



AGENDA
City of Salmon Arm
Development and Planning Services
Committee

Monday, November 7, 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 <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 – 20	1.	Development Variance Permit Application No. VP-562 [Deschamps, M. & K.; 1121 4 Street SE; Servicing requirements]
21 – 32	2.	Development Variance Permit Application No. VP-563 [Mt. Ida Nursery Ltd./Barnard, B.; 1810 30 Street SE; Setback requirements]
	6.	FOR INFORMATION
33 – 36	1.	Agricultural Land Commission Right of Way for non-motorized recreation trail – Heritage Trail
37 – 48	2.	Agricultural Land Commission – Reason for Decision – ALC Application No. 63595; 5881 35 Street NE
	7.	IN-CAMERA
	8.	ADJOURNMENT

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CITY OF SALMON ARM

TO: His Worship Mayor Harrison and Members of Council

DATE: November 11, 2022

SUBJECT: Development Variance Permit Application No. VP-562 (Servicing)
 Legal: Lot 3, Section 11, Township 20, Range 10, W6M, KDYD, Plan 8051
 Civic Address: 1121 4 Street SE
 Owner/Applicant: Matthew and Kirsten Deschamps

MOTION FOR CONSIDERATION

THAT: Development Variance Permit No. VP – 562 be authorized for issuance to vary the Subdivision and Development Servicing Bylaw No. 4163, for frontage of Lot 3, Section 11, Township 20, Range 10, W6M, KDYD, Plan 8051, as follows:

- i) waive the requirement to upgrade 4 Street SE from an interim gravel road to a RD-4 Urban standard;
- ii) waive the requirement to extend sanitary sewer main from 10 Avenue SE across the frontage of the subject property; and
- ii) waive the requirement to extend the 150mm water main from 10 Avenue SE, along 4 Street SE, across the frontage of the subject property.

AND THAT:

- i) the Owner install an acceptable on-site sewer disposal system; and
- ii) the Owner install a 25mm private water line along 4 Street SE to the north property line of the subject property and the City be responsible for road restoration following the installation of a 25mm water line.

STAFF RECOMMENDATION

THAT: Development Variance Permit No. VP – 562 be authorized for issuance to vary the Subdivision and Development Servicing Bylaw No. 4163, for frontage of Lot 3, Section 11, Township 20, Range 10, W6M, KDYD, Plan 8051, as follows:

- i) waive the requirement to upgrade 4 Street SE from an interim gravel road to a RD-4 Urban standard;
- ii) waive the requirement to extend sanitary sewer main from 10 Avenue SE across the frontage of the subject property and;
- iii) waive the requirement to extend the 150mm water line from 10 Avenue SE, along 4 Street SE, across the frontage of the subject property.

AND THAT:

- i) the Owner install an acceptable on-site sewer disposal system; and
- ii) the Owner install a 25mm private water line along 4 Street SE to the north property line of the subject property;

- iii) The Owner shall be responsible for the restoration of 4 Street SE following the installation of the 25mm private water line; and
- iv) the Owner provide a Cash in Lieu payment, acceptable to the City Engineer for the future extension of the 150mm water line from 10 Avenue SE.

PROPOSAL

The applicant is requesting to waive servicing upgrades that would be triggered by the proposal for the construction of a single family dwelling. A letter submitted by the applicant in support of their application are attached as Appendix 1.

BACKGROUND

The subject property is approximately 1457m² (0.36ac) in area (see Appendices 2 and 3). The subject property is designated Residential Medium Density in the City's Official Community Plan (OCP) (Appendix 4). The subject property is zoned A2 (Rural Holding Zone) in Zoning Bylaw No. 2303 (Appendix 5). The A2 zoning permits agricultural development and limits residential development to a single family dwelling and a Rural Detached Suite. The subject property is not within the Agricultural Land Reserve (ALR).

Adjacent land uses include the following:

North: R1 (Single Family Residential Zone) – Single Family Residences
South: A2 (Rural Holding Zone) – Agriculture and Single Family Residences
East: A2 (Rural Holding Zone) – Agriculture and Single Family Residences
West: R1 (Single Family Residential Zone) – Single Family Residences

The applicant intends to submit a Building Permit for a single family dwelling. Drawings of the proposed building are included as Appendix 6. The subject property is in Development Area "B", a location with gaps in infrastructure for standard roads, sewer and water service.

At the time of Building Permit the applicant would be required to upgrade the existing road surface to a RD-4 standard, extend the sanitary sewer main (200mm diameter) from 10 Avenue SE across the frontage of the subject property and extend the water line (150mm) from 10 Avenue SE across the frontage of the subject property. Cost estimates, provided by the applicant's consulting Engineer, for the extension of the sanitary sewer main are \$67,430.00 and \$68,750.00 for the water main. The Engineer's estimates are dated August 2022 included as Appendix 7.

Table 1 provides a summary of the requirements of the Subdivision and Development Servicing Bylaw No. 4163, those requirements Engineering staff support waiving and conditions, and the applicants' requests.

COMMENTS

Engineering Department

The Engineering Department has provided comments which form the basis for the above staff recommendation. The Engineering Department comments are attached as Appendix 8.

As stated in the comments, the subject property is in the Urban Area in the OCP and if it were zoned R1 or R8 the subject property would be exempt from some of the servicing requirements; therefore, staff are supportive of the requests to waive road frontage improvements and the extension of the 200mm sanitary sewer service, in favour of an on-site sewer system. However, the 150mm water line is needed to service the area and an interim solution of installing a 19mm residential line is only a temporary solution to the current situation. The Cash in Lieu payment for the extension of the 150mm water line would relieve the City of that cost at a time when the extension of the service is completed, either by a City lead project or development adjacent to the area.

Building Department

No concerns

Fire Department

No response

Public Consultation

Pursuant to the *Local Government Act* and City of Salmon Arm Development Variance Permit Procedures Bylaw notices are mailed to land owners within a 30m radius of the application. The notices outline the proposal and advises those with an interest in the proposal to provide written submission prior to the Hearing and information regarding attending the Hearing. It is expected that the Hearing for this application will be held on November 14, 2020.

Planning Department

When considering servicing variances a number of factors are taken into consideration, including – physical or legal constraints such as ALR status, scale of proposed development and growth potential in the area. The subject property is within the Urban Containment Boundary, not within the ALR but is zoned A2 – Rural Holding Zone. Given the OCP designation of Medium Density Residential, residential development is intended for the general area and the development of a single family dwelling is not contrary to this. In addition, staff note that if the applicant were to rezone from A2 to R8, it would be supportable under the OCP and the applicant would be exempt from the some of the service upgrades.

Staff recognize that there are constraints on future development potential in the area; however, completely offsetting the cost of upgrading and construction of 4 Street SE onto the future developer/land owners or the City is problematic. As noted in the applicant's letter, the previous waiving of the improvements have placed them position of bearing the entire costs for improvements. Waiving the requirements entirely would place additional financial burden on the City for the improvements in the future or increase costs onto future developers of adjacent properties. Staff do not recommend the variances as requested by the applicant be granted and have provided an alternative to providing the full scope of servicing requirements.



Prepared by: Melinda Smyrl, MCIP, RPP
Planner III



Reviewed by: Chris Larson, MCIP, RPP
Senior Planner

Table 1. Development Variance Permit No. 562 – Staff Recommendation & Owner Request

Bylaw No. 4163	Road – RD - 4 Standard <ul style="list-style-type: none"> • 20m width • Paved road, sidewalk, bike lane, multiuse path. 	Sewer <ul style="list-style-type: none"> • Extend 200mm from 10 Avenue SE Across Frontage. 	Water <ul style="list-style-type: none"> • Extend 150mm from 10 Avenue SE Across Frontage.
Staff	Waive road upgrade subject to: 7.3m gravel road width from 10 Avenue SE.	Waive sewer main extension subject to: Installation of an on-site sewer disposal system.	Waive extension of watermain subject to: <ul style="list-style-type: none"> • Cash in Lieu payment for future installation of water line (150mm) across lot frontage; • installation of 25mm (1 inch) residential water line from 10 Avenue SE; and • Owner responsible for installation of the water meter in a pit at 10 Avenue SE.
Applicant	Waive upgrade	Waive sewer main extension subject to: Installation of an on-site sewer disposal system.	Waive extension of watermain subject to: <ul style="list-style-type: none"> • installation of 25mm (1 inch) residential water line from 10 Avenue SE; and • the City be responsible for installation of the water meter in a pit at 10 Avenue SE.

Deschamps – 1121 4 Street S.E.

Variance Permit Application

Letter of Rationale

September 1st, 2022

Preface:

Prior to addressing each variance request, I believe it is important to draw attention to the unique situation of our property. It is located on a dead-end gravel road approximately 80 meters from 10 Avenue S.E. This distance, along with the property's frontage of approximately 40 meters, makes the works and services upgrades to be considerable. The property had a home on it until about 2003 but has been vacant since then. We are not requesting any zoning changes and we are not making any significant alterations to the property beyond replacing a dwelling.

The 1121 property has been family-owned for over 100 years, and it is adjacent to an acreage that has also been family-owned for equally as long. I grew up on the acreage, and I am thrilled to be returning to Salmon Arm after almost twenty years away.

A major factor in our decision to move to Salmon Arm is to support my parents with the maintenance of the family property. It is a big job, and with my parents aging, it is a challenge for them to do it on their own. My parents' hope has been that one of the family members could build at 1121 4 Street, but the servicing requirements and associated costs have made this a challenging endeavor. My husband and I are moving to Salmon Arm from Northern B.C., and we have a modest budget for our proposed home. The estimated costs for upgrading or extending services to meet bylaw requirements are significant. Our sincere hope is to receive support from City Council to vary these requirements, which in turn will make the construction of a single-family dwelling at 1121 4 Street feasible.

Subdivision and Development Servicing Bylaw No. 4163

Road:

We are requesting that the requirement to upgrade 4 Street S.E. frontage to urban local road standard be waived, and that the street remain in its current state of interim gravel road standard.

This section of 4 Street is a frontage road for only 4 properties, including our 1121 lot. There is no indication from the city that this road will be extended for future development. The existing road is currently in good condition, and it has sufficient capacity for any added demands directly attributable to the proposed 1121 development.

Servicing:

Sanitary:

We are requesting that the requirement to extend a 200 mm diameter sanitary main from 10 Avenue S.E. up 4 Street S.E. and all associated costs be waived.

The sanitary main extension from 10 Avenue S.E. would be approximately 110 meters. As indicated in the attached report from Franklin Engineering, the estimated cost to extend the sanitary main from 10 Avenue up to and along 20 meters of our property frontage is \$67,430. This is a significant cost for one property owner to bear. Additionally, the lengthy sanitary extension would be the city's responsibility to maintain, and it would only be servicing our own property, and potentially the 490 10 Avenue property.

Preliminary engineering testing and layouts have demonstrated the feasibility of a septic system on the property. As indicated in the attached report from Franklin Engineering, the estimated cost for designing and installing a septic system is \$29,500. Adjacent properties (490 10 Avenue and 1191 4 Street) both have septic systems, and this lot previously had an operational septic system.

Water:

We are requesting that the requirement to extend a 150 mm diameter water main from 10 Avenue S.E. up to and across the property frontage along 4 Street S.E. be waived or varied.

The distance from the main on 10 Avenue along the property's frontage to the south end of 4 Street is approximately 125 meters. We feel that extending a main for this great distance is not reasonable for one property owner, and the associated costs are notably high. Franklin Engineering's report indicates that the estimated cost of this main extension would be \$68,750.

It is my understanding that the current undersized 19 mm diameter water service was installed by the city in the 1970's. 1121 4 Street, 1191 4 Street, and 490 10 Avenue have all been serviced by this line without any significant issues with flow or pressure.

In 2014 there was an opportunity for this service to be upgraded when a subdivision application from the owners of 1220 and 1191 4 Street S.E. was submitted. The owners of these properties (my mom and uncle) requested a variance to waive the requirement to extend the water main from 10 Avenue S.E. to the south end of 4 Street S.E. The Development and Planning Services Committee recommended to Council that this variance be approved on the condition that the City acquires additional land required for the Auto Road Connector at a reduced cost. It seems unfair that my husband and I are now burdened with the entire cost of the water main extension when we are simply replacing a dwelling that already existed, on a lot that has been connected to this water service since its installation over 40 years ago.

We acknowledge the City of Salmon Arm engineering department's concerns regarding this undersized water service despite it having previously serviced these three properties without issue. However, given the circumstances, we do not feel that we should be solely responsible for this entire main extension. We are prepared to consider options that ideally would work for the 1121 property, neighboring properties, and the city.

Proposed Options to Consider for the Water Service:

1. The City of Salmon Arm undertakes the work and all associated costs of designing and constructing a 150 mm diameter water main extension from 10 Avenue to the south corner of Lot 1121 on an agreed upon timeline. Upgrading this outdated water service would benefit the city and neighboring properties by relieving water servicing requirements in the future. This option also provides immediate benefits to multiple homes, and it helps ensure that we can move forward with the building of our home on this vacant lot.
2. The City of Salmon Arm undertakes the work of designing and constructing a 150 mm diameter water main extension from 10 Avenue on a timeline that is satisfactory for our building project. We, the property owners of 1121 4 Street, cover the piping costs of this extension for the length of our property frontage on 4 Street only (approximately 40 meters). The concern is that the current piping is now inadequate for the servicing of three properties, so we would be willing to make this contribution to the cost of the piping itself.

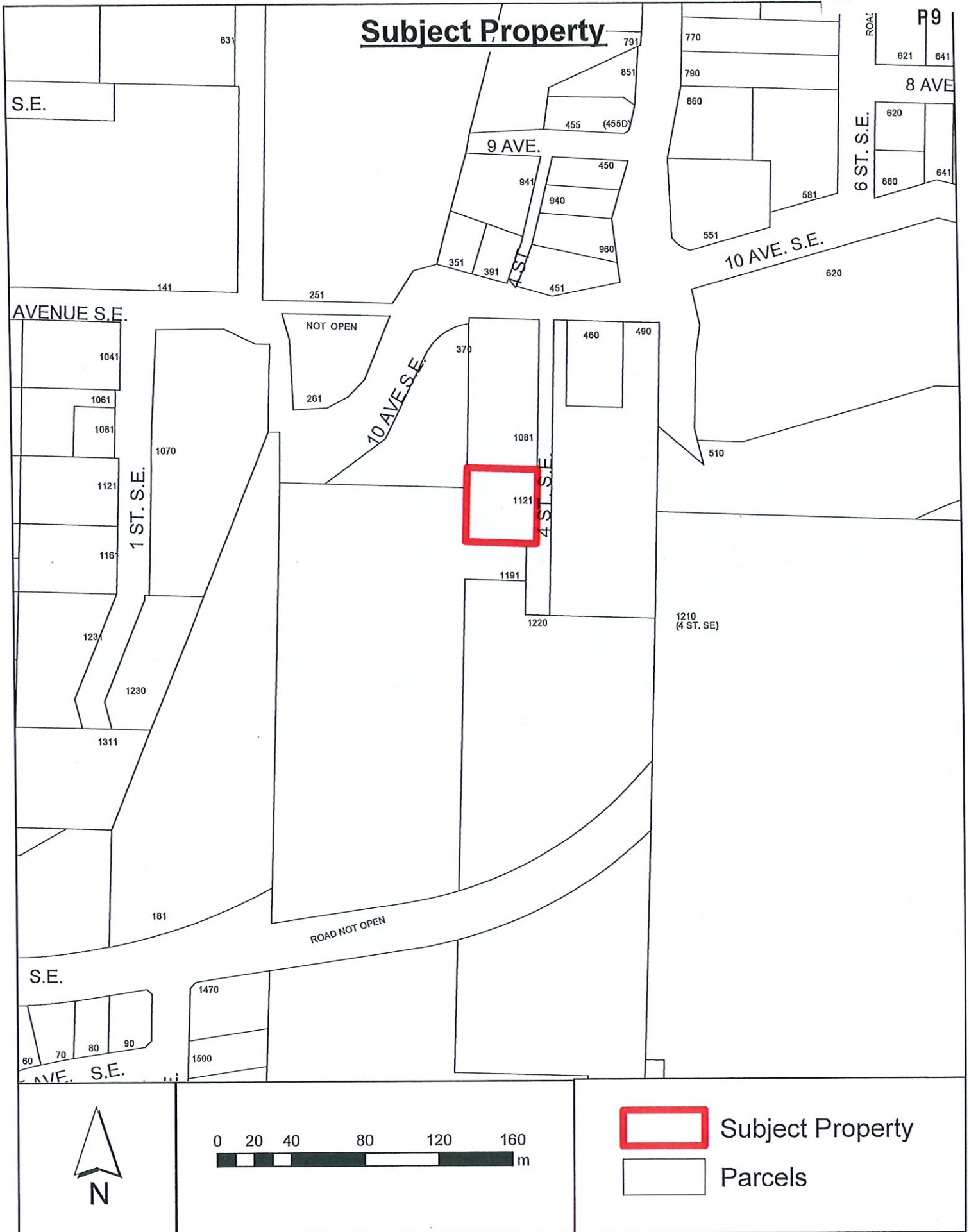
3. We, the property owners of 1121 4 Street, install a private 1" residential line along 4 Street to the north corner of 1121 Lot (approximately 80 meters). We ask that the City of Salmon Arm be responsible for the work and associated costs of the following items: engineering, the curb stop, the pit-set-meter, and any necessary road works. We understand that an encroachment agreement would need to be arranged with the city, and that following its installation this line would be our responsibility to maintain. Although we would consider this option, we do not feel that it is a logical alternative to pursue. The 19 mm line is overdue for an upgrade, and this is a logical time to do it. However, under the circumstances, we do not feel that we should be bearing the entire cost of it.

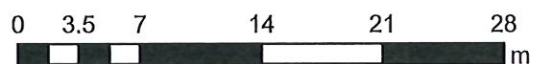
In closing, I would like to thank you for your thoughtful attention to our requests. We are hopeful that we can move forward with building our home at 1121 4 Street, and we acknowledge that we are asking for special consideration from the city. If a satisfactory arrangement can be reached through the Development Variance Permit process, we would be looking to start building as soon as possible.

Kind regards,

Kirsten and Matthew Deschamps

Subject Property



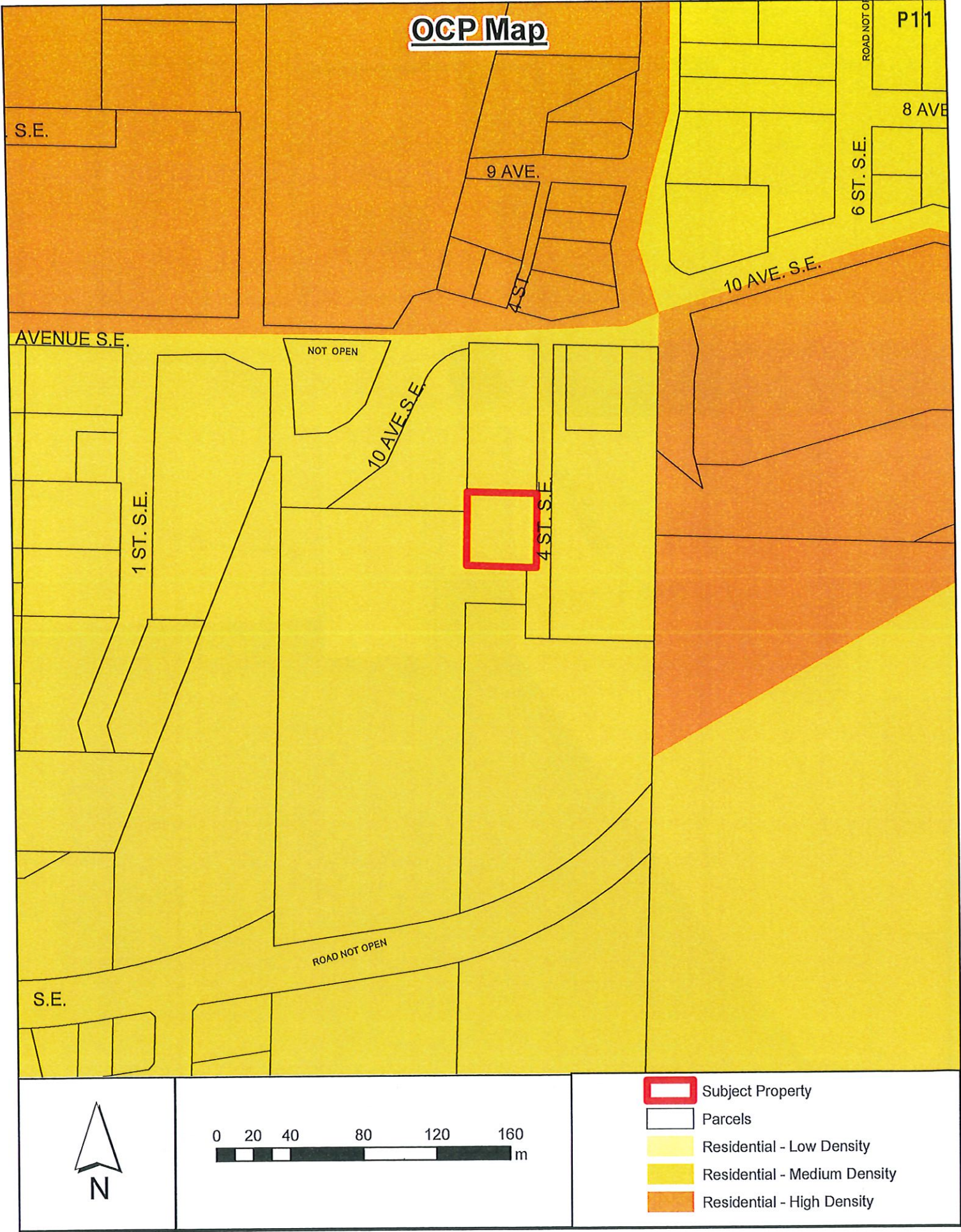


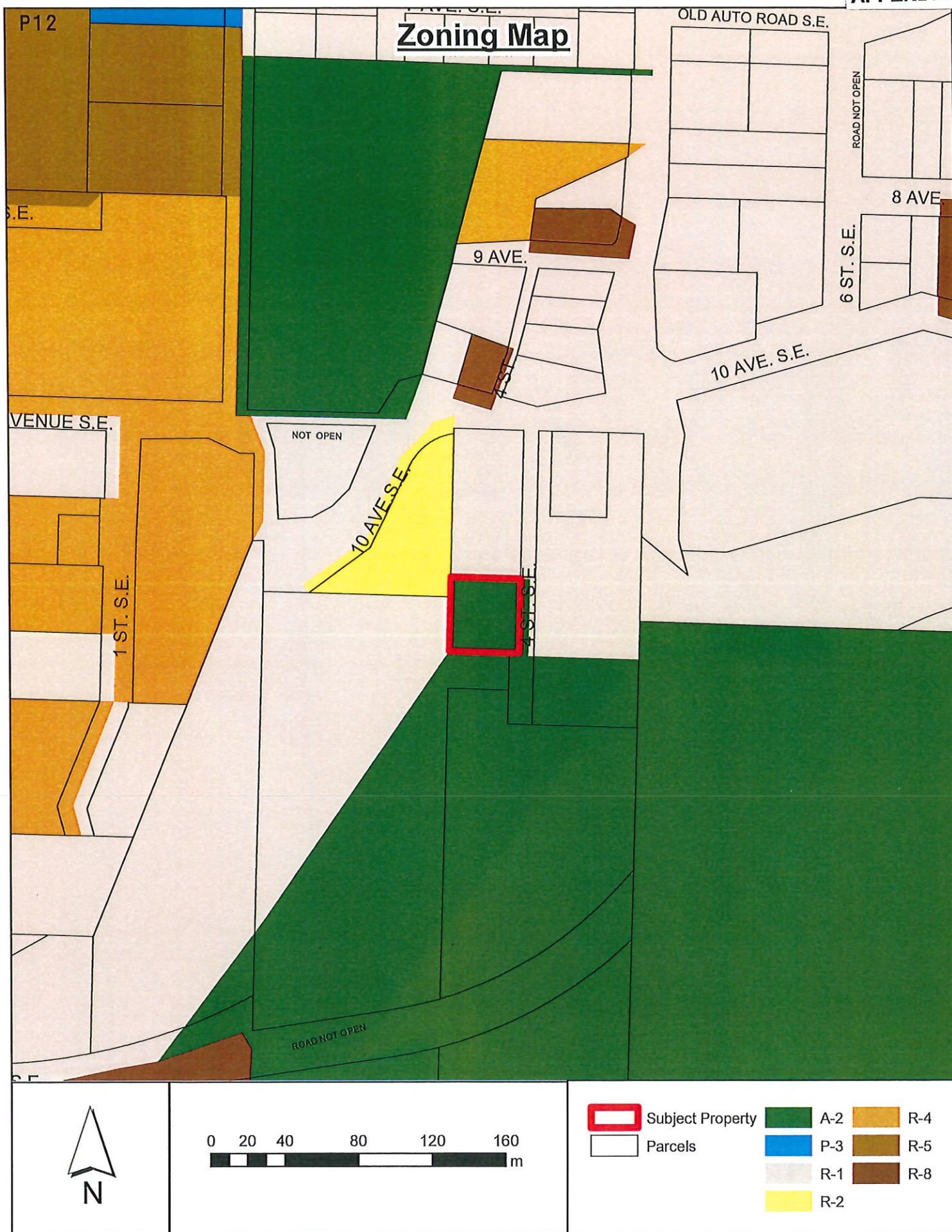
Subject Property



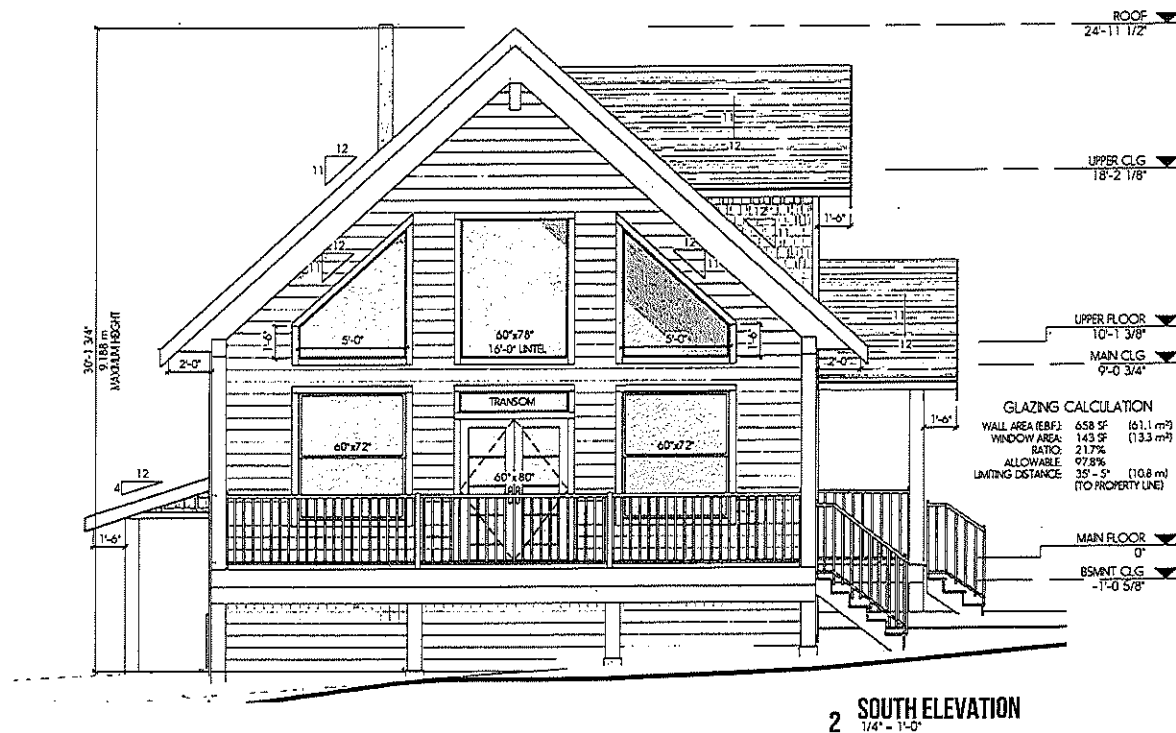
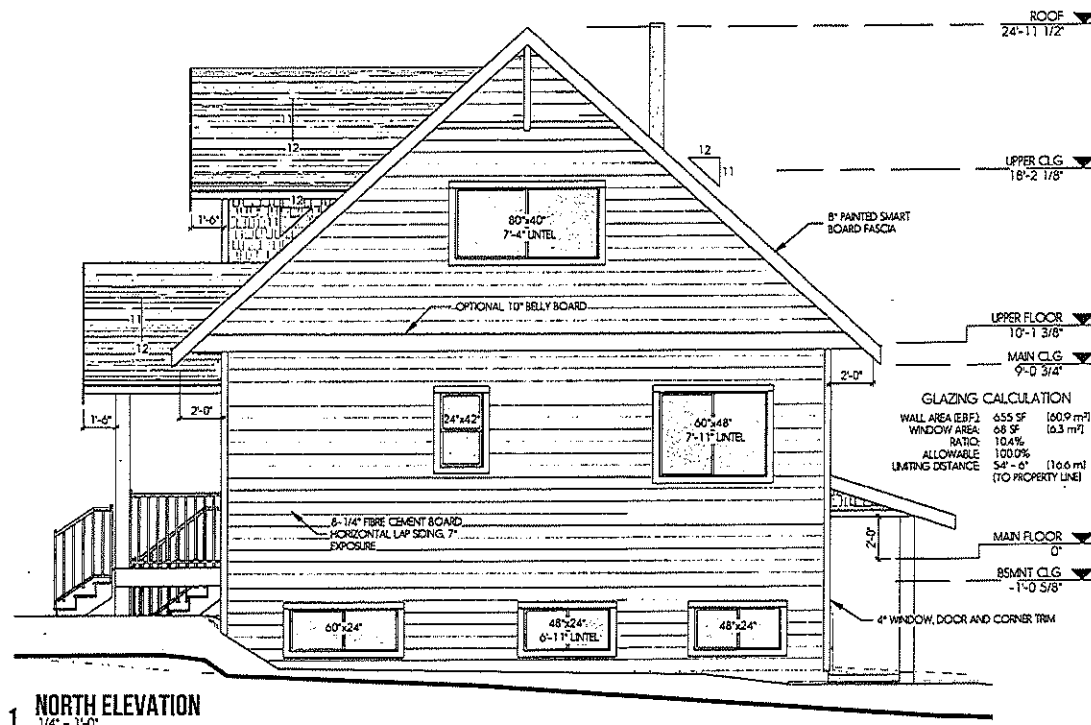
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Ortho Photo Date: 2021

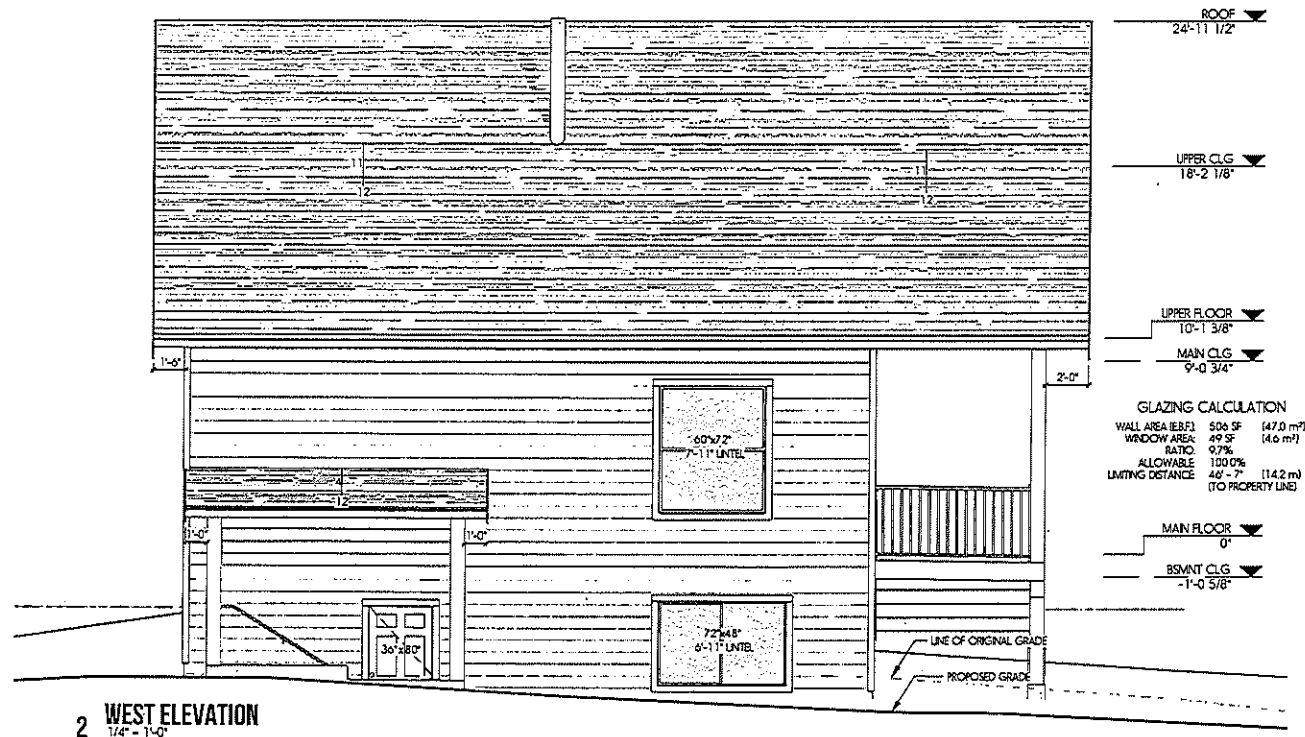
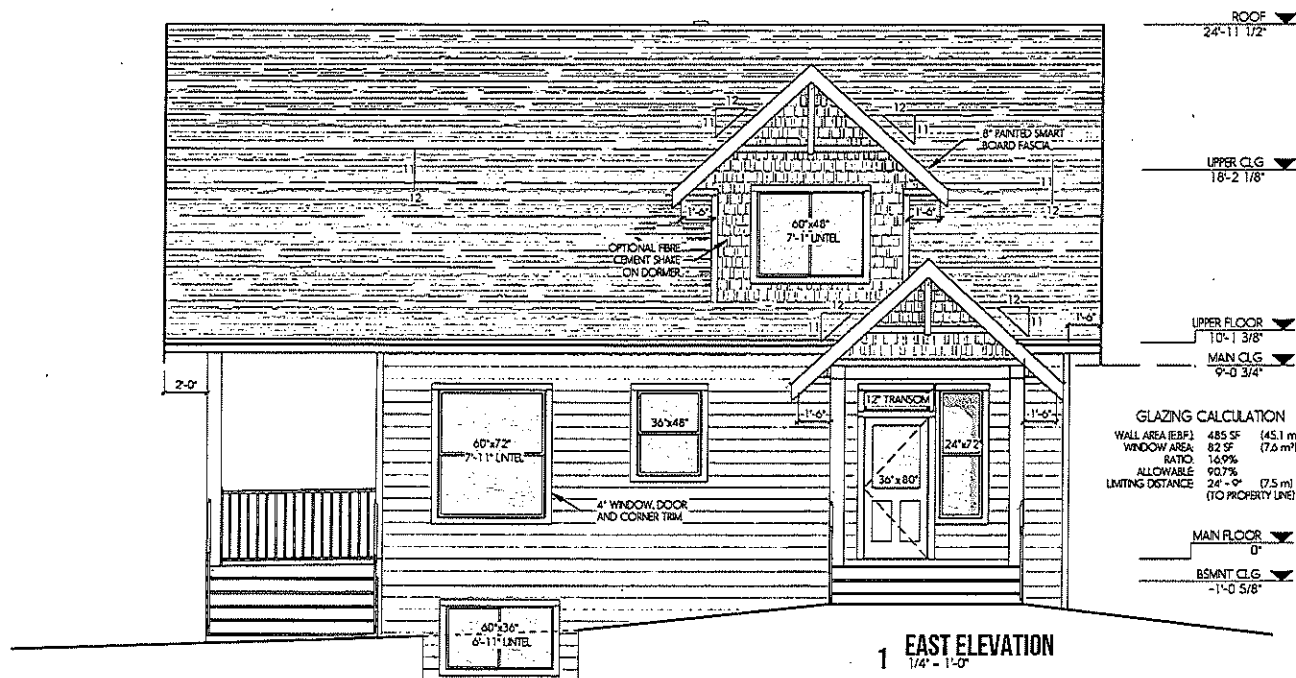




250.804.5403
MRGDESIGN.CA



CLIENT	DESCHAMPS
JOB	RESIDENCE
	1121 4 ST SE SALMON ARM, B.C.
JOB #	7767
REVISIONS	
TOPO	JUN 21 2022
MAIN FLOOR	JULY 5 2022
REVIEW	JULY 18 2022
REVIEW	JULY 22 2022
REVIEW	JULY 23 2022
PERMIT	JULY 25 2022
DATE	JULY 25 2022
DRAWING	ELEVATIONS
SCALE	1/4" =
PAGE	A



CLIENT **DESCHAMPS**

JOB **RESIDENCE**

1121 4 ST SE
SALMON ARM, B.C.

JOB # **7767**

REVISIONS	
TOPO	JUN 21 2022
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DATE **JULY 25 2022**

DRAWING **ELEVATIONS**

SCALE **1/4" = 1'-0"**

PAGE

A6

GENERAL NOTES

- 1 ALL CONSTRUCTION MATERIALS & WORKMANSHIP TO BE IN ACCORDANCE WITH THE CURRENT EDITION OF THE B.C. BUILDING CODE, PLUMBING CODE, ELECTRICAL CODE & ALL OTHER CODES, ZONING AND BYLAWS THAT MAY APPLY.
- 2 THE CONTRACTOR AND ALL SUBTRADES ARE RESPONSIBLE FOR THE REVIEW OF ALL DRAWINGS AND SITE CONDITIONS PRIOR TO COMMENCING WORK OR ORDERING ANY MATERIAL, AND SHALL REPORT ANY DISCREPANCIES THAT AFFECT DESIGN TO MRG IMMEDIATELY.
- 3 ALL FRAMING MATERIAL TO BE SPF #2 OR BETTER
- 4 CONCRETE FOOTINGS AND WALLS TO BE MINIMUM 28MPA @ 28 DAYS, FLOOR SLABS AND SIDEWALKS TO BE MINIMUM 32MPA @ 28 DAYS.
- 5 ALL CONCRETE FOOTINGS TO BE PLACED ON ORIGINAL UNDISTURBED GROUND, FREE OF ALL ORGANIC, FROZEN OR FROSTY MATERIAL.
- 6 DAMPROOF FOUNDATION WALLS BELOW GRADE WITH 2 COATS OF BITUMINOUS MATERIAL.
- 7 6 MIL ULTRAVIOLET RESISTANT POLY VAPOUR BARRIER ON A) 4" OF GRANULAR COMPACTIBLE FILL UNDER EXTERIOR OR GARAGE SLABS OR B) 4" OF 3/4" DRAIN ROCK OR OTHER MATERIAL SUITABLE FOR MOVEMENT OF RADON GAS UNDER INTERIOR SLABS.
- 8 ALL FOUNDATION DRAINS TO BE 4" PERFORATED PVC WITH FILTER CLOTH AND MINIMUM 6" DRAIN ROCK DRAINED TO MUNICIPAL SERVICES ACCORDING TO LOCAL STANDARDS.
- 9 GRADE TO BE SLOPED AWAY FROM BUILDING AT ALL LOCATIONS ADJACENT TO BUILDING.
- 10 ALL TRUSSES, JOISTS, BEAMS OR OTHER STRUCTURAL MEMBERS NOT COVERED IN B.C. BUILDING CODE TO BE DESIGNED AND ENGINEERED BY TRUSS MANUFACTURER OR STRUCTURAL ENGINEER PRIOR TO ANY FABRICATION.
- 11 CONTRACTOR TO VERIFY ALL PROPERTY & FOUNDATION LINES WITH A LEGAL LAND SURVEYOR PRIOR TO PLACING FOOTINGS OR RUNNING SERVICES WITHIN BUILDING ENVELOPE.
- 12 ALL ROOF SPACES TO BE VENTILATED WITH SOFFIT AND ROOF VENTS WITH A MINIMUM DISTRIBUTION AREA OF 1/300. A MINIMUM OF 25% OF VENTS TO BE LOCATED AT ROOF AND MINIMUM 25% TO BE LOCATED AT SOFFIT.
- 13 DOOR FRAMES AT ENTRANCES AND EXTERIOR SPACES TO DWELLING UNITS SHALL BE SOLIDLY BLOCKED BETWEEN DOOR FRAME AND STUDS AT THE HEIGHT OF THE DEADBOLT TO RESIST SPREADING.
- 14 ALL GLASS IN DOORS, SIDELITES OR WINDOWS WITHIN 12" OF FINISHED FLOOR TO BE CONSTRUCTED OF SAFETY GLASS.
- 15 RAINWATER LEADERS NOT SHOWN ON PLAN, CONTRACTOR TO DETERMINE EXACT LOCATION SUITABLE TO SITE AND MUNICIPAL DRAINAGE.
- 16 ELECTRICAL LOCATIONS TO BE DETERMINED BY ELECTRICAL CONTRACTOR WITH THE APPROVAL OF HOMEOWNER OR GENERAL CONTRACTOR AND IN ACCORDANCE WITH CURRENT ELECTRICAL CODE.
- 17 APPROVED SMOKE ALARMS TO BE INSTALLED WITH LOCATION APPROVED BY APPROPRIATE LOCAL MUNICIPALITY.
- 18 REFER TO LAYOUTS AND SPECIFICATIONS FROM STRUCTURAL ENGINEER, FLOOR JOIST SUPPLIER, AND ROOF TRUSS MANUFACTURER FOR BEAM, POST AND FOOTING LOCATIONS AND SIZES AND ENSURE PROPER BEARING IS PROVIDED FOR ALL POINT LOADS. ANY STRUCTURAL SPECIFICATIONS SHOWN ON MRG PLANS ARE ESTIMATES ONLY AND MAY NOT ACCURATELY REPRESENT LOADINGS AND SIZES OR MAY NOT INCLUDE POINT LOADS OR STRUCTURAL MEMBERS DESIGNED BY OTHERS.
- 19 MRG RESIDENTIAL DESIGN ACCEPTS NO LIABILITY AND SHALL NOT BE HELD RESPONSIBLE FOR ERRORS OR OMISSIONS WITH THIS SET OF DRAWINGS. MRG MAY NEGOTIATE WITH LOCAL CONSTRUCTION IF ERRORS ARE FOUND. PLEASE CONTACT MRG AT YOUR EARLIEST CONVENIENCE.



1 3D VIEW



2 3D VIEW 2

FINISHED AREA

BASEMENT	796 SF
MAIN FLOOR	896 SF
UPPER FLOOR	332 SF
TOTAL AREA	2024 SF

SHEET LEGEND

A1	NOTES/3D
A2	BASEMENT
A3	MAIN FLOOR
A4	UPPER FLOOR
A5	ELEVATIONS
A6	ELEVATIONS
A7	SECTIONS
A8	SECTION/SITE

CLIENT **DESCHAMPS**

JOB **RESIDENCE**

1121 4 ST SE
SALMON ARM, B.C.

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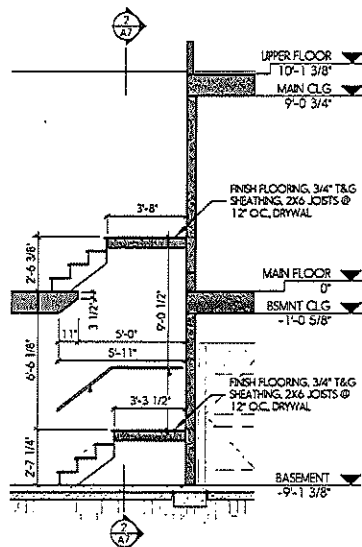
DATE **JULY 25 2022**

DRAWING **NOTES/3D**

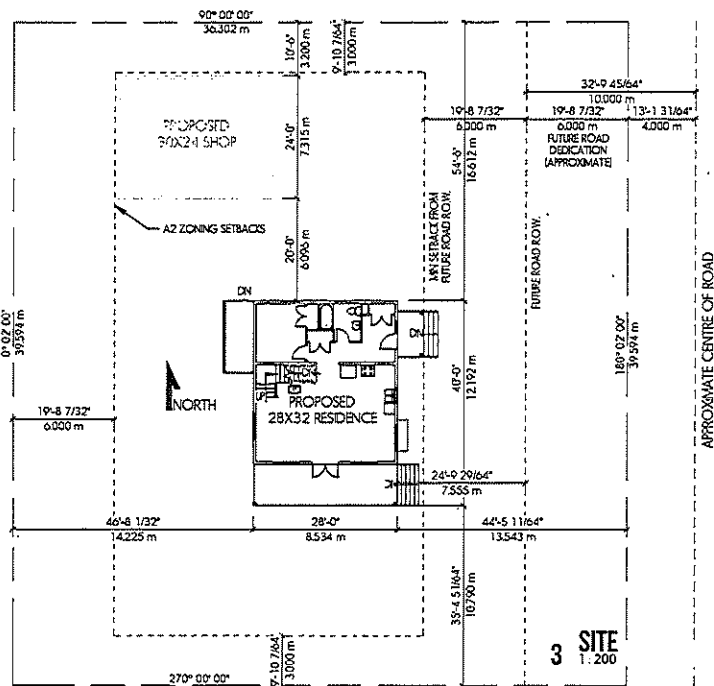
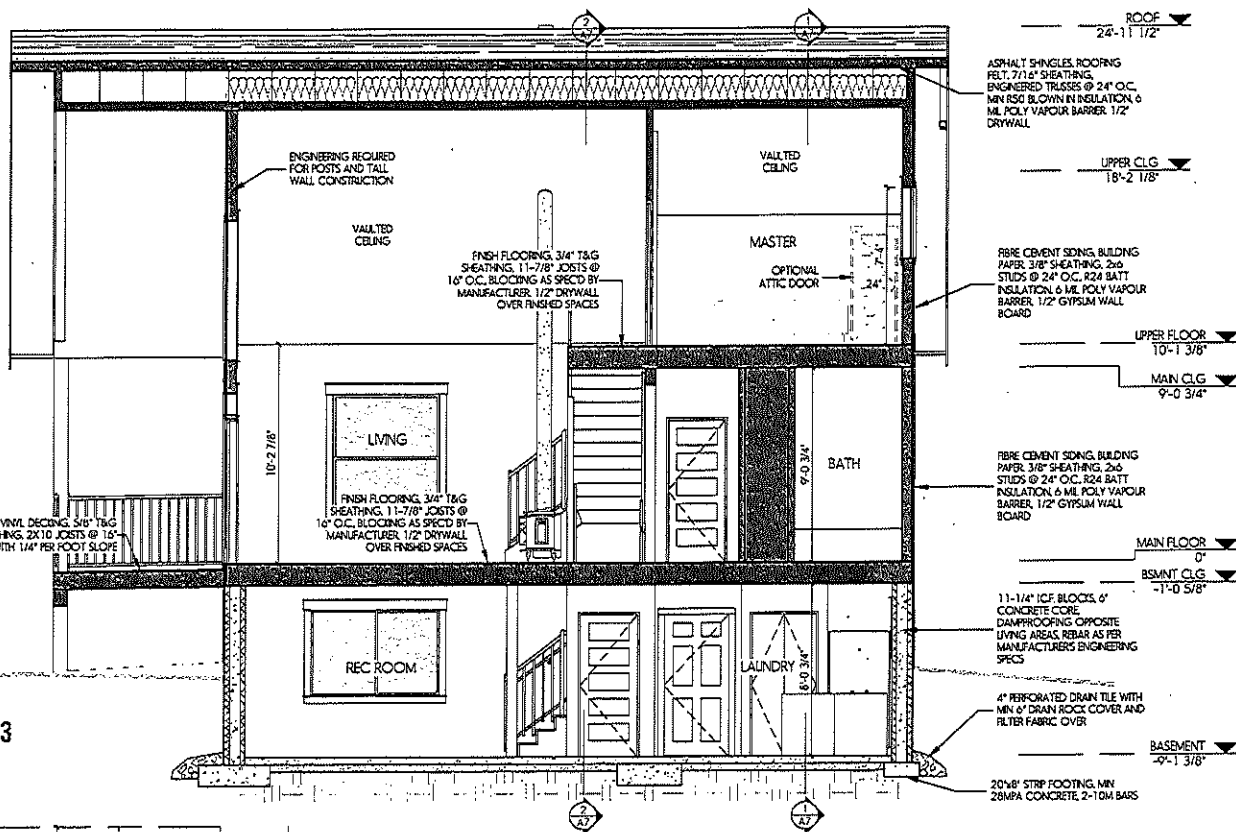
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PAGE

A1



SECTION 3
1/4 - 1'-0"



ATTIC CEILING, TYPICAL TRUSSES 24" O.C. R50 BLOWN IN (NO HRV)

LAYER	MATERIAL	RSI @ FRAMING	RSI @ CAVITY	RSI CONTINUOUS
OUTSIDE AIR FILM				0.030
TRUSSES	38x80 SPF TRUSSES @ 610MM O.C.	0.756		
INSULATION	3.5" BLOWN IN INSULATION (R9.6)		1.666	
INSULATION	15.0" BLOWN IN INSULATION (R40.54)			7.140
VAPOR BARRIER	6 ML POLY *AIR BARRIER			0
INTERIOR FINISH	13MM GYPSUM BOARD & PAINT			0.080
INTERIOR AIR FILM				0.120
TOTAL		0.756	1.666	7.37
FRAMING/CAVITY PERCENTAGE		11%	80%	100%
AVERAGE ASSEMBLY RSI		8.84 RSI EFFECTIVE (MIN 8.67)		

RIM JOIST: FIBER-CEMENT BOARD, JOIST @ 16" O.C., R20 BATT (NO HRV)

LAYER	MATERIAL	RSI @ FRAMING	RSI @ CAVITY	RSI CONTINUOUS
OUTSIDE AIR FILM				0.030
CLADDING	8MM FIBER-CEMENT SIDING			0.026
SHEATHING MEMBRANE	BUILDING PAPER (TPVSK)			0
RIM BOARD	28.6MM ENGINEERED OSB RIM BOARD			0.280
JOISTS	11-7/8" BNGD JOISTS @ 16" O.C.	1.190		
INSULATION	140MM R20 BATT		3.522	
VAPOR BARRIER	6 ML POLY *AIR BARRIER			0
INTERIOR AIR FILM				0.120
TOTAL		1.190	3.522	0.456
FRAMING/CAVITY PERCENTAGE		0%	91%	100%
AVERAGE ASSEMBLY RSI		3.44 RSI EFFECTIVE (MIN 3.08)		

2 ENERGY CALCS 2/2
SCALE N/A

CLIENT
DESCHAMPS

JOB
RESIDENCE

1121 4 ST SE
SALMON ARM, B.C.

JOB #
7767

REVISIONS	
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MAIN FLOOR	JULY 5 2022
REVIEW	JULY 18 2022
REVIEW	JULY 22 2022
REVIEW	JULY 23 2022
PERMIT	JULY 25 2022

DATE
JULY 25 2022

DRAWING
SECTION/SITE

SCALE
AS INDICATED

PAGE
A8



PREPARED BY:
FRANKLIN ENGINEERING LTD.
CALCULATED BY: Lillian Vuong
REVIEWED BY: Jayme Franklin
Date: August 31, 2022

Class C Preliminary Cost Estimate - With Variance

22-076 - 1121 4th St SE

*Class "C" is based on conceptual design, no detailed plans prepared, and thus are subject to change.

ITEM	DESCRIPTION	UNIT	QTY	UNIT PRICE	
1.00	Septic System				
1.01	Septic Tank & Pump Chamber Supply and Install	LS	1	\$ 10,000	\$ 10,000
1.02	Disposal Area Supply and Install	LS	1	\$ 15,000	\$ 15,000
1.03	Planning & Certification	LS	1	\$ 4,500	\$ 4,500
Septic System Subtotal					\$ 29,500
2.00	Rock Pit				
2.01	Piping & Install	LS	1	\$ 5,000	\$ 5,000
2.02	Drywell, base, sump, riser, fabric, frame and cover	ea	1	\$ 5,000	\$ 5,000
2.03	Drain Rock	m ³	36	\$ 65	\$ 2,340
2.04	Design	LS	1	\$ 1,500	\$ 1,500
Rock Pit Subtotal					\$ 13,840
3.00	Water Works				
3.01	150mm PVC C900 Water Pipe	m	125	\$ 300	\$ 37,500
3.02	Tee and Service Valve Supply & Install	ea	4	\$ 2,500	\$ 10,000
3.03	Tie Into Existing Watermain (including road repair)	LS	1	\$ 15,000	\$ 15,000
3.04	Engineering	%	\$ 62,500	10%	\$ 6,250
Water Works Subtotal					\$ 68,750
ESTIMATE SUB-TOTAL:					\$ 112,090
CONTINGENCY (20%):					\$ 22,418
ESTIMATE TOTAL:					~ \$ 135,000



PREPARED BY:

FRANKLIN ENGINEERING LTD.

CALCULATED BY: Lillian Vuong

REVIEWED BY: Jayme Franklin

Date: August 31, 2022

Class C Preliminary Cost Estimate - Without Variance

22-076 - 1121 4th St SE

*Class "C" is based on conceptual design, no detailed plans prepared, and thus are subject to change.

ITEM	DESCRIPTION	UNIT	QTY	UNIT PRICE	
1.00	Sanitary Sewer				
1.01	200mm PVC Pipe (Main)	m	110	\$ 300.00	\$ 33,000.00
1.02	150mm PVC Pipe (Service)	m	18	\$ 250.00	\$ 4,500.00
1.03	Manhole base, prebench, lid, frame, riser and cover (1050Φ)	ea	2	\$ 7,500.00	\$ 15,000.00
1.04	Inspection Chamber	ea	4	\$ 2,200.00	\$ 8,800.00
1.05	Engineering	%	\$ 61,300	10%	\$ 6,130
Sanitary Sewer Subtotal					\$ 67,430
2.00	Storm Sewers				
2.01	250mm DR 35 Pipe (Main)	m	100	\$ 300	\$ 30,000
2.02	150mm DR 35 Pipe (Service)	m	20	\$ 225	\$ 4,500
2.03	Manhole base(prebench), lid, frame, riser and cover (1050Φ)	ea	2	\$ 5,500	\$ 11,000
2.04	Inspection Chamber	ea	4	\$ 1,500	\$ 6,000
2.05	Engineering	%	\$ 51,500	10%	\$ 5,150
Storm Sewer Subtotal					\$ 56,650
3.00	Water Works				
3.01	150mm PVC C900 Water Pipe	m	125	\$ 300	\$ 37,500
3.02	Tee and Service Valve Supply & Install	ea	4	\$ 2,500	\$ 10,000
3.03	Tie Into Existing Watermain (including road repair)	LS	1	\$ 15,000	\$ 15,000
3.04	Engineering	%	\$ 62,500	10%	\$ 6,250
Water Works Subtotal					\$ 68,750
ESTIMATE SUB-TOTAL:					\$ 192,830
CONTINGENCY (20%):					\$ 38,566
ESTIMATE TOTAL:					~ \$ 231,000



*Memorandum from the
Engineering and Public
Works Department*

TO: Kevin Pearson, Director of Development Services
 DATE: September 29, 2022
 PREPARED BY: Chris Moore, Engineering Assistant
 SUBJECT: **VARIANCE PERMIT APPLICATION FILE NO. VP- 562**
 OWNER: M. & K. Deschamps – 490 – 10 Avenue SE Salmon Arm, BC V1E 2C3
 APPLICANT: Owner
 LEGAL: Lot 3, Section 11, Township 20, Range 10, W6M, KDYD, Plan 8051
 CIVIC: 1121 – 4 Street SE

Further to the request for variance dated September 8; the Engineering Department has reviewed the site and offers the following comments and recommendations relative to the requested variance:

The applicant is requesting that Council waive the requirements of the Subdivision and Development Servicing Bylaw No. 4163 (SDSB). The SDSB has many exemptions that apply to the construction of a Single Family Dwelling (SFD) in the Urban area for urban zonings (R-1, R-2, etc.), however, the bylaw did not contemplate agricultural zoning in the urban area (the property is currently zoned A2) and as such the exemptions do not apply. Staff have considered the intent of the SDSB exemptions and support applying the exemptions in this case as the OCP would allow the property to be rezoned to R-1 or R-8. The recommendations in this referral support variances that align with the SDSB exemptions for SFD construction in the urban area.

1. Waive the requirement to upgrade 4 Street SE to the RD4 Urban standard.

4 Street SE is currently constructed to an interim gravel road standard. Upgrading to an Urban Local Road Standard is not required as per the previously noted exemption. However, upgrading to a gravel road standard with a minimum 7.3 meters of road width from 10 Avenue SE is required as this will provide safe two way access for the proposed and existing properties. A 'T' turn-around exists at the end of 4 Street SE, installed as part of a previous subdivision.

Recommendation:

The Engineering Department recommends that request to waive the requirement to upgrade 4 Street SE to the RD4 Urban standard be approved, subject to upgrading to a gravel road standard with a minimum 7.3 meters of road width from 10 Avenue SE to and across the frontage of the subject property.

2. Waive the requirement to extend a 200mm diameter sanitary sewer from 10 Avenue SE to and across the frontage of subject property on 4 Street SE.

Extending a 200mm diameter sanitary sewer from 10 Avenue SE up to, and across the property frontage along 4 Street SE is required by the SDSB, since the property is located in the Urban Area, but currently zoned A2. However, if the property were to be zoned R1 or R8, then this requirement would meet the criteria for exemption 5.4 since the distance to the nearest City main exceeds 100m.

Recommendation:

The Engineering Department recommends that request to waive the requirement to extend a 200mm diameter sanitary sewer from 10 Avenue SE to the subject property be approved; subject to the installation of an on-site sanitary collection treatment system.

3. Waive the requirement to extend a 150mm diameter watermain from 10 Avenue SE to and across the frontage of subject property on 4 Street SE.

Records indicate that a 19mm diameter service was installed in the 1970's which served the subject property and the two adjacent properties. Since this serviced three properties, it is effectively an undersized City main. The new home cannot be connected to the existing 19mm main as this is significantly undersized and is likely to negatively affect the flows to the other two connected homes.

Upgrading / extending a 150mm diameter watermain across the property frontage along 4 Street SE is required by the SDSB. Additionally, since the existing main is undersized, extending a 150mm diameter watermain from 10 Avenue SE is also required.

The City has no plans to upgrade 4 Street SE in the foreseeable future, and no further subdivision will be approved without full upgrades to 4 Street SE. Therefore, in lieu of extending a 150mm watermain from 10 Avenue SE, the Engineering department would support the installation of a new 25mm service from 10 Avenue SE, installed within the City ROW under an encroachment agreement, complete with a meter installed in a pit at 10 Avenue SE; together with a cash in lieu payment for a 150mm diameter watermain across the property frontage along 4 Street SE.

Recommendation:

The Engineering Department recommends that request to waive the requirement to extend a 150mm diameter watermain from 10 Avenue SE to and across the frontage of subject property on 4 Street SE be approved; subject to the installation of a new 25mm service from 10 Avenue SE, installed within the City ROW under an encroachment agreement, complete with a meter installed in a pit at 10 Avenue SE and a cash in lieu payment for a 150mm diameter watermain across the property frontage along 4 Street SE.



Chris Moore
Engineering Assistant



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



To: His Worship Mayor Harrison and Members of Council

Date: October 26, 2022

Subject: Variance Permit Application No. VP-563 (Setback)

Legal: Lot 4, Section 7, Township 20, Range 9, W6M, KDYD, Plan 14219
 Civic Address: 1810 – 30 Street SE
 Owner/Applicant: Mt. Ida Nursery Ltd. c/o Brett Barnard

MOTION FOR CONSIDERATION

THAT: Development Variance Permit No. VP-563 be authorized for issuance for Lot 4, Section 7, Township 20, Range 9, W6M, KDYD, Plan 14219, which will vary Zoning Bylaw No. 2303 as follows:

Section 35.13.2 – Rear Parcel Line Setback – reduction from 15.0 m to 11.0 m to facilitate construction of a new greenhouse on this property.

STAFF RECOMMENDATION

THAT: The motion for consideration be adopted.

PROPOSAL

The subject property is located at 1810 – 30 Street SE (Appendices 1 and 2). The property is approximately 17.95 ac in size and is operated by Mt. Ida Nursery Ltd. for silviculture purposes. The applicant is requesting that the rear parcel line setback for agricultural buildings be reduced from 15.0 m to 11.0 m to accommodate a new 210' x 32' greenhouse. The site plan and proposed building layout are shown in Appendix 3.

The applicant has provided a letter of rationale attached as Appendix 4. Site photos are attached as appendix 5.

BACKGROUND

The property is designated Acreage Reserve (AR) in the City's Official Community Plan (OCP), zoned A-2 (Rural Holding) in the City's Zoning Bylaw and is entirely within the Agricultural Land Reserve (ALR) (Appendices 6 and 7). All lands within the ALR are subject to the Agricultural Land Commission Act and Regulation. Silviculture is a permitted farm use within the ALR and can be restricted but not prohibited by local government.

The property was initially developed by Mt. Ida Nursery in 2016 with eight greenhouses and a 6,000 ft² processing facility and began production in 2017. Since this time, a number of greenhouses have since been constructed. For this property, the front parcel line is 30 Street SE, and the rear parcel line applicable to the setback variance is the east parcel line that borders 3581 and 3601 20 Avenue SE.

Adjacent land uses include the following:

North: single family dwellings and accessory uses	Zoned A-2	5.2
South: 20 Avenue SE; single family dwelling and accessory use	Zoned A-2	
East: single family dwelling; Aviator Business Park (mini/commercial warehousing)	Zoned M-6 & M-1	
West: single family dwellings and accessory uses	Zoned A-2	

COMMENTSFire Department

No Fire Department issues with this variance.

Building Department

No concerns.

Engineering Department

No Engineering concerns.

Public Consultation

Pursuant to the *Local Government Act* and *City of Salmon Arm Development Variance Permit Procedures Bylaw*, notices are mailed to land owners within a 30m radius of the application. The notices outline the proposal and advise those with interest in the proposal to provide written submission prior to the Hearing and information regarding attending the Hearing. It is expected that the Hearing for this application will be held on November 14, 2022.

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. These factors include site-specific conditions, such as lot configuration, negative impact on the general form and character of the surrounding neighbourhood and potential negative impact(s) on adjacent properties.

The requested variance is to reduce the rear parcel line setback for an agricultural building from 15.0 m to 11.0 m to accommodate the most eastern proposed greenhouse of four (4) new greenhouses on the northeast portion of the property. As stated in the applicant's letter of rationale (Appendix 4), the applicant wishes to maximize the production of their operation, and the 4 m difference in setback would allow them to construct one additional greenhouse, allowing them to maximize their productive land base.

The required agricultural building setback of 15.0 m includes other more traditional farm uses such as the housing of livestock like poultry or cattle. In this case, the greenhouses are used for growing seedlings and may not require such large setbacks from property lines, given the nature of farm activity and silviculture operations.

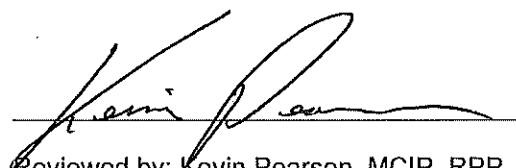
Both adjacent properties to the east are not within the ALR. There is a buffer of trees between the subject property and the property with the dwelling (3581 20 Avenue SE), and 3601 20 Avenue SE is currently used for mini and commercial warehousing and contains no dwellings. Further, the variance does not position the proposed buildings closer to any surrounding residences, as these buildings will be in the northeast portion of the subject property.

CONCLUSION

The requested variance to reduce the rear parcel line setback to accommodate the construction of four (4) additional agricultural greenhouse buildings is recommended for approval by staff for the above-noted reasons.

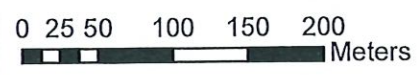


Prepared by: Evan Chorlton
Planner I

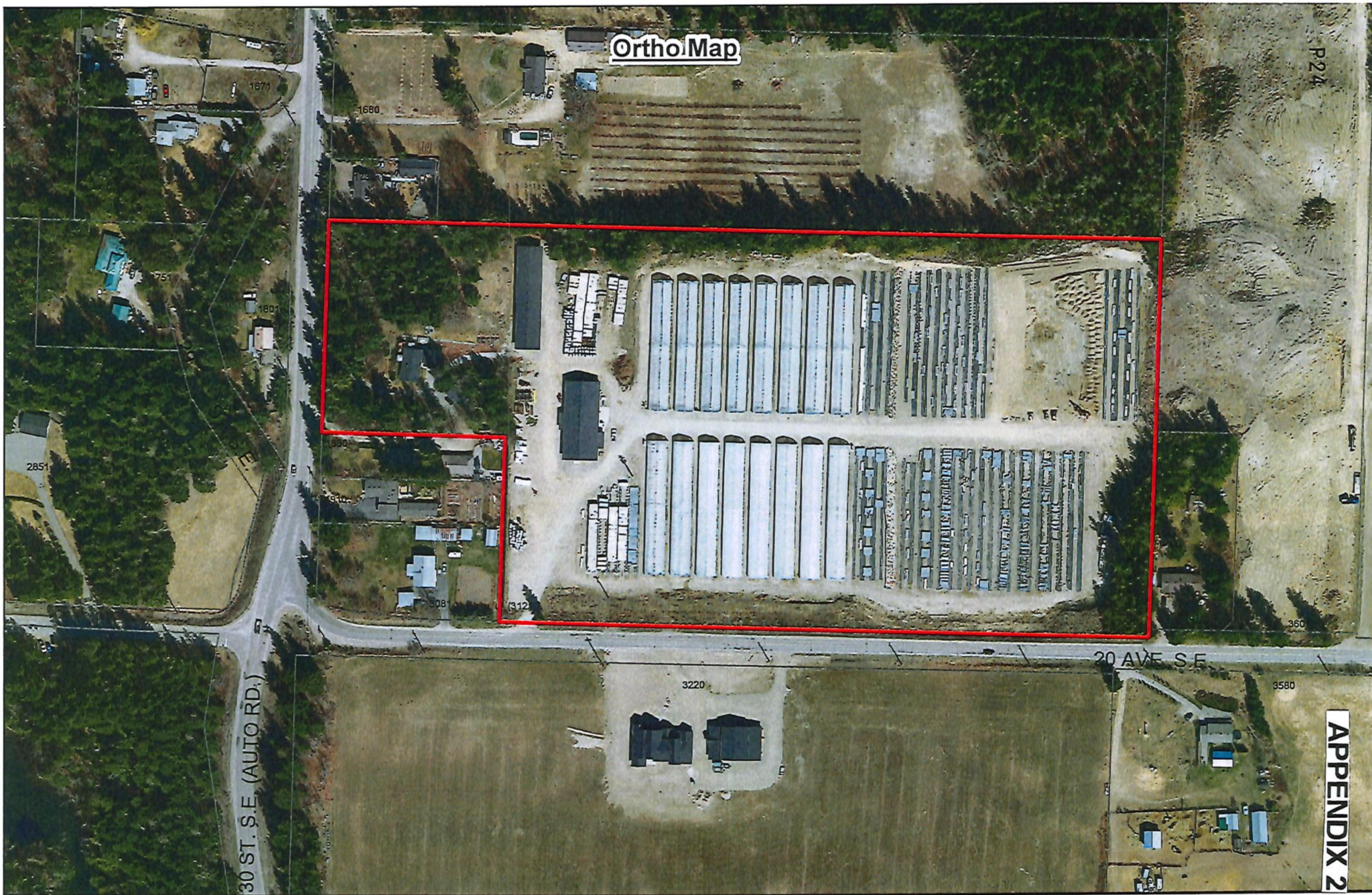


Reviewed by: Kevin Pearson, MCIP, RPP
Director of Development Services

Subject Property Map



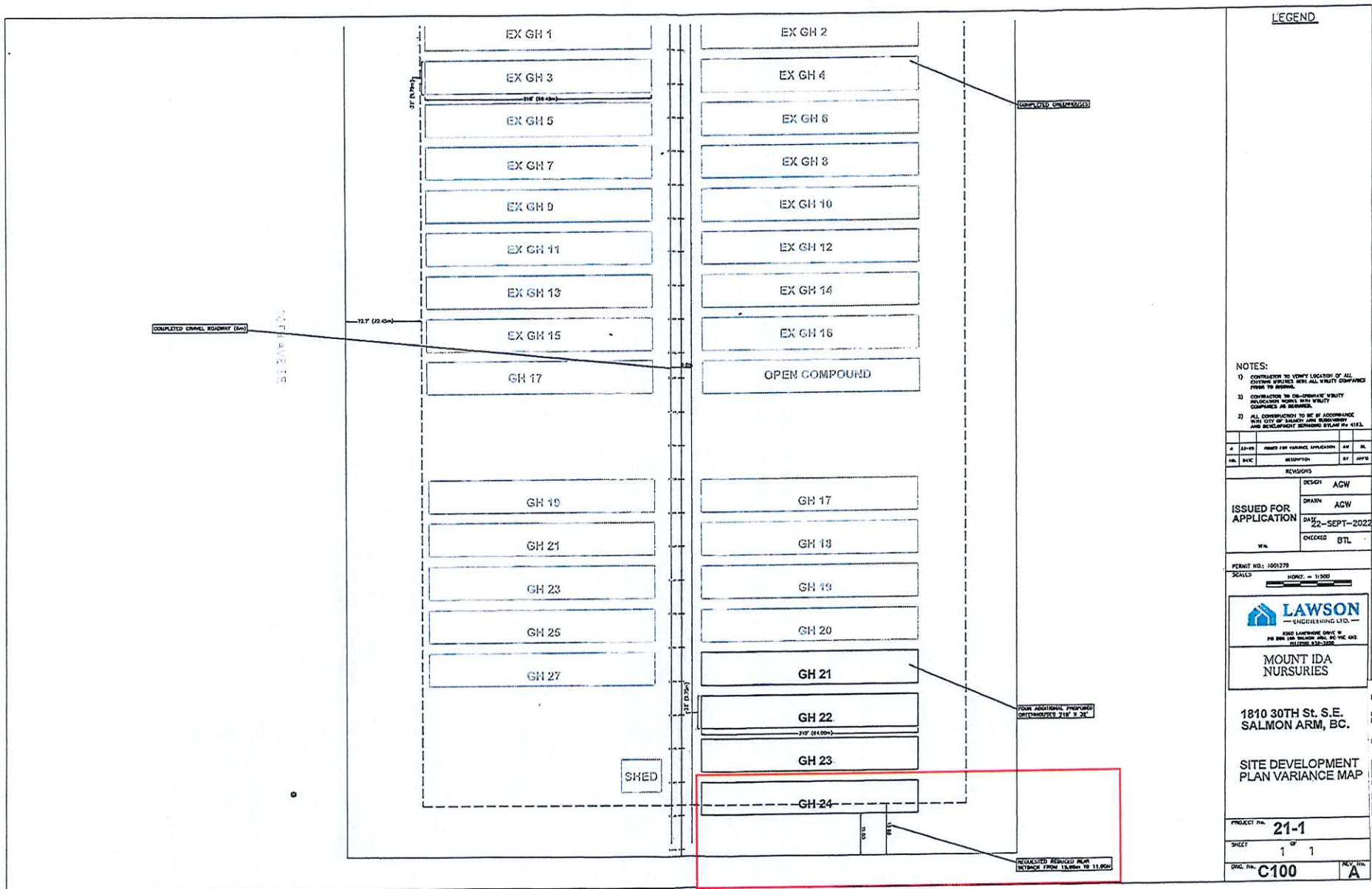
-  Subject Property
-  Parcels



0 12.525 50 75 100
Meters

Subject Property

Parcels



APPENDIX 4

Brett Barnard, RPF
Mt. Ida Nursery Ltd.
brett.barnard@mtida.ca
250-804-3759
1810 30th St. SE
Salmon Arm, BC
V1E 2E6

September 26, 2022

To Mayor and Council:

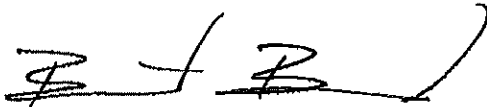
I am writing this letter in conjunction with Mt. Ida Nursery Ltd.'s Variance Permit Application. I am applying to have the set-back for my Interior side parcel line reduced from 15m to 11m. The property line in question is along the East property line and borders the Aviator RV and Self Storage and 3581 20th Ave SE.

Mt. Ida Nursery Ltd. is a commercial tree seedling nursery that supplies coniferous tree seedlings to BC Timber Sales and private forest licencees in BC. Mt. Ida Nursery Ltd. currently employs 20 full time equivalent jobs.

The current marketplace for tree seedlings is very strong and we have felt incredible pressure from our clients to expand. The rationale for the Variance Permit Application is to maximize the production of our operation. This 4m difference will allow us to construct one extra greenhouse in this fall's construction project and will allow us to maximize our productive land base.

I appreciate the time that you will take to review and consider my application. I would be happy to host a field review of the area in question and to answer any questions or concerns that you may have.

Respectfully yours,

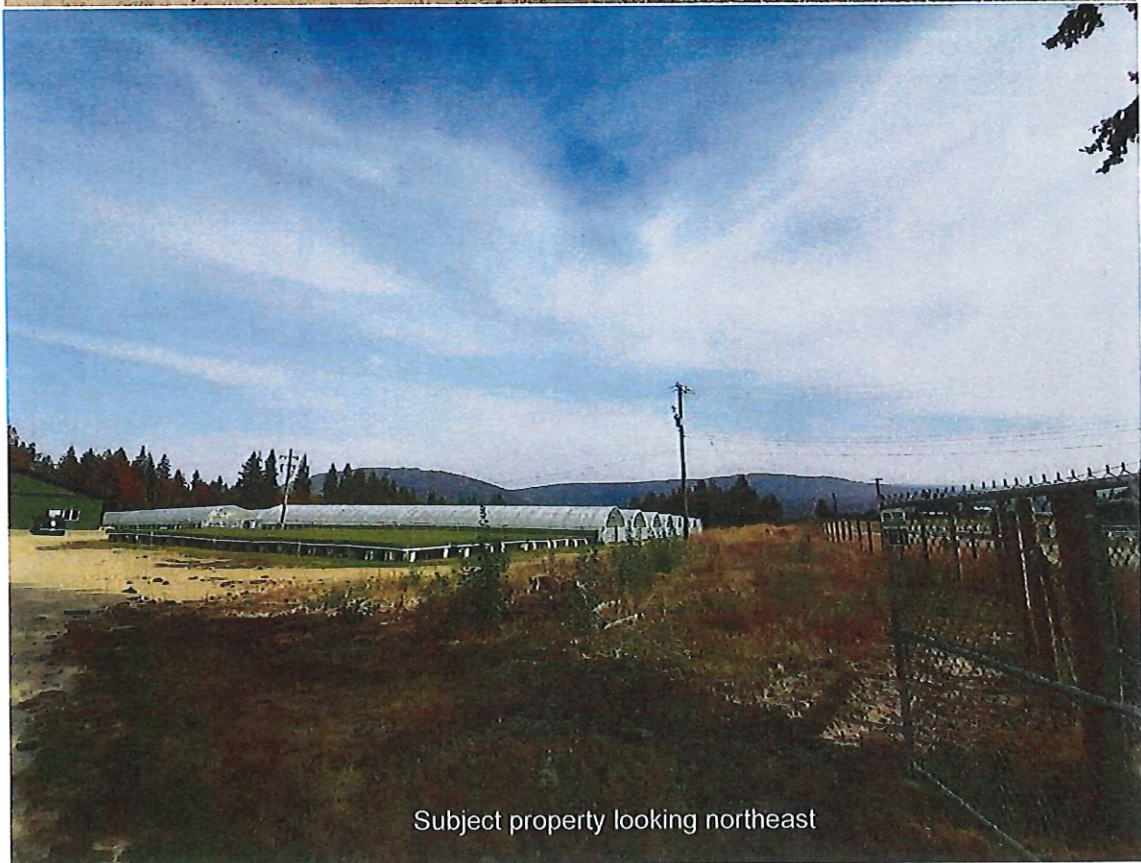


Brett Barnard, RPF
Mt. Ida Nursery Ltd.
brett.barnard@mtida.ca
250-804-3759
1810 30th St. SE
Salmon Arm, BC
V1E 2E6

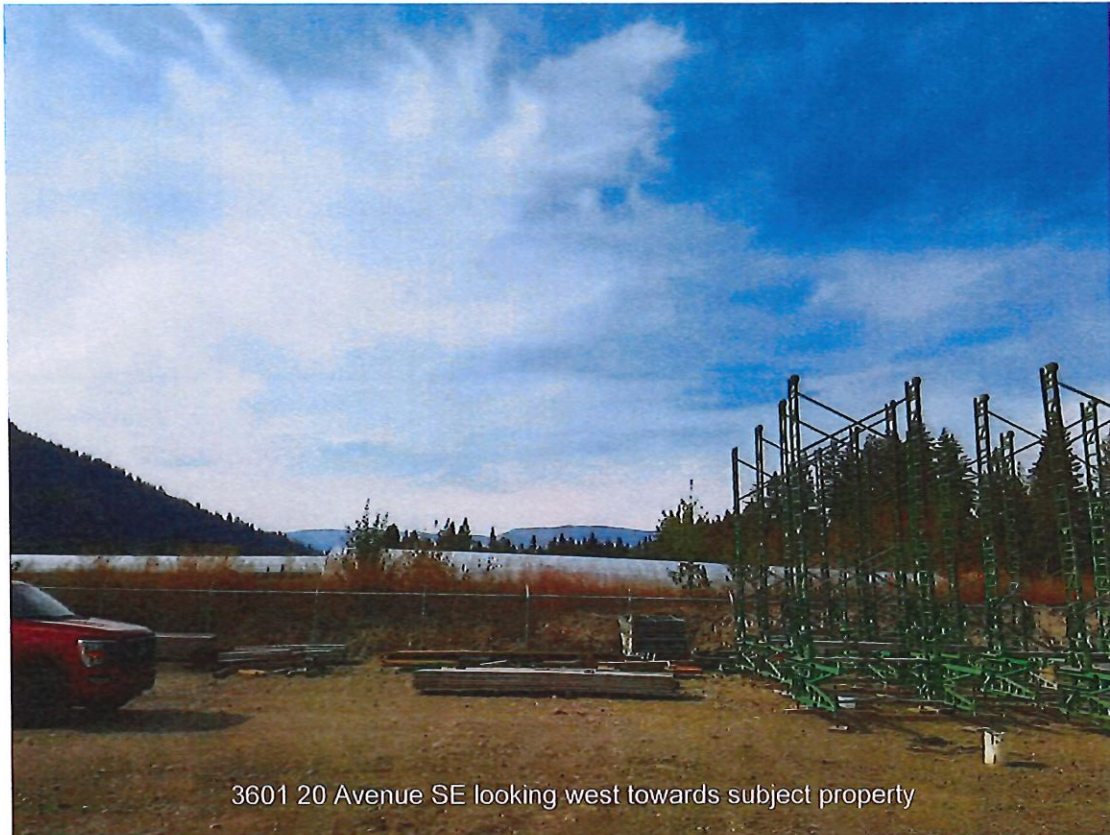
APPENDIX 5



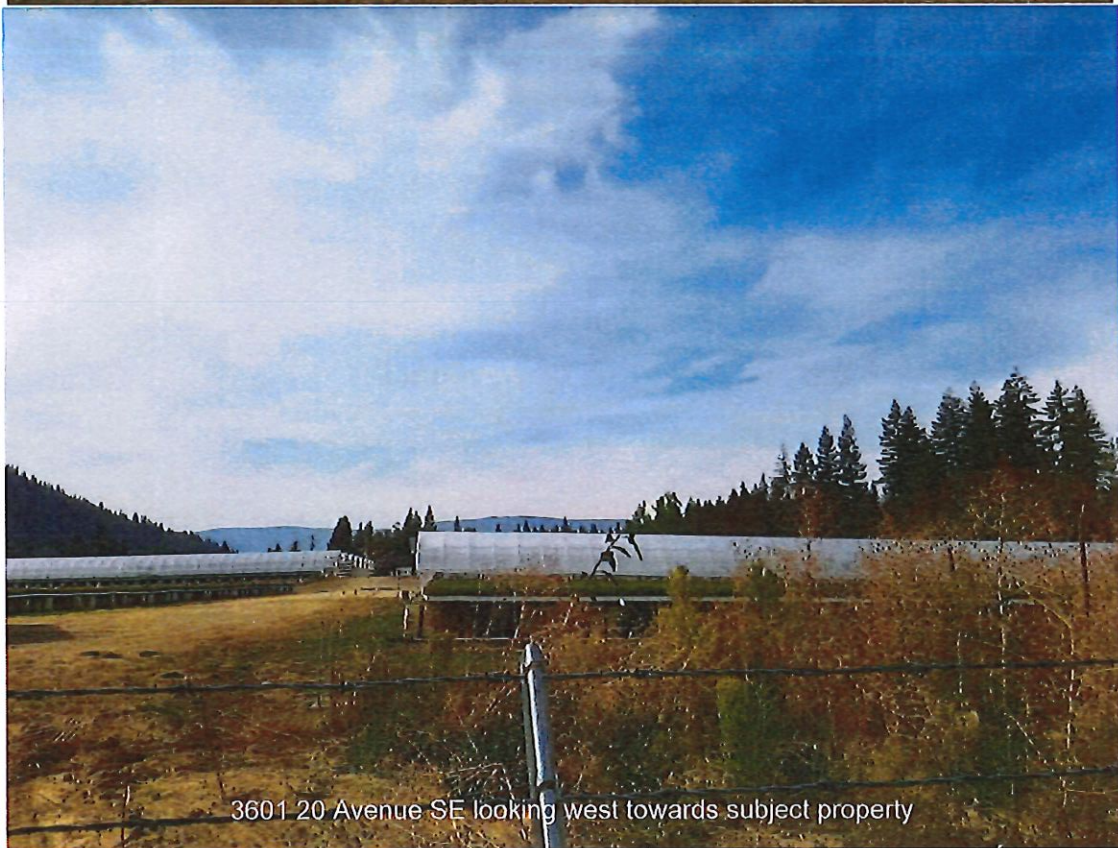
Subject property looking northeast



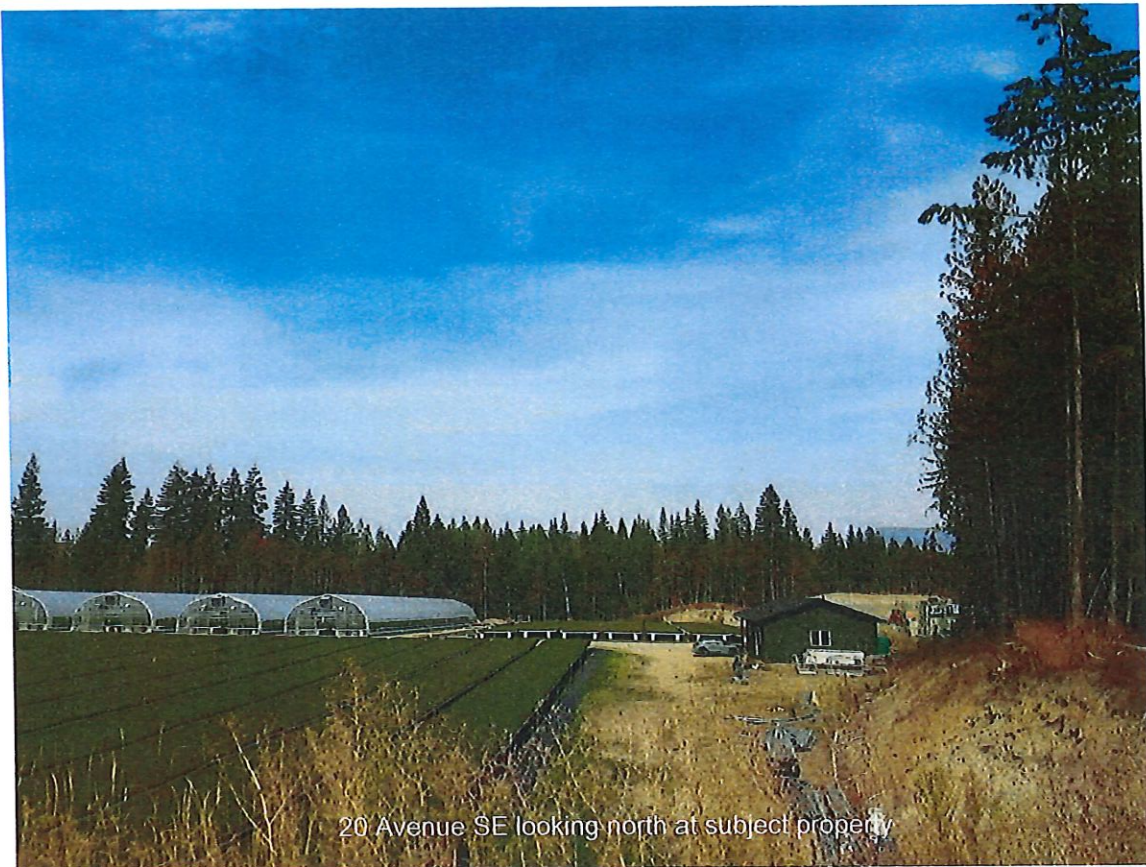
Subject property looking northeast



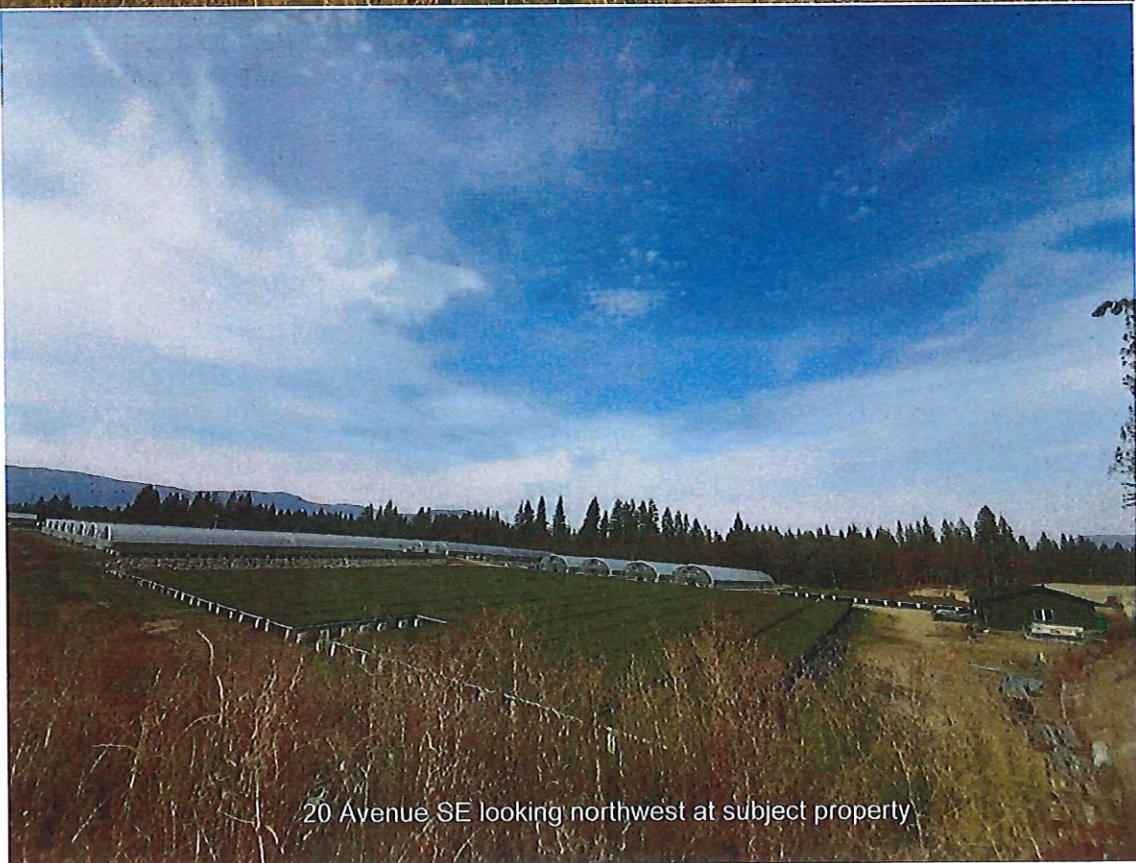
3601 20 Avenue SE looking west towards subject property



3601 20 Avenue SE looking west towards subject property



20 Avenue SE looking north at subject property



20 Avenue SE looking northwest at subject property

OCP Map

P30

30 ST. S.E. (AUTO ROAD)

28 ST. S.E.

30 ST. S.E. (AUTO RD.)

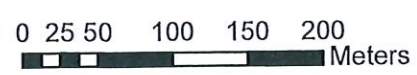
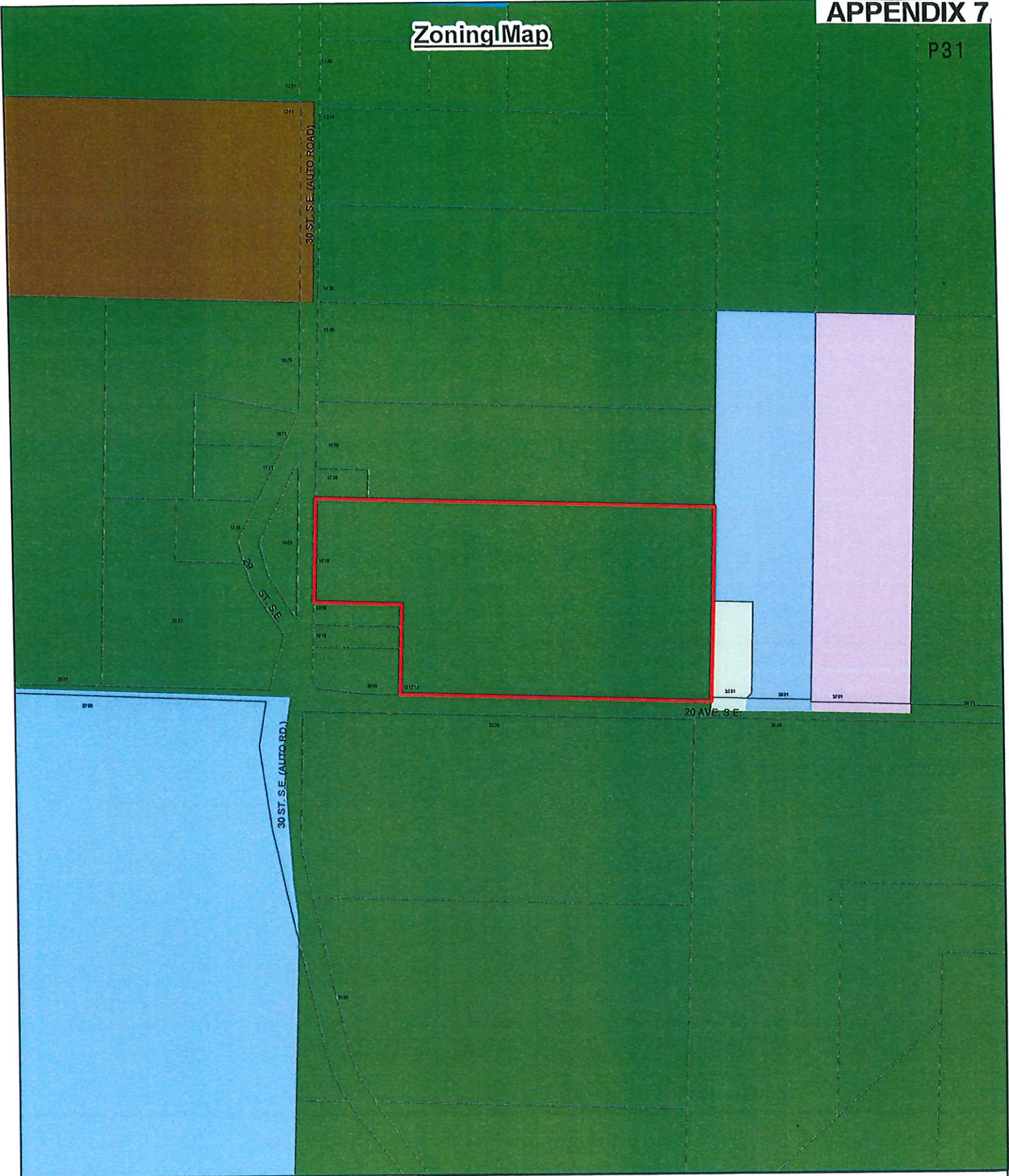
20 AVE. S.E.



0 25 50 100 150 200 Meters

- Subject Property
- Parcels
- Acreage Reserve
- Residential - Low Density
- Institutional
- Industrial - Light

Zoning Map



- Subject Property
- Parcels
- A-2
- M-1
- M-2
- M-6
- P-1
- R-6
- P-3

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CITY OF SALMON ARM

Date: October 24, 2022

Subject: ALC right-of-way for non-motorized recreation trail – Heritage Trail

The purpose of this memo is to update Council regarding the City's application to the Agricultural Land Commission (ALC) to establish a 913 m long, 1.5 m to 3 m wide compacted gravel trail in the Agricultural Land Reserve (ALR) for non-motorized use between Little Mountain and Haney Heritage Village.

BACKGROUND

The City's Heritage Trail is proposed to be approximately 5,325 m in length, a network of trails identified in the City's Active Transportation Plan, Greenways Strategy, Heritage Strategy, and Official Community Plan between First Nations lands west of the City of Salmon Arm, through the downtown area, to Haney Heritage Village park (see Heritage Trail Map attached). Approximately 4,000 m of this are constructed.

The 913 m long portion within the ALR under consideration is a key gap in the Heritage Trail directly between existing community features: Little Mountain Park and Haney Heritage Village Park. Largely utilizing existing right-of-ways, the proposed non-motorized trail has three sections to consider as detailed in the attached map, all fully within the ALR:

1. A 410 m long section within an existing road right-of-way (contains sections of dirt road and pond),
2. A 403 m long section within an existing 6 m wide sanitary sewer easement, and
3. A 100 m long section within Haney Heritage Village park.

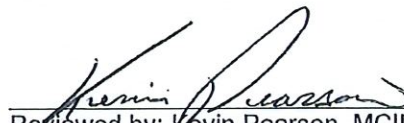
Council directed staff to apply to the ALC and moved to allocate \$25,000 Parks Development Reserve Funds (motion attached) to secure right-of-way in order to create and establish a legal trail corridor following this route. City staff have discussed the establishment of a trail right-of-way over of a 403 m long sanitary sewer easement on private property along the parcel boundary directly west of Haney Park within the ALR with the property owner. Supporting this application, the City has also notified all property owners adjacent the proposed trail corridor and met with representatives of Haney Heritage Village park.

Actual trail construction is not being considered or budgeted for at this time although a 1.5 to 3 m wide gravel Type 2 Trail is proposed by the Greenways Strategy. The current intent is for ALC consideration prior to detailed trail planning and subsequent budgeting. The proposed trail corridor contains a pond, forested areas, and a drainage. Agricultural uses in the area include pasture, hay, forest, and tree farm. Alternative corridor alignment is generally impractical between existing community features (schools and parks) due to topography and distance, while provincial highways present associated barriers. The proposed route within existing right-of-ways along parcel boundaries appears to disrupt the least possible amount of ALR land between community facilities. The City expects costs to involve installation of fencing and gates as recommended per ALC specifications to ensure any associated impacts are limited.

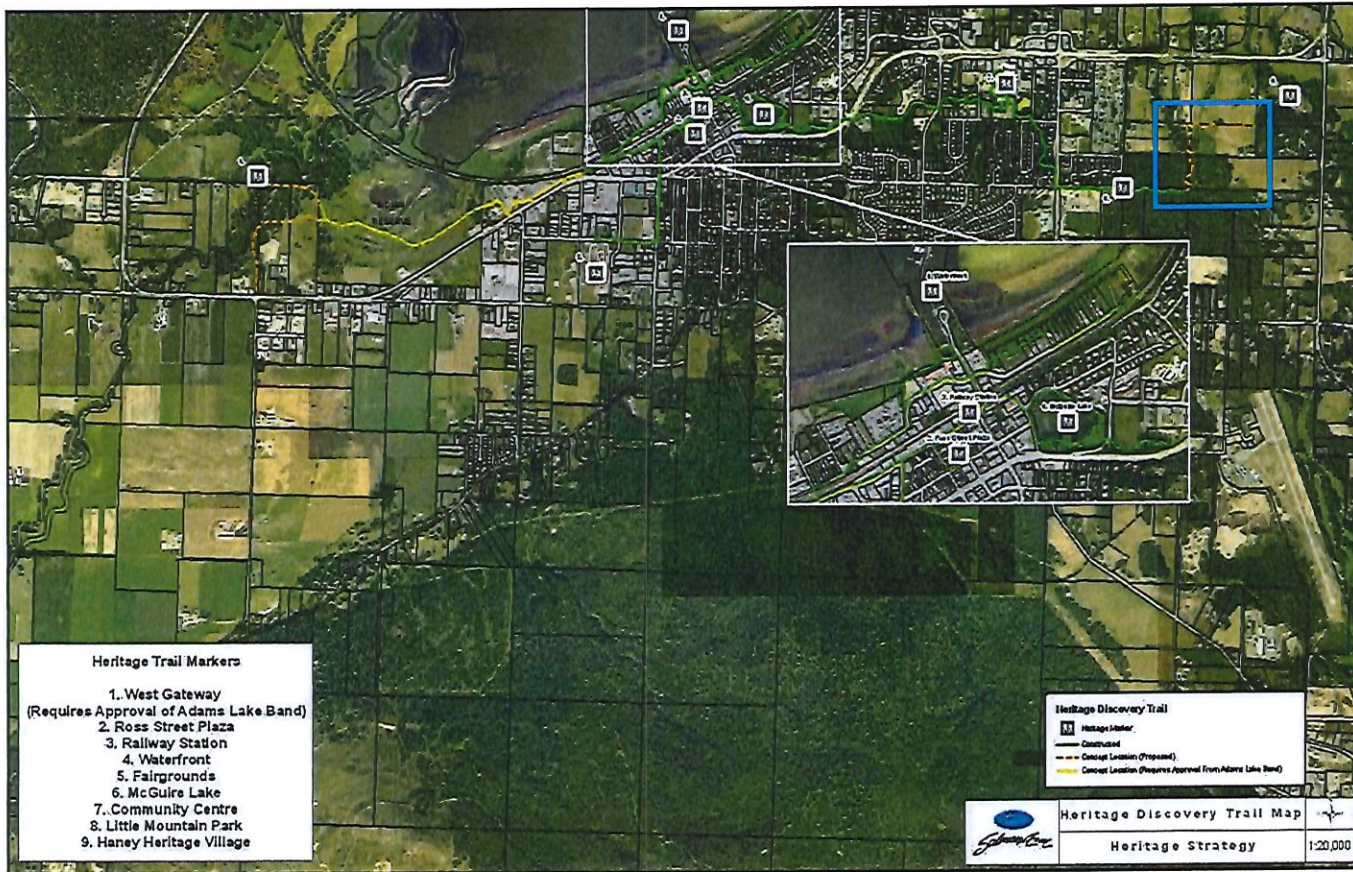
City staff submitted an application to the ALC in the Fall of 2021 for trail use of the 403 m long sanitary sewer easement and have engaged in ongoing discussion with ALC staff regarding the application. Recently the ALC advised staff to seek approval for the entire 913 m corridor, and staff have subsequently revised the application and informed additional adjacent landowners.

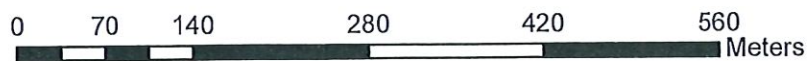
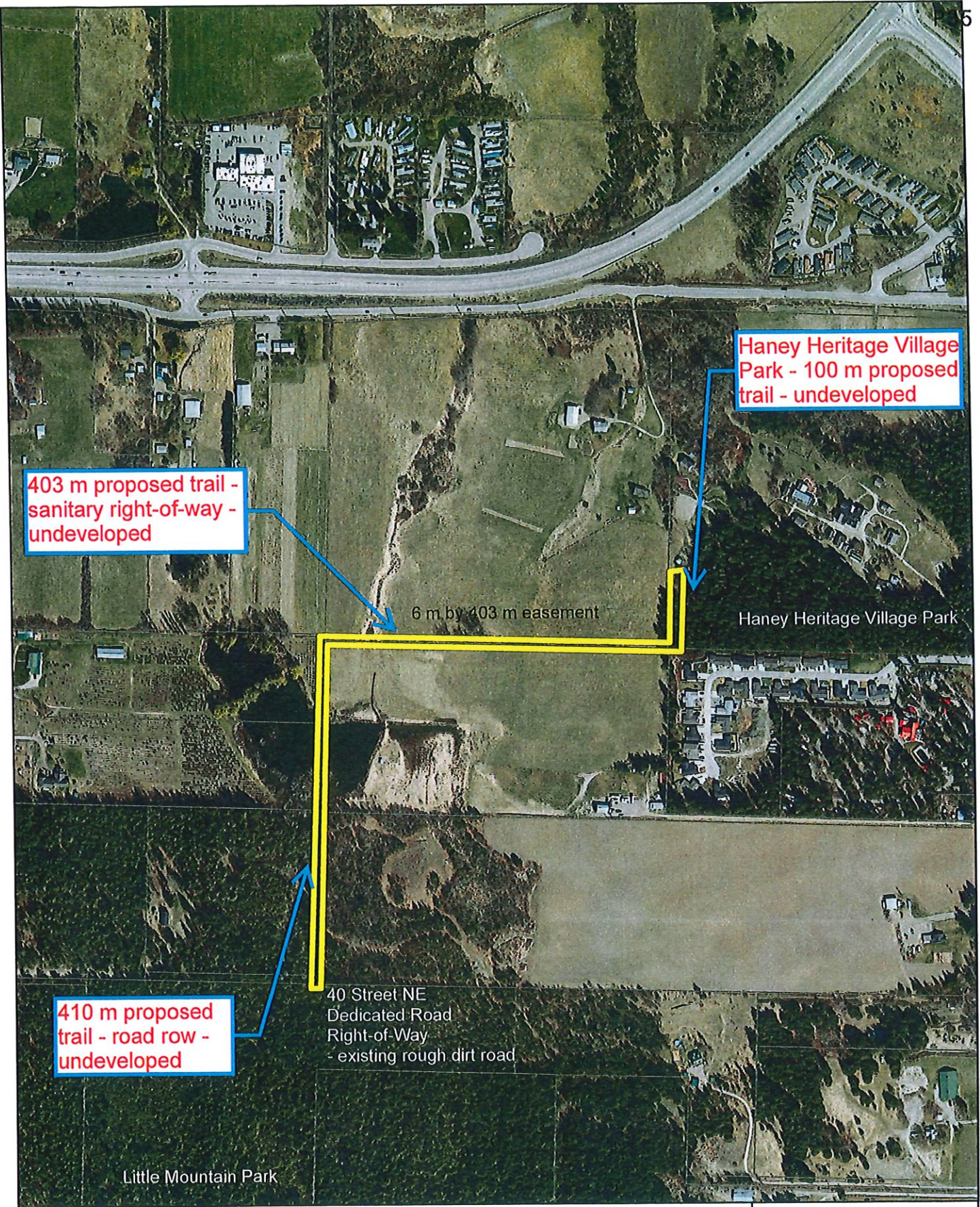


Prepared by: Chris Larson, MCIP, RPP
Senior Planner



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





Area under application

6. STAFF REPORTS

1. Director of Development Services – Heritage Trail Planning and Acquisition

0098-2020 (ic)

Moved: Councillor Eliason

Seconded: Councillor Lavery

THAT: Staff be authorized to apply to the Agricultural Land Commission (ALC) for approval of an approximate 400 m/6m statutory right of way over Easement Plan EPP15791 registered over the property addressed at 4400 Trans Canada Highway NE;

AND THAT: Council approve a budget amendment to allocate \$25,000 from the Parks Development Reserve Fund for acquisition of the above noted right of way.

CARRIED UNANIMOUSLY



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

October 20, 2022

ALC File: 63593

Keith Phare
Salmon Arm SDA Church Building Committee
DELIVERED ELECTRONICALLY

Dear Keith Phare:

Re: Reasons for Decision - ALC Application 63595

Please find attached the Reasons for Decision of the Okanagan Panel for the above noted application (Resolution #379/2022). As agents, 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,

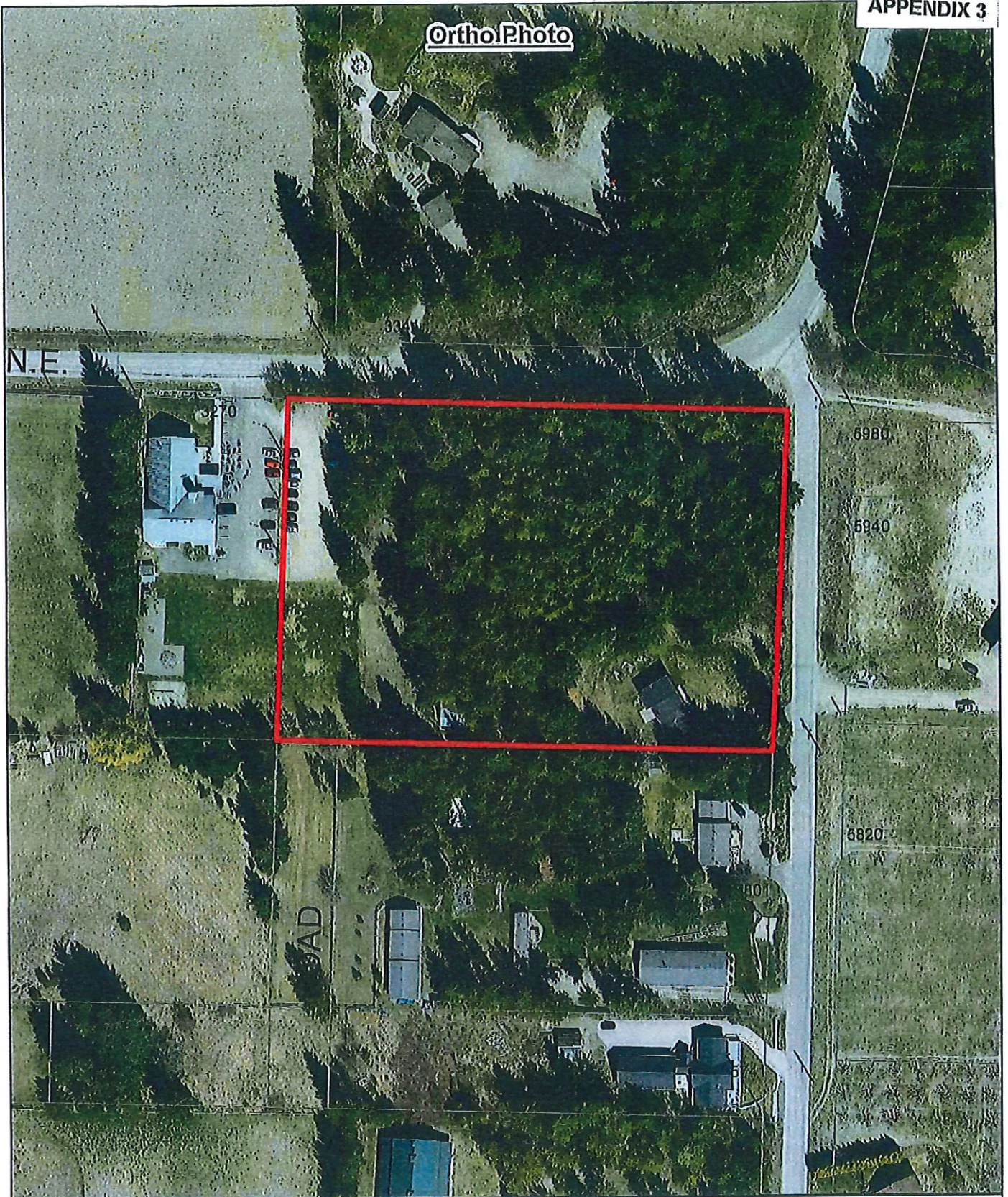
A handwritten signature in black ink, appearing to read 'Vidula Kulkarni'.



Vidula Kulkarni, Land Use Planner

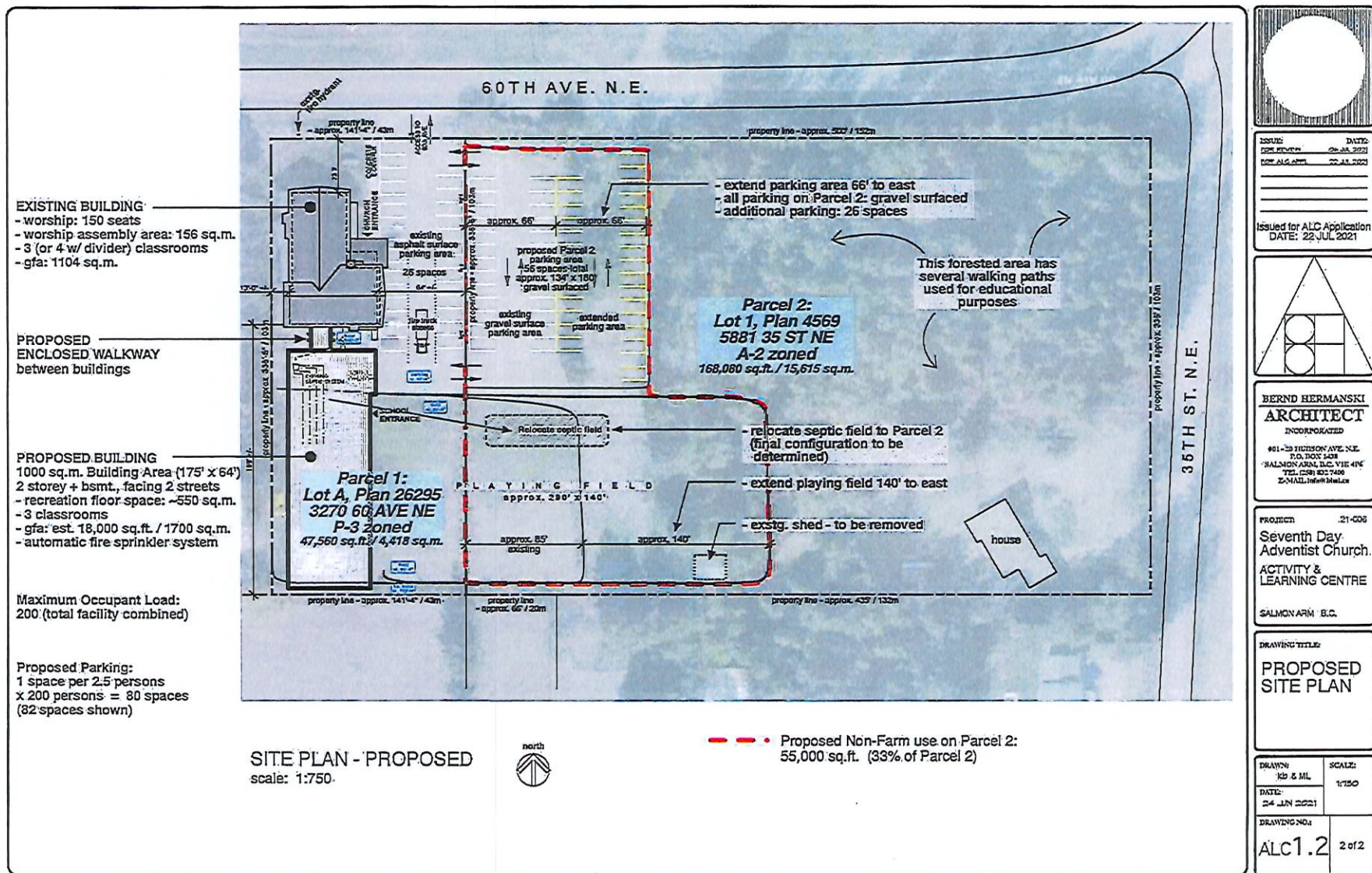
Enclosure: Reasons for Decision (Resolution #379/2022)

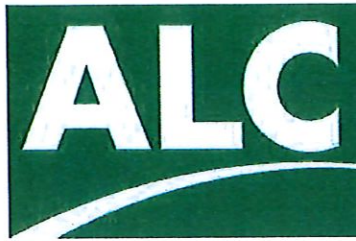
cc: City of Salmon Arm (File: ALC 410). Attention: Melinda Smyrl

63593d1



-  Subject Property
-  Parcels





AGRICULTURAL LAND COMMISSION FILE 63593
REASONS FOR DECISION OF THE OKANAGAN PANEL

Non-Farm Use Application Submitted Under s.20(2) of the Agricultural Land
Commission Act

Applicant: Seventh Day Adventist Church (British
Columbia Conference)

Agent: Keith Phare (Salmon Arm SDA Church Building
Committee)

Property: Parcel Identifier: 010-519-246
Legal Description: Lot 1 Section 31 Township
20 Range 9 West of the 6th Meridian Kamloops
Division Yale District Plan 4569 Except Plans
17099 and 26295
Area: 1.6 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] The Application states that the Property and the adjacent property (PID: 005-149-231, the "Church Property") are both owned and operated by the Applicant for church use. The Church Property contains the 1,104 m² Seventh-Day Adventist Church building (the "Church"), a 26-stall parking lot, and a portion of a playfield which extends onto the Property.
- [3] The Application submits that the parking lot on the Church Property expanded onto the Property in the mid-1990's (the "Parking Lot") without permission of the Agricultural Land Commission (the "Commission" or "ALC"). In addition, the playfield was also established on the Property without permission.
- [4] The Applicant is applying to the Commission under s. 20(2) of the ALCA to retain and expand the existing ~0.11 ha Parking Lot to 0.22 ha and the existing ~0.29 ha playfield to ~0.37 ha (the "Playfield") (the "Proposal"). The proposed total non-farm use area on the Property is ~0.59 ha.
- [5] The Application states that the Proposal will require the placement of a minimum of 850 m³ of fill over a 0.1 ha area to a maximum depth of 3 m and 330 m³ of gravel over a 0.22 ha area to a maximum depth of 0.3 m.
- [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 Applicant, Agent, local government, third parties, 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 1974, the parent parcel of the Church Property and the Property was subdivided under ALC Appeal 1920 for purposes of church construction and related facilities. The current configurations of the Church Property and the Property are a result of that 1974 subdivision.



- [9] The Application material indicates that the Applicant purchased the Property on December 29, 1993. The Certificate of Title that accompanied the Application shows the legal notation which advises that the parcel may be subject to the ALCA.
- [10] The Application states that the parking lot on the Church Property expanded onto the Property in the mid-1990's. The Application did not state specifically when the Playing Field was established on the Property.
- [11] In November 2020, the Applicant contacted the ALC to seek clarification on uses permitted by ALC Appeal 1920 on the Church Property which contains the church buildings. The ALC responded on November 17, 2020 clarifying that church uses could be expanded on the Church Property (subject to fill criteria). The ALC's letter also noted that a gravel parking lot was located on the Property and that a non-farm use application would be required for its use related to the church. The current Application was submitted subsequent to the ALC's November 17, 2020 letter.
- [12] The Application states that the Property currently contains the Parking Lot (30 stalls), a portion of the Playfield, a residence, a garage, a shed, a ~ 519 m² vegetable garden, and a forested area that is used by the church for ecological and nature studies.

ANALYSIS AND FINDINGS

- [13] The Application states that the Proposal is part of a larger project to expand the church by 1,700 m² on the Church Property. To support the Church expansion, the Applicant is requesting to expand the Playfield and Parking Lot on the Property. According to the Application material, the Church expansion will require removal of an existing shed from the Playfield on the Property, and the relocation of the septic



field from the Church Property onto the Playfield area of the Property. However, the final configuration for the septic field relocation is to be determined.

[14] When considering non-farm use on a property in the ALR, the Panel considers a range of variables to determine if the use is compatible or detrimental to the property. In exercising its duties, the Commission must give priority to protecting and enhancing the size, integrity, and continuity of the ALR, as well as the use of the ALR for farm use.

[15] As part of its assessment of the Proposal and its potential impact on the Property, the Panel referred to agricultural capability ratings. The ratings are identified using the BC Land Inventory (BCLI), 'Land Capability Classification for Agriculture in B.C.' system. The improved agricultural capability ratings applicable to the polygon that contains the Property are predominantly Class 4 and Class 5 with a smaller area of Class 2, Class 3. More specifically, ~90% of the Property is improvable to 60% Class 4 and 40% Class 5 soil with limiting subclass of topography, and ~10% of the Property is improvable to 60% Class 2 and 40% of Class 3 with limiting subclasses of topography and aridity.

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

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

Class 4 - land is capable of a restricted range of crops. Soil and climate conditions require special management considerations.



Class 5 - land is capable of production of cultivated perennial forage crops and specially adapted crops. Soil and/or climate conditions severely limit capability.

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

- [16] Based on the agricultural capability ratings the Property has predominantly secondary capability which is capable of growing a restricted range of crops. The Panel notes that much of the Property is currently forested; however, the agricultural capability ratings apply whether the land is cleared or forested. In addition, there is a ~520 m² garden on the Property. For this reason, the Panel finds that Property is capable of supporting agricultural crops.
- [17] The Application explains that the Church expansion will require removal of 930 m³ of fill from the Church Property. This fill will be used for the Parking Lot expansion on the Property as well as for softening the transitions between the proposed fill area and natural grade.
- [18] The Panel considered the proposal to permanently approve the parking lot, playfield, septic system and associated fill on the Property for use in conjunction with the Church Property. The proposed non-farm uses on the Property would utilize approximately one third of the Property and hence the Panel finds that the Proposal would permanently and negatively impact the size of the area available for agriculture on the Property. The Panel must consider the long-term impacts of non-farm uses beyond the current ownership of the Property. The Panel finds that if the Proposal was approved by the Commission and if the Property is sold separately in future, the non-farm uses would remain and encumber the Property so long as the Church requires its use.



- [19] For these reasons, the Panel finds that the Proposal is contrary to the Commission's mandate to preserve farmland in the ALR and encourage farming, as well as protecting and enhancing the size, integrity and continuity of the land base of the agricultural land reserve; and the use of the agricultural land reserve for farm use.

DECISION

- [20] For the reasons given above, the Panel refuses the Proposal to retain and expand the existing ~0.11 ha parking lot by 0.11 ha and the existing ~0.29 ha playfield to ~0.37 ha.

- [21] These are the unanimous reasons of the Panel.

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

- [23] Resolution #379/2022

Released on October 20, 2022

A handwritten signature in black ink, appearing to read 'G. Zimmermann', is positioned below the release date. The signature is fluid and cursive, with a long horizontal stroke extending to the right.

Gerald Zimmermann, Panel Chair

On behalf of the Okanagan Panel

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