



AGENDA

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

**Tuesday, September 8, 2020
8:00 a.m.**

**Council Chambers, City Hall
500 – 2 Avenue NE**

Page #	Item #	Description
	1.	CALL TO ORDER
	2.	ACKNOWLEDGEMENT OF TRADITIONAL TERRITORY <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>
	3.	REVIEW OF AGENDA
	4.	DISCLOSURE OF INTEREST
	5.	REPORTS
1 - 16	1.	Zoning Amendment Application No. ZON-1181 [Tegart, J. & K.; 2630 30 Avenue NE; R-1 to R-8]
	2.	Development Variance Permit Application No. VP-519 [Tegart, J. & K.; 2630 30 Avenue NE; Setback requirements] <i>(See Item 5.1 for Staff Report)</i>
17 - 28	3.	Zoning Amendment Application No. ZON-1185 [Zwicker, M. & M.; 2790 30 Avenue NE; R-1 to R-8]
29 - 44	4.	Agricultural Land Commission Application No. ALC-396 [Alibhai, A. & G./Jamal, Z./Dharamsi, T.; Non-Adhering Residential Use]
	6.	PRESENTATIONS
	7.	FOR INFORMATION
	8.	CORRESPONDENCE
	9.	ADJOURNMENT

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CITY OF SALMON ARM

To: His Worship Mayor Harrison and Members of Council

Date: August 21, 2020

Subject: Zoning Bylaw Amendment Application No. 1181
Development Variance Permit Application No. 519

Legal: Lot A, Section 24, Township 20, Range 10, W6M, KDYD, Plan 13562
Civic Address: 2630 – 30 Avenue NE
Owner/Applicant: Tegart, J. & K.

MOTION FOR CONSIDERATION

THAT: a bylaw be prepared for Council's consideration, adoption of which would amend Zoning Bylaw No. 2303 by rezoning Lot A, Section 24, Township 20, Range 10, W6M, KDYD, Plan 13562 from R-1 (Single Family Residential Zone) to R-8 (Residential Suite Zone);

AND THAT: Development Variance Permit No. 519 be authorized for issuance for Lot A, Section 24, Township 20, Range 10, W6M, KDYD, Plan 13562 to vary the provisions of Zoning Bylaw No. 2303 as follows:

1. Section 13.7.2 – R-8 Residential Suite Zone – increase the maximum height of an accessory building containing a detached suite from 7.5 m (24.6 ft) to 9.6 m (31.5 ft);
2. Section 13.14.1 – R-8 Residential Suite Zone – reduce the minimum setback from a front parcel line from 6.0 m (19.7 ft) to 2.5 m (8.2 ft) for an accessory building containing a detached suite; and
3. Section 13.14.3 – R-8 Residential Suite Zone – reduce the minimum setback from an interior parcel line from 2.0 m (6.5 ft) to 1.0 m (3.3 ft) for an accessory building containing a detached suite.

STAFF RECOMMENDATION

THAT: The motion for consideration be adopted.

PROPOSAL

The subject parcel is located at 2630 – 30 Avenue NE (Appendix 1 and 2). The proposal is to rezone the parcel from R-1 (Single Family Residential) to R-8 (Residential Suite) to permit the development of a legal detached suite within a new accessory building. Variances have been requested related to the site and height of the proposed accessory building containing a detached suite.

BACKGROUND – SECONDARY SUITES

The parcel is designated Low Density Residential in the City's Official Community Plan (OCP), and zoned Single Family Residential (R-1) in the Zoning Bylaw (Appendix 3 & 4).

The subject parcel is located in a residential neighbourhood with a rural character, largely comprised of larger R-1 zoned parcels containing single family dwellings, many with accessory buildings, with ALR land directly north. There are currently fourteen R-8 zoned parcels within the proximity of the subject parcel.

The large subject parcel is approximately 3,500 square metres in size, and contains an existing single family dwelling. The applicant has provided a letter of intent and detailed plans illustrating their proposal (Appendix 5). Site photos are attached (Appendix 6).

Policy 8.3.25 of the OCP provides for the consideration of secondary suites in all Residential (High, Medium, and Low) designated areas via a rezoning application, subject to compliance with the Zoning Bylaw and the BC Building Code. Based on parcel area, the subject property has potential to meet the conditions for the development of a secondary suite, including sufficient space to meet the parking requirement.

COMMENTS

Engineering Department

No concerns with rezoning or variances requested (Appendix 7).

Building Department

No concerns with rezoning, BC Building Code requirements must be met.

Fire Department

No concerns.

Planning Department

The owner's intent is to develop a legal detached suite for the use of a family member, within an accessory building. The proposed R-8 zoning of the subject parcel is consistent with the OCP and is therefore supported by staff. Any new development will require a building permit and will be subject to applicable Development Cost Charges (presently \$6,064.31), as well as meeting Zoning Bylaw and BC Building Code requirements.

Setback regulations enable adequate separation between buildings and streets for aesthetic, privacy, view preservation, and traffic safety reasons. The proposed siting of the accessory building within the front yard setback area (Appendix 5) appears to generally limit impacts on neighbouring properties, while still allowing for a large parking area on the subject parcel (a concern with requests to reduce the front yard setback requirement). As the majority of the mass of the accessory building meets the interior side setback requirement, the proposed interior parcel line setback request is relatively minor in the opinion of staff, supporting just a small carport structure that extends from that side of the accessory building.

In consideration of the requested variance to allow for an increased maximum height, staff would note that the proposed 9.6 m height for the accessory building is less than the 10 m maximum permitted height for a single family dwelling, the proposed siting limits related impacts on neighbouring parcels, and the sloping existing grade further limits the overall effect of the proposed building height.

The subject parcel is within an established residential neighbourhood with a rural character, and the proposal is generally consistent with development on neighbouring parcels. The requested variances will not impact City utilities, pose any BC Building Code concerns, or restrict future development on neighbouring lots. Staff note that the variances are only in regards to the proposed accessory building and do not permit any use of the building other than what is permitted under the Zoning Bylaw. Considering the conditions noted above, the size of the variances requested, the variances as proposed do not significantly concern staff and are viewed as reasonable.



Prepared by: Chris Larson, MCP
Senior Planner



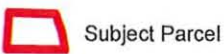
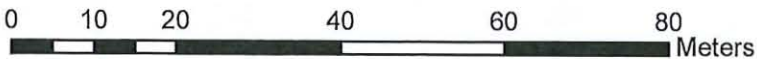
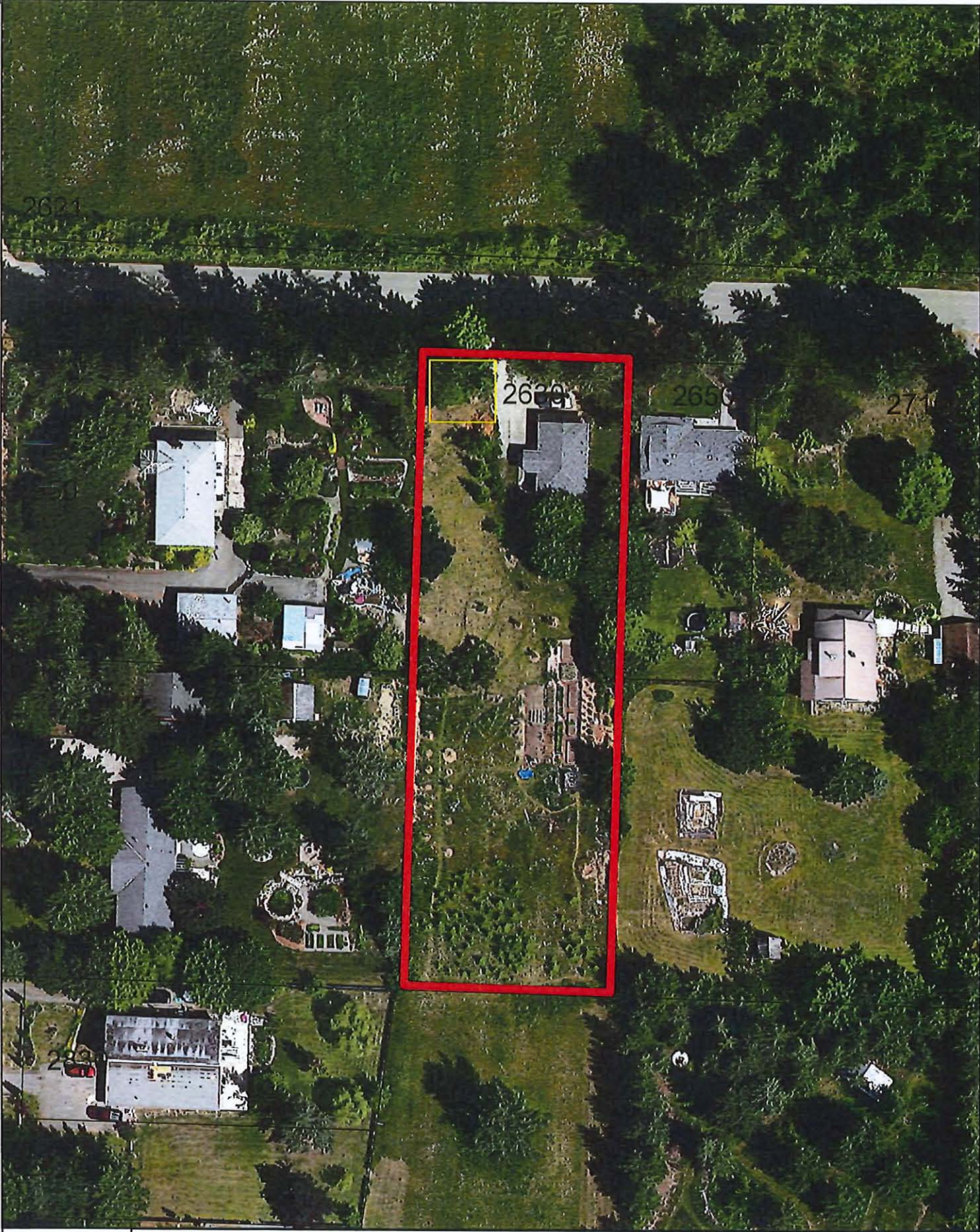
Reviewed by: Kevin Pearson, MCIP, RPP
Director of Development Services



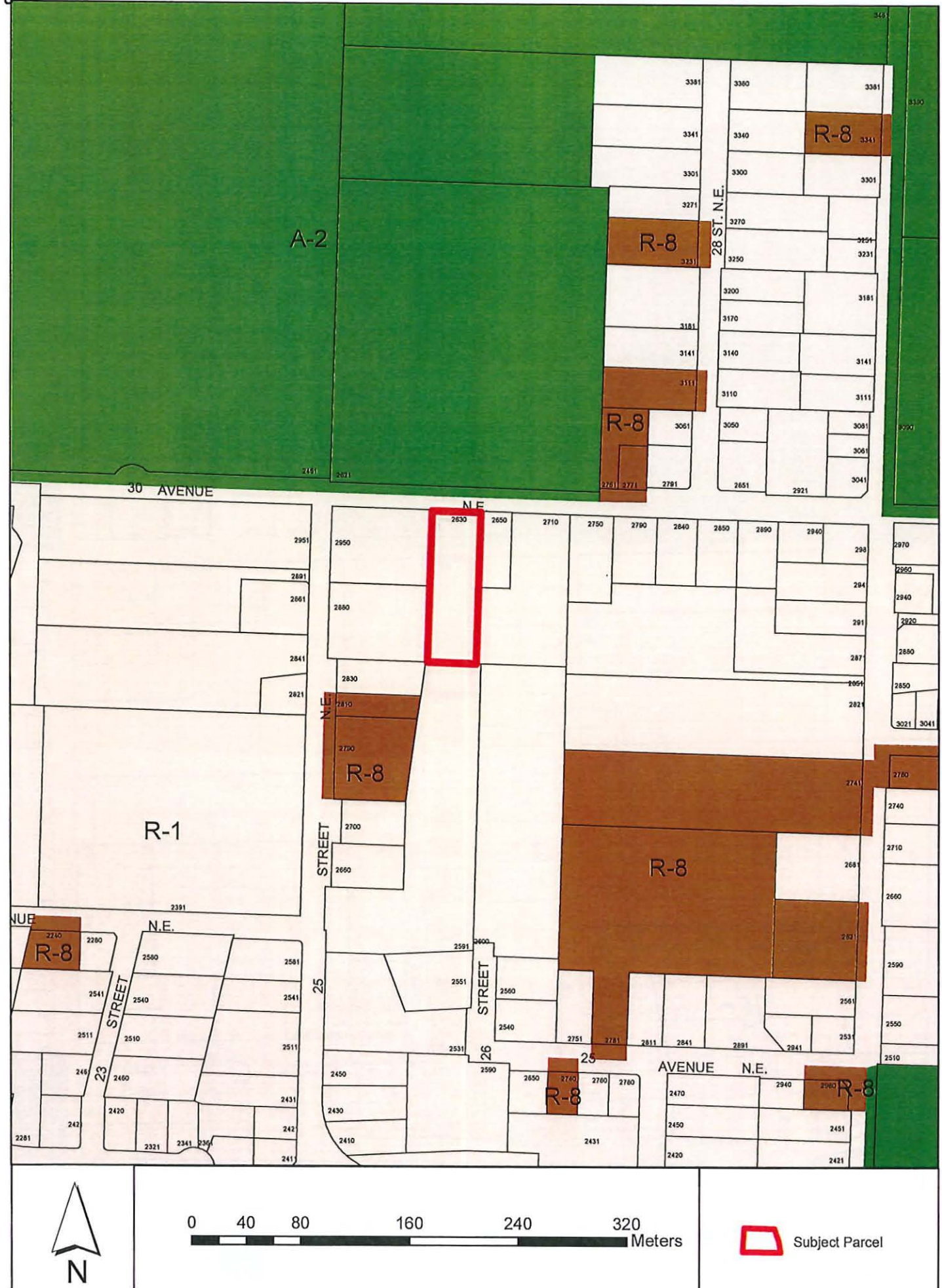
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Subject Parcel







City of Salmon Arm, Planning & Development
500 2 Ave NE, Salmon Arm, BC

July 14, 2020

To Salmon Arm Council and Planning & Development Department,

Re: Variance and Rezoning application for 2630 30 Ave NE

We would like to give some background to the variance and re-zoning application we have submitted. The variances we are requesting are:

- Increased height from 7.5m to 9.6m maximum.
- Front Yard (north) setback to be decreased from 6m to 2.5m.
- Side yard (west) setback from 2m to 1m.

The increase in height is requested to allow for a home office space, which as our children grow, no longer fits in our small house. We have been operating a small business in town for 12+ years. At this point, we need extra space to be able to house a contractor or possibly an employee to handle the increasing workload. Having the extra space in the attic trusses will solve these space issues for us.

The front yard setback to the north will allow us to access the garage directly from the east side (as shown on page 4 of the plans). If we move the carriage house south it would be difficult for us to get out of the garage because the main house will be blocking the garage doors. Having a side access also gives the basement suite an opportunity to have egress windows from the bedrooms. Another reason we would like the 2.5m setback is the views from the main house will not be blocked by the carriage house. This small setback still leaves us with 4+ parking spots in the current driveway. Lastly, having the carriage house shifted to the north is best for the neighbours as it won't encroach on their backyard privacy. We have spoken with them and they don't think this location should cause any issues for them.

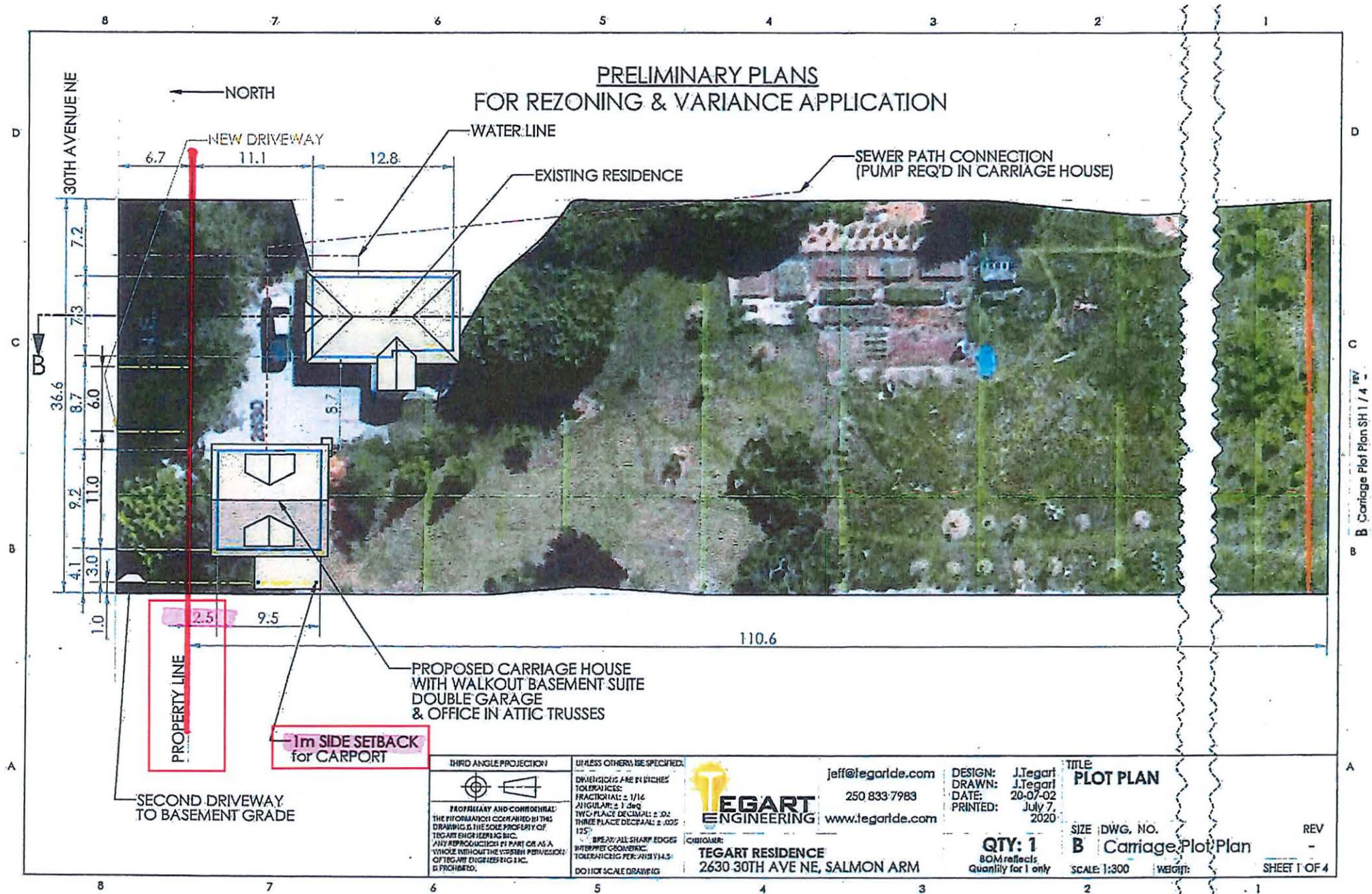
The side yard setback to the west is to facilitate a driveway down to grade with a carport covering it. We will initially have an elderly father living downstairs before making it a rental. He has requested a covered level entry into the suite as he has mobility issues and stairs are difficult. We will make this an open carport on the west side to allow light to come through so it won't feel crowded against the property line. To us, the carport seems more like an

accessory building setback of 1m. The main part of the carriage house will be 4m back, which is much further than the minimum of 2m.

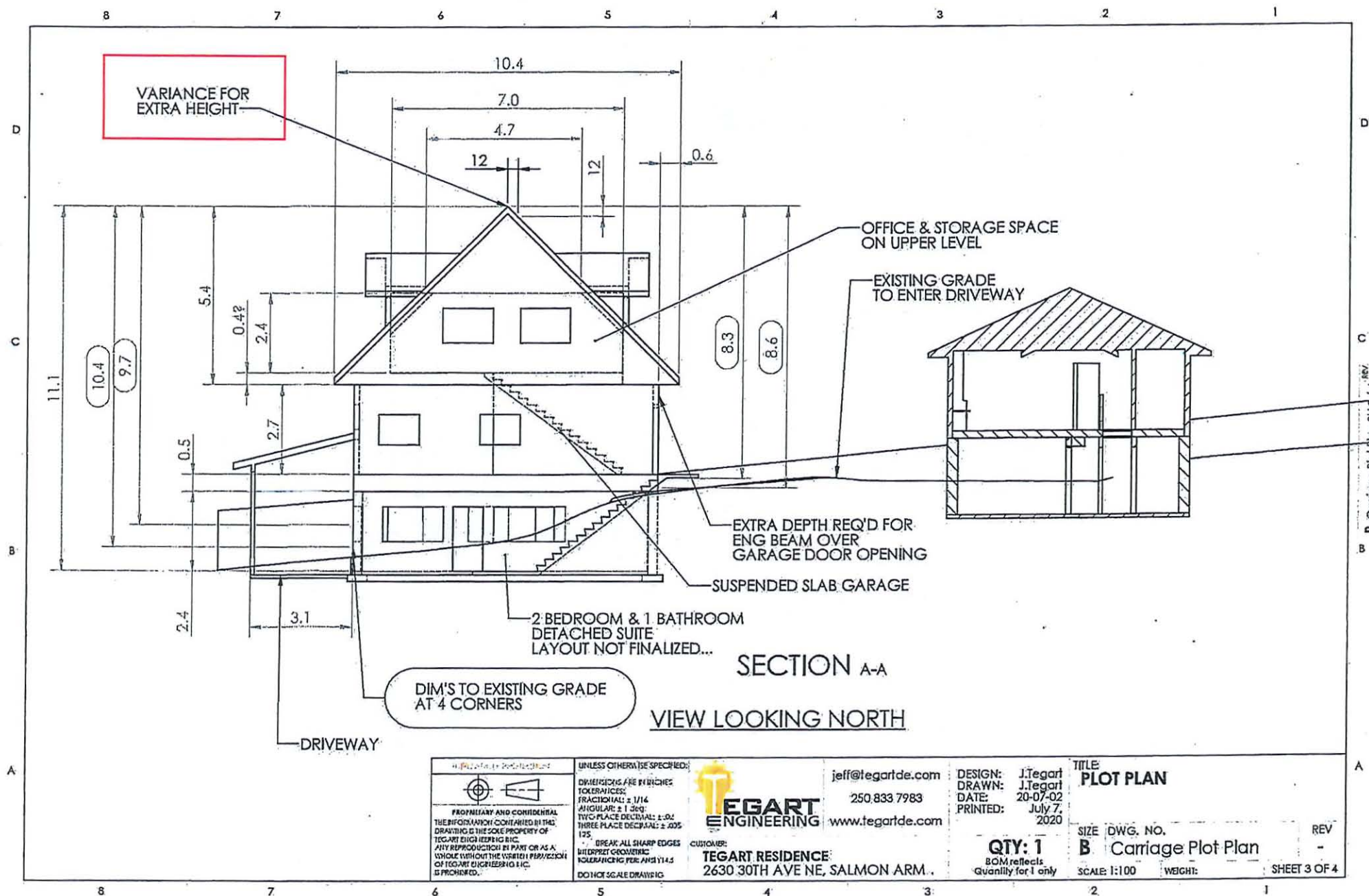
Thank you for your consideration of these matters. If you would like further information, please feel free to contact us.

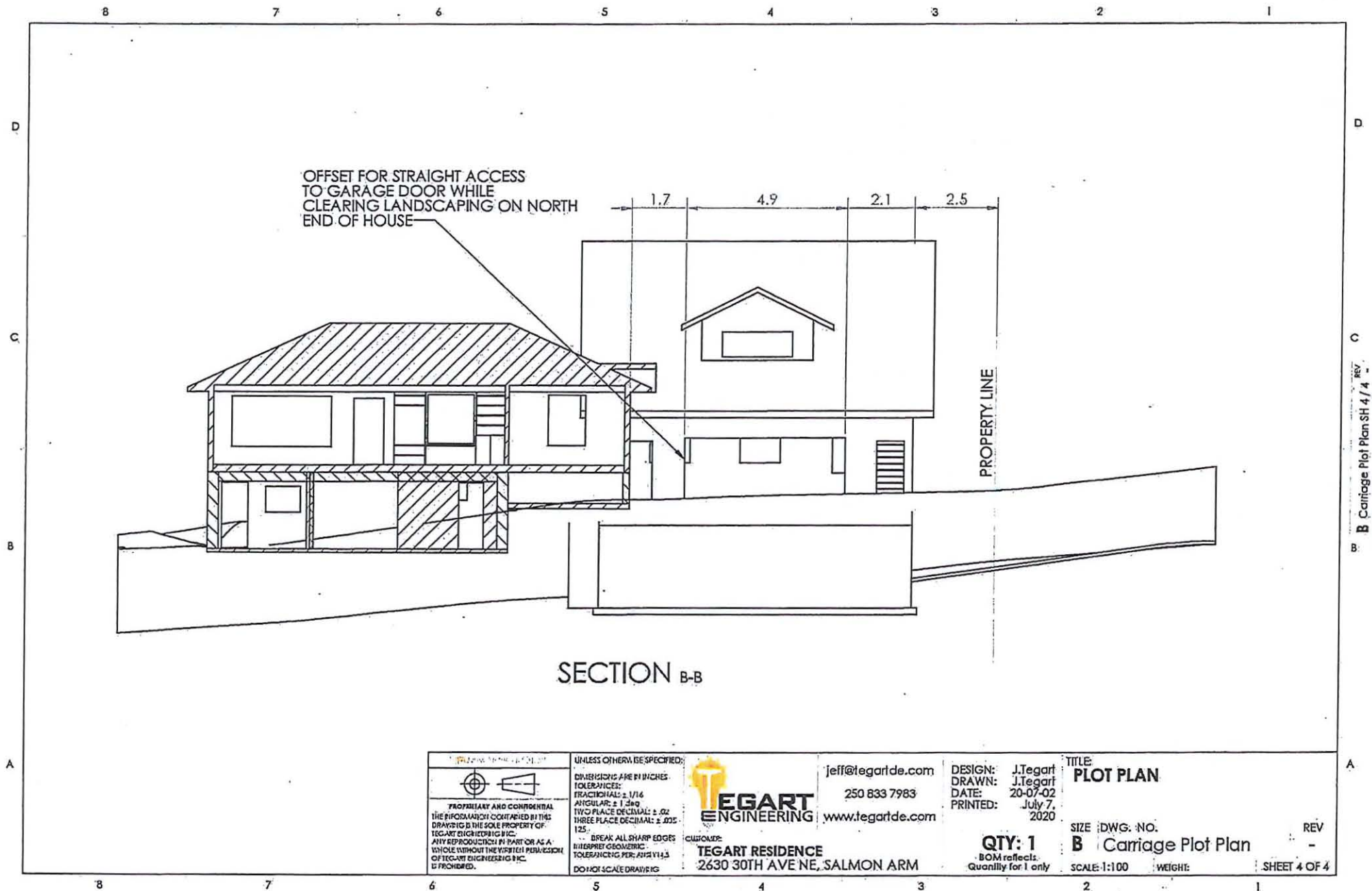
Regards,

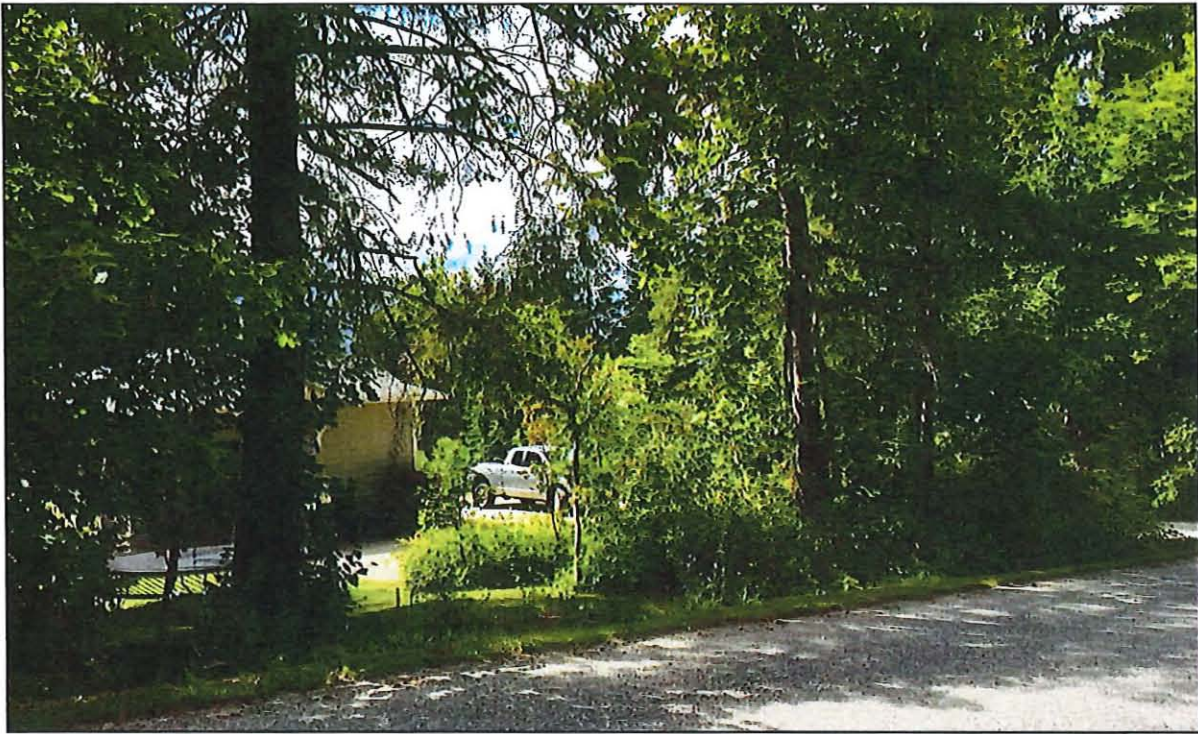
Jeff & Karis Tegart











View of subject property looking southwest from 30 Avenue NE.



View of subject property looking southeast from 30 Avenue NE.

**CITY OF
SALMON ARM***Memorandum from the
Engineering and Public
Works Department*

TO:	Kevin Pearson, Director of Development Services
DATE:	August 20, 2020
PREPARED BY:	Chris Moore / Matt Glenger, Engineering Assistant
APPLICANT:	J. & K. Tegart, 2630 – 30 Avenue NE, Salmon Arm, BC V1E 2Z7
SUBJECT:	ZONING AMENDMENT NO. ZON-1181 & VP-519
LEGAL:	Lot A, Section 24, Township 20, Range 10, W6M KDYD, Plan 13562
CIVIC:	2630 – 30 Avenue NE

Further to your referral dated July 21, we provide the following servicing information. The following comments and servicing requirements are not conditions for Rezoning; however, these comments are provided as a courtesy in advance of any development proceeding to the next stages:

Engineering Department does not have any concerns related to the Re-zoning and Variance Requests and recommends that they be approved.

Access:

1. The applicant proposes to relocate the access to the property to the east. The new access will require a 400mm diameter culvert to be installed by City crews and the old access and culvert shall be removed. Owner / Developer is responsible for all associated costs.

Water:

1. The property is to be serviced by a single metered water service connection (as per Specification Drawing No. W-10), adequately sized to satisfy the proposed use. Owner / Developer is responsible for all associated costs.
2. Records indicate that the existing property is serviced by a metered 19mm service from the 100mm diameter watermain on 30 Avenue NE. Due to the size of the existing service, upgrading to a new metered service (minimum 25mm) will be required. All existing inadequate / unused services must be abandoned at the main. Owner / Developer is responsible for all associated costs.

Sanitary:

1. Records indicate that the existing property is serviced by a 100mm service from the sanitary sewer in a right of way on the east property line. Due to the topography, the suite will likely require pumping to connect to the sanitary service.

ZONING AMENDMENT NO. ZON-1181 & VP-519
August 20, 2020
Page 2

Drainage:

1. The subject property does not front on an enclosed storm sewer system. Site drainage will be by an Overland and / or Ground Discharge system. Drainage issues related to development to be addressed at time of Building Permit application to meet requirements of Building Inspection Department.

Geotechnical:

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



Chris Moore
Engineering Assistant



Jenn Wilson P.Eng., LEED ® AP
City Engineer

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To: His Worship Mayor Harrison and Members of Council

Date: September 1, 2020

Subject: Zoning Bylaw Amendment Application No. 1185

Legal: Lot 1, Section 24, Township 20, Range 10, W6M, KDYD, Plan 13254, Except Plan 35839

Civic: 2790 – 30 Avenue NE

Owner/Applicant: Zwicker, M. & M.

MOTION FOR CONSIDERATION

THAT: a. bylaw be prepared for Council's consideration, adoption of which would amend Zoning Bylaw No. 2303 by rezoning Lot 1, Section 24, Township 20, Range 10, W6M, KDYD, Plan 13254, Except Plan 35839 from R-1 (Single Family Residential Zone) to R-8 (Residential Suite Zone).

STAFF RECOMMENDATION

THAT: The Motion for Consideration be adopted.

PROPOSAL

The subject parcel is located at 2790 30 Avenue NE (Appendix 1 & 2). The proposal is to rezone the parcel from R-1 (Single Family Residential Zone) to R-8 (Residential Suite Zone). The applicant's intention is to construct a detached shop with a suite above.

BACKGROUND

The property is designated Low Density Residential in the City's Official Community Plan (OCP) and is zoned R-1 (Single Family Residential) in the Zoning Bylaw (Appendix 3 & 4). The property is located in a residential neighbourhood bordering larger A-2 zoned properties in the ALR. There are presently 11 properties zoned R-8 (Residential Suite Zone) in the vicinity. Recently (April 2020), two properties across 30 Street NE were rezoned from R-1 to R-8.

The subject property is currently large and contains a single family dwelling, see site photos attached as Appendix 5. The property is 0.16 ha (0.39 ac) in area and is approximately 48.8 m long with a width of 31.9 m which meets the minimum parcel area and width as specified in the R-8 zoning regulations.

The applicant has provided both preliminary site and floor plans of the proposed suite (Appendix 6), which indicates, the suite will have an area of 88 m² (952 ft²), meeting the maximum floor area of 90 m² (969 ft²) permitted for a suite. Site photos show there is ample room for parking on the west side of the property. Access to the suite has not been shown on the site plan; and, as noted in the Engineering Department comments, only one access is permitted to a property. The applicant has been informed of this.

There is a Statutory Right of Way for the sanitary sewer service at the southeast corner of the property. The location of the proposed suite is conducive to tie into this existing service for the suite without encroaching on the Right of Way.

COMMENTSPlanning Department

Policy 8.3.25 of the OCP provides for the consideration of secondary suites in all residential designated areas subject to compliance with the Zoning Bylaw and the BC Building Code.

Any development of a detached suite requires a building permit and is subject to Zoning Bylaw regulations, BC Building Code requirements, and applicable Development Cost Charges (DCCs). DCCs are payable for detached suites in the amount of \$6,064.31, and are collected at the time of issuance of a building permit. Currently, the applicant has filed a building permit application for an accessory building. Should the property be rezoned to R-8, a separate building permit application will be required for the suite.

Engineering Department

No Engineering Department concerns with rezoning. Additional engineering comments attached as Appendix 7.

Building Department

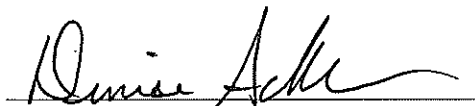
BC Building Code will apply. No concerns with proposed zoning.

Fire Department

No concerns.

CONCLUSION

The proposed R-8 zoning is consistent with the OCP and the subject property meets the required specifications of the R-8 zone. Therefore, this application is supported by staff. Any development of a suite requires a building permit and is subject to meeting Zoning Bylaw and BC Building Code regulations.



Prepared by: Denise Ackerman
Planner, Development Services



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



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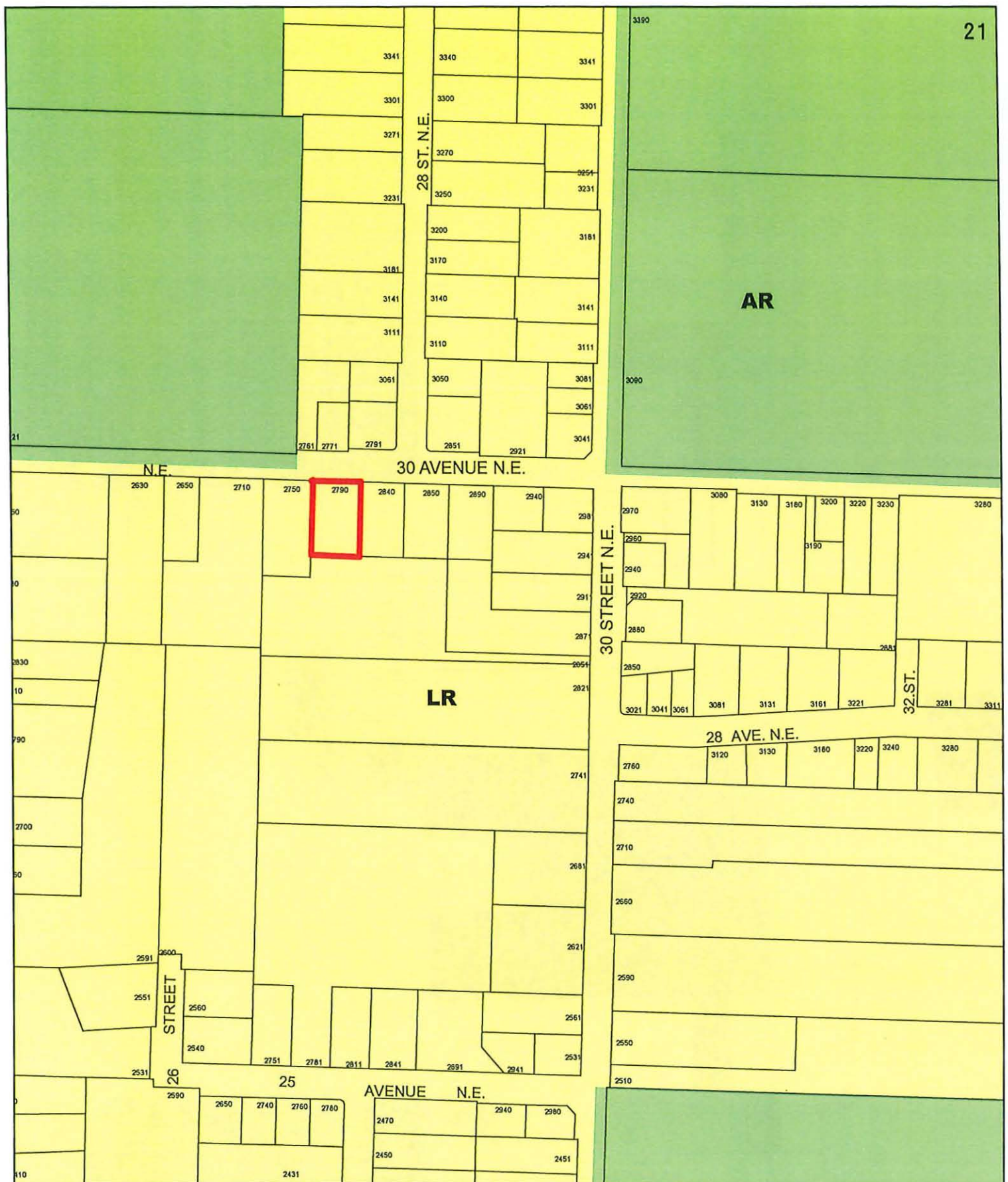
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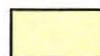


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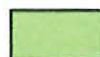


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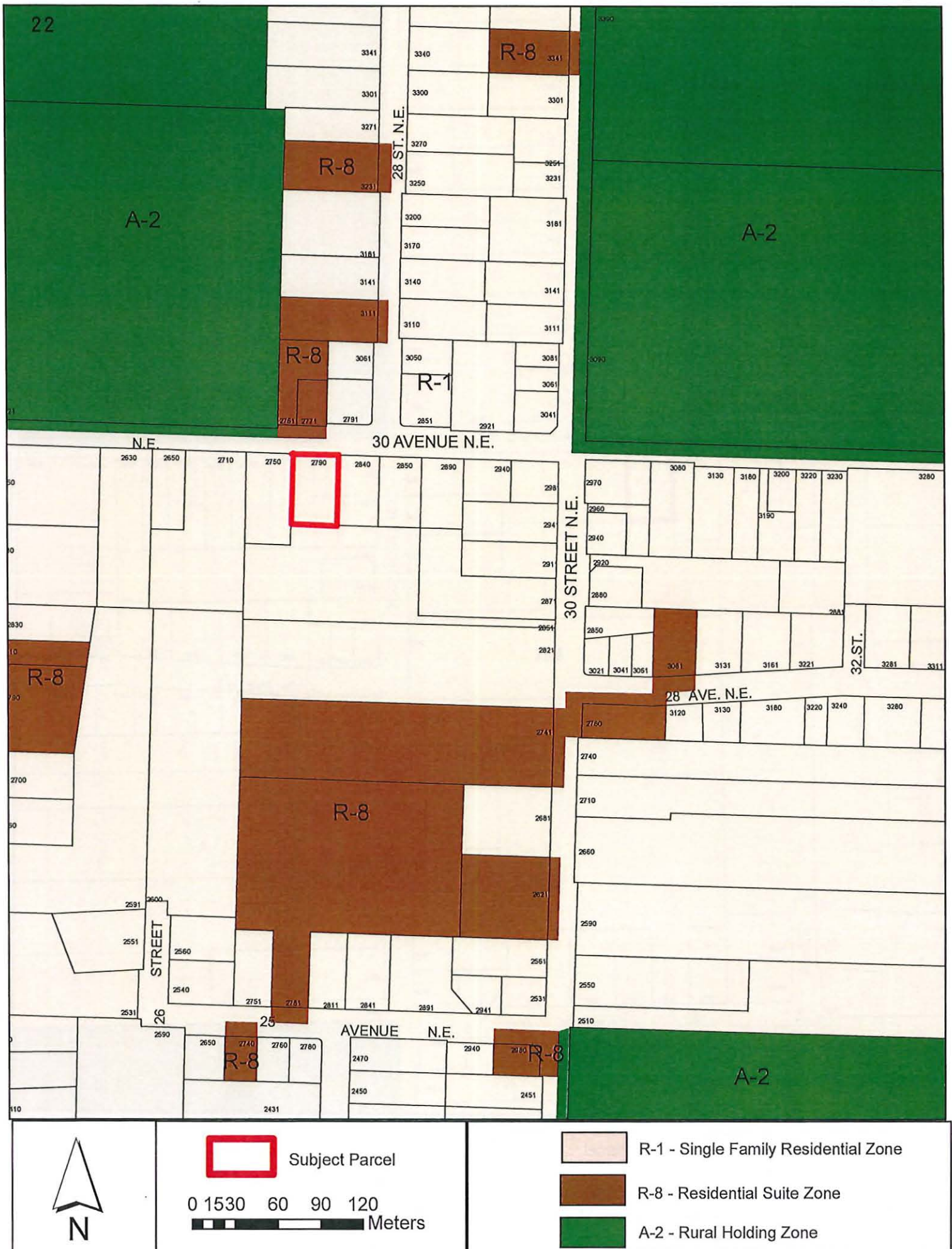
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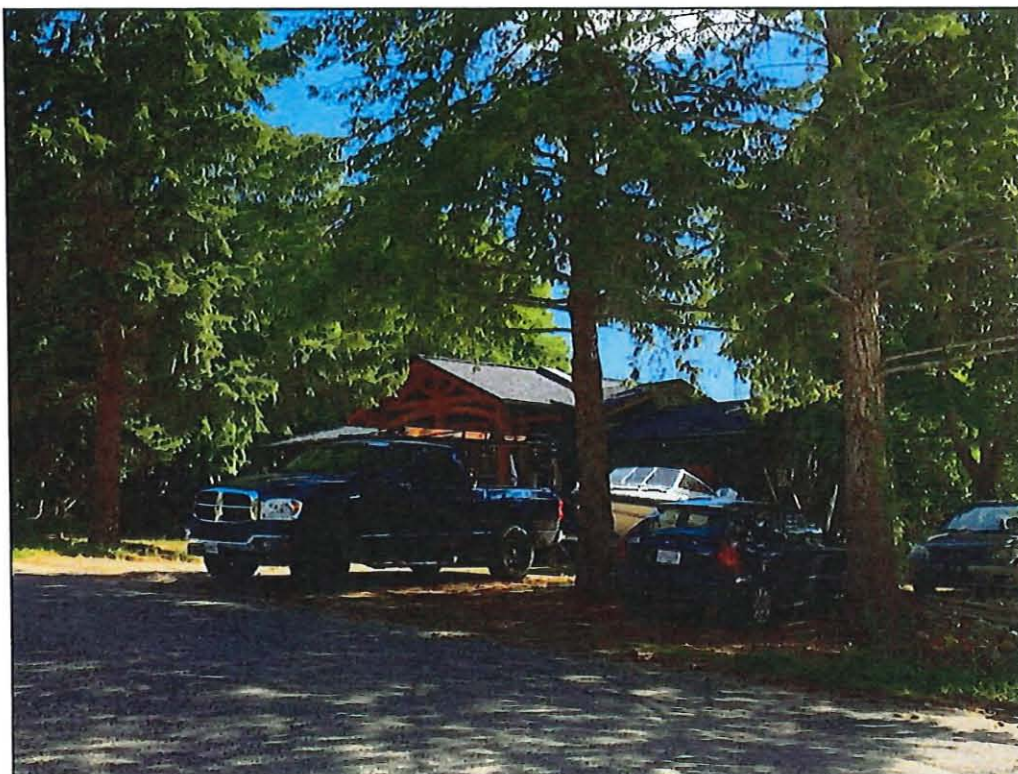


LR - Low Density Residential



AR - Acreage Reserve





View looking southeast.



View looking southwest.

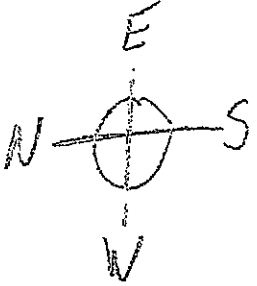


View looking south, front of house.



View of the rear yard showing approximate location of detached suite.

BURNHAM LAND SURVEYS British Columbia and Canada Land Surveys 10 - 401 Okanagan Avenue, N.E. Salmon Arm, B.C. V1E 1E7 Tel. (250) 804-0032 Fax. (250) 804-0034	
B.C. LAND SURVEYOR'S CERTIFICATE OF LOCATION	
To: Michael & Melissa Zwicker 2790 - 30 th Avenue N.E. Salmon Arm, B.C.	Re: Lot 1, Plan 13254, (except Plan 35839), Sec.24, Tp.20, R.10, W6M, K.D.Y.D. Civic address: 2790 - 30 th Avenue, N.E. Salmon Arm, BC Your File:
30 th Avenue N.E.	
This certificate is prepared for the exclusive use of the above named. Information shown hereon is for mortgage purposes only and is not to be used for the location of property boundaries. This certificate is certified correct and valid only in respect to the improvements as shown and located on the date hereon.	
Inspected: August 27, 1999	This is a COPY of an Original Signed and Sealed by P. J. Burnham, BCLS, CLS
Copyright © BURNHAM LAND SURVEYS 1999 No person may copy or alter this certificate without the prior written approval of BURNHAM LAND SURVEYS. THIS DOCUMENT IS NOT VALID UNLESS ORIGINALLY SIGNED AND SEALED. Our File: 990082 Fb: 2 p 66-68	

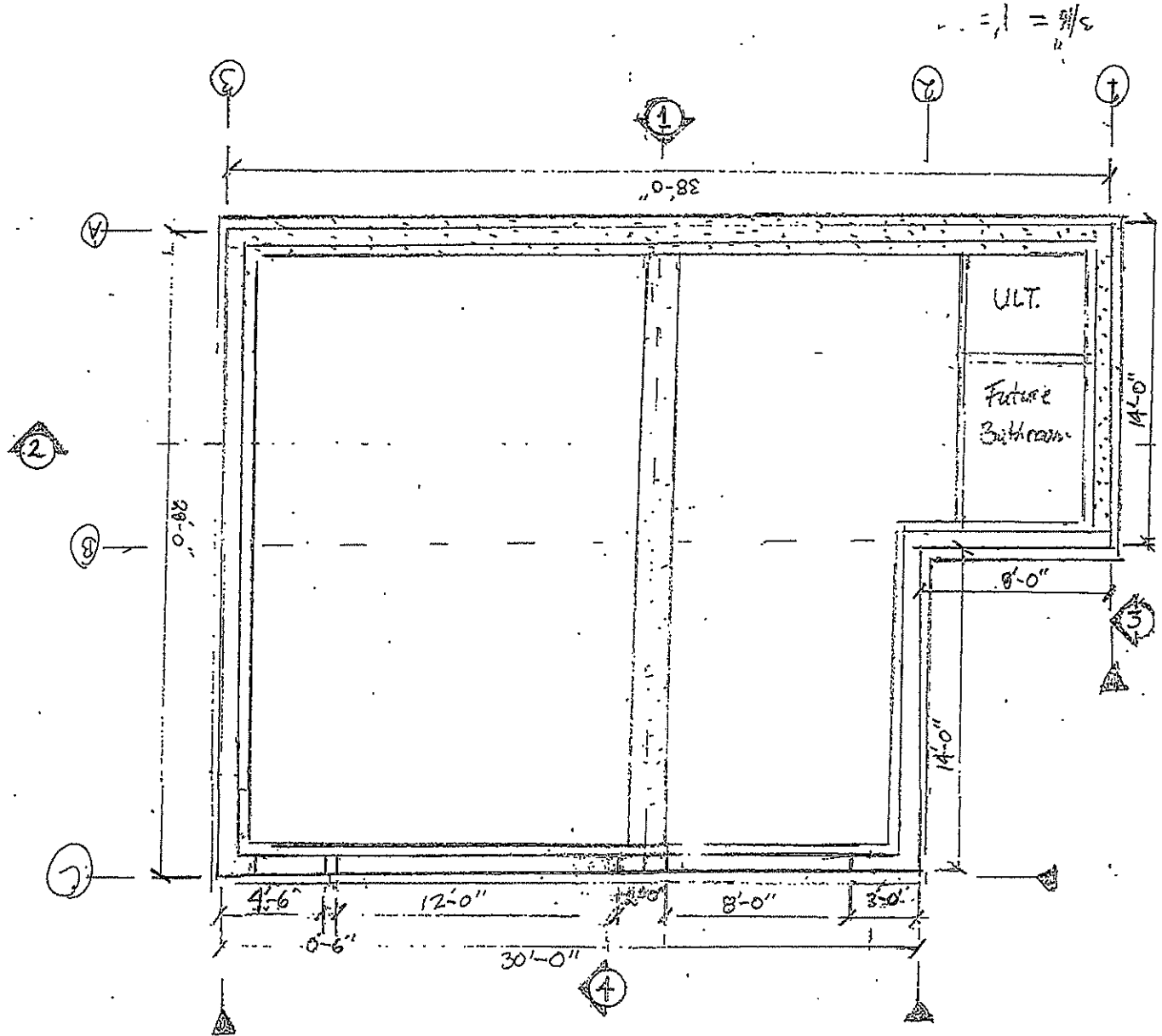


- NOTICE

Re: Bldg. Permit No. _____
 The City of Salmon Arm depends upon the
 Owner, Constructor and Designer to provide com-
 pliance with B.C. Bldg. Regulations for works
 performed within the scope of this Bldg. Permit.
 City inspections do not relieve this respon-
 sibility.

(Date) _____
 Building Regulations of BC
 (BCSC 2018 to Apply)
 Check Field Copy Drawing Notes

INSPECTION DUTIES OF OWNER
 The owner of a building or his agent shall
 have the building or any part hereof
 inspected and approved by the Building
 Inspector as per Section 15.4 of Building
 Bylaw No. 3535



TO:

PRINT

SUBMIT FORM

DIRECTOR OF DEVELOPMENT SERVICES (Kevin)
PLANNING AND DEVELOPMENT OFFICER (Scott)
PLANNING AND DEVELOPMENT OFFICER (Chris)
PLANNING AND DEVELOPMENT OFFICER (Denise)
MANAGER OF PERMITS & LICENSING (Maurice)
FIRE DEPARTMENT (Brad)
ENGINEERING & PUBLIC WORKS DEPARTMENT (Shelly for Departments.)
~~MINISTRY OF TRANSPORTATION & INFRASTRUCTURE (Via eDAS)~~
BC HYDRO, via email utilities group
FORTISBC, via email utilities group
TELUS, via email utilities group
SHAW CABLESYSTEMS, via email utilities group

REFERRAL:

DATE: August 10, 2020
OWNER: **M. & M. Zwicker**, 2790 – 30 Avenue NE, Salmon Arm, BC V1E 3L2
APPLICANT: **Owner(s)**
SUBJECT: **ZONING AMENDMENT APPLICATION FILE NO. ZON-1185**
LEGAL: Lot 1, Section 24, Township 20, Range 10, W6M KDYD, Plan 13254, Except Plan 35839
CIVIC: **2790 – 30 Ave NE**

Please provide comments on the attached Zoning Amendment Application at your earliest opportunity.

OCP Designation: LR (Low Density Residential)
OCP Designation Request: n/a
Development Permit Area: Environmentally Sensitive Riparian Areas
Current Zoning: R-1 (Single Family Residential Zone)
Requested Zoning: R-8 (Residential Suite Zone)
ALR: No
Previous Files: n/a
Associated File: n/a

Thank you.

Denise Ackerman
Development Services Planner

COMMENTS for ZON-1185:

No engineering concerns with re-zoning.

At Building permit upgrade of the water service to 1" and installation of a water meter will be required. Owner responsible for all associated costs.

No second driveway will be permitted, access to suite to be from existing driveway which may be widened if necessary to allow the vehicles to maneuver around the parked cars on the driveway.

SIGNATURE & DEPARTMENT:



DATE: 31/08/2020

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CITY OF SALMON ARM

To: His Worship Mayor Harrison and Council

Date: August 21, 2020

Subject: Agricultural Land Commission Application No. ALC-396
Non-Adhering Residential Use – Additional Residence for Farm Use

Legal: Lot 1, Section 16, Township 20, Range 10, W6M, KDYD, Plan 35406, Except Plan EPP65871

Civic: 250 - 40 Street (TCH) SW

Owners: Aryn Alibhai, Gulbanu Alibhai, Zainab Jamal, Tasnim Dharamsi

Agent: Aryn Alibhai

MOTION FOR CONSIDERATION

THAT: Agricultural Land Commission Application No. ALC-396 be authorized for submission to the Agricultural Land Commission.

STAFF RECOMMENDATION

THAT: The motion for consideration be adopted.

PROPOSAL

The subject property is located at the intersection of 1st Avenue SW and 40 ST (TCH) SW as shown in Appendices 1 and 2. The subject property is approximately 2.9 ha in size. The site includes a chicken egg producing farm operation, a Single Family Dwelling (164.9m²/1776ft²) and a modular unit (142m²/1539 ft²) that are both used to house farm help. The subject property is entirely within the Agricultural Land Reserve (ALR) as shown on Appendix 3. The applicant is proposing a secondary suite addition to the modular unit constructed in 2013. Under the current Agricultural Land Commission application process, this requires the applicant to apply for a Non-Adhering Residential Use – Non-Adhering Accommodation on the subject property. The proposed site plan is attached as Appendix 4.

BACKGROUND

The subject property is designated Acreage Reserve in the Official Community Plan (OCP), outside the Urban Containment Boundary (UCB), and the property is zoned CD-15 (Comprehensive Development Zone – 15) as shown on Appendices 5 and 6. Adjacent zoning and land uses include the following:

North: City Boundary/IR Land
 South: Rural Holding (A-2) – Single Family Dwelling and Agricultural Land
 East: Light Industrial (M-2) – Northwest Industrial Area
 West: Rural Holding (A-2) – Single Family Dwelling and Agriculture

The property was rezoned from A-2 (Rural Holding) to CD-15 (Comprehensive Development Zone – 15) in 2013 in order to permit the construction of a second dwelling for farm help. The CD-15 zone provides for "the development of intensive agricultural operations requiring an additional dwelling use for farm use". With regard to residential units, the zoning permits a single family dwelling, a secondary suite and a unit for farm help provided the property is over 3.0ha in area. It should be noted that in 2017 the site was the subject of a Land Expropriation process initiated by the Ministry of Transportation and Infrastructure. Due to land dedications required for highway improvements road the resulting area created a non-conforming parcel

with regard to parcel area. This scenario is contemplated under Section 4.18 of the Zoning Bylaw, which considers that structures on lands in this situation are "deemed to be conforming to the requirements" of the zone.

Agricultural Land Commission Act (ALCA)

The purpose of the Agricultural Land Commission (ALC), pursuant to the ALCA, is to "preserve agricultural land", encourage farming on agricultural land in collaboration with communities and to encourage local governments and its agents to enable and accommodate farm use of agricultural land and uses compatible with agriculture in their plans, bylaws and policies". Specifically, when the ALC is considering if a non-adhering residential use is necessary for, or supportive of, farm use; the ALC has consistently considered residential uses based on the current level of agriculture on the property (e.g. intensive agricultural operations), number of people involved in agriculture on the property (i.e. most or all of the people in the residences are involved with agriculture on the property) and minimizing the loss of arable land (i.e. size and siting of residence)

Secondary suites and residential accommodations for farm help or owners are addressed under the ALCA and the ALR Use Regulations. ALR Use Regulation permits one secondary suite only and the unit is to be located in the principle residence. Further, pursuant to the ALCA, a principle residence may not exceed 500m² (5381.9ft²), Additional Residences should not be more than 1000m² (10763.9ft²). The proposed suite is approximately 62m² (673 ft²) addition to the existing 142m² (1539 ft²) modular unit, under the permitted area for Additional Residences. The applicant has stated to the ALC that the two buildings are occupied by the Assistant Manager and Farm Manager, respectively. The proposed Secondary Suite would be occupied by additional farm help (see Appendix 2). Appendix 7 is the Non-adhering Residential Accommodation application as submitted by the applicant to the ALC.

The ALC also considers the Improved Soil Classification in their deliberation of the proposal. The subject property has the Improved Soil Capability Rating of Class 3 as shown on Appendix 8. Soil capability rating ranges from Class 1 to Class 7. The best agricultural lands are rated Class 1 because they have ideal climate and soil to allow a farmer to grow the widest range of crops. Class 7 is considered non-arable, with no potential for soil bound agriculture.

PLANNING DEPARTMENT COMMENTS

In supporting agricultural operations and Secondary Suites in designated Rural areas, the City of Salmon Arm Official Community Plan Bylaw No. 4000 (OCP) supports the proposal in the following sections:

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

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

Further to the OCP policies the City of Salmon Arm, the site specific CD-15 zone in the Zoning Bylaw 2303, 1995 allows for a second dwelling on parcels greater than 3.0 ha (7.4 ac) provided the unit is part of the residence identified as that Single Family Dwelling (see Appendix 9). The zone allows for a Single Family Dwelling, Secondary Suite and a residential unit for farm help. The maximum floor area for a Secondary Suite is 90m² (968.8 ft²). The proposed secondary suite is 62m² (673 ft²). Given that there is an existing Single Family Dwelling and an additional residence for farm help, should the Secondary Suite be supported by the ALC it would be the last permitted residential unit permitted on the property under the CD15 zone.

The Engineering Department has reviewed the application and responded that there are no concerns as the road frontage upgrades will be completed by MOTI under the TCH upgrade project currently underway adjacent to the site.

AGRICULTURAL ADVISORY COMMITTEE (AAC)

With committees inactive due to the COVID-19 pandemic and the on-going process of establishing committee members the Agricultural Advisory Committee (AAC), the application was not referred to the Agricultural Advisory Committee (AAC) and the committee have not convened to review this application.


CONCLUSION

Given the support for Secondary Suites for farm help in the Official Community Plan and the permitted uses of the CD – 15 - Comprehensive Development Zone 15 staff are supportive of this application and recommend this application be forwarded on to the ALC for consideration.

With regard to next steps, should the ALC application be successful the applicant could then apply for a Building Permit.



Prepared by: Melinda Smyrl, MCIP, RPP
Planner



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



0 40 80 160 240 320 Meters

 Subject Property

Subject Property Map
(Ortho)

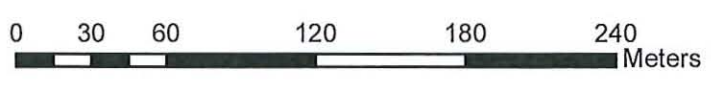
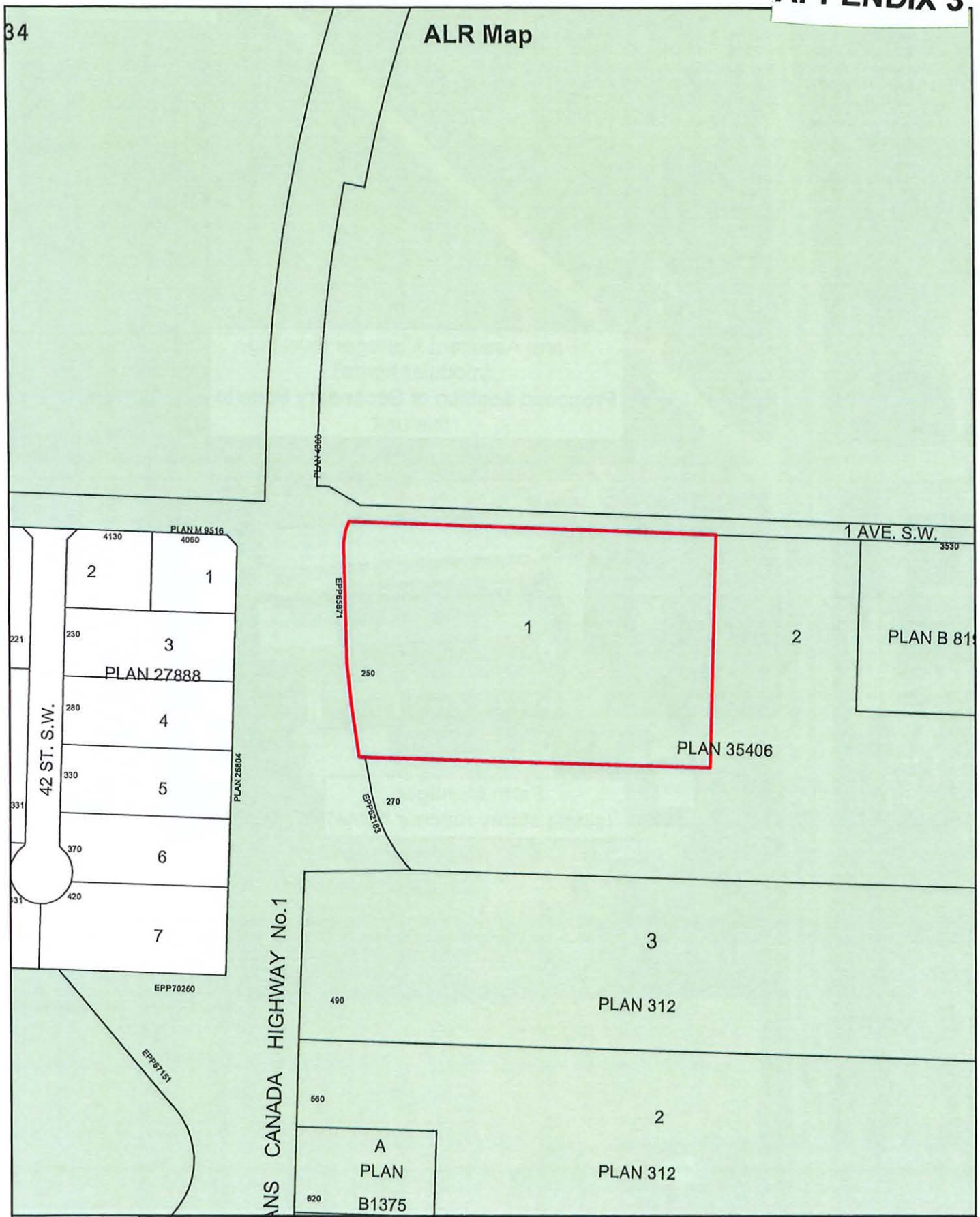
Farm Assistant Manager dwelling
(modular home)
Proposed addition of Secondary Suite to
this unit



Farm Manager
(single storey rancher home)



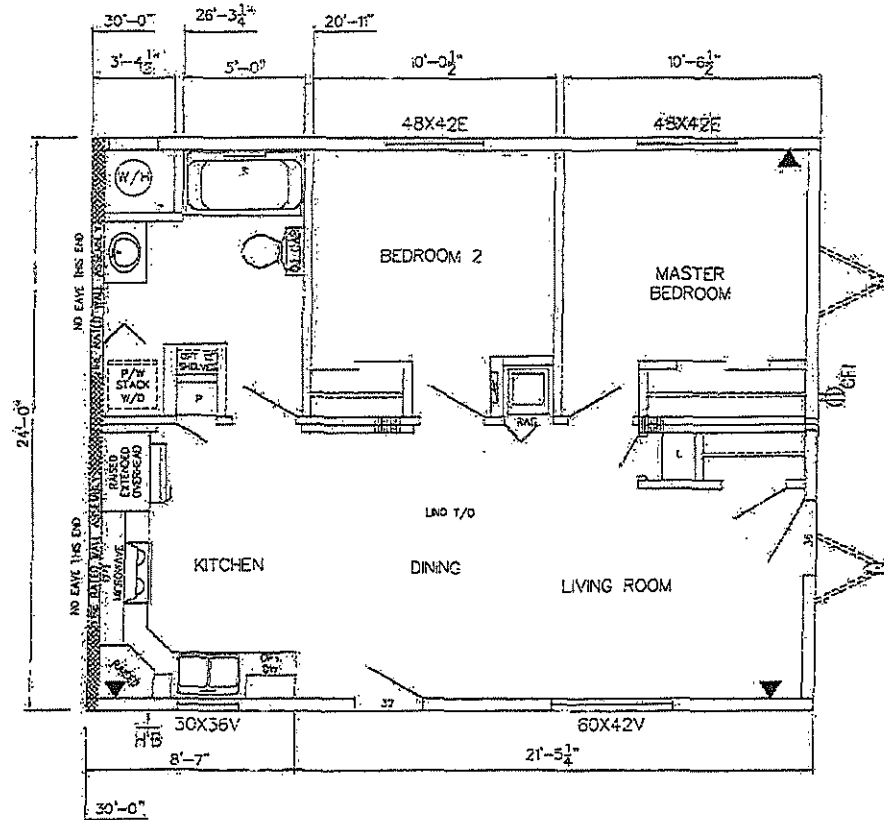
0 20 40 80 120 160 Meters

Subject Property



-  Subject Property
-  ALR

CUSTOM PRINT



NOTES: MODULINE ASSUMES NO RESPONSIBILITY FOR
FIRE SEPARATION, EGRESS OR DOOR/WINDOW
PENETRATION REQUIREMENTS. CONSULT YOUR LOCAL
BUILDING OFFICIAL OR ENGINEER OF RECORD TO CONFIRM.

MODULINE PENTITION
P.O. BOX 190
1175 RAILWAY STREET
PENTITION, B.C. V2A 6G2
(250) 410-0122

CUSTOMER: _____
DEALER: _____
DATE: _____

DEALER CHANGE REQUEST

TITLE: CORNERSTONE
DRAWING NO.
Q12781B - CUSTOM
DRAWN BY: K.E.A.
DATE: 05/06/2020

IR

IR

CD-15¹

1 AVE. S.W.

PLAN B 815

PLAN 35406

A-2 PLAN 312

PLAN 312

☐ Subject Property

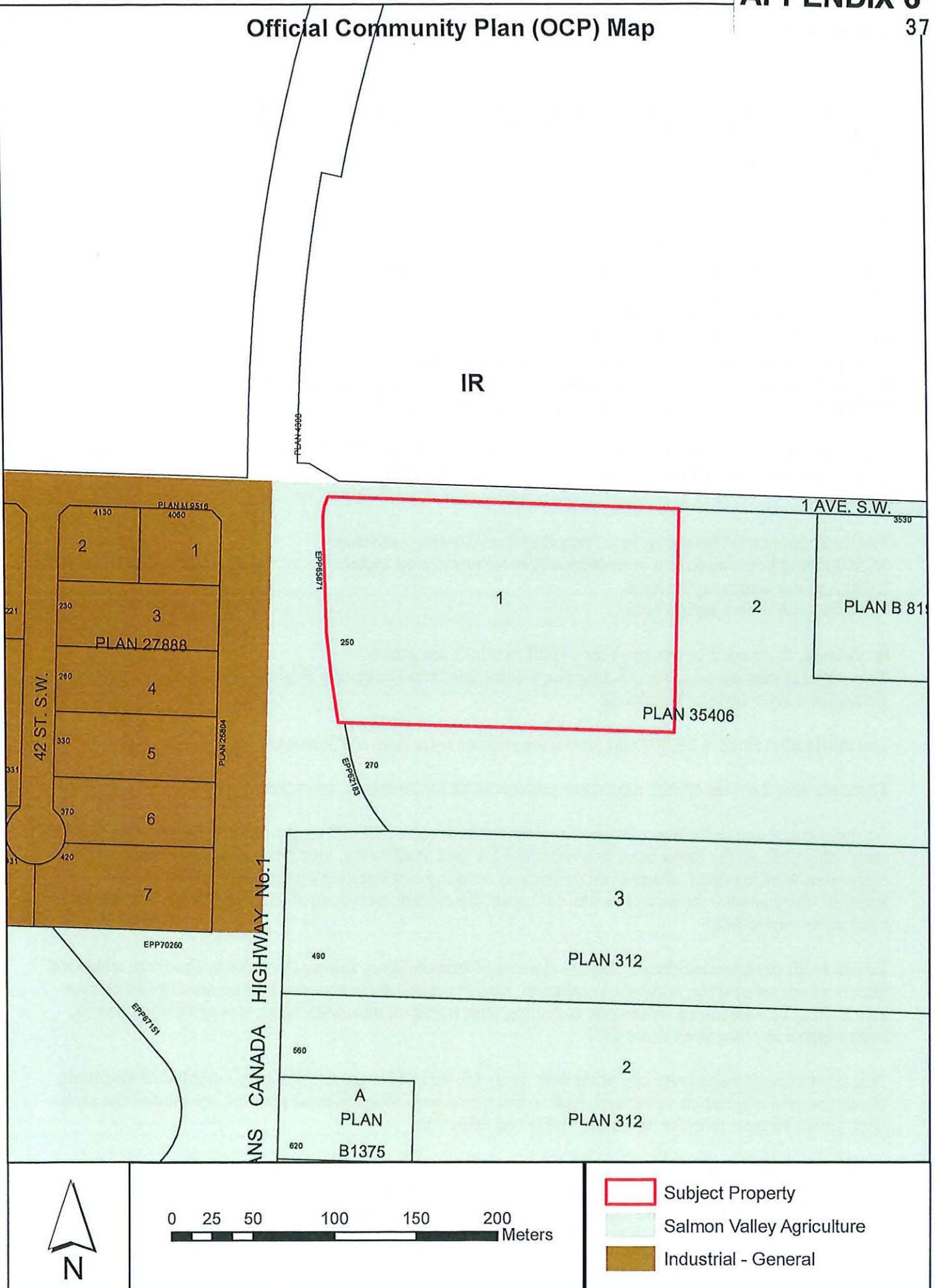
A-2

IR

M-2



Official Community Plan (OCP) Map



- Subject Property
- Salmon Valley Agriculture
- Industrial - General

Provincial Agricultural Land Commission - Applicant Submission

Application ID: 61024

Application Status: Under LG Review

Applicant: Aryn Alibhai , Gulbanu Alibhai , Zainab Jamal , Tasnim Dharamsi

Agent: Aryn Alibhai

Local Government: City of Salmon Arm

Local Government Date of Receipt: 07/31/2020

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

Proposal Type: Non-Adhering Residential Use - Non-Adhering Accommodation

Proposal: The purpose of this application is to seek approval of a Secondary Suite.

The property is subject to the City of Salmon Arm Zoning Bylaw No. 2303 and is zoned CD-15. Two existing dwellings are on the property, and subject to ALC approval, a "secondary suite" would be permitted.

This is a commercial layer egg farm, entailing the following activities:

36,500 laying hens raised in a conventional/classic production system

7,400 free run brown laying hens

7,200 free run brown laying hens

In addition, there are 3 cycles per year of pullets which are raised:

Two pullet flocks are each 36,500. One flock is for this farm (Zaitamyn Poultry) and the other flock is grown for a layer farm in Kamloops.

The third pullet flock is 28,000 and grown for another layer farm in Kamloops.

There are also 2 cycles of free run brown pullets raised for Zaitamyn every year.

On daily basis, egg collection of approximately 4,000 dozen or 48,000 eggs need to be completed. Prior to each collection, all the barns have to be checked for feed availability, mortality, air quality, temperature, equipment working order, water availability, and ensuring egg lines are clear from obstruction. In addition, daily general duties of mechanical repair, fly control, pest control and manure management also have to be carried out.

To add to all of these daily tasks, there is also big responsibility in raising the pullets. There are additional factors of proper heating, adequate ventilation, weight management and vaccination administration that also have to be considered. When one is dealing with livestock on a daily basis, it is critical to have the right support in place at all times 24/7.

This is an intensive egg layer operation with many labour challenges and industry compliance standards. Given the evolving nature of the agri-food industry and push towards local product, we require the extra farm labour support in order to remain viable and effective.

Looking after 85,000 birds on an ongoing basis requires a lot of capital resources, but more importantly the correct human resources. Our industry is more than ever under government and public scrutiny for proper animal welfare and food safety protocols. We strongly believe having the extra labour living on farm will assist us in meeting or exceeding all industry requirements .

Current Use of Parcels Under Application

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

This is a commercial layer egg farm, entailing the following activities:

36,500 laying hens raised in a conventional/classic production system

7,200 free run brown laying hens

7,400 free run brown laying hens

36500 white pullets grown

7200-7500 brown pullets grown

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

Chain link fencing installed on west perimeter along with 2 chain link gates in Oct 2018.

Wildlife fence installed on north and east perimeter with gate in Oct 2019.

Temporary fencing installed on south perimeter with permanent gate in 2018. This is only until the MOTI complete the highway project. At that time, permanent chain link or solid fencing will be installed.

130 cedar trees were planted along west and south perimeter in May 2020

The layer and pullet barns are continually being updated.

More details can be provided on construction and renovations upon request.

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

No non-agricultural activity

Adjacent Land Uses

North

Land Use Type: Residential

Specify Activity: single-family dwelling

East

Land Use Type: Agricultural/Farm

Specify Activity: Hay farming

South

Land Use Type: Transportation/Utilities

Specify Activity: Highway

West

Land Use Type: Transportation/Utilities

Specify Activity: Road

Proposal

1. What is the purpose of the proposal?

The purpose of this application is to seek approval of a Secondary Suite.

The property is subject to the City of Salmon Arm Zoning Bylaw No. 2303 and is zoned CD-15. Two existing dwellings are on the property, and subject to ALC approval, a "secondary suite" would be permitted.

*This is a commercial layer egg farm, entailing the following activities:
36,500 laying hens raised in a conventional/classic production system
7,400 free run brown laying hens
7,200 free run brown laying hens*

*In addition, there are 3 cycles per year of pullets which are raised:
Two pullet flocks are each 36,500. One flock is for this farm (Zaitamyn Poultry) and the other flock is grown for a layer farm in Kamloops.*

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Looking after 85,000 birds on an ongoing basis requires a lot of capital resources, but more importantly the correct human resources. Our industry is more than ever under government and public scrutiny for proper animal welfare and food safety protocols. We strongly believe having the extra labour living on farm will assist us in meeting or exceeding all industry requirements.

2. Describe any agri-tourism that is currently taking place on the property.

No agri-tourism activities

3. What is the total floor area of the proposed accommodation in square metres?

69.7 m²

4. How many "sleeping units" in total are proposed?

2

5. Describe the rationale for the proposed location of the accommodation.

The proposed location of the Secondary Suite will be attached on the north side of the existing modular home.

From Section 2 Definitions as per the City of Salmon Arm, a Secondary Suite is a "dwelling unit" which is accessory to the principal "dwelling unit". As part of the criteria, the proposed unit will:

- will have a separate entrance
- will meet the floor space requirements
- will integrate as part of the building and have a common wall with the principal dwelling unit
- will be located within a building of residential occupancy containing only one other dwelling unit

In addition, the location will also be such which will allow easy installation of a septic system.

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

There are 2 existing residential structures on the property:

- 1. Farm Manager's dwelling*
 - occupied by the farm manager and his family
 - built in 2009
 - single story 4 bedroom rancher
 - 1776 sq ft
- 2. Assistant Manager dwelling (modular home)*
 - occupied by assistant manager and his family
 - installed in 2013 on blocks
 - single story 4 bedroom modular home
 - 1539 sq ft

7. Describe any agri-tourism accommodation or tourist accommodation currently located on the property.

There are no agri-tourism or tourist accommodations on the property.

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

We believe the primary benefit the proposal will achieve is long term support for agriculture. Zaitamyn Poultry Inc is one of the largest egg layer farms in the interior of BC. With the addition of a Secondary Suite, we are confident we will be able to attract the right labour to support our long term viability and growth.

The farm is a direct economic driver in the community, provides full time jobs, year round work to contractors, chicken catchers, transport companies, a supplier of product to the primary distributor of shell eggs in BC, and sources feed and grains from a local feed supplier.

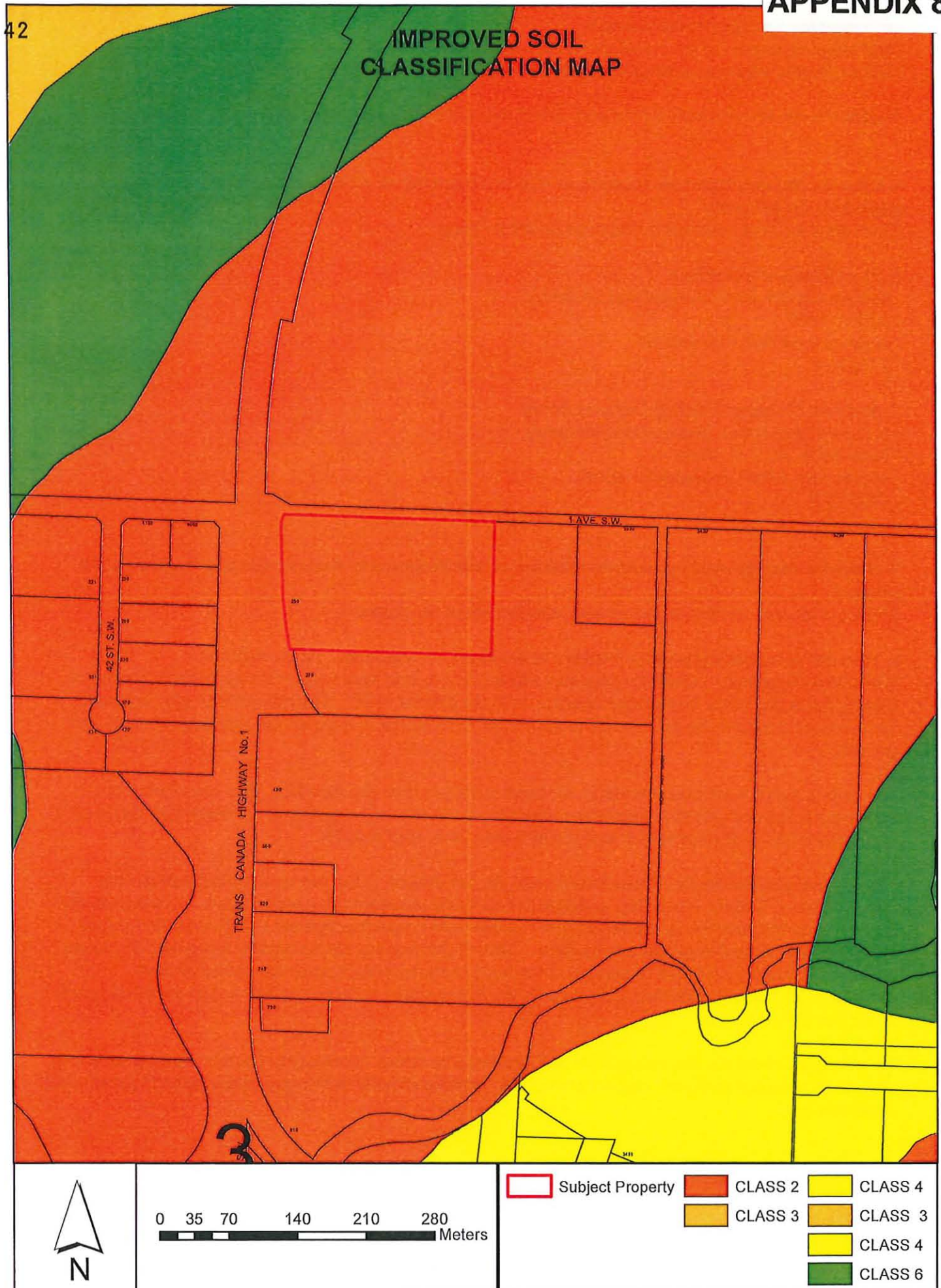
The egg industry has evolved considerably over the last decade. It has grown and continues to hold opportunities if farmers are willing to adapt and make the necessary changes on farm. For example, the industry is in the midst of transitioning from conventional production systems to fully enriched colony systems and/or cage free production systems. This will result in significant capital outlay and increased pressure on additional labour to manage these more complex systems, meet the animal welfare guidelines, and ensure high food safety standards. It is our plan to transition into a fully enriched system in the next 18-24 months.

We strongly believe the Secondary Suite will facilitate the labour necessary to operate the farm on a long term basis, which in turn, will support growth and provide stability in the agriculture industry locally and provincially.

9. What is the total area of infrastructure necessary to support the proposed accommodation?

A septic system will be required to accommodate the secondary dwelling consisting of 1000 lgal two chamber septic tank, along with the installation of a 3m x 22m long at grade seepage bed.

10. Do you need to import any fill be required to construct the accommodation?



Purpose

- 53.1 The CD-15 Zone is intended to provide for the development of intensive agricultural operations requiring an additional dwelling for farm use. The CD-15 Zone will only be considered where it is demonstrated there is a legitimate need for an additional dwelling for farm help based on the size and type of farm operation and other relevant factors, including 'farm' classification under the Assessment Act.

Regulations

- 53.2 On a parcel zoned CD-15, no *building* or *structure* shall be constructed, located or altered and no plan of subdivision approved which contravenes the regulations set out in the CD-15 Zone or those regulations contained elsewhere in this Bylaw.

Permitted Uses

- 53.3 The following uses and no others are permitted in the CD-15 Zone:

- .1 *agriculture;*
- .2 *bed and breakfast, limited to three let rooms;*
- .3 *boarders, limited to two;*
- .4 *equestrian facility;*
- .5 *equestrian facility campsite;*
- .6 *family childcare facility;*
- .7 *group childcare;*
- .8 *home occupation;*
- .9 *intensive agriculture*
- .10 *kenel;*
- .11 *outdoor recreation;*
- .12 *public use;*
- .13 *public utility;*
- .14 *secondary suite;*
- .15 *silviculture;*
- .16 *single family dwelling;*
- .17 *accessory use, including the retail sale of agricultural products produced on the parcel.*

Maximum Number of Single Family Dwellings

53.4

- .1 The maximum number of *single family dwellings* shall be one (1) per parcel.
- .2 On parcels 3.0 hectares (7.4 acres) or larger in area, a second dwelling is permitted provided the second dwelling is used for farm help and is a mobile home. The second dwelling shall be for the exclusive use of a person employed full-time to work on the farm and, where applicable, shall comply with the provisions of the Agricultural Land Commission Act and amendments thereto. The property owner will register a covenant pursuant to Section 219 of the Land Title Act acknowledging that the second dwelling is to be for the exclusive use of a person employed full-time to work on the farm and that the second dwelling will be removed from the parcel if it is no longer required for farm use.

Maximum Height of Residential Buildings

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

Maximum Height of Accessory Buildings

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

Minimum Parcel Size

- 53.7 The minimum *parcel* size shall be 8.0 hectares (19.8 acres).

Minimum Parcel Width

- 53.8 The minimum *parcel width* shall be 150.0 metres (492.1feet).

SECTION 53 - CD-15 - COMPREHENSIVE DEVELOPMENT ZONE – 15 - CONTINUED**Minimum Setback of Principal and Accessory Buildings Intended to Accommodate Non-Agricultural Uses**

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

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

Minimum Setback of Buildings or Structures Intended to Accommodate Agricultural Uses

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

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

Minimum Setback of Kennels

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

Minimum Setback of Feed Lots

53.12 The minimum *setback* of feed lots from:

- | | | |
|----|--|---------------------------|
| .1 | any <i>highway</i> right-of-way shall be | 100.0 metres (328.1 feet) |
| .2 | any <i>parcel</i> not zoned A-1 shall be | 65.0 metres (213.3 feet) |

Sale of Agricultural Products

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

Parking

53.14 Parking shall be required as per Appendix I.