



AGENDA

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

**Monday, August 16, 2021
8:00 a.m.
By Electronic Means**

Page #	Item #	Description
	1.	CALL TO ORDER
	2.	ACKNOWLEDGEMENT OF TRADITIONAL TERRITORY <i>We acknowledge that we are gathering here on the traditional territory of the Secwepemc people, with whom we share these lands and where we live and work together.</i>
	3.	REVIEW OF AGENDA
	4.	DISCLOSURE OF INTEREST
	5.	REPORTS
1 - 8	1.	Development Variance Permit Application No. VP-537 [Shott, B.; 830 30 Street SE; Setback requirements]
9 - 20	2.	Zoning Amendment Application No. ZON-1219 [DeMille's Farm Market; Text Amendment; Addition of Licensee Retail Store in C-8 Zone]
21 - 36	3.	Zoning Amendment Application No. ZON-1205 [Optland, D.; 4091 Highway 97B SE; A-2 to M-1]
	6.	PRESENTATIONS
	7.	FOR INFORMATION
	8.	CORRESPONDENCE
	9.	ADJOURNMENT

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To: His Worship Mayor Harrison and Members of Council

Date: August 9, 2021

Subject: Variance Application No. 537

Legal: Lot 17, Section 18, Township 20, Range 9, W6M, KDYD, Plan 14512
 Civic Address: 830 - 30 Street SE
 Owner/Applicant: Brent Shott

STAFF RECOMMENDATION

THAT: Development Variance Permit No. VP-537 be authorized for issuance for Lot 17, Section 18, Township 20, Range 9, W6M, KDYD, Plan 14512 to vary Zoning Bylaw No. 2303 as follows:

Section 13.14.3 – Interior Side Parcel Line Setback reduction from 2.0 m to 1.6 m (east parcel line) to facilitate conversion of an existing detached garage into a detached suite.

PROPOSAL

The subject parcel is located at 830 - 30 Street SE (Appendix 1). The proposal is to convert a portion of the existing detached garage on this property into a *detached suite*. This conversion requires a setback variance for the east parcel line, reducing the interior side setback of the proposed *detached suite* to 1.6 m.

BACKGROUND

The parcel is designated Low Density Residential (LDR) in the City's Official Community Plan (OCP), and currently zoned R1 (Single Family Residential) in the Zoning Bylaw (Appendices 2 and 3). The subject property is located in the Little Mountain Park neighbourhood which largely consists of R1 and some R8 zoned parcels.

Land uses directly adjacent to the subject property include the following:

North:	Single Family Residences	Zoned R1
South:	Single Family Residences and Five Corners Church	Zoned R1, A2, and P3
East:	Single Family Residences and Residential Suites	Zoned R1 and R8
West:	Single Family Residences	Zoned R1

The property is approximately 0.20 ha (2,030 m²) in size and currently contains a single family dwelling and detached garage. The applicant is proposing to convert approximately 55.7 m² (600 ft²) of the existing garage into a *detached suite*. This would be well within the 90 m² (968.8 ft²) maximum size permitted for a *detached suite*. Site photos are attached as Appendix 4.

This application is associated with an outstanding application to rezone this parcel from R1 (Single Family Residential) to R8 (Residential Suite Zone) (Bylaw No. 4447). This Bylaw has received three readings and gone through a public hearing process as required under Section 465 of the *Local Government Act*. Through the public hearing process for the rezoning, no comments were received from neighbours regarding impacts of this proposal. Bylaw No. 4447 cannot receive final reading until a variance permit is approved and issued, and a building permit application has been submitted that shows compliance with BC Building Code and Zoning Bylaw regulations. A setback variance is required for this conversion because

the existing building was built to meet setback requirements for an accessory building. For accessory buildings in the R8 zone, the building must be sited at least 1.0 m from the interior side parcel line and for a *detached suite* the requirement is for a setback of 2.0 m from the interior side parcel line. A legal survey plan was submitted to the city as part of the building permit process for the detached garage (see attached as Appendix 5). This shows the building is sited 1.6 m from the east property line with roughly a 3.0 ft (0.9 m) eave overhang on this side.

COMMENTS

Engineering Comments

Any future building permit that increases demand on water service will require a water service upgrade. For more information and pricing contact Matt Gienger in Engineering Services. This is not a requirement of re-zoning or variance.

Building Department

BC Building Code issues need to be addressed for the associated rezoning application.

Fire Department

No comment.

Planning Department

Development Variance Permits are considered on a case-by-case basis and in doing so a number of factors are taken into consideration when reviewing a request. These factors include site specific conditions such as lot configuration, negative impact to general form and character of the surrounding neighbourhood and negative impact(s) on adjacent properties.

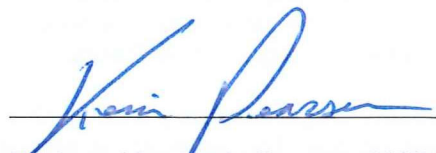
Staff note that this is a large city lot with frontages on three sides. The accessory building is sited quite a distance from the single family dwelling on the property and neighbouring single family dwelling. Both properties are also quite treed on either side so staff feel that privacy should not be a major concern for this proposal. The applicant has also indicated that no windows are proposed on the east side of the building bordering the neighbouring property. Given that this is an existing building and the form and character are likely to remain largely the same, staff feel that this will not have a major visual impacts. It is also noted that no comments or concerns were received during the public hearing process for the associated rezoning.

This property has two existing driveways fronting onto 9 Avenue SE, one for the single family dwelling and one for the existing detached garage. Three parking spaces are required for proposed uses on the property (two for the single family dwelling and one for the *detached suite*). Access and parking requirements are more than satisfied by these existing driveways.

Staff feel that this is a minor setback variance to an existing building that is proposing a change in use. Given this rationale, staff are in support of this application.



Prepared by: Brenda Kolenbrander
Planner



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

Appendices:

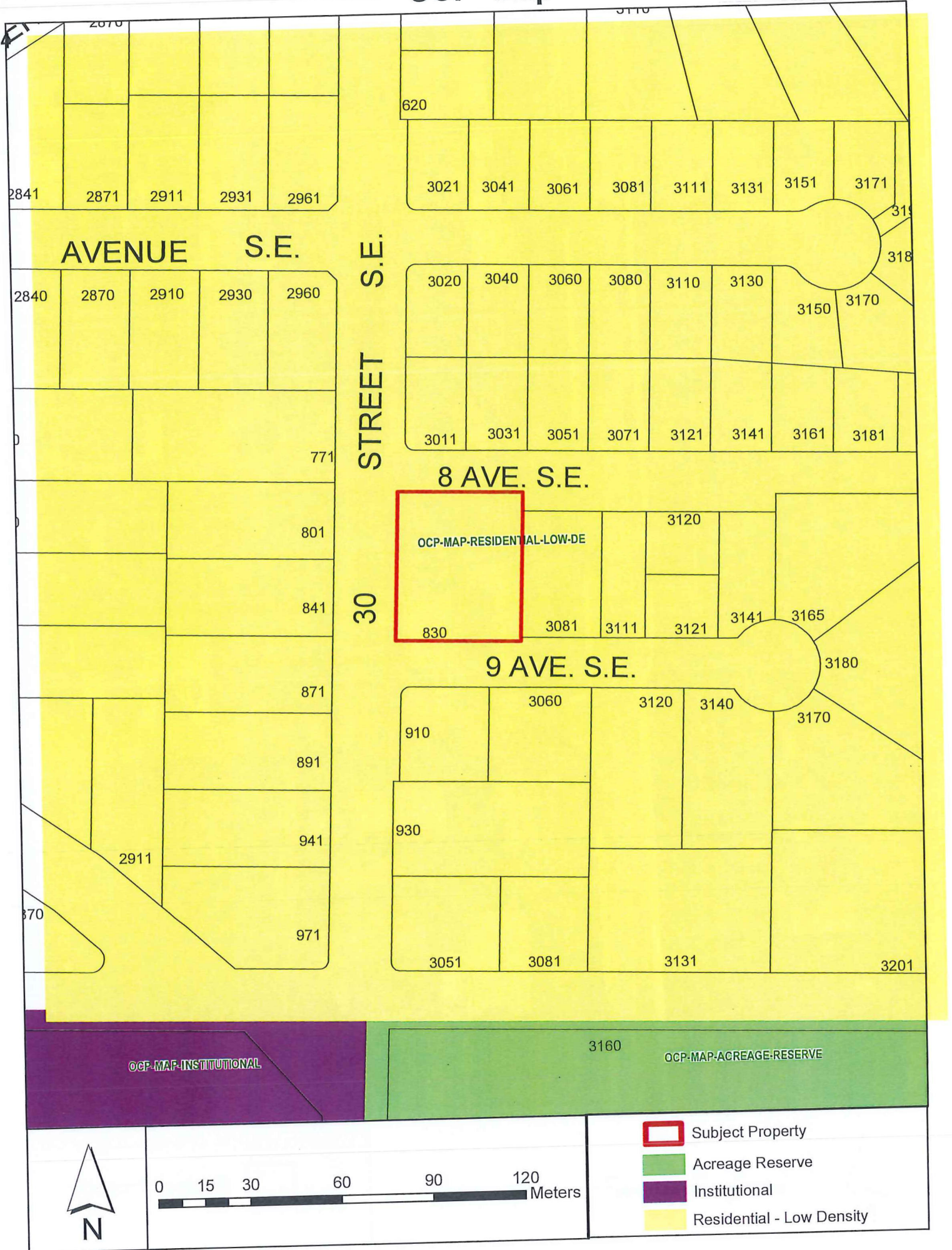
- Appendix 1 – Location Map
- Appendix 2 – OCP Map
- Appendix 3 – Zoning Map
- Appendix 4 – Survey Plan
- Appendix 5 – Site Photos



0 10 20 40 60 80 Meters

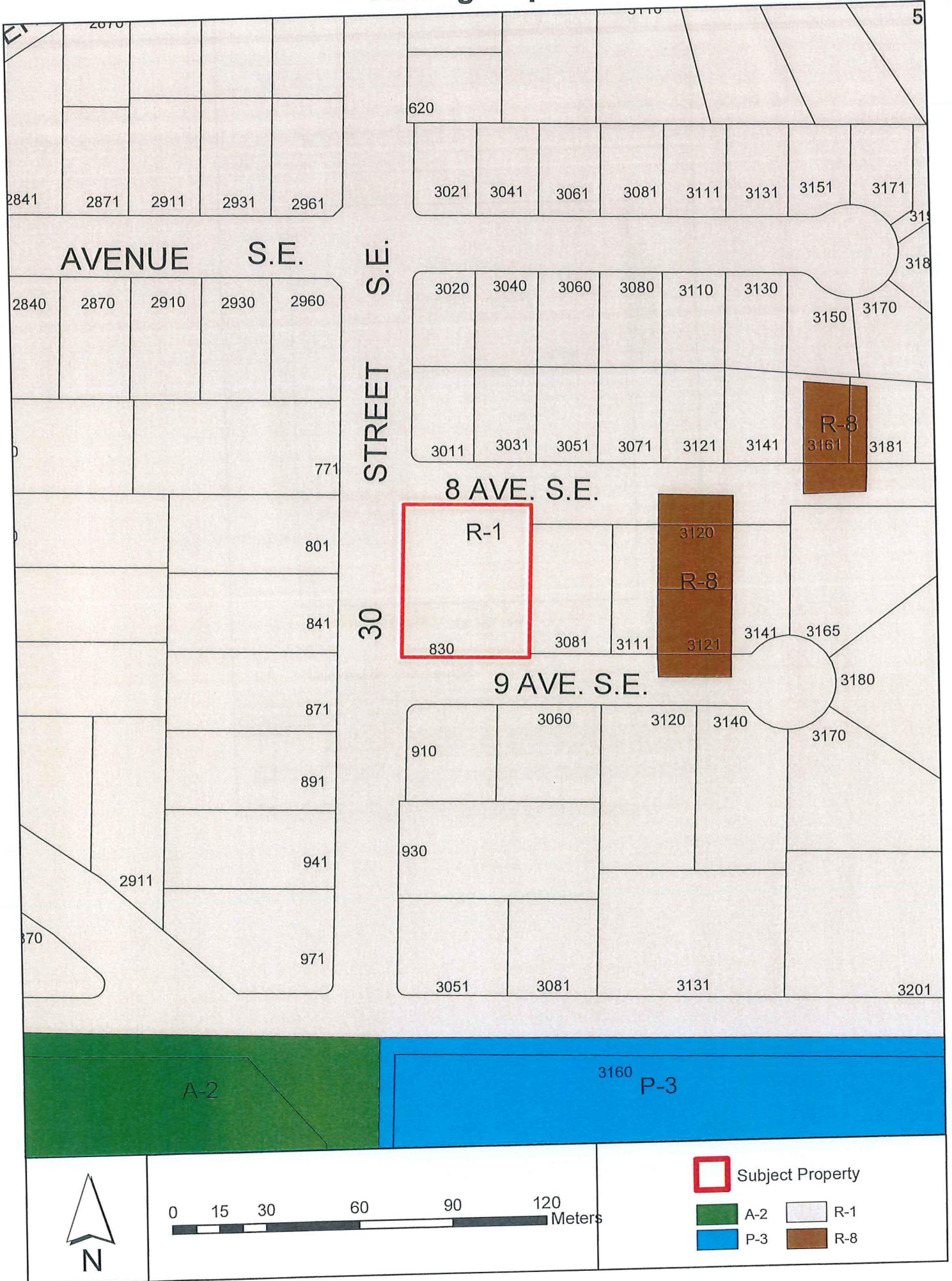


Subject Property



Zoning Map

APPENDIX 3



BROWNE JOHNSON LAND SURVEYORS* BRITISH COLUMBIA AND CANADA LANDS Box 362, Salmon Arm, B.C. V1E 4N5 (250)832-9701	
B.C. LAND SURVEYOR'S CERTIFICATE OF LOCATION	
To: Dan Quilty 830 30th St. SE Salmon Arm, BC V1E 1J5 Your File:	Re: Lot 17, Plan 14512 Section 18, Township 20 Range 9, W6M, KDYO Parcel Identifier(PID): 008-985-341 Civic Address: 830 30th St. SE
List of documents registered on title which may affect the location of improvements:	
8th Ave S.E. 41.04	
Lot 17 Plan 14512	
Note: New construction located only	
30th Street S.E. 49.58	
41.03	
9th Ave S.E.	
Scale 1:300	
Dimensions derived from Plan KAP54441	
Offsets from property line to building are measured from the foundation.	
The signatory accepts no responsibility or liability for any damages that may be suffered by a third party as a result of any decisions made, or actions taken based on this document. This plan was prepared for inspection purposes and is for the exclusive use of our client. This document shows the relative location of the surveyed structures and features with respect to the boundaries of the parcel described above. This document shall not be used to define property lines or property corners. This building location certificate has been prepared in accordance with the Manual of Standard Practice and is certified correct this 16th day of November, 2009.	COPY RIGHT © BROWNE JOHNSON 2009 All rights reserved. No person may copy, reproduce, transmit or alter this document in whole or in part without the prior written consent of BROWNE JOHNSON. THIS DOCUMENT IS NOT VALID UNLESS ORIGINALLY SIGNED AND SEALED.
B.C.L.S. Our File: 409-09 Fb: R116 p.35	

* A PARTNERSHIP PROVIDING LAND SURVEYING SERVICES THROUGH LAND SURVEYING COMPANIES



Property from 9 Avenue SE (facing north)



Property from 8 Avenue SE (facing south)

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To: His Worship Mayor Harrison and Members of Council

Date: August 10, 2021

Subject: Zoning Bylaw Amendment Application No. 1219
Addition of Licensee Retail Store in C8 Zone

Applicant: DeMille's Farm Market

STAFF RECOMMENDATION

THAT: A Bylaw be prepared for Council's consideration, adoption of which would amend Zoning Bylaw No. 2303 as follows:

1) Section 22 – C-8 - Farm Produce Commercial Zone

Add a subsection to section 22.3 – Permitted Uses – and renumber the balance accordingly;

.2 *licensee retail store*

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

PROPOSAL

To amend the Zoning Bylaw to include *licensee retail store* as a permitted use in the C8 (Farm Produce Commercial) Zone as per ALC decision #400/2021 (Appendix 1). Only two properties in the city are zoned C8: 3710 10 Avenue (TCH) SW and 3390 10 Avenue (TCH) SW. Although ALC Application #400/2021 relates specifically to a proposal by DeMille's Farm Market (3710 10 Avenue (TCH) SW) to allow for retail liquor sales, this rezoning would apply to the entire C8 zone.

BACKGROUND

On July 5 of this year, the ALC approved an application for a non-farm use at 3710 10 Avenue (TCH) SW. This approval applies only to the portion of this property that is zoned C8 (note that only the existing retail market is zoned C8).

An ALC Non-Farm Use application was required because DeMille's Farm Market is located within the Agricultural Land Reserve (ALR) and their proposal to sell liquor at the market is considered a non-farm use. Although the ALC application was approved, the C8 zoning does not currently allow for retail liquor sales. In order to permit this use, a text amendment is required to add *licensee retail store* to the C8 zone.

While this text amendment would also apply to Pedro Gonzales at 3390 10 Avenue (TCH) SW (the only other property zoned C8), separate ALC and Liquor Licensing approval would be needed if a *licensee retail store* were also proposed at that location.

DeMille's Farm Market is located at 3710 10 Avenue (TCH) SW (Appendices 2). This property is designated Salmon Valley Agriculture in the City's Official Community Plan (OCP) and zoned Farm Produce Commercial (C8) and Agriculture (A1) in the Zoning Bylaw (Appendices 3 and 4).

See C8 regulations attached as Appendix 5.

The Market is located at the end of a strip of highway commercial businesses in an area consisting of a mixture of commercial and agricultural land, as well as reserve land.

Land uses directly adjacent to the subject properties include the following:

North: Trans Canada Highway and Farmland (in the ALR)	Zoned A2 and C5
South: Farmland (in the ALR)	Zoned A1
East: Pedro Gonzales, Country Camping, and Farmland (some in ALR)	Zoned C3, C8, A1, A2, and A3
West: Farmland	Zoned A1 and A2

DISCUSSION

Policy 7.2.4 shows general support for agri-business opportunities in rural and agricultural areas that are complementary to local agriculture. Although perhaps not exactly an agri-business, staff do feel that this use would be complementary to existing agri-businesses at this location.

The C8 zone of the City of Salmon Arm's Zoning Bylaw does not currently include *licensee retail store* as a permitted use. This use is permitted in all commercial zones except in the C4 (Fuel Service Station Commercial), C8 (Farm Produce Commercial), C9 (Country Inn Commercial), and C10 (High Technology Research & Development) zones. All other commercial zones, as well as three comprehensive development zones, allow for *licensee retail store*.

In addition to requiring Ministry of Transportation and Infrastructure approval, Provincial Liquor Licensing is required by the Liquor and Cannabis Regulation Branch. Proof of appropriate licensing will be required at the building permit stage (or business license stage if no renovations are proposed).

Parking requirements for licensee retail store use is 1 space per 12 sq. m. of retail floor area. If accommodated within the existing building, this may not require additional parking. This would be assessed at the building permit or business license stage.

CONCLUSION

Given that most commercial zones already permit *licensee retail store* use, staff feel that this use would be compatible with the C8 zone and are in support of this application.



Prepared by: Brenda Kolenbrander
Planner



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

Appendices:

- Appendix 1 – ALC Non-Farm Use Application and Proposal Map
- Appendix 2 – DeMille's Location Map
- Appendix 3 – OCP Map
- Appendix 4 – Zoning Map
- Appendix 5 – C8 Zoning Regulations

Provincial Agricultural Land Commission - Applicant Submission

Application ID: 61586

Application Status: Under LG Review

Applicant: Birch Haven Farms Ltd.

Local Government: City of Salmon Arm

Local Government Date of Receipt: 10/22/2020

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

Proposal Type: Non-Farm Use

Proposal: We would like to sell liquor at our Farm Market. Our proposal makes no changes to the size, integrity and continuity of the Agricultural Land Reserve. We will continue to farm lands we own and lease in order to supply our market. In addition our proposal will encourage the farming of agriculture lands and the growth of the industry in our region and throughout BC as we seek out grower and suppliers for our new venture.

Mailing Address:

3710 10th Avenue S.W.

Salmon Arm, BC

V1E 3K1

Canada

Primary Phone: (250) 833-9976

Email: demilles@shaw.ca

Parcel Information

Parcel(s) Under Application

1. **Ownership Type:** Fee Simple

Parcel Identifier: 008-678-111

Legal Description: Lot B, KAP15901, section 9 township 20, range 10, meridian land district 25 except 32284 manufactured home reg #57018

Parcel Area: 27.9 ha

Civic Address: 3710 10th Ave SW Salmon Arm BC V1E 3K1

Date of Purchase: 01/01/1979

Farm Classification: Yes

Owners

1. **Name:** Birch Haven Farms Ltd.

Address:

3710 10th Avenue S.W.

Salmon Arm, BC

V1E 4M2

Canada

Phone: (250) 833-9976

Cell: (250) 832-7550

Email: demilles@shaw.ca

12 Current Use of Parcels Under Application

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

DeMille's Farm market is a third generation family farm. With roots in California farming, the family moved to the Salmon Arm Valley in 1970 and has owned this property since 1979. From a humble beginning of ten rows of corn and roadside stand, DeMille's now farm 67 acres of our 69 acres site - all of which is in the Agricultural Land Reserve. Famous for our sweet corn, we also grow and sell alfalfa, pumpkins, vegetables, sunflowers and hemp on a total of 130 acres. In addition, our Farm Market sells agriculture products from throughout BC.

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

None part of the application

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

Existing Farm Market.

Adjacent Land Uses

North

Land Use Type: Agricultural/Farm

Specify Activity: Highway

East

Land Use Type: Agricultural/Farm

Specify Activity: Farm

South

Land Use Type: Agricultural/Farm

Specify Activity: Farm

West

Land Use Type: Agricultural/Farm

Specify Activity: Orchard

Proposal

1. How many hectares are proposed for non-farm use?

1 ha

2. What is the purpose of the proposal?

We would like to sell liquor at our Farm Market. Our proposal makes no changes to the size, integrity and continuity of the Agricultural Land Reserve. We will continue to farm lands we own and lease in order to supply our market. In addition our proposal will encourage the farming of agriculture lands and the growth of the industry in our region and throughout BC as we seek out grower and suppliers for our new venture.

3. Could this proposal be accommodated on lands outside of the ALR? Please justify why the proposal cannot be carried out on lands outside the ALR.

No

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

13

DeMille's Farm Market is proud to contribute to the Salmon Arm economy by serving residents of our valley and attracting tourists from and wide. With the addition of liquor sales, we believe our revenue will be further diversified and enable us to remain viable during difficult economic times.

5. Do you need to import any fill to construct or conduct the proposed Non-farm use?

No

Applicant Attachments

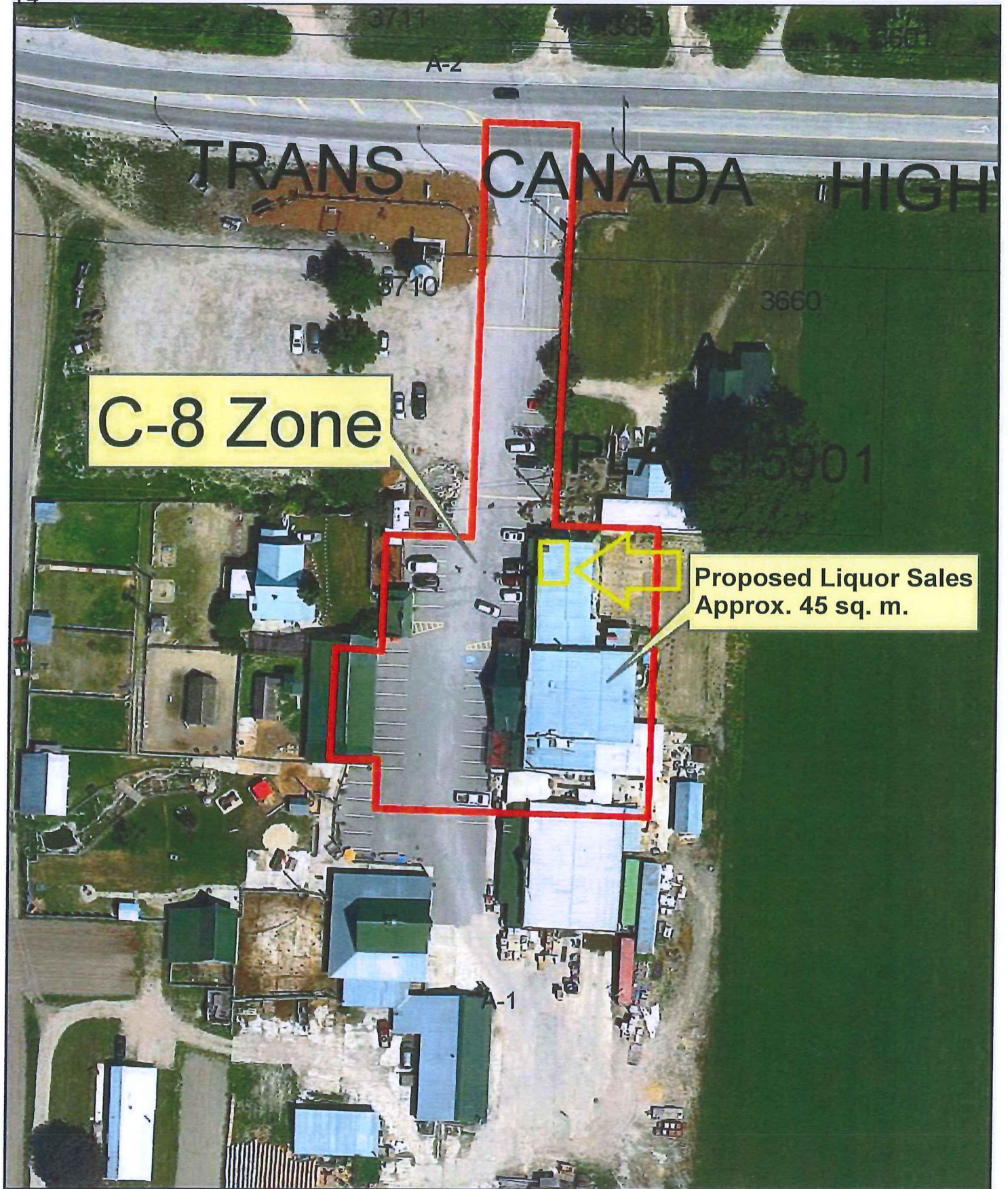
- Proposal Sketch - 61586
- Certificate of Title - 008-678-111

ALC Attachments

None.

Decisions

None.



50

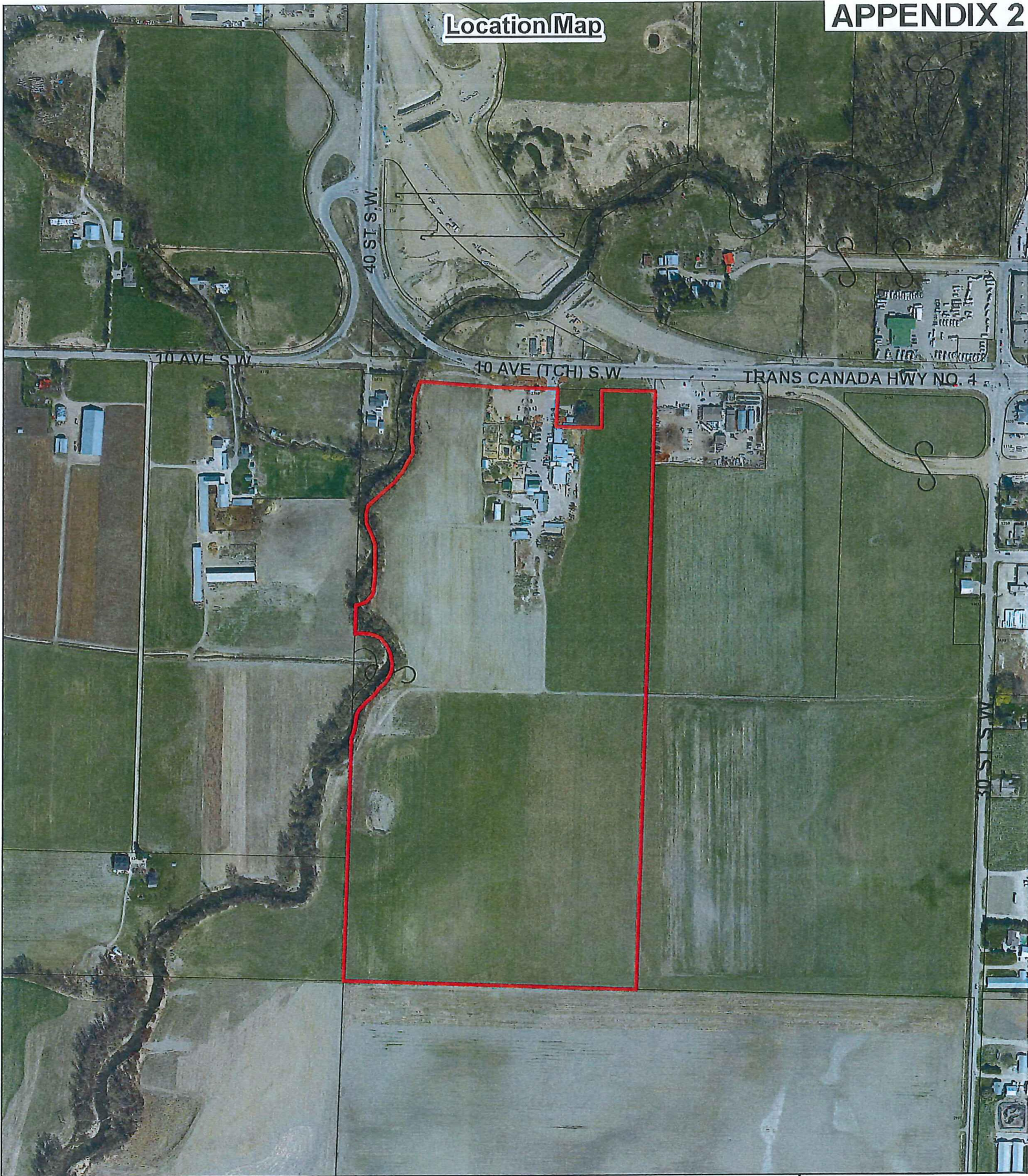
25

0

50 Meters



Location Map



0 100 200 400 600 800 Meters

Subject Property

Parcels

OCP Map

16

40 ST S.W.

10 AVE S.W.

10 AVE (TCH) S.W.

TRANS CANADA HWY NO. 1

30 ST S.W.

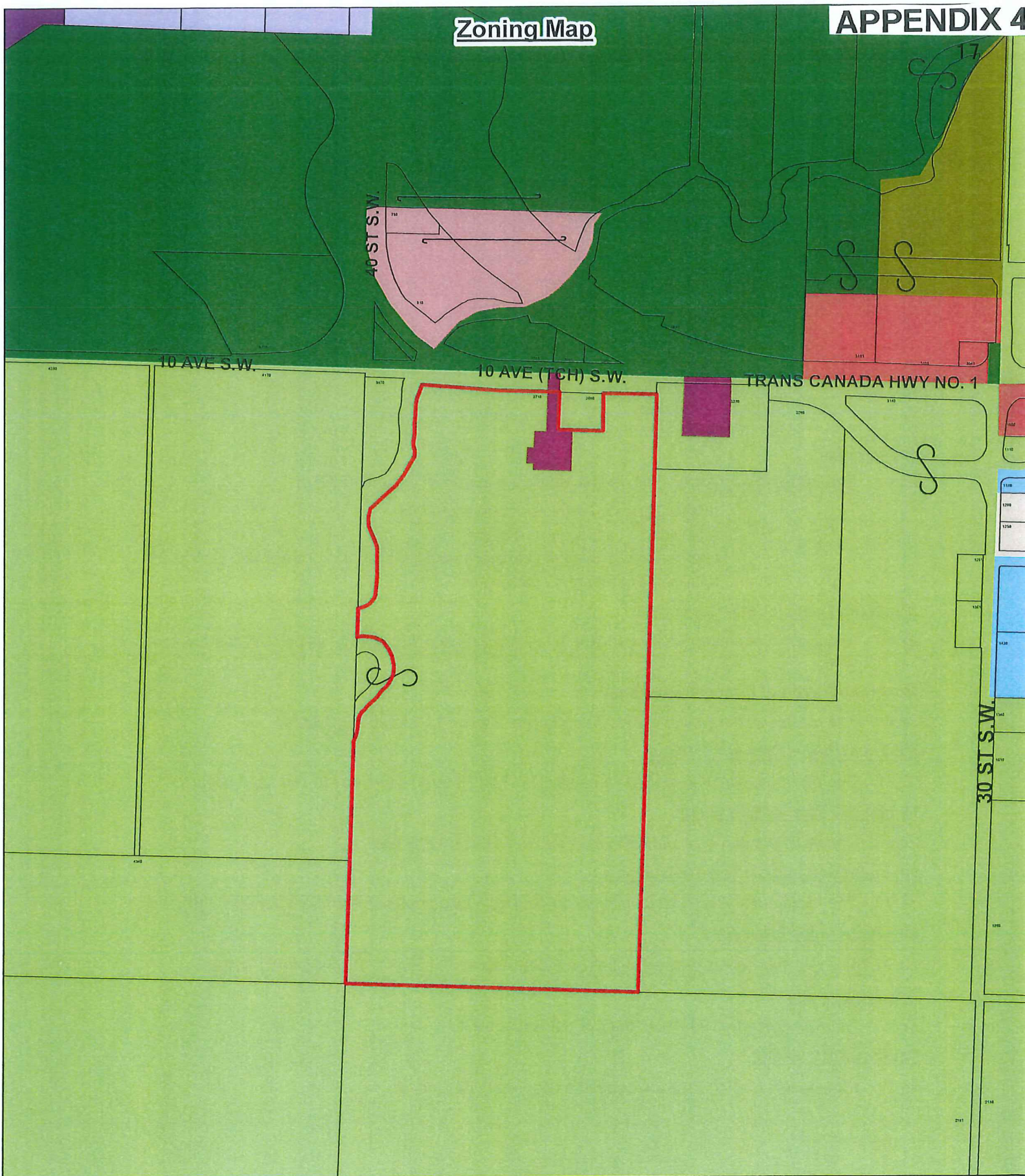
OCP Designation

-  Salmon Valley Agriculture
-  Commercial - Highway Service / Tourist
-  Industrial - General

-  Subject Property
-  Parcels



0 37.575 150 225 300 Meters



0 37.575 150 225 300 Meters

Zoning

	A-1		C-3		M-1		P-3
	A-2		C-5		M-2		R-1
	A-3		C-8		M-5		

Subject Property
 Parcels

18 **SECTION 22 - C-8 - FARM PRODUCE COMMERCIAL ZONE****Purpose**

22.1 The C-8 Zone is intended to provide for the year-round retail sale of farm produce.

Regulations

22.2 On a *parcel zoned C-8*, no *building or structure* shall be constructed, located or altered and no plan of subdivision approved which contravenes the regulations set out in the C-8 Zone or those regulations contained elsewhere in this Bylaw.

Permitted Uses

22.3 The following uses and no others are permitted in the C-8 Zone:

- .1 retail sale of farm produce;
- .2 *mobile food vending*; #4240
- .3 *outside vending*; #2837
- .4 *public use*;
- .5 *public utility*;
- .6 *accessory use*.

Accessory Use

22.4 The following *accessory uses* and no others are permitted in the C-8 Zone:

- .1 retail sale of confectioneries and soft drinks;
- .2 retail sale of packaged food stuffs;
- .3 retail sale of bedding plants, processed fruits, shrubs or trees and plant food;
- .4 retail sales of arts and crafts. #3768

Maximum Parcel or Site Coverage

22.5 The maximum *parcel or site* coverage for all *buildings and structures* shall be 40% of the *parcel or site* area.

Maximum Height of Principal Buildings

22.6 The maximum *height* of the *principal buildings* shall be 10.0 metres (32.8 feet).

Minimum Parcel Size or Site Area

22.7 The minimum *parcel* size or *site* area shall be 1,000.0 square metres (10,764 square feet).

Minimum Parcel or Site Width

22.8 The minimum *parcel or site* width shall be 20.0 metres (65.6 feet).

Minimum Setback of Principal Building

22.9 The minimum *setback* of the *principal building* from all *parcel* lines shall be 6.0 metres (19.7 feet).

Maximum Sales Floor Area

22.10 The maximum sales *floor area* shall be 680.0 square metres (7,319 square feet). #3768

Outside Storage

22.11 Outside storage shall be screened as per Appendix III.

Parking and Loading

22.12 Parking and loading shall be required as per Appendix I. #3768

SECTION 2 - DEFINITIONS - CONTINUED

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HEALTH SERVICES CENTRE means an establishment primarily engaged in furnishing medical, surgical or other services to individuals, including the offices of physicians, dentists and other health practitioners, medical and dental laboratories, out-patient care facilities, blood banks, and oxygen and miscellaneous types of medical supplies and services.

HEIGHT when determining the *height* of *buildings*, except for those *structures* listed in Section 4.4 (Height Exceptions), means the vertically measured distance between the lowest of the average levels of *grade* adjoining each exterior wall of a *building* prior to the start of construction of the *building*, to the roof line of the *building* when roof line means the highest point on any roof top or edge or parapet forming the top line of the (roof) *building* silhouette.

HELIPORT means a facility where an area of land is used for the arrival and departure of helicopters on a regular basis and may or may not include facilities for repair, refuelling and/or overnight storage for same.

HIGH TECHNOLOGY RESEARCH AND DEVELOPMENT means Commercial *office* use involving the research and/or design, including the light assembly and value added production of items and components used in the fields of computer software and programming, electronics, telecommunications, aeronautics, precision engineering, robotics, biochemistry, health care, and related industries. *High Technology Research and Development* does not include activities that may cause a *nuisance* or negative impacts, such as noises, odors, emissions, vibrations or other externalities off the *parcel* line..

HIGHWAY includes a street, road, lane, walkway, viaduct and any other way open to *public use*, but does not include a private right-of-way on private property.

HOME OCCUPATION means any occupation or profession carried out in a home, where the occupation or profession is accessory to the use of a dwelling for residential purposes. A *home occupation* shall not include a *family* or *commercial daycare facility*, boarders, or a *bed and breakfast* (Also see Section 4.5 General Regulations).

HOTEL means a *building* which contains *sleeping units* and may contain assembly, commerce, entertainment, indoor recreation, or *restaurant* uses and premises licensed for beer and wine sales and on-site consumption of alcoholic beverages.

INTENSIVE AGRICULTURE means the use of land, *buildings* and *structures* by a commercial enterprise or an institution for the confinement of poultry, livestock or fur bearing animals, or the growing of mushrooms.

INTERIOR SIDE PARCEL LINE means a *parcel* line other than a rear or *front parcel line* which is not common to a *highway* or *access route*, excluding *lanes* and *walkways*.

KENNEL means any *building*, *structure*, compound, group of pens or cages or property in which or where four (4) or more dogs or cats in total are intended to be trained, cared for, bred, boarded, or kept for any commercial purpose. A dog or cat means a member of the canine or feline species which is two (2) or more months in age.

KEY/CARD-LOCK FUEL INSTALLATION means a private facility, not available to the general public, for the dispensing of motor fuel.

LICENSEE RETAIL STORE means an establishment that specializes in the retail sale of liquor products, and which is licensed in accordance with the Provincial Liquor Control and Licensing Act Regulations. #3223, #3249, #3630

LIGHT INDUSTRY means the wholesaling, warehousing, testing, processing, service, repair or maintenance of an article, substance, material, fabric or compound; and includes artisan and manufacturing shops, and industrial retail sales accessory to the *principal use*, excluding all other industrial uses that create a *nuisance*.

LOWER FLOOR DWELLING UNIT means a dwelling unit located below an industrial, commercial, retail or office use where the uppermost floor of the dwelling unit is more than 1.2 metres below the lowest of the average levels of grade adjoining the dwelling unit, and contains a separate entrance. #3951

MANUFACTURED HOME means a *single family dwelling* manufactured in component parts and constructed to CSA A277 standards with the intention of the parts being transported to a new ultimate *site* and only once fully assembled, attached to a foundation and connected to services is it ready for occupancy.

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To: His Worship Mayor Harrison and Members of Council

Date: August 11 2021

Subject: Zoning Bylaw Amendment Application No. 1205

Legal: Lot C, Section 5, Township 20, Range 9, W6M, KDYD, Plan 12843 Except Plan H10964

Civic: 4091 Highway 97B SE

Applicant: Optland, D.

STAFF RECOMMENDATION

THAT: A bylaw be prepared for Council's consideration, adoption of which would amend Zoning Bylaw No. 2303 by rezoning Lot C, Section 5, Township 20, Range 9, W6M, KDYD, Plan 12843 Except Plan H10964 from A-2 (Rural Holding Zone) to M-1 (General Industrial Zone).

AND FURTHER THAT: final reading of the zoning amendment bylaw be withheld subject to:

- 1) Registration of a Section 219 covenant and survey plan to secure road reserve aligned with the attached road network preplan (Appendix 9); and
 - 2) Approval by the Ministry of Transportation and Infrastructure.
-

BACKGROUND

The subject parcel is located at 4091 Highway 97B SE, at the north-eastern end of the Industrial Park adjacent to Highway 97B (Appendix 1 and 2). The parcel has a total area of approximately 18 acres, is designated Industrial General in the City's Official Community Plan (OCP), and zoned A-2 (Rural Holding) in the Zoning Bylaw (Appendix 3 & 4). This area is generally comprised of M-1 and A-2 zoned parcels.

The proposal is to rezone the parcel from A-2 (Rural Holding) to M-1 (General Industrial) to facilitate future industrial development. M-1 Zoning regulations and site photos are attached (Appendix 5 & 6).

The Zoning Map attached shows the mix of zones in the immediate area. Land uses adjacent to the subject parcel include the following:

North:	General Industrial (M-1) and Rural Holding (A-2);
South:	Rural Holding (A-2);
East:	Highway 97 with Rural Holding (A-2) beyond; and
West:	General Industrial (M-1).

Staff note that two parcels directly south of the subject parcel are also under application to be rezoned to M-1. Coordination between these adjacent parcels is necessary for access due to MOTI's restrictions on access and egress to Highway 97B.

OCP POLICY

The subject parcel is designated as General Industrial in the OCP. The proposed M-1 zone is in alignment with this land use designation. The proposal generally aligns with OCP Objective 10.2.3, which supports similar industrial land uses in specific locations, and OCP Policy 10.3.8 which suggests access to appropriate roads, servicing and potential for buffering.

Given the size of the subject parcel, and the 465 square metre minimum parcel size permitted in the M-1 zone, the land under application has substantial potential, subject to road access and servicing.

Staff note that the parcel is also subject to OCP Policy 10.3.9 which guides the form and character of industrial development fronting major transportation corridors. While zoning requirements for screening and landscaping would be applicable, additionally at time of Building Permit, a Development Permit application would be required.

The subject parcel is also subject to the Road Network Policy within the OCP, with the future extension of 40 Avenue SE over this parcel identified in OCP Map 12.1 (Appendix 10). Additionally, the proposal also relates to OCP Policy 12.3.15 (a) to work with MOTI to improve Provincial Highways including an intersection on Highway 97B at 40 Avenue SE for the Salmon Arm Industrial Park. However, MOTI comments state that a new intersection at 40 Avenue SE and Highway 97B is not supported at this time.

COMMENTS

Ministry of Transportation and Infrastructure

Full MOTI comments are attached as Appendix 7.

The rezoning adjacent to a Controlled Access Highway is of concern to MOTI, as it would allow for land uses which would generate impactful traffic and potential safety concerns relative to direct access on to Highway 97B. As such, MOTI has withheld preliminary approval subject to access being provided from a municipal street to restrict potential highway access, and a covenant restricting access to Highway 97B.

Engineering Department

While not conditions of rezoning, full municipal services are required at time of development. Attached comments have been provided to the applicant (Appendix 8).

Building Department

No concerns.

Fire Department

No Fire Department concerns.

Planning Department

While the subject parcel has been historically used for rural-residential land use, the OCP envisions this parcel as a component of the City's primary industrial park. Keeping in mind the Industrial General OCP land use designation, the subject parcel is located in an area well-suited for industrial development, within close proximity to similar industrial lands.

The proposed zoning is generally aligned with the neighbouring land uses, largely separated from adjacent parcels by roadways and topography. It is important to note that the OCP also envisions the neighbouring A-2 zoned parcels to the north and south as Industrial General. The M-1 zone regulations of the Zoning Bylaw are attached as Appendix 5. While no buildings are proposed at this time, the maximum height of buildings is 15 metres, while maximum parcel coverage for all buildings is 60%.

As the parcel fronts a major transportation corridor and acts as a gateway to the community, screening and landscaping is an important element related to general industrial use. Outside storage is required to be screened as per the Zoning Bylaw. The site plan specifies screening provisions including fencing with privacy slats and low growth trees/shrubs which would meet the requirements of the Zoning Bylaw. Should development proceed in the future involving a building, a Development Permit application would be required, including a detailed landscape plan.

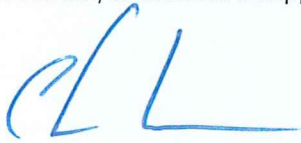
Road Reserve

In order to address MOTI concerns restricting highway access, as well as to provide access to the lands beyond those under application which would face similar access restrictions, City staff has commissioned a preliminary advanced road plan for the area (Appendix 9). This future road network would support the future development and expansion of the Industrial Park by enabling efficient subdivision of the lands under application, provide access aligned with MOTI concerns, and allow access to the land beyond, and as such is a key element of this proposal.

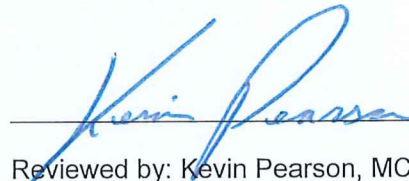
The proposed road network includes a strip along the north parcel line aligned with the previously discussed proposed 40 Avenue SE extension identified in the OCP, and bisecting the parcel for the future road network. Given full road construction is premature at this time but recognizing the importance of the future road plan, staff have recommended the registration of a Section 219 road reserve covenant be made a condition of issuance of rezoning to secure the future road alignment.

CONCLUSION

Staff note the importance of the future road plan for this area. Considering the proposed use and the location, MOTI concerns, and noting the development potential of the site and adjacent lands, staff recommend support of the proposal subject to the registration of a Section 219 road reserve covenant. The proposed M-1 zoning of the subject property is supported by OCP policy and, subject to road reserve covenant, is therefore supported by staff.



Prepared by: Chris Larson, MCIP, RPP
Senior Planner



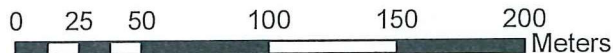
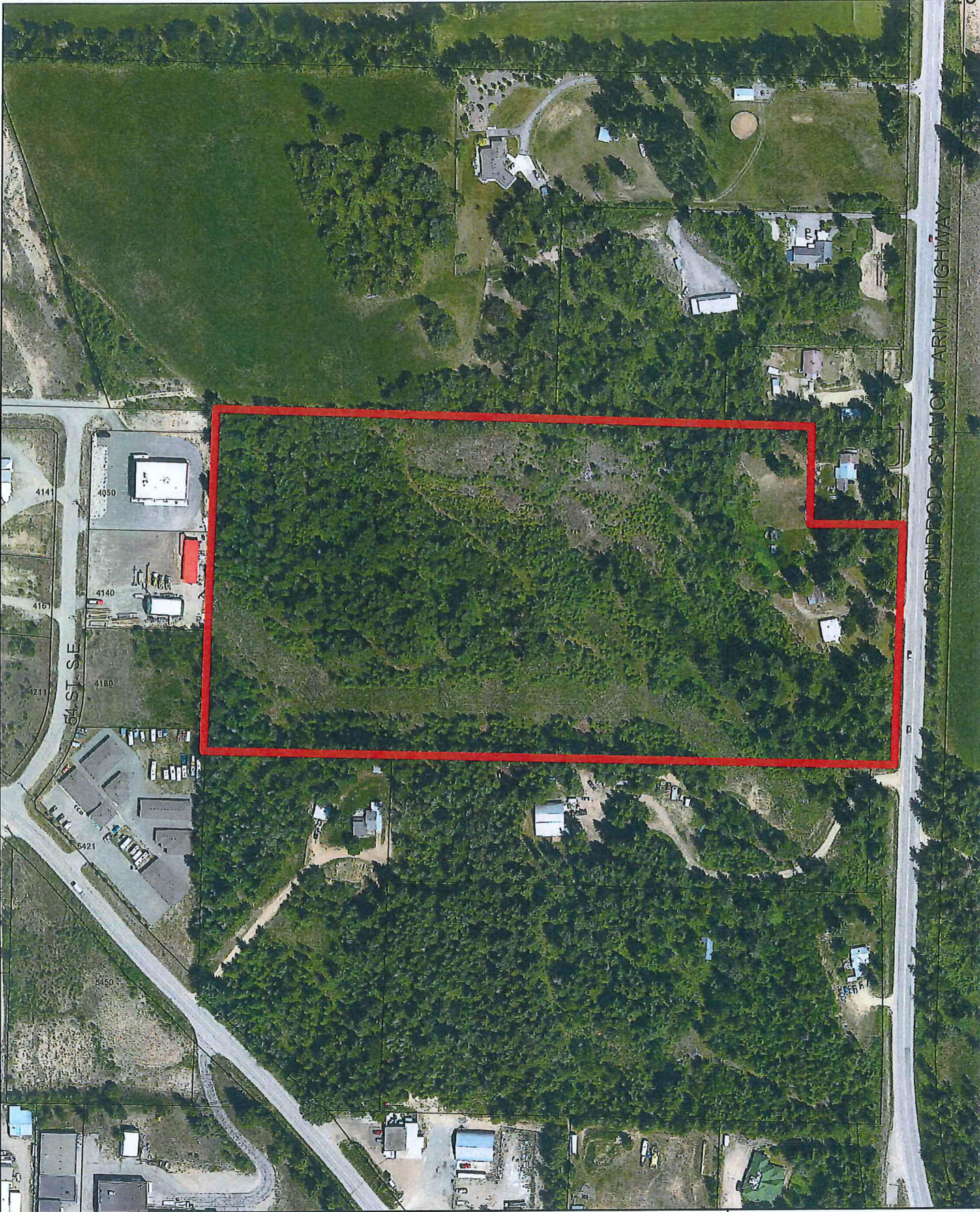
Reviewed by: Kevin Pearson, MCIP, RPP
Director of Development Services




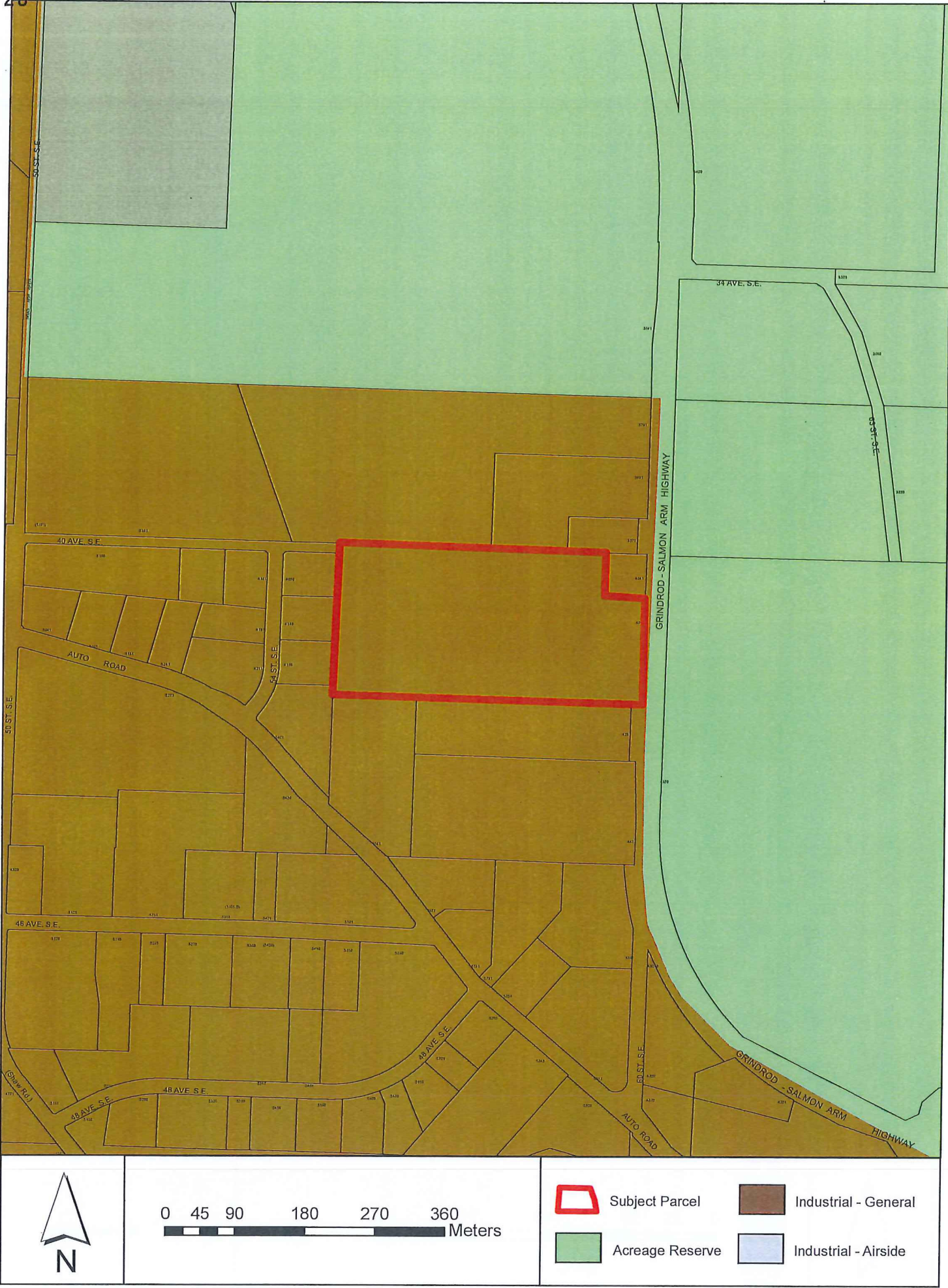
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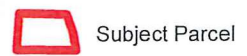
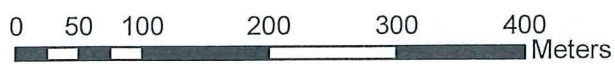
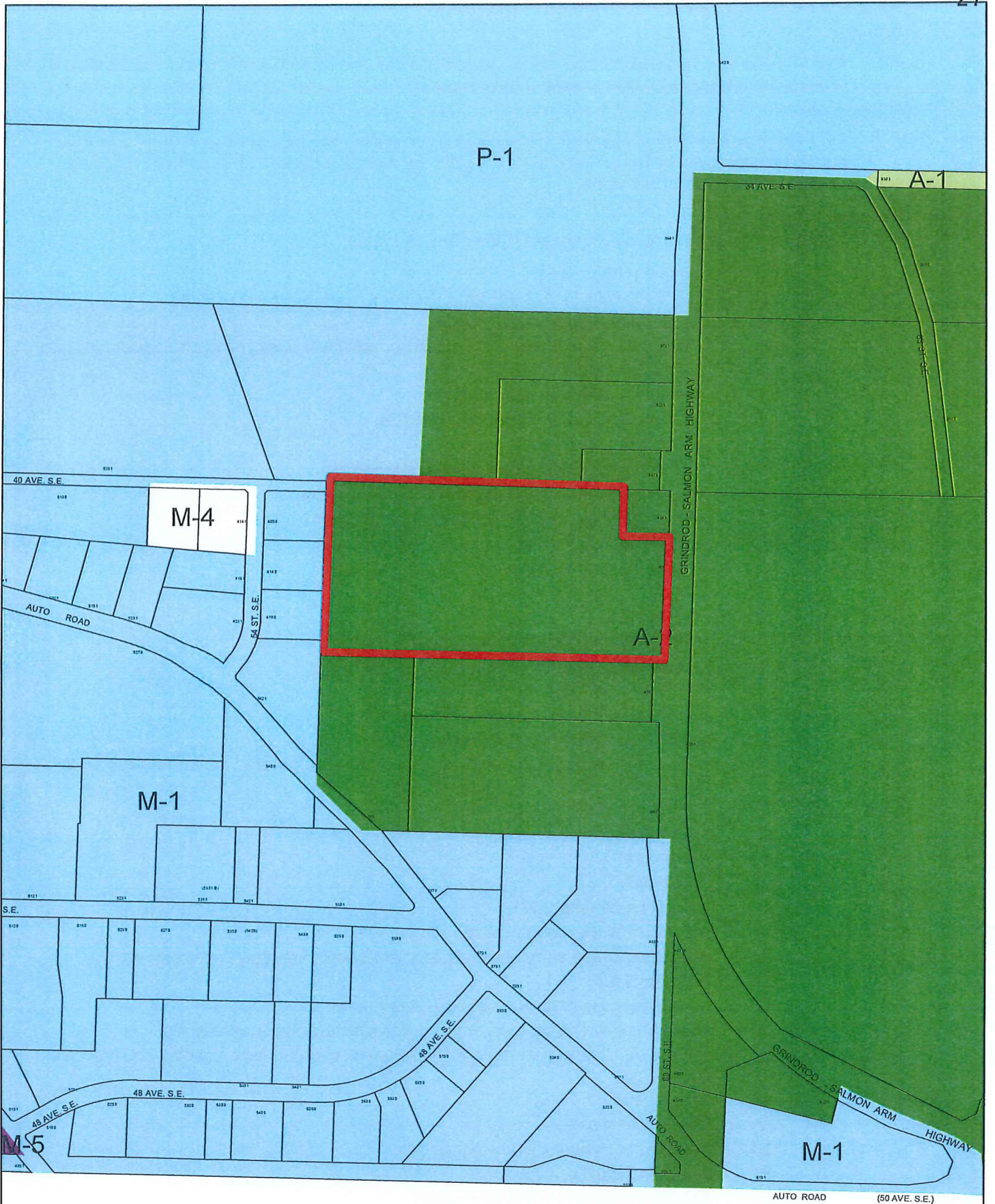


Subject Parcel



 Subject Parcel





Subject Parcel

Purpose

- 28.1 The M-1 Zone provides for the location of general industrial and manufacturing uses to be located in areas where conflict with other uses is unlikely to occur.

Regulations

- 28.2 On a *parcel zoned* M-1, no *building or structure* shall be constructed, located or altered and no plan of subdivision approved which contravenes the regulations set out in the M-1 Zone or those regulations contained elsewhere in this Bylaw.

Permitted Uses

- 28.3 The following uses and no others are permitted in the M-1 Zone:

- .1 auction yards; #2736
- .2 automotive and truck repair shop, including body repair and painting;
- .3 building supply establishment; #2736
- .4 bulk petroleum products sales and limited retail fuel sales, maximum two [2] pumps;
- .5 *cafe*; #2736
- .6 *commercial daycare facility*; #3724
- .7 concrete products and ready-mix concrete;
- .8 distillery and brewery;
- .9 farm equipment sales and rentals; #2736
- .10 greenhouses, nurseries, including retail sales; #2736
- .11 *high technology research and development*; #4368
- .12 *home occupation*; #2782
- .13 *key lock fuel installation*;
- .14 laboratory, scientific and research; #2736
- .15 *light industry*;
- .16 machinery sales, rental; #2736
- .17 *mini warehousing*;
- .18 *mobile food vending*; #4240
- .19 *mobile home* manufacturing and sales;
- .20 moving and storage establishment; #2736
- .21 *office, storage building*, workshop and yard for general contractor and trade contractor;
- .22 *outside vending*; #2837
- .23 *private utility*;
- .24 *public use*;
- .25 *public utility*;
- .26 radiator repair shop; #2736
- .27 *recreation facility - indoor*; #2736
- .28 recreation vehicle sales and rental lots, and showroom (new and used); #2736
- .29 *recycling depot*;
- .30 rental and repair of tools, small equipment; #2736
- .31 sale and repair of machinery, farm implements, and heavy equipment;
- .32 *storage building*, warehousing and wholesale establishment, packing and crating, cold storage;
- .33 storage yard;
- .34 *transportation use*;
- .35 truck and truck-tractor sale or rental lot;
- .36 veterinary hospital; #2736
- .37 welding, machine or metal fabrication;
- .38 wood products manufacturing;
- .39 *ancillary retail sales*; #2736
- .40 *accessory use*, including one *dwelling unit*, or one *single family dwelling*, or one *upper floor dwelling unit*. #2761

SECTION 28 - M-1 - GENERAL INDUSTRIAL ZONE - CONTINUED**Maximum Height of Principal and Accessory Buildings**

28.4 The maximum *height* of *principal* and *accessory buildings* shall be 15.0 metres (49.2 feet).

Maximum Parcel or Site Coverage

28.5 The maximum *parcel* or *site* coverage for all *buildings* and *structures* shall be 60% of the *parcel* or *site* area.

Minimum Parcel Size or Site Area

28.6 The minimum *parcel* size or *site* area shall be 465.0 square metres (5,005.4 square feet).

Minimum Parcel or Site Width

28.7 The minimum *parcel* or *site* width shall be 15.0 metres (49.2 feet).

Minimum Setback of Principal and Accessory Buildings

28.8 The minimum *setback* of the *principal* and *accessory buildings* from the:

- | | | |
|----|---|------------------------|
| .1 | <i>Front parcel line</i> shall be | 6.0 metres (19.7 feet) |
| .2 | <i>Rear parcel line</i> shall be | 6.0 metres (19.7 feet) |
| .3 | <i>Interior side parcel line</i> | |
| | - adjacent to a <i>parcel</i> not zoned | |
| | industrial shall be | 6.0 metres (19.7 feet) |
| | - all other cases shall be | 4.0 metres (13.1 feet) |
| .4 | <i>Exterior side parcel line</i> shall be | 6.0 metres (19.7 feet) |

Accessory Retail Use

28.9 Accessory retail uses, including showrooms and display areas, shall not exceed 25% of the maximum *floor area* of the *principal building* as defined under *Light Industry*.

Outside Storage

28.10 Outside storage shall be screened from any adjacent *parcel* not zoned Industrial as per Appendix III.

Parking and Loading

28.11 Parking and loading shall be required as per Appendix I.



View west of northwest corner of subject parcel from 54 Street SE and 40 Avenue SE.



Google Streetview view north of southeast corner of subject parcel from Highway 97B.



Your File #: ZON-1205
eDAS File #: 2021-01666
Date: May/05/2021

City of Salmon Arm
500 2nd Avenue NE
PO Box 40
Salmon Arm, BC V1E 4N2
Canada

Re: Proposed Bylaw 4452 for:
Legal Description: LOT C, 5-20-9, W6M, KDYD, PLAN 12843 EXCEPT PLAN H10964
PID: 004-678-923
Civic Address: 4091 Highway 97 B

Preliminary Approval is granted for the rezoning of the above noted parcel from A2-Rural Holding Zone to M-1 General Industrial Zone for one year pursuant to section 52(3)(a) of the *Transportation Act*, subject to the following conditions:

1. All access is to be taken from the municipal street of 40th Ave SE.
2. Proof of constructed access from the municipal street will be required.
3. A covenant will be required to be placed on title restricting any access to and from the controlled access Highway no. 97 B.

The referral also proposes an extension of 40th Ave SE to connect with Highway 97 B. The Ministry is not willing to support this extension for the following reasons:

1. The increasing traffic volumes along Highway 97 B
2. The proximity to the intersection of Highway 97 B and Auto Road.

However, the Ministry does support the extension of 40th Ave SE as a municipal road to serve as access for the parcels currently only accessed from Highway 97 B, the municipal road would need to terminate before intersecting with the highway.

Local District Address
Salmon Arm Area Office
Bag 100
850C 16th Street NE
Salmon Arm, BC V1E 4S4
Canada
Phone: (250) 712-3660 Fax: (250) 833-3380

32 If you have any questions please feel free to call Samantha Biggs at (250) 503-3606.
Yours truly,

A handwritten signature in black ink, appearing to read 'S. Biggs', with a stylized flourish at the end.

Samantha Biggs
Development Services Officer

**CITY OF
SALMON ARM**

*Memorandum from the
Engineering and Public
Works Department*

TO: Kevin Pearson, Director of Development Services
DATE: 27 April 2021
PREPARED BY: Chris Moore, Engineering Assistant
SUBJECT: **ZONING AMENDMENT APPLICATION FILE NO. ZON-1205**
OWNER: **Optland, D.**, 726 Grandview Bench RD., Salmon Arm, BC V1E 2X9
APPLICANT: Owner
LEGAL: Lot C, Section 5, Township 20, Range 9, W6M KDYD, Plan 12843 Except
Plan H10964
CIVIC: **4091 HWY 97B SE**

Further to your referral dated March 26, 2021, the Engineering Department does not have any objections to the rezoning of this property and recommend that rezoning be approved.

Once development proceeds to the next stage (Building Permit / Subdivision), full compliance with the Subdivision and Development Services Bylaw No 4163 will be required and further servicing requirement details will be provided by the Engineering Department.

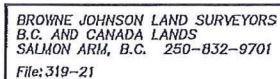


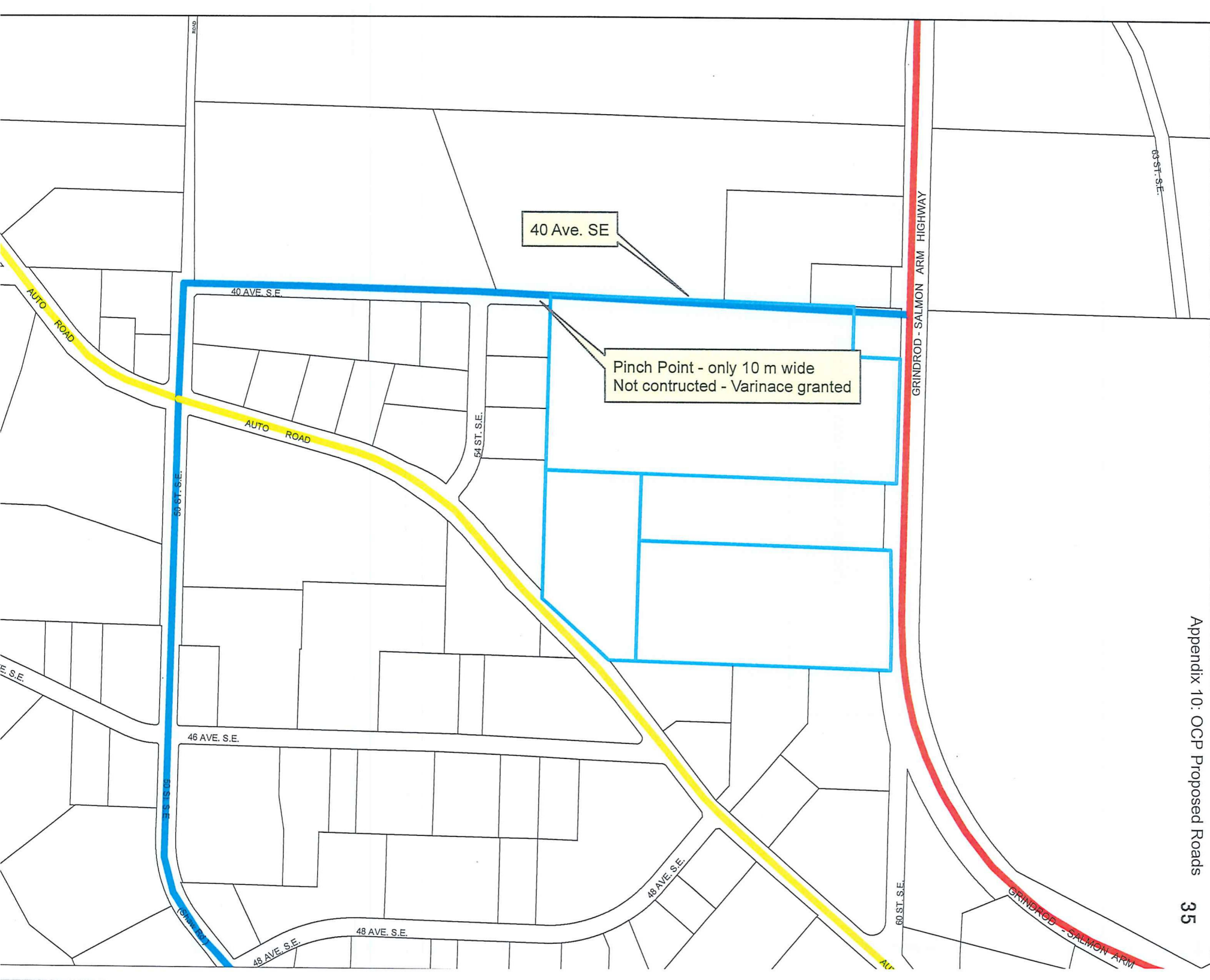
Chris Moore
Engineering Assistant



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

BCGS 82L.064





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