

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

**Monday, November 6, 2023, 8:00 a.m.  
Council Chambers of City Hall  
500 – 2 Avenue NE, Salmon Arm, BC**

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	<b>Pages</b>
<b>1. CALL TO ORDER</b>	
<b>2. ACKNOWLEDGEMENT OF TRADITIONAL TERRITORY</b> <i>We acknowledge that we are gathering here on the traditional territory of the Secwepemc people, with whom we share these lands and where we live and work together.</i>	
<b>3. ADOPTION OF AGENDA</b> <u>Motion for Consideration</u> THAT: the Agenda be adopted as presented.	
<b>4. APPROVAL OF MINUTES</b> <u>Motion for Consideration</u> THAT: the Minutes of the Development and Planning Services Committee Meeting of October 16, 2023 be approved.	3 - 6
<b>5. DISCLOSURE OF INTEREST</b>	
<b>6. REPORTS</b>	
6.1 Draft Tree Protection Bylaw <u>Motion for Consideration</u> THAT: the Development and Planning Services Committee recommends to Council that the draft Tree Protection Bylaw be forwarded to the Environmental Advisory Committee for recommendations on possible public engagement and consultation options;  AND THAT: the draft Tree Protection Bylaw be forwarded to Council for consideration once the Environmental Advisory Committee has provided its' recommendations.	7 - 28
6.2 Official Community Plan Amendment Application No. OCP4000-56 1821 9 Avenue NE Owners: 1026082 B.C. Ltd./Lakeside Bowling Ltd. Agent: IBA Architecture Inc. MR to HC  R. Bestoon, IBA Architecture Inc., the agent, outlined the application and was available to answer questions from the Committee.  <u>Motion for Consideration</u> THAT: the Development and Planning Services Committee recommends to	29 - 54

Council that a bylaw be prepared for Council's consideration, adoption of which would amend the Official Community Plan Bylaw No. 4000 Land Use Designation of Lot A, Section 13, Township 20, Range 10, W6M, KDYD, Plan 9888 from MR (Medium Density Residential) to HC (Highway Service/Tourist Commercial).

- 6.3 Zoning Amendment Application No. ZON-1275  
*(see Item 6.2 for Staff Report)*  
1821 and 1881 9 Avenue NE  
Owners: 1026082 BC Ltd./Lakeside Bowling Ltd.  
Agent: IBA Architecture Inc.  
R-1 to C-6/C-3 to C-6

R. Bestoon, IBA Architecture Inc., the agent, outlined the application and was available to answer questions from the Committee.

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:

1. rezoning Lot A, Section 13, Township 20, Range 10, W6M, KDYD, Plan 9888 from R-1 (Single Family Residential Zone) to C-6 (Tourist/Recreational Commercial Zone);
2. rezoning Parcel A (DD W51279), Section 13, Township 20, Range 10, W6M, KDYD, Plan 9888 Except Plan KAP46224 from C-3 (Service Commercial Zone) to C-6 (Tourist/Recreational Commercial Zone);

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

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

October 16, 2023, 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 Corporate Services S. Wood  
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. Smyrl  
Planner M. Paiement

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#### 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 Lindgren  
Seconded by: Councillor Gonella

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 Meeting of October 3, 2023 be approved.

Carried Unanimously

**5. DISCLOSURE OF INTEREST**

**6. REPORTS**

6.1 Zoning Amendment Application No. ZON-1268

4500 10 Avenue SE

Owner: J. Kral

A-2 to M-2

J. Kral, the applicant, outlined the application.

Moved by: Councillor Lavery

Seconded by: Councillor Flynn

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 3, Section 7, Township 20, Range 9, W6M, KDYD, Plan 16264 from A-2 (Rural Holding Zone) to M-2 (Light Industrial Zone);

AND THAT: Adoption of the bylaw be withheld subject to:

1. Registration of *Land Title Act* Section 219 covenants:

a. securing the road reserve areas aligned with the road network preplan attached as Appendix 7 to the staff report dated October 6, 2023; and

b. the location for a future storm pond or facility as shown on the preplan drawings attached as Appendix 7 to the staff report dated October 6, 2023;

2. Ministry of Transportation and Infrastructure approval.

**Amendment:**

Moved by: Councillor Wallace Richmond

Seconded by: Councillor Flynn

THAT: Zoning Application No. ZON-1268 be deferred to a future meeting pending further discussion between the applicant and Staff.

Carried Unanimously

6.2 Zoning Amendment Application No. ZON-1270

2391 26 Avenue NE

Owner: W. Cockrill & J. Weed

Agent: Gentech Engineering

R-1 to R-8

J. Weed, the applicant, was available to answer questions from the Committee.

Moved by: Councillor Gonella

Seconded by: Councillor Flynn

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 be rezoning Lot 4, Section 24, Township 20, Range 10, W6M, KDYD, Plan 1500 Except Plans 1948 and EPP119501 from R-1 (Single Family Residential Zone) to R-8 (Residential Suite Zone).

Carried Unanimously

6.3 Zoning Amendment Application No. ZON-1276

1591 10 Avenue SW

Owner: D. & P. Wiens

Agent: Green Emerald Investments Inc.

R-1 to C-6

G. Arsenault, Green Emerald Investments Inc., the agent, outlined the application and was available to answer questions from the Committee.

Moved by: Councillor Wallace Richmond

Seconded by: Councillor Gonella

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 15, Township 20, Range 10, W6M, KDYD, Plan 4309 Except Plan 10420 from R-1 (Single Family Residential Zone) to C-6 (Tourist/Recreational Commercial Zone);

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

Carried Unanimously

6.4 Zoning Amendment Application No. ZON-1277

20 20 Street NE

Owner: J. Pannu

R-1 to R-8

Moved by: Councillor Lavery

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 1, Section 13, Township 20, Range 10, W6M, KDYD, Plan 23814 Except Plans KAP55273 and EPP118532 from R-1 (Single Family Residential Zone) to R-8 (Residential Suite Zone);

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

- i. confirmation that the proposed *secondary suite* in the existing *single-family dwelling* meets Zoning Bylaw and BC Building Code requirements; and
- ii. Ministry of Transportation and Infrastructure approval.

Carried Unanimously

**7. FOR INFORMATION**

**8. IN-CAMERA**

**9. ADJOURNMENT**

There being no further business on the agenda, the meeting adjourned at 8:30 a.m.

“A. HARRISON”

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MAYOR, A. HARRISON

To: His Worship Mayor Harrison and Council  
Date: October 27, 2023  
Subject: Draft Tree Protection Bylaw

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**MOTION FOR CONSIDERATION:**

THAT: the Committee recommends that the draft Tree Protection Bylaw be forwarded to the Environmental Advisory Committee for recommendations on possible public engagement and consultation options;

AND THAT: the draft Tree Protection Bylaw be forwarded to Council for consideration once the Environmental Advisory Committee has provided its' recommendations.

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**BACKGROUND:**

In 2022, Council referred the review of Tree Removal Bylaw 2305 to the Environmental Review Committee (EAC). Appendix 1 provides a summary of the issues that the EAC raised in a presentation to Council on January 9, 2023. Since that time, staff have been working on a draft bylaw (Tree Protection Bylaw) to repeal and replace the Tree Removal Bylaw which dates to 2003. The EAC has seen this new bylaw in various draft forms, and is generally supportive of the approach, but has not made a formal recommendation regarding it.

The draft Tree Protection Bylaw focuses on the issues of protection and maintenance of the community's tree canopy. Issues related to a larger urban tree strategy, and managing the tree canopy as a natural asset are beyond the scope of a bylaw of this nature, and would require considerably more time and resources to provide.

The draft Tree Protection Bylaw was created following the review of a number of similar bylaws from other communities, including:

- City of Vancouver
- City of Nanaimo
- City of Vernon
- City of Prince George
- District of Squamish
- District of Hope

Elements from a number of these bylaws have been incorporated into the new draft, as well as retaining some elements from the old bylaw being replaced.

A summary of the draft bylaw is as follows:

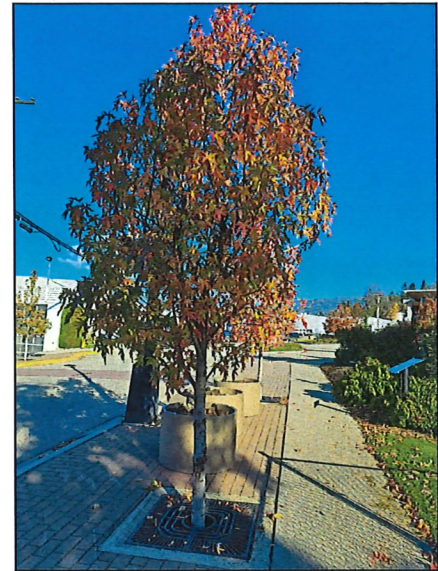
**Section 2 – Application:** As with the previous bylaw, trees subject to the provisions of this bylaw are those that have a circumference of 30cm when measured 1.5m above the ground. The image below provides an example of a tree that meets this definition.

**Section 3 – Exceptions:** This provides a series of instances in which the bylaw would not apply. Substantive differences in these exceptions from the prior bylaw are:

- Lands zoned as industrial, where the previous bylaw allowed for unrestricted clearing, and where now a permit to cut is required; and
- On residential parcels over 0.4 hectares (1 ac.) the previous bylaw allowed 5% of the trees on the parcel to be cut each year without the need for a permit (the new bylaw requires a permit).

**Section 4 – Cutting of Trees:** This section outlines that in order to cut a tree, then a permit is required. The bylaw does not prohibit the cutting of all trees across the City. Certain classes of trees are afforded greater levels of protection (see Sections 4.3, 4.4 and 4.5).

*Sample tree meeting the bylaw definition*



**Section 4.3** defines the “Landscape” and “Wildlife” trees, and is identical to the previous bylaw. Additions could be made to these lists at any time, by Council. These trees are protected.

**Section 4.4** prohibits the cutting of trees on steep slopes without professional reassurance that slope stability will not be adversely affected. This represents a new restriction compared to the previous bylaw.

**Section 4.5** prohibits the cutting of trees in riparian areas without professional reassurance that there will not be adverse environmental impacts. This represents a new restriction compared to the previous bylaw.

**Section 5 - Permits:** Provides details on the process of applying for a permit to the City to cut a tree or trees, and what information needs to be provided. Permits are delegated to staff to review. The CAO will delegate to the staff person responsible (likely in the Planning Department). A condition of a permit may require the provision of security if that is deemed necessary.

**Section 5.7** provides the circumstances under which a permit may be refused, and these include:

- Trees proposed to be removed prior to a development approval by the City;
- Trees on steep slopes where instability may result;
- Trees in riparian areas where negative environmental effects would result;
- Trees in flood prone areas that would result in negative flooding impacts or the transfer of risk to other properties; and
- Trees where the removal would result in the siltation of watercourses.



Section 7 – Stop Work Orders: Allows for the City to issue orders to cease work on tree cutting when the work is in violation of the bylaw.

Section 8 – Replacement Trees: Is a new section that deals with the replacement of trees when they are cut in violation of the bylaw or as part of a development or subdivision approval.

Section 8.1 and 8.2 allow for the City to direct the replacement of trees when trees are cut in violation of the bylaw, and provide standards for the planting of the replacement trees of a similar species. Section 8.3 allows for the variation in size or species when there may be potential interference with utilities.

Section 8.4 addresses the removal of trees when done as part of a residential subdivision, development or building permit. The table in Section 8.4 specifies the number of trees that are required to remain on the parcel following the tree cutting and development. While the requirements do not prevent clearing, they do result in replanting in the required amounts, depending on the size of the property. Any trees planted need to be able to grow to a height of no less than 6 metres, and come from an approved species list. (Note that this provision relates to residential development and not to non-residential development – e.g. commercial and industrial).

This tree density requirement would more appropriately be located in a Zoning Bylaw or Development Permit Area Guidelines in the OCP (or both), but either of these documents are some time from being amended to address tree retention. This bylaw provides some protection until the OCP and Zoning Bylaws are amended. When they are amended, then the tree retention provisions contained here could be repealed.

Section 8.6 provides the means by which the tree density can be maintained or achieved, and allows for double credit for trees retained on site, replanting in accordance with the required numbers or the payment of a fee (when allowed by the City) that would be deposited into a reserve fund for community wide tree planting.

Section 8.9 allows for the possible collection of securities as part of any development-related tree replacement plan.

Section 9 allows for any decision made by staff as part of this bylaw to be reconsidered by Council, with the exception of those relating to subdivisions, developments or building permits, as there are other mechanisms to deal with those decisions.

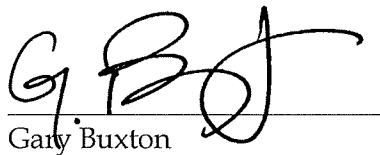
Section 10 allows for tickets to be issued for infractions. In the related MTI Bylaw, the fines are proposed at \$500 (up from \$200) for cutting and \$250 (up from \$100) for damaging a tree. Other fines are new and include \$1,000 for cutting a Landscape or Wildlife tree, and \$750 for cutting trees in riparian or floodplain areas, and \$500 for failing to replace required trees.

The proposed bylaw imposes significantly more restrictions on the cutting of trees in the community, and represents a new approach to the management of trees. Even if the proposals are generally supported, with a new approach as this, some public information, education and engagement is likely necessary (e.g. contacting all arborists and tree removal companies prior to approving the bylaw). In the absence of Council direction, staff suggest referring the matter back to the EAC for comments and suggestions on possible engagement.

The proposed bylaw will also likely result in an increase in the workload of the Planning Department, through the processing of tree removal permits. At present the City processes a handful of tree permits annually. With the reduction in exceptions, and the introduction of new retention requirements, there will be significantly more work on tree permits required going forwards, but it is not possible to accurately estimate the number. Complicating the issue is that the Planning Department will be significantly engaged with the OCP review in 2024 and into 2025, and then immediately thereafter with the review of the Zoning Bylaw, so that staffing resources will already be stretched.

The options with respect to workload are to defer adoption of the bylaw until such time as there are additional staff resources in the department for this and any other initiatives, or to proceed and then make adjustments to review and approval timelines or staffing levels once the impact is clear.

Following Council review and comments of the draft bylaw, and any further review or comments from the EAC both on the bylaw and any public engagement, staff will bring back the bylaw to Council for formal consideration.



Gary Buxton  
Director of Planning & Community Services

## City of Salmon Arm EAC

## Urban Tree Removal Bylaw Review and Recommendation

**Background**

Upon request from Salmon Arm City Council the Environmental Advisory Committee (EAC) has reviewed the City's Tree Bylaw and is pleased to provide a short summary of its findings. The city of Salmon Arm is rapidly developing and decisions today will shape what Salmon Arm is in the future. It is our opinion that the current bylaw provides very little protection or direction towards the vision from Council of a green, active, healthy and thriving community.

The use of urban greening and urban trees is gaining increased traction in municipal policy and operations across the globe to solve problems and create better places to live. A healthy urban tree canopy helps during heat waves and droughts, reduces flooding risk, benefits people's mental health, reduces air pollutants (fine dust from trains and highways), stabilizes slopes and much more.

The EAC understands the difficulty in managing the urban canopy while providing ample space to develop and grow as well as the increasing risk and growing fear within our population for wildfires due to hotter and drier summers. At the same time, we believe this tension shows why a strong urban tree bylaw and policy is needed as the current pressures reduce our urban canopy while restoring it takes decades.

In an initial exchange from the EAC, City staff acknowledges the need for an updated bylaw but also clearly states this needs to be embedded in a broader review of a possible Tree Management strategy, regulations (community Charter, OCP, local government act), goals (role of trees within City) and risks (fire).

The EAC agrees and hopes this document can contribute to developing a rationale and pathway forward to develop a tree management strategy and ultimately a bylaw that can effectively protect our urban canopy and its benefits while also allowing development and providing safety from wildfire.

Striking the right balance is key. It requires a clear vision, goals and policies that make sense and are supported by the public. Outreach and education from the city towards its developers, business community and inhabitants on the benefits, risks, and strategies for using trees in our community is a vital part of creating a space we can all live and thrive in now and in the future.

**Urban trees are not just pretty - They are Natural Assets**

Trees create environments in which people thrive. Many benefits like shade, soil moisture, storm water retention, air quality (dust reduction), noise reduction, wind breaks, and beautification are hard and expensive to recreate with engineered infrastructure once trees are removed. Trees are green infrastructure and not just landscaping for beautification only. The Federal government now regards urban forest as vital green infrastructure and is investing significantly in communities that want to improve this<sup>1</sup>. Asset management BC also recognizes natural assets and encourages communities to

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<sup>1</sup> <https://www2.gov.bc.ca/gov/content/transportation/funding-engagement-permits/funding-grants/investing-in-canada-infrastructure-program/green-infrastructure>

include natural assets in their asset management programs as Best Practices.<sup>2</sup> Most major cities and many smaller communities are acknowledging the importance of trees in their community and the need to gather information, manage and plan for trees to provide the desired benefits. This is very similar to sewer, water, roads, and other infrastructure with one key difference that it takes over 30 years after planting for a tree to provide significant benefits. It is even more important to properly protect and plan with the current canopy in mind.

The City's Service Delivery Management Policy adopted by council on November 22, 2021 defines Municipal Natural Assets as the stock of natural resources or ecosystems that are relied upon, managed or could be managed by a municipality, Regional District or other form of local government for the sustainable provision of one or more municipal services. The City committed within the policy to manage all assets in a sustainable manner using a 'balanced' approach to meet the long-term economic, social, cultural, physical, and environmental needs of the community.

### **Monitor, Identify, set goals, inform/educate, protect and build**

#### **Monitor**

In support of an effective urban tree policy and clear well supported Urban Tree Bylaw the EAC sees gathering information and monitoring the current urban Canopy as a vital first step. The municipality and council need to understand the trajectory of its urban canopy cover. How does it impact on wildfire risk? Is it diminishing, stable or growing in areas of urban developments to maintain benefits? Without these basic assessments funding from provincial and federal government will not be easy to obtain. Many free GIS Tools including canopy assessment and benefit estimations already exist<sup>3</sup>.

*Recommendation:* Use GIS dept to do an annual assessment of canopy using [itrees](#)<sup>4</sup> (free software), This tool can also be used for planning, estimating values, the benefit of investments and possibly enforcement.

*Benefits:* information can be used to direct development and provide clear investment direction. Funding available from provincial and federal governments requires this information<sup>5</sup>.

#### **Identify and set goals**

Trees invite people to go outside. They reduce noise and dust and increase health. Neighborhoods with well-cared for landscapes contribute to reduced feelings of fear and violence. City staff and Council know the importance of trees as there are already many initiatives and plans in place like greenways, active transportation corridors and developmental plans that support urban greening and canopy development with the goal of creating the community that Council envisions - Healthy, Green, Active and Connected.

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<sup>2</sup> Integrating Natural Assets in Asset Management (AMBC, 2019)

<sup>3</sup> <https://www.itreetools.org/>

<sup>4</sup> <https://canopy.itreetools.org/>

<sup>5</sup> Current call for green infrastructure funding for flood mitigation

<https://www2.gov.bc.ca/gov/content/safety/emergency-management/local-emergency-programs/financial/ardmp> Similar to City of Toronto using increased urban tree canopy to reduce flood risk: <https://changingclimate.ca/case-study/toronto-tree-canopy-and-waterfront-project/>

A bylaw should be supportive of a clear vision, goals, and strategy. This way bylaw restrictions can be explained and make sense to the community where it is implemented. What is missing is a clearly defined role for trees in achieving the vision the municipality tries to achieve.

A clear urban tree goals and management strategy which draws from a new OCP vision for the role of trees would support these existing city goals. This was pointed out by city staff in response to the committees first submission. We note that by including natural assets into the City's Service Delivery Management Policy supports creation of Asset Management plans inclusive of appropriate operation and maintenance and risk management strategies.

*Recommendation:* Develop a Tree Management plan<sup>6</sup> and/or Natural Asset Management plan which is based on the goals of the City's OCP and guides effective development, Greenway, and active transportation planning processes. This will support city staff with a foundation and direction for allocating appropriate resources (time and funding) to this vital infrastructure.

A new bylaw can then be developed that supports the vision and goals as laid out in the plan.

*Benefits:* by providing a place for trees in the other planning processes its more easily explained why certain decisions are made. Fire risk and benefits can be included in decision rationale. And the bylaw can be written to support a broader strategy and its goals.

### **Inform/Educate**

While the city can allocate resources and plan for a healthy green urban infrastructure it cannot achieve its goals of fire safety, healthy environment, and a connected city without the participation of the people of Salmon Arm.

Like the current fire smart program where advice is given on how to reduce fire risk, it is key to inform and educate the public on the choice of species when planting, location, the benefits of trees on reducing heating and cooling cost and noise reduction.

*Recommendation:* Develop a resource page on the city's website to provide people with information and links so they can make their landscaping and tree decisions based on the information. Similar pages have been built by many cities across the province<sup>7</sup>.

*Benefit:* Providing access to information that helps the people of Salmon Arm to make the right decision when it comes to species selection, tree location, benefits, and risks of trees on the property and links to policies and bylaws related to this topic.

### **Build and Protect**

*Build:* Like any infrastructure asset, inventory, monitoring, maintenance, and investments are needed to maintain its benefits and functions. The city already invests significant resources in urban greening, street trees, parks, and greenways. It is however currently not seen as infrastructure and therefore not adequately funded or tracked as investments. The EAC would like to see a set budget (\$ per inhabitant

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<sup>6</sup> <https://treecanada.ca/resources/canadian-urban-forest-compendium/4-strategic-and-operational-management-planning/>

<sup>7</sup> Surrey: <https://www.surrey.ca/renovating-building-development/trees-yard-garden/protecting-surreys-urban-forest> Kelowna: <https://www.kelowna.ca/parks-recreation/urban-trees-wildlife/urban-trees>

for urban greening / urban canopy) to support the maintenance and expansion of street trees, park trees and other canopy enhancing activities.

*Recommendation:* Set a fixed budget (\$ per inhabitant) for urban tree maintenance and greening the city. This is similar to sidewalk requirements for new developments. Street or parking lot trees could be added. Possibly have developers pay into street tree fund for future greening.

*Benefits:* The role of trees in the future of Salmon Arm will be clearly stated in policies, bylaws and budget. Staffing and budget limitation reduces focus on items not clearly earmarked for funding. It's difficult to expand and rationalize time commitment by staff if funding sources are unclear. Trees should be clearly earmarked for funding.

### **Protect**

Unfortunately, it takes very little effort and time to remove a tree compared to the time it takes to grow a tree and provide the benefits to human experience. So even though establishment of new street trees or supporting developers to replant after development is very important, an effective tree protection bylaw is needed. Benefits are not realized until many years after planting.

The EAC urges council to reassess the current bylaw. Any adjustment to the bylaw should be based on the foundational policies and goals the council has for the role of trees in our community. As described above, monitoring, goal setting and support from the public is essential. Many communities in BC and around North America have taken these steps and effectively protect and improve their urban tree canopy.

An EAC sub-committee reviewed existing bylaws in communities in the region (Vernon, Kelowna, Kamloops and other (see appendix). It would like to point out the following key elements we believe need to be included in the drafting of a new tree protection by law:

1. It's all in the name: Tree Protection Bylaw
2. Protect the "elders": Heritage, Landmark, and Ecologically important trees
3. Stick or Carrot: Positive and effective process
4. Use existing knowledge and skills: Arborist community in Salmon Arm
5. Trees not an afterthought: Developing our city with Trees
6. Hot boxes on Tar

### **It's all in the Name:**

The current bylaw is titled: Tree Removal Bylaw No. 2305 and was published in 2003. The EAC believes that when rewriting the bylaw, the name of the bylaw should reflect the desired outcome of the bylaw which is the protection and proper management of our urban tree canopy.

*Recommendation:* Rename new bylaw to Tree Protection bylaw or similar

*Benefit:* Positive approach to public policy

### **Protect the “Elders”:**

The city has recognized the importance of trees in the past as shown by its current bylaw. A key element of the old Bylaw the EAC would like to see maintained and implemented with more attention and resource is the identification of historical, Landmark, and ecological trees. “Landmark or historical trees make a wealthy inheritance and a staminal [long-lasting] connection to the cities. They go through references to a spot in time, especially for the young people, on “where we have been, where we are and where we’re going.” Trees have a main role in supply and keeping future identity with the society. “ Pouya et al 2017<sup>8</sup>.

*Recommendation:* Include the protection of Landmark and ecologically important trees and enforcement in the bylaw . Use these to educate and inform the public of the value of trees. Regulate removal through a permit process. Develop a clear process of identifying and designating trees<sup>9</sup>.

*Benefit:* The support of the people of Salmon Arm is key in maintaining the urban canopy. Most trees are on private lands and policies need to be clear and logical.

### **Stick or Carrot: Positive and effective process**

The current fire smart program provides information and guidance on how people can increase the safety of their property which increases the safety of the community and is a service provided for free. This program invites people to think about the risk and gives them the tools to make their own decisions.

A similar approach could be designed into a new tree protection bylaw. Sometimes trees are removed out of unjustified fear of trees damaging the house through windfall, root damage or perceived fire risk. The benefits of trees are often not considered, such as reduction in heating or cooling cost, habitat of desired birds and mosquito repelling nature of some species (walnut) just to name a few. People could be required to get a permit to remove any tree that exceeds certain criteria. As part of this application, information could be presented on the benefits and risks of trees as well as the contact information of professionals who assess trees, and information on replanting options after removal is completed. Instead of only being restrictive the bylaw could be instructional which could prevent the removal of trees, promote the use of a certified and trained arborist (safety), and people could be given advice that could guide with the selection of the right tree after removal was deemed needed.

*Recommendation:* The bylaw does not have to be restricting only. Instead of something being taken away from people, people could receive something instead and guide their decision making.

*Benefits:* The public will feel it provided a value from its municipality. This approach could stimulate the use of a certified arborist that could preserve and take care of trees rather than remove them.

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<sup>8</sup> [https://www.researchgate.net/publication/321759460\\_The\\_Role\\_Of\\_Landmark\\_Trees\\_In\\_The\\_Cities](https://www.researchgate.net/publication/321759460_The_Role_Of_Landmark_Trees_In_The_Cities)

<sup>9</sup> <http://phytosphere.com/treeord/heritage.htm>

### **Use existing Knowledge and skills**

The city currently does not have a tree specialist, arborist, or forester role within its organization. City staff pointed out to us that one certified arborist is on staff but not actively working in this field. The EAC believe the city should have staff members that are responsible to help other city staff, business, and the public with tree related issues.

The EAC understands that a new bylaw that has a more restrictive character will greatly increase the demand for staff. The EAC believes the city could structure any bylaw restrictions and enforcement through a third party trained and certified arborist<sup>10</sup>.

### **Trees are not an Afterthought**

Removal of trees can be inevitable. Trees have an end of life and may be a danger, or in the way of much needed infrastructure upgrade or desired development. A new tree bylaw should include provisions on planting requirements associated with removal, development, or danger removal. Other options include minimum projected canopy cover per development including street trees and natural remnants. Other municipalities already have similar policies and regulation in place.<sup>11</sup>

### **Urban Heat Island Effect**

The Climate projections for the Shuswap area include significant increases in the number of 'very hot' days (+30°C)<sup>12</sup>. The urban heat island effect increases the heat in population centers. Some as much as 12°C warmer in the evenings. Large swaths of unshaded pavement and buildings are the main cause of this phenomenon<sup>13</sup>.

The City of Salmon Arm has significant amounts of parking spots near malls, city center, along the highway and near parks. In most cases, new development parking area includes strategically placed trees (see Walmart, new hotel) to provide shade for the cars but also reduce the heat island effect.

A new tree bylaw in conjunction with other regulations and bylaws could require a minimum projected canopy cover over existing, and new large non permeable surfaces. A few parking spots can be sacrificed to provide shade, greatly improving the shopping experience and aesthetics.

The Environmental Advisory Committee urges Council to acknowledge the benefits of the urban tree canopy and undertake to maintain it for the future benefit of residents by rewriting the current bylaw regarding trees and taking into consideration the recommendations contained in this report.

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<sup>10</sup> <https://www.isa-arbor.com/Credentials/Types-of-Credentials/ISA-Certified-Arborist>

<sup>11</sup> <https://vancouver.ca/home-property-development/tree-removal-permit.aspx>

<sup>12</sup> <https://climateatlas.ca>

<sup>13</sup> Health Canada, 'The Urban Heat Island Effect: Causes, Health Impacts and Mitigation Strategies' (Nov. 2009)



# CITY OF SALMON ARM

## BYLAW NO. XXXX

### A bylaw to regulate the cutting down and protection of trees

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WHEREAS pursuant to section 8(3)(c) of the *Community Charter [S.B.C. 2003, Ch. 26]*, the City of Salmon Arm may by bylaw, regulate, prohibit and impose requirements in relation to trees;

AND WHEREAS pursuant to section 500 of the *Local Government Act [S.B.C. 2015, Ch. 1]* a municipality may require permits to cut trees on areas of land that it considers may be subject to flooding, erosion or land slip;

AND WHEREAS Council considers it in the public interest to provide for the protection and preservation of trees, and the regulation of their cutting down and removal;

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

#### 1. DEFINITIONS

In this Bylaw:

"Certified Tree Risk Assessor" means a Certified Arborist or a Qualified Professional who has completed the "Tree Risk Assessment" course or the "Wildlife Danger Tree Assessment" course and passed the Assessment Exam under the authority of the International Society of Arboriculture (ISA) or the Wildlife Danger Tree Committee of B.C., as applicable.

"Certified Arborist" means a person certified by the International Society of Arboriculture or the National Arborist Association as an Arborist.

"City" means the City of Salmon Arm.

"Drip Line" means the area at the base of a tree created by a vertical line extending down from the outermost branches of a tree to the ground;

"Floodplain" means the same as the definition provided in the City's Zoning Bylaw No. 2303, as amended from time to time, and as delineated in the City's Official Community Plan Bylaw No. 4000, as amended from time to time.

"Landscape Tree" means any tree listed and identified on Schedule "A" to this bylaw;

"Municipality" means as the context requires the City of Salmon Arm, or the area within the boundaries of the City of Salmon Arm;

"Officer of the Municipality" means any officer or employee of the City of Salmon Arm appointed by the City's Chief Administrative Officer;

"Owner" means the registered owner in fee simple of a parcel of land and the trees growing on it;

“Permit” means an authorization provided by the City in accordance with **Section 5** of this Bylaw.

“Top of Bank” means the point closest to the active floodplain of a watercourse where a break in the slope of the land occurs such that the grade beyond the break is flatter than 3:1 at any point for a minimum distance of 15.0 m measured perpendicularly from the break or as determined by a qualified professional with relevant experience in Watercourses or fisheries.

“Watercourse” means:

- a) a natural flowing stream or a standing body of water which forms a wetland, marsh, pond or an area that is inundated or saturated by surface water or ground water at a frequency and duration sufficient to support a prevalence of vegetation typically adapted for life in saturated soil conditions;
- b) a natural depression in the land 0.5 metres or more in depth usually containing water;
- c) a spring, lake, dam, pond, basin, pool, river, lagoon, reservoir, brook, stream, creek, waterfall, swamp or gulch;
- d) any combination of a), b) and c) above.

“Wildlife Tree” means any tree listed and identified on Schedule “B” to this Bylaw.

## 2. APPLICATION

This Bylaw applies to all trees within the City Arm, having a minimum trunk circumference of 30.0 centimetres (cm), when measured at 1.5 metres (m) above the level of the natural ground.

## 3. EXCEPTIONS

The following are exempted from the provisions of this Bylaw:

- a) any tree that constitutes a danger or hazard to persons or property, as determined by a Certified Tree Risk Assessor or Certified Arborist;
- b) any tree on land that is classified as managed forest land under the *Assessment Act* [SBC 1996 Ch. 20] or located within a licence area under the *Forest Act* [SB 1997 Ch. 157], or located on land subject to the provisions of the *Private Managed Forest Land Act* [SBC 2003 Ch. 80], so long as the land continues to be used for the production and harvesting of timber; or
- c) any tree on any park, highway or utility right-of-way either of the municipality or of a public utility subject to public utilities legislation of Canada or any tree that is impeding, damaging or inhibiting the use of any such park, highway or utility right-of-way or utility located thereon;
- d) any tree required to be cut to enable the owner of a Parcel on which an agricultural use is permitted under the City’s Zoning Bylaw No. 2303 as amended from time to time, to use the land for that purpose, in so far as the cutting down and removal of trees is necessary to accommodate the agricultural use, and subject to the owner filing with the City an affidavit verifying the purpose;
- e) any tree required to be cut down or removed to comply with the provisions of the City’s Property Maintenance Bylaw No. 3137, as amended from time to time;

- f) any tree required to be cut down or removed to comply with the provisions of the City's Traffic Bylaw No. 1971, as amended from time to time;
- g) any tree authorized to be cut down or removed under the provisions of a valid development permit issued by the City;
- h) any tree that is reasonably required for the construction of a building, structure, off-street vehicular parking area or driveway that is the subject of a building permit issued by the City in accordance with its bylaws;
- i) any tree authorized to be cut down or removed by an approval under the provisions of the City's Subdivision and Development Servicing Bylaw No. 4163, as amended from time to time;
- j) any tree required to be cut down or removed by the City Fire Department or the Province in conjunction with firefighting activity or as a fire prevention measure;
- k) any tree recommended to be cut down or removed to align with an Advanced Home Assessment report under the Firesmart Program, conducted by a formally trained assessor (Certified Tree Risk Assessor, Certified Arborist, Fire Department Official) within the home ignition zone.
- l) any tree required to be cut down or removed pursuant to the Sterile Insect Control Program of the Columbia Shuswap Regional District;
- m) any tree required to be cut down or removed to facilitate airport operations;
- n) emergency situations where a tree or limb of a tree has been damaged by natural causes, and the tree or limb is in imminent danger of falling and causing injury to persons or damage to property.

#### 4. CUTTING OF TREES AND DAMAGE TO TREES

4.1 No tree may be cut down, removed or damaged except where its' Owner holds a valid and subsisting Permit to do so.

4.2 For the purposes of this section, damage includes actions resulting in the death of the tree, or pruning or removing any limb where the diameter of the limb at the point of pruning or removal is larger than:

- a) 5% of the diameter of the trunk of the tree if the tree is a coniferous species; or
- b) 15% of the diameter of the trunk of the tree where the tree is of the broadleaf species.

4.3 No Landscape Tree defined in **Schedule "A"** or Wildlife Tree defined in **Schedule "B"** may be cut down or removed.

4.4 Notwithstanding **Section 4.1**, no tree on land with a slope in excess of thirty per cent (30%) may be cut down, removed or damaged under this section, unless a report from a an appropriate qualified geotechnical professional prepared at the Owner's expense, indicates that slope stability will not be negatively impacted or that increased soil erosion will not result.

4.5 Notwithstanding **Section 4.1**, no tree located within fifteen (15) metres of the Top of Bank of a Watercourse may be cut down, removed or damaged under this section, except where a tree or the roots of a tree are blocking a Watercourse or reducing its drainage capacity and creating a risk of flooding of property, unless a report from an appropriate qualified professional prepared at the Owner's expense, indicates that negative environmental impacts will not be created in the riparian area.

4.6 Notwithstanding **Section 4.1**, no tree located within the 1:200 year Floodplain may be cut down, removed or damaged under this section, unless a report from a qualified hydrological engineer, requested by the City and prepared at the Owner's expense, indicates that there are no negative Floodplain impacts on the Owner's lands or any adjacent lands.

## 5. PERMITS & CONDITIONS

5.1 Any Owner seeking permission to cut or remove a tree, must make an application for a Permit to the City, using a form approved by the Officer of the Municipality.

5.2 Every application for a Permit made to the Officer of the Municipality shall be accompanied by a non-refundable application fee as set out in the City's Fee For Service Bylaw No. 2498, as amended from time to time.

5.3 The application for a Permit shall contain:

- a) the name, address and signature of the Owner or agent of the Owner (along with any required agent authorization);
- b) the legal description and address of the property on which the trees are to be cut or removed;
- c) a dimensioned plan of the property identifying the property's boundaries, any structures, physical features and watercourses;
- d) a dimensioned plan identifying the location, type and trunk diameter of all trees that are proposed to be cut or removed;
- e) a dimensioned plan identifying the general location of any trees or groups of trees that will remain on the property within 30 metres of the tree or trees proposed to be cut or removed;
- f) if requested, a report prepared by an appropriate qualified geotechnical professional regarding the impact of the proposed cutting or removal of any tree located on land with a slope in excess of thirty per cent (30%);
- g) if requested, a report prepared by an appropriate qualified professional regarding the environmental impact of the proposed cutting or removal of any tree located within fifteen (15) metres of the Top of Bank of a Watercourse or within the Floodplain.

5.3 When making a Permit application to cut or remove a tree or trees, the Owner shall clearly mark with ribbon or paint each tree or group of trees that are proposed to be cut or removed.

5.4 The Officer of the Municipality is hereby appointed to grant Permits issued pursuant to this Bylaw, and to enforce the provisions herein.

5.5 The term of any Permit issued under this Bylaw shall be for a period of one (1) year from the date of issuance of the Permit.

5.6 As a condition to the granting of a Permit under this Bylaw, the Officer of the Municipality is authorized, if they deem it in the public interest, to require the Owner to provide:

- a) security in the form of a cash deposit or letter of credit to secure the full amount of the cost of replacing and planting the trees that are to be proposed to be retained in any Permit application and which may be damaged or removed;

- b) security in the form of a cash deposit or letter of credit to secure the full amount of the cost of any environmental protection or remediation that may be required in areas within fifteen (15) metres of the Top of Bank of a Watercourse;
- c) security in the form of a cash deposit or letter of credit to secure the full amount of the cost of any measures taken to ensure slope stability on slopes in excess of thirty per cent (30%), in the amount of no less than one hundred and twenty per cent (120%) of any actions or measures required by the geotechnical professional's report;
- d) requirements for fences or barriers to ensure the physical protection of any trees that are to proposed be retained in any Permit application.

5.7 The Officer of the Municipality may refuse to issue a Permit if:

- a) the removal of trees is to proposed to facilitate development of the parcel, in advance of an approval by the City under Sections 3 (g), (h) or (i) of this Bylaw;
- b) the removal of the tree or trees would reasonably be expected to create a hazard to the safety of persons or to the public or to private property;
- c) the removal of the tree or trees could negatively affect the stability of a slope, regardless of whether or not the slope is in excess of thirty per cent (30%);
- d) the removal of the tree or trees would have a negative environmental impact that cannot be remediated in areas located within fifteen (15) metres of the Top of Bank of a Watercourse;
- e) the removal of the tree or trees would have a negative impact on the flooding or flood flows, or result in the transfer of flooding risk from the Owner's lands to any adjacent property or properties;
- f) the removal of the tree or trees would result in increased, adverse siltation in a Watercourse.

## 6. INSPECTIONS

6.1 When an application for a Permit is made under this bylaw, an Officer of the Municipality may inspect or cause an inspection and assessment to be made of any trees and the site on which they grow and may assess the location, size, condition and species of the trees.

6.2 When an application for a Permit is made under this bylaw, an Officer of the Municipality may inspect or cause an inspection and assessment to be made of any trees and the site on which they grow, in order to determine if any work is being performed in accordance with any Permit.

## 7. STOP WORK ORDERS

7.1 The Officer of the Municipality may issue a Stop Work Order and revoke a Permit issued under this Bylaw and direct immediate suspension of tree cutting authorized by this Bylaw, when a person has acted contrary to this Bylaw or to any condition attached to a Permit.

7.2 The Officer of the Municipality shall inform the owner of the reason for the issuance of a Stop Work Order and revocation of a Permit, in writing, within 48 hours of the revocation of the Permit.

7.3 The Officer of the Municipality may, through issuance of an Order, require an Owner of property to cut or remove a tree, if the Officer of the Municipality considers that the tree:

- a) poses a hazard to the safety of persons on public property; or
- b) poses a hazard or is likely to damage public property.

**8. REPLACEMENT TREES**

8.1 The Officer of the Municipality may, through issuance of an Order, require that any Owner or person in violation of this Bylaw shall replace the tree or trees that have been cut, removed or damaged upon a violation of this Bylaw, with a tree of like or similar species.

8.2 Pursuant to Section 8.1, the replacement of any tree or trees shall be according to the following:

Minimum trunk circumference of tree(s) damaged, destroyed or removed	Replacement Criteria
30 to 45.0 centimetres	2 replacement trees with a minimum height of 1.5m each
45.1 to 60 centimetres	3 replacement trees with a minimum height of 2.0m each
Over 60 centimetres	5 replacement trees with a minimum height of 2.0m each

8.3 Notwithstanding Section 8.2, the Officer of the Municipality may require a different species or size of tree to replace a tree that is damaged, destroyed or removed in violation of this Bylaw on the basis that a replacement tree of like species and size will:

- a) interfere with and/or damage underground services;
- b) interfere with and/or damage aboveground services;
- c) interfere with and/or damage roads, driveways or sidewalks;
- d) be subject to damage from road salts or other contaminants; or
- e) be susceptible to overexposure or underexposure to sunlight.

8.4 Where tree removal is permitted in accordance with Sections 3(g), (h) and (i) of this Bylaw for the following applications:

- a) a residential building permit (that results in the construction of a dwelling unit (excepting those for a secondary suite within an existing building); or
- b) a multi family residential development permit (that results in the creation of dwelling units); or
- c) a residential subdivision approval (that results in the creation of a new parcel);

the Owner or applicant shall provide the information required by Section 5.3 of this Bylaw, and shall replace and maintain a tree density on the parcel or parcels of land where trees were removed in accordance with the following:

TREE REPLACEMENT & MAINTENANCE REQUIREMENTS	
Parcel Area (m <sup>2</sup> ):	Number of trees required:
0 - 365	2
365 - 450	3
451 - 565	4
566 - 750	5
751 - 1,000	6
1,001 - 1,250	7
1,251 - 1,600	8
1,601 - 1,850	9
1,851 - 2,200	12
2,201 - 2,550	16
2,551 - 2,900	20
2,901 - 3,250	25
Over 3,250	30  Plus one (1) additional tree for each 50m <sup>2</sup> in parcel area above 3,250m <sup>2</sup>

and the number of trees shall be specified in a permit provided by the City under this Bylaw.

8.5 Any tree provided as a replacement tree to maintain the required tree density pursuant to Section 8.4, shall have a minimum height of 1.5m when planted, be of a species from an appropriate species listing provided by the City and capable of growing to a height of no less than 6.0m in height when mature.

8.6 Pursuant to Section 8.4, an Owner or applicant may achieve the required tree density target by:

- a) retaining existing trees on the parcel or parcels of land where trees were removed, and any existing retained tree (having a minimum trunk circumference of 30.0 centimetres (cm), when measured at 1.5 metres (m) above the level of the natural ground) may be counted as two (2) trees in any calculation of tree density;
- b) by providing and planting replacement trees in accordance with Sections 8.4 and 8.5 of this Bylaw; or
- c) by paying an amount to the City (with the consent of the City) in the amount indicated in the Fee For Service Bylaw No. 2498, as amended from time to time, which shall be deposited into a City reserve fund for tree planting.

8.7 Any existing tree on a parcel or parcels of land where trees were removed that is proposed by an Owner or applicant to be counted towards the required tree density pursuant to Section 8.6(a) of this Bylaw, shall be in good health and not be a hazard that constitutes a danger to persons or property.

8.8 The required tree density provided in Section 8.4 of this Bylaw is exclusive of any street trees that may be required to be planted by the City, pursuant to the Subdivision and Development Servicing Bylaw No. 4163, as amended from time to time.

8.9 Where a replacement tree plan or tree density plan is required pursuant to a development permit, building permit or subdivision approval decision by the City, the City may require that the Owner or applicant provide security to secure the costs of the tree planting and replacement work in accordance with Section 5.6 of this Bylaw.

## 9. RECONSIDERATION

9.1 A person that is subject to a decision of, or Order from, the Officer of the Municipality under this Bylaw may have Council reconsider the decision or Order.

9.2 A person wishing reconsideration under Section 9.1 of this Bylaw shall apply in writing to the City's Corporate Officer, within thirty (30) days of receipt of the decision or Order of the Officer of the Municipality, and shall include in the application:

- a) the name and signature of the Owner or agent of the property to which the Order or decision applies;
- b) the legal description and address of the property to which the Order or decision applies;
- c) the reason for the request for reconsideration; and
- d) the relief or remedy being sought.

9.3 The person seeking reconsideration shall be notified of the date and time that Council will reconsider the decision or Order, by the Corporate Officer, no less than five (5) days prior to the Council meeting.

9.4 In reconsidering the matter, Council may confirm, set aside, replace or otherwise modify the decision or Order of the Officer of the Municipality.

9.5 A person may not request reconsideration to Council of any decision relating to tree replacement and tree density requirements imposed by the City as part of a development permit, building permit or subdivision approval, pursuant to Sections 8.4, 8.5, 8.6, 8.7 and 8.8 of this Bylaw.

## 10. OFFENCE & PENALTY

10.1 Every person who violates any provision of this Bylaw, or who allows or permits any act of thing to be done in violation of this Bylaw, is guilty of an offence against this Bylaw and each day that a violation continues is deemed to be a separate offence against this Bylaw.

10.2 Where more than one (1) tree is cut down, removed or damaged in violation of this Bylaw, a separate offence is committed in respect of each individual tree.

10.3 Every person who violates any provision of this Bylaw, or who allows or permits any act of thing to be done in violation of this Bylaw, is guilty of an offence against this



Bylaw, and is liable upon summary conviction, to a fine not exceeding the maximum set out in the Offence Act [SBC 1996, Ch. 338].

10.4 Every person who violates any provision of this Bylaw, or who allows or permits any act of thing to be done in violation of this Bylaw, is guilty of an offence against this Bylaw, and is liable to a fine if issued a ticket under the Ticket Information Utilization Bylaw No. 2760.

**11 SEVERABILITY**

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

**12 ENACTMENT**

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

**13. EFFECTIVE DATE**

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

**14. CITATION**

This bylaw may be cited as “City of Salmon Arm Tree Protection Bylaw No. XXXX”

READ A FIRST TIME THIS	DAY OF	2023
READ A SECOND TIME THIS	DAY OF	2023
READ A THIRD TIME THIS	DAY OF	2023
ADOPTED BY COUNCIL THIS	DAY OF	2023

\_\_\_\_\_  
MAYOR

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

**Schedule "A"**  
**Landscape Trees**

1. Willow, Poplar and Cottonwood trees adjacent to the westerly boundary of Marine Park Drive on Lot A, District Lot 4876 and Lot 1, Plan KAP48068, Section 14, Township 20, Range 10.

**Schedule "B"**  
**Wildlife Trees**

1. Cottonwood and other trees used for nesting by herons located on Lot 2, Plan 2750, Section 4, Township 20, Range 10.

**REQUIRED AMENDMENTS TO THE MTI BYLAW 2760**

**CITY OF SALMON ARM**

**BYLAW NO. XXXX**

**A bylaw to amend Bylaw 2760, the Ticket Information Utilization Bylaw.**

WHEREAS the Community Charter empowers the City, by bylaw, to designate those bylaws for which Municipal Ticket Information may be used as a means of bylaw enforcement

AND WHEREAS the Community Charter empowers the City, by bylaw, to designate those bylaws for which Municipal Ticket Information may be used as a means of bylaw enforcement;

AND WHEREAS the Community Charter empowers the Council, by bylaw, to authorize the use of any word or expression on a Municipal Ticket Information to designate an offence against a bylaw;

AND WHEREAS the Council deems it expedient to authorize the use of Municipal Ticket Information for the enforcement of certain bylaws, to authorize the use of certain words or expressions to designate certain bylaw offences, and to set certain fine amounts

AND WHEREAS desires to amend Bylaw 1971, the Ticket Information Bylaw for the City of Salmon Arm

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

1. That Schedule 1, Section 15 (Tree Removal and Protection Bylaw No. 2305) be amended to read "Tree Protection Bylaw No. XXXX."
2. That Schedule 1, Section 8 (Tree Protection Bylaw No. XXXX) be amended to delete "Planning Assistant" from the list of "Designated Bylaw Enforcement Officer."
3. That Schedule 1, Section 8 (Tree Protection Bylaw No. XXXX) be amended to add "Officer of the Municipality" to the list of "Designated Bylaw Enforcement Officer."
4. That Schedule 16 be deleted in its' entirety and replaced with the following new Schedule 16:

**SCHEDULE 16**

<b>BYLAW</b>	<b>SECTION</b>	<b>FINE</b>
<b>Tree Protection Bylaw XXXX</b>		
Cut tree without permit	4.1	\$500.00
Damage tree	4.2	\$250.00

Cut or damage Landscape or Wildlife tree	4.3	\$1,000.00
Cut tree on slope in excess of 30%	4.4	\$500.00
Cut tree within 15 metres of Top of Bank of Watercourse	4.5	\$750.00
Cut tree in Floodplain	4.6	\$750.00
Cut or damage trees in contravention of permit conditions	5.6	\$500.00
Cut tree prior to issuance of development permit, subdivision approval or building permit	8.4	\$250.00
Failure to replace trees as required by permit	8.4	500.00

5. SEVERABILITY

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

6. ENACTMENT

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

7. EFFECTIVE DATE

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

8. CITATION

This bylaw may be cited as “City of Salmon Ticket Information Bylaw Amendment Bylaw No. XXXX”

READ A FIRST TIME THIS	DAY OF	2023
READ A SECOND TIME THIS	DAY OF	2023
READ A THIRD TIME THIS	DAY OF	2023
ADOPTED BY COUNCIL THIS	DAY OF	2023

\_\_\_\_\_  
 MAYOR

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

TO: His Worship Mayor Harrison and Members of Council

DATE: October 10, 2023

SUBJECT: Official Community Plan Amendment Application No. 4000-56  
Zoning Amendment Application No. 1275

Legal: Lot A, Section 13, Township 20, Range 10, W6M, KDYD, Plan 9888, and Parcel A (DD W51279), Section 13, Township 20, Range 10, W6M, KDYD, Plan 9888 Except Plan KAP46224  
Civic: 1821 & 1881 9 Avenue NE  
Owners: 1026082 BC Ltd., INC.No. BC1026082, and A Lakeside Bowling Ltd., INC.No. BC1000304 (Chahal, P.)  
Agent: IBA Architecture INC. (Bestoon, R.)

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**STAFF RECOMMENDATION**

**THAT:** A bylaw be prepared for Council's consideration, adoption of which would amend the Official Community Plan Bylaw No. 4000 Land Use Designation of Lot A, Section 13, Township 20, Range 10, W6M, KDYD, Plan 9888 from MR (Medium Density Residential) to HC (Highway Service/Tourist Commercial);

**AND THAT:** Pursuant to Section 475 of the Local Government Act, Council shall consider this Official Community Plan amendment after appropriate consultation with affected organizations and authorities;

**AND THAT:** Pursuant to Section 476 of the Local Government Act, Council shall consider this Official Community Plan amendment after required consultation with School District No. 83;

**AND THAT:** Pursuant to Section 477 (3) (a) of the Local Government Act, Second Reading of the Official Community Plan bylaw be withheld pending Council's consideration of the amendment in conjunction with:

- 1) The Financial Plans of the City of Salmon Arm; and
- 2) The Liquid Waste Management Plan of the City of Salmon Arm.

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

- 1) rezoning Lot A, Section 13, Township 20, Range 10, W6M, KDYD, Plan 9888 from R-1 (Single Family Residential) to C-6 (Tourist/Recreational Commercial); and
- 2) rezoning Parcel A (DD W51279), Section 13, Township 20, Range 10, W6M, KDYD, Plan 9888 Except Plan KAP46224 from C-3 (Service Commercial) to C-6 (Tourist / Recreational Commercial);

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

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PROPOSAL

The two subject parcels combined are approximately 1.6 acres in area on 9 Avenue NE, south of the Trans Canada Highway (see Appendix 1 and 2). The western parcel (1821 9 Avenue NE) is designated Medium Density Residential (MDR) in the City's Official Community Plan (OCP) and zoned C-3 (Service Commercial) in the Zoning Bylaw, while the eastern parcel (1881 9 Avenue NE) is designated Commercial – Highway Service / Tourist (HC) and zoned C-3 (Service Commercial) (Appendix 3 and 4). The purpose of this application is to rezone the subject parcels to allow potential future commercial and residential use, as shown in the attached development concept (Appendix 5). C-6 zone regulations are attached (Appendix 6).

BACKGROUND

The subject parcels are located within the corridor east of the City Centre to 30 Street NE as identified in the OCP, an area characterized by residential, commercial and institutional uses. The Zoning Map attached shows the mix of zones in the immediate area, predominantly Residential (R-1) and Commercial (C-3) zones. Adjacent zoning and land uses include the following:

North:	TCH, R-1, R-5, and C-6	Commercial and Residential
East:	R-1 and P-3	Vacant Commercial and Institutional
West:	R-1	Single Family Dwellings
South:	C-3	Single Family Dwellings

The subject parcels currently contain a single family dwelling, accessory buildings, restaurant and a bowling alley, as shown in aerial images and site photos attached (Appendix 7). Staff note that Single Family Dwelling is not a permitted use in the proposed C-6 zone; therefore, should the bylaw be adopted the existing dwelling would be deemed legally non-conforming; the use could continue (unless discontinued for 6 months), but not be expanded on the site.

OCP POLICY

The proposed COP redesignation (from MDR) of 1821 9 Avenue NE would extend the Commercial – Highway Service / Tourist (HC) from the adjacent parcel, and so would create a contiguous OCP designation across the two subject parcels. 1821 9 Avenue NE is adjacent to the Trans Canada Highway and has reasonable highway access. Further, the particular development proposal outlined in the rezoning results in the creation of multi family housing. The amendment to the OCP is therefore supported by staff. The proposed zoning amendment aligns with the proposed HC (Highway Service / Tourist Commercial) designation in the OCP. The amendment would align with the Commercial Objectives and Policies listed in OCP Section 9, including supporting commercial uses within the primary commercial areas of the City.

Development of the parcel as proposed would be subject to the guidelines of the Highway Service / Tourist Commercial Development Permit Area.

Local Government Act

Pursuant to Sections 475 and 476 of the *Local Government Act* (consultation during OCP development and amendments) the proposed OCP amendments were referred to the following external organizations:

Adams Lake Band	Comments provided to applicant
Neskonlith Band	No response to date
Economic Development Society	Appendix 8
Interior Health	Appendix 9
School District 83	No response to date

A formal response was received from the Title and Rights Department of the Adams Lake Band and has been provided to the applicant for their information and potential action moving forward. Subsequently, the City inquired via Data Request to the Archeological Branch of British Columbia as to any Provincial

records of known archeological sites related to the subject parcel. It is the responsibility of the proponent to proceed under the *Heritage Conservation Act* accordingly.

The Salmon Arm Economic Development Society recognizes the importance of rental housing and supports the application.

Interior Health is supportive of the proposal noting that it provides density and housing diversity, as well as additional rental units consistent with the Community Housing Strategy.

## COMMENTS

### Ministry of Transportation and Infrastructure

Preliminary approval has been granted with conditions as of August 22, 2023 (Appendix 10). No direct highway access will be permitted, storm water must be addressed on site, and there are building setback requirements relative to the Trans Canada Highway. The conditions have been provided to the applicant.

### Engineering Department

No concerns with OCP or rezoning amendments. Servicing requirements for development have been provided to the applicant. The location of storm and sewer mains over the subject parcels have been noted as potential challenges relative to the development concept. Comments attached (Appendix 11).

### Fire Department

No Fire Department concerns.

### Building Department

No concerns with rezoning.

### Public Consultation

Pursuant to the *Local Government Act* and City of Salmon Arm Zoning Bylaw, notices are mailed to land owners within a 30m radius of the application. Newspaper ads are placed in two editions of the local paper and the applicant is required to post a Notice of Development Sign on the subject property in advance of the Public Hearing. The notices outline the proposal and advise those with an interest in the proposal to provide written submission prior to the Statutory Public Hearing and information regarding attending the Hearing. It is expected that the Hearing for this application will be held on November 27, 2023.

### Planning Department

The surrounding neighbourhood has been undergoing slow development, with a mix of older single family housing, moving towards newer residential and mixed use development. This proposal would increase the amount of potential commercial land base within the City, and offers a shift from the vehicle-oriented service and storage commercial uses of the C-3 zone, to the C-6 zone which offers more options for mixed commercial uses with residential use above.

Aligned with the mixed use development concept proposed, the C-6 Zone has a number of more flexible regulations relative to the C-3 Zone. These include a more permissive maximum height allowance (19 m versus 10 m in C-3), and more lenient setback requirements (including no front setback requirement versus 6 m in C-3). These are in keeping with the intent of the C-6 Zone to accommodate pedestrian oriented businesses with a mixture of residential land uses in an integrated manner

Residential density under this Commercial land use designation and the C-6 Zone is permitted in alignment with the High Density regulations. Based on a parcel area of 1.6 acres, 64 dwelling units would be permitted, with potential for a maximum of 84 dwelling units through the provision of amenities as specified by the R-5 Zone.

The intent for the subject parcel under application is described and illustrated by a development concept attached as Appendix 5. Future development of the parcel would be subject to the guidelines of the

Highway Service / Tourist Commercial Development Permit Area (provided to applicant), with a future development proposal including building elevations and landscape plans subject to detailed review through a form and character Development Permit application.

Staff note some concerns with respect to the concept proposed, including the position of a storm water service main through the subject parcel, a sanitary sewer within the north portion of the subject parcels, as well as the topography on the site, particularly the slope towards the north parcel line adjacent the Trans Canada Highway. These concerns would need to be addressed through the Development Permit application process.

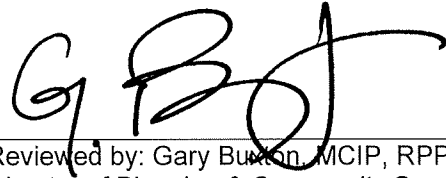
#### CONCLUSION

The subject parcels are considered by staff to be well-suited for the proposed Commercial – Highway Service / Tourist (HC) and C-6 uses, being within close proximity to the Trans Canada Highway as well as transportation routes including the City's Greenway Network, and community facilities including the recreation centre, schools, and the uptown commercial area.

The OCP land use designation requested and the proposed C-6 zoning of the subject parcels is generally consistent with OCP and is therefore supported by staff.

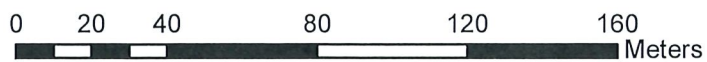


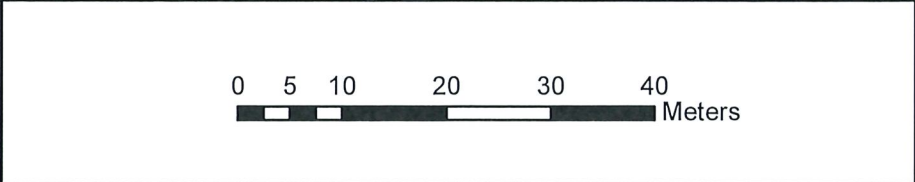
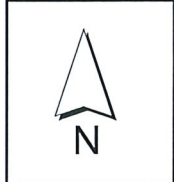
Prepared by: Chris Larson, MCIP, RPP  
Senior Planner

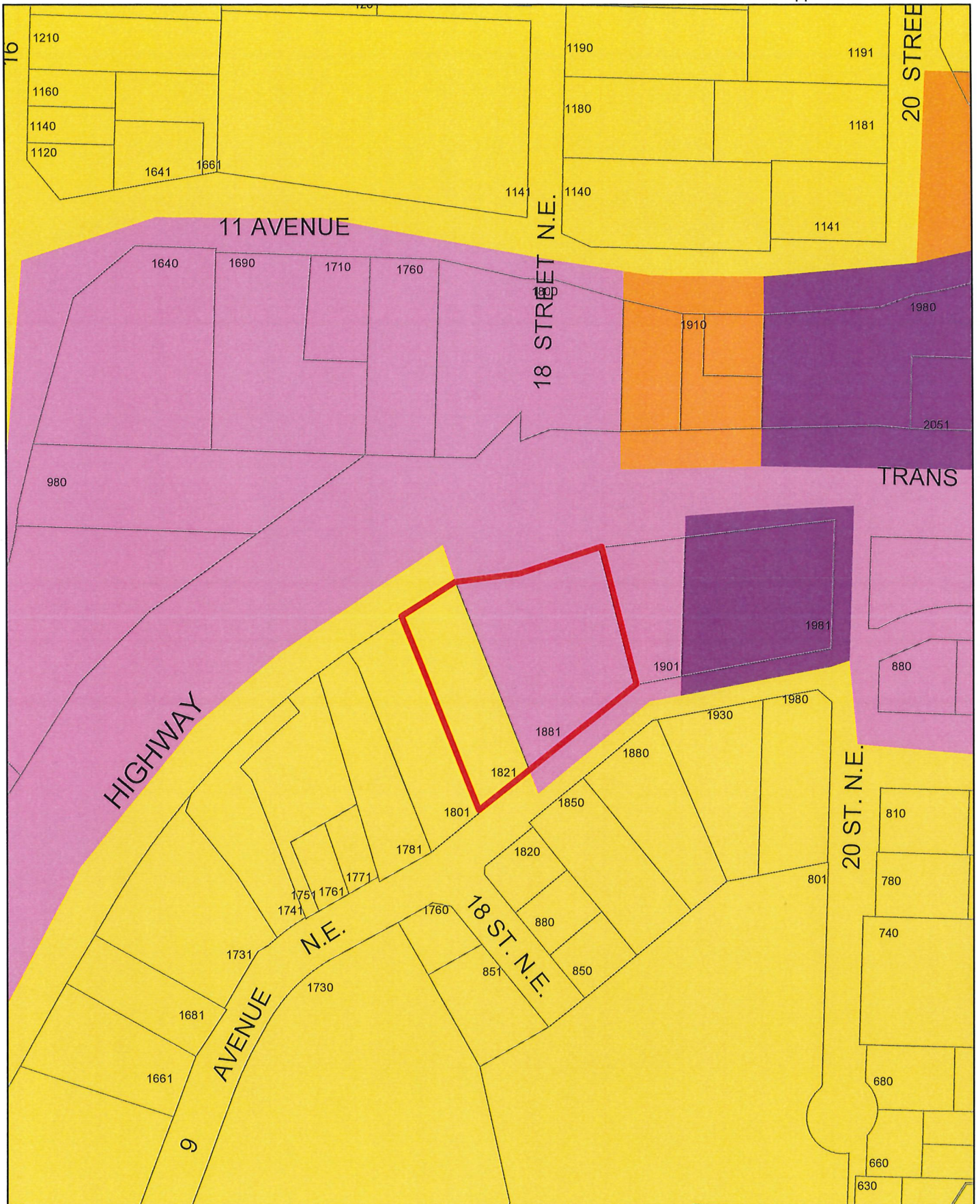


Reviewed by: Gary Burton, MCIP, RPP  
Director of Planning & Community Services

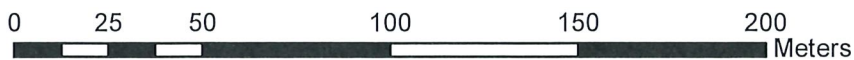
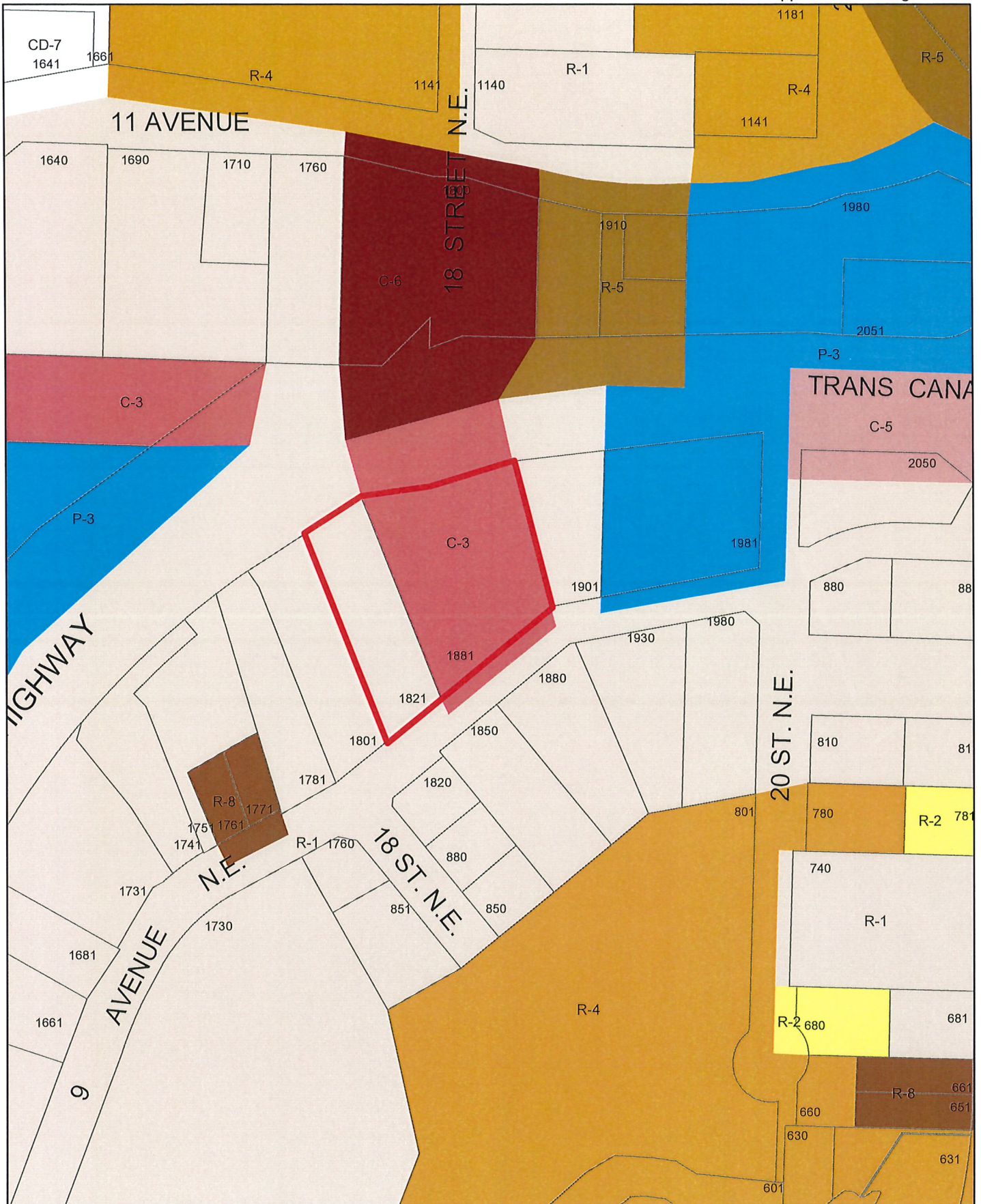








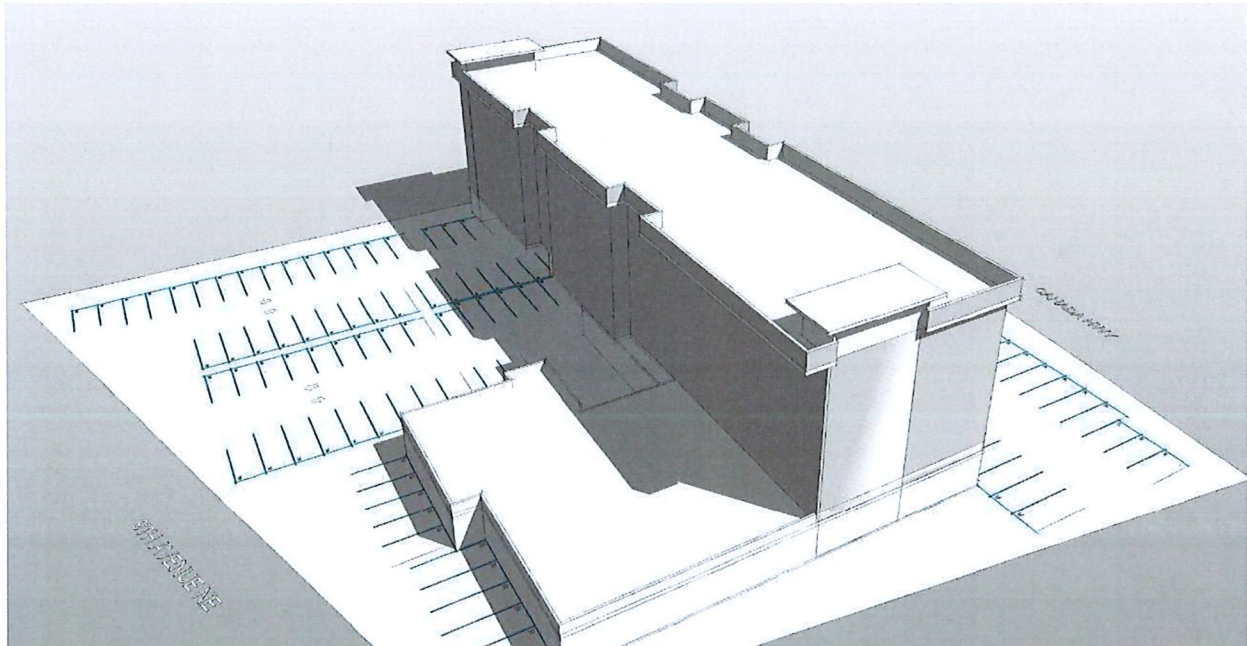
		Subject Parcels	Residential High Density
		Commercial HWST	Institutional
			Residential Medium Density



 Subject Parcels

**1881 & 1821 9 AVE NE SALMON ARM,  
DEVELOPMENT PERMIT APPLICATION**

***DESIGN RATIONALE***



2023.07.13

***Prepared by:***

IBA Architecture Inc.

2448 - 1055 W Georgia St., Vancouver BC, V6E 3P3  
604 909 1267 | [info@ibarch.ca](mailto:info@ibarch.ca) | [www.ibarch.ca](http://www.ibarch.ca)

***To be submitted to:***

Planning Department  
City of Salmon Arm



## TABLE OF CONTENTS

- 1.0 OVERVIEW
- 2.0 PROJECT DESCRIPTION
- 3.0 SITE AND PARKING ACCESS
- 4.0 ZONING AND OCP AMENDMENT
- 5.0 SUMMARY
- 6.0 ARCHITECTURAL RENDERINGS

## 1.0 OVERVIEW

The proposed conceptual drawing of the rental apartment development thoroughly addresses the main goals pursued by the City of Salmon Arm for these land uses. Strategies have been considered for minimizing the impact of the development on the natural environment, topography, open space, and visual character of City of Salmon Arm.

The OCP Land use Designation was adopted accordingly, and the aimed Zoning: C-6 accepts that the form and character may include *multiple apartment* units.

We believe that the conceptual apartment will address all significant elements of the OCP and are deemed to be affordable forms of housing in the Salmon Arm area market.

## 2.0 PROJECT DESCRIPTION

The owner/developer of 1881 and 1821 9th Ave NE in Salmon Arm, BC wishes to merge the two properties and request a rezoning from C2 & R-1 to C-6. This will allow the developer to apply a development permit for a 6-storey apartment building on the adjoining property.

In regards to the current status of the property, there is a bowling building located at 1881 9th Ave and a single-family house situated at 1821 9th Ave.

This rental apartment complex is located on 9th Ave NE and features around 70-80 residential units situated above the bowling alley building. The apartments come in various configurations, including one-bedroom and two-bedroom units, designed to complement the surrounding topography and road/grading.

This site (both properties) is approximately 1.46 acres.

## 3.0 SITE AND PARKING ACCESS

The site design complies with the C-6 zoning bylaw.

Regarding parking, surface parking spots have been provided, with a minimum driveway length of 7.5 m, and provisions for visitors on-site parking as per the Parking and Loading zoning bylaw.

## 4.0 ZONING AND OCP AMENDMENT

The current zone of the site is R-1 & C-2

The developer of this site decided to submit rezoning application to C-6.

We recommend that the city of Kelowna allow for the rezoning of this site to C-6 for the following reasons:

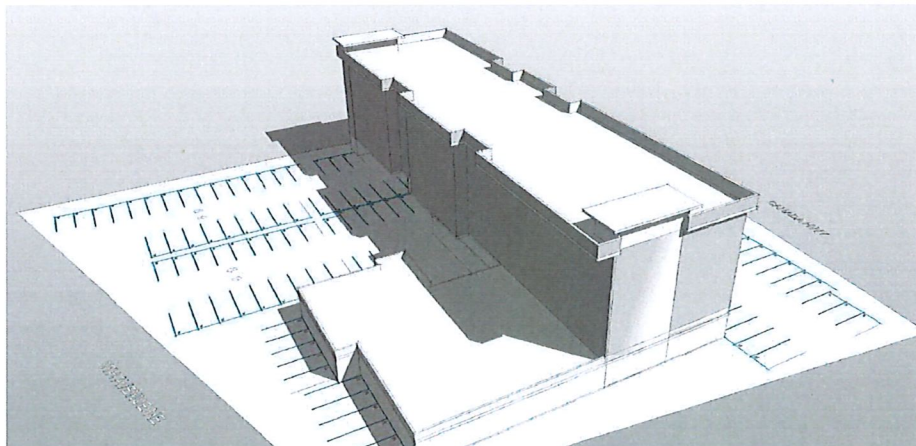
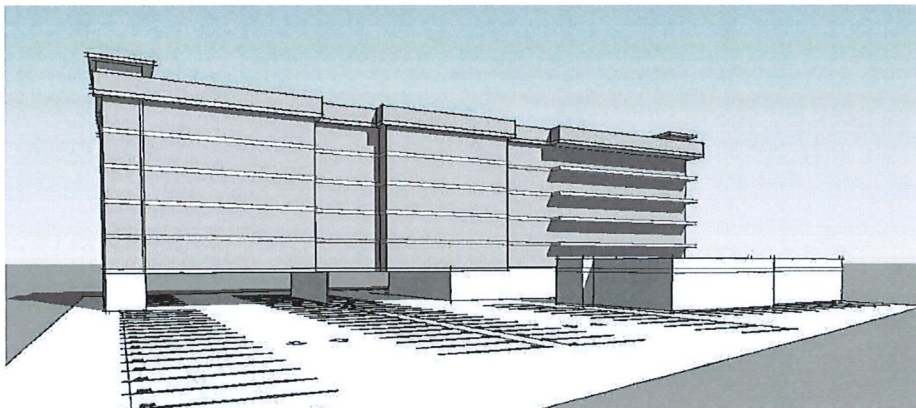
- The site will be more developable.
- The developer feels that an apartment project can be inspirational for other future developments nearby that benefit the neighbourhood.
- The proposed area of the units benefits the residents of the building. And satisfy the community's need for larger units with several bedrooms.

## 5.0 SUMMARY

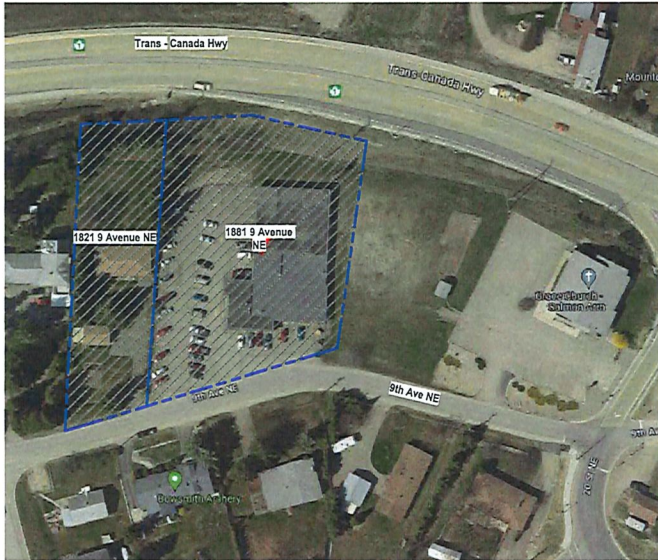
The project owner and design team believe that rezoning these two properties will enable the developer to construct an appealing project that can serve as inspiration for other developers. This will also benefit the neighborhood and the city of Salmon Arm.

We look forward to your enthusiastic support and recognition for all the project brings to our community.

## 6.0 ARCHITECTURAL MASSES:







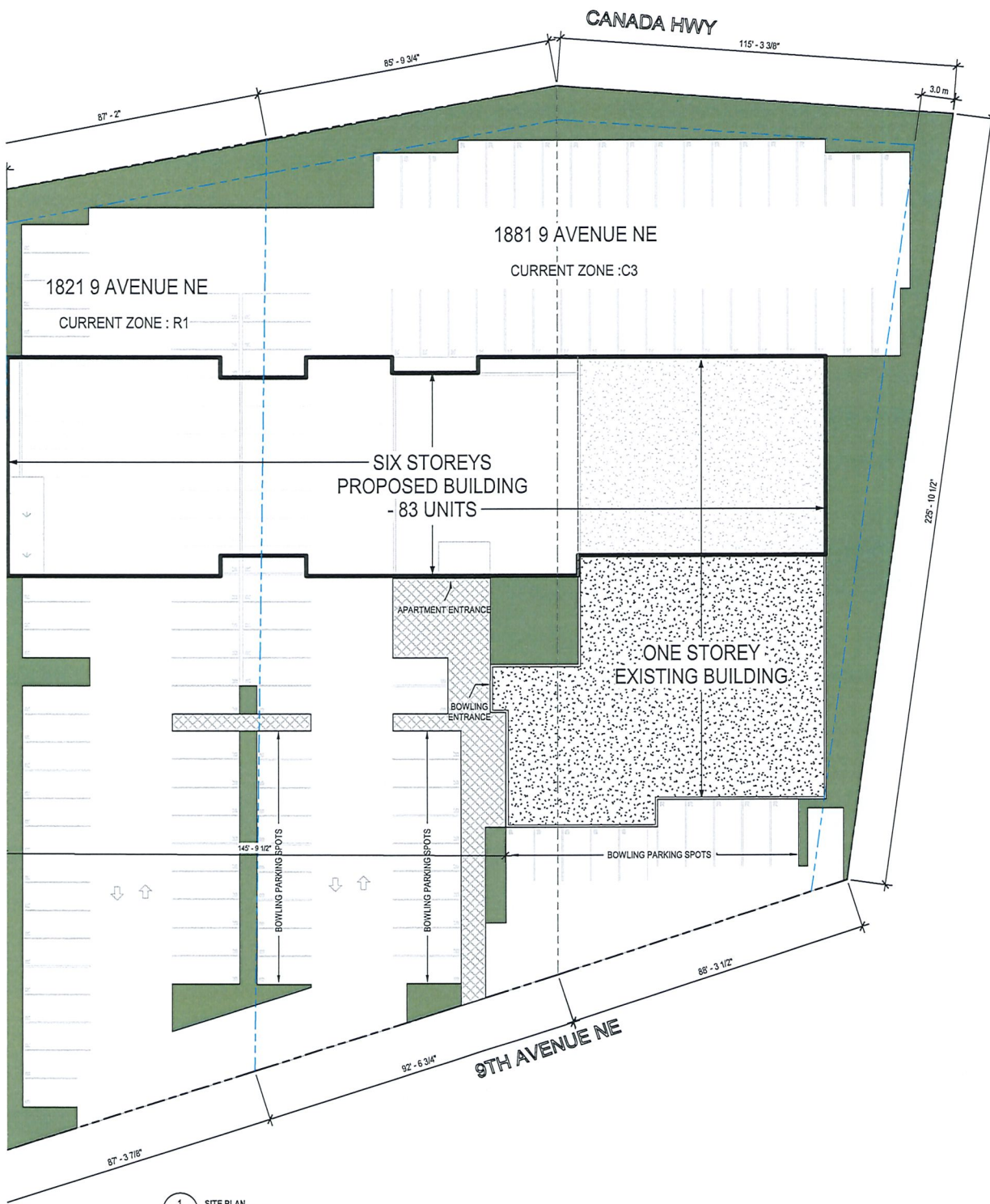
FROM TOP VIEW



VIEW FROM SOUTH



VIEW FROM 9TH AVENUE NE



**Required Number of Parking spots:**

- 1- 1.25 per dwelling Unit
- 2- 27 parking spots

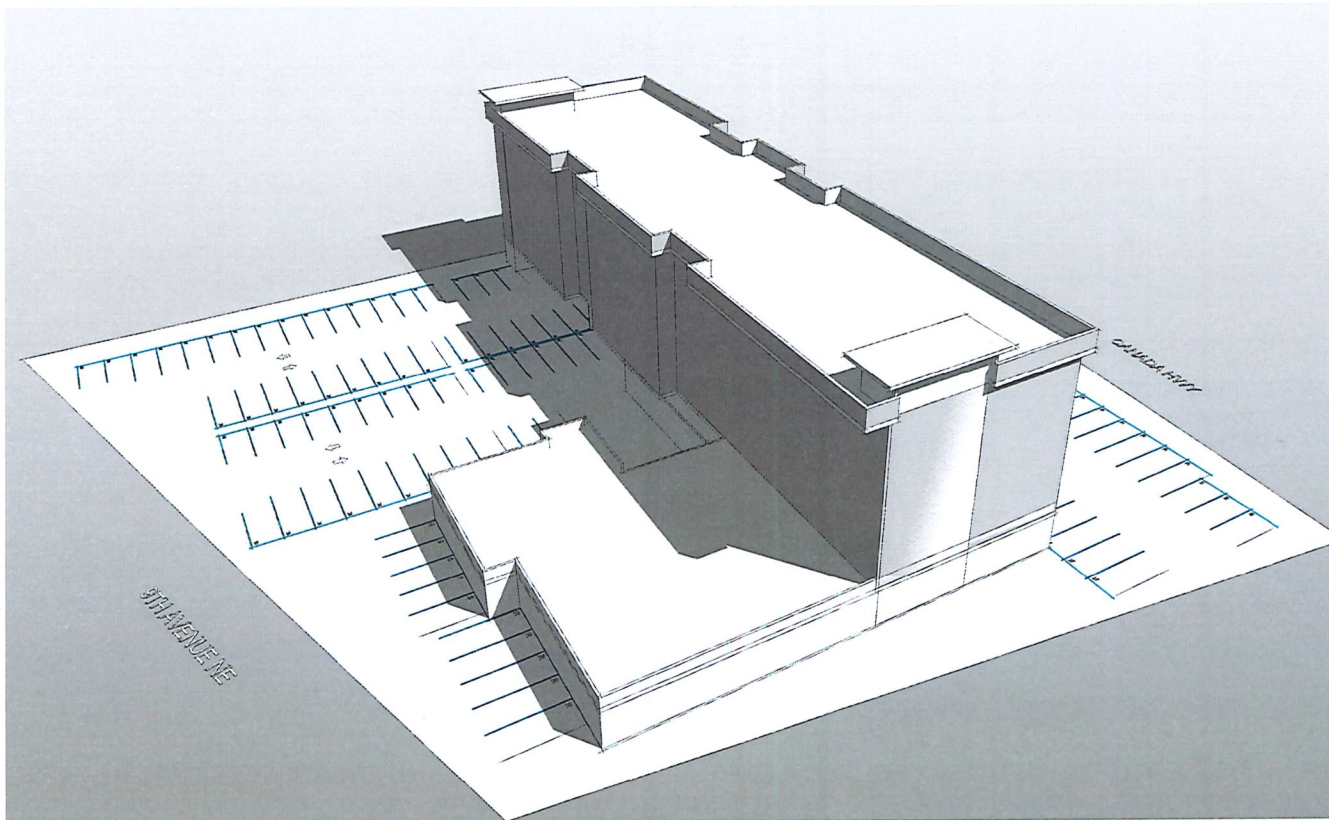
**Proposed Number of Parking Spots:**

- 28 Parking Spots for Bowling Center
- 104 Parking spots for upper floor units - apartments

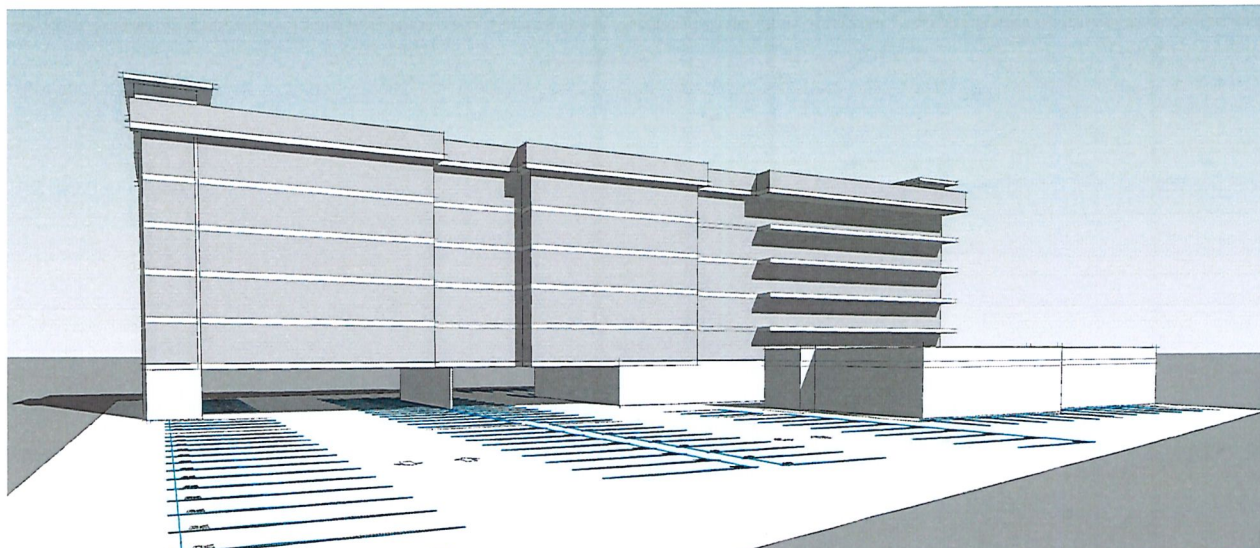
**OCC LOAD FOR BOWLING BUILDING:**

- 1 Person per 9.3 SQM
- 11,000 SQFT - %25 for circulation = 8250 sqft (766 SQM)
- $766 / 9.3 = 82$  person
- 3 parking spots per person required
- $82 / 3 = 27$  parking spots

**Note:** This is the rough idea for the parking calculation of the existing building.



BIRD EYE VIEW



VIEW FROM 9TH AVE

10/1/2011 10:11:11 AM

**SECTION 20 - C-6 - TOURIST / RECREATION COMMERCIAL ZONE****Purpose**

20.1 The C-6 Zone is intended to accommodate pedestrian oriented tourist/recreation businesses. The area zoned C-6 is envisioned to be developed with a mixture of land uses in an integrated manner and is intended to cater to the resident and tourist alike with a small shop and resort atmosphere. *Development* within the C-6 Zone shall be subject to a *Development Permit* as per the *Official Community Plan*.

**Regulations**

20.2 On a *parcel zoned C-6*, no *building* or *structure* shall be constructed, located or altered and no plan of subdivision approved which contravenes the regulations set out in the C-6 Zone or those regulations contained elsewhere in this Bylaw.

**Permitted Uses**

20.3 The following uses and no others are permitted in the C-6 Zone:

- .1 art gallery;
- .2 banking kiosk;
- .3 boat and marine sales, repair and rental, including outside covered or screened storage;
- .4 *commercial daycare facility* #3637
- .5 convention centre;
- .6 craft making and sales;
- .7 farmers market;
- .8 *health service centre*;
- .9 *high technology research and development*; #4368
- .10 *home occupation*; #2782
- .11 *hotel*;
- .12 library;
- .13 *licensee retail store*; #3223
- .14 *mobile food vending*; #4340
- .15 motel;
- .16 museum;
- .17 night club;
- .18 *offices*; #3426
- .19 *outside vending*; #2837
- .20 parkade/off-street parking, in Areas "A", "B" and "C" [Waterfront Area] as shown on Schedule "C" attached hereto and forming part of this bylaw. #3163
- .21 *personal service establishment*;
- .22 pub;
- .23 *public use*;
- .24 *private utility*; #3060
- .25 *public utility*;
- .26 *recreation facility - indoor*;
- .27 *recreation facility - outdoor*;
- .28 *resort accommodation*; #3517
- .29 *restaurant*;
- .30 *retail store*; #4005
- .31 theatre;
- .32 *upper floor dwelling units*; #2554
- .33 *work/live studios*; #3167 and
- .34 *accessory use*.

**SECTION 20 - C-6 - TOURIST / RECREATION COMMERCIAL ZONE - CONTINUED****Accessory Uses**

20.4

- .1 Outside storage and *warehouse* facilities are only permitted within Area "B" as shown on Schedule "C" attached to and forming part of this Bylaw. #2554, #3426

**Maximum Height of Principal Buildings**

20.5 The maximum *height* of *principal buildings* shall be 19.0 metres (62.3 feet). #2748

**Maximum Height of Accessory Buildings**

20.6 The maximum *height* of *accessory buildings* shall be 6.0 metres (19.7 feet).

**Minimum Parcel Size or Site Area**

20.7 The minimum *parcel* size or *site* area shall be 325.0 square metres (3,498.4 square feet).

**Minimum Parcel or Site Width**

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

**Minimum Setback of Principal and Accessory Buildings**

20.9 The minimum *setback* of the *principal* and *accessory buildings* from the:

- |    |  |                       |
|----|--|-----------------------|
| .1 | <i>Rear parcel line</i> adjacent to a residential zone shall be          | 3.0 metres (9.8 feet) |
| .2 | <i>Interior side parcel line</i> adjacent to a residential zone shall be | 3.0 metres (9.8 feet) |

**Outside Storage**

20.10 Outside storage shall be screened as per Appendix III.

**Parking and Loading**

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



View of subject parcel northwest from 9 Avenue NE.



View of subject parcel northeast from 9 Avenue NE.



September 6, 2023

City of Salmon Arm  
Chris Larson  
PO Box 40  
Salmon Arm BC, V1E 4N2

Dear Chris,

**Re: OCP Amendment Application No OCP 4000-56**

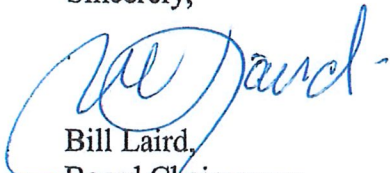
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The Salmon Arm Economic Development Society (SAEDS) Board of Directors has reviewed the information for the above-noted OCP Amendment Referral to amend the OCP designation of the property located at 1821 – 9<sup>th</sup> Avenue NE from medium density residential to highway service/tourist commercial.

At this meeting, the SAEDS Board passed the following motion:  
*“That the SAEDS Board of Directors supports the proposed OCP Amendment, as the proposed development supports the community’s critical shortage of rental accommodation.”* All in favour.

We thank you for the opportunity to comment on this proposed OCP bylaw amendment.

Sincerely,



Bill Laird,  
Board Chairperson

**From:** HBE [IH] <HBE@interiorhealth.ca>  
**Sent:** September 13, 2023 3:27 PM  
**To:** Kathy Frese  
**Subject:** FW: [External] OCP4000-56 BYLAW4605 / 1821 - 9 AVENUE NE - Referral  
**Attachments:** OCP4000 -56 External Agencies Referral PKG.pdf

Hello,

Thank you for the opportunity to provide comments for Council and staff consideration regarding the two properties 1881 and 1821 9 Ave N.E.

Housing is a key determinant of health. It has significant influence on our physical and mental health, social well-being and indirectly influences many other determinants of health. Healthy housing is attainable, stable, high quality, and in a location and community that meets our needs and supports health and well-being. In reviewing the proposed land use changes for the two properties, this would align with providing more density and housing diversity (Strategy Area #1) and adding additional rental units to meet the rental needs of the community (Strategy Area #2) and thus meeting the objectives in the [Salmon Arm Community Housing Strategy](#).

Interior Health is pleased to see more purpose built rental units being built to help to meet Salmon Arm residents' needs for rental housing supply and as such, we are in support of the proposed changes.

If you have any questions, please let me know: 250-549-5758.

Thank you,

Janelle

*Janelle Rimell*, B.Sc, B.Tech, C.P.H.I.(C) (she/her)

Environmental Health Officer  
Healthy Community Development  
Interior Health Authority  
1440 14<sup>th</sup> Avenue, Vernon, BC V1B 2T1  
Office: 250-549-5758  
Cell: 250-540-8380  
Email: [janelle.rimell@interiorhealth.ca](mailto:janelle.rimell@interiorhealth.ca)  
[www.interiorhealth.ca](http://www.interiorhealth.ca)



Interior Health

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Interior Health would like to recognize and acknowledge the traditional, ancestral, and unceded territories of the Dăkelh Dené, Ktunaxa, Nlaka'pamux, Secwépemc, St'át'imc, Syilx, and Tšilhqot'in Nations where we live, learn, collaborate and work together.





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

Your File #: ON-1275 BL4606  
eDAS File #: 2023-03966  
Date: Aug/22/2023

**Re: Proposed Bylaw for:**

- **PID: 009-633-405, PARCEL A (DD W51279) SECTION 13 TOWNSHIP 20 RANGE 10 WEST OF THE 6TH MERIDIAN KAMLOOPS DIVISION YALE DISTRICT PLAN 9888 EXCEPT PLAN KAP46224**
- **PID: 007-926-669, LOT A SECTION 13 TOWNSHIP 20 RANGE 10 WEST OF THE 6TH MERIDIAN KAMLOOPS DIVISION YALE DISTRICT PLAN 9888**

The Ministry of Transportation and Infrastructure has received and reviewed your referral dated August 18, 2023 to amend the OCP from MR (Medium Density Residential) and HC (Highway Service/Tourist Commercial) to HC (Highway Service/Tourist Commercial) for 1821 – 9 Avenue NE only, and Zoning from R-1 (Single Family Residential – 1821 9 Ave NE) and C-3 (Service Commercial – 1881 9 Ave NE) to C-6 (Tourist/Recreation Commercial Zone) for both properties.

Preliminary Approval is granted for the rezoning for one year pursuant to section 52(3)(a) of the *Transportation Act*, subject to the following conditions:

1. No direct access to the Trans-Canada Highway is permitted. All access is to be via the municipal side road network (9 Avenue NE).
2. No storm drainage shall be directed towards the Trans-Canada Highway. This would include but is not limited to collection/run-off of the internal road system or development run-off. All surface and subsurface drainage/storm water from the development is to be dealt with onsite.
3. Buildings or structures adjacent to the Trans-Canada Highway are to be set back from the property line, a minimum of 4.5 metres. If buildings or structures are proposed within the 4.5m setback from the Trans-Canada Highway dedication, the land owner is encouraged to contact the ministry as additional permitting is required and may not be supported.

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

If you have any questions please feel free to call Beth Bahm at (778) 576-1114.  
Yours truly,



Beth Bahm  
Development Officer



*Memorandum from the  
Engineering and Public  
Works Department*

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TO: Gary Buxton, Director of Planning  
 DATE: August 29, 2023  
 PREPARED BY: Mustafa Zakreet, Engineering Assistant  
 APPLICANT: 1026082 BC Ltd. and Lakeside Bowling Ltd.  
 SUBJECT: OFFICIAL COMMUNITY PLAN & ZONING AMENDMENT APPLICATION  
 NO. OCP4000-56 & ZON-1275  
 LEGAL: Lot A, Section 13, Township 20, Range 10, W6M, KDYD, Plan 9888 and  
 Parcel A (DD W51279) Section 13, Township 20, Range 10, W6M, KDYD,  
 Plan 9888 Except Plan KAP46224  
 CIVIC: **1821 & 1881 – 9 Avenue NE**

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Further to your referral dated August 18, 2023, we provide the following servicing information. **The following comments and servicing requirements are not conditions for Rezoning and OCP amendment; however, these comments are provided as a courtesy in advance of any development proceeding to the next stages:**

Comments are based on the Development as proposed in the referral. If the development plans for the property change significantly, comments below may change.

**General:**

1. Full municipal services are required as noted herein. Owner / Developer to comply fully with the requirements of the Subdivision and Development Services Bylaw No 4293. Notwithstanding the comments contained in this referral, it is the applicant's responsibility to ensure these standards are met.
2. Comments provided below reflect the best available information. Detailed engineering data, or other information not available at this time, may change the contents of these comments.
3. Properties shall have all necessary public infrastructure installed to ensure properties can be serviced with underground electrical and telecommunication wiring upon development.
4. Property under the control and jurisdiction of the municipality shall be reinstated to City satisfaction.
5. Owner / Developer will be responsible for all costs incurred by the City of Salmon Arm during construction and inspections. This amount may be required prior to construction. Contact City Engineering Department for further clarification.
6. Erosion and Sediment Control (ESC) measures will be required prior to the commencement of construction. ESC plans to be approved by the City of Salmon Arm.
7. At the time of building permit the applicant will be required to submit for City review and approval a detailed site servicing / lot grading plan for all on-site (private) work. This plan will show such items as parking lot design, underground utility locations, pipe sizes, pipe elevations, pipe grades, catchbasin(s), control/containment of surface water, contours (as required), lot/corner elevations, impact on adjacent properties, etc.
8. For the off-site improvements at the time of building permit the applicant will be required to submit for City review and approval detailed engineered plans for all off-site construction work.

**OCP4000-56 & ZON APPLICATION FILE: ZON-1275**

August 29, 2023

Page 2

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These plans must be prepared by a qualified engineer. As a condition of building permit approval, the applicant will be required to deposit with the City funds equaling 125% of the estimated cost for all off-site construction work.

**Roads / Access:**

1. 9 Avenue NE, on the subject property's southern boundary, is designated as an Urban Local Road standard, requiring 20.0m road dedication (10.0m on either side of road centerline). Available records indicate that 2.38m of additional road dedication is required (to be confirmed by a BCLS).
2. 9 Avenue NE is currently constructed to a Rural Paved Road standard. Upgrading to an Urban Local Road standard is required, in accordance with Specification Drawing No. RD-02. Upgrading may include, but is not limited to, road widening and construction, curb & gutter, sidewalk, boulevard construction, street lighting, fire hydrants, street drainage and hydro and telecommunications. Owner / Developer is responsible for all associated costs.
3. Trans-Canada Highway on the subject property's northern boundary is a provincial controlled access highway. Additional dedication/improvements will be determined by Ministry of Transportation.

**Water:**

1. The subject property fronts a 100mm diameter Zone 2 watermain on 9 Avenue NE. Upgrading this watermain to 200mm diameter across the frontage of the property is required.
2. Since the subject property fronts onto an undersized water main the Owner / Developer's authorized engineer is to complete a flow test on the closest fire hydrant to confirm the existing watermain servicing the development is adequately sized to provide fire flows in accordance with the requirements of the Subdivision and Development Servicing Bylaw No 4293. Where the City water distribution system has insufficient capacity to meet the required fire flow, the Owner / Developer will be required to make the necessary upgrades to meet these standards. Owner / Developer is responsible for all associated costs.
3. Records indicate that 1881 & 1821 9 Avenue NE are each serviced by an unknown diameter size service from the 100mm diameter watermain on 9 Avenue NE. Due to age/size of the existing services, upgrading to a new single metered service (minimum 25mm) is required in accordance with Specification Drawing No. W-11. All existing inadequate / unused services must be abandoned at the main. Owner / Developer is responsible for all associated costs
4. Fire protection requirements to be confirmed with the Building Department and Fire Department.
5. Fire hydrant installation will be required. Owners consulting Engineer shall review the site to ensure placement of fire hydrants meet the commercial density spacing requirements of 90 meters.

**Sanitary:**

**OCP4000-56 & ZON APPLICATION FILE: ZON-1275**

August 29, 2023

Page 3

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1. The subject property fronts a 150mm diameter sanitary sewer on 9 Avenue NE. Upgrading this sanitary sewer to 200mm diameter across the frontage of the property is required. Since this upgrade is premature at this time, a 100% cash in lieu payment towards future upgrading may be accepted. Owner / Developer is responsible for all associated costs. In addition, the subject property fronts 200mm diameter sanitary sewer along the north and east property lines. An additional 3m right of way is required for the main along the north property line. No construction will be permitted over the sanitary right-of-way, however the sanitary sewer and right of way may be relocated, subject to achieving minimum grades. Owner / Developer is responsible for all associated costs.
  2. The subject property is be serviced by a single sanitary service connection adequately sized (minimum 100mm diameter) to satisfy the servicing requirements of the development. Owner / Developer is responsible for all associated costs.
  3. The subject property is in an area with no current sanitary capacity concerns according to the City Sanitary Study (Urban Systems 2016).
  4. Records indicate that the 1881-9 Avenue NE property is serviced by an unknown size service from the sanitary sewer on 9 Avenue NE, and the 182-9 Avenue NE property is serviced by an unknown size service from the sanitary sewer main along the north property line. All existing inadequate/unused services must be abandoned at the main. Owner / Developer is responsible for all associated costs.

**Drainage:**

1. The subject property fronts a 300mm diameter storm sewer on 9 Avenue NE that runs along the west property line. No Construction is permitted over the storm right-of-way; therefore, relocating the storm main out of the development zone is required.
2. The subject property is in an area with no current storm capacity concerns according to the Stormwater Master Plan Study (April 2020)
3. An Integrated Stormwater Management Plan (ISMP) conforming to the requirements of the Subdivision and Development Servicing Bylaw No. 4293, Schedule B, Part 1, Section 7 shall be provided.
4. Where onsite disposal of stormwater is recommended by the ISMP, an "Alternative Stormwater System" shall be provided in accordance with Section 7.2.
5. Where discharge into the Municipal Stormwater Collection System is recommended by the ISMP, this shall be in accordance with Section 7.3. The subject property shall be serviced by a single storm service connection adequately sized (minimum 150mm) to satisfy the servicing requirements of the development. Owner / Developer's engineer may be required to prove that there is sufficient downstream capacity within the existing City Storm System to receive the proposed discharge from the development. Discharge into the Storm sewer shall be restricted to predevelopment flows. All existing inadequate / unused services must be abandoned at the main. Owner / Developer is responsible for all associated costs.

**Geotechnical:**

OCP4000-56 & ZON APPLICATION FILE: ZON-1275

August 29, 2023

Page 4

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



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**Mustafa Zakreet, EIT**  
Engineering Assistant



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**Gabriel Bau P.Eng.**  
City Engineer