The Corporation of the Village of Salmo

COMMITTEE-OF-THE-WHOLE MEETING

A Committee-of-the-Whole Meeting of the Council of the Village of Salmo to be held in the Salmo Valley Youth and Community Centre at 206 Seventh Street, Salmo, B.C. on **Monday, November 29, 2021** at **6:00 p.m.**

Complying with COVID-19 protocols, the public may attend in person or electronically. The meeting room is limited to 4 members of public. Please email the CAO at cao@salmo.ca for details.

Traditional Lands Acknowledgement Statement: We acknowledge and respect the indigenous peoples within whose traditional lands we are meeting today.

AGENDA:

1. **Call to Order**
2. **Adoption of the Agenda**
3. **Zoning Bylaw #717, 2021 Discussion of Discussion Points**
4. **Adjournment**

Given under my hand this 25th day of November 2021 and posted in accordance with Section 127 of the *Community Charter*.

Originally Signed By:

Diana Lockwood	Anne Williams
Mayor	CAO

Zoning Bylaw #717 – Discussion Points for Council as of NOVEMBER 10, 2021

The purpose of this document is to allow Council to review Draft #4 of the new zoning bylaw with a view to reaching agreement on significant updates to the previous bylaw #489. Some changes reflect objectives set in the OCP, others are issues that have come up with either existing or potential property owners or changes that just make common sense to make. Affected property owners will be advised of any proposed zone change to their property so that they may advise Council whether or not they agree with the change. Should they disagree, it is up to Council to decide if their reason is valid or to move ahead as planned.

Note: Items in light grey print have been dealt with as noted and moved to the end of the document. Outstanding discussion items remain in black.

Item #	Part	Section	Text and/or issue	Discussion
From Nov 10th			**ZONING CHANGES – see map attached**	
4	5	Zoning Map	**Re-zone 3 properties, numbers 304, 306 and 312, on Davies to Single and Two Family Residential (R-1) from Village Centre (C-3)?**	These are the three houses between Fourth and Third. Neighbours across the street are already R-1, although one does have a non-retail business associated with it. Village Centre currently allows them to be used as commercial properties. However, to protect the ambiance of the existing neighbourhood it might be better to change them to residential. For example, the middle property is for sale and is currently residential. We have had enquiries about tearing it down and putting in an auto restoration shop there, and another about covering the lot with multiple businesses. Given the condition of the home it will have to be torn down, but do you want to see, or think the neighbours would want to see, just a business located there? Allowable commercial coverage of the lot is up to 90%. Rezoning it residential would still allow a home-based business. Alternative to zoning change: Designate that these lots can only be used for residential purpose within this zone. What does Council want to see there? Residential or Commercial? Taking into consideration the neighbouring properties and the fact that business we allow in the Village Centre are not the same as the proposed businesses allowed in Mixed Use Residential (C-1) where commercial use is intended to blend in with the neighbourhood in the form of providing space for professional services and very limited retail

Item #	Part	Section	Text and/or issue	Discussion
				such as a corner store. **Recommendation**: Re-zone these three properties to R-1 Single & Two-Family Residential. **Note:** All landowners whose property may be re-zoned in this, or any other, category will be notified in writing of the proposed change and will be invited to express their opinion about the proposed change in writing. There will also be a public hearing to receive feedback.
10		Throughout	**Minimum Lot Width – Decrease to 9.14m (30') for zones R-1, R-2, C-1, C-3 and RM-1**	A few years ago, an addendum was done to the Zoning bylaw to increase the minimum lot width to 18m (59') from 9.14m (30'). The consequence of which is that there are now multiple "orphan" lots scattered around town that can't be built on due to their lot width being only being 30' - the original lot size most lots in the oldest parts of the Village were established at. Apparently, this was to prevent mobile homes being placed on them. However, while you may not want to see mobile homes on these lots, there is no reason they cannot have a nice house on a 30' x 120' lot and still meet the required setbacks and parking. **Recommendation:** Change minimum lot width back to 30' and include caveat in bylaw that mobile homes are not permitted on these lots.
11.			**Minimum width for new lots in R-1, R-2, C-1 and RM-1 zones**	If someone subdivides, do we want to allow new lots starting at 30' wide or keep new at 59' in zones R-1, R-2, C-1 and RM-1? **Recommendation:** Set minimum width for new lots at 30' in R-1, R-2, C-1 and RM-1 zones.
12.		Throughout	**<u>Secondary Dwellings</u>** **Laneway houses/cabins and Garage**	What do you want to see when we open up properties, provided they have the space, to the building of secondary accommodation in a separate structure from the primary dwelling, lot size permitting?

Item #	Part	Section	Text and/or issue	Discussion
			with a suite above – what to permit? **Limit secondary dwelling footprint maximum size to 750 m², or 900 ft² or 1,000 ft²?** **Or** **Should maximum sizes be smaller** **65m² (699.7 ft²)** **Nelson uses:** The Building Footprint of a Laneway House shall not exceed the greater of: i. 65 sq. m. (699.7 ft²) in the case of a Laneway House exceeding 4.5m (14'9") in height; ii. 89 sq. m. (958 ft²) in the case of a Laneway House of a height of no more than 4.5m; iii. Eight (8) percent of the lot; Salmo has larger lots.	a) Do we limit the height of a secondary structure to one storey if the principal structure is only one storey? b) Do we permit a two-storey laneway house or only permit two stories if there is a garage or workshop on the ground floor and a suite above? c) Could a two-storey laneway house consist of two suites? One up, one down? This would require room for one off-road parking spot for each suite. **Note that** as new lots are created and developed the village will likely see more two-storey homes. **Recommendations**: 1) Limit height to keep the secondary structure from overshadowing the primary. 2) Only allow one secondary suite. **Secondary Suites and Homes Maximum Footprint** In the proposed bylaw the footprint for a secondary dwelling is restricted to a <u>maximum</u> of 92.9m² (1,000 ft²). Do we restrict all secondary accommodation structures or limit them by lot size or zoning and lot size? For example, all lots in R-1 and R-2 secondary accommodation structures are restricted to a maximum of 1,000 ft², while lots in C-1 could use 1,000 ft² for lots between 4,995 – 8,998 ft² with lots over 836 m² (8,999 ft²) being restricted to a maximum footprint of 111.5m² (1,200 ft²). (Cabins are under 55.7 m² (600 ft²).) Also, is a maximum footprint of 92.9m² (1,000 ft²) too large for most properties? Should it be 83.6 m² (900 ft²)? The goal is to increase rental accommodation in Salmo, but not to build structures that overshadow the primary structure. The structures on each lot must still meet the density allowed for a lot in that zone – i.e. 33% residential coverage in most zones – and allow for one additional

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				parking space. Do you want to restrict them to the same maximum footprints as Nelson does? **Recommendation:** 83.6 m^2 (900 ft^2) maximum for most properties provided other requirements are met, and up to 111.5m^2 (1,200 ft^2) for lots over 836 m^2 (8,999 ft^2).
13.			**Allow Tiny Homes or not?**	Tiny Homes could be used as laneway houses. However, so could similar sized RVs. They are both manufactured and mobile. Actual mobile homes are restricted to our mobile home parks. Do you want to see tiny homes and/or RVs used as laneway houses? **Note**: They do not meet the minimum requirements for any type of principal residence and RVs are currently only allowed during a construction build period for up to 18 months (1-year initial permit, 6 month renewal). A tiny home would be considered an RV for construction accommodation purposes.
14.	2	1.5 (c) 4.24.5	**Prohibited Uses in all zones –** Except where specifically permitted in this bylaw, the following uses, buildings and structures are prohibited in all zones: **(c) Shipping containers/sea cans**	Do you want to see sea cans/storage containers used as accessory buildings in all zones or limit their use to C-2 Service Commercial, C-3 Village Centre and M-1 Mixed Use Commercial? **Options**: 1. Limit the use of Storage Containers to zones C-2, C-3 and M-1, and prohibit the use of sea cans/shipping containers as accessory dwellings or structures in residential zones. 2. Place no restrictions on use and allow use in all zones.
15.	5.4 5.11	5.4.9 5.11.7	**Minimum Width of single, two-family and townhome dwellings** **Minimum width of Service Commercial buildings**	Minimum width is 6.0m (19'8") Minimum width is 6.0m (19'8")

Item #	Part	Section	Text and/or issue	Discussion
			Current is 6.0m (19'8") – increase or decrease?	**Recommendation**: Do not change minimum building widths. (Keep in mind existing buildings are already grandfathered in.)
16.		Throughout	**Maximum Height of 2-storey accessory buildings – What should be the maximum height?**	This would apply to garages with a suite on the upper floor. (Keep I mind they have to meet other requirements like setbacks and parking.) 1. Do you want to allow a one-storey home to have a two-storey accessory building? **Recommendation**: Do not allow. A developer could apply for a variance if they felt that had valid reasons for a variance. 2. New homes can be built up to a maximum of 2 ½ storeys (due to fire-fighting access). Limit height of accessory structures to a maximum of 2 storeys? This provides some balance of scale to the property and provides a clear-cut guide for developers. **Recommendation**: Limit the height of accessory buildings to a maximum of two storeys.
17.	5.7	5.7.2	**Primary Permitted Uses - Multi-Family Residential (RM-1)** (d) live/work dwellings - for example: business below/residence on top or business in front, residence in back of dwelling.	Do you want to allow live/work complexes in the area of the village zoned Multi-Family Residential or only multi-family townhomes or condos or single-family residences as the primary use?
18.	5.7	5.7.3	**Secondary Permitted Uses – Multi-family (RM-1)**	**Question from Council Comments** - Why only home-based businesses, minor permitted in RM-1? Home-based Business, major allows use of a secondary building, while minor does not.

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				This area is almost fully developed. We get complaints from residents when people run businesses that have equipment spread out and secondary structure used as a noisy business such as metal working or carpentry. Restricting this area to only in-home home-based businesses eliminates that issue.
19.	5.8	5.8.2	**Primary Uses – Rural Resource (RR-1)** **What should be included in Primary Uses?**	Currently there are only two primary uses in this zone – single and two-family dwellings. In view of possible future development, do you want to add any or all of the following? • multi-family dwelling – apartments, condos • multi-family dwelling - single family townhomes • live/work dwelling • multi-unit live work dwelling **Recommendation**: Add additional primary uses.
20.	5.8	5.8.3	**Secondary Uses – Rural Resource** **(RR-1)** The secondary permitted uses in the RR-1 zone are: (a) forestry (b) extraction of mineral resources, including preliminary grading, washing and crushing of materials, provided no further processing takes place on the site (c) home-based businesses major and minor	**Include the some or all of the following in secondary permitted uses for RR-1?** (a) convenience store (b) professional, business or personal services establishment (c) social services centre (d) veterinary clinic, minor (e) public and private schools (f) churches (g) child care facilities (h) laneway house (i) group homes, minor (j) home based businesses, major (k) home based businesses, minor **Recommendation**: Include all of the above.

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			(d) bed and breakfast accommodations	**Q. From Council comments** -Why was agriculture removed? Add it back in or not? The only area that is RR-1 is mountainous – is it practical to keep agriculture as a use or not? What kind of agriculture do you see someone having in the bounds of the Village on a hill? Agriculture is not a use in other zones. The Village is surrounded by, but not in the ALR. **Recommendation**: Leave out.
21.	5.10	5.10.11	**Site Coverage - Mixed Use Neighbourhood (C-1)** (b) Commercial and live/work buildings and structures shall not cover more than 60% of the site in this zone.	In this zone, allowing up to 60% coverage for buildings with a commercial purpose – either partial or full – would provide existing residents or new lot owners the option to better accommodate a home-based business, but ensure each lot retains sufficient green space and melds into the neighbourhood. FYI - The Village Centre currently allows 90% for commercially developed properties (see next discussion point), but this site coverage would seem too high in a predominately residential area where the intent is not to replace the commercial core of the Village but enhance neighbourhood services in a relatively unobtrusive way. (Up to 70% coverage is permitted for Mixed Use Commercial (M-1) uses, 60% coverage for all uses in Service Commercial (C-2).) **Recommendation**: 60% maximum coverage for commercial use in C-1, 33% for residential.
22	5	5.12.9	**Village Centre (C-3) site coverage** **What should be the maximum site coverage for commercial use in the Village Centre?**	Site coverage for lots in bylaw #489 for this zone was maximum 90%. That grandfathered in existing properties but does not allow for required setbacks and off-street parking requirements for new builds. Changing it will not affect existing buildings, only new-builds. **Recommendation**: Change to 70% maximum coverage for Village Centre

Item #	Part	Section	Text and/or issue	Discussion
				C-3 commercial properties, 33% for residential.
23.	5	5.12.2	**Village Centre (C-3) – live/work**	A multi-family development could be built in this zone, as could a multiple or single live/work structure. Do you want to allow to allow work/work as an option? i.e. two storey structures with separate businesses on each floor. Please note that we identified the need for more housing options in the OCP, which live/work provides, but that's not to say we couldn't be flexible, and if more residents are attracted to the village there will be a need for more business space. **Recommendation**: Allow live/work and work/work structures in Village Centre zone C-3.
24.		Map	**Lot bounded by Fourth Street, Baker Lane and un-named lane.** **Lot is currently half R-2 Restate Residential and C-3 Village Centre.**	**Rezone the lot to either all R-2 or all C-3?** The split zoning affects development of the lot. It would be better if it was all one zone type. **Recommendation**: Rezone the Estate Residential Portion to C-3 Village Centre in keeping with surrounding properties.
POINTS DISCUSSED NOV. 10th				
1		Map (Pink Area)	**Per the OCP Bylaw #687, create a new zone category – Mixed Use Neighbourhood (C-1).** **Agreed November 10, 2021 create zone C-1 per the OCP.** **All property owners in the affected area will be notified and once their input is received this will be re-evaluated if necessary.** **Council also discussed property uses in C-1 and eliminated the following**	As per the new OCP, a large portion of Salmo on the west side of Glendale and up Woodland Drive that was formerly zoned R-1 and R-2 in the previous OCP & Zoning bylaws was designated as Mixed Use Residential (C-1) land use. The new category remains primarily residential but allows for the mixing in of properties dedicated to, either fully or partially, businesses such as professional services or a corner store to be part of the neighbourhood. Salmo currently has a very limited amount of commercial space available for small service type businesses. This reshaping of the zone will encourage live/work situations and/or a home conversion in to a small office suite or purpose-built structures. The smaller minimum lot size also allows some of the larger properties, such as up Woodland Drive, to more easily subdivide and provides the Village with the

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			uses: • **Social services centre** • **Private club** • **Self-storage facility** **Veterinary clinic, minor would be included in professional, business or personal services establishment, all of which are now included in live/work dwelling.** **Churches has changed to Places of Worship.**	possibility of more taxable lots in the future. Businesses such as metal shops, wood working shops, construction companies, and other businesses that make a lot of noise or have a lot of equipment to house remain excluded. The proposed C-1 area has a several very large lots that could eventually be subdivided by their owners and incorporate new small business facilities making it an ideal area for mixing in dedicated business buildings with the residential, with proper subdivision planning. **Recommendation:** Create new Zone C-1 Mixed Use Neighbourhood as per the OCP Bylaw #687.
2 3			Per the OCP Bylaw #687, create a new zone category Environmental Reserve (RR-2). **Agreed November 10, 2021 – Create an Environmental Reserve RR-2 zone.** Rezone three areas of property as Environmental Reserves. **Agreed November 10, 2021 – Change #s 1&2 at right to RR-2 Environmental Reserve.** **Leave #3 as a non-zone as property ownership cannot be substantiated.**	As per the OCP, create a new zone category, primarily for wetlands, called Environmental Reserve RR-2. There are three areas. Two of the properties cannot be developed due to their soggy nature, the third is a gray area. It could be classed as this or something else (see next question). It wasn't in any category in the previous OCP or zoning bylaw. **Recommendation:** Create new Zone RR-2 Environmental Reserve as per OCP Bylaw #687. 2. The first piece is currently Rural (R-1) and is located at the edge of the village on the non-diked side of Erie Creek. It is at the very back of a farm that is in the RDCK and has no road access. Some of it is now creek bed and most of it floods to some degree in the spring freshet. The land is owned by the farmer. 3. The second area is comprised of the village-owned wetland lots at the back of KP Park fronting on either Sayward Avenue or Baker Ave. Due to their wet nature making them undevelopable, the Village has acquired them via tax sale over the last several years. FLNRO & Stream Keepers have been restoring the wetlands; annually removing noxious weeds and garbage.

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				Officially making these properties an Environmental Reserve preserves their natural state but allows the Village to develop them sometime in the future as a Nature Centre, if one is wanted. 4. The RAM shed property doesn't really fit well in any category. In the OCP it was slotted into Environmental Reserve. However, if Council wants to allow it to be developed or used differently in the future, it could be re-zoned Service Commercial (C-2) or Park (P-1). **Recommendation:** Zone the three properties RR-2 Environmental Reserve.
5		map	Esso station – currently split over two zones **Agreed Nov. 10, 2021 – change the C-3 portion to C-2.**	Change the C-3 portion of the property at the corner of Railway and Sixth Street to C-2 Service Commercial to make the whole property the same zone. (This is the Esso station and Subway.)
6		map	Change Woodland Drive's zone from R-2 to the new category Mixed Use Neighbourhood (C-1) **Agreed Nov. 10, 2021 – change from R-2 to C-1.**	Woodland Drive presently consists of four large properties. Changing the zone gives the owners more flexibility as to what they want to do with the properties and opens up their options for subdivision. **Recommendation:** Re-zone these properties to C-1 per the OCP.
7		map	Change all of the properties on south of the elementary school, west of Glendale Lagoon Road Village boundary, to Hwy 3/6 excluding the properties zoned R-3, RR-2 and C-2 and South of the R-# zone on the east side of Glendale to Village boundary to Mixed Use Neighbourhood (C-1). **Agreed Nov. 10, 2021 – change these**	Same reasons as above. **Recommendation:** Re-zone these properties to C-1 per the OCP.

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			properties to C-1. **All property owners in the affected area will be notified and once their input is received this will be re-evaluated if necessary.**	
8		map	Re-Zone all, not just some of, Single and Two-Family Residential (R-1), Estate Residential (R-2), Multi-Family Residential (RM-1), and Rural Resource (RR-1) residential to Mixed Use Neighbourhood (C-1)? **Agreed Nov. 10, 2021 – do not change all properties in these zones to C-1.**	Should all residential areas be re-zoned to Mixed Use Neighbourhood (C-1)? Do you want to change all R-1, R-2, RM-1 and RR-1 to C-1 as well? This affects lot sizes and density and also uses in each zone and will require an OCP amendment as well as delaying #717 further while all the changes are made. As noted, the intent is to allow the establishment of small commercial establishments supplying services to residents to mix in with the residential neighbourhood in either purpose-built or existing structures. Home-based businesses, minor are already allowed in R-1, R-2, RM-1 and RR-1. However, purpose-built structures or using existing secondary structures is not. Homeowners are still able to operate a wide variety of businesses from their homes. Recommendation: Leave proposed change as per the OCP.
9.	5.8	5.8.5	Reduce minimum lot size from 8 hectares (19.77 acres) to .2 hectares (.5 acres) – Rural Resource RR-1 (formerly just Rural) **Agreed Nov. 10, 2021 – Reduce minimum lot size to .2 hectares (.5 acres).**	While there are no plans to develop this area at present, reducing the minimum lot size in anticipation of any future development provides more flexibility in what can be done. Recommendation: Allow downsizing to .2 hectares (.5 acres) lots.