



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

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

GoTo Meeting Link: <https://meet.goto.com/877601757>

Phone Access: Access Code: 877-601-757 / Canada: +1 (647) 497-9373

<b>Page #</b>	<b>Item #</b>	<b>Description</b>
	1.	<b>CALL TO ORDER</b>
	2.	<b>ACKNOWLEDGEMENT OF TRADITIONAL TERRITORY</b> <i>We acknowledge that we are gathering here on the traditional territory of the Secwepemc people, with whom we share these lands and where we live and work together.</i>
	3.	<b>REVIEW OF AGENDA</b>
	4.	<b>DISCLOSURE OF INTEREST</b>
	5.	<b>REPORTS</b>
1 - 16	1.	Development Variance Permit No. VP-571 [Muto Holdings Ltd.; 130 Shuswap Street SE; Servicing requirements]
17 - 26	2.	Zoning Amendment Application No. ZON-1262 [Dyck, S. & K./Browne Johnson Surveyors; 2761 20 Avenue NE; R-1 to R-8]
	6.	<b>FOR INFORMATION</b>
	7.	<b>IN-CAMERA</b>
	8.	<b>ADJOURNMENT</b>

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TO: His Worship Mayor Harrison and Members of Council

DATE: February 28, 2023

SUBJECT: Development Variance Permit Application No. VP-571 (Servicing)

Legal: Lot 2, Section 14, Township 20, Range 10, W6M, KDYD, Plan 28506  
 Civic Address: 130 – Shuswap Street SE  
 Owner/Applicant: Muto Holdings Ltd.

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### MOTION FOR CONSIDERATION

**THAT: Development Variance Permit No. VP-571 be authorized for issuance to vary the Subdivision and Development Servicing Bylaw No. 4163 Specification Drawing No. RD-4, for the frontage of Lot 2, Section 14, Township 20, Range 10, W6M, KDYD, Plan 28506, as follows:**

- i) waive the requirement to install an offset multi-use path;**
  - ii) waive the requirement to install street lighting, and;**
  - iii) waive the requirement to install underground hydro and telecommunications.**
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### STAFF RECOMMENDATION

The Motion for Consideration be defeated.

Issuance of Development Variance Permit No. VP-571 be withheld subject to the registration of a Land Title Act Section 219 covenant restricting tenure to rental for up to 8 units.

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### PROPOSAL

The applicants submitted a Development Permit application on March 9, 2022 (approved with conditions on May 24, 2022) to construct two (2) new fourplexes (Appendix 1). Although not technically triggered until the Building Permit stage, as part of the Development Permit referral process the Engineering Department provided a memo that detailed all of the servicing requirements for the development. The eventual Building Permit will trigger the installation of infrastructure and upgrades as required by Subdivision and Development Servicing (SDS) Bylaw No. 4163, including the installation of an offset multi-use path, street lighting, and the placement of hydro and telecommunications infrastructure underground to the property line. As outlined in their letter of rationale (Appendix 2), the applicant has requested that Council vary these SDS Bylaw requirements along the property's frontage.

### BACKGROUND

The subject parcel is situated directly east of Shuswap Street SE, in downtown Salmon Arm (Appendices 3 and 4). The subject parcel was designated and zoned High Density Residential (HR and R-5) in April 2020 (Appendices 5 and 6).

The requirements for an offset multi-use path, street lighting and underground hydro and telecommunications distribution are transparently detailed within the City's Subdivision and Development Servicing Bylaw No. 4163, summarized within Table 1: Service Levels for Subdivision and Development,

Servicing Bylaw No. 4163, summarized within Table 1: Service Levels for Subdivision and Development, and further detailed within the (RD-4) cross-section standard drawings within the bylaw. The various standards for development are summarized and detailed so that any applicant or agent considering development may inform themselves in advance of the applicable standards that would apply.

The applicants submitted a variance permit application on December 16, 2022, for the parcel at 130 Shuswap Street SE. The specification drawing no. RD-4 cross-section applicable to Shuswap Street SE further indicates the multi-use path, street lighting, and underground electrical and telecommunications wiring (Appendix 7). Site photos are attached as Appendix 8.

## COMMENTS

### Building Department

No concerns.

### FortisBC

No issue with this proposal.

### Fire Department

No Fire Department concerns.

### Shaw

Shaw does not support this application, as placing aerial services within the existing infrastructure could cause a trespass. However, Shaw doesn't own any of the existing infrastructure. Pending on what BCH and Telus decide to do, Shaw can follow suit.

### BC Hydro

BC Hydro has no objections or conflicts with the proposed variance permit.

### Telus

Telus has no objection to this variance request.

### Engineering Department

Comments attached (Appendix 9). The Engineering Department recommends that the requests to waive the requirements to install street lighting and an offset multi-use path and relocate the overhead hydro/telecom distribution lines underground be denied.

### Public Consultation

Pursuant to the Local Government Act and City of Salmon Arm Development Variance Permit Procedures Bylaw notices are mailed to landowners within a 30m radius of the application. The notices outline the proposal and advise those with an interest in the proposal to provide written submission prior to the Hearing and information regarding attending the Hearing. It is expected that the Hearing for this application will be held on March 13, 2023.

### Planning Department

Shuswap Street is designated as an Urban Arterial Road, an important corridor facilitating movement through the community. Staff note that several larger parcels along this corridor have development potential and highlight the need to consistently meet the standards required along this key roadway.

The Zoning of the subject parcel allows for a higher level of development aligned with the OCP (high density) land use designation, and the minimum servicing levels specified by the City's Subdivision and Development Servicing Bylaw have been adopted to ensure that basic infrastructure is provided to support such development. The implication of granting variances to minimum service levels is that these costs (the burden of providing minimum servicing) are then deferred to future property owners or the City (taxpayers).

#### Multi-use Path

The City of Salmon Arm is committed to making it safer, easier, and more enjoyable to walk, bicycle, and use other forms of active transportation, as detailed in Connect Salmon Arm, the City's Active Transportation Plan. Shuswap Street was identified as a priority "Major Project" in the City's Active Transportation Plan, projects which were specifically selected to fill priority gaps and connect key destinations. The request to waive this requirement is not supported by staff. Shuswap Street is also identified as a "cycle route" in the OCP.

#### Street Lighting

The request to waive the installation of street lights along the Shuswap Street SE frontage is not supported by staff. Although the applicant notes that the current street lighting appears adequate throughout Shuswap Street, there are currently no street lights along the property's frontage, meaning this is insufficient for the area. As noted in the attached Engineering report, currently this section of Shuswap Street has minimal pole-mounted lights and lighting levels fall well below the required lighting standard, and that the subject property fronts onto an existing crosswalk and additional lighting in this location would be a benefit.

Shuswap Street is an important corridor within the community, and as the corridor develops at a higher density and when Auto Road eventually connects with 14 Avenue SE in the future, the resulting traffic impact will emphasize the need for street lighting in this area. In addition, adequate lighting and sight are important for drivers and pedestrians, and more traffic from more (future) development requires an increased effort to manage.

#### Underground Hydro and Telecommunications

While the poles and overhead lines are unsightly, they also provide obstacles within the City's boulevard areas, particularly hampering the City's ability to provide active transportation infrastructure and also presenting a potential safety hazard in terms of vehicle traffic and potential collisions. This request is not supported by staff.

#### Covenant

Similar to DP-446 (with servicing variance) at 1120 Shuswap Street SE and should Council support this variance request, staff recommend the registration of a Land Title Act Section 219 covenant restricting tenure to rental for up to 8 units.

#### CONCLUSION

The City's requirements for an offset multi-use path, street lighting, and underground (electrical) hydro and telecommunications wiring have been clearly stated, and Shuswap Street is an important corridor within the community.

Staff recognize the financial constraints on development; however, waiving the requirements of Subdivision and Development Servicing Bylaw No. 4163 would place an additional financial burden on the City for those improvements in the future or increase costs onto future developers of adjacent properties. Staff do not consider the requested variances to be supportable given the expected level of service associated with the proposed high density residential development, the location of the parcel (within the City's Urban Containment Boundary, Residential Development Area A, and a High Density

Residential land use designation), and the potential for future redevelopment within the general area. As such, Staff recommends the requested variances be denied.



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Prepared by: Evan Chorlton  
Planner



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Reviewed by: Robert Niewenhuizen  
Director of Engineering and Public Works

**DEVELOPMENT PERMIT DRAWINGS  
DO NOT USE FOR CONSTRUCTION**



1 3D COLOUR - WEST



2 3D COLOUR - SOUTH

CLIENT **MUTO**

JOB **4-PLEX DEVELOPMENT**

130 SHUSWAP ST SE  
SALMON ARM, B.C.

JOB # **7529**

REVISIONS	
PRELIM EXTERIOR	JAN 31 2022
REVIEW	FEB 15 2022
DP APPLICATION	MAR 11 2022
ELEVATIONS	MAR 14 2022
REVISED EXTERIOR	APR 26 2022
APR 27 2022:	WEST GABLES

DATE **APR 27 2022**

DRAWING **3D**

SCALE

PAGE **A0**

**GENERAL NOTES**

- 1 ALL CONSTRUCTION, MATERIALS & WORKMANSHIP TO BE IN ACCORDANCE WITH THE CURRENT EDITION OF THE B.C. BUILDING CODE, PLUMBING CODE, ELECTRICAL CODE, & ALL OTHER CODES, ZONING AND BYLAWS THAT MAY APPLY.
- 2 THE CONTRACTOR AND ALL SUBTRADES ARE RESPONSIBLE FOR THE REVIEW OF ALL DRAWINGS AND SITE CONDITIONS PRIOR TO COMMENCING WORK OR ORDERING ANY MATERIAL, AND SHALL REPORT ANY DISCREPANCIES THAT AFFECT DESIGN TO MRG IMMEDIATELY.
- 3 ALL FRAMING MATERIAL TO BE SFF#2 OR BETTER
- 4 CONCRETE FOOTINGS AND WALLS TO BE MINIMUM 28MPA @ 28 DAYS, FLOOR SLABS AND SIDEWALKS TO BE MINIMUM 32MPA @ 28 DAYS.
- 5 ALL CONCRETE FOOTINGS TO BE PLACED ON ORIGINAL UNDISTURBED GROUND, FREE OF ALL ORGANIC, FROZEN OR FROSTY MATERIAL.
- 6 DAMPROOF FOUNDATION WALLS BELOW GRADE WITH 2 COATS OF BITUMINOUS MATERIAL.
- 7 6 MIL ULTRAVIOLET RESISTANT POLY VAPOUR BARRIER ON A) 4" OF GRANULAR COMPACTIBLE FILL UNDER EXTERIOR OR GARAGE SLABS OR B) 4" OF 3/4" DRAIN ROCK OR OTHER MATERIAL SUITABLE FOR MOVEMENT OF RADON GAS UNDER INTERIOR SLABS
- 8 ALL FOUNDATION DRAINS TO BE 4" PERFORATED P.V.C. WITH FILTER CLOTH AND MINIMUM 6" DRAIN ROCK DRAINED TO MUNICIPAL SERVICES ACCORDING TO LOCAL STANDARDS
- 9 GRADE TO BE SLOPED AWAY FROM BUILDING AT ALL LOCATIONS ADJACENT TO BUILDING
- 10 ALL TRUSSES, JOISTS, BEAMS OR OTHER STRUCTURAL MEMBERS NOT COVERED IN B.C. BUILDING CODE TO BE DESIGNED AND ENGINEERED BY TRUSS MANUFACTURER OR STRUCTURAL ENGINEER PRIOR TO ANY FABRICATION

**GENERAL NOTES**

- 11 CONTRACTOR TO VERIFY ALL PROPERTY & FOUNDATION LINES WITH A LEGAL LAND SURVEYOR PRIOR TO PLACING FOOTINGS OR FINISHING SERVICES WITHIN BUILDING ENVELOPE.
- 12 ALL ROOF SPACES TO BE VENTILATED WITH SOFFIT AND ROOF VENTS WITH A MINIMUM DISTRIBUTION AREA OF 1/300, A MINIMUM OF 25% OF VENTS TO BE LOCATED AT ROOF, AND MINIMUM 25% TO BE LOCATED AT SOFFIT
- 13 DOOR FRAMES AT ENTRANCES AND EXTERIOR SPACES TO DWELLING UNITS SHALL BE SOLIDLY BLOCKED BETWEEN DOOR FRAME AND STUDS AT THE HEIGHT OF THE DEADBOLT TO REST SPREADING
- 14 ALL GLASS IN DOORS, SIDELITES OR WINDOWS WITHIN 12" OF FINISHED FLOOR TO BE CONSTRUCTED OF SAFETY GLASS.
- 15 RAINWATER LEADERS NOT SHOWN ON PLAN. CONTRACTOR TO DETERMINE EXACT LOCATION SUITABLE TO SITE AND MUNICIPAL DRAINAGE
- 16 ELECTRICAL LOCATIONS TO BE DETERMINED BY ELECTRICAL CONTRACTOR WITH THE APPROVAL OF HOMEOWNER OR GENERAL CONTRACTOR AND IN ACCORDANCE WITH CURRENT ELECTRICAL CODE
- 17 APPROVED SMOKE ALARMS TO BE INSTALLED WITH LOCATION APPROVED BY APPROPRIATE LOCAL MUNICIPALITY
- 18 REFER TO LAYOUTS AND SPECIFICATIONS FROM STRUCTURAL ENGINEER, FLOOR JOIST SUPPLIER AND ROOF TRUSS MANUFACTURER FOR BEAM POST AND FOOTING LOCATIONS AND SIZES AND ENSURE PROPER BEARING IS PROVIDED FOR ALL POINT LOADS. ANY STRUCTURAL SPECIFICATIONS SHOWN ON MRG PLANS ARE ESTIMATES ONLY AND MAY NOT ACCURATELY REPRESENT LOADS AND SIZING OR MAY NOT INCLUDE POINT LOADS OR STRUCTURAL MEMBERS DESIGNED BY OTHERS.
- 19 MRG RESIDENTIAL DESIGN ACCEPTS NO LIABILITY AND SHALL NOT BE HELD RESPONSIBLE FOR ERRORS OR OMISSIONS WITH THIS SET OF DRAWINGS THAT MAY NEGATIVELY AFFECT CONSTRUCTION. IF ERRORS ARE FOUND, PLEASE CONTACT MRG AT YOUR EARLIEST CONVENIENCE.

CITY OF SALMON ARM, R5 ZONING (HIGH-DENSITY RESIDENTIAL)

**GENERAL INFO:**

CIVIC ADDRESS: 130 SHUSWAP STREET, SE, SALMON ARM, B.C.  
 LEGAL DESCRIPTION: LOT 2 SECTION 14 TOWNSHIP 20 RANGE 10 WEST OF THE 6TH MERIDIAN KAMLOOPS DIVISION VALE DISTRICT PLAN 28506  
 LOT SIZE: 1049.26M<sup>2</sup> (1 1/2 AC.) FT2  
 977.51M<sup>2</sup> (1.05218 FT2) AFTER ROAD DEDICATION  
 ZONING: R5 HIGH DENSITY RESIDENTIAL

**GENERAL REGULATIONS:**

HEIGHT: 7.5M, 2.0 STR (12.0M MAXIMUM)  
 (MEASURED FROM AVG EXISTING GRADE TO TOP OF ROOF)  
 LOT COVERAGE: 27.2% (40.0% ALLOWABLE)

**DENSITY:**

PROPOSED # UNITS: 8  
 ALLOWED # UNITS: 0.2415 ACRES x 526 UNITS PER ACRE = 127 UNITS

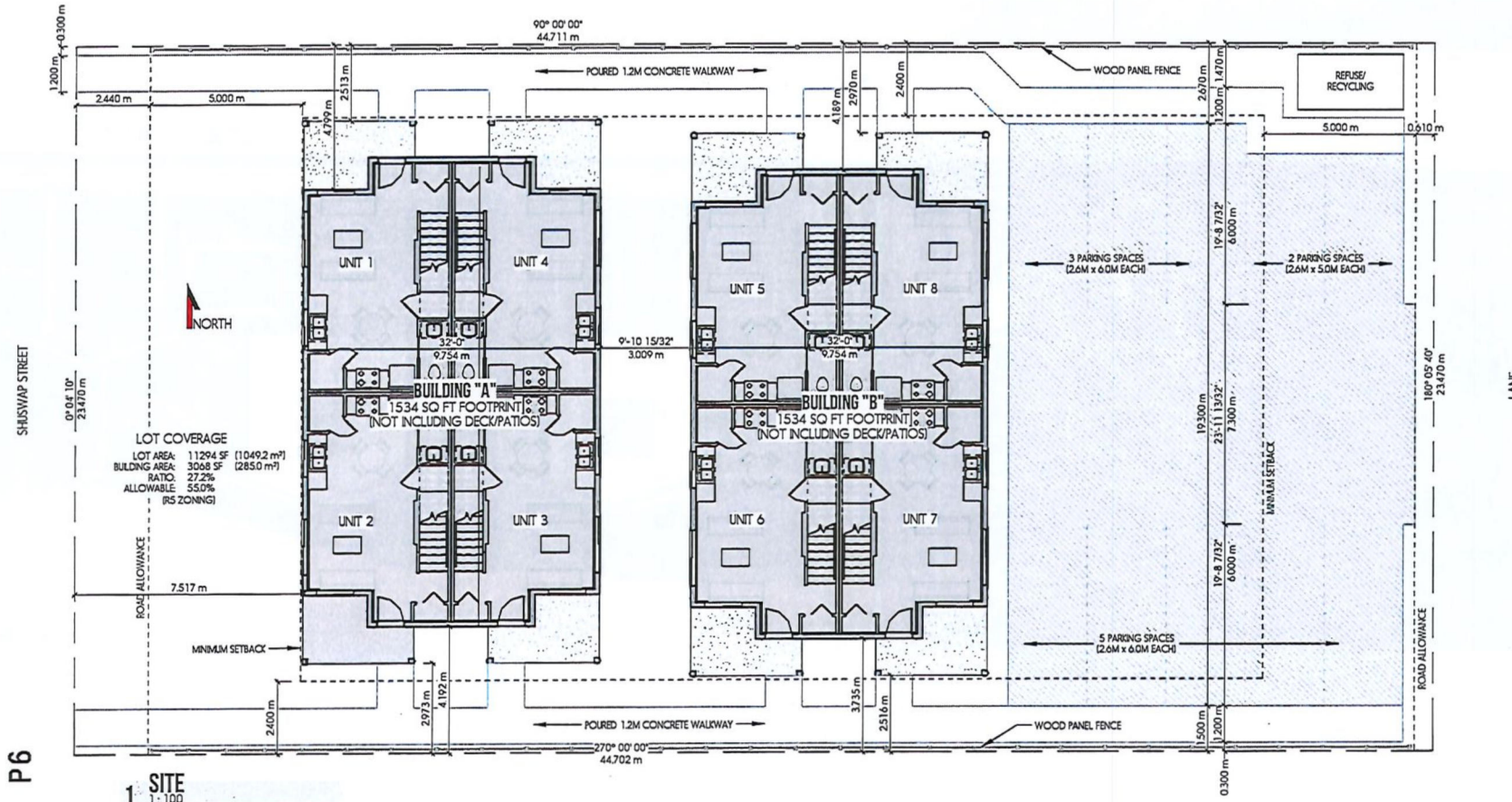
**BUILDING SETBACKS (S.B.):**

WEST SB: 6.09M (5.0M MINIMUM)  
 NORTH SB: 5.10M (2.0M MINIMUM)  
 EAST SB: 2.50M (1.5M MINIMUM)  
 SOUTH SB: 2.51M (2.0M MINIMUM)  
 BETWEEN BUILDINGS: 3.09M (3.0M MINIMUM BLDGS OVER 1 STOREY)

**PARKING:**

REQUIRED: 8 UNITS X 1.25 PER UNIT (R5 ZONING) = 10 STALLS  
 PROVIDED: 10 STALLS (8@2.6Mx6.0M, 2@2.6Mx5.0M)

**2 ZONING ANALYSIS**  
 1/4" = 1'-0"



250.804.5403  
 MRGDESIGN@GMAIL.COM

DEVELOPMENT PERMIT DRAWINGS  
 DO NOT USE FOR CONSTRUCTION

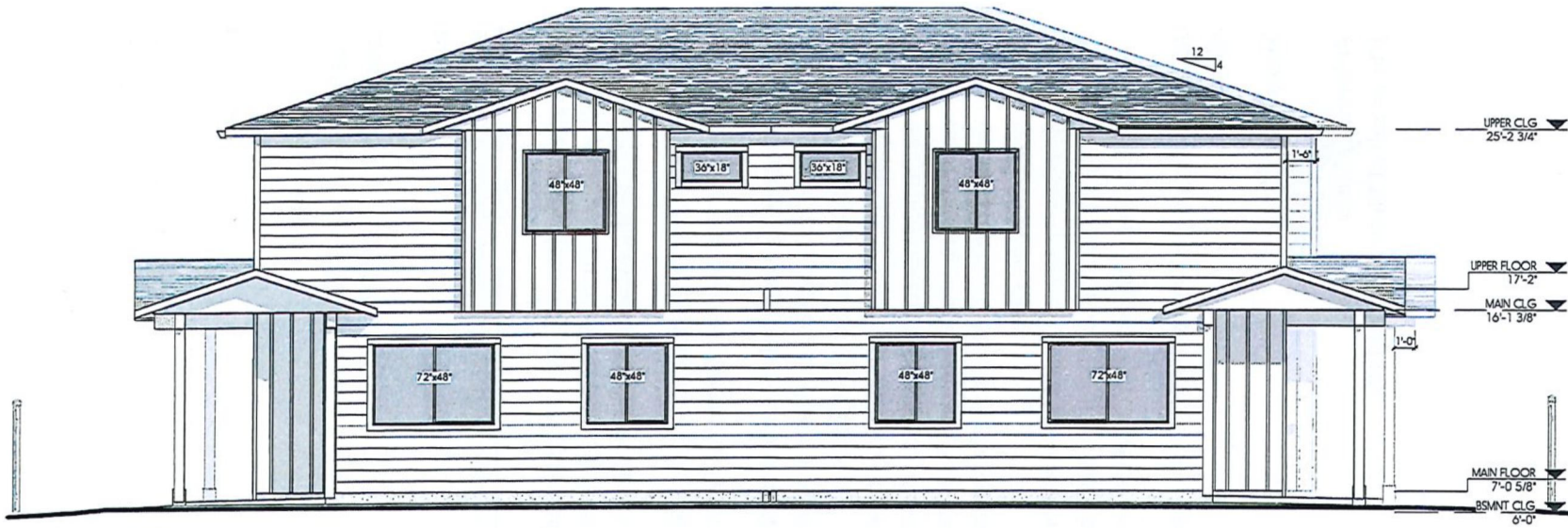
CLIENT	MUTO
JOB	4-PLEX DEVELOPMENT
	130 SHUSWAP ST SE SALMON ARM, B.C.
JOB #	7529
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APR 27 2022	WEST GABLES

DATE	APR 27 2022
DRAWING	SITE/ZONING
SCALE	AS INDICATED
PAGE	

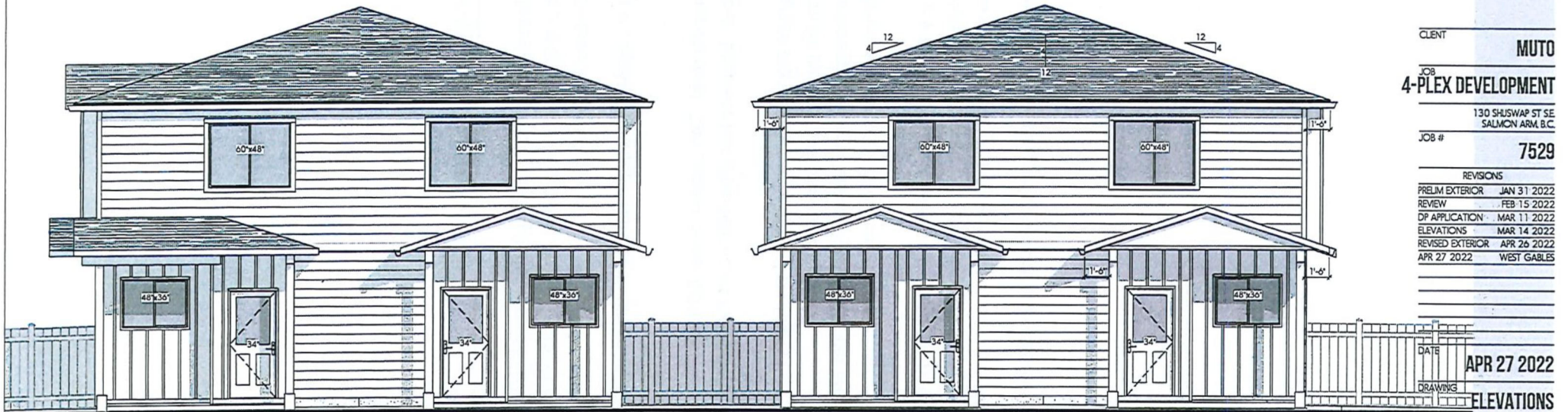
**A1**



DEVELOPMENT PERMIT DRAWINGS  
DO NOT USE FOR CONSTRUCTION



1 WEST ELEV  
1/4" = 1'-0"



2 NORTH/SOUTH ELEV  
1/4" = 1'-0"

CLIENT MUTO

JOB 4-PLEX DEVELOPMENT

130 SHUSWAP ST SE  
SALMON ARM, B.C.

JOB # 7529

REVISIONS	
PRELIM EXTERIOR	JAN 31 2022
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APR 27 2022	WEST GABLES

DATE APR 27 2022

DRAWING ELEVATIONS

SCALE 1/4" = 1'-0"

PAGE

Muto Holdings Ltd.  
381 HWY 97B NE  
Salmon Arm, BC V1E 1X5

December 16, 2022

City of Salmon Arm  
Box 40, 500-2 Avenue NE  
Salmon Arm, BC V1E 4N2

Dear Evan:

RE: Muto Holdings Variance Permit Applications for 130 Shuswap St., NE, Salmon Arm, BC

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On May 16, 2022 Muto Holdings was provided with the Memorandum from the Engineering and Public Works Department for the Development Permit Application No. DP-440. As a result, the memorandum was provided to the retained Engineer Alistair Waters at Lawson Engineering.

In consultation with the retained Engineer we are seeking the three following variances to the Subdivision and Development Servicing Bylaw:

- 1) Street lighting upgrade required for the interim arterial road. The current street lighting appears to be adequate throughout Shuswap Street. Engineer has provided a cost estimate which is costly to the developer.
- 2) Hydro and telecommunications underground upgrade required for arterial road standard. Hydro and telecommunications lines are unlikely to be upgraded to underground by neighbouring properties. Engineer has provided cost estimate which is costly to developer and unlikely the entire street will be upgraded to underground services for either hydro or telecommunications.
- 3) Multi-use pathway upgrade for interim arterial road standard. Constructing the multi-use path is not practical, could be dangerous, and is unlikely to be continued throughout neighbouring properties. Engineer has provided a cost estimate which is costly to developer.

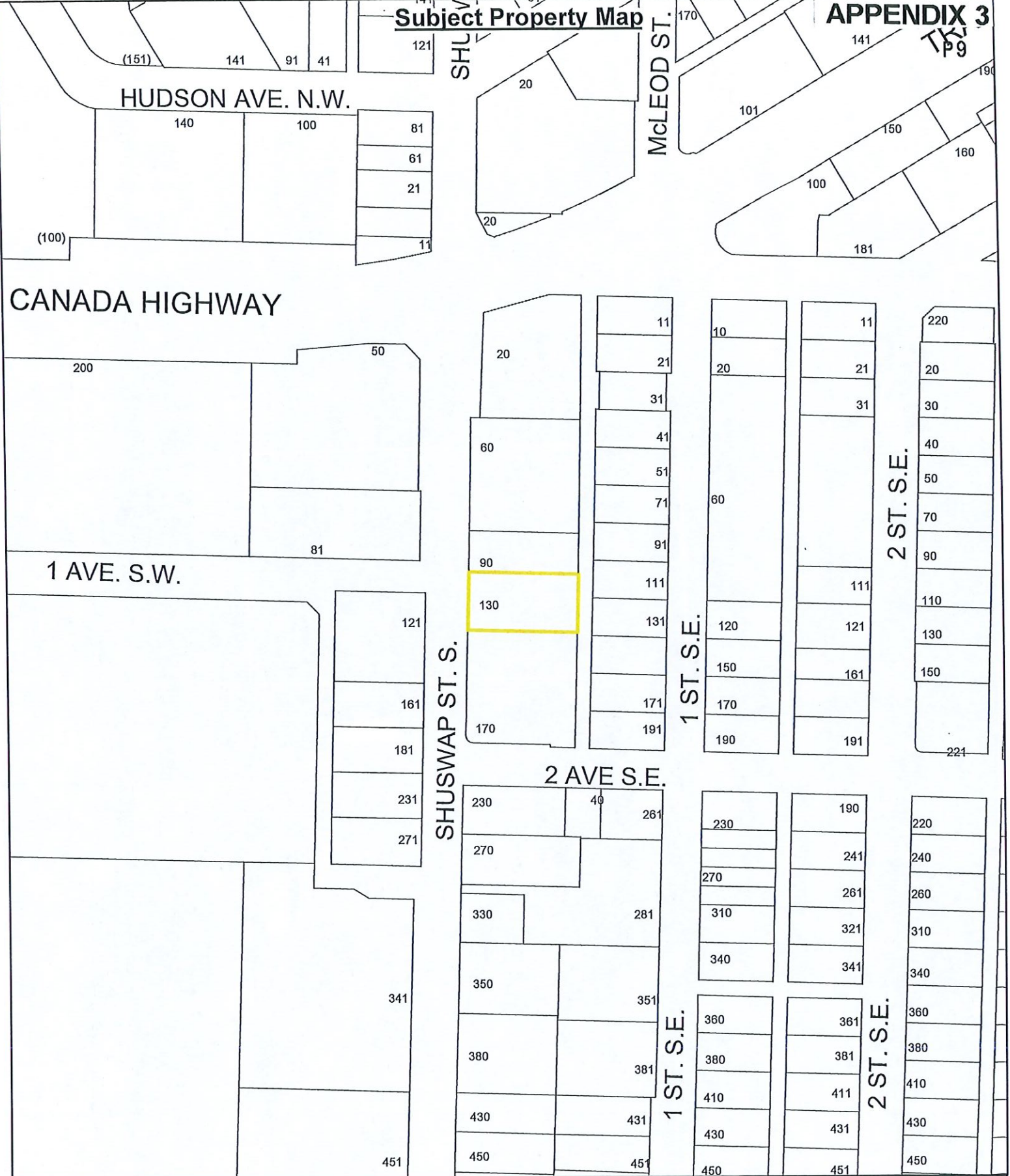
Muto Holdings is seeking council's consideration to grant the variances sought for the reasons outlined above.

Yours Truly

  
Antoniette Muto  
(On behalf of Muto Holdings Ltd)

# Subject Property Map

TP 9



CANADA HIGHWAY

1 AVE. S.W.

2 AVE S.E.

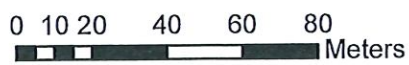
SHUSWAP ST. S.

1 ST. S.E.

2 ST. S.E.

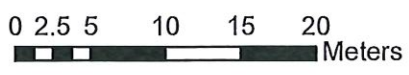
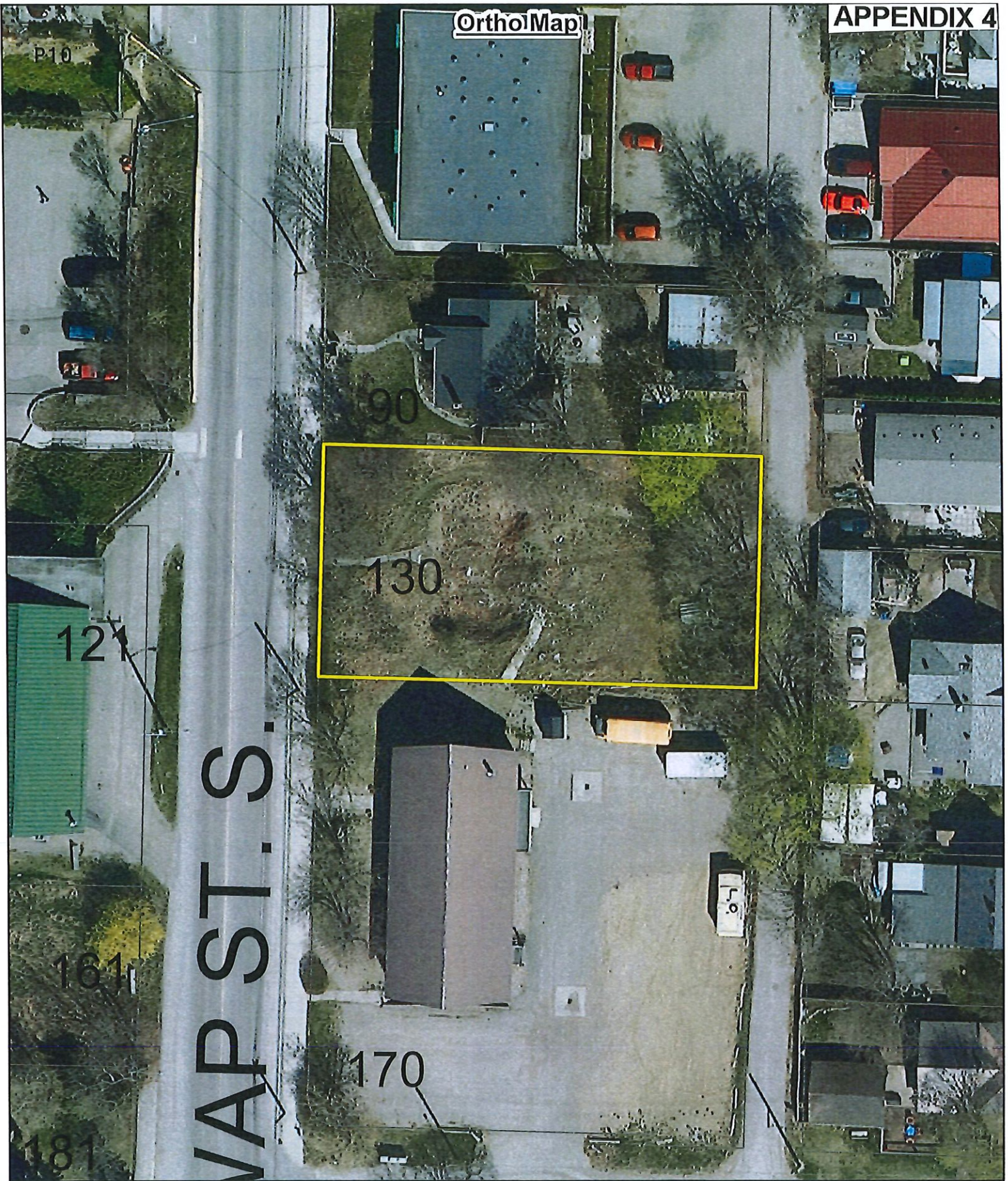
1 ST. S.E.

2 ST. S.E.

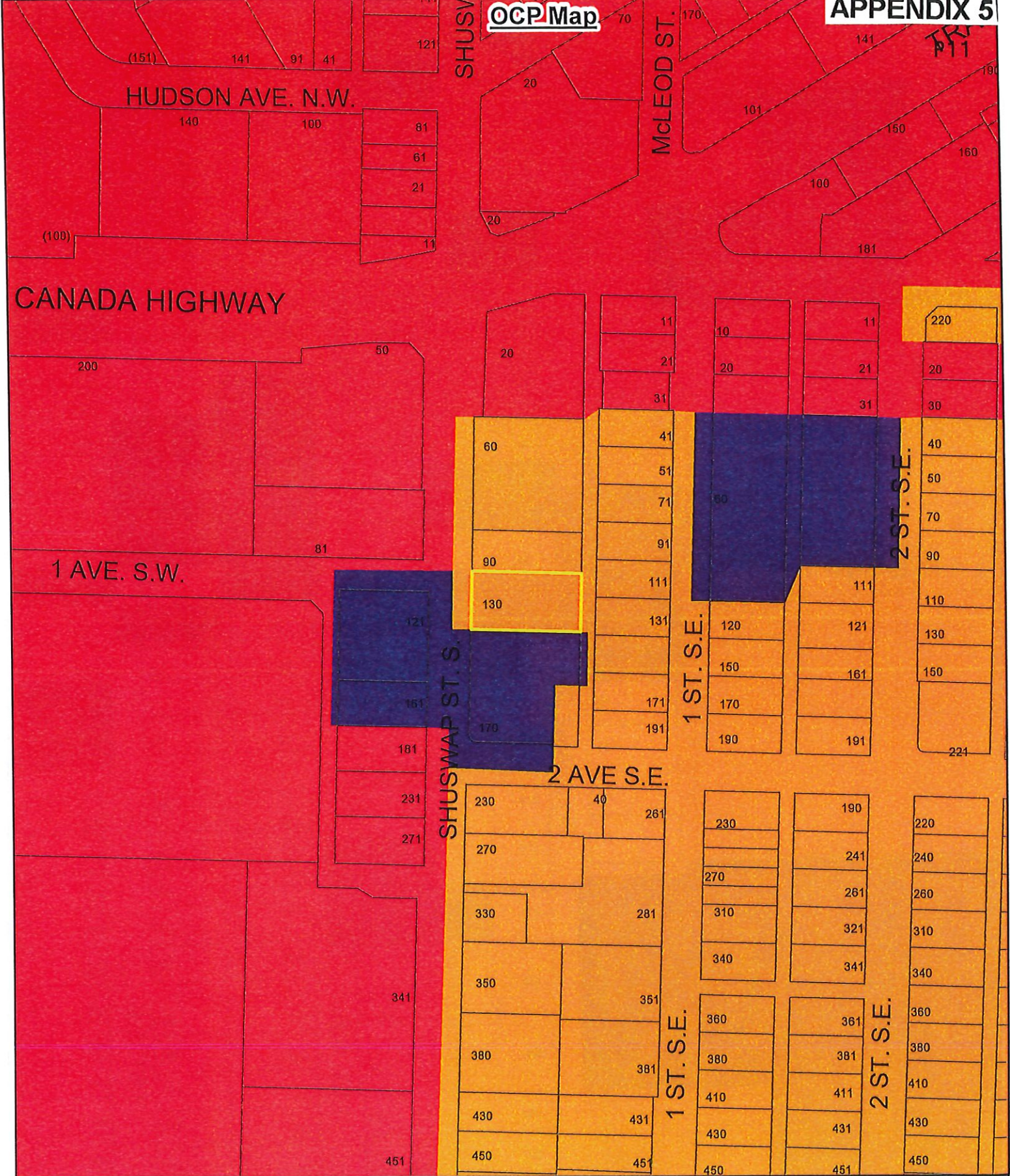


 Subject Property  
 Parcels

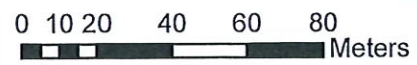
OrthoMap



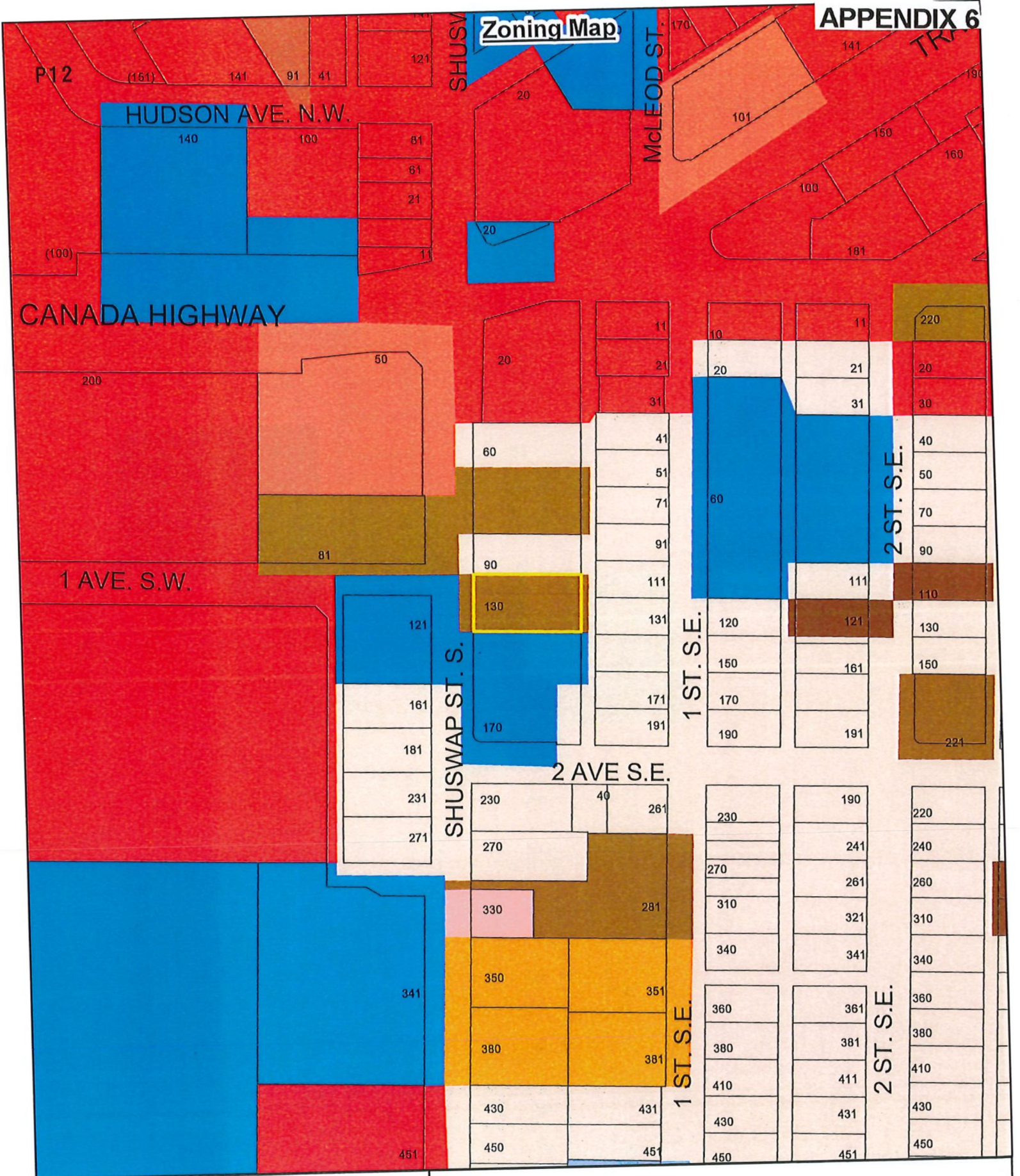
 Subject Property  
 Parcels



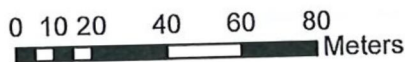
- Subject Property
- Parcels
- Institutional
- Residential - High Density
- Commercial - City Centre

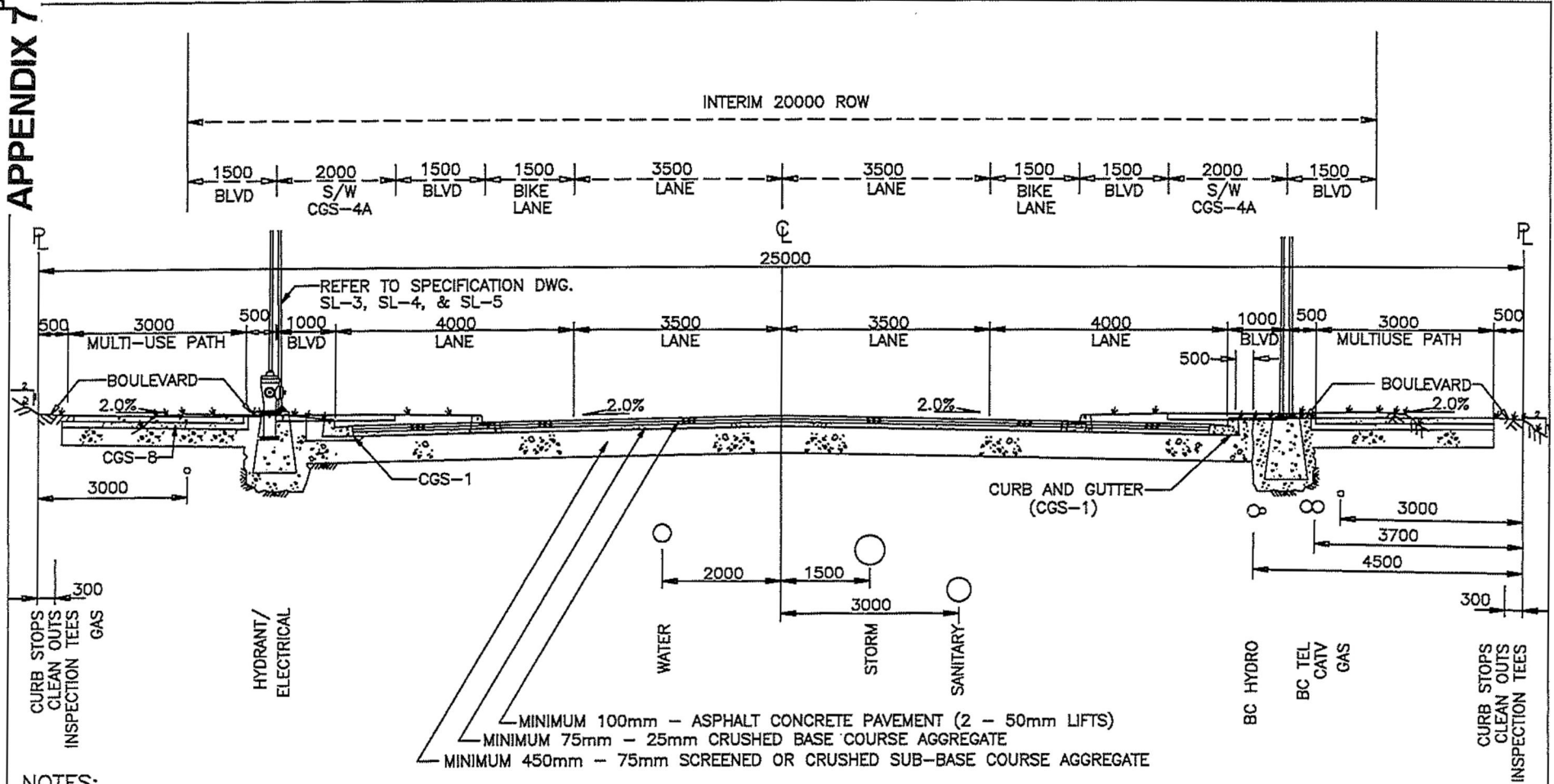


Zoning Map




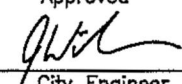
	Subject Property		C-1		P-3
	Parcels		C-2		R-1
			C-3		R-4
			C-4		R-5
			CD-4		R-8





NOTES:

- 1) All utility appurtenances to be set to designed boulevard grade.
- 2) Boulevards to be graded towards the Roadway (Maximum 5% and Minimum 2%)
- 3) All materials shall be supplied and placed in accordance with schedule B, Part 3.0 and Schedule D, Approved material list.
- 4) Grades in excess of 2H:1V shall be recommended by a geotechnical engineer and approved by the City Engineer.

 CITY OF SALMON ARM		25m R/W Urban Arterial Road Cross-Section	
No.	Revision	Date	Date
A	ISSUED FOR APPROVAL	07/14/16	10-11-2016
			Approved  City Engineer
			SPECIFICATION DRAWING No. RD-4

Adopted by Council October 11, 2016

**APPENDIX 8**

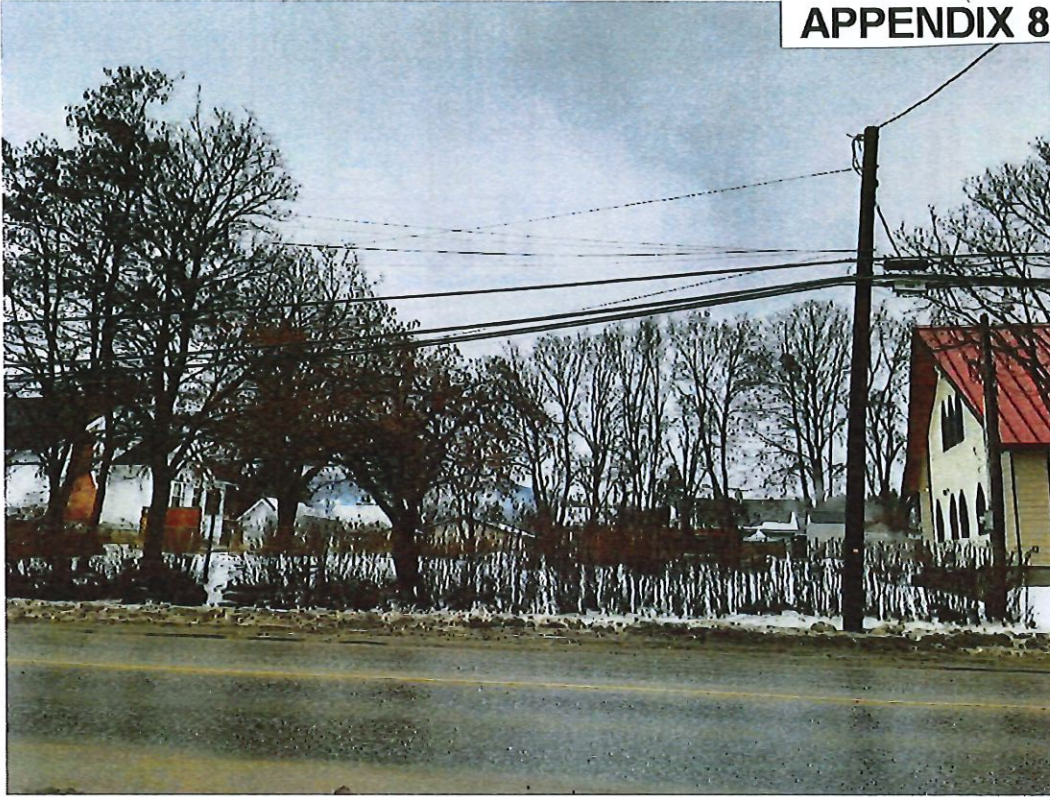


Photo 1: photo looking east at Shuswap Street SE, property frontage, and the subject property



Photo 2: photo looking south down subject property frontage and Shuswap Street SE





*Memorandum from the  
Engineering and Public  
Works Department*

## APPENDIX 9

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TO: Director of Development Services  
 DATE: 31 January 2023  
 PREPARED BY: Chris Moore, Engineering Assistant  
 SUBJECT: **VARIANCE PERMIT APPLICATION FILE NO. VP- 571**  
 OWNER: **Muto Holdings Ltd.**, 381 Highway 97B NE, Salmon Arm, BC, V1E 1X5  
 APPLICANT: **Owner**  
 LEGAL: Lot 2, Section 14, Township 20, Range 10, W6M, KDYD, Plan 28506  
 CIVIC: **130 – Shuswap Street SE**

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Further to the request for variance dated 11 January 2023 the Engineering Department has reviewed the site and offers the following comments and recommendations relative to the requested variance:

The applicant is requesting that Council waive the following requirements of the Subdivision and Development Servicing Bylaw No. 4163 (SDSB).

### 1. Install Street Lighting

#### **Background:**

The SDSB dictates the level of lighting that is required for all categories of road. Currently this section of Shuswap Street has minimal pole mounted lights and lighting levels fall well below the required lighting standard. Furthermore, the annual cost of BC Hydro lease lights is significantly more than City owned lights and wherever possible pole mounted lights are being replaced. Finally, it is noted that the subject property fronts onto an existing crosswalk and additional lighting in this location would be a benefit.

#### **Recommendation:**

In the interest of both traffic and pedestrian safety, **the Engineering Department recommends that request to waive the requirement to Install Street Lighting be denied.**

### 2. Relocate Overhead Hydro / Telecom Distributions Lines underground

#### **Background:**

Shuswap Street is an Urban Arterial Road. Therefore, Hydro and Telus must be relocated underground in accordance with SDSB Table 1: Service Levels for Subdivision and Development; and the Arterial Road Cross Section (RD-4).

In the short term, the only consequence of leaving the overhead lines is cosmetic as these lines are unsightly. However, in the long term the City will bear the cost of putting these utilities underground when the Multi-Use Path (MUP) is installed on Shuswap Street.

**Recommendation:**

The Engineering Department recommends that request to waive the requirement to Relocate Overhead Hydro / Telecom Distributions Lines underground be denied. Waiving this requirement will leave the City to bear the full cost of this work when the MUP is eventually installed.

**3. Install an offset Multi-Use Path (MUP)**

**Background:**

Shuswap Street is an Urban Arterial Road, requiring an offset MUP on both sides of the road to comply with current SDSB standards. One of the key objectives of the MUP is to get cyclists off motorized roads and to separate cyclists and pedestrians from motorists.

Shuswap Street has been identified in the City's Active Transportation Network Plan under "Major Priority Projects" as a key Bicycle Route. This route is significant as it links Downtown Salmon Arm, the Trans Canada Highway (TCH), 5 Avenue, 10 Avenue and Foothill Road. It is heavily used by pedestrians, cyclists and motorists and would benefit significantly from safe Active Transportation (AT) upgrades.

Although the advantages of AT upgrades are clear, the implementation of these upgrades is challenging. Shuswap Street is already heavily developed and installing a MUP on either side of the road will be difficult. Currently, the City does not have sufficient dedication or right of way for construction of MUPs for a significant portion of Shuswap Street. Furthermore, the City reconstructed the sidewalk and adjacent retaining wall from 2 Avenue to TCH in 2011, and in 2022 reconstructed the sidewalk to the south of the subject property from 2 Avenue to 5 Avenue.

**Recommendation:**

The Engineering Department recommends that request to Waive the requirement to Install an offset Multi-Use Path be denied. Since installation of the MUP at this time would be premature, the Engineering Department would support taking a Cash Payment, in lieu of future construction; together with the registration of a right of way over the subject property, to allow its future construction, since insufficient dedication currently exists.

Should Council decide to waive this requirement, it is important that the City still obtains the right of way over the property, as this will be necessary to construct a MUP in the future.



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**Chris Moore**  
Engineering Assistant



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

To: His Worship Mayor Harrison and Members of Council

Date: February 27, 2023

Subject: Zoning Bylaw Amendment Application No. 1262

Legal: That Part of Legal Subdivision 9 of Section 24, Shown on Plan B1997;  
 Township 20, Range 10, W6M, KDYD  
 Civic Address: 2761 20 Avenue NE  
 Owners: Stephen and Katherine Dyck  
 Agent: Browne Johnson Surveyors (Melanie Howard)

### **STAFF RECOMMENDATION**

**THAT: a bylaw be prepared for Council's consideration, adoption of which would amend Zoning Bylaw No. 2303 by rezoning That Part of Legal Subdivision 9 of Section 24, Shown on Plan B1997; Township 20, Range 10, W6M, KDYD from R1 (Single Family Residential) to R8 (Residential Suite Zone).**

### **PROPOSAL**

To rezone a single family dwelling R1 (Single Family Residential Zone) property to R8 (Residential Suite Zone). The applicant has also made a concurrent application for a two lot subdivision of the subject property.

### **BACKGROUND**

The subject property is designated Residential Medium Density in the City's Official Community Plan (OCP), and zoned R1 (Single Family Residential) in the Zoning Bylaw (Appendix 3 & 4). The existing single family dwelling is to be demolished in order to proceed with a two lot residential subdivision. The subject property is approximately 935m<sup>2</sup> (see Appendix 5).

Adjacent land uses include the following:

North: single family residence/R1  
 South: single family residence and vacant lot/R4  
 East: single family residence/R1  
 West: single family residence/R1

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 and proposed lots have potential to meet the conditions for the development of a secondary suite or detached dwelling, including sufficient space to meet the building setback and parking requirements.

### **COMMENTS**

#### **Engineering Department**

The Engineering Department has no concerns to the rezoning of this property. The Engineering Report dated February 24, 2023 (Appendix 6) will form the basis for the Preliminary Layout Review letter for the two lot subdivision application. Given the lot area and zoning, the proposed development is deemed "in-fill" and is exempt from frontage improvements.

Building Department

No concerns with the rezoning.

Fire Department

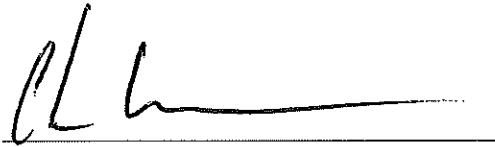
No concerns.

Public Consultation

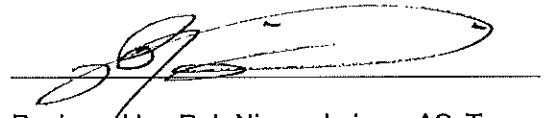
Pursuant to the *Local Government Act* and City of Salmon Arm Zoning Bylaw notices are mailed to land owners within a 30m radius of the application. Newspaper ads are placed in two editions of the local paper in advance of the Statutory Public Hearing. The notices outline the proposal and advises those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

Planning Department

Given the proposed lot area and width, a residential two lot subdivision would be permitted and rezoning from R1 to R8 is supported by the previously mentioned OCP policy. Staff support the rezoning of the subject property from R1 (Single Family Residential Zone) to R8 (Residential Suite Zone).



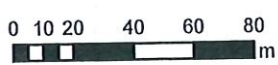
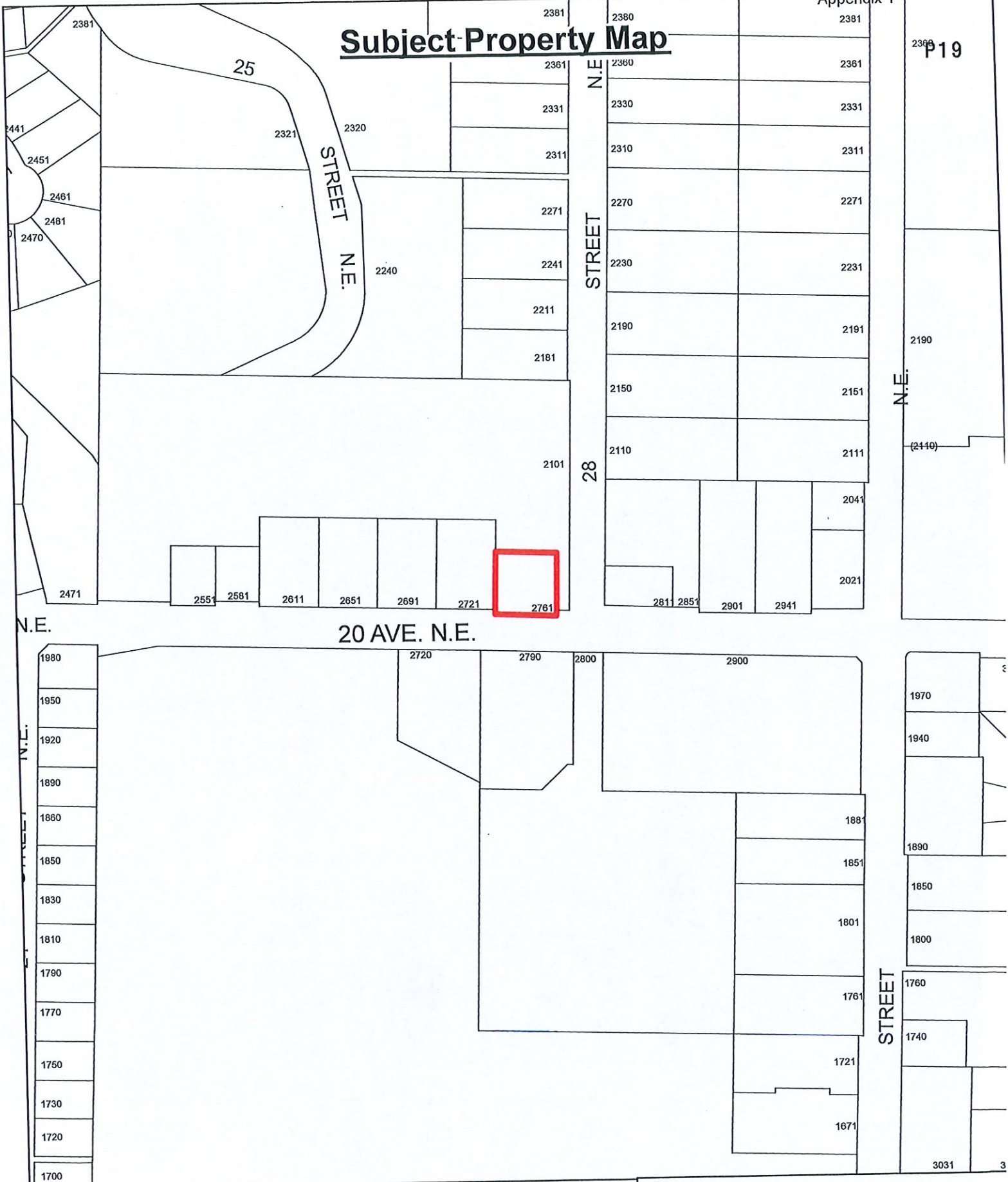
Prepared by: Melinda Smyrl, MCIP, RPP  
Planner



Reviewed by: Rob Niewenhuizen, AScT  
Director of Engineering and Public Works

# Subject Property Map

P19



Subject Property



Parcels

# Ortho Map



20 AVE. -N.E.

28 ST NE



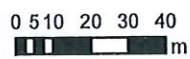
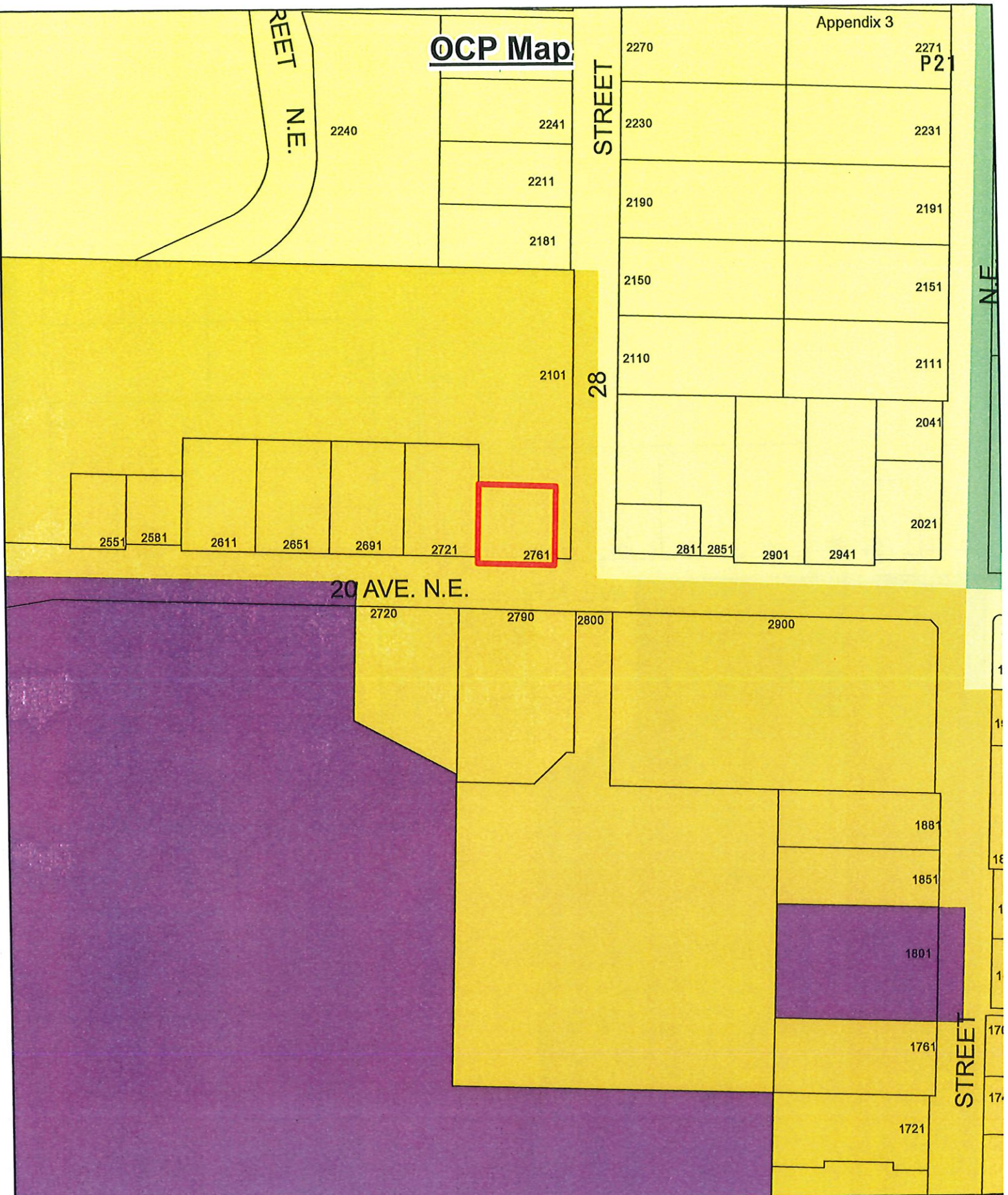
Subject Property



Parcels

# OCP Map

Appendix 3



Subject Property

Parcels



Acreage Reserve

Institutional



Residential - Low Density



Residential - Medium Density

# Zoning Map

Appendix 4

P22

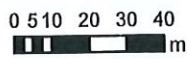
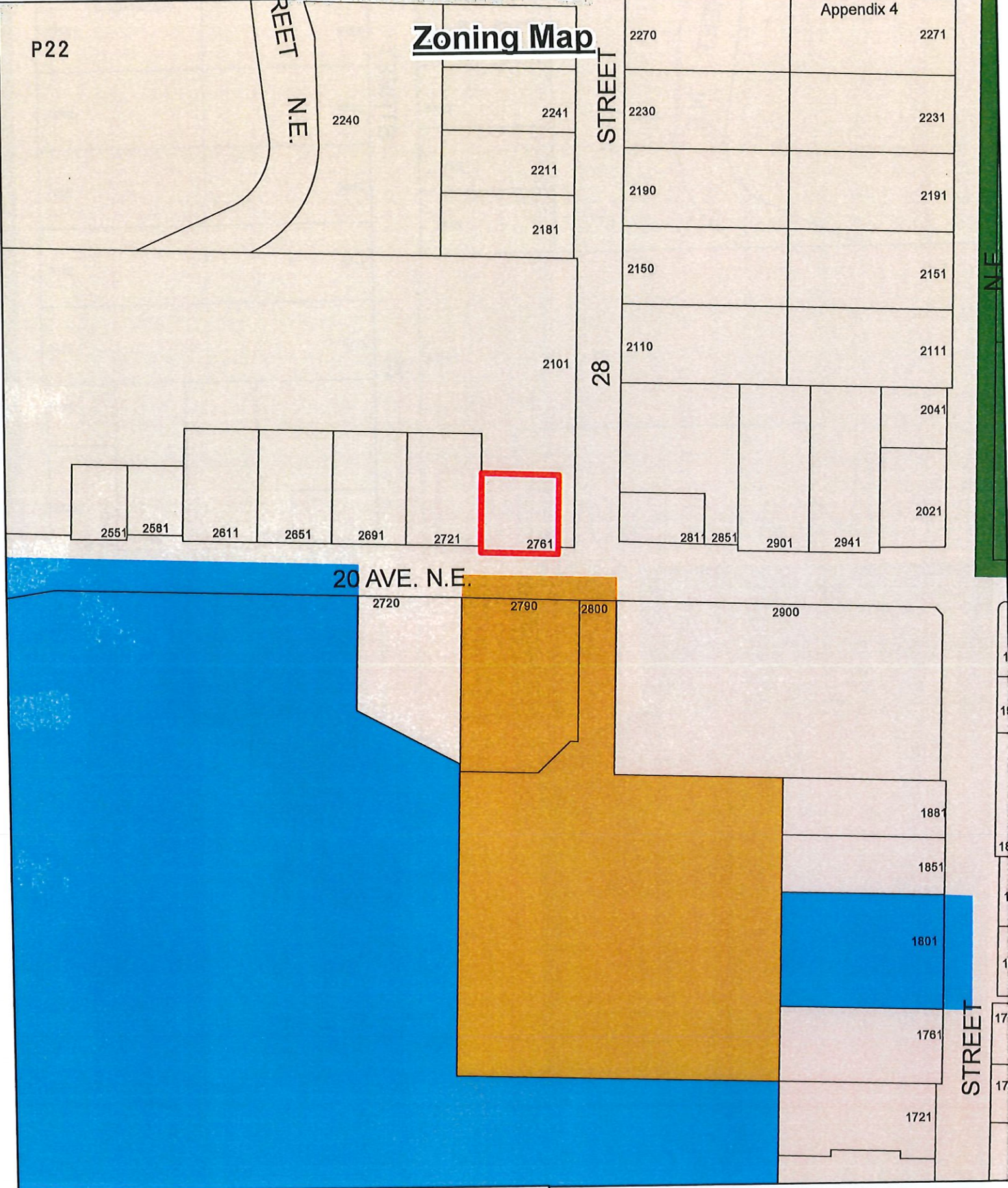
REET  
N.E.

STREET  
28

NE

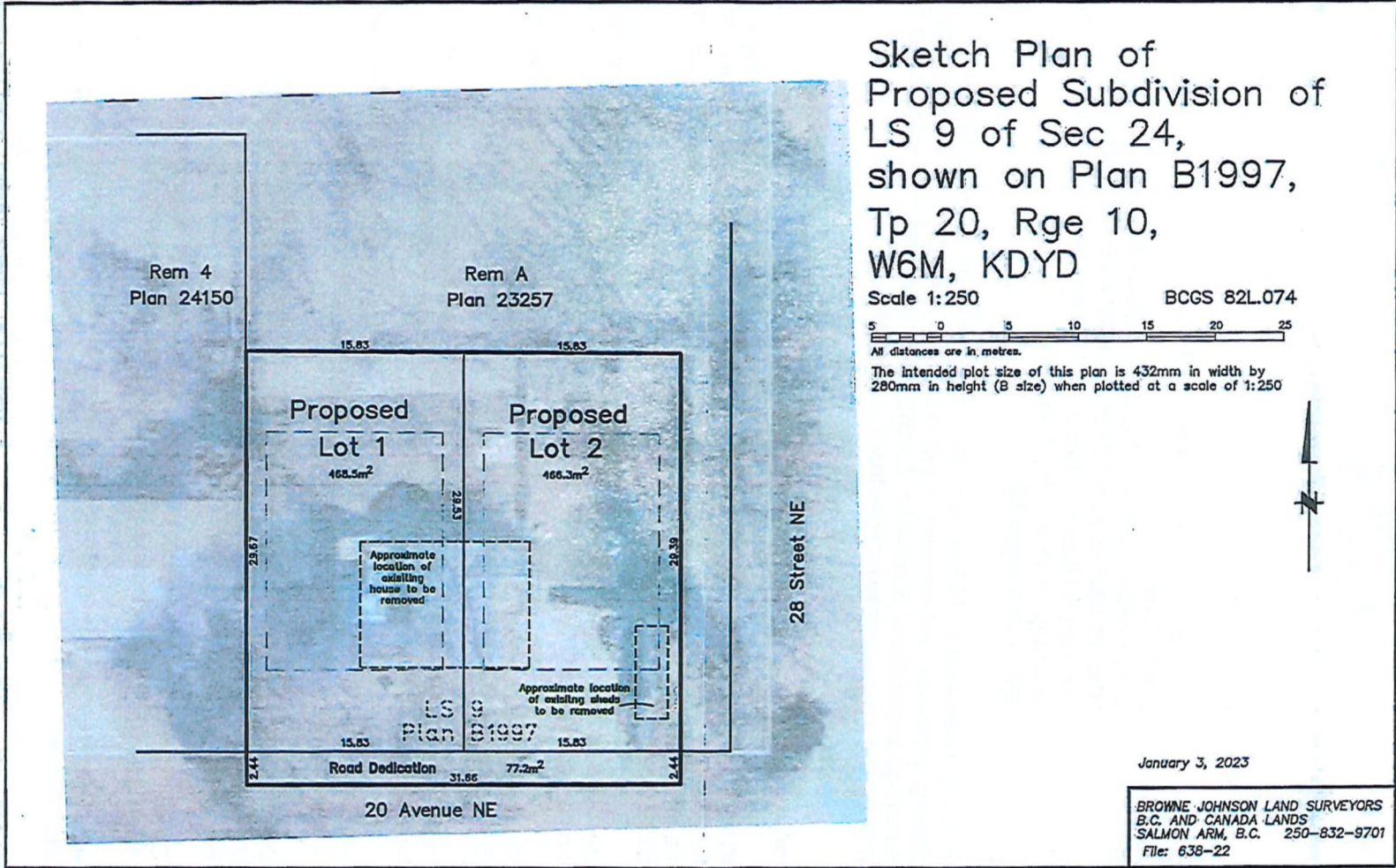
STREET

20 AVE. N.E.



-  Subject Property
-  A-2
-  R-1
-  Parcels
-  P-3
-  R-4





RECEIVED  
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LAND SURVEYORS

Appendix 5



*Memorandum from the  
Engineering and Public  
Works Department*

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**TO:** Director of Development Services  
**DATE:** February 24, 2023  
**PREPARED BY:** Chris Moore, Engineering Assistant  
**APPLICANT:** S. & K. Dyck  
**SUBJECT:** SUBDIVISION APPLICATION NO. SUB-23.01 and  
 ZONING AMENDMENT APPLICATION FILE NO. ZON- 1262  
**LEGAL:** That Part of Legal Subdivision 9 of Section 24 Shown on Plan B1997;  
 Township 20, Range 10, W6M, KDYD  
**CIVIC:** 2761 – 20 Avenue NE

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Further to your referral dated 10 February 2023, we provide the following servicing information. The following comments and servicing requirements are not conditions for Rezoning, but are requirements as a condition of Subdivision. Engineering Department does not have any concerns related to the Rezoning and recommends that it be approved.

**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. This proposed subdivision is deemed "infill" and is exempt from frontage improvements under Subdivision and Development Servicing Bylaw No. 4163, Section 5.4.
4. Properties shall have all necessary public infrastructure installed to ensure properties can be serviced with electrical and telecommunication wiring upon development.
5. Property under the control and jurisdiction of the municipality shall be reinstated to City satisfaction, after any work has been undertaken related to the subdivision.
6. 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.
7. 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.

**Roads / Access:**

1. 20 Avenue NE, on the subject property's southern boundary, is designated as an Urban Collector Road standard, requiring 20.0m road dedication (10.0m on either side of road centerline). Available records indicate that 2.38m of additional road dedication is required (to be confirmed by a BCLS).

**SUBDIVISION APPLICATION FILE: 23.01**

February 24, 2023

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2. 20 Avenue NE is currently constructed to an Interim Local Road standard. No improvements will be required as per previously noted exemptions.
3. Since 20 Avenue NE is designated as a Collector Road, accesses shall be designed by keeping to a minimum number. Only 1 driveway access will be permitted onto 20 Avenue NE and a reciprocal access agreement will be required to service both lots. All unused driveways shall be removed. The Owner shall determine where the shared driveway to both lots will be located and should a new access be required across the City ditch, the Owner / Developer shall be responsible for all associated costs including tree removal, ditching, culvert and any works relating to the existing lawn basin that is located on the property's frontage.

**Water:**

1. The subject property fronts a 200mm diameter Zone 2 watermain on 20 Avenue NE. No upgrades will be required at this time.
2. Records indicate that the existing property is serviced by a 12.5mm diameter service from the 200mm diameter watermain on 20 Avenue NE. Due to size of the existing service, upgrading to a new metered service (minimum 25mm) is required. Water meter will be supplied by the City at the time of building permit, at the Owner / Developer's cost. All existing inadequate / unused services must be abandoned at the main. Owner / Developer is responsible for all associated costs
3. The proposed parcel 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 (minimum 25mm). Water meter 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.
4. The subject property is in an area with sufficient fire flows and pressures according to the 2011 Water Study (OD&K 2012
5. Fire protection requirements to be confirmed with the Building Department and Fire Department.

**Sanitary:**

1. The subject property fronts a 200mm diameter sanitary sewer on 20 Avenue NE. No upgrades will be required at this time.
2. The remainder and proposed parcel(s) are each to be serviced by a single sanitary service connection adequately sized (minimum 100mm diameter) to satisfy the servicing requirements of the development. Owner / Developer is responsible for all associated costs.
3. The subject property is in an area with no current sanitary capacity concerns according to the City Sanitary Study (Urban Systems 2016).

**SUBDIVISION APPLICATION FILE: 23.01**

February 24, 2023

Page 3

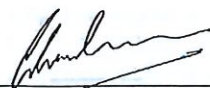
- 
- Records indicate that the existing property is serviced by a 100mm service from the sanitary sewer on 20 Avenue NE. All existing inadequate/unused services must be abandoned at the main. Owner / Developer is responsible for all associated costs.

**Drainage:**

- The subject property fronts a 675mm diameter storm sewer on 20 Avenue NE. No upgrades will be required at this time.
- Records indicate that the existing property is not connected to the City storm sewer.
- The subject property is in an area with no current storm capacity concerns according to the Stormwater Master Plan Study (April 2020)- (Check section 6- Existing system assessment)
- 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.
- Where onsite disposal of stormwater is recommended by the ISMP, an "Alternative Stormwater System" shall be provided in accordance with Section 7.2.
- Where discharge into the Municipal Stormwater Collection System is recommended by the ISMP, this shall be in accordance with Section 7.3. The proposed parcel(s) shall be serviced (each) by a single storm service connection adequately sized (minimum 150mm) to satisfy the servicing requirements of the development. Owner / Developer's engineer may be required to prove that there is sufficient downstream capacity within the existing City Storm System to receive the proposed discharge from the development. All existing inadequate / unused services must be abandoned at the main. Owner / Developer is responsible for all associated costs.

**Geotechnical:**

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




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**Chris Moore**  
Engineering Assistant




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**Gabriel Beau Baiges P.Eng.**  
City Engineer