



# COLUMBIA SHUSWAP REGIONAL DISTRICT

## Regular Board Meeting

### LATE AGENDA

Date: Thursday, November 15, 2018  
Time: 9:30 AM  
Location: CSR D Boardroom  
555 Harbourfront Drive NE, Salmon Arm

Pages

1. Call to Order by the Chief Administrative Officer

2. Inaugural Proceedings

2.1 Election of Chair Conducted by Chief Administrative Officer

2.2 Election of Vice-Chair Conducted by Chief Administrative Officer

2.3 Chair's Remarks

3. Board Meeting Minutes

3.1 Adoption of Minutes

1

Motion

THAT: the minutes of the October 18, 2018 regular Board meeting be adopted.

3.2 Business Arising from the Minutes

- None.

4. 10:30 - 10:45 AM: Recess - New Board Photo Session

## 5. Delegations

### 5.1 11:00 - 11:15 AM: Newsome Creek Watershed Action Group 16

Representatives of the Newsome Creek Watershed Action Group in attendance to elicit Board support for the actions of the Group in regards to the ongoing issues of erosion and threats to public safety on Caen Road, Sorrento.

\*Related to Item 9.1

\*\* Note to Board: Staff will present Item 9.1 Board Report immediately preceding the 11:00 AM Delegation.

### \*5.2 11:15 - 11:30 AM: Building Bridges - Food Security 21

Melissa Hemphill, Food Security Coordinator, Community Connections (Revelstoke) Society, attending to provide the Board with a presentation about the work being done to grow the local food system.

\*\*PowerPoint presentation attached to the Late Agenda.

## ***ADMINISTRATION***

## 6. Correspondence

- None.

## 7. Reports

### 7.1 Area A Local Advisory Committee Meeting Minutes - September 25, 2018 43

#### **Motion**

THAT: the minutes of the September 25, 2018 Area A Local Advisory Committee meeting be received for information.

## 8. Business General

### 8.1 Official Results - General Local Election - October 2018 47

Overview Report (Verbal) from Lynda Shykora, Chief Election Officer.

#### **Motion**

THAT: the Declaration of Official Results from the 2018 local general election be received for information.

### 8.2 2019 Board and Committee Meeting Schedule 52

Report from Lynda Shykora, Deputy Manager, Corporate Administration Services, dated October 31, 2018.



**Motion**

THAT: the proposed 2019 Board and Committee meeting schedule be approved this 15<sup>th</sup> day of November, 2018.

### **8.3      Amendment to Policy A-24 “Disposal of Assets Policy”      56**

Report from Jodi Pierce, Manager, Financial Services dated October 4, 2018.

**Motion**

THAT: the Board endorse the amendment to Policy A-24 “Disposal of Assets Policy” and approve its inclusion into the CSRD Policy Manual.

### **8.4      Area A Local Advisory Committee (LAC) Terms of Reference Update      63**

Report from Lynda Shykora, Deputy Manager, Corporate Administration Services, dated October 31, 2018.

Update Area A Local Advisory Committee Terms of Reference for 2019-2022.

**Motion**

THAT: the Board endorse the Area A Local Advisory Committee Terms of Reference dated October 31, 2018.

### **8.5      Shuswap Watershed Council Contribution Agreement      71**

For Board approval.

Minutes from the September 19, 2018 Shuswap Watershed Council meeting are attached for reference, previously received by Board at October, 2018 Regular Board.

**Motion**

THAT: the Board approve the Shuswap Watershed Council contribution agreement to extend funding from the CSRD for 2019 and 2020.

## **9.      Business By Area**

### **9.1      Newsome Creek – Property Erosion at Caen Road      83**

Report from Derek Sutherland, Team Leader, Protective Services, dated November 1, 2018. Newsome Creek - Property Erosion at Caen Road in Sorrento, BC.

**Motion**

THAT: the Board send a letter to Minister of Forests, Lands, Natural Resource Operations and Rural Development and the Solicitor General with notification that the Province under the Water Act is clearly responsible for stream activity and as such should fund the necessary studies and mitigation works to protect the Newsome Creek stream banks along Caen Road from further erosion.

## **9.2 Agent for Agricultural Land Reserve (ALR) Land Exclusion Application – Balmoral Lands** 109

Report from Darcy Mooney, Manager of Operations Management, dated November 1, 2018. Update on ALR Exclusion Application Shuswap Lake Estates at Balmoral Road.

**Motion**

THAT: the report containing the decision of the Agricultural Land Commission Executive Committee in regards to the ALR Exclusion Application – Shuswap Lake Estates (Balmoral Road) to develop 35.5 ha into the Balmoral Village Centre and to utilize 13.5 ha for a lagoon for wastewater storage effluent facility (the "wastewaterfacility") for the Columbia Shuswap Regional District (CSRD) spray irrigation program, be received for information this 15<sup>th</sup> day of November, 2018.

## **9.3 Community Resiliency Investment Grant** 121

Report from Derek Sutherland, Team Leader Protective Services, dated November 2, 2018. Update on new provincial grants to provide funds to mitigate forest fuels on crown lands surrounding communities.

**Motion**

THAT: the CSRD Board adopt a resolution of support for the new Community Resiliency Investment Grant program provisions that provide opportunities to not-for-profit groups, provincial governments and provincial government contractors to access funding and manage treatment programs on provincial land.

## **9.4 Grant in Aid Requests** 124

Report from Jodi Pierce, Manager, Financial Services dated October 24, 2018.

**Motion**

THAT: the Board approve the following allocations from the 2018 electoral grant-in-aids:

Area A

\$500 Wildsight Golden (Truck stop electrification feasibility study)

\$400 Golden and District Community Foundation (Peter Bowle-Evans Award for two years)

\$1,000 Tourism Golden (Reception for Freeride World Tour 2019)

\$1,100 Kicking Horse Country Chamber of Commerce (Community Excellence Awards sponsorship)

\$3,111 Little Mittens Animal Rescue Association (Dog Rescue Mission)

Area C

\$2,000 Sorrento Memorial Hall (2018 Annual Christmas Light-up)

Area D

\$2,000 Falkland & District Curling Club (Operational costs),

this 15<sup>th</sup> day of November, 2018.

**9.5 Area F Community Works Fund – North Shuswap Chamber of Commerce 127**

Report from Jodi Pierce, Manager, Financial Services dated October 24, 2018.

**Motion**

THAT: in accordance with Policy F-3 “Electoral Area Community Works Fund – Expenditure of Monies”, access to the Community Works Fund be approved up to \$6,369 plus applicable taxes from the Area F Community Works Fund to the North Shuswap Chamber of Commerce for completion of three Visitor Information Kiosks.

**9.6 Electoral Area B: City of Revelstoke Recreation Facilities and Programs Agreement Extension 131**

Report from Charles Hamilton, Chief Administrative Officer, dated November 1, 2018.

Extension to existing Recreation Facilities and Programs Agreement with the City of Revelstoke.

**Motion**

THAT: the Board empower the authorized signatories to extend the existing Recreation Facilities and Programs Agreement with the City of Revelstoke for an additional two year term expiring on December 31, 2020 for the provision of recreation services for property owners within the Electoral Area B Recreation Facilities and Programs Specified Area, this 15<sup>th</sup> day of November, 2018.

**\*9.7 Request for Support - District of Sicamous - Grant Application**

Request from District of Sicamous for Grant Application Support – Natural Resource Canada Clean Energy for Rural and Remote Communities BioHeat, Demonstration and Deployment Program Stream - Advancement of Biomass Heating Project

Verbal Update from Manager, Operations Management

**Motion**

THAT: the Board write a letter to the District of Sicamous in support of its grant application to Natural Resources Canada's Clean Energy for Rural and Remote Communities: BioHeat, Demonstration and Deployment Program Stream for advancement of a biomass heating project for the District of Sicamous;

AND THAT: the CSRD express interest in understanding how the bio-energy program could benefit the CSRD owned Sicamous and District Recreation Centre.

**10. Administration Bylaws****10.1 Outcome of Assent Vote October 20, 2018 and Adoption of Bylaw No. 5777**

142

Report from Lynda Shykora, Deputy Manager, Corporate Administration Services, dated October 31, 2018.

**Motion**

THAT: the Declaration of Official Results – Assent Voting – October, 2018 in respect of "Electoral Area A Core Facilities Funding Contribution Service Establishment Bylaw No. 5777" be received this 15<sup>th</sup> day of November, 2018.

**Motion**

THAT: "Electoral Area A Core Facilities Funding Contribution Service Establishment Bylaw No. 5777" be adopted this 15<sup>th</sup> day of November, 2018.

**\*11. IN CAMERA**

\*Item added to the Late Agenda

***Motion***

THAT: pursuant to Sections 90(1)(e) of the Community Charter:

(e) the acquisition, disposition or expropriation of land or improvements, if the Board considers that disclosure could reasonably be expected to harm the interests of the regional district;

the Board move In Camera.

***DEVELOPMENT SERVICES*****12. Business General**

- None.

**13. ALR Applications****13.1 Electoral Area B: Agricultural Land Commission (ALC) Application Section 20(3) – Non Farm Use LC2559B (Stephen Revell) 157**

Report from Dan Passmore, Senior Planner, dated September 6, 2018.  
3401 Catherwood Road, South Revelstoke.

***Motion***

THAT: Application No. LC2559B, Section 20(3) – Non Farm Use in the ALR, for Lot 1, Section 11, Township 23, Range 2, West of the Sixth Meridian, Kootenay District, Plan 1726, Except Part Included in Plan 7169, be forwarded to the Provincial Agricultural Land Commission recommending refusal, on this 15<sup>th</sup> day of November, 2018.

**14. Meeting to resume at 1:30 PM - Electoral Area Directors*****ELECTORAL AREA DIRECTORS*****15. Business by Area****\*15.1 Electoral Area C: Development Permit No. 725-156 (Vandekerkhove) 207**

Report from Erica Hartling, Development Services Assistant, dated October 29, 2018.

3974 Sunnybrae-Canoe Pt Road, Tappen, BC

\*Public submissions attached to the Late Agenda, refer to supporting document enclosures 5, 6 and 7.

**Motion**

THAT: in accordance with Section 490 of the Local Government Act Development Permit No. 725-156 (Vandekerkhove), on Lot A, Section 12, Township 21, Range 10, West of the 6<sup>th</sup> Meridian, Kamloops Division Yale District, Plan 4927, except part lying east of the line drawn parallel to and perpendicularly distant 60 feet west from the easterly boundary of said lot, be approved for issuance this 15<sup>th</sup> day of November, 2018.

**16. Planning Bylaws**

**16.1 Electoral Area F: Scotch Creek/Lee Creek Amendment (Pinegrove RV Park) Bylaw No. 825-38 243**

Report from Dan Passmore, Senior Planner, dated October 29, 2018.  
1131 Pine Grove Road, Scotch Creek.

**Motion**

THAT: "Scotch Creek/Lee Creek Amendment (Pinegrove RV Park) Bylaw No. 825-38" be given second reading, as amended, this 15<sup>th</sup> day of November, 2018.

**Motion**

THAT: a public hearing to hear representations on Scotch Creek/Lee Creek Amendment (Pinegrove RV Park) Bylaw No. 825-38 be held;

AND THAT: notice of the public hearing be given by staff of the Regional District on behalf of the Board in accordance with Section 466 of the Local Government Act;

AND FURTHER THAT: the holding of the public hearing be delegated to Director Jay Simpson, as Director for Electoral Area 'F' being that in which the land concerned is located, or his Alternate to be named, if Director Simpson is absent, and the Director or Alternate Director, as the case may be, give a report of the public hearing to the Board.

**16.2 Electoral Area F: Scotch Creek/Lee Creek Zoning Amendment (Yakashiro) Bylaw No. 825-39 288**

Report from Dan Passmore, Senior Planner, dated October 31, 2018.  
#8, 1022 Scotch Creek Wharf Road, Scotch Creek.

**Motion**

THAT: "Scotch Creek/Lee Creek Zoning Amendment (Yakashiro) Bylaw No. 825-39", be given second reading this 15<sup>th</sup> day of November, 2018.

**Motion**

THAT: a public hearing to hear representations on Scotch Creek/Lee Creek Amendment (Yakashiro) Bylaw No. 825-39 be held;

AND THAT: notice of the public hearing be given by staff of the Regional District on behalf of the Board in accordance with Section 466 of the Local Government Act;

AND FURTHER THAT: the holding of the public hearing be delegated to Director Jay Simpson, as Director for Electoral Area 'F' being that in which the land concerned is located, or his Alternate to be named, if Director Simpson is absent, and the Director or Alternate Director, as the case may be, give a report of the public hearing to the Board.

**16.3 Electoral Area F: Lakes Zoning Amendment (Meadow Creek Properties Park Association) Bylaw No. 900-9**

338

Report from Dan Passmore, Senior Planner, dated October 30, 2018  
5140 Squilax-Anglemont Road, Magna Bay.

**Motion**

THAT: "Lakes Zoning Amendment (Meadow Creek Properties Park Association) Bylaw No. 900-9", be given third reading this 15<sup>th</sup> day of November, 2018.

**Motion**

THAT: adoption of "Lakes Zoning Amendment Meadow Creek Properties Park Association) Bylaw No. 900-9" be withheld until documentation has been received regarding the locations of the buoys within the zone area confirmed with a map with GPS coordinates, that the buoys comply with setback requirements, and confirmation that the buoys have been tagged with identification and 'BL900-9'.

**17. Release of In Camera Resolutions**

- If any.

***MEETING CONCLUSION***

**18. Upcoming Meetings/Events**

**18.1 Area A Local Advisory Committee Meeting**

Tuesday, November 27, 2018 6:00 to 8:00 PM.  
Golden Civic Centre, 806 10th Street South, Golden BC

**19. Next Board Meeting**

Friday, December 7, 2018 at 9:30 AM.

CSRD Boardroom, 555 Harbourfront Drive NE, Salmon Arm

**\*Note: Not the Third Thursday**

**20. Adjournment**

**Motion**

THAT: the regular Board meeting of November 15, 2018 be adjourned.

**NOTATION**

The publication of the Columbia Shuswap Regional District Board (CSRD) agenda on its website results in the availability of agenda content outside of Canada. In accordance with Freedom of Information and Protection of Privacy Act legislation, the reader will note that personal information (ie telephone number, email address, etc.) are redacted from this document where required, to protect the privacy of personal information belonging to an individual(s) in the case where an individual(s) has not provided direct consent to the CSRD to publish such personal information on the CSRD website.





## REGULAR BOARD MEETING MINUTES

**Note: The following minutes are subject to correction when endorsed by the Board at the next Regular meeting.**

Date: October 18, 2018  
 Time: 9:30 AM  
 Location: CSRD Boardroom  
 555 Harbourfront Drive NE, Salmon Arm

Directors Present	R. Martin (Chair)	Electoral Area E
	K. Cathcart	Electoral Area A
	L. Parker	Electoral Area B
	P. Demenok	Electoral Area C
	R. Talbot	Electoral Area D
	L. Morgan	Electoral Area F
	C. Moss	Town of Golden
	M. McKee	City of Revelstoke
	T. Rysz	District of Sicamous
	K. Flynn	City of Salmon Arm
	T. Lavery (Alternate)	City of Salmon Arm
Absent	C. Eliason	City of Salmon Arm
Staff In Attendance	C. Hamilton	Chief Administrative Officer (CAO)
	L. Shykora	Deputy Manager, Corporate Administration Services
	J. Sham	Assistant Deputy Corporate Officer
	T. Hughes	Communications Coordinator
	* J. Pierce	Manager, Financial Services
	* D. Mooney	Manager, Operations Management
	* R. Nitchie	Team Leader, Community Services
	* D. Sutherland	Team Leader, Protective Services
	* G. Christie	Manager, Development Services
	* C. Paiement	Team Leader, Development Services
	* C. Benner	Development Services Assistant

* C. LeFloch	Development Services Assistant
* E. Hartling	Development Services Assistant
* R. Cyr	Economic Development Officer
* M. Herbert	Team Leader, Building and Bylaw Services
* E. Johnson	Electronic Records Management Facilitator
* S. Coubrough	Fire Services Coordinator
* B. Payne	Manager, Information Systems

\* Attended a portion of the meeting only

## 1. **Call to Order**

The Chair called the meeting to order at 9:33 AM.

## 2. **Board Meeting Minutes**

### 2.1 **Adoption of Minutes**

**2018-1001**

**Moved By** Director Talbot

**Seconded By** Director McKee

THAT: the minutes of the September 20, 2018 regular Board meeting be adopted.

**CARRIED**

### 2.2 **Business Arising from the Minutes**

None.

## 3. **Delegations**

None.

## ADMINISTRATION

## 4. **Correspondence**

### 4.1 **Columbia Basin Trust (May 31, 2018)**

Email from Rick Jensen, Chair, Columbia Basin Trust, following their reminder letter of May 7, 2018 calling for a CSRD nominee to the Trust's Board of Directors by October 31, 2018.

**2018-1002****Moved By** Director Cathcart**Seconded By** Director Moss

THAT: the Board nominate Ron Oszust, Mayor, Town of Golden, to represent the Columbia Shuswap Regional District on the Columbia Basin Trust's Board of Directors for a two-year term commencing January 1, 2019.

**CARRIED****4.2 Ministry of Transportation & Infrastructure (September 21, 2018)**

Letter from Claire Trevena, Minister of Transportation & Infrastructure, in response to Chair Martin's letter regarding road maintenance in the CSRD, particularly along Deep Creek and Salmon Valley roads.

**4.3 Ministry of Transportation & Infrastructure (September 28, 2018)**

Letter from Claire Trevena, Minister of Transportation & Infrastructure, in response to Chair Martin's letter regarding the cancellation of Greyhound bus services in Western Canada.

**5. Reports****5.1 Shuswap Watershed Council Meeting Minutes (September 19, 2018)****2018-1003****Moved By** Director Demenok**Seconded By** Director Cathcart

THAT: the minutes of the September 19, 2018 Shuswap Watershed Council meeting be received for information.

**CARRIED****5.2 Shuswap Tourism Advisory Committee Meeting Minutes (May 3, 2018)****2018-1004****Moved By** Director Talbot**Seconded By** Director Morgan

THAT: the minutes of the May 3, 2018 Shuswap Tourism Advisory Committee meeting be received for information.

**CARRIED**

**5.3 Report from Southern Interior Local Government Association (SILGA) Youth Delegate - UBCM Attendance**

Report from Gray Sims, CSRD Area D resident, on his UBCM attendance as the SILGA youth delegate.

Board members commented on the benefits and the value of this program, remarking that Gray Simms was a very good youth ambassador and had presented a very thorough report on his attendance at UBCM.

**2018-1005**

**Moved by** Director Talbot

**Seconded by** Director Flynn

THAT: the Board write a letter to SILGA expressing support for the Youth Delegate Program and its continuation.

**CARRIED**

**6. Business General**

**6.1 Establishment of a Regional Junior Firefighter Program**

Report from Derek Sutherland, Team Leader, Protective Services, dated October 3, 2018. Authorization for the establishment of a regional junior firefighter program.

**2018-1006**

**Moved By** Director Morgan

**Seconded By** Director Talbot

THAT: the Board support, in principle, the establishment of a junior firefighter program for CSRD fire departments to engage and provide youth an opportunity to learn firefighting skills in a safe and inclusive environment.

**CARRIED**

## **6.2 No Further Borrowing Resolution – Lakeview Place**

Report from Jodi Pierce, Manager, Financial Services dated October 4, 2018.

**2018-1007**

**Moved By** Director Morgan

**Seconded By** Director Talbot

THAT: the Board confirms that there will be no further borrowing against Columbia Shuswap Regional District Bylaw No. 5738, being the “Lakeview Place Subdivision Water Upgrade Loan Authorization Bylaw” and the remaining unissued loan authorization in the amount of \$252,171.72 will be cancelled.

**CARRIED**

## **6.3 Work BC – Emerging Priorities Grant Application**

Report from Robyn Cyr, EDO, dated October 15, 2018. Authorization is required from the Board to submit a grant application to Work BC – Employment Services – Community Workforce Response Grant – Emerging Priorities.

**2018-1008**

**Moved By** Director McKee

**Seconded By** Director Morgan

THAT: the CSRD Board provide authorization to the CSRD Shuswap Economic Development department for the submission of a grant application of up to \$300,000.00 to Work BC – Employment Services – Community Workforce Response Grant – Emerging Priorities program.

**CARRIED**

## **6.4 Columbia Basin Boundary Connectivity Strategy**

Memo from the Regional Broadband Committee requesting endorsement from the Board on their Boundary Connectivity Strategy.

**2018-1009**

**Moved By** Director Cathcart

**Seconded By** Director Moss

THAT: the Columbia Shuswap Regional District Board endorse the Columbia Basin & Boundary Regional Broadband Committee's Connectivity Strategy dated September 13, 2018.

**CARRIED**

## **7. Business By Area**

### **7.1 Electoral Area D Community Works Fund – Ranchero Fire Hall Water System Upgrade.**

Report from Terry Langlois, Team Leader, Utilities, dated October 4, 2018. Community Works Fund request for upgrades to Ranchero Fire Hall Water System.

**2018-1010**

**Moved By** Director Talbot

**Seconded By** Director Morgan

THAT: in accordance with Policy No. F-3 "Community Works Fund – Expenditure of Monies" access to the Community Works Fund be approved to a maximum amount of \$60,500 plus applicable taxes from the Electoral Area D Community Works Fund allocation for required upgrades to the Ranchero/Deep Creek Fire Hall water system.

**CARRIED**

### **7.2 Economic Opportunity Fund (EOF) Application – Sicamous/Area E – Eagle Valley Transportation Society**

Report from Jodi Pierce, Manager, Financial Services, dated October 10, 2018.

Two members of the Society were in attendance.

**2018-1011**

**Moved By** Director Parker

**Seconded By** Director McKee

THAT: with the concurrence of the District of Sicamous and the Electoral Area E Director, the Board approve funding from the Sicamous and Area E Economic Opportunity Fund to the Eagle Valley Transportation Society in the amount of \$25,000 for the purchase of an electric vehicle.

Director Rysz gave information about the Society. They would like to purchase an electric car to provide transportation for those who need it (mainly seniors), at no charge.

**CARRIED**

### **7.3 Ktunaxa Kinbasket Treaty Advisory Committee - Request for Funding**

Letter from the CAO of the Regional District of East Kootenay requesting funding for the Ktunaxa Kinbasket Treaty Advisory Committee (KKTAC).

**2018-1012**

**Moved By** Director Parker

**Seconded By** Director McKee

THAT: the Columbia Shuswap Regional District Board approve in principle the request of the Ktunaxa Kinbasket Treaty Advisory Committee for an annual funding contribution of \$3,500 for the duration of the treaty process, subject to the proof of need and further that the contribution be added to the Financial Plan commencing in 2019.

**CARRIED**

## **8. Administration Bylaws**

### **8.1 St. Ives Street Lighting Service Establishment Amendment Bylaw No. 5789**

Report from Jodi Pierce, Manager, Financial Services dated October 3, 2018. Proposed amendment to St. Ives Street Lighting Service Establishment Bylaw No. 5622 to increase the maximum parcel tax requisition.

**2018-1013**

**Moved By** Director Morgan

**Seconded By** Director Talbot

THAT: "St. Ives Street Lighting Service Establishment Amendment Bylaw No. 5789" be read a first, second and third time this 18<sup>th</sup> day of October, 2018.

**CARRIED**

## **8.2 Records Retention and Scheduling Bylaw and the Transition to Electronic Records Management**

Report from Emily Johnson, Electronic Records Management Facilitator, dated September 7, 2018.

Staff are proposing changes to facilitate the implementation of an electronic records management system.

### **2018-1014**

**Moved By** Director Moss

**Seconded By** Director Cathcart

THAT: "Paper Records Retention and Scheduling Bylaw No. 5788" be read a first, second and third time this 18<sup>th</sup> day of October, 2018.

**CARRIED**

### **2018-1015**

**Moved By** Director Moss

**Seconded By** Director Cathcart

THAT: "Paper Records Retention and Scheduling Bylaw No. 5788" be adopted this 18<sup>th</sup> day of October, 2018.

**CARRIED**

### **2018-1016**

**Moved By** Alt. Director Lavery

**Seconded By** Director Talbot

THAT: "Columbia Shuswap Regional District Electronic Records Retention and Disposal Bylaw No. 5787" be read a first, second and third time this 18<sup>th</sup> day of October, 2018.

**CARRIED**

### **2018-1017**

**Moved By** Alt. Director Lavery

**Seconded By** Director Talbot

THAT: "Columbia Shuswap Regional District Electronic Records Retention and Disposal Bylaw No. 5787" be adopted this 18<sup>th</sup> day of October, 2018.

**CARRIED**



**8.3 Sub-Regional Building Inspection Service Amendment Bylaw No. 5785**

- Inspector of Municipalities approval received October 12, 2018.
- To add Electoral Area C to the Building Inspection Service in 2019.

**2018-1018**

**Moved By** Director Demenok

**Seconded By** Director Cathcart

THAT: the “Sub-Regional Building Inspection Service Amendment Bylaw No. 5785” be adopted this 18th day of October, 2018.

Discussion on motion:

CAO thanked Director Demenok for his leadership on this.

Director Demenok remarked that residents in Area C are supportive of this.

Director Parker stated that she would like to see the service in Electoral Area D also, adding that she has had positive comments from constituents in Area B about building regulations.

Chair Martin said that building inspection has been discussed at the Board over the years and hopefully one day the entire regional district will have this; new people moving to the area expect building regulations, so the communities are changing.

**CARRIED**

**9. RESOLUTION TO ADJOURN TO IN CAMERA MEETING**

- None.

DEVELOPMENT SERVICES

**10. Business General**

- None.

**10.1 Columbia Shuswap Regional District Building Amendment Bylaw No. 660-01**

**2018-1019**

**Moved By** Director Demenok

**Seconded By** Director Cathcart

THAT: the Columbia Shuswap Regional District Building Amendment Bylaw No. 660-01 be adopted this 18th day of October, 2018.

**CARRIED**

**11. ALR Applications**

**11.1 Electoral Area F: Agricultural Land Commission (ALC) Application Section 20(3) – Non-Farm Use LC2558F (B.V.R. Contractors Ltd.)**

Report from Candice Benner, Development Services Assistant, dated September 28, 2018.

5159 Line 17 Road, Celista

**2018-1020**

**Moved By** Director Morgan

**Seconded By** Director Talbot

THAT: Application No. LC2558F, Section 20(3) Non-Farm Use in the ALR, for The South ½ of the North East ¼ of Section 17, Township 23, Range 10, W6M KDYD, Except Plan 37613 be forwarded to the Provincial Agricultural Land Commission recommending approval this 18<sup>th</sup> day of October, 2018.

**CARRIED**

**12. Directors' Report on Community Events**

- None.

Chair Presentation of Retirement Gifts to Directors McKee, Parker, & Morgan.

*The meeting recessed at 11:25 AM, reconvening at 12:25 PM.*

Municipal Directors left the meeting at this time.

## ELECTORAL AREA DIRECTORS

### 13. Business by Area

#### 13.1 Electoral Area C: Development Variance Permit No. 701-81 (Glenwood Beach Properties Ltd.)

Report from Candice Benner, Development Services Assistant, dated October 1, 2018.

#3-6581 Eagle Bay Road, Wild Rose Bay

Applicant was not in attendance.

No public submissions were received.

**2018-1021**

**Moved By** Director Demenok

**Seconded By** Director Cathcart

THAT: in accordance with Section 498 of the Local Government Act, Development Variance Permit No. 701-81 for the fractional northwest  $\frac{1}{4}$  of Section 17, Township 23, Range 8, W6M KDYD Except Plan H16001, varying South Shuswap Zoning Bylaw No. 701, as follows:

Section 13.2.3 Minimum Setback From the rear parcel line from 5 m to 4.1 m for the existing single family dwelling and from 5 m to 2.5 m for the existing deck attached to the dwelling on Share Lot #3 only,

be approved for issuance this 18<sup>th</sup> day of October, 2018.

**CARRIED**

### 14. Planning Bylaws

#### 14.2 Electoral Area D: Salmon Valley Land Use Amendment (Walters) Bylaw No. 2560

Report from Erica Hartling, Development Services Assistant, October 1, 2018.

2972 & 3020 Yankee Flats Road, Yankee Flats

Applicant was not in attendance.

**2018-1022**

**Moved By** Director Talbot

**Seconded By** Director Morgan

THAT: "Salmon Valley Land Use Amendment (Walters) Bylaw No. 2560" be read a first time this 18<sup>th</sup> day of October, 2018.

**CARRIED**

**2018-1023**

**Moved By** Director Talbot

**Seconded By** Director Morgan

THAT: the Board utilize the simple consultation process for Bylaw No. 2560, and it be referred to the following agencies and First Nations:

- Interior Health;
- Ministry of Forests, Lands, Natural Resource Operations and Rural Development – FrontCounter BC;
- Ministry of Forests, Lands, Natural Resource Operations and Rural Development – Archaeology Branch;
- Ministry of Transportation and Infrastructure;
- Agricultural Land Commission;
- CSRD Operations Management;
- CSRD Financial Services; and,
- All relevant First Nations Bands and Councils.

AND THAT:

Pursuant to Section 477 of the Local Government Act, the Board has considered this "Salmon Valley Land Use Amendment (Walters) Bylaw No. 2560" in conjunction with the Columbia Shuswap Regional District's Financial Plan and its Waste Management Plan.

**CARRIED**

**14.1 Electoral Area B: Electoral Area B Zoning Amendment (Eagle Pass Heliskiing) Bylaw No. 851-12**

Report from Christine LeFloch, Development Services Assistant, dated September 11, 2018.

3451 Trans-Canada Hwy, Revelstoke

Applicant was not in attendance.

**2018-1024**

**Moved By** Director Parker

**Seconded By** Director Demenok

THAT: "Electoral Area B Zoning Amendment (Eagle Pass Heliskiing) Bylaw No. 851-12" be adopted this 18th day of October, 2018.

**CARRIED**

**14.3 Electoral Area D: Salmon Valley Land Use Amendment (Desimone/McMullen) Bylaw No. 2559**

Report from Candice Benner, Development Services Assistant, dated October 4, 2018.

5781 Highway 97, Falkland

Applicants were not in attendance.

**2018-1025**

**Moved By** Director Talbot

**Seconded By** Director Morgan

THAT: "Salmon Valley Land Use Amendment (Desimone/McMullen) Bylaw No. 2559" be read a first time this 18<sup>th</sup> day of October, 2018.

**CARRIED**

**2018-1026**

**Moved By** Director Talbot

**Seconded By** Director Morgan

THAT: The Board utilize the simple consultation process for Bylaw No. 2559, and it be referred to the following agencies and First Nations:

- Ministry of Transportation and Infrastructure;
- Interior Health Authority;
- Ministry of Forests, Lands and Natural Resources – Archaeology Branch;
- CSRD Operations Management;
- CSRD Financial Services; and
- Relevant First Nations Bands and Councils.

AND FURTHER THAT:

Pursuant to Section 477 of the Local Government Act, the Board has considered this "Salmon Valley Land Use Amendment (Desimone/McMullen) Bylaw No. 2559" in conjunction with the Columbia Shuswap Regional District's Financial Plan and its Waste Management Plan.

**CARRIED**

**14.4 Electoral Area E: Lakes Zoning Amendment (Coleman) Bylaw No. 900-23**

Report from Christine LeFloch, Development Services Assistant, dated September 11, 2018.

709 Swanbeach Road, Swansea Point

A representative for the owner was in attendance.

**2018-1027**

**Moved By** Director Demenok

**Seconded By** Director Cathcart

THAT: "Lakes Zoning Amendment (Coleman) Bylaw No. 900-23" be given second reading, as amended this 18<sup>th</sup> day of October, 2018.

**CARRIED**

**2018-1028**

**Moved By** Director Demenok

**Seconded By** Director Cathcart

THAT: a public hearing to hear representations on "Lakes Zoning Amendment (Coleman) Bylaw No. 900-23" be held;

AND THAT: notice of the public hearing be given by staff of the Regional District on behalf of the Board in accordance with Section 466 of the Local Government Act;

AND FURTHER THAT: the holding of the public hearing be delegated to the Director for Electoral Area E being that in which the land concerned is located, or Alternate Director if the Director for Electoral Area E is absent, and the Director or Alternate Director, as the case may be, give a report of the public hearing to the Board.

**CARRIED**

**15. Release of In Camera Resolutions**

- None.

**19. Adjournment**

**2018-1029**

**Moved By** Director Parker

**Seconded By** Director Morgan

THAT: the regular Board meeting of October 18, 2018 be adjourned.

**CARRIED**

Meeting adjourned at 12:47 PM

---

CHAIR

---

CHIEF ADMINISTRATIVE OFFICER

# Delegation Request Form



## Appearing Before the Board as a Delegation

Instructions and Information

Board meetings are generally held on the third Thursday of each month. Please refer to the calendar on the [CSRD's website](#) for the actual dates, or contact the CSRD offices at 250-832-8194 for the upcoming Board Meeting dates.

Delegations are limited to three (3) per meeting; slots often book up quickly.

Delegations are permitted up to fifteen (15) minutes for their presentation. Board members may ask questions after the presentation for clarification.

In order to schedule a date to appear before the Board, delegations must provide the information on the attached form. This information will be included in the agenda. By providing this detail it clarifies the purpose of the delegation for the Board and allows Board members and staff to become familiar with your topic and to obtain any necessary background information.

Your contact information will be included with your delegation information and circulated to the Board. If you do not wish your address to be included in the public agenda, please advise Corporate Administration Services at the time your Delegation request is submitted.

## Contact Information

### Name of Person or Organization \*

Newsome Creek Watershed Action Group

### Contact Information Provided \* (?)

☒ Phone Number ☒ Email Address ☐ Mailing Address

### Phone Number \*

250-675-2897

### Email Address \*

norm1936@shaw.ca

If your application is approved, it will be included on the Board meeting agenda. Do you consent to your personal information being included on the Board Agenda? \*

☒ Yes ☐ No

## Presentation Information

### Topic of discussion \*

The dangerous threat of the erosion of the east bank of Newsome Creek North of TCH and potential for loss of homes, outbuildings and lives.

### Purpose of Presentation \*

Note: A letter outlining the Request or the Information must accompany the Delegation Request form

- ☐ Information Only  
☒ Requesting Support  
☐ Requesting Funding  
☐ Other

### Meeting Date Requested \* (?)



15-Nov-18

**Alternate Date Requested (?)**

20-Dec-18

**Comments**

The erosion of the banks along Newsome Creek over the past two freshet seasons (2017 & 2018) has led to a real danger of residents along Caen Road of losing their homes and/or outbuildings not to mention the potential for loss of life depending on the nature of the calamity which occurs. This is part of the greater concern regarding the over-all issue of the need for a major review of how to handle the many potential costly damages he can result all along the creek from the mountains to the south all the way to the mouth of the creek at Shuswap Lake. This matter will not resolve itself. It must be address by local, provincial, and federal authorities across several ministries. It is complex and extensive and requires all levels of government to pay attention to it and to coordinate an action plan that mitigates against possible very costly outcomes in the future. However, the immediate concern is people are in danger of losing their homes, outbuildings and even their lives.

**Presentation Materials-** Delegation Request forms and Supporting documentation **are due** to Corporate Administration Services for the agenda package by **9am on the Tuesday one full week before the meeting**. If you wish to include a PowerPoint presentation within the Board Agenda package, in order to provide an opportunity for the Board members to review the information prior to the Board meeting date, please submit it by 9am Tuesday, prior to the meeting. Alternately, a PowerPoint presentation may be made at the Board meeting, provided you have supplied it to the CSRD offices at least three days prior to the actual meeting (the Monday prior to the meeting).

To provide your presentation, please send it to:

Columbia Shuswap Regional District  
 Attention: Deputy Manager of Corporate Administration  
 via email: [inquiries@csrd.bc.ca](mailto:inquiries@csrd.bc.ca)  
 or to: PO Box 978, Salmon Arm BC V1E 4P1  
 or via Fax: 250-832-3375

**If you already have your presentation or supporting materials ready, please upload them here. (?)**

**For Office Use Only****Approval**

☐ Approved ☐ Declined ☐ Other

**Appearance Date**

**Applicant informed of appearance date on**

**By**

**Date**

**From:** [Lynda Shykora](#)  
**To:** [Laura Schumi](#)  
**Cc:** [Jennifer Sham](#)  
**Subject:** FW: Newsome Creek Presentation for Delegation on November 15, 2018  
**Date:** Monday, November 05, 2018 2:27:01 PM  
**Attachments:** [Newsome Creek Watershed Action Group Delegation Request November 2018.pdf](#)  
[image002.png](#)  
[image003.png](#)  
**Importance:** High

---

Good afternoon, Laura,

Here is an email with further details in regards to the attached Newsome Creek Watershed Action Group Delegation for the November 2018 Board meeting. Please include the Delegation Request Form and the contents of the email message below on the November Board agenda.

The timing for the 15 minute delegation is tentatively 11 AM – 11:15 AM, to be confirmed.

Thank you,

**Lynda Shykora** | Deputy Manager  
 Corporate Administration Services  
**Columbia Shuswap Regional District**  
 T: 250.833.5939 | F: 250.832.3375 | TF: 1.888.248.2773  
 E: [lsykora@csrd.bc.ca](mailto:lsykora@csrd.bc.ca) | W: [www.csrd.bc.ca](http://www.csrd.bc.ca)



Please consider the environment before printing this e-mail

This e-mail is CONFIDENTIAL. If you are not the intended recipient, please notify me immediately and delete this communication, attachment or any copy. Thank you.

## **Newsome Creek outline of presentation**

Newsome Creek is presenting very real and dangerous issues for the residents in the Sorrento-Notch Hill area. The catchments area extends from the southern mountainside north down the escarpment en route to Shuswap Lake. Historically there have not really been major problems. However, since the fire on the mountainside in 2009, and especially since the spring freshets of 2017 and 2018, Newsome Creek has generated major concerns especially north of the TCH. The impact of erosion along the banks of the ravine north of the highway threatens property, homes, buildings, roads, lake quality, and potentially, even life and limb. Left unchecked it may become costly disaster. The matter needs attention...**NOW!**

During the spring the snow pack melts, rains come, and the volume of water grows exponentially to the point where it is a torrent so great it causes major erosion to the stream banks which robs residents of land, endangers their homes and buildings, clogs culverts, results in flooding, causes breaches in roads, and turbidity in the lake. If the circumstances are right it can even lead to deaths! This is not exaggeration. These things have already happened except for deaths. Surely we do not want to wait for deaths to

occur to fix the problem.

The forest fire of 2009 along with the logging done in 2010 has led to a far greater runoff. Experts explained to a gathering of concerned residents on Oct 18, 2018 that a forest fire damages the ground, hardening the topsoil leading to its inability to absorb the precipitation; hence, the deluge in Newsome Creek. Many other issues were discussed as well. While nature cannot be stopped, it can often be managed. That is why a group was formed to explore ways to deal with the issues. We have settled on the name, Newsome Creek Watershed Action Group (NCWAG). The CSRD did prompt the province to approve and fund geotechnical reports to provide a preliminary assessment of the problem. This was done and now the group wants the CSRD Board to assist us in getting the attention and active response from the provincial and federal authorities to take appropriate measures to manage the situation.

We have legal opinion that as the creek is water it is a provincial responsibility. Their water is causing potential harm to our residents and the province, perhaps with the support of the federal government, needs to own this problem and address it correctly. The residents did not cause the problem. They are clearly victims of the problem.

Dealing with this situation is complex. There are a myriad of issues with handling the problem and several ministries, both provincial and federal, can potentially be involved. These issues were outlined in detail by several "experts". The group has continued to amass information from our the members. Most of us have lived along or near the creek for many years. A few have been here all their lives; so, the group is very knowledgeable about the creek and its past. We are all agreed that the developments over the past two freshet seasons represent a huge change in previous creek behaviour.

The group is systematically trying to develop a course of action to gain the attention of the provincial and federal authorities in order to solve the problem. Several ministries are involved. The ministry "experts" could not commit to render any assistance whatsoever when asked by the Director at the Oct 18 meeting. Their hands are apparently tied due to lack of authority and funding. Thankfully, in contrast, Director Demenok has been steadfast in his efforts to assist our efforts and has rendered positive, competent, and valuable guidance to our cause. As well, we are appreciative of the help we have received from the CSRD, staff and Board. We thank everyone from the Regional District.

For now the immediate focus is on the section of the creek north of the Trans Canada Highway. The safety of properties along the east bank of the stream is our highest priority at this time. This section has a deep ravine up to 25 meters or more in height and very steep. It gradually reduces in height on the way to the lake. Erosion has lowered the creek bed a few feet, undercut the banks of the creek, and significantly increased the amount of tree fall and debris to an alarming degree. The homes and buildings along Caen Road on the east bank are in considerable danger of tumbling into the gully. Two or three are in extreme danger of this happening. Such a calamity is bad enough. But, when people have home-based businesses located in their homes it impacts their livelihood as well as their daily lives. Indeed, should such a sudden collapse of the bank happen unexpectedly late at night while they sleep; death could pay a visit. Try to imagine losing your house, place of business, and source of income all in one ugly night. Put simply, this is not a situation which can be ignored. It is real, it is dangerous, and it is not going away.

The group has generated an plan of attack. Her are steps we will pursue:

- a. Continue to expand our understanding of the situation;
- b. Develop a web site of information on the issue;
- c. Contact relevant provincial and/or federal ministries to arrange liaison;
- d. Encourage relevant Ministers or their senior officials to meet with us;
- e. Reach out to other residents south of the TCH affected by the situation;

- f. Reach out to the rest of the residents and the businesses in the area;
- g. Search for all potential solutions to the immediate problem;
- h. Involve the media, local and provincial to add pressure for action;
- i. Encourage a letter writing campaign to government officials.

Finally, as indicated earlier, the primary objective for doing this presentation to the Board is to elicit your continued support for our efforts. At this time we would welcome whatever further assistance we can receive from the CSRD. We are not here to seek money or request boots on the ground. Rather we need the Board's endorsement with respect to our overtures with either the provincial or federal authorities and to the public. This matter is a provincial responsibility. Please help us to get our message through to the senior levels of government. Your advocacy would be of incalculable help. Our numbers are few but huge in resolve.

Norm Martin

Box 311

Sorrento, BC V0E 2W0

(250 675-2897

[norm1936@shaw.ca](mailto:norm1936@shaw.ca)

**Laura Schumi**

---

**From:** Lynda Shykora  
**Sent:** Monday, November 05, 2018 2:08 PM  
**To:** Laura Schumi  
**Cc:** Jennifer Sham  
**Subject:** FW: Building Bridges - Food Security - Delegation at Columbia Shuswap Regional District Board meeting to November 15, 2018 - CONFIRMED FOR 10:30 - 10:45 AM

**Importance:** High

**Follow Up Flag:** Follow up  
**Flag Status:** Completed

Hi, Laura,  
 This Delegation is confirmed for 10:30 AM – 10:45 AM for the November Board agenda. Melissa Hemphill, Food Security Coordinator, Community Connections (Revelstoke) Society will be attending. The delegation is for Information of the Board.  
 Regards,  
 Lynda

---



---



---

On Wed, 29 Aug 2018 at 12:18, Lynda Shykora <[LShykora@csrd.bc.ca](mailto:LShykora@csrd.bc.ca)> wrote:

Good afternoon, Melissa,

Thank you for the message below advising that you will reschedule your delegation to the November Board meeting. I will slot the Delegation as Tentative (most likely around 10:15/10:30 AM), for the November 15<sup>th</sup>, 2018 Board meeting. We do not have any other Delegation requests as of today's date, for that particular meeting. Closer to the meeting itself, I will be reviewing the agenda and business items and will confirm with you that we are able to confirm the Delegation request. For your information, the November meeting is our Inaugural meeting of the new CSRD Board, so there will be election of the Chair, Vice Chair etc. at the beginning of the meeting.

Regards,

**Lynda Shykora** | Deputy Manager

Corporate Administration Services

**Columbia Shuswap Regional District**

T: 250.833.5939 | F: 250.832.3375 | TF: 1.888.248.2773

E: [Lshykora@csrd.bc.ca](mailto:Lshykora@csrd.bc.ca) | W: [www.csrd.bc.ca](http://www.csrd.bc.ca)

**From:** Melissa Hemphill [<mailto:melissa.lei.hemphill@gmail.com>]

**Sent:** Tuesday, August 07, 2018 1:52 PM

**To:** Lynda Shykora <[LShykora@csrd.bc.ca](mailto:LShykora@csrd.bc.ca)>

**Subject:** Re: Building bridges - Request to appear as Delegation at Columbia Shuswap Regional District Board meeting - tentative September 2018

Good afternoon Lynda,

Food is more than just nourishment, it is social cohesion. Through food we find ways to connect, collaborate, and build community. But with climate change and a lack of sovereignty over what has become a global food system, the future of our food becomes unclear. With an eye on sustainability and economic diversification, the food sector is one of limitless potential in the Columbia-Shuswap region.

I, Melissa Hemphill, Food Security Coordinator in Revelstoke, would like to provide a short presentation to the CSRD Board about the work being performed to grow the local food system. There are a number of organizations, key players and innovative programs involved in this work. Though there is fierce competition for land in the Revelstoke area, there is also a lot of support for food security initiatives. But we know that we cannot act alone. We must reach out to our neighbouring communities and the larger region for collaboration and partnership to build resiliency in our food system.

My presentation will explain how the current food system work has evolved, the regional and provincial collaborations in place and the future of this work. This presentation is for information purposes, but also to build bridges within the region.

Your partner in good food,

Melissa Hemphill

**From:** Director Martin

**Sent:** Wednesday, July 11, 2018 11:23 AM

**To:** Melissa Hemphill <[melissa.lei.hemphill@gmail.com](mailto:melissa.lei.hemphill@gmail.com)>

**Cc:** Lynda Shykora <[LShykora@csrd.bc.ca](mailto:LShykora@csrd.bc.ca)>

**Subject:** Re: Building bridges

Hi Melissa, please connect with Lynda Shykora regarding the process for presenting to the Board.

Looking forward to it.

Rhona

Sent from my iPhone

On Jul 11, 2018, at 10:46 AM, Melissa Hemphill <[melissa.lei.hemphill@gmail.com](mailto:melissa.lei.hemphill@gmail.com)> wrote:

Hi Rhona,

Hopefully you remember me - Food Security Coordinator in Revelstoke.

In my role to increase our community's food security, my efforts focus on growing our local food system. And while I have good connections with the

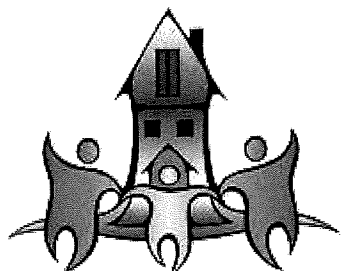
municipality, I would like to build a connection with the regional district, as the local food system is much bigger than our municipal boundary.

I would like to present our food security work to your board to tell them about what we have been up to and the potential that we see in regional collaboration. Is there an appropriate meeting that myself and my colleague could present our work? With summer holidays, I am thinking that early fall would be the earliest time.

Looking forward to hearing back from you.

Your partner in good food,

Melissa



**COMMUNITY CONNECTIONS**

Melissa Hemphill,

Food Security Coordinator,

Community Connections (Revelstoke) Society

(p) 250-837-2920

(c) 250-814-3207

# Growing Resilience

Food Security Work in Revelstoke & Beyond



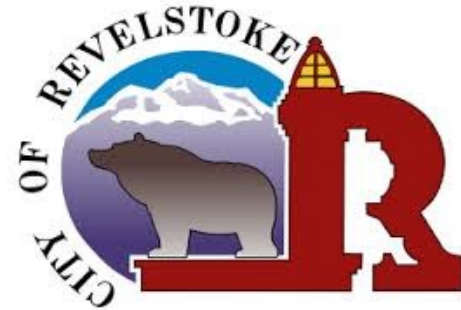


# Food Security Coordinator

- Melissa Hemphill
  - Employed by Community Connections (Revelstoke) Society, a social service agency
- 
- Mandated to implement recommendations in the 2014 Revelstoke Food Security Strategy



# How the Work is Funded



# What is Food Security?

When all people, at all times, have access to safe, affordable, nutritious food to meet their needs.

What is leading to a lack of food security?

# Global threats to food security:

- Peak oil
- Peak water
- Climate change
- Rapid urbanization
- Continued population growth
- Unsustainable industrial agriculture

**ALMOST A BILLION PEOPLE**  
are going hungry, while we waste  
**1/3 OF THE FOOD WE PRODUCE.**

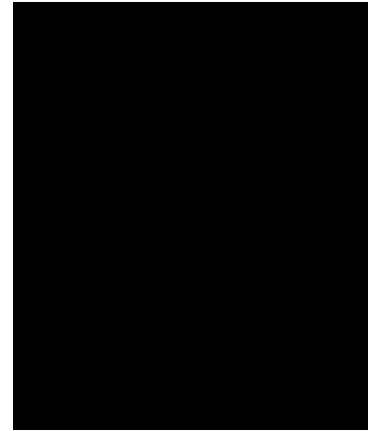


## Local threats to food security:

- Historic loss of farmland
- Resort development pressure on land use
- High cost of land
- High cost of living
- Aging farmers
- Loss of knowledge
- Transportation and distribution challenges

# The Result:

- Rising food prices
- Rising food bank usage
- Disconnected from our food system
- 92% of our food is imported from outside 250km
- Loss of food sovereignty due to globalization



# A Solution: Relocalization

The BC Ministry of Agriculture's publication *British Columbia Agriculture Plan: Growing a Healthy Future for B.C. Families* calls for:

- Enhanced community-based/local food systems
- Addressing food security through diverse local production
- Environmental stewardship/climate change mitigation
- Bridging the urban-agriculture divide

Locally produced essential foods  
+  
Imported luxury foods

Relocalizing results in Resilience



# The local benefits of working on Food Security:

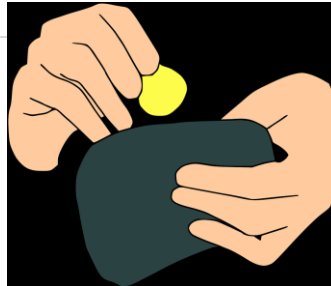
## Health

- Access to safe, nutritious food
- Gardening and cooking skills
- Connection to the natural world
- Social cohesion through shared meals
- Revitalization of rural culture
- Improvements in public health



## Economic Development

- Increased employment in food production, processing and retail
- Agritourism
- Farmers markets as incubators and alternatives to corporate grocers



## Environmental Sustainability

- Preservation of ecosystems and soil health
- Sustainable production practices
- Food miles
- Responsible waste management



# Revelstoke's Food Security Goals

- Dignified **access** to food.
- **Environmentally sustainable food production.**
- Fostering **food culture.**
- **Economic sustainability.**
- **Education** on food systems and food security.



# What are we doing in Revelstoke?

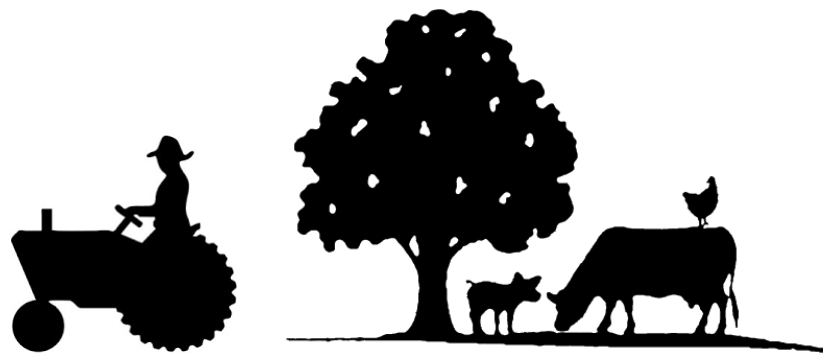
## Programs

- Food Recovery
- Farmer's Market
- Farmer Networking Group & education events
- Community food events
- Resource guides
- Revelstoke Local Food Initiative

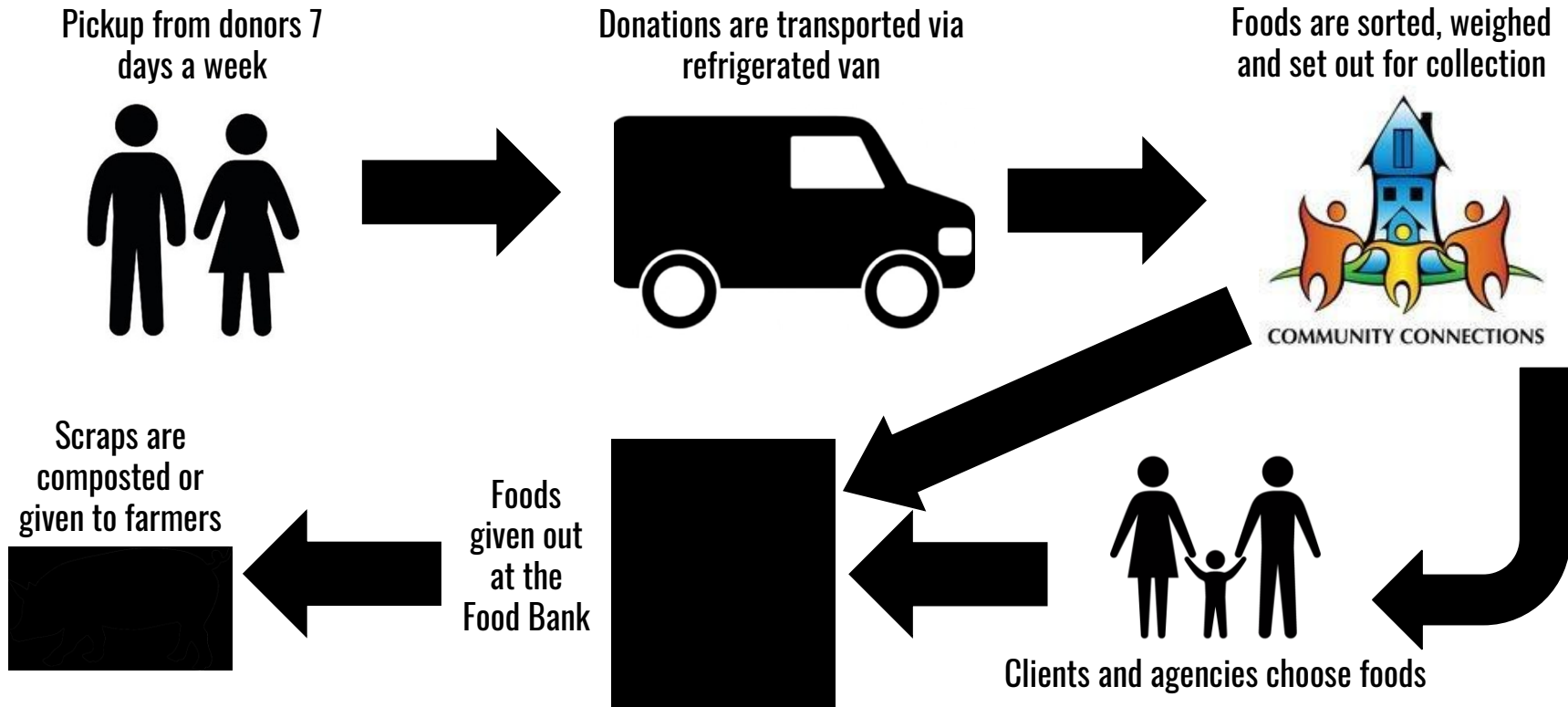
## Policies

- Official Community Plan
- Bylaws

*growing our local food system...*

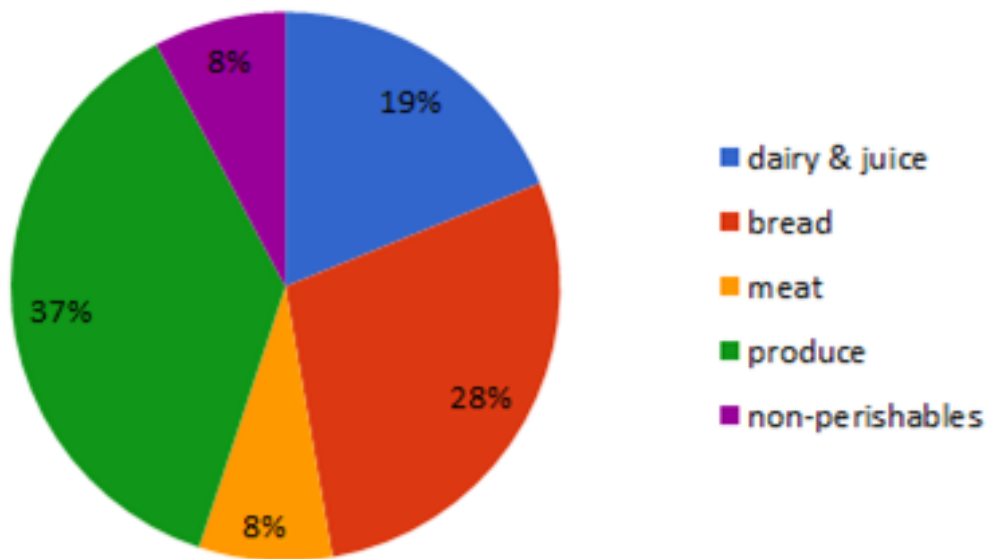


# Food Connect food recovery program



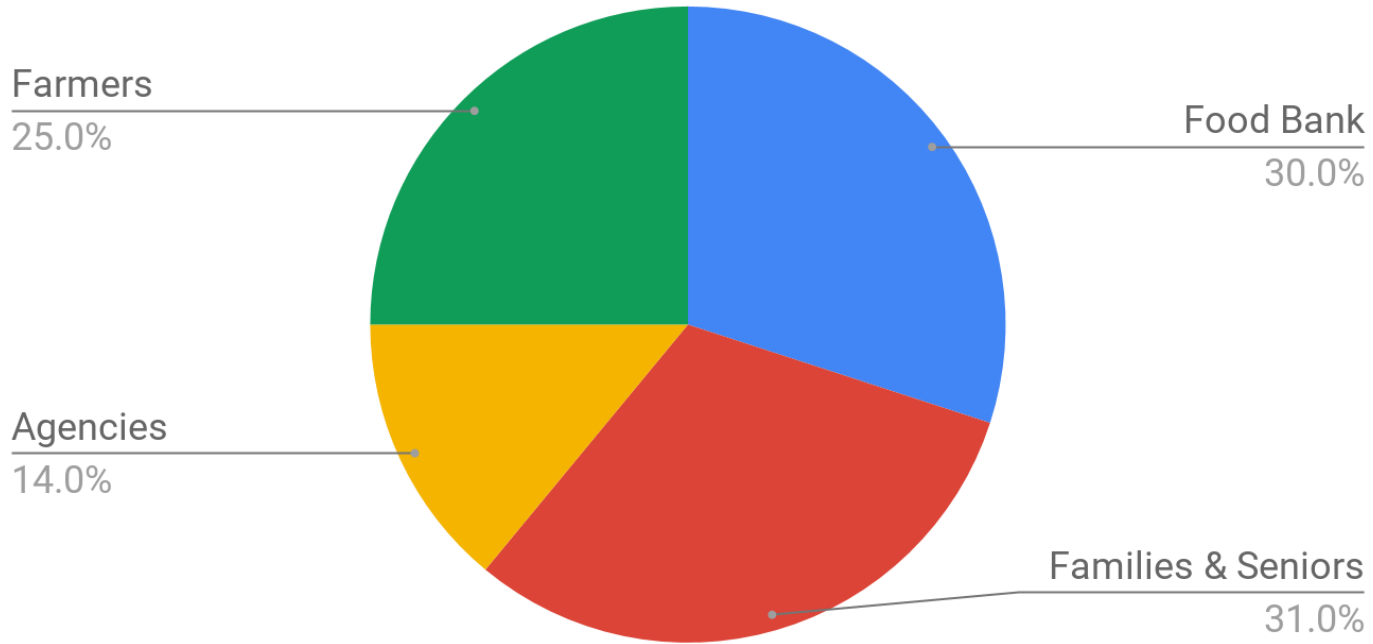
Amount of food  
recovered since  
March 2016:

246,436 lbs.



Program cost = \$41,000/year

## Distribution of recovered foods



Where does all of this food go?

# Our Local Food System

## PROCESSING

**COMMUNITY KITCHEN**  
BA SAUSAGES • KOOTENAY JUICE  
**BEGBIE BREWING CO**  
MONASHEE CRAFT DISTILLERY  
RAY'S BUTCHER SHOP • WILD GAME PREP.  
**STOKE ROASTED COFFEE CO.**  
\*\*CLOSEST ABATTOIR  
IS 144 KM AWAY  
SEEKING LOCAL  
VALUE-ADDED  
PRODUCTS

## CONSUMPTION

**HOME SCHOOLS**  
20+ RESTAURANTS  
CAROUSEL OF NATIONS  
**OKTOBERFEST**  
COMMUNITY CHRISTMAS DINNER  
SOUPALICIOUS REVELSTOKE  
SNOWFLAKE WINE FESTIVAL  
MIDSUMMER NIGHT'S GREEN:  
FARM-TO-TABLE  
DINNER

## ACCESS

**SCHOOL**  
BREAKFAST PROGRAMS  
FARMERS MARKET NUTRITION COUPONS  
**FOOD BANK**  
PASTA FEED • SOUP & A SMILE  
**FAMILY NIGHT OUT**  
**MEALS ON WHEELS**  
FOOD RECOVERY PROGRAM  
DINNERS AT HOME PROGRAM

## PRODUCTION

BIRD TREE URBAN FARM • BLUE HOUSE FARM  
**COMMUNITY GARDENS**  
GREENSLIDE CATTLE CO. • SUNNYSIDE FARM  
TERRA FIRMA FARMS • TRACK STREET GROWERS  
DEVELOPING 3+ NEW  
URBAN FARMS

## WASTE RECOVERY

COMMUNITY GARDEN COMPOST  
ORGANIC WASTE DIVERSION  
FOOD RECOVERY PROGRAM  
BACKYARD COMPOST

## GLEANNING PROGRAM

## FOOD

**RETAILERS:**  
4 OF 5 STOCK  
LOCAL PRODUCTS  
**GARLIC FEST**  
SUMMER FARMERS MARKETS  
TERRA FIRMA FARMS CSA  
WINTER FARMERS MARKET  
**DISTRIBUTION**



# Our Partners

- BC Food System Network
- Interior Health Community Food Action Initiative
- Ministry of Agriculture
- North Okanagan Food Security Initiative
- BC Food System Gateway
- Young Agrarians
- Kootenay & Boundary Farm Advisors Program
- Columbia Basin Trust
- Basin Business Advisors
- Foodlands Cooperative of BC
- Food Banks BC & Food Banks Canada
- City of Revelstoke
- Community Futures
- Revelstoke Local Food Initiative Society
- North Columbia Environmental Society
- Revelstoke Bear Aware
- School District #19





# Regional District's Part to Play

- Protect agricultural land - ALR +
- Limit housing size on rural lands
- Consider agriculture (potential) in all decisions
- Support agriculture and food system initiatives
- Responsible waste management - composting and commercial recycling
- Land Use Planning for the area around Revelstoke
- Help with connectivity and communication across communities



Food is more than  
nourishment, it is social  
cohesion.

Thank you for considering the local food system in all of the work that you do.

Melissa Hemphill  
[mhemphill@community-connections.ca](mailto:mhemphill@community-connections.ca)

**Columbia Shuswap Regional District  
Area A Local Advisory Committee (LAC) Meeting Minutes  
25<sup>th</sup>, September, 2018  
BC Visitor's Centre, 111 Golden Donald Upper Road, Golden, BC**

**Present:**

- Karen Cathcart (Electoral Area "A" Director)
- Derek Smith (Secretary)
- Ian Rowe
- Lynda Conway
- Blair Hudson
- Kathy Simpson

**Regrets:** Diana Taufer  
Craig Chapman  
David Perez

**Gallery:** Approximately 6 members of the public attended the meeting.

**CALL TO ORDER**

Ian Rowe (Chairperson, Area A LAC CSRD) called the meeting to order at 6:00pm

**WELCOME AND INTRODUCTIONS**

**BUSINESS ITEMS:**

**ADOPTION OF AGENDA**

Moved by Kathy Simpson, Seconded by Linda Conway: That the agenda for the DAY, MONTH, DATE 2017 Area A Local Advisory Committee meeting be adopted.

Motion Carried

**ADOPTION OF MEETING MINUTES**

Moved by Ian Rowe, Seconded by Derek Smith: That the minutes of the December 14, 2016 Area A Local Advisory Committee meeting be adopted.

Motion Carried

**Business and discussion**

- Broadband Internet Service
- Columbia River Treaty Update

**GENERAL BUSINESS:**

- Director's Report:

Preamble:

Welcome back from Karen

Karen is back as the Area A Director by acclimation and will serve the Area for the next 4 years. Very pleased to be able to continue the work in progress and to excited about the future for the Area. Director Cathcart stressed the importance of these monthly meetings for the communities and for the flow of information back to the CSRD.

**Director's Report**

Area A highlights for the last couple of months.

Director Cathcart presented a summarization of the CSRD Board meetings held in Salmon Arm over the summer months. For detail information, see the links below:

CSRD Board in Brief – August (click [here](#))

CSRD Board in Brief – September (click [here](#))

- Of note from the June Board meeting, the CSRD Board received a letter from Mayor Ron Oszust and CAO Jon Wilsgard requesting a task force and participation on the solid waste management committee. Mayor Ron Oszust now sits on the solid waste committee of the CSRD.
- Director Cathcart confirmed the recommendation that the pool survey be done before the election. Reason because the information is comprehensive. Last week received information from group championing the initiative is working on a Class C estimate (*a comprehensive list of requirements and assumptions, including a full description of the preferred schematic design option, construction/design experience, and market conditions; )*  
Ref: <https://www.tpsgc-pwgsc.gc.ca/biens-property/sngp-npms/bi-rp/conn-know/couts-cost/definition-eng.html>)
- CSRD Policy A-71 regarding the production and distribution of cannabis. If a firm is interested in opening a retail/distribution facility, they need to contact CSRD for an application package. The application package includes guidelines and regulations on location, description, Health Canada etc. as well as public consultation.
- A letter was sent to the Minister responsible for Tourism regarding the need to address the temporary foreign worker program. Director Cathcart met with Minister of the BC Ministry of Tourism, Arts and Culture, Honourable Lisa Beare at the UBCM and discussed this important issue as it relates to Area A. Positive response from the Minister.
- Director Cathcart commented on the announcement from Greyhound Bus service that the elimination of reliable bus service to our region will have a significant impact. The issue was raised with the Minister at the UBCM.
- In August Board Meeting, the Core Contribution bylaw as negotiated with the Town of Golden was approved by the CSRD Board. Next step is electoral ascent from the voters in Area A.

- Director Cathcart announced the endowment fund of \$2,000 Peter Evans of the Golden Snow mobile club and further funds for the development of more trail facilities.
- There were no ALR applications

In the September Board meeting, it was announced that

- Hydrological study for the Golden landfill were ongoing. Two test wells are being drilled to monitor run-off and seepage as well as more comprehensive fencing to limit wildlife intrusion. Director Cathcart commented that she understand the need to continue the work to ensure the health and safety of residents is of utmost importance.
- Director Cathcart announced \$10 K EOF funding for Summer Kicks and a further \$30 K EOF funding for improved boat dock and other facilities at Cedar Lake
- There has been approval for a 3.42 % increase in remuneration for Directors. Changes in the income tax act allowed for a percentage of income to be deducted from annual taxes has been removed. The increase approximately corrects for this change in the income tax act.
- CSRD received a letter from Town of Golden confirming support for the core contribution facilities

Motion made to adoption of the Directors Report by Ian Rowe, seconded by Blair Hudson  
Motion Carried

Carried

### **New Business**

- Broadband and high speed Internet connectivity is still a huge issue in the region. Some progress has been made in the Blaeberry, but progress is slow. There is a program in the works at the Federal level to address communities like those in Area A, however the monies are slow in coming and the queue for service is long and complicated.
- The Columbia Basin Treaty discussions are ongoing. Awaiting more information from the negotiation team and government representatives.
- The Referendum regarding the Core Contribution Bylaw addresses a formula to share a portion of the operating costs with the Town of Golden. Director Cathcart stressed the importance of good turnout to get the voice of the community through the public consultation and communication.
- Meeting at the UBCM with the Minister Agriculture went quite well. There has been a survey from the minister's office regarding rural farmers and the identified issues with respect to Class A and Class E licences. Minister was very open and receptive so that our rural farmers can make a living as long as they are in compliance with Health Canada. Some change appears to be in motion
- Environment BC Recycling changes are coming – curb side pickup for populations over 5,000 presents issues and smaller communities need to be included as well. At this time, it is not a regulation but is being studied for feedback
- Forests, Lands, Natural Resource Operations & Rural Development Minister, Doug Donaldson met with Mayor Ron Oszust and CAO Jon Wilsgard at UBCM to discuss the a community forest wildfire mitigation and Fire Smart program. There is funding available but requires a wildfire management plan for the community.

### **Economic development**

- Business owners want an economic development plan. Perhaps related to opportunities for the community forest management initiative. Director Cathcart spoke about the Trail strategy that is happening and assured that conversations are ongoing.

### **Parks and recreation.**

- Upgrades to the Cedar Lake campground are in the planning phase. Expecting to expand the campground 12 new sites, improvement to the road access, signage, garbage management, construction of a swim platform and floating dock. There has also been a request for more sand for the beach.
- The playground at Kicking Horse Mountain Resort is now officially transferred to Kicking Horse Mountain Resort for ongoing support.
- Nicholson boat launch. The statutory approval through the Agricultural Land Reserve (ALR) has been approved. ALR application and ALC did the site visit. Awaiting Agricultural Land Commission (ALC) approval. Positive meeting but work can't go forward until ALC approval.
- Clarification requested from audience member regarding the Nicholson Boat Launch access road from McBeath Road. Director Cathcart to request follow-up from CSRD.
- Director Cathcart announced upgrades/repairs to the Tom Kelly Park in Blaeberry.
- Trail Alliance has been submitted their study and it has been approved by CSRD Board.

### **DATE OF NEXT MEETING:**

30 October 2018

### **ADJOURNMENT**

MOVED by Ian Rowe, Seconded by Blair Hudson that the meeting be adjourned at 7:45 pm.

Motion Carried



## COLUMBIA SHUSWAP REGIONAL DISTRICT

### DECLARATION OF OFFICIAL RESULTS GENERAL LOCAL ELECTION – OCTOBER 2018

I, Lynda Shykora, Chief Election Officer for the Columbia Shuswap Regional District, do hereby declare, pursuant to Section 146 of the *Local Government Act*, that the following persons received the highest number of valid votes for the office of Director of the Columbia Shuswap Regional District, in the 2018 General Local Election, and are now hereby declared elected:

Director Electoral Area 'A': (Acclamation)  
CATHCART, Karen

Director Electoral Area 'B':  
BROOKS-HILL, David

Director Electoral Area 'C':  
DEMENOK, Paul

Director Electoral Area 'D': (Acclamation)  
TALBOT, Rene

Director Electoral Area 'E':  
MARTIN, Rhona

Director Electoral Area 'F'  
SIMPSON, Jay

Given under my hand at Salmon Arm, British Columbia, this 24<sup>th</sup> day of October, 2018.

  
Lynda Shykora  
Chief Election Officer



# COLUMBIA SHUSWAP REGIONAL DISTRICT

555 Harbourfront Drive NE, PO Box 978, Salmon Arm, BC V1E 4P1  
T: 250.832.8194 | F: 250.832.3375 | TF: 1.888.248.2773 | www.csr.d.bc.ca

LGA s.146

## DECLARATION OF OFFICIAL ELECTION RESULTS

GENERAL LOCAL ELECTION – 2018  
October 20, 2018

(Electoral Area B)

	BROOKS-HILL David	BUHLER George	STUART Doug
<b>Advance Voting Opportunities: October 10 &amp; 17, 2018 &amp; Mail in Ballots</b>			
Revelstoke Community Centre – Revelstoke Mail in Ballots: CSR D Office – Salmon Arm	23 0	31 3	27 0
Trout Lake Community Hall – Trout Lake – General Voting Day, October 20, 2018	12	7	4
General Voting Day, October 20, 2018	46	26	27
<b>TOTAL NUMBER OF VALID VOTES CAST</b>	<b>81</b>	<b>67</b>	<b>58</b>

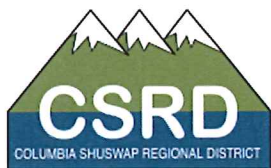
The determination of official election results is based on the ballot accounts prepared at each of the above-mentioned voting places, and ballot accounts as amended or prepared by the Chief Election Officer.

  
\_\_\_\_\_  
Chief Election Officer

Dated at Salmon Arm, BC

this 24<sup>th</sup> day of October, 2018.





# COLUMBIA SHUSWAP REGIONAL DISTRICT

555 Harbourfront Drive NE, PO Box 978, Salmon Arm, BC V1E 4P1  
T: 250.832.8194 | F: 250.832.3375 | TF: 1.888.248.2773 | www.csr.d.bc.ca

LGA s.146

## DECLARATION OF OFFICIAL ELECTION RESULTS

GENERAL LOCAL ELECTION – 2018  
October 20, 2018

(Electoral Area C)

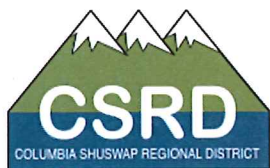
	DEMENOK Paul	EGELY Nancy
<b>Advance Voting Opportunities: October 10 &amp; 17, 2018 &amp; Mail in Ballots</b>		
CSR D Office – Salmon Arm	66	36
<b>General Voting – October 20, 2018:</b>		
Cedar Centre – Blind Bay/Sorrento	409	128
Sorrento Elementary School - Sorrento	148	88
Eagle Bay Community Hall – Eagle Bay	64	10
Sunnybrae Hall – Tappen BC	125	76
<b>TOTAL NUMBER OF VALID VOTES CAST</b>	<b>812</b>	<b>338</b>

The determination of official election results is based on the ballot accounts prepared at each of the above-mentioned voting places, and ballot accounts as amended or prepared by the Chief Election Officer.

  
Chief Election Officer

Dated at Salmon Arm, BC

this 24<sup>th</sup> day of October, 2018.



# COLUMBIA SHUSWAP REGIONAL DISTRICT

555 Harbourfront Drive NE, PO Box 978, Salmon Arm, BC V1E 4P1  
T: 250.832.8194 | F: 250.832.3375 | TF: 1.888.248.2773 | www.csr.d.bc.ca

LGA s.146

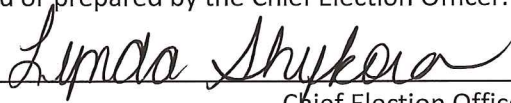
## DECLARATION OF OFFICIAL ELECTION RESULTS

GENERAL LOCAL ELECTION – 2018  
October 20, 2018

(Electoral Area E)

	JOHNSON Leslie	MARTIN Rhona
<b>Advance Voting Opportunities: October 10 &amp; 17, 2018 &amp; Mail in Ballots</b>	1	4
CSR D Office – Salmon Arm		
<b>General Voting – October 20, 2018:</b>		
Cambie Community Hall – Sicamous	18	17
Swansea Point Fire Hall – Swansea Point	3	18
Sicamous Council Chambers - Sicamous	11	18
Malakwa Learning Academy	16	101
<b>TOTAL NUMBER OF VALID VOTES CAST</b>	<b>49</b>	<b>158</b>

The determination of official election results is based on the ballot accounts prepared at each of the above-mentioned voting places, and ballot accounts as amended or prepared by the Chief Election Officer.

  
Chief Election Officer

Dated at Salmon Arm, BC

this 24<sup>th</sup> day of October, 2018.



# COLUMBIA SHUSWAP REGIONAL DISTRICT

555 Harbourfront Drive NE, PO Box 978, Salmon Arm, BC V1E 4P1  
T: 250.832.8194 | F: 250.832.3375 | TF: 1.888.248.2773 | www.csrld.bc.ca

LGA s.146

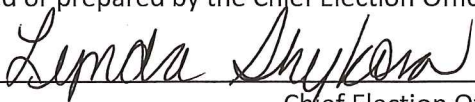
## DECLARATION OF OFFICIAL ELECTION RESULTS

GENERAL LOCAL ELECTION – 2018  
October 20, 2018

(Electoral Area F)

	HANSMA Will	SIMPSON Jay
<b>Advance Voting Opportunities: October 10 &amp; 17, 2018 &amp; Mail in Ballots</b>	13	21
CSRD Office – Salmon Arm		
<b>General Voting – October 20, 2018:</b>		
North Shuswap Community Hall - Celista	35	108
Scotch Creek Fire Hall – Scotch Creek	87	205
Seymour Arm Community Hall – Seymour Arm	25	6
Lakeview Centre - Anglemont	45	83
<b>TOTAL NUMBER OF VALID VOTES CAST</b>	<b>205</b>	<b>423</b>

The determination of official election results is based on the ballot accounts prepared at each of the above-mentioned voting places, and ballot accounts as amended or prepared by the Chief Election Officer.

  
Chief Election Officer

Dated at Salmon Arm, BC

this 24<sup>th</sup> day of October, 2018.



# BOARD REPORT

**TO:** Chair and Directors **File No:** File No. 0550-01

**SUBJECT:** 2019 Board and Committee Meeting Schedule

**DESCRIPTION:** Report from Lynda Shykora, Deputy Manager, Corporate Administration Services, dated October 31, 2018.

**RECOMMENDATION:** THAT: the proposed 2019 Board and Committee meeting schedule be approved this 15<sup>th</sup> day of November, 2018.

## SHORT SUMMARY:

In accordance with Regional District Board and Committees Procedure Bylaw No. 5648, staff has prepared a schedule for the 2019 Board and Committee meetings. The proposed schedule is attached for the Board's consideration.

---

<b>VOTING:</b>	Unweighted Corporate <input checked="" type="checkbox"/>	LGA Part 14 (Unweighted) <input type="checkbox"/>	Weighted Corporate <input type="checkbox"/>	Stakeholder (Weighted) <input type="checkbox"/>
----------------	--	---	---	---

---

## BACKGROUND:

Each year before December 31, the Board considers the proposed Board and Committee meeting schedule for the future year, in accordance with the CSR D Board and Committee Procedures Bylaw No. 5648. Bylaw No. 5648 also establishes Regular Board meeting dates on the third Thursday of the month, unless altered by a resolution of the Board. For example, the Board will observe that the first meeting in January 2019 is set for Thursday, January 10, 2019 due to a conflict with the newly elected officials orientation for electoral area directors scheduled the third week in January (January 16 – 18, 2019).

## POLICY:

Part 3, Section 6 of Regional District Board and Committees Procedure Bylaw No. 5648 states: "Regular meetings (of the Board) for each ensuing year will be established by Board resolution prior to December 31st of the prior year."

Local Government Act legislation requires that the upcoming annual Board meeting schedule be advertised in all CSR D area newspapers before the end of December each year.

## FINANCIAL:

Advertising costs are funded in the General Government budget.

## KEY ISSUES/CONCEPTS:

The need to meet legislated requirements and to provide Board members with advance notice of Board and key Committee meeting dates for the future year.

**IMPLEMENTATION:**

Corporate Administration staff are responsible for meeting administration, communications, and statutory advertising on behalf of the Board.

**COMMUNICATIONS:**

If the Board approves the Board and Committee meetings schedule, staff will post the schedule on the CSRD's main office notice board and publish it on the CSRD website and through social media. Directors, Alternate Directors and CSRD staff will be provided with a copy of the meeting schedule for reference.

Notice of the 2019 Board and Committee meeting schedule will be advertised in all CSRD area newspapers (Golden Star, Revelstoke Review, Eagle Valley News, Shuswap Market, Vernon Morning Star) before the end of December.

**DESIRED OUTCOMES:**

That the Board endorse the staff recommendation.

**BOARD'S OPTIONS:**

1. *Endorse the Recommendation.*
2. *Deny the Recommendation.*
3. *Defer.*
4. *Any other action deemed appropriate by the Board.*

**Report Approval Details**

Document Title:	2018-11-15_Board_CA_0660-01_2019_Board_and_Committee_Meeting_Schedule.docx
Attachments:	- Board-Committee Meeting Calendar 2019.xlsx
Final Approval Date:	Nov 1, 2018

This report and all of its attachments were approved and signed as outlined below:

A handwritten signature in black ink, appearing to read "C. Hamilton", with a stylized flourish at the end.

**Charles Hamilton - Nov 1, 2018 - 2:33 PM**

## Columbia Shuswap Regional District 2019 Board and Committee Meeting Schedule

2019

January						
S	M	T	W	T	F	S
		1	2	3	4	5
6	7	8	9	10	11	12
13	14	15	16	17	18	19
20	21	22	23	24	25	26
27	28	29	30	31		

April						
S	M	T	W	T	F	S
	1	2	3	4	5	6
7	8	9	10	11	12	13
14	15	16	17	18	19	20
21	22	23	24	25	26	27
28	29	30				

July						
S	M	T	W	T	F	S
	1	2	3	4	5	6
7	8	9	10	11	12	13
14	15	16	17	18	19	20
21	22	23	24	25	26	27
28	29	30	31			

October						
S	M	T	W	T	F	S
		1	2	3	4	5
6	7	8	9	10	11	12
13	14	15	16	17	18	19
20	21	22	23	24	25	26
27	28	29	30	31		

February						
S	M	T	W	T	F	S
					1	2
3	4	5	6	7	8	9
10	11	12	13	14	15	16
17	18	19	20	21	22	23
24	25	26	27	28		

May						
S	M	T	W	T	F	S
			1	2	3	4
5	6	7	8	9	10	11
12	13	14	15	16	17	18
19	20	21	22	23	24	25
26	27	28	29	30	31	

August						
S	M	T	W	T	F	S
				1	2	3
4	5	6	7	8	9	10
11	12	13	14	15	16	17
18	19	20	21	22	23	24
25	26	27	28	29	30	31

November						
S	M	T	W	T	F	S
					1	2
3	4	5	6	7	8	9
10	11	12	13	14	15	16
17	18	19	20	21	22	23
24	25	26	27	28	29	30

March						
S	M	T	W	T	F	S
					1	2
3	4	5	6	7	8	9
10	11	12	13	14	15	16
17	18	19	20	21	22	23
24	25	26	27	28	29	30
31						

June						
S	M	T	W	T	F	S
						1
2	3	4	5	6	7	8
9	10	11	12	13	14	15
16	17	18	19	20	21	22
23	24	25	26	27	28	29
30						

September						
S	M	T	W	T	F	S
1	2	3	4	5	6	7
8	9	10	11	12	13	14
15	16	17	18	19	20	21
22	23	24	25	26	27	28
29	30					

December						
S	M	T	W	T	F	S
1	2	3	4	5	6	7
8	9	10	11	12	13	14
15	16	17	18	19	20	21
22	23	24	25	26	27	28
29	30	31				

<span style="background-color: #f4a460; border: 1px solid black; display: inline-block; width: 15px; height: 10px;"></span> Board Meetings	<span style="background-color: #add8e6; border: 1px solid black; display: inline-block; width: 15px; height: 10px;"></span> Shuswap EcDev/Shuswap Tourism
<span style="background-color: #d8bfd8; border: 1px solid black; display: inline-block; width: 15px; height: 10px;"></span> EAD Committee	<span style="background-color: #a9a9a9; border: 1px solid black; display: inline-block; width: 15px; height: 10px;"></span> NO/CS Regional Hospital District
<span style="background-color: #90ee90; border: 1px solid black; display: inline-block; width: 15px; height: 10px;"></span> CofWhole (Budget)	
<span style="background-color: #ff0000; border: 1px solid black; display: inline-block; width: 15px; height: 10px;"></span> Office Closure	

**Board Meetings**

January 10 February 21  
 March 21 April 18  
 \*May 16 \*\*June 20  
 July 18 August 15  
 September 19 October 17  
 November 21\*\*\* December 6

\* Board on the Road (May)

\*\* C. of Whole Policy Session

\*\*\* Inaugural Meeting

**Note: Not the third Thursday****EAD Committee Meetings**

February 26 May 28  
 September 10 November 5

**Budget Meeting (C. of Whole)**

January 30 February 20

**EDC/Shuswap Tourism**

January 31 May 9  
 September 12 December 5

**Revelstoke & Area EcDev Committee**

2019 Dates to be Determined

**NO/CS Reg Hosp District**

February 5 March 26  
 October 29 (if required)

**2019 Elected Official Seminars:**

EAD	Jan 16-18	Richmond
SILGA	Jan 23-25	Kelowna
AKBLG	Feb 26-28	Kimberley

**Conferences/Conventions:**

FCM	May 30-Jun 2	Quebec City
UBCM	Sep 23-27	Vancouver
SILGA	Apr 30-May 3	Penticton





# BOARD REPORT

**TO:** Chair and Directors

**File No:** A-24

**SUBJECT:** Amendment to Policy A-24 "Disposal of Assets Policy"

**DESCRIPTION:** Report from Jodi Pierce, Manager, Financial Services dated October 4, 2018.

**RECOMMENDATION #1:** THAT: the Board endorse the amendment to Policy A-24 "Disposal of Assets Policy" and approve its inclusion into the CSR D Policy Manual.

## SHORT SUMMARY:

Policy A-24 "Disposal of Assets" recognizes that the Columbia Shuswap Regional District sometimes has surplus assets or assets that have reached the end of their economic life. This policy provides clear direction on how to dispose of these assets by following a process that ensures maximum economic value for the Corporation, is transparent, non-discriminatory and considers environmental impacts.

---

<b>VOTING:</b>	Unweighted Corporate	<input checked="" type="checkbox"/>	LGA Part 14 (Unweighted)	<input type="checkbox"/>	Weighted Corporate	<input type="checkbox"/>	Stakeholder (Weighted)	<input type="checkbox"/>
----------------	-------------------------	-------------------------------------	-----------------------------	--------------------------	-----------------------	--------------------------	---------------------------	--------------------------

---

## BACKGROUND:

Policy No. A-24 "Disposal of Equipment" was last amended in January 1987. The amendments in Policy A-24 allows for a clearly defined process that is more in keeping with the technological advances in the disposal of equipment (such as using public disposal sites, social media and the CSR D website) and removes the burdensome bid process that does not necessarily provide the maximum economic value.

## POLICY:

Amended Policy No. A-24 "Disposal of Assets" is attached for consideration.

## FINANCIAL:

No additional financial implication with the amended policy.

## IMPLEMENTATION:

Policy No. A-24 "Disposal of Assets" will be included in the CSR D Policy Manual once approved by the Board.

## COMMUNICATIONS:

Staff and Directors will be advised of the approved policy and a copy of the approved policy will be included in the CSR D Policy Manual and published on the CSR D website for public reference.

## DESIRED OUTCOMES:



The Board support the recommendation.

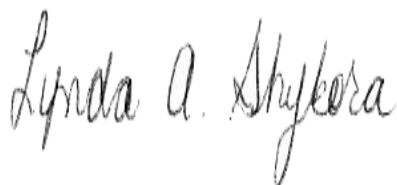
**BOARD'S OPTIONS:**

1. *Endorse the Recommendation.*
2. *Deny the Recommendation.*
3. *Defer.*
4. *Any other action deemed appropriate by the Board.*

**Report Approval Details**

Document Title:	2018-11-15_Board_FIN_Asset Disposal Policy.docx
Attachments:	- A-24 Disposal of Equipment - Original Policy.pdf - CSRD Policy A-24 Disposal of Assets.pdf
Final Approval Date:	Oct 30, 2018

This report and all of its attachments were approved and signed as outlined below:



**Lynda Shykora - Oct 29, 2018 - 11:09 AM**



**Charles Hamilton - Oct 30, 2018 - 9:03 AM**

**POLICY****A-24****DISPOSAL OF ASSETS****PURPOSE AND INTENT**

To provide direction on the disposition of Columbia Shuswap Regional District (CSRD) surplus assets or assets that have reached the end of their economic life. The disposition of assets will support the CSRD's commitment to sustainability by following a process that maximizes economic value for the organization, is transparent, non-discriminatory and considers environmental impacts.

This policy does NOT apply to land held by the CSRD.

**DEFINITIONS**

"Asset" is an item of economic value that could be converted to cash.

"Minor Equipment Asset" is an asset that has a historical cost of less than \$10,000, has a relatively short economic life and has not been depreciated.

"Tangible Capital Asset" is an asset that has a historical cost in excess of \$10,000, has a useful economic life of several years, is capitalized in the fixed asset register and is depreciated over its useful life.

"Surplus Asset" is a tangible asset that has economic value that can be converted to cash but is no longer needed and cannot be used within any other function of the CSRD. This type of asset includes but is not limited to office furniture and equipment, computers, audio-visual equipment, fire equipment, construction tools and equipment, marine equipment, park equipment, and all fleet vehicles (including components such as storage boxes and tires).

"Obsolete Asset" is an asset that no longer has usefulness to the CSRD because it is no longer compatible with other assets or systems, is no longer supportable by IT or outside firms, is no longer operational, or is no longer safe to use.

"Economic Life" means the period of time during which an asset may be put towards efficient use in the operation of the CSRD. Economic life is often shorter than physical life because an asset may become obsolete or too costly to maintain before it is worn out.

"Net Book Value" is the historical cost of an asset less the depreciation realized during the life of the asset at the time of disposal.

**PROCESS**

1. When Staff has identified an Asset as a Surplus or Obsolete, an Asset Disposal Request ("ADR") Form will be completed and forwarded to the Department Manager. The Department Manager will be responsible to determine and declare when an Asset is deemed to be a Surplus or Obsolete Asset by signing the ADR form and forwarding to the Financial Services Manager.

2. The Financial Services Manager, in conjunction with the Department Manager, will consider the information provided and recommend the appropriate method of disposal. The Financial Services Manager will authorize the disposal, return the ADR form to the initiating department, and will coordinate the financial responsibilities for the disposition (assigning title, issuing invoices, etc.) as appropriate.
3. The Department Manager or Team Leader of the function responsible for the assets will coordinate the disposal in the manner deemed appropriate and finalize the Asset Disposal Request form and forward the ADR form back to the Finance department.
4. The Board must be informed of the intent to dispose of assets that have a historical cost in excess of \$100,000. Intent for disposal may be provided within the Five Year Financial Plan and does not require a Board resolution.

## **METHODS OF DISPOSAL**

1. Internal Transfer: A CSRD function specific Asset that is deemed to be a Surplus Asset but still has Economic Life can be transferred to another CSRD function at the net book value of the asset.
2. Trade-in: An Asset at the end of its Economic Life can be traded in for another Asset of similar use and purpose as a replacement Asset.
3. Public Offering: An "Asset for Sale" listing can be prepared for advertising on an "as is, where is" basis and may use any of the following in an effort to maximize the proceeds of sale and remove any concern for conflict of interest:
  - a. CSRD website and related social media
  - b. BC Bid
  - c. Public disposal sites

Viewing of the Asset for sale may be required to solicit the appropriate level of interest. Viewings will be coordinated with the Department Manager responsible for the asset.

4. Donation: A Surplus Asset or an Asset at the end of its Economic Life must meet the following criteria:
  - a. The donation must provide a clear and positive community benefit;
  - b. The entity receiving the donation must be a registered charitable organization or a not-for profit entity;
  - c. The Surplus Asset to be donated must have a net book value of less than \$1,000;
  - d. The Asset considered for donation must receive prior approval from the Chief Administrative Officer (CAO) or the Financial Services Manager, in the absence of the CAO.
5. Recycling:
  - a. If an Asset at the end of its Economic Life is not sold, traded for use or donated, it will be recycled to the fullest extent possible in a manner that minimizes environmental impact.

- b. Obsolete computer equipment will have its hard drive destroyed by the IT/GIS Manager and the remaining components (computer units, screens, keyboards, etc.) will be recycled at the nearest approved recycling facility.
- 6. Waste: If all other disposal options have been exhausted, an Asset that is at the end of its Economic Life or is deemed Obsolete will be taken to the nearest CSRD landfill facility.
- 7. If a more advantageous option to dispose of an Asset in an alternative method is realized that has not been identified above, the CAO will have the authority to approve of an alternative disposal method.

This policy will be reviewed on a regular basis to ensure awareness and understanding of the process by the CSRD Board members, CSRD staff, and member municipal administrative staff.

May 1982  
January 1987  
November 15, 2018

A - 24

COLUMBIA SHUSWAP REGIONAL DISTRICTPOLICYDISPOSAL OF EQUIPMENT

WHEREAS from time to time it is necessary to dispose of certain articles of equipment;

AND WHEREAS while the value of such articles is usually not significant, the articles represent expended tax dollars;

NOW THEREFORE be it resolved that articles of equipment be disposed of as follows:

1. A list of articles proposed for disposal be approved by the Administrator and the Administration and Finance Committee Chairman. In granting the approval, the Administrator will give due consideration to any possible future use of the equipment and any effect on equipment replacement costs.
2. a) For items with estimated value of less than \$250, public notice will be limited to posting notice for a two week period on the public noticeboard.  
  
b) For items with estimated value in excess of \$250, a public notice will be published in the local newspaper (classified section) and simultaneously posted on the public noticeboard.
3. Bids received will be reviewed by and sale(s) concluded with the Administrator or one designated by him.
4. All articles disposed of, pursuant to the terms of this policy, are disposed of "as is and where is" with no further liability on the part of the Regional District.
5. Replacement of equipment as trade-in is exempt from the above requirements.

May 1982  
JANUARY 1987



# BOARD REPORT

+

**TO:**

Chair and Directors

<b>File No:</b> 0540-20-09
----------------------------

**SUBJECT:**

Area A Local Advisory Committee (LAC) Terms of Reference Update

**DESCRIPTION:**

Report from Lynda Shykora, Deputy Manager, Corporate Administration Services, dated October 31, 2018.

Update Area A Local Advisory Committee Terms of Reference for 2019-2022.

**RECOMMENDATION #1:**

THAT: the Board endorse the Area A Local Advisory Committee Terms of Reference dated October 31, 2018.

**SHORT SUMMARY:**

The two-year term for appointed committee members to the Area A Local Advisory Committee expires on December 31, 2018. The Electoral Area A Director has indicated that she would like to move forward with recruiting new members to serve on the Committee. To do so, the Terms of Reference should be updated for an additional four years for the continuation of this Local Advisory Committee. Appointment of members to the Committee are proposed for a two-year term (2019 and 2020).

An updated Terms of Reference dated October 31, 2018, attached to this report, describes the purpose of the Committee, its objectives, membership, decision making, etc.

**VOTING:**Unweighted  
CorporateLGA Part 14  
(Unweighted)Weighted  
CorporateStakeholder  
(Weighted)**BACKGROUND:**

The Area A Local Advisory Committee was initiated in 2012 as a pilot Committee in response to a request to the Board from a group of Electoral Area 'A' residents, through the Town of Golden, for discussions on governance for the combined Golden & Area A sub-region. Then in early 2015 the Board supported the Area 'A' Local Advisory Committee to continue for the years 2015-2016, with a primary mandate of the Committee to provide input on local governance issues to the Area Director, finally culminating in a Terms of Reference for a further two years in early 2017. This Committee has proven to be an effective way for the Electoral Area Director to gather input on community issues relative to regional district services in Electoral Area A.

**POLICY:**

Local Government Act.

**FINANCIAL:**

The individuals appointed to the Committee are volunteers, as is the Recording Secretary. There are minor expenses for Committee meeting venue rentals, approximately 8 - 9 meetings per year, provided

for in the financial plan. Likewise, nominal advertising costs to recruit new members is provided for in the financial plan.

**KEY ISSUES/CONCEPTS:**

Supporting the continuance of an Area 'A' Local Advisory Committee for the next four(4) years would allow the opportunity for local input into issues of interest and concern to Electoral Area A residents. Director Cathcart indicates that the Committee, as a liaison to the community, has been particularly helpful in her role as Electoral Area Director. The four year period would coincide with the Electoral Area Director's term of office.

There is no change proposed to the number of members serving on the Committee. As in the past, the membership would consist of the Area A Director along with nine residents of Electoral Area A.

**IMPLEMENTATION:**

Staff will undertake the needed advertising to recruit new Committee members. In consultation with the Electoral Area Director, a report to the Board recommending appointees to the Committee will be brought forward in January, 2019.

**COMMUNICATIONS:**

The current Local Advisory Committee membership will be advised that the Board supports the updated Terms of Reference for the years 2019 – 2022.

A call for expressions of interests from Area A residents will be advertised through the local newspaper, the CSRD website and on social media so that the Board appointments of new Committee members for the years 2019/2020 is in place by early 2019.

**DESIRED OUTCOMES:**

That the Board endorse the updated Terms of Reference for 2019 – 2022.

**BOARD'S OPTIONS:**

1. *Endorse the Recommendation.*
2. *Deny the Recommendation.*
3. *Defer.*
4. *Any other action deemed appropriate by the Board.*



**Report Approval Details**

Document Title:	Area A Local Advisory Committee Terms of Reference Update.docx
Attachments:	- Terms of Reference Area A Local Advisory Committee for 2019-2022, October 31, 2018.docx - Expression of Interest Form, Area A LAC 2019.docx
Final Approval Date:	Nov 1, 2018

This report and all of its attachments were approved and signed as outlined below:

A handwritten signature in black ink, appearing to read "C. Hamilton", with a stylized flourish at the end.

**Charles Hamilton - Nov 1, 2018 - 3:13 PM**



## **COLUMBIA SHUSWAP REGIONAL DISTRICT**

### **Electoral Area 'A' LOCAL ADVISORY COMMITTEE Terms of Reference for 2019 - 2022**

#### **INTRODUCTION & PURPOSE**

The Columbia Shuswap Regional District is the local government for its unincorporated electoral areas and provides residents and property owners within its boundaries with a variety of services as authorized by the Local Government Act and its Letters Patent. These services may be local (such as fire suppression where only those within a service area contribute and receive the service), sub-regional (such as mosquito control, transit, recreation where the service is shared with another jurisdiction) and regional (such as solid waste management which is provided to the entire regional district) in nature.

To assist the Electoral Area Director (EAD) in assessing delivery of existing services, considering new services as well as advising/consulting on local concerns, a Local Advisory Committee (LAC) is established for an additional four-year period for the years 2019 through 2022.

The Local Advisory Committee's purpose is to provide local input to the Electoral Area Director on service delivery and community issues that are the responsibility of and can be provided by the Columbia Shuswap Regional District.

#### **OBJECTIVES OF THE LOCAL ADVISORY COMMITTEE**

1. To function as a conduit/liaison for issues, concerns, ideas, and views raised by Area A residents;
2. To gauge the magnitude of those issues, concerns, ideas and views raised by Area A residents;
3. To assist the EA Director in consideration of those issues, concerns, ideas, and view of Area A residents so these matters can be addressed appropriately;
4. To provide feedback to the Area Director that is representative of the community at large.
5. To consider information in an open, transparent forum.
6. To provide advice that is independent from the CSRD staff and elected officials.

## **MEMBERSHIP**

The Local Advisory Committee is a select committee in accordance with the Local Government Act and, as such, the Electoral Area Director is a member of the Local Advisory Committee.

The Local Advisory Committee will be comprised of up to **nine (9)** residents of Electoral Area 'A' and will be appointed by the Board of Directors of the Columbia Shuswap Regional District at the recommendation of CSRD staff and the Electoral Area Director. Expressions of interest for volunteers to serve on the committee will be advertised in the local newspaper, on the CSRD website and through CSRD social media platforms.

The EA Director may recommend to the Board that an appointed member of the LAC be removed if that LAC member undermines the functionality of the group process or regularly oversteps their boundaries with respect to their role on the LAC, or disregards the protocols identified within the Terms of Reference.

Local Advisory Committee members will serve for a two-year term commencing in January, 2019. Members may reapply for up to one consecutive term.

The Committee will elect a Chair at the first meeting in each year.

The Committee will appoint a Secretary at the first meeting in each year.

Membership is voluntary and there will be no remuneration for participation.

## **LOCAL ADVISORY COMMITTEE DECISION MAKING**

The Local Advisory Committee has no financial or contractual authority, but advises the Electoral Area Director on issues of interest and concern to rural residents and property owners.

The Local Advisory Committee does not have the authority to communicate on behalf of the Electoral Area Director or the CSRD.

## **LOCAL ADVISORY COMMITTEE PROTOCOLS**

An annual meeting schedule shall be prepared at the first meeting of each year.

Meetings may be cancelled at the discretion of the Electoral Area Director.

The Chairperson will set the agenda in consultation with the Director and CSRD Corporate Administration and act as a facilitator of the discussion during the meeting. The Chair can also be an active participant during the discussion.

Local Advisory Committee members who wish to bring up a topic for the agenda will submit the topic to the Chair, Director and Corporate Administration one week prior to the scheduled meeting, along with an outline of the topic for Committee discussion, as it pertains to the Director's role as a CSRD Board member. Alternately, a Committee member may serve a Notice of Motion of the agenda topic for inclusion on the next Committee Meeting agenda.

Minutes of the meetings will be recorded by the appointed Secretary for submission to the Columbia Shuswap Regional District as required by the CSRD Procedure Bylaw No. 5648.

Meetings will adhere to procedures outlined in the CSRD Procedure Bylaw No. 5648 (and Robert's Rules of Order).

All Local Advisory Committee members are equal and have equal opportunity to contribute at meetings, as well as responsibility to respect the opinions of others.

Local Advisory Committee members will respect the confidentiality of community members that share information with them, including any information deemed "personal" as defined in the Freedom of Information and Protection of Privacy Act.

Local Advisory Committee members are encouraged to actively participate in the discussions and use their experience, education, and insight to speak freely about any issues or opportunities to be considered.

It is intended that Local Advisory Committee members participate by giving voice to the community. Members are equally responsible to listen and understand the views of others.

The official voice between the community and the CSRD is through the EA Director and not the Local Advisory Committee members.

## **RESOURCES**

One Committee member will be appointed by the Committee to be responsible for taking minutes of each meeting and submitting same to the Columbia Shuswap Regional District.

October 31, 2018



**COLUMBIA SHUSWAP  
REGIONAL DISTRICT**

**ELECTORAL AREA 'A'  
LOCAL ADVISORY COMMITTEE  
EXPRESSION OF INTEREST FORM**

<b>Name:</b>	
<b>Address:</b>	
<b>Phone Numbers:</b>	Home: Work: Cell: Fax:
<b>Email Address:</b>	
<b>Current Occupation:</b>	
<b>Experience (including work background, community activities, volunteering, etc.):</b>	
<b>Education (including formal education or training, certificates, completed courses, etc.)</b>	

**Thank you for your submission**

<p><b><i>What skills, abilities and specialized knowledge do you have that will assist this advisory committee?</i></b></p>	
<p><b><i>Why are you interested in serving on this advisory committee?</i></b></p>	
<p><b><i>What contribution do you believe you can make?</i></b></p>	
<p><b><i>Have you worked with a similar group in the past? If so, please list.</i></b></p>	
<p><b><i>What experience do you have in exchanging your views with others and in appreciating and respecting the skills, abilities and knowledge of others?</i></b></p>	

**Expressions Of Interest Will Be Accepted Until 4 PM Tuesday, December 18, 2018**

Please forward completed forms to the Columbia Shuswap Regional District as follows:

Mail to: PO Box 978, Salmon Arm BC V1E 4P1  
 Deliver to: 555 Harbourfront Drive NE Salmon Arm BC  
 Fax to: (250) 832-3375 or  
 Email to: [inquiries@csrd.bc.ca](mailto:inquiries@csrd.bc.ca)

**From:** [Lynda Shykora](#)  
**To:** [Laura Schumi](#)  
**Cc:** [Charles Hamilton](#); [Laura Schumi](#)  
**Subject:** FW: Shuswap Watershed Council continuing for 2019 and 2020 -SWC Contribution Agreement - NOVEMBER BOARD AGENDA - for Board approval (Business General)  
**Date:** Monday, November 05, 2018 9:18:52 AM  
**Attachments:** [SWC draft mtg summary 19Sept2018.pdf](#)  
[SWC Contribution Agreement 2016-2018 Amendment.pdf](#)  
[image002.png](#)  
[image003.png](#)  
**Importance:** High

---

Good morning, Laura,

Charles has requested that the attached Contribution agreement document be included on the November 2018 Board agenda for Board approval.

The minutes are attached, showing that the SWC authorized the motion for a 2 year contribution agreement. Although the Board has already formally received these SWC minutes at the October Board meeting, please include the minutes as a reference because they include the motion from SWC in support of the contribution agreement.

Also, please include the email message from Mike Simpson, below, on the agenda for this business item.

Thanks, Laura.

**Lynda Shykora** | Deputy Manager  
 Corporate Administration Services  
**Columbia Shuswap Regional District**  
 T: 250.833.5939 | F: 250.832.3375 | TF: 1.888.248.2773  
 E: [lschykora@csrd.bc.ca](mailto:lschykora@csrd.bc.ca) | W: [www.csrd.bc.ca](http://www.csrd.bc.ca)



Please consider the environment before printing this e-mail

This e-mail is CONFIDENTIAL. If you are not the intended recipient, please notify me immediately and delete this communication, attachment or any copy. Thank you.

---

**From:** Mike Simpson [<mailto:msimpson@fraserbasin.bc.ca>]  
**Sent:** Wednesday, October 10, 2018 9:06 AM  
**To:** Charles Hamilton <[chamilton@csrd.bc.ca](mailto:chamilton@csrd.bc.ca)>; [cbannister@salmonarm.ca](mailto:cbannister@salmonarm.ca); [sgill@tnrd.ca](mailto:sgill@tnrd.ca); 'Rena Gregoire' <[rgregoire@alib.ca](mailto:rgregoire@alib.ca)>  
**Cc:** 'Erin Vieira' <[evieira@fraserbasin.bc.ca](mailto:evieira@fraserbasin.bc.ca)>  
**Subject:** Shuswap Watershed Council continuing for 2019 and 2020

Hello Charles, Carl, Sukh and Rena

At the September 19 meeting of the Shuswap Watershed Council (draft minutes attached), a motion was passed as follows:

*The Shuswap Watershed Council approve the recommendation from the interim review committee that the SWC continue with its programs, AND that: staff be directed to renew the contribution agreement with*

*funding partners.*

Shuswap Watershed Council Chair Paul Demenok presented to City of Salmon Arm Council yesterday, and he indicated to me that a motion was passed to extend the current funding for another two years.

Therefore, please include in your budgeting for 2019 and 2020 amounts similar to 2018 in the attached contribution agreement amendment.

I will prepare either another amendment, or a new contribution agreement in early 2019; please advise if you have a preference.

Thank you for your ongoing support of the Shuswap Watershed Council; don't hesitate to contact Erin Vieira or I with any questions, comments, concerns or if clarification is needed.

**Mike Simpson, MA, RPF**

Senior Regional Manager – Thompson

Fraser Basin Council

Kamloops 250-314-9660

Cell 250-299-1202

[www.fraserbasin.bc.ca](http://www.fraserbasin.bc.ca)





## Contribution Agreement for 2016 – 2018 Amendment #1 January 30<sup>th</sup> 2018

Amendments are shown below in **bold font**; all other elements of the contribution agreement are unchanged.

From:

BETWEEN: COLUMBIA SHUSWAP REGIONAL DISTRICT ("the CSRD")

AND: THOMPSON-NICOLA REGIONAL DISTRICT ("the TNRD")

AND: THE CITY OF SALMON ARM ("Salmon Arm")

AND: THE FRASER BASIN COUNCIL ("the Recipient")

The local governments contributing funds will be referred to in this Agreement as "funding partners".

To:

Same as above, with the addition of:

AND: **ADAMS LAKE INDIAN BAND ("Adams Lake")**

The local **and First Nations** governments contributing funds will be referred to in this Agreement as "funding partners".

From:

### 3. Program Funding

Source	2016	2017	2018
CSRD (Areas C, D, E, F and District of Sicamous)	108 900	155 000	160 000
TNRD	53 600	53 600	53 600
City of Salmon Arm	40 000	40 000	40 000
Surplus funds	50 000 (est.)	TBD	TBD
Totals	252 500	248 600	253 600

To:

### 3. Program Funding

Source	2016	2017	2018
CSRD (Areas C, D, E, F and District of Sicamous)	108 900	155 000	160 000
TNRD	53 600	53 600	53 600
City of Salmon Arm	40 000	40 000	40 000
<b>Adams Lake Indian Band</b>	<b>-</b>	<b>1300</b>	<b>1300</b>
Surplus funds	50 000 (est.)	TBD	TBD
<b>Totals</b>	<b>252 500</b>	<b>249 900</b>	<b>254 900</b>

From:

#### Contribution Agreement Contacts

Columbia Shuswap Regional District  
Charles Hamilton, Chief Administrative Officer  
Tel: (250) 833-5905  
E-mail: [chamilton@csrd.bc.ca](mailto:chamilton@csrd.bc.ca)

Thompson-Nicola Regional District  
Sukh Gill, Chief Administrative Officer  
Tel: 250-377-8673  
E-mail: [sgill@tnrd.ca](mailto:sgill@tnrd.ca)

City of Salmon Arm  
Carl Bannister, Chief Administrative Officer  
Tel: 250-803-4038  
E-mail: [cbannister@salmonarm.ca](mailto:cbannister@salmonarm.ca)

Fraser Basin Council  
Mike Simpson, Senior Regional Manager  
Tel: 250 314-9660  
Cell: 250-299-1202  
E-mail: [msimpson@fraserbasin.bc.ca](mailto:msimpson@fraserbasin.bc.ca)

To:

Same as above, with the addition of:

**Adams Lake Indian Band**  
**Rena Gregoire, Tax Administrator, Acting Lands Manager**  
**Tel. 250-679-8841**  
**E-mail: [rgregoire@alib.ca](mailto:rgregoire@alib.ca)**

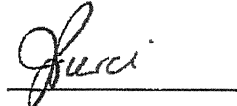
## Signatures

IN WITNESS WHEREOF, the parties hereto have executed this AMENDMENT #1 at \_\_\_\_\_  
in the province of British Columbia this \_\_\_\_\_ day of \_\_\_\_\_ 2018.

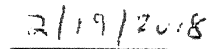
## COLUMBIA SHUSWAP REGIONAL DISTRICT



Charles Hamilton, Chief Administrative Officer, CSRD



Witness



Date

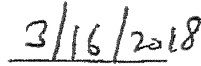
## THOMPSON-NICOLA REGIONAL DISTRICT



Sukh Gill, Chief Administrative Officer, TNRD

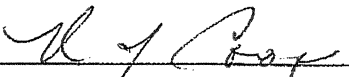


Witness



Date

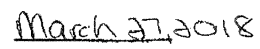
## CITY OF SALMON ARM



Nancy Cooper, Mayor, Salmon Arm



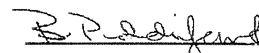
Witness



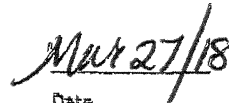
Date



Erin Jackson, Corporate Officer, Salmon Arm



Witness



Date

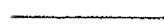
## ADAMS LAKE INDIAN BAND



Rena Gregoire, Tax Administrator, Adams Lake Indian Band

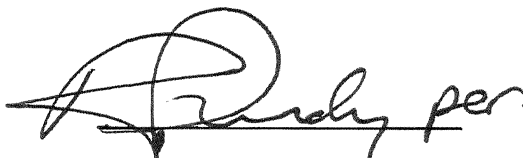


Witness



Date

## FRASER BASIN COUNCIL



David Marshall, Executive Director, FBC



Witness

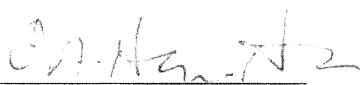



Date

## Signatures

IN WITNESS WHEREOF, the parties hereto have executed this AMENDMENT #1 at \_\_\_\_\_  
in the province of British Columbia this \_\_\_\_\_ day of \_\_\_\_\_ 2018.

## COLUMBIA SHUSWAP REGIONAL DISTRICT

  
\_\_\_\_\_  
Charles Hamilton, Chief Administrative Officer, CSRD

  
\_\_\_\_\_  
Witness

2/19/2018  
\_\_\_\_\_  
Date

## THOMPSON-NICOLA REGIONAL DISTRICT

\_\_\_\_\_  
Sukh Gill, Chief Administrative Officer, TNRD

\_\_\_\_\_  
Witness

\_\_\_\_\_  
Date

## CITY OF SALMON ARM

\_\_\_\_\_  
Nancy Cooper, Mayor, Salmon Arm

\_\_\_\_\_  
Witness

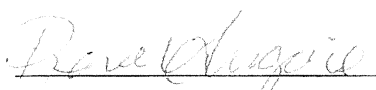
\_\_\_\_\_  
Date

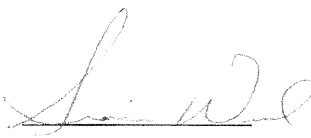
\_\_\_\_\_  
Erin Jackson, Corporate Officer, Salmon Arm

\_\_\_\_\_  
Witness

\_\_\_\_\_  
Date

## ADAMS LAKE INDIAN BAND

  
\_\_\_\_\_  
Rena Gregoire, Tax Administrator, Adams Lake Indian Band

  
\_\_\_\_\_  
Witness

March 29, 2018  
\_\_\_\_\_  
Date

## FRASER BASIN COUNCIL

  
\_\_\_\_\_  
David Marshall, Executive Director, FBC

  
\_\_\_\_\_  
Witness

April 19, 2018  
\_\_\_\_\_  
Date



**Council Meeting**  
**September 19<sup>th</sup> 2018 | 10:15 AM – 3:00 PM**  
**Columbia Shuswap Regional District Boardroom**  
**555 Harbourfront Drive NE, Salmon Arm**

Draft Record of Decisions and Action Items

Note: this record is subject to correction when adopted at the next SWC meeting

**Meeting objectives**

1. Receive report from Program Managers
2. Receive interim report on nutrient research from Megan Ludwig, UBC – Okanagan
3. Receive guest presentation from James Littlely, Okanagan Basin Water Board
4. Receive recommendation from Interim Review Committee

**Present**

Paul Demenok, Chair – Columbia Shuswap Regional District, Area C  
 Rick Berrigan, Vice Chair – Thompson-Nicola Regional District, Village of Chase  
 Rene Talbot – Columbia Shuswap Regional District, Area D  
 Rhona Martin – Columbia Shuswap Regional District, Area E  
 Bob Misseghers – Columbia Shuswap Regional District, Area F (Alternate director)  
 Steven Teed – Secwepemc Nation, Adams Lake Indian Band  
 Ken Christian – Thompson-Nicola Regional District, City of Kamloops  
 Nancy Cooper – City of Salmon Arm  
 Dennis Einarson – BC Ministry of Environment and Climate Change  
 Lorne Hunter – Community representative  
 Ray Nadeau – Community representative  
 Randy Wood – Community representative

Erin Vieira and Mike Simpson – Fraser Basin Council

**Observers**

John Irvine, Ralph Vandalfsen, Henry Bremer, Hamish Kassa

**Regrets**

Todd Kylo  
 Herman Halvorson  
 Tundra Baird  
 Dave Nordquist  
 Laura Code

**Call to Order**

Chair Paul Demenok called the meeting to order at 10:15 AM.

Councillor Steven Teed from Adams Lake Indian Band introduced himself as the new appointed representative to the SWC from the Secwepemc Nation; a full round of introductions took place.

**Adoption of meeting summary**

**Moved/seconded** by Director Talbot/Director Martin that:  
The summary of the June 13<sup>th</sup> 2018 meeting of the SWC be adopted.

**CARRIED**

**Correspondence**

Erin Vieira reviewed three pieces of correspondence since the last Council meeting in June.

**Old business**

Erin Vieira reported the results of the financial vote via electronic poll on July 12<sup>th</sup> regarding a grant for the Royal Canadian Marine Search & Rescue for a feasibility study. The motion for a \$2,000 grant was carried. Staff have since provided a payment to the RCM-SAR in the amount specified.

**Report from Chair**

Chair Demenok reported that he and Director Martin met with Minister George Heyman and Assistant Deputy Minister David Morel (both from BC Ministry of Environment and Climate Change Strategy) on September 10<sup>th</sup> at the Union of BC Municipalities Convention. It was a productive meeting. In the meeting, Chair Demenok expressed that the BC Ministry of Environment is a very important partner in the SWC, but the concern is that the partnership is not formalized. Chair Demenok also pointed out that the SWC provided input to the *Agricultural Waste Control Regulation* review, and has not heard an update on the review process by the Province since that time.

**Report from Program Managers**

Erin Vieira and Mike Simpson presented an update on program operations since the last SWC meeting:

- The 2017 Shuswap Water Quality Summary is complete; it has been distributed throughout the region and promoted throughout July and August. It's also available online at [www.shuswapwater.ca](http://www.shuswapwater.ca).
- Campaigns promoting safe water-based recreation ran throughout summer. The campaigns focussed on "7 tips for having fun and staying safe."
- Campaigns raising awareness of zebra and quagga mussels ran throughout summer. The campaigns emphasize the importance of watercraft owners to "Clean Drain Dry" and stop at watercraft inspection stations.
- A wetland restoration project on Gardom Creek is proceeding; this work is led by Gardom Lake Stewardship Society with financial support from SWC and others, and will be wrapped up later this Fall.

Expenses to the end of the first quarter (April 1<sup>st</sup> – June 30<sup>th</sup> 2018) was reported:

	<b>Annual Budget (\$)</b>	<b>Expenses (\$)</b>
Water Monitoring Initiative	66,400	11,517
Water Protection Initiative	76,300	4715
Zebra & Quagga Mussel Prevention Program	26,850	19,018
Safe Recreation Program	12,200	3929
Communications	37,850	10,468
Management and Administration	40,750	9293
Operating Reserve	126,528	0
<b>Total expenses to June 30<sup>th</sup> 2018</b>	<b>386,878</b>	<b>58,940</b>

Erin Vieira also presented a brief overview of the 2017 Water Quality Summary (available at [www.shuswapwater.ca](http://www.shuswapwater.ca)).

Discussion:

Council members provided comments and ideas on how the SWC could expand criteria for water quality improvement grants in the future, and make it available to more groups.

**Action item:** staff will consider ways to increase community partnerships and projects via water quality improvement grants, while keeping it relevant to the set water quality objectives.

Discussion:

Council members discussed the recent algae bloom in Salmon Arm Bay at the marina. Dennis Einarson clarified that cyanobacteria has occurred in Shuswap Lake before, in small occurrences, and confirmed that the recent bloom was localized and did not spread in the lake, and that toxicity results on the algae are negative (i.e., not toxic). Council members discussed the role for the SWC to communicate these events and advisory notices. It was agreed that health-related notices and advisories are solely the responsibility of Interior Health Authority and drinking water providers, but that the SWC can re-post them to help improve reach; where matters of health aren't in play, the SWC will continue to coordinate and communicate water quality information.

**Lunch break**

SWC members took a lunch break from 12:00 – 12:40 PM

*Rhona Martin left the meeting at 12:15 PM*

**Guest  
presentation:  
Megan Ludwig  
and Dr. Jeff Curtis**

Megan Ludwig, an M.Sc. candidate from UBC – Okanagan, presented an update on the nutrient research project being carried out in the Shuswap River and Salmon River:

- The research objective is to gain an understanding of the sources of nutrients (especially phosphorus) in the two rivers, and how it is being transported into those rivers
- Ms. Ludwig briefly explained the research methodology, including how phosphorus is being quantified from three sources to the rivers: tributaries, the upper reaches of the watershed, and incremental flows (groundwater, seasonal streams, and ditches account for incremental flows). There are 20 surface-water monitoring sites on the rivers, and dozens of additional sites for monitoring incremental flows.
- Results to-date, for data collected between July 2016 – February 2018, indicate the following
  - In the Shuswap River watershed, incremental flows contribute the highest proportion of phosphorus to the river.
  - In the Salmon River watershed, incremental flows contribute the highest proportion of P to the river, however there's a complex of interplay of groundwater infiltration happening simultaneously that results in a net decrease in nutrient concentration as the river flows downstream.
- Main conclusions, to-date:
  - Incremental flows (i.e., seasonal streams, groundwater, and ditches) contribute the most phosphorus to the two rivers. This is not unexpected, as the majority of anthropogenic activities take place in areas of incremental flows.
  - The phosphorus exports and loadings from the different land uses – forest, agriculture, and urban – are within the 'normal' or otherwise observed ranges for those land uses.
  - The Shuswap watershed is a sensitive system, due to the fact that the natural forested land base and soil types do not contribute very much phosphorus to surface water (the study determined it to be 0.011 kg/ha/year). Therefore, a small input of phosphorus has the potential to cause a significant impact to surface water quality.

Dr. Jeff Curtis, a professor and researcher from UBC – Okanagan, was asked to describe additional research methodology that could be added to the scope of the research project. Dr. Curtis explained that a core sample could be collected from the bottom of Mara Lake, and analysed for various contents, including nutrients, to create a chronology of environmental change in Mara Lake over a span of a few hundred years. He explained that



this could be done within the current work contract and budget if the third year of water quality monitoring and analysis were discontinued. He further explained that the project to-date has yielded very robust data, and the collection and analysis of a core sample would provide a complementary set of data to the project.

Discussion:

Council members discussed the idea of including core sampling in the research project, as an addition to three years of monitoring or as an alternative to the third year of monitoring. Dennis Einarson commented that MOE is monitoring the Salmon River, also, and he agreed that core samples would provide valuable complementary data. Lorne Hunter commented that core sampling would be worthwhile but would also like the three-year monitoring research project to be carried through to completion, as planned; others agreed with his sentiment. Dr. Curtis said that core sampling could be added to the research project for an additional approximate \$20,000 and could be completed within a year; he commented that SWC would likely only need to bear a portion of this expense because he may be able to find another funding partner to share the cost. Mayor Christian commented that he would prefer to see a project proposal, with cost and timeline for the core sample analysis, before making a decision.

*Rhona Martin re-entered the meeting at 1:30 PM*

**Moved/seconded** by Vice Chair Berrigan/Mayor Christian that:

The Shuswap Watershed Council receives a research proposal from Dr. Jeff Curtis for the core sample analysis, to be considered and decided upon at the December SWC meeting.

**CARRIED**

**Action item:** staff will work with the research team at UBC-O to receive a project proposal by the next SWC meeting.

**Guest  
presentation:  
James Littley**

The Okanagan Basin Water Board was formed in 1970 with a mission to provide leadership to protect and enhance quality of life in the Okanagan Basin through sustainable water management. To that end, the OBWB administers three core programs for improving water quality and supply:

- Sewage Facilities Assistance Grants – provides up to 16% of project costs for building tertiary wastewater treatment plants, or installing new sewerage pipes to older neighbourhoods (to replace septic)
- Eurasian Watermilfoil Control Program – treats milfoil in five Okanagan lakes through rototilling and harvesting
- Water Management Program – several initiatives in science,

monitoring, flood mapping and response, wetlands, water conservation, water quality improvement, and zebra/quagga mussel prevention.

**New business:  
Interim Review  
Committee  
Recommendation**

Chair Demenok explained the interim review process and thanked the six committee members for their time and input. He went through the performance indicators, and summarized the qualitative assessments and comments that were provided through the review process.

The interim review committee's recommendation to the SWC is that:  
The Shuswap Watershed Council continue with its programs.

**Moved/seconded** by Vice Chair Berrigan/Director Talbot that:  
The Shuswap Watershed Council approve the recommendation from the interim review committee that the SWC continue with its programs,

AND that:  
Staff be directed to renew the contribution agreement with funding partners.

Discussion:

Chair Demenok commented that the review committee generally agreed that the SWC strive to continue improving its communiqués for water quality monitoring and results, and seeking opportunities to work with the agriculture industry, the Okanagan Basin Water Board, stewardship groups, school/education groups and waterfront property owners.

**CARRIED**

**Action item:** Staff will work with the four funding partners to renew a contribution agreement for 2019-2020 (per the SWC's five-year plan).

**Roundtable  
updates**

Item cancelled

**Adjourn**

**Moved/seconded** by Alternate Director Misseghers/Lorne Hunter that:  
The September 19<sup>th</sup> 2018 meeting of the Shuswap Watershed Council be adjourned.

**CARRIED**

Meeting adjourned at 2:40 PM



# BOARD REPORT

**TO:** Chair and Directors

**File No:** 7130 25 34

**SUBJECT:** Newsome Creek – Property Erosion at Caen Road

**DESCRIPTION:** Report from Derek Sutherland, Team Leader, Protective Services, dated November 1, 2018. Newsome Creek - Property Erosion at Caen Road in Sorrento, BC.

**RECOMMENDATION #1:** THAT: the Board send a letter to Minister of Forests, Lands, Natural Resource Operations and Rural Development and the Solicitor General with notification that the Province under the Water Act is clearly responsible for stream activity and as such should fund the necessary studies and mitigation works to protect the Newsome Creek stream banks along Caen Road from further erosion.

## SHORT SUMMARY:

During the 2017 and 2018 spring freshet events, Newsome Creek severely eroded its banks in the reaches of the creek below the Trans-Canada Highway in Sorrento, affecting several properties along Caen Road. A report developed by a Qualified Professional has provided a number of recommendations to those provincial agencies responsible for stream management. A ministry official with the Ministry of Forests, Lands, Natural Resource Operations and Rural Development (FLNRORD) was recently quoted as saying:

*...because the area in question is surrounded entirely by private land, responsibility for a feasibility study falls into the jurisdiction of the CSR D... having responsibility for land use planning, designating bylaws (e.g. on floodplains), zoning, development and approval permits. The ministry has no mandate to pay for feasibility studies on private land.*

A letter from the CSR D Board of Directors to the responsible Provincial Ministers is important as by virtue of the Provincial Water Act, the effects of a stream (erosion of its banks causing slope failures) is clearly a Provincial area of responsibility.

A feasibility study and associated mitigation activities are required as soon as possible to avoid catastrophic failure of the Newsome Creek stream banks which could jeopardize homes, structures and lives of inhabitants along Caen Road in Sorrento.

## VOTING:

Unweighted  
Corporate



LGA Part 14  
(Unweighted)



Weighted  
Corporate



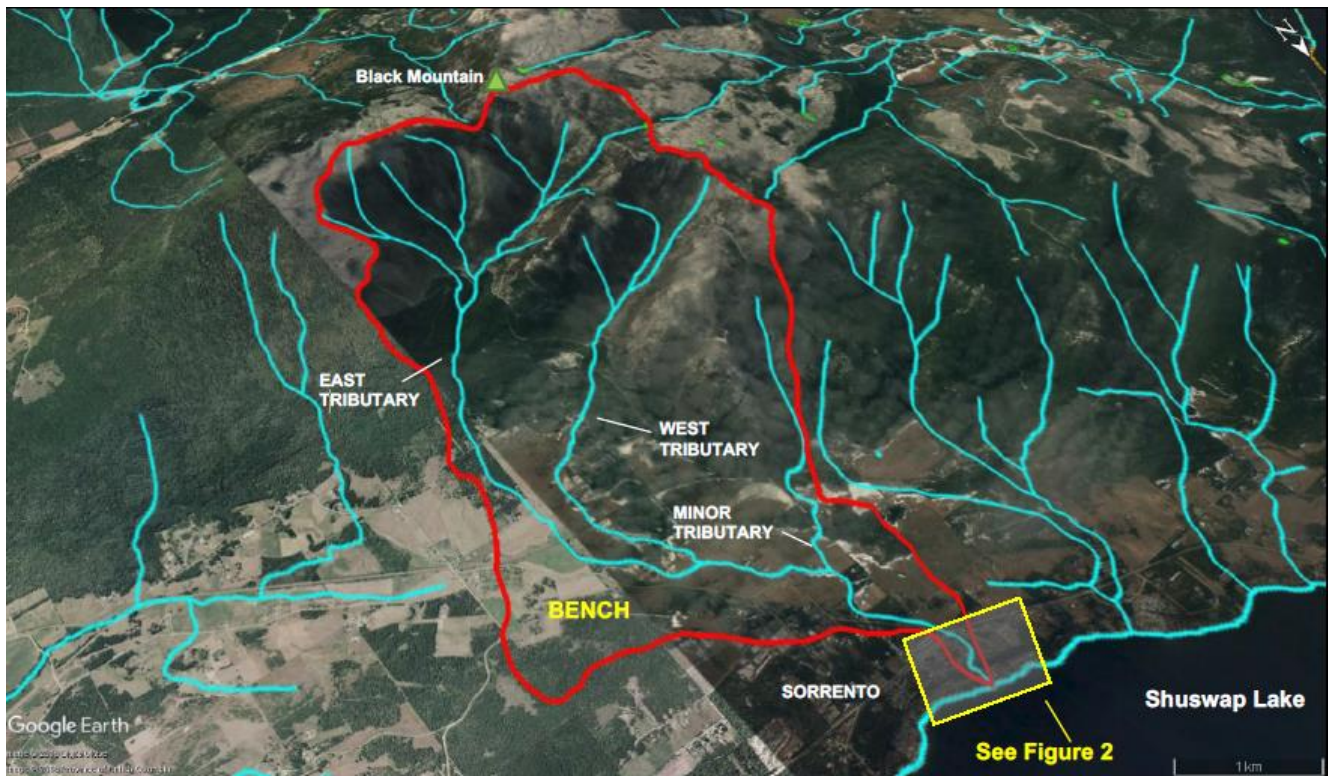
Stakeholder  
(Weighted)



## BACKGROUND:

Newsome Creek is located in Electoral Area C of the CSR D. Two sub-basins within the watershed merge and form the main channel of Newsome Creek in the Notch Hill area before it crosses below the Trans-Canada Highway in Sorrento, where it flows adjacent to Caen Road and drains into Shuswap Lake. As

the creek exits the culvert at the Trans-Canada Highway, it travels through a deep gully with side slopes ranging from 75% to over 110%:



During the spring freshet in 2017 and again in 2018, high stream flows occurred in Newsome Creek, which caused extreme erosion of the creek bank along Caen Road. Stream bank undercutting and slope failures in 2018 resulted in the CSRD's Shuswap Emergency Program receiving funding from Emergency Management BC (EMBC) to conduct an assessment of the erosion and associated risk to people and property and to provide recommendations. Reports were developed and shared with affected residents and provincial stakeholders. A total of 11 properties were placed on evacuation alert on May 3, 2018. Some homes and other structures such as detached shops and garages along Caen Road remain at an elevated risk of further instability during high stream flow.

The geotechnical report authored provides the following summary recommendations:

1. Residents should be provided with a copy of this report. The owners of properties with structures near the crest of the slope should consider their options to reduce the risk. They should continue to monitor the gully sidewalls for erosion, bank failures, or deformation at the gully crest.
2. An assessment of the natural and development-related disturbance should be undertaken within the tributary creeks above Highway 1. This should include a study of the creek channel to assess its stability and avulsion potential, an evaluation of the hydraulic capacity of each infrastructure crossing, and an assessment of the feasibility of improving the hydrologic function of the stream system.
3. A feasibility study should be undertaken to determine how the gully below Highway 1 could be stabilized.

4. The condition of the existing culvert and the adjacent embankment in the Highway 1 crossing stability should be evaluated and stabilized if considered necessary.

The CSRD has forwarded a copy of the report to all affected property owners in response to recommendation number one. The Ministry of Transportation and Infrastructure (MoTI) representative has indicated that the culverts associated with the numerous road crossings along Newsome Creek are undersized and they are developing a plan to address this issue. It is unclear at the time of writing whether the Ministry of Forests, Lands, Natural Resource Operations and Rural Development (FLNRORD) intends to undertake an assessment of the creek channel and tributary creeks above or below the Trans-Canada Highway. The CSRD has applied for funding through EMBC on behalf of the affected property owners and responsible agencies to conduct a feasibility study of the lower reaches of Newsome Creek to determine what stabilization options are available along Caen Road and determining the associated costs.

Affected residents along Caen Road have formed a group called the Newsome Creek Watershed Action Group in efforts to work as a consolidated group with one voice and are bringing awareness to the localized issue of erosion of the stream banks along Caen Road.

A letter from the office of Electoral Area C Director Demenok was sent to the Minister of FLNRORD in May 2018 to bring awareness to the concerns and ask for support. The letter from Director Demenok and the provincial response letter are attached to this report for reference. The CSRD has also recently requested meetings with the Minister of FLNRORD and the Solicitor General to gauge provincial interest in supporting efforts of mitigation of Newsome Creek. At the time of writing there has been no response to the meeting request.

#### **POLICY:**

CSRD Policy No. W-5 Flooding outlines the CSRD's role with respect to flooding issues in unincorporated areas of the Regional District. A

#### **FINANCIAL:**

The Emergency Program function does not include requisition of funds for the construction or maintenance of flood mitigation works for a watercourse that is a provincial responsibility. No service area is established to fund/support these initiatives.

#### **KEY ISSUES/CONCEPTS:**

Further stream bank erosion of Newsome Creek along Caen Road is very likely during high stream flow events such as spring freshet. Recommendations by qualified professionals regarding further works need to be considered by those agencies responsible. The CSRD should advocate on behalf of the affected residents that recommendations for watershed assessment, remediation and mitigation be advanced by those agencies responsible.

#### **COMMUNICATIONS:**

If approved, a letter will be finalized and forwarded to the relevant provincial ministers.

**DESIRED OUTCOMES:**

The agencies responsible will investigate the issue and take action to prevent further erosion to the properties adjacent to Newsome Creek.

**BOARD'S OPTIONS:**

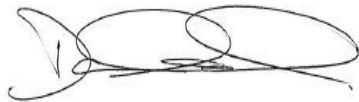
1. *Endorse the Recommendation.*
2. *Deny the Recommendation.*
3. *Defer.*
4. *Any other action deemed appropriate by the Board.*

**LIST NAME OF REPORT(S) / DOCUMENT(S) AVAILABLE FROM STAFF:**

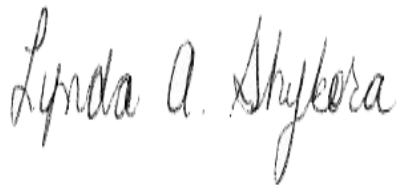
**Report Approval Details**

Document Title:	Newsome Creek Caen Road Update to Board.docx
Attachments:	<ul style="list-style-type: none"><li>- Letter to FLNR-Newsome Crk Dir Demenok_2018May3.pdf</li><li>- Fwd_ Follow Up_ October 18th Newsome Creek Erosion Community Stakeholder's meeting.pdf</li><li>- Newsome Creek Erosion report 018-073.pdf</li></ul>
Final Approval Date:	Nov 5, 2018

This report and all of its attachments were approved and signed as outlined below:



**Darcy Mooney - Nov 2, 2018 - 3:44 PM**



**Lynda Shykora - Nov 5, 2018 - 10:52 AM**



**Charles Hamilton - Nov 5, 2018 - 11:40 AM**





# COLUMBIA SHUSWAP REGIONAL DISTRICT

PO Box 978, 555 Harbourfront Drive NE, Salmon Arm, BC V1E 4P1  
T: 250.832.8194 | F: 250.832.3375 | TF: 1.888.248.2773 | [www.csrdd.bc.ca](http://www.csrdd.bc.ca)

**From the Desk of Director Paul Demenok, Electoral Area C, CSRD**

May 3, 2018

VIA EMAIL: [FLNR.Minister@gov.bc.ca](mailto:FLNR.Minister@gov.bc.ca)

The Honourable Doug Donaldson  
Minister of Forests, Lands, Natural Resource Operations and Rural Development  
PO Box 9049 Stn Prov Govt  
VICTORIA, BC V8W 9E2

Dear Minister Donaldson:

As the Electoral Area C Director for the Columbia Shuswap Regional District, this letter is to alert you to an impending and preventable tragedy, and to request your Ministry's immediate assistance.

Newsome Creek in Sorrento is creating a number of potentially serious issues for local residents along Caen Road. Private residences on the west side of Caen Road are at a high risk of having their foundations undermined as high levels of rapidly flowing water are quickly eroding the walls of the gully behind their homes. On several properties, the recent changes to the gully walls have been dramatic, and in some cases the gully being undermined is now only 10 feet away from the foundation of one home. Private properties have already been damaged and the residents are very concerned.

Below these homes, Dieppe Road has been washed away and a number of residents on that road can no longer access their homes by car. The heavy flow of sediment has also created very high levels of turbidity, which in turn has necessitated a boil water advisory.

The CSRD has approached your Ministry on several occasions and was informed that as this watercourse is not passing through highly forested Crown Land, it is not the responsibility of FLNRO. We feel it is irresponsible and totally inappropriate to get into a jurisdictional battle as people are potentially losing their homes. There is a real risk that these homes will tumble into Newsome Creek within the next few weeks. We think it is unacceptable to stand by and simply let this disaster happen.

Through financial support from EMBC, the CSRD has had a geotechnical field review and risk summary report done, which is attached for your information. A previous report conducted in 2017 by the CSRD at the recommendation of your Ministry was also completed and is attached.

.../2

#### ELECTORAL AREAS

A GOLDEN-COLUMBIA  
B REVELSTOKE-COLUMBIA

C SOUTH SHUSWAP  
D FALKLAND-SALMON VALLEY

E SICAMOUS-MALAKWA  
F NORTH SHUSWAP-SEYMOUR ARM

#### MUNICIPALITIES

GOLDEN  
REVELSTOKE

SALMON ARM  
SICAMOUS



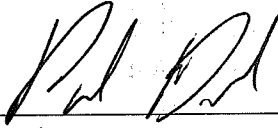
May 3, 2018

Page 2

Newsome Creek, Sorrento, BC

I am asking that FLNRO step up and help us to save the homes of these residents. We need an immediate plan of action developed by engineers to manage the current water flow, to repair the damage done, and to mitigate future risks over time. Please respond at your earliest convenience.

Sincerely,



---

Paul Demenok,  
Director, Electoral Area C, CSRD  
250.517.0810  
[pdemenok@csrd.bc.ca](mailto:pdemenok@csrd.bc.ca)

cc Rhona Martin, Chair, Columbia Shuswap Regional District  
Tim Sheldon, Deputy Minister, MFLNRO  
Greg Kylo, MLA Shuswap  
Kevin Turner, Westrek Geotechnical Services Ltd.

Encl.

**From:** [Darcy Mooney](#)  
**To:** [Phaedra Turner](#); [Derek Sutherland](#); [Tom Hansen](#); [Cathy Semchuk](#)  
**Subject:** Fwd: Follow Up: October 18th Newsome Creek Erosion Community Stakeholder's meeting  
**Date:** Friday, October 19, 2018 12:29:29 PM  
**Attachments:** [ATT00001.htm](#)  
[238916 Letter to Director Demenok re Newsome Creek Area C CSRD.pdf](#)  
[ATT00002.htm](#)

---

Sent from my iPhone

Begin forwarded message:

**From:** "Schell, Steve E FLNR:EX" <[Steve.Schell@gov.bc.ca](mailto:Steve.Schell@gov.bc.ca)>  
**Date:** October 19, 2018 at 9:57:22 AM PDT  
**To:** "Darcy Mooney ([dmooney@csrd.bc.ca](mailto:dmooney@csrd.bc.ca))" <[dmooney@csrd.bc.ca](mailto:dmooney@csrd.bc.ca)>  
**Cc:** "Cocker, Peter TRAN:EX" <[Peter.Cocker@gov.bc.ca](mailto:Peter.Cocker@gov.bc.ca)>, "Prendergast, Peter L EMBC:EX" <[Peter.Prendergast@gov.bc.ca](mailto:Peter.Prendergast@gov.bc.ca)>  
**Subject:** **Follow Up: October 18th Newsome Creek Erosion Community Stakeholder's meeting**

Hi Darcy,

As a follow-up to last night's Newsome Creek Erosion Community Stakeholder's meeting in Sorrento, I have followed up with a request from Nancy Costerton (Sorrento Centre) to locate information regarding the 2009 Notch Hill wildfire salvage logging. I have requested that the Okanagan Shuswap Natural Resource District provide me with any information they have, and will provide Nancy and you with a copy upon receipt.

In terms of the question regarding flood mitigation funding support, please see attached letter dated June 1, 2018 that was sent to Director Paul Demenok outlining potential funding options available, that may also assist in addressing some of the Westrek September 2018 Technical Memorandum regarding monitoring results and summary recommendations – Newsome Creek Erosion below Highway 1.

Please also confirm if you need assistance with the Section 11 application process for instream works, if the CSRD is going to apply on behalf of all the effected citizens as suggested last night.

Feel free to contact me if have you any questions.



**westrek**  
geotechnical services ltd.

100 – 1383 McGill Road, Kamloops, BC V2C 6K7

[www.westrekgeotech.com](http://www.westrekgeotech.com)

## **TECHNICAL MEMORANDUM**

Date: October 6, 2018

To: Tom Hansen – Emergency Program Coordinator, Operations Management  
Columbia Shuswap Regional District

Re: **Monitoring Results and Summary Recommendations**  
**Newsome Creek Erosion below Highway 1**

### **1 Introduction**

Throughout the spring of 2018, Westrek Geotechnical Services Ltd. (Westrek) monitored the erosion within the Newsome Creek gully downstream of Highway 1, immediately west of Caen Road in Sorrento, BC. The monitoring was requested by the Columbia Shuswap Regional District (CSRD) on behalf of the Shuswap Emergency Program as part of the emergency response during the elevated flows in this period.

An initial field review was completed on the afternoon of May 1, 2018 by Kevin Turner PEng, who represented Westrek. Observations and recommendations for monitoring were provided in a report to the CSRD<sup>1</sup> on May 2, 2018. Subsequent monitoring trips were completed by Kevin Turner and/or Hazel Wong GIT, who also represented Westrek, on May 3, 7, 9, 15, and 26. An aerial reconnaissance of the developed area above Highway 1 was done on May 9. A site visit was also made on June 19 with representatives from Forsite Consultants Ltd., who had been retained by the CSRD to assess danger trees within the gully. Their report has been provided separately.

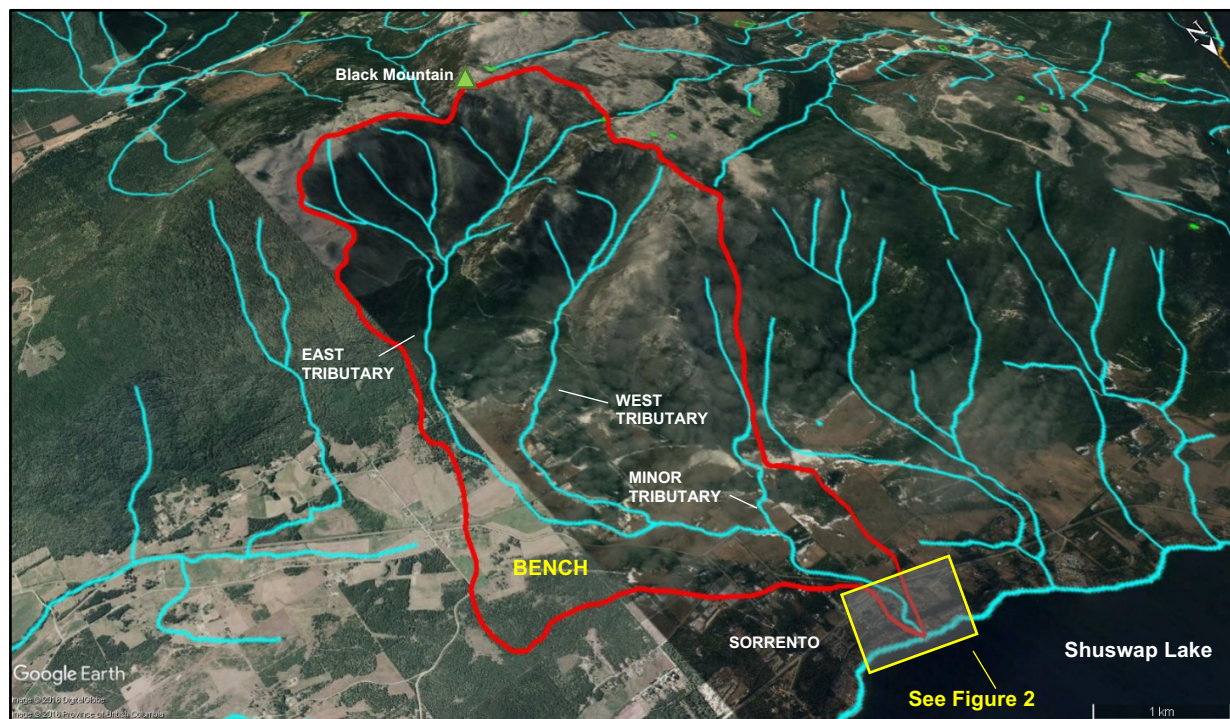
This memo provides a summary of our observations and assessment of the gully instability, and includes recommendations for addressing the short- and long-term issues. The report is subject to the terms and conditions set out in the *Interpretation and Use of Study and Report and Limitations*, which is attached in Appendix A and incorporated by reference.

<sup>1</sup> Westrek Geotechnical Services Ltd. 2018. *Summary of Field Review and Initial Recommendations, Newsome Creek below Highway 1*. Submitted to the Columbia Shuswap Regional District on May 2, 2018.

## 2 Background Information

### 2.1 Setting

Newsome Creek drains the north side of the Black Mountain / Mount Hilliam plateau. The watershed rises to an elevation<sup>2</sup> of about 1500 m, and it has a total catchment area of approximately 18 km<sup>2</sup>. The watershed includes two primary sub-basins, drained by the east and west tributary creeks, and a minor tributary on the northwest side (Figure 1). The steep slopes below the edge of the plateau drain onto a gently sloping bench that extends about 5 km to Shuswap Lake. The upper part of the bench lies at approximate elevation 600 m. The east and west tributary creeks merge on the bench near elevation 470 m to form the main channel of Newsome Creek, and the minor tributary joins this main channel at elevation 450 m. Newsome Creek passes below Highway 1 on the lower part of the bench at elevation 395 m and it drains into Shuswap Lake at elevation 350 m.

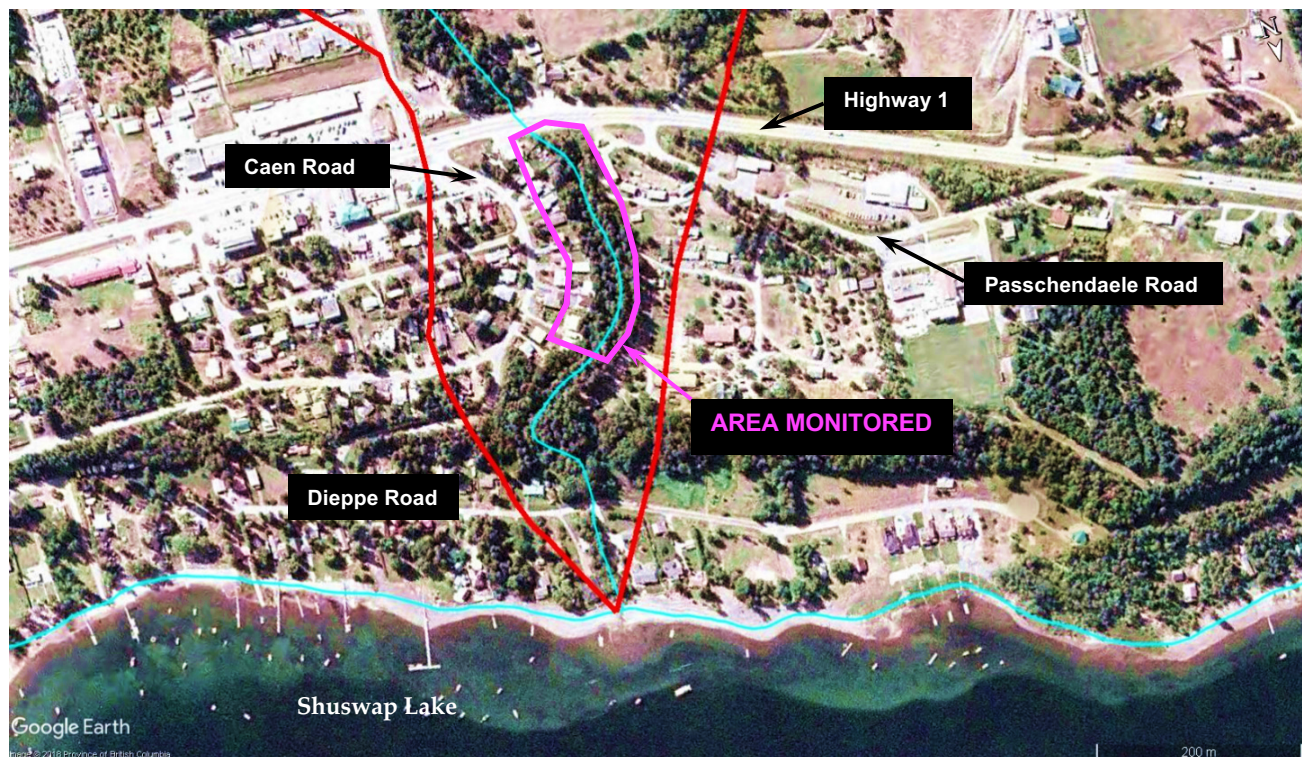


**Figure 1:** Google Earth™ imagery showing the estimated Newsome Creek watershed (red line) looking southeast.

Newsome Creek passes below Highway 1 via a 1200 mm diameter corrugated metal pipe culvert that is situated at the base of the embankment. In the first 250 m downstream of the culvert, the creek flows through a 15 to 20 m deep gully (Figure 2, next page) with sidewall slopes that range from 75% to over 110% (37° to 48°). Several private lots along Caen Road have rear boundaries along the east edge of the gully (see attached civic address map and Photo 6). On the west side, there is a motel and resort adjacent to the highway that includes several cabins, as well as a retreat and conference centre farther to the north. These are accessed by trails and driveways off Passchendaele Road. The creek itself flows within a panhandle lot that contains the retreat and conference centre.

<sup>2</sup> All elevations mentioned in this report are based on the 1:20,000 TRIM dataset provided in Google Earth™.





**Figure 2:** Google Earth™ imagery showing the lower reach of Newsome Creek below Highway 1. The view is to the south and the scale and orientation are noted.

## 2.2 Geology

Bedrock mapping by Thompson (2004)<sup>3</sup> indicates that the upland plateau is underlain by the Eocene-aged Kamloops Group volcanic rocks. Rock types include andesitic to dacitic flows and volcanic breccia, with minor sandstone, siltstone, shale, and conglomerate. The steep north-aspect slopes below the plateau are primarily underlain by the Lower Paleozoic-aged Sicamous Formation of the Mt Ida Assemblage, composed of grey limestone with black, argillaceous partings and calcite veins.

Surficial geological mapping by Fulton (1974)<sup>4</sup> indicates that the steep slopes in the upper watershed are primarily bedrock. A broad, coalesced fan covers the upper part of the bench at the outlet of the two main sub-basins. The middle part of the bench is covered with a variety of surficial deposits including hummocky gravel, bog, a lacustrine veneer, and a morainal ridge. The lower part of the bench is mapped as a lacustrine complex of clay, silt, sand, and gravel that represents open water and shoreline deposits. This unit is well-exposed in the eroded gully sidewalls immediately below Highway 1, where a 5 to 8 m thick stratified unit of buff to dark grey silt and clay overlies a thick deposit of dark-grey gravel and sand. The upper part of gravel and sand unit was observed to be locally cemented.

<sup>3</sup> Thompson, R.I. (compiler). 2004. *Geology, Sorrento, British Columbia*. Geological Survey of Canada. Open File 4383. Scale 1:50,000.

<sup>4</sup> Fulton, R.J. 1974. *Surficial geology, Shuswap Lake (west of sixth meridian), British Columbia*. Geological Survey of Canada. Map 1391A. Scale 1:126,720.

## 2.3 Background

There is an extensive development history on the bench that dates back to the construction of the CP Rail in the late 1800s. The upper part of the bench has been developed for decades. Forest harvesting has occurred above that. Highway 1 was built in the early 1960s and the existing culvert at the Newsome Creek crossing was likely installed at that time. Caen Road was in place by 1974, and by the early 1980s, residences had been built on most of the lots.

The Black Mountain plateau was burned by severe wildfire (Notch Hill Fire – K31483) in 2009. The Ministry of Forests and Range reported<sup>5</sup> that the burn severity within the Newsome Creek watershed was low to moderate, and in localized areas, was high. The report concluded that the risk from flooding was low to very low in the two main tributaries. In the next 1 to 2 years after the wildfire, it appears that much of the salvageable timber was removed from the plateau, but the steep slopes within the upper reaches of the tributary gullies were left unlogged.

The first report of significant erosion in the gully below Highway 1 occurred in the spring of 2017. Kerr Wood Leidal (KWL) investigated and reported<sup>6</sup> that the highway culvert inlet was fully submerged, and severe erosion had occurred along the west bank immediately below the outfall (i.e. adjacent to the 1185 Passchendaele Road property). Bank undercutting and slope failures were also observed along the gully behind 2809 and 2819 Caen Road. Sediment had to be removed from a culvert where Newsome Creek crosses Dieppe Road.

The creek experienced high stream flow again in 2018. Based on our overview flight, bank erosion and channel destabilization was observed in the east tributary in the upper part of the bench, i.e. above Taylor Road and west of Hannah Road. The east tributary creek avulsed within the wooded section below Taylor Road, which resulted in significant sediment deposition in the field between London Lane and the CP Railway (see attached Photos 1 to 5). Some of the flow from the east tributary was trapped by the railway embankment and was diverted to the west tributary. A review of Google Earth™ imagery suggests this also occurred in the 2017 freshet period as well. Channel instability did not appear to have been as significant between the railway and Highway 1, but this was not checked on the ground by Westrek.

Flow through the Highway 1 culvert on May 1, 2018 is shown on Photo 7. Below the highway, the Caen Road residents reported renewed channel and slope instability and the toppling of trees along the gully. The culvert at Dieppe Road also washed out.

A detailed hydrological analysis has not been undertaken on either peak flow event, but generally the causes of the high stream flow appear to be different. In 2017, the snowpack was low throughout the region, but mild temperatures and moderate rainfall in April and early May resulted in widespread flooding, especially in creeks draining plateaus. The high flow had a relatively short duration, and by early to mid-May it subsided significantly. In 2018, the snow pack was much higher and rainfall in mid- to late-April caused elevated stream flow in the region that persisted throughout May.

---

<sup>5</sup> BC Ministry of Forests and Range. 2009. *Notch Hill Fire K31483 Post-Wildfire Risk Analysis*. Unpublished report.

<sup>6</sup> Kerr Wood Leidal. 2017. *Newsome Creek Adjacent to Caen Road, Emergency Site Assessment of Newsome Creek*. Unpublished report to BC Ministry of Forests, Lands and Natural Resource Operations. May 23, 2017. 5 pages.

### 3 Observations and Monitoring

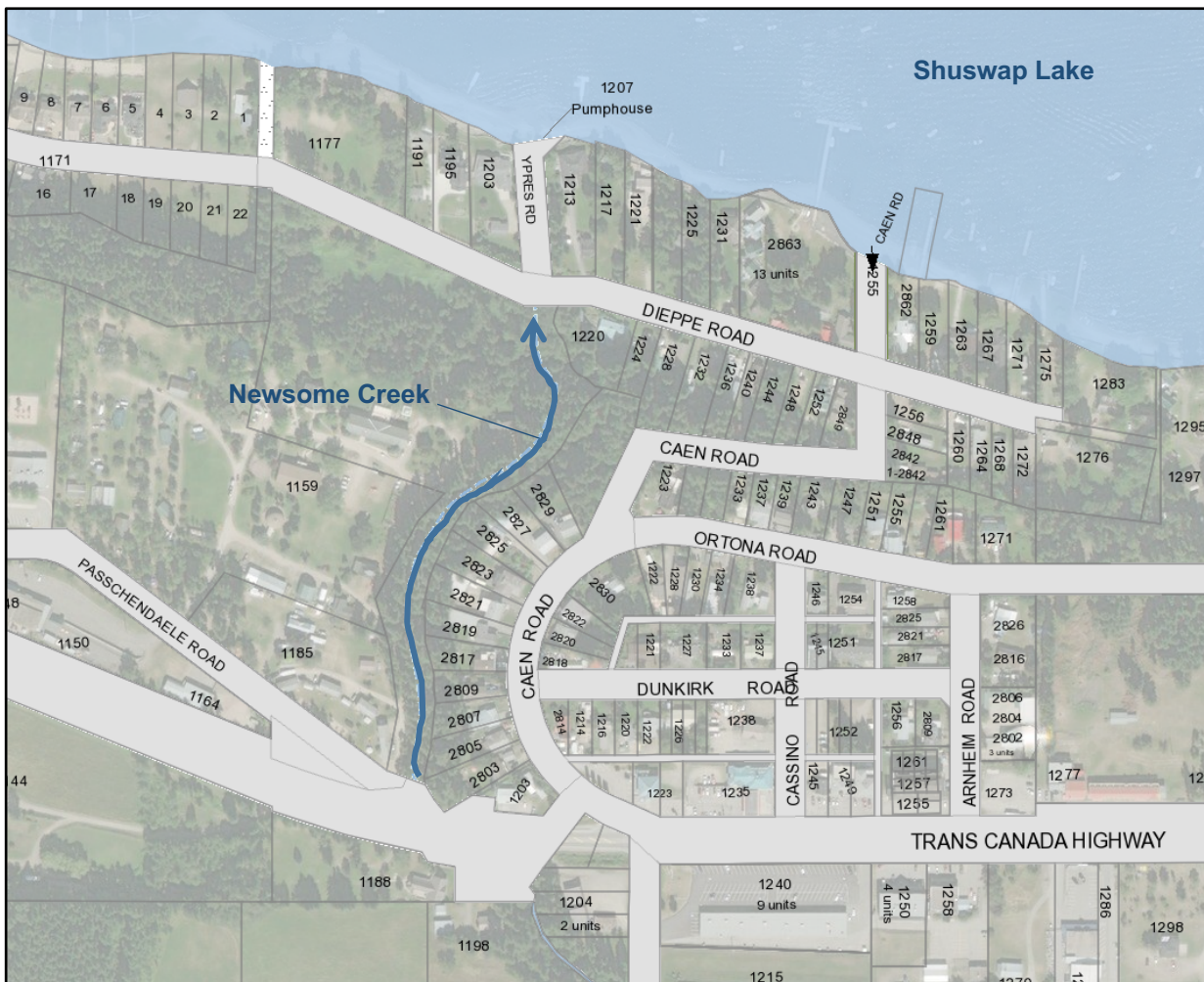
The following summarizes results of our 2018 monitoring. A site plan showing each lot is presented on Figure 3, following the table. Referenced photographs are attached.

Property	Description and Monitoring Results	Risk Assessment / Recommendations
1185 Passchendaele Road	Shuswap Lake Motel and Resort <ul style="list-style-type: none"> <li>• Motel office is about 14 m from gully crest (west side).</li> <li>• Access road is set back about 3 m from the gully sidewall.</li> <li>• Gully sidewall slope is near vertical and 6 to 10 m high (Photo 8).</li> </ul>	No immediate risk to motel.  The owner should continue to monitor the slope and creek undercutting.
1159 Passchendaele Road	No permanent structures are present near the gully crest.	No permanent structures are at risk at this time.
2803 Caen Road	Residence is set back at least 15 m from the gully crest.	No immediate risk to residence.
2805 Caen Road	Residence with small shed. <ul style="list-style-type: none"> <li>• Residence is setback about 15 m from gully crest.</li> <li>• Shed is setback 2 m from gully crest.</li> <li>• Creek eroded and undercut the toe of the gully sidewall in 2018.</li> </ul>	No immediate risk to residence. The shed could be moved if needed.  The owner should continue to monitor the slope.
2807 Caen Road	Residence with patio deck. <ul style="list-style-type: none"> <li>• Residence is at the gully crest.</li> <li>• Deck extends over crest and is supported on the steep gully sidewall (Photo 9).</li> <li>• Sidewall slope has failed in the past (relict).</li> <li>• No active erosion was noted in 2018 (Photo 10).</li> </ul>	The residence is potentially at risk due to its proximity to the steep gully sidewall. Risk will increase if the gully sidewall fails and/or erosion occurs at the toe.  The owner should continue to monitor the slope. If stability worsens, i.e. if the creek undercuts the slope, measures to protect the house may be needed.
2809 Caen Road	Residence with elevated deck. House has a commercial operation (barber). <ul style="list-style-type: none"> <li>• Residence is setback about 3 m from the gully crest (Photo 11).</li> <li>• Attached elevated deck is supported by shallow footings about 0.5 m back from the gully crest.</li> <li>• Aggressive creek undercutting caused a shallow landslide in the lower sidewall slope in 2018 (Photos 12, 13).</li> </ul>	The risk to the residence is high. The owner should stabilize the slope or move the residence to the front of the property.  The owner should continue to monitor the slope.
2817 Caen Road	Empty lot (residence recently burned). <ul style="list-style-type: none"> <li>• Creek undercut the toe of the gully sidewall in 2018.</li> </ul>	No residence is present. The owner should consult a geotechnical engineer / geoscientist to establish a setback before re-building the residence.

Property	Description and Monitoring Results	Risk Assessment / Recommendations
2819 Caen Road	<p>Residence with attached shop (woodworking).</p> <ul style="list-style-type: none"> <li>• Residence is setback about 14 m from the gully crest.</li> <li>• Shop is set back 2 to 4 m from gully crest and is supported on shallow concrete foundation (Photo 14).</li> <li>• Minor tension cracks present 1.5 m back from gully crest.</li> <li>• Creek aggressively undercut the gully sidewall in 2018, and is now overhung and unstable (Photos 15, 16).</li> </ul>	<p>No immediate risk to residence.</p> <p>The risk to the shop is very high. The owner should stabilize the slope or move the shop to a lower risk site on the property.</p> <p>The owner should continue to monitor the slope.</p>
2821 Caen Road	<p>Residence with detached pottery shop that has a shed-covered deck at rear (Photo 17).</p> <ul style="list-style-type: none"> <li>• Residence is setback about 25 m from gully crest.</li> <li>• Rear wall of shop is set back 1.5 m from the gully crest and is supported on a shallow concrete foundation.</li> <li>• Shed / deck extends over the crest and is supported on piers founded on the steep sidewall slope.</li> <li>• Creek aggressively undercut the gully sidewall in 2018 and the slope is now overhung and unstable. Large cedar tree at the toe is now undercut. (Photos 18, 19).</li> </ul>	<p>No immediate risk to residence.</p> <p>The risk to the pottery shop is very high. The owner should stabilize the slope or move the pottery shop to a lower risk site on the property.</p> <p>The owner should continue to monitor the slope.</p>
2823 Caen Road	<p>Residence with a detached shop (3-car garage) with an exterior patio with shed roof, a low gabion wall and wood patio deck on north side.</p> <ul style="list-style-type: none"> <li>• Residence foundation is setback about 20 m from gully crest.</li> <li>• Garage is 2 m from the gully crest and has a shallow concrete foundation.</li> <li>• Shed is supported on a low, tree-supported timber retaining wall along the crest (Photos 20, 21).</li> <li>• Deck extends out to or slightly over the gully crest and is supported on steep sidewall.</li> <li>• Creek cut down in 2018 but sidewall was not destabilized (Photo 22).</li> </ul>	<p>No immediate risk to residence.</p> <p>The risk to the garage is moderate and could increase if erosion and downcutting cause loss of toe support, leading to slope failure.</p> <p>The owner should continue to monitor the slope.</p>



Property	Description and Monitoring Results	Risk Assessment / Recommendations
2825 Caen Road	<p>Residence and secondary structure, and an elevated patio deck with a shed roof (Photo 23).</p> <ul style="list-style-type: none"> <li>• Residence is about 3 m from gully crest.</li> <li>• Deck is elevated 4 to 5 m and extends 5 m from crest, and is supported on slender piers founded on the very steep sidewall slope.</li> <li>• Rubber tire revetment is present on steep sidewall slope below the residence (Photo 23).</li> <li>• Creek down cut in 2018 but there was little bank instability at the toe (Photos 24, 25).</li> </ul>	<p>The residence and secondary structure is at moderate risk. Risk will increase if additional erosion undercuts the toe of the gully sidewall.</p> <p>The owner should continue to monitor the stability of the slope. If stability worsens, i.e. if the creek undercuts the slope, measures to protect the residence may be needed.</p> <p>Regardless, the deck may not be safe for occupancy due to its potentially unstable foundation, and should be evaluated by a structural engineer.</p>
2827 Caen Road	<p>Residence with two out-buildings (a garage and a garden shed).</p> <ul style="list-style-type: none"> <li>• Residence is about 25 m from the gully crest.</li> <li>• Garage is 1 to 3.5 m from the gully crest.</li> <li>• Garden shed is set back 2 m from gully crest.</li> <li>• Low timber crib retaining wall along gully crest is failing.</li> <li>• Gully sidewall is very steep (Photo 26). Creek down cut during the 2018 event causing loss of toe support (Photos 27, 28).</li> </ul>	<p>No immediate risk to residence.</p> <p>Risk to the garage could increase should erosion cause loss of toe support, leading to slope failure.</p> <p>The owner should monitor the stability of the slope. If stability worsens, i.e. if the creek undercuts the slope, measures to protect the residence may be needed.</p> <p>The existing retaining wall should be removed as it is a potential safety issue.</p>
2829 Caen Road	<p>Residence with two out-buildings (a garage(?) and a garden shed).</p> <ul style="list-style-type: none"> <li>• Residence is setback about 18 m from the gully crest.</li> <li>• Garage is set back 2.5 m from the gully crest (Photo 29).</li> <li>• Garden shed is set back 2 m from the gully crest.</li> <li>• Gully sidewall slope is very steep (Photo 30).</li> <li>• Creek cut down during the 2018 but did not undercut the gully sidewall (Photo 31).</li> </ul>	<p>No immediate risk to residence.</p> <p>The out-buildings could be at risk should erosional downcutting cause loss of toe support, leading to slope failure.</p> <p>The owner should monitor the stability of the slope.</p>



**Figure 3:** Properties adjacent to Newsome Creek, below Highway 1 embankment. Source: CSRD mapping website. North is to the top.

## 4 Summary and Assessment

The observed channel and sidewall instability along the gully below Highway 1 is related to several factors, as summarized below.

- The recent stream flows in Newsome Creek appear to have been elevated in 2017 and 2018. This has likely been related to the combined effects of the canopy loss in the upper watershed following the 2009 wildfire, and the specific weather patterns that occurred during the past two freshets. The historical channel disturbance within the east tributary creek in the upper part of the bench could also be affecting the magnitude and timing of peak flows. The issues within the watershed upstream of the study area would require a specific hydrotechnical investigation.
- The nature and stratigraphic history of the surficial deposits has also affected the pattern of instability in the gully sidewall. The exposed gravel deposit at the base of the sidewall is highly erodible, and in places there has been significant undercutting of the upper silt/clay unit. The depositional history of the silt / clay particles in the upper unit allow it

to stand at near-vertical slopes until it weathers and/or fails. Failure of this unit can occur as relatively small, shallow landslides where seepage is present, or as large blocks that release and fall into the channel. Both mechanisms can occur suddenly with little advanced sign of movement.

- Bank erosion has caused sediment accumulation and tree toppling that has altered the channel, and as a result, the stream has attacked the gully sidewall in a number of locations. As the channel process evolves, further de-stabilization within the currently affected reach is likely to occur.

Observations suggest that the culvert on Highway 1 crossing is generating a high discharge velocity at the outfall, and this has resulted in the development of a significant scour pool below the outfall and some undercutting of the highway embankment. It is not clear if this has led to the development of the near-vertical bank adjacent to the 1185 Passchendaele Road property or not, or if this feature has developed subsequent to the 2009 wildfire. A more detailed study would be required to assess this with more certainty.

KWL reported that severe erosion and bank failures were occurring behind 2809 and 2819 Caen Road in 2017, but by 2018, this had progressed downstream to 2821 Caen Road and was starting to become an issue below 2827 Caen Road. Based on this, it appears that the gully sidewall destabilization is progressing downstream. This process is likely to continue until the forest is restored in the upper watershed and peak flows moderate, and/or until the gully enlarges and establishes a new equilibrium. This could take decades.

Based on our assessment, the risk to the following structures from gully sidewall instability is considered to be high:

- 2809 Caen Road – the residence
- 2819 Caen Road – the woodworking shop
- 2821 Caen Road – the pottery shop
- 2823 Caen Road – the 3-car garage

The risk to the residence at 2807 Caen Road and the garage at 2827 Caen Road is also elevated and it may increase in the future, depending on how the channel affects the sidewall slopes below these lots in the future.

The owners of all permanent structures along Caen Road should consider the options listed in the table above. The stabilization of the channel and sidewall slopes along the gully will be technically challenging and likely very costly, given the steep slopes and depth of the gully, the amount of revetment material required, the lack of access, and constrained working conditions. Bank and channel stabilization projects should be undertaken on entire reaches, not just on a property-by-property basis. An added complication is that the entire reach appears to be within private property, and roles and responsibilities related to this are not clear. Given the uncertainties and high cost of stabilization, the simplest and least costly solution will likely be to move critical structures away from the gully edge. Rule-of thumb geotechnical setbacks for permanent structures on sites like this would typically be 1 to 1.5 times the depth of the gully from the slope crest, depending on the local conditions and circumstances. A geotechnical

engineer or geoscientist with experience in slope instability should be consulted for more specific assessment and advice for each property.

Several of the properties have decks, patios, or outbuildings, i.e. those without permanent foundations, that are also at risk or will become more at risk if gully destabilization continues. Since occupancy of these structures is generally of limited duration, the risk to occupants may be lower; however, owners would need to evaluate their own asset and personal safety exposure and take the necessary steps to reduce the risk if unacceptable.

## 5 Recommendations

Westrek recommends the following:

- 1) Residents listed in the table above should be provided with a copy of this report. The owners of properties with structures near the crest of the slope should consider their options to reduce the risk. They should continue to monitor the gully sidewalls for erosion, bank failures, or deformation at the gully crest.
- 2) An assessment of the natural and development-related disturbance should be undertaken within the tributary creeks above Highway 1. This should include a study of the creek channel to assess its stability and avulsion potential, an evaluation of the hydraulic capacity of each infrastructure crossing, and an assessment of the feasibility of improving the hydrologic function of the stream system.
- 3) A feasibility study should be undertaken to determine how the gully below Highway 1 could be stabilized.
- 4) The condition of the existing culvert and the adjacent embankment in the Highway 1 crossing stability should be evaluated and stabilized if considered necessary.

## 6 Closure

If there are any questions concerning this report or if you require further information, please do not hesitate to contact the undersigned.

*Westrek Geotechnical Services Ltd.*

This document is an electronic copy of the original signed and sealed report. It has been provided for convenience. Westrek has retained the original signed / sealed report on file. Please contact Westrek if an authenticated document is required.

Hazel Wong GIT  
Junior Geologist

Kevin Turner PEng  
Senior Geotechnical Engineer



Attached: Appendix A Interpretation and Use of Study and Report and Limitations  
CSRD property map ■ Caen Road area  
Photographs

## APPENDIX A

## INTERPRETATION AND USE OF STUDY AND REPORT AND LIMITATIONS

## 1. STANDARD OF CARE.

This study and Report have been prepared in accordance with generally accepted engineering and geoscience practices. No other warranty, express or implied, is made. Geological and geotechnical studies and reports do not include environmental consulting unless specifically stated in the report.

## 2. COMPLETE REPORT.

All documents, records, data and files, whether electronic or otherwise, generated as part of this assignment are a part of the Report which is of a summary nature and is not intended to stand alone without reference to the instructions given to us by the Client, communications between us and the Client, and to any other reports, writings, proposals or documents prepared by us for the Client relative to the specific site described herein, all of which constitute the Report.

IN ORDER TO UNDERSTAND THE SUGGESTIONS, RECOMMENDATIONS AND OPINIONS EXPRESSED HEREIN, REFERENCE MUST BE MADE TO THE WHOLE OF THE REPORT. WE CANNOT BE RESPONSIBLE FOR USE BY ANY PARTY OF PORTIONS OF THE REPORT WITHOUT REFERENCE TO THE WHOLE REPORT.

## 3. BASIS OF THE REPORT.

The Report has been prepared for the specific site, development, design objectives and purpose that were described to us by the Client. The applicability and reliability of any of the findings, recommendations, suggestions, or opinions expressed in the document are only valid to the extent that there has been no material alteration to or variation from any of the said descriptions provided to us unless we are specifically requested by the Client to review and revise the Report in light of such alteration or variation.

## 4. USE OF THE REPORT.

The information and opinions expressed in the Report, or any document forming the Report, are for the sole benefit of the Client. NO OTHER PARTY MAY USE OR RELY UPON THE REPORT OR ANY PORTION THEREOF WITHOUT OUR WRITTEN CONSENT. WE WILL CONSENT TO ANY REASONABLE REQUEST BY THE CLIENT TO APPROVE THE USE OF THIS REPORT BY OTHER PARTIES AS "APPROVED USERS". The contents of the Report remain our copyright property and we authorise only the Client and Approved Users to make copies of the Report only in such quantities as are reasonably necessary for the use of the Report by those parties. The Client and Approved Users may not give, lend, sell or otherwise make the Report or any portion thereof, available to any party without our written permission. Any uses, which a third party makes of the Report, or any portion of the Report, are the sole responsibility of such third parties. Westrek accepts no responsibility for damages suffered by any third party resulting from unauthorised use of the Report.

## 5. INTERPRETATION OF THE REPORT.

- (i) Nature and Exactness of Soil and Description: Classification and identification of soils, rocks, geological units, and engineering estimates have been based on investigations performed in accordance with the standards set out in Paragraph 1. Classification and identification of these factors are judgmental in nature and even comprehensive sampling and testing programs, implemented with the appropriate equipment by experienced personnel, may fail to locate some conditions. All investigations utilising the standards of Paragraph 1 will involve an inherent risk that some conditions will not be detected and all documents or records summarising such investigations will be based on assumptions of what exists between the actual points sampled. Actual conditions may vary significantly between the points investigated and all persons making use of such documents or records should be aware of, and accept, this risk. Some conditions are subject to change over time and those making use of the Report should be aware of this possibility and understand that the Report only presents the conditions at the sampled points at the time of sampling. Where special concerns exist, or the Client has special considerations or requirements, the Client should disclose them so that additional or special investigations may be undertaken which would not otherwise be within the scope of investigations made for the purposes of the Report.
- (ii) Reliance on Provided information: The evaluation and conclusions contained in the Report have been prepared on the basis of conditions in evidence at the time of site inspections and on the basis of information provided to us. We have relied in good faith upon representations, information and instructions provided by the Client and others concerning the site. Accordingly, we cannot accept responsibility for any deficiency, misstatement or inaccuracy contained in the Report as a result of misstatements, omissions, misrepresentations or fraudulent acts of any persons providing representations, information and instructions.

- (iii) To avoid misunderstandings, Westrek should be retained to work with the other design professionals to explain relevant geotechnical findings and to review the adequacy of their plans and specifications relative to engineering issues. Further, Westrek should be retained to provide field reviews during the construction, consistent with generally accepted practices.

## 6. LIMITATIONS OF LIABILITY.

Westrek's liability will be limited as follows:

- (a) In recognition of the relative risks and benefits of the Services to be provided to the Client by Westrek, the risks have been allocated such that the Client agrees, to the fullest extent permitted by law, to limit the liability of Westrek, its officers, directors, partners, employees, shareholders, owners, subconsultants and principals for any and all claims, losses, costs, damages of any nature whatsoever or claims expenses from any cause or causes, whether arising in contract or tort including negligence, including legal fees and costs and disbursements (the "Claim"), so that the total aggregate liability of Westrek, its officers, directors, partners, employees, shareholders, owners, subconsultants and principals:
    - i. if the Claim is satisfied by the re-performance of the Services proven to be in error, shall not exceed and shall be limited to the cost to Westrek in re-performing such Services; or
    - ii. if the Claim cannot be satisfied by the re-performance of the Services and:
      - 1. if Westrek's professional liability insurance does not apply to the Claim, shall not exceed and shall be limited to Westrek's total fee for services rendered for this matter, whichever is the lesser amount. The Client will indemnify and hold harmless Westrek from third party Claims that exceed such amount; or
      - 2. if Westrek's professional liability insurance applies to the Claim, shall be limited to the coverage amount available under Westrek's professional liability insurance at the time of the Claim. The Client will indemnify and hold harmless Westrek from third party Claims that exceed such coverage amount. Westrek shall maintain professional liability insurance in the amount of \$2,000,000 per occurrence, \$2,000,000 in the aggregate, for a period of two (2) years from the date of substantial performance of the Services or earlier termination of this Agreement. If the Client wishes to increase the amount of such insurance coverage or duration of such policy or obtain other special or increased insurance coverage, Westrek will cooperate with the Client to obtain such coverage at the Client's expense.
- It is intended that this limitation will apply to any and all liability or cause of action however alleged or arising, including negligence, unless otherwise prohibited by law. Notwithstanding the foregoing, it is expressly agreed that there shall be no claim whatsoever against Westrek, its officers, directors, partners, employees, shareholders, owners, subconsultants and principals for loss of income, profit or other consequential damages howsoever arising, including negligence, liability being limited to direct damages.
- (b) Westrek is not responsible for any errors, omissions, mistakes or inaccuracies contained in information provided by the Client, including but not limited to the location of underground or buried services, and with respect to such information, Westrek may rely on it without having to verify or test that information. Further, Westrek is not responsible for any errors or omissions committed by persons, consultants or specialists retained directly by the Client and with respect to any information, documents or opinions provided by such persons, consultants or specialists, Westrek may rely on such information, documents or opinions without having to verify or test the same.
  - (c) Notwithstanding the provisions of the Limitation Act, R.S.B.C. 2012 c. 13, amendments thereto, or new legislation enacted in its place, Westrek's liability for any and all claims, including a Claim as defined herein, of the Client or any third party shall absolutely cease to exist after a period of two (2) years following the date of:
    - i. Substantial performance of the Services,
    - ii. Suspension or abandonment of the Services provided under this agreement, or
    - iii. Termination of Westrek's Services under the agreement,
 whichever shall occur first, and following such period, the Client shall have no claim, including a Claim as defined herein, whatsoever against Westrek.



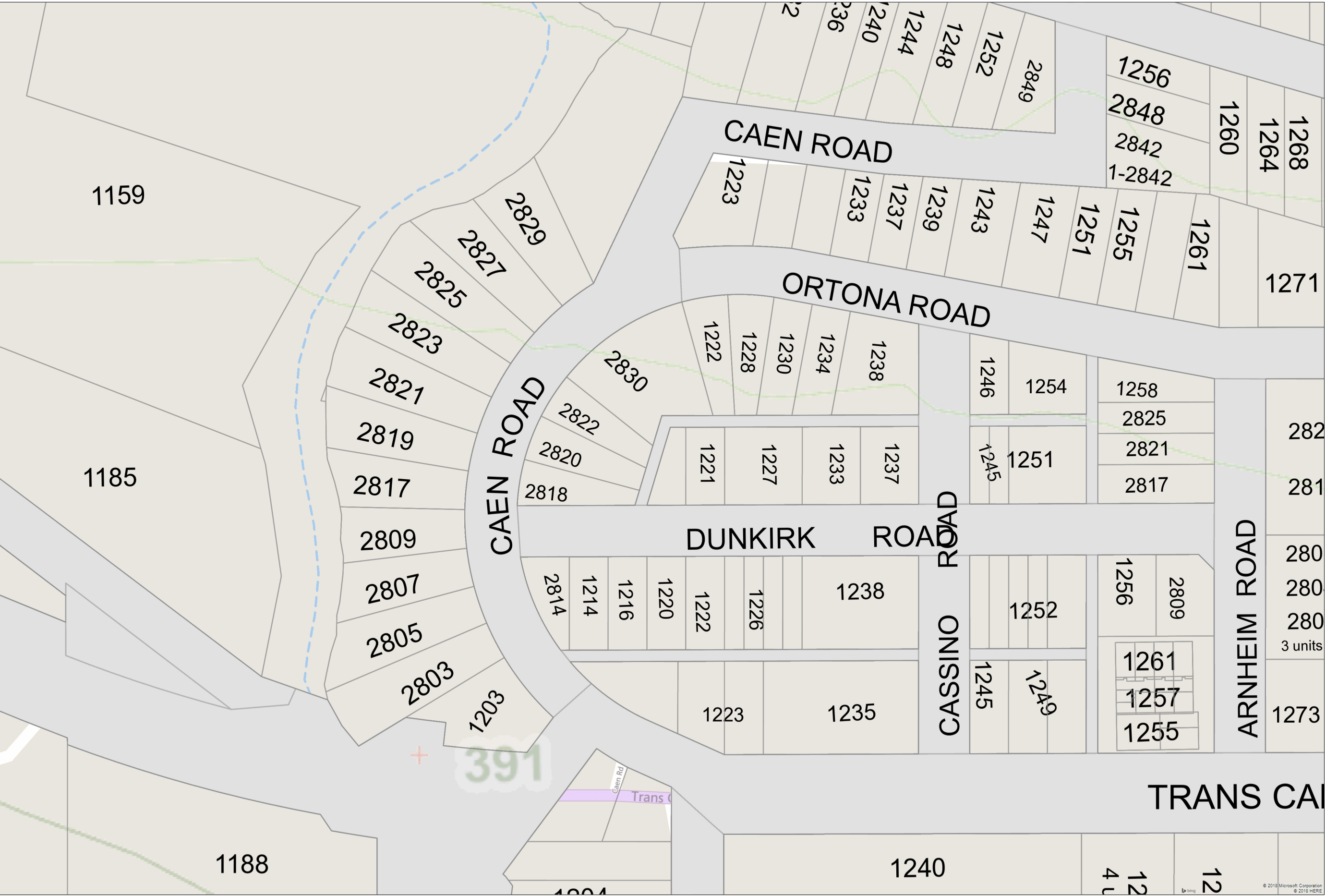
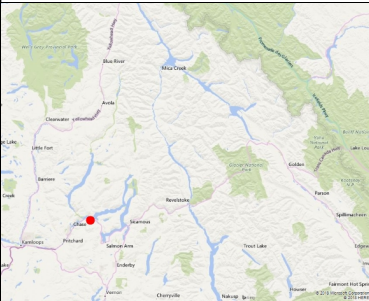


Columbia Shuswap Regional District  
555 Harbourfront Dr NE  
Salmon Arm, BC V1E 4P1

Legend

- Park Locations
- Regional Districts
  - Columbia Shuswap
  - Other Regional Districts
- Hydrant Use
  - Properties
  - Property Hooks
  - Spot Heights
  - 20m Contours
    - Index
    - Intermediate
- Detailed Roads
  - Properties
  - Railway
  - Road Island; Road Island
  - Unconstructed Road
- Wetlands
- Lakes Rivers
- Streams Large Scale
  - Definite
  - Indefinite or Intermittent
  - Altered or Unverified
  - Ditch
- CSRD Trails
- Park Boundaries
- Provincial Lake Access Points

May 07, 2018



Scale 1: 2,257

114.7 0 57.33 114.7 Meters



The information on this map was compiled by the CSRD for regulatory and internal reference purposes only. No representation or warranty is made as to the accuracy of the information.  
THIS MAP IS NOT TO BE USED FOR NAVIGATION





**Photo 1** – View looking south up the east tributary creek south of (above) Tayler Road and west of Hannett Road. The wildfire burned area in the upper slopes can be seen in the background. [May 9, 2018]



**Photo 2** – View looking south at the bank instability and channel disturbance (arrow) within the east tributary creek south of (above) Taylor Road and west of Hannett Road (the road on the left side of the creek). [May 9, 2018]



**Photo 3** - View looking north (downstream) at the channel disturbance below Taylor Road crossing near Hannett Road. [May 9, 2018]



**Photo 4** – View looking northwest at an area with considerable sediment deposition along the east tributary creek between London Lane (foreground) and the CP Railway. Deposition is visible upstream of London Lane in the left side of the photograph [May 9, 2018]



**Photo 5** – View looking east over the sediment deposition above the CP Railway. At the time, the east tributary appears to have been partially diverted to the west tributary (arrow). [May 9, 2018]



**Photo 6** – View looking south at the Newsome Creek gully below Highway 1. Caen Road is to the immediate left (east) and the location of the washed out crossing on Dieppe Road is shown with the arrow. [May 9, 2018]





**Photo 7** – View of culvert outlet (1200 mm diameter) in Highway 1. Note the scour in the embankment to the immediate right. [May 1, 2018]



**Photo 8** – View looking downstream at the 10 m high, near-vertical silt/clay deposit adjacent to 1185 Passchendaele Road. [May 1, 2018]



**Photo 9** – 2807 Caen Road: view looking upstream along the gully crest at the patio deck, which is supported on the steep sidewall slope. [May 7, 2018]



**Photo 10** – 2807 Caen Road: view looking down the slope at the reach upstream from this property. [May 7, 2018]



**Photo 11** – 2809 Caen Road: view looking upstream along the gully crest at the very steep slope below the elevated deck. The house is about 3 m back from the crest. A shallow debris slide occurred below this area (see Photo 12). [May 7, 2018]



**Photo 12** – 2809 Caen Road: view looking upstream at the bank instability. The elevated deck is visible in the background. A small debris slide (arrow) that occurred early in May 2018 is shown with the arrow. [May 26, 2018]



**Photo 13** – 2809 Caen Road: view looking downstream at the gravel deposit (below the lowest tan-coloured line) that eroded throughout May 2018 and undercut the bank. [May 26, 2018]





**Photo 14 – 2819 Caen Road:** view looking downstream (north) along the gully crest at the southwest corner of the shop (~2 m setback). Photo 15 shows the slope to the lower left of the corner of the photo. [May 3, 2018]



**Photo 15 – 2819 Caen Road:** view looking downstream (northeast) at the undercut bank and failing slope above, adjacent to the shop building (in the background). See also Photo 16. [May 9, 2018]



**Photo 16 – 2819 Caen Road:** view looking upstream (south) at the sand and gravel deposit that eroded throughout May 2018 and undercut the bank. [May 26, 2018]



**Photo 17 – 2821 Caen Road:** view looking downstream (north) along the gully crest behind the pottery shop (1.5 m setback). See also Photo 21, which shows the other side of the property. [May 7, 2018]



**Photo 18 – 2821 Caen Road:** view looking upstream (south) at the undercutting bank below the pottery shop. Note the creek has cut a channel in behind the roots of a large cedar tree (arrow), as shown in the closer view in Photo 19. [May 26, 2018]



**Photo 19 – 2821 Caen Road:** view looking upstream (southeast) at the sand and gravel deposit that eroded throughout May 2018 and undercut the bank. Undercut bank is about 3 m high. Roots supporting the cedar tree are on the right side. [May 26, 2018]





**Photo 20 – 2823 Caen Road:** view looking upstream (south) along the gully crest at the west side of the shop (~2 m setback). Note the fenced shed extends out to the crest (see Photo 21) and the gabion retaining wall and external patio deck in the lower right. [May 1, 2018]



**Photo 21 – 2823 Caen Road:** view looking upstream along the gully crest at the retaining wall that is supporting the shed roof. The patio extending out behind the pottery shop at 2821 Caen Road can be seen in the background. [May 1, 2018]



**Photo 22 – 2823 Caen Road:** view looking upstream (south) along the creek showing the downcutting that is occurring along this reach. [May 9, 2018]



**Photo 23 – 2825 Caen Road:** view looking downstream (northeast) at the slope below the residence on this lot. Note the rubber tire retaining wall below the house. The elevated deck is shown with the arrow. [May 26, 2018]



**Photo 24 – 2825 Caen Road:** view looking upstream (southwest) from the elevated deck at the creek below this lot. The creek is downcutting through this reach. [May 3, 2018]



**Photo 25 – 2825 Caen Road:** view looking downstream (north) along the downcutting creek channel below this lot. [May 3, 2018]





**Photo 26 – 2827 Caen Road:** view looking downstream (northeast) at the slope below the out-building at the rear of the property. The top of the debris slide is shown with an arrow and can be seen in Photo 27. [May 1, 2018]



**Photo 27 – 2827 Caen Road:** view looking upstream (south) showing the undercutting and debris slide shown with arrow in Photo 26. [May 3, 2018]



**Photo 28 – 2827 Caen Road:** view looking downstream at the channel downcutting below the north side of the lot. [May 7, 2018]



**Photo 29 – 2829 Caen Road:** view looking upstream (south) along the gully crest at the west side of the property. [May 1, 2018]



**Photo 30 – 2829 Caen Road:** view looking downstream (northwest) from the gully crest showing the creek downcutting. [May 1, 2018]



**Photo 31 – 2829 Caen Road:** view looking downstream (north) along the creek channel showing the creek downcutting. Note the bank failures farther downstream. [May 26, 2018]



**POLICY**  
**FLOODING**

W-5

**Preamble:**

The Columbia Shuswap Regional District receives numerous requests to respond to incidents of flooding in the unincorporated areas of the Regional District. The Regional District is not required under legislation to provide flood protection service and the Regional District has not established a flood protection service function or a tax for flood protection service. The purpose of this Policy is to clarify the role of the Regional District with respect to flooding issues for the benefit of the public, Regional District staff and relevant provincial and federal agencies.

**Policy:**

Property owners are responsible for protective works on their properties and for developing a protective flood plan for their properties. The Columbia Shuswap Regional District will not respond to flooding incidents but will, upon request, provide property owners with the following agency contact information in order for property owners to request assistance in response to an actual or pending flooding situation:

**Ministry of Transportation and Infrastructure (MOTI)**

- Flooding incident that involves the road drainage system; typically an open ditch adjacent to the road, associated culverts and downstream drainage systems.

**Ministry of Environment (MoE)**

- Flooding incident that involves an established drainage course, stream, creek, river or lake.

**Provincial Emergency Program (PEP)**

- Flooding incident that involves an application for funding assistance to the Disaster Financial Assistance Fund.

**Department of Fisheries and Oceans (DFO)**

- Flooding incident that involves an adverse impact to fisheries habitat.

Where requested, the Columbia Shuswap Regional District will endeavour to provide information and education for property owners on the development of a protective plan to mitigate damage from flooding.

Note: This Policy is not intended to affect any rights and responsibilities the Columbia Shuswap Regional District may have under the *Emergency Program Act* with respect to disasters and emergencies under that Act.

APRIL 2010



# BOARD REPORT

**TO:** Chair and Directors **File No:** 5340 01

**SUBJECT:** Agent for Agricultural Land Reserve (ALR) Land Exclusion Application – Balmoral Lands

**DESCRIPTION:** Report from Darcy Mooney, Manager of Operations Management, dated November 1, 2018. Update on ALR Exclusion Application Shuswap Lake Estates at Balmoral Road.

**RECOMMENDATION #1:** THAT: the report containing the decision of the Agricultural Land Commission Executive Committee in regards to the ALR Exclusion Application – Shuswap Lake Estates (Balmoral Road) to develop 35.5 ha into the Balmoral Village Centre and to utilize 13.5 ha for a lagoon for wastewater storage effluent facility (the "wastewaterfacility") for the Columbia Shuswap Regional District (CSR D) spray irrigation program, be received for information this 15<sup>th</sup> day of November, 2018.

## SHORT SUMMARY:

The Agricultural Land Commission (ALC) Executive Committee refused an application for exclusion from the Agricultural Land Reserve (ALR) for a 49 hectare parcel of land (Balmoral Lands) located at the corner of the Trans-Canada Highway and Balmoral Road in Blind Bay. The CSR D acted as agent for the exclusion application on behalf of the property owner/applicant (Applicant), Shuswap Lake Estates Ltd and Shuswap West Property Developments. The CSR D intended to purchase and utilize 13.6 hectares of the Balmoral Lands to develop a waste water treatment storage pond, while the remaining property would be retained by the Applicant to develop a town centre.

---

<b>VOTING:</b>	Unweighted Corporate	<input checked="" type="checkbox"/>	LGA Part 14 (Unweighted)	<input type="checkbox"/>	Weighted Corporate	<input type="checkbox"/>	Stakeholder (Weighted)	<input type="checkbox"/>
----------------	-------------------------	-------------------------------------	-----------------------------	--------------------------	-----------------------	--------------------------	---------------------------	--------------------------

---

## BACKGROUND:

CSR D staff has been involved in researching options for community sewerage for the Blind Bay/Sorrento area for approximately 20 years. A high degree of staff time and financial resources have been used to develop a Liquid Waste Management Plans (LWMP) and companion engineering and feasibility studies for the types of treatment, distribution and disposition of effluent options available in the area. In 2016, Gentech Engineering Inc. compiled the various reports and studies into one summary report.

The last remaining viable option available to the CSR D to advance community sewerage in the area was the acquisition of 13.6 hectares of land located at the corner of Balmoral Road and the Trans-Canada Highway. An existing natural depression at the site, along with the proximity to an existing private sewer treatment facility made for an ideal location for a storage lagoon. The location also provided proximity to local farmland interested in using the effluent as spray irrigation nutrients for crops.

The CSR D worked with the Applicant and its consultants to apply for an ALR exclusion of the entire property to facilitate a waste water lagoon, with the remainder to be utilized by the Applicant for development purposes.

On October 22, 2018, the CSRD received notification from the ALC that the exclusion application was refused. The ALC determined that even though 12.5 hectares of the property is non-arable (the natural depression), there are no agricultural arguments to justify exclusion of the entire property, or a portion thereof from the ALR.

The Chair of the ALC has 60 days from the date of the decision (October 22, 2018) to overturn the decision of the ALC Executive Committee. The Applicant does wish to appeal the decision of the ALC and will be working to identify the conditions and the process for appeal, and will be working with the CSRD to make the necessary appeal submissions.

**POLICY:**

The Area C LWMP identifies options for consideration for sewer treatment and disposition to land or water. The CSRD has now exhausted its efforts to research land disposal options of effluent in accordance with the LWMP. All viable options have been researched and determined to be not feasible or not acceptable for a variety of reasons. Lake discharge may be a scientifically viable option and available to local governments according to the LWMP, but is deemed socially unacceptable.

**KEY ISSUES/CONCEPTS:**

Providing information to the Board regarding community sewer investigative works in Electoral Area C and the outcome of the Balmoral Lands Exclusion ALR application.

**BOARD'S OPTIONS:**

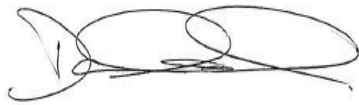
1. *Endorse the Recommendation.*
2. *Deny the Recommendation.*
3. *Defer.*
4. *Any other action deemed appropriate by the Board.*

**LIST NAME OF REPORT(S) / DOCUMENT(S) AVAILABLE FROM STAFF:**

**Report Approval Details**

Document Title:	ALC Exclusion Application Decision - Balmoral Lands.docx
Attachments:	- ALC Decision - Balmoral Lands 22Oct2018.pdf
Final Approval Date:	Nov 5, 2018

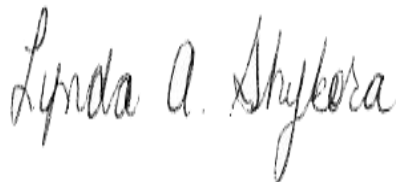
This report and all of its attachments were approved and signed as outlined below:



**Darcy Mooney - Nov 2, 2018 - 3:25 PM**



**Gerald Christie - Nov 2, 2018 - 4:46 PM**



**Lynda Shykora - Nov 5, 2018 - 11:12 AM**



**Charles Hamilton - Nov 5, 2018 - 11:35 AM**



**Agricultural Land Commission**  
201 – 4940 Canada Way  
Burnaby, British Columbia V5G 4K6  
Tel: 604 660-7000  
Fax: 604 660-7033  
[www.alc.gov.bc.ca](http://www.alc.gov.bc.ca)

October 22, 2018

ALC File: 56638  
CSRD File: LC2545

**Terry Langlois**  
**Columbia Shuswap Regional District**  
**DELIVERED ELECTRONICALLY**

Dear Terry Langlois:

**Re: Application 56638 to exclude land from the Agricultural Land Reserve**

Please find attached the Reasons for Decision of the Executive Committee for the above noted application (Resolution #341/2018). As agent, it is your responsibility to notify the applicant accordingly.

**Request for Reconsideration of a Decision**

Under section 33(1) of the ALCA, a person affected by a decision (e.g. the applicant) may submit a request for reconsideration. The request must be received within one (1) year from the date of this decision's release. For more information, refer to *ALC Policy P-08: Request for Reconsideration* available on the Commission website.

Please direct further correspondence with respect to this application to Celeste Barlow at [ALC.Okanagan@gov.bc.ca](mailto:ALC.Okanagan@gov.bc.ca)

Yours truly,

Celeste Barlow, Land Use Planner

Enclosure: Reasons for Decision (Resolution #341/2018)





**AGRICULTURAL LAND COMMISSION FILE 56638**  
**REASONS FOR DECISION OF THE EXECUTIVE COMMITTEE**

**Exclusion Application Submitted Under s. 30(1) of the *Agricultural Land Commission Act***

<b>Applicants:</b>	<b>Shuswap Lake Estates Ltd., Inc. No. BC0088417</b> <b>Shuswap West Development Ltd., Inc. No.</b> <b>BC0310796</b>
<b>Agent:</b>	<b>Terry Langlois, Columbia Shuswap Regional</b> <b>District</b>
<b>Property:</b>	<b>Parcel Identifier: 004-612-710</b> <b>Legal Description: The South West 1/4 Section 8,</b> <b>Township 22, Range 10, West Of The 6th Meridian,</b> <b>Kamloops Division Yale District, Except Plans</b> <b>36962, H425, H944, KAP58710, KAP67184 AND</b> <b>EPP3456</b> <b>Civic: Balmoral Road, Blind Bay, BC</b> <b>Area: 49.0 ha</b>
<b>Executive Committee:</b>	<b>Jennifer Dyson, Chair</b> <b>Linda Michaluk, Island Panel</b> <b>Richard Mumford, Interior Panel</b> <b>William Zylmans, South Coast Panel</b> <b>David Merz, North Panel</b> <b>David Zehnder, Kootenay Panel</b>



## **OVERVIEW**

[1] The Property is located within the Agricultural Land Reserve (ALR) as defined in s. 1 of the *Agricultural Land Commission Act* (ALCA). The Property is located within Zone 1 as defined in s. 4.2 of the ALCA.

[2] Pursuant to s. 30(1) of the ALCA, the Applicant is applying to the Agricultural Land Commission (the "Commission") to exclude the 49.0 ha Property from the ALR (the "Proposal"). The purpose of Proposal is to:

- develop 35.5 ha into the Balmoral Village Centre; and
- utilize 13.5 ha for a lagoon for wastewater storage effluent facility (the "wastewater facility") for the Columbia Shuswap Regional District (CSRD) spray irrigation program

[3] The Application states that the exclusion of the lands from the ALR would allow CSRD to:

- expand the capacity of the existing wastewater facility in order to service a greater area of the community and allow the densification of residential parcels in the area;
- reduce the amount of effluent entering Shuswap Lake and allowing CSRD to provide the surrounding farms with nutrient rich spray irrigation from the new storage lagoons; and
- allow the development of a Village Centre to bring services closer to Blind Bay and reduce traffic trips.

[4] The first issue the Executive Committee considered is whether the Property is appropriately designated as ALR based on agricultural capability and suitability.

[5] The second issue the Executive Committee considered is whether the Property should be excluded from the ALR to accommodate development of Balmoral Village Centre.

[6] The third issue the Executive Committee considered is whether the Property should be excluded from the ALR to accommodate the wastewater facility.



- [7] The Proposal was considered in the context of the purposes of the Commission set out in s. 6 of the ALCA. These purposes are:
- (a) to preserve agricultural land;
  - (b) to encourage farming on agricultural land in collaboration with other communities of interest; and
  - (c) to encourage local governments, first nations, the government and its agents to enable and accommodate farm use of agricultural land and uses compatible with agriculture in their plans, bylaws and policies.

### **EVIDENTIARY RECORD**

- [8] The Proposal along with related documentation from the Applicant, Agent, local government, third parties, and Commission is collectively referred to as the "Application". All documentation in the Application was disclosed to the Agent in advance of this decision.
- [9] Vice-Chair Zimmerman and Vice-Chair Merz (the "Executive Committee Representatives") conducted a walk-around and meeting site visit on May 16, 2018 in accordance with the *ALC Policy Regarding Site Visits in Applications*, (the "Site Visit"). A site visit report was prepared in accordance with the *Policy Regarding Site Visits in Applications*. The site visit report was certified as accurately reflecting the observations and discussions of the Site Visit by the Agent on July 3, 2018 (the "Site Visit Report").

### **BACKGROUND**

- [10] In October 2007, Commission staff reviewed the CSRD Draft Electoral Area C Official Community Plan (the "2007 OCP"). The 2007 OCP proposed to designate ALR lands northeast of the intersection of Balmoral Road and Highway 1 (the area in which the Property is located) as a "Special Planning Area". The Commission previously refused exclusion and non-farm use applications for the Property and suggested that the areas lying northeast of Balmoral Road and Highway 1 should not be included in the boundaries of the "Special Planning Area" (ALC Planning File: 37672).



[11] Subsequent to the 2007 OCP review, in December 2011, Commission staff reviewed the CSRD Draft Electoral Area C Official Community Plan (the "2011 OCP") which designated approximately 47 ha ALR area (the Property) as a "Balmoral Village Centre". Commission staff advised that this designation should be deleted to avoid inconsistency with s. 46 of ALCA and the previous decisions of the Commission referred to in paragraph 10.

[12] In May 2013, the Commission reviewed another draft of the Electoral Area C Official Community Plan (the "2013 OCP"). In a letter to the CSRD dated May 24<sup>th</sup>, 2013, the Commission stated the following:

*The Commission confirms its previous (Dec. 2011) advice that the Balmoral "Village Centre" designation of ALR land on the Schedule B OCP map is inconsistent with its previous decisions and current perspective. The Commission recalls that it has twice refused application for the exclusion of the property from the ALR, based on a soil assessment which confirms that the majority of the land has good agricultural capability. Though not developed for agriculture, the property also lies in a farm area. It is the Commission's perspective that a "Village Centre" designation at Balmoral has potential to foreshadow land use change on the property and destabilize agricultural land uses on other nearby ALR parcels. In addition, no compelling evidence has been provided by the Regional District that there is not sufficient, commercial designated land in Electoral Area C to accommodate anticipated demand for commercial land.*

## **EVIDENCE AND FINDINGS**

### **Issue: Whether the Property is appropriately designated as ALR based on agricultural capability and suitability**

[13] The Property is bordered to the east, west and south by ALR land and to the north by non-ALR residential development. The Executive Committee finds that the surrounding land uses do not render the Property unsuitable for agricultural use.

[14] To assess agricultural capability on the Property, the Executive Committee referred to agricultural capability ratings. The ratings are identified using the Canada Land Inventory





(CLI), 'Soil Capability Classification for Agriculture' system. The improved agricultural capability ratings applicable to the Property are Class 2 and Class 5. More specifically, about 70% of the Property is located in area rated as improvable to (7:2D – 3:2T) and the northwestern 30% of the Property is rated as improvable to (5T).

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

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

The limiting subclasses associated with this parcel of land are D (undesirable soil structure), and T (topographic limitations).

[15] In addition, the Panel received a professional Agrologist's report, prepared by Wayne A. Blashill, P.Ag., dated August 27, 2017 (the "Blashill Report"). The Blashill Report concludes that 36 ha of the Property are arable and that the remaining 12.5 ha are non-arable due to topography and wetness. The 12.5 ha non-arable area contains an existing pond which would be utilized for the proposed wastewater facility.

[16] It is not uncommon for parcels within the ALR to contain areas of varying agricultural capability. If less capable portions of ALR parcels were routinely excluded, the cohesive nature of ALR would be eroded and conflict between agricultural and non-agricultural uses would proliferate. For this reason, the Executive Committee finds that there are no agricultural arguments to justify exclusion of the Property, or a portion thereof. The Executive Committee finds that the Property has agricultural capability and is appropriately designated as ALR.

**Issue 2: Whether the Property should be excluded from the ALR to accommodate development of Balmoral Village Centre**



[17] Included in the Application was a report titled *ALR Exclusion Application*, prepared by Kent-Macpherson, and dated January 19, 2018 (the “Kent-Macpherson Report”). The Kent-Macpherson Report states that the growth of the Blind Bay and Sorrento community has created demand for a town centre and associated community amenities.

[18] The Executive Committee reviewed the background relating to the Commission’s comments of the previous iterations of the draft Electoral Area C Official Community Plan and concurs with the comments of the Commission that exclusion to accommodate the Balmoral Village Centre would be a substantial loss of land that is suitable and capable of supporting agriculture.

[19] The Executive Committee also shares the previous concerns of the Commission that the introduction of residential parcels would increase the residential character of an agricultural area and may lead to further pressures for subdivision.

**Issue 3: Whether the Property should be excluded from the ALR to accommodate the wastewater facility**

[20] The Kent-Macpherson Report states that as residential density has increased along Shuswap Lake, so has the necessity for sewer management and the risk of contamination of the lake foreshore area. In 2002, the CSRD developed a Liquid Waste Management Plan (LWMP) which identified the need for a community sewer system in the Blind Bay and Sorrento area in which the Property is located.

[21] With respect to the location of the waste water facility in the Proposal, the Kent Macpherson Report states:

*After a thorough and exhaustive process, the CSRD has recently identified that the only available option to advance a community sewer system for the communities of Reedman Point/Blind Bay/Sorrento would be the acquisition of the existing Shuswap Lake Estates private community sewer system and the acquisition of suitable land (in proximity to this treatment plant as well as local farmers) to develop an effluent storage pond for the purpose of supplying spray irrigation effluent to neighbouring farmland. The CSRD*



*focused its attention on the Balmoral Corner as a solution that could meet these community objectives.*

[22] In addition to the provision of a wastewater facility for surrounding development, the Application submits that a benefit of the proposed facility will be to provide nutrient-rich waste water as an irrigation source for adjacent farmland. During the Site Visit, Andrea Gunner (Economic Agrologist) discussed the agricultural benefits of the wastewater storage effluent lagoon. As documented in the Site Visit Report, she explained that there are 11 farms in the surrounding area that are struggling to source enough water to sustain their crops. Of these 11 farms, nine are a suitable distance and size to utilize the irrigation water produced by the proposed wastewater facility. Nine of the 11 farmers have indicated they would be interested in receiving the treated effluent water for irrigation purposes.

[23] The Executive Committee concurred that for certain crops, the irrigation benefit could increase production on the nine farms. However, the Executive Committee also recognized that certain types of agricultural production could be prohibited due to the quality and/or source of the treated water. On balance, the Executive Committee finds that the potential benefit of treated irrigation is not substantive because of the limited area proposed for irrigation, and the narrow range of crops that might benefit.

[24] The Application submits that expanding the capacity of the existing wastewater facility would service a greater area of the community and allow the densification of residential parcels in the area. In this regard, the Executive Committee is not amenable to expanding residential wastewater storage within the ALR. While cognizant of the expanding residential uses in the Balmoral and Sorrento area, the Executive Committee finds that the associated infrastructure for that non-ALR expansion should be planned for and accommodated outside the ALR as well.

## **DECISION**

[25] For the reasons given above, the Executive Committee refuses the Proposal to exclude the 49.0 ha Property from the ALR.



[26] These are the unanimous reasons of the Executive Committee.

[27] A decision of the Executive Committee is a decision of the Commission pursuant to s. 11.1(5) of the ALCA.

[28] Resolution #341/2018

Released on October 22, 2018

A handwritten signature in black ink, consisting of several loops and a long horizontal stroke extending to the left.

**Jennifer Dyson, Chair**

On behalf of the Executive Committee





# BOARD REPORT

<b>TO:</b>	Chair and Directors	<b>File No:</b> 1855 03
<b>SUBJECT:</b>	Community Resiliency Investment Grant	
<b>DESCRIPTION:</b>	Report from Derek Sutherland, Team Leader Protective Services, dated November 2, 2018. Update on new provincial grants to provide funds to mitigate forest fuels on crown lands surrounding communities.	
<b>RECOMMENDATION #1:</b>	THAT: the CSR D Board adopt a resolution of support for the new Community Resiliency Investment Grant program provisions that provide opportunities to not-for-profit groups, provincial governments and provincial government contractors to access funding and manage treatment programs on provincial land.	

## SHORT SUMMARY:

The long standing Strategic Wildfire Prevention (SWP) grant has been revamped following the Abbott/Chapman report on the 2017 wildfires. The new program is called the Community Resiliency Investment (CRI) grant and includes changes that incorporated input provided by stakeholders from across BC. Staff have reviewed the CRI grant criteria as it compares to the SWP grant and has determined that the CPI grant remains heavily focused on providing funding to local governments interested in completing crown land forest fuel mitigation around communities. A positive change to the grant is that not-for-profit groups, provincial governments and provincial government contractors can now access the funding and manage treatment programs on provincial land. The current application deadline for the CRI grant is December 7, 2018.

<b>VOTING:</b>	Unweighted Corporate	<input checked="" type="checkbox"/>	LGA Part 14 (Unweighted)	<input type="checkbox"/>	Weighted Corporate	<input type="checkbox"/>	Stakeholder (Weighted)	<input type="checkbox"/>
----------------	-------------------------	-------------------------------------	-----------------------------	--------------------------	-----------------------	--------------------------	---------------------------	--------------------------

## BACKGROUND:

In 2018 the long standing Strategic Wildfire Prevention grant program was revamped to encompass some of the changes suggested by various stakeholders outlined in the Abbott/Chapman report *"Addressing the New Normal: 21<sup>st</sup> Century Disaster Management in British Columbia"*. The new CRI grant includes many of the features of the SWP, such as fuel mitigation on crown land, but includes added components to address mitigation on private land, as well as the development of FireSmart programs.

The CRI is operated jointly through UBCM and the Forest Enhancement Society (FES). The CRI has \$20 million dollars in funding available for crown land mitigations and FireSmart initiatives at the community level. Funding for the crown land treatments is prioritized and unlimited; funding for private land mitigation projects (FireSmart) is limited to \$100,000. FireSmart initiatives will be funded with remaining funds after treatments programs are funded. Applications for crown land treatment projects are administered directly through FES, and FireSmart initiatives are administered through the Union of British Columbia Municipalities (UBCM).

The most significant improvement to the new CRI grant is the addition of eligible applicants including not-for-profit groups, provincial governments, and provincial government contractors. This improvement allows for special interest groups and provincial government departments to access the funding and manage treatment programs on provincial land.

In 2012, the Board decided against pursuing the SWP grant because it required the local government to manage wildfire mitigation on provincial land surrounding communities. The program was heavily dependent on local governments providing fuel reduction strategies and treatments on crown land. This was viewed by the Board as an attempt by the Province to download provincial responsibility onto local governments. As an alternative, the Board elected to focus efforts and resources on building a structure protection program. To date, three Structure Protection Units (SPU's) have been purchased and equipped to address the protection of homes and structures within the forest interface areas during wildfire emergencies. The SPU's have been deployed throughout British Columbia and have saved countless structures and received revenue in excess of \$750,000 in deployment reimbursements.

The new FireSmart element of the CRI grant could have some merit for application, although the CRI criteria indicates that in order to apply for the CRI grant, the local government must have completed a comprehensive Community Wildfire Protection Plan (CWPP) that would identify the wildfire risks of each affected community and examine the ways to which the wildfire risks could be reduced. The CSRD has not engaged in the development of CWPP's for its numerous communities.

#### **POLICY:**

There is no policy restricting the CSRD to assume provincial responsibilities with respect to managing forest fuels on crown land. The CSRD does not have the means to utilize taxes to fund the program costs or to fund the staff time and resources involved in this comprehensive program.

#### **FINANCIAL:**

The CRI grant provides a one-time 100% program funding for eligible costs and activities.

#### **DESIRED OUTCOMES:**

Local non-profit groups interested and eligible for the receipt of grant funds may submit a grant request to the CRI and receive funds to provide forest fuel mitigation on provincial crown land within the CSRD.

#### **BOARD'S OPTIONS:**

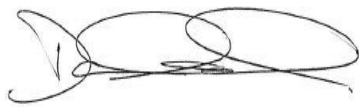
1. *Endorse the Recommendation.*
2. *Deny the Recommendation.*
3. *Defer.*
4. *Any other action deemed appropriate by the Board.*

#### **LIST NAME OF REPORT(S) / DOCUMENT(S) AVAILABLE FROM STAFF:**

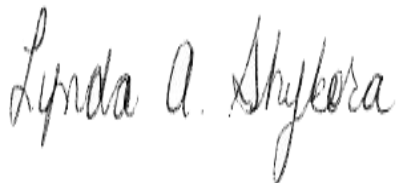
**Report Approval Details**

Document Title:	Community Resiliency Investment Grant.docx
Attachments:	
Final Approval Date:	Nov 5, 2018

This report and all of its attachments were approved and signed as outlined below:



**Darcy Mooney - Nov 2, 2018 - 3:44 PM**



**Lynda Shykora - Nov 5, 2018 - 10:35 AM**



**Charles Hamilton - Nov 5, 2018 - 11:45 AM**



# BOARD REPORT

**TO:** Chair and Directors **File No:** 1850 20 18

**SUBJECT:** Grant in Aid Requests

**DESCRIPTION:** Report from Jodi Pierce, Manager, Financial Services dated October 24, 2018.

**RECOMMENDATION:** THAT: the Board approve the following allocations from the 2018 electoral grant-in-aids:

Area A

\$500 Wildsight Golden (Truck stop electrification feasibility study)

\$400 Golden and District Community Foundation (Peter Bowle-Evans Award for two years)

\$1,000 Tourism Golden (Reception for Freeride World Tour 2019)

\$1,100 Kicking Horse Country Chamber of Commerce (Community Excellence Awards sponsorship)

\$3,111 Little Mittens Animal Rescue Association (Dog Rescue Mission)

Area C

\$2,000 Sorrento Memorial Hall (2018 Annual Christmas Light-up)

Area D

\$2,000 Falkland & District Curling Club (Operational costs),  
this 15<sup>th</sup> day of November, 2018.

---

<b>VOTING:</b>	Unweighted Corporate <input type="checkbox"/>	LGA Part 14 (Unweighted) <input type="checkbox"/>	Weighted Corporate <input checked="" type="checkbox"/>	Stakeholder ( <i>Weighted</i> ) <input type="checkbox"/>
----------------	---	---	--	--

---

## POLICY:

These requests meet the requirements of Policy F-30, are approved by the respective Area Director, and the required source documentation has been received. These requests are within the Electoral Area's grant-in-aid budget for 2018.

## COMMUNICATIONS:

The respective Electoral Director will advise each organization of the Board's decision. Successful organizations will be sent a cheque accompanied by a congratulatory letter.

## DESIRED OUTCOMES:

That the Board endorse the recommendation.

## BOARD'S OPTIONS:

1. *Endorse the Recommendation.*
2. *Deny the Recommendation.*
3. *Defer.*
4. *Any other action deemed appropriate by the Board.*

**LIST NAME OF REPORT(S) / DOCUMENT(S) AVAILABLE FROM STAFF:**

1. Grant in Aid application forms

**Report Approval Details**

Document Title:	2018-11-15 Board_FIN_Grant in Aids.docx
Attachments:	
Final Approval Date:	Nov 2, 2018

This report and all of its attachments were approved and signed as outlined below:

**No Signature - Task assigned to Lynda Shykora was completed by assistant Jennifer Sham**

**Lynda Shykora - Nov 2, 2018 - 8:57 AM**

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

**Charles Hamilton - Nov 2, 2018 - 10:18 AM**



# BOARD REPORT

**TO:** Chair and Directors

**File No:** 1850 40 18

**SUBJECT:** Area F Community Works Fund – North Shuswap Chamber of Commerce

**DESCRIPTION:** Report from Jodi Pierce, Manager, Financial Services dated October 24, 2018.

**RECOMMENDATION #1:** THAT: in accordance with Policy F-3 "Electoral Area Community Works Fund – Expenditure of Monies", access to the Community Works Fund be approved up to \$6,369 plus applicable taxes from the Area F Community Works Fund to the North Shuswap Chamber of Commerce for completion of three Visitor Information Kiosks.

## SHORT SUMMARY:

Information relating to this request is attached and is supported by the Electoral Area F Director. The North Shuswap Chamber of Commerce had received \$42,900 plus applicable taxes in April 2018, however, the quote for some components of the project were higher than anticipated and despite a contribution from the North Shuswap Chamber, they are still short \$6,369 to complete the project.

<b>VOTING:</b>	Unweighted Corporate	<input type="checkbox"/>	LGA Part 14 (Unweighted)	<input type="checkbox"/>	Weighted Corporate	<input checked="" type="checkbox"/>	Stakeholder (Weighted)	<input type="checkbox"/>
----------------	-------------------------	--------------------------	-----------------------------	--------------------------	-----------------------	-------------------------------------	---------------------------	--------------------------

## POLICY:

This request meets the criteria for support in relation to CSR D Policy *F-3, Community Works Fund – Expenditure of Monies*. Eligible recipients for Gas Tax funding include tourism infrastructure. These permanent kiosks will be available for public use and benefit.

## FINANCIAL:

The balance of the Area F Community Works Fund (Gas Tax) at October 24, 2018 is approximately \$197,000 after all previously approved commitments. The 2018 distribution is included in the above amount. Expenditure of the funds will be in accordance with the 2014-2024 Agreement between the UBCM and CSR D, dated July 7, 2014.

## IMPLEMENTATION:

Upon Board approval, a Use of Community Works Funds Agreement will be forwarded to the North Shuswap Chamber of Commerce for signature and funding will be made available upon submission of copies of eligible invoices for payment at the end of the project, anticipated for completion in 2018.

## COMMUNICATIONS:

The CSR D will enter into an agreement with the North Shuswap Chamber of Commerce that transfers CSR D obligations on ownership and reporting to the Association (e.g. the Association will need to

maintain records, provide access to auditors, spend funding on eligible costs of eligible projects, report to the CSRD on outcomes achieved, etc.).

**DESIRED OUTCOMES:**

The Board will approve the recommendation.

**BOARD'S OPTIONS:**

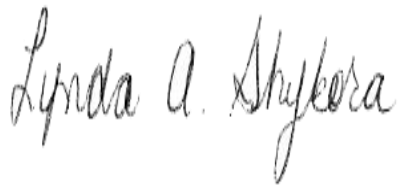
1. *Endorse the Recommendation.*
2. *Deny the Recommendation.*
3. *Defer.*
4. *Any other action deemed appropriate by the Board.*



**Report Approval Details**

Document Title:	2018-11-15 Board_FIN_Community Works Funds - North Shuswap Chamber of Commerce.docx
Attachments:	- Cover Letter for Additional Funds Request for KiosksOct 172018.pdf
Final Approval Date:	Oct 30, 2018

This report and all of its attachments were approved and signed as outlined below:



**Lynda Shykora - Oct 29, 2018 - 11:16 AM**



**Charles Hamilton - Oct 30, 2018 - 9:01 AM**

October 17, 2018

Columbia Shuswap Regional District  
555 Harbourfront Drive NE  
Salmon Arm, BC V1E 4P1

Attn: Ms. Jodi Pierce  
Manager, Financial Services

Dear Ms. Pierce:

Re: Community Funds Request  
North Shuswap Chamber of Commerce

The Board of Directors for the North Shuswap Chamber of Commerce is respectfully requesting monies from the CSRD through the Community Works Fund.

The Chamber is in the process of having the first phase of their Tourism Kiosk Project for visitor services in the Shuswap completed. Unfortunately, we find ourselves with a shortfall of monies to complete the 3 Kiosks. Original grant monies were received on Contract No 2018-192-0034-10.

Shuswap Country Builders, the building contractor have poured the concrete and will be putting up the wood structure any day now. Plastic Works has completed the brochure holders and they will be shipped shortly. The Graphic Design for most of panels has been completed. There will be a small amount of work required once we have received the information from the Little Shuswap Indian Band. The majority of funds required will be to complete the panels themselves from High Impact.

As this project aligns with the Shuswap Tourism Branding and is used to provide our visitors with valuable information regarding our area, we ask for your consideration and approval from CSRD and proceed with submitting the request for additional monies in the amount of \$6,368.96 from the Community Works Fund.

Thank you in advance.

Angela Lagore, President  
North Shuswap Chamber of Commerce  
Box 24011  
Scotch Creek, BC V0E 3L0





# BOARD REPORT

**TO:** Chair and Directors

**File No:** 1745 20 20

**SUBJECT:** Electoral Area B: City of Revelstoke Recreation Facilities and Programs Agreement Extension

**DESCRIPTION:** Report from Charles Hamilton, Chief Administrative Officer, dated November 1, 2018.  
Extension to existing Recreation Facilities and Programs Agreement with the City of Revelstoke.

**RECOMMENDATION:** THAT: the Board empower the authorized signatories to extend the existing Recreation Facilities and Programs Agreement with the City of Revelstoke for an additional two year term expiring on December 31, 2020 for the provision of recreation services for property owners within the Electoral Area B Recreation Facilities and Programs Specified Area, this 15<sup>th</sup> day of November, 2018.

## SHORT SUMMARY:

The City of Revelstoke has provided recreation services to property owners within the Electoral Area B specified area since 1980. The current Recreation Facilities and Programs Agreement commenced on January 1, 2016 and expires on December 31, 2018. The document contains a provision to extend the agreement for an additional two year period. At the Regular Council Meeting held on October 23, 2018, the City of Revelstoke Council endorsed a two year extension to the agreement.

## VOTING:

Unweighted  
Corporate



LGA Part 14  
(Unweighted)



Weighted  
Corporate



Stakeholder  
(Weighted)



## BACKGROUND:

The CSR D adopted Recreation Programs and Facilities Specified Area Establishment Bylaw No. 91 in 1975, which established a specified area for the purpose of providing recreation programs and facilities for a portion of Electoral Area B by means of a contract with the City of Revelstoke. The resulting agreement set out the terms for provision of recreation services by the City of Revelstoke and came into effect on January 1, 1980 (revised 2004 to include the new aquatic centre). At that time, the contributions to the recreation service was by assessment.

In 2011, CSR D and City of Revelstoke staff met to discuss concerns expressed by the Electoral Area Director regarding the model of contribution for this service by Area B residents. Based on these discussions, a new five year agreement was developed which changed the funding model from an assessment based model to one where contributions were apportioned based on the number of residential occurrences within Area B and the City of Revelstoke. That agreement expired on December 31, 2015. A new agreement was drafted in 2016 to mirror the 2011 agreement, with the exception of the term being for three years, rather than five, with an option to extend for an additional two years.

## FINANCIAL:

The 2018 requisition rate for recreation is \$0.720/\$1,000, which equates to approximately \$283.50 for the average residential property. The projected 2019 requisition rate will remain approximately the same as 2018 rates.

**IMPLEMENTATION:**

Upon approval, the properties within the Electoral Area B specified area will continue to contribute to the City of Revelstoke recreation and facilities function.

**COMMUNICATIONS:**

CSRD staff will provide notice to the City of Revelstoke regarding the Board's decision.

**DESIRED OUTCOMES:**

That the Board endorse staff recommendation.

**BOARD'S OPTIONS:**

1. *Endorse the Recommendation.*
2. *Deny the Recommendation.*
3. *Defer.*
4. *Any other action deemed appropriate by the Board.*

**LIST NAME OF REPORT(S) / DOCUMENT(S) AVAILABLE FROM STAFF:**

1. Recreation Programs and Facilities Specified Area Establishment Bylaw No. 91, 1975

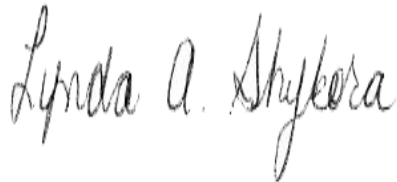
**Report Approval Details**

Document Title:	2018-11-15_Board_CA_17452020.docx
Attachments:	<ul style="list-style-type: none"><li>- Recreation_Facilities_and_Programs_Agreement.pdf</li><li>- Renewal_Letter_2018-10-29.pdf</li><li>- 2018-10-21_Council_Report_CSRD_cost-sharing_agreement.pdf</li></ul>
Final Approval Date:	Nov 6, 2018

This report and all of its attachments were approved and signed as outlined below:

**No Signature - Task assigned to Jodi Pierce was completed by assistant Sheena Haines**

**Jodi Pierce - Nov 6, 2018 - 9:53 AM**



**Lynda Shykora - Nov 6, 2018 - 10:28 AM**



**Charles Hamilton - Nov 6, 2018 - 11:15 AM**

CITY OF REVELSTOKE  
Recreation Facilities and Programs

THIS AGREEMENT made in duplicate this 1 day of January, 2016.

BETWEEN:

CITY OF REVELSTOKE  
(hereinafter called the "City")  
OF THE FIRST PART

AND:

COLUMBIA SHUSWAP REGIONAL DISTRICT  
(hereinafter called the "Regional District")  
OF THE SECOND PART

WHEREAS the Regional Board of the Regional District has established a Specified Area, for the purpose of providing Recreation Facilities and Programs by means of a contract with the City;

AND WHEREAS the Regional Board is empowered with respect to that part of the Regional District not within a municipality to undertake any work or service under the provisions of the Local Government Act;

AND WHEREAS a contract shall be entered into between the Regional District and the City in order to provide Recreation Facilities and Programs to the Specified Area established hereby;

AND WHEREAS the City will provide Recreation Programs and will maintain and operate Recreation Facilities as follows:

All recreational facilities currently provided by the City but excluding the following neighbourhood parks:

Beruschi Park  
Big Eddy Park  
Kovach Park  
Farwell Park  
Arrow Heights Park

and excluding Boulevard and Revitalization areas, Trails and Walkways (Inc. Greenway);

AND the Administration of those facilities and the Recreation Program provided by the City of Revelstoke Recreation Department;

NOW THEREFORE THIS AGREEMENT WITNESSETH that the parties hereto in consideration of the monies to be paid by the Regional District to the City as hereinafter set forth and of the premises and the mutual covenants hereinafter contained the parties hereto

DO COVENANT AND AGREE each with the other as follows:

1. The City undertakes to provide and maintain Recreation Facilities and Programs for the property owners within the Specified Area, comprised of all those lands within a portion of the Regional District's Electoral Area 'B' as outlined in red on the map attached hereto and forming part of this Agreement as Schedule "A".
2. The City agrees to provide and maintain Recreation Facilities and Programs for the property owners within the Specified Area, provided that the City's annual capital and operating budget for Recreation Facilities and Programs is reviewed and approved by the Regional District, and further that in the event that the agreement on the said budget is not reached, the Regional District and the City will be charged with achieving a resolution.
3. On or before August 1<sup>st</sup> in each year during the term of this Agreement, the Regional District covenants to pay, on behalf of the Specified Area, to the City for Recreation Facilities and Programs, an apportionment of the net costs attributable to those facilities and programs for the calendar year based on the proportion that the number of residential occurrences in Area "B" bears to the combined number of residential occurrences within the City and Area "B" as reported by the British Columbia Assessment Authority (BCAA).
4. During the term of this Agreement the annual budget for Recreation Facilities and Programs provided by the City to the Regional District shall include all revenues and expenditures attributable to the Recreation Facilities and Programs and approved under Section (2). Annual Expenditures shall include both operating costs and an annual transfer to the City's Recreation Reserve fund. Annual expenditures shall not include tangible capital assets nor debt principle repayments for the aquatic centre.
5. The City has established a separate interest earning Recreation Reserve fund. The annual transfer, together with the accrued interest rate for investments shall be credited by the City to the Reserve Account at the end of each calendar year during the term of this Agreement. Withdrawals from the Recreation Reserve fund used to pay for tangible capital assets at the Aquatic Centre shall be treated as revenue in the annual accounting of net cost of Recreational programs.
6. The costs associated with neighbourhood parks shall be 13% of the costs associated with all Parks.
7. The City shall not add a new Recreational facility or program to this Agreement without the written agreement of the Regional District.

City of Revelstoke


-3-

Recreation Facilities and Programs

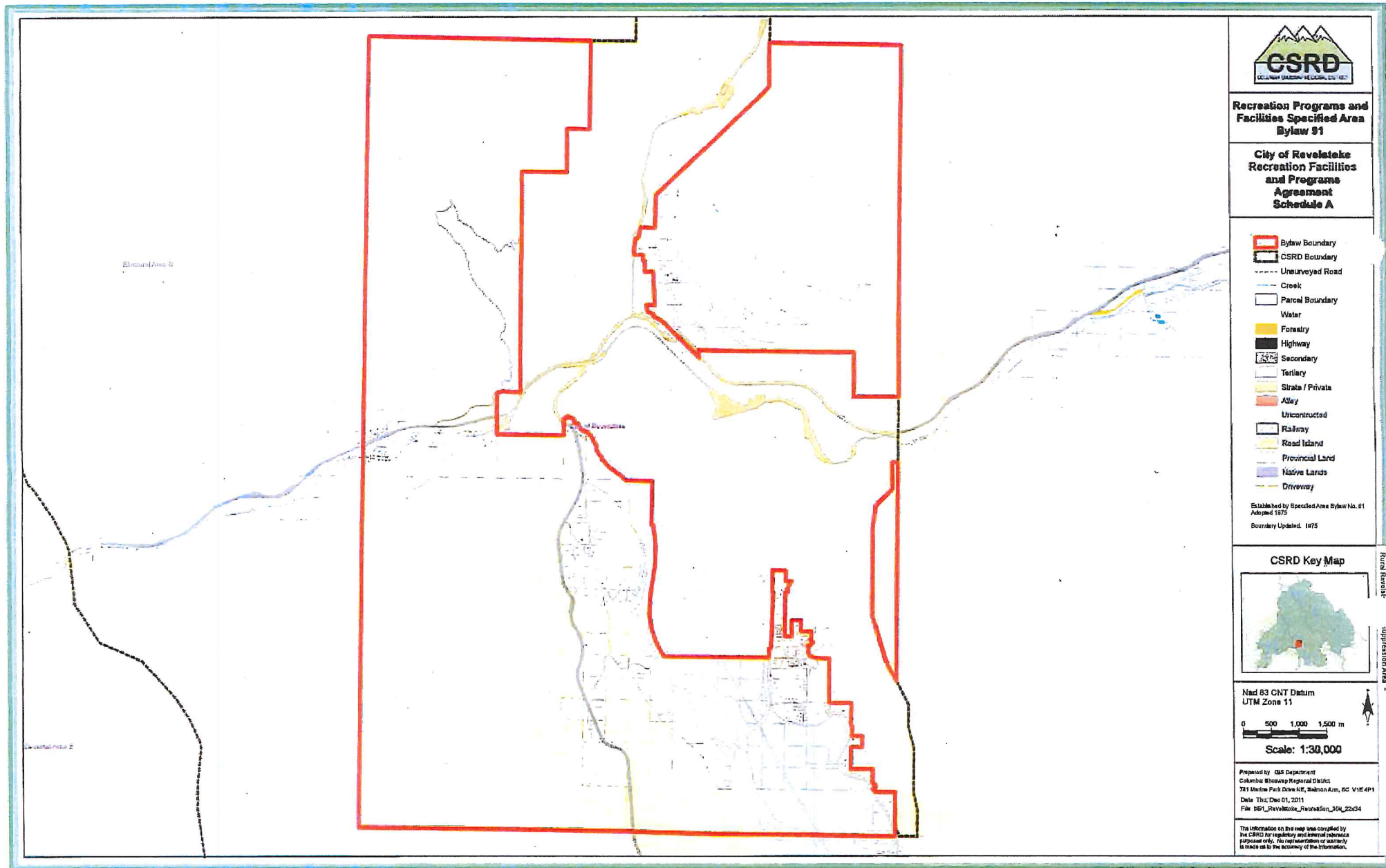
8. The City shall be entitled to receive from the Regional District an annual administrative fee at a rate calculated at 1% of the applicable Recreation Department cost to a maximum of \$18,000 annually.
9. Any surplus or deficit existing at the end of any calendar year for Recreation Facilities and Programs shall be taken into account as revenue or expenditure, as the case may be, within the annual Recreation Facilities and Programs Budget for the immediately succeeding year.
10. This Agreement will commence on January 1, 2016 and expire on December 31, 2018.
11. The City and the Regional District may at any time during the Term of this Agreement provide notice of termination as follows:
  - a. If the notice is given on or before June 1, the Agreement will terminate on December 31 in the year following notice of termination;
  - b. If the notice is given after June 1, the Agreement will terminate on December 31 in the second year following notice of termination.
12. Requests for renegotiation of the terms of this Agreement by either party must be made in writing to the other.
13. The City and the Regional District may, by additional Agreement, extend the term of this Agreement by a maximum of a two-year period.

IN WITNESS WHEREOF this Agreement has been executed by the parties hereto:

CITY OF REVELSTOKE

COLUMBIA SHUSWAP  
REGIONAL DISTRICT  
MAYOR  
CHAIR  
CHIEF ADMINISTRATIVE OFFICER  
CHIEF ADMINISTRATIVE OFFICER







# City of Revelstoke

P.O. Box 170, Revelstoke, British Columbia V0E 2S0  
revelstoke.ca

October 29, 2018

Columbia Shuswap Regional District  
555 Harbourfront Drive  
Box 978  
Salmon Arm BC V1E 4P1

**Attention: Charles Hamilton, CAO**

Dear Mr. Hamilton:

**Re: Renewal Term for CSRD/City of Revelstoke Cost Sharing Agreement  
Recreation Facilities and Programs**

AT the October 23, 2018 Regular Council Meeting, Council made the following resolution:

*"THAT the Agreement between the City of Revelstoke and Columbia Shuswap Regional District for cost-sharing in the provision of recreation programs and facilities for the period from January 1, 2016 to December 31, 2018, be extended in accordance with section 13. of the agreement for an additional two years resulting in a revised expiry date of December 31, 2020."*

The renewal term shall be for two years and will begin from January 1, 2019 and expire on December 31, 2020. All other terms in the agreement shall remain the same.

If you have any questions please call 250-837-2911 or email to [dawn.low@revelstoke.ca](mailto:dawn.low@revelstoke.ca)

Sincerely,

  
\_\_\_\_\_  
D. Low  
Director of Corporate Administration )

\_\_\_\_\_  
Authorized Signatory )  
Columbia Shuswap Regional District )

\_\_\_\_\_  
Witness )

DEVELOPMENT  
SERVICES

(250) 837-3637  
[development@revelstoke.ca](mailto:development@revelstoke.ca)

PUBLIC WORKS

(250) 837-2001  
[works@revelstoke.ca](mailto:works@revelstoke.ca)

FINANCE

(250) 837-2161  
[finance@revelstoke.ca](mailto:finance@revelstoke.ca)

FIRE RESCUE  
SERVICES

(250) 837-2884  
[fire@revelstoke.ca](mailto:fire@revelstoke.ca)

PARKS, RECREATION  
& CULTURE

(250) 837-9351  
[pro@revelstoke.ca](mailto:pro@revelstoke.ca)

CORPORATE  
ADMINISTRATION

(250) 837-2911  
[admin@revelstoke.ca](mailto:admin@revelstoke.ca)

COMMUNITY  
ECONOMIC DEVELOPMENT

(250) 837-5345  
[ced@revelstoke.ca](mailto:ced@revelstoke.ca)



# City of Revelstoke

## Council Report

File No.:

---

**To:** His Worship Mayor McKee and Members of City Council  
**From:** Allan Chabot, Chief Administrative Officer  
**Date:** October 21, 2018  
**Subject:** CSRD/City of Revelstoke Cost-sharing Agreement for Recreation Facilities and Programs

---

### **RECOMMENDATION:**

That the Agreement between the City of Revelstoke and Columbia Shuswap Regional District for cost-sharing in the provision of recreation programs and facilities for the period from January 1, 2016 to December 31, 2018, be extended in accordance with section 13. of the agreement for an additional two years resulting in a revised expiry date of December 31, 2020.

### **Background:**

For many years the City and the Columbia Shuswap Regional District (CSRD) have, by Agreement, shared in the cost of providing recreational programs and facilities for use by City and Area B residents. Over those years the Agreement has seen many iterations, notably in 2004 to accommodate the new Aquatic Centre and in 2012 after the CSRD gave notice of its termination so that it could be renegotiated to address issues raised by the CSRD.<sup>1</sup>

The replacement agreement negotiated in 2012 changed the funding formula from one based on the ratio of converted hospital assessment values in the specified rural area and City to one based on a ratio of residential occurrences in those same areas. This change saw a reduction in the overall contribution from the rural area towards recreational programs and facilities. If the new funding formula was in effect in 2011 it would have seen the rural area contribution decrease from 7.06% to 5.86% of net costs.

In addition, the 2012 Agreement excluded trails, walkways, boulevards and revitalization areas, neighbourhood parks and the Greenway. As the current costs associated with these facilities is relatively small in comparison to the overall parks, recreation and cultural services budget the impact of this change was relatively small.

Both the 2012 and 2016 Agreements contain the proviso that: Requests for renegotiation of the

---

<sup>1</sup> Prior to 2012 the Agreement contained no provisions respecting a renegotiation of terms or dispute resolution.



# City of Revelstoke

## Council Report

terms of this Agreement by either party must be made in writing to the other. Over the extension period of the current agreement or during negotiations for a replacement agreement, the City may want to revisit the recreation facilities and programs supported by the Agreement as recreational facilities and programs evolve (e.g. as Kovach Park is further developed and its use takes on more of a regional park function or as trails and the Greenway are further developed and see use by more rural residents and as the City's support for cultural services grows that serve both City and Area B residents). The completion of the skate park in Kovach Park later this year is expected to see it attract far more rural residents to use that amenity.

On the basis of the current Agreement, in 2017 the City recovered \$145,496 (5.43% of costs) towards the net cost of providing recreational programs and facilities of \$2,679,480.<sup>2</sup>

### **Options / discussion**

Council could choose not to extend the Agreement and incur the loss of revenue associated with that and either increase taxes and/or user fees to recover that amount or reduce the level of service provided for recreational programs and facilities.

Council could instruct staff to renegotiate the cost-sharing formula and programs and services funded by the agreement.

Council could approve the Agreement extension, preserving the right to give future consideration to renegotiation if need arises or circumstances dictate same.

### **Financial / Risk Implications:**

If an extension or replacement Agreement is not approved, the City could lose approximately \$145,000 per year towards the cost of providing recreational programs and facilities.

### **Strategic Plan Reference:**

#### 2015 Council Objectives

- Determination of Core and Non-core Service Levels: Establish service levels for core services such as... recreation... in line with public expectations and fiscal limitations.

#### 2016 Council Objectives

- Quality of Life: Move forward with planned recreation/active living and cultural projects.

#### Official Community Plan

- Support the high quality of life that individuals and families enjoy by fulfilling their lifelong health, cultural, educational, spiritual, recreational and economic needs.

### **Attachments:**

Agreement for Recreation Facilities and Programs between the City and CSRD for the period

---

<sup>2</sup> See Statement of Recreational Department Operations for the year ended December 31, 2017 attached.



# City of Revelstoke

## Council Report

January 1, 2016 to December 31, 2018.

**Others consulted:**

Laurie Donato, Director of Parks, Recreation and Culture  
Tania McCabe, Director of Finance

**Respectfully submitted,**

A handwritten signature in black ink that reads "A. Chabot".

Allan Chabot, Chief Administrative Officer





# BOARD REPORT

<b>TO:</b>	Chair and Directors	<b>File No:</b> Bylaw No. 5777
<b>SUBJECT:</b>	Outcome of Assent Vote October 20, 2018 and Adoption of Bylaw No. 5777	
<b>DESCRIPTION:</b>	Report from Lynda Shykora, Deputy Manager, Corporate Administration Services, dated October 31, 2018.	
<b>RECOMMENDATION #1:</b>	THAT: the Declaration of Official Results – Assent Voting – October, 2018 in respect of “Electoral Area A Core Facilities Funding Contribution Service Establishment Bylaw No. 5777” be received this 15 <sup>th</sup> day of November, 2018.	
<b>RECOMMENDATION #2:</b>	THAT: “Electoral Area A Core Facilities Funding Contribution Service Establishment Bylaw No. 5777” be adopted this 15 <sup>th</sup> day of November, 2018.	

## SHORT SUMMARY:

This report is to inform the Board of the assent voting results in relation to the vote held on October 20, 2018 in Electoral Area A. The vote was in the affirmative which means that the Board is able to consider adopting the Electoral Area A Core Facilities Funding Contribution Service Establishment Bylaw No. 5777.

---

<b>VOTING:</b>	Unweighted Corporate	<input checked="" type="checkbox"/>	LGA Part 14 (Unweighted)	<input type="checkbox"/>	Weighted Corporate	<input type="checkbox"/>	Stakeholder (Weighted)	<input type="checkbox"/>
----------------	----------------------	-------------------------------------	--------------------------	--------------------------	--------------------	--------------------------	------------------------	--------------------------

---

## BACKGROUND:

A Report from the Chief Administrative Officer to the Board in May this year describes the background to the establishment of a new service in Electoral Area A. The new service proposed in Bylaw No. 5777 would permit the Regional District to make an annual funding contribution to the Town of Golden to cover 20% of net operating costs of four facilities (located in the Town of Golden) on an annual basis.

The proposed service establishment bylaw was approved by the Inspector of Municipalities on August 7<sup>th</sup>, 2018 and an assent vote for the electorate in Area A took place on October 20, 2018. The outcome of the assent vote was 303 Yes votes and 133 No votes.

## POLICY:

The Local Government Act sets out the statutory requirement that the Board must first adopt an establishment bylaw in order to operate a service.

## FINANCIAL:

Upon adoption of the bylaw, all property owners located within the boundaries of Electoral Area A will be taxed to support the four facilities (Golden Municipal Swimming Pool, Golden Civic Centre, Golden & District Seniors Centre, and the Mount 7 Rec Plex) located within the Town of Golden, starting in 2019.

Based on the 2018 budget figure of \$94,000, the residential tax rate for Area A residents will be about \$9.27 per \$100,000 of the assessed value of land and improvements. For the average residential assessment in Area A of \$311,776, this would translate to an annual tax payment of \$28.83.

**KEY ISSUES/CONCEPTS:**

Now that the assent vote results are known and the vote is in the affirmative, the Board is able to proceed with adoption of the proposed Service Establishment Bylaw No. 5777 in Electoral Area A.

**IMPLEMENTATION:**

The CSRD and the Town of Golden intend to enter into an agreement that will contain details on the CSRD's annual payment contribution in support of the four facilities that are located within the Town of Golden and used by Electoral Area A residents.

**COMMUNICATIONS:**

The Declaration of Official Results – Assent Voting – October 2018 is available on the CSRD website.

A copy of the adopted Bylaw will be submitted to the Ministry of Municipal Affairs for their records. The adopted bylaw will be submitted to BC Assessment and to the Rural Surveyor of Taxes in order for tax collection to occur for the service starting in 2019.

**DESIRED OUTCOMES:**

That the Board endorse the recommendations.

**BOARD'S OPTIONS:**

1. *Endorse the Recommendation(s).*
2. *Deny the Recommendation(s).*
3. *Defer.*
4. *Any other action deemed appropriate by the Board.*

**Report Approval Details**

Document Title:	Core Facilities Funding Contribution Service Establishment Bylaw No. 5777.docx
Attachments:	<ul style="list-style-type: none"><li>- BL 5777 Electoral Area A Core Facilities Funding Contribution Service Establishment Bylaw, Elector Assent Oct 20 2018.pdf</li><li>- Report from CAO, May 2018 - Golden Area A Core Facilities Contribution Agreement Establishment Bylaw.pdf</li><li>- Declaration of Official Results, Assent Vote Bylaw No. 5777, Area A CSRD October 24, 2018.pdf</li></ul>
Final Approval Date:	Nov 1, 2018

This report and all of its attachments were approved and signed as outlined below:

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

**Charles Hamilton - Nov 1, 2018 - 3:57 PM**

**COLUMBIA SHUSWAP REGIONAL DISTRICT****BYLAW NO. 5777**

A bylaw to establish the Core Facilities Funding Contribution Service for Electoral Area A.

---

WHEREAS a regional district may, under section 332(1) of the *Local Government Act*, operate any service that the board considers necessary or desirable for all or part of the regional district, subject to certain limitations and conditions;

AND WHEREAS in order to operate a service, a regional district board must first adopt an establishing bylaw for the service in accordance with section 338(1) of the *Local Government Act*;

AND WHEREAS the Board of the Columbia Shuswap Regional District wishes to establish a service for the access and use of certain recreational and community facilities to be undertaken or provided by the Town of Golden on behalf of the Columbia Shuswap Regional District for Electoral Area A;

AND WHEREAS the Board of the Columbia Shuswap Regional District has obtained the approval of the service area electors in accordance with section 342 of the *Local Government Act*;

NOW THEREFORE in an open meeting assembled, the Board of Directors of the Columbia Shuswap Regional District enacts as follows:

1. In this Bylaw: **“Core Facilities”** means the Golden Civic Centre located at 806 10th Avenue South, the Golden Municipal Pool located at 1408 9th Street South, the Golden Seniors’ Centre located at 1401 9th Street South and the Mount 7 Rec Plex located at 1310 9th Street South, all within the Town of Golden.
2. The Columbia Shuswap Regional District hereby establishes a service for the access and use of the Core Facilities to be undertaken or provided by the Town of Golden on behalf of the Columbia Shuswap Regional District **(the “Core Facilities Funding Contribution Service”)**.
3. The participating area and the service area for the Core Facilities Contribution Service is Electoral Area A **(the “Service Area”)**.
4. The annual costs for the Core Facilities Contribution Funding Service shall be recovered by:
  - (a) property value tax imposed in accordance with the *Local Government Act*;
  - (b) parcel tax, imposed imposed in accordance with the *Local Government Act*;;
  - (c) the imposition of fees and charges;
  - (d) revenues raised by other means authorized under this or another Act;
  - (e) revenues received by way of agreement, enterprise, gift, grant or otherwise.

5. The maximum amount that may be requisitioned annually for the Core Facilities Funding Contribution Service shall not exceed \$125,000.
6. The Core Facilities Funding Contribution Service is established effective December 31, 2018.
7. This bylaw may be cited as the "Electoral Area A Core Facilities Funding Contribution Service Establishment Bylaw No. 5777".

READ a FIRST, SECOND AND THIRD time this 17<sup>th</sup> day of May, 2018.

APPROVED by the Inspector of Municipalities this 7<sup>th</sup> day of August, 2018.

RECEIVED THE ASSENT OF THE ELECTORS this 20<sup>th</sup> day of October, 2018.

ADOPTED this \_\_\_\_ day of \_\_\_\_\_, 2018.

\_\_\_\_\_  
CHAIR

\_\_\_\_\_  
CHIEF ADMINISTRATIVE OFFICER

CERTIFIED a true copy of  
Bylaw No. 5777 as read a third time.

CERTIFIED a true copy of  
Bylaw No. 5777as adopted.

\_\_\_\_\_  
Deputy Manager of Corporate  
Administration Services

\_\_\_\_\_  
Deputy Manager of Corporate  
Administration Service





# BOARD REPORT

**TO:**

Chair and Directors

<b>File No:</b> 0470-20-05
----------------------------

**SUBJECT:**

**Proposed Golden-Area A Core Facilities Contribution Agreement Establishment Bylaw**

**DESCRIPTION:**

Report from Charles A. Hamilton, Chief Administrative Officer, dated May 17, 2018.  
Establishment of Proposed Core Facilities Funding Contribution Service in Area A.

**RECOMMENDATION #1:**

THAT: the CSR D Board give first, second, and third readings to the *Electoral Area A Core Facilities Funding Contribution Service Establishment Bylaw No. 5777*; this 17<sup>th</sup> day of May, 2018.

**RECOMMENDATION #2:**

THAT: assent voting (referendum) for Electoral A Core Facilities Funding Contribution Establishment Bylaw No. 5777 be held on Saturday, October 20, 2018 in accordance with Sections 342, 344 of the *Local Government Act*;

**RECOMMENDATION #3:**

THAT: the *Electoral Area A Core Facilities Funding Contribution Establishment Bylaw No. 5777* be forwarded to the Inspector of Municipalities for approval and that the Inspector be requested pursuant to Section 174(1) of the *Local Government Act*, to set the general voting day for October 20, 2018;

**RECOMMENDATION #4**

THAT: the Regional District Board approve the Assent Voting question for *Electoral Area A Core Facilities Funding Contribution Establishment Bylaw No. 5777*, as follows:

*"Are you in favour of the Columbia Shuswap Regional District adopting Electoral Area A Core Facilities Funding Contribution Establishment Bylaw No. 5777, which will permit the Regional District to make an annual funding contribution to the Town of Golden to cover 20% of the net operating costs of the four core facilities, at a maximum annual taxation limit that is the greater of \$125,000 or \$0.1238 per \$1,000 calculated on the net taxable value of land and improvements?"*

**RECOMMENDATION #5**

THAT: the Board allocate \$20,000 from the Rural Feasibility Fund to undertake a public engagement process and to conduct the referendum (other voting).

**SHORT SUMMARY:**

The Town of Golden (the Town) and Electoral Area A (Area A) have funding partnerships for a variety of services and facilities in the community, however, the Town is the owner of other recreational and cultural facilities within the Town that are not subject to a funding partnership. These facilities are managed, maintained, and paid for by the Town, however, the facilities are used by many individuals and groups in the neighbouring rural area. The Town and the CSRD have been in discussions since August 2016 about a new cost sharing arrangement that would account for those services and facilities that are available and utilized by both Town and rural residents yet paid for solely by Town of Golden taxpayers.

The parties agreed that the most practical way forward to establish a new cost sharing model was to focus on a limited number of key facilities that are not subject to a cost sharing arrangement, but are available to and used extensively by residents of the surrounding Electoral Area. The four facilities that were chosen include: the Golden Municipal Swimming Pool, the Golden Civic Centre, the Golden and District Senior's Centre, and the Mount 7 Rec Plex.

The CSRD representatives on the Committee that was established to review shared services have advanced a formal cost sharing arrangement with the Town. The arrangement would involve the CSRD establishing a new service that would authorize the regional district to levy a tax on rural area residents for the purpose of making a funding contribution to the Town. In exchange for this contribution, Area A residents would continue to receive unchanged and traditional access to the four facilities for its residents. The new service, which would be subject to elector assent, would be referred to as the *Core Facilities Funding Contribution Establishment Bylaw*. It is further proposed that elector assent (referendum) would be sought in conjunction with the 2018 local general elections to be held on October 20, 2018.

**VOTING:**Unweighted  
Corporate☐LGA Part 14  
(Unweighted)☐Weighted  
Corporate☐Stakeholder  
(Weighted)☐**BACKGROUND:**

Golden Town Council established The *Partnered Services Delivery Review Select Committee* on December 1, 2015. The committee's inaugural meeting was held on August 17, 2016. The committee was comprised of the following members:

- Mayor Ron Oszust, Town of Golden
- Councillor Chris Hambruch
- Councillor Bruce Fairley
- Karen Cathcart, CSRD Area A Director
- Stephanie Knaak, CSRD Area A Alternate Director
- Derek Smith, Area A Advisory Committee

The CAO's from the Town and the CSRD worked with the Committee in an advisory capacity. The work of the Committee over the past 19 months focused on reviewing the various partnered or shared services that exist between the Town and rural Golden to: (1) determine whether the agreements meet

the needs of the two jurisdictions, and (2) to determine whether cost sharing arrangements need to be expanded.

It is beyond the scope of this Board Report to detail the work that was carried out by the Committee as this was done previously in a *Discussion Paper* that I prepared and was considered by the Board at its regular meeting on November 16, 2017. The *Discussion Paper* is posted on the CSRD website for reference purposes.

### **POLICY:**

Section 338 of the *Local Government Act* sets out the statutory requirement that the Board must first adopt an establishment bylaw in order to operate a service. Additionally, the Board enacted Policy A-60 (Regional District Checklist) in December 2010. The policy is to be used as a guideline to provide staff with clear direction when proposing a new function or service.

### **KEY ISSUES/CONCEPTS:**

The Town and Area A have funding partnerships for a variety of services and facilities in the community, the Town is the owner of other recreational and cultural facilities within the Town that are not subject to a funding partnership. These facilities are managed and maintained by the Town, however, the facilities are used by many individuals and groups in the neighbouring rural area. One of the most contentious issues that has arisen in recent years has been the sharing of costs provided by one local government that benefit the population extending beyond its boundaries. Of particular interest are the debates relating to cost sharing for recreation and cultural facilities. It is not uncommon to find many municipalities provide services that benefit populations outside their boundaries. In large part, the difficulties in enabling cost-sharing can be linked to the fact that there is fragmentation in the system (i.e., two distinct government jurisdictions) and that there is really a mismatch between the administrative boundaries of local government and the catchment or benefitting areas for providing services.

The Town of Golden, like many local governments, is being forced to rethink the scale and organization of public services given the rising costs to deliver these services. The Town is facing tough choices as available revenues fall short of what is needed to provide the desired level of service to the community. One option that is available to the Town to address the broader issue of non-contributing members using and benefitting from Town facilities would be to introduce a two-tiered fee structure for peripheral or non-resident users of a facility.

The Town has indicated, however, that it wishes to avoid this approach, primarily because the Town and surrounding Electoral Area enjoy a strong relationship and a long history of cooperation and mutual support, and additionally because of the administrative cost of managing a two-tiered fee structure. Both parties recognize the value of working together and wish to find a long term, mutually acceptable funding partnership. In order to protect, develop, and maintain service levels in the community, the Town of Golden Council established a Select Committee in June 2016 entitled *Partnered Services Delivery Review Select Committee*. The purpose of the committee, which includes members from both elected bodies, is to explore partnership agreements between the Town and Regional District given that there is significant use of Town facilities by rural residents, although these facilities are paid for solely by municipal taxpayers.

One of the biggest challenges in developing a fair and equitable funding partnership between the Town and rural Golden (Area A) is the reluctance of some residents that live outside the Town to pay their fair share of the costs of recreation and cultural services. They are content to obtain the benefit of using the facilities and programs without making contributions to the capital and operating costs. This is an important consideration because one needs to keep in mind that any funding partnership between the Town and Area A will need to be approved by the electors in Area A, and, undoubtedly, some residents will be reluctant to pay anything for a service or program that they currently enjoy at no cost, that they do not use or that they use infrequently.

What needs to be understood is that regional districts are only mandated to execute a very small number of functions. They act on behalf of municipalities in interactions with the Municipal Finance Authority, they must prepare comprehensive solid waste management plans, undertake emergency planning, and provide administration for rural areas. Apart from these required functions, regional districts are free to undertake a wide range of voluntary services that meet the needs and interests of their residents. This flexibility in providing only requested services allows electoral area residents to only pay for those services in which they wish to participate. The principle of voluntary participation can be problematic, however, because municipalities will frequently provide facilities and services that residents from neighboring rural areas regularly use but never financially contribute to either in terms of construction or the maintenance of the facility.

With the exception of the mandated services described above, a Regional District must first enact a service establishment bylaw if it wishes to establish a service, this includes shared or joint services with another jurisdiction. These bylaws outline what the service is, how it will be delivered, who will benefit from the service, and how the costs will be recovered. In most, although not all, instances, before a service establishment bylaw can be adopted, the assent of the electors is required. The assent of the electors is what gives the regional district the legal authority to levy a tax in respect of a given service or function.

Aside from the requirement for elector assent, some of the other challenges in designing and implementing a fair cost sharing arrangement between the two jurisdictions includes the following:

- It is difficult to measure with any precision the exact benefit received by non-contributing participants;
- How to address the differences in urban and rural expectations and the difficulty of achieving a service level and cost of service that will satisfy all participants?
- How does the CSRD ensure an appropriate degree of influence and control over service levels or service quality when decisions are made exclusively at the municipal level? and;
- How does the CSRD ensure adequate controls over rising facility costs?

The Town and the CSRD have been in discussions since August 2016 about a new cost sharing arrangement that would account for those services and facilities that are available and utilized by both Town and rural residents yet paid for solely by Town of Golden taxpayers.

The parties agreed that the most practical way forward to establish a new cost sharing model was to focus on a limited number of key facilities that are not subject to a cost sharing arrangement, but are

available to and used extensively by residents of the surrounding Electoral Area. The four facilities that were chosen include: the Golden Municipal Swimming Pool, the Golden Civic Centre, the Golden and District Senior's Centre, and the Mount 7 Rec Plex.

The CSRD representatives on the Committee that was established to review shared services have advanced a formal cost sharing arrangement with the Town. The arrangement would involve the CSRD establishing a new service that would authorize the regional district to levy a tax on rural area residents for the purpose of making a funding contribution to the Town. In exchange for this contribution, Area A residents will receive access to the four facilities for its residents. The new service, which would be subject to elector assent, would be referred to as the *Core Facilities Funding Contribution Service Establishment Bylaw*. It is further proposed that elector assent would be sought in conjunction with the 2018 local general elections (referendum) to be held on October 20, 2018.

## **FINANCIAL:**

There are separate financial issues for the Board to consider. The first consideration involves the proposed cost sharing arrangement and payment for services and what the impacts will be to Area A taxpayers. The second consideration is the funding required from the Rural Feasibility Study Fund to cover the cost of public engagement activities and to share in the cost of holding a referendum in October 2018 in conjunction with the general local election.

### ***1. Proposed Cost Sharing Arrangement and Payment for Services***

The CSRD proposes to provide an annual payment to the Town totaling 20% of the aggregate net operating costs for the four core facilities. The arrangement would not provide for a pro rata share of capital costs. Based on the 2017 budget for the four core facilities, the 20% cost sharing proposal represents an annual contribution from Area A taxpayers of approximately \$94,000. This figure is based on 20% of the 2017 Town's net operating costs of \$468,000. This amount translates into a tax rate of 0.0927 per \$1,000 of assessment or \$9.27 per \$100,000.

The CSRD's cost sharing proposal represents roughly 50% of the amount that the Town had proposed in its cost sharing proposal to the CSRD. The apportionment of operating costs provided for in the Town's initial proposal called for Area A residents to cover 40% of net operating costs. The Town's proposal based on a 40% apportionment was deemed unacceptable by the CSRD representative on the Committee for the following reasons:

1. The likelihood of obtaining elector assent if rural residents are expected to assume 40% of operating costs would be more difficult to achieve;
2. An implied governance discount should be factored into the cost sharing formula to account for the fact that the CSRD would have no say on how the facilities would be managed or operated;
3. There is a limited ability for certain rural residents to attend activities at the facilities based on location, and distance to, the facilities.

In essence, the CSRD is proposing a straightforward fee for services arrangement with the Town, wherein the CSRD would be purchasing the ability to access and use the facilities for rural residents. The CSRD would not participate in the provision of the service or in its governance. Accordingly, the CSRD wants to have some protection against rising costs that result from service level enhancements made at the sole discretion of Town Council.

Because the Electoral Area Director has no say on how the facilities are managed or operated, or in the setting of priorities, rural ratepayers will have no control over the ultimate size of the budget. It is not reasonable for the Town to expect rural contributions to be open-ended, and to increase automatically as costs rise. To this end, the Parties have agreed that should elector assent be obtained and a cost sharing agreement is entered into between the Town and the CSRD that a cost containment provision be incorporated into the agreement.

The taxing authority that the CSRD is seeking under the terms of the proposed service establishment bylaw does not contemplate or provide for a contribution to capital. However, the CSRD representatives have agreed in principle to make an annual contribution to capital based on 40% of the anticipated capital needs that have been projected over the next 10 years. The source of funding for capital contributions will not, however, come from local taxation, but rather from Gas Tax funds allocated to Area A. As a result, capital contributions made by the CSRD will be restricted to those capital projects that qualify to receive Gas Tax funding under the program's eligibility criteria. Based on the 40% formula and the projected capital needs over a 10 year time horizon, the CSRD's annual contribution is estimated to be in the neighbourhood of \$31,500.

## ***2. Immediate Financial Requirement from Rural Feasibility Fund***

Funds to undertake public engagement and to deliver the referendum can be provided through the Rural Feasibility Study Fund. If the service establishment bylaw receives elector assent, the Rural Feasibility Study Fund monies will be repaid by the new function in its first fiscal year. If the referendum fails, the funding is not recovered and it is simply absorbed as a non-recoverable expense by the Rural Feasibility Fund budget. A budget of \$20,000 is estimated for public engagement activities and to cover the referendum expenses in connection with the general local elections this October.

### **SUMMARY:**

The Town and the Regional District both wish to establish a fair and equitable formula to determine future Electoral Area A contributions to the four Core Facilities described in this report. This has not been a simple or straightforward task because the determination of equity is a somewhat subjective exercise, in that what may be considered by one party to be entirely equitable may be considered by another to be unfair. In any event, after considerable discussion over the past year and a half, the parties have arrived at a cost sharing arrangement that is fair and defensible at least from the CSRD's perspective. The Town believes that the Area A's percentage of operating costs should be higher, but, at the same time, it realizes the legislative challenges that must be overcome.

### **IMPLEMENTATION:**

If the Board endorses the recommendations, elector assent would be sought in conjunction with the 2018 local general elections (referendum) to be held on October 20, 2018.



**COMMUNICATIONS:**

The Town of Golden will be notified of the Board's decision. The referendum communication process will begin in conjunction with the general local elections taking place on October 20, 2018.

**DESIRED OUTCOMES:**

The Board endorse staff recommendations.

**BOARD'S OPTIONS:**

1. *Endorse the Recommendation.*
2. *Deny the Recommendation.*
3. *Defer.*
4. *Any other action deemed appropriate by the Board.*

**LIST NAME OF REPORT(S) / DOCUMENT(S) AVAILABLE FROM STAFF:**

1. List reports

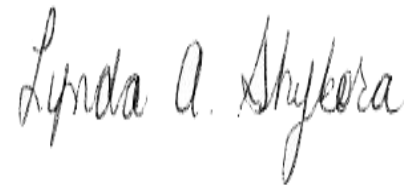
**Report Approval Details**

Document Title:	Golden Area A Core Facilities Contribution Agreement Establishment Bylaw.docx
Attachments:	- FAQ's – Rural Golden Shared Services May2018.pdf
Final Approval Date:	May 8, 2018

This report and all of its attachments were approved and signed as outlined below:



**Jodi Pierce - May 4, 2018 - 2:29 PM**



**Lynda Shykora - May 8, 2018 - 1:11 PM**

**No Signature - Task assigned to Charles Hamilton was completed by assistant Lynda Shykora**

**Charles Hamilton - May 8, 2018 - 1:12 PM**



## COLUMBIA SHUSWAP REGIONAL DISTRICT

### DECLARATION OF OFFICIAL RESULTS ASSENT VOTING – OCTOBER 2018

I, Lynda Shykora, Chief Election Officer for the Columbia Shuswap Regional District, do hereby declare, pursuant to Section 146 of the *Local Government Act*, the results of the assent vote:

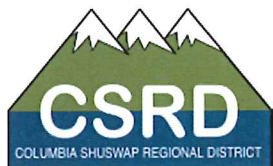
***“Are you in favour of the Columbia Shuswap Regional District adopting Electoral Area A Core Facilities Funding Contribution Establishment Bylaw No. 5777, which will permit the Regional District to make an annual funding contribution to the Town of Golden to cover 20% of the net operating costs of the four core facilities, at a maximum annual taxation limit that is the greater of \$125,000 or \$0.1238 per \$1,000 calculated on the net taxable value of land and improvements?”***

to be as follows:

Yes	303 votes
No	133 votes

Given under my hand at Salmon Arm, British Columbia, this 24<sup>th</sup> day of October, 2018.

  
Lynda Shykora  
Chief Election Officer



# COLUMBIA SHUSWAP REGIONAL DISTRICT

555 Harbourfront Drive NE, PO Box 978, Salmon Arm, BC V1E 4P1  
T: 250.832.8194 | F: 250.832.3375 | TF: 1.888.248.2773 | www.csr.d.bc.ca

LGA s.146

## DECLARATION OF OFFICIAL ASSENT VOTING RESULTS

October 20, 2018

### Electoral Area A Core Facilities Funding Contribution Service Establishment Bylaw No. 5777

	Yes	No
<b>Advance Voting Opportunities: October 10 &amp; 17, 2018 &amp; Mail in Ballots</b>		
CSR D Office – Salmon Arm Town of Golden Office - Golden	63	25
<b>General Voting – October 20, 2018:</b>		
Field Community Hall – Field	13	0
Parson Community Centre - Parson	37	22
Nicholson Elementary School - Golden	67	34
Golden Civic Centre	96	28
Joyce Mitchell (Home) - Moberly	19	9
Joan Titus (Home) - Donald	8	15
<b>TOTAL NUMBER OF VALID VOTES CAST</b>	<b>303</b>	<b>133</b>

The determination of official assent voting results is based on the ballot accounts prepared at each of the above-mentioned voting places, and ballot accounts as amended or prepared by the Chief Election Officer.

  
Chief Election Officer

Dated at Salmon Arm, BC

this 24<sup>th</sup> day of October, 2018.



# BOARD REPORT

**TO:** Chair and Directors

**File No:** LC2559B  
PL20180129

**SUBJECT:** Electoral Area B: Agricultural Land Commission (ALC) Application  
Section 20(3) – Non Farm Use LC2559B (Stephen Revell)

**DESCRIPTION:** Report from Dan Passmore, Senior Planner, dated September 6, 2018.  
3401 Catherwood Road, South Revelstoke.

**RECOMMENDATION:** THAT: Application No. LC2559B, Section 20(3) – Non Farm Use in the ALR, for Lot 1, Section 11, Township 23, Range 2, West of the Sixth Meridian, Kootenay District, Plan 1726, Except Part Included in Plan 7169, be forwarded to the Provincial Agricultural Land Commission recommending refusal, on this 15<sup>th</sup> day of November, 2018.

## SHORT SUMMARY:

The owner is applying to the ALC for non-farm use in the Agricultural Land Reserve (ALR) for a second dwelling on the subject property, in the form of a 2 bedroom dwelling unit above a garage.

The owner also seems to be applying to use the 5 bedroom single family dwelling as a vacation rental for approximately 6 weeks a year. The ALC has previously indicated that it has no issue with the use of the single family dwelling as a vacation rental and this use is the subject of CSR D TUP No. 850-07.

This report was originally included on the agenda for the September 20, 2018 regular meeting, but was pulled from the agenda at the request of the applicant. The applicant requested this so staff would have an opportunity to review the non-farm use application from the perspective of an Agrologist's report provided to support this application, after a previous unsuccessful attempt to have the property excluded from the ALR, Resolution #398/2016 (CSR D File LC2518B). Staff have reviewed this report in the context of the proposed non-farm use and have included it for the Board's information. See attached "Agrologist\_Report\_2018-06-25\_LC2559B.pdf".

---

<b>VOTING:</b>	Unweighted Corporate	<input checked="" type="checkbox"/>	LGA Part 14 (Unweighted)	<input type="checkbox"/>	Weighted Corporate	<input type="checkbox"/>	Stakeholder (Weighted)	<input type="checkbox"/>
----------------	-------------------------	-------------------------------------	-----------------------------	--------------------------	-----------------------	--------------------------	---------------------------	--------------------------

---

## BACKGROUND:

REGISTERED OWNER:  
Stephen Michael Revell

APPLICANT/AGENT:  
Robert A. Lundberg Law Corporation

ELECTORAL AREA:  
B

LEGAL DESCRIPTION:

Lot 1, Section 11, Township 23, Range 2, West of the Sixth Meridian, Kootenay District, Plan 1726, Except Part Included in Plan 7169

PID:

014-006-511

**SURROUNDING LAND USE PATTERN:**

North = Agricultural

South = Treed Agricultural

East = Residential/Agricultural

West = Agricultural

**CURRENT USE:**

1. Residential Single Family Dwelling – 5 bedroom
2. Garage w/ Carriage House – 2 bedrooms

**PROPOSED USE:**

1. Residential Single Family Dwelling – 5 bedroom to be used for a vacation rental for approximately 6 weeks a year
2. Garage w/ Carriage House – 2 bedroom as a secondary dwelling unit (the reason for this ALC Non-farm use application)

**PARCEL SIZE:**

3.16 ha (7.82 ac)

**DESIGNATION:**

Electoral Area B Official Community Plan Bylaw No. 850

SH Small Holdings

**ZONE:**

Electoral Area B Zoning Bylaw No. 851

Small Holdings Zone - SH

**AGRICULTURAL LAND RESERVE:**

100%

**SOIL CAPABILITY:**

See "Maps\_Plans\_Photos\_LC2559.pdf" attached.

According to the Canada Land Inventory mapping, the properties are Class 2 soils with topography as the limiting factor. The soils are not improvable.

Additionally see the attached "Agrologist\_Report\_2018-06-25\_LC2559B.pdf".

**HISTORY:**

See "Maps\_Plans\_Photos\_LC2559.pdf" attached.

- 1096 (1975) allowed subdivision.
- 1156 (1976) allowed subdivision.
- 1255 (1976) refused subdivision but approved 7 mobile home sites
- 1261 (1976) allowed exclusion of portions



- 1308 (1977) file not found.
- 1324 (1976) allowed subdivision.
- 1374 Regional Board rejected an inclusion.
- 1412 (1977) refused exclusion for a MHP
- 1626 (1980) refused subdivision into 5 parcels.
- 1650 (1980) allowed exclusion of a portion of the property.
- 1828 (1982) refused exclusion but allowed subdivision into 2 lots.
- 2016 (1987) refused subdivision.
- 2026 (1987) allowed exclusion.
- 2142 (1993) allowed exclusion.
- 2269 (2002) allowed exclusion.
- 2291 (2003) allowed subdivision.
- 2319 Exclusion application withdrawn by applicant.
- 2518 (2016) refused exclusion application.

## **POLICY:**

### **Electoral Area B Official Community Plan Bylaw No. 850 (Bylaw No. 850)**

SH Small Holdings

See "BL850\_Excerpts\_LC2559B.pdf" attached for additional details.

### **Electoral Area B Zoning Bylaw No. 851 (Bylaw No. 851)**

SH Small Holdings

Principal uses: airfield; agriculture; backcountry recreation; driving range; forestry; golf course; guest ranch; horticulture; small-scale sawmill; resource extraction; single family dwelling; standalone residential campsite; timber harvesting

Secondary uses: accessory use; bed and breakfast; guest ranch; home occupation; kennel; residential campsite; secondary dwelling unit

Minimum parcel size created by subdivision: 60 ha

Minimum parcel width created by subdivision: 100 m

SECONDARY DWELLING UNIT means one or more rooms located within a *single family dwelling*, or in an *accessory building* (where permitted by this *Bylaw*) for either *guest accommodation* or *long-term/seasonal* rental accommodation. A *secondary dwelling unit* has direct access to outside without passing through any part of the principal *dwelling unit* and may have its own separate cooking, sleeping and bathing facilities.

## **3.15 SECONDARY DWELLING UNIT**

(1) A *secondary dwelling unit* must:

- (a) have a floor area not more than 60% of the habitable floor area of the principal *dwelling unit* unless otherwise specified by this *Bylaw*;
- (b) be located on a *parcel* 2 ha or larger if the secondary dwelling unit is an independent structure (detached);
- (c) have a door direct to the outdoors without passing through any part of the principal *dwelling unit*;
- (d) be constructed in compliance with the latest edition of the BC Building Code;
- (e) meet all provincial and Interior Health requirements regarding water and sewer servicing;
- (f) not be used as a *vacation rental* unless otherwise specified by this *Bylaw*;

- (g) not be closer than 4 m to any *building* containing a *dwelling unit* or 2 m from an *accessory building* not containing a *dwelling unit* if the *secondary dwelling unit* is an independent structure (detached);
  - (h) have all parking associated with *secondary dwelling unit* be on-site. Two (2) *parking spaces* shall be provided:
    - (i) per *secondary dwelling unit*;
    - (ii) in compliance with the dimensions and access requirements as set out in Part 4 of this *Bylaw*;
  - (i) only be permitted on lands within the ALR if the conditions of Section 3.7 of this *Bylaw* have been met; and
  - (j) only be permitted as accessory to a *single family dwelling*.
- (2) A *secondary dwelling unit* may:
- (a) have a its own cooking, sleeping and bathing facilities.

### 3.7 PROVISIONS FOR A SECOND SINGLE FAMILY DWELLING WITHIN THE ALR

Despite any other provisions in this *Bylaw*, one secondary *single family dwelling* is permitted on a *parcel* located within the ALR, provided that the following criteria are met:

- (1) The secondary *single family dwelling* is located on a *parcel* not less than 2 ha;
- (2) The secondary *single family dwelling* shall be occupied by a full-time employee engaged in *agriculture* on the *parcel*;
- (3) The secondary *single family dwelling* shall be located on *parcel* that is classified as "farm" under the BC Assessment Act;
- (4) The secondary *single family dwelling* shall be sited not less than:
  - 5 m from any property line;
  - 5 m from the principal dwelling or any building accessory thereto;
- (5) The secondary *single family dwelling* shall not be anchored to a permanent foundation; and
- (6) The owner of the said land shall execute a covenant under Section 219 of the Land Titles Act in favour of the CSRD indicating that the *secondary single family dwelling* will be removed upon termination of the conditions specified in Section 3.7 (1-3).

### FINANCIAL:

There are no financial implications to the CSRD with this application.

### KEY ISSUES/CONCEPTS:

The applicant previously applied for a Temporary Use Permit (TUP) for use of the 5 bedroom single family dwelling as a vacation rental. The Temporary Use Permit (TUP850-07) was approved to be issued by the Regional Board at their March 29, 2018 regular meeting for vacation rental of the 5 bedroom single family dwelling. The TUP has not been issued at this point due to the owner failing to register the required Section 219 covenant, although at the time of writing this report, staff are aware that the owner's solicitor has sent the covenant in to the Land Title Office for registration. The TUP will be issued when registration is confirmed.

The ALC has previously indicated that they have no issue with the use of the single family dwelling as a vacation rental, nevertheless the owner has made application for the ALC to recognize this use.

The ALC has indicated that the use of the garage/carriage house as a second dwelling unit is not permitted and therefore this application has been submitted.

The Electoral Area B Advisory Planning Commission (APC) had reviewed the TUP application at their October 18, 2017 meeting and had recommended to the Board that the TUP be issued subject to the following conditions:

1. Another water sample be taken by a qualified professional to confirm potable water;
2. The recommendations in the DeansTech Consulting report be implemented prior to issuance of the TUP;
3. Approval by the ALC for the vacation rental and confirmation of number of bedrooms permitted; and,
4. Quiet time to begin at 10 PM instead of 11 PM.

This application for non-farm use was presented to the APC, at their September 5, 2018 meeting and they adopted the following resolution:

The APC does not recommend approval of the application until the water and septic servicing requirements –in particular the recommendations from the Deans Tech septic report –have been confirmed to be completed.

APC concerns with site servicing were discussed with the applicant after the October 18, 2017 APC meeting, and the applicant advised that the cost of the additional information being sought by the APC was prohibitive. As part of its review of the TUP application, staff determined that it had received sufficient information about the sewage disposal system and water supply, including the construction of a new well, from the applicant's qualified professionals, for the single family dwelling and detached garage with two bedrooms, to recommend to the Board that the TUP be issued.

Bylaw No. 850 Policy 10.3.4 supports second dwellings for farm help in association with agricultural use in the ALR. The property is not currently used for farm purposes.

Bylaw No. 851 permits a secondary dwelling unit in the SH Small Holdings Zone, but only if it complies with Section 3.7 which states that the property must be farmed; should the ALC approve this non-farm use application that provision of the Zoning Bylaw will be satisfied and only the provisions of Section 3.15 (secondary dwelling unit regulations) would apply. Staff note that a secondary dwelling unit would only be permitted as accessory to a single family dwelling, and the single family dwelling on the site has been approved for a TUP to be used as a vacation rental. In other respects, staff are not aware if the dwelling unit would comply with Section 3.15 should the ALC approve this application.

The applicant has supplied an Agrologist's Report for the property, by Wayne Blashill, P.Ag., dated June 25, 2018. The report concludes that overall condition of the soil, the amount of water impacting the site and the climate means this site is not suitable for any agricultural use other than for hay cropping which would not, in any event, be economically viable.

## **SUMMARY:**

Development Services staff is recommending that the Board send a recommendation of refusal for the non-farm uses on the subject parcel to the ALC for the following reasons:

- the property is not currently used for agricultural purposes, and therefore does not meet the Official Community Plan policy regarding second dwelling units on ALR land; and ,
- Staff are unable to confirm that the secondary dwelling unit would comply with Section 3.15 of Electoral Area B Zoning Bylaw No. 851.

## **IMPLEMENTATION:**

If the ALC approves this application, the secondary dwelling unit on the subject property would be permitted. If the ALC does not approve the dwelling unit, the dwelling unit would need to be decommissioned.

**COMMUNICATIONS:**

The recommendation of the Board will be forwarded to the ALC for consideration during its review of this application.

The APC was forwarded this application and the result has been previously explained in this report.

**DESIRED OUTCOMES:**

Endorse the staff recommendation.

**BOARD'S OPTIONS:**

1. *Endorse the Recommendation.*
2. *Deny the Recommendation.*
3. *Defer.*
4. *Any other action deemed appropriate by the Board.*

**LIST NAME OF REPORT(S) / DOCUMENT(S) AVAILABLE FROM STAFF:**

1. Electoral Area B Official Community Plan Bylaw No. 850
2. Electoral Area B Zoning Bylaw No. 851
3. ALC Application Package.

**Report Approval Details**

Document Title:	2018-11-15_Board_DS_LC2559B_Revell.docx
Attachments:	- Agrologist_Report_2018-06-25_LC2559B.pdf - BL850_Excerpts_LC2559B.pdf - Maps_Plans_Photos_LC2559B.pdf
Final Approval Date:	Nov 2, 2018

This report and all of its attachments were approved and signed as outlined below:



**Corey Paiement - Nov 1, 2018 - 9:47 AM**



**Gerald Christie - Nov 2, 2018 - 9:25 AM**

**No Signature - Task assigned to Lynda Shykora was completed by assistant Jennifer Sham**

**Lynda Shykora - Nov 2, 2018 - 10:24 AM**



**Charles Hamilton - Nov 2, 2018 - 10:40 AM**

**AGROLOGIST'S REPORT**

**3401 CATHERWOOD ROAD. REVELSTOKE. BC.**



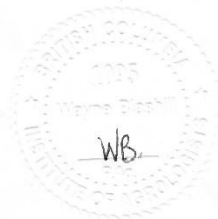
**AGROLOGIST'S REPORT**

**3401 CATHERWOOD ROAD, REVELSTOKE, BC.**

**By: Wayne A. Blashill, PAg.**  
**11519 Quinpool Road.**  
**Summerland, BC. V0H1Z5.**  
**(250) 494 5323**  
**e-mail: <wayne\_blashill@telus.net>**  
**June 25, 2018.**

**Signature:**

Wayne Blashill, PAg



## **INTRODUCTION**

This Agrologist's Report has been compiled to determine the agricultural capability and arability of a property at 3401 Catherwood Road in Revelstoke, BC. The property is within the Agricultural Land Reserve. The legal description of the property is:

Lot 1, Sec 11, Twp 23, R2, W6M, Kootenay District. Plan 7126 Except part included in Plan 7169.

The owners full name and contact information is:

Stephen Michael Revell  
3401 Catherwood Road  
Revelstoke, BC. V0E 2S0

### **Agrologist Background**

Mr. Blashill, PAg has worked on several ALC applications. Mr. Blashill has a soil science background, which is essential in assessing land-based activity within the ALR. Soils experience is required: to estimate the depth & extent of the topsoil resource, and to calculate climatic & land capability classes for agriculture. The Agrologist's opinion is based on that experience, an understanding of the climatic conditions in the area, the site & soil observations along with the operational constraints & details of the land from the owner.

## **METHODS**

The site was inspected on May 22, 2018. Five (5) soil pits were excavated by hand on the 7.8-acre parcel. The soil pits were placed to sample the range of soils at the site. Appendix A contains the photographs of each soil test pit. The BC Ministry of Forests FS882 field form was used to record the data. The soil pit locations are depicted in Figure 1. Appendix B contains the original soil description data collected. The pits are labelled TP1 thru TP5.

The soil horizons were described to determine the agricultural capability, depth of soil and surface gravel content. Soil colour (Macbeth, 1992), roots, % coarse fragments, texture are among the factors used to differentiate soil horizons and topsoil depth & extent. A total of 5 hours was spent at the property.

11-06-'07 13:23 FROM-R N Shortt Land Surv 250-545-2741

T-795 P002/002 F-708

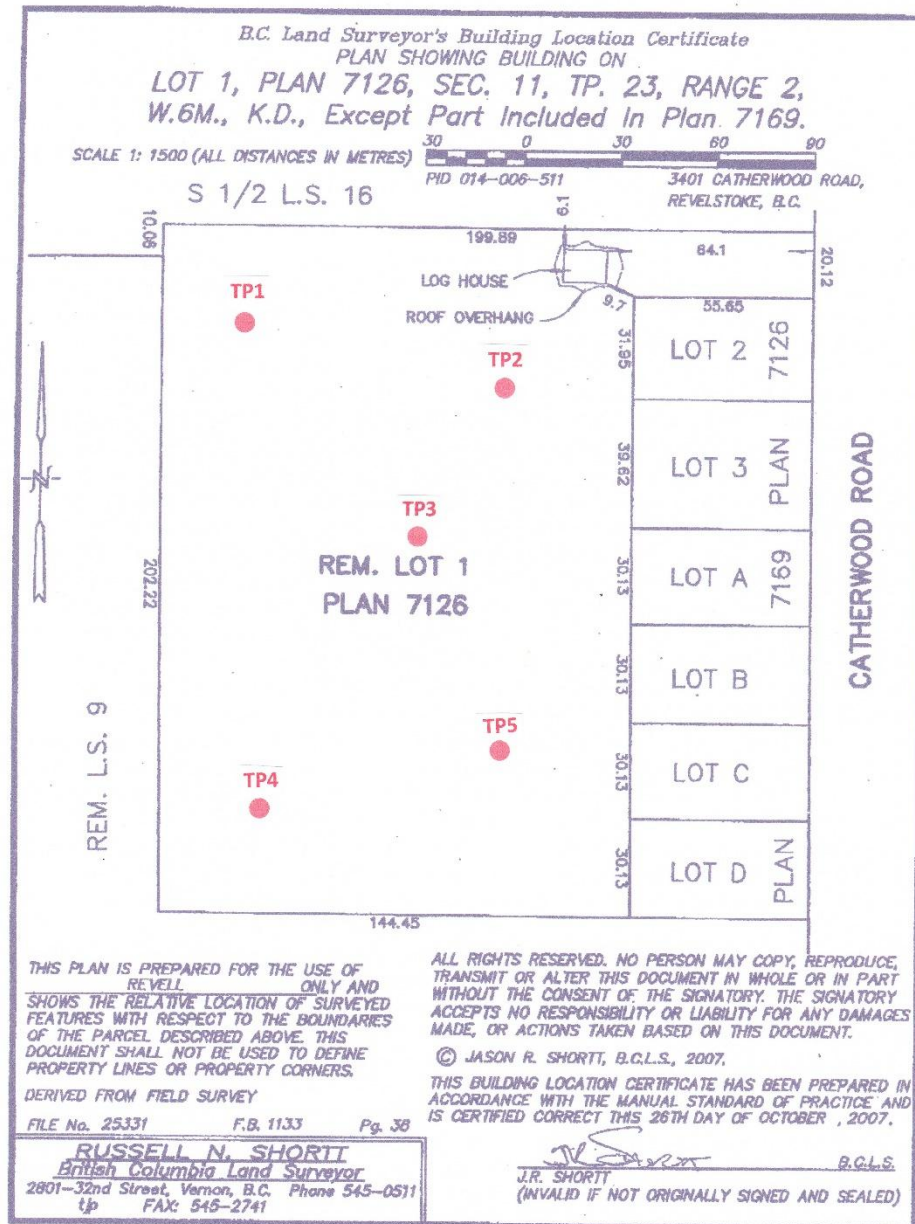


Figure 1. Soil Test Pit locations at the subject property.

## RESULTS

It was determined from field inspection that the landform is generally a silty sandy glacial fluvial undulating blanket (ssF<sup>G</sup>bu) Howes & Kenk (1988). The landform is uniform across the acreage.

### Soils

Table 1 is part of the soil description from TP1. Table 2 for TP5. The entire test pit descriptions can be found in Appendix B. The soil at TP1 is an Orthic Humic Gleysol (NRC, 1998). It has an Ah >10cm, Bg horizon plus prominent and distinct mottles within 50cm of the mineral soil surface. The soil at TP5 is a Gleyed Humic Regosol. It has an Ah>10cm, but with only faint mottles within 50cm of the mineral surface.

**Table 1. Soil description for pit TP1. Orthic Humic Gleysol on a glacial fluvial blanket.**

HORIZON	DEPTH	SOIL	MOTTLES	MOTTLES	SOIL	COARSE
	(cm)	COLOUR	COLOUR	CONTRAST	TEXTURE	FRAGMENTS
LFH	3-0	--	--	--	--	(%)
Ah1	0-18	10YR3/1	--	--	loam	0
Ah2	18-28	10YR3.5/1	--	--	sandy loam	0
Bg	28-46	2.5Y3/1	7.5YR3/3	prominent	sand	0
Cg1	46-78	2.5Y3/2	10YR3/6	distinct	sand	0
Cg2	78-100	2.5Y3/2	--	faint	sand	0

**Table 2. Soil description for pit TP5. Gleyed Humic Regosol on a glacial fluvial blanket.**

HORIZON	DEPTH	SOIL	MOTTLES	MOTTLES	SOIL	COARSE
	(cm)	COLOUR	COLOUR	CONTRAST	TEXTURE	FRAGMENTS
LFH	3-0	--	--	--	--	(%)
Ah	0-23	10YR2/1	--	--	sandy loam	0
Cgj	23-57	2.5Y4/1	--	faint	loamy sand	0
Cg1	57-82	2.5Y4/1	10YR5/4	distinct	sand	0
Cg2	82-100	2.5Y4/2	10YR5/5	distinct	sand	0

### Soil Drainage

The soils all have mottles indicating periods of fluctuating water table or seepage water. Seepage water is the mostly likely source, due to the steep adjacent mountain-side to the east. Rainfall and snowmelt move downslope through the soil and seep out onto the valley flat. The remnant forest vegetation also indicates a moist seepage soil with cedar, hemlock, devil's club and lady-fern.

Colours such as red and reddish brown are encouraged under oxidized conditions, while the subdued shades of grays and blues predominate if insufficient O<sub>2</sub> is present. The mottled condition indicates a zone of alternate acceptable and poor aeration, a condition not conducive to proper plant growth (Brady, 1974).

## Soil Chemistry

The soil chemistry sample is used to determine the fertility of the topsoil (Tables 3). Appendix B has the complete analysis page from Exova (2018). The data is used to characterize the nutritional status of the soil.

**Table 3. Soil chemistry analysis for the Ah1 horizon from TP1.**

<b>SAMPLE</b>	<b>pH</b>	<b>%OM</b>	<b>NO<sub>3</sub><sup>-</sup></b> (ppm)	<b>CEC</b> (meq/100g.)	<b>P</b> (ppm)	<b>K</b> (ppm)	<b>Ca</b> (ppm)	<b>Mg</b> (ppm)	<b>EC</b> (dS/m)
Ah1 (0-18)	5.8	4.7	<2	12.0	20	78	380	30	0.07

The bar graph from the Exova analysis for TP1 shows phosphorus, calcium and iron as acceptable. Potassium, sulfate-S, copper, zinc and manganese are marginal. Nitrate-N, magnesium, boron and chlorine are deficient. The pH is slightly acidic, the EC is okay and the %OM is normal. The overall nutritional status of the topsoil is considered moderate.

## Climatic Capability

The nearest climate station is Revelstoke at 456 m in elevation (RAB, 1972). The climatic capability for agriculture is represented by the symbol:

**3A**  
**(1aF)**

Aridity Class 3A could be improved through irrigation to Class 1. But, there is no water source for irrigation. Climatic subclass (F) means minimum temperatures near freezing will adversely affect plant growth during the growing season. There can be early fall frosts in these West Columbia mountain valleys. Cold, dense air flows down the mountain sides like a fluid and pools on the valley floor. These frosts limit the production of commercial crops. The Revell land location would be subject to early frost.

The climate subclass (1a) has a freeze free period of 120 to 150 days and growing degree days (above 5°C) of 1505 to 1779. The rating (1a) indicates the *theoretical* crops that can be grown. Crops include: hardy apples, berries, a wide range of vegetables, tomatoes, cereal grains and forage crops.

However, the (1a) rating is considered borderline in the Revelstoke area, because local growers need greenhouses for tomato production. Tomatoes must be able to be field grown to qualify for the (1a) climate subclass. The main commercial crop currently grown in the Revelstoke valley is hay and forage for livestock.

## Agricultural Capability

The climatic capability predicts the *theoretical* crops that you can grow. The agricultural land capability rating determines the soil limitations & constraints that will be encountered in growing those crops (Kenk, 1983).

It was determined that the principle soil limitation at the property was excess water (W). The definitions are as follows:

### CLASS 4W

*“Frequent or continuous occurrence of excess water during the growing period causing moderate crop damage and occasional crop loss. Water level is near the soil surface during most of the winter and/or until late spring preventing seeding in some years, or the soil is very poorly drained.”*

### CLASS 5W

*“Frequent or continuous occurrence of excess water during the growing period making the land suitable for only perennial forage crops and/or improved pasture. The soil is very poorly drained, commonly with shallow organic surface layers.”* (Note: the full definition is on page 30 in Kenk, 1983)

The 4W seems to be the best fit given the soil mottles, imperfect drainage and site factors. These soils do not have surface organic layers. But, since local farmers are growing only perennial forage crops, it also fits part of the 5W definition. Excess water reduces the range of crops that can be grown. These Gleysol soils preclude the planting of most agronomic species, especially root crops. That would explain why adjacent farms only grow hay.

There are no improved ratings for the 4W or 5W soil limitations. It is not considered feasible to drain this property. A perimeter drainage ditch would drain the adjacent properties as much as the subject parcel, negating the improvement. Moreover, there is no outlet for the drained water.

## Crop Valuation

A beef producer in the Revelstoke valley was contacted about the economic value of hay production in the Airport Way area (Graham, 2018). A good soil without irrigation will produce about 2 tons/acre of hay. The total income for the subject property would be:

$$[(7.2 \text{ acres}) \times (2 \text{ ton/acre}) \times (\$150/\text{ton}) = \$2,160 \text{ per year}]$$

This would not be enough income to qualify for Farm Assessment status. The land still needs to be logged, cultivated and seeded to get the entire parcel into hay. Subtract the cost of haying and delivery each year. The net result would be zero income for the farmer. Given the fact that hay is the only crop that can be grown in this area and given



the probable negative value of the crop. It is not surprising that the parcel currently does not have Farm Assessment status.

The rancher also stated that high summer rainfall in the area can further reduce yield. If it rains too much, haying is delayed and bales in the field can be ruined. A wet summer would exacerbate the wet soils that already exist at the site. Recall that the 4W soil on its own can result in crop damage and occasional crop loss.

## **DISCUSSION**

It is the Agrologist's opinion that the agricultural capability for the subject property is borderline between Class 4W and 5W. It has characteristics of both. The Gleysol and Gleyed subgroup soils at the site, limit the range of crops that can be grown. Hay is the only crop that can be grown here. Hay sales would not be enough to maintain Farm Assessment status and would not be economically viable.

There is an access problem on the north side of the house. Farm machinery and equipment operators may find the driveway narrow.

The owner intends to use the property as a vacation rental. It is the Agrologist's opinion that there would be none to negligible impact of the vacation rental on the ability to hay this acreage.

It has been said that farmers on land of this type could build greenhouses or facilities for poultry production. There would have to be a local market for that to be feasible and it would require significant investment. Revelstoke is just a small community. Asking a landowner to build those types of structures would incur a large financial burden, with no expectation of income.

## **OVERALL CONCLUSION**

The overall condition of the soil, the amount of water impacting the site and the climate means this site is not suitable for any agricultural use other than for hay cropping which would not, in any event, be economically viable.

## **REFERENCES**

Brady, N.C. 1974. *The Nature and Properties of Soils*. MacMillan Publishing Co. New York. Page 265.

Exova. 2018. Suite#104 19575-55A Ave. Surrey. BC. V3S 8P8.

Graham, J. 2018. Greenslide Cattle Company Co Ltd. (250) 837 6749. Personal communication on June 5, 2018.

- Howes, D.E. and E. Kenk. 1988. Terrain Classification System for British Columbia. MOE. Manual 10. Ministry of Environment. Victoria.
- Kenk, E. 1983. Land Capability Classification for Agriculture in BC. MOE Manual 1. Ministry of Environment. Victoria.
- Macbeth. 1992. Munsell Soil Color Charts. Kollmorgen Instruments Corp. New York. Suppliers: Deakin Equipment Ltd, Vancouver or <amazon.ca>.
- NRC. 1998. *The Canadian System of Soil Classification*. Agriculture Canada. Research Branch. Ottawa.
- RAB. 1972. Climatic Capability Classification for Agriculture in BC. Resource Analysis Branch. Province of BC. Victoria. Pages 6, 8, 12.

## **APPENDIX A**

### **Photo Diary**



Photo#1. Soil pit TP1. Orthic Humic Gleysol (Ah, prominent & distinct mottles above 50cm) on a glacial-fluvial blanket.



Photo#2. Soil pit TP2. Gleyed Humic Regosol (Ah, only faint mottles above 50cm) on a glacial-fluvial blanket.





Photo#3. Soil pit TP3. Rego Humic Gleysol (Ah, distinct mottles above 50cm) on a glacial-fluvial blanket.



Photo#4. Soil pit TP4. Rego Humic Gleysol (Ah, distinct & prominent mottles above 50cm) on a glacial-fluvial blanket.





Photo#5. Soil pit TP5. Gleyed Humic Regosol (Ah, only faint mottles above 50cm) on a glacial-fluvial blanket.



Photo#6. Hayfield on the north part of the property with moderate forage.





Photo#7. Shrubby vegetation in the moist meadows on the south part of the property.

## **APPENDIX B**

**FS882 Field Forms**

**Soil Chemistry Analysis**

**Agrologist Resume**

SOIL CLASSIF. Orthic Humic Gleysol TERRAIN CLASSIF. \$5 FG bu  
HUMUS FORM \_\_\_\_\_ DRAINAGE CLASS imperfect  
ROOTING DEPTH 28 cm ROOT RESTRICTING TYPE \_\_\_\_\_  
SEEPAGE WATER DEPTH \_\_\_\_\_ cm LAYER DEPTH \_\_\_\_\_ cm  
HUMUS \_\_\_\_\_ (TP1)

HORIZON	DEPTH	FABRIC				ROOTS		MISCELLANEOUS	COMMENTS
		STRUCTURE	CONSIST	CHAR	TEXTURE	AB.	SIZE		
LFH	3-0								

MINERAL SOIL

HORIZON	DEPTH	COLOUR	A <sub>sp</sub>	TEXTURE	% COARSE FRAGS.				ROOTS		MISC.	COMMENTS	
					G	C	S	TOT.	AB.	SIZE			
Ah1	0-18	10YR3/1		L	-	-	-	-	A	✓		- collected.	
Ah2	18-28	10YR3.5/1		SL	-	-	-	-	P	✓			
Bg	28-46	2.5Y3/1		S	-	-	-	-	-	-	1.5YR3/3		- prominent mottles
Cg1	46-78	2.5Y3/2		S	-	-	-	-	-	-	10YR3/6		- distinct
Cg2	78-100	2.5Y3/2		S	-	-	-	-	-	-		- faint mottles	

NOTES: moderate forage, no carbonates

FS882 Soil Description Field Card for soil pit TP1.

SOIL CLASSIF. Gleyed Humic Regosol TERRAIN CLASSIF. \$5 FG bu  
HUMUS FORM \_\_\_\_\_ DRAINAGE CLASS imperfect  
ROOTING DEPTH 20 cm ROOT RESTRICTING TYPE \_\_\_\_\_  
SEEPAGE WATER DEPTH \_\_\_\_\_ cm LAYER DEPTH \_\_\_\_\_ cm  
HUMUS \_\_\_\_\_ (TP2)

HORIZON	DEPTH	FABRIC				ROOTS		MISCELLANEOUS	COMMENTS
		STRUCTURE	CONSIST	CHAR	TEXTURE	AB.	SIZE		
LFH	3-0								

MINERAL SOIL

HORIZON	DEPTH	COLOUR	A <sub>sp</sub>	TEXTURE	% COARSE FRAGS.				ROOTS		MISC.	COMMENTS
					G	C	S	TOT.	AB.	SIZE		
Ah1	0-20	10YR3/1		SL	-	-	-	-	A	✓		faint mottles
Ah2	20-35	10YR3.5/1		SL	-	-	-	-	F	F		
Cg1	35-72	2.5Y4/1		S	-	-	-	-	-	-		
Cg2	72-100	5Y3/1		S	-	-	-	-	-	-	1.5YR4/3	

NOTES: moderate forage, no carbonates.

FS882 Soil Description Field Card for soil pit TP2.



SOIL CLASSIF. Rego Humic Gleysol TERRAIN CLASSIF. \$SFb<sup>G</sup>4 PROFILE DIAGRAM

HUMUS FORM \_\_\_\_\_ DRAINAGE CLASS imperfect

ROOTING DEPTH 10 cm ROOT RESTRICTING TYPE \_\_\_\_\_

SEEPAGE WATER DEPTH \_\_\_\_\_ cm LAYER DEPTH \_\_\_\_\_ cm

HUMUS \_\_\_\_\_

**TP3**

HORIZON	DEPTH	FABRIC				ROOTS		MISCELLANEOUS	COMMENTS			
		STRUCTURE	CONSIST	CHAR.	TEXTURE	AB.	SIZE					
LFH	2-0											
MINERAL SOIL												
HORIZON	DEPTH	COLOUR	A <sub>sp</sub>	TEXTURE	% COARSE FRAGS.				ROOTS		MISC.	COMMENTS
					G	C	S	TOT.	AB.	SIZE		
Ah	0-10	10YR3/1	1	SL	-	-	-	-	A	F		- no carbonates
Cg1	10-38	2.5Y4/1	1	S	-	-	-	-	F	F	10YR4/3	- distinct mottles
Cg2	38-78	2.5Y4/1	1	S	-	-	-	-	-	-	7.5YR4/3	- distinct
Cg3	78-100	2.5Y4/1	1	S	-	-	-	-	-	-	7.5YR4/6	- prominent

NOTES: ICH, Oplodana x, Rhyzium = moist; - no carbonates.

FS882 Soil Description Field Card for soil pit TP3.

SOIL CLASSIF. Rego Humic Gleysol TERRAIN CLASSIF. \$SFb<sup>G</sup>4u PROFILE DIAGRAM

HUMUS FORM \_\_\_\_\_ DRAINAGE CLASS imperfect

ROOTING DEPTH 10 cm ROOT RESTRICTING TYPE \_\_\_\_\_

SEEPAGE WATER DEPTH \_\_\_\_\_ cm LAYER DEPTH \_\_\_\_\_ cm

HUMUS \_\_\_\_\_

**TP4**

HORIZON	DEPTH	FABRIC				ROOTS		MISCELLANEOUS	COMMENTS			
		STRUCTURE	CONSIST	CHAR.	TEXTURE	AB.	SIZE					
LFH	3-0											
MINERAL SOIL												
HORIZON	DEPTH	COLOUR	A <sub>sp</sub>	TEXTURE	% COARSE FRAGS.				ROOTS		MISC.	COMMENTS
					G	C	S	TOT.	AB.	SIZE		
Ah	0-12	10YR3/1	1	SL	-	-	-	-	A	F		- no carbonates
Cg1	12-40	2.5Y4/1	1	SL	-	-	-	-	F	F	10YR3/3	- distinct mottles
Cg2	40-65	2.5Y4/2	1	S	-	-	-	-	-	-	10YR3/4	- prominent
Cg3	65-100	2.5Y4/1	1	S	-	-	-	-	-	-	10YR3/4	- prominent

NOTES: - no carbonates at this acreage.  
- earthworm in Ah.

FS882 Soil Description Field Card for soil pit TP4.

SOIL CLASSIF. Gleyed Humic Regosol TERRAIN CLASSIF. \*SFGby

HUMUS FORM \_\_\_\_\_ DRAINAGE CLASS imperfect.

ROOTING DEPTH 15 cm ROOT RESTRICTING TYPE \_\_\_\_\_

SEEPAGE WATER DEPTH \_\_\_\_\_ cm LAYER DEPTH \_\_\_\_\_ cm

HUMUS (TP5)

HORIZON	DEPTH	FABRIC			ROOTS		MISCELLANEOUS COMMENTS
		STRUCTURE / CONSIST	CHAR.	TEXTURE	AB.	SIZE	
LH	3-0						

MINERAL SOIL

HORIZON	DEPTH	COLOUR	A <sub>sp</sub>	TEXTURE	% COARSE FRAGS.				ROOTS		MISC.	COMMENTS
					G	C	S	TOT.	AB.	SIZE		
Ah	0-23	10YR2/1	1	SL	-	-	-	-	A	F		- no carbonates
g <sub>1</sub>	23-57	2.5Y4/1	1	LS	-	-	-	-	F	F		- faint mottles
g <sub>2</sub>	57-82	2.5Y4/1	1	S	-	-	-	-	-	-	10YR5/4	- distinct
g <sub>3</sub>	82-100	2.5Y4/2	2	S	-	-	-	-	-	-	10YR5/5	- distinct

NOTES: \_\_\_\_\_

SOIL DESCRIPTION

PROFILE DIAGRAM

FS882 Soil Description Field Card for soil pit TP5.

Exova  
#104, 19575-55 A Ave.  
Surrey, British Columbia  
V3S 8P8, Canada

T: +1 (604) 514-3322  
F: +1 (604) 514-3323  
E: [Surrey@exova.com](mailto:Surrey@exova.com)  
W: [www.exova.com](http://www.exova.com)

Page 1 of 1



## Farm Soil Analysis

Bill To:	Cash Account	Grower Name:	3401 Catherwood Road	Lot Number:	1273028
Report To:	Cash Account	Client's Sample Id:		Report Number:	2289816
	11519 Quinpool Road	Field Id:	TP1 Ah1 (0-18)	Date Received:	May 24, 2018
	Summerland, BC., Canada	Acres:		Disposal Date:	Jun 23, 2018
	V0H 1Z5	Legal Location:		Report Date:	May 29, 2018
Agreement:	112534	Last Crop:	Crop not provided	Arrival Condition:	

Nutrient analysis (ppm)														Soil Quality						
Depth	N*	P	K	S**	Ca	Mg	Fe	Cu	Zn	B	Mn	Cl	BiCarbP	pH	EC(dS/m)	OM(%)	Sample#			
0" - 18"	<2	20	78	2	380	30	56.6	0.8	1	<0.2	2.2	4		5.8	0.07	4.7	6107907			
Excess	<div><div></div></div>													Alkaline	Extreme	High				
Optimum	<div><div></div></div>													Neutral	Very High	Normal				
Marginal	<div><div></div></div>													Acidic	High	Low				
Deficient	<div><div></div></div>													Very Acidic	Good	Very Low				
Total lbs/acre	12	120	469	12	Texture <i>n/a</i>				Hand Texture <i>n/a</i>				BS 44 %	CEC 12 meq/100 g						
					Sand <i>n/a</i>				Silt <i>n/a</i>				Clay <i>n/a</i>				Ca 35 %	Mg 4.7 %	Na <2.4 %	K 3.7 %
Estimated lbs/acre	13	81	157	13	Ammonium <i>n/a</i>								TEC 5.3 meq/100 g				Na <30 ppm			
					Lime 1 T/ac				Buffer pH 6.7				Est. N Release <i>n/a</i>				K/Mg Ratio <i>n/a</i>			

\*Nitrate-N \*\*Sulfate-S n/a = not analysed

## RECOMMENDATIONS FOR BALANCED CROP NUTRITION

Macro-nutrients	Hay - Grass					Hay - Legume				
	Yield	N	P2O5	K2O	S	Yield	N	P2O5	K2O	S
Growing Condition	T/ac	To be added (lbs/acre)				T/ac	To be added (lbs/acre)			
Excellent	4.2	96	19	69	15	3.5	12	20	86	17
Average	2.8	72	12	58	11	2.6	9	14	76	16
Your Goal	0.0					0.0				
Removal Rate (Seed/Total)	4.2	0 / 159	0 / 47	0 / 202	0 / 20	3.5	0 / 207	0 / 53	0 / 194	0 / 10
Micro-nutrients										
	Iron	Copper	Zinc	Boron	Manganese	Iron	Copper	Zinc	Boron	Manganese
To be added (lbs/ac)	0.0	0.0	0.0	2.0	0.0	0.0	0.0	0.0	2.0	0.0

Add Boron or try a test strip.  
Magnesium %BS is low.

Parts of the field may be Zinc deficient.  
Add Boron or try a test strip.  
Magnesium %BS is low.

Comments:

Recommendations are based on general research consensus. They should not replace responsible judgement.

Terms and Conditions: <https://www.exova.com/media/1232/exova-canada-inc-standard-conditions-of-contract-short-form.pdf>



## RESUME

---

**Wayne A. Blashill, PAg**

Valid B.C. Driver's License: Class 5

11519 Quinpool Road.

e-mail: <wayne\_blashill@telus.net>

Summerland. BC. V0H 1Z5.

(250) 494 5323

## RELEVANT EXPERIENCE

---

### **Vineyard Soil Survey.**

Agriculture Canada. Summerland Research Station. **Consultant.** 2010-2013. Soil survey on 325 vineyards in the Okanagan and Similkameen to verify soil mapping completed in 1980's. They wanted to correlate the soil name, texture and % coarse fragments with grape variety and management practices to determine factors in producing award winning wines. Contact: Scott Smith (250) 494 7711.

### **Soil Arability Mapping.**

Burns Lake Cattleman's Association, Westland Resource Consultants, Herb Luttmerding. **Consultant.** 1998-2007. Soil survey and mapping from Smithers to Valemount and MacKenzie to Hixon in the BC Central Interior. Soil name, agricultural capability and arability were determined on approx. 186,000 ha over 10 years. Arable land was placed into the ALR for future farming.

### **Agrologist Reports.**

Vineyard, orchard owners and other landowners. **Consultant.** 1998-2016. Complete a variety of reports for ALC applications for subdivision, alternate use, swaps and exclusion. Climate station, site and soils description data is used to determine climatic and agricultural capability. The amount of arable land is estimated. Find creative solutions for landowners to meet their environmental and legal obligations, while continuing to operate their farms and business's.

### **Revelstoke Soils Description & ID Course.**

Columbia Mountains Institute of Applied Ecology (CMI). Revelstoke soils tour. **Instructor.** 2017. Instruct students in soils description and classification. Field techniques for soil texture, colour and % coarse fragments etc. were demonstrated. Soils data was applied to agriculture, forestry, mining, oil & gas activities. Contact: Hailey Ross (250) 837 9311.

## EDUCATION

---

Bachelor of Science. Biology/Ecology. University of Victoria. 1977. Pertinent courses: plant physiology, plant anatomy, ecology, botany, biostatistics, geomorphology, population ecology, organic chemistry.

MSc. Candidate. Soil Science Department. University of British Columbia. 1982-1984. Pertinent courses: soil chemistry, soil physics, soil classification, biometeorology, forest soils, tree nutrition, soil and water conservation.

British Columbia Institute of Agrologists. Professional Agrologist in good standing. Past Branch President and Vice-President. Okanagan Branch. 1998-2018.

**LC2559B****Relevant Excerpts from Electoral Area B Official Community Plan Bylaw No. 850 (See Bylaw No. 850 for all policies)****South Revelstoke**

The South Revelstoke area is the area east of the Arrow Lakes reservoir and south of the Revelstoke municipal boundary. At present the South Revelstoke area has a rural character that is highly valued by the residents. The area contains a mixture of lot sizes from small half acre parcels to large agricultural acreages. There is abundant forested upland area framing the valley and providing context for the proposed ski resort. The developed area is also bordered by large areas of the river ecosystem that supports recreational activities and open space when the Arrow Lakes reservoir elevation is low.

The settled area contains a mixture of housing types and sizes but the majority of development is single family residential. There are some properties that are within the Agricultural Land Reserve but there is little active farming taking place.

Residents in this area expressed a desire to retain the environmental quality and the rural residential character. Residents also noted that while their objective was to retain a country living atmosphere, they recognized that their close proximity to the ski resort could significantly alter their lifestyle.

In reviewing the South Revelstoke area it is evident that the lands closest to the resort (Upper Bench) have the greatest potential to be impacted by resort development. The Upper Bench, adjacent to the core of the RMR development, but not part of the resort land holdings, has not been integrated into the City of Revelstoke land use planning process. The relationship between the resort and the privately held lands in the rural residential area is complex and raises numerous planning and servicing issues. While it is recognized that the resort wishes to initially concentrate on launching its own development initiatives, there must also be a time for planning partnerships involving the Upper Bench landowners, the City of Revelstoke, the CSRD and Revelstoke Mountain Resort. The municipality does not have any responsibility for servicing lands in the Regional District, however, it is likely that any future servicing in this general area will be led by the municipality as they service lands in the municipality. In the process of planning for servicing to this general area, it would be appropriate for an active dialogue between the Regional District and the City of Revelstoke. With an estimated 150 parcels and an approximate population of 300 persons, South Revelstoke will be dwarfed by the 16,000 bed units proposed for the Revelstoke Mountain Resort community. Specific policies related to the ultimate development of the South Revelstoke area are articulated in Section 4.4.

The Revelstoke Airport is located in Revelstoke, immediately north of the South Revelstoke neighbourhood. The airport is owned by the CSRD. Numerous flight path options are available as approaches to the airport and these need to be considered in future planning exercises both in terms of the safety of the approach (e.g. structure height) and the impacts of the airport on neighbours.

Residential

## **4.2 Objectives**

There are several important objectives that form a framework for the residential policies.

- 4.2.1 Ensure that development is sustainable, with appropriate infrastructure (water and sewer) and utilities (telephone, power) and not costly to maintain and support. Developments are to provide potable water that meets the Canadian Drinking Water Guidelines.
- 4.2.2 Encourage the concentration of new development into existing developed areas.
- 4.2.3 Support the policies of the City of Revelstoke to concentrate growth in their serviced, sustainable urban centre.
- 4.2.4 Support the preservation of buildings and features that have significant heritage values.
- 4.2.5 Ensure comprehensive analysis and a co-ordinated review as part of subdivision application process, including addressing “Environmental Best Management Practices for Urban & Rural Development”, Ministry of the Environment.
- 4.2.6 Provide for a choice of housing types while recognizing single family housing as the dominant housing form.
- 4.2.7 Maintain and encourage support of the rural character and the social and cultural diversity of the plan area and ensure environmental integrity is addressed.

## **4.3 Land Use & Density Policies**

### **General**

- 4.3.7 New development shall meet the standards set out in the CSRD Subdivision Servicing Bylaw.
- 4.3.10 One primary dwelling unit and one secondary dwelling unit shall be permitted in the primary dwelling in all residential zones subject to the relevant parking requirements, the requirements of the Agricultural Land Commission Act, and the BC Building Code. Once building permits are mandatory and the requirements of the BC Building Code can be addressed, sewage disposal systems must be designed

or upgraded to accommodate the total combined number of bedrooms to be serviced by the system.

### **Small Holdings**

4.3.20 The principal use shall be residential or agricultural.

4.3.22 One primary dwelling and one secondary dwelling unit shall be permitted per parcel.

4.3.23 The minimum parcel size for subdivision of Small Holdings land shall be 4 ha.

### **Community Specific Policies – South Revelstoke**

4.4.8 As shown on *Figure 4.2*, South Revelstoke contains an Upper Bench area that adjoins the planned core of Revelstoke Mountain Resort. The Upper Bench will be impacted by future activity in the resort core and will not sustain its present rural character. Recognizing the nature of future development pressures, the CSRD supports the following strategy for the Upper Bench.

- a. As Revelstoke Mountain Resort develops, the future land uses considered for the Upper Bench should be urban and resort development;
- b. development to higher resort densities should be consistent with the overall direction of the Resort Master Plan, and will require neighbourhood planning and design guidelines to achieve consistency and use compatibility;
- c. development to higher density cannot be accomplished without improved servicing. The terms of servicing, phasing, timing and partnerships shall be considered as part of a detailed planning process; and
- d. when there is a clear strategy to integrate development on the Upper Bench with the overall Revelstoke Mountain Resort Master Plan, these lands may be more appropriately administered as properties within the City of Revelstoke and the CSRD could support a Phase 3 boundary extension process that considers the private lands on the Upper Bench and how they should be serviced.

4.4.9 The Regional District recognizes the development pressure currently being experienced on the ALR lands below the Revelstoke Mountain Resort; however the ALC has indicated that it does not support a review of these lands for exclusion from the ALR. The ALC has indicated that it would only consider a review under the following conditions.

- specific information is provided as to the capacity of non ALR land in the City of Revelstoke to accommodate growth (i.e. more land is required to service growth pressures); and
- the land is proposed for incorporation into the City of Revelstoke.

Recognizing the current ALR status, lands within the ALR south of Revelstoke are to be designated Small Holdings (SH).

- 4.4.10 Residential properties in the south Revelstoke area that are not in the ALR will be designated for Rural Residential 2 use with a minimum parcel size of 2 ha from the City of Revelstoke to Montana Creek. Residential properties south of Montana Creek are designated as Small Holdings and intended for large lot rural residential and agricultural use. Properties in the South Revelstoke area, including those south of Montana Creek, which are excluded from or subdivided within the ALR, may be considered for redesignation to Rural Residential 2
- 4.4.11 Parcels in all areas south of Revelstoke will be independently serviced with water and sewer. Minimum parcel sizes 2 ha can only be achieved where provincial water and sewer servicing standards can be met.
- 4.4.12 Consider supporting the South Revelstoke Ratepayers Association as a registered non-profit society through the Electoral Area Grant Process.

## **Agriculture**

### **10.1 Community Context**

Agricultural lands in Electoral Area 'B' are primarily located in the Arrow Lakes Valley. While a detailed agricultural inventory and assessment has not been prepared as part of this plan, it is evident that agricultural opportunities are limited by such factors as market, climate and topography. The area's agricultural limitations were recognized by the ALC when it discontinued support of an agricultural function in the City of Revelstoke. The Regional District recognizes that for similar reasons, some lands in the Electoral Area 'B', particularly in South Revelstoke may also have limitations for agriculture; however, the ALC is not supportive of ALR exclusions at this time.

Although there is limited evidence of existing agricultural activity in the plan area there is a history of agriculture, particularly in the river valleys. The CSRD recognizes this history and the role of the ALC and the plan is supportive of agriculture, particularly where agriculture can contribute to sustainability and local food production.

### **10.2 Objectives**



- 10.2.1 To support the preservation of the agricultural land base where lands have continuing value for agriculture.
- 10.2.2 To promote options for the production and marketing of locally grown foods.
- 10.2.3 To minimize conflicts between agriculture and other land uses.

### **10.3 Policies**

- 10.3.1 The Regional District supports the preservation, maintenance and enhancement of lands for agricultural use within the Agricultural Land Reserve. Current Agricultural Land Reserve designations are inventoried in Schedule C.
- 10.3.2 When considering applications for intensive agriculture in the ALR the Regional District commits to working with the appropriate agencies to ensure that conflicts over odour, dust and noise are minimized.
- 10.3.3 Agriculture, including but not limited to agricultural food production, forage crops, livestock operations and accessory commercial uses, is permitted in the Rural Resource, Small Holdings, and Rural Residential 2 designations.
- 10.3.4 Second dwellings for farm help are supported in association with agricultural land use in the ALR.
- 10.3.5 The Regional District supports small local market garden enterprises, including on-site sales as a means of encouraging local food production.
- 10.3.6 The CSRD will encourage the Ministry of Agriculture to implement an area-specific education program dealing with environmental protection from agricultural activity.
- 10.3.7 The CSRD will encourage the Ministry of Environment to enforce the provisions of the Waste Management Act and Environmental Protection Regulation in case where poor agricultural practices have a proven effect on a watercourse, groundwater or lake.
- 10.3.8 The CSRD will support the agricultural community in its applications for grant funding for study and/or implementation of area-specific, environmentally sound agricultural practices.

## **Environmental Management**

### **12.1 Community Context**

Environmental quality is an integral component of the community vision, tied to the quality of life and lifestyle options which are unique and highly valued by the residents in and visitors to Electoral Area 'B'. The community is interested in protecting the region's natural environment for its unique ecosystems, scenic beauty, wilderness recreation and resource

based economy. The community is interested in providing for sustainable, planned development which balances the need for protection, use and enjoyment of natural areas.

## **12.2 Objectives**

- 12.2.1 Provide for stewardship of natural resources through conservation and public education.
- 12.2.2 Preserve and enhance the ecological systems and diversity of the Regional District.
- 12.2.3 Develop a sustainable economy that promotes best management practices for the forestry, tourism construction and recreation sectors.
- 12.2.4 Protect environmentally sensitive lands such as steep slopes, floodplains, watersheds and soils subject to erosion from land uses having major environmental impacts.
- 12.2.5 Restrict the uses of land that are subject to hazardous conditions or that are environmentally sensitive to development.
- 12.2.6 Incorporate environmental considerations as an integral part in assessing growth management options, land use plans, transportation plans and development proposals.
- 12.2.7 Improve air quality.
- 12.2.8 Minimize and plan for the impacts of climate change.
- 12.2.9 Support Best Management Practices for local species and environments provided by senior levels of government.

## **12.3 General Environmental Policies**

- 12.3.1 Encourage federal and provincial agencies to monitor the incremental changes in drainage basins. Particularly there is need for ongoing monitoring of the elevation of Trout Lake with the objective of decreasing the maximum lake elevation thereby lowering the spring levels that are currently impacting existing development. Presently there is anecdotal evidence only of flooding and this should be documented on an ongoing basis to allow for the management of flood conditions over the long term.
- 12.3.2 The Regional District will work with the senior governments, First Nations and other community interests to promote surface and groundwater protection. Actions may include restricting access to sensitive watersheds that are sources of drinking water.

- 12.3.3 Streamside and foreshore property owners will be required to prevent or reduce impacts on watercourses subject to the guidelines established in Riparian Areas Regulation Development Permit Area (RAR DPA) Section 12.6.
- 12.3.4 Implement practices to prevent sediment from entering local watercourses when considering development activities.
- 12.3.5 Encourage relevant provincial agencies to prepare an Area 'B' Wildlife Atlas that provides an inventory of sensitive habitat areas and wildlife corridors for crown and private lands. Facilitate community consultation on this project, likely through the Advisory Planning Commission, and consider implementing a Development Permit Area for Environmentally Sensitive Areas based on the atlas information.
- 12.3.6 Applications for new land use designations shall be accompanied by a detailed Environmental Review of environmentally sensitive and hazardous areas such as watercourses, sensitive habitat areas, wildlife corridors, flood plains and steep slopes. The environmental review shall include recommendations on the management of sensitive conditions. The Regional District may implement recommended environmental management practices through such mechanisms as:
- a. The establishment of an Environmental Reserve designation where development on private lands in sensitive areas is protected from adverse development. Passive uses, with minimal impact on the applicable area would be supported within the Environmental Reserve designation. Developments acceptable in the reserve area would include trails, interpretive signs, benches and other similar types of passive recreation, conservation or environmental protection and management purpose or represent some other public benefit to the community that would not compromise the environmental sensitivity of the area.
  - b. The use of Conservation Agreements with the Regional District as a party to the agreement, to protect sensitive areas and implement conditions and recommendations of the environmental review conducted as part of the required development approval information as identified in Section 1.5.3.
  - c. A conservation zone or Environmental Reserve designation may be assigned to land covenanted or deeded against further development or use, including common property in strata title subdivisions.

- d. Owners entering into Conservation Agreements and placing voluntary conservation covenants on their land shall not be deprived of the privilege to enjoy land as their own but they may not close, fence or otherwise obstruct any adjoining public route of access. Developments acceptable in the covenanted area could include trails, interpretive signs, benches and other similar types of passive recreation, conservation or environmental protection and management purpose or represent some other public benefit to the community and not compromise the environmental sensitivity of the area.

12.3.7 The Regional District will work co-operatively with the Ministry of Forests & Range regarding planning and management of forested areas and any timber harvesting and related forest practices carried out on Crown lands within a provincial forest and subject to the relevant provincial regulations.

12.3.8 The Regional District strongly encourages that the burning of brush be minimized and that composting and chipping, where feasible, be a priority of residents of the Plan area.

12.3.9 The Regional District supports the work of the Commission on Resources and Environment through the Ministry of Forests & Range and the subsequent Revelstoke and Area Land Use Plan and encourages these documents to be treated as living documents that are reviewed and updated on a regular basis with opportunities for public consultation.

12.3.10 Support the location of higher density developments within the City of Revelstoke where there will be greater efficiencies for alternative modes of transportation.

12.3.11 Emphasize for residents, business and industry local actions to maintain and improve air quality (e.g. restrict outdoor burning, encourage lower emission fuel choices and transportation modes) and ensure the CSRD leads by example.

12.3.12 Participate in senior government programs and initiatives that address climate change impacts and that help local governments plan for local-scale impacts of climate change. The Regional District supports strategies to reduce greenhouse gas emissions (District energy, co-generation, green-building, etc.).

12.3.13 Support new developments exhibiting strategies related to ecological protection, ecological restoration and green design including green buildings and green infrastructure.

- 12.3.14 Encourage initiatives that promote economic sustainability, as a strategy for community sustainability, including support to local businesses, employment creation, infrastructure efficiency and energy/water savings.
- 12.3.15 The Regional District encourages the use of local and regionally sourced building materials, particularly wood. The Regional District supports green building strategies and may adopt the Leadership in Energy & Environmental Design (LEED) Standards as a performance benchmark for new development.
- 12.3.16 Support the Revelstoke Bear Aware Program to effectively reduce bear/human conflicts to achieve the goal of becoming a Bear Smart Community.

#### **12.4 Environmentally Sensitive Areas**

- 12.4.2 The Regional District will work co-operatively with the Ministry of Forests Lands and Natural Resource Operations and other provincial agencies regarding planning and management of Crown lands, for example, agencies responsible for mineral resources, disposition of crown land and water resources. The Regional District will continue to support and work collaboratively with BC Hydro regarding the management of lands and water resources.
- 12.4.3 Encourage voluntary protection of natural features in cases where an Environmental Review has identified an objective to protect for stream conservation, water quality protection, or habitat preservation. To encourage voluntary placement of Conservation Agreements, the Regional District may give consideration to allowing increased density on the balance of the subject property.
- 12.4.4 Plan for and protect wildlife corridors, habitat for threatened and endangered species and ecosystem connectivity in advance of expansion of settlement areas or tenures. It is recognized that the area supports sensitive species (e.g. Great Blue Heron and Painted Turtle) and there are specific Best Practices for species that are to be addressed in any development proposals. All development applications in the Columbia Basin should be referred to the Fish & Wildlife Compensation Program, specifically noted are lands in the South Revelstoke area.
- 12.4.5 Encourage all developers including developers of infrastructure projects to conserve wetlands, wildlife habitat, trees or other indigenous vegetation. Encourage alternative development methods, such as considering concentrating density, narrowing rights-of-ways, or accommodating cluster housing.
- 12.4.6 Allow the owner(s) of land affected by dedications for environmental protection to use the original site area in computing density, floor area ratios and minimum parcel areas for development or subdivision purposes.

- 12.4.7 Ensure that the management of Regional District activities has the necessary structure and process to:
- a. manage and control processes and operations to minimize impacts on the environment;
  - b. continuously improve the Regional District's environmental performance; and
  - c. provide an example of environmental stewardship.

12.4.8 Encourage the retention and use of wetlands as natural buffers between different land uses.

12.4.9 Discourage complete or indiscriminate lot clearing.

12.4.10 Through the Development Permit Area Process support plans for public/private infrastructure that is constructed in such a way as to minimize weed growth and in such a way that service lines would not require continual maintenance or contact.

12.4.11 Co-operate with senior governments to provide a coordinated strategy for the stewardship of "Riparian Assessment Areas", in keeping with the general intent of the Riparian Areas Regulation (RAR), to ensure that no harmful alteration, disruption and/or destruction of fish habitat occurs.

12.4.12 Recognize Riparian Areas Regulation and designate all watercourses either identified on the BC TRIM map series 1:20,000 or where the Regional District or applicants are aware of a watercourse on the subject property as Riparian Areas Regulation Development Permit Areas (RAR DPA). The RAR DPA is outlined in Section 12.6.

The RAR DPA relies on provincial scale mapping of watercourses as the CSRD has not had the opportunity to undertake detailed inventories of Streamside Protection and Enhancement Areas (SPEA) and watercourse locations. Accordingly, the CSRD may require additional technical research as part of the approval process. Given the lack of comprehensive watercourse data, it is recommended that in situations where a property owner maintains that development is outside of a riparian area, the CSRD may require confirmation from a Qualified Environmental Professional (QEP) that the proposed development is not within a riparian area.

12.4.12 Encourage developers to implement general stream management policies, including:



- a. minimizing obstructions and impediments to the flow of a stream, creek, watercourse, ditch, drain or sewer whether or not it is located on private property;
- b. retaining the natural stream channel geometry insofar as feasible;
- c. protecting and managing natural watercourses as open streams (except as authorized by way of the appropriate provincial ministry or agency approval);
- d. retaining mature streamside vegetation or tree cover wherever possible and incorporating it into the design of the project;
- e. avoiding groundwater interruption; and
- f. protecting aquatic biota and habitats.

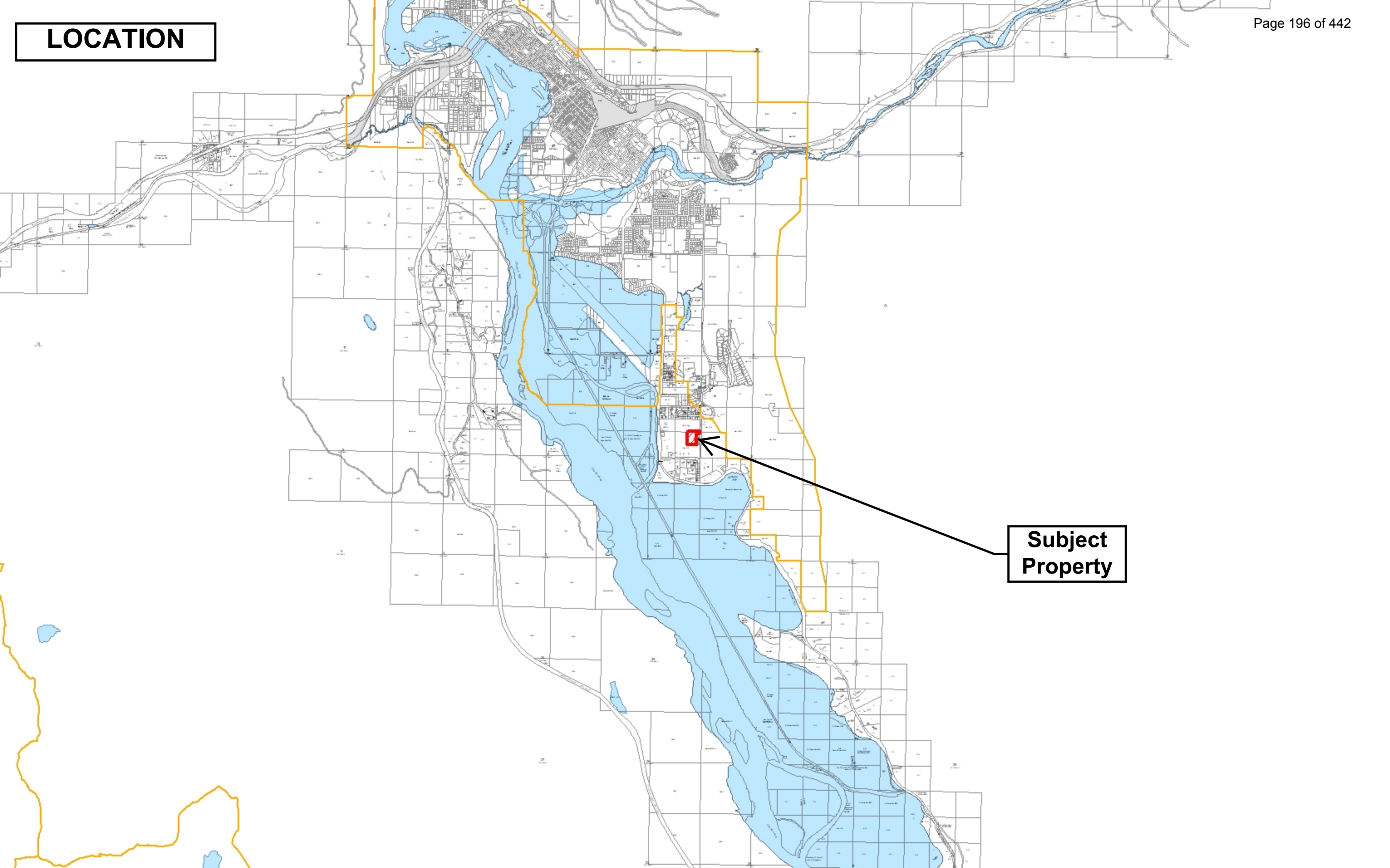
12.4.13 Work with provincial and federal water and resource agencies to protect and enhance water quality, base flows, natural drainage patterns, and continuous riparian corridors of sufficient width to:

- a. accommodate the dynamic natures of the hydrologic systems;
- b. avoid and reduce flood damage;
- c. avoid the need for channel stabilization;
- d. avoid underground drainage systems;
- e. avoid groundwater interruption; and
- f. protect aquatic biota and habitats.

12.4.14 Locate low intensity land uses (for example agriculture, recreation, conservation) and manage forms of development on floodplains and aquifers in accordance with provincial and local government regulations.

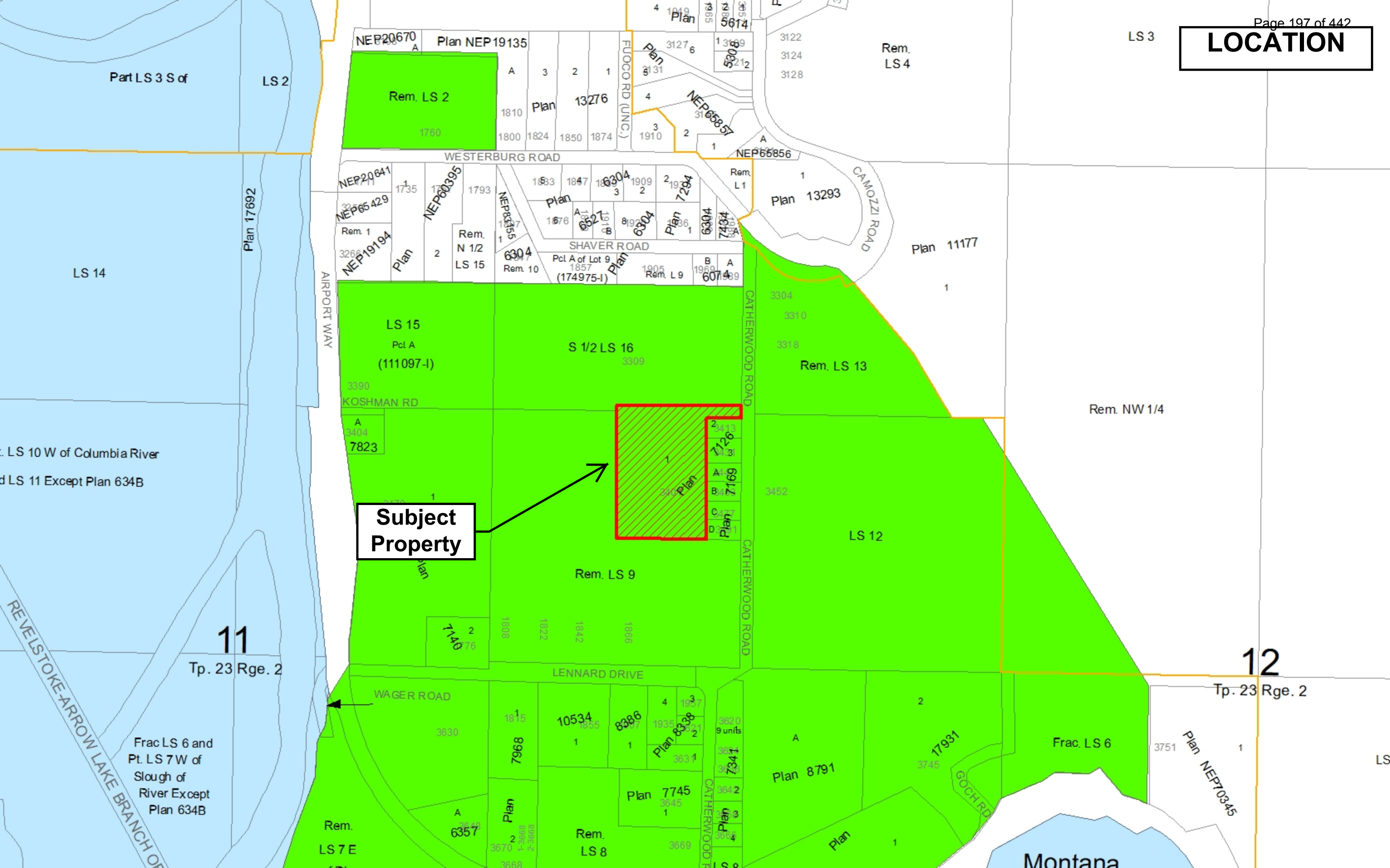
12.4.15 Connectivity and movement of threatened and endangered species shall be considered at the time of neighbourhood planning or rezoning. This process will assess opportunities to use such tools as the transfer of density, density bonusing, park dedication, land trusts, covenants, or development agreements to conserve corridors of “sensitive ecosystems”. Open space should have characteristics in accord with provincial government best management practices; for example, areas will be large and contiguous striving to have an overall configuration of 100 hectares or more, and no specific area less than 100 m in width and in accordance with the Regional District Parks Policy. In the absence of a “sensitive ecosystem” inventory for the Regional District, additional information may be required as part of the development approval process.

**LOCATION**

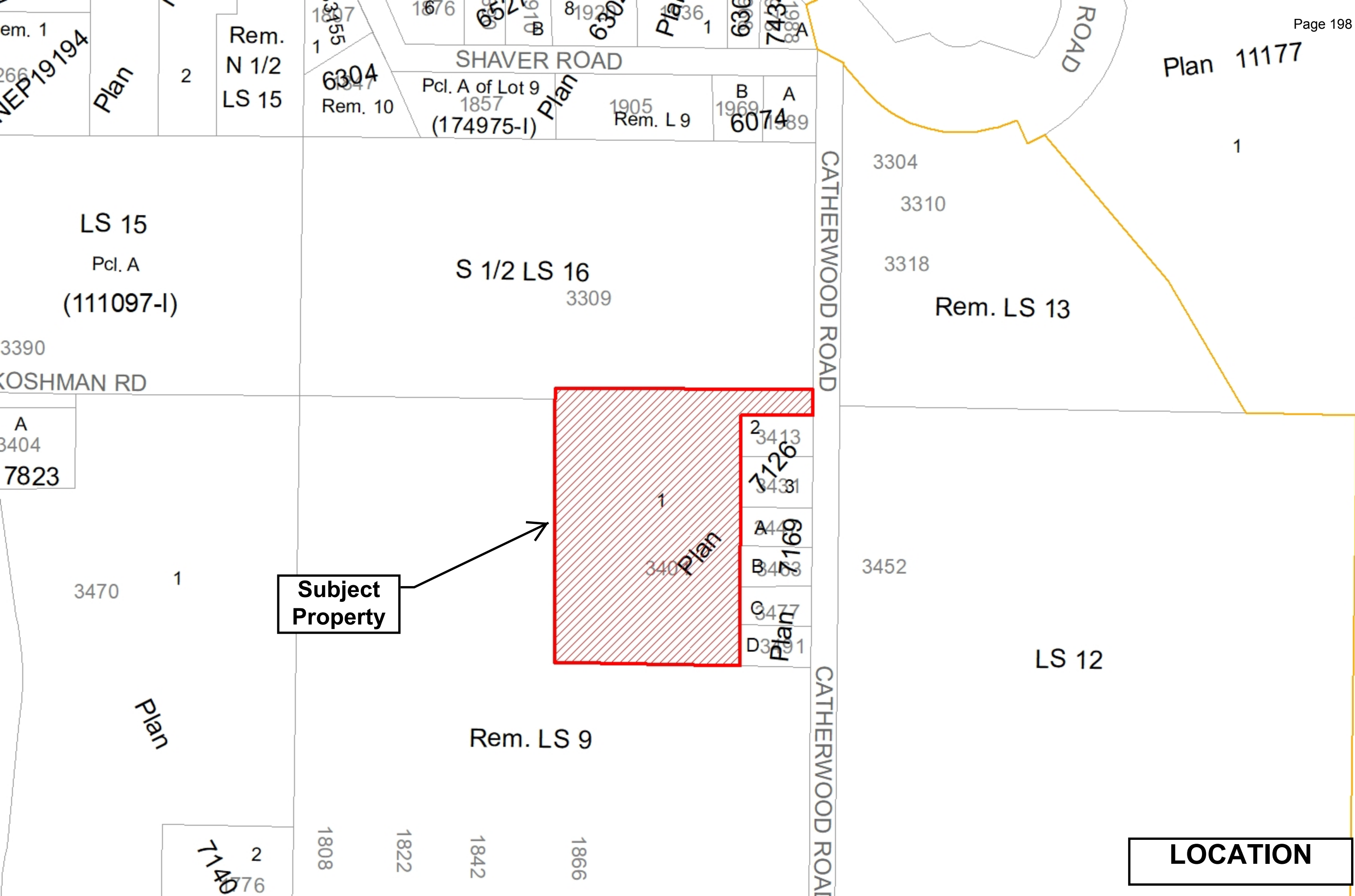


**Subject  
Property**

LOCATION

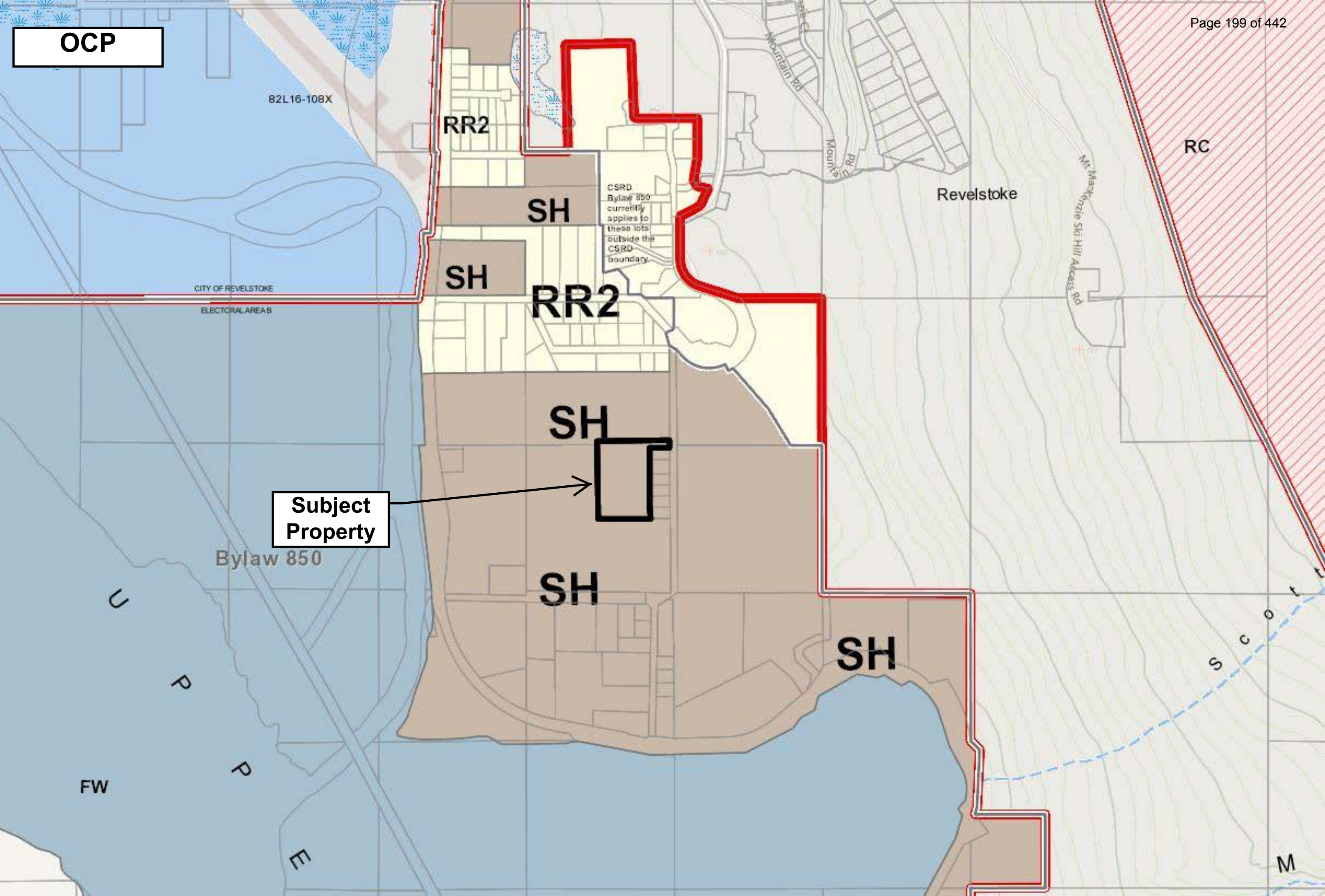








OCP



RR2

SH

RR2

SH

SH

SH

SH

RC

Subject Property

Bylaw 850

CITY OF REVELSTOKE  
ELECTORAL AREA B

82L16-108X

FW

U

P

P

E

M

S  
C  
O  
R  
T

Revelstoke

Mt. Mackenzie Ski Hill Access Rd

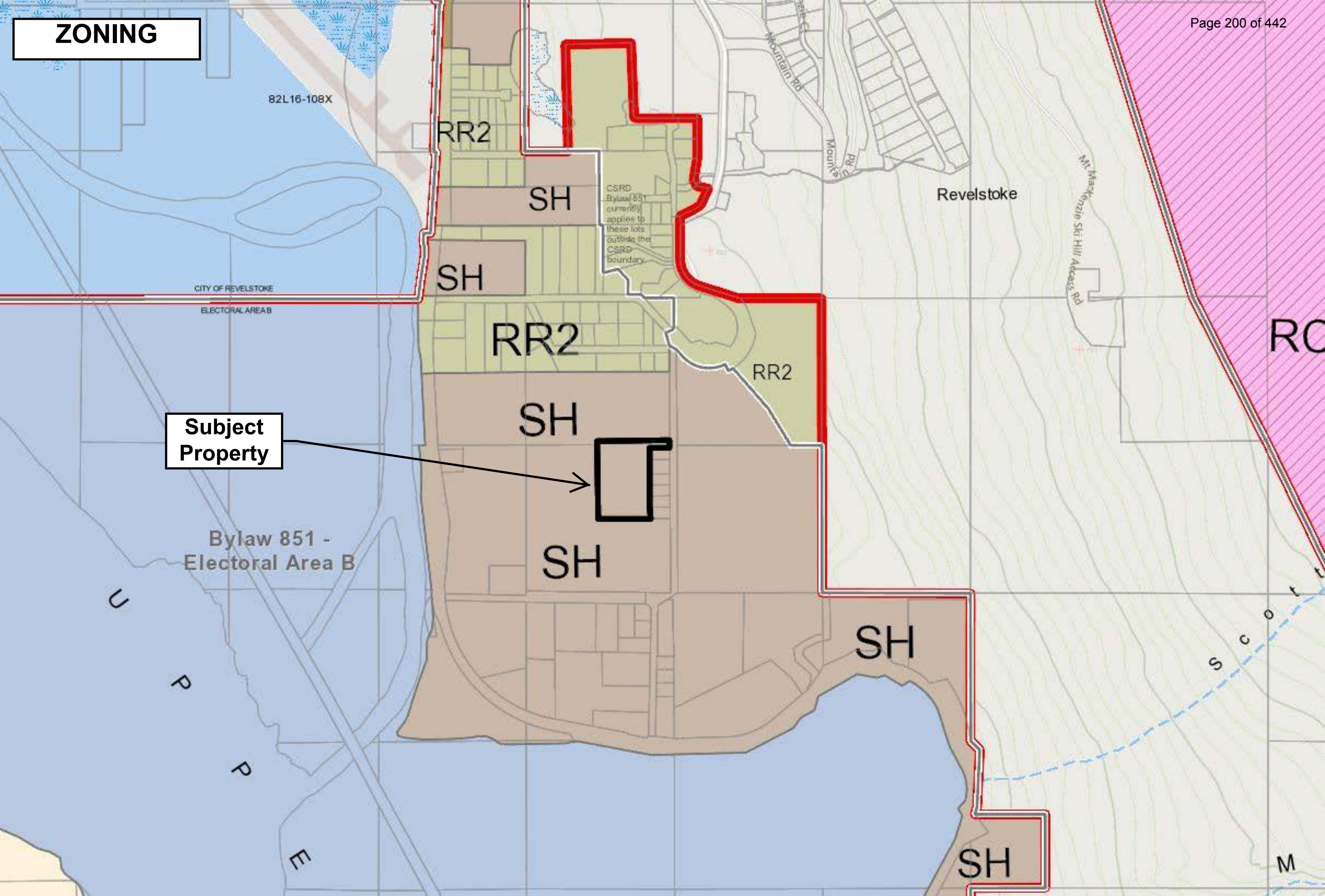
Mountain Rd

Mountain Rd

CSRD  
Bylaw 850  
currently  
applies to  
these lots  
outside the  
CSRD  
boundary

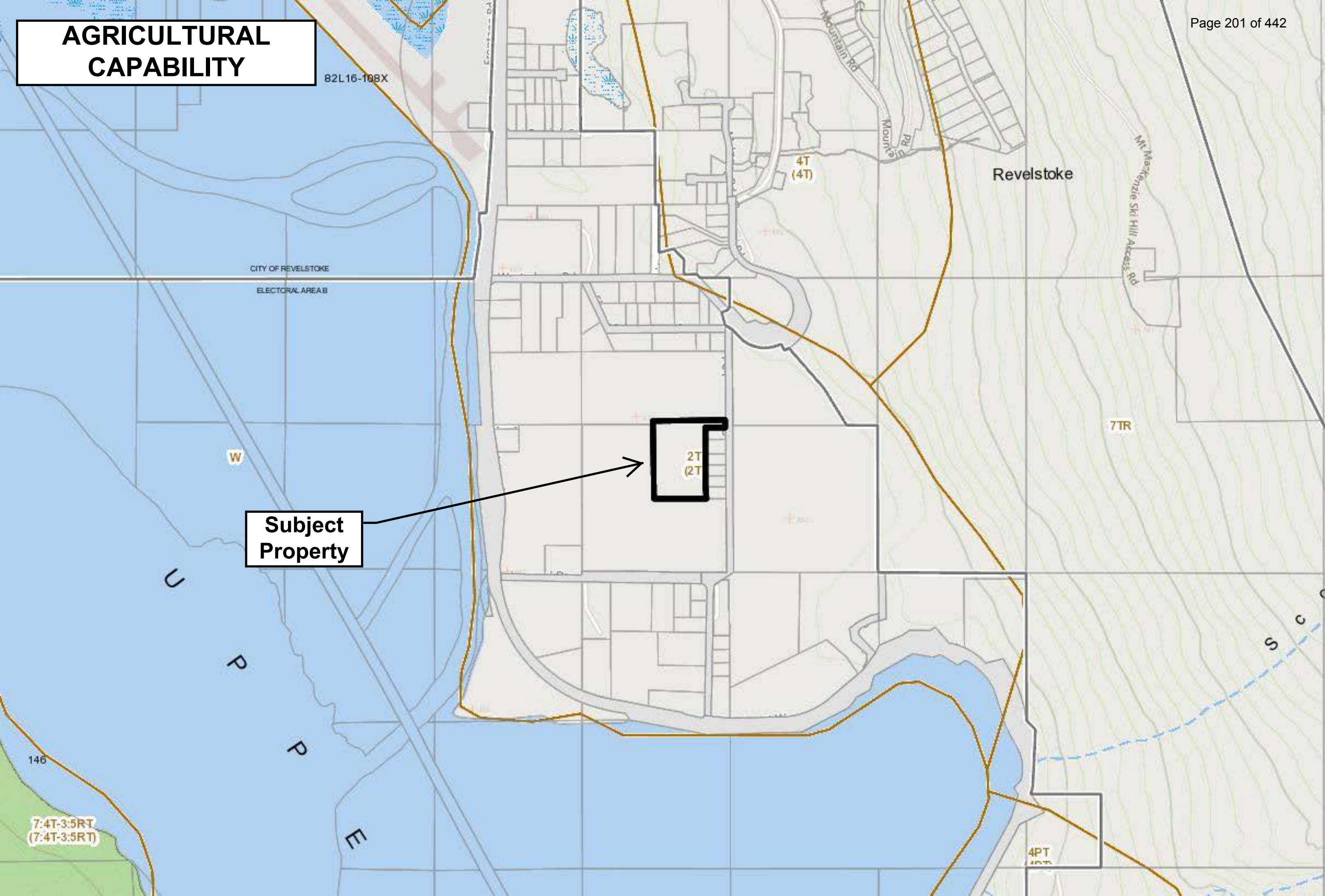


# ZONING



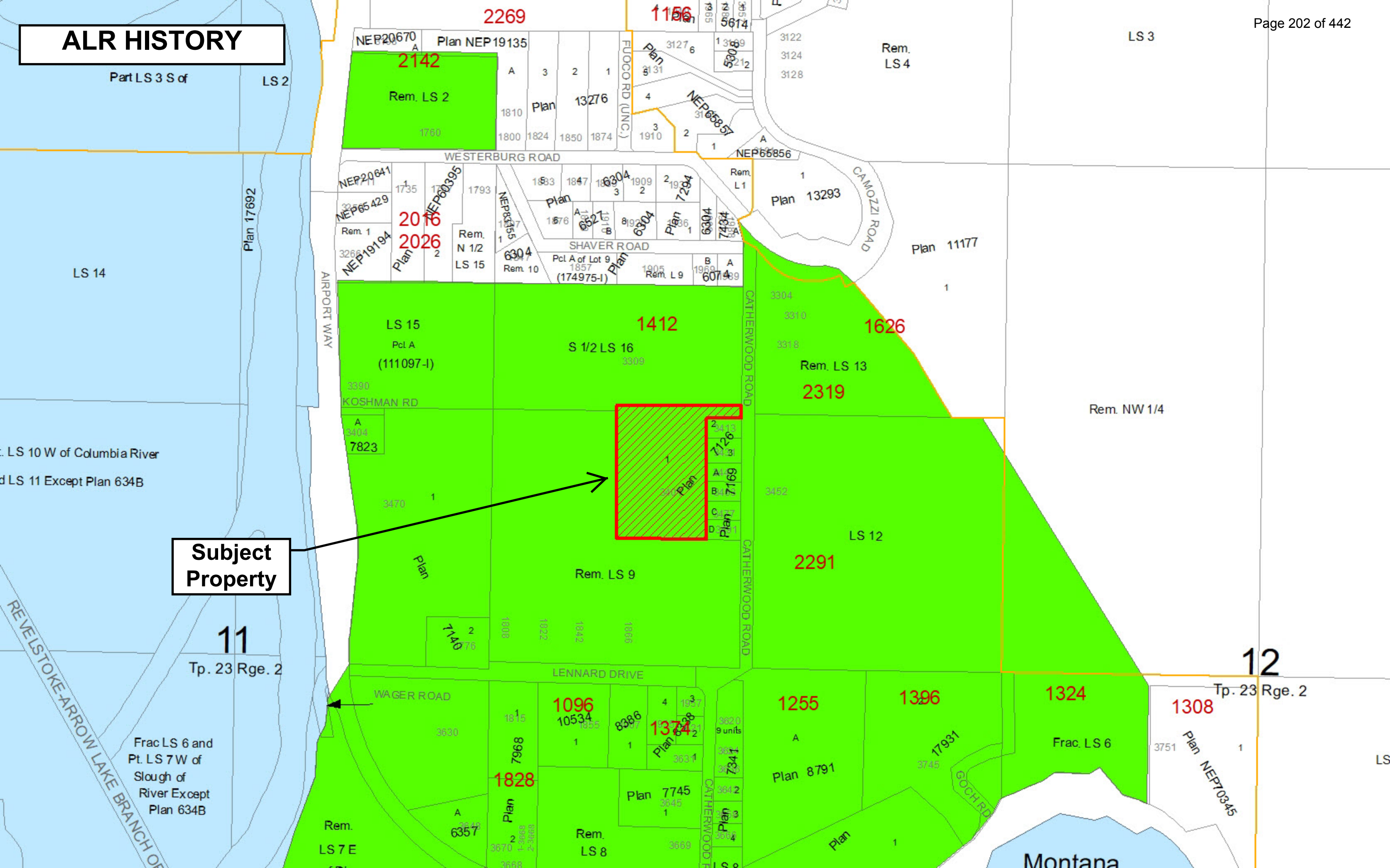


# AGRICULTURAL CAPABILITY



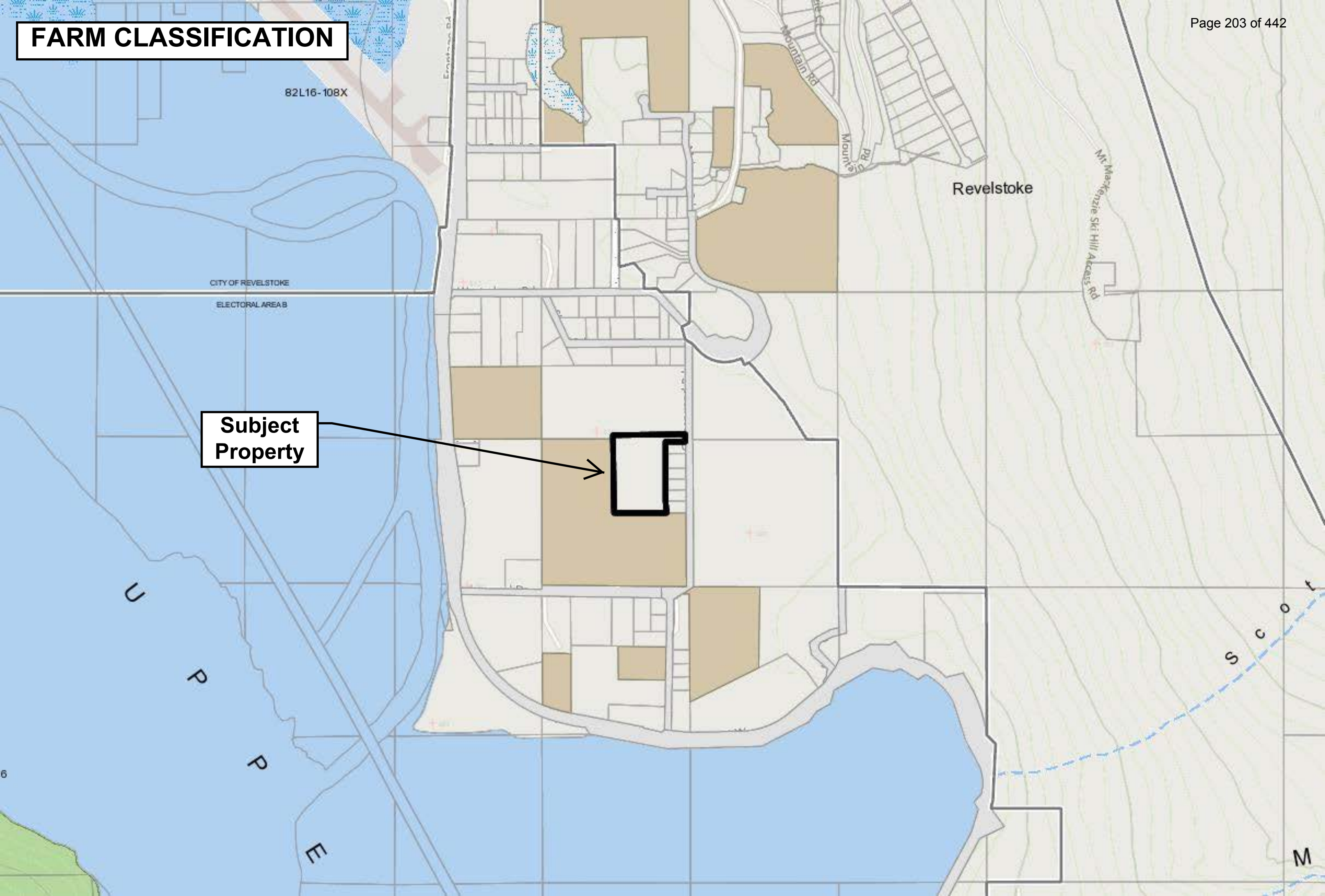


**Subject  
Property**





FARM CLASSIFICATION



Subject  
Property

Revelstoke

Mt Mackenzie Ski Hill Access Rd

Mountain Rd

CITY OF REVELSTOKE  
ELECTORAL AREA B

82L16-108X

S c o r

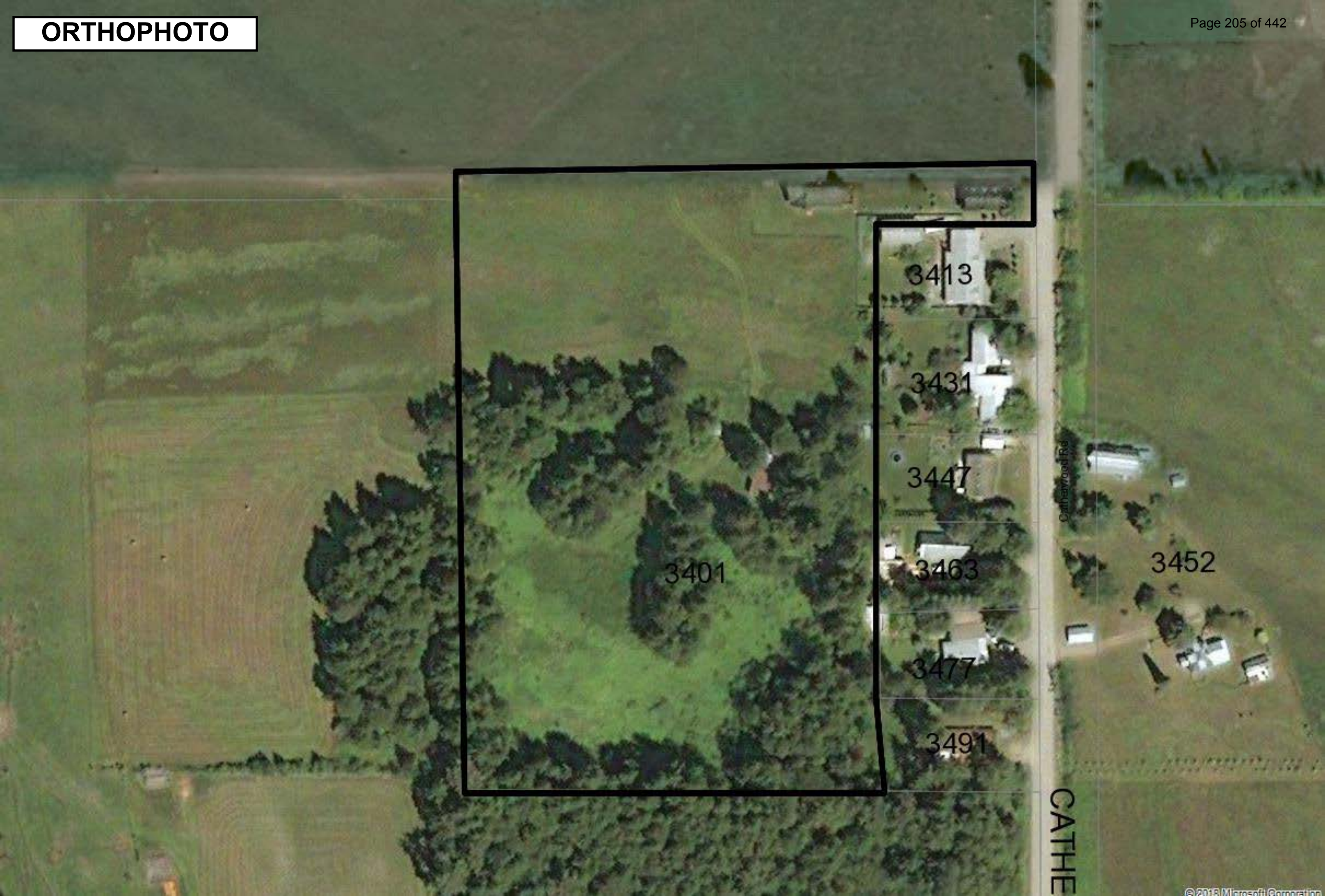
M



Subject  
Property





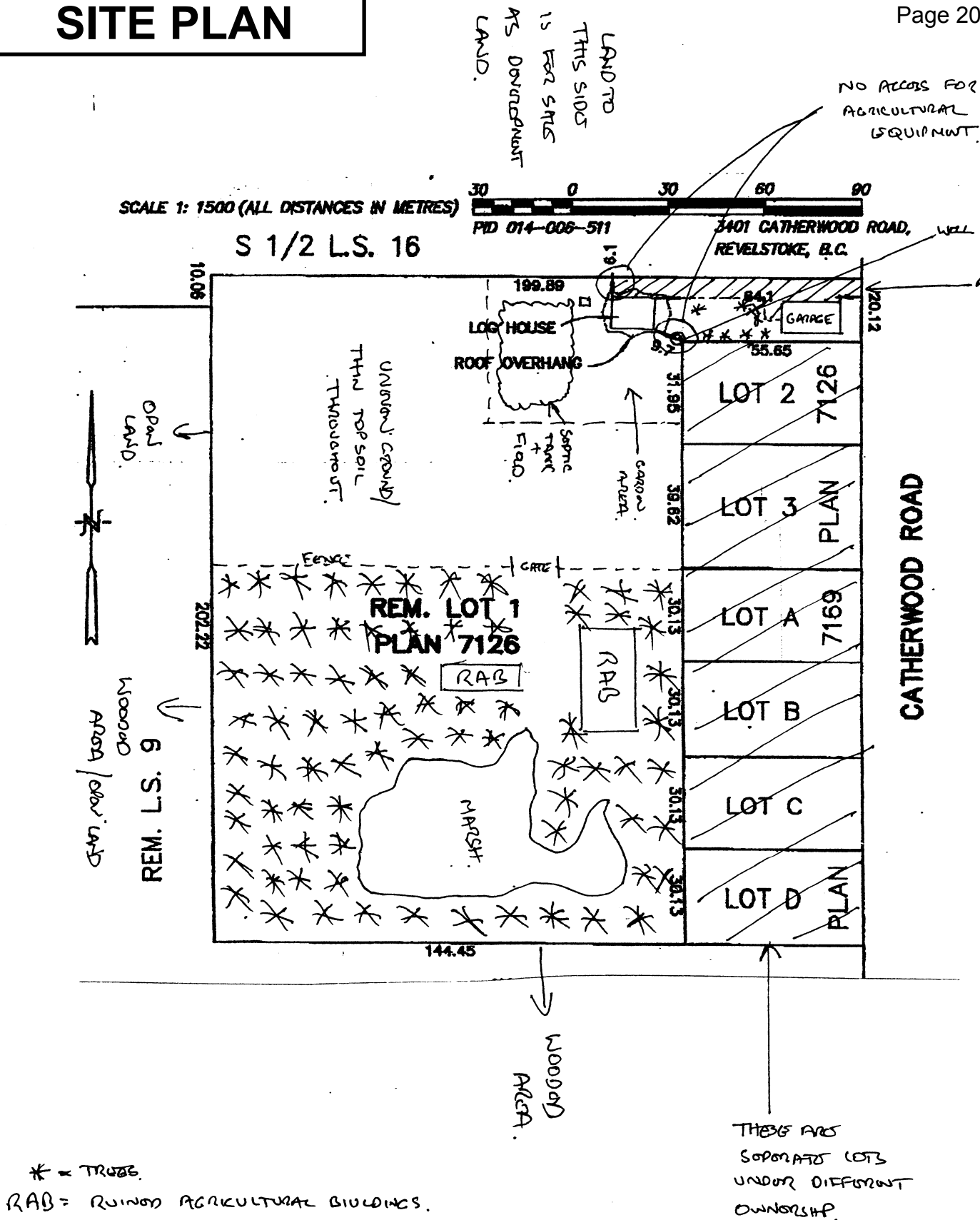


CATHYWOOD RD

CATHYWOOD RD



# SITE PLAN







# BOARD REPORT

**TO:** Chair and Directors

**File No:** DP725-156  
PL20180000145

**SUBJECT:** Electoral Area C: Development Permit No. 725-156 (Vandekerkhove)

**DESCRIPTION:** Report from Erica Hartling, Development Services Assistant, dated October 29, 2018.  
3974 Sunnybrae-Canoe Pt Road, Tappen, BC

**RECOMMENDATION:** THAT: in accordance with Section 490 of the Local Government Act Development Permit No. 725-156 (Vandekerkhove), on Lot A, Section 12, Township 21, Range 10, West of the 6<sup>th</sup> Meridian, Kamloops Division Yale District, Plan 4927, except part lying east of the line drawn parallel to and perpendicularly distant 60 feet west from the easterly boundary of said lot, be approved for issuance this 15<sup>th</sup> day of November, 2018.

## SHORT SUMMARY:

The subject property is located in Sunnybrae in Electoral Area C and is waterfront to Shuswap Lake. The upland property owner has an existing dock and two private mooring buoys located in the bay. This past spring, the owner moved one of the existing buoys to a location that was not in compliance with Lakes Zoning Bylaw No. 900 (Bylaw No. 900); outside of the subject property's Foreshore Residential 1 (FR1) zone into the Foreshore Water (FW) zone. As the FW zone does not permit moorage, the owner has proposed to relocate the buoy back within the FR1 zone. Further, the owner has applied to also recognise the location and use of the other existing buoy and the floating dock. Due to siting constraints from other existing foreshore structures (private mooring buoys) and the shape of the bay, the proposed locations of the two buoys do not meet the FR1 zone 5 m side setback from the side parcel boundaries of the subject property projected onto the foreshore and water. As such, the owner has applied for a Foreshore and Water Development Permit (DP) with a siting variance for the two private mooring buoys from a 5 m to 0 m setback and to be sited in front of another waterfront property's foreshore.

---

<b>VOTING:</b>	Unweighted Corporate	<input type="checkbox"/>	LGA Part 14 (Unweighted)	<input checked="" type="checkbox"/>	Weighted Corporate	<input type="checkbox"/>	Stakeholder (Weighted)	<input type="checkbox"/>
----------------	-------------------------	--------------------------	-----------------------------	-------------------------------------	-----------------------	--------------------------	---------------------------	--------------------------

---

## BACKGROUND:

REGISTERED OWNER:  
Robert and Colleen Vandekerkhove

APPLICANT:  
Robert and Colleen Vandekerkhove

ELECTORAL AREA:  
C

**LEGAL DESCRIPTION:**

Lot A, Section 12, Township 21, Range 10, West of the 6th Meridian, Kamloops Division Yale District, Plan 4927, except part lying east of the line drawn parallel to and perpendicularly distant 60 feet west from the easterly boundary of said lot

**PID:**

010-422-170

**CIVIC ADDRESS:**

3974 Sunnybrae-Canoe Pt Road, Tappen, BC

**SURROUNDING LAND USE PATTERN:**

North = Residential and mobile home park

South = Shuswap Lake

East = Residential

West = Strata Residential

**CURRENT USE:**

Residential upland and an existing dock and two private mooring buoys in the foreshore.

**PROPOSED USE:**

No change to the current use. The proposal is to recognise the existing uses of a floating dock and two private mooring buoys. One of the buoys will be relocated to the FR1 zone, and the two buoys require a variance to the FR1 setback regulation.

**PARCEL SIZE:**

0.22 HA | 0.55 Acres

**PARCEL LAKE BOUNDARY LENGTH:**

34.6 m (113.5 ft.)

**DESIGNATION:**

Electoral Area C Official Community Plan Bylaw No. 725

RR - Rural Residential

**ZONE:**

Land = N/A No Zoning

Foreshore = Lakes Zoning Bylaw No. 900

FR1 - Foreshore Residential 1

**SITE COMMENTS:**

See "Maps\_Plans\_DP725-156.pdf" attached.

A site visit was not conducted for this Board Foreshore and Water Development Permit application. Staff are familiar with the bay as a result of amendment BL900-22 that was approved September 20, 2018. The subject property owner has provided information on the upland property use, which includes: a single family dwelling, guest cabin, and a multi-purpose storage shed/bunk room. The owner purchased the upland property in 1991, which was sold with two existing private mooring buoys in the

water. The owner installed the existing dock and anchor in the adjacent foreshore area of Shuswap Lake in 2005. The subject property owner has provided the CSRD with a site plan of the dock and two buoys, along with setbacks and GPS coordinates. Staff have updated a dock and buoy site plan with the data that the owner provided, see site plan included in the attached "Maps\_Plans\_DP725-156.pdf".

## **POLICY:**

### **Electoral Area C Official Community Plan Bylaw No. 725**

See "BL725\_Excerpts\_DP725-156.pdf" attached

- Section 2.3 Shoreline Environment
- Section 3.7 Foreshore Water
- Section 12.2 Foreshore and Water Development Permit Area

### **Lakes Zoning Bylaw No. 900**

#### **4.4 FR1 – Foreshore Residential 1**

##### Permitted uses

- (a) Floating dock, including removable walkway, that is accessory to a permitted use on an adjacent waterfront parcel.
- (b) Private mooring buoy(s) that is accessory to a permitted use on an adjacent waterfront parcel.
- (c) Boat lift(s) that is accessory to a permitted use on an adjacent waterfront parcel.

##### Density - maximum number of docks and private mooring buoys

Dock: 1 floating dock per adjacent waterfront parcel.

Private mooring buoys:

- 2 per adjacent waterfront parcel having a lake boundary length 30 m (98.43 ft.) or more.

##### Size - of dock and walkway

- Floating dock must not exceed 24 m<sup>2</sup> (258.33 ft<sup>2</sup>) in total upward facing surface area (not including removable walkway).
- Floating dock surface must not exceed 3 m (9.84 ft) in width for any portion of the dock.
- Removable walkway surface must not exceed 1.5 m (4.92 ft.) in width for any other portion of the walkway

##### Location and Siting - of dock, private mooring buoys or boat lifts

- 5 m (16.4 ft) from the side parcel boundaries of that waterfront parcel, projected onto the foreshore and water.
- 6 m (19.69 ft) from a Foreshore Park (FP) zone or park side parcel boundaries projected onto the foreshore and water.

Additional setbacks for private mooring buoys:

- 20 m (65.62 ft) from any existing structures on the foreshore or water.

### **Development Services Procedures Bylaw No. 4001**

#### **Section 9.0 Processing Applications for Permits and Flood Plain Exemptions**

- The Board approves Technical Development Permits for which the applicant is also seeking to vary the provisions of a bylaw under Division 7 of Part 26 of the Local Government Act, when such a variance would exceed what is allowed under the bylaw by more than 10%.

## **FINANCIAL:**

There are no financial implications to the CSRD with this application.

**KEY ISSUES/CONCEPTS:**

The existing dock is smaller than the maximum 24 m<sup>2</sup> permitted dock surface area and is setback more than 5 m from both of the side parcel boundaries of the subject property projected onto the foreshore and water. The existing floating dock measures 9.5 m (31.17 ft.) x 2.4 m (7.87 ft.) with a surface area of 22.8 m<sup>2</sup> (245.42 ft<sup>2</sup>) in size and a width of 2.4 m (7.87 ft.). The existing associated walkway is 1 m (3.28 ft.) x 6.5 m (21.33 ft.), with a width of 1 m (3.28 ft.).

The owner has applied for a DP to recognise the subject property's floating dock and two private mooring buoys within the FR1 zone, which are permitted uses and densities for the subject property. This past spring, the owner moved one of the existing buoys out into the FW zone, which does not permit moorage. The owner has applied to relocate the buoy back within the FR1 zone, however there is limited space due to the shape of the bay (projections of lot lines) and the location of other existing private mooring buoys. As such, the two private mooring buoys require a variance from the 5 m side setback (measured from the east side parcel boundary of the subject property projected onto the foreshore and water) to a 0 m setback and to be sited in front of another waterfront property's foreshore, specifically located as shown on the site plan labelled with the GPS coordinates. See attached "Maps\_Plans\_DP725-156.pdf".

For further background information, the neighbouring property to the west of the subject property recently received Board approval (September 20, 2018) for Lakes Zoning Amendment (Gray-Ulry) Bylaw No. 900-22 and received issuance of a Foreshore and Water DP (DP725-155). The neighbouring property's foreshore was rezoned from an FR1 zone to a Foreshore Multi-Family 2 (FM2) zone and approved for a site specific density of 7 private mooring buoys within the FM2 zone. Bylaw No. 900 zone boundaries currently only extend 200 m into Shuswap Lake in this area. The neighbouring property was approved to extend the FM2 zone boundary 250 m into Shuswap Lake to include all 7 existing private mooring buoys. This approval extended the FM2 zone 50 m into the FW zone and the current subject property's buoy that was located within the FW zone is now located within the neighbouring property's FM2 zone boundary. Neither the FW nor FM2 zone permits the installation of additional private mooring buoys. As previously noted, the subject property owner has proposed to relocate the buoy back within the FR1 zone, which will be installed at least 20 m away from all existing neighbouring buoys. The neighbouring property's FM2 zone boundary width was also extended out to include the 7 private mooring buoys that were existing and located in the foreshore in front of the neighbouring and subject property. The FM2 zone boundary limits the area where the subject property's buoy can be relocated, while still meeting all required setbacks for private mooring buoys under Bylaw No. 900. All properties located along this bay may likely require a Development Permit with a variance to the FR1 5 m side setback if proposing to install a private mooring buoy, due to the shape of the bay and the location of existing foreshore structures (existing private mooring buoys).

The proposed siting of the subject property's two private mooring buoys will meet the 20 m setback regulation from all existing structures (private mooring buoys) located in the foreshore but also take up foreshore space in front of two neighbouring properties to the east. These two subject neighbouring properties located at 3980 & 3984 Sunnybrae-Canoe Pt Rd have been mailed a notification of Development Permit No. 725-156 and given the opportunity to provide written comments regarding this application prior to the Board Meeting. If these two neighbouring properties wish to install a new buoy or relocate an existing buoy(s), then they will also need to apply to the CSRD for a DP and locate the

buoy at least 20 m away from all existing structures in the water; either proposing to meet the FR1 zone 5 m setback regulation or apply for a DP with a setback variance (similar to the subject application). Staff does not know the ownership of all of the buoys in the bay and will work with the neighbouring waterfront property owners, subject to Bylaw No. 900 regulations, if they wish to install or relocate a permitted buoy(s).

**SUMMARY:**

The owner has applied to the Board for a Development Permit with variance to recognise a dock and two private mooring buoys on the foreshore near the subject property. The proposal includes a request to vary the east side parcel boundary setback from 5 m to 0 m for the two existing private mooring buoys and for each to be located in front of another waterfront property's foreshore as shown on the attached site plan labelled with the GPS coordinates.

DS staff is recommending DP725-156 be issued for the following reasons:

- The subject property's existing dock and two private mooring buoys are permitted uses in the FR1 zone.
- The floating dock meets the density, siting, and size under the FR1 zone.
- The subject property has limited space to relocate one of the two private mooring buoys due to the shape of the bay, neighbouring buoys, and the neighbouring FM2 and FW zone boundaries.
- The two private mooring buoys will be 20 m away from all existing structures/buoys in the water and will be tagged with the proper identification.

**IMPLEMENTATION:**

If the Board approves the Foreshore and Water Development Permit, the owner will be notified and notice of a Development Permit will be registered on the title of the property.

**COMMUNICATIONS:**

Property owners and tenants in occupation within 100 m of the subject property will be given notification a minimum of 10 days prior to the CSRD Board of Directors considering this application. All interested parties will have the opportunity to provide written comments regarding this application prior to the Board Meeting. Copies of the written submissions are provided to the Board of Directors.

The Electoral Area C Advisory Planning Commission (APC) reviewed the Development Permit application at their October 22, 2018 meeting. The APC members noted that they are familiar with this bay, as there have been other items in the immediate area that they have reviewed. The owner was in attendance and outlined what they have done in researching and preparing a solution for the crowding around their deep water buoy and their solution for the buoy is to move it 20 m northeast of its present location. The APC unanimously passed a resolution in support of the application.

**DESIRED OUTCOMES:**

That the Board endorse the staff recommendation.

**BOARD'S OPTIONS:**

1. *Endorse the Recommendation.*
2. *Deny the Recommendation.*



3. *Defer.*
4. *Any other action deemed appropriate by the Board.*

**LIST NAME OF REPORT(S) / DOCUMENT(S) AVAILABLE FROM STAFF:**

1. Electoral Area C Official Community Plan Bylaw No. 725
2. Lakes Zoning Bylaw No. 900
3. Development Services Procedures Bylaw No. 4001
4. APC C Minutes

**Report Approval Details**

Document Title:	2018-11-15_Board_DS_DP725-156_Vanderkhove.docx
Attachments:	<ul style="list-style-type: none"><li>- DP725-156.pdf</li><li>- BL725_Excerpts_DP725-156.pdf</li><li>- Maps_Plans_DP725-156.pdf</li></ul>
Final Approval Date:	Nov 2, 2018

This report and all of its attachments were approved and signed as outlined below:



**Corey Paiement - Nov 1, 2018 - 1:13 PM**



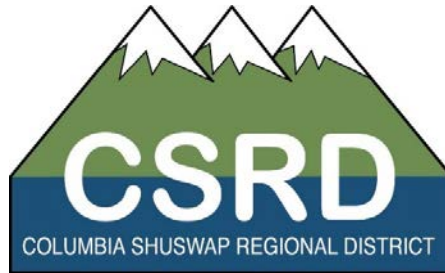
**Gerald Christie - Nov 2, 2018 - 8:53 AM**

**No Signature - Task assigned to Lynda Shykora was completed by assistant Jennifer Sham**

**Lynda Shykora - Nov 2, 2018 - 9:35 AM**



**Charles Hamilton - Nov 2, 2018 - 10:27 AM**



### DEVELOPMENT PERMIT NO. 725-156

OWNERS: Robert Mark Vandekerkhove  
Colleen Isobel Vandekerkhove



*As joint tenants*

1. This Foreshore and Water Development Permit is issued subject to compliance with all the Bylaws of the Regional District applicable thereto, except as specifically varied or supplemented by this Permit.
2. This Permit applies only to the lands described below, located in Electoral Area C:  
  
Lot A, Section 12, Township 21, Range 10, West of the 6th Meridian, Kamloops Division Yale District, Plan 4927, except part lying east of the line drawn parallel to and perpendicularly distant 60 feet west from the easterly boundary of said lot (PID: 010-422-170), which property is more particularly shown outlined in bold on the Location Map attached hereto as Schedule A.
3. This Permit is issued pursuant to Section 12.2 of the "Electoral Area C Official Community Plan Bylaw No. 725," for the protection of the natural environment, its ecosystems and biological diversity for Foreshore and Water areas in regard to the one existing floating dock, one existing private mooring buoy, and the relocation of one existing private mooring buoy on the portion of Shuswap Lake immediately adjacent to the waterfront property as more particularly shown on the site plan attached hereto as Schedule B.
4. The Foreshore Residential 1 (FR1) zone of Lakes Zoning Bylaw No. 900 is hereby varied as follows:
  - a. Section 4.4.2 (c) minimum setback of a private mooring buoy, from 5 m to 0 m, from the east side parcel boundary of that waterfront parcel projected onto the foreshore and water.

Only for the locations of the two private mooring buoys (1 and 2b) as shown on Schedule B.

5. An amendment to the Permit will be required if development is not in substantial compliance with this Permit.
6. This Permit is issued subject to the clear display of "DP 725-156" on at least two opposite sides of the floating dock (e.g. both the land and the lake sides), and on the two private mooring buoys.
7. It is understood and agreed that the Regional District has made no representation, covenants, warranties, guarantees, promises or agreement (verbal or otherwise) with the developers other than those in the Permit.
8. This Permit shall inure to the benefit of and be binding upon the parties hereto and their respective heirs, executors, administrators, successors and assigns.
9. This Permit is NOT a building permit.

AUTHORIZED AND ISSUED BY the Columbia Shuswap Regional District Board on the 15<sup>th</sup> day of November, 2018.

---

Corporate Officer

**PLEASE NOTE:**

- 1) Pursuant to Section 504 of the *Local Government Act*, if the development of the subject property authorized by this Permit is not substantially commenced within two years after the issuance of this Permit, the Permit automatically lapses.**
- 2) The floating dock and two private mooring buoys should be constructed and installed in accordance with the measures contained within Appendix 1, included for reference and convenience only, to ensure protection of the natural environment and its ecosystems.**
- 3) The two private mooring buoys should meet the guidelines included in Appendix 2 (source: Transport Canada's publication *An Owner's Guide to Private Buoys*).**

- 4) The owner is required to apply for and be issued a Section 11 Approval and/or license from the Provincial Government, if necessary, to install the proposed works below high watermark, prior to proceeding with installation.**
- 5) This Permit addresses Local Government regulations only. Further permits or authorizations may be required from Provincial and Federal governments. It is the owner's responsibility to call Front Counter BC at 1-877-855-3222 regarding this project.**



## APPENDIX 1

The following construction standards are excerpted from Electoral Area C Official Community Plan Bylaw No. 725 and are required to be met by the owner for the floating dock and the private mooring buoys.

### **The dock shall:**

- a. minimize impact on the natural state of the foreshore and water whenever possible;
- b. not use concrete, pressure-treated wood (i.e. creosote), paint or other chemical treatments that are toxic to many aquatic organisms, including fish, and severely impact aquatic environments;
- c. use untreated materials (e.g. cedar, tamarack, hemlock, rocks, plastic, etc.) as supports for dock structures that will be submerged in water. Treated lumber may contain compounds that can be released into the water and become toxic to the aquatic environment;
- d. use only treated lumber that is environmentally-friendly for dock structures that are above water;
- e. be made by cutting, sealing and staining all lumber away from the water using only environmentally-friendly stains. All sealed and stained lumber should be completely dry before being used near water;
- f. ensure plastic barrel floats are free of chemicals inside and outside of the barrel before they are placed in water;
- g. avoid the use of rubber tires as they are known to release compounds that are toxic to fish;
- h. be sited in a manner which minimizes potential impacts on fish spawning and rearing habitat areas;
- i. be sited in a manner which minimizes potential impacts on water intakes and other utilities;
- j. avoid aquatic vegetation and minimize disturbance to the lakebed and surrounding aquatic vegetation by positioning the dock or swimming platform in water deep enough to avoid grounding and to prevent impacts by prop wash in the case of docks. A minimum 1.5 m (4.92 ft.) water depth at the lake-end of the dock is recommended at all times.

### **The private mooring buoys shall:**

- a. avoid aquatic vegetation and minimize disturbance to the lakebed and surrounding aquatic vegetation;
- b. use helical (versus block) anchors whenever possible;
- c. use only materials intended for boat moorage, such as rigid plastic foam or rigid molded plastic, which do not contain chemicals that are toxic to aquatic organisms;
- d. be sited in a manner which minimizes potential impacts on fish spawning and rearing habitat areas; and,
- e. be sited in a manner which minimizes potential impacts on water intakes and other utilities.

## APPENDIX 2

The following standards and regulations are excerpted from An Owner's Guide to Private Buoys, Navigable Waters Protection Program - Transport Canada.

### Size

Private Buoy Regulations require that for sheltered, low traffic areas all private buoys meet minimum above water dimensions 15.25 cm (6 inches) in width and 30.5 cm (12 inches) in height.

### Identification

All private buoys must display on two opposite sides, the capital letters **"PRIV"**, as large as possible and in contrasting colours and the buoy owner's current **NAME** and **TELEPHONE NUMBER** in a permanent manner.

### Retroreflective Material

Transport Canada may require you to add retroreflective material where there is a need for increased visibility or better identification for your buoy. Most retroreflective material on buoys or signs displays numbers, letters, backgrounds or horizontal bands. Where a horizontal band is used, it should be no less than 4 inches (10 cm) wide and should be placed around the buoy's circumference.

### Owner's Responsibilities

- It meets all legal requirements, standards and guidelines of the Private Buoy Regulations, the Canadian Aids to Navigation System or Transport Canada directives.
- It is built and maintained so that it remains in position and meets all legal requirements.
- Anchors are used, built and installed in a way that will keep the buoy in position.
- You have a monitoring and repair schedule for checking that the buoy(s) meet(s) all legal requirements and is/are in good position and in good working order.
- You use recommended retroreflective material (as a minimum).
- All lights comply with the Canadian Aids to Navigation System.

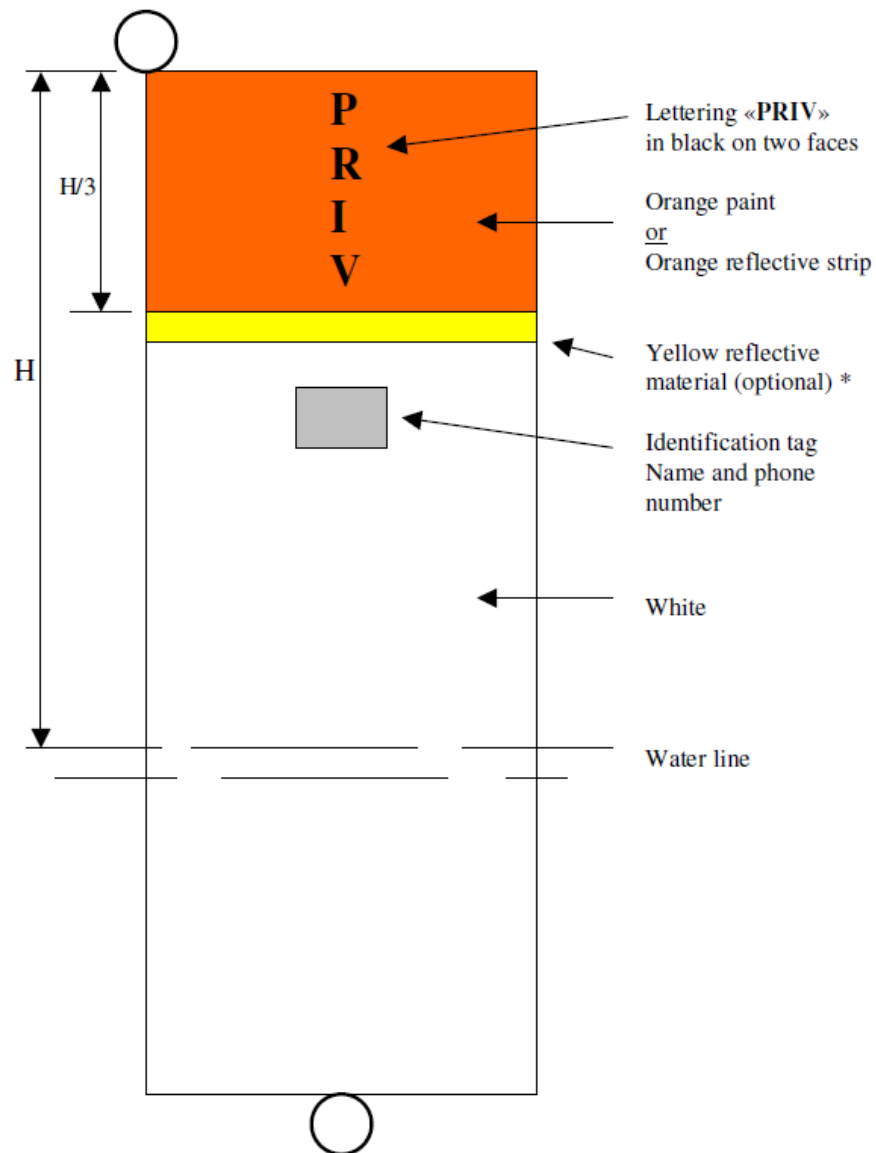
### Mooring Buoys

Mooring buoys are used for securing a vessel or similar thing. Mooring buoy specifications:

- Coloured white and orange, the orange colour covering the top one third of the buoy above the waterline;
- Display identification letter(s);
- Yellow light, if lighted. The light must conform to standards and guidelines in the *Canadian Aids to Navigation System* (TP 968); and
- Yellow retroreflective material, if material is used.

## Specifications

### Private mooring buoy



•If the orange part of the buoy is not reflective, the yellow part is obligatory and it must be reflective.

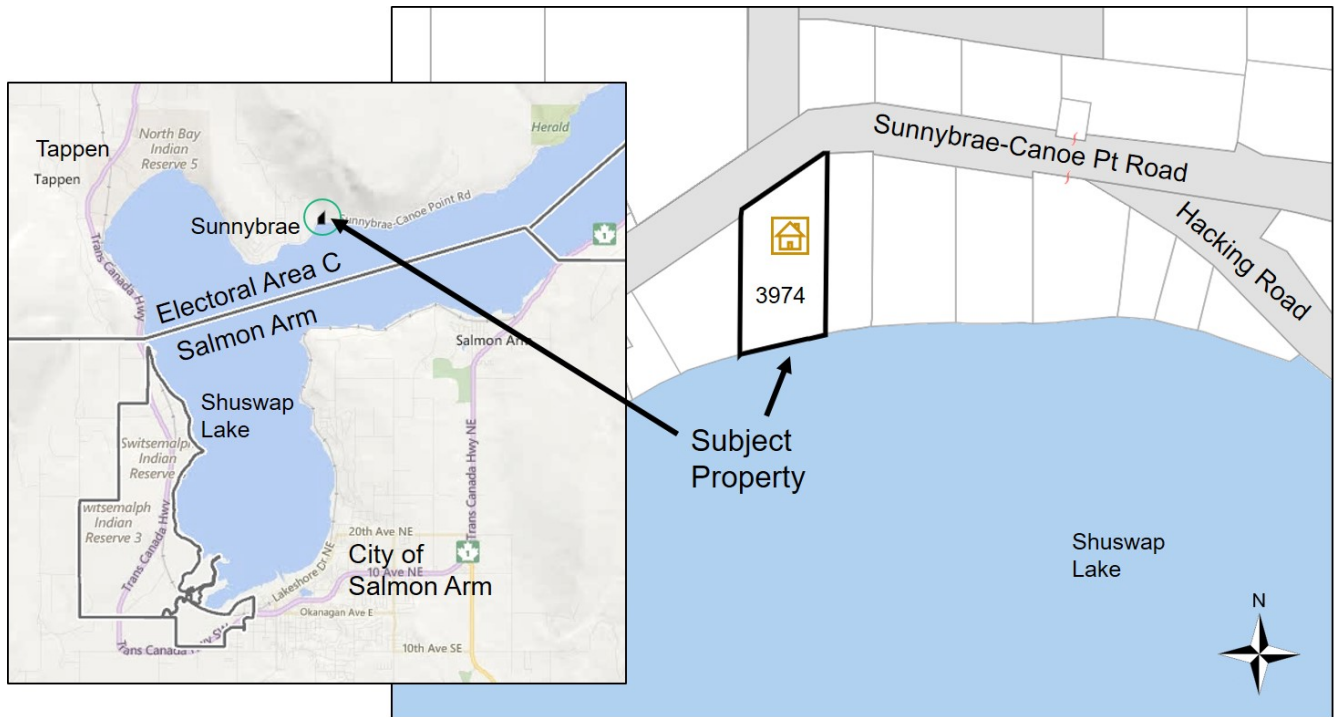
N.B. If it is a light buoy, it must be equipped with a yellow flashing light 4s.



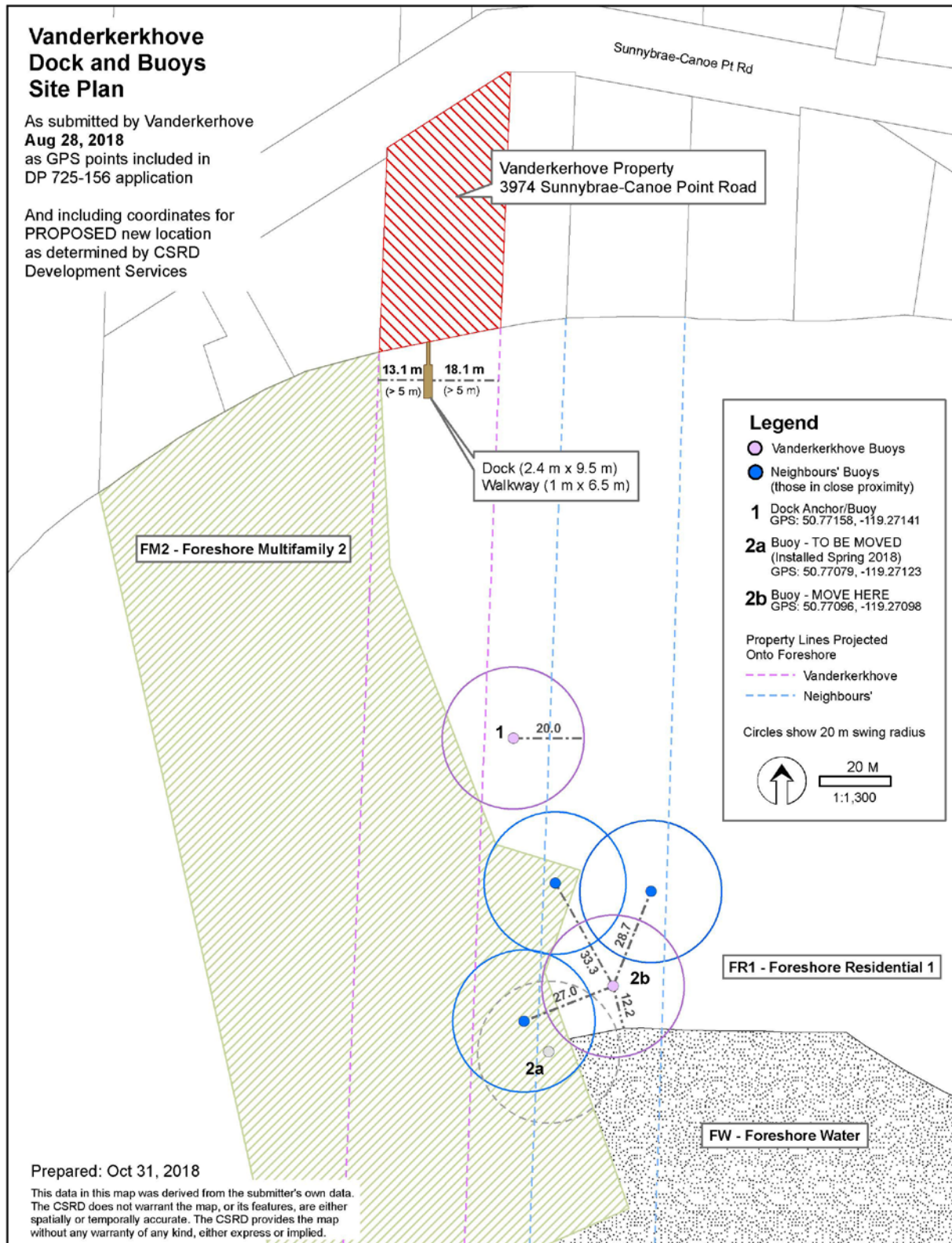
Transports Canada  
Transport Canada

Canada

Schedule A  
DP 725-156  
Location Map



Schedule B  
DP 725-156  
Site Plan





## Relevant Excerpts from Electoral Area C Official Community Plan Bylaw No. 725

(See [Bylaw No. 725](#) for all policies)

---

### [Section 2.3 Shoreline Environment](#)

#### [Section 3.7 Foreshore Water](#)

#### [Section 12.2 Foreshore and Water Development Permit Area](#)

### **2.3 Shoreline Environment**

Shorelines are among the most sensitive natural environments, as they are where two ecosystems merge — an aquatic ecosystem and a terrestrial ecosystem. Shoreline environments experience a significant amount of pressure from human activity, including the impacts from watercraft use. Private boat docks are common throughout the South Shuswap. Though much of the upland of Shuswap and White Lake is privately owned, the Provincial Crown owns nearly all areas located between the high and low watermarks of lakes, streams and rivers. Individuals cannot build on, or develop, aquatic Crown land without the Province's authorization. If an owner of the adjacent upland property proposes to construct moorage, a licence of occupation for moorage is required from the Integrated Land Management Bureau.

#### *2.3.1 Objectives*

- .1 To maintain the unique physical and biological characteristics of the shoreline environment.
- .2 To maintain shoreline habitats to protect them from undesirable development.
- .3 To manage the foreshore to ensure appropriate use and prevent overdevelopment.

#### *2.3.2 Policies*

- .1 Non-moorage uses other than passive recreation are not acceptable on the foreshore. These include facilities such as beach houses, storage sheds, patios, sun decks, and hot tubs. Additionally, no commercial uses, including houseboat storage or camping, are acceptable on the foreshore.
- .2 Land owners must not alter the natural habitat and shoreline processes unless specifically authorized. The placement of fill and the dredging of aquatic land are not generally acceptable.
- .3 Encourage the Integrated Land Management Bureau, when carrying out reviews of foreshore tenure applications, to take the foregoing objectives and policies into

consideration, with emphasis on the environmental sensitivity of the foreshore areas, as well as ensuring an appropriate relationship with upland areas.

- .4 Private moorage owners and builders will comply with the Ministry of Environment's Best Management Practices for Small Boat Moorage on Lakes, and minor works policies published by Transport Canada, Navigable Waters Protection Division prior to construction of any foreshore moorage (works).
- .5 Encourage Government agencies with mandates for protecting the environmental integrity of lakes in the South Shuswap to carry out scientific research and water quality testing to determine whether the quality of lake water near the shoreline is deteriorating, and if it is, to determine the cause(s) of the deterioration, and take steps toward correcting the situation.

The Regional District will:

- .6 Assess and strive to protect sensitive fish habitat when implementing the boat launching facilities provisions of the Electoral Area C Parks Plan;
- .7 Encourage waterfront owners to consider shared docks in the interests of having one larger dock that extends into deep water, rather than a number of individual docks that are in relatively shallow water with higher fish habitat values;
- .8 Advise and expect property owners to replace older, on-site sewage systems with newer technology to prevent potential contamination of the shoreline;
- .9 Advise and expect property owners not to remove vegetation along the shoreline that could result in erosion, loss of food and nutrients for fish, and loss of shade for young fish; landowners must refer to the Ministry of Environment's Best Management Practices for Hazard Tree and Non Hazard Tree Limbing, Topping or Removal; and
- .10 Implement Lakes Zoning Bylaw 900 which sets out regulations pertaining to the placement of docks and buoys

### **3.7 Foreshore Water (FW) (Moorage)**

#### **3.7.1 Objective**

- .1 To acknowledge existing permitted private moorage uses and commercial marinas and provide limited opportunities for future moorage associated with residential development.

### 3.7.2 Policies

- .1 Moorage, including docks, private moorage buoys and boat lifts, may be considered only for new fee-simple waterfront parcels.
- .2 New development proposals on the waterfront parcel will provide a maximum of 1 moorage space per:
  - a. New waterfront parcel created; or,
  - b. 30 m of water frontage of the parent parcel; andEach moorage space shall be calculated as 10 m linear length of dock that may be used for mooring a single vessel.
- .3 Dry land boat storage solutions are strongly preferred over floating or fixed docks for all new or redeveloped waterfront properties.
- .4 Moorage proposals will be located away from or redesigned to avoid negative impacts on adjacent structures and uses, including other docks, marinas, beach access points, parks, utilities, water intakes, etc.
- .5 Support for new waterfront proposals should consider the provision of related public amenities such as dedicated moorage spaces and facilities for public use, dedicated public accesses to the foreshore (including boat launches), waterfront park dedication, or similar amenities which enable greater public access and use of the foreshore and water.
- .6 Moorage should be located away from or be designed to have minimal impact on fish and riparian habitat. The Shuswap Watershed Mapping Project data, as updated from time to time on the Community Mapping Network ([www.cmnbc.ca](http://www.cmnbc.ca)), should be referenced to help determine habitat values (other government data sources may also be utilized).

## 12.2 Foreshore and Water Development Permit Area

### .1 Purpose

The Foreshore and Water Development Permit Area is designated under the *Local Government Act* for the protection of the natural environment, its ecosystems and biological diversity.

### .2 Justification

The Foreshore and Water Development Permit Area arises from the growing impact that structures, including (but not limited to) docks, swimming platforms, and private mooring buoys, are having on the lakes in the Electoral Area. Evidence of these impacts is documented in the Shuswap Watershed Mapping Project, which was completed in conjunction with Fisheries & Oceans Canada, the BC Ministry of Environment and environmental consultants.

The intent of the Foreshore and Water Development Permit Area is to:

- .1 Allow for the proper siting of structures on the foreshore and swimming platforms in the water to prevent or minimize negative impacts on lake ecology, including fish habitat; and,
- .2 Complement the Riparian Areas Regulation (RAR) and Shuswap Lake 100 m Development Permit Areas, recognizing the important and sensitive interrelationship of these shoreline areas.

### .3 Area

The Foreshore and Water Development Permit Area extends from the lake's natural boundary across the entire area of Shuswap Lake, White Lake and Little White Lake. In the case of Shuswap Lake, the DPA extends to the Electoral Area 'C' boundary.

### .4 Exemptions

A Foreshore and Water DPA is not required for the following:

- .1 Structures and works associated with a public park use;
- .2 Installation and maintenance of utilities and utility corridors;
- .3 Subdivision;
- .4 Commercial and multi-family moorage facilities, including marinas and strata moorage structures, requiring Provincial tenure. *(Rationale: these facilities undergo Provincial review and are referred to other government agencies, including Fisheries and Oceans Canada, through that process, thus satisfying the intent of this Development Permit Area);*

.5 Maintenance and alterations of existing structures, except:

- a. alterations which increase the size of the existing structures;
- b. removal and reconstruction of existing structures; or
- c. replacement docks and swimming platforms, as defined by the guidelines below; or,

.6 Land alterations that will demonstrably increase environmental values (e.g. creation of additional fish habitat).

#### .5 *Guidelines*

For all relevant guidelines, the Shuswap Watershed Atlas, based on the Shuswap Watershed Mapping Project, will be referenced to determine an area's Aquatic Habitat Index Rating, known fish rearing and spawning areas, natural features such as stream deltas and vegetation, etc.

##### .1 For new and replacement docks and for new and replacement swimming platforms

These guidelines apply to the first-time placement of a dock or to the replacement of an existing dock or swimming platform. Docks will be considered 'replacement docks' and 'replacement swimming platforms' if more than 75% of the materials will be replaced within a 3 year period.

Docks and swimming platforms shall:

- a. minimize impact on the natural state of the foreshore and water whenever possible;
- b. not use concrete, pressure-treated wood (i.e. creosote), paint or other chemical treatments that are toxic to many aquatic organisms, including fish, and severely impact aquatic environments;
- c. use untreated materials (e.g. cedar, tamarack, hemlock, rocks, plastic, etc.) as supports for structures that will be submerged in water. Treated lumber may contain compounds that can be released into the water and become toxic to the aquatic environment;
- d. use only treated lumber that is environmentally-friendly for structures that are above water;



- e. be made by cutting, sealing and staining all lumber away from the water using only environmentally-friendly stains. All sealed and stained lumber should be completely dry before being used near water;
- f. have plastic barrel floats that are free of chemicals inside and outside of the barrel before they are placed in water;
- g. avoid the use of rubber tires as they are known to release compounds that are toxic to fish;
- h. be sited in a manner which minimizes potential impacts on fish spawning and rearing habitat areas;
- i. be sited in a manner which minimizes potential impacts on water intakes and other utilities; and,
- j. avoid aquatic vegetation and minimize disturbance to the lakebed and surrounding aquatic vegetation by positioning the dock or swimming platform in water deep enough to avoid grounding and to prevent impacts by prop wash in the case of docks. A minimum 1.5 m (4.92 ft) water depth at the lake-end of the dock is recommended at all times.

## .2 For new private mooring buoys

These guidelines apply to the first-time placement of a private mooring buoy, including its anchoring system.

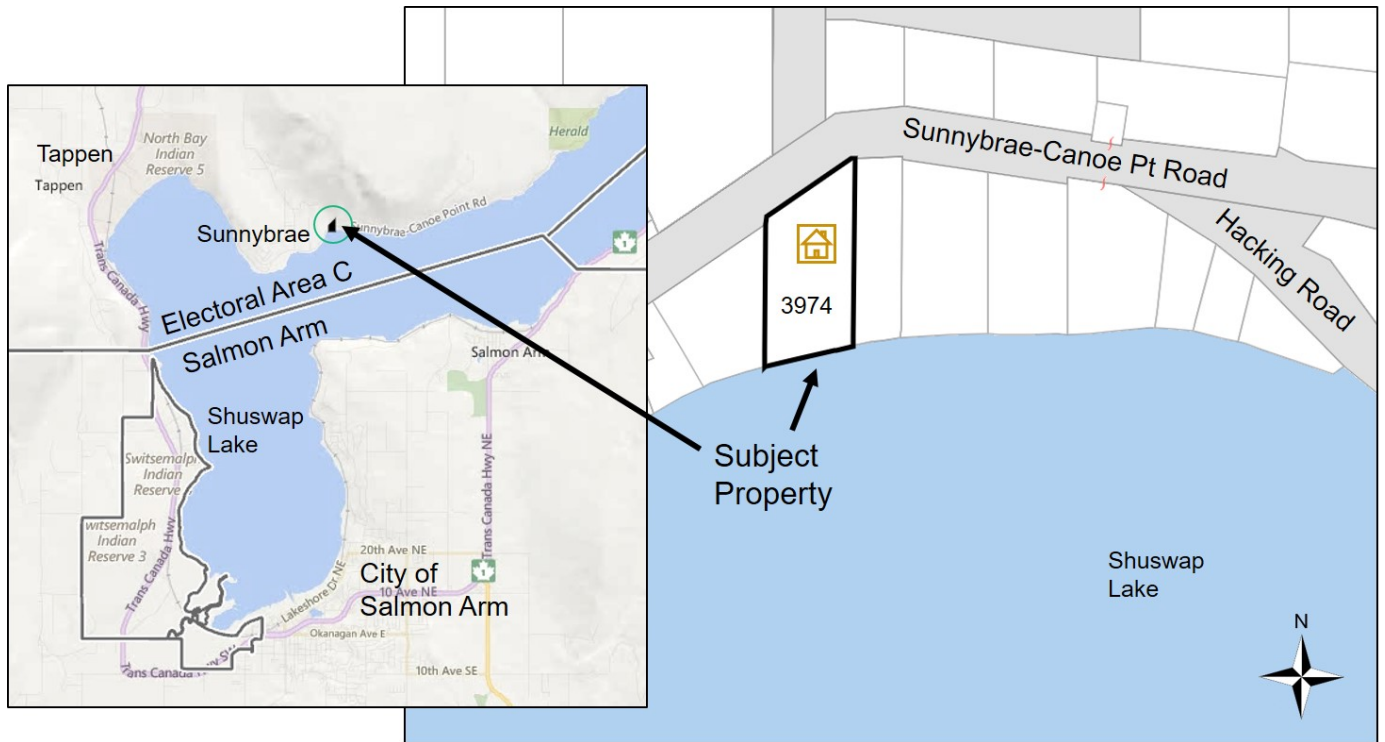
Private mooring buoys shall:

- a. avoid aquatic vegetation and minimize disturbance to the lakebed and surrounding aquatic vegetation;
- b. use helical (versus block) anchors whenever possible;
- c. use only materials intended for boat moorage, such as rigid plastic foam or rigid molded plastic, which do not contain chemicals that are toxic to aquatic organisms;
- d. be sited in a manner which minimizes potential impacts on fish spawning and rearing habitat areas; and,
- e. be sited in a manner which minimizes potential impacts on water intakes and other utilities.

## .3 For other land alterations

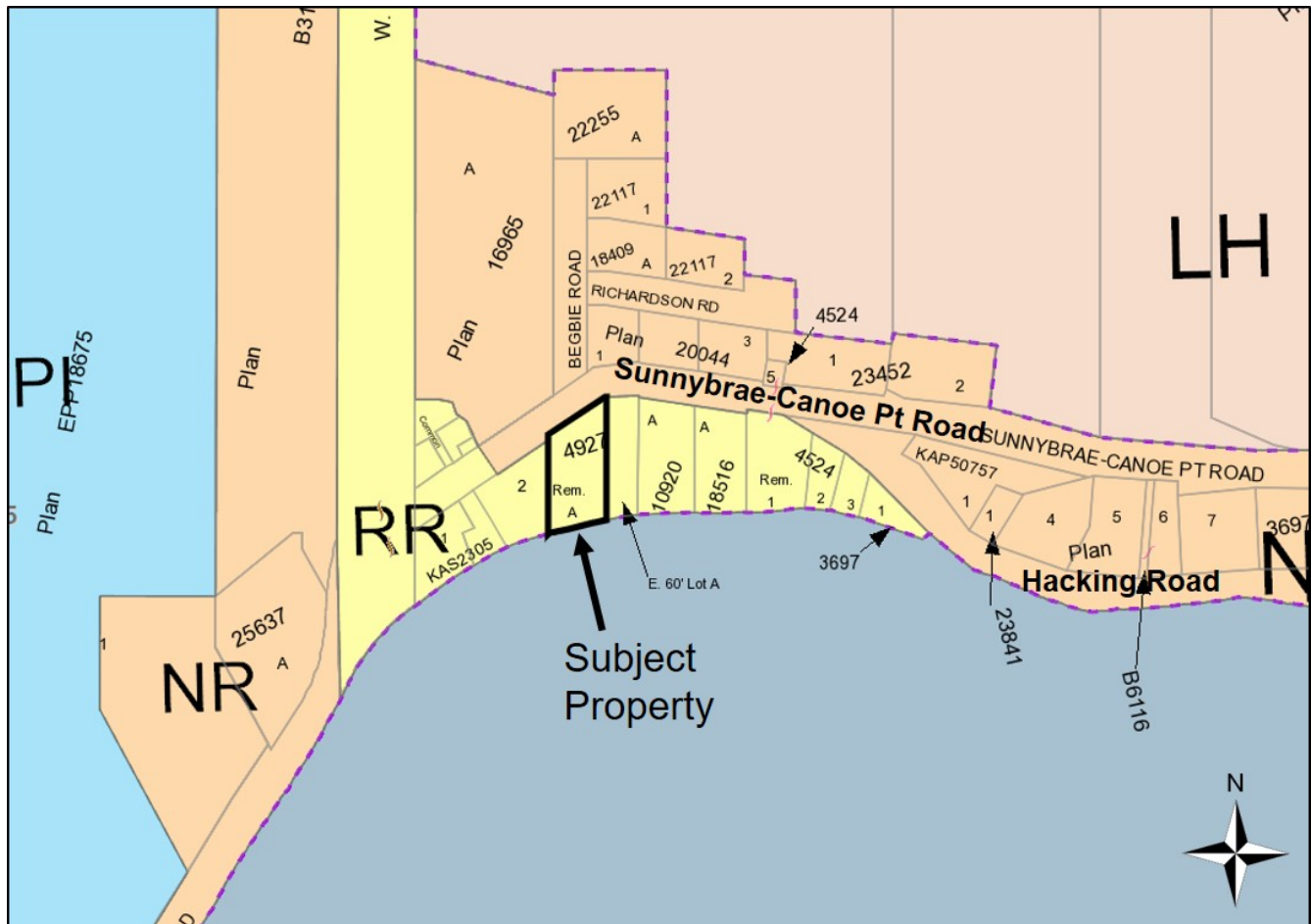
Proposed land alterations not listed in the exemptions section and not including new and replacement docks and new private mooring buoys shall be accompanied by a written submission from a qualified environmental professional outlining the proposed alteration, expected impacts on the foreshore or water environment and any mitigation efforts which should accompany the proposed alterations.

## Location

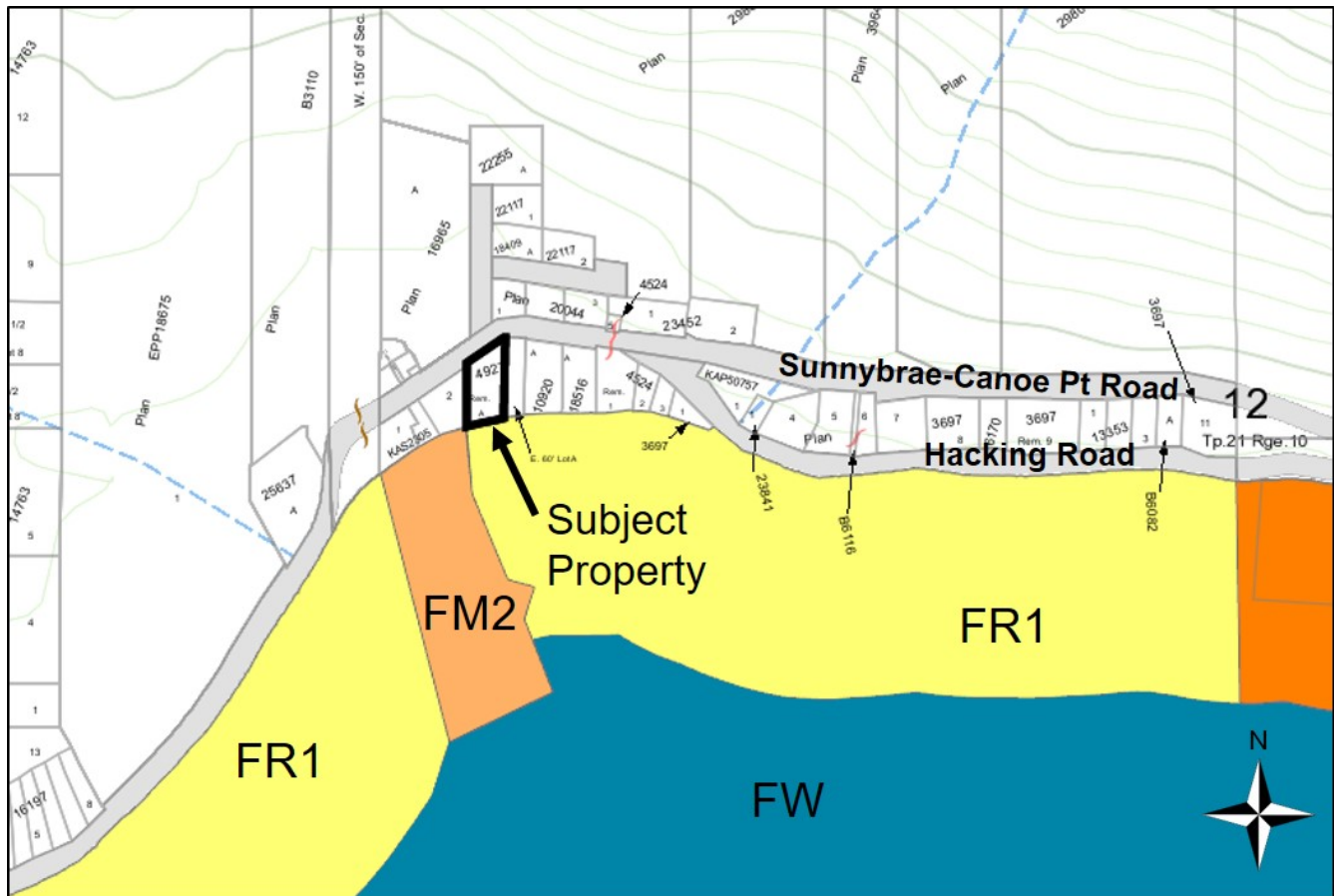


# Electoral Area C Official Community Plan Bylaw No. 725

## RR - Rural Residential

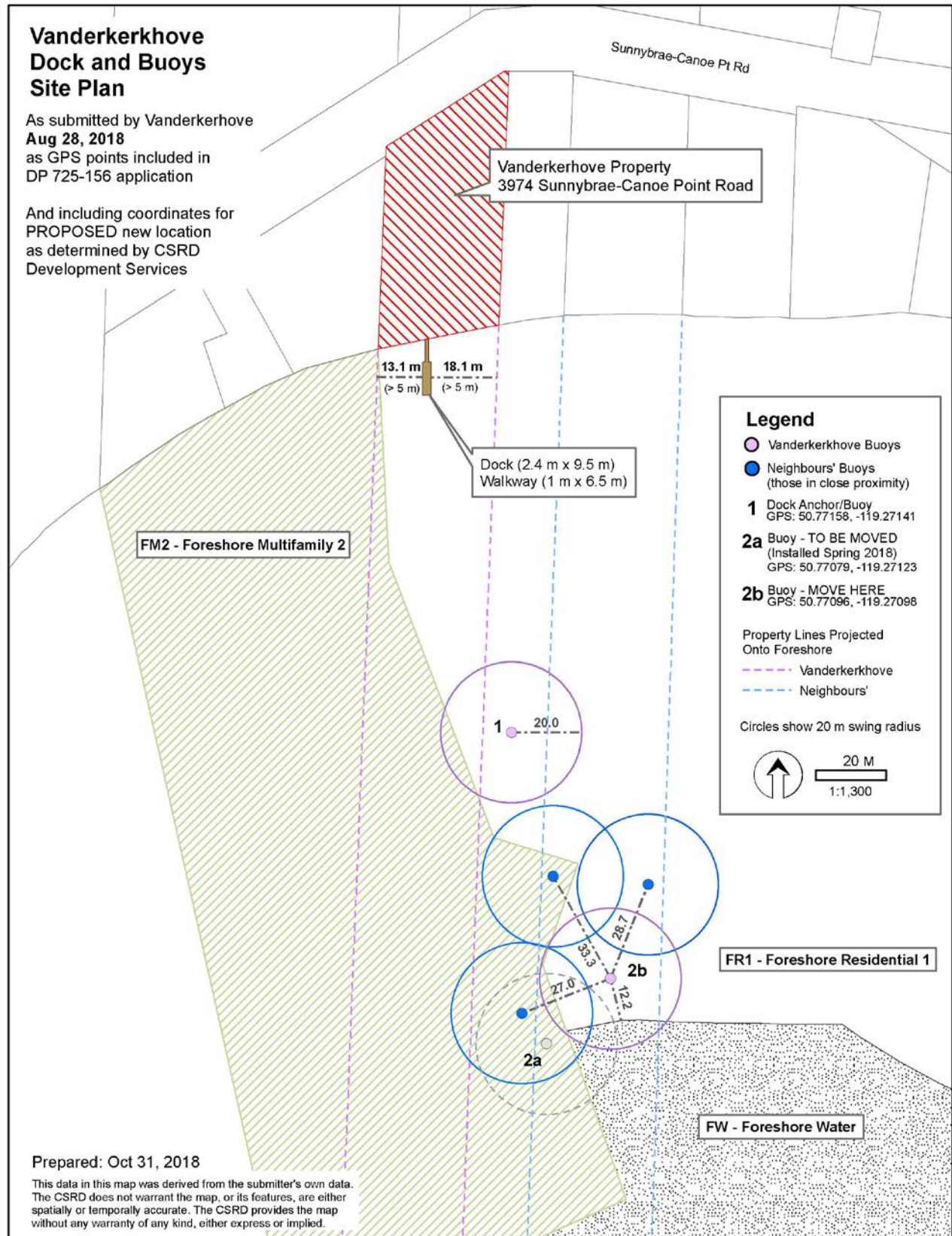


Lakes Zoning Bylaw No. 900  
FR1 – Foreshore Residential 1

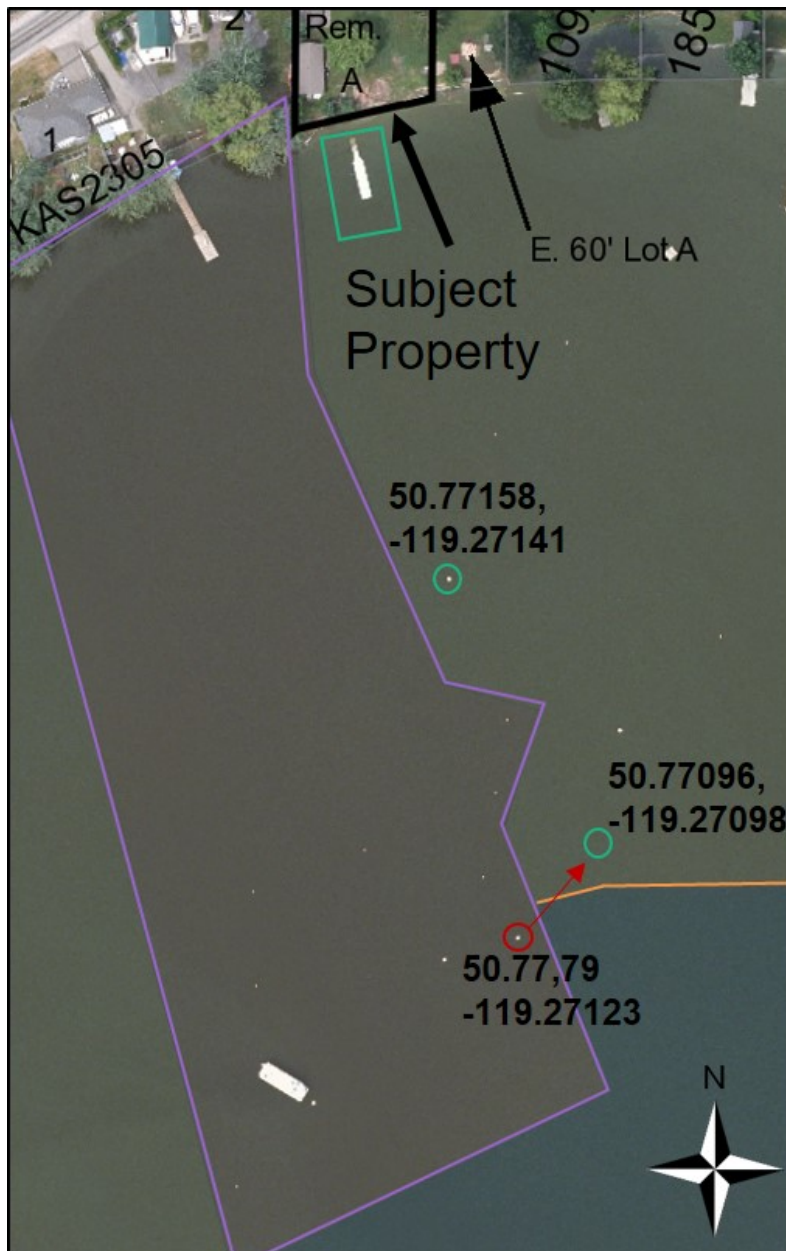




# Site Plan



Orthophoto - May 31, 2018  
Proposed and Existing Buoy Locations



Green

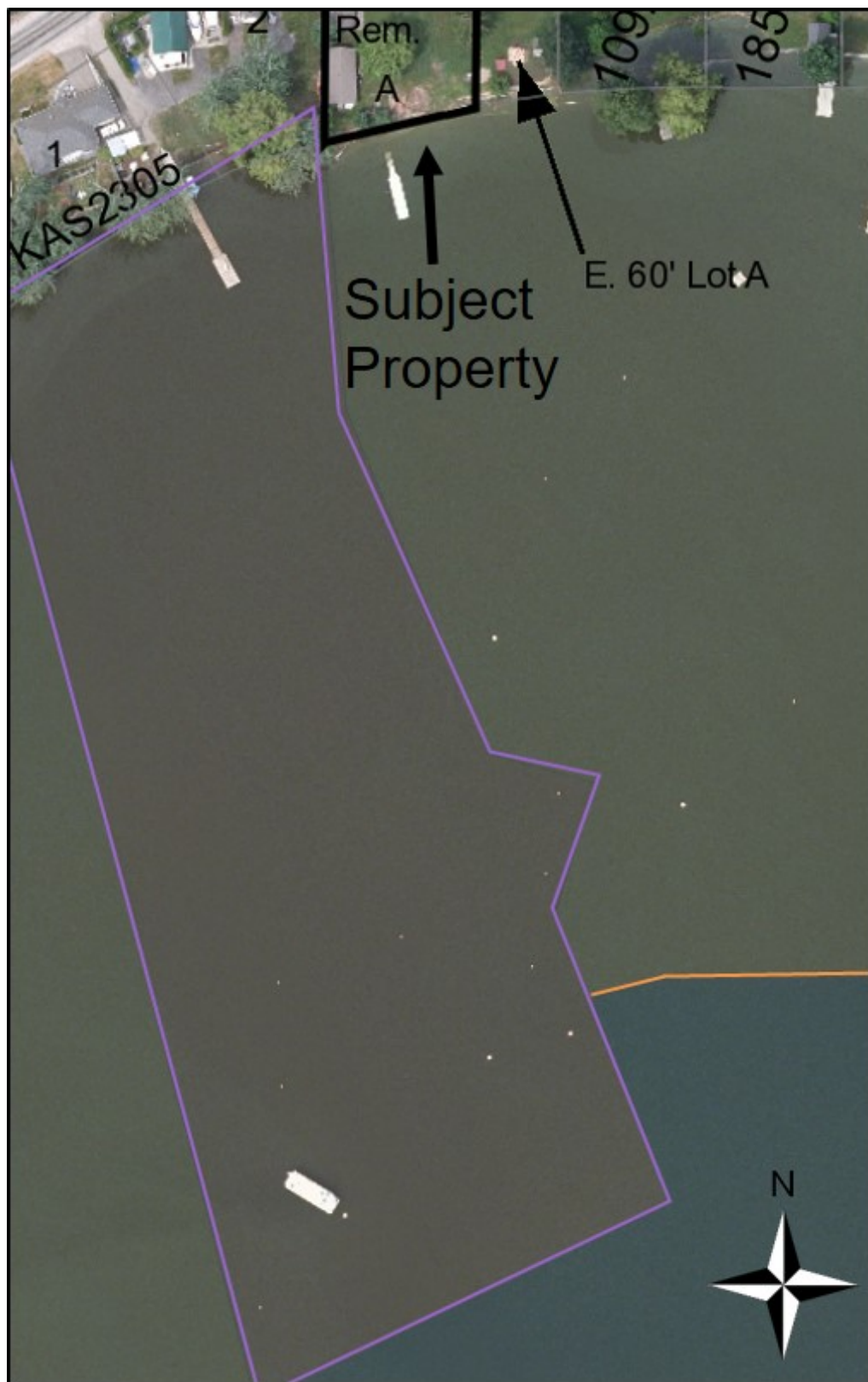
outlines the subject property's existing/proposed dock and buoy locations under DP725-156

Red

Outlines where one of the subject buoys is currently located and proposed to be moved from



Orthophoto  
May 31, 2018



**From:** [REDACTED]  
**To:** [Planning Public Email address](#)  
**Cc:** [Erica Hartling](#)  
**Subject:** DP Submission No. 725-156 - 3974 Sunnybrae-Canoe Pt  
**Date:** November 13, 2018 2:31:57 PM

---

November 13, 2018

Erica Hartling,  
Development Services Assistant  
Columbia Shuswap Regional District  
[ehartling@csrd.bc.ca](mailto:ehartling@csrd.bc.ca)

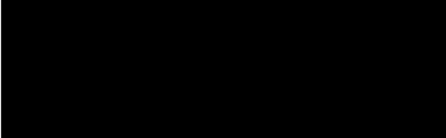
RE: Support for Development Permit 725-156

Thank you for the opportunity to send a written submission regarding Development Permit 725-156 in advance of the CSRD Board meeting on November 15<sup>th</sup>. We would like to give our full support to this application. [REDACTED] have been using the property at 3974 Sunnybrae-Canoe Point for the past 27 years. [REDACTED] Rob and Colleen Vandekerkhove purchased the property in 1991 and [REDACTED] have all been a part of the property. We have spent a lot of time at Sunnybrae and predominantly, out on the water. We have enjoyed having waterfront property as a place for family and friends to get together and most of time we have had one if not two boats as part of the lakefront recreation. We have grown up using the waterfront, the buoys, the boats and the dock in a safe manner and are teaching our now teenage children, to do the same. Now that we are entering our 3<sup>rd</sup> generation to use the property, we look forward to having the buoys placed officially and within the CSRD Zoning plan.

We appreciate your consideration of this submission.

Sincerely,

[REDACTED]  
[REDACTED]  
[REDACTED]






November 11, 2018

Columbia Shuswap Regional District  
555 Harbourfront Drive NE  
Salmon Arm, BC V1E 4P1

Attention: Erica Hartling, Development Services Assistant

**Re: DP Submission – No. 725-156**

While I am not the property owner  

 When I use the term “we” I am speaking on behalf of my brother as well as myself.

With respect to the Vanderkerkhove application, we have no objection. In practical terms, nothing will change that has not existed for the last 26 years. While there are a considerable number of buoys in front of this (3980) property, we have never objected, and are reasonable enough to understand that due to natural constraints, there has to be some give and take by all lake users in this immediate area.

However, we ask that if some time in the future one of the owners of this property decides to place a buoy, that there be the same consideration and that there be no objection from the neighbouring buoy owners.

Yours truly,





---

***Bastion Mobile Village*** - 537 Begbie Road, Tappen , B.C. VOE 2X1

---

[REDACTED]  
[REDACTED]  
[REDACTED]

[REDACTED]  
[REDACTED]  
[REDACTED]

Nov. 12, 2018

Hello Erica

I am [REDACTED] across the road from the subject property and this email is in regards to Notice of Development Permit No. 725-156 - File DP725-156 – P120180000145.

As [REDACTED] I would like it put on record that I am fully in favor of approval of the application of Development Permit No. 725-156 as submitted by Rob Vanderkerkhove.

Regards

[REDACTED]

-----Original Message-----

From: [REDACTED]  
Sent: Tuesday, November 13, 2018 12:26 PM  
To: Planning Public Email address <Plan@csrd.bc.ca>  
Subject: DP Submission- No. 725 - 156

Dear Erica,

Please accept this email in support of Development Permit No. 725 - 156.

I became interested in how buoys are registered this summer as I spent time in the Sunnybrae area looking for property to purchase. It is important for all buoys to be properly registered, especially due to the constraints in this bay. The CSRD staff were proactive in answering all my questions. I look forward to being a property owner in the CSRD and in particular, Sunnybrae.

Sincerely,

[REDACTED]  
[REDACTED]  
[REDACTED]  
[REDACTED]  
  
[REDACTED]

**From:** [REDACTED]  
**To:** [Erica Hartling](#)  
**Subject:** Foreshore and Water DP725-156 - Site Plan  
**Date:** November 13, 2018 7:52:02 AM

---

Dear Erica Hartling,

[REDACTED] Robert & Colleen Vandekerkhove and since 1991 I have spent every summer enjoying the property at 3974 Sunnybrae Canoe Point Road. My husband, [REDACTED] and I were married on the property in the summer of 2001 and vacation there with our kids, now 13 & 15, regularly.

In the last 25 years, the property has become a gathering place not just for our immediate family members to come together, but for our extended family and friends. During our time on the Shuswap, our kids have learned to swim, waterski, ride a lawn mower, build fires and take care of the property.

Over the years we have enjoyed relationships with our neighbours, including extending our property to the Salmon Arm Rotary Club for their yearly party and hosting weddings and gatherings for other neighbours. Moving ahead, we hope to maintain positive relationships with our neighbors and the community.

We spend our time boating, tubing, waterskiing, swimming and paddle boarding and in the last 10 years the moorage and docking have become somewhat of an issue.

In order to continue to use the shoreline and access the waterfront safely, I support the development application of Robert & Colleen Vandekerkhove based on how often we use the property and how much ourselves and our children intend to use it in the years to come.

Sincerely,

[REDACTED]  
[REDACTED]  
[REDACTED]

-----Original Message-----

From: [REDACTED]  
Sent: Tuesday, November 13, 2018 9:19 AM  
To: Planning Public Email address <Plan@csrd.bc.ca>  
Subject: Support for DP725-156

My Name is [REDACTED] Rob and Colleen Vandekerkhove. I'm writing in support of their development permit application for a dock and two buoys at 3974 Sunnybrae canoe point Rd. I look forward to having two registered positions for a deep and shallow buoy to Moore our boat and accommodate friends and family that visit by water. We have maintained a deep and shallow buoy in the lake since 1992 and our dock has been there for 15 years.

I will appreciate having registered GPS coordinates from the CSRD to return my anchors to should the Ice, wind, logs, debris move them from time to time over the winter months while we aren't there.

Thank you for your consideration of this application, as it will maintain the safe and efficient use of our lakefront property.

[REDACTED]  
[REDACTED]  
[REDACTED]  
[REDACTED]

**From:** [REDACTED]  
**To:** [Erica Hartling](#)  
**Subject:** Foreshore and Water DP 725-156 site Plan  
**Date:** November 12, 2018 11:31:07 AM

---

We the undersigned are fully in favour of Rob and Colleen Vanderkove's site plan as requested.

We have lived in Sunnybrae for 16 years and our family and friends have enjoyed the use of their property for many occasions such as birthdays, anniversaries, etc, due to their generosity.

These occasions always included use of their existing dock & moorage for our watercraft. No gratuities were accepted by them or asked for. We have also witnessed Salmon Arm Rotary picnics using their property and facilities on more than one occasion.

A waterfront property requires moorage facilities to provide safe watercraft securement for family, friends and guests alike.

Yours truly

[REDACTED]



**From:** [REDACTED]  
**To:** [ehartling@csrc.bc.ca](mailto:ehartling@csrc.bc.ca); [Planning Public Email address](#)  
**Subject:** RE: DP Submission 725 156  
**Date:** Tuesday, November 13, 2018 3:16:43 PM

---

My name is [REDACTED] We received notice of the above application on Thursday November 08 2018. My husband's name is [REDACTED]  
[REDACTED]

We believe the existing property lines are sufficient for existing buoys and do not support moving buoys in front of other property owners. I understand the lines can overlap slightly.

Thank you for your time

[REDACTED]



# BOARD REPORT

**TO:** Chair and Directors

<b>File No:</b> BL825-38 PL20180175
--

**SUBJECT:** Electoral Area F: Scotch Creek/Lee Creek Amendment (Pinegrove RV Park) Bylaw No. 825-38

**DESCRIPTION:** Report from Dan Passmore, Senior Planner, dated October 29, 2018. 1131 Pine Grove Road, Scotch Creek.

**RECOMMENDATION #1:** THAT: "Scotch Creek/Lee Creek Amendment (Pinegrove RV Park) Bylaw No. 825-38" be given second reading, as amended, this 15<sup>th</sup> day of November, 2018.

**RECOMMENDATION #2:** THAT: a public hearing to hear representations on Scotch Creek/Lee Creek Amendment (Pinegrove RV Park) Bylaw No. 825-38 be held;

AND THAT: notice of the public hearing be given by staff of the Regional District on behalf of the Board in accordance with Section 466 of the Local Government Act;

AND FURTHER THAT: the holding of the public hearing be delegated to Director Jay Simpson, as Director for Electoral Area 'F' being that in which the land concerned is located, or his Alternate to be named, if Director Simpson is absent, and the Director or Alternate Director, as the case may be, give a report of the public hearing to the Board.

## SHORT SUMMARY:

The Pinegrove RV Park Owner's Association has applied to rezone the subject property from C1 – Commercial – 1 zone to RR – Resort Residential zone. While the current C1 zone allows for a campground, the use is limited to temporary accommodation in tents or recreational vehicles. Some of the owners would like to expand the use of the park to allow park models on a more seasonal residential basis. As a result, the application is to rezone the subject property to RR with a special regulation for this property only.

Development Services staff have referred the bylaw, in accordance with the Board's direction, and the responses received have been summarised in the attached "Agency\_referral\_responses\_BL825-38.pdf".

Additionally, the applicant has advised staff that the owner/operator dwelling use originally contemplated in first reading of the bylaw is not necessary and should be amended out of the bylaw. Therefore, it is appropriate for the Board to consider referral comments received and consider the bylaw for second reading, as amended, and to consider delegation of a public hearing.

---

<b>VOTING:</b>	Unweighted Corporate <input type="checkbox"/>	LGA Part 14 (Unweighted) <input checked="" type="checkbox"/>	Weighted Corporate <input type="checkbox"/>	Stakeholder (Weighted) <input type="checkbox"/>
----------------	---	--	---	---

---

## BACKGROUND:

See attached "2018-08-16\_Board\_DS\_BL825-38\_Pinegrove-RV-Park.pdf".

**POLICY:**

See attached "2018-08-16\_Board\_DS\_BL825-38\_Pinegrove-RV-Park.pdf".

**FINANCIAL:**

There are no financial implications to the CSRD with regard to this application.

**KEY ISSUES/CONCEPTS:**

See attached "2018-08-16\_Board\_DS\_BL825-38\_Pinegrove-RV-Park.pdf".

**Update**

The applicant has advised that there is no need to include owner/operator dwelling use, as a permitted use in the proposed bylaw. Staff have amended the bylaw to reflect this change. The applicant has provided a copy of a permit to operate a community water system to supply this RV development as well as the condos located in KAS3099.

In terms of referral responses, the Archaeological Branch has indicated a high likelihood of Archaeological sites present and has asked the applicant to contact them. Staff have forwarded this referral response to the applicant to follow up. CSRD Operations Management, Team Leader, Utilities has indicated that further servicing information is required. DS staff have obtained a permit to operate the water system from Interior Health Authority, and have informed OM staff that the site is serviced by a Ministry of Environment registered community sewer system.

Additionally, the Building Standards Branch has recently (last month) issued some new interpretations regarding Park Models. The Building Standards Branch has advised Building Officials that Park Models intended to be occupied on a year-round residential basis will need to comply with BCBC requirements, which essentially means that a Building Permit would be required before placing one. This would not impact seasonally occupied park models which would remain exempt, unless added onto or structurally altered.

**SUMMARY:**

The Pinegrove RV Park Owner's Association has applied to rezone the subject property from C1 – Commercial – 1 zone to RR – Resort Residential zone. Staff are proposing that a special regulation within the RR zone be created for this property only to reflect the actual uses on the established site. The special regulation will accommodate park models as well as recreation vehicle or park model shelter buildings and potentially allowing the shared-ownership development to convert to a bare land strata in the future. At the request of the applicant, staff have amended the bylaw to eliminate owner/operator dwelling as a permitted use in the bylaw.

It is now appropriate for the Board to consider the amended bylaw for second reading in consideration of the referral comments received to date by staff.

**IMPLEMENTATION:**

As per CSRD Policy No. P-18 regarding Consultation Processes-Bylaws, staff recommended the simple consultation process. Neighbouring property owners first became aware of the application for zoning amendments when the notice of development sign was posted on the property.

**COMMUNICATIONS:**

If the Board supports second reading, as amended, of Bylaw No. 825-38 and delegates a Public Hearing, staff will proceed with notification of adjacent property owners and advertising the Public Hearing as set out in the Local Government Act.

Referral agencies have provided their comments and they have been attached "Agency\_referral\_responses\_BL825-38.pdf".

As a result of the applicant posting the Notice of Development sign, Development Services staff have received 3 pieces of correspondence opposed to the proposed bylaw. Staff have not included this correspondence with this report at this time, as it is more appropriate for the Board to consider such correspondence in conjunction with the results of a Public Hearing.

**DESIRED OUTCOMES:**

That the Board endorse staff recommendations.

**BOARD'S OPTIONS:**

1. *Endorse the Recommendations.*
2. *Deny the Recommendations.*
3. *Defer.*
4. *Any other action deemed appropriate by the Board.*

**LIST NAME OF REPORT(S) / DOCUMENT(S) AVAILABLE FROM STAFF:**

1. Electoral Area 'F' Official Community plan Bylaw No. 830
2. Scotch Creek/Lee Creek Zoning Bylaw No. 825

**Report Approval Details**

Document Title:	2018-11-15_Board_DS_BL825-38_Pinegrove-RV-Park.docx
Attachments:	<ul style="list-style-type: none"><li>- BL825-38-SecondAsAmended.pdf</li><li>- 2018-08-16_Board_DS_BL825-38_Pinegrove_RV_Park.pdf</li><li>- Agency_referral_responses_BL825-38.pdf</li><li>- Maps_Plans_BL825-38.pdf</li></ul>
Final Approval Date:	Nov 2, 2018

This report and all of its attachments were approved and signed as outlined below:



**Corey Paiement - Nov 2, 2018 - 8:56 AM**



**Gerald Christie - Nov 2, 2018 - 10:59 AM**

**No Signature - Task assigned to Lynda Shykora was completed by assistant Jennifer Sham**

**Lynda Shykora - Nov 2, 2018 - 11:49 AM**



**Charles Hamilton - Nov 2, 2018 - 1:26 PM**



**COLUMBIA SHUSWAP REGIONAL DISTRICT**

**SCOTCH CREEK/LEE CREEK ZONING  
AMENDMENT (PINEGROVE RV PARK) BYLAW NO. 825-38**

A bylaw to amend the "Scotch Creek/Lee Creek Zoning Bylaw No. 825"

WHEREAS the Board of the Columbia Shuswap Regional District adopted Bylaw No. 825;

AND WHEREAS the Board deems it appropriate to amend Bylaw No. 825;

NOW THEREFORE the Board of the Columbia Shuswap Regional District in open meeting assembled, HEREBY ENACTS as follows:

1. "Scotch Creek/Lee Creek Zoning Bylaw No. 825", as amended, is hereby further amended as follows:

A. TEXT AMENDMENT

- i. Schedule A, Zoning Bylaw Text, Part 1, Section 1.0 Definitions is hereby amended by adding the following definitions:
  - a) by adding "RECREATIONAL VEHICLE OR PARK MODEL SHELTER BUILDING is a type of *accessory building* with a roof, but without a floor, which may have lattice work or screening to a maximum height of 1.5 metres above the ground surface but which shall otherwise have no enclosing walls, intended to shelter a *recreational vehicle* or a *park model* from the sun, rain and snow, which may also shelter the entrance or parking area of the *recreational vehicle* or *park model*, and which is completely free-standing and unsupported by the *recreational vehicle* or *park model*; excludes porches, sunrooms, structural additions, or any structure having entry through a closeable door.", before "RECYCLING DROP-OFF FACILITY";
  - b) by adding "OPEN DECK means a *structure*, adjacent to but not supported by or attached to a *recreational vehicle* or *park model* for the purpose of providing an outdoor recreation and amenity living area, which may be either open to the sky or roofed, and which shall have guard railings, if raised at least 200 mm above *finished ground elevation* and may have lattice work or screening to maximum height of 1.5 metres above the floor of the deck, but which shall have no enclosing walls;" before the definition of "OPEN SPACE";
- ii. Schedule A, Zoning Bylaw Text, Part 5 – Zones, Section 5.11 Resort Residential is hereby amended by adding subsection 4 (a), in its entirety, including the attached map.

"(a) Notwithstanding subsections (1), (2), and (3), on Lot B, Section 27, Township 22, Range 11, West of 6th Meridian, KDYD, Plan KAP78778, Except Plan KAP82509 as shown hatched on the map below, the following principal uses, secondary uses and regulations shall only be permitted:

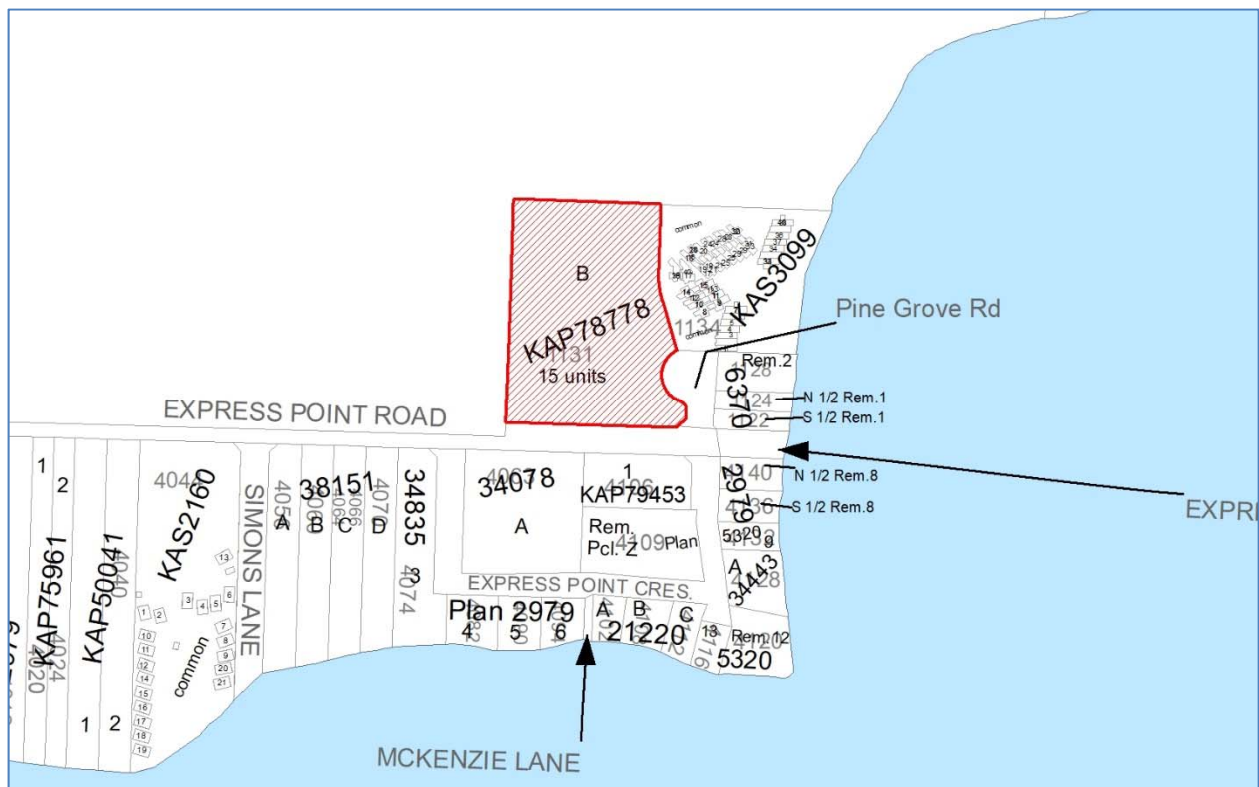
- .1 Notwithstanding subsection (1), the principal use is limited to *Resort Recreational Space*.

.2 Notwithstanding subsection (2), the secondary uses are as follows:

- (a) *Accessory use*
- (b) *Recreational vehicle or park model shelter building*
- (c) *Storage shed*
- (d) *Open Deck*

.3 Notwithstanding subsection (3), On a *parcel* zoned Resort Residential, no land shall be used; no *building* or structure shall be constructed, located or altered; and no plan of subdivision approved; that contravenes the regulations stated in this subsection, except as stated in Part 3: General Regulations and Part 4: Parking and Loading Regulations.

COLUMN 1 MATTER REGULATED	COLUMN 2 REGULATION
(a) Minimum <i>parcel</i> size created by subdivision	2.0 ha (4.94 ac.)
(b) Maximum number of <i>recreational vehicle spaces</i>	66
(c) Minimum <i>recreational vehicle space parcel</i> size created by subdivision	200 m <sup>2</sup>
(d) Maximum number of <i>recreational vehicle space parcels</i> created by subdivision	66
(e) Maximum <i>recreational vehicle space parcel coverage</i>	85%
(f) Maximum number of <i>recreational vehicles or park models per resort residential space</i>	One
(g) Maximum number of <i>Recreational vehicle or park model shelter buildings per resort residential space</i>	One
(h) Maximum <i>building</i> and structure height for: <ul style="list-style-type: none"> <li>• <i>Storage Shed</i></li> <li>• <i>Recreational vehicle or park model shelter buildings</i></li> </ul>	2.5 m (8.20 ft.)  11.5 m
(i) Maximum Floor Area for: <ul style="list-style-type: none"> <li>▪ <i>Storage Shed</i></li> <li>▪ <i>Open Deck</i></li> <li>▪ <i>Recreational vehicle or park model shelter buildings</i></li> </ul>	<ul style="list-style-type: none"> <li>▪ 4.0 m<sup>2</sup></li> <li>▪ 30.0 m<sup>2</sup></li> <li>▪ 100 m<sup>2</sup></li> </ul>
(j) Minimum <i>setback</i> from: <ul style="list-style-type: none"> <li>▪ <i>front parcel boundary</i></li> <li>▪ <i>interior side parcel boundary</i></li> <li>▪ <i>exterior side parcel boundary</i></li> <li>▪ <i>rear parcel boundary</i></li> </ul>	<ul style="list-style-type: none"> <li>▪ 5.0 m</li> <li>▪ 3.0 m</li> <li>▪ 5.0 m</li> <li>▪ 5.0 m</li> </ul>
(k) Minimum <i>setback</i> from <i>recreational vehicle space</i> created by subdivision only: <ul style="list-style-type: none"> <li>▪ <i>front parcel boundary</i></li> <li>▪ <i>interior side parcel boundary</i></li> <li>▪ <i>exterior side parcel boundary</i></li> <li>▪ <i>rear parcel boundary</i></li> </ul>	<ul style="list-style-type: none"> <li>▪ 2.5 m (8.2 ft.)</li> <li>▪ 0.3 m (0.98 ft.)</li> <li>▪ 2.5 m (8.2 ft.)</li> <li>▪ 0.3 m (0.98 ft.)</li> </ul>



## B. MAP AMENDMENT

- i. Schedule B (Zoning Map), which forms part of the "Scotch Creek/Lee Creek Zoning Bylaw No. 825", as amended, is hereby further amended by:
  - a) rezoning Lot B, Section 27, Township. 22, Range 12, West of the 6<sup>th</sup> Meridian, Kamloops Division, Yale District, Plan KAP78778, Except Plan KAP82509, which is more particularly shown outlined in bold red and hatched on Schedule 1 attached hereto and forming part of this bylaw, from COMMERCIAL – 1 (C1) ZONE to RESORT RESIDENTIAL (RR) ZONE;

2. This bylaw may be cited as " Scotch Creek/Lee Creek Zoning Amendment (Pinegrove RV Park) Bylaw No. 825-38"

READ a first time this 16 day of August, 2018.

READ a second time, as amended, this \_\_\_\_ day of \_\_\_\_\_, 2018.

PUBLIC HEARING held this \_\_\_\_\_ day of \_\_\_\_\_, 2018.

READ a third time this \_\_\_\_\_ day of \_\_\_\_\_, 2018.

ADOPTED this \_\_\_\_\_ day of \_\_\_\_\_, 2018.

\_\_\_\_\_  
CORPORATE OFFICER

\_\_\_\_\_  
CHAIR

CERTIFIED a true copy of Bylaw No. 825-38  
as read a third time.

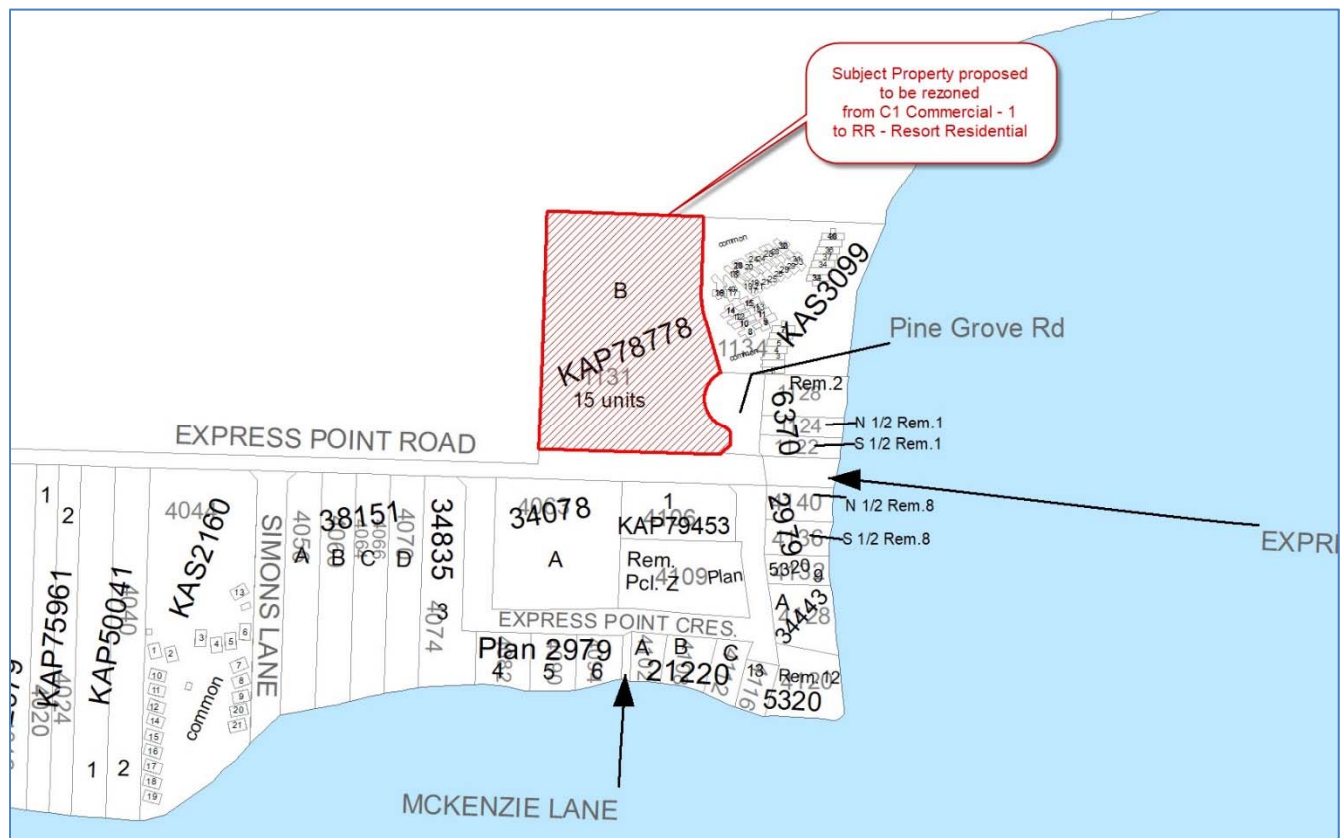
CERTIFIED true copy of Bylaw No. 825-38  
as adopted.

\_\_\_\_\_  
Corporate Officer

\_\_\_\_\_  
Corporate Officer

## SCHEDULE 1

## ZONING AMENDMENT

SCOTCH CREEK/LEE CREEK ZONING AMENDMENT  
(0934110 BC LTD.) BYLAW NO. 825-29





# BOARD REPORT

**TO:**

Chair and Directors

<b>File No:</b> BL 825-38 PL20180175
---

**SUBJECT:**

Electoral Area F: Scotch Creek/Lee Creek Amendment (Pinegrove RV Park) Bylaw No. 825-38

**DESCRIPTION:**
Report from Dan Passmore, Senior Planner, dated July 27, 2018.  
1131 Pine Grove Road, Scotch Creek
**RECOMMENDATION #1:**
THAT: "Scotch Creek/Lee Creek Amendment (Pinegrove RV Park) Bylaw No. 825-38" be given first reading this 16<sup>th</sup> day of August, 2018.
**RECOMMENDATION #2:**

THAT: the Board utilize the simple consultation process for Bylaw No. 825-38, and the Bylaw be referred to the following agencies and First Nations:

- Interior Health Authority;
- Ministry of Transportation and Infrastructure;
- Ministry of Forests, Lands, Natural Resource Operations and Rural Development – Archaeology Branch;
- CSR D Operations Management;
- CSR D Financial Services Department; and,
- All relevant First Nations.

**SHORT SUMMARY:**

The Pine Grove RV Park Owner's Association has applied to rezone the subject property from C1 – Commercial – 1 zone to RR – Resort Residential zone. While the current C1 zone allows for a campground, the use is limited to temporary accommodation in tents or recreational vehicles. Some of the owners would like to expand the use of the park to allow park models on a more residential basis. As a result the application is to rezone the subject property to RR with a special regulation for this property only.

**VOTING:**
Unweighted  
Corporate
☐
LGA Part 14  
(Unweighted)
☒
Weighted  
Corporate
☐
Stakeholder  
(Weighted)
☐
**BACKGROUND:**
**APPLICANT:**

Pine Grove RV Park Association c/o Doug Donaldson, President and Bruce Bryan, Director

**ELECTORAL AREA:**

F

**LEGAL DESCRIPTION:**

Lot B, Section 27, Township. 22, Range 12, West of the 6<sup>th</sup> Meridian, Kamloops Division, Yale District, Plan KAP78778, Except Plan KAP82509

**PID:**

026-384-302

**CIVIC ADDRESS:**

1131 Pine Grove Road

**SURROUNDING LAND USE PATTERN:**

North = Scotch Creek Provincial Park

South = Sewage Treatment Plant/Residential

East = Pine Grove Commercial Strata

West = Scotch Creek Provincial Park

**CURRENT USE:**

Shared Interest Ownership RV Park

**PARCEL SIZE:**

1.76 ha (4.35 ac)

**DESIGNATION:**

RT – Residential Resort Scotch Creek Primary Settlement Area

**ZONE:**

C1 – Commercial - 1

**PROPOSED ZONE:**

RR – Resort Residential (Special Regulation)

**POLICY:****Electoral Area F Official Community Plan Bylaw No. 830****12.11 Residential Resort (RT)**

This designation refers to existing Recreational Vehicle developments. No additional Residential Resort designations are recommended. Other opportunities for providing affordable housing options may include secondary dwelling units, mixed use developments within the Village Centre, and medium density residential developments.

**Scotch Creek/Lee Creek Zoning Bylaw No. 825**

The subject property is currently zoned C1 –Commercial – 1 which allows a great variety of uses as follows:

- (a) *Amusement establishment*
- (b) *Campground*
- (c) *Convenience store*
- (d) *Day care*
- (e) *Marina*
- (f) *Mini storage*
- (g) *Motel*
- (h) *Office*
- (i) *Outdoor sales*
- (j) *Personal services*
- (k) *Plant nursery and services*
- (l) *Pub*
- (m) *Public assembly facility*
- (n) *Recycling drop-off facility*
- (o) *Rental shop*
- (p) *Restaurant*
- (q) *Retail store*
- (r) *Service station*
- (s) *Single family dwelling*
- (t) *Tourist cabin*
- (u) *Library*

The following definitions apply:

CAMPGROUND is the *use of land, buildings and structures for temporary accommodation in tents or recreational vehicles on camping spaces;*

CAMPING SPACE is the *use of land in a campground used for one camping unit;*

CAMPING UNIT is one *recreational vehicle*, or one camping tent;

PARK MODEL is a trailer or recreational unit which conforms to CSA Z241 Standard for RVs and which has a *gross floor area* which does not exceed 50 square metres (538.21 sq. ft);

RECREATIONAL VEHICLE is a vehicular-type of portable structure, without permanent foundation, that can be towed, hauled or driven and that is primarily designed for use as *temporary* living accommodation for the purposes of recreation, camping and travel, including, but not limited to, travel trailers, truck campers, camping trailers and self-propelled motor homes;

RECREATIONAL VEHICLE SPACE is the use of land for parking no more than one *recreational vehicle*, excluding a *park model*, for *temporary* or *seasonal* accommodation;

The proposed RR Resort Residential zone allows the following Principal Uses:

- (a) *Resort residential space*
- (b) *Tourist cabins*

The following secondary uses are also permitted:

- (a) *Accessory use*
- (b) *Amusement establishment*
- (c) *Convenience store*
- (d) *Day care*
- (e) *Marina*
- (f) *Public assembly facility*
- (g) *Office*
- (h) *Owner/operator dwelling*

#### **FINANCIAL:**

There are no financial implications to the CSRD with regard to this application.

#### **KEY ISSUES/CONCEPTS:**

##### **The Proposal**

Several members of the Pine Grove RV Park Association as well as prospective purchasers of shares within the shared ownership parcel have expressed interest in being allowed to install Park Models in the park. Additionally some owners have already installed park models. Owners have also installed and would like to be able to install shelters over their RVs or Park Models to protect from inclement weather. The proposed rezoning amendment would permit both park models and shelter structures.

The proposed rezoning amendment would also curtail tourist cabins as well as a variety of commercial oriented uses available within the RR zone on this parcel.

The proposed bylaw would allow the following secondary uses:

- (a) *Accessory use*
- (b) *Owner/operator dwelling*
- (c) *Recreational vehicle or park model shelter building*
- (d) *Storage shed*
- (e) *Open Deck*

Also the following definitions would be added to the Bylaw:

RECREATIONAL VEHICLE OR PARK MODEL SHELTER BUILDING is a type of *accessory building* with a roof, but without a floor, which may have lattice work or screening to a maximum height of 1.5 metres above the ground surface but which shall otherwise have no enclosing walls, intended to shelter a *recreational vehicle* or a *park model* from the sun, rain and snow, which may also shelter the entrance or parking area of the *recreational vehicle* or *park model*, and which is completely free-standing and unsupported by the *recreational vehicle* or *park model*; excludes porches, sunrooms, structural additions, or any structure having entry through a closeable door.

OPEN DECK means a *structure*, adjacent to but not supported by or attached to a *recreational vehicle* or *park model* for the purpose of providing an outdoor recreation and amenity living area, which may be either open to the sky or roofed, and which shall have guard railings, if raised at least 200 mm above *finished ground elevation* and may have lattice work or screening to maximum height of 1.5 metres above the floor of the deck, but which shall have no enclosing walls.

### **Current Ownership Within the Park**

The Pinegrove RV Park was originally developed by Shuswap Lake Resort on the lot adjacent to their resort condos constructed on the waterfront. While the condos were strata-titled, the RV Park became a shared ownership situation to allow marketing of individual sites without meeting subdivision requirements. The developer, Shuswap Lake Resort went bankrupt and is no longer a corporate entity, so unsold shares within the RV Park eventually came under the ownership of the Province of BC. Of the total 66 sites (or shares) within the Park, 34 are owned by private owners and occupied and 32, some of which are occupied, are the subject of a civil legal action and therefore fall under Provincial jurisdiction.

### **Water Servicing**

The subject property is currently serviced by a community water system. The system has a water treatment plant which is owned by the Pine Grove RV Park. Staff have asked the owners for information on the permit to operate the system, and will provide this information to the Board at second reading of the Bylaw.

### **Sewer Servicing**

The property is currently serviced by a community sewer system. The sewer treatment facility is owned by 0713887 BC Ltd., a company that is owned by the Owners of Strata Plan KAS3099 (Shuswap Lake Resort Townhouses). The community sewer system is registered by the Ministry of Environment (MoE) under Registration No. RE-17794, which was issued January 18, 2007. The Pine Grove RV Park has a contract to allow discharge of sewer to this facility.

### **Access**

Currently access to the existing RV Park on the property is from Pine Grove Road, a small Cul-de-Sac at the end of Express Point Road. The Ministry of Transportation and Infrastructure (MoT) is proposed to be sent a referral on the proposal, so any concerns they may have with existing access will be noted.

### **SUMMARY:**

The Pine Grove RV Park Owner's Association has applied to rezone the subject property from C1 – Commercial – 1 zone to RR – Resort Residential zone. Staff are proposing that a special regulation within the RR zone be created for this property only to reflect the actual uses on the established site. The special regulation will accommodate park models as well as shelter buildings and potentially allowing the shared-ownership development to convert to a bare land strata in the future.



Staff are recommending that since the proposed rezoning complies with the OCP, the Board can consider the bylaw for first reading and consider directing staff to forward the proposed bylaw and background information to referral agencies and First Nations.

### **IMPLEMENTATION:**

As per CSRD Policy No. P-18 regarding Consultation Processes-Bylaws, staff recommends the simple consultation process. Neighbouring property owners will first become aware of the application for zoning amendments when a notice of development sign is posted on the property.

### **Referral Process**

The following list of referral agencies is recommended:

- Interior Health Authority;
- Ministry of Transportation and Infrastructure;
- Ministry of Forests, Lands, Natural Resource Operations and Rural Development – Archaeology Branch;
- CSRD Operations Management;
- CSRD Financial Services Department; and,
- All relevant First Nations
  - Adams Lake Indian Band
  - Coldwater Indian Band
  - Cooks Ferry Indian Band
  - Esh-kn-am Cultural Resources Management Services
  - Lower Similkameen Indian Band
  - Neskonlith Indian Band
  - Nlaka'pamux Nation Tribal Council
  - Okanagan Indian Band
  - Okanagan Nation Alliance
  - Penticton Indian Band
  - Siska Indian Band
  - Splots'in First Nation
  - Simpcw First Nation

### **COMMUNICATIONS:**

If the bylaw is given first reading it will be forwarded to the referral agencies. Agency comments will be provided with a future Board report. The applicant will be required to post a Notice of Development sign on the subject property in accordance with Development Services Procedures Bylaw No. 4001.

### **DESIRED OUTCOMES:**

That the Board endorse staff recommendations.

**BOARD'S OPTIONS:**

1. *Endorse the Recommendations.*
2. *Deny the Recommendations.*
3. *Defer.*
4. *Any other action deemed appropriate by the Board.*

**LIST NAME OF REPORT(S) / DOCUMENT(S) AVAILABLE FROM STAFF:**

1. Electoral Area F Official Community Plan Bylaw No. 830
2. Scotch Creek/Lee Creek Zoning Bylaw No. 825

**Report Approval Details**

Document Title:	2018-08-16_Board_DS_BL825-38_Pinegrove_RV_Park.docx
Attachments:	- BL825-38-First.pdf - Maps_Plans_BL825-38.pdf
Final Approval Date:	Aug 2, 2018

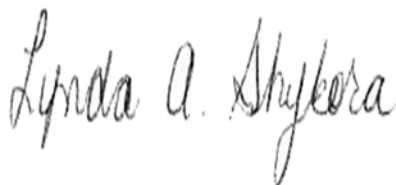
This report and all of its attachments were approved and signed as outlined below:

**No Signature - Task assigned to Corey Paiement was completed by workflow administrator Tommy Test**

**Corey Paiement - Jul 31, 2018 - 8:37 AM**



**Gerald Christie - Aug 1, 2018 - 12:15 PM**



**Lynda Shykora - Aug 2, 2018 - 9:00 AM**



**Charles Hamilton - Aug 2, 2018 - 11:05 AM**

**COLUMBIA SHUSWAP REGIONAL DISTRICT**

**SCOTCH CREEK/LEE CREEK ZONING  
AMENDMENT (PINEGROVE RV PARK) BYLAW NO. 825-38**

A bylaw to amend the "Scotch Creek/Lee Creek Zoning Bylaw No. 825"

WHEREAS the Board of the Columbia Shuswap Regional District adopted Bylaw No. 825;

AND WHEREAS the Board deems it appropriate to amend Bylaw No. 825;

NOW THEREFORE the Board of the Columbia Shuswap Regional District in open meeting assembled, HEREBY ENACTS as follows:

1. "Scotch Creek/Lee Creek Zoning Bylaw No. 825", as amended, is hereby further amended as follows:

A. TEXT AMENDMENT

- i. Schedule A, Zoning Bylaw Text, Part 1, Section 1.0 Definitions is hereby amended by adding the following definitions:
  - a) by adding "RECREATIONAL VEHICLE OR PARK MODEL SHELTER BUILDING is a type of *accessory building* with a roof, but without a floor, which may have lattice work or screening to a maximum height of 1.5 metres above the ground surface but which shall otherwise have no enclosing walls, intended to shelter a *recreational vehicle* or a *park model* from the sun, rain and snow, which may also shelter the entrance or parking area of the *recreational vehicle* or *park model*, and which is completely free-standing and unsupported by the *recreational vehicle* or *park model*; excludes porches, sunrooms, structural additions, or any structure having entry through a closeable door.", before "RECYCLING DROP-OFF FACILITY";
  - b) by adding "OPEN DECK means a *structure*, adjacent to but not supported by or attached to a *recreational vehicle* or *park model* for the purpose of providing an outdoor recreation and amenity living area, which may be either open to the sky or roofed, and which shall have guard railings, if raised at least 200 mm above *finished ground elevation* and may have lattice work or screening to maximum height of 1.5 metres above the floor of the deck, but which shall have no enclosing walls;" before the definition of "OPEN SPACE";
- ii. Schedule A, Zoning Bylaw Text, Part 5 – Zones, Section 5.11 Resort Residential is hereby amended by adding subsection 4 (a), in its entirety, including the attached map.

"(a) Notwithstanding subsections (1), (2), and (3), on Lot B, Section 27, Township 22, Range 11, West of 6th Meridian, KDYD, Plan KAP78778, Except Plan KAP82509 as shown hatched on the map below, the following principal uses, secondary uses and regulations shall only be permitted:

- .1 Notwithstanding subsection (1), the principal use is limited to *Resort Recreational Space*.

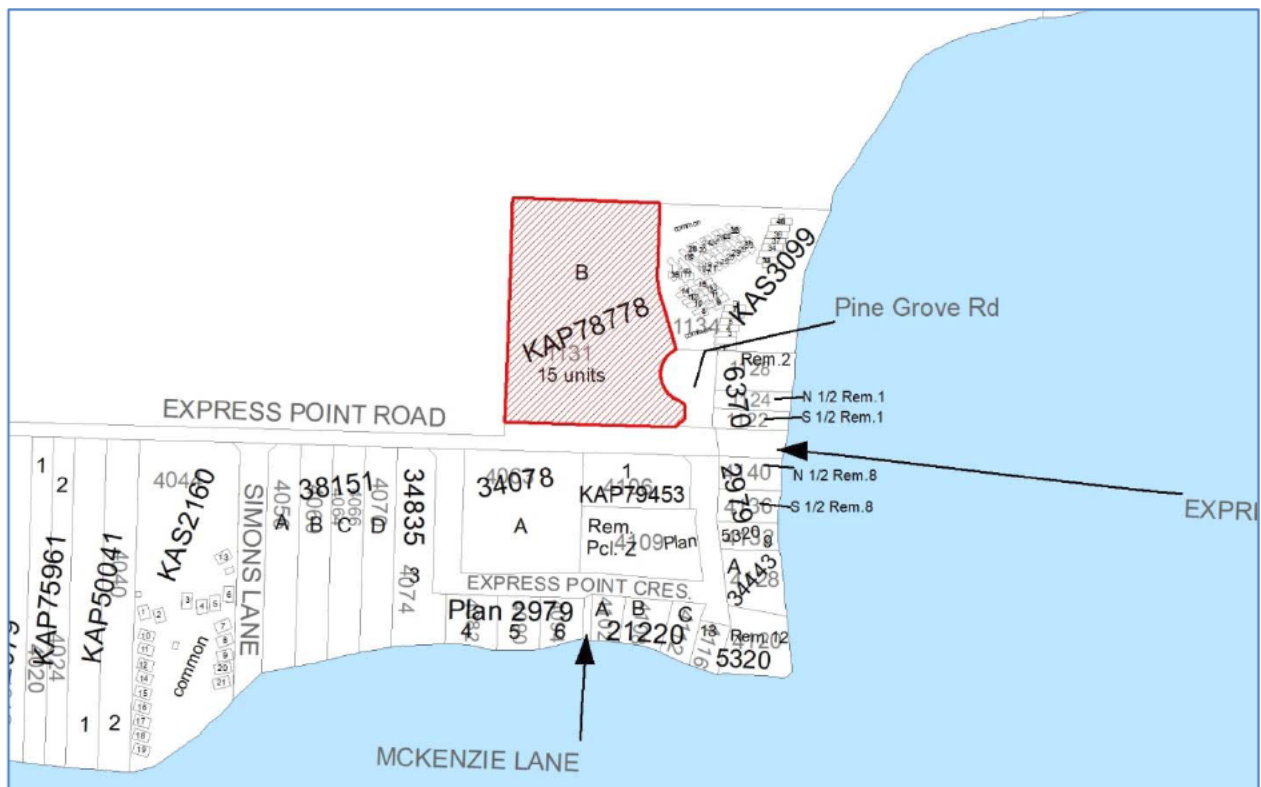
.2 Notwithstanding subsection (2), the secondary uses are as follows:

- (a) *Accessory use*
- (b) *Owner/operator dwelling*
- (c) *Recreational vehicle or park model shelter building*
- (d) *Storage shed*
- (e) *Open Deck*

.3 Notwithstanding subsection (3), On a *parcel* zoned Resort Residential, no land shall be used; no *building* or structure shall be constructed, located or altered; and no plan of subdivision approved; that contravenes the regulations stated in this subsection, except as stated in Part 3: General Regulations and Part 4: Parking and Loading Regulations.

COLUMN 1 MATTER REGULATED	COLUMN 2 REGULATION
(a) Minimum <i>parcel</i> size created by subdivision	2.0 ha (4.94 ac.)
(b) Maximum number of <i>recreational vehicle spaces</i>	66
(c) Minimum <i>recreational vehicle space parcel</i> size created by subdivision	128 m <sup>2</sup>
(d) Maximum number of <i>recreational vehicle space parcels</i> created by subdivision	66
(e) Maximum <i>recreational vehicle space parcel coverage</i>	85%
(f) Maximum number of <i>recreational vehicles or park models per resort residential space</i>	One
(g) Maximum number of <i>owner/operator dwellings</i>	1 per <i>parcel</i>
(h) Maximum number of <i>Recreational vehicle or park model shelter buildings per resort residential space</i>	One
(i) Maximum <i>building</i> and structure <i>height</i> for: <ul style="list-style-type: none"> <li>• <i>Storage Shed</i></li> <li>• <i>Recreational vehicle or park model shelter buildings</i></li> </ul>	2.5 m (8.20 ft.)  11.5 m
(j) Maximum Floor Area for: <ul style="list-style-type: none"> <li>▪ <i>Storage Shed</i></li> <li>▪ <i>Open Deck</i></li> <li>▪ <i>Recreational vehicle or park model shelter buildings</i></li> </ul>	<ul style="list-style-type: none"> <li>▪ 4.0 m<sup>2</sup></li> <li>▪ 30.0 m<sup>2</sup></li> <li>▪ 100 m<sup>2</sup></li> </ul>
(k) Minimum <i>setback</i> from: <ul style="list-style-type: none"> <li>▪ <i>front parcel boundary</i></li> <li>▪ <i>interior side parcel boundary</i></li> <li>▪ <i>exterior side parcel boundary</i></li> <li>▪ <i>rear parcel boundary</i></li> </ul>	<ul style="list-style-type: none"> <li>▪ 5.0 m</li> <li>▪ 3.0 m</li> <li>▪ 5.0 m</li> <li>▪ 5.0 m</li> </ul>
(l) Minimum <i>setback</i> from <i>recreational vehicle space</i> created by subdivision only: <ul style="list-style-type: none"> <li>▪ <i>front parcel boundary</i></li> <li>▪ <i>interior side parcel boundary</i></li> <li>▪ <i>exterior side parcel boundary</i></li> <li>▪ <i>rear parcel boundary</i></li> </ul>	<ul style="list-style-type: none"> <li>▪ 2.5 m (8.2 ft.)</li> <li>▪ 0.3 m (0.98 ft.)</li> <li>▪ 2.5 m (8.2 ft.)</li> <li>▪ 0.3 m (0.98 ft.)</li> </ul>





## B. MAP AMENDMENT

- i. Schedule B (Zoning Map), which forms part of the "Scotch Creek/Lee Creek Zoning Bylaw No. 825", as amended, is hereby further amended by:
  - a) rezoning Lot B, Section 27, Township. 22, Range 12, West of the 6<sup>th</sup> Meridian, Kamloops Division, Yale District, Plan KAP78778, Except Plan KAP82509, which is more particularly shown outlined in bold red and hatched on Schedule 1 attached hereto and forming part of this bylaw, from COMMERCIAL – 1 (C1) ZONE to RESORT RESIDENTIAL (RR) ZONE;

2. This bylaw may be cited as " Scotch Creek/Lee Creek Zoning Amendment (Pinegrove RV Park)  
Bylaw No. 825-38"

READ a first time this \_\_\_\_\_ day of \_\_\_\_\_, 2018.

READ a second time this \_\_\_\_\_ day of \_\_\_\_\_, 2018.

PUBLIC HEARING held this \_\_\_\_\_ day of \_\_\_\_\_, 2018.

READ a third time this \_\_\_\_\_ day of \_\_\_\_\_, 2018.

ADOPTED this \_\_\_\_\_ day of \_\_\_\_\_, 2018.

\_\_\_\_\_  
CORPORATE OFFICER

\_\_\_\_\_  
CHAIR

CERTIFIED a true copy of Bylaw No. 825-38  
as read a third time.

CERTIFIED true copy of Bylaw No. 825-38  
as adopted.

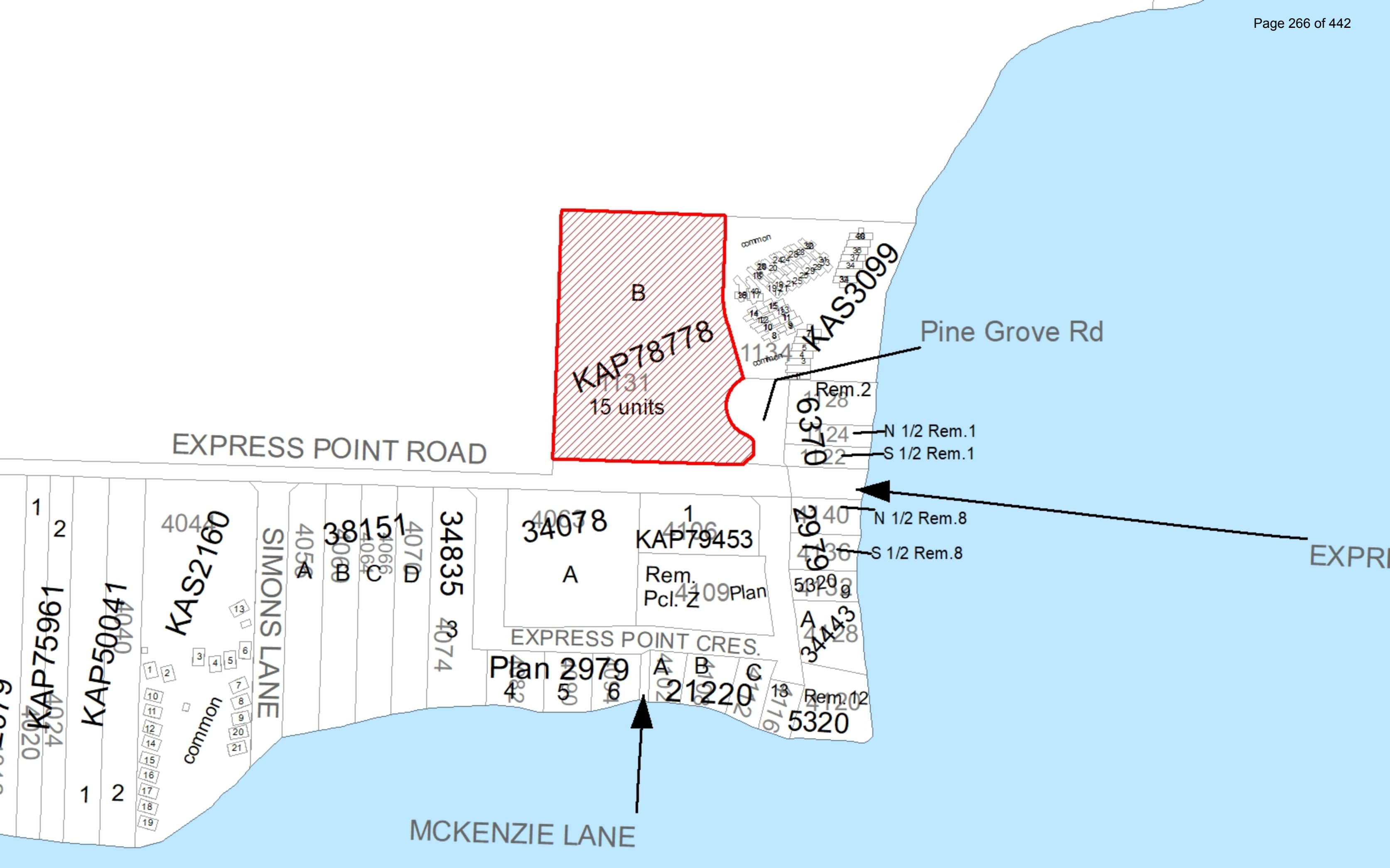
\_\_\_\_\_  
Corporate Officer

\_\_\_\_\_  
Corporate Officer

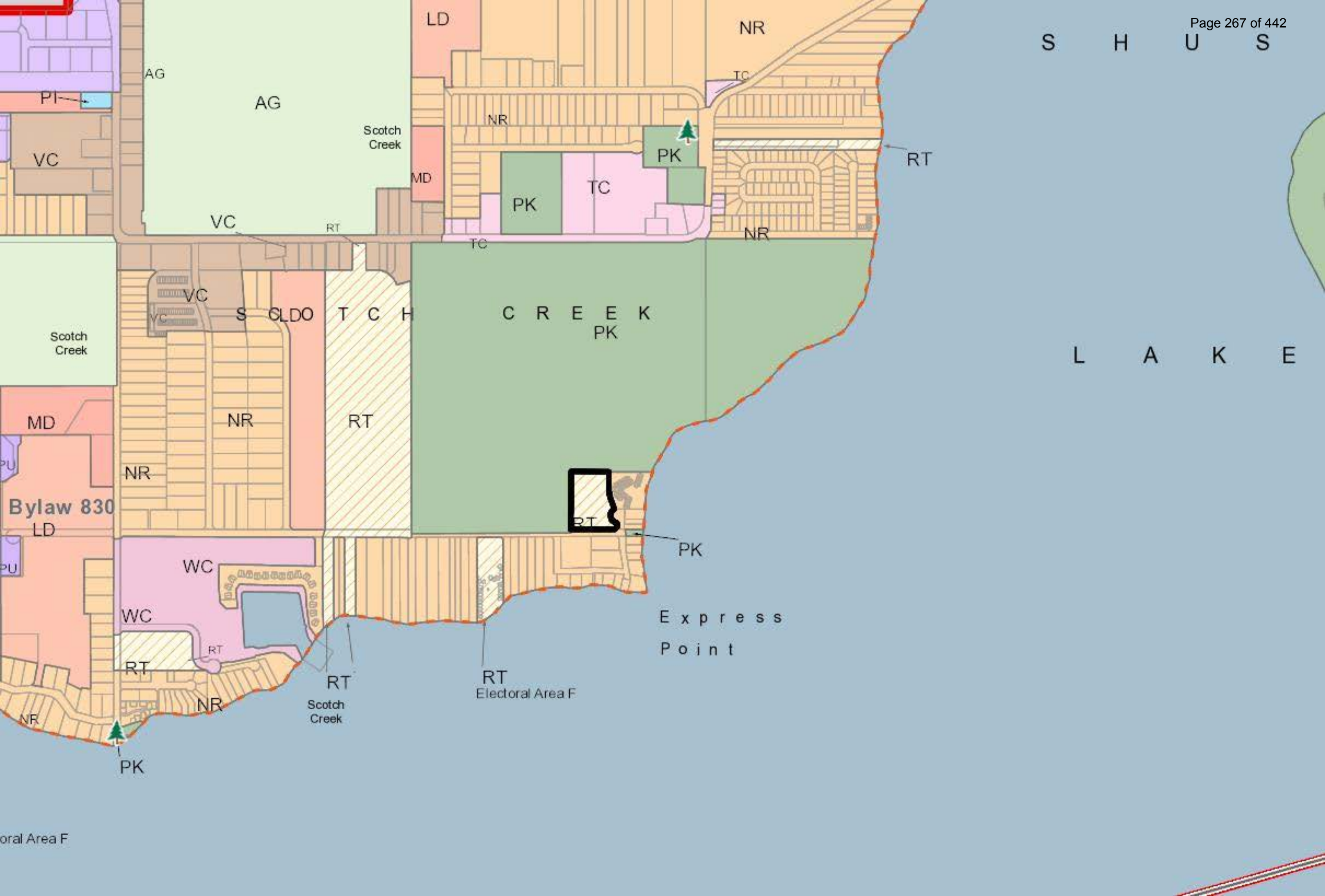












S H U S





# EXPRESS POINT ROAD

## Pine Grove Rd

KAP78778

15 units

Rem.2

-N 1/2 Rem.1

—S 1/2 Rem.1

N 1/2 Rem.8

S 1/2 Rem.8

Rem. 4109 Plan  
Pcl. Z

EXPRESS POINT CRES

Plan 2979

A	B	C
2	1	2
2	2	0

Rem 12

5320

MCKENZIE LANE





EXPRESS POINT ROAD

Pine Grove Rd

EXPRESS POINT

Express Point





Pine Grove Rd

ROAD

1131  
15 units

1134

1128

1124

1122

4063

4106

4140

4136

4132

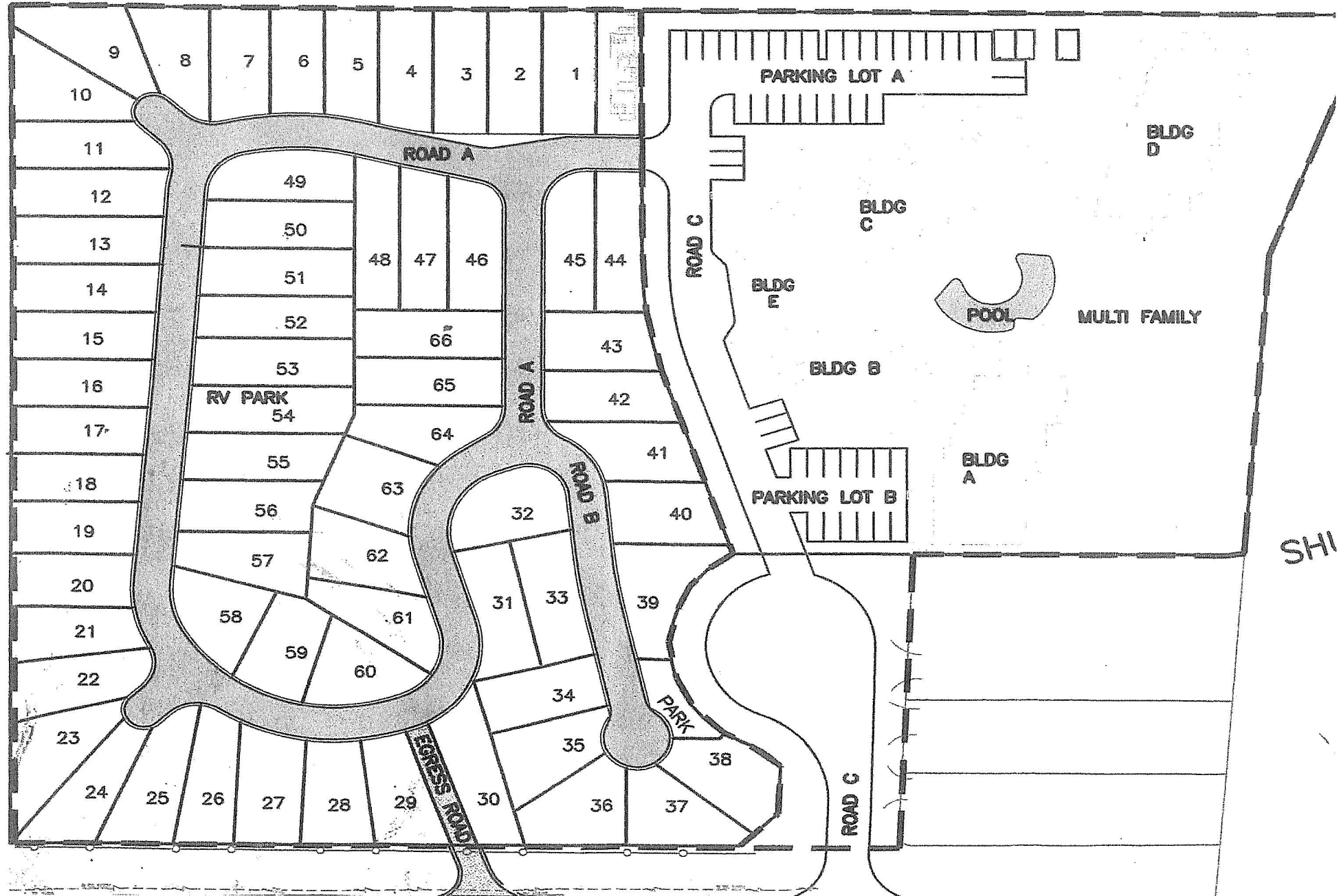
4060

4064

4066

4070



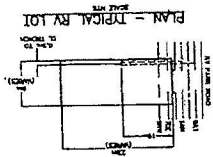
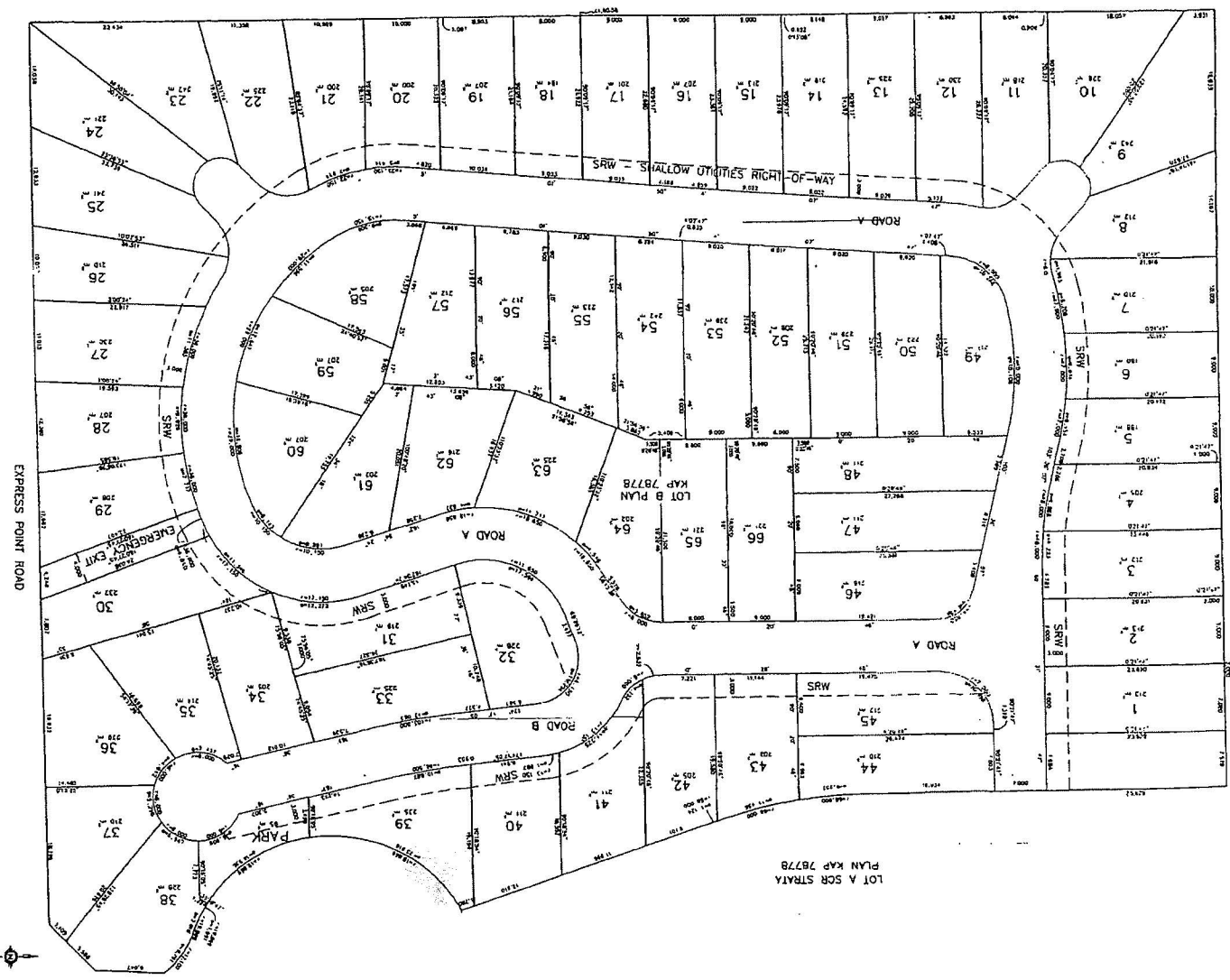


*Handwritten notes and signatures:*  
 H.M.S.  
 [Signature]  
 [Signature]

DATE	BY	REVISION	DESCRIPTION
08-04-04	B		

UNDERHILL & UNDERHILL  
 PROFESSIONAL LAND SURVEYORS

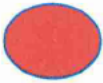
LEGAL DESCRIPTION  
 LOT 8 PLAN 78778 OF 20 LOTS IN SUBDIVISION  
 SHUSWAP LAKE PROVINCIAL PARK  
 THIS PLAN AND THE TYPICAL PLAN  
 HEREON ARE HEREBY DECLARED  
 TO BE VALID AND EFFECTIVE  
 FOR THE PURPOSES OF A SUBDIVISION PLAN  
 ONLY  
 08-04-04



*Handwritten:* SCHEMATIC 1



Shareholders



Title Holders



Shareholder [REDACTED]

## Agency Referral Responses

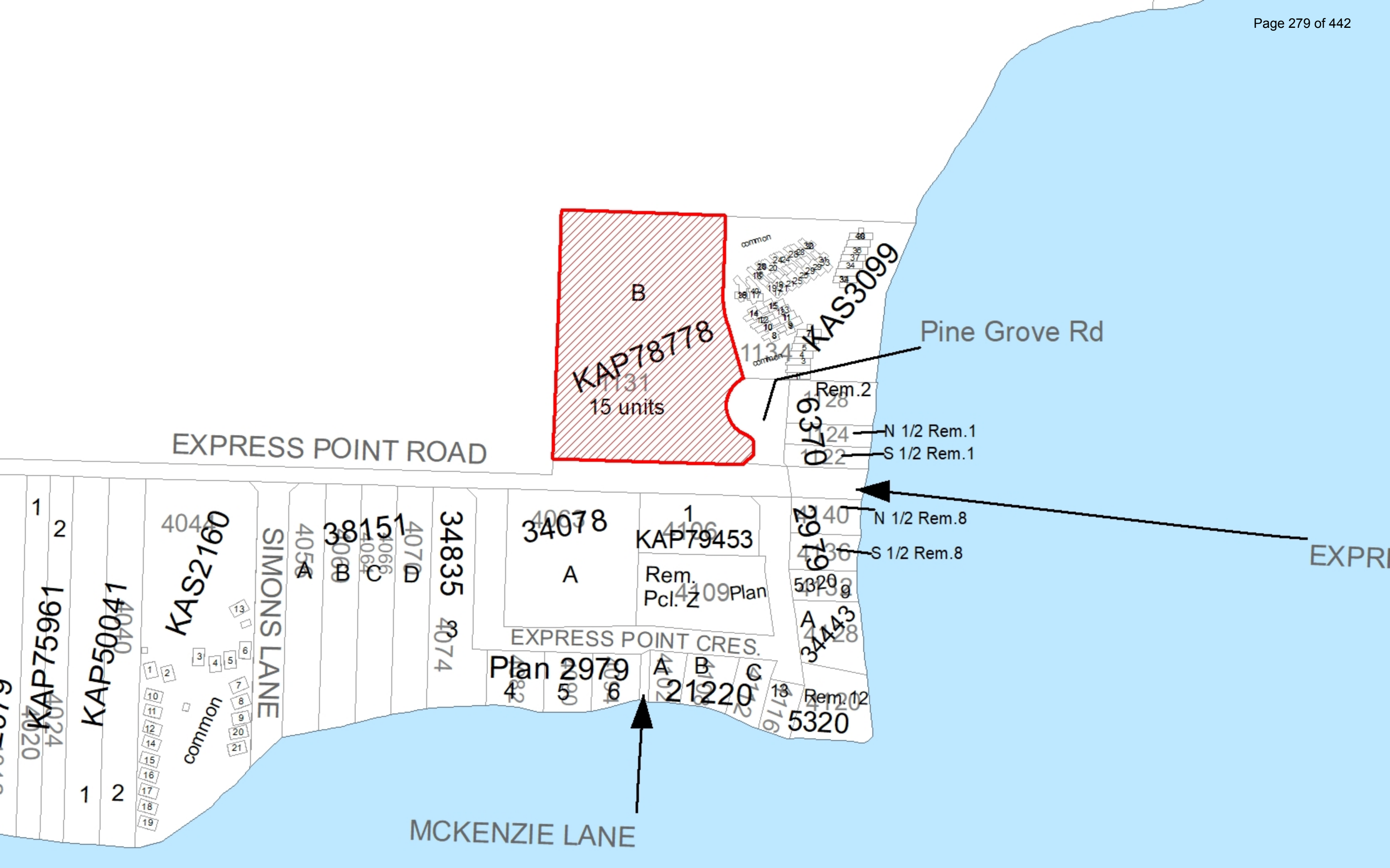
Interior Health Authority	No response.
Ministry of Transportation and Infrastructure	No response.
Ministry of Forests, Lands, Natural Resource Operations and Rural Development - Archaeology Branch	<p>Archaeological potential modelling for the area indicates that there is high potential for unknown/unrecorded archaeological sites on the property. Additionally, there is a previously recorded archaeological site located less than 50 m from the property. Archaeological sites (both recorded and unrecorded, disturbed and intact) are protected under the Heritage Conservation Act and must not be altered or damaged without a permit from the Archaeology Branch.</p> <p>Prior to any land alterations (e.g., addition to home, property redevelopment, extensive landscaping, service installation), an Eligible Consulting Archaeologist should be contacted to review the proposed activities and, where warranted, conduct a walk over and/or detailed study of the property to determine whether the work may impact protected archaeological materials.</p> <p>An Eligible Consulting Archaeologist is one who is able to hold a Provincial heritage permit that allows them to conduct archaeological studies. Ask an archaeologist if he or she can hold a permit, and contact the Archaeology Branch (250-953-3334) to verify an archaeologist's eligibility. Consulting archaeologists can be contacted through the BC Association of Professional Archaeologists (<a href="http://www.bcapa.ca">www.bcapa.ca</a>) or through local directories.</p> <p>If the archaeologist determines that development activities will not impact any archaeological deposits, then a permit is not required. Occupying an existing dwelling or building without any land alterations does not require archaeological study or permitting.</p> <p>In the absence of a confirmed archaeological site, the Archaeology Branch cannot require the proponent to conduct an archaeological study or obtain a permit prior to development. In this instance it is a risk management decision for the proponent.</p>

	<p>If any land-altering development is planned and proponents choose not to contact an archaeologist prior to development, owners and operators should be notified that if an archaeological site is encountered during development, activities must be halted and the Archaeology Branch contacted at 250-953-3334 for direction. If an archaeological site is encountered during development and the appropriate permits are not in place, proponents will be in contravention of the Heritage Conservation Act and likely experience development delays while the appropriate permits are obtained.</p>
CSRD Operations Management	<p>Team Leader Utilities - No concerns at this stage, but further servicing information will be required.</p> <p>Team Leader Protective Services – No concerns.</p> <p>Fire Services Coordinator – Owners must ensure there is appropriate access for emergency vehicles as per MOTI requirements. Firesmart principles and practices to be encouraged.</p> <p>Team Leader Environmental Health – No concerns.</p> <p>Parks – No concerns.</p> <p>Manager Operations Management – No concerns.</p>
CSRD Financial Services	No response.
Adams Lake Indian Band	<p>While Adams Lake defers to the Little Shuswap Lake Indian Band on BL825-38, we reiterate that Adams Lake holds constitutionally protected Aboriginal rights including title throughout the entirety of Secwepemculucw. Members of Adams Lake continue to exercise their Aboriginal rights as their ancestors have done for generations, including hunting, trapping, gathering and fishing, along with rights associated with spiritual and cultural traditions that are practiced in accordance with Secwepemc customs, laws and governance structures.</p>
Coldwater Indian Band	No response.
Cooks Ferry Indian Band	No response.
Esh-kn-am Cultural Resources Management Services	No response.
Lower Similkameen Indian Band	No response.
Neskonlith Indian Band	No response.
Nlaka'pamux Nation Tribal Council	No response.
Okanagan Indian Band	No response.

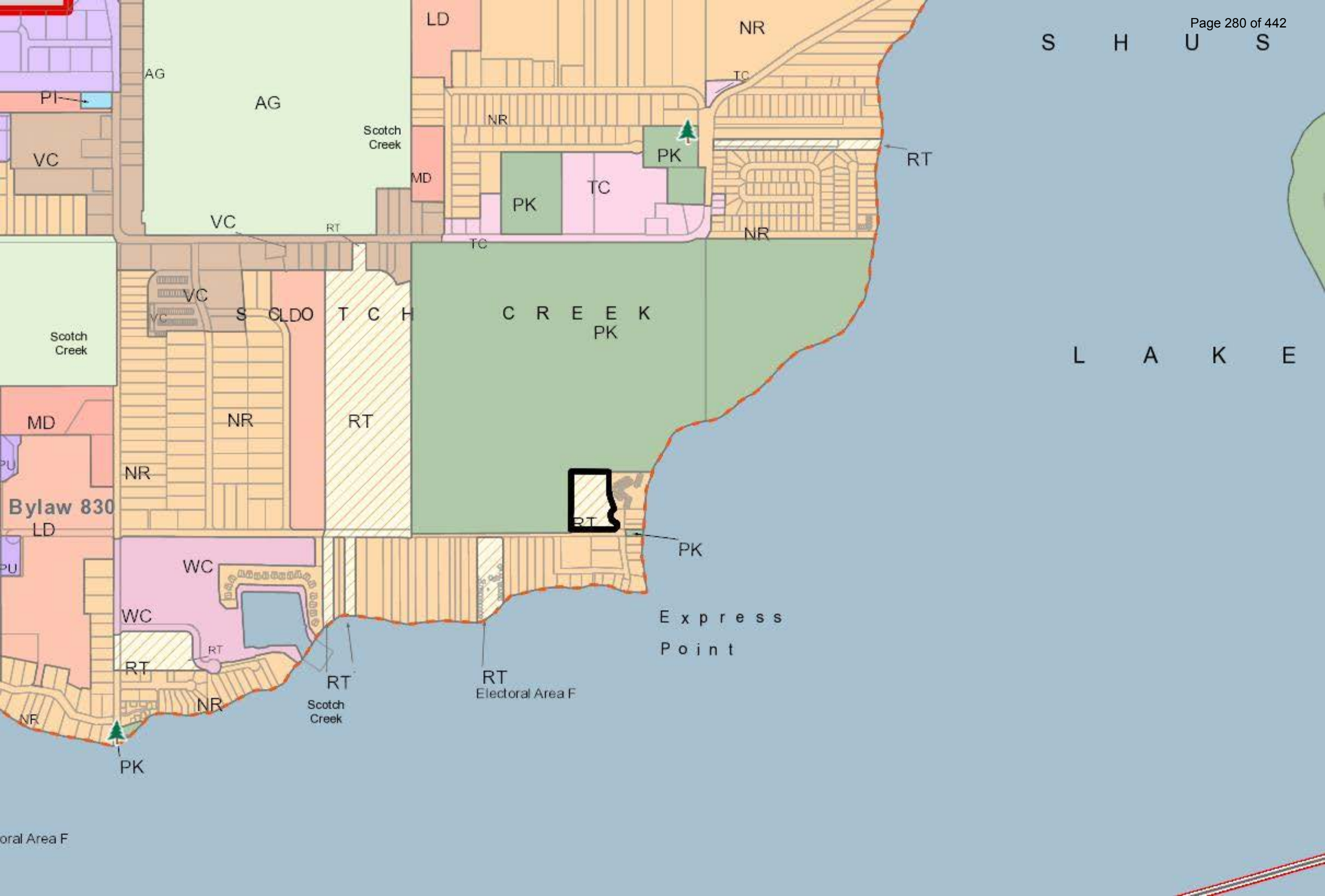


Okanagan Nation Alliance	No response.
Penticton Indian Band	No response.
Siska Indian Band	No response.
Splats'in First Nation	No response.
Simpcw First Nation	No response.

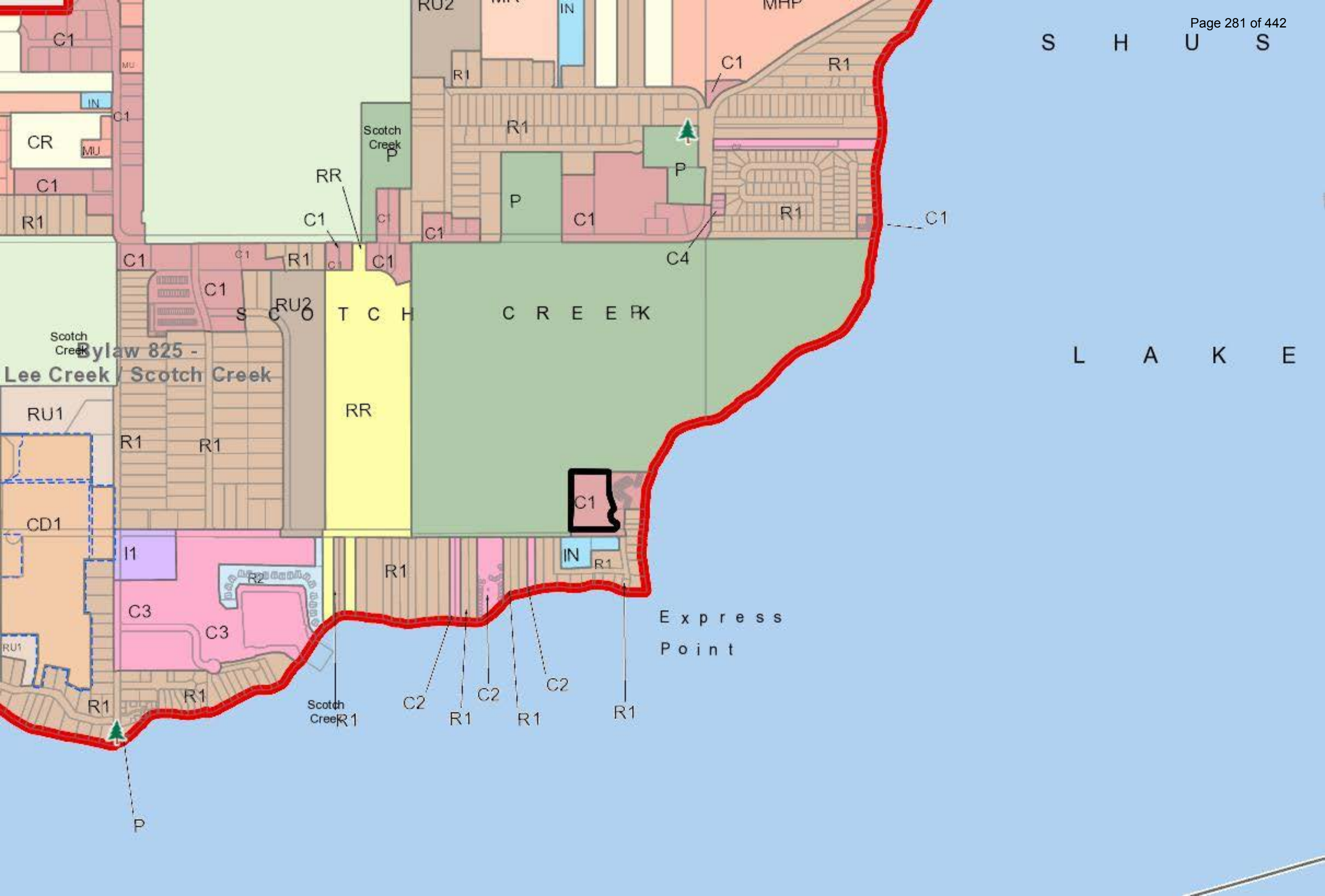








S H U S











EXPRESS POINT ROAD

Pine Grove Rd

EXPRESS POI

Express  
Point





Pine Grove Rd

ROAD

1131  
15 units

1134

1128

1124

1122

4140

4136

4132

4063

4106

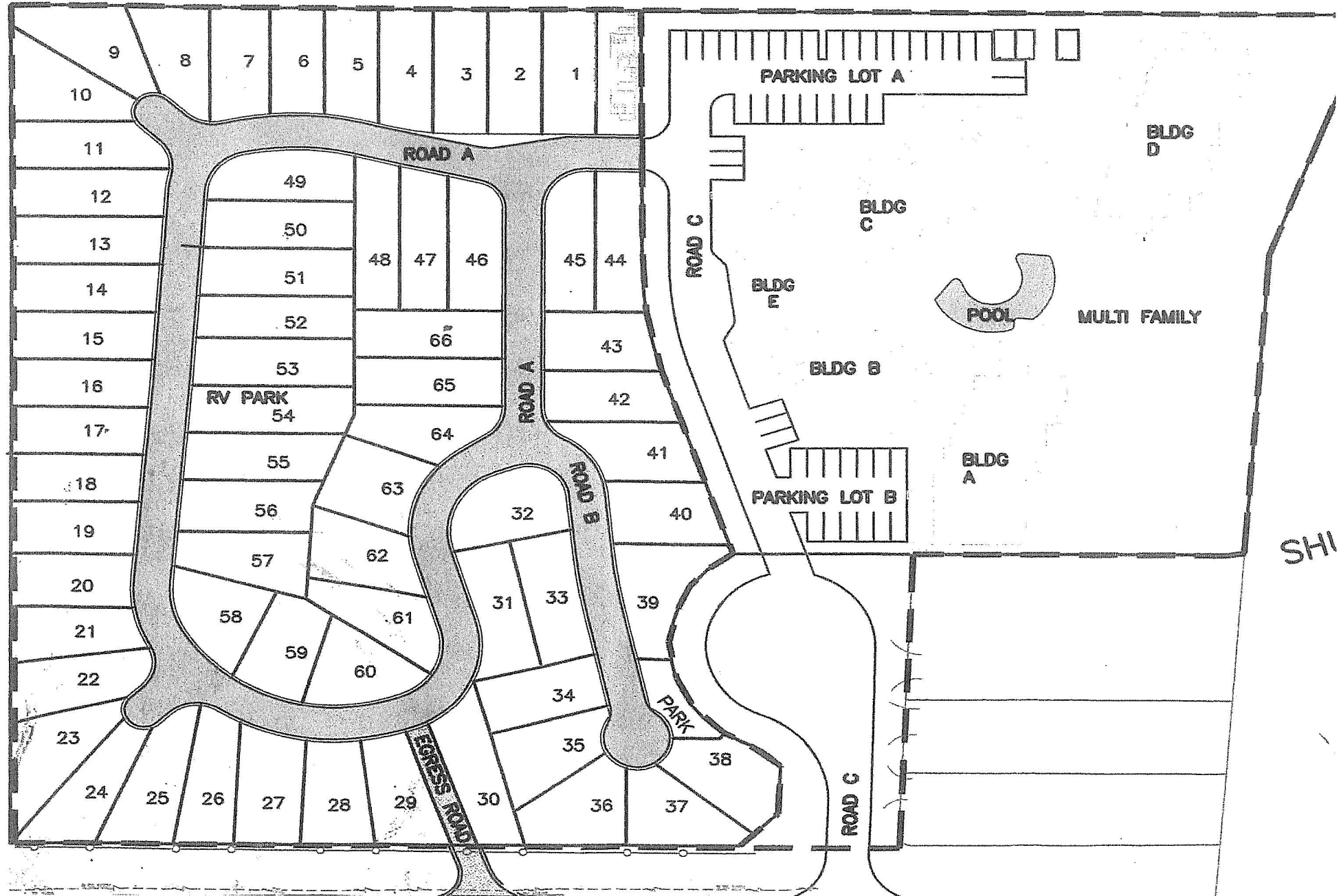
4070

4066

4064

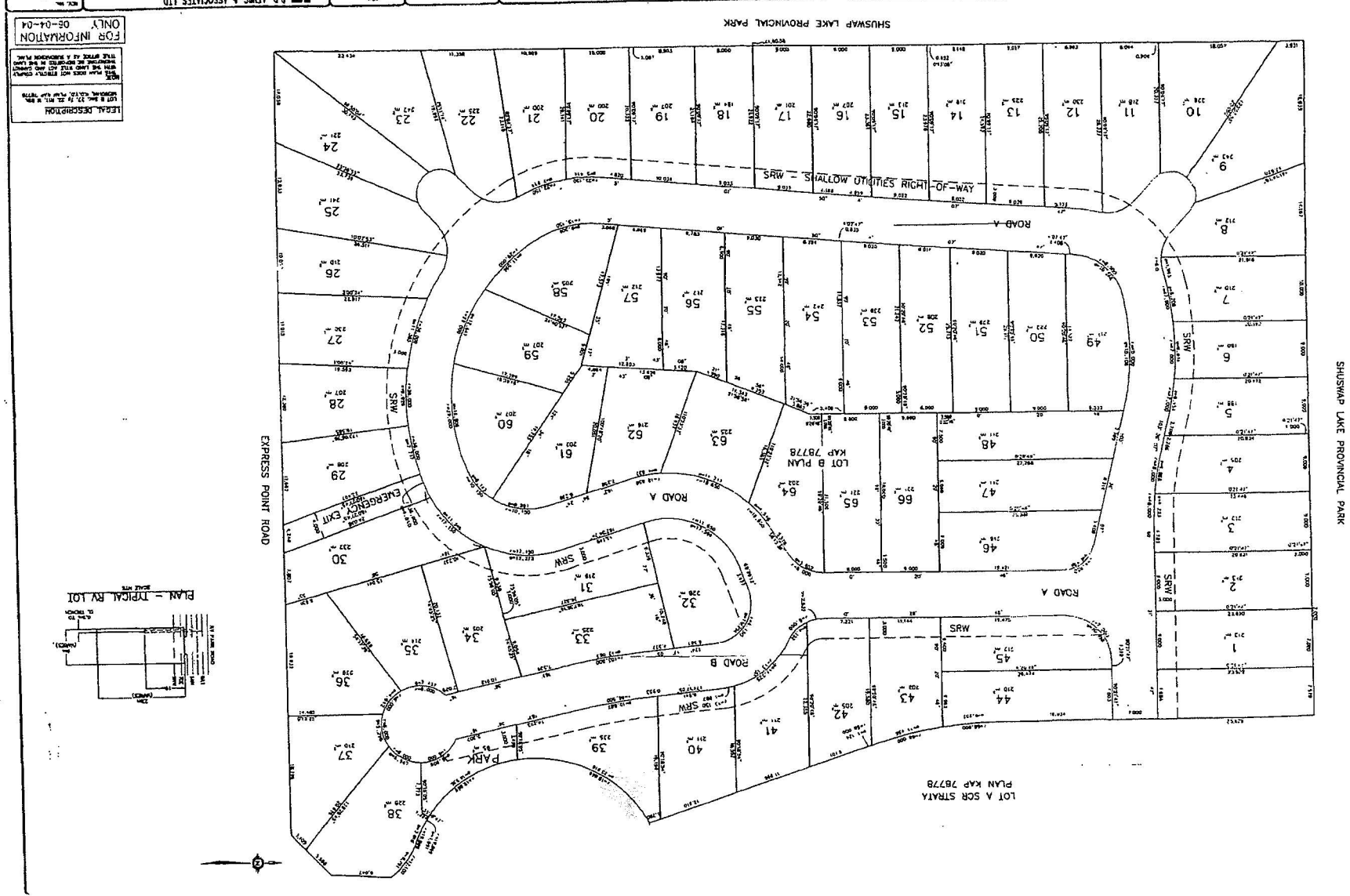
4060



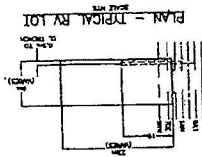


Handwritten initials and notes: "HMS", "10", "11", "12", "13", "14", "15", "16", "17", "18", "19", "20", "21", "22", "23", "24", "25", "26", "27", "28", "29", "30", "31", "32", "33", "34", "35", "36", "37", "38", "39", "40", "41", "42", "43", "44", "45", "46", "47", "48", "49", "50", "51", "52", "53", "54", "55", "56", "57", "58", "59", "60", "61", "62", "63", "64", "65", "66", "67", "68", "69", "70", "71", "72", "73", "74", "75", "76", "77", "78", "79", "80", "81", "82", "83", "84", "85", "86", "87", "88", "89", "90", "91", "92", "93", "94", "95", "96", "97", "98", "99", "100".

DATE	1998-04-04
BY	UNDERHILL & UNDERHILL
PROJECT	SHUSWAP LAKE PROVINCIAL PARK
SCALE	1:1000
DATE	1998-04-04
BY	UNDERHILL & UNDERHILL
PROJECT	SHUSWAP LAKE PROVINCIAL PARK
SCALE	1:1000



LEGAL DESCRIPTION  
LOT A SCR STRATA  
KAP 78778  
SHUSWAP LAKE PROVINCIAL PARK  
FOR INFORMATION ONLY  
08-04-04

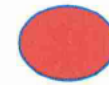


SCHEMATIC 1





Shareholders



Title Holders



Shareholder [REDACTED]



# BOARD REPORT

**TO:** Chair and Directors

<b>File No:</b> BL825-39 PL20180135
--

**SUBJECT:** Electoral Area F: Scotch Creek/Lee Creek Zoning Amendment (Yakashiro) Bylaw No. 825-39

**DESCRIPTION:** Report from Dan Passmore, Senior Planner, dated October 31, 2018. #8, 1022 Scotch Creek Wharf Road, Scotch Creek.

**RECOMMENDATION #1:** THAT: "Scotch Creek/Lee Creek Zoning Amendment (Yakashiro) Bylaw No. 825-39", be given second reading this 15<sup>th</sup> day of November, 2018.

**RECOMMENDATION #2:** THAT: a public hearing to hear representations on Scotch Creek/Lee Creek Amendment (Yakashiro) Bylaw No. 825-39 be held;

AND THAT: notice of the public hearing be given by staff of the Regional District on behalf of the Board in accordance with Section 466 of the Local Government Act;

AND FURTHER THAT: the holding of the public hearing be delegated to Director Jay Simpson, as Director for Electoral Area 'F' being that in which the land concerned is located, or his Alternate to be named, if Director Simpson is absent, and the Director or Alternate Director, as the case may be, give a report of the public hearing to the Board.

## SHORT SUMMARY:

The applicant is planning to rebuild a new single family dwelling on Strata Lot 8, Section 27, Township 22, Range 11, West of 6<sup>th</sup> Meridian, KDYD, Strata Plan K227. Unfortunately, the proposed building exceeds the parcel coverage for the R1 zone. The applicant is proposing a site specific amendment to the R1 zone to allow for a parcel coverage of 82.2%, as well as setback variances that will permit the proposed house to be constructed on the subject property.

Development Services staff have referred the bylaw, in accordance with the Board's direction, and the responses received have been summarised in the attached "Agency\_referral\_responses\_BL825-39.pdf". Therefore, it is appropriate for the Board to consider referral comments received and consider the bylaw for second reading, and to consider delegating a Public Hearing.

---

## VOTING:

Unweighted  
Corporate

☐

LGA Part 14  
(Unweighted)

☒

Weighted  
Corporate

☐

Stakeholder  
(Weighted)

☐


---

## BACKGROUND:

See attached "2018-09-20\_Board\_DS\_BL825-39\_Yakashiro.pdf"

## POLICY:

See attached "2018-09-20\_Board\_DS\_BL825-39\_Yakashiro.pdf"

**FINANCIAL:**

There are no financial implications to the CSRD with regard to this application.

**KEY ISSUES/CONCEPTS:**

See attached "2018-09-20\_Board\_DS\_BL825-39\_Yakashiro.pdf".

**Update**

Referral responses are attached, see "Agency\_referral\_responses\_BL825-39.pdf".

Archaeology Branch responded suggesting that the site may contain unknown sites, and that the developer should familiarize themselves with their duties and obligations under the Heritage Conservation Act, while the site is being re-developed. Anchor Bay strata is an existing development.

CSRD Team Leader, Protective Services noted the reduced setbacks and advised that this would limit the ability of the neighbouring properties to build within 5 m of the property line. Development Services staff briefed the Team Leader, Protective Services of the unique attributes of the Anchor Bay strata and pointed out that beyond the dimensions of Lot 8, an additional strip of limited common property was already in place ensuring that nothing would be built within this 5 m restriction.

**SUMMARY:**

The applicant is planning to rebuild a new single family dwelling on Strata Lot 8, Section 27, Township 22, Range 11, West of 6th Meridian, KDYD, Strata Plan K227. Unfortunately, the proposed building exceeds the parcel coverage for the R1 zone. The applicant is proposing a site specific amendment to the R1 zone to allow for a parcel coverage of 82.2%, as well as setback relaxations that will permit the proposed house to be constructed on the subject property.

Staff are recommending that the Board consider the Bylaw for second reading and consider delegating a public hearing.

**IMPLEMENTATION:**

As per CSRD Policy No. P-18 regarding Consultation Processes-Bylaws, staff recommended the simple consultation process. Neighbouring property owners first became aware of the application for zoning amendments when the notice of development sign was posted on the property.

**COMMUNICATIONS:**

If the Board supports second reading, as amended, of Bylaw No. 825-39 and delegates a Public Hearing, staff will proceed with notification of adjacent property owners and advertising the Public Hearing as set out in the Local Government Act.

Referral agencies have provided their comments and they have been attached "Agency\_referral\_responses\_BL825-39.pdf".

**DESIRED OUTCOMES:**

That the Board endorse staff recommendations.

**BOARD'S OPTIONS:**

1. *Endorse the Recommendations.*
2. *Deny the Recommendations.*
3. *Defer.*
4. *Any other action deemed appropriate by the Board.*

**LIST NAME OF REPORT(S) / DOCUMENT(S) AVAILABLE FROM STAFF:**

1. Electoral Area 'F' Official Community Plan Bylaw No. 830
2. Scotch Creek/Lee Creek Zoning Bylaw No. 825

**Report Approval Details**

Document Title:	2018-11-15_Board_DS_BL825-39_Yakashiro.docx
Attachments:	<ul style="list-style-type: none"><li>- 2018-09-20_Board_DS_BL825-39_Yakashiro.pdf</li><li>- BL825-39-Second.pdf</li><li>- Agency_referral_responses_BL825-39.pdf</li><li>- Maps_Plans_BL825-39.pdf</li></ul>
Final Approval Date:	Nov 2, 2018

This report and all of its attachments were approved and signed as outlined below:



**Corey Paiement - Nov 1, 2018 - 9:35 AM**



**Gerald Christie - Nov 2, 2018 - 9:33 AM**

**No Signature - Task assigned to Lynda Shykora was completed by assistant Jennifer Sham**

**Lynda Shykora - Nov 2, 2018 - 9:50 AM**



**Charles Hamilton - Nov 2, 2018 - 10:21 AM**





# BOARD REPORT

**TO:**

Chair and Directors

<b>File No:</b> BL 825-39 PL2018-135
---

**SUBJECT:**

Electoral Area F: Scotch Creek/Lee Creek Zoning Amendment (Yakashiro) Bylaw No. 825-39

**DESCRIPTION:**

Report from Dan Passmore, Senior Planner, dated August 22, 2018. #8, 1022 Scotch Creek Wharf Road, Scotch Creek.

**RECOMMENDATION #1:**

THAT: "Scotch Creek/Lee Creek Zoning Amendment (Yakashiro) Bylaw No. 825-39", be given first reading this 20<sup>th</sup> day of September, 2018.

**RECOMMENDATION #2:**

THAT: the Board utilize the simple consultation process for Bylaw No. 825-39, and the Bylaw be referred to the following agencies and First Nations Bands and Councils:

- Interior Health Authority;
- Ministry of Transportation and Infrastructure;
- Ministry of Forests, Lands, Natural Resource Operations and Rural Development – Archaeology Branch;
- CSR D Operations Management; and,
- All relevant First Nations Bands and Councils.

**SHORT SUMMARY:**

The applicant is planning to rebuild a new single family dwelling on Strata Lot 8, Section 27, Township 22, Range 11, West of 6th Meridian, KDYD, Strata Plan K227. Unfortunately, the proposed building exceeds the parcel coverage for the R1 zone. The applicant is proposing a site specific amendment to the R1 zone to allow for a parcel coverage of 82.2%, as well as setback variances that will permit the proposed house to be constructed on the subject property.

**VOTING:**

Unweighted  
Corporate

☐

LGA Part 14  
(Unweighted)

☒

Weighted  
Corporate

☐

Stakeholder  
(Weighted)

☐
**BACKGROUND:**

APPLICANT:  
Amanda Yakashiro

ELECTORAL AREA:  
F

**LEGAL DESCRIPTION:**

Strata Lot 8, Section 27, Township 22, Range 11, West of 6th Meridian, KDYD, Strata Plan K227

PID:  
002-562-120

CIVIC ADDRESS:  
8 – 1022 Scotch Creek Wharf Road

SURROUNDING LAND USE PATTERN:  
North = Residential  
South = Park/Shuswap Lake  
East = Residential  
West = Residential

CURRENT USE:  
Shared Interest Ownership RV Park

PARCEL SIZE:  
1.76 ha (4.35 ac)

DESIGNATION:  
Electoral Area F Official Community Plan Bylaw No. 830  
NR Neighbourhood Residential, Scotch Creek Primary Settlement Area

ZONE:  
Scotch Creek/Lee Creek Zoning Bylaw No. 825  
Residential 1 (R1)

PROPOSED ZONE:  
Residential 1 (R1) - Special Regulation

**POLICY:**

See attached "Policy\_BL825-39.pdf".

**FINANCIAL:**

There are no financial implications to the CSRD with regard to this application.

**KEY ISSUES/CONCEPTS:**

**Anchor Bay Strata KAS227**

The original strata plan K227 was deposited in the Land Title Office in July, 1978. The plan shows Lot 8 has an area of 112 m<sup>2</sup>. The plan of subdivision was modified in November, 2008 to include areas of Limited Common Property (LCP) consisting of a 2.6 m wide strip around each of the 10 lots defined in the original plan. Lot 8 had the full 2.6 m of LCP described in the amending plan added onto all sides.

Cabins were constructed on each of the strata lots. A survey plan of the development shows that the lot lines established in the original plan of strata subdivision appeared to coincide with the walls of

existing cabins. The addition of the 2.6 m LCP strip around each of the lots in the strata plan appears to have been an attempt to reconcile the fact that eaves on all the cabins extended over lot lines.

In the case of Lot 8, a fishing cabin was constructed in the 1950's which had a building footprint of 91.99 m<sup>2</sup> with a roofed deck on the front of the cabin and a large deck attached at ground level to the southeast side of the cabin. The deck extended out over the east side property line. A building location plan provided by the applicant shows that the cabin's east side encroached onto the common property to the east by a small amount (0.258 m<sup>2</sup> or 2.78 ft<sup>2</sup>), not including the roof eaves. The ground floor deck also encroaches into the common property. In all other respects the cabin and roofed deck on Lot 8 fit fully onto the strata lot.

### **The Re-Development Proposal**

The applicants would like to demolish the existing cabin and construct a new single family dwelling. The new building would be a 2 storey structure consisting of a total of 1,642 ft<sup>2</sup> with 856 ft<sup>2</sup> on the main floor and 786 ft<sup>2</sup> on the second floor. The new single family dwelling would feature 2 bedrooms. A deck at or around ground level is also proposed.

The single family dwelling is proposed to be sited on the same foundation, with eaves overhanging the property lines into the LCP. The property is surrounded on all sides with the aforementioned 2.6 m strip of limited common property. Eave projections will be permitted in this area, as well as open deck, but the new single family dwelling will have to be re-constructed on Strata Lot 8 only.

The re-development proposal is similar to the Tash rezoning (BL No. 825-37) for Lot 1 within the strata, which was adopted by the Board earlier this year. The primary difference being that parcel coverage is slightly larger in this instance.

### **Sewer and Water Servicing**

Water is drawn from Shuswap Lake via a strata operated pumphouse and distributed to all of the lots in the strata. Similarly sewer is collected from the lots and treated in a strata operated septic sewage system. Documentation has been provided in respect of Bylaw No. 825-37 that permits are in place to operate the water and sewer systems.

### **Access**

Access to the strata lot is from existing internal strata roadways, accessed directly from Scotch Creek Wharf Road.

### **Covenant N38625**

Registered on title in 1978 as a requirement of the approval of the strata subdivision to require a 7.5 m floodplain setback from Shuswap Lake and a flood construction level of 351.0 m.

### **Groundwater Absorption Coefficient (GAC)**

For the Scotch Creek Primary Settlement Area, a policy regarding protection of water quality has been included. Policy 12.14 sets out the justification and criteria for calculating the GAC, in an effort to reduce impermeable surfaces in a given development to below 45%. This proposal with parcel coverage consisting of just the proposed building of 82.2% will exceed this.

While the GAC is currently a guideline for development, Policy 12.14 recommends that provision for GAC be included in the Zoning Bylaw to augment the parcel coverage regulations. Since this is an

amendment to increase the parcel coverage, the GAC is relevant to the proposed rezoning amendment, but only in terms of the re-development of Strata Lot 8. For the overall strata development if all 10 of the strata lots were to be built out to 100% parcel coverage, the overall parcel coverage would be 22.9% including a storage shed and a water pumphouse on the common property.

### **SUMMARY:**

The applicant is planning to rebuild a new single family dwelling on Strata Lot 8, Section 27, Township 22, Range 11, West of 6th Meridian, KDYD, Strata Plan K227. Unfortunately, the proposed building exceeds the parcel coverage for the R1 zone. The applicant is proposing a site specific amendment to the R1 zone to allow for a parcel coverage of 82.2%, as well as setback relaxations that will permit the proposed house to be constructed on the subject property.

Staff are recommending that since the proposed rezoning complies with the OCP, the Bylaw be given first reading and staff be directed to begin the referral process.

### **IMPLEMENTATION:**

As per CSRD Policy No. P-18 regarding Consultation Processes-Bylaws, staff recommends the simple consultation process. Neighbouring property owners will first become aware of the application for zoning amendments when a notice of development sign is posted on the property.

### **Referral Process**

The following list of referral agencies is recommended:

- Interior Health Authority;
- Ministry of Transportation and Infrastructure;
- Ministry of Forests, Lands, Natural Resource Operations and Rural Development – Archaeology Branch;
- CSRD Operations Management; and,
- All relevant First Nations Bands and Councils:
  - Adams Lake Indian Band
  - Coldwater Indian Band
  - Cooks Ferry Indian Band
  - Esh-kn-am Cultural Resources Management Services
  - Lower Similkameen Indian Band
  - Neskonlith Indian Band
  - Nlaka'pamux Nation Tribal Council
  - Okanagan Indian Band
  - Okanagan Nation Alliance
  - Penticton Indian Band
  - Siska Indian Band
  - Splots'in First Nation
  - Simpcw First Nation.

### **COMMUNICATIONS:**

If the bylaw is given first reading it will be forwarded to the referral agencies. Agency comments will be provided with a future Board report. The applicant will be required to post a Notice of Development sign on the subject property in accordance with Development Services Procedures Bylaw No. 4001.

### **DESIRED OUTCOMES:**

That the Board endorse staff recommendations.

**BOARD'S OPTIONS:**

1. *Endorse the Recommendation(s).*
2. *Deny the Recommendation(s).*
3. *Defer.*
4. *Any other action deemed appropriate by the Board.*

**LIST NAME OF REPORT(S) / DOCUMENT(S) AVAILABLE FROM STAFF:**

1. Electoral Area F Official Community Plan Bylaw No. 830
2. Scotch Creek/Lee Creek Zoning Bylaw No. 825



**COLUMBIA SHUSWAP REGIONAL DISTRICT**

**SCOTCH CREEK/LEE CREEK ZONING  
AMENDMENT (YAKASHIRO) BYLAW NO. 825-39**

A bylaw to amend the "Scotch Creek/Lee Creek Zoning Bylaw No. 825"

WHEREAS the Board of the Columbia Shuswap Regional District adopted Bylaw No. 825;

AND WHEREAS the Board deems it appropriate to amend Bylaw No. 825;

NOW THEREFORE the Board of the Columbia Shuswap Regional District in open meeting assembled, HEREBY ENACTS as follows:

1. "Scotch Creek/Lee Creek Zoning Bylaw No. 825", as amended, is hereby further amended as follows:

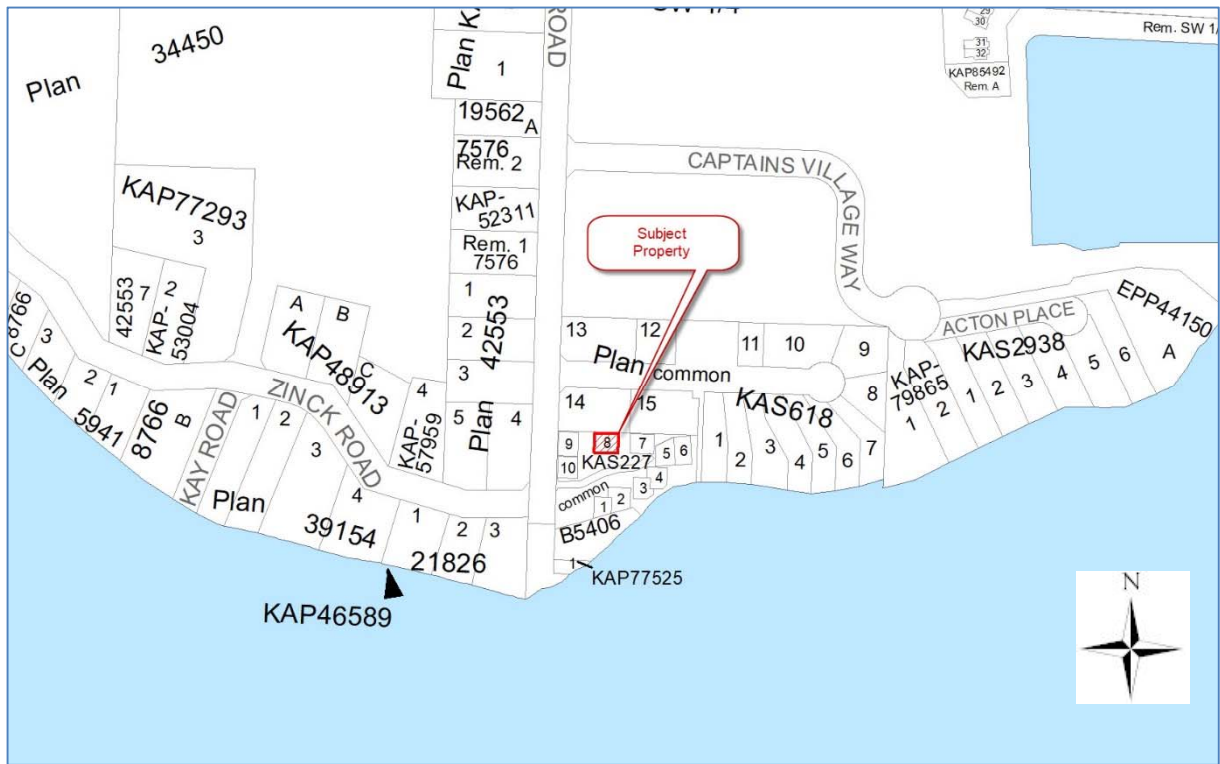
A. TEXT AMENDMENT

- i. Schedule A, Zoning Bylaw Text, Part 5 – Zones, Section 5.7 Residential - 1 is hereby amended by adding subsection 4 (jj), in its entirety, including the attached map.

"(jj) Notwithstanding subsection (3), on Strata Lot 8, Section 27, Township 22, Range 11, West of 6th Meridian, KDYD, Strata Plan K227 as shown hatched on the map below, the following supplemental siting characteristics for a proposed new single family dwelling shall be permitted:

- .1 Notwithstanding subsection 3(c), the maximum parcel coverage for the proposed new single family dwelling is 82.2%.
- .2 Notwithstanding subsection 3(f), the minimum setbacks for the proposed new single family dwelling are as follows:

(f) Minimum <i>setback</i> from: <ul style="list-style-type: none"> <li>▪ <i>front parcel boundary</i></li> <li>▪ <i>interior side parcel boundary</i> (west side)</li> <li>▪ <i>interior side parcel boundary</i> (east side)</li> <li>▪ <i>rear parcel boundary</i></li> </ul>	<ul style="list-style-type: none"> <li>▪ 0.27 m (0.89 ft.)</li> <li>▪ 0.0 m (0.0 ft.)</li> <li>▪ 0.0 m (0.0 ft.)</li> <li>▪ 0.29 m (0.95 ft.)</li> </ul>
--	--



"

..../3

Bylaw No. 825-39

Page 3

2. This bylaw may be cited as " Scotch Creek/Lee Creek Zoning Amendment (Yakashiro) Bylaw No. 825-39"

READ a first time this \_\_\_\_\_ day of \_\_\_\_\_, 2018.

READ a second time this \_\_\_\_\_ day of \_\_\_\_\_, 2018.

PUBLIC HEARING held this \_\_\_\_\_ day of \_\_\_\_\_, 2018.

READ a third time this \_\_\_\_\_ day of \_\_\_\_\_, 2019.

ADOPTED this \_\_\_\_\_ day of \_\_\_\_\_, 2019.

\_\_\_\_\_  
CHIEF ADMINISTRATIVE OFFICER

\_\_\_\_\_  
CHAIR

CERTIFIED true copy of Bylaw No. 825-39  
as read a third time.

CERTIFIED true copy of Bylaw No. 825-39  
as adopted.

\_\_\_\_\_  
Chief Administrative Officer

\_\_\_\_\_  
Chief Administrative Officer

## **Electoral Area 'F' Official Community Plan Bylaw No. 830**

The Area 'F' OCP Section 1.2 Sustainable Planning Principles contains the following information points:

Principle 3: To encourage a range of housing choices for all age groups, taking into account affordability choices for existing residents, particularly young families. Only ground-oriented housing is appropriate near Shuswap Lake.

Section 3 A lake community includes objectives and policies for Riparian Area development as follows:

### **3.3 Fish and Aquatic Habitat**

Some of the most sensitive fish and aquatic habitats are close to the shoreline. Human activity along the shoreline can have a substantial impact on the health of aquatic habitats.

#### *Objective 1*

To identify significant fish and aquatic habitat, including spawning and rearing habitat and protect these areas from human encroachment.

#### *Policy 1*

The Regional District will:

1. Implement the Riparian Areas Regulation to help protect fish and aquatic habitats.
2. Expect landowners and developers to refer to the Department of Fisheries and Oceans — Land Development Guidelines for the Protection of Aquatic Habitat, when constructing near any watercourses for activities not covered by the RAR. Landowners and developers should refer to the Living by Water Guidebook ([livingbywater.ca](http://livingbywater.ca)) for appropriate foreshore development guidelines.

#### *Policy 2*

The CSRD will use Shuswap Watershed Mapping Project data and the Provincial Site Sensitivity Map to assist in its decision-making regarding development applications.

#### *Policy 3*

Development proposals within the Riparian Areas Regulation Development Permit Area or the Shuswap Lake Development Permit Area are required to meet those guidelines.

Section 11 Managing growth: North Shuswap includes objectives and policies for Residential development as follows:

### **11.1 General Land Use**

The policies of this Plan aim to protect the rural character of the North Shuswap, yet allow modest growth in areas that are, or will be, serviced by community water and sewer systems.

By directing growth to the Settlement Areas, there will be less impact on the rural and natural areas of the community, thereby protecting agricultural land and natural habitat, and preserving the area's highly valued rural character. This settlement pattern will also facilitate shorter vehicle trips, as well as encourage more walking, bicycling and, potentially, the introduction of public transit.

The land use designations of this Plan generally reflect the present pattern of land use in which residential, commercial and public uses are concentrated in settlement areas, leaving most of the land for forestry, agriculture, and other resource uses. This plan identifies one Primary Settlement Area (Scotch Creek) and six Secondary Settlement Areas. The term Primary Settlement Area is synonymous with Scotch Creek in this plan and should be interpreted as referring to the same area.

#### *Objective 1*

To be thoughtful and careful stewards of the lands and waters of the North Shuswap to ensure that future generations will appreciate and benefit from wise choices made by today's elected decision-makers.

#### *Objective 2*

To direct growth and development in an organized and desirable manner, reinforcing established settlement patterns and discouraging development outside these settled areas.

#### *Objective 5*

To ensure that land use and development will not negatively affect environmental features and functions, both inside and outside of settlement areas.

#### *Policy 1*

The Primary and Secondary Settlement Areas are delineated on Schedules B & C. This Plan directs growth and development to these areas. The Plan does not support significant growth and development outside the Primary and Secondary Settlement Areas.

#### *Policy 3*

Scotch Creek is the Primary Settlement Area. The Regional District will encourage residential, commercial, and light industrial growth in Scotch Creek that is consistent with the policies of this plan. All new development must be connected to community water and sewer systems.

Section 12 Managing growth: Scotch Creek (Primary Settlement Area) includes objectives and policies for Residential development as follows:

### **12.1 Vision Statement**

#### *Towards a Viable Year-Round Community*

*Scotch Creek is a popular tourist destination in the North Shuswap. During the summer, the population swells to well over 2,500, contributing to the economy, but placing stress on several aspects of the resources and infrastructure. Scotch Creek is also home to a smaller, but growing, full time population of approximately 800, and many people who are initially attracted as tourists later become full-time residents as they come to appreciate the many qualities of the area. The two-season nature of the area is one of the unique challenges in creating a viable, sustainable year-round community.*

*Tourism is the biggest industry in Scotch Creek, however its seasonal nature needs to be balanced with a year-round economy composed of a more diverse range of businesses and industries and their related employment. Additional population is required to support businesses throughout the year, and to make community services and amenities economically viable, however, it is not only the number of people present in an area, but their proximity, that help to make a community viable and vital. Diverse employment opportunities will help to support the evolution of a complete community, in which the economy, as well as the cultural, recreational and social aspects of Scotch Creek may be able to thrive.*



*The existing small town character and way of life are part of the attraction for living in Scotch Creek, and these qualities need to be respected. As well, new development is required in order to provide the range of housing types needed for a growing population that includes all segments of society, including families, couples and singles, seniors and students, seasonal workers and full time residents. It is not just houses on large lots that need to be provided, but a wider range of smaller and more affordable units that are suitable to a range of people and their circumstances. As more housing, of various types, is provided, the population can grow, and there will be a greater likelihood that new businesses, industries, and community amenities will emerge.*

*Growth is not only inevitable, it is desirable in order to make a viable, year-round community, however HOW that growth takes place is of great importance. The distribution of land uses and population and density are of concern. Drawing on the feedback received through the public engagement process environmental, economic and social sustainability, and the development of high standards in land use patterns, neighbourhood design, site planning, and supportive technology are emphasized. Several 'best practices' and precedents are included in the Appendix, and these provide examples of successful approaches to sustainable community design that sensitively incorporates new development and appropriate densities.*

## **12.2 Principles**

### *Principle 1*

Encourage the development of a livable community that provides a high quality of life within its unique environmental setting by:

- a) Ensuring that there is an appropriate range of community services, amenities and open spaces for all;
- b) Striving for a balance of residential, recreational, commercial and light industrial uses, and ensure that adjacent uses are compatible;
- c) Developing the plan for a community that includes all ages from children to seniors; and
- d) Developing planning strategies that acknowledge the population patterns (full time residents and increased numbers during the summer season) and their different needs and impacts.

### *Principle 2*

Strive for an economically and socially sustainable community by:

- a) Providing a breadth of affordable housing types for the diverse population ranging from families to seniors, and including full-time, temporary, and summer residents and workers;
- b) Including housing and development types that will support diversity and address needs;
- c) Identifying opportunities for economic development that would support the local population and address needs; and
- d) Encouraging the development of employment opportunities, especially year-round permanent jobs.

### *Principle 5*

Ensure that the community develops within the limits of its resources and maintains its rural lakeshore character by:

- a) Developing a land use plan that results, over time, in the best distribution and development densities for Scotch Creek;
- b) Encouraging the development of community character and identity through built form and landscape that expresses rural and lakeshore qualities, and develop guidelines for fences and other landscape features that reflect the community character;
- c) Encouraging high quality of design and construction;
- d) Determining the development forms, massing and density to support the desired character and quality of life of Scotch Creek;
- e) Discouraging light pollution and noise pollution, in keeping with the rural environment; and
- f) Recognizing agriculture as an important land use that predates many other uses, and encourage agricultural activities.

#### *Principle 8*

Preserve and enhance the environmental and visual quality of the area by:

- a) Encouraging practices that protect groundwater and lake water quality and quantity;
- b) Considering the carrying capacity of current and future water systems and keep the water supply within local control and within the local watershed;
- c) Protecting the local forests, wildlife, and fish through appropriate practices;
- d) Ensuring that sewage systems do not negatively affect the environment;
- e) Avoiding lakeshore development that negatively affects the water quality and the visual quality;
- f) Ensuring that all new developments respect the views to and from the lake; and
- g) Developing guidelines for landscape, fencing and other features.

### **12.8 Neighbourhood Residential (NR)**

#### *Objective 1*

The Neighbourhood Residential (NR) land use refers to development that is existing. The intent of this land use designation is to recognize that the existing neighbourhoods within Scotch Creek are an important part of the definition of the character of the area.

#### *Policy 1*

A “neighbourhood” is defined as an area of contiguous lots that have common setbacks, building orientation, and size, or that were constructed as part of a single development and form a coherent and commonly understood cluster. Refer to Map 1.

#### *Policy 2*

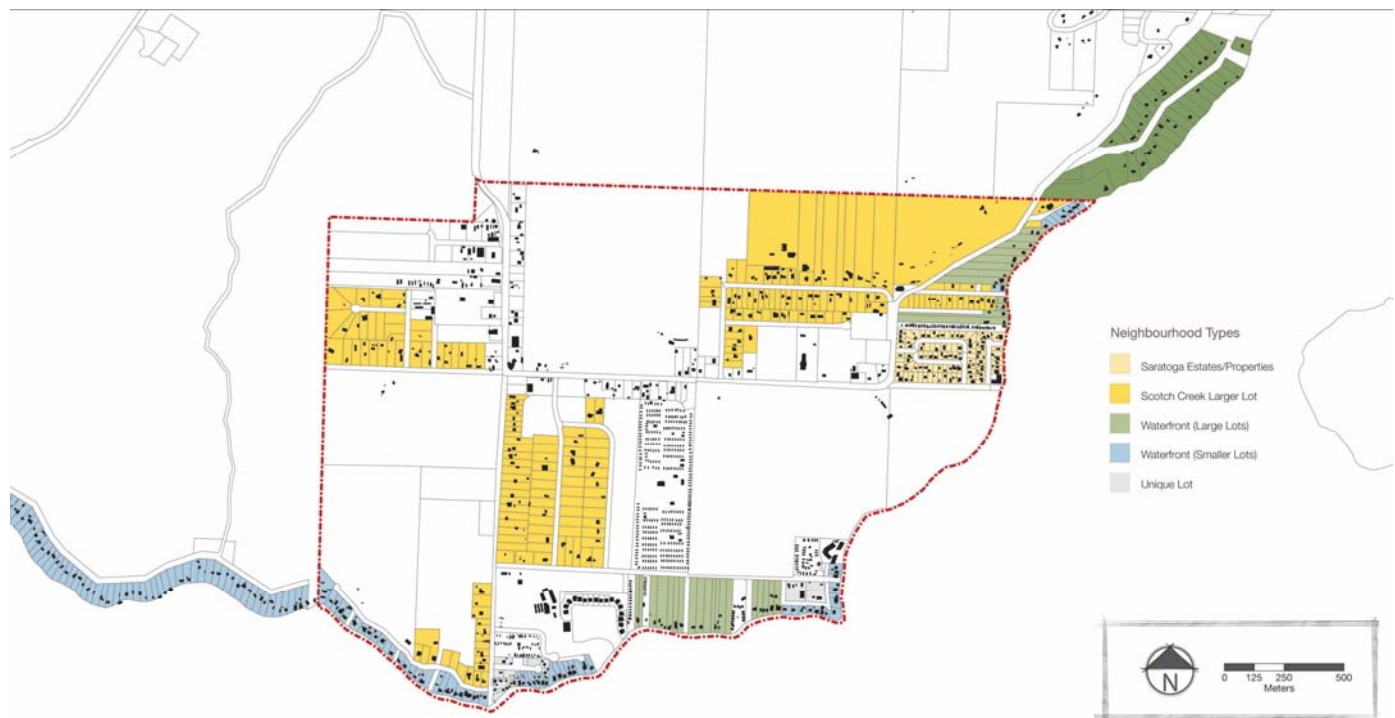
Development within Neighbourhood Residential areas will normally only take the form of infill (for example, construction of a new house on a vacant lot) or subdivision of an existing lot and construction of a new dwelling unit on each new lot.

### Policy 3

Policies for infill in NR areas are intended to reflect and support the neighbourhood character and density, and to either maintain or improve conditions regarding setbacks, landscape, visual buffers, building massing, and building orientation. Refer to the following sections for guidelines for each neighbourhood.

1. Within existing neighbourhoods designated NR Neighbourhood Residential, a lot may be subdivided in two, providing that the size of each resulting parcel is equal to or larger than 1/4 acre (therefore only 1/2 acre lots or larger have potential for subdivision). This will ensure that the overall density of each neighbourhood remains comparable to existing density, while allowing sensitive intensification through the potential to subdivide larger lots.
2. Any new subdivision is considered as new development, and must be connected to community sewer and water services.
3. Construction of any new dwelling unit within any parcel designated as Neighbourhood Residential is strongly encouraged to conform to the guidelines for the neighbourhood in which it is found. The existing setback, landscape, visual buffers, building massing and building orientation of each neighbourhood are described in the following Neighbourhood Types sections (a key map is included to indicate the location of the neighbourhood type). By reflecting these conditions in any infill development, the existing character and conditions will be continued, while still allowing individuality and innovation in design.
4. Normally a maximum building height of two storeys is permitted.

**Map 1: Neighbourhood Types**

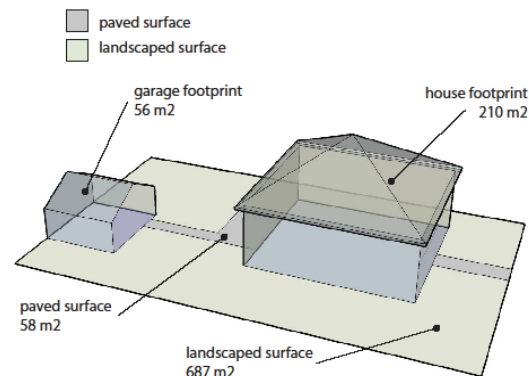


## 12.14 Water Quality Protection

1. The quality of surface and ground water needs to be maintained in order to ensure environmental integrity and to contribute to the sustainability of Scotch Creek.
2. Typical practices of urbanization tend to increase the amount of paved surfaces (driveways, parking lots, walkways) and reduce the amount of infiltration. Permeable surfaces, especially landscaping, allow greater infiltration of rain and storm runoff, recharging of groundwater, and contribution to a more comfortable micro-climate. The Groundwater Absorption Coefficient (GAC) is the percentage of a lot that is required to be free of impervious material (concrete, asphalt, etc.).
3. All new residential developments should aim for a minimum GAC of 45% through the use of pervious surfacing materials.
4. It is recommended that the policy regarding Groundwater Absorption Coefficient (GAC) be included in the Zoning Bylaw to augment the site coverage regulations.
5. Whenever possible, all new developments should integrate green stormwater infrastructure in the form of bioswales on sides of streets/roads and parking lots, rather than curbs and gutters, which channel storm water quickly away and require storm drainage infrastructure.

#### Example of GAC calculations:

Lot	1,011 m <sup>2</sup> (0.25 ac)
	100.0%
House	210 m <sup>2</sup> (2,260 ft <sup>2</sup> )
	20.7%
Garage	56 m <sup>2</sup> (200 ft <sup>2</sup> )
	5.6%
Paved	58 m <sup>2</sup> (625 ft <sup>2</sup> )
	5.7%
Landscaped	687 m <sup>2</sup> (7,395 ft <sup>2</sup> )
	68.0%



The amount of surface free of impervious materials is 68%. It exceeds the 45% GAC requirement, therefore is acceptable.

#### Scotch Creek/Lee Creek Zoning Bylaw No. 825

#### Existing Residential-1 (R1) Zone

The principal uses are as follows:

- (a) *Single family dwelling*
- (b) *Standalone residential campsite*

Secondary Uses are as follows:

- (a) *Accessory use*
- (b) *Bed and breakfast*
- (c) *Guest accommodation*
- (d) *Home business*
- (e) *Residential campsite*

#### Regulations

<b>COLUMN 1 MATTER REGULATED</b>	<b>COLUMN 2 REGULATION</b>
(a) Minimum <i>parcel</i> size created by subdivision <ul style="list-style-type: none"> <li>▪ where <i>parcel</i> is serviced by an existing <i>community sewer system</i></li> <li>▪ in all other cases</li> </ul>	0.1 ha (0.25 ac.) 1.0 ha (2.47 ac.)
(b) Minimum <i>parcel width</i> created by subdivision	20 m (65.62 ft.)
(c) Maximum <i>parcel coverage</i>	25%
(d) Maximum number of <i>single family dwellings per parcel</i>	One
(e) Maximum <i>height</i> for: <ul style="list-style-type: none"> <li>▪ Principal <i>buildings</i> and structures</li> <li>▪ <i>Accessory buildings</i></li> </ul>	<ul style="list-style-type: none"> <li>▪ 11.5 m (37.73 ft.)</li> <li>▪ 6 m (19.69 ft.)</li> </ul>
(f) Minimum <i>setback</i> from: <ul style="list-style-type: none"> <li>▪ <i>front parcel boundary</i></li> <li>▪ <i>interior side parcel boundary</i></li> <li>▪ <i>exterior side parcel boundary</i></li> <li>▪ <i>rear parcel boundary</i></li> <li>▪ <i>rear parcel boundary</i> for an <i>accessory building</i> (excluding <i>guest cottage</i> or <i>home business</i>)</li> </ul>	<ul style="list-style-type: none"> <li>▪ 4.5 m (14.76 ft.)</li> <li>▪ 2.0 m (6.56 ft.)</li> <li>▪ 4.5 m (14.76 ft.)</li> <li>▪ 4.5 m (14.76 ft.)</li> <li>▪ 2.0 m (6.56 ft.)</li> </ul>
(g) Maximum <i>gross floor area</i> of an <i>accessory building</i>	<ul style="list-style-type: none"> <li>▪ 75 m<sup>2</sup> (807.32 sq. ft.)</li> </ul>

#### Proposed Residential - 1 (R1) Zone Amendments

A special regulation is proposed that would be specific to the subject property as follows:

Notwithstanding subsection (3), on Strata Lot 8, Section 27, Township 22, Range 11, West of 6th Meridian, KDYD, Strata Plan K227 as shown hatched on the map below, the following supplemental siting characteristics for a proposed new single family dwelling shall be permitted:

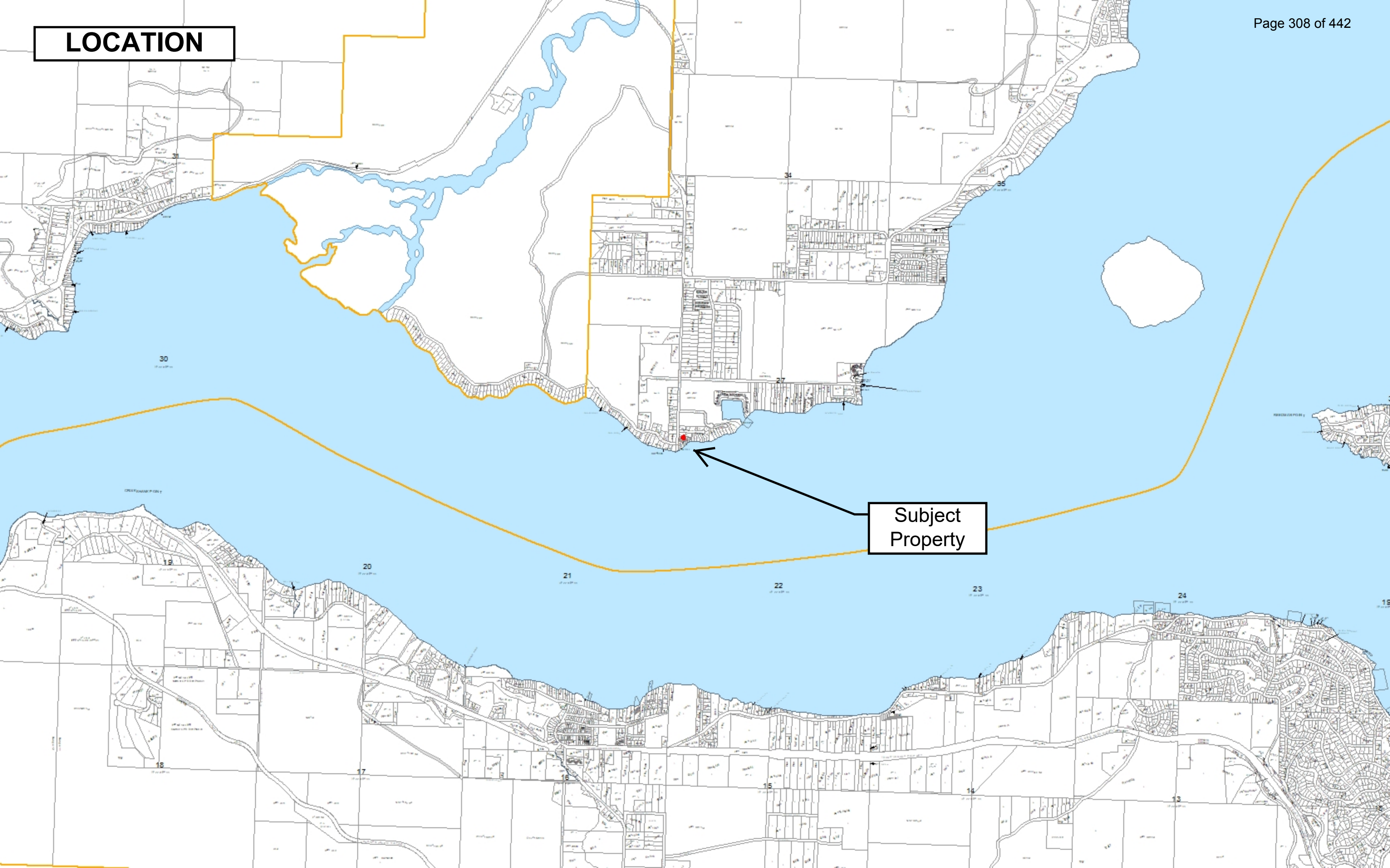
- .1 Notwithstanding subsection 3(c), the maximum parcel coverage for the proposed new single family dwelling is 82.2%.
- .2 Notwithstanding subsection 3(f), the minimum setbacks for the proposed new single family dwelling are as follows:



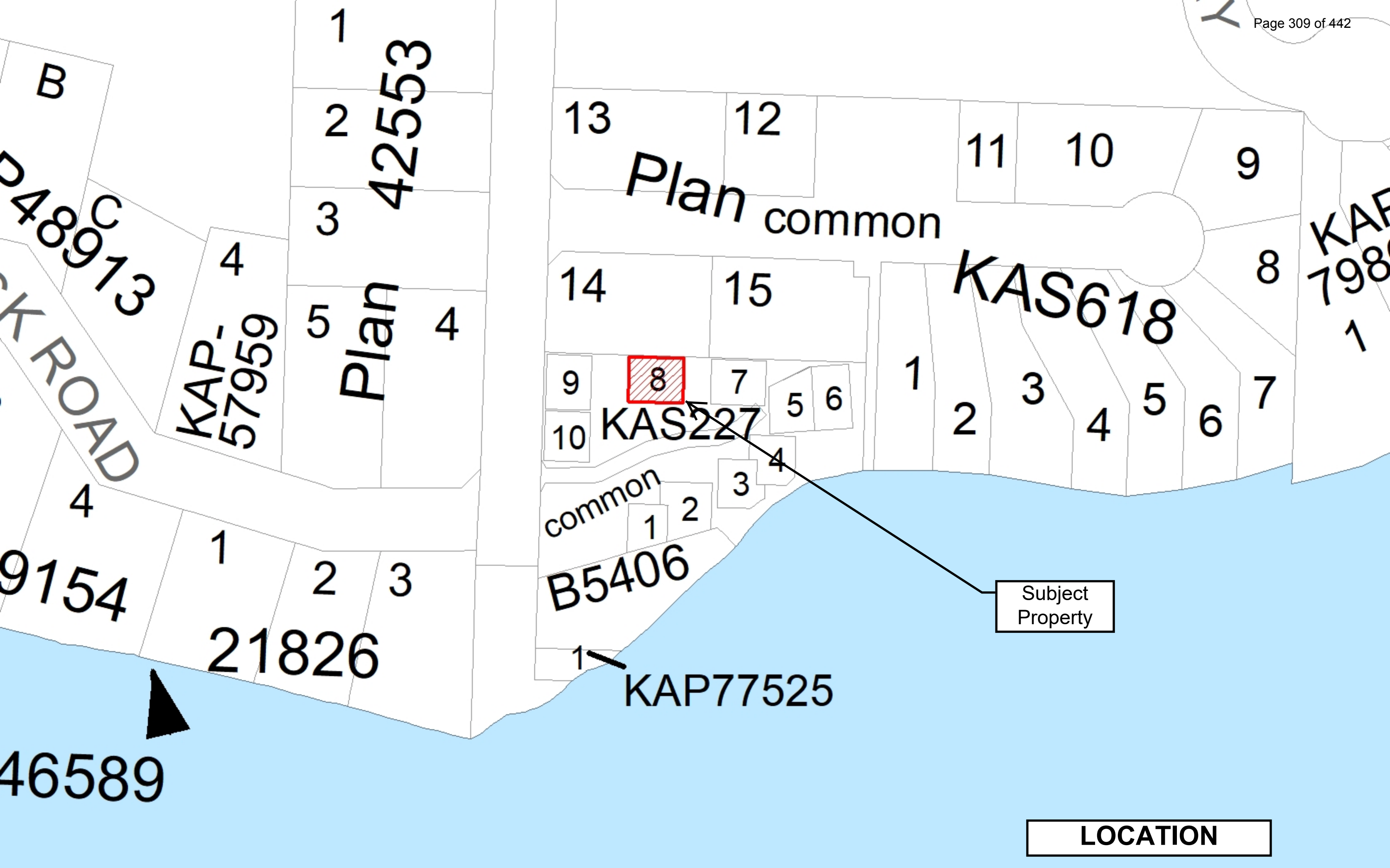
<p>(f) Minimum setback from:</p> <ul style="list-style-type: none"> <li>▪ front parcel boundary</li> <li>▪ interior side parcel boundary (west side)</li> <li>▪ interior side parcel boundary (east side)</li> <li>▪ rear parcel boundary</li> </ul>	<ul style="list-style-type: none"> <li>▪ 0.27 m (0.89 ft.)</li> <li>▪ 0.0 m (0.0 ft.)</li> <li>▪ 0.0 m (0.0 ft.)</li> <li>▪ 0.29 m (0.95 ft.)</li> </ul>
--	--



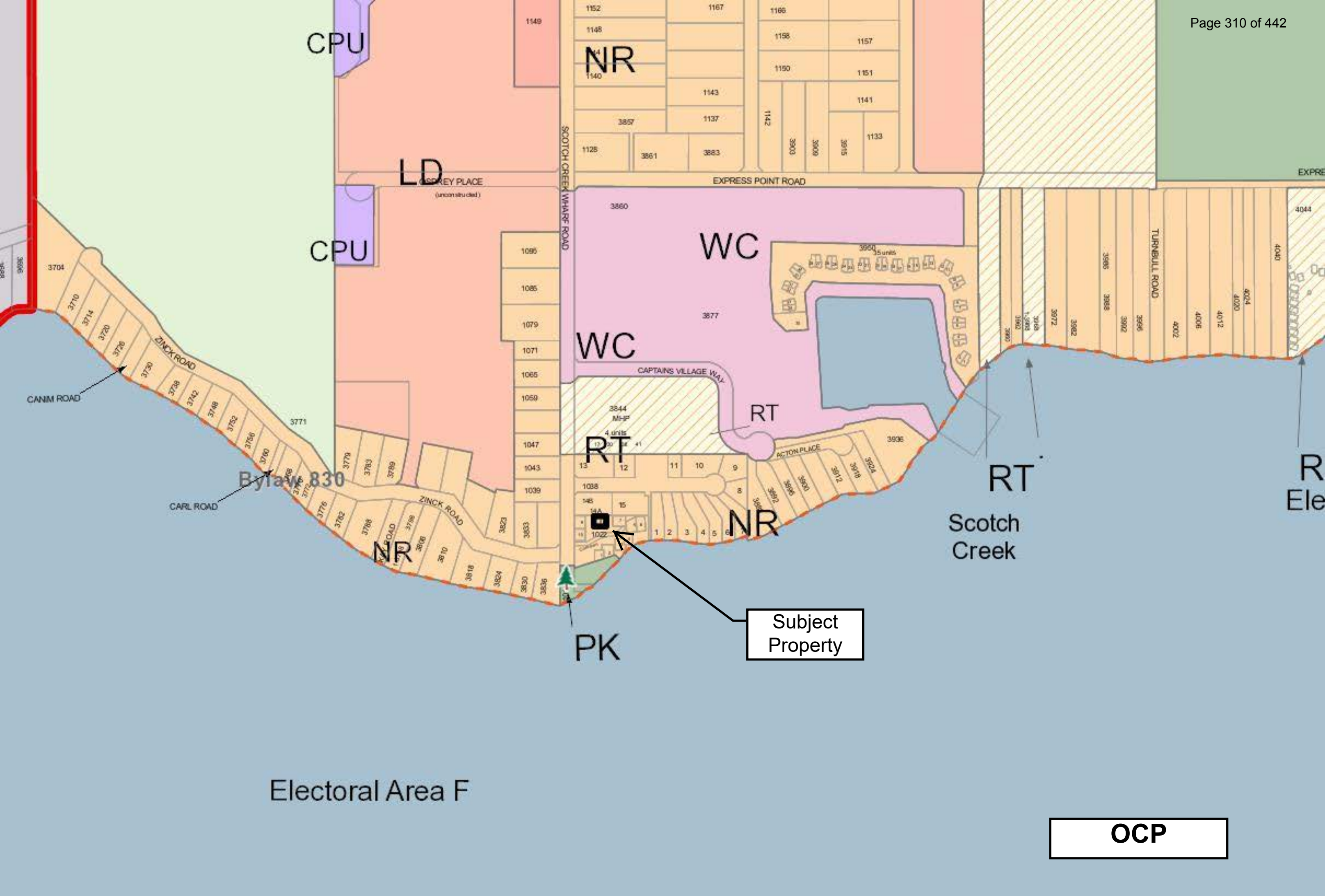
LOCATION



Subject  
Property







CPU

NR

LD

CPU

WC

WC

RT

RT

NR

RT

PK

Subject Property

Bylaw 830

Scotch Creek

Electoral Area F

OCP





Bylaw 825 -  
Lee Creek / Scotch Creek

Subject  
Property

ZONING



17 30 38 41

13

11

10

9

1039

1038

14B

15

14A

8

7

5 6

9

10

1022

Common

3

4

1

2

3

4

5

6

7

ROAD

3823

3833

3870

3818

3824

3830

3836

1014

Subject  
Property

# ORTHOPHOTO



14B

15

14A

9

8

7

5

6

10

10222

4

3

Common



# BUILDING LOCATION CERTIFICATE

Page 314 of 442

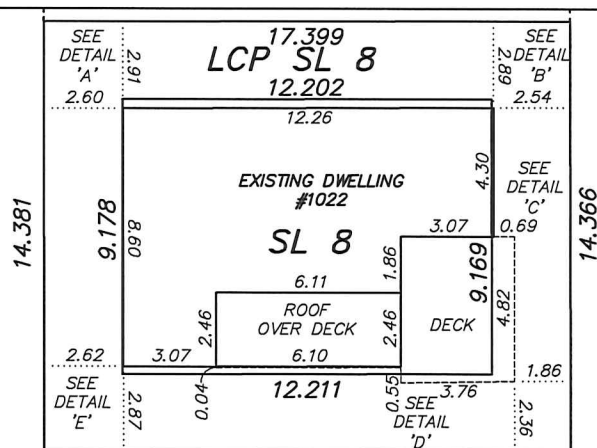
BRITISH COLUMBIA LAND SURVEYORS  
CERTIFICATE OF LOCATION  
STRATA LOT 8,  
Sec 27, Tp 22, R 11, W6M,  
KDYD, PLAN K227

CLIENT: YAKASHIRO  
JOB No.: 18LS0308



SL 14  
K618

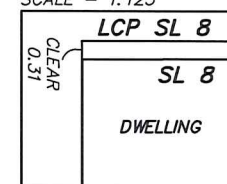
SL 15  
K618



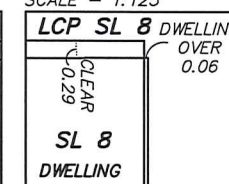
COMMON PROPERTY  
PLAN K227

SEC. 27, TP. 22, R. 11

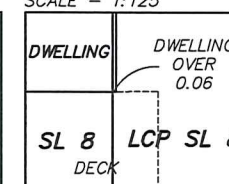
DETAIL 'A'  
SCALE - 1:125



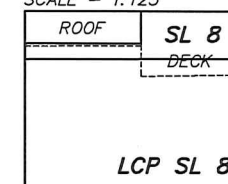
DETAIL 'B'  
SCALE - 1:125



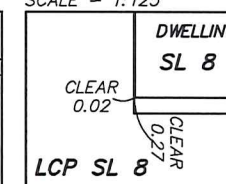
DETAIL 'C'  
SCALE - 1:125



DETAIL 'D'  
SCALE - 1:125



DETAIL 'E'  
SCALE - 1:125



DATE DRAFTED - 180831  
SCALE - 1 : 250 (DIMENSIONS ARE  
IN METRES AND DECIMALS THEREOF)



#301-7 St. Paul St. W,  
Kamloops, B.C. V2C 1E9  
Phone (250)374-5331 Fax (250)374-5332  
TONY deBRUYNE BCLS, CLS, ALS  
ALLNORTH CONSULTANTS LIMITED,

#### NOTE:

THIS PLAN IS FOR THE USE OF THE BUILDING INSPECTOR AND/OR MORTGAGEE ONLY AND IS NOT TO BE USED FOR THE RE-ESTABLISHMENT OF PROPERTY BOUNDARIES. ALLNORTH LAND SURVEYORS ACCEPT NO RESPONSIBILITY FOR AND HEREBY DISCLAIM ALL OBLIGATIONS AND LIABILITIES FOR DAMAGES INCLUDING, BUT NOT LIMITED TO, DIRECT, INDIRECT, SPECIAL, AND CONSEQUENTIAL DAMAGES ARISING OUT OF OR IN CONNECTION WITH ANY DIRECT OR INDIRECT USE OR RELIANCE UPON THE PLAN BEYOND ITS INTENDED USE. BOUNDARY DISTANCES ARE BASED ON LAND TITLE AND SURVEY AUTHORITY RECORDS.

FIELD SURVEY COMPLETED 29th DAY OF AUGUST, 2018

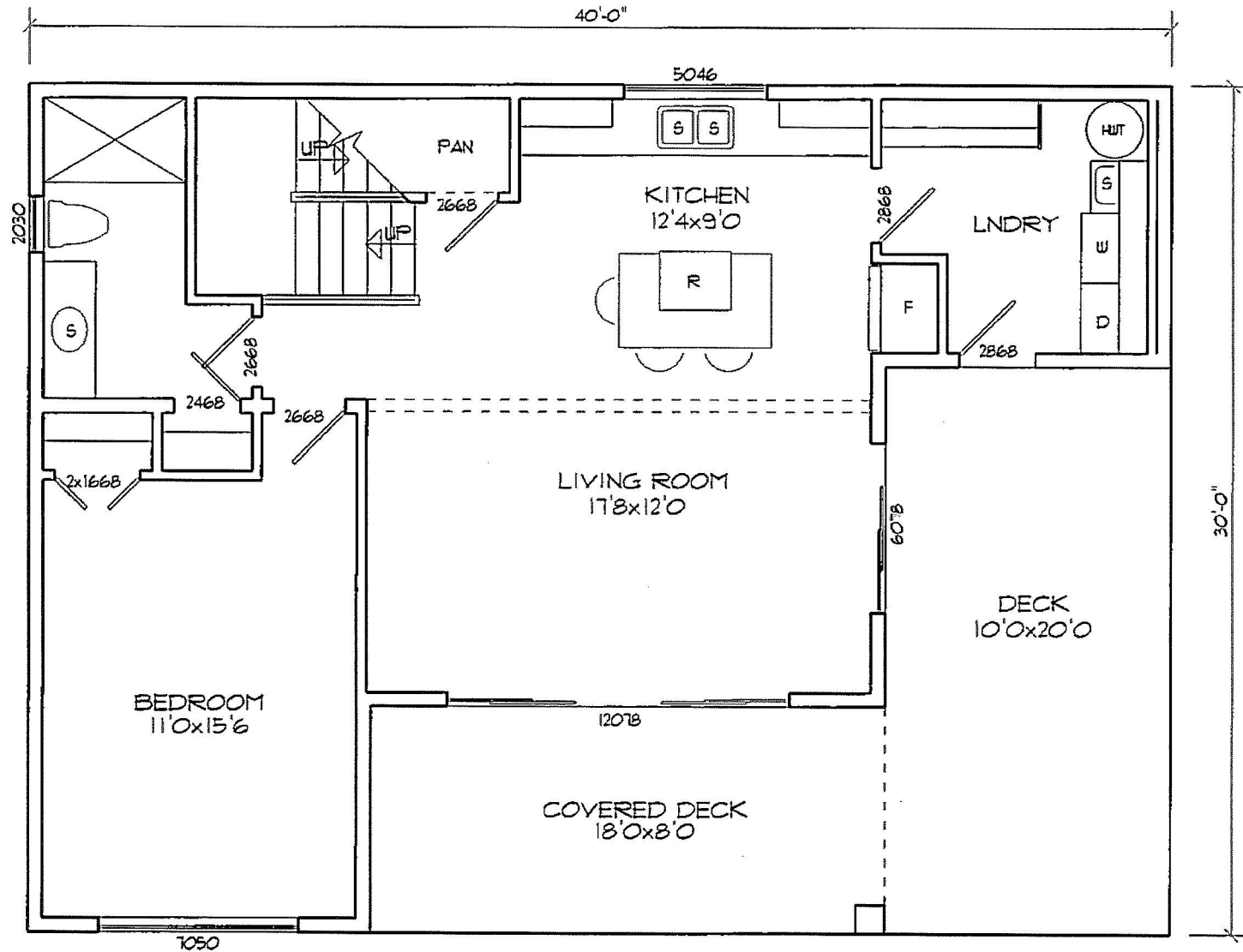


Anthonyus  
deBruyne  
CHYRXG

Digitally signed by Anthonyus  
deBruyne CHYRXG  
DN: c=CA, cn=Anthonyus deBruyne  
CHYRXG, o=BC Land Surveyor,  
ou=Verify ID at www.juricert.com/  
LKUP.cfm?id=CHYRXG  
Date: 2018.09.04 13:29:44 -06'00'

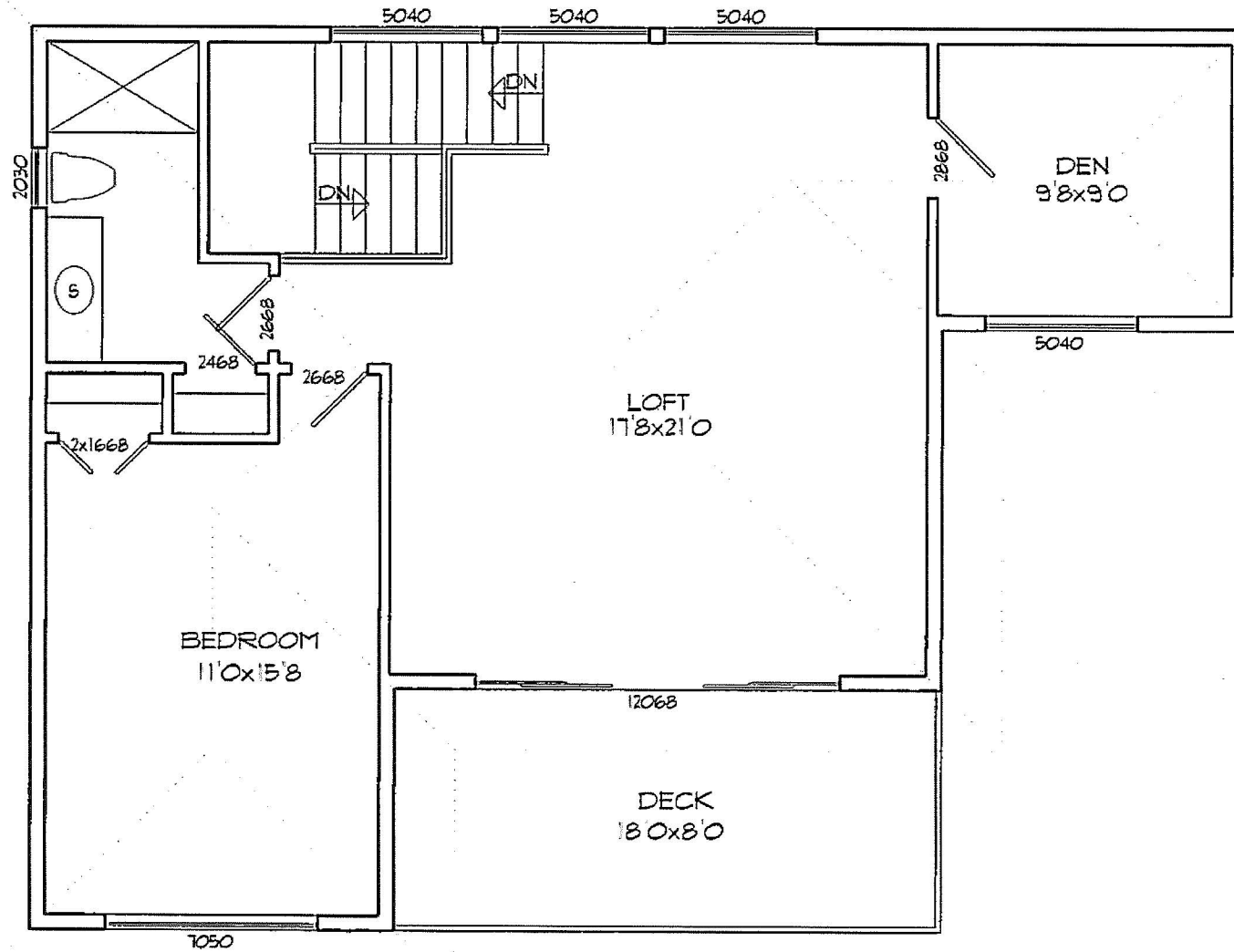
BCLS.

# MAIN FLOOR PLAN



MAIN FLOOR PLAN 856 SQ.FT.

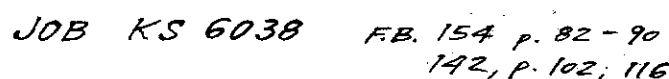
# SECOND FLOOR PLAN



2nd FLOOR PLAN 786 SQ.FT.



Registrar



# AMENDED PLAN

REFERENCE PLAN AMENDING STRATA PLAN K227 TO DESIGNATE  
LIMITED COMMON PROPERTY FOR THE BENEFIT OF STRATA LOTS 1  
THROUGH 10, STRATA PLAN K227, SEC 27, TP 22, R 11, W6M,  
KDYD

PURSUANT TO SECTION 257 OF THE STRATA PROPERTY ACT,  
BCGS 92 L .093

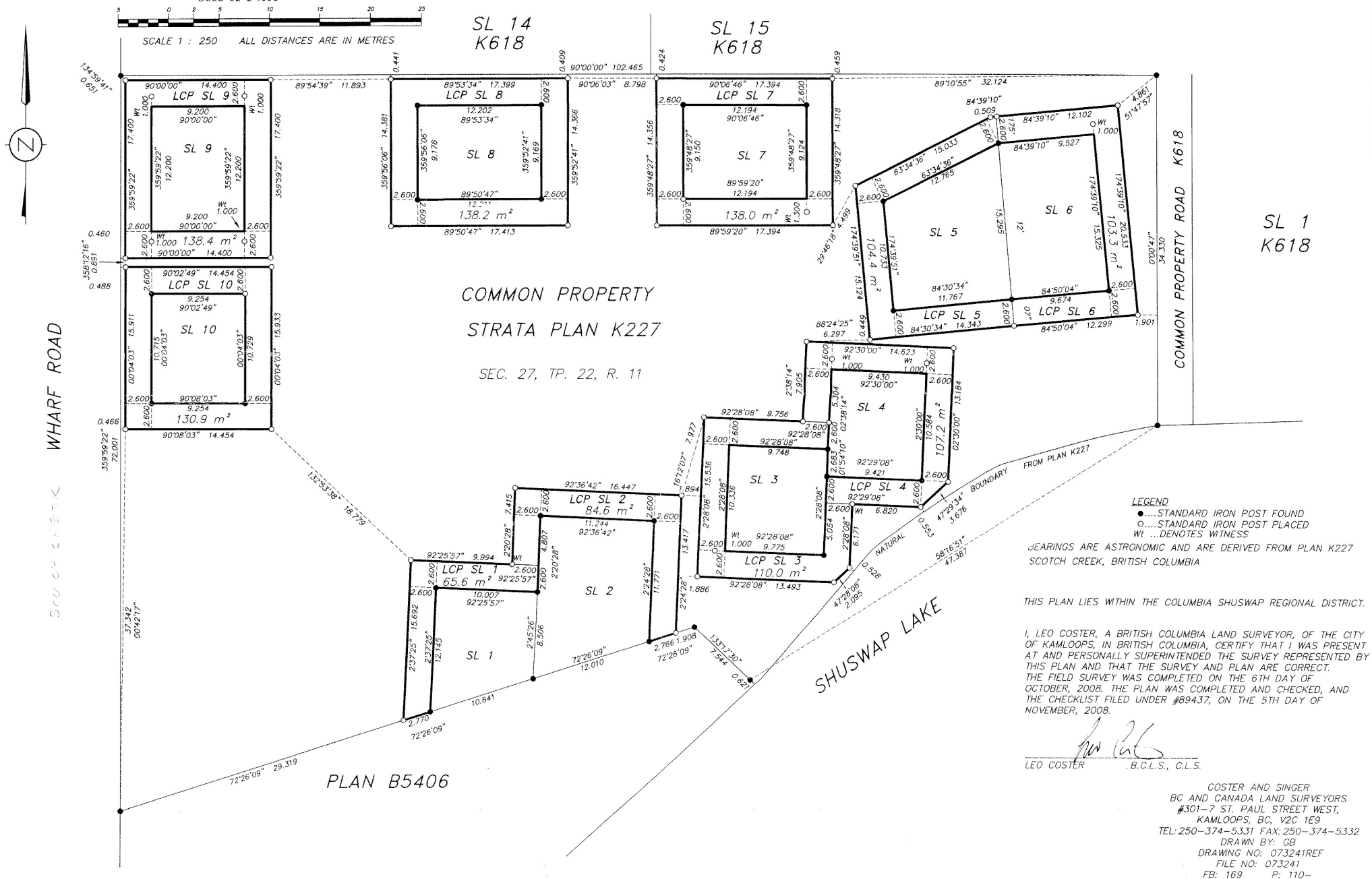
SCALE 1 : 250 ALL DISTANCES ARE IN METRES

## STRATA PLAN K227

Deposited and Registered in the Land Title Office at Kamloops, B.C.,  
this 12 day of 20, 2023

C. JOHNSTON

Registrar



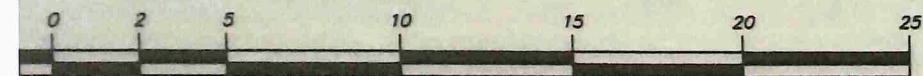
**LOT 8 CLOSEUP**

TO DESIGNATE

PROPERTY FOR THE BENEFIT OF STRATA LOTS 1  
 STRATA PLAN K227, SEC 27, Tp 22, R 11, W6M,  
 KDYD

TO SECTION 257 OF THE STRATA PROPERTY ACT.

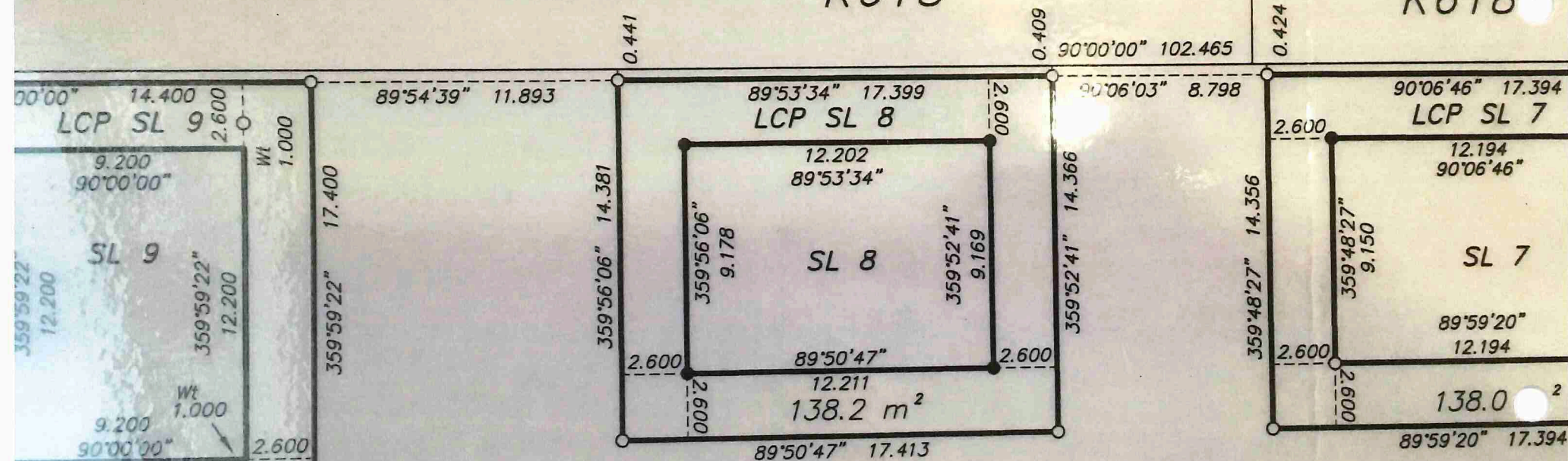
BCGS 92 L .093



SCALE 1 : 250 ALL DISTANCES ARE IN METRES

SL 14  
K618

SL 15  
K618



COMMON PROPERTY  
 STRATA PLAN K227

**COLUMBIA SHUSWAP REGIONAL DISTRICT**

**SCOTCH CREEK/LEE CREEK ZONING  
AMENDMENT (YAKASHIRO) BYLAW NO. 825-39**

A bylaw to amend the "Scotch Creek/Lee Creek Zoning Bylaw No. 825"

WHEREAS the Board of the Columbia Shuswap Regional District adopted Bylaw No. 825;

AND WHEREAS the Board deems it appropriate to amend Bylaw No. 825;

NOW THEREFORE the Board of the Columbia Shuswap Regional District in open meeting assembled, HEREBY ENACTS as follows:

1. "Scotch Creek/Lee Creek Zoning Bylaw No. 825", as amended, is hereby further amended as follows:

A. TEXT AMENDMENT

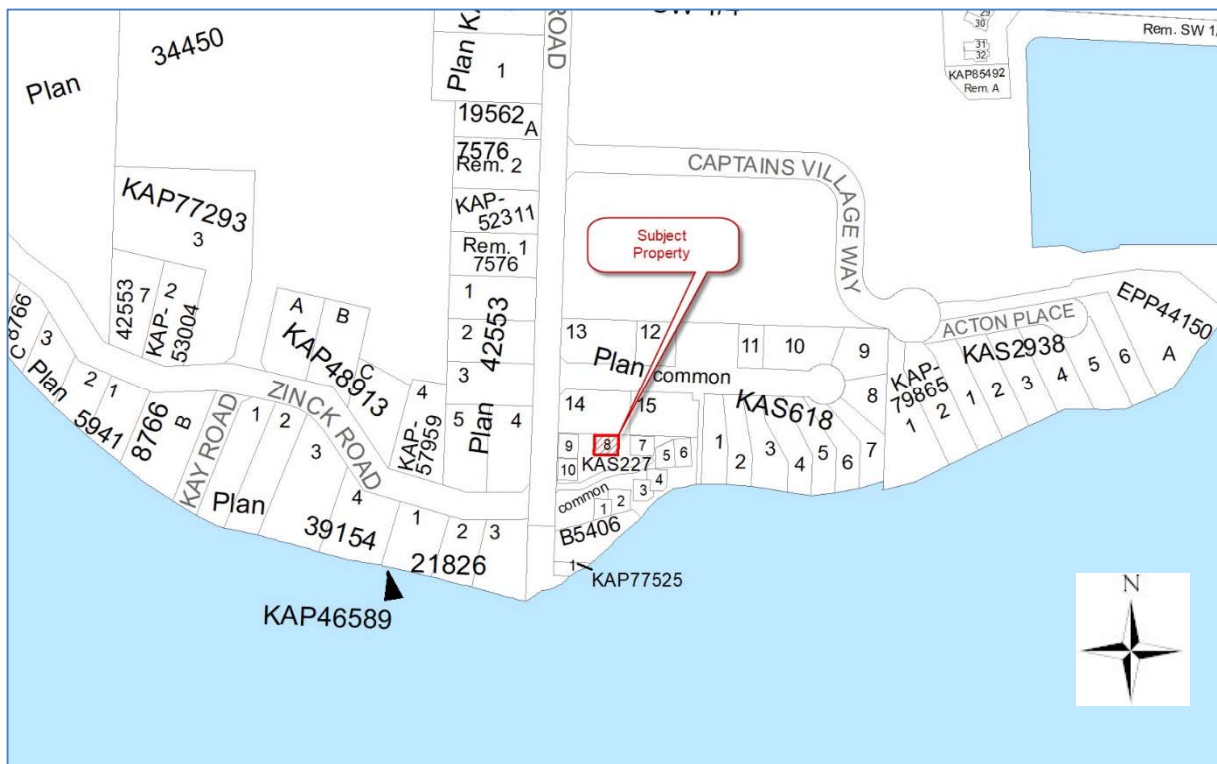
- i. Schedule A, Zoning Bylaw Text, Part 5 – Zones, Section 5.7 Residential - 1 is hereby amended by adding subsection 4 (jj), in its entirety, including the attached map.

"(jj) Notwithstanding subsection (3), on Strata Lot 8, Section 27, Township 22, Range 11, West of 6th Meridian, KDYD, Strata Plan K227 as shown hatched on the map below, the following supplemental siting characteristics for a proposed new single family dwelling shall be permitted:

- .1 Notwithstanding subsection 3(c), the maximum parcel coverage for the proposed new single family dwelling is 82.2%.
- .2 Notwithstanding subsection 3(f), the minimum setbacks for the proposed new single family dwelling are as follows:

(f) Minimum <i>setback</i> from: <ul style="list-style-type: none"> <li>▪ <i>front parcel boundary</i></li> <li>▪ <i>interior side parcel boundary</i> (west side)</li> <li>▪ <i>interior side parcel boundary</i> (east side)</li> <li>▪ <i>rear parcel boundary</i></li> </ul>	<ul style="list-style-type: none"> <li>▪ 0.27 m (0.89 ft.)</li> <li>▪ 0.0 m (0.0 ft.)</li> <li>▪ 0.0 m (0.0 ft.)</li> <li>▪ 0.29 m (0.95 ft.)</li> </ul>
--	--







2. This bylaw may be cited as " Scotch Creek/Lee Creek Zoning Amendment (Yakashiro) Bylaw No. 825-39"

READ a first time this 20 day of September, 2018.

READ a second time this \_\_\_\_\_ day of \_\_\_\_\_, 2018.

PUBLIC HEARING held this \_\_\_\_\_ day of \_\_\_\_\_, 2018.

READ a third time this \_\_\_\_\_ day of \_\_\_\_\_, 2019.

ADOPTED this \_\_\_\_\_ day of \_\_\_\_\_, 2019.

\_\_\_\_\_  
CHIEF ADMINISTRATIVE OFFICER

\_\_\_\_\_  
CHAIR

CERTIFIED true copy of Bylaw No. 825-39  
as read a third time.

CERTIFIED true copy of Bylaw No. 825-39  
as adopted.

\_\_\_\_\_  
Chief Administrative Officer

\_\_\_\_\_  
Chief Administrative Officer

## Agency Referral Responses

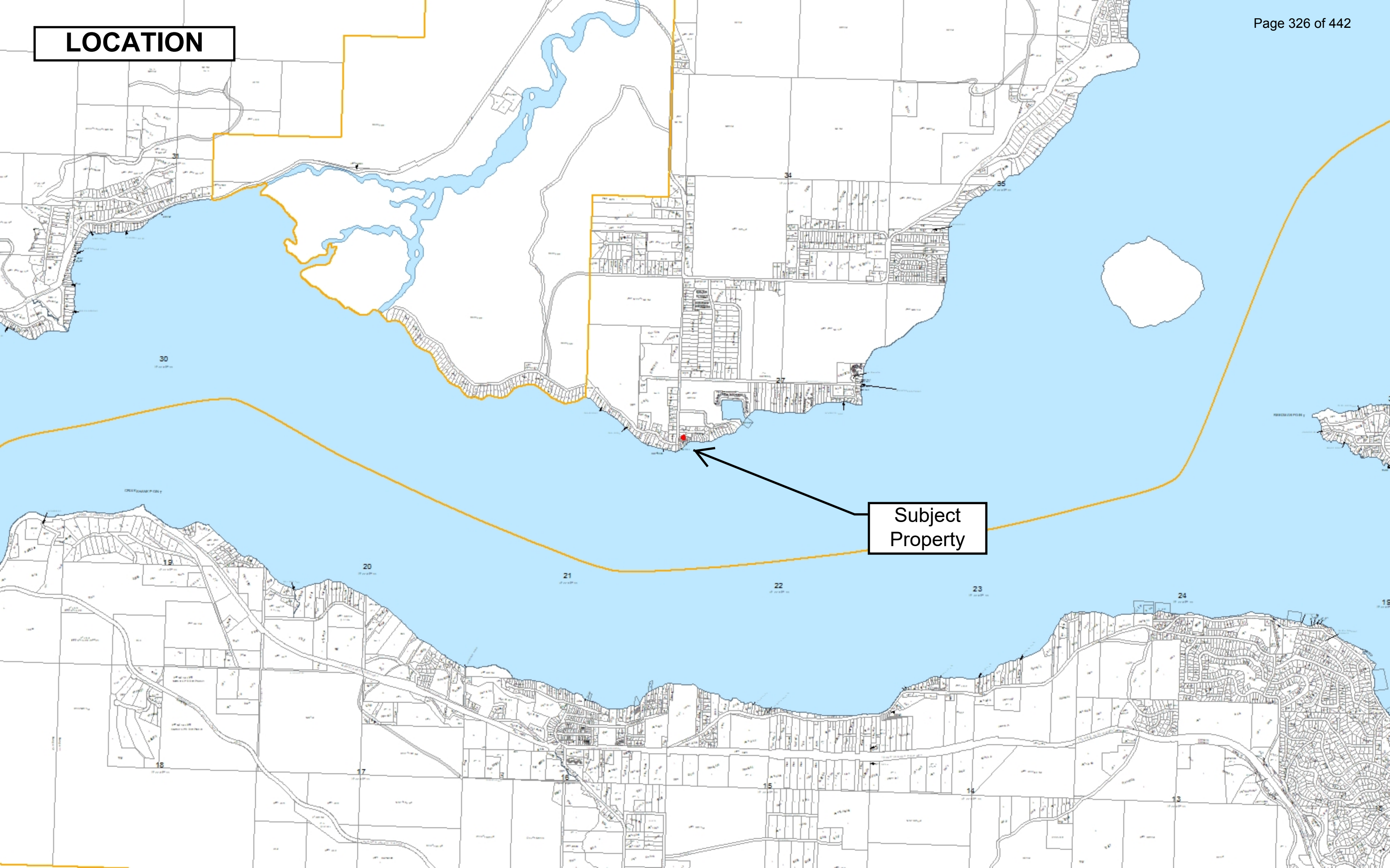
Interior Health Authority	No response.
Ministry of Transportation and Infrastructure	This proposal is further than 800 m from a Controlled Access Highway and therefore the statutory approval from the Ministry is not required.
Ministry of Forests, Lands, Natural Resource Operations and Rural Development - Archaeology Branch	<p>Provincial records indicate that there are no known archaeological sites recorded on the property.</p> <p>However, archaeological potential modeling indicates there is the possibility for unknown/unrecorded archaeological sites to exist on the property.</p> <p>Archaeological sites (both recorded and unrecorded, disturbed and intact) are protected under the <i>Heritage Conservation Act</i> and must not be altered or damaged without a permit from the Archaeology Branch.</p> <p>In the absence of a confirmed archaeological site, the Archaeology Branch cannot require the proponent to conduct an archaeological study or obtain a permit prior to development. In this instance it is a risk management decision for the proponent.</p> <p>Prior to any land alterations (e.g., addition to home, property redevelopment, extensive landscaping, service installation), an eligible consulting archaeologist should be contacted to review the proposed activities and, where warranted, conduct a walk over and/or detailed study of the property to determine whether the work may impact protected archaeological materials.</p> <p>An eligible consulting archaeologist is one who is able to hold a Provincial heritage permit that allows them to conduct archaeological studies. Ask an archaeologist if he or she can hold a permit, and contact the Archaeology Branch (250- 953-3334) to verify an archaeologist's eligibility. Consulting archaeologists can be contacted through the BC Association of Professional Archaeologists (<a href="http://www.bcapa.ca">www.bcapa.ca</a>) or through local directories.</p> <p>If the archaeologist determines that development activities will not impact any archaeological deposits, then a permit is</p>

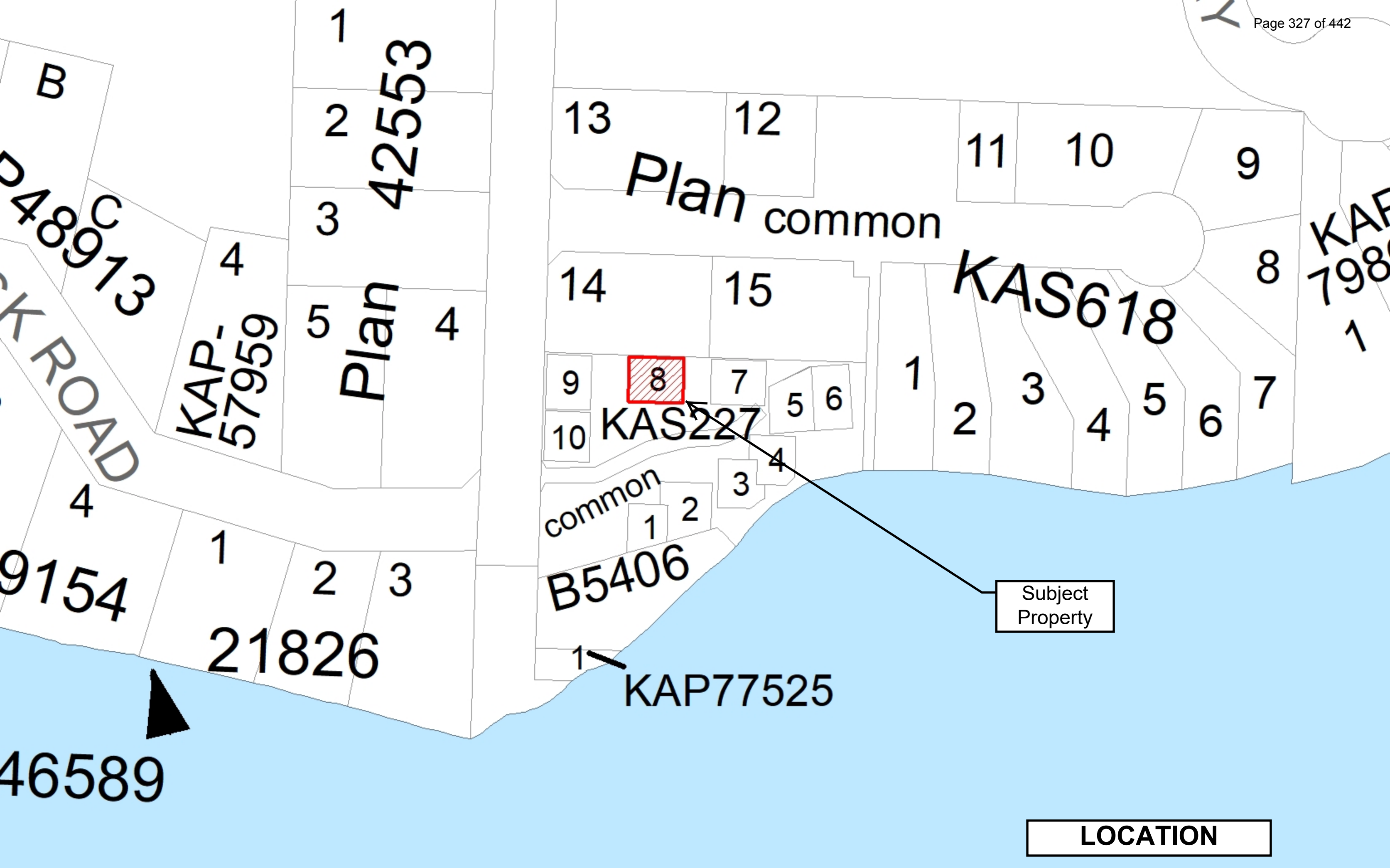
	<p>not required. Occupying an existing dwelling or building without any land alterations does not require archaeological study or permitting.</p> <p>If any land-altering development is planned and proponents choose not to contact an archaeologist prior to development, owners and operators should be notified that if an archaeological site is encountered during development, activities <b>must</b> be halted and the Archaeology Branch contacted at 250-953-3334 for direction. If an archaeological site is encountered during development and the appropriate permits are not in place, proponents will be in contravention of the <i>Heritage Conservation Act</i> and likely experience development delays while the appropriate <u>permits are obtained</u>.</p> <p>Please review the screenshot of the property below (outlined in yellow) in relation to the archaeological potential. In this case, the entire area within which the property is located has high potential for unknown/unrecorded archaeological materials, as indicated by the brown/orange colouration of the screenshot.</p>
CSRD Operations Management	<p>Team Leader Utilities - No concerns.</p> <p>Team Leader Protective Services – The fire department is unable to meet the 10 minute response for the high intensity residential fire regulation to allow minimum spacing between homes. Allowing a 0 metre setback would limit the ability of the neighbouring properties to build within 5 m of the property line.</p> <p>Fire Services Coordinator – Access for emergency vehicles required as per MOTI guidelines.</p> <p>Team Leader Environmental Health – No concerns.</p> <p>Parks – No concerns.</p> <p>Manager Operations Management – No additional concerns.</p>
CSRD Financial Services	No response.
Adams Lake Indian Band	While Adams Lake defers to the Little Shuswap Lake Indian Band on BL825-39, we reiterate that Adams Lake holds constitutionally protected Aboriginal rights including title throughout the entirety of Secwepemculucw. Members of Adams Lake continue to exercise their Aboriginal rights as

	their ancestors have done for generations, including hunting, trapping, gathering and fishing, along with rights associated with spiritual and cultural traditions that are practiced in accordance with Secwepemc customs, laws and governance structures.
Coldwater Indian Band	No response.
Cooks Ferry Indian Band	No response.
Esh-kn-am Cultural Resources Management Services	No response.
Lower Similkameen Indian Band	No response.
Neskonlith Indian Band	No response.
Nlaka'pamux Nation Tribal Council	No response.
Okanagan Indian Band	No response.
Okanagan Nation Alliance	No response.
Penticton Indian Band	No response.
Siska Indian Band	No response.
Splats'in First Nation	No response.
Simpcw First Nation	No response.

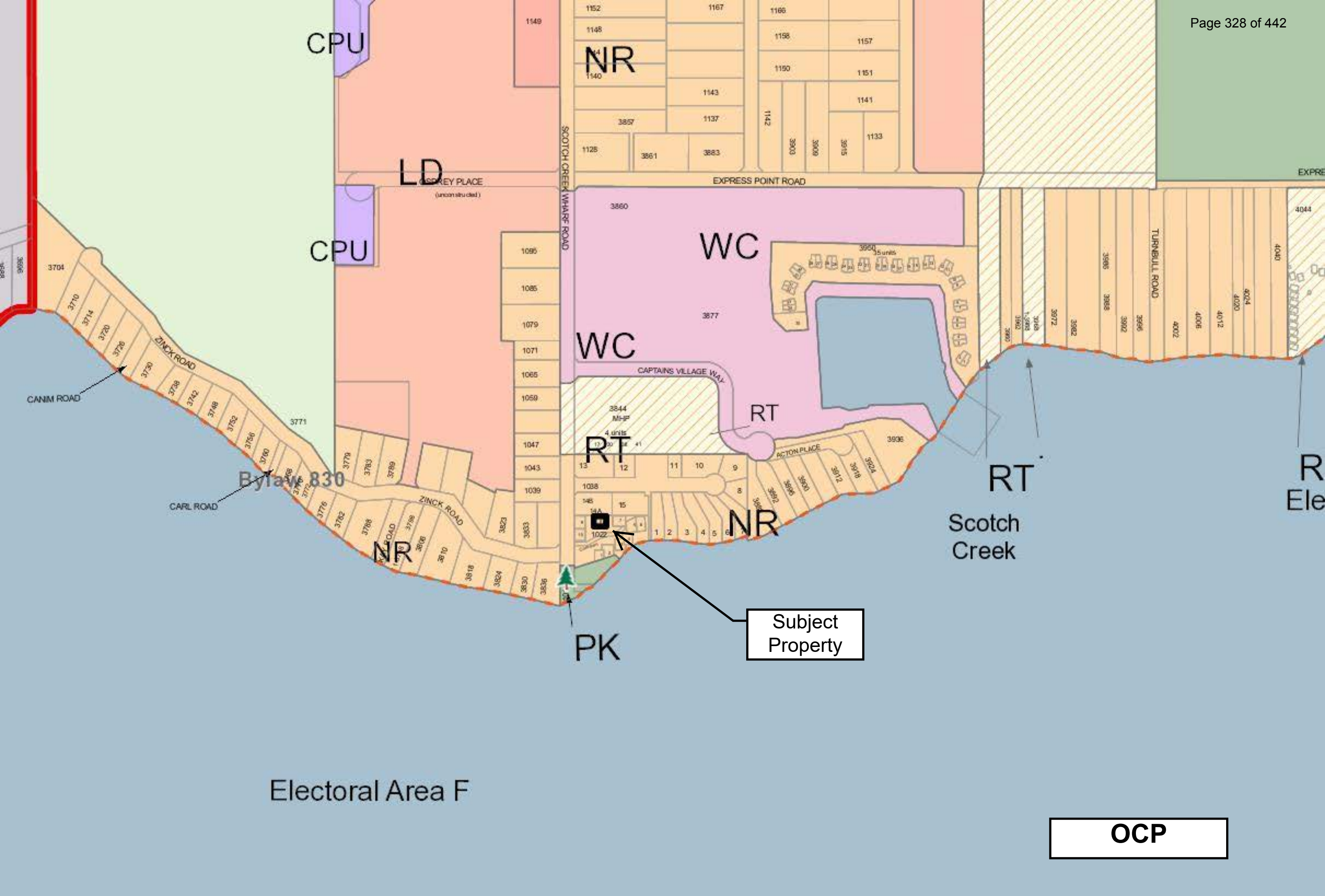


LOCATION









CPU

NR

LD

CPU

WC

WC

RT

RT

NR

RT

PK

Subject Property

Electoral Area F

OCP





Bylaw 825 -  
Lee Creek / Scotch Creek

Subject  
Property

**ZONING**





Subject  
Property

ORTHOPHOTO



14B

15

14A

9

8

7

5

6

10

10222

4

3

Common



# BUILDING LOCATION CERTIFICATE

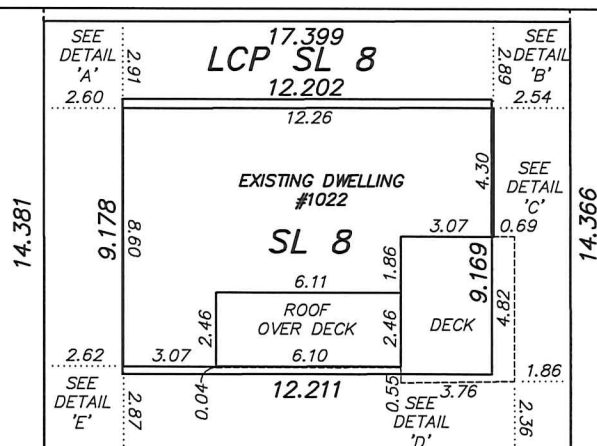
BRITISH COLUMBIA LAND SURVEYORS  
CERTIFICATE OF LOCATION  
STRATA LOT 8,  
Sec 27, Tp 22, R 11, W6M,  
KDYD, PLAN K227

CLIENT: YAKASHIRO  
JOB No.: 18LS0308



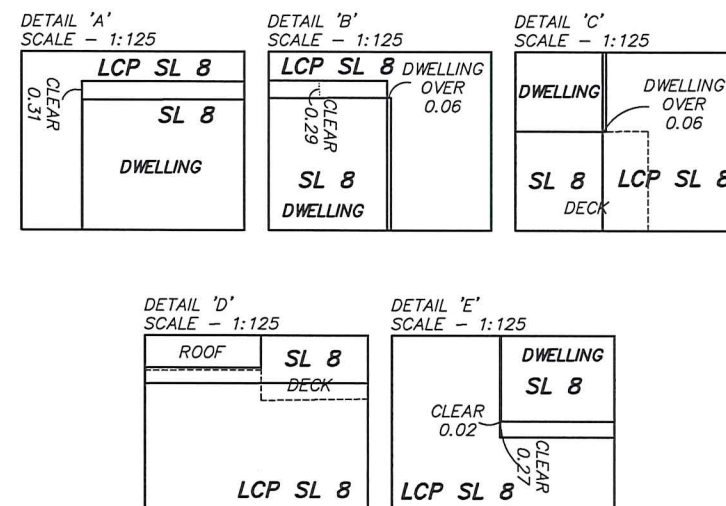
SL 14  
K618

SL 15  
K618



17.413  
COMMON PROPERTY  
PLAN K227

SEC. 27, TP. 22, R. 11



DATE DRAFTED - 180831  
SCALE - 1 : 250 (DIMENSIONS ARE  
IN METRES AND DECIMALS THEREOF)



#301-7 St. Paul St. W,  
Kamloops, B.C. V2C 1E9  
Phone (250)374-5331 Fax (250)374-5332  
TONY deBRUYNE BCLS, CLS, ALS  
ALLNORTH CONSULTANTS LIMITED.

**NOTE:**

THIS PLAN IS FOR THE USE OF THE BUILDING INSPECTOR AND/OR MORTGAGEE ONLY AND IS NOT TO BE USED FOR THE RE-ESTABLISHMENT OF PROPERTY BOUNDARIES. ALLNORTH LAND SURVEYORS ACCEPT NO RESPONSIBILITY FOR AND HEREBY DISCLAIM ALL OBLIGATIONS AND LIABILITIES FOR DAMAGES INCLUDING, BUT NOT LIMITED TO, DIRECT, INDIRECT, SPECIAL, AND CONSEQUENTIAL DAMAGES ARISING OUT OF OR IN CONNECTION WITH ANY DIRECT OR INDIRECT USE OR RELIANCE UPON THE PLAN BEYOND ITS INTENDED USE. BOUNDARY DISTANCES ARE BASED ON LAND TITLE AND SURVEY AUTHORITY RECORDS.

FIELD SURVEY COMPLETED 29th DAY OF AUGUST, 2018

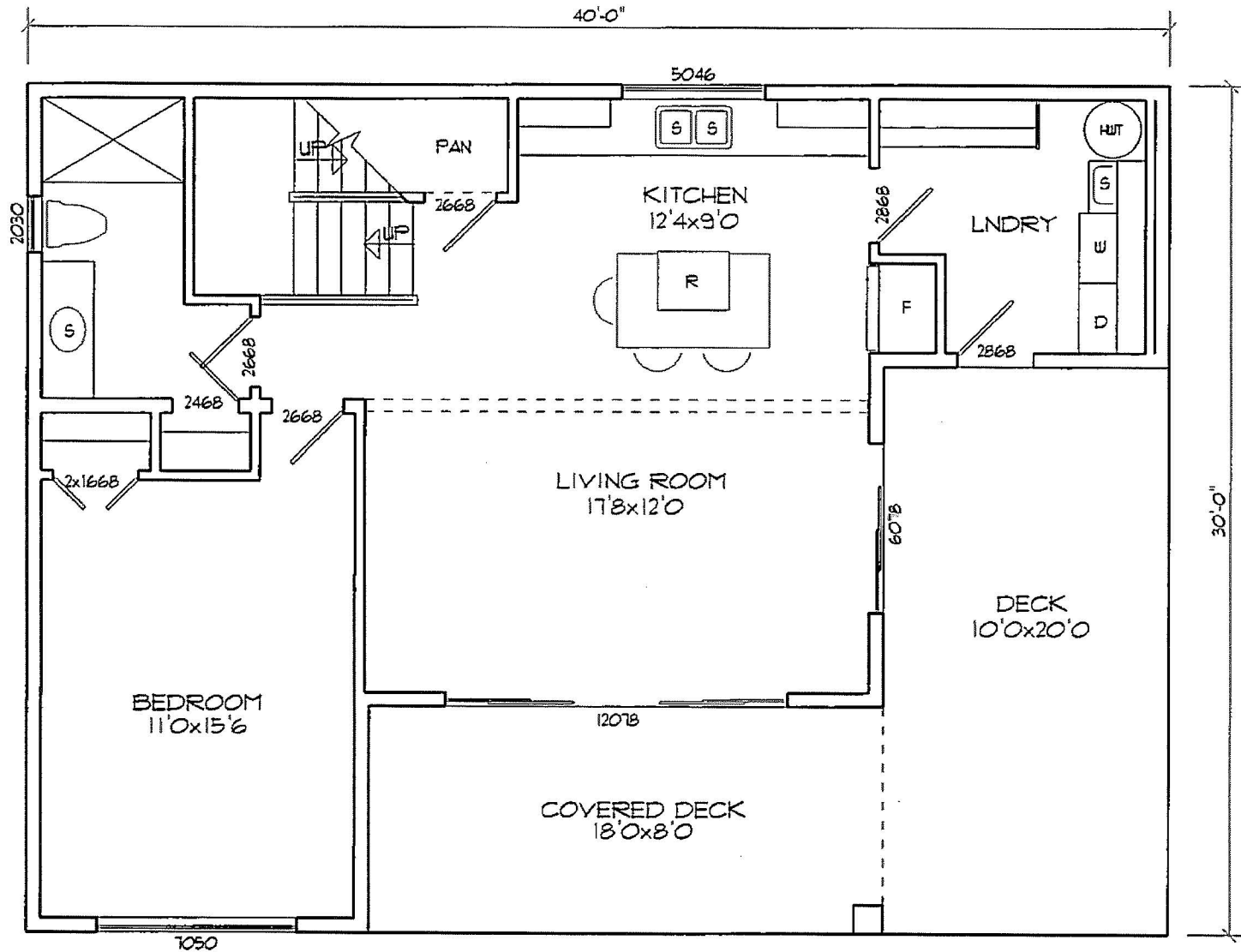


Anthonius  
 deBruyne  
 CHYRXG

Digitally signed by Anthonius  
deBruyne CHYRXG  
DN: c=CA, cn=Anthonius deBruyne  
CHYRXG, o=BC Land Surveyor,  
ou=Verify ID at [www.juricert.com/](http://www.juricert.com/)  
LKUP.cfm?id=CHYRXG  
Date: 2018.08.09 13:29:44 -06'00'

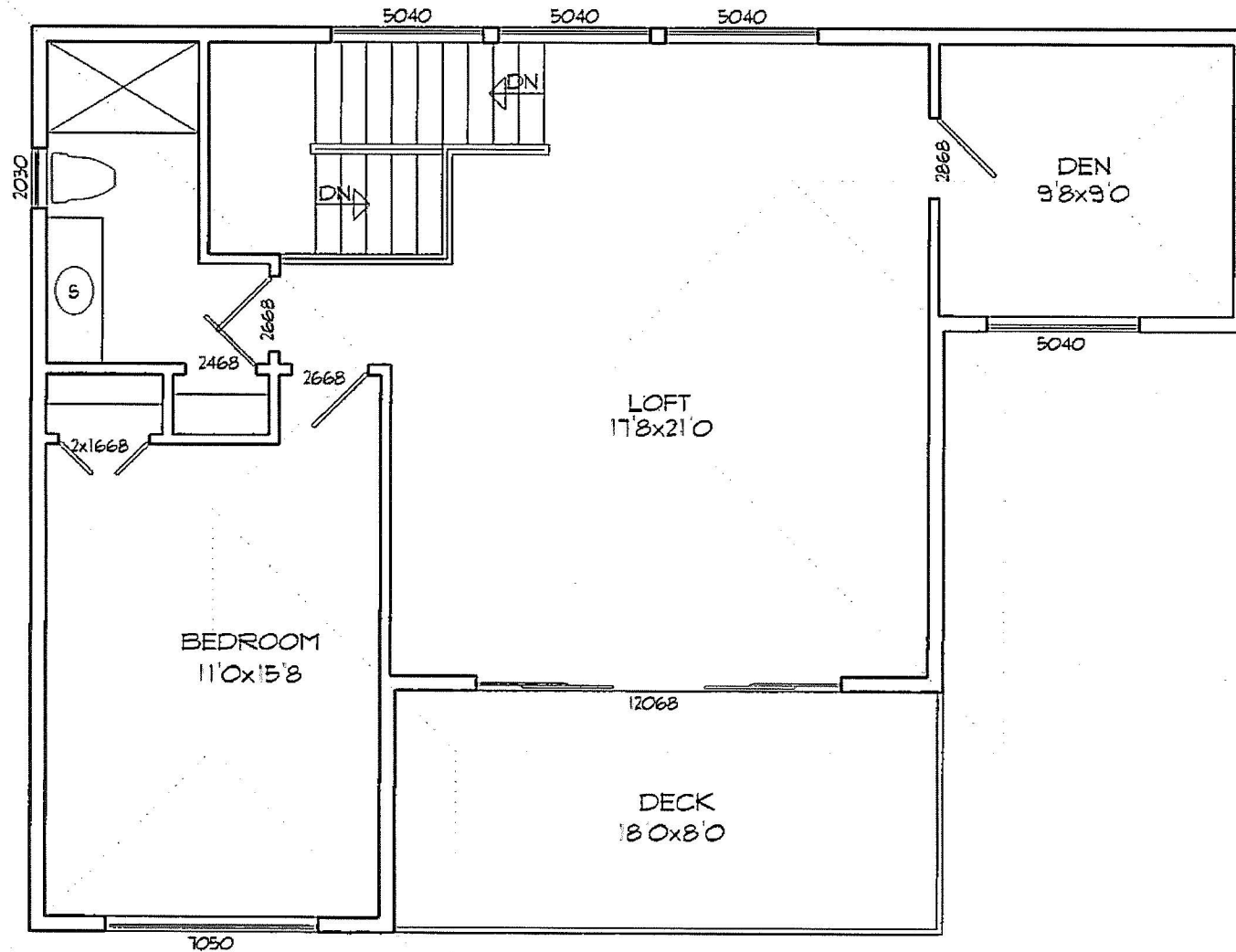
*BCLS.*

# MAIN FLOOR PLAN



MAIN FLOOR PLAN 856 SQ.FT.

# SECOND FLOOR PLAN



2nd FLOOR PLAN 786 SQ.FT.



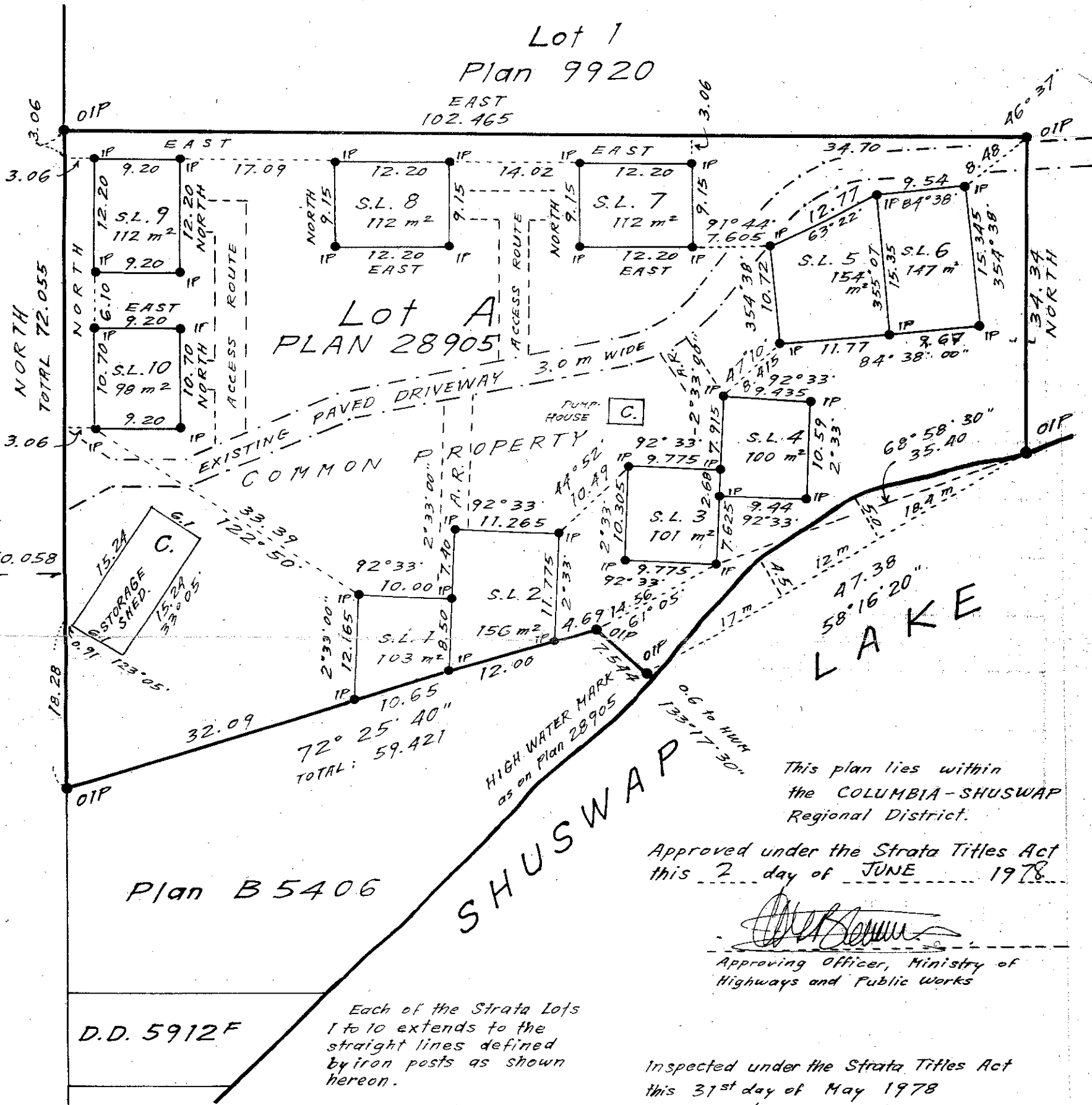
ORIGINAL SURVEY PLAN

SHEET 1 OF 5 SHEETS

Strata Plan of  
Lot A, Plan 28905  
Sec. 27 Tp. 22 Rge. 11 W. 6 M.  
Kamloops Division of Yale District  
SCALE 1:500  
VERNON ASSESSMENT DISTRICT

STRATA PLAN 1657  
Deposited and Registered  
in the Land Registry Office  
at Kamloops, B.C., this 12 day  
of July 1978  
J.C. GROVES  
Registrar

SCOTCH CREEK WHARF ROAD



EAST BDY. SE 1/4 SEC. 28  
WEST BDY. SW 1/4 SEC. 27

Bearings are astronomic and  
are derived from Plan 9920.

All distances are in METRES  
except where indicated otherwise.

- OIP denotes old iron post found.
- IP denotes iron post set.

S.L. STRATA LOT.  
C. Common Property.  
m<sup>2</sup> Square Metres.

--- denotes the existing  
paved driveway, 3 m wide. 300 - 153 SEYMOUR STREET  
A.R. denotes ACCESS ROUTE.

The registered owner designated  
hereon, hereby declares that he has  
entered into a condition or covenant  
with the Crown under Sec. 24A  
of the Land Registry Act.

OWNER:  
K. PEDERSEN  
President  
K. PEDERSEN CONSTRUCTION  
CO. LTD.

The address for service of documents  
on the Strata Corporation is:  
300 - 153 SEYMOUR STREET  
KAMLOOPS, B.C.

The civic address is:  
SCOTCH CREEK, B.C.

This plan lies within  
the COLUMBIA-SHUSWAP  
Regional District.

Approved under the Strata Titles Act  
this 2 day of JUNE 1978

Approving Officer, Ministry of  
Highways and Public Works

Inspected under the Strata Titles Act  
this 31st day of May 1978

Werner Segnitz  
B.C.L.S.

I, WERNER SEGNETZ, of Kamloops, B.C.,  
British Columbia Land Surveyor, hereby  
certify that the buildings erected on the  
parcel described above is wholly within  
the external boundaries of that parcel.  
Dated at Kamloops, B.C.  
this 14th day of February 1978

Werner Segnitz

See 1657-F

S.R. LEGGETT & ASSOCIATES  
B.C. Land Surveyors - Kamloops

JOB KS 6038 F.B. 154 p. 82-90  
142, p. 102, 116

# AMENDED PLAN

REFERENCE PLAN AMENDING STRATA PLAN K227 TO DESIGNATE  
LIMITED COMMON PROPERTY FOR THE BENEFIT OF STRATA LOTS 1  
THROUGH 10, STRATA PLAN K227, SEC 27, TP 22, R 11, W6M,  
KDYD

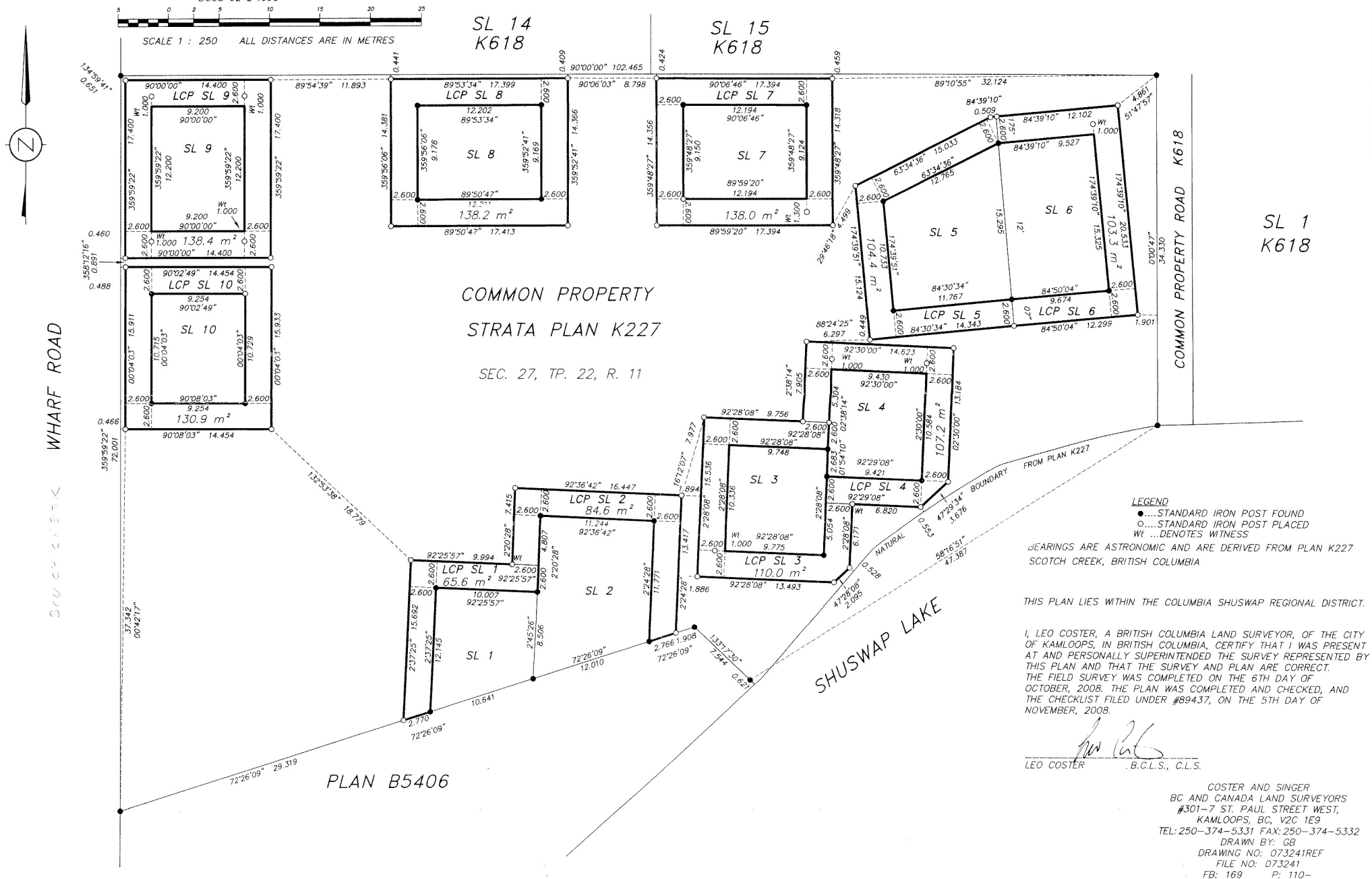
PURSUANT TO SECTION 257 OF THE STRATA PROPERTY ACT,  
BCGS 92 L .093

SCALE 1 : 250 ALL DISTANCES ARE IN METRES

## STRATA PLAN K227

Deposited and Registered in the Land Title Office at Kamloops, B.C.,  
this 12 day of 20, 2023

C. JOHNSTON  
Registrar



# LOT 8 CLOSEUP

TO DESIGNATE

PROPERTY FOR THE BENEFIT OF STRATA LOTS 1  
STRATA PLAN K227, SEC 27, Tp 22, R 11, W6M,  
KDYD

TO SECTION 257 OF THE STRATA PROPERTY ACT.

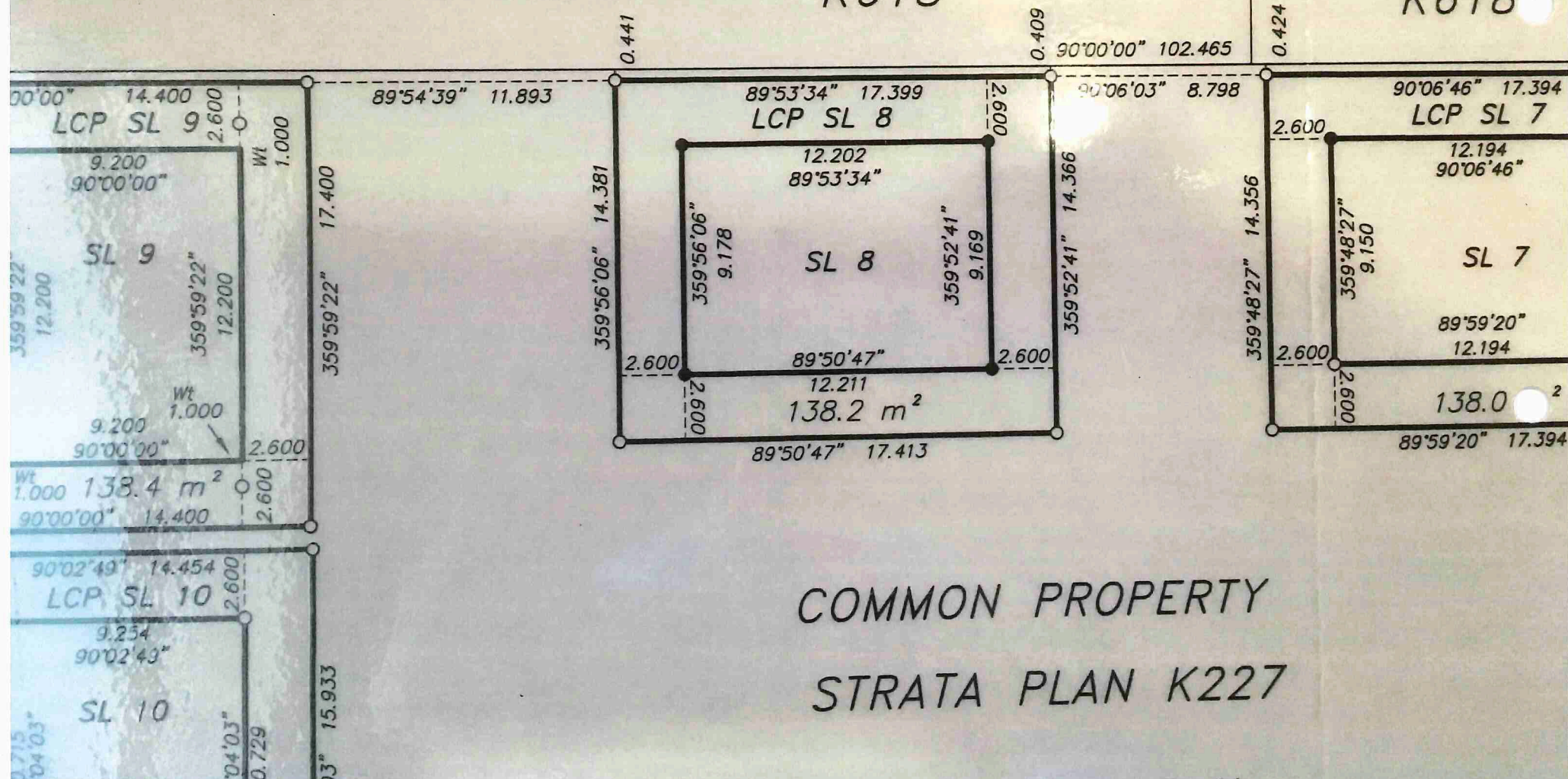
BCGS 92 L .093



SCALE 1 : 250 ALL DISTANCES ARE IN METRES

SL 14  
K618

SL 15  
K618







# BOARD REPORT

**TO:** Chair and Directors

<b>File No:</b>	BL 900-9
	PL20140127

**SUBJECT:** Electoral Area F: Lakes Zoning Amendment (Meadow Creek Properties Park Association) Bylaw No. 900-9

**DESCRIPTION:** Report from Dan Passmore, Senior Planner, dated October 30, 2018  
5140 Squilax-Anglemont Road, Magna Bay.

**RECOMMENDATION #1:** THAT: "Lakes Zoning Amendment (Meadow Creek Properties Park Association) Bylaw No. 900-9", be given third reading this 15<sup>th</sup> day of November, 2018.

**RECOMMENDATION #2:** THAT: adoption of "Lakes Zoning Amendment Meadow Creek Properties Park Association) Bylaw No. 900-9" be withheld until documentation has been received regarding the locations of the buoys within the zone area confirmed with a map with GPS coordinates, that the buoys comply with setback requirements, and confirmation that the buoys have been tagged with identification and 'BL900-9'.

## SHORT SUMMARY:

This is a proposed amendment to Lakes Zoning Bylaw No. 900 to reflect a unique upland ownership circumstance. The owners of the upland property (Lot 1, Section 8, Township 22, Range 10, W6M, KDYD, Plan 26006) are a community association called Meadow Creek Properties Park Association (MCPA). This association of upland property owners would like to amend the Multi Family 1 (FM1) zone to include a site-specific regulation for only that portion of the lake adjacent to their property.

After considerable consultation between MCPA and the Ministry of Forests Lands, Natural Resource Operations, and Rural Development (MFLNRORD), MCPA amended their application to reduce the overall number of docks from 12 to 3. Therefore, the amended regulation would allow a total of 3 docks, together with the 61 mooring buoys, 1 swim platform and the boat launch facilities that currently exist on the Shuswap Lake foreshore and were part of the original application. To allow second reading, as amended, the MCPA was asked to provide documentation on ownership of the docks and buoys, and they have provided this.

Bylaw No. 900-9 was given second reading, as amended, at the August 16, 2018 regular meeting and the Board delegated a Public Hearing. The Public Hearing was held September 5, 2018 at the North Shuswap Community Hall in Celista, where 15 members of the public were in attendance. It is appropriate for the Board to consider public input received and consider third reading.

---

<b>VOTING:</b>	Unweighted Corporate	<input type="checkbox"/>	LGA Part 14 (Unweighted)	<input checked="" type="checkbox"/>	Weighted Corporate	<input type="checkbox"/>	Stakeholder (Weighted)	<input type="checkbox"/>
----------------	-------------------------	--------------------------	-----------------------------	-------------------------------------	-----------------------	--------------------------	---------------------------	--------------------------

---

## BACKGROUND:



See attached "2015-01-15\_Board\_DS\_BL900-9\_MMCPA.pdf", "2017-11-16\_Board\_DS\_BL900-9\_MCPPA.pdf", and "2018-08-16\_Board\_DS\_BL900-9\_MCPPA.pdf".

**POLICY:**

See attached "2015-01-15\_Board\_DS\_BL900-9\_MMCPA.pdf", "2017-11-16\_Board\_DS\_BL900-9\_MCPPA.pdf", and "2018-08-16\_Board\_DS\_BL900-9\_MCPPA.pdf".

**FINANCIAL:**

The rezoning is the result of a bylaw enforcement action. If the Board does not adopt the proposed amending bylaw, and the owner does not bring the property into compliance, the Board may then wish to direct staff to seek a legal opinion regarding possible court action. Costs for the legal opinion and possible court action, although partially recoverable through Court, could nonetheless be substantial. Staff involvement in legal action is not recoverable.

**KEY ISSUES/CONCEPTS:**

See attached "2015-01-15\_Board\_DS\_BL900-9\_MMCPA.pdf", "2017-11-16\_Board\_DS\_BL900-9\_MCPPA.pdf", and "2018-08-16\_Board\_DS\_BL900-9\_MCPPA.pdf".

MCPA has agreed to own and manage all of the docks and buoys.

**Update**

As a result of the public hearing, information was provided to staff that there are a number of private mooring buoys located in the area in front of the Camel Road public lake access that are labelled with owners addresses which may be within the catchment area of the MCPA, but who may not be dues-paying members. Contact with the MCPA indicates that this is not the case. Therefore, the bylaw will continue to deal with only those buoys within the area fronting the MCPA property.

The public also requested information on whether the buoys existing would comply with the required setbacks in Bylaw No. 900 for the FM1 zone. As the maps provided by the MCPA to date have been representational, and therefore do not illustrate compliance with setback requirements, Staff have been compelled to request that the MCPA provide documentation regarding the locations of the buoys within the zone area confirmed with a map and GPS coordinates, that the buoys comply with setback requirements, and confirmation that the buoys have been tagged with identification and 'BL900-9'.

**SUMMARY:**

Staff is recommending that the Board consider public input received at the Public Hearing in consideration of third reading of Bylaw No. 900-9.

Public input provided at the Public Hearing regarding the location of the 61 private mooring buoys gives staff pause, as no information had been provided by the applicant with respect to compliance with Zone setbacks. Staff are therefore recommending that the Board consider the public input received from the Public Hearing and consider directing staff to require the applicant to provide additional information, to ensure that the buoys comply with current zone regulations (setbacks).

**IMPLEMENTATION:**

As per CSRD Policy No. P-18 regarding Consultation Processes-Bylaws, staff recommended the simple consultation process. Neighbouring property owners first became aware of the application for OCP amendments when the notice of development sign was posted on the property. Staff forwarded the bylaw and staff report to referral agencies for review and comment, a summary of the responses has been provided in previous reports to the Board.

### **Public Hearing**

The delegated Public Hearing for the proposed bylaw was held Wednesday September 5, 2018 at the North Shuswap Community Hall (Celistia) at 5456 Squilax-Anglemont Road, Celistia, BC. Fifteen members of the public were in attendance. Please see the attached Public Hearing Notes for details about public input. See "Public\_hearing\_notes\_2018-09-05\_BL900-9.pdf" attached.

Additionally 3 pieces of correspondence were received in regard to the Bylaw; two were opposed to the Bylaw and 1 was in favour.

### **COMMUNICATIONS:**

Staff notified adjacent property owners, advertised and held the Public Hearing in accordance with the Local Government Act. If the Board resolves to support the staff recommendation, the bylaw will be given third reading, but will not be forwarded back to the Board to consider adoption until the applicant has provided staff with the required information. Once staff have received this information, staff will report to the Board regarding consideration of adoption of the Bylaw.

Referral agencies have provided their comments and they have been attached as part of the second reading report, see "2018-08-16\_Board\_DS\_BL900-9\_MCPPA.pdf".

### **DESIRED OUTCOMES:**

That the Board endorse staff recommendations.

### **BOARD'S OPTIONS:**

1. *Endorse the Recommendations.*
2. *Deny the Recommendations.*
3. *Defer.*
4. *Any other action deemed appropriate by the Board.*

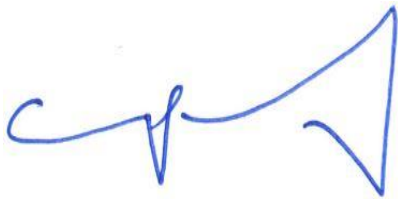
### **LIST NAME OF REPORT(S) / DOCUMENT(S) AVAILABLE FROM STAFF:**

1. Lakes Zoning Bylaw No. 900
2. Bylaw No. 900-9 at first and second readings

**Report Approval Details**

Document Title:	2018-11-15_Board_DS_BL900-9_MCPPA.docx
Attachments:	<ul style="list-style-type: none"> <li>- 2018-08-16_Board_DS_BL900-9_MCPPA.pdf</li> <li>- 2017-11-17_Board_DS_BL900-9_MMCPA.pdf</li> <li>- 2015-01-15_Board_DS_BL900-9_MMCPA.pdf</li> <li>- BL900-9_Third.pdf</li> <li>- Public_hearing_notes_2018-09-05_BL900-9.pdf</li> <li>- Public_submissions_BL900-9_Redeacted.pdf</li> <li>- Maps_Plans_BL900-9.pdf</li> </ul>
Final Approval Date:	Nov 2, 2018

This report and all of its attachments were approved and signed as outlined below:



**Corey Paiement - Nov 1, 2018 - 11:18 AM**



**Gerald Christie - Nov 1, 2018 - 5:15 PM**

**No Signature - Task assigned to Lynda Shykora was completed by assistant Jennifer Sham**

**Lynda Shykora - Nov 2, 2018 - 8:53 AM**



**Charles Hamilton - Nov 2, 2018 - 10:33 AM**



# BOARD REPORT

**TO:** Chair and Directors

<b>File No:</b>	BL 900-9 PL20140127
-----------------	------------------------

**SUBJECT:** Electoral Area F: Lakes Zoning Amendment (Meadow Creek Properties Park Association) Bylaw No. 900-9

**DESCRIPTION:** Report from Dan Passmore, Senior Planner, dated July 20, 2018  
5140 Squilax-Anglemont Road, Magna Bay.

**RECOMMENDATION #1:** THAT: "Lakes Zoning Amendment (Meadow Creek Properties Park Association) Bylaw No. 900-9", be given second reading, as amended this 16<sup>th</sup> day of August, 2018.

**RECOMMENDATION #2:** THAT: a public hearing to hear representations on Lakes Zoning Amendment (Meadow Creek Properties Park Association) Bylaw No. 900-9 be held;

AND THAT: notice of the public hearing be given by staff of the Regional District on behalf of the Board in accordance with Section 466 of the Local Government Act;

AND FURTHER THAT: the holding of the public hearing be delegated to Director Larry Morgan, as Director for Electoral Area 'F' being that in which the land concerned is located, or Alternate Director Bob Misseghers, if Director Morgan is absent, and the Director or Alternate Director, as the case may be, give a report of the public hearing to the Board.

## SHORT SUMMARY:

This is a proposed amendment to Lakes Zoning Bylaw No. 900 to reflect a unique upland ownership circumstance. The owners of the upland property Lot 1, Section 8, Township 22, Range 10, W6M, K.D.Y.D., Plan 26006 are a community association. This association of upland property owners would like to amend the Multi Family 1 (FM1) zone to include a site-specific regulation for only that portion of the lake adjacent to their property.

After considerable consultation between the Association and the Ministry of Forests Lands, Natural Resource Operations, and Rural Development (MFLNRORD), the Association has amended their application to reduce the overall number of docks from 12 to 3. Therefore, this amended regulation would allow a total of 3 docks, together with the 61 mooring buoys, 1 swim platform and the boat launch facilities that currently exist on the Shuswap Lake foreshore and were part of the original application.

---

<b>VOTING:</b>	Unweighted Corporate	<input type="checkbox"/>	LGA Part 14 (Unweighted)	<input checked="" type="checkbox"/>	Weighted Corporate	<input type="checkbox"/>	Stakeholder (Weighted)	<input type="checkbox"/>
----------------	----------------------	--------------------------	--------------------------	-------------------------------------	--------------------	--------------------------	------------------------	--------------------------

---

## BACKGROUND:



See attached "2015-01-15\_Board\_DS\_BL900-9\_MMCPA.pdf", and "2017-11-16\_Board\_DS\_BL900-9\_MCPPA.pdf".

**POLICY:**

See attached "2015-01-15\_Board\_DS\_BL900-9\_MMCPA.pdf", and "2017-11-16\_Board\_DS\_BL900-9\_MCPPA.pdf".

**FINANCIAL:**

The rezoning is the result of a bylaw enforcement action. If the Board does not adopt the proposed amending bylaw, and the owner does not bring the property into compliance, the Board may then wish to direct staff to seek a legal opinion regarding possible court action. Costs for the legal opinion and possible court action, although partially recoverable through Court, could nonetheless be substantial. Staff involvement in legal action is not recoverable.

**KEY ISSUES/CONCEPTS:**

See attached "2015-01-15\_Board\_DS\_BL900-9\_MMCPA.pdf", and "2017-11-16\_Board\_DS\_BL900-9\_MCPPA.pdf".

**Update**

See attached "2017-11-16\_Board\_DS\_BL900-9\_MCPPA.pdf".

At the Regular Board Meeting, dated November 16, 2017, staff presented the attached report outlining concerns with respect to the ownership of the buoys. The report recommended that as staff were unable to resolve this situation with the Meadow Creek Properties Park Association (MCPPA), that the Board consider giving the rezoning amendment bylaw no further readings. After hearing a representative of the MCPPA, the Board resolved to defer a decision on this matter until new information has been provided by the Association to staff.

The MCPPA held an Annual General Meeting recently, and the matter of buoy ownership and the CSRD's requirement for the Association to own the buoys was put to the assembled membership. While the discussion on this matter is not known, the result of the meeting is reflected in the attached letter from the MCPPA Directors, which states that the MCPPA is the owner of the 61 buoys. This information satisfies staff's concerns.

**SUMMARY:**

The MCPPA has satisfied staff concerns with respect to the private mooring buoys. As a result it is now appropriate for the Board to consider Bylaw No. 900-9 for second reading, as amended, and delegate a Public Hearing.

**IMPLEMENTATION:**

As per CSRD Policy No. P-18 regarding Consultation Processes-Bylaws, staff recommended the simple consultation process. Neighbouring property owners first became aware of the application for zoning amendments when the notice of development sign was posted on the property.

**COMMUNICATIONS:**

If the Board supports second reading, as amended, of Bylaw No. 900-9 and delegates a Public Hearing staff will proceed with notification of adjacent property owners and advertising the Public Hearing as set out in the Local Government Act.

Referral agencies have provided their comments and they have been attached "Agency\_referral\_responses\_BL900-9.pdf".

**DESIRED OUTCOMES:**

That the Board endorse staff recommendation.

**BOARD'S OPTIONS:**

1. *Endorse the Recommendation.*
2. *Deny the Recommendation.*
3. *Defer.*
4. *Any other action deemed appropriate by the Board.*

**LIST NAME OF REPORT(S) / DOCUMENT(S) AVAILABLE FROM STAFF:**

1. Lakes Zoning Bylaw No. 900, as amended

**Report Approval Details**

Document Title:	2018-08-16_Board_DS_BL900-9_MCPPA.docx
Attachments:	<ul style="list-style-type: none"> <li>- BL900-9_Bylaw_Second_amended.pdf</li> <li>- 2015-01-15_Board_DS_BL900-9_MMCPA.pdf</li> <li>- 2017-11-17_Board_DS_BL900-9_MMCPA.pdf</li> <li>- Agency_referral_responses_BL900-9.pdf</li> <li>- MCPPA_E-mail_2018-07-17.pdf</li> <li>- Letter to CSRD July 2018.pdf</li> <li>- Maps_Plans_BL900-9.pdf</li> </ul>
Final Approval Date:	Jul 30, 2018

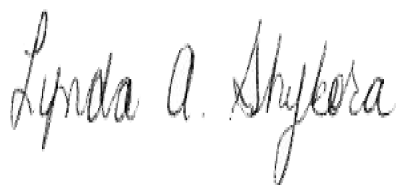
This report and all of its attachments were approved and signed as outlined below:

**No Signature - Task assigned to Corey Paiement was completed by workflow administrator Tommy Test**

**Corey Paiement - Jul 24, 2018 - 9:06 AM**



**Gerald Christie - Jul 30, 2018 - 10:18 AM**



**Lynda Shykora - Jul 30, 2018 - 2:18 PM**



**Charles Hamilton - Jul 30, 2018 - 3:59 PM**



## BOARD REPORT

**TO:** Chair and Directors

**File No:** BL 900-9

**FROM:** Dan Passmore  
Senior Planner

**Date:** December 17, 2014

**SUBJECT:** Lakes Zoning Amendment (Meadow Creek Properties Park Association)  
Bylaw No. 900-9

**RECOMMENDATION #1:** THAT:  
"Lakes Zoning Amendment (Meadow Creek Properties Park Association) Bylaw No. 900-9" be read a first time this 15<sup>th</sup> day of January, 2015;

AND THAT:

the Board utilize the simple consultation process for Bylaw No. 900-9 and in accordance with Section 879 of the Local Government Act it be referred to the following agencies and First Nations:

- Area 'F' Advisory Planning Commission;
- Interior Health Authority;
- Ministry of Transportation and Infrastructure;
- Ministry of Environment;
- Department of Fisheries and Oceans;
- Ministry of Forests, Lands and Natural Resource Operations – Lands Branch;
- Ministry of Forests, Lands and Natural Resource Operations, Archaeology Branch;
- CSR D Operations Management; and
- All relevant First Nations Bands and Councils

**APPROVED for Board Consideration:**

Meeting Date: January 15<sup>th</sup>, 2015

*Charles Hamilton*  
Charles Hamilton, CAO

### SHORT SUMMARY:

This is a proposed amendment to Lakes Zoning Bylaw No. 900 to reflect a unique upland ownership circumstance. The owners of the upland property Lot 1, Section 8, Township 22, Range 10, W6M, K.D.Y.D., Plan 26006 are a community association that had, as of their last Annual General Meeting, 63 active members, 3 associate members and 1 lifetime member. This association of upland property owners would like to amend the Multi Family 1 (FM1) zone to include a site-specific regulation for only that portion of the lake adjacent to their property. This regulation would allow a total of 61 mooring buoys, 12 docks, 1 swim platform and boat launch facilities that currently exist on the Shuswap Lake foreshore.



<b>VOTING:</b>	Unweighted Corporate	<input type="checkbox"/>	Weighted Corporate	<input type="checkbox"/>	Stakeholder	<input type="checkbox"/>
	LGA Part 26	<input checked="" type="checkbox"/>			(Weighted)	
	(Unweighted)					

**BACKGROUND:**

APPLICANT: Meadow Creek Properties Park Association

ELECTORAL AREA: 'F' (Celista)

CIVIC ADDRESS: 5140 Squilax-Anglemont Road

LEGAL DESCRIPTION: That part of Shuswap Lake adjacent to Lot 1, Section 8, Tp. 22, Rge 10, W6M, KDYD, Plan 26006

SIZE OF PROPERTY: 1.115 ha. (2.62 ac)

**SURROUNDING LAND  
USE PATTERN:**

NORTH	Residential
SOUTH	Shuswap Lake
EAST	Residential
WEST	Residential

CURRENT USE: Upland – Boat Launches, volleyball courts, parking lot, picnic areas  
Foreshore – 60 mooring buoys, 12 docks and 2 boat launches

PROPOSED USE: Upland – Boat Launches, volleyball courts, parking lot, picnic areas  
Foreshore – 61 mooring buoys, 12 docks, 1 swimming platform and boat launch facilities

OCP DESIGNATION: SSA – Secondary Settlement Area

ZONING: FM1 – Multi-Family – 1

**POLICY:****Electoral Area 'F' Official Community Plan Bylaw No. 830****3.2 Shoreline Environment***Objective 1*

To maintain the unique physical and biological characteristics of the shoreline environment.

*Objective 2*

To ensure that shoreline habitats are protected from undesirable development and unnecessary shoreline manipulation.

*Objective 3*

To manage the foreshore to ensure appropriate use and prevent overdevelopment.

*Objective 4*

To direct development to areas of least ecological sensitivity, particularly in relation to fish habitat.

*Policy 1*

Non-moorage uses are not acceptable on the foreshore, which include facilities such as beach houses, storage sheds, patios, sun decks, and hot tubs. Additionally, no commercial uses, long-term camping (as defined in the zoning bylaw), beach creation, sand importation, groyne construction, infilling, private boat launches, substrate disturbance (shore spawning) are acceptable on the foreshore. Houseboat activities on the foreshore will be directed to areas of least environmental and social impact (i.e. low fish habitat values, away from settlement areas).

*Policy 2*

Shoreline stabilization works and measures are subject to the following:

1. All shoreline stabilization works must adhere to the Ministry of Environment's "Best Management Practices for Lakeshore Stabilization".
2. Recognizing that a natural shoreline is often the best and least expensive protection against erosion, shoreline stabilization activities shall be limited to those necessary to prevent damage to existing structures or established uses on waterfront property. New development should be located and designed to avoid the need for shoreline stabilization.
3. Shoreline stabilization structures for extending lawn or gardens or providing space for additions to existing structures or new outbuildings are prohibited.
4. Stabilization works should be undertaken only when there is a justifiable level of risk to existing buildings, roads, services, or property, as deemed necessary by a qualified environmental professional (QEP). In such cases, the 'softest' stabilization measures should be applied.
5. Stabilization works and measures must be located within the property line of the waterfront parcel, above the natural boundary of the watercourse. Soft shoreline measures that provide restoration of previously damaged ecological functions may be permitted waterward of the natural boundary.

*Policy 3*

Private moorage is subject to the following:

1. Private moorage will not impede pedestrian access along the beach portion of the foreshore.
2. The siting of new private moorage shall be undertaken in a manner that is consistent with the orientation of neighbouring private moorage, is sensitive to views and other impacts on neighbours, and avoids impacts on access to existing private moorage and adjacent properties.
3. The zoning bylaw will set out other detailed provisions related to siting, setbacks, size, configuration, width, materials, and projections for private moorage.
4. The Integrated Land Management Bureau, in carrying out reviews of foreshore tenure applications will take the foregoing factors into consideration, with emphasis on the

environmental sensitivity of the foreshore areas, as well as ensuring an appropriate relationship with upland areas.

5. Private moorage owners and builders will refer to the Ministry of Environment's Best Management Practices for Small Boat Moorage on Lakes and the Ministry's BMPs for Boat Launch Construction and Maintenance on Lakes. As well, owners and builders will refer to minor works policies published by Transport Canada, Navigable Waters Protection Division prior to construction of any foreshore moorage (works).

#### *Policy 4*

The Regional District will:

1. Assess and protect sensitive fish habitat when implementing the boat launching facilities provisions of the Electoral Area F Parks Plan.
2. Work with the Integrated Land Management Bureau to investigate ways to best achieve the goals set out in this section, including investigation of the potential for the CSRD to secure a head lease for the foreshore.
3. Encourage waterfront owners to consider shared docks in the interests of having one larger dock that extends into deep water, rather than a number of individual docks that are in relatively shallow water with higher fish habitat values.
4. Advise and expect property owners to replace older, on-site sewage systems with newer technology to prevent potential contamination of the shoreline.
5. Advise and require property owners not to remove vegetation along the shoreline that could result in erosion, loss of food and nutrients for fish, and loss of shade for young fish. Landowners must refer to the Ministry of Environment's Best Management Practices for Hazard Tree and Non Hazard Tree Limbing, Topping or Removal.

### **11.1 General Land Use**

The Primary and Secondary Settlement Areas are delineated on Schedules B & C. This Plan directs growth and development to these areas. The Plan does not support significant growth and development outside the Primary and Secondary Settlement Areas.

### **11.2 Foreshore and Water Use**

The property is associated with moderate fish habitat values, and therefore the following policies apply;

Policy 2 - The Foreshore and Water designation permits recreational watercraft use, commercial marinas and associated Water uses. These uses are subject to the policies of this Plan, including the Foreshore & Aquatic Development Permit Area, regulations of the zoning bylaw, and the regulations of tenuring government authorities.

Policy 3 - Commercial marinas must provide boat-launching facilities for their customers.

Policy 4 - In consideration of the high value fisheries habitat and the environmental sensitivity of the foreshore, structures such as wharves or buildings that require pilings will be very limited and subject to regulations by the relevant federal and provincial agencies.

Policy 5 - The Regional District may limit the number, size and shape of boat slips in the zoning bylaw. Mooring buoys will also be regulated within the zoning bylaw.

Policy 6 - The Regional District will work with ILMB to designate Shuswap Lake and Adams Lake as an application-only area under that agency's Private Moorage Crown Land Use Operation Policy.

### **11.7 Secondary Settlement Area**

The subject property is designated as a Secondary Settlement Area (SSA), but no underlying designations were made to apply to this area in the OCP. Policies for the SSA designation are specific to the underlying designations. It is noted that the following designation and associated policy is available within an SSA;

#### **11.12 Parks and Recreation (PK)**

##### **Policy 1**

The Parks and Recreation designation includes federal, provincial, and regional parks, and associated park uses, as well as public and private recreation facilities.

#### **Lakes Zoning Bylaw No. 900**

The portion of the lake immediately adjacent to the subject property is currently zoned FM1 – Foreshore Multi-Family 1. The FM1 zone currently only allows a single floating dock and private mooring buoy per adjacent waterfront unit, and does not permit a group moorage facility. The adjacent upland property is currently owned by the Meadow Creek Properties Park Association and therefore does not have an adjacent waterfront unit on the property. Rather it is a vacant property reserved for the use of 176 upland title owners for park and recreation purposes.

Staff are proposing to amend the FM1 zone to include both site specific uses and density for the lake adjacent to the subject property to allow the existing facilities which have been constructed, and to allow for the potential of a larger group moorage facility in future to cater to the Associations members.

#### **FINANCIAL:**

The rezoning is the result of a bylaw enforcement action. If the Board does not adopt the proposed amending bylaw, and the owner does not bring the property into compliance, the Board may then wish to direct staff to seek a legal opinion regarding possible court action. Costs for the legal opinion and possible court action, although partially recoverable through Court, could nonetheless be substantial. Staff involvement in legal action is not recoverable.

#### **KEY ISSUES/CONCEPTS:**

##### **Sewage Disposal**

The property is not serviced by any sewage disposal system. This is a requirement for development of property within a Secondary Settlement Area.

##### **Water Supply**

The property currently has a pumphouse situated on it which supplies the Meadow Creek community water system. This property does not have a water supply. Secondary Settlement Area policies require connection to a community water system for a property to be developed.



**Access**

Primary access to this property and the boat launches is from Squilax-Anglemont Road. There are currently 2 driveways for the boat launches as well as an access for the community water system pump house on the east side of the property. There is a gravel parking lot available.

**Section 219 Covenant KM40855**

This covenant was registered in 1998. The covenant is against the title of the subject property in favour of 176 upland property owners. The covenant restricts the use of the subject property to park and recreational use and does not permit subdivision of the property.

**Section 219 Covenant K50406**

This covenant was registered in 1975. The covenant is granted to the Crown. The covenant is to limit the subject property's use to a park, either private or public, and that the use of the park will be interpreted as if the lands were zoned as a park area by the appropriate governmental agencies.

**Statutory Building Scheme K24715**

This statutory building scheme (SBS) was registered in 1975. The SBS includes a schedule of restrictions that impact on development of the individual lots within the development, but does not contain any restrictions specific to the subject property.

**Statutory Building Scheme L17117**

This SBS was registered in 1976, as a modification to the original SBS K24715, noted above. The SBS modifies a front line setback requirement for those properties fronting Squilax-Anglemont Road to 15'.

**Riparian Area Regulations**

The applicant is not proposing any additional work on the upland property, and therefore no development would be happening within 30.0 m upland of the highwater mark and so a RAR DP is not required.

**Meadow Creek Properties Park Association (MCPPA)**

MCPPA is a non-profit society that has been constituted to hold title to the upland property and to manage and maintain the property. Membership in the MCPPA is restricted to owners of the 176 upland titles, and then only if they become members through payment of membership dues. Becoming a member of the MCPPA provides free access to the facilities and amenities of the subject property, including the beach.

In the absence of any CSRD regulation over the upland property and the lake surface, the MCPPA did not regulate or actively manage either the placement of buoys or the placement of private docks in the water. As the upland property owner, it would have been the MCPPA's responsibility to ensure that any works done in the lake received the appropriate permissions from the authority having jurisdiction. In the case of groynes constructed along the shoreline, permission under Section 9 of the Water Act would be required from the MFLNRO. In the case of docks, a license from MFLNRO, for a dock, together with permission under Section 9 of the Water Act from MFLNRO would have been required.

After the adoption of amendments to Electoral Area 'F' Official Community Plan Bylaw No. 830, requiring a DP for water use and the adoption of Lakes Zoning Bylaw No. 900, a process of application through CSRD for a DP was also required. 2 of the members who have constructed docks in the foreshore have applied for DP 830-69 and DP 830-70.

Should the proposed rezoning amendment be approved by the CSRD Board, permissions for the docks will be required from MFLNRO. The owner has made application for a Development Permit for both the docks and the buoys. This DP cannot be issued until this rezoning has been adopted. Additionally, staff intends to send a referral to MFLNRO to ascertain if the Province would permit the existing docks.

### **Docks and Buoys**

11 of the existing docks were placed in the lake by certain of the members of the MCPPA. It is uncertain to CSRD staff whether these members obtained permission from the MCPPA to do so. It is certain that these members did not obtain licenses from the Province to place these docks. It is also certain that the MCPPA in the name of these members as the upland property owner did not obtain permission from the Province to place the docks. CSRD staff note that, as of the date of writing this report, only the upland property owner immediately adjacent to the lake has the right to apply to the Province for permission to have a dock. It is uncertain how the Province will regard the ownership of these docks when reviewing any license applications.

The twelfth dock was placed by the association near to the boat launch facilities. Similarly to the 11 others, no authority to place the dock was obtained from the Province.

It is also uncertain how the MCPPA will manage these 11 existing privately owned docks in future, where membership in the Association grants all members access to MCPPA facilities. CSRD staff are under the impression that each of the docks was installed by a specific member of the association at their cost, and therefore it would seem that the docks are an exception to the rights of membership to use all facilities. To this date the MCPPA appears to have taken a hands-off approach to placement and management of both the docks and the buoys. Although, the MCPPA as part of their application has pledged to initiate some sort of a sharing scheme, but only for certain of the existing buoys.

By taking a hands-off approach the MCPPA has allowed private ownership of certain facilities and amenities under its responsibility as upland owner. This may have compromised the MCPPA's ability to manage these facilities and seek approvals moving forward. It may also compromise their existing constitution. As such, it is difficult for CSRD staff to accept that the MCPPA will be able to assert its duty to manage these facilities in an effective fashion in the future as the upland owner.

## **IMPLEMENTATION:**

### **Consultation Process**

As per CSRD Policy No. P-18 regarding Consultation Processes-Bylaws, staff recommends the simple consultation process. Neighbouring property owners will first become aware of the application for zoning amendments when a notice of development sign is posted on the subject property.

### **Referral Process**

The following list of referral agencies is recommended:

- Area 'F' Advisory Planning Commission;
- Interior Health Authority;
- Ministry of Transportation and Infrastructure;
- Ministry of Environment;
- Department of Fisheries and Oceans;

- Ministry of Forests, Lands and Natural Resource Operations – Lands Branch;
- Ministry of Forests, Lands and Natural Resource Operations, Archaeology Branch;
- CSRD Operations Management; and
- All relevant First Nations Bands and Councils.

**SUMMARY:**

The applicant has applied to amend Bylaw No. 900 to allow some site specific uses within the lake that are already existing. Staff are recommending that the Board give the proposed amending bylaw first reading and forward the bylaw to referral agencies.

**LIST NAME OF REPORTS / DOCUMENTS:**

1. Maps: Location, Orthophotos, OCP	Attached to Agenda Summary: <input checked="" type="checkbox"/>	Available from Staff: <input type="checkbox"/>
2. Lakes Zoning Amendment (Meadow Creek Properties Park Association) Bylaw No. 900-09	Attached to Agenda Summary: <input checked="" type="checkbox"/>	Available from Staff: <input type="checkbox"/>
3. Application	Attached to Agenda Summary: <input type="checkbox"/>	Available from Staff: <input checked="" type="checkbox"/>

**DESIRED OUTCOME:**

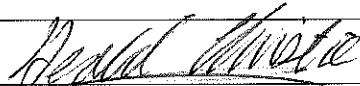
That the Board endorse staff recommendations.

**BOARD'S OPTIONS:**

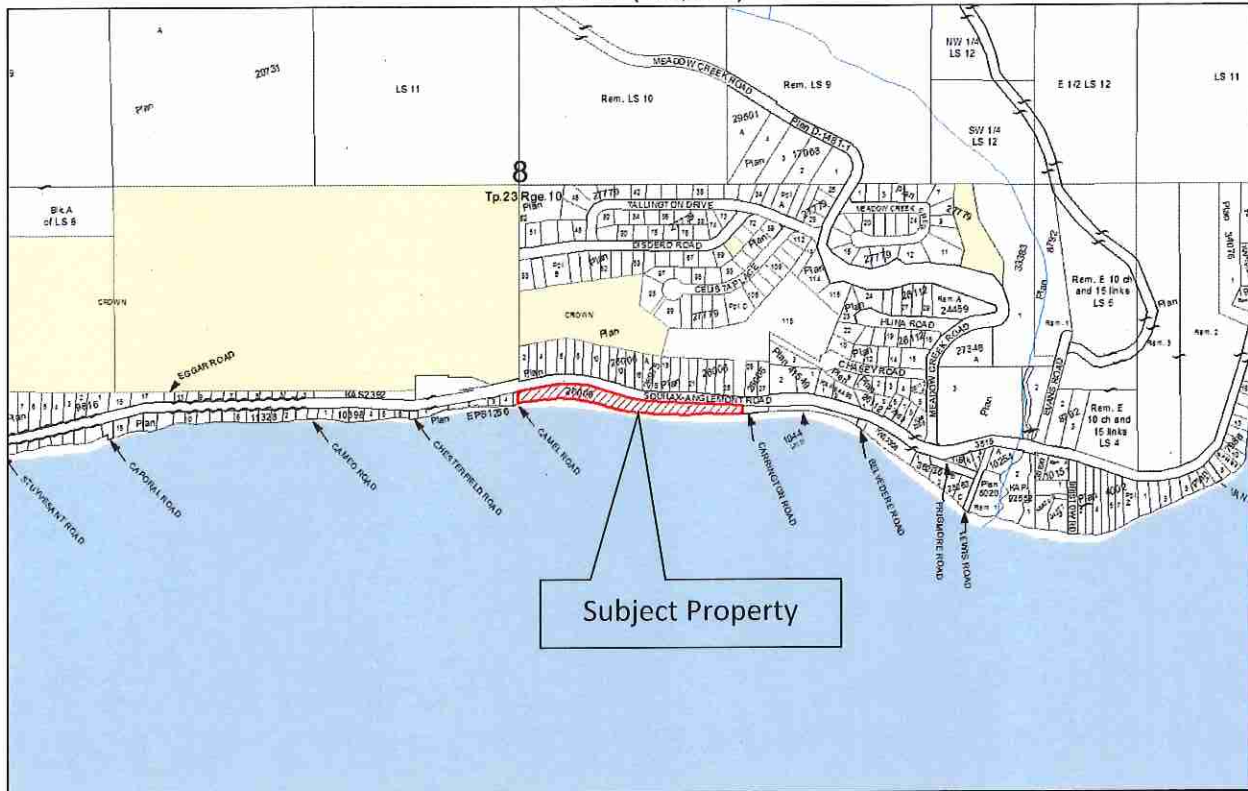
1. *Endorse recommendations. Bylaw No. 900-09 will be given first reading and will be sent out to the referral agencies.*
2. *Decline first reading, Bylaw No. 900-09 will be defeated. The current FM1 zone will apply and bylaw enforcement action will continue.*
3. *Defer.*
4. *Any other action deemed appropriate by the Board.*

**COMMUNICATIONS:**

If the bylaw is given first reading it will be forwarded to the referral agencies. Agency comments will be provided with a future Board report.

REVIEWED BY:	Date Signed Off (MO/DD/YR)	Approval Signature of Reviewing Manager or Team Leader
Development Services	12/18/14	

Location (1:6,500)



Subject Property Map – Legal 1:2,500





Orthophoto – 1:10,000



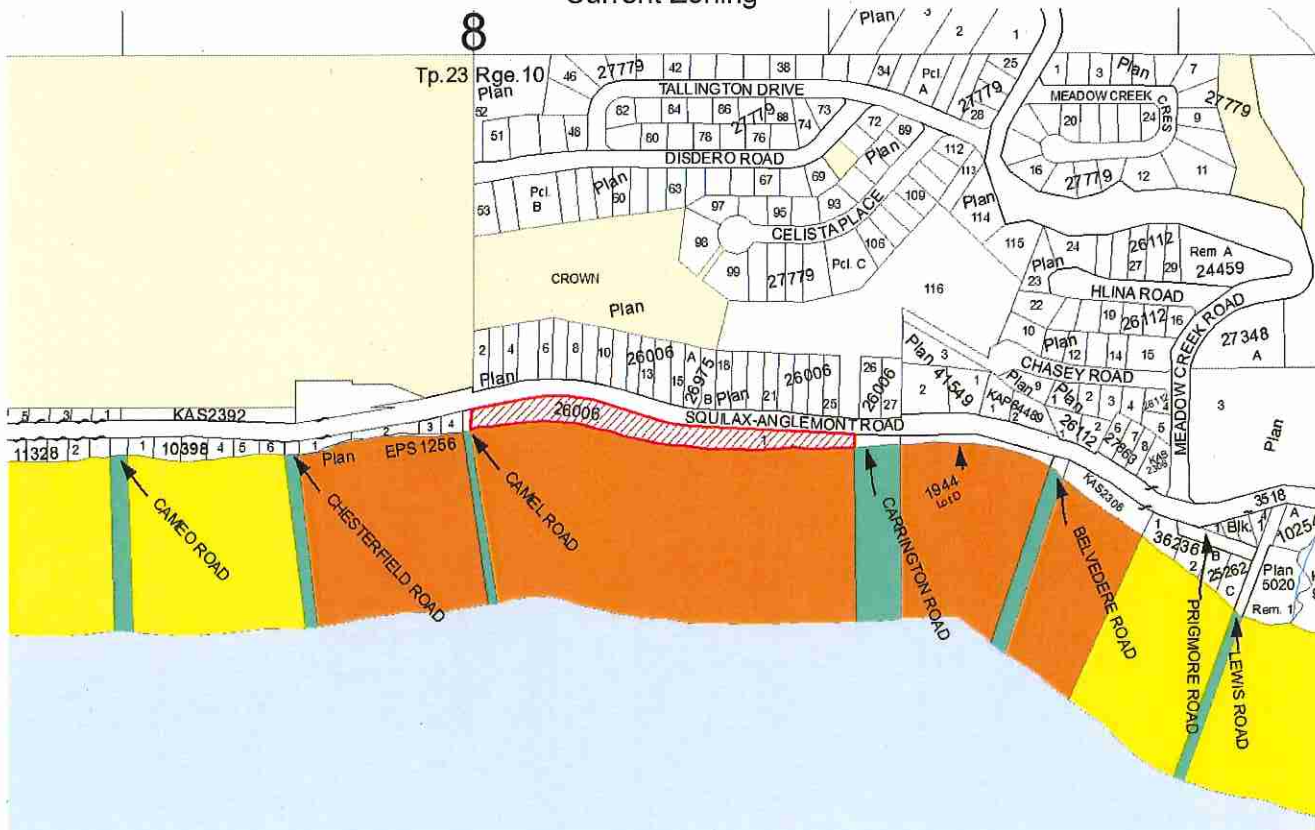
Orthophoto – 2013 Foreshore



Current OCP



Current Zoning

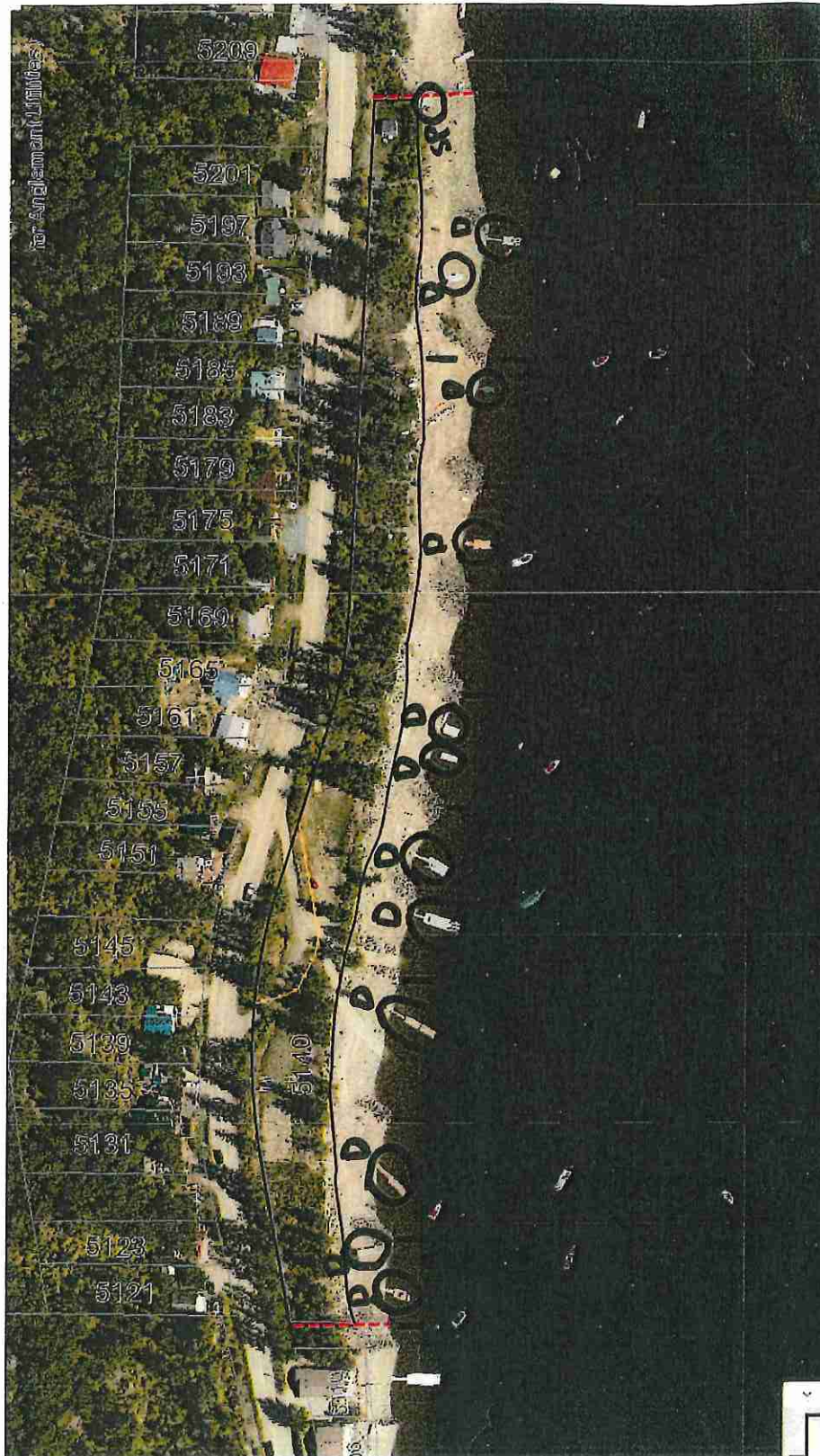




## August 14, 2014 Bylaw Enforcement Foreshore Inventory

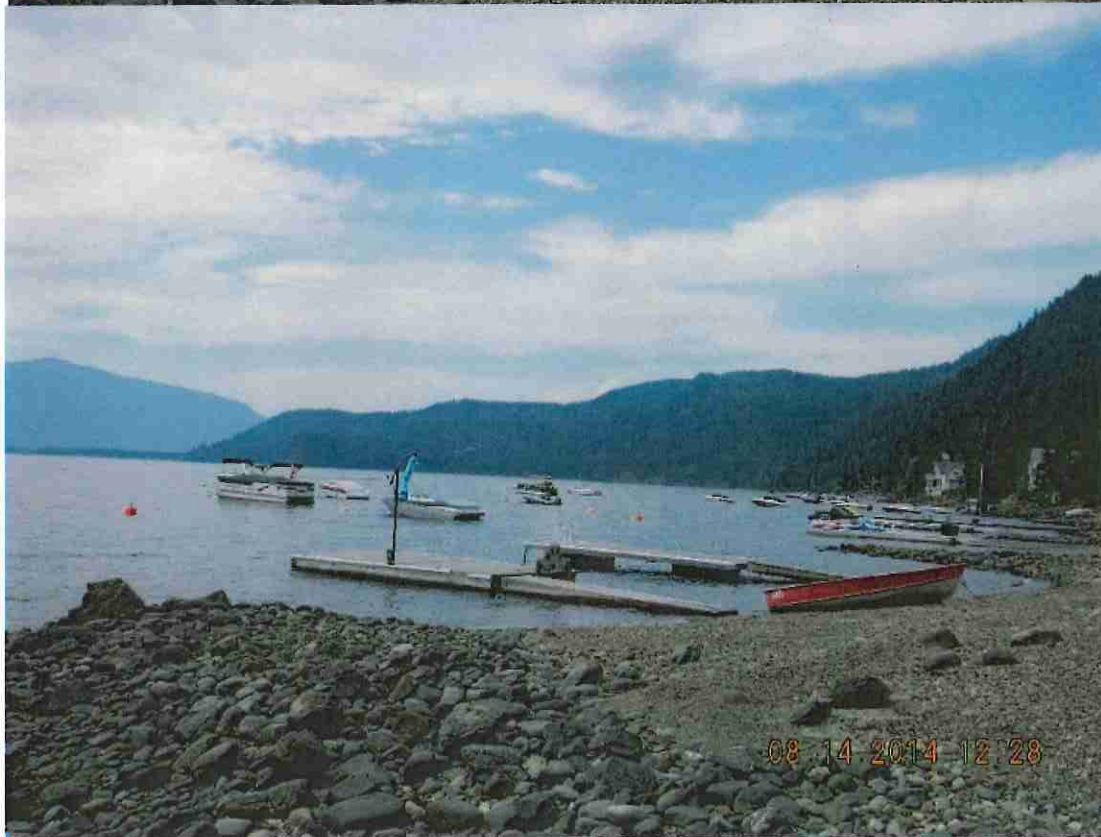
COPY

Meadow Creek - August 14, 2014 Inventory - 61 Buoys  
 - 12 Docks  
 - 2 Swimming platforms (SP)



CAMEL ROFF ACCESS.	GRID 10	GRID 9	GRID 8	GRID 7	GRID 6	GRID 5	GRID 4	GRID 3	GRID 2	GRID 1	CADWATER RD - ACCESS
- Nothing of concern @ time closer to S110	• 2 Docks • S123 • 2 Buoys	• 1 Dock • 7 Buoys	• 1 Dock • no moorage swimming lounging	• 1 Dock • private use @ own risk	• 1 Dock • private recreation • 8 Buoys	• 2 Docks • 6 Buoys S165 private	• 5 Buoys	• 1 Dock • 8 Buoys	• 1 Dock • 7 Buoys	• 2 Docks • 2 SP • 15 Buoys	• 2 Docks • 1 Buoy for certain 2 on prop.

Photos of Foreshore

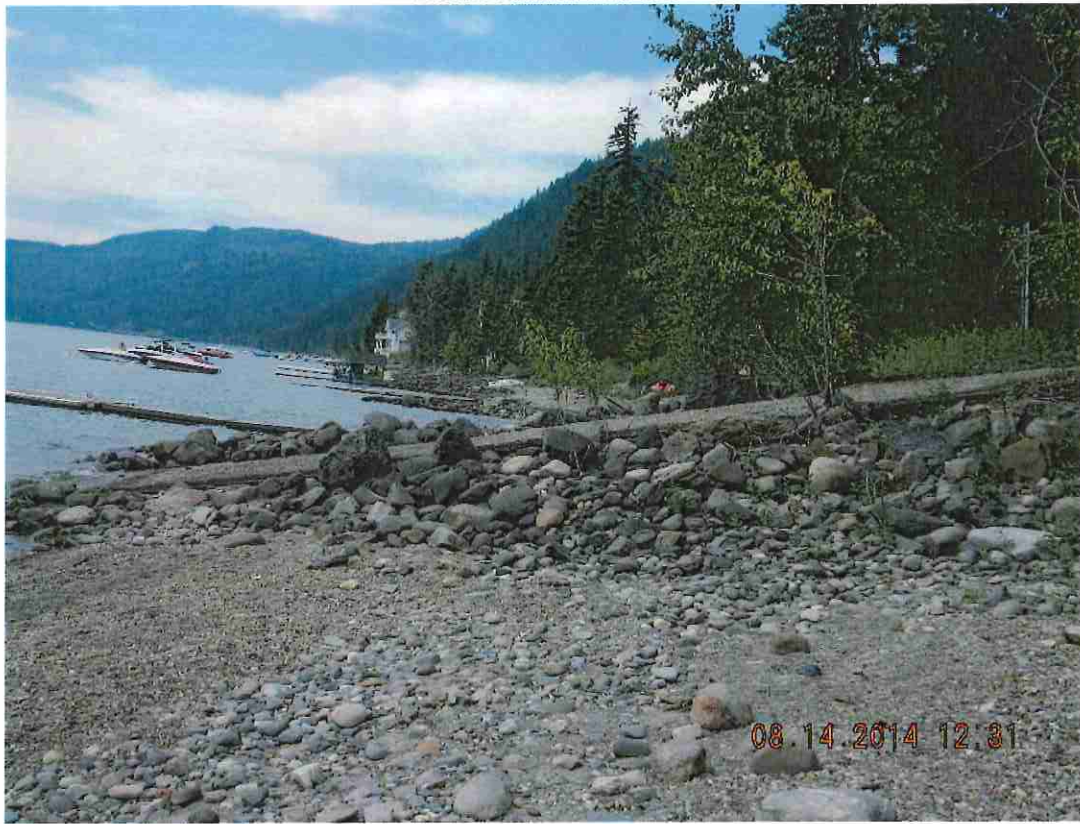




Photos of Foreshore (cont'd.)



Boat Launch Photos





**COLUMBIA SHUSWAP REGIONAL DISTRICT****LAKES ZONING AMENDMENT****(MEADOW CREEK PROPERTIES PARK ASSOCIATION) BYLAW NO. 900-9****A bylaw to amend the "Lakes Zoning Bylaw No. 900"**

WHEREAS the Board of the Columbia Shuswap Regional District adopted Bylaw No.900;

AND WHEREAS the Board deems it appropriate to amend Bylaw No. 900;

NOW THEREFORE the Board of the Columbia Shuswap Regional District, in open meeting assembled, HEREBY ENACTS as follows:

1. Bylaw No. 900 cited as "Lakes Zoning Bylaw No. 900" is hereby amended as follows:

A. TEXT AMENDMENT

1. Schedule A, Zoning Bylaw Text, Part 4 Zones, is hereby amended by deleting the FM1 Foreshore Multi-Family 1 zone in its entirety and replacing it with the following:

#### 4.6 FM1 Foreshore Multi-Family 1

# FM1

#### .1 Permitted Uses:

- (a) *Floating dock(s)*, including *removable walkway*, that is accessory to an adjacent *waterfront unit*.
- (b) *Private mooring buoy(s)* that is accessory to an adjacent *waterfront unit*.
- (c) *Boat lift(s)* that is accessory to an adjacent *waterfront unit*.
- (d) *Boat launch*.

#### .2 Site Specific Permitted Uses:

- (a) In addition to the permitted *uses* in this zone, *group moorage facility* comprised of no more than one *fixed or floating dock*, including *permanent or removable walkways*, is only a permitted *use* on the surface of the *lake* in conjunction with Lot 1, Section 8, Tp. 22, Rge 10, W6M, KDYD, Plan 26006.
- (b) *Private mooring buoy(s)* that is accessory to the use of Lot 1, Section 8, Tp. 22, Rge 10, W6M, KDYD, Plan 26006

**.3 Regulations:**

COLUMN 1 MATTER REGULATED	COLUMN 2 REGULATION
(a) <u>Density</u> maximum number of docks and private mooring buoys:	<ul style="list-style-type: none"> <li>○ <i>Dock</i>: 1 floating dock per adjacent waterfront unit.</li> <li>○ <i>Private mooring buoys</i>: 1 per adjacent waterfront unit.</li> </ul>
(b) <u>Site Specific Density</u> maximum number of floating docks, group moorage facility, berths and private mooring buoys where different from (a):	<ul style="list-style-type: none"> <li>○ For the surface of the <i>lake</i> adjacent to Lot 1, Section 8, Tp. 22, Rge 10, W6M, KDYD, Plan 26006, the maximum number of floating docks is 11; the maximum number of group moorage facilities is 1; the maximum number of berths in the group moorage facility is 22 ; and the maximum number of private mooring buoys is 61. {Meadow Creek Properties Park Association}</li> </ul>
(c) <u>Size</u> of dock and walkway:	<ul style="list-style-type: none"> <li>○ <i>Floating dock</i> must not exceed 24 m<sup>2</sup> (258.33 ft<sup>2</sup>) in total upward facing surface area (not including <i>removable walkway</i>).</li> <li>○ <i>Floating dock</i> surface must not exceed 3 m (9.84 ft) in width for any portion of the dock.</li> <li>○ <i>Removable walkway</i> surface must not exceed 1.5 m (4.92 ft.) in width for any other portion of the walkway.</li> </ul>
(d) <u>Size</u> group moorage facility where different from (c)::	<ul style="list-style-type: none"> <li>○ <i>dock</i> surface must not exceed 3 m (9.84 ft) in width for any portion of the dock.</li> <li>○ <i>Removable walkway</i> surface must not exceed 1.5 m (4.92 ft.) in width for any other portion of the walkway.</li> </ul>



<p>(e) <u>Location and Siting of dock, private mooring buoys or boat lifts:</u></p>	<p>The minimum setback of a <i>floating dock, private mooring buoy or boat lift</i> accessory to an adjacent <i>waterfront unit or waterfront parcel</i> is as follows:</p> <ul style="list-style-type: none"><li>○ 5 m (16.4 ft) from the side <i>parcel</i> boundaries of that <i>waterfront parcel</i>, projected onto the <i>foreshore</i> and water.</li><li>○ 5 m (16.4) from adjacent <i>waterfront units</i>, projected onto the <i>foreshore</i> and water.</li><li>○ 6 m (19.69 ft) from a Foreshore Park (FP) zone or <i>park</i> side <i>parcel</i> boundaries projected onto the <i>foreshore</i> and water.</li></ul> <p>Additional setbacks for <i>private mooring buoys</i>:</p> <ul style="list-style-type: none"><li>○ 20 m (65.62 ft) from any existing structures on the <i>foreshore</i> or water.</li><li>○ 50 m (164.04 ft.) from any <i>boat launch</i> ramp or <i>marina</i>.</li></ul>
---	--

BL 900-9

PAGE 4

2. This bylaw may be cited as "Lakes Zoning Amendment (Meadow Creek Properties Park Association) Bylaw No. 900-9."

READ a first time this \_\_\_\_\_ day of \_\_\_\_\_, 2015.

READ a second time this \_\_\_\_\_ day of \_\_\_\_\_, 2015.

PUBLIC HEARING held this \_\_\_\_\_ day of \_\_\_\_\_, 2015.

READ a third time this \_\_\_\_\_ day of \_\_\_\_\_, 2015.

ADOPTED this \_\_\_\_\_ day of \_\_\_\_\_ 2015.

\_\_\_\_\_  
CORPORATE OFFICER

\_\_\_\_\_  
CHAIR

CERTIFIED a true copy of Bylaw No. 900-9  
as read a third time.

CERTIFIED a true copy of Bylaw No. 900-9  
as adopted.

\_\_\_\_\_  
Corporate Officer

\_\_\_\_\_  
Corporate Officer



# BOARD REPORT

**TO:** Chair and Directors

<b>File No:</b>	BL 900-9 PL20140127
-----------------	------------------------

**SUBJECT:** Electoral Area F: Lakes Zoning Amendment (Meadow Creek Properties Park Association) Bylaw No. 900-9

**DESCRIPTION:** Report from Dan Passmore, Senior Planner, dated September 12, 2017  
5140 Squilax-Anglemont Road, Magna Bay.

**RECOMMENDATION:** THAT: "Lakes Zoning Amendment (Meadow Creek Properties Park Association) Bylaw No. 900-9", be given no further readings this 16<sup>th</sup> day of November, 2017.

## SHORT SUMMARY:

This is a proposed amendment to Lakes Zoning Bylaw No. 900 to reflect a unique upland ownership circumstance. The owners of the upland property Lot 1, Section 8, Township 22, Range 10, W6M, K.D.Y.D., Plan 26006 are a community association. This association of upland property owners would like to amend the Multi Family 1 (FM1) zone to include a site-specific regulation for only that portion of the lake adjacent to their property.

After considerable consultation between the Association and the Ministry of Forests Lands, Natural Resource Operations, and Rural Development (MFLNRORD), the Association has amended their application to reduce the overall number of docks from 12 to 3. Therefore, this amended regulation would allow a total of 3 docks, together with the 61 mooring buoys, 1 swim platform and the boat launch facilities that currently exist on the Shuswap Lake foreshore and were part of the original application.

<b>VOTING:</b>	Unweighted Corporate	<input type="checkbox"/>	LGA Part 14 (Unweighted)	<input checked="" type="checkbox"/>	Weighted Corporate	<input type="checkbox"/>	Stakeholder (Weighted)	<input type="checkbox"/>
----------------	-------------------------	--------------------------	-----------------------------	-------------------------------------	-----------------------	--------------------------	---------------------------	--------------------------

## BACKGROUND:

See attached "2015-01-15\_Board\_DS\_BL900-9\_MMCPA.pdf".

## POLICY:

See attached "2015-01-15\_Board\_DS\_BL900-9\_MMCPA.pdf".

## FINANCIAL:

The rezoning is the result of a bylaw enforcement action. If the Board does not adopt the proposed amending bylaw, and the owner does not bring the property into compliance, the Board may then wish to direct staff to seek a legal opinion regarding possible court action. Costs for the legal opinion and possible court action, although partially recoverable through Court, could nonetheless be substantial. Staff involvement in legal action is not recoverable

## KEY ISSUES/CONCEPTS:

See attached "2015-01-15\_Board\_DS\_BL900-9\_MMCPA.pdf".

## Update

CSRD staff forwarded the referral response received from MFLNRORD, and dated January 29, 2015 to the association. The association began a long consultation with MFLNRORD which resulted in MFLNRORD ultimately looking favourably on the reduction of the total number of docks to 3. As a result of this, the Association gave members that currently had docks, other than the 3, until September 30, 2017 to remove the extra 9 docks. In an interesting twist MFLNRORD gave the Meadow Creek Properties Park Association (MCPPA) until September 1, 2017 to have the docks removed. Bylaw Enforcement staff have visited the site after this deadline in early October, and advise that the docks have not been removed.

A central concern of staff was regarding ownership and therefore management of the moorage facilities (both docks and buoys). The MCPPA has subsequently reported that the Society membership will have ownership of the 3 docks. The docks will be used for loading and unloading of boats and therefore not for overnight moorage, but only day moorage. The docks will be available to all members of the Association on a first come first serve basis. The buoys are all owned by members and the MCPPA will be able to allow other members who have a boat but no buoy to use a buoy that is not being used while they visit the Lake.

Should the buoys remain under private ownership, they will still remain illegal except those that are proven by buoy owners to be non-conforming, because they were not placed by the upland property owner, the MCPPA. The buoys cannot be considered as belonging to semi-waterfront property owners.

Private Mooring Buoys placed in Shuswap Lake adjacent to the MCPPA property prior to the adoption of Lakes Zoning Bylaw No. 900 in August 2012 are considered non-conforming, and it is only those buoys placed after the adoption of the bylaw that are considered illegal, despite not being placed by a waterfront or semi-waterfront property owner. For the proposed zoning bylaw amendment to recognize the buoys, this issue will need to be addressed. If the MCPPA does not step in and take ownership, the bylaw will need to consider allowing buoys which are not owned by waterfront or semi-waterfront property owners. This precedent may impact future applications.

In their protracted communications with the MFLNRORD it has come to light that the Province has registered a Notation of Interest for public use (a UREP) in 1996 (Reserve No. 963009, which extends 50 m into the lake) for the foreshore fronting the MCPPA property. The purpose of the UREP was to reserve the area of the lake adjacent to the MCPPA property as open for public use. Officials with MFLNRORD have speculated that the Reserve was reflective of the covenant reserving the upland property owned by MCPPA as park use only. All works on the foreshore, either sanctioned by the MCPPA or not since this time which serve a private interest are therefore in violation of the UREP. The MCPPA, had they been active with the Lands Branch in securing tenures for structures in the foreshore would likely have become aware of this issue.

In terms of any privately owned buoys which may trespass into the 50 m UREP, staff has posed that question to MFLNRORD who have responded that they would really not have any jurisdiction within the UREP or other legislation to take action against the encroaching buoy owners. Rather they are restricting their jurisdiction to the docks only.

MFLNRORD has indicated that it is willing to look favourably on 3 docks remaining on the MCPPA waterfront, provided ownership of the docks is with the MCPPA. The MCPPA is aware of this caveat, and will apply for permits for these 3 docks. However, they will not manage the docks use, but rather



will leave them to be used on a first come first served basis. Further, they have advised that they will still not take action with respect to private buoys, except through some nebulous sharing concept.

**SUMMARY:**

Staff are concerned that the MCPA has not enforced their deadline for removal of the additional docks, and has not put forth a management plan for these assets that is realistic. Further, staff are concerned that private non waterfront or semi-waterfront property owners will continue to own private mooring buoys and that this ownership would be recognized in Lakes Zoning Bylaw No. 900, despite the fact that Bylaw No. 900 does not otherwise permit this use. As a result, staff are recommending that the Board consider giving Bylaw No. 900-9 no further readings, so that bylaw enforcement actions can commence.

**IMPLEMENTATION:**

As per CSRD Policy No. P-18 regarding Consultation Processes-Bylaws, staff recommended the simple consultation process. Neighbouring property owners first became aware of the application for zoning amendments when the notice of development sign was posted on the property.

**COMMUNICATIONS:**

If the Board supports the staff recommendation, the applicant will be advised and the matter will be referred back to Bylaw Enforcement staff for further action.

If the Board supports second reading of Bylaw No. 900-21 and delegates a Public Hearing staff will proceed with notification of adjacent property owners and advertising the Public Hearing as set out in the Local Government Act.

Referral agencies have provided their comments and they have been attached as Appendix B to this report.

**DESIRED OUTCOMES:**

That the Board endorse staff recommendation.

**BOARD'S OPTIONS:**

1. *Endorse the Recommendation.*
2. *Deny the Recommendation.*
3. *Defer.*
4. *Any other action deemed appropriate by the Board.*

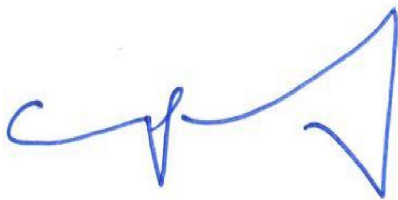
**LIST NAME OF REPORT(S) / DOCUMENT(S) AVAILABLE FROM STAFF:**

1. Lakes Zoning Bylaw No. 900, as amended
2. Maps, Plans, and Photos

**Report Approval Details**

Document Title:	2017-11-16_Board_DS_BL900-9_MCPPA.docx
Attachments:	<ul style="list-style-type: none"><li>- 2015-01-15_Board_DS_BL900-9_MMCPA.pdf</li><li>- BL900-9 BylawSecondasamendedg.pdf</li><li>- Agency_referral_responses_BL900-9.pdf</li><li>- Maps_Plans_BL900-9.pdf</li></ul>
Final Approval Date:	Nov 6, 2017

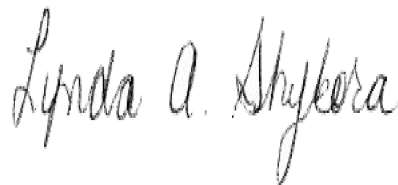
This report and all of its attachments were approved and signed as outlined below:



**Corey Paiement - Nov 3, 2017 - 9:56 AM**



**Gerald Christie - Nov 6, 2017 - 7:19 AM**



**Lynda Shykora - Nov 6, 2017 - 11:47 AM**



**Charles Hamilton - Nov 6, 2017 - 1:39 PM**

## APPENDIX 'B'

## Agency Referral Responses

Area 'F' Advisory Planning Commission	Recommended denial.
Interior Health Authority	<p>The location and number of mooring buoys, docks, swimming platforms, and boat launches would be reviewed solely for the potential risk to the drinking and recreational water quality.</p> <p>Interior Health would be concerned with:</p> <ul style="list-style-type: none"> <li>• A lake intake within this area that is part of a community drinking water supply system (Celista Water System).</li> <li>• A swimming area if there was a potential concern with the recreational water quality.</li> <li>• Facilities within the park/picnic area that have been established or could be established for park users.</li> </ul>
Ministry of Transportation and Infrastructure	No response.
Ministry of Environment	No response.
Department of Fisheries and Oceans	No response.
Ministry of Forests, Land and Natural Resource Operations - Lands Branch	<p>Preliminary thoughts. January 27, 2015.</p> <p>We may consider legalizing 1 dock and 1 boat launch ramp. It is our hope that in doing so, it may encourage the Association to entertain the prospect of 1 group moorage structure, which would align with our current policies and guidelines.</p> <p>We are not in support of legalizing all 12 docks and 2 boat launches for the following reasons:</p> <ul style="list-style-type: none"> <li>• Does not align with current policy.</li> <li>• None of the docks currently meet with today's standards.</li> <li>• Currently a UREP (or Notation of Interest for public use) is in place, it was established in 1996 for this section of foreshore which specifically states that this area remain open to public use.</li> <li>• The UREP was established in response to the lack of lake access by local and periphery residents.</li> <li>• We issue tenures when it is in the best interest of the public – we question that this application is not in the best interest of the public (as previously mentioned)</li> </ul>

	<p>but whether it is in the best interest of the Association members, given that 11 of the docks are privately owned.</p> <ul style="list-style-type: none"> <li>• It is my opinion that legalizing 12 docks and boat ramps will essentially privatize the beach for the exclusive use of the private park – or at the very least give that perception to local users – thus indirectly excluding public use even if the Association does not impede public access.</li> </ul>
Ministry of Forests, Land and Natural Resource Operations - Lands Branch	<p>Email to MCPPA May 10, 2017.</p> <p>Thank you for letter indicating your wish to keep 6 of the 12 docks.</p> <p>We received your application in October of 2014 to legalize 12 existing docks and 2 boat launches fronting a privately owned park in Shuswap Lake. After extensive in-house reviews, on-site meetings inclusive with local government and environment staff we reached the following decision.</p> <p>We would consider legalizing 3 moorage facilities for your group. One servicing each boat launch and a group moorage structure.</p> <p>The decision was made based on the following:</p> <ol style="list-style-type: none"> <li>1) The foreshore is fronting one lot that has a restricted covenant of being used as a park, either public or private</li> <li>2) A reserve was placed on the foreshore fronting the park to withdraw the opportunity for any privately owned works (docks) – the foreshore has and is still being managed for the enjoyment of the public (not just the private park owners)</li> <li>3) 12 docks hinders the ability of the public to use the beach or their perception that it is available for their use</li> <li>4) There are few opportunities for local residents in that area to access a public beach</li> <li>5) Some of the present structures do not meet the standards of a dock that would be authorized under any of our policies</li> </ol> <p>Present direction still remains that we will only allow 3 moorage structures and the existing boat launches.</p> <p>While I sympathize with the position you are in being the liaison between your large membership and the authorizing agencies, I will recommend that you send me your new designs for our consideration by September 1, 2017. Failure to</p>



	do so will result in a disallowance of your application. Further, the situation will be reported to Compliance and Enforcement who may ultimately remove all structures at your expense.
Ministry of Forests, Land and Natural Resource Operations - Lands Branch	<p>Clarification to MCPPA June 29, 2017.</p> <p>I have attached a copy of the reserve (UREP) for your information.</p> <p>As for determining who has the legal right to request that the docks be removed, I'm not sure I can rephrase as it is kind of a moot point considering that ALL THE DOCKS ARE IN TRESPASS AGAINST THE CROWN. I'm sorry for the caps, but it seems like the point is being missed that all the docks fronting the park are trespassing against the Crown.</p> <p>If your application is unsuccessful because your group refuses to comply by not removing those docks then the CROWN will hold MCPPA responsible for financing the removal of those docks. You are correct that any repercussions will fall on the MCPPA as they are the upland title holder. Please be aware that if your members refuse to remove their docks, then you will not receive the appropriate authorization from the Province and I suspect will not receive your rezoning based on the fact that you are not compliant (but I would let Dan speak to that).</p> <p>Given that you have triggered the process, be assured that if you fail to comply, I will be sending this file (all 3 years) to C&amp;E for removal of the trespass structures. There really isn't any other outcome at this point.</p> <p>I guess what I'm saying is whether or not MCPPA has the legal authority to request that the docks be removed, the Province does, and all docks will be removed at MCPPA's expense. For clarification, the wording of "May and ultimately" is used because I do not have control over another business line (C&amp;E) and professionally would not commit them to take an action. I can only explain the process and infer the consequences that will likely arise.</p>
Ministry of Forests, Land and Natural Resource Operations – Habitat Branch (Ecosystems Biologist)	<p>Removal of structures that do not comply with shoreline management guideline for fish and fish habitat; Shuswap, Mara and Little Shuswap Lakes. The area in question overlaps known Lake Trout shore spawning habitat and has docks that do not comply with the guidelines noted above, therefore recommends removal of the non-compliant docks prior to rezoning approval.</p> <p>See attached letter.</p>

Transport Canada - Navigation Protection Program	<p>The purpose of the Navigation Protection Act (NPA) is to regulate works and obstructions that risk interfering with navigation in the navigable waters listed on the schedule to the Act. It is the responsibility of the Navigation Protection Program (NPP) to administer and enforce the NPA.</p> <p>Please be advised that the Order Amending the <i>Minor Works and Waters (Navigable Waters Protection Act) Order</i> came into effect on March 31, 2014. The Order allows for works to be constructed if they meet the criteria for the applicable class of works, as well as specific terms and conditions for construction.</p> <p>Upon initial screening, we have determined that the above-noted work(s), although proposed to be constructed on a body of water listed on the schedule, may not require notice to the Minister as they appear to meet a class of works as defined in the order.</p>
Ministry of Forests, Land and Natural Resource Operations- Archaeology Branch	<p>According to Provincial records there are no known archaeological sites recorded on the subject property. However, archaeological potential modeling for the area indicate it has potential to contain unknown archaeological sites.</p> <p>Archaeological sites (both recorded and unrecorded) are protected under the <i>Heritage Conservation Act</i> and must not be altered or damaged without a permit from the Archaeology Branch. Given the potential to contain unknown archaeological sites, an Eligible Consulting Archaeologist (ECA) should be engaged prior to any land-altering activities to determine if development activities are likely to impact unknown archaeological sites. An Eligible Consulting Archaeologist is one who is able to hold a Provincial heritage permit that allows them to conduct archaeological studies. Ask an archaeologist if he or she can hold a permit, and contact the Archaeology Branch (250-953-3334) to verify an archaeologist's eligibility. Consulting archaeologists can be contacted through the BC Association of Professional Archaeologists (<a href="http://www.bcapa.ca">www.bcapa.ca</a>) or through local directories. If the archaeologist determines that development activities will not impact any archaeological deposits, then a site alteration permit is not required. I am informing you of this archaeological potential so proponents are aware of the potential risk for encountering a site if they choose to conduct any land-altering activities on the property. Proponents should contact an archaeologist prior to</p>

	<p>development to conduct an in-field assessment and/or detailed review of the development area. However, the Archaeology Branch is not requiring the proponent conduct an archaeological study or obtain a permit prior to development in this area. In this instance it is a risk management decision for the proponent(s).</p> <p>If any land-altering development is planned and proponents choose not to contact an archaeologist prior to development, owners and operators should be notified that if an archaeological site is encountered during development, activities <b>must</b> be halted and the Archaeology Branch contacted at 250-953-3334 for direction. If an archaeological site is encountered during development and the appropriate permits are not in place, proponents will be in contravention of the <i>Heritage Conservation Act</i> and face possible fines and likely experience development delays while the appropriate permits are obtained..</p>
CSRD Operations Management	<p>Team Leader Utilities – Utilities has no concerns, however it should be noted the privately owned Celista community water system utilizes this same property for its lake intake and could have some concerns.</p> <p>Team Leader Community Services – Concern if fuel is being dispensed from docks. Celista FD must be consulted to complete pre-incident planning for fire suppression on docks. Consideration to access for firefighting apparatus to dock area required.</p> <p>Team Leader Environmental Health – No concerns.</p> <p>Community Parks and Recreation Operator – Concerns for public access below high water, in that a public lake access (Highway Right-of-Ways) border both ends of this property to allow the public a pedestrian access to the lake. The beach is, of course, public and 60 or 61 docks become unnecessary barriers to public access without without constant detouring into private property. The lake zoning bylaw encourages multi-family properties to support one/few dock with slips further from shore. This approach would minimize public access above high water. Does their proposal reduce the 2 boat launches to a single boat launch facility as implied by boat launch facilities? Intentions unclear, please clarify if 2 existing boat launches are to be reduced to one single facility.</p>

	Manager Operations Management – No concerns.
Adams Lake Indian Band	No response.
Coldwater Indian Band	No response.
Cooks Ferry Indian Band	No response.
Esh-kn-am Cultural Resources Management Services	No response.
Lower Similkameen Indian Band	No response.
Neskonlith Indian Band	No response.
Nlaka'pamux Nation Tribal Council	No response.
Okanagan Indian Band	No response.
Okanagan Nation Alliance	No response.
Penticton Indian Band	No response.
Siska Indian Band	No response.
Splats'in First Nation	No response.
Simpcw First Nation	At this time, we have no concerns with the bylaw amendments.



B0900-09



<input type="checkbox"/> CAO	<input type="checkbox"/> Agenda	Ownership:
<input type="checkbox"/> Works	<input type="checkbox"/> Reg Board	File #
<input type="checkbox"/> IDS	<input type="checkbox"/> In Camera	
<input type="checkbox"/> Fin/Adm	<input type="checkbox"/> Other Mig	
<b>JAN 29 2015</b>		
<input type="checkbox"/> Ec Dev	<input type="checkbox"/> RECEIVED	Ask Sent:
<input type="checkbox"/> IT	<input type="checkbox"/> Staff to Report	<input type="checkbox"/> Fax
<input type="checkbox"/> Parks	<input type="checkbox"/> Staff to Respond	<input type="checkbox"/> Mail
<input type="checkbox"/> SEP	<input type="checkbox"/> Staff Info Oly	<input type="checkbox"/> Email
<input type="checkbox"/> HR	<input type="checkbox"/> Dir Mailbox	
<input type="checkbox"/> Other	<input type="checkbox"/> Dir Circulate	

January 29, 2015

File: 58000-35-08

Your File: 900-9

Columbia Shuswap Regional District  
431 Hudson Ave. NE.  
Salmon Arm, BC

Attention: Dan Passmore

Re: Meadow Creek Properties Park Association Referral

The Ecosystems Section of the Ministry of Forests, Lands and Natural Resource Operations (FLNR) provides the following response to the above noted referral.

We have determined that this proposal presents a risk to fish and fish habitat. The proposal area occurs along shoreline identified as Lake Trout shore spawning habitat with known use. Because the proposal occurs in an identified sensitive site, on non-vegetated foreshore, at a shore spawning site, the *Shoreline Management Guidelines for Fish and Fish Habitat; Shuswap, Mara and Little Shuswap Lakes* prescribes following DFO best management practices, without requiring a fish habitat review. The *DFO Dock and Boathouse Construction In Freshwater Systems Operational Statement* prescribes a minimum distance of 50 m of un-disturbed shoreline between adjacent docks. The proposal area has a shoreline for approximately 450 m and can therefore accommodate no more than 8 docks without exceeding these guidelines based on the presence of other in water structures in the form of concrete boat ramps at each end of the proposal area.

Based on the submitted proposal many of the docks do not adhere to the guidelines for floating docks in the *Shoreline Management Guidelines for Fish and Fish Habitat; Shuswap, Mara and Little Shuswap Lakes*. Docks B, D, E, and F exceed the 24 m<sup>2</sup> limitation on total dock size, docks A, E, F, and H exceed the 3m limitation on dock width. The summary table describing the construction details of the existing docks indicated in the proposal was not found, so assessment of dock construction was based on the supplied photographs. Docks B, E, F, G, H, J, K, and L are not constructed with deck spacing to allow light penetration or float distribution to allow migration of juvenile fish. The grounding exhibited by many of the docks in the photographs will also impede movements of juvenile fish along the shore. Solid concrete boat launches are not recommended as they reduce the amount of potential shore spawning and rearing habitat

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

for Lake Trout. Boat launches should be constructed with breaks that allow exposure to the natural foreshore substrate.

Based on these considerations it is recommended that all docks in the proposal not be licensed. To minimize impacts to Lake Trout habitat it is recommended that docks A, B, D, E, F, G, H, J, K, and L be removed as soon as possible. Remaining docks should be maintained so that the dock structure is floating in a minimum 1.5 m of water without any gangway grounding. Due to the proximity of the two boat launches it is recommended that one launch be removed, and the area rehabilitated. The remaining boat launch should be upgraded to a design that maintains access to the foreshore substrate for juvenile fish.

If a decision is reached that the docks are to be removed the proponent should be advised:

1. Existing roads and trails should be used whenever practicable, and any new temporary access must be deactivated upon completion of works.
2. Proponents should be reminded that it is their responsibility to understand and comply with relevant Sections of Provincial and Federal legislation.
  - Water Act – Section 9 if any works occur below high water marks of rivers, streams, lakes or wetlands the proponent must submit an application under the Water Act.
  - Wildlife Act – Section 34 provides protection for birds, eggs, and nests during the breeding season and nests of eagles, peregrine falcons, gyrfalcon, osprey, heron, and burrowing owls year round.
  - Federal Fisheries Act – Sections 35 to 42 – Fisheries Protection and Pollution Prevention

If the above noted conditions are not included in the permit or authorization, please inform the undersigned in writing.

If you have any other questions or require further information please feel free to contact me.

Sincerely,

Bevan Ernst  
 Ecosystem Biologist  
 Ministry of Forests, Lands and Natural Resource Operations  
 Thompson Okanagan Region  
 250 371 6273  
 Bevan.Ernst@gov.bc.ca

**COLUMBIA SHUSWAP REGIONAL DISTRICT****LAKES ZONING AMENDMENT****(MEADOW CREEK PROPERTIES PARK ASSOCIATION) BYLAW NO. 900-9****A bylaw to amend the "Lakes Zoning Bylaw No. 900"**

WHEREAS the Board of the Columbia Shuswap Regional District adopted Bylaw No.900;

AND WHEREAS the Board deems it appropriate to amend Bylaw No. 900;

NOW THEREFORE the Board of the Columbia Shuswap Regional District, in open meeting assembled, HEREBY ENACTS as follows:

1. Bylaw No. 900 cited as "Lakes Zoning Bylaw No. 900" is hereby amended as follows:

A. TEXT AMENDMENT

1. Schedule A, Zoning Bylaw Text, Part 4 Zones, is hereby amended by deleting the FM1 Foreshore Multi-Family 1 zone in its entirety and replacing it with the following:

#### **4.6 FM1 Foreshore Multi-Family 1**

# **FM1**

##### **.1 Permitted Uses:**

- (a) *Floating dock(s)*, including *removable walkway*, that is accessory to an adjacent *waterfront unit*.
- (b) *Private mooring buoy(s)* that is accessory to an adjacent *waterfront unit*.
- (c) *Boat lift(s)* that is accessory to an adjacent *waterfront unit*.
- (d) *Boat launch*.

##### **.2 Site Specific Permitted Uses:**

- (a) In addition to the permitted *uses* in this zone, *group moorage facility* comprised of no more than one *fixed* or *floating dock*, including *permanent* or *removable walkways*, is only a permitted *use* on the surface of the *lake* in conjunction with Lot 1, Section 8, Tp. 22, Rge 10, W6M, KDYD, Plan 26006.
- (b) *Private mooring buoy(s)* that is accessory to the use of Lot 1, Section 8, Tp. 22, Rge 10, W6M, KDYD, Plan 26006

**.3 Regulations:**

COLUMN 1 MATTER REGULATED	COLUMN 2 REGULATION
(a) <u>Density</u> maximum number of <i>docks</i> and <i>private mooring buoys</i> :	<ul style="list-style-type: none"> <li>○ <i>Dock</i>: 1 <i>floating dock</i> per adjacent <i>waterfront unit</i>.</li> <li>○ <i>Private mooring buoys</i>: 1 per adjacent <i>waterfront unit</i>.</li> </ul>
(b) <u>Site Specific Density</u> maximum number of <i>floating docks</i> , <i>swimming platforms</i> and <i>private mooring buoys</i> where different from (a):	<ul style="list-style-type: none"> <li>○ For the surface of the <i>lake</i> adjacent to Lot 1, Section 8, Tp. 22, Rge 10, W6M, KDYD, Plan 26006, the maximum number of floating docks is 3; the maximum number of swimming platforms is 1; and the maximum number of private mooring buoys is 61. {Meadow Creek Properties Park Association}</li> </ul>
(c) <u>Size</u> of <i>dock</i> and <i>walkway</i> :	<ul style="list-style-type: none"> <li>○ <i>Floating dock</i> must not exceed 24 m<sup>2</sup> (258.33 ft<sup>2</sup>) in total upward facing surface area (not including <i>removable walkway</i>).</li> <li>○ <i>Floating dock</i> surface must not exceed 3 m (9.84 ft) in width for any portion of the dock.</li> <li>○ <i>Removable walkway</i> surface must not exceed 1.5 m (4.92 ft.) in width for any other portion of the walkway.</li> </ul>
(d) <u>Size</u> <i>group moorage facility</i> where different from (c)::	<ul style="list-style-type: none"> <li>○ <i>dock</i> surface must not exceed 3 m (9.84 ft) in width for any portion of the dock.</li> <li>○ <i>Removable walkway</i> surface must not exceed 1.5 m (4.92 ft.) in width for any other portion of the walkway.</li> </ul>



<p>(e) <u>Location and Siting of dock, private mooring buoys or boat lifts:</u></p>	<p>The minimum setback of a <i>floating dock, private mooring buoy or boat lift</i> accessory to an adjacent <i>waterfront unit or waterfront parcel</i> is as follows:</p> <ul style="list-style-type: none"> <li>○ 5 m (16.4 ft) from the side <i>parcel</i> boundaries of that <i>waterfront parcel</i>, projected onto the <i>foreshore</i> and water.</li> <li>○ 5 m (16.4) from adjacent <i>waterfront units</i>, projected onto the <i>foreshore</i> and water.</li> <li>○ 6 m (19.69 ft) from a Foreshore Park (FP) zone or <i>park side parcel</i> boundaries projected onto the <i>foreshore</i> and water.</li> </ul> <p>Additional setbacks for <i>private mooring buoys</i>:</p> <ul style="list-style-type: none"> <li>○ 20 m (65.62 ft) from any existing structures on the <i>foreshore</i> or water.</li> <li>○ 50 m (164.04 ft.) from any <i>boat launch</i> ramp or <i>marina</i>.</li> </ul>
---	--

BL 900-9

PAGE 4

2. This bylaw may be cited as "Lakes Zoning Amendment (Meadow Creek Properties Park Association) Bylaw No. 900-9."

READ a first time this \_\_\_\_\_ 15 \_\_\_\_\_ day of \_\_\_\_\_ January \_\_\_\_\_, 2015.

READ a second time, as amended, this \_\_\_\_\_ day of \_\_\_\_\_, 2017.

PUBLIC HEARING held this \_\_\_\_\_ day of \_\_\_\_\_, 2017.

READ a third time this \_\_\_\_\_ day of \_\_\_\_\_, 2017.

ADOPTED this \_\_\_\_\_ day of \_\_\_\_\_ 2017.

\_\_\_\_\_  
CORPORATE OFFICER

\_\_\_\_\_  
CHAIR

CERTIFIED a true copy of Bylaw No. 900-9  
as read a third time.

CERTIFIED a true copy of Bylaw No. 900-9  
as adopted.

\_\_\_\_\_  
Corporate Officer

\_\_\_\_\_  
Corporate Officer

**Dan Passmore**

---

**From:** Meadow Creek <meadowcreekproperty@gmail.com>  
**Sent:** Tuesday, July 17, 2018 1:44 PM  
**To:** Dan Passmore; Gerald Christie  
**Subject:** MCPPA  
**Attachments:** Letter to CSRD July 2018.docx

Good Afternoon,

It was voted on at our AGM that the association continue with the development permit application with regards to amending our zoning.

I have attached a letter indicating that the association members agreed to allow the association to own the 61 buoys. I hope this completes our requirements and we can move on to our second reading.

Please send me an email reply that this is the case.

Thank you





**Meadow Creek Properties Park Assc.**  
**5140 Squilax Anglemont Road Celista,**  
**BC V0E 1M6**  
Email meadowcreekproperty@gmail.com

---

**Attention: Dan Passmore**  
**Columbia Shuswap Regional District**

The Meadows Creek Properties Park Association would like to confirm that the association owns and maintains all structures on the foreshore fronting lot 1.

These structures include but not limited to three docks, two boat launches, 61 buoys, two parking areas, and two porta potties.

The lands file for our application is 3412915 which indicate the association is applying for a Crown Tenure to license our three docks, two boat launches.

At this point we wish to continue with our application with the CSRD to amend our zoning and obtain a development permit for our structures on the foreshore fronting lot 1.

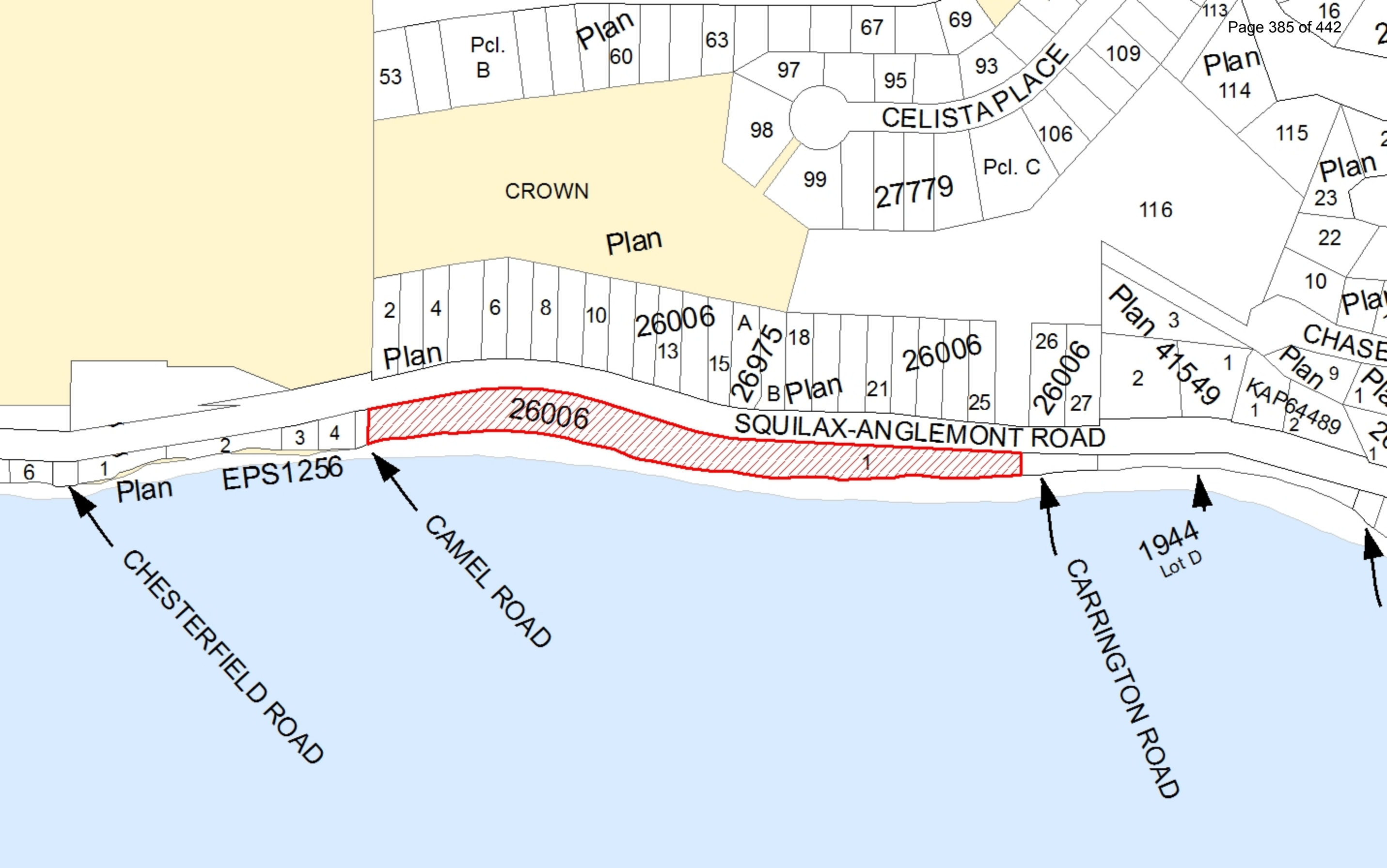
Thank you for your effort in this matter

The Directors  
MCPA  
July 17, 2018









Plan 60

Pcl. B

CELISTA PLACE

Plan 114

CROWN

Plan

27779

Pcl. C

Plan

26975  
A  
B Plan

26006

26006

Plan 3  
41549

CHASE

Plan 9  
KAP64489

SQUILAX-ANGLEMONT ROAD

EPS1256

Plan

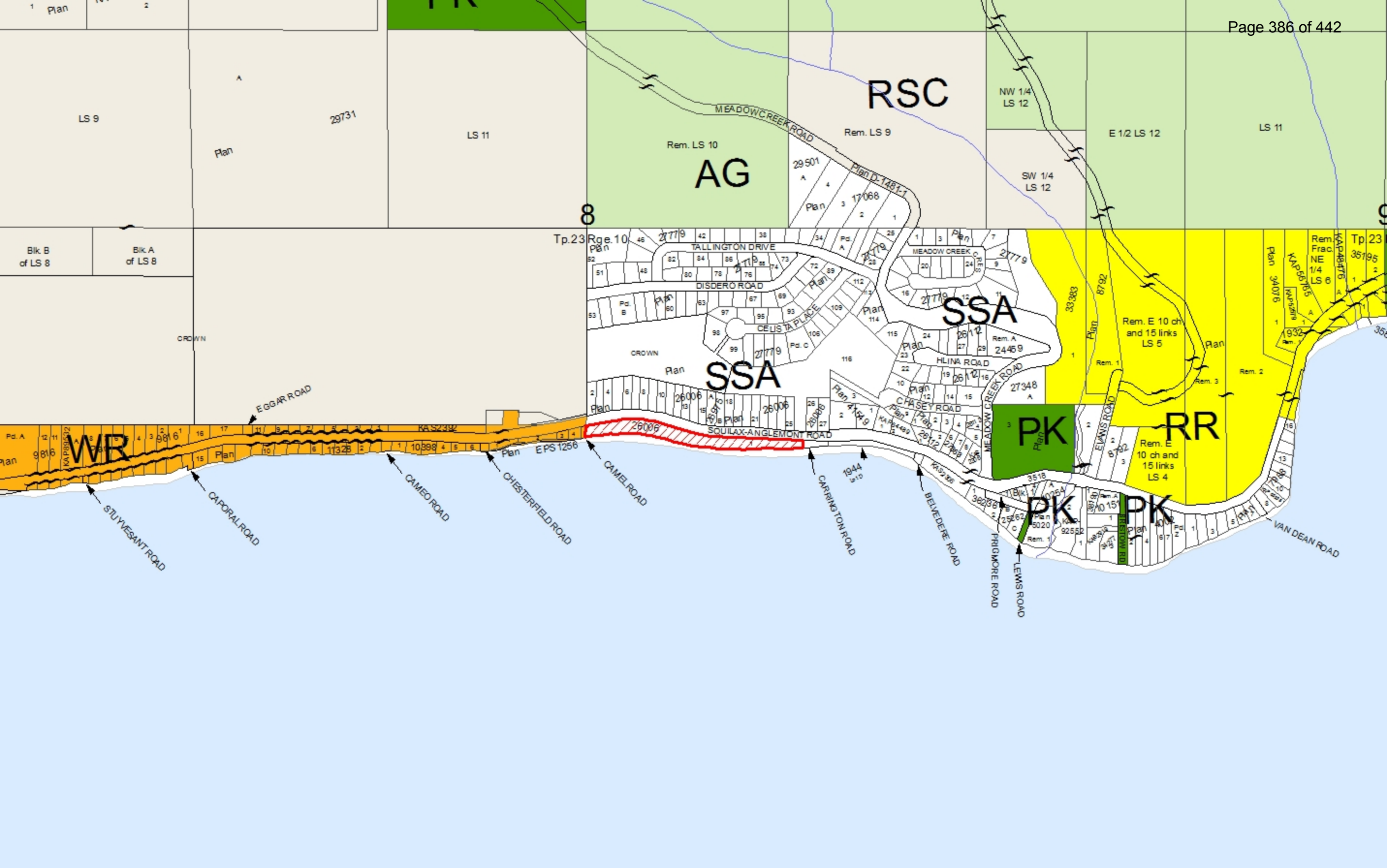
CHESTERFIELD ROAD

CAMEL ROAD

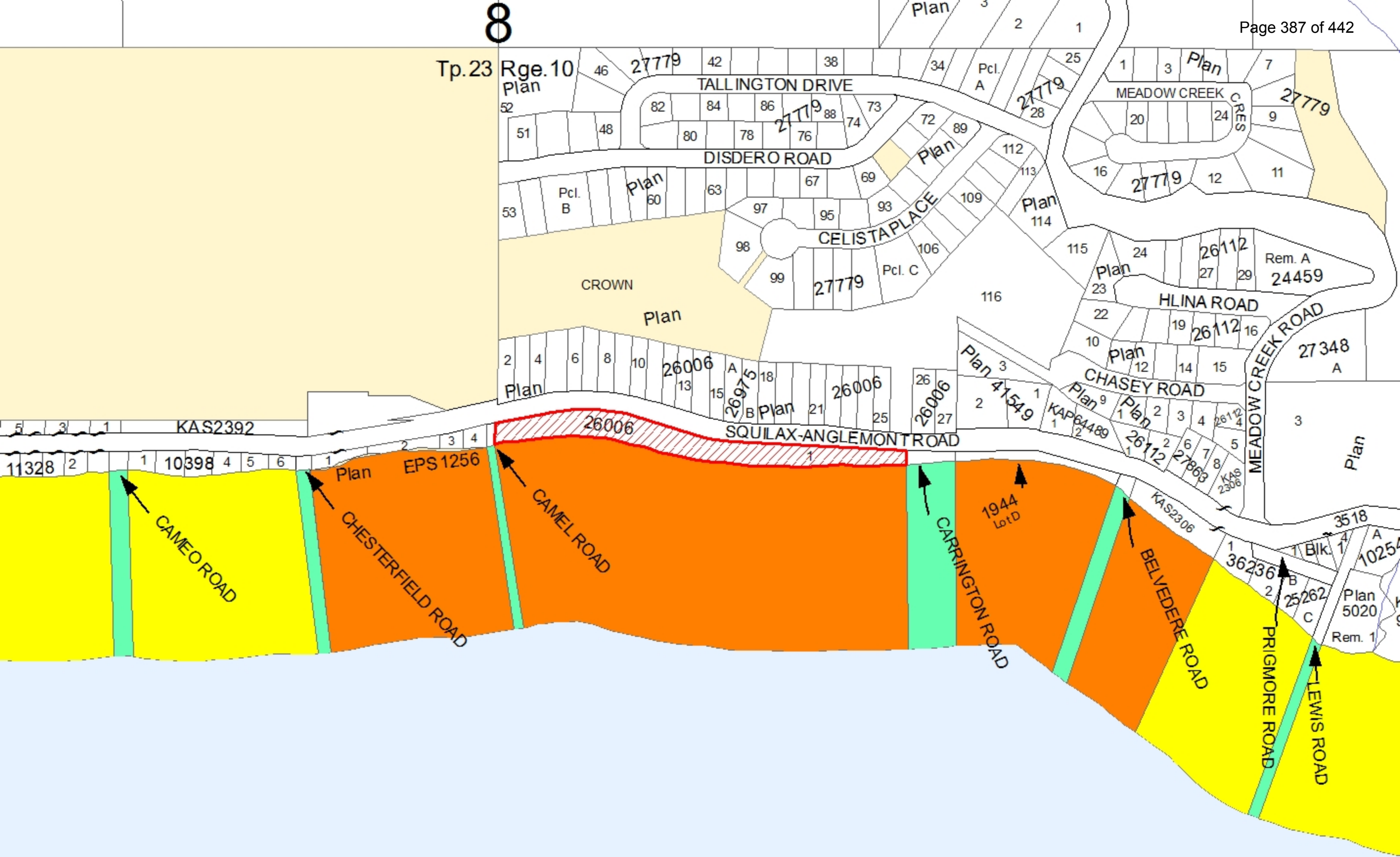
CARRINGTON ROAD

1944  
Lot D

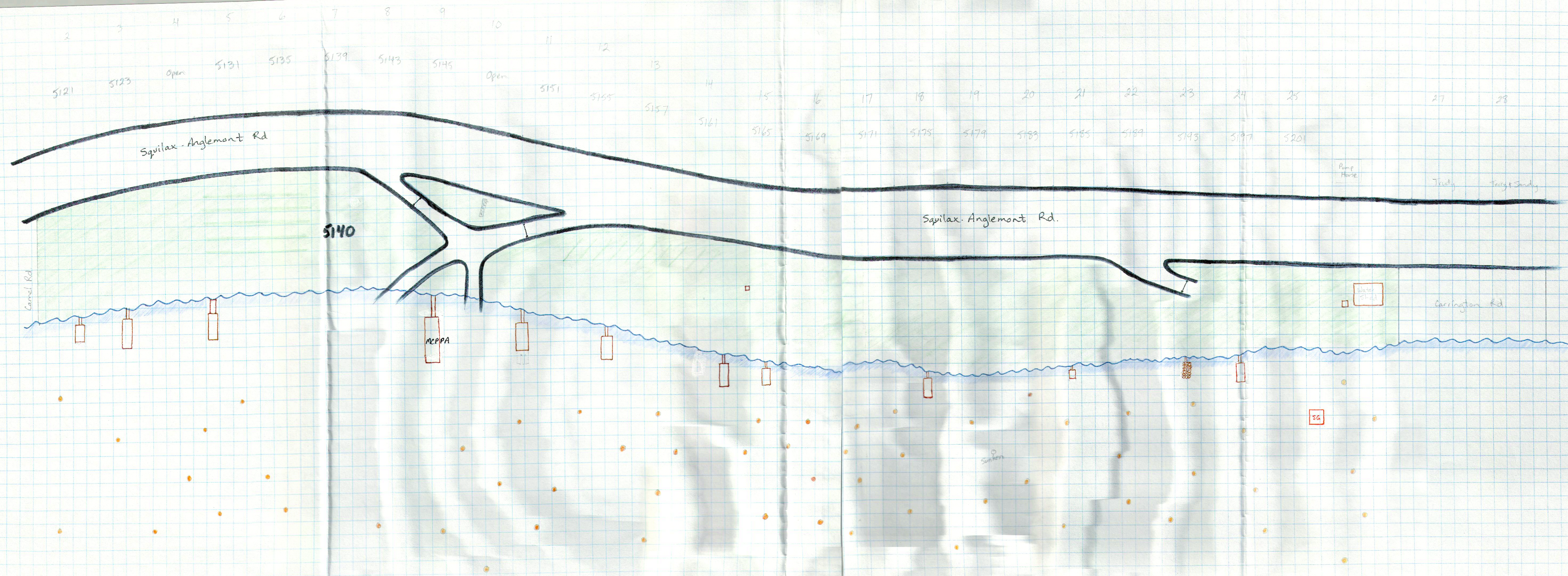














**Dan Passmore**

**From:** [REDACTED]  
**Sent:** Thursday, August 31, 2017 2:41 PM  
**To:** Crown Lands Kamloops; Dan Passmore  
**Subject:** MCPA  
**Attachments:** docks 002.jpg

Good Afternoon,

As you both know we have been in the process of removing docks to get down to three. I have attached a diagram showing where the three are going to be located. As a membership we have given the dock owners until September 30, 2017 to remove their docks.

The three that are remaining are as follows:

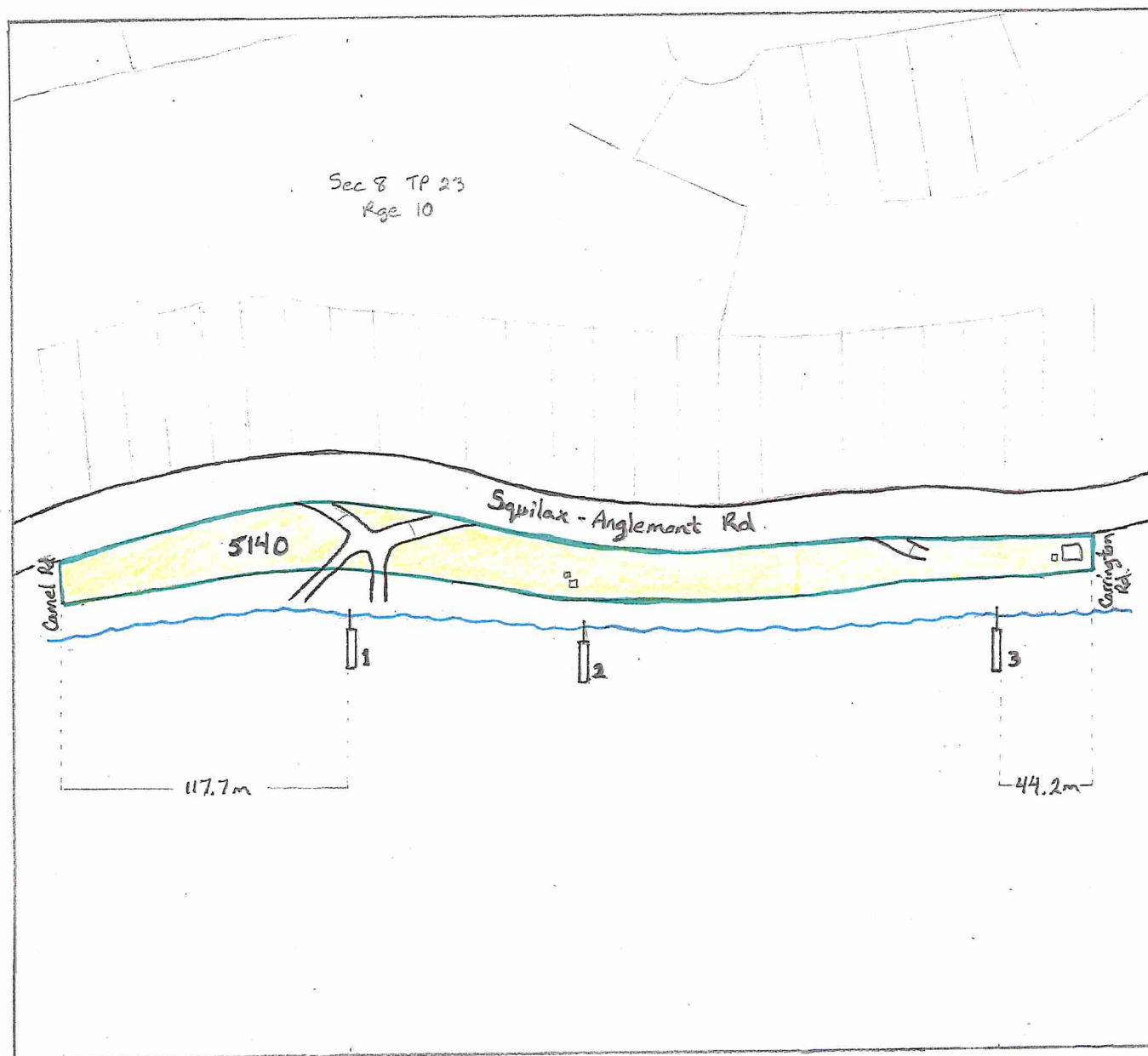
Dock 1: gangway 6.7m long and 1 m wide  
floating portion: 15.5m long and 2.4m wide

Dock 2: gangway 4.5 m long and 1 m wide  
floating portion: 12.2 m long and 3.0 m wide

Dock 3: gangway 4.5 m long and 1 m wide  
floating portion: 7.0 m long and 2.6 m wide

Thank you for your time

<input type="checkbox"/> CAO	<input type="checkbox"/> Agenda	Ownership: File #
<input type="checkbox"/> Works	<input type="checkbox"/> Reg Board	
<input type="checkbox"/> DS	<input type="checkbox"/> In Camera	
<input type="checkbox"/> Fin/Adm	<input type="checkbox"/> Other Mtg	
SEP 05 2017		
<input type="checkbox"/> Ec Dev	RECEIVED	
<input type="checkbox"/> IT	<input type="checkbox"/> Staff to Report	
<input type="checkbox"/> Parks	<input type="checkbox"/> Staff to Respond	
<input type="checkbox"/> SEP	<input type="checkbox"/> Staff Info Only	
<input type="checkbox"/> Other	<input type="checkbox"/> Dir. Mailbox	
	<input type="checkbox"/> Dir. Circulate	
	Ask Sent:	
	<input type="checkbox"/> Fax	
	<input type="checkbox"/> Mail	
	<input type="checkbox"/> Email	



iMapBC Mapping

**Legend**

- ☐ Integrated Cadastral Fabric
- ☐ Integrated Cadastral Fabric
- ☐ Integrated Cadastral Fabric Ownership
- Survey Parcels - Tantalus
- Land Act Surveyed Rights o Tantalus - Legal Descriptions
- Land Act Survey Parcels - T Descriptions
- TileCache
- ☒ Subject Property  
5140 Squilax - Anglemont Rd.
- ☐ Application Area

0 0.05 0.10 km

1: 2,500

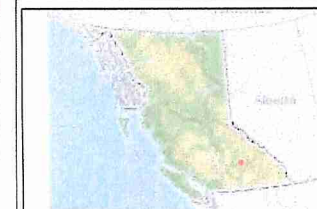
**Copyright/Disclaimer**

The material contained in this web site is owned by the Government of British Columbia and protected by copyright law. It may not be reproduced or redistributed without the prior written permission of the Province of British Columbia. To request permission to reproduce all or part of the material on this web site please complete the Copyright Permission Request Form which can be accessed through the Copyright Information Page.

CAUTION: Maps obtained using this site are not designed to assist in navigation. These maps may be generalized and may not reflect current conditions. Uncharted hazards may exist. DO NOT USE THESE MAPS FOR NAVIGATIONAL PURPOSES.

Datum: NAD83

Projection: NAD\_1983\_BC\_Environment\_Albers

**Key Map of British Columbia**





Province of  
British Columbia

MINISTRY OF  
ENVIRONMENT  
LANDS AND PARKS

BC  
Lands

Thompson-Okanagan Region  
478 St. Paul Street  
Kamloops, B.C. V2C 2J6  
Telephone: (604) 828-4800  
Fax: (604) 828-4809

Our File: 3407684  
Reserve No.: 963009

March 4, 1996

Your Contact is: Lynne Totten, Examiner  
Telephone: 828-4834

BC Lands  
Ministry of Environment, Lands and Parks  
478 St. Paul St  
Kamloops BC V2C 2J6

**Re: Notice of Establishment - Land Act - Notation of Interest**

The Crown land described as unsurveyed foreshore or land covered by water being part of the bed of Shuswap Lake, Kamloops Division of Yale District as shown outlined in red on sketch attached and containing approximately 2.6 hectares is established as a Notation of Interest for public recreation purposes.

Yours truly,

\_\_\_\_\_  
Authorized Representative

cc: Surveyor General Branch, Victoria

attach.

EX2RS (94/02)

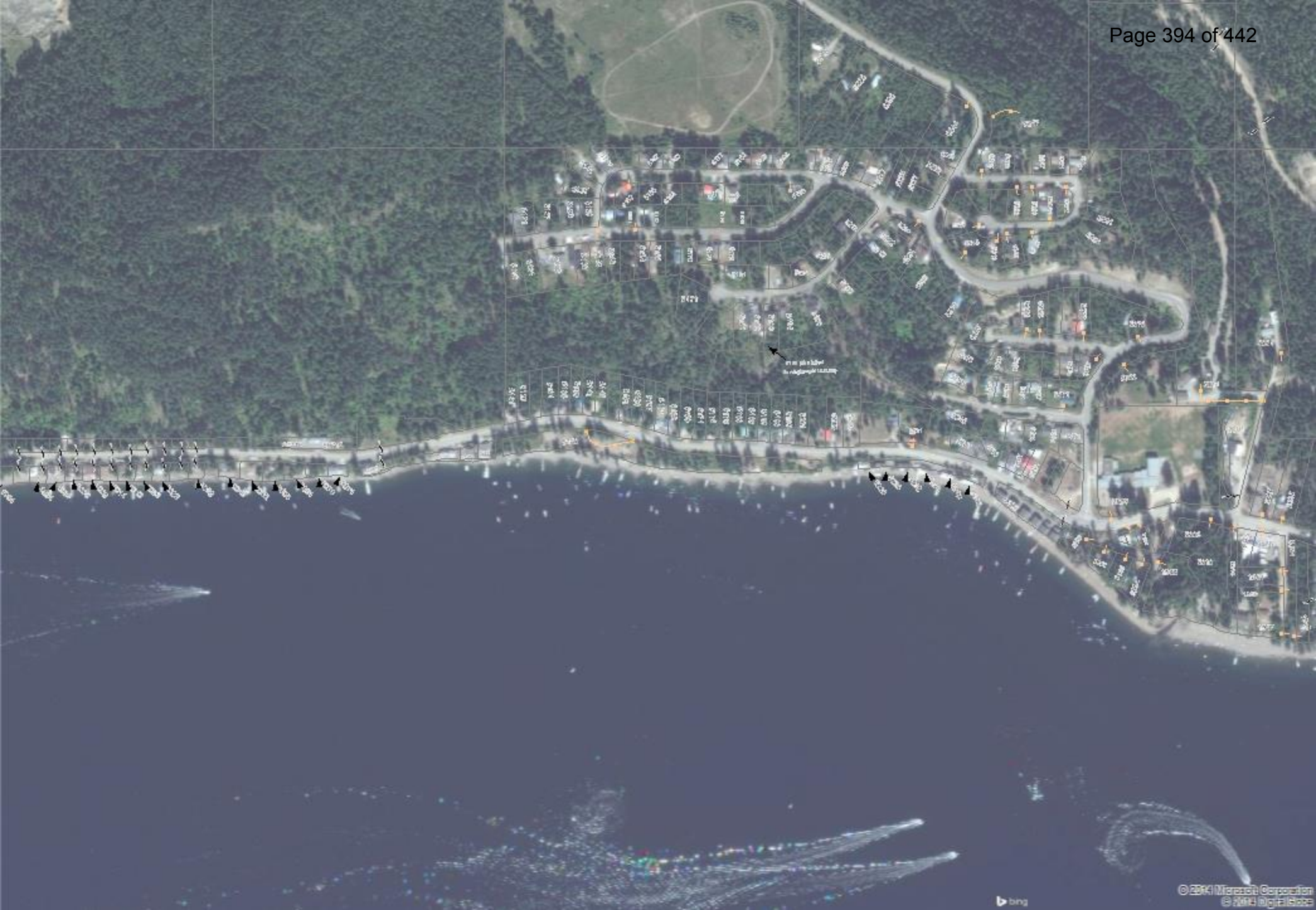
TAS ENT'D MAR 13 1996









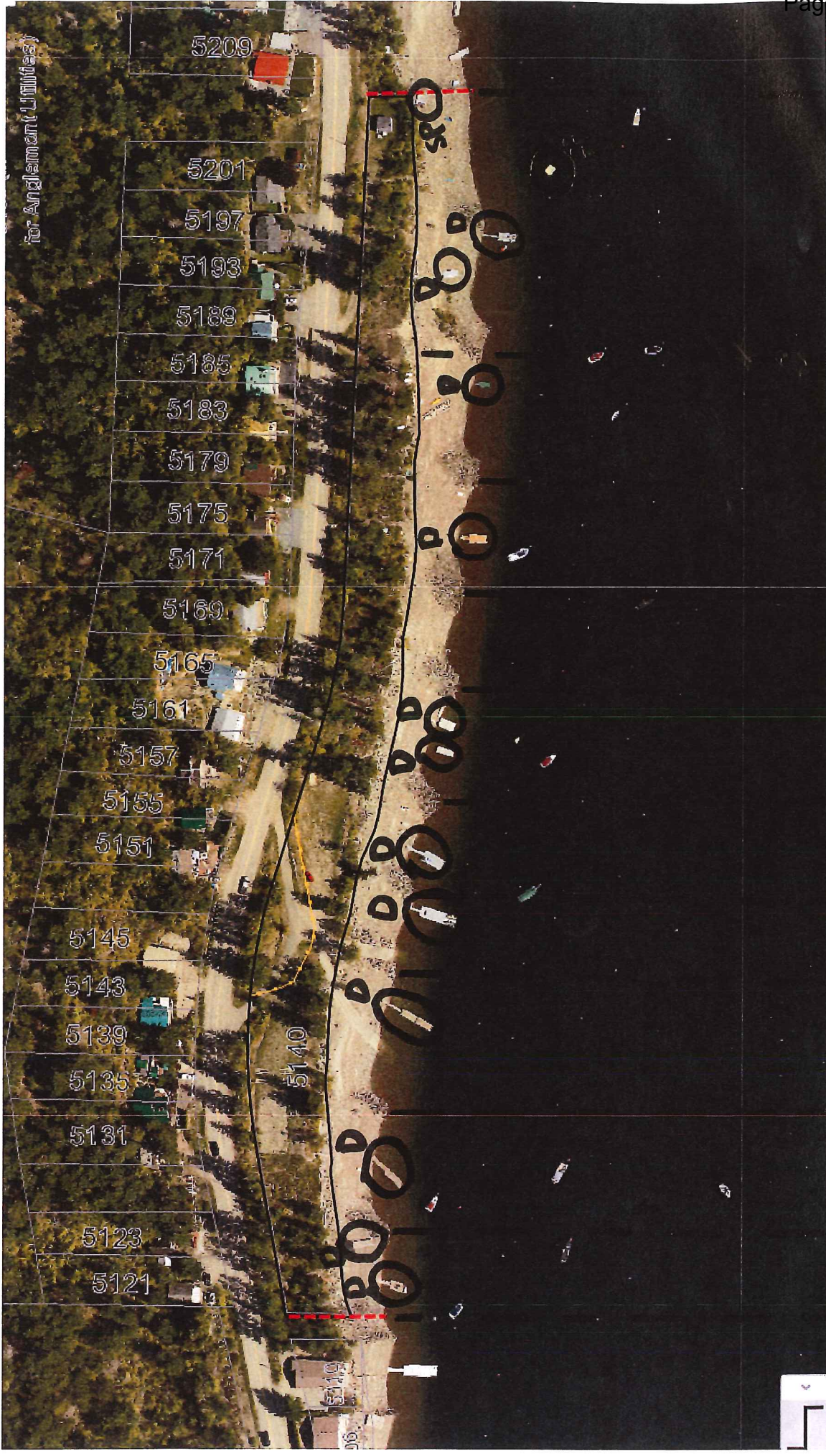




COPY

Inventory - 61 Buoys  
- 12 Docks  
- 2 Swimming platforms (SP)

Meadow Creek - August 14, 2014



CAMEL ROF ACCESS.										CAMEL ROF ACCESS.		
- nothing of concern @ time closer to 5110										CAMEL ROF ACCESS.		
GRID 10	GRID 9	GRID 8	GRID 7	GRID 6	GRID 5	GRID 4	GRID 3	GRID 2	GRID 1	CAMEL ROF ACCESS.		
2 Docks 5123 2 Buoys	1 Dock 7 Buoys	1 Dock no moorage swimming lounge 1 Buoy	1 Dock private use @ own risk 2 Buoys	1 Dock private redwiring 8 Buoys	2 Docks 6 Buoys 5165 Private	5 Buoys	1 Dock 8 Buoys	1 Dock 7 Buoys	2 Docks 2 SP 15 Buoys	CAMEL ROF ACCESS.		
										CAMEL ROF ACCESS.		
										CAMEL ROF ACCESS.		
										CAMEL ROF ACCESS.		
										CAMEL ROF ACCESS.		
										CAMEL ROF ACCESS.		
										CAMEL ROF ACCESS.		
										CAMEL ROF ACCESS.		
										CAMEL ROF ACCESS.		
										CAMEL ROF ACCESS.		
										CAMEL ROF ACCESS.		
										CAMEL ROF ACCESS.		
										CAMEL ROF ACCESS.		
										CAMEL ROF ACCESS.		
										CAMEL ROF ACCESS.		
										CAMEL ROF ACCESS.		
										CAMEL ROF ACCESS.		
										CAMEL ROF ACCESS.		
										CAMEL ROF ACCESS.		
										CAMEL ROF ACCESS.		
										CAMEL ROF ACCESS.		
										CAMEL ROF ACCESS.		
										CAMEL ROF ACCESS.		
										CAMEL ROF ACCESS.		
										CAMEL ROF ACCESS.		
										CAMEL ROF ACCESS.		
										CAMEL ROF ACCESS.		
										CAMEL ROF ACCESS.		
										CAMEL ROF ACCESS.		
										CAMEL ROF ACCESS.		
										CAMEL ROF ACCESS.		
										CAMEL ROF ACCESS.		
										CAMEL ROF ACCESS.		
										CAMEL ROF ACCESS.		
										CAMEL ROF ACCESS.		
										CAMEL ROF ACCESS.		
										CAMEL ROF ACCESS.		
										CAMEL ROF ACCESS.		
										CAMEL ROF ACCESS.		
										CAMEL ROF ACCESS.		
										CAMEL ROF ACCESS.		
										CAMEL ROF ACCESS.		
										CAMEL ROF ACCESS.		
										CAMEL ROF ACCESS.		
										CAMEL ROF ACCESS.		
										CAMEL ROF ACCESS.		
										CAMEL ROF ACCESS.		
										CAMEL ROF ACCESS.		
										CAMEL ROF ACCESS.		
										CAMEL ROF ACCESS.		
										CAMEL ROF ACCESS.		
										CAMEL ROF ACCESS.		
										CAMEL ROF ACCESS.		
										CAMEL ROF ACCESS.		
										CAMEL ROF ACCESS.		
										CAMEL ROF ACCESS.		
										CAMEL ROF ACCESS.		
										CAMEL ROF ACCESS.		
										CAMEL ROF ACCESS.		
										CAMEL ROF ACCESS.		
										CAMEL ROF ACCESS.		
										CAMEL ROF ACCESS.		
										CAMEL ROF ACCESS.		
										CAMEL ROF ACCESS.		
										CAMEL ROF ACCESS.		
										CAMEL ROF ACCESS.		
										CAMEL ROF ACCESS.		
										CAMEL ROF ACCESS.		
										CAMEL ROF ACCESS.		
										CAMEL ROF ACCESS.		
										CAMEL ROF ACCESS.		
										CAMEL ROF ACCESS.		
										CAMEL ROF ACCESS.		
										CAMEL ROF ACCESS.		
										CAMEL ROF ACCESS.		
										CAMEL ROF ACCESS.		
										CAMEL ROF ACCESS.		
										CAMEL ROF ACCESS.		
										CAMEL ROF ACCESS.		
										CAMEL ROF ACCESS.		
										CAMEL ROF ACCESS.		
										CAMEL ROF ACCESS.		
										CAMEL ROF ACCESS.		
										CAMEL ROF ACCESS.		
										CAMEL ROF ACCESS.		
										CAMEL ROF ACCESS.		
										CAMEL ROF ACCESS.		
										CAMEL ROF ACCESS.		
										CAMEL ROF ACCESS.		
										CAMEL ROF ACCESS.		
										CAMEL ROF ACCESS.		





# BOARD REPORT

**TO:** Chair and Directors

<b>File No:</b>	BL 900-9 PL20140127
-----------------	------------------------

**SUBJECT:** Electoral Area F: Lakes Zoning Amendment (Meadow Creek Properties Park Association) Bylaw No. 900-9

**DESCRIPTION:** Report from Dan Passmore, Senior Planner, dated September 12, 2017  
5140 Squilax-Anglemont Road, Magna Bay.

**RECOMMENDATION:** THAT: "Lakes Zoning Amendment (Meadow Creek Properties Park Association) Bylaw No. 900-9", be given no further readings this 16<sup>th</sup> day of November, 2017.

## SHORT SUMMARY:

This is a proposed amendment to Lakes Zoning Bylaw No. 900 to reflect a unique upland ownership circumstance. The owners of the upland property Lot 1, Section 8, Township 22, Range 10, W6M, K.D.Y.D., Plan 26006 are a community association. This association of upland property owners would like to amend the Multi Family 1 (FM1) zone to include a site-specific regulation for only that portion of the lake adjacent to their property.

After considerable consultation between the Association and the Ministry of Forests Lands, Natural Resource Operations, and Rural Development (MFLNRORD), the Association has amended their application to reduce the overall number of docks from 12 to 3. Therefore, this amended regulation would allow a total of 3 docks, together with the 61 mooring buoys, 1 swim platform and the boat launch facilities that currently exist on the Shuswap Lake foreshore and were part of the original application.

---

<b>VOTING:</b>	Unweighted Corporate	<input type="checkbox"/>	LGA Part 14 (Unweighted)	<input checked="" type="checkbox"/>	Weighted Corporate	<input type="checkbox"/>	Stakeholder (Weighted)	<input type="checkbox"/>
----------------	-------------------------	--------------------------	-----------------------------	-------------------------------------	-----------------------	--------------------------	---------------------------	--------------------------

---

## BACKGROUND:

See attached "2015-01-15\_Board\_DS\_BL900-9\_MMCPA.pdf".

## POLICY:

See attached "2015-01-15\_Board\_DS\_BL900-9\_MMCPA.pdf".

## FINANCIAL:

The rezoning is the result of a bylaw enforcement action. If the Board does not adopt the proposed amending bylaw, and the owner does not bring the property into compliance, the Board may then wish to direct staff to seek a legal opinion regarding possible court action. Costs for the legal opinion and possible court action, although partially recoverable through Court, could nonetheless be substantial. Staff involvement in legal action is not recoverable

## KEY ISSUES/CONCEPTS:

See attached "2015-01-15\_Board\_DS\_BL900-9\_MMCPA.pdf".

## Update

CSRD staff forwarded the referral response received from MFLNRORD, and dated January 29, 2015 to the association. The association began a long consultation with MFLNRORD which resulted in MFLNRORD ultimately looking favourably on the reduction of the total number of docks to 3. As a result of this, the Association gave members that currently had docks, other than the 3, until September 30, 2017 to remove the extra 9 docks. In an interesting twist MFLNRORD gave the Meadow Creek Properties Park Association (MCPPA) until September 1, 2017 to have the docks removed. Bylaw Enforcement staff have visited the site after this deadline in early October, and advise that the docks have not been removed.

A central concern of staff was regarding ownership and therefore management of the moorage facilities (both docks and buoys). The MCPPA has subsequently reported that the Society membership will have ownership of the 3 docks. The docks will be used for loading and unloading of boats and therefore not for overnight moorage, but only day moorage. The docks will be available to all members of the Association on a first come first serve basis. The buoys are all owned by members and the MCPPA will be able to allow other members who have a boat but no buoy to use a buoy that is not being used while they visit the Lake.

Should the buoys remain under private ownership, they will still remain illegal except those that are proven by buoy owners to be non-conforming, because they were not placed by the upland property owner, the MCPPA. The buoys cannot be considered as belonging to semi-waterfront property owners.

Private Mooring Buoys placed in Shuswap Lake adjacent to the MCPPA property prior to the adoption of Lakes Zoning Bylaw No. 900 in August 2012 are considered non-conforming, and it is only those buoys placed after the adoption of the bylaw that are considered illegal, despite not being placed by a waterfront or semi-waterfront property owner. For the proposed zoning bylaw amendment to recognize the buoys, this issue will need to be addressed. If the MCPPA does not step in and take ownership, the bylaw will need to consider allowing buoys which are not owned by waterfront or semi-waterfront property owners. This precedent may impact future applications.

In their protracted communications with the MFLNRORD it has come to light that the Province has registered a Notation of Interest for public use (a UREP) in 1996 (Reserve No. 963009, which extends 50 m into the lake) for the foreshore fronting the MCPPA property. The purpose of the UREP was to reserve the area of the lake adjacent to the MCPPA property as open for public use. Officials with MFLNRORD have speculated that the Reserve was reflective of the covenant reserving the upland property owned by MCPPA as park use only. All works on the foreshore, either sanctioned by the MCPPA or not since this time which serve a private interest are therefore in violation of the UREP. The MCPPA, had they been active with the Lands Branch in securing tenures for structures in the foreshore would likely have become aware of this issue.

In terms of any privately owned buoys which may trespass into the 50 m UREP, staff has posed that question to MFLNRORD who have responded that they would really not have any jurisdiction within the UREP or other legislation to take action against the encroaching buoy owners. Rather they are restricting their jurisdiction to the docks only.

MFLNRORD has indicated that it is willing to look favourably on 3 docks remaining on the MCPPA waterfront, provided ownership of the docks is with the MCPPA. The MCPPA is aware of this caveat, and will apply for permits for these 3 docks. However, they will not manage the docks use, but rather

will leave them to be used on a first come first served basis. Further, they have advised that they will still not take action with respect to private buoys, except through some nebulous sharing concept.

**SUMMARY:**

Staff are concerned that the MCPA has not enforced their deadline for removal of the additional docks, and has not put forth a management plan for these assets that is realistic. Further, staff are concerned that private non waterfront or semi-waterfront property owners will continue to own private mooring buoys and that this ownership would be recognized in Lakes Zoning Bylaw No. 900, despite the fact that Bylaw No. 900 does not otherwise permit this use. As a result, staff are recommending that the Board consider giving Bylaw No. 900-9 no further readings, so that bylaw enforcement actions can commence.

**IMPLEMENTATION:**

As per CSRD Policy No. P-18 regarding Consultation Processes-Bylaws, staff recommended the simple consultation process. Neighbouring property owners first became aware of the application for zoning amendments when the notice of development sign was posted on the property.

**COMMUNICATIONS:**

If the Board supports the staff recommendation, the applicant will be advised and the matter will be referred back to Bylaw Enforcement staff for further action.

If the Board supports second reading of Bylaw No. 900-21 and delegates a Public Hearing staff will proceed with notification of adjacent property owners and advertising the Public Hearing as set out in the Local Government Act.

Referral agencies have provided their comments and they have been attached as Appendix B to this report.

**DESIRED OUTCOMES:**

That the Board endorse staff recommendation.

**BOARD'S OPTIONS:**

1. *Endorse the Recommendation.*
2. *Deny the Recommendation.*
3. *Defer.*
4. *Any other action deemed appropriate by the Board.*

**LIST NAME OF REPORT(S) / DOCUMENT(S) AVAILABLE FROM STAFF:**

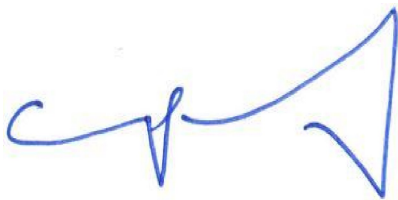
1. Lakes Zoning Bylaw No. 900, as amended
2. Maps, Plans, and Photos



**Report Approval Details**

Document Title:	2017-11-16_Board_DS_BL900-9_MCPPA.docx
Attachments:	<ul style="list-style-type: none"><li>- 2015-01-15_Board_DS_BL900-9_MMCPA.pdf</li><li>- BL900-9 BylawSecondasamendedg.pdf</li><li>- Agency_referral_responses_BL900-9.pdf</li><li>- Maps_Plans_BL900-9.pdf</li></ul>
Final Approval Date:	Nov 6, 2017

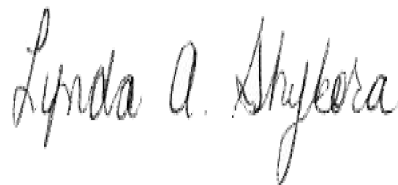
This report and all of its attachments were approved and signed as outlined below:



**Corey Paiement - Nov 3, 2017 - 9:56 AM**



**Gerald Christie - Nov 6, 2017 - 7:19 AM**



**Lynda Shykora - Nov 6, 2017 - 11:47 AM**



**Charles Hamilton - Nov 6, 2017 - 1:39 PM**



## BOARD REPORT

**TO:** Chair and Directors

**File No:** BL 900-9

**FROM:** Dan Passmore  
Senior Planner

**Date:** December 17, 2014

**SUBJECT:** Lakes Zoning Amendment (Meadow Creek Properties Park Association)  
Bylaw No. 900-9

**RECOMMENDATION #1:** THAT:  
"Lakes Zoning Amendment (Meadow Creek Properties Park Association) Bylaw No. 900-9" be read a first time this 15<sup>th</sup> day of January, 2015;

AND THAT:

the Board utilize the simple consultation process for Bylaw No. 900-9 and in accordance with Section 879 of the Local Government Act it be referred to the following agencies and First Nations:

- Area 'F' Advisory Planning Commission;
- Interior Health Authority;
- Ministry of Transportation and Infrastructure;
- Ministry of Environment;
- Department of Fisheries and Oceans;
- Ministry of Forests, Lands and Natural Resource Operations – Lands Branch;
- Ministry of Forests, Lands and Natural Resource Operations, Archaeology Branch;
- CSRD Operations Management; and
- All relevant First Nations Bands and Councils

**APPROVED for Board Consideration:**

Meeting Date: January 15<sup>th</sup>, 2015

*Charles Hamilton*  
Charles Hamilton, CAO

### SHORT SUMMARY:

This is a proposed amendment to Lakes Zoning Bylaw No. 900 to reflect a unique upland ownership circumstance. The owners of the upland property Lot 1, Section 8, Township 22, Range 10, W6M, K.D.Y.D., Plan 26006 are a community association that had, as of their last Annual General Meeting, 63 active members, 3 associate members and 1 lifetime member. This association of upland property owners would like to amend the Multi Family 1 (FM1) zone to include a site-specific regulation for only that portion of the lake adjacent to their property. This regulation would allow a total of 61 mooring buoys, 12 docks, 1 swim platform and boat launch facilities that currently exist on the Shuswap Lake foreshore.

<b>VOTING:</b>	Unweighted Corporate <input type="checkbox"/>	Weighted Corporate <input type="checkbox"/>	Stakeholder <input type="checkbox"/>
	LGA Part 26 <input checked="" type="checkbox"/>		(Weighted)
	(Unweighted)		

**BACKGROUND:**

APPLICANT: Meadow Creek Properties Park Association

ELECTORAL AREA: 'F' (Celista)

CIVIC ADDRESS: 5140 Squilax-Anglemont Road

LEGAL DESCRIPTION: That part of Shuswap Lake adjacent to Lot 1, Section 8, Tp. 22, Rge 10, W6M, KDYD, Plan 26006

SIZE OF PROPERTY: 1.115 ha. (2.62 ac)

**SURROUNDING LAND  
USE PATTERN:**

NORTH	Residential
SOUTH	Shuswap Lake
EAST	Residential
WEST	Residential

CURRENT USE: Upland – Boat Launches, volleyball courts, parking lot, picnic areas  
Foreshore – 60 mooring buoys, 12 docks and 2 boat launches

PROPOSED USE: Upland – Boat Launches, volleyball courts, parking lot, picnic areas  
Foreshore – 61 mooring buoys, 12 docks, 1 swimming platform and boat launch facilities

OCP DESIGNATION: SSA – Secondary Settlement Area

ZONING: FM1 – Multi-Family – 1

**POLICY:****Electoral Area 'F' Official Community Plan Bylaw No. 830****3.2 Shoreline Environment***Objective 1*

To maintain the unique physical and biological characteristics of the shoreline environment.

*Objective 2*

To ensure that shoreline habitats are protected from undesirable development and unnecessary shoreline manipulation.

*Objective 3*

To manage the foreshore to ensure appropriate use and prevent overdevelopment.

*Objective 4*

To direct development to areas of least ecological sensitivity, particularly in relation to fish habitat.

*Policy 1*

Non-moorage uses are not acceptable on the foreshore, which include facilities such as beach houses, storage sheds, patios, sun decks, and hot tubs. Additionally, no commercial uses, long-term camping (as defined in the zoning bylaw), beach creation, sand importation, groyne construction, infilling, private boat launches, substrate disturbance (shore spawning) are acceptable on the foreshore. Houseboat activities on the foreshore will be directed to areas of least environmental and social impact (i.e. low fish habitat values, away from settlement areas).

*Policy 2*

Shoreline stabilization works and measures are subject to the following:

1. All shoreline stabilization works must adhere to the Ministry of Environment's "Best Management Practices for Lakeshore Stabilization".
2. Recognizing that a natural shoreline is often the best and least expensive protection against erosion, shoreline stabilization activities shall be limited to those necessary to prevent damage to existing structures or established uses on waterfront property. New development should be located and designed to avoid the need for shoreline stabilization.
3. Shoreline stabilization structures for extending lawn or gardens or providing space for additions to existing structures or new outbuildings are prohibited.
4. Stabilization works should be undertaken only when there is a justifiable level of risk to existing buildings, roads, services, or property, as deemed necessary by a qualified environmental professional (QEP). In such cases, the 'softest' stabilization measures should be applied.
5. Stabilization works and measures must be located within the property line of the waterfront parcel, above the natural boundary of the watercourse. Soft shoreline measures that provide restoration of previously damaged ecological functions may be permitted waterward of the natural boundary.

*Policy 3*

Private moorage is subject to the following:

1. Private moorage will not impede pedestrian access along the beach portion of the foreshore.
2. The siting of new private moorage shall be undertaken in a manner that is consistent with the orientation of neighbouring private moorage, is sensitive to views and other impacts on neighbours, and avoids impacts on access to existing private moorage and adjacent properties.
3. The zoning bylaw will set out other detailed provisions related to siting, setbacks, size, configuration, width, materials, and projections for private moorage.
4. The Integrated Land Management Bureau, in carrying out reviews of foreshore tenure applications will take the foregoing factors into consideration, with emphasis on the



environmental sensitivity of the foreshore areas, as well as ensuring an appropriate relationship with upland areas.

5. Private moorage owners and builders will refer to the Ministry of Environment's Best Management Practices for Small Boat Moorage on Lakes and the Ministry's BMPs for Boat Launch Construction and Maintenance on Lakes. As well, owners and builders will refer to minor works policies published by Transport Canada, Navigable Waters Protection Division prior to construction of any foreshore moorage (works).

#### *Policy 4*

The Regional District will:

1. Assess and protect sensitive fish habitat when implementing the boat launching facilities provisions of the Electoral Area F Parks Plan.
2. Work with the Integrated Land Management Bureau to investigate ways to best achieve the goals set out in this section, including investigation of the potential for the CSRD to secure a head lease for the foreshore.
3. Encourage waterfront owners to consider shared docks in the interests of having one larger dock that extends into deep water, rather than a number of individual docks that are in relatively shallow water with higher fish habitat values.
4. Advise and expect property owners to replace older, on-site sewage systems with newer technology to prevent potential contamination of the shoreline.
5. Advise and require property owners not to remove vegetation along the shoreline that could result in erosion, loss of food and nutrients for fish, and loss of shade for young fish. Landowners must refer to the Ministry of Environment's Best Management Practices for Hazard Tree and Non Hazard Tree Limbing, Topping or Removal.

### **11.1 General Land Use**

The Primary and Secondary Settlement Areas are delineated on Schedules B & C. This Plan directs growth and development to these areas. The Plan does not support significant growth and development outside the Primary and Secondary Settlement Areas.

### **11.2 Foreshore and Water Use**

The property is associated with moderate fish habitat values, and therefore the following policies apply;

Policy 2 - The Foreshore and Water designation permits recreational watercraft use, commercial marinas and associated Water uses. These uses are subject to the policies of this Plan, including the Foreshore & Aquatic Development Permit Area, regulations of the zoning bylaw, and the regulations of tenuring government authorities.

Policy 3 - Commercial marinas must provide boat-launching facilities for their customers.

Policy 4 - In consideration of the high value fisheries habitat and the environmental sensitivity of the foreshore, structures such as wharves or buildings that require pilings will be very limited and subject to regulations by the relevant federal and provincial agencies.

Policy 5 - The Regional District may limit the number, size and shape of boat slips in the zoning bylaw. Mooring buoys will also be regulated within the zoning bylaw.

Policy 6 - The Regional District will work with ILMB to designate Shuswap Lake and Adams Lake as an application-only area under that agency's Private Moorage Crown Land Use Operation Policy.

### **11.7 Secondary Settlement Area**

The subject property is designated as a Secondary Settlement Area (SSA), but no underlying designations were made to apply to this area in the OCP. Policies for the SSA designation are specific to the underlying designations. It is noted that the following designation and associated policy is available within an SSA;

#### **11.12 Parks and Recreation (PK)**

##### **Policy 1**

The Parks and Recreation designation includes federal, provincial, and regional parks, and associated park uses, as well as public and private recreation facilities.

#### **Lakes Zoning Bylaw No. 900**

The portion of the lake immediately adjacent to the subject property is currently zoned FM1 – Foreshore Multi-Family 1. The FM1 zone currently only allows a single floating dock and private mooring buoy per adjacent waterfront unit, and does not permit a group moorage facility. The adjacent upland property is currently owned by the Meadow Creek Properties Park Association and therefore does not have an adjacent waterfront unit on the property. Rather it is a vacant property reserved for the use of 176 upland title owners for park and recreation purposes.

Staff are proposing to amend the FM1 zone to include both site specific uses and density for the lake adjacent to the subject property to allow the existing facilities which have been constructed, and to allow for the potential of a larger group moorage facility in future to cater to the Associations members.

#### **FINANCIAL:**

The rezoning is the result of a bylaw enforcement action. If the Board does not adopt the proposed amending bylaw, and the owner does not bring the property into compliance, the Board may then wish to direct staff to seek a legal opinion regarding possible court action. Costs for the legal opinion and possible court action, although partially recoverable through Court, could nonetheless be substantial. Staff involvement in legal action is not recoverable.

#### **KEY ISSUES/CONCEPTS:**

##### **Sewage Disposal**

The property is not serviced by any sewage disposal system. This is a requirement for development of property within a Secondary Settlement Area.

##### **Water Supply**

The property currently has a pumphouse situated on it which supplies the Meadow Creek community water system. This property does not have a water supply. Secondary Settlement Area policies require connection to a community water system for a property to be developed.

**Access**

Primary access to this property and the boat launches is from Squilax-Anglemont Road. There are currently 2 driveways for the boat launches as well as an access for the community water system pump house on the east side of the property. There is a gravel parking lot available.

**Section 219 Covenant KM40855**

This covenant was registered in 1998. The covenant is against the title of the subject property in favour of 176 upland property owners. The covenant restricts the use of the subject property to park and recreational use and does not permit subdivision of the property.

**Section 219 Covenant K50406**

This covenant was registered in 1975. The covenant is granted to the Crown. The covenant is to limit the subject property's use to a park, either private or public, and that the use of the park will be interpreted as if the lands were zoned as a park area by the appropriate governmental agencies.

**Statutory Building Scheme K24715**

This statutory building scheme (SBS) was registered in 1975. The SBS includes a schedule of restrictions that impact on development of the individual lots within the development, but does not contain any restrictions specific to the subject property.

**Statutory Building Scheme L17117**

This SBS was registered in 1976, as a modification to the original SBS K24715, noted above. The SBS modifies a front line setback requirement for those properties fronting Squilax-Anglemont Road to 15'.

**Riparian Area Regulations**

The applicant is not proposing any additional work on the upland property, and therefore no development would be happening within 30.0 m upland of the highwater mark and so a RAR DP is not required.

**Meadow Creek Properties Park Association (MCPPA)**

MCPPA is a non-profit society that has been constituted to hold title to the upland property and to manage and maintain the property. Membership in the MCPPA is restricted to owners of the 176 upland titles, and then only if they become members through payment of membership dues. Becoming a member of the MCPPA provides free access to the facilities and amenities of the subject property, including the beach.

In the absence of any CSRD regulation over the upland property and the lake surface, the MCPPA did not regulate or actively manage either the placement of buoys or the placement of private docks in the water. As the upland property owner, it would have been the MCPPA's responsibility to ensure that any works done in the lake received the appropriate permissions from the authority having jurisdiction. In the case of groynes constructed along the shoreline, permission under Section 9 of the Water Act would be required from the MFLNRO. In the case of docks, a license from MFLNRO, for a dock, together with permission under Section 9 of the Water Act from MFLNRO would have been required.

After the adoption of amendments to Electoral Area 'F' Official Community Plan Bylaw No. 830, requiring a DP for water use and the adoption of Lakes Zoning Bylaw No. 900, a process of application through CSRD for a DP was also required. 2 of the members who have constructed docks in the foreshore have applied for DP 830-69 and DP 830-70.

Should the proposed rezoning amendment be approved by the CSRD Board, permissions for the docks will be required from MFLNRO. The owner has made application for a Development Permit for both the docks and the buoys. This DP cannot be issued until this rezoning has been adopted. Additionally, staff intends to send a referral to MFLNRO to ascertain if the Province would permit the existing docks.

### **Docks and Buoys**

11 of the existing docks were placed in the lake by certain of the members of the MCPPA. It is uncertain to CSRD staff whether these members obtained permission from the MCPPA to do so. It is certain that these members did not obtain licenses from the Province to place these docks. It is also certain that the MCPPA in the name of these members as the upland property owner did not obtain permission from the Province to place the docks. CSRD staff note that, as of the date of writing this report, only the upland property owner immediately adjacent to the lake has the right to apply to the Province for permission to have a dock. It is uncertain how the Province will regard the ownership of these docks when reviewing any license applications.

The twelfth dock was placed by the association near to the boat launch facilities. Similarly to the 11 others, no authority to place the dock was obtained from the Province.

It is also uncertain how the MCPPA will manage these 11 existing privately owned docks in future, where membership in the Association grants all members access to MCPPA facilities. CSRD staff are under the impression that each of the docks was installed by a specific member of the association at their cost, and therefore it would seem that the docks are an exception to the rights of membership to use all facilities. To this date the MCPPA appears to have taken a hands-off approach to placement and management of both the docks and the buoys. Although, the MCPPA as part of their application has pledged to initiate some sort of a sharing scheme, but only for certain of the existing buoys.

By taking a hands-off approach the MCPPA has allowed private ownership of certain facilities and amenities under its responsibility as upland owner. This may have compromised the MCPPA's ability to manage these facilities and seek approvals moving forward. It may also compromise their existing constitution. As such, it is difficult for CSRD staff to accept that the MCPPA will be able to assert its duty to manage these facilities in an effective fashion in the future as the upland owner.

## **IMPLEMENTATION:**

### **Consultation Process**

As per CSRD Policy No. P-18 regarding Consultation Processes-Bylaws, staff recommends the simple consultation process. Neighbouring property owners will first become aware of the application for zoning amendments when a notice of development sign is posted on the subject property.

### **Referral Process**

The following list of referral agencies is recommended:

- Area 'F' Advisory Planning Commission;
- Interior Health Authority;
- Ministry of Transportation and Infrastructure;
- Ministry of Environment;
- Department of Fisheries and Oceans;



- Ministry of Forests, Lands and Natural Resource Operations – Lands Branch;
- Ministry of Forests, Lands and Natural Resource Operations, Archaeology Branch;
- CSRD Operations Management; and
- All relevant First Nations Bands and Councils.

**SUMMARY:**

The applicant has applied to amend Bylaw No. 900 to allow some site specific uses within the lake that are already existing. Staff are recommending that the Board give the proposed amending bylaw first reading and forward the bylaw to referral agencies.

**LIST NAME OF REPORTS / DOCUMENTS:**

1. Maps: Location, Orthophotos, OCP	Attached to Agenda Summary: <input checked="" type="checkbox"/>	Available from Staff: <input type="checkbox"/>
2. Lakes Zoning Amendment (Meadow Creek Properties Park Association) Bylaw No. 900-09	Attached to Agenda Summary: <input checked="" type="checkbox"/>	Available from Staff: <input type="checkbox"/>
3. Application	Attached to Agenda Summary: <input type="checkbox"/>	Available from Staff: <input checked="" type="checkbox"/>

**DESIRED OUTCOME:**

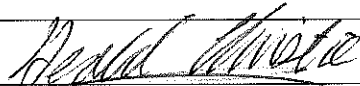
That the Board endorse staff recommendations.

**BOARD'S OPTIONS:**

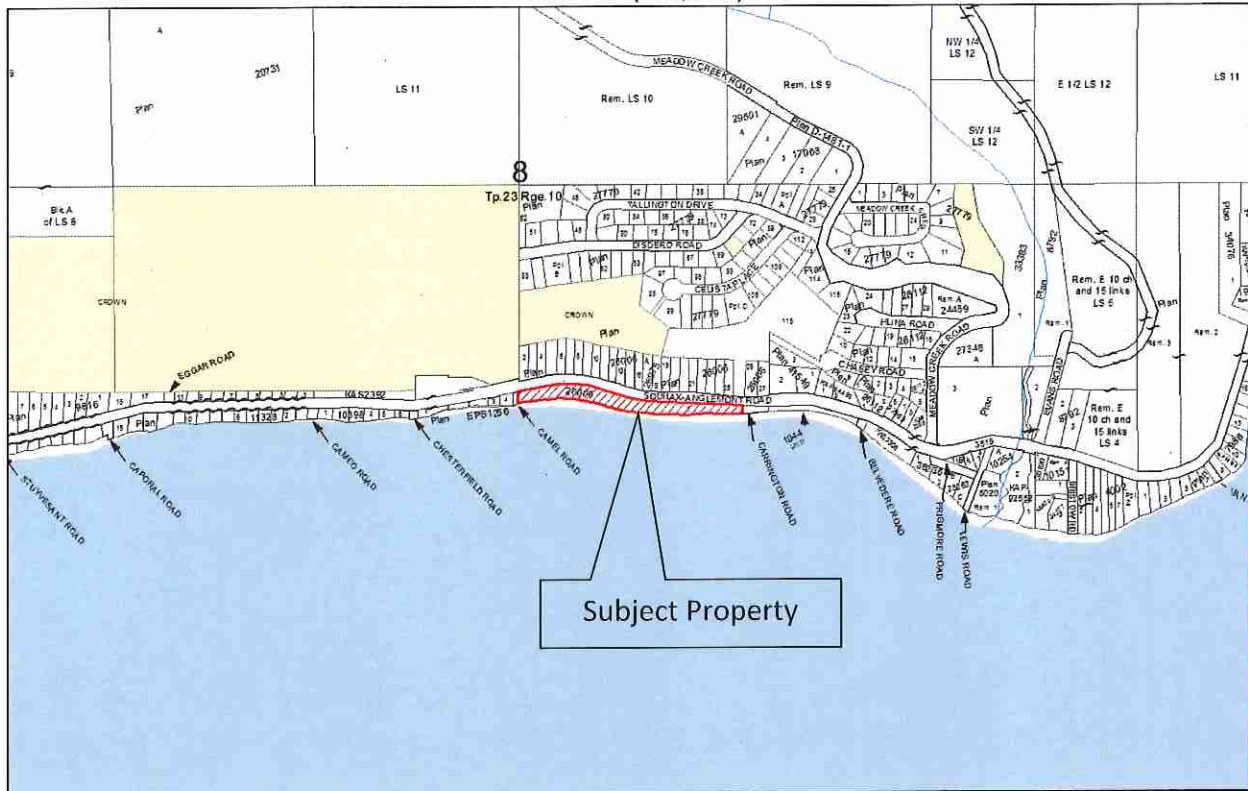
1. *Endorse recommendations. Bylaw No. 900-09 will be given first reading and will be sent out to the referral agencies.*
2. *Decline first reading, Bylaw No. 900-09 will be defeated. The current FM1 zone will apply and bylaw enforcement action will continue.*
3. *Defer.*
4. *Any other action deemed appropriate by the Board.*

**COMMUNICATIONS:**

If the bylaw is given first reading it will be forwarded to the referral agencies. Agency comments will be provided with a future Board report.

REVIEWED BY:	Date Signed Off (MO/DD/YR)	Approval Signature of Reviewing Manager or Team Leader
Development Services	12/18/14	

Location (1:6,500)



Subject Property Map – Legal 1:2,500



Orthophoto – 1:10,000



Orthophoto – 2013 Foreshore

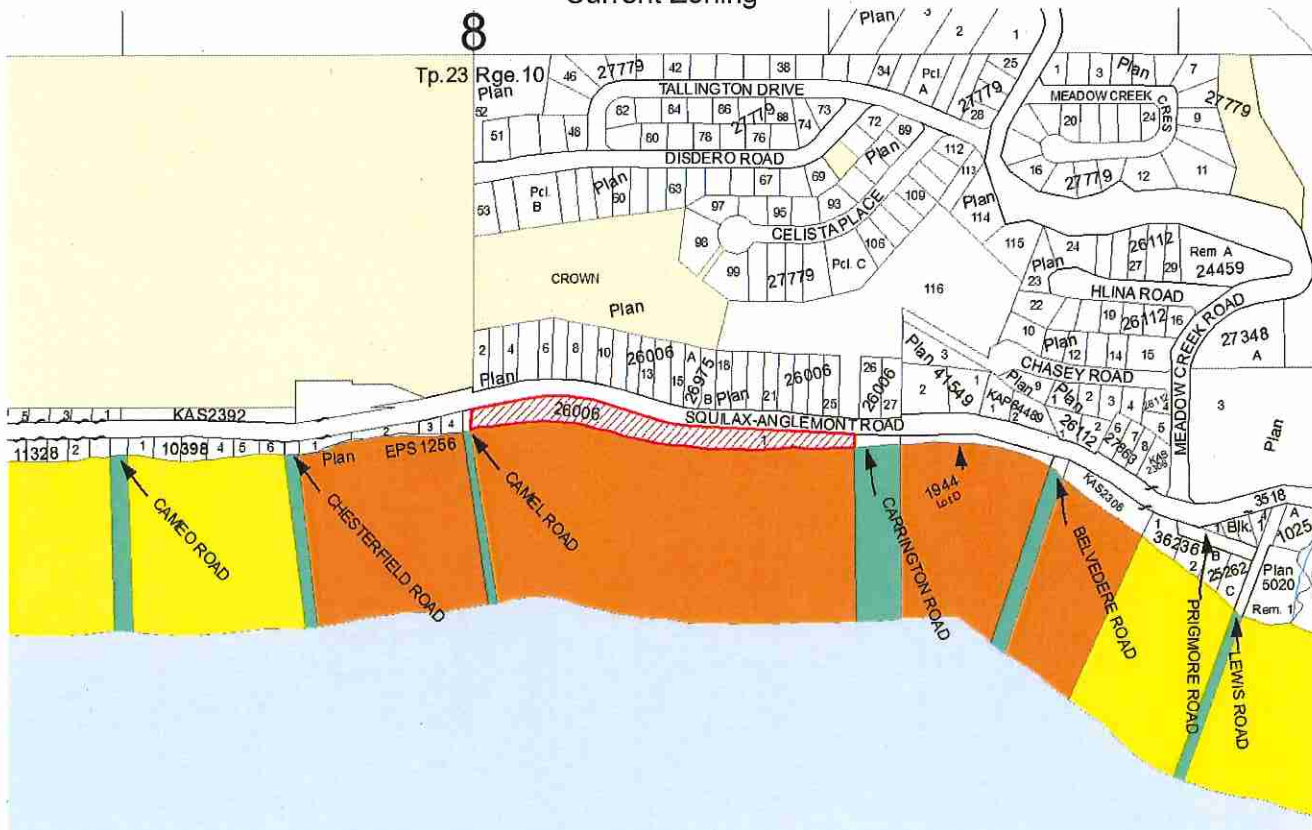




Current OCP



Current Zoning

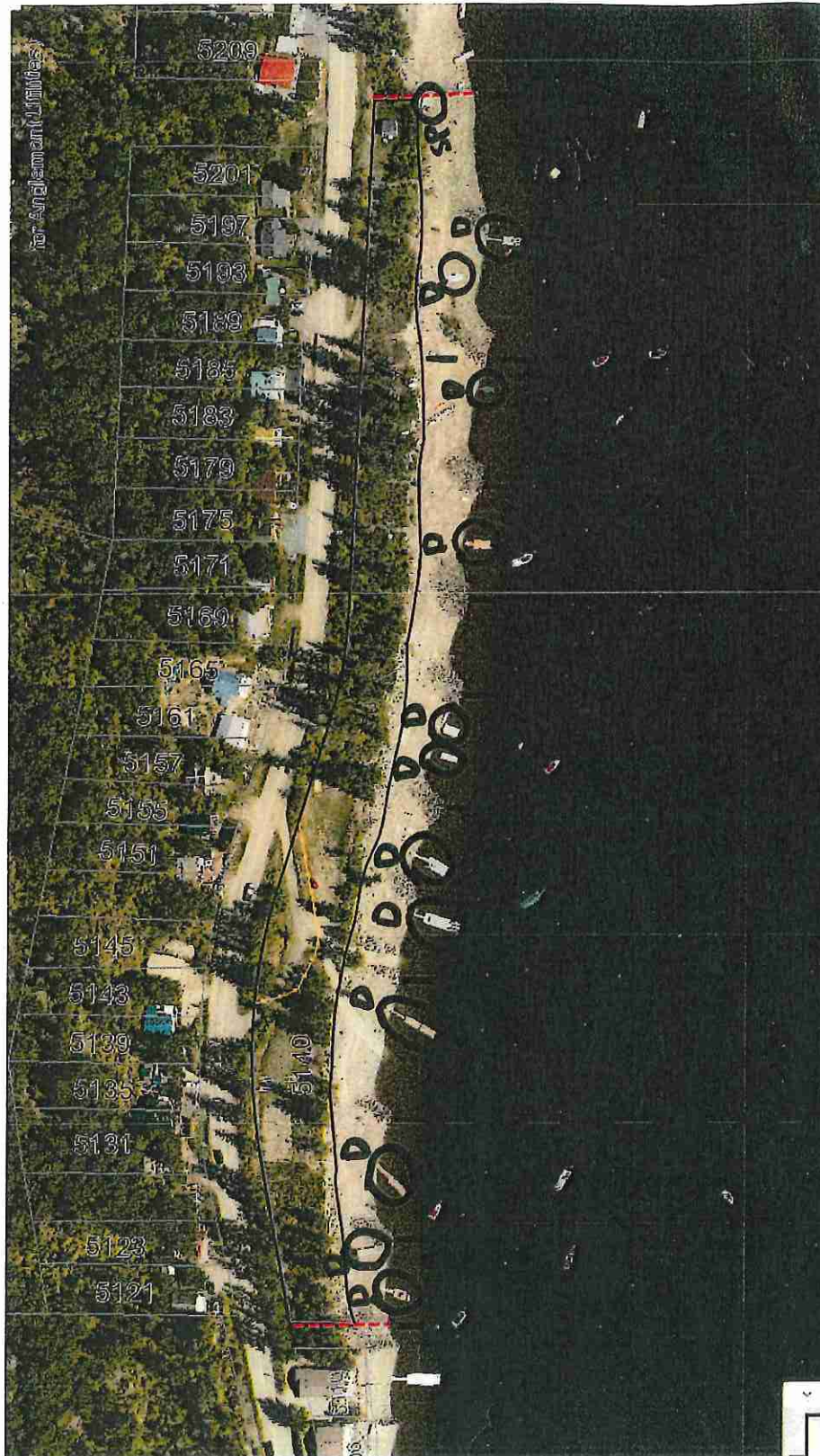




## August 14, 2014 Bylaw Enforcement Foreshore Inventory

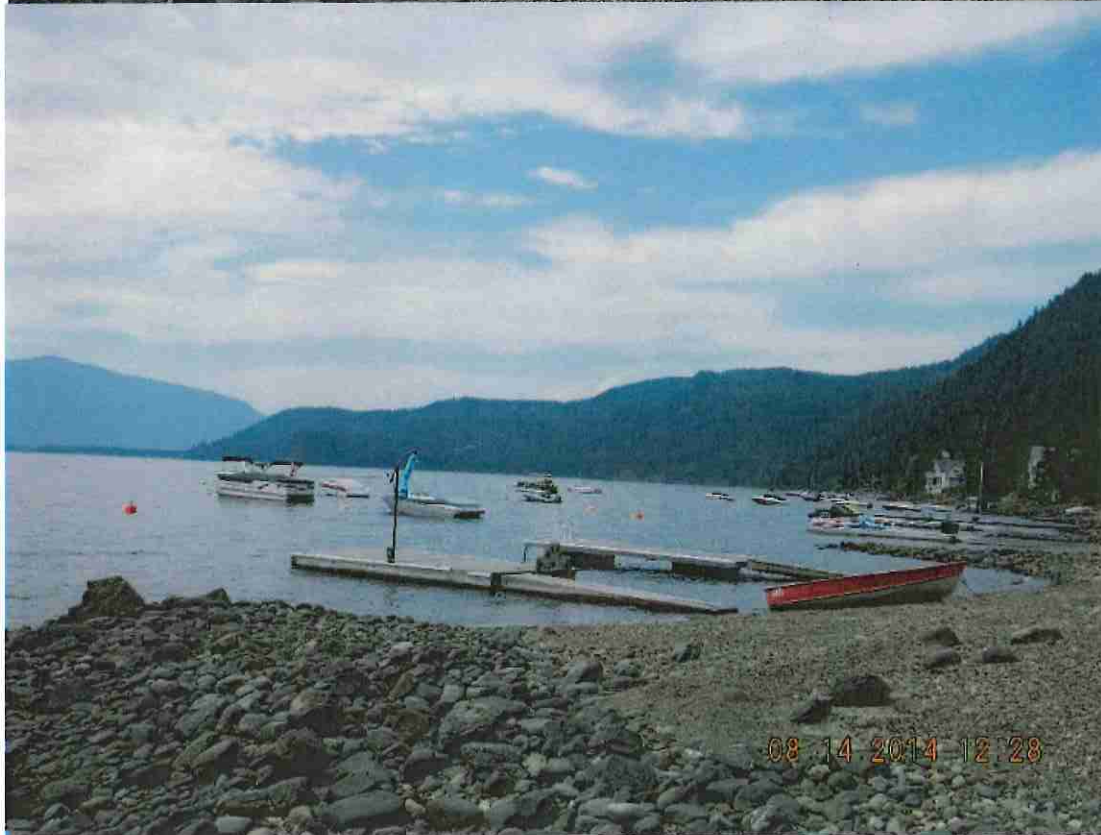
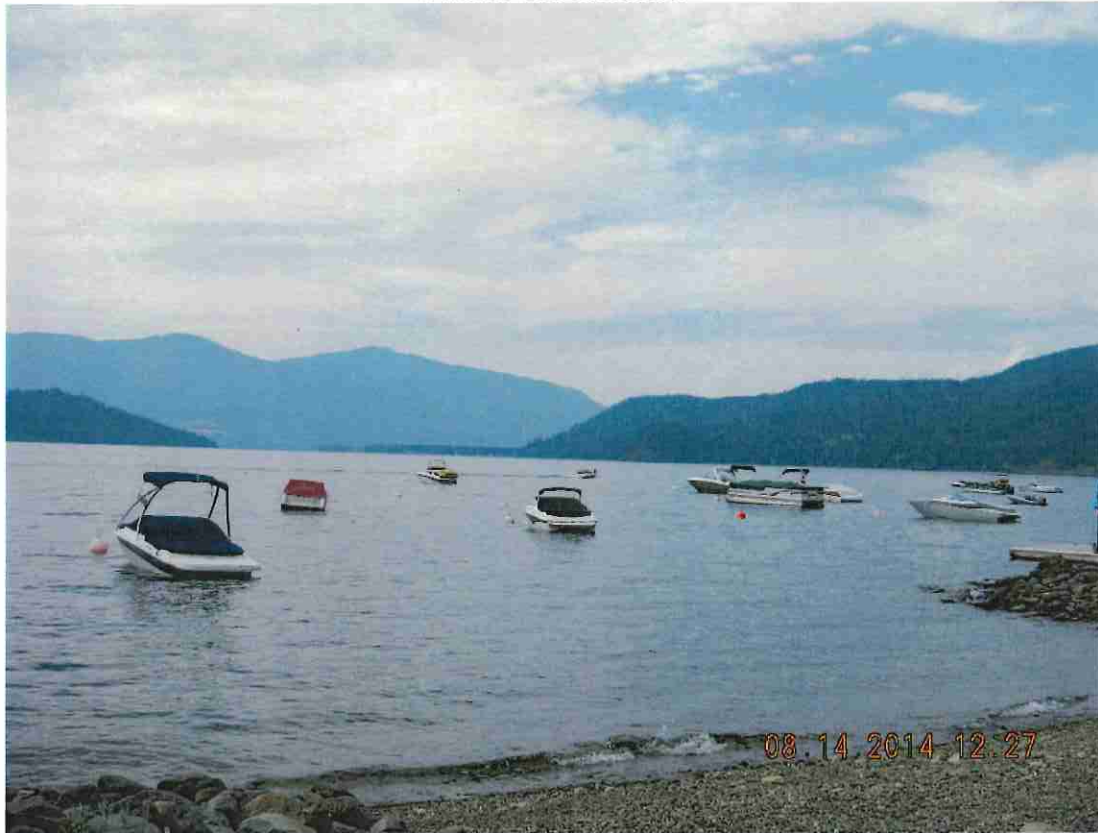
COPY

Meadow Creek - August 14, 2014 Inventory - 61 Buoys  
 - 12 Docks  
 - 2 Swimming platforms (SP)



CAMEL ROFF ACCESS.	GRID 10	GRID 9	GRID 8	GRID 7	GRID 6	GRID 5	GRID 4	GRID 3	GRID 2	GRID 1	CADWATER RD - ACCESS
- Nothing of concern @ time, closer to S110	- 2 Docks - S123 - 2 Buoys	- 1 Dock - 7 Buoys	- 1 Dock - no moorage swimming lounging	- 1 Dock - private use @ own risk	- 1 Dock - private - red light - 3 Buoys	- 2 Docks - 6 Buoys S165 private	- 5 Buoys	- 1 Dock - 3 Buoys	- 1 Dock - 7 Buoys	- 2 Docks - 2 SP - 15 Buoys	- 2 Docks - 1 Buoy for certain 2 on prop.

Photos of Foreshore

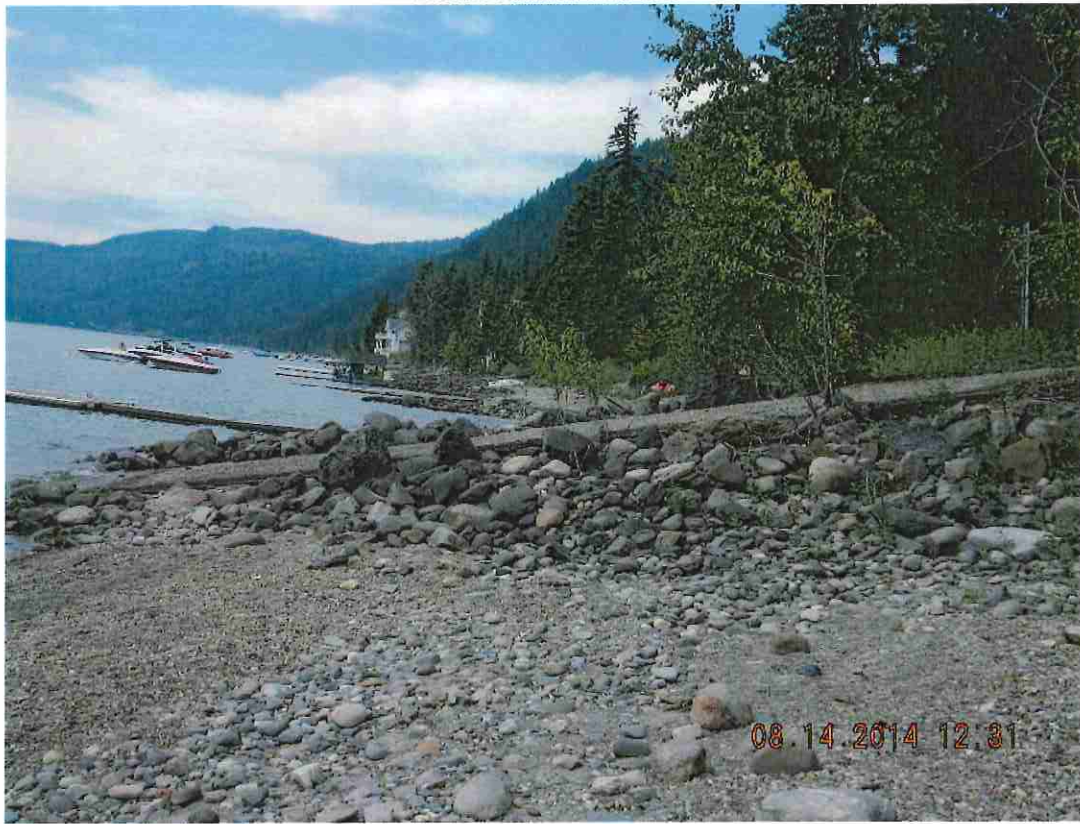




Photos of Foreshore (cont'd.)



Boat Launch Photos





COLUMBIA SHUSWAP REGIONAL DISTRICT

## LAKES ZONING AMENDMENT

(MEADOW CREEK PROPERTIES PARK ASSOCIATION) BYLAW NO. 900-9A bylaw to amend the "Lakes Zoning Bylaw No. 900"

WHEREAS the Board of the Columbia Shuswap Regional District adopted Bylaw No.900;

AND WHEREAS the Board deems it appropriate to amend Bylaw No. 900;

NOW THEREFORE the Board of the Columbia Shuswap Regional District, in open meeting assembled, HEREBY ENACTS as follows:

1. Bylaw No. 900 cited as "Lakes Zoning Bylaw No. 900" is hereby amended as follows:

A. TEXT AMENDMENT

1. Schedule A, Zoning Bylaw Text, Part 4 Zones, is hereby amended by deleting the FM1 Foreshore Multi-Family 1 zone in its entirety and replacing it with the following:

#### 4.6 FM1 Foreshore Multi-Family 1

# FM1

#### .1 Permitted Uses:

- (a) *Floating dock(s)*, including *removable walkway*, that is accessory to an adjacent *waterfront unit*.
- (b) *Private mooring buoy(s)* that is accessory to an adjacent *waterfront unit*.
- (c) *Boat lift(s)* that is accessory to an adjacent *waterfront unit*.
- (d) *Boat launch*.

#### .2 Site Specific Permitted Uses:

- (a) In addition to the permitted *uses* in this zone, *group moorage facility* comprised of no more than one *fixed or floating dock*, including *permanent or removable walkways*, is only a permitted *use* on the surface of the *lake* in conjunction with Lot 1, Section 8, Tp. 22, Rge 10, W6M, KDYD, Plan 26006.
- (b) *Private mooring buoy(s)* that is accessory to the use of Lot 1, Section 8, Tp. 22, Rge 10, W6M, KDYD, Plan 26006

**.3 Regulations:**

COLUMN 1 MATTER REGULATED	COLUMN 2 REGULATION
(a) <u>Density</u> maximum number of docks and private mooring buoys:	<ul style="list-style-type: none"> <li>○ <i>Dock</i>: 1 floating dock per adjacent waterfront unit.</li> <li>○ <i>Private mooring buoys</i>: 1 per adjacent waterfront unit.</li> </ul>
(b) <u>Site Specific Density</u> maximum number of floating docks, group moorage facility, berths and private mooring buoys where different from (a):	<ul style="list-style-type: none"> <li>○ For the surface of the <i>lake</i> adjacent to Lot 1, Section 8, Tp. 22, Rge 10, W6M, KDYD, Plan 26006, the maximum number of floating docks is 11; the maximum number of group moorage facilities is 1; the maximum number of berths in the group moorage facility is 22 ; and the maximum number of private mooring buoys is 61. {Meadow Creek Properties Park Association}</li> </ul>
(c) <u>Size</u> of dock and walkway:	<ul style="list-style-type: none"> <li>○ <i>Floating dock</i> must not exceed 24 m<sup>2</sup> (258.33 ft<sup>2</sup>) in total upward facing surface area (not including <i>removable walkway</i>).</li> <li>○ <i>Floating dock</i> surface must not exceed 3 m (9.84 ft) in width for any portion of the dock.</li> <li>○ <i>Removable walkway</i> surface must not exceed 1.5 m (4.92 ft.) in width for any other portion of the walkway.</li> </ul>
(d) <u>Size</u> group moorage facility where different from (c)::	<ul style="list-style-type: none"> <li>○ <i>dock</i> surface must not exceed 3 m (9.84 ft) in width for any portion of the dock.</li> <li>○ <i>Removable walkway</i> surface must not exceed 1.5 m (4.92 ft.) in width for any other portion of the walkway.</li> </ul>

<p>(e) <u>Location and Siting of dock, private mooring buoys or boat lifts:</u></p>	<p>The minimum setback of a <i>floating dock, private mooring buoy or boat lift</i> accessory to an adjacent <i>waterfront unit or waterfront parcel</i> is as follows:</p> <ul style="list-style-type: none"><li>○ 5 m (16.4 ft) from the side <i>parcel</i> boundaries of that <i>waterfront parcel</i>, projected onto the <i>foreshore</i> and water.</li><li>○ 5 m (16.4) from adjacent <i>waterfront units</i>, projected onto the <i>foreshore</i> and water.</li><li>○ 6 m (19.69 ft) from a Foreshore Park (FP) zone or <i>park</i> side <i>parcel</i> boundaries projected onto the <i>foreshore</i> and water.</li></ul> <p>Additional setbacks for <i>private mooring buoys</i>:</p> <ul style="list-style-type: none"><li>○ 20 m (65.62 ft) from any existing structures on the <i>foreshore</i> or water.</li><li>○ 50 m (164.04 ft.) from any <i>boat launch</i> ramp or <i>marina</i>.</li></ul>
---	--

BL 900-9

PAGE 4

2. This bylaw may be cited as "Lakes Zoning Amendment (Meadow Creek Properties Park Association) Bylaw No. 900-9."

READ a first time this \_\_\_\_\_ day of \_\_\_\_\_, 2015.

READ a second time this \_\_\_\_\_ day of \_\_\_\_\_, 2015.

PUBLIC HEARING held this \_\_\_\_\_ day of \_\_\_\_\_, 2015.

READ a third time this \_\_\_\_\_ day of \_\_\_\_\_, 2015.

ADOPTED this \_\_\_\_\_ day of \_\_\_\_\_ 2015.

\_\_\_\_\_  
CORPORATE OFFICER

\_\_\_\_\_  
CHAIR

CERTIFIED a true copy of Bylaw No. 900-9  
as read a third time.

CERTIFIED a true copy of Bylaw No. 900-9  
as adopted.

\_\_\_\_\_  
Corporate Officer

\_\_\_\_\_  
Corporate Officer



**COLUMBIA SHUSWAP REGIONAL DISTRICT****LAKES ZONING AMENDMENT****(MEADOW CREEK PROPERTIES PARK ASSOCIATION) BYLAW NO. 900-9****A bylaw to amend the "Lakes Zoning Bylaw No. 900"**

WHEREAS the Board of the Columbia Shuswap Regional District adopted Bylaw No.900;

AND WHEREAS the Board deems it appropriate to amend Bylaw No. 900;

NOW THEREFORE the Board of the Columbia Shuswap Regional District, in open meeting assembled, HEREBY ENACTS as follows:

1. Bylaw No. 900 cited as "Lakes Zoning Bylaw No. 900" is hereby amended as follows:

A. TEXT AMENDMENT

1. Schedule A, Zoning Bylaw Text, Part 4 Zones, is hereby amended by deleting the FM1 Foreshore Multi-Family 1 zone in its entirety and replacing it with the following:

#### **4.6 FM1 Foreshore Multi-Family 1**

# FM1

##### **.1 Permitted Uses:**

- (a) *Floating dock(s)*, including *removable walkway*, that is accessory to an adjacent *waterfront unit*.
- (b) *Private mooring buoy(s)* that is accessory to an adjacent *waterfront unit*.
- (c) *Boat lift(s)* that is accessory to an adjacent *waterfront unit*.
- (d) *Boat launch*.

##### **.2 Site Specific Permitted Uses:**

- (a) In addition to the permitted *uses* in this zone, *group moorage facility* comprised of no more than one *fixed* or *floating dock*, including *permanent* or *removable walkways*, is only a permitted *use* on the surface of the *lake* in conjunction with Lot 1, Section 8, Tp. 22, Rge 10, W6M, KDYD, Plan 26006.
- (b) *Private mooring buoy(s)* that is accessory to the use of Lot 1, Section 8, Tp. 22, Rge 10, W6M, KDYD, Plan 26006

**.3 Regulations:**

COLUMN 1 MATTER REGULATED	COLUMN 2 REGULATION
(a) <u>Density</u> maximum number of <i>docks</i> and <i>private mooring buoys</i> :	<ul style="list-style-type: none"> <li>○ <i>Dock</i>: 1 <i>floating dock</i> per adjacent <i>waterfront unit</i>.</li> <li>○ <i>Private mooring buoys</i>: 1 per adjacent <i>waterfront unit</i>.</li> </ul>
(b) <u>Site Specific Density</u> maximum number of <i>floating docks</i> , <i>swimming platforms</i> and <i>private mooring buoys</i> where different from (a):	<ul style="list-style-type: none"> <li>○ For the surface of the <i>lake</i> adjacent to Lot 1, Section 8, Tp. 22, Rge 10, W6M, KDYD, Plan 26006, the maximum number of floating docks is 3; the maximum number of swimming platforms is 1; and the maximum number of private mooring buoys is 61. {Meadow Creek Properties Park Association}</li> </ul>
(c) <u>Size</u> of <i>dock</i> and <i>walkway</i> :	<ul style="list-style-type: none"> <li>○ <i>Floating dock</i> must not exceed 24 m<sup>2</sup> (258.33 ft<sup>2</sup>) in total upward facing surface area (not including <i>removable walkway</i>).</li> <li>○ <i>Floating dock</i> surface must not exceed 3 m (9.84 ft) in width for any portion of the dock.</li> <li>○ <i>Removable walkway</i> surface must not exceed 1.5 m (4.92 ft.) in width for any other portion of the walkway.</li> </ul>
(d) <u>Size</u> <i>group moorage facility</i> where different from (c)::	<ul style="list-style-type: none"> <li>○ <i>dock</i> surface must not exceed 3 m (9.84 ft) in width for any portion of the dock.</li> <li>○ <i>Removable walkway</i> surface must not exceed 1.5 m (4.92 ft.) in width for any other portion of the walkway.</li> </ul>

<p>(e) <u>Location and Siting of dock, private mooring buoys or boat lifts:</u></p>	<p>The minimum setback of a <i>floating dock, private mooring buoy or boat lift</i> accessory to an adjacent <i>waterfront unit or waterfront parcel</i> is as follows:</p> <ul style="list-style-type: none"> <li>○ 5 m (16.4 ft) from the side <i>parcel</i> boundaries of that <i>waterfront parcel</i>, projected onto the <i>foreshore</i> and water.</li> <li>○ 5 m (16.4) from adjacent <i>waterfront units</i>, projected onto the <i>foreshore</i> and water.</li> <li>○ 6 m (19.69 ft) from a Foreshore Park (FP) zone or <i>park</i> side <i>parcel</i> boundaries projected onto the <i>foreshore</i> and water.</li> </ul> <p>Additional setbacks for <i>private mooring buoys</i>:</p> <ul style="list-style-type: none"> <li>○ 20 m (65.62 ft) from any existing structures on the <i>foreshore</i> or water.</li> <li>○ 50 m (164.04 ft.) from any <i>boat launch</i> ramp or <i>marina</i>.</li> </ul>
---	---

BL 900-9

PAGE 4

2. This bylaw may be cited as "Lakes Zoning Amendment (Meadow Creek Properties Park Association) Bylaw No. 900-9."

READ a first time this 15 day of January, 2015.

READ a second time, as amended, this 16 day of August, 2018.

PUBLIC HEARING held this 5 day of September, 2018.

READ a third time this \_\_\_\_\_ day of \_\_\_\_\_, 2018.

ADOPTED this \_\_\_\_\_ day of \_\_\_\_\_ 2018.

\_\_\_\_\_  
CORPORATE OFFICER

\_\_\_\_\_  
CHAIR

CERTIFIED a true copy of Bylaw No. 900-9  
as read a third time.

CERTIFIED a true copy of Bylaw No. 900-9  
as adopted.

\_\_\_\_\_  
Corporate Officer

\_\_\_\_\_  
Corporate Officer



## **COLUMBIA SHUSWAP REGIONAL DISTRICT**

Notes of the Public Hearing held on Wednesday September 5, 2018 at 6:00 p.m. at the The North Shuswap Community Hall (Celista) at 5456 Squilax-Anglemont Road, Celista, BC regarding proposed Bylaw No. 900-9.

---

PRESENT: Chair Bob Misseghers – Electoral Area F Alternate Director  
Dan Passmore – Senior Planner, Development Services  
15 members of the public

Chair Misseghers called the Public Hearing to order at 6:01 pm. Following introductions, the Chair advised that all persons who believe that their interest in property may be affected shall be given the opportunity to be heard or to present written submissions pertaining to the proposed Lakes Zoning Amendment (Meadow Creek Properties Park Association.) Bylaw No. 900-9.

The Planner explained the requirements of Section 470 of the Local Government Act and noted that the Public Hearing Report will be submitted to the Board for consideration at its October 18, 2018 meeting. The Planner explained the notification requirements set out in the Local Government Act and noted the Public Hearing was placed in the Shuswap Market News on August 24 and 31, 2018.

The Planner provided background information regarding this application and reviewed the purpose of the bylaws.

The Chair opened the floor for comments.

██ asked the Planner to give a history of Bylaw No. 900.

The Planner described in general terms the situation that led to the Board directing staff to create the Bylaw, the public meetings and finally public hearings throughout the process and advised that it was finally adopted on August 16, 2012.

██ questioned the proliferation of buoys in the lake and asked how the Bylaw was enforced

The Planner advised that Bylaws are enforced on a complaint driven basis and that recently the Board had adopted changes to the Policy governing Bylaw Enforcement refining the basis for further action on a given complaint to establish priorities.

██ advised that he had complained about buoys, but was told by Bylaw Enforcement staff that they were not going to take action on his complaint due to inadequate resources.

The Planner asked for further details regarding this situation.

[REDACTED] advised that he didn't remember who had told him this, but that it was frustrating.

The Planner advised that he understands the concern. He went on to explain how staff first try to work out the issues with an offending party and that this process has resulted in a number of situations where the owner has made the appropriate applications to bring the offending situation into compliance, much like the current application. He advised that the current application came about because of Bylaw Enforcement, and has taken 5 years to get to the point of this Public Hearing. He noted that a number of amendments have been made to the Bylaw over the years to bring non-conforming situations into compliance. He also noted that he was not aware of a single circumstance where staff has asked the Board to approve taking bylaw enforcement on a buoy issue to the next level, being Court action.

[REDACTED] asked how many buoys and docks MCPPA are entitled to under the Bylaw.

The Planner advised that the FM1 zone only permits 1 floating dock and one private mooring buoy.

[REDACTED] asked if the current proposed bylaw amendment would not set a precedent that would encourage the proliferation of buoys.

The Planner advised that the buoys are present in the water and the current bylaw's purpose was to regularize the buoys already present. He advised that during the process of consideration of the adoption of Bylaw No. 900, no one from MCPPA questioned either the number of docks or buoys that would be permitted after adoption, and as a result the Bylaw was adopted without considering the number in place.

[REDACTED] questioned what the regulations were regarding buoys and docks placed in areas in front of public access points to the lake.

The Planner advised that public accesses to the lake are technically owned by and are under the jurisdiction of the Province under the Ministry of Transportation. Since the Province is the owner, they would be the only owner permitted to install either a dock or a buoy. Sometimes the Ministry grants a License of Occupation to Local Government (the CSRD), who then would be able, if they chose, to install a dock or buoys. However, all such public accesses have been zoned FP Foreshore Park zone, and as such a dock or a buoy are not a permitted use. The CSRD would need to rezone in order to permit such a use.

[REDACTED] advised that she lives beside a public access and has noted that buoys and docks have been placed in that area and that nothing seems to be done about it.

The Chair advised that it would be helpful if when a complaint is made that the complainee take a picture of the offending buoy.

The Planner advised that the real problem in taking action against most buoys in the lake was that the buoys were not in compliance with current Navigation Canada

given buoy has no ownership information, the CSRD would have difficulty finding the owner to enforce the bylaw.

The Chair advised that the best way to resolve issues with buoys and docks was to bring them into compliance.

[REDACTED] noted that boats have registration numbers on them and that ownership information could be obtained from the registration numbers of boats moored to buoys.

The Planner noted that the ownership of a boat tied to a buoy does not constitute proof of ownership of a buoy.

[REDACTED] requested the Planner explain the notion of "grandfather status" as it applies to buoys.

The Planner explained that a buoy would enjoy grandfather status if it was placed prior to the adoption of bylaws regulating such things. In the case of buoys, when Electoral Area F Official Community Plan Bylaw No. 830 was adopted in June 2009, it included a requirement for a Development Permit to be issued prior to placing a buoy. So if a buoy were placed after that date without a DP, it would not necessarily enjoy grandfather status. In the case of Bylaw 900 the adoption date was August 2012, which if the buoy was placed after would simply be illegal. He advised that in establishing the date a buoy was placed, the CSRD would need documentation from the owner proving that the buoy was placed prior to these dates to enjoy grandfather status.

[REDACTED] asked how many buoys the proposed bylaw would allow.

The Planner advised that 61 buoys are proposed in the bylaw.

[REDACTED] asked how many of those 61 buoys were considered grandfathered.

The Planner advised that 2 applications for Development Permits for buoys had been received by the CSRD after initiation of the bylaw enforcement action. This would tend to indicate that at least 2 were placed after 2009, and that the rest may be able to be considered grandfathered, but that the CSRD had not established through receiving the appropriate documentation from the owners whether this was the case. So at most those figures were probable, but not confirmed, pending the outcome of the amending bylaw.

[REDACTED] asked what measures the MCPPA was required to undertake to manage the buoys and ensure they complied.

[REDACTED] stated that the MCPPA had been working in good faith with the Government to resolve the outstanding compliance issues. He noted that the property owned by MCPPA consists of more than 1,600 ft of lake frontage, and that given that amount of room, the total of 61 buoys was not large. He finished by advising that the MCPPA would be policing the situation and would not permit any additional buoys or docks.

The Planner acknowledged that the MCPPA had been working diligently with both the Province and the CSRD to resolve outstanding issues with the lakeshore and that the current proposed bylaw was the result.

[REDACTED] questioned why the public complaint driven system should be used for public access points and buoys placed in this area.

The Planner advised that while the CSRD bylaw enforcement staff do patrol the Lake, they are focused on issues where complaints have been made.

[REDACTED] advised that the MCPPA has been actively working to ensure their property is in compliance.

[REDACTED] noted that he is aware of 2 docks placed in the public access allowances and advised that these docks were not on MCPPA property. He noted that MCPPA owned the area between Camel and Belvedere Road only, and not those public access points, and therefore the MCPPA should not need to deal with compliance in those areas.

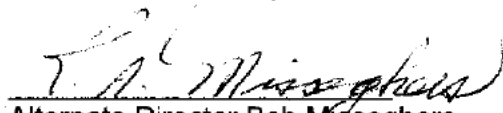
[REDACTED] advised that the process to this point has brought attention to illegal situations through MCPPA seeking compliance. He advised that the MCPPA has a map showing buoy ownership, and that this would be used to manage mooring off their property.


[REDACTED] advised that when he purchased his property in Meadow Creek that he thought he had also purchased a buoy. He questioned whether the individual property owners own the various buoys.

The Planner advised that at their last Annual General Meeting, the Association had dealt with the issue of Buoy ownership and had issued a letter to the CSRD that the Association were the de facto owner of the buoys, and would assign use as the Association sees fit.

Hearing no further representations or questions about proposed Bylaw No. 900-9 the Chair called three times for further submissions before declaring the public hearing closed at 6:50 p.m.

CERTIFIED as being a fair and accurate report of the public hearing.

  
Alternate Director Bob Missegheers  
Public Hearing Chair

  
Dan Passmore  
Senior Planner



## Public Hearing Submission – Bylaw No. 900

<input type="checkbox"/> CAO	<input type="checkbox"/> Agenda	Ownership:
<input type="checkbox"/> Works	<input type="checkbox"/> Reg Board	File #
<input type="checkbox"/> PS	<input type="checkbox"/> In Camera	
<input type="checkbox"/> Fin/Adm	<input type="checkbox"/> Other Mtg	
<b>SEP 05 2018</b>		
<input type="checkbox"/> Ec Dev	<input type="checkbox"/> RECEIVED	Ask Sent:
<input type="checkbox"/> IT	<input type="checkbox"/> Staff to Report	<input type="checkbox"/> Fax
<input type="checkbox"/> Parks	<input type="checkbox"/> Staff to Respond	<input type="checkbox"/> Mail
<input type="checkbox"/> SEP	<input type="checkbox"/> Staff Info Oly	
<input type="checkbox"/> HR	<input type="checkbox"/> Dir Mailbox	
<input type="checkbox"/> Other	<input type="checkbox"/> Other	

September 5, 2018

Dear Mr. Passmore,

We are waterfront residents within 100m of Meadow Creek Properties Park who believe our properties are affected by the proposed bylaw amendment.

Since 1994 we have witnessed many buoys and docks being placed in front of Meadow Creek Properties Park. This has resulted in a significant increase in boat traffic, noise and erosion of the shoreline of our properties. With so many buoys/boats in such a confined area and with some inexperienced boat operators, we have occasionally observed careless operation of watercraft close to our properties. We feel our property values, our ability to enjoy our properties and the natural beauty of the lake has been diminished. We further feel the proposed bylaw amendment will not satisfactorily address the concerns listed above.

The proposed rezoning amendment will allow 61 existing mooring buoys, 3 docks and 1 swimming platform. When was the last buoy count done and who will be responsible for monitoring placement of additional buoys in front of Meadow Creek Properties Park? Does Meadow Creek Properties or the CSRD maintain a list of all present buoy owners and their addresses? This is an important issue that we feel needs to be addressed to ensure the number of buoys does not continue to creep upward in number.

Another concern that directly impacts our properties is the existence of a number of buoys located on or very near Road Allowance - Camel Road. During windy weather and storms, these boats/buoys swing in front of the waterfront of the private property (5110 Squilax-Anglemont Road) located immediately west of Camel Road. These boats/buoys are encroaching on the waterfront of this property and could cause damage to the owner's boat, buoy, or dock and their close proximity can be dangerous for swimmers. Importantly, our fresh water intake lines are located in front of our properties and so many boats in close proximity is a health concern for us. We are requesting that prior to approving the proposed bylaw amendment, the CSRD determine if buoys adjacent to Camel Road presently conform to the 6m setback as specified in Bylaw No. 900 and if not, all non-compliant buoys be moved to another location in front of the Meadow Creek Properties Park.

While likely an unpopular option, construction of a group dock with boat slips and removal of all the unsightly buoys would be more environmentally friendly, in compliance with Canadian water navigation policies, and address some of the above concerns. It would also be easier to monitor compliance, go a long way toward improving safety on the water and ensure derelict, non-maintained buoys are phased out.

Thank you for your consideration.

Kind Regards,

[Redacted Signature]

[Redacted Signature]

[Redacted Address]

Sept. 4, 2018

Dear Dan, Senior Planner at CSRD

<input type="checkbox"/> CAO	<input type="checkbox"/> Agenda	Ownership:
<input type="checkbox"/> Works	<input type="checkbox"/> Reg Board	File #
<input type="checkbox"/> DS	<input type="checkbox"/> in Camera	
<input type="checkbox"/> Fin/Adm	<input type="checkbox"/> Other Mtg	
<b>SEP 04 2018</b>		
<input type="checkbox"/> Ec Dev	<b>RECEIVED:</b>	Ask Sent:
<input type="checkbox"/> IT	<input type="checkbox"/> Staff to Report	<input type="checkbox"/> Fax
<input type="checkbox"/> Parks	<input type="checkbox"/> Staff to Respond	<input type="checkbox"/> Mail
<input type="checkbox"/> SEP	<input type="checkbox"/> Staff Info Oly	<input type="checkbox"/> Email
<input type="checkbox"/> HR	<input type="checkbox"/> Dir Mailbox	
<input type="checkbox"/> Other	<input type="checkbox"/> Dir Circulate	

I am writing in opposition to the proposed 61 mooring buoys to be added to the Meadow Creek Properties. There are already far more buoys than what belongs in that area. Shuswap Lake is losing its beauty buoy by buoy. I believed that there is a limit of one buoy to 75 feet of lakeshore. Just because it is a shared interest or a strata should not allow for all the people on that piece of land to place a buoy.

At present I am not sure if they have any docks but having three plus a floating dock is also rather rich.

I see far too many buoys along the lakeshore – my preference would be to get many or all of them removed. Please do not allow an increase in the number of buoys.

Yours truly,

[REDACTED]

**Loreen Matousek**

**From:** [REDACTED]  
**Sent:** Monday, August 27, 2018 3:06 PM  
**To:** Planning Public Email address  
**Subject:** Public Hearing Submission - Bylaw No. 900-9

Att: Dan Passmore

I am an owner/resident [REDACTED] and member of the MCPPA. Please consider this as my approval to the Lakes Zoning Amendment as received by mail.

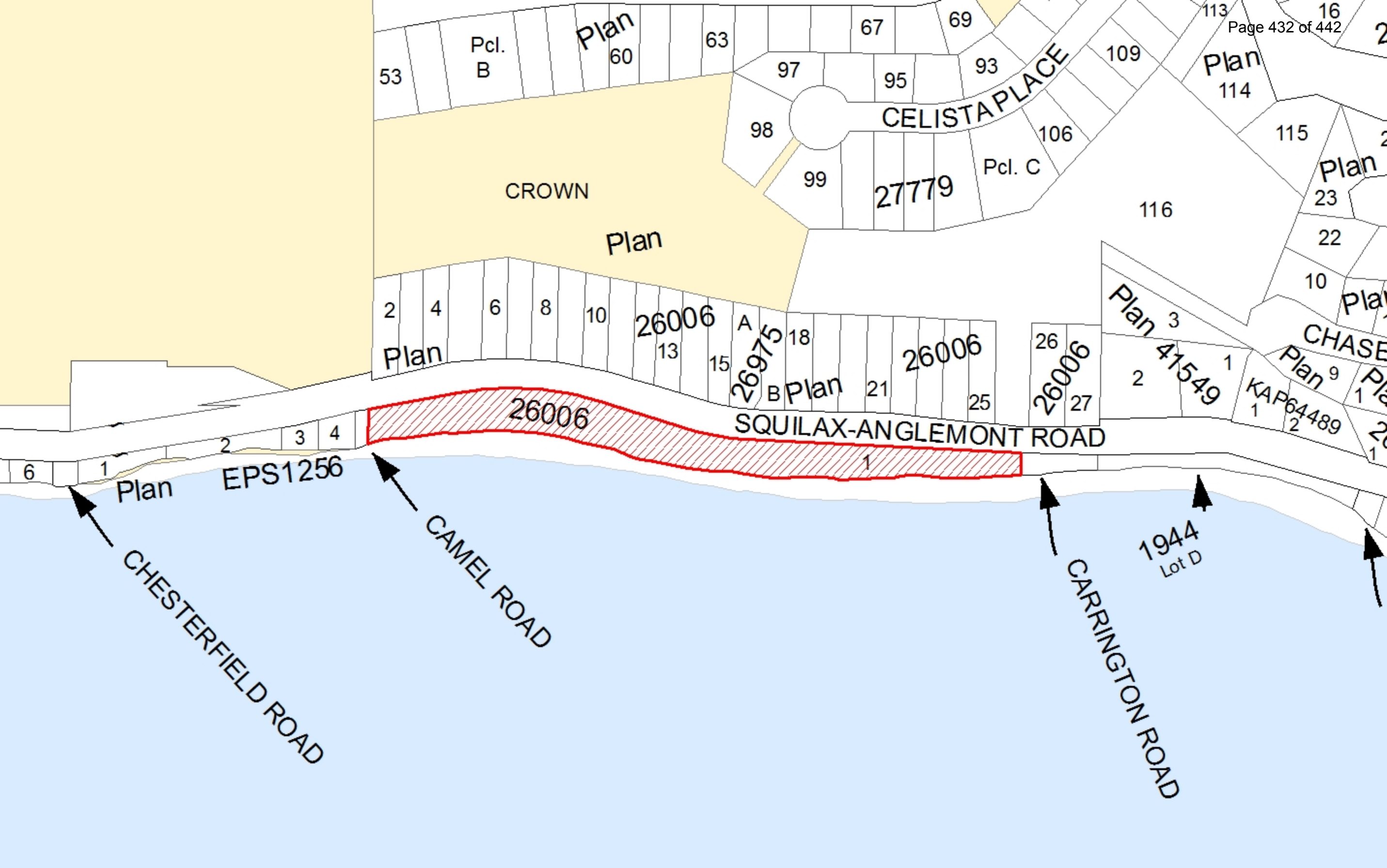
Sincerely  
[REDACTED]

<input type="checkbox"/> CAC	<input type="checkbox"/> Agenda: _____	Ownership: _____
<input type="checkbox"/> Works	<input type="checkbox"/> Reg Board	File # _____
<input type="checkbox"/> DS	<input type="checkbox"/> In Camera	
<input type="checkbox"/> Fin/Adm	<input type="checkbox"/> Other Mgt	
<b>AUG 27 2018</b>		
<input type="checkbox"/> P. Day	<input type="checkbox"/> Reserves	<input type="checkbox"/> Ack Sent: _____
<input type="checkbox"/> II	<input type="checkbox"/> Staff to Report	<input type="checkbox"/> Fax
<input type="checkbox"/> Parks	<input type="checkbox"/> Staff to Report	<input type="checkbox"/> Mail
<input type="checkbox"/> SEP	<input type="checkbox"/> Staff into Only	<input type="checkbox"/> Email
<input type="checkbox"/> HR	<input type="checkbox"/> Dir Mailbox	
<input type="checkbox"/> Other	<input type="checkbox"/> Dir Circulars	









Plan 60

Pcl. B

CELISTA PLACE

Plan 114

CROWN

Plan

27779

Pcl. C

Plan

26975  
A  
B Plan

26006

26006

Plan 3  
41549

CHASE

Plan 9

KAP64489

SQUILAX-ANGLEMONT ROAD

EPS1256

Plan

CHESTERFIELD ROAD

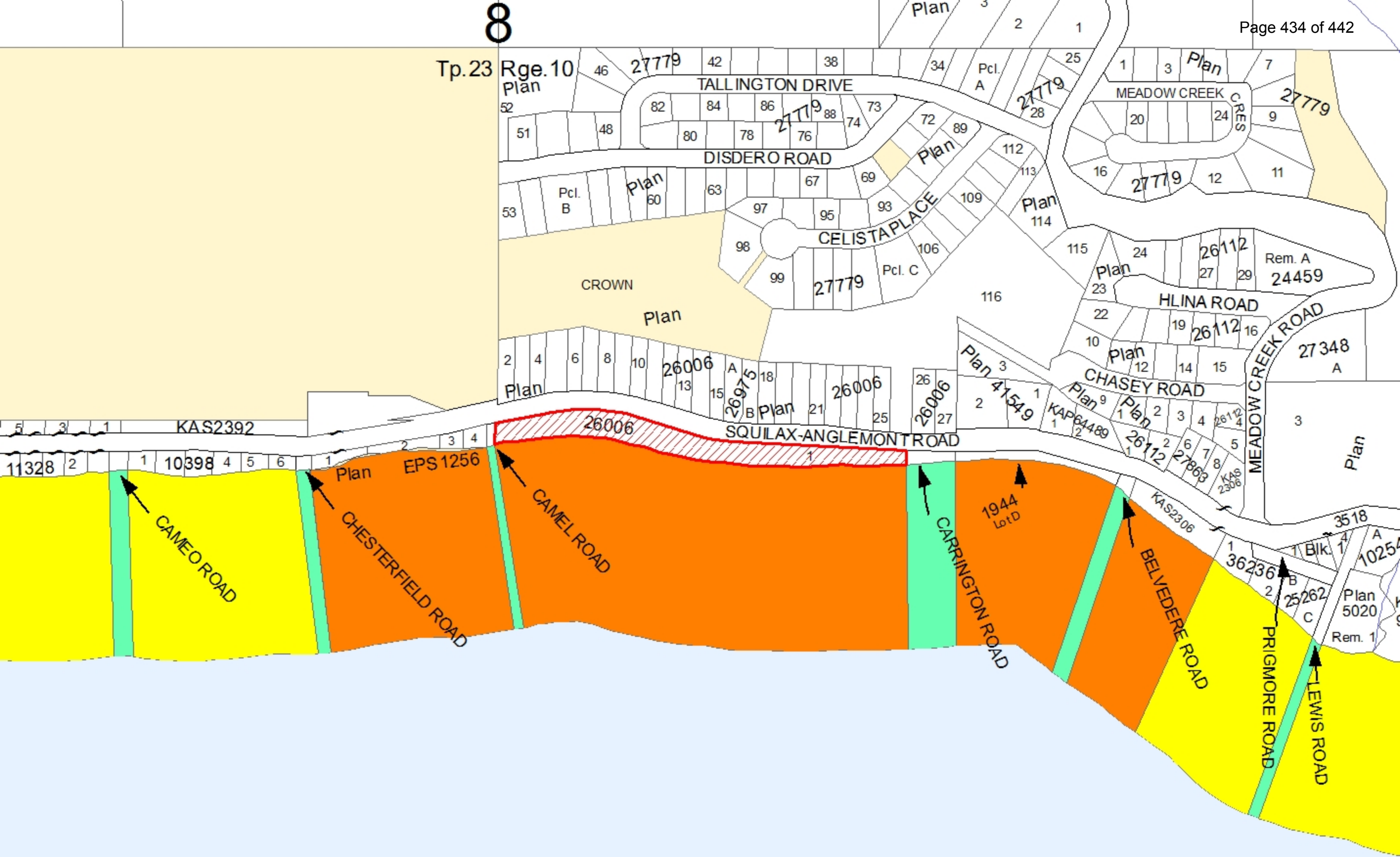
CAMEL ROAD

CARRINGTON ROAD

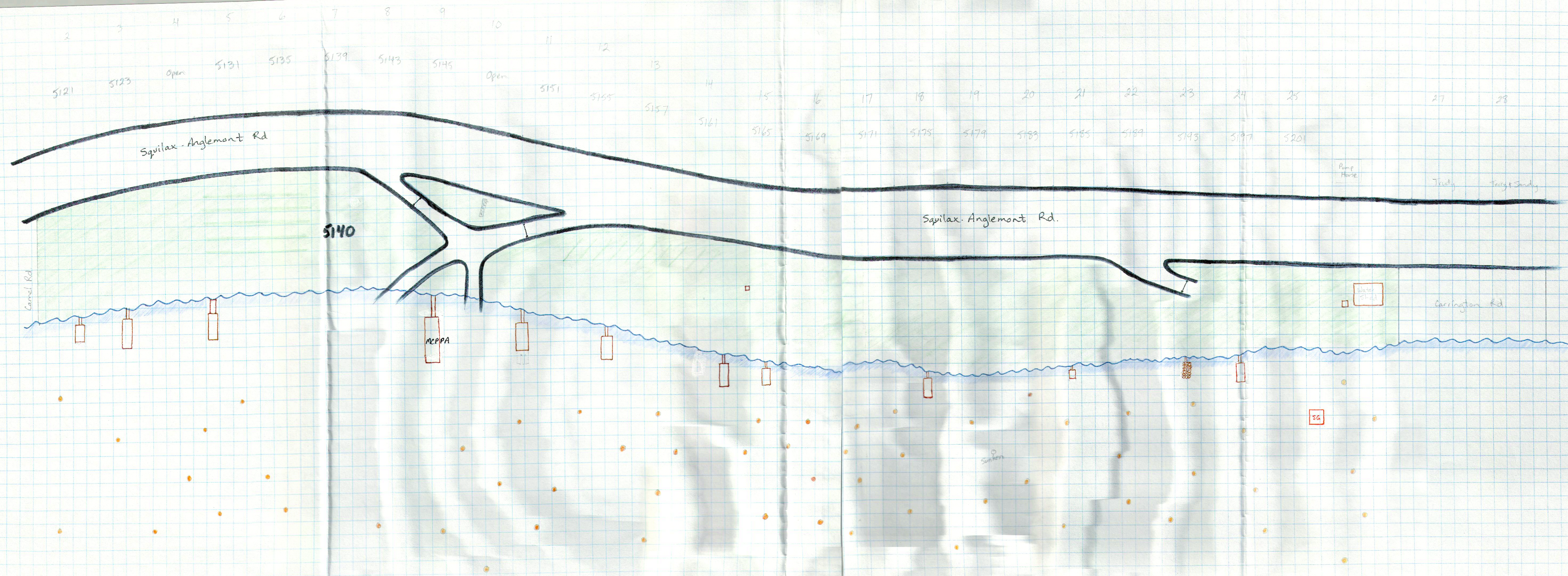
1944  
Lot D













**Dan Passmore**

**From:** [REDACTED]  
**Sent:** Thursday, August 31, 2017 2:41 PM  
**To:** Crown Lands Kamloops; Dan Passmore  
**Subject:** MCPPA  
**Attachments:** docks 002.jpg

Good Afternoon,

As you both know we have been in the process of removing docks to get down to three. I have attached a diagram showing where the three are going to be located. As a membership we have given the dock owners until September 30, 2017 to remove their docks.

The three that are remaining are as follows:

Dock 1: gangway 6.7m long and 1 m wide  
floating portion: 15.5m long and 2.4m wide

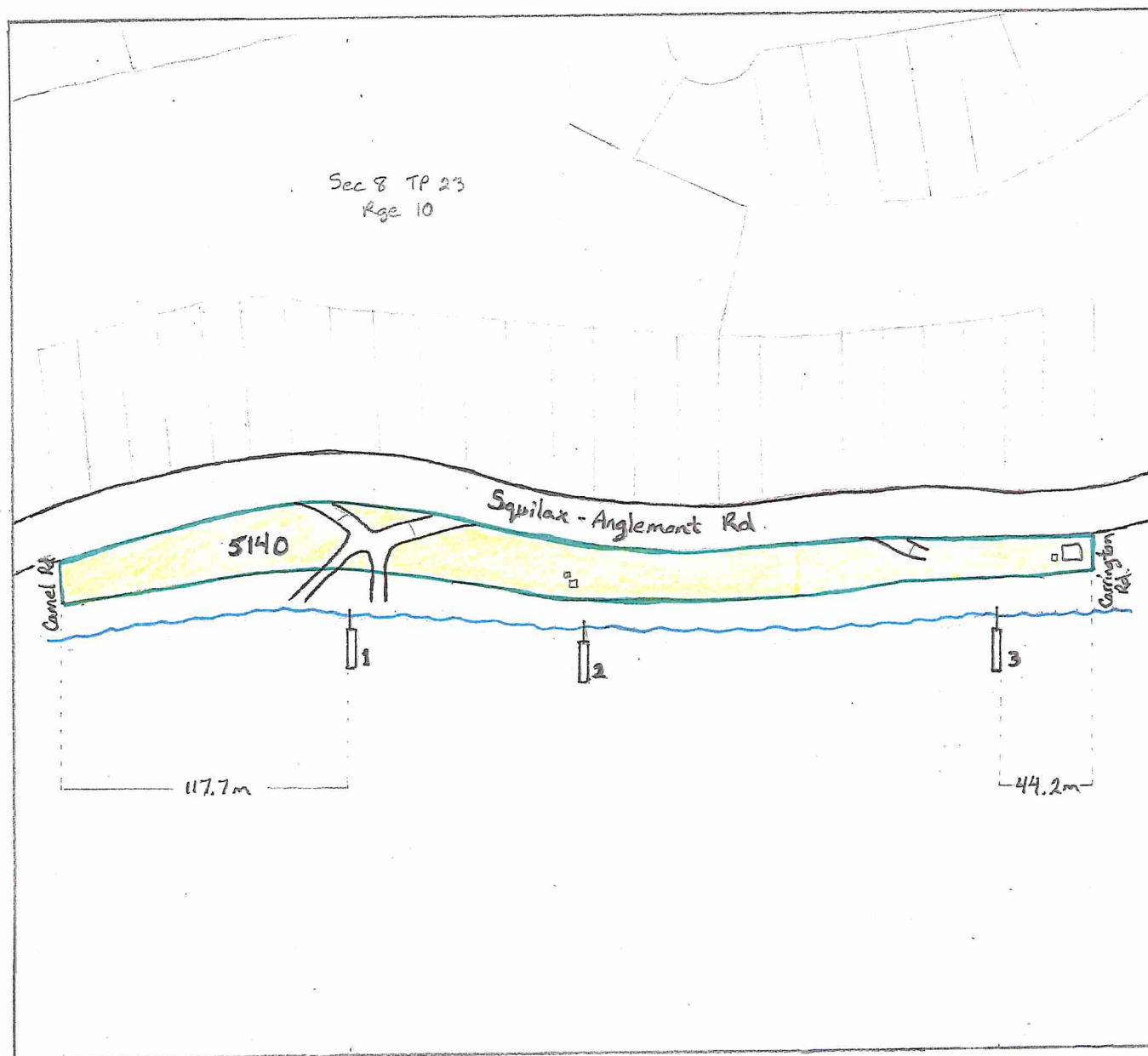
Dock 2: gangway 4.5 m long and 1 m wide  
floating portion: 12.2 m long and 3.0 m wide

Dock 3: gangway 4.5 m long and 1 m wide  
floating portion: 7.0 m long and 2.6 m wide

Thank you for your time

[REDACTED]  
MCPPA Director  
[REDACTED]

<input type="checkbox"/> CAO	<input type="checkbox"/> Agenda	Ownership: File #
<input type="checkbox"/> Works	<input type="checkbox"/> Reg Board	
<input type="checkbox"/> DS	<input type="checkbox"/> In Camera	
<input type="checkbox"/> Fin/Adm	<input type="checkbox"/> Other Mtg	
SEP 05 2017		
<input type="checkbox"/> Ec Dev	RECEIVED	
<input type="checkbox"/> IT	<input type="checkbox"/> Staff to Report	
<input type="checkbox"/> Parks	<input type="checkbox"/> Staff to Respond	
<input type="checkbox"/> SEP	<input type="checkbox"/> Staff Info Only	
<input type="checkbox"/> Other	<input type="checkbox"/> Dir. Mailbox	
	<input type="checkbox"/> Dir. Circulate	
	Ask Sent:	
	<input type="checkbox"/> Fax	
	<input type="checkbox"/> Mail	
	<input type="checkbox"/> Email	



iMapBC Mapping

**Legend**

Integrated Cadastral Fabric  
 Integrated Cadastral Fabric  
 Integrated Cadastral Fabric  
 Ownership

Survey Parcels - Tantalus  
 Land Act Surveyed Rights o  
 Tantalus - Legal Descriptions  
 Land Act Survey Parcels - T  
 Descriptions

TileCache

- ☒ Subject Property  
 5140 Squilax - Anglemont Rd.  
☐ Application Area

0 0.05 0.10 km

1: 2,500

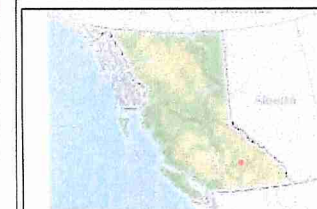
**Copyright/Disclaimer**

The material contained in this web site is owned by the Government of British Columbia and protected by copyright law. It may not be reproduced or redistributed without the prior written permission of the Province of British Columbia. To request permission to reproduce all or part of the material on this web site please complete the Copyright Permission Request Form which can be accessed through the Copyright Information Page.

CAUTION: Maps obtained using this site are not designed to assist in navigation. These maps may be generalized and may not reflect current conditions. Uncharted hazards may exist. DO NOT USE THESE MAPS FOR NAVIGATIONAL PURPOSES.

Datum: NAD83

Projection: NAD\_1983\_BC\_Environment\_Albers

**Key Map of British Columbia**



Province of  
British Columbia

MINISTRY OF  
ENVIRONMENT  
LANDS AND PARKS

BC  
Lands

Thompson-Okanagan Region  
478 St. Paul Street  
Kamloops, B.C. V2C 2J6  
Telephone: (604) 828-4800  
Fax: (604) 828-4809

Our File: 3407684  
Reserve No.: 963009

March 4, 1996

Your Contact is: Lynne Totten, Examiner  
Telephone: 828-4834

BC Lands  
Ministry of Environment, Lands and Parks  
478 St. Paul St  
Kamloops BC V2C 2J6

**Re: Notice of Establishment - Land Act - Notation of Interest**

The Crown land described as unsurveyed foreshore or land covered by water being part of the bed of Shuswap Lake, Kamloops Division of Yale District as shown outlined in red on sketch attached and containing approximately 2.6 hectares is established as a Notation of Interest for public recreation purposes.

Yours truly,

\_\_\_\_\_  
Authorized Representative

cc: Surveyor General Branch, Victoria  
attach.

EX2RS (94/02)

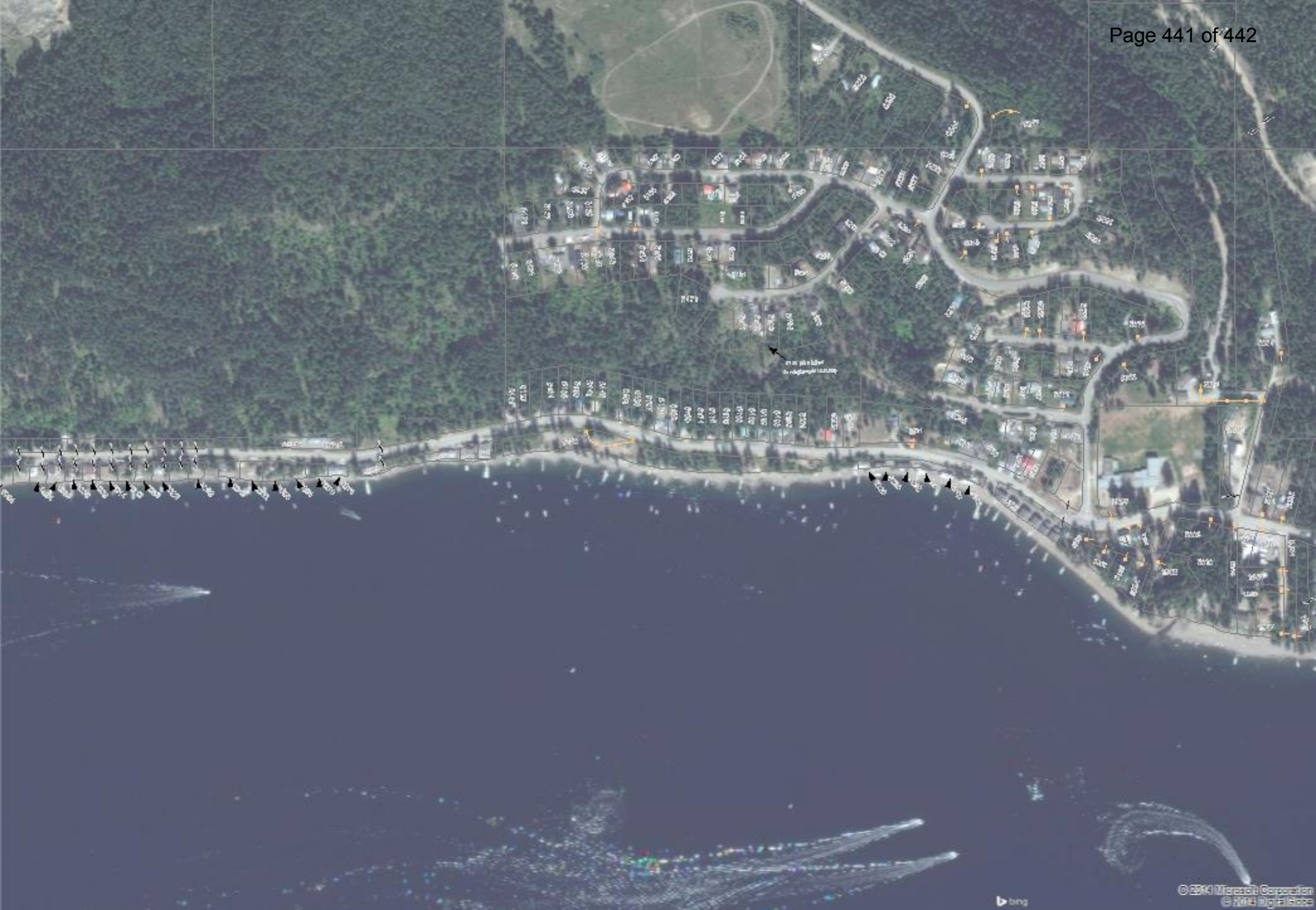
TAS ENT'D MAR 13 1996







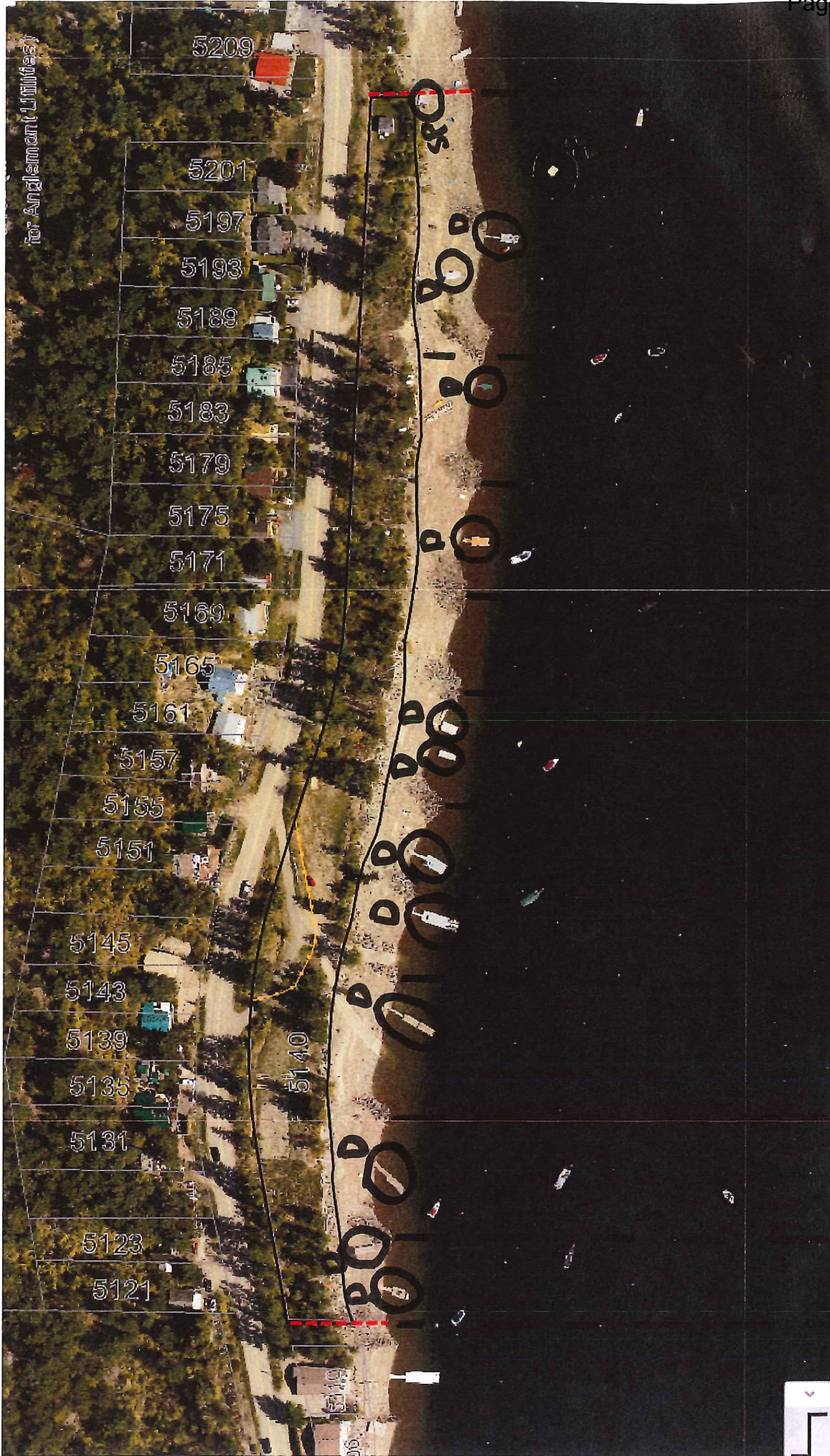






COPY

Meadow Creek - August 14, 2014 Inventory - 61 Buoy  
 - 12 Docks  
 - 2 Swimming platforms (SP)



GRID 1	GRID 2	GRID 3	GRID 4	GRID 5	GRID 6	GRID 7	GRID 8	GRID 9	GRID 10	CAMEL ROF
2 DOCKS 2 SP 15 BUOYS	1 DOCK 7 BUOYS	1 DOCK 8 BUOYS	5 BUOYS	2 DOCKS 6 BUOYS 5165 Private	1 DOCK private reducing 8 BUOYS	1 DOCK private use @ own risk 2 BUOYS	1 DOCK no moorage swimming lounging 1 Buoy	1 DOCK 7 BUOYS	2 DOCKS 5123 2 BUOYS	nothing of concern @ time closer to 5110