



AGENDA

City of Salmon Arm
Development and Planning Services
Committee

Monday, October 19, 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.	Official Community Plan Amendment Application No. OCP4000-43 [Clarke, H. & D./Northern Propane Ltd./Kearl, R.; 1050 & 1091 18 Street NE; HR to HC]
	2.	Zoning Amendment Application No. ZON-1184 [Clarke, H. & D./Northern Propane Ltd./Kearl, R.; 1050 and 1091 18 Street NE; R-5 to C-6] [See Item 5.1 for Staff Report]
17 - 56	3.	Agricultural Land Commission Application No. ALC-395 [Mountainview Baptist Church/Alberts, K.; Non-Farm 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: October 14, 2020

Subject: Official Community Plan Amendment Application No. 4000 - 43 & Zoning Bylaw Amendment Application No. 1184

Legal: Lot 3, Section 24, Township 20, Range 10, W6M, KDYD, Plan 5510, Except Plan KAP47370 and Lot B, Section 24, Township 20, Range 10, W6M, KDYD, Plan 13130, Except Plan KAP54559

Civic Address: 1050 & 1091 18 Street NE

Owner: Harry and Darlene Clarke & Northern Propane Ltd., Inc. No. BC0285468

Applicant: Russell Kearl

MOTION FOR CONSIDERATION

- THAT:** A bylaw be prepared for Council's consideration, adoption of which would amend Official Community Plan Bylaw No. 4000 by redesignating Lot 3, Section 24, Township 20, Range 10, W6M, KDYD, Plan 5510, Except Plan KAP47370 and Lot B, Section 24, Township 20, range 10, W6M, Plan 13130, Except Plan KAP54559 from Residential High Density to Highway Service/Tourist Commercial
- AND THAT:** Pursuant to Section 475 of the *Local Government Act*, Council has considered 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 has considered 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*, Council has considered the proposed Official Community Plan Amendment in conjunction with:
- 1) The Financial Plans of the City of Salmon Arm; and
 - 2) The Liquid Water 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 rezoning Lot 3, Section 24, Township 20, Range 10, W6M, KDYD, Plan 5510, Except Plan KAP47370 and Lot B, Section 24, Township 20, Range 10, W6M,, KDYD, Plan 13130, Except Plan KAP54559 from R5 (High Density Residential) to C6 (Tourist/Recreation Commercial Zone).
- AND FURTHER THAT:** Final reading of the zoning amendment bylaw be withheld subject to:
- 1) Ministry of Transportation and Infrastructure approval; and
 - 2) Adoption of the associated Official Community Plan Amendment Bylaw.

STAFF RECOMMENDATION

THAT: The motion for consideration be adopted.

PROPOSAL

The subject property is located at 1050 and 1091 18 Street NE (Appendix 1 and 2). The proposal is to rezone the parcel from R5 (High Density Residential) to C6 (Tourist/Recreation Commercial Zone) to permit the development of a commercial office building with a residential unit above. The applicant has indicated that the building would occupy one property and the other property would be used primarily for parking.

BACKGROUND

The subject property comprises of two legal parcels with a total area of approximately 4159m² (1ac) and is bisected by 18 St NE. The parcels were the focus of an OCP Amendment and Rezoning application in 2015 in which the OCP designation was amended from Highway Service/Tourist Commercial to Residential High Density (RHD) and rezoned R1 (Single Family Residential Zone) to R5 (High Density Residential) in order to accommodate a proposal for a 24 unit residential townhouse development. Appendices 3 and 4 show the OCP and zoning of the subject property and surrounding area. Site photos are included as Appendix 5. Currently, a single family dwelling is located on 1091 18 St NE and 1050 18 St NE is vacant.

The Zoning Map attached as Appendix 4 shows that the site is surrounded by properties currently zoned R1 (Single Family Residential Zone) and R4 (Medium Density Residential Zone). The OCP Map shows that the subject property is adjacent to areas designated as Residential Medium Density and is within the Highway Service/Tourist Commercial area which encourages commercial development for the travelling public with some medical and retail services meeting the needs of the surrounding residential areas. The surrounding uses are as follows:

North: Single Family Dwelling
East: Single Family Dwelling
West: Single Family Dwelling
South: Trans Canada Highway 1/Lakeside Bowling Lanes

The applicant is proposing to build an office and retail commercial space with some residential accommodations on the second floor. The applicant has stated that one of the office spaces would be used for a dentist office and the retail space is undetermined. Should the OCP Amendment and Rezoning applications be supported, the owner would have to make application for a Highway Service/Tourist Commercial Development Permit. At which time drawings for a proposed building, building massing, parking, site plan and landscaping can be reviewed through the Development Permit Guidelines for the Highway Service/Tourist Commercial Area.

OCP POLICY

The OCP includes policies on the Highway Service/Tourist Commercial Area, citing that this area is intended to support commercial, retail and medical services for the travelling public but also for the growing residential in the vicinity. Highway access is approximately 500m away at the recently constructed interchange east of 21 St NE. The OCP supports providing retail and service opportunities. In addition, the area is within the boundaries of 30 St SW and 30 St NE; therefore a proposal to provide medical services and retail that meets the needs of the surrounding residential area is supported by the OCP.

Currently, the inventory of Commercial lands, as per the OCP designation, is approximately 212.23 ha (524.43ac). The subject area, not including the consolidation of 18 St NE into the development area, is approximately 4159m² (1ac). The proposal does not mark a significant increase in the commercial inventory, neither does the removal of the lands from the residential inventory have a significant adverse impact to the residential land inventory.

Section 475 & 476 - Local Government Act

Pursuant to Sections 475 and 476 of the Local Government Act (optional and mandatory consultation requirements during OCP amendments), the proposed OCP amendments were referred to the following organizations on August 11, 2020:

Adams Lake Indian Band:	No response to date
Neskonlith Indian Band:	no response to date
Economic Development Society:	Support - response attached (Appendix 6)

School District No. 83:
(pursuant to Section 476)

No response to date

Section 477 - Local Government Act

Pursuant to Section 477 of the Local Government Act (adoption procedures for an OCP amendment), prior to Second Reading of the bylaw, Council must consider the proposed OCP amendment in relation to the City's financial and waste management plans. In the opinion of staff, this proposed OCP amendment is largely consistent with both the City's financial and waste management plans.

COMMENTS

Ministry of Transportation and Infrastructure

The Ministry of Transportation and Infrastructure (MOTI) have given preliminary approval of the rezoning provided that there is no direct access to the Trans-Canada Highway and that all new structures must be located outside of the provincial setback of 4.5m from the Trans-Canada Highway road/property line.

Engineering Department

The requirements for 18 St NE include road dedication, upgrades along the frontages to the Urban Local Road standard and the construction and dedication of a full cul-d-sac. There are some additional upgrades that would be required along the 11 Ave NE frontages and are detailed in the report. In noting the various upgrade requirements along the 18 St NE frontages, Engineering staff are supportive of the closure, purchase and consolidation of 18 St NE. Should 18 St NE be closed and purchased by the owner/applicant then the improvements would not be necessary. Engineering comments are attached as Appendix 7.

The applicant has expressed interest in purchasing 18 St NE and consolidating the subject property and road. There is a Road Closure and purchase process that could be initiated by the applicant in order to facilitate the purchase of 18 St NE and staff will continue to work through this process. The Road Closure and purchase process requires Council approval.

Building Department

No concerns were raised during the review period.

Fire Department

No concerns.

Planning Department

Staff are supportive of the application to amend the OCP and rezone the subject property in order to bring small scale commercial that caters to the growing residential development in the surrounding area. Staff were also supportive of the previous OCP and rezoning applications due to there being no direct access to Trans Canada Highway 1 from 18 Street NE and the scale of residential development could have easily integrated into the surrounding area.

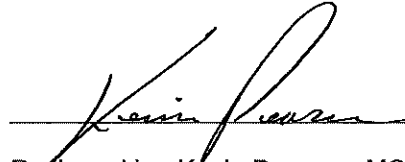
The closure of the 18 St NE and the possibility of a consolidated lot frontage would align the C6 zoning setbacks with a building being required to be at least 3m from each side property line. There are no front or rear yard setbacks in the zoning regulations; however, the Ministry of Transportation and Infrastructure (MOTI) responded that there are to be no buildings or structures located within a 4.5m area from the highway. This setback negates parking in the same area because should MOTI have to use that area for right of way into the future it could reduce the parking areas and potentially leave the development non-conforming. Note that, there are OCP guidelines encouraging parking area to be located at the back of buildings. Again, the details of the building location, form and character elements, building massing, and site parking can be addressed in more detail at the Development Permit stage.

Further to this, while the applicant is proposing to use one lot for the building and other lot primarily for parking it should be noted that the C6 zone does not permit "parking lot" or "parkade/off-street parking" as a permitted use for this site. Therefore, should the lots remain separate legal entities or lots, at the time of

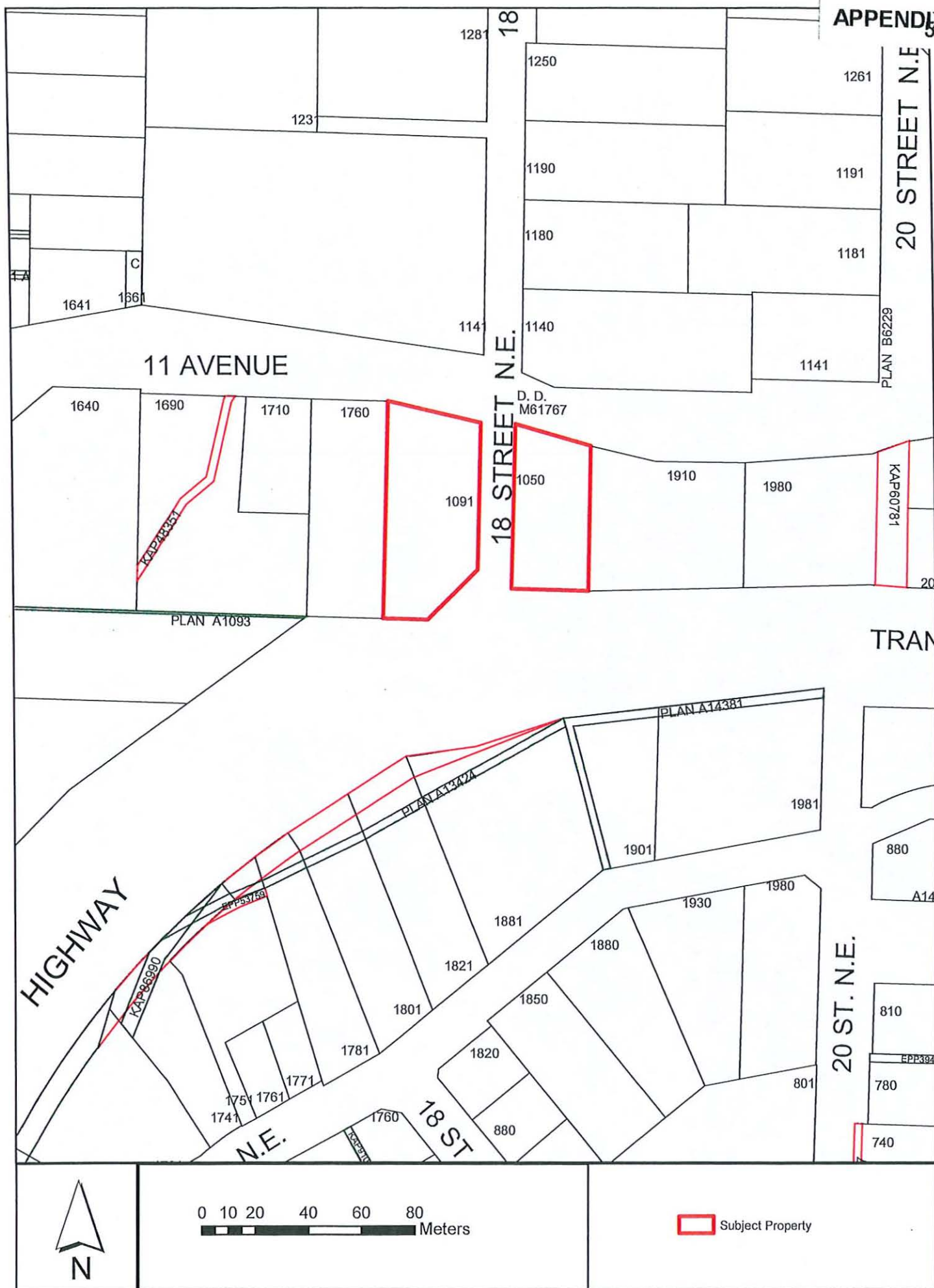
Development Permit, one lot being utilized as a parking area for the adjacent development could be secured by way of lot consolidation or covenant so it does not conflict with the permitted uses in the zone. Given that preliminary drawings for the building and site plan have not been submitted, approvals related to parking may be addressed at the time of Development Permit.



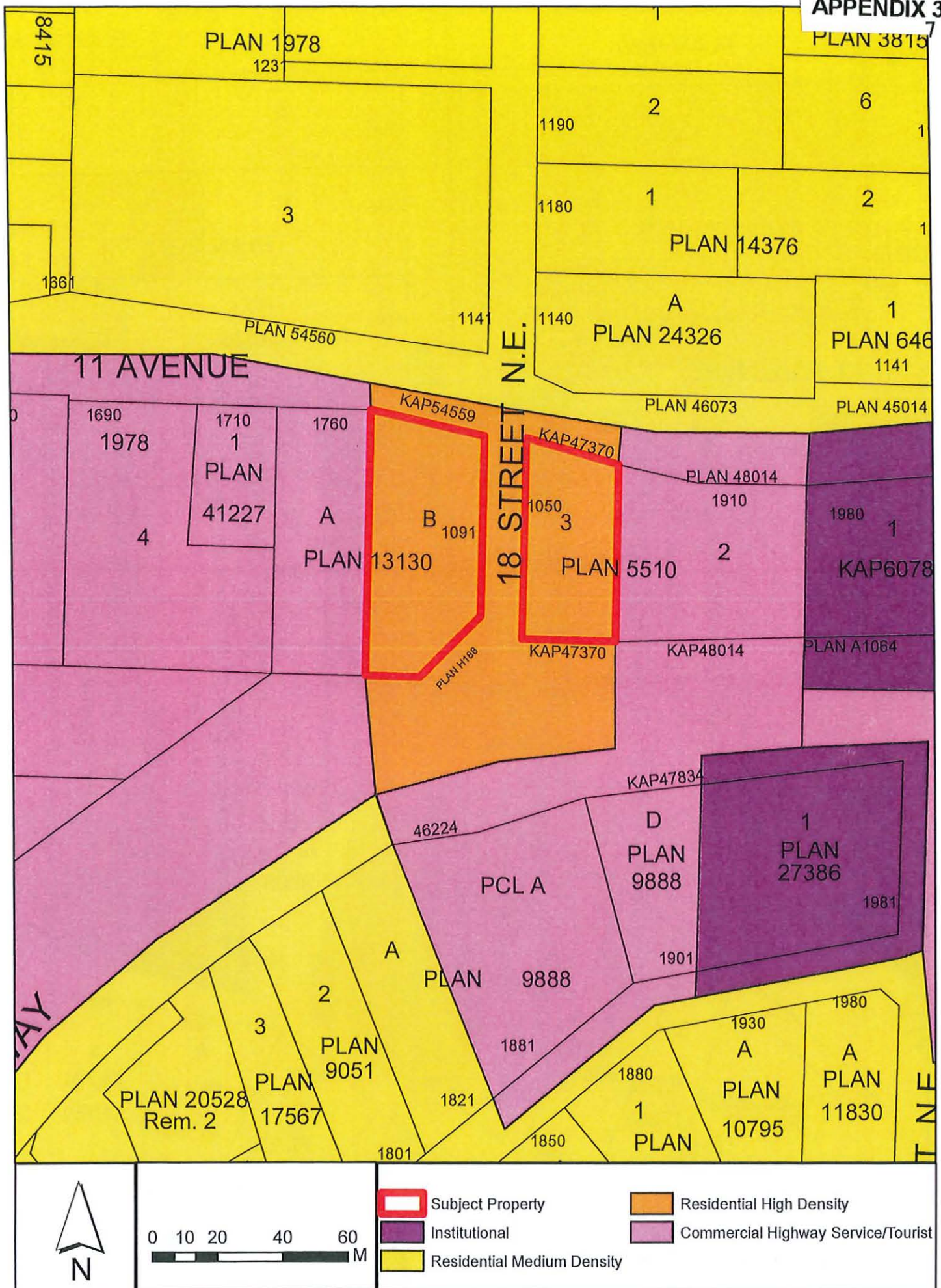
Prepared by: Melinda Smyrl, MCIP, RPP
Planner

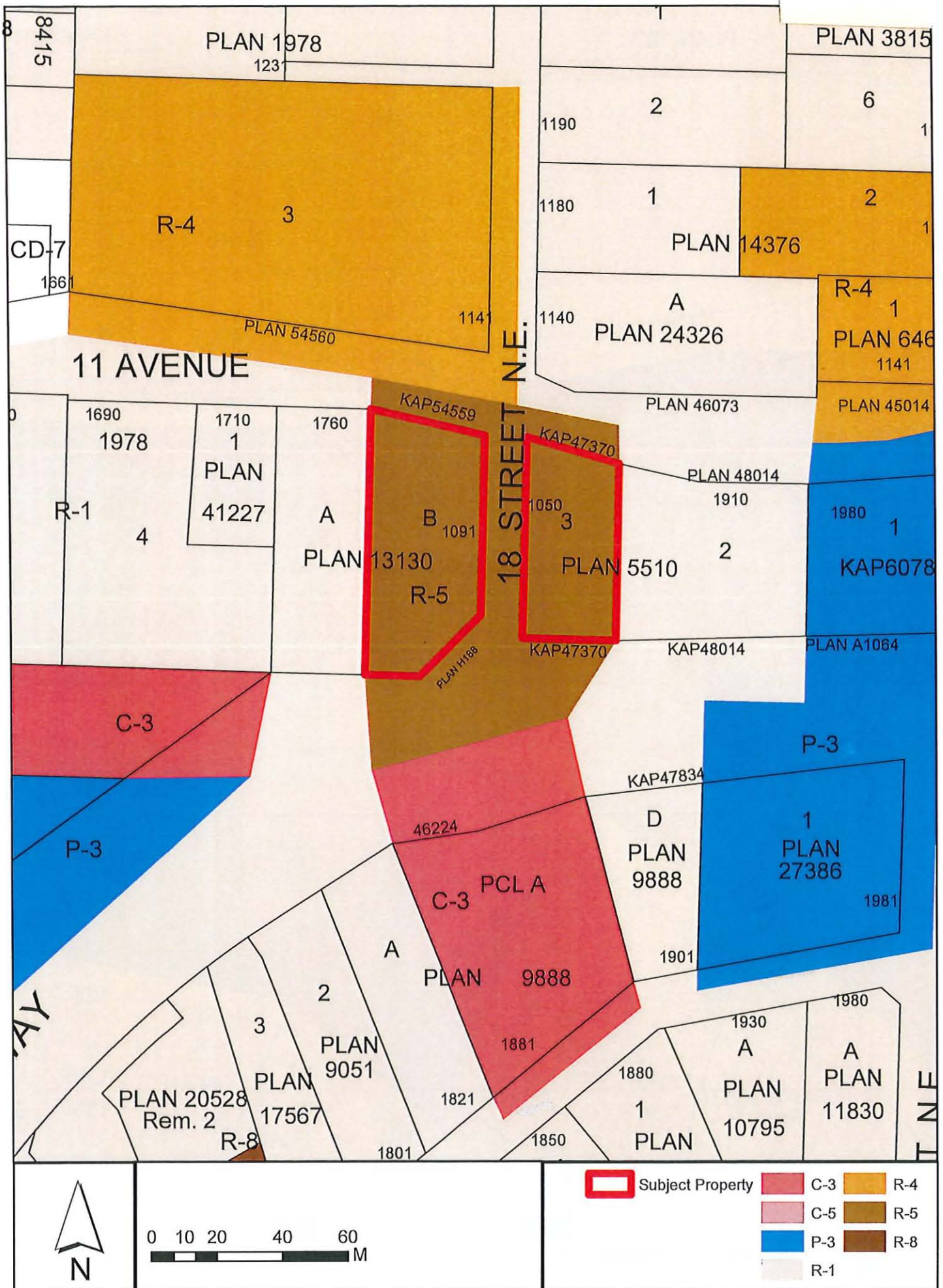


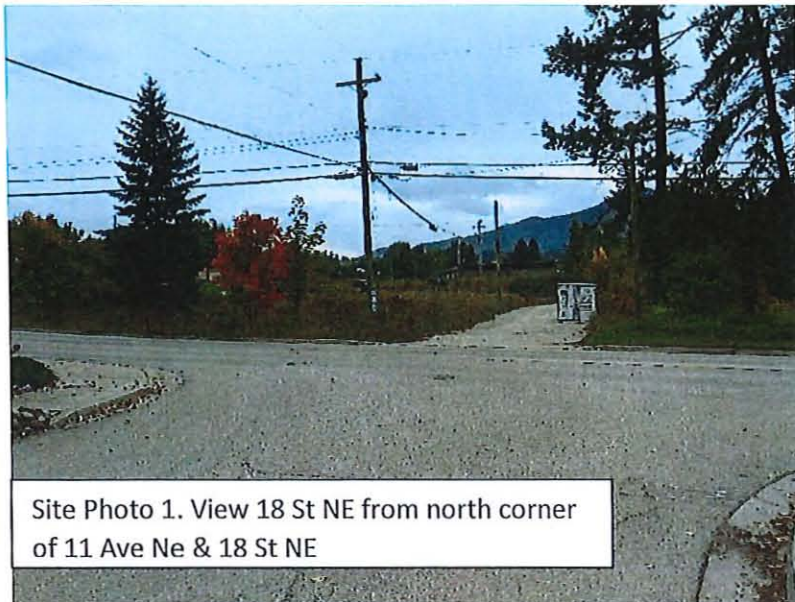
Reviewed by: Kevin Pearson, MCIP, RPP
Director of Development Services











Site Photo 1. View 18 St NE from north corner of 11 Ave Ne & 18 St NE



Site Photo 2. View to 1050 18 St NE from north corner of 11 Ave Ne & 18 St NE



Site Photo 3. View to 1091 18 St NE from north corner of 11 Ave Ne & 18 St NE



Sept 10, 2020

City of Salmon Arm
PO Box 40
Salmon Arm BC
V1E 4N2

Attention: Kevin Pearson
Director of Development Services

Dear Sir:

Re: OCP Amendment Application No OCP4000-43

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 properties located at 1050 18 Street NE and 1091 18 Street NE SE, Salmon Arm, from High Density Residential to Highway Commercial, and the Zoning Category from R5 to C6. The Board supports the application, based on the information provided.

We thank you for the opportunity to comment on this OCP Amendment Referral.

Sincerely,

A handwritten signature in black ink, appearing to read "Lana Pitt".

Lana Pitt, Economic Development Manager
Salmon Arm Economic Development Society



*Memorandum from the
Engineering and Public
Works Department*

TO: Kevin Pearson, Director of Development Services
 DATE: September 23, 2020
 PREPARED BY: Matt Gienger, Engineering Assistant
 APPLICANT: Russell Kearl, - 101, 571 – 6 Street NE, Salmon Arm, BC V1E 1R6
 OWNER: H. & D. Clarke, C., 38, 1231 – 10 Street SW,
 Salmon Arm, BC V1E 0A5 (1050 – 18 Street NE)
 Northern Propane Ltd. Inc./969730 AB Ltd. – 38, 1231 – 10 Street SW,
 Salmon Arm, BC V1E 0A5 (1091 – 18 Street NE)
 SUBJECT: **OFFICIAL COMMUNITY PLAN FILE NO. OCP4000-43 &
 ZONING AMENDMENT APPLICATION FILE NO. ZON-1184**
 LEGAL: Lot 3, Section 24, Township 20, Range 10, W6M KDYD, Plan 5510
 Except Plan KAP47370
 Lot B, Section 24, Township 20, Range 10, W6M KDYD, Plan 13130
 Except Plan KAP54559
 CIVIC: **1050 & 1091 – 18 Street NE**

Further to your referral dated August 10, 2020, we provide the following servicing information. **The following comments and servicing requirements are not conditions for Rezoning or OCP amendment; however, these comments are provided as a courtesy in advance of any development proceeding to the next stages:**

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 4163. 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 measures will be required prior to the commencement of construction. ESC plans to be approved by the City of Salmon Arm.

OFFICIAL COMMUNITY PLAN AMENDMENT APPLICATION NO. OCP4000.43E**ZONING AMENDMENT APPLICATION NO. ZON-1184**

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7. Any existing services (water, sewer, hydro, telus, gas, etc) traversing the proposed lot must be protected by easement and/or relocated outside of the proposed building envelope. Owner/Developer will be required to prove the location of these services. Owner / Developer is responsible for all associated costs.
 8. At the time of development permit / 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.
 9. For the off-site improvements at the time of subdivision / building permit the applicant will be required to submit for City review and approval detailed engineered plans for all off-site construction work. These plans must be prepared by a qualified engineer. As a condition of subdivision / 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. 11 Avenue NE on the subject property's north boundary is classified as an Urban Local Road (RD-2) and requires an ultimate 20.0 meters dedication (10.0 meters from centerline). Available records indicate that existing dedication varies and additional dedication may be required from the subject property (to be confirmed by BCLS).
2. 11 Avenue NE is currently developed to an interim Urban Local Street standard. Upgrading to the Urban Local Road Standard (RD-2) is required; however, all infrastructure specifications and offsets must conform to the Urban Collector Road Standard (RD-3). Upgrading may include, but is not limited to, road widening and construction, boulevard grading/construction, curb & gutter, street drainage and streetlights (spacing to be confirmed by professional engineer).
3. 18 Street NE bisects the subject properties from north to south and is classified as an urban local street (RD-1), requiring an ultimate 18.0 meters dedication (9.0 meters from centerline). Available records indicate approximately 6.0 meters dedication will be required, split between the east and west sides of 18 Street NE (to be confirmed by BCLS).
4. 18 Street NE is currently not constructed to a city standard. Upgrading to the Urban Local Road Standard (RD-1) is required. Upgrading may include, but is not limited to, road construction, boulevard grading/construction, curb & gutter, sidewalk, street drainage, utility installation, underground hydro and telecommunications, and street lighting.
5. A full cul-de-sac constructed and dedicated will be required at the termination of 18 Street NE, as per specification drawing No. RD-10.

OFFICIAL COMMUNITY PLAN AMENDMENT APPLICATION NO. OCP4000.43E
ZONING AMENDMENT APPLICATION NO. ZON-1184

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6. Engineering staff would consider supporting the closure and sale of 18 Street NE and amalgamation with the two properties, subject to a Road Closure Bylaw. Doing so would negate the dedication and upgrading requirements, and the City would absolve its responsibility for maintenance.
7. Owner / Developer is responsible for ensuring all boulevards and driveways are graded at 2.0% towards the existing roadway.
8. 3.0m by 3.0m corner cuts are required to be dedicated at the intersection of 11 Avenue NE and 18 Street NE.
9. Accesses shall be designed by keeping to a minimum number. Only one (1) driveway access per parcel will be permitted onto 18 Street NE. All unused driveways shall be removed. Owner / Developer responsible for all associated costs. Should the developer proceed with the closure of 18 Street NE, one access would be permitted onto 11 Avenue NE at the existing intersection location.
10. Trans Canada Highway (TCH) along the south side of the subject property is a provincial controlled access highway. Additional dedication/improvements will be determined by ministry of Transportation

Water:

1. The subject property fronts the following watermains:

- 450mm diameter Zone 1 watermain on 11 Avenue NE
- 200mm diameter Zone 2 watermain on 11 Avenue NE east of 18 Street NE
- 150mm diameter Zone 2 watermain on 11 Avenue NE west of 18 Street NE
- 150mm diameter Zone 2 watermain on 18 Street NE

Upgrading of the 150mm watermain on 11 Avenue NE to a 200mm diameter is required under the Subdivision and Development Servicing Bylaw No.4163. The Engineering department considers the 11 Avenue NE upgrade work pre-mature at this time; therefore, the City of Salmon Arm will require cash-in-lieu for this upgrade.

Upgrading of the 150mm watermain on 18 Street NE to a 200mm diameter is required under the SDSB Bylaw; however, as this main only services the subject parcels and is not required for the future, it should be abandoned south of 11 Avenue NE or retrofitted as a service.

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ZONING AMENDMENT APPLICATION NO. ZON-1184
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2. Both properties are to be serviced by a single metered water service connection (as per Specification Drawing No. W-10), adequately sized to satisfy the proposed use (minimum 25mm). City records indicate that both properties are currently serviced with unknown diameter services from 18 Street NE. Relocating the existing services to the Zone 2 watermain on 11 Avenue NE and decommissioning existing service to 1050 18 Street NE will be required. Water meter(s) will be supplied by the City at the time of building permit, at the Owner / Developer's cost. Owner / Developer is responsible for all associated costs.
3. The subject property is in an area with sufficient fire flows and pressures according to the 2011 Water Study (OD&K 2012).
4. Fire protection requirements to be confirmed with the Building Department and Fire Department.

Sanitary:

1. The subject property fronts a 200mm diameter sanitary main on 11 Avenue NE. No upgrades are anticipated, Subject to Owner / Developer's engineer proving that there is sufficient downstream capacity within the existing City Sanitary System to receive the proposed discharge from the development. Owner / Developer is responsible for all associated costs.
2. Extension of the sanitary main along 18 Street NE is not required as there are no reliant upstream parcels and both of the subject parcels can be serviced adequately from the existing main on 11 Avenue NE.
3. Subject properties to be serviced each by a single sanitary service connection adequately sized (minimum 100 mm diameter) to satisfy the servicing requirements of the development. City records indicate that both existing lots have a 100 mm diameter service from 11 Avenue NE. 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 525 mm diameter storm main on 11 Avenue NE. No upgrades are required at this time.
2. The subject property does not front an enclosed storm sewer system on 18 Street NE. Extension of the storm main along 18 Street NE is not required as there are no reliant upstream parcels or no reliant upstream stormwater discharge and both of the subject parcels can discharge stormwater on site or be serviced adequately from the existing main on 11 Avenue NE.

OFFICIAL COMMUNITY PLAN AMENDMENT APPLICATION NO. OCP4000.43E**ZONING AMENDMENT APPLICATION NO. ZON-1184**


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3. An Integrated Stormwater Management Plan (ISMP) conforming to the requirements of the Subdivision and Development Servicing Bylaw No. 4163, 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. Both subject parcels shall be serviced (each) by a single storm service connection adequately sized (minimum 150mm) to satisfy the servicing requirements of the development.

Geotechnical:

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


Matt Gienger
Engineering Assistant
Jenn Wilson P.Eng., LEED® AP
City Engineer

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CITY OF SALMON ARM

To: His Worship Mayor Harrison and Members of Council

Date: September 23, 2020

Subject: Agricultural Land Commission Application No. ALC-395
Agricultural Land Commission Application ID. 61122 (Non-Farm Use)

Applicant / Owner: Mountainview Baptist Church
Agent: Kurt Alberts

Legal: Lot 1, Section 30, Township 20, Range 9, W6M, KDYD, Plan 11195

STAFF RECOMMENDATION

THAT: Non-Farm Use Application No. ALC-395 be forwarded to the Agricultural Land Commission with a Resolution of support by City Council.

PROPOSAL

The subject property is located at 4480 – 30 Street NE as shown in Appendices 1 and 2. The property is 12,060 m² (2.98 ac) in size and the current use on the property is a church. The applicant's proposal includes a 186 m² (2,002 ft²) addition to the existing church building. Included with the ALC application, the applicant has submitted an extensive Letter of Rationale and an Agricultural Assessment, see Appendix 3.

BACKGROUND

Historically, the property has been used for public assembly. Dating back to 1918, the property was used as a school; and, since the school use ceased in 2005, the property has been used as a church. Currently, there is no agriculture use on the property.

The property is completely in the Agricultural Land Reserve (ALR), designated "Acreage Reserve" in the Official Community Plan (OCP) and zoned A-2, Rural Holding Zone, see Appendices 4, 5 and 6, respectively.

As previously mentioned, the property has been used as a church since 2005, and at that time the property was still owned by the School District. The present owner, Mountainview Baptist Church purchased the property in 2014. In 2013, City Staff advised representatives of the Mountainview Baptist Church that the ALR designation, OCP designation and zoning did not support church or assembly use. In 2016, the church applied for a permissive tax exemption. The application was denied due to the non-permitted use occurring on the property.

Mountainview Baptist Church made a recent Non-Farm Use ALC application in September of 2018. The previous application proposed constructing a new church whereas this application proposes an addition to the existing church. The previous application was denied by the ALC and the Reasons for Decision (ALC Resolution #7/2019) is attached as Appendix 7. In October of 2019, the applicant filed a reconsideration request, this request was denied by the ALC, see Appendix 8.

SITE CONTEXT

The property is located in an area that is predominantly rural, surrounded by properties with the same A-2 zoning and within the ALR. Adjacent zoning and land uses include the following:

North: Rural Holding Zone (A-2) / hay field & residential
South: Rural Holding Zone (A-2) / orchard
East: Rural Holding Zone (A-2) / forested
West: Rural Holding Zone (A-2) / residential

SOIL CAPABILITY

The property has an Improved Soil Capability Rating of 60% Class 2 (X) and 40% Class 3 (TM) with topography (T) and low moisture holding capacity (M) being the limiting factors, see Appendix 9. Improved soil classifications range from Class 1, arable land with no significant limitations, to Class 7, non-arable land with significant limiting factors.

AGRICULTURAL ADVISORY COMMITTEE

Due to the COVID-19 pandemic and committees not convening, the application was not referred to the AAC for comment. The AAC supported the previous application in 2018.

PLANNING DEPARTMENT

Since at least 1976, the property has been designated Acreage Reserve and zoned A-2. Both the OCP designation and zoning do not support the use of a church. The appropriate OCP designation and zoning to support church use is "Institutional" and P-3 zoning. Should this application be approved by Council for submission to the ALC and, subsequently approved by the ALC, an OCP and rezoning application would be required for review and approval by Council to rectify the non-conforming church use.

Although, OCP Policy 15.3.3 does not support institutional use in the Rural Area of the City, staff note there are similar uses north and south of the subject property. North of the subject property on 60 Avenue NE there is Seventh Day Adventists Church, which has P-3 zoning and was approved by the ALC (Resolution #4483/72) in 1974. South of the subject property on 30 Street NE is the Elks Hall & Park, which has P-1 (Park & Recreation) and P-3 (Institutional) zoning.

As noted previously, Staff and Council were supportive of Mountainview Baptist Church's previous ALC application to build a new 400 m² church proposed to be sited in between the existing building and 30 Street NE. This application is for a 180 m² addition onto the rear of the existing church building. The area where the addition is proposed is currently an asphalt surface, once used as a basketball court. This new proposal would occupy a smaller footprint on the property than the previously proposal. In addition, the church use would be limited to the western portion of the property including all parking, which was also a consideration in 2018.

Currently, there is a gravel parking lot between the front of the building and 30th Street NE. With the addition on the rear of the existing building, the existing gravel parking area can be still be utilized which keeps within the same footprint, apart from the 180m² addition which is proposed over an already asphalt surfaced area. The offstreet parking requirements as per the Zoning Bylaw for a church / Chapel or other Religious Institution is as follows:

The greater of:

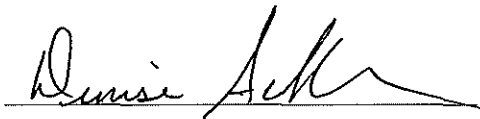
- a) 1 per 4.5 seats or 3.0 m² of gross floor area of worship assemble area, whichever is greater, or
- b) 1 per 15 m² of gross floor area of entire church building including worship area.

CONCLUSION

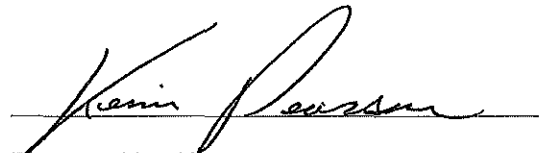
Staff supports this application for the following reasons:

1. The property has historically been used to some degree for school and/or assembly use since 1918.
2. The proposal is conducive to limiting the non-farm use to the southwest portion of the property, which if the ALC approves the application, there is potential to split-zone the property keeping the northeastern portion of the property as A-2 for future agricultural development.
3. By adding on to the rear of the existing church on an area that is currently asphalt, the church will be able to utilize their current parking area and not significantly increase the overall footprint on the property.

Should this application be approved by the ALC, the property will need to be rezoned to P-3 in order to allow the use of a church / assembly building. That would also involve an OCP amendment (land use) from Acreage Reserve to Institutional.



Prepared by: Denise Ackerman
Planner, Development Services



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



Subject Parcel



0 510 20 30 40
Meters



Subject Parcel

KURT ALBERTS RPP, MCIP
 URBAN and REGIONAL PLANNER
 9054 Glover Road Box 760
 Fort Langley BC V1M 2S2
 604 888-4395 kurt@kurtalberts.com

DATE: July 20, 2020

SCHEDULE A: LETTER OF INTENT and RATIONALE

ALC ID#: 61122

SUBJECT: 4480 - 30 Street NE
 in the City of Salmon Arm in the
 Columbia Shuswap Regional
 District

LEGAL: LOT 1 SEC 30 TWP 20
 RANGE 9 WEST OF THE 6TH
 MERIDIAN KAMLOOPS
 DIVISION YALE DISTRICT PLAN
 11195

PARCEL ID: 009-505-156

SIZE: 1.2 ha (2.9 ac) "dogleg"
 shape.

ASSESSMENT: Property Class 01
 and 06; Actual Use Code: 652
 (Churches and Bible Schools);
 Manual Code: D356 (Classroom)

OWNER: Mountainview Baptist
 Church (since 2013)

PREVIOUS OWNER: School
 District No. 89 (Shuswap) 1972 to
 1997

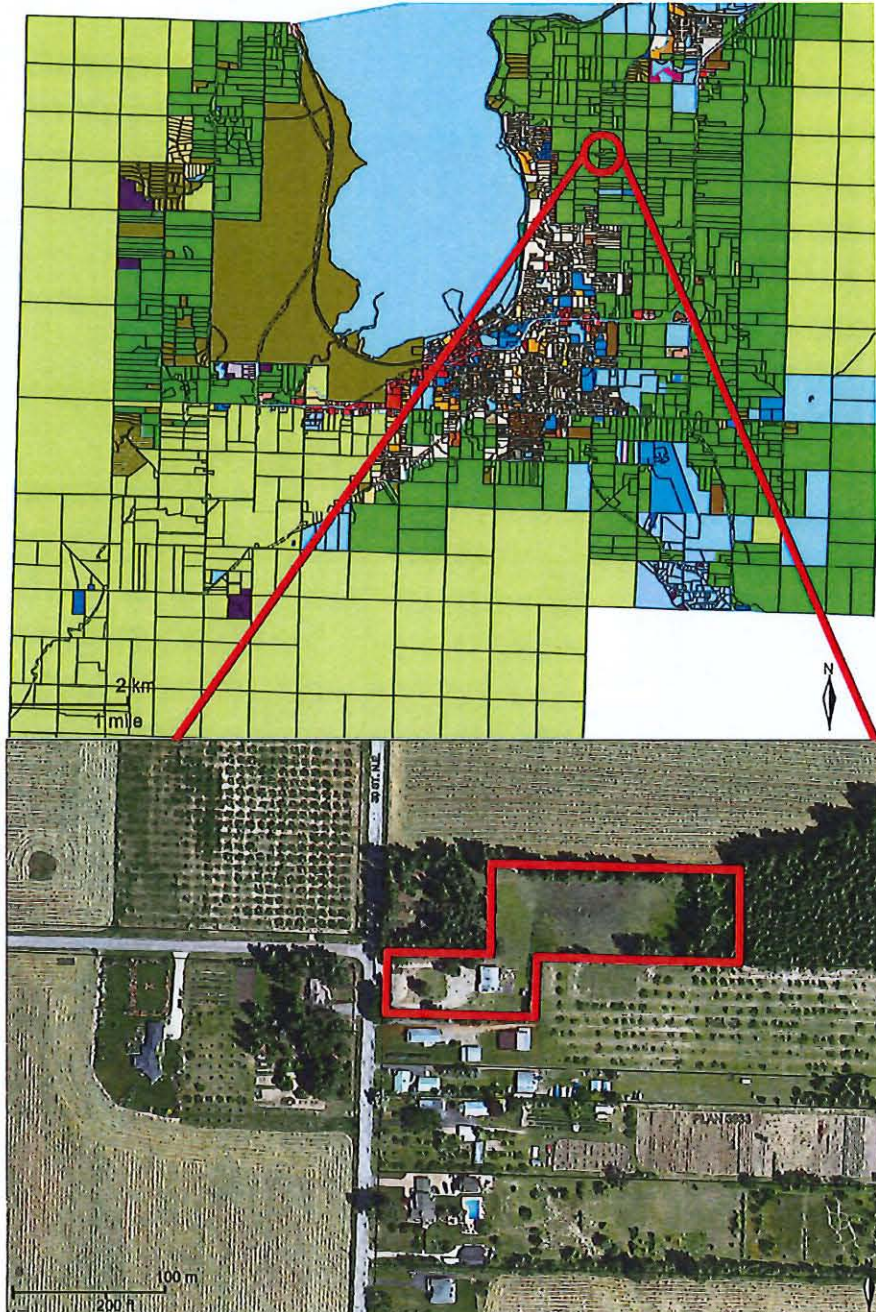
School District No. 83 (North
 Okanagan - Shuswap) 1997 to
 2015 (Attachments 5, 6, 7, & 8
 show titles dating back to 1972)

OCP: Designated 'Acreage
 Reserve' (and outside Urban
 Containment Boundary) in the
 Official Community Plan

ZONING: Public assembly use of
 the property has legal non-
 conforming status as the use pre-
 dates the zoning designation,
 Rural Holding Zone A-2.

ALR: In Agricultural Land Reserve
 with legal non-conforming status
 as the public assembly use of the
 property pre-dates the ALR (by
 over a half century).

Salmon Arm



PROPOSAL: To build a 186 m² (2,000 sq ft) addition at the rear of the church building where there is an existing hard surfaced area previously used as a basketball court. The addition with a basement will allow more room for a growing congregation to continue worship, Sunday School and community outreach programs.

LAND USE REGULATIONS: Notwithstanding the long established public assembly use of the subject property, it was included in the Provincial Agricultural Land Reserve in 1972. However, the Agricultural Land Commission Act does make provision for "non-farm" uses established prior to December 21, 1972. Section 23 (Exceptions) of the Act states:

*"(2) The restrictions on the use of agricultural land do not apply to land lawfully used for a non-farm use, established and carried on continuously for at least 6 months immediately before December 21, 1972, unless and until the use is changed, other than to farm use, without the permission of the commission,
(3) For greater certainty, the exception in subsection (2) applies only to the land that was actually being used for a non-farm use and not to the entire parcel on which that use was being carried on."*

In this case, the "non-farm" use is considered to be "public assembly" which includes both school and church related uses. The building, parking, play field, septic and buffer areas of the "non-farm" use cover the entire property.

PROPERTY USE HISTORY: The Broadview area (the Limit District) was initially served by Central School in downtown Salmon Arm. When the city school burned down in 1917 the "rural" children from Broadview were sent to school in North Canoe until Broadview School was constructed on the subject property.

The new school opened in 1918, built of frame construction on a basement, on one acre of donated land. The site plan included the area occupied by the school building, service, play and landscaping areas.

Twenty pupils were registered from Grades 1 through 8. Broadview School, like most country one-room schoolhouses of its era, was heated by a wood stove and had no electricity. A solid row of windows on its westerly wall was oriented to make the best use of daylight hours. Lights were installed in the school in 1944.

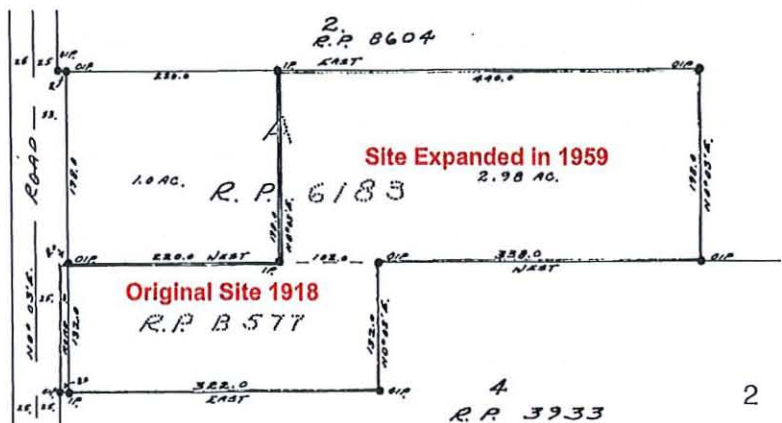


Enrolment increased rapidly in the late 1940's. In 1948 the total enrolment exceeded 57 with 10 in the "beginner's" class. Despite the increase in pupils, Broadview was slated for consolidation with four other schools. In 1950 the school closed in favour of bussing students to larger central schools.

During the school closure years, the building was used as a community hall by the Broadview Community Club and other groups.

As the population continued to grow in the early fifties, the central schools became overcrowded and Broadview School was reopened in 1955. The following year capital improvements included indoor toilets, a furnace and a new stairway entrance to the basement.

In 1959 more land was acquired making the site almost 3 acres. The original site was only an acre and it was time to build a second school building. The original building housed grades 1 to 3, and the new building, grades 4



to 6. The added land was provided for play and sports areas, and public use by the neighbourhood.

In the mid-sixties Bastion School was built and children from Broadview were regularly bussed there to make use of the gymnasium (albeit half-sized).

In the early 1960's, top soil was removed and sports fields were developed by the community on the western portion of the 2 ac property added in 1959. After over sixty years the ball field is still in use. As well as, school use, the field was also used by the general community including for organized sports such as Little League and Slo-Pitch. Attached are three signed statements from area residents attesting to the long established use of the ball field (please refer to Attachments 1, 2, & 3).



From 1976 up until 1980 North Broadview became strictly a primary school with grades 1, 2 and 3. Subsequently, in 1980, the grade three students were transferred to Bastion School, but a kindergarten class was added to Broadview.

The 2.98 ac site now had the old main school; the permanent building built in 1959; a portable for office and library; and a portable for grade one classroom. Another portable was added as an activity room in 1983.

In the mid-eighties, even though enrolment was still high at North Broadview (88 - 96 students), necessary upgrades were seen as too expensive and the newer Bastion School's enrolment was declining but more cost effective to add onto including a full sized gym.

In 1986 the primary classes were moved to Bastion School with the closure of the 1918 school building while the 1959 building and the office/library portable were apparently used by the the Alternate Program.

In 1988 the old Broadview School was moved to Haney Heritage Village and restored by the Salmon Arm Museum Society for its historic interest as a provincially recognized example of a turn of the century one-room schoolhouse.

In 2005 the School District entered into a lease with the Mennonite Church to allow the property to be used for church use. The lease with the Mennonites was renewed in 2008 and again in 2011.

In 2013 the School District invited proposals to purchase the former North Broadview School property (2.98 acre or 0.809 ha). The property was sold to the Mountainview Baptists and has been used continually by the congregation including community outreach programs.

COMMUNITY CONTEXT: Located on an arterial road, 30 Street NE, at the intersection of 45 Avenue the subject property is a long standing community focal point. First as an elementary school location commencing in 1918 until the mid-1980's; use of the school building when available as a community hall; the addition of a community ball field still in use since the early 1960's and, church use initially by the Mennonites and now the Baptists. The site is served by municipal water with sufficient fire flows and pressure. A fire hydrant is located in front of the property. The Official Community Plan intends greenways along 30 Street NE in front of the subject property and along 45 Avenue. Greenways are defined as land corridors for off-road paths and trails supporting recreation and social activities. Attached are three statements from area farmers recalling the importance of the sports fields to the community not only as a ball diamond for Little League, Church Leagues and Slo-Pitch but also for soccer, sports days, picnics and other outdoor events. Community mail boxes located in front of the property attest to the site's continuing role as a long standing focal point in the North Broadview neighbourhood.



The subject site is a community focal point in the history of the Broadview community.

RATIONAL FOR PROPOSAL: The subject property has been used for public assembly uses (school and church) for over one hundred years. Over sixty years ago the one acre site was expanded by approximately 2 acres. Since 2005 the property has been used for church related uses. Section 23 (Exceptions) of the ALC Act exempts land from the agricultural use restrictions where the land has lawfully been used for a non-farm purposes, established and carried on continuously for at least 6 months immediately before December 21, 1972. Public assembly use of the land predates the ALC Act by 54 years for the 1 ac area and 12 years for the 2 ac area.

In 2018 the Mountainview Baptist Church applied to the ALC for permission to construct a new building of approximately 400 m² on the same footprint left by the first school building built in 1918, part of the area used for church parking. This application was denied by the ALC on the basis that it would impact the agricultural utility of the property and discourage agricultural use.

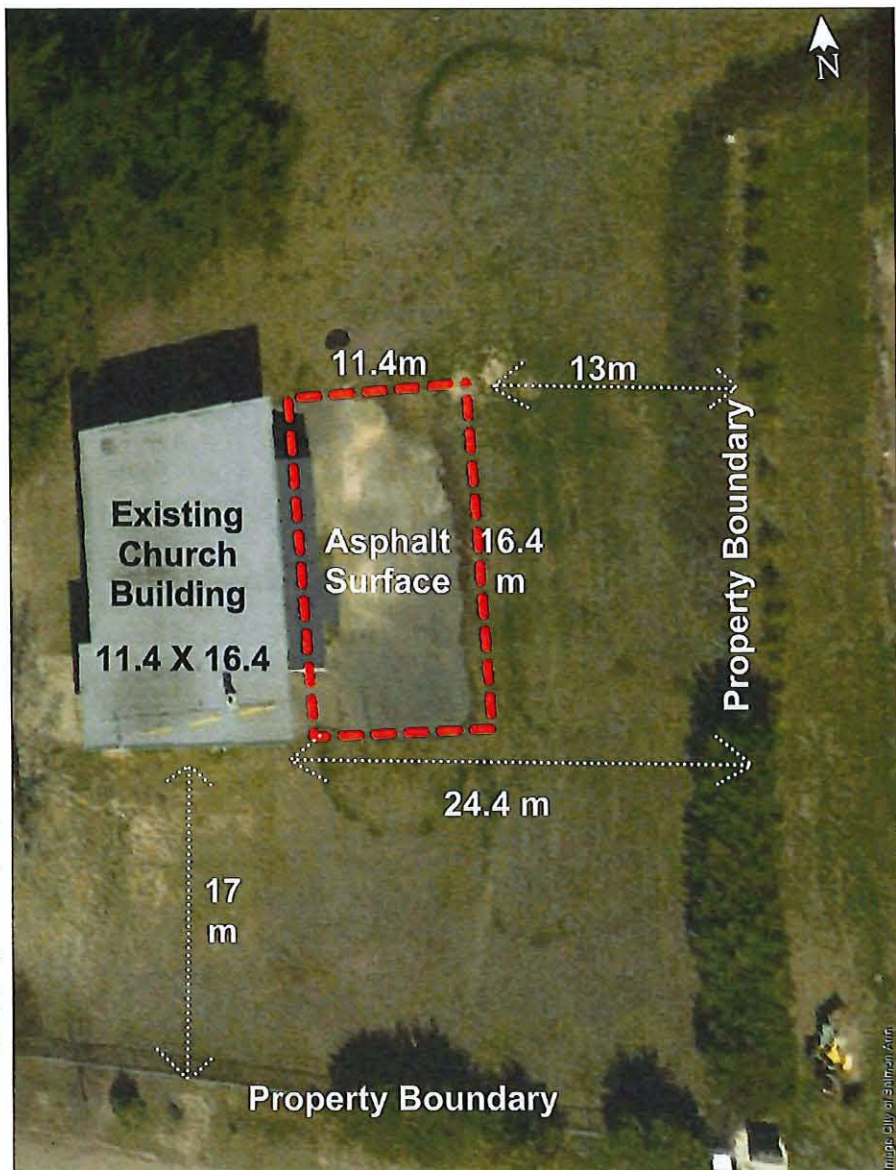
A revised proposal has been formulated with the assistance of an Agricultural Assessment prepared by a professional agrologist (please refer to Agricultural Assessment Report by Dave Melnychuk, P. Ag).

The current proposal is to add 186 sq m onto the existing building over an old hard surfaced area previously used as a basketball court. The proposed addition with a basement would occupy a much smaller footprint on the property than the previously proposed larger new building.

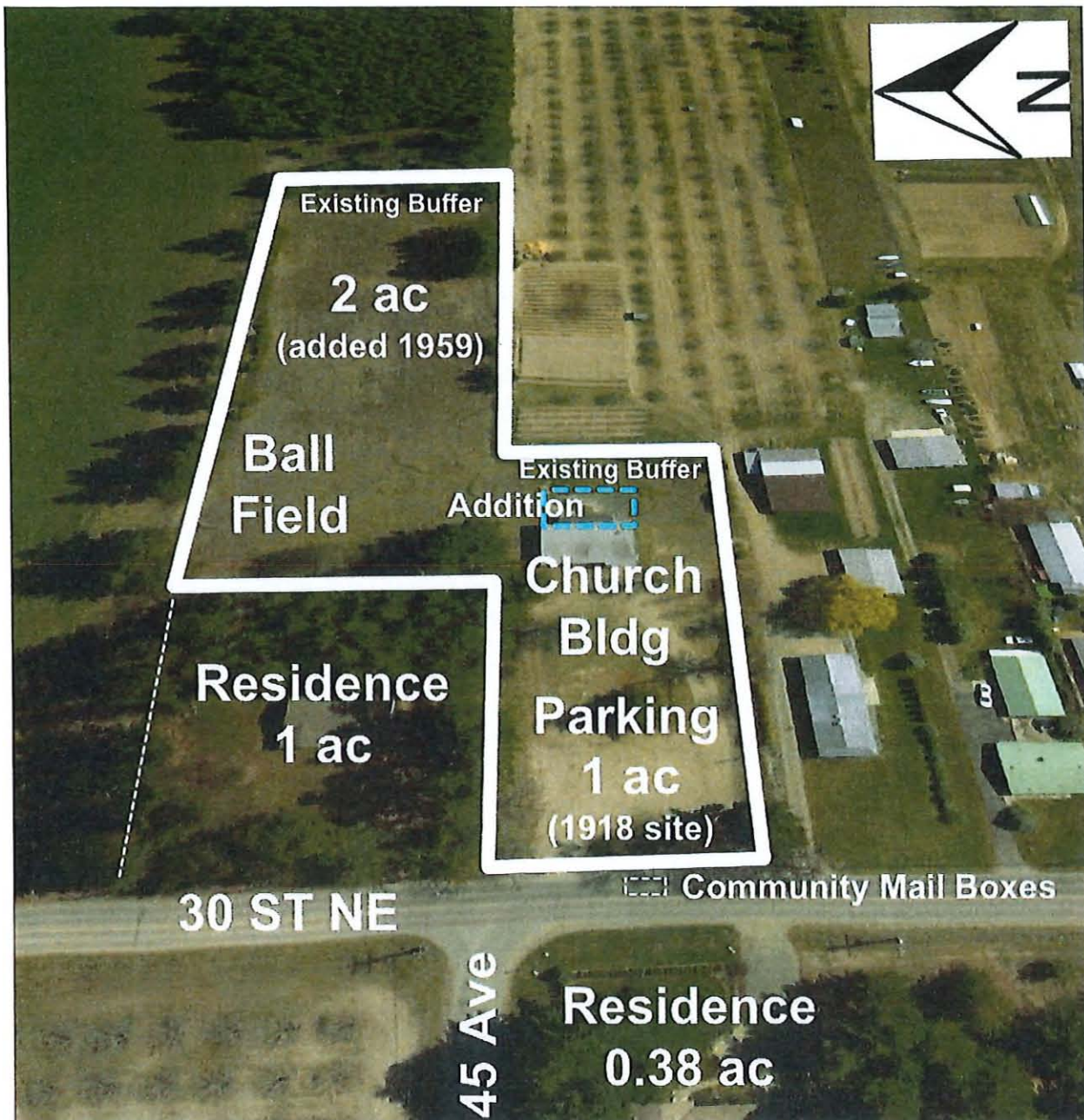
The Agricultural Assessment Report, reviewed the proposal in light of the agricultural potential of the property and concluded that:

- Impact on agriculture would be negligible because of the small footprint, as well as, the existing surface asphalt cover. No useable or potential farmland would be impacted by the proposed expansion.
- In addition, the proposed expansion would not limit nor impede the development of the north 2 acre parcel for agricultural purposes.

With respect to the 2 acre area, because of the development of the sports fields, the original soils no longer exist for the most part and the existing soils have a much lower agricultural capability. In their present conditions (shallow soil profile, coarse granular textures, stones and compaction) the central core of about 1.25 acres is not suitable for conventional field crop production. Non-soil based agriculture (i.e. green houses) would be suitable for this area. However, the remaining area (0.5 – 0.75 acres) has a reasonable soil profile, although not as deep as the original soils. This area would be suitable for crop production after implementation of normal soil improvements (i.e. increase fertility, organic matter supplementation, irrigation).



Even in its degraded condition, the 2 acre parcel has some agricultural potential. The Agricultural Assessment provides suggestions the Church could consider to stimulate some form of agriculture on the 2 acre parcel. A community garden project, part of the previous proposal, is also one of a number of suggestions by the agrologist.



AGRICULTURAL ADVISORY COMMITTEE: During the review of the previous application, in 2018, The City Agricultural Advisory Committee, recognized the limitations of the 0.4 ha area, but did include consideration of agricultural utility of the land in their deliberations as follows: "Given the historic use, the Committee supported the application subject to protecting the north-east portion of the property by means of split zoning and covenant for future agricultural use including future community gardens."

The Committee unanimously adopted the following resolution:

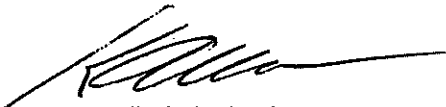
"THAT the Agricultural Advisory Committee recommends to Council that it supports the application subject to the protection, via split zoning and covenant, of the north-east portion of the subject property for agricultural use only."

CITY OF SALMON ARM: The 2018 staff report to City Council on the previous application (for a new 400 m² building) noted that: "The current A-2 zoning and OCP designation have been in place since at least 1976, however there has been school use on the property since 1918". Staff reported that: "There is a similar use within the North Broadview area located on 60 Avenue NE which is the existing Seventh Day Adventists Church. That particular property has P-3 zoning and ALC approval which was granted in October 1974 through ALC Resolution #4483/72." The same OCP designation applies to that property as the subject Property. Even though the OCP does not support institutional use outside the Urban Containment Boundary, staff recommended that the Mountainview Baptist Church application be forwarded to the ALC for consideration "given the historic use". Further, the staff stated that they would likely recommend support of an OCP/rezoning application if the use is restricted to the southwest portion of the subject property.

The Council of the City of Salmon Arm unanimously adopted the following resolution:

"That Agricultural Land Commission Application No. ALC-377 be authorized for submission to the Agricultural Land Commission."

SUMMARY: The Agricultural Land Commission Act protects non-farm uses lawfully established prior to 1972. As well, municipal zoning accommodates lawful non-conforming uses established prior to the enactment of the zoning bylaw. The subject lands have been utilized for institutional uses for over 100 years. In 1918 the Broadview Elementary School was constructed on the subject lands. In 1959, an adjacent 0.8 ha was purchased and consolidated with the school property which resulted in the current configuration of the Property. The proposed addition of 186 sq m to the existing church building will allow a growing congregation to continue use of the front 0.4 ha for worship, Sunday school and community outreach programs. The proposed addition on a hard surfaced area previously used as a basketball court will not impact the agricultural utility of the property. While soils on over half of the 0.8 ha area were severely degraded due to removal of topsoil and development of sports fields in the early 1960's, an Agricultural Assessment concludes that there is still some agricultural potential. Accordingly the addition as proposed will not restrict agricultural utility nor options for the 0.8 ha area.



Respectfully Submitted,
Kurt Alberts RPP, MCIP

ATTACHMENTS:

1. Statement by Robin Ruth on use of sports field
2. Statement by Randy Wagner on use of sports field
3. Statement by Rick Follack on use of sports field
4. Agricultural Assessment by Dave Melnychuk, P. Ag.
5. Title as of 1972
6. Title 1972 - 1997
7. Title 1997 - 2007
8. Title 2007 - 2015

History of Use compiled with help from:

- unpublished papers by: Berniece Saunders and Deborah Chapman
- "The Rise and Fall of a One Room School" by Berniece Saunders (1990)
- discussions with School District No. 83 (North Okanagan - Shuswap)

CANADA	)	IN THE MATTER OF 4480 – 30 th
	)	Street NE, Salmon Arm, British
PROVINCE OF BRITISH COLUMBIA	)	Columbia and Mountainview
	)	Baptist Church
TO WIT:)	

I am a farmer, currently living at of 2401 - 40th Street, NE, Salmon Arm, British Columbia and make the following statements which I believe to be true to the best of my personal knowledge:

1. I currently reside at 2401 - 40th Street NE, Salmon Arm, which comprises my personal residence and farm acreage.
2. I was born in Salmon Arm where I have lived my entire life.
3. I grew up on an orchard and was part of the farming business with my parents and then my sons in Salmon Arm.
4. In the late 60s and early 70s, I took part in athletic endeavours in the playing field at North Broadview Elementary School which was located at 4480 – 30th Street, NE. These activities ranged from sports days to baseball and were community based activities.

ROBIN RUTH
DATED July 22, 2019.



CANADA	)	IN THE MATTER OF 4480 – 30 th
	)	Street NE, Salmon Arm, British
PROVINCE OF BRITISH COLUMBIA	)	Columbia and Mountainview
	)	Baptist Church
TO WIT:)	

I am a farmer, currently living at of 4190 – 30th Street, NE, Salmon Arm, British Columbia and make the following statements which I believe to be true to the best of my personal knowledge:

1. I currently reside at 4190 – 30th Street NE, Salmon Arm, which comprises my personal residence, my mother's residence (4090 – 30th Street NE) and farm acreage.
2. I lived with my parents at 4090 – 30th Street NE from the time of my birth in 1953 until my early twenties.
3. I returned to Salmon Arm in 1992.
4. For grades 1 through 6, I attended North Broadview Elementary School which was located on 4480 – 30th Street NE ("school property").
5. I remember playing soccer and doing other school activities on the school property associated with the school.
6. I remember playing Little League Baseball in a community sports program on the school property around 1967 to 1969.
7. To the best of my knowledge, the sports community built the baseball backstop on the school property.
8. To the best of my knowledge, the baseball expenditures as such were not part of the educational program in the sixties.

RANDY WAGNER
DATED July 22, 2019



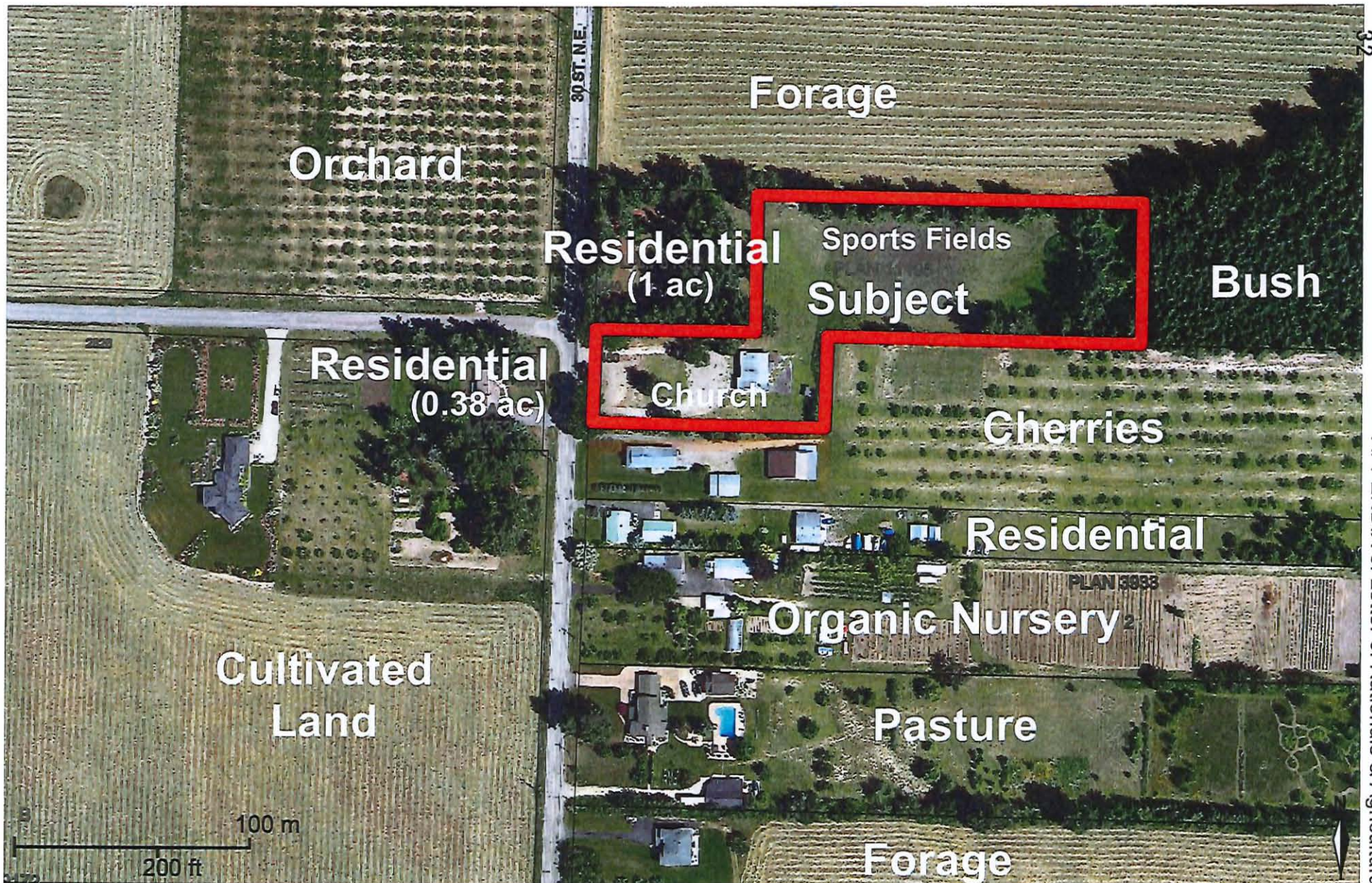
CANADA	)	IN THE MATTER OF 4480 – 30 th
	)	Street NE, Salmon Arm, British
PROVINCE OF BRITISH COLUMBIA	)	Columbia and Mountainview
	)	Baptist Church
TO WIT:)	

I am a farmer, currently living at of 4440 - 30th Street, NE, Salmon Arm, British Columbia and make the following statements which I believe to be true to the best of my personal knowledge:

1. I currently reside at 4440 - 30th Street NE, Salmon Arm, which comprises my personal residence and farm acreage where I have resided for over 30 years
2. My property borders the Mountainview Baptist Church property at 4480 – 30th Street NE (the "property") immediately to the south and am totally familiar with this property..
3. I was born in Salmon Arm where I have lived my entire life.
4. Minor and city league baseball has been played on the property for long before I moved into my current property up to and including the late 1990s and early 2000s when the Mennonite Church rented the property
5. The Mennonite Church not only used the ball diamond for some kind of church league but used the rest of the property for other sporting activities.
6. Subsequent to the above, the current owners have been using the property for picnics, sports and other outdoor activities and have been keeping the sports field in good condition for their use.

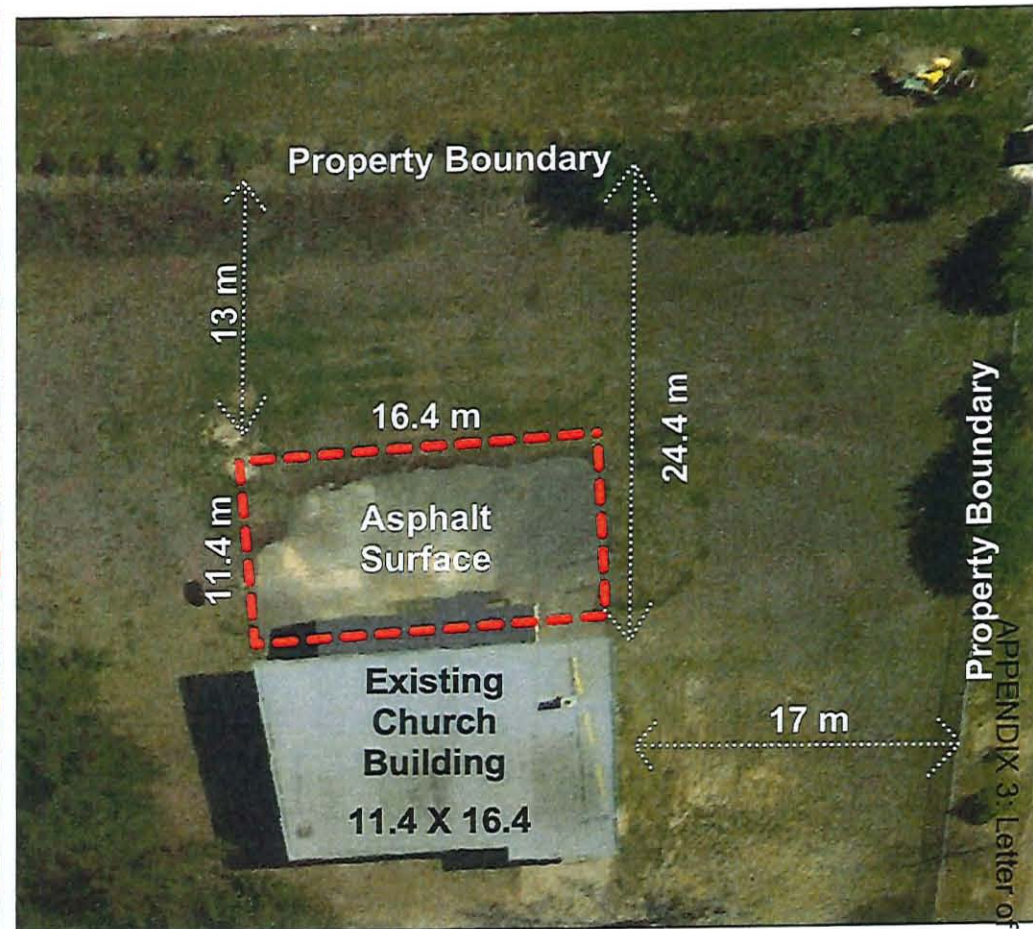
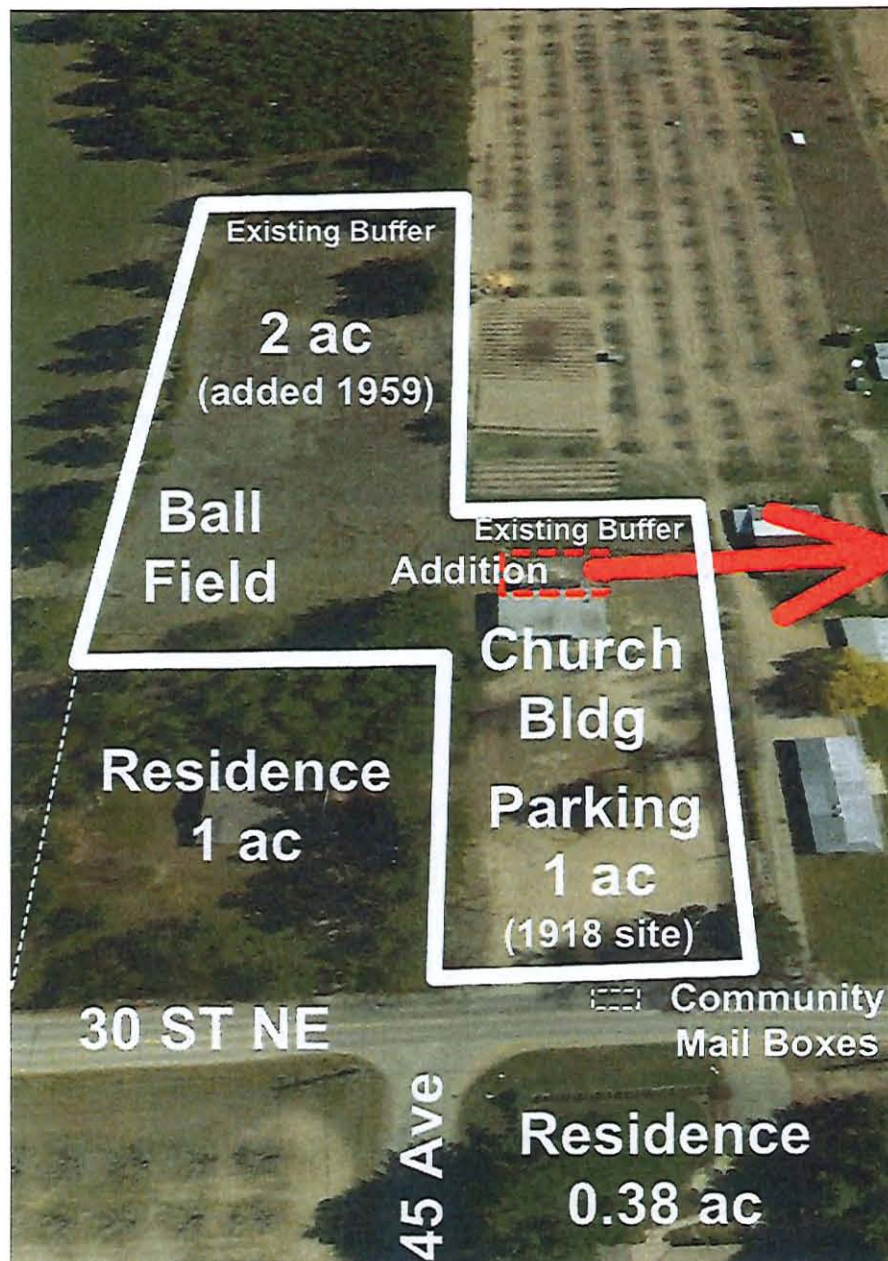
RICK FOLLACK
DATED July 22, 2019.

Rick Follack



Schedule C Adjacent Uses

ALC Non-Farm Use Application by Mountainview Baptist Church for 4480 - 30 Street NE, City of Salmon Arm



Location of Existing Church Building and Proposed Addition of 186 sq m (2,000 sq ft) on asphalt area previously used for basketball court.

Schedule D Proposal

ALC Non-Farm Use Application by Mountainview Baptist Church for 4480 - 30 Street NE, City of Salmon Arm

Agricultural Assessment

Prepared for
Mountainview Baptist Church
4480 – 30 Street NE
Salmon Arm, BC

By: Dave Melnychuk, P.Ag
19915-37A avenue
Langley, BC
V3A 2S8

June 25, 2020

Attachment 4
to Letter of Intent and Rationale
for Church Addition

Mountainview Baptist Church site – Salmon Arm – June 25, 2020**Introduction:**

The Mountainview Baptist Church has requested an agricultural report to assess the implications to agriculture from a proposed expansion to the existing church assembly use of a portion of the property located at 4480-30 street, NE, Salmon Arm.

The report comments on the existing use and condition of the original 1 acre parcel used for assembly purposes (formerly a school, now a church), plus provides a detailed examination of the 2 acre north parcel used by the community for playing fields and sports events. The report also includes suggestions on various methods of transitioning the 2 acre north parcel from a sports field to a productive farm site, capable of growing local food crops.

Historical perspective and present use:

The property located at the 4480-30 street site has historically been utilized for community assembly use by the School District for educational purposes and community sports activities. The original school was removed from the site in 1988, but the ancillary one room school building has remained on site and has been used for church purposes previously by the Mennonites and now by the Mountainview Baptist Church. The following photograph illustrates the existing building on site used for church purposes. The size of the building is approximately 2,000 square feet. A vehicle gravel parking lot is located adjacent to the west side of the building, as illustrated in the photograph.



Property description:

The property originally contained only 1 acre, fronting on 30 Street, which supported the original school building. In 1959, the School District added the second school building and expanded the site to the north by adding 2 acres to accommodate the development of playing and sports fields for the use by students attending the school as well as by the surrounding neighbourhood for sporting events. The following aerial photograph illustrates:

- the present property configuration, outlined in a heavy blue boundary lines
- the existing church building, outlined in thin blue line
- the proposed expansion to the existing building, outlined in red line
- the locations of soil sampling (soil dig, 1, 2 and 3)
- area of severe soil compaction with gravelly/stony surface material (outlined by a green dashed line)



Non-farm use application

Mountainview Baptist Church is seeking approval from the City of Salmon Arm and the ALC to expand the existing church building, by utilizing a location immediately behind the church. Proposed plans call for expansion of this structure (former primary school building) eastward onto an existing hard surface open space, covered for the most part with asphalt. It is assumed this particular asphalt covered area was formerly used by students for basketball and other outdoor activities which required an all weather surface.

The following photograph illustrates the location of the proposed expansion which is adjacent and immediately east of the existing church building. The surface condition, for the most part, consists of asphalt covering, with a strip of grass cutting diagonally across the asphalt.



- The proposed expansion would not extend beyond the existing asphalt footprint which covers an area of approximately 2,000 square feet. The 2,000 square foot expansion would be equal to the size of the existing building. This expansion would double the size of the church and be able to comfortably provide adequate space for gathering of the church congregation.
- Impact on agriculture would be negligible because of the small foot print as well as the existing surface asphalt cover. No useable or potential farmland would be impacted by the proposed expansion.
- In addition, the proposed expansion would not limit nor impede the development of the north 2 acre parcel for agricultural purposes.

Features of the north parcel (sports field)

The 2 acre north parcel is divided into 2 sections according to soil characteristics.

1. **Section 1 : sports field area** (covering approximately 1.25 acres):

The active sports field is illustrated within the green dashed line on the photograph which appears on page 2 of this report. This area was levelled off and prepared in the early 1960s, to facilitate use of the area for a variety of outdoor sports activities by students and the general community.

In the process of levelling the site the original soils have been significantly altered and moved, therefore the existing soils no longer resemble the original soils. The original soils (a detailed description is provided on page 4 of this report) would have consisted of a deep (up to 2 feet) sandy loam profile without any stones. The current soil features consists of a very shallow upper coarse layer (3 to 4 inches) with numerous stones. This area is severely compacted preventing manual soil sampling beyond 4 inches.

The following photograph illustrates the sports field located on the north 2 acre parcel.



An examination of the soil profile on the adjacent privately owned farmland located to the north side of the playing field indicates that the sports field on the Church property has been lowered by approximately 4 feet. The following photograph illustrates the elevation difference (as evidenced by the 4 foot soil sampling spade) between the actively farmed alfalfa field to the north and the sports field on the church property. Stones are evident throughout the surface of the church property as illustrated in the foreground of the photograph.



Observations conclude that, based upon the ground elevation of adjacent farmland located to the north of the site, the original topsoil has been shaved off and possibly removed from the church site (this has not been confirmed) and granular material (sands, gravels) introduced to provide for adequate surface conditions for extending the season for outdoor sports.

This area is not suitable for field crop production, because of shallow soil profile, coarse textures, and severe compaction. It would be useable for non-soil based agriculture such as greenhouses, although growing medium would have to be introduced.

Section 2 in the north parcel (approximately 0.5 to 0.75 acres)

Small pockets of soil located to the south west and south east of the sports playing field, exhibit a lower level of compaction and a deeper soil profile (approximately 10 to 12 inches)

Coarse granular material and stones in the surface layer is not prevalent, compared to the playing field, allowing for deeper soil sampling. The following photograph illustrates the soil profile at dig #1.

- Ah horizon: 4 to 5 inches, sandy loam (confirmed with laboratory soils analysis)
- B horizon: 5 to 6 inches, loamy sand
- C horizon – compacted subsoils



These 2 small pockets would be suitable for field crop production, although improvements to fertility and irrigation would be required to achieve acceptable levels of crop production.

The attached laboratory analysis report of a soil sample taken from the Ah horizon in Dig 1, indicates, the following features:

- a reasonable level of nutrients (although nitrogen is very low);
- a suitable texture (sandy loam) for field crop production;
- no issue with pH or salinity; and
- low organic matter. (only 1.9% om)

The deficient components (nitrogen and organic matter) can be addressed with normal farm practices.

Original soil mapping

The original soils no longer exist on the 2 acre north parcel because of former leveling, soil movement and possible removal of topsoil and subsoils by the School District in the 1960s in the process of establishing playing fields.

For information purposes, the original soils which existed on this site prior to the development of the sports fields, are described by the "Soil Survey of the Shuswap Lakes Area" completed by the British Columbia Department of Agriculture.

That survey report states that original soils typically found in this area of Salmon Arm are a complex of several soil types, including the following:

1. Cherryhill soil type, 40%: sandy loam, with well drained conditions
2. Carlin soil type, 30%: silty clay loam which is also well drained
3. Stepney soil type, 30%: which is a loamy sand

These soil types would include a deep soil profile (up 2 feet of a blended A and B horizons) and are very productive for a wide range of crops under proper management, including fertility and irrigation upgrades.

The soil profile examined (with a deep 3 foot dig) on the adjacent private property to the north of the church property, indicated a 2 foot depth of sandy loam over a semi-compacted subsoil, which confirms the original soil survey classification for this area

Agricultural capability (original soil capability mapping)

The mapping of the original agricultural capability ratings, state the following for this area, east of Salmon Arm:

- Unimproved rating: 8:4MT – 2: 2X, which means that 80% of the site has a class 4 rating with a limitation of moisture and topography and 20% of the polygon has a class 2 rating with a multiple set of limitations
- Improved rating: 6:2X – 4: 3TM, which means that after implementation of improvements (primarily installation of irrigation systems) the land can be improved to 60% class 2 with a multiple set of limitations and 40% of the land improved to a class 3 with topography and moisture limitations.

NOTE: The original soil classification and agricultural capability rating are no longer valid for the areas covered by the playing fields, because of the soil disturbances created when the playing fields were created in the early 1960s.

Present agricultural suitability and potential agricultural uses.

Severely compacted area (about 1.25 acres): As a result of the development of the sports fields, the original soils no longer exist for the most part and the existing soils have a much lower agricultural capability. In their present conditions (shallow soil profile, coarse granular textures, stones and compaction) the central core of about 1.25 acres (dashed outline in photograph on page 2) is not suitable for conventional field crop production. Non-soil based agriculture (i.e., green houses) would be feasible for this area.

The small portion in the south west and south east corners (approximately 0.5 – 0.75 acres)

This area has a reasonable soil profile, although not as deep as the original soils. This area

would be suitable for crop production after implementation of normal soil improvements including; increase fertility, additions of organic matter, stone removal, and irrigation. In summary, the existing soils on the Church 2 acre property have a much lower agricultural capability compared to the original soils, although with strategic planning and implementation of significant agricultural improvements, this area has potential for a variety of intensive horticultural options.

Agricultural opportunities

Restoring the playing field site to its original soils and agricultural capability condition prior development of the playing fields would not be practical because of the extreme difference between the high quality of the original soils and the low quality of the soils which presently exist on the site. The main challenge is the severely degraded soil conditions and the high cost of rehabilitating the land to an agricultural field crop standard.

Nevertheless, the north 2 acre parcel may be useful for a combination of non-soil and soil based ventures. Greenhouses could be utilized for growing specialty horticultural crops (i.e, herbs, flowers, vegetables, berries, specialty products etc) on the severely compacted and coarse granular area. In the south west and south east corners where the soils are somewhat better, raised beds could be established for berry, vegetable and tree fruit production in a community garden scenario.

Whichever venture is considered, the initial costs for basic improvements (i.e., land rehabilitation, irrigation, organic matter) should be determined in the initial stages.

Potential Operational Options for the 2 acre north parcel

Even in its degraded condition, the 2 acre parcel has some agricultural potential. There are several avenues the Church could consider in regard to stimulating some form of agriculture on the 2 acre parcel. The following ideas are offered for discussion and evaluation – there may be others. Each option will have its own pros and cons and unique challenges, which need to be explored and evaluated prior to proceeding.

Initial steps should include: investigation of the level of interest in the community for establishing community gardens and preparation of a detailed rehabilitation plan , including costs.

Option 1:

Improve the soil conditions and establish community gardens, operated by the church.

Option 2:

Improve the soil conditions and lease the 2 acres to non-profit organization for the purposes of establishing community gardens

Option 3:

Work with Young Agrarians organization to locate a suitable young person to lease the 2 acres, using the resources of the BC Ministry of Agriculture's young farmer program.

Option 4:

Lease the 2 acres, in its present condition or in an improved condition, to an existing neighbouring farmer

Option 5:

In cooperation with the Salmon Arm School District evaluate the possibility of establishing a "learning farm" similar to the recent initiative by the Township of Langley, Langley School District and the Langley Sustainable Agriculture Foundation.

Conclusion:

The agricultural report indicates that the proposed expansion of the church building on the original 1 acre parcel, would not be intrusive nor disruptive from an agricultural perspective, because of the present surface (asphalt) condition and small size (2,000 sq. ft) of the proposed expansion site.

In regard to the 2 acre north parcel, the proposed church expansion on the 1 acre site would not diminish the potential for rehabilitating and using the 2 acre north parcel for agricultural purposes. On the contrary, an increase in the congregation would encourage more involvement and motivation in converting the 2 acre parcel into a productive piece of land capable of growing local food products for the community.

Prepared by:

Dave Melnychuk, P.Ag

19915-37A Avenue

Langley, BC

V3A 2S8

davidmelnichuk@telus.net

604 812-3276

June 25, 2020



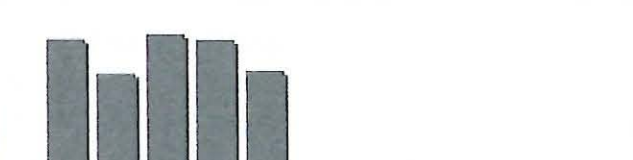
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Page 1 of 1

Farm Soil Analysis

Bill To:	Dave Melnychuk	Grower Name:	Mountain View	Lot Number:	1426165
Report To:	Dave Melnychuk	Client's Sample Id:		Report Number:	2518952
	19915 37A Avenue	Field Id:	DIG 1	Date Received:	May 30, 2020
	Langley, BC, Canada	Acres:		Disposal Date:	Jun 29, 2020
	V3A 2S8	Legal Location:		Report Date:	Jun 05, 2020
Agreement:	91163	Last Crop:	Crop not provided	Arrival Condition:	

Nutrient analysis (ppm)														Soil Quality						
Depth	N*	P	K	S**	Ca	Mg	Fe	Cu	Zn	B	Mn	Cl	BiCwtP	pH	EC(dS/m)	OM(%)	Sample#			
0" - 6"	<2	65	256	47	1120	107								6.4	0.45	1.9	7083913			
Excess														Alkaline	Extreme	High				
Optimum														Neutral	Very High	Normal				
Marginal														Acidic	High	Low				
Deficient														Very Acidic	Good	Very Low				
Total lbs/acre	4	129	512	95	Texture Sandy Loam				Sand 56.4 % Silt 33.0 % Clay 11.1 %				BS 96 %	CEC n/a						
Estimated lbs/acre	8	129	512	193	Ammonium 0.4 mg/kg				Lime 0.5 T/ac Buffer pH 7.0				Ca 75 %	Mg 12 %	Na <1.8 %	K 8.8 %				
													TEC 7.4 meq/100 g				Est. N Release n/a K/Mg Ratio n/a			

*Nitrate-N **Sulfate-S n/a = not analyzed

RECOMMENDATIONS FOR BALANCED CROP NUTRITION


Crop not provided					
Macro-nutrients	Yield	N	P ₂ O ₅	K ₂ O	S
Growing Condition					
Excellent					
Average					
Your Goal					
Removal Rate (Seed/Total)					
Micro-nutrients	Iron	Copper	Zinc	Boron	Manganese
To be added (lbs/ac)					

Comments:

Element uses nutrient extraction and analytical methods specifically developed for western Canadian soils.

The modified Kelowna extractant used to analyze key nutrients in this Farm Soil Analysis report is the standard method used in soil fertility research in western Canada. It is used in developing crop response curves to fertilizer in Alberta. The Element "RECOMMENDATIONS FOR BALANCED CROP NUTRITION" are based on those research data. Element recommendations are accurate but should not replace responsible judgement.

Terms and Conditions: <https://www.element.com/terms-conditions>

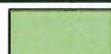



ALR

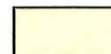


Subject Parcel

0 45 90 180 270 360
Meters



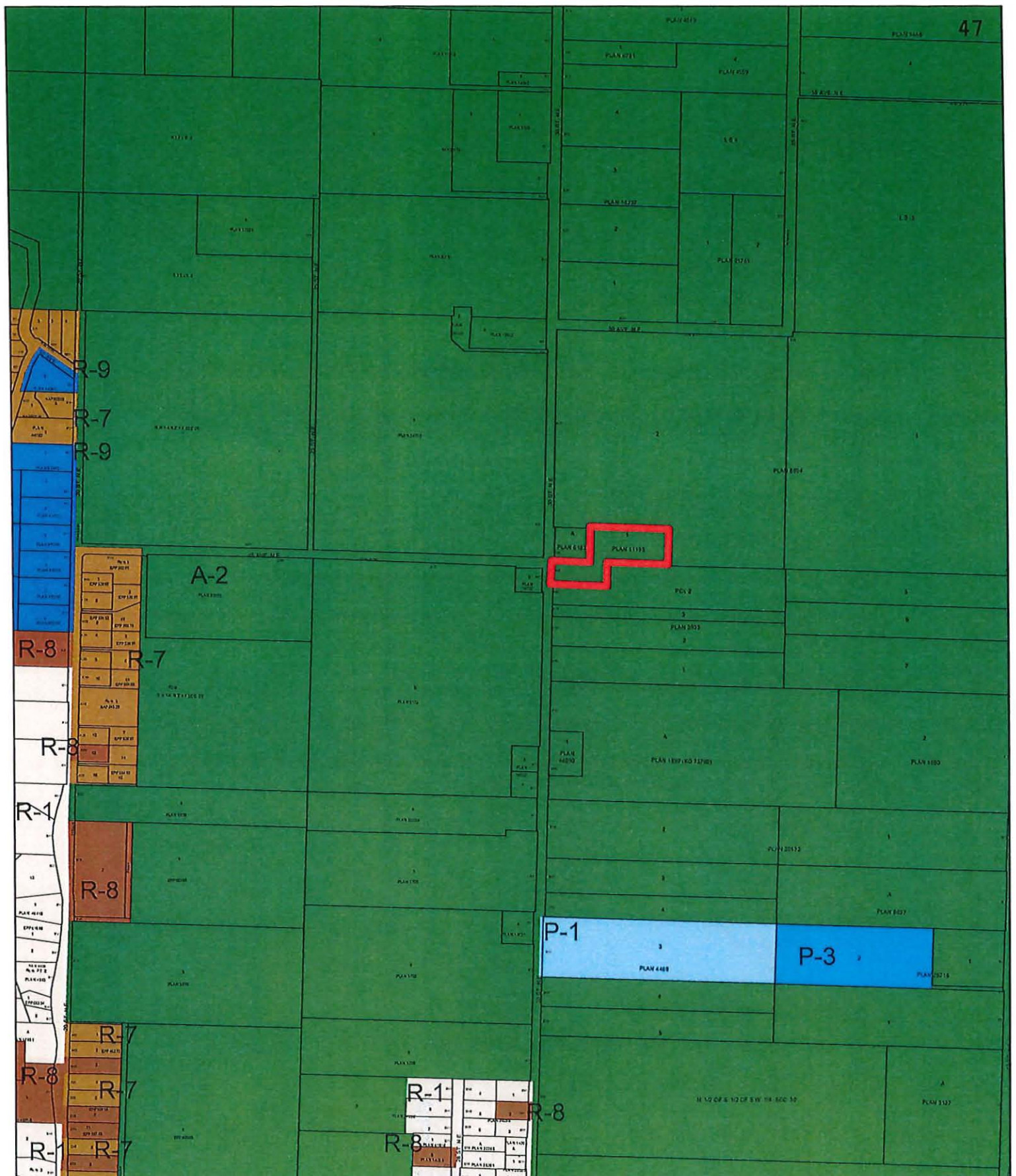
Acreage Reserve



Low Density Residential



Park



Subject Parcel

0 45 90 180 270 360
Meters



A-2 Acreage Reserve



P-1 Park & Recreation



P-3 Institutional

R-7 Large Lot
Single Family Res.

R-8 Residential Suite



R-1 Single Family Res



Agricultural Land Commission
201 – 4940 Canada Way
Burnaby, British Columbia V5G 4K6
Tel: 604 660-7000
Fax: 604 660-7033
www.alc.gov.bc.ca

January 8, 2019

ALC File: 57674

Kurt Alberts
DELIVERED ELECTRONICALLY

Dear Mr. Alberts:

Re: Application 57674 to conduct a non-farm use in the Agricultural Land Reserve

Please find attached the Reasons for Decision of the Okanagan Panel for the above noted application (Resolution #7/2019). As agent, it is your responsibility to notify the applicant accordingly.

Review of Decisions by the Chair

Under section 33.1 of the *Agricultural Land Commission Act* (ALCA), the Chair of the Agricultural Land Commission (the Commission) has 60 days to review this decision and determine if it should be reconsidered by the Executive Committee in accordance with the ALCA. You will be notified in writing if the Chair directs the reconsideration of this decision. The Commission therefore advises that you consider this 60 day review period prior to acting upon this decision.

Request for Reconsideration of a Decision

Under section 33(1) of the ALCA, a person affected by a decision (e.g. the applicant) may submit a request for reconsideration. The request must be received within one (1) year from the date of this decision's release. For more information, refer to *ALC Policy P-08: Request for Reconsideration* available on the Commission website.

Please direct further correspondence regarding this application to ALC.Okanagan@gov.bc.ca.

Yours truly,

A handwritten signature in black ink, appearing to read 'Ric Peggi', is written over a light blue circular stamp. The signature is fluid and cursive.

Riccardo Peggi, Land Use Planner

Enclosure: Reasons for Decision (Resolution #7/2019)

cc: City of Salmon Arm (File: ALC-377)



AGRICULTURAL LAND COMMISSION FILE 57674
REASONS FOR DECISION OF THE OKANAGAN PANEL

Non-Farm Use Application Submitted Under s. 20(3) of the *Agricultural Land Commission Act*

Applicant: Mountainview Baptist Church, Inc. No. S-0044913

Agent: Kurt Alberts

Property: Parcel Identifier: 009-505-156
Legal Description: Lot 1, Section 30, Township 20,
Range 9, West of the 6th Meridian, Kamloops
Division Yale District, Plan 11195
Civic: 4480 30th Street NE, Salmon Arm, BC
Area: 1.2 ha

Panel: Gerald Zimmermann, Okanagan Panel Chair
Jim Johnson



OVERVIEW

- [1] The Property is located within the Agricultural Land Reserve (ALR) as defined in s. 1 of the *Agricultural Land Commission Act* (ALCA). The Property is located within Zone 1 as defined in s. 4.2 of the ALCA.
- [2] Pursuant to s. 20(3) of the ALCA, the Applicant is applying to the Agricultural Land Commission (the "Commission") to construct a new church building on the Property with an approximate footprint of 400 sq. metres (the "Proposal"). The new building is proposed to be built near the existing church building on the Property. The Applicant requires expanded facilities to accommodate expected future growth and changing demographics of its congregation. The existing building on the Property is utilized for outreach programs as well as Sunday school therefore church services are currently held elsewhere as a temporary arrangement. The construction of a new church building would allow for the Applicant to host services, Sunday school programs and other outreach programs on the same Property.
- [3] The issue the Panel considered is whether the Proposal will impact the agricultural utility of the Property.
- [4] The Proposal was considered in the context of the purposes of the Commission set out in s. 6 of the ALCA. These purposes are:
- (a) to preserve agricultural land;
 - (b) to encourage farming on agricultural land in collaboration with other communities of interest; and
 - (c) to encourage local governments, first nations, the government and its agents to enable and accommodate farm use of agricultural land and uses compatible with agriculture in their plans, bylaws and policies.



EVIDENTIARY RECORD

- [5] The Proposal along with related documentation from the Applicant, Agent, local government, and Commission is collectively referred to as the "Application". All documentation in the Application was disclosed to the Agent in advance of this decision.

BACKGROUND

- [6] The subject lands have been utilized for institutional uses for approximately 100 years. In 1918 the Broadview Elementary School was constructed on the subject lands. In 1959, an adjacent 0.8 ha was purchased and consolidated with the school property which resulted in the current configuration of the Property. The school use continued until 2005 when the Property was leased to the Mennonite Church for assembly purposes. In 2013 the Property was purchased by the Applicant and is currently used for Sunday school and community outreach.
- [7] The 0.4 ha area which fronts onto 30th Street NE contains the existing church building and parking area on the Property. The Applicant intends to construct the new church building in this area between the existing church building and the street. The other 0.8 ha of the Property is utilized for accessory parking, septic, and play areas.

EVIDENCE AND FINDINGS

Issue: Whether the Proposal will impact the agricultural utility of the Property.

- [8] To assess agricultural capability on the Property, the Panel referred to agricultural capability ratings. The ratings are identified using the Canada Land Inventory (CLI), 'Soil Capability Classification for Agriculture' system. The improved agricultural capability ratings applicable to the Property are Class 2 and Class 3, more specifically (6:2X – 4:3TM).

Class 2 - land is capable of producing a wide range of crops. Minor restrictions of soil or climate may reduce capability but pose no major difficulties in management.



ALC File 57674 Reasons for Decision

Class 3 - land is capable of producing a fairly wide range of crops under good management practices. Soil and/or climate limitations are somewhat restrictive.

The limiting subclasses associated with this parcel of land are X (a combination of soil factors), T (topographic limitations), and M (moisture deficiency).

- [9] Based on the agricultural capability ratings, the Property has prime agricultural capability.
- [10] The Panel reviewed the Application and understand that the Property has been utilized for institutional uses for approximately 100 years. Although the historic use limits the current agricultural utility of the Property, the Panel considered the impact of additional permanent church infrastructure on the Property. The Panel finds that the proposed expansion would encourage non-farm use of the Property and further restrict the possibility of agriculture being carried out.
- [11] The City of Salmon Arm designates the Property as "Acreage Reserve" in the Official Community Plan (OCP) and zones the Property as A-2 "Rural Holding" in the Zoning Bylaw. Neither designation allows for church nor for assembly use and the OCP does not support institutional uses in the rural areas of the City. Approval of the Proposal would require rezoning of the Property. The Panel finds that the Proposal is not supported by the zoning and OCP policies in the area and rezoning the Property to allow for the Proposal would further perpetuate the non-farm use of the Property and discourage agricultural use.
- [12] The Panel considered the mandate of the Commission which is to preserve agricultural land and to encourage farming with other communities of interest. The Panel considers that the Proposal further develops a non-farm use on the Property and that institutional uses are better suited to lands outside of the ALR.

DECISION

- [13] For the reasons given above, the Panel refuses the Proposal construct a new church building on the Property with an approximate footprint of 400 sq. metres.



ALC File 57674 Reasons for Decision

[14] These are the unanimous reasons of the Panel.

[15] A decision of the Panel is a decision of the Commission pursuant to s. 11.1(5) of the ALCA.

[16] Resolution #7/2019

Released on January 8, 2019

A handwritten signature in black ink, appearing to read "G. Zimmermann", is positioned above the printed name.

Gerald Zimmermann, Panel Chair

On behalf of the Okanagan Panel



Agricultural Land Commission
201 – 4940 Canada Way
Burnaby, British Columbia V5G 4K6
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www.alc.gov.bc.ca

October 17, 2019

ALC File: 57674

Kurt Alberts
DELIVERED ELECTRONICALLY

Dear Kurt Alberts:

Re: Reconsideration Request – ALC Resolution #7/2019

A meeting of the Executive Committee of the Agricultural Land Commission ("the Executive Committee") was held on August 29, 2019 as it relates to the request for reconsideration of Resolution #7/2019 (Application #57674). All members of the Executive Committee were in attendance, except for Gerald Zimmerman.

The Executive Committee received correspondence dated July 30, 2019 requesting reconsideration of its decision recorded as Resolution #7/2019, by which, the proposal to construct a new church building on the southwest 0.4 ha area of a 1.2 ha property with an approximate footprint of 400 m², was refused.

The Executive Committee considered your request for reconsideration pursuant to section 33(1) of the *Agricultural Land Commission Act* which provides an applicant with the opportunity to submit a request for reconsideration based on specific criteria.

- 33(1) On the written request of a person affected or on the commission's own initiative, the commission may reconsider a decision of the commission under this Act and may confirm, reverse or vary it if the commission determines that:
- (a) evidence not available at the time of the original decision has become available,
 - (b) all or part of the original decision was based on evidence that was in error or was false.

After reviewing the file material and the request for reconsideration, the Executive Committee did not believe your submission constituted evidence that was not available at the time of the previous decision or demonstrated that all or part of the original decision was based on evidence that was in error or was false. The Executive Committee concluded that the request for reconsideration did not meet the requirements for reconsideration pursuant to s. 33(1) of the *Agricultural Land Commission Act*.

First, the request for reconsideration asserts that the Commission did not consider the property's statutory non-farm use status under Section 23(2) of the *Agricultural Land Commission Act* in the evidence and finding of Resolution #7/2019. The Executive Committee draws the Agents attention to Section 23(3) of the *Agricultural Land Commission Act* which states:

(3) For greater certainty, the exception in subsection (2) applies only to the land that was actually being used for a non-farm use and not to the entire parcel on which that use was being carried on.

The Executive Committee finds that Section 23(2) of the *Agricultural Land Commission Act* does not apply to the entire property and therefore does not apply to the lands that have been requested for the church building expansion.

Second, the request for reconsideration points to previous ALC Application 51067 (Resolution #221/2011), in which the Harvest Baptist Church applied for an expansion of their church infrastructure in Langley, BC. The Executive Committee finds that each application is reviewed based on its own merits and that the Okanagan Panel based its findings on information particular to the application's individual circumstances.

Third, the request for reconsideration asserts that the Commission was in error considering the area for parking and municipal zoning. The Executive Committee finds the errors pointed out in the reconsideration request are considered by the Executive Committee to be trivial in nature and/or not material to the reasons for the Panel's decision.

Lastly, the request for reconsideration asserts that the applicants were not afforded an opportunity to a site visit. The Commission does not have a statutory requirement to conduct an applicant meeting or site visit for subdivision applications. Applicant meetings and site visits are at the discretion of the Commission.

Further correspondence with respect to this application is to be directed to Celeste Barlow at ALC.Okanagan@gov.bc.ca.

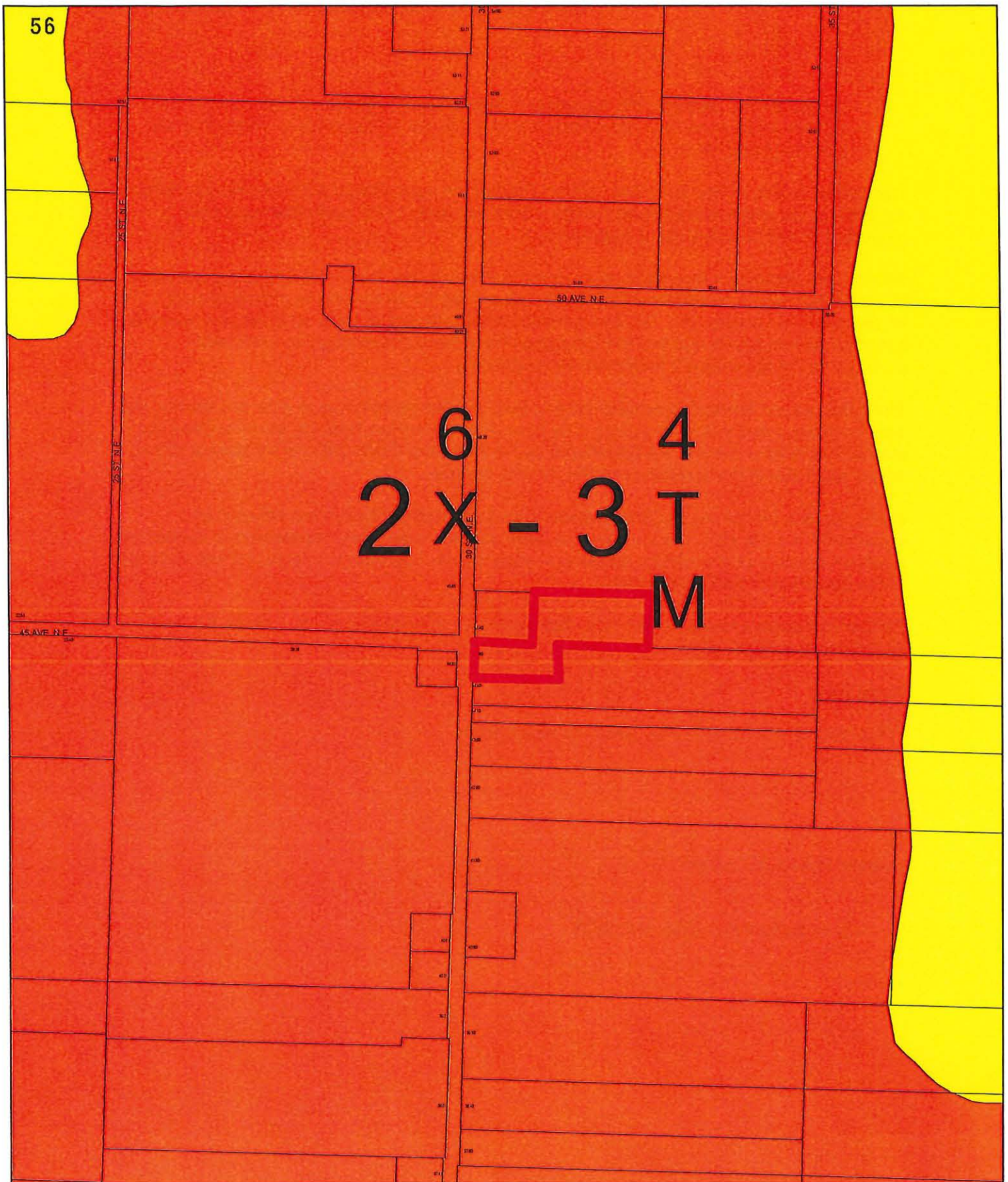
Yours truly,

PROVINCIAL AGRICULTURAL LAND COMMISSION

Jennifer Dyson, ALC Chair

cc: City of Salmon Arm (File: ALC-377)

57674m2



0 30 60 120 180 240
Meters



Subject Parcel