

To: His Worship Mayor Harrison and Members of Council

Date: September 28, 2023

Subject: Zoning Bylaw Amendment Application No. 1270

Legal: Lot 4, Section 24, Township 20, Range 10, W6M, KDYD, Plan 1500
Except Plans 1948 and EPP119501
Civic: 2391 – 26 Avenue NE
Owner: Cockrill, W. & Weed, J.
Agent: Gentech Engineering

MOTION FOR CONSIDERATION

THAT: a bylaw be prepared for Council’s consideration, adoption of which would amend Zoning Bylaw No. 2303 by 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).

STAFF RECOMMENDATION

THAT: The motion for consideration be adopted.

PROPOSAL

This proposal is to rezone the subject parcel to R-8 (Residential Suite) to permit the future option for construction and use of a *secondary suite*. A subdivision application has been submitted which would split the parcel into 13 new parcels (Appendix 1). The existing and proposed parcels meet the conditions of the proposed R-8 Zone to accommodate either a *secondary suite* or a *detached suite*.

BACKGROUND

The subject parcel is located at 2391 – 26 Avenue NE (Appendix 2 and 3), is approximately 6 acres in area, and contains a single family dwelling and accessory buildings. As with other large parcels in this area, the subject parcel has long been envisioned as supporting additional residential development. The parcel is designated Low Density Residential and is within Residential Development Area A in the City’s Official Community Plan (OCP), the area of highest priority for residential development within the City (Appendix 4). The parcel is currently zoned R-1 (Single Family Residential) in the Zoning Bylaw (Appendix 5).

The subject parcel is located in an area largely comprised of R-1, R-7, R-8 and A-2 zoned parcels containing single family dwellings and accessory buildings (including suites). There are presently 8 R-8 zoned parcels within the vicinity of the subject parcel. Properties further north of this area have A-2 zoning that also allows for secondary suites. Site photos are attached as Appendix 6.

Unrelated to this application, staff note that a portion of this site was recently subject to tree removal contrary to City bylaws. This is being formally addressed through the Bylaw Enforcement process.

Secondary Suites

Policy 8.3.25 of the OCP provides for the consideration of secondary suites in all Residential designated areas via a rezoning application, subject to compliance with the Zoning Bylaw and the BC Building Code. Based on parcel area and width, the subject property as well as the proposed parcels all have potential to easily meet the conditions for the development of a *secondary suite* (or *detached suite* where applicable),

including sufficient space for an additional off-street parking stall. *Detached Suites* are permitted on single fronting parcels greater than 700 square metres in area which are 14 metres or greater in width.

COMMENTS

Engineering Department

No objections to the proposed rezoning. Comments provided to applicant and attached as Appendix 7.

Building Department

No concerns. Building Permit application required for development.

Fire Department

Fire hydrant(s) and turn around required.

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 property in advance of the statutory Public Hearing. The notices outline the proposal and advises 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 14, 2023.

Planning Department

The proposed zoning and future subdivision aligns with the existing development to the south of 26 Avenue NE, and would substantially align with pre-plan concepts for residential development extending over adjacent lands to the north (Appendix 8).

The future development as proposed is an important step in the development of this portion of Residential Development Area A, in particular the residential area bound within 26 Avenue NE, 25 Street NE and 30 Avenue NE. The development concept including the rezoning and subdivision meets the OCP's Low Density Residential policies. This area has been designated for residential use for decades, with road network concepts (or pre-plans) proposed, but not yet constructed. The access road for the proposed development would be an extension of 23 Street NE from the south to north parcel lines, forming a dedicated and constructed roadway, and a future option for connection to provide access for the development of new parcels within the land-locked residential area to the north.

The attached road network concept developed in the 1990s presents one option for this residential area, with the details of the actual future road network to be determined subject to development of adjacent parcels and intent of individual owners. Through the subdivision process and guided by road network concepts, the *Land Title Act* requires the Approving Officer to consider necessary and reasonable access to land situated beyond the subject parcel to secure access to other properties. As road access is required for the creation of any new parcel, staff note the importance of a future road network within this area to support future development through the enabling of efficient subdivision of residential lands. While there is no current application over adjacent lands, a future road network is required to provide access (and emergency access) to the lands beyond the subject parcel, and is a key element of the proposal.

The proposed R-8 zoning of the subject parcel is consistent with the OCP and is therefore supported by staff. The large subject parcel is well suited to R-8 development and the proposed parcels have more than sufficient area to meet all R-8 zone requirements including the provision of onsite parking. Any development of a single family dwelling or secondary suite requires a building permit and will be subject to meeting Zoning Bylaw and BC Building Code requirements.



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