

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

Tuesday, May 21, 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 May 6, 2024 3 - 6
Motion for Consideration
THAT: the Development and Planning Services Committee Meeting Minutes of May 6, 2024 be approved.
5. **DISCLOSURE OF INTEREST**
6. **REPORTS**
 - 6.1 Zoning Bylaw Amendment Application No. 1285 7 - 20
Civic: 1281 - 15 Street SE
Owner/Agent: L. & C. Fitt

Motion for Consideration
THAT: the Development and Planning Services Committee recommends to Council that a bylaw be prepared for Council’s consideration, adoption of which would amend Zoning Bylaw No. 2303 by rezoning Lot 9, Section 12, Township 20, Range 10, W6M KDYD, Plan 9687 from R-7 (Large Lot Single Family Residential Zone) to R-8 (Residential Suite Zone).
 - 6.2 Temporary Use Permit Application No. TUP-19 21 - 29
Civic: 460 10 Avenue SW
Owner/Agent: Page, L. & D.

Motion for Consideration
THAT: the Development and Planning Services Committee recommends to Council that Temporary Use Permit Application No. TUP-19 be issued for Lot 2, Section 11, Township 20, Range 10, W6M, KDYD, Plan 27414 for the

temporary use of the subject property for a campground as shown in Appendix 5, subject to:

- i) The total number of tent or recreational vehicle sites on the subject property shall not exceed 150;
- ii) Approval of a Fire Safety Plan by the City's Fire Department;
- iii) Approval of a Security Plan by the RCMP;
- iv) TUP-19 is valid for a two-week period during the Roots and Blues Festival for the years 2024, 2025 and 2026, with camping limited to a maximum seven day time period during the Roots and Blues Festival.; and
- v) Agricultural Land Commission approval for Non-Farm Use.

6.3 Agricultural Land Commission Application No. ALC-423
Non-Adhering Residential Use
Civic: 1240 60 Street NE
Owner/Agent: J. & A. Franklin

30 - 44

Motion for Consideration

THAT: the Development and Planning Services Committee recommends to Council that Agricultural Land Commission Application No. ALC-423 be authorized for submission to the Agricultural Land Commission.

7. FOR INFORMATION

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

May 6, 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 D. Cannon
Councillor S. Lindgren
Councillor D. Gonella

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
Senior Planner C. Larson
Planner, M. Paiement

Other Staff present: R. Sadilkova, Policy Coordinator

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

4.1 Development and Planning Services Committee Meeting Minutes of April 15, 2024

Moved by: Councillor Lindgren
Seconded by: Councillor Flynn

THAT: the Development and Planning Services Committee Meeting Minutes of April 15, 2024 be approved.

Carried Unanimously

5. DISCLOSURE OF INTEREST

Councillor Wallace Richmond declared a conflict with Item 6.1 as the applicant is the employer of family members.

Councillor Flynn declared a conflict with Item 6.2 as the owner is a client of his firm.

6. REPORTS

6.1 Development Variance Permit Application No. VP-598

1241 – 25 Avenue SW
Owner: J. Bickle
Height requirements

Councillor Wallace Richmond declared a conflict and left the meeting at 8:03 a.m.

J. Bickle, the owner, was available to answer questions from the Committee.

Moved by: Councillor Cannon
Seconded by: Councillor Flynn

THAT: the Development and Planning Services Committee recommends to Council that Development Variance Permit No. VP-598 be authorized for issuance for Lot 1, Section 10, Township 20, Range 10, W6M, KDYD, Plan EPP88045, which will vary Zoning Bylaw No. 2303 as follows:

Section 13.7.1 - Maximum Height of Accessory Buildings, increasing the maximum permitted height of an accessory building from 6.0 m (19.7 ft) to 8.2 m (26.9 ft) as shown in Appendix 7 of the staff report dated May 6, 2024.

Carried Unanimously

6.2 Development Variance Permit Application No. VP-601

111 20 Street SE
Owner/Agent: Whitstone Development Ltd.
Fences and Retaining Wall height

Councillor Flynn declared a conflict and left the meeting at 8:07 a.m.

Councillor Wallace Richmond returned to the meeting at 8:09 a.m.

M. Wilson, Whitstone Development Ltd., outlined the application and was available to answer questions from the Committee.

Moved by: Councillor Cannon
Seconded by: Councillor Gonella

THAT: The Development and Planning Services Committee recommends to Council that Development Variance Permit No. VP-601 be authorized for issuance for Lot 1, Section 13, Township 20, Range 10, W6M, KDYD, Plan EPP122647 to vary the provisions of Zoning Bylaw 2303 as follows:

Section 4.12.1 (a) Fences and Retaining Walls - increase the maximum permitted combined height of a retaining wall and fence from 2.0 m (6.5 feet) to 4.3 m (14 feet) as shown on Appendix 4, attached to the staff report dated May 6, 2024.

Carried Unanimously

6.3 Zoning Bylaw Amendment Application No. ZON-1281

2180 20 Avenue NE
Owner: A. & S. Sherman
Agent: M. LaRose
R-1 to R-4

A. Sherman, the owner, outlined the application and was available to answer questions from the Committee.

Councillor Flynn returned to the meeting at 8:14 a.m.

Moved by: Councillor Cannon
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 Lot 2, Section 24, Township 20, Range 10, W6M, KDYD, Plan KAP59398 from R1 (Single Family Residential Zone) to R4 (Medium Density Residential Zone).

Carried Unanimously

6.4 Small Scale Multi Unit Housing (SSMUH)

Summary of Bylaw Amendments

Councillor Lindgren left the meeting at 9:14 a.m. and returned at 9:17 a.m.

For Information.

7. FOR INFORMATION

7.1 R-4/R-11/R-14 Zones

Zoning Amendment Application ZON-1292

SSMUH

For Information.

8. IN-CAMERA

9. ADJOURNMENT

There being no further business on the agenda, the meeting adjourned at 9:17 a.m.

MAYOR, A. HARRISON



REQUEST FOR DECISION

To: Development & Planning Services Committee

From: Planner II

Title: Zoning Bylaw Amendment Application No. 1285

Legal: Lot 9, Section 12, Township 20, Range 10, W6M KDYD, Plan 9687
Civic: 1281 - 15 Street SE
Owner: L. & C. Fitt
Agent: Owner

Date: May 21, 2024

Executive Summary/Purpose:

To rezone the subject parcel from the R-7 (Large Lot Single Family Residential) Zone to the R-8 (Residential Suite) Zone to allow for a 2 lot subdivision.

Motion for Consideration:

THAT: a bylaw be prepared for Council's consideration, adoption of which would amend Zoning Bylaw No. 2303 by rezoning Lot 9, Section 12, Township 20, Range 10, W6M KDYD, Plan 9687 from R-7 (Large Lot Single Family Residential Zone) to R-8 (Residential Suite Zone).

Staff Recommendation:

THAT: the Motion for Consideration be adopted.

Proposal:

This proposal is to rezone the subject parcel from the R-7 (Large Lot Single Family Residential) Zone to the R-8 (Residential Suite) Zone to allow for a 2 lot subdivision.

Background:

The subject parcel is located at 1281 15 Street SE (Appendices 1, 2 & 3). The subject parcel is designated Low Density Residential (LR) in the City's Official Community Plan (OCP) and zoned R-7 (Large Lot Single Family Residential) in the Zoning Bylaw (Appendices 4 & 5). The subject parcel is 0.2 ha (0.5 ac) in area and a single-family dwelling exists on the parcel.

A sketch plan, showing the existing single-family dwelling and the proposed 2 lot subdivision, is attached as Appendix 6. Site photos are attached as Appendix 7.

Adjacent land uses include the following:

North:	R-7 (Large Lot Single Family Residential)	Single-family dwelling
South:	R-8 (Residential Suite)	Single-family dwelling
East:	R-7 (Large Lot Single Family Residential)	Single-family dwelling
West:	R-7 (Large Lot Single Family Residential)	Single-family dwelling

Relevant Policy(ies):

Policy 8.3.25 of the OCP supports secondary suites in all Residential (High, Medium, and Low) designated areas via a rezoning application, subject to compliance with the Zoning Bylaw and the BC Building Code. Policy 4.4.1 of the OCP supports new growth within the Urban Containment Boundary, including new development and subdivision.

Staff note that should the R8 zoning be adopted, after June 30, 2024 the subject property would be subsequently rezoned to R10.

Referral Comments:

Fire Department

No Fire Department concerns.

Building Department

N/A

Engineering Department

No rezoning concerns.

Planning Department

The 2 proposed lots meet the requirements of the R-8 Zone (Appendix 8), including setbacks. Because the proposed lot 2 (the lot with the existing house) is a corner parcel, different setbacks are permitted based on Section 13.12.5 (R-8 Zone - Minimum Setback of Principal Building) in the Zoning Bylaw. This section states that "... a principal building on a corner parcel may be sited not less than 1.5 metres (4.9 feet) from the rear parcel line provided the combined total of the rear and interior side yards shall be not less than 6.0 metres (19.7 feet)." The exterior side parcel line setback, adjacent to 15 Street SE, is 4.47 m at the SE corner after road dedication. Section 4.18.2 (Road Dedication) in the Zoning Bylaw states that "[w]here land dedicated from a parcel for the purpose of a lane or highway widening... renders the setbacks of existing building or structures non-conforming to the requirements of the applicable zone, the setbacks shall be deemed to be conforming to the requirements of that zone."

Given that the proposed rezoning is consistent with the OCP staff are supportive of the application.

Financial Considerations:

None.

Committee Recommendations:

N/A

Public Consultation:

Pursuant to the *Local Government Act* and City of Salmon Arm Zoning Bylaw notices are mailed to land owners and occupiers within a 30 m radius of the application. Newspaper ads are placed in two editions of the local paper. The notices outline the purpose of the proposal. Pursuant to Section 464(2) and 467(2) of the *Local Government Act* a Public Hearing is not being held for this proposal. Written submissions received prior to First Reading of the Bylaw are posted on the City Website with the Bylaw and staff report.

Alternatives & Implications:

Given the lot area of the subject property (approximately 0.2ha) and the R7 zone requirements for minimum parcel area (0.133ha), if the bylaw is not adopted the subject property could not be subdivided.

Prepared by: Planner II

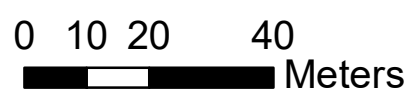
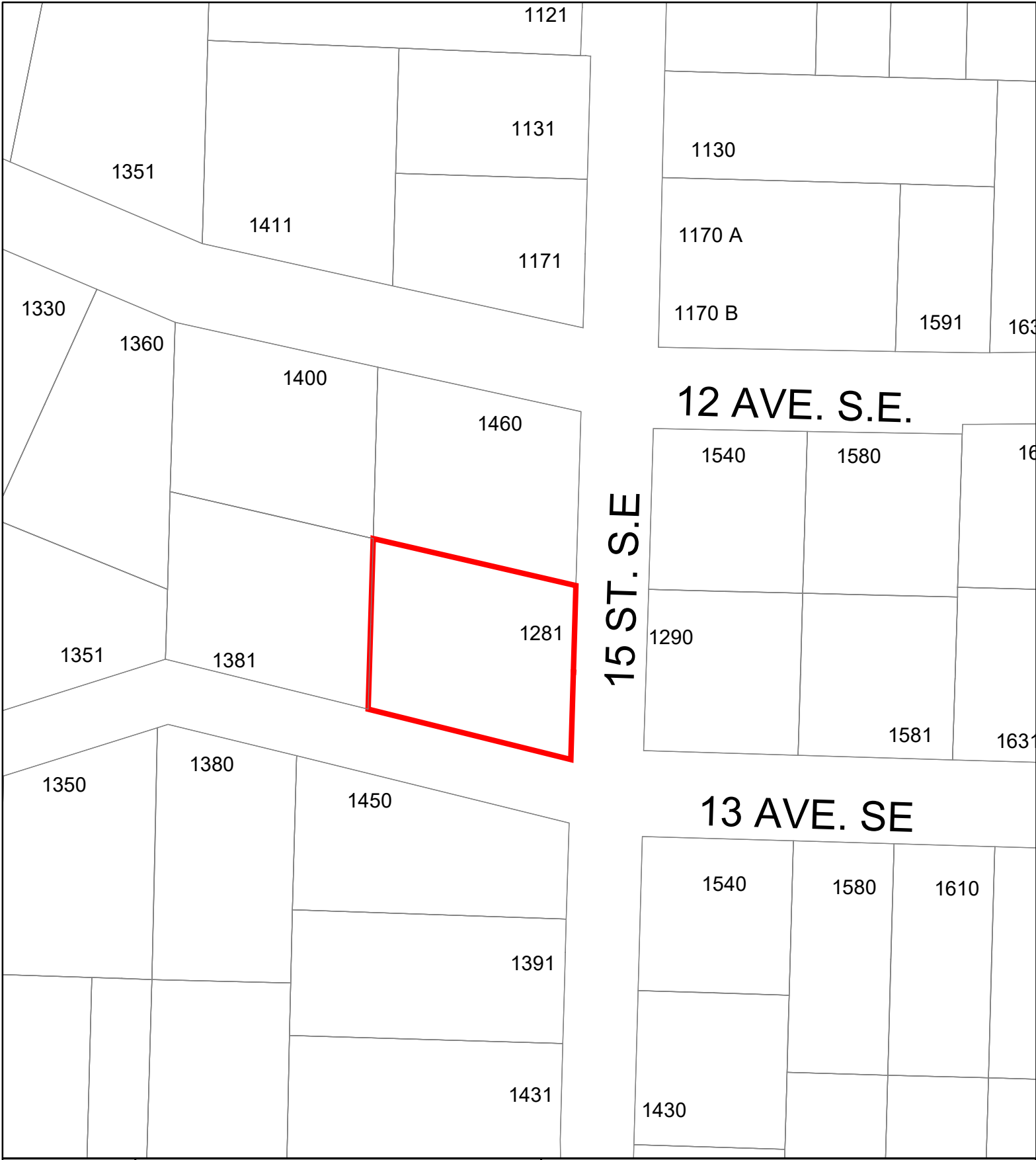
Reviewed by: Manager of Planning and Building

Reviewed by: Director of Planning and Community Services

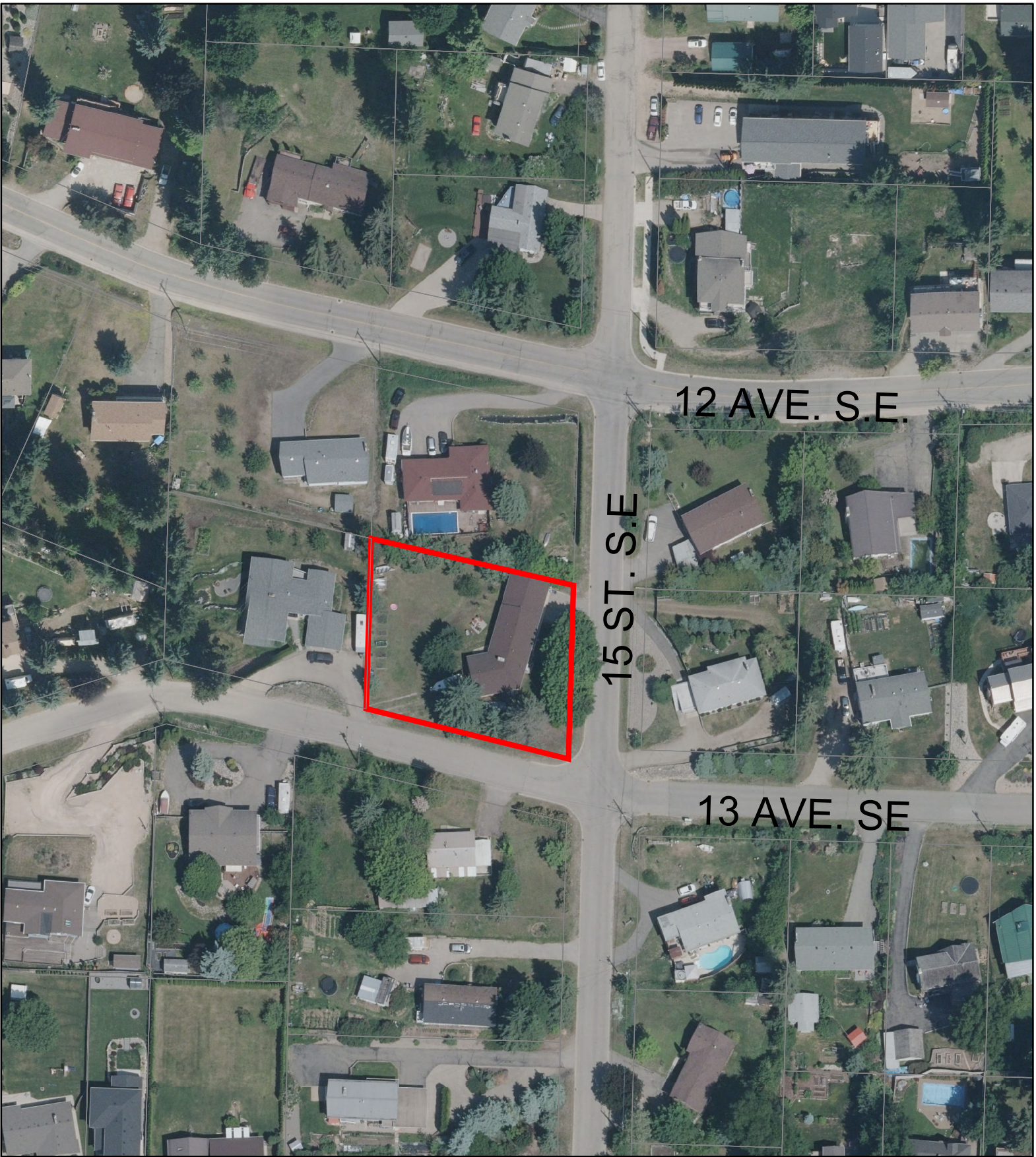
Approved by: Chief Administrative Officer

Attachments:

- Appendix 1 – Location Map
- Appendix 2 – Ortho Map
- Appendix 3 – Subject Parcel
- Appendix 4 – OCP Map
- Appendix 5 – Zoning Map
- Appendix 6 – Sketch Plan
- Appendix 7 – Site Photos
- Appendix 8 – R-8 Zone





-  Parcels
-  Subject Parcel



N



0 10 20 40
Meters

-  Parcels
-  Subject Parcel

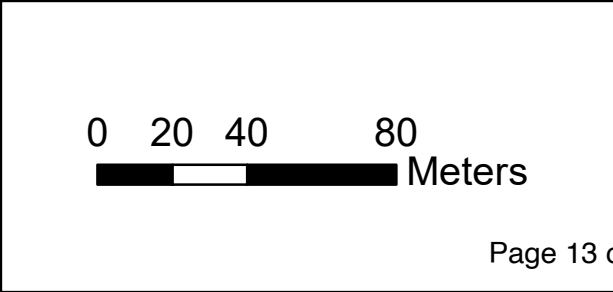
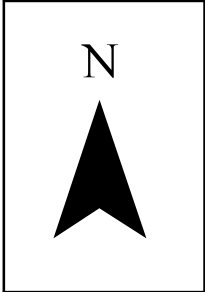
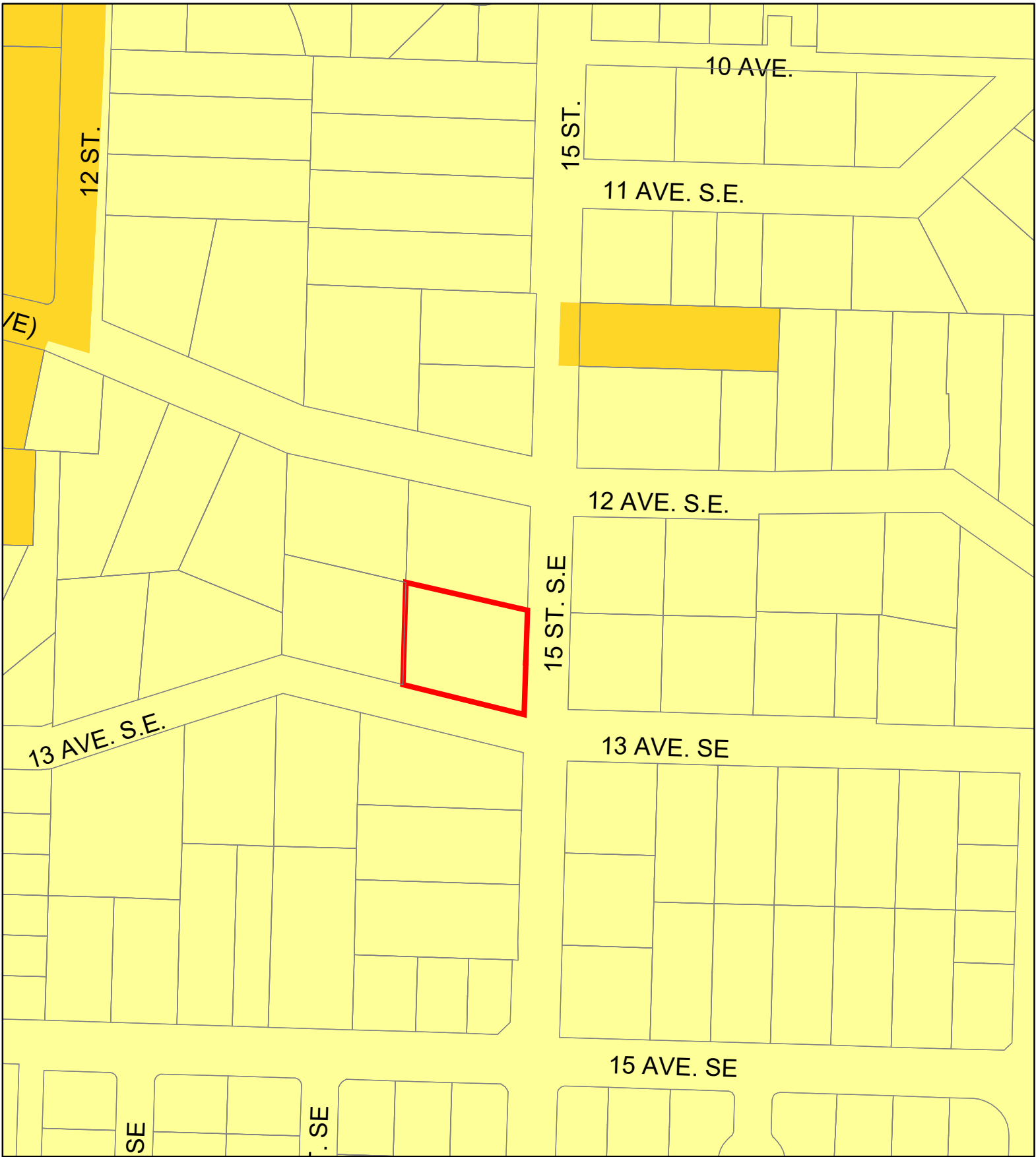


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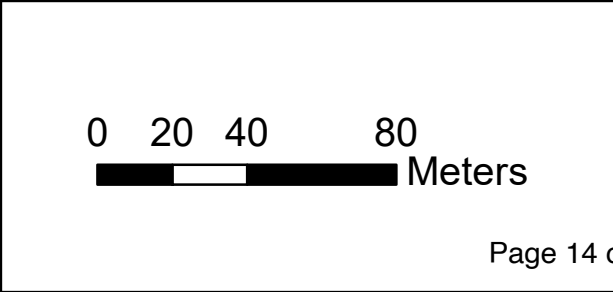
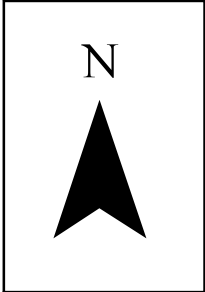
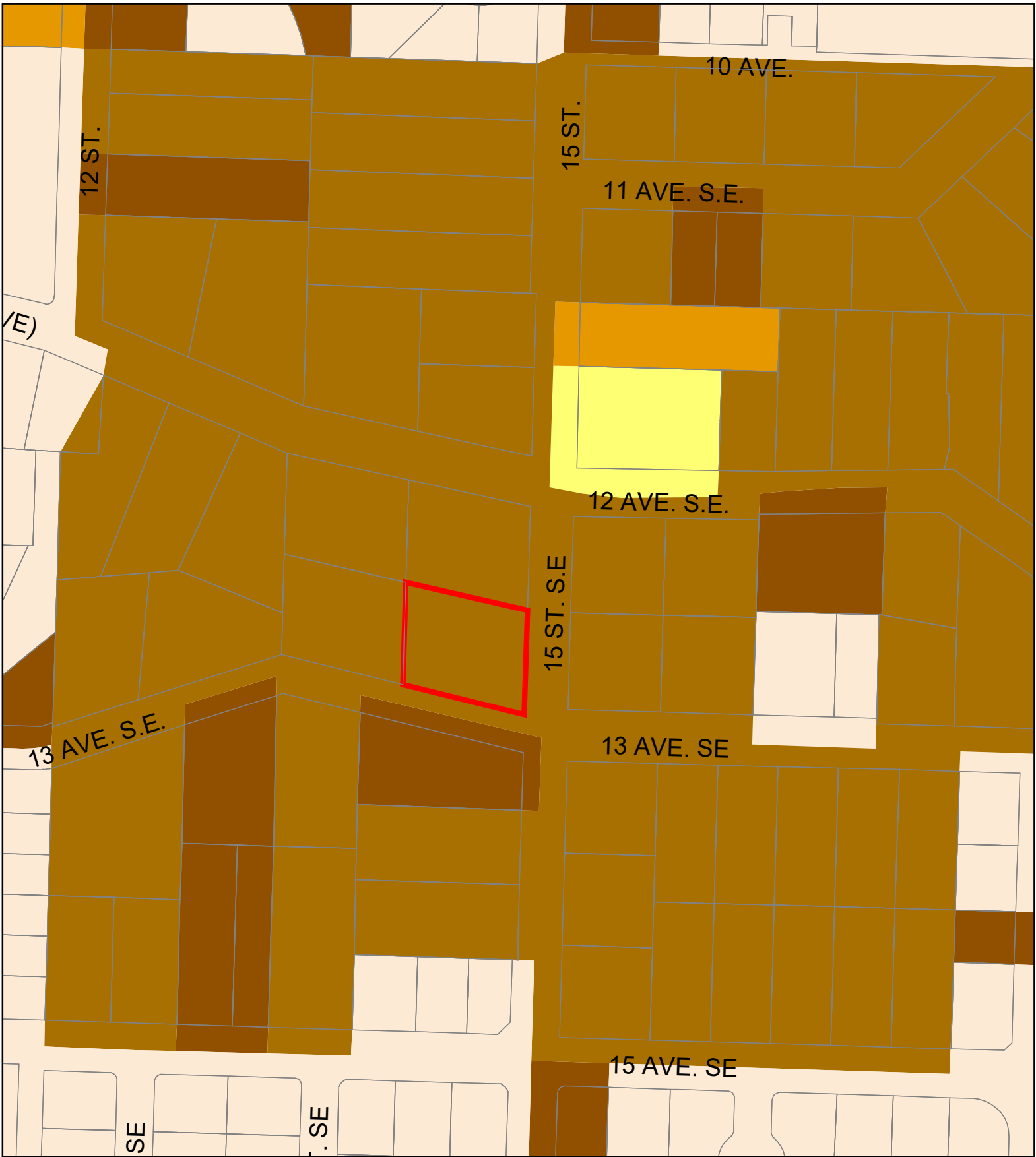









0 3 6 12
Meters

Parcels
Subject Parcel



	Parcels		Residential - Low Density
	Subject Parcel		Residential - Medium Density

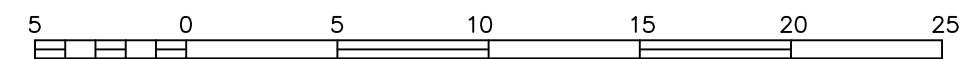


	Parcels		R-1		R-4		R-8
	Subject Parcel		R-2		R-7		

Sketch Plan of Proposed Subdivision of Lot 9, Sec 12, Tp 20, Rge 10, W6M, KDYD, Plan 9687

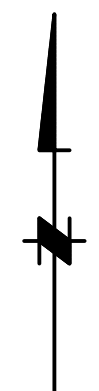
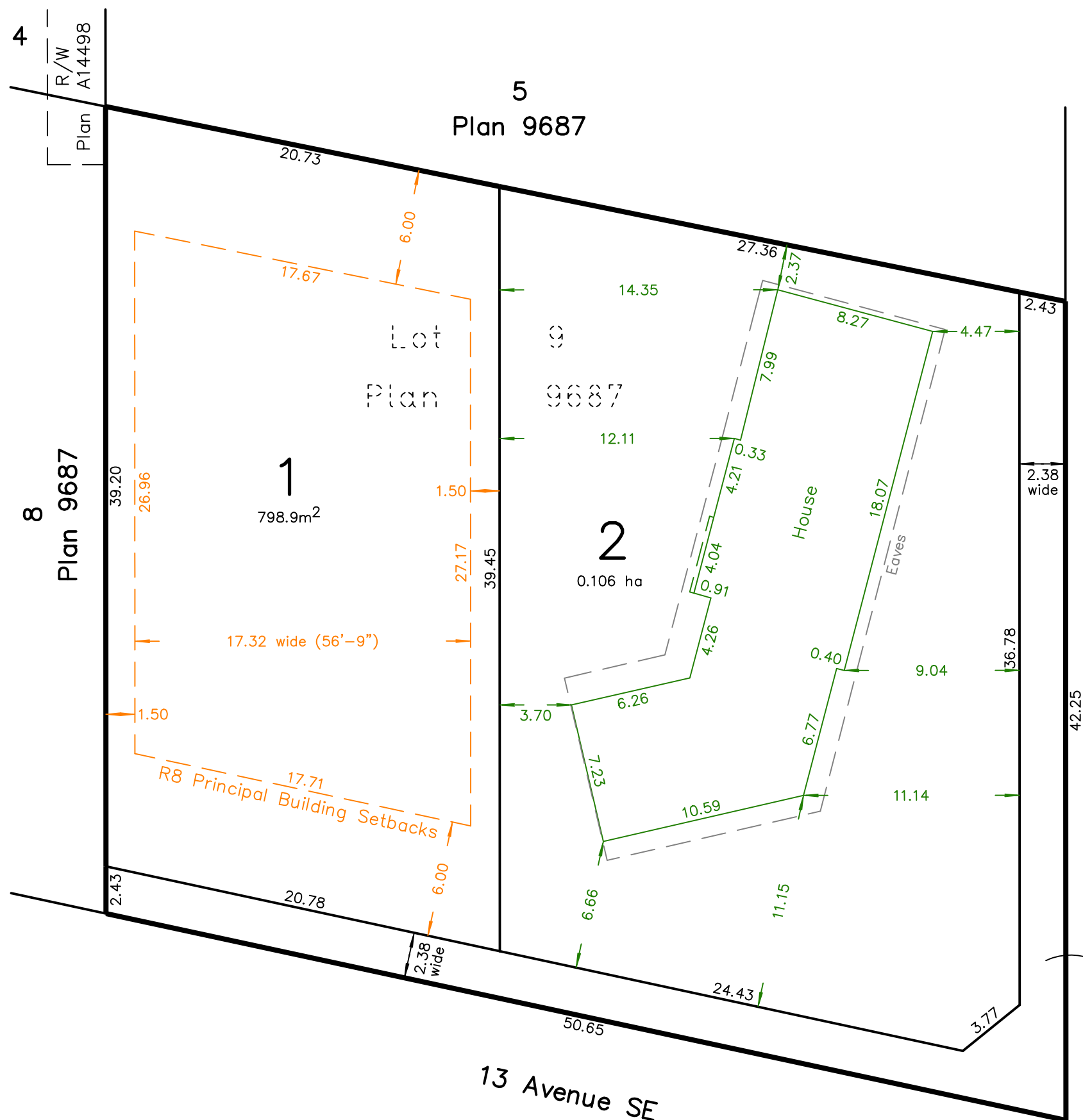
Scale 1:250

BCGS 82L.064



All distances are in metres.

The intended plot size of this plan is 432mm in width by 280mm in height (B size) when plotted at a scale of 1:250



April 12, 2024 Option A

BROWNE JOHNSON LAND SURVEYORS
 B.C. AND CANADA LANDS
 SALMON ARM, B.C. 250-832-9701
 File: 68-24 Fb. 68-24.raw



Looking southeast from subject parcel.



Looking southwest from subject parcel.



View of subject parcel looking north from 13 Avenue SE.



View of subject parcel looking northeast from 13 Avenue SE.



View of subject parcel looking southwest from 15 Street SE.



View of subject parcel looking northwest from 15 Street SE.

SECTION 13 - R-8 - RESIDENTIAL SUITE ZONE #3996

Purpose

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

Regulations

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

Permitted Uses

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

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

Maximum Number of Single Family Dwellings

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

Maximum Number of Secondary Suites

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

Maximum Height of Principal Building

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

Maximum Height of Accessory Buildings

13.7

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

Maximum Parcel Coverage

13.8 The total maximum *parcel coverage* for *principal* and *accessory buildings* shall be 45% of the *parcel area*, of which 10% shall be the maximum *parcel coverage* for all *accessory buildings*, which may be increased to a maximum of 15% for all *accessory buildings* including those containing a *detached suite* provided the *accessory building* containing the *detached suite* has a lesser *building area* than the *single family dwelling*. #4272

Minimum Parcel Area

13.9

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

Minimum Parcel Width

13.10

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

SECTION 13 - R-8 - RESIDENTIAL SUITE ZONE - CONTINUED

Maximum Floor Area and Floor Area Ratio

13.11

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

Minimum Setback of Principal Building

13.12 The minimum *setback* of the *principal building* from the:

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

Minimum Setback of Accessory Buildings

13.13 The minimum *setback* of accessory *buildings* from the:

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

Minimum Setback of a Detached Suite

13.14 The minimum *setback* of an *accessory building* containing a *detached suite* from the:

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

Parking

13.15

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

Detached Suite

13.16 Refer to Section 4.2 for General Regulations.



REQUEST FOR DECISION

To: Development & Planning Services Committee

From: Planner I

Title: Temporary Use Permit File No. TUP 19

Legal: Lot 2, Section 11, Township 20, Range 10, W6M, KDYD, Plan 27414
Civic: 460 10 Avenue SW
Owner: Page, L. & D.
Agent: Owner

Date: May 21, 2024

Executive Summary/Purpose:

This application is an amendment to Temporary Use Permit (TUP) No. TUP 17, issued in 2022. The owner is requesting to change the timeframe for the TUP from August to July and to allow for up to 150 campsites and facilities during the Salmon Arm Roots and Blues Festival.

Motion for Consideration:

THAT: Temporary Use Permit No. TUP 19 be issued for Lot 2, Section 11, Township 20, Range 10, W6M, KDYD, Plan 27414 for the temporary use of the subject property for a campground as shown in Appendix 5, subject to:

- i) The total number of tent or recreational vehicle sites on the subject property shall not exceed 150;
- ii) Approval of a Fire Safety Plan by the City's Fire Department;
- iii) Approval of a Security Plan by the RCMP;
- iv) TUP 19 is valid for a two-week period during the Roots and Blues Festival for the years 2024, 2025 and 2026, with camping limited to a maximum seven day time period during the Roots and Blues Festival.; and
- v) Agricultural Land Commission approval for Non-Farm Use.

Staff Recommendation:

The motion for consideration be adopted.

Proposal:

The subject property is located at 460 10 Avenue SW (see Appendices 1 and 2). The applicant is proposing a Temporary Use Permit (TUP) to allow for up to 150 campsites and facilities during the Salmon Arm Roots and Blues Festival in July 2024. The site plan provided by the applicant is attached as Appendix 5.

Background:

The subject property is zoned A2 (Rural Holding Zone) and is within the Agricultural Land Reserve (ALR). In order to accommodate temporary camping the owner is required to obtain approval through the City by way of a TUP and permission for Non-Farm Use of the site through the Agricultural Land Commission (ALC). The owner received approvals in 2013 and 2016 and 2017. Under the previous applications, the owner has been compliant with the conditions of the previous permits. The ALC has granted permission for the change in dates and that approval is valid to 2028.

Previous TUP application

TUP No. 17, which was submitted in 2022, was valid; however, due to the dates of the festival changing, the applicant is required to apply for a new TUP.

Referral Comments:Fire Department

The owner is required to have a fire safety plan approved by the Fire Chief as a condition of TUP issuance. The following, specific items, are to be addressed as part of the overall plan:

- Grass to be cut just prior to grounds being occupied.
- No Fires Permitted.
- Approval of Fire Safety Plan.
- Free and clear roadways within campground.
- Entrances/Exits minimum of 4m width.
- Fire Suppression equipment available on site including ABC rated dry chemical extinguishers and 45gal water barrels with buckets.
- Campground attendant to periodically patrol site.

Building Department

No concerns.

Engineering Department

The Engineering Department comments are included as Appendix 6.

RCMP (Staff Sergeant S. West)

The applicant is required to have a Security Plan approved by the RCMP as a condition of TUP issuance.

No concerns as long as the Fire Department has ensured that fire safety and egress for evacuation meets their standard.

Planning Department

Staff are supportive of the issuance of TUP No. 19 subject to the terms and conditions outlined in the motion for consideration and recommendations from the Fire Department and RCMP are adhered to, ALC approval and that the number of campsites shall not exceed 150 sites for the duration of the Roots and Blues Festival.

While the ALC has approved the subject property for 75-100 campsites under a 2022 application and have since confirmed support for the change in the dates, in order to operate up to 150 campsites the applicant must obtain approval from the ALC. Should the ALC not support up to 150 campsites, the issuance of the subject TUP would limit the number of campsites to 100. The applicant would be required to submit a safety plan and security report to the Fire Department and the RCMP and receive approval annually during the years the permit is valid. The TUP would be valid for a two-week period during the Salmon Arm Roots and Blues Festival for the years 2024, 2025, and 2026. The maximum duration of camping is limited to seven days.

Should Council not support the issuance of the TUP No. 19, then the applicant would not be permitted to host camping on the subject property during the July Roots and Blues Festival.

Should the ALC not grant permission for the increase in number of campsites from 100 campsites to 150 campsites, the applicant would be limited to 100 campsites.

Public Consultation:

Pursuant to the Local Government Act Section 494 (3) and City of Salmon Arm Temporary Commercial and Industrial Use Permit Procedures Bylaw No. 3548, notices are mailed to land owners within a 30m radius of the application, a newspaper ad and a sign posted on the subject property. The notices outline the proposal and advises those with an interest in the proposal to provide written submission prior to the Public Hearing or attending the Public Hearing. It is expected that the Hearing for this application will be held on June 10, 2024.

Alternatives & Implications:

N/A

Prepared by: Planner I

Reviewed by: Manager of Planning & Building

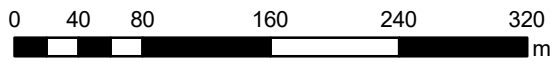
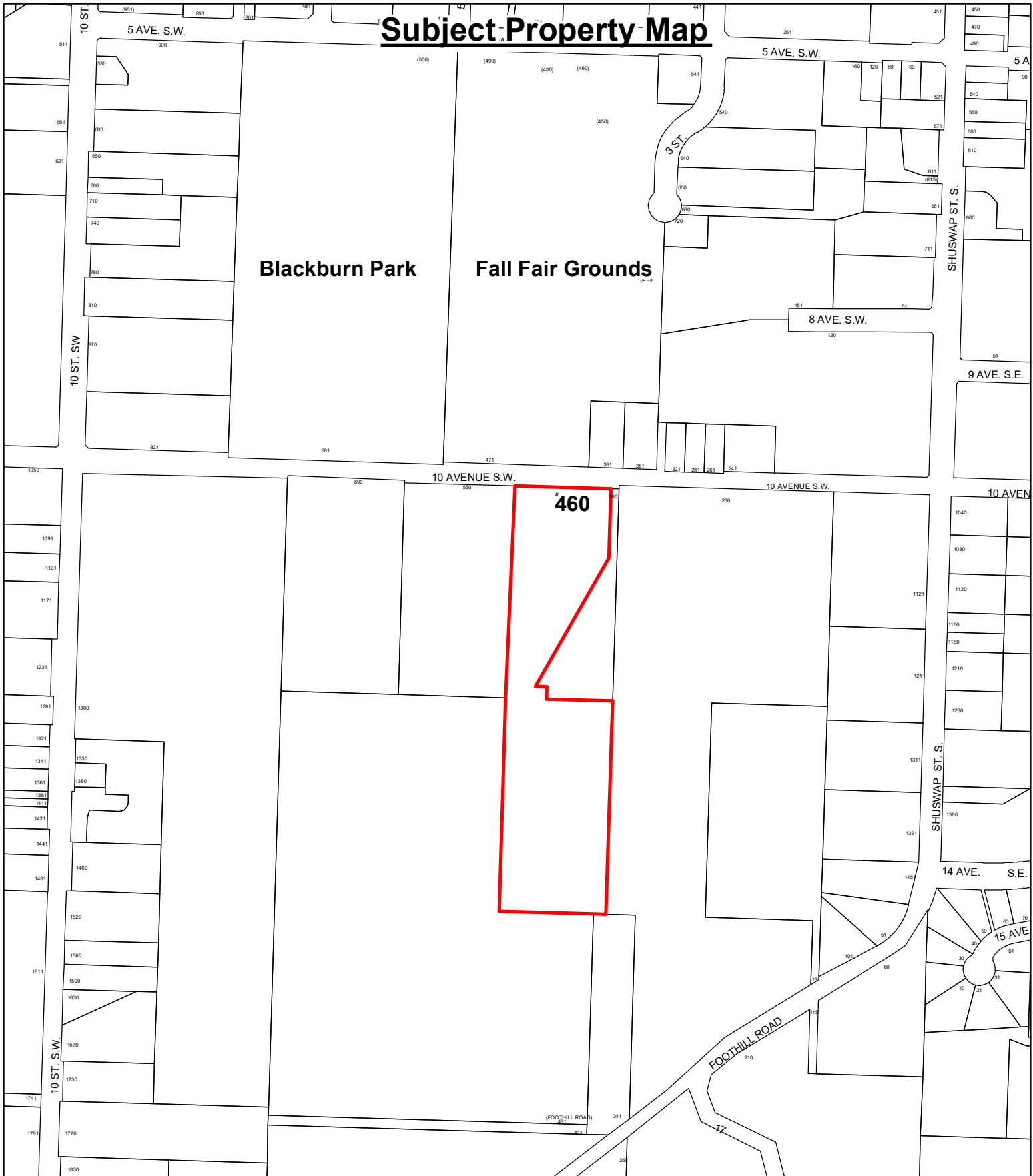
Reviewed by: Director of Planning & Community Services

Approved by: Chief Administrative Officer

Attachments:

- Appendix 1 – Subject Property Map
- Appendix 2 – Ortho Map
- Appendix 3 – OCP Map
- Appendix 4 – Zoning Map
- Appendix 5 – Site Plan
- Appendix 6 – Engineering Comments

Subject Property Map

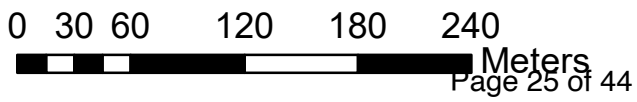


TUP 19



Parcels

Ortho Map

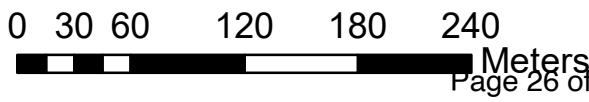
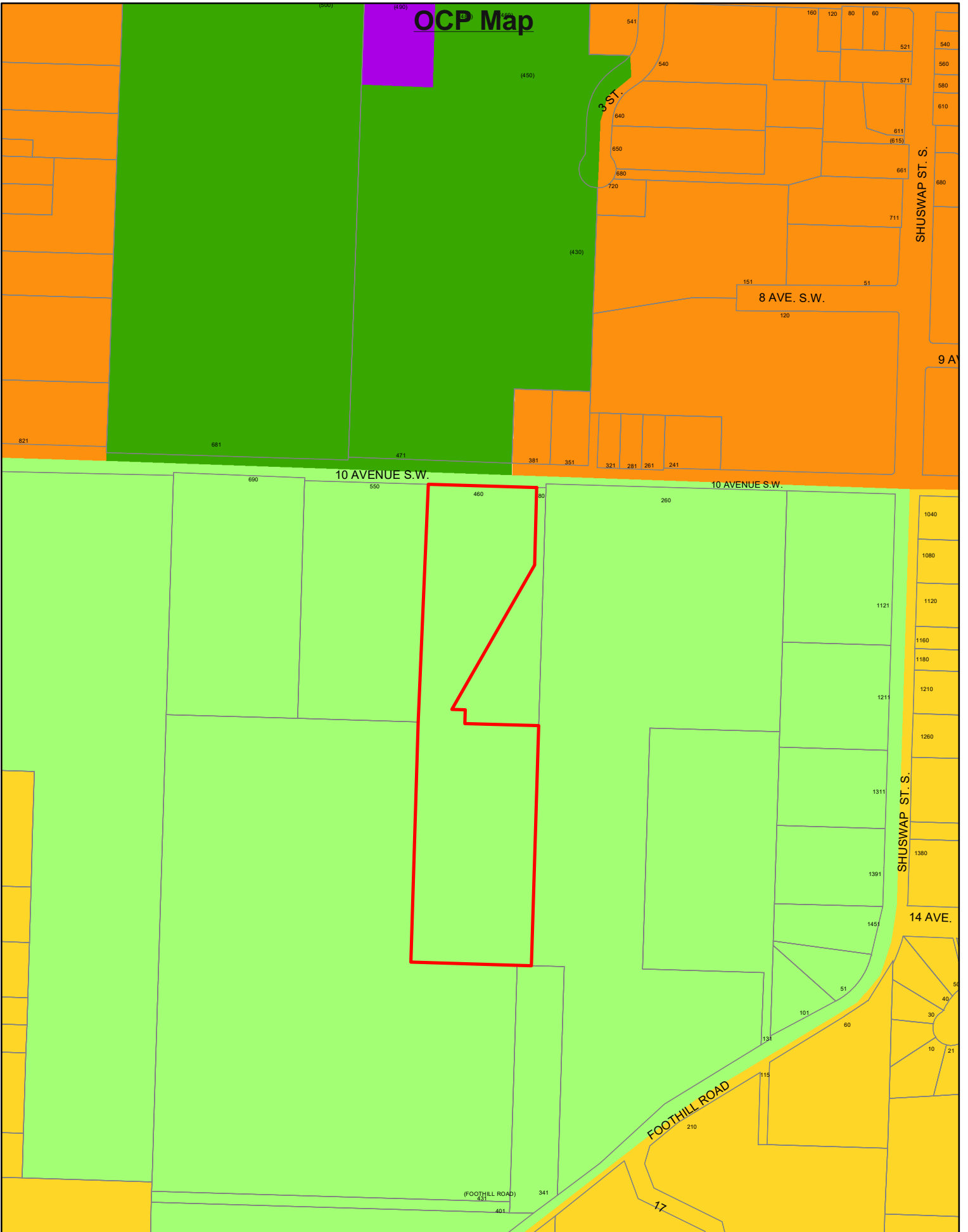




Subject Property








Parcels

OCP Map

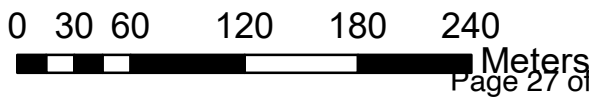
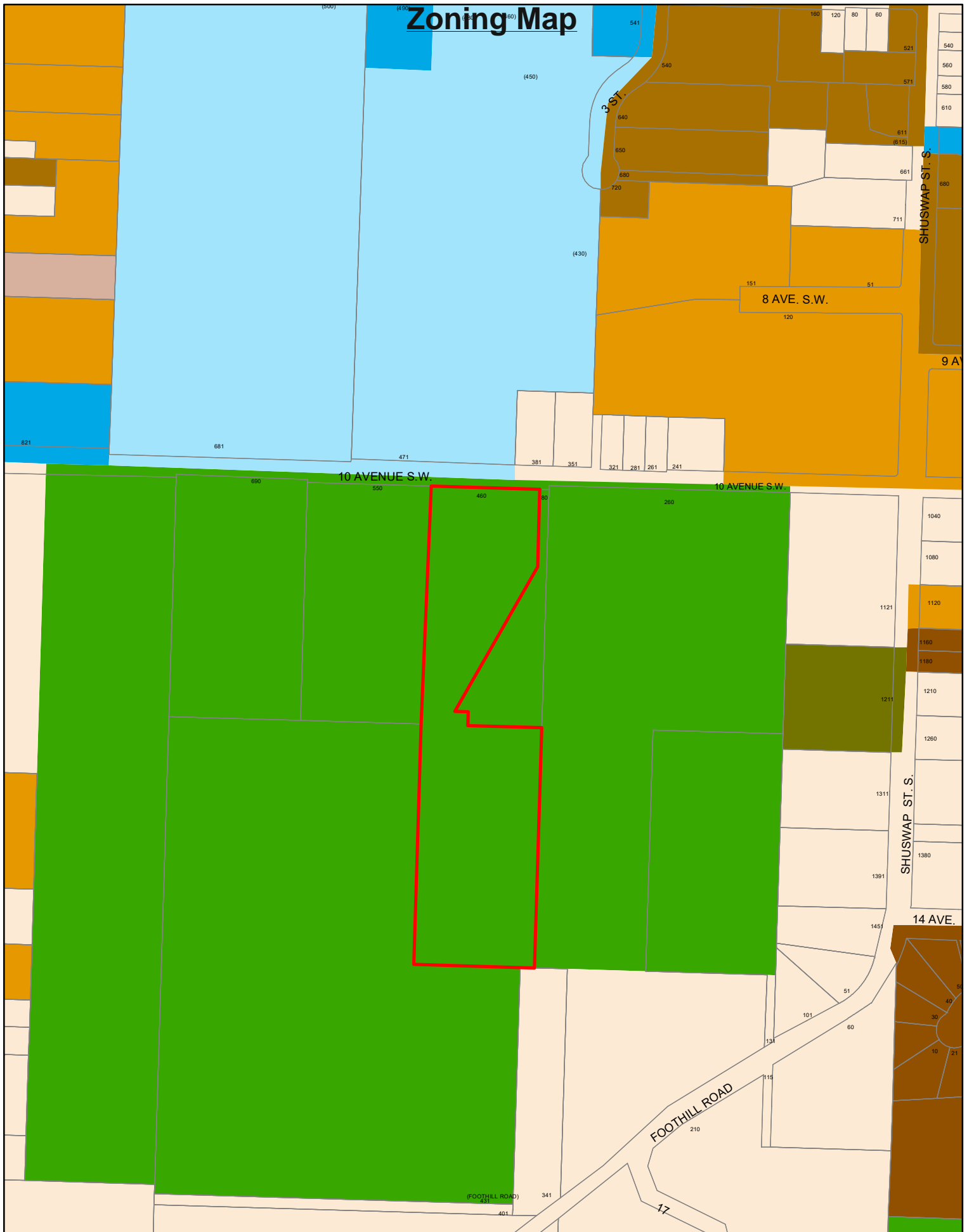


-  Subject Property
-  Parcels

Legend

-  Acreage Reserve
-  Park
-  Institutional
-  Residential - Medium Density
-  Residential - High Density

Zoning Map



- Subject Property
- Parcels

Legend

 A-2	 A-3
 CD-1	 R-8
 P-1	 R-1
 P-3	 R-4
 R-5	

381

351

321

10th AVE SW



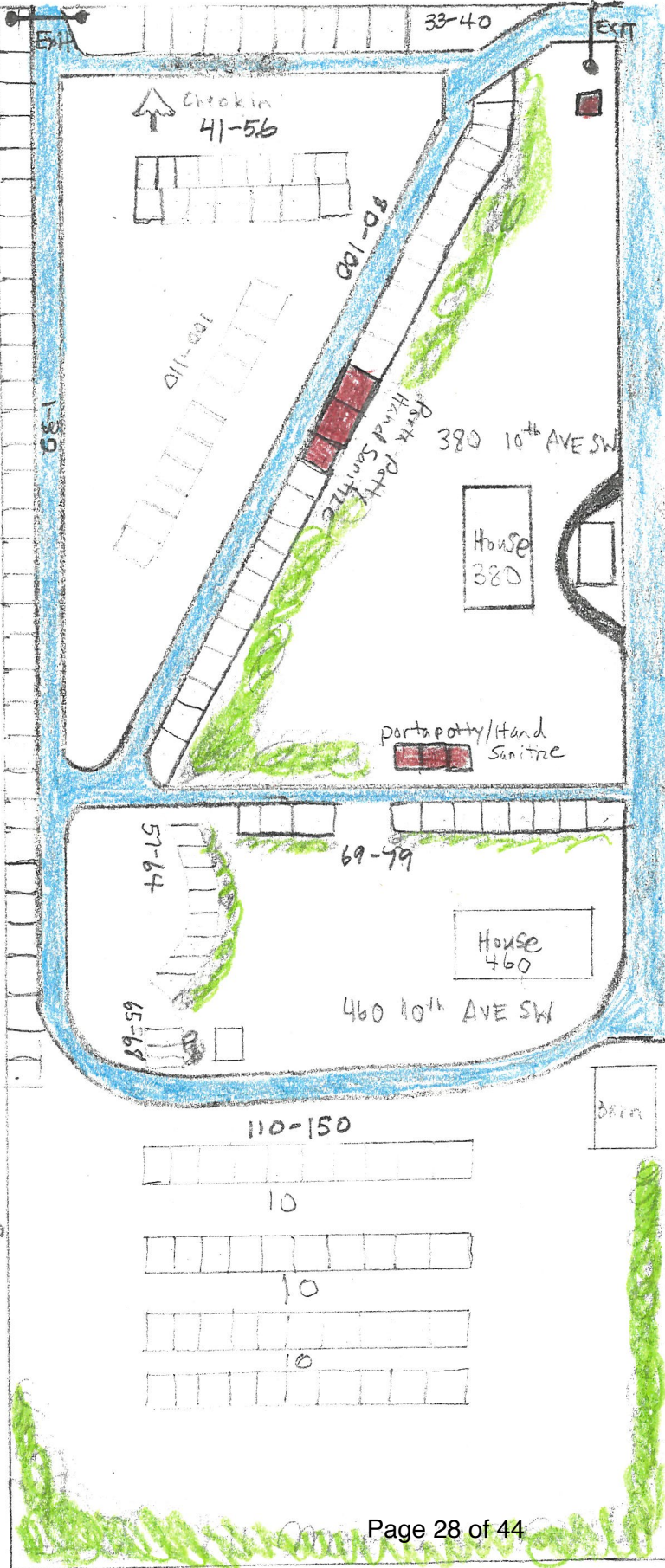
Emergency Entrance

Emergency Entrance

Fence →

Fence →

Fence →



Current 100 sites

- Muster Point
- ▭ campsites
- 🚻 portable Toilets
- 2 Hand Sanitize stations
- 🌳 tree line for shade
- on site buildings
- Exits from field
- ▭ driveway/parking pad
- 🌲 Check in
- Fire hydrant

TO: Gary Buxton, Director of Planning
DATE: April 25, 2024
PREPARED BY: Chris Moore, Engineering Assistant
OWNERS: **Dayton & Loa Page**, 460 – 10 Avenue SW, Salmon Arm, BC, V1E 1T5
SUBJECT: **TEMPORARY USE PERMIT APPLICATION NO. TUP-19**
LEGAL: Lot 2, Section 11, Township 20, Range 10, W6M, KDYD, Plan 27414
CIVIC: **460 – 10 Avenue SW**

Further to your referral dated April 5, 2024, we provide the following servicing information.

General:

1. Full municipal services are required as noted herein. Notwithstanding the comments contained in this referral, it is the Owner's responsibility to ensure these standards are met.
2. Comments provided below reflect the best available information. Detailed engineering data, or other information not available at this time, may change the contents of these comments.
3. The Engineering Department has no objection to the proposed temporary use, subject to clarification on the method of connection to the City water, including the provision of water meters and suitable backflow prevention devices. Plumbing details are to be approved by the building department and an annual plumbing permit and inspection is required prior to public use of the hand washing stations.



Chris Moore
Engineering Assistant



Jenn Wilson P.Eng.
City Engineer



REQUEST FOR DECISION

To: Development & Planning Services Committee

From: Planner I

Title: Non-Adhering Residential Use File No. ALC 423

Legal: The South ½ of the South ½ of the South East ¼ of Section 20, Township 20, Range 9, W6M, KDYD, Except Plan B949, 39285 and KAP70592

Civic: 1240 60 Street NE

Owner: J. & A. Franklin

Agent: Owner

Date: May 21, 2024

Executive Summary/Purpose:

The Agricultural Land Commission (ALC) is seeking a Council resolution with regard to the owner's request to have an accessory residence on the subject property. In 2021 the owners made an application to the ALC and indicated that the original farm house would be demolished once the new single family dwelling was constructed. The new single family dwelling is constructed and owners are now requesting to keep the original farm house and reducing the floor area to 90m² (968ft²) (Appendix 8).

Motion for Consideration:

THAT: Council authorize Agricultural Land Commission Application No. ALC 423 for submission to the Agricultural Land Commission.

Staff Recommendation:

That the motion for consideration be adopted.

Proposal:

The applicant has made a Non-Adhering Residential Use (NARU) application to the ALC requesting to retain the original farmhouse by converting it into a *rural detached dwelling* and reduce the square footage of the building (Appendix 5). Converting, and reducing the footprint of an existing *Single Family Dwelling* to a *Rural Detached Dwelling* requires ALC approval.

Background:

The subject property is located at 1240 60 Street NE as shown in Appendices 1 and 2. It is zoned A-2 (Rural Holding) and designated as Acreage Reserve in the Official Community Plan (OCP) (Appendices 3 and 4). The property is approximately 5.9ha in size and contains a single family dwelling, the original farm house, and two accessory buildings. The property is almost entirely within the Agricultural Land Reserve (ALR) as shown on Appendix 3 with the applicant proposing to have the ALC allow them to not decommission the original farmhouse. The applicant is

requesting to convert the SFD to a *Rural Detached Dwelling* by reducing the floor area in order to be compliant with ALC and City zoning regulations (Appendix 8). The Zoning Bylaw regulations allow for a rural detached dwelling up to 90m² (968ft²) in area.

The subject property has 3 class soils. The west end of the property has an improved soil rating 70% class 3(T) and 30% class 2(X) with topography and cumulative minor adverse characteristics being a limiting factor. The middle segment of the subject property has an improved soil rating 60% class 4(PM) and 40% class 5(TP) with stoniness, moisture, and topography being a limiting factor. A narrow strip of land by east end of the property has an improved soil rating of 80% class 6(TR) and 20% class 7(TR) with topography and shallow soil over bedrock being a limiting factor. Soil capability rating ranges from Class 1 to Class 7. The best agricultural lands are rated Class 1 because there is ideal climate and soil to allow the growth of the widest range of crops. Class 7 is considered non-arable, with no potential for soil bound agriculture. The soil classification maps are enclosed as Appendices 6 and 7.

Adjacent zoning and land uses include the following:

North: Rural Holding (A-2) – Single Family Dwelling and Agriculture
South: Rural Holding (A-2) – Single Family Dwelling and Agriculture
East: Rural Holding (A-2) – Single Family Dwelling and Agriculture
West: Rural Holding (A-2) – Single Family Dwelling and Agriculture

Non Adhering Residential Use Application ALC No. 404

In 2021, the applicant made a NARU application (Application ID: 62300/ ALC No. 404). In that application the request was to live in the original farm house while constructing the new principal dwelling. After occupancy of the new principal dwelling was granted, the original farmhouse was to be demolished. Staff required the issuance of a Type B Permit with the issuance of the Building Permit for the new residential unit. Type B Permit was issued August 2021 by the City as an agreement to allow the owner to occupy the existing residence. The applicant provided a \$5,000.00 security deposit and the permit was valid for 1 year. The owner was required to decommission or demolish the existing unit before the security is returned.

Relevant Policy(ies):

OCP Section 7.3.16 supports either a conventional suite contained within a dwelling or a detached suite in the areas designated as Acreage Reserve.

Referral Comments:

Fire Department

No concerns.

Building Department

There is currently an open building permit on this property. The building permit will remain open until the Type B permit is closed and a demolition permit has been issued. Should the ALC support the application, a new building permit will be required. The new building permit would address the reduction in floor area to meet the 90m²/ (968.8ft²) permitted in the Zoning Bylaw.

Engineering Department

No concerns.

Planning Department

In considering the application, the following factors are considered: permitted uses, setbacks, and building area. The A2 zone allows for one *Rural Detached Dwelling* and one *Single Family Dwelling* per parcel. The original farmhouse is over the allowable size for a *Rural Detached Dwelling* (approximately 102m²/1100ft²). On the basis of the site plan provided, the owner would not require any additional zoning variances for the additional dwelling.

Given that the zoning allows for a *Rural Detached Dwelling*, staff are supportive of this application provided the applicant reduce the floor area as per the zoning regulations.

Agricultural Advisory Committee

The Agricultural Advisory Committee reviewed the application at their April 10, 2024 meeting and passed the following resolution:

THAT: The AAC supports ALC Application No. 423.

Conclusion

Type B Permits are regulated by the Zoning Bylaw and are used regularly to govern the demolition or decommissioning of existing residential units prior to the occupancy of a new unit on properties, which permit one residential unit only. Staff note that the tools in place to enforce the permits are sufficient and have no objections to the ALC implementing or enforcing ALC regulations in a similar manner.

Staff support the application being authorized for submission to the ALC for decision.

Prepared by: Planner I

Reviewed by: Manager of Planning and Building

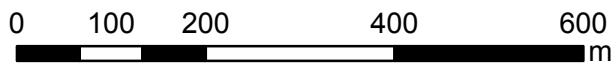
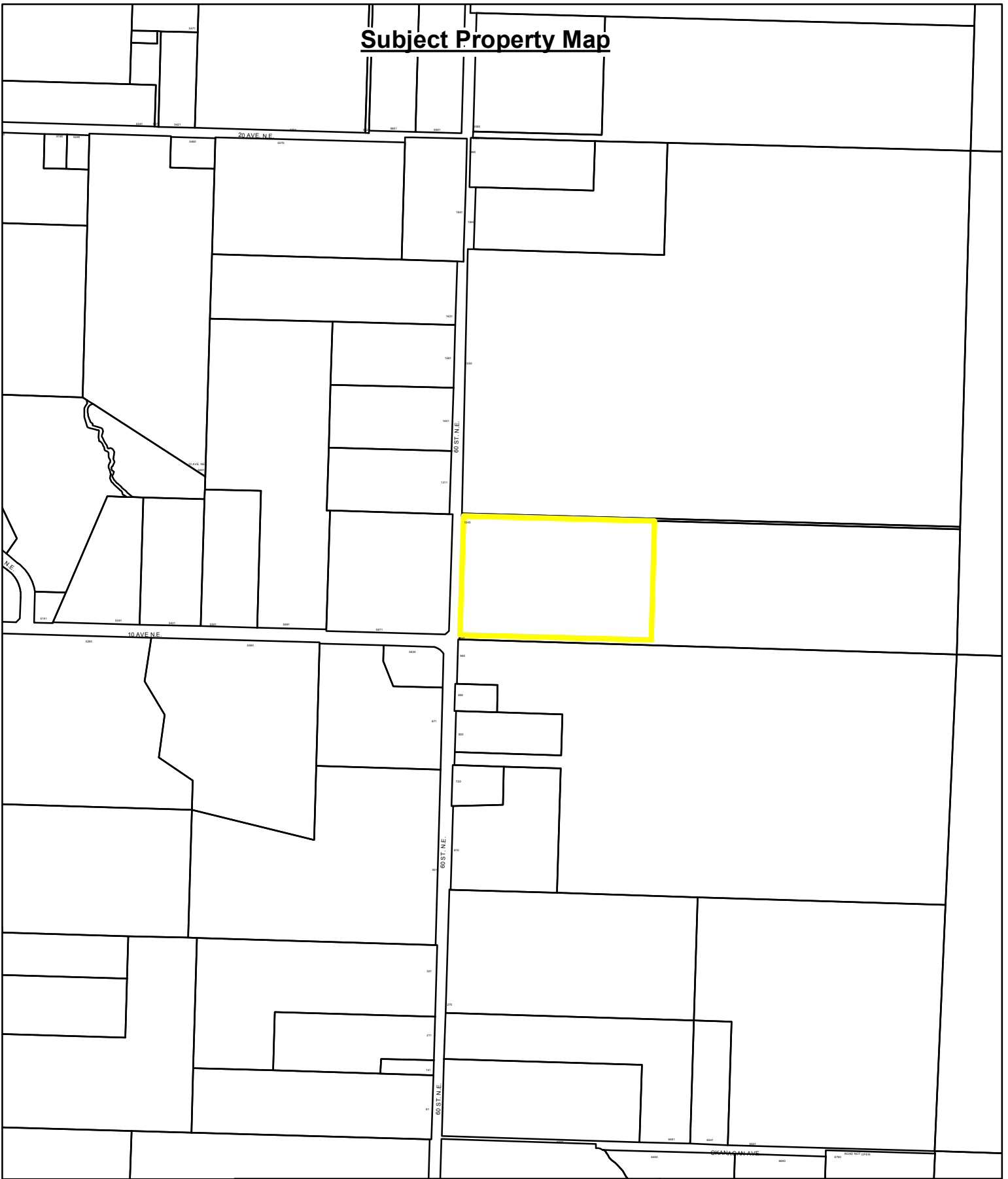
Reviewed by: Director of Planning & Community Services



Approved by: Chief Administrative Officer

Attachments:

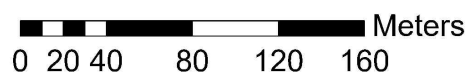
- Appendix 1 – Subject Property Map
- Appendix 2 – Ortho Map
- Appendix 3 – OCP Map
- Appendix 4 – Zoning Map
- Appendix 5 – ALC Application
- Appendix 6 – Unimproved Soil Map
- Appendix 7 – Improved Soil Map
- Appendix 8 – Site Plan

Subject Property Map



-  Subject Property
-  Parcels

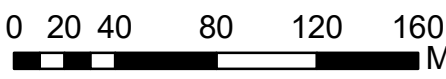
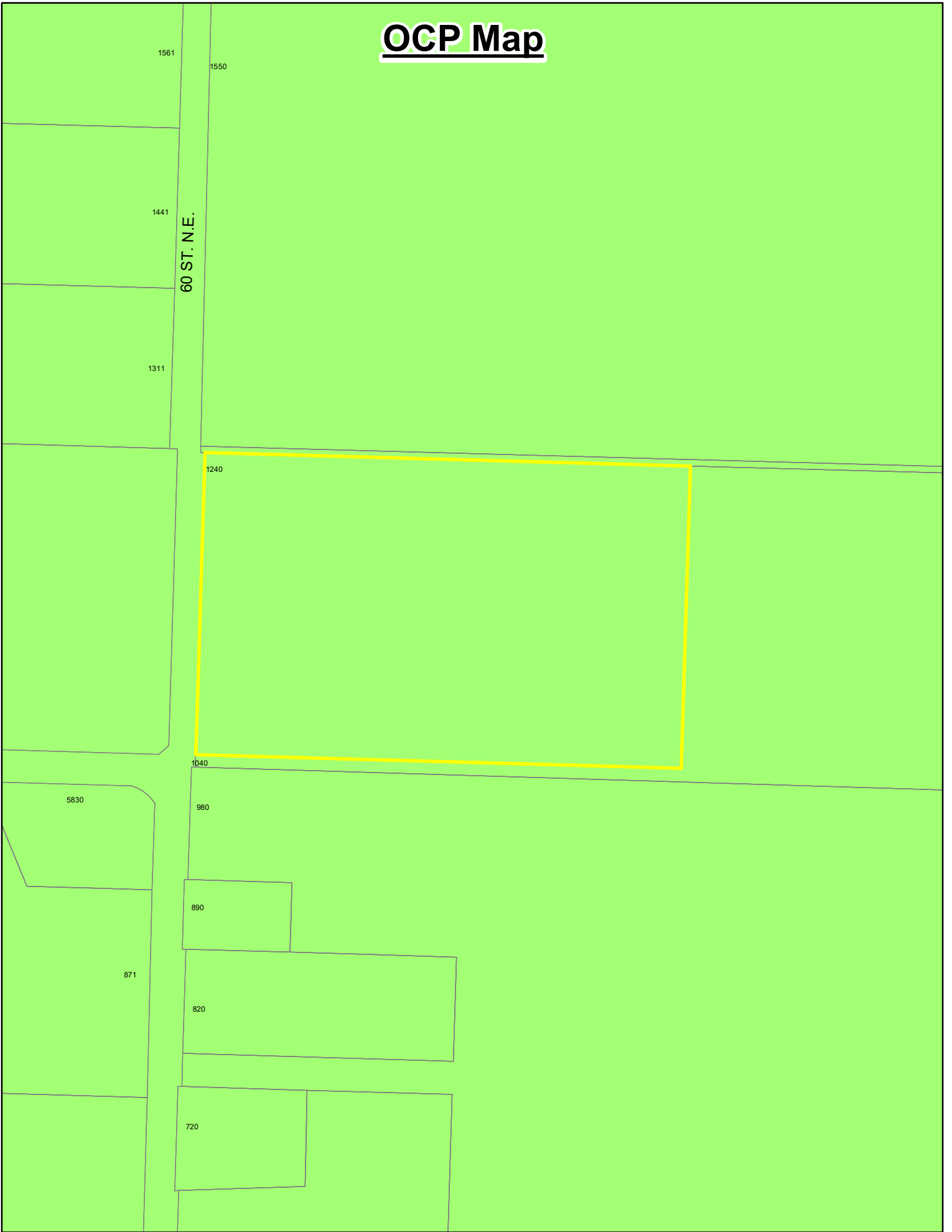
Ortho Map





 Subject Property

 Parcels

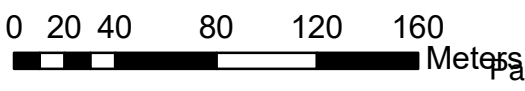
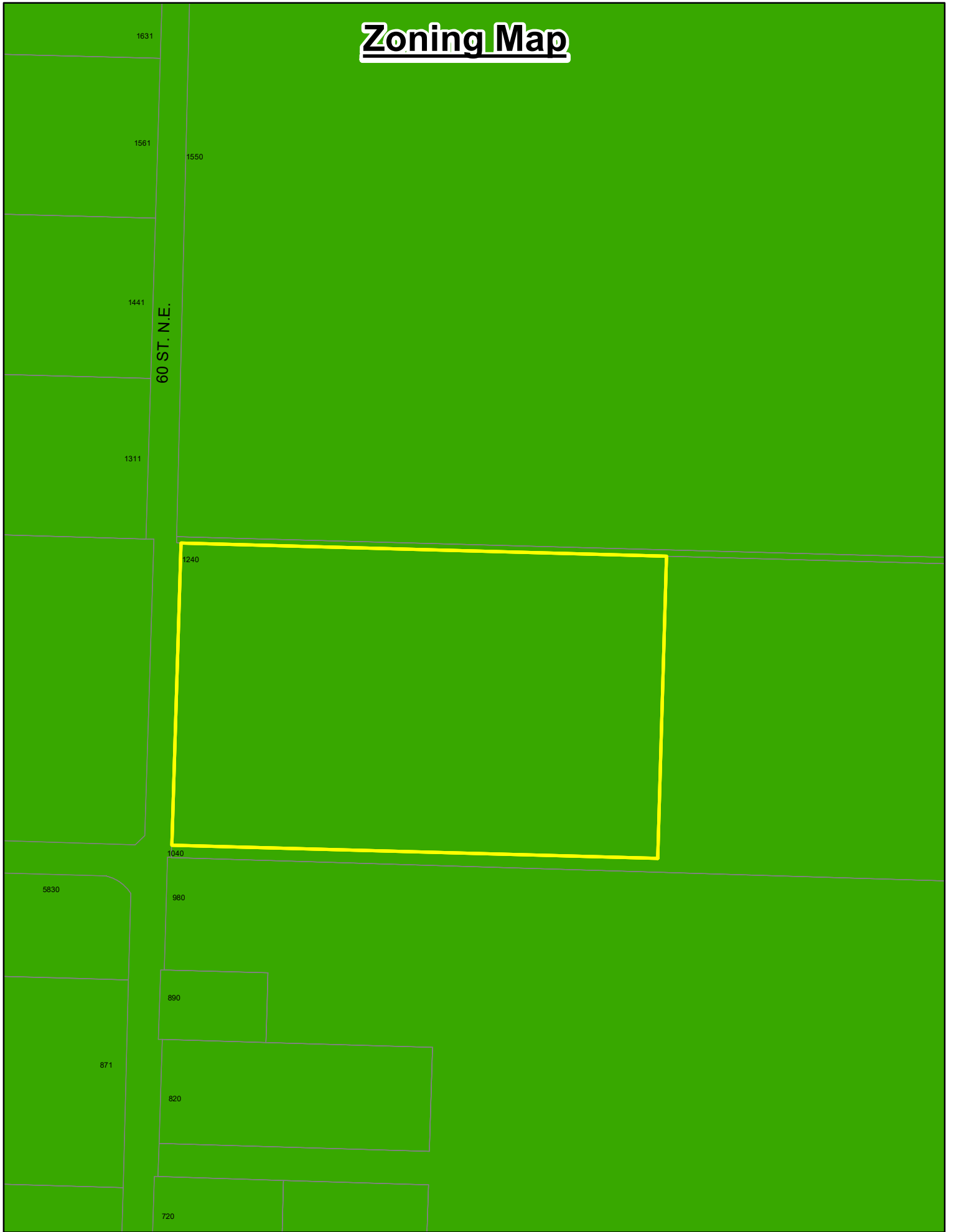
OCP Map



Legend

-  Subject Property
-  Acreage Reserve
-  Parcels

Zoning Map



Legend

-  Subject Property
-  A-2
-  Parcels



Provincial Agricultural Land Commission - Applicant Submission

Application ID:	100023
Application Type:	Non-Adhering Residential Use within the ALR
Status:	Under Review by L/FNG
Applicant:	Franklin et al.
Local/First Nation Government:	City of Salmon Arm

1. Parcel(s) Under Application

Parcel #1

Parcel Type	Fee Simple
Legal Description	THE SOUTH 1/2 OF THE SOUTH 1/2 OF THE SOUTH EAST 1/4 OF SECTION 20 TOWNSHIP 20 RANGE 9 WEST OF THE 6TH MERIDIAN KAMLOOPS DIVISION YALE DISTRICT EXCEPT PLANS B949 39285 AND KAP70592
Approx. Map Area	5.9 ha
PID	007-816-162
Purchase Date	Jul 24, 2020
Farm Classification	Yes
Civic Address	1240 60 St. NE
Certificate Of Title	TITLE-CA8320871-PID-007-816-162.pdf

Land Owner(s)	Organization	Phone	Email	Corporate Summary
Ava Franklin	No Data	2508336454	avamarina@gmail.com	Not Applicable

Jayme Franklin No Data 2508328380 Jayme@franklinen Not Applicable
gineering.ca

2. Other Owned Parcels

Do any of the land owners added previously own or lease other parcels that might inform this application process? No

3. Primary Contact

Will one of the landowners or government contacts added previously be the primary contact? No

Type Third-Party Agent
First Name Vanessa
Last Name Linowski
Organization (If Applicable) Franklin Engineering
Phone 2508328380
Email Vanessa@franklinengineering.ca

4. Government

Local or First Nation Government: City of Salmon Arm

5. Land Use

Land Use of Parcel(s) under Application

Describe all agriculture that currently takes place on the parcel(s). The property has been established into a hay crop. This hayfield runs from the front West property line at the road up to about 40m from the back East property line. It is currently leased for hay production and harvest. As this is a relatively new crop, with no irrigation, continued extensive management is required to restore the productive yields of this property.

Describe all agricultural There's a barn in the back NE corner of the property, which is accessed via a

improvements made to the parcel(s).

road up the North edge of the property and then switchbacks near the top to overcome the grade and bank to get up to the barn's elevation. The barn is in the back corner as this is the least desirable agricultural land (steep), as is the new primary residence. The lands to the West at the bottom of the parcel against 60th St. are less sloped and much better for farming.

Describe all other uses that currently take place on the parcel(s).

There is an old house built in 1930 and a new house built in 2021 currently located on the property. These are both accessed by an existing farm road which skirts the edge of the property along the North boundary.

Choose and describe neighbouring land uses

	Main Land Use Type	Specific Activity
North	Agricultural / Farm	Haskap/Residential
East	Residential	Residential/some grapes
South	Agricultural / Farm	and residential (cattle grazing)
West	Agricultural / Farm	Hay across 60th

6. Proposal

Selected Subtype: Additional Residence for Farm Use

What is the purpose of the proposal?

To retain the secondary dwelling on the property. The applicant recognizes that previous commitments were made to demolish the secondary dwelling upon construction of the primary dwelling (application approval date August 10, 2021). This commitment was based on the concurrent understanding of the ALCs policies on the matter, and the applicants understanding that the existing dwelling, constructed in 1930, was not suitable for long term living and would require extensive upgrades to become habitable. However, because of minor alterations made by the applicant during their time of residence in the dwelling during construction of the new primary dwelling, this understanding has since changed. Furthermore, new information has become available since submission of the previous application pertaining to the ALCs policy on allowable residential structures. The ALC information bulletin amendment effective December 31, 2021, states a property 40 ha or less, permits a principal residence with total floor area of 500 m2 or less and one additional

residence with a total floor area of 90 m² or less, if permitted by local government bylaw. Under the City of Salmon Arm local zoning bylaws, this property is zoned A-2 Rural Holding zone, which permits one (1) secondary suite or one (1) rural detached secondary suite per parcel. The applicant, upon ALC acceptance, will obtain a building permit from the City of Salmon Arm to adjust the floor area of the secondary residence to 90 m² in order to comply with the City of Salmon Arm and the ALCs policies. If this proposal to the ALC is unsuccessful, the original dwelling could be demolished, and the applicant would be permitted to re-construct a secondary dwelling up to 90m² on the property, as per ALC policy, without any required applications to the ALC. The applicant favors retaining the original house and altering the floor area as it is a more holistic sustainable approach and would result in a lower overall disturbance of the property. Viability of the existing residence was based on initial assumptions which were not investigated further because there was no ALC policy at the time of application for secondary dwellings. With no way to keep the existing residence, the applicant presented what they thought would be the most favorable scenario to the ALC in order to build a new home for their family. The applicants became aware of the upcoming ALC policy change after the original decision, and before the 90 day conditions time limit. Thus, further investigation into the viability of the existing residence was conducted and then found to be a worthwhile exercise in sustainability. Rebuilding the house would be cost-prohibitive and thus maintaining the original dwelling will allow for the farm use potential as well as contribute to the current housing crisis in the province of British Columbia.

What is the total floor area (m²) of the proposed additional residence? 90

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

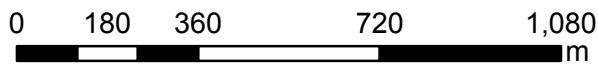
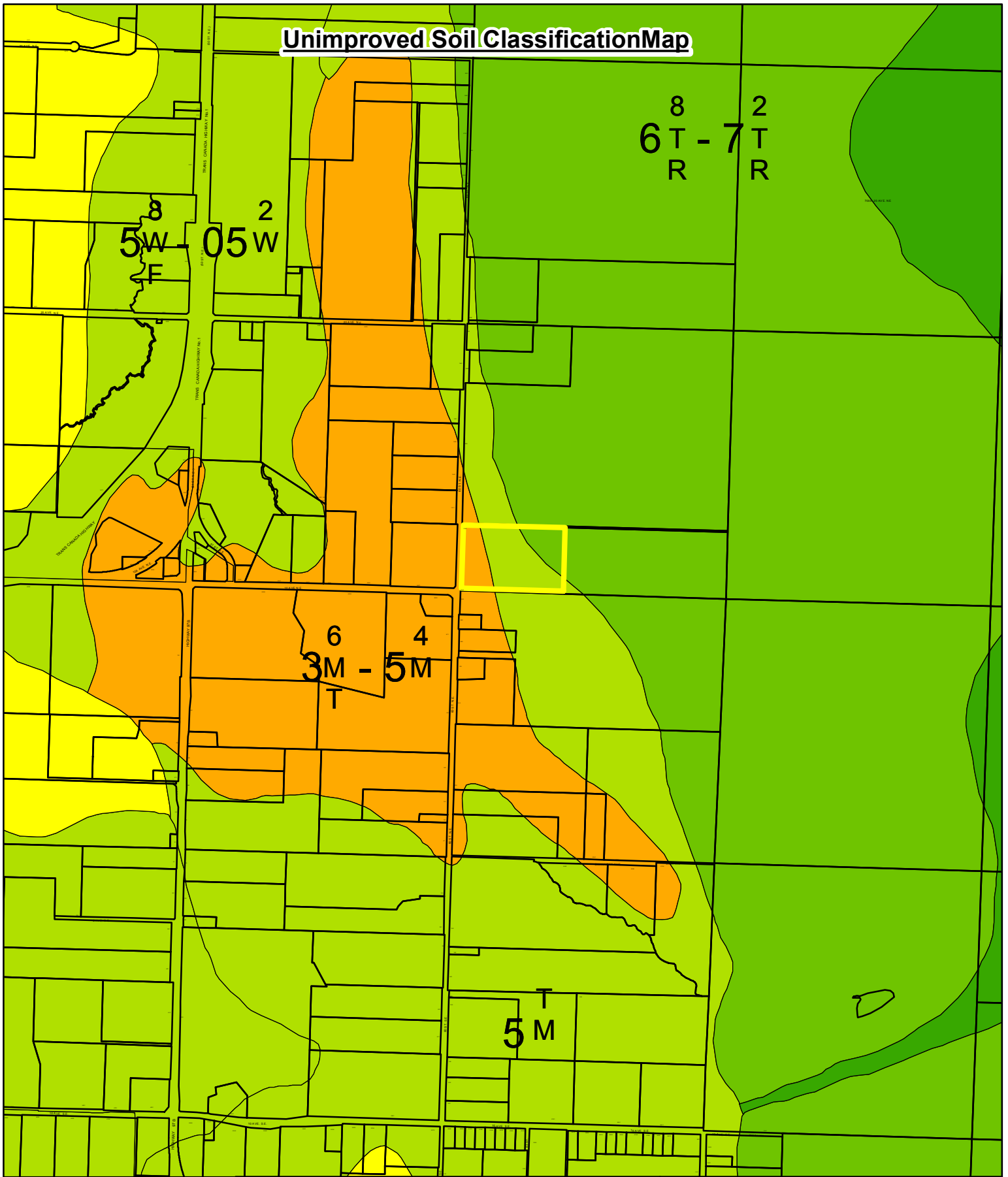
Re-establishment of the agricultural purpose of this property has actively been undertaken to restore the land to a productive hay crop. Careful placement of the new house has ensured the optimization of the arable land for crop devotion. As well, access has been maintained to follow the existing farm road along the North property boundary. Keeping the original residence will allow for potential agricultural tenancy for people who are interested in maintaining the crop land and or, ideally, further develop the farm. The applicants desire increased farming activities on the property but lack the manpower. Presently the field is leased to a neighbor who maintains and harvests the newly established hay. With approval from the ALC, the applicant would be able to actively search for permanent tenants who could take on land management.






Describe the rationale for the proposed location of the additional residence.	As this is a request to retain the original house as the secondary residence, no farmland will be disturbed. The extent of impact will be contained within the existing disturbance area. The new principal residence was constructed at the top of the property, in the steepest area, and is accessed via the existing farm road.
Provide the total area (m²) and a description of infrastructure necessary to support the additional residence.	614 m2 - refer to the attached site plan for details.
Describe the total floor area (m²), type, number, and occupancy of all residential structures currently located on the property.	There are two residential structures on this property. 1) The original house, which will be reduced to 90 m2, would be suited for one to three people to live in. 2) The new 327 m2 house holds 4 bedrooms where the applicant's family of five resides.
Proposal Map / Site Plan	20240213_1240 60th St_R8.pdf
Do you need to import any fill to construct or conduct the proposed non-adhering residential use?	No

7. Optional Documents

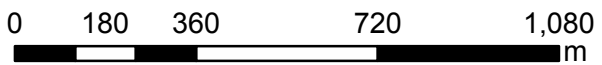
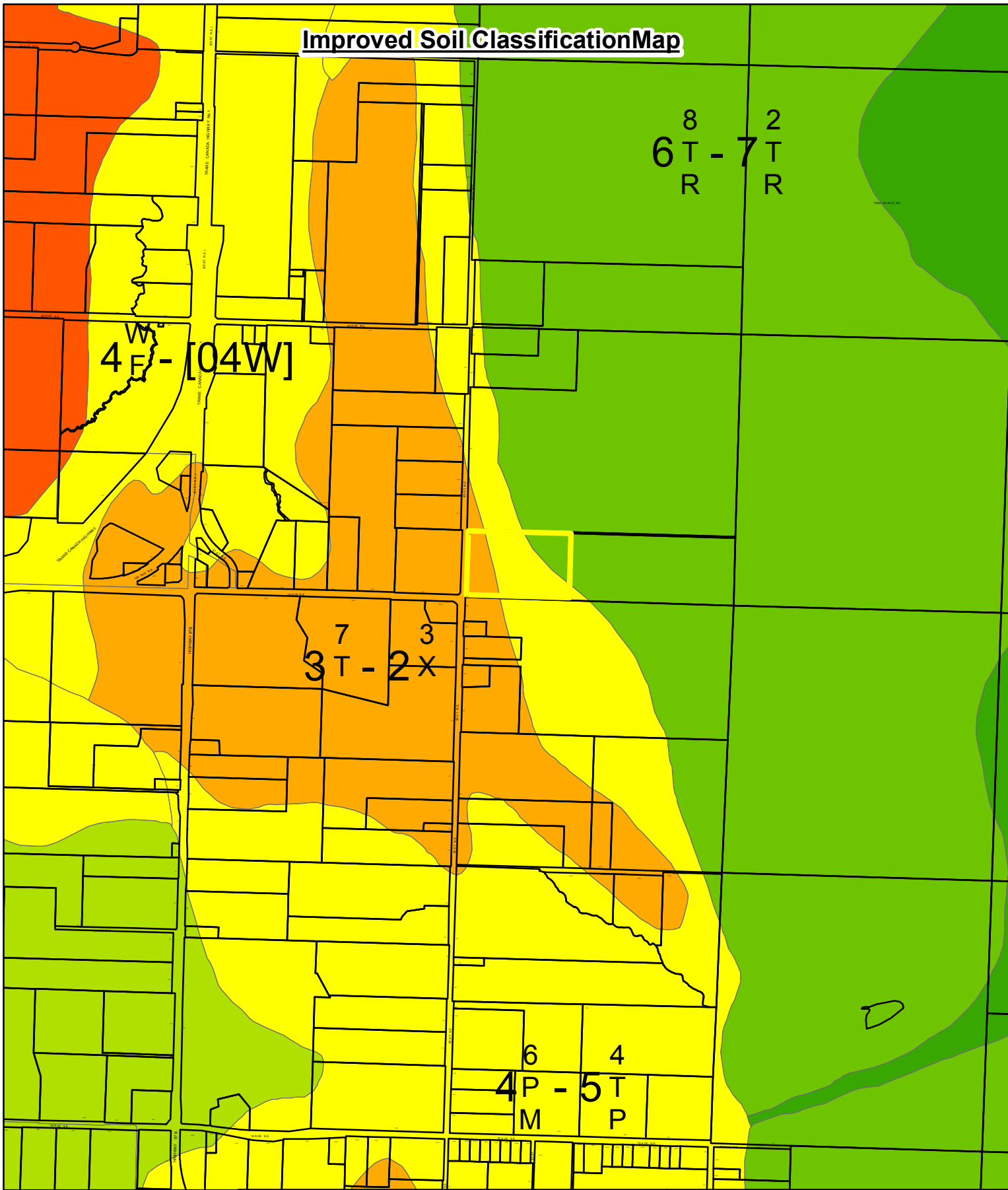
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Unimproved Soil Classification Map



- | | |
|--|---|
|  Subject Property |  CLASS 3 |
|  Parcels |  CLASS 4 |
| |  CLASS 5 |
| |  CLASS 6 |
| |  CLASS 7 |

Improved Soil Classification Map



- | | | |
|------------------|---------|---------|
| Subject Property | CLASS 1 | CLASS 5 |
| Parcels | CLASS 2 | CLASS 6 |
| | CLASS 3 | CLASS 7 |
| | CLASS 4 | |

