



AGENDA

**City of Salmon Arm
Regular Council Meeting**

**Monday, July 13, 2020
1:00 p.m.**

[Public Session Begins at 2:30 p.m.]
**Council Chamber of City Hall
500 – 2 Avenue NE**

7:00 p.m.
**Salmon Arm Recreation Centre
Auditorium
2600 10 Avenue NE**

Page #	Item #	Description
	1.	CALL TO ORDER
1 – 2	2.	IN-CAMERA SESSION
	3.	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>
	4.	ADOPTION OF AGENDA
	5.	DISCLOSURE OF INTEREST
	6.	CONFIRMATION OF MINUTES
3 – 12	1.	Regular Council Meeting Minutes of June 22, 2020
	7.	COMMITTEE REPORTS
13 – 16	1.	Development and Planning Services Committee Meeting Minutes of July 6, 2020
	8.	COLUMBIA SHUSWAP REGIONAL DISTRICT UPDATE
17 – 24	1.	Board in Brief – June 2020
	9.	STAFF REPORTS
25 – 26	1.	Acting Chief Financial Officer – RCMP Earned Retirement Benefit Repayment
27 – 30	2.	Director of Engineering and Public Works – Contract Award for Public Works Fuel Supply & Delivery
31 – 58	3.	Director of Corporate Services - Active Transportation Task Force Member Appointments

- 10. **INTRODUCTION OF BYLAWS**
 - 59 – 136 1. City of Salmon Arm Land Use Contract Termination Bylaw No. 4400 [LUC M61302; M17793 and M66216] – First and Second Readings
 - 137 – 140 2. City of Salmon Arm 2020 Tax Sale Deferral Bylaw No. 4402 – First, Second and Third Readings
 - 141 – 156 3. City of Salmon Arm Zoning Amendment Bylaw No. 4398 [ZON-1177; Wood Creek Construction Ltd./Zimmerman, V; 1181 17 Avenue SE; R1 to R-8] – First and Second Readings
- 11. **RECONSIDERATION OF BYLAWS**
- 12. **CORRESPONDENCE**
 - 157 – 158 1. Informational Correspondence
- 13. **NEW BUSINESS**
- 14. **PRESENTATIONS / DELEGATIONS**
 - 159 – 162 1. Presentation 4:00 – 4:15 p.m. (approximately)
Staff Sergeant West, Salmon Arm RCMP Detachment – Quarterly Policing Report April – June 2020
- 15. **COUNCIL STATEMENTS**
- 16. **SALMON ARM SECONDARY YOUTH COUNCIL**
- 17. **NOTICE OF MOTION**
- 18. **UNFINISHED BUSINESS AND DEFERRED / TABLED ITEMS**
- 19. **OTHER BUSINESS**
- 20. **QUESTION AND ANSWER PERIOD**

7:00 p.m.
Salmon Arm Recreation Centre Auditorium
2600 10 Avenue NE

Page #	Item #	Description
	21.	DISCLOSURE OF INTEREST
	22.	HEARINGS
163 - 192	1.	Development Permit No. DP-427 [Habitat for Humanity / GTA Architecture Ltd.; 1351 10 Avenue NE]
	23.	STATUTORY PUBLIC HEARINGS
193 - 208	1.	Official Community Plan Amendment No. OCP4000-42 [Edelweiss Properties Inc./Timberline Solutions/Baer, J.; 220 Okanagan Avenue SE; CC to HR]
209 - 210	2.	Zoning Amendment Bylaw No. ZON-1175 [Edelweiss Properties Inc./Timberline Solutions/Baer, J.; 220 Okanagan Avenue SE; C-2 to R-5] [See item 23.1 for Staff Report]
211 - 282	3.	Zoning Amendment Application No. ZON-1171 [11604895 BC Ltd./ G. Arsenault; 70 & 210 11 Street SE; R1/R4 to R4]
	24.	RECONSIDERATION OF BYLAWS
283 - 286	1.	City of Salmon Arm Official Community Plan Amendment Bylaw No. 4393 [OCP4000-42; Edelweiss Properties Inc./Timberline Solutions/Baer, J.; 220 Okanagan Avenue SE; CC to HR] - Third Reading
287 - 290	2.	City of Salmon Arm Zoning Amendment Bylaw No. 4394 [ZON-1175; Edelweiss Properties Inc./Timberline Solutions/Baer, J.; 220 Okanagan Avenue SE; C-2 to R-5] - Third Reading
291 - 294	3.	City of Salmon Arm Zoning Amendment Bylaw No. 4378 [ZON-1171; 11604895 BC Ltd./ G. Arsenault; 70 & 210 11 Street SE; R1/R4 to R4] - Third Reading
	25.	QUESTION AND ANSWER PERIOD
295 - 296	26.	ADJOURNMENT

The Chair reserves the right to establish procedural rules for the Public Hearing pursuant to Section 465(3) of the Local Government Act.

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Item 2.

CITY OF SALMON ARM

Date: July 13, 2020

Moved: Councillor Lindgren

Seconded: Councillor Cannon

THAT: pursuant to Section 90(1) of the Community Charter, Council move In-Camera.

Vote Record

- Carried Unanimously
- Carried
- Defeated
- Defeated Unanimously

Opposed:

- Harrison
- Cannon
- Eliason
- Flynn
- Lavery
- Lindgren
- Wallace Richmond

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Item 6.1

CITY OF SALMON ARM

Date: July 13, 2020

Moved: Councillor Wallace Richmond

Seconded: Councillor Lavery

THAT: the Regular Council Meeting Minutes of June 22, 2020, be adopted as circulated.

Vote Record

- Carried Unanimously
- Carried
- Defeated
- Defeated Unanimously

Opposed:

- Harrison
- Cannon
- Eliason
- Flynn
- Lavery
- Lindgren
- Wallace Richmond

REGULAR COUNCIL

Minutes of a Regular Meeting of Council of the City of Salmon Arm commenced the Council Chambers and by electronic means as authorized by Ministerial Order M192, at 1:30 p.m. and reconvened at 2:30 p.m. of the City Hall, 500 – 2 Avenue NE, Salmon Arm, British Columbia on Monday, June 22, 2020.

PRESENT:

Mayor A. Harrison
 Councillor D. Cannon
 Councillor K. Flynn
 Councillor C. Eliason (participated remotely) (entered the meeting at 2:35 p.m.)
 Councillor T. Lavery (participated remotely)
 Councillor S. Lindgren
 Councillor L. Wallace Richmond (participated remotely)

Chief Administrative Officer C. Bannister
 Director of Corporate Services E. Jackson (participated remotely)
 Director of Engineering & Public Works R. Niewenhuizen
 Director of Development Services K. Pearson
 Acting Chief Financial Officer T. Tulak (participated remotely)
 Recorder C. Simmons

1. CALL TO ORDER

Mayor Harrison called the meeting to order at 1:30 p.m.

2. IN-CAMERA SESSION

0229-2020

Moved: Councillor Flynn
 Seconded: Councillor Lavery
 THAT: pursuant to Section 90(1) of the Community Charter, Council move In-Camera.

CARRIED UNANIMOUSLY

Council moved In-Camera at 1:30 p.m.
 Council returned to Regular Session at 2:25 p.m.
 Council recessed until 2:32 p.m.

3. ACKNOWLEDGEMENT OF TRADITIONAL TERRITORY

Mayor Harrison read the following statement: "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."

4. REVIEW OF AGENDA

Additional information under item 12.1.2 S. Ridout – email dated June 14, 2020 – 5G What you need to know.

Addition under item 12.3 G. Forman – email dated June 22, 2020 – Parking on Alexander Street.

5. DISCLOSURE OF INTEREST

Councillor Flynn declared a conflict of interest with item 14.1 as Sk’atsin Silvatech Ventures LLP is a client of his firm.

6. CONFIRMATION OF MINUTES

1. Regular Council Meeting Minutes of June 8, 2020

0230-2020

Moved: Councillor Lindgren
Seconded: Councillor Wallace Richmond
THAT: the Regular Council Meeting Minutes of June 8, 2020, be adopted as circulated.

CARRIED UNANIMOUSLY

7. COMMITTEE REPORTS

1. Development and Planning Services Committee Meeting Minutes of June 15, 2020

0231-2020

Moved: Councillor Cannon
Seconded: Councillor Lindgren
THAT: the Development and Planning Services Committee Meeting Minutes of June 15, 2020, be received as information.

Councillor Eliason entered the meeting at 2:35 p.m.

CARRIED UNANIMOUSLY

2. Downtown Parking Commission Meeting Minutes of June 16, 2020

0232-2020

Moved: Councillor Eliason
Seconded: Councillor Wallace Richmond
THAT: the Downtown Parking Commission Meeting Minutes of June 16, 2020, be received as information.

CARRIED UNANIMOUSLY

0233-2020

Moved: Councillor Eliason
Seconded: Councillor Flynn
THAT: two hour parking be established in the downtown area with the exception of Alexander Street NE from the TCH to Lakeshore Drive NE, which would remain at one hour parking.

CARRIED
Councillor Lavery Opposed

8. COLUMBIA SHUSWAP REGIONAL DISTRICT UPDATE

9. STAFF REPORTS

1. Director of Engineering and Public Works - Municipal Asset Management Grant, Establishing Salmon Arm's Asset Management Program

0234-2020

Moved: Councillor Flynn

Seconded: Councillor Cannon

THAT: Council authorize submission of a grant application under the Federation of Canadian Municipalities (FCM) Municipal Asset Management Program (MAMP), to help establish the City's Asset Management Program project estimated cost \$50,000.00 plus taxes.

CARRIED UNANIMOUSLY

10. INTRODUCTION OF BYLAWS

1. City of Salmon Arm Zoning Amendment Bylaw No. 4378 [ZON-1171; 11604895 BC Ltd./ G. Arsenault; 70 & 210 11 Street SE; R1/R4 to R4] - First and Second Readings

0235-2020

Moved: Councillor Cannon

Seconded: Councillor Flynn

THAT: the bylaw entitled City of Salmon Arm Zoning Amendment Bylaw No. 4378 be read a first and second time;

AND THAT: the Public Hearing be held at the Salmon Arm Recreation Centre on July 13, 2020;

AND THAT FURTHER THAT: Final Reading of the Bylaw be withheld subject to:

- 1) Approval by the Ministry of Transportation and Infrastructure;
- 2) Registration of Section 219 Land Title Act Covenants addressing the following:
 - i. Provincial Riparian Areas Protection Regulations, including the protection of a 30 m Streamside Protection and Enhancement Area;
 - ii. Approximately 1,733 m² of land for a City Road Reserve over the portion of Lot 1 shown on Plan B4487 consistent with the of 4 Avenue SE Advanced Street Plan prepared by Lawson Engineering (Drawing 11-45 - Dated December 12, 2019) - FURTHER TO THAT, the applicant be compensated by the City in the amount of \$35,000 for the Road Reserve;
 - iii. No Subdivision or Development Permit approval until a Traffic Impact Analysis (TIA) is provided to the satisfaction of the City Engineer with acknowledgement that the owner/applicant is responsible for any and all off-site improvements recommended by the TIA; and

10. INTRODUCTION OF BYLAWS - continued

1. City of Salmon Arm Zoning Amendment Bylaw No. 4378 [ZON-1171; 11604895 BC Ltd./ G. Arsenault; 70 & 210 11 Street SE; R1/R4 to R4] - First and Second Readings - continued

- iv. No Subdivision or Development Permit approval until a suitable area and location of land (minimum 5% of the gross area of the subject properties) are secured by the City either by dedication or Statutory Right of Way for a Greenway/Trail linkage from Trail Plan KAP53467 to 11 Street SE and a portion of a future Neighbourhood Park.

CARRIED UNANIMOUSLY

0236-2020

Moved: Councillor Lavery
 Seconded: Councillor Lindgren
 THAT: the Potentially Hazardous Areas Development Permit (which is to include Geotechnical Analysis) be referred to City Council for approval.

CARRIED
 Councillor Cannon and Flynn Opposed

11. RECONSIDERATION OF BYLAWS

1. City of Salmon Arm Official Community Plan Amendment Bylaw No. 4393 [OCP4000-42; Edelweiss Properties Inc./Timberline Solutions/Baer, J.; 220 Okanagan Avenue SE; CC to HR] - Second Reading

0237-2020

Moved: Councillor Cannon
 Seconded: Councillor Flynn
 THAT: Pursuant to Section 475 of the *Local Government Act*, Council has considered this Official Community Plan amendment after appropriate consultation with affected organizations and authorities;

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

AND THAT: Pursuant to Section 477 (3) (a) of the *Local Government Act*, Council has considered the amendment in conjunction with:

- 1) The Financial Plans of the City of Salmon Arm; and
- 2) The Liquid Waste Management Plan of the City of Salmon Arm;

AND THAT: the bylaw entitled City of Salmon Arm Official Community Plan Amendment Bylaw No. 4393 be read a second time;

AND FURTHER THAT: the Public Hearing, be held at the Salmon Arm Recreation Centre on July 13, 2020.

CARRIED UNANIMOUSLY

11. RECONSIDERATION OF BYLAWS - continued

2. City of Salmon Arm Zoning Amendment Bylaw No. 4394 [ZON-1175; Edelweiss Properties Inc./Timberline Solutions/Baer, J.; 220 Okanagan Avenue SE; C-2 to R-5] - Second Reading

0238-2020

Moved: Councillor Cannon

Seconded: Councillor Flynn

THAT: the bylaw entitled City of Salmon Arm City of Salmon Arm Zoning Amendment Bylaw No. 4394 be read a second time;

AND THAT: final reading be withheld subject to:

- 1) Ministry of Transportation and Infrastructure approval;
- 2) Registration of a Section 219 Land Title Act restrictive covenant, restricting five residential dwelling units to rental units located on the subject property (220 Okanagan Avenue SE); and
- 3) Adoption of the associated Official Community Plan Amendment Bylaw;

AND FURTHER THAT: the Public Hearing, be held at the Salmon Arm Recreation Centre on July 13, 2020.

CARRIED UNANIMOUSLY

12. CORRESPONDENCE

1. Informational Correspondence

5. S. Seale, Shuswap Naturalist Club - email dated June 17, 2020 - Shuswap Naturalist Club Project - Removing Burdock Plants from Peter Jannink Park

0239-2020

Moved: Councillor Lindgren

Seconded: Councillor Flynn

THAT: Council authorize the Shuswap Naturalist Club to remove the invasive burdock plants from Peter Jannink Park, in conjunction with the Shuswap Invasive Species Society.

CARRIED UNANIMOUSLY

2. L. Wong, Manager, Downtown Salmon Arm - letter dated June 15, 2020 - Alexander Street

0240-2020

Moved: Councillor Flynn

Seconded: Councillor Lindgren

THAT: Council authorize the closure of Alexander Street from Hudson Avenue to Lakeshore Drive from 7:00 am to 4:00 pm on Saturdays from July 4, 2020 - September 5, 2020 as outlined in the letter from Downtown Salmon Arm dated June 15, 2020, subject to the provision of adequate liability insurance and adherence to the guidelines of the Provincial Health Officer;

AND THAT: Downtown Salmon Arm evaluate the closure of Alexander Street and report to Council in October 2020.

CARRIED UNANIMOUSLY

12. CORRESPONDENCE - continued

3. G. Forman - email dated June 22, 2020 - Parking on Alexander Street

Received for information.

13. NEW BUSINESS

Councillor Flynn declared a conflict of interest and left the meeting at 4:13 p.m.

14. PRESENTATIONS

1. Terry Smith, Sk'atsin Silvatech Ventures LLP, a Neskonlith Indian Band Subsidiary - Update on 2020 Community Resiliency Investment (CRI)

Terry Smith, Sk'atsin Silvatech Ventures LLP, a Neskonlith Indian Band Subsidiary provided an update on 2020 Community Resiliency Investment (CRI) activities and was available to answer questions from Council.

12. CORRESPONDENCE - continued

1. Informational Correspondence - continued
4. M. Regier, Festival Co-ordinator, Shuswap Immigrant Services Society - letter dated June 17, 2020 - Revised Plan for the Multicultural Festival

0241-2020

Moved: Councillor Wallace Richmond

Seconded: Councillor Cannon

THAT: Council authorize the revised plan for the Multicultural Festival on August 22, 2020, subject to the provision of adequate liability insurance and adherence to the guidelines of the Provincial Health Officer.

CARRIED UNANIMOUSLY

15. COUNCIL STATEMENTS

Mayor Harrison left the meeting at 4:43 p.m.

Deputy Mayor Cannon assumed the Chair at 4:43 p.m.

Mayor Harrison returned to the meeting at 4:45 p.m. and reassumed the Chair.

0242-2020

Moved: Councillor Eliason

Seconded: Councillor Cannon

THAT: provisions be made to allow parking payments to the City by credit card, phone and/or Interac payment.

Councillor Lindgren left the meeting at 4:55 p.m. and returned at 4:58 p.m.

CARRIED UNANIMOUSLY

16. SALMON ARM SECONDARY YOUTH COUNCIL

17. NOTICE OF MOTION

18. UNFINISHED BUSINESS AND DEFERRED / TABLED ITEMS

19. OTHER BUSINESS

- 1. A. Morris - email and attachments dated April 20, 2020 - Nuclear Weapons Disaster [deferred from April 27, 2020 Regular Council Meeting] and A. Morris - email and attachments dated June 15, 2020 - Towards the Elimination of Nuclear Weapons

Motion deferred from April 27, 2020 Regular Council Meeting

0166-2020

Moved: Councillor Lavery

Seconded: Councillor Wallace Richmond

THAT: Mayor Harrison provide a letter in support of Canada making nuclear arms control and disarmament a national priority.

A Morris, on behalf of the Salmon Arm Ecumenical KAIROS Committee requested that the letter of support also urge Canada to work toward achieving an international consensus that will save the Non-Proliferation Treaty at its 2020 Review Conference.

CARRIED UNANIMOUSLY

- 2. Child Care Needs Assessment & Action Plan

Received for information.

20. QUESTION AND ANSWER PERIOD

Council held a Question and Answer session with the members of the public present.

The Meeting recessed at 5:14 p.m.

The Meeting reconvened at 7:00 p.m.

PRESENT:

Mayor A. Harrison

Councillor D. Cannon

Councillor K. Flynn

Councillor C. Eliason (participated remotely)

Councillor T. Lavery (participated remotely)

Councillor S. Lindgren

Councillor L. Wallace Richmond (participated remotely)

Chief Administrative Officer C. Bannister

Director of Corporate Services E. Jackson (participated remotely)

Director of Engineering & Public Works R. Niewenhuizen

Director of Development Services K. Pearson

Acting Chief Financial Officer T. Tulak (participated remotely)

Recorder C. Simmons

21. DISCLOSURE OF INTEREST

22. HEARINGS

- 1. Development Variance Permit Application No. VP-516 [CND Framing/Skjerpen, M.; 941 - 8 Avenue NE; Setbacks]

0243-2020

Moved: Councillor Cannon

Seconded: Councillor Flynn

THAT: Development Variance Permit No. VP-516 be authorized for issuance for Lot A, Section 14, Township 20, Range 10, W6M, KDYD, Plan 12703 Except Plans KAP71482 and EPP5318 to vary the provisions of Zoning Bylaw No. 2303 as follows:

- 1. Section 6.10.2. - R-1 Single Family Residential Zone - reduce the minimum setback to a rear parcel line from 6.0 m (19.7 ft) to 5.0 m (16.4 ft) to allow for the siting of a new single family dwelling.

The Director of Development Services explained the proposed Development Variance Permit Application.

Submissions were called for at this time.

M. Skjerpen, the applicant, outlined the application and was available to answer questions from Council.

Following three calls for submissions and questions from Council, the Hearing was closed at 7:04 p.m. and the motion was:

CARRIED UNANIMOUSLY

23. STATUTORY PUBLIC HEARINGS

24. RECONSIDERATION OF BYLAWS

25. QUESTION AND ANSWER PERIOD

Council held a Question and Answer session with the members of the public present.

2. IN-CAMERA SESSION - continued

0244-2020

Moved: Councillor Cannon

Seconded: Councillor Flynn

THAT: pursuant to Section 90(1) of the Community Charter, Council move In-Camera.

CARRIED UNANIMOUSLY

Council moved In-Camera at 7:06 p.m.
Council returned to Regular Session at 7:47 p.m.

26. ADJOURNMENT

0245-2020 Moved: Councillor Flynn
 Seconded: Councillor Cannon
 THAT: the Regular Council Meeting of June 22, 2020, be adjourned.

CARRIED UNANIMOUSLY

The meeting adjourned at 7:47 p.m.

CERTIFIED CORRECT:

CORPORATE OFFICER

MAYOR

Adopted by Council the day of _____, 2020.

Item 7.1

CITY OF SALMON ARM

Date: July 13, 2020

Moved: Councillor Wallace Richmond

Seconded: Councillor Cannon

THAT: the Development and Planning Services Committee Meeting Minutes of July 6, 2020, be received as information.

Vote Record

- Carried Unanimously
- Carried
- Defeated
- Defeated Unanimously

Opposed:

- Harrison
- Cannon
- Eliason
- Flynn
- Lavery
- Lindgren
- Wallace Richmond

DEVELOPMENT AND PLANNING SERVICES COMMITTEE

Minutes of a Meeting of the Development and Planning Services Committee of the City of Salmon Arm held in Council Chambers and by electronic means by Ministerial Order M192, on Monday, July 6, 2020.

PRESENT:

Mayor A. Harrison
 Councillor D. Cannon
 Councillor K. Flynn
 Councillor C. Eliason (participated remotely) (left the meeting at 9:13 a.m.)
 Councillor T. Lavery (participated remotely)
 Councillor S. Lindgren
 Councillor L. Wallace Richmond (participated remotely)

Chief Administrative Officer C. Bannister
 Director of Corporate Services E. Jackson (participated remotely)
 Director of Engineering & Public Works R. Niewenhuizen
 Director of Development Services K. Pearson
 Fire Chief B. Shirley
 Manager of Permits & Licensing M. Roy
 Recorder B. Puddifant

ABSENT:

1. CALL TO ORDER

Mayor Harrison called the meeting to order at 8:06 a.m.

2. ACKNOWLEDGEMENT OF TRADITIONAL TERRITORY

Mayor Harrison read the following statement: "We acknowledge that we are gathering here on the traditional territory of the Secwepemc people, with whom we share these lands and where we live and work together."

3. REVIEW OF THE AGENDA

4. DISCLOSURE OF INTEREST

5. REPORTS

1. Zoning Amendment Application No. ZON-1177 [Wood Creek Construction Ltd./Zimmerman, V.; 1181 17 Avenue SE; R-1 to R-8]

Moved: Councillor Cannon
 Seconded: Councillor Flynn

THAT: the Development and Planning Services Committee recommends to Council that a bylaw be prepared for Council's consideration, adoption of which would amend Zoning Bylaw No. 2303 by rezoning Lot 34, Section 12, Township 20,

5. REPORTS - continued

- 1. Zoning Amendment Application No. ZON-1177 [Wood Creek Construction Ltd./Zimmerman, V.; 1181 17 Avenue SE; R-1 to R-8] - continued

Range 10, W6M, KDYD, Plan EPP83069 from R-1 (Single Family Residential Zone) to R-8 (Residential Suite Zone).

V. Zimmerman, the applicant was available to answer questions from the Committee.

CARRIED UNANIMOUSLY

- 2. Development Permit Application No. DP-427 [Habitat for Humanity/GTA Architecture Ltd.; 1351 10 Avenue NE; Multi-Family Residential]

Moved: Councillor Lindgren

Seconded: Councillor Flynn

THAT: the Development and Planning Services Committee recommends to Council that Development Permit No. 427 be authorized for issuance for Lot B, Section 13, Township 20, Range 10, W6M, KDYD, Plan KAP70506 (1351 10 Avenue NE) in accordance with the elevations and site plan attached in Appendix 5 to the Staff Report dated June 29, 2020;

AND THAT: Development Permit No. 427 include the following variance to Zoning Bylaw No. 2303:

- 1. Section 10.9.3 - reduce the northwest interior side parcel line setback from 2.4 metres to 1.4 metres as shown in the site plan attached in Appendix 5 to the Staff Report dated June 29, 2020;

AND FURTHER THAT: Issuance of Development Permit No. 427 be withheld subject to the receipt of an irrevocable Letter of Credit in the amount of 125% of a landscaper's estimate for completion of landscaping.

R. Bestoon, agent for the applicant was available to answer questions from the Committee.

CARRIED UNANIMOUSLY

6. PRESENTATIONS

- 1. Director of Development Services - Wildfire Management & Development Permit Area Considerations

Councillor Flynn left the meeting at 8:47 a.m. and returned at 8:50 a.m.

K. Pearson, Director of Development Services provided an overview of the Wildfire Management & Development Permit Area proposal and was available to answer questions from the Committee.

7. FOR INFORMATION

8. IN CAMERA

Moved: Councillor Flynn
Seconded: Councillor Cannon
THAT: the Development and Planning Services Committee move In-Camera.

CARRIED UNANIMOUSLY

The Development and Planning Services Committee moved In-Camera at 8:53 a.m. and recessed until 9:00 a.m.

9. LATE ITEMS10. ADJOURNMENT

Moved: Councillor Lavery
Seconded: Councillor Flynn
THAT: the Development and Planning Services Committee meeting of July 6, 2020, be adjourned.

CARRIED UNANIMOUSLY

The meeting adjourned at 9:44 a.m.

Mayor Alan Harrison
Chair

Minutes received as information by Council
at their Regular Meeting of _____, 2020.

Item 8.1

CITY OF SALMON ARM

Date: July 13, 2020

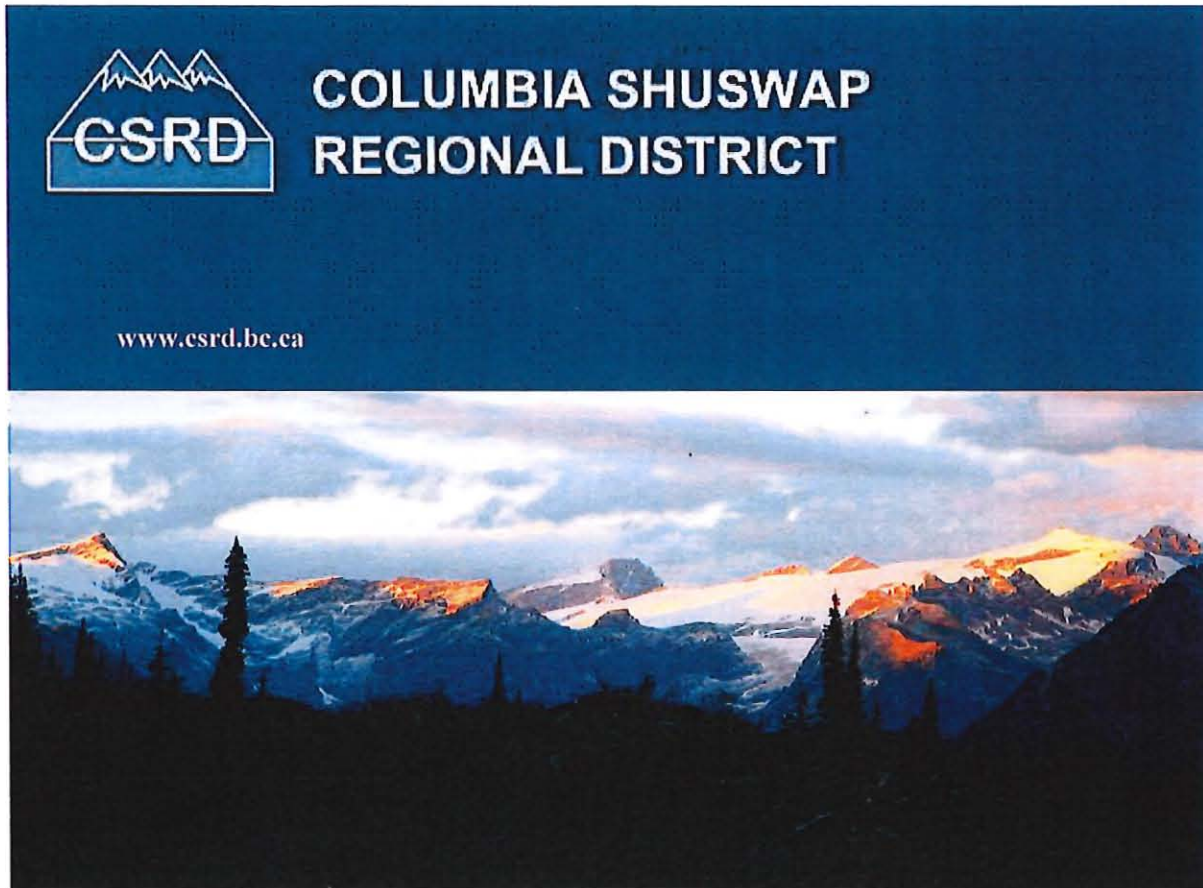
Board in Brief – June 2020

Vote Record

- Carried Unanimously
- Carried
- Defeated
- Defeated Unanimously
- Opposed:

- Harrison
- Cannon
- Eliason
- Flynn
- Lavery
- Lindgren
- Wallace Richmond

From: Columbia Shuswap Regional District <communications@csrd.bc.ca>
Sent: June-25-20 9:29 AM
To: Caylee Simmons
Subject: #YourCSRD - June 2020



#YourCSRD - June 2020

June 2020



[Web version](#)

Highlights from the Regular Board Meeting

Committee of the Whole

Policy Update 2020

The CSRD Committee of the Whole met to review policy and bylaw initiatives completed over the course of the past year and look at those that will be advanced over the course of the next year. The Board also set its next annual policy session to take place in June 2021. **View report.**



Policy No. F-03 Community Works Fund - Expenditure of Monies

In regards to this policy, the Board approved a motion that the supplemental funds from a one-time gas tax allocation be 50% allocated to the strategic opportunities fund and 50% allocated to the all electoral areas fund. They also approved a motion for staff to review the Community Works Fund Policy as a whole and bring it back to the July 16, 2020 Board meeting.

CSRD Policies Updates

The Committee made four recommendations to the Board including:
 that no changes be made to the current Policy A-67 Code of Ethics;
 that Policy A-16 Mailing Lists be rescinded;
 that Policy A-73 Employee Service Recognition be endorsed and;
 that Policy A-81 Privacy Breach be endorsed.

Announcements

CSRD Phased Office Reopening Plans - New operating hours

Directors discussed the office re-opening for shortened hours each day, from 10 AM until 2 PM until the end of June. As of Monday, July 6, 2020, the office will resume regular business hours from 9 AM to 4 PM. Appointments are still strongly encouraged. CSRD staff also remain available by email and phone during regular business hours from 9 AM to 4 PM. The CSRD's reopening plans are subject to change based on Provincial Health Orders.

Correspondence

Letter from Minister of Municipal Affairs and Housing - Response to Chair Flynn - Revised Request for Restructure Planning Grant Funding, Scotch Creek, Electoral Area F, Governance/Pre-Incorporation Study (May 21, 2020)

The Board received a letter from Selina Robinson, Minister of Municipal Affairs and Housing regarding a revised request for an Electoral Area F, Governance/Pre-Incorporation Study. Electoral Area F Director Jay Simpson will meet with community members and discuss the letter before a formal motion to the Board can be drafted. **View letter.**

Letter from Minister of Public Safety - Response to Chair Flynn - Newsome Creek Erosion and Request for Mitigation Project (June 2, 2020)

The Board received a letter from Mike Farnworth, Minister of Public Safety in regards to the Newsome Creek Erosion and proposed mitigation works. They directed staff to apply for any provincial or federal funding programs that would apply to the works recommended in the Newsome Creek Feasibility Study. In addition, the Board will be issuing an invitation to Public Safety Minister Mike Farnworth to attend a Board meeting regarding Newsome Creek. **View letter.**

Letter from Okanagan-Kootenay Sterile Insect Release (June 2, 2020)

The Board agreed to support a motion to allow the program to borrow funds in the short term, if needed, to cover costs until tax requisitions are received by the program. **View letter.**

Letter from City of Revelstoke Council - CBT Initiatives and Affected Areas Proposed Funding Allocations (June 10, 2020)

The Board approved the allocation of grants valued at \$384,056 from the Columbia Basin Trust Community Initiatives and Affected Areas Program for 2020 as recommended. **View letter.**

Committee reports

Annual Milfoil Report 2019

Hamish Kassa, Environmental Services Coordinator, reviewed the program for the Board, including information that 22.3 tonnes of milfoil was harvested from the Shuswap watershed in 2019. **View report.**

Actions arising from EAD meeting minutes of May 26, 2020

The Board passed a motion to reconsider live streaming or other options to provide the public with video recordings of CSRD Board meetings. Staff will now come up with options for the Board to review.

The Board approved an increase in internet allowance for Electoral Area Directors from \$30 to \$50. The Board directed CSRD staff to investigate the idea of allowing commercial vendors in CSRD parks.

Endorse recommendations from June 18, 2020 Committee of the Whole

The Board agreed to endorse all recommendations including:
that no changes be made to the current Policy A-67 Code of Ethics;
that Policy A-16 Mailing Lists be rescinded;
that Policy A-73 Employee Service Recognition be endorsed and;
that Policy A-81 Privacy Breach be endorsed.

Business General & Business by Area

FCM Asset Management Grant Application

The Board authorized an application for a Federation of Canadian Municipalities (FCM) Program Grant Opportunity in the Municipal Asset Management Program in an amount up to \$50,000 to support the development of an Asset Management Plan for its Community Water Systems. **View report.**

Milfoil Truck Chassis Replacement – Recommendation for Award

The Board agreed to purchase a 2012 Peterbilt 367 Tandem Cab and Chassis for a total cost of \$81,850 plus applicable taxes. **View report.**

Elector Assent for Shuswap Watershed Council Service Continuation as a Permanent Service

Due to new information provided by the Ministry of Municipal Affairs and Housing, CSRD Board supported in principle their offer regarding extension of the Shuswap Watershed Council Service with the consent of the participants, rather than approval of the electors, with specific conditions: the date of termination of the service could be extended by no more than three years (ending in 2023 or earlier);

the maximum annual requisition limit must be maintained at the existing level (\$180,000); and that future amendments to extend the service or make the service permanent would require approval of the electors.

A revised bylaw will be brought to the July 16, 2020 Board meeting. **View letter. View press release.**

Director Simpson - Suggestion that Board invite MoTI and AIM Roads re Maintenance plans for upcoming winter season

The Board agreed to invite a representative from AIM Roads and Ministry of Transportation and Infrastructure to either the August or September Board meeting.

Grant-in-Aid requests

The Board approved the allocation of grants from the 2020 Grant-in-Aid budgets including:

Area A

\$5,200 Parson Community Hall Society (Community hall repairs).

Area C

\$22,500 Arts Council for the South Shuswap (arts and cultural programming).

\$12,000 Cedar Heights Community Association (retaining wall and site preparation).

\$4,650 Sorrento Village Farmer's Market (vault toilet).
 \$2,000 Eagle Bay Community Association (portable sound system).
 \$1,950 Blind Bay Citizens Patrol Society (start-up costs).
 \$654 Notch Hill Cemetery Society (self-propelled mower).
 Area D
 \$2,000 Falkland Historical Society (maintenance and repairs).
 Area F
 \$1,200 Lakeview Centre Community Society (generator repair).

Electoral Area D Glenemma Trails Community Works Funds

The Board approved funding from the Electoral Area D Community Works Fund in the amount of \$230,000 plus applicable taxes for the construction of a trail head, trail system and recreational amenities at the Glenemma Trailhead and Day Use Area in the Yankee Flats Road area of Electoral Area D. **View report.**

Golden and District Recreation Centre Suction Line Replacement

The Board agreed to enter into an agreement with Complete Climate Control Inc. to supply and install new brine suction line piping for the new chiller at the Golden and District Recreation Centre for a total amount not to exceed \$70,810 plus applicable taxes. **View report.**

Golden/Area A - Aquatic Centre Feasibility Study

The Board approved motions to increase the scope of work for the current Aquatic Centre Feasibility Study consultant, HCMA Architecture + Design, at an additional cost of \$35,210 plus taxes. **View report.**

Director Demenok - Allocation of Grant in Aid Funds, Electoral Area C

The Board approved the allocation of \$15,000 from the 2020 Area C electoral Grant-in-Aids to the South Shuswap Chamber of Commerce for a Videography project, subject to Shuswap Tourism/Economic Development sign-off.

Administration Bylaws

Water System Rates and Regulation Bylaw Amendment

The Board adopted an amendment to the CSRD Waterworks Rates and Regulation Bylaw No. 5819, 2020 to set rates for the new bulk water fill station at the Sorrento-Blind Bay Park. **View report.**



LAND USE MATTERS

ALR Applications

Electoral Area E: Agricultural Land Commission (ALC) Application Section 20(3) - Non-farm Use (Walmart)

Walmart Canada, the owners of property at 3785 Malakwa Road are applying to the Agricultural Land Commission (ALC) for a non-farm use approval to allow for the marshalling of up to 50 trailers used to transport goods from Vancouver to Calgary. The application will be forwarded to the ALC with the Board's recommendation to deny it. **View report. View press release.**

Development Permits (DPs), Temporary Use Permits (TUPs) & Development Variance Permits (DVPs)

Electoral Area A: Development Variance Permit No. 641-38 (Schweizer)

The subject property is located at 891 McBeath Road, Nicholson. The applicants are applying to waive the requirement of Subdivision Servicing Bylaw No. 641 by varying the size of a parcel which may be subdivided without connection to community water and sewer services. They are also applying to waive the requirement that confirms the on-site disposal requirements of the Sewerage System Regulations of the Public Health Act can be satisfied for eight septic systems. In addition, the applicants want to waive the requirement that confirms each independent on-site water system must be capable of providing, year round, at least 2,275 litres of potable water per day that includes a residential dwelling unit. The Board discussed the application and voted to defer it until the July 16, 2020 Board Meeting. **View report.**

Electoral Area C: Development Variance Permit No. 701-97 (Collier)

The subject property is located at 4145 Eagle Bay Road in Electoral Area C. The owners are proposing to replace the existing garage with an addition to the single family dwelling on the northern waterfront portion of the subject property. The proposed addition requires a Development Variance Permit to vary the front parcel line setback from 5 m to 2.3 m. The Board approved issuance of the DVP. **View report.**

Zoning, OCP and Land Use Amendments

Electoral Area C: Electoral Area C Official Community Plan Amendment (Mancini) Bylaw No. 725-17 and South Shuswap Zoning Amendment (Mancini) Bylaw No. 701-95

The applicant has notified the CSRD that he would like to change the license for an existing medical cannabis cultivation facility, located at 1802 Trans-Canada Highway, Sorrento, to a cannabis micro cultivation license. The application is to redesignate a portion of the subject property from RR2 – Rural Residential to ID – Industrial and to rezone a portion of the subject property from RR4 – Rural Residential to CP – Cannabis Production to facilitate the proposed use. The Board gave the amendment second reading and delegated a public hearing. **View report.**

Electoral Area C: Electoral Area C Official Community Plan Amendment (Herald's Bay) Bylaw No. 725-20

The subject properties are located at 4990 Sunnybrae-Canoe Point Road and 5139 Sunnybrae-Canoe Point Road. The applicant would like to amend the Official Community Plan Bylaw No. 725 in order to subdivide the subject properties into two fee simple lots and a 14 lot residential bare land strata with two common properties and a lot line adjustment with 5174 Sunnybrae-Canoe Point Road. The bylaw amendments propose redesignating properties to RR2 (Rural Residential 2) with a site-specific regulation for density. The Board gave first reading to the application and directed staff to refer the bylaw to applicable agencies and First Nations. The applicant is also being requested to hold a public information meeting in the Herald's Bay Area before consideration of second reading. **View report.**

Electoral Area F: Setback Exception Bylaw Amendments

Development Services staff is proposing amendments to all three zoning bylaws in Electoral Area F:

- Anglemont Zoning Bylaw No. 650 (Bylaw No. 650);
- Magna Bay Zoning Bylaw No. 800 (Bylaw No. 800);
- Scotch Creek/Lee Creek Zoning Bylaw No. 825 (Bylaw No. 825).

The amendments proposed would update the setback exceptions and sight plan regulations in all three bylaws to be the same as the Electoral Area B Zoning Bylaw No. 851 (Bylaw No. 851) for consistency between bylaws; allow a setback exception for eaves and gutters; and simplify site triangle regulations. The Board gave first reading to the application and directed staff to refer the bylaw to applicable agencies and First Nations. **View report.**

Release of In-Camera Resolutions




The Board approved entering into an agreement with FCAPX - a Division of Roth Iams Ltd. to complete facility condition assessments for five recreational facilities located within the Town of Golden for a total cost of \$23,797.50 plus applicable taxes and a contingency not to exceed \$15,000 for the optional value-added service of detailed equipment inventory and tagging.

NEXT BOARD MEETING

The Regular CSRD Board Meeting will be held Thursday, July 16, 2020 at 9:30 AM at the CSRD Boardroom, 555 Harbourfront Drive NE, Salmon Arm.

Due to COVID-19 physical distancing provisions, a maximum number of six citizens will be allowed to be in attendance on a first come, first served basis (no reservations).

The CSRD Boardroom will be the only part of the building accessible to the public during essential meetings and protocols to protect the health and well being of the public, staff and Directors will be in place.

Columbia Shuswap Regional District
 555 Harbourfront Drive NE, PO Box 978
 Salmon Arm, BC V1E 4P1
www.csrld.bc.ca | 250.832.8194

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Item 9.1

CITY OF SALMON ARM

Date: July 13, 2020

Moved: Councillor

Seconded: Councillor

THAT: the City of Salmon Arm enter into an interest free payment plan with the RCMP to pay the 'Earned Retirement Benefit' amount of \$299,951 in annual payments of \$23,073 over the next thirteen (13) years.

Vote Record

- Carried Unanimously
- Carried
- Defeated
- Defeated Unanimously

Opposed:

- Harrison
- Cannon
- Eliason
- Flynn
- Lavery
- Lindgren
- Wallace Richmond

**CITY OF
SALMON ARM**

Date: July 3, 2020
To: Mayor Harrison and Members of Council
From: Tracy Tulak, Acting Chief Financial Officer
Subject: RCMP Earned Retirement Benefit Repayment

Recommendation:

The City of Salmon Arm enter into an interest free payment plan with the RCMP to pay the 'Earned Retirement Benefit' amount of \$299,951 in annual payments of \$23,073 over the next thirteen (13) years.

Background:

On May 15, 2020, the City of Salmon Arm (City) received a letter from Brenda Butterworth-Carr, Assistant Deputy Minister and Director of Police Services. The letter was to inform the City on the resolution of three long-standing disputed items that had recently been resolved. The 'Earned Retirement Benefit' item resolution, results in an outstanding obligation from the City in the amount of \$299,951.

The City has been given two (2) payment options:

- 1) Payment in one lump sum payment of \$299,951.
- 2) Payment in equal installments over thirteen (13) years, in the amount of \$23,073 interest free, with the option of a lump sum payout at any time.

The City has been allocating surplus RCMP operating funds at year end to the RCMP Operating Reserve Account with the anticipation that a number of outstanding contract items would be resolved. The RCMP Operating Reserve Account currently has a balance of approximately \$489,650.

Retro Pay for RCMP members from January 1, 2017 forward, still remains an unresolved item. An estimated calculation of the Retro Pay amount has been calculated, but the amount has not been confirmed nor has a payment option been presented.

Conclusion

Staff recommend the interest free payment plan of annual installments over the next thirteen (13) years in the amount of \$23,073, funded from the RCMP Operating Reserve Account. Repaying the 'Earned Retirement Benefit' over thirteen (13) years will allow the City to maintain a healthy balance in the Reserve Account, should the Retro Pay be required to be paid in one lump sum.

Respectfully Submitted,



Tracy Tulak, CPA, CMA

Item 9.2

CITY OF SALMON ARM

Date: July 13, 2020

Moved: Councillor

Seconded: Councillor

THAT: Council accept the proposal received from RMA Fuel Ltd. at their quoted unit prices, as outlined in the staff report dated July 3, 2020, to undertake the supply of bulk fuels and related delivery services to the City of Salmon Arm Public Works for a three (3) year term starting August 1, 2020 thru July 31, 2023.

Vote Record

- Carried Unanimously
 - Carried
 - Defeated
 - Defeated Unanimously
- Opposed:

- Harrison
- Cannon
- Eliason
- Flynn
- Lavery
- Lindgren
- Wallace Richmond

CITY OF
SALMON ARM

TO: His Worship Mayor Harrison and Members of Council
 FROM: Robert Niewenhuizen, Director of Engineering and Public Works
 PREPARED BY: Darin Gerow, Manager of Roads & Parks
 DATE: July 3, 2020
 SUBJECT: **CONTRACT AWARD – PUBLIC WORKS FUEL SUPPLY & DELIVERY**

STAFF RECOMMENDATION

THAT: Council accept the proposal received from RMA Fuel Ltd. at their quoted unit prices, to undertake the supply of bulk fuels and related delivery services to the City of Salmon Arm Public Works for a three (3) year term starting August 1, 2020 thru July 31, 2023.

BACKGROUND

City of Salmon Arm Public Works Yard, located at 100 – 30 Street SE currently has one (1) 25,000 Liter split fuel tank, for gasoline (12,500 Liter) and diesel (12,500 Liter). These re-fuel all ±120 city owned vehicles and equipment. Historically these vehicles and equipment will utilize 130,000 – 140,000 Liters of diesel and 70,000 – 78,000 Liters of gasoline throughout a year.

Our current process to purchase fuel includes daily and weekly rack price checks and quotes from suppliers for delivery. This is quite onerous and time consuming due to our consumption and size of tanks. Rack pricing is the price at which refineries sell gasoline to their various clients, which fluctuate greatly.

Staff prepared a request for proposal, which we advertised on BC Bid and City's webpage for the supply of bulk fuels and related delivery services. On May 7, 2020, we received five (5) proposals as follows:

GASOLINE

Company	Delivery Charge	Service & Delivery Charge	Other	Total (before tax)
RMA Fuels Ltd	\$0.032 /L	\$0.012 /L	N/A	\$0.044 /L
Parkland Fuel Corporation	\$0.066 /L	\$0.050 /L	N/A	\$0.116 /L
Barry Beecroft Fuel Distributors Ltd.	Did not meet specifications			
Big Eddy Fuel Services	Did not meet specifications			
Co-op Armstrong Regional Cooperative	Did not meet specifications			

DIESEL

Company	Delivery Charge	Service & Delivery Charge	Other	Total (before tax)
RMA Fuels Ltd	\$0.024 /L	\$0.012 /L	N/A	\$0.036 /L
Parkland Fuel Corporation	\$0.057 /L	\$0.050 /L	N/A	\$0.107 /L
Barry Beecroft Fuel Distributors Ltd.	Did not meet specifications			
Big Eddy Fuel Services	Did not meet specifications			
Co-op Armstrong Regional Cooperative	Did not meet specifications			

STAFF COMMENTS

Staff have reviewed all proposals in detail. Our single deliveries range in size from small to medium. Unfortunately, two of the companies required a minimum delivery that we could not meet. A third company had built in delivery charges, but offered an annual rebate, which was not guaranteed. This left two companies that met our specifications and requirements, Parkland Fuel Corporation and RMA Fuels Ltd.

RMA Fuels supplied the lowest delivery cost for supply of their fuel, in addition can offer weekly rack pricing which helps with time management for city staff, and providing better rates when fuel prices are known to increase. RMA Fuel Ltd. is based out of Nisku Alberta, but would deliver fuels from a storage facility in Armstrong.

Based on evaluations of staff, it is recommended that council accept the proposal received by RMA Fuel Ltd, to undertake the supply of bulk fuels and related delivery services to the City of Salmon Arm Public Works for three (3) year term starting August 1, 2020 thru July 31, 2023. RMA Fuel Ltd., with the option to renew for an additional two (2) years.

Respectfully submitted,



Robert Niewenhuizen, AScT
Director of Engineering and Public Works

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Item 9.3

CITY OF SALMON ARM

Date: July 13, 2020

Director of Corporate Services - Active Transportation Task Force Member Appointments

Vote Record

- Carried Unanimously
 - Carried
 - Defeated
 - Defeated Unanimously
- Opposed:

- Harrison
- Cannon
- Eliason
- Flynn
- Lavery
- Lindgren
- Wallace Richmond

CITY OF SALMON ARM

TO: His Worship Mayor Harrison and Members of Council

DATE: July 7, 2020

SUBJECT: Active Transportation Task Force Member Appointments

BACKGROUND:

At the May 25, 2020 Regular Council Meeting, the Active Transportation Task Force (ATTF) Terms of Reference (TOR) was adopted. The ATTF TOR specifies a membership that includes the following:

Membership: (16)

- Two (2) members of council as co-chairs
- One (1) member from Adams Lake Indian Band
- One (1) member from Neskonlith Indian Band
- One (1) member from Shuswap Trails Alliance
- One (1) member from Salmon Arm Economic Development Society
- One (1) member from Downtown Salmon Arm
- One (1) member from School District #83
- One (1) member from Interior Health
- One (1) member from Shuswap Cycle Club
- One (1) member from Greenways Liaison Committee
- One (1) member from Social Impact Advisory Committee
- Four (4) Citizens-At-Large including (1) member from the mobility aid community and (1) senior citizen.

Mayor Harrison and Councillor Lavery were appointed as co-chairs at the May 25, 2020 Meeting and the following organizations have submitted the names of their representatives and alternates:

- Shuswap Trails Alliance – Phil McIntyre-Paul and Scott McKee (alternate)
- Salmon Arm Economic Development Society – Lana Fitt and Jocelyne Johnson (alternate)
- Downtown Salmon Arm – Craig Newnes, Lindsay Wong (alternate)
- School District #83 – Marianne Van Buskirk, Amanda Krebs (alternate)

- Interior Health – Anita Ely and Janelle Rimell (alternate)
- Shuswap Cycle Club – David Major and Dan Capek (alternate)
- Greenways Liaison Committee – Joe Johnson
- Social Impact Advisory Committee – Kristy Smith

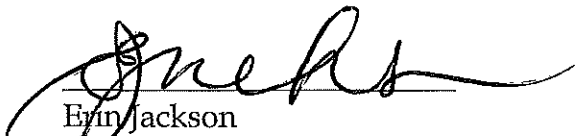
The Adams Lake and Neskonlith Indian Bands have not appointed representatives at this time.

Staff advertised the Citizen at Large positions in the newspaper, on the City website and Facebook page. Eight (8) applications (attached as Appendix A) were received by the June 30, 2020 closing date:

- Saralea Spence
- Kathy Atkins
- Camilla Papadimitropoulos
- Steve Fabro
- Blake Lawson
- Ivor Norlin
- Jan Thingsted
- Larry Clark

It is recommended that Council accept the representatives and alternates submitted by each organization and appoint three (3) of the above noted applicants to serve as Citizens at Large on the Active Transportation Task Force for a one (1) year term from September 1, 2020 to September 1, 2021. As none of the applicants indicated that they are representative of the mobility aid community, that position should remain vacant until it can be filled.

Respectfully Submitted,



Eryn Jackson
Director of Corporate Services

Appendix A – Applications for Appointment to the Active Transportation Task Force

CITY OF SALMON ARM

Application for Appointment to the Active Transportation Task Force

The City of Salmon Arm is seeking applications for individuals with professional or personal interest in Active Transportation to join the Active Transportation Task Force.

The primary goal of the Active Transportation Task Force is to provide information and recommendations to Council that will guide the City in developing a modern Active Transportation Plan which will allow the City to position itself for potential funding opportunities from higher levels of government geared towards Active Transportation.

In order to assist the City Council in the selection and appointment of the task force membership, prospective members are requested to forward this completed application form and resume to City Hall by June 30, 2020 at 4:00 p.m. Applications can be mailed to Box 40, Salmon Arm, BC, V1E 4N2, faxed to 250-803-4042, sent by email to ejackson@salmonarm.ca or dropped off at City Hall, 500 - 2 Avenue NE.

Name Saralea Spence Number of years living in Salmon Arm 20 + 13

Civic address [REDACTED]

Mailing address (if different than above) _____

Email address [REDACTED]

Telephone Home [REDACTED] Work [REDACTED] Cell [REDACTED]

Occupation School Secretary

Community Affiliations/Memberships

Salmon Arm Minor Baseball

Reasons for seeking Appointment

I was born in Salmon Arm and have lived 33 of my 42 years here. Salmon Arm is a beautiful place to live, work and play and offers unlimited recreational opportunities. Unfortunately, it is lacking the infrastructure for all citizens to safely access our community.

I have lived in communities with multi-use pathways and have seen the benefits that an active transportation lifestyle can provide to individuals, families and the community as a whole.

I, Saralea Spence, hereby signify that I am willing to accept an appointment to the Active Transportation Task Force.

26 June - 2020

Date

Spence

Signature

The purpose of this form is to provide information which will assist City Council in knowing each candidate better. The person whose name is being put forward as a candidate must sign this application in order to signify that he or she would be willing to accept the appointment should it be made.

In order to be considered, this application must be returned to City Hall prior to 4:00 p.m. on June 30, 2020.

CITY OF SALMON ARM

Application for Appointment to the Active Transportation Task Force

The City of Salmon Arm is seeking applications for individuals with professional or personal interest in Active Transportation to join the Active Transportation Task Force.

The primary goal of the Active Transportation Task Force is to provide information and recommendations to Council that will guide the City in developing a modern Active Transportation Plan which will allow the City to position itself for potential funding opportunities from higher levels of government geared towards Active Transportation.

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Name Steve Fabro Number of years living in Salmon Arm 26 years
 Civic address [REDACTED]
 Mailing address (if different than above) same

Email address [REDACTED]
 Telephone Home [REDACTED] Work [REDACTED] Cell [REDACTED]
 Occupation Driver Training Instructor

Community Affiliations/Memberships

- City of Salmon Arm - Greenways Liaison Committee - member
- Shuswap Trail Alliance - member/volunteer
- Larch Hills Nordic Society - member/volunteer
- Shuswap Cycling Club - member/volunteer

Reasons for seeking Appointment Citizen-At-Large or Senior Citizen

With an extensive background in traffic safety I will be able to assist the Task Force in making sound, supportable decisions.

I am an active cyclist and trail user with a solid knowledge of Salmon Arm's green ways.

I, Steve Fabro, hereby signify that I am willing to accept an appointment to the Active Transportation Task Force.

June 24/20
Date

Steve Fabro
Signature

The purpose of this form is to provide information which will assist City Council in knowing each candidate better. The person whose name is being put forward as a candidate must sign this application in order to signify that he or she would be willing to accept the appointment should it be made.

In order to be considered, this application must be returned to City Hall prior to 4:00 p.m. on June 30, 2020.

Steve Fabro



Enthusiastic, results driven individual with a proven track record of providing positive customer experiences

Work Experience

Driver Training Instructor - June 2019 - Present

Direct Drive Driver Training - Salmon Arm, BC

Providing customized driver training to suit the unique needs of each student.

Sales Manager - Apr 2017 - Dec 2018

Ian Gray's Salmon Arm GM - Salmon Arm, BC

Coached and mentored a team of 4-5 salespersons resulting in steady sales growth and outstanding customer satisfaction results.

Commercial Insurance Account Executive - Sept 2013 - Apr 2017

HUB International - Salmon Arm, BC

Created positive customer experiences while providing insurance products that met the needs of my clients. With 30 years insurance claims experience I understood the risks my clients faced and provided innovative products and solutions to help minimize those risks.

Claims Office Manager - Jan 1994 - Sept 2011

Insurance Corporation of British Columbia - Salmon Arm/Vernon BC

Developed and led a team of 4 managers with 35 staff in two locations. We optimized customer service to over 80,000 customers in a service area exceeding 20,000 square kilometers. Managed and controlled claims costs in excess of \$15M/yr with an annual operating budget of \$2.5M. By fostering strong working relationships with 3 MLS's, 25 insurance brokers, 36 auto repair vendors and a large medical community we delivered high levels of customer satisfaction, consistently exceeding our targets.

Education

British Columbia Institute of Technology

Diploma of Technology, Financial Management and Insurance

Insurance Brokers Association of Canada

Canadian Accredited Insurance Broker Designation

Volunteer Experience

City of Salmon Arm - Greenways Liaison Committee - Fall 2019 - Present

Member - Citizen at Large

Larch Hills Nordic Society - 2015 - 2020

Race Announcer for numerous nordic ski races hosted by the Larch Hills Nordic Society. Races are 2-3 days and typically have 250+ participants.

Shuswap Trail Alliance - Board Member & Volunteer - 2010 - 2020

Volunteer Committee Member for Auction and Dance - 2010 - 2019

Board Member Feb 2011 - Dec 2015

Lewiston Ultra - 2018 - 2019

Race Announcer - 56km trail run from Sicamous to Salmon Arm with over 400 participants.

Salty Dog 6 Hour Enduro - 2008 - 2019

Race Announcer / Pre-ride Co-ordinator - 6 hour enduro mountain bike race with over 700 participants.

Dancing with the Shuswap Stars - 2016 & 2017

Master of Ceremonies - Sold Out Fundraiser for Larch Hills Chalet Expansion. Over 450 attendees.

References

Will be provided upon request

CITY OF SALMON ARM

Application for Appointment to the Active Transportation Task Force

The City of Salmon Arm is seeking applications for individuals with professional or personal interest in Active Transportation to join the Active Transportation Task Force.

The primary goal of the Active Transportation Task Force is to provide information and recommendations to Council that will guide the City in developing a modern Active Transportation Plan which will allow the City to position itself for potential funding opportunities from higher levels of government geared towards Active Transportation.

In order to assist the City Council in the selection and appointment of the task force membership, prospective members are requested to forward this completed application form and resume to City Hall by June 30, 2020 at 4:00 p.m. Applications can be mailed to Box 40, Salmon Arm, BC, V1E 4N2, faxed to 250-803-4042, sent by email to ejackson@salmonarm.ca or dropped off at City Hall, 500 - 2 Avenue NE.

Name: Jan Thingsted

Number of years living in Salmon Arm: 12

Civic address: [REDACTED]

Mailing address (if different than above) _____

Email address: [REDACTED]

Telephone Home: [REDACTED] Work: [REDACTED] Cell _____

Occupation: Land Use Planner - Columbia Shuswap Reginal District

Community Affiliations/Memberships _____

Shuswap Trail Alliance Board Member - 2012 - present

Reasons for seeking Appointment _____

As a planner, parent, bike commuter and volunteer member of the STA, I have a keen interest in seeing Salmon Arm move towards a future that embraces active transportation. I believe that latent demand for active transportation exists in Salmon Arm and that an effective plan is necessary to make it a reality. My education, experience as a land use planner and STA Board member, and understanding of Salmon Arm's existing road/trail network from a the perspective of a cyclist, position me well to assist in this initial AT plan scoping exercise.

I, Sam Thinssted, hereby signify that I am willing to accept an appointment to the Active Transportation Task Force.

June 23, 2020

Date



Signature

The purpose of this form is to provide information which will assist City Council in knowing each candidate better. The person whose name is being put forward as a candidate must sign this application in order to signify that he or she would be willing to accept the appointment should it be made.

In order to be considered, this application must be returned to City Hall prior to 4:00 p.m. on June 30, 2020.

**CITY OF
SALMON ARM****Application for Appointment to the Active
Transportation Task Force**

The City of Salmon Arm is seeking applications for individuals with professional or personal interest in Active Transportation to join the Active Transportation Task Force.

The primary goal of the Active Transportation Task Force is to provide information and recommendations to Council that will guide the City in developing a modern Active Transportation Plan which will allow the City to position itself for potential funding opportunities from higher levels of government geared towards Active Transportation.

In order to assist the City Council in the selection and appointment of the task force membership, prospective members are requested to forward this completed application form and resume to City Hall by June 30, 2020 at 4:00 p.m. Applications can be mailed to Box 40, Salmon Arm, BC, V1E 4N2, faxed to 250-803-4042, sent by email to ejackson@salmonarm.ca or dropped off at City Hall, 500 - 2 Avenue NE.

Name : Kathy Atkins

Number of years living in Salmon Arm – Lifetime (I was raised in Salmon Arm and surrounding areas such as Silver Creek, Celistia, North Canoe.). I am 66 years old, in good health.

Civic address: [REDACTED]

Mailing address: Same

Email address: [REDACTED]

Telephone Home: [REDACTED] **Cell only, text or call**

Occupation: Retired Teacher/Highschool Apprenticeship Counsellor

Community Affiliations/Memberships:

- Shuswap Trail
- Outdoor Hiking Clubs
- Federation of Canadian Artists
- Artists Network.com
- Thompson Shuswap Chapter of the Federation of Canadian Artists
- SABNES (previously for 1 year)
- Volunteer in classroom – South Canoe Outdoor School

Reasons for seeking Appointment

I am interested in the proposed transportation and planning initiatives in Salmon Arm, especially cycling, pedestrian and traffic calming initiatives. I would like to work with a team that looks at a Master Plan in those areas.

I don't have recent related experience. I do, however, have a Physical Geography degree, which in part included studies in economic and social geography. Some coursework/discussions at that time included approaches to the study of human geography, environmental and social behaviors.

I, *Kathy Atkins*, hereby signify that I am willing to accept an appointment to the Active Transportation Task Force.

I look forward to hearing back as to who has been selected for this position.

Best regards.

Kathy Atkins

June 23, 2020

Date Signature

The purpose of this form is to provide information which will assist City Council in knowing each candidate better. The person whose name is being put forward as a candidate must sign this application in order to signify that he or she would be willing to accept the appointment should it be made.

In order to be considered, this application must be returned to City Hall prior to 4:00 p.m. on June 30, 2020.

Community Affiliations/Memberships _____

Shuswap Construction Industry Professionals

Salmon Arm Chamber of Commerce

Engineers and Geo-scientists of BC

Previously Member of Salmon Arm Volunteer Fire Department

Reasons for seeking Appointment _____

I am seeking appointment in this position for both professional and personal reasons.

As a long-time resident of Salmon Arm, and a father of three young children; active

transportation is important to me and my family. My family actively utilizes the

many amazing amenities that the City currently has, and I wish to communicate my

my personal and professional opinions on how the Cities active transportation

funding, policies and planning continues. From a professional perspective, I believe

my experience as a professional engineer practicing in the area of municipal

engineering will be valuable in this position. This experience has included many recent and relevant projects (i.e. two recent MUP details design/consultation/planning projects for the City of Vernon).

I, Blake Lawson, hereby signify that I am willing to accept an appointment to the Agricultural Advisory Committee.

June 1, 2020

Date



Signature

The purpose of this form is to provide information which will assist City Council in knowing each candidate better. The person whose name is being put forward as a candidate must sign this application in order to signify that he or she would be willing to accept the appointment should it be made.

In order to be considered, this application must be returned to City Hall prior to 4:00 p.m. on June 30, 2020.



Application for Appointment to the Active Transportation Task Force

The City of Salmon Arm is seeking applications for individuals with professional or personal interest in Active Transportation to join the Active Transportation Task Force.

The primary goal of the Active Transportation Task Force is to provide information and recommendations to Council that will guide the City in developing a modern Active Transportation Plan which will allow the City to position itself for potential funding opportunities from higher levels of government geared towards Active Transportation.

In order to assist the City Council in the selection and appointment of the task force membership, prospective members are requested to forward this completed application form and resume to City Hall by June 30, 2020 at 4:00 p.m. Applications can be mailed to Box 40, Salmon Arm, BC, V1E 4N2, faxed to 250-803-4042, sent by email to ejackson@salmonarm.ca or dropped off at City Hall, 500 - 2 Avenue NE.

Name Blake Lawson Number of years living in Salmon Arm 22

Civic address [REDACTED]

Mailing address (if different than above) _____

Email address [REDACTED]

Telephone Home [REDACTED] Work [REDACTED] Cell [REDACTED]

Occupation Civil/Municipal Engineer

CITY OF
SALMON ARM

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Name Larry Clarke Number of years living in Salmon Arm 8

Civic address [REDACTED]

Mailing address (if different than above) [REDACTED]

Email address [REDACTED]

Telephone Home _____ Work _____ Cel [REDACTED]

Occupation Retired school administrator.

Community Affiliations/Memberships Currently, I do not have any community affiliations or memberships in Salmon Arm as I have found it challenging to get involved, but am interested in this role to give back to my community.

Reasons for seeking Appointment Prior to moving to Salmon Arm in 2017, I was very involved in our community in Missisauga. I am keen to contribute to our new home community and have an interest in transportation options and accessibility. My skillset and experience has been in project management, planning, idea generation, innovation, and business practices.

Combined, these skills position me well to speak to the practicality of planning and selecting from potential options for transportation in our community. Also, my husband and I are planning to start a family and set roots in Salmon Arm, so I have a specific interest in ensuring Salmon Arm is positioned for the future transportation needs of all residents.

I, Camilla Papadimitropoulos, hereby signify that I am willing to accept an appointment to the Active Transportation Task Force.

June 23, 2020

Date

Camilla Papadimitropoulos

Signature

The purpose of this form is to provide information which will assist City Council in knowing each candidate better. The person whose name is being put forward as a candidate must sign this application in order to signify that he or she would be willing to accept the appointment should it be made.

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CITY OF SALMON ARM

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Name Camilla Papadimitropoulos Number of years living in Salmon Arm 3

Civic address [REDACTED]

Mailing address (if different than above) _____

Email address [REDACTED]

Telephone Home _____ Work _____ Cell [REDACTED]

Occupation Manager, Health IT

Community Affiliations/Memberships

PROBUC CLUB of Salmon Area

Reasons for seeking Appointment

I have always been interested in safety and transportation from my first job in Traffic Engineering in Victoria to my career in teaching Industrial Education and Administration. I was also the head of the Safety dept. for school Dist 27 (Coville) where I was trained to be a defensive driving instructor for the school bus drivers.

I, Larry Clarke, hereby signify that I am willing to accept an appointment to the Active Transportation Task Force.

Date June 27 2020

Signature [Handwritten Signature]

The purpose of this form is to provide information which will assist City Council in knowing each candidate better. The person whose name is being put forward as a candidate must sign this application in order to signify that he or she would be willing to accept the appointment should it be made.

In order to be considered, this application must be returned to City Hall prior to 4:00 p.m. on June 30, 2020.

Camilla Papadimitropoulos (nee Tapp), MBA, PMP

<http://www.linkedin.com/in/camillapapa>

WORK EXPERIENCE

Manager, Program Office, National EMR and Data Migration Teams

April 2019 — Present

Provider Solutions, TELUS Health, Kelowna, BC

- Led innovative changes to the Atlantic EMR implementation process in collaboration with clinical analyst, project management and learning specialist leaders, resulting in delivery of 106% of the 2019 RGU implementation target.
- Issue management of customer implementation challenges requiring active prioritization, risk management and detailed retrospective planning to improve the quality of migrations and to identify process improvement opportunities.
- Managed the Atlantic data team integration to become the MedAccess data migration team, consolidating process, standardizing reporting and working towards national processes.
- Formed an engaged team through workload balancing, cross training opportunities and personal development; fall 2019 Pulsecheck score 85% (up 31% from 2018).
- Gained an understanding of the clinician process and customer challenges during implementation through Project Marlin, a cross-team process improvement initiative.
- Supported National EMR team activities including Monthly Business Review metrics, bi-weekly EMR KPI reporting, Physician 2020 Pulsecheck action plan, PrescribeIT Onboarding 2020 plan, and W3 sales playbook.

Program Manager, Winning Against Competitors

June 2017 — March 2019

Provider Solutions, TELUS Health, Toronto, ON

- Accountable for the WAC program, a multi-year effort to retain internal migration customers with incentive offers and product improvements, supported by improved internal processes (Eg. SFDC improvements and simplified pricing).
- Developed and validated a consistent set of national KPIs, with the engagement of regional and team leaders, which facilitated regular updates of leading and lagging indicators to the leadership to support in decision making.
- Collaboration with implementation, sales, marketing and product teams on go-to-market plans to identify gaps in the market and action plans to improve our response as one team.
- Presentations of program progress to senior leadership (Steering committee, regional working groups, product teams, and broader THPS team updates).
- Ownership for planning, risk management and delivery of projects supporting the program (eg PSS Mobile Viewer, and sunseting of legacy MedAccess EMRs, MedTech and eBill).
- Supporting Provider-wide initiatives such as the People Leaders Forum, and the creation of the Save-a-Seat and Mentorship programs.

Business Analyst II

September 2015 — May 2017

Provider Solutions, TELUS Health, Toronto, ON

- Developed and implemented a project management framework to track and monitor priority projects within Provider Solutions through collaboration with project managers across the business resulting in improved leadership visibility, risk awareness and issue escalation.
- Managed daily headcount changes and requests, including understanding the funding availability, the business need and role objectives to justify the role for approval by the VP of Finance.
- Created a process and model to track capital timesheets to provide managers actual and forecasted expenditure to support resource decision-making, improving in year capital spend in 2016, and supporting 2017 budgeting.
- Generated professional presentations including Townhall presentations by the VP of Provider Solutions, weekly Provider Leadership Meeting presentations, and business case presentations reviewed by the CEO of TELUS.
- Utilized a wide network across TELUS Health to support managers in award nominations, People Leader's Forum monthly meetings, and hiring processes.

Administrative Resident

April 2015 — August 2015

Hamilton Health Sciences, Hamilton, ON

- Headed a project to analyze the current state of Alternate Level of Care rates at HHS by conducting data analysis, front line clinician interviews, and engaging leaders in strategy development to work towards reducing the overall rate.
- Participated in the Community Patient Centered Working Group and Steering Committee for the *Our Healthy Future* clinical services visioning project.
- Gained a perspective of corporate administration and the direction of Hamilton Health Sciences through involvement in Executive Council, Corporate Management, Board, Patient Flow Steering Committee and other internal and external committee meetings.
- Created presentations and briefings for the executive and external stakeholders on a range of topics including Hamilton urban core, alternative level of care, ED admissions, and Health Links.

Camilla Papadimitropoulos (*nee Tapp*), MBA, PMP

<http://www.linkedin.com/in/camillapapa>

Health Business Consultant I

September 2014— April 2015

Transformation Services, TELUS Health, Toronto, ON

- Led the development and writing of six responses to requests for proposals for healthcare organizations, with success in five that had a total contract value in excess of \$100K.
- Simultaneously managed, organized and coordinated six open projects with healthcare clients across Southern Ontario working on Board retreats, strategic planning, and group facilitation.
- Proficient in all processes of successful project management including establishing scope, status reporting, execution on deliverables, and project conclusion.
- Created a revenue-forecasting document to set targets and measure progress to those targets for project progression, invoices values to clients, and project contract status.
- Designed and organized numerous agendas and structures for facilitated discussions with clients to meet their goals and objectives, while creating a positive experience for participants resulting in a beneficial summary report.

Analyst, Marketing and Communications

January — May 2014

McMaster Health Forum, Hamilton, ON

- Oversaw project management of organization and implementation of the 5th anniversary amalgamation of events and products for public and other external and internal stakeholders with an emphasis on working with a diverse team.
- Planned and coordinated accreditation, marketing and logistics of a Health Systems Learning online course directed at researchers, students, journalists, policymakers and physicians; resulted in 200 registrants attending, meeting the pre-determined attendance targets.
- Conducted extensive research on healthcare leadership capacity within primary care to create a base knowledge source document for external stakeholders, which was utilized as an evidence brief for an in person stakeholder discussion.
- Recommended three focus areas of improvements for leadership training within Ontario, which were accepted and adapted by the project lead to shape the implementation goals of the stakeholder dialogue.
- Strategically planned and developed marketing and communication products for a large public health event regarding optimal aging strategies spanning three days with over 100 participants.

Research Assistant

May 2012 — December 2013

Manitoba Centre for Health Policy, Winnipeg, MB

- Developed two eBooks for EvidenceNetwork.ca, non-partisan website for healthcare information, comprised of Opinion/Editorial pieces; circulated to bookstores and implemented a marketing strategy; resulting in over 13K downloads of the first version.
- Planned and presented two webinars on the development of an electronic textbook and a beginners' guide to Twitter to top-level Canadian media and researchers resulting in expanded network and involvement with EvidenceNetwork.ca.
- Updated and modified the EvidenceNetwork.ca online presence; Identified and Initiated changes to improve website usability.
- Communicated with healthcare related individuals, non-government organizations and media members to advertise EvidenceNetwork.ca, increasing readership by 14% in one year.

EDUCATION

Master of Business Administration, Co-op, Health Services Management <i>DeGroot School of Business, McMaster University, Burlington, ON</i>	2015
Bachelor of Science, Biochemistry <i>University of Manitoba, Winnipeg, MB</i>	2013

ACCOMPLISHMENTS

TELUS LeadershipNow Participant	2019-2020
TELUS CHLOE Emerging Leader Award Winner, Vancouver	2018
Project Management Professional	April 2017

Resume

J. Ivor Norlin, M.Sc., RPBio., CPHI(C)

[REDACTED]

Salmon Arm, BC, V1E 2V1

Home: [REDACTED]

Work: [REDACTED]

E-mail: [REDACTED]

Education

2011 Certificate in Performance Management

Faculty of Human & Social Development

University of Victoria, Victoria, BC

2006 Bachelor of Environmental Health (After-degree)

Faculty of Professional Education,

Concordia University College of Alberta, Edmonton, AB

2004 Master of Science

Environmental Biology & Ecology, Department of Biological Sciences

University of Alberta, Edmonton, AB

Thesis: Zooplankton and alternate states in western boreal wetland lakes.

1999 Bachelor of Science

Earth & Environmental Sciences, Major in Freshwater Science

Okanagan University College, Kelowna, BC

Work Experience

September 2017-present	Manager, Drinking Water Program -- Interior Health
October 2011-September 2017	Manager, Infrastructure Programs -- Interior Health
March 2015-April 2017	Sessional Instructor -- Thompson Rivers University
September 2007-October 2011	Specialist Environmental Health Officer -- Interior Health
November 2005-September 2007	Environmental Health Officer - Interior Health

Community Affiliations/Memberships In the past two years have been a parent
volunteer for Salmon Arm Minor Hockey, the Ice Breakers Speedskating Club, and the Yetis
Rugby Club and volunteered at the Roots and Blues Festival.

Reasons for seeking Appointment In recent years I have developed a professional interest in
public/stakeholder engagement-based decision making tools (e.g IAP2). Participating in this task
force would be additional applied experience, this time as an interested community
member. In my previous position with Interior Health I was involved with Healthy Built Environments
and the principles and application of Active Transportation for community wellbeing. I also
have a personal interest in the continued development of the biking and hiking trails network,
including the upcoming redevelopment of the Canoe Beach camping area. Tim Lavery suggested
volunteering for this task force might be a good option for me to get involved.

I, John Ivor Norlin, hereby signify that I am willing to accept an appointment to the Active Transportation Task Force.

June 29, 2020
Date


Signature

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CITY OF SALMON ARM

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Name John Ivor Norlin Number of years living in Salmon Arm 16

Civic address [REDACTED]

Mailing address (if different than above) _____

Email address [REDACTED]

Telephone Home [REDACTED] Work [REDACTED] Cell _____

Occupation Public health programs manager

May - November 2005	Research Associate - Concordia University College of Alberta
September 2002- April 2003	Teaching Assistant - University of Alberta, Department of Biological Sciences
January-September, 2000	Research Assistant - British Columbia Forest Service, Tree Improvement Branch
May 1998 -December, 1999	Research Assistant - Okanagan University College - Environmental & Earth Sciences Department

Select Presentations & Publications

- 2019 Norlin, J.I. – Public health investigation of swimming pool chlorine gas disinfection systems. Environmental Health Review. 62(2). 53-58.
Thompson Rivers University School of Trades & Technology.
- 2017 Norlin, J.I. - WTTP 2840: Source water protection management. Kamloops, BC:
Thompson Rivers University School of Trades & Technology.
- 2015 Norlin, J.I. – The Mount Polley Mine Disaster. Proceedings of the Canadian
Institute of Public Health Inspection Canada 2015 National Conference.
- 2013 Norlin, J.I. and Touchet, K.T. Outbreak in a Small Town: a Lesson in Environmental
Public Health Risk Management. Journal of Hygiene Science. Retrieved May 22, 2014,
from <http://www.stanier.ca/hygiene-science-today/JHSSpring2013.pdf>
- 2012 Norlin, J.I. Drinking Water Protection Evaluation: Are They Worth It? Proceedings of
the 14th Canadian National Conference & 5th Policy Forum on Drinking Water.
- 2009 Norlin, J.I, and Adams, M. Drinking Water Source Protection in the Okanagan Valley.
Environmental Health Review. 53(1): 6-13.
- 2006 Norlin, J.I., Morpurgo, N., and McDonald, K. Safe Manual Chlorination for
Wading Pools. Environmental Health Review. 50 (2), 46-52.
- 2006 Norlin, J.I., S.E. Bayley, and L.C.M. Ross. Zooplankton Composition and Ecology in
Western Boreal Shallow-water Wetlands. Hydrobiologia. 560 (1): 197-215.
- 2005 Norlin, J.I., S.E. Bayley, and L.C.M. Ross. Submerged macrophytes, zooplankton
and the predominance of low- over high-chlorophyll states in western boreal, shallow-
water wetlands. Freshwater Biology, 50: 868-881.
- 1999 Norlin, J.I. A paleolimnological analyses of anthropogenic impacts on Trout

Lake, Vancouver, Canada. Poster presented at the Annual Meeting of the Western Division of the Canadian Association of Geographers.

Professional Memberships

- Canadian Institute of Public Health Inspectors, BC Branch (Registered Certified Public Health Inspector (Canada))
- BC College of Applied Biology (Registered Professional Biologist)

Related Specialized Training

- IAP2 Public Participation Fundamentals and Techniques (Delaney Associated, 2018)
- Indigenous Cultural Safety (Provincial Health Services Authority, 2015)
- Experience LINX development program (Interior Health, 2014)
- Program Evaluation Cohort Training Series (Interior Health, 2013)
- People Management Series (Interior Health, 2011)
- Transition to Management (Okanagan College, 2009)
- Small wastewater system operation and maintenance (CSU-Sacramento, 2004)
- Small water system operation and maintenance (CSU-Sacramento, 2003)

Selected Awards and Scholarships

Canadian Water & Wastewater Association Water Safety Award (2016)
 Len Hibbert Award - Canadian Institute of Public Health Inspectors (2006)
 Graduate Student Teaching Letter of Commendation - University of Alberta (2003)
 Canadian Circumpolar Institute C/BAR Grant (2001)
 Alberta Challenge Grants in Biodiversity (2001)
 National Science and Engineering Research Council, Postgraduate Scholarship (2000)
 Walter H. Johns Graduate Fellowship - University of Alberta (2000)
 Faculty of Science Graduate Entrance Scholarship - University of Alberta (2000)
 B.C. Hydro Scholarship (1998)

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Item 10.1

CITY OF SALMON ARM

Date: July 13, 2020

Moved: Councillor

Seconded: Councillor

THAT: the bylaw entitled City of Salmon Arm Land Use Contract Termination Bylaw No. 4400 be read a first and second time.

[LUC M61302; M17793 and M66216]

Vote Record

- Carried Unanimously
- Carried
- Defeated
- Defeated Unanimously

Opposed:

- Harrison
- Cannon
- Eliason
- Flynn
- Lavery
- Lindgren
- Wallace Richmond

CITY OF
SALMON ARM

To: His Worship Mayor Harrison and Members of Council

Date: April 28, 2020

Subject: Land Use Contract Termination

MOTION FOR CONSIDERATION

THAT: A bylaw be prepared for Council's consideration, adoption of which would terminate the following Land Use Contracts for the parcels legally described as:

1. LUC M61302:

Lot 3, Section 24, Township 20, Range 10, W6M KDYD, Plan 28370	(1311 – 20 Street NE)
Lot 2, Section 24, Township 20, Range 10, W6M, KDYD, Plan 28370	(1331 – 20 Street NE)
Lot 1, Section 24, Township 20, Range 10, W6M, KDYD, Plan 28370	(1351 – 20 Street NE)

2. LUC M17793:

Lot 2, Section 13, Township 20, Range 10, W6M, KDYD, Plan 32155	(2450 – 10 Avenue (TCH) NE)
Lot A, Section 13, Township 20, Range 10, W6M, KDYD, Plan KAP62641, Except Plan EPP6081	(2600 – 10 Avenue (TCH) NE)
Lot 5, Section 13, Township 20, Range 10, W6M, KDYD, Plan KAP56352	(631 – 24 Street NE)
Lot 2, Section 13, Township 20, Range 10, W6M, KDYD, Plan KAP56352	(620 – 24 Street NE)
Strata Lots 1 – 14, Section 13, Township 20, Range 10, W6M, KDYD, Strata Plan KAS171	(2207, 2213, 2221, 2229, 2299, 2291, 2285, 2277, 2235, 2241, 2249, 2255, 2263, 2269 – 5 Avenue NE)
Strata Lots 15 – 38, Section 13, Township 20, Range 10, W6M, KDYD, Strata Plan KAS171	(523, 519, 515, 511, 507, 503, 527, 531, 535, 539, 543, 547, 579, 583, 587, 591, 595, 599, 555, 559, 563, 567, 571, 575, - 24 Street NE)
Strata Lots 1 – 18, Section 13, Township 20, Range 10, W6M, KDYD, Strata Plan KAS2857	(Units 1 – 18, 671 – 24 Street NE)
Strata Lots 1 – 12, Section 13, Township 20, Range 10, W6M, KDYD, Strata Plan KAS1851	(Units 1 – 12, 660 – 24 Street NE)

3. LUC M66216:

Lot A, Section 5, Township 21, Range 9, W6M, KDYD, Plan 28434	(5590 Canoe Beach Drive NE)
Lot A, Section 5, Township 21, Range 9, W6M, KDYD, Plan 13942, Except Plan 28434	(5560 Canoe Beach Drive NE)

STAFF RECOMMENDATION

THAT: The motion for consideration be adopted.

BACKGROUND

In 2014 Section 548 of the Local Government Act (Appendix 1) was amended to require that all Land Use Contracts (LUC) are terminated by June 30, 2024. The City is required to have all necessary replacement zoning bylaws in place by June 30, 2022 and advise all owners that the Land Use Contract affecting their property will be terminated and current zoning regulations will then apply.

Land use contracts were a tool available to local governments prior to development permits and development cost charges. They were used to authorize site specific zoning, variances and to oblige developers to provide off site works and services. A Land Use Contract could be considered an 'overlay' taking precedence over zoning regulations. The amendment or discharge of a land use contract requires consent of the owner of the affected land, however termination can be done without consent as long as zoning is in place. There is an appeal available to the Board of Variance if the owner feels there is a hardship.

Termination of a Land Use Contract will require Council to adopt a bylaw following public notification and a public hearing similar to a zoning bylaw amendment; however, the LUC Termination Bylaw does not in itself rezone the property. The in-force date of the bylaw is required to be one year after adoption.

These three Land Use Contracts represent one third of the nine remaining on properties within the City. They are the most straightforward to remove as they addressed servicing at the time of subdivision, as opposed to land use, and will not require bylaw amendments or variances.

LAND USE CONTRACTS

Land Use Contract M61302

District of Salmon Arm Land Use Contract Bylaw No. 12, 1977 was adopted by Council to oblige the developer to provide works and services for the subdivision of Lots 3 and 4 Plan 3815 to create Lots 1, 2, 3 Plan 28370. Land Use Contract M61302 is attached as Appendix 2. At the time of subdivision the developer was required to provide road dedication and cash contributions toward water and sewer connections. The subject properties located along 20 Street NE as shown on Appendix 3 and 4 and are zoned Single Family Residential (R-1) as shown on Appendix 5. All servicing requirements were satisfied at the time of subdivision, this Land Use Contract can be terminated with no further action required.

Land Use Contract M17793

District of Salmon Arm Land Use Contract Bylaw No. 1, 1977 was adopted by Council to oblige the developer to provide works and services for the development of Lot 2 Plan 27972. Land Use Contract M17793 is attached as Appendix 6. The property was originally subdivided to create four strata developments and remainder. Section 22 of Land Use Contract M17793 allowed for, or required, a quit claim discharge upon acceptance by the municipality of the off-site services and one year maintenance period. Land Use Contract M17793 was discharged from the portion of the property that is Strata Plan K687 by District of Salmon Arm Discharge of Land Use Contract Bylaw No. 1, 1987. The subject properties are located along 24 Street NE, there are a number of owners including the Recreation Centre and Shaw Centre (City Property) as well as some commercial and residential properties as shown on Appendix 7 and 8. The zoning for the properties is shown on Appendix 9. All servicing requirements were satisfied at the time of subdivision, this Land Use Contract can be terminated with no further action required.

Land Use Contract M66216

District of Salmon Arm Land Use Contract Bylaw No. 11, 1977 was adopted by Council to allow the subdivision of Lot A Plan 13942 to create a new parcel, Lot A Plan 28434 at no cost to the Municipality. Land Use Contract M66216 is attached as Appendix 10. The subject properties are located at 5560 & 5590 Canoe Beach Drive NE as shown on Appendix 11 and 12 and both properties are zoned Rural Holding (A-2) as shown on Appendix 13. This Land Use Contract can be terminated with no further action required.

COMMENTS

Engineering Department

No Engineering Department comments have been received. Subsequent to discharge of the LUCs, any subdivision or development will be subject to the City's Subdivision and Development Servicing Bylaw in effect of the day.

62

Building Department

No Building Department concerns.

Fire Department

No Fire Department comments have been received.

Planning Department

The land use contract terminations are consistent with Zoning and OCP designations. The existing uses are aligned with neighbouring land uses.

CONCLUSION

The proposed termination of Land Use Contracts is supported by staff. It is reasonable to remove these Land Use Contracts, any obligations from the City or the owners were satisfied at the time of development.

A handwritten signature in black ink, appearing to read "Kevin Pearson", is written over a horizontal line.

Kevin Pearson, MCIP, RPP
Director of Development Services

until it has been approved by the minister responsible for the administration of the *Transportation Act*.

- (5) If a local government proposes to amend a land use contract under subsection (2) (a) respecting any matter in it relating to density or use of an area covered by the contract, Division 3 [*Public Hearings on Planning and Land Use Bylaws*] applies.
- (6) If a land use contract is amended by bylaw, a development permit or a development variance permit, the local government must register the amendment in the land title office in accordance with the *Land Title Act*.
- (7) On registration under subsection (6), the registrar of land titles may require
 - (a) that a certified copy of the bylaw under this section be registered together with the amendment to the land use contract, and
 - (b) that a certified copy of the development variance permit or development permit be registered together with the land use contract as amended by it.
- (8) The registrar of land titles is not required to inquire whether the land use contract amendment has been made in accordance with this Part or whether it is a valid amendment before permitting registration of an amendment under subsection (6).

Termination of all land use contracts in 2024

- 547** (1) All land use contracts are terminated on June 30, 2024.
- (2) A local government that has jurisdiction over land subject to a land use contract must, by June 30, 2022, adopt a zoning bylaw that will apply to the land on June 30, 2024.

Process for early termination of land use contract

- 548** (1) In this section:

"charge number" means, in relation to a land use contract that is registered as a charge against a title to land, the serial number assigned to the land use contract by the registrar of land titles;

"parcel identifier" means a permanent parcel identifier assigned under section 58 of the *Land Title Act*.

- (2) Despite section 547, a local government may, by bylaw, terminate a land use contract that applies to land within the jurisdiction of the local government.
- (3) A bylaw under subsection (2)
 - (a) must not be adopted after June 30, 2022,
 - (b) must provide that the bylaw comes into force on a date that is
 - (i) at least one year after the date the bylaw is adopted, and
 - (ii) not later than June 30, 2024, and

(8) A decision of the board of variance under subsection (5) is final.

Extent of damage to non-conforming use property

- 544** (1) A person may apply to a board of variance for an order under subsection (2) if the person alleges that the determination by a building inspector of the amount of damage under section 532 (1) [*end of non-conforming use protection if building of other structure is seriously damaged*] is in error.
- (2) On an application under subsection (1), the board of variance may set aside the determination of the building inspector and make the determination under section 532 (1) in its place.
- (3) The applicant or the local government may appeal a decision of the board of variance under subsection (2) to the Supreme Court.

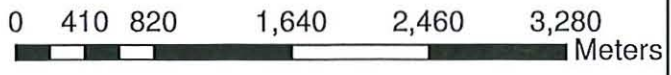
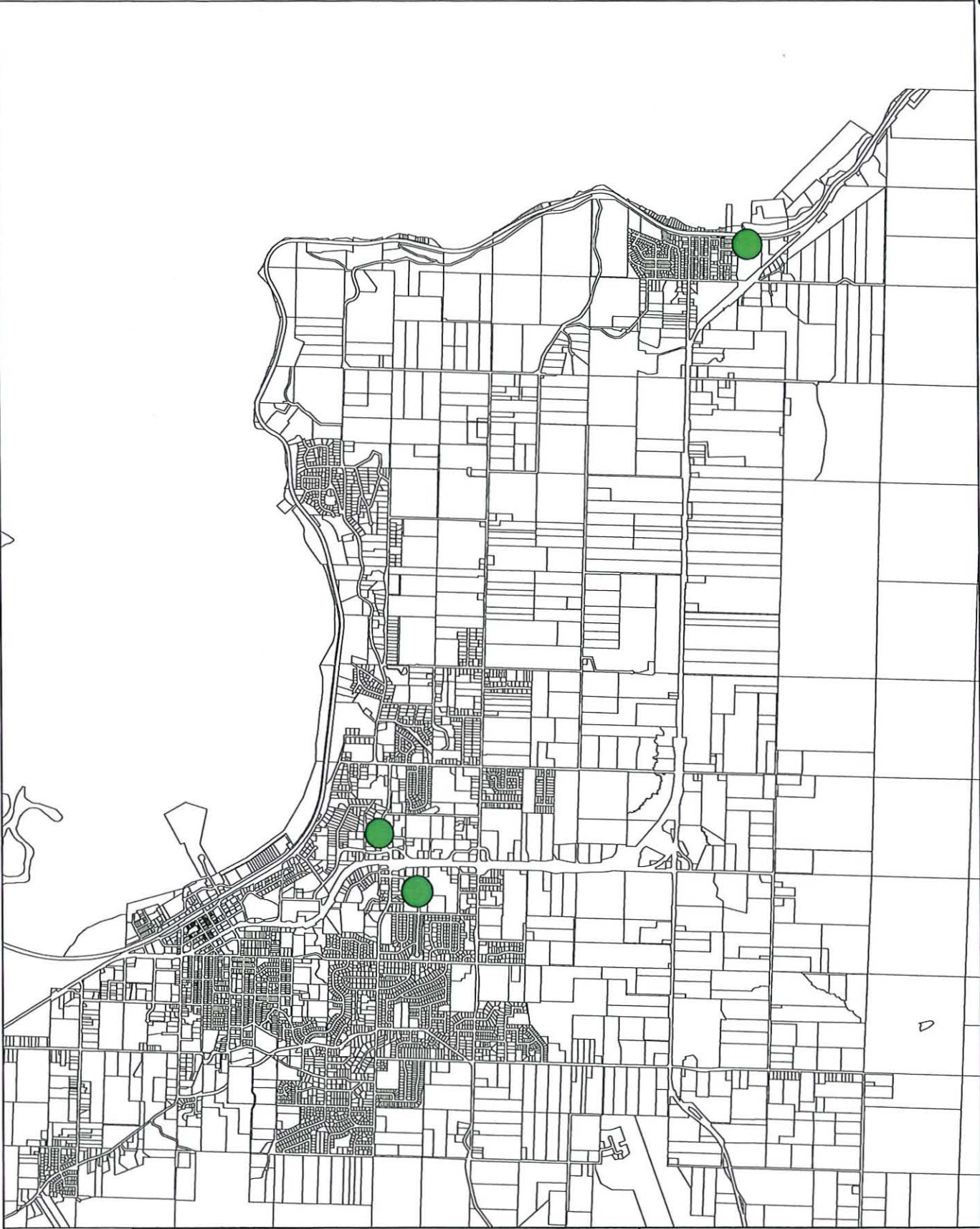
Division 16 — Discharge and Termination of Land Use Contracts

Application to land use contracts under previous legislation

- 545** This Division applies to land use contracts within the meaning of section 702A of the *Municipal Act*, R.S.B.C. 1960, c. 255, before that section was repealed under section 13 of the *Municipal Amendment Act, 1977*.

Amendment and discharge of land use contract

- 546** (1) In this section, "**amend**" means modify, vary or discharge.
- (2) Subject to subsection (4), a land use contract that is registered in a land title office may be amended as follows:
- (a) by bylaw, with the agreement of
 - (i) the local government, and
 - (ii) the owner of any parcel that is described in the bylaw as being covered by the amendment;
 - (b) subject to subsection (3), by a development permit or a development variance permit, if the amendment does not affect the permitted use or density of use of any parcel against which the contract is registered;
 - (c) in the manner specified in the land use contract.
- (3) A land use contract must not be discharged in the manner provided for in subsection (2) (b).
- (4) Unless exempted by regulation under section 505 (4) [*controlled access highways*], if a parcel affected by an amendment under this section is subject to section 52 (3) [*approval required for development near controlled access highway*] of the *Transportation Act*,
- (a) a bylaw under subsection (2) (a) must not be adopted, or
 - (b) a development permit or development variance permit under subsection (2) (b) must not be issued



Subject Properties

- (c) must not be adopted unless the local government has adopted a zoning bylaw that will apply to the land on the date the bylaw under subsection (2) comes into force.
- (4) Section 546 [*amendment and discharge of land use contracts*] does not apply in relation to a bylaw adopted under subsection (2).
- (5) Despite section 135 (3) [*at least one day between third reading and adoption*] of the *Community Charter*, a council may adopt a bylaw under subsection (2) at the same meeting at which the bylaw passed third reading.
- (6) Within 30 days after adopting a bylaw under subsection (2), a local government must give written notice of the bylaw to the proper land title office for each parcel of land subject to a land use contract that the bylaw will terminate.
- (7) A notice under subsection (6) must
 - (a) be in a form satisfactory to the registrar of land titles,
 - (b) include a certified copy of the bylaw, and
 - (c) identify the following:
 - (i) by charge number, each land use contract that the bylaw will terminate;
 - (ii) by legal description and parcel identifier, each parcel of land subject to a land use contract that the bylaw will terminate.

Notice of termination

549 (1) A local government must give written notice of the termination of a land use contract to the owners of land that is within the jurisdiction of the local government and subject to the land use contract.

- (2) A notice under subsection (1) must
 - (a) be mailed or otherwise delivered as follows:
 - (i) if the local government adopts a bylaw under section 548 that will terminate the land use contract, by the date that is 10 days after the adoption of the bylaw to the owners as shown on the assessment roll as at the date of the first reading of the bylaw;
 - (ii) if subparagraph (i) does not apply, by June 30, 2022 to the owners as shown on the assessment roll as at a date no more than one month before the notice is mailed or delivered,
 - (b) identify the place where and the times and dates when zoning bylaws are available for public inspection, and
 - (c) if the local government adopts a bylaw under section 548 that will terminate the land use contract, inform the owners that they may apply to a board of variance for an exemption under section 543 [*variance or exemption to relieve hardship*].

- (3) The obligation to deliver a notice under subsection (2) (a) is satisfied if a reasonable effort was made to mail or otherwise deliver the notice.

Discharge of terminated land use contract

- 550** (1) This section applies despite any enactment or law to the contrary.
- (2) If a land use contract is registered as a charge against a title to land and the land use contract is terminated under section 547 [2024 termination] or 548 [early termination], the charge is deemed to be discharged as of the date of the termination of that land use contract.
- (3) The following are conclusive proof that a land use contract is terminated:
- (a) before June 30, 2024,
 - (i) this Act, and
 - (ii) a certified copy of the bylaw under section 548 that terminates the land use contract;
 - (b) on or after June 30, 2024, this Act.
- (4) The registrar of land titles is not required to inquire whether a bylaw under section 548 has been made in accordance with this Part before cancelling registration of a charge that is discharged by operation of that bylaw and subsection (2) of this section.

Division 17 — Regulation of Farm Businesses in Farming Areas

Agriculture minister may set standards for farm bylaws

- 551** (1) In this Division, "**agriculture minister**" means the minister responsible for the administration of the *Farm Practices Protection (Right to Farm) Act*.
- (2) The agriculture minister may establish, publish and distribute standards in relation to farming areas for the guidance of local governments in the preparation of zoning bylaws and bylaws under this Division.
- (3) Standards under subsection (2) may differ for different parts of British Columbia.

Farming area bylaws

- 552** (1) This section does not apply unless a regulation under section 553 declares that it applies.
- (2) A local government may make bylaws in relation to farming areas as follows:
- (a) respecting the conduct of farm operations as part of a farm business;
 - (b) respecting types of buildings, structures, facilities, machinery and equipment that are prerequisite to conducting farm operations specified by the local government and that must be utilized by farmers conducting the specified farm operations;

THIS DEED IS VALID AND EFFECTIVE AS OF THE DATE HEREIN

IN WITNESS WHEREOF, the Municipal Council has caused this Deed to be signed by its duly authorized officers and its seal to be hereunto affixed on this 31st day of 1977.

WITNESSED by the Mayor, *[Signature]*, Mayor, and the Municipal Council, this 31st day of 1977.

BY *[Signature]*

AND WHEREAS the Municipality, pursuant to Section 702 of the Municipal Act, may, notwithstanding any by-law of the Municipality, or Section 708 or 713 of the Municipal Act, enter into a land use contract containing such terms, and conditions for the use and development of land as may be agreed upon with a developer, and thereafter the use and development of the land shall be in accordance with the land use contract;

AND WHEREAS the Municipal Act requires that the Municipal Council consider the criteria set out in Section 702(2) and 702A(1) in arriving at the terms, conditions and consideration contained in a land use contract;

Registered this 31st Day of 1977
19.27 on Application Received
at the Time Written or Stamped
on the Application.

1977

WHEREAS the Municipality, pursuant to Section 702A(1) of the Municipal Act, may, notwithstanding any by-law of the Municipality, or Section 712 or 713 of the Municipal Act, enter into a land use contract containing such terms, and conditions for the use and development of land as may be agreed upon with a developer, and thereafter the use and development of the land shall be in accordance with the land use contract;

AND WHEREAS the Municipal Act requires that the Municipal Council consider the criteria set out in Section 702(2) and 702A(1) in arriving at the terms, conditions and consideration contained in a land use contract;

Registered this 31 Day of 10
 19.22 on Application Received
 at the Time Written or Stamped
 on the Application.

2009

AND WHEREAS the Developer has entered into a license agreement with the Government of the Province of Ontario and the Municipality of Hamilton 712 and 713 of the Municipal Act of both, and has stipulated that the Council of the Municipality enter into this contract under the terms, conditions and for the consideration hereinafter set forth:

AND WHEREAS the Council of the Municipality, in consideration and to the extent set forth in sections 70A(2) and 70B(1) of the Municipal Act, have agreed to the terms, conditions and consideration herein contained:

AND WHEREAS if the land is within a radius of one-half mile of the intersection of a controlled access highway and another highway, the approval of the Minister of Highways to the terms hereof must be obtained;

AND WHEREAS the land is within a development area of the Municipality;

AND WHEREAS the Municipality and the Developer both acknowledge that the Council of the Municipality could not enter into this Agreement, until the Council held a public hearing in relation to this Agreement, and considered any opinions expressed at such hearing, and unless at least two-thirds of all of the members of the Council present at the meeting at which the vote is taken and entitled to vote on the by-law voted in favour of the by-law authorizing the Municipality to enter into this Contract:

The Developer shall be responsible for the construction of the roads and utilities shown on the Plan of Subdivision and shall cause the same to be constructed in accordance with the standards and specifications of the Municipality.

(The land hereinafter referred to as "Land")

3. No person shall acquire an interest in the Land until the Developer has a registered interest in the Land.

4. The Land may be subdivided strictly in accordance with the Plan of Subdivision annexed hereto as Schedule "A" and subject to the approval of the Approving Officer of the Municipality.

4. Except as hereinafter specifically provided the Developer shall in his use and development of the Land comply with all of the by-laws of the Municipality.

5. The Developer shall dedicate by the Plan of Subdivision referred to in section 3 and 9 hereof as road the easterly twelve feet (12') of Lots 3 and 4 of Plan 3815 and shall cause the area dedicated to be cleared of trees and shrubs where directed to do so by the Municipality.

and

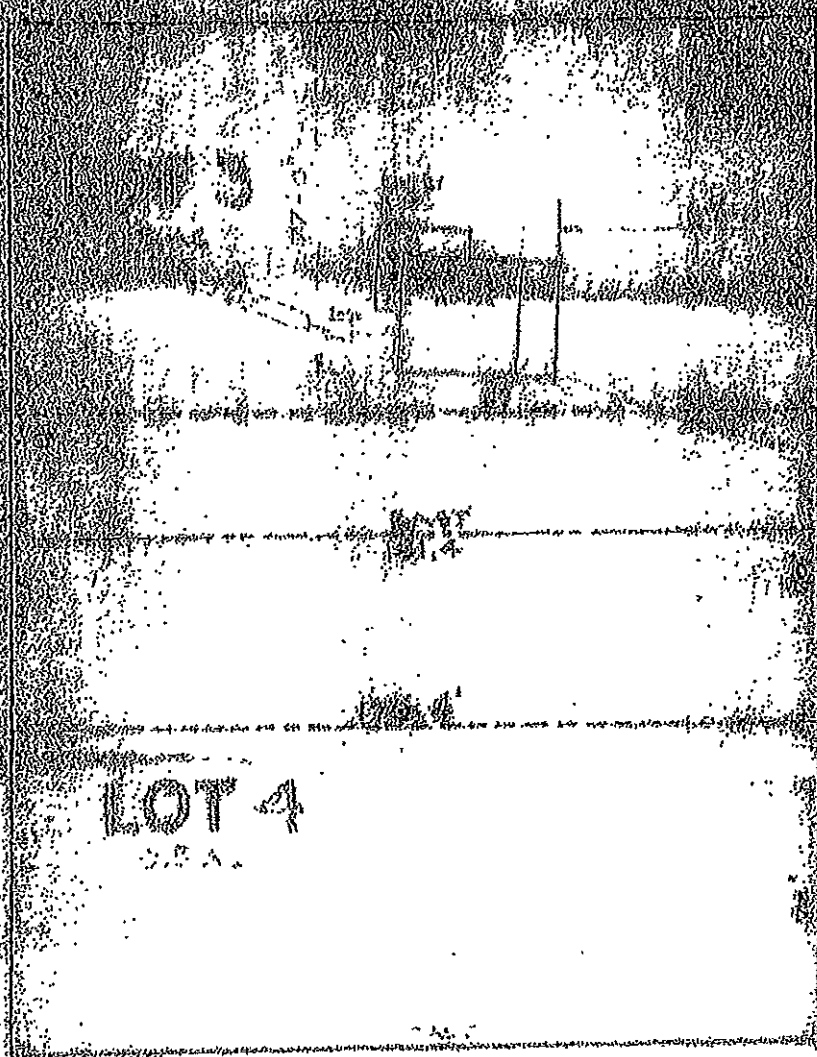
6. The Developer shall pay to the Municipality, at the time of execution of this agreement, the sum of One Thousand One Hundred and Seventy-five (\$1,175.00) DOLLARS.

It is understood and agreed that this sum is made up of Three Hundred and Seventy-five (\$375.00) DOLLARS being the estimated additional cost to the Municipality of providing water works, Five Hundred (\$500.00) DOLLARS as the additional sum required by the Municipality for the provision of drainage work, and Three Hundred (\$300.00) DOLLARS as the additional sum required by the Municipality for providing the park space required to properly service the subdivision.

7. The Developer shall provide the water works and drainage works on the land and provide the same in accordance with the Subdivision Plan, Schedule "A".

8. It is acknowledged that as a result of the Developer paying the funds hereinafter specified, the Municipality acknowledges that the development proposed will not create an additional cost to be borne by the Municipality at this time. It is also acknowledged by the parties hereto that the impact of the proposed development on present and future public works has to a large extent been eliminated as a result of the Developer providing the funds hereinafter specified and carrying out the works provided for in this Contract.

The Developer shall pay to the Municipality, in addition to the monies specified in section 6, and 11 hereof, in cash, at the time of the execution of this Agreement, the sum of One Thousand One Hundred and Seventy-five (\$1,175.00) DOLLARS for the new lot created by the subdivision more particularly shown in Schedule "A". It is understood and agreed that this sum is made up of Three Hundred and Seventy-five (\$375.00) DOLLARS being the estimated additional cost to the Municipality of providing water works, Five Hundred (\$500.00) DOLLARS as the additional sum required by the Municipality for the provision of drainage work, and Three Hundred (\$300.00) DOLLARS as the additional sum required by the Municipality for providing the park space required to properly service the subdivision.



LOT 4
S.E.A.

12' Road Reservation
[Signature]

1977
22.14 SEC. 207 71 11, 17, 19, 21
S.E.A. - 1 man 30 feet

APPROVED UNDER THE CONTROLLED
ACCESS HIGHWAYS ACT TMS 15
DAY OF August 1977
[Signature]
APPROVING OFFICER, MINISTRY OF
HIGHWAYS & PUBLIC WORKS

... of August, 1977.

... and ...
... in the presence of:

[Signature]

WARRETT N. ...
... 3439 SHUYAP AVE.
... SALMON ARIZONA

[Signature]
PENTTI EVERT NIINIKOSKI

ACCEPTED

APPROVED UNDER THE CONTROLLED
ACCESS HIGHWAYS ACT THIS 15
DAY OF August, 1977.

[Signature]
APPROVING OFFICER, MINISTRY OF
HIGHWAYS & PUBLIC WORKS

The Developer shall pay to the Municipality
the sum of \$100,000.00.

Whenever the Developer shall pay to the Municipality
the sum of \$100,000.00.

It is hereby acknowledged that the
Developer has made its representations, covenants and
agreements (verbal or otherwise) in writing in this
Agreement.

It is understood and agreed that the Municipality
has no obligation to provide any services, utilities or
other benefits to the Developer or its assigns which the
Developer has made its representations, covenants and
agreements (verbal or otherwise) in writing in this
Agreement in either case other than those listed
herein.

14. This Agreement shall be construed as complying
with the Land and shall be registered in the Land Registry
Office, Victoria, British Columbia by the Municipality pursuant
to the provisions of Section 702A(4) of the Municipal Act.

15. Whenever the singular or masculine is used
herein, the same shall be construed as meaning the plural,
feminine or body corporate or politic where the context or the
purposes so require.

16. Except as hereinafter provided this Agreement
shall enure to the benefit of and be binding upon the parties
hereto and their respective heirs, executors, successors and assigns.

I was personally present and did sign the instrument duly shown to me, and I am the subscribing witness to the said instrument and am of the legal age of years at the time of signing the same.

Witness my hand and seal at the City of Vancouver, in the Province of British Columbia, this 10th day of August, 1910.

Acknowledgment of Officer of a Corporation

I HEREBY CERTIFY that, on the 10th day of August, 1910, at Salmon Arm, in the Province of British Columbia, (where said corporation is incorporated), who is personally known to me and acknowledged to me that he is the Mayor of Salmon Arm, who subscribed his name to the annexed instrument as Mayor of Salmon Arm, and that he is the duly authorized officer of the said corporation, and affixed the seal of the said corporation to the said instrument, that he was first duly authorized to subscribe his name as aforesaid, and that the said corporation is legally entitled to hold and dispose of land in the Province of British Columbia.

IN TESTIMONY whereof I have hereunto set my Hand and Seal of Office, at Salmon Arm, in the Province of British Columbia, this 10th day of August, 1910.

[Signature]
 Mayor of Salmon Arm

Plan 771

Bellevue

R.O. 1352

Salmon

Bellevue

Notes:

Plan K

Notes reported:

LAND DESCRIPTION

Lots 1, 2, 3

Section 24

Twp. 20

Rge 10

W6m. K.D. 7

Plan 28370

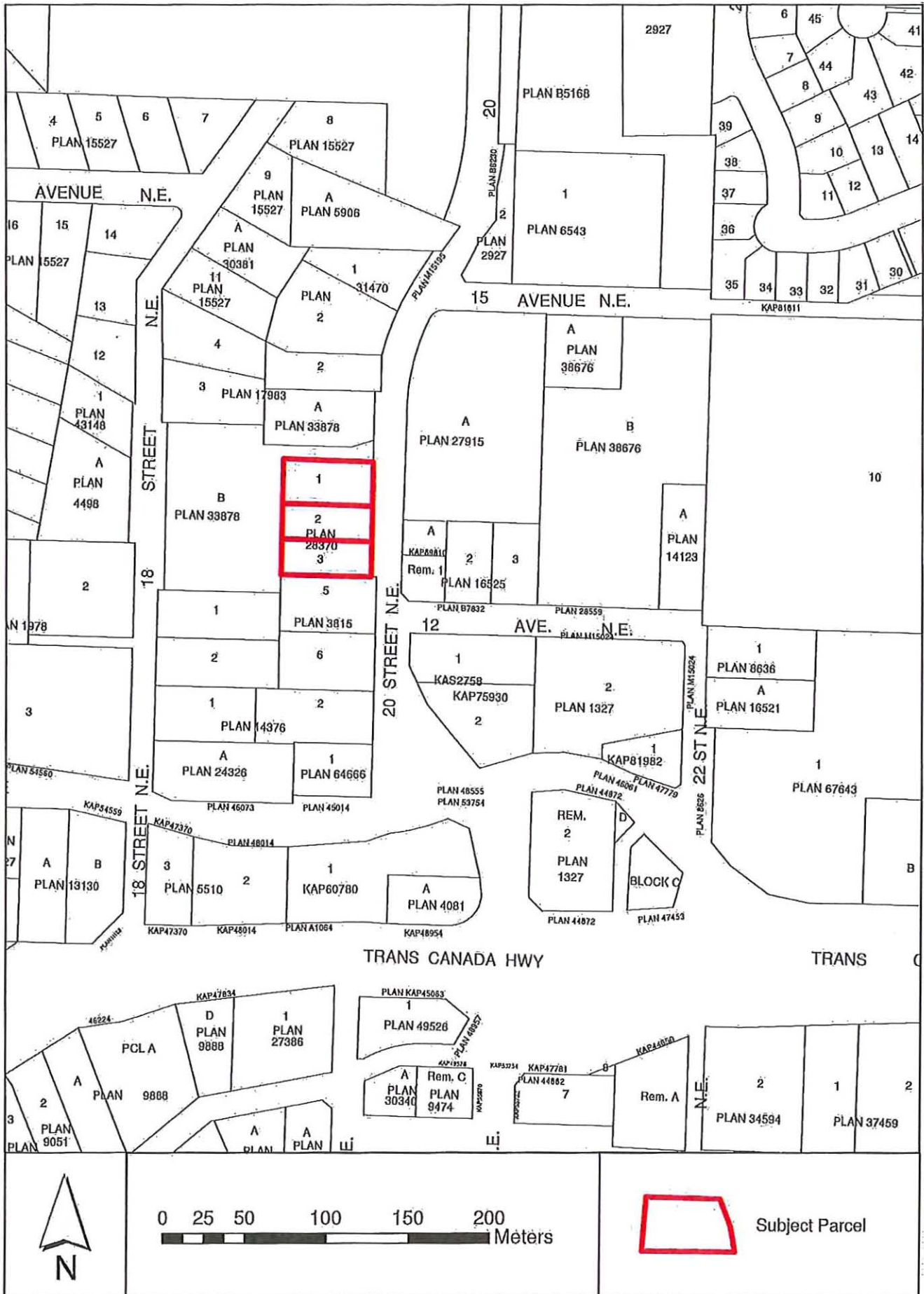
District of Salmon

Endorsements:

W.C. M 61302

1/17

MUNICIPAL ACT
SEC. 702 A



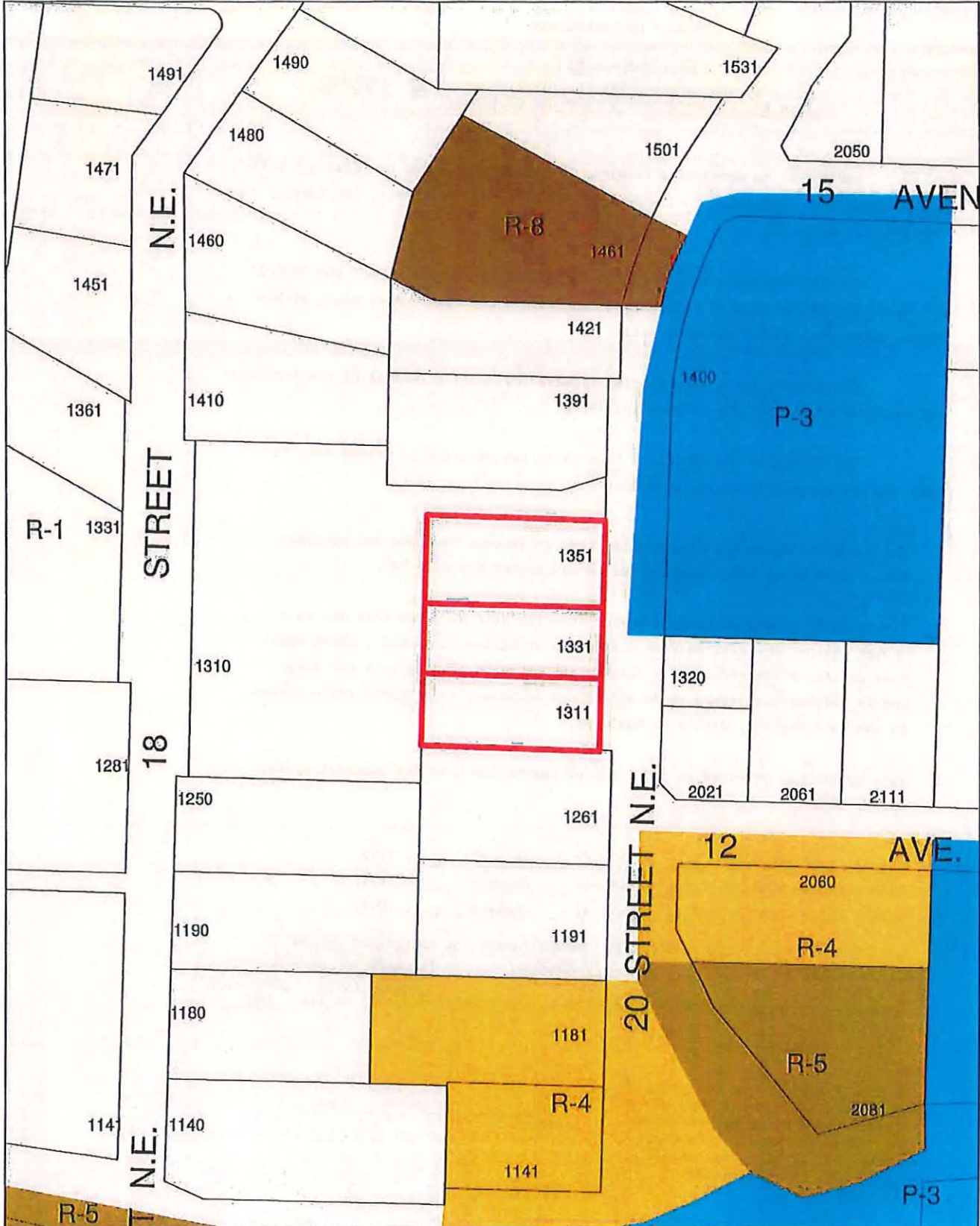
Provide Information Summary
eDAS File Number: 2020-00578

Details:

Date Submitted: Wednesday, April 29, 2020 08:58:26
Information Provided: Bylaw 4375
Reason: For approval

Attachments:

<u>Filename</u>	<u>File Description</u>	<u>Classification</u>
Bylaw 4375.pdf	Bylaw 4375	Document



0 5 10 20 30 40
 Meters



- R-1 Single Family Residential
- R-4 Medium Density Residential
- R-5 High Density Residential
- R-8 Single Family/ Secondary Suite Residential
- P-3 Institutional

DISTRICT OF SALMON ARM

BY-LAW NO. 1186

Being a by-law to authorize the District of Salmon Arm to enter into a Land Use Contract. M 17793

WHEREAS it is considered desirable to enter into a Land Use Contract with Hiller Homes Ltd. pertaining to the development of Lot 2, Plan 1511, NE¼ Section 13, Township 20, Range 10;

AND WHEREAS pursuant to Section 702A(3) of the Municipal Act the Council may, upon the application of an owner of land within the development area, or his agent, enter into a land use contract;

AND WHEREAS the public hearing required by Section 702A(6) of the Municipal Act was held on the 6th day of January, 1977;

NOW THEREFORE the Municipal Council of the District of Salmon Arm, in open meeting assembled, enacts as follows:-

1. The Mayor and Clerk are hereby authorized to execute the Land Use Contract with Hiller Homes Ltd. attached hereto and marked Schedule "A".
2. The Clerk is hereby authorized to register the said Land Use Contract as a charge against the aforementioned property of Hiller Homes Ltd., which shall have the force and effect of a restrictive covenant running with the land, and is further authorized to do all things necessary to complete registration in the Land Registry Office in Kamloops.
3. This by-law may be cited as "District of Salmon Arm Land Use Contract By-law No. 1, 1977".

READ A FIRST TIME this 24th day of January, 1977.

READ A SECOND TIME this 24th day of January, 1977.

READ A THIRD TIME this 24th day of January, 1977.

APPROVED BY THE PROVINCIAL HIGHWAYS MINISTRY under the ~~Controlled Access~~ Highways Act on the 25 day of MARCH, 1977. *[Signature]*

RECONSIDERED, FINALLY PASSED AND ADOPTED by the District Council on the 7th day of February, 1977. *[Signature]*

I HEREBY CERTIFY the foregoing to be a true and correct copy of By-Law No. 1186 cited as "District of Salmon Arm Land Use Contract By-Law No. 1, 1977" as adopted by Council on the 7th day of February, 1977.

[Signature]
Clerk

[Signature]
Mayor

[Signature]
Clerk

5819 0005.00 *[Signature]*

24
1
1

RECEIVED
DISTRICT OF SALMON ARM
FEB 28 1977



CONSENT

KNOW ALL MEN by these presents that:

CENTRAL MORTGAGE AND HOUSING CORPORATION of
Kelowna, British Columbia being

the holder of a charge by way of Mortgage registered
in the Land Registry Office at Kamloops under
Number M07503 against all and singular that certain parcel or
tract of land and premises being in the District of Salmon Arm
in the Province of British Columbia and known and described as:

LOT 3
Section 13
Township 20
Range 10
West of the 6th Meridian
Kamloops Division Yale District
PLAN 27623

In consideration of the sum of One Dollar (\$1.00) hereby agree and consents
to the registration of a Land Use Contract, made between the registered owner
of the said Lands and the District of Salmon Arm dated
the 31st day of December, 1976, against the aforementioned Lands in priority
to the said charge in the same manner and to the same effect as if it had been
dated and registered prior to the said charges.



CENTRAL MORTGAGE AND HOUSING CORPORATION

[Signature]
Director of Administration

STATUTORY DECLARATION OF ATTORNEYS

We, Thomas Bernard Smith and Joseph Rene Denis Fontaine

of the City of Vancouver in the Province of British Columbia,

SEVERALLY DO SOLEMNLY DECLARE:

1. That we are the attorneys for The Royal Bank of Canada.
2. That we are the persons who subscribed the name of The Royal Bank of Canada in the annexed instrument as the maker thereof.
3. That at the time of the execution of the said instrument the power of attorney had not been revoked by or on behalf of The Royal Bank of Canada and we had not received any notice or information of the bankruptcy or dissolution of The Royal Bank of Canada.
4. That we know the contents of the said instrument and subscribed the name of the said The Royal Bank of Canada thereto voluntarily as the free act and deed of the said The Royal Bank of Canada.

AND WE make this solemn declaration conscientiously believing it to be true, and knowing that it is of the same force and effect as if made under oath and by virtue of the "Canada Evidence Act".

SEVERALLY DECLARED before me at the City of Vancouver, in the Province of British Columbia,

this 10 day of February, A.D. 1977.

H. W. Henson
A Commissioner for taking Affidavits within British Columbia

H.W. HENSON

[Signature]

[Signature]

CONSENT

KNOW ALL MEN by these presents that:

THE ROYAL BANK OF CANADA of
Salmon Arm, British Columbia being
the holder of a charge by way of Mortgage registered
in the Land Registry Office at Kamloops under
Number M3567 against all and singular that certain parcel or
tract of land and premises being in the District of Salmon Arm
in the Province of British Columbia and known and described as:

✓

in consideration of the sum of One Dollar (\$1.00) hereby agrees and consents
to the registration of a Land Use Contract, made between the registered owner
of the said Lands and the District of Salmon Arm dated
the _____ day of _____ 1976, against the aforementioned Lands in priority
to the said charge in the same manner and to the same effect as if it had been
dated and registered prior to the said charges.

IN WITNESS WHEREOF The Royal Bank of Canada has caused these presents to be signed
by its duly authorized attorneys in that behalf at Vancouver, B.C. this 10th
day of February, A.D. 1977

SIGNED, SEALED AND DELIVERED
in the presence of:

THE ROYAL BANK OF CANADA
by its lawful attorneys:

V. Elise Carter
#49 - 1139 - 9th Avenue
Richmond, B.C.
Secretary

[Handwritten signature]

[Handwritten signature]

APPROVED
FOR
SIGNATURE
[Handwritten signature]

(Witness as to both signatures)

LAND USE CONTRACT

THIS AGREEMENT made the 1th day of February, A.D., 1977.

BETWEEN:

DISTRICT OF SALMON ARM, a municipal corporation having its place of business at 8640 Harris Street, Salmon Arm, in the Province of British Columbia;

(hereinafter called the "Municipality")

OF THE FIRST PART

AND:

HILLER HOMES LTD. a body corporate duly incorporated under the laws of British Columbia and having its chief place of business at 50 Avenue North East, Salmon Arm, in the Province of British Columbia;

(hereinafter called the "Developer")

OF THE SECOND PART

WHEREAS:

- A. The Municipality, pursuant to Section 702A of the Municipal Act, may, notwithstanding any by-law of the Municipality, or Section 712 or 713 of the Municipal Act, enter into a land use contract containing such terms and conditions for the use and development of land as may be agreed upon with a developer, and thereafter the use and development of the land shall be in accordance with the land use contract;
- B. The Municipal Act requires that the Municipal Council consider the criteria set out in Section 702(2) and 702A(1) in arriving at the terms, conditions and consideration contained in a land use contract;
- C. The Developer has presented to the Municipality a scheme of use and development of the within described lands and premises that would be in contravention of a by-law of the Municipality, of Section 712 or 713 of the Municipal Act or both, and has requested that the Council of the Municipality enter into this contract under the terms, conditions and for the consideration hereinafter set forth;
- D. The Council of the Municipality, having given due consideration to the criteria set forth in Sections 702(2) and 702A(1) of the Municipal Act, have agreed to the terms, conditions and consideration herein contained;

Registered the ^{APP 5 1977} Day of ^{February} 1977
 at the ^{Office of the Registrar} Office of the Registrar
 on the Application of ^{the Developer} the Developer

[Signature]

[Signature]

3 11 1977

- E. The land is within a radius of one-half mile of the intersection of a controlled access highway and another highway, and the approval of the Minister of Highways to the terms hereof must be obtained;
- F. The land is within a development area of the Municipality;
- G. The Municipality and the Developer both acknowledge that the Council of the Municipality could not enter into this agreement, until the Council held a public hearing in relation to this agreement, and considered any opinions expressed at such hearing, and unless at least two-thirds of all of the members of the Council present at the meeting at which the vote is taken and entitled to vote on the by-law, voted in favour of the by-law authorizing the Municipality to enter into this contract.

NOW THEREFORE THIS AGREEMENT WITNESSETH that in consideration of the premises and the conditions and covenants hereinafter set forth, the Municipality and the Developer covenant and agree as follows:

1. OWNER

The Developer is the registered owner of an estate in fee simple of all and singular that certain parcel or tract of land and premises, situate, lying and being in the District of Salmon Arm, in the Province of British Columbia, and being more particularly known and described as:

Lots 1, 2 and 3, Section 13, Township 20, Range 10, West of the 6th Meridian, Kamloops Division Yale District, Plan 27623
(formerly known as:

First: That part shown as Parcel "A" on Plan "B"7098 of Lot 2, except those parts included in Plans 7032 and 20121.

Secondly: Lot 2, except those portions: (1) shown as Parcel 30 on Plan "A"1064(2) included on Plans "B"7098 and 7032, All of Section 13, Township 20, Range 10, West of the 6th Meridian, Kamloops Division Yale District, Plan 1151, District of Salmon Arm.)

(hereinafter called the "Land")

2. CONSENTS

The Developer has obtained the consent of all persons having a registered interest in the Land as set out in the schedule prefacing the consents to the use and development set forth herein consents are attached hereto.

3. DEVELOPMENT

3.1 The Land is to be, or has been, subdivided strictly in accordance with the Plan of Subdivision annexed hereto as Schedule "A" (herein called the "First Subdivision") subject to the approval of the Approving Officer of the Municipality, which approval shall be, or has been, granted on compliance with the following conditions:

(a) The Developer shall sell and the Municipality shall purchase from the Developer the Lot shown as Lot 2 on the Plan of Subdivision of the First Subdivision for use as a school site, for the purchase price of \$40,000.00, and

(b) The Developer shall complete all services in connection with the frontage road shown lying to the North of the lot shown as Lot 1 on the Plan of Subdivision of the First Subdivision, such services to be completed to Municipal standards save and except only for paving, which is to be completed by the Developer in the manner hereinafter set forth and contained in paragraph 8 hereof, the services and standards are more particularly set out in Schedule "B";

Good Job

LAND USE CONTRACTSchedule of Persons Having a Registered Interest In the Land Whose Consents are Required

<u>Full Name</u>	<u>Address</u>	<u>Occupation</u>	<u>Nature of Charge</u>
Central Mortgage and Housing Corporation	Suite 202-Capri Office Tower, Kelowna, B.C.	Federal Government Lending Institution	First Mortgage
Royal Bank of Canada	P.O. Box 670, Salmon Arm, B.C.	Chartered Bank	Second Mortgage Debenture

- 3 -

provided that if the matter referred to in subparagraph 3.1 (a) has been completed, such approval shall be, or has been, granted on deposit by the Developer of the letter of credit referred to in paragraph 10 hereof, covering the cost of completion of the services referred to in subparagraph 3.1 (b) hereof.

3.2 It is agreed that upon completion of the First Subdivision the lot shown as Lot 3 on the Plan of Subdivision of the First Subdivision may be further divided into five lots strictly in accordance with the Plan of Subdivision annexed hereto as Schedule "B" (hereinafter called the "Second Subdivision") subject to the approval of the Approving Officer of the Municipality, which approval shall be granted on compliance with the following conditions:

(a) The Developer shall complete in accordance with Schedule "B", all services in connection with the road lying to the South of the lot shown as Lot 3 on the Plan of Subdivision of the First Subdivision known as Fifth Avenue, North East, save and except for paving which is to be completed by the Developer in the manner hereinafter set forth and contained in paragraph 8 hereof;

(b) The Developer shall complete in accordance with Schedule "B", all services in connection with the road running from the said Fifth Avenue, North East, through the lot shown as Lot 3 on the Plan of Subdivision of the First Subdivision, known as 24th Street, up to the lot known as Lot 5 on the Plan of Subdivision of the Second Subdivision, save and except only for paving which shall be done by the Developer in the manner hereinafter set forth and contained in paragraph 8 hereof;

(c) The Developer shall dedicate by the Plan of Subdivision of the Second Subdivision to the Municipality an eight foot strip lying to the North of and immediately adjacent to the said Fifth Avenue, North East, along the entire length of the said Lot 3;

(d) The Developer shall convey to the Municipality, for the sum of \$1.00, the lot shown as Lot 5 on the Plan of Subdivision of the Second Subdivision for drainage and park purposes;

(e) The Developer shall construct the off-site drainage facility in accordance with the plans and specifications and to the standards set out in Schedule "B";

provided that if the matters referred to in subparagraphs 3.2 (c) & 3.2 (d) hereof have been completed, such approval shall be granted on deposit by the Developer of the letter of credit referred to in paragraph 10 hereof, covering the cost of completion of services referred to in subparagraphs 3.2 (a), 3.2 (b) and 3.2 (e) hereof.

3.3 It has further been agreed between the Municipality and the Developer that the Developer may construct and develop on Lots 1, 2, 3 & 4 of the five lots created by the Second Subdivision, four separate and distinct condominium developments pursuant to the Strata Titles Act of British Columbia, subject always to statutory approvals (which said condominium developments are hereinafter called the "Condominium Developments"). The Condominium Developments shall be sited and developed in compliance with the site plan showing the siting of buildings and maximum densities permitted for each Condominium Development all as contained in Schedule "C". The first Condominium Development shall be constructed according to the plans and specifications for such development as set out in Schedule "C", except that it is agreed that it has been necessary for the Developer to construct a 4' X 8' meter room attaching to the closest building to the property line, which will

ESB J.D.

now cause the said building to be not more than 16' from the said property line. The siting of buildings and construction details for Condominium Developments 2, 3 and 4 may be varied or modified from the provisions of Schedule "C" but only on the written consent of the Municipality. It is understood and agreed that the Condominium Developments may either be sold to Purchasers for occupancy by those Purchasers, sold to Purchasers for rental purposes or retained by the Developer for rental purposes, in the discretion of the Developer.

3.4 The first of the Condominium Developments shall be constructed and developed on the lot shown as Lot 1 on the Plan of Subdivision of the Second Subdivision (which said Condominium Development is hereinafter called the "First Condominium Development"). The First Condominium Development shall be commenced by the Developer forthwith on receipt of building permits in that regard from the Municipality, and the Developer covenants and agreed that the First Condominium Development will be completed on or before November 1st, 1977.

3.5 The second, third and fourth of the Condominium Developments shall be constructed and developed on those lots shown as Lots 2, 3 & 4 on the Plan of Subdivision of the Second Subdivision respectively (and the Condominium Developments are hereinafter called the "Second Condominium Development", and "Third Condominium Development" and "Fourth Condominium Development" respectively). Subject to Mortgage funds being available and there being a demand for housing units of the type proposed for the Second Condominium Development, Third Condominium Development and Fourth Condominium Development, the Developer anticipate that these Condominium Developments will be commenced and completed on the following dates respectively:

(a) The Second Condominium Development - The Developer anticipates that the Second Condominium Development will be commenced on or before August 1st, 1978 and anticipates that it will be completed on or before January 1st, 1979;

(b) The Third Condominium Development - The Developer anticipates that the Third Condominium will be commenced on or before June 1st, 1979 and the Developer anticipates that it will be completed on or before November 1st 1979; and

(c) The Fourth Condominium Development - The Developer anticipates that the Fourth Condominium Development will be commenced on or before March 1st, 1980 and anticipates that it will be completed on or before September 1st, 1980.

The above dates for commencement and completion of the Second, Third and Fourth Condominium Development are to be taken as statements of the Developers present intent, and shall not be construed as binding commitments by the Developer.

3.6 Notwithstanding anything hereinbefore set forth and contained, it is understood and agreed that the Developer may, should he so desire, and subject to meeting Municipal requirements as herein set forth and contained, commence and complete the Condominium Developments as one entire project, rather than developing each of the Condominium

[Handwritten signatures]

Developments according to the time limits referred to in paragraphs 3.4 & 3.5 hereof.

3.7 The Municipality agrees, subject to the Developer's compliance with the terms hereof and all by-laws of the Municipality, to issue building permits to the Developer in respect of the units to be built in the First Condominium Development, forthwith on the Developer's execution hereof, providing however that no occupancy permits for the First Condominium Development will be issued by the Municipality to the Developer until those conditions for approval of the Plan of Subdivision of the Second Subdivision referred to in subparagraphs 3.2 (a), 3.2 (b), 3.2 (c), 3.2 (d) & 3.2 (e) hereof are duly complied with by the Developer, when the said occupancy permits will be issued if all other Municipal by-laws regarding occupancy have been otherwise complied with.

4. COMPLIANCE

Except as hereinafter specifically provided the Developer shall in his use and development of the Land comply with all of the by-laws of the Municipality.

5. EXTRA OFF-SITE COSTS

5.1 The Municipality acknowledges that as a result of the Developer paying the costs hereinafter specified, the proposed Development will not create an excessive cost to be borne by the Municipality at this time. It is further acknowledged by the parties hereto that the impact of the proposed development on present and future public costs has to a large extent been eliminated as a result of the Developer providing the funds hereinafter specified and carrying out the works provided for in this agreement.

5.2 The Developer shall pay to the Municipality in respect of all units contained in the First Condominium Development, and (if commenced prior to November 1st, 1977), in respect of the Second Condominium Development, an impost fee of \$500.00 per unit, it being understood and agreed that such impost fee is made up of the estimated additional costs to the Municipality of providing off-site waterworks and drainage works, and of acquiring park land essential to all new residential development. Notwithstanding the foregoing, it is agreed that the Developer shall be required to pay to the Municipality in cash, at the time of issuance of the building permits in respect of the First Condominium Development, and (if commenced prior to November 1st, 1977), in respect of the Second Condominium Development, the sum of \$100.00 per unit in each development, which said sum shall be applied by the Municipality toward payment of the aforesaid impost fee of \$500.00 per unit. It is understood and agreed that the Municipality has applied, or will apply under the Assisted Home Ownership Program of the Federal Government and the

Edw. J. [Signature]

Municipal Incentive Grant Program of the Provincial Government for grants totalling \$1,500.00 per unit to be developed by the Developer in the Condominium Developments. The Municipality agrees to notify the Developer in writing forthwith on notification from the Provincial and Federal Governments, as to whether or not the Municipality is eligible for the said grants. The Developer agrees that within Thirty days of receipt of notification from the Municipality that it is not eligible for the said grants, either in respect of the First Condominium Development or (if commenced prior to November 1st, 1977) the Second Condominium Development, as the case may be, the Developer will pay the balance of impost fees then owing (being \$400.00 per unit) for which building permits have been issued; provided however that should the Municipality be eligible for the said grants and receive same, then and in such an event, the Developer shall not be required to pay the balance of the said impost fees, being \$400.00 per unit in respect of which building permits have been issued.

5.3 Impost fees for the Second Condominium Development if commenced later than November 1st, 1977 and in respect of the Third and Fourth Condominium Developments shall be based upon the rate of Municipal impost fees in effect at the date of application for building permits in respect of those latter mentioned Condominium Developments; provided however that the Municipality agrees to consider reduction of such impost fees in the event that Provincial and/or Federal Government grants are obtained in respect of the Second, Third or Fourth Condominium Developments.

6. ON-SITE SERVICES

6.1 The Developer shall provide to each of the Condominium Developments at his sole expense, the on-site services more particularly set forth and contained in Schedule "D" hereto, which said on-site services shall be constructed by the Developer to the standards set forth and contained in the said Schedule "D" hereto.

6.2 It is understood and agreed that the said on-site services shall be constructed by the Developer in the course of construction by him of the respective Condominium Developments. No occupancy permit shall be granted for any Condominium Development until all on-site services have been completed for such development, save and except for landscaping and paving, which the Developer covenants and agrees to complete within one year of the completion of all other on-site services.

6.3 On-site services for each Condominium Development shall be located in accordance with Schedule "D" except where approval for modification is granted in writing by the Municipality.

6.4 The Developer specifically covenants and agrees to complete those on-site services indicated in yellow on Schedule "D" hereto

RSH Jd

(herein called the "Municipal On-Site Services") in the course of construction of the Condominium Developments to which such Municipal On-Site Services relate; that is to say that the Municipal On-Site Services relating to the First Condominium Development shall be completed in the course of construction of the First Condominium Development and the balance of the Municipal On-Site Services shall be constructed in the course of the construction of the balance of the Condominium Developments respectively.

7. OFF-SITE SERVICES

7.1 In connection with the Condominium Developments generally, the Developer shall provide and construct, at his sole expense, all the off-site services as more particularly set forth and contained in Schedule "E" hereto, which said off-site services shall be constructed by the Developer to the standards set forth and contained in the said Schedule "E" hereto.

7.2 Prior to approval by the Municipality of the Plan of Subdivision of the Second Subdivision, the Developer shall have completed those off-site services referred to in subparagraphs 3.2 (a) & 3.2 (b) hereof, which are also more particularly described in Schedule "B" hereto.

7.3 Prior to the issuance by the Municipality of any occupancy permit for the Second Condominium Development, the Developer shall have completed all off-site services as described in Schedule "E" hereto, except paving, which shall be completed by the Developer in the manner hereinafter set forth and contained, in paragraph 8 hereof, and in particular, the Developer shall have completed those off-site services on that portion of 24th Street, North East, lying between the school site to be located on Lot 2 of the Plan of Subdivision of the First Subdivision and the South boundary of Lot 5 on the Plan of Subdivision of the Second Subdivision.

8. PAVING

It is expressly provided however that all off-site highways shown on the Plans of Subdivision of the First and Second Subdivisions need not be paved until one year after completion of all other off-site servicing to be completed by the Developer in relation to the services to be located in such highway pursuant hereto and the Developer agrees to pave the said highway within one year of such date. In lieu of the above, the Developer agrees to pay to the Municipality at the time of execution of this agreement, the cost of paving such highways as estimated by the approving officer of the Municipality on the understanding that the Municipality shall, within the time periods above specified, pave the highways, and should the cost of paving exceed the amount of money deposited pursuant to this paragraph, the Developer shall pay the balance

CSA *Jed*

Municipality will notify the Bank upon which the said letter is drawn that the said letter of credit may be further reduced by an amount equal to:

(c) The amount referred to in subparagraph 10.3 (a) hereof; plus

(d) 85% of the amount referred to in subparagraph 10.3 (b) hereof;

so that the balance then remaining secured by the said letter of credit is equal to 15% of the total cost of paving; provided however that if the Developer does not duly maintain the said off-site services and complete paving during the said one year period, then and in such event, at the expiry of the said period, the Municipality may draw down the amounts referred to in subparagraphs 10.3 (a) & 10.3 (b) hereof remaining under the said letter of credit and apply same towards the costs of maintenance and paving, and should the cost of such maintenance and paving exceed the amount remaining under subparagraphs 10.3 (a) & 10.3 (b) hereof, the Developer shall pay the balance of the cost to the Municipality within thirty days of being invoiced therefore; and further provided that should the cost of maintenance and paving be less than the said amount remaining under the said letter of credit, the Municipality shall repay such excess amount to the Developer within thirty days of completing such maintenance and paving.

10.4 The amount referred to in subparagraph 10.3 (d), (being 15% of the total cost of paving) shall remain outstanding under the said letter of credit for a period of one year after the completion of paving to ensure maintenance of the said paving by the Developer and shall be reduced and discharged, or applied, as the case may be, in the manner referred to in paragraph 10.3 hereof.

10.5 Should the Developer not have completed those off-site services relating to that part of 24th Street, North East, lying between Lot 2 on the Plan of Subdivision of the First Subdivision prior to requiring occupancy permits for those units contained in the Second Condominium Development, then and in such event, the Municipality shall not issue such occupancy permits for units contained in the Second Condominium Development until the Developer has either completed the said off-site services or deposited with the Municipality a letter of credit for 100% of the cost of completing the said off-site services, to be held by the Municipality on the same terms and conditions as the letter of credit held by the Municipality pursuant to subparagraphs 10.1, 10.2, 10.3 and 10.4 hereof.

10.6 Prior to the issuance of building permits in respect of the individual Condominium Developments, the Developer shall either have completed that portion of the Municipal On-Site Services relating to the Condominium Developments in respect of which such building permits are requested, or the Developer shall have deposited with

John J. [Signature]

in an amount equal to 100% of the cost of the off-site services to be constructed by the Developer prior to the approval of the Plan of Subdivision of the Second Subdivision, in accordance with paragraph 3.1(b) and 3.2 hereof, which said letter of credit shall be held by the Municipality to ensure the performance by the Developer of all his covenants contained herein relating to the construction of such off-site services as set out in and according to the specifications contained in Schedule "E". Should the Developer fail to duly complete the said off-site services during the time and in the manner hereinbefore set forth and contained, then and in such event, the Municipality shall notify the Developer in writing of such default. If within thirty days of receipt of such notification the Developer has failed to remedy such default, the Municipality may, at its option, draw down on the said letter of credit to the extent required in order to remedy such default. Should the costs to the Municipality of remedying such default exceed the amount then secured by the letter of credit, then the Developer shall pay the amount of such deficiency to the Municipality forthwith on being invoiced therefore; provided however that should such costs be less than the amount secured by the letter of credit at that time, then any excess shall be returned by the Municipality to the Developer forthwith.

10.2 From time to time during the installation and construction of the said off-site services by the Developer, the Municipality agrees that it will notify the bank upon which the said letter of credit is drawn, when so requested by the Developer, that the amount secured by the said letter of credit may be reduced by an amount equal to the cost of such off-site services installed and constructed by the Developer to the satisfaction of the Municipality at that time.

10.3 When all off-site services required to be completed by the Developer pursuant to paragraph 3.1(b) and 3.2 hereof have been duly completed, the Municipality shall notify the Bank upon which the said letter of credit is drawn that the total amount secured by the said letter of credit may be reduced to an amount equal to:

- (a) 15% of the total cost of the said off-site servicing excluding paving; plus
- (b) The total cost of the said paving.

The sum referred to in subparagraphs 10.3 (a) & 10.3 (b) shall remain outstanding for a period of one year from the date of completion of the said off-site services to ensure that the Developer maintains the said off-site services and completes paving during that period. If the Developer duly maintains the said off-site services and completes the paving during the said one year period, then forthwith on the expiry thereof, the

John

of such costs to the Municipality within thirty days of being invoiced therefore, and should the costs of paving be less than the amount deposited by the Developer, the Municipality shall pay such excess amount to the Developer within thirty days of completion of the paving.

9. RIGHTS OF WAY AND EASEMENTS

9.1 The Developer shall, at his cost, cause plans of right-of-way or easements to be prepared by a British Columbia Land Surveyor which Plans shall set out all the rights-of-way or easements required over the Lands for the purpose of installing and maintaining the off-site and on-site services (and in particular, the Municipal On-Site Services) as set out in Schedules "D" and "E".

9.2 The Developer will assist and cooperate with the Municipality in obtaining rights-of-way or easements required by the Municipality in connection with the Condominium Developments from persons other than the Developer, provided however that if such rights-of-way or easements must be expropriated, then all costs in connection with the expropriation shall be the Developer's; provided however that should such other party demand an unconscionable sum for any such right-of-way or easement then the Municipality agrees to put the matter to arbitration in accordance with statutory provisions governing any such expropriation.

9.3 The Developer shall cause right-of-way agreements in the form of agreement set out in Schedule "F" hereto to be entered into by all of the owners or persons holding registered charges against the Land crossed by such rights-of-way (and in particular in respect of the Municipal On-Site Services) and will deliver the same up to the Municipality for registration in the Land Registry Office at Kamloops.

9.4 Any and all easements and rights-of-way required by the Municipality pursuant to this paragraph 9 shall be registered concurrently with the registration of the Plan of Subdivision of the Second Subdivision.

9.5 The Developer agrees to guarantee access to the water course contained in Lot 5 in the Plan of Subdivision of the Second Subdivision by way of a 10 foot walkway from 22nd Street, North East to such water course, such access to be in the form of document annexed hereto as Schedule "G".

10. SECURITY

10.1 Forthwith on execution of this agreement, the Developer shall deposit with the Municipality in respect of the Condominium Developments an irrevocable letter of credit in the form set forth in Schedule "H" hereto, drawn on a Chartered Bank of Canada

Paul J. [Signature]

the Municipality in respect of such portion of the Municipal On-Site Services, an irrevocable letter of credit in the form set forth in Schedule "H" hereto, drawn on a chartered bank of Canada in an amount equal to 100% of the cost of that portion of the Municipal On-Site Services. The said letter of credit shall be held by the Municipality to ensure the construction and installation by the Developer of that portion of the Municipal On-Site Services as set out in and according to the specifications contained in Schedule "D". The said letter of credit shall be held by the Municipality on the same terms and conditions as those relating to the letter of credit held by the Municipality pursuant to paragraphs 10.1, 10.2, 10.3 & 10.4 hereof. Further, on completion of that portion of the Municipal On-Site Services, the said letter of credit shall be reduced by 85% thereof, and the balance of 15% shall be held and applied by the Municipality on the same terms and conditions as the 15% holdback referred to in paragraph 10.3 hereof.

11. OWNERSHIP

All off-site works and services and the Municipal On-Site Services constructed by the Developer pursuant to the provisions of this contract shall upon their completion and final acceptance by the Municipality in writing, become the property of the Municipality free and clear of any claim by the Developer or any person claiming through the Developer and the Developer shall save harmless the Municipality from any such claim.

12. PLANS AND SPECIFICATIONS

The Developer shall construct to the satisfaction of the Municipality the on-site services and the off-site services strictly in accordance with the engineering plans and specifications annexed hereto as Schedule "D" and "E".

13. AS-BUILT DRAWINGS

The Developer covenants and agrees to:

13.1 Maintain all of the said off-site services to be built pursuant to this agreement in complete repair for a period of one year from the completion thereof to the satisfaction of the Municipal Engineer.

13.2 Remedy any defects appearing within a period of one year from the date of such completion of the said off-site services and pay for any damage to other property or work resulting therefrom save and except for defects caused by reasonable wear and tear, negligence of the Municipality, its servants or agents or acts of God;

13.3 The Developer agrees that if the works specified herein and in the Schedules hereto are not completed pursuant to the provisions of this contract, the Municipality may complete the works at the cost of the Developer and deduct from the security held by the

Ernest J. J.

Municipality the cost of such completion, and the balance of the security shall be returned to the Developer less any administration fees required. If there is no money on deposit or insufficient money on deposit with the Municipality, then the Developer will pay such cost or deficiency to the Municipality immediately upon receipt of invoice therefore and the Municipality may do such work either by itself or by contractors employed by the Municipality. If the works are completed as herein provided then the deposit less administration fees, shall be returned to the Developer.

14. ACCEPTANCE

The Municipality covenants and agrees that upon satisfactory completion by the Developer of all of the off-site services and the Municipal On-Site Services required to be constructed pursuant to this agreement, such services shall, provided the same are constructed according to the terms of this agreement including the Schedules hereto, be accepted by the Municipality and one year from the date of acceptance, provided the same have been maintained and are functioning properly, they shall be finally accepted by the Municipality and shall become the responsibility of the Municipality; provided the Municipality shall not be required to maintain the same to any greater extent than services of a like nature paid for out of the general Municipal revenue.

15. INSPECTION FEES

The Developer shall pay to the Municipality as inspection fees, the amount of \$20.00 per unit in each of the Condominium Developments.

16. LEGAL FEES

The Developer shall pay to the Municipality any legal costs incurred by the Municipality in the preparation or registration of this contract.

17. INCORPORATION

The Schedules "A" to "H" are hereby incorporated into and made a part of this Agreement.

18. REPRESENTATIONS

It is understood and agreed that the Municipality has made no representations, covenants, warranties, guarantees, promises or agreements (verbal or otherwise) with the Developer and the Developer has made no representations, covenants, warranties, guarantees, promises or agreements (verbal or otherwise) with the Municipality in either case other than those in the contract.

19. REGISTRATION

This agreement shall be construed as running with the Land and shall be registered in the Land Registry Office, Kamloops, British Columbia by the Municipality pursuant to the provisions of Section 702A(4) of the Municipal Act.

EBH JLD

20. INTERPRETATION

Whenever the singular or masculine is used herein, the same shall be construed as meaning the plural, feminine or body corporate or politic where the context or the parties so require.

21. BINDING

Except as hereinafter provided this Agreement shall enure to the benefit of and be binding upon the parties hereto and their respective heirs, executors, successors and assigns.

22. DISCHARGE

It is further understood and agreed by the parties hereto that upon acceptance by the Municipality of all of the off-site services required to be provided by the Developer and following the one year maintenance period and upon payment of all fees and charges required to be paid by the Developer and upon completion and issuance of occupancy permits of all the Condominium Developments contemplated by this Agreement this contract shall be discharged by the Municipality by the registration in the Land Registry Office at Kamloops of a Quit Claim Deed referring to the registration of this contract.

A public hearing on this contract was held on the 6th day of January, A.D., 1977.

THIS AGREEMENT WAS APPROVED by an affirmative vote of at least two-thirds of the members of the Council of the Municipality present at the meeting at which the vote is taken and entitled to vote on the by-law authorizing this contract on the 7th day of February, A.D., 1977.

IN WITNESS WHEREOF the said parties to this Agreement have hereunto set their hands and seals the day and year first above written.

THE CORPORATE SEAL OF THE DISTRICT OF SALMON ARM was hereunto affixed in the presence of:

Margaret Kenna
Mayor
[Signature]
Clerk

c/s

THE CORPORATE SEAL OF HILLER HOMES LTD. was hereunto affixed in the presence of:

[Signature]
Hiller
[Signature]
Pres.

c/s

APPROVED UNDER THE CONTROLLED ACCESS HIGHWAYS ACT THIS 25th DAY OF MARCH 1977

[Signature]
APPROVING OFFICER, MINISTRY OF HIGHWAYS & PUBLIC WORKS

THIS INSTRUMENT made the _____ day of _____, 197 _____

BETWEEN:

(hereinafter called the "Grantor")

OF THE FIRST PART

AND:

DISTRICT OF SALMON ARM,
a municipal corporation having
its offices at 8640 Harris Street,
Salmon Arm, British Columbia

(hereinafter called the "Grantee")

OF THE SECOND PART

WHEREAS the Grantor is the registered owner or is entitled to become the registered owner of an estate in fee simple of ALL AND SINGULAR those certain parcels or tracts of land and premises situate, lying and being in the District of Salmon Arm, in the Province of British Columbia and being more particularly known and described as:

(hereinafter called the "Lands of the Grantor")

AND WHEREAS to facilitate the installation of a system of sewerage works, and/or waterworks, and/or drainage works, and/or gas works including all pipes, valves, fittings and facilities in connection therewith and/or hydro electric works including all wires, conduits, poles and other facilities in connection therewith;

(hereinafter called the "Works")

The Grantor has agreed to permit the construction by the Grantee of the aforementioned Works on a portion of the said Land and to grant for that purpose the right-of-way hereinafter described;

John
Schedule "F" *John*

-2-

NOW THEREFORE THIS INDENTURE WITNESSETH that in consideration of the sum of
Dollars

(\$) of lawful money of Canada, now paid by the Grantee to the Grantor (the receipt and sufficiency of which is hereby acknowledged by the Grantor), and in consideration of the covenants and conditions hereinafter contained to be observed and performed by the Grantee and for other valuable consideration;

1.0 THE GRANTOR DOETH HEREBY:

1.1 Grant, convey, confirm and transfer, in perpetuity, unto the Grantee the full, free and uninterrupted right, license, liberty, privilege, permission and right-of-way to lay down, install, construct, entrench, operate, maintain, inspect, alter, remove, replace, bury, cleanse, string, and otherwise establish one or more systems of Works upon, over, under and across that part of the Land of the Grantor as shown outlined in red on Right-of-Way Plan number

(hereinafter called the "Perpetual Right-of-Way")

1.2 Covenant and agree to and with the Grantee that for the purposes aforesaid and upon, over, under and across the Perpetual Right-of-Way the Grantee shall for itself and its servants, agents, workmen, contractors and all other licensees of the Grantee together with machinery, vehicles, equipment, and materials be entitled at all times to enter, use, pass and repass, labour, construct, erect, install, dig, carry away soil or other surface or subsurface materials, clear of all trees, growth, buildings or obstruction now or hereafter in existence, as may be necessary, useful, or convenient in connection with the operations of the Grantee in relation to the Works;

1.3 Grant, convey, confirm and transfer unto the Grantee for itself, and its servants, agents, workmen, contractors and all other licensees of the Grantee together with machinery, vehicles, equipment and materials the right at all reasonable times to enter upon and to pass and repass over such of the Lands of the Grantor as may reasonably be required for the purpose of Ingress to and egress from the Perpetual Right-of-Way;

1.4 Grant, convey, confirm and transfer unto the Grantee for itself, and its servants, agents, workmen, contractors and all other licensees of the Grantee together with machinery, vehicles, equipment and materials for a period of days only from the date of this Agreement, the full, free and uninterrupted right, license, liberty, privilege, permission and right-of-way to enter upon, pass and repass, clear, labour, and use for the purpose of ingress and egress to and from the Perpetual Right-of-Way and for the purpose of storing machinery,

EMH *Jnd*

vehicles, equipment, material or supplies used or to be used in connection with the construction of the Works herein described, and for the purpose of placing or storing the surface or subsurface material to be excavated from the Perpetual Right-of-Way upon and over, but not under that part or parts of the Lands of the Grantor, shown outlined in green on Right-of-Way Plan number

(hereinafter called the "Working Right-of-Way")

Provided always, and it is hereby agreed that nothing herein contained shall permit the Grantee to dig, trench or otherwise disturb the subsurface of the Working Right-of-Way and the Grantee shall only clear such trees and growth and interfere and disturb the surface of the Working Right-of-Way in a manner that is reasonably necessary in the conduct of its operations thereon;

- 2.0 THE GRANTOR HEREBY COVENANTS TO AND AGREES WITH THE GRANTEE, as follows:
- 2.1 That the Grantor will not, nor permit any other person to erect, place, install or maintain any building, structure, mobile home, concrete driveway or patio, pipe, wire or other conduit on, over or under any portion of the Perpetual Right-of-Way so that it in any way interferes with or damages or prevents access to, or is likely to cause harm to Works authorized hereby to be installed in or upon the Perpetual Right-of-Way;
- 2.2 That the Grantor will not do nor knowingly permit to be done any act or thing which will interfere with or injure the said Works and in particular will not carry out any blasting on or adjacent to the Perpetual Right-of-Way without the consent in writing of the Grantee, provided that such consent shall not be unreasonably withheld;
- 2.3 That the Grantor will not substantially diminish the soil cover over any of the Works installed in the Perpetual Right-of-Way and in particular, without in any way limiting the generality of the foregoing, will not construct open drains or ditches along or across any of the Works installed in the Perpetual Right-of-Way;

ERH

Jed

-4-

- 2.4 That the Grantor will from time to time and at all times upon every reasonable request and at the cost of the Grantee do and execute or cause to be made, done or executed all such further and other lawful acts, deeds, things, devices, conveyances and assurances in law whatsoever for the better assuring unto the Grantee of the rights hereby granted.
- 3.0 THE GRANTEE HEREBY COVENANTS TO AND AGREES WITH THE GRANTOR, as follows:
- 3.1 That the Grantee will not bury any debris or rubbish of any kind in excavations or backfill, and will remove shoring and like temporary structures as backfilling proceeds;
- 3.2 That the Grantee will thoroughly clean all lands to which it has had access hereunder of all rubbish and construction debris created or placed thereon by the Grantee and will leave such lands in a neat and clean condition;
- 3.3 That the Grantee will, as soon as weather and soil conditions permit, and so often as it may exercise its right of entry hereunder to any of the Lands of the Grantor, replace the surface soil as nearly as may be reasonably possible to the same condition as it was prior to such entry, in order to restore the natural drainage to such lands. PROVIDED HOWEVER that nothing herein contained shall require the Grantee to restore any trees or other surface growth but the Grantee shall leave such lands in a condition which will not inhibit natural regeneration of such growth;
- 3.4 That the Grantee will, as far as reasonably possible, carry out all work in a proper and workmanlike manner so as to do as little injury to the Lands of the Grantor as possible;
- 3.5 That the Grantee will make good at its own expense all damage or disturbance which may be caused to the surface soil of the Lands of the Grantor in the exercise of its rights hereunder;
- 3.6 The Grantee will, as far as reasonably possible, restore any fences, lawns, flower beds, at its cost as nearly as may be reasonably possible to the same condition that they were in prior to any entry by the Grantee upon the Lands.

[Handwritten signatures]

- 4.0 THE PARTIES HERETO EACH HEREBY COVENANT TO AND AGREE WITH THE OTHER, as follows:
- 4.1 The said Works referred to above, together with all pipes, valves, conduits, wires, casings, fittings, lines, meters, appliances, facilities, attachments or devices used in connection therewith shall constitute the Works;
- 4.2 Notwithstanding any rule of law or equity to the contrary, the Works brought on to, set, constructed, laid, erected in, upon or under the Perpetual Right-of-Way by the Grantee shall at all times remain the property of the Grantee notwithstanding that the same may be annexed or affixed to the freehold and shall at any time and from time to time be removable in whole or in part by the Grantee;
- 4.3 In the event that the Grantee abandons the Works or any part thereof the Grantee may, if it so elects, leave the whole or any part thereof in place;
- 4.4 That no part of the title in fee simple to the soil shall pass to or be vested in the Grantee under or by virtue of these presents and the Grantor may fully use and enjoy all of the Lands of the Grantor subject only to the rights and restrictions herein contained;
- 4.5 That the covenants herein contained shall be covenants running with the land and that none of the covenants herein contained shall be personal or binding upon the parties hereto, save and except during the Grantor's seisin or ownership of any interest in the Lands of the Grantor, and with respect only to that portion of the Lands of the Grantor of which the Grantor shall be seised or in which he shall have an interest, but that the Lands of the Grantor, nevertheless, be and remain at all times charged therewith;
- 4.6 If at the date hereof the Grantor is not the sole registered owner of the Lands of the Grantor, this Agreement shall nevertheless bind the Grantor to the full extent of his interest therein, and if he shall acquire a greater or the entire interest in fee simple, this Agreement shall likewise extend to such after-acquired interests;

Robert J. [Signature]

4.7 Where the expression "Grantor" includes more than one person, all covenants herein on the part of the Grantor shall be construed as being several as well as joint;

4.8 This Agreement shall enure to the benefit of and be binding upon the parties hereto and their respective heirs, administrators, executors, successors and assigns as the case may be and wherever the singular or masculine is used, it shall be construed as if the plural or the feminine or neuter, as the case may be, had been used, where the parties or the context hereto so require and the rest of the sentence shall be construed as if the grammatical and terminological changes thereby rendered necessary had been made.

IN WITNESS WHEREOF the parties hereto have executed these presents in the manner and on the date hereinafter appearing.

SIGNED, SEALED AND DELIVERED by the Grantor this day of 197 In the presence of:

(Seal

Signature of Witness

Address

Occupation (as to all signatures of Grantor)

The Corporate Seal of the Grantor was hereunto affixed this day of 197 In the presence of:

(Seal

The Corporate Seal of the was hereunto affixed this day of 197 In the presence of:

(Seal

Margaret B. ... Mayor

Clerk

[Handwritten signature]

ACKNOWLEDGMENT OF MAKER

I HEREBY CERTIFY that, on the _____ day of _____, 19____, at _____, in the Province of British Columbia

(whose identity has been proved by the evidence on oath of _____), who is personally known to me, appeared before me and acknowledged to me that _____ the person mentioned in the annexed instrument as the maker thereof, and whose name _____ subscribed thereto as part that know the contents thereof, and that _____ executed the same voluntarily, and _____ of the full age of nineteen years.

IN TESTIMONY whereof I have herunto set my Hand and Seal of Office, at _____ in the Province of British Columbia, this _____ day of _____ 19____.

A Notary Public in and for the Province of British Columbia. A Commissioner for taking Affidavits for British Columbia.

Affidavit of Witness

PROVINCE OF BRITISH COLUMBIA TO WIT:

I, _____ of the _____ in the Province of British Columbia, make oath and say:

- 1. I was personally present and did see the within instrument duly signed and executed by the part _____ thereto, for the purposes named therein.
2. The said instrument was executed at _____
3. I know the said part _____, and that _____ of the full age of nineteen years.
4. I am the subscribing witness to the said instrument and am of the full age of sixteen years.

Sworn before me at _____ in the Province of British Columbia, this _____ day of _____, 19____.

A Notary Public in and for the Province of British Columbia. A Commissioner for taking Affidavits for British Columbia.

Acknowledgment of Officer of a Corporation

I HEREBY CERTIFY that, on the _____ day of _____, 19____, at _____, in the Province of British Columbia,

(whose identity has been proved by the evidence on oath of _____, who is) personally known to me, appeared before me and acknowledged to me that he is the _____ of _____, and that he is the person who subscribed his name to the annexed instrument as _____ of the said _____ and affixed the seal of the

to the said instrument, that he was first duly authorized to subscribe his name as aforesaid, and affix the said seal to the said instrument, and that such corporation is legally entitled to hold and dispose of land in the Province of British Columbia.

IN TESTIMONY whereof I have herunto set my Hand and Seal of Office, at _____ in the Province of British Columbia, this _____ day of _____ one thousand nine hundred and _____.

A Notary Public in and for the Province of British Columbia. A Commissioner for taking Affidavits for British Columbia.

CONSENT TO GRANT OF RIGHT-OF-WAY

KNOW ALL MEN BY THESE PRESENTS that

Is the registered holder of a charge by way of
against the within described property which said
charge is registered in the Land Registry Office, City of Kamloops,
under number , for and in consideration of the sum of One
Dollar (\$1.00) paid by the to the said Chargeholder
(the receipt whereof is hereby acknowledged), agrees with the

its successors and assigns, that the within Right-of-Way
shall be an encumbrance upon the within described property in priority
to the said charge in the same manner and to the same effect as if it
had been dated and registered prior to the said charge.

IN WITNESS WHEREOF the parties hereto have caused these
presents to be signed, sealed and delivered in the presence of or in
the presence of its duly authorized officers this day of
, 197

SIGNED, SEALED AND DELIVERED
by the Grantor this
day of 197
in the presence of:

Signature of Witness

Address

Occupation
(as to all signatures of
Grantor)

The Corporate Seal of the
Grantor was hereunto affixed
this day of
197 in the presence of:

(Seal

(Seal

THIS INDENTURE made the _____ day of _____, 197 .

BETWEEN:

HILLER HOMES LTD., Land Developer
of Salmon Arm, in the Province of
British Columbia

(hereinafter called the "Grantor")

OF THE FIRST PART

AND:

DISTRICT OF SALMON ARM,
a municipal corporation having
its offices at 8640 Harris Street,
Salmon Arm, British Columbia

(hereinafter called the "Grantee")

OF THE SECOND PART

WHEREAS the Grantor is the registered owner of an estate in fee simple of ALL AND SINGULAR those certain parcels or tracts of land and premises situate, lying and being in the District of Salmon Arm, in the Province of British Columbia and being more particularly known and described as:

Lot 4
Section 13
Township 20
Range 10
West of the Sixth Meridian
Kamloops Division
Yale District
Plan

(hereinafter called the "Lands of the Grantor")

AND WHEREAS the Grantee is the registered owner of an estate in fee simple of ALL AND SINGULAR those certain parcels or tracts of land and premises situate, lying and being in the District of Salmon Arm, in the Province of British Columbia and being more particularly known and described as:

Lot 5
Section 13
Township 20
Range 10
West of the Sixth Meridian
Kamloops Division
Yale District
Plan

(hereinafter called the "Lands of the Grantee")

SCHEDULE "G"

John J. Hiller

-2-

AND WHEREAS the Grantor has by land use contract agreed to grant to the Grantee a right-of-way in perpetuity to permit the Grantee access from 22nd Street north-east to the Lands of the Grantee, across the Lands of the Grantor;

NOW THEREFORE THIS INDENTURE WITNESSETH that in consideration of the sum of One-----Dollar (\$ 1.00) of lawful money of Canada, now paid by the Grantee to the Grantor (the receipt and sufficiency of which is hereby acknowledged by the Grantor), and in consideration of the covenants and conditions hereafter contained to be observed and performed by the Grantee and for other valuable consideration:

1.0 THE GRANTOR DOETH HEREBY:

1.1 Grant, convey, confirm and transfer, in perpetuity, unto the Grantee, its successors and assigns, the owner for the time being of the Lands of the Grantee and its employees, agents, servants, workmen, citizens, and all other persons, at all times by day or night, with or without motor vehicles of any and all description, the full, free and un-interrupted right, license, liberty, privilege, permission and right-of-way to enter, use, go, return, pass-over and on that portion of the Lands of the Grantor more particularly shown outlined in red on plan annexed hereto (hereinafter called the "Right-of-Way") for the purpose of gaining access to the Lands of the Grantee.

2.0 THE GRANTOR HEREBY COVENANTS TO AND AGREES WITH THE GRANTEE, as follows:

2.1 That the Grantor will not, nor permit any other person to erect, place, install or maintain any building, structure, or obstruction over or under any portion of the Right-of-Way so that it in any way interferes with or damages or prevents access to the Right-of-Way or any Works installed upon the Right-of-Way by the Grantee.

3.0 THE GRANTEE HEREBY COVENANTS TO AND AGREES WITH THE GRANTOR, as follows:

3.1 The Grantee shall keep the Right-of-Way clean and free of rubbish;

4.0 THE PARTIES HERETO EACH HEREBY COVENANT TO AND AGREE WITH THE OTHER, as follows:

4.1 The Grantee may fence the Right-of-Way and if the Right-of-Way is so fenced the Grantee shall maintain the fence;

4.2 The Grantee may, if it so desires, pave the Right-of-Way and if it does it shall maintain the pavement;

EBA Ltd

- 4.3 That no part of the title in fee simple to the soil shall pass to or be vested in the Grantee under or by virtue of these presents and the Grantor may fully use and enjoy all of the Lands of the Grantor subject only to the rights and restrictions herein contained;
- 4.4 That the covenants herein contained shall be covenants running with the Land and that none of the covenants herein contained shall be personal or binding upon the parties hereto, save and except during the Grantor's seisin or ownership of any interest in the Lands of the Grantor, and with respect only to that portion of the Lands of the Grantor of which the Grantor shall be seised or in which he shall have an interest, but that the Lands of the Grantor, nevertheless, be and remain at all times charged herewith;
- 4.5 This Agreement shall enure to the benefit of and be binding upon the parties hereto and their successors and assigns, and their heirs and administrators respectively;
- 4.6 This Indenture shall be construed into a covenant running with the Land.

IN WITNESS WHEREOF the parties hereto have executed these presents in the manner and on the date hereinafter appearing.

SIGNED, SEALED AND DELIVERED by)
 the Grantor this day of)
 , 197)
 In the presence of:)
 Name:)
 Address:)
 City:)
 Occupation:)
 (as to all signatures of)
 Grantor))

(Seal)

THE CORPORATE SEAL OF THE)
 GRANTOR was hereunto affixed)
 this day of)
 197 in the presence of:)

(Seal)

THE CORPORATE SEAL OF THE)
 DISTRICT OF SALMON ARM was)
 hereunto affixed this)
 day of , 197)
 In the presence of:)

(Seal)

Margaret Lund
 Mayor
[Signature]
 Clerk

DATED: _____

BETWEEN:
ELMER BENNIE HILLER

AND:
DISTRICT OF SALMON ARM

RIGHT-OF-WAY AGREEMENT

J. GALT WILSON
Barrister and Solicitor

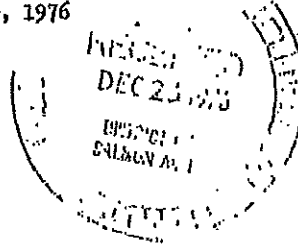
#1 - 246 Lawrence Avenue
Kelowna, B.C. V1Y 6L3



THE ROYAL BANK OF CANADA

INTERNATIONAL CENTRE
P.O. BOX 1113
VANCOUVER, BRITISH COLUMBIA V6B 3P3

December 20, 1976



The Corporation of the District of Salmon Arm
P.O. Box 40
Salmon Arm, B.C.

Dear Sirs:

IRREVOCABLE COMMERCIAL LETTER OF CREDIT NO. 4990/G23

We hereby authorize you to draw on THE ROYAL BANK OF CANADA, INTERNATIONAL CENTRE, VANCOUVER, B.C. V6B 3P3, for account of Hiller Homes Ltd., Salmon Arm, B.C. up to an aggregate amount of C\$134,500.00 (ONE HUNDRED AND THIRTY-FOUR THOUSAND, FIVE HUNDRED CANADIAN DOLLARS) available by drafts at sight for 100% of value.

COVERING SERVICES TO PARCEL "A" ON PLAN "B" 7098 OF LOT 2, EXCEPT PARTS INCLUDED IN PLANS 7032 AND 20121 AND LOT 2 EXCEPT THOSE PORTIONS:
1. SHOWN AS PARCEL 30 ON PLAN "A" 1064
2. INCLUDED ON PLANS "B" 7098 AND 7032 ALL OF S 13, T 20, R 10, PLAN 1511.

1. Drawings are to be made in writing to THE ROYAL BANK OF CANADA, INTERNATIONAL CENTRE, VANCOUVER, B.C.
2. Partial drawings may be made.
3. The bank will not inquire as to whether or not the Corporation has a right to make demand on the Letter of Credit.
4. This Letter of Credit is irrevocable up to the expiry date.

DRAFTS MUST BE DRAWN AND NEGOTIATED NOT LATER THAN DECEMBER 31, 1977.

The drafts drawn under this Credit are to be endorsed hereon and shall state on their face that they are drawn under THE ROYAL BANK OF CANADA, INTERNATIONAL CENTRE, VANCOUVER, B.C. Letter of Credit No. 4990/G23.

Countersigned,

Yours truly,

I.J. Jenkins
I.J. Jenkins
Letters of Credit Officer

I.M. Dunlop
I.M. Dunlop
Assistant Manager
Letters of Credit Department

kt.

Shed
Schedule "H"

FORM NO. 206 ACKNOWLEDGMENT BY OFFICER OF A CORPORATION.

Acknowledgment of Officer of a Corporation

I HEREBY CERTIFY that on the 21st day of March, 1977,
 at Salmon Arm, Kootenai, in the Province of British Columbia,
 (whose identity has been proved by the evidence on-
 oath of Mayor Frank Spence, who is personally known to me,
 appeared before me and acknowledged to me that Frank Spence is the Mayor and Clerk of
 District of Salmon Arm, and that the persons
 who subscribed his name to the annexed instrument as Mayor and Clerk respectively of the said
 District of Salmon Arm, and affixed the seal of the
 said District of Salmon Arm
 to the said instrument, that he is duly authorized to subscribe his name as aforesaid, and affix the said seal to
 the said instrument, and that such corporation is legally entitled to hold and dispose of land in the Province of
 British Columbia.

IN TESTIMONY whereof I have hereunto set my Hand and Seal of Office,
 at Salmon Arm, Kootenai in the Province of
 British Columbia, this 21st day of March
 one thousand nine hundred and seventy-seven

N. BRUCE KULLA
 400-163 Seymour St.
 Kamloops, B. C.
 Notary & Solicitor

[Signature]
 Notary Public in and for the Province of British Columbia
 A Commissioner for taking Affidavits for British Columbia

NOTE—WHERE THE PERSON MAKING THE STATEMENT IS PERSONALLY KNOWN TO THE OFFICER TAKING THE SAME, STRIKE OUT THE WORDS IN BRACKETS.

Acknowledgment of Maker

I HEREBY CERTIFY that, on the _____ day of _____, 19____, at _____, in the Province of British Columbia

(whose identity has been proved by the evidence on oath of _____), who is personally known to me, appeared before me and acknowledged to me that _____ the person mentioned in the annexed instrument as the maker thereof, and whose name _____ subscribed thereto as part that know the contents thereof, and that _____ executed the same voluntarily, and _____ of the full age of nineteen years.

IN TESTIMONY whereof I have hereunto set my Hand and Seal of Office, at _____ in the Province of British Columbia, this _____ day of _____ 19____.

A Notary Public in and for the Province of British Columbia.
A Commissioner for taking Affidavits for British Columbia.

Affidavit of Witness

PROVINCE OF BRITISH COLUMBIA
TO WIT:

I, _____, of the _____, in the Province of British Columbia, make oath and say:

1. I was personally present and did see the within instrument duly signed and executed by _____ the part thereof, for the purposes named therein.
2. The said instrument was executed at _____
3. I know the said part _____, and that _____ of the full age of nineteen years.
4. I am the subscribing witness to the said instrument and am of the full age of sixteen years.

Sworn before me at _____ in the Province of British Columbia, this _____ day of _____, 19____.

A Notary Public in and for the Province of British Columbia.
A Commissioner for taking Affidavits for British Columbia.

Acknowledgment of Officer of a Corporation

I HEREBY CERTIFY that, on the 25th day of March AD, 1977, at _____, in the Province of British Columbia,

Elmer Bennie Hulen (whose identity has been proved by the evidence of _____) personally known to me, appeared before me and acknowledged to me that he is the President of Hulen Homes Ltd. and that he is the person who subscribed his name to the annexed instrument as President of the said Company and affixed the seal of the Company.

to the said instrument, that he was first duly authorized to subscribe his name as aforesaid, and affix the said seal to the said instrument, and that such corporation is legally entitled to hold and dispose of land in the Province of British Columbia.

IN TESTIMONY, whereof I have hereunto set my Hand and Seal of Office, at Kelowna, British Columbia in the Province of British Columbia, this 25th day of March AD, 1977.

N. BRUCE KULLA
400-198 Seymour St.
Kelowna, B. C.
Notary Public

[Signature]
A Commissioner for taking Affidavits for British Columbia.

NOTE: WHERE THE PERSON MAKING THE ABOVE STATEMENT IS PERSONALLY KNOWN TO THE OFFICER TAKING THE SAME, BY _____ OF THE WORDS IN BRACKETED PLACE MAY BE OMITTED.



THE ROYAL BANK OF CANADA

INTERNATIONAL CENTRE
P.O. BOX 1111
VANCOUVER BRITISH COLUMBIA V6E 3P1

December 20, 1976

The Corporation of the District of Salmon Arm
P.O. Box 140
Salmon Arm, B.C.

Dear Sirs:

IRREVOCABLE COMMERCIAL LETTER OF CREDIT NO. 4990/G24

We hereby authorize you to draw on THE ROYAL BANK OF CANADA, INTERNATIONAL CENTRE, VANCOUVER, B.C. V6E 3P1, for account of Hillel Homes Limited, Salmon Arm, B.C. up to an aggregate amount of CAN\$36,000.00 (THIRTY-SIX THOUSAND CANADIAN DOLLARS) available by drafts at sight for 100% of value.

COVERING SERVICES TO PARCEL "A" ON PLAN "B" 7098 OF LOT 2, EXCEPT PARTS INCLUDED IN PLANS 7032 AND 20121 AND LOT 2 EXCEPT THOSE PORTIONS:

1. SHOWN AS PARCEL 30 ON PLAN "A" 1064
2. INCLUDED ON PLANS "B" 7098 AND 7032 ALL OF S13, T 20, R 10, PLAN 1511.

1. Drawings are to be made in writing to THE ROYAL BANK OF CANADA, INTERNATIONAL CENTRE, VANCOUVER, B.C.
2. Partial drawings may be made.
3. The bank will not inquire as to whether or not the Corporation has a right to make demand on the Letter of Credit.
4. This Letter of Credit is irrevocable up to the expiry date.

DRAFTS MUST BE DRAWN AND NEGOTIATED NOT LATER THAN DECEMBER 31, 1977.

The drafts drawn under this Credit are to be endorsed Henson and shall state on their face that they are drawn under THE ROYAL BANK OF CANADA, INTERNATIONAL CENTRE, VANCOUVER, B.C. Letter of Credit No. 4990/G24.

Countersigned,

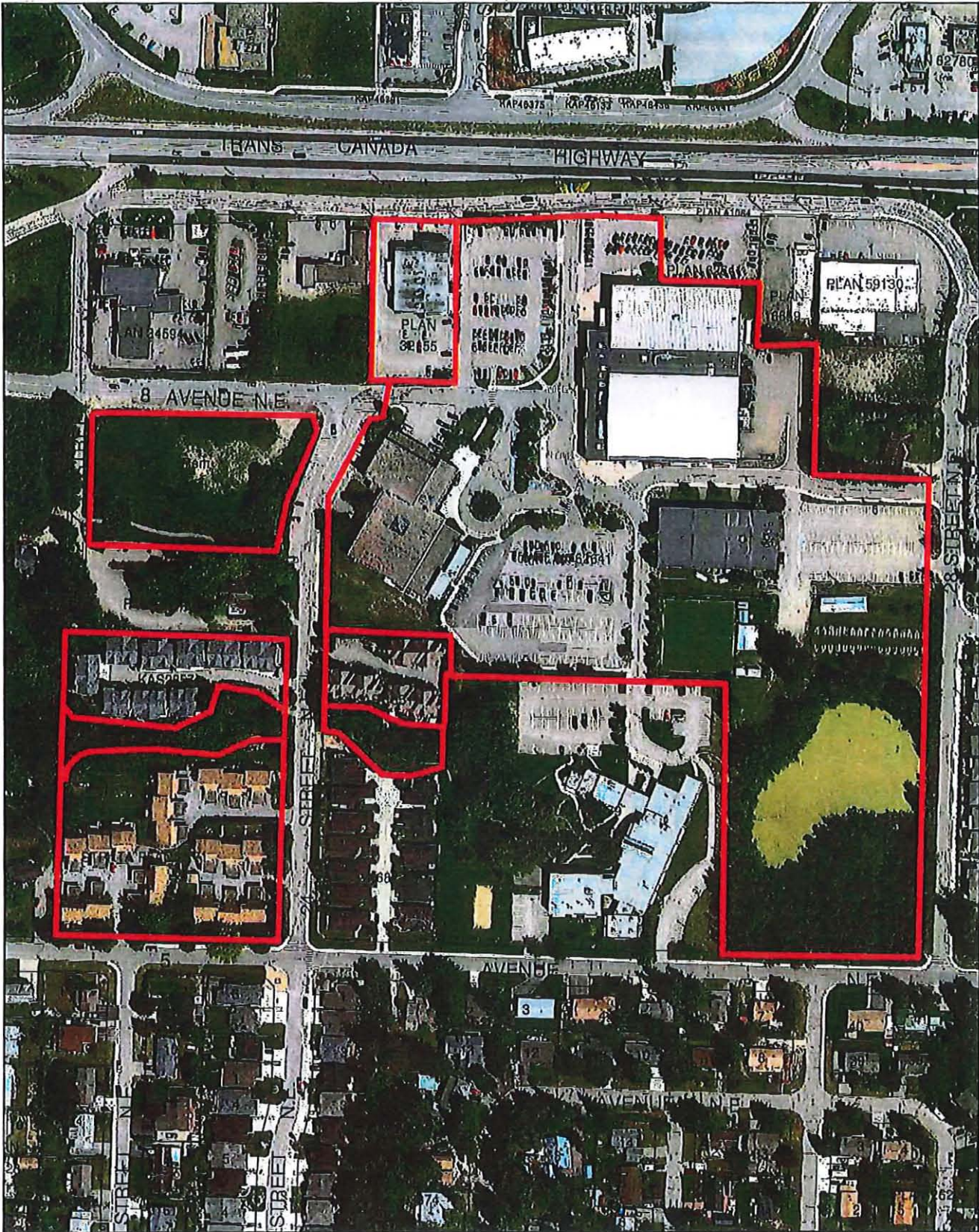
E.J. Jenkins
E.J. Jenkins
Letters of Credit Officer

kt/

Yours truly,

I.M. Dunlop
I.M. Dunlop
Assistant Manager
Letters of Credit Department

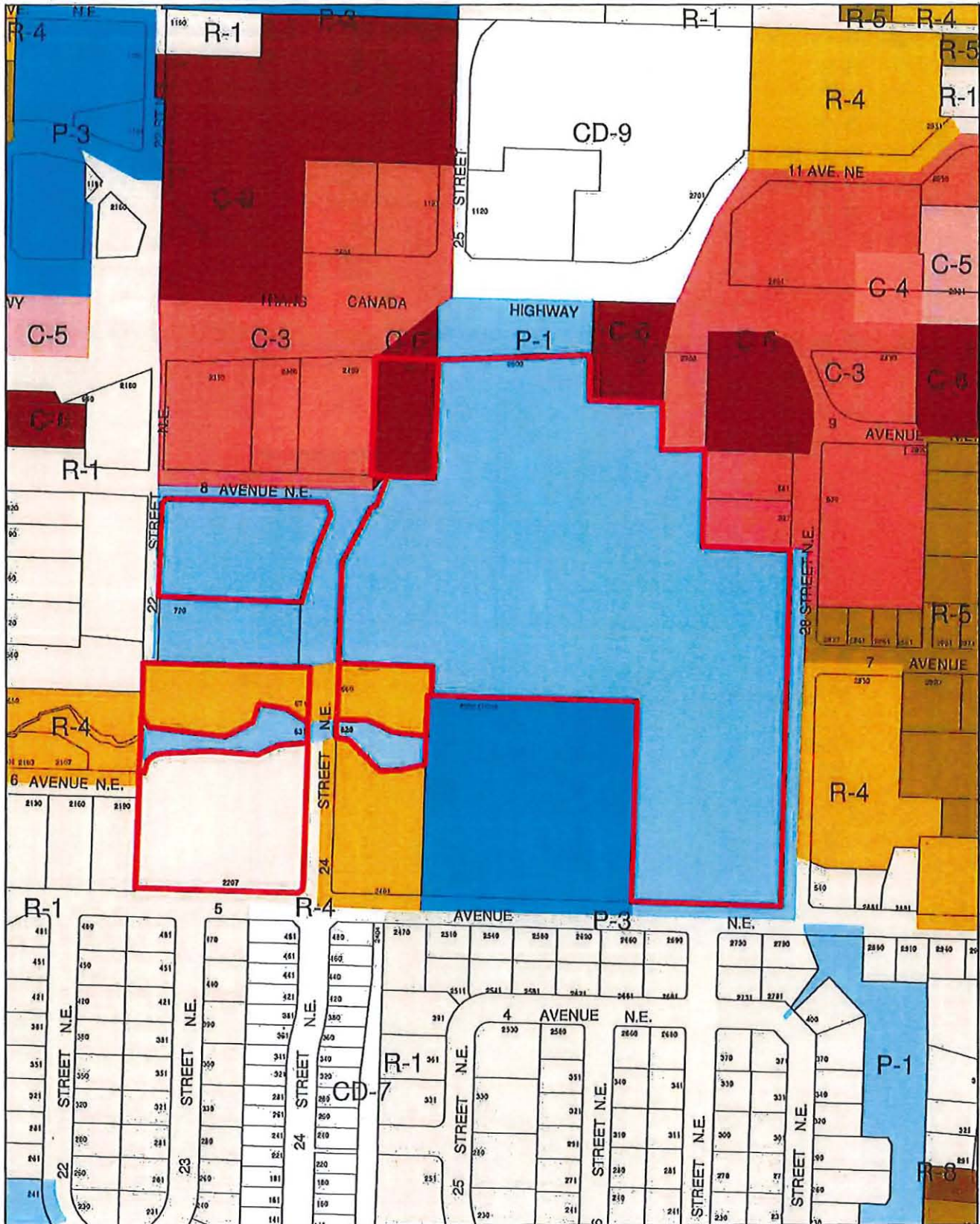
Jed *P. J. A. A.*



0 25 50 100 150 200 Meters



Subject Parcel



0 1530 60 90 120
Meters



- | | |
|--------------------------------|-----------------------------------|
| P-1 Park & Recreation | P-3 Institutional |
| R-1 Single Family Residential | C-5 Tourist Commercial |
| R-4 Medium Density Residential | C-6 Tourist Recreation Commercial |

Appendix 10

LAND USE CONTRACT

THIS AGREEMENT made the 9th day of *September*, 1977,

BETWEEN:

DISTRICT OF SALMON ARM, a municipal corporation having its place of business at 8640 Harris Street, Salmon Arm, in the Province of British Columbia,

(hereinafter called the "Municipality")

OF THE FIRST PART

AND:

RALPH EDMUND LUND, "Forester",
General Delivery,
Canoe, B.C.,

(hereinafter called the "Developer")

OF THE SECOND PART

WHEREAS the Municipality, pursuant to Section 702A of the Municipal Act, may, notwithstanding any by-law of the Municipality, or Section 712 or 713 of the Municipal Act, enter into a land use contract containing such terms and conditions for the use and development of land as may be agreed upon with a developer, and thereafter the use and development of the land shall be in accordance with the land use contract;

AND WHEREAS the Municipal Act requires that the Municipal Council consider the criteria set out in Section 702(2) and 702A(1) in arriving at the terms, conditions and considerations contained in a land use contract;

AND WHEREAS the Council of the Municipality, having given due consideration to the criteria set forth in Sections 702(2) and 702A(1) of the Municipal Act, have agreed to the terms, conditions and considerations herein contained;

AND WHEREAS if the land is within a radius of one-half mile of the intersection of a controlled access highway and another highway, the approval of the Minister of Highways to the terms hereof must be obtained;

AND WHEREAS the land is within a development area of the Municipality;

SWARTZ, BRECHAM & KIEHLBAUGH
BARRISTERS & SOLICITORS
Box 190, SALMON ARM, B.C.
Phone: 832-2173
DISTRICT OF SALMON ARM
Nominal
LAND USE CONTRACT

Ralph Edmund Lund

- 2 -

AND WHEREAS the Municipality and the Developer both acknowledge that the Council of the Municipality could not enter into this Agreement until the Council held a public hearing in relation to this Agreement, and considered any opinions expressed at such hearing, and unless at least two-thirds of all of the members of the Council present at the meeting at which the vote is taken and entitled to vote on the by-laws voted in favour of the by-law authorizing the Municipality to enter into this Contract;

NOW THEREFORE THIS AGREEMENT WITNESSETH that in consideration of the premises and the conditions and covenants hereinafter set forth, the Municipality and the Developer covenant and agree as follows:

1. The Developer is the registered owner of an estate in fee simple of all and singular that certain parcel or tract of land and premises, situate, lying and being in the District of Salmon Arm, in the Province of British Columbia, and being more particularly known and described as:

Lot "A"
Section 5
Township 21
Range 9
West of the 6th Meridian
Kamloops Division Yale District
Plan 13942
District of Salmon Arm

Hereto is annexed Easement 107231E over that part of Lot 2, Plan 1795 shown outlined in green on Plan 13942, see 261487F

(hereinafter called the "Land")

CONSENTS

2. The Developer has obtained the consent of all persons having a registered interest in the Land as set out in the schedule prefacing the consents to the use and development set forth herein which consents are attached hereto.

DEVELOPMENT

3. The Land may be subdivided strictly in accordance with the Plan of Subdivision annexed hereto as Schedule "A" subject to the approval of the Approving Officer of the Municipality.

COMPLIANCE

4. Except as hereinafter specifically provided, the Developer shall in his use and development of the Land comply with all of the by-laws of the Municipality.

EXTRA OFF-SITE COSTS

5. It is acknowledged that as a result of the Developer paying the funds hereinafter specified, the Municipality acknowledges that the development proposed will not create an excessive cost to be borne by the Municipality at this time. It is further acknowledged by the parties

- 3 -

hereto that the impact of the proposed development on the present and future public costs has to a large extent been eliminated as a result of the Developer providing the funds hereinafter specified and carrying out the works provided for in this Contract, and providing the restrictive covenants as herein provided. The Developer shall pay to the Municipality, in cash, at the time of the execution of this Agreement the sum of THREE HUNDRED (\$300.00) DOLLARS for new lot created by the subdivision more particularly shown in Schedule "A", it being understood and agreed that this sum is required by the Municipality as impost fee which has been set by by-law of the Municipality. The District further agrees that it will bear the cost of that portion of the survey required to plant the Iron post referred to on Schedule "A" denoted as witness iron post.

ON-SITE
SERVICES

6. The parties agree that there are no on-site services required to be provided by the Developer, and the Developer agrees to provide at his own expense a restrictive covenant in accordance with Section 24(a) of the Land Registry Act for the purpose of restricting further subdivision of the land, and further, to provide that no future demand shall be made by any owner of the land to extend any services of the District to the land which have not as of the date of this Agreement already been extended to the land, the that attached hereto and marked Schedule "B" is the restrictive covenant to give effect to the same.

OFF-SITE
SERVICES

7. There are no off-site services required.

ACCESS

8. The Developer covenants and agrees that there shall be no cost to the Municipality for any driveways required by the Developer to provide access to the two parcels to be created by the subdivision plan.

INSPECTION
FEE

9. The Developer shall pay to the Municipality any legal costs incurred by the Municipality in the preparation and registration of this Contract.

INCORPORATION

10. The Schedules "A" and "B" are hereby incorporated into and made a part of this Agreement.

REPRESENTATIONS

11. It is understood and agreed that the Municipality has made no representations, covenants, warranties, guarantees, promises or agreements (verbal or otherwise) with the Developer and the Developer has made no representations, covenants, warranties, guarantees, promises or agreements (verbal or otherwise) with the Municipality in either case other than those in this Contract.

REGISTRATION

12. This Agreement shall be construed as running with the Land and shall be registered in the Land Registry Office, Kamloops, British Columbia, by the Municipality pursuant to the provisions of Section 702A(4) of the Municipal Act.

INTERPRETATION

13. Whenever the singular or masculine is used herein, the same shall be construed as meaning the plural, feminine or body corporate or politic where the context or the parties so require.

BINDING

14. Except as hereinafter provided, this Agreement shall enure to the benefit of and be binding upon the parties hereto and their respective heirs, executors, successors and assigns.

DISCHARGE

15. It is further understood and agreed by the parties hereto that in the event the subdivision herein provided at any future date conforms to all District by-laws and all services deemed necessary by the District are provided to the subdivided lands, this Contract shall be discharged by the Municipality by the registration in Land Registry Office at Kamloops of a Quit Claim Deed referring to the registration of this Contract.

THIS AGREEMENT WAS APPROVED by an affirmative vote of at least two-thirds of all the members of the Council of the Municipality present at the meeting at which the vote is taken and entitled to vote on the by-law authorizing this Contract on the ~~24th~~ day of *July*, A.D. 1977.

IN WITNESS WHEREOF the said parties to this Agreement have hereunto set their hands and seals the day and year first above written.

THE CORPORATE SEAL OF THE DISTRICT OF SALMON ARM was hereunto affixed in the presence of:

Margaret Lund
Mayor

(seal)

[Signature]
Clerk

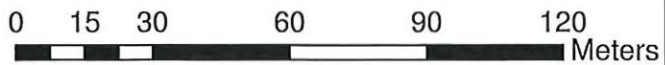
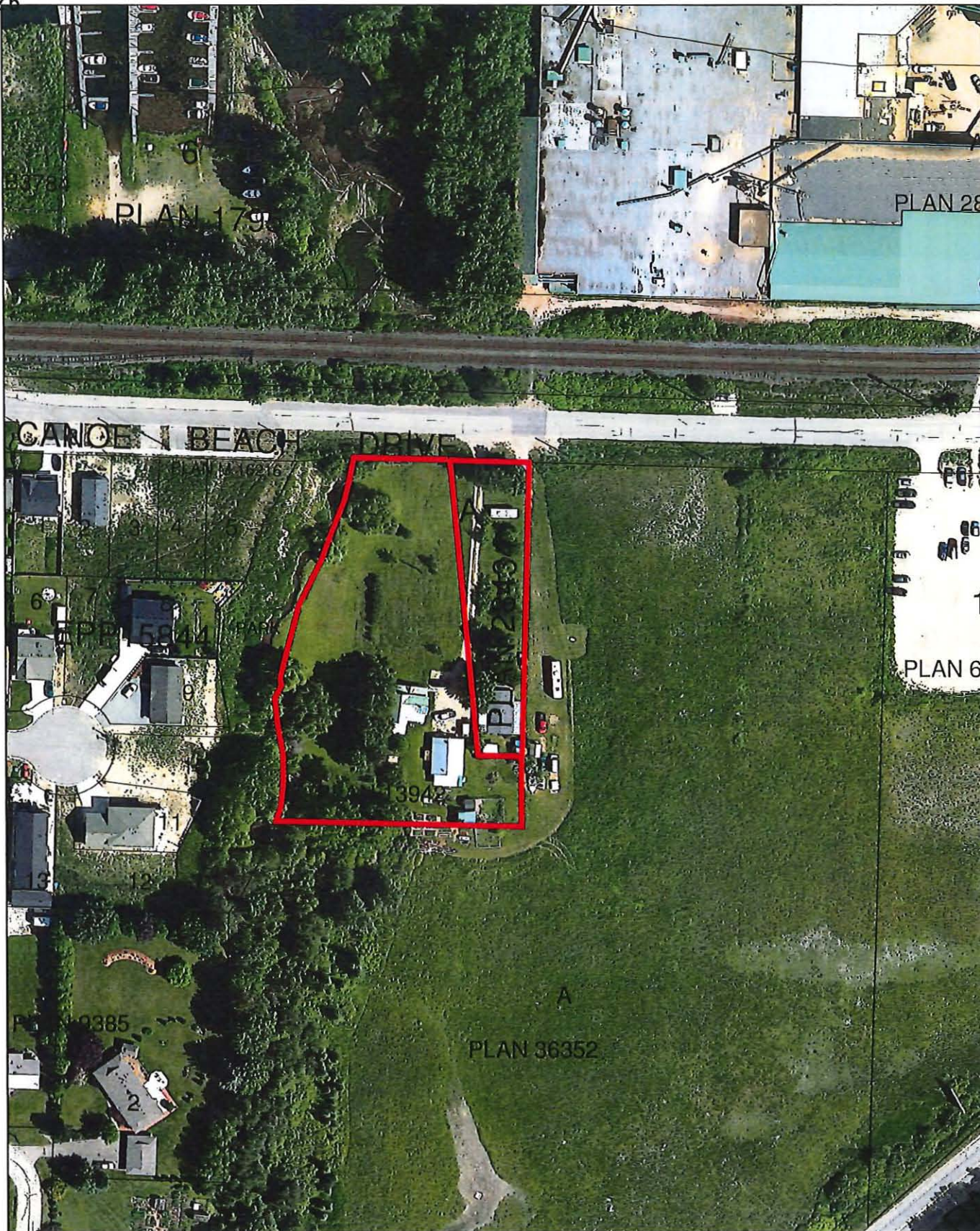
Ralph Edmund Lund
RALPH EDMUND LUND

APPROVED UNDER THE CONTROLLED ACCESS HIGHWAYS ACT THIS 24 DAY OF July 1977

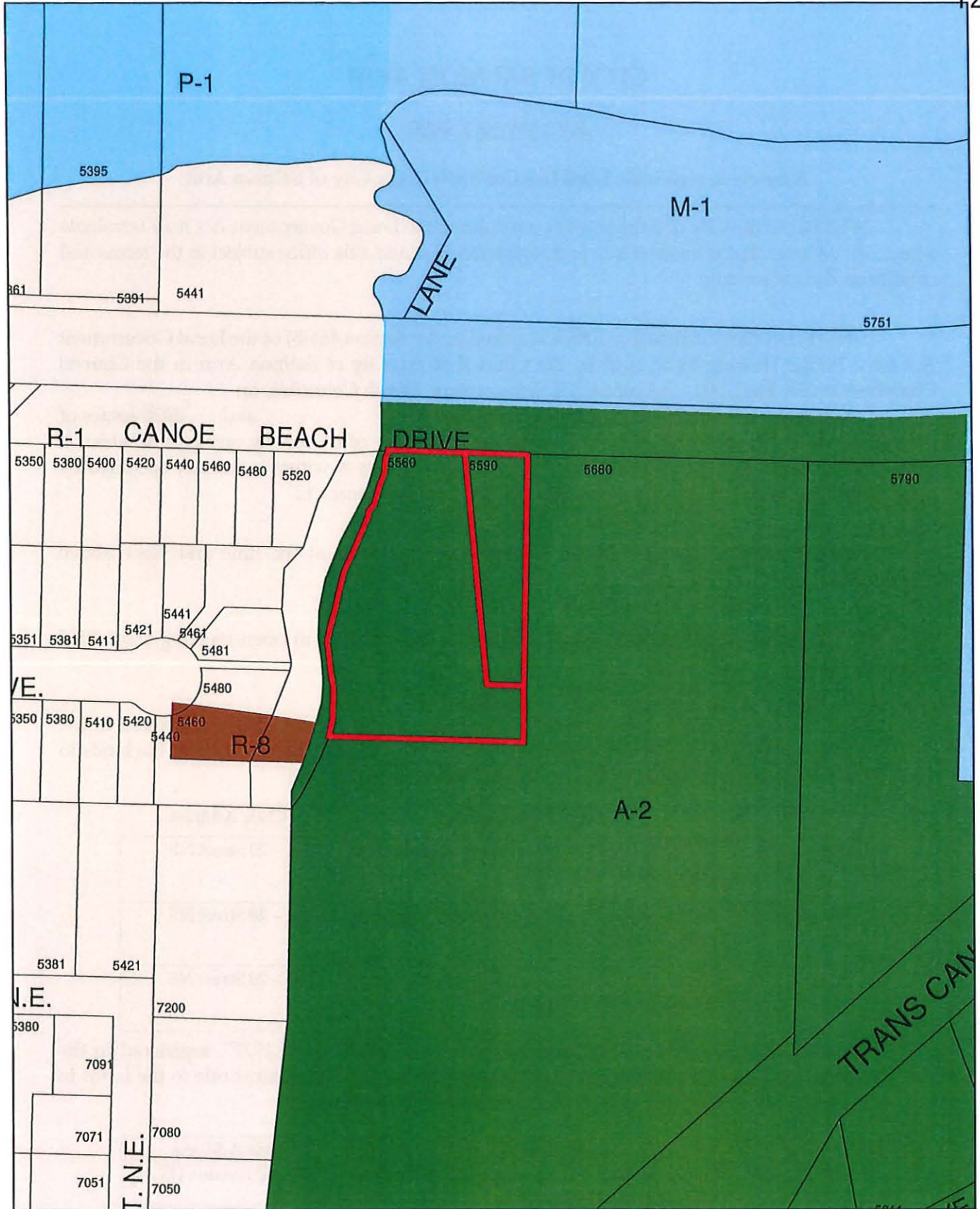
[Signature]
APPROVING OFFICER, MINISTRY OF HIGHWAYS & PUBLIC WORKS



Subject Parcel



Subject Parcel



<p>0 10 20 40 60 80 Meters</p>	<p>N Subject Parcel</p>	<p>P-1 Park & Recreation R-1 Single Family Residential R-8 Single Family Secondary Suite Residential</p>	<p>M-1 General Industrial A-2 Rural Holding</p>
------------------------------------	-----------------------------	--	---

CITY OF SALMON ARM

BYLAW NO. 4400

A bylaw to terminate Land Use Contracts in the City of Salmon Arm

WHEREAS the City of Salmon Arm pursuant to the Local Government Act may terminate a land use contract that is entered into and registered in a land title office subject to the terms and conditions therein set out;

AND WHEREAS mandatory notice required under section 466(5) of the Local Government Act for a Public Hearing to be held by the Council of the City of Salmon Arm in the Council Chambers at City Hall, 500 - 2 Avenue NE, Salmon Arm, British Columbia, on _____, 2020 at the hour of 7:00 p.m. and was published in the _____ and _____, 2020 issues of the Salmon Arm Observer and delivered at least 10 days prior of all parcels, any part of which is subject to the land use contract that the bylaw will terminate or is within a distance specified by bylaw from that part of the area that is subject to that land use contract.;

AND WHEREAS the said Public Hearing was duly held at the time and place above mentioned;

NOW THEREFORE the Council of the City of Salmon Arm in open meeting assembled enacts as follows:

1. That "District of Salmon Arm Land Use Contract Bylaw No. 12, 1977", registered in the Kamloops Land Title Office under document number M61302 against title to the lands in the table below and further shown on Schedule 'A', is terminated:

PID	Legal Description	Civic Address
004-562-241	Lot 3, Section 24, Township 20, Range 10, W6M, KDYD, Plan 28370	1311 - 20 Street NE
004-562-224	Lot 2, Section 24, Township 20, Range 10, W6M, KDYD, Plan 28370	1331 - 20 Street NE
004-562-208	Lot 1, Section 24, Township 20, Range 10, W6M, KDYD, Plan 28370	1351 - 20 Street NE

2. That "District of Salmon Arm Land Use Contract Bylaw No. 1, 1977", registered in the Kamloops Land Title Office under document number M17793 against title to the lands in the table below and further shown on Schedule 'B', is terminated:

PID	Legal Description	Civic Address
003-512-223	Lot 2, Section 13, Township 20, Range 10, W6M, KDYD, Plan 32155	2450 - 10 Avenue (TCH) NE
024-233-536	Lot A, Section 13, Township 20, Range 10, W6M, KDYD, Plan KAP62641, Except Plan EPP6081	2600 - 10 Avenue (TCH) NE

004-659-848	Lot 5, Section 13, Township 20, Range 10, W6M, KDYD, Plan 27972, Except Plan KAP56352	631 – 24 Street NE
023-333-201	Lot 2, Section 13, Township 20, Range 10, W6M, KDYD, Plan KAP56352	620 – 24 Street NE
002-613-719	Strata Lot 1, Section 13, Township 20, Range 10, W6M, KDYD, Strata Plan KAS171	2207 – 5 Avenue NE
002-613-727	Strata Lot 2, Section 13, Township 20, Range 10, W6M, KDYD, Strata Plan KAS171	2213 – 5 Avenue NE
002-613-751	Strata Lot 3, Section 13, Township 20, Range 10, W6M, KDYD, Strata Plan KAS171	2221 – 5 Avenue NE
002-613-760	Strata Lot 4, Section 13, Township 20, Range 10, W6M, KDYD, Strata Plan KAS171	2229 – 5 Avenue NE
002-613-778	Strata Lot 5, Section 13, Township 20, Range 10, W6M, KDYD, Strata Plan KAS171	2299 – 5 Avenue NE
002-613-786	Strata Lot 6, Section 13, Township 20, Range 10, W6M, KDYD, Strata Plan KAS171	2291 – 5 Avenue NE
002-613-794	Strata Lot 7, Section 13, Township 20, Range 10, W6M, KDYD, Strata Plan KAS171	2285 – 5 Avenue NE
002-613-808	Strata Lot 8, Section 13, Township 20, Range 10, W6M, KDYD, Strata Plan KAS171	2277 – 5 Avenue NE
002-613-816	Strata Lot 9, Section 13, Township 20, Range 10, W6M, KDYD, Strata Plan KAS171	2235 – 5 Avenue NE
002-613-832	Strata Lot 10, Section 13, Township 20, Range 10, W6M, KDYD, Strata Plan KAS171	2241 – 5 Avenue NE
002-613-841	Strata Lot 11, Section 13, Township 20, Range 10, W6M, KDYD, Strata Plan KAS171	2249 – 5 Avenue NE
002-613-859	Strata Lot 12, Section 13, Township 20, Range 10, W6M, KDYD, Strata Plan KAS171	2255 – 5 Avenue NE
002-613-867	Strata Lot 13, Section 13, Township 20, Range 10, W6M, KDYD, Strata Plan KAS171	2263 – 5 Avenue NE
002-613-875	Strata Lot 14, Section 13, Township 20, Range 10, W6M, KDYD, Strata Plan KAS171	2269 – 5 Avenue NE
002-613-883	Strata Lot 15, Section 13, Township 20, Range 10, W6M, KDYD, Strata Plan KAS171	523 – 24 Street NE
002-613-891	Strata Lot 16, Section 13, Township 20, Range 10, W6M, KDYD, Strata Plan KAS171	519 – 24 Street NE
002-613-913	Strata Lot 17, Section 13, Township 20, Range 10, W6M, KDYD, Strata Plan KAS171	515 – 24 Street NE
002-613-921	Strata Lot 18, Section 13, Township 20, Range 10, W6M, KDYD, Strata Plan KAS171	511 – 24 Street NE
002-613-930	Strata Lot 19, Section 13, Township 20, Range 10, W6M, KDYD, Strata Plan KAS171	507 – 24 Street NE
002-613-948	Strata Lot 20, Section 13, Township 20, Range 10, W6M, KDYD, Strata Plan KAS171	503 – 24 Street NE
002-613-956	Strata Lot 21, Section 13, Township 20, Range 10, W6M, KDYD, Strata Plan KAS171	527 – 24 Street NE
002-613-972	Strata Lot 22, Section 13, Township 20, Range 10, W6M, KDYD, Strata Plan KAS171	531 – 24 Street NE
002-613-981	Strata Lot 23 Section 13, Township 20, Range 10, W6M, KDYD, Strata Plan KAS171	535 – 24 Street NE

002-613-999	Strata Lot 24, Section 13, Township 20, Range 10, W6M, KDYD, Strata Plan KAS171	539 – 24 Street NE
001-834-631	Strata Lot 25, Section 13, Township 20, Range 10, W6M, KDYD, Strata Plan KAS171	543 – 24 Street NE
002-614-014	Strata Lot 26, Section 13, Township 20, Range 10, W6M, KDYD, Strata Plan KAS171	547 – 24 Street NE
002-614-022	Strata Lot 27, Section 13, Township 20, Range 10, W6M, KDYD, Strata Plan KAS171	579 – 24 Street NE
002-614-057	Strata Lot 28, Section 13, Township 20, Range 10, W6M, KDYD, Strata Plan KAS171	583 – 24 Street NE
002-614-081	Strata Lot 29, Section 13, Township 20, Range 10, W6M, KDYD, Strata Plan KAS171	587 – 24 Street NE
002-614-103	Strata Lot 30, Section 13, Township 20, Range 10, W6M, KDYD, Strata Plan KAS171	591 – 24 Street NE
002-614-111	Strata Lot 31, Section 13, Township 20, Range 10, W6M, KDYD, Strata Plan KAS171	595 – 24 Street NE
002-614-120	Strata Lot 32, Section 13, Township 20, Range 10, W6M, KDYD, Strata Plan KAS171	599 – 24 Street NE
002-614-138	Strata Lot 33, Section 13, Township 20, Range 10, W6M, KDYD, Strata Plan KAS171	555 – 24 Street NE
002-614-146	Strata Lot 34, Section 13, Township 20, Range 10, W6M, KDYD, Strata Plan KAS171	559 – 24 Street NE
002-614-154	Strata Lot 35, Section 13, Township 20, Range 10, W6M, KDYD, Strata Plan KAS171	563 – 24 Street NE
002-614-171	Strata Lot 36, Section 13, Township 20, Range 10, W6M, KDYD, Strata Plan KAS171	567 – 24 Street NE
002-614-189	Strata Lot 37, Section 13, Township 20, Range 10, W6M, KDYD, Strata Plan KAS171	571 – 24 Street NE
002-614-197	Strata Lot 38, Section 13, Township 20, Range 10, W6M, KDYD, Strata Plan KAS171	575 – 24 Street NE
026-380-650	Strata Lot 1, Section 13, Township 20, Range 10, W6M, KDYD, Strata Plan KAS2857	#1, 671 – 24 Street NE
026-380-668	Strata Lot 2, Section 13, Township 20, Range 10, W6M, KDYD, Strata Plan KAS2857	#2, 671 – 24 Street NE
026-380-676	Strata Lot 3, Section 13, Township 20, Range 10, W6M, KDYD, Strata Plan KAS2857	#3, 671 – 24 Street NE
026-380-684	Strata Lot 4, Section 13, Township 20, Range 10, W6M, KDYD, Strata Plan KAS2857	#4, 671 – 24 Street NE
026-380-692	Strata Lot 5, Section 13, Township 20, Range 10, W6M, KDYD, Strata Plan KAS2857	#17, 671 – 24 Street NE
026-380-706	Strata Lot 6, Section 13, Township 20, Range 10, W6M, KDYD, Strata Plan KAS2857	#18, 671 – 24 Street NE
026-535-131	Strata Lot 7, Section 13, Township 20, Range 10, W6M, KDYD, Strata Plan KAS2857	#5, 671 – 24 Street NE
026-535-149	Strata Lot 8, Section 13, Township 20, Range 10, W6M, KDYD, Strata Plan KAS2857	#6, 671 – 24 Street NE
026-535-157	Strata Lot 9, Section 13, Township 20, Range 10, W6M, KDYD, Strata Plan KAS2857	#7, 671 – 24 Street NE
026-535-165	Strata Lot 10, Section 13, Township 20, Range 10, W6M, KDYD, Strata Plan KAS2857	#8, 671 – 24 Street NE

026-535-173	Strata Lot 11, Section 13, Township 20, Range 10, W6M, KDYD, Strata Plan KAS2857	#15, 671 - 24 Street NE
026-535-181	Strata Lot 12, Section 13, Township 20, Range 10, W6M, KDYD, Strata Plan KAS2857	#16, 671 - 24 Street NE
026-756-978	Strata Lot 13, Section 13, Township 20, Range 10, W6M, KDYD, Strata Plan KAS2857	#14, 671 - 24 Street NE
026-756-986	Strata Lot 14, Section 13, Township 20, Range 10, W6M, KDYD, Strata Plan KAS2857	#13, 671 - 24 Street NE
026-756-994	Strata Lot 15, Section 13, Township 20, Range 10, W6M, KDYD, Strata Plan KAS2857	#12, 671 - 24 Street NE
026-757-001	Strata Lot 16, Section 13, Township 20, Range 10, W6M, KDYD, Strata Plan KAS2857	#11, 671 - 24 Street NE
026-757-010	Strata Lot 17, Section 13, Township 20, Range 10, W6M, KDYD, Strata Plan KAS2857	#10, 671 - 24 Street NE
026-757-028	Strata Lot 18, Section 13, Township 20, Range 10, W6M, KDYD, Strata Plan KAS2857	#9, 671 - 24 Street NE
023-658-240	Strata Lot 1, Section 13, Township 20, Range 10, W6M, KDYD, Strata Plan KAS1851	#1, 660 - 24 Street NE
023-658-258	Strata Lot 2, Section 13, Township 20, Range 10, W6M, KDYD, Strata Plan KAS1851	#2, 660 - 24 Street NE
023-658-266	Strata Lot 3, Section 13, Township 20, Range 10, W6M, KDYD, Strata Plan KAS1851	#3, 660 - 24 Street NE
023-658-274	Strata Lot 4, Section 13, Township 20, Range 10, W6M, KDYD, Strata Plan KAS1851	#4, 660 - 24 Street NE
023-868-066	Strata Lot 5, Section 13, Township 20, Range 10, W6M, KDYD, Strata Plan KAS1851	#5, 660 - 24 Street NE
023-868-091	Strata Lot 6, Section 13, Township 20, Range 10, W6M, KDYD, Strata Plan KAS1851	#6, 660 - 24 Street NE
023-868-112	Strata Lot 7, Section 13, Township 20, Range 10, W6M, KDYD, Strata Plan KAS1851	#7, 660 - 24 Street NE
023-868-121	Strata Lot 8, Section 13, Township 20, Range 10, W6M, KDYD, Strata Plan KAS1851	#8, 660 - 24 Street NE
023-869-267	Strata Lot 9, Section 13, Township 20, Range 10, W6M, KDYD, Strata Plan KAS1851	#9, 660 - 24 Street NE
023-869-275	Strata Lot 10, Section 13, Township 20, Range 10, W6M, KDYD, Strata Plan KAS1851	#10, 660 - 24 Street NE
023-869-283	Strata Lot 11, Section 13, Township 20, Range 10, W6M, KDYD, Strata Plan KAS1851	#11, 660 - 24 Street NE
023-869-291	Strata Lot 12, Section 13, Township 20, Range 10, W6M, KDYD, Strata Plan KAS1851	#12, 660 - 24 Street NE

3. That "District of Salmon Arm Land Use Contract Bylaw No. 11, 1977", registered in the Kamloops Land Title Office under document number M66216 against title to the lands in the table below and further shown on Schedule 'C', is terminated:

PID	Legal Description	Civic Address
004-555-619	Lot A, Section 5, Township 21, Range 9, W6M, KDYD, Plan 28434	5590 Canoe Beach Drive NE
009-149-856	Lot A, Section 5, Township 21, Range 9, W6M, KDYD, Plan 13942, Except Plan 28434	5560 Canoe Beach Drive NE

4. The Mayor and Corporate Office are hereby authorized to execute any documents necessary to terminate, release and discharge the Land Use Contracts above mentioned.

5. SEVERABILITY

If any part, section, sub-section, clause of this bylaw for any reason is held to be invalid by the decisions of a Court of competent jurisdiction, the invalid portion shall be severed and the decisions that it is invalid shall not affect the validity of the remaining portions of this bylaw.

6. ENACTMENT

Any enactment referred to herein is a reference to an enactment of British Columbia and regulations thereto as amended, revised, consolidated or replaced from time to time.

7. EFFECTIVE DATE

This bylaw shall come into full force and effective one year and one day from the date of adoption.

8. CITATION

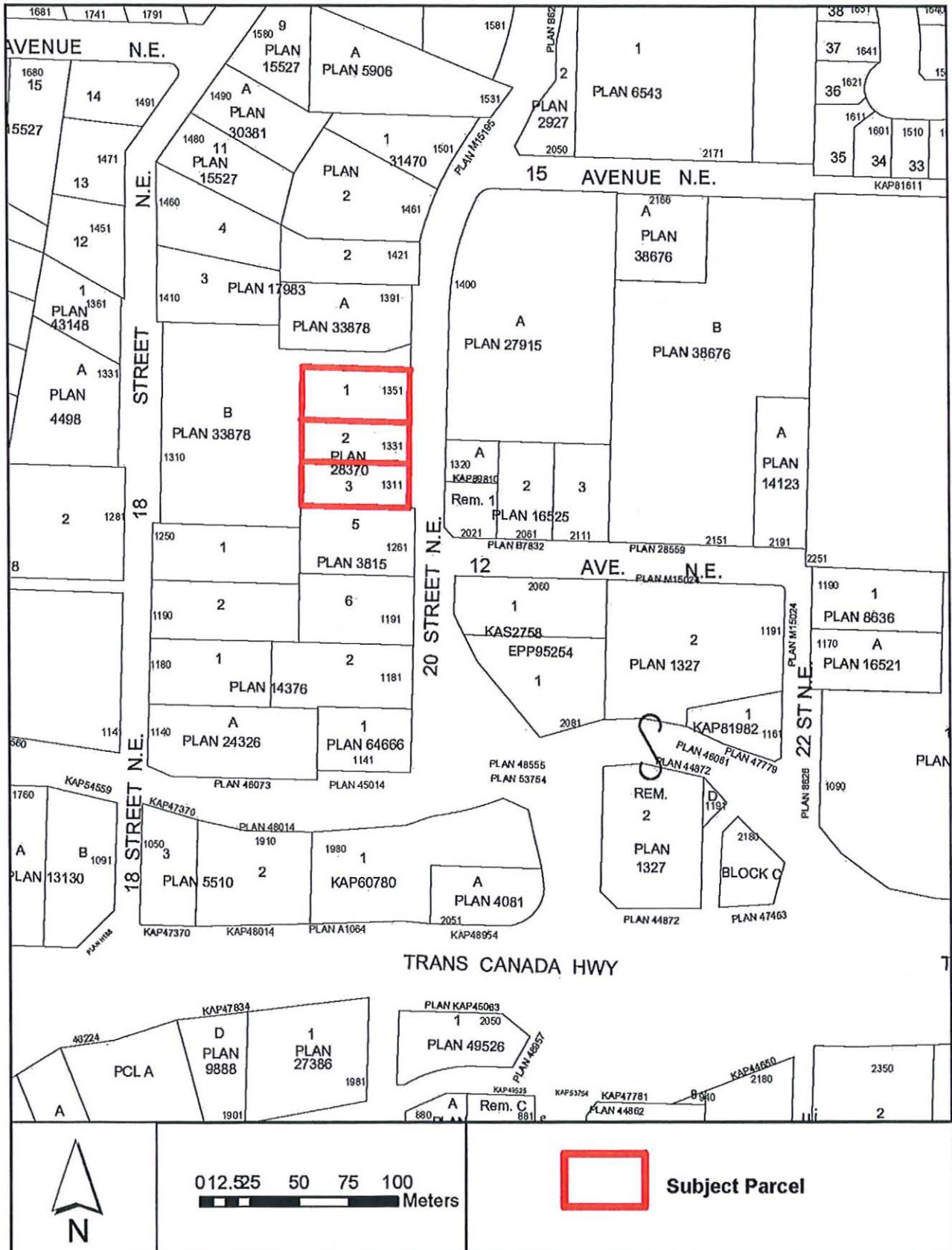
This bylaw may be cited as "City of Salmon Arm Land Use Contract Termination Bylaw No. 4400"

READ A FIRST TIME THIS	DAY OF	2020
READ A SECOND TIME THIS	DAY OF	2020
READ A THIRD TIME THIS	DAY OF	2020
ADOPTED BY COUNCIL THIS	DAY OF	2020

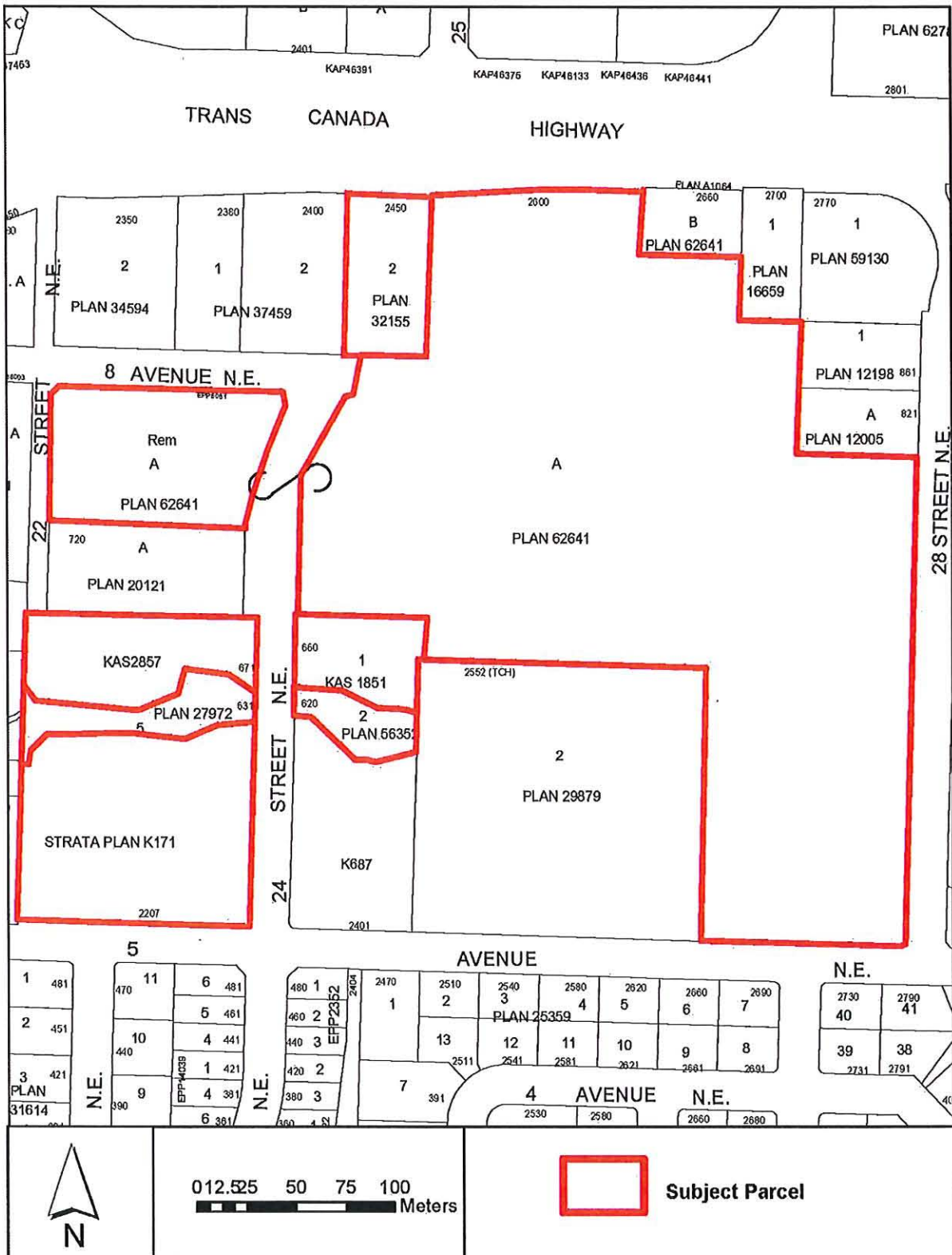
MAYOR

CORPORATE OFFICER

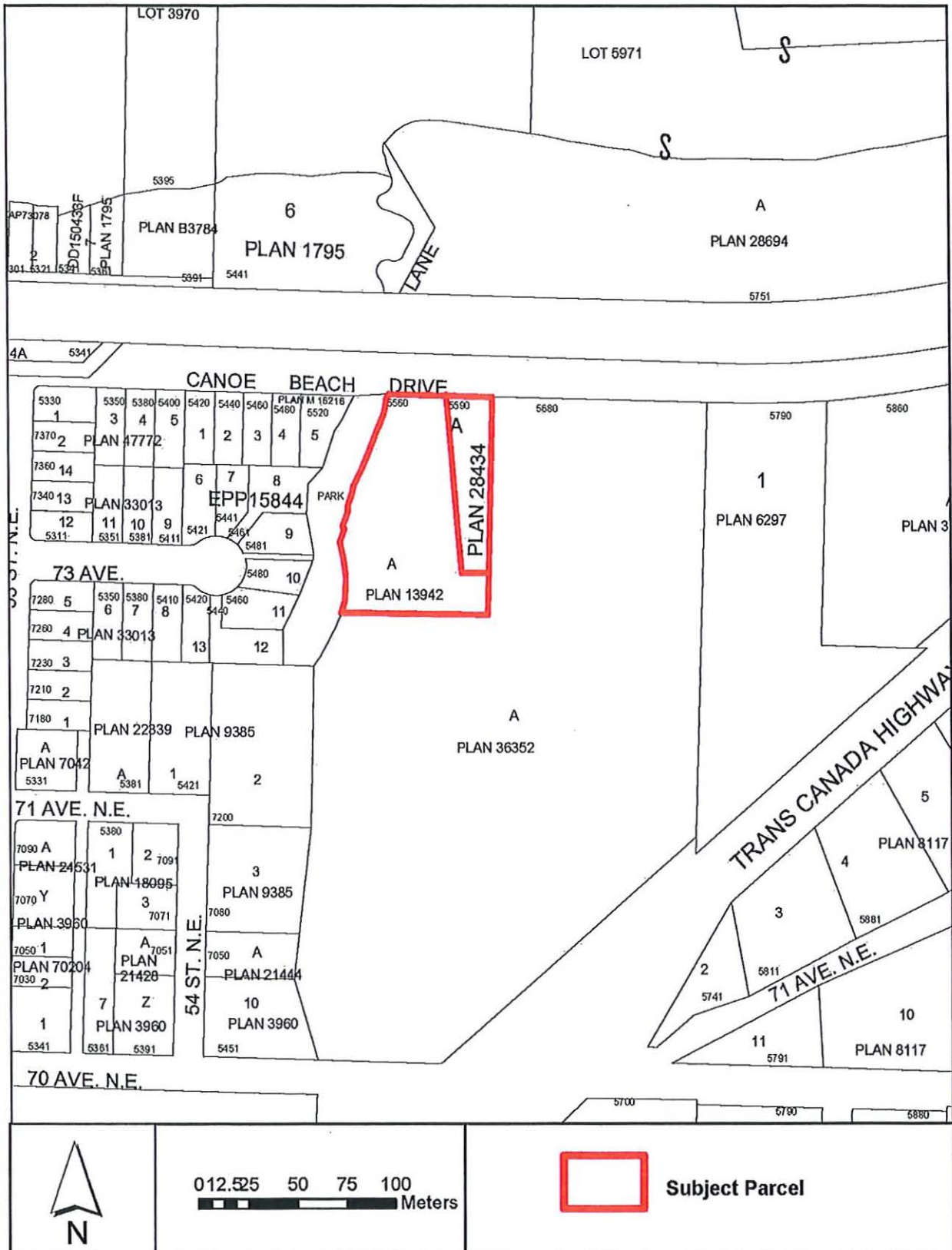
SCHEDULE "A"



SCHEDULE "B"



SCHEDULE "C"



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Item 10.2

CITY OF SALMON ARM

Date: July 13, 2020

Moved: Councillor

Seconded: Councillor

THAT: the bylaw entitled City of Salmon 2020 Tax Sale Deferral Bylaw No. 4402 be read a first, second and third time.

Vote Record

- Carried Unanimously
- Carried
- Defeated
- Defeated Unanimously

Opposed:

- Harrison
- Cannon
- Eliason
- Flynn
- Lavery
- Lindgren
- Wallace Richmond

**CITY OF
SALMON ARM**

Date: July 2, 2020
To: Mayor Harrison and Members of Council
From: Tracy Tulak, Acting Chief Financial Officer
Subject: 2020 Tax Sale Deferral Bylaw

Recommendation:

THAT: Bylaw No. 4402 cited as the "City of Salmon Arm Defer Tax Sale for the year 2020 Bylaw No. 4402" be given three readings.

Background:

On May 15, 2020, the Minister of Public Safety and Solicitor General issued a Local Government Finance (COVID-19) Order. The order ensures that certain financial measures be authorized so that local governments have operating funds during the emergency and the impacts of the emergency are lessened by varying, extending, or deferring requirements.

From the Ministry Order, Division 4 – Annual Tax Sales 15 provides Council the option to defer the sale to September 27, 2021.

Parts of the order include:

15 (1) A council of a municipality may, by bylaw adopted on or before August 31, 2020, defer the annual tax sale for 2020, provided for under Division 7.

(2)(i)The annual tax sale for 2020 has been deferred to September 27, 2021.

Tax Sale

Properties with a delinquent balance for three years are sold at a tax sale. The tax sale is held annually, according to the Province of British Columbia's Local Government Act. In 2020, the delinquent taxes represent taxes and utility charges owed from 2018.

The annual tax sale takes place at 10:00 am on the last Monday in September in the Council Chambers. Properties which may be included in the annual tax sale are listed in the local newspaper the week preceding the tax sale. If the delinquent taxes are paid before 10:00 am on the tax sale day, they will be removed from the list of properties.

The City has not had a tax sale in the nineteen (19) years that the undersigned has been employed with the City. Staff remain diligent in contacting those property owners that currently owe delinquent taxes, with payment options, and open lines of communication. As of June 30, 2020, there are less properties on the delinquent tax owing list, than in 2019.

Communication

Written notice must be sent within two weeks of the bylaw's adoption to the property owner of a property that is subject to the deferred annual tax sale advising the owner that:

- (i) The annual tax sale for 2020 has been deferred to September 27, 2021,
- (ii) Any taxes that are delinquent will remain delinquent for 2021, with applicable interest charges, and
- (iii) Unless the delinquent taxes are paid before the start of the tax sale on September 27, 2021, the property will be subject to tax sale on September 27, 2021.

Conclusion

Staff recommend the 2020 Tax Sale be deferred to September 27, 2021. Staff will continue to be diligent in contacting property owners with delinquent taxes and encourage payment.

Respectfully Submitted,



Tracy Tulak, CPA, CMA

CITY OF SALMON ARM

BYLAW NO. 4402

A bylaw to Defer Tax Sale for the year 2020

WHEREAS in accordance with Division 4 of Local Government Finance (Covid-19) Ministerial Order No. M159 Council may, by bylaw adopted on or before August 31, 2020 defer the annual tax sale for 2020 until September 27, 2021, with the effect that the annual tax sale would be on that date in respect of the upset price described in section 649 of that Local Government Act;

NOW THEREFORE the Council of the City of Salmon Arm, in the Province of British Columbia, in an open meeting assembled, hereby enacts as follows:

1. DEFINITIONS

“**arrears taxes**” means outstanding property taxes plus applicable penalties and interest that are unpaid on December 31 in the year they were imposed.

“**delinquent taxes**” means taxes in arrears remaining unpaid on December 31, in the year following the year in which they became taxes in arrears.

2. TAX SALE 2020

- a) The annual tax sale for 2020 is deferred to September 27, 2021.
- b) All delinquent taxes on properties within the City of Salmon Arm at September 28, 2020 will remain as delinquent taxes for 2021 with applicable interest charges.

3. CITATION

This bylaw may be cited for all purposes as “City of Salmon Arm 2020 Tax Sale Deferral Bylaw No. 4402”.

READ A FIRST TIME THIS	DAY OF	2020
READ A SECOND TIME THIS	DAY OF	2020
READ A THIRD TIME THIS	DAY OF	2020
ADOPTED BY COUNCIL THIS	DAY OF	2020

MAYOR

CORPORATE OFFICER

Item 10.3

CITY OF SALMON ARM

Date: July 13, 2020

Moved: Councillor

Seconded: Councillor

THAT: the bylaw entitled City of Salmon Arm Zoning Amendment Bylaw No. 4398 be read a first and second time.

[ZON-1177; Wood Creek Construction Ltd./Zimmerman, V; 1181 17 Avenue SE; R1 to R-8]

Vote Record

- Carried Unanimously
- Carried
- Defeated
- Defeated Unanimously

Opposed:

- Harrison
- Cannon
- Eliason
- Flynn
- Lavery
- Lindgren
- Wallace Richmond

CITY OF
SALMON ARM

To: His Worship Mayor Harrison and Members of Council

Date: June 19, 2020

Subject: Zoning Bylaw Amendment Application No. 1177

Legal: Lot 34, Section 12, Township 20, Range 10, W6M, KDYD, Plan EPP83069

Civic: 1181 – 17 Avenue SE

Owner/Applicant: Wood Creek Construction Ltd. / V. Zimmerman

MOTION FOR CONSIDERATION

THAT: a bylaw be prepared for Council's consideration, adoption of which would amend Zoning Bylaw No. 2303 by rezoning Lot 34, Section 12, Township 20, Range 10, W6M, KDYD, Plan EPP83069 from R-1 (Single Family Residential Zone) to R-8 (Residential Suite Zone).

STAFF RECOMMENDATION

THAT: The Motion for Consideration be adopted.

PROPOSAL

The subject parcel is located at 1181 – 17 Avenue SE, in the new Byersview Subdivision (Appendix 1 & 2). The proposal is to rezone the parcel from R-1 (Single Family Residential) to R-8 (Residential Suite) to permit a secondary suite within a new single family dwelling.

BACKGROUND

The subject parcel is designated Low Density Residential in the City's Official Community Plan (OCP) and zoned R-1 (Single Family Residential) in the Zoning Bylaw (Appendix 3 & 4). The neighbourhood is largely comprised of R-1 zoned parcels containing single family dwellings. There are two other lots in the subdivision that have been rezoned to R-8 to permit a secondary suite in a new house, one in 2017 and one in late 2019. There are still many larger rural properties zoned A-2 to the south and east of Byersview. Recently in 2019, a large A-2 zoned parcel to the east was rezoned to R-8 in preparation for a future subdivision.

The subject parcel is a corner lot with an area of approximately 0.104 hectares (.25 acres). The parcel fronts 17 Avenue SE and although the east parcel line is adjacent to 12 Street SE, 12 Street is a closed road and considered a proposed greenway in the OCP. Thus, this parcel line is treated as an interior side parcel line and not an exterior parcel line. The size and width of the subject property can meet the conditions as specified within the proposed R-8 Zone.

The applicant wishes to construct a new house with a secondary suite on the lower level. Site photos and building plans have been submitted, see Appendices 5 & 6. The lower level floor plan indicates the proposed suite to be 83.6 m² (900 ft²) and the site plan shows a double car garage and driveway. Thus, the size of the suite is within the maximum 90 m² (968.8 ft²); and, the provision to provide an additional off-street parking stall for the suite can be fulfilled.

Secondary Suites

Policy 8.3.25 of the OCP provides for the consideration of *secondary suites* in all residential designated areas subject to compliance with the Zoning Bylaw and the BC Building Code.

COMMENTSEngineering Department

No concerns.

Building Department

BC Building Code will apply. No concerns with proposed zoning.

Fire Department

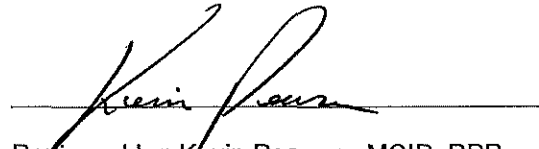
No concerns.

Planning Department

The proposed R-8 zoning of the subject parcel is consistent with the OCP; and, the plans provided indicate that the requirements specified in the R-8 Zone can be achieved, including the provision of onsite parking. Therefore, this application is supported by staff. Development of a single family dwelling with an associated secondary suite requires a building permit and is subject to meeting Zoning Bylaw and BC Building Code regulations.



Prepared by: Denise Ackerman
Planner, Development Services



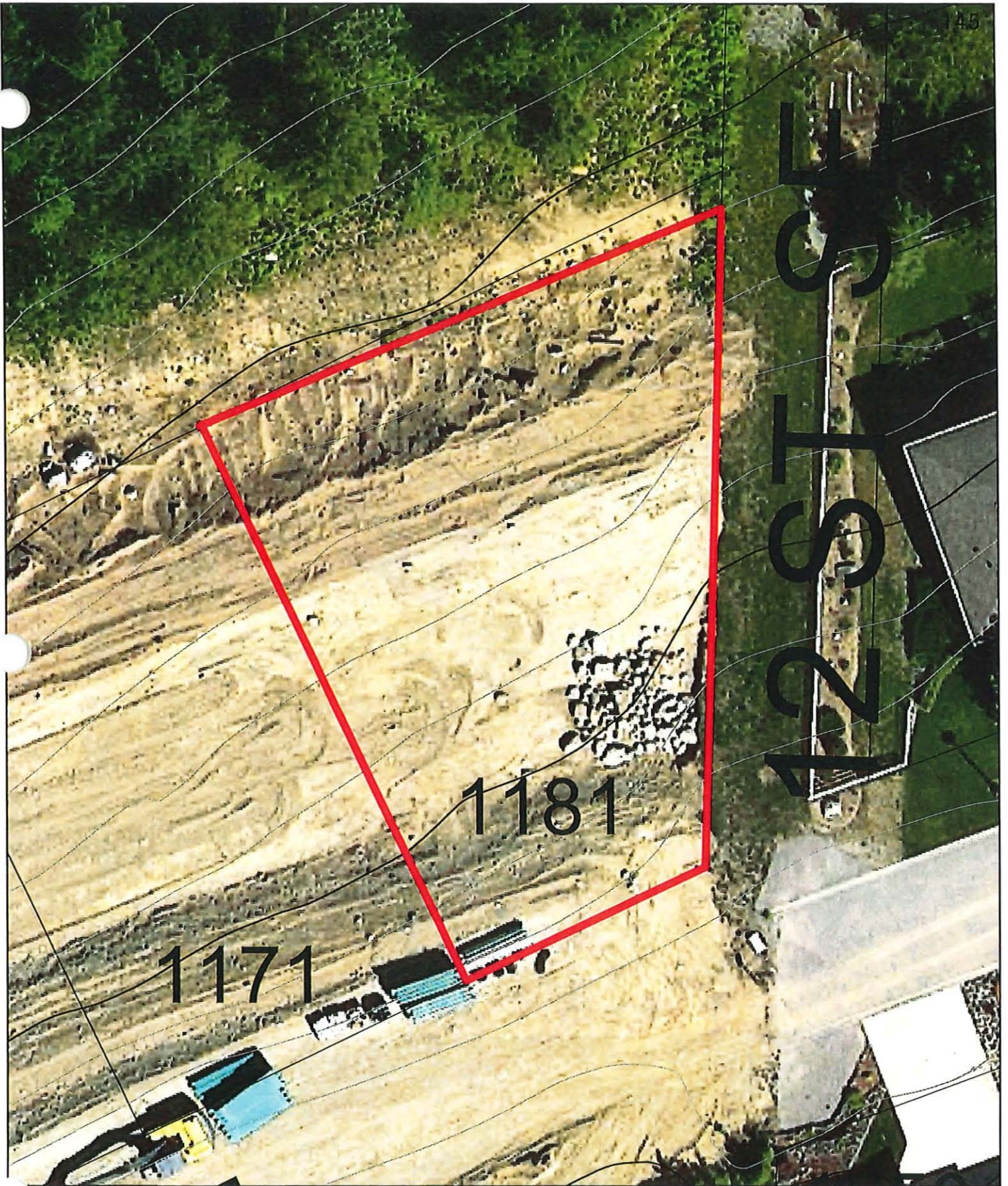
Reviewed by: Kevin Pearson, MCIP, RPP
Director of Development Services



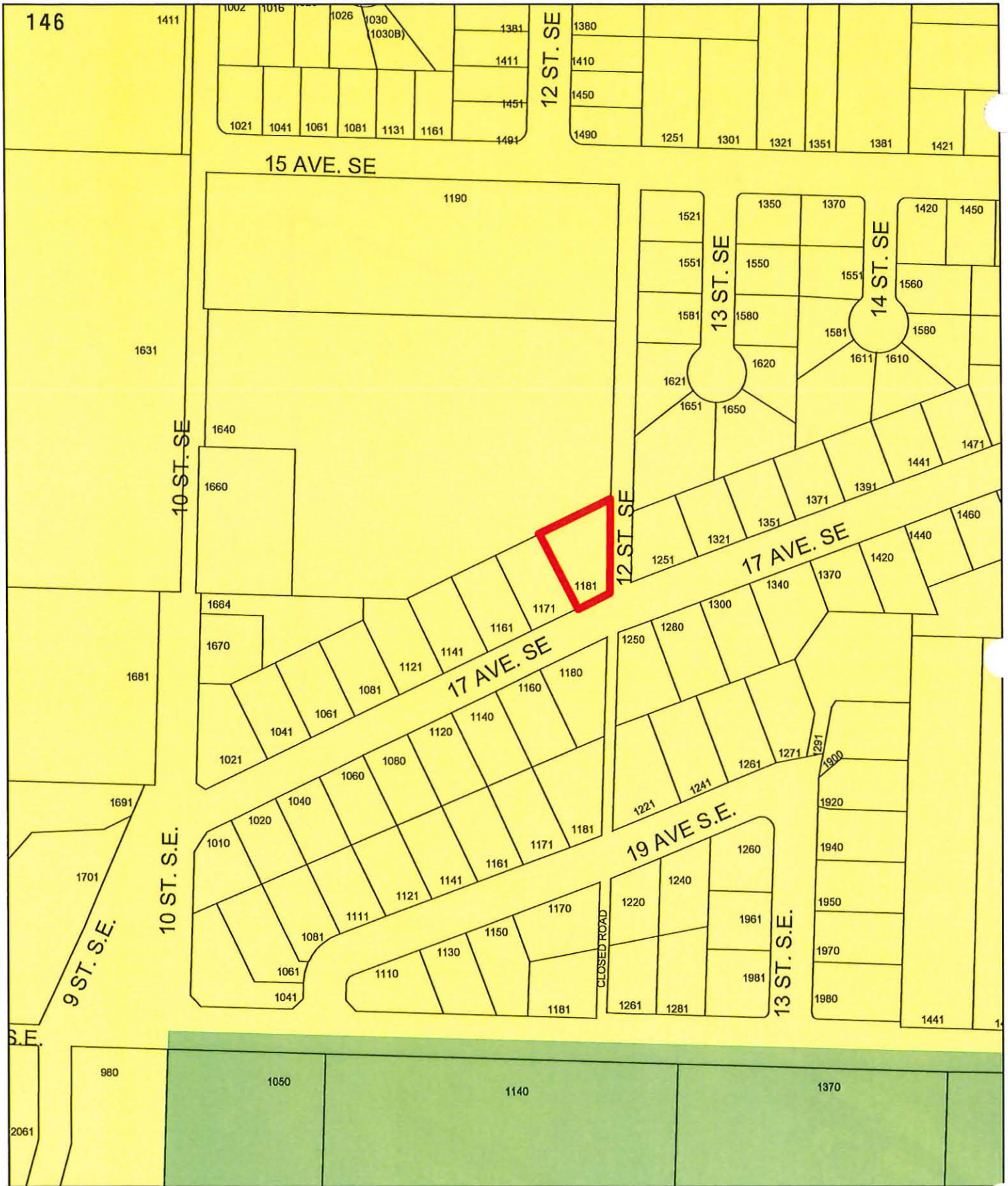
0 12.5 25 50 75 100 Meters



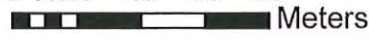



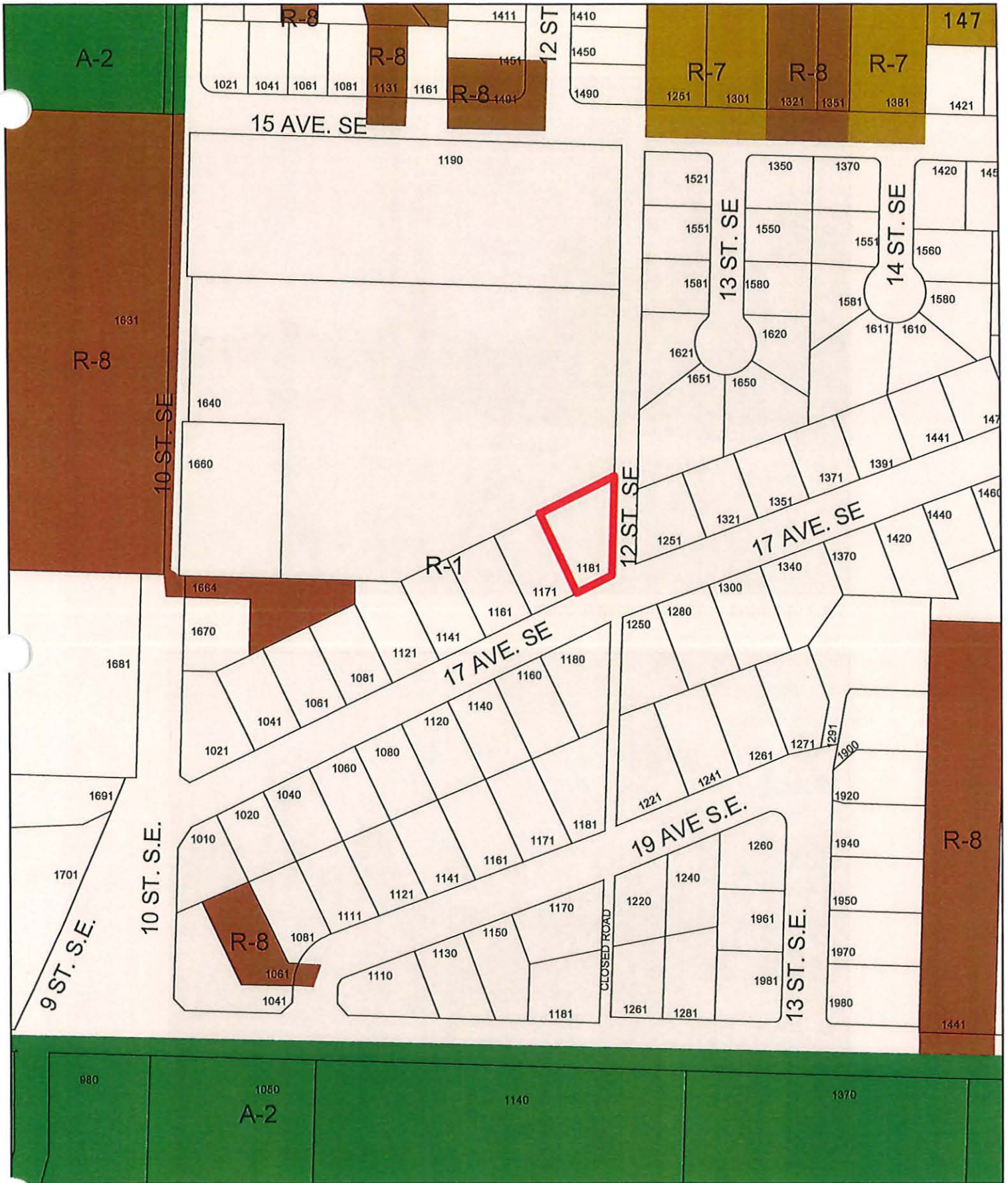
Subject Parcel



Subject Parcel



	 Subject Parcel	 LR - Low Density Residential
	0 1020 40 60 80  Meters	 AR - Acreage Reserve



Subject Parcel



-  R-1 Single Family Residential Zone
-  R-8 Residential Suite Zone
-  R-7 Large Lot Single Family Residential Zone
-  A-2 Rural Holding Zone



View of subject property looking southeast



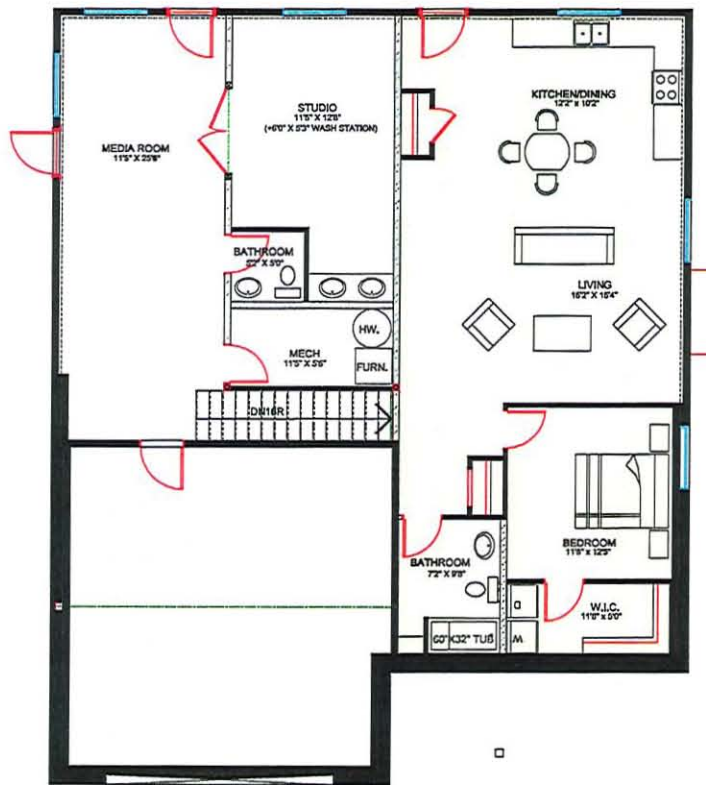
View of subject property looking southwest



View of subject property looking southeast



View of subject property



- SAFE & SOUND INSULATION
- PLUMB WALL
- L.B. WALL
- SUITE

- FLOOR NOTES**
- FRAMED EXTERIOR WALLS DOES NOT INCLUDE EXTERIOR SHEATHING.
 - ALL DIMENSIONS SHOWN ARE TO FRAMING AND DO NOT INCLUDE DRYWALL OR OTHER FINISHES
 - ALL HEADERS TO BE 3-2X10 IN 2X6 WALLS AND 2-2X10 IN 2X4 WALLS UNLESS NOTED OTHERWISE
 - ALL DOORS AND WINDOWS FRAMED 4-1/2" FROM ADJACENT WALLS UNLESS NOTED OTHERWISE
 - ALL DOOR SLABS TO MEASURE 80" IN HEIGHT UNLESS OTHERWISE NOTED
 - INDIVIDUAL ROOM AREAS ARE CALCULATED FROM INSIDE OF FRAMING WHEREAS THE OVERALL FLOOR AREA IS CALCULATED TO OUTSIDE EXTERIOR WALLS

NOTE: ALL CONSTRUCTION SHALL CONFORM TO ALL APPLICABLE LOCAL CODES AND BYLAW. DESIGN OF FOUNDATION AND FOOTING TO BE WORKED TO SUIT LOCAL SOIL CONDITIONS AS REQUIRED.

DO NOT SCALE DRAWINGS. WRITTEN DIMENSIONS SHALL TAKE PRECEDENCE. THIS DRAWING IS THE PROPERTY OF WOOD CREEK CONSTRUCTION AND MAY BE USED ONLY FOR THE PURPOSES FOR WHICH IT IS LOANED BY THE COMPANY.

NO.	DATE	DESCRIPTION
1	JUNE 2020	REVISIONS
2	JUNE 2020	REVISIONS
3	JUNE 2020	REVISIONS

NO. DATE DESCRIPTION



LEGAL DESCRIPTION
LOT 7, SEC 11, TP 20, R 10, WMA, WMA

PROJECT NO.
SHEET NO.

LOT 7 - FHE
BASEMENT PLAN

DATE: APR 30/2020
SCALE: 1/4"=1'
DRAWN BY: PC
CHECKED BY: JC
SHEET NUMBER: A-5

DEV. BASEMENT 1573 SQ. FT.
Suite - 900 SQ. FT.
9' Ceilings

SUITE AREA
900 SQ. FT.



CITY OF SALMON ARM

BYLAW NO. 4398

A bylaw to amend "District of Salmon Arm Zoning Bylaw No. 2303"

WHEREAS notice of a Public Hearing to be held by the Council of the City of Salmon Arm by electronic means as authorized by Ministerial Order M192, British Columbia, on _____, 2020 at the hour of 7:00 p.m. was published in the _____ and _____, 2020 issues of the Salmon Arm Observer;

AND WHEREAS the said Public Hearing was duly held at the time and place above mentioned;

NOW THEREFORE the Council of the City of Salmon Arm in open meeting assembled enacts as follows:

1. "District of Salmon Arm Zoning Bylaw No. 2303" is hereby amended as follows:

Rezone Lot 34, Section 12, Township 20, Range 10, W6M, KDYD, Plan EPP83069 from R-1 (Single Family Residential Zone) to R-8 (Residential Suite Zone), attached as Schedule "A".

2. SEVERABILITY

If any part, section, sub-section, clause of this bylaw for any reason is held to be invalid by the decisions of a Court of competent jurisdiction, the invalid portion shall be severed and the decisions that it is invalid shall not affect the validity of the remaining portions of this bylaw.

3. ENACTMENT

Any enactment referred to herein is a reference to an enactment of British Columbia and regulations thereto as amended, revised, consolidated or replaced from time to time.

4. EFFECTIVE DATE

This bylaw shall come into full force and effect upon adoption of same.

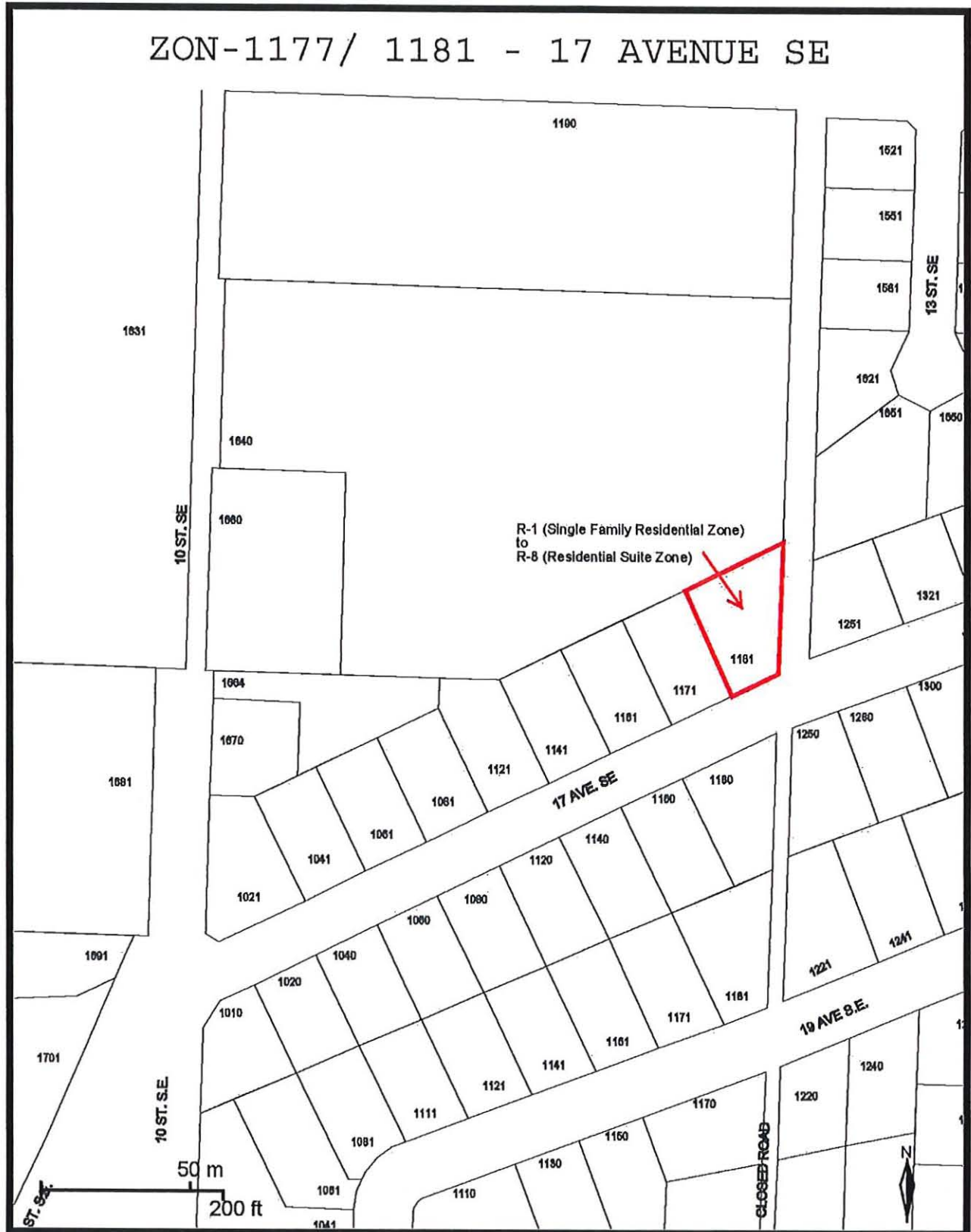
5. CITATION

This bylaw may be cited as "City of Salmon Arm Zoning Amendment Bylaw No. 4398"

READ A FIRST TIME THIS	DAY OF	2020
READ A SECOND TIME THIS	DAY OF	2020
READ A THIRD TIME THIS	DAY OF	2020
ADOPTED BY COUNCIL THIS	DAY OF	2020

MAYOR

CORPORATE OFFICER



INFORMATIONAL CORRESPONDENCE - JULY 13, 2020

- | | | |
|-----|---|---|
| 1. | Building Department - Building Statistics - June 2020 | N |
| 2. | Building Department - Building Permits - Yearly Statistics | N |
| 3. | A. Carson - email dated July 7, 2020 - Cemetery Marker | A |
| 4. | J. Reimer, Salmon Arm Mennonite Church - email dated June 25, 2020 - Request for tent meetings in Blackburn Park | A |
| 5. | A. Morris, Salmon Arm Ecumenical KAIROS Committee - emails dated June 26 and 30, 2020 and attachments - Formal Invitation from CNANW | A |
| 6. | L. McCulloch - email dated July 8, 2020 - Marine Park | A |
| 7. | Interior Health Authority - News Release dated June 29, 2020 - Multi-phase upgrades to Arrow Lakes Hospital now complete | N |
| 8. | M. Tait, President, Union of British Columbia Municipalities - letter dated June 17, 2020 - Gas Tax Agreement Community Works Fund Payment | N |
| 9. | B. Butterworth-Carr; Tr'injà shär njit dintlät, Assistant Deputy Minister and Director of Police Services, Policing Security Branch, Ministry of Public Safety and Solicitor General - letter dated June 18, 2020 - Auxiliary Program | R |
| 10. | Union of British Columbia Municipalities - email dated July 2, 2020 - 2020 UBCM Convention Meeting Requests with Premier Horgan and Provincial Cabinet Ministers and the Minister of Municipal Affairs and Housing | R |
| 11. | L. Jones, Executive Vice President and S. Howard, Senior Director of B.C. - letter dated June 19, 2020 - Showing you support for small business recovery by promoting #SmallBusinessEveryDay | A |
| 12. | J. X. Cote, Mayor, City of New Westminster - letter dated July 6, 2020 - Disaggregated COVID-19 Data Collection | N |

N = No Action Required
A = Action Requested

S = Staff has Responded
R = Response Required

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Item 14.1

CITY OF SALMON ARMDate: June 8, 2020**Presentation 4:00 p.m. (approximately)****NAME:** Staff Sergeant West, Salmon Arm RCMP Detachment**TOPIC:** Quarterly Policing Report April - June 2020**Vote Record**

- Carried Unanimously
 - Carried
 - Defeated
 - Defeated Unanimously
- Opposed:

- Harrison
- Cannon
- Eliason
- Flynn
- Lavery
- Lindgren
- Wallace Richmond



Royal Canadian
Mounted Police

Gendarmerie royale
du Canada

Security Classification/Designation
Classification/désignation sécuritaire

NCO i/c Salmon Arm Detachment
1980 11th Ave NE,
Salmon Arm, BC.
V1E 2V5

Your File - Votre référence

Our File - Notre référence

195-7

Mayor and Council City of Salmon Arm

Date

July 7, 2020

RE: Salmon Arm RCMP Detachment
Quarterly Policing Report – April 1 through June 30, 2020.

Dear Mayor and Council,

My report this quarter covers the time period from April 1 through June 30, 2020.

Detachment News

Our office like so many has been affected by the COVID 19 Pandemic. We have moved from a fully staffed administrative section to a fully staffed administrative section that has two shifts which is a testament to the Municipal staff as well as the Public Servants commitment to getting our important work done. They have all to work through these times and have ensured the smooth operation of our office.

Our office has a cross section of regular officers, CUPE Staff and PPSC staff. I appreciate our staff, City Human Resources, and CUPE groups' indulgence as the RCMP navigates the safe return to work for all staff.

On a positive note our plan for resumption of regular administrative office shifts has been approved and we are working to bring people back in over the next 2 weeks. We are still awaiting clearances to resume some public services like civil fingerprints.

Our local officers have also illustrated their commitment to the job they do every day during these tough times. They have all put safety first as they try to maintain social distancing in a job that does not lend itself well to doing that. From social distancing to arrests and the cleaning of cars, it has been a tough adjustment. Your police continue to respond to all calls on a priority basis.

Over this quarter the officers responded to 1987 calls for service. Of these calls 1455 calls for service were within the City of Salmon Arm. The calls for service represent 73% of our total file workload, and increased 2% to 3% over 2019 which was up substantially over 2018. So with our population increase we continue to be progressively busier year over year.

Canada

RCMP GRC 2823 (2002-11) WPT

Officers continued to be busy in traffic law enforcement despite COVID and logged:

- Over 144 Documented traffic stops.
- Over 5 impaired drivers being removed from our roads.
- 8 Prohibited drivers were prosecuted.
- 15 reportable and injury collisions.

Investigative highlights this past quarter:

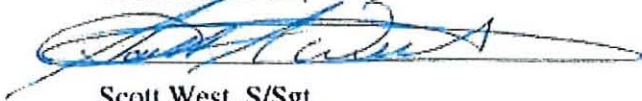
- Our investigative team arrested an individual in a break and enter with an arson stemming from an incident in a local mobile home park.
- We coupled with Highway Patrol, Sicamous, our air section and the Police Dog Service to arrest a male in Canoe for possession of a stolen vehicle from Calgary who was driving dangerously on the Trans Canada.
- We arrested two males in Princeton on our Detachments information stemming from a home invasion robbery.
- Property crime is trending near last year's numbers
- Our mental health related calls are up 27 % over last year to 124 calls this quarter.
- Files involving alcohol and drugs are also up over 2019.
- We have responded to 2 files under the "Quarantine Act" in this quarter.
 - If someone is a dual citizen and follows the rules they can be here.
 - If going to Alaska we call Immigration and Border Services and they can get taken into custody and or issued a \$1000 fine and prohibited entry for 5 years or more.

Looking forward:

We now have a date for Online Crime Reporting, August 26, 2020. If all goes well this will be our go live date. The program will allow the public to down load an app to report crimes with values less than \$5000 which have no witnesses or leads on suspects to pursue. It would include damages to property under \$5000, theft of bicycles under \$5000, theft under \$5000, theft from vehicles under \$5000 and lost property, just to name a few complaints suitable for on line crime reporting that may not require police attendance. People can even up load a picture of their stolen property or damage for our police records. If information comes to light later on that requires further investigation then the matter would go into the hands of an investigator.

I have attached statistics for the City jurisdiction and the rural area that we police. Unfortunately the statistics which I derive my graphs was unavailable.

Yours in Service,



Scott West, S/Sgt.
NCO i/c Salmon Arm RCMP Detachment



SALMON ARM RCMP
MAYOR'S REPORT
QUARTER 2, 2020

Salmon Arm Detachment

1980 11th Ave N.E.

Salmon Arm, BC

V1E 2V5

Telephone (250) 832-6044 Fax (250) 832-6842

City of Salmon Arm

500 2nd Ave N.E.

Salmon Arm, BC

V1E 4 N2

July 6, 2020

Dear Mayor Alan Harrison,

RE: Quarterly Crime Statistics - April / May / June

CRIME CATEGORIES	CITY	CITY	RURAL	RURAL
	Q2 2019	Q2 2020	Q2 2019	Q2 2020
Homicide / Attempted Homicide	1	0	0	0
Assaults	17	12	3	6
Sexual Offences	7	5	6	2
Robbery	1	2	0	0
Auto Theft	11	14	6	6
Break and Enters	14	16	5	9
Theft From Motor Vehicle	34	31	3	6
Drug Investigations	12	30	1	3
Motor Vehicle Collisions	30	29	18	13
Motor Vehicle Collisions W Fatality	0	0	1	0
Impaired Driving - CC	11	6	7	6
Impaired Driving - MVA (IRPs)	3	3	3	3
TOTAL PERSONS/VIOLENT CC	66	53	25	30
TOTAL PROPERTY CC	215	214	55	60
TOTAL OTHER CC	85	119	11	15
TOTAL CRIMINAL CODE (CC)	366	386	91	105

TOTAL CALLS FOR SERVICE	1304	1446	373	520
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COMMUNITY	CITY Q2	CITY Q2	RURAL Q2	RURAL Q2
	2019	2020	2019	2020
Files with youth negative contacts	10	6	4	1
Mental Health Related Calls	97	124	19	18
Files involving Alcohol / Drugs	176	224	42	58
Domestic Violence	35	32	18	14

Should you have any questions or concerns, or should you wish to discuss these statistics, please do not hesitate to contact me at 250-832-6044.

Yours truly,

Scott West, S/Sgt., NCO I/C

Salmon Arm RCMP Detachment

Item 22.1

CITY OF SALMON ARM

Date: July 13, 2020

Moved: Councillor

Seconded: Councillor

THAT: Development Permit No. 427 be authorized for issuance for Lot B, Section 13, Township 20, Range 10, W6M, KDYD, Plan KAP70506 (1351 10 Avenue NE) in accordance with the elevations and site plan attached in Appendix 5 to the staff report dated June 29, 2020;

AND THAT: Development Permit No. 427 include the following variance to Zoning Bylaw No. 2303:

1. Section 10.9.3 - reduce the northwest interior side parcel line setback from 2.4 metres to 1.4 metres as shown in the site plan attached in Appendix 5 attached to the staff report dated June 29, 2020;

AND FURTHER THAT: Issuance of Development Permit No. 427 be withheld subject to the receipt of an Irrevocable Letter of Credit in the amount of 125% of a landscaper's estimate for completion of landscaping.

[Habitat for Humanity / GTA Architecture Ltd.; 1351 10 Avenue NE]

Vote Record

- Carried Unanimously
- Carried
- Defeated
- Defeated Unanimously

Opposed:

- Harrison
- Cannon
- Eliason
- Flynn
- Lavery
- Lindgren
- Wallace Richmond

CITY OF
SALMON ARM

To: His Worship Mayor Harrison and Members of Council

Date: June 29, 2020

Subject: Development Permit Application No. DP-427 (Multi-Family Residential)

Legal: Lot B, Section 13, Township 20, Range 10, W6M, KDYD, Plan KAP70506

Civic: 1351 10 Avenue NE

Owner/Applicant: Habitat for Humanity / GTA Architecture Ltd.

MOTION FOR CONSIDERATION

THAT: Development Permit No. 427 be authorized for issuance for Lot B, Section 13, Township 20, Range 10, W6M, KDYD, Plan KAP70506 (1351 10 Avenue NE) in accordance with the elevations and site plan attached in Appendix 5;

AND THAT: Development Permit No. 427 include the following variance to Zoning Bylaw No. 2303:

- 1. Section 10.9.3 – reduce the northwest interior side parcel line setback from 2.4 metres to 1.4 metres as shown in the site plan attached in Appendix 5;**

AND FURTHER THAT: Issuance of Development Permit No. 427 be withheld subject to the receipt of an Irrevocable Letter of Credit in the amount of 125% of a landscaper's estimate for completion of landscaping.

STAFF RECOMMENDATION

That Council approve the proposed Development Permit drawings attached as Appendix 5, including the requested variance to the Zoning Bylaw.

PROPOSAL

The subject parcel is located at 1351 10 Avenue NE (Appendix 1 and 2), designated High Density Residential in the City's Official Community Plan (OCP), and zoned R-5 High Density Residential Zone in the Zoning Bylaw (Appendix 3 and 4).

This application is to permit a new 20-unit residential development in the form of a multi-family building as shown on the site plans and building elevations attached as Appendix 5. As multi family development is proposed, as specified by the OCP a Development Permit application to guide the form and character is required prior to development. A 3 m wide easement exists over the southern portion of the subject parcel. A variance has been requested related to the north-west interior parcel line setback.

BACKGROUND

The 1,652 square metre vacant parcel (site photos attached as Appendix 6) is within the City's downtown residential area, was zoned R-5 in 2007 (from P-3, under application ZON-855), and was also the subject of an approved Development Permit Application (DP-341) in 2007 with a design for a 5-storey (14.4 m) 24 unit multi family building (Appendix 7), which ultimately did not proceed. Previously the parcel was rezoned from R-5 to P-3 in 2002 to support a proposed assisted living building which also did not proceed. The current application is to permit the development of a unique 5-storey 20 unit multifamily residential building, as shown in the proposed Development Permit drawings.

There is a restrictive covenant registered on the title of the subject property in 2001 that limits the height of any building to four storeys above a basement. The proposed building is a four storey structure above a basement, however the building mass is generally less: 3 storeys above the basement with the fourth storey consisting of elevator and stairway extensions accessing the rooftop patio.

COMMENTS

Building Department

Subject to BC Building Code requirements, Part 3 building requires full professional review at time of development. No concern with variance.

Fire Department

No concerns.

Engineering Department

Engineering comments are attached as Appendix 8.

Design Review Panel

With committees inactive due to the COVID-19 pandemic, the application was not referred to the Design Review Panel (DRP) for review.

Planning Department

OCP Residential Development Permit Area Guidelines

The proposed development is subject to the guidelines of the "Residential Development Permit Area" as described in the OCP, suggesting characteristics under the topics of siting and building, landscape design, as well as access, circulation and parking area guidelines.

Siting and Building

The applicant is proposing a 20 unit development in the unique form of a 5 level building, set towards the north portion of the parcel. The building has a footprint of 1071 square metres in area on the 1,652 square metre parcel (65% parcel coverage), and a maximum height of 14.7 metres above grade. Both the roofline and, as described in the next section, the facades of the buildings are stepped, allowing for visual interest.

The building design is a contemporary style, featuring varied facades providing visual interest, incorporating high quality materials with proposed cladding including stucco, metal, and concrete siding. Multiple balconies and patios serve to further enhance the detailed facades. The building provides an articulated roofline, stepping back above the first storey pedestal / parkade, and then stepping back again after the fourth storey, aligned with the OCP guidelines. The fifth storey is a large roof-top patio, with two relatively minimal extensions for elevator and stair access.

The building features multiple large outdoor patio areas, including a large top level patio, and patios on either side of the building. This allows for relatively generous sightlines around the mass of the building.

Furthermore, an easement existing along the east parcel line was revealed subsequent to the design being submitted. The design will be slightly revised with the lower pedestal wall shifting approximately 55 cm to the west to avoid encroaching on the easement area, as indicated on the drawings of Appendix 5.

Staff note that the building is set into a significant slope and that retaining walls have been identified along the northwest and northeast parcel lines, as well as along a portion of the south east parcel line. Due to their position along the rear of the building along the base of the slope and underground relative to adjacent parcels, they will have limited impact.

Landscape Design

A site plan has been submitted with a range of plantings proposed around the building. A unique landscape wall is proposed on the building's east facing wall. The large outdoor patio areas are additionally proposed to incorporate several planters and a wide range of plantings.

Related to landscaping, the parcel is located on a designated "local road" and is subject to OCP 8.4.28 which requires the planting of a uniform alignment of street trees planted at 10 metre intervals along the public boulevard. Consistent with the streetscape which features a combination of boulevard trees and on-site plantings, the applicant has included boulevard trees, with maple trees proposed on the site plan. Bonding as included in the Motion for Consideration will be held to ensure the completion of landscaping including boulevard trees.

Access, Circulation and Parking Area

Vehicle access proposed is via a single access. 25 parking spaces have been provided as required, all are enclosed parking spots.

Zoning: Land Use, Height, and Setbacks

The proposed development meets the applicable land use requirement of the R-5 zoning regulations contributing to a mixture of residential housing types. The density of the 20 units proposed is supported within the R-5 zone (up to 21 units would be supported). The building is below the maximum permitted height and meets covenant restrictions. However, one variance has been requested for the setback along the northwest interior parcel line.

Staff note the setback variance requested is minimal: 2.4 m decreased to 1.4 m along the north-west interior parcel line. This has been requested to support the parkade and a walkway allowing access to the rear of the property. Staff note that the parkade is nearly entirely underground, and will have limited impact on the adjacent property at the north-west corner of the parcel. As such, staff feel this requested setback variance is reasonable.

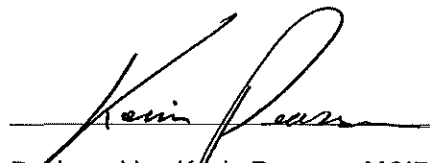
CONCLUSION

The applicant is applying for a Development Permit to support a multi family residential development within the Residential Development Permit Area. The proposed building design substantially aligns with the Development Permit Area guidelines as described in the OCP. The setback variance is viewed as minimal and is supported by staff.

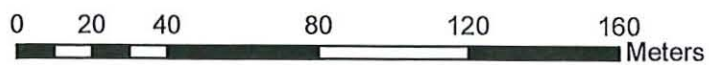
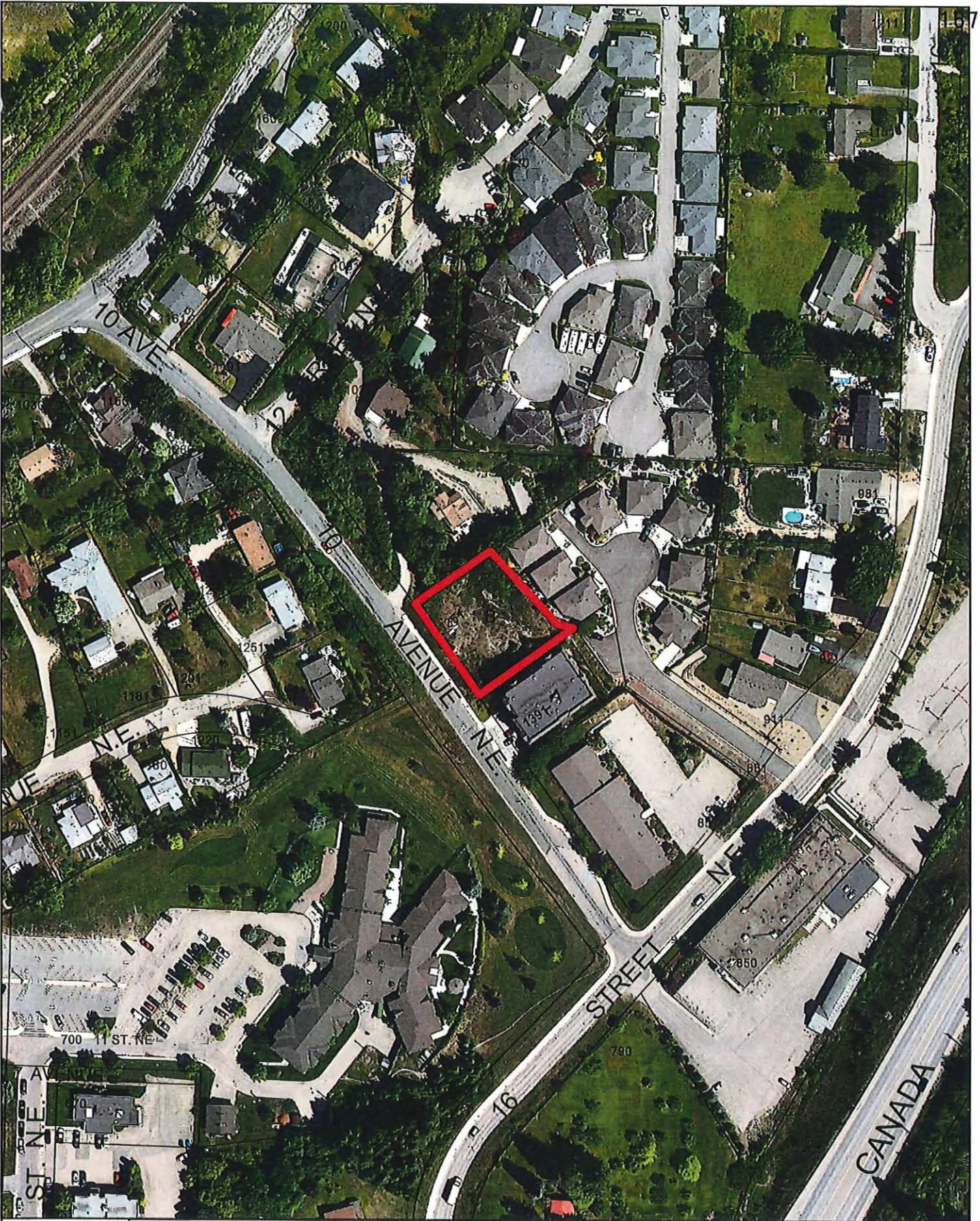
The applicant has been forthcoming, presenting their plans and design in local media and on site well in advance of the application. The building design is of high quality. Staff support the proposal including the setback variance as presented.




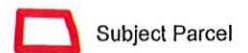
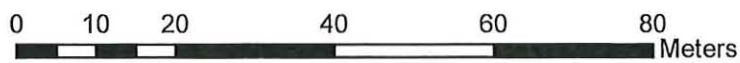
Prepared by: Chris Larson, MCP
Planning and Development Officer



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



 Subject Parcel



Subject Parcel



ALUMINUM FAUX WOOD PRE-FINISHED LONG BOARD "LIGHT FIR"

PREFINISHED METAL CAP FLASHING

STUCCO CLADDING "BENJAMIN MOORE OC-65 CHANTILLY LACE"

STUCCO CLADDING "BENJAMIN MOORE" DARK GREY



VISUAL GLAZING - DOUBLE GLAZED "LIGHT GREY"

ENGINEERED GUARDRAIL POWDER COATED W/ TEMPERED GLASS "CHARCOAL GREY"

DOUBLE GLAZED VINYL WINDOWS



ALUMINUM FAUX WOOD PRE-FINISHED LONG BOARD "LIGHT FIR"

VISUAL GLAZING - DOUBLE GLAZED "LIGHT GREY"

PAINTED CONCRETE WALL

GENERAL NOTES:

1. ALL EXTERIOR WOOD TRIM INCLUDING FASCIA, BARGE BOARDS, BELLY BOARDS, AND CORNER BOARDS IS SMOOTH, SANDED FIR OR CEDAR MATERIAL ON 2 SIDES WITH PAINTED FINISH. COMBED OR TEXTURED WOOD PRODUCTS ARE NOT APPROVED.
2. ALL SOFFITS INCLUDING PORCHES, BAYS AND EAVES, ARE WOOD TONGUE-AND-GROOVE (OR V-JOINT) SOFFITS, SMOOTH SANDED WITH PAINT OR SOLID STAIN FINISH.
3. ALL WINDOWS TO HAVE BALANCED SASH. (I.E. BOTH OPERABLE AND NON-OPERABLE WINDOWS TO HAVE SASHES OF THE SAME DIMENSION).
4. ALL WINDOWS TO HAVE TRUE-DIVIDED LITES (I.E. INDIVIDUAL GLAZING UNITS BETWEEN MUNTIN BARS, OR EQUIVALENT WITH EXTERIOR AND INTERIOR MOUNTED MUNTIN BARS AND INTERNAL SPACER BAR).

Notes:
 - THE DRAWINGS SHALL BE KEPT AS IS.
 - PLEASE DO NOT REMOVE ANYTHING FROM THE DRAWINGS OR MAKE ANY CHANGES WITHOUT THE ARCHITECT'S PERMISSION.
 - ANY CHANGES TO THE DRAWINGS SHALL BE MADE BY THE ARCHITECT.
 - THE ARCHITECT SHALL BE RESPONSIBLE FOR THE ACCURACY OF THE INFORMATION PROVIDED HEREIN.
 - THE ARCHITECT SHALL BE RESPONSIBLE FOR THE ACCURACY OF THE INFORMATION PROVIDED HEREIN.

NO.	DATE	BY	DESCRIPTION
1	05/20/2020	GT	ISSUED FOR PERMITS

SCALE:



DEVELOPER:

PROJECT:

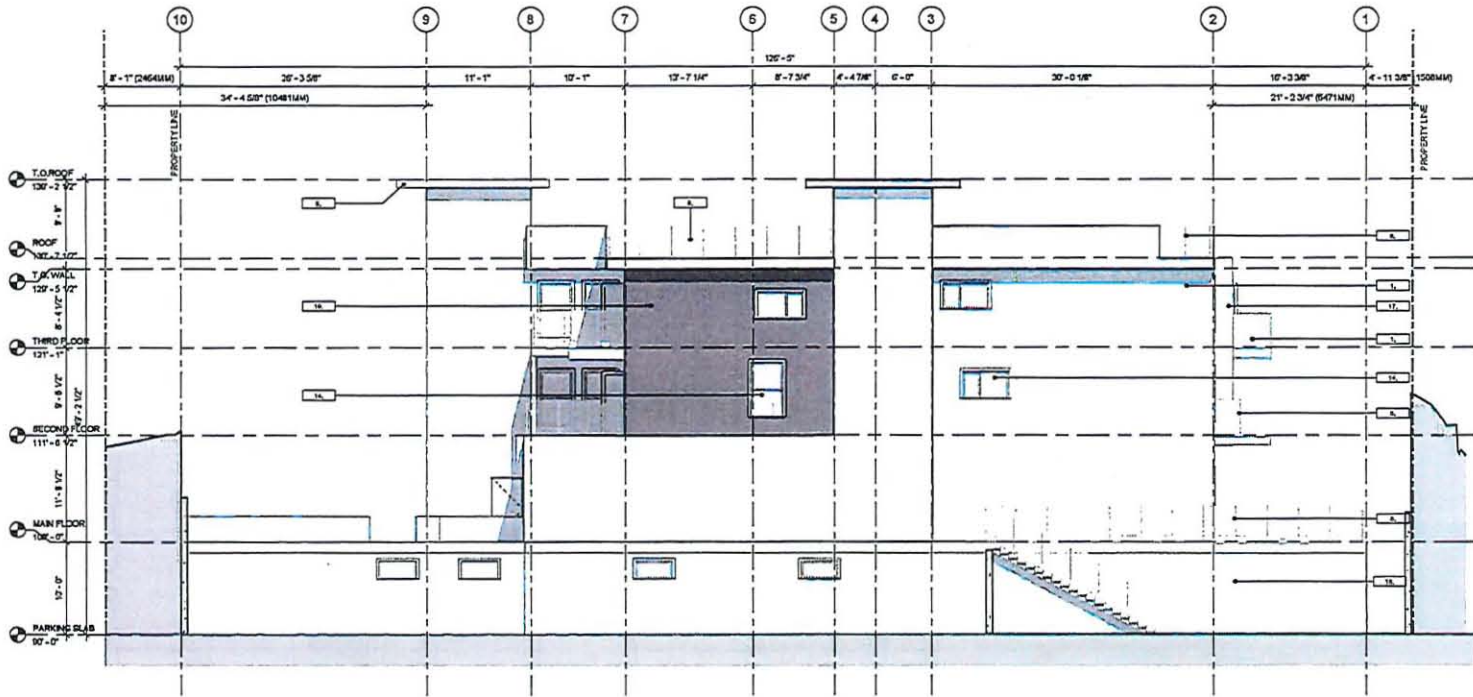
1381 1981 1981 1981

DATE: 05/20/2020

PERSPECTIVE & MATERIALS

PROJECT:	1381 1981 1981 1981
DATE:	05/20/2020
SCALE:	1/8" = 1'-0"
NO.:	A102

Photo: © iStockphoto.com/Andreas Gahr
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② 1-8 PROP. REAR ELEVATION
3/16" = 1'-0"

MATERIAL NOTES	
#	DESCRIPTION
1.	STUCCO CLADDING 'BENJAMIN MOORE OCEAN CHANTILLY LACE'
2.	PRE-FINISHED FASCIA 'CHARCOAL GREY'
3.	EXTRUDED ALUMINUM POWDER COATED W/ TEMPERED GLASS 'CHARCOAL GREY'
14.	DOUBLE GLAZED VINYL WINDOWS
17.	ALUMINUM FAIR WOOD PRE-FINISHED LONG BOARD 'LIGHT FIRM'
18.	CAST IN PLACE CONCRETE WALL
19.	STUCCO CLADDING 'BENJAMIN MOORE 'DARK GREY'

Notes:
 - FINISHES SHALL BE AS SHOWN.
 - VERIFY ALL DIMENSIONS OF EXISTING STRUCTURE AND ALL DIMENSIONS OF NEW CONSTRUCTION TO THE ARCHITECT.
 - VERIFY ALL DIMENSIONS OF EXISTING STRUCTURE AND ALL DIMENSIONS OF NEW CONSTRUCTION TO THE ARCHITECT.
 - ALL DIMENSIONS SHALL BE TO FACE UNLESS OTHERWISE NOTED.
 - ALL DIMENSIONS SHALL BE TO FACE UNLESS OTHERWISE NOTED.

NO.	DATE	DESCRIPTION
1	08/11/2017	REVISION

SCALE

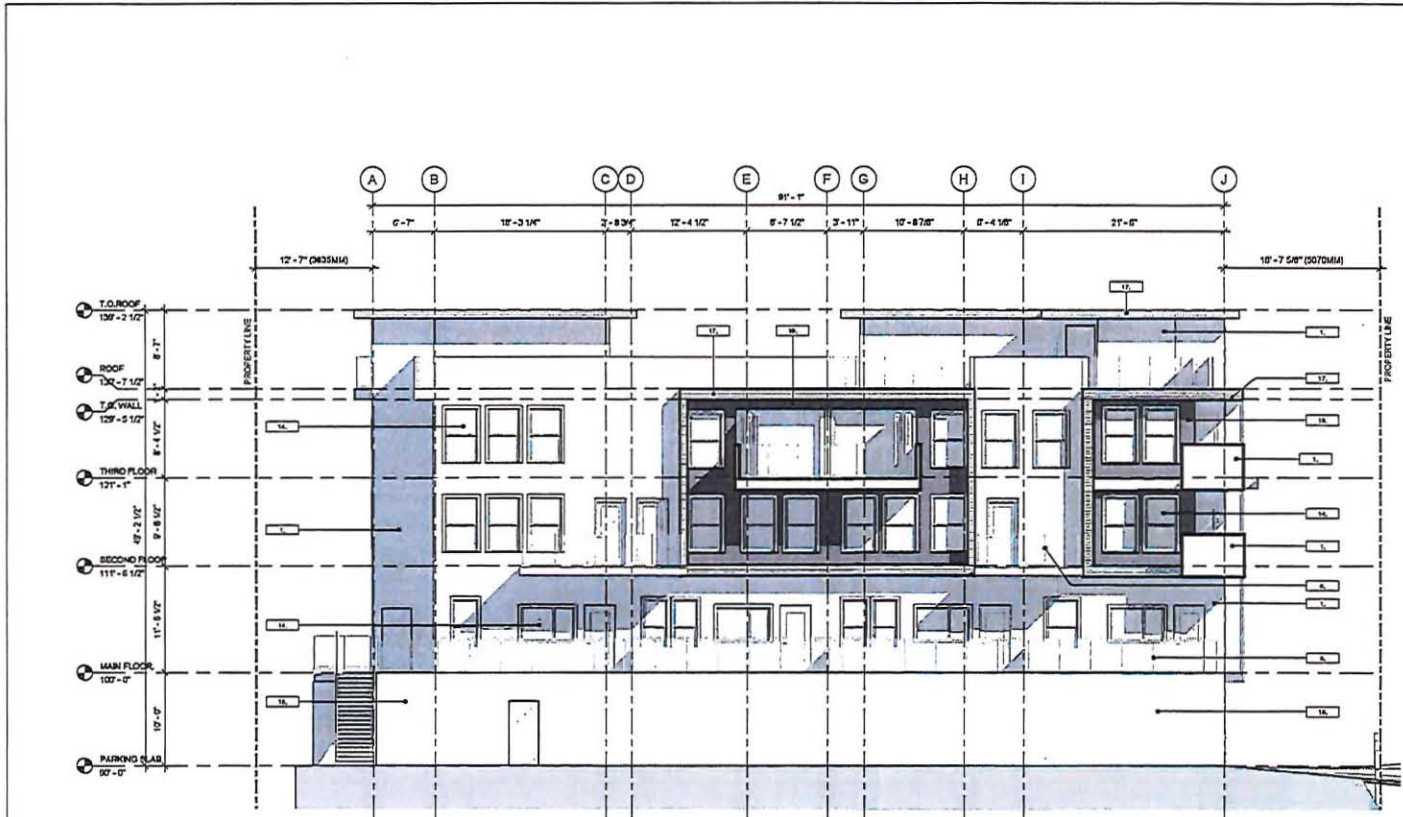


DEVELOPED BY:

PROJECT:
 HABITAT FOR HUMANITY
 1381 W 10TH AVE NE
 SEASIDE, WA 98148

SHEET TITLE:
 PROP. REAR ELEVATION

DATE: 08/11/2017
 DRAWN BY: GTA
 CHECKED BY: GTA
 SCALE: 3/16" = 1'-0"
 SHEET NO: A301
 DATE: 11/27/19 REV: A19-20



② 1-8 PROP WEST ELEV.
3/16" = 1'-0"

MATERIAL NOTES	
#	DESCRIPTION
1.	STUCCO CLADDING "BENJAMIN MOORE OCAS CHANTILLY LACE"
2.	ENGINEERED QUADRILAR POWDER COATED W/ TEMPERED GLASS "CHARMEL GREY"
14.	DOUBLE GLAZED VINYL WINDOWS
17.	ALUMINUM FALX WOOD PRE-FINISHED LONG BOARD "LIGHT FIR"
18.	CAST IN PLACE CONCRETE WALL
19.	STUCCO CLADDING "BENJAMIN MOORE "DAIRY GREY"

FORMS
 - THIS DRAWING IS NOT TO BE USED FOR CONSTRUCTION OF FORMS.
 - FORMS ARE TO BE DESIGNED AND CONSTRUCTED BY THE CONTRACTOR.
 - THE CONTRACTOR SHALL BE RESPONSIBLE FOR THE PROTECTION OF ALL EXISTING UTILITIES AND STRUCTURES.
 - THE CONTRACTOR SHALL BE RESPONSIBLE FOR THE PROTECTION OF ALL EXISTING MATERIALS.
 - THE CONTRACTOR SHALL BE RESPONSIBLE FOR THE PROTECTION OF ALL EXISTING MATERIALS.

DATE: 10/27/10
 DRAWN BY: [Name]
 CHECKED BY: [Name]

SCALE: 3/16" = 1'-0"

gta
 GTA ARCHITECTURE LTD.
 100 WEST 10TH AVENUE
 SUITE 200
 DENVER, CO 80202

PROJECT: HABITAT FOR HUMANITY
 100 WEST 10TH AVENUE, DENVER, CO

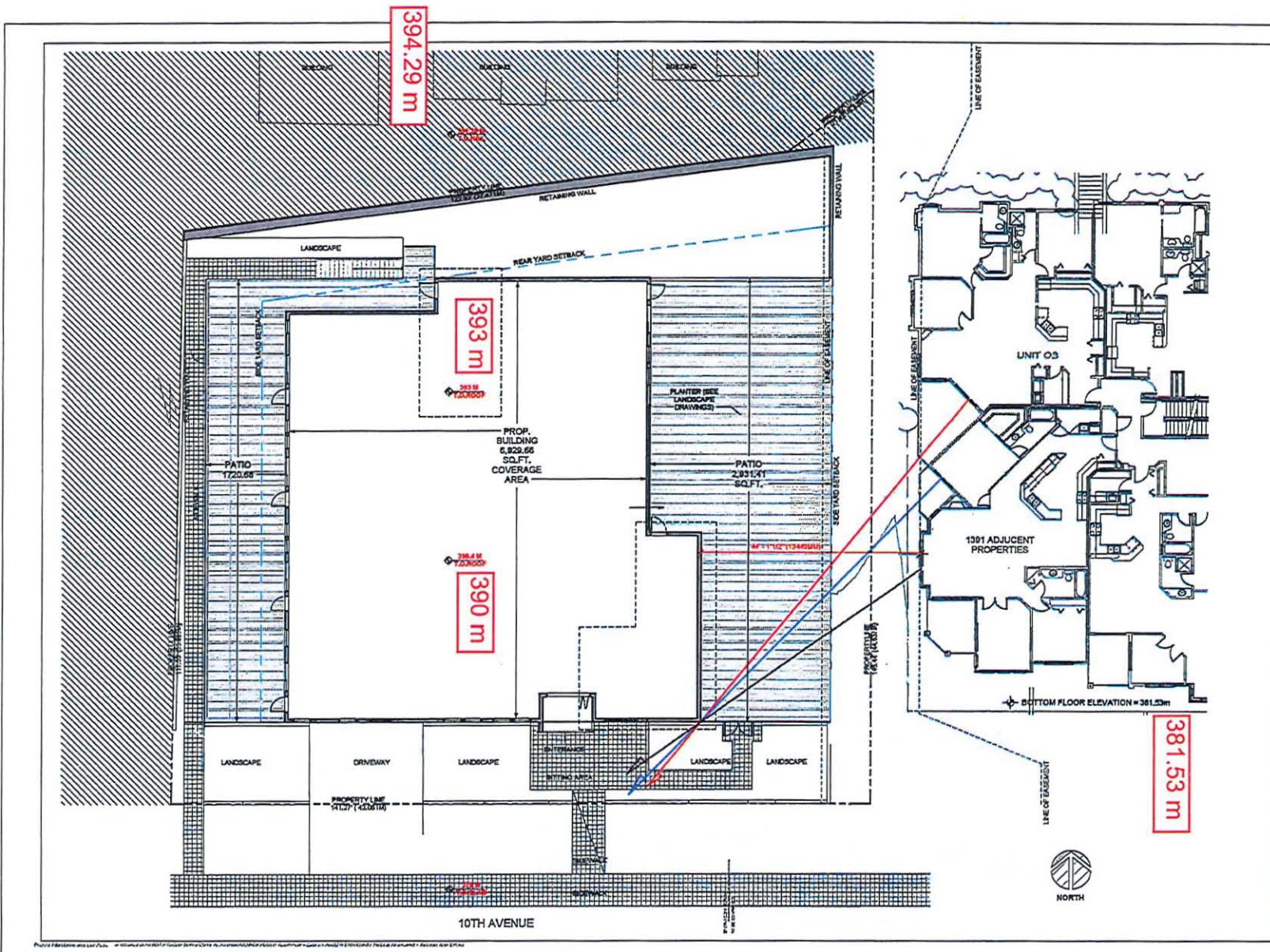
SHEET TITLE: PROP. WEST ELEVATION

DATE: 10/27/10
 DRAWN BY: [Name]
 CHECKED BY: [Name]

SCALE: 3/16" = 1'-0"

NO. 102710 (REV. 10/27/10)

Plan of Habitation and Location: © 2010 Habitat for Humanity. All rights reserved. This drawing is not to be used for construction of forms. The contractor shall be responsible for the protection of all existing utilities and structures.



1:500'

- THIS DRAWING SHALL NOT BE USED FOR ANY OTHER PROJECTS WITHOUT THE WRITTEN CONSENT OF THE ARCHITECT.
- ALL DIMENSIONS ARE TO FACE UNLESS OTHERWISE NOTED.
- THE CONTRACTOR SHALL BE RESPONSIBLE FOR VERIFYING ALL DIMENSIONS AND CONDITIONS OF THE SITE PRIOR TO CONSTRUCTION.
- THE CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND APPROVALS FROM THE APPROPRIATE AGENCIES.
- THE CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND APPROVALS FROM THE APPROPRIATE AGENCIES.
- THE CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND APPROVALS FROM THE APPROPRIATE AGENCIES.

DATE	REV	DESCRIPTION
02/20/20	01	ISSUE FOR PERMIT
SCALE		
1" = 10'-0"		
 GTA ARCHITECTURE CO., INC. 100 WEST 10TH AVENUE, SUITE 200 DENVER, CO 80202 TEL: 303.733.8888 WWW.GTAARCHITECTURE.COM		
DEVELOPED BY		
PROJECT		
HABITAT FOR HUMANITY		
1301 WEST 10TH AVE. BUILDING		
SHEET TITLE		
VIEW OF ADJACENT BUILDINGS		
DATE	BY	PROJECT NO.
02/20/20	JL	A405
SCALE	1" = 10'-0"	
DATE	02/20/20	NO. A18-03





Chris Larson

From: raman@gtarch.ca
Sent: June-29-20 1:55 PM
To: Chris Larson
Cc: 'Victoria Feil'
Subject: Following up

Hi Chris,

It was really nice to speak with you over the phone,

Below are the high lights for the council that may be a support for our design...

- 1- We required 2.4 M of setbacks form the eastern side of the property line. But we provided 10.5m considering to not obstacle the eastern side view. The parking lot wall is under the ground and can not been seen from the neighbours buildings.
- 2- The HT of the building is lower than the HT of the hill behind the project. So we don't obstacle the view of the neighbour behind the building.
- 3- We provided vertical landscape for the eastern side neighbour.
- 4- The project is designed in a way to have a strong relationship between outside and inside of the building, this is by providing more landscapes-patios and also openings.

Please let me know if you have any questions,

Sincerely,

Raman Bestoon
Intern Architect (AIBC) & Project Manager

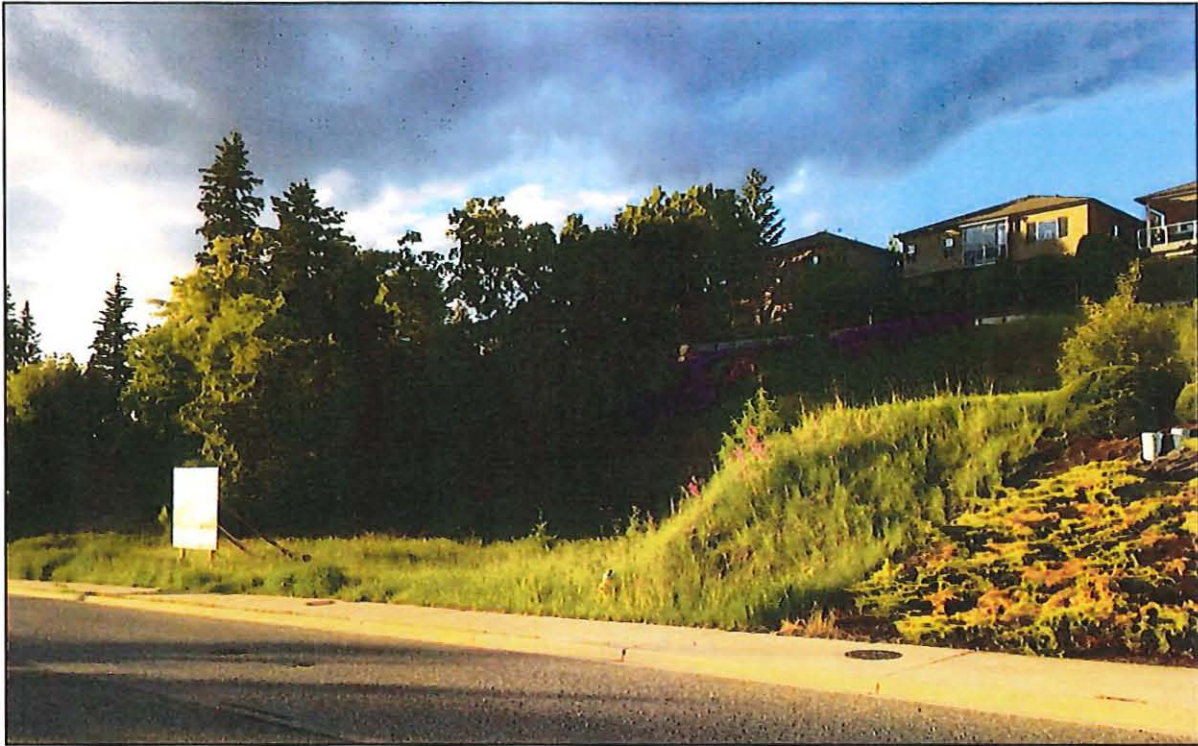
**ARCHITECTURE**

architecture, planning, interior design,
building envelope consultation

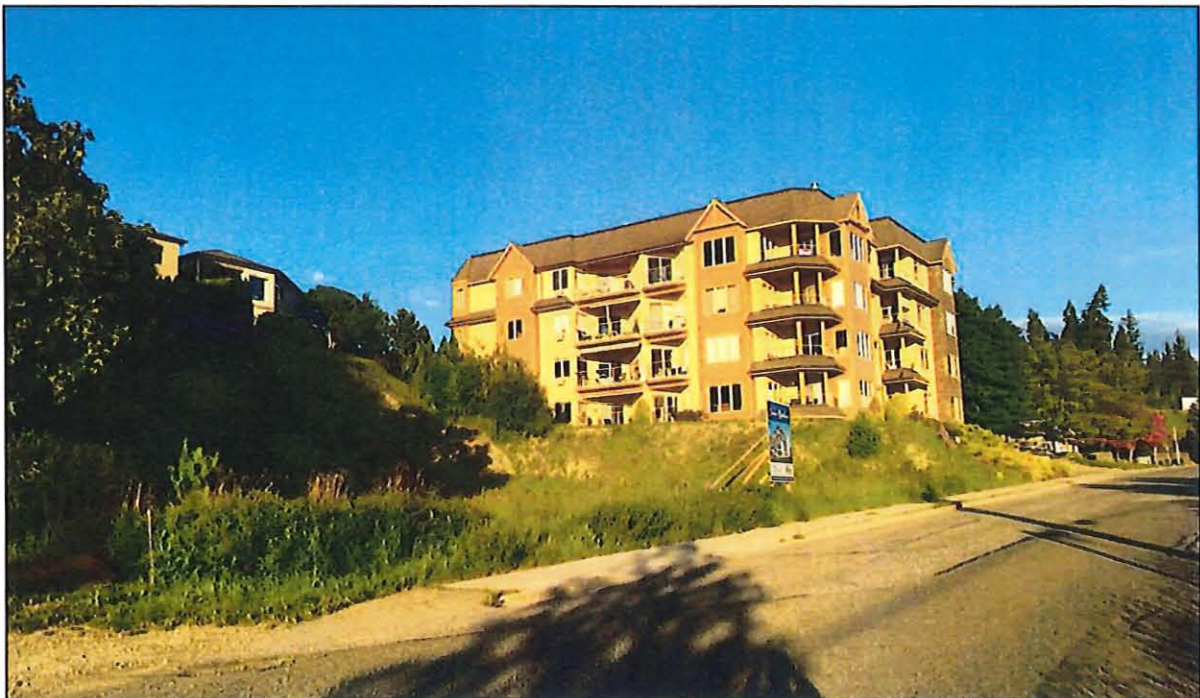
1889 Springfield Rd, Suite 243
Kelowna, British Columbia. V1Y 5V5
tel: 250.979.1668 ext:209 fax: 250.979.4366

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Attention: To do our part in containing the spread of COVID-19, we are encouraging all meetings to be conducted virtually. We will also continue to be accessible via email and telephone. We thank you for your patience and understanding.



View of vacant subject parcel looking north-east from 10 Avenue NE.



View of vacant subject parcel looking south-east from 10 Avenue NE.



**CITY OF
SALMON ARM**

*Memorandum from the
Engineering and Public
Works Department*

TO: Kevin Pearson, Director of Development Services
DATE: June 23, 2020
PREPARED BY: Matt Gienger, Engineering Assistant
APPLICANT: GTA Architecture Ltd.
SUBJECT: DEVELOPMENT PERMIT AMENDMENT APPLICATION No. DP-427
LEGAL: Lot B Section 13 Township 20 Range 10 W6M KDYD Plan KAP 70506
CIVIC: 1351 10 Avenue NE

Further to your referral dated June 1, 2020, we provide the following servicing information. The following comments and servicing requirements are not conditions for Development Permit; however, these comments are provided as a courtesy in advance of any development proceeding to the next stages:

General:

1. Full municipal services are required as noted herein. Owner / Developer to comply fully with the requirements of the Subdivision and Development Services Bylaw No 4163. Notwithstanding the comments contained in this referral, it is the applicant's responsibility to ensure these standards are met.
2. Comments provided below reflect the best available information. Detailed engineering data, or other information not available at this time, may change the contents of these comments.
3. Properties shall have all necessary public infrastructure installed to ensure properties can be serviced with underground electrical and telecommunication wiring upon development.
4. Property under the control and jurisdiction of the municipality shall be reinstated to City satisfaction.
5. Owner / Developer will be responsible for all costs incurred by the City of Salmon Arm during construction and inspections. This amount may be required prior to construction. Contact City Engineering Department for further clarification.
6. Erosion and Sediment Control measures will be required prior to the commencement of construction. ESC plans to be approved by the City of Salmon Arm.
7. Any existing services (water, sewer, hydro, telus, gas, etc) traversing the proposed lot must be protected by easement and relocated outside of the proposed building envelope. Owner/Developer will be required to prove the location of these services. Owner / Developer is responsible for all associated costs.
8. At the time of building permit the applicant will be required to submit for City review and approval a detailed site servicing / lot grading plan for all on-site (private) work. This plan will show such items as parking lot design, underground utility locations, pipe sizes, pipe elevations, pipe grades, catchbasin(s), control/containment of surface water, contours (as required), lot/corner elevations, impact on adjacent properties, etc.

DEVELOPMENT PERMIT AMENDMENT APPLICATION NO. DP-427

June 5, 2020

Page 2

-
9. For the off-site improvements at the time of building permit the applicant will be required to submit for City review and approval detailed engineered plans for all off-site construction work. These plans must be prepared by a qualified engineer. As a condition of subdivision / building permit approval, the applicant will be required to deposit with the City funds equaling 125% of the estimated cost for all off-site construction work.

Roads / Access:

1. 10 Avenue NE, on the subject properties southwest boundary, is designated as an Urban Local Road standard, with an ultimate 20.0m road dedication (10.0m on either side of road centerline). Available records indicate that no additional road dedication is required (to be confirmed by BCLS).
2. 10 Avenue NE is currently constructed to an Interim Urban Local Road standard. Upgrading to the current Urban Local Road standard is required, in accordance with Specification Drawing No. RD-2. Upgrading may include, but is not limited to, separated sidewalk, boulevard construction, street lighting, and hydro and telecommunications. As sidewalk upgrades are premature at this time, a 100% cash in lieu payment towards future upgrading will be accepted. Owner / Developer is responsible for all associated costs.
3. Owner / Developer is responsible for ensuring all boulevards and driveways are graded at 2.0% towards the existing roadway.
4. Access to 10 Ave NE shall be designed by keeping to a minimum number. Only one (1) driveway access will be permitted, up to a maximum of 8.0m width for high density residential use. Existing letdown may be required to be relocated or altered. All unused driveways shall be removed. Owner / Developer responsible for all associated costs.

Water:

1. The subject property fronts a Zone 1 watermain on 10 Avenue NE that transitions from 200mm to 150mm diameter. Upgrading the 150mm diameter section of water main is required. As this upgrade is premature at this time, a 100% cash in lieu payment towards future upgrading will be accepted. Owner / Developer is responsible for all associated costs.
2. The property is to be serviced by a single metered water service connection (as per Specification Drawing No. W-11), adequately sized to satisfy the proposed use. Water meter will be supplied by the City at the time of building permit, at the Owner / Developer's cost.
3. Records indicate that the property is serviced by a 150mm service from the 200mm diameter watermain on 10 Avenue NE. This service terminates in a Nelson Box approximately 4-5m from property line and approximately 2m northwest of hydrant (to be confirmed by Public Works). Extending this water service to the property line is required. Owner / Developer is responsible for all associated costs.
4. Records indicate that the property has a second water service, 100mm diameter from the private easement on the south eastern boundary of the property. This service is required to be decommissioned as only one service is permitted per property. Owner / Developer is responsible for all associated costs.

DEVELOPMENT PERMIT AMENDMENT APPLICATION NO. DP-427

June 5, 2020

Page 3

-
5. The subject property is in an area with sufficient fire flows and pressures according to the 2011 Water Study (OD&K 2012).
 6. Fire protection requirements to be confirmed with the Building Department and Fire Department.
 7. An existing fire hydrant on 10 Avenue NE is within 45m of all extents of the property's frontage and therefore complies with 90m hydrant spacing requirements for high density residential. No additional fire hydrants are required.

Sanitary:

1. The subject property fronts a 200mm diameter sanitary sewer on 10 Avenue NE, and a 200mm diameter private sanitary sewer within easement along the property's southeast and northeast boundary. No upgrades are anticipated subject to item 2.
2. The property is to be serviced by a single sanitary service connection from 10 Avenue NE adequately sized (minimum 100mm diameter) to satisfy the servicing requirements of the development. Owner / Developer's engineer may be required to prove that there is sufficient downstream capacity within the existing City Sanitary System to receive the proposed discharge from the development. Owner / Developer is responsible for all associated costs.

Drainage:

1. The subject property fronts a 300mm diameter storm sewer and 1200mm diameter storm sewer on 10 Avenue NE, and a 250mm diameter private storm sewer within easement along the property's southeast and northeast boundary. No upgrades are anticipated subject to item 4.
2. An Integrated Stormwater Management Plan (ISMP) conforming to the requirements of the Subdivision and Development Servicing Bylaw No. 4163, Schedule B, Part 1, Section 7 shall be provided.
3. Where onsite disposal of stormwater is recommended by the ISMP, an "Alternative Stormwater System" shall be provided in accordance with Section 7.2.
4. Where discharge into the Municipal Stormwater Collection System is recommended by the ISMP, this shall be in accordance with Section 7.3. The property shall be serviced by a single storm service connection from 10 Avenue NE adequately sized (minimum 150mm) to satisfy the servicing requirements of the development. Owner / Developer's engineer may be required to prove that there is sufficient downstream capacity within the existing City Storm System to receive the proposed discharge from the development. All existing inadequate / unused services must be abandoned at the main. Owner / Developer is responsible for all associated costs.

DEVELOPMENT PERMIT AMENDMENT APPLICATION NO. DP-427

June 5, 2020

Page 4

Geotechnical:

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

Easements:

1. A 3.0m wide private utilities easement exists on the property's southeastern boundary. No part of the building or any structure may encroach an easement or Right Of Way. Applicant to verify all terms set out in the easement document and, if any variation is required, an amendment to the easement document is required subject to approval of all parties named on the easement.

Variance request:

The applicant has requested to vary Zoning Bylaw 10.9.3 to decrease the west interior side parcel line setback. **Engineering Staff have no concerns with this request.**



Matt Glenger
Engineering Assistant



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

Mrs. Joyce E. Ansell

#6 - 881 16th Street N.E. Salmon Arm, BC V1E 3L5

July 6, 2020

House 6
881 16th Street NE
Salmon Arm, BC. V1E 3L5

Chris Larson
Development Permit No. DP-427
City of Salmon Arm
2600 – 10 Avenue NE
Box 40
Salmon Arm, BC., V1E 4N2

Dear Mr. Larson:

I would like to draw your attention to two concerns that I have regarding the proposal submitted for Development Permit No. DP-427. The two issues concern

1. the construction of a retaining wall of the height indicated in the drawings, and
2. instability of the northeast corner, referred to as the side setback, where it looks as if there may be encroachment.

The construction of the retaining wall is of major concern. There was a stability problem with this property before the house was built. It took three attempts to stabilize the area before the geotechnical information was adequate for the building of a house. These papers are on file in the City Hall. I looked at them before I bought the property.

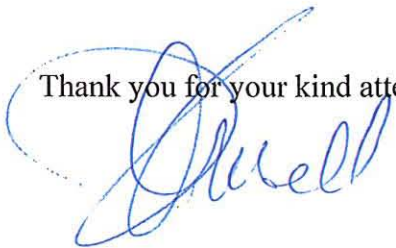
My property is entirely held in place by the large concrete blocks that are along the property line. Any disturbance to these puts the stability of my property, and therefore also the stability of my house, at risk. There is no easement on my property for use of the builder, likely because of the stability issues, and I will not surrender the assurance of stability offered by the three geotechnical surveys by granting access to my property.

My concern is that the construction of a retaining wall along the property line which is of a height that would be the necessary for the proposed development would require excavation into the properties along the edge of the property line at the top of the bank. Such excavation could reach as far back as the foundations of the houses. Even with easements, for those properties that have easements, the requirement could far exceed the width of the easements, and as I said above, there is no easement on my property, the one to the farthest north at the corner of the development.

Regarding the second point, the 'land' at the farthest northern corner of the development look like a rockslide. It looks as if disturbance on any of the bottom rocks would send the whole area sliding away, again disturbing my property.

I believe it is the City's responsibility to ensure the private properties adjacent to land under development are well protected. I would welcome an inspection visit by City Engineers so that you all know what I am talking about. I am enclosing some photos which were taken right after I purchased the property in March 2005.

Thank you for your kind attention,



Joyce E. Ansell



↪ First viewing prior to buying.



First spring ('05) after purchase

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Item 23.1

CITY OF SALMON ARM

Date: July 13, 2020

NOTICE OF PUBLIC HEARING

Notice is hereby given that the Council of the City of Salmon Arm will hold a Public Hearing at the **Salmon Arm Recreation Centre Auditorium**, 2600 10 Avenue NE, Salmon Arm, British Columbia, on **Monday, July 13, 2020 at 7:00 p.m.**

Proposed Amendment to Official Community Plan Bylaw No. 4000:

Redesignate Lot 1, Block 3, Section 14, Township 20, Range 10, W6M, KDYD, Plan 392 Except Plan EPP88691 from CC (City Centre Commercial) to HR (High Density Residential).

Civic Address: 220 Okanagan Avenue SE

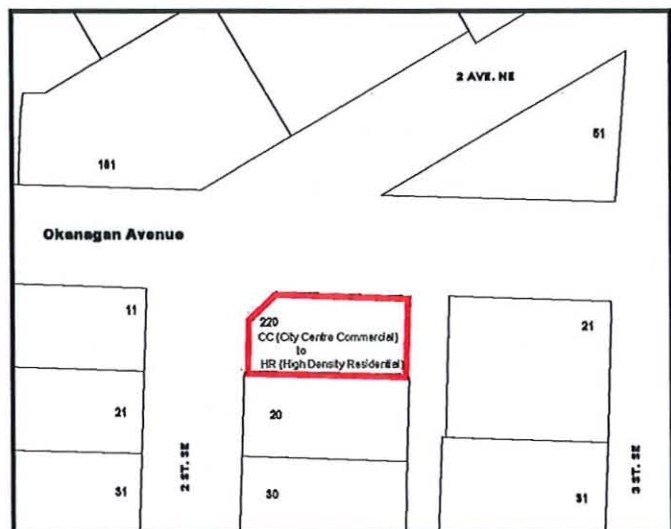
Location: Southeast corner of 2 Street SE and Okanagan Avenue SE intersection

Present Use: Commercial building with Upstairs Residential suites

Proposed Use: High Density Residential

Owner/Applicant: Edelweiss Properties Inc./ J. Baer – Timberline Solutions

Reference: OCP4000-42/Bylaw No. 4393



The staff reports for the proposals are available for viewing on the City of Salmon Arm website at www.salmonarm.ca June 30 – July 13, 2020 inclusive. Those who deem their interest affected by the proposed bylaws are urged to review the online file, contact the undersigned or phone the Development Services Department at 250.803.4010 to obtain the facts of the proposal prior to the hearing.

City Council encourages the continued use of the city's website to stay informed on current Development applications and Council Agendas.

Erin Jackson, Director of Corporate Services

Vote Record

- Carried Unanimously
 - Carried
 - Defeated
 - Defeated Unanimously
- Opposed:

- Harrison
- Cannon
- Eliason
- Flynn
- Lavery
- Lindgren
- Wallace Richmond

CITY OF
SALMON ARM

TO: His Worship Mayor Harrison and Members of Council

DATE: May 25, 2020

SUBJECT: Official Community Plan Amendment Application No. OCP4000-42
 Zoning Amendment Application No. 1175

Legal: Lot 1, Block 3, Section 14, Township 20, Range 10, W6M, KDYD, Plan 392,
 Except Plan EPP88691
 Civic: 220 Okanagan Avenue SE
 Owner: Edelweiss Properties Inc.
 Applicant / Agent: Timberline Solutions / J. Baer

MOTION FOR CONSIDERATION

THAT: A bylaw be prepared for Council's consideration, adoption of which would amend Official Community Plan Bylaw No. 4000 Land Use Designation of Lot 1, Block 3, Section 14, Township 20, Range 10, W6M, KDYD, Plan 392, Except Plan EPP88691 from CC (City Centre Commercial) to HR (High Density Residential);

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

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

AND THAT: Pursuant to Section 477 (3) (a) of the *Local Government Act*, Second Reading of the Official Community Plan bylaw be withheld pending Council's consideration of the amendment in conjunction with:

- 1) The Financial Plans of the City of Salmon Arm; and
- 2) The Liquid Waste Management Plan of the City of Salmon Arm.

AND THAT: A bylaw be prepared for Council's consideration, adoption of which would amend Zoning Bylaw No. 2303 by rezoning Lot 1, Block 3, Section 14, Township 20, Range 10, W6M, KDYD, Plan 392, Except Plan EPP88691 from C-2 (Town Centre Commercial Zone) to R-5 (High Density Residential Zone);

AND FURTHER THAT: Final Reading of the Zoning Amendment Bylaw be withheld subject to:

- 1) Ministry of Transportation and Infrastructure approval;
- 2) Registration of a Section 219 Land Title Act restrictive covenant, restricting five residential dwelling units to rental units located on the subject property (220 Okanagan Avenue SE); and
- 3) Adoption of the associated Official Community Plan Amendment Bylaw.

STAFF RECOMMENDATION

The Motion for Consideration be adopted.

BACKGROUND

The civic address of the subject property is 220 Okanagan Avenue SE. The property is located at the corner of Okanagan Avenue SE and 2nd Street SE, near the Trans Canada Highway (Appendices 1 & 2). The owner and applicant wish to convert the lower floor of commercial space into 2 residential dwelling units. The applicant has submitted a site and a proposed lower floor plan (Appendix 3). Site photos are attached as Appendix 4. In 2018 a 2-storey building was constructed with 180 m² (1935 ft²) of commercial space on the lower floor and two residential units, approximately 75 – 85 m² (820 – 900 ft²) on the upper floor. Although the 3 upper floor dwelling units have been rented, the lower commercial space has been vacant since the building was constructed in 2018. Only upper or lower floor dwelling units, not both, are permitted in the C-2, Town Centre Commercial Zone. To convert the building to a residential building and eliminate commercial space on the lower floor, both an OCP and a zoning amendment are necessary. This application proposes to change the OCP designation from CC (Commercial City Centre) to HR (High Density Residential); and, a Zoning Amendment, to change the zoning from C-2, Town Centre Commercial Zone to R-5, High Density Residential Zone. OCP and zoning maps are attached as Appendices 4 & 5.

Land uses adjacent to the subject parcel include the following:

- North: Okanagan Avenue SE, C-2, Town Centre Commercial
- South: Single family dwelling, C-2, Town Centre Commercial
- East: Laneway & multi-family residential, R-5, High Density Residential
- West: 2nd Street SE, C-2 Town Centre Commercial

Originally the subject property, along with the two adjacent properties to the south were designated as High Density Residential and zoned R-1, Single Family Residential. In 2012, OCP and Zoning Bylaw Amendments were adopted which changed the OCP designation and zoning to it's present state, Commercial City Centre and C-2 Town Centre Commercial Zone respectively. A Development Permit was approved for the existing 2-storey mixed use building for the subject property, subject to conditions in 2013 and the Development Permit was issued in 2018. There was no further development on the two adjacent properties to the south (20 & 30 – 2 Street SE) as the owner of the property changed their development plans.

OCP POLICIES

This application proposes to reverse the OCP designation on the subject property back to its original designation of High Density Residential. This property borders the boundary between City Centre Commercial and High Density Residential. OCP Policy 8.3.19 supports high density residential developments in areas with good access to the following:

- transportation routes, including transit, trails and sidewalks, and roads;
- recreation, parks and open space;
- community services, e.g., commercial uses, schools.

Section 475 & 476– Local Government Act

Pursuant to Section 475 and 476 of the Local Government Act (consultation during OCP development / amendments), the proposed OCP amendment was referred to the following external organizations:

- | | |
|-------------------------------|---------------------|
| Adams Lake Indian Band: | No response to date |
| Neskonlith Indian Band: | No response to date |
| Economic Development Society: | No response to date |
| School District No. 83: | No response to date |

Section 477 – Local Government Act

Pursuant to Section 477 of the Local Government Act (adoption procedures for official community plan), after first reading, the OCP amendment bylaw must be considered in relation to the City's financial and waste management plans. In the opinion of staff, this proposed OCP amendment is largely consistent with both the City's financial and waste management plans.

COMMENTS

Engineering Department

No Engineering Department concerns.

Building Department

No concerns from a building point of view. Architect required if there are 5 or more dwelling units in the building. Building plans were submitted by Marc Lamerton Architect for the existing building.

Fire Department

No Fire Department concerns.

Planning Department

The location of the property is just south of the Trans-Canada Highway and borders the downtown commercial area to the north and the residential area to the south. The property is centrally located and provides good access to amenities in the downtown core in a neighbourhood which ranges from low density, single family homes to higher density multi-family residential developments.

A covenant prohibiting some commercial uses that were considered non-compatible in this transitional area between the Town Centre commercial area and the residential area was a condition to rezoning the parcel to C-2 in 2013. Because the property is located in this transitional area, changing the designation and rezoning the property back to residential is supported based on its location.

The maximum density permitted in the R-5 zone is 100 dwelling units or 40.5 dwelling units per acre. With a density bonus the maximum density increases to 130 dwelling units per hectare or 52.6 dwelling units per acre. With R-5 zoning, the maximum density on this property would be 4 dwelling units or 5 units with a density bonus. To qualify for a density bonus, a special amenity of rental units is proposed to be provided and secured in perpetuity by a Section 219 Land Title Act Covenant. The owner of the property is agreeable to the requirement for a covenant, see Appendix 7.

Unfortunately, the setbacks are significantly different between commercial and residential zoned properties. Under the current zoning, C-2 Town Centre Commercial, the maximum parcel or site coverage can be 100% of the parcel or site area and no setbacks. Under the proposed R-5, High Density Residential zoning, the maximum parcel coverage is 55% of the parcel area for all buildings, 70% if there is underground parking which is not applicable in this situation. The specified setbacks for principal buildings in the R-5 zone are: 5.0 m for front, rear and exterior parcel lines; and, 2.4 m for interior parcel lines. The existing building does not meet any of the required R-5 setbacks, see attached survey attached as Appendix 8. Therefore, it should be noted that if the property is rezoned to R-5, the building will have the status of legal, non-conforming with respect to parcel coverage and setbacks and subject to Section 529, of the Local Government Act (Non-conforming structures: restrictions on maintenance, extension and alteration).

With respect to parking requirements, the existing 6 parking spaces will meet the parking requirements as specified in the Zoning Bylaw. In this scenario, fewer parking spaces are required with R-5 zoning as compared to C-2 zoning; 1.25 off-street parking spaces are required under R-5 zoning and under C-2 zoning the parking requirements are based on gross floor area and the commercial use. A parking

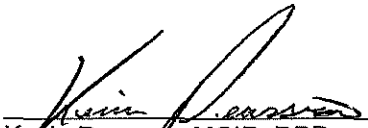
variance was not required with the original Development Permit for the building because the property was included in the Downtown Specified Parking Area (Bylaw No. 4007) and the parking requirements are further reduced from 1.25 parking spaces to 1 parking space per dwelling unit because the property is included in the Downtown Specified Parking Area. Therefore, the existing 6 parking spaces is sufficient for the proposed 5 dwelling units.

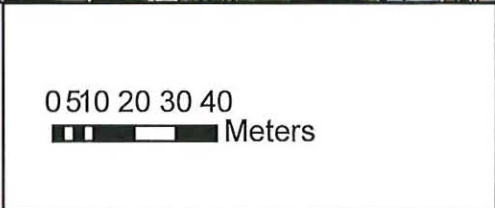
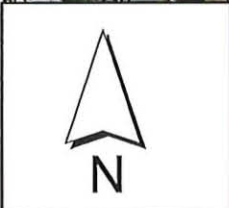
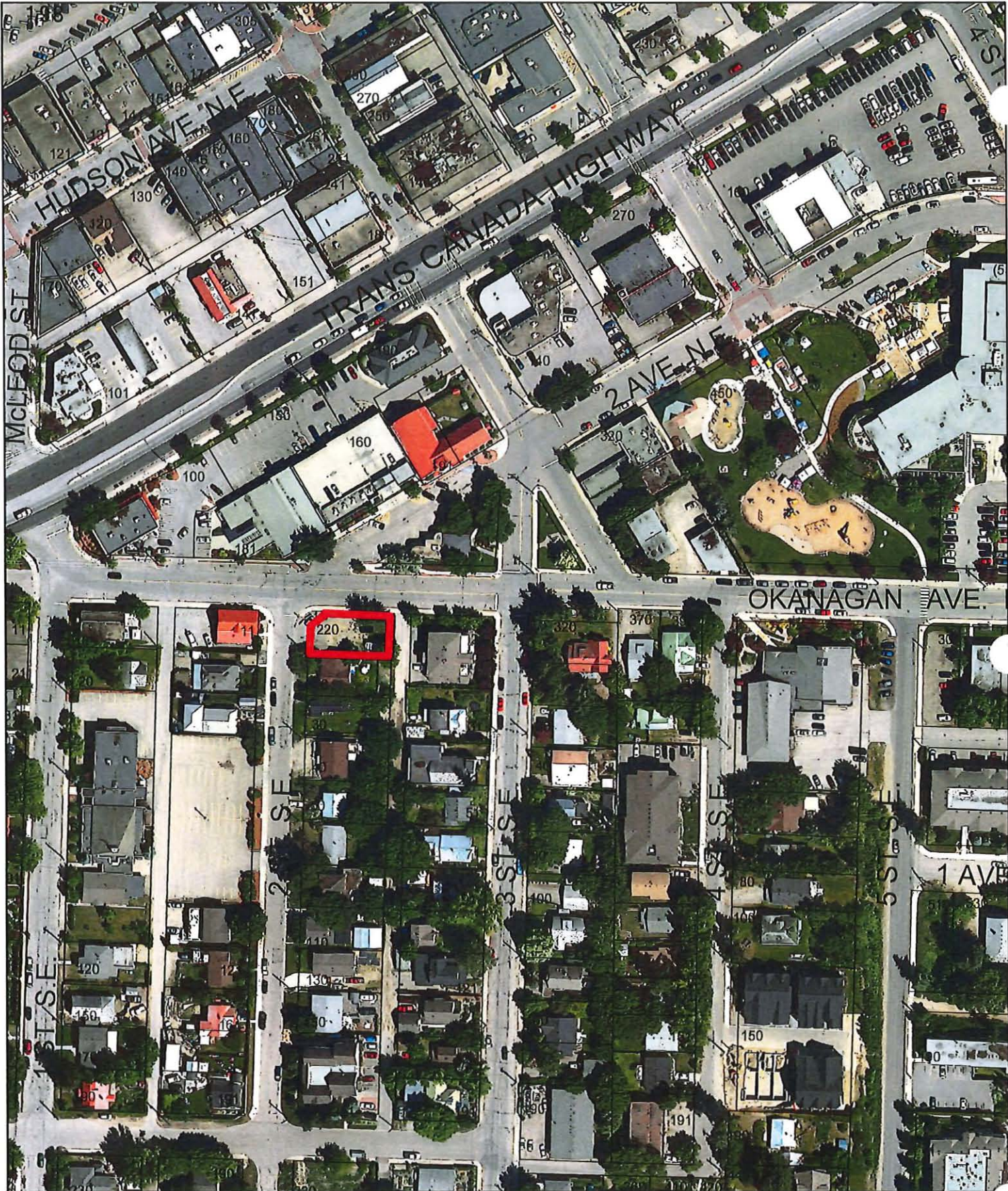
CONCLUSION

This OCP & zoning amendment application proposes to revert the subject property from commercial back to residential to facilitate the conversion of lower floor commercial space to 2 residential dwelling units. The primary reason for the proposal is because the owner has been unable to lease the commercial space.

The property is located in a transitional area bordering the downtown commercial area to the north and the high density residential area to the south. The location of the property is supportive of this proposal. In addition, the density and parking provisions of the R-5 zone can be achieved. However, there are some implications with regards to parcel coverage and setbacks that will leave the property with a legal, non-conforming status should the OCP and zoning amendments be adopted:


Denise Ackerman
Planner, Development Services Department


Kevin Pearson, MCIP, RPP
Director of Development Services



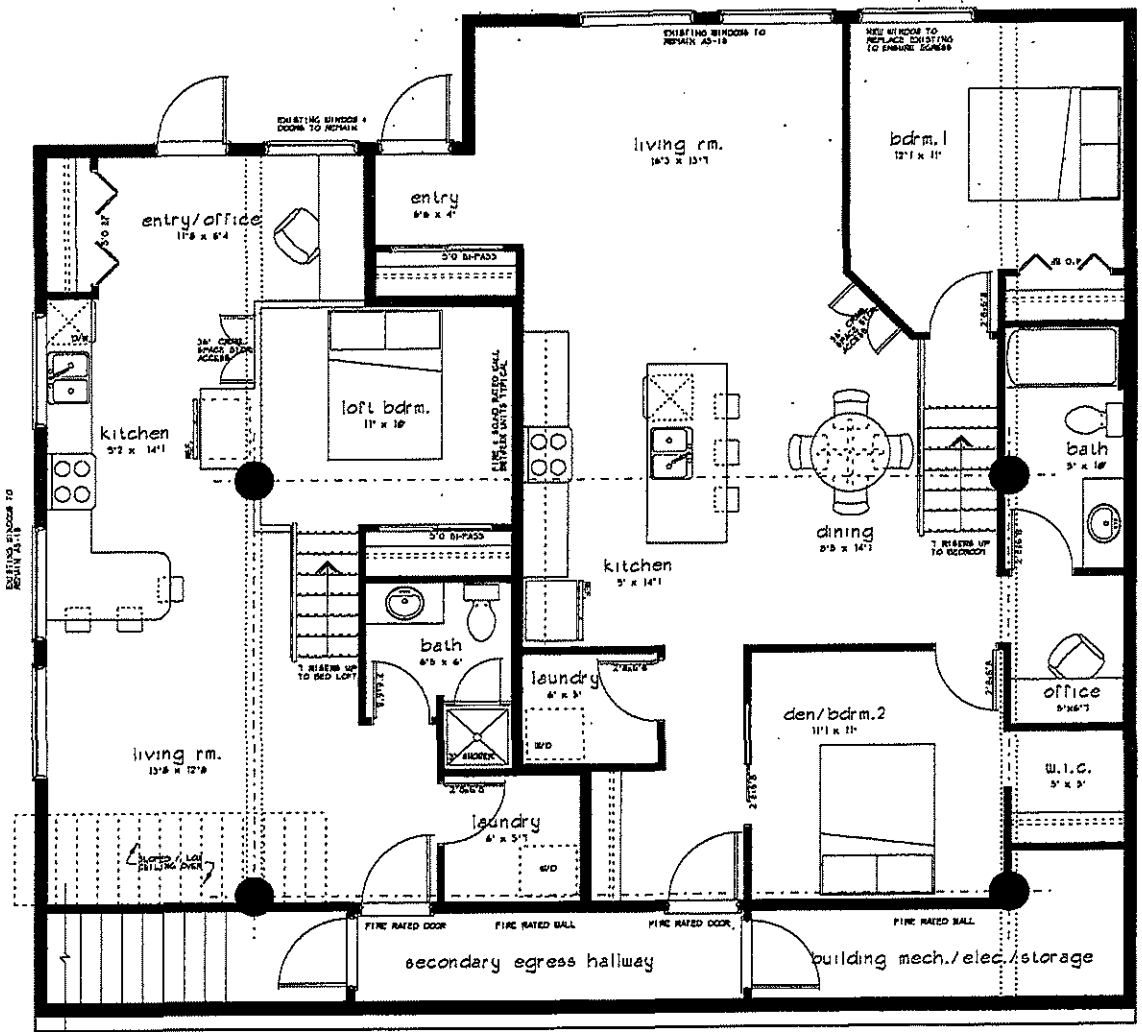

Subject Parcel



0 1.25 2.5 5 7.5 10
Meters



Subject Parcel



660 sq. ft.

1060 sq. ft.

220 Okanagan Ave. Ground Floor
 SCALE: 1/32" = 1'-0"



View of subject property looking east (from 2nd Street SE)



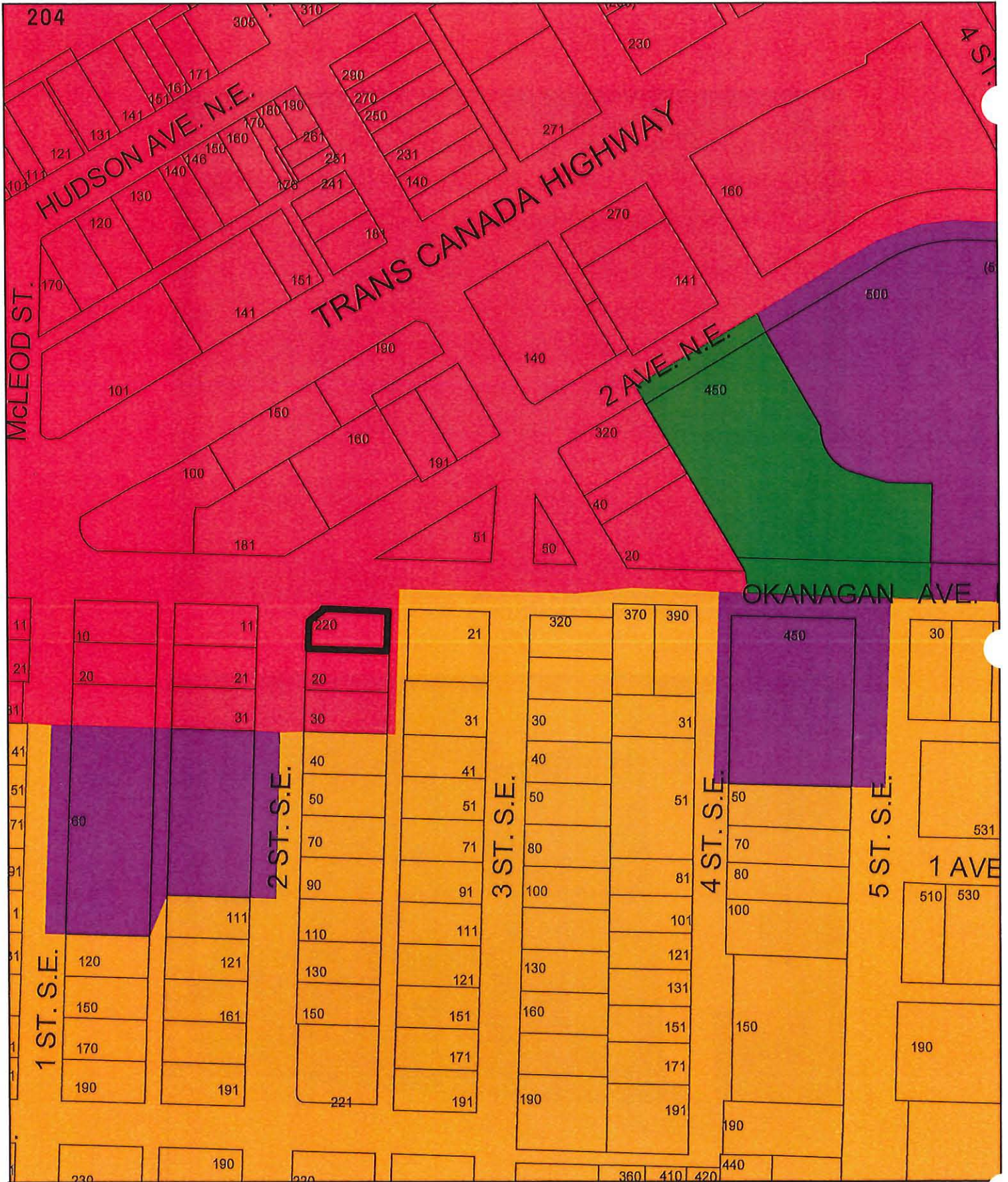
View of subject property looking west (from laneway)


















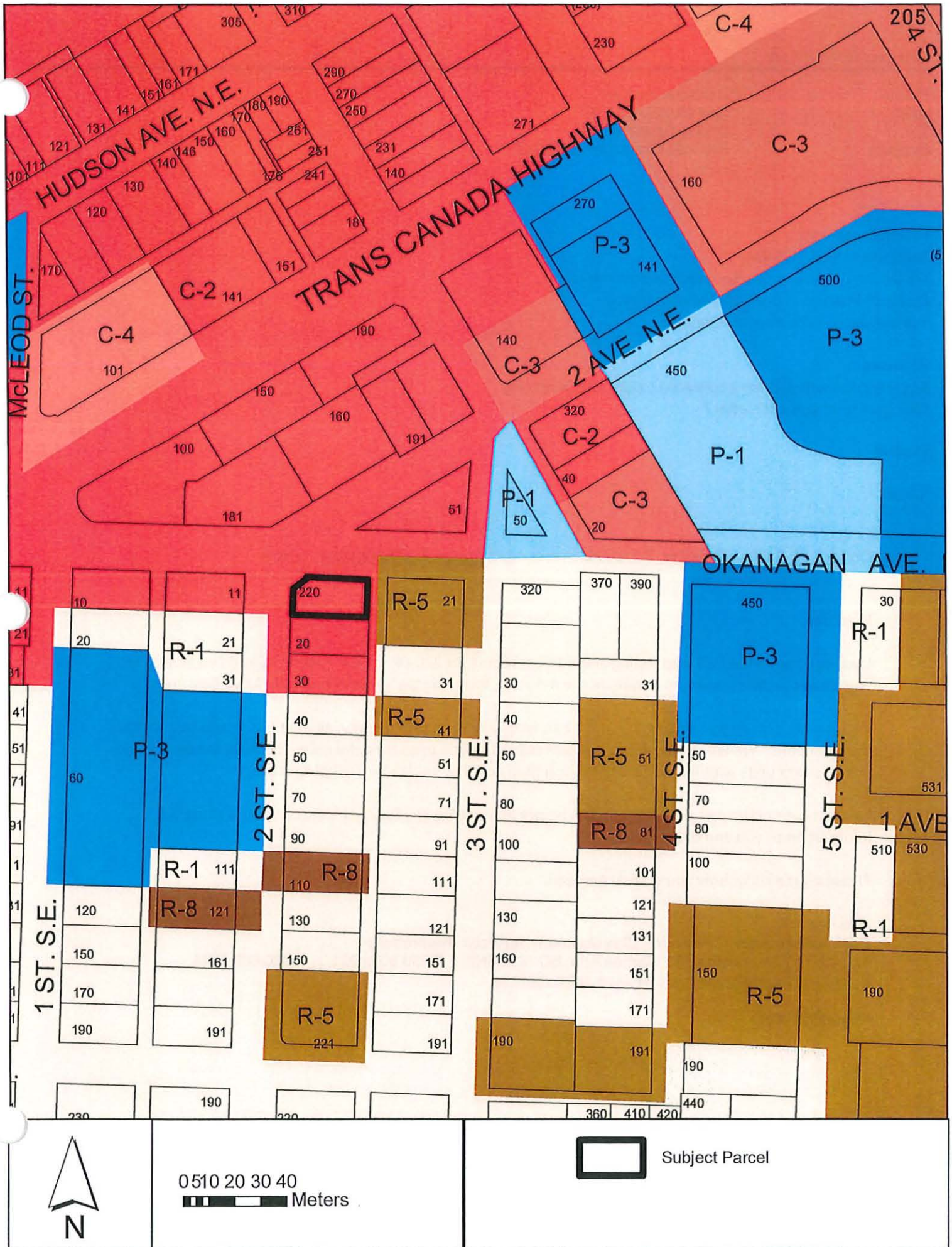
View of subject property looking south (from Okanagan Avenue SE)



View of subject property looking northwesterly (from laneway)



	 <p>Subject Parcel</p>  <p>0 10 20 30 40 Meters</p>	<table border="0"> <tr> <td></td> <td>Commercial City Centre</td> </tr> <tr> <td></td> <td>High Density Residential</td> </tr> <tr> <td></td> <td>Institutional</td> </tr> <tr> <td></td> <td>Park</td> </tr> </table>		Commercial City Centre		High Density Residential		Institutional		Park
	Commercial City Centre									
	High Density Residential									
	Institutional									
	Park									



Denise Ackerman

From: Denise Ackerman
Sent: May-27-20 3:26 PM
To: Denise Ackerman
Subject: FW: 220 Okanagan Avenue SE

From: Jordan Baer
Sent: May-15-20 2:37 PM
To: Denise Ackerman <dackerman@salmonarm.ca>
Cc: Kevin Pearson <kpearson@salmonarm.ca>
Subject: Re: 220 Okanagan Avenue SE

Hi Denise
Roger is good with signing a covenant to keep them rentals.
Did I ever send you a DP letter?

Regards,

Jordan

On May 14, 2020, at 5:04 PM, Denise Ackerman <dackerman@salmonarm.ca> wrote:

Hi Jordan,

I am working on the OCP and zoning amendment report for 220 Okanagan Avenue SE and I wanted to let you know that the maximum density in the R-5 zone, based on the parcel size is only 4 dwelling units.

With bonus density you could get 5 units; but, to qualify for bonus density, all the units would be restricted to rental units. We would require a covenant restricting the units to rental units, meaning the units could not be strata units with individual titles which then could be sold as individual strata lots.

I am not sure of the owner's intention but before proceeding any further I wanted to pass along this information to you and the owner.

Please let me know how you wish to proceed.

Kind Regards,

Denise Ackerman | Planner | Development Services Department
Box 40, 500-2nd Avenue NE, Salmon Arm, BC, V1E 4N2 | P 250.803.4021 | F 250.803.4041
E dackerman@salmonarm.ca W www.salmonarm.ca

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Item 23.2

CITY OF SALMON ARM

Date: July 13, 2020

NOTICE OF PUBLIC HEARING

Notice is hereby given that the Council of the City of Salmon Arm will hold a Public Hearing at the **Salmon Arm Recreation Centre Auditorium, 2600 10 Avenue NE, Salmon Arm, British Columbia, on Monday, July 13, 2020 at 7:00 p.m.**

Proposed Amendment to Zoning Bylaw No 2303:

Rezone Lot 1, Block 3, Section 14, Township 20, Range 10, W6M, KDYD, Plan 392 Except Plan EPP88691 from C-2 (Town Centre Commercial Zone) to R-5 (High Density Residential Zone).

Civic Address: 220 Okanagan Avenue SE

Location: Southeast corner of 2 Street SE and Okanagan Avenue SE intersection

Present Use: Commercial building with Upstairs Residential suites

Proposed Use: High Density Residential

Owner/Applicant: Edelweiss Properties Inc./ J. Baer – Timberline Solutions

Reference: ZON-1175/ Bylaw No. 4394



The staff reports for the proposals are available for viewing on the City of Salmon Arm website at www.salmonarm.ca June 30 – July 13, 2020 inclusive. Those who deem their interest affected by the proposed bylaws are urged to review the online file, contact the undersigned or phone the Development Services Department at 250.803.4010 to obtain the facts of the proposal prior to the hearing.

City Council encourages the continued use of the city's website to stay informed on current Development applications and Council Agendas.

Erin Jackson, Director of Corporate Services

Vote Record

- Carried Unanimously
 - Carried
 - Defeated
 - Defeated Unanimously
- Opposed:

- Harrison
- Cannon
- Eliason
- Flynn
- Lavery
- Lindgren
- Wallace Richmond

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Item 23.3

CITY OF SALMON ARM

Date: July 13, 2020

NOTICE OF PUBLIC HEARING

Notice is hereby given that the Council of the City of Salmon Arm will hold a Public Hearing at the **Salmon Arm Recreation Centre Auditorium, 2600 10 Avenue NE, Salmon Arm, British Columbia, on Monday, July 13, 2020 at 7:00 p.m.**

Proposed Amendment to Zoning Bylaw No 2303:

Rezone that 5,140 m² portion of Lot 1, Section 13, Township 20, Range 10, W6M, KDYD, Plan KAP54150 shown on Schedule A from R-1 (Single Family Residential) to R4 (Medium Density Residential);

Rezone that part of Lot 1 shown on Plan B4487, Section 13, Township 20, Range 10, W6M, KDYD, Plan 1521 from R-1 (Single Family Residential) to R4 (Medium Density Residential).

Civic Address: 70 and 210 11 Street SE

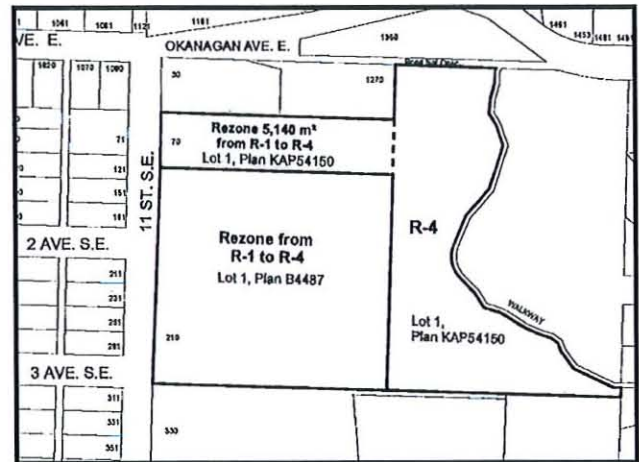
Location: South of intersection Okanagan Avenue SE and 11 Street SE on East side of 11 Street SE

Present Use: Vacant land and Single Family Dwelling

Proposed Use: Retirement Complex

Owner/Applicant: 604895 BC Ltd./ G. Arsenault

Reference: ZON-1171/Bylaw 4378



CITY OF
SALMON ARM

To: His Worship Mayor Harrison and Members of Council

Date: June 10, 2020

Subject: Zoning Bylaw Amendment Application No. 1171

Legal: Lot 1, Section 13, Township 20, Range 10, W6M, KDYD, Plan 54150 and That Part of Lot 1 shown on Plan B4487, Section 13, Township 20, Range 10, W6M, KDYD, Plan 1521
 Civic: 70 and 210 11 Street SE
 Owner: 604895 BC Ltd. Applicant: Gary Arsenault

MOTION FOR CONSIDERATION

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

- 1) Rezone that 5,140 m² portion of Lot 1, Section 13, Township 20, Range 10, W6M, KDYD, Plan KAP54150 shown on Schedule A from R-1 (Single Family Residential) to R4 (Medium Density Residential);
- 2) Rezone that part of Lot 1 shown on Plan B4487, Section 13, Township 20, Range 10, W6M, KDYD, Plan 1521 from R-1 (Single Family Residential) to R4 (Medium Density Residential);

AND THAT: The Public Hearing, date yet to be determined, be held at the Salmon Arm Recreation Centre;

AND THAT FURTHER THAT: Final Reading of the Bylaw be withheld subject to:

- 1) Approval by the Ministry of Transportation and Infrastructure;
- 2) Registration of Section 219 Land Title Act Covenants addressing the following:
 - I Provincial Riparian Areas Protection Regulation, including establishment of a 30 m Streamside Protection and Enhancement Area;
 - II Approximately 1,733 m² of land for a City Road Reserve over the portion of Lot 1 shown on Plan B4487 consistent with the of 4 Avenue SE Advanced Street Plan prepared by Lawson Engineering (Drawing 11-45 - Dated December 12, 2019) - FURTHER TO THAT, the applicant be compensated by the City in the amount of \$35,000 for the Road Reserve;
 - III No Subdivision or Development Permit approval until a Traffic Impact Analysis (TIA) is provided to the satisfaction of the City Engineer with acknowledgement that the owner/applicant is responsible for any and all off-site improvements recommended by the TIA; and
 - IV No Subdivision or Development Permit approval until a suitable area and location of land (minimum 5% of the gross area of the subject properties) are secured by the City either by dedication or Statutory Right of Way for a Greenway/Trail linkage from Trail Plan KAP53467 to 11 Street SE and a portion of a future Neighbourhood Park.

STAFF RECOMMENDATION

That the Motion for Consideration be approved.

BACKGROUND

The subject parcels are located at 70 - 11 Street SE (Parcel A) and 210 - 11 Street SE (Parcel B) just south of Okanagan Avenue - Appendix 1 and 2. The parcels have a combined total area of 3.9 hectares and are designated "High Density Residential" Future Land Use Category in the City of Salmon Arm Official Community Plan Bylaw No. 4000 (OCP) - Appendix 3. Parcel A is currently split-zoned R-1 and R-4, while Parcel B is entirely zoned R-1 at the present time - Appendix 4.

The application under review is to rezone both parcels to R-4 to facilitate a multi-family residential development of various building forms and likely some kind of phased, strata subdivision involved. A conceptual development plan received May 27, 2020 is attached as Appendix 5. R-4 Zoning regulations are attached as Appendix 6 and site photos are attached as Appendix 7.

The concept plan demonstrates potential for approximately 120 multiple family residential units. According to the applicant, no building height would exceed three stories. The density proposed is approximately 30 units per hectare, which is less than the R-4 density ceiling of 40 units per hectare. No density bonus is required for a development plan < 157. As discussed further on, the OCP Land Use designation of the lands supports High Density Residential (R-5) zoning.

A number of units may meet the new *assisted living housing* definition of the Zoning Bylaw, which is a recently added use to the R-4 zone. This use may include daily meal preparation with a common commercial kitchen and central dining area along with cleaning or laundry services. Health services may also be provided including home support, rehabilitative services and transportation services. Those activities along with onsite recreation facilities would be deemed as *accessory uses* to the development.

Consolidation of the subject parcels is required to support the proposed density of residential units. If rezoned, subdivision and development would be subject to the Subdivision and Development Servicing Bylaw No. 4163, while stratification (a form of subdivision) would be subject to the Strata Property Act / Regulations and most likely require security bonding for common amenities/facilities. The financial bonding required needs to be determined by an independent and registered Quantity Surveyor, with basically the funds held by the City until the facilities are completed. For clarification, common amenities in a strata development are not normally intended as public amenities for the use by citizens outside the strata. Furthermore, these matters of subdivision/stratification are not conditions for rezoning.

Several applications and initiatives have been made involving the subject parcels over the past 20 years. In 2003, a similar application to rezone the properties to R-4 was defeated at Third Reading after the Public Hearing. An important document from that application is the 2003 Traffic Report / Traffic Impact Analysis (TIA) that was provided by the same owner as today; the development plan back then contemplated a 44 unit, medium density residential development - the former TIA is attached as Appendix 8.

In 2009 the City commissioned a report by a Qualified Environmental Professional (QEP) who determined that the unnamed watercourse (the "Creek") is subject to the Provincial Riparian Areas Regulation and therefore also subject to the City's Environmental Policies of the OCP. That report - attached as Appendix 9 - was not filed with the Province because there was no development plan to trigger that. Nevertheless, the QEP's assessment that the Creek is subject to Provincial riparian regulations is still valid.

In 2018 a subdivision application was made by Franklin Engineering Ltd. on behalf of the owner to create 28 bareland strata lots (i.e. single family lots within a strata with R-1 zoning) involving both properties. That application expired. That applicant was unable to provide the necessary documentation required by the Approving Officer to address the local traffic concerns or the Provincial requirements for a Creek alteration plan (i.e. essentially altering the Creek to a piped system). While one branch of the Ministry of Environment (Forest, Lands and Natural Resource Operations) initially approved in principle the Creek alteration plan, that approval was later rescinded in March 2017 when it was learned that the Creek is subject to its own riparian regulation. The last letters on this matter from FLNRO staff are attached as Appendix 10.

City staff do not object to a Creek alteration plan if it is approved by the Province. The potential benefits to storm water management, the natural barrier the Creek presents to a higher density development, the need for a new street (4 Avenue to 3 Avenue connector) and a pedestrian plan involving the Parcel B are the basic reasons for this support. Staff are also certainly cognizant that many in the local community support the Creek and the subject properties remaining in their present natural state. This has been a historical conundrum for new development on these lands and others throughout the City.

SITE / CONTEXT

Development is also challenged by a number of physical factors along with some of the aforementioned planning, policy and regulatory considerations. More than 50% of the properties combined gross area (3.9 hectares) can be discounted due to the Creek in its present alignment and challenging terrain. This would leave a net developable area of approximately 2.0 hectares or less. The map attached as Appendix 11 is intended to show the major limitations to development caused by:

- The Creek (10 m wide SPEA assumed)*	6,000 m ²
- Steep Slopes	7,500 m ²
- Road Reserve and Setbacks	2,700 m ²
- Public Greenspace Preservation and Trail**	3,000 m ² +

* The riparian assessment, "streamside protection and enhancement area" (or "SPEA") is actually measured as a 30 m horizontal width off each bank or "High Water Mark" of the Creek as a starting point under the old RAR and new RAPR. The 10 m SPEA assumption in the analysis above (and on the attached map) considers that a QEP may reduce that width to 10 m which is quite a common reduction for a creek of this magnitude. Turner Creek has a SPEA of 7.5 m. As discussed more on the next page, the applicant has agreed to Covenant the land with a 30 m SPEA off each side of the Creek as a condition for rezoning.

** The applicant is further willing to allocate > 8% of the gross land area to greenspace preservation and a public trail connection with a restrictive Covenant, which is 3% over and above the statutory requirement for parkland dedication at the time of subdivision.

The Creek stems from both open channelled and underground water sources comprising a broader micro watershed to the southeast. The system has served as an important pre and post development upland drainage corridor. Mature trees encompass much of the eastern sloped portions of both lots.

From a development perspective, the surrounding properties are designated "High Density Residential" in the OCP, yet the built landscape is comprised mainly of long established, R-1 zoned parcels containing single family dwellings. There are some medium density (R-4) and residential suite (R-8) zoned properties in the area and a notable absence of High Density (R-5) zoned land. Land uses and zoning adjacent to the subject property include the following:

- North: Okanagan Avenue / Single-Family (R-1) parcels
- South: Single-Family Residential (R-1) parcels
- East: Dedicated pedestrian trail - 3.0 m wide (Plan KAP 53467) and Bayview townhouse development (R-4)
- West: 11 Street SE / Single-Family Residential (R-1) parcels

OCP POLICIES

Land Use

The subject parcels are located within the heart of the Urban Containment Boundary and Residential Development Area A; considered to be a top priority for urban residential development and City investment in infrastructure.

With the subject parcels are designated "High Density Residential" in the OCP, the proposed R-4 density of 30 units per hectare is significantly lower than the 100 units per hectare supported by the OCP if zoned R-5. That being said, R-4 zoning may be a 'better fit' for development over the short term given the predominant single family context of the local neighbourhood.

Residential - Development Permit Area

Pursuant to Section 8.4 of the OCP, actual development of the land will require Council's review of a "Form and Character" Development Permit application. Such applications address site planning, landscape planting, tree / vegetation retention and building design. The "Residential Development Permit Area Guidelines" of the OCP are applicable for a multiple family development proposal on the subject properties.

As mentioned, the attached development plan is not under review for Council's approval. It has been provided by the applicant as a baseline concept to demonstrate how the land could potentially be developed. The applicant has been encouraged to hire an architect familiar with the applicable guidelines to prepare the Development Permit drawings. Public notification and a Hearing are part of the Development Permit application process.

Environmentally Sensitive Riparian Areas - Development Permit Area

To address the Creek in the context of the RAPR, Section 5.4 of the OCP identifies the subject parcels as designated "Environmentally Sensitive Riparian Areas (ESRA) Development Permit Area". No development, including the removal or alternation of soil or trees/vegetation, can occur until either an ESRA Development Permit is approved by Council, or alternatively a Development Permit Waiver is approved by the undersigned (i.e. without review by City Council). The conditions for approval of an ESRA Development Permit Waiver are usually satisfied with either of the following options:

- 1) The owner registers a Section 219 Land Title Act Covenant stipulating a 30 m wide streamside protection and enhancement area (SPEA) on either side of the watercourse, thereby in effect meeting the Provincial Riparian Areas Protection Regulation; or
- 2) A Qualified Environmental Professional (QEP) determines a lesser SPEA in an RAPR Assessment Report, approved by the Ministry of Environment and Climate Change Strategy, with that lesser stipulated on a Covenant.

As a condition for adoption of the rezoning Bylaw (Item: 2) I in the Motion for Consideration), the applicant has agreed to address RAPR and City policy with Option 1) above. As the applicant is ultimately proposing a complex creek diversion for development, the following is therefore required, not as a condition for rezoning but prior to development:

- 1) Approval by Ministry of Forests, Lands, Natural Resource Operations and Rural Development in accordance with 39 (1) of the Water Sustainability Act will be required including a submission of recorded ecosystem data, and possibly a hydrological study involving the broader watershed;
- 2) Approval or concurrence of some kind by Ministry of Environment and Climate Change Strategy approval as the watercourse is subject to the RAPR;
- 3) Engineering Department approval of the related storm water management plan; and
- 4) Approval City Council of an ESRA Development Permit.

A work plan prepared by a QEP (Arsenault Environmental Consulting Ltd.) dated January 21, 2020 is attached as Appendix 12. Justification of the Creek's re-alignment will require FLNRO's "Water Management Decision" approval, the conclusion of which is to determine if the project would result in harm to, net loss or gain in environmental value. Should rezoning be approved, the applicant is prepared to address the above in an ESRA Development Permit application to City Council which would involve a Hearing and public notification.

Potentially Hazardous Areas - Development Permit Area

To address the steep terrain on the subject parcels (i.e. slopes > 30%), Section 6.4 of the OCP identifies the subject parcels as designated "Potential Hazardous Areas (PHA) Development Permit Area". No development, including the removal or alternation of soil or vegetation, can occur until either a PHA Development Permit is approved by Council, or alternatively a Development Permit Waiver is approved by the undersigned.

The conditions for a PHA Development Permit Waiver approval are typically met with a geotechnical report prepared by a registered professional and the report ascertaining the safe intended use of the development site. For the subject properties, a "Category C" Landslide Assessment report will be required to address, among other things, safe build zones, where trees and vegetation should be retained, and any measures required to prevent land slippage. In addition, the Waiver approval requires the registration of a Section 219 Land Title Act Covenant saving the City Harmless from any related claims and liability.

City staff is comfortable with a Development Permit Waiver application to address the steep slopes without the need for a PHA Development Permit application to City Council. However, if the applicant chooses, and/or Council requests, the geotechnical report could be presented to Council and the public concurrently with the Development Permit applications for Residential Form and Character and ESRA.

Tree / vegetation removal cannot occur on the subject properties unless either exempted by the Tree Removal Bylaw, or if a Servicing Agreement between the City and developer is signed and executed. The Servicing Agreement will not be drafted by staff until such time as a geotechnical report is complete and the various Development Permits and Waivers are approved. For the exemption, the Bylaw permits a limited amount (5%) of trees to be cleared annually, not including trees or vegetation within the SPEA or on steep slopes. Trees < 31.5 cm in circumference are also exempt.

Parks and Greenways

Map 11.1 of the OCP identifies a future Neighbourhood Park generally somewhere on Parcel B and on adjacent lands to the south. This along with a Proposed Greenway identified on Map 11.2 of the OCP are shown clearer on the map attached as Appendix 11. Actual parkland and trail dedication, up a maximum of 5% of a lot area, may only occur at the subdivision stage pursuant to the Local Government Act.

However, because the OCP's Neighbourhood Park designation affects other lands to the south, the 5% allocation could and should be split over three lots. At this rezoning stage, the applicant is agreeable to the idea of dedicating > 5% of the subject parcels to greenspace and a trail connection at the subdivision or development stages.

The general idea for greenspace preservation at this stage includes a 10 m wide swath of land dedicated (or secured by a Statutory Right of Way in favour of the City) off the existing trail (Plan KAP53467) that traverses off the eastern boundary of the subject parcels, and same for a public trail connection from the existing trail to 11 Street, which would include a segment of a future sidewalk along the proposed 4 Avenue to 3 Avenue Road Reserve. For all intents and purposes, a 10 m wide greenspace buffer adjacent to the existing dedicate trail would preserve the trees and vegetation along that embankment, which likely has limited development potential anyways.

The above is only in a conceptual stage of planning at this point, yet the applicant has committed in principle to address this matter with a covenant (Item: 2) IV in the Motion for Consideration). With a Form and Character Development Permit application and the drawings that would go with that, the details of parkland dedication, greenspace preservation and trail alignments can addressed more precisely.

TRAFFIC AND STREET PLANS

Traffic Impact Analysis

The 2003 Hamilton Associates Traffic Impact Analysis (TIA) is attached as Appendix 8. As mentioned, that report was intended for a 44 unit, R-4 zoned development. The main finding of that report is that the intersection at 11 Street SE and Okanagan Avenue was unsafe in regards to site lines, grades, traffic stacking and movements off and on to the avenue.

Since then, the population of Salmon Arm has grown by approximately 5,000 along with a corresponding traffic increase. During that time span of 17 years, there were several requests by the owner to have the City budget for improvements to the intersection which would involve a detailed design, extensive grading to physically lowering the road and utilities, and most likely property acquisition.

The applicant did commission a minor traffic report for this application which provides an updated traffic count (attached as Appendix 8a); however this is considered by staff to be insufficient information. An updated, full scale TIA with more considerations is deemed to be necessary. For example, through the City's Terms of Reference for a TIA, the report should provide specific recommendations for local street and traffic safety improvements needed as a direct result of the proposed development of > 100 units.

The Covenant agreed to by the applicant (Item 2) III in the Motion for Consideration) will ensure that: a) an updated traffic study is necessary for the City's review at the Form and Character Development Permit application stage; and b) the owner/developer is responsible for all associated off-site traffic improvement costs, unless the City wishes to partner or budget for some of the improvements needed. Located in Residential Development Area A, the local street network could be regarded as a priority for Council for capital works and improvements. Staff envision upgrades to 3 Avenue SE and/or 2 Avenue SE leading to 10 Street SE will be necessary to support the proposed density and traffic generation, and doing so would align with what staff is recommending for a new 4 Avenue SE connector. Furthermore, the applicant has agreed to provide an additional width of asphalt for on-street parking along a new 11 Street frontage of the subject properties.

4 Avenue SE Connector

An Advanced Street Plan is a technical document used by City staff to determine new road alignments for undeveloped neighbourhoods and future developments. They are planned with best engineering practices in mind, public safety and operational/maintenance considerations. These plans help ensure access to lands beyond, connectivity and they influence road reserve funding. Without them, new neighbourhoods could not be developed in an orderly manner. Benefitting the broader neighbourhood, they are often contentious as typically no landowner wants an ASP demarcated over his/her property let alone being responsible for building a portion of the road network. Along with that and higher density development, there can be neighbourhood resistance to new road extensions that will generate higher traffic volumes.

For more than 10 years the City has been contributing to a "4 Avenue SE Reserve Fund" to assist with the planning, design, potentially land acquisition and partial construction of a new 4 Avenue SE connection in the vicinity of the subject properties. The intention is for 4 Avenue SE to be upgraded to the Local Urban Street Standard and connect to the constructed segment intersecting with 17 Street SE, and then westward to 10 Street SE making a less interrupted linkage to the central core of the City. Bypassing the Okanagan Avenue / 11 Street SE intersection is also a major objective. The current alignment of 4 Avenue SE is over 100 years old and feeds to Okanagan Avenue via 11 Street SE. With numerous right-angled jogs, no paving or drainage controls, the road is substandard and lacks a fluid design. The present alignment also acts as a notable pedestrian/cycling route that ends up trespassing over several properties.

City staff have commissioned two design options in recent years, both attached in Appendix 13.

Option 1 - design was completed in 2017. Its alignment more or less resembles the present alignment of 4 Avenue SE from where it physically terminates on private property and intersects with 11 Street SE. From there it would continue westward down a dedicated road corridor with a relatively steep embankment connecting to 10 Street SE. Staff have concerns with the finished grades nearing 12% on this design and retaining wall construction required, particularly through the embankment just west of the 11 Street SE. With this alignment there is slightly more properties with established homes to negotiate with, which is not factored into the cost estimate. The benefit of this route is a truer east – west continuation of 4 Avenue with a more direct line to 5 Street SE.

Estimated Cost - less land acquisition = approximately \$1.2 million

Option 2 - design was completed in 2019. This option is recommended by City staff. It is a slightly longer alignment with more curves and therefore a costlier design but with fewer grade issues and less developed properties to negotiate with. This route would connect to 3 Avenue SE at the 11 Street SE intersection and then continue to 10 Street SE. Parcel B would be the starting and end point of the new connector that would continue along 3 Avenue SE, which is presently constructed at a gravel standard. The downside of this option is that it would reconnect to Okanagan Avenue at 10 Street SE versus Option 1 with the straighter route to the lower core area at 5 Street SE.

Estimated Cost - less land acquisition = approximately \$1.4 million

Either option would have positive and negative implications on the future development potential of the large pieces of underdeveloped property in the vicinity. The merits of each can be debated, opposed and/or supported. This report does not delve into that. Option 2 is recommended by City staff because it is a more realistic option for connectivity in the near term, less grade issues and operationally more cost efficient. It would cross over four properties, including the southern boundary (1,733 m²) of Parcel B. If fully constructed, it would serve as a suitable, alternative route and linkage for vehicles, pedestrian, cyclists, etc. from 'downtown to mid-town'.

The 2019 concept for Option 2 was forwarded to the applicant in December 2019. At that time the applicant was advised that Staff would be recommending the registration of a road reserve covenant as a condition of rezoning to protect a future alignment of 4 Avenue SE. The 2019 design was also forwarded to land agents and owners of adjacent lots to the south that are directly affected by the road design.

With or without this rezoning application several scenarios could unfold:

Scenario 1 - If there is Council support for rezoning and Option 2, Item 2) II in the Motion for Consideration speaks to the registration of a Road Reserve Covenant in exchange for a payment of up to **\$35,000** for the land. This dollar amount represents the approximate 2020 assessed value of the subject property Parcel B on a per m² basis for the 1,733 m² of land required for road. As discussed, the applicant is agreeable to providing the City with such Road Reserve Covenant.

Scenario 2 - No rezoning. If the subject properties were only under an application to subdivide, in particular Parcel B, the Approving Officer would require, as a condition for subdivision approval, the dedication and construction to the Local Urban Street Standard the approximate 1,733 m² portion shown traversing the southern boundary of Parcel B. Pursuant to the Land Title Act, there would be no compensation payable to the owner/applicant needed for this procedure at subdivision. This scenario also assumes that Council endorses the alignment for Option 2.

Scenario 3 - Council rejects Option 2. The proposed Road Reserve tied to this rezoning application would not be needed. That would leave Option 1 as the only future route planned for a 4 Avenue connector.

Because the City is dealing with a rezoning application, and the applicant is agreeable, staff believe it is worth the funds to secure a Road Reserve for the Option 2 alignment now.

OTHER COMMENTS

Engineering Department

Comments are attached as Appendix 14.

Building Department

No concerns with rezoning proposal.

Fire Department

No concerns with rezoning proposal.

Ministry of Transportation and Infrastructure

Preliminary approval of Bylaw granted - Appendix 15.

CONCLUSION

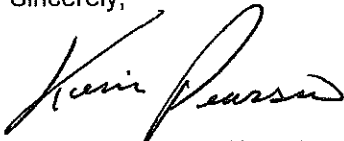
The proposed rezoning of the subject parcels to R-4 is consistent with Land Use and Density Policies of the OCP. Considering that High Density Residential (R-5) zoning and development is supporting by the OCP on the subject parcels and surrounding lands to the south and west, the proposed R-4 development concept and density would be an appropriate fit in this neighbourhood.

The current Motion for Consideration is more complicated than most rezoning applications. It was negotiated and agreed to by staff and the applicant on June 1, 2020. All of the issues and challenges with this land, the need to secure a new alignment for 4 Avenue SE, concerns with the Creek and staff's general expectations for development have been under discussions with the applicant since November 2019. Staff appreciates the cooperation by the applicant in the process.

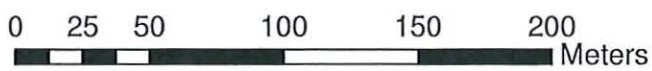
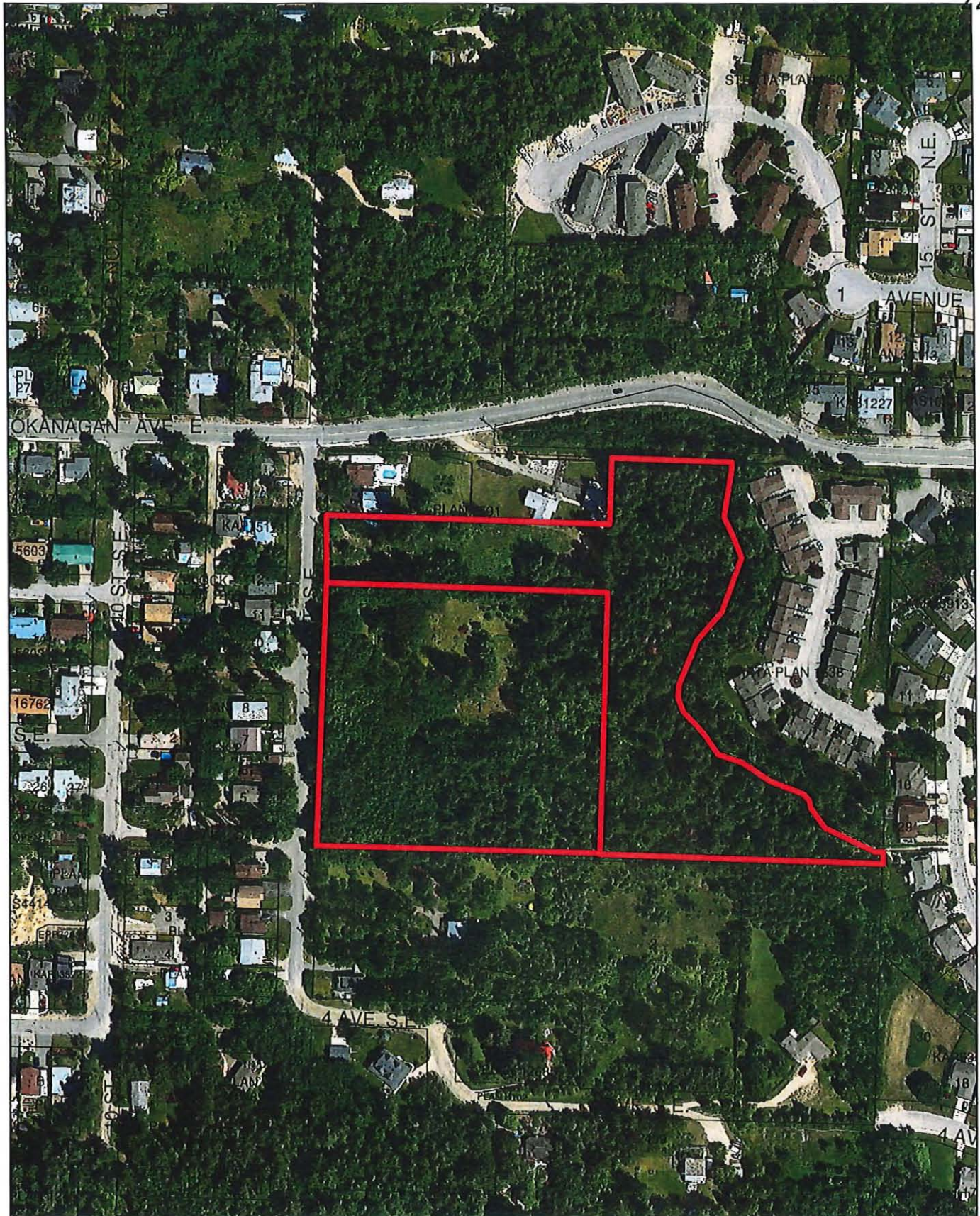
This is also an opportune time for the City to secure a much needed starting and end point of a future 4 Avenue connector that would benefit the SE quadrant of the City. Being in Residential Development Area A, the City has prioritized such a connector with a Reserve Fund, and staff recommend Council continue to build up that reserve in the years to come.

With a very limited land base remaining to develop in the UCB, and the properties situated well within the core residential area of the City, staff are supportive of the rezoning, the conditions outlined in the Motion for Consideration, and for this development concept moving to the Development Permit application stages. Registration of the Covenants referred to in the Motion for Consideration would effectively freeze subdivision or development on the subject properties until further approvals are considered by Council.

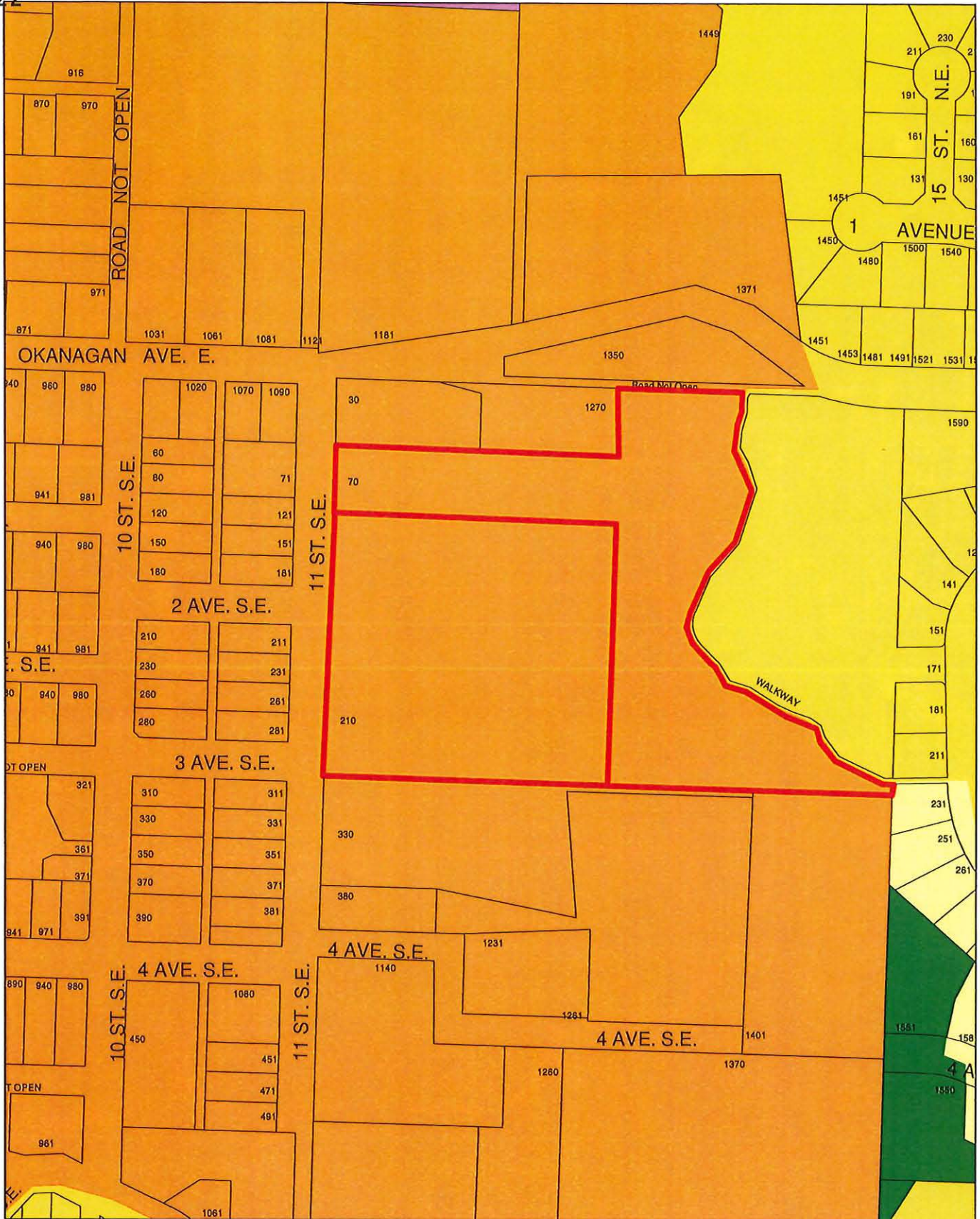
Sincerely,

A handwritten signature in black ink, appearing to read "Kevin Pearson". The signature is fluid and cursive, written over a white background.

Kevin Pearson, MCIP, RPP
Director of Development Services



Subject Parcel

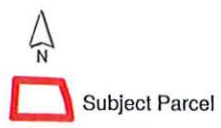
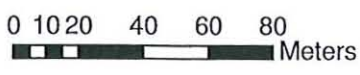
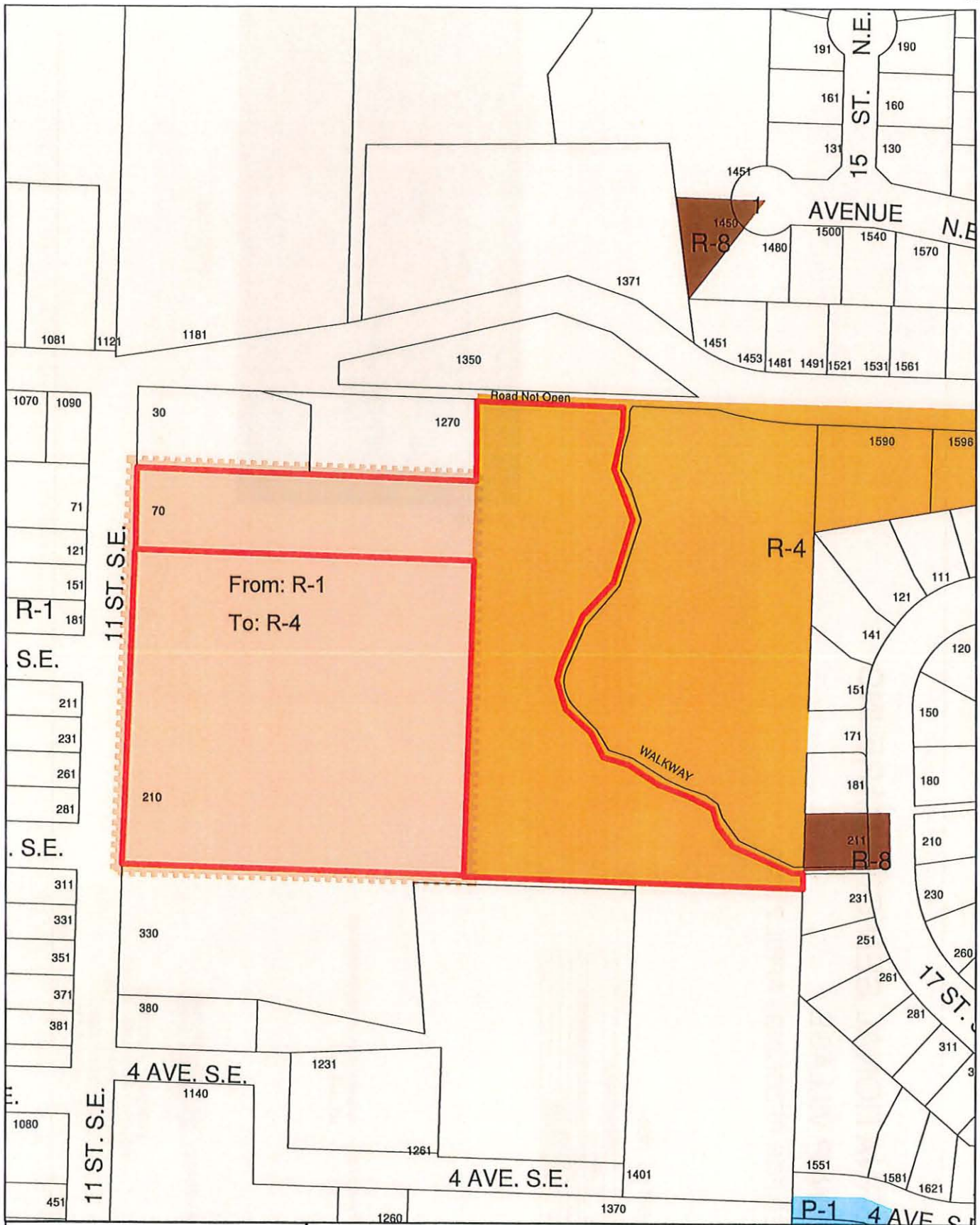


012.525 50 75 100 Meters

N

Subject Parcel

Residential Low Density	Park
Residential Medium Density	
Residential High Density	



- P-1 Park & Recreation
- R-1 Single Family Residential
- R-4 Medium Density Residential
- R-8 Single Family/ Secondary Suite Residential

INTERNATIONAL SENIORS CARE INC. SHUSWAP VILLAGE

ISSUED FOR REZONING - APRIL 7 2020

PROJECT No. 1968-1

DRAWING INDEX	
DWG NO	DWG NAME
1968-1-000	COVER SHEET, DRAWING INDEX, KEY PLAN, AND LOCATION PLAN
1968-1-101	SITE PLAN
1968-1-102	SLOPE PROFILE LOCATIONS
1968-1-103	SLOPE PROFILES 1, 2 AND 3
1968-1-104	SLOPE PROFILES 4, 5 AND 6

PREPARED FOR: INTERNATIONAL SENIORS CARE INC
MR. GARY OUT

PREPARED BY: **ONSITE**
ENGINEERING LTD.

INTERIOR OPERATIONS
#201-231 TRANS CANADA HWY
SALMON ARM, BC, V1E 4R1
PH.: 250-833-5643
FAX: 1-866-235-6943



LOCATION PLAN
NTS

NOT FOR CONSTRUCTION

OKANAGAN AVENUE

30 11th STREET SE

1270 OKANAGAN AVENUE

REZONING OF 70 11th STREET SE FROM R1 TO R4
LEGAL ADDRESS: LOT 1, PLAN KAP54150, S13, T20, R10, KDYD
PID: 019-142-188

REZONING OF 210 11th STREET SE FROM R1 TO R4
LEGAL ADDRESS: LOT 1, PLAN KAP1521, S13, T20, R10, KDYD
PART SHOWN ON PL B4487
PID: 011-535-199

SHUSWAP VILLAGE PROJECT SUMMARY

- A1: LOTS: 10.97 m WIDTH, 24.38 m DEPTH (17 DOORS)
- A2: LOTS: 10.97 m WIDTH, 21.34 m DEPTH (30 DOORS)
- B1: LOTS: 10.97 m WIDTH, 24.38 m DEPTH (1 TRIPLEX, 3 DOORS)
- B2: LOTS: 7.32 m WIDTH, 13.41 m DEPTH (1 TRIPLEX, 3 DOORS)
- C: LOTS: 7.32 m WIDTH, 13.41 m DEPTH (8 DOORS)
- D: 6.10 m WIDTH, 9.14 m DEPTH ROW HOUSING 3 STORIES HIGH (16 DOORS)
- E: COMMUNITY CENTRE WITH 40 CONDOS: APPROX 800 m² FOOTPRINT
- F: MAINTENANCE SHED/OFFICES/WOODSHOP
- G: DRAINAGE RESERVE
- H: PARK AND TRAIL

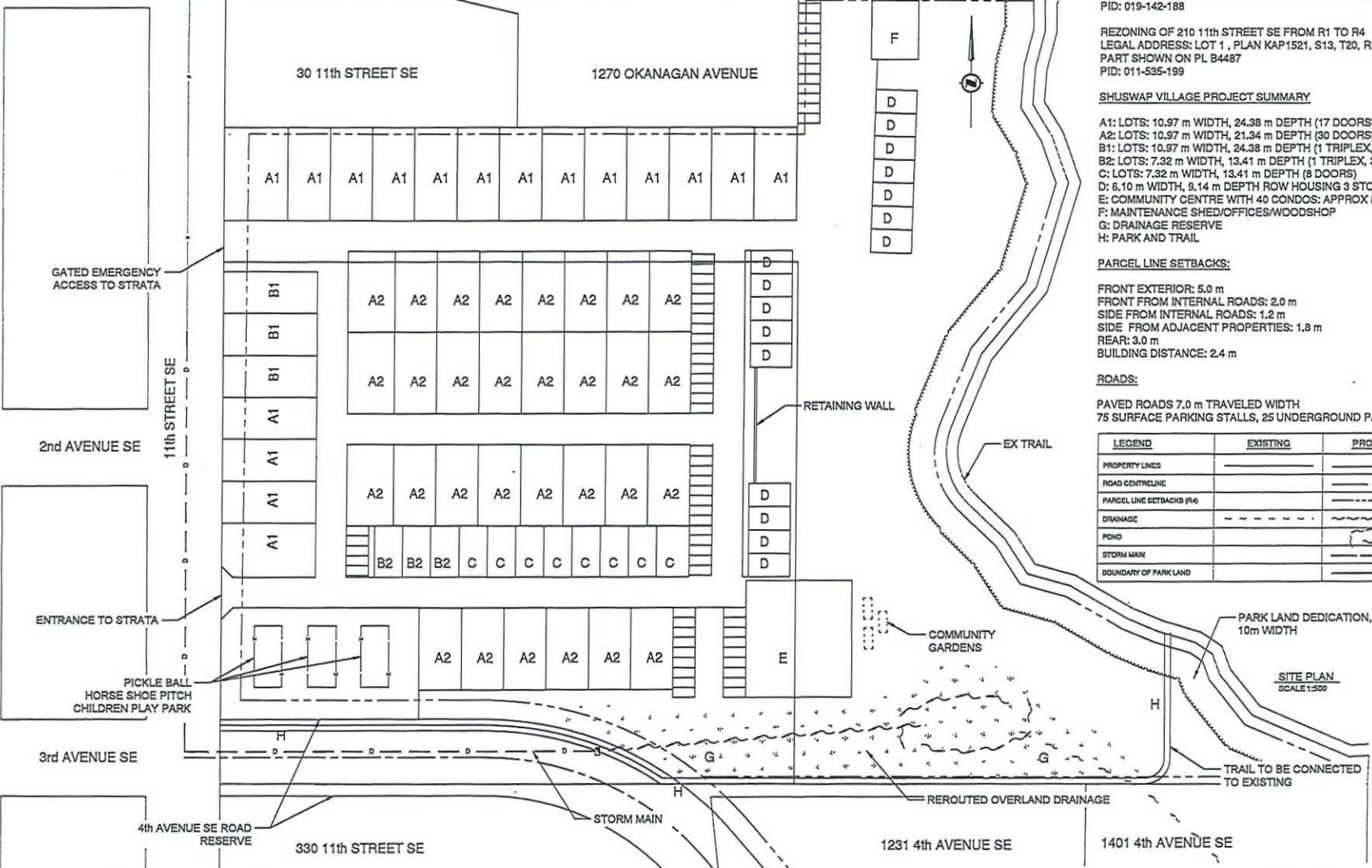
PARCEL LINE SETBACKS:

- FRONT EXTERIOR: 5.0 m
- FRONT FROM INTERNAL ROADS: 2.0 m
- SIDE FROM INTERNAL ROADS: 1.2 m
- SIDE FROM ADJACENT PROPERTIES: 1.8 m
- REAR: 3.0 m
- BUILDING DISTANCE: 2.4 m

ROADS:

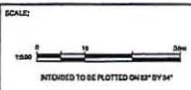
- PAVED ROADS 7.0 m TRAVELED WIDTH
- 75 SURFACE PARKING STALLS, 25 UNDERGROUND PARKING STALLS

LEGEND	EXISTING	PROPOSED
PROPERTY LINES	---	---
ROAD CENTRELINE	---	---
PARCEL LINE SETBACKS (R4)	---	---
DRAINAGE	---	---
POND	---	---
STORM MAIN	---	---
BOUNDARY OF PARK LAND	---	---



SITE PLAN
SCALE 1:500

REVNO	REVISIONS	DATE	DRAWN	APPRD
0	ISSUED FOR REZONING	08/04/2019	JV	DP
1	RE-ISSUED FOR REZONING	04/07/2020	JV	DP



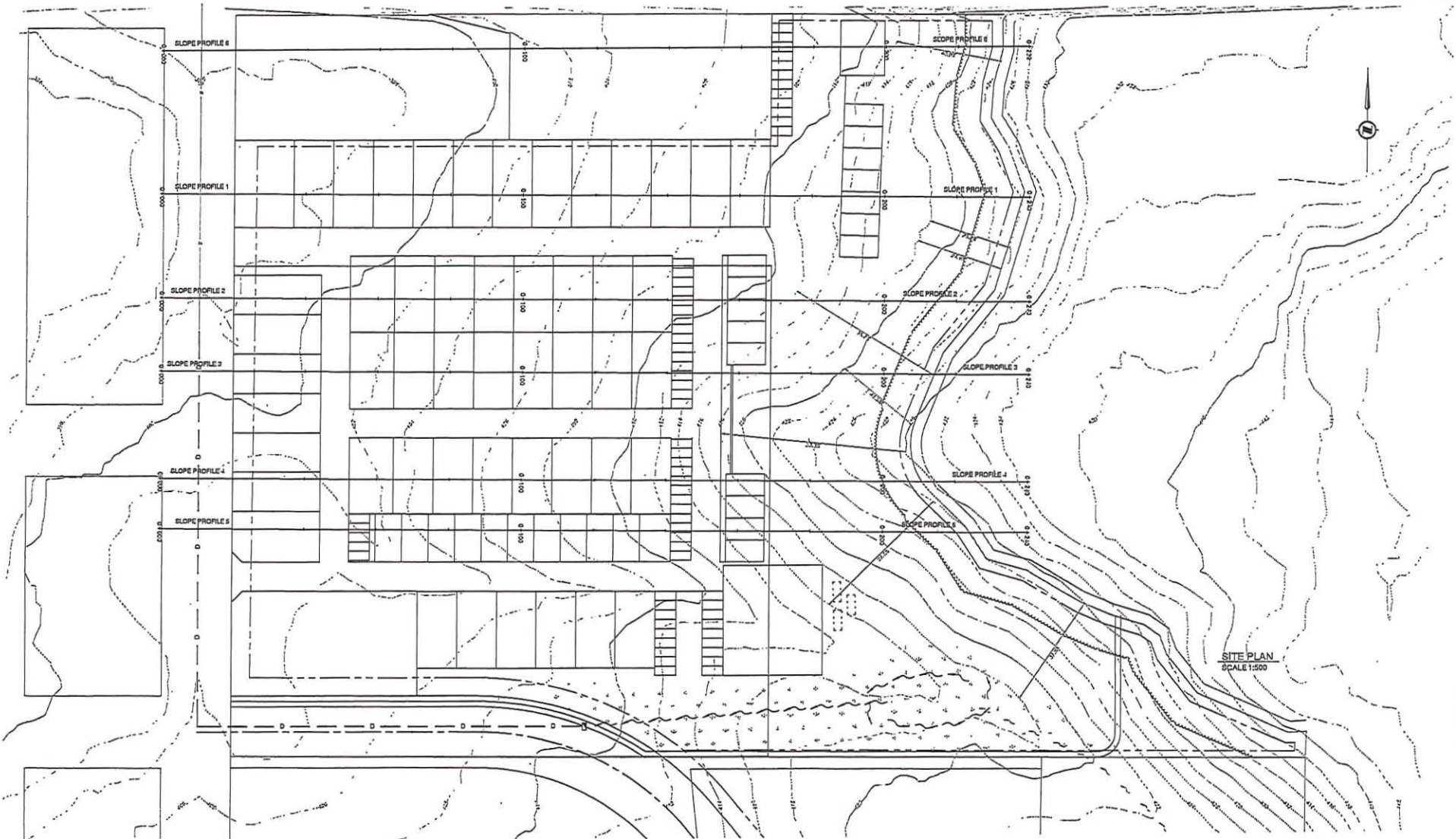
PREPARED: JV
DRAWN: JV
CHECKED: DP
SURVEYED: N/A
DATE: FEB 2020

ONSITE
ENGINEERING LTD.
INTERIOR OPERATIONS
10121 TRANS CANADA HWY
SALMON ARM, BC V1E 4H1
TEL: 250-842-0462
FAX: 1-800-253-0343

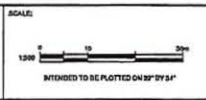
INTERNATIONAL SENIORS CARE INC
SHUSWAP VILLAGE
70 AND 210 11th STREET SE
PRELIMINARY SITE PLAN

CLIENT PROJECT NO.	---
DEL PROJECT NO.	1803-1
DRAWING NO.	101
SHEET	2 of 5
REV	1

NOT FOR CONSTRUCTION



REVNO	REVISIONS	DATE	DRAWN	APPROV
0	ISSUED FOR RECORDING	20240220	JV	SP
1	RE-ISSUED FOR RECORDING	20240920	JV	SP



PREPARED: JV
 DRAWN: JV
 CHECKED: SP
 SURVEYED: N/A
 DATE: FEB 2020

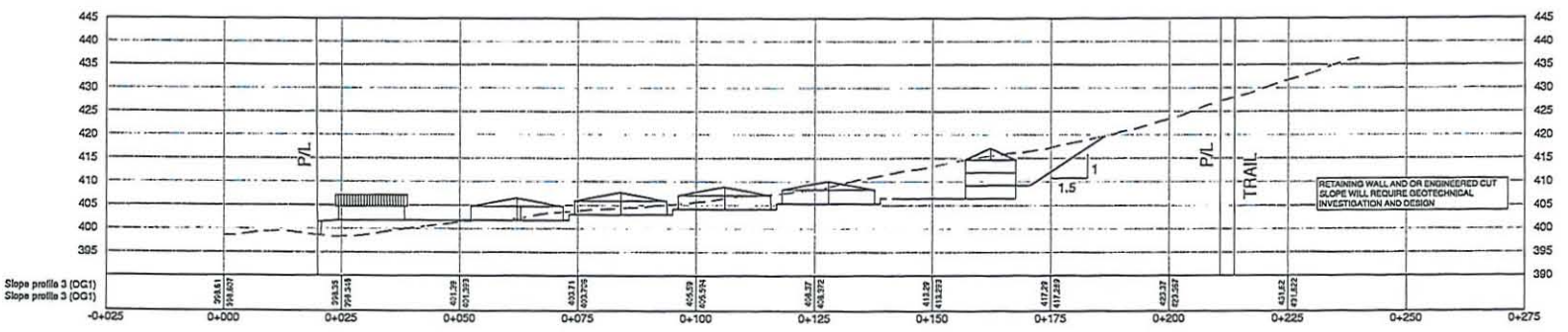
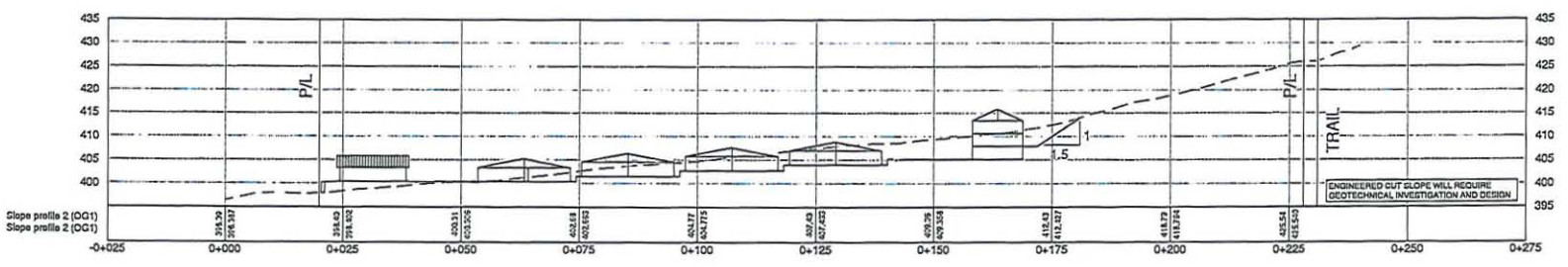
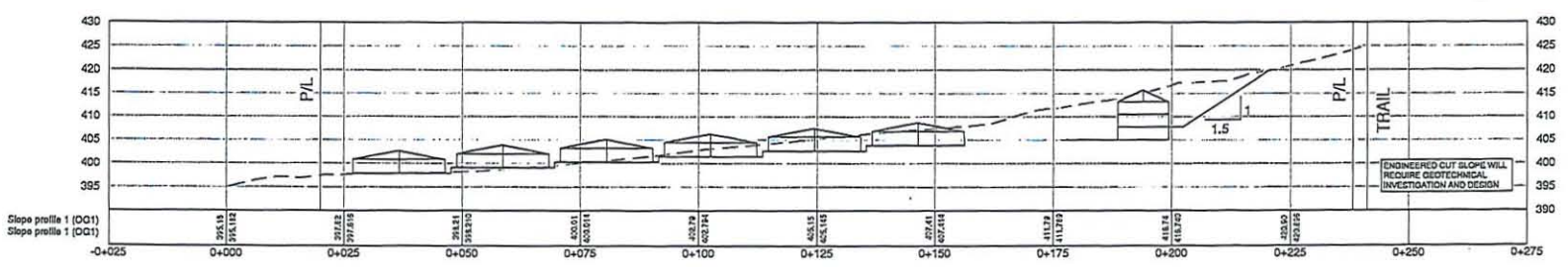
ONSITE
ENGINEERING LTD.

INTERIOR OPERATIONS
 625-1221 TRANS CANADA HWY
 SHERBROOKE QC J1R 4R1
 TEL: 819-552-8843
 FAX: 1-866-755-8469

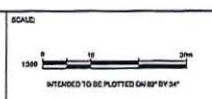
INTERNATIONAL SENIORS CARE INC
 SHUSWAP VILLAGE
 70 AND 210 11th STREET SE
 SLOPE PROFILE LOCATIONS

CLIENT PROJECT NO. —
 DEL PROJECT NO. 1984-1
 DRAWING NO. 102
 SHEET 3 OF 5 REV 1

NOT FOR CONSTRUCTION



REVNO	REVISIONS	DATE	DESIGN	APPROV
0	ISSUED FOR BIDDING	02/08/2020	JV	DP
1	RE-ISSUED FOR REBIDDING	04/08/2020	JV	DP



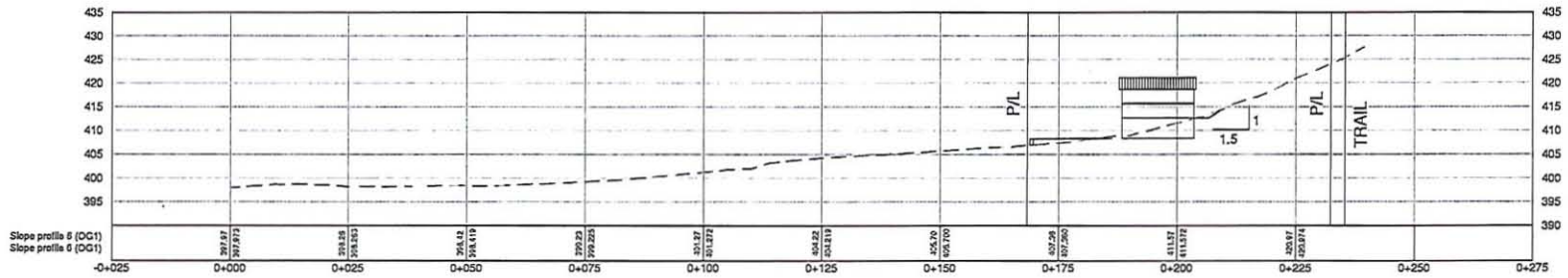
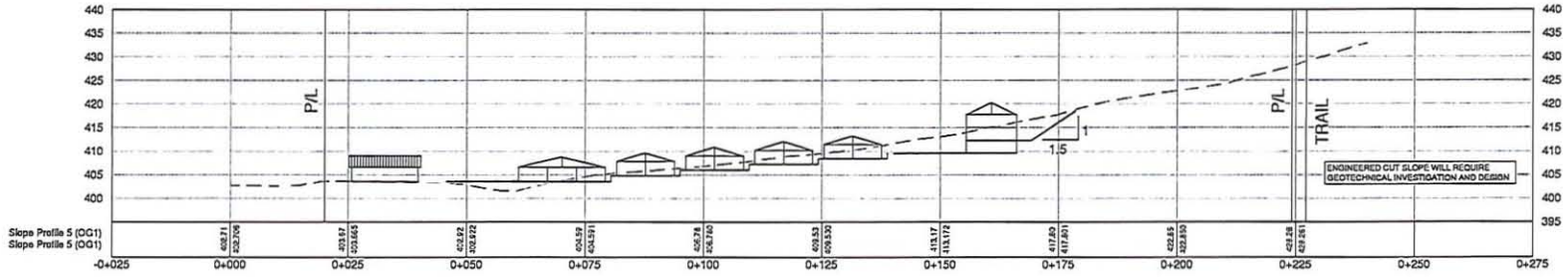
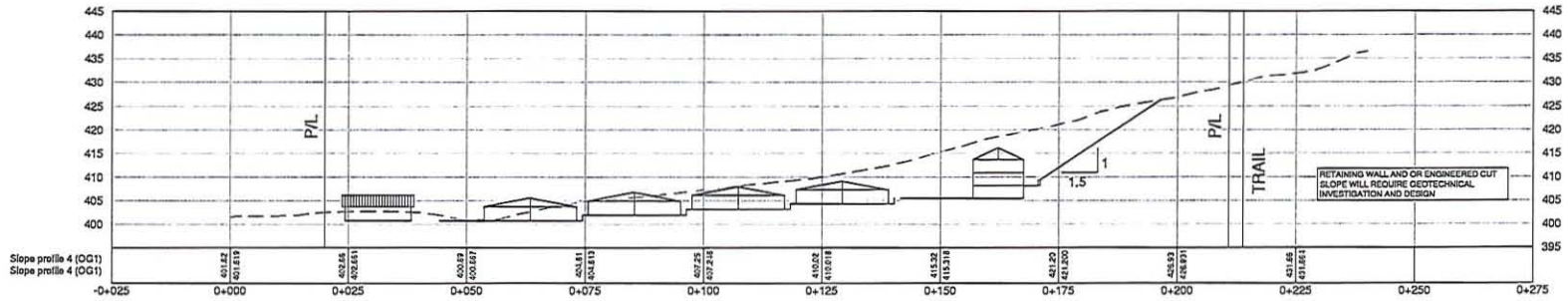
PREPARED: JV
 DRAWN: JV
 CHECKED: DP
 SURVEYED: N/A
 DATE: FEB 2020



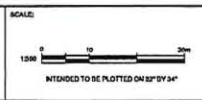
INTERNATIONAL SENIORS CARE INC
 SHUSWAP VILLAGE
 70 AND 210 11th STREET SE
 SLOPE PROFILES 1, 2 AND 3

CLIENT PROJECT NO. _____
 DEL PROJECT NO. 109-1
 DRAWING NO. 103
 SHEET: 4 of 5 REV: 1

NOT FOR CONSTRUCTION



REVNO	REVISIONS	DATE	DRAWN	APPRD
0	ISSUED FOR REZONING	02-04-2009	JV	BP
1	REISSUED FOR REZONING	04-07-2009	JV	BP



PREPARED:	JV
DRAWN:	JV
CHECKED:	BP
SURVEYED:	N/A
DATE:	MON YYYY

ONSITE
ENGINEERING LTD.
INTERIOR OPERATIONS
4911-201 TRAVIS CANADA HWY
SALMON ARM, BC, V1C 4H1
PH: 250-833-6663
FAX: 1-800-250-6663

INTERNATIONAL SENIORS CARE INC
SHUSWAP VILLAGE
70 AND 210 11TH STREET SE
SLOPE PROFILES 4, 5 AND 6

CLIENT PROJECT NO.	
GEL PROJECT NO.	1968-1
DRAWING NO.	104
SHEET	5 OF 5
REV	1

SECTION 9 - R-4 - MEDIUM DENSITY RESIDENTIAL ZONE**Purpose**

- 9.1 The purpose of the R-4 Zone is to provide for medium density, multiple family and small lot single family residential developments. New multiple family developments zoned R-4 shall be required to obtain a *Development Permit* as per the requirements of the *Official Community Plan*, and shall comply with the provisions of the *Fire Services Act*, *British Columbia Building Code*, and other applicable legislation. #289, #3740

Regulations

- 9.2 On a parcel zoned R-4, no building or structure shall be constructed, located or altered and no plan of subdivision approved which contravenes the regulations set out in the R-4 Zone or those regulations contained elsewhere in this Bylaw.

Permitted Uses

- 9.3 The following uses and no others are permitted in the R-4 Zone:

- .1 assisted living housing; #4336
- .2 bed and breakfast in a single family dwelling, limited to two let rooms;
- .3 boarders, limited to two;
- .4 boarding home; #2789
- .5 commercial daycare facility;
- .6 dining area; #4336
- .7 duplexes;
- .8 family childcare facility; #3082
- .9 group childcare; #3082
- .10 home occupation; #2782
- .11 multiple family dwellings;
- .12 public use;
- .13 public utility;
- .14 single family dwelling;
- .15 triplexes;
- .16 accessory use.

Maximum Height of Principal Buildings

- 9.4 The maximum height of a principal buildings shall be 10.0 metres (32.8 feet). This may be increased to 13.0 metres (42.7 ft.), via the Development Permit process, if any of the special amenity(ies) in Table 2 are provided.

Maximum Height of Accessory Buildings

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

Maximum Parcel Coverage

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

Minimum Parcel Area

- 9.7
- .1 The minimum parcel area for a single family dwelling shall be 300.0 square metres (3,229.3 square feet).
 - .2 The minimum parcel area for a duplex shall be 600.0 square metres (6,458.6 square feet).
 - .3 The minimum parcel area for all other uses shall be 900.0 square metres (9,687.8 square feet).

SECTION 9 - R-4 - MEDIUM DENSITY RESIDENTIAL ZONE - CONTINUED**Minimum Parcel Width**

9.8

- .1 The minimum *parcel width* shall be 30.0 metres (98.5 feet). #3740
- .2 Notwithstanding Section 9.8.1, the minimum *parcel width* for a *single family* lot shall be 10.0 metres (32.8 feet).
- .3 Notwithstanding Section 9.8.1, the minimum *parcel width* for a stacked *duplex* lot shall be 14.0 metres (45.9 feet).
- .4 Notwithstanding Section 9.8.1, the minimum *parcel width* for a side-by-side *duplex* lot shall be 20.0 metres (65.6 feet).

Minimum Setback of Principal Buildings9.9 The minimum *setback* of *principal buildings* from the:

- .1 *Front parcel line*
 - adjacent to a *highway* shall be 5.0 metres (16.4 feet)
 - adjacent to an *access route* shall be 2.0 metres (6.6 feet)
- .2 *Rear parcel line*
 - adjacent to a *parcel zoned* R-4 shall be 3.0 metres (9.8 feet)
 - all other cases shall be 5.0 metres (16.4 feet)
- .3 *Interior side parcel line*
 - adjacent to a *parcel zoned* R-4 shall be 1.2 metres (3.9 feet) #3475
 - all other cases shall be 1.8 metres (5.9 feet)
- .4 *Exterior side parcel line*
 - adjacent to a *highway* shall be 5.0 metres (16.4 feet)
 - adjacent to an *access route* shall be 2.0 metres (6.6 feet)
- .5 Minimum separation between residential *buildings* on the same lot of not more than one storey in height shall be 1.5 metres (4.9 feet)
- .6 Minimum separation between residential *buildings* on the same lot of more than one storey in height shall be 3.0 metres (9.8 feet)
- .7 Notwithstanding Sections 9.9.2 and 9.9.3, a *principal building* on a corner *parcel* may be sited not less than 1.5 metres (4.9 feet) from the *rear parcel line* provided the combined total of the *rear* and *interior side yards* shall be not less than 6.0 metres (19.7 feet).
- .8 Refer to Section 4.9 for "Special Building Setbacks" which may apply. #2811

Minimum Setback of Accessory Buildings9.10 The minimum *setback* of *accessory buildings* from the:

- .1 *Front parcel line* shall be 5.0 metres (16.4 feet)
- .2 *Rear parcel line* shall be 1.0 metre (3.3 feet)
- .3 *Interior side parcel line* shall be 0.6 metre (1.9 feet)
- .4 *Exterior side parcel line* shall be 5.0 metres (16.4 feet)

Refer to "Pound and Animal Control Bylaw" for special setbacks which may apply. #2811

Maximum Density

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

9.11

- .1 The maximum *density* shall be a total of 40 *dwelling units* or *sleeping units* per hectare (16.2 *dwelling units* or *sleeping units* per acre). #2789
- .2 Notwithstanding Section 9.11.1, the maximum *density* in the R-4 Zone may be increased to a maximum of 50 *dwelling units* per hectare (20.2 units per acre) in accordance with Table 2. In Table 2, Column I sets out the special amenity to be provided and Column II sets out the added *density* assigned for the provision of each amenity.
- .3 Notwithstanding Section 9.11.1, the maximum *density* in the R-4 Zone may be increased to a maximum of 50 *dwelling units* per hectare (20.2 units per acre) for the provision of *Assisted Living Housing*. #4336

TABLE 2

COLUMN I SPECIAL AMENITY TO BE PROVIDED	COLUMN II ADDED DENSITY
1. Provision of each dwelling unit which caters to the disabled (e.g. wheelchair access)	<input type="checkbox"/> 2 units per hectare (0.8 units per acre)
2. Provision of <i>commercial daycare facility</i> 7 - 10 children 11 - 15 children 16 or more children	<input type="checkbox"/> 3 units per hectare (1.2 units per acre) <input type="checkbox"/> 4 units per hectare (1.6 units per acre) <input type="checkbox"/> 7 units per hectare (2.8 units per acre)
3. Provision of below <i>grade</i> or <i>parkade</i> type parking for at least 50% of the required off street parking	<input type="checkbox"/> 10 units per hectare (4.0 units per acre)
4. Provision of each rental <i>welling unit</i>	<input type="checkbox"/> 2 units per hectare (0.8 units per acre)
5. Provision of affordable rental <i>dwelling units</i> in accordance with special agreement under Section 904 #3216	<input type="checkbox"/> 5 units per hectare (2.0 units per acre)

Maximum Floor Area Ratio

9.12 The maximum *floor area ratio* of a *single family dwelling* shall be 0.65.

Parking

9.13 Parking shall be required as per Appendix I.



11 Street SE Looking North



11 Street SE Looking South



Top of Ravine Looking North



Top of Ravine Looking East

Engineering and
Planning Consultants

9th Floor
1199 West Hastings
Vancouver
British Columbia
Canada V6B 3T5

Telephone: 604 / 684 4488
Facsimile: 604 / 684 5908
email: office@gdlhamilton.com
www.gdlhamilton.com

3901 Gallaghers Circle
Kelowna, B.C.
V1W 3Z9

April 2, 2003

Mr. Orville Cumming
c/o 604895 B.C. Ltd.,
1860 - 20th Street S.E.
Salmon Arm, B.C.
V1E 2N2

Dear Mr. Cummings:

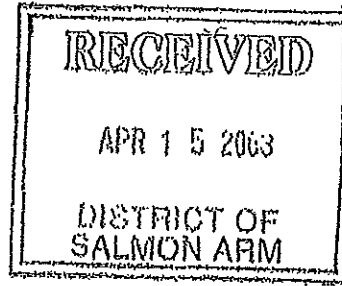
**Re: Traffic Review, Okanagan Avenue East and 11th Street SE,
District of Salmon Arm**

We are pleased to submit this letter report summarizing the results of our traffic review for the Okanagan Avenue East and 11th Street SE Intersection. This letter describes our study process, and the results and conclusions about the traffic impact of the proposed residential unit development south of the intersection.

1.0 Background

A 44 unit residential development is proposed on 11th Street SE immediately south of Okanagan Avenue E. 11th Street SE is a local north-south low standard paved rural roadway that extends southwards from Okanagan Avenue E and currently services approximately six residences. Residents can also access Okanagan Avenue E via unpaved 2nd and 3rd Avenue SE to the nearby intersection of 10th Street SE.

Okanagan Avenue E is an east-west collector street that connects residential subdivisions in southeast Salmon Arm with the Central Business Area. A 1997 traffic count west of 20th Street SE, indicated that nearly 6,000 vehicles per day travel on Okanagan Avenue E.



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The District of Salmon Arm is concerned about sight line limitations at the intersection of 11th Street SE and Okanagan Avenue E and the generally poor condition of the roadway network in this neighborhood. Given the increased traffic volume that the proposed subdivision will generate at the three-leg intersection, the District has requested that a traffic study be carried out by the developer to determine the impact that the increased volumes may have on the safe movement of traffic. The developer commissioned Hamilton Associates to carry out the traffic study.

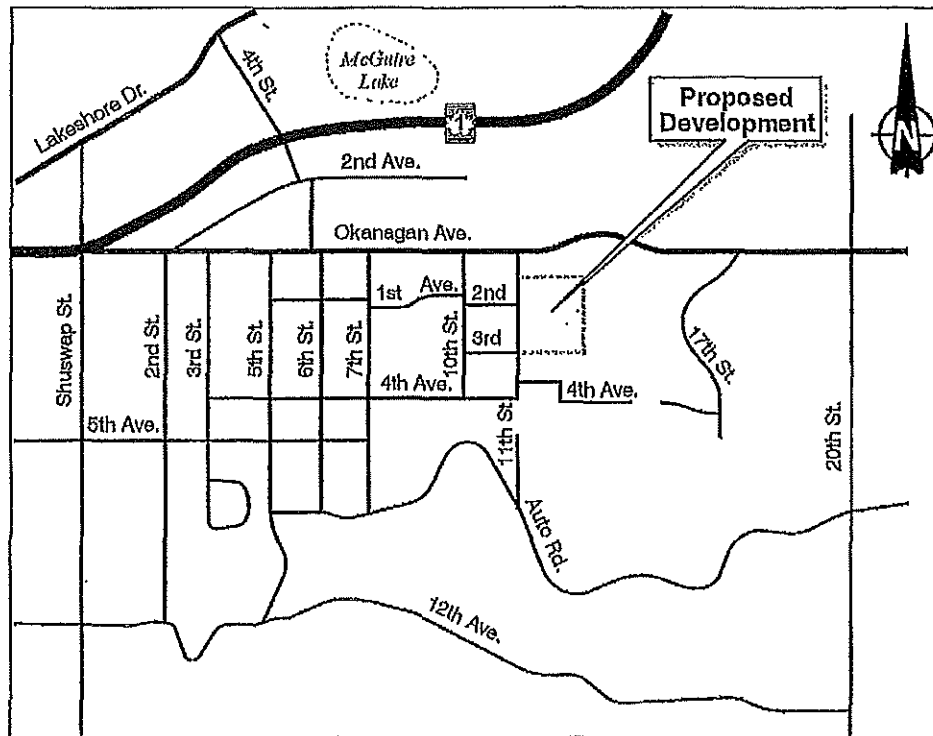


FIGURE 1 EXISTING STREET CONFIGURATION IN THE VICINITY OF THE PROPOSED DEVELOPMENT

Note that 4th Avenue is not continuous between 11th Street and 17th Street and that 11th Avenue does not connect between Auto Road and 4th Avenue.



2.0 Literature Search

Intersection sight distance is defined as the sight distance available from a point where vehicles are required to stop on the intersecting road (11th Street SE), while drivers are looking left and right along the major roadway (Okanagan Avenue E), before entering the intersection. The intersection sight distance is considered adequate when it allows vehicles to safely make all maneuvers that are permitted, without significantly affecting vehicles traveling on the main roadway.

In the case of a stop control on the minor roadway, the sight triangles are a function of the vehicle speeds on the major roadway and the departure maneuver of the vehicle leaving the stopped condition. In the case of tee intersections, a stopped vehicle should be able to see an oncoming vehicle and be able to turn left or right onto the intersecting roadway and then accelerate to the normal running speed of the vehicles on the main roadway without interfering with the passage of the through traffic.

The *Geometric Design Guide for Canadian Roads (Guide)*, 1999, published by the Transportation Association of Canada, defines the sight distance for turning movements from a stop condition. This Guide is used by most jurisdictions in Canada to design and operate streets and highways. The Guide recommendations were used to evaluate the study intersection.

The Guide specifies the height of eye for the observer to be 1.05 metres and the height of the approaching object as 1.30 metres, which would be the upper part of a passenger vehicle. Also specified are average driver perception and reaction times and vehicle acceleration rates. Adjustments are necessary to the acceleration rates to account for grades and heavy vehicles.

Typically, the desirable sight distance required for a driver leaving a stop condition to enter a 2 lane road with a design speed of 50 km/h is 120 metres. 160 metres is required for a design speed of 60 km/h. While some drivers can accelerate their vehicles rapidly and can enter a roadway with less sight distance, the purpose of the values specified in the Guide are to provide sufficient sight distances for drivers with slower perception and reaction times to safely complete their turns as well.



3.0 Site Visit

On January 29, 2003, Mr. Albert Popoff, P.Eng. visited the study site in Salmon Arm. He met with the District of Salmon Arm Municipal Engineer, Mr. Dale McTaggart and the developer, Mr. Orville Cumming. Both provided plans and other information. Data were gathered and observations were carried out in the study area.

A. 11TH STREET SE AND OKANAGAN AVENUE EAST

The following observations and measurements were made at the main study intersection:

- The intersection operates as a tee intersection because the north leg is not developed and is unlikely to develop in the future.
- 11th Street SE has a significant downgrade immediately south of Okanagan Avenue East. 11th Street SE does not level off before it intersects Okanagan Avenue E, therefore when vehicles are stopped at the stop sign, the front of their vehicle is higher than the rear.
- Okanagan Avenue E carries significant volumes of traffic between the business area and residential subdivisions with approximately 6,000 per day according to a 1997 count. Assuming a growth rate of 1.5% per year the current traffic volumes on Okanagan Avenue E would be about 6500 vehicles per day. During the mid-day observations there were approximately three vehicles per minute approaching the 11th Street SE intersection, from each direction.
- Okanagan Avenue E rises from west to east at an approximate grade of 10 percent
- Westbound vehicles travel at an average speed of 60 kilometres per hour (downhill), whereas eastbound vehicle speeds are estimated to be 50 kilometres per hour (uphill).
- The approach speeds on 11th Street SE are below 50 kilometres per hour.
- A northbound vehicle on 11th Street SE stopped at the stop sign has over 200 metres of visibility of approaching vehicles from the east, as shown in FIGURE 1. Sight lines to the west are approximately 50 metres due to a vertical curve on Okanagan Avenue E between 11th Street SE and 10th Street SE, as shown in FIGURE 2.
- A solid wood fence, shrubs and a group mailbox in the southwest quadrant restrict the sight triangle for vehicles approaching Okanagan Avenue E. The southeast quadrant has a clear sight triangle.
- An eastbound vehicle was parked for a short period of time on south side of Okanagan Avenue E between 10th and 11th Streets SE in a location that further restricted the sight lines to the west. Currently there are no signs prohibiting parking.

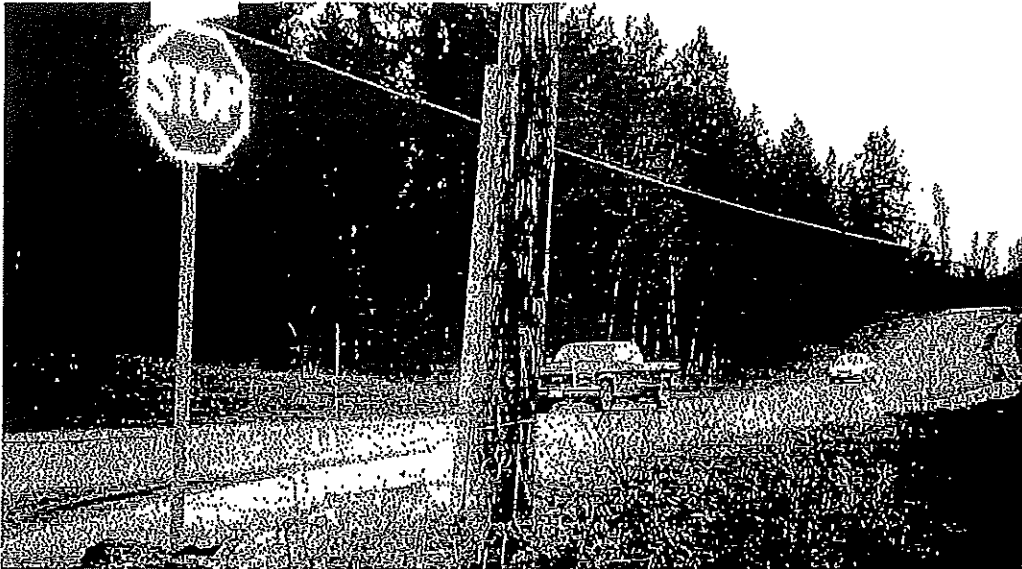


FIGURE 2 11TH STREET SE AND OKANAGAN AVENUE E LOOKING EAST
View from 11th Street SE looking east while stopped and waiting to enter Okanagan Avenue E. Good sight lines are available to see oncoming vehicles.

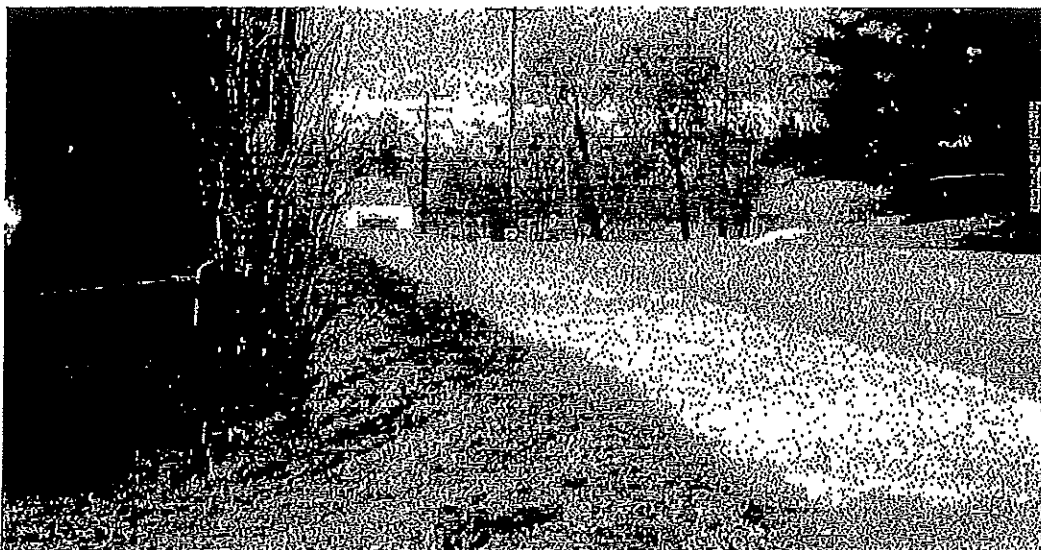
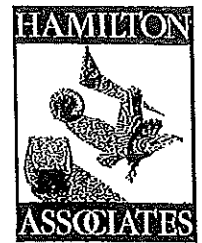


FIGURE 3 11TH STREET SE AND OKANAGAN AVENUE E LOOKING WEST
View from 11th Street SE looking west while stopped and waiting to enter Okanagan Avenue E. The vehicle with the headlights on has just become visible and is approximately 50 metres away from the intersection.



- Stopped vehicles entering Okanagan Avenue E had to react and accelerate very quickly in order to make a right or left turn safely.
- Collision information gathered for the November, 2001, Safer City Initiative Study by Hamilton Associates, indicates that there were three collisions at or near the intersection between 1995 and 2000. One was a rear-end collision, and another involved a left turning vehicle. The configuration of the third collision is not known. There is insufficient information to determine collision patterns.

B. 10TH STREET SW AND OKANAGAN AVENUE EAST

The characteristics of the intersection of 10th Street SE and Okanagan Avenue E (the nearest intersection to the west) were observed to determine if it would be an alternative access for the new development instead of 11th Street SE.

- The traffic volumes, speeds, and grade observations on Okanagan Avenue E are similar at 10th Street SE to those at 11th Street SE.
- 10th Street SE would have more than double the traffic volume than 11th Street SE because 10th Street SE currently serves a larger number of residents.
- 10th Street approaches Okanagan Avenue E on a flatter grade than 11th Street SE, but approach speeds would be similar.
- Vehicles on 10th Street NE, when stopped at the stop sign at Okanagan Avenue E, have over 150 metres visibility of vehicles approaching from the west. Visibility of vehicles approaching from the east is limited by the vertical curvature to approximately 80 metres.

3.0 Review of Sight Lines

TABLE 1 summarizes the required and available sight lines at the intersection of 11th Street SE and Okanagan Avenue E. The sight distances to the right were not compared, as a clear sight triangle currently provides over 250 metres of visibility in this direction,



**TABLE 1 REQUIRED AND AVAILABLE SIGHT DISTANCES
AT 11TH STREET SE AND OKANAGAN AVENUE EAST**

CONDITION	REQUIRED Sight Distance from the left*	AVAILABLE SIGHT DISTANCE FROM THE LEFT*
Sight distance for a passenger vehicle to turn <u>right</u> onto a two-lane roadway and attain enough speed so as not to be overtaken by an approaching vehicle from the left at a speed of 50 km/h	120 metres**	50 metres
Sight distance for a passenger vehicle to turn <u>left</u> onto a two-lane roadway across the path of passenger vehicles approaching from the left at a speed of 50 km/h.	100 metres	50 metres

* Adequate sight distances are available to the right and are not an issue.

** This assumes passenger vehicles on a level grade. Heavy trucks would need more sight distance because of their slower acceleration, especially on an upgrade.

A northbound vehicle stopped on 11th Street SE must be able to see a vehicle approaching at 50 km/h on their left at least 100 metres away (approximately at 10th Street SE) to be able to safely make a left turn onto Okanagan Avenue E. This translates to approximately 7 seconds of time to perceive a safe gap from both directions, make a decision, then react and begin to accelerate across the eastbound lane and turn left into the westbound lane. The current sight distance is about 50 metres due to a vertical curve on Okanagan Avenue E. The 50 metre sight distance point is located near the back lane between 11th and 10th Street SE.

The sight distance required for right turns is 120 metres because the entering vehicle has to accelerate to a speed so as not to interfere with the approaching vehicle from their left travelling at a speed of 50 km/h.

A review of general collision information indicates that right angle collisions have more serious outcomes than rear end collisions, especially in terms of causing injuries and fatalities.

At 10th Street SE and Okanagan Avenue E., the required sight triangle to the left is met, however the existing sight distance to the right is 80 metres and does not meet the 160 metre requirement. The sight distances are greater to the right because the average speed of the westbound vehicles is estimated to be 60 km/hr.



4.0 Review of Alternatives

The following alternatives were explored to improve the sight distance for all road users at the study intersection, including the vehicle trips generated by the proposed 44 unit residential development on 11th Street SE.

A. IMPROVEMENTS TO THE INTERSECTION OF 11TH STREET SE AND OKANAGAN AVENUE E

It may not be economically feasible to change the vertical alignment of Okanagan Avenue E to overcome the sight line deficiency. The following improvements at the intersection of 11th Street and Okanagan Avenue E will improve the intersection sight distances and operational safety.

- OKAS I
- ✓ 1. Remove the shrubs growing outside of the fence on the southwest corner of the intersection.
 - ✓ 2. Post No Parking on both sides of Okanagan Avenue E between 10th and 11th Street SW so that vehicles do not park and create further sight restrictions. Prohibiting parking may inconvenience the adjacent residents.
 - ✓ 3. Install a "Concealed Road" warning sign for eastbound traffic on Okanagan Avenue E, in advance of 11th Street SE. In the *Manual of Uniform Traffic Control Devices for Canada* (Transportation Association of Canada, 1998), this sign is recommended for use "on major roads in advance of crossroads where the vision triangle is inadequate, and where the crossroads are concealed to the extent that a driver on the major road would not be adequately prepared for turning movements or cross traffic". The MUTCDC sign number is WA-19R. Such signs are most effective immediately after installation, and the effectiveness may diminish over time.
 4. Restricting the right turn movements from 11th Street SE onto Okanagan Avenue E will eliminate the worst case sight line situation. Drivers wishing to turn right would require an alternate access to Okanagan Avenue. This option is discussed in subsection B.
 5. Make 11th Street SW a southbound one-way street. This will require alternative routes for vehicles to have access to the Central Business District. These options are discussed in subsections B and C.



6. Revise the vertical alignment of 11th Street SE so that a vehicle will be horizontal when stopped at the stop sign and waiting to enter Okanagan Avenue E. The change of the grades will enable vehicles to accelerate more quickly when entering the intersection, especially during snowy or icy conditions. The grade change may increase the driver's eye height marginally but it would need to be raised by approximately one metre to achieve significant improvements to the sight lines.
7. Construct an acceleration lane along Okanagan Avenue E for vehicles turning right onto Okanagan Avenue E. An acceleration lane will allow right turning vehicles to reach the speed of approaching vehicles, before merging into the eastbound lane.

B. USE 10TH STREET SE AS THE ACCESS TO OKANAGAN AVENUE E

The sight lines at 10th Street SE and Okanagan Avenue E, are only marginally better than those at 11th Street SE. The sight distance requirements to the left are met, however only 80 metres of sight distance is available to the right. The Guide requires a sight distance of 160 metres to detect an approaching vehicle.

If traffic generated by the new development is required to use 10th Street SE to access Okanagan Avenue E, it may be necessary to upgrade 2nd Avenue SE and/or 3rd Avenue SE between 11th and 10th Street SE to accommodate two-way traffic.

C. DIVERT TRAFFIC TO 6TH OR 7TH STREET SE TO ACCESS OKANAGAN AVENUE E

The 6th and 7th Street SE access to Okanagan Avenue E have sight lines in both directions that meet the required design standards. These intersections are options to consider as the primary access intersections to the proposed development. The disadvantage of this option is that the routing of traffic via 1st, 2nd, or 4th Avenue SE is not direct, creating a slightly longer travel route through an existing residential neighborhood. To make this option workable, it may be necessary to implement restrictions at the 10th and 11th Avenue SE in order to encourage motorists to use the safer 6th and 7th Street SE access to Okanagan Avenue E. Some motorists have a tendency to use the shortest route even though it may be less safe.

A capacity analysis has not been carried out, but it is not expected that the approximately 50 vehicles generated during the peak hours by the proposed development would cause any traffic delays or operating difficulties. Currently northbound traffic on 6th and 7th Avenue SE is controlled by a Stop Sign before entering Okanagan Avenue E.

*7
details*



It may be necessary to implement a one-way southbound operation on 11th Street SE in order to successfully divert traffic to an alternate access.

5.0 Summary and Conclusions

The intersection of 11th Street SE and Okanagan Avenue E is the most direct access to the proposed 44 unit residential development. The existing sight distances from the intersection to the west are less than the minimum values specified in the Geometric Design Guide for Canadian Roads. As a result, vehicles emerging from the 11th Street stop sign may conflict with vehicles on Okanagan Avenue. While the options to make significant improvements are limited, shrub trimming, warning signs, and parking restrictions can improve the visibility and driver awareness of the intersection.

The traffic generated by the proposed development also has the options to access Okanagan Avenue E via 10th Street SE, 7th Street SE or 6th Street SE. 10th Street SE has marginally better sight lines than 11th Street SE, but sight distance improvements would also be required at this intersection to comply with the design guidelines. The 6th and 7th Street SE access have sight lines exceeding the recommended values, however the route to the proposed development is indirect. The implementation of a one-way street system or the closure of the intersections at 10th St. and 11th St. may be required to enforce the diversion.

If 4th Avenue SE connects to 17th Street SE in the future, it would provide another viable access to the proposed development on 11th Street SE.

The level of safety at an intersection is a relative measure. No intersection can be absolutely "safe" or "unsafe". Certain characteristics can make an intersection more or less safe. Standards and guidelines are set to minimize risk and to establish a reasonable level of safety.

Given enough data and information it is possible to develop intersection collision prediction models. These models use the total traffic volume entering an intersection to predict collision occurrence. At the location under review, the addition of approximately 100 vehicles per day on 11th Street relative to the 6,500 vehicles that already travel on Okanagan Avenue represents a relatively small increase in the measurable collision risk.



In summary it is recommended that:

1. As a minimum, the shrub trimming, warning signs, and parking signs be implemented;
2. The option of using 7th St. as an alternative entry point to areas south of Okanagan Ave be explored, including the implications to the existing local roads and methods of ensuring that traffic is diverted;
3. If continued growth is expected in this area, a long term strategy be developed to improve the geometry and sight lines at the 10th St. and 11th St. intersections, or to phase-out the use of these intersections as the traffic volumes on Okanagan Avenue E continue to increase. For further development to occur in this area a plan is required to improve the transportation network which may require significant expenditures to implement.

Refer to Section 4 for a more detailed discussion of alternatives and recommendations.

Please do not hesitate to contact us if you have any questions or comments. Thank you for considering Hamilton Associates.

Yours truly,

G.D. HAMILTON ASSOCIATES CONSULTING LTD.

per: Albert J. Popoff P.Eng.
Manager of Kelowna Office



From: Dave Cullen <DCullen@ctqconsultants.ca>
 Sent: February 14, 2020 2:01 PM
 To: Green Emerald Construction <office@greenemeraldinc.com>
 Cc: Gary Out <grout01@hotmail.com>
 Subject: RE: Seniors development 11th St, SE, Salmon Arm SHUSWAP VILLAGE

ITE Trip Generation Rates - 10th Edition

Description/ITE Code	Units	ITE Vehicle Trip Generation Rates							Expected Units	Total Generated			Total Distribution of Generated			
		Peak Hour of Generator								Daily	AM Hour	PM Hour	AM In	AM Out	PM In	PM Out
		Weekday	AM	PM	AM In	AM Out	PM In	PM Out								
Senior Adult Housing- Detached 251	DU	3.00	0.22	0.27	35%	05%	61%	39%	70.0	250	15	19	5	10	12	7
Senior Adult Housing- Attached 252	Occ DU	3.44	0.10	0.23	35%	85%	60%	40%	40.0	130	8	9	3	5	0	4
Congregate Care Facility 253	Occ DU	2.15	0.00	0.17	61%	39%	50%	44%	0	0	0	0	0	0	0	0
Congregate Care Facility 253	DU	2.02	0.00	0.17	59%	41%	55%	45%	0	0	0	0	0	0	0	0
Assisted Living 254	Occ Beds	2.74	0.18	0.29	68%	32%	50%	50%	0	0	0	0	0	0	0	0
Assisted Living 254	Beds	2.06	0.14	0.22	65%	35%	44%	56%	0	0	0	0	0	0	0	0
Assisted Living 254	Employees	3.93	NA	0.55	NA	NA	43%	57%	0	NA	0	NA	NA	0	0	0
Continuing Care Retirement Comm 255	Occ Units	2.50	0.15	0.20	65%	35%	40%	60%	0	0	0	0	0	0	0	0
									110	395	23	28	6	15	17	11

ITE Trip Generation Rates - 10th Edition

Description/ITE Code	Units	ITE Vehicle Trip Generation Rates							Expected Units	Total Generated			Total Distribution of Generated			
		Peak Hour of Generator								Daily	AM Hour	PM Hour	AM In	AM Out	PM In	PM Out
		Weekday	AM	PM	AM In	AM Out	PM In	PM Out								
Senior Adult Housing- Detached 251	DU	3.68	0.22	0.27	35%	05%	61%	39%	350.0	1,200	77	95	27	50	58	37
Senior Adult Housing- Attached 252	Occ DU	3.44	0.10	0.23	35%	85%	60%	40%	0	0	0	0	0	0	0	0
Congregate Care Facility 253	Occ DU	2.15	0.00	0.17	61%	39%	50%	44%	0	0	0	0	0	0	0	0
Congregate Care Facility 253	DU	2.02	0.00	0.17	59%	41%	55%	45%	0	0	0	0	0	0	0	0
Assisted Living 254	Occ Beds	2.74	0.18	0.29	68%	32%	50%	50%	0	0	0	0	0	0	0	0
Assisted Living 254	Beds	2.06	0.14	0.22	65%	35%	44%	56%	0	0	0	0	0	0	0	0
Assisted Living 254	Employees	3.93	NA	0.55	NA	NA	43%	57%	0	NA	0	NA	NA	0	0	0
Continuing Care Retirement Comm 255	Occ Units	2.50	0.15	0.20	65%	35%	40%	60%	0	0	0	0	0	0	0	0
									350	1,200	77	95	27	50	58	37

Gary the two spread sheet above show the trip generation as follows:
 The first shows 70 detached senior homes and 40 attached senior homes with a total PM Peak hour trip generation of 28 vehicles, well be low the threshold of 100 pm peak hour trips for a full traffic study
 The second show that 350 detached homes would generate close to the 100 trip threshold

I have included the trip generation rates for other types of senior housing. All other types of senior housing generate fewer trips per unit then the adult housing noted above.

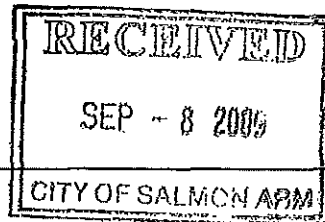
Hope this helps to get a handle on what the site could support from a traffic generation standpoint
 Please call if you have any questions

David D. Cullen, P.Eng.



CTQ Consultants Ltd.
 Tel: 250.979.1221 ext.120
 Cel: 250.870-6525

Jeremy Ayotte MSc RPBio
180 Larch Hills, Salmon Arm BC, V1E 2Y4
Tel. 250-804-3513
Jeremy.Ayotte@gmail.com



August 28, 2009

Corey Paiement
Director of Development Services
City of Salmon Arm
Box 40 Salmon Arm BC
V1E 4N2

Re: Application of the Riparian Areas Regulation and the Water Act to a water course flowing through property at **70 and 210 11 Street SE.**

The following is a summary of a field assessment and a review of regulations and relevant documents on behalf of the city of Salmon Arm during the week of August 25-31, 2009.

- A) Previous assessments of this water course suggest the source of water is city storm water, however the volume of water flowing through the water course at the time of this assessment (late August of a particularly dry summer) suggests that the water course is partially spring fed or that city water lines are potentially leaking upstream.
- B) If further confirmation of the source and history of this water course is required, an assessment by a professional hydrologist would be appropriate.
- C) Regardless of the source of the water above the subject property, the water course in question eventually drains into a fish-bearing system (Shuswap Lake) and consequently meets the criteria defining a "stream" in the Riparian Areas Regulation (given authority under the *Fish Protection Act*, S.B.C. 1997, c.21, ss.12, 13 (1) and 37 (2)). Any development on this property therefore must meet the provisions of the Riparian Areas Regulation (effective March 31, 2005).
- D) Using standard methods prescribed by the Detailed Assessment of the Riparian Areas Regulation, the average channel width for this water course is 1.7 m, with an average slope of 9.5 %. Based on these measurements, the channel type is a riffle-pool, and the resulting streamside protection and enhancement area (SPEA) would be set at 10 m horizontal distance out from the high water mark on each side of the water course.
- E) A previous assessment alluded to an option available to the property owners to enclose the water course in a pipe through the subject property. Given the well-developed and relatively

undisturbed riparian vegetation along this water course (Fig. 1), an application for Approval under Section 9 of the Water Act (Works In and About a Stream) to enclose the water course in an underground pipe would likely meet with considerable resistance from federal and provincial regulatory agencies (e.g., Fisheries and Oceans Canada, and Ministry of Environment). The current exposure that this water course has to functioning riparian vegetation provides a source of nutrients (derived from insect drop and woody debris) that flows downstream to a known fish bearing system.

- F) Given that there is definitely storm water flow in this water course, and that the surface exposure through the subject property provides a net benefit to downstream fish habitat, regulatory agencies may be flexible with RAR provisions in order to support a proposal to maintain this water course above surface. The following excerpt is from the Riparian Areas Regulation Assessment Methodology Manual (Version 3.3, April 2006):

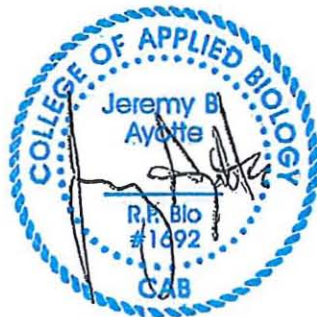
1.4.3 Day-lighting of Streams

There is interest in some urban areas to open up culverted and buried stream channels and bring them back above ground. Having to meet RAR standards on a day-lighting project where there is often limited room to re-establish the stream channel could cause many day-lighting projects to be discarded. In this regard, MOE and DFO staff are able to negotiate specific riparian protection standards to enable these positive projects to proceed.

Discussions between the property owner and regulatory agencies may benefit from consideration of the option to maintain the water course in its present channel and design the proposed development to minimize potential disturbance outside of a reduced set back that where possible, allows for the retention of the most biologically important features of the site - the diverse, mature overstory riparian vegetation.

As referenced to RAR methodology manual, day-lighting of streams in urban areas is growing across North America. This growth is driven mainly by the positive effects on property value. This site is rare in an urban setting and given appropriate design and planning, the natural features that exist on this property can become marketable.

Sincerely,



Jeremy Ayotte MSc RPBio



Figure 1. Examples of well-developed and relatively undisturbed riparian vegetation along the water course through the subject property at 70 and 210 11 Street SE. Overstory is dominated by Maple, Douglas fir, Birch, and Western red cedar..



File: R3-3005900

January 17, 2017

Via Email: info@valhallaconsulting.ca

Matthew Davidson
Valhalla Environmental Consulting Inc.
11510 Upper Summit Drive
Coldstream, British Columbia
V1B 2B4

**Re: Section 11 Water Sustainability Act Application "Changes In and About a Stream"
– Storm Sewer Outfalls – Construction / Maintenance – Storm system in Salmon Arm**

Staff with the Ecosystems Section of the Ministry of Forests, Lands and Natural Resource Operations have reviewed the above mentioned authorized change application. A Section 11 *Water Sustainability Act* Change Approval is not required for the proposed work as long as the work is done in accordance with BC Regulation 36/2016 – Part 3.

As per section 38 (1) *A person proposing to make an authorized change, other than an authorized change described in Section 39 (1) (o) to (s), (2) and (5), must*

- (a) *Provide a notice, signed by the person or the person's agent, to a habitat officer of the particulars of the proposal at least 45 days before beginning the authorized change, and*
- (b) *Obtain from a habitat officer a statement of the Terms and Conditions described in section 44 (2) [protection of aquatic ecosystems] on which the authorized change can proceed.*

The terms and conditions you must follow for your works are outlined here:

http://www2.gov.bc.ca/assets/gov/environment/air-land-water/water/water-rights/terms_and_conditions_for_cias_th_ok_2016.pdf

It is the proponent's responsibility to ensure their activities are in compliance with all legislation, including the *Fisheries Act*, as well as with local government bylaws and regulations.

If you have further questions please contact the undersigned at 250-371-6219.

Yours truly,

Mark Phillpotts
Ecosystems Biologist

Ministry of Forests, Lands and
Natural Resource Operations

Resource Management
Thompson Okanagan Region
1259 Dalhousie Drive
Kamloops, BC V2C 5Z5

Telephone: (250) 371-6200
Facsimile: (250) 828-4000



File R3-3005900

March 14, 2017

Via Email: info@valhallaconsulting.ca

Matthew Davidson
Valhalla Environmental Consulting Inc.
11510 Upper Summit Drive
Coldstream, British Columbia
V1B 2B4

Re: File R3-3005900 Section 11 Water Sustainability Act Notification Letter for Construction – Maintenance of a Stormwater Pipe System on an Unnamed Watercourse in Salmon Arm

Dear Matthew,

After reviewing additional information received regarding the unnamed watercourse on or near 70 and 210 11th Street SE Salmon Arm, the Ministry of Forests Lands and Natural Resource Operations (FLNRO) is rescinding its authorized change under Part 3 of the Water Sustainability Act Regulations. An assessment of the watercourse which was not included in your authorized change notification to Front Counter British Columbia claims the watercourse is likely a natural stream. The assessment also states that the Riparian Areas Regulation (RAR) would apply to this stream. Once a subdivision application is submitted by the proponent, RAR would be triggered and the required RAR assessment would be based on the current state of the property.

FLNRO does not support extensive culverting of natural drainages. Due to the conflicting information mentioned above, FLNRO will take a precautionary approach and at this time considers the watercourse in question to be a natural stream.

To move forward FLNRO suggests the proponent adopt one of the following options;

1. Hire a qualified professional hydrologist to determine if the watercourse in question is a natural stream or exclusively stormwater collection flow. If a hydrologist determines the watercourse has no natural water input, FLNRO would allow the watercourse to be culverted.
2. Proceed with development of the property while following a Riparian Areas Regulation assessment report prepared by a qualified professional. FLNRO

Ministry of Forests, Lands
& Natural Resource
Operations

Thompson/Okanagan Region
Thompson Office

Mailing Address:
1259 Dalhousie Drive
Kamloops BC V2C 5Z5

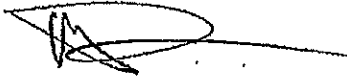
Telephone: 250 371-6200
Facsimile: 250 828-4000

contends there are social and environmental benefits from the watercourse and recommends retaining the streamside protection and enhancement area identified from a RAR assessment.

3. Proceed with development of the property while following a Riparian Areas Regulation assessment prepared by a qualified professional and apply to realign the watercourse to minimize interference to subdivided lots.

Please advise how you would like to proceed at your earliest convenience by contacting the undersigned at 250-371-6219

Sincerely,



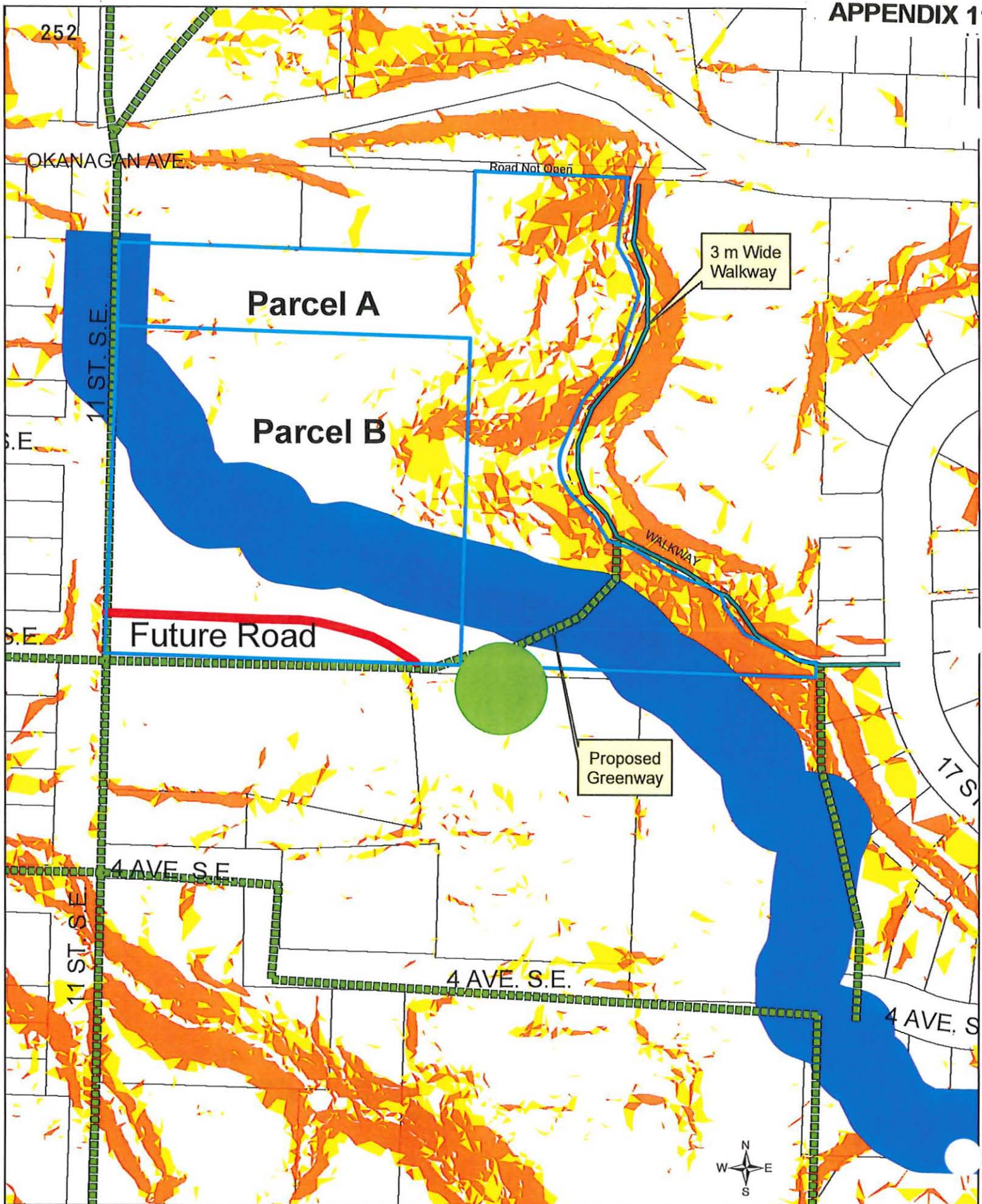
Mark Phillpotts
Ecosystems Biologist

Ministry of Forests, Lands
& Natural Resource
Operations

Thompson/Okanagan Region
Thompson Office

Mailing Address:
1259 Dalhousie Drive
Kamloops BC V2C 5Z5

Telephone: 250 371-6200
Facsimile: 250 828-4000



Arsenault Environmental Consulting Ltd.

21 January 2020

Proposal No. 19-34

Gary Out
(gary@65plusliving.com)
International Seniors Community Inc.
577 Palmerston Avenue,
Toronto, ON, M6G 2P6

SCOPE OF WORK AND COST ESTIMATE FOR ENVIRONMENTAL SERVICES RELATED TO ENVIRONMENTAL PLANNING FOR A STREAM POTENTIALLY EFFECTED BY SUBDIVISION AND HOUSE CONSTRUCTION THROUGH LOT 210, 11TH STREET, SALMON ARM, BC

Dear Gary,

As per our discussion today regarding work scope and project staging, Arsenault Environmental Consulting Ltd. (Arsenault) is pleased to provide the following *revised proposal* for environmental planning services to International Seniors Community Inc. (the Client). This revision is partly based on the results of a meeting and site visit conducted during 08 January 2020. The services specifically relate to conducting an assessment of a small drainage that presently passes diagonally through Plan B4487, Lot 210, and beside Lot 70, 11th Street SE, Salmon Arm, BC (the Property).

Arsenault has over 27 years of environmental consulting experience, 21 years of consulting experience in the Shuswap region, and has direct experience in Salmon Arm.

1.0 PROJECT UNDERSTANDING

Arsenault understands that the work proposed by the Client is to subdivide lots 70 and 210 of Plan B4487 (the Property) and potentially realign or culvert the lower portion of a stream. City of Salmon Arm mapping indicates that a stream bisects Lot 210. Our Property visit confirmed the presence of a stream. Local residents indicated to Arsenault that drainage has been altered upstream of the Property and that what used to be an ephemeral stream now flows year-round. Arsenault discussed the potential to realign portions of the drainage with Kevin Pearson, Director of Planning at the City of Salmon Arm on 20 September 2017. Mr. Pearson was aware of the history of the property. He stated that the City considers the drainage a stream, which



would require a Riparian Areas Regulation (RAR) assessment. He agreed with the concept of stream realignment, with enhancement and retention of trees as much as possible, under provincial permission. The City would be a referral agent for an application to the province. Once the lower portion of the drainage is approved to be realigned, a subdivision application can be made, triggering the need for a RAR assessment of the new stream alignment. General buffer distances can be worked into the development plan.

An application to subdivide property containing environmentally sensitive features triggers the requirement for a development permit (K. Pearson, pers. comm., 2017). A RAR assessment report would be required to support a subdivision application. Although the drainage is not mapped as a stream on Map 5.2 from the Salmon Arm Official Community Plan, a note on the map indicates that inventory is incomplete.

The following sections outline the scope of work for Arsenault to complete these tasks.

Task 1 – Environmental Assessment of Property

An environmental assessment will layout environmental constraints and opportunities on the Property. This includes valuable tree clusters, wildlife corridors, aesthetic views, and riparian buffers. Information collected during this task can be used for environmental planning throughout the duration of the project.

A RAR report may be required to support the subdivision application. The RAR assessment would be conducted on the existing stream alignment. A report will be submitted to the client. Arsenault would require copies of other RAR assessments completed for the Property. These will help to keep the RAR assessment cost down. This preliminary RAR assessment report would not be submitted to the Province unless stream realignment turns out to not be a desired option. A call will be made to the Province to inquire about the feasibility of realignment of part of the drainage.

If the Client wishes to realign the stream to allow for housing development on the lower portion of Lot 210, a Change Order approval from the Ministry of Forests, Lands and Natural Resource Operation and Rural Development (FLNRO&RD) under Regulation 39(1) of the *Water Sustainability Act* (WSA) will be required. Details will be required on the present stream including where the stream flow used to originate, and on the overall riparian values in the existing and potential new alignment.

The project biologist, and an assistant, would visit the Property over one day to map and record ecosystem and species data, including significant tree clusters and steep slopes. Data will be collected with a hand-held mapping-grade GPS. The assessment would include documentation of the riparian habitat, including selection of an appropriate alignment for sections of the stream. A meeting to discuss the new alignment with the Client would be beneficial.

Task 1 would provide the information required to decide whether realignment of a portion of the stream changes the feasibility of your project. If the Client decides that realignment of a portion of the stream is required, Arsenault can provide the following tasks to get you through the permitting and construction stages. The RAR report would then be updated, and submitted to the Province, after the stream has been realigned (see Task 7).

Task 2 – Realignment and Environmental Management Plan

The information obtained from this assessment will be incorporated in an environmental management plan (EMP) report that will be required to gain approval from FLNRO&RD. The plan will be presented as a concept with sufficient detail for approvals. Ponds will be considered as potential desirable features in the design to retain post-development flows equivalent to pre-development flows. The Client will be consulted on the design.

The report will provide a project description, stream realignment justification (to be provided by Client), assessment methods, effects assessment, mitigation measures, planting and enhancement designs, and a conclusion on whether the project would result in harm to aquatic habitat and a net loss or gain in environmental values.

The EMP report will also include conceptual designs for offsets and trade-offs for Environmentally Sensitive Area (ESA) encroachment (including tree clusters). GIS maps will be provided that will show ESAs and enhancement areas. A detailed topographic survey of the existing stream and the potential realignment route will be required from the Client.

Task 3 – WSA Permit Application

Changing the path of a stream will require approval from the Water Management Division at the Ministry of FLNRO&RD. Arsenault will prepare and submit a WSA Change Order application on your behalf. The Client will need to provide a letter of permission in order for Arsenault to act on your behalf. The Client will also need to provide a \$250 permit fee (not included in budget estimate) to FrontCounter BC.

Task 4 – Permit Facilitation, Meetings and Project Management

Task 4 provides time for permit facilitation, meetings, and project management. Arsenault will meet with FLNRO staff from Kamloops at the Property and follow up with phone calls and emails, if required. Arsenault assumes that one meeting will be required with the Client and potentially one with City staff. In addition, there are likely to be numerous phone calls and emails to the Client, FLNRO&RD, as well as to the City.

Project management bridges all tasks and is an important part of getting a project done on time and within budget. Arsenault will communicate budget and timelines with the Client on a monthly basis, at time of invoicing or sooner.

Task 5 – Environmental Monitoring of Realignment

Environmental monitoring will be a requirement from the Province and City during construction of the new stream channel and potentially during construction of the sub-division, especially during diversion of water out of the existing channel. Salvage may be required if aquatic species could perish during drying out of the existing channel. Effort for monitoring cannot be estimated at this time. Arsenault will be pleased to provide a detailed cost estimate for monitoring, and maybe even construction supervision, after the WSA permit is received. As a rough estimate for budgeting one should allow for \$13,700 for environmental services during construction.

Task 6 – RAR Update and Environmental Compliance Monitoring

An updated RAR and monitoring are general requirements of Development Permits and recommendations for an appropriate monitoring program are required in the RAR report. The

RAR report will be updated with the new stream alignment section and setbacks overlaid with the Client's development plan. The RAR report then has to be uploaded on the Provincial RAR Registry. Once the RAR is accepted by the Province, the City can issue their development permit. Monthly monitoring during construction, a post-construction visit, and a one-year post construction visit are required under the RAR legislation. Allow \$4,500 for an estimated budget.

2.0 COST ESTIMATE

Arsenault's charges associated with the Project will be on a time and expenses basis in accordance with the terms and conditions described in the attached Consulting Agreement, which along with this proposal would form the contract for this [REDACTED] cost for completing tasks 1 to 3 of the scope of work outlined [REDACTED]. Project management and permit facilitation could cost about \$ [REDACTED] environmental services during construction to cover stream [REDACTED] monitoring. The RAR assessment can be updated after the [REDACTED] has been realigned and is estimated at [REDACTED] (including RAR monitoring). Arsenault expects that channel measurements will be taken from the as-built designs of the new stream channel, or during environmental monitoring of the realignment. A cost estimate breakdown is provided in Table 1 below. A detailed fee schedule can be provided at the Client's request.

Table 1: Cost Estimate for QEP and Project Management Services

Task Description	Fees	Equipment and Disbursements	Subtotal
Task 1 – Inventory and Preliminary Environmental Assessment Report			
Task 2 – Stream Relocation and Environmental Management Plan			
Task 3 – WSA Permit Application			
Sub Total			
Task 4 – Permit Facilitation, Meetings and Project Management			
Task 5 – Monitoring of Realignment			
Task 6 – RAR Update and Post-construction Monitoring			

*Tax not included. Disbursements includes 10% fee. Costs for tasks 5 and 6 are at Client's request.
 A 60% retainer of tasks 1 to 3 will be required.

Assumptions

- Arsenault assumes that the Client will commence with this scope of work within two-months. This work scope and cost estimate is valid for 60 days.
- Construction-related service cost estimates are rough estimates in this work program.
- The RAR re-assessment and monitoring (Task 6) will be required once the stream has been relocated, and is provided for budgeting purposes. Arsenault assumes that the

RAR re-assessment, and notification to the Province via the RAR Notification System, may be required prior to issuance of a development permit.

- The Client will provide digital base mapping of the Property with property boundaries and easements, etc.

3.0 SCHEDULE

Arsenault will commence with tasks 1 and 2 upon receiving the signed Consulting Agreement and retainer. We would expect to have Task 1 completed within three weeks and tasks 2 and 3 completed within 10 weeks after receipt of the signed contract. WSA permit approvals can take about 120 days to process, depending upon the complexity of the project.

4.0 CLOSURE

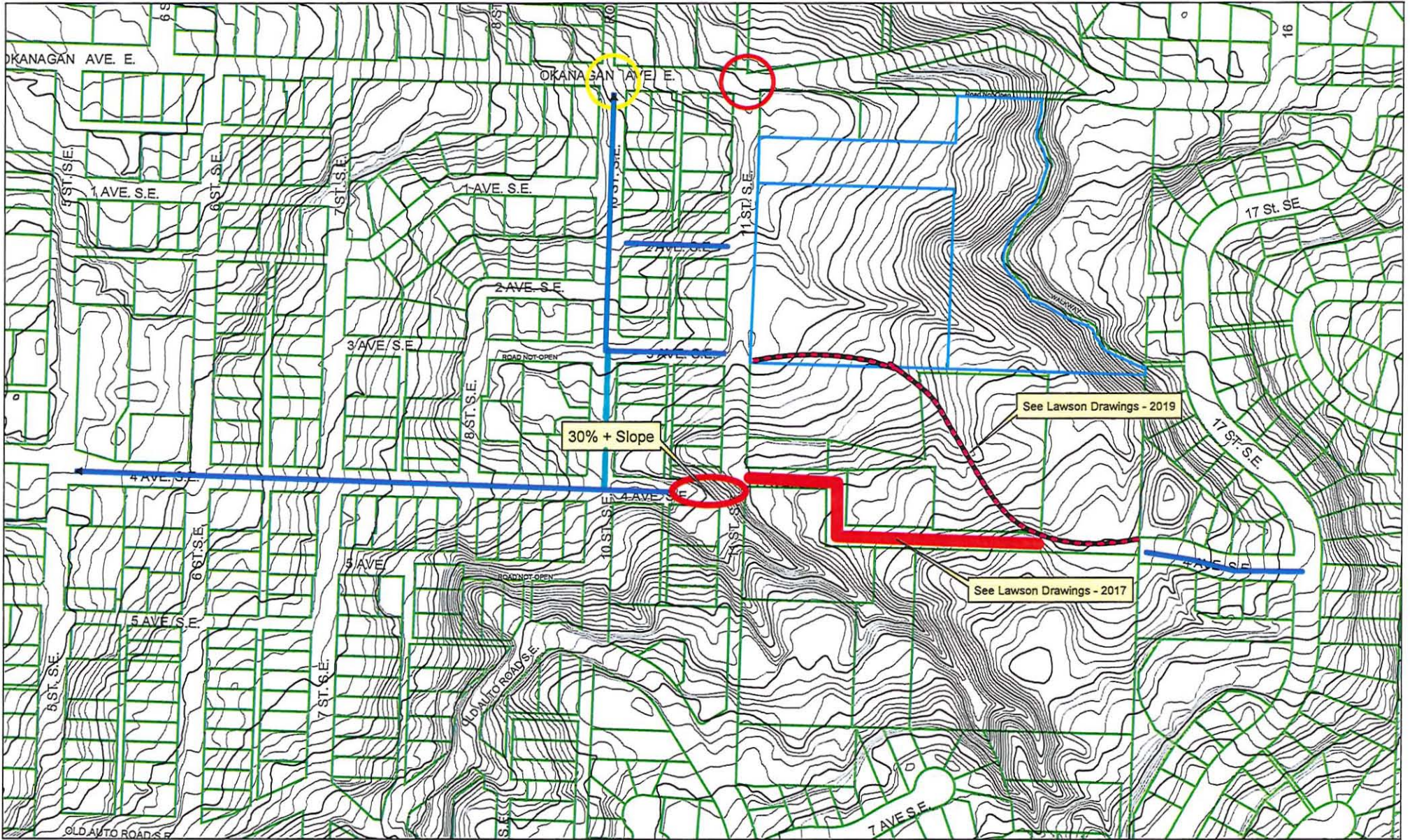
We trust the information contained in this proposal meets your requirements at this time. Should you wish to proceed with this work, please sign and return the Consulting Agreement. A retainer of \$4,500 will be required. If you have any questions, please call the undersigned at 250-300-9206.

Regards,



Darryl Arsenault, M.Sc., R.P. Bio.
Senior Fisheries Biologist

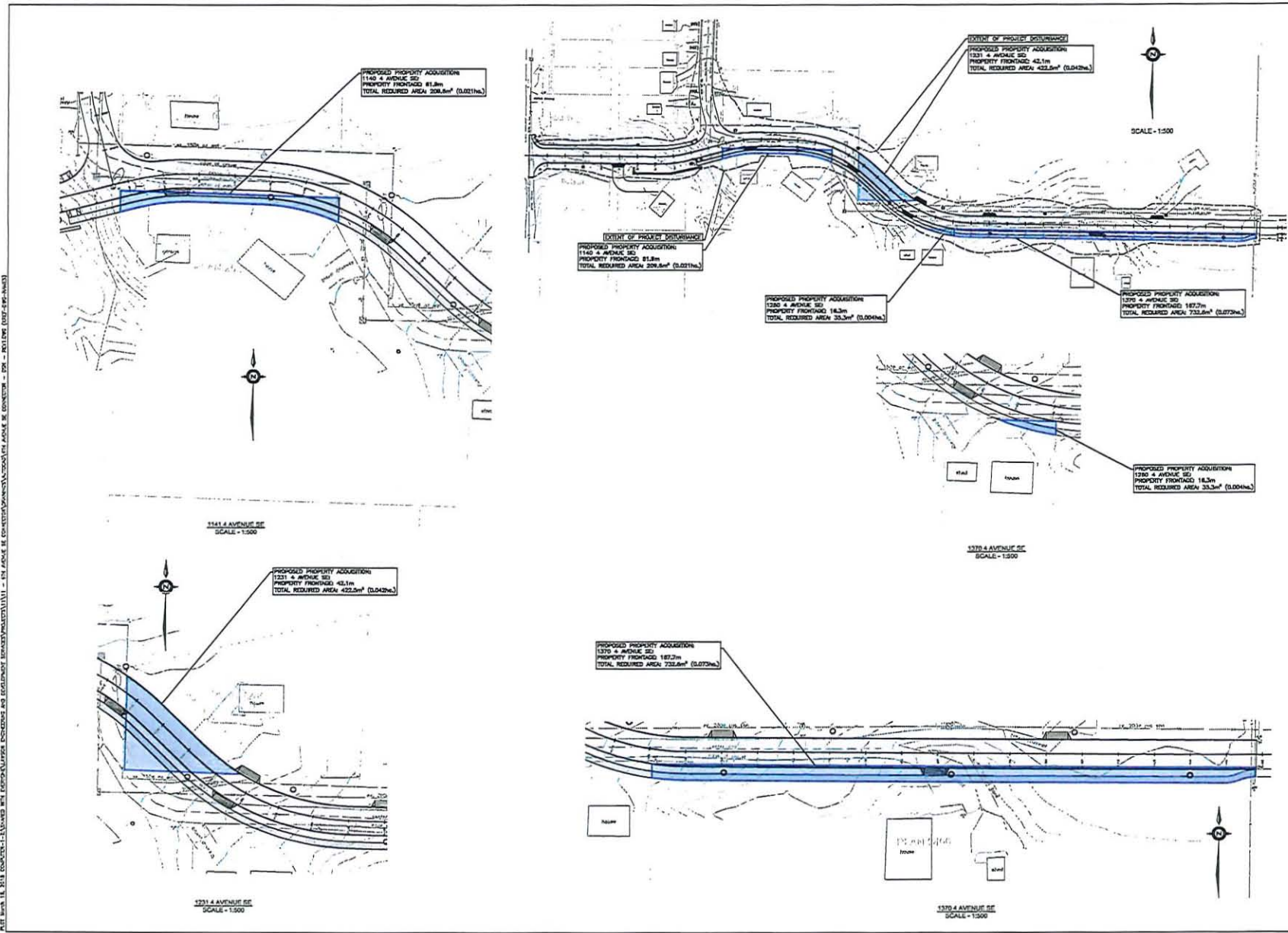
Attachments: Consulting Agreement



Subject Properties

150 75 0 150 Meters





LEGEND

EXISTING

- HYDR./TELEPHONE POLE C/W TRAIL
- TELEPHONE POLE
- HYDR. POLE
- HYDR. POLE C/W TRAIL
- POST TOP STREET LIGHT
- GUY
- SANITARY MANHOLE
- STORM MANHOLE
- GATE/BAWBN
- FIRE HYDRANT
- GATE VALVE
- SANITARY SEWER
- FORCE MAIN
- WATER MAIN
- GAS
- UNDERGROUND TELEPHONE
- FENCE
- RESURF./ENHANCED
- ROCK

PROPOSED

- SANITARY MANHOLE
- STORM MANHOLE
- GATE/BAWBN
- GATE VALVE
- FIRE HYDRANT
- SANITARY SEWER
- WATER MAIN
- SYNTHETIC
- VAULT/OUTLET HEADWALL
- END GAP
- WHEEL CHAIR RAMP
- DRIVEWAY LETDOWN

NOTES:

- CONTRACTOR TO VERIFY LOCATION OF ALL EXISTING UTILITIES WITH ALL UTILITY COMPANIES PRIOR TO DIGGING.
- CONTRACTOR TO CO-ORDINATE UTILITY RELOCATION WORKS WITH UTILITY COMPANIES AS REQUIRED.
- ALL CONSTRUCTION TO BE IN ACCORDANCE WITH CITY OF SALMON AND RESURFACING AND DEVELOPMENT SERVICES BYLAW #4183.

1	NOV	ISSUED FOR PERMITS	AP	BL
2	JULY	ISSUED FOR PERMITS	AP	BL
REV.	DATE	DESCRIPTION	BY	APP'D

REVISIONS

REVISION	ACGW
DRAWN	ACGW
DATE	14-MAR-18
CHECKED	BTL

DRAFT

P.LIND

SCALE: 0 HORIZ. = 1:1000 23

LAWSON
ENGINEERING & DEVELOPMENT
SALMON, BRITISH COLUMBIA, CANADA

4TH AVE SE CONNECTOR

4TH AVENUE SE SALMON ARM, BC

4TH AVE SE PROJECT DISTURBANCE & PROPERTY ACQUISITION PLAN

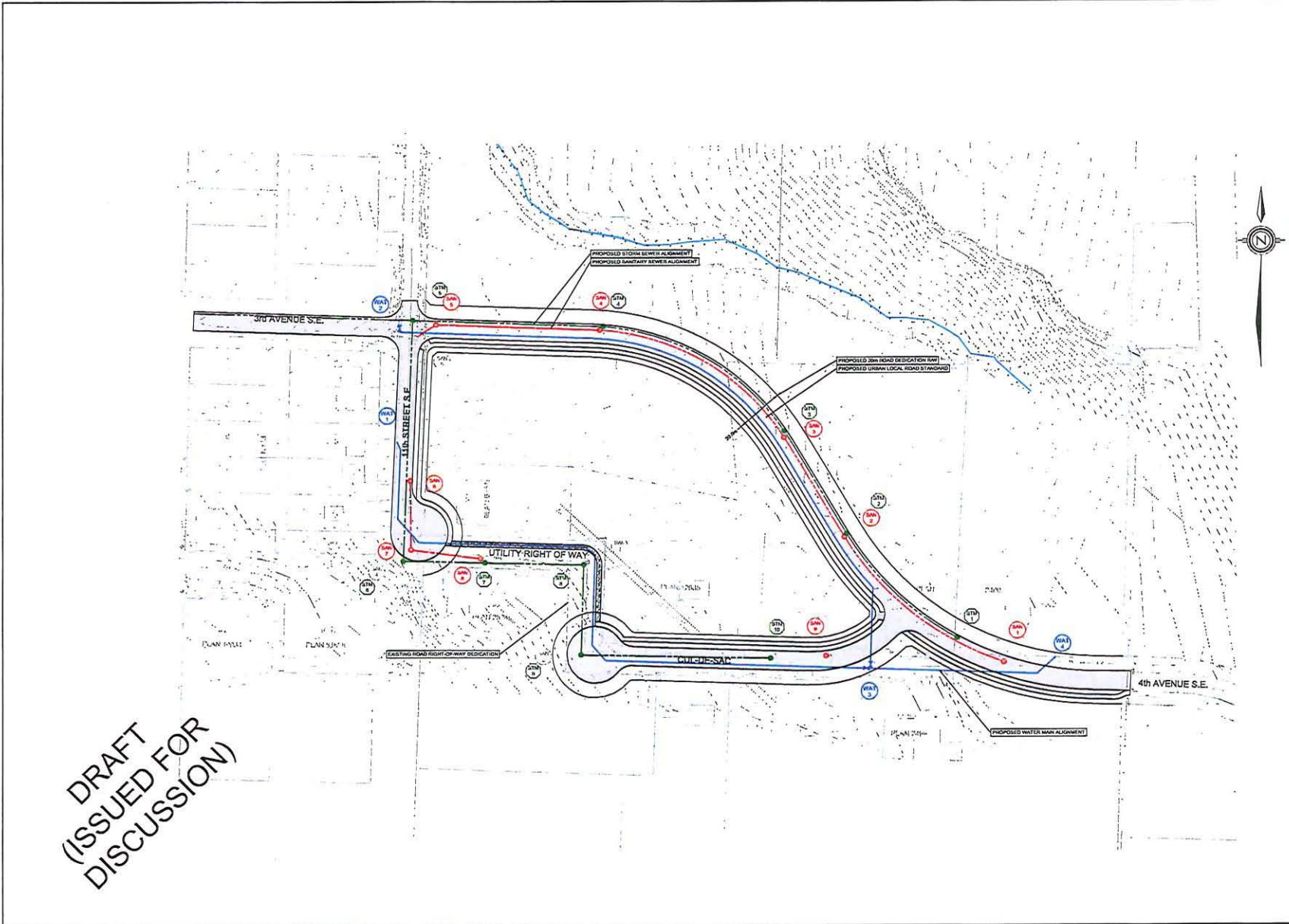
STATIONS 0+000 TO 0+450

PROJECT NO. **11-11**

SHEET **9** OF **10**

DWG. NO. **C-1** REV. NO. **1**

ALL WORK IS TO BE COMPLETED IN ACCORDANCE WITH THE CITY OF SALMON DEVELOPMENT SERVICES BYLAW #4183. THE ABOVE IS AN APPROXIMATE REPRESENTATION OF THE PROPOSED WORK AND IS NOT TO BE USED FOR CONSTRUCTION. THE CONTRACTOR SHALL BE RESPONSIBLE FOR VERIFYING THE LOCATION AND DEPTH OF ALL EXISTING UTILITIES PRIOR TO DIGGING.



DRAFT
(ISSUED FOR
DISCUSSION)

LEGEND

EXISTING

- HYDROPHONE POLE
- NONHYDROPHONE POLE
- TELEPHONE POLE
- WOOD POLE
- WOOD POLE C/W FRAM
- POST TOP AT 15' ELEV
- CON
- SANITARY MANHOLE
- STORM MANHOLE
- CONCRETE
- PIPE CEMENT
- PIPE W/VALVE
- STORM MAN
- WATER MAN
- MAN
- UNDERGROUND TELEPHONE
- FENCE
- BRICK/CONCRETE/STONE
- WOOD

PROPOSED

- SANITARY MANHOLE
- STORM MANHOLE
- CONCRETE
- PIPE W/VALVE
- PIPE CEMENT
- SANITARY SEWER
- STORM SEWER
- WATER MAIN
- EPDM/CL
- HDPE/CL
- HDPE/CL
- WELL CHAM RAMP
- CONCRETE/STONE

NOTES

- CONTRACTOR TO VERIFY LOCATION OF ALL EXISTING UTILITIES WITH ALL UTILITY COMPANIES PRIOR TO DIGGING.
- CONTRACTOR TO COORDINATE UTILITY RELOCATION WORKS WITH UTILITY COMPANIES AS REQUIRED.
- ALL CONSTRUCTION TO BE IN ACCORDANCE WITH CITY OF SALMON ARM SUBDIVISION AND DEVELOPMENT SERVICES BYLAW #110.

NO.	DATE	DESCRIPTION	BY	APP'D

REVISIONS

DESIGN	ACW
DRAWN	ACW
DATE	10-12-19
CHECKED	BTL

P. ENG
SCALES
HORIZ. = 1"=50'

LAWSON
ENGINEERING & DEVELOPMENT
1250 LAKEHURST DRIVE W
PO BOX 100 SALMON ARM, BC V1E 4N2
250.823.3270

CITY OF SALMON ARM

4 AVENUE CONNECTOR REALIGNMENT

OVERALL PROJECT SERVICING PLAN

PROJECT NO.	11 - 45
SHEET	2 OF 6
DWG. NO.	S-1
REV. NO.	0



*Memorandum from the
Engineering and Public
Works Department*

TO: Kevin Pearson, Director of Development Services
 DATE: 29 April 2020
 PREPARED BY: Chris Moore, Engineering Assistant
 OWNER: 604895 BC Ltd. 1860 – 20th St SE, Salmon Arm, BC, V1E 4N2
 APPLICANT: Green Emerald Construction/ Gary Arsenault
 SUBJECT: ZONING AMENDMENT APPLICATION FILE NO. ZON-1171
 LEGAL: Lot 1 Section 13 Township 20 Range 10 W6M KDYD Plan KAP54150
 AND That Part of Lot 1 Shown on Plan B4487; Section 13 Township 20
 Range 10 W6M KDYD Plan 1521
 CIVIC: 70 – Street SE and 210 - 11 Street SE

Further to your referral dated 28 February 2020, we provide the following servicing information.

At rezoning stage, the owner shall provide the City with a Road Reserve for 4 Avenue SE, on the subject property's southern boundary. The Road Reserve will be up to 20m width, aligning with existing 3 Avenue SE (extent to be confirmed by a BCLS). The City will pay fair market value for the Road Reserve.

As a condition of rezoning the Owner / Developer shall undertake an updated Traffic Impact Assessment (TIA). This shall include a Traffic Generation Analysis based on the highest and best use for the proposed zoning. Recommendations from the updated TIA may result in additional road improvement requirements. Prior to completion of rezoning a covenant shall be registered on title specifying that the requirements of the TIA are to be fulfilled prior to any further development.

The following comments and servicing requirements are not conditions for Rezoning; however, these comments are provided as a courtesy in advance of any development proceeding to the next stages:

General:

1. Full municipal services are required as noted herein. Owner / Developer to comply fully with the requirements of the Subdivision and Development Services Bylaw No 4163. Notwithstanding the comments contained in this referral, it is the applicant's responsibility to ensure these standards are met.
2. Comments provided below reflect the best available information. Detailed engineering data, or other information not available at this time, may change the contents of these comments.
3. Properties shall have all necessary public infrastructure installed to ensure properties can be serviced with underground electrical and telecommunication wiring upon development.
4. Property under the control and jurisdiction of the municipality shall be reinstated to City satisfaction.
5. Owner / Developer will be responsible for all costs incurred by the City of Salmon Arm during construction and inspections. This amount may be required prior to construction. Contact City Engineering Department for further clarification.

ZONING AMENDMENT APPLICATION FILE NO. ZON-1171

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6. Erosion and Sediment Control measures will be required prior to the commencement of construction. ESC plans to be approved by the City of Salmon Arm.
7. At the time of subdivision the applicant will be required to submit for City review and approval a detailed site servicing / lot grading plan for all on-site (private) work. This plan will show such items as parking lot design, underground utility locations, pipe sizes, pipe elevations, pipe grades, catchbasin(s), control/containment of surface water, contours (as required), lot/corner elevations, impact on adjacent properties, etc.
8. For the off-site improvements at the time of development the applicant will be required to submit for City review and approval detailed engineered plans for all off-site construction work. These plans must be prepared by a qualified engineer. As a condition of subdivision approval, the applicant will be required to deposit with the City funds equaling 125% of the estimated cost for all off-site construction work.

Roads / Access:

1. The limitations of the Okanagan Avenue East /11 Street SE intersection are documented in the Hamilton Associates Traffic Review dated April 2, 2003. However, this report did not include a full Traffic Generation Analysis and an updated Traffic Impact Assessment (TIA) will be required. The TIA shall include a Traffic Generation Analysis based on the highest and best use for the proposed zoning and the recommendations from the updated TIA may result in additional road improvement requirements.
2. 11 Street SE, on the subject property's western boundary, is designated as an Urban Local Road standard, requiring 20.0m road dedication (10.0m on either side of road centerline). Available records indicate that no additional road dedication is required (to be confirmed by a BCLS).
3. 11 Street SE is currently constructed to an Interim Local Paved Road standard. Upgrading to an Urban Local Road Standard is required, in accordance with Specification Drawing No. RD-2. Upgrading may include, but is not limited to, road widening and construction, curb & gutter, sidewalk, boulevard construction, street lighting, fire hydrants, street drainage and underground hydro and telecommunications. Owner / Developer is responsible for all associated costs.
4. An undeveloped portion of Okanagan Avenue SE, on the subject property's northern boundary is designated as an Urban Collector Road standard, requiring 20.0m road dedication (10.0m on either side of road centerline). Available records indicate that no additional road dedication is required (to be confirmed by a BCLS). No vehicle access will be permitted to the Okanagan Avenue SE frontage and a covenant to this effect should be registered on title. No upgrades are required at this time.
5. 4 Avenue SE, on the subject property's southern boundary is designated as a Urban Local Road. Upgrading to an Urban Local Road Standard is required, in accordance with Specification Drawing No. RD-2. As this work is considered premature, the developer will be required to pay to the City a cash in lieu payment, equivalent to the cost of construction of 50% of 4 Avenue SE along the subject property's frontage prior to development. Construction costs shall include, but not be limited to, road widening and construction, curb & gutter,

ZONING AMENDMENT APPLICATION FILE NO. ZON-1171

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sidewalk, boulevard construction, street lighting, fire hydrants, street drainage and hydro and telecommunications. Owner / Developer is responsible for all associated costs.

6. Owner / Developer is responsible for ensuring all boulevards and driveways are graded at 2.0% towards the existing roadway. Drainage course shall not be located within boulevard.
7. A trail connection is required to be dedicated and constructed as shown in the OCP Bylaw No. 4000. Dedication shall be a minimum of 3.0m wide. Trails to be constructed as per Specification Drawings Nos. CGS 8 -10.
8. Internal roadways are to be a minimum of 7.3m measured from face of curb. Truck turning movements shall be properly analysed to ensure internal road network will allow emergency and service vehicle access.

Water:

1. The subject property fronts a 200mm diameter Zone 2 watermain on Okanagan Avenue SE and 150mm on 11 Street SE. Upgrading of the 150mm diameter watermain on 11 Avenue SE to 200mm along the subject property's frontage will be required. All internal mains to be looped. A stub has been previously been installed on the 200mm watermain on Okanagan Avenue SE for use by proposed development.
2. Since the section of watermain on 11 Avenue SE from the subject property to Okanagan Avenue will remain undersized, the Owner / Developer's authorized engineer is to complete a flow test on the closest fire hydrant to confirm that this existing watermain is adequately sized to provide fire flows in accordance with the requirements of the Subdivision and Development Servicing Bylaw No 4163. If the existing watermain has insufficient capacity to meet the required fire flow, the Owner / Developer will be required to upgrade this section of watermain to 200mm also.
3. Records indicate that 70 & 210 11 Street SE are serviced from the 150mm diameter watermain on 11 Street SE by services of unknown size. All existing inadequate / unused services must be abandoned at the main. Owner / Developer is responsible for all associated costs.
4. The proposed development is to be serviced by single metered water service connection (as per Specification Drawing No. W-11), adequately sized to satisfy the proposed. Water meter will be supplied by the City at the time of building permit, at the Owner / Developer's cost. Owner / Developer is responsible for all associated costs.
5. The subject property is in an area with sufficient fire flows and pressures according to the 2011 Water Study (OD&K 2012).
6. Fire protection requirements to be confirmed with the Building Department and Fire Department.
7. Fire hydrant installation will be required. Owner / Developer's engineer shall review the site to ensure placement of fire hydrants meet the medium / high density spacing requirements of 90 meters.

ZONING AMENDMENT APPLICATION FILE NO. ZON-1171

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Sanitary:

1. The subject property is at the easterly termination of a 200mm diameter sanitary main on 11 Street SE. No upgrades are anticipated at this time.
2. The proposed development is to be serviced by a single sanitary service connection adequately sized (minimum 100mm diameter) to satisfy the servicing requirements of the development. Owner / Developer is responsible for all associated costs.
3. Records indicate that the 70 & 210 11 Street SE are serviced by 100mm services from the sanitary sewer on 11 Street SE. All existing inadequate/unused services must be abandoned at the main. Owner / Developer is responsible for all associated costs.
4. Developer to extend sanitary main internally as well as extending the sanitary mains in such a manner as to be provide servicing for properties to the south-east. Sanitary mains shall be sized with capacity for external post development flows. Developer would be entitled to register a Latecomer's Agreement to recoup costs should any over sizing be required.
5. The City Sanitary Sewer Master Plan (2016) indicates that the downstream sanitary system has capacity concerns. Owner / Developer's engineer is required to prove that there is sufficient downstream capacity within the existing City Sanitary Sewer System to receive the proposed discharge from the development or external improvements may be required prior to development proceeding.

Drainage:

1. The subject property fronts a 450mm diameter storm sewer on its northern interior boundary, located within a 3m right-of-way. No upgrades are anticipated at this time; however, a 3m right-of-way shall be provided to increase total right-of-way width to 6m.
2. An Integrated Stormwater Management Plan (ISMP) conforming to the requirements of the Subdivision and Development Servicing Bylaw No. 4163, Schedule B, Part 1, Section 7 shall be provided.
3. Where onsite disposal of stormwater is recommended by the ISMP, an "Alternative Stormwater System" shall be provided in accordance with Section 7.2.
4. Where discharge into the Municipal Stormwater Collection System is recommended by the ISMP, this shall be in accordance with Section 7.3. The proposed lots shall be serviced each by a single storm service connection adequately sized (minimum 150mm) to satisfy the servicing requirements of the development. There are known capacity issues downstream of the development. Owner / Developer's engineer is required to prove that there is sufficient downstream capacity within the existing City Storm System to receive the proposed discharge from the development. All existing inadequate / unused services must be abandoned at the main. Owner / Developer is responsible for all associated costs.
5. Storm infrastructure should be sized with capacity for external post-development flows. Developer would be entitled to register a Latecomer's Agreement to recoup costs should any over sizing be required.

ZONING AMENDMENT APPLICATION FILE NO. ZON-1171

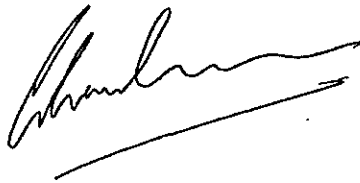
29 April 2020

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6. Extension of the storm sewer along 11 Street SE will be required to provide street drainage to the frontage of the subject property, to the 4 Avenue SE connector and to the re-routed overland storm drainage. Storm sewer shall be sized with capacity for external post development flows. Developer would be entitled to register a Latecomer's Agreement to recoup costs should any over sizing be required.
7. The subject properties are crossed by a watercourse that is subject to Riparian Area Regulations. Subject to all necessary approvals including but not limited to QEP and FLNRO approvals, the Engineering Department would not object to the re-routing of the watercourse and piping of the stormwater within any City roadways.
8. Natural drainage course shall be subject to 7.16.6 of the SDSB No. 4163.

Geotechnical:

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



Chris Moore
Engineering Assistant



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

DEVELOPMENT SERVICES
PRELIMINARY BYLAW
COMMUNICATION

Your File #: ZON-1171
eDAS File #: 2020-01068
Date: Apr/15/2020

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

Attention: City of Salmon Arm, Development Services

Re: Proposed Bylaw 4378 for:
LOT 1 SECTION 13 TOWNSHIP 20 RANGE 10 W6M KDYD PLAN KAP54150
THAT PART OF LOT 1 SHOWN ON PLAN B4487; SECTION 13 TOWNSHIP
20 RANGE 10 W6M KDYD PLAN 1521
210 11 Street SE
70 11 Street SE

Preliminary Approval is granted for the rezoning for one year pursuant to section 52(3)(a) of the *Transportation Act*.

If you have any questions please feel free to call Tara Knight at (250) 833-3374.
Yours truly,

Tara Knight
Development Officer

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

From: noreply@civicplus.com <noreply@civicplus.com>

Sent: Sunday, June 14, 2020 9:14 PM

To: Alan Harrison Chad Eliason Debbie Cannon Kevin Flynn Louise Wallace-Richmond Sylvia Lindgren Tim Lavery Carl Bannister Erin Jackson

Subject: Online Form Submittal: Mayor and Council

Mayor and Council

First Name Shannon

Last Name Hecker

Address:

Return email address:

Subject: 11th Street SE proposed rezoning application

Body To Mayor and Council,

As a resident on 11th Street SE, I am aware that there is an application before council to rezone and develop the land currently zoned R-1 low density(30, 70, 210) to R-4 high density.

It is my understanding that the developer has indicated that there is support from neighbourhood residents in favour of the rezoning and the development. This is not the case for all residents. I am against rezoning. The artist rendering of Shuswap Village that I saw in December 2019, which the developer and the Vancouver Resource Society proposed to citizens, in no way resembles what is currently proposed to Council. The rendering may have misled the publics understanding of the development.

In theory, it would be an innovative idea to have a "live in place" eco village for seniors.

In reality, this is the wrong land for this to happen. There are no easy walking paths for walkers to the downtown core, therefore, seniors would likely have to drive, which would

increase automobile traffic on Okanagan Ave and the proposed route down 3rd avenue.

Living through a pandemic has cities all around the world reconsidering urban planning and zoning applications by developers for higher density. What we have learned from months of isolation, is that we need more green space, not less. Thriving, connected neighbourhoods with easy access to streams, forests and pathways require less density, not more.

The City of Salmon Arm has the opportunity to continue to act on its Green Ways Strategy to preserve and protect green space, support corridors for ecological connectivity and provide healthy transportation routes.

To be clear, I am not opposed to development. My main concerns and reasons for opposing R-4 zoning:

- Protecting the Riparian Zone: There is an existing stream that needs protection from being directed underground.
- Transportation considerations that will alter this already thriving and connected downtown neighbourhood.
- Lessons learned from Covid-19 outbreak: Nature heals. We need less density, not more.
- Soil sensitivity issues

Thank you for your consideration,

Shannon Hecker

Would you like a response: Yes

Disclaimer

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From: noreply@civicplus.com <noreply@civicplus.com>

Sent: Sunday, June 14, 2020 9:29 PM

To: Alan Harrison Chad Eliason Debbie Cannon Kevin Flynn Louise Wallace-Richmond Sylvia Lindgren Tim Lavery Carl Bannister Erin Jackson

Subject: Online Form Submittal: Mayor and Council

Mayor and Council

First Name Mike and Laurie

Last Name DeFelice

Address:

Return email address:

Subject: R1 - R4 Zoning Application (Arsenault, Gary) / Shuswap Village

Body June 14, 2020

Dear Mayor Harrison and City Council

Re: Proposed Rezoning Change from R1 to R4 (11th Street, S.E.)

This has been a long established R1 Community and we chose this location for our home and it has been our home for 28 years. We love this area, the Community and the Forests that surround us that provide a green space that many other cities or towns would envy.

The lay of this land is not conducive to high density living due to the steep slopes, the already identified Riparian designation and the soil sensitivity issues on said property as well as the traffic safety issues for all roads and access onto Okanagan Avenue. The increase in driver's making their way downtown

would make for a myriad of twists and turns with some drivers either trying to access Okanagan from all streets below and/or off 11th Street, S.E. putting lives, and families with children, at risk. We live on a hill and for that fact, the issues are vast.

We are writing to advise that we do not support the proposed rezoning application from R1 to R4 on 11th Street, S.E. through Land Developer, Gary Arsenault whom will be addressing the Planning Committee on June 15th. For many of us, we would hope this does not go past first or second reading. We believe that this area should remain R1 to be better suited for larger lots for single family dwellings with Park Space.

We would like to take this opportunity to have Council meet with the residents on 11th Street, S.E. to view the property and address their concerns and are open to coordinating this at any time

Thank you for your time and consideration.....

Respectfully,

Mike and Laurie DeFelice
(250-803-1522 – Mike’s Cell)

Would you like a response: Yes

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From: noreply@civicplus.com <noreply@civicplus.com>

Sent: Sunday, June 14, 2020 9:36 PM

To: Alan Harrison Chad Eliason Debbie Cannon Kevin Flynn Louise Wallace-Richmond Sylvia Lindgren Tim Lavery Carl Bannister Erin Jackson

Subject: Online Form Submittal: Mayor and Council

Mayor and Council

First Name Janet

Last Name Naylor

Address:

Return email address:

Subject: Rezoning of property 70 and 210 11th St. SE

Body Dear Mayor Harrison and City Council

I understand that at the Planning Committee meeting of June 15, Gary Arsenault will be giving a presentation on the development he envisions on 11th St. SE., advertised as Shuswap Village. I would like to state that I would like the zoning to remain R1. The whole area is single family residential. Any development needs to keep to the spirit of the area. People bought their properties here because of the area. In December, I wrote a list of questions about this development to you and received a very explanatory reply from Kevin Pearson. I also met separately with Mayor Harrison and Kevin Pearson. I felt that I was listened to and I understood more about the process. Thank you to both. My main concerns were that we keep the creek and maintain the look of the street, with all its trees. The development itself actually looked promising, if development had to happen. There were public meetings to show us what the company was thinking of building. I would say the response to the idea was positive. The conceptual drawings showed houses with space between them, a community building with various activities,

including a swimming pool, paths around the property, green space etc. The advertising is for bungalow style homes. We were told that this was just an artist's rendering, but it was certainly made to be appealing. I spoke against the site, not the idea, because I do not think this site is suitable for seniors. In the six months since then, I can't believe how different the proposal appears! It looks like there could be 120 units, some of which are three stories high. They are all crammed together and I no longer get that sense of openness or community. The developer is already assuming that the creek will be put into a drainage canal of some sort.

The developer has been talking with various people in the neighbourhood, and I feel that rumours are flying. We hear that the Septs and Mr. Cuisson have already sold their properties to the developer. We have heard that many people have signed a statement that they are totally in agreement with this proposal. How can that be, when we don't really know what the proposal is? Zelda, who lives at the corner of 4th and 11th, has felt very pressured to sell her property, or to give a right of way for the road. She was packing boxes in anticipation of having to move out by this summer. She is afraid she will be forced to move. Barb Hughes, who lives on the property, and has rented there for at least 45 years, hears very little first hand and has to rely on others to tell her what is happening. Where is the concern for these seniors?

I understand the traffic needs are being addressed. But unless you live on this street, you can't truly understand that even opening up 3rd or 4th Ave. will not help the problem. People will try to go downtown using the intersection of 11th and Okanagan, which is a blind hill. We are talking of adding a considerable number of cars to an already dangerous corner. The other routes require going slightly out of the way, which people tend not to like to do. This development will put far too many cars on the street. And yes, seniors do drive a lot! I, like many of the people who attended the presentations in December, think the village idea sounds good. I really don't think this is the site. This site would be better suited to 20 big lots for single family homes, with a park area included. Personally, I feel that the developer is really not sure of what his final project is going to look like. If he receives R4 zoning, with the difference in plans we have seen in six months, what can we expect by the time building commences?

I understand we will have time to say our piece if this comes to a public hearing. My hope is that it will not pass the first two readings. Please feel free to come for a walk on our property, where the creek flows through on its way to the subject property.

Thank you,
Jan Naylor

Would you like a response: Yes

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-----Original Message-----

From: Debbie Beadle

Sent: June-28-20 11:19 AM

To: Kathy Frese

Cc: Alan Harrison

Subject: Development of 120 units on 11th Street SE

I would like to withdraw my support for this development as when the developer came to my home he misrepresented the facts. I have since found out new information and do not support this development.

Thank you
Debbie Beadle
981 2 Ave SE
Salmon Arm, BC

July 2, 2020

To: Mayor Alan Harrison and City Council

From: Pat Cheek

350 6th St SE, Salmon Arm, BC V1E 4E8

Dear Mayor Harrison and City Council,

I am writing with regard to the rezoning application from R1 to R4 of two properties located on 11th St SE, just south of Okanagan Ave. I am opposed to the rezoning of this property. The property is one of the last large pieces of environmentally sensitive areas within the boundaries of the City of Salmon Arm. It has a stream that runs through it that provides ideal fish habitat. I do not see any plan to maintain this riparian zone, rather the creek would be re-routed using overland drainage. The area also has a popular walking trail in it that I often use.

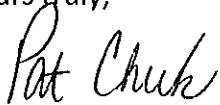
One of the reasons that I love to live in Salmon Arm is that it has natural areas within its boundaries that allow walking trails in forested areas that are easily accessed. This proposed development will severely compromise the environment in this area.

I am not in favour of the proposed road realignments on 3rd Ave SE, 4th Ave. SE and 10th St SE. In my opinion, 3rd Ave SE is wide enough for an alley, not for a road that would potentially be used by 100's of residents living at the proposed development. I would happily show you the width of 3rd Ave SE. I walk through this area on a daily basis, and I believe that the additional traffic that the proposed development will create will ruin this quiet neighbourhood.

I have also noted that the original application was for approximately 54 residences and it is now for 120 residences. This will negatively impact the surrounding neighbourhood by greatly increasing the amount of traffic on the local roads. I believe that there are other areas that are not as environmentally sensitive as this one that could be developed.

Thank you for listening to my concerns. I will see you at the public hearing on July 13th.

Yours truly,



Pat Cheek

-----Original Message-----

From: Jeremy Koecher

Sent: July-02-20 1:34 PM

To: Caylee Simmons

Subject: proposed development for 11th st se

Hello, my name is Jeremy, I live at 391 10th st se. I am a street below the proposed development. I have some concerns regarding this proposal which are; an increase in traffic in the surrounding neighbourhoods. The initial drawing and proposal that was shown to people to gain approval signatures was misleading and dishonest and in no way resembles what the current proposal looks like. The area that is being discussed is 10 acres of trees and wild life habitat not to mention home to a creek. These woods are loved by everyone in the surrounding neighbourhoods and it would greatly impact the animals that live there and the people who live close by. We live in a day and age where we are taxed for everything, we have many medias talking about global warming and environmental issues, and i believe it is important that as a community we also do our part. I realize the land is privately owned but there should be some alternatives other than just clear cutting and development. Such as, sell to people who want to live on small acreages and only will cut down the necessary trees to do so, or allow the neighbourhood time to fund raise and try to raise the money to purchase the land. On my corner i regularly see deer, I have even had a couple moose on my street. This development could see 4th st extended to meet up with the street above, this would ruin some of the walking trails, and again affect the animals. Its important for us to speak up for the things that don't have a voice, and take responsibility in such chaotic times and not contribute to the issues that have created the global impacts we are seeing today. This of course is my opinion, and I hope that it will be heard and that we can come to an alternative course of action for this land, other than the current proposal. Thank you for taking the time to read this

From: Kevin Pearson
Sent: Sunday, July 5, 2020 10:11:29 PM
To: Vivian Morris
Subject: Re: 11th St Rezoning question

Hi Vivian,

It is a "stream" defined by the Provincial Riparian Area Protection Regulation. It cannot be altered (including piped) without MOE approval, and Council's approval of an Environmentally Sensitive Areas Development Permit.

The applicant knows this and so does the property owner. If rezoned he would then need to hire a Qualified Environmental Professional to come up with a detailed plan for alteration for review by the Province and City Council. Two branches of MOE would consider that submission.

If Council approves third reading of the Rezoning Bylaw, the property owner will need to register a Riparian Areas Covenant prohibiting any development or vegetation disturbance within 30 meters along both sides of the watercourse, stream, creek, ravine, drainage corridor (lots of names for this).

It remains to be seen if Council will approve third reading, and if they do, will the owner actually meet the condition of registering the covenant for interim or possibly longer term protection.

This is all mentioned in my staff report. There are quite a few other conditions for rezoning. More covenants restricting development on the entire property. I encourage people to review it for the facts. If you want to discuss, please let me know. I can call you.

Kevin

From: Vivian Morris
Sent: Sunday, July 5, 2020 3:56:30 PM
To: Kevin Pearson
Subject: 11th St Rezoning question

Kevin,

What research, study, and or plans are there for the year-round creek on the property in question? I am fine with a development as long as this creek is protected according to the riparian regulations but have heard talk of rerouting it into a pipe (big mistake), so am concerned.

Regards,
Vivian Morris

From: John Strong
Sent: July-06-20 9:37 AM
To: Caylee Simmons
Subject: ZON-1171/Bylaw 4378

I have looked at the proposed development cited above and I wish to state my opposition to same. I live off of 17th St. S.E. and the green belt directly behind me is a primary source of enjoyment. There is wildlife in this area and from time to time we will see deer or even bear come up behind our home. The creek is close enough for us to hear it from our deck and this adds much to the ambience of our location. Any effort to redirect the flow of the creek puts this in jeopardy.

John Strong

Unit 14 - 171 17 St SE, Salmon Arm, BC V1E

From: liz strong
Sent: July-06-20 10:18 AM
To: Caylee Simmons
Subject: Reference: ZON-1171/Bylaw 4378

Before I state my concerns and objections to changing the zoning for the above proposed amendment, I would say I was disappointed in the map that was attached to the back of the notice for property owners/occupiers.

The City website shows a broader picture showing that at least half of the residences in the Bayview Townhomes will hear an increase of noise and will be greatly affected by the proposed zoning changes to Lot 1, Plan KAP54150. Our property being one of them - #14 171 17th Street SE. Yes, the noise levels rise from the city below - which are usually short term events (like Roots and Blues, fireworks, and ball tournaments, Wednesdays on the Wharf, etc).

Another concern is the Trail and creek behind us (part of the Turner Creek Trail system throughout the city) could be disturbed and affected by a massive complex on the property below. This trail is used throughout the seasons and is a nice respite from the city noise. Numerous wildlife and birds also enjoy the green space and creek. The proposed changes to the creek are another issue for me. The sound of the creek is relaxing and enjoyable to hear from my residence and changing it's location would definitely reduce my enjoyment sitting on the deck and having windows open.

Thank you for listening to my concerns.

Elizabeth Strong

Sent from [Mail](#) for Windows 10

-----Original Message-----

From: S. Somers

Sent: July-07-20 9:10 PM

To: Caylee Simmons

Subject: ZON-1171/Bylaw 4378

Good evening,

I am just writing in regards to the proposed bylaw: ZON-1171/Bylaw 4378. I would be interested in attending the meeting virtually on July 13th at 7pm if possible.

My Mum and I are both residents in the area effected by the rezoning, and after reviewing the information we are both against the rezoning of this area. As the rezoning directly effects the area where we live. currently our property overlooks a green belt, and has much wild life, and creek running through it, and the development would greatly alter our view as well as a loss of fundamental green space. So in taking everything into consideration we are of the opinion to be against the proposed bylaw.

Thank you very much for your time.

Sincerely,

Shawna Somers and Donna Somers

From: Anne Kirkpatrick
Sent: July-08-20 1:20 PM
To: Caylee Simmons
Subject: re: rezoning application ZON-1171/Bylaw 4378

re:

Civic Address: 70 and 210 11 Street SE

Location: South of intersection Okanagan Avenue SE and 11 Street SE on East side of 11 Street SE

Present Use: Vacant land

Proposed Use: Retirement Complex

Owner/Applicant: 604895 BC Ltd./G. Arsenault

Reference: ZON-1171/Bylaw 4378

To Mayor and Council

I am writing to ask that you again deny a development permit for the property off Okanagan Ave. and 11th Street SE. This latest proposal has the least positives in its favour and all the negatives clearly outlined by Kevin Pearson in his report to Council. The fact that he still recommends the development is shocking evidence that he believes possible financial benefits trump all other considerations.

Perhaps the applicant's brother Darryl, of Arsenault Environmental Consulting, may in all good conscience find that the sloping, undulating, stream-crossed, densely-treed and animal populated property could be intensively developed (120 units and roadways on less that 2 hectares of developable land) with minimal environmental impact. EBA Engineering felt that way about the SmartCentres land. Presumably the engineering study for Ravenscroft believed creeks and clear-cut slopes were no problem. But rezonings, variances and waivers are mere paperwork. They don't change the lay of the land.

The purpose of this development is equally specious. Sloping property on a hillside kilometres from shopping is totally unsuitable for seniors with mobility issues. Would each unit have a garage? Would residents with mobility aids be able to navigate within the "village", much less beyond it? I would ask that every member of council and city staff push a wheelchair or walker from City Hall up to the development site. Try it again in winter. Fun?

The temptation is obviously great to develop and maximize land use close to the city core. However that development must enhance rather than compromise the city. This property has never been developed for many obvious reasons. Until a more sensitive and realistic plan is proposed, please leave it alone!

Sincerely,
Anne Kirkpatrick
1670 10 St SW
Salmon Arm

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Item 24.1

CITY OF SALMON ARM

Date: July 13, 2020

Moved: Councillor

Seconded: Councillor

THAT: the bylaw entitled City of Salmon Arm Official Community Plan Amendment Bylaw No. 4393 be read a third time.

[OCP4000-42; Edelweiss Properties Inc./Timberline Solutions/Baer, J.; 220 Okanagan Avenue SE; CC to HR]

Vote Record

- Carried Unanimously
 - Carried
 - Defeated
 - Defeated Unanimously
- Opposed:

- Harrison
- Cannon
- Eliason
- Flynn
- Lavery
- Lindgren
- Wallace Richmond

CITY OF SALMON ARM**BYLAW NO. 4393****A bylaw to amend "City of Salmon Arm Official Community Plan
Bylaw No. 4000"**

WHEREAS notice of a Public Hearing to be held by the Council of the City of Salmon Arm in the Salmon Arm Recreation Centre Auditorium, 2600 10 Avenue NE, Salmon Arm, British Columbia, on _____, 2020, at the hour of 7:00 p.m. was published in the _____ and _____, 2020 issue of the Salmon Arm Observer;

AND WHEREAS the said Public Hearing was duly held at the time and place above mentioned;

NOW THEREFORE the Council of the City of Salmon Arm in open meeting assembled enacts as follows:

1. "City of Salmon Arm Official Community Plan Bylaw No. 4000" is hereby amended as follows:

1. Re-designate Lot 1, Block 3, Section 14, Township 20, Range 10, W6M, KDYD, Plan 392 Except Plan EPP88691 from CC (City Centre Commercial) to HR (High Density Residential), as shown on Schedule "A" attached hereto and forming part of this bylaw;

2. SEVERABILITY

If any part, section, sub-section, clause of this bylaw for any reason is held to be invalid by the decisions of a Court of competent jurisdiction, the invalid portion shall be severed and the decisions that it is invalid shall not affect the validity of the remaining portions of this bylaw.

3. ENACTMENT

Any enactment referred to herein is a reference to an enactment of British Columbia and regulations thereto as amended, revised, consolidated or replaced from time to time.

4. EFFECTIVE DATE

This bylaw shall come into full force and effect upon adoption of same.

5. CITATION

This bylaw may be cited as "**City of Salmon Arm Official Community Plan Amendment Bylaw No. 4393**".

READ A FIRST TIME THIS 8th DAY OF June 2020

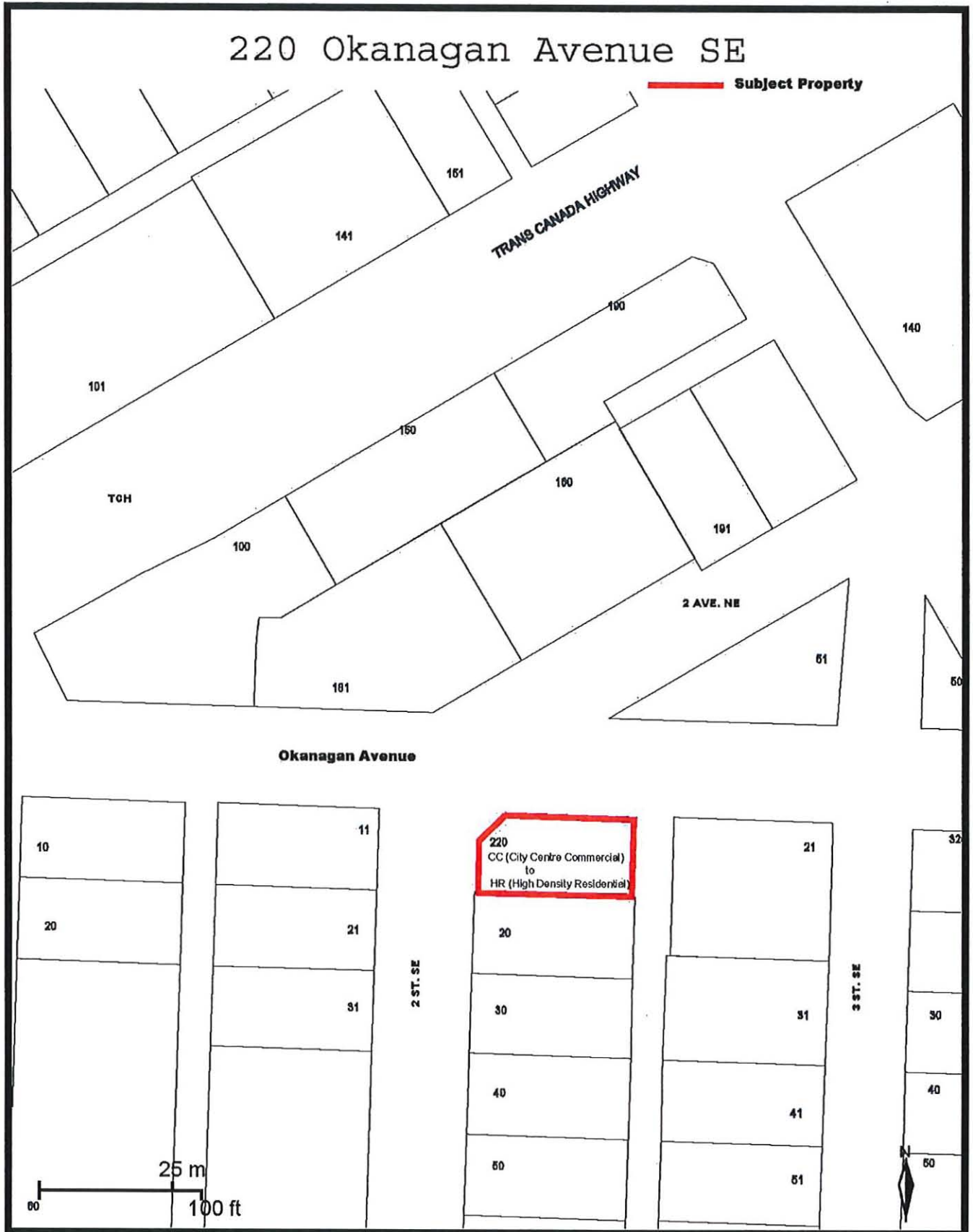
READ A SECOND TIME THIS DAY OF 2020

READ A THIRD TIME THIS DAY OF 2020

ADOPTED BY COUNCIL THIS DAY OF 2020

MAYOR

CORPORATE OFFICER



Item 24.2

CITY OF SALMON ARM

Date: July 13, 2020

Moved: Councillor

Seconded: Councillor

THAT: the bylaw entitled City of Salmon Arm Zoning Amendment Bylaw No. 4394 be read a third time.

[ZON-1175; Edelweiss Properties Inc./Timberline Solutions/Baer, J.; 220 Okanagan Avenue SE; C-2 to R-5]

Vote Record

- Carried Unanimously
- Carried
- Defeated
- Defeated Unanimously

Opposed:

- Harrison
- Cannon
- Eliason
- Flynn
- Lavery
- Lindgren
- Wallace Richmond

CITY OF SALMON ARM**BYLAW NO. 4394****A bylaw to amend "District of Salmon Arm Zoning Bylaw No. 2303"**

WHEREAS notice of a Public Hearing to be held by the Council of the City of Salmon Arm in the Salmon Arm Recreation Centre Auditorium, 2600 10 Avenue NE, Salmon Arm, British Columbia, on _____, 2020 at the hour of 7:00 p.m. was published in _____ and _____, 2020 issues of the Salmon Arm Observer;

AND WHEREAS the said Public Hearing was duly held at the time and place above mentioned;

NOW THEREFORE the Council of the City of Salmon Arm in open meeting assembled enacts as follows:

1. "District of Salmon Arm Zoning Bylaw No. 2303" is hereby amended as follows:

Rezone Lot 1, Block 3, Section 14, Township 20, Range 10, W6M, KDYD, Plan 392 Except Plan EPP88691 from C-2 (Town Centre Commercial Zone) to R-5 (High Density Residential Zone), attached as Schedule "A".

2. SEVERABILITY

If any part, section, sub-section, clause of this bylaw for any reason is held to be invalid by the decisions of a Court of competent jurisdiction, the invalid portion shall be severed and the decisions that it is invalid shall not affect the validity of the remaining portions of this bylaw.

3. ENACTMENT

Any enactment referred to herein is a reference to an enactment of British Columbia and regulations thereto as amended, revised, consolidated or replaced from time to time.

4. EFFECTIVE DATE

This bylaw shall come into full force and effect upon adoption of same.



Item 24.3

CITY OF SALMON ARM

Date: July 13, 2020

Moved: Councillor

Seconded: Councillor

THAT: the bylaw entitled City of Salmon Arm Zoning Amendment Bylaw No. 4378 be read a third time.

[ZON-1171; 11604895 BC Ltd./ G. Arsenault; 70 & 210 11 Street SE; R1/R4 to R4]

Vote Record

- Carried Unanimously
 - Carried
 - Defeated
 - Defeated Unanimously
- Opposed:

- Harrison
- Cannon
- Eliason
- Flynn
- Lavery
- Lindgren
- Wallace Richmond

CITY OF SALMON ARM**BYLAW NO. 4378**

A bylaw to amend "District of Salmon Arm Zoning Bylaw No. 2303"

WHEREAS notice of a Public Hearing to be held by the Council of the City of Salmon Arm in the Salmon Arm Recreation Centre Auditorium, 2600 10 Avenue NE,, Salmon Arm, British Columbia, on _____, 2020 at the hour of 7:00 p.m. was published in the _____ and _____, 2020 issues of the Salmon Arm Observer;

AND WHEREAS the said Public Hearing was duly held at the time and place above mentioned;

NOW THEREFORE the Council of the City of Salmon Arm in open meeting assembled enacts as follows:

1. "District of Salmon Arm Zoning Bylaw No. 2303" is hereby amended as follows:

Rezone that 5,140 m² portion of Lot 1, Section 13, Township 20, Range 10, W6M, KDYD, Plan KAP54150 from R-1 (Single Family Residential) to R4 (Medium Density Residential); and that part of Lot 1 shown on Plan B4487, Section 13, Township 20, Range 10, W6M, KDYD, Plan 1521 from R-1 (Single Family Residential) to R4 (Medium Density Residential); attached as Schedule "A".

2. SEVERABILITY

If any part, section, sub-section, clause of this bylaw for any reason is held to be invalid by the decisions of a Court of competent jurisdiction, the invalid portion shall be severed and the decisions that it is invalid shall not affect the validity of the remaining portions of this bylaw.

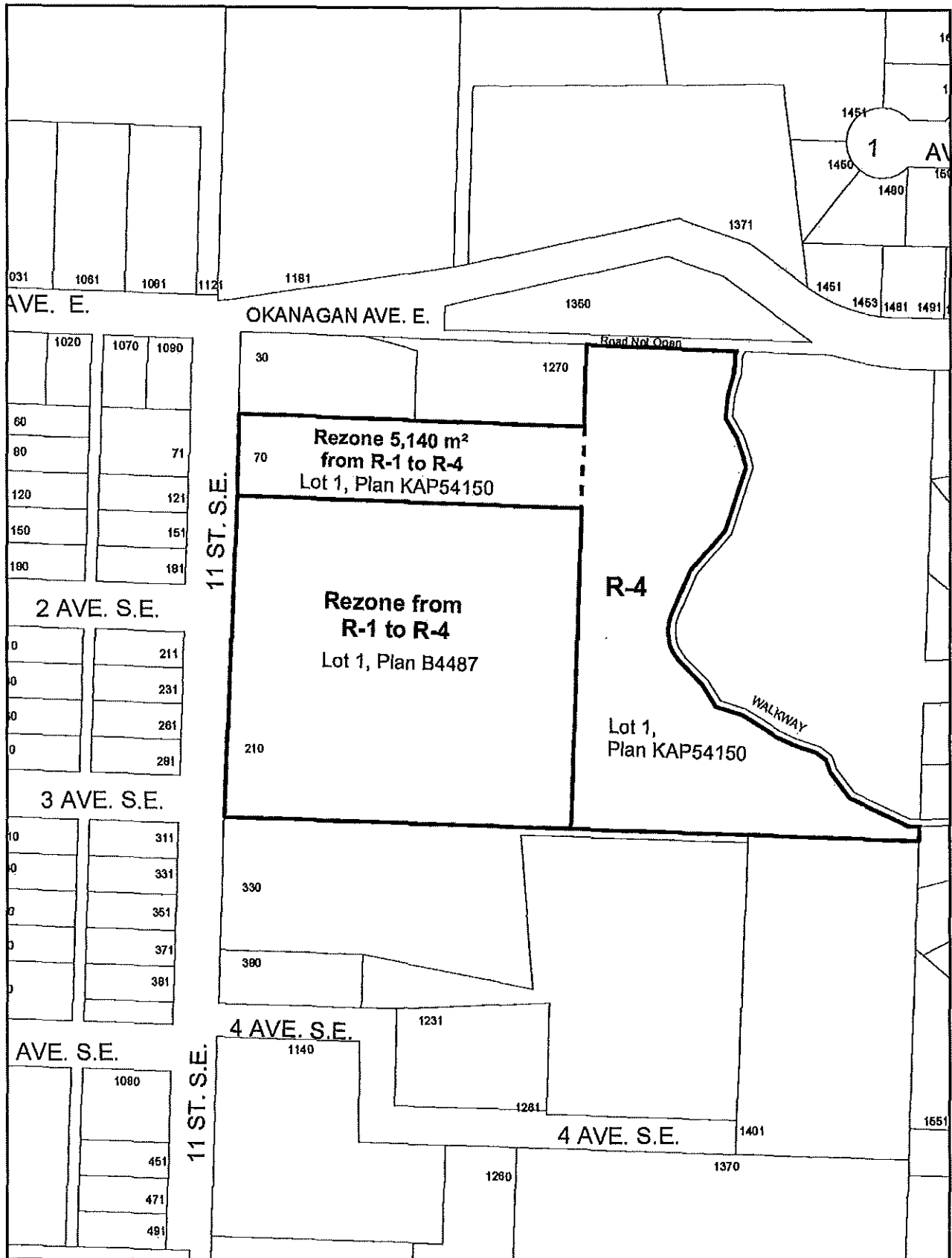
3. ENACTMENT

Any enactment referred to herein is a reference to an enactment of British Columbia and regulations thereto as amended, revised, consolidated or replaced from time to time.

4. EFFECTIVE DATE

This bylaw shall come into full force and effect upon adoption of same.

SCHEDULE "A"



Item 26.

CITY OF SALMON ARM

Date: July 13, 2020

Moved: Councillor Flynn

Seconded: Councillor Lavery

THAT: the Regular Council Meeting of July 13, 2020, be adjourned.

Vote Record

- Carried Unanimously
 - Carried
 - Defeated
 - Defeated Unanimously
- Opposed:

- Harrison
- Cannon
- Eliason
- Flynn
- Lavery
- Lindgren
- Wallace Richmond

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