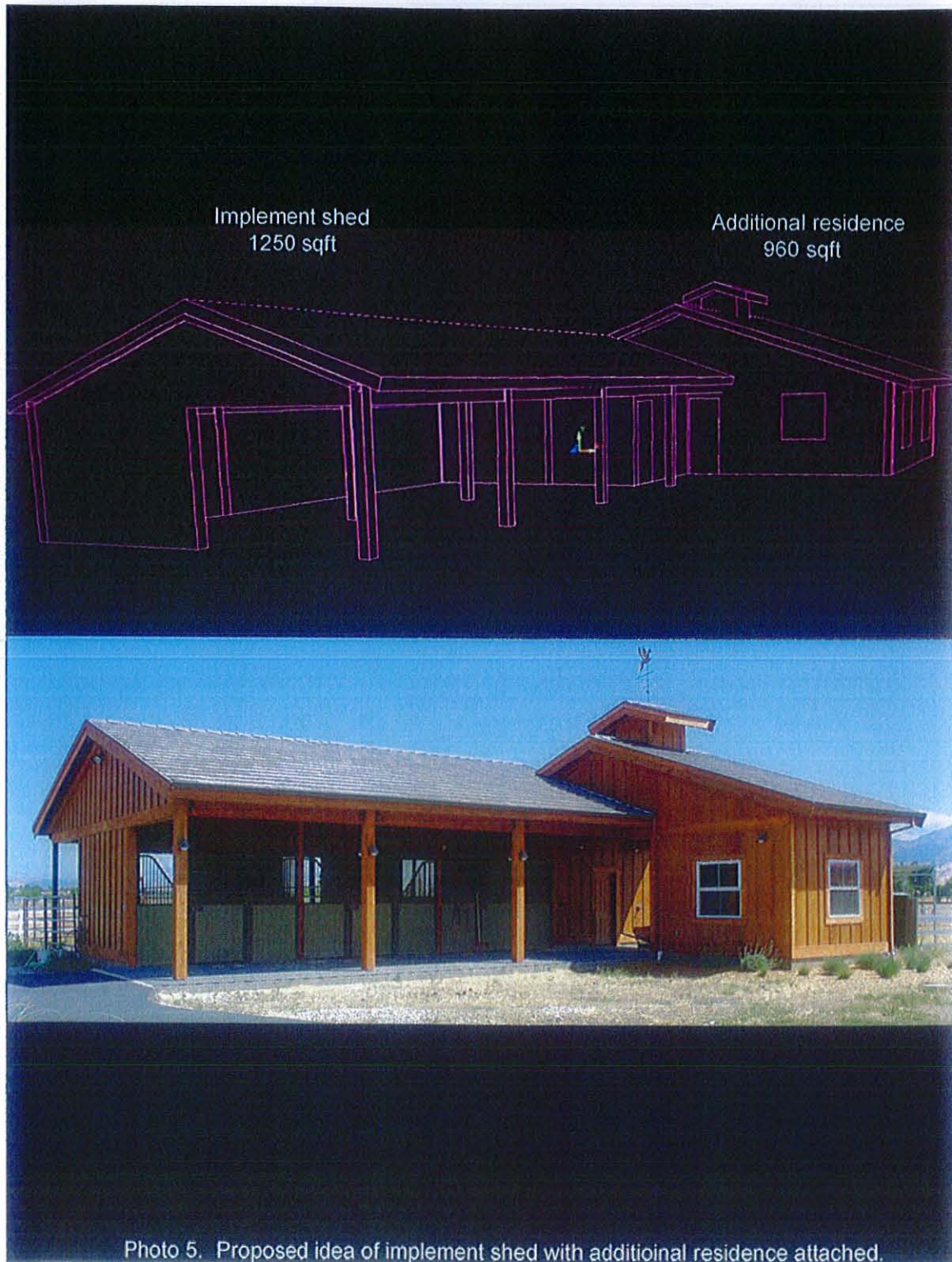






Photo 3: Forested area; photo taken facing southwest.



Photo 4: Forested area; photo taken facing north.



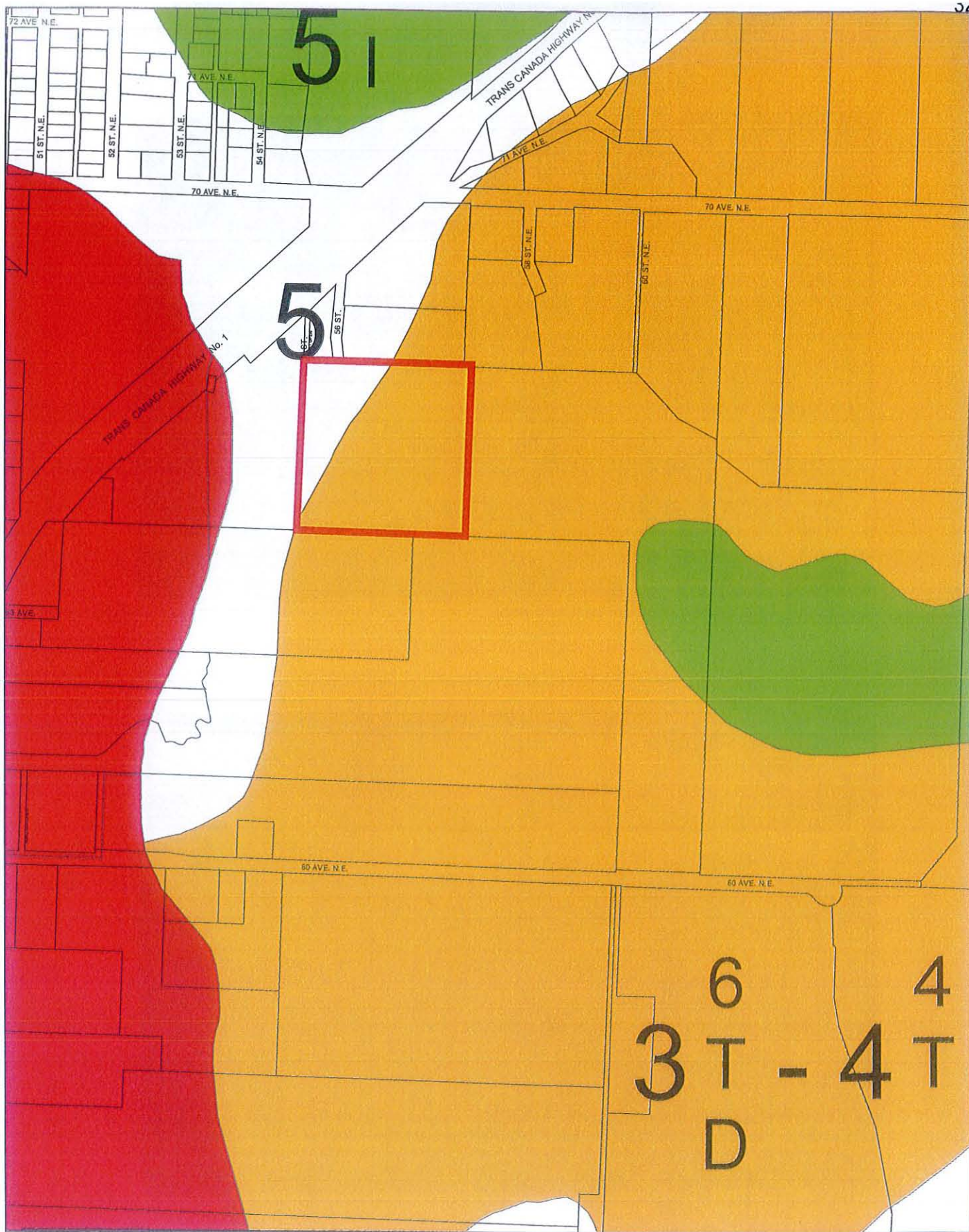


Photo 1: New access; photo taken facing west.



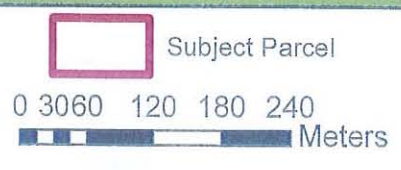
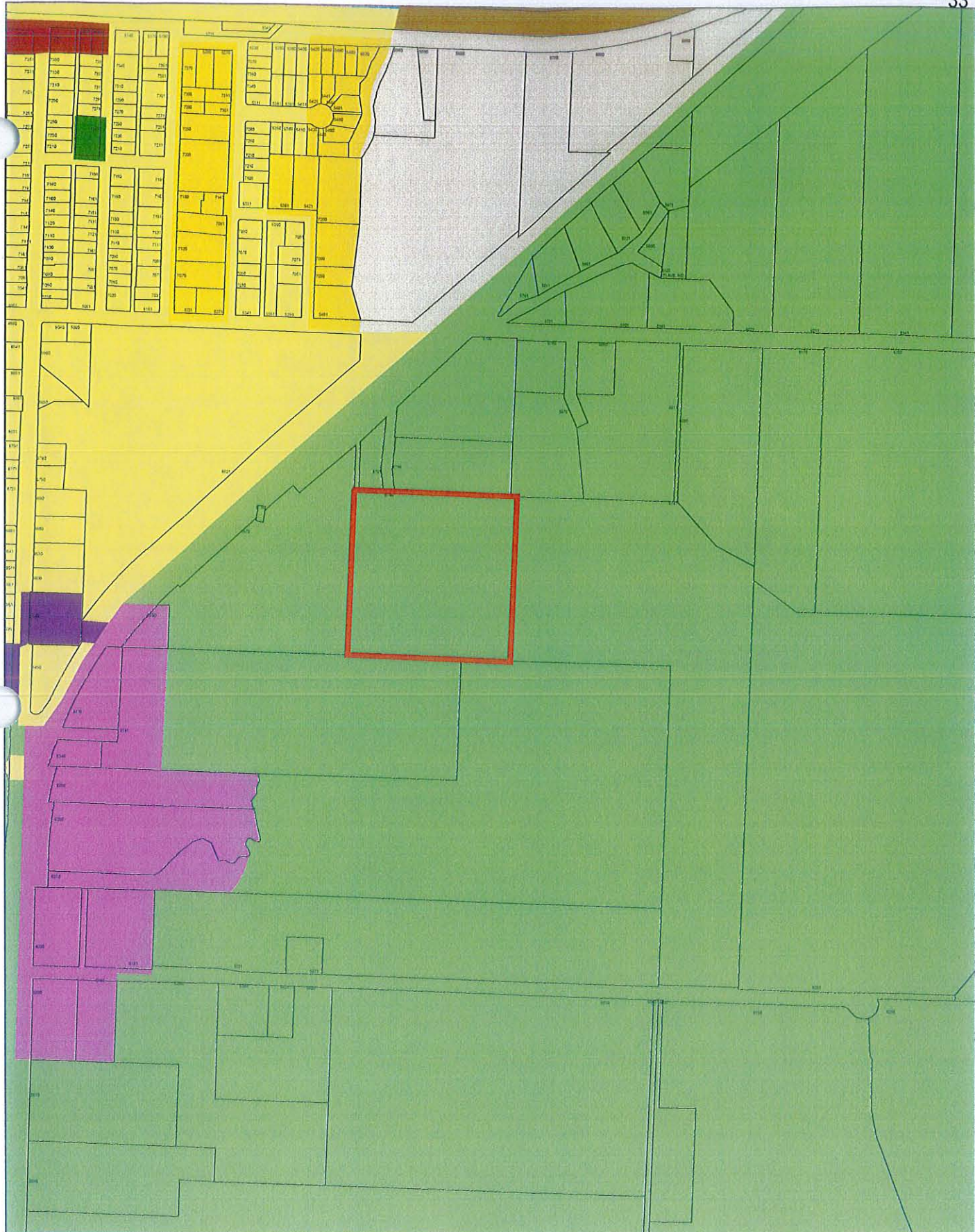
Photo 2: Location of proposed implement shed with suite; photo taken facing west





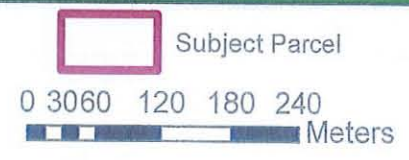
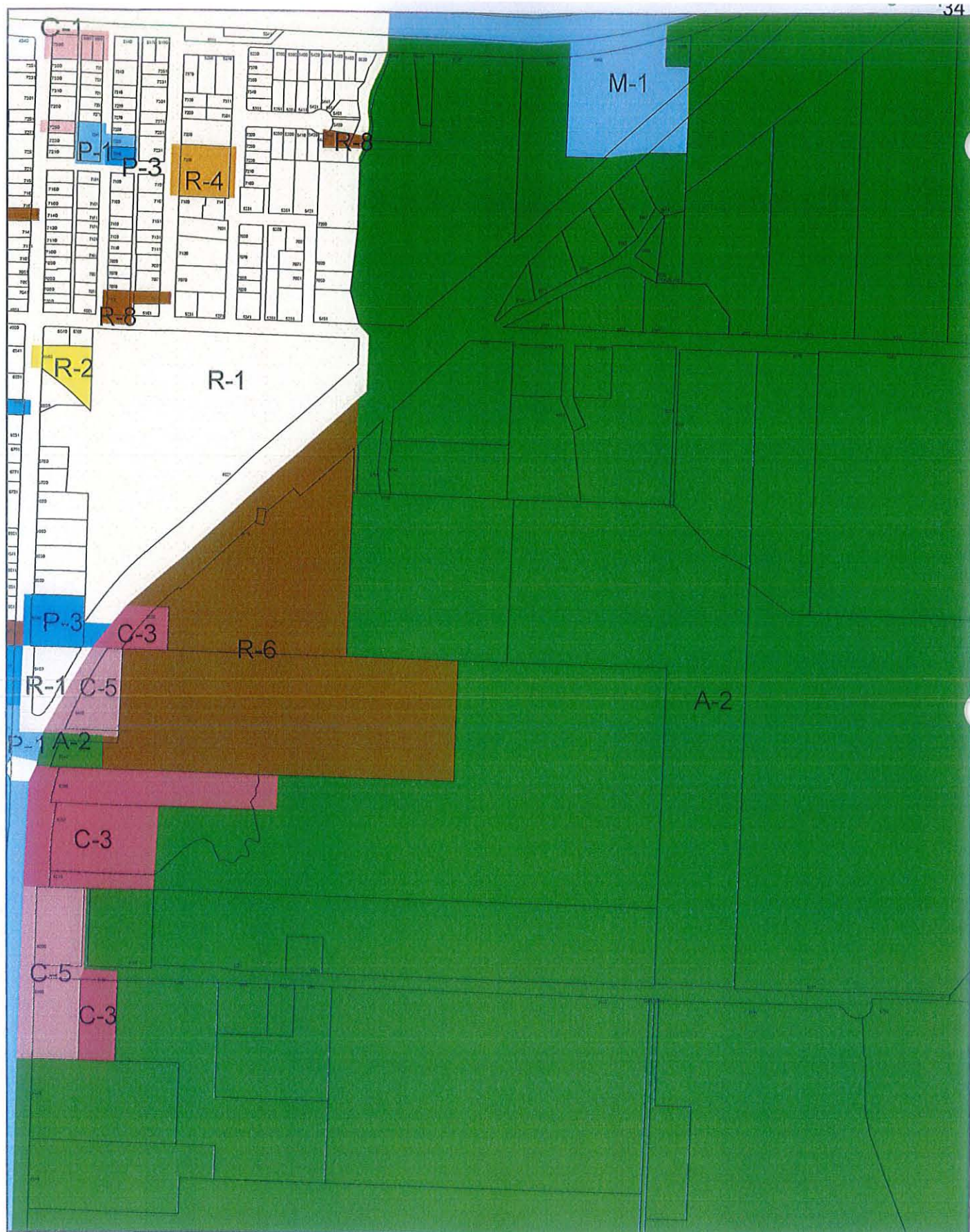
Subject Parcel





- |  |                            |
|--|----------------------------|
| Acreage Reserve                        | Industrial - Light         |
| Low Density Residential                | Medium Density Residential |
| Commercial - Highway Service / Tourist | Institutional              |





- |                        |                               |
|------------------------|-------------------------------|
| A-2 Rural Holding      | R-1 Single Family Residential |
| R-6 Mobile Home Park   | C-5 Tourist Commercial        |
| C-3 Service Commercial | P-3 Institutional             |



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

1. ALC Information Bulletin No. 5 Residences in the ALR
2. Bill 52 – Agricultural Land Commission Amendment Act (Summary)

The Director Development Services provided the Committee an update on ALC Information Bulletin No. 5 and Bill 52 including: second dwellings, compassionate use, soil removal and fill placement, 500 m<sup>2</sup> limit on new residences and the application process.

**5. New Business**

1. Agricultural Land Reserve Application No. ALC-381 (Non-Adhering Residential Use – Additional Residence for Farm Use) – Owner: Brackhaus/McDonald/Nash – 4395 – 10 Avenue SE

The Senior Planner provided a brief overview of the application including the OCP designation and zoning regulations, air photo and site plan. The applicants were given an opportunity to present information to the Committee stating that Brackhaus and McDonald intended to live in the second dwelling and farm the property in the future. The Nash family would continue to farm the property.

\* All applicants left the room and the Committee deliberated the application.

Moved: John McLeod

Seconded: Ron Ganert

THAT: The AAC recommends the application be forwarded to the ALC on the condition that the dwelling be sized to meet the Zoning Bylaw.

**CARRIED.**

\* All applicants returned to the room and the Committee delivered their recommendation.

\*Brackhaus, McDonald and Nash left the meeting.

2. Agricultural Land Reserve Application No. ALC-383 (Non-Adhering Residential Use – Additional Residence for Farm Use) – Owner: Veerman – 6740 – 56 Street NE

The Senior Planner provided a brief overview of the application including the OCP designation and zoning regulations, air photo and site plan. The applicant was given an opportunity to present information to the Committee stating that her family intended to live in the second dwelling and provide help to continue to farm the property.

\* All applicants left the room and the Committee deliberated the application.

Moved: John McLeod

Seconded: Ron Ganert

THAT: The AAC recommends the application be forwarded to the ALC.

**CARRIED.**

\* Veerman returned to the room and the Committee delivered their recommendation.

\* All applicants returned to the room.

3. **Agricultural Land Reserve Application No. ALC-384 (Boundary Adjustment)**  
Owner: Weicker - 4850 - 40 Street NE - Owner: Rasmussen - 4951 - 50 Street NE

The Senior Planner provided a brief overview of the application including the OCP designation and zoning regulations, air photo, subdivision plan, soil classes and topography. The applicant was given an opportunity to present information to the Committee stating that their intention was to adjust the boundary to be compatible with the topography.

\* All applicants left the room and the Committee deliberated the application.

Moved: James Olafsson

Seconded: John McLeod

THAT: The AAC recommends the application be forwarded to the ALC.

**CARRIED UNANIMOUSLY.**

\* Weicker, Rasmussen and Rasussen returned to the room and the Committee delivered their recommendation.

\* All applicants left the meeting.

4. **Food Hub Feasibility Study - Salmon Arm Economic Development Society, Lana Fitt**

Lana Fitt representing the Economic Development Society (EDS) spoke about a food hub model and resulting social and economic opportunities. The EDS would like to apply for funding for a feasibility study that could lead to a number of business development opportunities including: co-operative food processing facility, a community kitchen, shared storage and other shared economy ideas. The District of Saanich Agriculture and Food Security Plan was mentioned an example. The goal would be to present key findings in September to the City and Ministry of Agriculture.



# CITY OF SALMON ARM

To: His Worship Mayor Harrison and Members of Council

Date: June 17, 2019

Subject: Agricultural Land Commission Application No. ALC-384  
(Boundary Adjustment - Subdivision in the ALR)

Legal: Lot 1, Lot 1, Plan KAP1238 Except Plan KAP71971 and  
Lot 1, Plan KAP71971

Civic: 4850 – 40 Street NE and  
4951 – 50 Street NE

Owner/Applicant: C & J Rasmussen, K & C Weicker

## MOTION FOR CONSIDERATION

THAT: **Agricultural Land Commission Application No. ALC-384 be authorized for submission to the Agricultural Land Commission.**

## STAFF RECOMMENDATION

THAT: The motion for consideration be adopted.

## PROPOSAL

The subject parcels are located at 4850 – 40 Street NE and 4951 – 50 Street NE (Appendix 1). The applicants are proposing a boundary adjustment between two existing properties: the existing property at 4850 40 Street NE is 2 ha in size, while the existing property at 4951 50 Street NE is 14 ha in size. The proposed boundary adjustment would result in 2 ha being transferred from the existing property at 4951 50 Street NE to the existing property at 4850 40 Street NE, resulting in an increase in parcel area at 4850 40 Street NE from 2 ha to 4 ha in size and a reduction at 4951 50 Street NE from 14 ha to 12 ha in size. The applicant's proposal, including the proposed layout / site plan, is provided in Appendix 2.

## BACKGROUND

The subject property is designated Acreage Reserve in the Official Community Plan (OCP), is zoned Rural Holding (A-2), and is completely within the ALR (Appendix 3, 4, & 5). The 2 ha parcel at 4850 40 Street NE was created in 2002 through Homesite Severance provisions under ALC application (Appendix 7).

The property is essentially divided by topographical constraints. The north-west 2 ha portion proposed to be amalgamated with 4850 – 40 Street NE is generally separated from the eastern portion of 4951 – 50 Street NE by a steep section of land identified as "steep slopes" in the City's OCP and identified as Class 7 soils (no capacity for arable culture or permanent pasture) in the Canadian Land Inventory. The proposal may result in some enhancement for the overall farm potential for the 4850 40 Street NE parcel.

Adjacent zoning and land uses include the following:

North: Rural Holding (A-2) / rural residential  
South: Rural Holding (A-2) / rural residential  
East: TCH / Rural Holding (A-2) / rural residential  
West: Rural Holding (A-2) / rural residential

*Improved Soil Classification*

The subject parcels have two soil ratings identified. The east and west currently treed portions have an Improved Soil Capability Rating of 60% Class 4(T) and 40% Class 5(T). These lands are separated by a section of Class 7(c) soils. Soil Classification Mapping is shown in Appendix 6.

Soil capability rating ranges from Class 1 to Class 7. The best agricultural lands are rated Class 1 because they have ideal climate and soil to allow a farmer to grow the widest range of crops. Class 7 is considered non-arable, with no potential for soil bound agriculture.

COMMENTSBuilding Department

No concerns.

Engineering Department

No concerns subject to the installation of a water meter at 4951 50 Street NE.

Agricultural Advisory Committee

This proposal was reviewed by the Agricultural Advisory Committee (AAC) at its meeting of June 12, 2019 (Appendix 8). The Committee adopted the following resolution:

THAT: the AAC recommends the application be forwarded to the ALC.

Unanimous

Planning Department

The application is for a boundary adjustment between two rural/agricultural parcels which are designated Acreage Reserve.

The applicable Rural and Agriculture OCP policies include:

- 7.3.3 - Maintain or enhance the configuration and size of parcels designated Acreage Reserve, Salmon Valley Agriculture and Forest Reserve through boundary (lot line) adjustments and/or consolidations; rezoning, subdivision and/or Agricultural Land Reserve exclusion applications are not encouraged.
- 7.3.4 - Support adjusting the boundaries between the Acreage Reserve, Salmon Valley Agriculture and Forest Reserve designations only on the basis of improved soil capability ratings.
- 7.3.5 - Support boundary (lot line) adjustments which bring lot sizes more in compliance with the regulations of the City's Zoning Bylaw throughout the Acreage Reserve, Salmon Valley Agriculture and Forest Reserve designations. Boundary adjustments should not add to the degree of non-conformity of any lot.

Staff is of the opinion that the proposal meets the intent of these OCP policies and the above listed criteria. If the application is approved by Council and the ALC, the 4850 – 40 Street NE parcel would be increased from 2 ha to 4 ha, bringing it into compliance with the City's Zoning Bylaw (which provides a 4.0 ha minimum lot size in the A-2 Zone). The proposal aligns the boundary adjustment with the soil capability ratings, while the resulting parcels could enhance the 4850 – 40 Street NE parcel, seemingly with little impact to the 4951 50 Street NE parcel.

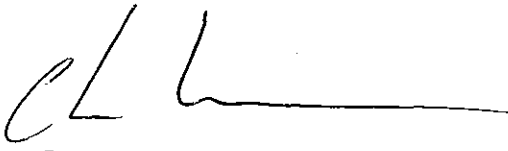


CONCLUSION

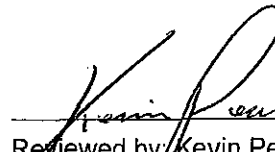
The proposal is for a boundary adjustment between two existing parcels. Staff consider the proposal to fit within the intent of the agricultural policies of the OCP. Staff note the following considerations:

1. The proposal could enhance the agricultural capability on the east portion (4850 – 40 Street NE) without significant impact to the potential of the west portion (4951 50 Street NE).
2. The site does have constraints in regards to local topography and soil classification, and the proposed boundary adjustment reasonably aligns with these constraints.

Staff recommends this application be forwarded to the ALC for consideration for the above noted reasons.

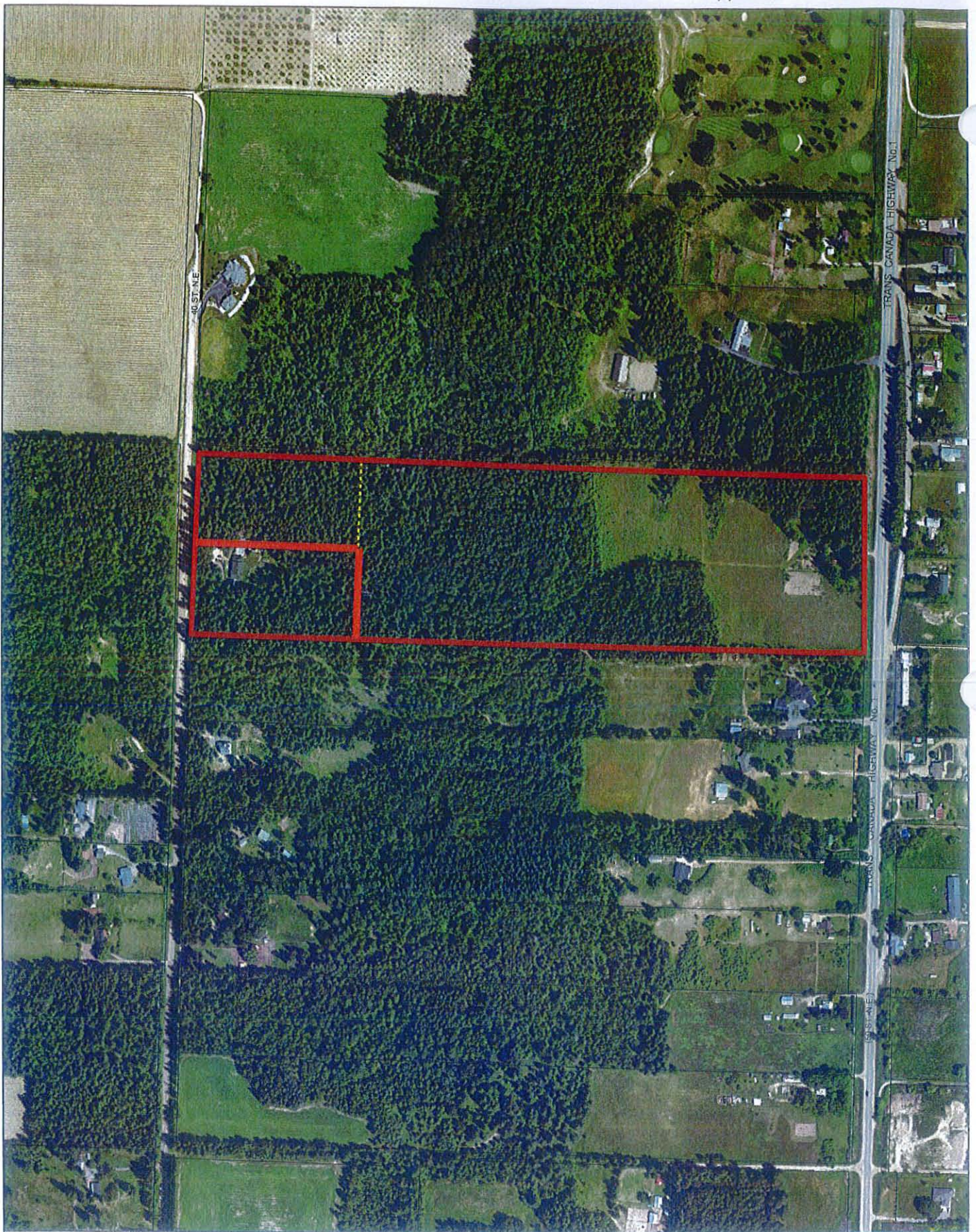


Prepared by: Chris Larson, MCP  
Planner, Development Services



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

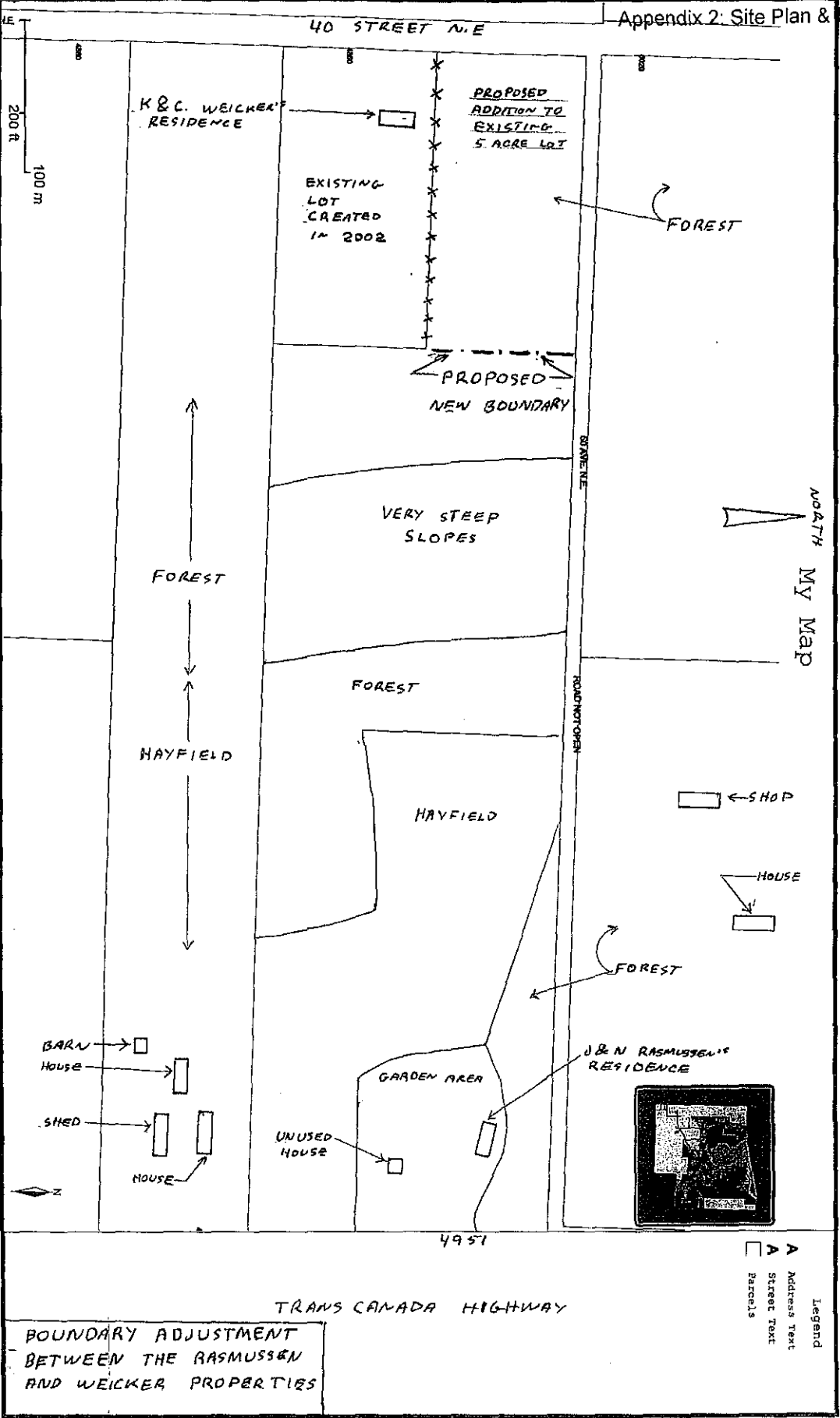




0 60 120 240 360 480 Meters

 Subject Parcels





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## Provincial Agricultural Land Commission - Applicant Submission

**Application ID:** 58029

**Application Status:** Under LG Review

**Applicant:** John Rasmussen , Cornelia Marie Rasmussen

**Local Government:** City of Salmon Arm

**Local Government Date of Receipt:** 04/16/2019

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

**Proposal Type:** Subdivision

**Proposal:** The purpose of the proposal is to ADJUST the BOUNDARY between our 14 HA lot and the 2 HA lot created for our daughter and son-in-law in 2002. (refer to ALC file # H-34137). That lot fronts on 40th street NE.

The proposal is to extend their lot along the full length of the original frontage on 40th street, increasing their lot size from 2 to 4 HA. (leaving 12 HA in the original lot)

**Mailing Address:**

4951 50 street NE

Salmon Arm, BC

V1E 1Y6

Canada

**Primary Phone:** (250) 832-7222

**Email:** jnrasmussen@telus.net

### Parcel Information

#### Parcel(s) Under Application

1. **Ownership Type:** Fee Simple

**Parcel Identifier:** 011-698-373

**Legal Description:** Lot 1, Plan KAP1238, Section 30, Township 20, Range 9, Meridian W6, Kamloops Div of Yale Land District, except Plan KAP71971

**Parcel Area:** 14 ha

**Civic Address:** 4951 50 street NE, Salmon Arm, BC

**Date of Purchase:** 06/30/1975

**Farm Classification:** No

**Owners**

1. **Name:** John Rasmussen

**Address:**

4951 50 street NE

Salmon Arm, BC

V1E 1Y6

**Applicant:** John Rasmussen , Cornelia Marie Rasmussen

Canada

**Phone:** (250) 832-7222

**Email:** jnrasmussen@telus.net

2. **Name:** Cornelia Marie Rasmussen

**Address:**

4951 50 street NE

Salmon Arm, BC

V1E 1Y6

Canada

**Phone:** (250) 832-7222

**Email:** jnrasmussen@telus.net

2. **Ownership Type:** Fee Simple

**Parcel Identifier:** 025-506-064

**Legal Description:** Lot 1, Plan KAP71971, Section 30, Township 20, Range 9, Meridian land district 25

**Parcel Area:** 2 ha

**Civic Address:** 4850 40 street NE, Salmon Arm, BC

**Date of Purchase:** 10/02/2002

**Farm Classification:** No

**Owners**

1. **Name:** Christopher Weicker

**Address:**

4850 40 street NE

Salmon Arm, BC

V1E 1Z6

Canada

**Phone:** (250) 803-0103

2. **Name:** Kathryn Weicker

**Address:**

4850 40 street, NE

Salmon Arm, BC

V1E 1Z6

Canada

**Phone:** (250) 803-0103

### **Current Use of Parcels Under Application**

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

*Wooded area 10.5 ha*

*Hayfield 3 ha (not currently in use)*

*Large fruit and vegetable garden .5 ha*

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

*Except for the large garden, there is no significant agricultural activity on the property.*

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

**Applicant:** John Rasmussen , Cornelia Marie Rasmussen



*One 1367 SQ FT residence, and one 13X50 ft shop/shed  
The original 880 SQ FT house no longer used. (As a second house on the same lot, it cannot be legally occupied per city bylaws)*

### **Adjacent Land Uses**

#### **North**

**Land Use Type:** Residential

**Specify Activity:** East half, wooded, 1 house and 1 large shop. West half, partly wooded, 1 house, and an active hay field.

#### **East**

**Land Use Type:** Transportation/Utilities

**Specify Activity:** Highway 1, with small lots and acreages on the other side

#### **South**

**Land Use Type:** Residential

**Specify Activity:** Wooded, unused pasture, 2 houses ,one barn and one shed

#### **West**

**Land Use Type:** Residential

**Specify Activity:** 40th Street, Large wooded area with one residence on the far west side

### **Proposal**

**1. Enter the total number of lots proposed for your property.**

4 ha

12 ha

**2. What is the purpose of the proposal?**

*The purpose of the proposal is to ADJUST the BOUNDARY between our 14 HA lot and the 2 HA lot created for our daughter and son-in-law in 2002. (refer to ALC file # H-34137). That lot fronts on 40th street NE.*

*The proposal is to extend their lot along the full length of the original frontage on 40th street, increasing their lot size from 2 to 4 HA. (leaving 12 HA in the original lot)*

**3. Why do you believe this parcel is suitable for subdivision?**

*Consolidating the current 2HA lot with the other 2HA along 40th st would make a much more natural division between the two lots. There is a steep area between the two properties that effectively separates the subject area from the rest of the property. The grade between the two areas is at least 15 degrees, with parts so steep it is difficult to walk on.*

**4. Does the proposal support agriculture in the short or long term? Please explain.**

*There is very little agricultural potential on any of the west half of the original property because of the hilly*

**Applicant:** John Rasmussen , Cornelia Marie Rasmussen

terrain. However, if there is any agricultural potential, it would be far more feasible to access and develop it as part of the 40th street lot than from our end of the property. With the current property boundaries, the western 2HA of the 14HA parcel are virtually inaccessible due to the steep hill in the middle of the property. With the proposed boundary adjustment this 2HA section would become much more accessible from the current 2HA property located on 40th street. This proposed 4HA parcel would have greater access and opportunity for agricultural development (eg. pasture, organic gardening, orchard).

**5. Are you applying for subdivision pursuant to the ALC Homesite Severance Policy? If yes, please submit proof of property ownership prior to December 21, 1972 and proof of continued occupancy in the "Upload Attachments" section.**

No

### **Applicant Attachments**

- Proposal Sketch - 58029
- Site Photo - Aerial View
- Certificate of Title - 011-698-373
- Certificate of Title - 025-506-064

### **ALC Attachments**

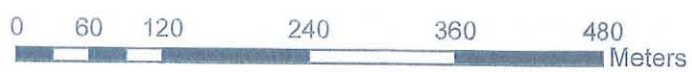
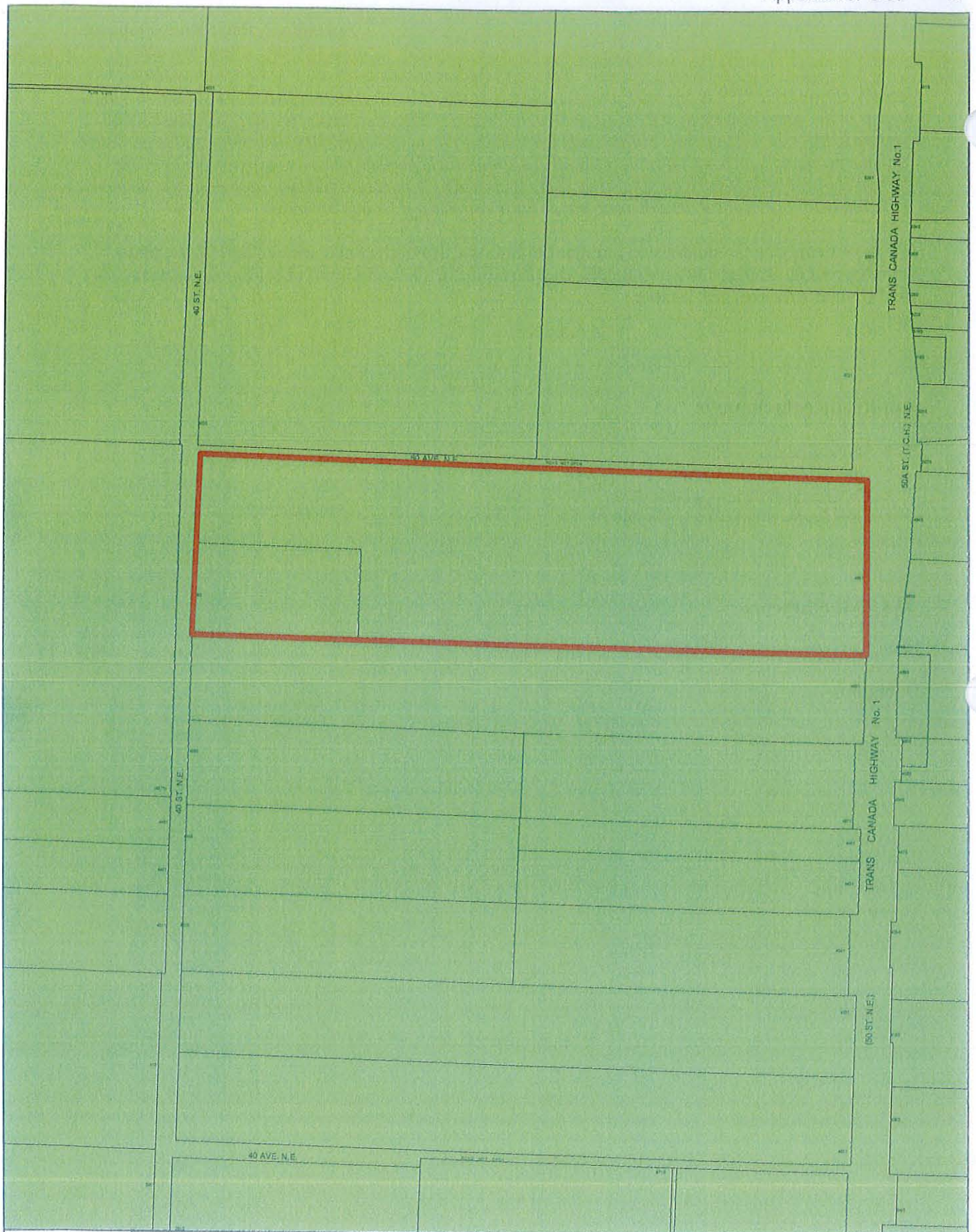
None.

### **Decisions**

None.

**Applicant:** John Rasmussen , Cornelia Marie Rasmussen





 Acreage Reserve

 Subject Parcels



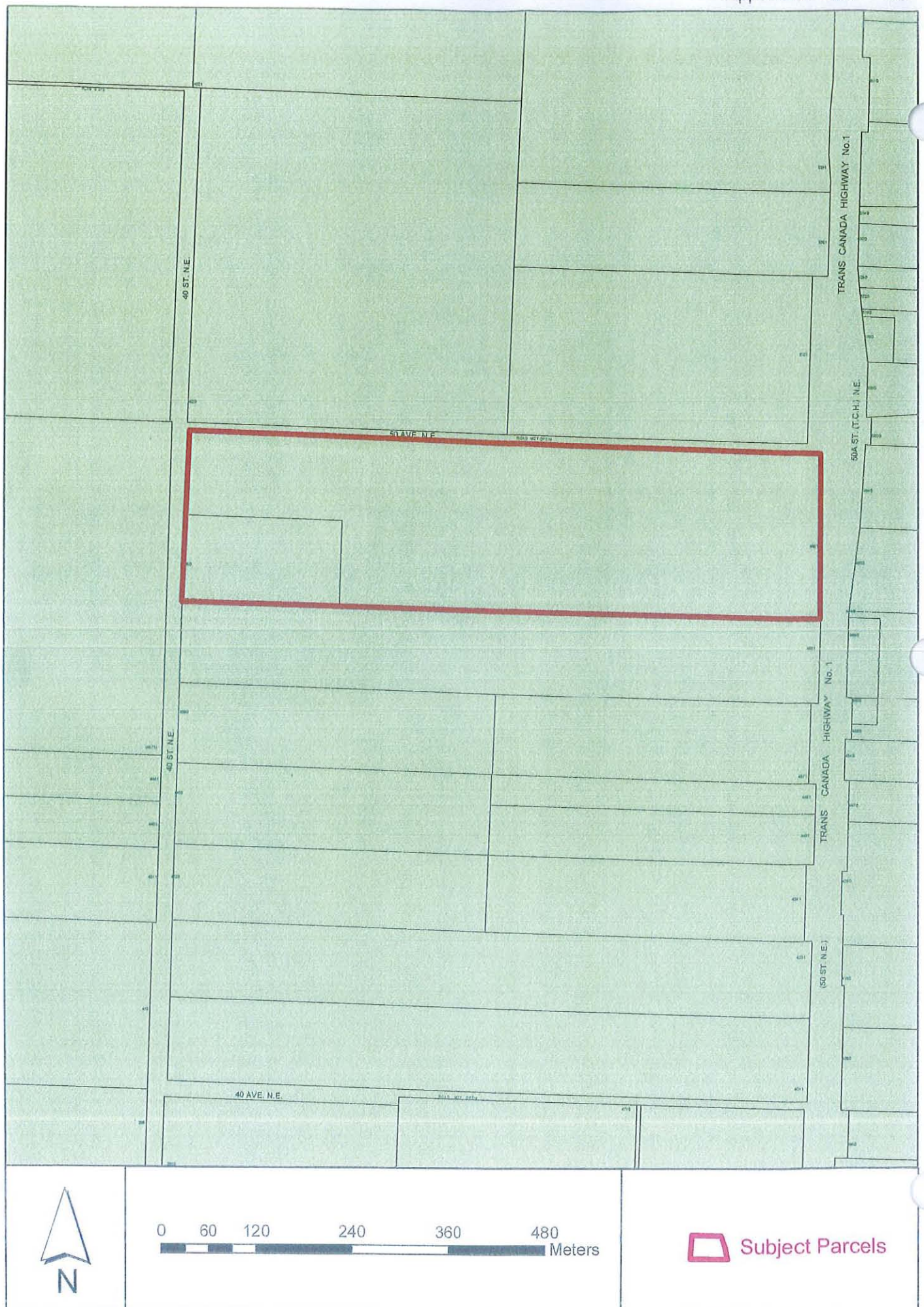


A-2

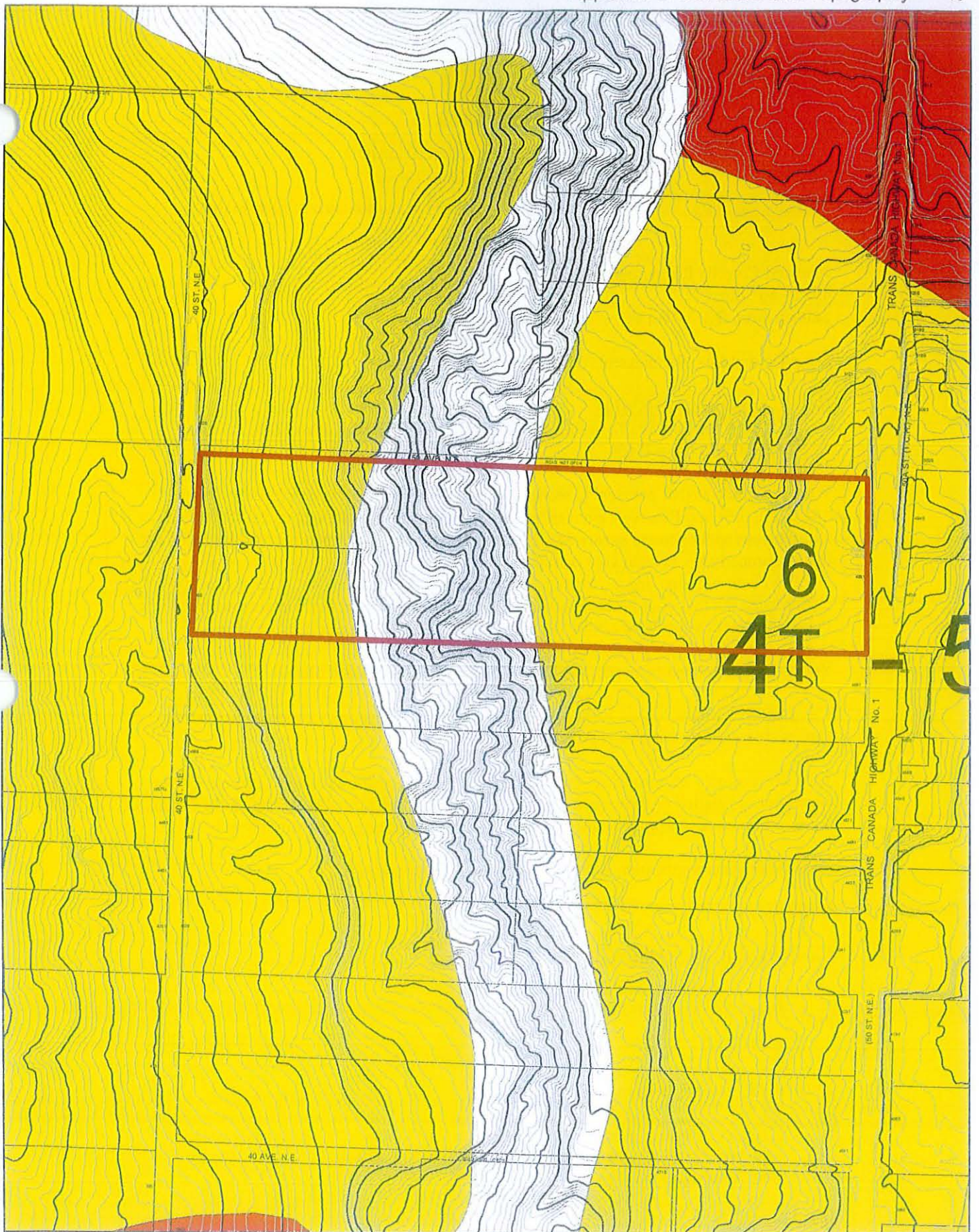
C-5











0 60 120 240 360 480 Meters

 Subject Parcels





## Land Reserve Commission

*Working Farms, Working Forests*

February 22, 2002

Reply to the attention of Elisa Martin

John and Cornelia Rasmussen  
4951 - 50<sup>th</sup> Street NE  
Salmon Arm, BC V1E 1V6

Dear Mr. and Mrs. Rasmussen:

Re: Application # H-34137  
Lot 1, Section 30, Township 20, Range 9, W6M, KDYD, Plan 1238,  
EXCEPT Plan H400

We write to advise that pursuant to section 22(1) of the *Agricultural Land Reserve Act* (the "ALRA"), the Land Reserve Commission (the "Commission") by Resolution #17/2002, has allowed your application to subdivide a 2 ha lot from the 12 ha subject property on the grounds that the property has been in your family since 1958, you have been living on the property prior to 1972 and have been making payments to purchase the property from your mother since 1976. The Commission felt that your proposal was consistent with the spirit of the Homesite Severance Policy, especially since your mother was only granted a life estate lease back in 1976.

Your subdivision must be in substantial compliance with the attached plan.

The property remains subject to the provisions of the ALRA, the *Soil Conservation Act* and applicable regulations except as provided by this approval.

The Commission's approval does not relieve you of the responsibility of adhering to any other enactment, legislation or decision of any agency having jurisdiction. Please contact the District of Salmon Arm as other approvals may be needed before your development can proceed.

Please quote your application number in any future correspondence.

Yours truly,

LAND RESERVE COMMISSION

Per: 

K. B. Miller, Chief Executive Officer

cc: District of Salmon Arm (#ALC.273)  
Approving Officer, Ministry of Transportation, Salmon Arm  
BC Assessment, Vernon

EM/lv ☒ Encl.

Moved: John McLeod

Seconded: Ron Ganert

THAT: The AAC recommends the application be forwarded to the ALC.

**CARRIED.**

\* Veerman returned to the room and the Committee delivered their recommendation.

\* All applicants returned to the room.

3. **Agricultural Land Reserve Application No. ALC-384 (Boundary Adjustment)**  
Owner: Weicker - 4850 - 40 Street NE - Owner: Rasmussen - 4951 - 50 Street NE

The Senior Planner provided a brief overview of the application including the OCP designation and zoning regulations, air photo, subdivision plan, soil classes and topography. The applicant was given an opportunity to present information to the Committee stating that their intention was to adjust the boundary to be compatible with the topography.

\* All applicants left the room and the Committee deliberated the application.

Moved: James Olafsson

Seconded: John McLeod

THAT: The AAC recommends the application be forwarded to the ALC.

**CARRIED UNANIMOUSLY.**

\* Weicker, Rasmussen and Rasussen returned to the room and the Committee delivered their recommendation.

\* All applicants left the meeting.

4. **Food Hub Feasibility Study - Salmon Arm Economic Development Society, Lana Fitt**

Lana Fitt representing the Economic Development Society (EDS) spoke about a food hub model and resulting social and economic opportunities. The EDS would like to apply for funding for a feasibility study that could lead to a number of business development opportunities including: co-operative food processing facility, a community kitchen, shared storage and other shared economy ideas. The District of Saanich Agriculture and Food Security Plan was mentioned an example. The goal would be to present key findings in September to the City and Ministry of Agriculture.



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# CITY OF SALMON ARM

To: His Worship Mayor Harrison and Members of Council

Date: June 26, 2019

Subject: Zoning Bylaw Amendment Application No. 1152

Legal: Lot 3, Section 24, Township 20, Range 10, W6M, KDYD, Plan EPP73048

Civic: 1811 22 Street NE

Owner/Applicant: Bennett, K. & S.

## MOTION FOR CONSIDERATION

**THAT:** a bylaw be prepared for Council's consideration, adoption of which would amend Zoning Bylaw No. 2303 by rezoning Lot 3, Section 24, Township 20, Range 10, W6M, KDYD, Plan EPP73048 from R-1 (Single Family Residential Zone) to R-8 (Residential Suite Zone);

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

## STAFF RECOMMENDATION

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

## PROPOSAL

The subject parcel is located at 1811 22 Street NE (Appendix 1 and 2) and is currently under development. The proposal is to rezone the parcel from R-1 (Single Family Residential) to R-8 (Residential Suite) to permit the construction and use of a *secondary suite* within a single family dwelling.

## BACKGROUND

The subject parcel is designated Medium Density Residential in the City's Official Community Plan (OCP) and zoned R-1 (Single Family Residential) in the Zoning Bylaw (Appendix 3 & 4). The subject parcel is located in the residential uptown area of the City, largely comprised of parcels containing single family dwellings and associated accessory buildings. There are presently 11 R-8 zoned parcels within the vicinity of the subject parcel.

The subject parcel is part of a four-lot subdivision approved in June 2017. The parcel is approximately 22.8 m wide by 57.7 m deep, with an area of approximately 0.133 ha. The subject parcel meets the conditions as specified to permit a secondary suite within the proposed R-8 zone. Site photos are attached as Appendix 5. The intent of the applicant is to develop a conforming *secondary suite* within the basement of the single family dwelling currently being built, as shown in the plans attached (Appendix 6).

### *Secondary Suites*

Policy 8.3.25 of the OCP provides for the consideration of secondary suites in all Residential designated areas via a rezoning application, subject to compliance with the Zoning Bylaw and the BC Building Code. Based on parcel area and width, the subject property has potential to meet the conditions for the development of a *secondary suite* (or a *detached suite*), including sufficient space for an additional off-street parking stall.



COMMENTSMinistry of Transportation & Infrastructure

MOTI has granted preliminary approval.

Engineering Department

No engineering concerns.

Building Department

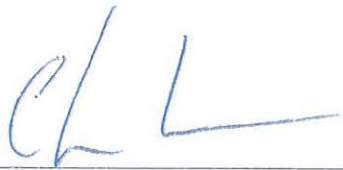
BC Building Code will apply. No concerns with proposed zoning.

Fire Department

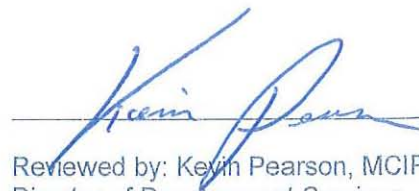
No concerns.

Planning Department

The proposed R-8 zoning of the subject parcel is consistent with the OCP and is therefore supported by staff. The plans submitted indicate that all R-8 Zone requirements can be met, including the provision of onsite parking, and that the proposed building substantially aligns with development patterns in the area. Any development of a secondary suite would require a building permit and will be subject to meeting Zoning Bylaw and BC Building Code requirements.

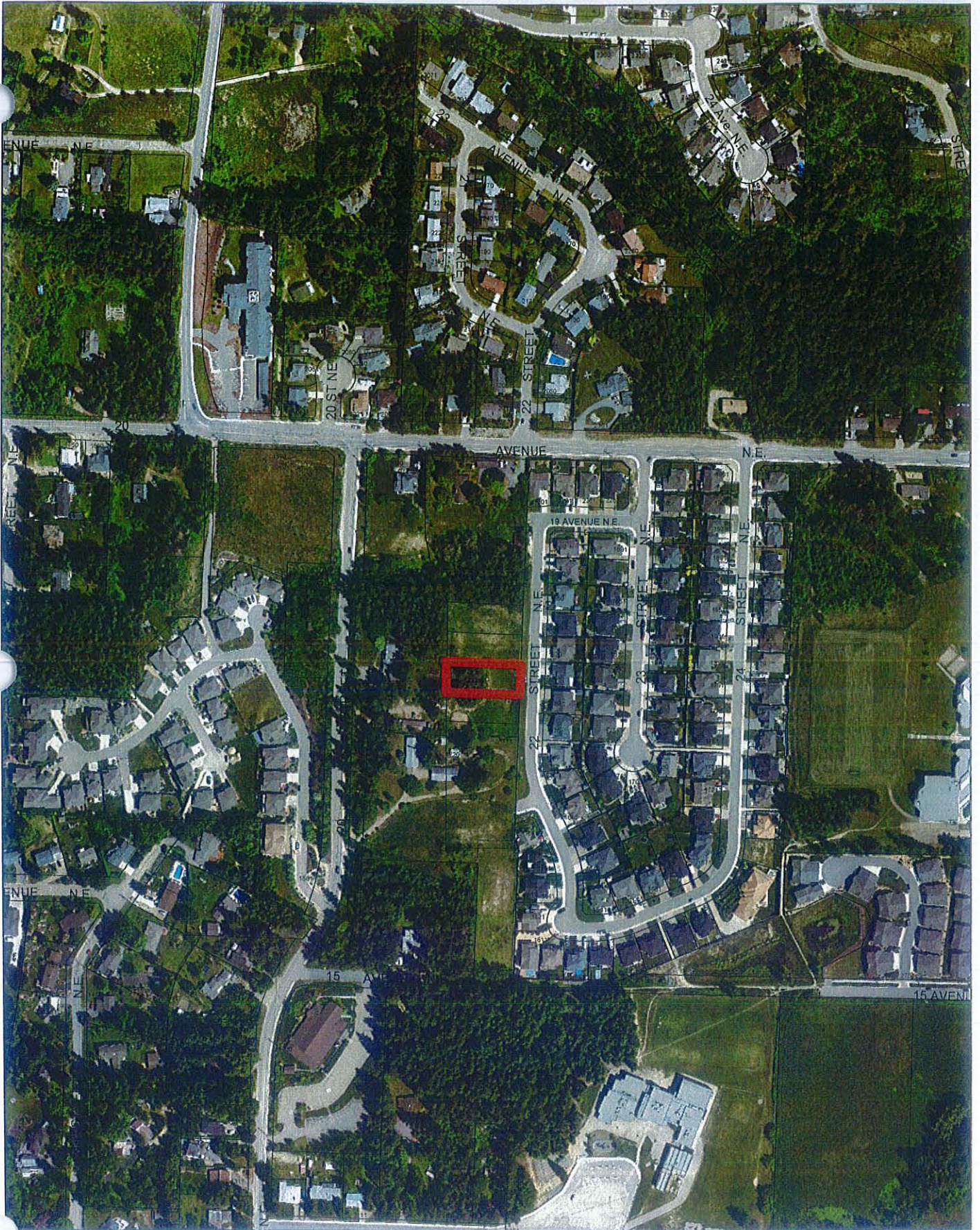


Prepared by: Chris Larson, MCP  
Planner, Development Services



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

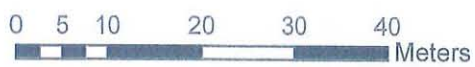




0 40 80 160 240 320 Meters

 Subject Parcel





Subject Parcel



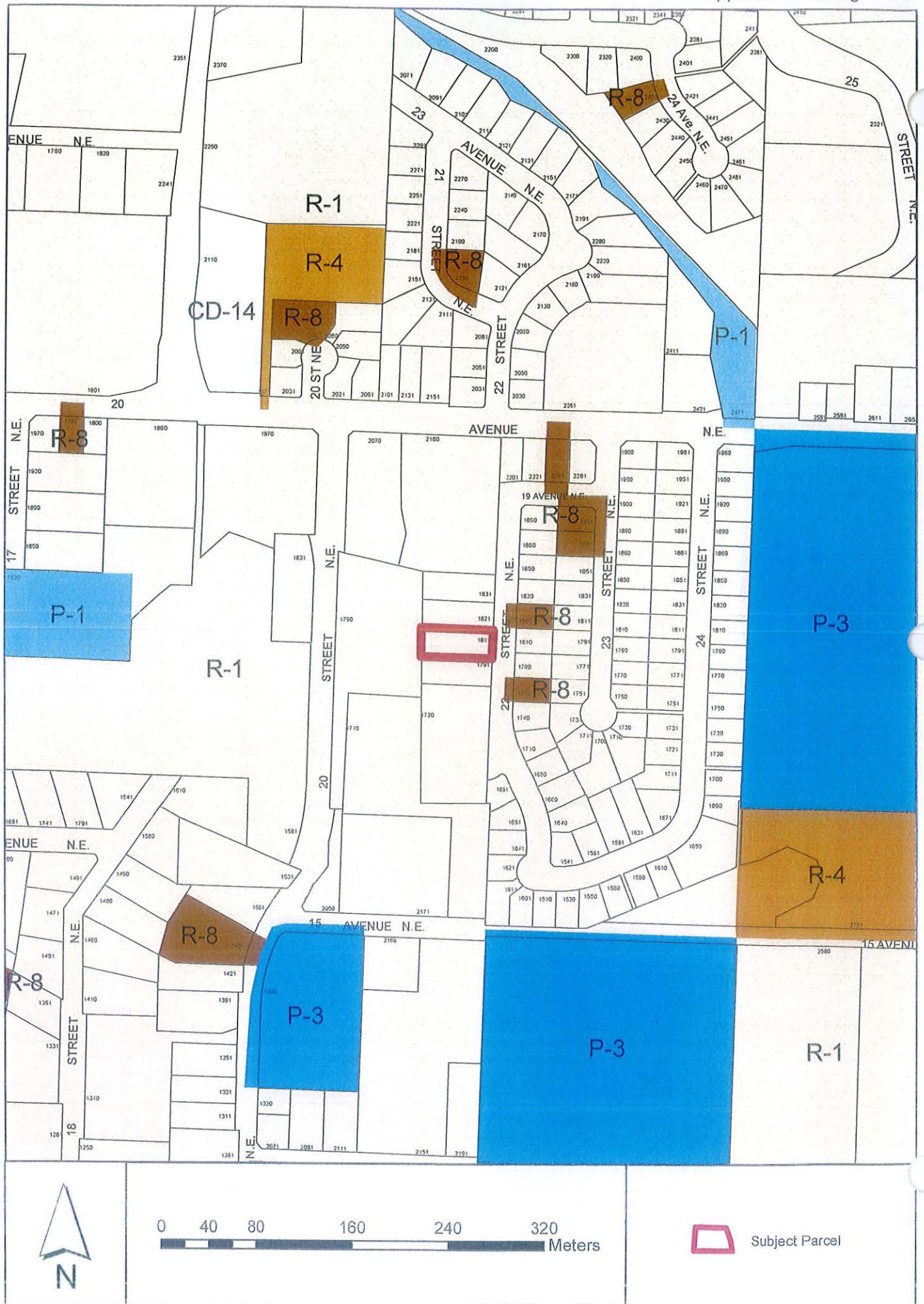


0 25 50 75 100 Meters

- High Density Residential
- Medium Density Residential
- Low Density Residential

- Park
- Institutional
- Subject Parcel







## Appendix 5: Site Photos

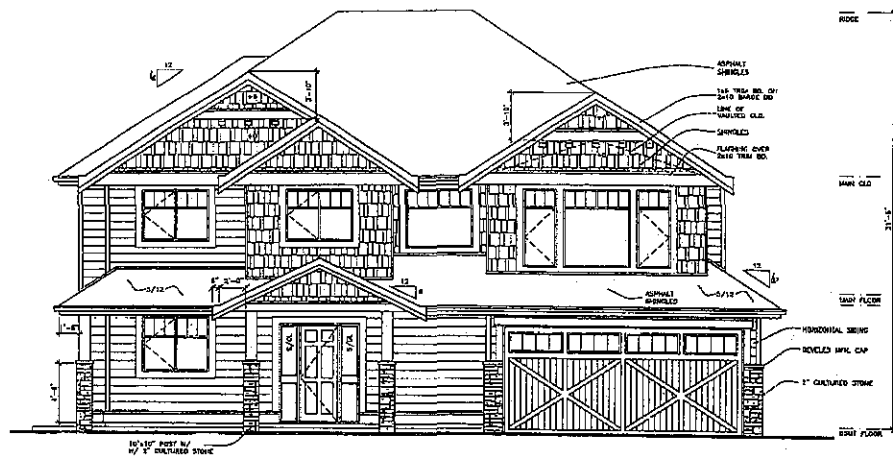


View north from 22 Street NE.

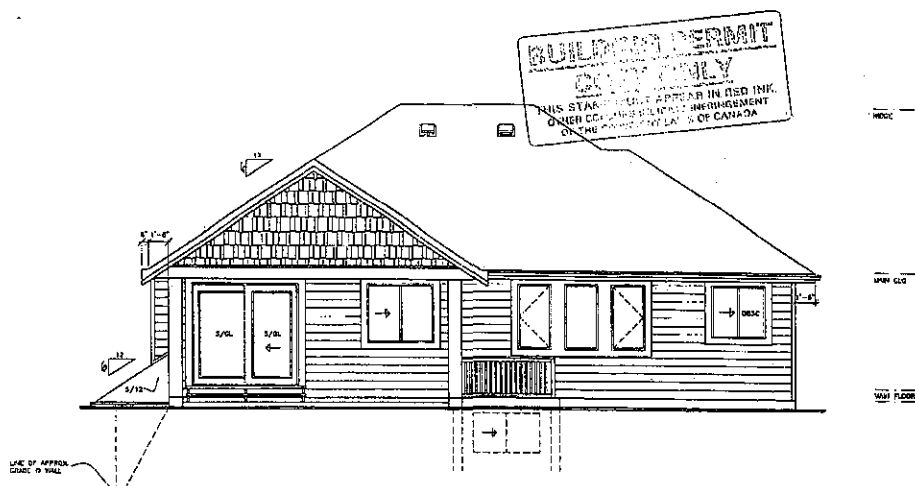


View south-west from 22 Street NE.





FRONT ELEVATION



REAR ELEVATION

Indicating Requirements of BC  
Building Code & City of Kelowna  
City of Kelowna, British Columbia



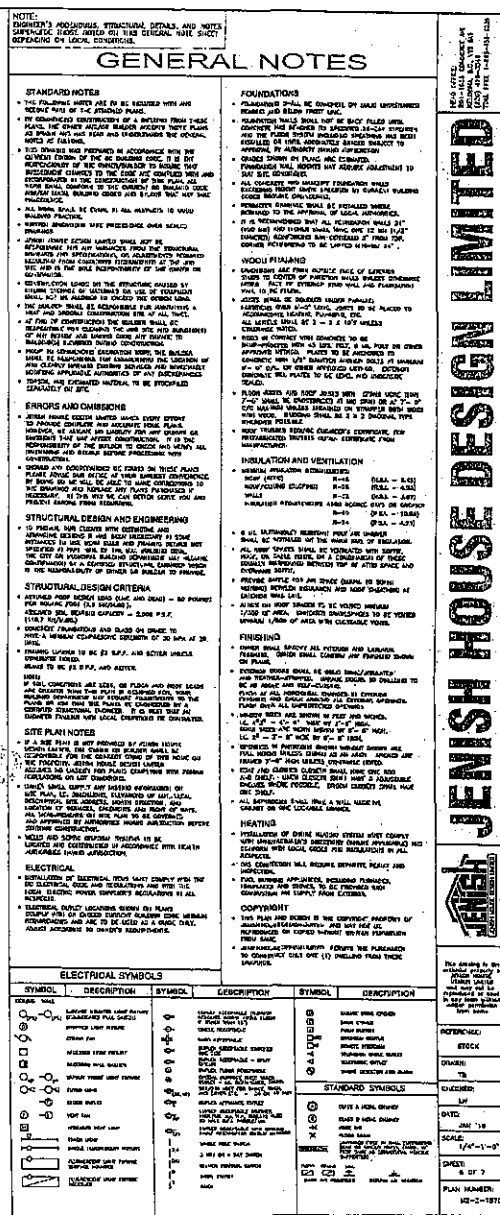
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# CITY OF SALMON ARM

TO: His Worship Mayor Harrison and Council

DATE: June 18, 2019

SUBJECT: Proposed amendment to Municipal Ticket Information Bylaw No. 2670

## RECOMMENDATION:

THAT: a bylaw be prepared for Council's consideration, adoption of which would amend Municipal Ticket Information Bylaw 2670 to provide options for the enforcement of Street Solicitation Bylaw No. 4273;

AND THAT: Schedule 1 of Bylaw 2760 be amended with the addition of:

20. Street Solicitation Bylaw No. 4273

Member of RCM Police  
Bylaw Enforcement Officer

AND THAT: Schedule 21 of Bylaw 2760 be created as follows:

### Bylaw No. 2670 Schedule 21

Bylaw	Section	Fine
Street Solicitation Bylaw No. 4273		
Solicit within 15 meters	4.1.(a) (b) (c) (d) (e) (f) (g)	\$50.00
Solicit motor vehicle occupant	4.2.(a) (b) (c)	\$50.00
Sit or lie on street	4.4	\$50.00
Public solicitation	4.5	\$50.00



BACKGROUND:

Street Solicitation Bylaw No. 4273 was adopted by City Council on the 27<sup>th</sup> of May 2019. It is recognized in the wording of the "purpose clause" of the bylaw that it is not the City's intention to use the Municipal Ticketing system as primary method of achieving compliance. The primary method of achieving compliance will be education followed by a request for compliance. If the offense continues the bylaw officer would then escalate to a verbal warning which could be followed by a written demand notification. City staff's last resort would be the issuance of a municipal ticket.

It is worth noting that the "Penalty" section of the bylaw, Clause 5.2 refers to a provision of a municipal ticketing option. The adoption of this proposal would be consistent with the wording of the bylaw and would provide the bylaw officer and the RCM Police with a valuable last resort when dealing with difficult clients.

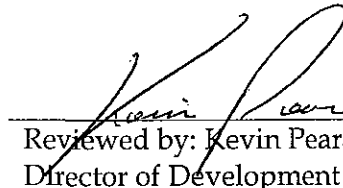
SUMMARY:

Council can have every assurance from staff that the intent of the bylaw is well understood and every effort will be made to resolve compliance issues without the use of the Municipal Ticket Information system.




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




---

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

mr:

# CITY OF SALMON ARM

TO: His Worship Mayor Harrison and Members of Council

FROM: Director of Development Services

DATE: June 24, 2019

SUBJECT: Development Services Application Fees

## STAFF RECOMMENDATION

THAT a Bylaw be prepared to amend Fee for Service Bylaw No. 2498 by adjusting and adding to the Development Services Fee Schedule in accordance with the recommended fees described in Table 1.

**TABLE 1 – Recommended Fees**

Application Type	Current Application Fees	Proposed New Application Fees
OCP Bylaw Amendment	\$800	\$1,500
Zoning Bylaw Amendment	1) Secondary Suite (lot < 0.4 Ha) \$500 2) Regular \$800	1) Secondary Suite (lot < 0.4 Ha) \$800 2) Regular \$1,200
Combined OCP/Rezoning	\$1,200	\$2,000
Development Permit	\$350	\$1,000
Development Permit with Servicing Variances	\$350 No Additional Fee for Variances	\$1,200* Applicable for Servicing Variances
Development Variance Permit	\$600	\$1,000
Temporary Use Permit (TUP)	1) \$600	1) \$1,200
TUP Renewal	2) \$600	2) \$900*
Subdivision	1) Application Fee: \$200 + \$50 lot created	1) Application Fees Minor (< 3 additional lots) \$500



## Development Services / Planning Application Fees

PLR Extension*	2) Final Approval Fees: \$50 + Engineering Inspection Fee: \$500 + \$200 / new lot created	Standard (>2 additional lots) \$1,000  2) Final Approval Fees: \$500 + Engineering Inspection Fee: \$300 / new lot created
	3) No Fee	3) \$200*
Building Strata Subdivision	1) Building Conversion \$200	1) Building Conversion \$200
	2) Phased Multi-Family: No Fee	2) Phased Multi-Family \$500
ALR Application** (City Processing Surcharge)	1) \$1,500 (\$1,200 to ALC & \$300 retained by CSA)	1) \$600* (+ \$300) Total Retained by CSA = \$900
ALR Exclusion Application (initiated by landowner with CSA as applicant)**		2) \$1,000 / lot***
Radio/Cellular Communication Referral**	Currently No Application or Fee Exists	1) Basic (Exempt) Consultation Report: \$500* 2) Non-Exempt Consultation Report: \$1,000*

\* New application fee and GL Code Required

\*\* New Application Form Required

\*\*\* Pursuant to Bill 17 - ALC Amendment Act 2019 - Re: ALR Exclusion Applications by Local Govt.  
Only - New application Form and GL Code Required

## **BACKGROUND**

Fees for applications involving official community plan (OCP) and zoning bylaw amendments, development permits, variances, temporary use permits, subdivisions, etc. ("planning applications") have remained mostly unchanged since 1998. Over that time the fees have become significantly lower than other small to mid-sized communities and compared to other nearby jurisdictions.

Ultimately a financial related bylaw, a review of planning application fees was not identified in the City's Corporate Strategic Plan (2013) as a priority project, nor has a review been formally directed by City Council. Near the end of 2014 the undersigned initiated a review, however, the project has been repeatedly sidelined due to increasing current planning work load along with various long-term planning work assigned by Council.

Like taxes, user fees and DCCs, raising application fees is not popular undertaking by a local government. There are various political reasons to keep any type of fee stagnant. One of the main ones, it could be argued, is the positive acknowledgment that comes with having the lowest fees from a number of organizations (often publicized in a report card format). What is often missing in this type of discussion is the fee for service model is meant to offset higher general taxation to pay for services. Technical rationale aside, the balance to be struck with municipal fees is a political decision.

Staff time, operational supply and demands, inflation, legislative requirements, the ratio of subsidy to cost recovery, fee comparisons with other local governments, reasonableness and ability to pay, are some of the key considerations in a fee for service review. Staff time is alluded to throughout this report. A general understanding of the work involved within a department is also important. For simplicity, the planning function of the City's Development Services Department follows two streams:

- 1) "Current planning", which is the processing of planning applications; and
- 2) "Long term planning" which entails official community plan (OCP) review, neighbourhood planning, bylaw reviews, special projects, committee work and policy development.

The majority of staff time over the past 3 years has been allocated to current planning with approximately 100 applications per year with 2/3 of those having had to go to Council for review/approval and 1/3 being subdivision applications, which are not reviewed by Council.

Application revenue accounts for a small percentage of the staff time cost attributed to current planning and is not attributable to long term planning work. The work involved in current planning is highly subsidized; in recent years, accounting for approximately 10% of the department's operating budget. Comparatively, the City's building permit fee structure finances a much higher proportion of the operating costs attributable to building inspection staff. There is typically 4 times the number of building permit applications per year compared to current planning applications.

Building permit fees were substantially increased in 2006. The fees for building permits today average \$7.50 per \$1,000 in construction value, meaning a standard new home with a construction value of \$300,000 would yield \$2,250 in fee revenue, or in the case of a new \$10 million hotel development, \$66,500 in revenue. Revenue for the planning applications involved for the same hotel netted \$1,150 for the Development Permit and Rezoning. Combined staff time involved for the building permit application is comparative to that for the related planning applications. The discrepancy between revenues is notable and varies annually, considering 2017 and 2018 as examples:

2017 Building Permit Revenue	\$524,888	No. of Applications	434
Average Application Fee = <u>\$1,200</u>			
2017 Planning Application Revenue	\$ 82,934	No. of Applications	105
Average Application Fee = <u>\$790</u>			
2018 Building Permit Revenue	\$544,900	No. of Applications	374
Average Application Fee = <u>\$1,450</u>			
2018 Planning Application Revenue	\$ 74,665	No. of Applications	93
Average Application Fee = <u>\$800</u>			

Planning application fees charged in the City are notably less than those charged in other municipalities in the region. Table 2 on the following page compares 2018 DSD fees to other jurisdictions in the southern interior area. Kelowna charges the highest fees in the southern interior while Salmon Arm has some of the lowest.



**Table 2 – Local Government Comparisons (2018)**

Application Type	Salmon Arm Pop. 19,000	Revelstoke Pop. 7,300	Lake Country Pop. 14,200	Vernon Pop. 41,700	Kelowna* Pop. 125,700	CSRD *** Pop. 20,200
OCP Bylaw Amendment	\$800	\$2,000*	\$1,930	\$1,700	\$1,855 - \$3,445	\$1,500
Zoning Bylaw Amendment	\$500 - \$800	\$2,000*	\$1,580	\$1,400	\$920 - \$3,445	\$1,500
Combined OCP / Rezoning	\$1,200	\$2,500*	\$2,500	No Combo Fee	No Combo Fee	\$2,500
Development Permit (to Council)	\$350	\$800	\$1,360	\$1,100	\$1,715 or \$945 (not to Council)	Range from \$350 (not to Council) - \$1,450
Development Permit with Variances	\$350	DVPs processed separately	\$1,600 + \$100 / additional variance	DVPs processed separately	DVPs processed separately	NA
Development Variance Permit	\$600	\$600	\$800 + \$100 / additional variance	\$1,100	\$1,510 + \$105 / additional variance	\$800 - \$1,450
Temporary Use Permit	\$600	\$2,000	\$1,100	\$1,400	\$1,795	\$1,000
Conventional Subdivision	\$200 + \$50 / lot created + \$50 Final Approval Fee + \$500 or \$200 / lot for Engineering Dept. Inspection Fees**	\$200 + \$100 / lot created or \$500 + \$100 / lot created + \$50 Final Approval Fee	\$1,150 + \$100 / lot created + \$500 + \$100 / lot created for Final Approval Fee	\$330 + \$330 / lot created or \$2,885 + if number of lots > 11	\$2,080 + \$105 / lot created + \$155 Final Approval Fee	\$300 + \$50 / lot created
PLA Extension	No Fee	?	\$200	No Fee	\$260	NA
Building Strata Conversion	\$200	\$1,000 - \$2,600	\$950 + \$100 / unit	\$500	\$1,040 + \$105 / unit	NA
ALC/ALR Application	\$1,500 (\$300 retained by CSA)	?	\$2,400 (\$1,200 retained by LC)	?	\$1,500 (\$300 retained by CK)	?

- \* Kelowna's fee schedule bylaw was adopted on an escalating annual scale - figures shown are for 2019. In addition, Kelowna charges \$510 minimum for advertising costs as an administration fee.
- \*\* CSA Eng. Dept. Inspection Fees = Min. \$500 + \$200 / lot for each additional lot beyond 2 lots.
- \*\*\* CSRD's Development Permits are not Form & Character related; MoTI is the subdivision approving authority in regional districts.

## **ANALYSIS**

In addition to the above local government comparisons, the analysis in this report considers the various roles of City staff / departments involved in each type of planning application, an account of the process involved, average staff time costs, CPI inflation, and other not so technical considerations, such as "reasonableness" with respect to planning application fees.

### **City Staff**

There can be anywhere from 4 - 8 different staff members involved in a single planning application from various departments. Each of the following personnel assumes a role at varying degrees depending on the type and complexity of an application.

#### *Planning Clerk & Administration Staff*

The Planning Clerk coordinates all files, prepares referral forms for internal and outside agencies, writes the content of bylaws and public notices for administration staff, creates various Permits for filing and registration on titles, generates mail out lists, and interacts with applicants and related public enquiries (first point of contact). Administration staff prepares the formal bylaws, stator notifications and assembles the planning reports for the Development and Planning Services Committee and Council agendas.

#### *Planners*

Three City Planners are the primary personnel assigned to a planning application. The Planners interact with the applicant early on in the process through face to face meetings and with on-going communication throughout the process. Preparing staff reports and background materials is the most time consuming activity. For certain files, Planners and Engineering staff have been known to spend up to 10 hours meeting with developers, applicants and land owners over the course of a single application. As mentioned, current planning has dominated the Development Services time budget.

#### *Engineering Assistant & City Engineer & Public Works*

The City's two Engineering Assistants offer a critical role in the entire review process and generate detailed reports for most planning applications in the context of the Subdivision and Development Servicing Bylaw and Best Engineering Practices. The City Engineer adds a higher level review to these reports and offers recommendations. The reports typically consist of multi-page memorandums outlining the servicing requirements, mostly for Subdivision, Development Permit, and Rezoning applications. (Council reviews the latter two reports when they make it to a public agenda).

Engineering staff allocate considerable time working with owner/developers on Building Permit and Subdivision files, administering servicing agreements, collecting fees and bonds, reviewing / approving engineered drawings and submissions, and advising the Director of Development Services/Approving Officer with prudent recommendations.

It should be noted that approximately 24% (or \$160,000 in 2019) of the Development Services Department's annual operating budget is itemized and earmarked for Engineering Staff's wages / benefits. For subdivision applications, a substantial component of that fee's structure is collected on a per lot calculation for Engineering Inspections at the final approval stage



*Fire & Building Officials*

The Fire Chief and Manager of Permits & Licensing respond to application referrals usually with simple comments related to BC Building and Fire Code considerations.

*Director of Development Services/Approving Officer*

The Director / AO is involved all applications and periodically provides reports to Council for complicated applications that need to be fast tracked. Completed staff reports to Council and formal subdivision letters (Preliminary Layout Review) furnished by the Planners are reviewed and approved by this position. Reports are presented at Committee and Council meetings by the Director.

Staff Time Analysis

The amount of specific time involved by all of the above varies widely depending on the type of application. Based on the salaries of those staff members involved, a combined average of \$55 / hour is used in the application cost analysis.

Core Application Process/Cost Analysis*Zoning & Official Community Plan (OCP) Amendment Applications*

The fee for a rezoning application in Salmon Arm is typically \$800, of which approximately \$500 is needed for statutory public notification (i.e. two consecutive ads in the local newspaper). The remaining \$400 does not cover the staff time involved in an application. Rezoning applications for secondary suites (R-8) or text amendments have a fee of \$500 and these applications also require statutory notification. Processing R-8 applications, the most common and frequent, has become streamlined and routine over recent years with relatively quick and predictable timelines.

The OCP amendment application fee on its own is presently \$800 while a combined OCP / Rezoning application is \$1,200. OCP applications are, procedurally, longer drawn out and involve more planning and administration time compared to than rezoning applications because of statutory requirements for consultation prior to second reading.

Process:            Create file / application referral and consultation  
                          Technical staff meeting  
                          Meetings with applicant (including pre-application meeting)  
                          Mapping and background preparation  
                          Staff reports prepared (Planning and Engineering)  
                          Bylaw preparation  
                          Planning Committee meeting  
                          Statutory notification (newspaper and mail out)  
                          2 - 4 Council meetings, including Statutory Public Hearing  
                          Consultation requirements prior to Second Reading of Bylaw (for OCP Bylaws)

Timeline:                            2 - 6 Months (timeline can be longer if for example Provincial agencies need to approve bylaws)

Key Departments (Staff):        Development Services, Engineering, Administration

Average Combined Staff Time: 10 - 24 Hours

Average Cost of Staff Time:    \$935

Public Notification Cost:        >\$500

*Development Permit (DP) Applications*

The fee for a DP application is currently \$350. Since that fee was set in the late 1990s, applications have become more complex with higher expectations for submissions in relation to DP design guidelines, the areas of DP have expanded to include Highway Commercial and Industrial lands, and the Design Review Panel's mandate to review all DPs. All of this has increased the review timeline and administrative work involved. For the same fee, one may also apply for variances to City bylaws with a DP application; in other words, a DVP application, which on its own has a fee of \$600, has frequently been wrapped in the DP application for only \$350.

Variance requests, in particular those involving the waiving or reduction in servicing requirements, involve additional time and analysis by staff. The additional fee recommended in Table 1 for a DP requesting servicing variance(s) is deemed by staff to be reasonable.

Process:	Create file / application referral Technical staff meeting Meetings with applicant (including pre-application meeting) Mapping and background preparation Design Review Panel meeting Staff report prepared (Planning and Engineering) Statutory notification (mail out only) Planning Committee meeting Council meeting/Hearing If approved, Notice of Permit registered on Title
Timeline:	2 - 3 Months
Key Departments (Staff):	Development Services, Engineering, Fire, Administration
Average Combined Staff Time:	12 - 16 Hours
Average Cost of Staff Time :	\$770
Public Notification Cost:	< \$100

*Development Variance Permit (DVP) Applications*

The fee for a DVP application is currently \$600. The process is similar to a DP except for there is no external review of applications by a committee or panel. At its simplest, these applications can involve a building height and/or setback variances. At the other extreme, one can apply to vary, waive or reduce tens of thousands of dollars in off-site servicing requirements, and these applications usually involve complicated cost analysis that sometimes fall on to staff to prepare. With the low application fee it makes simple business sense to apply to have as many servicing requirements waived as possible. There is no limit on the number of variances that can be applied for with a single application.

Process:	Create file / application referral Technical staff meeting Meetings with applicant (including pre-application meeting) Mapping and background preparation Staff reports prepared (Planning and Engineering) Statutory notification (mail out only) Planning Committee meeting Council meeting / Hearing If approved, Notice of Permit registered on Title
Timeline:	2 - 3 months



Key Departments (Staff): Development Services, Engineering, Fire, Administration  
 Range of Combined Staff Time: 10 - 18 hours

Average Cost of Staff Time: \$770

Public Notification Cost: < \$100

#### *Temporary Use Permit (TUP) Applications*

The fee for a TUP application is currently \$600. The process is somewhat similar to a VP and DP application in terms of council's involvement and number of meetings. The main differences are with a TUP, there is typically a customization of land uses, and terms / conditions involved for site-specific circumstances, which is a time consuming component. There is also a statutory requirement to advertise public notification in one edition of the newspaper, which raises that portion of the costs to over \$300. When a TUP expires, in most cases after a 3 year maximum limit, some applicants apply for a renewal which essentially results in a new application process. In these instances if the land use is proposed to stay the same and terms and conditions do not change there is less staff time involved.

Process: Create file / application referral  
 Technical staff meeting  
 Meetings with applicant (including pre-application meeting)  
 Staff reports prepared (Planning and Engineering)  
 Statutory Notification (Newspaper and Mail out)  
 Planning Committee meeting  
 Council meeting (1), including Statutory Public Hearing  
 If approved, Notice of Permit on Title

Timeline: 2 - 4 Months

Key Departments (Staff): Development Services, Engineering, Building/Fire, Administration

Range of Combined Staff Time: 8 - 18 Hours

Average Cost of Staff Time: \$700

Public Notification Cost: Typically <\$300

#### *Subdivision Applications*

Subdivision applications can be relatively simple to very technically complex. The process is independent from Council's review/approval and sometimes more than five different Provincial enactments need to be considered along with the same number of municipal bylaws. Ironically, the applications proposing fewer than 3 additional lots (i.e. those that qualify for the Infill Exemption) can be the most complicated for inexperienced applicants to navigate through to the end.

The infill applications require the highest amount of staff time relative to the number of lots created. There are a number of reasons for that. There are also various stages of the process including pre-application meetings and feasibility analysis (usually conducted by City staff) to determine if there is a reasonable possibility for preliminary layout approval. Staff time for pre-meetings is not accounted for in the existing or proposed fee, although it is noted that an increasing number of municipalities are charging a fee for pre-meetings.

The first stage of the subdivision process involves drafting a letter of "Preliminary Layout Review" (PLR). The benefit of the owner/applicant having their PLR is fairly significant in that they can legally market the lot as being "subdividable" and possibly add some value to the land prior to creating new parcels.

After the PLR is issued, approximately 1/2 of subdivision applications make their way to the final approval stage. It is at that stage where engineering/construction drawings, geotechnical and other reports are submitted reviewed; legal survey plans and documents are submitted; final fees and development cost charges are paid; and the AO signs the plans if all terms and conditions are completed. This stage can involve significant outlays of monies by applicants and dedicated time by staff must be available to administer the process. Each component of the subdivision application fee structure noted in Table 1 should be raised to more accurately reflect the staff time involved on each. There is also a \$200 fee recommended for a PLR extension.

Process: Create file / referral  
 Technical staff meeting / detailed examination and analysis  
 Meetings with applicant and stakeholders  
 PLR prepared (Planning and Engineering)  
 Review of final approval  
 Plan and legal documentation review  
 Engineering inspections  
 Collections of DCCs and fees  
 Final approval  
 Administrative follow-up / closing file

Timeline: Minimum 2 months for PLR to be issued

Key Departments (Staff): Approving Officer, Development Services, Engineering, Building/Fire

Range of Combined Staff Time: 12 - 35 Hours

Average Cost of Staff Time: \$1,300

#### *Agricultural Land Commission (ALC)*

Most ALR applications are referred to the City from the Provincial ALC. They include: Subdivision in the ALR, Non-Farm Use and Non-Adhering Residential Use applications. These applications are filed electronically to the ALC and the process is designed such that the local government serves as the fee collection agent. City Planners are often asked to provide advice and opinions to potential applicants on the likelihood of success of an application in relation to OCP policies and zoning. This pre-screening of ALR applications has become more complicated and uncertain with on-going changes to ALC Regs., which can be interpreted differently by ALC staff.

Approximately four years ago, ALR application fees were raised by the Province from \$600 to \$1,500. With the latest fee arrangement, the local government is allowed to retain \$300 and then forwards the remaining \$1,200 to the ALC if the council or regional board approves the application to be forwarded to the Commission where a decision is made. If the local government denies forwarding the application to the ALC, the applicant receives a \$1,200 refund. Planning and Finance staff administers the collection and distribution of fees.

Administration of the City's Agricultural Advisory Committee is another example of an ALR application task that is simply not covered by the \$300 local government portion of the fee. Some municipalities such as Lake Country and Kelowna (see Table 2) charge additionally to the \$300 to better reflect the work involved by local government staff in an ALR application.

Process: Create File / Application referral  
 Mapping and background preparation  
 Technical staff meeting  
 Meetings with applicant and stakeholders  
 AAC Meeting  
 Minutes and staff reports prepared (Planning)



Planning Committee meeting  
Council meeting (1)  
Follow-Up to ALC

Timeline: 2 - 3 months

Key Departments (Staff): Development Services, Administration, Finance

Average Combined Staff Time: 12 - 20 hours

Average Cost of Staff Time: \$880

#### *ALR Exclusion*

New ALC regulations pursuant to Bill 17 suggest that land owners will no longer have an ability to apply to exclude land from the ALR. Local governments will have the ability to make such applications. The details of the new regulation or how local governments will be involved are unknown (the regulation in questions has not received Royal Assent). If the new regulation come into force, the City should have an application fee in place should landowners petition the City to apply to the ALC on their behalf. The recommended fee of \$1,000 per lot would be consistent with the staff time involved in recent ALR exclusion applications.

#### Other Applications

Lastly is a description of two other types of applications, one of which has an established form, fee and process, while the other is absent of an application and fee.

#### *Cannabis Retail Store (CRS)*

CRS applications were established in the City in late 2018 and have a \$1,000 non-refundable fee. Similar to an ALR application, a CRS application starts by a referral from the Province's Liquor Cannabis Regulation Branch (the LCRB fee for the same retail store application is approximately \$9,000). The CRS fee was implemented in 2018 and it fairly represents the City staff time involved in an application (approximately \$500 - \$700) with the remainder intended to cover a single advertisement in the newspaper and a mail out.

#### *Communication Antenna System Location*

In 2014 the City adopted *Policy No. 3.18 - Communication Antenna System Location & Consultation*, which placed the City in a more paramount role and placed an additional demand on staff in dealing with cellular antenna proposals and process. No fee for service or related application has accompanied the policy. These types of antenna structures and equipment fall under Federal jurisdiction, however the legislation bolstered by the City's Policy No. 3.18 brings City staff and Council into the decision making process to some degree.

Essentially, planning staff is tasked to prepare a report to Council with a recommendation for concurrence or non-concurrence based on the federal notification requirements and City policy. The involvement by a Planner and the Director of Development Services, in terms of staff time, can be in the range of 10 - 15 hours, combined. The recommended application fees of \$500 (exempt from consultation) or \$1,000 (not exempt from consultation) in Table 1 for a Consultation Report to Council are consistent with the staff time involved for each scenario.

## OTHER CONSIDERATIONS

### *Legislation*

Section 194 of the *Community Charter* provides authority to Council to impose fees for services, including applications. The Charter along with best accounting practices requires the rationale for fee levels to be justifiable and transparent. Being a Charter bylaw, the procedure for adoption involves three readings by Council potentially at a single meeting and fourth reading/adoption at a subsequent meeting with no requirement for a statutory public hearing. This process is followed for most fee for service bylaw adjustments and annual fee increases (e.g. water, sewer, cemetery).

### *Bylaw Review Process*

Although a public hearing is not required, staff will make this report known on the City's website and social media, send the report to SCIP and the EDS, and notify the public via newspaper advertisement of a date when a Hearing will be held followed by consideration of third reading.

### *Consumer Price Index*

According to the Bank of Canada, the CPI increase over the past 20 years amounts to 46% (<https://www.bankofcanada.ca/rates/related/inflation-calculator>). If each planning application fee was to increase by 50% then the rates in Salmon Arm would be more in line with nearby communities.

### *Full Cost Recovery*

Some of the larger municipalities in the province (Vancouver, Burnaby, Surrey, Coquitlam for example) seek high fee for service cost recoveries for current planning work; some charging in the range of \$10,000 to > \$20,000 for a single rezoning application depending on the scale of the development. The high application fees in those places are somewhat proportionate to the larger scale development projects in the Lower Mainland and the number of municipal staff professionals involved, but there is also more of an acceptance to a 'user pay' philosophy by those councils. The average citizen who wants to rezone a property is caught up in that high fee territory; while for the large developer it is another cost of doing business that is absorbed or passed on to the final consumer.

A full cost recovery fee level would simply not be acceptable in Salmon Arm, but it is interesting how population size, development pace and project scale can influence fee levels. Without the same intensity of development demand and staffing involved in smaller jurisdictions, local governments may be more in tune with a citizen's ability to pay along with a greater recognition that applications facilitating growth and development have positive spin-offs on the local tax base. In other words, there is a case to be made for the subsidization of current planning service.

## CONCLUSION

This report has analyzed key components of the Development Services Department's application fees in comparison to other communities, rising inflation, staff time costs, and the professional services provided for each application. Although the increases are large based on a percentage calculation, staff believes the new fees are fair, reasonable and consistent with other similar sized communities.

  
 Kevin Pearson, MCIP, RPP  
 Director of Development Services

cc Chief Financial Officer



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