



City of Salmon Arm Development and Planning Services Committee

Tuesday, February 20, 2024, 8:00 a.m.

Council Chambers of City Hall

500 – 2 Avenue NE, Salmon Arm, BC

Pages

1. CALL TO ORDER

2. ACKNOWLEDGEMENT OF TRADITIONAL TERRITORY

We acknowledge that we are gathering here on the traditional territory of the Secwepemc people, with whom we share these lands and where we live and work together.

3. ADOPTION OF AGENDA

Motion for Consideration

THAT: the Agenda be adopted as presented.

4. APPROVAL OF MINUTES

4.1 Development and Planning Services Committee Meeting Minutes of February 5, 2024

3 - 6

Motion for Consideration

THAT: the Development and Planning Services Committee Meeting Minutes of February 5, 2024 be approved.

5. DISCLOSURE OF INTEREST

6. REPORTS

6.1 Development Variance Permit Application No. VP-595

7 - 18

1621 13 Street SE

Owner/Applicant: B. & J. Wilkins

Setback requirements

Motion for Consideration

THAT: the Development and Planning Services Committee recommends to Council that Development Variance Permit No. VP-595 be authorized for issuance for Lot 4, Section 12, Township 20, Range 10, W6M, KDYD, Plan 29299 to vary the provisions of Zoning Bylaw No. 2303 as follows:

Section 6.10.2 - R-1 Single Family Residential Zone - reduce the minimum setback to a rear parcel line from 6.0m (19.7 ft) to 3.3m (10.9 ft) to allow for the siting of a balcony subject to receipt of Building Location Certificate provided by a BC Land Surveyor.

7. FOR INFORMATION

7.1 Manager of Planning & Building BC Housing Statutes Amendment

for small scale multi-unit housing

- 8. IN-CAMERA
- 9. ADJOURNMENT

DEVELOPMENT AND PLANNING SERVICES

Minutes of a Meeting of the Development and Planning Services Committee of the City of Salmon Arm

February 5, 2024, 8:00 a.m. Council Chambers of City Hall 500 – 2 Avenue NE, Salmon Arm, BC

COUNCIL PRESENT: Mayor A. Harrison

Councillor K. Flynn Councillor T. Lavery

Councillor L. Wallace Richmond

Councillor S. Lindgren Councillor D. Gonella

ABSENT: Councillor D. Cannon

STAFF PRESENT: Chief Administrative Officer E. Jackson

Director of Engineering & Public Works R. Niewenhuizen Director of Planning and Community Services G. Buxton

Executive Assistant B. Puddifant

Manager of Planning & Building, M. Smyrl

1. CALL TO ORDER

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

2. ACKNOWLEDGEMENT OF TRADITIONAL TERRITORY

We acknowledge that we are gathering here on the traditional territory of the Secwepemc people, with whom we share these lands and where we live and work together.

3. ADOPTION OF AGENDA

Moved by: Councillor Gonella

Seconded by: Councillor Wallace Richmond

THAT: the Agenda be adopted as presented.

Carried Unanimously

4. APPROVAL OF MINUTES

Moved by: Councillor Flynn

Seconded by: Councillor Lindgren

THAT: the Minutes of the Development and Planning Services Committee of January 15,

2024 be approved.

5. DISCLOSURE OF INTEREST

6. REPORTS

6.1 Zoning Amendment Application No. ZON-1249

70 and 210 11 Street SE, 1270 Okanagan Avenue SE

Owner: 604895 BC Ltd.

Applicant: Franklin Engineering

R-1 and R-4 to R-5

S. Mitchell and J. Franklin, Franklin Engineering Ltd., agent for the applicant, outlined the application and were available to answer questions from the Committee.

Moved by: Councillor Flynn

Seconded by: Councillor Wallace Richmond

THAT: the Development and Planning Services Committee recommends to Council that a bylaw be prepared for Council's consideration, adoption of which would amend Zoning Bylaw No. 2303 by rezoning a portion of Lot 1, Section 13, Township 20, Range 10, W6M, KDYD, Plan KAP54150 (70 11 Street SE), That Part of Lot 1, Shown on Plan B4487, Section 13, Township 20, Range 10, W6M, KDYD, Plan 1521 (210 11 Street SE), and Lot 1, Section 13, Township 20, Range 10, W6M, KDYD, Plan 8691 (1270 Okanagan Avenue SE) from R-1 (Single Family Residential Zone) and R-4 (Medium Family Residential Zone) to R-5 (High Density Residential Zone) subject to:

- 1. Consolidation of Lot 1, Section 13, Township 20, Range 10, W6M, KDYD, Plan KAP54150, That Part of Lot 1 Shown on Plan B4487, Section 13, Township 20, Range 10, W6M, KDYD, Plan 1521 and Lot 1, Section 13, Township 20, Range 10, W6M, KDYD, Plan 8691 into a single lot; and
- 2. Registration of Section 219 *Land Title Act* Covenants addressing the following:
 - i. Approximately 1,733 m² of land for a City Road Reserve or Road Dedication over the portion of Lot 1 shown on Plan B4487 consistent with the 3 Avenue SE Advanced Street Plan prepared by Lawson Engineering attached as Appendix 11 to the Staff Report dated January 25, 2024;
 - ii. No Development Permit approval until a Traffic Impact Analysis (TIA) is provided to the satisfaction of the City Engineer with acknowledgement that the owner/applicant is responsible for any and all off-site improvements recommended by the TIA;
 - iii. No Development Permit approval until a suitable area and location of land is secured by the City either by dedication or Statutory Right of Way for a Greenway/Trail linkage from Trail Plan KAP53467 to 11 Street SE; and

iv. No Development approval for that area north of the riparian area until a suitable location for a Community Storm Detention Facility has been determined and secured.

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

Carried Unanimously

6.2 Development Permit Application No. DP-452

1260 10 Avenue SW

Owner/Applicant: West Urban Developments Ltd.

Form and Character

F. Limshue, West Urban Developments Ltd., the applicant, outlined the application and was available to answer questions from the Committee.

Moved by: Councillor Lindgren **Seconded by:** Councillor Gonella

THAT: the Development and Planning Services Committee recommends to Council that Development Permit No. DP-452 be authorized for issuance for Lot A, Section 10, Township 20, Range 10, W6M, KDYD, Plan EPP115034 in accordance with the Development Permit drawings attached as Appendix 1 to the Staff Report dated January 25, 2024

Carried Unanimously

6.3 Development Variance Permit Application No. VP-593

3941 20 Street NE and 3921 20 Street NE Owner/Applicant: D. Paton and M. Kuster Servicing requirements

M. Kuster, the applicant, outlined the application and was available to answer questions from the Committee. J. Franklin, Franklin Engineering, spoke regarding the associated costs and was available to answer questions from the Committee.

Councillor Lindgren left the meeting at 9:14 a.m. and returned at 9:20 a.m.

Moved by: Councillor Wallace Richmond

Seconded by: Councillor Gonella

THAT: the Development and Planning Services Committee recommends to Council that Development Variance Permit No. VP-593 be authorized for issuance to vary the Subdivision and Development Servicing Bylaw No. 4293, for frontage of Lot 1, Section 25, Township 20, Range 10, W6M, KDYD, Plan EPP133608, and Lot 2, Section 25, Township 20, Range 10, W6M, KDYD, Plan KAP60845 Except Plan EPP133608 waiving the requirement to install BC Hydro and Telecommunications services underground.

7. FOR INFORMATION

7.1 Agricultural Land Commission

Reason for Decision ALC Application No. 66589 491 60 Street NW

Received for information.

- 8. IN-CAMERA
- 9. ADJOURNMENT

There being no further business on the agenda, the meeting adjourned at 9:42 a.m.

MAYOR, A. HARRISON



To: His Worship Mayor Harrison and Members of Council

Date: February 12, 2024

Subject: Development Variance Permit Application No. VP-595

Legal: Lot 4, Section 12, Township 20, Range 10, W6M, KDYD, Plan 29299

Civic: 1621 – 13 Street SE

Owner/Applicant: Wilkins, B & J

MOTION FOR CONSIDERATION

THAT: Development Variance Permit No. VP-595 be authorized for issuance for Lot 4, Section 12, Township 20, Range 10, W6M, KDYD, Plan 29299 (1621 13 Street SE) to vary the

provisions of Zoning Bylaw No. 2303 as follows:

Section 6.10.2 – R-1 Single Family Residential Zone – reduce the minimum setback to a rear parcel line <u>from</u> 6.0 m (19.7 ft) to 3.3 m (10.9 ft) to allow for the siting of a balcony subject to receipt of a Building Location Certificate provided by a BC Land Surveyor.

STAFF RECOMMENDATION

THAT: The motion for consideration be adopted.

PROPOSAL

The proposed variance has been requested to support a proposed balcony.

BACKGROUND

The subject parcel is located within the Hillcrest residential area at 1621 13 Street SE (Appendix 1 & 2) and is approximately 850 square metres in area. The semi-rectangular parcel contains a single family dwelling and accessory structures. The subject parcel is designated Low Density Residential in the City's Official Community Plan (OCP) and zoned R-1 (Single Family Residential) in the Zoning Bylaw (Appendix 3 & 4).

The existing single family dwelling is sited close to the required rear parcel line setback, as the rectangular parcel is not particularly deep. The rear door of the house is accessed via a stairway with landing which is exempt from the setback regulations as per Zoning Bylaw Section 4.3.2. While a 17 square foot deck is permitted within the rear setback area, the proposed deck is approximately 8 feet by 18 feet plus stairs, or 192 square feet in area (Appendix 5).

The rear yard of the subject property has seen recent change with the subdivision of adjacent land to the west and the initial stages of development along the greenway corridor directly adjacent the rear yard of this parcel. Several of the parcels along this previously unused right-of-way had been utilizing this public space up until recent development activity. Greenway development is expected in 2024.

The proposed variance has been requested to support construction through the Building Permit process. The deck has not been constructed. Site photos (from November 2023) are attached as Appendix 6.

COMMENTS

Building Department

General concern noted for structures in setback area. Confirmation of siting to be confirmed by a site plan prepared by a BCLS.

Fire Department

No concerns.

Public Consultation

Pursuant to the *Local Government Act* and City of Salmon Arm Development Variance Permit Procedures Bylaw notices are mailed to land owners within a 30m radius of the application. The notices outline the proposal and advises those with an interest in the proposal to provide written submission prior to the Hearing and information regarding attending the Hearing. It is expected that the Hearing for this application will be held on February 26, 2024.

Planning Department

Staff are generally unsupportive of requests for rear-yard setback reductions as these can directly impact adjacent parcels and reduce the amount of impervious area in what is typically a green space. However, this proposal involves a unique parcel within an established residential area, screened by mature vegetation, adjacent to a greenway corridor. The parcel is relatively narrow, with the dwelling centrally positioned. Staff note that an older smaller deck structure has been at this approximate location for some time without any significant concern. While the proposed balcony is significantly larger than the existing deck structure, it is not a significantly large structure and it is positioned in the relative middle of the parcel, separated from the adjacent neighbouring parcels. With BC Building Code requirements met, it is the opinion of staff that the requested variance will not unreasonably or significantly impact existing development in the area.

CONCLUSION

Considering the shape and development context of the parcel adjacent to the greenway corridor, staff have limited concerns with the requested variance. As with the majority of similar variance applications, while staff can provide technical comments, the perspective of potentially affected neighbours can be a factor. The applicant has been encouraged to consult with the immediate neighbours.

Staff note that the variance is only applicable to the siting of the balcony under consideration as shown in the attached plans (Appendix 5) and does not permit any new, additional, or future use other than what is permitted in the Zoning Bylaw under the current zone regulations.

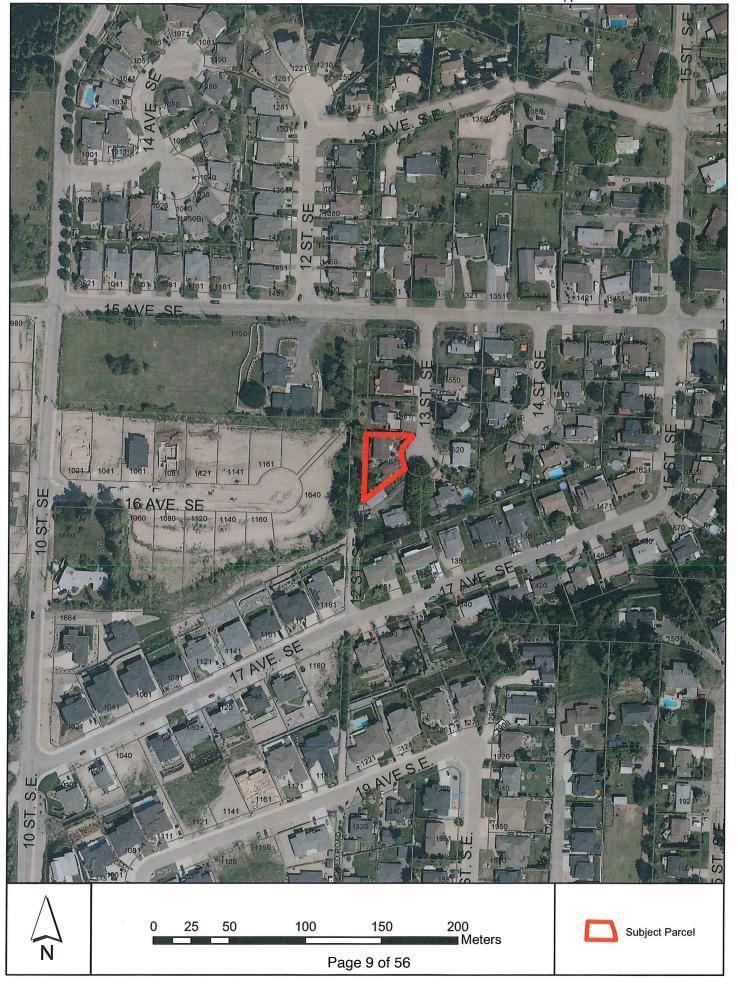
Prepared by: Chris Larson, MCIP, RPP

Senior Planner

Reviewed by: Gary Buxon MCIP, RPP Director of Planning & Community Services

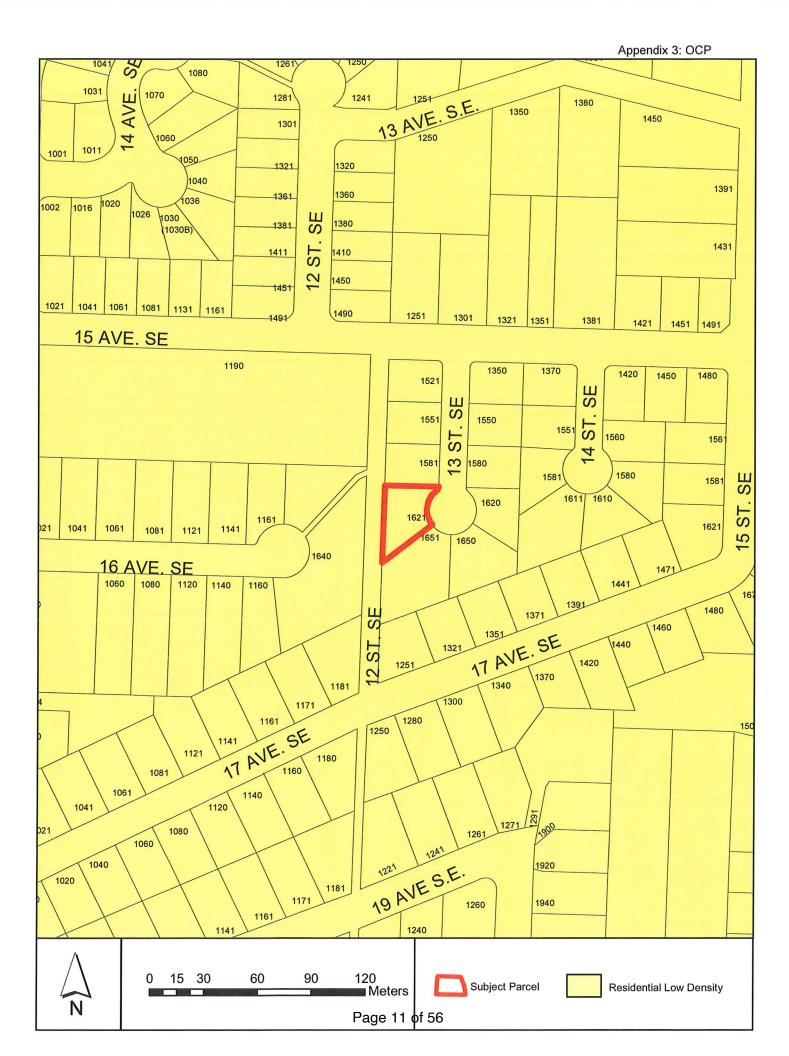
Reviewed by: Melinda Smyrl, MCIP, RPP Manager of Planning & Building

Appendix 1: Aerial View



Appendix 2: Parcel View





Variance Request for 1621 13th st SE Salmon Arm

My current stairwell/deck to my sliding back door is in need of repair. We would like to extend the 4 foot wide stairway and deck to an 8 foot width and to do so we would request a 2.5 meter variance to the rear of our property.

For the past 25 years we have had a forest for our view but now with development we would like to take advantage of the new view of the fly hills.

We still would have a 3.5 Meter set back which would still be inside our lower deck.

We also have a closed road (10 meters) between ourselves and the new development and a few deciduous trees so we feel we wouldn't be disturbing anyone.

Thank you for considering this proposal.

Yours truly

Bob and Jan Wilkins



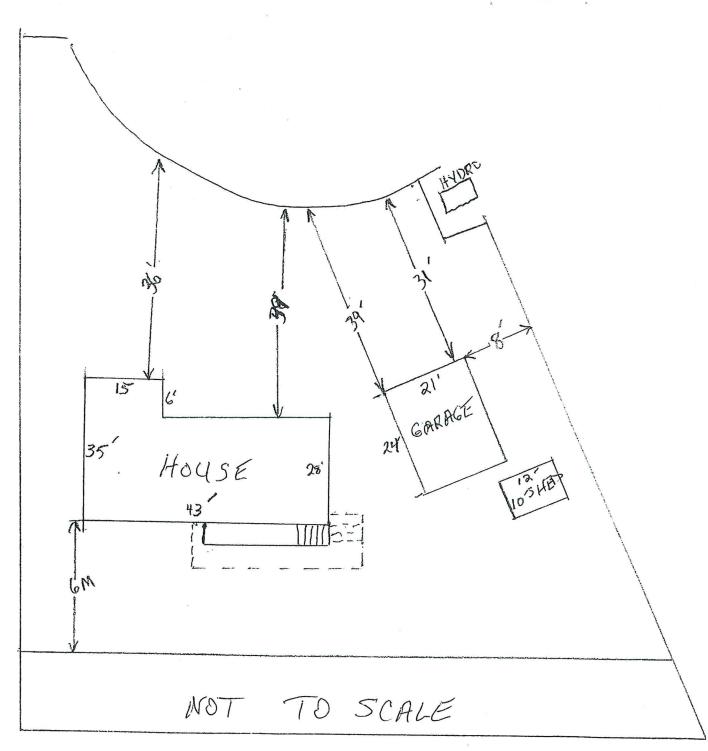
Appendix 5 Reoposal ED

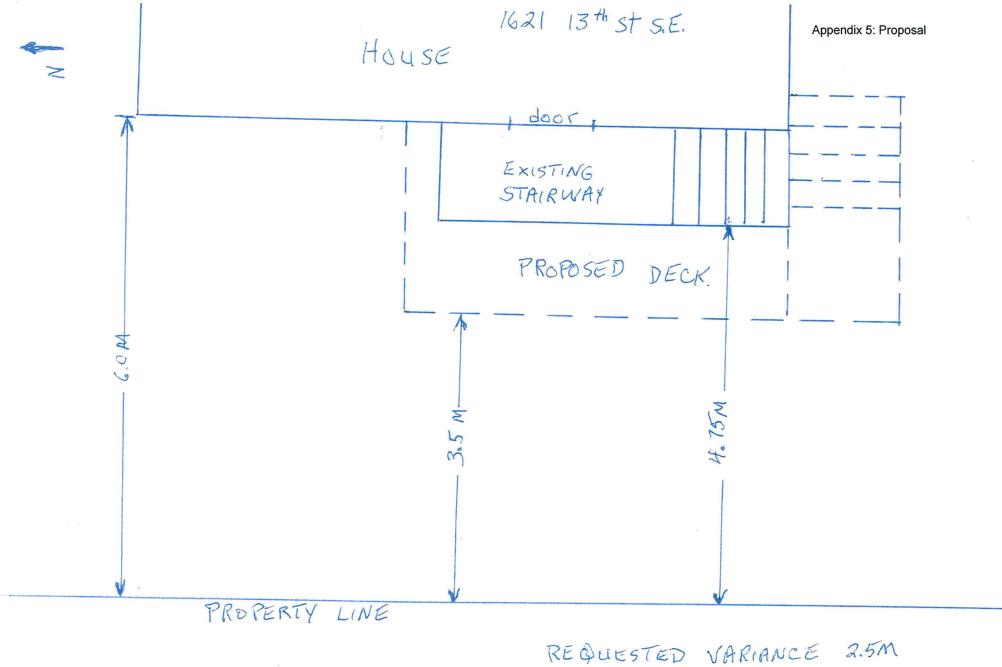
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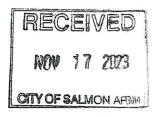
1621 13 th ST. S.E.

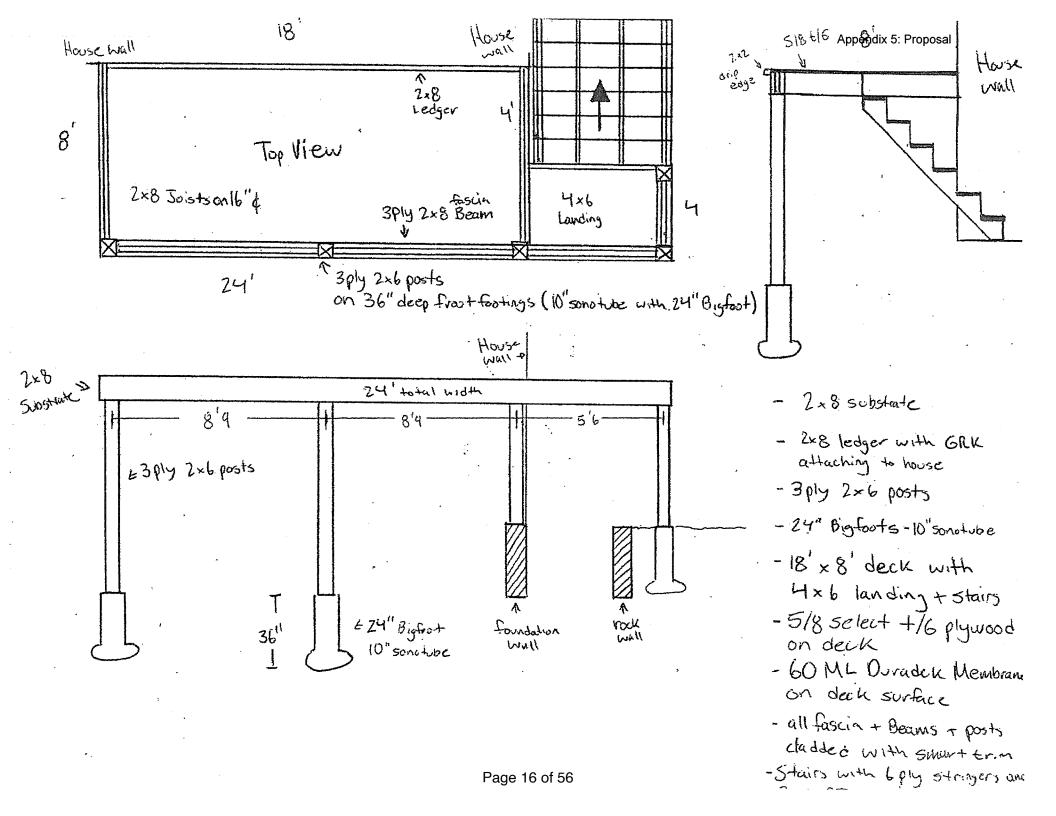


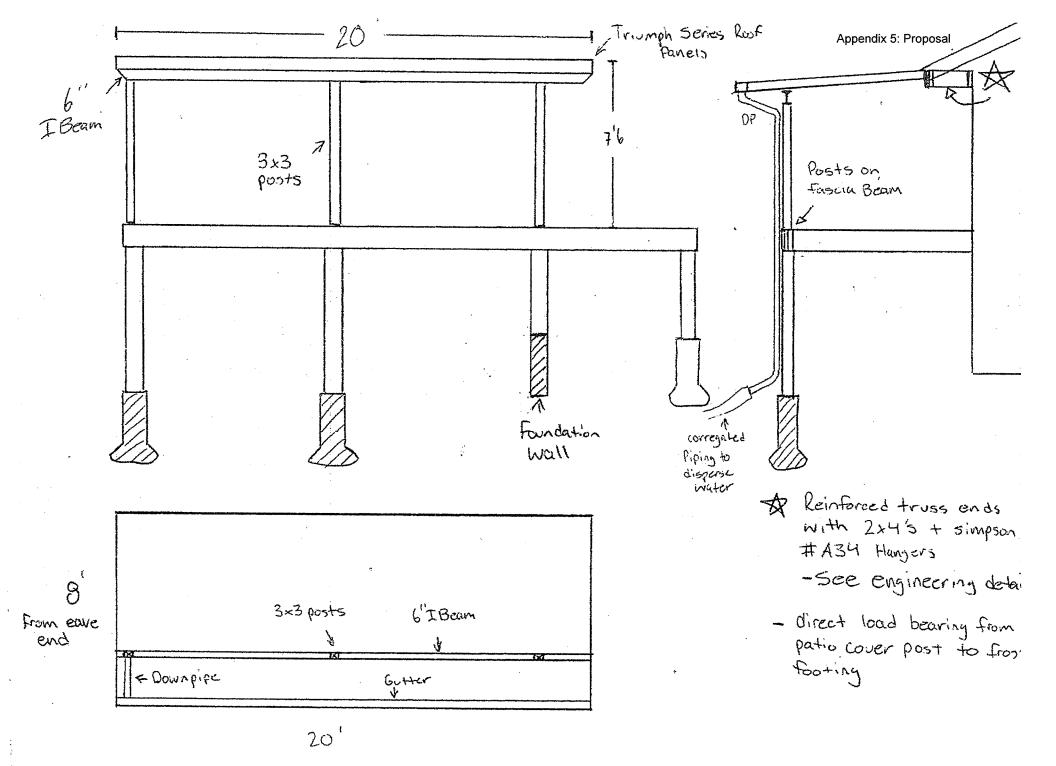


CLOSED ROAD M 01

Page 15 of 56







Page 17 of 56



View northeast from 16 Avenue SE, subject parcel on right.



View northeast, subject parcel on right.



View southeast from greenway corridor, existing deck/stairs visible.



Page 19 of 56

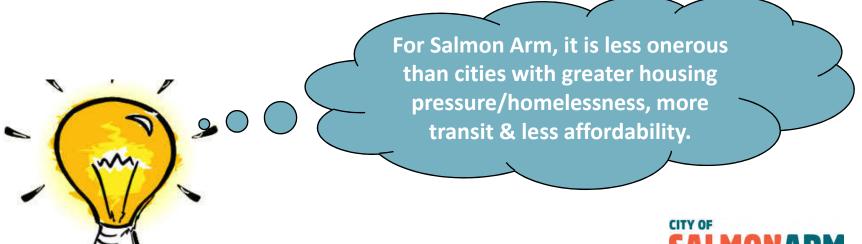
Agenda

- 1. What is Housing Statutes Amendment Act, 2023?
- 2. Why did the Province enact this?
- 3. How will it impact Salmon Arm Zoning Bylaw 2303?
- 4. Three existing Salmon Arm cases of residential infill
- 5. Three neighbourhood case studies
- 6. What are the main considerations/challenges?
- 7. Council direction on how to proceed
- 8. Next steps & Questions

What is Housing Statutes Amendment Act, 2023?

It is the provincial override of historic municipal authority over land use, as part of an action plan to address the housing crisis; and, for us it:

- Increases residential density a lot
- Replaces zoning single family units with 2 & more often 4 housing units
- Sets deadlines for zoning, OCP and housing needs reports
- Legislates good faith in how related local gov't authority is exercised



Frequently Used Terms...

SSMUH (Small Scale Multi Unit Housing) – suites, duplexes, triplexes, multi-plexes

ADU (Accessory Dwelling Unit) – self contained residential unit with cooking, sleeping & bathroom facilities which is secondary to a primary dwelling on the same property

Secondary Suite – a dwelling unit that is within or forms part of a principal dwelling

Principal Dwelling – the principal residence on a parcel but does not an accessory building

Parcel Coverage – the horizontal area of all buildings and structures above grade, calculated as a percentage of parcel area

Building Envelope – the buildable area of a parcel once setbacks are determined

Provincial Policy Manual & Site Standards (Policy Manual) – the manual of policy direction that must be considered by Local Gov't for implementing the amendments



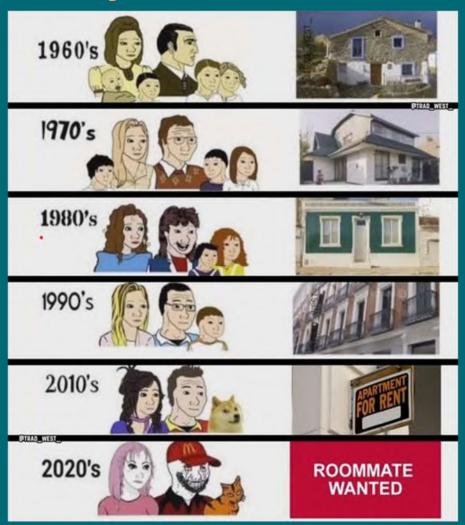


What is the Province doing to support Local Gov'ts?

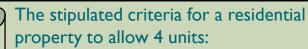
- The Provincial Policy Manual & Site Standards (Policy Manual)
- Capacity Funding Grant
- Webinars lead by the Planning and Land Use Ministry staff
- Funding PIBC Peer Learning Network



Why did the Province enact these changes?

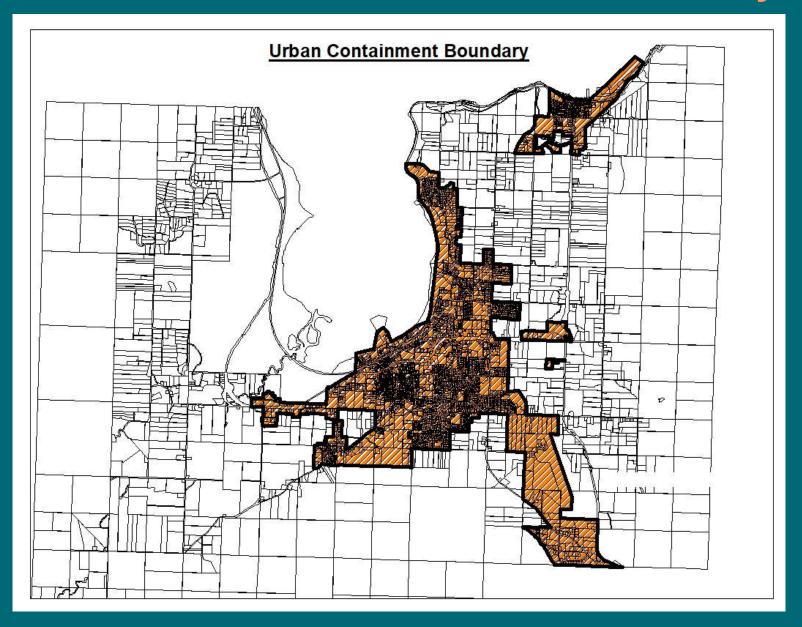


- Housing crisis
- Steep home price increase
- Unhoused crisis
- Population growth
- Speculation pressure
- Low vacancy rate
- Empty homes/STRs



- Is it in the UCB?
- Is it on City water & sewer?
- Is it under one acre?
 These apply to almost ALL R Zones.

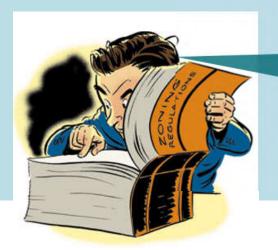
Where is the Urban Containment Boundary?



How will this impact Salmon Arm Zoning Bylaw 2303

By this summer:

- changes to most R Zones to allow more density will be required
- several R Zones should be eliminated to reduce overlap & confusion
- 3 A Zones will allow some increased density
- setbacks, height, parking, lot coverage, etc will need to be reviewed
- 2 CD zones for low density residential will have to be revised



This is an interim measure - for compliance. The fulsome Zoning Bylaw rewrite will follow the OCP.



SIDEBAR

Other reports & legislated deadlines of note

- 2025 Housing Needs Reports must now forecast ahead
 20 years & be updated ever 5 years
- 2024/25 OCP update/rewrite
- 2025 Zoning Bylaw 2303, 1995 to be updated

Looking at . . . Exiting Salmon Arm multiunit housing case studies

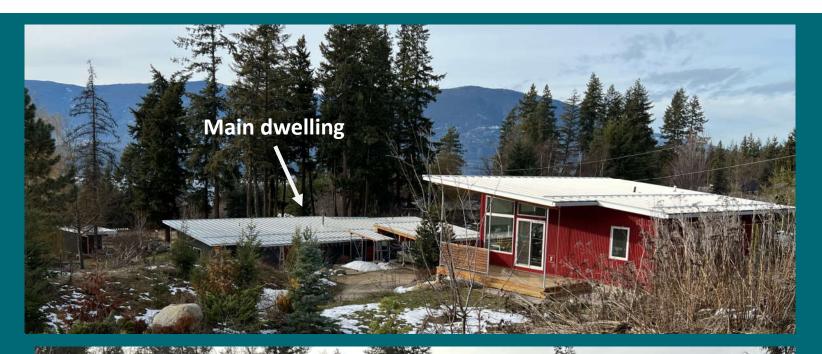


SFD w/ accessory dwelling unit (ADU)

90m² ADU above garage Note separation must meet Bldg Code



- R8 Zone
- Lot= 1830m²/ 19,700ft²
- 4 parking spaces





SFD w/ suite @ grade

- Connected @ attic
- **R8 Zone** may change
- 3 parking spaces
- Lot= 809m²/ 8712ft²



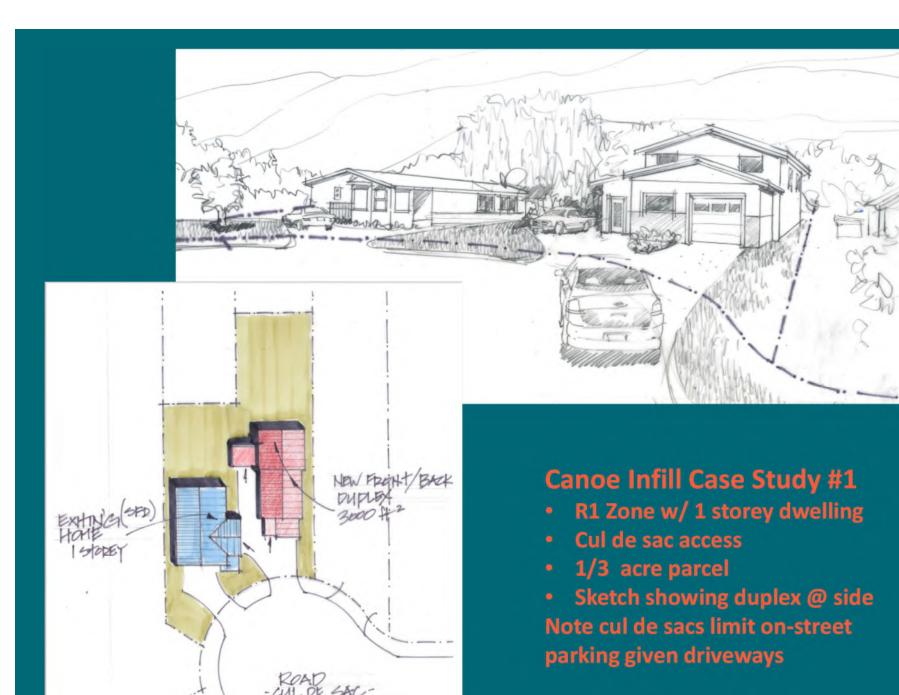
Looking at . . .

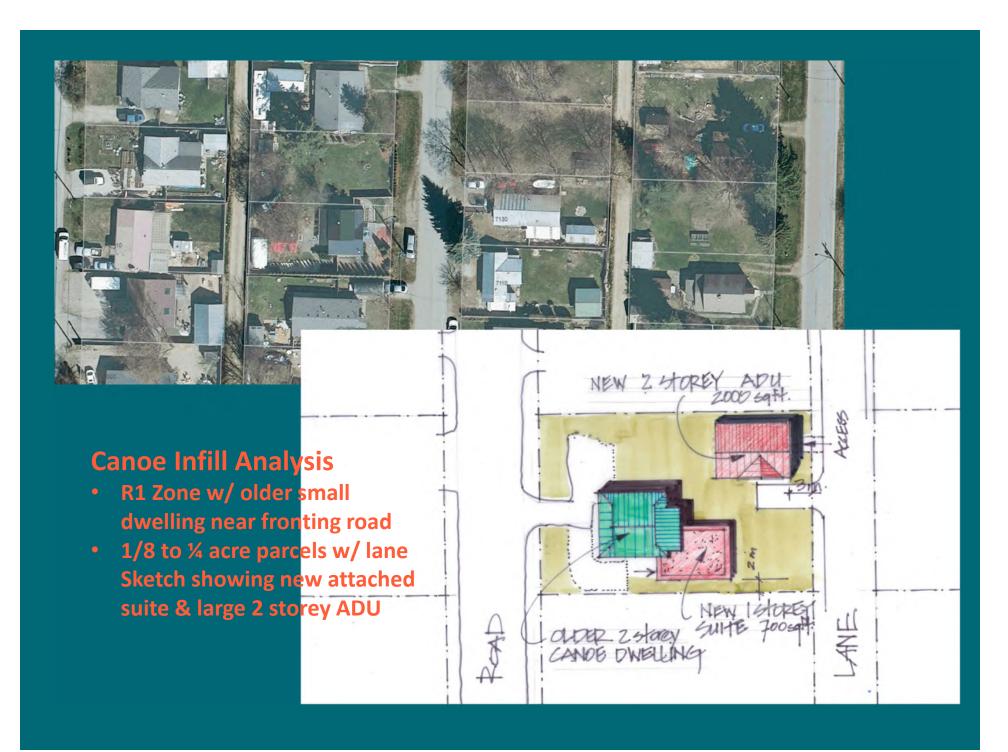
Potential redevelopment case studies across 3 neighbourhoods

Canoe potential cases of SSMUH infill



Page 34 of 56



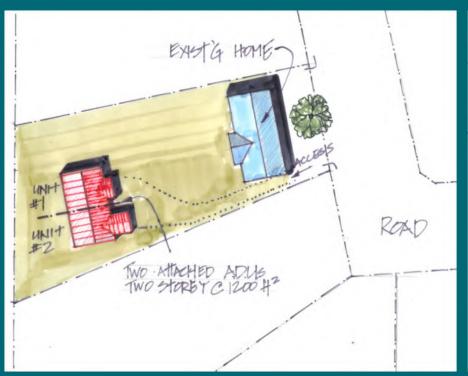


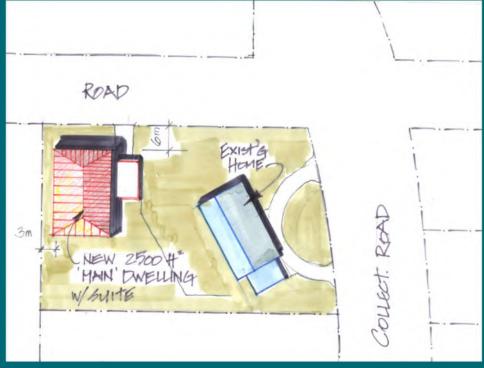
Raven potential cases of SSMUH infill

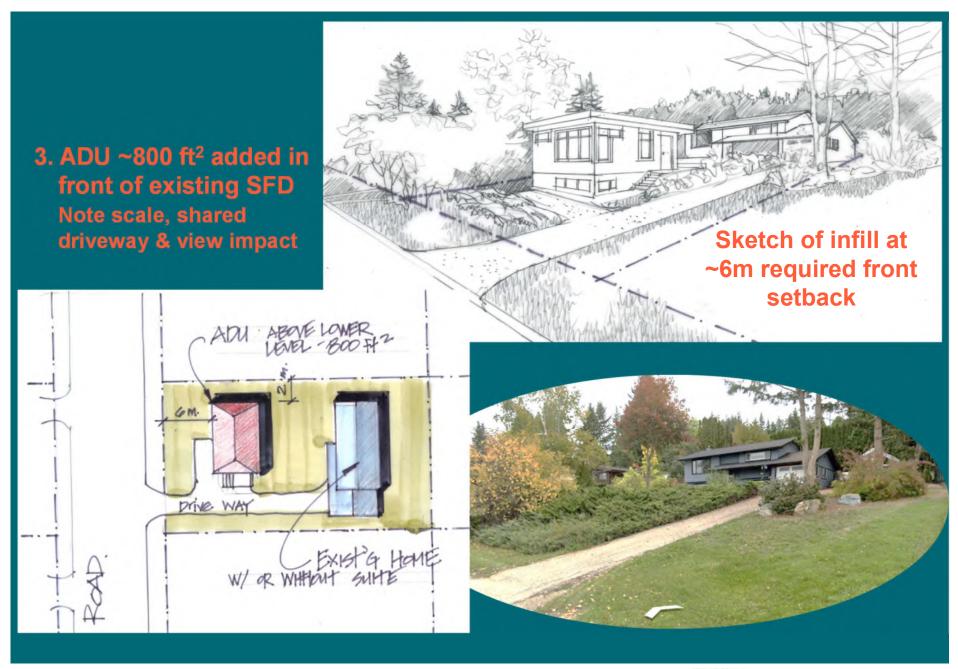


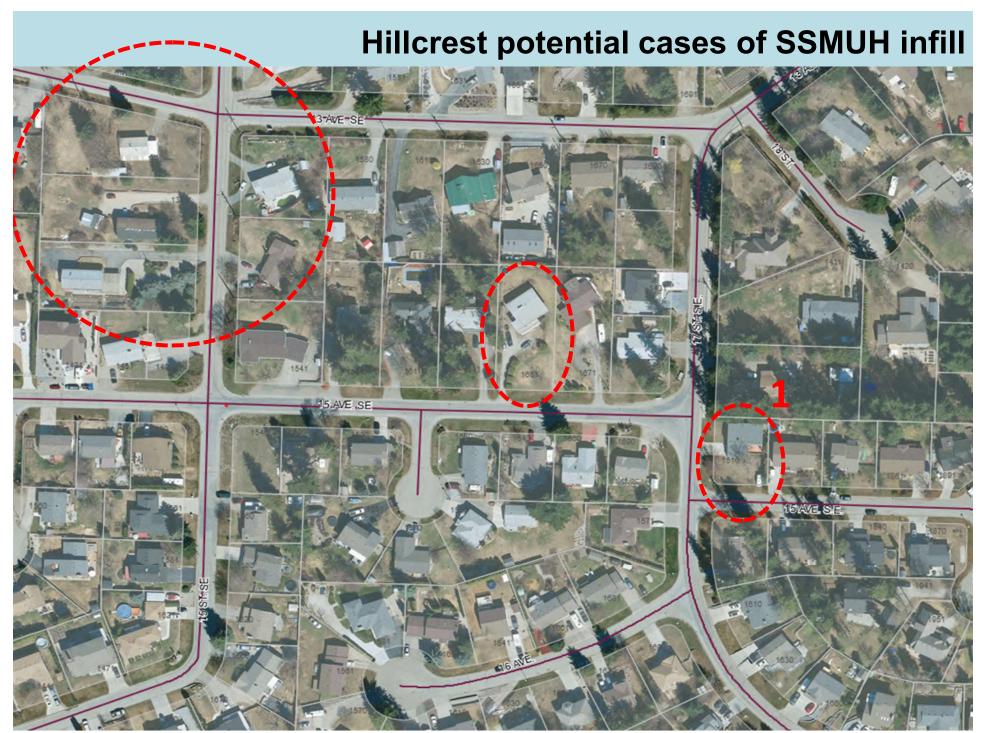
#1. Added duplex on interior parcel with access shared off road frontage

#2. Added larger home at corner with new driveway – existing home becomes "accessory"

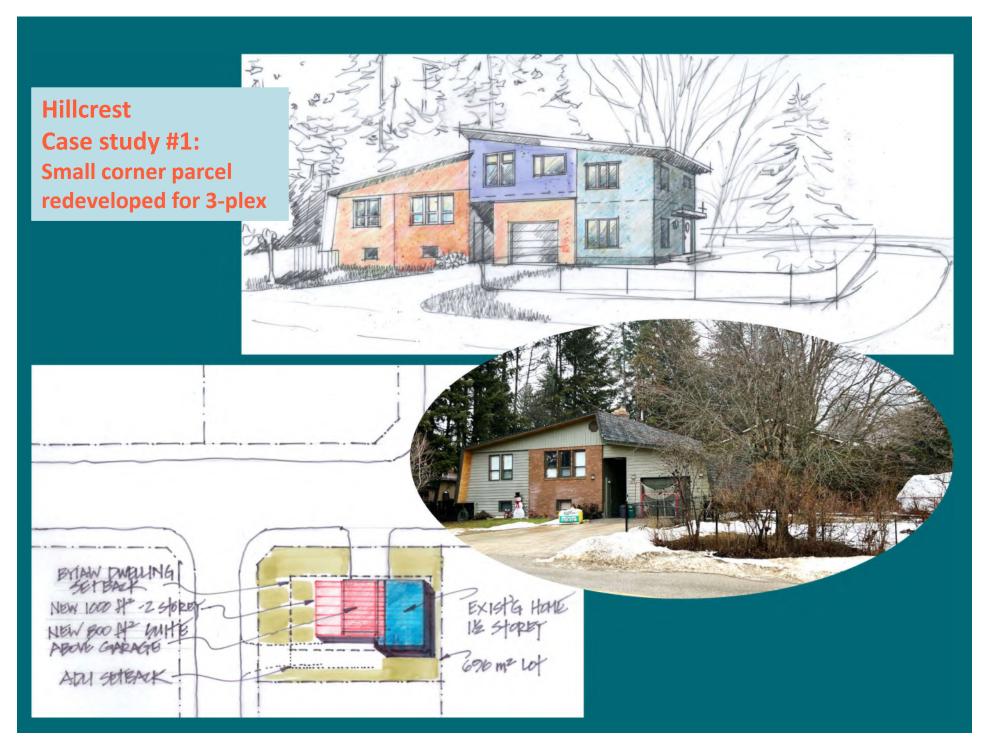




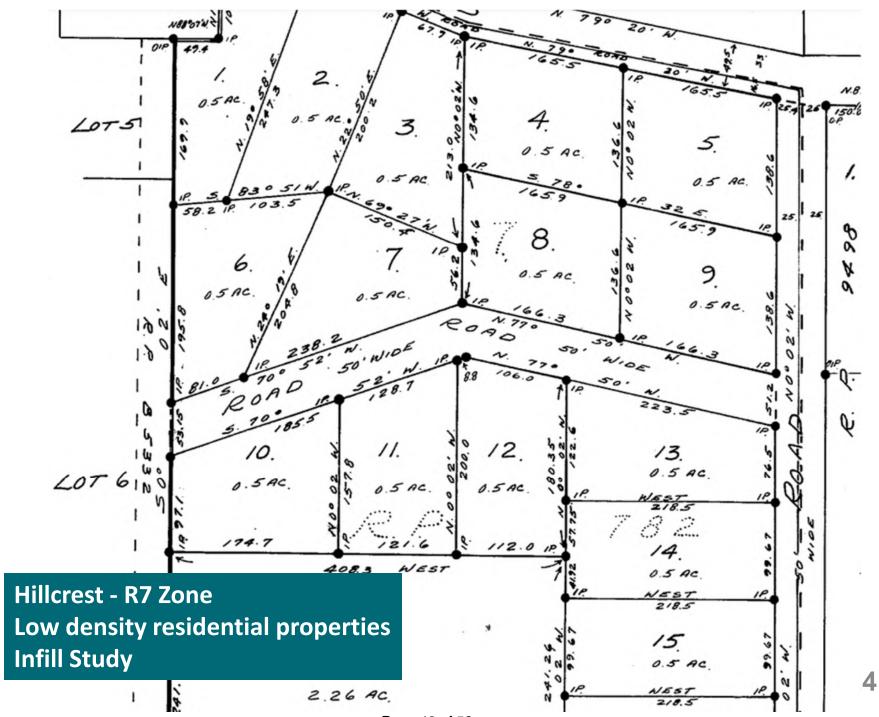




Page 40 of 56



Page 41 of 56







 $= 0.5 \text{ acre} / 21,780 \text{ ft}^2 / 2023 \text{ m}^2$

 $= 2177 \text{ ft}^2 - if \text{ no limit to ADU size}$

 $= 8710 \text{ ft}^2 \text{ or } 809 \text{ m}^2$

Hillcrest R7 example:

Lot area

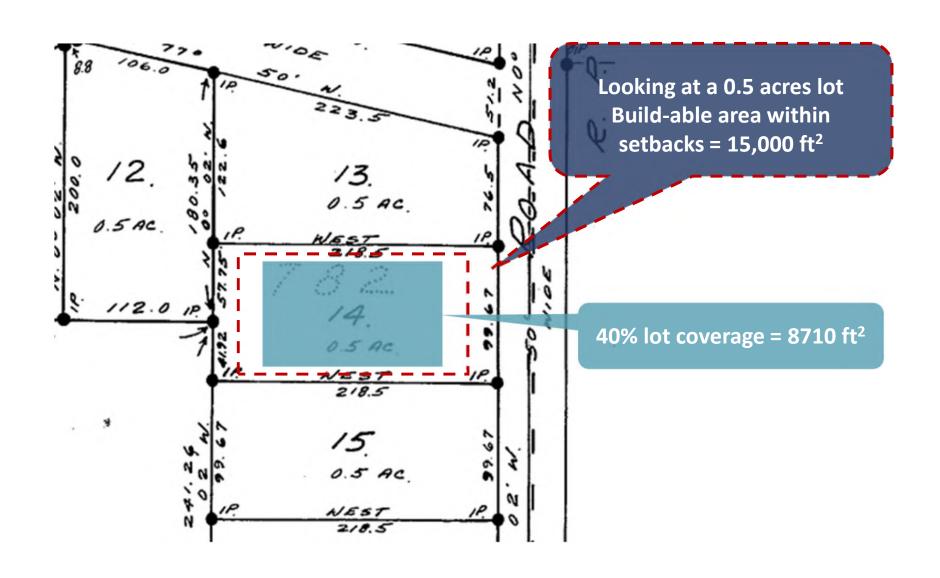
40% lot coverage

4 dwellings ea. footprint

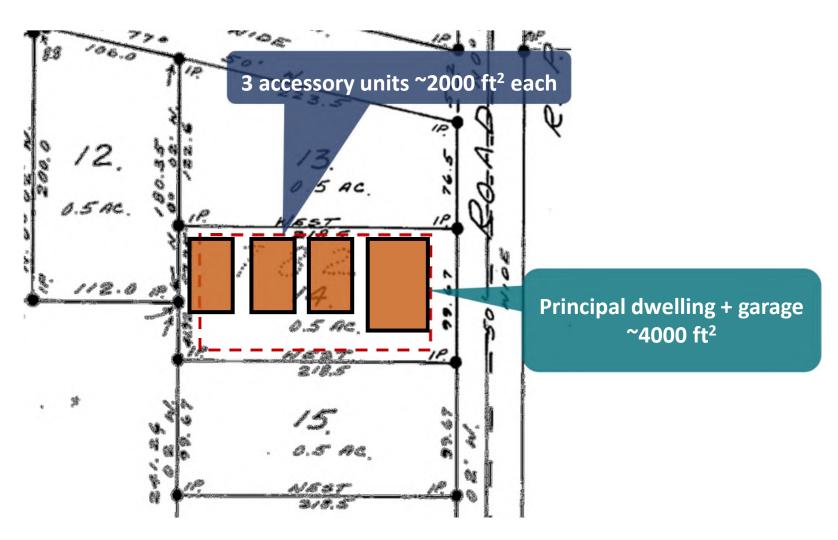
Bldg configurations may be:

4 detached units

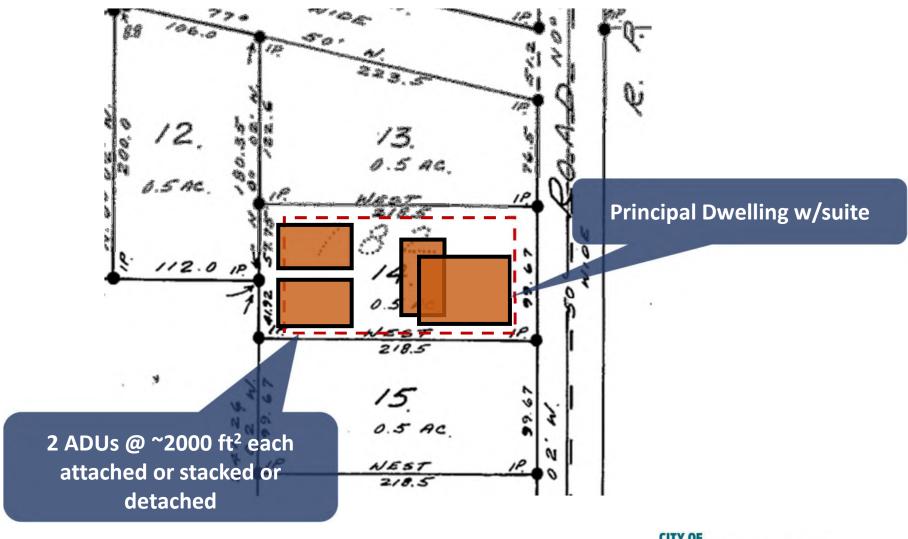
- 4 units attached in a row or cluster
- Home w/ suite & 2 accessory dwelling units
- Duplex with suite in each half



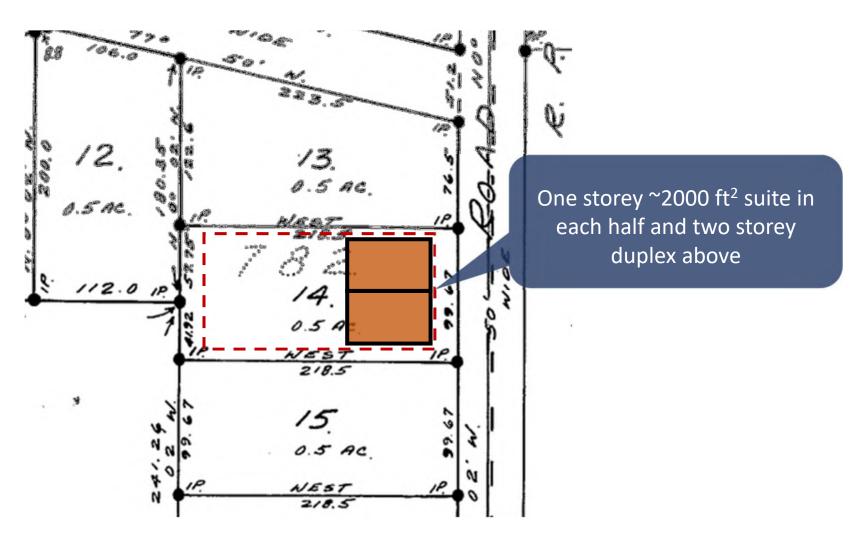
Case study - 4 dwelling unit density detached at minimum setbacks & <40% coverage



Case study - 4 dwelling unit density Semi-attached at minimum setbacks and ~30% coverage



Case study - 4 dwelling unit density Duplex with suites at front setback and <20% coverage



R Zones 1-9 in a nutshell ...

Zone	-	Required Density	Comments
	(# housing units)		
R1			
Single Family Res.	1	• •	The vast majority of serviced residential lands within the UCB are zoned R1 and will have increased density to 4 units. For the 16 small R1 lots <280sqm, up to 3 housing units are allowed. While the given lot areas, setbacks, and heights can remain as-is, the smaller parcel area parameters of other R zones that allow more units needs to be considered.
R2			
Single Fam/Duplex Res.	2	4	There are only a few R2 duplex properties - generally occurring as a spot zone. Under SSMUH, this zone should be eliminated and subject properties rolled into the R1 zone. This would eliminate separate parcel parameters for duplex (i.e. min 800sqm area & 24m parcel width for side by side duplex).
R3 Waterfront Residential	1	2	All 11 properties zoned R3 are on Canoe waterfront outside UCB. Given these are all >280sqm, 2 units are allowed; however, these are severely limited by RAPR & Floodplain and so a suite is viable but not an ADU. Suggest increasing height, allowing suite; eliminating FAR; and allow suite. If we wish to only allow suite (not ADU), a minor exemption may be requested. TBC. This zone may remain as R3 on the map.
R4 Medium Den. Residential	1 to 40+/ha	NA	Extensive varied R4 lands - each R4 zone parcel with an SFD, duplex, or cluster <4 units (strata or rent) will have to be reviewed for conformity. Remove FAR for low density as no longer applicable. NEXT STEP: spreadsheet of all R4 SFD/Duplex/3 unit developments to determine how to proceed as these may best be broken into a new zone or the R1.
R5 High Den. Res.	100+ per ha	NA	Zone is high density thus SSMUH is not applicable.
R6	No change		As R6 is for mobile home parks, it is exempt from SSMUH but we may wish to add suite allowance to caretaker dwelling.
R7 Large Lot Single Fam. Res.	1	4	All 140 R7 properties are above Raven and (except 1) are in UBC, thus SSMUH density of 4 units applies. These are large lots. May reduce lot coverage to 30% to control over-built development. This will still enable 4 units and meet policy. This Zone may remain as is on the Map but it may be renumbered.
R8			R8 suite zone will not make sense if 4 unit densities are in effect for almost all SA thus R8 should be eliminated. Keep ADU
Residential Suite Zone	2		setbacks to prop lines as a general reg and apply s. 4.2 Detached Suite across all lands where permitted. No R8 parcels under 280sqm so all will allow 4 units.
R9 Estate Residential	1	2 typ.	R9 applies to 12 Raven & 2 Canoe properties within UCB. If unserviced then 2 is max but most of these are serviced. Note this zone minimum parcel area is 1 acre it will primary allow 2 housing units. Analysis of which properties, if any, may allow 4 units to be completed. May be renumbered.

A Zones 1-3 ...

A1 & A2 currently allow one dwelling (with or without a secondary suite)

AND if the parcel is >8ha (20ac) a detached mobile home is allowed for farm help

A3 currently allows a dwelling and a secondary suite or an ADU

A Zone recommended changes:

- eliminate the farm help requirement
- allow a suite <u>or</u> one accessory detached unit at the option of the owner regardless of parcel area (must meet IHA septic approval)
- allow <u>both</u> if parcel is over a specific size (can be 8ha)
- for non-ALR, consider same suite size limits if maintained

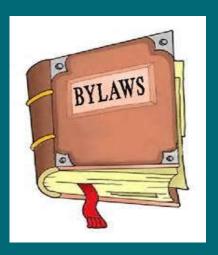
Where ALR regulations limit development, it is best to refer rather than repeat these as these can and do change. The ALC Act and ALR Regs have supremacy over the LGA & CC.

About suite/ADU size and setbacks . . .

Given this density increase, the regulation of setbacks, lot coverage, height, etc. and form/character Development Permitting become very important.

What are the key companion

Policy & Bylaw changes?



- 1. **NEW Development Procedures Bylaw**
- 2. Review & update Zoning Bylaw definitions
- 3. Do we continue to limit size of suites/ADUs?
- 4. Do we revise setbacks & coverage to limit build-out?
- 5. Policy to legalize illegal suites
- 6. Policy to limit number & width of driveways

What are some other important considerations . . .

- 1. Impacts to increased on-street parking & more driveway crossings
- 2. Impacts to infrastructure i.e. water flow, sewer load, stormwater management
- 3. Impacts to traffic loads i.e. cannot request mitigation as would be if rezoning/subdividing
- **4. Impacts to privacy** i.e. more units looking into yards, more noise, more houses for people
- 5. Impacts to views of lake, mountains etc with higher build-out

Proposed Approach

For Council consideration & direction to staff

- 1. Analysis of each R Zone in Bylaw & on map & on the ground
- 2. Draft revised R Zones, combining where it makes sense
- 3. Draft revised A and CD zones, where impacted
- 4. Implement changes via (~3 or 4) separate bylaws for Council consideration advancing each to Third Reading
- 5. Once all proposed bylaws are at Third and Council is satisfied, adopt the bylaws incl. a revised Zoning Map

Next Steps

- 1. Brief the OCP Steering Committee at their next meeting
- 2. Undertake detailed analysis of impacted existing developments so as to assign a "best fit" zone
- 3. Advance bylaw amendments to Council for consideration of Bylaw 2303 changes in March & April

