AGENDA

City of Salmon Arm
Development and Planning Services Committee

Monday, April 4, 2022
8:00 a.m.
Council Chambers, City Hall
500 – 2 Avenue NE
Salmon Arm, BC

Page #	Item #		Description
	1.		**CALL TO ORDER**
	2.		**ACKNOWLEDGEMENT OF TRADITIONAL TERRITORY** *We acknowledge that we are gathering here on the traditional territory of the Secwepemc people, with whom we share these lands and where we live and work together.*
	3.		**REVIEW OF AGENDA**
	4.		**DISCLOSURE OF INTEREST**
	5.		**REPORTS**
1 - 8		1.	Zoning Amendment Application No. ZON-1231 [Paton, D. & Kuster, M.; 3941 20 Street NE; R-1 to R-8]
9 - 30		2.	Official Community Plan Amendment Application No. OCP4000-48 [Canzea Developments Ltd.; 1141 18 Street NE; MR to HR]
		3.	Zoning Amendment Application No. ZON-1233 [Canzea Developments Ltd.; 1141 18 Street NE; R-4 to R-5] (*See Item 5.1 for Staff Report)*
	6.		**FOR INFORMATION**
31 - 40		1.	Agricultural Land Commission – Reason for Decision – ALC Application No. 62847
	7.		**CORRESPONDENCE**
	8.		**IN-CAMERA**
	9.		**ADJOURNMENT**

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CITY OF SALMON ARM

To: His Worship Mayor Harrison and Members of Council

Date: March 30, 2022

Subject: Zoning Bylaw Amendment Application No. 1231

Legal: Lot 2, Section 25, Township 20, Range 10, W6M, KDYD, Plan KAP60845
Civic Address: 3941 20 Street NE
Owner/Applicant: D. Paton & M. Kuster

STAFF RECOMMENDATION

THAT: **a bylaw be prepared for Council's consideration, adoption of which would amend Zoning Bylaw No. 2303 by rezoning Lot 2, Section 25, Township 20, Range 10, W6M, KDYD, Plan KAP60845 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) in order to permit the development of a secondary suite or detached suite on the subject property.

BACKGROUND

The subject property is located between Lakeshore Road NE and 20 Street NE (Appendices 1 and 2). The parcel is designated Residential Low Density in the City's Official Community Plan (OCP), and zoned R1 (Single Family Residential) in the Zoning Bylaw (Appendix 3 & 4).

Adjacent land uses include the following:

North:	Single Family Residence	Zoned R1
South:	Single Family Residence	Zoned R1
East:	Single Family Residence	
	Single Family Residence & Suite Strata	Zoned A2 & R8
West:	Single Family Residence	Zoned R1

The subject property is approximately 1.03ha in area. In conjunction with the rezoning application the owner has also applied for a two lot subdivision (Appendix 5). Should the rezoning be supported, the R8 zone would apply to both of the proposed lots. The existing single family residence is to remain on the proposed Lot 1 and a new single family dwelling would be developed on the Proposed Lot 2.

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, including sufficient space to meet the parking requirement.

COMMENTS

Engineering Department

The Engineering Department has no concerns to the rezoning of this property. The owner/developer has been provided a comprehensive list of conditions with the Preliminary Layout Review Letter that must be satisfied prior to final subdivision approval.

Building Department

No concerns with the rezoning.

Fire Department

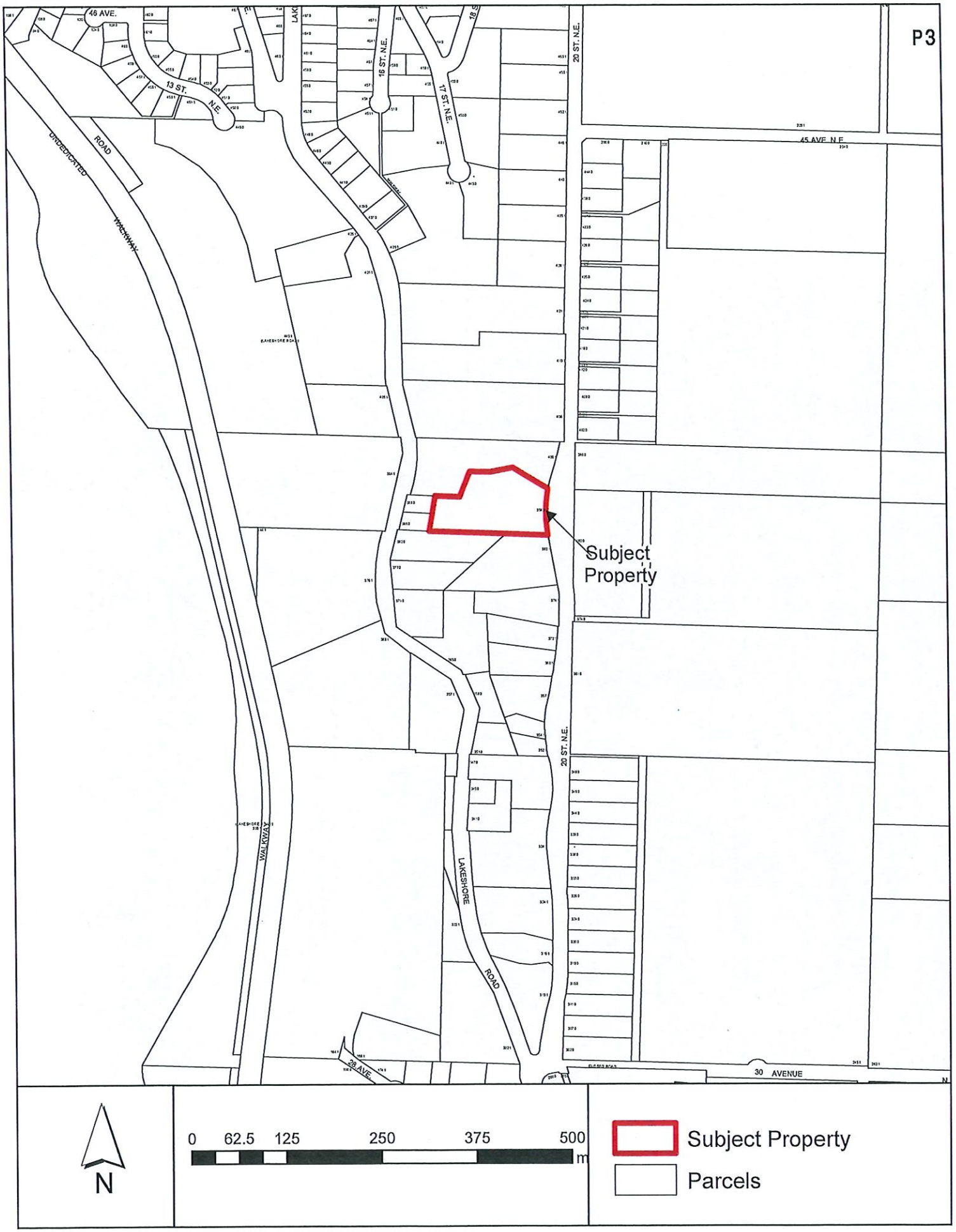
No concerns.

Planning Department

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 III

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


P3
46 AVE.
13 ST. N.E.
16 ST. N.E.
17 ST. N.E.
18 ST.
20 ST. N.E.
45 AVE. N.E.
UNDEDICATED ROAD
WALKWAY
LAKESHORE ROAD
Subject Property
WALKWAY
LAKESHORE ROAD
28 AVE.
30 AVENUE
N
0 62.5 125 250 375 500 m
Subject Property
Parcels

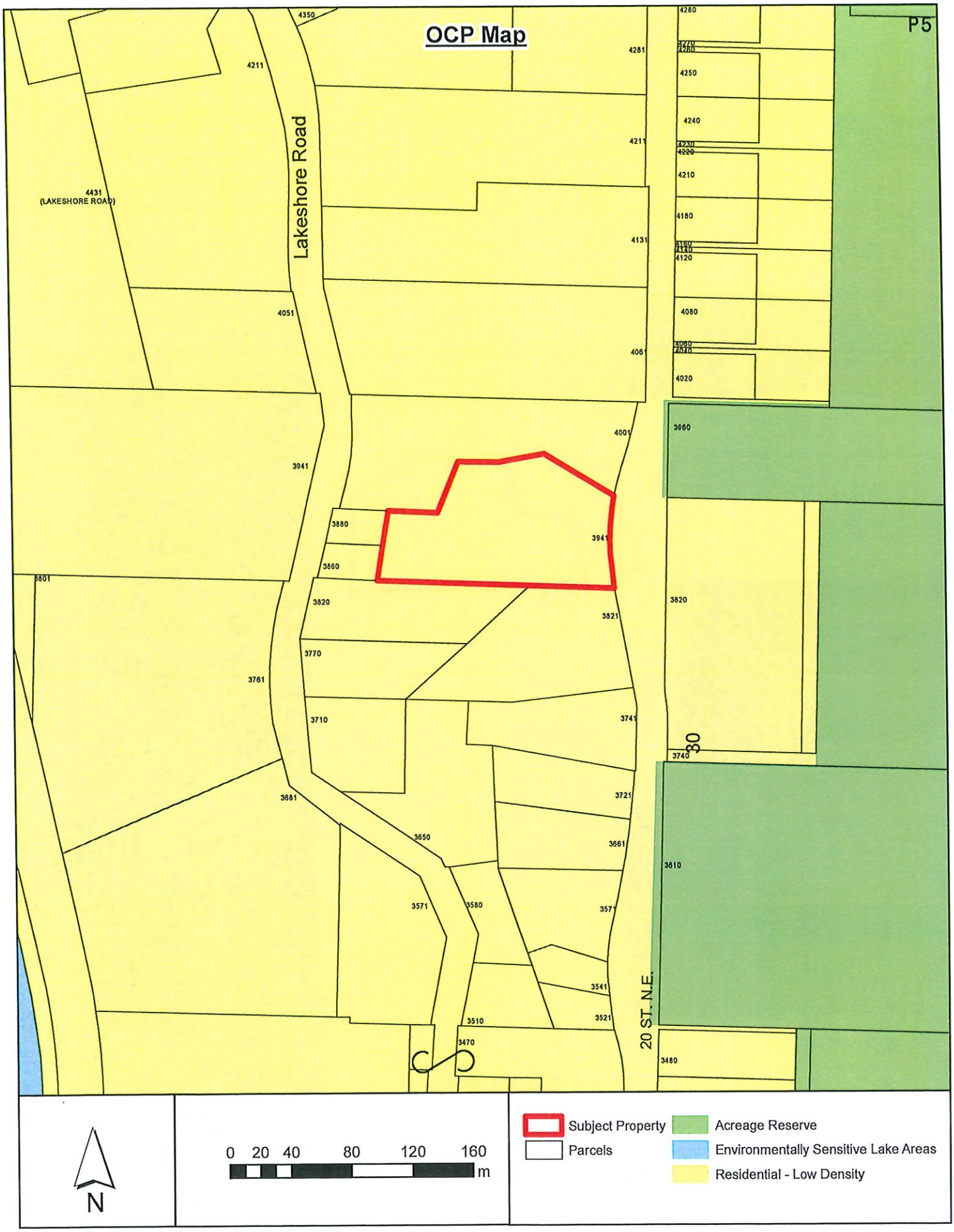
N

0 15 30 60 90 120 m

Subject Property

Parcels

OCP Map


Lakeshore Road
20 ST. N.E.
P5
4431
(LAKESHORE ROAD)
4350
4211
4281
4260
4250
4240
4230
4220
4210
4180
4131
4120
4080
4051
4061
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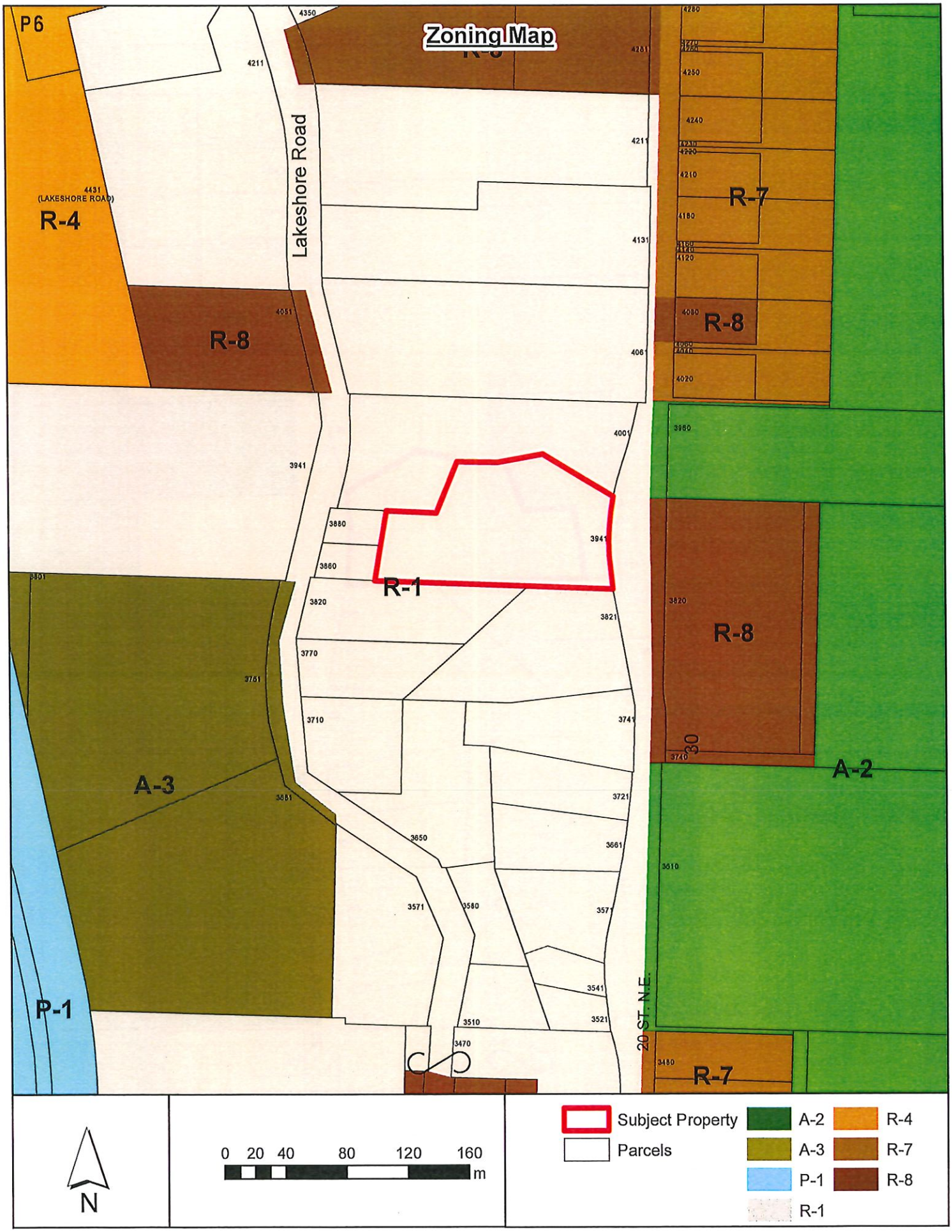
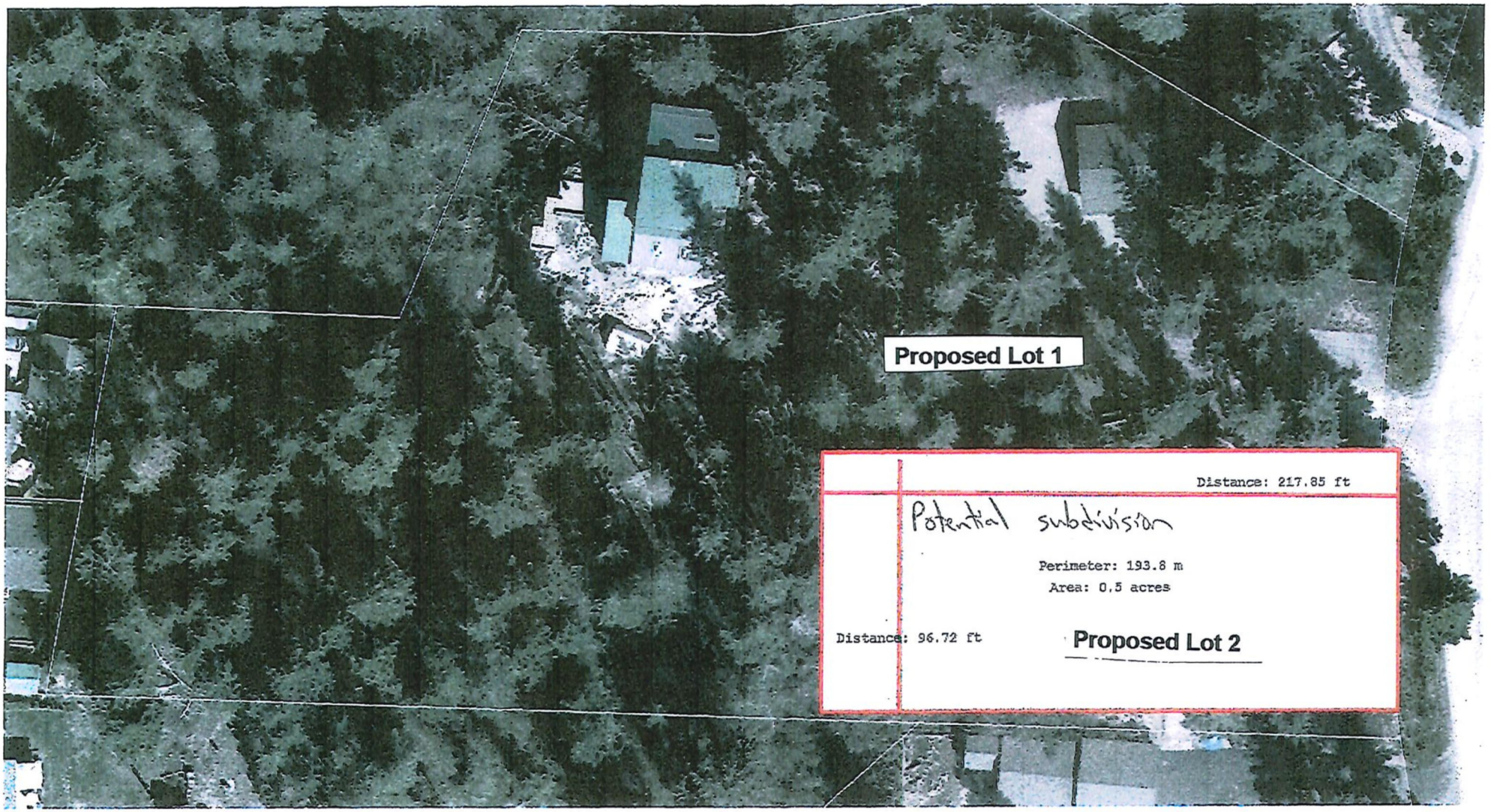
3480
0 20 40 80 120 160 m
N
Subject Property
Parcels
Acreage Reserve
Environmentally Sensitive Lake Areas
Residential - Low Density


Zoning Map
P6
R-4
4431
(LAKESHORE ROAD)
Lakeshore Road
R-8
R-7
R-1
A-3
A-2
P-1
20 ST. N.E.
Subject Property
Parcels
A-2
A-3
P-1
R-1
R-4
R-7
R-8
N
0 20 40 80 120 160
m



January 25, 2022

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CITY OF
SALMONARM

To: His Worship Mayor Harrison and Members of Council

Date: March 30, 2022

Subject: Official Community Plan Amendment Application No. 4000 – 48 and Zoning Amendment Application No. 1233

Legal: Lot 3, Section 24, Township 20, Range 10, W6M, KDYD, Plan 1978, Except Plan 54560
Civic Address: 1141 18 Street NE
Owner/Applicant: Canzea Developments Ltd., Inc. BC No. BC1073124

STAFF RECOMMENDATION

THAT: **A Bylaw be prepared for Council's consideration, adoption of which would amend Official Community Plan Bylaw No. 4000 to redesignate the south-east portion of Lot 3, Section 24, Township 20, Range 10, W6M, KDYD, Plan 1978, Except Plan 54560 from Residential Medium Density to Residential High Density;**

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

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

AND THAT: **Pursuant to Section 477 3 (a) of the *Local Government Act*, Council shall consider 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 the south-east portion of Lot 3, Section 24, Township 20, Range 10, W6M, KDYD, Plan 1978, Except Plan 54560 <u>from</u> R4 (Medium Density Residential Zone) <u>to</u> R5 (High Density Residential Zone);**

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

PROPOSAL

The applicant is proposing to amend the Official Community Plan (OCP) and zoning for the south-east section of 1141 18 Street for the purposes of constructing a multi-family building with approximately twenty four (24) units.

BACKGROUND

The subject property is designated Medium Density Residential in the OCP, within the Urban Containment Boundary and zoned R4 (Medium Density Residential) in the zoning bylaw (see Appendices 1-4). The subject property is approximately 9247sq.m. (2.2ac) in area. Essentially, the proposal is to split designate (OCP) and split zone the property in order to accommodate duplexes, triplexes and fourplexes on one portion of the site and a multifamily building on the other portion. The portion of the site under the current

application is approximately 2684sq.m.(0.66ac). The 6563sq.m (1.6ac) rest of the subject property would remain zoned R4.

Adjacent land uses include the following:

North: R1/Single Family Dwellings & unconstructed lane
South: R1 & C6/Single Family Dwellings & vacant (11 Avenue NE)
East: R1/Single Family Dwellings (18 Street NE)
West: CD-7/Single Family Dwellings & vacant

In 2021, Council granted conditional Development Permit approval for a 30-unit development project comprised of a mix of duplex, triplex and townhome buildings. To date the conditions of the approval have not been satisfied, specifically, the receipt of the landscaping estimate and bond. Therefore, Development Permit No. 431 (DP No. 431), with variances, has been supported by Council, but not issued. Appendix 5 is the Council motion on the issuance of DP No. 431, the site plan and an elevation drawing provided in support of that application. The revised proposal of current application removes two duplexes in the original proposal and replaces that portion of the site with multi-family building (potential 24 units).

The applicant is requesting to amend the OCP from Residential Medium Density to Residential High Density and to rezone from R4 (Medium Density Residential Zone) to R5 (High Density Residential Zone) for the south-east portion of the subject property. Residential High Density would allow for 100/ha (with an increase to 130 units/ha when amenities are provided for as per the R5 zone). Given the proposed development area and density, the site could accommodate up to 26 units without utilizing the density bonus provisions of the zone. The R5 zone is attached as Appendix 6. The proposed site plan is included as Appendix 7. Should the OCP Amendment and rezoning application be approved the developer has indicated that they would subdivide the subject property to create two separate development sites.

If the above is approved the applicant has indicated some slight amendments to DP No. 431 would likely be proposed. With regard to the current proposal, the developer would have to apply for a separate Residential Development Permit for the proposed multifamily building.

COMMENTS

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 February 16, 2022:

Adams Lake Indian Band:	Response (attached as Appendix 8)
Neskonlith Indian Band:	No response to date
Economic Development Society:	No response
School District No. 83:	No response to date

Given the response of the Adams Lake Indian Band, staff have been in contact with the BC Archeological Branch to confirm known archeological sites in the vicinity and are awaiting a response. As directed by the Adams Lake Indian Band response, prior to any work commencing on the site the owner has been made aware that there may be artifacts and prior to work commencing they should contact ALIB to ensure that the regulations of the *Heritage Conservation Act* are adhered to.

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 consistent with both the City's financial and waste management plans.

Section 52 - Transportation Act

Pursuant to Section 52(3)(a), the rezoning application was provided to the Ministry of Transportation (MOTI) for review. MOTI granted Preliminary Approval for the rezoning bylaw and the bylaw will be forwarded to MOTI for signature after third reading.

Engineering Department

No concerns with OCP Amendment or rezoning applications and have provided comments on required road and service improvements at Development Permit or Building Permit stage (Appendix 9). The Engineering Department provided a similar response with the previously mentioned Development Permit (DP No. 431).

Building Department

No concerns.

Fire Department

No concerns.

Planning Department

In addition to the High Density Residential Development Guidelines in the OCP, in 2020 Council adopted the *Salmon Arm Community Housing Strategy*, both documents offer guidelines and polices for incorporating higher density housing options in the community.

In encouraging more housing and housing diversity, the *Salmon Arm Community Housing Strategy* encourages the City to facilitate the development of multi-family housing and in deliberating multi-family housing considers the importance of density and housing diversity in easing housing supply issues in the community. Specifically, the following OCP guidelines encourage high-density housing that are reflected in the subject proposal:

> "8.2.2 Encourage and support affordable and special needs housing, including housing options for the community's diverse population.
> 8.3.1 Encourage new residential developments within the UB that create a mix of residential housing types and densities.
> 8.3.19 Encourage High, Medium and Low Density Residential developments and subdivisions to meeting the following:
>
> > a. good access to transportation routes, including transit, trails and sidewalks, and roads;
> > b. good access to community services, e.g. commercial uses, schools
> > c. sufficiently removed rom incompatible land uses to ensure health, safety and welfare of residents; and
> > e. capable of being serviced with municipal, private and Crown utilities including fire protection in accordance with City standards and specifications."

Within the Urban Area multi-family development is strongly encouraged in areas along corridors where public transit, pedestrian access routes and the availability of servicing. The proposed OCP Amendment and rezoning are within close proximity public transit, pedestrian access routes, commercial development and schools (see map Appendix 10). Should the proposed development proceed, in combination with those proposed on the adjacent site (DP No. 431), a total of 50 units are proposed on the subject property.

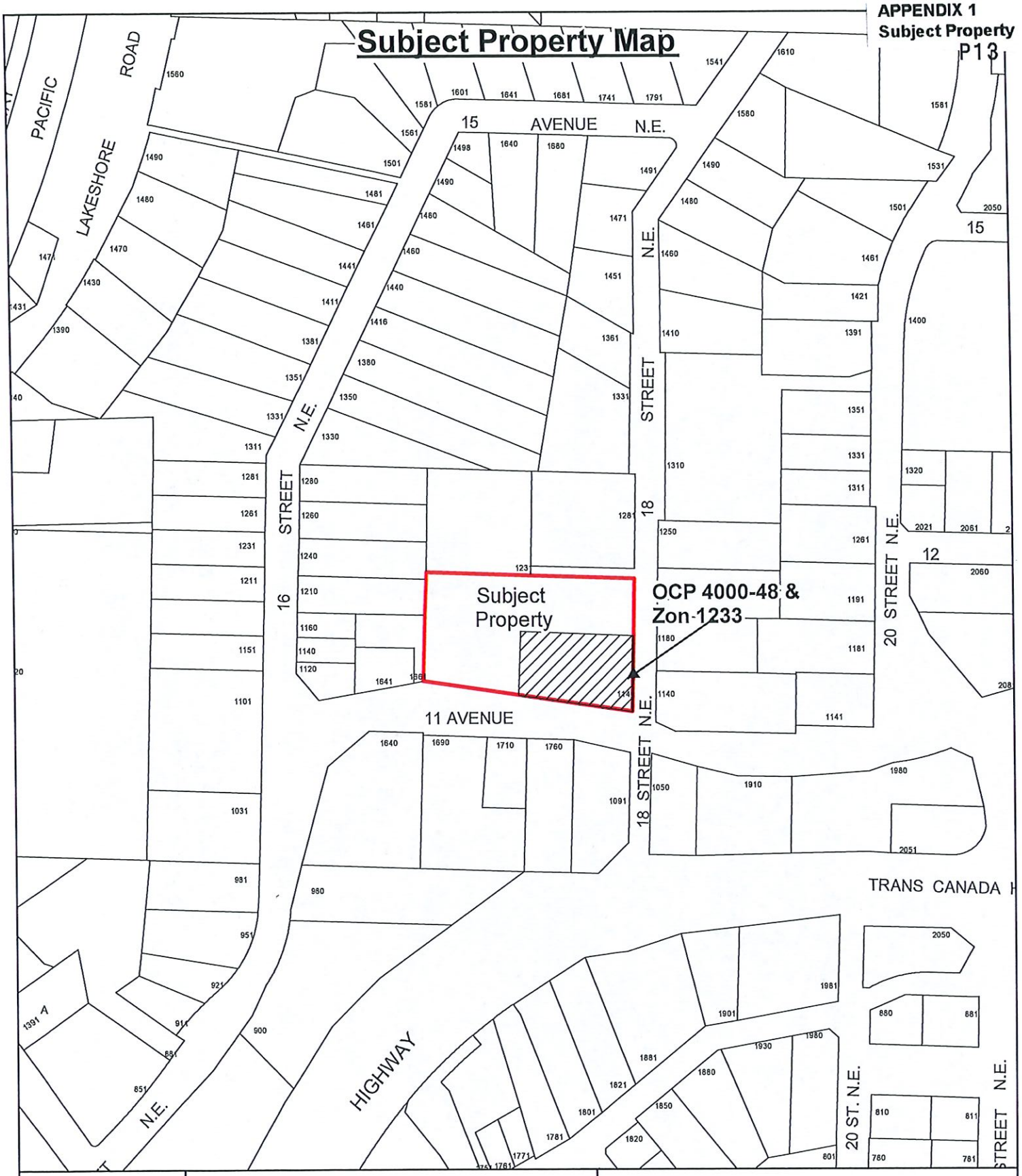
The submission of a Residential Development Permit for a multi-family building would be required. At that time, the form and character of the development are evaluated with a more detailed site plan and elevation drawings.

Given the previously mentioned OCP policies, staff are supportive of the OCP amendment and rezoning application.

Prepared by: Melinda Smyrl, MCIP, RPP
Planner

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

Subject Property Map



N

0 25 50 100 150 200 m

Ortho Photo Date: 2021

OCP 4000-48 and Zon 1233
Subject Property
Parcels

Ortho Map

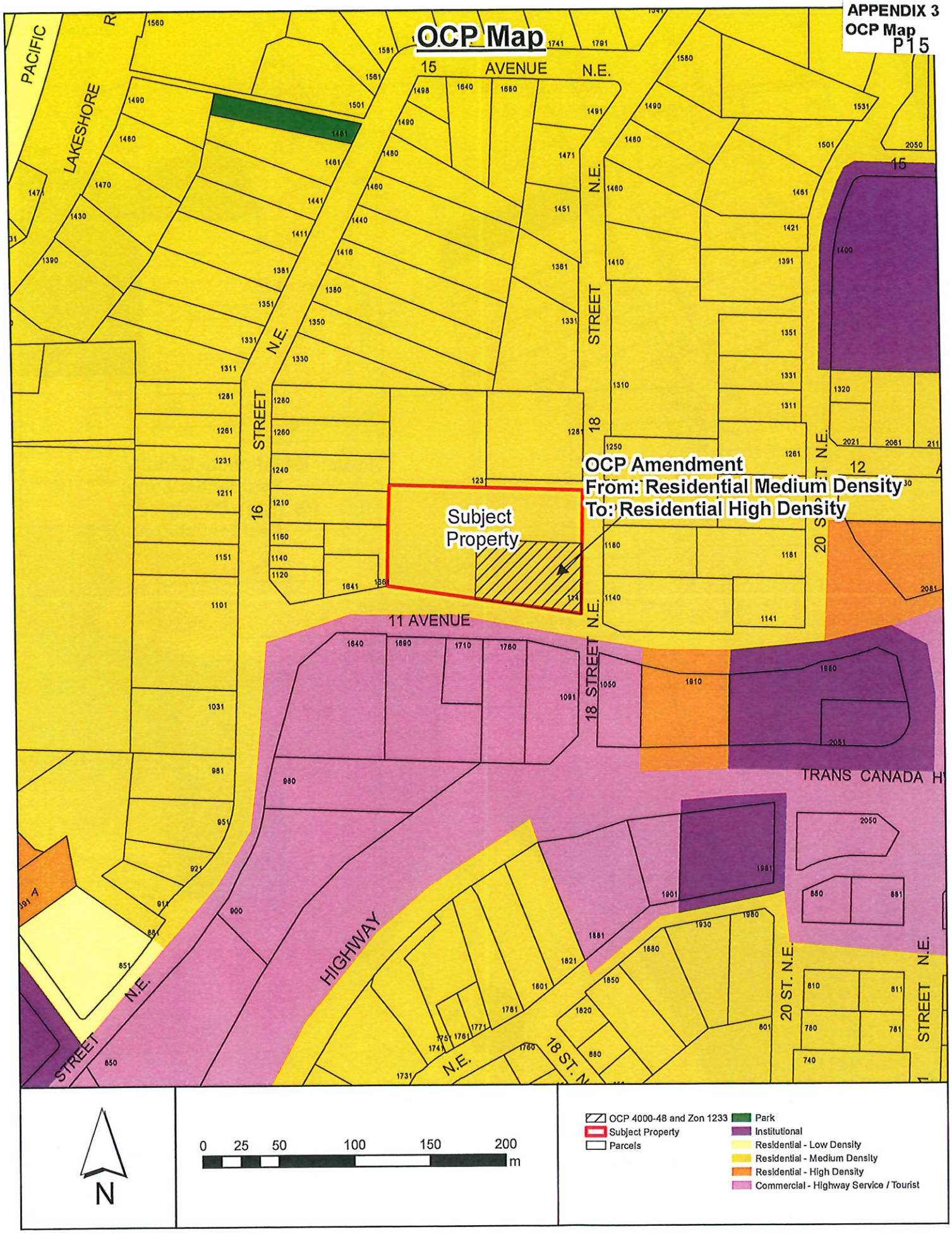
N

0 12.5 25 50 75 100 m

Ortho Photo Date: 2021

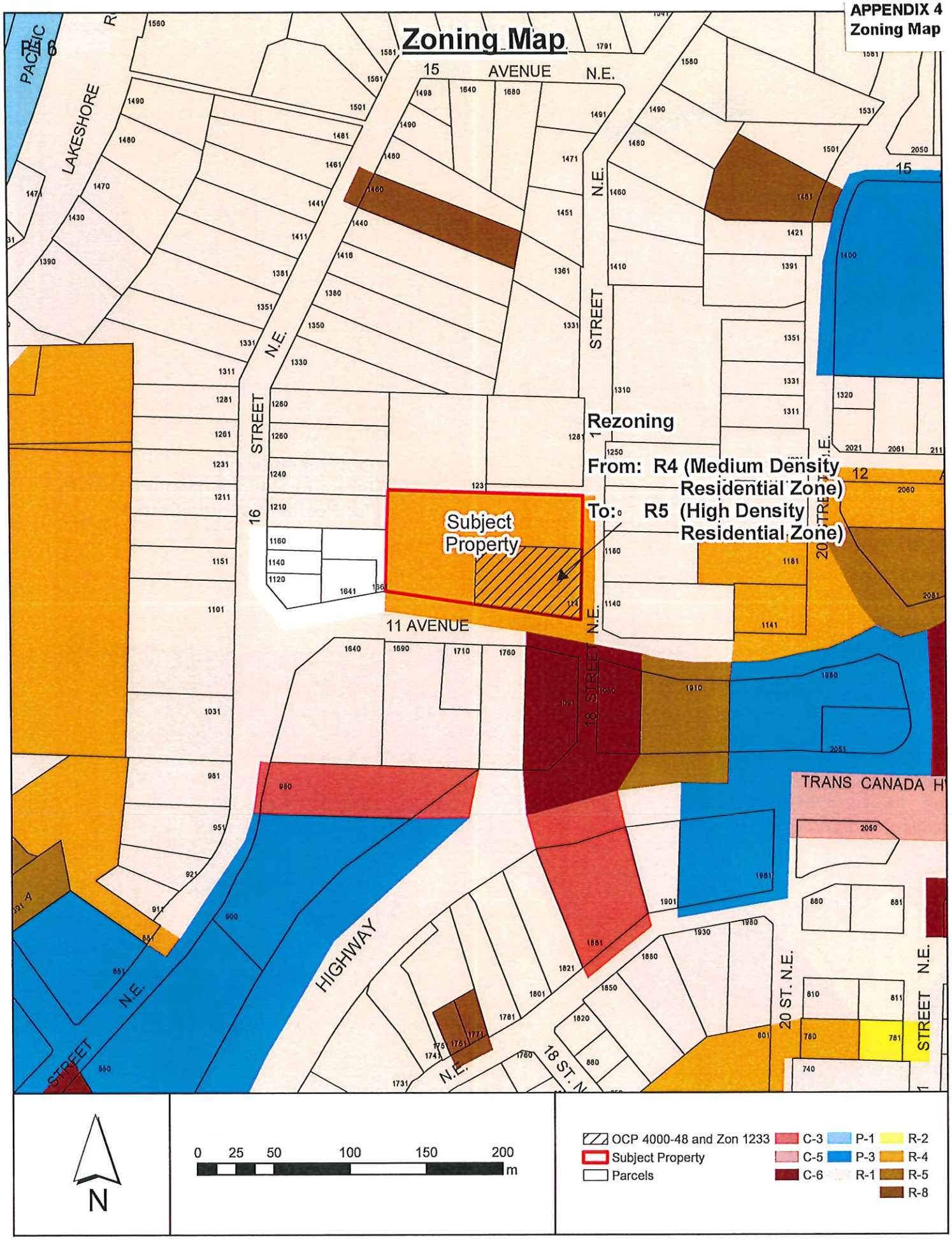
OCP 4000-48 and Zon 1233
Subject Property
Parcels

OCP Map


PACIFIC
LAKESHORE
15 AVENUE N.E.
16 STREET N.E.
18 STREET N.E.
20 ST. N.E.
11 AVENUE
TRANS CANADA HIGHWAY
OCP Amendment
From: Residential Medium Density
To: Residential High Density
Subject Property
N
0 25 50 100 150 200 m
OCP 4000-48 and Zon 1233
Subject Property
Parcels
Park
Institutional
Residential - Low Density
Residential - Medium Density
Residential - High Density
Commercial - Highway Service / Tourist

APPENDIX 4
Zoning Map

Zoning Map



22. HEARINGS

1. Development Permit Application No. DP-431 [Guenther, K.; 1141 18 Street NE; 30 unit - Medium Density Residential]

0367-2021

Moved: Councillor Cannon
Seconded: Councillor Wallace Richmond
THAT: Development Permit No. 431 be authorized for issuance for Lot 3, Section 24, Township 20, Range 10, W6M, KDYD, Plan 1978 Except Plan KAP54560 in accordance with the drawings attached as Schedule A to the Staff Report dated June 15, 2021;

AND THAT: Development Permit No. 431 vary Zoning Bylaw No. 2303 as follows:

1. Section 4.12.1 (a) - maximum permitted height of a retaining wall, 2 m increased to 5.3 m;
2. Section 9.4 - maximum height of Principal Buildings, 10 m increased to 12.1 m;
3. Section 9.9.1 - minimum setback of Principal Buildings, Front Parcel Line, 5 m reduced to 3 m; and
4. Section 9.9.4 - minimum setback of Principal Buildings, Exterior Parcel Line, 5 m reduced to 3 m;

AND THAT: Development Permit No. 431 vary Section 4.0 (Works and Services Requirements) of Subdivision and Development Servicing Bylaw No. 4163 as follows:

1. Waive the 4.0 m (13.1 feet) width-of-laneway dedication in exchange for registration of a Road Reserve Covenant at time of subdivision;

AND FURTHER THAT: issuance of Development Permit No. 431 be withheld subject to receipt of an irrevocable Letter of Credit in the amount of 125% of a landscaper's estimate for completion of the landscaping plan.

Submissions were called for at this time.

J. I. Norlin - email dated June 27, 2021 - June 28, 2021 Agenda Item 22.1 - Development Variance Application.

R. Keetch - email dated June 28, 2021 - DP-431 - Comments for City and Council consideration.

K. Guenther, the applicant, was available to answer questions from the Council.

M. Lamerton, the agent, provided an overview of the concerns raised by letter and email submissions. He was available to answer questions from Council.

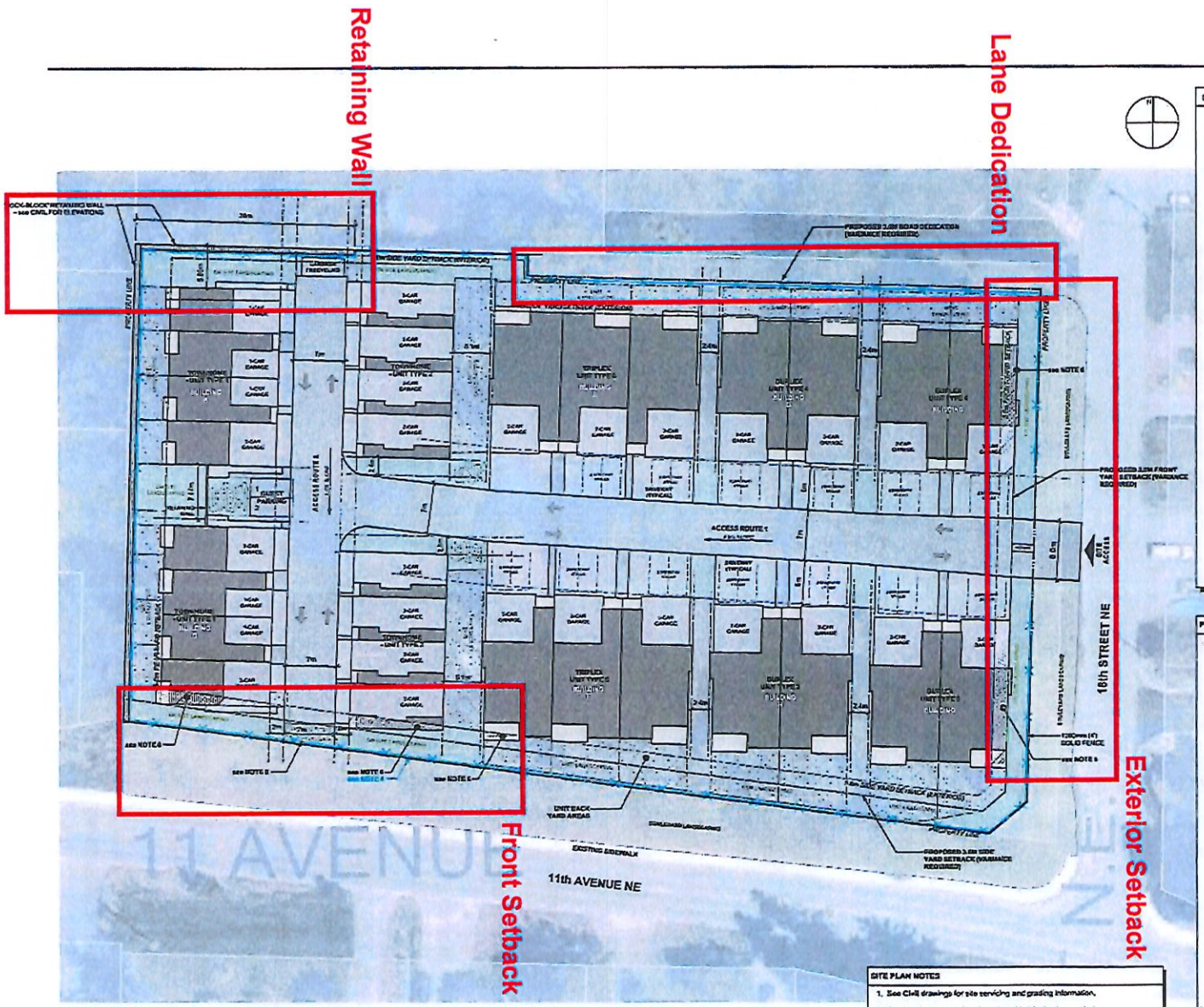
T. Salo, 1210 16 Street NE, spoke to concerns with potential damage to mature trees on his property and drainage.

M. Lamerton, the agent, advised that the drainage requirements for the development would be addresses by a Geotechnical Engineer during development stage.

K. Guenther, the applicant, confirmed that should there be damage to the trees at 1210 16 Street NE there would be compensation.

Following three calls for submissions and questions from Council, the Hearing was closed at 7:24 p.m. and the Motion was:

CARRIED
Councillor Lindgren Opposed



DEVELOPMENT INFO

LEGAL DESCRIPTION:

Lot 3, Plan 1978 (Except Plan KAP54550)
Section 24, Township 20, Range 10, W6M, KDYD

LOT SIZE: 0.8731 ha (2.14 acres) (including Road Dedication and 'corner cut' area deductions)

ZONING:

Medium Density Residential (R-4)
- Proposed Multi-Family Residential, Duplexes, & Triplexes (Permitted)

PARCEL COVERAGE: Allowable = 55%
Proposed = 45.2%

DENSITY: Allowable = 40 Units per Hectare (16.2 per Acre) = 34 Units
Proposed = 30 Units

PARKING:

Dwelling Units	30 Units
Parking Spaces Per Unit	x 1.5
Total Stalls Required	45 Stalls
Surface Parking Stalls (Guest)	2 Stalls
Driveway Stalls	26 Stalls
Garage Stalls	56 Stalls
Total Proposed Stalls:	84 Stalls

REQUIRED SETBACKS:

Front Yard = 5.0m (16.4ft)
Rear Yard = 5.0m (16.4ft)
Side Yard
- Exterior = 5.0m (16.4ft)
- Interior (except R-4) = 1.8m (5.9ft)
Minimum Separation between Residential Buildings
More than 1 Storey = 3.0m (9.8ft)
Minimum Setback from Interior Access Route = 2.0m (6.5ft)

MAXIMUM HEIGHT:

Permitted = 10.0m (32.8ft)
Proposed = see Elevations

PROJECT SUMMARY

TOWNHOME TYPE "1"
- 3 Levels: Main (Single or Double Garage, Kitchen, Living, Dining, Powder Room)
Lower (Mechanical, Laundry, Storage, Optional Bedroom, Bathroom, Rec Room)
Upper (Master Suite, 2 Secondary Bedrooms, Bathroom)
- 8 Units

TOWNHOME TYPE "2"
- 3 Levels: Ground (Tandem Garage, Mechanical, Storage)
Second (Kitchen, Living, Dining, Powder Room, Bedroom)
Third (Master Suite, 2 Secondary Bedrooms, Bathroom)
- 8 Units

DUPLEX TYPE "3"
2 Levels: Main (Single Garage, Kitchen, Living, Dining, Master Suite, 2 Secondary Bedroom, Bathroom, Laundry)
Basement (Bedroom, Bathroom, Mechanical, Storage, Rec Room, Optional Laundry)
- 4 Units

DUPLEX TYPE "4"
1 Level: Main (Single Garage, Kitchen, Living, Dining, Master Suite, 2 Secondary Bedroom, Bathroom, Laundry, Mechanical, Storage)
Crawl Space
- 4 Units

TRIPLEX TYPE "5"
2 Levels: Main (Single Garage, Kitchen, Living, Dining, Master Suite, 2 Secondary Bedroom or Den, Bathroom, Laundry)
Basement (Bedroom, Bathroom, Mechanical, Storage, Rec Room, Optional Laundry)
- 3 Units

TRIPLEX TYPE "6"
1 Level: Main (Single Garage, Kitchen, Living, Dining, Master Suite, 2 Secondary Bedroom or Den, Bathroom, Laundry, Mechanical, Storage)
Crawl Space
- 3 Units

TOTAL UNITS = 30

SITE PLAN NOTES

1. See Civil drawings for site servicing and grading information.
2. See Landscape drawings (and Plant List) for landscape design.
3. Exact alignment of unit driveways and walkways to be determined.
4. Developers to provide 4' solid fence (white vinyl or painted wood).
5. Landscape grass area to be used for winter snow storage (typical).
6. Portion of building related to Variance Request.

ISSUE | DATE
Development Permit | March 25, 2021

DRAWN BY: M.C.
DATE: March 2021
SCALE: 1:250

AVEX ARCHITECTURE
4160 - 6th St. NE
P.O. BOX 2250
SALMON ARM, BC V1E 4R3
Marc Lamontagne, Architect AIBC
T 250-515-4154
E marc@avexarchitecture.com
W www.avexarchitecture

PROJECT: 20-030

"RIDGE VIEW"
Residential Development

16th Street N.E.
Salmon Arm BC

DRAWING TITLE:
SITE PLAN & PROJECT INFORMATION

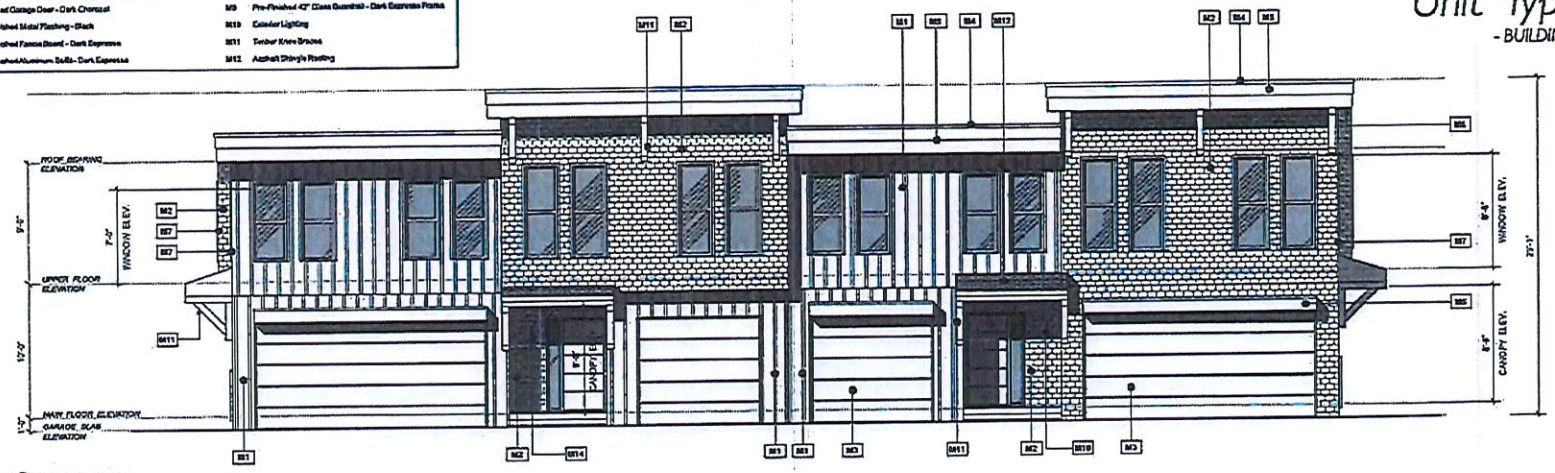
DRAWING NO:
A1.1

Townhome Unit 'Type I'

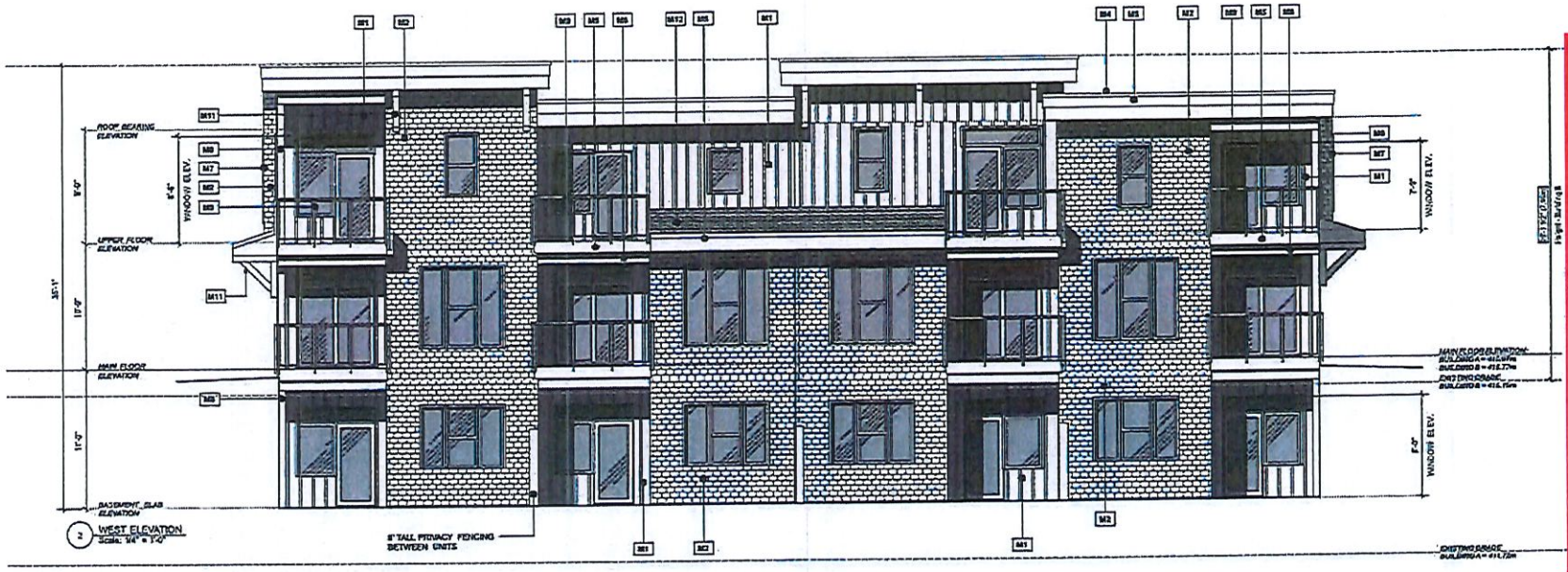
- BUILDINGS A & B

EXTERIOR MATERIAL NOTES

M1	Cement Fibre Board Siding - Board & Batten (Arctic White)	M7	Pre-Finished Corner Direct Trim for Cement Fibreboard
M2	Cement Fibre Board Siding - Shingle Lap (Light Mist)	M8	Wood Clad Columns & Beams - Dark Espresso Stain
M3	Overhead Garage Door - Dark Charcoal	M9	Pre-Finished 42" Glass Guardrail - Dark Espresso Frame
M4	Pre-Finished Metal Flashing - Black	M10	Exterior Lighting
M5	Pre-Finished Fascia Board - Dark Espresso	M11	Timber Knee Braces
M6	Pre-Finished Aluminum Soffit - Dark Espresso	M12	Asphalt Shingle Roofing



1 EAST ELEVATION
Scale: 3/4" = 1'-0"



2 WEST ELEVATION
Scale: 3/4" = 1'-0"

ISSUE	DATE

DRAWN BY: M.Q.
DATE: March 2021
SCALE: 1/4"=1'-0"

AVEX ARCHITECTURE

PROJECT: 20-020
"RIDGE VIEW"
Residential Development

18th Street N.E.
Salmon Arm, BC

DRAWING TITLE:
ELEVATIONS

DRAWING No:
A2.5

P20

SECTION 10 - R-5 - HIGH DENSITY RESIDENTIAL ZONE

Purpose

10.1 The purpose of the R-5 Zone is to provide for high *density*, *multiple family* residential *development* in selected locations throughout the *Municipality*. New *developments* zoned R-5 shall be required to obtain a *Development Permit* as per the requirements of the *Official Community Plan*, and shall comply with the provisions of the ***Fire Services Act, British Columbia Building Code***, and other applicable legislation. #2789

Regulations

10.2 On a *parcel zoned* R-5, no *building* or *structure* shall be constructed, located or altered and no plan of subdivision approved which contravenes the regulations set out in the R-5 *Zone* or those regulations contained elsewhere in this Bylaw.

Permitted Uses

10.3 The following uses and no others are permitted in the R-5 *Zone:*

.1 *assisted living housing;* #4336
.2 *boarders*, limited to two;
.3 *boarding home*; #2789
.4 *commercial daycare facility*;
.5 *dining area;* #4336
.6 *duplex;* #4421
.7 *home occupation*; #2782
.8 *multiple family dwellings*;
.9 *public use*;
.10 *public utility*;
.11 *rooming house*; #2789
.12 *triplex;* #3286
.13 *accessory use.*

Maximum Height of Principal Building

10.4 The maximum *height* of the *principal buildings* shall be 12.0 metres (39.4 feet). This may be increased to 15.0 metres (49.2 ft.), via the Development Permit process, if any of the special amenity (ies) in Table 3 are provided.

Maximum Height of Accessory Building

10.5 The maximum *height* of an accessory *building* shall be 6.0 metres (19.7 feet).

Maximum Parcel Coverage

10.6

.1 The total maximum *parcel coverage* for *principal* and *accessory buildings* shall be 55% of the *parcel area*, of which 10% shall be the maximum parcel coverage for *accessory buildings*. #2811

.2 The above *parcel coverage* may be increased to 70% of the *parcel area* if all requisite parking, except for visitors, is provided underground.

Minimum Parcel Area

10.7 The minimum *parcel area* shall be 775.0 square metres (8,342.3 square feet).

Minimum Parcel Width

10.8 The minimum *parcel width* shall be 30.0 metres (98.5 feet).

Minimum Setback of Principal Buildings

10.9 The minimum *setback* of *buildings* from the:

.1	*Front parcel line* shall be	5.0 metres (16.4 feet)
.2	*Rear parcel line* shall be	5.0 metres (16.4 feet)
.3	*Interior side parcel line* shall be	2.4 metres (7.8 feet)
.4	*Exterior side parcel line* shall be	5.0 metres (16.4 feet)

.5 Refer to Section 4.9 for "Special Building Setbacks" which may apply. #2811

Minimum Setback of Accessory Buildings

10.10 The minimum *setback* of accessory *buildings* from the:

.1	*Front parcel line* shall be	5.0 metres (16.4 feet)
.2	*Rear parcel line* shall be	1.0 metre (3.3 feet)
.3	*Interior side parcel line* shall be	1.0 metre (3.3 feet)
.4	*Exterior side parcel line* shall be	5.0 metres (16.4 feet)
.5	Refer to "Pound and Animal Control Bylaw" for special setbacks which may apply. #2811	

Maximum Density

Note: The following *density* provisions are based on the *gross parcel area*. Parking requirements, *setback* requirements, road dedication, etc. have not been taken into consideration.

10.11

.1 The maximum *density* shall be a total of 100 *dwelling units* or *sleeping units* per hectare (40.5 *dwelling units* or *sleeping units* per acre). #2789

.2 Notwithstanding Section 10.11.1, the maximum *density* in the R-5 *Zone* may be increased to a maximum of 130 *dwelling units* per hectare (52.6 units per acre) in accordance with Table 3. In Table 3, Column I sets out the special amenity to be provided and Column II sets out the added *density* assigned for each amenity.

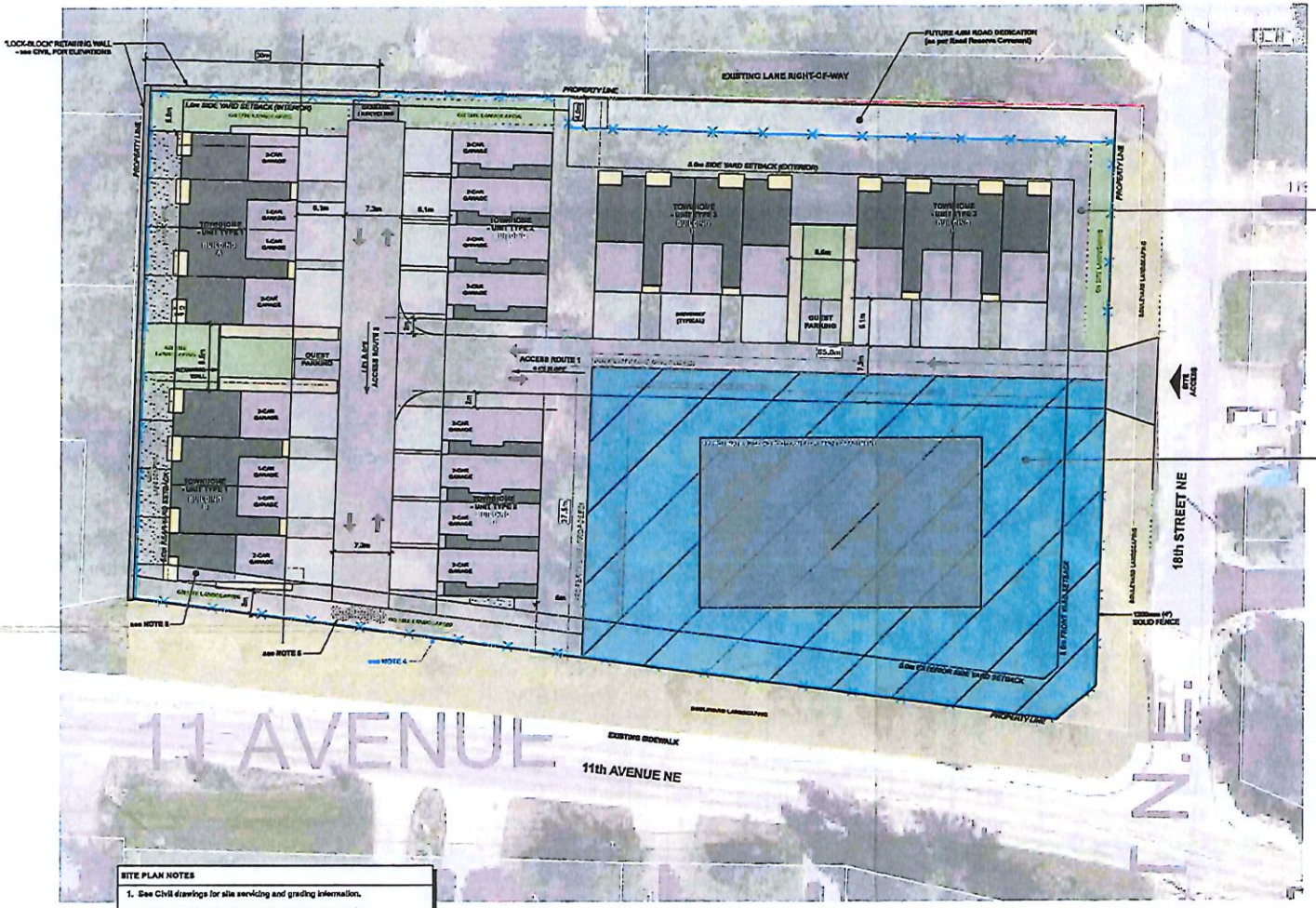
.3 Notwithstanding Section 10.11.1, the maximum *density* in the R-5 *Zone* may be increase to a maximum of 130 *dwelling units* per hectare (52.6 units per acre) for the provision of *Assisted Living Housing*. #4336

TABLE 3

COLUMN I SPECIAL AMENITY TO BE PROVIDED	COLUMN II ADDED DENSITY
1. Provision of each dwelling unit which caters to the disabled (e.g. wheelchair access)	□ 2 units per hectare (0.8 units per acre)
2. Provision of *commercial daycare facility* 7 - 10 children 11 - 15 children 16 or more children	 □ 4 units per hectare(1.2 units per acre) □ 6 units per hectare(1.6 units per acre) □ 8 units per hectare(2.8 units per acre)
3. Provision of below *grade* or parkade type parking for at least 50% of the required off street parking	□ 10 units per hectare (4.0 units per acre)
4. Provision of each rental *welling unit*	□ 2 units per hectare (0.8 units per acre)
5. Provision of affordable rental *dwelling units* in accordance with special agreement under Section 904 #3218	□ 5 units per hectare (2.0 units per acre)

Parking

10.12 Parking shall be required as per Appendix I.



PROPOSED SUB-DIVIDED PROPERTY

CURRENT ZONING:
- R-4 - MEDIUM DENSITY RESIDENTIAL

CURRENT OCP DESIGNATION:
- RESIDENTIAL - MEDIUM DENSITY

PROPOSED PARCEL SIZE:
= 6,042.0sm (1.493ac)

MAX. ALLOWABLE DENSITY:
= 40units / Hectare (16.2units / Acre)
= 24.2 units

PROPOSED DENSITY:
= 24 units

PROPOSED SUB-DIVIDED PROPERTY

PROPOSED RE-ZONING TO:
- R-5 - HIGH DENSITY RESIDENTIAL

PROPOSED OCP AMENDMENT TO:
- RESIDENTIAL - HIGH DENSITY

PROPOSED PARCEL SIZE:
= 2,681.0sm (0.663ac)

MAX. ALLOWABLE DENSITY:
= 100units / Hectare (40.5units / Acre)
= 26.9 units

PROPOSED DENSITY:
= 24 units

SITE PLAN NOTES

1. See Civil drawings for site servicing and grading information.
2. See Landscape drawings (and Plant List) for landscape design.
3. Exact alignment of unit driveways and walkways to be determined.
4. Developers to provide 4' solid fence (white vinyl or painted wood).
5. Landscape grass area to be used for winter snow storage (typical).
6. Portion of building related to Variance Request.

PRELIMINARY

ISSUE	DATE
Development Permit	March 31, 2021

DRAWN BY: M.C.
DATE: January 2022
SCALE: 1:250

AVEX ARCHITECTURE
4168 - 6th St. NE
P.O. BOX 2350
SALMON ARM, BC V1E 4R3
Marc Lemerton, Architect AIBC
T 250-515-4861
E marc@avexarchitecture.ca
W www.avexarchitecture.ca

PROJECT: 22-__

CanZea Developments
Residential Development

18th Street N.E.
Salmon Arm, BC

DRAWING TITLE:
SITE PLAN & PROJECT INFORMATION

DRAWING NO:
A1.1

APPENDIX 7
Proposed Site Plan

Adams Lake Indian Band

Project Name:
OCP4000-48 and ZON-1233

FN Consultation ID:
93836

Consulting Org Contact:
Kathy FRESE

Consulting Organization:
City of Salmon Arm

Date Received:
Wednesday, March 2, 2022

Weytk,

Re: the OCP4000-48 and ZON-1233 (for a 24 unit high density multi family building in Salmon Arm).

Through a preliminary analysis ALIB has identified some concerns which include:

x404 known ALIB cultural heritage sites (these do not include archaeology, but are specific to ALIB) found intersecting and to within 5 km of the provided polygon including Non-Human Being Stories (x17), medicinal plant gathering, habitation, boundary markers, burials, ceremonial locales, pithouses, pictographs, Indigenous heritage trails and subsistence. It is nearby to archaeological sites and in an area of high potential for archaeology. It is in an extirpated caribou zone and the Thompson River watershed (salmon habitat).

Adams Lake holds constitutionally protected Aboriginal rights including title throughout the entirety of its territory. Members of Adams Lake continue to exercise their Aboriginal rights as their ancestors have done for generations, including hunting, trapping, gathering and fishing, along with rights associated with spiritual and cultural traditions which are practiced in accordance with Secwepemc customs, laws and governance structures.

Before any work can be supported on this property, ALIB recommends that a Pespesellkwe CHAOA (Pespesellkwe desktop review) be funded by the proponent, followed up with a Pespesellkwe PFR to be conducted on this property. ALIB is cc'ing other Pespesellkwe communities in this response. ALIB also requires that the proponent create a Chance Find Policy and make all those involved in the project be made aware of it and the possibility of Indigenous cultural heritage values associated with this locale. A template to create the Policy from can be found here: https://islandstrust.bc.ca/document/province-of-bc-archaeology-chance-fi... Note: this guide is from 2014. Some contact information may be out of date.

Please share any cultural heritage or environmental reports associated with this project.

Please consider using the Messages function on this referral in NationsConnect to otherwise respond to this letter.

Kukstemc,

Celia Nord, BA
Assistant Title & Rights Coordinator
Adams Lake Indian Band
Chase, BC

CITY OF
SALMONARM

Memorandum from the Engineering and Public Works Department

TO:	Kevin Pearson, Director of Development Services
DATE:	January 16, 2022
PREPARED BY:	Mustafa Zakreet, Engineering Assistant
OWNER:	**CanZea Developments Ltd.**: 1350 Kinross Place, Kamloops, BC V1S 0B8
APPLICANT:	**Owner**
SUBJECT:	**Official Community Plan& Zoning Amendment Application**
LEGAL:	Lot 3 Section 24 Township 20 Range 10 W6M KDYD Plan 1978 Except Plan KAP54560
CIVIC:	**1141 – 18 Street NE**

Further to your referral dated January 16, 2022, we provide the following servicing information.

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.

7. At the time of development the applicant will be required to submit for City review and approval a detailed site servicing / lot grading plan for all on-site (private) work. This plan will show such items as parking lot design, underground utility locations, pipe sizes, pipe elevations, pipe grades, catchbasin(s), control/containment of surface water, contours (as required), lot/corner elevations, impact on adjacent properties, etc.

8. For the on-site development, prior to commencement the applicant will be required to submit to the City for review and approval detailed engineering plans in accordance with the

requirements of the Subdivision and Development Servicing bylaw 4163. These plans must be prepared by a qualified professional engineer.

9. For the off-site improvements at the time of development 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 development 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 properties southern boundary, is designated as an Urban Local Road standard, requiring 20.0m road dedication (10.0m on either side of road centerline). Available records indicate that no additional road dedication is required (to be confirmed by a BCLS).

2. 11 Avenue NE is currently constructed to an Interim Local Road standard. Upgrading to an Urban Local Road standard is required, in accordance with Specification Drawing No. RD-2. Upgrading may include, but is not limited to, offset sidewalk/multi-use path, davit street lighting and fire hydrants. Owner / Developer is responsible for all associated costs.

3. 18 Street NE, on the subject properties eastern boundary, is designated as an Urban Local Road standard, requiring 20.0m road dedication (10.0m on either side of road centerline). Available records indicate that 3.36m of additional road dedication is required (to be confirmed by a BCLS).

4. 18 Street NE is currently constructed to an Interim Local Road standard. Upgrading to an Urban Local Road standard is required, in accordance with Specification Drawing No. RD-2. Upgrading may include, but is not limited to, road widening and construction, curb & gutter, boulevard construction, street lighting, fire hydrants, street drainage and hydro and telecommunications. Owner / Developer is responsible for all associated costs.

5. The Laneway on the subject properties northern boundary requires 10.0m road dedication. Available records indicate that 4.0m of additional road dedication is required (to be confirmed by a BCLS). At this time a 4m wide Road Reserve would be acceptable since widening of the laneway is considered unlikely in the near future.

6. The Laneway is not constructed to any standard, however, since it is currently only being used as a private driveway, no further upgrades are required.

7. Owner / Developer is responsible for ensuring all boulevards and driveways are graded at 2.0% towards the existing roadway.

8. A 5.0m by 5.0m corner cut is required to be dedicated at the intersection of 11 Avenue NE and 18 Street NE.

9. As 11 Avenue NE will be designated a Collector Road in the future due to traffic volumes, access shall be restricted to 18 Street NE only and no access will be permitted onto 11 Avenue NE.

10. Internal roadways are to be a minimum of 7.3m measured from face of curb. Truck turning movements shall be properly analysed to ensure internal road network will allow emergency and service vehicle access.

Water:

1. The subject property fronts a 450mm diameter Zone 1 watermain on 11 Avenue NE and a 150mm diameter Zone 2 watermain on 18 Street NE. No upgrades will be required at this time.

2. The property shall be serviced by single metered water service connection (as per Specification Drawings No. W-11) adequately sized to satisfy the servicing requirements for the proposed use. Water meters will be provided by the City at time of Building Permit, at the owner/developers cost.

3. Bare Land Strata developments with ground oriented access have the option of a bulk water meter installed at property line at time of subdivision with invoicing to the Strata Corporation or individual strata lot metering with invoicing to each strata lot (currently on an annual flat rate). To qualify for the second option each unit requires a separate outside water service shut-off connected to the onsite private water main. Contact Engineering Department for more information. All meters will be provided at time of building permit by the City, at the owner/developers cost.

4. Records indicate that the existing property is serviced by a service of unknown size from the 150mm diameter watermain on 18 Street NE. This service is to be removed at the water main at the Owner / Developer's cost.

5. The subject property is in an area with sufficient fire flows and pressures according to the 2011 Water Study (OD&K 2012).

6. Fire protection requirements to be confirmed with the Building Department and Fire Department.

7. Fire hydrant installation will be required. Owners consulting Engineer shall review the site to ensure placement of fire hydrants meet the medium density spacing requirements of 90 meters.

Sanitary:

1. The subject property fronts a 200mm diameter sanitary sewer on 11 Avenue NE and a 150mm diameter sanitary sewer on 18 Street NE. Since the 18 Street NE sewer terminates at the top of the hill and there are no further properties served, no upgrades will be required.

2. The subject property is to be serviced by a single sanitary service connection adequately sized (minimum 100mm diameter) 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 Sanitary System to receive the proposed discharge from the development. Owner / Developer is responsible for all associated costs.

3. Records indicate that the existing property is serviced by a 150mm service from the sanitary sewer on 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 525mm diameter storm sewer on 11 Avenue NE. No upgrades will be required at this time, however extension of the Storm sewer up 18 Avenue NE may be required to collect road drainage.

2. Records indicate that the existing property is not connected to City storm. However, there is an inlet structure on the south boundary of the property which is connected to a culvert crossing 11 Avenue NE. The development of this property makes this culvert and inlet structure redundant and it shall be decommissioned. Owner / Developer is responsible for all associated costs.

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. The parcel shall be serviced by a single storm service connection adequately sized (minimum 150mm) to satisfy the servicing requirements of the development. Owner / Developer's engineer may be required to prove that there is sufficient downstream capacity within the existing City Storm System to receive the proposed discharge from the development. All existing inadequate / unused services must be abandoned at the main. Owner / Developer is responsible for all associated costs.

Geotechnical:

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

Variances:

1. The applicant has requested variances to the Zoning Bylaw.

   The Engineering Department has no objections to these variances.

Mustafa Zakreet
Engineering Assistant

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

APPENDIX 10
Amenity Map
P29

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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

February 18, 2022

ALC File: 62847

Aaron Priebe
DELIVERED ELECTRONICALLY

Dear Aaron Priebe:

Re: Reasons for Decision - ALC Application 62847

Please find attached the Reasons for Decision of the Okanagan Panel for the above noted application (Resolution #66/2022). As agent, it is your responsibility to notify the applicants accordingly.

Under section 33 of the ALCA, a person affected by a decision (e.g. the applicant) may submit a request for reconsideration. A request to reconsider must now meet the following criteria:

- No previous request by an affected person has been made, and
- The request provides either:
  - Evidence that was not available at the time of the original decision that has become available, and that could not have been available at the time of the original decision had the applicant exercised due diligence, or
  - Evidence that all or part of the original decision was based on evidence that was in error or was false.

The time limit for requesting reconsideration of a decision is one year from the date of the decision's release, as per ALC Policy P-08: Request for Reconsideration.

Please refer to the ALC's Information Bulletin 08 – Request for Reconsideration for more information.

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

Yours truly,

Claire Buchanan, Land Use Planner

Enclosure: Reasons for Decision (Resolution #66/2022)
cc: City of Salmon Arm (File: ALC-405). Attention: Kathu Frese
62847d1

AGRICULTURAL LAND COMMISSION FILE 62847
REASONS FOR DECISION OF THE OKANAGAN PANEL

Non-Adhering Residential Use Application Submitted Under s.20.1(2) of the Agricultural Land Commission Act

Applicants: Aaron Priebe
Lisa Priebe

Agent: Aaron Priebe

Property: Parcel Identifier:010-165-312
Legal Description: Lot A Section 4 Township 20 Range 10 West of the 6th Meridian Kamloops Division Yale District Plan 6555 Except Plan 9337
Civic: 4890 Foothill Road, Salmon Arm, BC
Area: 2.5 ha (entirely within the ALR)

Panel: Gerald Zimmermann, Okanagan Panel Chair
Joe Deuling
Jerry Thibeault

OVERVIEW

[1] The Property is located within the Agricultural Land Reserve ("ALR") as defined in s. 1 of the *Agricultural Land Commission Act* ("ALCA").

[2] Pursuant to s. 21(2) of the ALCA, the Applicants are applying to the Agricultural Land Commission (the "Commission" or "ALC") to reside in an existing ~237.5 m^2 principal residence (the "Existing Principal Residence") while constructing a new ~732 m^2 principal residence (the "New Principal Residence"). The Applicants plan to decommission the Existing Principal Residence and turn it into a storage building for personal equipment once the New Principal Residence can be occupied (the "Proposal").

[3] The Application material states that the total floor area of the New Principal Residence is 433.2 m^2. However, based on the ALC's definition of "total floor area" for a principal residence (Commission Resolution 056N-2019), which is outlined in Information Bulletin 05: Residence in the ALR ("Information Bulletin 05"), the total floor area of the proposed New Principal Residence is ~732 m^2. According to Information Bulletin 05, "total floor area" for a principal residence excludes attached garages and unenclosed carports to a cumulative maximum of 42 m^2. The New Principal Residence includes ~340 m^2 of attached garage space which is ~298 m^2 beyond the 42 m^2 cumulative maximum. For this reason, the Panel considered the total floor area of the New Principal Residence to be ~732 m^2.

[4] The first issue the Panel considered is whether the Proposal would impact the agricultural suitability of the Property.

[5] The second issue the Panel considered is whether to allow a principal residence with a total floor area greater than 500m^2.

[6] The Proposal was considered in the context of the purposes and priorities of the Commission set out in s. 6 of the ALCA:

6 (1) The following are the purposes of the commission:

(a) to preserve the agricultural land reserve;

(b) to encourage farming of land within the agricultural land reserve 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 land within the agricultural land reserve and uses compatible with agriculture in their plans, bylaws and policies.

(2) The commission, to fulfill its purposes under subsection (1), must give priority to protecting and enhancing all of the following in exercising its powers and performing its duties under this Act:

(a) the size, integrity and continuity of the land base of the agricultural land reserve;

(b) the use of the agricultural land reserve for farm use.

EVIDENTIARY RECORD

[7] The Proposal, along with related documentation from the Applicants, 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

[8] In 2017, Application ID 56071 was submitted to the Commission by the Applicants to subdivide the Property into a 0.4 ha lot, which would contain the Existing Principal Residence, and a 2.1 ha remainder to be used as a hobby farm. The Commission refused the Proposal as it found that the subdivision proposal could limit the types of agriculture that could take place on the resulting lots and retaining the Property as one unit would better ensure that it would be used for agriculture in the future (Resolution #305/2017).

EVIDENCE AND FINDINGS

Issue 1: Whether the Proposal would impact the agricultural suitability of the Property.

[9] The Property currently contains the Existing Principal Residence, which was constructed in the 1950s, a garage and a septic field. The New Principal Residence is proposed to be sited on the eastern boundary of the Property with an existing driveway access from 45th Street SW. The Existing Principal Residence is located on the western boundary of the Property, with access from Foothill Road. The Applicants submit that the siting of the New Principal Residence is in an area that is more desirable for views, sunlight, and internet connectivity.

[10] The Applicants wish to reside in the Existing Principal Residence, while constructing the New Principal Residence. Following the completion of the New Principal Residence, the Applicants intend to decommission the Existing Residence and use it as a storage unit for their recreational vehicles (quads, dirt bikes, boats, and other equipment). The decommissioned Existing Principal Residence would also be used as a service building, as it has a well inside.

[11] The Panel referred to ALC Policy L-26: Non-Adhering Residential Use Applications ("ALC Policy L-26"), which states that the total residential footprint, meaning the portion of a property used for the principal residence, the additional residence(s), and the accessory residential facilities (e.g. yard, driveway, servicing, etc.), should maintain a viable agricultural remainder and should not unnecessarily infringe upon the productive farming area of the Property.

[12] The Panel considered that the Property is 2.5 ha and that retaining the ~237 m^2 Existing Residence for storage and constructing the New Principal Residence including a 340 m^2 attached garage, would increase the area dedicated to residential and residential accessory uses and reduce the area of land available for agriculture. Second, the Panel finds that separating the residential uses on opposite ends of the Property utilizes more land than if the uses were clustered together and retained a continuous area of land available for agriculture. The Panel finds that the Proposal reduces the agricultural suitability of the Property in the long-term by increasing the residential impacts on the Property as well as reducing and constraining the area for agricultural use between residential uses.

[13] For these reasons, the Panel is not amenable to retention of the Existing Residence if a new principal residence is constructed.

Issue 2: Whether to allow a principal residence with a total floor area greater than 500m^2

[14] In February 2019, Bill 52 amended the ALCA to restrict the size of a principal residence to a maximum total floor area of 500 m^2 to curb speculation and inflation of farmland prices. Section 20.1(b) of the ALCA allows a principal residence with a total floor area of 500 m^2 or less. However, the ALCA allows a landowner to apply to

the Commission for a non-adhering residential use to exceed the 500 m^2 total floor area. Upon application, the Commission considers the individual rationale to exceed the ALCA's permitted total floor area and its potential impacts on farmland.

[15] The Panel again considered ALC Policy L-26: Non- Adhering Residential Use Applications and finds that agricultural need and support for agriculture is a relevant factor in considering the ~732 m^2 principal residence on the Property. As such, the Commission considered whether the ~732 m^2 New Principal Residence would be necessary to support an agricultural operation on the Property.

[16] The Application indicates that there are no agricultural activities on Property. As such, the Panel finds that the request for a principal residence in excess 500 m^2 is not necessary for farm use. Further, the Panel finds that a principal residence greater than 500 m^2 would reduce the agricultural potential of the property by occupying potential productive area(s) and as a result, could reduce the likelihood that that Property would be used for agricultural activities now and in the future.

[17] Given the size and configuration of the Property, the Panel considered that the existing residential footprint is in an appropriate location on the Property. The Panel finds that reusing the existing residential footprint for a new principal residence would prioritize and protect as much agricultural land on the Property for agricultural use as possible.

[18] For clarification, the Panel does not object to construction of a new principal residence that is consistent with section 20.1(b) of the ALC Act and fill provisions in the ALR Use Regulation; however, the Panel is not amenable to retaining the Existing Residence that would take up additional space on the Property during and after construction of the New Principal Residence.

DECISION

[19] For the reasons given above, the Panel refuses the Proposal to construct a ~732 m^2 principal residence, to retain the existing ~237.5 m^2 residence after construction of a new residence, and to reside in the existing ~237.5 m^2 principal residence while constructing a principal residence.

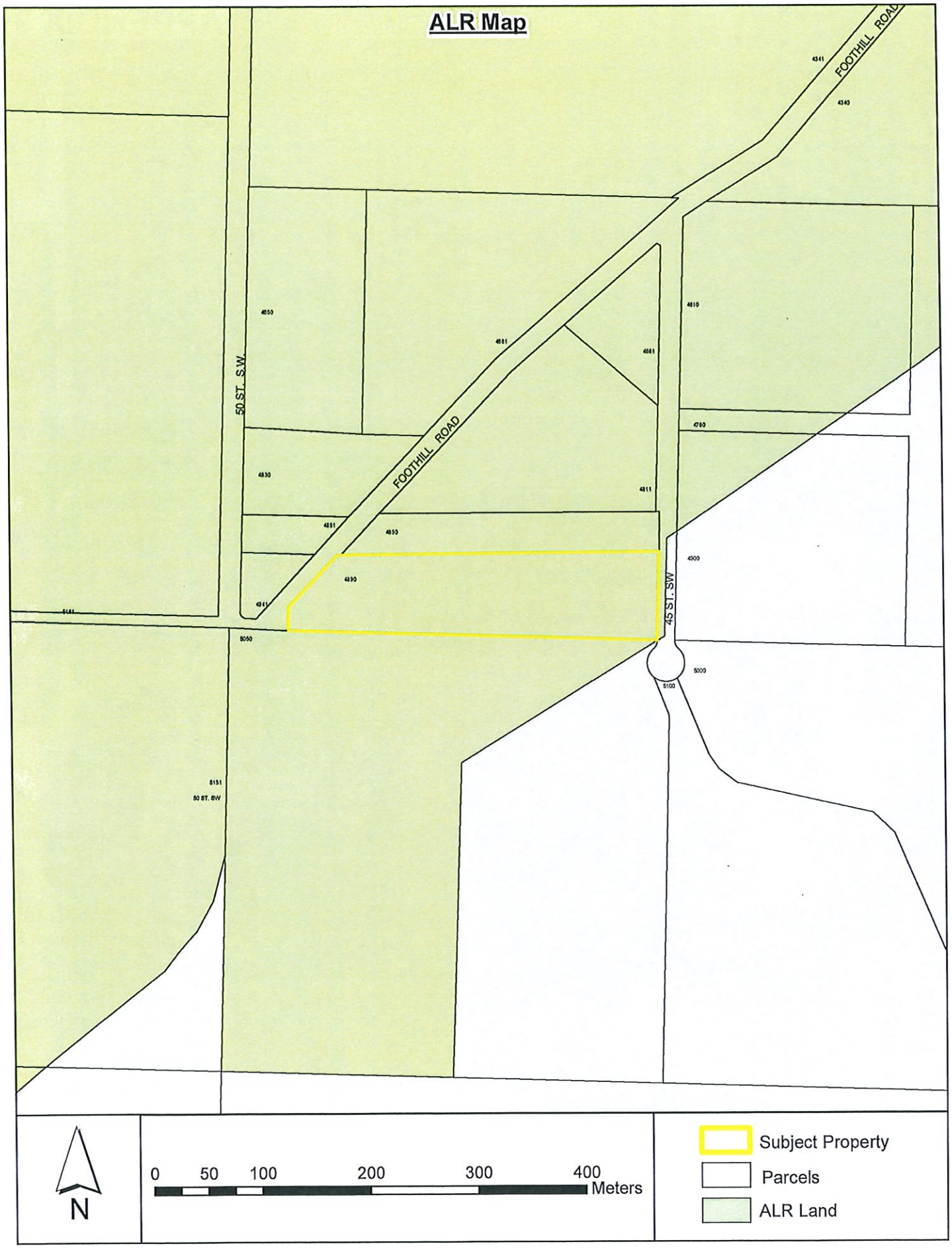
[20] These are the unanimous reasons of the Panel.

[21] A decision of the Panel is a decision of the Commission pursuant to s. 11.1(3) of the ALCA.

[22] Resolution #66/2022
Released on February 18, 2022

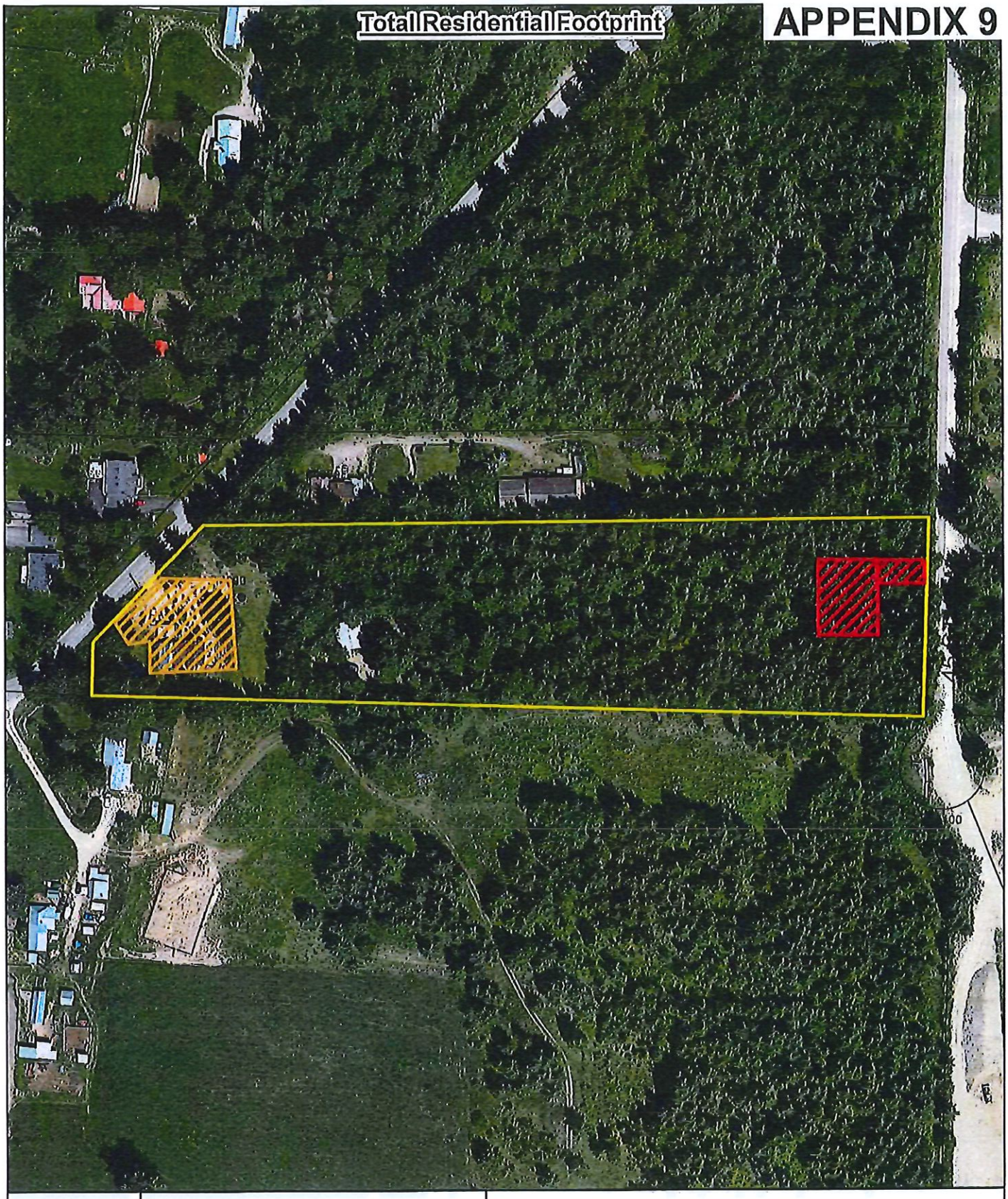
Gerald Zimmermann, Panel Chair
On behalf of the Okanagan Panel

ALR Map


FOOTHILL ROAD
50 ST. S.W.
45 ST. SW
4341
4340
4650
4651
4661
4610
4760
4830
4811
4850
4890
4900
5000
5100
5151
50 ST. SW
N
0 50 100 200 300 400
Meters
Subject Property
Parcels
ALR Land

APPENDIX 9

Total Residential Footprint



N

0 12.5 25 50 75 100 Meters

Subject Property

Parcels

Approximate existing residence footprint

Approximate new residence footprint