



# COLUMBIA SHUSWAP REGIONAL DISTRICT

## Regular Board Meeting

### AGENDA

Date: Thursday, May 16, 2019  
Time: 9:30 AM  
Location: Scotch Creek/Lee Creek Fire Hall  
3852 Squilax-Anglemont Road, Scotch Creek

Pages

1. Call to Order
2. Board Meeting Minutes
  - 2.1 Adoption of Minutes 1

Motion  
THAT: the minutes of the April 18, 2019 regular Board meeting be adopted.
  - 2.2 Business Arising from the Minutes  

If any.
3. Delegations
  - 3.1 10:00 AM Shuswap Branch, Society for the Prevention of Cruelty to Animals (SPCA) 26

Invited by CSR D Board to provide an overview of the important work done by the SPCA.

Victoria Olynik, Shuswap Branch Manager, in attendance.

#### ***ADMINISTRATION***

4. Correspondence

Motion  
THAT: the correspondence contained on the May 16, 2019 regular Board meeting agenda be received.

- 4.1 Email request from Revelstoke Mountaineer - Request Live Streaming of CSRD Board and Committee meetings (April 30, 2019) 44**

Email request received on April 30, 2019 from Aaron Orlando, Creative Director, Revelstoke Mountaineer Magazine, regarding live streaming the Board meetings.

- 4.2 Letter from Regional District of North Okanagan - Sicamous to Armstrong CP Rail Trail Project - Governance Committee Recommendations (April 16, 2019) 45**

- 4.3 Letter to the Minister of Public Safety & Solicitor General re: Newsome Creek (May 2, 2019) 47**

Newsome Creek Mitigation Works Feasibility Study will be attached to the Late Agenda.

- 4.4 Letter from Minister of Municipal Affairs and Housing (May 7, 2019) 50**

Letter from Honorable Selina Robinson regarding the Provincial Housing Plan

## **5. Reports 54**

### **Motion**

THAT: the Board receive the Columbia River Treaty Local Government Committee update, and March & April minutes of the Revelstoke Economic Development Commission, this 16th day of May, 2019.

- 5.1 Columbia River Treaty Local Government Committee Activities Update 61**

- 5.2 Revelstoke and Area Economic Development Commission Meeting Minutes 63**

Revelstoke and Area Economic Development Commission Meeting minutes from March 6 and April 3, 2019.

## **6. Business General**

- 6.1 Solid Waste Contract Extension Request 70**

Report from Ben Van Nostrand, Team Leader, Environmental Health Services dated April 30, 2019. Solid Waste contract extension request.



**Motion**

THAT: the Board empower the authorized signatories to extend the term of five Solid Waste Scale and Site Attendant agreements for the following time period and remuneration rates, plus applicable taxes:

July 1, 2019 to September 30, 2019

Agreement: Golden Scale and Site Attendant

Contractor: Frank Strain

Total Fee: \$14,199.75

Forced Work: \$25.00/hr

July 1, 2019 to September 30, 2019

Agreement: Sicamous Scale and Site Attendant

Contractor: Recycling Solutions

Total Fee: \$9,875.00

Forced Work: \$21.00/hr

July 1, 2019 to September 30, 2019

Agreement: Skimikin Scale and Site Attendant

Contractor: SCV Contractors Corp

Total Fee: \$19,592.50

Forced Work: \$28.00/hr

July 1, 2019 to September 30, 2019

Agreement: Scotch Creek Scale and Site Attendant

Contractor: Recycling Solutions

Total Fee: \$15,525.00

Forced Work: \$20.00/hr

August 1, 2019 to September 30, 2019

Agreement: Salmon Arm Scale and Site Attendant

Contractor: Cleansite Management

Total Fee: \$20,174.37

Forced Work: \$15.00/hr (Scale) \$16.50/hr (Recycling)

**Motion**

THAT: the Board empower the authorized signatories to extend the term of six Solid Waste Unscaled Site Attendant agreements for the following time period and remuneration rates, plus applicable taxes:

July 1, 2019 to September 30, 2019

Agreement: Falkland Site Attendant

Contractor: Lucky Dick

Total Fee: \$7,500.00

Forced Work: \$15.00/hr

July 1, 2019 to September 30, 2019

Agreement: Glenemma Site Attendant

Contractor: Recycling Solutions

Total Fee: \$3,825.00

Forced Work: \$17.00/hr

July 1, 2019 to September 30, 2019

Agreement: Malakwa Site Attendant

Contractor: Recycling Solutions

Total Fee: \$4,250.00

Forced Work: \$17.00

July 1, 2019 to September 30, 2019

Agreement: Parson Site Attendant

Contractor: Muspel Light Industries

Total Fee: \$3,300.00

Forced Work: \$25.00/hr

July 1, 2019 to September 30, 2019

Agreement: Seymour Arm Attendant

Contractor: Monica Ruggeri

Total Fee: \$2,141.00

Forced Work: \$20.00

July 1, 2019 to September 30, 2019

Agreement: Trout Lake Attendant

Contractor: Pat Ballantyne

Total Fee: \$2,850.00

Forced Work: \$16.50

**Motion**

THAT: the Board empower the authorized signatories to extend the term of six Solid Waste Recycling Depot Attendant agreements for the following time period and remuneration rates, plus applicable taxes:

July 1, 2019 to September 30, 2019

Agreement: Golden Recycling Depot

Contractor: Golden Bottle Depot

Total Fee: \$6,450.00

Forced Work: \$17.15/hr

July 1, 2019 to September 30, 2019

Agreement: Malakwa Recycling Depot

Contractor: Luella Kuro

Total Fee: \$3,255.00

Forced Work: \$17.00

July 1, 2019 to September 30, 2019

Agreement: Revelstoke Recycling Depot

Contractor: Revelstoke Bottle Depot

Total Fee: \$10,800.00

Forced Work: \$17.00

July 1, 2019 to September 30, 2019

Agreement: Salmon Arm Recycling Depot

Contractor: Bill's Bottle Depot

Total Fee: \$15,105.00

Forced Work: \$12.00

July 1, 2019 to September 30, 2019

Agreement: Sorrento Recycling Depot

Contractor: C Munk Management

Total Fee: \$7,250.00

Forced Work: \$20.00

July 1, 2019 to September 30, 2019

Agreement: Tappen Recycling Depot

Contractor: C Munk Management

Total Fee: \$6,923.00

Forced Work: \$20.00

**Motion**

THAT: the Board empower the authorized signatories to extend the term of four Solid Waste Landfill Compaction and Cover agreements for the following time period and remuneration rates, plus applicable taxes. (Rate A is the price for residual waste received equal to or greater than the identified base metric tonnes per year, Rate B is the price for residual waste received less than the identified base metric tonnes per year):

July 1, 2019 to September 30, 2019

Agreement: Golden Landfill Compaction/Cover

Contractor: Frank Strain

Rate A: \$46.25

Rate B: \$54.50

Maint. Fee: \$6,500.00

Internal Haul: \$70.00/lld

Labour Rate: \$28.00/hr

Annual Base Metric Tonne: 4,184.8

July 1, 2019 to September 30, 2019

Agreement: Revelstoke Landfill Compaction/Cover

Contractor: SCV Contractors Corp

Rate A: \$30.39

Rate B: \$34.95

Maint. Fee: \$23,563.75

Internal Haul: \$72.00/lb

Labour Rate: \$34.00/hr

Annual Base Metric Tonne: 4,184.8

July 1, 2019 to September 30, 2019

Agreement: Salmon Arm Landfill Compaction/Cover

Contractor: Murray Hillson Logging

Rate A: \$15.00

Rate B: \$18.75

Internal Haul: \$49.00/lb

Labour Rate: \$30.00/hr

Maint. Fee: \$3,000.00

Annual Base Metric Tonne: 12,872.0

July 1, 2019 to September 30, 2019

Agreement: Sicamous Landfill Compaction/Cover

Contractor: Gary Reading

Rate A: \$45.00

Rate B: \$55.00

Maint. Fee: \$1,444.00

Labour Rate: \$33.00/hr

Annual Base Metric Tonne: 2,223.2

Internal Haul: n/a.

## **7. Business By Area**

### **7.1 Grant-in-Aid Requests**

**7.1.1 Grant-in-Aids**

77

Report from Jodi Pierce, Manager, Financial Services, dated May 3, 2019.

**Motion**

THAT: the Board approve the following allocations from the 2019 electoral grant-in-aids:

Area A

\$1,500 Field Recreation Advisory Association (summer concert series)

Area C

\$500 Al Boucher Memorial Fund (playground netting)

\$1,900 Eagle Bay Fire Department (Annual open house)

Area F

\$1,800 North Shuswap School Parent Advisory Council (gaga ball pits)

\$1,900 Seymour Arm First Responders (training new members)

**7.2 Electoral Area D: Salmon River Parallel Trail Community Works Fund and Contract Award**

80

Report from Ryan Nitchie, Team Leader, Community Services, dated April 25, 2019. Salmon River Parallel Trail Community Works Funds and Contract Award.

**Motion**

THAT: in accordance with Policy No. F-3 "Electoral Area Community Works Funds – Expenditure of Monies" access to the Electoral Area Community Works Fund be approved in the amount of \$250,000 plus applicable taxes from the Electoral Area D Community Works Fund allocation for the construction of a parallel trail, this 16<sup>th</sup> day of May, 2019.

**Motion**

THAT: the Board empower the authorized signatories to enter into an agreement with Mountain Side Earthworks Ltd. for the construction of the Salmon River Parallel Trail adjacent to Salmon River Road in the Silver Creek area of Electoral Area D for a total cost not to exceed \$848,000 plus applicable taxes, this 16<sup>th</sup> day of May, 2019.

**7.3 Electoral Area D Community Works Fund – Falkland Water System Reservoir Preliminary Engineering 85**

Report from Terry Langlois, Team Leader Utilities, dated May 8, 2019. Authorization to access the Community Works Fund monies from the Electoral Area D allocation for the Falkland Water System Reservoir Preliminary Engineering.

**Motion**

THAT: in accordance with Policy No. F-3 “Community Works Fund - Expenditure of Monies” access to the Community Works Fund be approved for up to \$30,000 plus applicable taxes from the Electoral Area D Community Works Fund allocation for preliminary engineering costs for a new reservoir for the Falkland Water System.

**8. Administration Bylaws**

**8.1 Eagle Bay Estates Waterworks Local Service Amendment Bylaw No. 5796, 2019 88**

Report from Jodi Pierce, Manager, Financial Services dated April 12, 2019. Proposed amendment to Eagle Bay Estates Waterworks Local Service Bylaw No. 5112 to increase the maximum parcel tax requisition.

**Motion**

THAT: “Eagle Bay Estates Waterworks Local Service Amendment Bylaw No. 5796, 2019” be read a first, second and third time this 16<sup>th</sup> day of May, 2019.

**8.2 Saratoga Waterworks Service Amendment Bylaw No. 5797, 2019 93**

Report from Jodi Pierce, Manager, Financial Services dated April 12, 2019. Proposed amendment to Saratoga Waterworks Service Bylaw No. 5352 to establish a maximum parcel tax requisition.

**Motion**

THAT: “Saratoga Waterworks Service Amendment Bylaw No. 5797, 2019” be read a first, second and third time this 16<sup>th</sup> day of May, 2019.

## 9. IN CAMERA

### **Motion**

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

(a) personal information about an identifiable individual who holds or is being considered for a position as an officer, employee or agent of the regional district or another position appointed by the regional district;

(c) labour relations or other employee relations;

the Board move In Camera.

## ***DEVELOPMENT SERVICES***

## 10. Business General

### 10.1 **UBCM Housing Needs Reports Grant Program**

97

Report from Gerald Christie, Manager Development Services, dated May 16, 2019.

Union of British Columbia Municipalities (UBCM) Housing Needs Reports grant application.

### **Motion**

THAT: the Board empower the authorized signatories to apply for a UBCM Housing Needs Reports Program grant up to \$35,000 to complete Housing Needs Reports for CSRD Electoral Areas C and E, this 16<sup>th</sup> day of May, 2019.

### 10.2 **Amendments to CSRD Building Bylaw No. 660 and a Farm Building Exemption Policy**

118

Report from Marty Herbert, Team Leader Building and Bylaw Services, dated April 9, 2019.

Housekeeping Amendments - Farm Building exemption to Building Bylaw No.660 and Adoption of Policy P-23.



**Motion**

THAT: "Columbia Shuswap Regional District Building Amendment Bylaw No. 660-02" be read a first, second and third time this 16<sup>th</sup> day of May, 2019.

**Motion**

THAT: "Columbia Shuswap Regional District Building Amendment Bylaw No. 660-02" be adopted this 16<sup>th</sup> day of May, 2019.

**Motion**

THAT: CSRD Policy P-23 - Farm Building Exemption be adopted this 16<sup>th</sup> day of May, 2019.

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

One (1) Minute Verbal Report from Each Board Director for information.

**12. 11:45 AM ALR Applications**

- 12.1 Electoral Area C: Agricultural Land Commission (ALC) Application Section 20(3) – Non-Farm Use in the Agricultural Land Reserve (ALR) LC2564C (O'Brien) 135**

Report from Erica Hartling, Planner I, dated April 29, 2019.  
2149, 2165, and 2181 Wuori Road, Carlin.

**Motion**

THAT: Application No. LC2564C, Section 20(3) Non-farm use in the ALR for the North West ¼, Section 4, Township 22, Range 10, West of the 6<sup>th</sup> Meridian, Kamloops Division Yale District, except the south east 10 acres and Plans H716, H9970 and KAP66486 be forwarded to the Provincial Agricultural Land Commission recommending approval, on this 16<sup>th</sup> day of May 2019.

- 12.2 Electoral Area D: Agricultural Land Commission (ALC) Application Section 20 (2) – Non-farm Use LC2566D (Phoebus) 158**

Report from Jan Thingsted, Planner III, dated April 30, 2019  
4860 Hoath Road, Falkland

**Motion**

THAT: Application LC2566D, DL 2250, Osoyoos Division, Yale District, Except Plans 15009, 35631, 38492 and KAP45742, be forwarded to the Agricultural Land Commission recommending approval this 16<sup>th</sup> day of May, 2019.

**Motion**

THAT: Notwithstanding CSRD Cannabis Related Business Policy A-72 and its statement “Cannabis related businesses are not supported on Land within the Agricultural Land Reserve (ALR)”, the Board waive this statement for application LC2566D since the proposed facility will likely have little to no negative impact on the agricultural capability of the subject parcel and surrounding farmland this 16<sup>th</sup> day of May, 2019.

**12.3 Electoral Area E: Agricultural Land Commission (ALC) Application Section 21 (2) – Subdivision LC2561E (Canadian Pacific Railway) 204**

Report from Laura Gibson, Planner I, dated May 2, 2019.  
2048 Solsqua Road, Cambie Solsqua

**Motion**

THAT: Application LC2561E, Lot 1, Sections 16 and 17, Township 22, Range 7, West of the 6<sup>th</sup> Meridian, Kamloops Division Yale District, Plan NEP61793 Except Plan EPP81765, be forwarded to the Agricultural Land Commission recommending approval this 16<sup>th</sup> day of May, 2019.

***ELECTORAL AREA DIRECTORS***

**13. 1:15 PM Business by Area**

**13.1 Electoral Area C: Development Variance Permit No. 701-86 (Case Holdings Ltd – Poggemoeller) 216**

Report from Erica Hartling, Planner I, dated April 26, 2019.  
25 - 6421 Eagle Bay Road, Wild Rose Bay

**Motion**

THAT: in accordance with Section 498 of the Local Government Act Development Variance Permit No. 701-86 for Strata Lot 25, Section 18, Township 23, Range 8, West of the 6<sup>th</sup> Meridian, Kamloops Division Yale District, Strata Plan KAS1797, together with an interest in the common property in proportion to the unit entitlement of the strata lot as shown on form 1, varying South Shuswap Zoning Bylaw No. 701 as follows:

- Section 15.2.5 minimum setback from the side parcel lines from 2 m to 0 m only for the retaining walls located along the driveway access;

be approved this 16<sup>th</sup> day of May, 2019 and issuance be withheld until the proposed retaining walls receive issuance of a Steep Slope Development Permit by the Manager of Development Services.

**13.2 Electoral Area C: Development Variance Permit No. 701-91**

249

Report from Laura Gibson, Planner I, dated May 2, 2019.  
56 - 6421 Eagle Bay Road, Wild Rose Bay

**Motion**

THAT: in accordance with Section 498 of the Local Government Act, Development Variance Permit No. 701-91 for Strata Lot 56, Section 18, Township 23, Range 8, West of the 6<sup>th</sup> Meridian, Kamloops Division Yale District, Strata Plan KAS1797, together with an interest in the common property in proportion to the unit entitlement of the strata lot as shown on Form 1, varying South Shuswap Zoning Bylaw No. 701 as follows:

- Section 15.2.5 minimum setback from the rear parcel line from 5.0 m to 1.0 m only for the proposed covered outdoor kitchen and seating area;

be issued this 16<sup>th</sup> day of May, 2019.

**14. Planning Bylaws**

**14.1 Electoral Area C: Electoral Area C Official Community Plan Amendment (Factory Direct Doors Ltd.) Bylaw No. 725-16 and South Shuswap Zoning Amendment (Factory Direct Doors Ltd.) Bylaw No. 701-94**

268

Report from Christine LeFloch, Planner II, dated April 25, 2019.  
1336 Taylor Road, Notch Hill

**Motion**

THAT: "Electoral Area C Official Community Plan Amendment (Factory Direct Doors Ltd.) Bylaw No. 725-16" be given first reading this 16<sup>th</sup> day of May, 2019.

**Motion**

THAT: "South Shuswap Zoning Amendment (Factory Direct Doors Ltd.) Bylaw No. 701-94" be given first reading this 16<sup>th</sup> day of May, 2019.

**Motion**

THAT: the Board utilize the complex consultation process for "Electoral Area C Official Community Plan Amendment (Factory Direct Doors Ltd.) Bylaw No. 725-16" and "South Shuswap Zoning Amendment (Factory Direct Doors Ltd.) Bylaw No. 701-94", and that the bylaws be referred to the following agencies and First Nations:

- Electoral Area C Advisory Planning Commission;
  - CSRD Operations Management;
  - CSRD Financial Services;
  - Ministry of Forests Lands and Natural Resource Operations and Rural Development – Lands Branch;
  - Ministry of Transportation and Infrastructure;
  - Interior Health;
  - Ministry of Environment;
  - All relevant First Nations;
- AND THAT: the applicant be requested to hold a public information meeting in the Notch Hill area, to be arranged and conducted by the applicant in order for the applicant to explain the proposal and answer questions prior to consideration of second reading of the proposed bylaws.

**14.2 Electoral Area C: Lakes Zoning Amendment (Totem Pole Resort) Bylaw No. 900-20**

367

Report from Erica Hartling, Planner I, dated April 29, 2019.  
7429 Sunnybrae-Canoe Point Road, Canoe Point

**Motion**

THAT: "Lakes Zoning Amendment (Totem Pole Resort) Bylaw No. 900-20" be read a second time this 16<sup>th</sup> day of May, 2019;

**Motion**

THAT: a public hearing to hear representations on "Lakes Zoning Amendment (Totem Pole Resort) Bylaw No. 900-20" 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 Demenok, Electoral Area C, being that in which the land concerned is located, or the Alternate Director Dies, if the Director is absent, and the Director or Alternate Director, as the case may be, give a report of the public hearing to the Board.

- |             |   |            |
|-------------|---|------------|
| <b>14.3</b> | <b>Electoral Area D: Salmon Valley Land Use Amendment (674816 BC Ltd.) Bylaw No. 2558</b> | <b>405</b> |
|-------------|---|------------|

Report from Candice Benner, Planner II, dated May 1, 2019.  
Highway 97, Falkland

**Motion**

THAT: "Salmon Valley Land Use Amendment (674816 BC Ltd.) Bylaw No. 2558 be read a third time, as amended this 16<sup>th</sup> day of May, 2019.

- |             |  |            |
|-------------|--|------------|
| <b>14.4</b> | <b>Electoral Area D: Salmon Valley Land Use Amendment (Desimone/McMullen) Bylaw No. 2559</b> | <b>487</b> |
|-------------|--|------------|

Report from Candice Benner, Planner II, dated April 29, 2019.  
5781 Highway 97, Falkland

**Motion**

THAT: Salmon Valley Land Use Amendment (Desimone/McMullen) Bylaw No. 2559 be read a third time this 16<sup>th</sup> day of May, 2019.

- |             |  |            |
|-------------|--|------------|
| <b>14.5</b> | <b>Electoral Area D: Salmon Valley Land Use Amendment (Tereposky – MacDonald) Bylaw No. 2561</b> | <b>537</b> |
|-------------|--|------------|

Report from Erica Hartling, Planner I, April 26, 2019.  
2950 Wetaskiwin Road, Falkland

**Motion**

THAT: "Salmon Valley Land Use Amendment (Tereposky –MacDonald) Bylaw No. 2561" be read a first time this 16<sup>th</sup> day of May, 2019.

**Motion**

THAT: the Board utilize the simple consultation process for Bylaw No. 2561, and it be referred to the following agencies and First Nations:

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

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

561

Report from Dan Passmore, Senior Planner, dated March 4, 2019.  
1131 Pine Grove Road, Scotch Creek.

Consideration of Third Reading - Tabled at the March 21, 2019 regular Board meeting.

Verbal update from staff and recommendation for consideration of Third Reading and Adoption of Bylaw No. 825-38.

**Motion**

THAT: "Scotch Creek/Lee Creek Amendment (Pinegrove RV Park) Bylaw No. 825-38" be given third reading, this 16th day of May, 2019.

**Motion**

THAT: "Scotch Creek/Lee Creek Amendment (Pinegrove RV Park) Bylaw No. 825-38" be adopted, this 16th day of May, 2019.

**15. Release of In Camera Resolutions**

If any.

***MEETING CONCLUSION***

**16. Upcoming Meetings/Events**

Electoral Area Director Committee, Tuesday, May 28, 2019, CSRD Boardroom at 9:30 AM.

Area A Local Advisory Committee, Tuesday, May 28, 2019, Golden Civic Centre at 4:30 PM.

Shuswap Watershed Council, Wednesday, June 12, 2019, CSRD Boardroom at 10:00 AM.

Revelstoke Economic Development Commission, Wednesday, June 12, 2019, Revelstoke Business and Visitor Information Centre at 4:00 PM.

**17. Next Board Meeting**

Note: CSRD Committee of the Whole (Policy) session, Thursday, June 20, 2019, scheduled for 8:30 AM (time to be confirmed).

Regular Board Meeting, Thursday, June 20, 2019 at 9:30 AM

Location: CSRD Boardroom, 555 Harbourfront Drive NE, Salmon Arm, BC

**18. Adjournment**

**Motion**

THAT: the regular Board meeting of May 16, 2019 be adjourned.

**Notation**

NOTATION: The publication of the Columbia Shuswap Regional District (CSRD) Board Agenda on its website results in the availability of agenda content outside of Canada. In accordance with the 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: April 18, 2019

Time: 9:30 AM

Location: CSRD Boardroom  
555 Harbourfront Drive NE, Salmon Arm

Directors Present	K. Cathcart	Electoral Area A
	D. Brooks-Hill	Electoral Area B
	P. Demenok	Electoral Area C
	R. Talbot	Electoral Area D
	R. Martin (Chair)	Electoral Area E
	J. Simpson	Electoral Area F
	C. Moss* (Electronic Participation)	Town of Golden
	G. Sulz*	City of Revelstoke
	T. Rysz*	District of Sicamous
	K. Flynn*	City of Salmon Arm
	C. Eliason*	City of Salmon Arm
In Attendance	C. Hamilton (CAO)	Chief Administrative Officer
	L. Shykora	Deputy Manager, Corporate Administration Services
	J. Sham	Assistant Deputy Corporate Officer
	J. Pierce*	Manager, Financial Services
	S. Haines*	Deputy Treasurer
	B. Van Nostrand*	Team Leader, Environmental Health Services
	R. Nitchie*	Team Leader, Community Services
	D. Sutherland*	Team Leader, Protective Services
	G. Christie	Manager, Development Services

C. Paiement*	Team Leader, Development Services
J. Thingsted*	Planner III
C. Benner*	Planner II
C. LeFloch*	Planner II
E. Hartling*	Planner I
L. Gibson*	Planner I
R. Cyr*	Economic Development Officer
B. Payne*	Manager, Information Systems
D. Major*	IT/GIS Coordinator
T. Hughes*	Communications Coordinator

\*attended a portion of meeting only

## 1. Call to Order

The Chair called the meeting to order at 9:32 AM.

## 2. Board Meeting Minutes

### 2.1 Adoption of Minutes

**2019-0401**

**Moved By** Director Cathcart

**Seconded By** Director Brooks-Hill

THAT: the minutes of the March 21, 2019 regular Board meeting be adopted.

**CARRIED**

### 2.2 Business Arising from the Minutes

Pinegrove RV Park (Scotch Creek/Lee Creek Amendment BL No. 825-38) re: tabled 3rd reading motion to April 2019 Board Meeting (Resolution No. 2019-0341). For Board information: report will be brought forward to a future Board meeting.

## ADMINISTRATION

## 4. Correspondence

**2019-0402**

**Moved By** Director Cathcart

**Seconded By** Director Brooks-Hill

THAT: the correspondence contained on the April 18, 2019 Regular Board Meeting agenda be received for information.

**CARRIED**

**4.1 Letter from Minister of Agriculture - Response to Chair Martin - Request for Changes to Class E Licensing (March 28, 2019)**

Response letter received from the Minister of Agriculture dated March 28, 2019

Chair Martin correspondence to Minister of Agriculture, included for reference.

Refer to Item 6.6.

**4.2 Letter from Minister of Municipal Affairs and Housing - Response to Chair Martin - CSRD Funding Request for Area C Incorporation Study (April 9, 2019)**

Response letter received from the Minister of Municipal Affairs and Housing, dated April 9, 2019.

Chair Martin correspondence to Minister of Municipal Affairs and Housing, included for reference.

**4.3 Letter from Interior Health - Response to Chair Martin - Armstrong Vision Center (April 5, 2019)**

Letter received from Richard Harding, Interior Health, dated April 5, 2019.

Chair Martin correspondence to IHA, included for reference.

Chair Martin stated that there will be a demonstration in Armstrong put on by the Lions Club.

**4.4 Letter from the City of Maple Ridge (April 5, 2019)**

Urgent Request to Municipalities to Pass a Resolution re Undermining of Municipal Government Authority

Director Rysz stated that the District of Sicamous is sending a letter.

Director Eliason stated he does not support writing a letter because there are other factors at play. City of Salmon Arm has been very pleased with how they handled the housing issues here.

CAO stated that this is more about local government autonomy; philosophical issue that with one stroke of the pen they can override local government zoning and process.

#### **4.5 Thompson Watershed Risk Assessment Report**

Mike Simpson, Senior Regional Manager - Thompson, Fraser Basin Council, has notified the CSRD of the final 2018-2019 report, online map, and geospatial and data files for the Thompson Watershed Risk Assessment, completed March 31, 2019 by BGC Engineering is available online at [https://www.fraserbasin.bc.ca/2018-2019\\_TWRA\\_Assessment\\_Results.html](https://www.fraserbasin.bc.ca/2018-2019_TWRA_Assessment_Results.html)

#### **4.6 Letter from the City of Revelstoke (April 10, 2019)**

Letter received from the City of Revelstoke regarding the Columbia Basin Trust Community Initiative Program recommendations.

**2019-0403**

**Moved By** Director Sulz

**Seconded By** Director Brooks-Hill

THAT: the funding allocations in the amount of \$389,056 from the Columbia Basin Trust Community Initiatives and Affected Areas Program for 2019 as recommended by the Program Evaluation Committee be approved this 18<sup>th</sup> day of April, 2019.

**CARRIED**

### **5. Reports**

**2019-0404**

**Moved By** Director Demenok

**Seconded By** Director Talbot

THAT: the March 2019 Meeting minutes for the Shuswap Watershed Council, Shuswap Economic Development Advisory Committee, Shuswap Tourism Advisory Committee, and the Area A Local Advisory Committee, be received this 18<sup>th</sup> day of April, 2019.

**CARRIED**

- 5.1 **Shuswap Watershed Council Meeting Summary Draft (March 13, 2019)**
- 5.2 **Shuswap Economic Development Advisory Committee Meeting Minutes (March 14, 2019)**
- 5.3 **Shuswap Tourism Advisory Committee Meeting Minutes (March 14, 2019)**
- 5.4 **Area A Local Advisory Committee Meeting Minutes (March 26, 2019)**

## **6. Business General**

### **6.1 2018 Annual Report**

Report from Charles Hamilton, Chief Administrative Officer, dated April 5, 2019.

**2019-0405**

**Moved By** Director Sulz

**Seconded By** Director Simpson

THAT: the Board receive the Columbia Shuswap Regional District's Annual Report 2018 for information, this 18<sup>th</sup> day of April, 2019.

**CARRIED**

### **6.2 Draft 2018 Financial Statements**

Report from Jodi Pierce, Manager, Financial Services, dated March 28, 2019.

The Final Draft 2018 Financial Statements on Late Agenda.

**2019-0406**

**Moved By** Director Simpson

**Seconded By** Director Demenok

THAT: in accordance with the Local Government Act, the 2018 CSRD Year End Financial Statements be approved, this 18<sup>th</sup> day of April, 2019.

**CARRIED**

## **3. Delegations**

### **3.1 Presentation of the 2018 Audited Financial Statements**

Auditors presentation of the 2018 Audited Financial Statements - BDO Representative, Ms. Angie Spencer, presented the draft 2018 Financial Statements.

Refer to Item 6.2 for Draft 2018 Financial Statements, Report from Manager, Financial Services, and recommendation to approve.

## **6. Business General**

### **6.3 2018 Statement of Financial Information (SOFI) Report**

Report from Jodi Pierce, Manager, Financial Services, dated April 5, 2019.

Updated 2018 SOFI - Schedule of Remuneration and Expenses on Late Agenda.

**2019-0407**

**Moved By** Director Talbot

**Seconded By** Director Demenok

THAT: the Board approve the 2018 Statement of Financial Information Report as required by the Financial Information Regulation, Schedule 1, subsection 9(2) and section 376 subsection (1) of the Local Government Act.

**CARRIED**

## **3. Delegations**

### **3.2 District of Sicamous - Thank CSRD Board and Update on Economic Opportunity Funded Project**

John Price – Events Coordinator and Joe McCulloch – Operations, District of Sicamous, attending to thank Board for funding support and to summarize event progress in the last year.

### **3.3 Fraser Basin Council**

Colin Hansen, Chair and Mike Simpson, Senior Regional Manager – Thompson, Fraser Basin Council, presenting the Board with an overview and update on the Fraser Basin Council.

PowerPoint presentation included on Late Agenda.

Mr. Hansen recognized Director Talbot as a FBC member for 8 years.

## 6. Business General

### 6.4 Sharing CSRD's Waste Management Knowledge in Vietnam

Presentation by Ben Van Nostrand, Team Leader, Environmental Health.

PowerPoint presentation included on Late Agenda.

*Director Eliason left the meeting at 10:58 AM.*

### 6.5 SILGA 2019 Late Resolution - Resourcing a Collaborative System of Data Sharing in BC

Background information was attached.

David Major, IT/GIS Coordinator, and Jan Thingsted, Planner III, were in attendance to give background information and to respond to questions.

**2019-0408**

**Moved By** Director Demenok

**Seconded By** Director Talbot

WHEREAS natural disasters pose an increasing risk to the economic, social, and environmental well-being of British Columbians;

AND WHEREAS the provincial government is taking action to improve resilience by strengthening disaster preparedness and disaster risk governance in the context of climate change;

AND WHEREAS the sharing of integrated asset data, information, and knowledge across all sectors is key to improving emergency management and resiliency planning in BC:

THEREFORE BE IT RESOLVED that the Province of British Columbia be urged to take a strong leadership role and provide long-term sufficient funding and resources to increase the coordination, assembly, and access of asset data, information, and knowledge across multiple levels and sectors of government and stakeholders (including First Nations, local governments, provincial and federal government agencies, qualified professionals, and industry sectors).

#### Discussion on the motion:

Director Flynn asked who will be responsible for following procedure because this is late.

Chair Martin confirmed she will be responsible.

Director Flynn suggested to remove "be received" in the resolution.

**CARRIED**

**6.6 Request Director Cathcart - Board support for Invitation to Minister of Agriculture**

Request Director Cathcart - Board support for Invitation to Minister of Agriculture, Lana Popham, to attend meeting with farming community in Area A/Golden.

Director Cathcart stated that rural farmers want the Minister to come to their region to speak about the Class E licensing and to meet her.

**2019-0409**

**Moved By** Director Cathcart

**Seconded By** Director Brooks-Hill

THAT: the Board direct staff to write a letter inviting Minister of Agriculture, Lana Popham, to a meeting with the farming community in Area A/Golden to discuss Class E licensing regulations.

Discussion on the motion:

Director Cathcart commented that rural farmers want to see changes to the Class E licensing; they want a clear indication if the changes to Class E licensing are going to happen and when. Farmers want the option to slaughter on premise and/or take their animals to an abattoir; they want the ability to sell their products through farm gate sales and farmers want the ability to have a living income.

**CARRIED**

**6.7 Request Chair Martin - Board support to serve on the Federation of Canadian Municipalities (FCM) Board**

Chair Martin requests Board support to remain on the Federation of Canadian Municipalities (FCM) Board.

**2019-0410**

**Moved By** Director Brooks-Hill

**Seconded By** Director Cathcart



THAT: the Board support Chair Martin to continue to serve on the Federation of Canadian Municipalities (FCM) Board;

AND THAT: the Board authorize expenses for Chair Martin to attend FCM-related meetings, this 18th day of April, 2019.

Discussion on the motion:

Director Talbot asked about the costs associated with FCM.

Chair Martin stated that the expenses are covered by UBCM and the salary is covered by CSRD.

**CARRIED**

**6.8 Updated Listing: 2019 Board Appointments to Boards, External Agencies and Committees**

Addition of representatives to:

- 1) Sicamous-to-Armstrong Rail Trail Corridor Interjurisdictional Governance Advisory Committee; and,
- 2) Shuswap Watershed Council (public/community).

For information.

Correction under Shuswap Watershed Council

**6.9 Request Chair Martin - Discussion on the Proposed Crown Land Closures and the Protection of Mountain Caribou**

Request from Chair Martin to discuss the proposed closures to Crown lands to protect Endangered Species (Mountain Caribou).

Premier Horgan News Release April 15, 2019 - Appoints Blair Lekstrom as community liaison, extends caribou engagement  
<https://news.gov.bc.ca/releases/2019PREM0037-000678>

Province of BC Caribou Recover Partnership Agreement

[https://engage.gov.bc.ca/app/uploads/sites/373/2019/03/20190320\\_Caribou-Recovery-Partnership-Agreement-Overview.pdf](https://engage.gov.bc.ca/app/uploads/sites/373/2019/03/20190320_Caribou-Recovery-Partnership-Agreement-Overview.pdf)

“The Province of BC is seeking public feedback, deadline to submit is May 31, 2019 at 4 pm.

Caribou: Draft Section 11 Agreement and Draft Partnership Agreement

The Province is asking for public feedback on the draft Section 11 Agreement that applies to Southern Mountain Caribou and the draft Partnership Agreement that applies to the Central Group of Southern Mountain Caribou. This information will be reviewed by the B.C. government and will be summarized in a "What We Heard" report that will be publicly available when the engagement process is complete. Feedback will be collected until May 31, 2019 at 4pm."

Discussion:

Director Rysz stated that the closure of the backcountry affects wildlife in general and not just caribou. District of Sicamous has brought forward a resolution to SILGA: no further closures unless the local communities are consulted with. In speaking with Greg Kylo and Mel Arnold, once a closure is put in place, it is almost impossible to lift it.

Director Sulz stated that there was an area that was closed and no caribou are there anymore. When asked if it will reopen, the answer was no because they may try to re-introduce caribou there. These closures affect everyone. The request is to have more involvement.

*Director Eliason returns to the meeting at 11:35 AM.*

Director Flynn said he was extremely disappointed that Fraser Basin Council left before this item. There is a three pronged stool: environment, social, and economic. Everything was happening behind closed doors and he did not know about this issue until Director Rysz told him about it. The one month extension is window dressing. It should be a year extension and he is concerned with the process.

Director Brooks-Hill clarified that snowmobiling and motorized is being banned, but not heli-skiing. There is only caribou north of Revelstoke and a bit in Area E. This is done under Federal Species at Risk Act which can be done by making an agreement with the province or just unilaterally do it.

Chair Martin motioned to write to the provincial government for the establishment of a process so that all users, stewards, and first nations can participate in the consultation.

Director Cathcart stated the timeline is end of May and an extension needs to be requested.

Director Rysz stated there are a number activists involved. Major issue is to protect the caribou but we want to be involved.

Director Demenok stated that someone should come to the Board to talk about this agreement.

Director Sulz stated that the public consultation ends April 30. The extension was a response to the public pressure. In Revelstoke, stakeholders will be coming together. We want to ensure no more closures.

**2019-0411**

**Moved By** Director Sulz

**Seconded By** Director Eliason

THAT: the CSRD Board write to the Provincial Ministers responsible asking for the establishment of a process that all affected stakeholders can all take part in (eg local governments, first nations, industry, etc.) to make sure that all interests are considered, for example to ensure that all land tenures are protected;

AND THAT: the Province be asked for an extension on the provincial consultation process on caribou recovery plans beyond the May 31, 2019 timeline, by a minimum of 12 – 18 months.

**CARRIED**

**2019-0412**

**Moved By** Director Demenok

**Seconded By** Director Flynn

THAT: the Board invite the appropriate Federal and Provincial representatives to attend a CSRD Board meeting, to provide information and to respond to questions.

Discussion:

All CSRD area member municipality Councils be invited to attend when a meeting date is confirmed.

**CARRIED**

**7. Business By Area**

**7.1 11:45 AM Bastion Mountain Geomorphic Assessment**

Kerr Wood Leidal in attendance to present an overview of the assessment, available online at <https://www.csr.bc.ca/inside-csr/reports/bastion-mountain-geomorphic-assessment>

Report from Derek Sutherland, Team Leader, March 29, 2019. For information only.

*Director Eliason left the meeting at 12:00 PM.*

Dwayne Meredith, P. Ag, Kerr Wood Leidal and Simon Guatschi, Westrek, gave a presentation to the Board

Director Demenok asked about next steps.

Team Leader, Protective Services stated that next step is to share the report with the public. He is unsure what the method is at this point. The report contains recommendations that involve not just the CSRD but also the province.

Director Demenok suggested a public meeting to inform the public. He also suggested possibly getting a legal opinion regarding who is responsible for implementing the recommendations.

Manager, Development Services stated that the province has contacted the CSRD and are taking responsibility for the assessments of risk in this area.

#### **2019-0413**

**Moved By** Director Demenok

**Seconded By** Director Talbot

THAT: The Bastion Mountain – Geomorphic Assessment Hydrology Overview report prepared by Kerr Wood Leidal Consulting Engineers dated April 2, 2019 and the Bastion Mountain Area Overview Landslide Assessment Report prepared by Westrek Geotechnical Services Ltd. dated April 2, 2019, be received by the Board for information this 18<sup>th</sup> day of April, 2019.

**CARRIED**

#### **2019-0414**

**Moved By** Director Demenok

**Seconded By** Director Flynn

THAT: the Board direct staff to develop a public consultation plan, this 18<sup>th</sup> day of April, 2019.

**CARRIED**

## 7.2 Grant-in-Aid Requests

Report from Jodi Pierce, Manager, Financial Services, dated March 28, 2019.

*Director Talbot declared a conflict of interest and left the meeting because his brother is on the committee of the Sunday Morner's Club.*

**2019-0415**

**Moved By** Director Brooks-Hill

**Seconded By** Director Cathcart

THAT: the Board approve the following allocations from the 2019 electoral grant-in-aids:

### Area A

\$3,000 Wildsight Golden (Columbia Wetlands Waterbird Survey)

\$6,000 Wildsight Golden (Rocky Mountain Bighorn Sheep Project)

### Area B

\$2,000 Trout Lake Volunteer Fire Department (operational funding)

### Area C

\$1,000 Pink Piston Paddlers (Repair paddles and purchase team shirts)

\$1,800 Sorrento Minor Ball – Fastball Program (uniforms and equipment)

### Area D

\$2,000 Falkland Historical Society (McClounie's Cash Store building completion)

\$6,700 Falkland & District Sunday Morner's Club (main floor flooring)

### Area E

\$1,000 Sicamous & District Museum & Historical Society (CPR Hotel model and display case)

### Area F

\$10,000 Friday Night Live Society (Summer Concert series)

\$40,000 North Shuswap Community Association (replace floor)

\$9,900 North Shuswap Chamber of Commerce (Community Revitalization Project)

\$1,950 Anglemont Fire Department Association (National Wildfire Community Preparedness Day event)

\$3,000 North Shuswap Timber Days Society (Lumberjack show).

**CARRIED**

*Director Talbot returned to the meeting.*

### **7.3 Golden and District Recreation Centre Roof Replacement – Contract Award**

Report from Ryan Nitchie, Team Leader, Community Services, dated April 15, 2019. Golden and District Recreation Centre Roof Replacement – Contract Award.

**2019-0416**

**Moved By** Director Cathcart

**Seconded By** Director Brooks-Hill

THAT: the Board empower the authorized signatories to enter into an agreement with Laing Roofing Vernon Ltd. for the replacement of the roof at the Golden and District Recreation Centre located at 1410 9th Street South in Golden, BC for a total cost not to exceed \$800,000 plus applicable taxes.

#### Discussion on the motion:

Director Demenok asked if any local companies bid on this project.

Team Leader, Community Services stated that this is a specialized roofing system and requires a lot of liability insurance.

Director Cathcart confirmed that there is no company in Golden that can do this or regular roofs.

CAO asked if the tender coming in not as the lowest bid, does that negate the need to borrow.

Team Leader, Community Services stated that there will be a need to borrow money and that request will be brought to the Board at a future meeting.

**CARRIED**

**9. IN CAMERA****2019-0417****Moved By** Director Simpson**Seconded By** Director Demenok

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

(a) personal information about an identifiable individual who holds or is being considered for a position as an officer, employee or agent of the regional district or another position appointed by the regional district;

(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;

(j) information that is prohibited, or information that if it were presented in a document would be prohibited, from disclosure under section 21 of the Freedom of Information and Protection of Privacy Act;

(k) negotiations and related discussions respecting the proposed provision of a service that are at their preliminary view and that, in the view of the Board could reasonably be expected to harm the interests of the Board if they were held in public;

the Board move In Camera.

**CARRIED****DEVELOPMENT SERVICES****10. Business General****11. 12:00 PM ALR Applications**

**11.1 Electoral Area F: Agricultural Land Commission (ALC) Application  
Section 20 (2) – Non-farm Use (Dobray)**

Report from Jan Thingsted, Planner III, dated April 3, 2019  
2732 Evans Road, Celista

Recommendation #2 added to Late Agenda. Staff recommended that the Board waive a statement contained in the CSRD Cannabis Related Business Policy A-71.

Applicants were not in attendance.

**2019-0418**

**Moved By** Director Simpson

**Seconded By** Director Demenok

THAT: Application LC2563F, Section 20(2) for Non-Farm Use for the Northwest ¼, Section 21, Township 23, Range 10, W6M, KDYD, Except Plans 36922 and KAP90613, be forwarded to the Agricultural Land Commission recommending approval this 18<sup>th</sup> day of April, 2019.

Discussion on the motion:

Director Demenok asked if the Board needs to have that statement that we are waiving in our policy because the province is supporting cannabis without concrete flooring.

Planner III stated our policy is consistent. This application is a non-farm use. The second recommendation is in anticipation of the notification requiring CSRD to address the policy and rather than having to bring this back to the Board, staff is requesting this now.

Team Leader, Planning Services stated that the Board has the ability to amend the policy. In instances like this, notwithstanding, will come forward. Staff will need direction to amend the policy.

Director Simpson stated he does not agree with overlap with ALC regulations. The setbacks are also an issue with when you have smaller properties.

**CARRIED**

**2019-0419**

**Moved By** Director Simpson

**Seconded By** Director Demenok

THAT: Notwithstanding CSRD Cannabis Related Business Policy A-71 and its statement "Cannabis related businesses are not supported on Land within the Agricultural Land Reserve (ALR)", the Board waive this statement for application LC2563F since the proposed facility will likely have little to no negative impact on the agricultural capability of the subject parcel and surrounding farmland, this 18<sup>th</sup> day of April, 2019.

**CARRIED**

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

One (1) Minute Verbal Report from Each Board Director for information.

Due to time constraints, reporting did not occur at today's meeting.



ELECTORAL AREA DIRECTORS**13. Business by Area ELECTORAL AREA DIRECTORS****13.1 Electoral Area C: Development Variance Permit No. 701-88 and Development Permit No. 725-176 (Finz Resort Inc.)**

Report from Erica Hartling, Planner I, dated April 4, 2019.  
2001 Eagle Bay Road, Blind Bay.

One public submission in support of this application was received and was attached to the Late Agenda.

Applicant was in attendance

**2019-0420**

**Moved By** Director Demenok

**Seconded By** Director Talbot

THAT: in accordance with Section 498 of the Local Government Act Development Variance Permit No. 701-88 for Lot 1, Sections 17 and 20, Township 22, Range 10, West of the 6<sup>th</sup> Meridian, Kamloops Division Yale District, Plan EPP51931, varying South Shuswap Zoning Bylaw No. 701 as follows:

1. Section 23.2.5: Minimum front parcel line setback from 5 m to 4.5 m for the existing retail store only;
2. Section 22.2.5: Minimum front parcel line setback from 5.0 m to 4.75 m for an existing utility shed constructed as a component of the sewage treatment system;

be issued this 18<sup>th</sup> day of April, 2019.

**CARRIED**

**2019-0421**

**Moved By** Director Demenok

**Seconded By** Director Talbot

THAT: in accordance with Section 490 of the Local Government Act Development Permit No. 725-176 for proposed construction of tourist accommodation cabin structures on Lot 1, Sections 17 and 20, Township 22, Range 10, West of the 6<sup>th</sup> Meridian, Kamloops Division Yale District, Plan EPP51931, be issued this 18<sup>th</sup> day of April, 2019.

**CARRIED**

**13.2 Electoral Area F: Development Permit 830-256 (K4 Ventures Ltd.)**

Report from Christine LeFloch, Planner II, dated April 2, 2019.  
1252 Jordan Way, Scotch Creek

One public submission in opposition of this application was received and was attached to the Late Agenda.

Agent was in attendance.

**2019-0422**

**Moved By** Director Simpson

**Seconded By** Director Demenok

THAT: in accordance with Section 490 of the Local Government Act, Development Permit No. 830-256 for Lot 15, Section 27, Township 22, Range 11, West of the 6<sup>th</sup> Meridian, Kamloops Division Yale District, Plan KAP57704, be approved this 18<sup>th</sup> day of April, 2019;

AND THAT issuance of DP830-256 be conditional upon receipt of written confirmation from Interior Health that their requirements under the Drinking Water Protection Act and Sewerage System Regulation have been satisfied.

Discussion on the motion:

Chair Martin stated she has heard of people renting storage units to live in. Manager, Development Services stated that storage units are not constructed to house that use and habitation is not permitted in the zone.

**CARRIED**

**13.3 Electoral Area C: Development Variance Permit No. 701-84 (Clark)**

Report from Laura Gibson, Planner I, dated March 26, 2019.  
711 Viel Road, Cruikshank Point

Applicant was in attendance.

No public submissions received.

**2019-0423**

**Moved By** Director Simpson

**Seconded By** Director Demenok

THAT: in accordance with Section 498 of the Local Government Act, Development Variance Permit No. 701-84 for Lot 10, Section 19, Township 22, Range 11, West of the 6<sup>th</sup> Meridian, Kamloops Division Yale District, Plan 14328, varying South Shuswap Zoning Bylaw No. 701 as follows:

Section 11.2.4 Minimum setback from:

- the north interior side parcel line (adjacent to Shuswap Lake) from 2 m to 0 m only for the retaining wall and to 1.71 m only for the terrace;
- the west interior side parcel line from 2 m to 0 m only for the retaining wall and to 1.63 m only for the single family dwelling;
- the rear (east) parcel line from 5 m to 0.18 m only for the retaining wall, to 0.92 m only for the sleep out shed, and to 0.48 m only for the garage; and,
- the south interior side parcel line from 2 m to 0.26 m only for the garage with attached covered area.

be approved for issuance this 18<sup>th</sup> day of April, 2019.

**CARRIED**

#### **13.4 Electoral Area C: Development Variance Permit No. 701-85 (Hardy)**

Report from Erica Hartling, Planner I, dated March 29, 2019.

14 - 6421 Eagle Bay Road, Wild Rose Bay

One public submission in support of this application was received and was attached to Late Agenda.

Applicant was not in attendance.

**2019-0424**

**Moved By** Director Demenok

**Seconded By** Director Talbot

THAT: in accordance with Section 498 of the Local Government Act Development Variance Permit No. 701-85 for Strata Lot 14, Section 18, Township 23, Range 8, West of the 6<sup>th</sup> Meridian, Kamloops Division Yale District, Strata Plan KAS1797, together with an interest in the common property in proportion to the unit entitlement of the strata lot as shown on form 1, varying South Shuswap Zoning Bylaw No. 701 as follows:

- Section 15.2.5 minimum setback from the front parcel line from 5 m to 0 m and from the side parcel line from 2 m to 0.03 m only for a shed with a floor area up to and no more than 8 m<sup>2</sup>.

be issued this 18<sup>th</sup> day of April, 2019.

Discussion on the motion:

Chair Martin asked if Strata approval is required.

Planner I replied that approval is required but they wanted CSRD approval first.

**CARRIED**

**13.5 Electoral Area C: Development Variance Permit No. 701-87 (Hannaford)**

Report from Erica Hartling, Planner I, dated March 29, 2019.  
3778 Eagle Bay Road, Eagle Bay

Applicant was not in attendance.

No public submissions received.

**2019-0425**

**Moved By** Director Demenok

**Seconded By** Director Talbot

THAT: in accordance with Section 498 of the Local Government Act Development Variance Permit No. 701-87 for Lot 6, Section 2, Township 23, Range 10, West of the 6<sup>th</sup> Meridian, Kamloops Division Yale District, Plan KAP62357, varying South Shuswap Zoning Bylaw No. 701 as follows:

- Section 7.2.5 minimum setback from the front parcel line from 5 m to 1.65 m only for a detached garage;

be issued this 18<sup>th</sup> day of April, 2019.

**CARRIED**

**13.6 Electoral Area F: Development Variance Permit No. 800-32 (Lamb)**

Report from Candice Benner, Planner II, dated April 2, 2019  
6342 Squilax-Anglemont Road, Magna Bay

Applicant not in attendance.

No public submissions received.

**2019-0426**

**Moved By** Director Simpson

**Seconded By** Director Demenok

THAT: in accordance with Section 498 of the Local Government Act, Development Variance Permit No. 800-32 for Lot 8, Section 13, Township 23, Range 10, W6M, KDYD, Plan 13493, varying Magna Bay Zoning Bylaw No. 800, as follows:

Section 5.5(2)(e) Maximum height for an accessory building from 6 m to 8.77 m for a garage;

Section 5.5(2)(f) Minimum setback from a front parcel boundary from 4.5 m to 0.15 m and minimum setback from an interior side parcel boundary from 2 m to 1.55 m for a garage; and

Section 5.5(2)(g) Maximum gross floor area of an accessory building from 55 m<sup>2</sup> to 118 m<sup>2</sup> for a garage;

be approved for issuance this 18<sup>th</sup> day of April, 2019.

**CARRIED**

#### **14. Planning Bylaws**

##### **14.1 Electoral Area C: Electoral Area C Official Community Plan Amendment (Zappone) Bylaw No. 725-15**

Report from Christine LeFloch, Planner II, dated March 29, 2019.  
3453 Ford Road, Tappen

Applicant was not in attendance.

**2019-0427**

**Moved By** Director Demenok

**Seconded By** Director Talbot

THAT: "Electoral Area C Official Community Plan Amendment (Zappone) Bylaw No. 725-15" be read a second time this 18<sup>th</sup> day of April, 2019.

**CARRIED**

**2019-0428**

**Moved By** Director Demenok

**Seconded By** Director Talbot

THAT: a public hearing to hear representations on "Electoral Area C Official Community Plan Amendment (Zappone) Bylaw No. 725-15" 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 Paul Demenok, as Director for Electoral Area C being that in which the land concerned is located, or Alternate Director Jennifer Dies, if Director Demenok is absent, and the Director or Alternate Director, as the case may be, give a report of the public hearing to the Board.

**CARRIED**

#### **14.2 Electoral Area F: Magna Bay Zoning Amendment (Coueffin) Bylaw No. 800-31**

Report from Candice Benner, Planner II, dated April 2, 2019  
6346 Squilax-Anglemont Road, Magna Bay

Applicants were in attendance.

**2019-0429**

**Moved By** Director Simpson

**Seconded By** Director Demenok

THAT: "Magna Bay Zoning Amendment (Coueffin) Bylaw No. 800-31" be read a first time this 18<sup>th</sup> day of April, 2019;

AND THAT: the Board utilize the simple consultation process for Bylaw No. 800-31, and it be referred to the following agencies and First Nations:

- Ministry of Forests, Lands and Natural Resource Operations – Archaeology Branch;
- CSRD Operations Management;
- Relevant First Nations Bands and Councils.

Discussion on the motion:

CAO asked why the setback variance was not run concurrently in the bylaw amendment.

Planner II stated that it is cleaner to address them as DVPs and registered on title. The site specific rezoning would be in the zoning bylaw.

Team Leader, Planning Services stated that the variance will not be affected by any new zoning bylaw in the future.

Director Demenok stated that this is a minor change and it should be delegated.

Manager, Development Services stated that this is a bylaw amendment and cannot be delegated to the Manager.

**CARRIED**

#### **14.3 Electoral Area F: Scotch Creek/Lee Creek Zoning Amendment (Mosher) Bylaw No. 825-40**

Report from Erica Hartling, Planner I, dated March 29, 2019.  
3740 Ancient Creek Lane, Scotch Creek

Applicant was not in attendance.

**2019-0430**

**Moved By** Director Simpson

**Seconded By** Director Demenok

THAT: "Scotch Creek/Lee Creek Zoning Amendment (Mosher) Bylaw No. 825-40" be read a first time this 18<sup>th</sup> day of April, 2019;

AND THAT: the Board utilize the simple consultation process for Bylaw No. 825-40 and it 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;
- CSRD Operations Management; and,
- Relevant First Nations Bands and Councils.

**CARRIED**

#### **15. Release of In Camera Resolutions**

##### **Additional Appointee to Area A Local Advisory Committee**

THAT: Denice Darbyshire be appointed to the Area A Local Advisory Committee for a term commencing April 18, 2019 and ending December 31, 2020;

AND THAT the above resolution be authorized for release from the Closed (In-Camera) CSRD Board meeting, this 18<sup>th</sup> day of April, 2019.

**CARRIED****Appointments to Shuswap Tourism Advisory Committee**

THAT: the following individuals be appointed to the Shuswap Tourism Advisory Committee for the term April 18, 2019 to December 31, 2020:

David Gonella – Roots & Blues Music Festival, Executive Director

Ron Betts – Tree Top Flyers, Owner

Shelley Witzky – Adams Lake Band, Councillor,

AND THAT: the above resolution be authorized for release from the Closed (In Camera) portion of the CSRD Board Meeting this 18<sup>th</sup> day of April, 2019.

**CARRIED****Appointments to Electoral Area A/Golden Aquatic Centre Feasibility Advisory Committee**

THAT: the following individuals be appointed to serve on the Electoral Area A/Golden Aquatic Centre Feasibility Study Advisory Committee effective this 18<sup>th</sup> day of April, 2019 and expiring upon completion of the Feasibility Study Plan:

<b>Town of Golden</b>	<b>Electoral Area A</b>
Brian Gustafson	Justin Telfor
Irene Gray	Scott Weir
Kat Coatesworth	Stefanie Chomiak
Spencer Lainchbury	

AND THAT: the above resolution be released from the Closed (In-Camera) portion of the meeting this 18<sup>th</sup> day of April, 2019.

**CARRIED****17. Next Board Meeting (Board on the Road)**

Thursday, May 16, 2019 at 9:30 AM, Meeting location: Scotch Creek/Lee Creek Fire/Community Hall, 3852 Squilax-Anglemont Road, Scotch Creek, BC



**18. Adjournment**

**2019-0431**

**Moved By** Director Simpson

**Seconded By** Director Demenok

THAT: the regular Board meeting of April 18, 2019 be adjourned.

3:27 PM

**CARRIED**

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CHAIR

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CHIEF ADMINISTRATIVE OFFICER

# Shuswap & the BC SPCA: Community Update



## About the BC SPCA

- Established in 1895 by provincial statute
- Covers the entire province of BC
- 490 staff and nearly 4,000 volunteers
- 80,000+ donors
- 48,000+ animals cared for each year
- 9,000 cruelty investigations each year
- Registered charity
- No ongoing federal or provincial government funding



**BCSPCA**  
SPEAKING FOR ANIMALS

# Our Mission and Vision

**MISSION:** To Protect and Enhance the Quality of Life for Domestic, Farm and Wild Animals in BC

**VISION:** To inspire and mobilize society to create a world in which all animals enjoy as a minimum,

**five essential freedoms:**

1. Freedom from hunger and thirst
2. Freedom from pain, injury, and disease
3. Freedom from distress
4. Freedom from discomfort
5. Freedom to express behaviours that promote well-being



**BCSPCA**  
SPEAKING FOR ANIMALS

# Our Organization Today

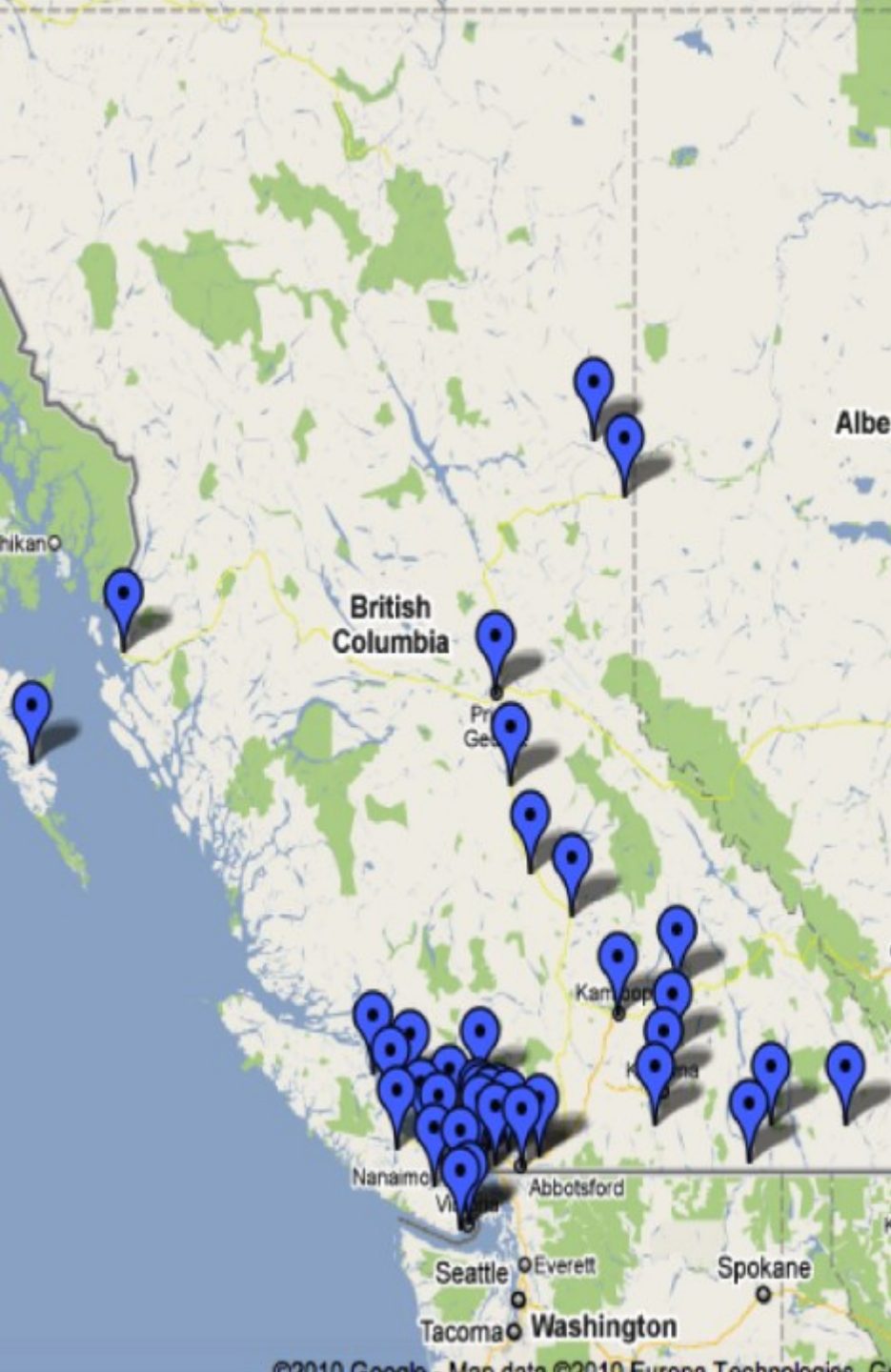
## FACILITIES:

- 29 community animal care centres
- 4 education & adoption centres
- 2 large animal seizure barns
- 2 volunteer-run branches
- 1 provincial call centre
- 10 satellite adoption locations
- 3 veterinary hospitals
- 2 spay/neuter clinics
- 1 wildlife rehab centre

## PROGRAMS:

- Cruelty investigations
- Behaviour & welfare
- Scientific programs: farm & wildlife welfare
- Advocacy & humane education

**BCSPCA**  
SPEAKING FOR ANIMALS





## 2019-2023 Strategic Plan

- Extensive public & stakeholder consultation
  - Public survey of 7,000+ people
  - 16 in-person, telephone or webinar conversations with 227 participants



# 2019-2023 Strategic Plan



## PRIORITIES:

- **Protecting** animals from cruelty & neglect
- **Caring** for animals in the community & in our shelters
- **Inspiring** the public to take action for animals
- **Growing** our organization so we can do our best

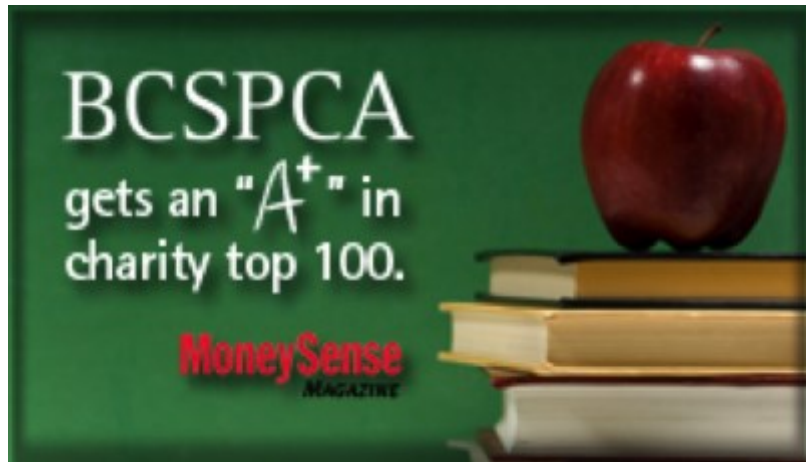
# Animal Cruelty Law Enforcement

- **100% donor funded**
- 32 Special Provincial Constables across BC
- The BC SPCA responds to nearly 9,000 animal cruelty complaints each year
- Toll-free hotline to report an animal in distress





# A Top-ranked Canadian Charity



- "A+" rating in the *MoneySense* charity top 100 awards



- One of only 45 Canadian charities to receive Imagine Canada accreditation

**BCSPCA**  
SPEAKING FOR ANIMALS

# BC SPCA and the Shuswap Community



**BCSPCA**  
SPEAKING FOR ANIMALS

# BC SPCA and the Shuswap

In 2018:

- BC SPCA took in 284 dogs and puppies and 465 cats and kittens from Shuswap region.
- Of 465 cats and kittens, 196 were surrendered by their owners and 269 were found as strays.
- Cat overpopulation is an issue across British Columbia – cats are domesticated pets, but often treated as if they are wild animals
- One unspayed kitten can have 400 offspring in 7yrs



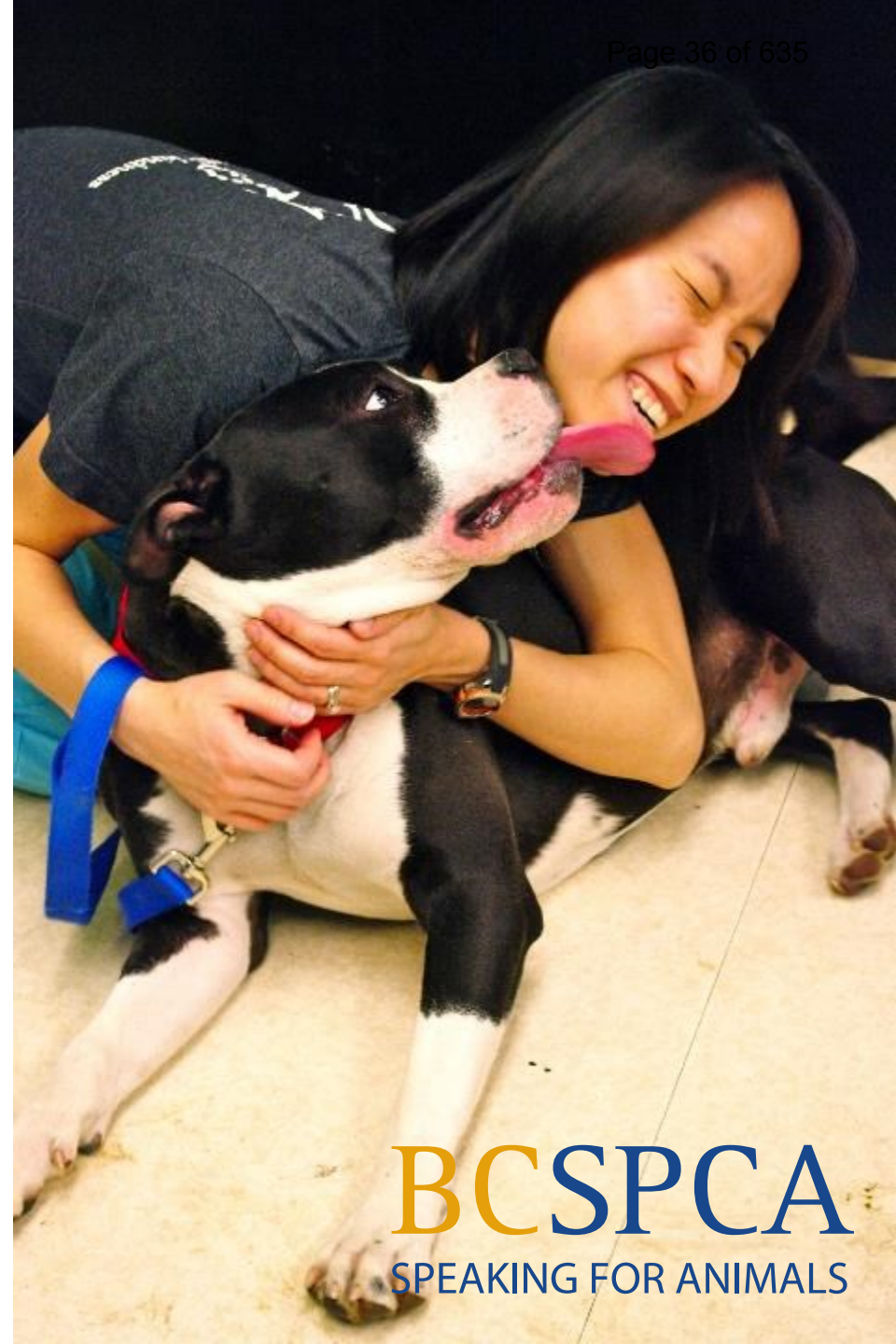
**BCSPCA**  
SPEAKING FOR ANIMALS

# Staff and Volunteers

Our staff and volunteers work tirelessly to prevent animal cruelty, promote humane education, and ensure animals find homes.

We have:

- 2 full-time, 3 part-time, 3 casual staff
- 62 volunteers



**BCSPCA**  
SPEAKING FOR ANIMALS





## Revenues

1. Adoption fees
2. Service fees like dog boarding
3. Donations
4. Kennel sponsorships
5. City of S.A. and CSRD allocations
6. Fundraising events



## Costs

- Caring for an animal includes: spay/neuter, microchip, parasite treatment, medical care, sheltering and overhead (staff time for welfare monitoring, housing, feeding, accounting, PR, & fixed facility costs (heat, lights, vehicles))
- What it cost to run our shelter in 2018:  
Over **\$578,449**
- Cost of spay/neuter assistance program **\$90,000**
- Cost of animal medical needs like dental surgery: **\$32,000**



# Community Services Offered

- Rehoming and providing care for stray and owner-surrendered domesticated animals
- Housing animals affected by animal cruelty/abuse
- Compassionate boarding of animals for victims of domestic abuse or wildfire evacuation
- Daily dog boarding
- Spay/neuter education and assistance
- Humane youth education
- Adult education at community events
- Community food bank support
- Assisting local dog control service agency



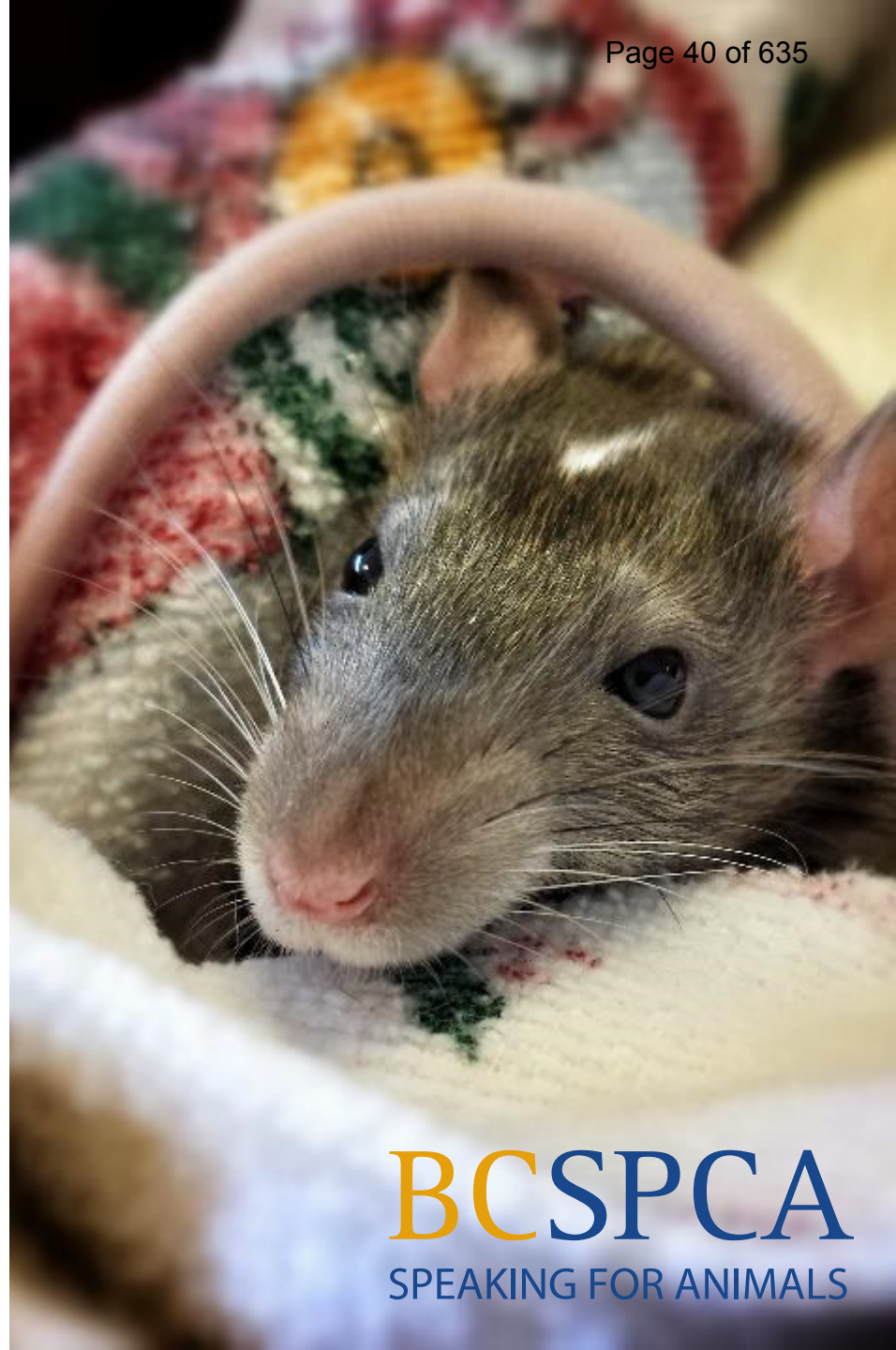
**BCSPCA**  
SPEAKING FOR ANIMALS

# Municipal Bylaws

The Model Animal Responsibility Bylaw is a 45-page document outlining bylaws that provide for public safety and humane treatment of animals.

## **The BC SPCA is available to provide expert advice on:**

1. Dangerous dogs
2. Animal control and pound operation
3. Exotic animals
4. Cat overpopulation
5. Animal licensing and identification
6. Urban wildlife management

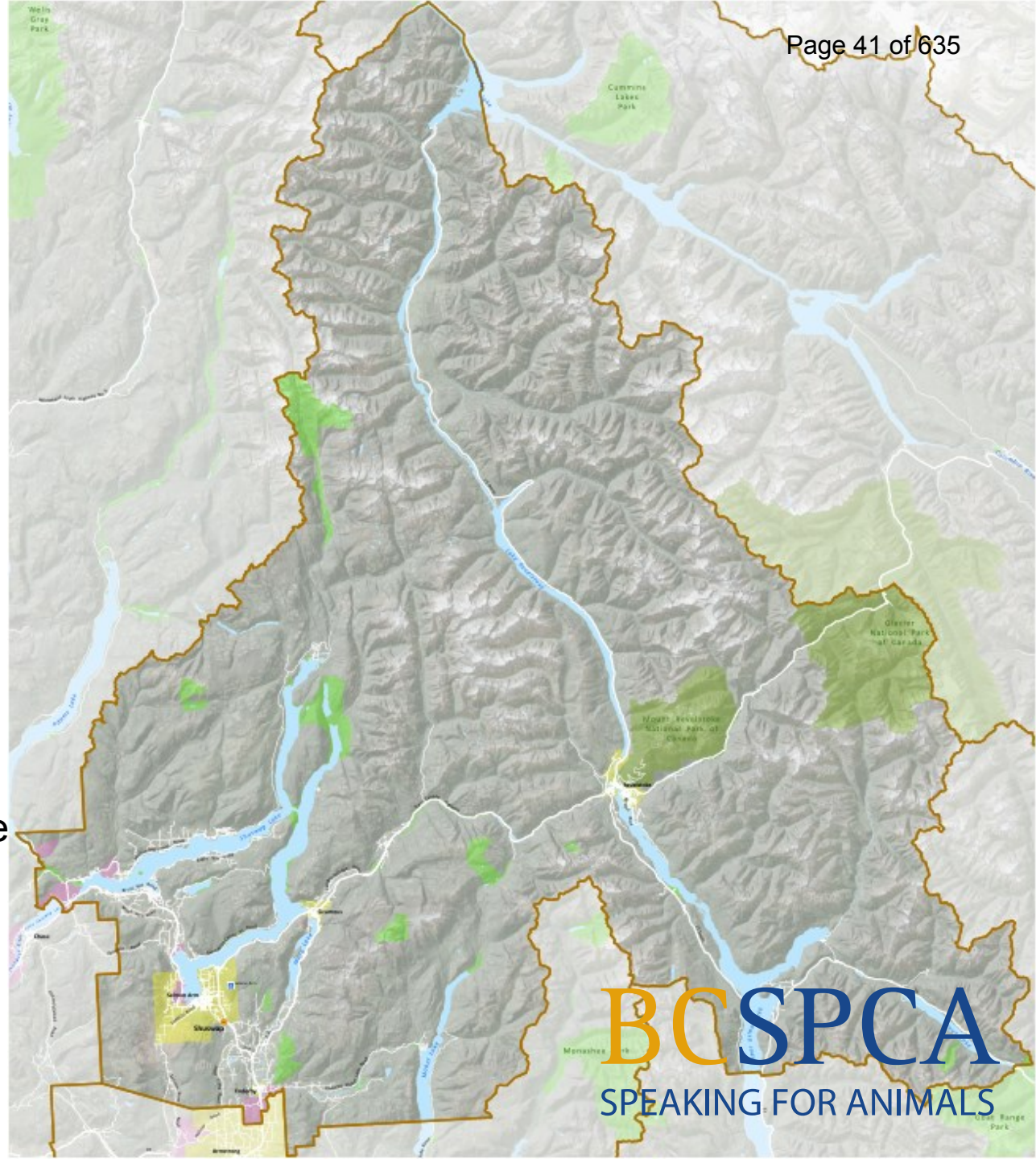




# Shuswap SPCA Warrant Area

We have just made revisions to our warrant area using the electoral area boundary so that the communities of Grinrod, Mara, and Enderby are included in the Shuswap warrant area now.

We were able to accommodate these changes while staying to the principles of aligning the warrant boundaries with municipal, district, or electoral boundaries.



## How YOU can help:

1. We're interested in moving our branch to a new location!
2. Bylaw changes
3. Support fundraisers like Pawsta Night and Silent Auction and paws in the Parade
4. Volunteer!
5. Join our Community Council



# Thank You!

## CONTACT INFORMATION:

Victoria Olynik  
Branch Manager  
volynik@spca.bc.ca  
250-832-7376



BCSPCA  
SPEAKING FOR ANIMALS

**From:** Revelstoke Mountaineer [<mailto:info@revelstokemountaineer.com>]  
**Sent:** Tuesday, April 30, 2019 7:42 PM  
**To:** Tracy Hughes <[THughes@csrd.bc.ca](mailto:THughes@csrd.bc.ca)>  
**Subject:** Re: Video conferencing for CSRD meetings

Tracy,  
Thanks for the update. Here is the letter:

CSRD Board,

Hi, my name's Aaron Orlando and I am a journalist with Revelstoke Mountaineer, which publishes the daily news website [revelstokemountaineer.com](http://revelstokemountaineer.com) and the monthly Revelstoke Mountaineer Magazine. I am writing to request that CSRD board meetings (and hopefully other committee meetings) be broadcast live on an internet platform. The CSRD spans a large geographic area. It is not practical for media outlets to send reporters to a meeting for one or two agenda items that may be relevant to the communities they serve. In addition, the public would also be better served by the regional district if residents had direct access to what's happening at the board table via a webcast. The technology that enables webcasting is now cheap and reliable, and many local governments in B.C. are now taking advantage of this opportunity to increase engagement and transparency. Thanks for your consideration of this request. I am looking forward to your reply.

Sincerely,

Aaron Orlando  
Creative Director,  
[www.revelstokemountaineer.com](http://www.revelstokemountaineer.com)  
Revelstoke Mountaineer Magazine  
phone/text: 250-814-8710



# REGIONAL DISTRICT NORTH OKANAGAN

## MEMBER MUNICIPALITIES:

CITY OF ARMSTRONG

CITY OF ENDERBY

DISTRICT OF COLDSTREAM

VILLAGE OF LUMBY

CITY OF VERNON

TOWNSHIP OF SPALLUMCHEEN

## ELECTORAL AREAS:

"B" – SWAN LAKE

"C" – BX DISTRICT

"D" – LUMBY (RURAL)

"E" – CHERRYVILLE

"F" – ENDERBY (RURAL)

OFFICE OF: CORPORATE AND ADMINISTRATIVE SERVICES

April 16, 2019

Columbia Shuswap Regional District

Attn.: **Ryan Nitchie, Team Leader**

Community Services / Operations Manager

<input checked="" type="checkbox"/> Works	<input type="checkbox"/> Reg Board	File# 8650-03
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<b>RECEIVED</b> <b>APR 24 2019</b> <b>S Berger, ASham</b>		
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<input type="checkbox"/> HR	<input type="checkbox"/> Dir Circulate	<input type="checkbox"/> Fax
<input type="checkbox"/> Other		<input type="checkbox"/> Mail
		<input type="checkbox"/> Email

email: [rnitchie@csrd.bc.ca](mailto:rnitchie@csrd.bc.ca)

**Re: Sicamous to Armstrong CP Rail Trail Project - Governance Committee Recommendations**

At the Board of Directors meeting held on April 3, 2019 the following resolutions were endorsed:

### Recommendation 1:

*That staff be directed to enter into a Memorandum of Understanding between the Columbia Shuswap Regional District, Regional District of North Okanagan and Splatsin setting out the general agreement of the three lead agencies to the Sicamous to Armstrong Rail Trail.*

### Recommendation 2:

*That the draft Terms of Reference for the Governance Advisory Committee for the Sicamous to Armstrong Rail Trail be endorsed as amended and approved by the Governance Advisory Committee on March 15, 2019, and further;*  
*That the draft Terms of Reference for the Technical Operational Committee for the Sicamous to Armstrong Rail Trail be endorsed as approved by the Governance Advisory Committee on March 15, 2019.*

### Recommendation 3:

*That the appointment of the Shuswap Trail Alliance on an interim basis to serve as Secretariat to the Governance Advisory Committee and Technical Operational Committee to support and facilitate the work of the Committees be endorsed as approved by the Governance Advisory Committee on March 15, 2019.*

### Recommendation 4:

*That the activation of the Technical Operational Committee to commence activities as described in the Terms of Reference by endorsed as approved by the Governance Advisory Committee on March 15, 2019.*

### Recommendation 5:

*That the RDNO Chief Administrative Officer be given the authority to execute land tenure agreements as approved by the Governance Advisory Committee on March 15, 2019 based on the following:*



Letter to: Governance Committee  
 From: RDNO  
 Subject: Board Recommendations

File No.: 0360.20  
 Dated: April 16, 2019  
 Page 2 of 2

1. *The Agreements are to be subject to approval of the Chief Administrative Officers of both the Columbia Shuswap Regional District and Regional District of North Okanagan;*
2. *The Agreements shall not exceed three years (other than statutory rights of way in favor of utilities, upland owner consents and assignments of existing agreements) and the rates payable, if applicable, shall be continued as per any existing agreements;*
3. *The Agreements shall be subject as well to approval of the relevant local jurisdiction where the lands that are the subject of the Agreement are located; and*
4. *The following Agreements may be approved under this authority:*
  - *Statutory rights of way in favor of utility companies, where there are existing works and/or existing agreements in place that are being converted to a right of way;*
  - *Upland owner consents;*
  - *Assignment of any existing crossing agreements, licenses or recreational use agreements;*
  - *Renewals of any existing crossing agreements, licenses or recreational use agreements; and*
  - *Replacement of expired crossing agreements, licenses or recreational use agreements.*

The above resolutions are consistent with the direction provided by the Sicamous to Armstrong Rail Trail Governance Advisory committee at their inaugural meeting held on March 15, 2019 at the Splat sin Community Centre in Enderby. In addition to the above resolutions ratified by the Board of Directors, the following resolution was passed in order to ensure clarity amongst the partners regarding the long term goal for the acquisition of the rail trail corridor:

**Recommendation 6:**

*That the Regional District of North Okanagan forward a letter to the Sicamous to Armstrong Rail Trail Governance Advisory Committee to provide clarity that the short term goal for acquisition of the rail trail corridor is creation of a recreational trail system but that the long term goal is as a transportation corridor.*

We look forward to receipt of the Memorandum of Understanding for execution in due course.

Best regards;

*Paddy Juniper*

Paddy Juniper  
 Corporate Officer

cc: Chief, Splat sin  
 Chair, Columbia Shuswap Regional District  
 Chair, Regional District North Okanagan



# 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.bc.ca](http://www.csr.bc.ca)

May 2, 2019

File: 7130 25 34

Via email – [PSSG.Minister@gov.bc.ca](mailto:PSSG.Minister@gov.bc.ca)

Honourable Mike Farnworth  
Minister of Public Safety & Solicitor General  
Room 128 Parliament Buildings  
Victoria, BC V8V 1X4

Dear Minister Farnworth:

**Re: Erosion along Newsome Creek and BC Supreme Court Decision in  
Waterways Houseboats Ltd v. British Columbia 2019 BCSC 581**

---

Thank you for your letter dated April 24, 2019.

As your letter raised several legal and/or policy issues, I requested that the CSRD's CAO respond to your deputy minister to seek to further this important dialogue and I enclose a copy of that response for your reference.

As it seems that this issue involves serious policy and legislative concerns, I would once again request a meeting with you at your convenience to discuss these important matters.

Yours truly,  
**COLUMBIA SHUSWAP REGIONAL DISTRICT**  
Per:

---

Rhona Martin  
Chair

Attachment

cc: via email only:  
Hon. Selina Robinson, Municipal Affairs & Housing  
Hon. Doug Donaldson, Forest, Lands & Natural Resources Operations & Rural Development  
Hon. George Heyman, Environment & Climate Change Strategy  
Greg Kylo, MLA, Shuswap  
Paul Demenok, CSRD Electoral C Director  
Arjun Singh, President, Union of BC Municipalities

## 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



# 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.bc.ca](http://www.csr.bc.ca)

May 2, 2019

File: 7130 25 34

Via email – [Emergency.Management.Deputy.Minister@gov.bc.ca](mailto:Emergency.Management.Deputy.Minister@gov.bc.ca)

Lori D. Halls  
Deputy Minister, Emergency Management BC  
Ministry of Public Safety and Solicitor General  
P.O. Box 9850  
Stn Prov Gov't  
Victoria, BC V8W 9T5

Dear Ms. Halls:

**Re: Erosion along Newsome Creek and BC Supreme Court Decision  
*Waterways Houseboats Ltd v. British Columbia* 2019 BCSC 581**

The Chair of the Columbia Shuswap Regional District (CSRD), Ms. Rhona Martin, has requested that I write to you in response to the Minister's April 24, 2019 response to our earlier correspondence regarding the erosion along Newsome Creek and the matter of responsibility to address the situation.

There is perhaps a need at this stage to try to bring some clarity to the fine legal distinction between rights and obligations, so far as flood mitigation steps are concerned.

To be clear, this is now not a case of an emergency response, but rather ongoing flood hazard management.

While we appreciate that the CSRD could apply for funding that might have financed certain works and while we could, subject to procedural processes, undertake some of this work, I think the Minister has mis-stated the point by saying that "Provincial legislation assigns responsibility for flood hazard management to local authorities; this includes addressing erosion along streams."

As an example of why local governments are reluctant to step into such matters I would refer you to the very recent Supreme Court of BC decision in *Waterway Houseboats Ltd. v British Columbia* 2019 BCSC 581. There, the District of Sicamous was found partially liable for significant damages purely as a result of its good faith attempts to work with the Province and obtaining, albeit reluctantly, *Water Act* approvals to do mitigation works after an earlier flood incident. On our reading of the Court's decision, the local government would have had no liability if it had simply allowed the Province to deal with this situation. Instead, it was found to be strictly liable for the damages that arose out of the restoration works as approved under the *Water Act*.

The Court stated the starting point here quite concisely:

"[306] The *Water Act* is strict. The Province has complete control over the use of water and over any changes to streams, stream beds or bridges spanning streams. That authority is granted to the Province for good reason."

## 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



Based on the Court's analysis above, we remain confused by the Minister's assertion that "provincial legislation assigns flood hazard management to local authorities". Is there an Act other than the *Water Act* that is applicable here that we are not aware of?

In this sort of situation, I trust that you will appreciate that a local government -- that at the outset has no real liability risk -- will be increasingly reluctant to voluntarily assume the risk transfer from the Province arising out of the necessary approval process.

A second issue is that as a regional district we have no service established to fund these works and so it is not clear to me that we would have the authority to levy a tax in order to be able to act in this situation. If local governments are going to be compelled by the Province to deal with such unfunded mandates, then it would seem that significant changes to the *Local Government Act* may be necessary. Since these amendments would, amongst other things, likely expand significantly the ability to borrow without assent, we would imagine that a broad level of public consultation would be appropriate.

The bottom line here however is that this issue is not restricted to the CSRD or Newsome Creek -- it has Province wide implications for local government.

The Sicamous judicial experience described above is a clear warning to all local governments as to the dangers of stepping into a scenario where it assumes this significant risk exposure. Even at that, it would seem that the policy justification of the entire regional district expending significant public dollars to protect a smaller portion of the area raises other concerns of fairness.


In all of these circumstances I do not see what the policy or legal justification would be for the CSRD to step in when, as the Court noted: "The Province has complete control .... That authority is granted to the Province for good reason."

We are certainly willing to meet with senior officials to discuss this issue further.

Yours truly,

**COLUMBIA SHUSWAP REGIONAL DISTRICT**

Per:



---

Charles A. Hamilton  
Chief Administrative Officer

cc: John Allan, Deputy Minister of Forests, Lands & Natural Resource Operations & Rural Dev.

via email only:

Mark Zacharias, Deputy Minister of Environment & Climate Change Strategy

Kaye Krishna, Deputy Minister of Municipal Affairs & Housing

Tom Barnes, CEO and General Counsel, Municipal Insurance Association of BC

Gary MacIsaac, Executive Director, UBCM

Chair & Directors, Columbia Shuswap Regional District



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For CSRD Directors  
information.

Thank you  
LShykora

May 7, 2019

Ref: 246050

Dear Local Governments:

As you are aware, housing availability and affordability are some of the biggest issues facing British Columbians today. That is why I am writing to let you know about exciting partnership opportunities that can be used to increase the supply of affordable housing in your community.

With the 30-point housing plan, the Government of British Columbia is making the largest investment in housing affordability in B.C.'s history—approximately \$7 billion over 10 years—through the **Building BC** funds. In the first year of this plan, we have already made significant investments in communities across British Columbia:

- **Building BC: Community Housing Fund (CHF)** will provide close to \$1.9 billion over 10 years to develop 14,350 units of mixed income, affordable rental housing for independent families and seniors. The new homes are designed to address the need for affordable housing across a range of income levels, in response to a housing crisis that has made housing unaffordable for even middle-class families. *Currently, more than 4,900 of these new homes have been approved in 42 communities. (See map: <https://www.bchousing.org/partner-services/Building-BC/community-housing-fund>)*
- **Building BC: Indigenous Housing Fund (IHF)** is a \$550 million investment over the next 10 years to build and operate 1,750 new social housing units for Indigenous families and seniors. *In Fall 2018, we announced 1,100 new affordable homes for indigenous peoples in 26 communities across B.C. (See news release for project list: <https://www.bchousing.org/news?newsId=1479152910395>)*
- **Building BC: Women's Transition Housing Fund (WTF)** is investing \$734 million over 10 years for 1,500 units of transition and second-stage housing to help women and children get out of violent and abusive situations and rebuild their lives. *More than 280 of these new spaces have been approved for 12 communities.*

.../2

Local Governments

Page 2

- **Building BC: Supportive Housing Fund (SHF)**, an investment of \$1.2 billion over 10 years, will deliver 2,500 new homes with 24/7 support services for people who are experiencing homelessness or who are at risk of homelessness. This fund builds on the **Rapid Response to Homelessness initiative** (now fully subscribed) in which 2,000 homes with supports are currently being built in 22 communities across the province, with 1,285 units already opened.
- **Building BC: Capital Renewal Fund (CRF)** is a \$1.1 billion investment over the next 10 years to make existing B.C. social housing stock more livable, energy-efficient, and safer. This investment will make dramatic improvements to the existing social housing stock in the province and benefit thousands of British Columbians.

Many of these housing projects are underway, but I wanted to make sure you knew about upcoming opportunities to apply for future funding. BC Housing is interested in partnering with municipalities, non-profit housing providers, and community groups to create more innovative and sustainable housing solutions through the following:

- **Future RFP** - BC Housing will be issuing a second formal Request for Proposals for the *Community Housing Fund* and the *Indigenous Housing Fund* in 2020. We encourage groups interested in submitting proposals to start their planning early, to ensure their projects are ready when applications open. Interested organizations can visit [bchousing.org/partner-services/funding-opportunities-for-housing-providers](https://bchousing.org/partner-services/funding-opportunities-for-housing-providers) to learn more about these funding streams and their requirements.
- **Ongoing Opportunities** - BC Housing welcomes discussions with partners interested in developing new housing through the *Supportive Housing Fund* and/or the *Women's Transition Housing Fund*. Visit [bchousing.org/partner-services/Building-BC](https://bchousing.org/partner-services/Building-BC) to learn more or contact your local Director of Regional Development (contact list below).
- **Major Repairs for Existing Social Housing** - Funding is available for non-profit housing providers or housing co-operatives to support capital projects that maintain or benefit an existing social housing building's condition or improve the building's seismic or fire safety, as well as for projects focused on energy performance. Visit [bchousing.org/partner-services/asset-management-redevelopment/capital-planning-repairs](https://bchousing.org/partner-services/asset-management-redevelopment/capital-planning-repairs) to learn more about eligibility criteria and how to apply, or speak with the local Regional Non-Profit Portfolio Manager.
- **The HousingHub** is a new division within BC Housing, and was established to seek innovative partnerships with local housing organizations, community land trusts, Indigenous groups, faith-based groups, charities, the development community, financial institutions and other industries to create affordable rental housing and homeownership options for middle-income British Columbians. As a centre for housing expertise and collaboration, affordable housing will be developed through the HousingHub either through new construction or through the redevelopment of existing sites. Partners bring suitable land, equity and/or the catalyst for development. The HousingHub can provide:
  - Expertise to provide advice on assisting the group in the planning and development process
  - Access to pre-development funding
  - Low-cost financing
  - Project coordination advice
  - A place for organizations to collaborate

Learn more: [www.bchousing.org/partner-services/housinghub](https://www.bchousing.org/partner-services/housinghub)



## Local Governments

Page 3

There are many ways that municipalities can help to partner with BC Housing, such as providing city-owned land or waving Development Costs Charges, as a few examples. If you have an identified housing need in your community, we are hoping that you will help share some of these opportunities with interested community groups in your area. If you are interested in providing housing but are unsure of how to connect with a non-profit, BC Housing or the BC Non-Profit Housing Association can help you identify housing non-profits that operate in your region.

While BC Housing will be promoting these opportunities, we are hoping that you will also reach out to encourage key stakeholders in your community to apply. We have included a *Building BC* factsheet to help you promote these opportunities.

Please have interested key stakeholders in your community contact their local Director of Regional Development for more information:

Region	Director of Regional Development	Email
Interior Region	Danna Locke	<a href="mailto:dlocke@bchousing.org">dlocke@bchousing.org</a>
Northern Region	Amy Wong	<a href="mailto:awong@bchousing.org">awong@bchousing.org</a>
Vancouver Coastal & Fraser Region	Naomi Brunemeyer	<a href="mailto:nbrunemeyer@bchousing.org">nbrunemeyer@bchousing.org</a>
	James Forsyth	<a href="mailto:jforsyth@bchousing.org">jforsyth@bchousing.org</a>
Vancouver Island	Malcolm McNaughton	<a href="mailto:mmcnaughton@bchousing.org">mmcnaughton@bchousing.org</a>
HousingHub	Raymond Kwong	<a href="mailto:rkwong@bchousing.org">rkwong@bchousing.org</a>

Thank you in advance for your support in helping to bring more affordable housing to your community.

Sincerely,



Selina Robinson  
Minister

Enclosure



# Partnering with BC Housing to Build Affordable Housing

**BC Housing welcomes the opportunity to work with individuals and organizations to create affordable housing solutions.** We work in partnership with non-profit sectors and private sectors, community and Indigenous groups, provincial health authorities, ministries and other levels of government. As a partner, we build and facilitate community and business partnerships to find innovative solutions to housing.

Building BC Funds

**BuildingBC**  
Homes for Today. Hope for Tomorrow.

Affordable Rental & Homeownership Program

**HOUSING HUB**  
BUILDING PARTNERSHIPS. BUILDING HOMES.



## How to apply

Visit us online to learn more about how to partner with BC Housing.

## Funding Opportunities for Housing partners

Website: [bchousing.org/partner-services/funding-opportunities-for-housing-providers](https://bchousing.org/partner-services/funding-opportunities-for-housing-providers)

Provincial Director, HousingHub  
Raymond Kwong: [rk Wong@bchousing.org](mailto:rk Wong@bchousing.org)

Vancouver Coastal & Fraser Regional Directors  
Naomi Brunemeyer: [nbrunemeyer@bchousing.org](mailto:nbrunemeyer@bchousing.org)  
James Forsyth: [jforyth@bchousing.org](mailto:jforyth@bchousing.org)

Interior Regional Director  
Danna Locke: [dlocke@bchousing.org](mailto:dlocke@bchousing.org)

Northern Regional Directors  
Amy Wong: [awong@bchousing.org](mailto:awong@bchousing.org)

Vancouver Island Regional Director  
Malcolm McNaughton:  
[mmcnaughton@bchousing.org](mailto:mmcnaughton@bchousing.org)

**Revelstoke and Area  
Minutes of the Economic Development Commission  
Wednesday, April 3, 2019 at 4:00 p.m.  
in the Revelstoke Business Information Centre,  
301 Victoria Road West**

**PRESENT:**   Members   Roberta Bobicki, Brett Renaud, Nathan Weston, Ken Norrie, Craig Tennock, Steve Cross, Mark Baron, Shaun Aquiline, David Brooks-Hill, Tracey Buckley, Alex Cooper

                  Staff       Ingrid Bron, Director, Community Economic Development  
                                Jamie Mayes, Recording Secretary

**ABSENT:**               Erin Kerwin, Lisa Longinotto

**1.     CALL TO ORDER**

Meeting was called to order by chair, Roberta Bobicki at 4:00 pm.

**2.     ADOPTION OF AGENDA**

**Moved by Brett Renaud**

**Seconded by Mark Baron**

**THAT** agenda be adopted with the following additions under New Business:

- Maximizing value and term of lease arrangements with City property
- Request timeline on development permit status
- Species at Risk - Mountain Caribou

**CARRIED**

**3.     ADOPTION OF THE MINUTES**

**Moved by Mark Baron**

**Seconded by Alex Cooper**

**THAT** the minutes from March 6, 2019 be adopted with the following change:

- 9.4 Roundtable – amend wording to clarify message that major improvement (total modernization of A&W) should not be impeded due to lighting issues.

**CARRIED**

**4.     BUSINESS ARISING FROM THE MINUTES - None**

**5.     ACTIVITY REPORT**

**5.1    March 2019 Activity Report**

Report was reviewed by commission and the following was discussed:

- Telus data meeting with the analytics team helped to clarify methodology and validate data further. Discussion on what information the Commission would like to have:
  - clarify how resident is defined
  - what does this means for how & who pays for infrastructure

## Economic Development Commission Minutes, March 6, 2019

- comparing Census data collection date with TELUS data. Both collected in May – shoulder season
- more info on seasonal lifestyles in our community
- positive and negative implications of data
- impact on transportation, parking and infrastructure
- A new Resort Development Strategy (RDS) is being developed with Tourism stakeholders. Roberta requested that CED create a graphic “cheat sheet” for the various entities, their role, projects, funding, and who manages them. RDS, RMI etc. Define the acronyms. Ingrid advises this will be reflected in the CED work plan.
- Tech 2.0 Rural Dividend funding has been approved from the provincial government. Waiting for formal announcement to move forward with project.
- Transportation Planning – Everything Revelstoke had new operator, Scott Pass. Scott to be invited to present at June meeting and provide an overview of transit in Revelstoke. Wayfinding RFP open to public, Tracy mentioned considering how this integrates with mobile phones and wayfinding.

**6. OLD BUSINESS**

None.

**7. NEW BUSINESS****7.1 Maximizing value and term of lease arrangements on City property**

Discussion around City owned amenities with lease agreements and the length of the leases. Is it possible that longer term leases might be more attractive to applicants and provide a business case for them to inject their own capital into improvements? Ingrid will gather information on current guidelines and suggests we invite Parks & Rec Director Laurie Donato to a future EDC meeting. Of particular interest is Williamson’s Lake campground & the Revelstoke Golf Course.

**Action:** *Ingrid to ask for detail on City leases.*

**7.2 Request timeline on development permit status**

Discussion on current processing times from the City and improving communication to contractors and public for planning their projects. Ingrid provided update that Development Services Department is working through the backlog and hiring more resources. It was mentioned that other communities use more current & efficient software to help with communicating and processing permits. Updating to current software should be a priority.

**Action:** *Inquire on long term plan to fix processing times and if updated software is included in the City budget.*

**7.3 Caribou Recovery**

## Economic Development Commission Minutes, March 6, 2019

Ingrid advised that the Federal government has agreed to the Province seeking local engagement and consultation before a final decision is made. The Federal government has full authority to approve the closures under the Species at Risk Act. However they are requesting a herd management plan from the Province as part of a Section 11 Agreement. The process will include substantive community engagement throughout the province. This is on City Council's agenda. Ingrid encouraged Commission members to attend the Public Engagement meeting on April 15th. Roberta commented that a significant closure of the back country would have major economic impact on the community and the trickledown effect could be devastating if logging, snowmobiling and heli-skiing were denied all access.

**8. FOR INFORMATION****8.1 Stats**

Reviewed visitor stats and hotel promotional funding

**8.2 Up Coming Events**

Chamber luncheon April 10

Caribou consultation open house April 15

**8.3 Roundtable**

Issues discussed:

- Bell media marketing through "geo fencing".  
A **geo-fence** is a virtual perimeter for a real-world geographic area. The use of a geo-fence is called **geo-fencing**, and one example of usage involves a location-aware device of a location-based service (LBS) user entering or exiting a geo-fence. This activity could trigger an alert to the device's user as well as messaging to the geo-fence operator. This info, which could contain the location of the device, could be sent to a mobile telephone or an email account.
- Revelstoke Adventure Park passed first reading at the CSRD meeting. The project has doubled in size.
- Columbia Basin Regional Advisory Committee on Columbia River Treaty negotiations – EDC can send input with Ken Norrie who is participating.
- Concerns around outcome of Caribou consultation and if community has started thinking about Plan B

**ADJOURNMENT**

Next regular meeting is May 1, 2019.

Tracey Buckley moved to adjourn meeting at 5:34 pm.



Roberta Bobicki, Chair



**Revelstoke and Area  
Minutes of the Economic Development Commission  
Wednesday, March 6, 2019 at 4:00 p.m.  
in the Revelstoke Business Information Centre,  
301 Victoria Road West**

PRESENT: Members Roberta Bobicki, Brett Renaud, Nathan Weston, Erin Kerwin,  
Ken Norrie, Shaun Aquiline, Lisa Longinotto, David Brooks-  
Hill, Tracey Buckley, Alex Cooper (late)

Staff Ingrid Bron, Director, Community Economic Development  
Brooke Burke, Recording Secretary  
Marianne Wade, Director, Development Services

ABSENT: Craig Tennock, Steve Cross, Mark Baron

**1. CALL TO ORDER**

Meeting was called to order by chair, Roberta Bobicki at 4:00 pm. Introductions were made around the table.

**2. ADOPTION OF AGENDA**

**Moved by Brett Renaud**

**Seconded by Tracey Buckley**

**THAT** agenda be adopted as presented.

**CARRIED**

**3. PRESENTATION**

**3.1 City of Revelstoke, Development Services – Marianne Wade**

Marianne gave a quick overview of her background experience in affordable housing, nonprofit organizations, 2010 Olympic bid, council, public and private sectors. Looking to streamline processes in the department, including redoing application forms and creating a checklist for permitting. Moving forward the permit process will be evaluated annually and be changed as required. Beginning updates to OCP in specific areas. Touched on commercial lands for future development and heritage areas and possibly expanding the boundaries. BC Housing and the City will work together in developing the Mt Begbie site, this will include community engagement. She has a great relationship with BC Housing and will be the main contact point moving forward. Will be looking at zoning areas with higher density locations for future growth. Question was asked about development growth vs. infrastructure capability, this will be addressed in the OCP. Discussion around bankruptcy with resorts. Marianne responded that our resort has a good leader with a vision and the knowledge of working in a resort

environment. Her department will have information on processing times of permits and has been working with business owners looking at building employee housing. Marianne noted she is open to come back anytime to address any questions or concerns the commission may have.

#### **4. ADOPTION OF THE MINUTES**

**Moved by Brett Renaud**

**Seconded by Erin Kerwin**

**THAT** the minutes from February 6, 2019 be adopted with the following corrections:

- Members attending – Ken Norrie was listed twice
- Presentation – Revelstoke Gold Course – spelling correction to Revelstoke Golf Course

**CARRIED**

#### **5. BUSINESS ARISING FROM THE MINUTES**

**Page 1, Item 3 – Presentation** – Letter of support that was submitted to council has been sent but no word back yet.

General discussion around revisiting the terms of reference and its initial intention. Ingrid will clarify with the City and the CSRD on communication between the organizations to the commission.

#### **6. ACTIVITY REPORT**

##### **6.1 February 2019 Activity Report**

Report was reviewed by commission and the following was discussed:

- Telus data is still being analyzed and Commission members received a document on overall population data. This information is available on the City's website on the CED page. An upcoming meeting with the analytics team will help to clarify methodology and validate data before releasing any more to the public. Discussion on the impacts felt with community infrastructure and emergency services. Ingrid clarified that payment for this information was shared between City departments, RAA and RMR.
- A new Resort Development Strategy (RDS) is being developed with Tourism stakeholders. The Resort Municipality Initiative (RMI) now provides approximately \$600,000 per year for spending on tourism infrastructure as well as events and festivals.
- The City does not have a current Tech Coordinator, as there has been no word back from the province on additional Rural Dividend Funding.

## Economic Development Commission Minutes, March 6, 2019

Ingrid noted she has not brought forward a new workplan to the commission as she would like to incorporate the new Council's strategic priorities and the completed RDS into a revised workplan for 2019-2022. She would like to focus on:

- more engagement with the CSRD
- developing new community information resources, including:
  - investment readiness information
  - business profiles and success stories from the City and region
  - an updated CED website
  - new printed material incorporating both City and tourism branding

**7. OLD BUSINESS**

None.

**8. NEW BUSINESS**

None.

**9. FOR INFORMATION**

**9.1 Building Permit History**

Reviewed chart with commission.

**9.2 Tech Dev Workshop**

FYI to commission.

**9.3 Collective Impact Training**

Noted anyone wanting to attend to sign up.

**9.4 Roundtable**

Members discussed the need to formally include a roundtable discussion at commission meetings. This will provide members the opportunity to share information with each other and to raise issues for discussion and referral/action to the municipal and regional governments. All were in agreement that a roundtable discussion will be part of the commission agenda moving forward.

Issues discussed:

- Concerns about the lighting proposed at the A&W site when they do a major improvement (total modernization of the building) should not be impeded

## Economic Development Commission Minutes, March 6, 2019

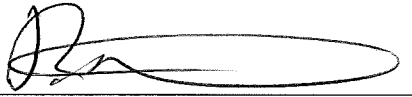
due to the lighting issues; City should look at bylaw to make an exception as the business is not in a residential area.

- Member has had a hard time finding the current draft budget and once it was found had concern about the long term debt. Discussion on tax comparison to other communities similar to ours and ours is a much higher ratio. Referred to the projection on reserve funds and is very concerned as our community does not have the households to support that figure.
- Communications position was discussed asking what the role is and is this a role that is really needed. It was noted that the City recognizing an issue with communication is a positive step in the right direction.
- March 20<sup>th</sup> is the Revelstoke Chamber's AGM.
- If caribou closures happen there could be devastating negative effect on businesses in town.

**ADJOURNMENT**

Next regular meeting is April 3, 2019.

Tracey Buckley moved to adjourn meeting at 6:00 pm.



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Roberta Bobicki, Chair

## COLUMBIA River Treaty



**To:** Regional Districts, Boards of Directors  
Valemount Town Council

**Date:** April 15, 2019

**From:** Linda Worley, Chair  
Columbia River Treaty Local Governments Committee

### Subject: Update on Committee Activities

Over the last month the Committee has been very busy with decisions coming out of our March strategy session, preparing for upcoming education activities and ensuring Committee continuity.

#### Current

- **Committee priorities** – The Committee agreed on the following priorities for 2019-20: the ongoing negotiations, Basin communications/education such as the Columbia Basin Regional Advisory Committee (see below), and resolution of Basin domestic issues including the need for a water management process for the Kootenay River system.
- **Negotiations** – The last negotiating session was in Victoria on April 10 and 11. You are encouraged to read the [Minister's Statement](#). The Committee will hear more about this session at an update during the CBRAC meeting this week (see below)
- **Preparing for education activities** – The Committee is preparing materials for several events including an information booth at the AKBLG AGM at the end of April, a poster at the [Regulated Rivers II](#) conference in Nelson in early May and a presentation at the [One River-Ethics Matters](#) in Castlegar in late May.
- **Committee continuity** - Vice Chair Stan Doehle and I have been working closely with our Executive Director to complete the fiscal year end reporting; begin discussions with AKBLG on budgeting for Committee member costs and banking services; and initiating budgeting for 2019-20 fiscal year based on the priorities defined by the Committee.
- **Updating our recommendations** – We continue to work on gathering information to update our recommendations to government. We discussed possible changes with the Negotiating Team at our strategy session in March. This task will be our priority during May-June.

#### Ongoing

- **Columbia Basin Regional Advisory Committee (CBRAC)** – CBRAC is meeting on April 15 and 16 in Invermere. This meeting includes a tour of a conservation property along Columbia Lake; an update from the Negotiating; presentations from the Upper Columbia Basin Environmental Collaborative and BC Hydro; and discussions about the results of the 2018 CRT community meetings, with presentations about opportunities for community benefits from Kinbasket Reservoir and agriculture supports for the Kootenay area.

CBRAC terms of reference, membership and meeting summaries as well as presentations and reports discussed at these meetings are available on the [CBRAC webpage](#).

### Upcoming

- Telecon with representatives from the Water Rights Comptroller's office and BC Hydro to brief the Committee on the Water Use Plan process and upcoming reviews to prepare the Committee to consider recommendations to government regarding these plans. (April)
- 2019-20 funding agreements to be completed with CBT and the BC CRT Team. (May)
- Update the LGC recommendations, invite input from local governments and meet with Minister Conroy. (May-June)
- Follow-up with the province on actions requested by community members at the 2018 CRT community meetings. (May-ongoing)

I encourage you to stay informed about CRT negotiations by visiting the [CRT engagement website](#) and signing up for the CRT e-letter. This site will be the source of accurate, updated information as negotiations progress.

### Committee Members

RDCK – Aimee Watson, Regional Director/RDCK Chair, Ramona Faust, Regional Director

RDKB - Linda Worley, Regional Director (LGC Chair) and Mayor Diane Langman, Village of Warfield

RDEK - Stan Doehle, Regional Director (LGC Vice Chair) and Jane Walter, Regional Director

CSRD – David Brooks-Hill, Regional Director and Mayor Ron Oszust, Town of Golden

Village of Valemount – Donnie MacLean, Councilor

AKBLG – Deb Kozak (outgoing LGC Chair); Ange Qualizza, Mayor of Fernie (Observer until post AKBLG AGM)

**Revelstoke and Area  
Minutes of the Economic Development Commission  
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Staff Ingrid Bron, Director, Community Economic Development  
Brooke Burke, Recording Secretary  
Marianne Wade, Director, Development Services

ABSENT: Craig Tennock, Steve Cross, Mark Baron

**1. CALL TO ORDER**

Meeting was called to order by chair, Roberta Bobicki at 4:00 pm. Introductions were made around the table.

**2. ADOPTION OF AGENDA**

**Moved by Brett Renaud**

**Seconded by Tracey Buckley**

**THAT** agenda be adopted as presented.

**CARRIED**

**3. PRESENTATION**

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## Economic Development Commission Minutes, March 6, 2019

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**7. OLD BUSINESS**

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**8. NEW BUSINESS**

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**9.1 Building Permit History**

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FYI to commission.

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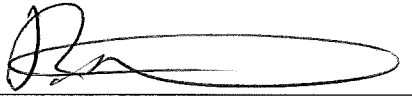
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Roberta Bobicki, Chair

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Wednesday, April 3, 2019 at 4:00 p.m.  
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**PRESENT:**   Members   Roberta Bobicki, Brett Renaud, Nathan Weston, Ken Norrie, Craig Tennock, Steve Cross, Mark Baron, Shaun Aquiline, David Brooks-Hill, Tracey Buckley, Alex Cooper

                  Staff       Ingrid Bron, Director, Community Economic Development  
                                Jamie Mayes, Recording Secretary

**ABSENT:**               Erin Kerwin, Lisa Longinotto

**1.     CALL TO ORDER**

Meeting was called to order by chair, Roberta Bobicki at 4:00 pm.

**2.     ADOPTION OF AGENDA**

**Moved by Brett Renaud**

**Seconded by Mark Baron**

**THAT** agenda be adopted with the following additions under New Business:

- Maximizing value and term of lease arrangements with City property
- Request timeline on development permit status
- Species at Risk - Mountain Caribou

**CARRIED**

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**5.1    March 2019 Activity Report**

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## Economic Development Commission Minutes, March 6, 2019

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- more info on seasonal lifestyles in our community
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**Action:** *Ingrid to ask for detail on City leases.*

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**Action:** *Inquire on long term plan to fix processing times and if updated software is included in the City budget.*

**7.3 Caribou Recovery**

## Economic Development Commission Minutes, March 6, 2019

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**8.2 Up Coming Events**

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- Columbia Basin Regional Advisory Committee on Columbia River Treaty negotiations – EDC can send input with Ken Norrie who is participating.
- Concerns around outcome of Caribou consultation and if community has started thinking about Plan B

**ADJOURNMENT**

Next regular meeting is May 1, 2019.

Tracey Buckley moved to adjourn meeting at 5:34 pm.



Roberta Bobicki, Chair



# BOARD REPORT

**TO:**
**Chair and Directors**
**File No:** 5360 01

**SUBJECT:**

Solid Waste Contract Extension Request

**DESCRIPTION:**

Report from Ben Van Nostrand, Team Leader, Environmental Health Services dated April 30, 2019. Solid Waste contract extension request.

**RECOMMENDATION #1:**

THAT: the Board empower the authorized signatories to extend the term of five Solid Waste Scale and Site Attendant agreements for the following time period and remuneration rates, plus applicable taxes:

July 1, 2019 to September 30, 2019

Agreement: Golden Scale and Site Attendant  
 Contractor: Frank Strain  
 Total Fee: \$14,199.75  
 Forced Work: \$25.00/hr

July 1, 2019 to September 30, 2019

Agreement: Sicamous Scale and Site Attendant  
 Contractor: Recycling Solutions  
 Total Fee: \$9,875.00  
 Forced Work: \$21.00/hr

July 1, 2019 to September 30, 2019

Agreement: Skimikin Scale and Site Attendant  
 Contractor: SCV Contractors Corp  
 Total Fee: \$19,592.50  
 Forced Work: \$28.00/hr

July 1, 2019 to September 30, 2019

Agreement: Scotch Creek Scale and Site Attendant  
 Contractor: Recycling Solutions  
 Total Fee: \$15,525.00  
 Forced Work: \$20.00/hr

August 1, 2019 to September 30, 2019

Agreement: Salmon Arm Scale and Site Attendant  
 Contractor: Cleansite Management  
 Total Fee: \$20,174.37  
 Forced Work: \$15.00/hr (Scale) \$16.50/hr (Recycling)

**RECOMMENDATION 2:**

THAT: the Board empower the authorized signatories to extend the term of six Solid Waste Unscaled Site Attendant agreements for the following time period and remuneration rates, plus applicable taxes:

July 1, 2019 to September 30, 2019

Agreement: Falkland Site Attendant  
Contractor: Lucky Dick  
Total Fee: \$7,500.00  
Forced Work: \$15.00/hr

July 1, 2019 to September 30, 2019

Agreement: Glenemma Site Attendant  
Contractor: Recycling Solutions  
Total Fee: \$3,825.00  
Forced Work: \$17.00/hr

July 1, 2019 to September 30, 2019

Agreement: Malakwa Site Attendant  
Contractor: Recycling Solutions  
Total Fee: \$4,250.00  
Forced Work: \$17.00

July 1, 2019 to September 30, 2019

Agreement: Parson Site Attendant  
Contractor: Muspel Light Industries  
Total Fee: \$3,300.00  
Forced Work: \$25.00/hr

July 1, 2019 to September 30, 2019

Agreement: Seymour Arm Attendant  
Contractor: Monica Ruggeri  
Total Fee: \$2,141.00  
Forced Work: \$20.00

July 1, 2019 to September 30, 2019

Agreement: Trout Lake Attendant  
Contractor: Pat Ballantyne  
Total Fee: \$2,850.00  
Forced Work: \$16.50

**RECOMMENDATION 3:**

THAT: the Board empower the authorized signatories to extend the term of six Solid Waste Recycling Depot Attendant agreements for the following time period and remuneration rates, plus applicable taxes:

July 1, 2019 to September 30, 2019

Agreement: Golden Recycling Depot  
Contractor: Golden Bottle Depot  
Total Fee: \$6,450.00

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Forced Work: \$17.15/hr

July 1, 2019 to September 30, 2019

Agreement: Malakwa Recycling Depot

Contractor: Luella Kuro

Total Fee: \$3,255.00

Forced Work: \$17.00

July 1, 2019 to September 30, 2019

Agreement: Revelstoke Recycling Depot

Contractor: Revelstoke Bottle Depot

Total Fee: \$10,800.00

Forced Work: \$17.00

July 1, 2019 to September 30, 2019

Agreement: Salmon Arm Recycling Depot

Contractor: Bill's Bottle Depot

Total Fee: \$15,105.00

Forced Work: \$12.00

July 1, 2019 to September 30, 2019

Agreement: Sorrento Recycling Depot

Contractor: C Munk Management

Total Fee: \$7,250.00

Forced Work: \$20.00

July 1, 2019 to September 30, 2019

Agreement: Tappen Recycling Depot

Contractor: C Munk Management

Total Fee: \$6,923.00

Forced Work: \$20.00



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**RECOMMENDATION 4:** THAT: the Board empower the authorized signatories to extend the term of four Solid Waste Landfill Compaction and Cover agreements for the following time period and remuneration rates, plus applicable taxes. (Rate A is the price for residual waste received equal to or greater than the identified base metric tonnes per year, Rate B is the price for residual waste received less than the identified base metric tonnes per year):

July 1, 2019 to September 30, 2019

Agreement: Golden Landfill Compaction/Cover  
 Contractor: Frank Strain  
 Rate A: \$46.25  
 Rate B: \$54.50  
 Maint. Fee: \$6,500.00  
 Internal Haul: \$70.00/lb  
 Labour Rate: \$28.00/hr  
 Annual Base Metric Tonne: 4,184.8

July 1, 2019 to September 30, 2019

Agreement: Revelstoke Landfill Compaction/Cover  
 Contractor: SCV Contractors Corp  
 Rate A: \$30.39  
 Rate B: \$34.95  
 Maint. Fee: \$23,563.75  
 Internal Haul: \$72.00/lb  
 Labour Rate: \$34.00/hr  
 Annual Base Metric Tonne: 4,184.8

July 1, 2019 to September 30, 2019

Agreement: Salmon Arm Landfill Compaction/Cover  
 Contractor: Murray Hillson Logging  
 Rate A: \$15.00  
 Rate B: \$18.75  
 Internal Haul: \$49.00/lb  
 Labour Rate: \$30.00/hr  
 Maint. Fee: \$3,000.00  
 Annual Base Metric Tonne: 12,872.0

July 1, 2019 to September 30, 2019

Agreement: Sicamous Landfill Compaction/Cover  
 Contractor: Gary Reading  
 Rate A: \$45.00  
 Rate B: \$55.00  
 Maint. Fee: \$1,444.00  
 Labour Rate: \$33.00/hr  
 Annual Base Metric Tonne: 2,223.2  
 Internal Haul: n/a.

**SHORT SUMMARY:**

The purpose of this report is to request the Board authorize an extension to the term for 21 Solid Waste operational contracts. The extension will alleviate the challenge of beginning new contracts on the July 1<sup>st</sup> statutory holiday and during the busy summer months.

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<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"/>
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**BACKGROUND:**

The current operational agreements for 20 CSRD solid waste contracts expire on June 30, 2019 and one expires on July 31, 2019. The contracts are for the landfill compaction and cover operations, scale and site attendant operations and recycling depot operations. Staff recommends that the commencement of new solid waste contracts during the busy summer months be avoided due to challenges and additional expenses created by starting and training new contractors on a statutory holiday and close to or on a long weekend. As such, CSRD staff worked with the current contractors to negotiate contract extensions for the same remuneration rates currently in place until September 30, 2019. The Salmon Arm Scale and Site Attendant Contractor did propose a minor fee increase to its rates for the two month extension period, which is reasonable considering wage increases over the past five years.

The extensions will allow for CSRD staff to procure services for landfill contractors, scale and site attendants and recycling depot attendants to begin on October 1, 2019 and completion on September 30 in the year of expiration of the new agreement. The procurement process will follow standard CSRD policies for advertising and negotiating new contracts.

**POLICY:**

In accordance with CSRD Policy No. F-32 - Procurement of Goods & Services, Board authorization must be obtained for all sole sourced contracts in excess of \$10,000.

**FINANCIAL:**

Current contractors have agreed to the three month extension at no additional costs to the CSRD.

**KEY ISSUES/CONCEPTS:**

Beginning new contracts on statutory holidays poses challenges to both the new contractors and to CSRD staff.

**IMPLEMENTATION:**

The CSRD will formalize contract extensions, upon Board approval, with existing solid waste contractors.

**DESIRED OUTCOMES:**

The Board endorse the recommendations to extend solid waste contractor agreements for the period of no more than three months (July 1, 2019 to September 30, 2019).

**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:**

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**Report Approval Details**

Document Title:	Solid Waste Contract Extensions 2019.docx
Attachments:	
Final Approval Date:	May 6, 2019

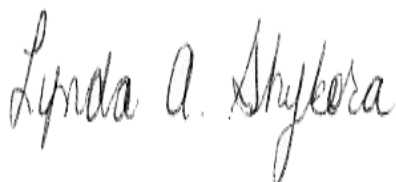
This report and all of its attachments were approved and signed as outlined below:



**Darcy Mooney - May 3, 2019 - 1:59 PM**

**No Signature - Task assigned to Jodi Pierce was completed by assistant Sheena Haines**

**Jodi Pierce - May 3, 2019 - 2:12 PM**



**Lynda Shykora - May 6, 2019 - 2:35 PM**



**Charles Hamilton - May 6, 2019 - 2:42 PM**



# BOARD REPORT

**TO:** Chair and Directors

**File No:** 1850 20 19

**SUBJECT:** Grant-in-Aids

**DESCRIPTION:** Report from Jodi Pierce, Manager, Financial Services, dated May 3, 2019.

**RECOMMENDATION #1:** THAT: the Board approve the following allocations from the 2019 electoral grant-in-aids:

Area A

\$1,500 Field Recreation Advisory Association (summer concert series)

Area C

\$500 Al Boucher Memorial Fund (playground netting)

\$1,900 Eagle Bay Fire Department (Annual open house)

Area F

\$1,800 North Shuswap School Parent Advisory Council (gaga ball pits)

\$1,900 Seymour Arm First Responders (training new members)

**VOTING:**

Unweighted  
Corporate

☐

LGA Part 14  
(Unweighted)

☐

Weighted  
Corporate

☒

Stakeholder  
(Weighted)

☐

**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 2019.

**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.*

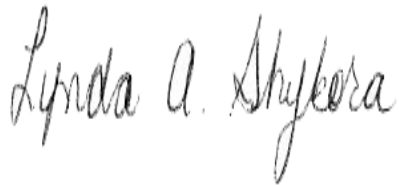
**LIST NAME OF REPORT(S) / DOCUMENT(S) AVAILABLE FROM STAFF:**

1. Grant in Aid applications

**Report Approval Details**

Document Title:	2019-05-16_Board_FIN_Grant in Aids.docx
Attachments:	
Final Approval Date:	May 3, 2019

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



**Lynda Shykora - May 3, 2019 - 11:01 AM**



**Charles Hamilton - May 3, 2019 - 1:48 PM**



# BOARD REPORT

**TO:** Chair and Directors

<b>File No:</b>	6140 50 29 1855 04
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**SUBJECT:** Electoral Area D: Salmon River Parallel Trail Community Works Fund and Contract Award

**DESCRIPTION:** Report from Ryan Nitchie, Team Leader, Community Services, dated April 25, 2019. Salmon River Parallel Trail Community Works Funds and Contract Award.

**RECOMMENDATION #1:** THAT: in accordance with Policy No. F-3 "Electoral Area Community Works Funds – Expenditure of Monies" access to the Electoral Area Community Works Fund be approved in the amount of \$250,000 plus applicable taxes from the Electoral Area D Community Works Fund allocation for the construction of a parallel trail, this 16<sup>th</sup> day of May, 2019.

**RECOMMENDATION #2:** THAT: the Board empower the authorized signatories to enter into an agreement with Mountain Side Earthworks Ltd. for the construction of the Salmon River Parallel Trail adjacent to Salmon River Road in the Silver Creek area of Electoral Area D for a total cost not to exceed \$848,000 plus applicable taxes, this 16<sup>th</sup> day of May, 2019.

## SHORT SUMMARY:

In August 2018, the CSR D received a grant of \$785,000 from BikeBC for the construction of a separated parallel trail in the Silver Creek area along Salmon River Road. In 2018, staff completed the design, engineering, geotechnical analysis, environmental management planning, and permitting for the project. The CSR D has tendered and awarded the construction and installation of a pedestrian bridge to be installed over the Salmon River. On a recent tender for the trail construction portion of the project Mountain Side Earthworks Ltd. was the lowest compliant bidder for the trail construction. As the contract with Mountain Side Earthworks Ltd. exceeds the \$500,000 threshold within Policy No. F-32 "Procurement of Goods and Services", Board approval is required to enter into the contract with Mountain Side Earthworks Ltd.

The costs of the project have exceeded the original opinion of probable costs and the 2019 Electoral Area D Parks budget allocation, therefore, staff is requesting additional funds from the Electoral Area D Community Works Fund to complete the project.

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

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## BACKGROUND:

The Electoral Area D Parks Master Plan identified parallel trails as a priority. In 2014, staff commenced preliminary survey and design for parallel trails in the Ranchero and Silver Creek areas of Electoral Area D. Preliminary design plans for a separated parallel trail were presented to and supported by the Electoral Area D Parks Advisory Committee in 2016. A grant application was submitted to BikeBC in



2017 in the amount of \$785,000. In 2018, the CSRD received notification from BikeBC that the grant application was successful. Staff proceeded with final design for an asphalt capped separated parallel trail. The proposed trail is approximately 3.65 km in length located within the road right-of-way between Haines Road near the Silver Creek Elementary School and Silver Creek Community Park along the easterly side of Salmon River Road. Once final design was completed, a construction permit application was submitted to the Ministry of Transportation and Infrastructure (MoTi) for approval. Approval of the application was received in 2018 and subsequent permits for the construction of a pedestrian bridge and a culvert extension were submitted to the Ministry of Forests, Lands, Natural Resource Operations and Rural Development (FLNRORD). Concurrently, staff engaged with environmental consultants and geotechnical engineers, as well as structural engineers to support applications and complete final design requirements. Staff tendered separately for the supply and installation of a pedestrian bridge and awarded the contract to Landmark Solutions Ltd. Staff tendered the construction of the trail in the spring of 2019 and Mountain Side Earthworks Ltd. submitted the lowest bid.

Since the initial planning stages and grant application in 2017, estimated costs for the project have escalated. Increasing costs for asphalt, aggregate, earthworks, environmental monitoring and professional fees have contributed to the cost increases. The request for additional funding will provide needed funds to fulfill the contracts as well as provide for contingency funds.

**POLICY:**

In accordance with CSRD Policy No. F-32 "Procurement of Goods & Services", Board authorization is required for any tender or request for proposals to be awarded in excess of \$500,000.

In accordance with CSRD Policy No. F-3 "Electoral Area Community Works Fund – Expenditure of Monies", Board authorization is required for the expenditure of monies from the Community Works Fund.

**FINANCIAL:**

Sufficient funds are available from within the Electoral Area D Community Works Fund to support the funding request, and the Electoral Area Director has provided verbal support to this initiative.

The balance of the Area D Community Works Fund (Gas Tax) as at April 30, 2019 is approximately \$439,000 after all previously approved commitments. The 2019 distribution is included in the above amount. Expenditure of the funds will be in accordance with the 2014-2024 Agreement between the UBCM and CSRD, dated July 7, 2014.

In March 2017, the Board approved \$200,000 from the Electoral Area D Community Works Funds which was leveraged with \$150,000 from the Electoral Area D Parks budget reserve to satisfy the minimum 25% funding requirement for the project as a condition of the BikeBC grant. The additional \$250,000 will satisfy the budget shortfall and provide for a modest contingency. Any surplus funding will be returned to the Electoral Area D Community Works Fund.

**COMMUNICATIONS:**

The decision of the Board will be relayed to the preferred proponent.

**DESIRED OUTCOMES:**

The Board endorse the staff recommendations.

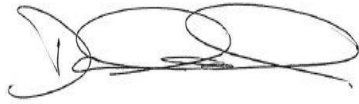
**BOARD'S OPTIONS:**

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

**Report Approval Details**

Document Title:	Salmon River Parallel Trail CWF request and contract award 2019.docx
Attachments:	
Final Approval Date:	May 3, 2019

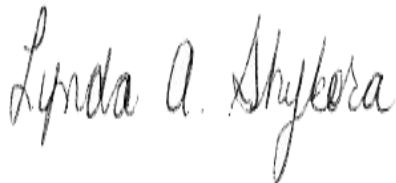
This report and all of its attachments were approved and signed as outlined below:



**Darcy Mooney - May 2, 2019 - 3:05 PM**

**No Signature - Task assigned to Jodi Pierce was completed by assistant Sheena Haines**

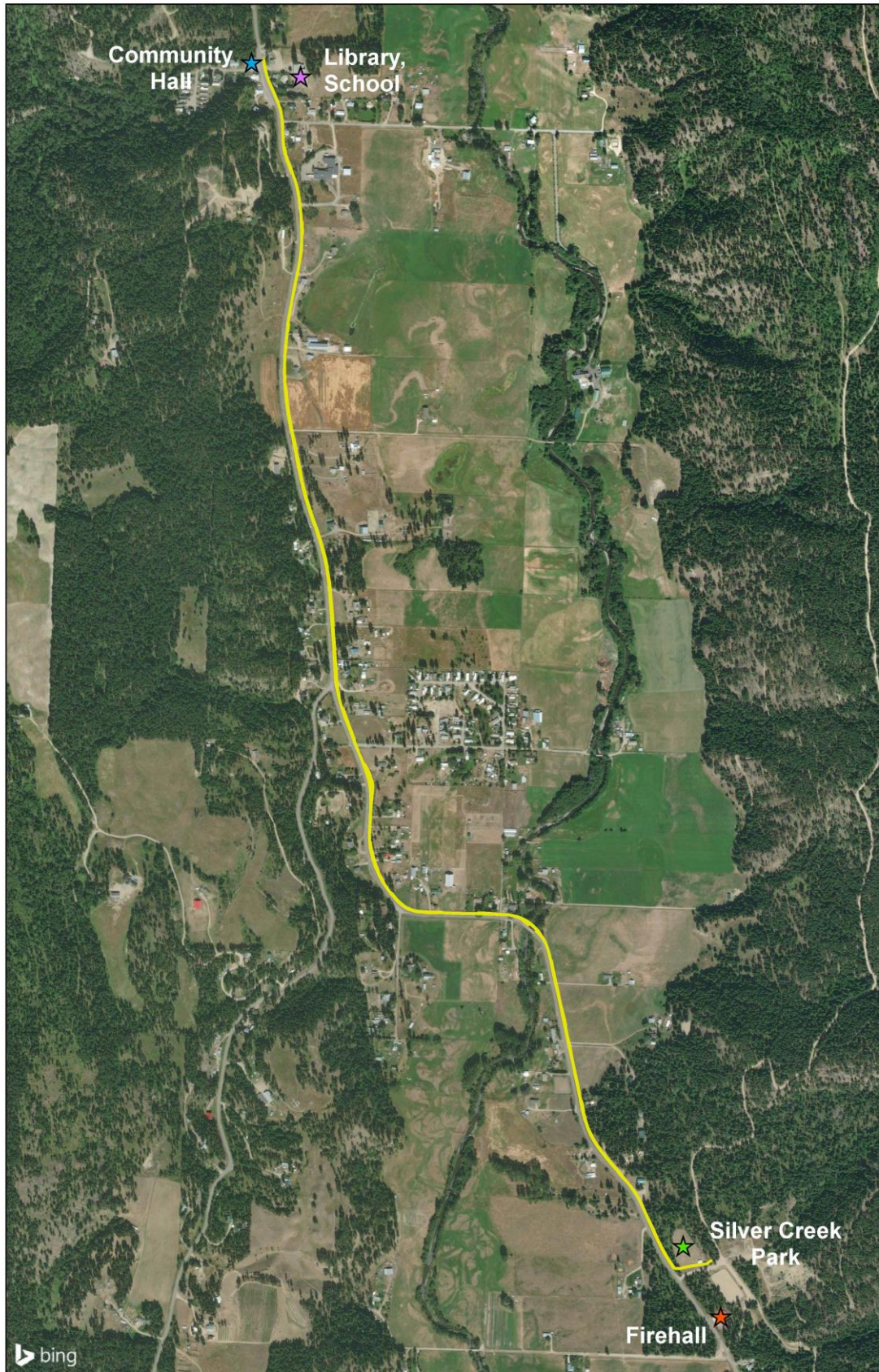
**Jodi Pierce - May 2, 2019 - 3:47 PM**



**Lynda Shykora - May 3, 2019 - 11:32 AM**



**Charles Hamilton - May 3, 2019 - 1:43 PM**







# BOARD REPORT

**TO:**

Chair and Directors

<b>File No:</b>	5600 35 03 1855 04
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**SUBJECT:**

Electoral Area D Community Works Fund – Falkland Water System Reservoir Preliminary Engineering

**DESCRIPTION:**

Report from Terry Langlois, Team Leader Utilities, dated May 8, 2019. Authorization to access the Community Works Fund monies from the Electoral Area D allocation for the Falkland Water System Reservoir Preliminary Engineering.

**RECOMMENDATION:**

THAT: in accordance with Policy No. F-3 "Community Works Fund - Expenditure of Monies" access to the Community Works Fund be approved for up to \$30,000 plus applicable taxes from the Electoral Area D Community Works Fund allocation for preliminary engineering costs for a new reservoir for the Falkland Water System.

**SHORT SUMMARY:**

The Falkland Water System requires additional reservoir capacity. The current reserve fund does not have adequate funds to cover the full cost of such a project. In addition, the location and elevation of the existing reservoir may not be ideal for a new reservoir. Engineering work is required to investigate and determine the best location and elevation for a new reservoir. This preliminary engineering work will be completed in 2019 to ensure the CSR D is in a position to apply for grant opportunities for this project when funding becomes available.

**VOTING:**
Unweighted  
Corporate
☐
LGA Part 14  
(Unweighted)
☐
Weighted  
Corporate
☒
Stakeholder  
(*Weighted*)
☐
**BACKGROUND:**

The Falkland Water System consists of approximately 250 connections and has recently had a number of grant funded upgrades to the treatment component of the water system. The reservoir capacity as well as the current location of the reservoir is an issue for the system as the community grows and develops. This engineering work will help shape future long term planning for the water system.

**POLICY:**

Policy No. F-3 "Community Works Fund - Expenditure of Monies" states that the expenditure of monies from the Community Works Fund will be approved by the Board.

**FINANCIAL:**

Funds will be allocated from the Electoral Area D Community Works Fund allocation. The Electoral Area Director has provided support for this initiative.

The balance of the Area D Community Works Fund (Gas Tax) at April 30, 2019 is approximately \$439,000 after all previously approved commitments. The 2019 distribution is included in the above amount. Expenditure of the funds will be in accordance with the 2014-2024 Agreement between the UBCM and CSRD, dated July 7, 2014.

**KEY ISSUES/CONCEPTS:**

As per Policy No. F-3 "Electoral Area Community Works Fund - Expenditure of Monies" authorization to expend monies from the Community Works Fund must be approved by the Board.

**DESIRED OUTCOMES:**

The Board will endorse the recommendation to allow for the budget shortfall to be accounted for.

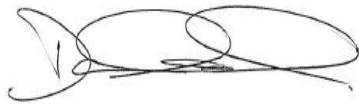
**BOARD'S OPTIONS:**

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

**Report Approval Details**

Document Title:	Falkland CWF May2019.docx
Attachments:	
Final Approval Date:	May 9, 2019

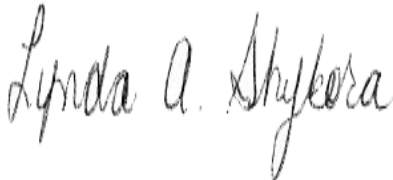
This report and all of its attachments were approved and signed as outlined below:



**Darcy Mooney - May 9, 2019 - 8:11 AM**



**Jodi Pierce - May 9, 2019 - 8:56 AM**



**Lynda Shykora - May 9, 2019 - 9:50 AM**

**No Signature - Task assigned to Charles Hamilton was completed by assistant Lynda Shykora**

**Charles Hamilton - May 9, 2019 - 10:51 AM**





# BOARD REPORT

**TO:** Chair and Directors

**File No:** Bylaw No. 5796

**SUBJECT:** Eagle Bay Estates Waterworks Local Service Amendment Bylaw No. 5796, 2019

**DESCRIPTION:** Report from Jodi Pierce, Manager, Financial Services dated April 12, 2019. Proposed amendment to Eagle Bay Estates Waterworks Local Service Bylaw No. 5112 to increase the maximum parcel tax requisition.

**RECOMMENDATION #1:** THAT: "Eagle Bay Estates Waterworks Local Service Amendment Bylaw No. 5796, 2019" be read a first, second and third time this 16<sup>th</sup> day of May, 2019.

## SHORT SUMMARY:

Through the budget process, it has been determined that the Eagle Bay Estates Waterworks capital reserve account is seriously underfunded and even though the maximum parcel tax has been requisitioned each year, the amount going into the capital reserves is not adequate for a water system of this size and age. The current maximum parcel tax requisition limit is \$30,313 which is the lowest total maximum of all CSR D water systems. In order to maintain the ongoing sustainability of the water system, the maximum parcel tax requisition needs to be increased to allow for additional contributions to the capital reserve account.

## VOTING:

Unweighted  
Corporate

☐

LGA Part 14  
(Unweighted)

☐

Weighted  
Corporate

☒

Stakeholder  
(Weighted)

☐

## BACKGROUND:

A parcel tax's maximum requisition amount can only be increased once every five years to a maximum of 25% without Inspector approval. Through discussion with staff from the Ministry of Municipal Affairs and Housing, the CSR D staff has learned the maximum requisition amount can be amended for an amount in excess of 25% as long as we obtain Inspector approval.

The Eagle Bay Estates Waterworks Reserve Fund is underfunded considering the size of the water system. Staff is recommending the maximum requisition limit be increased to \$100,000 for the parcel tax requisition in the Eagle Bay Estates Waterworks service area to allow for additional contributions to the capital reserve. Implementation of the increase will happen over a number of years and the parcel tax per property will be increased 5-10% in the first year, and 5% per year thereafter for the foreseeable future. An increased maximum will allow for constant manageable increases for users of the water system as determined through the budget process.

## POLICY:

In accordance with the Local Government Regulation 113/2007 (Regional District Establishing Bylaw Approval Exemption), the tax requisition for a service may be increased by 25% of the baseline every

five years without requiring public assent, however, Inspector approval is required for increases beyond 25% or for those within the five year window.

**FINANCIAL:**

In 2019, Eagle Bay Estates property owners are paying a parcel tax in the amount of \$329 per property (including the provincial collection fee), resulting in total parcel taxes of \$30,313. Staff is recommending a 5-10% increase to the parcel tax in 2020 resulting in property owners paying a parcel tax of approximately \$358 depending on the 2020 budget. A further increase of 5% would take place in 2021 and in each year subsequent until such time that the capital reserve fund is adequately funded for infrastructure replacement in accordance with asset management plans. The current balance of the capital reserve fund for the Eagle Bay Estates Waterworks is approximately \$143,000. Additionally, past practice has been to implement a 25% increase every five years and apply that increase to taxpayers all in one year. The recommended amendment would allow for gradual increases to the parcel taxes over time so the taxpayers would not see such a significant increase at one time.

For 2019, the parcel tax and user fees for the Eagle Bay Estates Waterworks is less than the average for all the CSRD owned water systems at a combined total of \$583 annually. The average combined parcel tax/user fee amount for all CSRD owned water systems is currently \$694 annually.

**KEY ISSUES/CONCEPTS:**

Increases to parcel taxes and user fees are necessary to maintain the ongoing sustainability of the water system.

**IMPLEMENTATION:**

Upon third reading, the Bylaw will be forwarded to the Ministry of Municipal Affairs and Housing for Inspector approval. Upon receipt of Inspector approval, the Bylaw will be brought to a subsequent Board meeting for adoption. Upon adoption, the 2020 budget will include a parcel tax increase of approximately 5-10%.

**COMMUNICATIONS:**

The Electoral Area C Director has consented to the increase. The Eagle Bay Estates property owners will be advised of the increase in the mailout that accompanies the annual utility bills which are distributed in February.

**DESIRED OUTCOMES:**

That the Board approve the recommendation to amend the bylaw.

**BOARD'S OPTIONS:**

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

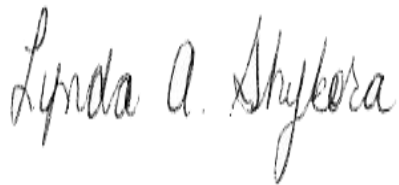
**LIST NAME OF REPORT(S) / DOCUMENT(S) AVAILABLE FROM STAFF:**

1. List reports

**Report Approval Details**

Document Title:	2019-05-16_Board_FIN Eagle Bay Estates Waterworks Amendment Bylaw.docx
Attachments:	- BL5796 2019 Eagle Bay Estates Local Service Amendment Bylaw.docx
Final Approval Date:	May 3, 2019

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



**Lynda Shykora - May 3, 2019 - 11:55 AM**



**Charles Hamilton - May 3, 2019 - 1:38 PM**

**COLUMBIA SHUSWAP REGIONAL DISTRICT****BYLAW NO. 5796, 2019**

A bylaw to amend Eagle Bay Estates Waterworks  
Local Service Bylaw No. 5112

WHEREAS a service area has been established by the Columbia Shuswap Regional District by Eagle Bay Estates Waterworks Local Service Bylaw No. 5112 for the purpose of providing water to the Eagle Bay Estates area within Electoral Area C;

AND WHEREAS an amendment is required to allow for an increase to the requisition limit for this service;

AND WHEREAS the Director for Electoral Area C has consented, in writing, to the adoption of this bylaw;

NOW THEREFORE in open meeting assembled, the Board of Directors of the Columbia Shuswap Regional District enacts as follows:

1. Section 3 of Bylaw No. 5112 is hereby deleted and replaced with the following:
  - “3. The maximum amount of money that may be requisitioned annually as a parcel tax for the service provided under Section 1 shall be \$100,000.
2. This Bylaw may be cited as “Eagle Bay Waterworks Local Service Amendment Bylaw No. 5796, 2019”.

READ a first time this \_\_\_\_\_ day of \_\_\_\_\_, 2019.

READ a second time this \_\_\_\_\_ day of \_\_\_\_\_, 2019.

READ a third time this \_\_\_\_\_ day of \_\_\_\_\_, 2019.

APPROVED by the Inspector of Municipalities this \_\_\_\_\_ day of \_\_\_\_\_, 2019.

ADOPTED this \_\_\_\_\_ day of \_\_\_\_\_, 2019.

\_\_\_\_\_  
CHIEF ADMINISTRATIVE OFFICER

\_\_\_\_\_  
CHAIR

CERTIFIED a true copy of  
Bylaw No. 5796, 2019 as read a third time.

CERTIFIED a true copy of  
Bylaw No. 5796, 2019 as adopted.

\_\_\_\_\_  
Deputy Manager of Corporate  
Administration Services

\_\_\_\_\_  
Deputy Manager of Corporate  
Administration Services



# BOARD REPORT

**TO:** Chair and Directors

**File No:** Bylaw No. 5797

**SUBJECT:** Saratoga Waterworks Service Amendment Bylaw No. 5797, 2019

**DESCRIPTION:** Report from Jodi Pierce, Manager, Financial Services dated April 12, 2019. Proposed amendment to Saratoga Waterworks Service Bylaw No. 5352 to establish a maximum parcel tax requisition.

**RECOMMENDATION #1:** THAT: "Saratoga Waterworks Service Amendment Bylaw No. 5797, 2019" be read a first, second and third time this 16<sup>th</sup> day of May, 2019.

## SHORT SUMMARY:

While reviewing parcel tax bylaws, staff have identified that the Saratoga Waterworks Service Bylaw No. 5352 does not include a maximum parcel tax requisition. Pursuant to the *Local Government Act* Section 339(1)(e), an establishing bylaw for a service must "set the maximum amount that may be requisitioned for the service". Although, the Inspector of Municipalities has signed off on the Bylaw as submitted by the CSR D in 2002, staff deem it appropriate to ensure that the service bylaw conforms to the *Local Government Act* and are therefore bringing forward the proposed amendment.

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<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"/>
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## BACKGROUND:

Staff are recommending the maximum requisition limit be set at \$100,000 for the parcel tax requisition in the Saratoga Waterworks service area. This amount is comparable to other CSR D systems and provides for room to allow for regular consistent increases over a number of years. At this time, we do not have a determination of any potential parcel tax increases as we are still awaiting information on a potential grant and expansion of the system.

## POLICY:

In accordance with the Local Government Regulation 113/2007 (Regional District Establishing Bylaw Approval Exemption), the tax requisition for a service may be increased by 25% of the baseline every five years without requiring public assent, however, Inspector approval is required for increases beyond 25% or those within the five year window. As there is currently no provision within the existing bylaw for an increase, Inspector approval will be required.

## FINANCIAL:

At this time, we do not have a determination of any potential parcel tax increases as we are still awaiting information on a potential grant and expansion of the system.

## KEY ISSUES/CONCEPTS:

Parcel taxes and user fees are necessary to maintain the ongoing sustainability of the water system.

**IMPLEMENTATION:**

Upon third reading, the Bylaw will be forwarded to the Ministry of Municipal Affairs and Housing for Inspector approval. Upon receipt of Inspector approval, the Bylaw will be brought to a subsequent Board meeting for adoption.

**DESIRED OUTCOMES:**

That the Board approve the recommendation to amend the bylaw.

**BOARD'S OPTIONS:**

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

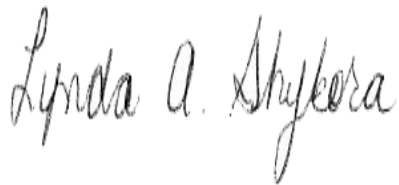
**LIST NAME OF REPORT(S) / DOCUMENT(S) AVAILABLE FROM STAFF:**

1. List reports

**Report Approval Details**

Document Title:	2019-05-16_Board_Fin Saratoga Waterworks Bylaw Amendment.docx
Attachments:	- BL5797 2019 Saratoga Waterworks Amendment Bylaw.docx
Final Approval Date:	May 3, 2019

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



**Lynda Shykora - May 3, 2019 - 12:00 PM**



**Charles Hamilton - May 3, 2019 - 1:36 PM**



**COLUMBIA SHUSWAP REGIONAL DISTRICT****BYLAW NO. 5797, 2019**

A bylaw to amend Saratoga Waterworks  
Service Bylaw No. 5352

WHEREAS a service area has been established by the Columbia Shuswap Regional District by Saratoga Waterworks Service Bylaw No. 5352 for the purpose of providing water to a portion of the community of Scotch Creek within Electoral Area F;

AND WHEREAS an amendment is required to allow for an increase to the requisition limit for this service;

AND WHEREAS the Director for Electoral Area F has consented, in writing, to the adoption of this bylaw;

NOW THEREFORE in open meeting assembled, the Board of Directors of the Columbia Shuswap Regional District enacts as follows:

1. Section 4 of Bylaw No. 5352 is hereby deleted and replaced with the following:

- “4. The annual operating and debt servicing costs shall be recovered by one or more of the following:
- a) the requisition of money to be collected by a parcel tax in an amount not to exceed \$100,000 per year;
  - b) the imposition of fees and other charges that may be fixed by separate bylaw for the purpose of recovering these costs;
  - c) revenues received by way of agreement, enterprise, gift, grant or otherwise.”

2. This Bylaw may be cited as the “Saratoga Waterworks Service Amendment Bylaw No. 5797, 2019”.

READ a first time this \_\_\_\_\_ day of \_\_\_\_\_, 2019.

READ a second time this \_\_\_\_\_ day of \_\_\_\_\_, 2019.

READ a third time this \_\_\_\_\_ day of \_\_\_\_\_, 2019.

APPROVED by the Inspector of Municipalities this \_\_\_\_\_ day of \_\_\_\_\_, 2019.

ADOPTED this \_\_\_\_\_ day of \_\_\_\_\_, 2019.

\_\_\_\_\_  
CHIEF ADMINISTRATIVE OFFICER

\_\_\_\_\_  
CHAIR

CERTIFIED a true copy of  
Bylaw No. 5797, 2019 as read a third time.

CERTIFIED a true copy of  
Bylaw No. 5797, 2019 as adopted.

\_\_\_\_\_  
Deputy Manager of Corporate  
Administration Services

\_\_\_\_\_  
Deputy Manager of Corporate  
Administration Services



# BOARD REPORT

**TO:** Chair and Directors

**File No:** 1855 50 05

**SUBJECT:** UBCM Housing Needs Reports Grant Program

**DESCRIPTION:** Report from Gerald Christie, Manager Development Services, dated May 16, 2019.  
Union of British Columbia Municipalities (UBCM) Housing Needs Reports grant application.

**RECOMMENDATION #1:** THAT: the Board empower the authorized signatories to apply for a UBCM Housing Needs Reports Program grant up to \$35,000 to complete Housing Needs Reports for CSRD Electoral Areas C and E, this 16<sup>th</sup> day of May, 2019.

## SHORT SUMMARY:

The Province of BC has brought in legislation requiring local governments to complete Housing Needs Reports in their jurisdictions over the coming years and include report data and recommendations in local Official Community Plans (OCP). In support of this new requirement the Ministry of Municipal Affairs and Housing (MMAH) has earmarked \$5 million over the next three years to help in funding the completion of these reports. UBCM will administer this funding and consider application requests. As Development Services staff are currently working on the Electoral Area E OCP, and will be starting the Electoral Area C Zoning Bylaw and amendments to the Electoral Area C OCP in 2019, the timing of this grant opportunity would allow the information gleaned from these reports to be included in the OCPs as now required by the Province.

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<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"/>
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## BACKGROUND:

Bill 18 Local Government Statutes (Housing Needs Reports) Amendment Act was adopted in May 2018, requiring local governments to quantify housing needs in their jurisdictions and develop policies to help deal with the identified housing issues when creating or amending OCPs. The Act will come into force shortly once the Ministry of MMAH has developed and enacted regulations pertaining to the specific details of the types of statistical information that is required to be collected and what housing needs information is to be generated from the data. Being a new requirement of local governments throughout the province, the MMAH has committed \$5 million to aid local governments in preparing the first of these reports. Available grant funding can be for 100% of eligible costs to a maximum amount determined by population of the planning area, e.g. Electoral Area C - \$20,000 max; Electoral Area E - \$15,000 max.

## POLICY:

A requirement of the grant application is that the Board provide a resolution of support for the application to be made.

**FINANCIAL:**

There are no financial implications to the CSRD in applying for the Housing Needs Reports Grant and no financial commitment is expected of the CSRD for the project; grant funds may be used to cover 100% of the eligible activities deemed necessary for the project, e.g. project management, data collection, research, community engagement. Staff plan on applying for the full \$35,000 grant amount available for the Electoral C and E Housing Needs Reports as it is anticipated that this work will exceed the maximum grant funding available. Additional budget is available in the EA C and E OCP project budgets to help in communicating the results of these reports, formalizing OCP policy, and organizing meetings to consult with the public on the draft OCP bylaws.

**KEY ISSUES/CONCEPTS:**

Undertaking Housing Needs Reports is now a mandatory requirement of local governments in BC if creating or significantly amending OCPs. These reports are primarily a data gathering exercise of which numerous inventory sources are used that relate to housing needs, building types, tenure types (ownership/rental), incomes, population projections, demographics, community services, etc. to paint a picture of the overall housing situation in a particular area. The intent is that once the data has been collected that an analysis would be performed, significant trends or gaps identified, and recommendations made that would enable staff to create proposed goals, objectives and policies that would then be included in an OCP. Provincial legislation notes that Housing Needs Reports should be re-examined every five years.

For clarity, Housing Needs Reports are primarily data focused and are not "Housing Strategies" which typically include much more detail specific to the where, who, when and how the identified housing issues will be dealt with, inclusive of such items as costing, management, partnerships and grants.

Although the legislation has been passed it has not yet been enacted, given that the province has yet to approve and disseminate to local governments the regulations necessary which will detail provincial expectations related to the minimum content and format required of these reports. CSRD staff have had multiple conversations with Ministry staff and have a good idea as to what those expectations will be and therefore feel that it is desirable to apply for this grant funding at the first intake (deadline May 31, 2019) instead of waiting for the regulations to be revealed. If the CSRD is successful with this grant application these funds will be used this summer to create these reports and then have those findings included as amendments in the respective Electoral Area C and E OCPs.

**SUMMARY:**

The Province has recently mandated that all local governments must now complete Housing Needs Reports for their respective jurisdictions and have the results of those reports included in any new or significantly amended OCPs. To this end, the MMAH has earmarked \$5 million to be administered through UBCM to help local governments fund the completion of these reports. As CSRD staff are currently working on the EA E OCP, and will be considering amendments to the EA C OCP starting late this year, this grant funding will be helpful in completing these Housing Needs Reports and to have the report findings and recommendations included in the respective OCP.

**IMPLEMENTATION:**

If the resolution of support is approved by the Board, CSRD staff will apply for the UBCM Housing Needs Reports Program grant prior to the first intake deadline of May 31, 2019.

**COMMUNICATIONS:**

A copy of the Board resolution will be included in the UBCM Housing Needs Reports Program grant application.

**DESIRED OUTCOMES:**

That the Board resolve to support a grant application be made to the UBCM Housing Needs Report Program for funding to complete Housing Needs Reports for EA C and E.

**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:	2019-05-16_Board_DS_18555005_Housing_Needs_Grant.docx
Attachments:	- UBCM_housing-needs-report-2019-program-guide.pdf
Final Approval Date:	May 6, 2019

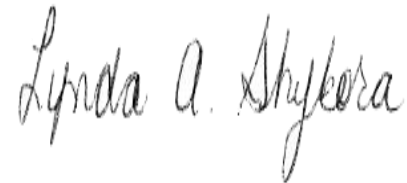
This report and all of its attachments were approved and signed as outlined below:

**No Signature found**

**Gerald Christie - May 3, 2019 - 3:57 PM**

**No Signature found**

**Sheena Haines - May 6, 2019 - 8:08 AM**



**Lynda Shykora - May 6, 2019 - 2:50 PM**



**Charles Hamilton - May 6, 2019 - 3:37 PM**

# Housing Needs Reports Program

## 2019 Program & Application Guide

### 1. Introduction

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Starting in April 2019, local governments are required to develop housing needs reports on a regular basis. The reports will strengthen the ability of local governments to understand what kinds of housing are most needed in their communities, and help inform local plans, policies, and development decisions.

#### Housing Needs Reports Program

The Housing Needs Reports program supports local governments in undertaking housing needs reports in order to meet the provincial requirements. The Ministry of Municipal Affairs & Housing (MMAH) has confirmed \$5 million over three years for this program.

The program is structured to reflect the planning areas for which local governments are required to complete housing needs reports: municipalities, electoral areas and local trust areas (within the Islands Trust). Funding is scaled based on the net population of the planning area.

Refer to Section 6 and Appendix 1 for eligible funding amounts.

### 2. Eligible Applicants

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All local governments in BC (municipalities, regional districts, and the Islands Trust) are eligible to apply. Local Trust Committees must apply through the Islands Trust.

Eligible applicants can submit one application per intake, including regional applications and participation as a partnering applicant in a regional application. Funding permitting, applicants are able to submit one application in each subsequent intake, however each planning area can only be funded once over the full span of the program.

### 3. Eligible Projects

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To qualify for funding, projects must:

- Be a new project or update to an existing, eligible housing needs report. Retroactive funding is not available.
- Result in a housing needs report for at least one entire planning area: municipality, electoral area, or local trust area.
- Be capable of completion by the applicant within one year from the date of funding approval.

## Regional Projects

Funding requests for a combination of planning areas (municipalities, electoral areas, and/or local trust areas) may be submitted as a single application for eligible, collaborative projects. In this case, the maximum funding available would be based on the number of eligible planning areas included in the application and the funding maximums for each as identified in Appendix 1. It is expected that regional projects will demonstrate cost-efficiencies in the total grant request.

The primary applicant submitting the application for a regional project is required to submit a Council, Board, or Local Trust Committee resolution as outlined in Section 7 of this guide. If the additional planning areas are outside of the primary applicant's jurisdiction, each partnering local government is required to submit a Council, Board, or Local Trust Committee resolution that clearly states their approval for the primary applicant to apply for, receive, and manage the funding on their behalf.

The total funding request for regional projects cannot exceed \$150,000.

## 4. Requirements for Funding

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To qualify for funding, housing needs reports must:

- Meet the requirements of the *Local Government Act* (or *Vancouver Charter*) in relation to the development of a new or updated housing needs report;
- Result in a housing needs report for at least one entire planning area: municipality, electoral area, or local trust area.
- Be received by the local government Council, Board, or Local Trust Committee in a meeting open to the public. In the case of regional projects, the report must be received by the Council, Board, or Local Trust Committee responsible for each planning area that is included in the project;
- Be published online for free public access.

## 5. Eligible & Ineligible Costs & Activities

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### Eligible Costs & Activities

Eligible costs are direct costs that are approved by the Evaluation Committee, properly and reasonably incurred, and paid by the applicant to carry out eligible activities. Eligible costs can only be incurred from the date of application submission until the final report is submitted (unless specified below).

Under the Housing Needs Reports program, eligible costs and activities must be cost-effective and include:

- Development of new or updated housing needs reports (as required by the *Local Government Act* and *Vancouver Charter*), including:
  - Project management and coordination;
  - Data collection (from public agencies and/or other data costs), compilation and analysis, not including data made available via the Ministry of Municipal Affairs & Housing for the purpose of developing housing needs reports;

- Research specific to the development of housing needs reports;
- Community engagement, such as collaboration with neighbouring local governments and partner organizations, community surveys, and engagement activities;
- Publication of housing needs reports including editing, proofing, graphic design, etc.
- Presentation of housing needs reports to Council, Board, or Local Trust Committee.

The following expenditures are also eligible, provided they relate directly to the eligible activities identified above:

- Consultant costs;
- Incremental staff and administration costs;
- Public information costs;
- Training and capacity building for local government staff specific to developing housing needs reports.

### **Ineligible Costs & Activities**

Any activity that is not outlined above or is not directly connected to activities approved in the application by the Evaluation Committee is not eligible for funding. This includes:

- Data made available via the Ministry of Municipal Affairs & Housing for the purpose of housing needs reports;
- Routine or ongoing operating and/or planning costs (e.g. tracking and reporting of development and building permits);
- Capital costs;
- Purchase of software, software licences, or service subscriptions;
- Preparation of maps and spatial data.

## **6. Grant Maximum**

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Funding maximums are based on the population of the planning area (using the 2016 Census data).

The Program can contribute a maximum of 100% of the cost of eligible activities – to a maximum of the amounts identified in Table 1. For certainty, Appendix 1 outlines the net population and eligible funding for each planning area (municipality, electoral area and local trust area) in BC.

Table 1: Funding Maximums

<b>Population</b>	<b>Funding Maximum</b>
Under 5,000	\$15,000
5,000 to 14,999	\$20,000
15,000 to 49,999	\$30,000



50,000 to 99,999	\$50,000
100,000 or greater	\$70,000

As noted in Section 3, the funding maximum for all regional projects is \$150,000.

In order to ensure transparency and accountability in the expenditure of public funds, all other contributions for eligible portions of the project must be declared and, depending on the total value, may decrease the value of the funding.

## 7. Application Requirements & Process

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### Application Deadline

Applicants will be advised of the status of their application within 60 days of the following application deadlines: May 31, 2019 and November 29, 2019.

### Required Application Contents

- Completed Application Form;
- Detailed project budget;
- Council, Board, or Local Trust Committee resolution, indicating support for the current proposed activities and willingness to provide overall grant management;
- For regional projects only: Each partnering local government must submit a Council, Board, or Local Trust Committee resolution indicating support for the primary applicant to apply for, receive, and manage the grant funding on their behalf;

<b>Resolutions from partnering applicants must include the language above.</b>
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- Optional: Up to five letters of support as evidence of partnership or collaboration with community organizations and/or other local stakeholders.

### Submission of Applications

Applications should be submitted as Word or PDF files. If you choose to submit your application by e-mail, hard copies do not need to follow.

All applications should be submitted to:

Local Government Program Services, Union of BC Municipalities

E-mail: [lgps@ubcm.ca](mailto:lgps@ubcm.ca)

Mail: 525 Government Street, Victoria, BC, V8V 0A8

### Review of Applications

UBCM will perform a preliminary review of applications to ensure the required application contents have been submitted and to ensure that eligibility criteria have been met. Only complete application packages will be reviewed.

Following this, all eligible applications will be reviewed and scored by the Evaluation Committee. Higher application review scores will be given to projects that:

- Are for planning areas that are required under the *Local Government Statutes (Housing Needs Reports) Amendment Act* to complete a housing needs report;

- Are from communities that do not currently have a housing needs report, or have a report that is more than 5 years old;
- Demonstrate community consultation and public engagement, including collaboration with:
  - Neighbouring local governments
  - First Nations and local Indigenous organizations
  - Non-profit service providers, health authorities, and/or post-secondary institutions
  - Non-profit or for-profit development sector
  - Vulnerable populations
- Include strategies for capacity building for local government staff to undertake housing needs reports and updates;
- Are cost-effective;
- Include in-kind or cash contributions to the project from the eligible applicant, regional partners, or other grant funding.

Point values and weighting have been established within each of these scoring criteria. Only those applications that meet a minimum threshold point value will be considered for funding.

The Evaluation Committee will consider the population and provincial, regional, and urban/rural distribution of proposed projects. Funding decisions will be made on a provincial priority basis.

## **8. Grant Management & Applicant Responsibilities**

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The applicant is responsible for completion of the project as approved and for meeting reporting requirements.

Applicants are also responsible for proper fiscal management, including maintaining acceptable accounting records for the project. UBCM reserves the right to audit these records.

### **Notice of Funding Decision**

All applicants will receive written notice of funding decisions. Approved applicants will receive an Approval Agreement, which will include the terms and conditions of any grant that is awarded, and that is required to be signed and returned to UBCM.

Grants under the Housing Needs Report program will be awarded in two payments: 50% at the approval of the project and when the signed Approval Agreement has been returned to UBCM and 50% when the project is complete and the final reporting requirements have been met.

The initial payment will be made after the signed Approval Agreement is returned to UBCM.

Please note that in cases where revisions are required to an application, or an application has been approved in principle only, the applicant has 30 days from the date of the written notice of the status of the application to complete the application requirements. Applications that are not completed within 30 days may be closed.

## Progress Payments

In exceptional circumstances, to request a progress payment, approved applicants are required to submit:

- Written rationale for receiving a progress payment;
- Description of activities completed to date;
- Description of funds expended to date.

## Changes to Approved Projects

Approved funds are specific to the project as identified in the application, and not transferable to other projects. Approval from the Evaluation Committee will be required for any significant variation from the approved project.

To propose changes to an approved project, approved applicants are required to submit:

- Revised application package, including updated, signed application form, revised budget, and updated Council, Board, or Local Trust Committee resolution(s);
- Written rationale for proposed changes to activities and/or expenditures.

The revised application package will then be reviewed by the Evaluation Committee.

Applicants are responsible for any costs above the approved funds unless a revised application is submitted and approved prior to work being undertaken.

## Extensions to Project End Date

All approved activities are required to be completed within one year of approval and all extensions beyond this date must be requested in writing and be approved by UBCM. Extensions will not exceed one year.

## 9. Final Report Requirements & Process

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Applicants are required to submit an electronic copy of the complete final report, including the following:

- Completed Final Report Form;
- Financial summary;
- Completed Housing Needs Report(s).

### Submission of Final Reports

All final reports should be submitted to:

Local Government Program Services, Union of BC Municipalities

E-mail: [lgps@ubcm.ca](mailto:lgps@ubcm.ca)

Mail: 525 Government Street, Victoria, BC, V8V 0A8

All final reports will be shared with the Province of BC

## 10. Additional Information

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For enquiries about the application process or program, please contact:

Union of BC Municipalities  
525 Government Street  
Victoria, BC, V8V 0A8

Email: [lqps@ubcm.ca](mailto:lqps@ubcm.ca)  
Phone: (250) 952-9177

For more on the Housing Needs Reports requirements, supporting data, and guidance, please visit the Ministry of Municipal Affairs & Housing [website](#).

## Appendix 1: Funding Maximums by Planning Areas

As outlined in Section 6, funding maximums are based on net population of the planning area (using the 2016 Census data).

The following tables outline the net population and eligible funding for each municipality, electoral area, and Local Trust Area in BC, and is organized by Regional District and Islands Trust.

Please note that, where applicable, the populations of Local Trust Areas have been removed from the electoral area in which the island(s) are located. In these cases, funding maximums for the electoral areas are based on net populations.

### Alberni-Clayoquot Regional District

Planning Area	Net Population	Funding Maximum
Alberni-Clayoquot A	243	\$15,000
Alberni-Clayoquot B	443	\$15,000
Alberni-Clayoquot C	677	\$15,000
Alberni-Clayoquot D	1,616	\$15,000
Alberni-Clayoquot E	2,754	\$15,000
Alberni-Clayoquot F	1,935	\$15,000
Port Alberni, City of	17,678	\$30,000
Tofino, District of	1,932	\$15,000
Ucluelet, District of	1,717	\$15,000

### Regional District of Bulkley-Nechako

Planning Area	Net Population	Funding Maximum
Bulkley-Nechako A	5,256	\$20,000
Bulkley-Nechako B	1,938	\$15,000
Bulkley-Nechako C	1,415	\$15,000
Bulkley-Nechako D	1,472	\$15,000
Bulkley-Nechako E	1,593	\$15,000
Bulkley-Nechako F	3,665	\$15,000
Bulkley-Nechako G	903	\$15,000
Burns Lake, Village of	1,779	\$15,000
Fort St. James, District of	1,598	\$15,000
Fraser Lake, Village of	988	\$15,000
Granisle, Village of	303	\$15,000
Houston, District of	2,993	\$15,000
Smithers, Town of	5,401	\$20,000
Telkwa, Village of	1,327	\$15,000
Vanderhoof, District of	4,439	\$15,000

### Capital Regional District

Planning Area	Net Population	Funding Maximum
Juan de Fuca EA	4,860	\$15,000

Salt Spring Island EA	0	\$0
Southern Gulf Islands EA	0	\$0
Central Saanich, District of	16,814	\$30,000
Colwood, City of	16,859	\$30,000
Esquimalt, Township of	17,655	\$30,000
Highlands, District of	2,225	\$15,000
Langford, City of	35,342	\$30,000
Metchosin, District of	4,708	\$15,000
North Saanich, District of	11,249	\$20,000
Oak Bay, District of	18,094	\$30,000
Saanich, District of	114,148	\$70,000
Sidney, Town of	11,672	\$20,000
Sooke, District of	13,001	\$20,000
Victoria, City of	85,792	\$50,000
View Royal, Town of	10,408	\$20,000

### Cariboo Regional District

Planning Area	Net Population	Funding Maximum
Cariboo A	6,265	\$20,000
Cariboo B	3,842	\$15,000
Cariboo C	1,225	\$15,000
Cariboo D	2,929	\$15,000
Cariboo E	4,064	\$15,000
Cariboo F	4,554	\$15,000
Cariboo G	5,156	\$20,000
Cariboo H	1,784	\$15,000
Cariboo I	1,440	\$15,000
Cariboo J	642	\$15,000
Cariboo K	398	\$15,000
Cariboo L	4,204	\$15,000
100 Mile House, District of	1,980	\$15,000
Quesnel, City of	9,879	\$20,000
Wells, District of	217	\$15,000
Williams Lake, City of	10,753	\$20,000

### Central Coast Regional District

Planning Area	Net Population	Funding Maximum
Central Coast A	203	\$15,000
Central Coast C	653	\$15,000
Central Coast D	399	\$15,000
Central Coast E	148	\$15,000

**Regional District of Central Kootenay**

<b>Planning Area</b>	<b>Net Population</b>	<b>Funding Maximum</b>
Central Kootenay A	1,930	\$15,000
Central Kootenay B	4,657	\$15,000
Central Kootenay C	1,482	\$15,000
Central Kootenay D	1,343	\$15,000
Central Kootenay E	3,772	\$15,000
Central Kootenay F	3,963	\$15,000
Central Kootenay G	1,623	\$15,000
Central Kootenay H	4,667	\$15,000
Central Kootenay I	2,534	\$15,000
Central Kootenay J	3,137	\$15,000
Central Kootenay K	1,681	\$15,000
Castlegar, City of	8,039	\$20,000
Creston, Town of	5,351	\$20,000
Kaslo, Village of	968	\$15,000
Nakusp, Village of	1,605	\$15,000
Nelson, City of	10,572	\$20,000
New Denver, Village of	473	\$15,000
Salmo, Village of	1,141	\$15,000
Silverton, Village	195	\$15,000
Slocan, Village of	272	\$15,000

**Regional District of Central Okanagan**

<b>Planning Area</b>	<b>Net Population</b>	<b>Funding Maximum</b>
Central Okanagan	3,824	\$15,000
Central Okanagan J	1,981	\$15,000
Kelowna, City of	127,380	\$70,000
Lake Country, District of	12,922	\$20,000
Peachland, District of	5,428	\$20,000
West Kelowna, City of	32,655	\$30,000

**Columbia Shuswap Regional District**

<b>Planning Area</b>	<b>Net Population</b>	<b>Funding Maximum</b>
Columbia-Shuswap A	3,148	\$15,000
Columbia-Shuswap B	598	\$15,000
Columbia-Shuswap C	7,921	\$20,000
Columbia-Shuswap D	4,044	\$15,000
Columbia-Shuswap E	1,185	\$15,000
Columbia-Shuswap F	2,454	\$15,000
Golden, Town of	3,708	\$15,000
Revelstoke, City of	7,547	\$20,000
Salmon Arm, City of	17,706	\$30,000

Sicamous, District of	2,429	\$15,000
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**Comox Valley Regional District**

Planning Area	Net Population	Funding Maximum
Comox Valley A	5,032	\$20,000
Comox Valley B	7,095	\$20,000
Comox Valley C	8,617	\$20,000
Comox, Town of	14,028	\$20,000
Courtenay, City of	25,599	\$30,000
Cumberland, Village of	3,753	\$15,000

**Cowichan Valley Regional District**

Planning Area	Net Population	Funding Maximum
Cowichan Valley A	4,733	\$15,000
Cowichan Valley B	8,558	\$20,000
Cowichan Valley C	5,019	\$20,000
Cowichan Valley D	3,243	\$15,000
Cowichan Valley E	4,121	\$15,000
Cowichan Valley F	1,629	\$15,000
Cowichan Valley G	1,936	\$15,000
Cowichan Valley H	2,446	\$15,000
Cowichan Valley I	1,206	\$15,000
Duncan, City of	4,944	\$15,000
Ladysmith, Town of	8,537	\$20,000
Lake Cowichan, Town of	3,226	\$15,000
North Cowichan, District of	29,676	\$30,000

**Regional District of East Kootenay**

Planning Area	Net Population	Funding Maximum
East Kootenay A	1,943	\$15,000
East Kootenay B	1,976	\$15,000
East Kootenay C	6,036	\$20,000
East Kootenay E	1,753	\$15,000
East Kootenay F	2,726	\$15,000
East Kootenay G	1,462	\$15,000
Canal Flats, Village of	668	\$15,000
Cranbrook, City of	20,047	\$30,000
Elkford, District	2,499	\$15,000
Fernie, City of	5,249	\$20,000
Invermere, District	3,391	\$15,000
Jumbo Glacier Mtn Resort Municipality	0	\$0
Kimberley, City of	7,425	\$20,000
Radium Hot Springs, Village of	776	\$15,000
Sparwood, District of	3,784	\$15,000



**Fraser Valley Regional District**

<b>Planning Area</b>	<b>Net Population</b>	<b>Funding Maximum</b>
Fraser Valley A	405	\$15,000
Fraser Valley B	915	\$15,000
Fraser Valley C	1,023	\$15,000
Fraser Valley D	1,529	\$15,000
Fraser Valley E	1,540	\$15,000
Fraser Valley F	1,293	\$15,000
Fraser Valley G	1,776	\$15,000
Fraser Valley H	1,847	\$15,000
Abbotsford, City of	141,397	\$70,000
Chilliwack, City of	83,788	\$50,000
Harrison Hot Springs, Village of	1,468	\$15,000
Hope, District of	6,181	\$20,000
Kent, District of	6,067	\$20,000
Mission, District of	38,883	\$30,000

**Regional District of Fraser-Fort George**

<b>Planning Area</b>	<b>Net Population</b>	<b>Funding Maximum</b>
Fraser-Fort George A	3,463	\$15,000
Fraser-Fort George C	3,527	\$15,000
Fraser-Fort George D	4,278	\$15,000
Fraser-Fort George E	526	\$15,000
Fraser-Fort George F	1,246	\$15,000
Fraser-Fort George G	334	\$15,000
Fraser-Fort George H	1,586	\$15,000
Mackenzie, District of	3,714	\$15,000
McBride, Village of	616	\$15,000
Prince George, City of	74,003	\$50,000
Valemount, Village of	1,021	\$15,000

**Greater Vancouver Regional District (Metro)**

<b>Planning Area</b>	<b>Net Population</b>	<b>Funding Maximum</b>
Greater Vancouver A	16,133	\$30,000
Anmore, Village of	2,210	\$15,000
Belcarra, Village of	643	\$15,000
Bowen Island Municipality	3,680	\$15,000
Burnaby, City of	232,755	\$70,000
Coquitlam, City of	139,284	\$70,000
Delta, City of	102,238	\$70,000
Langley, City of	25,888	\$30,000
Langley, Township of	117,285	\$70,000
Lions Bay, Village of	1,334	\$15,000

Maple Ridge, City of	82,256	\$50,000
New Westminster, City of	70,996	\$50,000
North Vancouver, City of	52,898	\$50,000
North Vancouver, District of	85,935	\$50,000
Pitt Meadows, City of	18,573	\$30,000
Port Coquitlam, City of	58,612	\$50,000
Port Moody, City of	33,551	\$30,000
Richmond, City of	198,309	\$70,000
Surrey, City of	517,887	\$70,000
Vancouver, City of	631,486	\$70,000
West Vancouver, District of	42,473	\$30,000
White Rock, City of	19,952	\$30,000

### Regional District of Kitimat-Stikine

Planning Area	Net Population	Funding Maximum
Kitimat-Stikine A	20	\$0
Kitimat-Stikine B	1,473	\$15,000
Kitimat-Stikine C	2,839	\$15,000
Kitimat-Stikine D	99	\$0
Kitimat-Stikine E	3,993	\$15,000
Kitimat-Stikine F	360	\$15,000
Hazelton, Village of	313	\$15,000
Kitimat, District of	8,131	\$20,000
New Hazelton, District of	580	\$15,000
Stewart, District of	401	\$15,000
Terrace, City of	11,643	\$20,000

### Regional District of Kootenay Boundary

Planning Area	Net Population	Funding Maximum
Kootenay Boundary A	1,891	\$15,000
Kootenay Boundary B	1,442	\$15,000
Kootenay Boundary C	1,337	\$15,000
Kootenay Boundary D	3,225	\$15,000
Kootenay Boundary E	2,155	\$15,000
Fruitvale, Village of	1,920	\$15,000
Grand Forks, City of	4,049	\$15,000
Greenwood, City of	665	\$15,000
Midway, Village of	649	\$15,000
Montrose, Village of	996	\$15,000
Rossland, City of	3,729	\$15,000
Trail, City of	7,709	\$20,000
Warfield, Village of	1,680	\$15,000

**Regional District of Mount Waddington**

<b>Planning Area</b>	<b>Net Population</b>	<b>Funding Maximum</b>
Mount Waddington A	885	\$15,000
Mount Waddington B	60	\$0
Mount Waddington C	750	\$15,000
Mount Waddington D	228	\$15,000
Alert Bay, Village of	489	\$15,000
Port Alice, Village of	664	\$15,000
Port Hardy, District of	4,132	\$15,000
Port McNeill, Town of	2,337	\$15,000

**Regional District of Nanaimo**

<b>Planning Area</b>	<b>Net Population</b>	<b>Funding Maximum</b>
Nanaimo A	7,058	\$20,000
Nanaimo B	0	\$0
Nanaimo C	2,808	\$15,000
Nanaimo E	6,125	\$20,000
Nanaimo F	7,724	\$20,000
Nanaimo G	7,465	\$20,000
Nanaimo H	3,884	\$15,000
Nanaimo, City of	90,504	\$50,000
Lantzville, District of	3,605	\$15,000
Parksville, City of	12,514	\$20,000
Qualicum Beach, Town of	8,943	\$20,000

**North Coast Regional District**

<b>Planning Area</b>	<b>Net Population</b>	<b>Funding Maximum</b>
North Coast A	41	\$0
North Coast C	68	\$0
North Coast D	539	\$15,000
North Coast E	340	\$15,000
Masset, Village of	793	\$15,000
Port Clements, Village of	282	\$15,000
Port Edward, District of	467	\$15,000
Prince Rupert, City of	12,220	\$20,000
Queen Charlotte, Village of	852	\$15,000

**Regional District of North Okanagan**

<b>Planning Area</b>	<b>Net Population</b>	<b>Funding Maximum</b>
North Okanagan B	3,203	\$15,000
North Okanagan C	3,870	\$15,000
North Okanagan D	2,672	\$15,000
North Okanagan E	1,010	\$15,000

North Okanagan F	4,000	\$15,000
Armstrong, City of	5,114	\$20,000
Coldstream, District of	10,648	\$20,000
Enderby, City of	2,964	\$15,000
Lumby, Village of	1,833	\$15,000
Spallumcheen, Township of	5,106	\$20,000
Vernon, City of	40,116	\$30,000

### Northern Rockies Regional Municipality

Northern Rockies Regional Municipality	4,831	\$15,000
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### Regional District of Okanagan-Similkameen

Planning Area	Net Population	Funding Maximum
Okanagan-Similkameen A	1,858	\$15,000
Okanagan-Similkameen B	1,047	\$15,000
Okanagan-Similkameen C	3,557	\$15,000
Okanagan-Similkameen D	5,874	\$20,000
Okanagan-Similkameen E	1,903	\$15,000
Okanagan-Similkameen F	2,014	\$15,000
Okanagan-Similkameen G	2,236	\$15,000
Okanagan-Similkameen H	1,953	\$15,000
Keremeos, Village of	1,502	\$15,000
Oliver, Town of	4,928	\$15,000
Osoyoos, Town of	5,085	\$20,000
Penticton, City of	33,761	\$30,000
Princeton, Town of	2,828	\$15,000
Summerland, District of	11,615	\$20,000

### Peace River Regional District

Planning Area	Net Population	Funding Maximum
Peace River B	5,628	\$20,000
Peace River C	6,772	\$20,000
Peace River D	5,920	\$20,000
Peace River E	2,949	\$15,000
Chetwynd, District of	2,503	\$15,000
Dawson Creek, City of	12,178	\$20,000
Fort St. John, City of	20,155	\$30,000
Hudson's Hope, District of	1,015	\$15,000
Pouce Coupe, Village of	792	\$15,000
Taylor, District of	1,469	\$15,000
Tumbler Ridge, District of	1,987	\$15,000

**qathet Regional District**

<b>Planning Area</b>	<b>Net Population</b>	<b>Funding Maximum</b>
qathet A	1,105	\$15,000
qathet B	1,541	\$15,000
qathet C	2,064	\$15,000
qathet D	1,076	\$15,000
qathet E	0	\$0
Powell River, City of	13,157	\$20,000

**Squamish-Lillooet Regional District**

<b>Planning Area</b>	<b>Net Population</b>	<b>Funding Maximum</b>
Squamish-Lillooet A	187	\$15,000
Squamish-Lillooet B	363	\$15,000
Squamish-Lillooet C	1,663	\$15,000
Squamish-Lillooet D	1,057	\$15,000
Lillooet, District of	2,275	\$15,000
Pemberton, Village of	2,574	\$15,000
Squamish, District of	19,512	\$30,000
Whistler, Resort Municipality of	11,854	\$20,000

**Strathcona Regional District**

<b>Planning Area</b>	<b>Net Population</b>	<b>Funding Maximum</b>
Strathcona A	764	\$15,000
Strathcona B	1,035	\$15,000
Strathcona C	2,431	\$15,000
Strathcona D	4,396	\$15,000
Campbell River, City of	32,588	\$30,000
Gold River, Village of	1,212	\$15,000
Sayward, Village of	311	\$15,000
Tahsis, Village of	248	\$15,000
Zeballos, Village of	107	\$15,000

**Sunshine Coast Regional District**

<b>Planning Area</b>	<b>Net Population</b>	<b>Funding Maximum</b>
Sunshine Coast A	2,624	\$15,000
Sunshine Coast B	2,726	\$15,000
Sunshine Coast D	3,421	\$15,000
Sunshine Coast E	3,664	\$15,000
Sunshine Coast F	1,796	\$15,000
Gibsons, Town of	4,605	\$15,000
Sechelt, District of	10,216	\$20,000
Sechelt Indian Government District	692	\$15,000

**Thompson Nicola Regional District**

<b>Planning Area</b>	<b>Net Population</b>	<b>Funding Maximum</b>
Thompson-Nicola A	1,493	\$15,000
Thompson-Nicola B	233	\$15,000
Thompson-Nicola E	1,094	\$15,000
Thompson-Nicola I	1,262	\$15,000
Thompson-Nicola J	1,580	\$15,000
Thompson-Nicola L	2,955	\$15,000
Thompson-Nicola M	1,598	\$15,000
Thompson-Nicola N	762	\$15,000
Thompson-Nicola O	1,323	\$15,000
Thompson-Nicola P	3,672	\$15,000
Ashcroft, Village of	1,558	\$15,000
Barriere, District of	1,713	\$15,000
Cache Creek, Village of	963	\$15,000
Chase, Village of	2,286	\$15,000
Clearwater, District of	2,324	\$15,000
Clinton, Village of	641	\$15,000
Kamloops, City of	90,280	\$50,000
Logan Lake, District of	1,993	\$15,000
Lytton, Village of	249	\$15,000
Merritt, City of	7,139	\$20,000
Sun Peaks Mountain Resort Municipality	616	\$15,000

**Islands Trust**

Denman Island Local Trust Area	1,165	\$15,000
Gabriola Island Local Trust Area	4,033	\$15,000
Galiano Island Local Trust Area	1,044	\$15,000
Gambier Island Local Trust Area	247	\$15,000
Hornby Island Local Trust Area	1,016	\$15,000
Lasqueti Island Local Trust Area	399	\$15,000
Mayne Island Local Trust Area	949	\$15,000
North Pender Island Local Trust Area	2,067	\$15,000
Salt Spring Island Local Trust Area	10,640	\$20,000
Saturna Island Local Trust Area	354	\$15,000
South Pender Island Local Trust Area	235	\$15,000
Thetis Island Local Trust Area	389	\$15,000



# BOARD REPORT

**TO:** Chair and Directors

**File No:** BL 660-02

**SUBJECT:** Amendments to CSR D Building Bylaw No. 660 and a Farm Building Exemption Policy.

**DESCRIPTION:** Report from Marty Herbert, Team Leader Building and Bylaw Services, dated April 9, 2019.

Housekeeping Amendments - Farm Building exemption to Building Bylaw No. 660 and Adoption of Policy P-23.

**RECOMMENDATION #1:** THAT: "Columbia Shuswap Regional District Building Amendment Bylaw No. 660-02" be read a first, second and third time this 16<sup>th</sup> day of May, 2019.

**RECOMMENDATION #2:** THAT: "Columbia Shuswap Regional District Building Amendment Bylaw No. 660-02" be adopted this 16<sup>th</sup> day of May, 2019.

**RECOMMENDATION #3:** THAT: CSR D Policy P-23 - Farm Building Exemption be adopted this 16<sup>th</sup> day of May, 2019.

## SHORT SUMMARY:

CSR D Building Bylaw No. 660 has applied to Electoral Areas B, E and F since March 5, 2018. Electoral Area C was recently included in the Bylaw as a Building Inspection service area on March 4, 2019. Staff have now had a full year to utilize the bylaw, and consider minor housekeeping changes. One major change recommended is to have the bylaw exempt *farm buildings* from requiring a building permit, other than for farm buildings used for cannabis production.

Further, and for clarity, a Farm Building Exemption Policy is proposed in conjunction with the adoption of the bylaw amendments.

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<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"/>
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## BACKGROUND:

Since March 5, 2018, Building Bylaw No. 660 replaced Building Regulation Bylaw No. 630 to start a building regulation service for Electoral Areas B and E in addition to the existing service in Electoral Area F. The following year on March 4, 2019 building inspection service began in Electoral Area C. During the one year period that the Bylaw has been in-force, staff have noted several minor text inconsistencies within the Bylaw prompting these housekeeping amendments.

At this time, staff feel it is no longer warranted to require building permits for *farm buildings* given that their primary purpose is for low occupancy uses such as housing animals and storing farm equipment and supplies, and not for human habitation, office space, commercial or industrial operations. However, now that cannabis use and production has been legalized by the federal government, staff are receiving many enquiries and building permit applications for Cannabis Production Facilities. Given the use and occupancy of these buildings, e.g. offices, laboratories, storage of hazardous materials, extensive

heating and ventilation systems, fire suppression controls, shipping and receiving facilities, etc., staff are of the opinion that such facilities must obtain a building permit for health, safety and environmental reasons regardless if they are to be located on ALR, agricultural or other lands. For these reasons, this bylaw amendment includes separate definitions distinguishing *farm buildings* from cannabis uses and will exempt most *farm buildings* from requiring a building permit, but *farm buildings* used for cannabis production will still need a building permit.

**POLICY:**

In addition to the proposed bylaw amendments, staff also recommend that Farm Building Exemption Policy P-23 be approved, to provide clarity and to define the role of staff in confirming that a proposed *farm building* meets the Bylaw definition and BC Assessment published criteria; *Farm Classification* and *Qualifying Agriculture Use*. The policy will be used by staff and landowners in helping to determine whether or not a proposed *farm building* qualifies for an exemption to the Building Bylaw.

**FINANCIAL:**

There are no financial implications associated with these proposed amendments contained in the Building Amendment Bylaw No. 660-02. Given that the proposed amendments are mostly housekeeping in nature, and that farm buildings used for cannabis production will still be required to obtain a building permit, it is anticipated that building permit revenue will not be impacted in a significant way due to the proposed exemption of *farm buildings* from the bylaw.

**KEY ISSUES/CONCEPTS:**

1. A Building Permit will not be required for a *farm building* conforming to the Bylaw definition and both the land and the use of the building meet BC Assessment definitions for Farm Classification and Qualifying Agriculture Use.
2. A Farm Building Exemption Policy P-23 has been created to provide clarity with regard to how to determine *farm building* exemptions.
3. Definitions added to the Bylaw to clearly distinguish between a *farm building* and *cannabis* uses.
4. Defining streamlined Building Permit application requirements for a *shared interest owner* that simplifies the required approval for development.

All of the proposed bylaw amendments and the policy have been reviewed by CSRD legal counsel.

**SUMMARY:**

Staff have now had a full year to utilize, review and consider changes to Building Bylaw No. 660. Aside from minor housekeeping changes, the most significant change is to exempt a defined *farm building* from requiring a building permit. However, facilities used for the production and distribution of cannabis will still be required to obtain a building permit prior to construction.

**IMPLEMENTATION:**

If the Board adopts the bylaw and policy, staff will update the building inspection public information bulletins, CSRD website and social media posts.

**COMMUNICATIONS:**



Upon Bylaw adoption, staff will communicate news to constituents and general public via CSRD press release, website and social media posts such as Instagram, Twitter and Facebook.

**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.*

**DOCUMENTS AVAILABLE FROM STAFF:**

1. BC Assessment Farm Classification Guide

**Report Approval Details**

Document Title:	2019-05-16_Board_DS_BL660-01_CSRD_Amendment .docx
Attachments:	<ul style="list-style-type: none"><li>- CSRD Building Bylaw Amendment No.660-02.docx</li><li>- CSRD Policy F-23 Farm Building Exemption.DOCX</li><li>- BC_Assessment_Classifying_Farm_Land_2019_04_09.pdf</li></ul>
Final Approval Date:	May 8, 2019

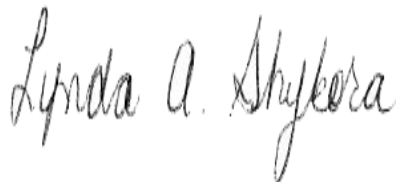
This report and all of its attachments were approved and signed as outlined below:



**Gerald Christie - May 3, 2019 - 4:15 PM**



**Jodi Pierce - May 6, 2019 - 3:22 PM**



**Lynda Shykora - May 7, 2019 - 4:27 PM**



**Charles Hamilton - May 8, 2019 - 9:13 AM**

## COLUMBIA SHUSWAP REGIONAL DISTRICT

### BYLAW NO. 660-02

A bylaw to amend the Columbia Shuswap Regional District Building Bylaw No. 660

WHEREAS the Board of the Columbia Shuswap Regional District wishes to amend the Columbia Shuswap Regional District Building Bylaw No. 660 for clarification and to provide for building permit exemptions for some farm buildings;

NOW THEREFORE the Board of the Columbia Shuswap Regional District, in open meeting assembled, HEREBY ENACTS as follows:

1. Part 3 of Building Bylaw No. 660 is amended as follows:

- a. Section 3.3(d) is repealed and replaced with the following:

(d) a *building* or *structure* commonly known as “Canadian Standards Association Z240 MH series” or “Z241 Park Model series”, except as regulated by the *building code*, which, for clarity, includes site preparation (such as anchorage and foundations) and any exterior additions (such as decks, steps, roofs or stairs).

- b. The following provisions are added after section 3.7:

#### **Limited Application to Farm Buildings**

3.8 A *permit* is not required for a *farm building*. An *owner* is solely responsible for ensuring the design, construction, siting, and use of the *farm building* comply with all applicable bylaws, enactments and regulations, including the *building code*.

2. Section 6.5 is amended to add the words “or if the building official has any reason to believe that an unsafe condition exists” at the end of the sentence.
3. Section 7.15 is amended to remove the reference to section 10.44 and replace it with a reference to section 10.43.
4. Section 10.1 is amended to add “; and” at the end of the sentence in subsection (b) and to add the following provisions after subsection (b):
  - (c) if a parcel of land has multiple owners that own portions of the parcel, the building permit applicant must provide:
    - (i) A land title search, demonstrating that the applicant holds legal title to an interest in the property;

- (ii) A copy of the BC Assessment Role report which indicates which site(s) on the parcel is owned by the applicant, being the site on which the proposed building or structure is to be constructed; and
  - (iii) A copy of the site plan for the proposed development.
- 5. Section 10.2(k) is amended to remove the word “Davison” and replace it with the word “Division”.
- 6. Section 10.4(k) is amended to add “, unless the building is constructed completely under Part 9 of the building code” before the end of the provision and after the words “*building code*”.
- 7. Section 10.15 is amended to remove the reference to section 10.46 and replace it with a reference to section 10.45.
- 8. Section 10.18 is repealed and replaced with the following:
 

10.18 A building permit application expires 180 days from:

  - (a) the date an application is filed if the application is incomplete; or
  - (b) the date a complete application is received under this Part if the building permit is not issued by the application expiration date, unless the permit is not issued only due to delays caused by the Regional District.
- 9. Section 10.20 is amended by removing the heading “Compliance with the *Homeowner Protection Act*” and adding the heading “Compliance with the *Homeowner Protection Act*” between section 10.20 and section 10.21.
- 10. Section 10.24 is amended to remove the reference to section 10.46 and replace it with a reference to section 10.45.
- 11. Section 10.28 is amended to remove the reference to section 10.28 and replace it with a reference to section 10.27, and to add the following sentence to the end of the provision:
 

A building official who monitors a site is not assessing for compliance with the building code, this bylaw or any other enactments, or approving any aspect of construction.
- 12. Subsections 10.30(a)(iii) and (c)(iii) are amended to remove the reference to section 10.31(a) and replace them with a reference to section 10.30(b)(ii).
- 13. Section 10.31, 10.32, 10.33 are amended to remove references to section 10.31 and replace them with references to section 10.30.

14. Section 10.31 is amended to remove reference to section 10.32(a) and (b) and replace it with references to section 10.31(a) and (b).
15. Section 10.37, 10.38, 10.39, and 10.40 are amended to remove references to section 10.36 and replace them with references to section 10.35.
16. Section 10.42 is amended to remove the reference to section 10.42 and replace it with a reference to section 10.41.
17. Section 10.45 is amended to remove the reference to section 10.45 and replace it with a reference to section 10.44.
18. Section 10.54(b) is amended to remove the reference to section 10.53 and replace it with a reference to section 10.52.
19. Section 10.55(b) is amended to remove the reference to section 10.28 and replace it with a reference to section 10.27, and to remove the reference to section 10.35 and replace it with a reference to section 10.34.
20. Section 10.57(j) is amended to remove the reference to “Division C of the *Building Code*” and replace it with “Division A of the *building code*”.
21. Section 15.1 is amended by repealing and replacing the definition of “board” as follows:

*board* means the Board of the Columbia Shuswap Regional District;

22. Section 15.1 is amended by adding the following definitions in alphabetical order:

*Assessment Act* means the *Assessment Act*, RSBC 1996, c 20, and regulations as amended or re-enacted from time to time;

*building* means any construction used or intended for supporting or sheltering any use or occupancy and includes a mobile home;

*cannabis* means cannabis as defined in the *Controlled Drugs and Substance Act* or *Cannabis Act* and includes any products containing cannabis;

*cannabis operation* means the cultivating, growing, producing, packaging, storing, distributing, dispensing, advertising, trading or selling of *cannabis* or its derivatives;

*farm building* means a *building* or part thereof that that does not contain a residential *occupancy* and is:

- (a) located on land classified as farm pursuant to the *Assessment Act* and;
- (b) used primarily for housing equipment or livestock, or the production, storage or processing of agricultural and horticultural produce or feed but does not include a *building* that is used in whole or in part for a *cannabis operation*;

*registered professional* means:

- (c) a person who is registered or licensed to practice as an architect under the *Architects Act*, or
- (d) a person who is registered or licensed to practice as a professional engineer under the *Engineers and Geoscientists Act*;

23. Section 2.6 of Appendix A – Fees is amended to remove reference to CSA A277-M1990 and replace it with reference to CSA A277-16.

24. Appendix B – Value of Work is amended as follows:

- a. The fee in subsection (a)v. is changed from \$108.00 per sq. m. to \$116.30 per sq. m.
- b. The fee in subsection (d)ii. is changed from \$434.40 per sq. m. to \$439.20 per sq. m.

25. This Bylaw may be cited as “Columbia Shuswap Regional District Building Amendment Bylaw No. 660-02”.

READ A FIRST TIME this day of 16<sup>th</sup> day of May, 2019

READ A SECOND TIME this day of 16<sup>th</sup> day of May, 2019

READ A THIRD TIME this day of 16<sup>th</sup> day of May, 2019

ADOPTED this 16<sup>th</sup> day of May, 2019

\_\_\_\_\_  
CORPORATE OFFICER

\_\_\_\_\_  
CHAIR

Certified true copy of Bylaw No. 660-02  
as adopted.

\_\_\_\_\_  
Corporate Officer

## POLICY P-23

### FARM BUILDING EXEMPTION

#### **PURPOSE AND INTENT:**

The purpose of this Policy is to provide guidance for staff, elected officials and property owners regarding the building permit exemption for farm buildings in *Building Bylaw No. 660* (“**Columbia Shuswap Regional District Building Bylaw**”).

#### **DEFINITIONS**

The Building Bylaw defines a farm building as:

*farm building* means a *building* or part thereof that does not contain a residential *occupancy* and is:

- (a) located on land classified as farm pursuant to the *Assessment Act*; and
- (b) used for equipment or livestock, or the production, storage or processing of agricultural and horticultural produce or feed but does not include a *building* that is used in whole or in part for a *cannabis operation*.

Building Bylaw defines “*cannabis*” as meaning “cannabis as defined in the *Controlled Drugs and Substance Act* or *Cannabis Act* and includes any products containing cannabis” and a *cannabis operation* as “the cultivating, growing, producing, packaging, storing, distributing, dispensing, advertising, trading or selling of *cannabis* or its derivatives”.

Section 3.8 of the Building Bylaw states:

#### **Limited Application to Farm Buildings**

3.8 A *permit* is not required for a *farm building*. An *owner* is responsible for ensuring the design, construction, siting, and use of the *farm building* comply with all applicable bylaws, enactments and regulations, including the *building code*.

**PROCEDURE**

1. To qualify for the exemption under s. 3.8 of the Building Bylaw, a farm building:
  - a. cannot contain a residential *occupancy*;
  - b. must be located on land classed as “farm” under the *Assessment Act*;
  - c. must be used for equipment or livestock, or the production, storage or processing of agricultural and horticultural produce or feed; and
  - d. cannot be used (in whole or in part) for a *cannabis operation* or residential *occupancy*.
2. Section 3.8 is a narrow exemption that only applies to permit requirements under the Building Bylaw. A permit is not required for the construction or alteration of buildings that meet the definition of a farm building in the Building Bylaw.
3. An owner who does not apply for a building permit for the construction or alteration of a farm building is responsible for ensuring the design, construction, siting, and use of the farm building comply with the *Building Code* and all applicable enactments, including CSRD bylaws.
4. CSRD may take bylaw enforcement measures against any person who breaches the Building Bylaw, CSRD’s zoning regulations, or any other CSRD bylaw.
5. Regardless of s. 3.8 of the Building Bylaw, an owner may choose to apply for a building permit for a farm building. If an owner chooses to apply for a building permit by filing an application for a building permit for a farm building, the owner waives their right to the exemption under s. 3.8 and must comply with all applicable provisions of the Building Bylaw that would have applied to the development but for s. 3.8.
6. An owner must obtain all applicable permits before changing the use or occupancy of a farm building, regardless of whether the owner obtained a building permit for the farm building’s initial construction (Building Bylaw s. 7.1(g)).
7. If an owner (or their agent) inquires with the CSRD regarding whether a development meets the definition of a “farm building”, CSRD staff may request any of the following information:
  - a. description of the development;
  - b. description of the proposed use of the building;
  - c. a copy of a title search for the property made within 30 days of the date of the inquiry;
  - d. proof of the property’s “farm” classification under the *Assessment Act*.
8. If an owner (or their agent) inquires with the CSRD regarding whether a farm building complies with CSRD’s zoning regulations, CSRD staff may request a site plan, drawn to scale, showing:
  - a. front yard setbacks (from proposed building to property line);
  - b. rear yard setbacks (from proposed building to property line);



- c. side (interior and exterior) yard setbacks (from proposed building to property lines);
  - d. all buildings on the property and their distances to the proposed building; and
  - e. the dimensions of all buildings on the property, including the proposed building.
9. CSRD is not obligated to verify whether the information provided by an owner (or their agent) is accurate or complete.
10. An owner who requests information from CSRD regarding whether a proposed structure qualifies as a farm building or complies with CSRD's zoning regulations remains responsible for ensuring all buildings and structures are built in compliance with the *Building Code*. CSRD will not review plans or other construction documents for compliance with the *Building Code* unless the owner applies for a building permit.
11. By requesting information from CSRD, an owner is not relieved from their responsibility to ensure buildings and structures are built in compliance with all applicable enactments, including CSRD bylaws and the *Building Code*.
12. Any response to an inquiry regarding the farm building exemption or CSRD's zoning regulations provided by CSRD staff is for information only and does not amount to a warranty, representation or assurance that an owner is in compliance with all applicable enactments, including CSRD bylaws and the *Building Code*.

MAY 16, 2019



Log in (<https://www.bcasessment.ca/Home/LoginInfo>) | Register (<https://www.bcasessment.ca/Home/RegistrationInfo>)

## Classifying Farm Land

### What land is eligible for farm class?

The Classification of Land as a Farm Regulation, B.C. Reg. 411/95, made under the Assessment Act, provides that, upon application, the following land may qualify for farm class:

- a) land used for a qualifying agricultural use;
- b) land used for purposes that contribute to a qualifying agricultural use (e.g., irrigation, access to farm outbuildings, shelter belts);
- c) land used for a farmer's dwelling;
- d) land in an agricultural land reserve (ALR) that is used for a retired farmer's dwelling;
- e) land used for the training and boarding of horses when operated in conjunction with horse rearing; and
- f) in some cases, vacant land associated with a farm.

Other requirements will also apply.

All farm structures used in connection with the farm operation, including the farmer's dwelling, will be classified as Class 1 - residential.

### How do I apply?

To have land classified as a farm the next taxation year, the owner must submit a General Application for Farm Classification or a Retired Farmer's Dwelling Land Application. These forms can be found on the Forms page (/forms) under "Farm Forms". For assistance completing the Application form, use our "How to" guide (/services-and-products/Shared%20Documents/How%20to%20Complete%20the%20General%20Application%20for%20Farm%20Classification.pdf) for step by step instructions.

The Farm forms are also available at your local BC Assessment area office. Please submit your application form to the local office by October 31. This application is not required every year, but BC Assessment may require information periodically to support continued farm classification.

The Retired Farmer's Dwelling Land Application is available online here (<https://eforms.bcasessment.ca/Retired%20Farmers%20Dwelling%20Land%20Application.pdf>) and at your local BC Assessment area office.

An application to have land used for a retired farmer's dwelling classified as a farm

(/services-and-products/Shared%20Doc

Guide: Farm Classification in British Col  
products/Shared%20Documents/BCAL15

How to Complete the General Applicatio  
products/Shared%20Documents/How%2

General Application for Farm Classificat  
(<https://eforms.bcasessment.ca/General>

Name

Medical Marihuana and Property Clas  
Classifying Farm Land (/services-and  
Classifying Horse Operations for Farr  
Purposes.aspx)

Classifying Land Leased to Farmers  
Classifying Land Used for a Retired I  
Retired Farmer's Dwelling.aspx)

Farm Classification in British Columb  
Farm land assessment (/services-anc  
Farm Property Inspections (/services-

must be made every year.

For 2014 and subsequent tax years, the deadline is October 31.

## **What if only a part of my property is farmed?**

Land that is used for a purpose other than farming will be classified according to that use. Land that has no present use and located in the ALR may qualify for farm class if part of the parcel is farmed. If the land is not in the ALR, unused land may qualify for farm class if part of the property is farmed, the land is not zoned or held for business, commercial or industrial purposes, and:

- it meets a prescribed highest and best use test;
- at least 50% of the land outside the ALR is in production or contributes to production, provided the land is farmed by the owner; or
- at least 25% of the land outside the ALR is in production, and the farm meets a higher income requirement, provided the land is farmed by the owner.

## **Why does BC Assessment need to know about my farm income?**

To receive and maintain farm class, the land must generate income from one or more qualifying agricultural uses.

Income for the purposes of farm class will be calculated based on the farm gate amount you receive for your qualifying agricultural products. This income must be generated in one of two relevant reporting periods (i.e., once every two years).

For the 2014 and subsequent tax years, the relevant reporting periods will be:

- a) the person's income tax year ending in the calendar year that is two years before the tax year (e.g., the income tax year ending in 2013 for the 2015 tax year); and
- b) the person's income tax year ending in the calendar year that is three years before the tax year (e.g., the income tax year ending in 2012 for the 2015 tax year).

With respect to new farm applications and developing farms, income earned in the taxation year the application is made or production commences (as applicable), may qualify land for farm class the following tax year. There is a different reporting period applicable in these situations because there is no history of farming. You must sell qualifying agricultural products in each reporting period (i.e., every year). Crops grown for home consumption will not be considered part of your farm income. Minimum income requirements are calculated as follows:

- a) \$10,000 on land less than .8 hectares (1.98 acres);
- b) \$2,500 on land between .8 hectares (1.98 acres) and 4 hectares (10 acres);
- c) on land larger than 4 hectares (10 acres), you must earn \$2,500 plus five per cent of the actual value of any farm land in excess of 4 hectares;
- d) \$10,000, in order to qualify unused land where the area in production by the owner makes up at least 25 per cent of the portion of the parcel outside the ALR. Some sales of qualifying agricultural products must occur every year.

## What is “qualifying agricultural use”?

For the purposes of farm classification, qualifying agricultural use is:

- apiculture
- aquaculture
- Christmas tree culture (plantation and cultured native stand)
- dairying
- floriculture
- forage production
- forest seedling and seed production
- fruit and vegetable production
- grain and oilseed production
- herb production
- horticulture
- intense cultivation of plantations of *Populus* species (Poplar trees) and *Salix* species (Willow trees)
- management of the *Betula* species (Birch trees) and the *Acer* species (Maple trees) for the production of sap or syrup
- raising insects for biological pest control
- livestock raising (includes dairying, horse rearing, poultry and egg production, wool, hide, feather or fur production, raising animals for food for human or animal consumption)
- medicinal plant culture
- seed production
- turf production
- raising crops for food for human or animal consumption

The following are not considered qualifying agricultural uses:

- (a) the production of manufactured derivatives from agricultural raw materials;
- (b) the production of qualifying agricultural products for domestic consumption on the farm;
- (c) the production of agricultural by-products other than breeding products;
- (d) agricultural services other than horse stud services;
- (e) the breeding and raising of pets other than horses;



(f) the production of any substance set out in item 1 [opium poppy], or 2 [coca] of the Schedule to the Narcotic Control Regulations under the *Controlled Drugs and Substances Act* (Canada).

(g) the production of any of the following, other than the production of industrial hemp in accordance with the Industrial Hemp Regulations under the *Controlled Drug and Substances Act* (Canada):

(i) cannabis within the meaning of the *Cannabis Control and Licensing Act* whether or not the cannabis is medical cannabis within the meaning of that Act;

(ii) a substance or product derived or produced from a cannabis plant within the meaning of the *Cannabis Control and Licensing Act*.

## **What does “farm gate amount” mean?**

Farm gate amount is the dollar value you receive from direct farm sales, the value of qualifying agricultural products that are used for processing, or, in some cases, crop or livestock insurance payments. In the case of livestock, farm gate amount means the live weight sale price, less any purchase costs and less any slaughter, cut and wrap costs. Sales of cut and wrapped meat will only qualify as income for the purposes of farm class if the poultry or livestock is slaughtered in compliance with the *Meat Inspection Regulation* under the *Food Safety Act*.

## **What happens if I cannot supply sales receipts?**

In the absence of receipts, BC Assessment staff may rely on local market prices or other local sources. You may be required to provide a sales log or other proof of farm sales.

As a result of the changes to the reporting periods, we recommend that you keep receipts, sales logs or other proof of farm income for at least a three-year period.

## **What happens if my farm does not meet the income requirements, if I fail to provide necessary information, or I stop farming?**

BC Assessment will remove the property from farm class.

## **Can I apply to have the farm class re-instated in the future?**

Yes. If you re-apply for farm classification and meet the prescribed qualifications, your property can qualify for farm class.

## **How do I maintain farm class on my land?**

Property already classified as farm land must continue to meet the requirements to receive farm class for the following year. BC Assessment may ask you to provide additional information in support of continued farm classification. Failure to provide the required information about your farm operation will result in the removal of farm classification from your property.

## **What if I buy a property that is already classified "farm"?**

If you plan to continue to farm the property, you are required to submit a General Application for Farm Classification

(<https://eforms.bccassessment.ca/General%20Application%20for%20Farm%20Classification%20-%20Fillable.pdf>) to BC Assessment after you purchase the property. If you are not planning to continue to farm the property, please contact BC Assessment and notify the staff of your plans to cease agricultural activity.

Updated 10/2018

Disclaimer: Where information presented is different from legislation, legislation shall prevail.





# BOARD REPORT

**TO:** Chair and Directors

**File No:** LC2564C  
PL20190046

**SUBJECT:** Electoral Area C: Agricultural Land Commission (ALC) Application  
Section 20(3) – Non-Farm Use in the Agricultural Land Reserve (ALR)  
LC2564C (O'Brien)

**DESCRIPTION:** Report from Erica Hartling, Planner I, dated April 29, 2019.  
2149, 2165, and 2181 Wuori Road, Carlin.

**RECOMMENDATION:** THAT: Application No. LC2564C, Section 20(3) Non-farm use in the ALR for the North West ¼, Section 4, Township 22, Range 10, West of the 6<sup>th</sup> Meridian, Kamloops Division Yale District, except the south east 10 acres and Plans H716, H9970 and KAP66486 be forwarded to the Provincial Agricultural Land Commission recommending approval, on this 16<sup>th</sup> day of May 2019.

## SHORT SUMMARY:

The subject property is located at 2149, 2165, and 2181 Wuori Road in-between the Balmoral and Carlin areas of Electoral Area C. The property owners are applying to the Agricultural Land Commission (ALC) for non-farm use in the Agricultural Land Reserve (ALR) for a third residence to be used as their primary dwelling. There are currently four single family dwellings on the property. Three of the dwellings predate the ALC and are the original farmhouses built in the 1950s and 1960s. The fourth dwelling was constructed in 2018 to replace the older primary dwelling. The property owners are currently in the process of removing the older primary dwelling, creating a total of three dwellings on the subject property.

## VOTING:

Unweighted  
Corporate



LGA Part 14  
(Unweighted)



Weighted  
Corporate



Stakeholder  
(Weighted)



## BACKGROUND:

REGISTERED OWNER(S):  
Geoffrey and Heather O'Brien

APPLICANT:  
Heather O'Brien

ELECTORAL AREA:  
C

LEGAL DESCRIPTION:  
The North West ¼, Section 4, Township 22, Range 10, West of the 6<sup>th</sup> Meridian, Kamloops Division Yale District, except the south east 10 acres and Plans H716, H9970 and KAP66486.

PID:



014-266-865

**CIVIC ADDRESS:**

- 2149 Wuori Road
- 2165 Wuori Road
- 2181 Wuori Road

**SURROUNDING LAND USE PATTERN:**

North = Agricultural

South = Trans-Canada HWY, Agricultural, Mossy Lake

East = Agricultural

West = Agricultural

**CURRENT USE:**

- 40-cow dairy operation;
- 85 acres used for corn and alfalfa crops;
- 53 acres used for pasture; and,
- 2 acres that contain farm buildings, equipment/feed/manure storage, and the 4 dwellings (3 predate 1960s and 1 built in 2018).

**PROPOSED USE:**

No change to the farm operation. The proposal is to allow the dwelling built in 2018 to remain on the property to replace the existing principal residence.

**PARCEL SIZE:**

54.12 ha (133.73 acres)

**DESIGNATION:**

Electoral Area C Official Community Plan Bylaw No. 725

AG – Agriculture

**ZONE:**

N/A – No Zoning Bylaw

**AGRICULTURAL LAND RESERVE:**

100%

**SOIL CAPABILITY:**

See the Soils Map in the attached "Maps\_Plans\_Photos\_LC2564C.pdf".

According to the Canada Land Inventory mapping, the property is split by varying class soils, ranging from Class 2 – Class 5. The soils in the area where the non-farm use is proposed are 70% Class 5 soils with topography as a limiting factor and 30% Class 4 with moisture and topography as limiting factors. The soils are improvable to 60% Class 5 and 40% Class 3, with the same limiting factors previously noted.

**HISTORY:**

See the ALR/History Map in the attached "Maps\_Plans\_Photos\_LC2564C.pdf".

There have been various ALC applications made in the general Balmoral and Carlin area and the following applications are in close proximity or adjacent to the subject property:

- #1436 (1978) was approved by the ALC for a two lot subdivision into a 1 acre and a 32 acre parcel. This application was for a property directly west and adjacent to the subject property.
- #1590-C, 1591-C, and 1592-C (1979) were all approved by the ALC for an exclusion from the ALR. These applications were for three properties to the north of the subject property.
- #1625-C (1979) was approved by the ALC for an exclusion of 33 acres and an inclusion of a tree pasture area along Hendrickson Road. #1625a-C (1980) was approved by the ALC for an amendment to #1625-C to include additional land into the ALR (approx. 20 acres). These two applications were for a property to the northwest of the subject property.
- #1660 (1980) was refused by the ALC for permission to subdivide a 0.4 ha lot from a 2.14 ha property across the highway and southeast of the subject property.

#### SITE COMMENTS:

See the Site Plan and Photos in the attached "Maps\_Plans\_Photos\_LC2564C.pdf".

A site visit was not done for this application. Information provided in this report is based on orthophoto interpretation and information and photos provided by the applicant. The property has access off of Wuori Road from White Creek Frontage Road off of the Trans-Canada Highway. The property is split by the highway and has Mossy Lake in the southwest corner of the lot. A creek runs through the neighbouring property to the northeast and the majority of the neighbouring properties all have agricultural uses and are within the ALR. The subject property is 100% in the ALR and currently has a 40-cow dairy operation, 85 acres of corn/alfalfa crops, 53 acres of pasture, sections of swampy or sloped land, and 2 acres containing the farm buildings, equipment/feed/manure storage, and dwellings.

There are currently four single family dwellings on the property. Three of the dwellings predate the ALC (built in the 1950s and 1960s) and are the original farmhouses. The fourth dwelling was constructed in 2018 to replace the older primary dwelling. The property owners have confirmed they are currently in the process of removing the older primary dwelling and it will be removed no later than this spring 2019.

#### POLICY:

##### **Electoral Area C Official Community Plan Bylaw No. 725**

See the following OCP Policies in the attached "BL725\_Excerpts\_LC2564C.pdf".

- Section 3. Growing Gradually and Wisely
- Section 3.10 Agriculture (AG)
- Section 12.1 Hazardous Lands Development Permit Area (Steep Slope)

Development Services staff became aware of the dwelling constructed in 2018 upon the owner's request for a new house number. Staff informed the owner that in addition to the ALC regulations, a Steep Slope Development Permit is required due to slopes on the property in excess of 30%. Staff have received an application for the Steep Slope Development Permit (Development Permit No. 725-180) and approval of these technical development permits has been delegated to the Manager of Development Services for review and issuance.

#### FINANCIAL:

There are no financial implications to the CSRD as a result of this application.

**KEY ISSUES/CONCEPTS:**

See "Maps\_Plans\_Photos\_LC2564C.pdf" attached.

The proposal is to allow the dwelling built in 2018 to remain on the property to replace the existing principal residence, keeping with and continuing the historic density of three dwellings on the subject property.

The original farmhouses were built in the 1950s and 1960s for the property owners and family members living on the farm at the time. The farm has now been passed down to the current owners who are the third generation of the family to farm the property. Two of the homes are no longer used by family members but have been rented out and the applicant has noted that the size of the owners' dairy farm means that they will not ever likely need a full-time farm hand. The current renters have been living on the farm for 9 years and 3+ years. The renters are seniors and the applicant feels that it would be very challenging for them to find another rental space in this area within the same price range. The applicant is requesting that the ALC allow them to keep the additional dwellings and allow the renters to stay (total of three dwellings).

The property is not subject to a CSRD zoning bylaw and will not require a rezoning application to allow for the third dwelling. The property is designated AG – Agriculture within the OCP, which does not specify or restrict the density of dwellings on lands designated AG. The OCP policy 3.1.2.4, outlines that outside the Village Centre and Secondary Settlement Areas, new residential development is generally discouraged unless co-located with an agricultural use. The subject property is outside these designated settlement areas but the dominant land use is agriculture and the 54.12 ha parcel currently has farm status. The subject residential development is localized to an area with several existing farm buildings and Class 5 soils (topography and moisture as limiting factors) and should not negatively impact the property's current agricultural production. Additionally, the proposed density of three dwellings has been in place since the 1960s and does not appear to intrude or conflict with existing agricultural operations and neighbouring properties.

**SUMMARY:**

Development Services staff is recommending approval of application LC2564C for Non-Farm Use in the ALR for the following reasons:

- The residential development is co-located with an agricultural use (OCP policy 3.1.2.4);
- Agriculture is the primary land use on the property and the proposal is localized to an area with existing buildings and uses that will not negatively impact the current agricultural production; and,
- The proposed single family dwelling density has been in place since the 1960s and does not appear to intrude or conflict with existing agricultural operations and neighbouring properties.

**IMPLEMENTATION:**

If the ALC approves this application, the property owners will be able to maintain the use and density of three dwellings and CSRD Development Services staff will process Development Permit No. 725-180.

**COMMUNICATIONS:**

The recommendation of the Board will be forwarded to the ALC for consideration during its review of this application.

Referrals have been sent to the following:

- Electoral Area C Advisory Planning Commission (APC).

The APC reviewed the application at their April 29, 2019 meeting and passed a resolution in support of the application. The APC notes that the property has a small but working dairy farm and the older homes pre date the ALC regulations. With the age of the operation and the ongoing efforts to conform, the APC feels like this application should get all the support possible.

**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. South Shuswap Zoning Bylaw No. 701
2. Electoral Area C Official Community Plan Bylaw No. 725
3. Electoral Area C Advisory Planning Commission Minutes April 29, 2019

**Report Approval Details**

Document Title:	2019-05-16_Board_DS_LC2564C_O'Brien.docx
Attachments:	- BL725_Excerpts_LC2564C.pdf - Maps_Plans_Photos_LC2564C.pdf
Final Approval Date:	May 6, 2019

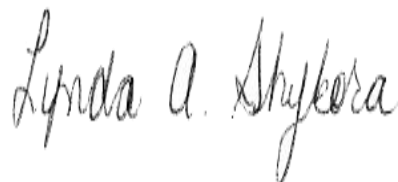
This report and all of its attachments were approved and signed as outlined below:



**Corey Paiement - May 3, 2019 - 11:22 AM**



**Gerald Christie - May 3, 2019 - 1:26 PM**



**Lynda Shykora - May 6, 2019 - 11:40 AM**



**Charles Hamilton - May 6, 2019 - 2:23 PM**

## Relevant Excerpts from Electoral Area C Official Community Plan Bylaw No. 725

(See [Bylaw No. 725](#) for all policies and land use regulations)

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### Section 3. Growing Gradually and Wisely

#### Sustainable Principles

Large areas of rural landscape throughout the South Shuswap will be maintained while encouraging gradual, sustainable, moderate and efficient development in the existing settled areas.

A range of housing choices is supported, taking into account affordability for existing residents, particularly for young families and seniors. Only ground-oriented housing is appropriate near the Lakes; more dense forms of housing must be located away from the Lakes.

Agriculture, tourism and forestry are supported as the foundations of the economy, while economic diversification that has low impact on the area's character and natural environment is encouraged. The establishment of a business park that attracts clean industries and complements existing businesses is also encouraged.

#### 3.1.2 Policies

.4 Outside the Village Centre and Secondary Settlement Areas, new residential development is generally discouraged unless co-located with an agricultural use. Strip commercial development between these development areas is not acceptable.

### 3.10 Agriculture (AG)

#### 3.10.1 Policies

- .1 The lands designated as Agriculture (AG) are shown on Schedules B and C. In general, these are lands with half or more of their area lying within the Provincially-designated Agricultural Land Reserve at the time of writing of this Plan. Land lying within the Agricultural Land Reserve is identified on Schedule E – ALR Map. Agriculture is the primary and dominant land use, with a full range of crop and livestock production activities permissible, as well as homes, buildings and structures associated with agricultural operations.
- .2 The minimum parcel size of land for subdivision within the Agriculture land use designation is 60 hectares (148 acres).

- .3 New subdivision is discouraged within the Agriculture designation, other than subdivision along ALR boundaries or subdivision or parcel consolidations demonstrated not to have an intrusive or conflicting impact on the surrounding agricultural community.
- .4 The Agriculture land use designations encompass agricultural uses, and uses accessory to agriculture. Subject to the guidelines of the Agricultural Land Commission and the zoning bylaw the following uses are appropriate in lands designated Agriculture: agritourism operations and agri-accommodation, and uses which will not affect the long-term agricultural capability of the land.

## 12.1 Hazardous Lands Development Permit Areas (Steep Slope)

### 12.1.1 Purpose

The Hazardous Lands Development Permit Area is designated under the Local Government Act for the purpose of protecting development from steep slope hazardous conditions.

### 12.1.2 Justification

Whereas steep slopes pose a potential landslide risk, a Hazardous Lands Development Permit Area is justified so that DP guidelines and recommendations from qualified engineering professionals are utilised prior to development in steep slope areas in order to provide a high level of protection from ground instability and/or slope failure.

### 12.1.3 Area

All properties, any portion of which, contain slopes 30% or greater are designated as Hazardous Lands Development Permit Area (Steep Slope). These are referred to as 'steep slope' areas below. The CSRD requires a slope assessment of slope conditions as a condition of development permit issuance. Provincial 1:20,000 TRIM mapping, using 20m (66ft) contour information, may provide preliminary slope assessment; however, a more detailed site assessment may be required.

### 12.1.4 Exemptions

A Hazardous Lands Development Permit is not required for the following:

- .1 A single storey accessory building with a gross floor area less than 10 m<sup>2</sup> (107.4 ft<sup>2</sup>) which are placed on slopes of less than 30%;
- .2 Non-structural **external** repairs or alterations exempted by the BC Building Code; or
- .3 Non-structural **internal** repairs or alterations exempted by the BC Building Code which do not create sleeping accommodations or bedrooms.

### 12.1.5 Guidelines

- .1 Whenever possible placement of buildings and structures should be considered first in non-steeply sloped areas, i.e. less than 30% slope;

- .2 In order to protect against the loss of life and to minimize property damage associated with ground instability and/or slope failure, development in steep slope areas is discouraged;
- .3 Occupant and public safety shall be the prime consideration of the qualified geotechnical professional and the CSRD prior to approval of development in steeply sloped areas; and,
- .4 Geotechnical reports from qualified geotechnical professionals must address best engineering practices in the field of geotechnical engineering and provide detailed recommendations. At the discretion of CSRD staff an independent third party review of the submitted report(s) may be undertaken.

Where steep slope areas are required for development, development permits addressing Steep Slopes shall be in accordance with the following:

For subdivision, either 12.1.5.5 or 12.1.5.6 applies:

- .5 Submission of a geotechnical report by an Association of Professional Engineers and Geoscientists of British Columbia (APEGBC) registered professional with experience in geotechnical engineering.
  - a. The geotechnical report, which the Regional District will use to determine the conditions and requirements of the development permit, must certify that the land may be used safely for the use intended.
  - b. The geotechnical report must explicitly confirm all work was undertaken in accordance with the APEGBC Legislated Landslide Assessment Guidelines.
  - c. The report should include the following types of analysis and information:
    - i. site map showing area of investigation, including existing and proposed: buildings, structures, septic tank & field locations, drinking water sources and natural features, including watercourses;
    - ii. strength and structure of rock material, bedding sequences, slope gradient, landform shape, soil depth, soil strength and clay mineralogy;
    - iii. surface & subsurface water flows & drainage;
    - iv. vegetation: plant rooting, clear-cutting, vegetation conversion, etc.
    - v. recommended setbacks from the toe and top of the slope;
    - vi. recommended mitigation measures; and
    - vii. recommended 'no-build' areas.
  - d. Development in steep slopes should avoid:
    - i. cutting into a slope without providing adequate mechanical support;
    - ii. adding water to a slope that would cause decreased stability;
    - iii. adding weight to the top of a slope, including fill or waste;

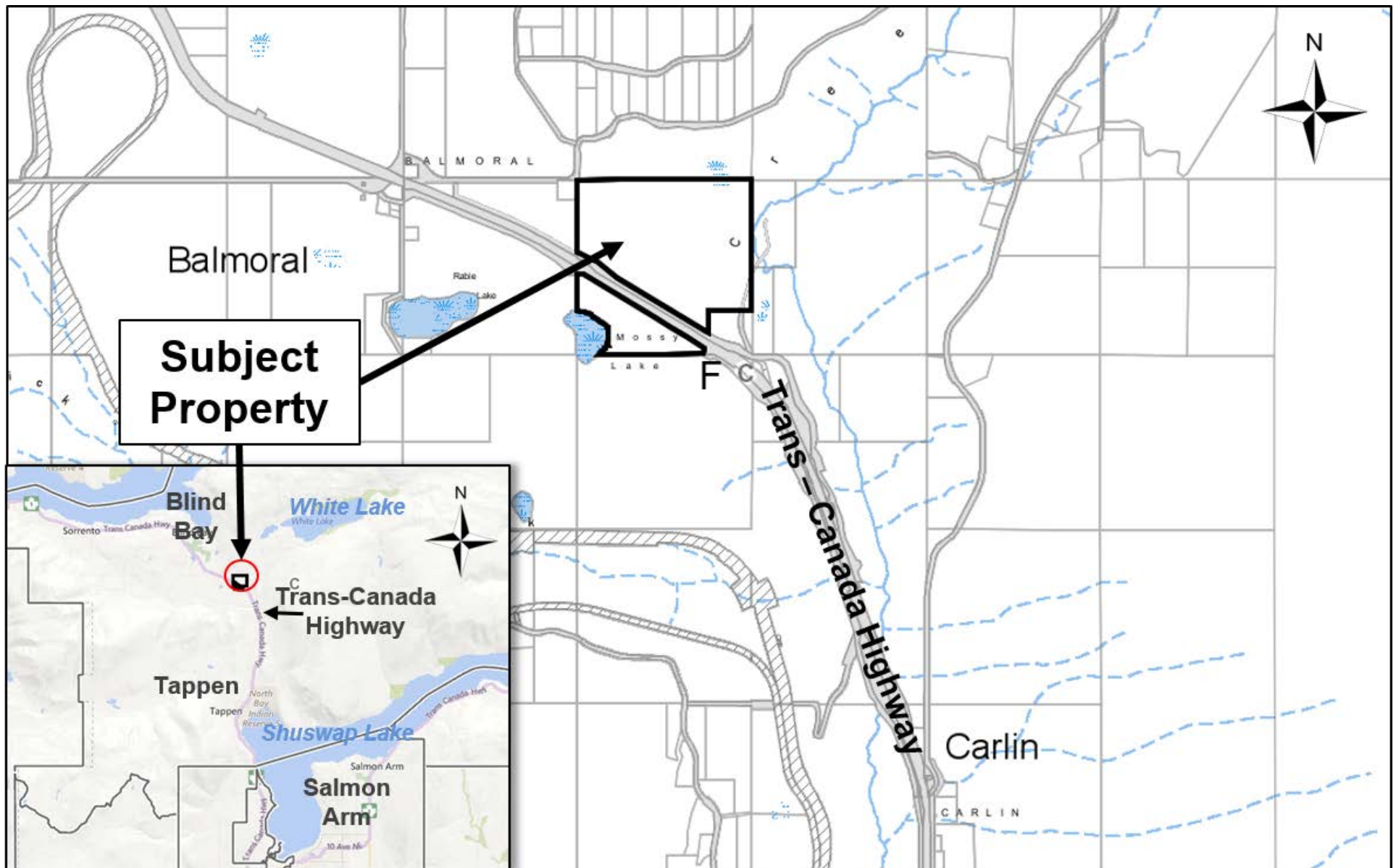


- iv. removing vegetation from a slope;
  - v. creating steeper slopes; and
  - vi. siting Type 1, 2 and 3 septic systems and fields within steep slopes.
- e. A Covenant may be registered on title identifying the hazard and remedial requirements as specified in the geotechnical or engineering reports for the benefit and safe use of future owners.
- .6 Registration of a Covenant on title identifying hazards and restrictions regarding construction, habitation or other structures or uses on slopes of 30% and greater.

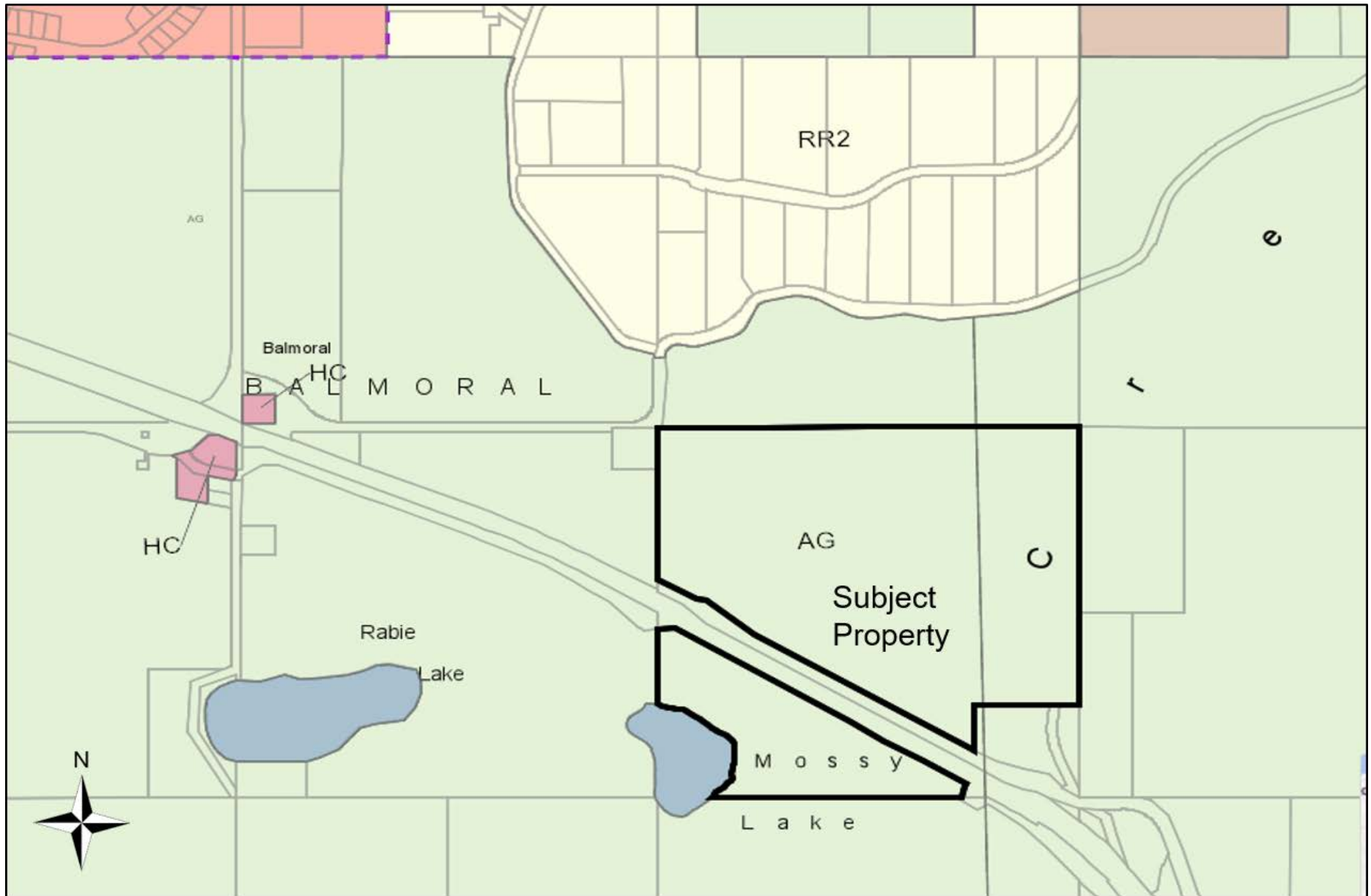
For construction of, addition to or alteration of a building or other structure:

Compliance with and submission of the relevant geotechnical sections of Schedule B-1, B-2 and C-B of the BC Building Code by an Association of Professional Engineers and Geoscientists of British Columbia (APEGBC) registered professional with experience in geotechnical engineering. A Covenant may be registered on title identifying hazards and restrictions regarding construction, habitation or other structures or uses on slopes of 30% or greater.

## Location

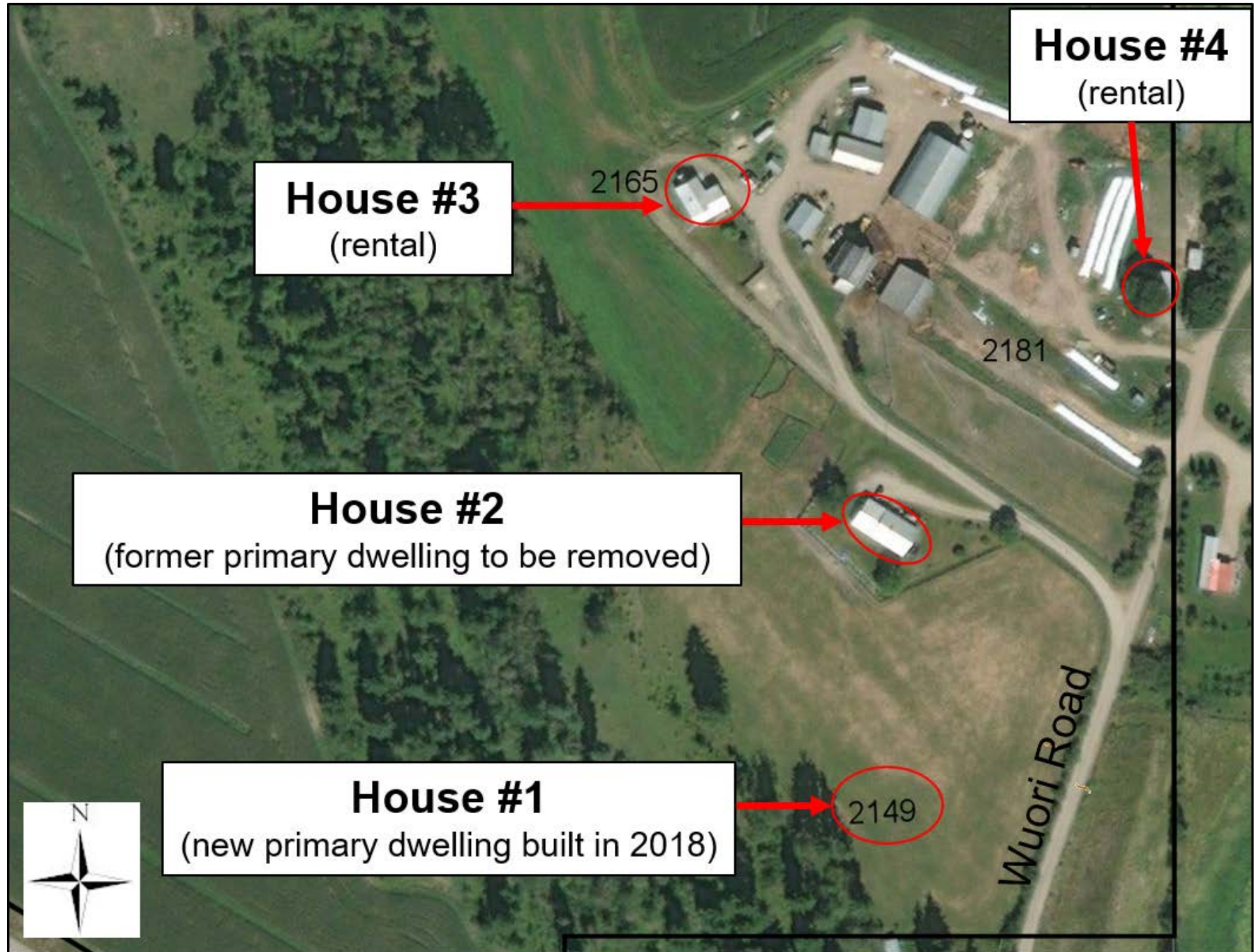


Electoral Area C Official Community Plan Bylaw No. 725

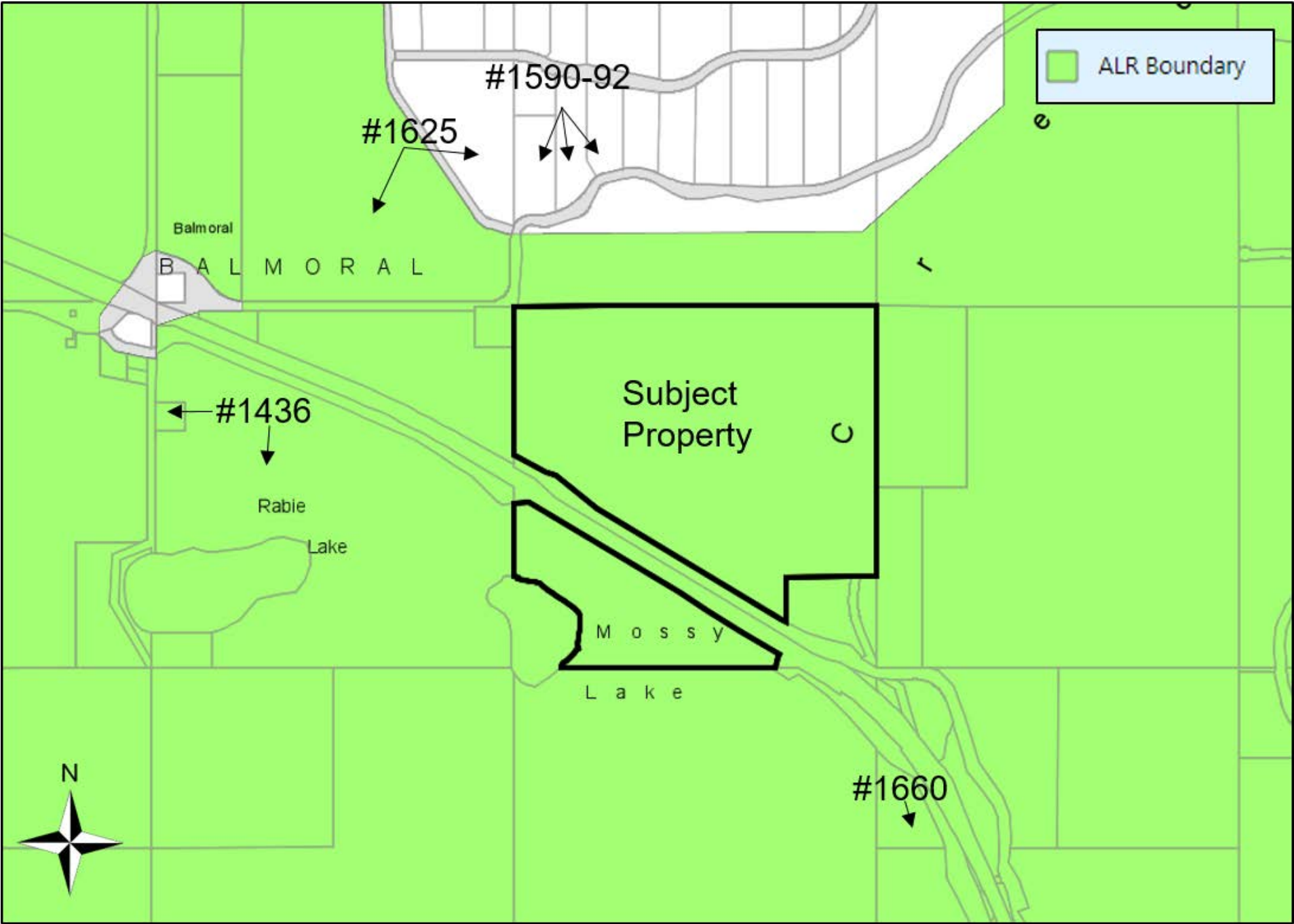




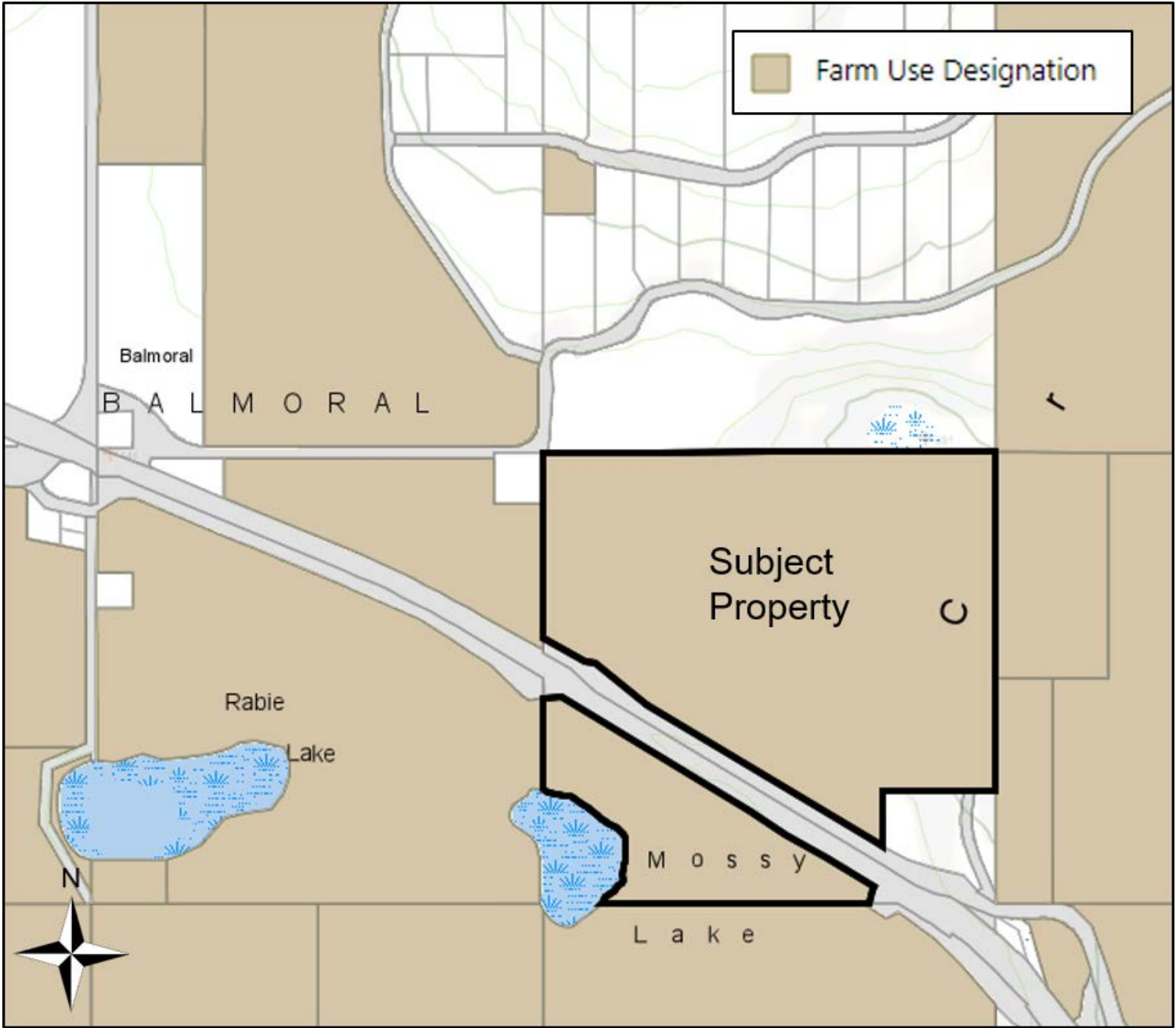
# Proposed Site Plan – Three dwellings



ALR/History Map

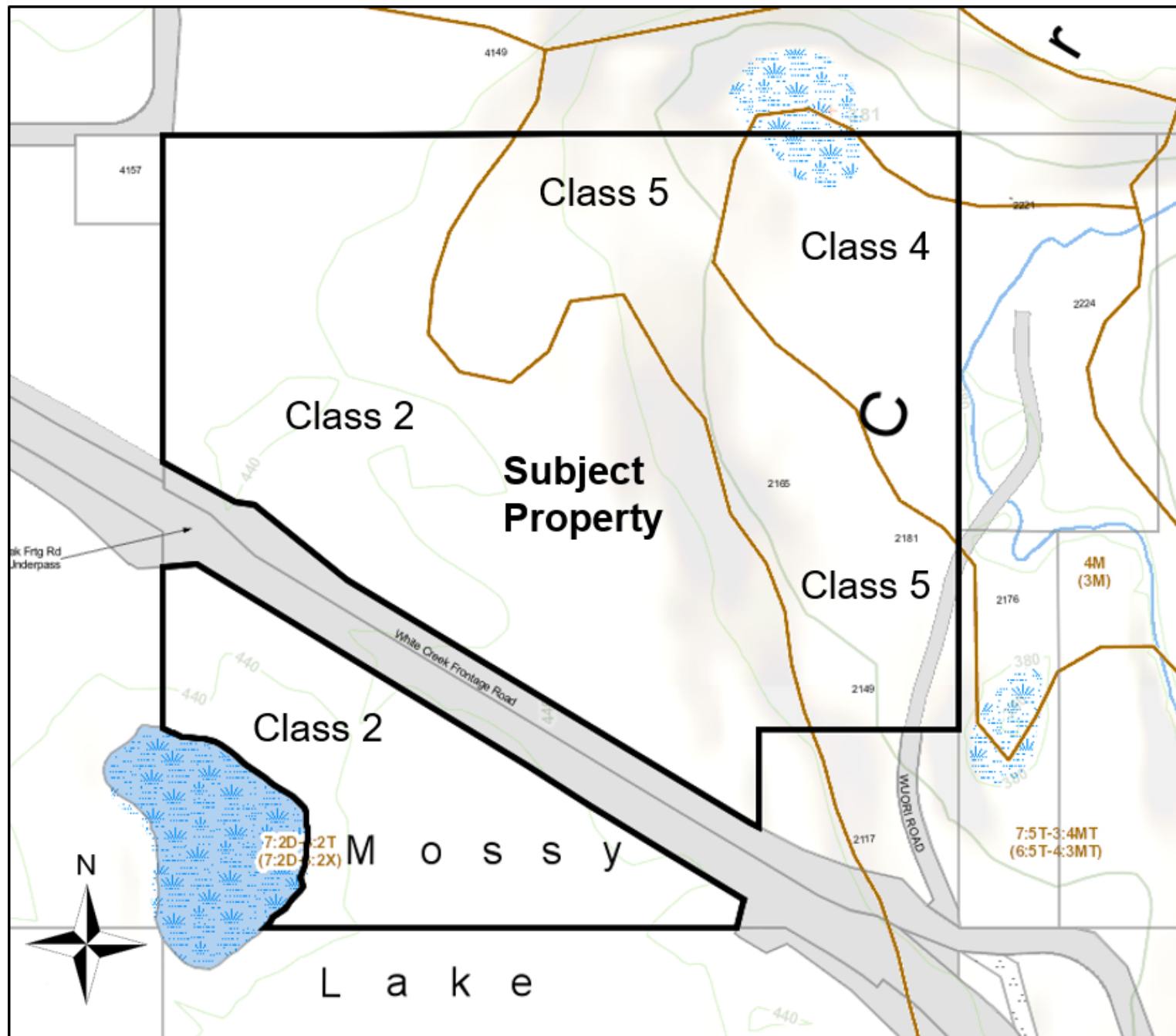


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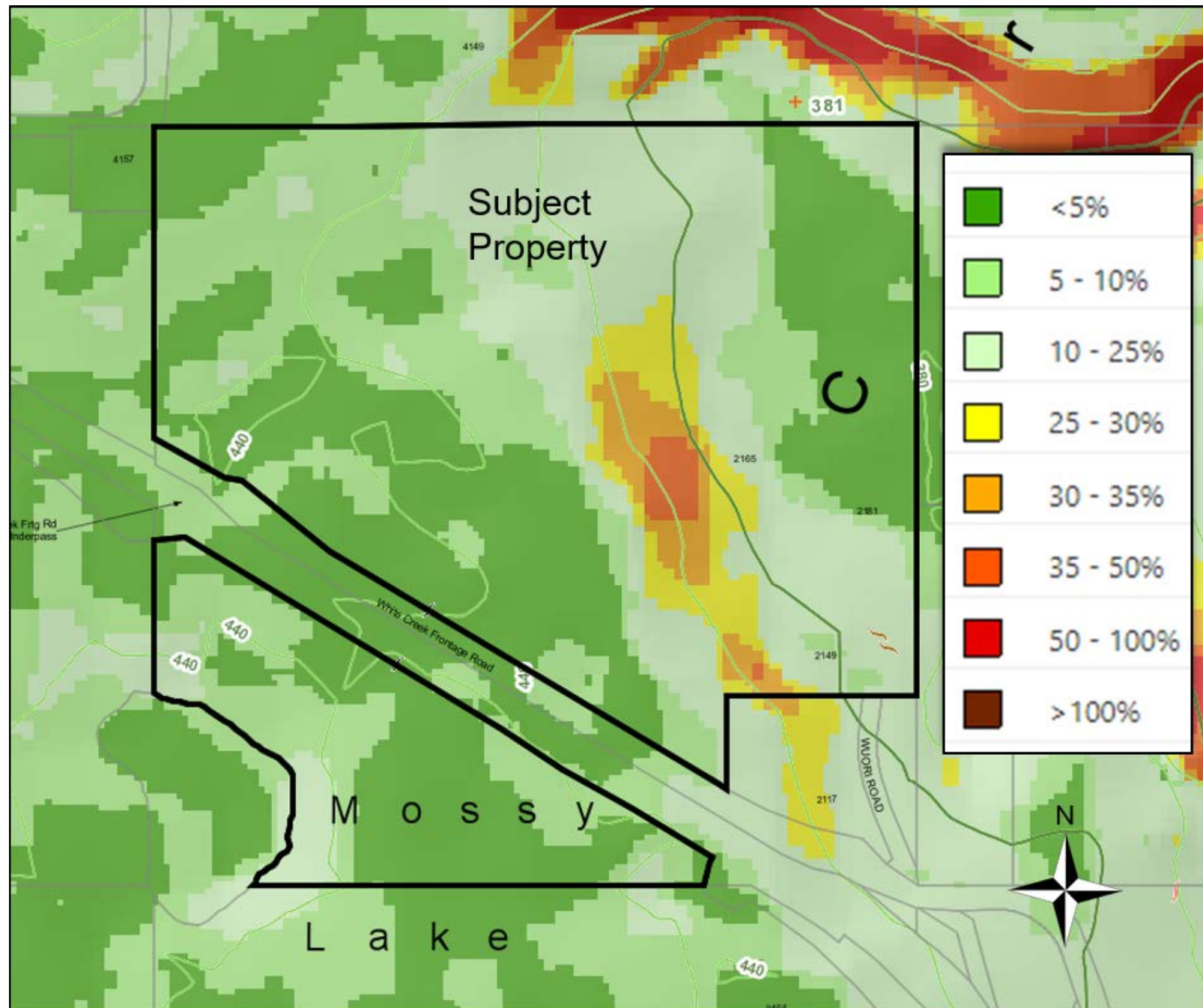




## Soils



## Slopes - 20 m Contours





Orthophoto





## Photos Submitted by Applicant

Ariel View of the existing buildings looking southwest





Primary dwelling built in 2018 (House # 1 on ariel view image)





Old Primary dwelling to be removed (House # 2 on ariel view image)





Existing rental dwelling (House # 3 on ariel view image)





Existing rental dwelling (House # 4 on ariel view image)







# BOARD REPORT

**TO:** Chair and Directors

<b>File No:</b>	LC2566D CV20190000062
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**SUBJECT:** Electoral Area D: Agricultural Land Commission (ALC) Application  
Section 20 (2) – Non-farm Use (Phoebus)

**DESCRIPTION:** Report from Jan Thingsted, Planner III, dated April 30, 2019  
4860 Hoath Road, Falkland

**RECOMMENDATION #1:** THAT: Application LC2566D, DL 2250, Osoyoos Division, Yale District, Except Plans 15009, 35631, 38492 and KAP45742, be forwarded to the Agricultural Land Commission recommending approval this 16<sup>th</sup> day of May, 2019.

**RECOMMENDATION #2:** THAT: Notwithstanding CSR District Cannabis Related Business Policy A-72 and its statement "Cannabis related businesses are not supported on Land within the Agricultural Land Reserve (ALR)", the Board waive this statement for application LC2566D since the proposed facility will likely have little to no negative impact on the agricultural capability of the subject parcel and surrounding farmland this 16<sup>th</sup> day of May, 2019.

## SHORT SUMMARY:

The agent is applying to the Agricultural Land Commission (ALC) for non-farm use permission to establish a federally licensed standard-cultivation cannabis production facility ("facility") at 4860 Hoath Road, Falkland, Electoral Area D. The footprint of the proposed production building is 5739 m<sup>2</sup> (61,776 sq. ft.) with a concrete-floor. The total area of land requested for non-farm use is 1.5 ha (15,000 m<sup>2</sup>).

<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"/>
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## BACKGROUND:

REGISTERED OWNERS:  
Laura Phoebus (Cleary)

APPLICANT:  
Laura Phoebus (Cleary)

AGENT:  
Emrys Phoebus (Greenview Acres Inc.)  
ELECTORAL AREA:  
D (Salmon Valley)

LEGAL DESCRIPTION:  
DL 2250, Osoyoos Division, Yale District, Except Plans 15009, 35631, 38492 and KAP45742

PID:

001-628-038

**CIVIC ADDRESS:**

4860 Hoath Road, Falkland

**SURROUNDING LAND USE PATTERN:**

North: Rural (ALR)

South: Rural Holdings (forested)

East: Rural Holdings (ALR)

West: Rural Holdings (forested)

**CURRENT USE:**

Residential (one single-family dwelling)

**PROPOSED USE:**

Standard cultivation licenced medical cannabis production facility

Residential use may continue

**PARCEL SIZE:**

16.17 HA

**DESIGNATION/ZONE:**

Salmon Valley Land Use Bylaw No. 2500

RH – Rural Holdings

**PROPOSED DESIGNATION/ZONE:**

No proposed change

**AGRICULTURAL LAND RESERVE:**

100%

**SOIL CAPABILITY:**

The Canada Land Inventory agricultural ratings of the subject property are 7:5PT (70% Class 5 soils with stoniness and adverse topography as limiting factors) and 3:4PM (30% Class 4 soils with stoniness and moisture deficiency as limiting factors). According to the ALC's agricultural capability classification system, land in Class 5 is generally limited to the production of perennial crops or other specially adapted crops while land in Class 4 has limitations which make it suitable for only a few crops. The soils on the subject property are deemed not improvable.

The Agrologist's Inspection Report (prepared by Wayne A. Blashill, PAg), dated April 2019, concludes that for the footprint area of the proposed building that the unimproved rating for soil moisture deficiency would be 5PA (in a very gravelly sand) and that there is no improved rating for 5A or a poor 5PM, hence the combined rating for the footprint area in its original condition is:

5PA

The report asserts that the facility will improve the agricultural capability of the footprint area from 5PA to 1PA:



*"The farm building is climate controlled and will improve the climatic capability for agriculture at the site. A wider range of crops can be grown. The building will have no limitations due to stoniness or soil moisture deficiency; since the soil will have 0% coarse fragments, will be irrigated and have a loam texture. The farm building will improve the original footprint capability rating to: 5PA (1PA)."*

To view the Agrologist's report see: "Agrologist\_report\_APR-2019\_ LC2566D.pdf" attached.

#### ALR APPLICATION HISTORY:

- 1101 (1975) – ALC refused a proposed three-lot subdivision
- 1779 (1981) - ALC approved a subdivision creating one 0.4 ha lot
- 1736 (1982) - ALC approved subdivision creating seven 4 ha lots
- 1719 (1983) - ALC approved a block exclusion (1220 ha) and inclusion (16.5 ha) – application made by the CSRD
- 1786 (1987) - ALC approved a two-lot subdivision (divided by the Salmon River)

#### ALC APPLICATION INFORMATION (completed by applicant/agent):

see: "Project\_Description\_LC2566D.pdf"

#### COVENANTS:

KG36982- Easement

To view applicable maps and plan see: "Maps\_Plans\_LC2566D.pdf" attached.

#### **POLICY:**

#### **Salmon Valley Land Use Bylaw No. 2500**

#### Relevant Objectives and Policies:

##### *1.7 Rural and Agricultural Character*

###### Objective

*1.7.1 An objective of the Regional Board is to generally preserve the rural and agricultural character of the area and ensure the continued viability of economic activities based on agriculture and forestry resources.*

###### Policy

*1.7.2 The policies of the Regional Board are as follows:*

- .1 On Schedule A, the OCP Designation Maps, the rural and agricultural areas are designated as R (Rural)*

##### *1.8 Land Resource Capability*

###### Objective

*1.8.1 An objective of the Regional Board is to generally encourage a pattern of land use that respects the capability of the land-based resources to support various uses.*

###### Policies

*1.8.2 The policies of the Regional Board are as follows:*

- .1 Agricultural activities shall be encouraged on land with moderate to excellent agricultural capability in the valley bottoms;*

*.2 Agricultural activities shall also be encouraged to locate away from streams. If agricultural activities were located adjacent to streams, a buffer should be provided between streams and agricultural activities;*

## **2.5 RH Rural Holdings**

### **Permitted Uses**

*2.5.1 The following uses and no others are permitted in the area zoned as RH:*

- .1 agriculture;*
- .2 church;*
- .3 equestrian centre;*
- .4 fish farms;*
- .5 home occupation;*
- .6 kennel;*
- .7 single family dwelling;*
- .8 accessory use.*

*"agriculture" means (a) the growing, rearing, producing or harvesting of agricultural crops, fur bearing animals, poultry or other livestock; and includes (b) the storage sale and processing of primary agricultural products harvested, reared or produced by the farming operation; and (c) the storage and repair of farm machinery, implements and supplies.*

Refer to Salmon Valley Land Use Bylaw No. 2500 for all Objectives, Policies, and Zoning information.

## **Cannabis Related Business Policy A-71**

Relevant excerpts from the Policy:

### *Part Two: Criteria for Reviewing Licence Applications*

#### *1. Location of Cannabis Related Businesses*

*b. Cannabis related businesses are not supported on:*

- Residential properties*
- Land within the Agricultural Land Reserve (ALR)*

*c. A minimum separation distance of 300 m is recommended between a cannabis related business and the following locations (the minimum distance is calculated as a straight line from the edge of each parcel):*

- Day Cares*
- Health Care Facilities*
- Libraries*
- Parks*
- Playgrounds*
- Schools*
- Other cannabis related businesses*

*d. Minimum cannabis production facility (includes all buildings and structures) setbacks from property lines:*

- 60 m setback to exterior lot line*
- 90 m setback to front lot line*

- 30 m to other lot lines

*e. Minimum cannabis production facility (includes all buildings and structures) setbacks from watercourses:*

- 30 m

Refer to: "Cannabis\_Related\_Business\_Policy\_A-71.pdf" for the complete Policy.

## **Agricultural Land Commission Act**

Relevant excerpts from ALC Act:

### *Section 20*

#### *Non-farm use of land within agricultural land reserve*

*(1) A person must not use agricultural land for a non-farm use unless permitted under section 25 or 45 or the regulations.*

*(2) A person may apply to the commission for permission under section 25 for a non-farm use of agricultural land if the person*

*(a) is an owner of the agricultural land, or*

*(b) has a right of entry, granted under an enactment, to the agricultural land*

## **Agricultural Land Reserve Regulation**

Relevant excerpts from ALR Regulation:

### *Section 2(2.5)*

#### *Cannabis*

*8 (1) The use of agricultural land for producing cannabis lawfully may not be prohibited as described in section 4 if the cannabis is produced*

*(a) outdoors in a field, or*

*(b) inside a structure that, subject to subsection (2), has a base consisting entirely of soil.*

*(2) The use of agricultural land for producing cannabis lawfully may not be prohibited as described in section 4 if the cannabis is produced inside a structure that meets both of the following conditions:*

*(a) the structure was, before July 13, 2018,*

*(i) constructed for the purpose of growing crops inside it, including but not limited to producing cannabis lawfully, or*

*(ii) under construction for the purpose referred to in subparagraph (i), if that construction*

*(A) was being conducted in accordance with all applicable authorizations and enactments, and*

*(B) continues without interruption from the date it began until the date the structure is completed, other than work stoppages considered reasonable in the building industry;*

*(b) the structure has not been altered since July 13, 2018 to increase the size of its base or to change the material used as its base.*

## **FINANCIAL:**

There are no financial implications to the CSRD with regard to this application.

## **KEY ISSUES/CONCEPTS:**

The applicant is requesting non-farm use permission from the ALC to operate a standard-licensed medical cannabis production facility on ALR land in a proposed 61,776 sq. ft. (5739 m<sup>2</sup>) building, with a concrete floor. The total area of land requested for non-farm use is 1.5 ha (15,000 m<sup>2</sup>), which will include the building and a parking-lot.

The following timeline summarizes the history of the applicant's proposal and ALC application:

- November 7, 2017 - Agent discusses the proposal with CSRD Planning staff. Staff inform the agent of the ALC's January 2014 Information Bulletin on cannabis production which stated that *"... if a land owner is lawfully sanctioned to produce marihuana for medical purposes, the farming of said plant in the Agricultural Land Reserve (ALR) is allowed and would be interpreted by the Agricultural Land Commission as being consistent with the definition of "farm use" under the ALC Act."* Staff also provides the agent the name and contact information for the ALC's Okanagan planner.
- March 26, 2018 - Agent discusses the proposal again with CSRD Planning staff. Staff verifies CSRD land use regulations and the ALC's January 2014 Information Bulletin.
- June 7, 2018 - Agent applies to Health Canada to become a Licensed Producer of medical marihuana under the ACMPR. CSRD receives a copy of the notification letter. The proposal complies with CSRD land use regulations and policies, and also ALR regulations.
- June 21, 2018 - CSRD Board adopts "Cannabis Related Business Policy A-71" which does not support cannabis production facilities on ALR land.
- July 13, 2018 - ALR regulations are amended to specify that only cannabis grown outdoors in a field, or inside a structure with a base consisting of entirely of soil is to be considered farm-use. An exception is made for facilities that were "under construction" before July 13, 2018. For a structure to have been "under construction" before July 13, 2018, ground disturbance (such as excavation for laying foundation) must have commenced before that date.

- November 6, 2018 – CSRD staff speak with agent about the change to ALR regulations and the recently adopted Policy A-71. Agent informs staff that an application to the ALC for non-farm use may be necessary. CSRD staff confirm with the agent that building permits are not currently required in Electoral Area D.
- December 18, 2018 - A letter from the ALC is sent to the agent stating: *"ALC staff does not consider the state of progress you have described to meet the test of being "under construction" as referenced in the Regulation... ALC staff consider that a non-farm use application must be submitted."*
- February 22, 2019 - A follow-up letter from the ALC is sent to the agent stating: *"ALC staff continue to hold the view that the facility was not "under construction" and that, therefore, it is not a designated farm use under s. 2(2.5) of the Regulation. As such, it is also ALC staff's view that proceeding with the facility without making a non-farm use application and obtaining Commission approval for the use would contravene the ALC Act."*
- March 6, 2019 - Agent submits a non-farm use application.

The timeline above shows that when the agent first contacted the CSRD in November 2017 and subsequently submitted his application to Health Canada on June 7, 2018, the proposal appeared to be in compliance with both ALR regulations and CSRD land use regulations and policies. However, the June 21, 2018 adoption of CSRD Policy A-71 and the July 13, 2018 change to ALR regulations caused the proposed facility to no longer be in compliance with CSRD Policy and ALC Regulations.

It is the agent's view that the Greenview Acres Inc. facility was under construction prior to July 13, 2018 and should therefore be allowed to continue building and development proceed. He argues with the ALC that the test under section 2(2.5) of the ALR Regulation has been met and a non-farm use application should not be required. Notwithstanding, the agent has decided to submit a non-farm use application.

#### Salmon Valley Land Use Bylaw No. 2500

The subject parcel is zoned and designated Rural Holdings in Salmon Valley Land Use Bylaw No. 2500. The Rural Holdings zone permits "Agriculture" on the subject property which allows the growing, producing and harvesting of agricultural crops, plus the processing of primary agricultural products harvested and produced by the farming operation. Cannabis production fits this definition since cannabis it is an agricultural crop processed on site as part of a farming operation. Bylaw No. 2500 does not contain policies or regulations which specifically exclude cannabis production.

Objective 1.7.1 of Bylaw No. 2500 states that the: *"Regional Board is to generally preserve the rural and agricultural character of the area and ensure the continued viability of economic activities based on agriculture and forestry resources."*

#### Cannabis Related Business Policy A-71

When reviewing applications for cannabis production facilities staff look to the Cannabis Policy. The Cannabis Policy outlines the criteria for reviewing applications for cannabis license applications. This includes the location of the proposed business in terms of the type of property it is proposed to be

located on. Cannabis related businesses are not supported on residential properties or land in the ALR, and where zoning exists cannabis production facilities may only be permitted in Industrial zones. The distance of the proposed business from other uses considered to be incompatible with cannabis related businesses including schools, playgrounds, day cares, health care facilities, libraries, parks, and any other public space are outlined in the policy. Minimum setbacks from property lines and watercourses for all buildings and structures associated with cannabis production facilities are also included.

The proposed facility meets all location criteria in Policy A-71 except that it is located on ALR land. It should be noted that the adoption of Policy A-71 on June 21, 2018 came after the initial contact with the agent and the subsequent licence application to Health Canada.

The table below shows the relevant Cannabis Related Business policies and whether or not the proposed facility meets the Policy's criteria.

Cannabis Policy	Yes/No?	Comments
<b>Land Use Regulations:</b>		
Is the property subject to zoning?	yes	Property is zoned Rural Holdings
Property is zoned Industrial	n/a	no
Property is <b>zoned</b> Residential	n/a	no
Property is in the ALR	<b>yes*</b>	100% in the ALR (*Policy does not support cannabis related business in the ALR)
<b>Is the proposed facility located within 300 m of the following land uses:</b>		
Parks	no	Nearest park in Falkland
Schools	no	Nearest school Falkland
Health Care Facilities	no	Nearest facility in Falkland
Libraries	no	Nearest library in Falkland
Day Cares	no	Nearest facility in Falkland
Playgrounds	no	Nearest playground in Falkland
Other Cannabis Related Business	no	6 km from nearest business (5450 Hwy 97, Falkland)
<b>Does the proposed facility meet the minimum building setbacks?</b>		Actual Setbacks:
60 m to Exterior lot line	yes	95 m
90 m to Front lot line	yes	> 200 m
30 m to Other lot lines	yes	>60 m
30 m to Watercourses	yes	n/a

Other considerations and information submitted by the agent

The Agrologist's report explains that the proposed facility will be located in a closed building (not a greenhouse) and as such will have minimal light, smell and noise pollution. The facility is to also be located on an elevated bench with a treed buffer to provide screening and noise dampening. The majority of the waste from the facility will consist of an "organic nutrient rich Health Canada approved fertilizer" that is reported to provide great opportunities to farmers within the ALR.

The water recycling and growing process is deemed to be very efficient and will be incorporated into the building design. It should be noted that the water supply system that services the facility may be subject to the approval and permitting requirements of the BC Drinking Water Protection Act and Regulation.

The agent anticipates that the facility could employ approximately 65 full-time staff.

The Ministry of Transportation and Infrastructure issued a Highways Access permit for the facility on Nov 29, 2018.

### **SUMMARY:**

The agent is applying to the ALC to obtain non-farm use permission for a proposed cannabis production facility on ALR land. The footprint of the proposed production building is 5739 m<sup>2</sup> (61,776 sq. ft.) with a concrete-floor. The total area of land requested for non-farm use is 1.5 ha (15,000 m<sup>2</sup>). Staff is recommending approval of this non-farm use in the ALR for the following reasons:

- The subject property is designated "Rural Holdings" in Salmon Valley Land Use Bylaw No. 2500 which lists "Agriculture" as a permitted use;
- The proposed production building accounts for 3.5% of the total parcel area. The total non-farm use request entails 9.3% of the total parcel area;
- The ACMPR application to Health Canada was submitted prior to the adoption of CSRD Policy A-71 and ALC's regulatory change regarding cannabis production on ALR land, and met both ALC and CSRD regulations at that time;
- The Agrologist's Inspection Report concludes that the footprint area of the proposed building has an unimproved agricultural rating of 5PA and asserts that the facility will improve the agricultural capability of the building footprint area from 5PA to 1PA; and
- The Report also anticipates that the operation will have a negligible impact on the rest of the farm and surrounding farmland.

### **IMPLEMENTATION:**

CSRD staff will forward the application, together with the resolution from the Board, and this staff report to the ALC for consideration.

If the owners are successful in obtaining this permission, it is expected that they will apply to Health Canada for a micro-cultivation licence. At that time it will be required that the CSRD, Fire Chief, and RCMP be formally notified of the licence application. Cannabis Related Business Referrals Procedure PR-32 outlines the process for reviewing cannabis retail and production facility notifications.

Refer to: "Cannabis\_Related\_Business\_Referrals\_Procedure\_PR-32.pdf" for the complete Procedure.



**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.*

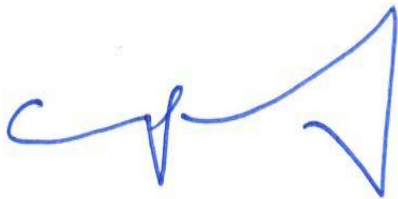
**LIST NAME OF REPORT(S) / DOCUMENT(S) AVAILABLE FROM STAFF:**

1. Salmon Valley Land Use Bylaw No. 2500
2. ALC Act and ALR Regulations
3. BC Drinking Water Protection Act and Regulation

**Report Approval Details**

Document Title:	2019-05-16_Board_DS_LC2566D_Phoebus.docx
Attachments:	<ul style="list-style-type: none"> <li>- Project_description_APR-2019_LC2566D.pdf</li> <li>- Agrologist_Report_APR-2019_LC2566D.pdf</li> <li>- Cannabis_Related_Business_Policy_A-71.pdf</li> <li>- Cannabis_Related_Business_Referrals_Procedure_PR-32.pdf</li> <li>- Maps_Plans_LC2566D.pdf</li> </ul>
Final Approval Date:	May 6, 2019

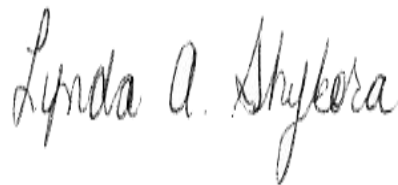
This report and all of its attachments were approved and signed as outlined below:



**Corey Paiement - May 6, 2019 - 12:16 PM**



**Gerald Christie - May 6, 2019 - 12:56 PM**



**Lynda Shykora - May 6, 2019 - 1:43 PM**



**Charles Hamilton - May 6, 2019 - 2:15 PM**



# Provincial Agricultural Land Commission - Applicant Submission

**Application ID:** 58732

**Application Status:** Under LG Review

**Applicant:** Laura Phoebus ( Cleary)

**Agent:** Greenview Acres

**Local Government:** Columbia Shuswap Regional District

**Local Government Date of Receipt:** 03/06/2019

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

**Proposal Type:** Non-Farm Use

**Proposal:** The purpose of this Proposal is to show the Commission that Greenview Acres Inc was in fact Under Construction prior to July 13 2018 and therefore should be allowed to continue building and development proceedings.

If the commission prefers approving Non-Farm Use based on the fact Greenview has and will continue to work within District and ALC Compliance and Regulations this would be a viable option.

In our view, the test under section 2(2.5) of the Regulation has been met, a non-farm use application should not be required and we would therefore ask that staff reconsider their comments sent to Greenview ( Refer to ALC File # 51222 ).

Section 2(2.5)(b)(ii) of the Regulation refers to under construction only without any further requirements or definitions. The Information Bulletin 04 Cannabis Production in the ALR (the Bulletin) only states that under construction requires ground disturbance (such as excavation for laying foundation).

In addition, in considering whether a building was lawfully under construction when a change in legislation has taken place prohibiting the use of the land, courts have long relied on the concept of fairness as the rationale for a liberal interpretation of any statutory exemption in favour of the owner. The deciding factor should be evidence of an unequivocal commitment to use the land for the specified project.

In our submission, it would be unreasonable to require that such an Application be made, not to obtain approval for a non-farm use, but to argue that the use at issue was a farm use. This has essentially forced Greenview Acres Inc. to make an application for the purpose of arguing that the application should not be required.

The purpose of this Proposal is to obtain approval for non-farm use or have the commission state that in fact Greenview has and is complying with current ALC Regulations as well as District Zoning requirements.

An Agrologist's Report Showing the building location is Primarily Glacial Till, Rock- Gravel-Sand mix, suitable for building foundations and gravel pit's etc could be made available in a few weeks time at the Commissions request.

Greenview Acres Inc. looks forward working with the District and ALC as we move forward with this project.

Thank you for your time.

**Applicant:** Laura Phoebus ( Cleary)

## Agent Information

**Agent:** Greenview Acres

**Mailing Address:**

4860 HOATH ROAD

FALKLAND, BC

V0E1W1

Canada

**Primary Phone:** 2508993791

**Mobile Phone:** 2508993791

**Email:** emrys@greenviewacres.com

## Parcel Information

### Parcel(s) Under Application

1. **Ownership Type:** Fee Simple

**Parcel Identifier:** 001-628-038

**Legal Description:** DL 2250 OSOYOOS DIVISION YALE DISTRICT EXC PLS 15009 35631 38492 & KAP45742

**Parcel Area:** 16.1 ha

**Civic Address:** 4860 HOATH ROAD

**Date of Purchase:** 08/17/2016

**Farm Classification:** No

#### Owners

1. **Name:** Laura Phoebus ( Cleary)

**Address:**

4860 HOATH ROAD

FALKLAND, BC

V0E1W1

Canada

**Phone:** 2508993791

**Cell:** (250) 307-3824

**Email:** emrys@greenviewacres.com

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## Current Use of Parcels Under Application

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

*No Agriculture*

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

*No Agricultural Improvements*

**Applicant:** Laura Phoebus ( Cleary)

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

*Single Family Dwelling, Old Dirt Floor Barn, Shed.*

**Adjacent Land Uses****North**

**Land Use Type:** Residential

**Specify Activity:** Single Family Dwelling, Partially Fenced with a few cows

**East**

**Land Use Type:** Residential

**Specify Activity:** Single Family Dwelling, Fenced with a few cows

**South**

**Land Use Type:** Residential

**Specify Activity:** Single Family Dwelling

**West**

**Land Use Type:** Residential

**Specify Activity:** Single Family Dwelling

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

*1.5 ha*

**2. What is the purpose of the proposal?**

*The purpose of this Proposal is to show the Commission that Greenview Acres Inc was in fact Under Construction prior to July 13 2018 and therefore should be allowed to continue building and development proceedings.*

*If the commission prefers approving Non-Farm Use based on the fact Greenview has and will continue to work within District and ALC Compliance and Regulations this would be a viable option.*

*In our view, the test under section 2(2.5) of the Regulation has been met, a non-farm use application should not be required and we would therefore ask that staff reconsider their comments sent to Greenview ( Refer to ALC File # 51222 ).*

*Section 2(2.5)(b)(ii) of the Regulation refers to under construction only without any further requirements or definitions. The Information Bulletin 04 Cannabis Production in the ALR (the Bulletin) only states that under construction requires ground disturbance (such as excavation for laying foundation).*

*In addition, in considering whether a building was lawfully under construction when a change in legislation has taken place prohibiting the use of the land, courts have long relied on the concept of fairness as the rationale for a liberal interpretation of any statutory exemption in favour of the owner. The deciding factor should be evidence of an unequivocal commitment to use the land for the specified project.*

*In our submission, it would be unreasonable to require that such an Application be made, not to obtain approval for a non-farm use, but to argue that the use at issue was a farm use. This has essentially forced Greenview Acres Inc. to make an application for the purpose of arguing that the application should not*

**Applicant:** Laura Phoebus ( Cleary)

*be required.*

*The purpose of this Proposal is to obtain approval for non-farm use or have the commission state that in fact Greenview has and is complying with current ALC Regulations as well as District Zoning requirements.*

*An Agrologist's Report Showing the building location is Primarily Glacial Till, Rock- Gravel-Sand mix, suitable for building foundations and gravel pit's etc could be made available in a few weeks time at the Commissions request.*

*Greenview Acres Inc. looks forward working with the District and ALC as we move forward with this project.*

*Thank you for your time.*

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

*No, it could not.*

*This property was purchased and development started on Aug 2016 for the purpose of building a Cannabis production facility and working with Health Canada through the licensing process as it was a fully supported Farm Use on this site prior to July 13 2018.*

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

*Yes,*

*The majority of the by-product ( waste ) from the facility will consist of an Organic Nutrient Rich Health Canada Approved Fertilizer that will provide great opportunities to Farmers within the Agricultural Land Reserve. The very efficient water recycling and growing process incorporated into the building design will allow for outstanding low cost production far superior to any greenhouse operation. This system could be used for a variety of other agricultural production uses in the long term.*

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

**Applicant:** Laura Phoebus ( Cleary)

*No*

### **Applicant Attachments**

- Agent Agreement - Greenview Acres
- Site Photo - Google Site Photo
- Proposal Sketch - 58732
- Site Photo - Site Photo
- Certificate of Title - 001-628-038

### **ALC Attachments**

None.

### **Decisions**

None.





# Greenview Acres Inc

## **Vertical Farm Eco-Building Design Benefits**

Earth friendly technologies are good for our clients and our communities. Several technologies are deployed in our vertical grow designs making this project one of the most efficient and sustainable in North America.

### **Air Quality and Odor Removal**

This unique building design uses multiple air filtration and odor control devices to provide a clean sterile growing environment enabling us to provide a pure all-natural medical grade product. We will include in room activated carbon filters that scrub the air constantly and are replaced annually. We will also deploy a second method of air quality control using technology by Airsniper to remove 99.98% of biological components from the air as well as reducing odor.

### **Waste Water and Content**

Due to its high-efficiency all-natural growing design using the latest aeroponic systems each habitat will not exceed water usage over 50 gallons per week and can be as little as 60 gallons in 2 weeks as we work to fine tune our reclamation procedures. This water will never contain more than 2000 ppm or an EC of 4 consisting of a traditional hydroponic recipe for mineral content. As far as the PH it will typically be around 6.3.

## Lighting

Light Emitting Diodes are an eco-friendly artificial light source for plants. These lights put off very little heat compared to other light sources so they serve as an excellent solution in stacked vertical grow designs allowing for maximum plant density per cubic space. Less electricity is required to create the same amount of usable light for plant growth. Furthermore, the lights need replacement far less than the traditional equipment, nearly 10 times the life span with LEDs. All this adds up to less pollution from disposal and less cost for maintaining when choosing LEDs over traditional methods. The safer choice is obvious and every year the fire department can verify this due to its low heat and power demands.

## Aeroponics

The technique of Aeroponics for feeding plants with fertilizer is one of the most effective and least polluting crop production methods. As there is no substrate in this technique, the roots simply hang in a protected environment and are periodically misted. No substrate means nothing for the roots to grab to and nothing to dispose of after a growth cycle is complete. No precious topsoil is required for this growing technique allowing for even more ecological sustainability.

## Air Quality

As mentioned above we will introduce Airsniper technology for odor control in our habitats and as for the open warehouse space we will use activated carbon filters to eliminate any lingering odor. Activated carbon is so effective in removing odors and chemicals it is what has been trusted in military gas mask technologies.

## Water Reclamation

We have partnered with Surna HVAC systems to ensure quality control and reliability. With this design we will be able to pull as much as **30%** of the required feed stock water needs right from the air. Every SproutAi grow habitat has its own HVAC system that reliably monitors and controls the humidity. As the plants grow, they begin to transpire water resulting in increased humidity beyond ideal levels. This is where the HVAC system removes the moisture in the air and gathers it to be filtered and added to our reserve tanks for storage until used. This combined with our Aeroponics technology will allow us to grow more efficiently using less water, energy and resources per sq/ft than any Outdoor Field or Greenhouse Operation.

**Production Waste**

Our facility will use a Health Canada approved disposal method using a fermentation process that will render all plant waste to a fully neutralised, nutrient rich matter with many agricultural uses.

**Safety and Security**

As part of our Safety and Security Protocol, we will be using all of the latest security technologies approved by Health Canada. This combined with our unique Plant DNA Tracking system that will make all plant matter traceable and prevent any black market or illegal tampering.

This will also allow us to track all product specifics and recall info right down to every leaf.

We have partnered with a renowned Security Firm to provide onsite Logistics. One of Greenview Acres Directors and Head of Security is highly qualified with Military, RCMP and Protection Services background.

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## **2019 District Lot 2250. Agrologist's Inspection Report.**

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**4860 Hoath Road. Falkland. BC. April 2019.**

**Prepared for:**

Agricultural Land Commission  
133 – 4940 Canada Way  
Burnaby. British Columbia.  
V5G 4K6

**Prepared by:**

Wayne A. Blashill, PAg  
11519 Quinpool Road.  
Summerland. BC. V0H 1Z5  
(250) 494 5323  
<wayne\_blashill@telus.net>

## INTRODUCTION

The purpose of this document is to complete an Agrologist's Inspection Report at 4860 Hoath Road ("subject property"). The property is designated as Agricultural Land Reserve (ALR). The report will determine the original agricultural capability of the 2.5-acre farm building footprint that has been prepared as part of the building construction process. The report will assess the impact of the farm building on the agricultural capability of the site and the land immediately around it.

The farm building had been previously approved. This report will address recent changes to ALC Regulations that modify the type and scope of operations for growing new specialty agricultural crops in the area. The unique aspects of the proposed building will be discussed in the context of yield and crop management.

## METHODS

The site was inspected on April 3, 2019. The construction & operating plan was reviewed with the landowner. A soil pit was dug by machine next to the NW corner of the footprint on undisturbed ground. The soil horizon data was described and recorded on the BC Ministry of Forests FS882 field form found in Appendix A. The data is used to calculate the agricultural capability. Pictures were taken of the farm building site, topsoil pile, soil pit and are found in Appendix A. A total of 1.5 hours was spent at the site.

## RESULTS

Figure 1 depicts the subject property showing the construction footprint, topsoil stockpiles and the soil test pit (TP1). Table 1 shows the soil description for TP1 and the main horizon attributes. The complete FS882 form is in Appendix A. The soil is classified as an Orthic Eutric Brunisol (CSSC, 1998) because of the presence of the Bm horizon. The Ckc horizon indicates the presence of carbonates and a compact hard-pan layer of high bulk density at a depth of 91cm.

Table 1. Soil description for test pit TP1 an Orthic Eutric Brunisol. NW corner of the footprint.

HORIZON	DEPTH	COLOUR	TEXTURE	COARSE	FRAGMENT	CONTENT	
	(cm)			Gravel	Cobble	Stone	TOTAL
LFH	2-0			(%)	(%)	(%)	(%)
Ah	0-4	10YR3/1	sandy loam	15	10	10	35
Bm	4-23	10YR3/3	sandy loam	35	20	10	65
BC1	23-70	10YR4/3	sand	45	20	10	75
BC2	70-91	10YR3/4	sand	45	20	10	75
Ckc	91-100	2.5Y3/2	sandy loam	20	15	10	45



## DISCUSSION

### Agricultural Capability

The agricultural capability rating of the original soil in the footprint area can be calculated from the site and soils data on the FS882 field form. The top 25cm of the mineral soil had 65% coarse fragments. Subtracting the gravel that is less than 2.5cm in diameter, the unimproved rating for stoniness would be 5P. The unimproved rating for soil moisture deficiency would be 5A (in a very gravelly sand). There is no improved rating for 5A or a poor 5P. Hence the combined rating for the footprint area in its original condition is:

**5<sup>P</sup><sub>A</sub>**

The farm building is climate controlled and will improve the climatic capability for agriculture at the site. A wider range of crops can be grown. The building will have no limitations due to stoniness or soil moisture deficiency; since the soil will have 0% coarse fragments, will be irrigated and have a loam texture. The farm building will improve the original footprint capability rating to:

**5<sup>P</sup><sub>A</sub> (1<sup>P</sup><sub>A</sub>)**

The net effect of the operation will be to improve the agricultural capability of this small part of the subject property. Additionally, it is anticipated that the operation will have negligible impact on the rest of the farm. The operation is in a closed building (not a greenhouse) and as such will have minimal light, smell and noise pollution.

It is expected to have minimal impact on surrounding farms for 2 reasons. The location is on an elevated bench near the extreme southeast corner of the property. It is situated the maximum distance it can be from Hoath Road. There is also a fringe of trees for visual and noise dampening.

### Crop Yield and Management

The landowner has proposed 4 vertically stacked layers of crop production inside the building. This will significantly increase the crop yield per m<sup>2</sup> of ground area. The yield will be up to 4x greater than that which can be grown on the original soil. The operation will employ over 40 workers and will be a major economic boost for the local economy. Agricultural output from the subject property is currently nil. The increased output will allow the landowner to become a full-time farmer.

There will be no toxic emissions or harmful waste products from this operation. The building's production waste will be used as a Health Canada approved Organic Fertilizer benefitting neighbouring farm production. Farm management will follow Agriculture Canada & Health

Canada Best Farm Practises Guidelines.



**CONCLUSION**

It is the Agrologist's opinion that the farm building will improve the agricultural capability of the footprint area from  $5^P_A$  to  $(1^P_A)$ . The farm building & operations will have negligible impact on the agricultural capability of the rest of the subject property and surrounding farms due to its building type, location and conifer tree buffer.

The location at the back edge of the property and the fringe of trees on the north side of the clearing, obscures the building from Highway 97. There will be a few places where motorists may get a "peek-a-boo" view of the roof. Highway view factor was a topographic attribute the landowner considered when locating the building. Especially, along this important tourist route to the Okanagan. The setback and the trees will make this farm structure virtually invisible from the valley floor.

**REFERENCES**

NRC. 1998. *The Canadian System of Soil Classification*. Agriculture Canada. Research Branch. Ottawa.

Respectfully Yours,

Seal:

Wayne Blashill, PAg

Wayne A. Blashill, PAg



**APPENDIX A**

**Photo Diary**

**FS882 Field Form**



Photo#1. The 2.5-acre farm building footprint with the fringe of trees for privacy (looking NE).



Photo#2. The topsoil pile (TP1) on the NW side of the footprint.




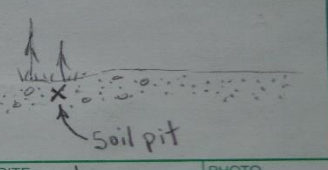


Photo#3. Soil test pit TP1 located next to the NW corner of the footprint on undisturbed land.



Photo#4. Close-up of TP1 showing the brown Bm (4-23) horizon in the upper soil.



ECOSYSTEM FIELD FORM										DATE	Y	M	D	PLOT NO.
										19, 4, 3				01-07700
PROJECT ID. 48608 Hoath Rd. Falkland.										FIELD NO. TPI		SURVEYOR(S) Blashill		
SITE DESCRIPTION	LOCATION										SITE DIAGRAM			
	GENERAL LOCATION - directly adjacent to 2 1/2 acre farm building footprint.													
	FOREST REGION		MAPSHEET		UTM ZONE		LAT. NORTH		LONG. EAST					
	AIRPHOTO NO.		X CO-ORD.		Y CO-ORD.		MAP UNIT							
	SITE INFORMATION													
	PLOT REPRESENTING - undisturbed soil right next to the footprint		BGC UNIT		SITE SERIES		TRANS. / DISTRIB.		ECOSECTION					
	MOISTURE REGIME		NUTRIENT REGIME		SUCCESS. STATUS		STRUCT. STAGE		REALM / CLASS					
	ELEV. 639 m.		SLOPE 2 %		ASPECT 20° (N)		MESO SLOPE POS. MID		SURFACE TOPOG. straight					
	NOTES										SUBSTRATE (%)			
	Topsoil has been stockpiled and the sands & gravel F.G. sediment has been smoothed on the farm building site, right next to the soil pit.										ORG. MATTER 70		ROCKS 10	
										DEC. WOOD 20		MINERAL SOIL -		
										BEDROCK -		WATER -		

FS882 (1) HRE 98/6

GEOLOGY										SURVEYOR(S) Blashill										PLOT NO. TPI	
BEDROCK -										C. F. LITH. mixed										PROFILE DIAGRAM	
TERRAIN TEXTURE 1/ sg										SURFICIAL MATERIAL 1/ FG										GEOMORPH. PROCESS 2/	
SOIL CLASS. O. EB										HUMUS FORM										HYDROGEO. 10	
ROOTING DEPTH 30 cm										ROOT TYPE hard-pan										WATER SOURCE -	
R. Z. PART. SIZE -										ROOT RESTRICT. DEPTH 91 cm										DRAINAGE WELL 20	
ORGANIC HORIZONS/LAYERS										SEEPAGE - cm										FLOOD RG. 30	
HOR. LAYER DEPTH FABRIC STRUCTURE VPOST MYCEL AB. FECAL AB. ROOTS AB. SIZE pH										COMMENTS (consistency, character, fauna, etc):										40	
LFH 2-0																				50	
																				60	
																				70	
																				80	
																				90	
																				100	
MINERAL HORIZONS/LAYERS										STRUCTURE CLASS KIND pH										COMMENTS (mottles, clay films, effervesc., etc):	
HOR. LAYER DEPTH COLOUR ASP. TEXT. % COARSE FRAGMENTS G C S TOTAL SHAPE										ROOTS AB. SIZE										40	
Ah 0-4 10YR 3/1 - S1 15 10 10 35 - A C																				50	
Bm 4-23 10YR 3/3 - S1 35 20 10 65 - A F																				60	
BC1 23-70 10YR 4/3 - S 45 20 10 75 - F F																				70	
BC2 70-91 10YR 3/4 - S 45 20 10 75 - - -																				80	
Cxc 91-100 2.5Y 3/2 - S1 20 15 10 45 - - -																				90	
																				100	
NOTES: - carbonates start at 91 cm. The Cxc horizon is also a hard-pan. [SOIL CLASSIFICATION = ORTHIC EUTRIC BRUNISOL]																				- strong effervesc. with 10% HCl.	

FS882 (2) HRE 98/5

**POLICY****A-71****CANNABIS RELATED BUSINESSES POLICY****PREAMBLE**

With the legalization of recreational cannabis in Canada, the Columbia Shuswap Regional District (CSRD) will be requested to respond to licence application referrals for cannabis related businesses. This policy establishes a clear procedure and set of criteria for the CSRD to follow when responding to licence application referrals for any cannabis related business proposed in the CSRD.

**PURPOSE**

The intent of Policy A-71 is to ensure that:

- cannabis related business are located in such a manner that they are sensitive to potential impacts on the surrounding community and are located in appropriate locations;
- the CSRD is provided sufficient information in the cannabis licence application referral package; and
- adequate public consultation is conducted when the Board provides a recommendation on a cannabis related business application.

**DEFINITIONS**

CANNABIS means all parts of the genus cannabis whether growing or not, the seed or clone of such plants, including derivatives and products containing cannabis.

CANNABIS PRODUCTION FACILITY means the use of land, buildings or structures for: research and development; testing; cultivation; production; processing; storage; packaging; labeling; or distribution of cannabis and related substances, as lawfully permitted and authorized under the Cannabis Act.

RETAIL CANNABIS SALES means a business that sells cannabis as lawfully permitted and authorized under the Cannabis Control and Licensing Act.

**POLICY**

This Policy will remain in effect until it is repealed or replaced.

This Policy is in effect for the following geographic areas: all of the lands within the CSRD that lie outside of municipal boundaries, Indian Reserves and National Parks.

For the purpose of this policy, cannabis production facilities and retail cannabis sales are collectively referred to as “cannabis related business.”

### **Part One: Licence Application Procedure**

#### **1. Preliminary Consultation**

Proponents are encouraged to contact the CSRD in writing before making any final site selection decisions in order to discuss their plans with staff.

Development Services staff will review all cannabis related business application referrals for compliance with relevant land use regulations, and provide information to the applicable provincial or federal agency in respect of such regulations.

#### **2. Description of Proposed Cannabis Related Business**

Referral packages provided to the CSRD for cannabis related businesses will be expected to provide the following information:

- A complete description of the proposed business (copy of the application received by Health Canada or the Liquor Control and Licensing Branch.
- The proposed layout with a site map and to-scale-drawings showing the location of the proposed facilities, and accessory buildings.
- Proposed site area and setbacks from parcel boundaries.
- Distance from schools, parks and other public spaces that are located within 1 km of the proposed business, calculated as a straight line from the edge of each parcel.

#### **3. Public Consultation**

- Where the CSRD provides recommendations on a cannabis related business application, the method of gathering public feedback will be in accordance with the applicable federal or provincial legislation.
- The CSRD will take the views of residents into account when making a recommendation on a licence application.

### **Part Two: Criteria for Reviewing Licence Applications**

Notwithstanding the following, the CSRD Board may modify these criteria on a site by site basis, in consideration of local factors.

#### **1. Location of Cannabis Related Businesses**

- a. Where land use zoning exists, cannabis retail sales may only be permitted in commercial zones; cannabis production facilities may only be permitted in industrial zones.



## CANNABIS RELATED BUSINESS POLICY A-71

- b. Cannabis related businesses are not supported on:
- Residential properties
  - Land within the Agricultural Land Reserve (ALR)
  - Areas located within 300 m of schools, parks, and any other public space
- c. A minimum separation distance of 300 m is recommended between a cannabis related business and the following locations (the minimum distance is calculated as a straight line from the edge of each parcel):
- Day Cares
  - Health Care Facilities
  - Libraries
  - Parks
  - Playgrounds
  - Schools
  - Other cannabis related businesses
- d. Minimum cannabis production facility (includes all buildings and structures) setbacks from property lines:
- 60 m setback to exterior lot line
  - 90 m setback to front lot line
  - 30 m to other lot lines
- e. Minimum cannabis production facility (includes all buildings and structures) setbacks from watercourses:
- 30 m

June 2018

## **PROCEDURE**

### **CANNABIS RELATED BUSINESSES REFERRALS**

#### **PREAMBLE**

The following procedure outlines the steps to be taken by Columbia Shuswap Regional District (CSRD) Development Services Department staff upon receiving a notification that an application has been made for either a cannabis retail licence, or a cannabis production licence in the CSRD. This Procedure complements Cannabis Related Business Policy A-71.

#### **LEGISLATIVE AUTHORITY**

The process of issuing licences for cannabis retail and cannabis production is the sole jurisdiction of the provincial and federal government. In the Province of BC, the Liquor and Cannabis Regulation Branch (LCRB) is responsible for licensing and monitoring the private retail sale of non-medical cannabis under the Cannabis Control and Licensing Act. Health Canada is the approval authority for all cannabis cultivation and processing (production) licenses under the Access to Cannabis for Medical Purposes Regulations (ACMPR) and Cannabis Act.

Local governments have been provided an opportunity to provide recommendations on all cannabis retail sale license applications and must provide an opportunity for community feedback prior to making a formal recommendation of support or non-support. Cannabis Retail licences will not be issued unless the local government for the area in which the establishment is proposed to be located supports the issuance of the licence.

In the case of cannabis production facility licences, Health Canada is responsible for providing the licensing and oversight framework for legal production of cannabis. Through the licensing process, local governments are provided with a letter of notification by a proponent who has applied to become a licensed producer. Prior to issuing a licence, Health Canada does not require local government support of a proposal, nor does it require that public consultation be conducted. The CSRD will, however, respond to letters of notification in the same way that land use referrals are dealt with.

#### **RESPONSIBILITY**

The Manager and Team Leader, Development Services (staff), are responsible for assigning cannabis retail and production referrals to Development Services Staff.

## PROCEDURE

### Cannabis Retail Referrals:

1. Once the CSRD receives a Cannabis Retail Referral from the LCRB, staff will conduct a preliminary review of the referral with the Electoral Director of the area in which the proposal is located to determine which type of public consultation is required (public survey or public meeting).
2. The applicant will be contacted by staff and instructed to submit a Cannabis Retail Application form to the CSRD.
3. An application must be made to the CSRD on a form as prescribed by the Manager of Development Services and shall include:
  - a. Name, address, and signature of owner(s) or agent acting on the owner's behalf;
  - b. Applicable fee, as set out in *CSRD Development Services Application Fees Bylaw No. 4000*, as amended from time to time;
  - c. Current Certificate of Title dated within thirty (30) days of the date of application for all affected properties;
  - d. The legal description and street address of the property(s);
  - e. Plans and details of the proposal, including a site plan, floor plan, signage details, number of parking stalls, and hours of operation;
  - f. A community impact statement that outlines the retail cannabis store's potential positive impacts on the community, potential negative impacts on the community, and measures taken to address the store's potential negative impacts;
  - g. A map showing day cares, health care facilities, etc. (complete list from 1.c. in Policy A-71) within 500 m of the subject property;
  - h. A copy of the completed LCRB application form and any supporting documents submitted with the form; and,
  - i. Any other information requested by the Manager of Development Services or his or her designate.
4. Application process:
  - a. Upon receipt of a completed retail cannabis sales application, staff will open a file and issue a fee receipt to the applicant;
  - b. Staff will conduct an evaluation of the proposal for compliance with relevant CSRD bylaws;
  - c. If it is determined during staff's review of the application that the proposal does not conform to relevant CSRD bylaws, the applicant will be notified in writing. Staff will discuss with the applicant if the non-conformity(s) can be considered through the application, review, and approval of a land use amendment, issuance of a temporary use permit, development variance, or development permit. In situations where the proposal does not conform with Policy A-71, staff will advise the applicant to make a written request to the Board to consider modifying the criteria of the Policy to support the proposal. The request will need to provide the rationale for why a variance of the Policy is justified;

- d. A referral information package will be compiled by staff for review by the local Electoral Area Director, CSRD Operations Department, local RCMP, adjacent property owners and tenants (of all parcels within 100m of the proposed retail facility). The referral package will include a copy of the application as outlined in Section 3 of this Procedure, and other relevant information obtained in the application. The referral response period will be thirty (30) days;
  - e. The CSRD will gather the views of residents that may be impacted by the proposal as follows:
    - i. Public Survey (primary method of gathering feedback): A survey will be made available for any individual who believes their interests will be affected by the proposed cannabis retail store. The survey will be accessible for thirty (30) days.
    - ii. Public Survey and Public Meeting (only to be conducted if staff are directed to do so by the Electoral Director of the area in which the proposal is located): Staff will arrange a meeting to present information about the proposed cannabis retail store and to gather community feedback. Community feedback at the public meeting will be in the form of verbal presentations or submission of written comments. The applicant will be invited to the meeting and expected to attend to present relevant information and to answer questions.
  - f. Following the referral and public consultation period, staff will prepare a report to be considered by the Board. The report will include:
    - i. a description of the proposal and how it corresponds with relevant CSRD bylaws and policies;
    - ii. a copy of all input received on the application;
    - iii. a summary of key issues and concerns with a brief analysis of each; and,
    - iv. information about how the applicant has chosen to address (or not) the concerns.
  - g. Preference will be provided for proposals that:
    - i. conform with relevant CSRD bylaws and policies; including Official Community Plan zoning; Cannabis Related Businesses Policy A-71; and,
    - ii. demonstrate that community concerns have been adequately addressed.
5. Public Notification Requirements:
- a. Staff will make all arrangements for public notification;
  - b. Notice of the public survey will be advertised at least once in the print edition of a local newspaper not less than three (3) and not more than ten (10) days before the survey is posted;
  - c. Notice of public meeting will be advertised at least once in the print edition of a local newspaper not less than three (3) and not more than ten (10) days before the public meeting; and,
  - d. Notice of both the public survey and public meeting will be made available on the CSRD's website and social media platforms.
6. The Board may decide to support the application, not support the application, or request that the applicant provide additional information prior to determining its support or not support.

7. Once the Board minutes have been prepared, the applicant and the appropriate approval authority will be notified in writing of the outcome.

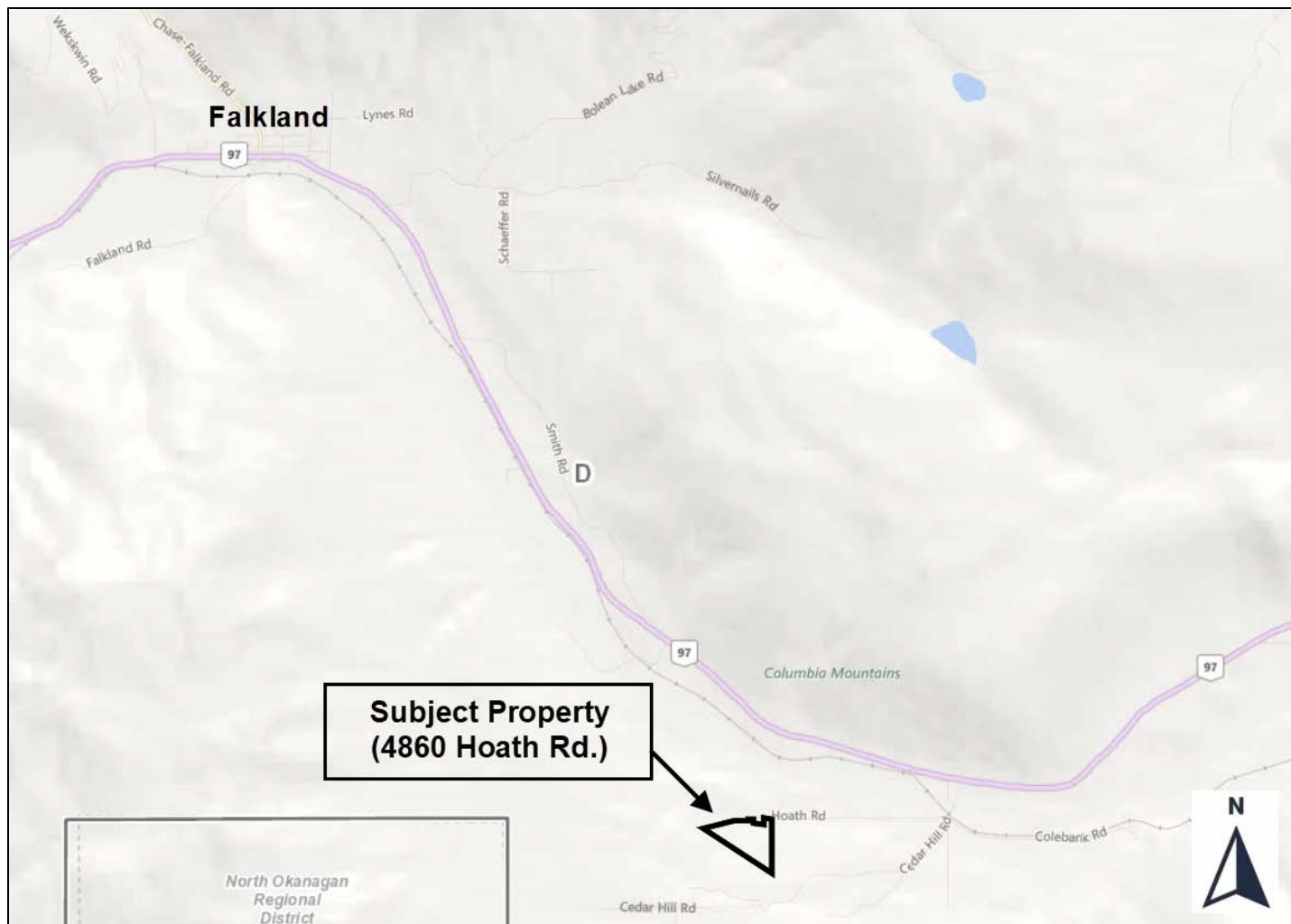
Cannabis Production Referrals:

1. The referral process starts once the CSRD receives a formal letter of notification from an applicant who has applied to Health Canada to become a licensed producer of cannabis.
2. Staff will conduct a preliminary review of notification letter to ensure that the description of the proposed facility includes the following information:
  - a. Name, address, and signature of owner(s) or agent acting on the owner's behalf;
  - b. Current Certificate of Title dated within thirty (30) days of the date of the notification for all affected properties;
  - c. The legal description and street address of the property(s);
  - d. Plans and details of the proposal, including a site plan, building setbacks from parcel boundaries, floor plan, signage details, number of parking stalls, and hours of operation;
  - e. A community impact statement that outlines the cannabis production facility's positive impacts on the community, potential negative impacts on the community, and measures taken to address the facility's potential negative impacts;
  - f. A map showing day cares, health care facilities, etc. ( list from 1.c. in Policy A-71) within 500 m of the subject property;
  - g. Any other information requested by the Manager of Development Services or his or her designate.
3. If it is determined that the proposal does not conform to relevant CSRD bylaws, staff will discuss with the applicant if the non-conformity(s) can be considered through the approval of a land use amendment, issuance of a temporary use permit, development variance, or development permit. In situations where the proposal does not conform with Policy A-71, staff will advise the applicant to make a written request to the Board to consider modifying the criteria of the Policy to support the proposal. The request will need to provide the rational for why a variance of the Policy is justified.
4. Development Services staff will evaluate the information received for compliance with relevant CSRD bylaws and policies; including Official Community Plan; Zoning; and Cannabis Related Businesses Policy A-71;
5. A referral information package will be compiled by staff for review by the local Electoral Area Director, CSRD Operations Department, local RCMP, Agricultural Land Commission (if applicable) and any other relevant stakeholders. The referral package will include a site plan, description of the proposed cannabis production facility, and other relevant information obtained from the applicant. The referral response period will be thirty (30) days.

6. Following the referral period, staff will provide a written response to the applicant, Health Canada and any other agencies or individuals included in the referral process. The letter will convey how the proposal corresponds with relevant CSRD bylaws and policies and provide a summary of all input received on the application.

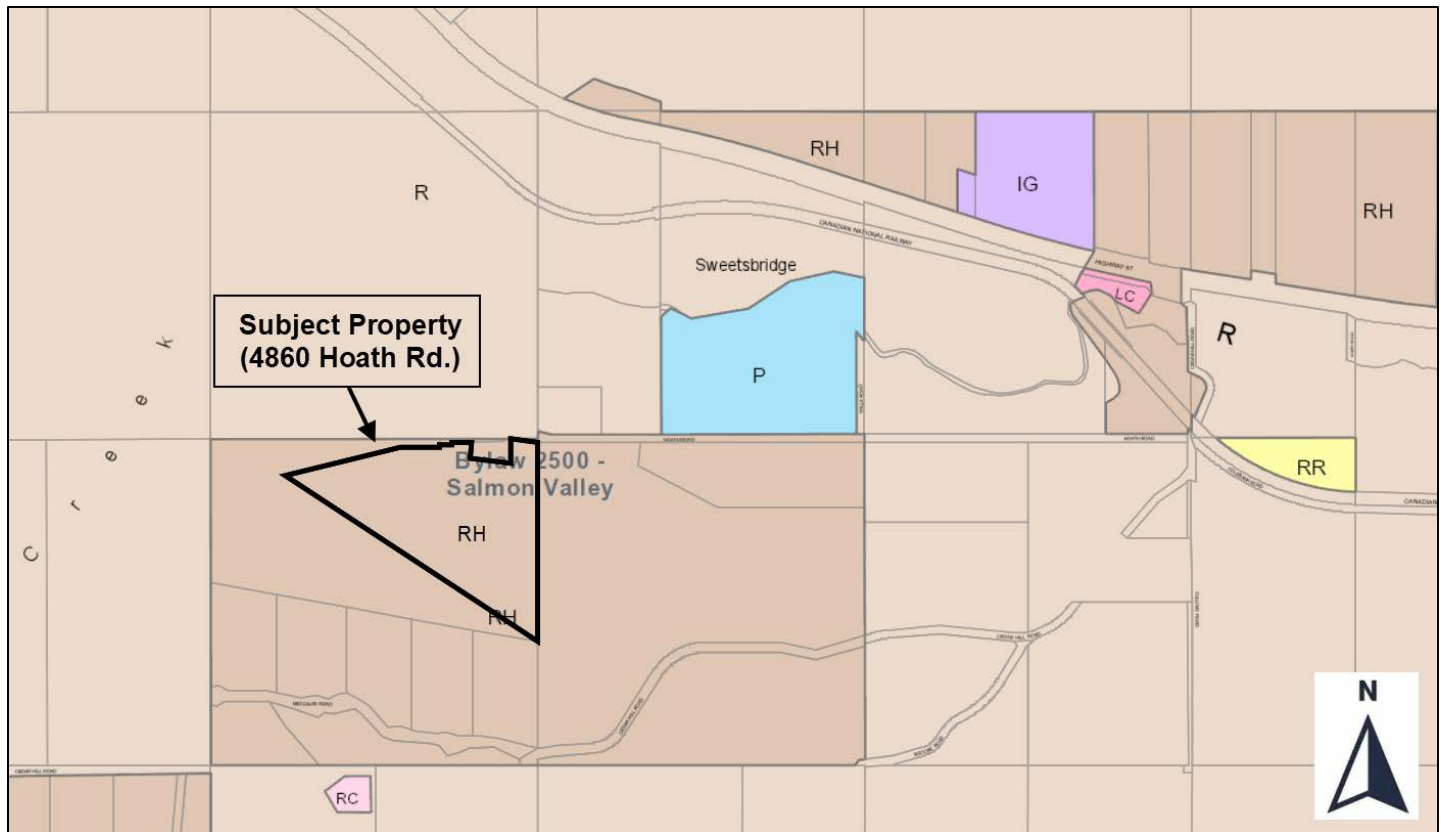
December 2018

## Location





# Salmon Valley Land Use Bylaw No. 2500 Zoning and Land Use Designations



RH = Rural Holdings (subject property's zoning /designation)

R = Rural

RR = Rural Residential

P = Public and Institutional

RC = Resort Commercial

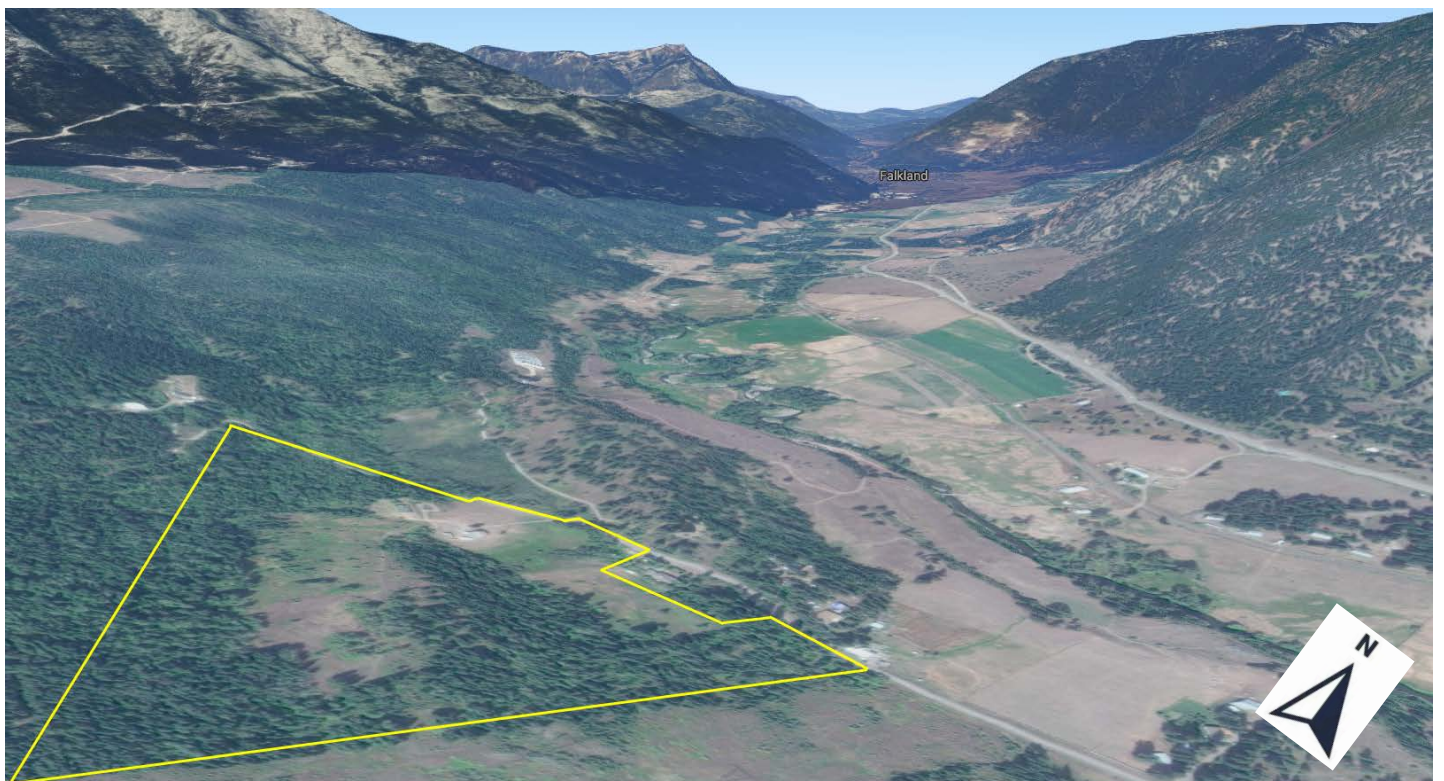
LC = Local Commercial

IG = Industrial

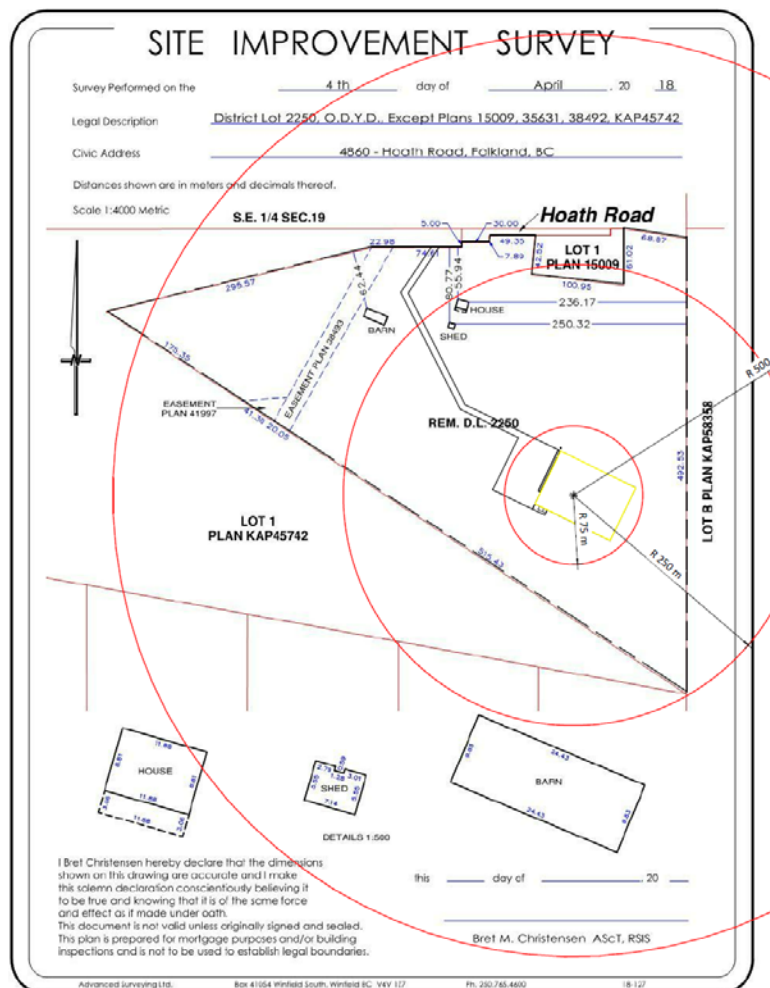
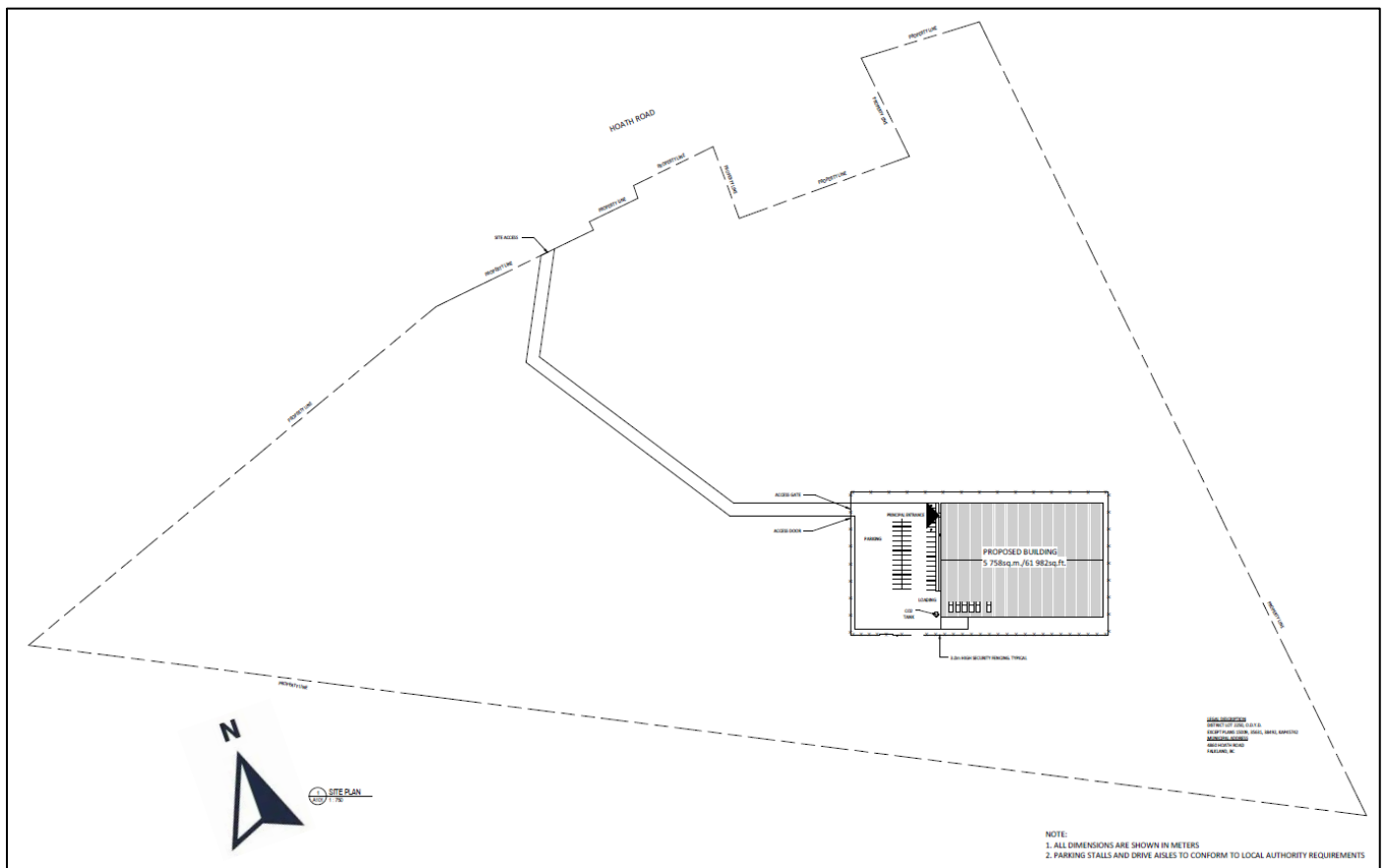
## Orthophoto



## Oblique Photograph (West Direction)

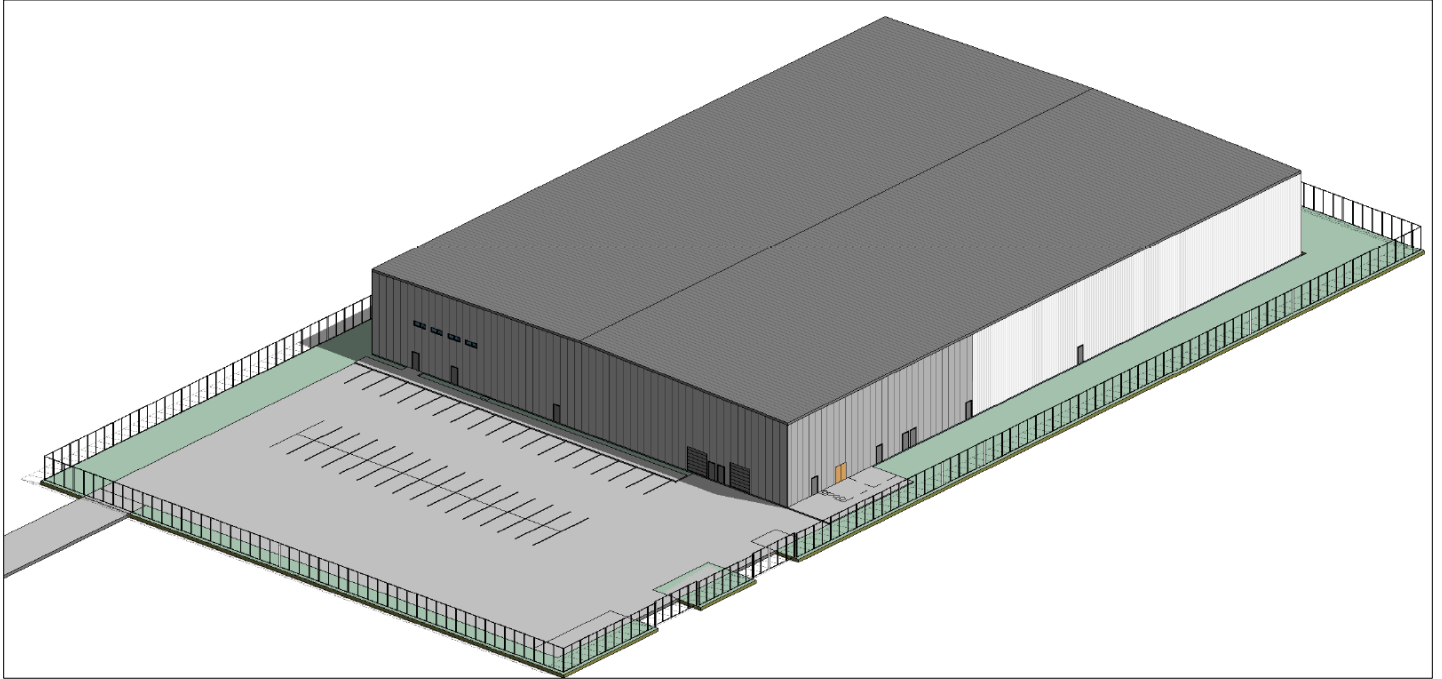


# Site Plans of Proposed Cannabis Production Facility





## Proposed Cannabis Production Facility Building



Photograph of existing single-family dwelling





## Photographs of ground preparation





## Photographs of ground preparation

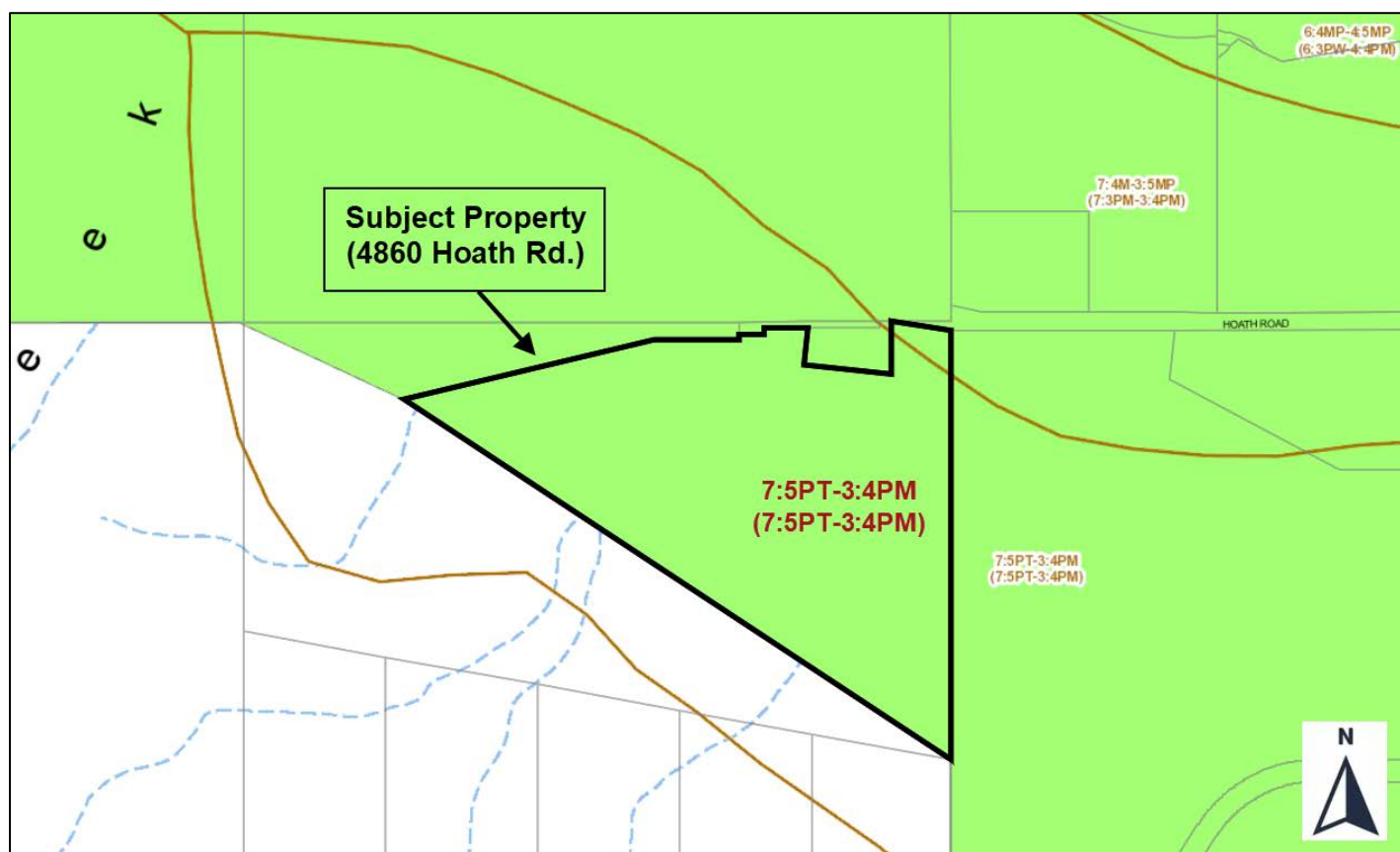




## Soil test pit

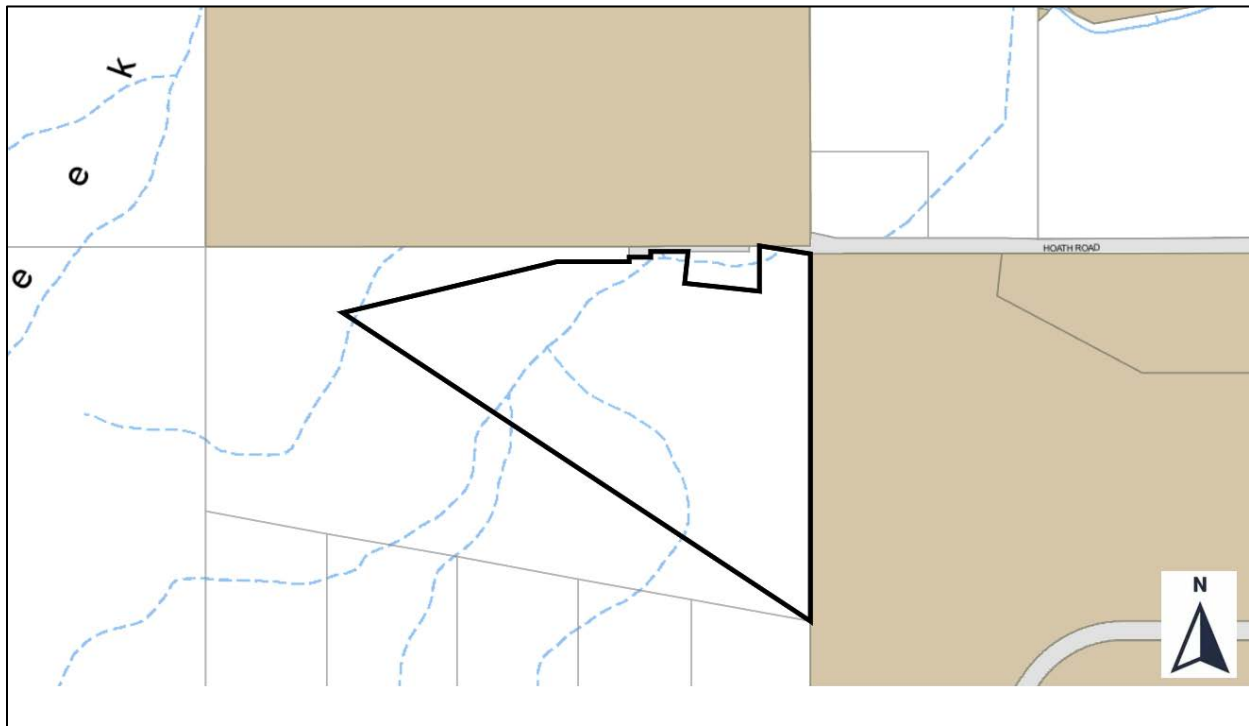


## ALR/Agricultural Capability



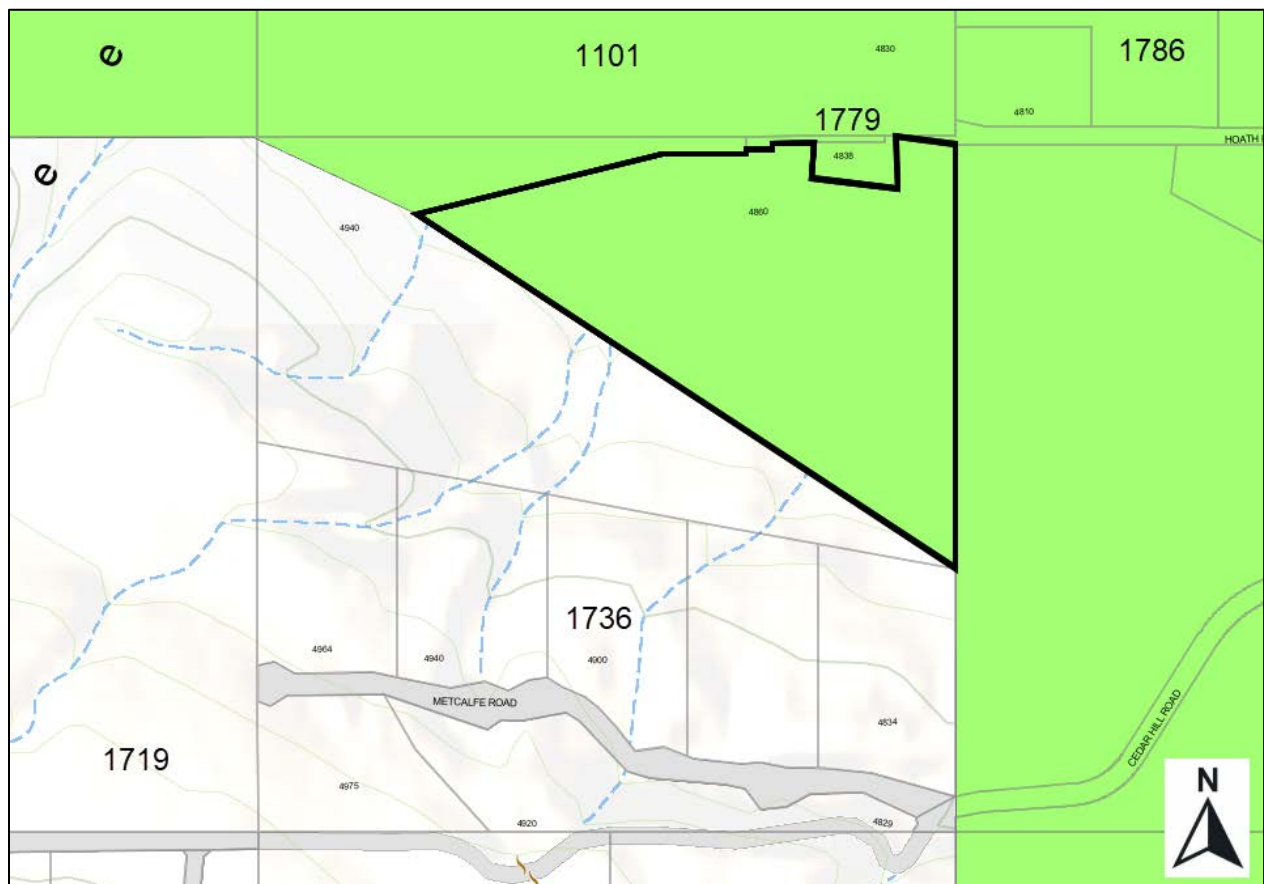


## BC Assessment Farm Status/Designation (shown in brown)



Subject property does not have farm status

## ALR Application History for Adjacent Properties







# BOARD REPORT

**TO:** Chair and Directors

<b>File No:</b> LC2561E PL20190015
---------------------------------------

**SUBJECT:** Electoral Area E: Agricultural Land Commission (ALC) Application  
 Section 21 (2) – Subdivision LC2561E (Canadian Pacific Railway)

**DESCRIPTION:** Report from Laura Gibson, Planner I, dated May 2, 2019.  
 2048 Solsqua Road, Cambie Solsqua

**RECOMMENDATION #1:** THAT: Application LC2561E, Lot 1, Sections 16 and 17, Township 22, Range 7, West of the 6<sup>th</sup> Meridian, Kamloops Division Yale District, Plan NEP61793 Except Plan EPP81765, be forwarded to the Agricultural Land Commission recommending approval this 16<sup>th</sup> day of May, 2019.

## SHORT SUMMARY:

The subject property is located northeast of Sicamous in the Cambie Solsqua area and is owned by Canadian Pacific Railway Co. (CPR). The subject property is bisected by the newly constructed Jessop Road, which connects Solsqua Road and the Trans-Canada Highway. CPR, Ministry of Transportation and Infrastructure (MOTI), and the adjacent landowners to the south (Christian and Melanie Dewitt) have come to an agreement to: (1) Transfer the portion of the parcel north of the connector road (1.5 ha) to MOTI, who will subsequently transfer the land to the Ministry of Environment for protection of the sensitive area, and (2) consolidate the portion of the parcel south of the connector road (2.1 ha) with the Dewitt's parcel.

---

<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"/>
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## BACKGROUND:

REGISTERED OWNER:  
 Canadian Pacific Railway Company, Inc. No. 4339100

AGENT: Ministry of Transportation and Infrastructure

ELECTORAL AREA:  
 E

LEGAL DESCRIPTION:  
 Lot 1, Sections 16 and 17, Township 22, Range 7, West of the 6<sup>th</sup> Meridian, Kamloops Division Yale District, Plan NEP61793 Except Plan EPP81765  
 PID:  
 024-167-258

CIVIC ADDRESS:  
 2048 Solsqua Road

**SURROUNDING LAND USE PATTERN:**

North = Oxbow lake/slough (crown land), Agriculture, ALR

South = Dairy farm/hay production, Agriculture, ALR

East = Trans-Canada Highway, Agriculture, ALR

West = Canadian Pacific Railway and Solsqua Road, Agriculture, ALR

**CURRENT USE:**

Vacant, no agricultural activities currently taking place on the parcel.

**PROPOSED USE:**

The section of the subject property north of Jessop Road is to be transferred to MOTI, who will subsequently transfer the land to the Ministry of Environment to allow for protection of the sensitive area next to the slough. The section of the subject property south of Jessop Road is to be consolidated with the Dewitt family dairy farm and used for agricultural activities.

**PARCEL SIZE:**

3.6 ha

**PROPOSED PARCEL SIZES:**

1.5 ha (to be transferred to the province)

2.1 ha to be transferred to the Dewitt family)

**DESIGNATION/ZONE:**

A – Agriculture

**PROPOSED DESIGNATION/ZONE:**

A - Agriculture

**AGRICULTURAL LAND RESERVE:**

100%

**SOIL CAPABILITY:**

According to the Canada Land Inventory mapping, the subject property contains 50% Class 3 soils, 40% Class 4 soils, and 10% Class 5 soils, all with excess water and inundation by streams or lakes as limiting factors. None of these soils are indicated as improvable.

**HISTORY:**

ALC File No. 1127 (1976) – ALC approved an application for a 2 lot subdivision, to separate 0.4 ha (1 acre) with a house from remaining farmland. The CSRD Board recommended approval for this application.

ALC File No. 56340 (2017) – ALC approved a transportation corridor through the subject property. This application did not require local government (CSRD) review.

**SITE COMMENTS:**

The subject property is located between the adjacent Solsqua Road and the Canadian Pacific Railway and the Trans-Canada Highway. A slough is located to the north, and the Eagle River is to the southwest.

The property is bisected by Jessop Road, which connects Solsqua Road to the Trans-Canada Highway. There are no slopes on the property. The parcel is currently vacant with no agricultural activity taking place.

ALC APPLICATION INFORMATION (completed by applicant/agent, indicated in *italics*):

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

*The parcel is vacant and there are no agricultural activities currently taking place on the parcel.*

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

*The parcel is cleared and mostly leveled but no agricultural improvements or crops currently exist on the parcel.*

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

*There are no non-agricultural activities on this property. The property is bisected by the new Solsqua Road Connector, as shown on Plan EPP81765.*

#### *Adjacent Land Uses*

##### *North*

*Land Use Type: Other*

*Specify Activity: Slough (Crown land); north of the slough is a wood shingle mill*

##### *East*

*Land Use Type: Transportation/Utilities*

*Specify Activity: Trans-Canada Highway #1*

##### *South*

*Land Use Type: Agricultural/Farm*

*Specify Activity: Dairy farm/hay production*

##### *West*

*Land Use Type: Transportation/Utilities*

*Specify Activity: Canadian Pacific Railway and Solsqua Road*

#### *Proposal*

1. Enter the total number of lots proposed for your property.

1.5 ha

2.1 ha

2. What is the purpose of the proposal?

*MOTI previously submitted an application (56340) to allow for the construction of a new connector road from Solsqua Road to the Trans-Canada Highway through the subject parcel (ALC Decision Resolution #390-2017). As a result, the subject parcel is now bisected by this new road. CPR, MOTI, and the adjacent landowner (Christian & Melanie Dewitt) have come to an agreement to:*

*(1) Transfer the portion of the parcel to the north of the connector road (1.45 ha) to MOTI. The area to be transferred to MOTI has been defined pursuant to Section 99(1)(h)(i) of the Land Title Act and is shown on the attached plan EPP81766. This transfer will not require formal subdivision approval through the Provincial Approving Officer.*

*(2) Consolidate the portion of the parcel south of the connector road (2.10 ha) and the closed road known as McKreacher Road (0.254 ha) with the Dewitt's parcel. This consolidation is shown on the attached plan EPP81768.*

3. Why do you believe this parcel is suitable for subdivision?

*The parcel is currently bisected by the Solsqua Road connector, and utility of the lands to the north is limited due to its small size, irregular shape, and riparian regulations relating to the slough/oxbow. Transferring these lands to MOTI (who will subsequently transfer these lands to the Ministry of Environment) will allow for the protection of these sensitive lands. Consolidating the lands to the south of the connector road with the adjacent parcel owned by the Dewitt's will improve the agricultural capability and capacity of their dairy farm and hay production.*

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

*This proposal supports agriculture in both the short and long term. The northern lands, to be transferred to the provincial government (MOTI and subsequently the Ministry of Environment) will ensure the long-term protection of these sensitive lands which have very limited agricultural capability. The consolidation of the southern lands with the adjacent Dewitt property will result in an additional 2.35 ha of property for the Dewitt's which can be brought into agricultural production.*

5. Are you applying for subdivision pursuant to the ALC Homesite Severance Policy? If yes, please submit proof of property ownership prior to December 21, 1972 and proof of continued occupancy in the "Upload Attachments" section.

*No"*

## **POLICY:**

Rural Sicamous Land Use Bylaw No. 2000 (Bylaw No. 2000)

### Section 1.4.1

To designate the majority of the land in the Agricultural Land Reserve as Agriculture so that it may be reserved for and developed primarily for agriculture and so that agriculture uses are protected against incompatible uses. Lands not in the Agricultural Land Reserve may also be designated as Agriculture where they have potential for agriculture, are used for agriculture or would buffer agriculture uses from existing or potential incompatible uses.

### Section 2.3.8

Minimum parcel size for subdivision exceptions:

(2) The minimum parcel size regulations for subdivisions stated in sections 2.5 to 2.21, do not apply if all the requirements of this subsection are met:

- (a) the parcel proposed to be subdivided existed June 19th, 1986;
- (b) the subdivision occurs along a highway that is constructed to the Ministry of Transportation and Highway's standards;
- (c) the subdivision is limited to a parcel that is split by a highway;
- (d) the minimum parcel size of each proposed parcel created by subdivision is 4,000 m<sup>2</sup> (0.99 ac.); and
- (e) each parcel created must consist of the entire area isolated by the highway. This exception does not apply to a parcel shown on a reference, explanatory or subdivision plan deposited in the Land Title Office after December 31, 1995.



## Section 2.6

### A - Agriculture Zone

Permitted Uses: agriculture, bed and breakfast, farm and garden center, home business, kennel, open air display gardens, single family dwelling, accessory use

Maximum number of single family dwellings:

- On a parcel less than 1 ha: 1
- On a parcel 1 ha or larger: 2

Minimum parcel size created by subdivision: 60 ha

### **FINANCIAL:**

There are no financial implications to the CSRD as a result of this application.

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

MOTI is applying on behalf of CPR to subdivide the subject parcel along Jessop Road. MOTI states in the application that the north parcel adjacent to the slough has limited agricultural capability and will be transferred to MOTI, who will then transfer the land to the Ministry of Environment, to ensure long term protection of the sensitive riparian area. The south portion of the subject property is proposed to be consolidated with the Dewitt family's property to the south and used for agriculture in conjunction with the existing dairy farm.

The subject property has soils ranging from Class 3 to Class 5, which are limited by excess water and inundation by streams or lakes and which are not improvable. The 1.5 ha portion of the subject property next to the slough, to be transferred to MOTI, may be the most water saturated and therefore least capable of supporting agriculture. The remaining 2.1 ha of the subject property, as well as the unconstructed McKreacher Road which runs through it, will be used for farming activities after the subdivision.

### **SUMMARY:**

MOTI is applying on behalf of CPR to subdivide the subject parcel along Jessop Road, creating a 1.5 ha parcel which will be transferred to the province for protection of the sensitive lands and a 2.1 ha parcel which will be consolidated with the Dewitt family's dairy farm to the south.

Staff recommends approval of the application for the following reasons:

- The portion of land proposed to be transferred to the province is likely not capable of supporting agriculture due to excess water in the soil;
- The proposal will increase agricultural activity on the portion of the property south of Jessop Road, which currently has no agricultural activity but will be incorporated into the Dewitt family dairy farm and hay production activities if the application is approved;
- Bylaw No. 2000 allows for subdivision of the property along Jessop Road, as proposed.

### **IMPLEMENTATION:**

The applicant has indicated that if the ALC allows the subdivision, no formal subdivision approval through a Provincial Approving Officer is required.

**COMMUNICATIONS:**

The recommendation of the Board will be forwarded to the ALC for consideration during its review of the application.

**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.*

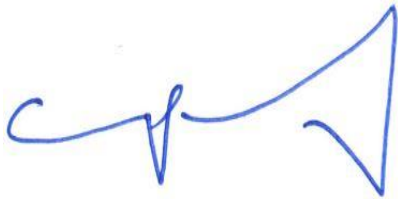
**LIST NAME OF REPORT(S) / DOCUMENT(S) AVAILABLE FROM STAFF:**

1. Rural Sicamous Land Use Bylaw No. 2000
2. ALC Act and Regulations

**Report Approval Details**

Document Title:	2019-05-16_Board_DS_LC2561_CPR.docx
Attachments:	- Maps_Plans_Photos_LC2561E.pdf
Final Approval Date:	May 3, 2019

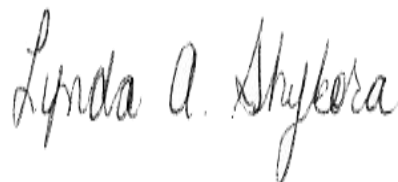
This report and all of its attachments were approved and signed as outlined below:



**Corey Paiement - May 2, 2019 - 9:46 AM**



**Gerald Christie - May 2, 2019 - 2:44 PM**

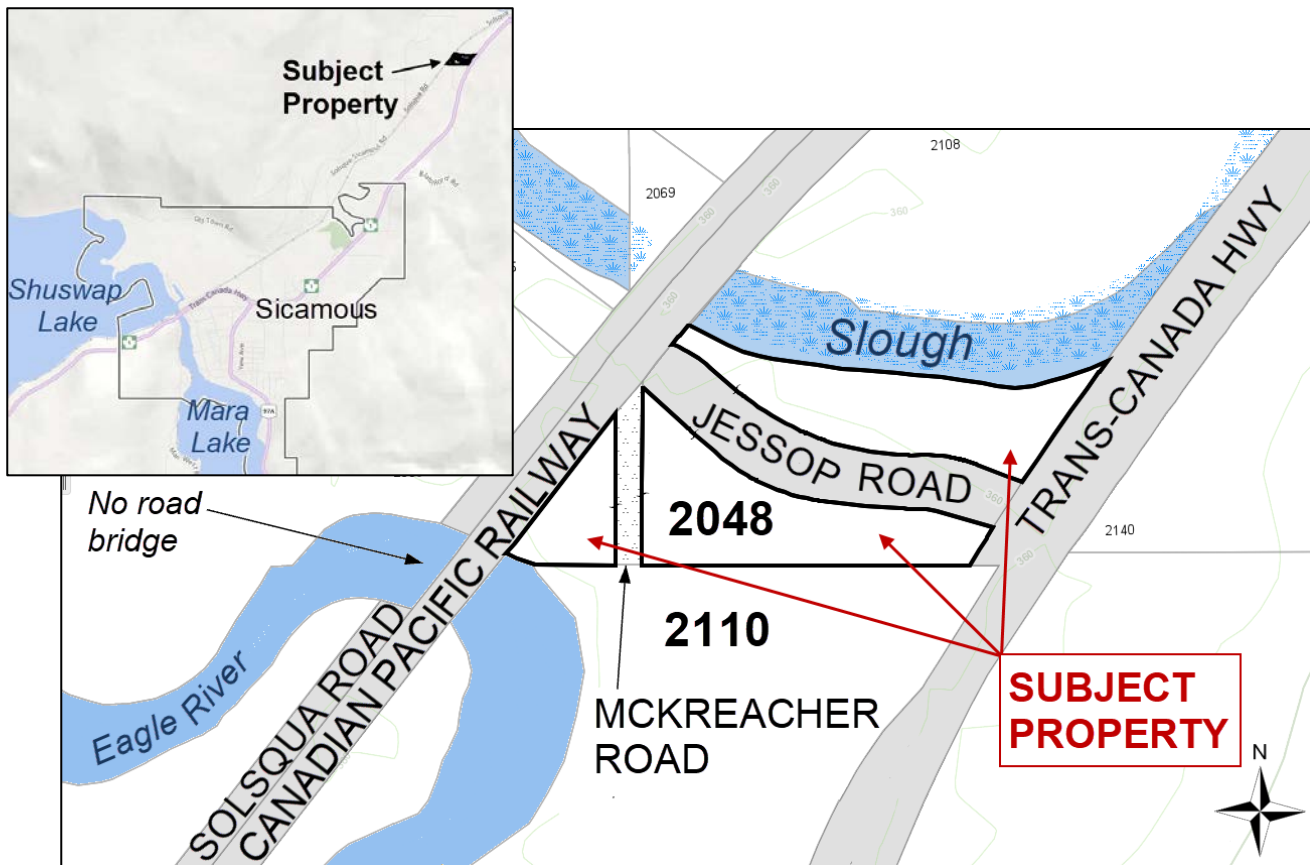


**Lynda Shykora - May 3, 2019 - 1:29 PM**

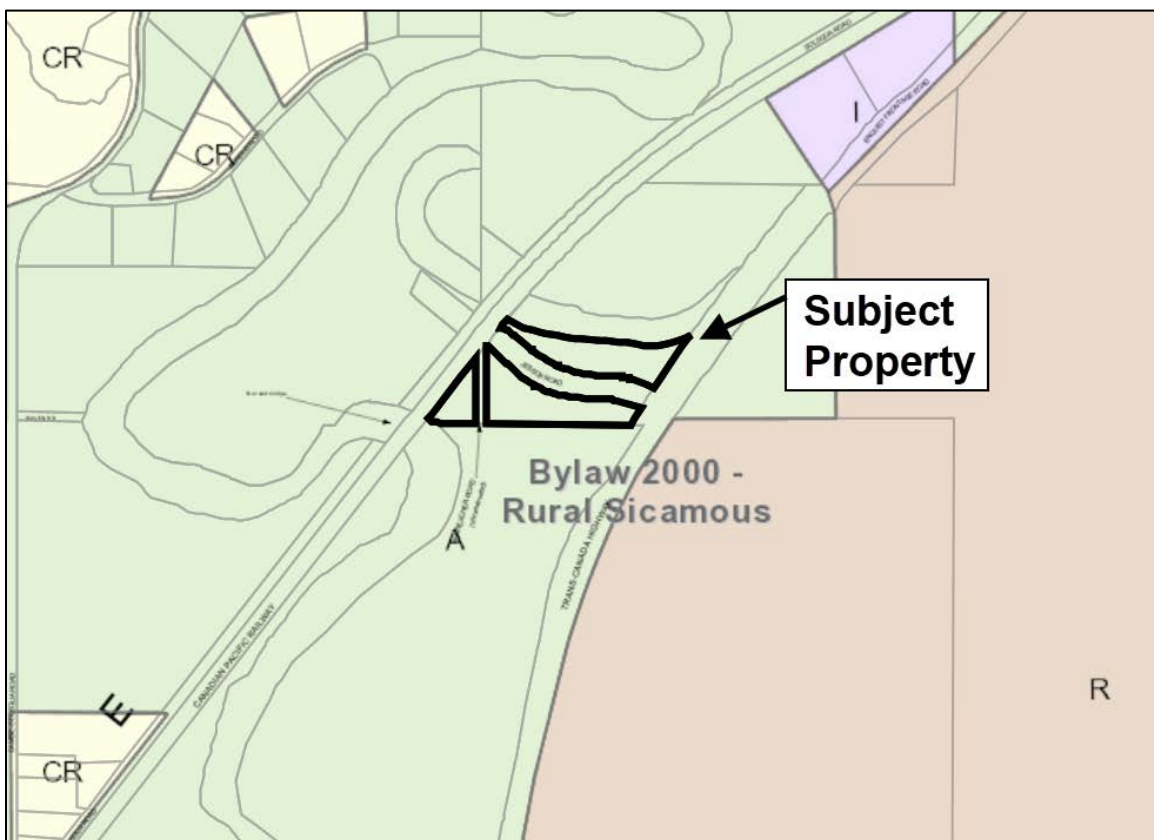


**Charles Hamilton - May 3, 2019 - 1:33 PM**

## Location



## OCP/Zoning

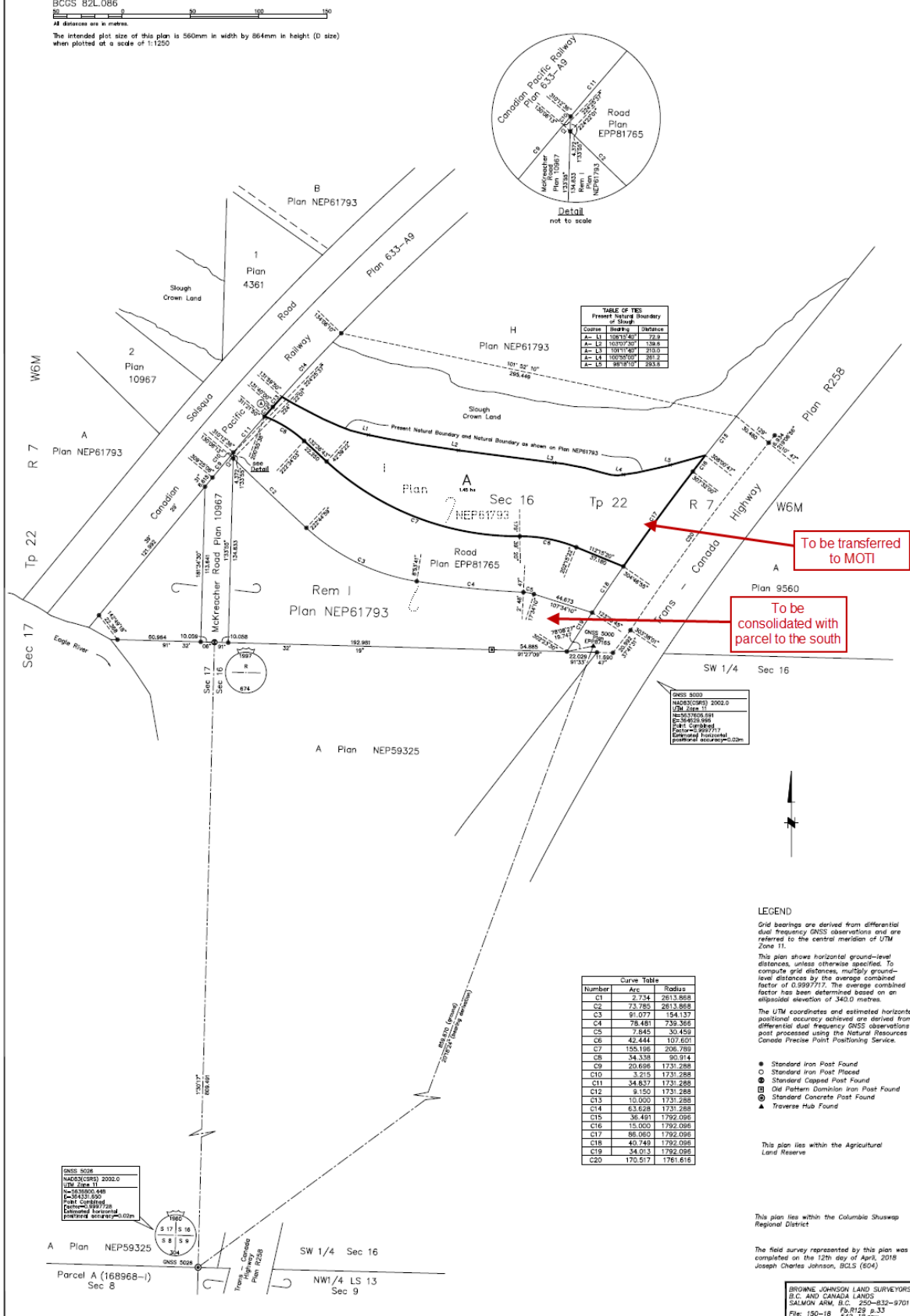


## PLAN EPP81766

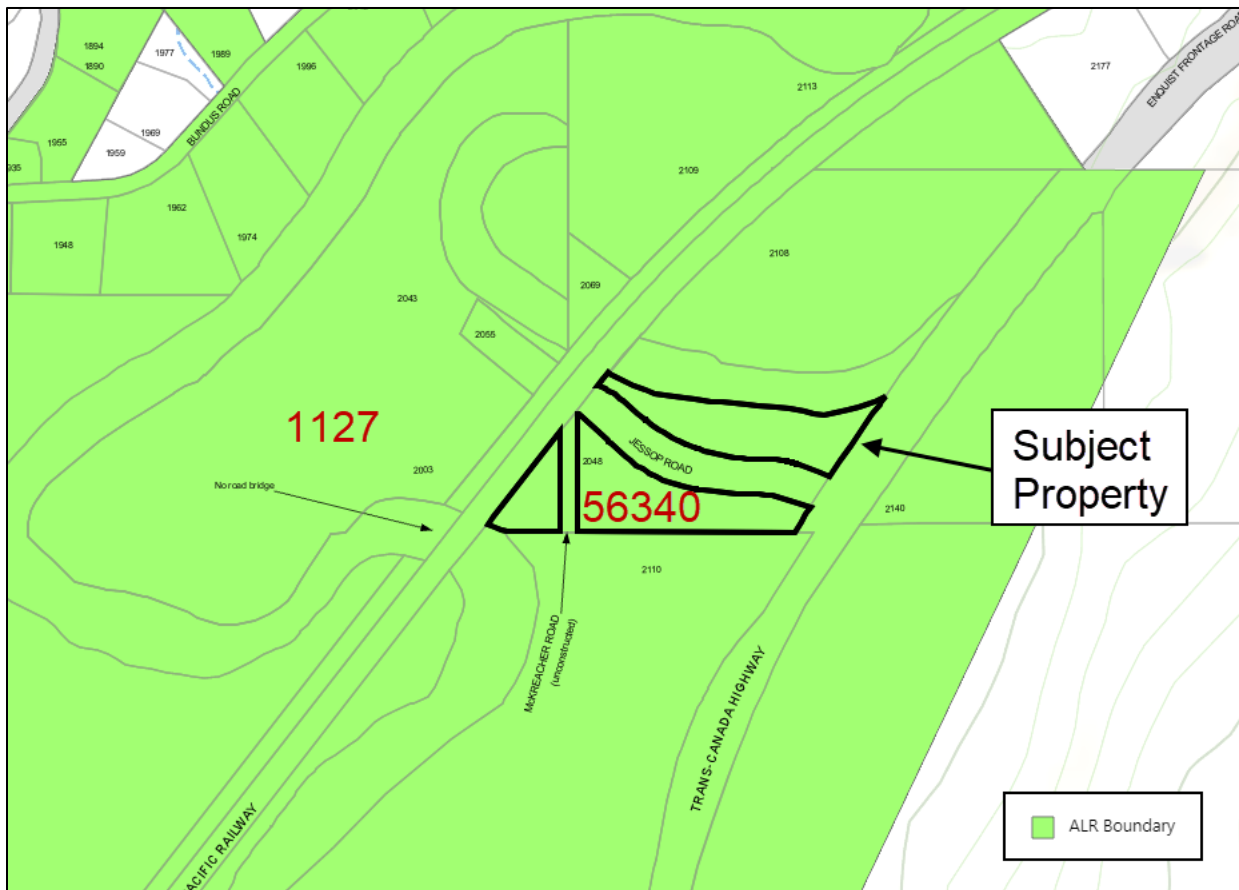
BCGS 82L.086

All distances are in metres.

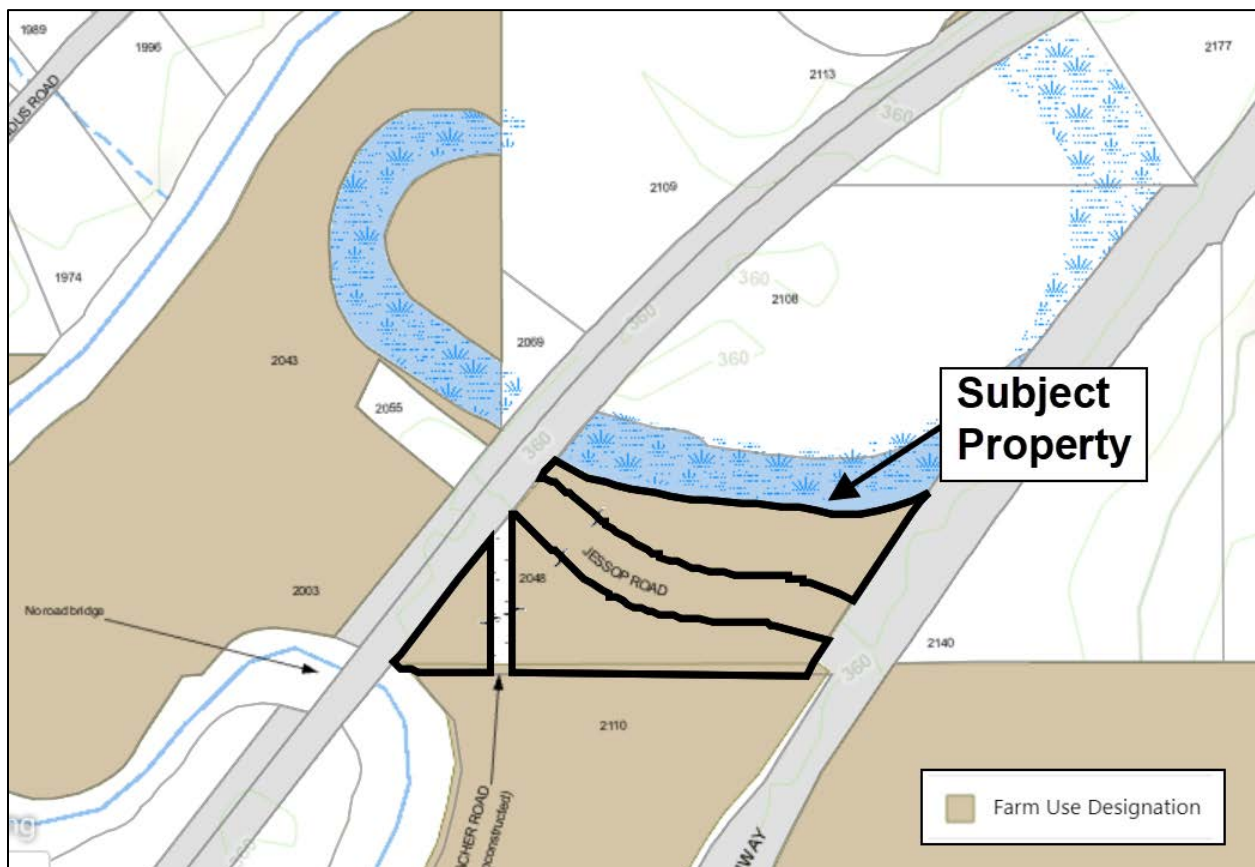
The intended plot size of this plan is 560mm in width by 864mm in height (D size) when plotted at a scale of 1:1250



## ALR/History

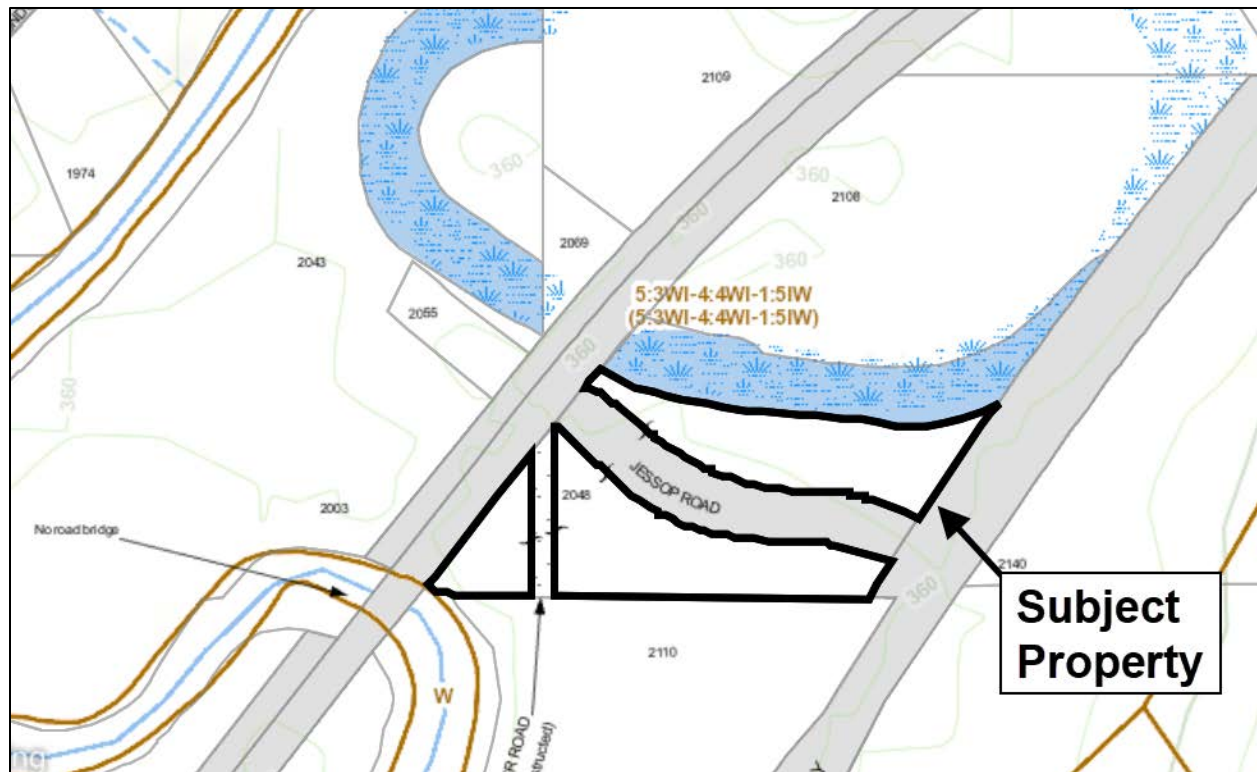


## BC Assessment Farm Status/Designation

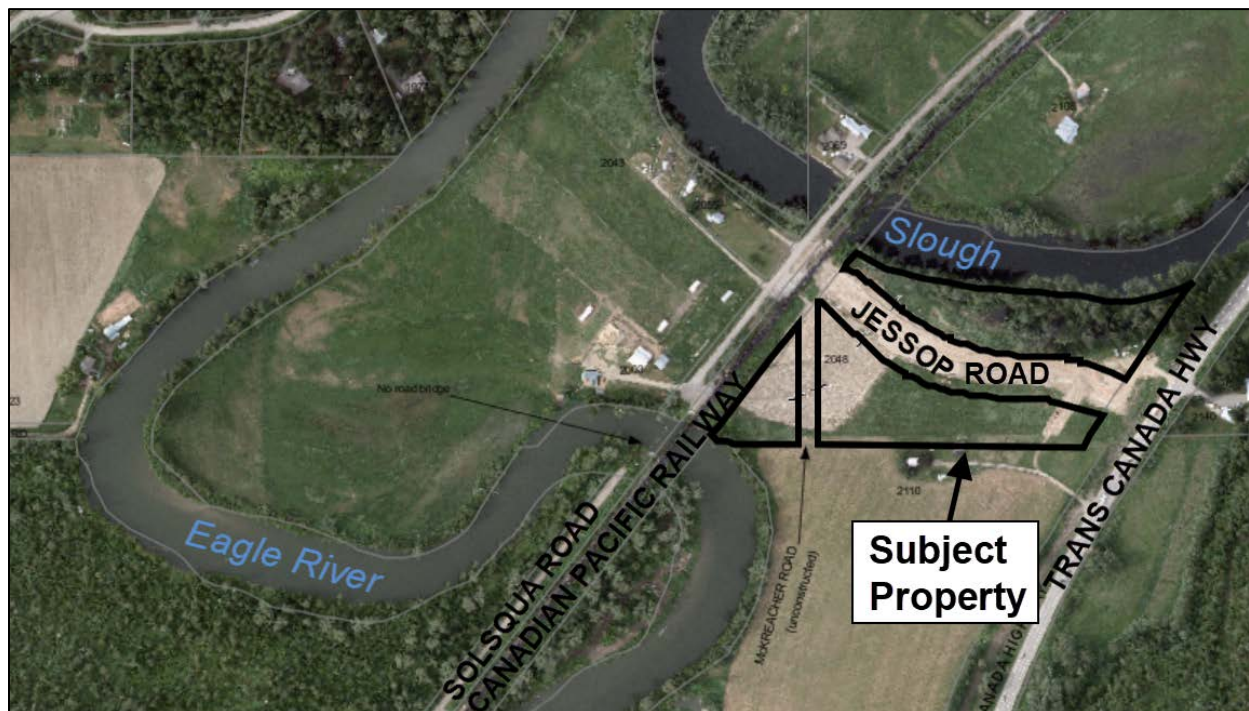




## Soils

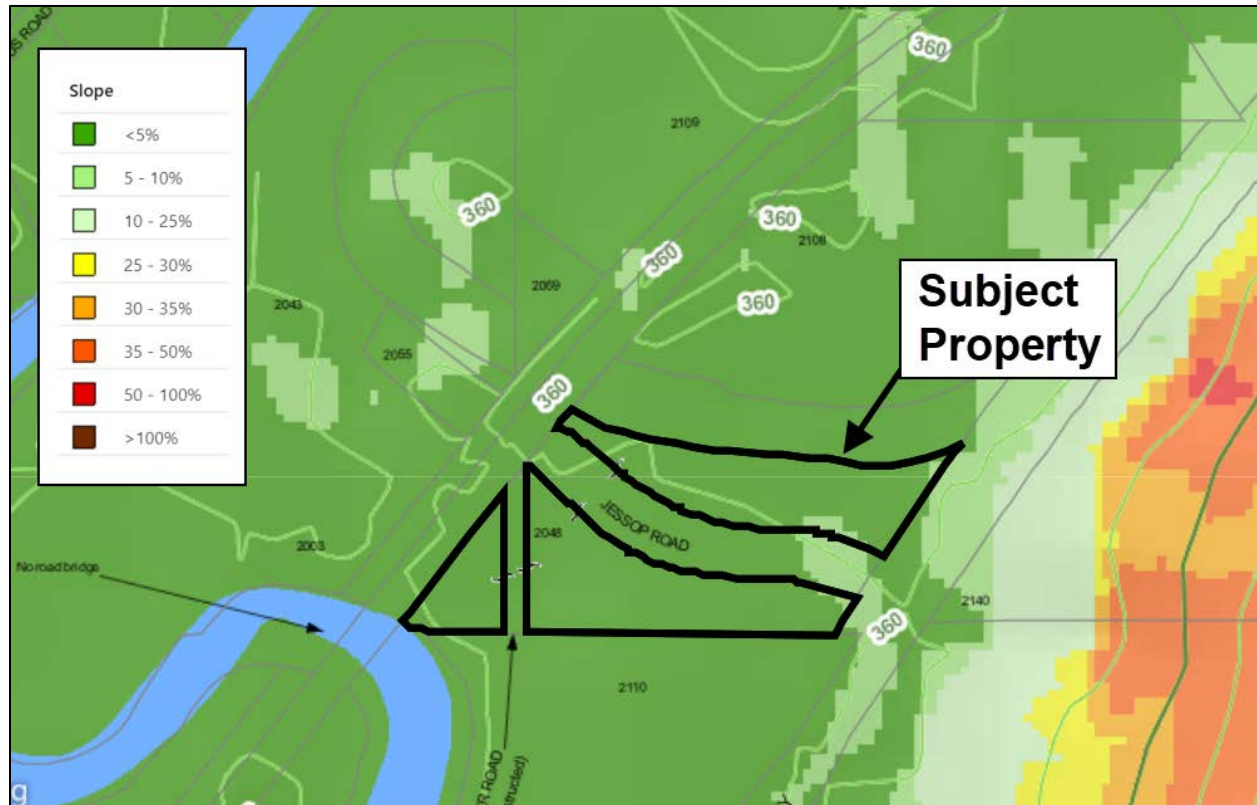


Orthophoto (2018)





## Slopes





# BOARD REPORT

**TO:** Chair and Directors

**File No:** DVP701-86  
PL2019018

**SUBJECT:** Electoral Area C: Development Variance Permit No. 701-86 (Case Holdings Ltd – Poggemoeller)

**DESCRIPTION:** Report from Erica Hartling, Planner I, dated April 26, 2019.  
25 - 6421 Eagle Bay Road, Wild Rose Bay

**RECOMMENDATION:** THAT: in accordance with Section 498 of the Local Government Act Development Variance Permit No. 701-86 for Strata Lot 25, Section 18, Township 23, Range 8, West of the 6<sup>th</sup> Meridian, Kamloops Division Yale District, Strata Plan KAS1797, together with an interest in the common property in proportion to the unit entitlement of the strata lot as shown on form 1, varying South Shuswap Zoning Bylaw No. 701 as follows:

- Section 15.2.5 minimum setback from the side parcel lines from 2 m to 0 m only for the retaining walls located along the driveway access;

be approved this 16<sup>th</sup> day of May, 2019 and issuance be withheld until the proposed retaining walls receive issuance of a Steep Slope Development Permit by the Manager of Development Services.

## SHORT SUMMARY:

The subject property is located at 25 - 6421 Eagle Bay Road in Wild Rose Bay of Electoral Area C. The lot is currently vacant and the owners are proposing to construct retaining walls along the steep slopes of the property's upper and lower panhandle to allow construction of a driveway access to the future building site. Retaining walls that are 1.2 m or greater in height are required to meet the setback regulation in the zoning bylaw. The proposed retaining walls range from 1.5 m to 4.5 m in height and are located within the side parcel line setbacks and require a variance to the South Shuswap Zoning Bylaw No. 701 from 2 m to 0 m for the side parcel boundaries, prior to other approvals and to construction.

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<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"/>
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## BACKGROUND:

REGISTERED OWNER(S):  
Case Holdings Ltd. and David Poggemoeller

AGENT:  
Darrell Axani c/o AC Eagle Enterprises

ELECTORAL AREA:  
C

**LEGAL DESCRIPTION:**

Strata Lot 25, Section 18, Township 23, Range 8, West of the 6<sup>th</sup> Meridian, Kamloops Division Yale District, Strata Plan KAS1797, together with an interest in the common property in proportion to the unit entitlement of the strata lot as shown on form 1

**PID:**

023-518-448

**CIVIC ADDRESS:**

25 - 6421 Eagle Bay Rd

**SURROUNDING LAND USE PATTERN:**

North = Wild Rose Bay Community Park and Shuswap Lake

South = Common Property and Residential Strata Lots

East = Common Property and Wild Rose Bay Community Park

West = Residential Strata Lots and Common Access

**CURRENT USE:**

Vacant lot

**PROPOSED USE:**

Construct retaining walls along the proposed driveway access

**PARCEL SIZE:**

0.14 ha (0.34 acres)

**DESIGNATION:**

Electoral Area C Official Community Plan Bylaw No. 725

MD – Medium Density Residential

**ZONE:**

South Shuswap Zoning Bylaw No. 701

LH – Large Holding

Lakes Zoning Bylaw No. 900

FM2 - Foreshore Multifamily 2, site specific (Wild Rose Bay Properties Ltd.)

**SITE COMMENTS:**

See "Maps\_Plans\_Photos\_DVP701-86.pdf" attached.

The subject property is part of the Strata Plan KAS1797 and Wild Rose Bay Properties Ltd. The property is currently vacant and is located south of the Wild Rose Bay Community Park and Shuswap Lake. The property's proposed access is from the Strata's common road and runs along the subject property's steeply sloped (30-35% grade) panhandle, which is adjacent to the developed neighbouring property to the north and is located south of a strip of common property and several developed strata lots. In order to construct a safe access to the building site, the proposed driveway will require retaining walls along the upper and lower sections of the panhandle. These proposed upper and lower retaining walls

range from 1.5 m to 4.5 m in height. The property owners are also in the process of relocating the existing utilities to be moved from Lot 24 into a new right of way on the subject property (Lot 25).

### **POLICY:**

#### **Electoral Area C Official Community Plan Bylaw No. 725**

See "BL725\_BL701\_Excerpts\_BL701-86.pdf" attached.

#### 12.1 Hazardous Lands Development Permit Areas (Steep Slope)

A Steep Slope Development Permit is required for the proposed retaining walls due to slopes on the property in excess of 30%.

Staff have not received an application for the Steep Slope Development Permit. The agent has noted that the owners are aware of the required development permit but would like to go through the variance application process first before applying for the required Steep Slope Development Permit.

Approval of technical development permits such as the Steep Slope Development Permit has been delegated to the Manager of Development Services for review and issuance.

#### **South Shuswap Zoning Bylaw No. 701**

See "BL725\_BL701\_Excerpts\_BL701-86.pdf" attached.

#### LH – Large Holding

#### 15.2 Regulations

.5	Minimum setback of Principal and Accessory Buildings from:	
	front parcel line	5 m
	exterior parcel line	4.5 m
	interior parcel line	2 m
	rear parcel line	5 m

#### **Building Regulation Bylaw No. 660**

As the proposed retaining walls are over 1.22 m in height, they require a Building Permit prior to construction. The agent has noted that they will apply for a building permit if the variance permit receives approval. The retaining walls will need to adhere to current BC Building Code and the Building Official will require Geotechnical Letters of Assurance at the building permit stage. Further information may be requested at the building permit application stage once more details regarding the build are submitted.

### **FINANCIAL:**

There are no financial implications for the CSRD as a result of this application.

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

See "Maps\_Plans\_Photos\_DVP701-86.pdf" attached.

The agent has applied to vary South Shuswap Zoning Bylaw No. 701, as follows:

- Section 15.2.5 minimum setback from the side parcel line from 2 m to 0 m only for the retaining walls located along the driveway access.

The location and height of the proposed retaining walls will require a Steep Slope Development Permit and Building Permit in addition to the Development Variance Permit, prior to construction. A Geotechnical Assessment will be required with the Steep Slope Development Permit application, which must confirm that the property may be used safely for the use intended. The agent has noted that the location and height of the retaining walls is required in order to safely access the future building site. Staff have received drawings of the retaining walls engineered by EXP, see attached "Maps\_Plans\_Photos\_DVP701-86.pdf".

At this time the subject property owners have no plans to build a single family dwelling on the lot but would like to construct a safe driveway access to the building site, which requires the construction of the proposed retaining walls. When the subject property owners are ready to build a single family dwelling, they will require a Building Permit and may also require a Lakes 100 m Development Permit, Riparian Areas Regulation Development Permit, and an amended Steep Slope Development Permit before building the dwelling and connecting to the utilities.

The agent has notified staff that the neighbouring property owners of Lot 23 and Lot 24 and Strata Council are aware of the proposed work and were present at a site meeting last fall. These neighbouring property owners and the Strata Council will receive a notice of the variance application in the mail and will have the opportunity to provide comments regarding this application prior to the Board meeting. The subject property owners may also need to make an application to their building committee and Strata Council for the proposed location of the retaining walls, as there is currently a building scheme registered over the property that is regulated by the Strata and not the CSRD

The upper proposed retaining wall along the panhandle driveway access ranges from 2.3 m – 4.5 m in height and backs onto vacant common property and is downslope from neighbouring strata lots, as such there should be no visual impacts to these lots. The lower wall ranges from 1.5 m to 3 m in height and is adjacent to Lot 24, which has a single family dwelling and garage. The location of the lower wall along the property line may directly impact Lot 24 and the subject property owners and the owners of lot 24 should have an agreement in place if construction works will temporarily impact Lot 24.

Lot 24 has a single family dwelling that has a view to the north and looking out at Shuswap Lake, with a landscaped yard between the dwelling and Shuswap Lake. The lot's driveway access, parking area, and garage are located in the southern section of the property next to the proposed location of the retaining walls. The subject property's proposed retaining walls will be constructed next to the southern boundary of Lot 24 and the proposed 0 m setback will locate them approximately 4.5 m from the side/corner of Lot 24's garage and setback 2 m from the back of the garage. As such, the proposed location of the retaining walls should not negatively impact the visual esthetics of Lot 24. As the proposed retaining walls are to be constructed on steep slopes and adjacent to a developed lot, if the requested variance is approved then issuance and registration of the variance permit is recommended to be withheld until the property is issued a Steep Slope Development Permit deeming the land safe for the use intended.

#### **SUMMARY:**

The application proposes to vary South Shuswap Zoning Bylaw No. 701, as follows:

- Section 15.2.5 minimum setback from the side parcel lines from 2 m to 0 m only for the retaining walls located along the driveway access.

Development Services staff are recommending approval of the variance request for the following reasons:

1. The location of the retaining walls is required to construct a safe driveway access to the property;
2. The location and height of the retaining walls should have minimal visual impact on the surrounding properties;
3. The proposed access and retaining walls must be deemed safe and issued a Steep Slope Development Permit and Building Permit prior to construction.

Development Services staff are recommending that the Board approve Development Variance Permit No. 701-86, on the condition that the variance permit not be issued by staff until the agent or owners apply for and receive approval and issuance of the Steep Slope Development Permit.

### **IMPLEMENTATION:**

If Development Variance Permit 701-86 (DVP701-86) is approved by the Board, staff will withhold issuance and registration of the DVP701-86 until the property is issued a Steep Slope Development Permit (DP) deeming the property can be used safely for the use intended. Once the DVP and DP property is issued, the owners will apply for a Building Permit to construct the retaining walls.

### **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.

Referrals have been sent to the following:

- Electoral Area C Advisory Planning Commission (APC).

The APC reviewed the application at their April 29, 2019 meeting and passed a resolution to support the application. The APC noted that the access to the building site is very limited and the proposal maximizes the driveway width. The APC had the following concerns and comments:

- Wanted to know that a special effort would be made to contact the owners of lot 24;
- If the strata council was supportive of the specific plan; and,
- That engineering and related studies were all followed.

### **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. South Shuswap Zoning Bylaw No. 701
2. Electoral Area C Official Community Plan Bylaw No. 725
3. Electoral Area C Advisory Planning Commission Minutes April 29, 2019

**Report Approval Details**

Document Title:	2019-05-16_Board_DS_DVP701-86_Case_Holdings_Ltd - Poggemoeller.docx
Attachments:	<ul style="list-style-type: none"><li>- DVP701-86.pdf</li><li>- BL725_BL701_Excerpts_DVP701-86.pdf</li><li>- Maps_Plans_Photos_DVP701-86.pdf</li></ul>
Final Approval Date:	May 6, 2019

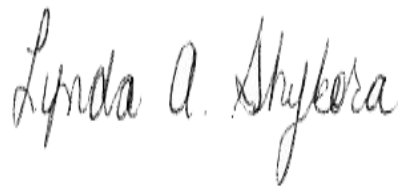
This report and all of its attachments were approved and signed as outlined below:



**Corey Paiement - May 3, 2019 - 11:18 AM**



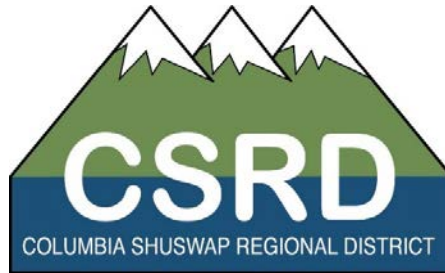
**Gerald Christie - May 3, 2019 - 12:17 PM**



**Lynda Shykora - May 6, 2019 - 10:06 AM**



**Charles Hamilton - May 6, 2019 - 10:33 AM**



### **DEVELOPMENT VARIANCE PERMIT NO. 701-86**

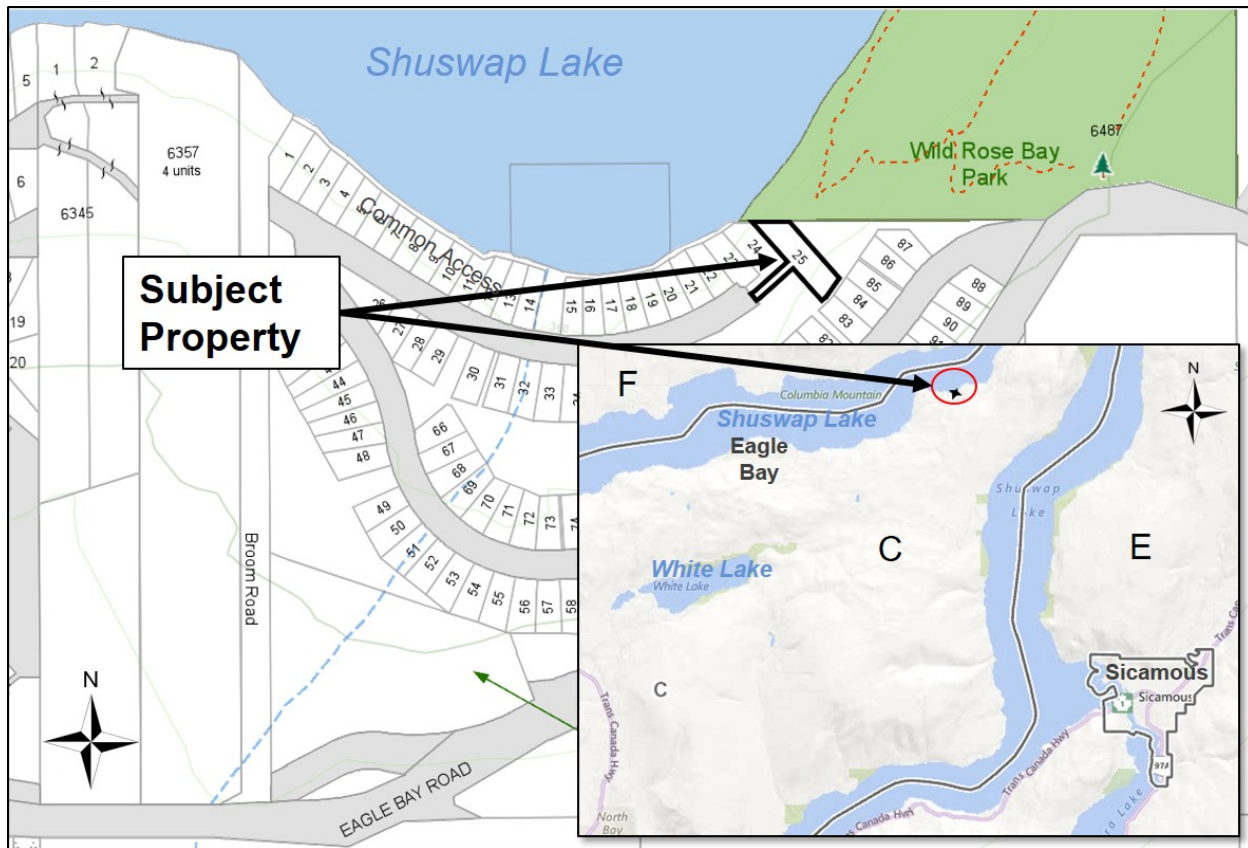
1. OWNERS: Case Holdings Ltd., Inc. No. BC0128860  
 3202 28 St  
 Vernon, BC  
 V1T 4Z8  
*As to an undivided 50/100 interest*  
  
 David Ernest Poggemoeller  
 6235 Silver Star Rd  
 Vernon, BC  
 V1B 3P3  
*As to an undivided 50/100 interest*
2. This permit applies only to the land described below:  
Strata Lot 25, Section 18, Township 23, Range 8, West of the 6th Meridian, Kamloops Division Yale District, Strata Plan KAS1797, together with an interest in the common property in proportion to the unit entitlement of the strata lot as shown on form 1 (PID: 023-518-448), which property is more particularly shown outlined in bold on the Location Map attached hereto as Schedule A.
3. The South Shuswap Zoning Bylaw No. 701, is hereby varied as follows:
  - Section 15.2.5 minimum setback from the side parcel lines from 2 m to 0 m only for the retaining walls located along the driveway access.
 as more particularly shown on the Site Plan attached hereto as Schedule B and Engineered Drawings attached hereto as Schedule C.
5. This permit is NOT a building permit.

AUTHORIZED AND ISSUED BY RESOLUTION of the Columbia Shuswap Regional District Board  
on the \_\_\_\_\_ day of \_\_\_\_\_, 2019.

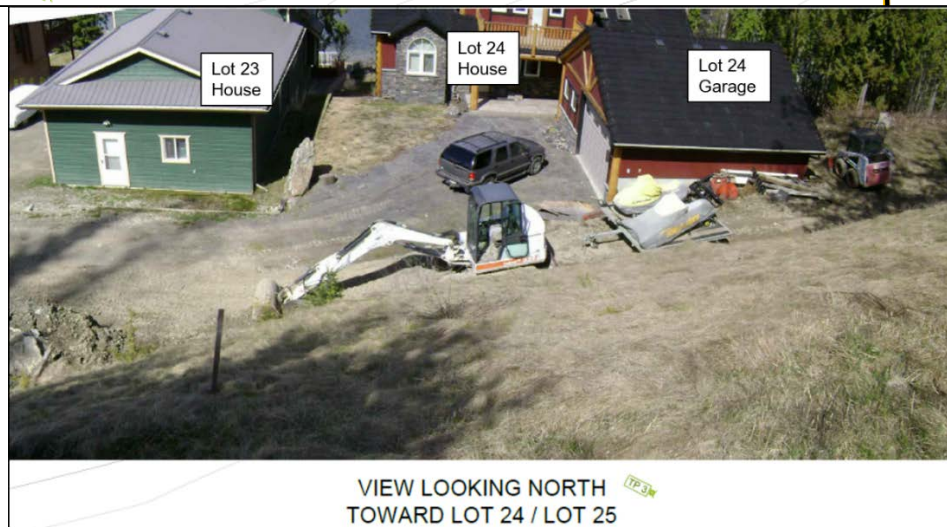
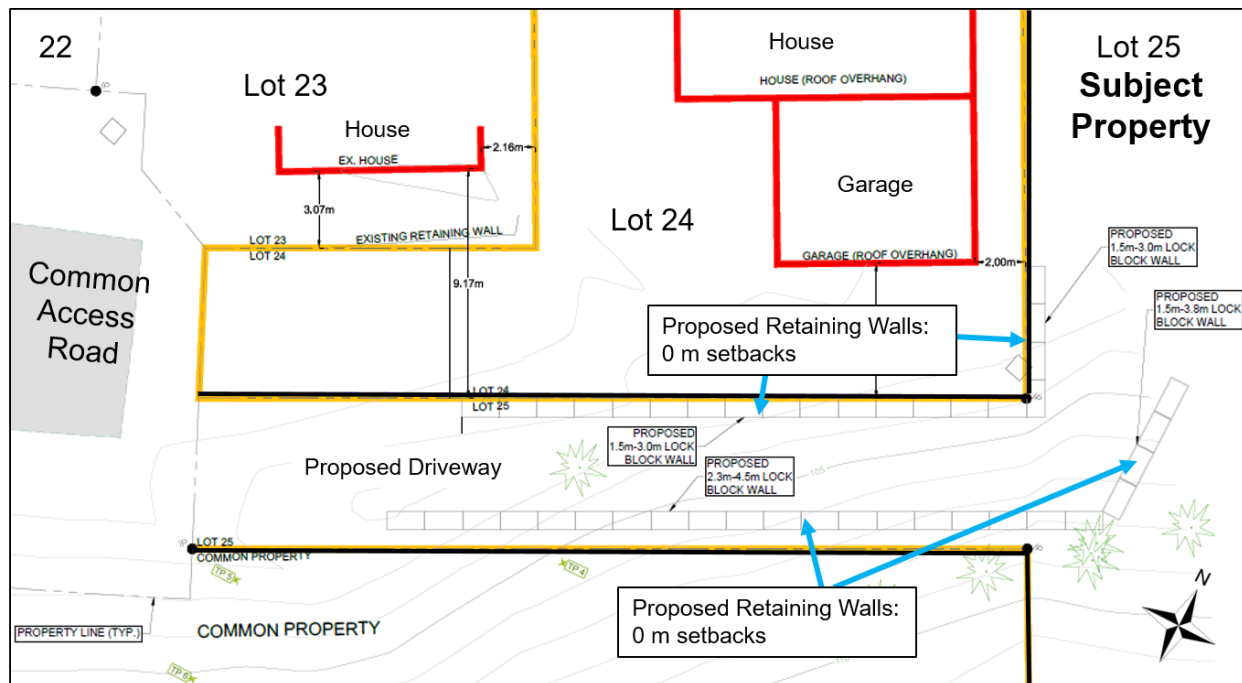
\_\_\_\_\_  
CORPORATE OFFICER

NOTE: Subject to Section 504 of the Local Government Act, if the development of the subject property is not substantially commenced within two years after the issuance of this permit, the permit automatically lapses.

## Schedule A Location Map

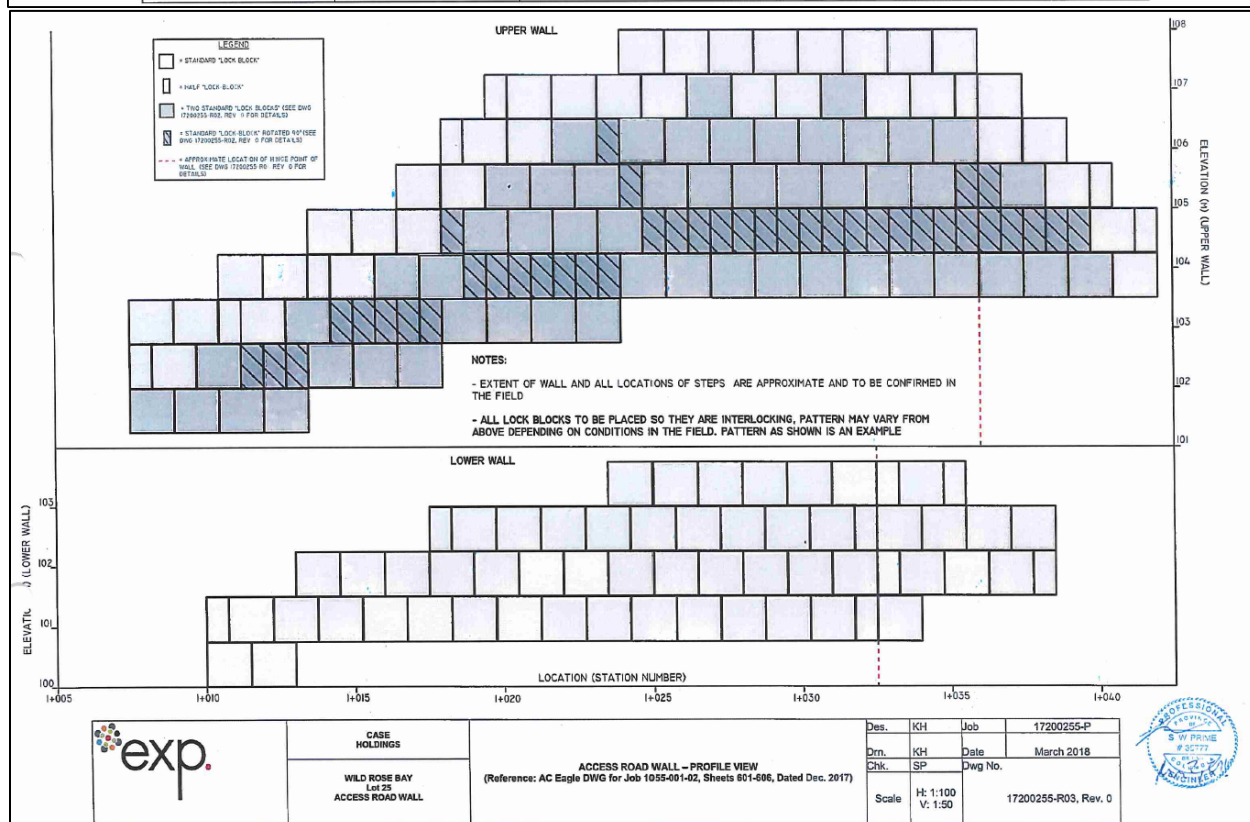
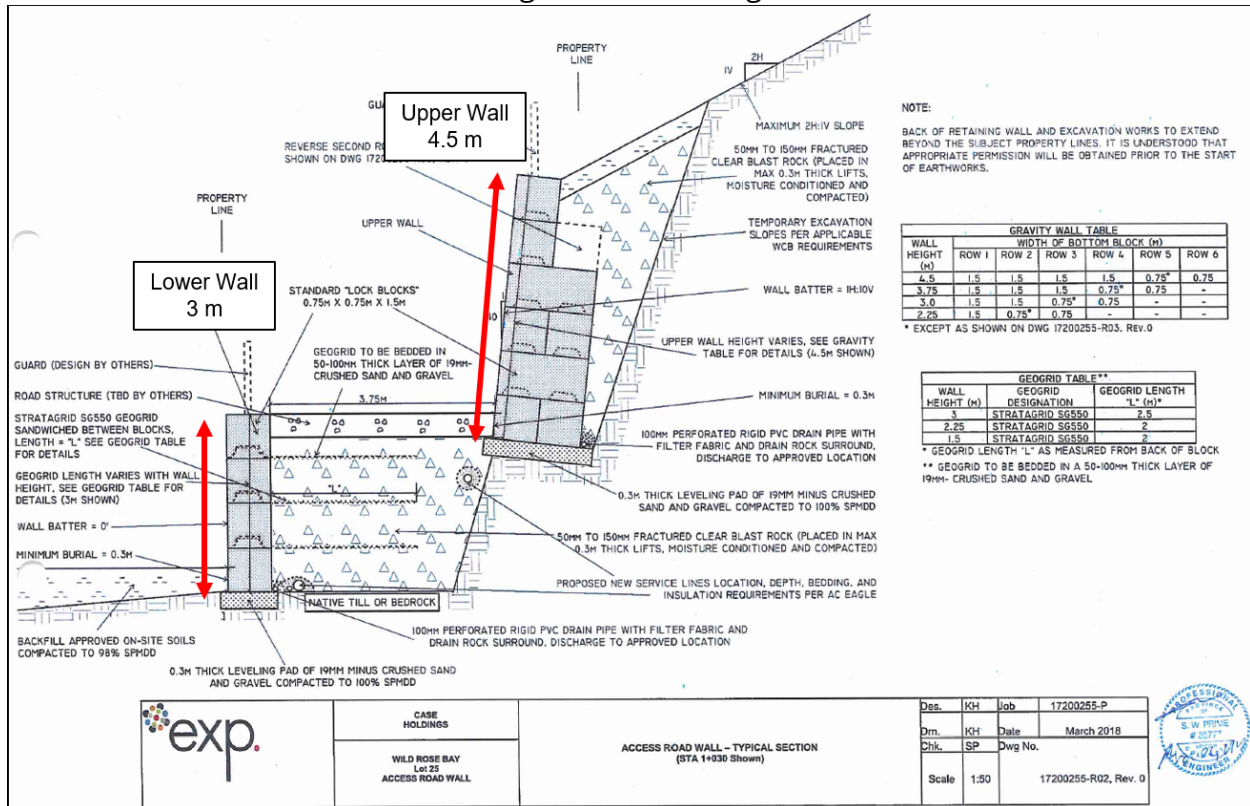


## Schedule B Site Plan

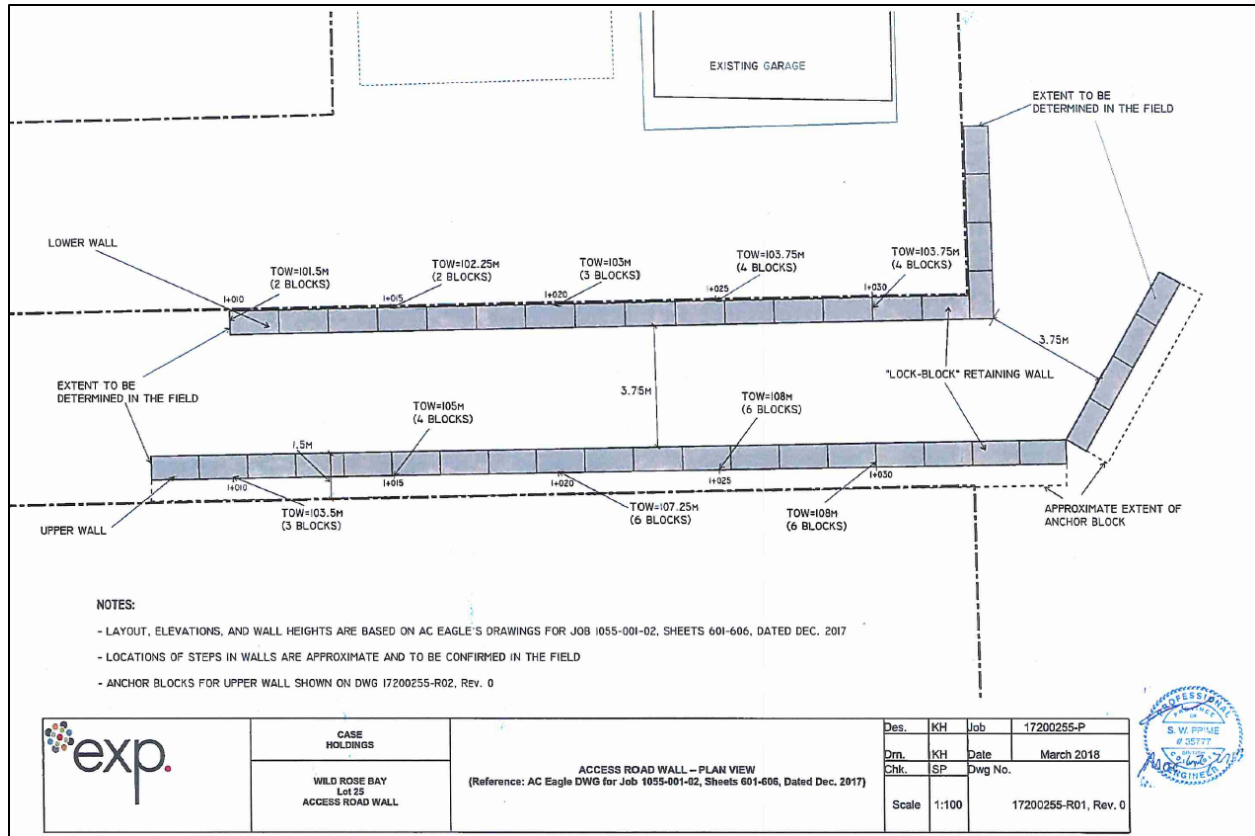


## Schedule B

### Engineered Drawings







DVP SUBMISSION - DVP701-86

AUTHOR: [REDACTED]

ADDRESS: [REDACTED] EAGLE BAY RD

CONCERNS:

1. CONCERN OF ROCK BLASTING SO CLOSE TO [REDACTED] PROPERTY
2. CONCERN OF STABILIZING HILL
3. CONCERN OF THE WALL BEING ON THE [REDACTED] PROPERTY LINE - THE LEGALITIES OF THE LOWER WALL ON PROPERTY LINE , I.E WHEN THE WALL SETTLES, SLIDES.
4. CONCERN OF WHAT THIS WILL MEAN FOR [REDACTED] FUTURE DEVELOPMENT, IE PLANTING, DIGGING NEXT TO WALL ON [REDACTED] PROPERTY. WHEN [REDACTED] EXPAND [REDACTED] GARAGE WILL THIS DEVELOPMENT CHANGE [REDACTED] REQUIREMENTS [REDACTED] EXPANSION WILL BE CLOSER TO PROPERTY LINE.
5. CONCERN OF WALL FAILURE.
6. CONCERNS OVER VEHICLES/ EQUIPMENT FALLING OVER THE WALL EVEN WITH GAURD RAILS.
7. CONCERNS OF WHEN SNOW IS PLOWED [REDACTED]
8. CONCERN OF WALL ON PROPERTY LINE, WILL THIS ALLOW [REDACTED] TO PLANT TREES/SHRUBS NEXT TO WALL TO HIDE THE LOOK OF CONCRETE INDUSTRIAL WALL. THE FOOTING AREA WILL BE IMPEDING INTO LOT 24. IF THE ROOTS OF OUR TREES UNDERMINE THE WALL WILL THE ENGINEERING OF WALL BE AFFECTED. DOES THIS LIMIT [REDACTED] AS TO [REDACTED] FUTURE DEVELOPMENT

[REDACTED]

MAY 7/2019

## Relevant Excerpts from Electoral Area C Official Community Plan Bylaw No. 725 South Shuswap Zoning Bylaw No. 701

(See [Bylaw No. 725](#) and [Bylaw No. 701](#) for all policies and land use regulations)

### **Bylaw No. 725**

#### **12.1 Hazardous Lands Development Permit Areas (Steep Slope)**

##### *12.1.1 Purpose*

The Hazardous Lands Development Permit Area is designated under the Local Government Act for the purpose of protecting development from steep slope hazardous conditions.

##### *12.1.2 Justification*

Whereas steep slopes pose a potential landslide risk, a Hazardous Lands Development Permit Area is justified so that DP guidelines and recommendations from qualified engineering professionals are utilised prior to development in steep slope areas in order to provide a high level of protection from ground instability and/or slope failure.

##### *12.1.3 Area*

All properties, any portion of which, contain slopes 30% or greater are designated as Hazardous Lands Development Permit Area (Steep Slope). These are referred to as 'steep slope' areas below. The CSRD requires a slope assessment of slope conditions as a condition of development permit issuance. Provincial 1:20,000 TRIM mapping, using 20m (66ft) contour information, may provide preliminary slope assessment; however, a more detailed site assessment may be required.

##### *12.1.4 Exemptions*

A Hazardous Lands Development Permit is not required for the following:

- .1 A single storey accessory building with a gross floor area less than 10 m<sup>2</sup> (107.4 ft<sup>2</sup>) which are placed on slopes of less than 30%;
- .2 Non-structural **external** repairs or alterations exempted by the BC Building Code; or
- .3 Non-structural **internal** repairs or alterations exempted by the BC Building Code which do not create sleeping accommodations or bedrooms.

##### *12.1.5 Guidelines*

- .1 Whenever possible placement of buildings and structures should be considered first in non-steeply sloped areas, i.e. less than 30% slope;

- .2 In order to protect against the loss of life and to minimize property damage associated with ground instability and/or slope failure, development in steep slope areas is discouraged;
- .3 Occupant and public safety shall be the prime consideration of the qualified geotechnical professional and the CSRD prior to approval of development in steeply sloped areas; and,
- .4 Geotechnical reports from qualified geotechnical professionals must address best engineering practices in the field of geotechnical engineering and provide detailed recommendations. At the discretion of CSRD staff an independent third party review of the submitted report(s) may be undertaken.

Where steep slope areas are required for development, development permits addressing Steep Slopes shall be in accordance with the following:

For subdivision, either 12.1.5.5 or 12.1.5.6 applies:

- .5 Submission of a geotechnical report by an Association of Professional Engineers and Geoscientists of British Columbia (APEGBC) registered professional with experience in geotechnical engineering.
  - a. The geotechnical report, which the Regional District will use to determine the conditions and requirements of the development permit, must certify that the land may be used safely for the use intended.
  - b. The geotechnical report must explicitly confirm all work was undertaken in accordance with the APEGBC Legislated Landslide Assessment Guidelines.
  - c. The report should include the following types of analysis and information:
    - i. site map showing area of investigation, including existing and proposed: buildings, structures, septic tank & field locations, drinking water sources and natural features, including watercourses;
    - ii. strength and structure of rock material, bedding sequences, slope gradient, landform shape, soil depth, soil strength and clay mineralogy;
    - iii. surface & subsurface water flows & drainage;
    - iv. vegetation: plant rooting, clear-cutting, vegetation conversion, etc.
    - v. recommended setbacks from the toe and top of the slope;
    - vi. recommended mitigation measures; and
    - vii. recommended 'no-build' areas.
  - d. Development in steep slopes should avoid:
    - i. cutting into a slope without providing adequate mechanical support;
    - ii. adding water to a slope that would cause decreased stability;
    - iii. adding weight to the top of a slope, including fill or waste;
    - iv. removing vegetation from a slope;

- v. creating steeper slopes; and
  - vi. siting Type 1, 2 and 3 septic systems and fields within steep slopes.
- e. A Covenant may be registered on title identifying the hazard and remedial requirements as specified in the geotechnical or engineering reports for the benefit and safe use of future owners.
- .6 Registration of a Covenant on title identifying hazards and restrictions regarding construction, habitation or other structures or uses on slopes of 30% and greater.

For construction of, addition to or alteration of a building or other structure:

Compliance with and submission of the relevant geotechnical sections of Schedule B-1, B-2 and C-B of the BC Building Code by an Association of Professional Engineers and Geoscientists of British Columbia (APEGBC) registered professional with experience in geotechnical engineering. A Covenant may be registered on title identifying hazards and restrictions regarding construction, habitation or other structures or uses on slopes of 30% or greater.

## **Bylaw No. 701**

### **Section 1: Definitions**

RETAINING STRUCTURE means a specific type of structure that is subject to lateral earth pressure, is laterally unsupported at the top and retains more than 1.2 meters of soil material at any point along its length, measured as the difference between the finished ground elevation at the top and bottom of the structure, and specifically excludes Landscape Retaining Structures and Retaining Structures which are part of and connected structurally to a Building.

LANDSCAPE RETAINING STRUCTURE means a specific type of retaining structure, the use or intended use of which is to hold back and resist, stabilize or support less than 1.2 meters of retained material, such as an earthen bank.

FINISHED GROUND ELEVATION means either a natural or altered ground level but shall not include areas artificially raised through the use of retaining structures unless the retaining structure provides a level ground area that is a minimum of 1.2 m wide measured from the face of the building; or earth piled against the building with a slope of greater than 2:1 (horizontal to vertical).

HEIGHT is the vertical distance between the highest point of a building or structure and the lowest point of a building or structure where the finished ground elevation and the building meet, excluding localized depressions such as vehicle and pedestrian entrances to a maximum width of 6 m (19.69 ft.).

PARCEL LINE, FRONT means the parcel line that is the shortest parcel boundary common to the lot and an abutting *highway* or access route in a bare land strata plan, and where and in the case of a *panhandle lot* means the line separating the *panhandle driveway* from the main part of the lot.

PARCEL LINE, REAR means the boundary of a parcel which lies the most opposite to and is not connected to the front parcel line, or, where the rear portion of the parcel is bounded by intersecting side parcel lines, it shall be the point of such intersection.

PARCEL LINE, SIDE means a parcel line other than a front parcel line or a rear parcel line.

SETBACK means the required minimum distance between a structure, building or use and each of the respective property lines.

### Section 3: General Regulations

#### Setback Exceptions

**3.5** No building or structure other than the following shall be located in the area of setback required in this Bylaw:

- .1 steps, provided they are not closer than 1m from any side parcel line;
- .2 signs, provided they are not closer than 1m from any parcel lines;
- .3 uncovered patios or terraces, provided they are not closer than 2 m from any parcel line;
- .4 arbors, trellises, fishponds, ornaments, flag poles, or similar landscaping, provided they are not closer than 1m from any side parcel line;
- .5 hot tubs and uncovered swimming pools provided they are not located between the principal building and the front parcel line or closer than 2 m from any other parcel line;
- .6 fences, in compliance with the regulations set out in Section 3, General Regulations, subsection 3.7 Sight Triangles;
- .7 landscape screens;
- .8 eaves and gutters, provided they are not closer than 1 m from any parcel line.
- .9 *landscape retaining structures*, provided that such structures must be separated from each other by a minimum 1.5 m distance measured horizontally from the face (or from the toe of the upper wall to the top face of the lower wall, if the *landscape retaining structures* are not vertical) of each *landscape retaining structure* and specifically excludes *landscape retaining structures* proposed to be constructed adjacent to a Section 42 road, as defined in the Transportation Act, or in the sight triangle. Landscape retaining structures proposed to be located adjacent to a Highway must comply with Ministry of Transportation and Infrastructure regulations and may require the approval of that Ministry.

## Section 15: LH –Large Holding Zone

### Permitted Uses

15.1 The following uses and no others are permitted in LH zone:

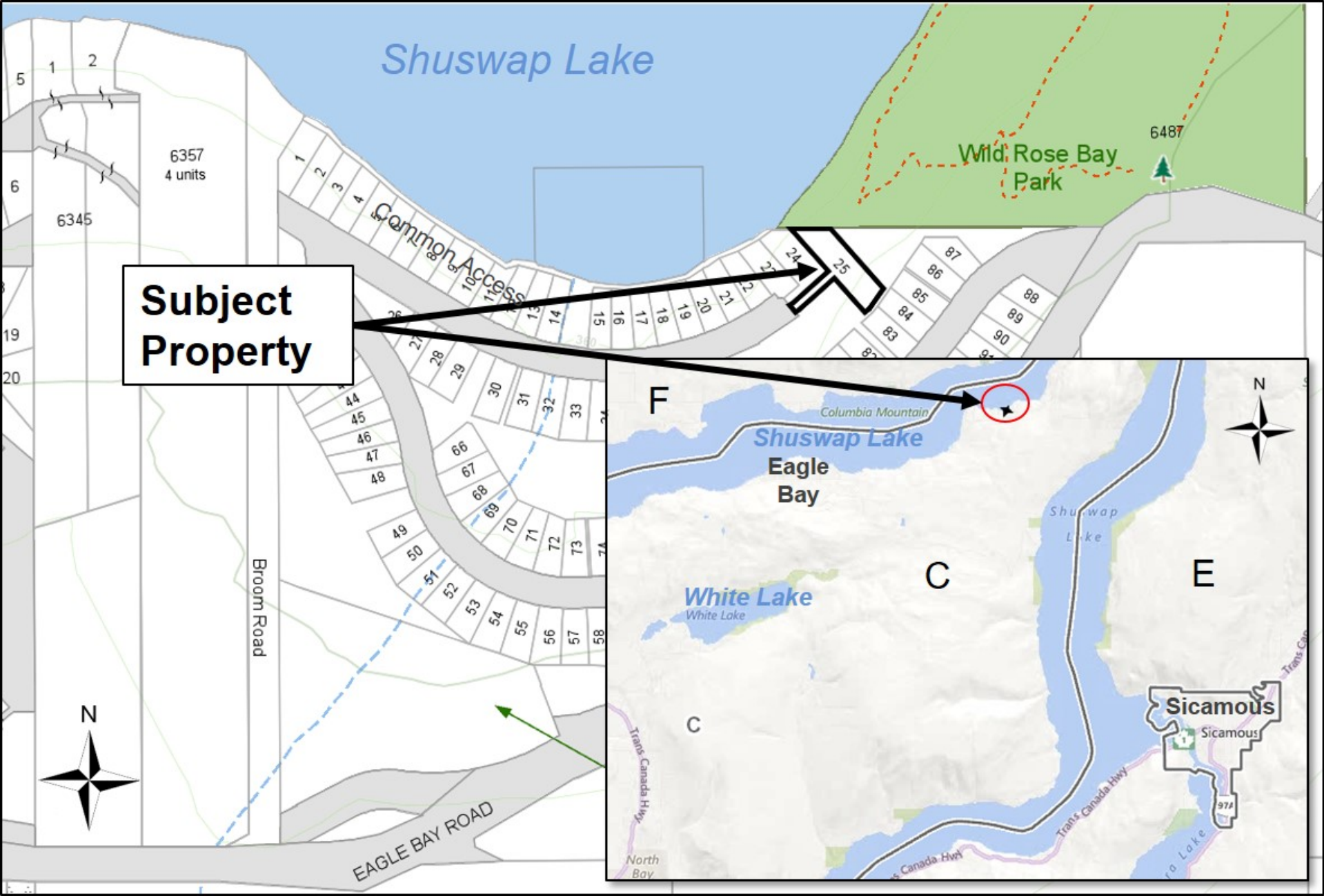
- .1 single family dwelling;
- .2 agriculture;
- .3 bed and breakfast;
- .4 cottage, permitted only if there is less than two (2) single family dwellings on the property;
- .5 home business;
- .6 home industry, permitted only on parcels greater than 2 ha;
- .7 portable sawmill, permitted only on parcels greater than 10 ha and subject to the provisions of Section 3.14;
- .8 public utility;
- .9 building set apart for public worship;
- .10 public recreation facility;
- .11 public camping;
- .12 storage;
- .13 accessory use.

### Regulations

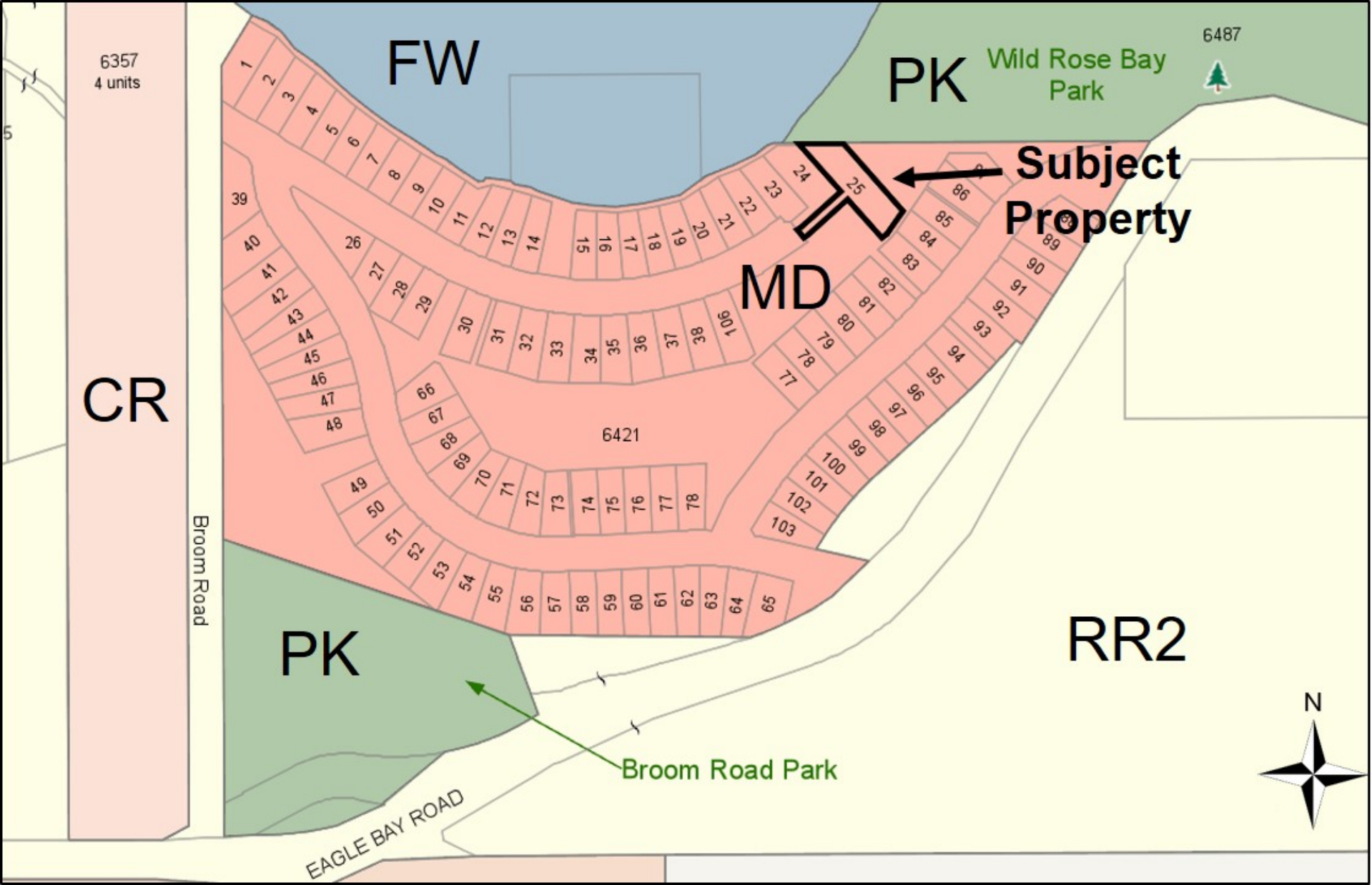
<b>COLUMN I MATTER TO BE REGULATED</b>	<b>COLUMN II REGULATIONS</b>
.1 Maximum Number of Single Family Dwellings	2
.2 Maximum Number of Cottages	1
.3 Maximum height for: <ul style="list-style-type: none"> <li>• Principal buildings and structures</li> <li>• Accessory buildings</li> </ul>	<ul style="list-style-type: none"> <li>• 11.5 m (37.73 ft.)</li> <li>• 10 m (32.81 ft.)</li> </ul>
.4 Minimum Parcel Size for New Subdivisions	8 ha
.5 Minimum Setback from: <ul style="list-style-type: none"> <li>• front parcel line</li> <li>• exterior side parcel line</li> <li>• interior side parcel line</li> <li>• rear parcel line</li> </ul>	<ul style="list-style-type: none"> <li>• 5 m</li> <li>• 4.5 m</li> <li>• 2 m</li> <li>• 5 m</li> </ul>
Minimum Setback of Home Industry from All Parcel Lines	5 m
.7 Minimum Setback of Portable Sawmill from All Parcel Lines	75 m
.8 Maximum Site Area of Portable Sawmill	1 ha



Location

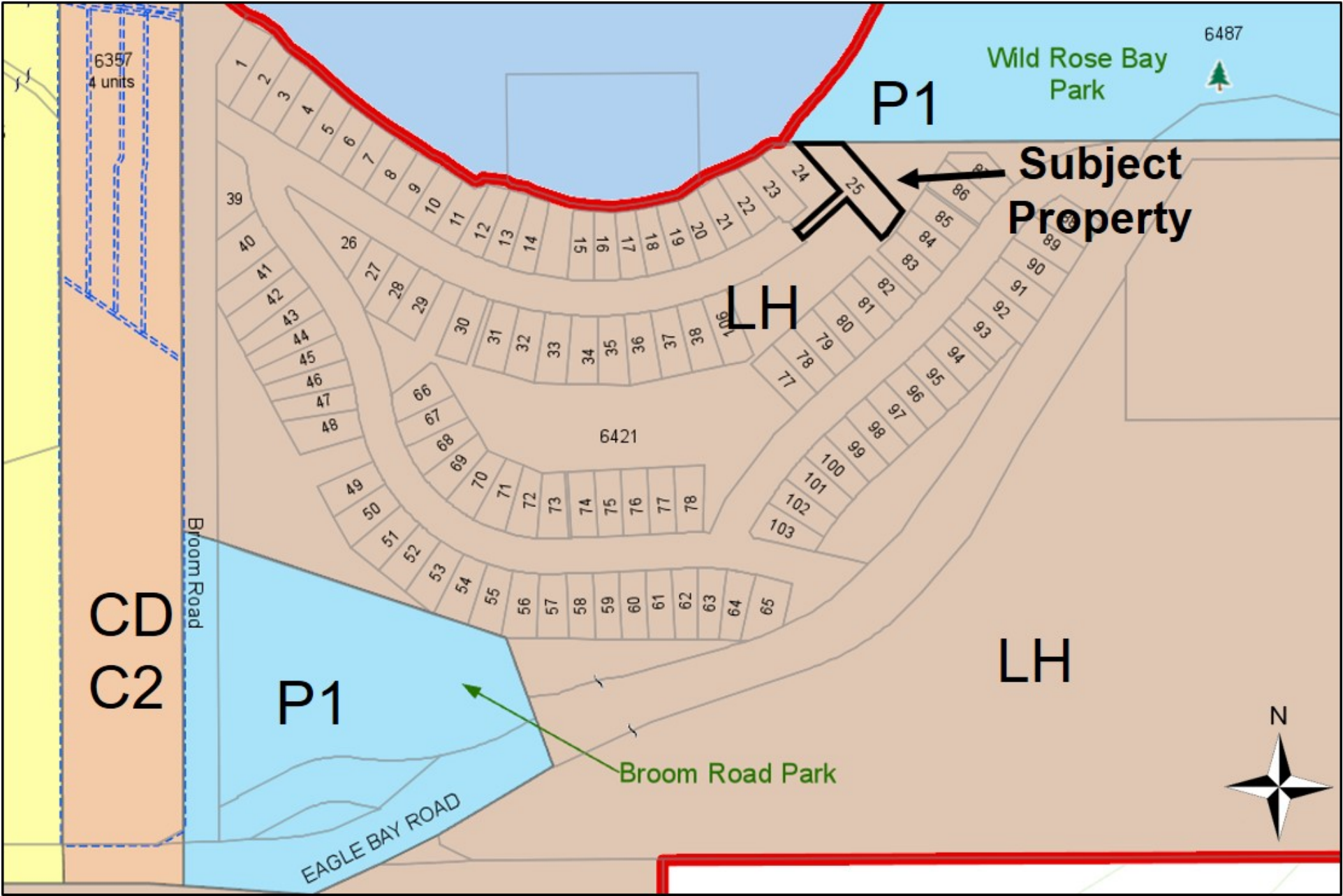


Electoral Area C Official Community Plan Bylaw No. 725

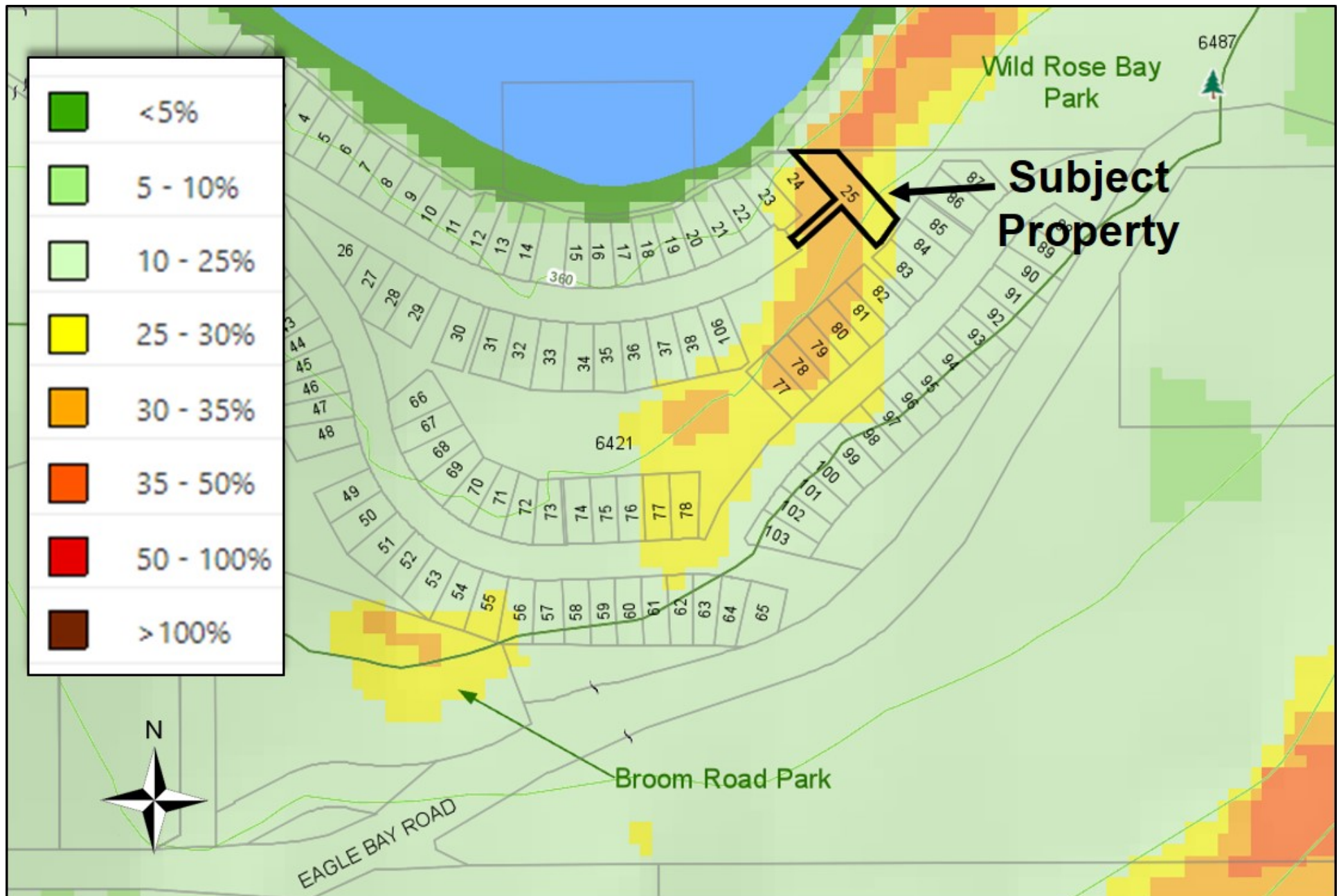




South Shuswap Zoning Bylaw No. 701



## Slopes - 20 m Contours

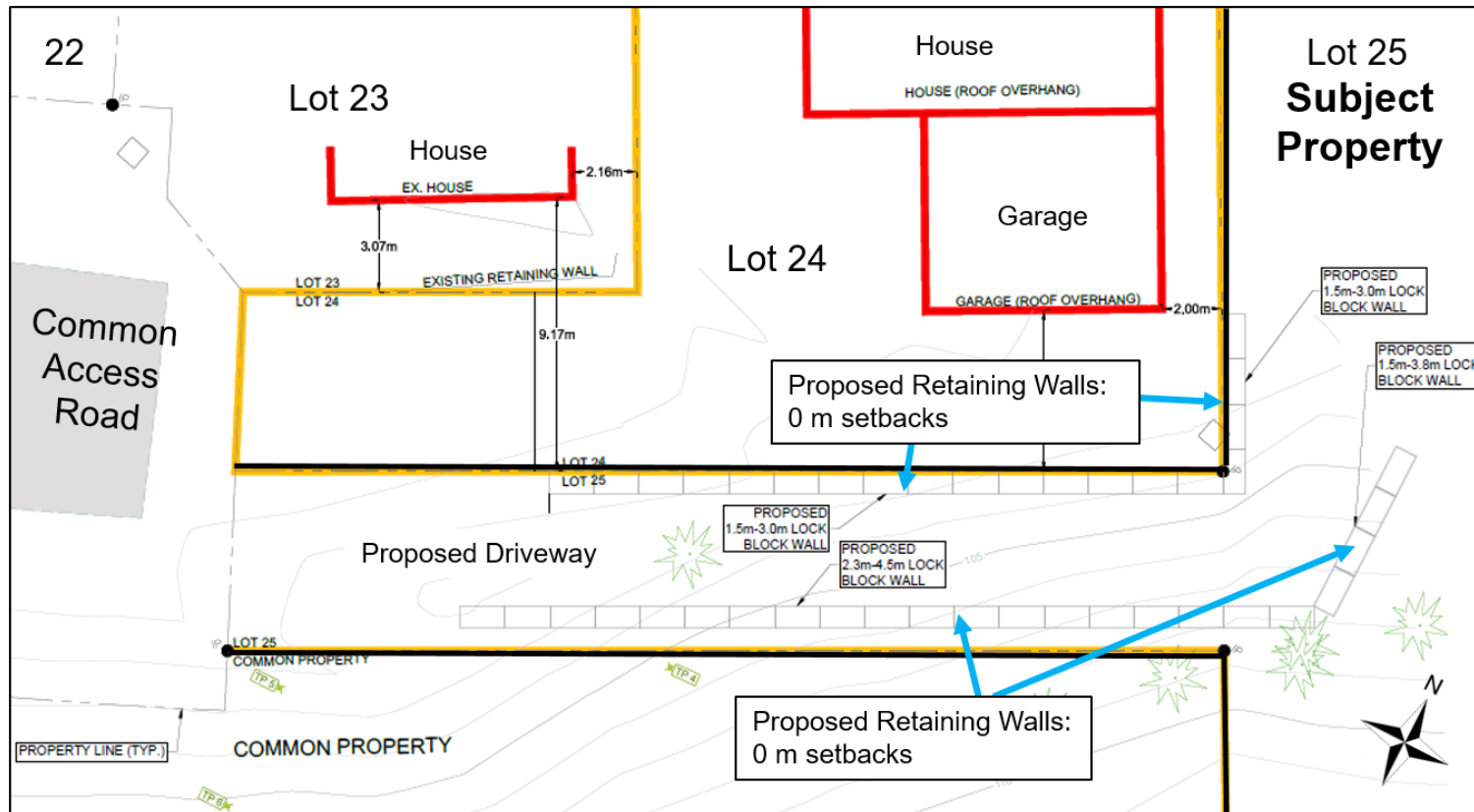




2018 Orthophoto

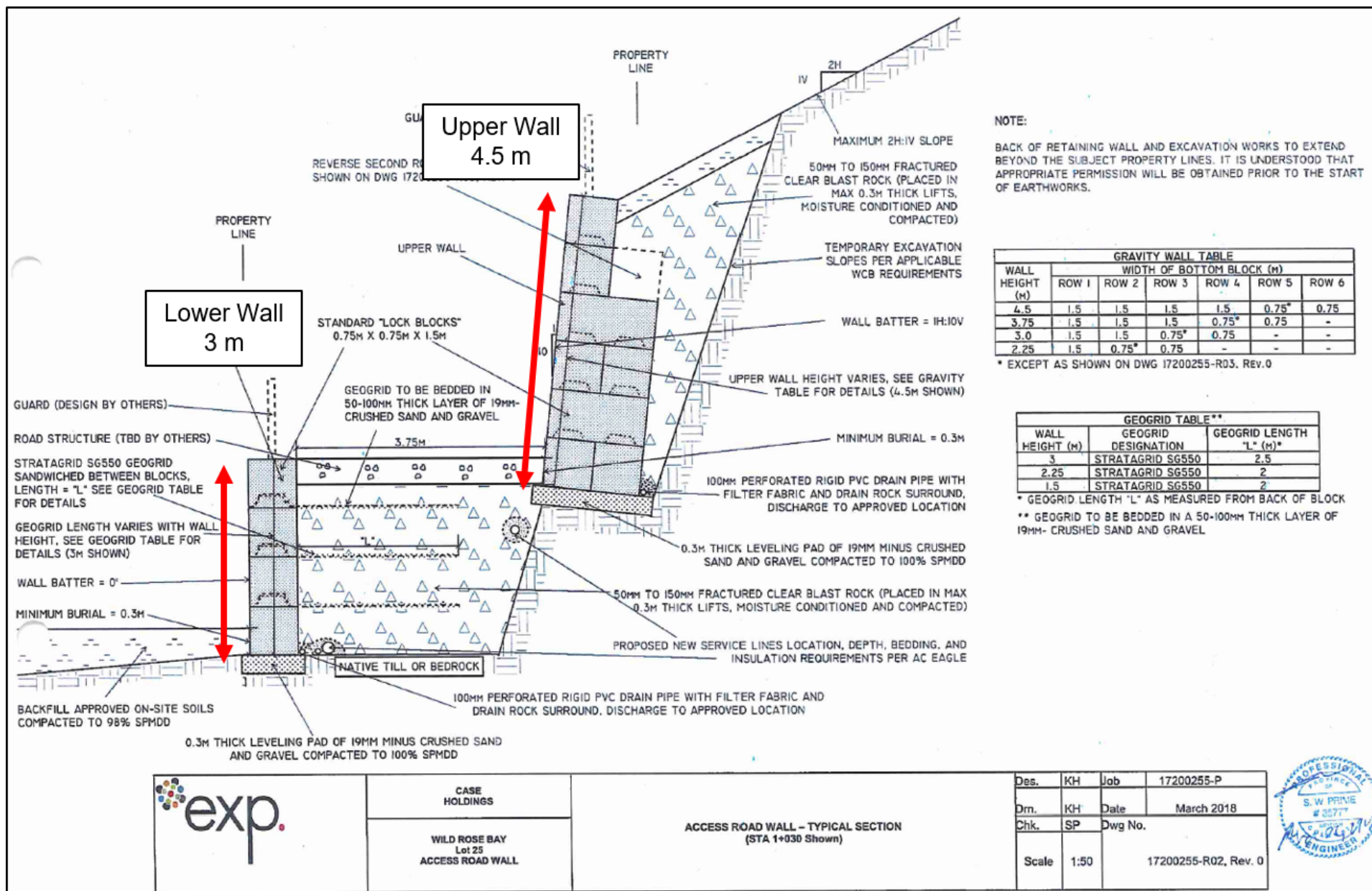


## Variance Proposal Site Plan

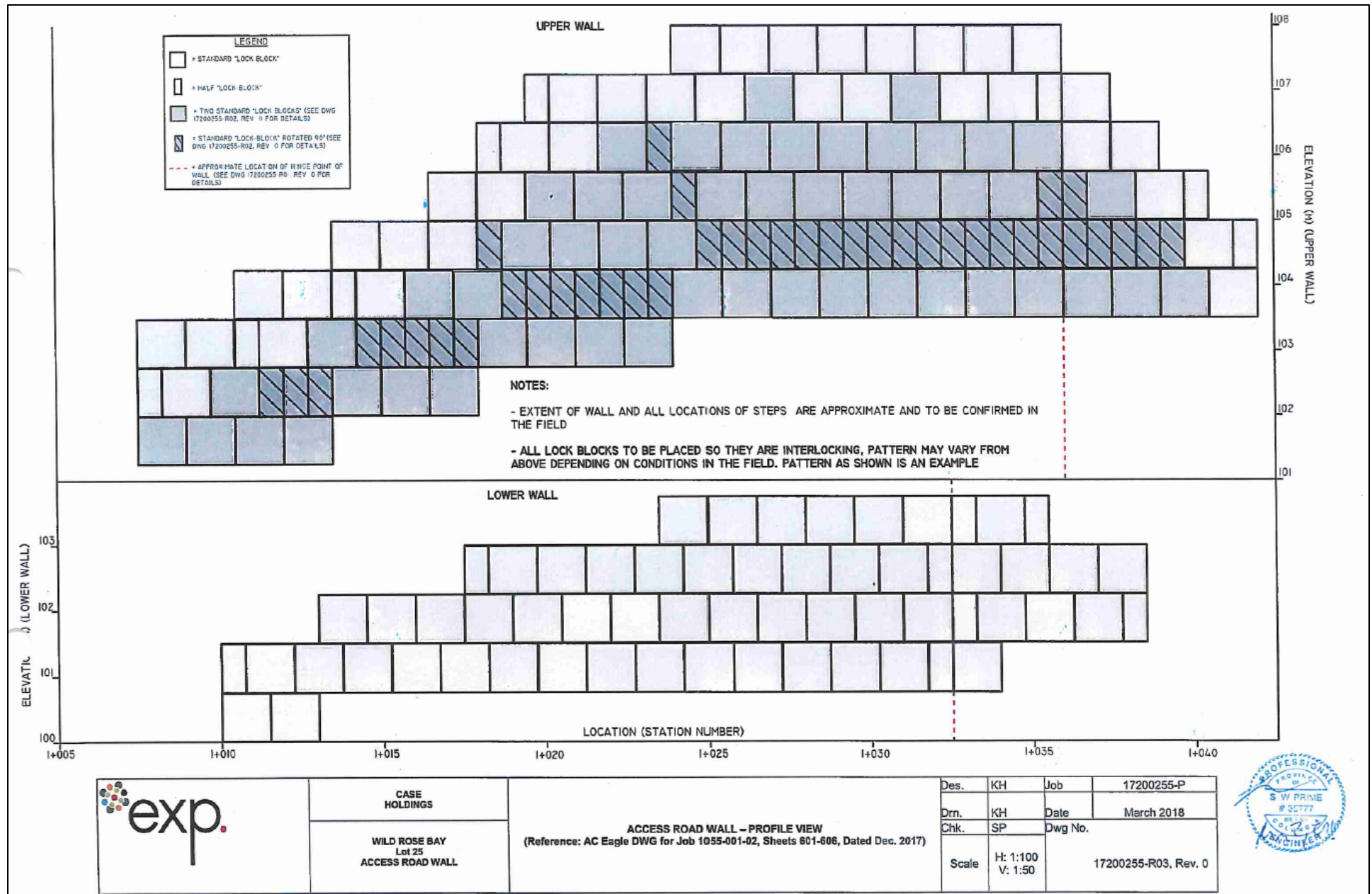


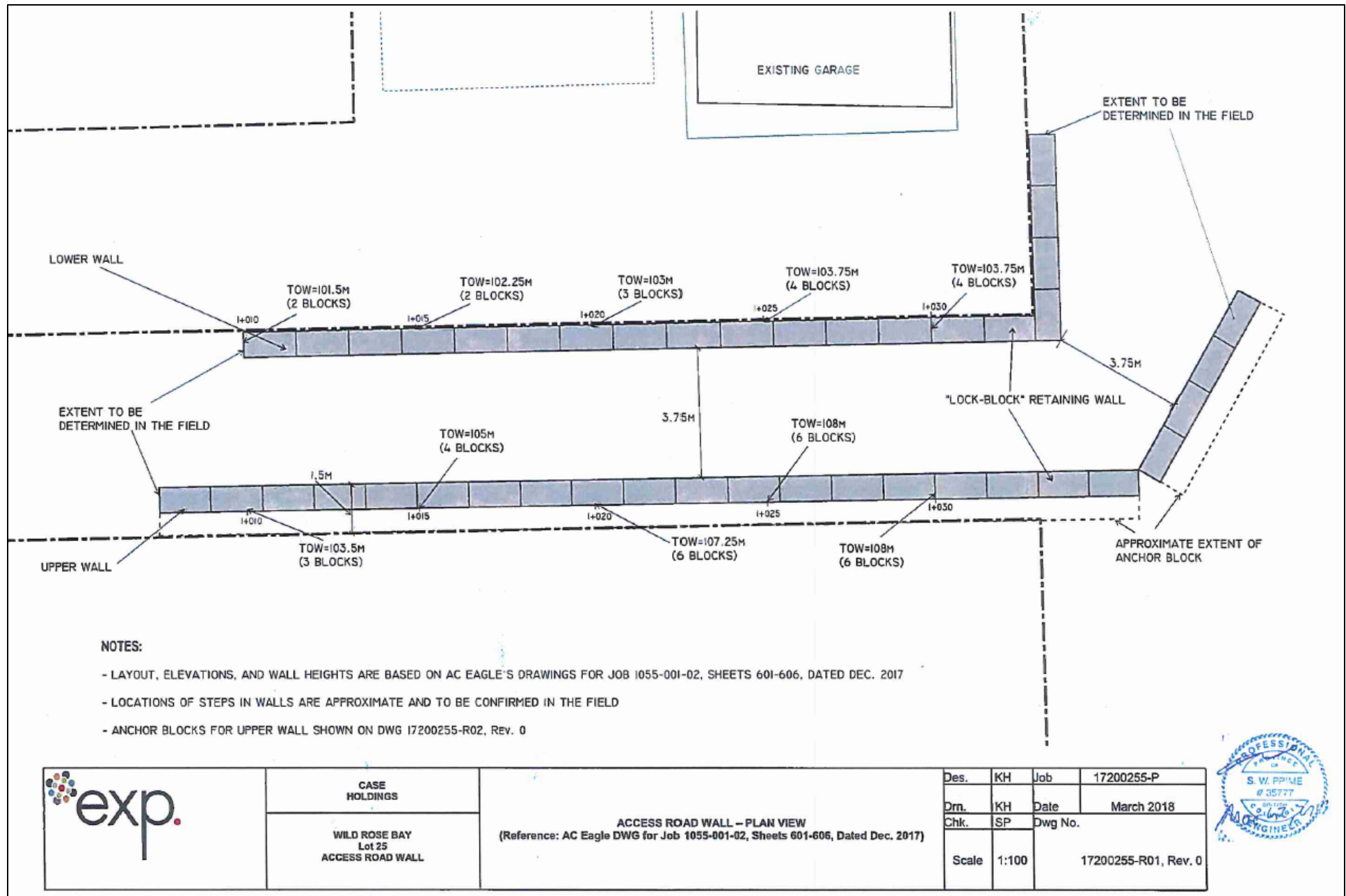


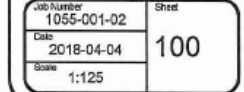
## Engineered Drawings





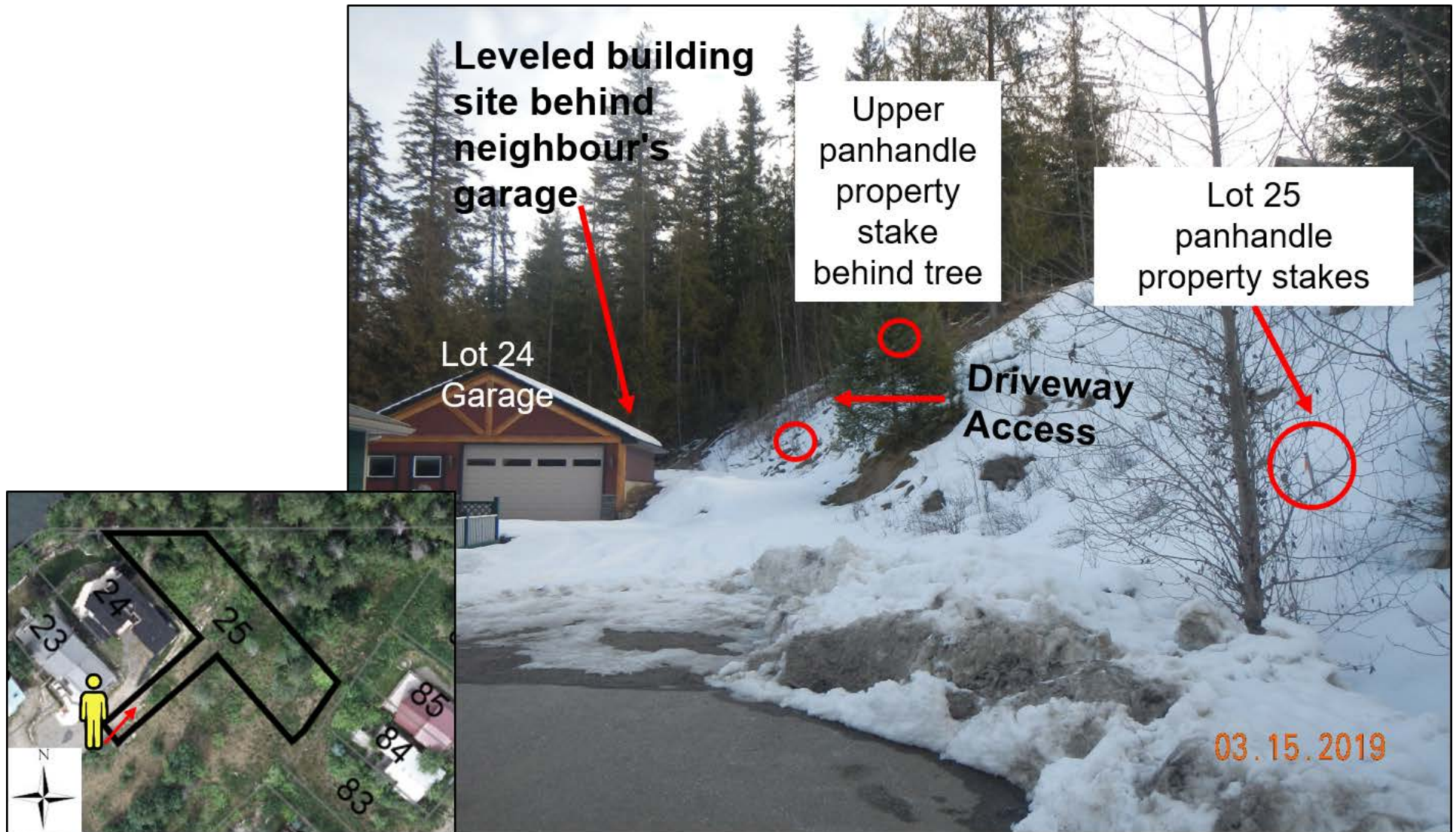




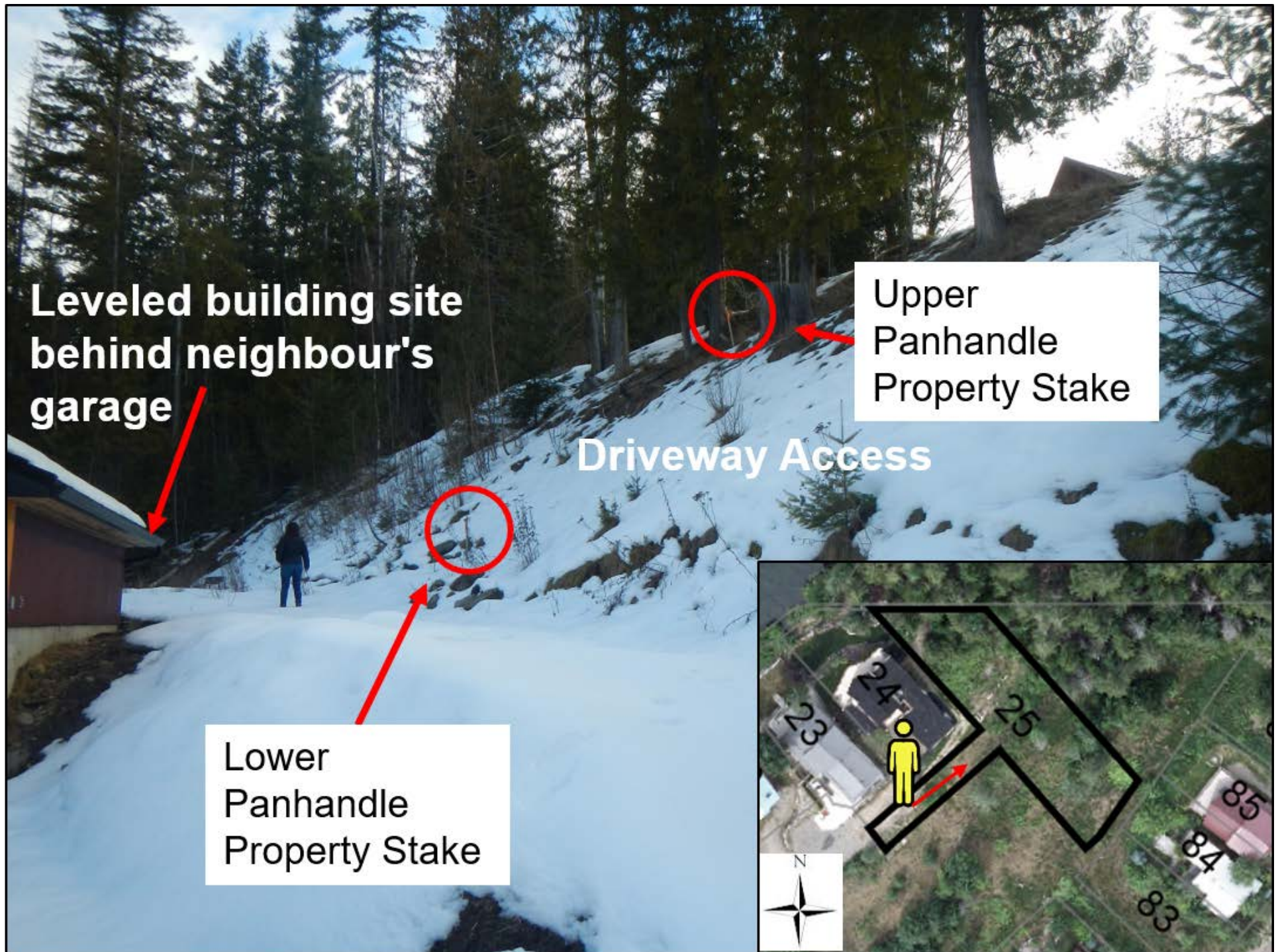




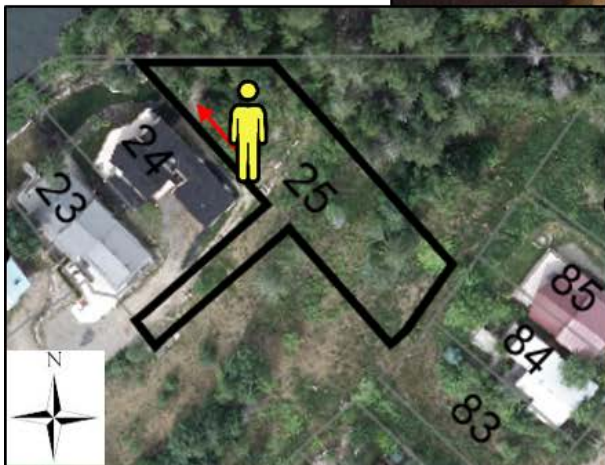
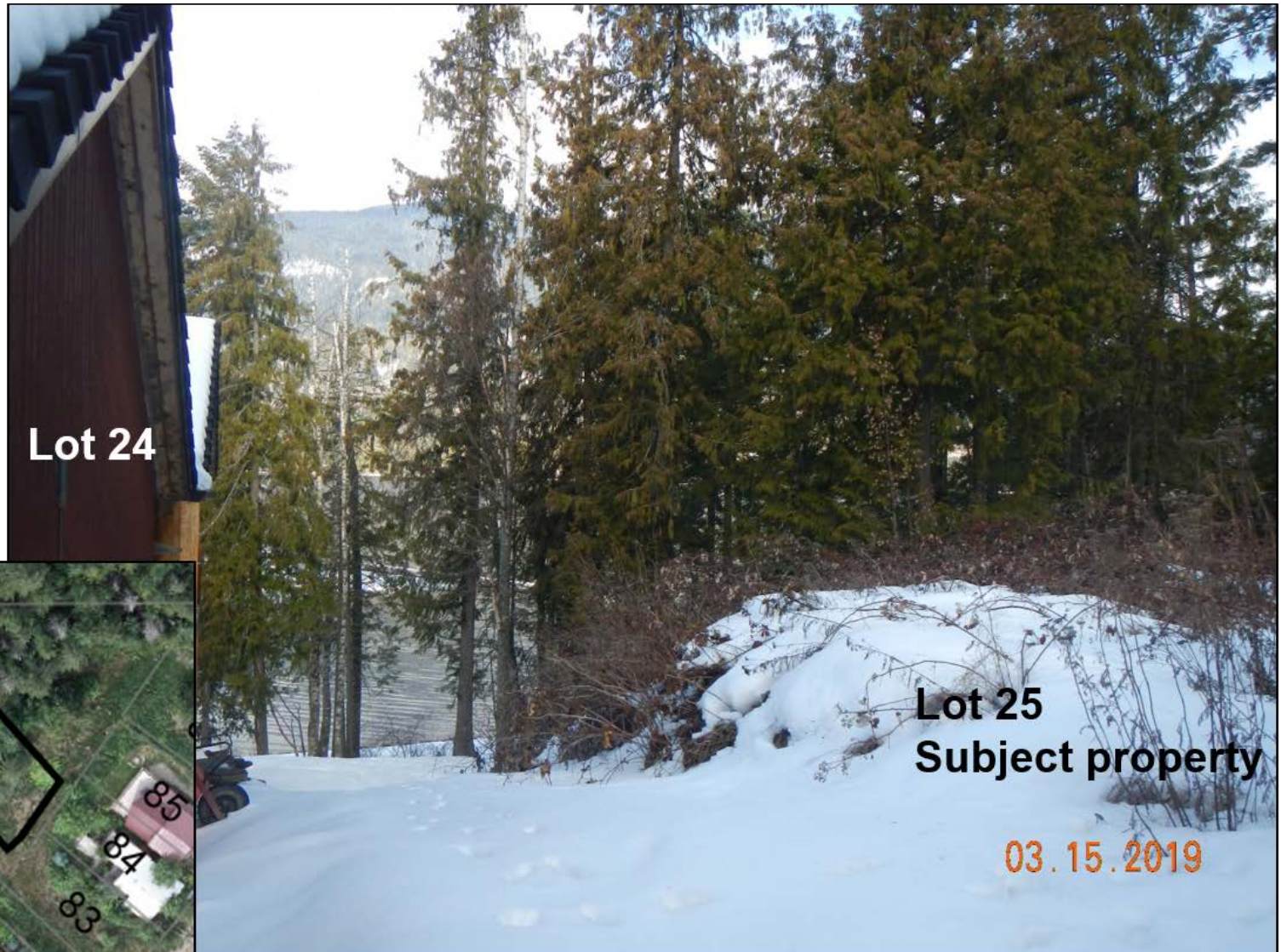
## Site Photos



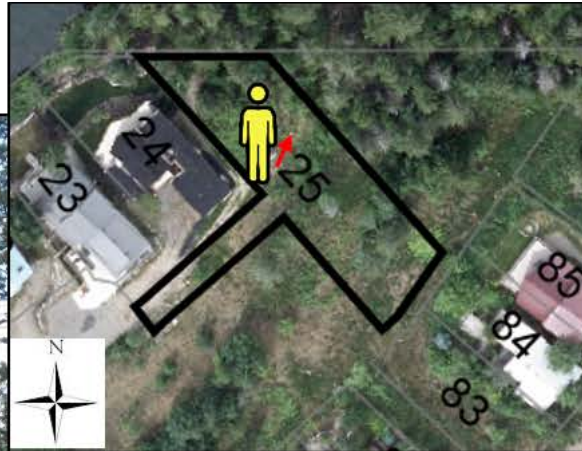












**Lot 25**  
**Subject property**

03.15.2019

03.15.2019



# BOARD REPORT

**TO:**

Chair and Directors

<b>File No:</b> DVP701-91 PL20190088
---

**SUBJECT:**

Electoral Area C: Development Variance Permit No. 701-91

**DESCRIPTION:**

Report from Laura Gibson, Planner I, dated May 2, 2019.  
 56 - 6421 Eagle Bay Road (Wild Rose Bay)

**RECOMMENDATION  
 #1:**

THAT: in accordance with Section 498 of the Local Government Act, Development Variance Permit No. 701-91 for Strata Lot 56, Section 18, Township 23, Range 8, West of the 6th Meridian, Kamloops Division Yale District, Strata Plan KAS1797, together with an interest in the common property in proportion to the unit entitlement of the strata lot as shown on Form 1, varying South Shuswap Zoning Bylaw No. 701 as follows:

- Section 15.2.5 minimum setback from the rear parcel line from 5.0 m to 1.0 m only for the proposed covered outdoor kitchen and seating area;

be issued this 16<sup>th</sup> day of May, 2019.

**SHORT SUMMARY:**

The subject property is located at 56 - 6421 Eagle Bay Road in Wild Rose Bay of Electoral Area C. The property owner is proposing to construct a covered outdoor kitchen and seating area, which will be attached to the existing single family dwelling. The proposed addition requires a variance from 5.0 m to 1.0 m for the rear parcel line setback in the South Shuswap Zoning Bylaw No. 701, prior to other approvals and to construction.

**VOTING:**

 Unweighted  
 Corporate

☐

 LGA Part 14  
 (Unweighted)

☒

 Weighted  
 Corporate

☐

 Stakeholder  
*(Weighted)*
☐
**BACKGROUND:**

REGISTERED OWNER/APPLICANT:  
 Sheldon Wiebe

ELECTORAL AREA:  
 C

**LEGAL DESCRIPTION:**

Strata Lot 56, Section 18, Township 23, Range 8, West of the 6th Meridian, Kamloops Division Yale District, Strata Plan KAS1797, together with an interest in the common property in proportion to the unit entitlement of the strata lot as shown on Form 1.

PID:

023-518-766

**CIVIC ADDRESS:**

56-6421 Eagle Bay Road

**SURROUNDING LAND USE PATTERN:**

North = Common Access and Residential Strata Lots

South = Common Property and Broom Road Park (CSRD park)

East = Residential Strata Lots

West = Residential Strata Lots

**CURRENT USE:**

Single family dwelling

**PROPOSED USE:**

Construct a covered outdoor seating area attached to the rear of the house, which will contain an outdoor kitchen (with a sink, fridge, and BBQ), a fireplace, and a hot tub. The proposed addition is approximately 5.8 m by 10 m, with a roof height of about 5.2 m and open walls. The addition will remain grade level. The site plan currently shows the structure as 1.82 m from the rear lot line; however, the applicant is proposing a 1 m setback to account for any potential building modifications during construction.

**PARCEL SIZE:**

0.065 ha (7040 sq. ft.)

**DESIGNATION:**

Electoral Area C Official Community Plan Bylaw No. 725

MD - Medium Density Residential

**ZONE:**

South Shuswap Zoning Bylaw No. 701

LH – Large Holding

**SITE COMMENTS:**

The subject property is part of the Strata Plan KAS1797 and Wild Rose Bay Properties Ltd. The property is relatively flat with no slopes over 30% grade. A single family dwelling is existing.

**ACCESS:**

Private strata road off of Eagle Bay Rd.

See "Maps\_Plans\_Photos\_DVP701-91.pdf" attached.

**POLICY:**

**South Shuswap Zoning Bylaw No. 701**

See "BL701\_Excerpts\_BL701-91.pdf" attached.

LH – Large Holding

15.2 Regulations

.5 Minimum setback of Principal and Accessory Buildings from:

front parcel line	5 m
exterior parcel line	4.5 m
interior parcel line	2 m
rear parcel line	5 m

### **FINANCIAL:**

There are no financial implications for the CSRD as a result of this application.

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

See site plan in the attached "Maps\_Plans\_Photos\_DVP701-91.pdf".

The property owner is proposing to vary South Shuswap Zoning Bylaw No. 701 as follows:

- Section 15.2.5 minimum setback from the rear parcel line from 5.0 m to 1.0 m only for the covered outdoor kitchen and seating area.

The proposed covered outdoor kitchen and seating area is 58 m<sup>2</sup> with a roof height of about 5.2 m and open walls. The covered area will contain a sink, fridge, and barbeque, as well as a fireplace and hot tub. The site plan currently shows the structure as 1.82 m from the rear lot line; however, the applicant is proposing a 1 m setback to protect against any building modifications during construction. The proposed addition will require a CSRD Building Permit, as per Building Regulation Bylaw No. 660. If any retaining walls are required for the development, they must be under 1.2 m in height, otherwise they may require a Development Variance Permit. Retaining walls greater than 1.2 m in height are required to meet the setback requirements in Bylaw No. 701.

The proposed variance is for the rear parcel line only, which is adjacent to the vacant common property belonging to Wild Rose Bay Properties and to the CSRD's Broom Road Park. There are no existing buildings or structures near the subject property's rear parcel line on these adjacent properties. The strata council has granted approval of the addition, pending CSRD approval of the DVP, and CSRD Parks has no concerns with the proposed variance. As the proposed addition is not proposing to vary either side parcel line, the proposed variance should have minimal impact on the adjacent residential properties to the east and west.

Development Services staff note that if the proposed addition were to be an interior living space with walls, a variance from 5.0 m to 1.0 m may not have been supported. However, as the addition is not enclosed and backs onto common strata property and a park, the 4 m difference will have minimal impact and does not raise any concerns.

### **SUMMARY:**

The application proposes to vary the South Shuswap Zoning Bylaw No. 701 as follows:

- Section 15.2.5 minimum setback from the rear parcel line from 5.0 m to 1.0 m only for the proposed covered outdoor kitchen and seating area

as shown on the site plan in the attached "Maps\_Plans\_Photos\_DVP701-91.pdf".

Development Services staff are recommending that the Board consider issuance of Development Variance Permit No. 701-91, as the variance should have minimum impact on surrounding properties.

**IMPLEMENTATION:**

If Development Variance Permit No. 701-91 is approved, the notice of permit will be registered on the subject property's title. A Building Permit will be required prior to construction of the addition as per CSRD Building Regulation Bylaw No. 660.

**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. The Strata Council will receive a copy of the notice because there is common property along the rear (south) parcel line of the subject property. All interested parties will have the opportunity to provide comments regarding this application prior to the Board meeting. Copies of the written submissions are provided to the Board of Directors.

Referrals have been sent to the following:

- Area C APC
- CSRD Parks
- CSRD Building Official.

The Electoral Area C Advisory Planning Commission reviewed the application at their April 29, 2019 meeting and passed a resolution in support of the application.

CSRD Parks staff have no concerns with the proposed variance.

The CSRD Building Department has no objections to the proposed variance. As the proposed structure will be located within 2.4 metres of a parcel line, the Building Official has indicated that there will be building material restrictions in order to meet fire resistant ratings; this will be addressed through the Building Permit process. The Building Official confirms that the owner has already begun the building permit application process, and has retained the services of a structural engineer for the proposed addition. Additionally, the Building Official will confirm there are no slopes of 30% grade or more upon the first site visit to the subject property. If slopes of 30% or more are on the subject property, a Hazardous Lands (Steep Slopes) Development Permit will be required prior to issuance of the Building Permit.

**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:**

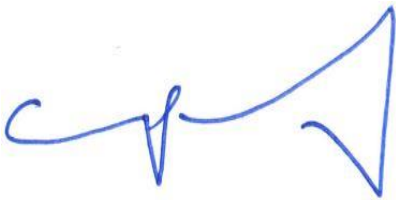
1. South Shuswap Zoning Bylaw No. 701
2. Electoral Area C Official Community Plan Bylaw No. 725
3. Electoral Area C Advisory Planning Commission Minutes April 29, 2019



**Report Approval Details**

Document Title:	2019-05-16_Board_DS_DVP701_91-Wiebe.docx
Attachments:	<ul style="list-style-type: none"><li>- DVP701-91.pdf</li><li>- BL701_Excerpts_DVP701-91.pdf</li><li>- Maps_Plans_Photos_DVP701-91.pdf</li></ul>
Final Approval Date:	May 3, 2019

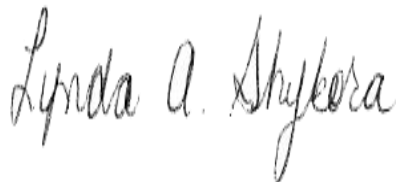
This report and all of its attachments were approved and signed as outlined below:



**Corey Paiement - May 2, 2019 - 9:47 AM**



**Gerald Christie - May 2, 2019 - 2:57 PM**



**Lynda Shykora - May 3, 2019 - 1:38 PM**



**Charles Hamilton - May 3, 2019 - 1:51 PM**



### **DEVELOPMENT VARIANCE PERMIT NO. 701-91**

1. OWNERS:



2. This permit applies only to the land described below:

Strata Lot 56, Section 18, Township 23, Range 8, West of the 6th Meridian, Kamloops Division Yale District, Strata Plan KAS1797, together with an interest in the common property in proportion to the unit entitlement of the strata lot as shown on Form 1, (PID: 023-518-766), which property is more particularly shown outlined in bold on the Location Map attached hereto as Schedule A.

3. The South Shuswap Zoning Bylaw No. 701, is hereby varied as follows:

- Section 15.2.5 minimum setback from the rear parcel line from 5.0 m to 1.0 m only for the proposed covered outdoor kitchen and seating area

as more particularly shown on the site plan attached hereto as Schedule B.

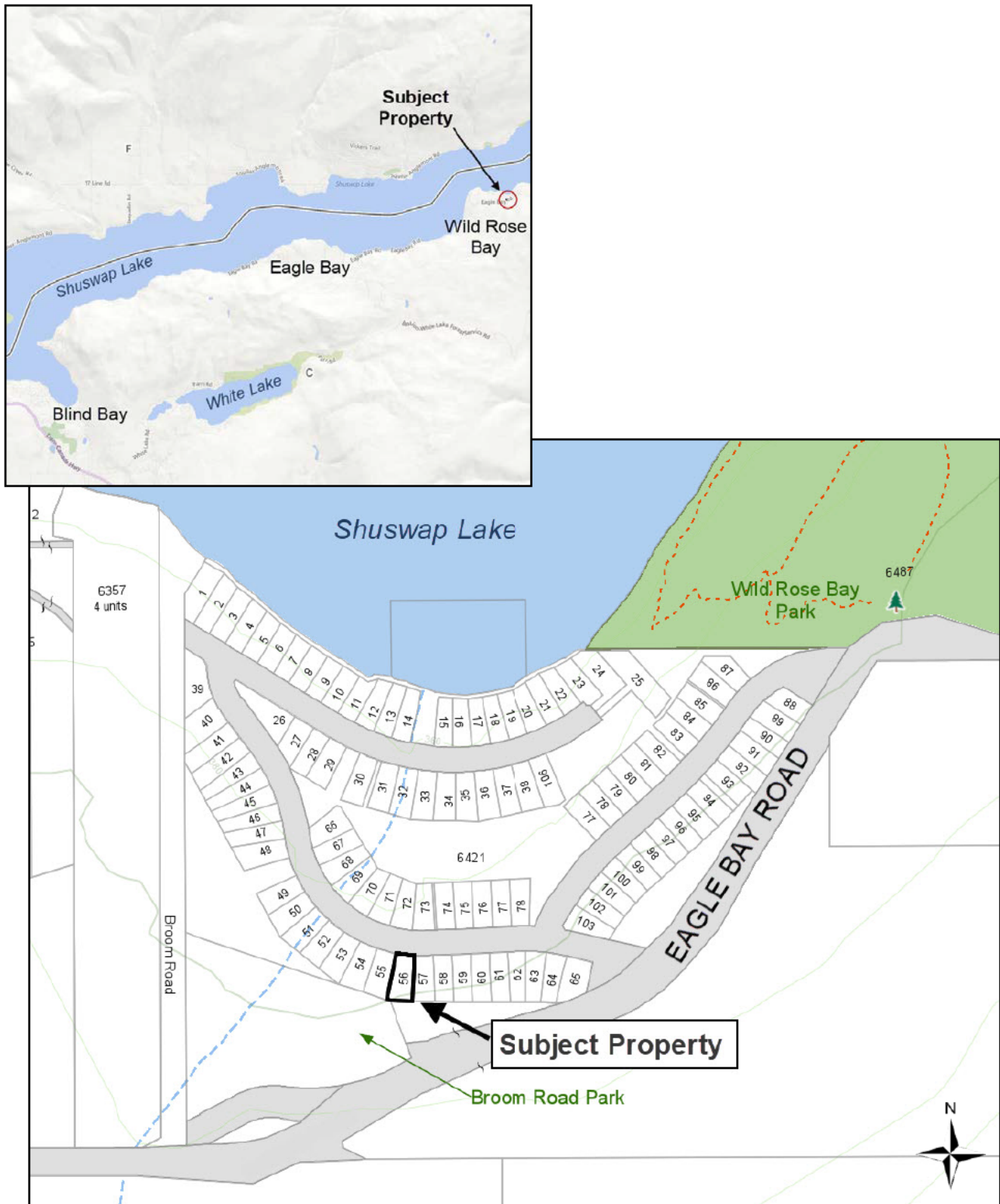
4. This permit is NOT a building permit.

AUTHORIZED AND ISSUED BY RESOLUTION of the Columbia Shuswap Regional District Board on the \_\_\_\_\_ day of \_\_\_\_\_, 2019.

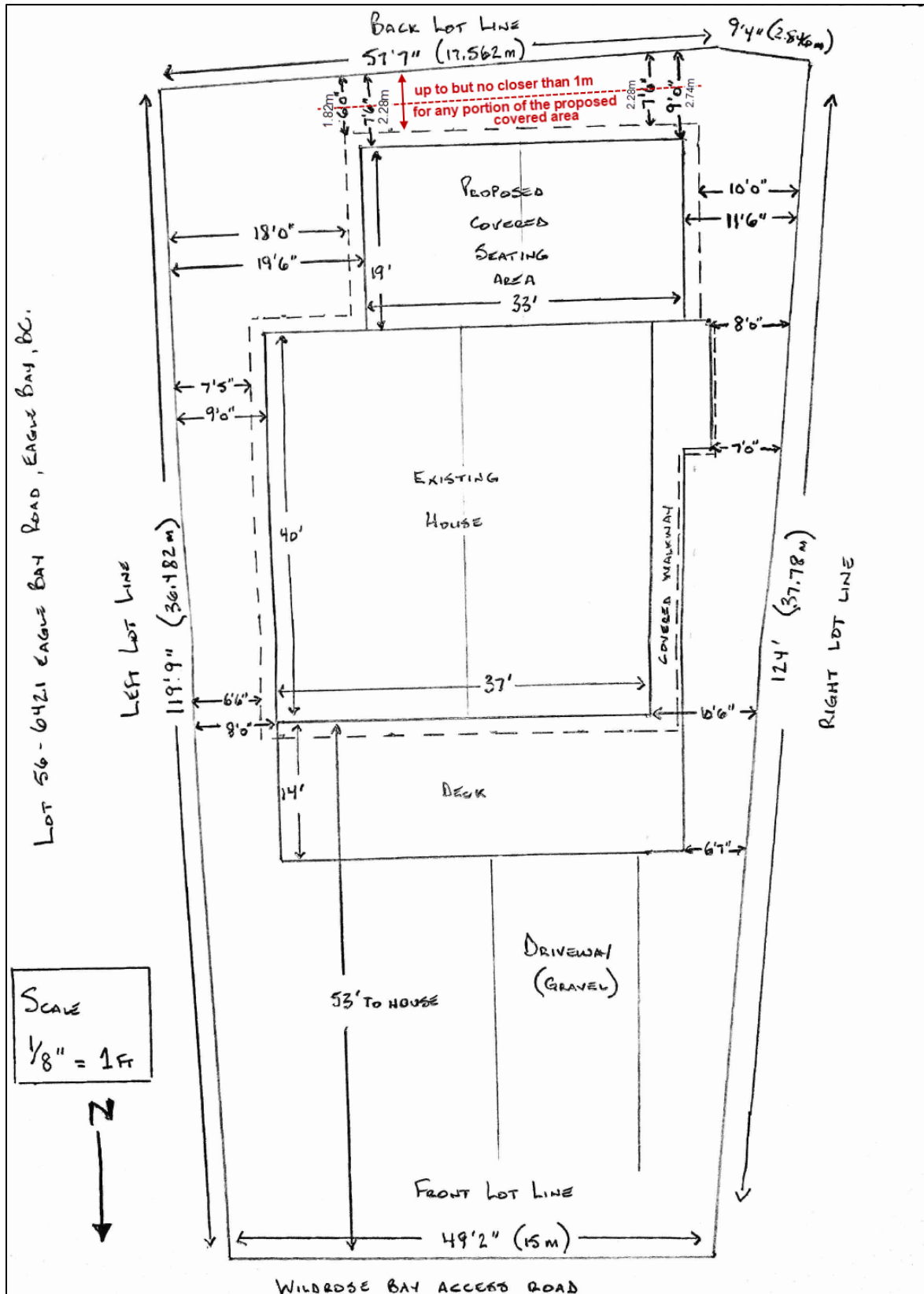
\_\_\_\_\_  
CORPORATE OFFICER

NOTE: Subject to Section 504 of the Local Government Act, if the development of the subject property is not substantially commenced within two years after the issuance of this permit, the permit automatically lapses.

**DVP 701-91  
Schedule A**



DVP 701-91  
Schedule B



## Relevant Excerpts from South Shuswap Zoning Bylaw No. 701

(See [Bylaw No. 701](#) for all policies)

### Section 15: LH –Large Holding Zone

#### Permitted Uses

15.1 The following uses and no others are permitted in LH zone:

- .1 single family dwelling;
- .2 agriculture;
- .3 bed and breakfast;
- .4 cottage, permitted only if there is less than two (2) single family dwellings on the property;
- .5 home business;
- .6 home industry, permitted only on parcels greater than 2 ha;
- .7 portable sawmill, permitted only on parcels greater than 10 ha and subject to the provisions of Section 3.14;
- .8 public utility;
- .9 building set apart for public worship;
- .10 public recreation facility;
- .11 public camping;
- .12 storage;
- .13 accessory use.

#### Regulations

15.2 On a parcel zoned LH, no building or structure shall be constructed, located or altered and no plan of subdivision approved which contravenes the regulations established in the table below in which Column I sets out the matter to be regulated and Column II sets out the regulations.

COLUMN I MATTER TO BE REGULATED	COLUMN II REGULATIONS
.1 Maximum Number of Single Family Dwellings	2
.2 Maximum Number of Cottages	1
.3 Maximum height for: <ul style="list-style-type: none"> <li>• Principal buildings and structures</li> <li>• Accessory buildings</li> </ul>	<ul style="list-style-type: none"> <li>• 11.5 m (37.73 ft.)</li> <li>• 10 m (32.81 ft.)</li> </ul>
.4 Minimum Parcel Size for New Subdivisions	8 ha

.5 Minimum Setback from:	<ul style="list-style-type: none"> <li>• front parcel line</li> <li>• exterior side parcel line</li> <li>• interior side parcel line</li> <li>• rear parcel line</li> </ul>
Minimum Setback of Home Industry from All Parcel Lines	5 m
.7 Minimum Setback of Portable Sawmill from All Parcel Lines	75 m
.8 Maximum Site Area of Portable Sawmill	1 ha

### Section 1: Definitions

PARCEL LINE, FRONT means the parcel line that is the shortest parcel boundary common to the lot and an abutting *highway* or access route in a bare land strata plan, and where and in the case of a *panhandle lot* means the line separating the *panhandle driveway* from the main part of the lot.

PARCEL LINE, REAR means the boundary of a parcel which lies the most opposite to and is not connected to the front parcel line, or, where the rear portion of the parcel is bounded by intersecting side parcel lines, it shall be the point of such intersection.

PARCEL LINE, SIDE means a parcel line other than a front parcel line or a rear parcel line.

SETBACK means the required minimum distance between a structure, building or use and each of the respective property lines.

### Section 3: General Regulations

#### Setback Exceptions

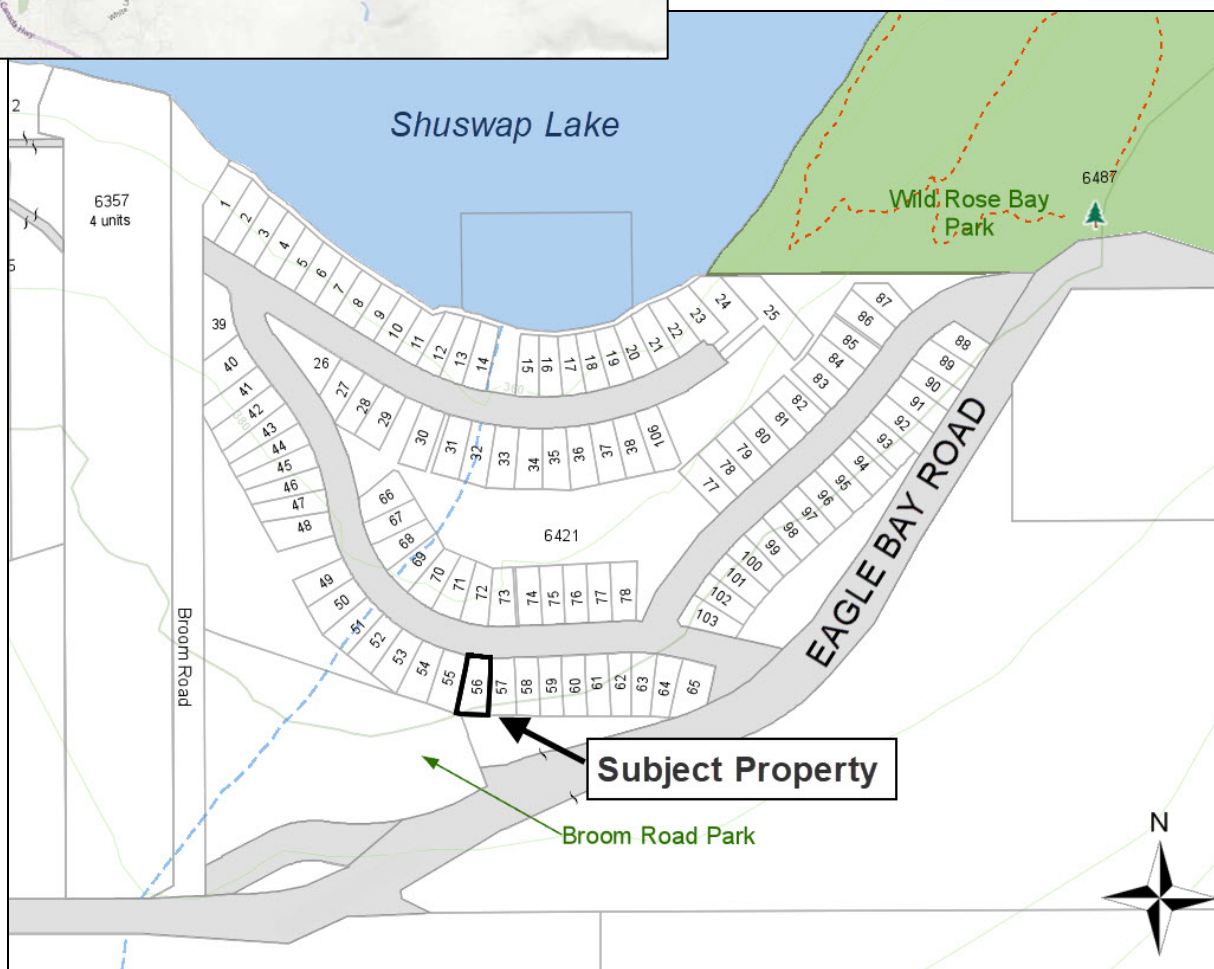
**3.5** No building or structure other than the following shall be located in the area of setback required in this Bylaw:

- .1 steps, provided they are not closer than 1m from any side parcel line;
- .2 signs, provided they are not closer than 1m from any parcel lines;
- .3 uncovered patios or terraces, provided they are not closer than 2 m from any parcel line;
- .4 arbors, trellises, fishponds, ornaments, flag poles, or similar landscaping, provided they are not closer than 1m from any side parcel line;
- .5 hot tubs and uncovered swimming pools provided they are not located between the principal building and the front parcel line or closer than 2 m from any other parcel line;
- .6 fences, in compliance with the regulations set out in Section 3, General Regulations, subsection 3.7 Sight Triangles;
- .7 landscape screens;

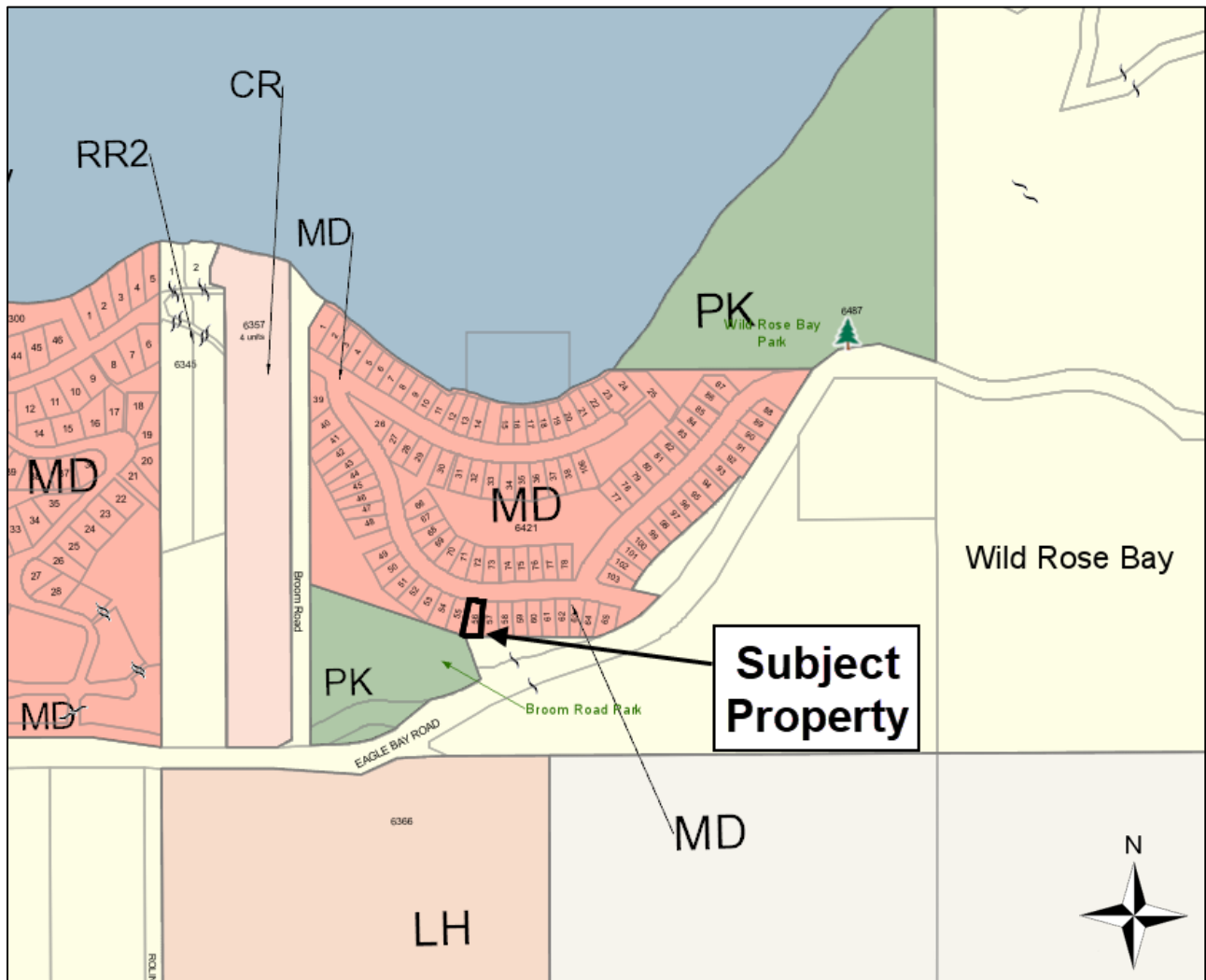


- .8 eaves and gutters, provided they are not closer than 1 m from any parcel line.
- .9 *landscape retaining structures*, provided that such structures must be separated from each other by a minimum 1.5 m distance measured horizontally from the face (or from the toe of the upper wall to the top face of the lower wall, if the *landscape retaining structures* are not vertical) of each *landscape retaining structure* and specifically excludes *landscape retaining structures* proposed to be constructed adjacent to a Section 42 road, as defined in the Transportation Act, or in the sight triangle. Landscape retaining structures proposed to be located adjacent to a Highway must comply with Ministry of Transportation and Infrastructure regulations and may require the approval of that Ministry.

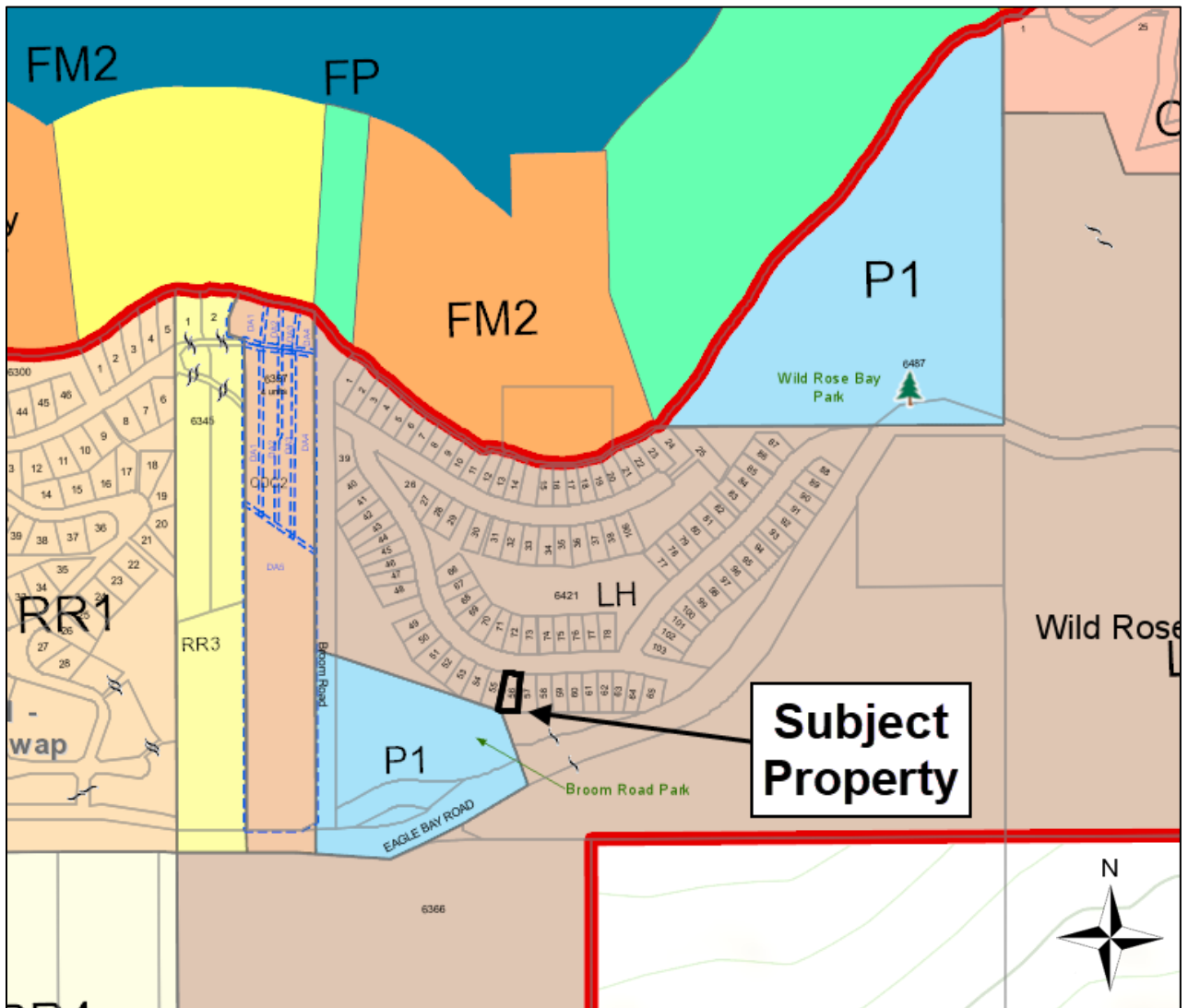
# Location



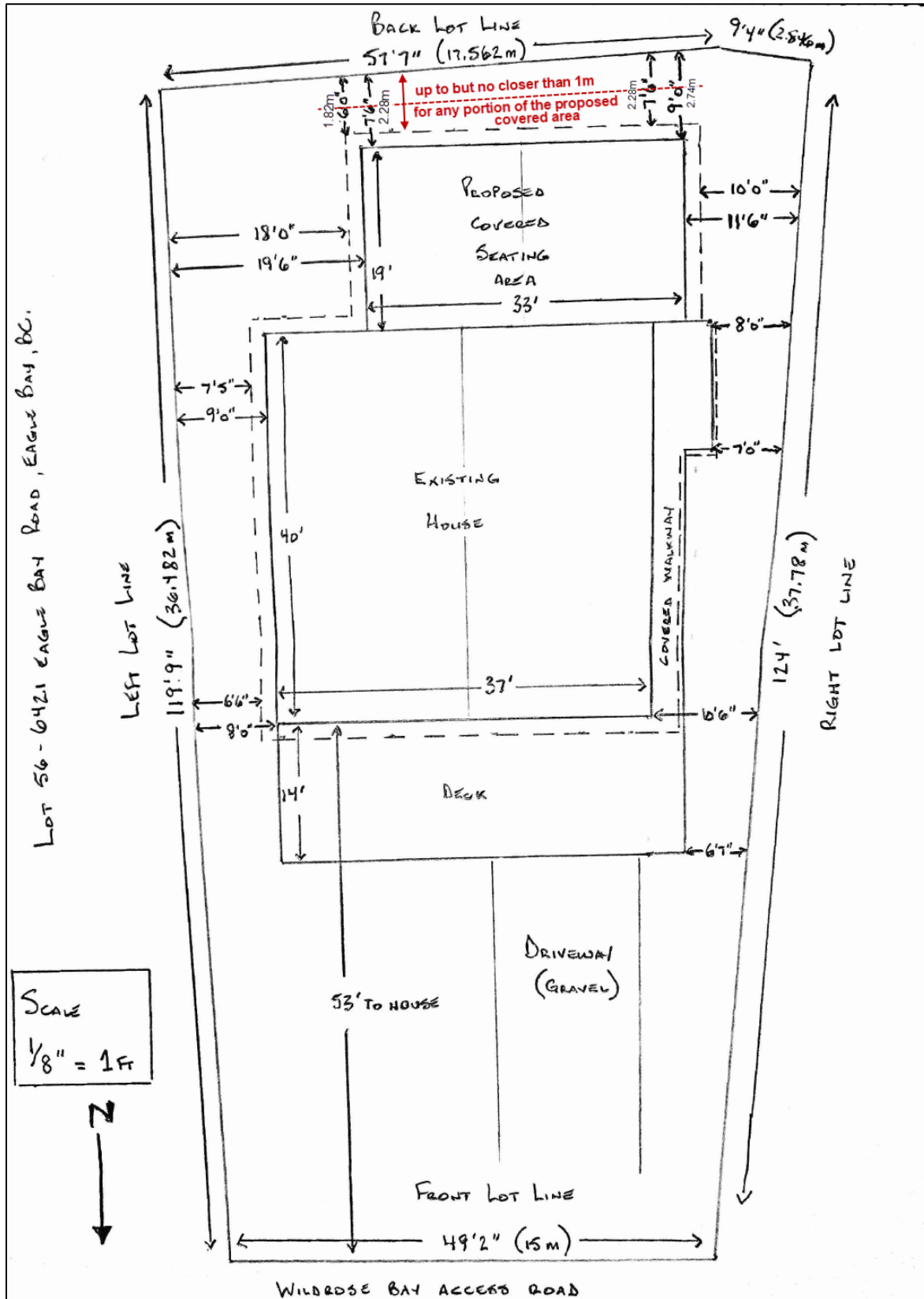
# Electoral Area C Official Community Plan Bylaw No. 725



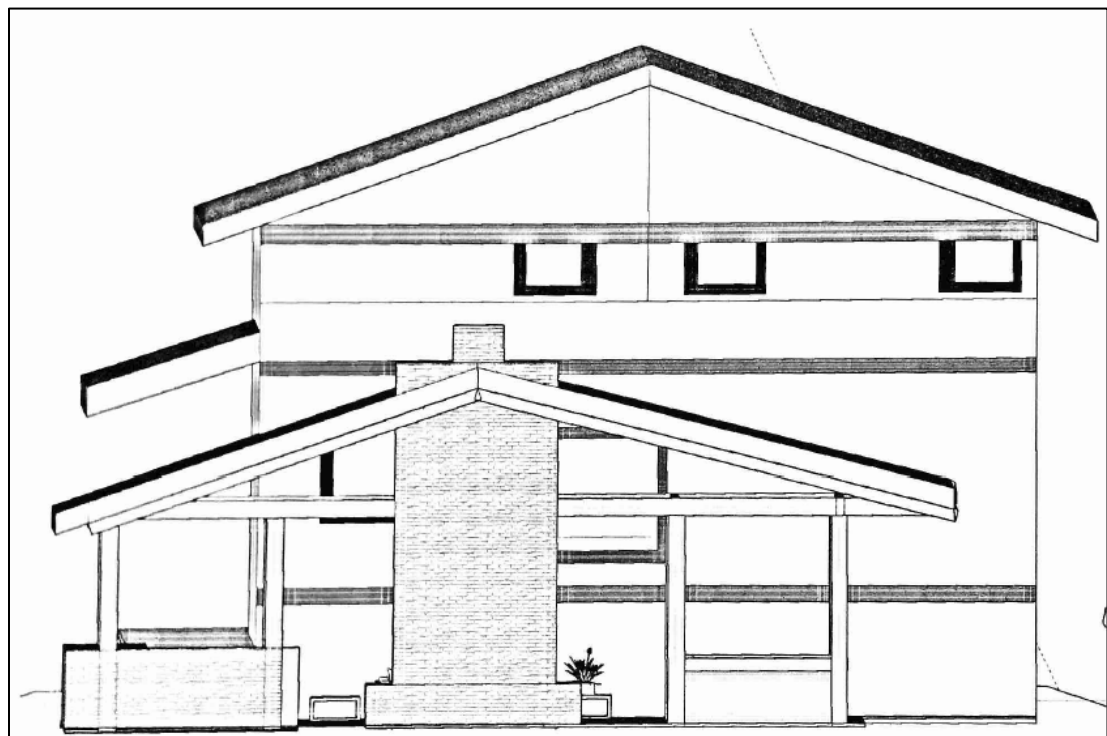
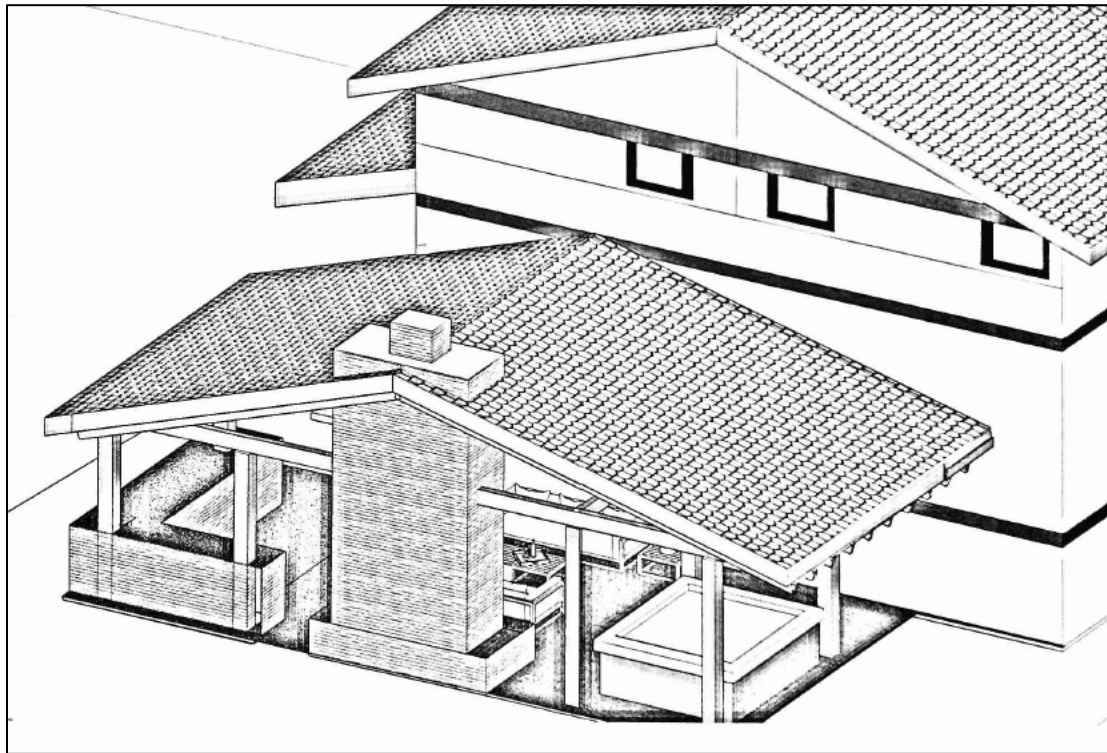
# South Shuswap Zoning Bylaw No. 701



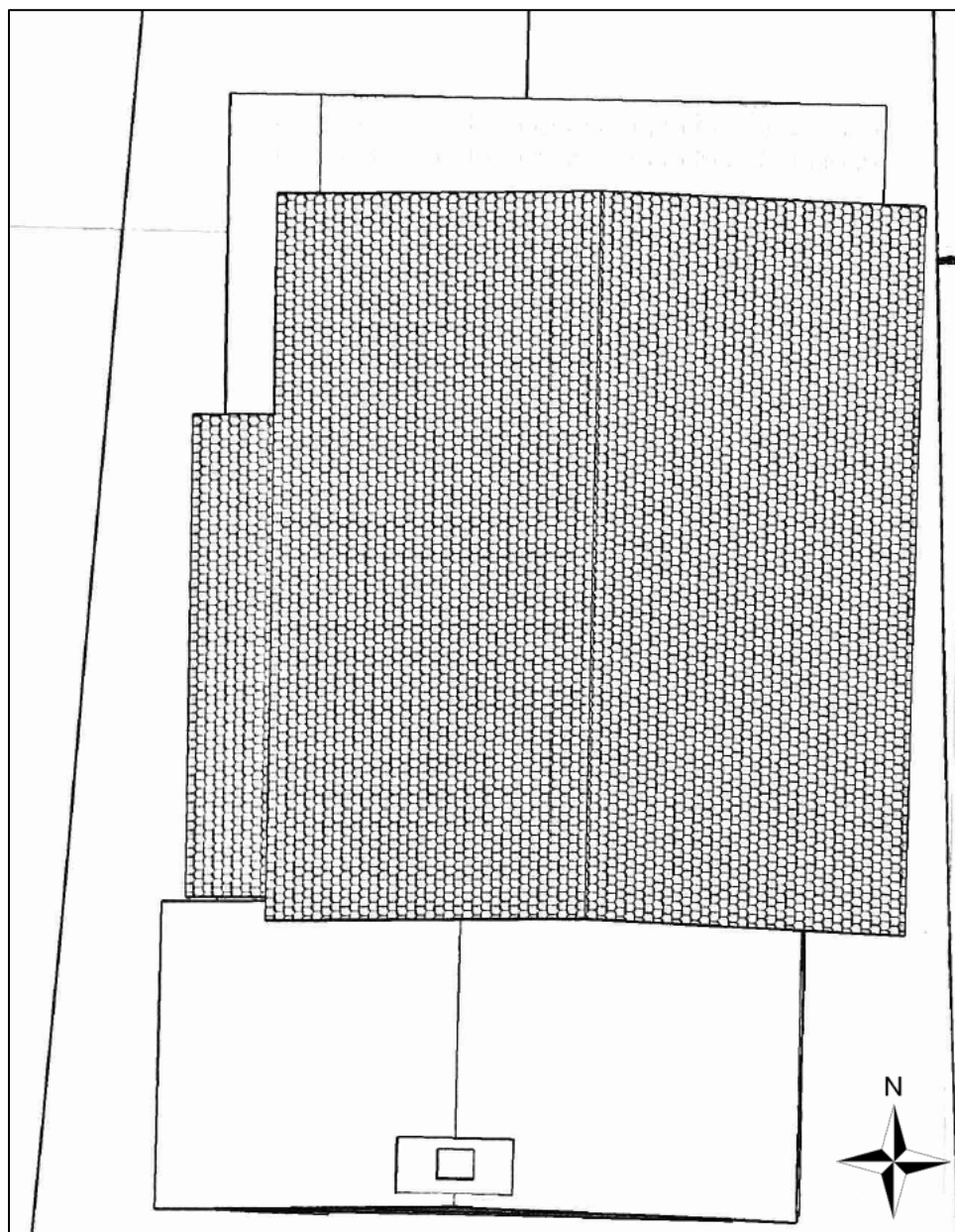
## Site Plan



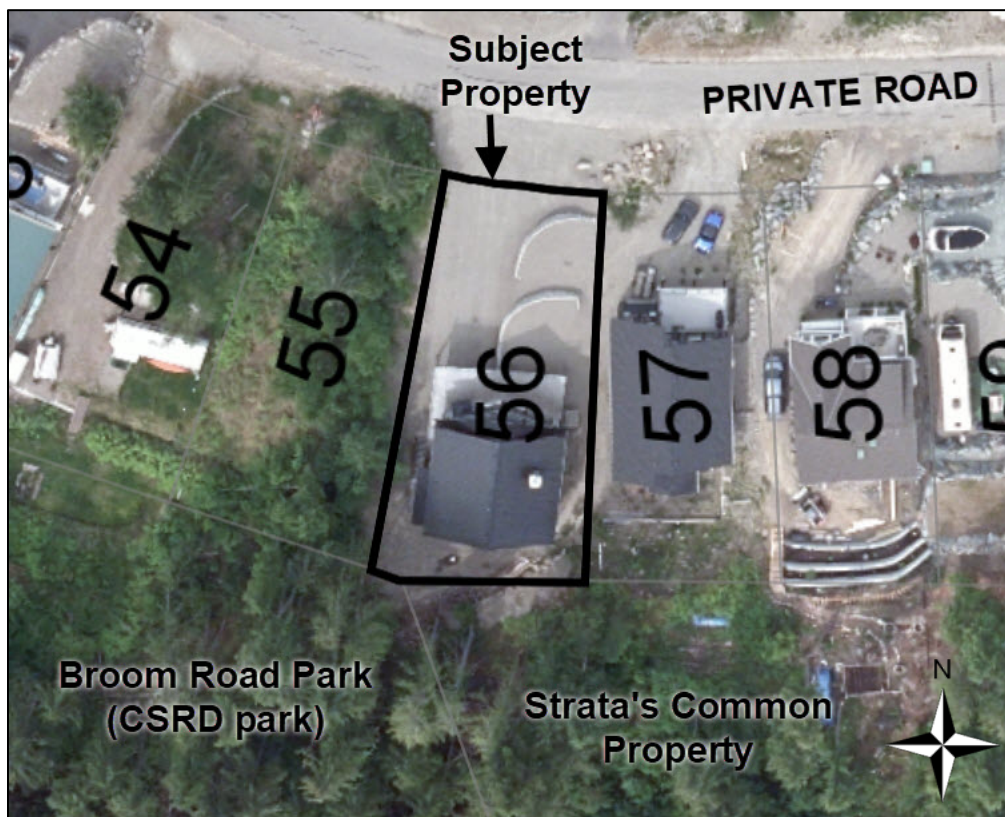
# Drawings







2018 Orthophoto





# BOARD REPORT

**TO:** Chair and Directors

<b>File No:</b> BL 725-16, BL701-94 PL20190054
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**SUBJECT:** Electoral Area C: Electoral Area C Official Community Plan Amendment (Factory Direct Doors Ltd.) Bylaw No. 725-16 and South Shuswap Zoning Amendment (Factory Direct Doors Ltd.) Bylaw No. 701-94

**DESCRIPTION:** Report from Christine LeFloch, Planner II, dated April 25, 2019.  
1336 Taylor Road, Notch Hill

**RECOMMENDATION #1:** THAT: "Electoral Area C Official Community Plan Amendment (Factory Direct Doors Ltd.) Bylaw No. 725-16" be given first reading this 16<sup>th</sup> day of May, 2019.

**RECOMMENDATION #2:** THAT: "South Shuswap Zoning Amendment (Factory Direct Doors Ltd.) Bylaw No. 701-94" be given first reading this 16<sup>th</sup> day of May, 2019.

**RECOMMENDATION #3:** THAT: the Board utilize the complex consultation process for "Electoral Area C Official Community Plan Amendment (Factory Direct Doors Ltd.) Bylaw No. 725-16" and "South Shuswap Zoning Amendment (Factory Direct Doors Ltd.) Bylaw No. 701-94", and that the bylaws be referred to the following agencies and First Nations:

- Electoral Area C Advisory Planning Commission;
- CSR D Operations Management;
- CSR D Financial Services;
- Ministry of Forests Lands and Natural Resource Operations and Rural Development – Lands Branch;
- Ministry of Transportation and Infrastructure;
- Interior Health;
- Ministry of Environment;
- All relevant First Nations;

AND THAT: the applicant be requested to hold a public information meeting in the Notch Hill area, to be arranged and conducted by the applicant in order for the applicant to explain the proposal and answer questions prior to consideration of second reading of the proposed bylaws.

## SHORT SUMMARY:

The applicant would like to establish a cannabis production facility on the subject property. They have applied to rezone a portion of the subject property from LH – Large Holdings to M2 – General Industrial and to rezone an area of the property currently zoned M2 to LH. The subject property currently has a special regulation restricting the uses on the M2 zoned portion of the property to manufacturing, fabricating and processing industries (including forest and wood product industries) and log home

manufacturing only. It is recommended that the special regulation be amended to allow "cannabis production facility" as the only permitted use for the M2 zoned portion of the subject property. It is further recommended that the portions of the property that will not be zoned M2 be redesignated LH Large Holdings to align with the LH zoning of these areas of the property.

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<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"/>
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### BACKGROUND:

REGISTERED OWNERS:  
Factory Direct Doors Ltd.

APPLICANT:  
Tynan Schielke

ELECTORAL AREA:  
C

LEGAL DESCRIPTION:  
The East ½ of the Southeast ¼ of Section 4 Township 22 Range 11 West of the 6<sup>th</sup> Meridian  
Kamloops Division Yale District

PID:  
003-951-871

CIVIC ADDRESS:  
1336 Taylor Road, Notch Hill

SURROUNDING LAND USE PATTERN:  
North: Notch Hill Estates (residential), agriculture, Crown land  
South: Crown land  
East: Crown land  
West: Rural Holding

CURRENT USE:  
There are several existing industrial buildings on the property. These buildings have been vacant for the past 5+ years but were used for sawmilling and manufacturing in the past.

PROPOSED USE:  
The applicant would like to utilize existing buildings on the subject property for a licensed production facility for growing and processing cannabis with the possibility of expansion to include additional buildings in the future.

PARCEL SIZE:  
33.1 ha

**DESIGNATION:**

Electoral Area C Official Community Plan Bylaw No. 725

ID - Industrial

**ZONE:**

South Shuswap Zoning Bylaw No. 701

M2 – General Industrial (see Schedule 1 of Bylaw No. 701-94.pdf)

LH – Large Holdings

Special regulation - restricting the uses on the M2 zoned portion of the property to manufacturing, fabricating and processing industries (including forest and wood product industries) and log home manufacturing only.

**PROPOSED DESIGNATION:**

ID – Industrial (portion of the property to be zoned M2 – See Schedule 1 of Bylaw No. 725-16.pdf)

LH – Large Holdings (portion of the property zoned LH)

**PROPOSED ZONE:**

M2 – General Industrial – Portion of the property to be used for the Cannabis Production Facility

Also proposing to add "cannabis production facility" as a new definition in the zoning bylaw, add "cannabis production facility" as a permitted use in the M2 zone, and amend the existing special regulation to restrict the uses on the M2 zoned portion of the property to cannabis production facility only.

**AGRICULTURAL LAND RESERVE:**

0%

**SITE COMMENTS:**

The subject property is located in Notch Hill. The property slopes up from the northeast to southwest becoming very steep at the southern end of the property. There is a fairly level benched area in the central portion of the property where the existing buildings are located. This area has been cleared while the remainder of the parcel is currently forested providing a vegetated buffer between the existing buildings and the surrounding properties. A tributary to Newsome Creek crosses the northwest corner of the property. Access to the site is from the end of Taylor Road via a driveway that leads up a hill to the buildings. There is also a logging road over the property which appears to access Crown lands to the south.

**POLICY:**

Please see 701\_BL725\_Excerpts\_BL701-94\_BL725-16.pdf, attached, for OCP policies and zoning regulations related to this proposal.

Please see PA-71\_PR-32\_Excerpts\_BL701-94\_BL725-16.pdf, attached, for the CSRD Cannabis Related Business Policy and Procedure.

**FINANCIAL:**

There are no financial implications for the CSRD as a result of this application.

**KEY ISSUES/CONCEPTS:**

The applicant is proposing to rezone a portion of the 33.1 ha subject property from LH Large Holding to M2 General Industrial as shown on Schedule 1 of Bylaw No. 701-94 and add "cannabis production facility" to the list of permitted uses in the M2 zone. Also, a portion of the subject property that is currently zoned M2 is proposed to be rezoned to LH, essentially resulting in a relocation and expansion of the area of the property zoned for industrial use. An OCP amendment is also required to redesignate the area of the property that will not be zoned M2 from ID Industrial to LH Large Holdings as shown on Schedule 1 of Bylaw No. 725-16. The industrial buildings on the subject property have been vacant for five years but were previously occupied by a sawmill and furniture manufacturing business.

The applicant would like to apply to Health Canada for a Standard Cannabis Cultivation and Processing Facility license and intends to use the existing industrial buildings on the subject property for cultivation operations and processing including packaging of cannabis for sale. It is noted that production facilities do not include retail sales of cannabis, therefore no retail sales would occur at the site. To begin with the applicant is proposing to use approximately 7500 ft<sup>2</sup> of building area for production and 2500 ft<sup>2</sup> for processing. Future expansion of the cultivation area would utilize an additional 10-12,000 ft<sup>2</sup> of building area. The buildings, yard and access road will require renovation in order to meet the Health Canada requirements. Building permits will be required for these renovations. The application process to Health Canada is in the early stages as rezoning of the property is required in order to proceed.

#### Official Community Plan

The entire subject property is designated ID Industrial in the Electoral Area C Official Community Plan Bylaw No. 725. The Industrial designation supports a range of light industrial uses including manufacturing, high tech industries, warehousing, storage and distribution, machine and automobile repair, provided they are located away from watercourses, are not on waterfront parcels and are compatible with adjacent uses. The proposed use is considered to be a light industrial use and would therefore fit within this designation. As only a portion of the property is proposed to be used for Industrial purposes and the rest of the property has steep slopes it is proposed that the area not proposed to be used for the cannabis production facility be redesignated LH – Large Holdings to be consistent with the zoning of the property.

New industrial development is subject to the Industrial Form and Character Development Permit Area guidelines, therefore a Form and Character Development Permit will be required to be approved by the Board prior to land alteration occurring or issuance of Building Permits. The form and character guidelines for this Development Permit Area address parking, outside storage and garbage areas, building materials, signage, screening and buffering, and general form and character. The Development Permit will include the requirement that the existing treed buffer north and east of the operations area be maintained.

The OCP also includes policies which aim to protect soil, groundwater and the water quality of Shuswap Lake from contamination of all types, including from industrial uses. The applicant has provided further information on water use and treatment, and disposal of waste products in a letter dated April 8, 2019. This letter along with a second letter entitled "Application for Rezoning", are attached as Applicant\_Letters\_BL701-94\_BL725-16.pdf.

Finally, the OCP includes policies encouraging economic diversification within the South Shuswap. The applicant has indicated that the proposed facility would create 10-12 full time jobs with possible part time jobs becoming available as the business expands. Tax revenues generated from industry could also be a benefit for the area.



### Zoning

The subject property is currently split zoned LH Large Holding and M2 General Industrial. The portion of the property zoned M2 includes most of the land where existing buildings are located, and a portion of the access driveway to the site. It appears that portions of the buildings may be located outside of the current zoning boundary. The applicant would like to shift the existing M2 zoned area to the west in order to encompass all of the existing buildings and allow room for additional future buildings. It is noted that the maximum parcel coverage in the M2 zone is 50% for all buildings and structures. The proposed area to be zoned M2 is 8 ha of the total 33 ha parcel, which is approximately 300 m x 266 m. This includes 6.1 ha of area not currently zoned M2 combined with 1.9 ha that is already zoned M2. The remaining 2.1 ha on the east side of the property that is currently zoned M2 would be rezoned to LH Large Holdings.

Currently, there are no definitions in Bylaw No. 701 for "cannabis" or "cannabis production facility". It is therefore proposed to add these as new definitions to Bylaw No. 701. The definitions would mirror the definitions used in Cannabis Related Business Policy A-71.

"Cannabis production facility" is also proposed to be added to the list of permitted uses in the M2 Zone. This would allow all properties zoned M2 to be used for cannabis production. Staff note that there are currently no other properties zoned M2 in Electoral Area C, however there are additional lands designated Industrial which could be rezoned to allow for cannabis production.

There is an existing special regulation which applied to the previous business on the subject property restricting the uses on the M2 zoned portion of the property to manufacturing, fabricating and processing industries (including forest and wood product industries) and log home manufacturing only. It is proposed that this special regulation be amended to restrict the uses on the subject property to cannabis production facility only. Staff feel that the special regulation approach is preferable with regard to industrial uses because it allows the opportunity for review of each proposal on its own merits and limits the ability to change the use of the property without making application to the CSRD and going through a rezoning process. Some of the permitted uses in the M2 zone including forest and wood product industries, wrecking yard, and sand and gravel processing can create noise and dust thereby disturbing the peace and quiet of nearby neighbourhoods. Restricting the use of the property to cannabis production facility only would help to mitigate potential traffic, noise and dust issues in the area.

The subject property is located at the end of Taylor Road. To get from the Trans-Canada Highway to the subject property traffic would go past rural neighbourhoods, including Notch Hill Estates. Some of the permitted uses in the M2 zone could contribute to a significant increase in traffic due to larger numbers of employees, and could include significant heavy vehicle traffic along the rural road system in the area. Conversely, the applicant has indicated that they do not intend to use anything larger than a pick-up truck or small transport van in association with the proposed business, and due to the small number of employees working shifts the traffic generated by the business would be minimal. The exception to this may be larger construction related vehicles during the renovation/construction process. The applicant is aware that there is a residential neighbourhood which also uses Taylor Road and that there are families with children living there. They have committed to installing signage to encourage traffic to drive slowly and also to include education regarding this issue in their staff training.

The Ministry of Transportation and Infrastructure (MoTI) is responsible for roads, drainage and traffic in areas outside of municipalities. They are also required to provide statutory approval for rezoning of land within 800 m of a controlled access highway (TCH and numbered highways). The subject property is not located within 800 m of the Trans-Canada Highway so statutory approval is not required. However, commercial businesses require a Commercial Access Permit to be issued by MoTI. Further, there may be other issues related to roads that should be reviewed by the Ministry. Sometimes MoTI does not provide a response to non-statutory referrals, but staff will refer this application to MoTI to notify them and seek any comments they may have.

#### Cannabis Related Business Policy A-71

When reviewing applications for cannabis production facilities staff look to the CSRD Cannabis Policy and Procedure. The Cannabis Policy outlines the criteria for reviewing applications for cannabis license applications. This includes the location of the proposed business in terms of the type of property it is proposed to be located on. Cannabis related businesses are not supported on residential properties or land in the ALR, and where zoning exists cannabis production facilities may only be supported in Industrial zones. The distance of the proposed business from other uses considered to be incompatible with cannabis related businesses including schools, playgrounds, day cares, health care facilities, libraries, parks, and any other public space are outlined in the policy. Minimum setbacks from property lines and watercourses for all buildings and structures associated with cannabis production facilities are also included. Please see BL701\_BL725\_Excerpts\_BL701-94\_BL725-16.pdf and PA-71\_PR-32\_Excerpts\_BL701-94\_BL725-16.pdf., attached.

The proposed cannabis production facility would be located in existing buildings on the subject property. These buildings are located well away from property lines and meet the minimum setbacks outlined in the policy. They are also not located within 300 m of any schools, playgrounds, or other public spaces noted above. The subject property is surrounded by Crown land to the west and south and large rural properties on the north and east sides. The closest residential neighbourhood is Notch Hill Estates to the northeast. However, the building site is located at the end of a long driveway and is well buffered by vegetation. Essentially, the proposed site meets all of the location criteria outlined in the policy. Please see table below for details.

<b>Cannabis Policy</b>	<b>Yes/No?</b>	<b>Comments</b>
<b>Land Use Regulations:</b>		
Is the property subject to zoning?	Yes	Currently zoned M2/LH with a special regulation. This is propose to be amended to better align with the proposed use of the property.
Property is zoned Industrial	Yes	Cannabis production facility not a permitted use in M2 zone – special regulation required
Property is zoned Residential	No	
Property is in the ALR	No	

<b>Is the proposed facility located within 300 m of the following land uses:</b>		
Parks	No	Property is 1700 m from Notch Hill Community Park
Schools	No	Nearest facility in Sorrento
Health Care Facilities	No	Nearest facility in Sorrento
Libraries	No	Nearest facility in Sorrento
Day Cares	No	Nearest facility in Sorrento (based on web search)
Playgrounds	No	Nearest facility in Sorrento
Other Cannabis Related Business	No	Nearest facility in Sorrento (based on CSRD records)
<b>Minimum building setbacks:</b>		
60 m to Exterior lot line	Yes	
90 m to Front lot line	Yes	
30 m to Other lot lines	Yes	
30 m to Watercourses	Yes	

#### Cannabis Related Business Referrals Procedure PR-32

CSRD Procedure PR-32 outlines the process for reviewing cannabis retail and production facility notifications. The referral process for cannabis production facilities starts once the CSRD receives a formal letter of notification from an applicant who has applied to Health Canada to become a licensed producer of cannabis. In some cases, such as with the application under consideration, the applicant will contact the CSRD prior to providing a formal notification to Health Canada in order to discuss their proposal. At that time if there are land use considerations such as zoning, ALR or development permit requirements which need to be addressed the applicant is advised of the necessary applications. If these applications are approved by the CSRD and/or ALC where necessary the applicant is then able to make their application to Health Canada and provide the CSRD with the letter of notification.

Procedure PR-32 outlines the information that is to be included in the notification letter and the applicable fee to be paid to the CSRD for review and processing of the notification. In addition to basic information about the owner, agent and subject property, the applicant is asked to provide plans and details of the proposal, along with a community impact statement that outlines the cannabis production facility's positive impacts on the community, potential negative impacts on the community, and measure taken to address any potential negative impacts. The applicant has provided a letter outlining details on the proposed facility which is attached to this Board report as Applicant\_Letters\_BL701-94\_BL725-16.pdf.

#### **SUMMARY:**

Staff is recommending that the proposed bylaw amendments be given first reading and referred out to agencies for comment; and that the complex consultation process be used in processing the application for the following reasons:

- The subject property is designated Industrial in the Area C Official Community Plan, which supports rezoning of the property for industrial use;

- The Cannabis Policy supports cannabis production facilities being established on lands zoned for Industrial use;
- The buildings on the subject property to be used for the proposed facility meet the recommended setbacks outlined in the Cannabis Policy and the proposed operations area is well buffered by existing forest and distance from adjacent parcels;
- As this application proposes a new use for the area and will be a larger scale cannabis production facility, the complex consultation process will allow the opportunity for the applicant to explain the proposal to the community and answer questions prior to the Board considering second reading of the proposed bylaw amendments.

Further, an Industrial Development Permit will be required to address the form and character of the proposed development.

Section 477 of the Local Government Act requires that after first reading the local government must consider the proposed OCP amendment in conjunction with their current financial and waste management plans. The proposed OCP amendment will be referred to the Operations Management and Financial Services departments as part of the referral process.

### **IMPLEMENTATION:**

Pursuant to CSRD Policy No. P-18 regarding Consultation Processes-Bylaws, staff recommends the complex consultation process be used for this application. Neighbouring property owners will first become aware of the application for zoning amendment when a notice of development sign is posted on the property.

Referral process:

The following list of referral agencies is recommended:

- Electoral Area C Advisory Planning Commission;
- CSRD Operations Management;
- CSRD Financial Services;
- Ministry of Forests Lands and Natural Resource Operations and Rural Development – Lands Branch
- Ministry of Transportation and Infrastructure;
- Interior Health;
- Ministry of Environment;
- All relevant First Nations:
  - Adams Lake Indian Band
  - Little Shuswap Indian Band
  - Neskonlith Indian Band.

### **COMMUNICATIONS:**

If the bylaws are given first reading they 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. Staff will not forward the Bylaws to the Board for second reading unless the owner has provided the required information regarding posting of the sign as noted in Bylaw No. 4001.

CSRD Policy P-18 – Consultation Processes – Bylaws suggests that the Complex Consultation process be used in situations where an applicant requires both an OCP and a zoning change, or would result in a large development project, or has significant potential to adversely affect surrounding properties. Staff are recommending that this process be used because both an OCP amendment and rezoning are required for this proposal and also because the applicant is proposing a use which is new to the community and may be perceived as something which would cause adverse impacts. If approved by the Board the applicant would be required to hold a public information meeting in the community to explain the proposal and answer questions. Advertising for this meeting would be the responsibility of the applicant. Staff note that there are no legal requirements for advertising for this type of meeting. The applicant will be requested to provide a summary of meeting proceedings which will be included in the next staff report to the Board.

**DESIRED OUTCOMES:**

That the Board endorse the 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 C Official Community Plan Bylaw No. 725
2. South Shuswap Zoning Bylaw No. 701
3. Cannabis Related Business Policy A-71
4. Cannabis Related Business Referrals Procedure PR-32
5. Consultation Processes – Bylaws Policy P-18

**Report Approval Details**

Document Title:	2019-05-16_Board_DS_BL701-94_FactoryDirectDoorsLtd.docx
Attachments:	<ul style="list-style-type: none"> <li>- BL701-94-First.pdf</li> <li>- BL725-16_First.pdf</li> <li>- PA-71_PR-32_Excerpts_BL701-94_BL725-16.pdf</li> <li>- BL701_BL725_Excerpts_BL701-94_BL725-16.pdf</li> <li>- Applicant_Letters_BL701-94_BL725-16.pdf</li> <li>- Maps_Plans_Photos_BL701-94_BL725-16.pdf</li> </ul>
Final Approval Date:	May 6, 2019

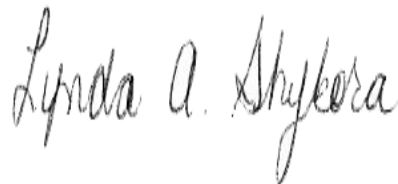
This report and all of its attachments were approved and signed as outlined below:



**Corey Paiement - May 3, 2019 - 11:21 AM**



**Gerald Christie - May 3, 2019 - 12:44 PM**



**Lynda Shykora - May 6, 2019 - 11:32 AM**



**Charles Hamilton - May 6, 2019 - 2:29 PM**



**COLUMBIA SHUSWAP REGIONAL DISTRICT**

**SOUTH SHUSWAP ZONING AMENDMENT (FACTORY DIRECT DOORS LTD.)**  
**BYLAW NO. 701-94**

**A bylaw to amend the "South Shuswap Zoning Bylaw No. 701"**

WHEREAS the Board of the Columbia Shuswap Regional District adopted Bylaw No. 701;

AND WHEREAS the Board deems it appropriate to amend Bylaw No. 701;

NOW THEREFORE the Board of the Columbia Shuswap Regional District, in open meeting assembled, hereby enacts as follows:

1. "South Shuswap Zoning Bylaw No. 701" is hereby amended as follows:

A. TEXT AMENDMENT

1. Section 1 DEFINITIONS is amended by adding the following new definitions following CAMPGROUND:

CANNABIS means all parts of the genus cannabis whether growing or not, the seed or clone of such plants, including derivatives and products containing cannabis;

CANNABIS PRODUCTION FACILITY means the *use* of land, *buildings* or *structures* for: research and development; testing; cultivation; production; processing; storage; packaging; labeling; or distribution, of *cannabis* and related substances, as lawfully permitted and authorized under the Cannabis Act.

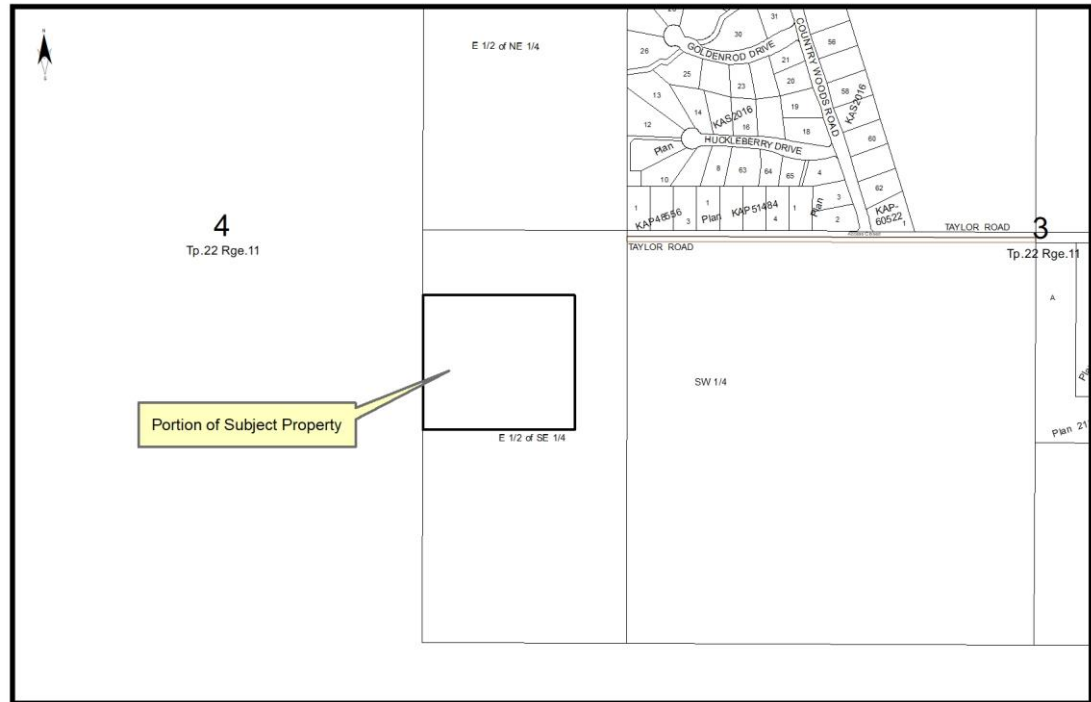
2. Section 30.1 Permitted Uses in the M2 GENERAL INDUSTRIAL ZONE is amended by adding the following after 6. recycling depot:

7. cannabis production facility;

and renumbering this section accordingly.

3. Section 30.3.1 Special Regulation is amended by deleting the text and associated map and replacing them with the following:

30.3.1 Notwithstanding Section 28.1 the only use permitted on that portion of the E  $\frac{1}{2}$  of the SE  $\frac{1}{4}$  of Section 4, Township 22, Range 11, W6M, KDYD within the M2 Zone as shown on the map below is cannabis production facility.



## B. MAP AMENDMENT

1. Schedule C, Zoning Maps, which forms part of the "South Shuswap Zoning Bylaw No. 701" is hereby amended as follows:
  - i) rezoning a portion of The East  $\frac{1}{2}$  of the SE  $\frac{1}{4}$  of Section 4, Township 22, Range 11, West of the 6<sup>th</sup> Meridian, Kamloops Division, Yale District, which is more particularly shown outlined in bold red and hatched on Schedule 1 attached hereto and forming part of this bylaw, from LH LARGE HOLDING to M2 GENERAL INDUSTRIAL; and
  - ii) rezoning a portion of The East  $\frac{1}{2}$  of the SE  $\frac{1}{4}$  of Section 4, Township 22, Range 11, West of the 6<sup>th</sup> Meridian, Kamloops Division, Yale District, which is more particularly shown outlined in bold black and hatched on Schedule 1 attached hereto and forming part of this bylaw, from M2 GENERAL INDUSTRIAL to LH LARGE HOLDING.

Bylaw No. 701-94

Page 3

2. This bylaw may be cited as "South Shuswap Zoning Amendment (Factory Direct Doors Ltd.) Bylaw No. 701-94."

READ a first time this \_\_\_\_\_ day of \_\_\_\_\_, 2019.

READ a second time this \_\_\_\_\_ day of \_\_\_\_\_, 2019.

PUBLIC HEARING held this \_\_\_\_\_ day of \_\_\_\_\_, 2019.

READ a third time this \_\_\_\_\_ day of \_\_\_\_\_, 2019.

ADOPTED this \_\_\_\_\_ day of \_\_\_\_\_, 2019.

\_\_\_\_\_  
CORPORATE OFFICER

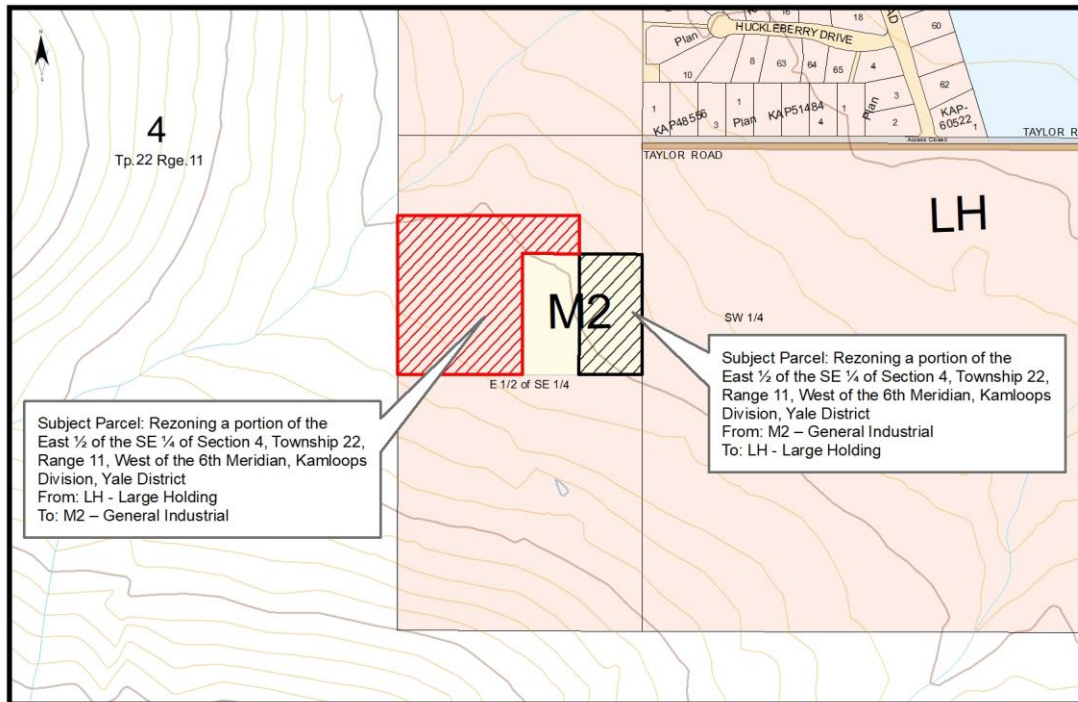
\_\_\_\_\_  
CHAIR

CERTIFIED a true copy of Bylaw No. 701-94  
as read a third time.

CERTIFIED a true copy of Bylaw No. 701-94  
as adopted.

\_\_\_\_\_  
Corporate Officer

\_\_\_\_\_  
Corporate Officer

**SCHEDULE 1****SOUTH SHUSWAP ZONING AMENDMENT  
(FACTORY DIRECT DOORS LTD) BYLAW NO. 701-94**

**COLUMBIA SHUSWAP REGIONAL DISTRICT**  
**ELECTORAL AREA 'C' OFFICIAL COMMUNITY PLAN**  
**AMENDMENT (FACTORY DIRECT DOORS LTD.) BYLAW NO. 725-16**

A bylaw to amend the "Electoral Area 'C' Official Community Plan Bylaw No. 725"

WHEREAS the Board of the Columbia Shuswap Regional District adopted Bylaw No. 725;

AND WHEREAS the Board deems it appropriate to amend Bylaw No. 725;

NOW THEREFORE the Board of the Columbia Shuswap Regional District, in open meeting assembled, HEREBY ENACTS as follows:

1. Bylaw No. 725 cited as "Electoral Area 'C' Official Community Plan Bylaw No. 725" is hereby amended as follows:
  - A. TEXT AMENDMENT
  - B. MAP AMENDMENT
    1. Schedule B, (Land Use Designations – Overview), which forms part of the "Electoral Area 'C' Official Community Plan Bylaw No. 725" is hereby amended by:
      - i) redesignating a portion of the E ½ of the SE ¼ of Section 4, Township 22, Range 11, W6M, KDYD, which is shown hatched on Schedule 1 attached hereto and forming part of this bylaw, from INDUSTRIAL (ID) to LARGE HOLDINGS (LH).
    2. Schedule C, (Land Use Designations – Mapsheets), which forms part of the "Electoral Area 'C' Official Community Plan Bylaw No. 725" is hereby amended by:
      - i) redesignating a portion of the E ½ of the SE ¼ of Section 4, Township 22, Range 11, W6M, KDYD, which is shown hatched on Schedule 2 attached hereto and forming part of this bylaw, from INDUSTRIAL (ID) to LARGE HOLDINGS (LH).

2. This bylaw may be cited as "Electoral Area 'C' Official Community Plan Amendment (Factory Direct Doors Ltd.) Bylaw No. 725-16."

READ a first time this \_\_\_\_\_ day of \_\_\_\_\_, 2019.

READ a second time this \_\_\_\_\_ day of \_\_\_\_\_, 2019.

PUBLIC HEARING held this \_\_\_\_\_ day of \_\_\_\_\_, 2019.

READ a third time this \_\_\_\_\_ day of \_\_\_\_\_, 2019.

ADOPTED this \_\_\_\_\_ day of \_\_\_\_\_, 2019.

\_\_\_\_\_  
CORPORATE OFFICER

CERTIFIED a true copy of Bylaw No. 725-16  
as read a third time.

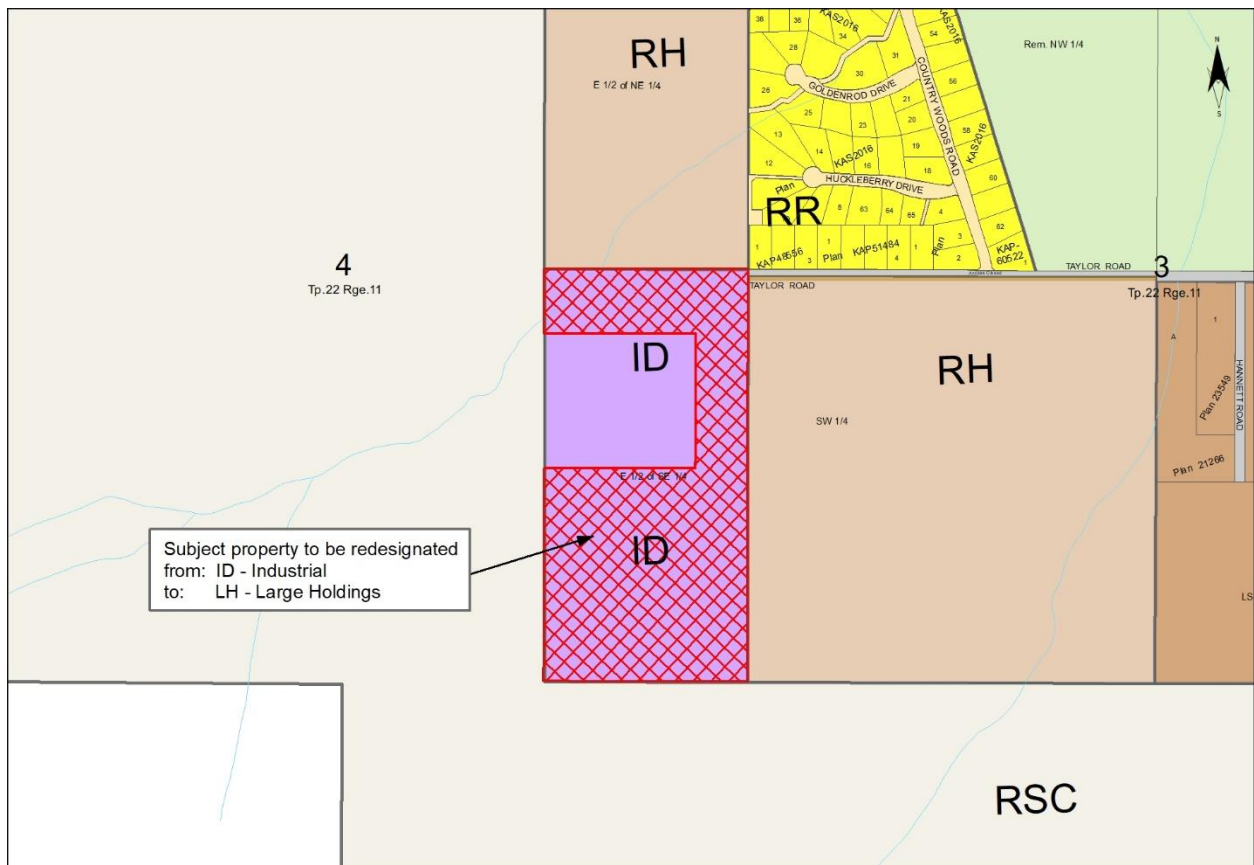
\_\_\_\_\_  
CHAIR

CERTIFIED a true copy of Bylaw No. 725-16  
as adopted.

\_\_\_\_\_  
Corporate Officer

\_\_\_\_\_  
Corporate Officer

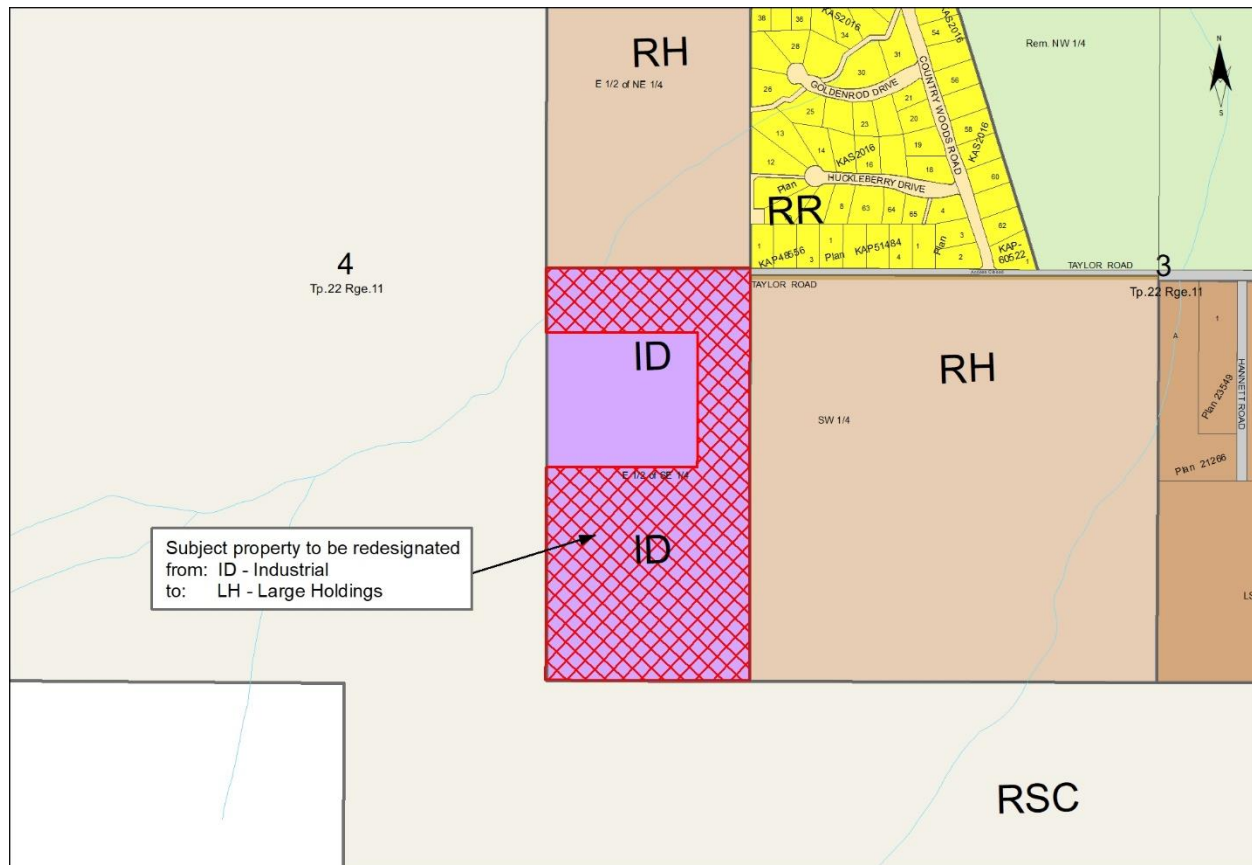


**SCHEDULE 1****ELECTORAL AREA 'C' OFFICIAL COMMUNITY PLAN AMENDMENT  
(FACTORY DIRECT DOORS LTD.) BYLAW NO. 725-16****LAND USE DESIGNATIONS – OVERVIEW**

## SCHEDULE 2

ELECTORAL AREA 'C' OFFICIAL COMMUNITY PLAN AMENDMENT  
(FACTORY DIRECT DOORS LTD.) BYLAW NO. 725-16

## LAND USE DESIGNATIONS - MAPSHEETS



**Relevant Excerpts from  
Cannabis Related Business Policy A-71, and  
Cannabis Related Business Referrals Procedure PR-32**

(See Policy A-71 and Procedure PR-32 for all applicable policies, procedures and regulations)

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**POLICY A-71**

**CANNABIS RELATED BUSINESSES POLICY**

**PREAMBLE**

With the legalization of recreational cannabis in Canada, the Columbia Shuswap Regional District (CSRD) will be requested to respond to licence application referrals for cannabis related businesses. This policy establishes a clear procedure and set of criteria for the CSRD to follow when responding to licence application referrals for any cannabis related business proposed in the CSRD.

**PURPOSE**

The intent of Policy A-71 is to ensure that:

- cannabis related business are located in such a manner that they are sensitive to potential impacts on the surrounding community and are located in appropriate locations;
- the CSRD is provided sufficient information in the cannabis licence application referral package; and
- adequate public consultation is conducted when the Board provides a recommendation on a cannabis related business application.

**DEFINITIONS**

CANNABIS means all parts of the genus cannabis whether growing or not, the seed or clone of such plants, including derivatives and products containing cannabis.

CANNABIS PRODUCTION FACILITY means the use of land, buildings or structures for: research and development; testing; cultivation; production; processing; storage; packaging; labeling; or distribution of cannabis and related substances, as lawfully permitted and authorized under the Cannabis Act.

RETAIL CANNABIS SALES means a business that sells cannabis as lawfully permitted and authorized under the Cannabis Control and Licensing Act.

**POLICY**

This Policy will remain in effect until it is repealed or replaced.

This Policy is in effect for the following geographic areas: all of the lands within the CSRD that lie outside

of municipal boundaries, Indian Reserves and National Parks.

For the purpose of this policy, cannabis production facilities and retail cannabis sales are collectively referred to as “cannabis related business.”

### **Part One: Licence Application Procedure**

#### **1. Preliminary Consultation**

Proponents are encouraged to contact the CSRD in writing before making any final site selection decisions in order to discuss their plans with staff.

Development Services staff will review all cannabis related business application referrals for compliance with relevant land use regulations, and provide information to the applicable provincial or federal agency in respect of such regulations.

#### **2. Description of Proposed Cannabis Related Business**

Referral packages provided to the CSRD for cannabis related businesses will be expected to provide the following information:

- A complete description of the proposed business (copy of the application received by Health Canada or the Liquor Control and Licensing Branch.
- The proposed layout with a site map and to-scale drawings showing the location of the proposed facilities, and accessory buildings.
- Proposed site area and setbacks from parcel boundaries.
- Distance from schools, parks and other public spaces that are located within 1 km of the proposed business, calculated as a straight line from the edge of each parcel.

#### **3. Public Consultation**

- Where the CSRD provides recommendations on a cannabis related business application, the method of gathering public feedback will be in accordance with the applicable federal or provincial legislation.
- The CSRD will take the views of residents into account when making a recommendation on a licence application.

### **Part Two: Criteria for Reviewing Licence Applications**

Notwithstanding the following, the CSRD Board may modify these criteria on a site by site basis, in consideration of local factors.

#### **1. Location of Cannabis Related Businesses**

- a. Where land use zoning exists, cannabis retail sales may only be permitted in commercial zones;  
cannabis production facilities may only be permitted in industrial zones.
- b. Cannabis related businesses are not supported on:
  - Residential properties
  - Land within the Agricultural Land Reserve (ALR)
  - Areas located within 300 m of schools, parks, and any other public space
- c. A minimum separation distance of 300 m is recommended between a cannabis related business and the following locations (the minimum distance is calculated as a straight line from the edge of each parcel):
  - Day Cares
  - Health Care Facilities
  - Libraries
  - Parks
  - Playgrounds
  - Schools
  - Other cannabis related businesses
- d. Minimum cannabis production facility (includes all buildings and structures) setbacks from property lines:
  - 60 m setback to exterior lot line
  - 90 m setback to front lot line
  - 30 m to other lot lines
- e. Minimum cannabis production facility (includes all buildings and structures) setbacks from watercourses:
  - 30 m

## **PROCEDURE PR-32**

### **CANNABIS RELATED BUSINESS REFERRALS**

#### **PREAMBLE**

The following procedure outlines the steps to be taken by Columbia Shuswap Regional District (CSRD) Development Services Department staff upon receiving a notification that an application has been made for either a cannabis retail licence, or a cannabis production licence in the CSRD. This Procedure complements Cannabis Related Business Policy A-71.

## **LEGISLATIVE AUTHORITY**

The process of issuing licences for cannabis retail and cannabis production is the sole jurisdiction of the provincial and federal government. In the Province of BC, the Liquor and Cannabis Regulation Branch (LCRB) is responsible for licensing and monitoring the private retail sale of non-medical cannabis under the Cannabis Control and Licensing Act. Health Canada is the approval authority for all cannabis cultivation and processing (production) licenses under the Access to Cannabis for Medical Purposes Regulations (ACMPR) and Cannabis Act.

Local governments have been provided an opportunity to provide recommendations on all cannabis retail sale license applications and must provide an opportunity for community feedback prior to making a formal recommendation of support or non-support. Cannabis retail licences will not be issued unless the local government for the area in which the establishment is proposed to be located supports the issuance of the licence.

In the case of cannabis production licences, Health Canada is responsible for providing the licensing and oversight framework for legal production of cannabis. Through the licensing process, local governments are provided with a letter of notification by a proponent who has applied to become a licensed producer. Prior to issuing a licence, Health Canada does not require local government support of a proposal, nor does it require that public consultation be conducted. The CSRD will, however, respond to letters of notification in the same way that land use referrals are dealt with.

## **RESPONSIBILITY**

The Manager and Team Leader of Development Services, are responsible for assigning cannabis retail and production referrals to Development Services Staff (staff).

## **PROCEDURE**

### Cannabis Production Referrals:

1. The referral process starts once the CSRD receives a formal letter of notification from an applicant who has applied to Health Canada to become a licensed producer of cannabis.
2. Staff will conduct a preliminary review of notification letter to ensure that the description of the proposed production facility includes the following information:



- a. Name, address, and signature of owner(s) or agent acting on the owner's behalf;
- b. Applicable fee, as set out in *CSRD Development Services Application Fees Bylaw No. 4000*, as amended from time to time;
- c. Current Certificate of Title dated within thirty (30) days of the date of application for all affected properties;
- d. The legal description and street address of the property(s);
- e. Plans and details of the proposal, including a site plan, floor plan, signage details, number of parking stalls, and hours of operation;
- f. A community impact statement that outlines the cannabis production facilities positive impacts on the community, potential negative impacts on the community, and measures taken to address the store's potential negative impacts;
- g. A map showing day cares, health care facilities, etc. (list from 1.c. in Policy A-71) within 500 m of the subject property;
- h. Any other information requested by the Manager of Development Services or his or her designate.

3. If it is determined that the proposal does not conform to relevant CSRD bylaws, staff will discuss with the applicant if the non-conformity(s) can be considered through the approval of a land use amendment, issuance of a temporary use permit, development variance, or development permit. In situations where the proposal does not conform with Policy A-71, staff will advise the applicant to make a written request to the Board to consider modifying the criteria of the Policy to allow the proposal. The request will need to provide rationale for why a variance of the Policy is necessary.

4. Development Services staff will evaluate the information received for compliance with relevant CSRD bylaws and policies; including Official Community Plan; Zoning; and Cannabis Related Businesses Policy A-71.

5. A referral information package will be compiled by staff for review by the local Electoral Area Director, CSRD Operations Department, local RCMP, Agricultural Land Commission (if applicable) and any other relevant stakeholders. The referral package will include a site plan, description of the proposed cannabis production facility, and other relevant information obtained from the applicant. The referral response period will be thirty (30) days.

6. Following the referral period, staff will provide a written response to the applicant, Health Canada and any other agencies or individuals included in the referral process. The letter will convey how the proposal corresponds with relevant CSRD bylaws and policies and provide a summary of all input received on the application.

## **Relevant Excerpts from Electoral Area C Official Community Plan Bylaw No.**

### **725, South Shuswap Zoning Bylaw No. 701**

(See Bylaw Nos. 725 and 701 for all applicable policies, procedures and regulations)

## **Electoral Area C Official Community Plan Bylaw No. 725**

### **1.4 Geographic Context and Existing Land Uses**

- While the South Shuswap currently has a limited number of industrial enterprises, there is significant potential for growth. The Trans-Canada Highway and Canadian Pacific Rail both pass through the South Shuswap, providing transportation links to major centres across the country.

### **2.1 Water Quality of Shuswap Lake**

#### **2.1.1 Objectives**

- .1 To protect the water quality of Shuswap Lake and its watershed.
- .2 To maintain healthy aquatic and groundwater environments and protect people from contaminated water.

#### **2.1.2 Policies**

- .1 Regardless of the level or type of treatment, the discharge of liquid waste (human, agricultural, industrial) into Shuswap Lake, White Lake and other natural waterbodies is unacceptable. In the event that a sewer system is available, properties within the service area will be required to connect to the system.
- .2 Any new commercial, industrial, and institutional development must connect to a community sewage system. Existing residential development must connect to a community sewage system when capacity is available.

The Regional District will:

- .8 Use the full range of planning tools and regulatory measures to protect the watershed and water quality of Shuswap and White Lakes. These include zoning bylaws, development permits, building regulation, and, potentially, statutory covenants.

### **3.9 Industrial (ID)**

#### **3.9.1 Objective**

- .1 To recognize existing industrial uses in the South Shuswap and support future opportunities for light industrial uses.

#### **3.9.2 Policies**

- .1 A range of light industrial land uses, including manufacturing, high technology industries, warehousing, storage and distribution, machine and automobile repair, is generally acceptable in AG, RR, RR2, SH, MH, RH, and RSC designations, provided they are in compliance with Provincial ALC regulations, are located away from watercourses, are not on waterfront parcels and are compatible with adjacent land uses.
- .2 Small scale light industrial uses whose operations are compatible with adjacent land uses are permitted in the Village Centre.
- .3 All new rezoning applications for industrial uses which would require additional sewer or water capacity and which are located in proximity to a community sewer system and a community water system must connect to that system.
- .4 New industrial development is subject to the Form & Character Development Permit Area Guidelines.

### **5.3 Economic Diversity**

#### **5.3.1 Objective**

- .1 To encourage economic diversity in the South Shuswap.

#### **5.3.2 Policies**

The Regional District will:

- .1 Work with the South Shuswap business community to develop a long-term economic development strategy that focuses solely on the needs of the South Shuswap. Economic diversification should be a major component of any economic development strategy.

### **6.7 Groundwater and Soil Quality**

#### **6.7.1 Objective**

- .1 To protect groundwater and soil from contamination of all types, including from residential, agricultural, industrial and commercial uses.

#### **6.7.2 Policies**

- .1 In consultation with the appropriate Provincial government agencies, identify and aim to protect aquifer recharge areas from potential sources of contamination and depletion;

- .2 Require developers to minimize paving, use permeable surfaces wherever possible and examine innovative recharge technologies. Details related to minimizing impervious area coverage by buildings and parking lots will be provided in the zoning bylaw;
- .3 In co-ordination with the Interior Health Authority, work to have private septic systems located appropriately and designed in a manner that protects groundwater and soil from contamination; and
- .4 Encourage agricultural operators to conduct responsible farming practices in accordance with the Best Management Practices materials that are issued by the Resource Management Branch and the BC Ministry of Agriculture and Lands.

## **12.6 Industrial (ID) Development Permit Area**

### **.1 Purpose**

The Industrial (ID) Development Permit Area is designated under the Local Government Act for the establishment of objectives for the form and character of industrial development for areas designated as Industrial in the OCP.

### **.2 Justification**

This DP is to promote a high level of site and building design for new or renovated buildings or structures in industrial areas. It is important that consideration be given to the integration of new industrial development with the surrounding built environment considering the rural nature of the area and the visibility to the Trans-Canada Highway.

### **.3 Area**

This DPA applies to the areas designated as Industrial (ID) as set out in Schedule B and C.

### **.4 Exemptions**

- .1 A single storey accessory building with a gross floor area less than 10 m<sup>2</sup> (107.4 ft<sup>2</sup>);
- .2 alteration, disruption or destruction of vegetation involving less than 1000 m<sup>2</sup> (10,763.9 ft<sup>2</sup>) of vegetation coverage area;
- .3 The complete demolition of a building and clean-up of demolition material. Partial demolition or reconstruction of a building requires a DP under this section.
- .4 Non-structural external repairs or alterations exempted by the BC Building Code; or
- .5 Creation of impervious or semi-impervious surfaces less than 100 m<sup>2</sup> (1,076.4 ft<sup>2</sup>).

## .5 Guidelines

- .1 Light industrial development should be integrated as much as possible into the built fabric of the community, rather than forming isolated auto-oriented enclaves. Block pattern, street design and building placement should be appropriate to a mixed use area, although industrial use may be the primary land use;
- .2 Buildings should face onto the street, and include entries and windows, providing active edges and visual permeability. Where buildings face a parking lot, pedestrian sidewalks should be provided. Buildings should be set back at a distance from the street, to avoid the creation of wide barriers;
- .3 Where possible, buildings should share common parking lots. Parking should be provided at the rear of buildings, at the interior of blocks, or include a landscape buffer between the parking area and the public street;
- .4 Outside storage, garbage and recycling areas should be screened with fencing or landscaping or both;
- .5 Use of non-combustible external building materials is encouraged;
- .6 Signage should be integrated into the overall site and building, and be legible without being intrusive into the visual landscape; and
- .7 Green roofs and other sustainable practices are encouraged.

## **South Shuswap Zoning Bylaw No. 701**

### **M2 - GENERAL INDUSTRIAL ZONE**

### **SECTION 30**

#### ***Purpose***

*The purpose of the M2 zone is to provide for a range of general industrial uses.*

#### **Permitted Uses**

30.1 The following uses and no others are permitted in the M2 zone:

1. manufacturing, fabricating and processing industries (including forest and wood product industries);
2. wrecking yard;
3. public utility;
4. sand and gravel processing;
5. storage and warehousing;
6. recycling depot;
7. log home manufacturing facility, permitted only on parcels greater than 1 ha;

8. single family dwelling or upper floor dwelling unit as an accessory use for caretaker of property;
9. accessory use.

### Regulations

- 30.2 On a parcel zoned M2, no building or structure shall be constructed, located or altered and no plan of subdivision approved which contravenes the regulations established in the table below in which Column I sets out the matter to be regulated and Column II sets out the regulations.

COLUMN I MATTER TO BE REGULATED	COLUMN II REGULATIONS
.1 Minimum Parcel Size for New Subdivisions	1 ha
.2 Maximum Number of Accessory Dwelling Units Per Parcel	1
.3 Maximum height for: <ul style="list-style-type: none"> <li>• Principal buildings and structures</li> <li>• Accessory buildings</li> </ul>	<ul style="list-style-type: none"> <li>• 11.5 m (37.73 ft.)</li> <li>• 10 m (32.81 ft.)</li> </ul>
.4 Maximum Site Area of Wrecking Yard	2.5 ha
.5 Minimum Setback from all Parcel Lines: <ul style="list-style-type: none"> <li>• adjacent to a parcel zoned M1 or M2</li> <li>• in all other cases</li> </ul>	<div>5 m</div> <div>25 m</div>
.6 Maximum Coverage	50%

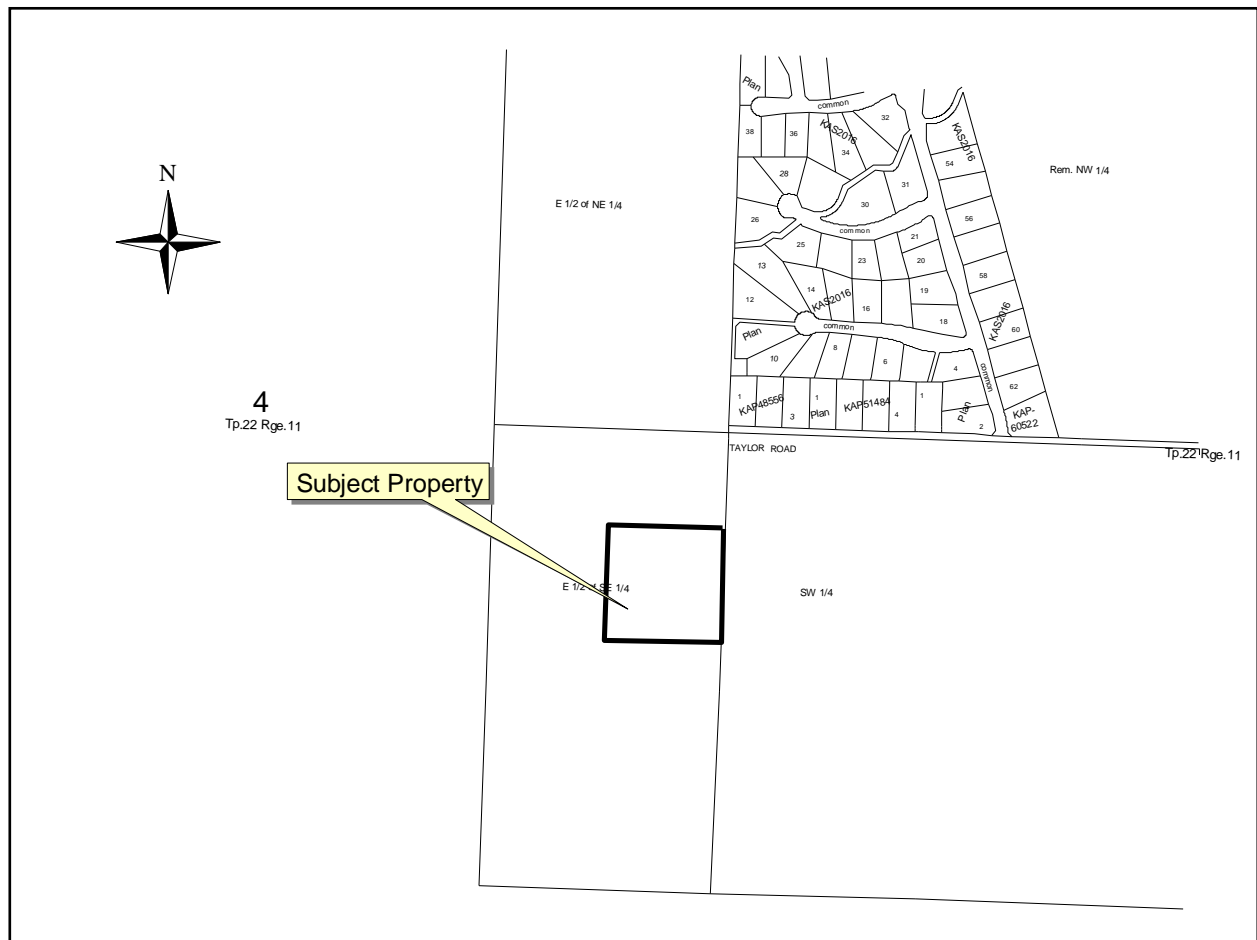
BL701-50



## Special Regulation

- 30.3.1 Notwithstanding Section 28.1 the only use permitted on that portion of the E½ of the S.E. ¼ of Section 4, Township 22, Range 11, W6M, KDYD within the M2 zone is manufacturing, fabricating and processing industries (including forest and wood product industries) and log home manufacturing facility.

BL701-29



## Screening

- 30.4.1 Where a parcel within the M2 zone abuts any property within the RR1, RR2, RR3, RR4, R1, R2, CH1, CH2, SH, MHP, C1, C2, C3, C4, C5 or C6 zone, a landscape screen of not less than 2 m in height shall be placed so as to fully enclose the industrial use from neighbouring commercial or residential uses.
- .2 Any parcel containing a wrecking yard shall have a landscape screen of not less than 2 m in height placed so as to fully enclose the wrecking yard, and shall allow for vehicular access

**Regarding:**           **Application for re-zoning**  
 1336 Taylor Road  
 Sorrento, B.C.

Thank you for considering the re-zoning of the above mentioned property, as we hope to add **Cannabis Cultivation** as a permitted use for the 80 acre parcel.

The applicant wishes to obtain a Health Canada license for a Standard Cannabis Cultivation and Processing Facility located on this property. This process is in the early stage, and obviously requires compliance with CSRD permitted uses bylaws before proceeding. The licensing process is lengthy and very stringent. We contend that the laws in place for the license will greatly mitigate any negative community impact, as we will outline below.

#### **Overview:**

The property in question is currently zoned M2 with a special condition that specifies the permitted uses. The applicant proposes to create a cannabis production facility on the 80 acre rural location which was previously home to a sawmill and furniture manufacturer. The proposed operation would be well outside the proximity of schools, parks, places of worship and any other licensed cannabis facilities. As the crow flies, it is approximately 350 meters from the nearest residence.

The applicant wishes to utilize existing structures previously used by the sawmill business. An extensive renovation will take place on the access road, the yard, and the buildings as they must comply with Health Canada security and building standards. All construction would be permitted by the CSRD. The various buildings would house cultivation operations as well as processing areas (packaging of cannabis for sale). The facility would undergo several stages of inspection and ongoing compliance inspections once business is underway.

The federal government compliance and inspections are important because the framework set by the government greatly improves security and diminishes negative community impact. Historically, "grow ops" have had detrimental effects on neighborhoods, but the new legislation in the Cannabis Act ensures that license holders are held to a very high standard.

**Security:** This is the most obvious improvement over historical "grow ops". Standard Cultivation and Processing facilities require very high levels of security that include locked perimeter fencing, full surveillance systems, monitored intrusion detection systems, and very limited access to any room containing cannabis.

Corporate shareholders, investors, management and full-time employees are vetted and must pass a strict security clearance check. These background checks are very thorough, as the Federal Government must ensure there are no ties to illicit cannabis markets or organized crime. Because of this, license holders and their staff are truly members of the legitimate business community.

Notice is an important part of the application process. The more information that is shared, the more compliance can be assured and the more governments and communities can be comfortable with a new cannabis business. Currently, we live in an area well known for black market and "grey market" medicinal grow operations. Zero notice is required for communities, neighbors, or governments for

this activity. With the new legislation, the applicants for cannabis licenses must give notice to the district or municipality, RCMP, local fire and ambulance services. With communities and authorities notified of licensed activities, we are entering a positive new era of legal cannabis.

**Traffic:** The remote location of the facility is ideal as many of the perceived nuisances of the business will be far from other residences and thus not noticeable to the residents who might otherwise be affected (below). One factor to consider, however, is the possible slight increase in traffic on the road leading to the facility.

It is important to note that the pre-existing business (sawmill and furniture manufacturing) had a typical payroll of 15-30 employees. In addition, and of extreme importance, is that deliveries of raw product via logging trucks were commonplace for that operation. By contrast, the applicant projects a full-time workforce of only 10-12 employees when operational. No deliveries in or out will be transported in anything larger than a pickup truck or small transport van.

For this specific location, the applicant understands that a residential area shares the road leading into the proposed facility. In preliminary talks with some neighbors, the applicant also understands there are families with small children in the area. To that end, the applicant wishes to contribute to community safety by posting road signage (department of highways approved) upon successfully obtaining their license ("Caution", "Children at Play" etc). In addition, a specific part of the hiring and training program for all employees will be dedicated to road safety and consideration for the surrounding community.

**Odour:** For any cannabis facility, odour is a consideration. Again, because of strict federal guidelines during licensing, this is an area that must be addressed, unlike black or grey market operations the applicants site design includes enclosed airtight grow rooms where exhaust airflow is only discharged after it has been processed through a carbon filtration system in order to extract all odors. As part of the standard operating procedures, all equipment is checked daily. Ongoing maintenance and filter replacements of the odor control systems will occur well within the manufacturers guidelines in order to maintain the highest filtration efficiency possible.

As mentioned above, the location of this property ensures that sufficient distance between residents is maintained (see attached). In the highly unlikely case of a temporary malfunction in the venting system, the distance should prevent any unwanted odor reaching nearby community members.

**Noise:** Much like the possibility of odor, noise is something the applicant addresses in the site design of this facility. The distance from other properties ensures that this facility will never impede the quiet enjoyment neighbouring residents would expect from the area.

In reality, the only significant noise created by the facility itself will be the exhaust fans and the condensers for the air conditioner units. These units will be installed in such a way as to divert sound from traveling towards the residential area and the decibel readings for these items are fairly low (see attached), especially when compared with an active sawmill.

**Waste:** New legislation improves the practice of waste management. Black and grey market Cannabis Growers have been known to produce piles of waste bi-product on their respective properties. Unwanted soil, leaf, and other waste are often left to rot. The standard operating procedure for licensees under the Cannabis Act, however, dictates that all waste must be recorded, weighed, and disposed of correctly. It is an

integral part of the application, as Health Canada does not want ANY cannabis product or bi-products to fall into the hands of unlicensed individuals.

While this is more of a security and sanitary issue for Health Canada, it has the added positive effect of maintaining clean and orderly facilities within the communities in which cannabis facilities exist.

**Economic Spin-off:** The preceding areas of consideration have been of a potential negative impact, but there is also a positive impact of having a cannabis facility within the community. The applicant expects to create 10-12 full-time jobs, with the possibility of part time employment opportunities as the business expands. Nearby residents seeking employment may benefit from the proximity to a growing business (pardon the pun). As Canada's new legislation creates jobs and tax revenue with the fledgling cannabis industry, the applicant could eventually become a significant employer in the area.

It is our contention, that the zoning for this property should be amended to allow for a "Cannabis Cultivation Facility." As described above, many factors make cannabis production the highest and best use for this property. Improvements of security, smell, noise, and road safety from the previous business make a cannabis facility more desirable for the community than the sawmill for which the original zoning was created. We hope the CSRD supports our upcoming re-zoning application due to improved community impact while generating economic opportunities therein.

### COMPARITIVE EXAMPLES OF NOISE LEVELS

Noise Source	Decibel Level	Decibel Effect
<b>Jet take-off (at 25 meters)</b> <b>Recommended product: Outdoor Noise Barriers</b>	150	Eardrum rupture
Aircraft carrier deck	140	
Military jet aircraft take-off from aircraft carrier with afterburner at 50 ft (130 dB).	130	
Thunderclap, chain saw, Oxygen torch (121 dB).	120	Painful. 32 times as loud as 70 dB.
Steel mill, auto horn at 1 meter, Turbo-fan aircraft at takeoff power at 200 ft (118 dB); Riveting machine (110 dB); live rock music (108 - 114 dB).	110	Average human pain threshold. 16 times as loud as 70 dB.
Jet take-off (at 305 meters), use of outboard motor, power lawn mower, motorcycle, farm tractor, jackhammer, garbage truck, Boeing 707 or DC-8 aircraft at one nautical mile (6080 ft) before landing (106 dB); jet flyover at 1000 feet (103 dB); Bell J-2A helicopter at 100 ft (100 dB).	100	8 times as loud as 70 dB. Serious damage possible in 8 hr exposure.
Boeing 737 or DC-9 aircraft at one nautical mile (6080 ft) before landing (97 dB); power mower (96 dB); motorcycle at 25 ft (90 dB); Newspaper press (97 dB).	90	4 times as loud as 70 dB. Likely damage in 8 hour exposure.
Garbage disposal, dishwasher, average factory, freight train (at 15 meters). Car wash at 20 ft (89 dB); propeller plane flyover at 1000 ft (88 dB); diesel truck 40 mph at 50 ft (84 dB); diesel train at 45 mph at 100 ft (83 dB). Food blender (88 dB); milling machine (85 dB); garbage disposal (80 dB).	80	2 times as loud as 70 dB. Possible damage in 8 hour exposure.
Passenger car at 65 mph at 25 ft (77 dB); freeway at 50 ft from pavement edge 10 a.m. (76 dB); Living room music (76 dB); radio or TV-audio, vacuum cleaner (70 dB).	70	Arbitrary base of comparison. Upper 70s are annoyingly loud to some people.
Conversation in restaurant, office, background music, Air conditioning unit at 100 feet.	60	Half as loud as 70 dB. Fairly quiet.
Quiet suburb, conversation at home. Large electrical transformers at 100 feet.	50	One-fourth as loud as 70 dB.
Library, bird calls (44 dB); lowest limit of urban ambient sound	40	One-eighth as loud as 70 dB.
Quiet rural area.	30	One-sixteenth as loud as 70 dB. Very Quiet.
Whisper, rustling leaves	20	
Breathing	10	Barely audible

**Aerial View of subject property**  
1336 Taylor Road  
Sorrento, B.C.







Date: April 8, 2019

**Columbia Shuswap Regional District**

555 Harbourfront Drive NE  
Salmon Arm, BC  
V1E 3M1

**Attention: Director Electoral Area F**

Regarding:  
1336 Tayler Rd, Sorrento  
Pending Health Canada application for Cannabis Micro Cultivation Facility

**Attn: Christine Lefloch, Corey Paiement (CSRD Development Dept)**

To Whom It May Concern,

In regard to the pending re-zoning application for 1336 Taylor Rd, Sorrento BC, I would like to add some specific information. As the intended use is commercial cannabis cultivation, there may be concerns over the management of water, waste, and traffic.

Water:

In order to understand water's role in the proposed cannabis cultivation facility, we have to understand proposed scale. For this facility, we propose the following approximate volumes:

- 2000 plants in 3 gallon pots
- 1000 plants in 5"x5" small planter pots
- 700L of fresh water utilized per day for irrigation
- 7500lbs of soil growing medium (dry) in use at any time
- Bathroom facilities for employees - projected use of 100L per day fresh water (septic system)

In terms of fresh water use, this facility projects a volume less than the average Canadian three-person household would use. \*\*

From a septic capacity perspective, the large sawmill and door manufacturing facility of the past would have had many more employees and the increased frequency use of bathroom use and thus demand on the septic system.



Most importantly, we must point out that AT NO POINT DOES IRRIGATION WATER ENTER THE SEPTIC, OR FRESHWATER SYSTEM. All flooring in the facility is cement, and no floor drains are present.

Irrigation water contains liquid fertilizers, which are mixed with fresh water in a reservoir to a desired concentration. In this process, the Master Grower fills a plastic reservoir with fresh water. Fill lines run directly into the reservoir, and even though freshwater spills are highly unlikely, the reservoir still is positioned on a metal catch tray. Once full, the Master Grower measures fertilizer mix and adds these concentrated liquids (please see MSDS attachment) until a desired level is reached within the reservoir. The contents of the reservoir are constantly measured with a digital meter. When the Master Grower determines that the concentration has reached 1500 parts per million of fertilizer, he then adjusts the PH accordingly to attain a target of 6.2. At this point the Master Grower has created "Irrigation Water" and he is ready to have it enter the Irrigation System.

Irrigation water is now pumped at low pressures through irrigation lines that feed the liquid to individual plants. The lines are run on top of the pots containing soil and are carefully oriented to only discharge onto the soil grow medium. Freeboard differential (top of soil to top of pot) creates a contained circumference that prevents any spillage as water is absorbed into the soil.

The entire irrigation process and structure is well designed to not only prevent any spillage but to feed the plants in the most effective way possible to minimize costs. The process is performed on a daily basis by the Master Grower and the irrigation lines are activated manually under his super vision. This process is not automated and there is no risk of a leak occurring without it being noticed and immediately rectified.

In the unlikely event of a leak, there are specific protocols in place. Part of the Health Canada application contains Standard Operating Procedures for spills and cleanup. To summarize, larger spills are managed with wet-vacs, mops etc. Small spills or moisture on the floor are identified with safety (slip and fall) procedure and allowed to evaporate into the grow room atmosphere.

The atmosphere in the cannabis cultivation rooms are highly controlled to create specific temperature, humidity, air flow and CO2 levels. These rooms are sealed, and only intake and exhaust (filtered) air a few times per day. Specifically, evaporation and humidity control pertain to the management of water and are affected by heat created by the grow lights and also dehumidifiers that are tasked with maintaining a specific level of humidity. As mentioned, moisture from the soil, plants, and even small spills on the concrete floor are evaporated because temperatures in the rooms average 78 degrees Fahrenheit. The air is then moved around the room with a series of fans and processed through the dehumidifiers. Water collected in the dehumidifiers is contained in a small reservoir, transferred to the irrigation reservoir, and then re-used as irrigation water.

This way, zero waste water is generated with the irrigation system.



#### Waste:

Although no water waste will be generated in the proposed facility, solid waste is. Soil grow medium is removed from the facility after each harvest, and bi-product from the plants (leaf, stalk, roots) are also disposed of. Health Canada insists on strict process for this cannabis waste, and demands meticulous record keeping for destruction procedures.

Soil grow medium to be used in the facility is Pro-Mix HP (please see MSDS) and it is obtained in compressed bales. These units are stored on the premises, ready for use when needed. The soil is used during the plant up procedure, when it is loaded into 3 gallon pots or smaller planter pots. At any time, this facility projects to have about 7500lbs of (dry) soil on the premises.

The growth cycle of the plants is:

1. Clone (2 weeks)
2. Veg (stage 1, 5"x5" planters) – 30 days
3. Veg (stage 2, 3 gallon pots) – 30 days
4. Flower – 60 days

Soil is needed for steps 2-4, so its usefulness is no more than 4 months. When the flower cycle is complete and the harvest is executed, soil is removed. At the time of harvest, the soil will contain some level of moisture content and some remnants of the fertilizers used. Currently, the process of disposal involves bagging the soil inside the building, and containing it in steel waste bins outside the building. The bins are removed monthly by a third-party contractor that takes the waste to the landfill\*\*\*.

It is crucial to understand that AT NO POINT IS THE SOIL CONTAINING FERTILIZER MIXED WITH OR IN CONTACT WITH DIRT OUTSIDE OF THE BUILDING.

Cannabis facilities of the past have stock-piled used soil on the property, allowing fertilizers to leach into the ground and possibly affect ground water. With this facility, soil is never exposed and poses no threat of contamination.

The above-mentioned bi-products of leaf and stalk are also managed this way, albeit in far smaller volumes. They too, have zero interaction with the atmosphere outside of the facility.

#### Traffic:

Because the facility will involve much less traffic than the property experienced during its past uses, we do not foresee any issues with the road access. Having not been used in recent years, some basic maintenance including gravelling and grading will occur prior to commencement of licensed activities but no major structural alterations are anticipated.

In terms of the traffic volume itself, this facility expects to receive one delivery per month from a commercial truck for its soil and have one commercial truck monthly removing waste. Aside



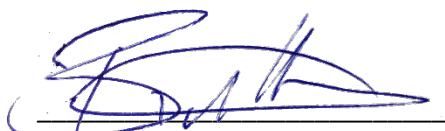
from the two commercial trucks per month, the only traffic this facility will experience is the staff arriving in their automobiles.

At the suggestion of Ms. LeFloch, we intend to contact the Ministry of Transportation and begin the process to obtain a commercial access permit.

\*\*Canadians currently use an average of **329 litres** of water per person, per day — second only to the United States in the developed world, and more than twice as much as Europeans.

\*\*\*A composting/ recycling program to manage and re-use soil from cultivation facilities is something I would love to develop with the CSRD. The soil volume will un-necessarily choke landfills, and the soil itself is fantastic for other uses. Please contact me if there is any interest in developing a Health Canada – CSRD approved program that may be the catalyst for similar programs nationwide.

Best Regards,

  
Ben Williams

Shuswap Botanicals Inc | (250) 517 0504

# MATERIAL SAFETY DATA SHEET

## SECTION 1 – CHEMICAL PRODUCT AND COMPANY IDENTIFICATION

PRODUCT IDENTIFIER		VitaMax Plus		WHMIS CLASSIFICATION		D2B (eye, skin & respiratory irritant)	
PRODUCT USE    Fertilizer							
Manufacturers Name		Greenstar Plant Products Inc.		Suppliers Name			
Street Address		9430 198 <sup>th</sup> Street		Street Address			
City	Langley	Province	BC	City		Province	
Postal Code	V1M 3C8	Emergency Telephone	(604) 882-7686	Postal Code		Emergency Telephone	
Date MSDS Prepared	August 26, 2009	Prepared By	Greenstar Plant Products Inc.		Phone Number		

## SECTION 2 – COMPOSITION/INFORMATION ON INGREDIENTS

Hazardous Ingredients ( <i>Specific</i> )	%	CAS	LD <sub>50</sub> of Ingredient ( <i>species and route</i> )	LC <sub>50</sub> of Ingredient ( <i>specify species</i> )
Magnesium Nitrate	<b>1-5</b>	13446-18-9	LD <sub>50</sub> 5440 mg/kg oral rat	NAP
Magnesium Sulphate	<b>1-5</b>	10034-99-8	NAV	NAP
Monopotassium Phosphate (MKP)	<b>10-5</b>	7778-77-0	LD <sub>50</sub> 4640 mg/kg oral rat	NAP
Potassium Nitrate	<b>1-5</b>	7757-79-1	LD <sub>50</sub> 3750 mg/kg oral rat	NAP
Ammonium Nitrate	<b>1-5</b>	6484-52-2	LD <sub>50</sub> 2217 mg/kg oral rat	NAP

## SECTION 3 – HAZARDS IDENTIFICATION

<b>Route of Entry</b>	<input checked="" type="checkbox"/> Skin contact <input checked="" type="checkbox"/> Eye Contact <input checked="" type="checkbox"/> Inhalation <input checked="" type="checkbox"/> Ingestion
<b>Emergency Overview</b>	CONTACT WITH PRODUCT MAY CAUSE SKIN, EYE AND RESPIRATORY TRACT IRRITATION. PRODUCES TOXIC FUMES WHEN HEATED OR BURNED (SEE SECTION 5 – FIRE FIGHTING MEASURES).
<b>WHMIS Symbols:</b>	NAV
<b>EFFECTS OF ACUTE EXPOSURE TO PRODUCT:</b>	
<b>Eye Contact:</b>	May cause eye irritation
<b>Skin Contact:</b>	May cause skin irritation
<b>Inhalation:</b>	May cause irritation to the respiratory irritation
<b>Ingestion:</b>	May cause irritation to the gastrointestinal tract. May cause violent gastroenteritis, anemia, methomolglobinemia, nausea/vomiting, diarrhea, dizziness, abdominal pain, convulsions, collapse, unconsciousness, cardiac effects and central nervous system effects. Nitrates may be reduced to nitrites by bacteria in the digestive tract causing nitrite poisoning.
<b>EFFECTS OF CHRONIC EXPOSURE:</b> Repeated or chronic exposure may aggravate medical conditions. May impair target organs especially kidneys and cause anemia.	

## SECTION 4 – FIRST AID MEASURES

<b>Skin Contact</b>	Immediately flush skin with plenty of water (cold water may be used) for a minimum of 15 minutes. Remove contaminated clothing and shoes. Seek medical attention. Wash clothing before reuse.
<b>Eye Contact</b>	Immediately flush eyes with a gentle but large stream of water (cold water may be used) for at least 15 minutes holding both the upper and lower eye lids open. Seek medical attention

**VitaMax Plus****Inhalation**

Move victim to fresh air. Allow the victim to rest in a well ventilated area. If not breathing, give artificial respiration and seek medical attention immediately. If breathing is difficult, give oxygen. Seek medical attention.

**Ingestion**

Do NOT induce vomiting unless directed to do so by medical personnel. Never give anything by mouth to an unconscious person. Loosen tight clothing such as collar, tie, belt or waistband. If victim is conscious and alert, give 2-4 cupfuls of water or milk to dilute material. If vomiting occurs have victim lean forward with head down to avoid breathing in vomit. Rinse mouth. Obtain medical attention immediately.

**SECTION 5 – FIRE FIGHTING MEASURES**

Flammable	Non-Flammable	If yes, under what conditions?			
Means of Extinction:	Dry chemical, carbon dioxide, water spray, fog or foam.		Special Procedures: Do not allow water runoff to enter sewers or waterways.		
Flashpoint (°C) and method	NAP	Upper Flammable Limit (% by volume)	NAP	Lower Flammable Limit (% by volume)	NAP
Auto ignition Temperature (°C)	NAP	Explosion Data – Sensitivity to Impact	NAP	Explosion Data-Sensitivity to Static Discharge	NAP
Hazardous Combustion Products: NAV					

**SECTION 6 – ACCIDENTAL RELEASE MEASURES**

<b>Leak and Spill Procedures:</b> Ventilate area of leak or spill. Wear appropriate personal protective equipment as specified in Section 8.
<b>Small Spill:</b> Use appropriate tools to put the spilled solid in a convenient a closed waste disposal container.
<b>Large Spill:</b> Do not touch spilled material. Prevent entry into sewers, basements, or confined areas; dike if needed.

**SECTION 7 – HANDLING AND STORAGE**

<b>Handling Procedures and Equipment</b>
Do not handle unless safety precautions have been read and understood. Limit all unnecessary personal contact. Keep in a tightly closed container. Do not handle unless safety precautions have been read and understood. Avoid eye and skin contact. Do not puncture, drag or slide container. Protect against physical damage and moisture.
<b>Storage Requirements</b>
Store in a cool, dry and ventilated area. Isolate from any source of heat or ignition. Avoid storage on wood floors. Separate from incompatibles, combustibles, organic or readily oxidizable materials. Containers of this material may be hazardous when empty since they retain product residues (dust, solids); observe all warnings and precautions listed for this product.

**SECTION 8 – EXPOSURE CONTROL / PERSONAL PROTECTION**

Exposure Limits	√ACGIH TLV	√OSHA PEL	<input type="checkbox"/> Other ( <i>specify</i> )			
Specific Engineering Controls						
Ventilation System: A system of local and/or general exhaust is recommended to keep employee exposures as low as possible. Avoid splashing.						
Personal Respirators (NIOSH Approved): When engineering controls are not feasible, a respirator (NIOSH approved) may be worn.						
Personal Protective Equipment	√Gloves	√Respirator	√Eye	√Footwear	√Clothing	√Other
Hands: Wear water resistant rubber (latex, butyl or plastic (PVC) gloves. Respirator: Wear a NIOSH approved aerosol and dust filter cartridge to remove residues during product application. Eyes: Wear goggles. Footwear: Wear work boots or rubber boots. Clothing: Wear long sleeves and pants.						



**VitaMax Plus****SECTION 9 – PHYSICAL AND CHEMICAL PROPERTIES**

<b>Physical State</b> Liquid	<b>Odour and Appearance</b> Slight vitamin B1 odour, purple liquid	<b>Odour Threshold (ppm)</b> NAV
<b>Specific Gravity</b> NAV	<b>Vapour Density (air = 1)</b> NAV	<b>Vapour Pressure (mmHg)</b> NAV
<b>Evaporation Rate</b> NAV	<b>Boiling Point (°C)</b> NAV	<b>Freezing Point (°C)</b> NAV
<b>pH</b> NAV	<b>Coefficient of Water/Oil Distribution</b> NAV	<b>[Solubility in Water]</b> NAV

**SECTION 10 – STABILITY AND REACTIVITY**

<b>Chemical Stability</b> <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	<b>If no, under which conditions</b> NAP
<b>Incompatibility with Other Substances</b> <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	<b>If yes, which ones?</b> Strong acid & alkali, organic solvents and oxidizing agents
<b>Reactivity, and under what conditions?</b>	NAV
<b>Hazardous Decomposition Products</b>	NAV

**SECTION 11 – TOXICOLOGICAL INFORMATION**

<b>Magnesium Nitrate</b>	LD <sub>50</sub> 5440 mg/kg oral rat
<b>Magnesium Sulphate</b>	NAV
<b>Monopotassium Phosphate (MKP)</b>	LD <sub>50</sub> 4640 mg/kg oral rat
<b>Potassium Nitrate</b>	LD <sub>50</sub> 1901mg/kg oral rat
<b>Ammonium Nitrate</b>	LD <sub>50</sub> 2000 mg/kg oral rat
<b>Irritancy of Product</b> May cause mild irritation to eyes, skin, digestive tract and respiratory system.	
<b>Skin Sensitization</b> NAV	<b>Respiratory Sensitization</b> NAV
<b>Carcinogenicity - IARC</b> NAV	<b>Carcinogenicity – ACGIH</b> NAV
<b>Reproductive Toxicity</b> NAV	<b>Teratogenicity</b> NAV
<b>Embryotoxicity</b> NAV	<b>Mutagenicity</b> NAV
<b>Name of Synergistic Products/Effects</b> NAV	

**SECTION 12 – ECOLOGICAL INFORMATION**

<b>Potassium Nitrate:</b> Aquatic Toxicity: <b>Fish:</b> (Lepomis macrochirus) LC <sub>50</sub> = 1839 mg NO <sub>3</sub> /L <b>Environmental Fate:</b> Potassium Nitrate will disassociate into potassium and nitrate ions which may be absorbed by plants. The nitrate ions may be converted to organic nitrogen compounds or nitrogen dioxides and released to the environment.	
<b>Magnesium Nitrate</b> is a marine pollutant. <b>Environmental Fate:</b> NAV	
<b>Monopotassium Phosphate:</b> NAV <b>Magnesium Sulphate:</b> NAV	
<b>Ammonium Nitrate:</b> When released into the soil, this material is expected to leach into groundwater. When released into the soil, this material is not expected to evaporate significantly. When released into water, this material is expected to readily biodegrade.	

**SECTION 13 – DISPOSAL CONSIDERATIONS**

<b>Waste Disposal</b>
Waste must be disposed of in accordance with federal, provincial and municipal environmental control regulations.

VitaMax Plus
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**SECTION 14 – TRANSPORT INFORMATION****Special Shipping Information**

Not regulated for transport

<b>TDG</b>	<b>DOT</b>
NAP	NAP

**SECTION 15 – REGULATORY INFORMATION****WHMIS Classification**

D2B (eye, skin &amp; respiratory irritant)

**OSHA**

Not Regulated

**SARA**

Not regulated

**TSCA**

*This product has been classified in accordance with the hazard criteria of the Controlled Products Regulations (CPR) and the MSDS contains all of the information required by CPR*

**SECTION 16 – OTHER INFORMATION**

As of the date of this document, the foregoing information is believed to be accurate and is provided in good faith to comply with applicable laws. However, no warranty or representation of law or fact, with respect to such information is intended or given.



# SAFETY DATA SHEET

## FloraBloom™ Advanced Nutrient System

### Section 1. Identification

<b>GHS product identifier</b>	: FloraBloom™ Advanced Nutrient System
<b>Other means of identification</b>	: A mixture of plant nutrition minerals in aqueous solution.
<b>Product type</b>	: Liquid.
<b>Identified uses</b>	: Hydroponic plant nutrient.
<b>Supplier's details</b>	: General Hydroponics 2877 Giffen Ave Santa Rosa, CA 95407 Tel: (707) 824-9376 Fax: (707) 824-9377
<b>Emergency telephone number (with hours of operation)</b>	: CHEMTREC, U.S. : 1-800-424-9300 International: +1-703-527-3887 (24/7)

### Section 2. Hazards identification

<b>OSHA/HCS status</b>	: While this material is not considered hazardous by the OSHA Hazard Communication Standard (29 CFR 1910.1200), this SDS contains valuable information critical to the safe handling and proper use of the product. This SDS should be retained and available for employees and other users of this product.
<b>Classification of the substance or mixture</b>	: Not classified.
<b><u>GHS label elements</u></b>	
<b>Signal word</b>	: No signal word.
<b>Hazard statements</b>	: No known significant effects or critical hazards.
<b><u>Precautionary statements</u></b>	
<b>Prevention</b>	: Not applicable.
<b>Response</b>	: Not applicable.
<b>Storage</b>	: Not applicable.
<b>Disposal</b>	: Not applicable.
<b>Hazards not otherwise classified (HNOC)</b>	: None known.

### Section 3. Composition/information on ingredients

<b>Substance/mixture</b>	: Mixture
<b>Other means of identification</b>	: A mixture of plant nutrition minerals in aqueous solution.
<b><u>CAS number/other identifiers</u></b>	
<b>CAS number</b>	: Not applicable.
<b>Product code</b>	: Not available.



## Section 3. Composition/information on ingredients

There are no ingredients present which, within the current knowledge of the supplier and in the concentrations applicable, are classified as hazardous to health or the environment and hence require reporting in this section.

Occupational exposure limits, if available, are listed in Section 8.

## Section 4. First aid measures

### Description of necessary first aid measures

- |                     |  |
|---------------------|--|
| <b>Eye contact</b>  | : Immediately flush eyes with plenty of water, occasionally lifting the upper and lower eyelids. Check for and remove any contact lenses. Get medical attention if irritation occurs.  |
| <b>Inhalation</b>   | : Remove victim to fresh air and keep at rest in a position comfortable for breathing. Get medical attention if symptoms occur.  |
| <b>Skin contact</b> | : Flush contaminated skin with plenty of water. Get medical attention if symptoms occur.   |
| <b>Ingestion</b>    | : Wash out mouth with water. If material has been swallowed and the exposed person is conscious, give small quantities of water to drink. Do not induce vomiting unless directed to do so by medical personnel. Get medical attention if symptoms occur. |

### Most important symptoms/effects, acute and delayed

#### Potential acute health effects

- |                     |   |
|---------------------|---|
| <b>Eye contact</b>  | : No known significant effects or critical hazards. |
| <b>Inhalation</b>   | : No known significant effects or critical hazards. |
| <b>Skin contact</b> | : No known significant effects or critical hazards. |
| <b>Ingestion</b>    | : No known significant effects or critical hazards. |

#### Over-exposure signs/symptoms

- |                     |   |
|---------------------|---|
| <b>Eye contact</b>  | : No known significant effects or critical hazards. |
| <b>Inhalation</b>   | : No known significant effects or critical hazards. |
| <b>Skin contact</b> | : No known significant effects or critical hazards. |
| <b>Ingestion</b>    | : No known significant effects or critical hazards. |

### Indication of immediate medical attention and special treatment needed, if necessary

- |                                   |   |
|-----------------------------------|---|
| <b>Notes to physician</b>         | : Treat symptomatically. Contact poison treatment specialist immediately if large quantities have been ingested or inhaled. |
| <b>Specific treatments</b>        | : No specific treatment.  |
| <b>Protection of first-aiders</b> | : No special protection is required.  |

See toxicological information (Section 11)

## Section 5. Fire-fighting measures

### Extinguishing media

- |                                       |   |
|---------------------------------------|---|
| <b>Suitable extinguishing media</b>   | : Use an extinguishing agent suitable for the surrounding fire. |
| <b>Unsuitable extinguishing media</b> | : None known.   |

- |   |   |
|---|---|
| <b>Specific hazards arising from the chemical</b> | : No specific fire or explosion hazard. |
|---|---|

## Section 5. Fire-fighting measures

- Hazardous thermal decomposition products** : Decomposition products may include the following materials:  
sulfur oxides  
phosphorus oxides  
metal oxide/oxides
- Special protective actions for fire-fighters** : No special measures are required.
- Special protective equipment for fire-fighters** : Fire-fighters should wear appropriate protective equipment and self-contained breathing apparatus (SCBA) with a full face-piece operated in positive pressure mode.

## Section 6. Accidental release measures

### Personal precautions, protective equipment and emergency procedures

- For non-emergency personnel** : Put on appropriate personal protective equipment.
- For emergency responders** : If specialized clothing is required to deal with the spillage, take note of any information in Section 8 on suitable and unsuitable materials. See also the information in "For non-emergency personnel".

- Environmental precautions** : Avoid dispersal of spilled material and runoff and contact with soil, waterways, drains and sewers. Inform the relevant authorities if the product has caused environmental pollution (sewers, waterways, soil or air).

### Methods and materials for containment and cleaning up

- Spill** : Stop leak if without risk. Move containers from spill area. Prevent entry into sewers, water courses, basements or confined areas. Wash spillages into an effluent treatment plant or proceed as follows. Contain and collect spillage with non-combustible, absorbent material e.g. sand, earth, vermiculite or diatomaceous earth and place in container for disposal according to local regulations (see Section 13). Dispose of via a licensed waste disposal contractor. Note: see Section 1 for emergency contact information and Section 13 for waste disposal.

## Section 7. Handling and storage

### Precautions for safe handling

- Protective measures** : Put on appropriate personal protective equipment (see Section 8).
- Advice on general occupational hygiene** : Eating, drinking and smoking should be prohibited in areas where this material is handled, stored and processed. Workers should wash hands and face before eating, drinking and smoking. See also Section 8 for additional information on hygiene measures.

- Conditions for safe storage, including any incompatibilities** : Store in accordance with local regulations. Store in original container protected from direct sunlight in a dry, cool and well-ventilated area, away from incompatible materials (see Section 10) and food and drink. Keep container tightly closed and sealed until ready for use. Containers that have been opened must be carefully resealed and kept upright to prevent leakage. Do not store in unlabeled containers. Use appropriate containment to avoid environmental contamination.

## Section 8. Exposure controls/personal protection

### Control parameters

#### Occupational exposure limits

None.

- Appropriate engineering controls** : Good general ventilation should be sufficient to control worker exposure to airborne contaminants.
- Environmental exposure controls** : Emissions from ventilation or work process equipment should be checked to ensure they comply with the requirements of environmental protection legislation.

### Individual protection measures

- Hygiene measures** : Wash hands, forearms and face thoroughly after handling chemical products, before eating, smoking and using the lavatory and at the end of the working period. Ensure that eyewash stations and safety showers are close to the workstation location.

- Eye/face protection** : Safety eyewear complying with an approved standard should be used when a risk assessment indicates this is necessary to avoid exposure to liquid splashes, mists, gases or dusts.

#### Skin protection

- Hand protection** : Chemical-resistant, impervious gloves complying with an approved standard should be worn at all times when handling chemical products if a risk assessment indicates this is necessary.

- Body protection** : Personal protective equipment for the body should be selected based on the task being performed and the risks involved and should be approved by a specialist before handling this product.

- Other skin protection** : Appropriate footwear and any additional skin protection measures should be selected based on the task being performed and the risks involved and should be approved by a specialist before handling this product.

- Respiratory protection** : Not required under normal conditions of use.

## Section 9. Physical and chemical properties

### Appearance

- Physical state** : Liquid.
- Color** : Pink.
- Odor** : Odorless.
- Odor threshold** : Not available.
- pH** : 3.5
- Melting point** : -1°C (30.2°F)
- Boiling point** : Not available.
- Flash point** : Not available.
- Evaporation rate** : Not available.
- Flammability (solid, gas)** : Not available.
- Lower and upper explosive (flammable) limits** : Not available.
- Vapor pressure** : Not available.
- Vapor density** : Not available.
- Relative density** : 1.162
- Solubility** : Soluble in water.



## Section 9. Physical and chemical properties

<b>Partition coefficient: n-octanol/water</b>	: Not available.
<b>Auto-ignition temperature</b>	: Not available.
<b>Decomposition temperature</b>	: Not available.
<b>Viscosity</b>	: Not available.
<b>Volatility</b>	: Not available.

## Section 10. Stability and reactivity

<b>Reactivity</b>	: No specific test data related to reactivity available for this product or its ingredients.
<b>Chemical stability</b>	: The product is stable.
<b>Possibility of hazardous reactions</b>	: Under normal conditions of storage and use, hazardous reactions will not occur.
<b>Conditions to avoid</b>	: No specific data.
<b>Incompatible materials</b>	: Reactive or incompatible with the following materials: oxidizing materials.
<b>Hazardous decomposition products</b>	: Under normal conditions of storage and use, hazardous decomposition products should not be produced.

## Section 11. Toxicological information

### Information on toxicological effects

#### Acute toxicity

There is no data available.

#### Irritation/Corrosion

There is no data available.

#### Sensitization

There is no data available.

#### Carcinogenicity

There is no data available.

#### Specific target organ toxicity (single exposure)

There is no data available.

#### Specific target organ toxicity (repeated exposure)

There is no data available.

#### Aspiration hazard

There is no data available.

<b>Information on the likely routes of exposure</b>	: Dermal contact. Eye contact. Inhalation. Ingestion.
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### Potential acute health effects

<b>Eye contact</b>	: No known significant effects or critical hazards.
<b>Inhalation</b>	: No known significant effects or critical hazards.
<b>Skin contact</b>	: No known significant effects or critical hazards.

## Section 11. Toxicological information

**Ingestion** : No known significant effects or critical hazards.

### Symptoms related to the physical, chemical and toxicological characteristics

**Eye contact** : No known significant effects or critical hazards.

**Inhalation** : No known significant effects or critical hazards.

**Skin contact** : No known significant effects or critical hazards.

**Ingestion** : No known significant effects or critical hazards.

### Delayed and immediate effects and also chronic effects from short and long term exposure

#### Short term exposure

**Potential immediate effects** : No known significant effects or critical hazards.

**Potential delayed effects** : No known significant effects or critical hazards.

#### Long term exposure

**Potential immediate effects** : No known significant effects or critical hazards.

**Potential delayed effects** : No known significant effects or critical hazards.

#### Potential chronic health effects

**General** : No known significant effects or critical hazards.

**Carcinogenicity** : No known significant effects or critical hazards.

**Mutagenicity** : No known significant effects or critical hazards.

**Teratogenicity** : No known significant effects or critical hazards.

**Developmental effects** : No known significant effects or critical hazards.

**Fertility effects** : No known significant effects or critical hazards.

### Numerical measures of toxicity

#### Acute toxicity estimates

There is no data available.

## Section 12. Ecological information

### Toxicity

There is no data available.

### Persistence and degradability

There is no data available.

### Bioaccumulative potential

There is no data available.

### Mobility in soil

**Soil/water partition coefficient ( $K_{oc}$ )** : There is no data available.

**Other adverse effects** : No known significant effects or critical hazards.



## Section 13. Disposal considerations

**Disposal methods** : The generation of waste should be avoided or minimized wherever possible. Disposal of this product, solutions and any by-products should comply with the requirements of environmental protection and waste disposal legislation and any regional local authority requirements. Dispose of surplus and non-recyclable products via a licensed waste disposal contractor. Waste should not be disposed of untreated to the sewer unless fully compliant with the requirements of all authorities with jurisdiction. Waste packaging should be recycled. Incineration or landfill should only be considered when recycling is not feasible. This material and its container must be disposed of in a safe way. Empty containers or liners may retain some product residues. Avoid dispersal of spilled material and runoff and contact with soil, waterways, drains and sewers.

## Section 14. Transport information

	DOT Classification	IMDG	IATA
UN number	Not regulated.	Not regulated.	Not regulated.
UN proper shipping name	-	-	-
Transport hazard class(es)	-	-	-
Packing group	-	-	-
Environmental hazards	No.	No.	No.
Additional information	-	-	-

**AERG** : Not applicable.

**Special precautions for user** : **Transport within user's premises:** always transport in closed containers that are upright and secure. Ensure that persons transporting the product know what to do in the event of an accident or spillage.

**Transport in bulk according to Annex II of MARPOL and the IBC Code** : Not available.

## Section 15. Regulatory information

**U.S. Federal regulations** : **TSCA 8(a) CDR Exempt/Partial exemption:** Not determined  
**United States inventory (TSCA 8b):** All components are listed or exempted.  
**Clean Water Act (CWA) 311:** Phosphoric acid

**Clean Air Act Section 112 (b) Hazardous Air Pollutants (HAPs)** : Not listed

**Clean Air Act Section 602 Class I Substances** : Not listed

## Section 15. Regulatory information

**Clean Air Act Section 602 Class II Substances** : Not listed

**DEA List I Chemicals (Precursor Chemicals)** : Not listed

**DEA List II Chemicals (Essential Chemicals)** : Not listed

### SARA 302/304

#### Composition/information on ingredients

No products were found.

**SARA 304 RQ** : Not applicable.

### SARA 311/312

**Classification** : Not applicable.

### SARA 313

No products were found.

### State regulations

**Massachusetts** : None of the components are listed.

**New York** : None of the components are listed.

**New Jersey** : None of the components are listed.

**Pennsylvania** : None of the components are listed.

### California Prop. 65

No products were found.

## Section 16. Other information

### History

**Date of issue mm/dd/yyyy** : 02/15/2016

**Date of previous issue** : 06/30/2015

**Version** : 3

**Prepared by** : KMK Regulatory Services Inc.

**Key to abbreviations** : ATE = Acute Toxicity Estimate  
 BCF = Bioconcentration Factor  
 GHS = Globally Harmonized System of Classification and Labelling of Chemicals  
 IATA = International Air Transport Association  
 IBC = Intermediate Bulk Container  
 IMDG = International Maritime Dangerous Goods  
 LogPow = logarithm of the octanol/water partition coefficient  
 MARPOL = International Convention for the Prevention of Pollution From Ships, 1973 as modified by the Protocol of 1978. ("Marpol" = marine pollution)  
 UN = United Nations

### Notice to reader

To the best of our knowledge, the information contained herein is accurate. However, neither the above-named supplier, nor any of its subsidiaries, assumes any liability whatsoever for the accuracy or completeness of the information contained herein.

Final determination of suitability of any material is the sole responsibility of the user. All materials may present unknown hazards and should be used with caution. Although certain hazards are described herein, we cannot guarantee that these are the only hazards that exist.



# SAFETY DATA SHEET

## FloraGro™ Advanced Nutrient System

### Section 1. Identification

<b>GHS product identifier</b>	: FloraGro™ Advanced Nutrient System
<b>Other means of identification</b>	: Nitrates, and inorganic minerals in aqueous solution.
<b>Product type</b>	: Liquid.
<b>Identified uses</b>	: Hydroponic plant nutrient.
<b>Supplier's details</b>	: General Hydroponics 2877 Giffen Ave Santa Rosa, CA 95407 Tel: (707) 824-9376 Fax: (707) 824-9377
<b>Emergency telephone number (with hours of operation)</b>	: CHEMTREC, U.S. : 1-800-424-9300 International: +1-703-527-3887 (24/7)

### Section 2. Hazards identification

<b>OSHA/HCS status</b>	: While this material is not considered hazardous by the OSHA Hazard Communication Standard (29 CFR 1910.1200), this SDS contains valuable information critical to the safe handling and proper use of the product. This SDS should be retained and available for employees and other users of this product.
<b>Classification of the substance or mixture</b>	: Not classified.
<b><u>GHS label elements</u></b>	
<b>Signal word</b>	: No signal word.
<b>Hazard statements</b>	: No known significant effects or critical hazards.
<b><u>Precautionary statements</u></b>	
<b>Prevention</b>	: Not applicable.
<b>Response</b>	: Not applicable.
<b>Storage</b>	: Not applicable.
<b>Disposal</b>	: Not applicable.
<b>Hazards not otherwise classified (HNOC)</b>	: None known.

### Section 3. Composition/information on ingredients

<b>Substance/mixture</b>	: Mixture
<b>Other means of identification</b>	: Nitrates, and inorganic minerals in aqueous solution.
<b><u>CAS number/other identifiers</u></b>	
<b>CAS number</b>	: Not applicable.
<b>Product code</b>	: Not available.





## Section 3. Composition/information on ingredients

Ingredient name	%	CAS number
Ammonium nitrate	3 - 5	6484-52-2
Ammonium sulfate	0.3 - 1	7783-20-2
Urea	0 - 0.1	57-13-6

Any concentration shown as a range is to protect confidentiality or is due to batch variation.

There are no additional ingredients present which, within the current knowledge of the supplier and in the concentrations applicable, are classified as hazardous to health or the environment and hence require reporting in this section.

Occupational exposure limits, if available, are listed in Section 8.

## Section 4. First aid measures

### Description of necessary first aid measures

- Eye contact** : Immediately flush eyes with plenty of water, occasionally lifting the upper and lower eyelids. Check for and remove any contact lenses. Get medical attention if irritation occurs.
- Inhalation** : Remove victim to fresh air and keep at rest in a position comfortable for breathing. If not breathing, if breathing is irregular or if respiratory arrest occurs, provide artificial respiration or oxygen by trained personnel. It may be dangerous to the person providing aid to give mouth-to-mouth resuscitation. Maintain an open airway. Get medical attention if symptoms occur.
- Skin contact** : Flush contaminated skin with plenty of water. Get medical attention if symptoms occur.
- Ingestion** : Wash out mouth with water. If material has been swallowed and the exposed person is conscious, give small quantities of water to drink. Do not induce vomiting unless directed to do so by medical personnel. Never give anything by mouth to an unconscious person. Get medical attention if symptoms occur.

### Most important symptoms/effects, acute and delayed

#### Potential acute health effects

- Eye contact** : No known significant effects or critical hazards.
- Inhalation** : No known significant effects or critical hazards.
- Skin contact** : No known significant effects or critical hazards.
- Ingestion** : No known significant effects or critical hazards.

#### Over-exposure signs/symptoms

- Eye contact** : No known significant effects or critical hazards.
- Inhalation** : No known significant effects or critical hazards.
- Skin contact** : No known significant effects or critical hazards.
- Ingestion** : No known significant effects or critical hazards.

### Indication of immediate medical attention and special treatment needed, if necessary

- Notes to physician** : In case of inhalation of decomposition products in a fire, symptoms may be delayed. The exposed person may need to be kept under medical surveillance for 48 hours.
- Specific treatments** : No specific treatment.
- Protection of first-aiders** : If it is suspected that fumes are still present, the rescuer should wear an appropriate mask or self-contained breathing apparatus. It may be dangerous to the person providing aid to give mouth-to-mouth resuscitation. Wash contaminated clothing thoroughly with water before removing it, or wear gloves.

See toxicological information (Section 11)





## Section 5. Fire-fighting measures

### Extinguishing media

**Suitable extinguishing media** : Use an extinguishing agent suitable for the surrounding fire.

**Unsuitable extinguishing media** : None known.

**Specific hazards arising from the chemical** : This material is very toxic to aquatic life. Fire water contaminated with this material must be contained and prevented from being discharged to any waterway, sewer or drain.

**Hazardous thermal decomposition products** : Decomposition products may include the following materials:  
 nitrogen oxides  
 sulfur oxides  
 phosphorus oxides  
 metal oxide/oxides

**Special protective actions for fire-fighters** : No special measures are required.

**Special protective equipment for fire-fighters** : Fire-fighters should wear appropriate protective equipment and self-contained breathing apparatus (SCBA) with a full face-piece operated in positive pressure mode.

## Section 6. Accidental release measures

### Personal precautions, protective equipment and emergency procedures

**For non-emergency personnel** : No action shall be taken involving any personal risk or without suitable training. Keep unnecessary and unprotected personnel from entering. Do not touch or walk through spilled material. Put on appropriate personal protective equipment.

**For emergency responders** : If specialized clothing is required to deal with the spillage, take note of any information in Section 8 on suitable and unsuitable materials. See also the information in "For non-emergency personnel".

**Environmental precautions** : Avoid dispersal of spilled material and runoff and contact with soil, waterways, drains and sewers. Inform the relevant authorities if the product has caused environmental pollution (sewers, waterways, soil or air).

### Methods and materials for containment and cleaning up

**Spill** : Stop leak if without risk. Move containers from spill area. Prevent entry into sewers, water courses, basements or confined areas. Wash spillages into an effluent treatment plant or proceed as follows. Contain and collect spillage with non-combustible, absorbent material e.g. sand, earth, vermiculite or diatomaceous earth and place in container for disposal according to local regulations (see Section 13). Dispose of via a licensed waste disposal contractor. Note: see Section 1 for emergency contact information and Section 13 for waste disposal.

## Section 7. Handling and storage

### Precautions for safe handling

**Protective measures** : Put on appropriate personal protective equipment (see Section 8).

**Advice on general occupational hygiene** : Eating, drinking and smoking should be prohibited in areas where this material is handled, stored and processed. Workers should wash hands and face before eating, drinking and smoking. See also Section 8 for additional information on hygiene measures.

## Section 7. Handling and storage

**Conditions for safe storage, including any incompatibilities** : Store in accordance with local regulations. Store in original container protected from direct sunlight in a dry, cool and well-ventilated area, away from incompatible materials (see Section 10) and food and drink. Keep container tightly closed and sealed until ready for use. Containers that have been opened must be carefully resealed and kept upright to prevent leakage. Do not store in unlabeled containers. Use appropriate containment to avoid environmental contamination.

## Section 8. Exposure controls/personal protection

### Control parameters

#### Occupational exposure limits

Ingredient name	Exposure limits
Urea	<b>AIHA WEEL (United States, 10/2011).</b> TWA: 10 mg/m <sup>3</sup> 8 hours.

**Appropriate engineering controls** : Good general ventilation should be sufficient to control worker exposure to airborne contaminants.

**Environmental exposure controls** : Emissions from ventilation or work process equipment should be checked to ensure they comply with the requirements of environmental protection legislation.

### Individual protection measures

**Hygiene measures** : Wash hands, forearms and face thoroughly after handling chemical products, before eating, smoking and using the lavatory and at the end of the working period. Appropriate techniques should be used to remove potentially contaminated clothing. Wash contaminated clothing before reusing. Ensure that eyewash stations and safety showers are close to the workstation location.

**Eye/face protection** : Safety eyewear complying with an approved standard should be used when a risk assessment indicates this is necessary to avoid exposure to liquid splashes, mists, gases or dusts. If contact is possible, the following protection should be worn, unless the assessment indicates a higher degree of protection: safety glasses with side-shields.

### Skin protection

**Hand protection** : Chemical-resistant, impervious gloves complying with an approved standard should be worn at all times when handling chemical products if a risk assessment indicates this is necessary.

**Body protection** : Personal protective equipment for the body should be selected based on the task being performed and the risks involved and should be approved by a specialist before handling this product.

**Other skin protection** : Appropriate footwear and any additional skin protection measures should be selected based on the task being performed and the risks involved and should be approved by a specialist before handling this product.

**Respiratory protection** : Based on the hazard and potential for exposure, select a respirator that meets the appropriate standard or certification. Respirators must be used according to a respiratory protection program to ensure proper fitting, training, and other important aspects of use.

## Section 9. Physical and chemical properties

### Appearance

Physical state	: Liquid. [Aqueous solution.]
Color	: Green.
Odor	: Odorless.
Odor threshold	: Not available.
pH	: 3.5
Melting point	: -1°C (30.2°F)
Boiling point	: 101°C (213.8°F)
Flash point	: Not available.
Evaporation rate	: Not available.
Flammability (solid, gas)	: Not available.
Lower and upper explosive (flammable) limits	: Not available.
Vapor pressure	: Not available.
Vapor density	: Not available.
Relative density	: 1.108
Solubility	: Soluble in water.
Partition coefficient: n-octanol/water	: Not available.
Auto-ignition temperature	: Not available.
Decomposition temperature	: Not available.
Viscosity	: Not available.
Volatility	: Not available.

## Section 10. Stability and reactivity

Reactivity	: No specific test data related to reactivity available for this product or its ingredients.
Chemical stability	: The product is stable.
Possibility of hazardous reactions	: Under normal conditions of storage and use, hazardous reactions will not occur.
Conditions to avoid	: No specific data.
Incompatible materials	: Reactive or incompatible with the following materials: oxidizing materials.
Hazardous decomposition products	: Under normal conditions of storage and use, hazardous decomposition products should not be produced.

## Section 11. Toxicological information

### Information on toxicological effects

#### Acute toxicity

Product/ingredient name	Result	Species	Dose	Exposure
Ammonium nitrate	LD50 Oral	Rat	2217 mg/kg	-
Ammonium sulfate	LD50 Oral	Rat	2840 mg/kg	-
Urea	LD50 Oral	Rat	8471 mg/kg	-

#### Irritation/Corrosion

Product/ingredient name	Result	Species	Score	Exposure	Observation
Urea	Skin - Mild irritant	Human	-	72 hours 22 milligrams Intermittent	-
	Skin - Moderate irritant	Human	-	24 hours 20 Percent	-

#### Sensitization

There is no data available.

#### Carcinogenicity

There is no data available.

#### Specific target organ toxicity (single exposure)

There is no data available.

#### Specific target organ toxicity (repeated exposure)

There is no data available.

#### Aspiration hazard

There is no data available.

**Information on the likely routes of exposure** : Dermal contact. Eye contact. Inhalation. Ingestion.

#### Potential acute health effects

**Eye contact** : No known significant effects or critical hazards.  
**Inhalation** : No known significant effects or critical hazards.  
**Skin contact** : No known significant effects or critical hazards.  
**Ingestion** : No known significant effects or critical hazards.

#### Symptoms related to the physical, chemical and toxicological characteristics

**Eye contact** : No known significant effects or critical hazards.  
**Inhalation** : No known significant effects or critical hazards.  
**Skin contact** : No known significant effects or critical hazards.  
**Ingestion** : No known significant effects or critical hazards.

#### Delayed and immediate effects and also chronic effects from short and long term exposure

##### Short term exposure

**Potential immediate effects** : No known significant effects or critical hazards.  
**Potential delayed effects** : No known significant effects or critical hazards.

##### Long term exposure

**Potential immediate effects** : No known significant effects or critical hazards.  
**Potential delayed effects** : No known significant effects or critical hazards.

## Section 11. Toxicological information

### Potential chronic health effects

<b>General</b>	: No known significant effects or critical hazards.
<b>Carcinogenicity</b>	: No known significant effects or critical hazards.
<b>Mutagenicity</b>	: No known significant effects or critical hazards.
<b>Teratogenicity</b>	: No known significant effects or critical hazards.
<b>Developmental effects</b>	: No known significant effects or critical hazards.
<b>Fertility effects</b>	: No known significant effects or critical hazards.

### Numerical measures of toxicity

#### Acute toxicity estimates

Route	ATE value
Oral	20074.8 mg/kg

## Section 12. Ecological information

### Toxicity

Product/ingredient name	Result	Species	Exposure
Ammonium nitrate Ammonium sulfate	Chronic NOEC 6 to 12 mg/L Fresh water Acute LC50 2.6 mg/L Fresh water Acute LC50 14000 to 15000 µg/L Fresh water Acute LC50 68 µg/L Fresh water Chronic NOEC 7.5 mg/L Marine water	Crustaceans - Cladocera Crustaceans - Ceriodaphnia dubia - Young Daphnia - Daphnia magna - Young Fish - Oncorhynchus gorbuscha - Alevin Algae - Phaeodactylum tricornutum - Exponential growth phase	21 days 48 hours 48 hours 96 hours 96 hours
Urea	Chronic NOEC 143 µg/L Marine water Acute EC50 6573.1 mg/L Fresh water  Acute EC50 3910000 µg/L Fresh water Acute LC50 22.5 ppt Fresh water Chronic NOEC 2 g/L Fresh water	Fish - Salmo salar - Post-smolt Crustaceans - Ceriodaphnia dubia - Neonate Daphnia - Daphnia magna - Neonate Fish - Oreochromis mossambicus - Young Fish - Heteropneustes fossilis	5 weeks 48 hours  48 hours 96 hours 30 days

### Persistence and degradability

There is no data available.

### Bioaccumulative potential

Product/ingredient name	LogP <sub>ow</sub>	BCF	Potential
Urea	<-1.73	-	low

### Mobility in soil

**Soil/water partition coefficient (K<sub>oc</sub>)** : There is no data available.

**Other adverse effects** : No known significant effects or critical hazards.

## Section 13. Disposal considerations

**Disposal methods** : The generation of waste should be avoided or minimized wherever possible. Disposal of this product, solutions and any by-products should comply with the requirements of environmental protection and waste disposal legislation and any regional local authority requirements. Dispose of surplus and non-recyclable products via a licensed waste disposal contractor. Waste should not be disposed of untreated to the sewer unless fully compliant with the requirements of all authorities with jurisdiction. Waste packaging should be recycled. Incineration or landfill should only be considered when recycling is not feasible. This material and its container must be disposed of in a safe way. Empty containers or liners may retain some product residues. Avoid dispersal of spilled material and runoff and contact with soil, waterways, drains and sewers.

## Section 14. Transport information

	DOT Classification	IMDG	IATA
UN number	Not regulated.	Not regulated.	Not regulated.
UN proper shipping name	-	-	-
Transport hazard class(es)	-	-	-
Packing group	-	-	-
Environmental hazards	No.	No.	No.
Additional information	<b>Remarks</b> Special Provision 58: Concentrations of FloraGro™, at the minimum temperature encountered during normal transportation, will not exceed 80% of the saturation limit.	<b>Remarks</b> Special Provision A270: Concentrations of FloraGro™, at the minimum temperature encountered during normal transportation, will not exceed 80% of the saturation limit.	<b>Remarks</b> Special Provision A65 (270): Concentrations of FloraGro™, at the minimum temperature encountered during normal transportation, will not exceed 80% of the saturation limit.

**AERG** : Not available.

**Special precautions for user** : **Transport within user's premises:** always transport in closed containers that are upright and secure. Ensure that persons transporting the product know what to do in the event of an accident or spillage.

**Transport in bulk according to Annex II of MARPOL and the IBC Code** : Not available.

## Section 15. Regulatory information

**U.S. Federal regulations** : **TSCA 8(a) CDR Exempt/Partial exemption:** Not determined  
**United States inventory (TSCA 8b):** All components are listed or exempted.  
**Clean Water Act (CWA) 311:** Phosphoric acid

**Clean Air Act Section 112 (b) Hazardous Air Pollutants (HAPs)** : Not listed





## Section 15. Regulatory information

**Clean Air Act Section 602 Class I Substances** : Not listed

**Clean Air Act Section 602 Class II Substances** : Not listed

**DEA List I Chemicals (Precursor Chemicals)** : Not listed

**DEA List II Chemicals (Essential Chemicals)** : Not listed

### SARA 302/304

#### Composition/information on ingredients

No products were found.

**SARA 304 RQ** : Not applicable.

### SARA 311/312

**Classification** : Not applicable.

#### Composition/information on ingredients

Name	%	Fire hazard	Sudden release of pressure	Reactive	Immediate (acute) health hazard	Delayed (chronic) health hazard
Ammonium nitrate Urea	3 - 5 0 - 0.1	Yes. No.	No. No.	No. No.	Yes. Yes.	No. No.

### SARA 313

	Product name	CAS number	%
<b>Form R - Reporting requirements</b>	Potassium nitrate	7757-79-1	10 - 30
	Ammonium nitrate	6484-52-2	3 - 5
<b>Supplier notification</b>	Potassium nitrate	7757-79-1	10 - 30
	Ammonium nitrate	6484-52-2	3 - 5

SARA 313 notifications must not be detached from the SDS and any copying and redistribution of the SDS shall include copying and redistribution of the notice attached to copies of the SDS subsequently redistributed.

### State regulations

**Massachusetts** : The following components are listed: Potassium nitrate; Ammonium nitrate

**New York** : None of the components are listed.

**New Jersey** : The following components are listed: Potassium nitrate; Ammonium nitrate

**Pennsylvania** : The following components are listed: Potassium nitrate; Ammonium nitrate

### California Prop. 65

No products were found.

## Section 16. Other information

### History

**Date of issue mm/dd/yyyy** : 02/15/2016

**Date of previous issue** : 06/30/2015

**Version** : 3

**Prepared by** : KMK Regulatory Services Inc.



## Section 16. Other information

### Key to abbreviations

- : ATE = Acute Toxicity Estimate  
BCF = Bioconcentration Factor  
GHS = Globally Harmonized System of Classification and Labelling of Chemicals  
ATA = International Air Transport Association  
IBC = Intermediate Bulk Container  
IMDG = International Maritime Dangerous Goods  
LogPow = logarithm of the octanol/water partition coefficient  
MARPOL = International Convention for the Prevention of Pollution From Ships, 1973 as modified by the Protocol of 1978. ("Marpol" = marine pollution)  
UN = United Nations

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# TECHNAFLORA PLANT PRODUCTS LTD.

## Material Safety Data Sheet

**Magical**

### 1 . Product and company identification

<b>Common name</b>	: <b>Magical</b>
<b>Material uses</b>	: Calcium and magnesium supplement for plants.
<b>Supplier/Manufacturer</b>	: Technaflora Plant Products Ltd. 7261 River Place, 101 Mission, B.C. Canada, V4S 0A3 Tel. 604-826-4759 / 1-800-586-1211
<b>In case of emergency</b>	: CHEMTREC, U.S. : (800) 424-9300    International: (703) 527-3887

### 2 . Hazards identification

<b>Physical state</b>	: Liquid.
<b>Odor</b>	: Odorless.
<b>Color</b>	: Gold.
<b>Hazard status</b>	: This material is classified as hazardous under OSHA regulations.
<b>Emergency overview</b>	: WARNING! CAUSES EYE IRRITATION. MAY BE HARMFUL IF SWALLOWED. MAY CAUSE SKIN IRRITATION. Do not ingest. Avoid contact with skin and clothing. Avoid breathing vapor or mist. Keep container closed. Use only with adequate ventilation. Wash thoroughly after handling.
<b>Routes of entry</b>	: Dermal contact. Eye contact. Inhalation. Ingestion.
<b>Potential acute health effects</b>	
<b>Eyes</b>	: Irritating to eyes.
<b>Skin</b>	: Moderately irritating to the skin.
<b>Inhalation</b>	: No known significant effects or critical hazards.
<b>Ingestion</b>	: May be harmful if swallowed.
<b>Potential chronic health effects</b>	: Carcinogenic effects Not classified or listed by IARC, NTP, OSHA, EU and ACGIH. Mutagenic effects Not available. Teratogenic effects Not available.
<b>Medical conditions aggravated by over-exposure</b>	: Repeated or prolonged contact with spray or mist may produce chronic eye irritation and severe skin irritation.
<b>See toxicological information (section 11)</b>	

### 3 . Composition/information on ingredients

#### United States

Name	CAS number	%
Magnesium Nitrate	10377-60-3	5 - 10
Calcium nitrate	10124-37-5	5 - 10
Calcium chloride	10043-52-4	5 - 10

## 4 . First aid measures

- Eye contact** : Check for and remove any contact lenses. In case of contact with eyes, rinse immediately with plenty of water. Get medical attention if symptoms occur.
- Skin contact** : Wash with soap and water. Get medical attention if symptoms occur.
- Inhalation** : If inhaled, remove to fresh air. If not breathing, give artificial respiration. Get medical attention if symptoms appear.
- Ingestion** : Do not induce vomiting. Never give anything by mouth to an unconscious person. Get medical attention if symptoms appear.
- Notes to physician** : No specific antidote. Medical staff must contact Poison Control Center.

## 5 . Fire-fighting measures

- Flammability of the product** : Non-flammable.
- Extinguishing media**
- Suitable** : Use an extinguishing agent suitable for the surrounding fire.
- Not suitable** : None known.
- Special exposure hazards** : No specific hazard.
- Special protective equipment for fire-fighters** : Fire-fighters should wear appropriate protective equipment and self-contained breathing apparatus (SCBA) with a full face-piece operated in positive pressure mode.

## 6 . Accidental release measures

- Personal precautions** : Use suitable protective equipment.
- Environmental precautions** : Avoid dispersal of spilled material, runoff and contact with soil, waterways, drains and sewers.
- Methods for cleaning up** : For small spills, add absorbent (soil may be used in the absence of other suitable materials), scoop up material and place in a sealable, liquid-proof container for disposal. For large spills, dike spilled material or otherwise contain material to ensure runoff does not reach a waterway. Place spilled material in an appropriate container for disposal.

## 7 . Handling and storage

- Handling** : Do not ingest. Avoid contact with eyes, skin and clothing. Keep container closed. Use only with adequate ventilation. Avoid breathing vapor or mist. Wash thoroughly after handling.
- Storage** : Keep container tightly closed. Keep container in a cool, well-ventilated area.

## 8 . Exposure controls/personal protection

Consult local authorities for acceptable exposure limits.

- Engineering measures** : Use only with adequate ventilation. If user operations generate dust, fumes, vapor or mist, use process enclosures, local exhaust ventilation or other engineering controls to keep worker exposure to airborne contaminants below any recommended or statutory limits.
- Personal protection**
- Eyes** : Safety glasses.
- Skin** : Lab coat.
- Respiratory** : A respirator is not needed under normal and intended conditions of use.
- Hands** : Natural rubber (latex).



<b>HMIS Code/Personal protective equipment</b>	: B
<b>Personal protection in case of a large spill</b>	: Safety glasses, goggles or face shield. Impervious gloves. Full suit. Boots. Wear NIOSH-approved self-contained breathing apparatus or equivalent and full protective gear.
<b>Hygiene measures</b>	: Wash hands, forearms and face thoroughly after handling compounds and before eating, smoking and using the lavatory and at the end of the day. Follow good industrial hygiene practice.

## 9 . Physical and chemical properties

<b>Physical state</b>	: Liquid.
<b>Color</b>	: Gold.
<b>Odor</b>	: Odorless.
<b>pH</b>	: 5.33 [Acidic.]
<b>Boiling/condensation point</b>	: The lowest known value is 100°C (212°F) (Water).
<b>Melting/freezing point</b>	: May start to solidify at 0°C (32°F) based on data for: Water.
<b>Relative density</b>	: 1.17 (Water = 1)
<b>Vapor pressure</b>	: The highest known value is 2.3 kPa (17.5 mm Hg) (at 20°C) (Water).
<b>Vapor density</b>	: The highest known value is 0.62 (Air = 1) (Water).
<b>Evaporation rate</b>	: 0.36 (Water) compared with Butyl acetate.
<b>Solubility</b>	: Miscible in water.

## 10 . Stability and reactivity

<b>Stability and reactivity</b>	: The product is stable.
<b>Incompatibility with various substances</b>	: Reactive with acids, alkalis, oxidizing materials, reducing materials, organic materials and metals.
<b>Hazardous decomposition products</b>	: These products are halogenated compounds, hydrogen chloride.
<b>Hazardous polymerization</b>	: Will not occur.
<b>Conditions of reactivity</b>	: None known.

## 11 . Toxicological information

Toxicity data				
Product/ingredient name	Test	Result	Route	Species
Calcium nitrate	LD50	302 mg/kg	Oral	Rat
Calcium chloride	LD50	1940 mg/kg	Oral	Mouse
	LD50	1000 mg/kg	Oral	Rat

### Acute Effects

<b>Eyes</b>	: Irritating to eyes.
<b>Skin</b>	: Moderately irritating to the skin.
<b>Inhalation</b>	: No known significant effects or critical hazards.
<b>Ingestion</b>	: May be harmful if swallowed.
<b>Potential chronic health effects</b>	: Carcinogenic effects Not classified or listed by IARC, NTP, OSHA, EU and ACGIH. Mutagenic effects Not available. Teratogenic effects Not available.

## 12 . Ecological information

Product/ingredient name	Ecotoxicity data		
	Species	Period	Result
Calcium chloride	Pimephales promelas (LC50)	96 hour(s)	4630 mg/l
	Lepomis macrochirus (LC50)	96 hour(s)	9500 mg/l
	Lepomis macrochirus (LC50)	96 hour(s)	10650 mg/l
	Lepomis macrochirus (LC50)	96 hour(s)	11300 mg/l

**Environmental precautions** : No known significant effects or critical hazards.

**Products of degradation** : These products are carbon oxides and water, nitrogen oxides, halogenated compounds. Some metallic oxides.

**Toxicity of the products of biodegradation** : The products of degradation are as toxic as the product itself.

## 13 . Disposal considerations

**Waste disposal** : The generation of waste should be avoided or minimized wherever possible. Avoid dispersal of spilled material, runoff and contact with soil, waterways, drains and sewers. Disposal of this product, solutions and any by-products should at all times comply with the requirements of environmental protection and waste disposal legislation and any regional and local authority requirements.

## 14 . Transport information

**NAERG** : Not applicable.

### Regulatory information

**UN/ IMDG/IATA DOT** : Not regulated.

## 15 . Regulatory information

### United States

**HCS Classification** : Irritating material

**U.S. Federal regulations** : TSCA : All components listed.

SARA 302/304/311/312 extremely hazardous substances: No products were found.

SARA 302/304 emergency planning and notification: No products were found.

SARA 302/304/311/312 hazardous chemicals: Magnesium Nitrate; Calcium nitrate; Calcium chloride

SARA 311/312 MSDS distribution - chemical inventory - hazard identification: Magnesium Nitrate: Fire hazard; Calcium nitrate: Fire hazard; Calcium chloride: Immediate (acute) health hazard, Delayed (chronic) health hazard

Clean Water Act (CWA) 307: No products were found.

Clean Water Act (CWA) 311: No products were found.

Clean Air Act (CAA) 112 accidental release prevention: No products were found.

Clean Air Act (CAA) 112 regulated flammable substances: No products were found.

Clean Air Act (CAA) 112 regulated toxic substances: No products were found.

### SARA 313

	Product name	CAS number	Concentration
<b>Form R - Reporting requirements</b>	: Calcium nitrate	10124-37-5	5 - 10
<b>Supplier notification</b>	: Calcium nitrate	10124-37-5	5 - 10

SARA 313 notifications must not be detached from the MSDS and any copying and redistribution of the MSDS shall include copying and redistribution of the notice attached to copies of the MSDS subsequently redistributed.

**State regulations**

- : Pennsylvania RTK: Magnesium Nitrate: (generic environmental hazard)
- Massachusetts RTK: Magnesium Nitrate
- New Jersey: Magnesium Nitrate; Calcium nitrate
- California prop. 65: No products were found.

**International regulations****International lists**

- : This product, (and its ingredients) is (are) listed on national inventories, or is (are) exempted from being listed, Australia (AICS), in Europe (EINECS/ELINCS), in Korea (TCCL), in Japan (METI), in the Philippines (RA6969).

**16 . Other information**

- Label requirements (U.S.A.)** : CAUSES EYE IRRITATION.  
MAY BE HARMFUL IF SWALLOWED.  
MAY CAUSE SKIN IRRITATION.

**Hazardous Material  
Information System (U.S.A.)**

HMIS RATING	
Health	1
Fire hazard	0
Physical Hazard	0
Personal protection	B

**HAZARD RATINGS**

- 4- Extreme
- 3- Serious
- 2- Moderate
- 1- Slight
- 0- Minimal

See section 8 for more detailed  
information on personal protection.

**National Fire Protection  
Association (U.S.A.)****References**

- : ANSI Z400.1, MSDS Standard, 2004. - Manufacturer's Material Safety Data Sheet. - 29CFR Part1910.1200 OSHA MSDS Requirements. - 49CFR Table List of Hazardous Materials, UN#, Proper Shipping Names, PG.

**Date of issue**

: 09/02/2011

**Date of previous issue**

: 08/01/2006

**Version**

: 2

**Notice to reader**

To the best of our knowledge, the information contained herein is accurate. However, neither the above named supplier nor any of its subsidiaries assumes any liability whatsoever for the accuracy or completeness of the information contained herein. Final determination of suitability of any material is the sole responsibility of the user. All materials may present unknown hazards and should be used with caution. Although certain hazards are described herein, we cannot guarantee that these are the only hazards that exist.



# MATERIAL SAFETY DATA SHEET

## SECTION 1 – CHEMICAL PRODUCT AND COMPANY IDENTIFICATION

PRODUCT IDENTIFIER		VitaMax Plus		WHMIS CLASSIFICATION		D2B (eye, skin & respiratory irritant)	
PRODUCT USE    Fertilizer							
Manufacturers Name		Greenstar Plant Products Inc.		Suppliers Name			
Street Address		9430 198 <sup>th</sup> Street		Street Address			
City	Langley	Province	BC	City		Province	
Postal Code	V1M 3C8	Emergency Telephone	(604) 882-7686	Postal Code		Emergency Telephone	
Date MSDS Prepared	August 26, 2009	Prepared By	Greenstar Plant Products Inc.		Phone Number		

## SECTION 2 – COMPOSITION/INFORMATION ON INGREDIENTS

Hazardous Ingredients ( <i>Specific</i> )	%	CAS	LD <sub>50</sub> of Ingredient ( <i>species and route</i> )	LC <sub>50</sub> of Ingredient ( <i>specify species</i> )
Magnesium Nitrate	<b>1-5</b>	13446-18-9	LD <sub>50</sub> 5440 mg/kg oral rat	NAP
Magnesium Sulphate	<b>1-5</b>	10034-99-8	NAV	NAP
Monopotassium Phosphate (MKP)	<b>10-5</b>	7778-77-0	LD <sub>50</sub> 4640 mg/kg oral rat	NAP
Potassium Nitrate	<b>1-5</b>	7757-79-1	LD <sub>50</sub> 3750 mg/kg oral rat	NAP
Ammonium Nitrate	<b>1-5</b>	6484-52-2	LD <sub>50</sub> 2217 mg/kg oral rat	NAP

## SECTION 3 – HAZARDS IDENTIFICATION

<b>Route of Entry</b>	<input checked="" type="checkbox"/> Skin contact <input checked="" type="checkbox"/> Eye Contact <input checked="" type="checkbox"/> Inhalation <input checked="" type="checkbox"/> Ingestion
<b>Emergency Overview</b>	CONTACT WITH PRODUCT MAY CAUSE SKIN, EYE AND RESPIRATORY TRACT IRRITATION. PRODUCES TOXIC FUMES WHEN HEATED OR BURNED (SEE SECTION 5 – FIRE FIGHTING MEASURES).
<b>WHMIS Symbols:</b>	NAV
<b>EFFECTS OF ACUTE EXPOSURE TO PRODUCT:</b>	
<b>Eye Contact:</b>	May cause eye irritation
<b>Skin Contact:</b>	May cause skin irritation
<b>Inhalation:</b>	May cause irritation to the respiratory irritation
<b>Ingestion:</b>	May cause irritation to the gastrointestinal tract. May cause violent gastroenteritis, anemia, methomolglobinemia, nausea/vomiting, diarrhea, dizziness, abdominal pain, convulsions, collapse, unconsciousness, cardiac effects and central nervous system effects. Nitrates may be reduced to nitrites by bacteria in the digestive tract causing nitrite poisoning.
<b>EFFECTS OF CHRONIC EXPOSURE:</b> Repeated or chronic exposure may aggravate medical conditions. May impair target organs especially kidneys and cause anemia.	

## SECTION 4 – FIRST AID MEASURES

<b>Skin Contact</b>	Immediately flush skin with plenty of water (cold water may be used) for a minimum of 15 minutes. Remove contaminated clothing and shoes. Seek medical attention. Wash clothing before reuse.
<b>Eye Contact</b>	Immediately flush eyes with a gentle but large stream of water (cold water may be used) for at least 15 minutes holding both the upper and lower eye lids open. Seek medical attention

**VitaMax Plus****Inhalation**

Move victim to fresh air. Allow the victim to rest in a well ventilated area. If not breathing, give artificial respiration and seek medical attention immediately. If breathing is difficult, give oxygen. Seek medical attention.

**Ingestion**

Do NOT induce vomiting unless directed to do so by medical personnel. Never give anything by mouth to an unconscious person. Loosen tight clothing such as collar, tie, belt or waistband. If victim is conscious and alert, give 2-4 cupfuls of water or milk to dilute material. If vomiting occurs have victim lean forward with head down to avoid breathing in vomit. Rinse mouth. Obtain medical attention immediately.

**SECTION 5 – FIRE FIGHTING MEASURES**

Flammable	Non-Flammable	If yes, under what conditions?			
Means of Extinction:	Dry chemical, carbon dioxide, water spray, fog or foam.		Special Procedures: Do not allow water runoff to enter sewers or waterways.		
Flashpoint (°C) and method	NAP	Upper Flammable Limit (% by volume)	NAP	Lower Flammable Limit (% by volume)	NAP
Auto ignition Temperature (°C)	NAP	Explosion Data – Sensitivity to Impact	NAP	Explosion Data-Sensitivity to Static Discharge	NAP
Hazardous Combustion Products: NAV					

**SECTION 6 – ACCIDENTAL RELEASE MEASURES**

<b>Leak and Spill Procedures:</b> Ventilate area of leak or spill. Wear appropriate personal protective equipment as specified in Section 8.
<b>Small Spill:</b> Use appropriate tools to put the spilled solid in a convenient a closed waste disposal container.
<b>Large Spill:</b> Do not touch spilled material. Prevent entry into sewers, basements, or confined areas; dike if needed.

**SECTION 7 – HANDLING AND STORAGE**

<b>Handling Procedures and Equipment</b>
Do not handle unless safety precautions have been read and understood. Limit all unnecessary personal contact. Keep in a tightly closed container. Do not handle unless safety precautions have been read and understood. Avoid eye and skin contact. Do not puncture, drag or slide container. Protect against physical damage and moisture.
<b>Storage Requirements</b>
Store in a cool, dry and ventilated area. Isolate from any source of heat or ignition. Avoid storage on wood floors. Separate from incompatibles, combustibles, organic or readily oxidizable materials. Containers of this material may be hazardous when empty since they retain product residues (dust, solids); observe all warnings and precautions listed for this product.

**SECTION 8 – EXPOSURE CONTROL / PERSONAL PROTECTION**

Exposure Limits	√ACGIH TLV	√OSHA PEL	□ Other ( <i>specify</i> )			
Specific Engineering Controls						
Ventilation System: A system of local and/or general exhaust is recommended to keep employee exposures as low as possible. Avoid splashing.						
Personal Respirators (NIOSH Approved): When engineering controls are not feasible, a respirator (NIOSH approved) may be worn.						
Personal Protective Equipment	√Gloves	√Respirator	√Eye	√Footwear	√Clothing	√Other
Hands: Wear water resistant rubber (latex, butyl or plastic (PVC) gloves. Respirator: Wear a NIOSH approved aerosol and dust filter cartridge to remove residues during product application. Eyes: Wear goggles. Footwear: Wear work boots or rubber boots. Clothing: Wear long sleeves and pants.						

**VitaMax Plus****SECTION 9 – PHYSICAL AND CHEMICAL PROPERTIES**

<b>Physical State</b> Liquid	<b>Odour and Appearance</b> Slight vitamin B1 odour, purple liquid	<b>Odour Threshold (ppm)</b> NAV
<b>Specific Gravity</b> NAV	<b>Vapour Density (air = 1)</b> NAV	<b>Vapour Pressure (mmHg)</b> NAV
<b>Evaporation Rate</b> NAV	<b>Boiling Point (°C)</b> NAV	<b>Freezing Point (°C)</b> NAV
<b>pH</b> NAV	<b>Coefficient of Water/Oil Distribution</b> NAV	<b>[Solubility in Water]</b> NAV

**SECTION 10 – STABILITY AND REACTIVITY**

<b>Chemical Stability</b> <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	<b>If no, under which conditions</b> NAP
<b>Incompatibility with Other Substances</b> <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	<b>If yes, which ones?</b> Strong acid & alkali, organic solvents and oxidizing agents
<b>Reactivity, and under what conditions?</b>	NAV
<b>Hazardous Decomposition Products</b>	NAV

**SECTION 11 – TOXICOLOGICAL INFORMATION**

<b>Magnesium Nitrate</b>	LD <sub>50</sub> 5440 mg/kg oral rat
<b>Magnesium Sulphate</b>	NAV
<b>Monopotassium Phosphate (MKP)</b>	LD <sub>50</sub> 4640 mg/kg oral rat
<b>Potassium Nitrate</b>	LD <sub>50</sub> 1901mg/kg oral rat
<b>Ammonium Nitrate</b>	LD <sub>50</sub> 2000 mg/kg oral rat
<b>Irritancy of Product</b> May cause mild irritation to eyes, skin, digestive tract and respiratory system.	
<b>Skin Sensitization</b> NAV	<b>Respiratory Sensitization</b> NAV
<b>Carcinogenicity - IARC</b> NAV	<b>Carcinogenicity – ACGIH</b> NAV
<b>Reproductive Toxicity</b> NAV	<b>Teratogenicity</b> NAV
<b>Embryotoxicity</b> NAV	<b>Mutagenicity</b> NAV
<b>Name of Synergistic Products/Effects</b> NAV	

**SECTION 12 – ECOLOGICAL INFORMATION**

<b>Potassium Nitrate:</b> Aquatic Toxicity: <b>Fish:</b> (Lepomis macrochirus) LC <sub>50</sub> = 1839 mg NO <sub>3</sub> /L <b>Environmental Fate:</b> Potassium Nitrate will disassociate into potassium and nitrate ions which may be absorbed by plants. The nitrate ions may be converted to organic nitrogen compounds or nitrogen dioxides and released to the environment.	
<b>Magnesium Nitrate</b> is a marine pollutant. <b>Environmental Fate:</b> NAV	
<b>Monopotassium Phosphate:</b> NAV <b>Magnesium Sulphate:</b> NAV	
<b>Ammonium Nitrate:</b> When released into the soil, this material is expected to leach into groundwater. When released into the soil, this material is not expected to evaporate significantly. When released into water, this material is expected to readily biodegrade.	

**SECTION 13 – DISPOSAL CONSIDERATIONS**

<b>Waste Disposal</b>
Waste must be disposed of in accordance with federal, provincial and municipal environmental control regulations.

VitaMax Plus
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**SECTION 14 – TRANSPORT INFORMATION****Special Shipping Information**

Not regulated for transport

<b>TDG</b>	<b>DOT</b>
NAP	NAP

**SECTION 15 – REGULATORY INFORMATION****WHMIS Classification**

D2B (eye, skin &amp; respiratory irritant)

**OSHA**

Not Regulated

**SARA**

Not regulated

**TSCA**

*This product has been classified in accordance with the hazard criteria of the Controlled Products Regulations (CPR) and the MSDS contains all of the information required by CPR*

**SECTION 16 – OTHER INFORMATION**

As of the date of this document, the foregoing information is believed to be accurate and is provided in good faith to comply with applicable laws. However, no warranty or representation of law or fact, with respect to such information is intended or given.



# MATERIAL SAFETY DATA SHEET

## PRO-MIX HP MYCORRHIZAE

### Section I – Product and company identification

**Product's Name**

PRO-MIX HP MYCORRHIZAE

**Manufacturer's Name**

Premier Tech Horticulture Ltd

**Emergency Telephone Number:**

(418) 862-6356 or 800-667-5366

**Address**

1, Avenue Premier

**Telephone Number for information:**

 (418) 862-6356 or [carf@premiertech.com](mailto:carf@premiertech.com)

Rivière-du-Loup (Québec)

**Prepared by:**

Frederic Caron

G5R 6C1 CANADA

### Section II – Hazard Identification

Route(s) of Entry:	Inhalation	Skin	Ingestion	Eyes
	Possible	Open wounds	Not applicable	Possible

**Carcinogenicity:**

Long term exposure (10-15 years) to concentrated quartz dust; present in common soil mix ingredients such as Perlite, gypsum and sand, may cause significant risk of lung damage (silicosis). However, product water content renders significant exposure unlikely under typical use conditions.

**Signs and Symptoms of Exposure:**

Inhalation over long periods of high amounts of any nuisance dust may overload lung clearance mechanism, irritate mucous membrane and make lungs more vulnerable to respiratory disease.

### Section III – Composition, Information and Ingredients

**Product Composition**
**A. Hazardous**

Nuisance dust

Ingredient	#CAS	%
Perlite	93763-70-3	25 - 35

Comments : Perlite may contain less than 1% Quartz (CAS # 14808-60-7)

**B. Non-Hazardous**

Ingredient	#CAS	%
Peat Moss	---	65 - 75

**Exposure limits of Peat Moss Dust**

OSHA PEL		ACGIH TLV	
Respirable Dust	5 mg/m <sup>3</sup>	Respirable Particles	3 mg/m <sup>3</sup>
Total Dust	15 mg/m <sup>3</sup>	Inhalable Particles	10 mg/m <sup>3</sup>

### Section IV – Emergency and First Aid Measures

**Inhalation:** If inhaled, provide fresh air.

**Eye contact:** Rinse eyes with water.

**Skin contact:** Keep open wounds covered and clean as suggested by any good hygiene program.

Section V – Fire Fighting Measures			
Flash Point (Method Used): Not applicable		Flammable Limits: Not applicable	LEL: --- UEL: ---
Extinguishing Media: Water		Unusual Fire and Explosion Hazard : None	
Special Fire-Fighting Procedures: None. Caution: Burning may continue inside bags or piles after surface fire is out. Break bags or separate pile to assure that the fire is extinguished			
Section VI – Accidental Release Measures			
Steps to Be Taken in Case Material is Released or Spilled: Use methods to clean spill which avoid creating airborne dust. Avoid breathing dust by using adequate ventilation and/or NIOSH or MSHA approved respirator for nuisance dust of this type.			
Section VII – Handling and Storage			
Handling: Avoid creating excessive dust during handling. Avoid breathing dust by using adequate ventilation and/or NIOSH or MSHA approved respirator for nuisance dust of this type. Storage: No special storage requirements.			
Section VIII – Exposure Control and Personal Protection			
Respiratory Protection (Specify Type): If dust is created use NIOSH or MSHA approved respirator for nuisance dust of this type.			
Ventilation: Local exhaust advisable if excessive dust is created.			
Protective Gloves: Not normally necessary but suggested in cases of open wounds that are not appropriately protected.			
Eye Protection: Protective eyewear should be worn where dust levels are high enough to cause irritation.			
Protective Clothing or Equipment: Normal work clothing.			
Work/Hygienic Practices: NIOSH or MSHA approved respirator, eye protection and ventilation under conditions where excessive dust is created. Open wounds should be kept clean and suitably protected.			
Section IX – Physical and Chemical Properties			
Boiling Point	Not applicable	Specific Gravity (H2O = 1)	1.5
Vapor Pressure (mm Hg)	Not applicable	Melting Point	Not applicable
Vapor Density (AIR = 1)	Not applicable	Evaporation Rate (Butyl Acetate = 1)	Not applicable
Solubility in Water	Not applicable		
Appearance and Odor	From blond to light brown fiber, earthy odor.		
Section X – Stability and Reactivity			
Stability: Stable		Conditions to Avoid: None known	
Incompatibility (Materials to Avoid): None known			
Hazardous Decomposition or by Products: None			
Hazardous Polymerization: Will not occur		Conditions to Avoid: None	
Section XI – Toxicological Information			
Acute toxicity			
Eye effects: Contact with eyes may cause irritation			
Skin effects: May cause skin irritation in susceptible persons			
Chronic toxicity			
Carcinogenic effects:	NTP None	IARC None	OSHA None
Ingestion: Health injuries are not known or expected under normal use			
Inhalation: Health injuries are not known or expected under normal use			

**Section XII – Ecological Information****Ecotoxicity effects:** No known effects.**Persistence and degradability:** Inherently biodegradable.**Bioaccumulative potential:** Not applicable.**Mobility:** The product is insoluble and sinks in water.**Aquatic toxicity:** May be beneficial to plant life.**Section XIII – Disposal Information****Disposal:** The waste of this product is not defined as hazardous. Dispose of all waste in accordance with federal, state and local regulation.**Hazardous Waste Classification:** Not applicable**Section XIV – Transport Information**

TDG Classification: Not regulated

DOT Classification: Ground/Air Transport – NAFTA: Not regulated

Water/Air Transport – International: Not regulated

**Section XV – Regulatory Information****WHMIS**

Not a controlled product

**Canadian Environmental Protection Act (CEPA)**

All constituents of these products are on the Domestic Substance List (DSL).

**EPCRA SARA Title III Classification**

Section 311/312/ Hazard Classes: Not applicable

Section 313 Toxic Chemicals: Not applicable

**CERCLA/SARA 302 Reportable Quantity (RQ)**

Not applicable

**RCRA Hazardous Waste Classification (40 CFR 261)**

Not applicable

**Toxic Substances Control Act (TSCA)**

All ingredients are either listed on the TSCA Inventory or are exempt from listing

**Section XVI – Other Information****Original Issued Date:** January 22, 2014**Revision Date:** January 22, 2014

**Additional Information:** The information above is accurate and reliable to the best of our knowledge as the date hereof. However, such information is not to be interpreted as representing a warranty or guarantee as to its accuracy and reliability or completeness. No warranty of any kind is given or implied and PREMIER TECH HORTICULTURE LTD will not be liable for any damages, losses, injuries or consequential damages which may result from the uses or reliance on any information contained. The users must do their own research for the pertinence of the information for specific use. For more information: [www.pthorticulture.com](http://www.pthorticulture.com).





Date : 06/15/2013

Version : 2

# Material Safety Data Sheet

## PH DOWN LIQUID

### 1. Product and company identification

<b>Product name</b>	: PH DOWN LIQUID
<b>Material uses</b>	: Not available.
<b>Supplier/Manufacturer</b>	: General Hydroponics PO BOX 1576 Sebastopol CA 95472 Tel: (707) 824-9376 Fax: (707) 824-9377
<b>MSDS authored by</b>	: KMK Regulatory Services Inc.
<b>In case of emergency</b>	: CHEMTREC, U.S. : 1-800-424-9300 International: +1-703-527-3887 (collect calls accepted)

### 2. Hazards identification

#### Emergency overview

<b>Physical state</b>	: Liquid.
<b>Color</b>	: Yellow.
<b>Odor</b>	: Odorless.
<b>Signal word</b>	: DANGER!
<b>Hazard statements</b>	: CAUSES RESPIRATORY TRACT, EYE AND SKIN BURNS. MAY BE HARMFUL IF SWALLOWED. CONTAINS MATERIAL THAT MAY CAUSE TARGET ORGAN DAMAGE, BASED ON ANIMAL DATA.
<b>Precautionary measures</b>	: Do not breathe vapor or mist. Do not ingest. Use only with adequate ventilation. Do not get in eyes. Do not get on skin. Do not eat, drink or smoke when using this product. Keep container tightly closed. Wash thoroughly after handling.
<b>OSHA/HCS status</b>	: This material is considered hazardous by the OSHA Hazard Communication Standard (29 CFR 1910.1200).
<b>Routes of entry</b>	: Dermal contact. Eye contact. Inhalation. Ingestion.

#### Potential acute health effects

<b>Inhalation</b>	: Corrosive to the respiratory system. Exposure to decomposition products may cause a health hazard. Serious effects may be delayed following exposure.
<b>Ingestion</b>	: Harmful if swallowed. May cause burns to mouth, throat and stomach.
<b>Skin</b>	: Corrosive to the skin. Causes burns.
<b>Eyes</b>	: Corrosive to eyes. Causes burns.

#### Potential chronic health effects

<b>Chronic effects</b>	: Contains material that may cause target organ damage, based on animal data.
<b>Carcinogenicity</b>	: No known significant effects or critical hazards.
<b>Mutagenicity</b>	: No known significant effects or critical hazards.
<b>Teratogenicity</b>	: No known significant effects or critical hazards.
<b>Developmental effects</b>	: No known significant effects or critical hazards.
<b>Fertility effects</b>	: No known significant effects or critical hazards.



## 2. Hazards identification

**Target organs** : Contains material which may cause damage to the following organs: upper respiratory tract, skin, eye, lens or cornea.

### Over-exposure signs/symptoms

**Inhalation** : Adverse symptoms may include the following:  
respiratory tract irritation  
coughing

**Ingestion** : Adverse symptoms may include the following:  
stomach pains

**Skin** : Adverse symptoms may include the following:  
pain or irritation  
redness  
blistering may occur

**Eyes** : Adverse symptoms may include the following:  
pain  
watering  
redness

**Medical conditions aggravated by over-exposure** : Pre-existing disorders involving any target organs mentioned in this MSDS as being at risk may be aggravated by over-exposure to this product.

See toxicological information (Section 11)

## 3. Composition/information on ingredients

Name	CAS number	%
Phosphoric acid	7664-38-2	10 - 30
Ammonium dihydrogenorthophosphate	7722-76-1	5 - 10
Citric acid	77-92-9	5 - 10

There are no additional ingredients present which, within the current knowledge of the supplier and in the concentrations applicable, are classified as hazardous to health or the environment and hence require reporting in this section.

## 4. First aid measures

**Eye contact** : Check for and remove any contact lenses. Immediately flush eyes with plenty of water for at least 20 minutes, occasionally lifting the upper and lower eyelids. Get medical attention immediately.

**Skin contact** : In case of contact, immediately flush skin with plenty of water for at least 20 minutes while removing contaminated clothing and shoes. Wash clothing before reuse. Clean shoes thoroughly before reuse. Get medical attention immediately.

**Inhalation** : Move exposed person to fresh air. If not breathing, if breathing is irregular or if respiratory arrest occurs, provide artificial respiration or oxygen by trained personnel. Loosen tight clothing such as a collar, tie, belt or waistband. Get medical attention immediately.

**Ingestion** : Wash out mouth with water. Do not induce vomiting unless directed to do so by medical personnel. Never give anything by mouth to an unconscious person. Get medical attention immediately.

**Protection of first-aiders** : No action shall be taken involving any personal risk or without suitable training. If it is suspected that fumes are still present, the rescuer should wear an appropriate mask or self-contained breathing apparatus. It may be dangerous to the person providing aid to give mouth-to-mouth resuscitation. Wash contaminated clothing thoroughly with water before removing it, or wear gloves.

**Notes to physician** : In case of inhalation of decomposition products in a fire, symptoms may be delayed. The exposed person may need to be kept under medical surveillance for 48 hours.

## 5. Fire-fighting measures

**Flammability of the product** : No specific fire or explosion hazard.

### Extinguishing media

**Suitable** : Use an extinguishing agent suitable for the surrounding fire.

**Not suitable** : None known.

**Special exposure hazards** : No special precaution is required.

**Hazardous thermal decomposition products** : Decomposition products may include the following materials:  
carbon dioxide  
carbon monoxide  
nitrogen oxides  
phosphorus oxides

**Special protective equipment for fire-fighters** : Fire-fighters should wear appropriate protective equipment and self-contained breathing apparatus (SCBA) with a full face-piece operated in positive pressure mode.

## 6. Accidental release measures

**Personal precautions** : No action shall be taken involving any personal risk or without suitable training. Evacuate surrounding areas. Keep unnecessary and unprotected personnel from entering. Do not touch or walk through spilled material. Do not breathe vapor or mist. Provide adequate ventilation. Wear appropriate respirator when ventilation is inadequate. Put on appropriate personal protective equipment (see Section 8).

**Environmental precautions** : Avoid dispersal of spilled material and runoff and contact with soil, waterways, drains and sewers. Inform the relevant authorities if the product has caused environmental pollution (sewers, waterways, soil or air).

### Methods for cleaning up

**Small spill** : Stop leak if without risk. Move containers from spill area. Dilute with water and mop up if water-soluble. Alternatively, or if water-insoluble, absorb with an inert dry material and place in an appropriate waste disposal container. Dispose of via a licensed waste disposal contractor.

**Large spill** : Stop leak if without risk. Move containers from spill area. Approach release from upwind. Prevent entry into sewers, water courses, basements or confined areas. Wash spillages into an effluent treatment plant or proceed as follows. Contain and collect spillage with non-combustible, absorbent material e.g. sand, earth, vermiculite or diatomaceous earth and place in container for disposal according to local regulations (see Section 13). The spilled material may be neutralized with sodium carbonate, sodium bicarbonate or sodium hydroxide. Dispose of via a licensed waste disposal contractor. Contaminated absorbent material may pose the same hazard as the spilled product. Note: see Section 1 for emergency contact information and Section 13 for waste disposal.

## 7. Handling and storage

**Handling** : Put on appropriate personal protective equipment (see Section 8). Eating, drinking and smoking should be prohibited in areas where this material is handled, stored and processed. Workers should wash hands and face before eating, drinking and smoking. Remove contaminated clothing and protective equipment before entering eating areas. Do not get in eyes or on skin or clothing. Do not breathe vapor or mist. Do not ingest. Use only with adequate ventilation. Wear appropriate respirator when ventilation is inadequate. Keep in the original container or an approved alternative made from a compatible material, kept tightly closed when not in use. Keep away from alkalis. Empty containers retain product residue and can be hazardous. Do not reuse container.

## 7. Handling and storage

- Storage** : Store in accordance with local regulations. Store in original container protected from direct sunlight in a dry, cool and well-ventilated area, away from incompatible materials (see Section 10) and food and drink. Separate from alkalis. Keep container tightly closed and sealed until ready for use. Containers that have been opened must be carefully resealed and kept upright to prevent leakage. Do not store in unlabeled containers. Use appropriate containment to avoid environmental contamination.

## 8. Exposure controls/personal protection

### United States

Ingredient	Exposure limits
Phosphoric acid	<b>ACGIH TLV (United States, 3/2012).</b> STEL: 3 mg/m <sup>3</sup> 15 minutes. TWA: 1 mg/m <sup>3</sup> 8 hours. <b>NIOSH REL (United States, 6/2009).</b> STEL: 3 mg/m <sup>3</sup> 15 minutes. TWA: 1 mg/m <sup>3</sup> 10 hours. <b>OSHA PEL (United States, 6/2010).</b> TWA: 1 mg/m <sup>3</sup> 8 hours. <b>OSHA PEL 1989 (United States, 3/1989).</b> TWA: 1 mg/m <sup>3</sup> 8 hours. STEL: 3 mg/m <sup>3</sup> 15 minutes.
Ammonium dihydrogenorthophosphate	<b>ACGIH TLV (United States).</b> TWA: 5 mg/m <sup>3</sup> 8 hours. Form: Dust

- Recommended monitoring procedures** : If this product contains ingredients with exposure limits, personal, workplace atmosphere or biological monitoring may be required to determine the effectiveness of the ventilation or other control measures and/or the necessity to use respiratory protective equipment. Reference should be made to appropriate monitoring standards. Reference to national guidance documents for methods for the determination of hazardous substances will also be required.

- Engineering measures** : Use only with adequate ventilation. If user operations generate dust, fumes, gas, vapor or mist, use process enclosures, local exhaust ventilation or other engineering controls to keep worker exposure to airborne contaminants below any recommended or statutory limits.

- Hygiene measures** : Wash hands, forearms and face thoroughly after handling chemical products, before eating, smoking and using the lavatory and at the end of the working period. Appropriate techniques should be used to remove potentially contaminated clothing. Wash contaminated clothing before reusing. Ensure that eyewash stations and safety showers are close to the workstation location.

### Personal protection

- Respiratory** : Use a properly fitted, air-purifying or supplied air respirator complying with an approved standard if a risk assessment indicates this is necessary. Respirator selection must be based on known or anticipated exposure levels, the hazards of the product and the safe working limits of the selected respirator.
- Hands** : Chemical-resistant, impervious gloves complying with an approved standard should be worn at all times when handling chemical products if a risk assessment indicates this is necessary. Considering the parameters specified by the glove manufacturer, check during use that the gloves are still retaining their protective properties. It should be noted that the time to breakthrough for any glove material may be different for different glove manufacturers. In the case of mixtures, consisting of several substances, the protection time of the gloves cannot be accurately estimated.
- Eyes** : Safety eyewear complying with an approved standard should be used when a risk assessment indicates this is necessary to avoid exposure to liquid splashes, mists or dusts. If contact is possible, the following protection should be worn, unless the assessment indicates a higher degree of protection: chemical splash goggles and/or face shield. If inhalation hazards exist, a full-face respirator may be required instead.

## 8. Exposure controls/personal protection

- Skin** : Personal protective equipment for the body should be selected based on the task being performed and the risks involved and should be approved by a specialist before handling this product.
- Environmental exposure controls** : Emissions from ventilation or work process equipment should be checked to ensure they comply with the requirements of environmental protection legislation. In some cases, fume scrubbers, filters or engineering modifications to the process equipment will be necessary to reduce emissions to acceptable levels.

## 9. Physical and chemical properties

- Physical state** : Liquid.
- Color** : Yellow.
- Odor** : Odorless.
- pH** : 1.2
- Boiling/condensation point** : 104°C (219.2°F)
- Melting/freezing point** : -8°C (17.6°F)
- Relative density** : 1.13
- Vapor pressure** : 2.3 kPa (17.5 mm Hg) [room temperature]
- Viscosity** : Kinematic (room temperature): 0.01 cm<sup>2</sup>/s (1 cSt)
- Solubility** : Easily soluble in the following materials: cold water and hot water.
- Partition coefficient (LogKow)** : There is no data available.

## 10. Stability and reactivity

- Chemical stability** : The product is stable.
- Conditions to avoid** : No specific data.
- Incompatible materials** : Reactive or incompatible with the following materials: oxidizing materials, metals, acids and alkalis.
- Hazardous decomposition products** : Under normal conditions of storage and use, hazardous decomposition products should not be produced.
- Possibility of hazardous reactions** : Under normal conditions of storage and use, hazardous reactions will not occur.

## 11. Toxicological information

### Acute toxicity

Product/ingredient name	Result	Species	Dose	Exposure
Phosphoric acid Ammonium dihydrogenorthophosphate	LD50 Oral	Rat	1.25 g/kg	-
	LD50 Dermal	Rabbit	>5000 mg/kg	-
Citric acid	LD50 Oral	Rat	>2000 mg/kg	-
	LD50 Oral	Rat	3 g/kg	-

### Chronic toxicity

There is no data available.

### Irritation/Corrosion

## 11. Toxicological information

Product/ingredient name	Result	Species	Score	Exposure	Observation
Citric acid	Eyes - Severe irritant	Rabbit	-	24 hours 750 Micrograms	-
	Skin - Mild irritant	Rabbit	-	24 hours 500 milligrams	-
	Skin - Moderate irritant	Rabbit	-	0.5 Milliliters	-

### Sensitizer

**Skin** : There is no data available.

**Respiratory** : There is no data available.

### Carcinogenicity

There is no data available.

### Mutagenicity

There is no data available.

### Teratogenicity

There is no data available.

### Reproductive toxicity

There is no data available.

## 12. Ecological information

**Ecotoxicity** : No known significant effects or critical hazards.

### Aquatic ecotoxicity

Product/ingredient name	Result	Species	Exposure
Citric acid	Acute LC50 160000 µg/l Marine water	Crustaceans - Carcinus maenas - Adult	48 hours

### Persistence/degradability

There is no data available.




## 13. Disposal considerations

**Waste disposal** : The generation of waste should be avoided or minimized wherever possible. Disposal of this product, solutions and any by-products should comply with the requirements of environmental protection and waste disposal legislation and any regional local authority requirements. Dispose of surplus and non-recyclable products via a licensed waste disposal contractor. Waste should not be disposed of untreated to the sewer unless fully compliant with the requirements of all authorities with jurisdiction. Waste packaging should be recycled. Incineration or landfill should only be considered when recycling is not feasible. This material and its container must be disposed of in a safe way. Care should be taken when handling empty containers that have not been cleaned or rinsed out. Empty containers or liners may retain some product residues. Avoid dispersal of spilled material and runoff and contact with soil, waterways, drains and sewers.

Disposal should be in accordance with applicable regional, national and local laws and regulations.

Refer to Section 7: HANDLING AND STORAGE and Section 8: EXPOSURE CONTROLS/PERSONAL PROTECTION for additional handling information and protection of employees.

## 14. Transport information

Regulatory information	UN number	Proper shipping name	Classes	PG*	Label	Additional information
<b>DOT Classification</b>	UN1805	PHOSPHORIC ACID, SOLUTION RQ(Phosphoric Acid)	8	III		<b>Reportable quantity</b> 24449.9 lbs / 11100.2 kg [2595 gal / 9823.2 L] Package sizes shipped in quantities less than the product reportable quantity are not subject to the RQ (reportable quantity) transportation requirements.
<b>IMDG Class</b>	UN1805	PHOSPHORIC ACID, SOLUTION	8	III		-
<b>IATA-DGR Class</b>	UN1805	PHOSPHORIC ACID, SOLUTION	8	III		-

PG\* : Packing group

Exemption to the above classification may apply.

**AERG** : 153

## 15. Regulatory information

**HCS Classification** : Corrosive material  
Target organ effects

**U.S. Federal regulations** : **TSCA 8(a) CDR Exempt/Partial exemption**: Not determined  
**United States inventory (TSCA 8b)**: All components are listed or exempted.  
**Clean Water Act (CWA) 311**: Phosphoric acid

**Clean Air Act Section 112** : Not listed  
(b) Hazardous Air Pollutants (HAPs)

**Clean Air Act Section 602** : Not listed  
Class I Substances

**Clean Air Act Section 602** : Not listed  
Class II Substances

**DEA List I Chemicals** : Not listed  
(Precursor Chemicals)

**DEA List II Chemicals** : Not listed  
(Essential Chemicals)

### SARA 302/304

#### Composition/information on ingredients

No products were found.

**SARA 304 RQ** : Not applicable.

### SARA 311/312

**Classification** : Reactive  
Immediate (acute) health hazard

#### Composition/information on ingredients



## 15. Regulatory information

Name	%	Fire hazard	Sudden release of pressure	Reactive	Immediate (acute) health hazard	Delayed (chronic) health hazard
Phosphoric acid Citric acid	10 - 30 5 - 10	No. No.	No. No.	No. No.	Yes. Yes.	No. No.

### SARA 313

	Product name	CAS number	Concentration
Form R - Reporting requirements	Ammonium dihydrogenorthophosphate	7722-76-1	5 - 10
Supplier notification	Ammonium dihydrogenorthophosphate	7722-76-1	5 - 10

SARA 313 notifications must not be detached from the MSDS and any copying and redistribution of the MSDS shall include copying and redistribution of the notice attached to copies of the MSDS subsequently redistributed.

### State regulations

- Massachusetts** : The following components are listed: Phosphoric acid  
**New York** : The following components are listed: Phosphoric acid  
**New Jersey** : The following components are listed: Phosphoric acid  
**Pennsylvania** : The following components are listed: Phosphoric acid

### California Prop. 65

No products were found.

## 16. Other information

**Label requirements** : CAUSES RESPIRATORY TRACT, EYE AND SKIN BURNS. MAY BE HARMFUL IF SWALLOWED. CONTAINS MATERIAL THAT MAY CAUSE TARGET ORGAN DAMAGE, BASED ON ANIMAL DATA.

**Hazardous Material Information System (U.S.A.)** : **Health** : 3 \* **Flammability** : 0 **Physical hazards** : 0

Caution: HMIS® ratings are based on a 0-4 rating scale, with 0 representing minimal hazards or risks, and 4 representing significant hazards or risks. Although HMIS® ratings are not required on MSDSs under 29 CFR 1910.1200, the preparer may choose to provide them. HMIS® ratings are to be used with a fully implemented HMIS® program. HMIS® is a registered mark of the National Paint & Coatings Association (NPCA). HMIS® materials may be purchased exclusively from J. J. Keller (800) 327-6868.

The customer is responsible for determining the PPE code for this material.

**National Fire Protection Association (U.S.A.)** : **Health** : 3 **Flammability** : 0 **Instability** : 0

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Copyright ©2001, National Fire Protection Association, Quincy, MA 02269. This warning system is intended to be interpreted and applied only by properly trained individuals to identify fire, health and reactivity hazards of chemicals. The user is referred to certain limited number of chemicals with recommended classifications in NFPA 49 and NFPA 325, which would be used as a guideline only. Whether the chemicals are classified by NFPA or not, anyone using the 704 systems to classify chemicals does so at their own risk.

### History

- Date of issue mm/dd/yyyy** : 06/15/2013  
**Date of previous issue** : 03/15/2013  
**Version** : 2  
**Revised Section(s)** : 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16.

## 16. Other information

### Notice to reader

To the best of our knowledge, the information contained herein is accurate. However, neither the above-named supplier, nor any of its subsidiaries, assumes any liability whatsoever for the accuracy or completeness of the information contained herein.

Final determination of suitability of any material is the sole responsibility of the user. All materials may present unknown hazards and should be used with caution. Although certain hazards are described herein, we cannot guarantee that these are the only hazards that exist.



Date : 06/15/2013

Version : 2

# Material Safety Data Sheet

## PH UP LIQUID

### 1. Product and company identification

<b>Product name</b>	: PH UP LIQUID
<b>Material uses</b>	: Not available.
<b>Supplier/Manufacturer</b>	: General Hydroponics PO BOX 1576 Sebastopol CA 95472 Tel: (707) 824-9376 Fax: (707) 824-9377
<b>MSDS authored by</b>	: KMK Regulatory Services Inc.
<b>In case of emergency</b>	: CHEMTREC, U.S. : 1-800-424-9300 International: +1-703-527-3887 (collect calls accepted)

### 2. Hazards identification

#### Emergency overview

<b>Physical state</b>	: Liquid.
<b>Color</b>	: Blue.
<b>Odor</b>	: Odorless.
<b>Signal word</b>	: WARNING!
<b>Hazard statements</b>	: CAUSES RESPIRATORY TRACT, EYE AND SKIN IRRITATION. MAY BE HARMFUL IF SWALLOWED.
<b>Precautionary measures</b>	: Do not ingest. Avoid breathing vapor or mist. Use only with adequate ventilation. Avoid contact with eyes, skin and clothing. Keep container tightly closed. Wash thoroughly after handling.
<b>OSHA/HCS status</b>	: This material is considered hazardous by the OSHA Hazard Communication Standard (29 CFR 1910.1200).
<b>Routes of entry</b>	: Not available.

#### Potential acute health effects

<b>Inhalation</b>	: Irritating to respiratory system.
<b>Ingestion</b>	: Harmful if swallowed.
<b>Skin</b>	: Irritating to skin.
<b>Eyes</b>	: Irritating to eyes.

#### Potential chronic health effects

<b>Chronic effects</b>	: No known significant effects or critical hazards.
<b>Carcinogenicity</b>	: No known significant effects or critical hazards.
<b>Mutagenicity</b>	: No known significant effects or critical hazards.
<b>Teratogenicity</b>	: No known significant effects or critical hazards.
<b>Developmental effects</b>	: No known significant effects or critical hazards.
<b>Fertility effects</b>	: No known significant effects or critical hazards.

#### Over-exposure signs/symptoms



## 2. Hazards identification

- Inhalation** : Adverse symptoms may include the following:  
respiratory tract irritation  
coughing
- Ingestion** : No known significant effects or critical hazards.
- Skin** : Adverse symptoms may include the following:  
irritation  
redness
- Eyes** : Adverse symptoms may include the following:  
pain or irritation  
watering  
redness
- Medical conditions aggravated by over-exposure** : None known.

See toxicological information (Section 11)

## 3. Composition/information on ingredients

Name	CAS number	%
Potassium Carbonate	584-08-7	10 - 30

There are no additional ingredients present which, within the current knowledge of the supplier and in the concentrations applicable, are classified as hazardous to health or the environment and hence require reporting in this section.

## 4. First aid measures

- Eye contact** : Check for and remove any contact lenses. Immediately flush eyes with plenty of water for at least 20 minutes, occasionally lifting the upper and lower eyelids. Get medical attention immediately.
- Skin contact** : In case of contact, immediately flush skin with plenty of water for at least 20 minutes while removing contaminated clothing and shoes. Wash clothing before reuse. Clean shoes thoroughly before reuse. Get medical attention immediately.
- Inhalation** : Move exposed person to fresh air. If not breathing, if breathing is irregular or if respiratory arrest occurs, provide artificial respiration or oxygen by trained personnel. Loosen tight clothing such as a collar, tie, belt or waistband. Get medical attention immediately.
- Ingestion** : Wash out mouth with water. Do not induce vomiting unless directed to do so by medical personnel. Never give anything by mouth to an unconscious person. Get medical attention immediately.
- Protection of first-aiders** : No action shall be taken involving any personal risk or without suitable training. If it is suspected that fumes are still present, the rescuer should wear an appropriate mask or self-contained breathing apparatus. It may be dangerous to the person providing aid to give mouth-to-mouth resuscitation.
- Notes to physician** : No specific treatment. Treat symptomatically. Contact poison treatment specialist immediately if large quantities have been ingested or inhaled.

## 5. Fire-fighting measures

**Flammability of the product** : No specific fire or explosion hazard.

### Extinguishing media

**Suitable** : Use an extinguishing agent suitable for the surrounding fire.

**Not suitable** : None known.

**Special exposure hazards** : No special precaution is required.

**Hazardous thermal decomposition products** : Decomposition products may include the following materials:  
carbon dioxide  
carbon monoxide  
metal oxide/oxides

**Special protective equipment for fire-fighters** : Fire-fighters should wear appropriate protective equipment and self-contained breathing apparatus (SCBA) with a full face-piece operated in positive pressure mode.

## 6. Accidental release measures

**Personal precautions** : No action shall be taken involving any personal risk or without suitable training. Evacuate surrounding areas. Keep unnecessary and unprotected personnel from entering. Do not touch or walk through spilled material. Avoid breathing vapor or mist. Provide adequate ventilation. Wear appropriate respirator when ventilation is inadequate. Put on appropriate personal protective equipment (see Section 8).

**Environmental precautions** : Avoid dispersal of spilled material and runoff and contact with soil, waterways, drains and sewers. Inform the relevant authorities if the product has caused environmental pollution (sewers, waterways, soil or air).

### Methods for cleaning up

**Small spill** : Stop leak if without risk. Move containers from spill area. Dilute with water and mop up if water-soluble. Alternatively, or if water-insoluble, absorb with an inert dry material and place in an appropriate waste disposal container. Dispose of via a licensed waste disposal contractor.

**Large spill** : Stop leak if without risk. Move containers from spill area. Approach release from upwind. Prevent entry into sewers, water courses, basements or confined areas. Wash spillages into an effluent treatment plant or proceed as follows. Contain and collect spillage with non-combustible, absorbent material e.g. sand, earth, vermiculite or diatomaceous earth and place in container for disposal according to local regulations (see Section 13). Dispose of via a licensed waste disposal contractor. Contaminated absorbent material may pose the same hazard as the spilled product. Note: see Section 1 for emergency contact information and Section 13 for waste disposal.

## 7. Handling and storage

**Handling** : Put on appropriate personal protective equipment (see Section 8). Eating, drinking and smoking should be prohibited in areas where this material is handled, stored and processed. Workers should wash hands and face before eating, drinking and smoking. Remove contaminated clothing and protective equipment before entering eating areas. Do not ingest. Avoid contact with eyes, skin and clothing. Avoid breathing vapor or mist. Use only with adequate ventilation. Wear appropriate respirator when ventilation is inadequate. Keep in the original container or an approved alternative made from a compatible material, kept tightly closed when not in use. Keep away from acids. Empty containers retain product residue and can be hazardous. Do not reuse container.

**Storage** : Store in accordance with local regulations. Store in original container protected from direct sunlight in a dry, cool and well-ventilated area, away from incompatible materials (see Section 10) and food and drink. Separate from acids. Keep container tightly closed and sealed until ready for use. Containers that have been opened must be carefully resealed and kept upright to prevent leakage. Do not store in unlabeled containers. Use appropriate containment to avoid environmental contamination.

## 8. Exposure controls/personal protection

Consult local authorities for acceptable exposure limits.

- |  |  |
|--|--|
| <b>Recommended monitoring procedures</b> | : If this product contains ingredients with exposure limits, personal, workplace atmosphere or biological monitoring may be required to determine the effectiveness of the ventilation or other control measures and/or the necessity to use respiratory protective equipment. Reference should be made to appropriate monitoring standards. Reference to national guidance documents for methods for the determination of hazardous substances will also be required.   |
| <b>Engineering measures</b>              | : Use only with adequate ventilation. If user operations generate dust, fumes, gas, vapor or mist, use process enclosures, local exhaust ventilation or other engineering controls to keep worker exposure to airborne contaminants below any recommended or statutory limits.   |
| <b>Hygiene measures</b>                  | : Wash hands, forearms and face thoroughly after handling chemical products, before eating, smoking and using the lavatory and at the end of the working period. Appropriate techniques should be used to remove potentially contaminated clothing. Wash contaminated clothing before reusing. Ensure that eyewash stations and safety showers are close to the workstation location.  |
| <b>Personal protection</b>               |  |
| <b>Respiratory</b>                       | : Use a properly fitted, air-purifying or supplied air respirator complying with an approved standard if a risk assessment indicates this is necessary. Respirator selection must be based on known or anticipated exposure levels, the hazards of the product and the safe working limits of the selected respirator.   |
| <b>Hands</b>                             | : Chemical-resistant, impervious gloves complying with an approved standard should be worn at all times when handling chemical products if a risk assessment indicates this is necessary. Considering the parameters specified by the glove manufacturer, check during use that the gloves are still retaining their protective properties. It should be noted that the time to breakthrough for any glove material may be different for different glove manufacturers. In the case of mixtures, consisting of several substances, the protection time of the gloves cannot be accurately estimated. |
| <b>Eyes</b>                              | : Safety eyewear complying with an approved standard should be used when a risk assessment indicates this is necessary to avoid exposure to liquid splashes, mists or dusts. If contact is possible, the following protection should be worn, unless the assessment indicates a higher degree of protection: chemical splash goggles.  |
| <b>Skin</b>                              | : Personal protective equipment for the body should be selected based on the task being performed and the risks involved and should be approved by a specialist before handling this product.  |
| <b>Environmental exposure controls</b>   | : Emissions from ventilation or work process equipment should be checked to ensure they comply with the requirements of environmental protection legislation. In some cases, fume scrubbers, filters or engineering modifications to the process equipment will be necessary to reduce emissions to acceptable levels.   |

## 9. Physical and chemical properties

- |                                       |  |
|---------------------------------------|--|
| <b>Physical state</b>                 | : Liquid.  |
| <b>Color</b>                          | : Blue.  |
| <b>Odor</b>                           | : Odorless.  |
| <b>pH</b>                             | : 12 to 12.3   |
| <b>Boiling/condensation point</b>     | : 100°C (212°F)  |
| <b>Melting/freezing point</b>         | : 0°C (32°F)   |
| <b>Relative density</b>               | : 1.09   |
| <b>Solubility</b>                     | : Easily soluble in the following materials: cold water and hot water. |
| <b>Partition coefficient (LogKow)</b> | : There is no data available.  |

## 10. Stability and reactivity

<b>Chemical stability</b>	: The product is stable.
<b>Conditions to avoid</b>	: No specific data.
<b>Incompatible materials</b>	: Reactive or incompatible with the following materials: oxidizing materials and acids.
<b>Hazardous decomposition products</b>	: Under normal conditions of storage and use, hazardous decomposition products should not be produced.
<b>Possibility of hazardous reactions</b>	: Under normal conditions of storage and use, hazardous reactions will not occur.

## 11. Toxicological information

### Acute toxicity

Product/ingredient name	Result	Species	Dose	Exposure
Potassium Carbonate	LD50 Oral	Rat	1870 mg/kg	-

### Chronic toxicity

There is no data available.

### Irritation/Corrosion

<b>Skin</b>	: There is no data available.
<b>Eyes</b>	: There is no data available.
<b>Respiratory</b>	: There is no data available.

### Sensitizer

<b>Skin</b>	: There is no data available.
<b>Respiratory</b>	: There is no data available.

### Carcinogenicity

There is no data available.

### Mutagenicity

There is no data available.

### Teratogenicity

There is no data available.

### Reproductive toxicity

There is no data available.

## 12. Ecological information

<b>Ecotoxicity</b>	: No known significant effects or critical hazards.
--------------------	---

### Aquatic ecotoxicity

Product/ingredient name	Result	Species	Exposure
Potassium Carbonate	Acute LC50 630000 to 670000 µg/l Fresh water Acute LC50 650000 to 820000 µg/l Fresh water	Crustaceans - Ceriodaphnia dubia Daphnia - Daphnia magna	48 hours 48 hours

### Persistence/degradability

There is no data available.



## 13. Disposal considerations

**Waste disposal** : The generation of waste should be avoided or minimized wherever possible. Disposal of this product, solutions and any by-products should comply with the requirements of environmental protection and waste disposal legislation and any regional local authority requirements. Dispose of surplus and non-recyclable products via a licensed waste disposal contractor. Waste should not be disposed of untreated to the sewer unless fully compliant with the requirements of all authorities with jurisdiction. Waste packaging should be recycled. Incineration or landfill should only be considered when recycling is not feasible. This material and its container must be disposed of in a safe way. Care should be taken when handling empty containers that have not been cleaned or rinsed out. Empty containers or liners may retain some product residues. Avoid dispersal of spilled material and runoff and contact with soil, waterways, drains and sewers.

Disposal should be in accordance with applicable regional, national and local laws and regulations.

Refer to Section 7: HANDLING AND STORAGE and Section 8: EXPOSURE CONTROLS/PERSONAL PROTECTION for additional handling information and protection of employees.

## 14. Transport information

Regulatory information	UN number	Proper shipping name	Classes	PG*	Label	Additional information
<b>DOT Classification</b>	Not regulated.	-	-	-		-
<b>IMDG Class</b>	Not regulated.	-	-	-		-
<b>IATA-DGR Class</b>	Not regulated.	-	-	-		-

PG\* : Packing group

Exemption to the above classification may apply.

**AERG** : Not applicable

## 15. Regulatory information

**HCS Classification** : Irritating material

**U.S. Federal regulations** : **TSCA 8(a) CDR Exempt/Partial exemption**: Not determined

**United States inventory (TSCA 8b)**: All components are listed or exempted.

**Clean Water Act (CWA) 311**: Edetic acid

**Clean Air Act Section 112** : Not listed  
(b) Hazardous Air Pollutants (HAPs)

**Clean Air Act Section 602** : Not listed  
Class I Substances

**Clean Air Act Section 602** : Not listed  
Class II Substances

**DEA List I Chemicals** : Not listed  
(Precursor Chemicals)

**DEA List II Chemicals** : Not listed  
(Essential Chemicals)

**SARA 302/304**

**Composition/information on ingredients**

No products were found.

## 15. Regulatory information

**SARA 304 RQ** : Not applicable.

### SARA 311/312

**Classification** : Immediate (acute) health hazard

### Composition/information on ingredients

Name	%	Fire hazard	Sudden release of pressure	Reactive	Immediate (acute) health hazard	Delayed (chronic) health hazard
Potassium Carbonate	10 - 30	No.	No.	No.	Yes.	No.

### State regulations

**Massachusetts** : None of the components are listed.

**New York** : None of the components are listed.

**New Jersey** : None of the components are listed.

**Pennsylvania** : None of the components are listed.

### California Prop. 65

No products were found.

## 16. Other information

**Label requirements** : CAUSES RESPIRATORY TRACT, EYE AND SKIN IRRITATION. MAY BE HARMFUL IF SWALLOWED.

**Hazardous Material Information System (U.S.A.)** : **Health** : 2 **Flammability** : 0 **Physical hazards** : 0

Caution: HMIS® ratings are based on a 0-4 rating scale, with 0 representing minimal hazards or risks, and 4 representing significant hazards or risks. Although HMIS® ratings are not required on MSDSs under 29 CFR 1910.1200, the preparer may choose to provide them. HMIS® ratings are to be used with a fully implemented HMIS® program. HMIS® is a registered mark of the National Paint & Coatings Association (NPCA). HMIS® materials may be purchased exclusively from J. J. Keller (800) 327-6868.

The customer is responsible for determining the PPE code for this material.

**National Fire Protection Association (U.S.A.)** : **Health** : 2 **Flammability** : 0 **Instability** : 0

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Copyright ©2001, National Fire Protection Association, Quincy, MA 02269. This warning system is intended to be interpreted and applied only by properly trained individuals to identify fire, health and reactivity hazards of chemicals. The user is referred to certain limited number of chemicals with recommended classifications in NFPA 49 and NFPA 325, which would be used as a guideline only. Whether the chemicals are classified by NFPA or not, anyone using the 704 systems to classify chemicals does so at their own risk.

### History

**Date of issue mm/dd/yyyy** : 06/15/2013

**Date of previous issue** : 03/15/2013

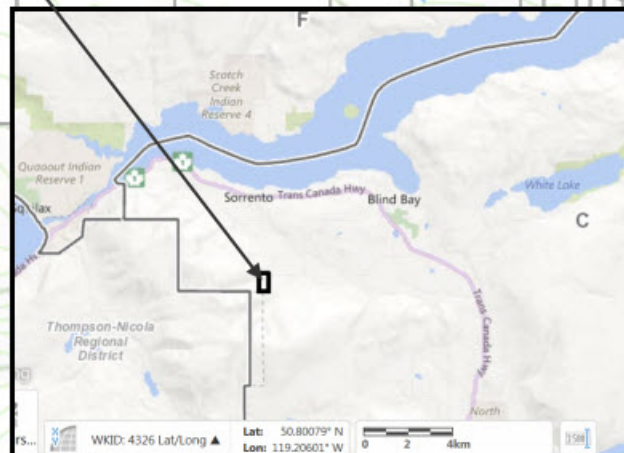
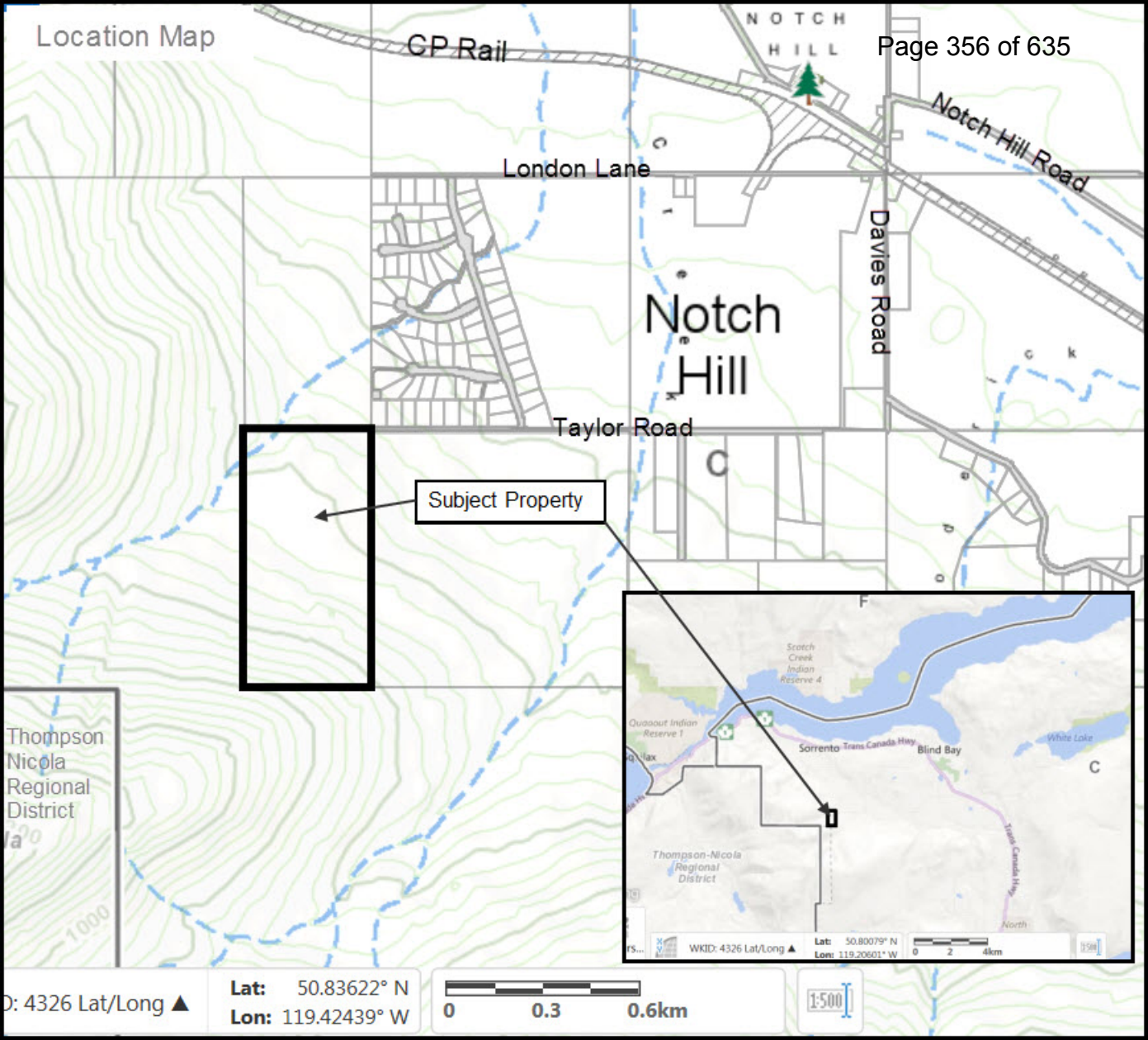
**Version** : 2

**Revised Section(s)** : 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16.

### Notice to reader

To the best of our knowledge, the information contained herein is accurate. However, neither the above-named supplier, nor any of its subsidiaries, assumes any liability whatsoever for the accuracy or completeness of the information contained herein.

Final determination of suitability of any material is the sole responsibility of the user. All materials may present unknown hazards and should be used with caution. Although certain hazards are described herein, we cannot guarantee that these are the only hazards that exist.

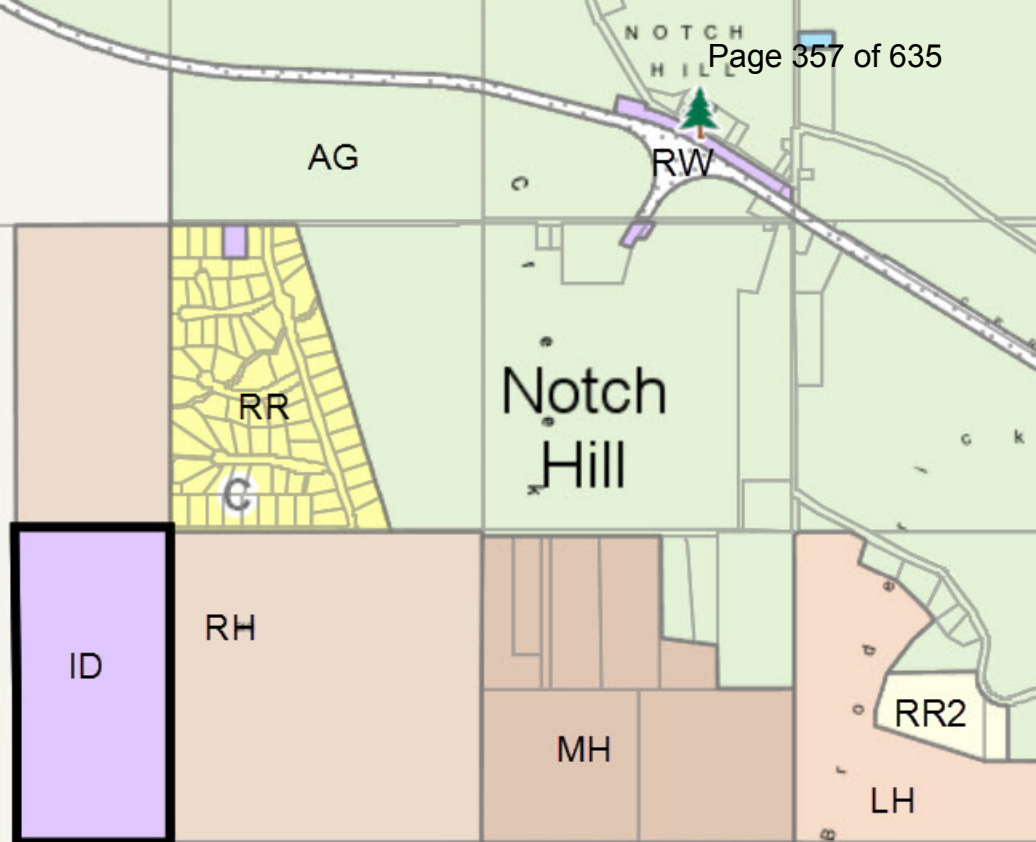


D: 4326 Lat/Long ▲

**Lat:** 50.83622° N  
**Lon:** 119.42439° W

0 0.3 0.6km

1:500



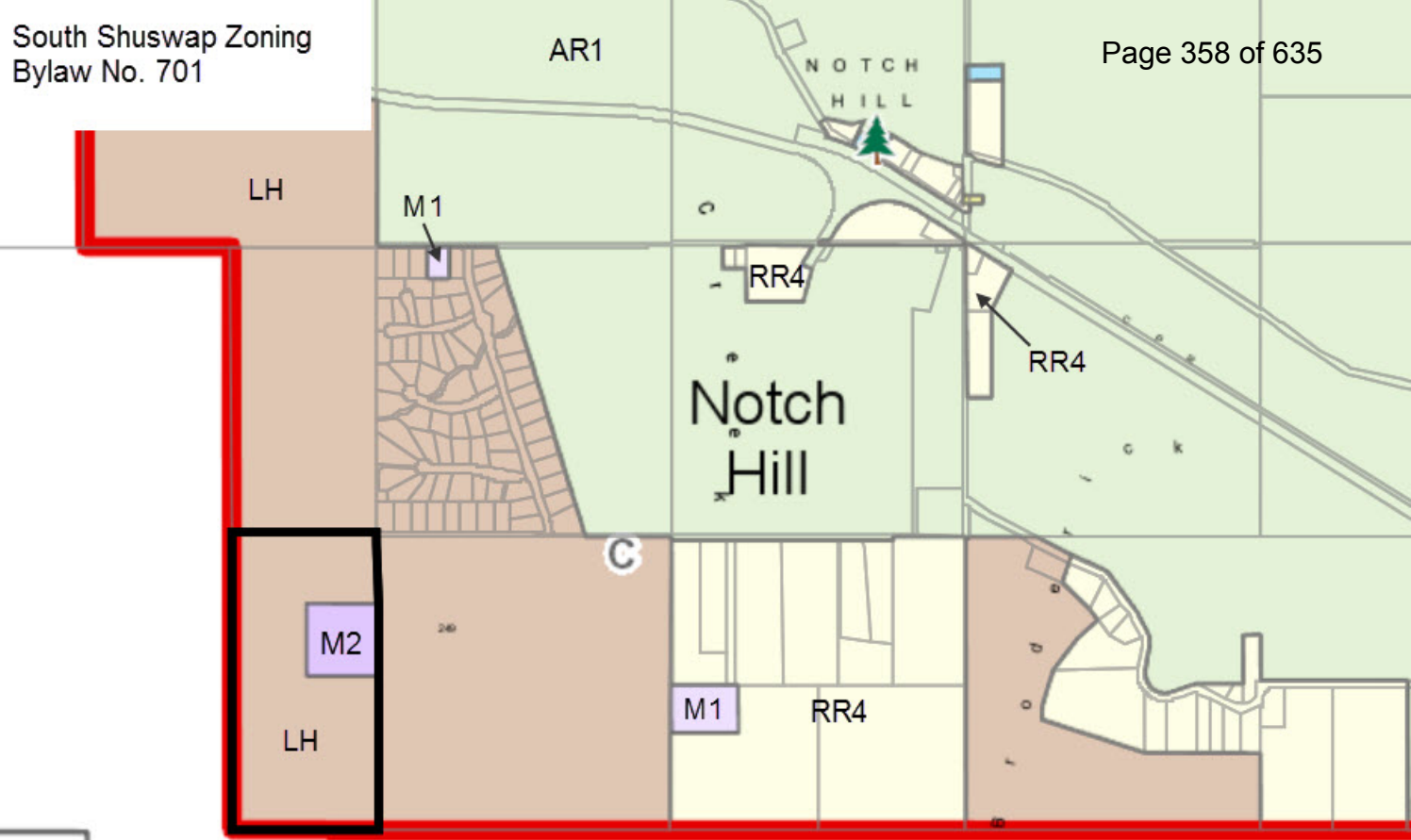
Thompson  
Nicola  
Regional  
District

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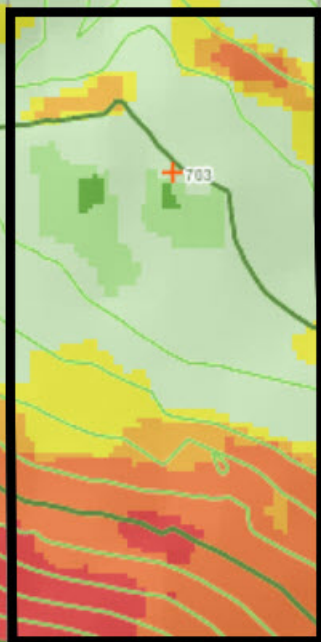
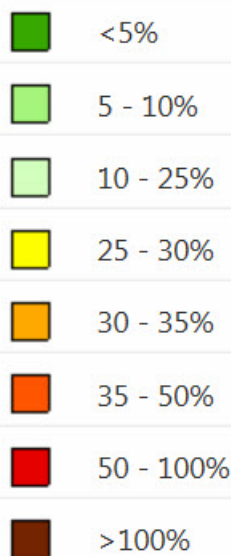






# Slopes Mapping

Slope  
Page 359 of 635



N



WKID: 4326 Lat/Long ▲

Lat: 50.83978° N

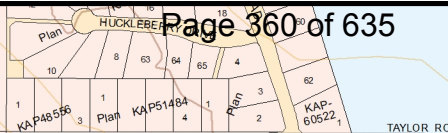
Lon: 119.46813° W



0 0.15 0.3km

4

Tp. 22 Rge. 11



TAYLOR ROAD

LH

SW 1/4

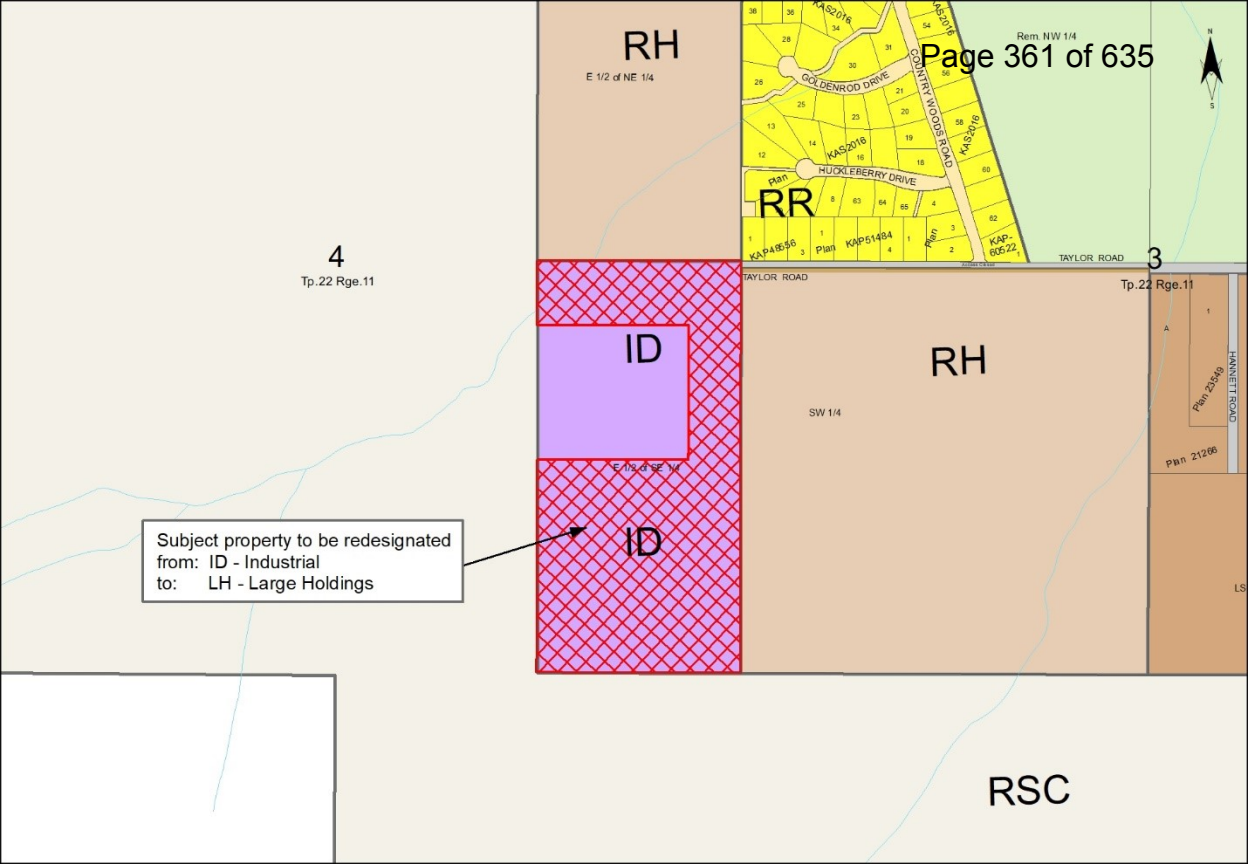
M2

E 1/2 of SE 1/4

Subject Parcel: Rezoning a portion of the East 1/2 of the SE 1/4 of Section 4, Township 22, Range 11, West of the 6th Meridian, Kamloops Division, Yale District  
From: LH - Large Holding  
To: M2 - General Industrial

Subject Parcel: Rezoning a portion of the East 1/2 of the SE 1/4 of Section 4, Township 22, Range 11, West of the 6th Meridian, Kamloops Division, Yale District  
From: M2 - General Industrial  
To: LH - Large Holding





4

Tp.22 Rge.11

RH

E 1/2 of NE 1/4

RR

RH

SW 1/4

ID

E 1/2 of SE 1/4

ID

Subject property to be redesignated  
from: ID - Industrial  
to: LH - Large Holdings

3

Tp.22 Rge.11

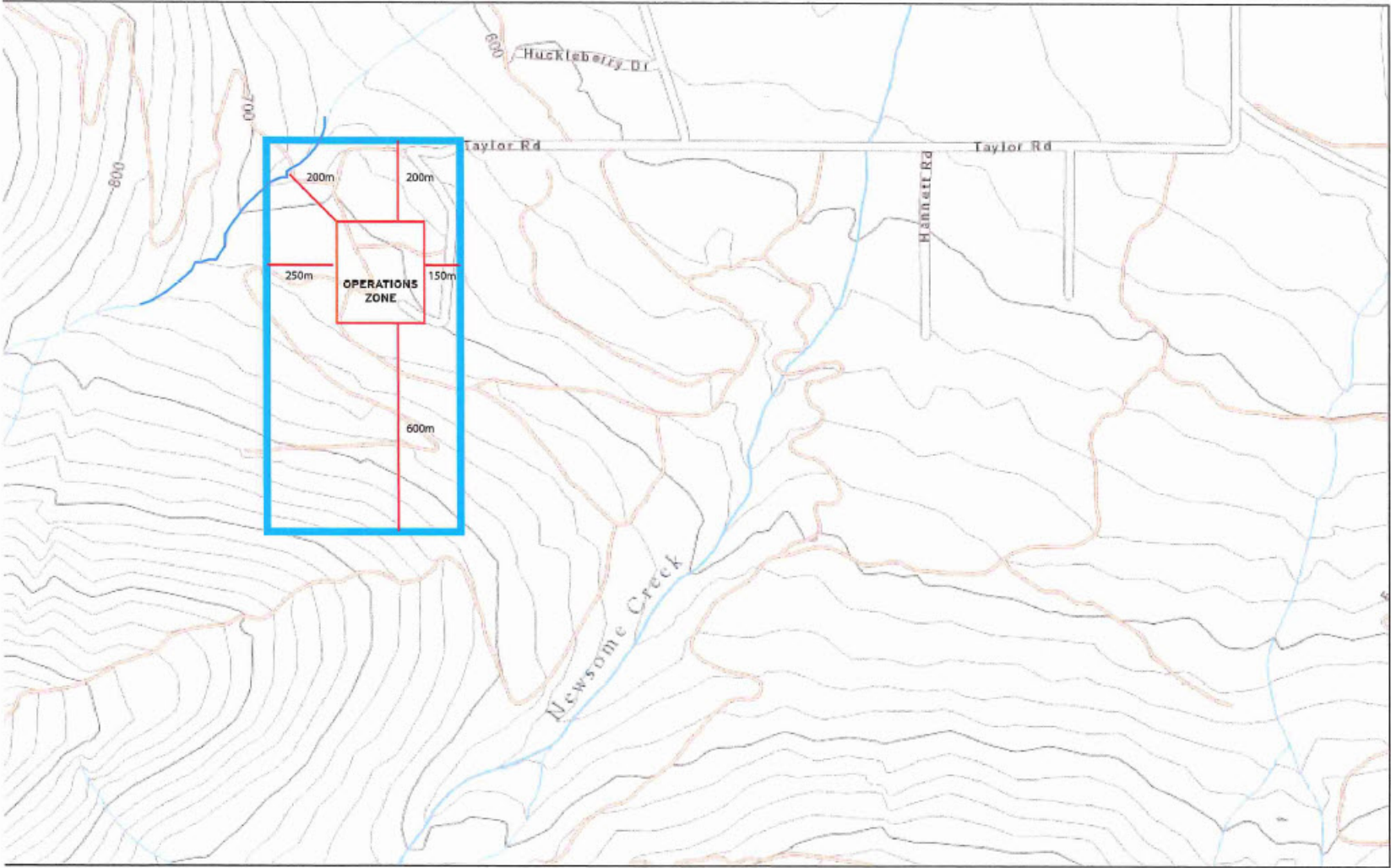
A

HANNETT ROAD  
Plan 23349

Plan 21266

LS

RSC



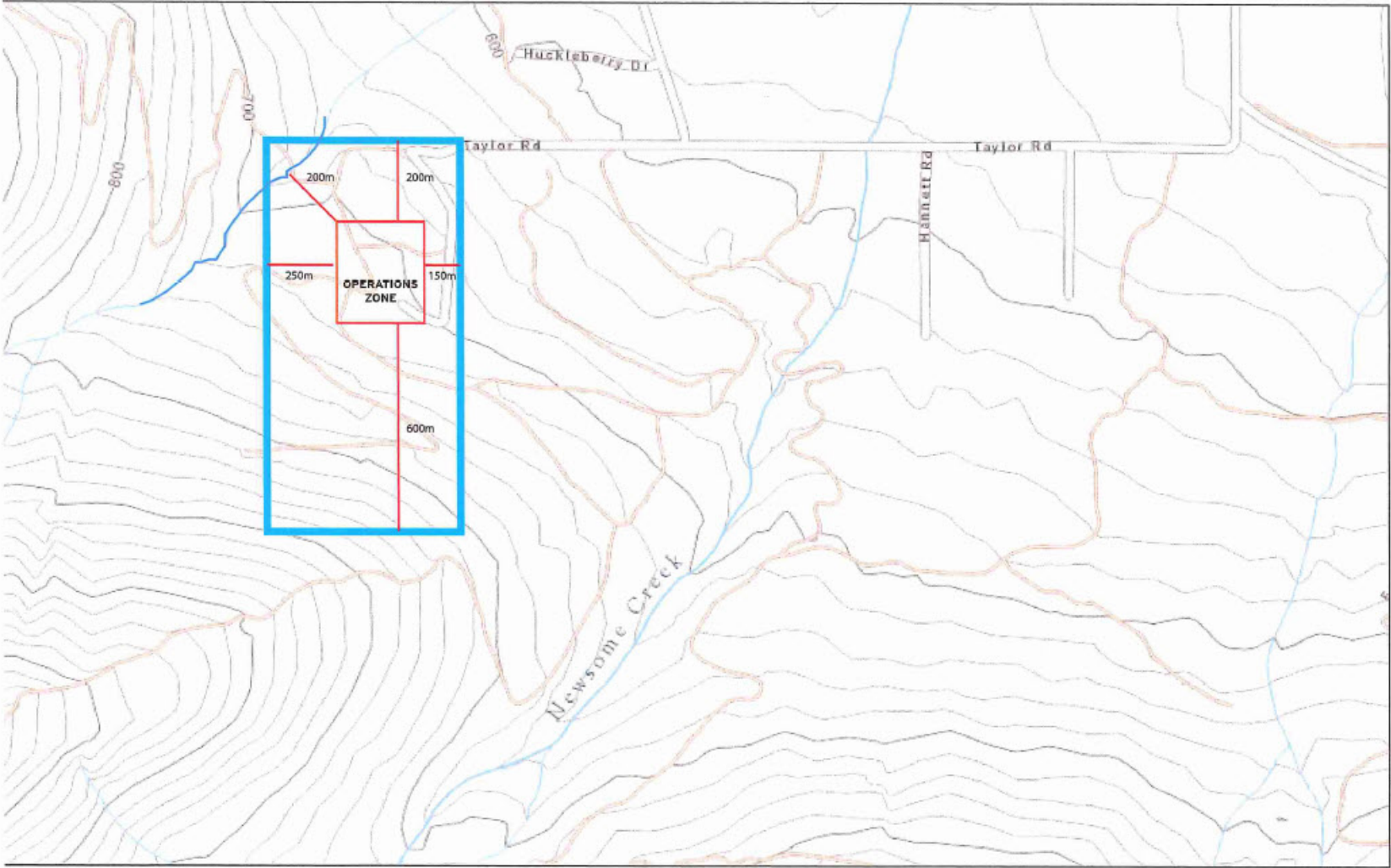
February 5, 2019

**WARNING: MAP IS NOT PRINTED TO SCALE**

**Interest Parcels**

- Interest
- tilecache

GeoBC, DataBC, TomTom, © OpenStreetMap contributors



February 5, 2019

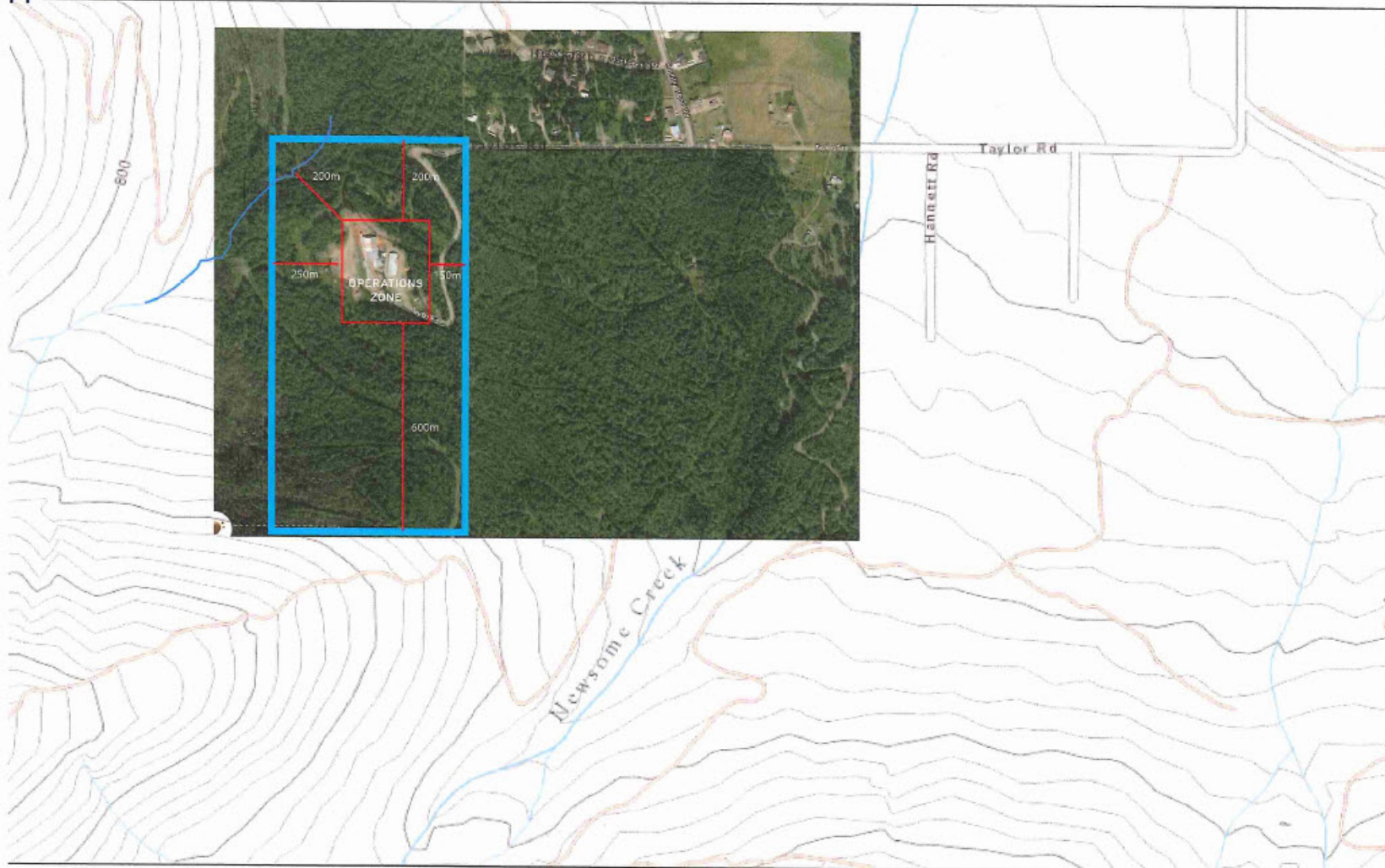
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**Interest Parcels**

- Interest
- tilecache

GeoBC, DataBC, TomTom, © OpenStreetMap contributors





February 5, 2019

**Interest Parcels**



Interest

tilecache

**WARNING: MAP IS NOT PRINTED TO SCALE**

GeoBC, DataBC, TomTom, © OpenStreetMap contributors



1336 Taylor Rd

Page 365 of 635  
Legend  
Kelowna, B.C., Canada

Submitted by  
applicant

Taylor Rd

Google Earth

© 2018 Google  
Image © 2019 DigitalGlobe  
© SPOT IMAGE



300 m



Notch  
Hill

Notch Hill

249



WKID: 4326 Lat/Long ▲

Lat: 50.84328° N

Lon: 119.43770° W

0 0.15 0.3km



# BOARD REPORT

**TO:** Chair and Directors

<b>File No:</b> BL900-20 PL20170000112
---

**SUBJECT:** Electoral Areas C: Lakes Zoning Amendment (Totem Pole Resort)  
Bylaw No. 900-20

**DESCRIPTION:** Report from Erica Hartling, Planner I, dated April 29, 2019.  
7429 Sunnybrae-Canoe Point Road, Canoe Point

**RECOMMENDATION #1:** THAT: "Lakes Zoning Amendment (Totem Pole Resort) Bylaw No. 900-20" be read a second time this 16<sup>th</sup> day of May, 2019;

**RECOMMENDATION #2:** THAT: a public hearing to hear representations on "Lakes Zoning Amendment (Totem Pole Resort) Bylaw No. 900-20" 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 Demenok, Electoral Area C, being that in which the land concerned is located, or the Alternate Director Dies, if the Director 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 subject area is the foreshore adjacent to Totem Pole Resort, located at 7429 Sunnybrae-Canoe Point Road in the Bastion Bay area of Electoral Area C. Totem Pole Resort is currently permitted 25 private mooring buoys in the FM2 - Foreshore Multi-Family 2 site specific zone of Lakes Zoning Bylaw No. 900. The applicant has applied to amend the FM2 site specific zone to permit a total density of 35 private mooring buoys, allowing the resort an additional 10 private mooring buoys.

The bylaw was given first reading and the Board directed staff to refer the bylaw to applicable agencies and First Nations for comment. Comments have been received and are summarized in this report. It is now appropriate for the Board to consider the bylaw for second reading and referral to a public hearing.

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<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"/>
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## BACKGROUND:

See "2019-03-21\_Board\_DS\_BL900-20\_First\_Totem\_Pole\_Resort.pdf" and "Maps\_Plans\_Photos\_BL900-20.pdf" attached.

## POLICY:

See "BL725\_BL900\_Excerpts\_BL900-20.pdf" attached.



## Electoral Area C Official Community Plan Bylaw No. 725

- 2.3 Shoreline Environment
- 3.7 Foreshore Water
- 12.2 Foreshore and Water Development Permit Area

## Lakes Zoning Bylaw No. 900

- 4.7 FM2 – Foreshore Multi-Family 2
- 4.12 FC2 - Foreshore Commercial 2

**FINANCIAL:**

There are no financial implications to the CSRD with regard to this application.

**KEY ISSUES/CONCEPTS:**

See "2019-03-21\_Board\_DS\_BL900-20\_First\_Totem\_Pole\_Resort.pdf" attached.

**Update**

The existing 25 private mooring buoys in the resort's FM2 zone are currently owned by 24 strata lots, as historically one strata lot has owned 2 private mooring buoys. Totem Pole Resort has a total of 34 strata lots and the applicant had originally made the request to locate an additional 10 private mooring buoys within the FM2 zone; permitting each strata lot 1 private mooring buoy and continuing to allow one of the strata lots their historical 2 private mooring buoys (total of 35 private mooring buoys).

The Board gave first reading of Bylaw No. 900-20 at its March 21, 2019 meeting and directed staff to follow the simple consultation process and refer the bylaw amendment to applicable agencies and First Nations for comment. Referral comments have now been received and are in the attached "Agency\_Referral\_Responses\_BL900-20.pdf".

The Ministry of Forests, Lands, Natural Resource Operations and Rural Development – Crown Lands Division (FLNRORD) responded with no opposition to the proposed density of 35 private mooring buoys. However, FLNRORD recommends allowing only 1 private mooring buoy per strata lot creating a total of 34 strata buoys; the rationale being that more than 1 buoy per strata lot may set a precedent that other developments may take advantage of.

After reviewing the FLNRORD referral comments and meeting with their strata members, the resort is still requesting the 35 private mooring buoys but the extra buoy will not be for an individual strata lot but assigned as an emergency/guest private mooring buoy. The resort has committed to assign 1 private mooring buoy for each strata lot, creating a total of 34 strata private mooring buoys. The resort is still applying for the 35 private mooring buoys as they feel that the strata owners/resort operation will benefit from 1 resort owned buoy that can provide temporary moorage to a watercraft that is experiencing an emergency or mechanical breakdown or may provide temporary moorage for a guest.

The Archaeology Branch responded to the referral with approval subject to conditions. According to Provincial records, there are no known archaeological sites recorded in the subject area but the proposal is in an area with high potential for unknown/unrecorded archeological deposits. If an archaeological site is encountered during development, activities must be halted and the Archaeology Branch contacted for direction.

Adams Lake Indian Band (ALIB) responded with concerns over the proposed development area and requires that the resort will ensure that the identified nearby and overlapping hunting, fishing, gathering, water transportation and pictographs are not harmed or hindered in this application.

The applicant has reached out to Adams Lake Indian Band (ALIB) and have confirmed with Development Services staff that the resort will respectively comply with the requests of ALIB to:

- immediately cease work if archeological evidence is discovered
- notify the authorities of any discoveries with any archeological
- not infringe or overlap any hunting, fishing, gathering or water transportation of the Adams Lake Indian Band in any harmful way

The Electoral Area C Advisory Planning Commission (APC) reviewed the proposal at their April 29, 2019 meeting. The APC supports the application and noted the intent to improve the distribution of the buoys and improvements for safety. The APC had a discussion on the mail out notification process and would like to see an expansion beyond the standard 100 metre boundary for the identification of neighbours to receive notices and would prefer to see these expanded to include a more reasonable number of the waterfront owners in the area.

Development Services must follow the 100 m boundary notification for mail out notices, as it is a procedure within the Development Services Procedures Bylaw No. 4001. Development Services staff believe the Notice of Application Sign, 100 m boundary for the mail out notice, two newspaper advertisements, and the website and social media notices are sufficient for notifying neighbouring property owners and public about the application.

## **SUMMARY:**

See summary of the staff recommendation and reasoning in the "2019-03-21\_Board\_DS\_BL900-20\_First\_Totem\_Pole\_Resort.pdf" attached.

Staff continue to support Bylaw No. 900-20 and is recommending that the bylaw be considered for second reading and referral to a public hearing in order to hear the views of the public on this matter.

## **IMPLEMENTATION:**

### **Consultation Process**

Neighbouring property owners first became aware of the application when a notice of application sign was posted on the property. As of the date of this report, no written submissions from the public have been received. If the Board approves the staff recommendation, a public hearing will be scheduled to receive input from the public.

## **COMMUNICATIONS:**

If the Board supports second reading of Bylaw No. 900-20 and delegates a Public Hearing, staff will proceed with notification of property owners within 100 metres and publication of notices as required by the Local Government Act.

Bylaw No. 900-20 was referred to the following agencies and First Nations for comments, which are summarized below and discussed in the Key Issues/Concepts of this report. See "Agency\_Referral\_Responses\_BL900-20.pdf" attached.

- Area C Advisory Planning Commission: Supports the application as outlined. See discussion in Key Issues/Concepts of this report.
- FrontCounter BC: No opposition to the proposed density of 35 private mooring buoys. See discussion in Key Issues/Concepts of this report.
- Archaeology Branch: Recommended approval subject to conditions. See discussion in Key Issues/Concepts of this report.
- Adams Lake Indian Band (ALIB): Has concerns with the proposed development area and requires that the resort will ensure that the identified nearby and overlapping hunting, fishing, gathering, water transportation and pictographs are not harmed or hindered in this application. See discussion in Key Issues/Concepts of this report.

The following agencies and First Nations did not respond to the request for comments:

- Department of Fisheries and Ocean;
- Transport Canada;
- CSRD Operations Management;
- Little Shuswap Indian Band;
- Neskonlith Indian Band.

#### **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. Official Community Plan Bylaw No. 725
2. Lakes Zoning Bylaw No. 900
3. Lakes Zoning Amendment (CSRD) Bylaw 900-14

**Report Approval Details**

Document Title:	2019-05-16_Board_DS_BL900-20_Second_Totem_Pole_Resort.docx
Attachments:	<ul style="list-style-type: none"> <li>- BL900-20_Second.pdf</li> <li>- 2019-03-21_Board_DS_BL900-20_First_Totem_Pole_Resort.pdf</li> <li>- BL900-20_First.pdf</li> <li>- BL725_BL900_Excerpts_BL900-20.pdf</li> <li>- Agency_Referral_Responses_BL900-20_Second.pdf</li> <li>- Maps_Plans_Photos_BL900-20.pdf</li> </ul>
Final Approval Date:	May 6, 2019

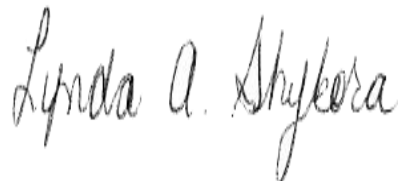
This report and all of its attachments were approved and signed as outlined below:



**Corey Paiement - May 3, 2019 - 11:15 AM**



**Gerald Christie - May 3, 2019 - 12:07 PM**



**Lynda Shykora - May 6, 2019 - 2:56 PM**



**Charles Hamilton - May 6, 2019 - 3:33 PM**

**COLUMBIA SHUSWAP REGIONAL DISTRICT**

**LAKES ZONING AMENDMENT**

**(TOTEM POLE RESORT) BYLAW NO. 900-20**

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. "Lakes Zoning Bylaw No. 900", as amended, is hereby amended as follows:

A. TEXT AMENDMENT

- i) Schedule A, Zoning Bylaw Text, Part 4 Zones, Section 4.7 FM2 Foreshore Multi-Family 2, .2 Regulations (b) Site Specific Density is hereby amended by deleting the following site specific density in its entirety:

"For the surface of the lake adjacent to Section 5, Township 22, Range 9, W6M, KDYD, shown as common property on Plan SPK46, the maximum number of private mooring buoys is 25. {Totem Pole Resort}"

And replacing it with the following:

"For the surface of the lake adjacent to Section 5, Township 22, Range 9, W6M, KDYD, shown as common property on Plan SPK46, the maximum number of private mooring buoys is 35. {Totem Pole Resort}"

2. This bylaw may be cited as "Lakes Zoning Amendment (Totem Pole Resort) Bylaw No. 900-20"

READ a first time this 21<sup>st</sup> day of March, 2019.

READ a second time this \_\_\_\_\_ day of \_\_\_\_\_, 2019.

PUBLIC HEARING held this \_\_\_\_\_ day of \_\_\_\_\_, 2019.

READ a third time this \_\_\_\_\_ day of \_\_\_\_\_, 2019.

ADOPTED this \_\_\_\_\_ day of \_\_\_\_\_, 2019.

\_\_\_\_\_  
CORPORATE OFFICER

\_\_\_\_\_  
CHAIR

CERTIFIED a true copy of Bylaw No. 900-20  
as read a third time.

CERTIFIED a true copy of Bylaw No. 900-20  
as adopted.

\_\_\_\_\_  
Corporate Officer

\_\_\_\_\_  
Corporate Officer





# BOARD REPORT

**TO:**

Chair and Directors

<b>File No:</b> BL900-20 PL20170000112
---

**SUBJECT:**

Electoral Areas C: Lakes Zoning Amendment (Totem Pole Resort)  
 Bylaw No. 900-20

**DESCRIPTION:**

Report from Erica Hartling, Development Services Assistant, dated  
 March 1, 2019.

7429 Sunnybrae-Canoe Point Road, Canoe Point

**RECOMMENDATION:**

THAT: "Lakes Zoning Amendment (Totem Pole Resort) Bylaw No. 900-20" be read a first time this 21<sup>st</sup> day of March, 2019;

AND THAT: the Board utilize the simple consultation process for Bylaw No. 900-20 and it be referred to the following agencies, First Nations, and stakeholders:

- Area C Advisory Planning Commission;
- Ministry of Forests, Lands, Natural Resource Operations, and Rural Development – FrontCounterBC;
- Ministry of Forests, Lands, Natural Resource Operations and Rural Development – Archaeology Branch;
- Department of Fisheries and Oceans;
- Transport Canada;
- CSR D Operations Management; and,
- All relevant First Nation Bands and Councils.

**SHORT SUMMARY:**

The subject area is the foreshore adjacent to Totem Pole Resort, located at 7429 Sunnybrae-Canoe Point Road in the Bastion Bay area of Electoral Area C. Totem Pole Resort is currently permitted 25 private mooring buoys in the FM2 - Foreshore Multi-Family 2 site specific zone of Lakes Zoning Bylaw No. 900. The applicant has applied to amend the FM2 site specific zone to permit a total density of 35 private mooring buoys, allowing the resort an additional 10 private mooring buoys.

The existing 25 private mooring buoys in the FM2 zone are currently owned by 24 strata lots, as historically one strata lot has owned 2 private mooring buoys. The resort has a total of 34 strata lots and the additional 10 private mooring buoys would permit each strata lot one private mooring buoy.

**VOTING:**

Unweighted  
Corporate

☐

LGA Part 14  
(Unweighted)

☒

Weighted  
Corporate

☐

Stakeholder  
(Weighted)

☐

**BACKGROUND:**

## REGISTERED OWNER(S):

Owners Strata Plan KAS46 (Totem Pole Resort)

## APPLICANT:

Ken Hansen co/ Totem Pole Resort

## AGENT:

Jenn Piekarczyk, Okanagan Strata Property Manager co/ Pacific Quorum Properties

## ELECTORAL AREA:

C

## LEGAL DESCRIPTION:

Unsurveyed Crown foreshore being part of the bed of Shuswap Lake and fronting that part of Section 5, Township 22, Range 8, West of the 6<sup>th</sup> Meridian, Kamloops Division Yale District, shown as Common Property on Strata Plan K46

## CIVIC ADDRESS:

7429 Sunnybrae-Canoe Point Rd, Tappen, BC V0E 2X0

## SURROUNDING LAND USE PATTERN:

North = Waterfront Residential

South = Waterfront Residential

East = Shuswap Lake

West = Sunnybrae-Canoe Point Road, Crown Land

## CURRENT USE:

- Land = Totem Pole Resort: common property and 34 strata lots containing cabins, grocery and liquor store, and accessory buildings.
- Foreshore = Marina with commercial dock, 2 swimming platforms, boat launch, 25 private mooring buoys and 2 private floating docks fronting Totem Pole Resort. The resort also has 4 additional existing private mooring buoys fronting an adjacent private property to the south.

## PROPOSED USE:

- Land = No proposed change.
- Foreshore = Add 10 private mooring buoys to the foreshore fronting Totem Pole Resort.

## DESIGNATION:

Electoral Area C Official Community Plan Bylaw No. 725

- Land = WC - Waterfront Commercial
- Foreshore = FW - Foreshore Water

**ZONE:**

- Land = N/A – No Zoning Bylaw
- Foreshore = Lakes Zoning Bylaw No. 900:
  - FC2 - Foreshore Commercial 2, site specific
  - FM2 - Foreshore Multifamily 2, site specific

**PROPOSED FORESHORE ZONE:**

- FC2 - Foreshore Commercial 2, site specific - no proposed amendments.
- FM2 - Foreshore Multifamily 2, site specific - proposed amendment to include the addition of 10 private mooring buoys for the subject property only, permitting a total density of 35 private mooring buoys.

**SITE COMMENTS:**

See "Maps\_Plans\_Photos\_BL900-20.pdf" attached.

Staff have not conducted a site visit for this application. Information provided in this report is based on orthophoto interpretation and details and GPS coordinates provided by the applicant. The upland is the location of Totem Pole Resort, which is a strata development that includes 34 strata lots and a common area. The resort property contains cabins, a grocery and liquor store, tennis court, basketball court, boatyard, and a few accessory buildings. The resort's foreshore includes a marine gas dock, boat ramp, 25 private mooring buoys, two private floating docks, and a swim area extending from an oversized swimming platform (i.e. swim dock) to a small swimming platform. The resort has 4 additional existing private mooring buoys fronting an adjacent private property to the south, which they plan to relocate to the foreshore area fronting the resort.

**POLICY:**

See "BL725\_BL900\_Excerpts\_BL900-20.pdf" attached

**Electoral Area C Official Community Plan Bylaw No. 725**

- 2.3 Shoreline Environment
- 3.7 Foreshore Water
- 12.2 Foreshore and Water Development Permit Area

**Lakes Zoning Bylaw No. 900**

- 4.7 FM2 – Foreshore Multi-Family 2
- 4.12 FC2 - Foreshore Commercial 2

**FINANCIAL:**

There are no financial implications to the CSRD with regard to this application.

**KEY ISSUES/CONCEPTS:****Previous Bylaw Amendment**

Lakes Zoning Amendment Bylaw 900-14 was a CSRD initiated application and housekeeping in nature to recognize and legalize the existing foreshore uses of Totem Pole Resort. Staff acknowledged that there were 29 private mooring buoys associated with the resort in addition to other foreshore uses; however, only 25 of the resort's private mooring buoys were located within the FM2 zone area adjacent to the subject property. The remaining 4 private mooring buoys are located in front of an adjacent private waterfront property to the south. Staff noted that these 4 private mooring buoys are considered legal non-conforming and if Totem Pole Resort wishes to recognize the 4 private mooring buoys, they may apply to amend the FM2 zone. Bylaw no. 900-14 recognized and legalized the location and density of the resort's 25 private mooring buoys in the FM2 zone and the existing commercial dock, oversized swimming platform, and boat launch in the FC2 - Foreshore Commercial 2 zone.

**Proposal**

See site plan in the "Maps\_Plans\_Photos\_BL900-20.pdf" attached.

The 25 private mooring buoys in the FM2 zone are currently owned by 24 strata lots; historically one strata lot has owned 2 private mooring buoys. As Totem Pole Resort has a total of 34 strata lots, the applicant is requesting to locate an additional 10 private mooring buoys within the FM2 zone in order to permit each strata lot one private mooring buoy. The bylaw proposes to amend the site specific density for private mooring buoys in the FM2 zone from 25 private mooring buoys to 35 private mooring buoys for Totem Pole Resort only. As part of the proposed 10 private mooring buoys within the FM2 zone, the resort wishes to legalize and relocate 4 of their existing private mooring buoys into the FM2 zone and add an additional 6 new private mooring buoys.

The resort's 4 existing private mooring buoys are currently in front of an adjacent waterfront property to the south and the proposed relocation will alleviate congestion and navigation in the foreshore fronting this property. The arrangement of the 10 additional private mooring buoys in the FM2 zone will meet the siting and setback regulations, as shown on the site plan. The applicant has proposed to locate the private mooring buoys as close as possible to the resort property, as there is a significant drop off at the outer edge of the existing private mooring buoys.

The resort has also committed to relocate 2 of the permitted 25 private mooring buoys, as they appear to be just outside the FM2 zone boundary. One of the two existing private mooring buoys that are to be moved into the FM2 zone, is currently located in the FC2 site specific zone. The FC2 zone does not permit any private mooring buoys within it and moving this private mooring buoy to the FM2 zone will create a clearer navigation path to the commercial marina. The other private mooring buoy to be moved, is located between the zone boundaries of the resort and the waterfront property to the south; the resort has committed to moving this private mooring buoy further north completely within the FM2 zone and meeting the required setbacks.

The relocation of the 6 existing private mooring buoys and addition of 6 new private mooring buoys, will require a Foreshore and Water Development Permit to be issued by the Manager of Development Services. During the rezoning process, if the bylaw receives third reading, the applicant will be required to apply for a Development Permit and provide to the CSRD with documentation regarding final locations of the private mooring buoys within the FM2 zone; this documentation will include a final map, and photo confirmation that the buoys have been tagged with the proper identification.

### **SUMMARY:**

The applicant has applied to amend the FM2 site specific regulation of the Lakes Zoning Bylaw No. 900, to permit 35 private mooring buoys for the subject property only.

Staff recommends Bylaw No. 900-20 be given first reading and sent to the referral agencies for the following reasons:

- Bylaw No. 725 policies regarding Foreshore Water (Moorage) support this proposal;
- The relocation of the existing private mooring buoys will alleviate crowding in front of the neighbouring waterfront property and create a clearer navigation path to the resort's marina;
- The addition of 10 private mooring buoys fronting the resort property will meet the FM2 location and siting regulations and will not interfere with foreshore navigation to the resort marina or to the existing 25 private mooring buoys; and,
- All 10 proposed private mooring buoys will be tagged and documented as a condition of the rezoning and required development permit.

### **IMPLEMENTATION:**

#### **Consultation Process**

CSRD Policy P-18 regarding Consultation Processes – Bylaws, staff recommends the simple consultation process. Neighbouring property owners will first become aware of the application when a notice of application sign(s) is posted on the subject property.

#### **Referral Process**

The following list of referral agencies is recommended:

- Area C Advisory Planning Commission;
- Ministry of Forests, Lands, Natural Resource Operations, and Rural Development – FrontCounter BC;
- Ministry of Forests, Lands, Natural Resource Operations and Rural Development – Archaeology Branch;
- Department of Fisheries and Oceans;
- Transport Canada;
- CSRD Operations Management;
- All relevant First Nations Bands and Councils including:
  - Adams Lake Indian Band

- Little Shuswap Indian Band
- Neskonlith Indian Band.

**COMMUNICATIONS:**

If the Board gives Bylaw No. 900-20 first reading, the bylaw will be sent out to referral agencies. Referral responses will be provided to the Board with a future Board report, prior to delegation of a public hearing.

**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. Official Community Plan Bylaw No. 725
2. Lakes Zoning Bylaw No. 900
3. Lakes Zoning Amendment (CSRD) Bylaw 900-14

**Report Approval Details**

Document Title:	2019-03-21_Board_DS_BL900-20_Totem_Pole_Resort.docx
Attachments:	- BL900-20_First.pdf - BL725_BL900_Excerpts_BL900-20.pdf - Maps_Plans_Photos_BL900-20.pdf
Final Approval Date:	Mar 9, 2019

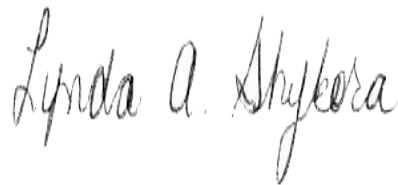
This report and all of its attachments were approved and signed as outlined below:



**Corey Paiement - Mar 5, 2019 - 11:44 AM**



**Gerald Christie - Mar 8, 2019 - 9:17 AM**



**Lynda Shykora - Mar 8, 2019 - 12:19 PM**



**Charles Hamilton - Mar 9, 2019 - 1:50 PM**



**COLUMBIA SHUSWAP REGIONAL DISTRICT**

**LAKES ZONING AMENDMENT**

**(TOTEM POLE RESORT) BYLAW NO. 900-20**

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. "Lakes Zoning Bylaw No. 900", as amended, is hereby amended as follows:

A. TEXT AMENDMENT

- i) Schedule A, Zoning Bylaw Text, Part 4 Zones, Section 4.7 FM2 Foreshore Multi-Family 2, .2 Regulations (b) Site Specific Density is hereby amended by deleting the following site specific density in its entirety:

"For the surface of the lake adjacent to Section 5, Township 22, Range 9, W6M, KDYD, shown as common property on Plan SPK46, the maximum number of private mooring buoys is 25. {Totem Pole Resort}"

And replacing it with the following:

"For the surface of the lake adjacent to Section 5, Township 22, Range 9, W6M, KDYD, shown as common property on Plan SPK46, the maximum number of private mooring buoys is 35. {Totem Pole Resort}"

2. This bylaw may be cited as "Lakes Zoning Amendment (Totem Pole Resort) Bylaw No. 900-20"

READ a first time this \_\_\_\_\_ day of \_\_\_\_\_, 2019.

READ a second time this \_\_\_\_\_ day of \_\_\_\_\_, 2019.

PUBLIC HEARING held this \_\_\_\_\_ day of \_\_\_\_\_, 2019.

READ a third time this \_\_\_\_\_ day of \_\_\_\_\_, 2019.

ADOPTED this \_\_\_\_\_ day of \_\_\_\_\_, 2019.

\_\_\_\_\_  
CORPORATE OFFICER

\_\_\_\_\_  
CHAIR

CERTIFIED a true copy of Bylaw No. 900-20  
as read a third time.

CERTIFIED a true copy of Bylaw No. 900-20  
as adopted.

\_\_\_\_\_  
Corporate Officer

\_\_\_\_\_  
Corporate Officer

## **Relevant Excerpts to Bylaw No. 900-20**

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### Electoral Area C Official Community Plan Bylaw No. 725

(See [Bylaw No. 725](#) for all policies)

#### **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; and

- c. Each 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.

## Lakes Zoning Bylaw No. 900

(See [Bylaw No. 900](#) for all policies)

### 4.7 FM2 Foreshore Multi-Family 2

#### .1 Permitted Uses:

- (a) *Group moorage facility*, including *permanent* or *removable walkway(s)*, accessory to a permitted *use* on the adjacent *parcel(s)*.
- (b) *Private mooring buoy(s)* accessory to a permitted *use* on the adjacent *parcel(s)*.
- (c) *Boat lift(s)* that is accessory to a permitted *use* on the adjacent *parcel(s)*.
- (d) *Boat launch*.

#### .2 Regulations

COLUMN 1 MATTER REGULATED	COLUMN 2 REGULATION
(a) <u>Density</u> maximum number of <i>berths</i> and <i>private mooring buoys</i> :	<i>Berths</i> : 20 <i>Private Mooring Buoys</i> : 2
(b) <u>Site Specific Density</u> maximum number of <i>berths</i> and <i>private mooring buoys</i> where different from (a):	For the surface of the lake adjacent to Section 5, Township 22, Range 9, W6M, KDYD, shown as common property on Plan SPK46, the maximum number of private mooring buoys is 25. {Totem Pole Resort}
(c) <u>Size</u> of <i>dock</i> :	<ul style="list-style-type: none"> <li>○ <i>Floating</i> or <i>fixed dock</i> surface must not exceed 3 m (9.84 ft) in width for any portion of the dock.</li> </ul>

(d) <u>Location and Siting</u>  of dock, private mooring buoys or boat lifts:	<p>The minimum setback of a <i>floating or fixed dock, private mooring buoy or boat lift</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>○ 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>
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## 4.12 FC2 Foreshore Commercial 2

### .1 Permitted Uses:

- (a) *Floating or fixed dock*, including *permanent or 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* or an adjacent *semi-waterfront parcel*.
- (c) *Marina*
- (d) *Boat Launch*
- (e) *Boat lift(s)* that is accessory to a permitted *use* on an adjacent *waterfront parcel*.

### .2 Regulations

Notwithstanding Part 3, Section 3.4.2(d) the maximum size of the swimming platform is 80.59 m<sup>2</sup> for the surface of the *lake* adjacent to Section 5, Township 22, Range 9, W6M, KDYD, shown as common property on Plan SPK46. {Totem Pole Resort}

COLUMN 1 <b>MATTER REGULATED</b>	COLUMN 2 <b>REGULATION</b>
(a) <u>Density</u> maximum number of berths or private mooring buoys:	<i>Berths</i> : 50 <i>Private mooring buoys</i> : 5

<p>(b) <u>Site Specific Density</u></p> <p>maximum number of <i>berths</i> and <i>private mooring buoys</i> where different from (a):</p>	<ul style="list-style-type: none"> <li>Notwithstanding Section 4.12.1(b), private mooring buoys are not permitted for the surface of the lake adjacent to Section 5, Township 22, Range 9, W6M, KDYD, shown as common property on Plan SPK46. {Totem Pole Resort}</li> </ul>
<p>(c) <u>Size</u></p> <p>of <i>dock</i> and <i>walkway</i>:</p>	<ul style="list-style-type: none"> <li><i>Floating</i> or <i>fixed dock</i> (including permanent or removable walkway(s)) must not exceed 125 m (410.11 ft) in length measured perpendicular to shoreline.</li> <li><i>Floating</i> or <i>fixed dock</i> surface must not exceed 3 m (9.84 ft) in width for any portion of the dock.</li> <li>Notwithstanding Section 4.12.2(b), the commercial dock must not exceed 3.15 m in width for any portion of the dock for the surface of the lake adjacent to Section 5, Township 22, Range 9, W6M, KDYD shown as common property on Plan SPK46. {Totem Pole Resort}</li> </ul>
<p>(d) <u>Location and Siting</u></p> <p>of <i>dock</i>, <i>private mooring buoys</i> or <i>boat lifts</i>:</p>	<p>The minimum setback of a <i>floating</i> or <i>fixed dock</i>, <i>private mooring buoy</i> or <i>boat lift</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>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>



## COLUMBIA SHUSWAP REGIONAL DISTRICT

P.O. Box 978 SALMON ARM, BC V1E 4P1

Telephone: 1-250-832-8194 Fax: 1-250-832-3375

Staff Contact: Erica Hartling

[ehartling@csrd.bc.ca](mailto:ehartling@csrd.bc.ca)

FILE: BL 900-20

PL20170000112

DATE: March 27, 2019

## RESPONSE SUMMARY

☐ Approval Recommended for Reasons Outlined Below

☐ Interests Unaffected by Bylaw.

☒ Approval Recommended Subject to Conditions Below.

☐ Approval not Recommended Due To Reasons Outlined Below.

☐ No Objections

Regarding referral BL 900-20 to amend the FM2 – Foreshore Multifamily 2, site specific density (Totem Pole Resort) from a maximum of 25 private mooring buoys to 35 private mooring buoys, allowing the resort an additional 10 private mooring buoys, for the area legally described as Unsurveyed Crown foreshore being part of the bed of Shuswap Lake and fronting that part of Sec 5, TWP 22, R8, W6M, KDYD, shown as Common Property on Strata Plan K46, according to Provincial records, there are no known archaeological sites recorded in the area.

Archaeological potential mapping for the area indicates that there is high potential for unknown/unrecorded archaeological deposits in the foreshore and mooring areas. 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.

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.

Prior to any land alterations, an eligible consulting archaeologist should be contacted to review the proposed activities and, where warranted, conduct a visual survey and/or detailed study of the area to determine whether the work may impact protected archaeological materials.

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 ([www.bcapa.ca](http://www.bcapa.ca)) or through local directories.

If the archaeologist determines that development activities will not impact any archaeological deposits, then a permit is not required.

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.

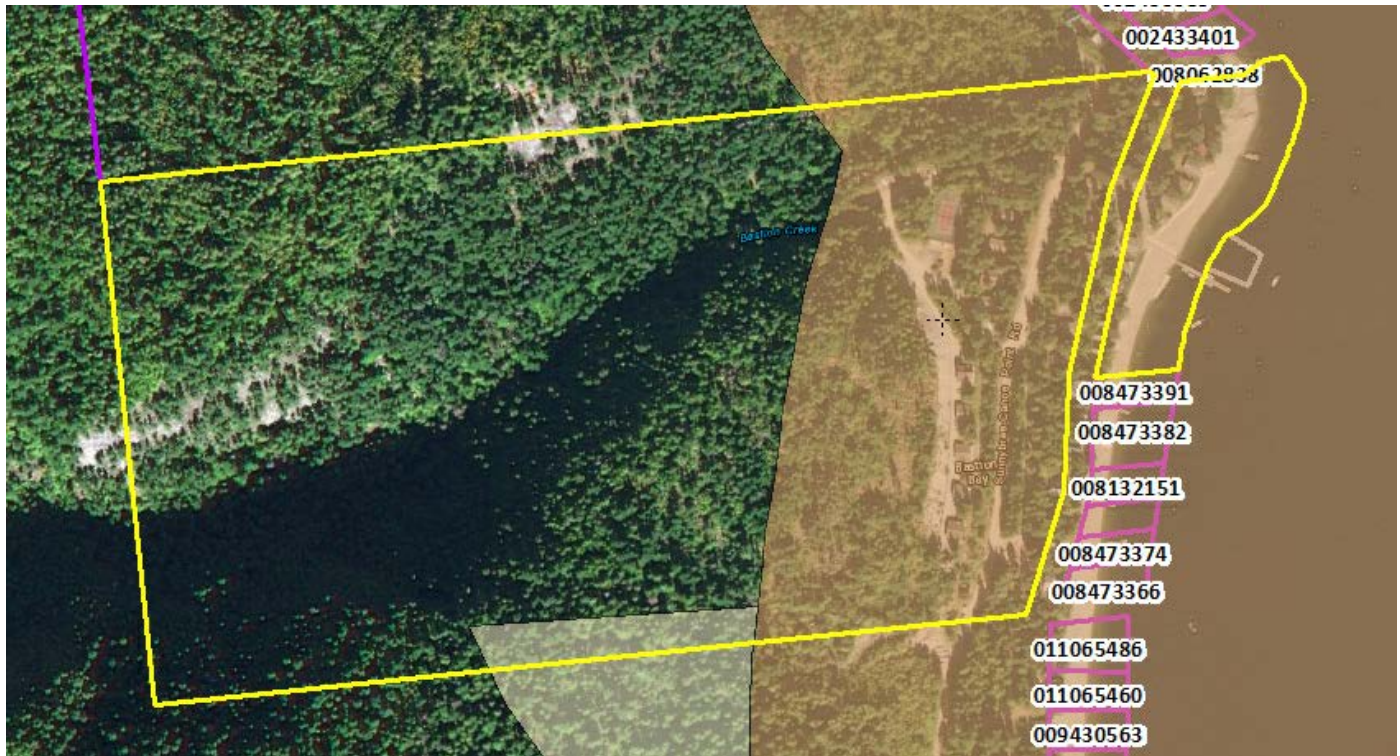
Please review the screenshot of the resort land and foreshore area below (outlined in yellow). If this does not represent the property listed in the referral, please contact me.

Please let me know if you have any questions regarding this information.

Kind regards,

Diana

The brown/orange areas indicate high potential for unknown/unrecorded archaeological deposits, and the beige areas indicate moderate potential.



*Diana Cooper*

Signed By: \_\_\_\_\_

Date: 28 March, 2019

Title: Arch Site Inventory Info and Data Admin

Agency: Archaeology Branch



## Adams Lake Indian Band

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**Project Name:**

BL900-20

**Consulting Org Contact:**

Marianne Mertens

**Consulting Organization:**

[Columbia Shuswap Regional District](#)

**Date Received:**

Wednesday, March 27, 2019

The Adams Lake Indian Band has concerns with BL900-20. Through a preliminary analysis we have identified some concerns which include:

Review: TU Impact Review

Hunting, Fishing , gathering, water transportation, pictographs

We reiterate that Adams Lake holds constitutionally protected Aboriginal rights including title throughout the entirety of its traditional territory. 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 which are practiced in accordance with Secwepemc customs, laws and governance structures.

Therefore we require that you ensure that the identified nearby and overlapping hunting, Fishing , gathering, water transportation and pictographs are not harmed or hindered in his application.

Regards,

Dave Nordquist, RPF  
Title and Rights Coordinator  
Adams Lake Indian Band

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**Source URL:**

<https://alib.knowledgekeeper.ca/consultation/columbia-shuswap-regional-district/projects/36667/review/email-response-bl900-20>




**COLUMBIA SHUSWAP REGIONAL DISTRICT**

P.O. Box 978 SALMON ARM, BC V1E 4P1

Telephone: 1-250-832-8194 Fax: 1-250-832-3375

**Staff Contact: Erica Hartling**
[ehartling@csrd.bc.ca](mailto:ehartling@csrd.bc.ca)

FILE: BL 900-20

DATE: March 27, 2019

PL20170000112

CSRD received date:  
April 11, 2019

## RESPONSE SUMMARY

☐ Approval Recommended for Reasons Outlined Below

☒ Approval Recommended Subject to Conditions Below.

☐ No Objections

☐ Interests Unaffected by Bylaw.

☐ Approval not Recommended Due To Reasons Outlined Below.

Dear Erica Hartling,

The Ministry of Forests, Lands, Natural Resources, and Rural Development have reviewed the above noted referral to increase the number of mooring buoys from 25 to 35 at 7429 Sunnybrae-Canoe Point Road in Bastion Bay.

Our Ministry is not opposed to increasing the number of buoys; however, the resort has a total of 34 strata lots and 35 mooring buoys are being requested. We recommend only allowing one buoy per strata lot as permitting more than one per strata lot would set a precedent that other such developments might take advantage of. Therefore, we recommend only allowing a total of 34 buoys or one per strata lot.

Regards,

Tim O'Rourke, RPF

Signed By: Tim O'Rourke

Title Senior Land Officer

Date: April 11, 2019 Agency: Ministry of Forests, Lands, Natural Resource Operations and Rural Development





## COLUMBIA SHUSWAP REGIONAL DISTRICT

### NOTES ON THE MEETING

#### Electoral Area 'C' Advisory Planning Commission

**DATE:** Monday, April 29, 2019  
**TIME:** 7:00pm  
**PLACE:** Upper Level  
 Cedar Centre  
 2316 Lakeview Drive  
 Blind Bay BC V0E 2W2

#### Members Present:

Simon Brown	Vice-Chair	Cal Cosh	Secretary
Ted Vlooswyk	Member	Millie Barron	Member
Glenn Johanson	Member	Alan Cook	Member

#### Members Absent:

Steve Wills	Chair	Brian Morris	Member
Reg Walters	Member		

Applicants / agents in attendance: Heather O'Brien

#### **AGENDA:**

Welcome to the final meeting of the 2015 – 2019 APC-C term

Call to order at 7pm

The agenda as circulated was accepted and a decision made to hear item 4 first as the applicant was in attendance. Reporting has followed the agenda outline as circulated.

#### **1. Electoral Area C Development Variance Permit No. 701-86**

**Civic Address:** 25, 6421 Eagle Bay Road

#### **Legal Description:**

Strata Lot 25, Section 18, Township 23, Range 8, West of the 6<sup>th</sup> Meridian, Kamloops Division Yale District, Strata Plan KAS1797, together with an interest in the common property in proportion to the unit entitlement of the strata lot as shown on form 1 (PID: 023-518-448)

**Owner:** Case Holdings Ltd. and David Poggemoeller

**Agent:** Darrell Axani c/o Eagle Enterprises

**Short Summary:**

The subject property is located at 25 - 6421 Eagle Bay Road in Wild Rose Bay of Electoral Area C. The lot is currently vacant and the owners are proposing to construct retaining walls along the steep slopes of the property's upper and lower panhandle to allow driveway access to the future building site. The proposed retaining walls are located within the side parcel line setbacks and require a variance to the South Shuswap Zoning Bylaw No. 701 from 2 m to 0 m for the side parcel boundaries, prior to other approvals and to construction.

**Discussion:**

The owners are proposing retaining walls on either side of this panhandle access to the main body of the site. The Commission noted these retaining walls are of a significant height and would require some attention to safety as well.

Access to this site is very limited and the proposal maximizes the driveway width – The Commission was supportive – however;

- Wanted to know that a special effort would be made to contact the owners of lot 24.
- The strata council was supportive of the specific plan
- And that engineering and related studies were all followed

*Moved/Second* Cosh / Barron

To support the application with the noted concerns attended to.

*Carried* unanimously

## 2. Electoral Area C: Lakes Zoning Amendment (Totem Pole Resort) Bylaw No. 900-20

**Civic Address:** 7429 Sunnybrae-Canoe Point Road, Tappen BC

**Legal Description:**

Unsurveyed Crown foreshore being part of the bed of Shuswap Lake and fronting that part of Section 5, Township 22, Range 8, West of the 6<sup>th</sup> Meridian, Kamloops Division Yale District, shown as Common Property on Strata Plan K46

**Owner:** Owners Strata Plan KAS46 (Totem Pole Resort)

**Applicant:** Ken Hansen co/ Totem Pole Resort

**Agent:** Jenn Piekarczyk, Okanagan Strata Property Manager co/ Pacific Quorum Properties

**Short Summary:**

The subject area is the foreshore adjacent to Totem Pole Resort, located at 7429 Sunnybrae-Canoe Point Road in the Bastion Bay area of Electoral Area C. Totem Pole Resort is currently permitted 25 private mooring buoys in the FM2 - Foreshore Multi-Family 2 site specific zone of Lakes Zoning Bylaw No. 900. The applicant has applied to amend the FM2 site specific zone to

The strata council and strat building scheme should be considered and if supportive that should also add to the project support.

*Moved/Second:* Cosh / Cook

To support the application as outlined

*Carried:* unanimously

#### **4. Electoral Area C Agricultural Land Commission LC2564C**

**Civic Address:** 2149, 2165 and 2181 Wuori Road

**Legal Description:**

The North West ¼, Section 4, Township 22, Range 10, West of the 6th Meridian, Kamloops Division Yale District, except the south east 10 acres and Plans H716, H9970 and KAP66486.

**Owner:** Geoffrey and Heather O'Brien

**Short Summary:**

The subject property is located at 2149, 2165, and 2181 Wuori Road in the Carlin area of Electoral Area C. The property owners are applying to the ALC for non-farm use in the ALR for a third residence to be used as the primary dwelling. There are currently four single family dwellings on the property. Three of the dwellings predate the ALC and are the original farmhouses. The fourth dwelling was constructed in 2018 to replace the older primary dwelling. The property owners have noted that the older primary dwelling will be removed from the property this spring (2019).

**Discussion:**

The applicants are applying to the ALC for non farm use of the two older homes – presently rented. a We noted this is a small but working Dairy Farm and the older homes pre date the ALC regulations. The new home for the owners is also a matter of this non farm use application. With the age of the operation and the on going efforts to conform we felt this application should get all the support possible.

*Moved/Second:* Cook / Brown

To strongly support the application to the ALC.

*Carried:* Unanimously

Adjourned the final meeting of the 2016 to 2019 Commission. At 8pm.

permit a total density of 35 private mooring buoys, allowing the resort an additional 10 private mooring buoys.

The existing 25 private mooring buoys in the FM2 zone are currently owned by 24 strata lots, as historically one strata lot has owned 2 private mooring buoys. The resort has a total of 34 strata lots and the additional 10 private mooring buoys would permit each strata lot one private mooring buoy.

**Discussion:**

The Totem development is a long way out Sunnybrae Road and the shape / size of the holding and the remote location limits the number of neighbors in close proximity. We noted the intent to improve the distribution of the buoys and improvements for the safety of all.

The Commission wanted to see an expansion beyond the standard 100 boundary for the identification of neighbours to get notices and would prefer to see these expanded to include a more reasonable number of the waterfront owners in the area in this instance.

*Moved/Second:* Johanson / Vlooswyk

To support the application as outlined.

*Carried:* unanimously

**3. Electoral Area C Development Variance Permit No. 701-91**

**Civic Address:** 56-6421 Eagle Bay Road

**Legal Description:**

Strata Lot 56, Section 18, Township 23, Range 8, West of the 6th Meridian, Kamloops Division Yale District, Strata Plan KAS1797, together with an interest in the common property in proportion to the unit entitlement of the strata lot as shown on Form 1.

**Owner:** Sheldon Wiebe

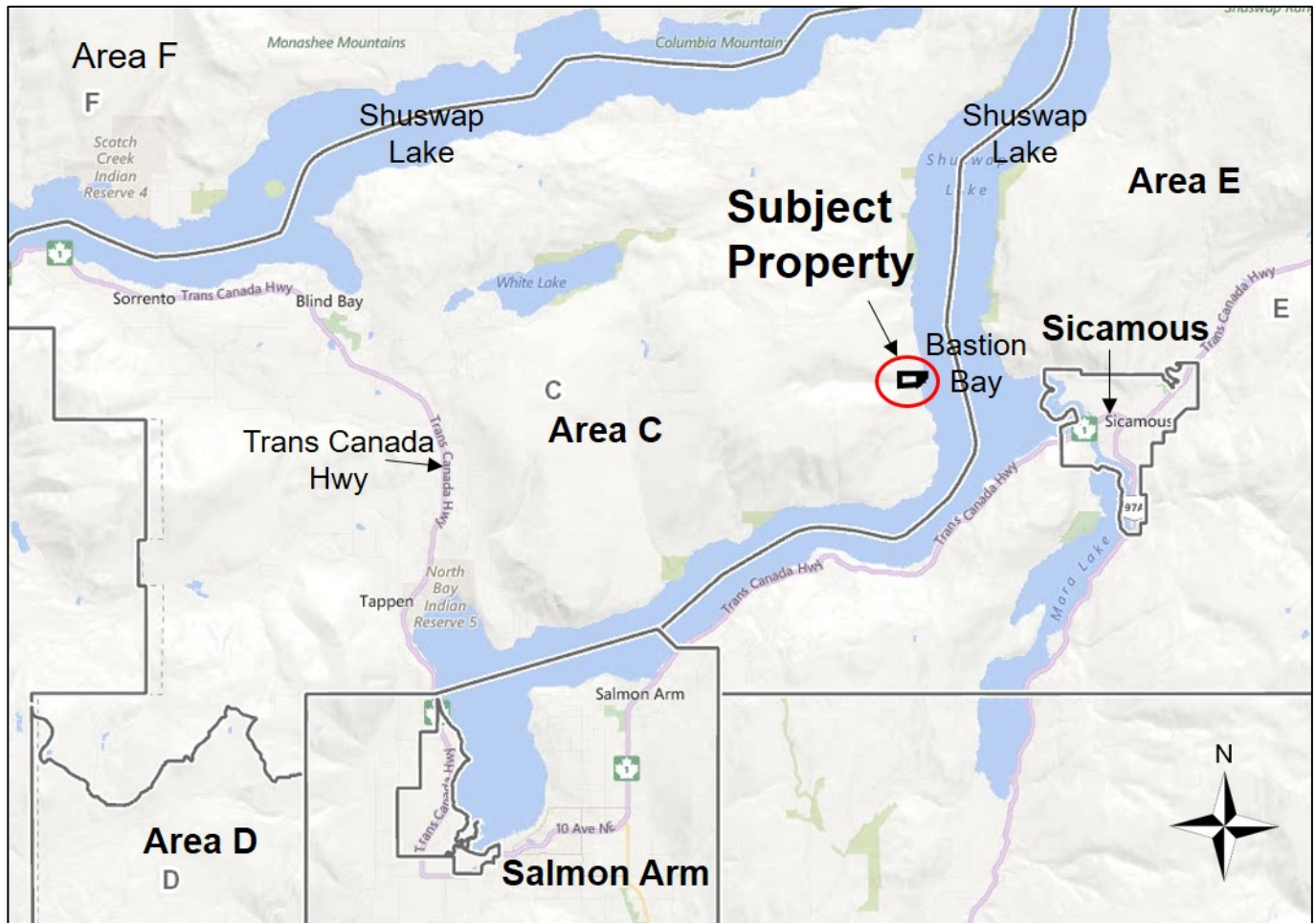
**Short Summary:**

The subject property is located at 56-6421 Eagle Bay Road in Wild Rose Bay of Electoral Area C. The property owner is proposing to construct a covered outdoor kitchen and seating area, which will be attached to the existing single family dwelling. The proposed addition requires a variance to the rear parcel line setback in the South Shuswap Zoning Bylaw No. 701, prior to other approvals and to construction.

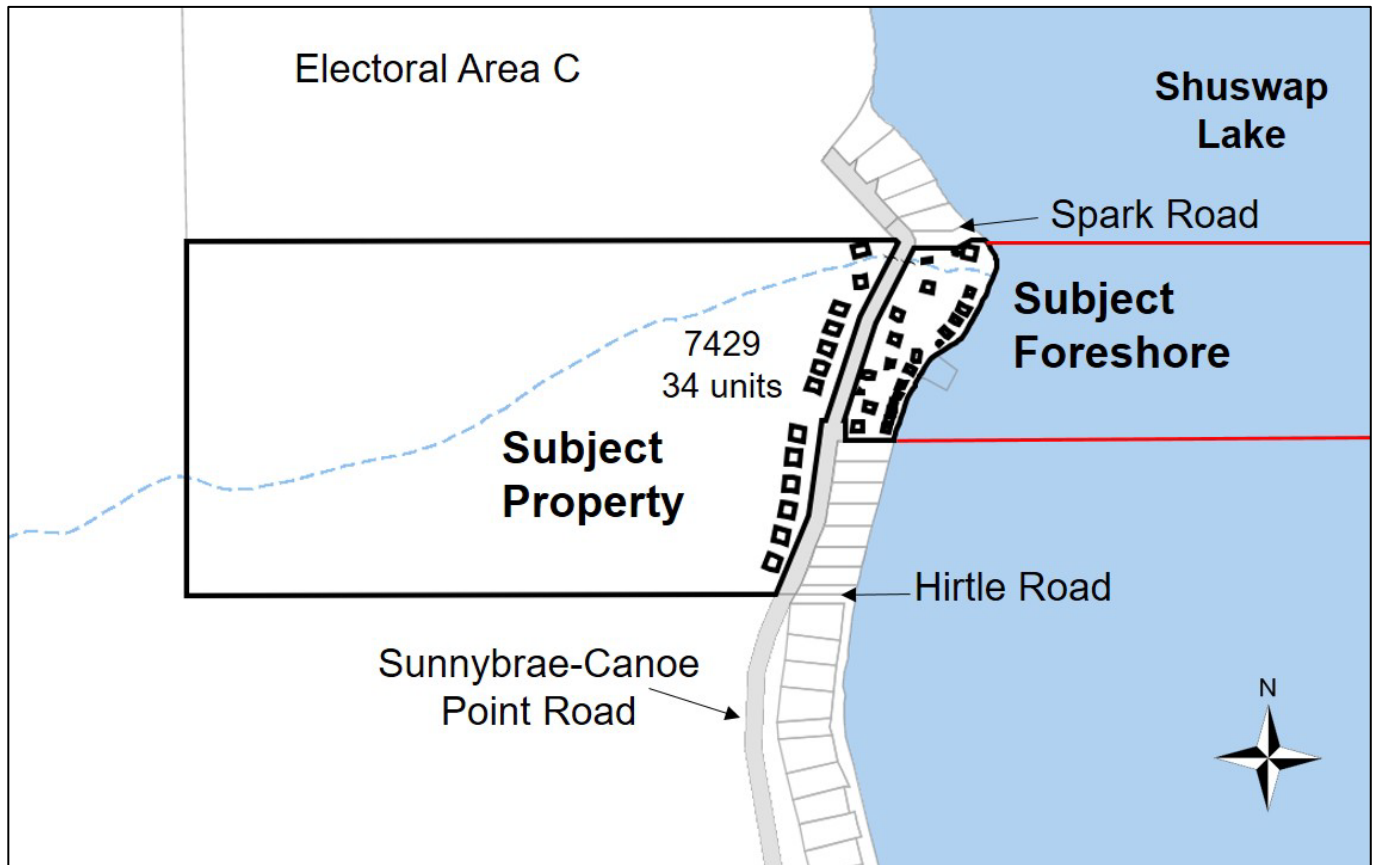
**Discussion:**

The Commission recognizes the small sites in the area and the lack of another neighbour behind this property – we did note the site backs on park land and felt the Parks Commission comments should be examined.

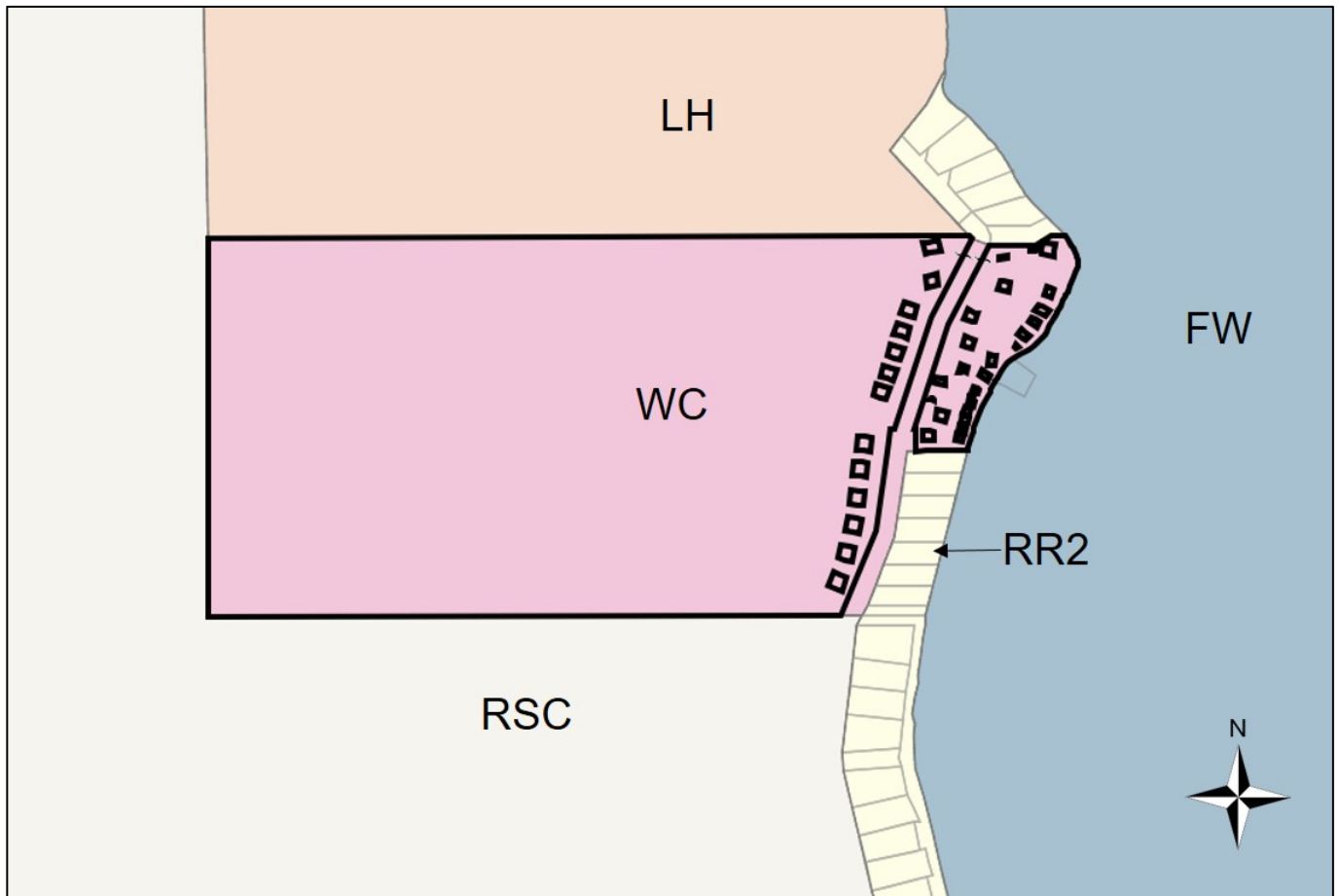
## Location



## Location

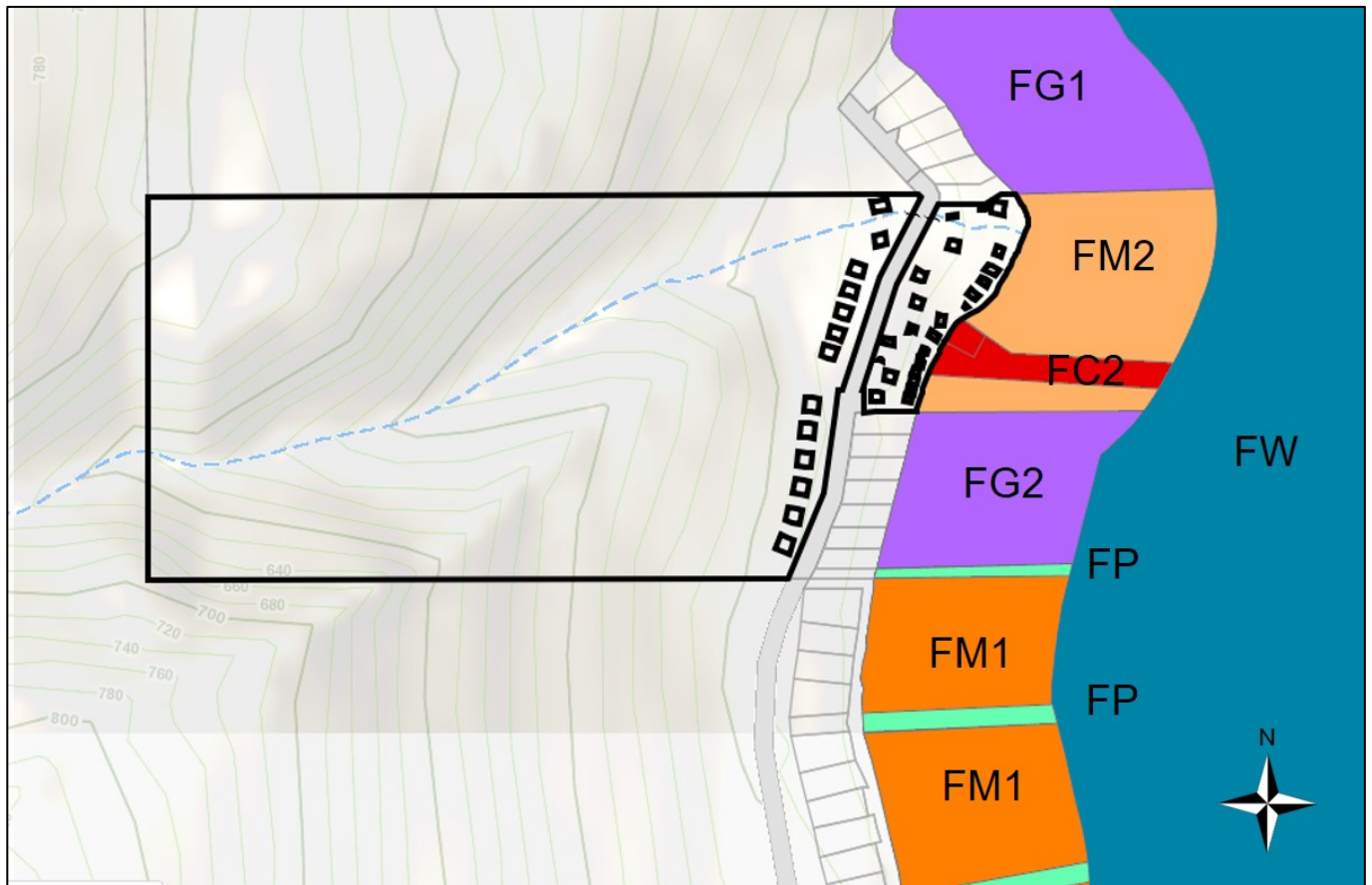


## Official Community Plan Bylaw No. 725

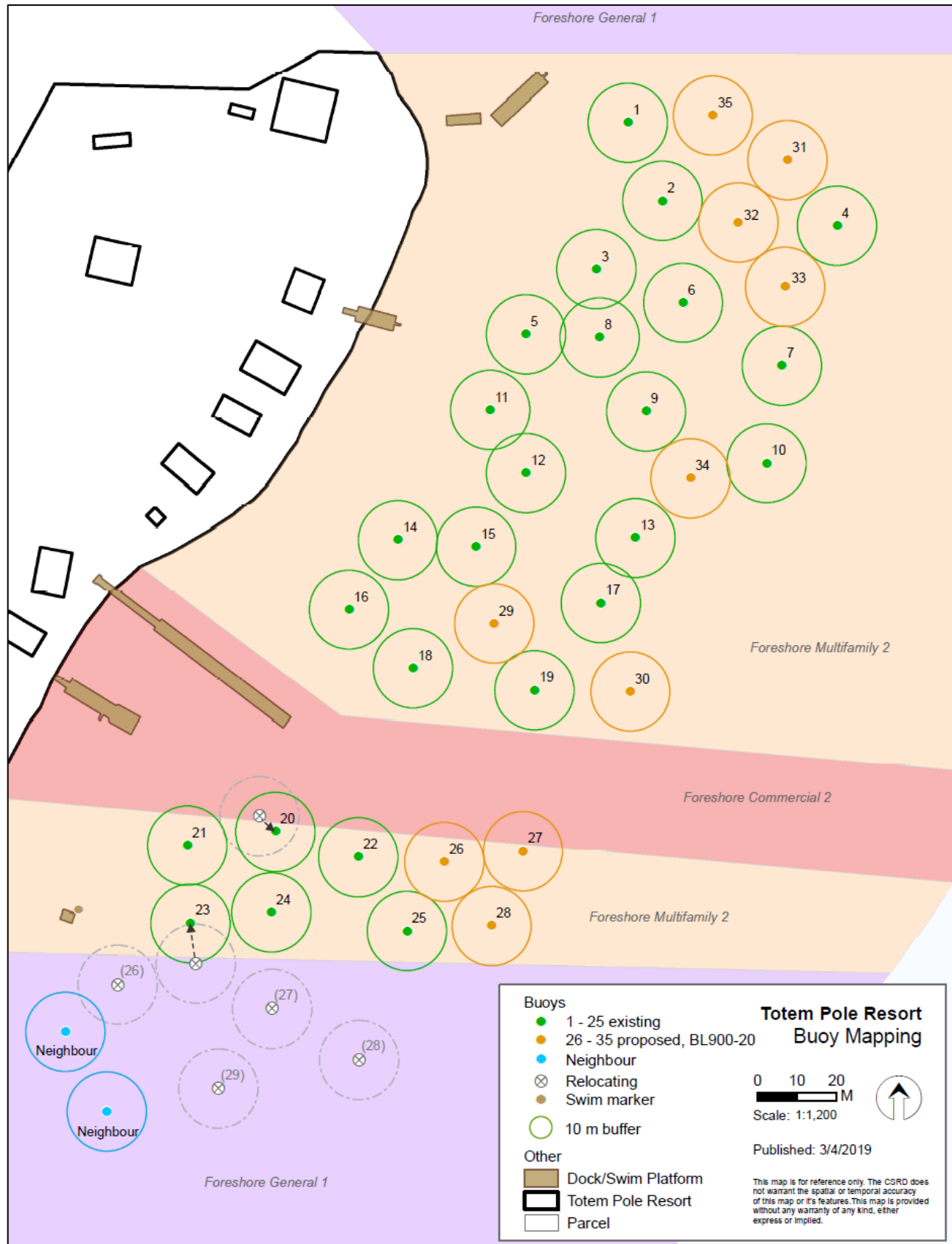




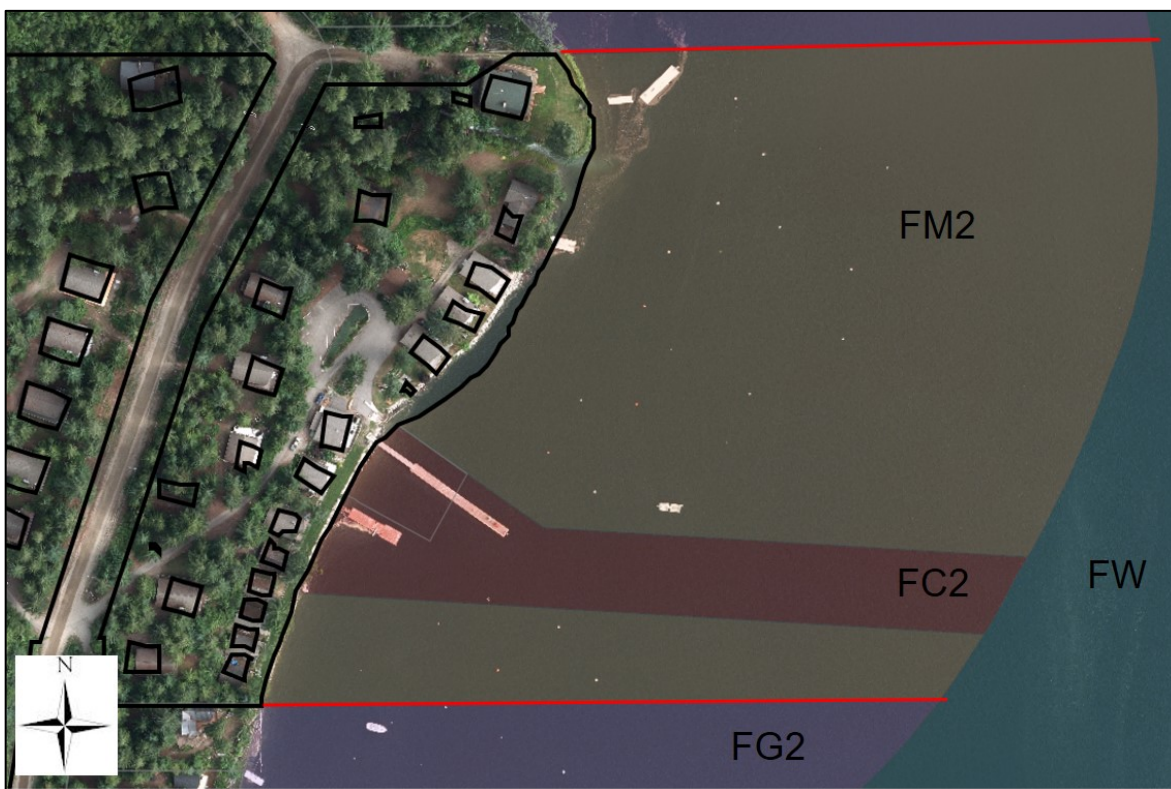
## Lakes Zoning Bylaw No. 900



# Site Plan



2018 Orthophoto



2013 Orthophoto





# BOARD REPORT

**TO:** Chair and Directors

**File No:** BL2558  
PL20160145

**SUBJECT:** Electoral Area D: Salmon Valley Land Use Amendment (674816 BC Ltd.) Bylaw No. 2558

**DESCRIPTION:** Report from Candice Benner, Planner II, dated May 1, 2019.  
Highway 97, Falkland

**RECOMMENDATION #1:** THAT: "Salmon Valley Land Use Amendment (674816 BC Ltd.) Bylaw No. 2558 be read a third time, as amended this 16<sup>th</sup> day of May, 2019.

## SHORT SUMMARY:

The applicant would like to redesignate and rezone a portion of the subject property located in Falkland on Highway 97 from C Commercial to RS Residential; the objective being to subdivide the subject property into 4 lots; 2 residential and 2 commercial. The applicant also wants a special regulation for one of the commercial lots to permit outdoor storage of vehicles, recreation vehicles (RVs), boats, and trailers, and sea can storage.

A public hearing was held on April 25, 2019 to hear representations from the public regarding the bylaw amendment. It is now appropriate for the Board to consider public input submitted and to consider the bylaw for third reading, as amended, the proposed amendment reflecting a requirement for screening the road frontages and limiting sea can height to not more than 2.4 m and not being stacked.

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<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"/>
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## BACKGROUND:

See "2017-08-17\_Board\_DS\_BL2558\_674816BCLTD.pdf",  
"2017-11-16\_Board\_DS\_BL2558\_674816BCLtd.pdf", and  
"2019-03-21\_Board\_DS\_BL2558\_674816BCLtd.pdf" attached.

## POLICY:

See "2017-08-17\_Board\_DS\_BL2558\_674816BCLTD.pdf",  
"2017-11-16\_Board\_DS\_BL2558\_674816BCLtd.pdf", and  
"2019-03-21\_Board\_DS\_BL2558\_674816BCLtd.pdf" attached.

## FINANCIAL:

There are no financial implications to the CSR D with regard to this application.

## KEY ISSUES/CONCEPTS:

See "2017-08-17\_Board\_DS\_BL2558\_674816BCLTD.pdf",  
"2017-11-16\_Board\_DS\_BL2558\_674816BCLtd.pdf", and



"2019-03-21\_Board\_DS\_BL2558\_674816BCLtd.pdf" attached.

Screening at least 1.8 m in height is required between residential and commercial properties in Bylaw No. 2500. Prior to second reading, as amended, the applicant offered to screen the proposed Remainder lot abutting Wetaskiwin Road and Highway 97 frontages in order to limit sighting of the outdoor storage and sea can uses on the property. The owner has indicated that the screening will consist of installing privacy slats in a chain link fence that will border the external parcel lines of the property as well as the north parcel line that abuts the residential properties. At the public hearing, the applicant also indicated that he will not stack the sea cans; they will not be more than 8 ft/2.4 m high. The applicant also offered to grade the property away from the fence line to make the uses less noticeable from the highway. However, this offer cannot be a bylaw requirement.

Staff are recommending the Board consider an amendment to Bylaw No. 2558 in regards to the requirement for screening the road frontages and limiting sea can height to not more than 2.4 m and not being stacked, as follows:

"In addition to the permitted uses listed in Subsection 2.10.1 and 2.10.3, the principal use on the Remainder, Section 3, Township 18, Range 12, West of the 6<sup>th</sup> Meridian, Kamloops Division Yale District, EPP89262, which part is more particularly shown hatched on Map 2, shall include "outdoor motor vehicle, boat, and trailer storage area" and sea can storage. Sea cans will not be stacked and will not be more than 2.4 m high. In addition to the screening requirements in Section 2.2.14.1, the owner(s) of the parcel shall also provide screening along the Wetaskawin Road and Highway 97 frontages at the time of development of the parcel and shall be constructed, erected, installed, or planted prior to the use of the parcel for the above note uses, and will be maintained by the registered owner(s) of the property. "

#### **SUMMARY:**

Staff are recommending that the Board consider the public input submitted and consider the bylaw for third reading, as amended.

#### **IMPLEMENTATION:**

See "2017-08-17\_Board\_DS\_BL2558\_674816BCLTD.pdf", "2017-11-16\_Board\_DS\_BL2558\_674816BCLtd.pdf", and "2019-03-21\_Board\_DS\_BL2558\_674816BCLtd.pdf" attached.

As the subject area is located within 800 m of a controlled access highway, statutory approval from the Ministry of Transportation and Infrastructure (MOTI) is required prior to adoption of the bylaw. In their referral comments, MOTI indicated that they will be giving statutory approval of this amending bylaw after third reading. If the Board supports third reading, as amended of the bylaw, staff will submit the Bylaw No. 2558 to MOTI requesting statutory approval before coming back to the Board for adoption.

#### **COMMUNICATIONS:**

See Public\_Hearing\_Notes\_2019-04-25\_BL2558.pdf" and Public\_submissions\_BL2558.pdf" attached.

Staff advertised the public hearing in the Vernon Morning Star on April 17 and 19, 2019. The public hearing was held on April 25, 2019 at the Falkland Seniors Centre and was attended by Development Services staff, Director Talbot, and 13 members of the public, including the applicant, Bip Thind.

Two written submissions were received at the public hearing with a total of 18 submissions received in total.

Out of the submissions received, one submission was from the applicant while the rest of the submissions were in opposition to the application. Several members of the public spoke against the application at the public hearing. The majority of concerns expressed via submissions and at the public hearing include outdoor storage and sea cans being unsightly, especially aesthetically as an entrance point to Falkland, lowering neighbouring residential property values, need for residential properties (not commercial) in Falkland, and concern for increased traffic onto Highway 97.

Screening of the commercial property and restricting the permitted height of the sea cans helps to address aesthetic concerns. The amendment proposes to rezone a portion of the currently zoned commercial property to residential which addresses the public's comments about the community needing more residential properties. Highway traffic is within Ministry of Transportation jurisdiction and in their referral comments they have indicated that they will give statutory approval of this bylaw amendment.

**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. Salmon Valley Land Use Bylaw No. 2500

**Report Approval Details**

Document Title:	2019-05-16_Board_DS_BL2558_674816BCLtd.docx
Attachments:	<ul style="list-style-type: none"> <li>- BL2558_third_as_amended.pdf</li> <li>- 2019-03-21_Board_DS_BL2558_674816BCLtd.pdf</li> <li>- BL2558_second_reading_as_amended.pdf</li> <li>- 2017-11-16_Board_DS_BL2558_674816BCLtd.pdf</li> <li>- BL2558_second_reading.pdf</li> <li>- 2017-08-17_Board_DS_BL2558_674816BCLTD.pdf</li> <li>- BL2558_first_reading.pdf</li> <li>- Public_hearing_notes_2019-04-25_BL2558.pdf</li> <li>- Public_submissions_BL2558.pdf</li> <li>- Agency_referral_responses_BL2558.pdf</li> <li>- Septic_map_2018-01-19_BL2558.pdf</li> <li>- Maps_Plans_BL2558.pdf</li> </ul>
Final Approval Date:	May 6, 2019

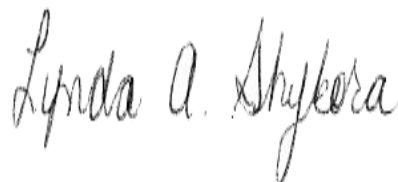
This report and all of its attachments were approved and signed as outlined below:



**Corey Paiement - May 3, 2019 - 12:40 PM**



**Gerald Christie - May 3, 2019 - 12:51 PM**



**Lynda Shykora - May 6, 2019 - 2:11 PM**



A handwritten signature in black ink, appearing to read "C. Hamilton". The signature is stylized with a large initial "C" and a long, sweeping horizontal stroke at the end.

**Charles Hamilton - May 6, 2019 - 2:18 PM**

COLUMBIA SHUSWAP REGIONAL DISTRICT

SALMON VALLEY LAND USE AMENDMENT (674816 BC LTD.) BYLAW NO. 2558

A bylaw to amend the "Salmon Valley Land Use Bylaw No. 2500"

WHEREAS the Board of the Columbia Shuswap Regional District adopted Bylaw No. 2500;

AND WHEREAS the Board deems it appropriate to amend Bylaw No. 2500;

NOW THEREFORE the Board of the Columbia Shuswap Regional District, in open meeting assembled, HEREBY ENACTS as follows:

1. "Salmon Valley Land Use Bylaw No. 2500" is hereby amended as follows:

A. TEXT AMENDMENT

i) Part II Land Use Regulations, Section 2.10 is hereby amended as follows:

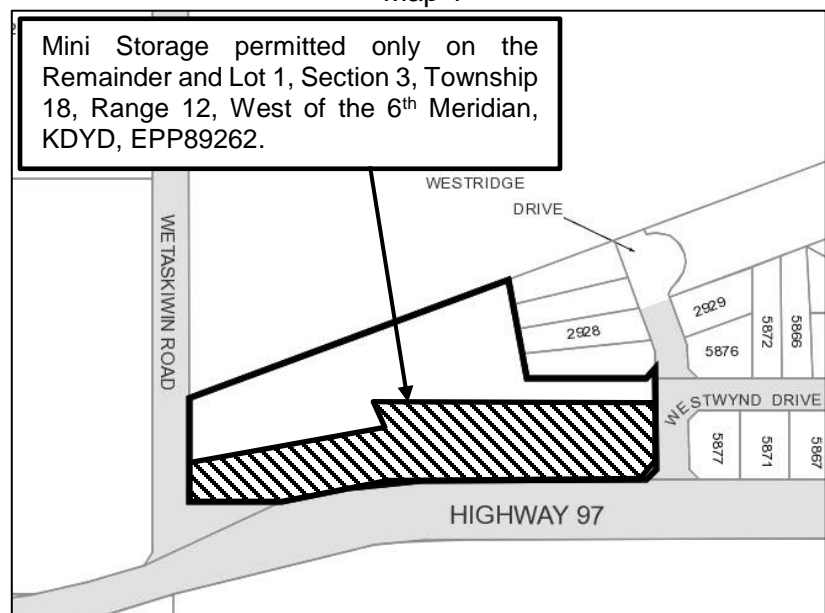
a) by removing Subsection 2.10.3 in its entirety and replacing it as follows:

"Special Regulation

2.10.3 In this subsection, lands are described by legal description and by map, and in the event of any discrepancy between the legal description of the lands and the map, the map governs.

a) In addition to the permitted uses listed in Subsection 2.10.1, the principal uses on the Remainder and Lot 1, Section 3, Township 18, Range 12, West of the 6<sup>th</sup> Meridian, Kamloops Division Yale District, EPP89262, which part is more particularly shown hatched on Map 1, shall include "mini storage".

Map 1

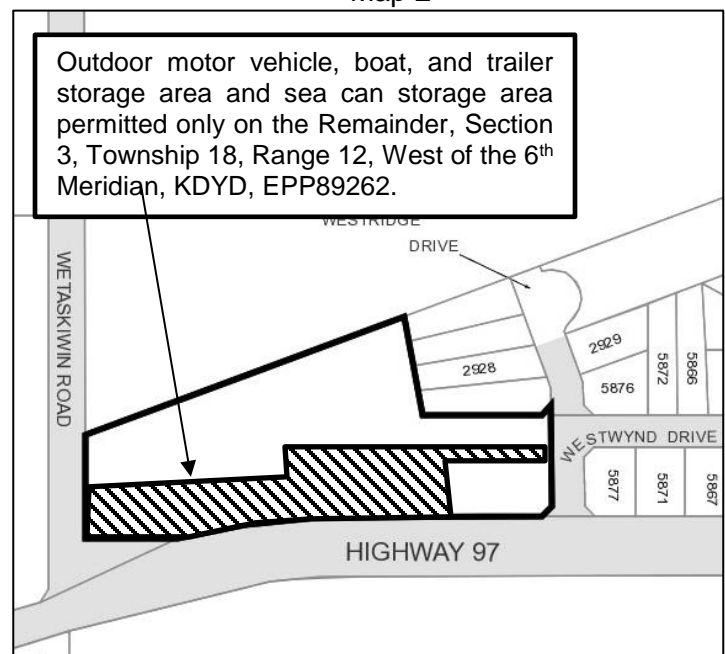


- b) by adding Subsection 2.10.4 as follows:

"2.10.4 in this subsection, lands are described by legal description and by map, and in the event of any discrepancy between the legal description of the lands and the map, the map governs.

- a) In addition to the permitted uses listed in Subsection 2.10.1 and 2.10.3, the principal use on the Remainder, Section 3, Township 18, Range 12, West of the 6<sup>th</sup> Meridian, Kamloops Division Yale District, EPP89262, which part is more particularly shown hatched on Map 2, shall include "outdoor motor vehicle, boat, and trailer storage area" and sea can storage. Sea cans shall not be stacked and shall not be more than 2.4 m high. In addition to the screening requirements in Section 2.2.14.1, the owner(s) of the parcel shall also provide screening along the Wetaskawin Road and Highway 97 frontages at the time of development of the parcel and shall be constructed, erected, installed, or planted prior to the use of the parcel for the above note uses, and will be maintained by the registered owner(s) of the property.

Map 2



- c) Part III Interpretation and Administration, subsection 3.1.1 is hereby amended by adding the following definition after the definition of "organic matter composting facility":

"'outdoor motor vehicle, boat, and trailer storage area' means the parking of motor vehicles, recreational vehicles, boats, and trailers including boat, utility, horse, flatbed, and camper, but does not include wrecking yard, salvage operation, or junk yard."

**B. MAP AMENDMENT**

- i) Schedule A, the OCP Designation Maps, which form part of the "Salmon Valley Land Use Bylaw No. 2500", as amended, is hereby further amended by:
  - a. redesignating Lots 2 and 3, Section 3, Township 18, Range 12, West of the 6th Meridian, KDYD EPP89262, which part is more particularly shown hatched on Schedule 1 attached hereto and forming part of this bylaw from C – Commercial to RS – Single and Two Family Residential.
- ii) Schedule C, Land Use Zoning Maps, which form part of the "Salmon Valley Land Use Bylaw No. 2500", as amended, is hereby further amended by:
  - a. rezoning Lots 2 and 3, Section 3, Township 18, Range 12, West of the 6th Meridian, KDYD EPP89262, which part is more particularly shown hatched on Schedule 2 attached hereto and forming part of this bylaw from C – Commercial to RS – Single and Two Family Residential.

2. This bylaw may be cited as "Salmon Valley Land Use Amendment (674816 BC LTD.) Bylaw No. 2558."

READ a first time this 17<sup>th</sup> day of August, 2017.

READ a second time this 16<sup>th</sup> day of November, 2017.

PUBLIC HEARING held this 23<sup>rd</sup> day of January, 2018.

READ a second time, as amended, this 16<sup>th</sup> day of April, 2019.

PUBLIC HEARING held this 25<sup>th</sup> day of April, 2019.

READ a third time, as amended this \_\_\_\_\_ day of \_\_\_\_\_, 2019.

RECEIVED approval from the Ministry of Transportation and Infrastructure this \_\_\_\_\_ day of \_\_\_\_\_, 2018.

ADOPTED this \_\_\_\_\_ day of \_\_\_\_\_, 2019.

\_\_\_\_\_  
CORPORATE OFFICER

\_\_\_\_\_  
CHAIR

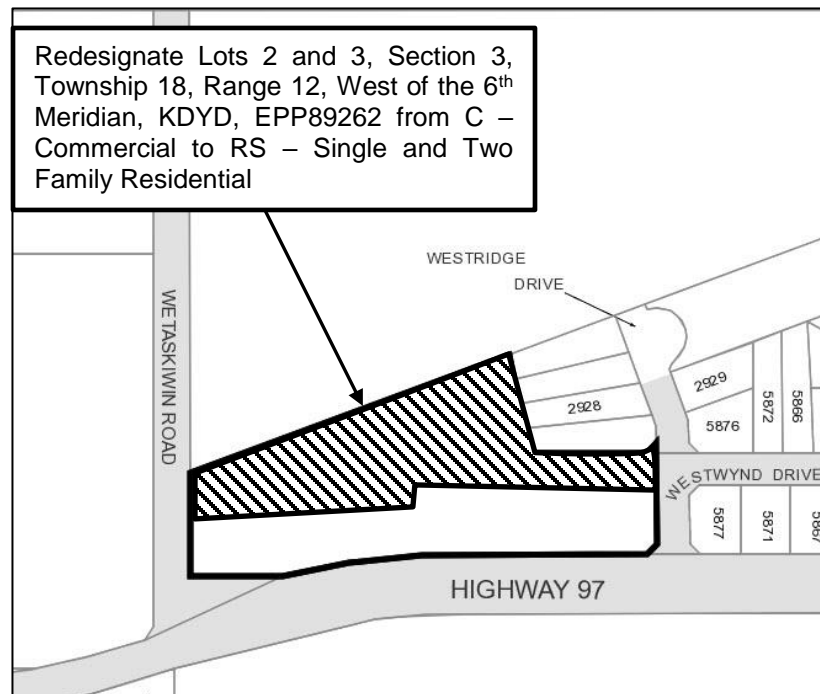
Certified true copy of Bylaw No. 2558  
as read a third time.

Certified true copy of Bylaw No. 2558  
as adopted.

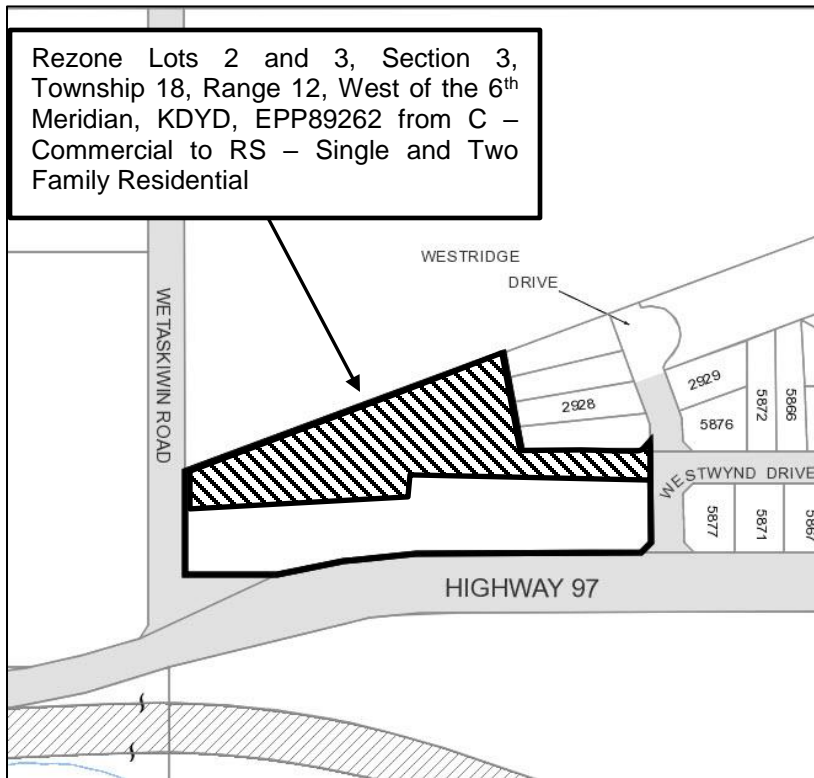
\_\_\_\_\_  
Corporate Officer

\_\_\_\_\_  
Corporate Officer

Schedule 1  
OCP Designation Maps Amendment  
Salmon Valley Land Use Amendment (674816 BC Ltd.)  
Bylaw No. 2558



Schedule 2  
Land Use Zoning Maps Amendment  
Salmon Valley Land Use Amendment (674816 BC Ltd.)  
Bylaw No. 2558







# BOARD REPORT

**TO:**

Chair and Directors

<b>File No:</b> BL2558 PL20160145
--------------------------------------

**SUBJECT:**

Electoral Area D: Salmon Valley Land Use Amendment (674816 BC LTD.) Bylaw No. 2558

**DESCRIPTION:**

 Report from Candice Benner, Development Services Assistant, dated February 28, 2019.  
 Highway 97, Falkland

**RECOMMENDATION #1:** THAT: "Salmon Valley Land Use Amendment (674816 BC LTD.) Bylaw No. 2558" be read a second time, as amended, this 21<sup>st</sup> day of March, 2019.

**RECOMMENDATION #2:** THAT: a public hearing to hear representations on "Salmon Valley Land Use Amendment (674816 BC LTD.) Bylaw No. 2558" be held;

AND THAT: notice of the public hearing be given by the 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 Rene Talbot, as Director of Electoral Area D being that in which the land concerned is located, or Alternate Director Joy de Vos, if Director Talbot 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 Board last reviewed and gave second reading and delegation of a public hearing to this amendment at its November 16, 2017 Board meeting. The proposal at that time was to redesignate and rezone a portion of the subject property located in Falkland on Highway 97 from C Commercial to RS Residential; the objective being to subdivide the subject property into 5 lots; 2 residential and 3 commercial. The applicant also wanted a special regulation for two of the commercial lots to permit outdoor storage of vehicles, recreation vehicles (RVs), boats, and trailers. A public hearing for that proposal was held on January 23, 2018.

Since the public hearing, the applicant has amended the subdivision layout, going from 5 lots proposed to 4 lots (2 residential, 2 commercial). The applicant is also requesting adding sea can storage to one of the proposed commercial lots. Outdoor storage as a permitted use is still being requested. As this is new information and an additional use is being proposed, this amendment must be reviewed by the Board again for second reading, as amended, and be delegated to another public hearing.

**VOTING:**Unweighted  
Corporate☐LGA Part 14  
(Unweighted)☒Weighted  
Corporate☐Stakeholder  
(Weighted)☐**BACKGROUND:**

See "2017-08-17\_Board\_DS\_BL2558\_674816BCLTD.pdf" and  
"2017-11-16\_Board\_DS\_BL2558\_674816BCLtd.pdf".

**POLICY:**

See "2017-08-17\_Board\_DS\_BL2558\_674816BCLTD.pdf" and  
"2017-11-16\_Board\_DS\_BL2558\_674816BCLtd.pdf".

**FINANCIAL:**

There are no financial implications to the CSRD with regard to this application.

**KEY ISSUES/CONCEPTS:**

See "2017-08-17\_Board\_DS\_BL2558\_674816BCLTD.pdf" and  
"2017-11-16\_Board\_DS\_BL2558\_674816BCLtd.pdf".

In their referral comments, Fortis BC indicated that a transmission pressure pipeline runs through a portion of the subject property; no buildings structures or storage of vehicles, boats, etc. is permitted on this right-of-way. This would have significantly impacted the available use of one of the proposed commercial lots and therefore the applicant decided to combine two of the proposed commercial lots into one making the parcel larger.

**Current Proposal**

The applicant has applied for subdivision to create 4 lots: 2 commercial lots adjacent to Highway 97 and 2 residential lots, on the 2.43 ha subject property. This rezoning is not required to create the 4 lots as the lots meet the minimum parcel size of 4000 m<sup>2</sup> as set out in the Commercial zone in Bylaw No. 2500; however, the bylaw amendment is required because the applicant would like to:

- add outdoor storage of vehicles, boats, and trailers, and sea can storage to the list of permitted uses in the Commercial zone for the proposed Remainder; and,
- rezone proposed lots 2 and 3 lots to RS Single and Two Family Residential for residential use.

Bylaw No. 2500 does not currently have a definition for outdoor motor vehicle, boat, and trailer storage and therefore a new definition is proposed:

"outdoor motor vehicle, boat, and trailer storage area" means the parking of motor vehicles, recreational vehicles, boats, and trailers including boat, utility, horse, flatbed, and camper, but does not include wrecking yard, salvage operation, or junk yard."

The applicant intends to have a mini-storage use on Proposed Lot 1; mini storage is a permitted use in the Commercial zone.

Screening at least 1.8 m in height is required between residential and commercial properties in Bylaw No. 2500; the applicant has offered to also screen the proposed Remainder lot abutting Wetaskiwin Road and Highway 97 frontage in order to limit sighting of the outdoor storage and sea can uses on the property. The requirement for screening the road frontages has been included in the second reading, as amended, bylaw amendment.

CSRD Operations Department –Utilities staff have indicated that a Works and Services Agreement has been signed by both parties and that connections for all proposed lots to the Falkland Community Water System is currently being completed.

#### Public Hearing

See "Public\_Hearing\_notes\_BL2558.pdf".

The public hearing for BL2558 was held on January 23, 2018 at 2 PM at the CSRD office in Salmon Arm. One member of the public, the applicant/agent, was in attendance.

Staff received one letter of concern from an adjacent landowner regarding proximity of the development and the proposed location of the septic systems to his well. In response to the letter, the applicant/agent provided this office with a map from Point One Engineering showing the proposed septic systems on Lots 4 and 5 (current proposal: Lot 2 and Remainder) being at least 57.3 m from the neighbour's property line, which meets the minimum 30 m setback for a septic system from a drinking water source/well (Sewerage System Standard Practice Manual Version 3). See "Septic\_map\_2018-01-19\_BL2558.pdf" attached.

#### SUMMARY:

The proposal is to allow outdoor vehicle, boat, and trailer storage and sea can storage on the proposed Remainder and to create 2 residential lots from the parent property. Staff is recommending second reading, as amended, and delegation of a public hearing for the following reasons:

- the residential use proposed is consistent with the land use pattern policies in Bylaw No. 2500;

- new commercial development is encouraged in Falkland along Highway 97 as stated in Bylaw No. 2500; and,
- in general, there have been no objections from other referral agencies.

**IMPLEMENTATION:**

Consultation process

As per CSRD Policy No. P-18 regarding Consultation Processes-Bylaws, staff recommended the simple consultation process. Notice of development signs were posted on the property on September 15, 2017, following first reading on August 17, 2017. As of the date of this report, one written submission has been received, see "Public\_submission\_BL2558.pdf".

**COMMUNICATIONS:**

See "Agency\_referral\_responses\_BL2558.pdf".

A second referral was not sent out as applicable agencies reviewed and provided comment on storage use in the first referral for this bylaw amendment and sea can storage use is considered a type of storage use.

**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. Salmon Valley Land Use Bylaw No. 2500

**Report Approval Details**

Document Title:	2019-03-21_Board_DS_BL2558_674816BCLtd.docx
Attachments:	<ul style="list-style-type: none"> <li>- BL2558_second_reading_as_amended.pdf</li> <li>- 2017-11-16_Board_DS_BL2558_674816BCLtd.pdf</li> <li>- BL2558_second_reading.pdf</li> <li>- 2017-08-17_Board_DS_BL2558_674816BCLTD.pdf</li> <li>- BL2558_first_reading.pdf</li> <li>- Public_Hearing_notes_2018-01-23_BL2558.pdf</li> <li>- Public_submission_BL2558.pdf</li> <li>- Agency_referral_responses_BL2558.pdf</li> <li>- Septic_map_2018-01-19_BL2558.pdf</li> <li>- Maps_Plans_Photos_BL2558.pdf</li> </ul>
Final Approval Date:	Mar 11, 2019

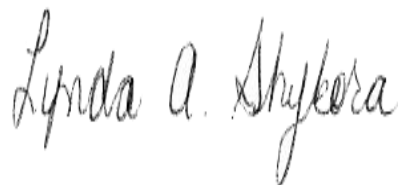
This report and all of its attachments were approved and signed as outlined below:



**Corey Paiement - Mar 11, 2019 - 1:59 PM**



**Gerald Christie - Mar 11, 2019 - 2:12 PM**



**Lynda Shykora - Mar 11, 2019 - 2:16 PM**

**No Signature - Task assigned to Charles Hamilton was completed by assistant Lynda Shykora**

**Charles Hamilton - Mar 11, 2019 - 2:17 PM**

COLUMBIA SHUSWAP REGIONAL DISTRICT

SALMON VALLEY LAND USE AMENDMENT (674816 BC LTD.) BYLAW NO. 2558

A bylaw to amend the "Salmon Valley Land Use Bylaw No. 2500"

WHEREAS the Board of the Columbia Shuswap Regional District adopted Bylaw No. 2500;

AND WHEREAS the Board deems it appropriate to amend Bylaw No. 2500;

NOW THEREFORE the Board of the Columbia Shuswap Regional District, in open meeting assembled, HEREBY ENACTS as follows:

1. "Salmon Valley Land Use Bylaw No. 2500" is hereby amended as follows:

A. TEXT AMENDMENT

i) Part II Land Use Regulations, Section 2.10 is hereby amended as follows:

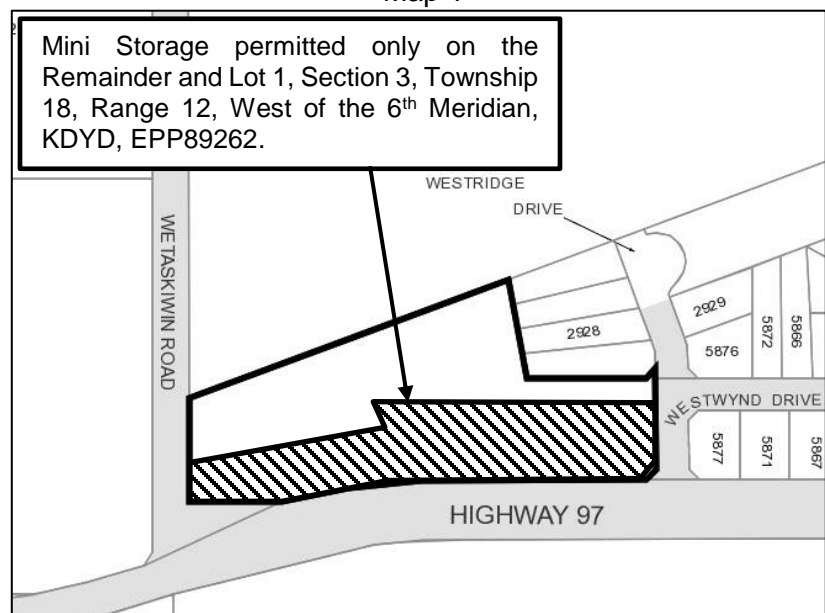
a) by removing Subsection 2.10.3 in its entirety and replacing it as follows:

"Special Regulation

2.10.3 In this subsection, lands are described by legal description and by map, and in the event of any discrepancy between the legal description of the lands and the map, the map governs.

a) In addition to the permitted uses listed in Subsection 2.10.1, the principal uses on the Remainder and Lot 1, Section 3, Township 18, Range 12, West of the 6<sup>th</sup> Meridian, Kamloops Division Yale District, EPP89262, which part is more particularly shown hatched on Map 1, shall include "mini storage".

Map 1



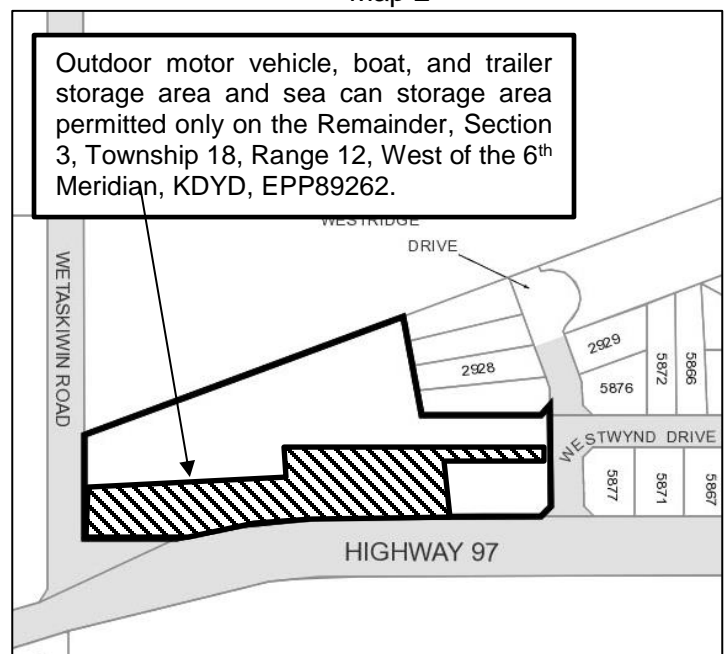


b) by adding Subsection 2.10.4 as follows:

"2.10.4 in this subsection, lands are described by legal description and by map, and in the event of any discrepancy between the legal description of the lands and the map, the map governs.

- a) In addition to the permitted uses listed in Subsection 2.10.1 and 2.10.3, the principal use on the Remainder, Section 3, Township 18, Range 12, West of the 6<sup>th</sup> Meridian, Kamloops Division Yale District, EPP89262, which part is more particularly shown hatched on Map 2, shall include "outdoor motor vehicle, boat, and trailer storage area" and sea can storage. In addition to the screening requirements in Section 2.2.14.1, the owner(s) of the parcel shall also provide screening along the Wetaskawin Road and Highway 97 frontages at the time of development of the parcel and shall be constructed, erected, installed, or planted prior to the use of the parcel for the above note uses, and will be maintained by the registered owner(s) of the property.

Map 2



- c) Part III Interpretation and Administration, subsection 3.1.1 is hereby amended by adding the following definition after the definition of "organic matter composting facility":

"'outdoor motor vehicle, boat, and trailer storage area" means the parking of motor vehicles, recreational vehicles, boats, and trailers including boat, utility, horse, flatbed, and camper, but does not include wrecking yard, salvage operation, or junk yard."

**B. MAP AMENDMENT**

- i) Schedule A, the OCP Designation Maps, which form part of the "Salmon Valley Land Use Bylaw No. 2500", as amended, is hereby further amended by:
  - a. redesignating Lots 2 and 3, Section 3, Township 18, Range 12, West of the 6th Meridian, KDYD EPP89262, which part is more particularly shown hatched on Schedule 1 attached hereto and forming part of this bylaw from C – Commercial to RS – Single and Two Family Residential.
- ii) Schedule C, Land Use Zoning Maps, which form part of the "Salmon Valley Land Use Bylaw No. 2500", as amended, is hereby further amended by:
  - a. rezoning Lots 2 and 3, Section 3, Township 18, Range 12, West of the 6th Meridian, KDYD EPP89262, which part is more particularly shown hatched on Schedule 2 attached hereto and forming part of this bylaw from C – Commercial to RS – Single and Two Family Residential.

Bylaw No. 2558

4

2. This bylaw may be cited as "Salmon Valley Land Use Amendment (674816 BC LTD.) Bylaw No. 2558."

READ a first time this 17<sup>th</sup> day of August, 2017.

READ a second time this 16<sup>th</sup> day of November, 2017.

PUBLIC HEARING held this 23<sup>rd</sup> day of January, 2018.

READ a second time, as amended, this \_\_\_\_\_ day of \_\_\_\_\_, 2019.

PUBLIC HEARING held this \_\_\_\_\_ day of \_\_\_\_\_, 2019.

READ a third time this \_\_\_\_\_ day of \_\_\_\_\_, 2019.

RECEIVED approval from the Ministry of Transportation and Infrastructure this \_\_\_\_\_ day of \_\_\_\_\_, 2018.

ADOPTED this \_\_\_\_\_ day of \_\_\_\_\_, 2019.

\_\_\_\_\_  
CORPORATE OFFICER

\_\_\_\_\_  
CHAIR

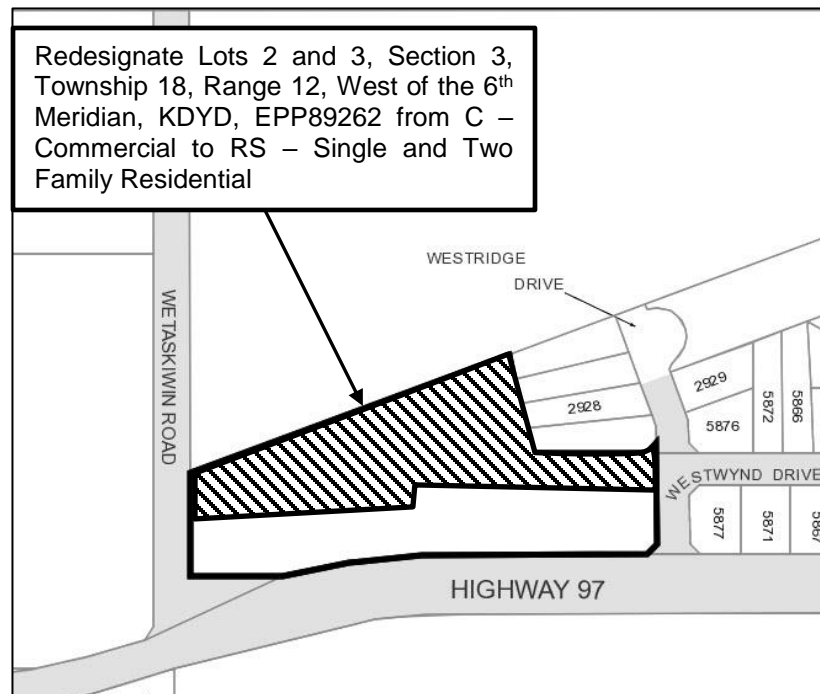
Certified true copy of Bylaw No. 2558  
as read a third time.

Certified true copy of Bylaw No. 2558  
as adopted.

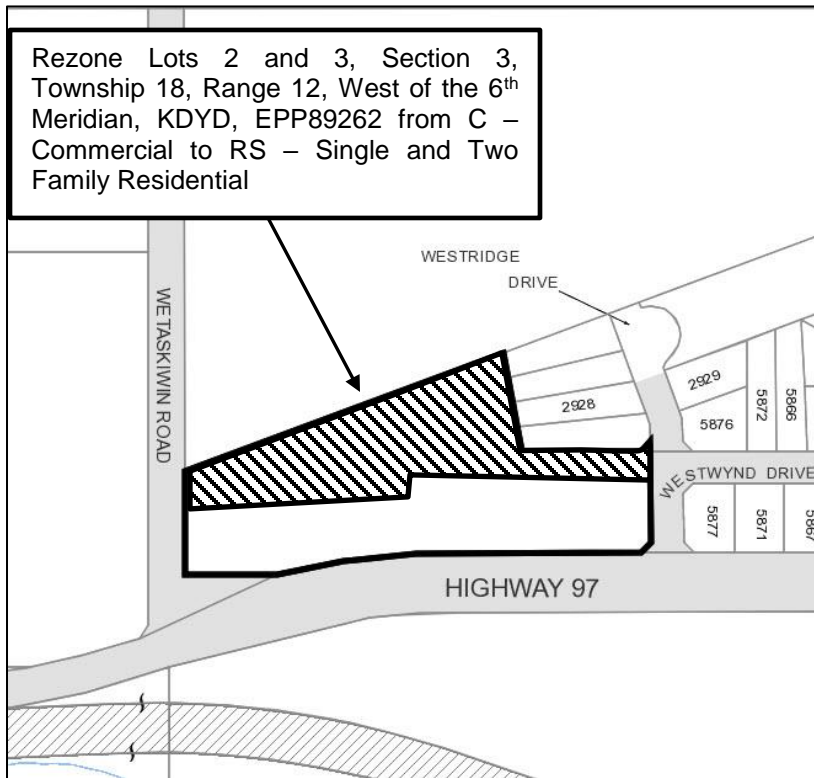
\_\_\_\_\_  
Corporate Officer

\_\_\_\_\_  
Corporate Officer

Schedule 1  
OCP Designation Maps Amendment  
Salmon Valley Land Use Amendment (674816 BC Ltd.)  
Bylaw No. 2558



Schedule 2  
Land Use Zoning Maps Amendment  
Salmon Valley Land Use Amendment (674816 BC Ltd.)  
Bylaw No. 2558





# BOARD REPORT

**TO:** Chair and Directors

<b>File No:</b> BL2558 PL20160145
--------------------------------------

**SUBJECT:** Electoral Area D: Salmon Valley Land Use Amendment (674816 BC LTD.) Bylaw No. 2558

**DESCRIPTION:** Report from Jennifer Sham, Planner, dated October 25, 2017.  
Highway 97, Falkland

**RECOMMENDATION #1:** THAT: "Salmon Valley Land Use Amendment (674816 BC LTD.) Bylaw No. 2558" be read a second time this 16<sup>th</sup> day of November, 2017.

**RECOMMENDATION #2:** THAT: a public hearing to hear representations on "Salmon Valley Land Use Amendment (674816 BC LTD.) Bylaw No. 2558" be held;

AND THAT: notice of the public hearing be given by the 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 Rene Talbot, as Director of Electoral Area D being that in which the land concerned is located, or Alternate Director Joy de Vos, if Director Talbot 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 agent has applied to redesignate and rezone a portion of the subject property located in Falkland on Highway 97 from C Commercial to RS Residential (proposed Lots 3 and 4), and further amend the C Commercial zone for only proposed Lot 5 to additionally allow outdoor storage of vehicles, recreational vehicles (RVs), boats, and trailers.

<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"/>
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## BACKGROUND:

See "2017-08-17\_Board\_DS\_BL2558\_674816BCLTD.pdf".

## POLICY:

See "2017-08-17\_Board\_DS\_BL2558\_674816BCLTD.pdf".

## FINANCIAL:

There are no financial implications to the CSRD with regard to this application.

## KEY ISSUES/CONCEPTS:

See "2017-08-17\_Board\_DS\_BL2558\_674816BCLTD.pdf".

#### Proposal

The applicant has applied for subdivision to create 5 lots: 3 commercial lots (adjacent to Highway 97) and 2 residential lots, on the 2.43 ha subject property. This rezoning is not required to create the 5 lots as the lots meet the minimum parcel size of 4000 m<sup>2</sup> as set out in the Commercial zone in Bylaw No. 2500; however, the bylaw amendment is required because the applicant would like to:

- add outdoor storage of vehicles, boats, and trailers to the list of permitted uses in the Commercial zone for proposed lot 5; and,
- rezone proposed lots 3 and 4 lots to RS Single and Two Family Residential for residential use.

#### **SUMMARY:**

The proposal is to allow outdoor vehicle, boat, and trailer storage on proposed lot 5 and to create 2 residential lots from the parent property. Staff is recommending second reading and delegation of a public hearing for the following reasons:

- the residential use proposed is consistent with the land use pattern policies in Bylaw No. 2500;
- new commercial development is encouraged in Falkland along Highway 97 as stated in Bylaw No. 2500; and,
- in general, there have been no objections from other referral agencies.

#### **IMPLEMENTATION:**

##### Consultation process

As per CSRD Policy No. P-18 regarding Consultation Processes-Bylaws, staff recommended the simple consultation process. Notice of development signs were posted on the property on September 15, 2017, following first reading on August 17, 2017. As of the date of this report, no written submissions have been received.

#### **COMMUNICATIONS:**

See "Agency\_referral\_responses\_BL2558.pdf".

Bylaw No. 2558 was sent out to the following referral agencies for comments:

Area 'D' Advisory Planning Commission:

Recommended approval

Ministry of Transportation and Infrastructure:

Preliminary Approval granted for one year. Bylaw requires MOT endorsement after third reading.

Interior Health:

Recommended approval subject to conditions. This land use plan may impact the proposed residential zoning from the increased vehicles and noise. This will impact both road safety and sense of security for those living in the single family units. IHA recommends that this land use change [consider] the potential health impact by assessing the potential risks.



**CSRD Operations Management:**

Utilities – Servicing of this property will require engineering work to be completed by the CSRD to determine the costs and particulars of the connection. The costs of the connection and preliminary engineering would be the responsibility of the applicant along with the connection fees.

Protective Services – Due to the construction materials used in the manufacture of trailers and the combustible gases stored in recreational vehicles the increased fire risk and proximity to residential zoning should be considered as part of this re-designation.

Fire Services – Proponent must ensure adequate road access for emergency vehicles as per MOTI requirements.

**Little Shuswap Indian Band:**

Requested that 1) an Archaeological Investigation Permit be applied for and conducted on the proposed development site prior to any development or ground disturbance; and 2) forward all information regarding archaeology studies that have been conducted for this site.

**BC Hydro:**

Interests unaffected. If the subdivision proceeds, all electrical servicing would be by design upon application by the developer and subject to the applicable BC Hydro extension policy in effect at the time of application.

**Fortis BC:**

Fortis BC has a Transmission Pressure pipeline that runs through the lot in question. Fortis BC does not allow any buildings, structures or storage of vehicles or boats any kind within the right of way. Please be advised that during any construction there will be no storage of any building materials within the right of way. Heavy equipment crossing a right of way, or any work within 10 m of the pipeline or within the right of way, will require a permit.

**Ministry of Forests, Lands and Natural Resource Operations and Rural Development:**

No objections.

The following agencies did not respond to the request for comments:

- Ministry of Forests, Lands and Natural Resource Operations and Rural Development - Archaeology Branch
- Adams Lake Indian Band
- Coldwater Indian Band
- Cook's Ferry Indian Band
- 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
- Esh-kn-am Cultural Resource Management Services.

**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.*

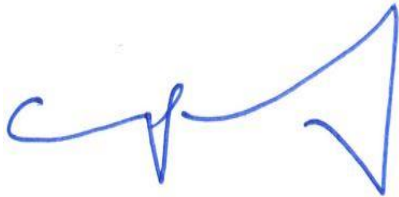
**LIST NAME OF REPORT(S) / DOCUMENT(S) AVAILABLE FROM STAFF:**

1. Salmon Valley Land Use Bylaw No. 2500

**Report Approval Details**

Document Title:	2017-11-16_Board_DS_BL2558_674816BCLtd.docx
Attachments:	<ul style="list-style-type: none"><li>- BL2558_second_reading.pdf</li><li>- 2017-08-17_Board_DS_BL2558_674816BCLTD.pdf</li><li>- BL2558_first_reading.pdf</li><li>- Agency_referral_responses_BL2558.pdf</li><li>- Maps_Plans_BL2558.pdf</li></ul>
Final Approval Date:	Nov 6, 2017

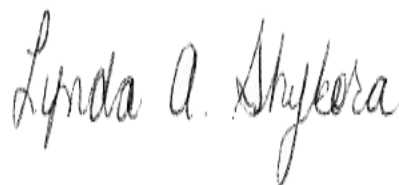
This report and all of its attachments were approved and signed as outlined below:



**Corey Paiement - Nov 3, 2017 - 10:16 AM**



**Gerald Christie - Nov 3, 2017 - 2:16 PM**



**Lynda Shykora - Nov 6, 2017 - 10:20 AM**



**Charles Hamilton - Nov 6, 2017 - 10:23 AM**

COLUMBIA SHUSWAP REGIONAL DISTRICTSALMON VALLEY LAND USE AMENDMENT (674816 BC LTD.) BYLAW NO. 2558A bylaw to amend the "Salmon Valley Land Use Bylaw No. 2500"

WHEREAS the Board of the Columbia Shuswap Regional District adopted Bylaw No. 2500;

AND WHEREAS the Board deems it appropriate to amend Bylaw No. 2500;

NOW THEREFORE the Board of the Columbia Shuswap Regional District, in open meeting assembled, HEREBY ENACTS as follows:

1. "Salmon Valley Land Use Bylaw No. 2500" is hereby amended as follows:

A. TEXT AMENDMENT

i) Part II Land Use Regulations, Section 2.10 is hereby amended as follows:

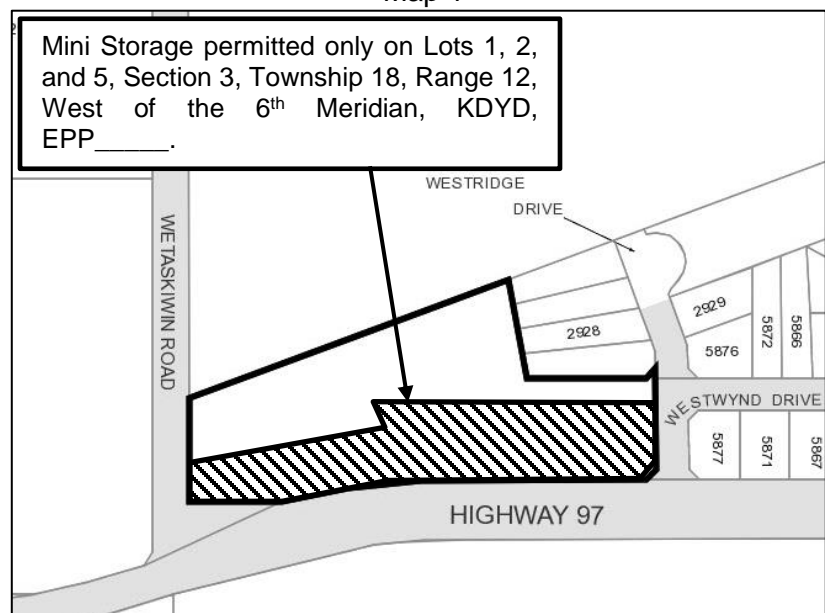
a) by removing Subsection 2.10.3 in its entirety and replacing it as follows:

"Special Regulation

2.10.3 In this subsection, lands are described by legal description and by map, and in the event of any discrepancy between the legal description of the lands and the map, the map governs.

a) In addition to the permitted uses listed in Subsection 2.10.1, the principal uses on Lots 1, 2 and 5, Section 3, Township 18, Range 12, West of the 6<sup>th</sup> Meridian, Kamloops Division Yale District, EPP\_\_\_\_, which part is more particularly shown hatched on Map 1, shall include "mini storage".

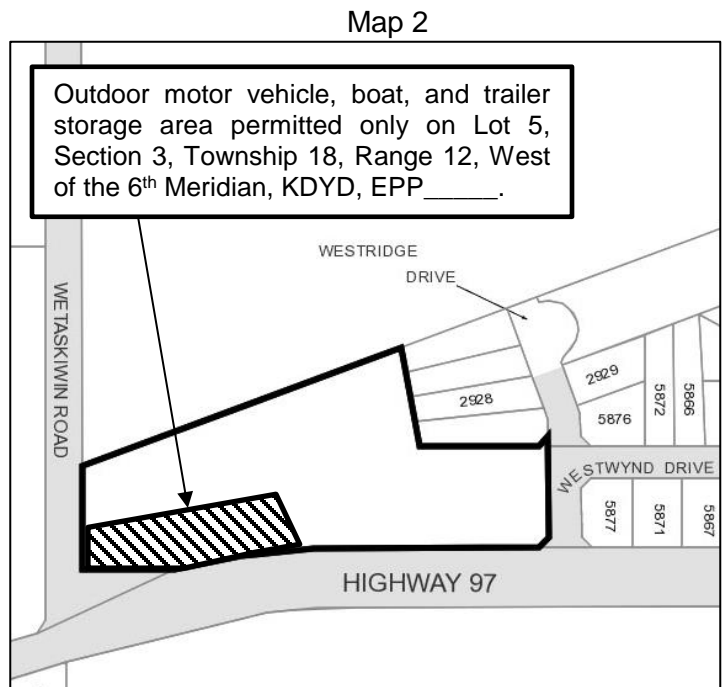
Map 1



b) by adding Subsection 2.10.4 as follows:

"2.10.4 in this subsection, lands are described by legal description and by map, and in the event of any discrepancy between the legal description of the lands and the map, the map governs.

- a) In addition to the permitted uses listed in Subsection 2.10.1 and 2.10.3, the principal use on Lot 5, Section 3, Township 18, Range 12, West of the 6<sup>th</sup> Meridian, Kamloops Division Yale District, EPP\_\_\_\_, which part is more particularly shown hatched on Map 2, shall include "outdoor motor vehicle, boat, and trailer storage area".



- c) Part III Interpretation and Administration, subsection 3.1.1 is hereby amended by adding the following definition after the definition of "organic matter composting facility":

"outdoor motor vehicle, boat, and trailer storage area" means the parking of motor vehicles, recreational vehicles, boats, and trailers including boat, utility, horse, flatbed, and camper, but does not include wrecking yard, salvage operation, or junk yard."

## B. MAP AMENDMENT

- i) Schedule A, the OCP Designation Maps, which form part of the "Salmon Valley Land Use Bylaw No. 2500", as amended, is hereby further amended by:
- a. redesignating Lots 3 and 4, Section 3, Township 18, Range 12, West of the 6<sup>th</sup> Meridian, KDYD EPP\_\_\_\_, which part is more particularly shown hatched on Schedule 1 attached hereto and forming part of this bylaw from C – Commercial to RS – Single and Two Family Residential.

- ii) Schedule C, Land Use Zoning Maps, which form part of the "Salmon Valley Land Use Bylaw No. 2500", as amended, is hereby further amended by:
  - a. Rezoning Lots 3 and 4, Section 3, Township 18, Range 12, West of the 6th Meridian, KDYD EPP\_\_\_\_\_, which part is more particularly shown hatched on Schedule 2 attached hereto and forming part of this bylaw from C – Commercial to RS – Single and Two Family Residential.

2. This bylaw may be cited as "Salmon Valley Land Use Amendment (674816 BC LTD.) Bylaw No. 2558."

READ a first time this 17<sup>th</sup> day of August, 2017.

READ a second time this \_\_\_\_\_ day of \_\_\_\_\_, 2017.

PUBLIC HEARING held this \_\_\_\_\_ day of \_\_\_\_\_, 2017.

READ a third time this \_\_\_\_\_ day of \_\_\_\_\_, 2018.

RECEIVED approval from the Ministry of Transportation and Infrastructure this \_\_\_\_ day of \_\_\_\_\_, 2018.

ADOPTED this \_\_\_\_\_ day of \_\_\_\_\_, 2018.

\_\_\_\_\_  
CORPORATE OFFICER

\_\_\_\_\_  
CHAIR

Certified true copy of Bylaw No. 2558  
as read a third time.

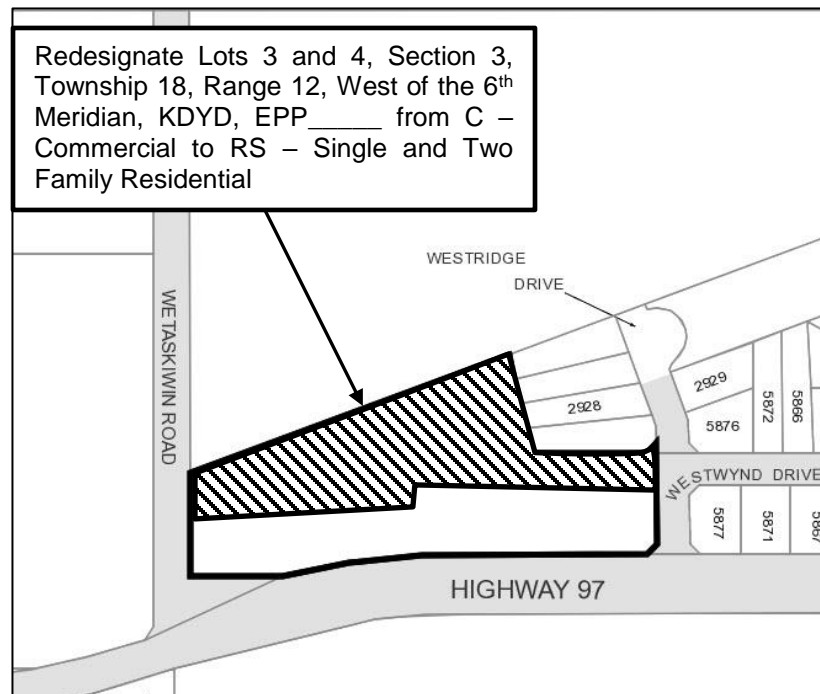
Certified true copy of Bylaw No. 2558  
as adopted.

\_\_\_\_\_  
Corporate Officer

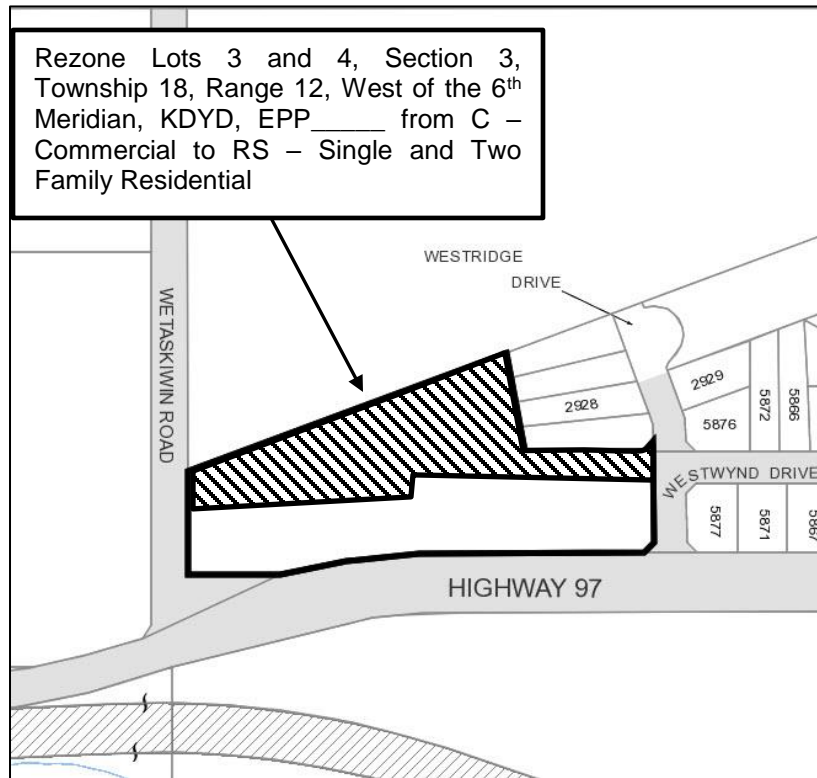
\_\_\_\_\_  
Corporate Officer



Schedule 1  
OCP Designation Maps Amendment  
Salmon Valley Land Use Amendment (674816 BC Ltd.)  
Bylaw No. 2558



Schedule 2  
Land Use Zoning Maps Amendment  
Salmon Valley Land Use Amendment (674816 BC Ltd.)  
Bylaw No. 2558





# BOARD REPORT

**TO:**
**Chair and Directors**

<b>File No:</b>	BL2558 CV20160145
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**SUBJECT:**

Electoral Area D: Salmon Valley Land Use Amendment (674816 BC Ltd.) Bylaw No. 2558

**DESCRIPTION:**

Report from Jennifer Sham, Planner, dated July 17, 2017.  
Highway 97, Falkland

**RECOMMENDATION:**

THAT: "Salmon Valley Land Use Amendment (674816 BC Ltd.) Bylaw No. 2558" be read a first time this 17<sup>th</sup> day of August, 2017;

AND THAT: the Board utilize the simple consultation process for Bylaw No. 2558, and it be referred to the following agencies and First Nations:

- Area D Advisory Planning Commission;
- Interior Health Authority;
- Ministry of Forests, Lands, Natural Resource Operations and Rural Development;
- Ministry of Forests, Lands, Natural Resource Operations and Rural Development –Archaeology Branch;
- Ministry of Transportation and Infrastructure;
- FortisBC;
- BC Hydro;
- CSRD Operations Management; and,
- All relevant First Nations.

**SHORT SUMMARY:**

The agent has applied to redesignate and rezone a portion of the subject property located in Falkland on Highway 97 from C Commercial to RS Residential (proposed Lots 3 and 4), and further amend the C Commercial zone for only proposed Lot 5 to additionally allow outdoor storage of vehicles, recreational vehicles (RVs), boats, and trailers.

<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"/>
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**BACKGROUND:**

REGISTERED OWNER:  
674816 BC Ltd.

AGENT:  
Baldalip Thind

ELECTORAL AREA:  
D

**LEGAL DESCRIPTION:**

Lot A Section 3 Township 18 Range 12 W6M KDYD Plan KAP49754 Except Plan KAP49757

**SURROUNDING LAND USE PATTERN:**

North = Residential, High Density Residential, Vacant

South = Highway 97, Rural Residential

East = Westwynd Drive, Residential

West = Wetaskiwin Road, Rural

**CURRENT USE:**

Vacant

**PROPOSED USE:**

Commercial (Lots 1, 2, and 5) and Residential (Lots 3 and 4)

**PARCEL SIZE:**

2.43 ha

**PROPOSED PARCEL SIZES:**

Lot 1 = 0.4 ha

Lot 2 = 0.51 ha (0.44 ha exclusive of panhandle)

Lot 3 = 0.55 ha (0.49 ha exclusive of panhandle)

Lot 4 = 0.48 ha

Lot 5 = 0.49 ha

**DESIGNATION/ZONE:**

Salmon Valley Land Use Bylaw No. 2500

C Commercial (site specific zone)

**PROPOSED DESIGNATION/ZONE:**

C Commercial & RS Single and Two Family Residential

AGRICULTURAL LAND RESERVE: 0 %

**SITE COMMENTS:** A site visit was not conducted. The parent property that created the subject property was recently subdivided in 2017 (EPP58847) - the subject property is the remainder parcel. According to orthophotographs, the property is currently vacant.

**POLICY:****Salmon Valley Land Use Bylaw No. 2500****Part 1 Broad Objectives and Policies**

Policy 1.9.2.4 Future single family residential uses with a minimum parcel size of 1400 m<sup>2</sup> or less and multifamily residential uses shall be limited to areas within the community of Falkland.

Policy 1.9.2.7 New highway commercial and service commercial uses are encouraged to concentrate in Falkland, fronting on Highway 97.

**2.2.14 Screening**

Screening required by this bylaw shall be provided by the owner of a parcel at the time of development of the parcel and shall be constructed, erected, installed, or planted prior to the occupancy or use of the building or structure constructed, erected, or located on the parcel, and will be maintained by the registered owner(s) of the property.

2.2.14.1 Screening having a height of not less than 1.8 m shall be provided by the owner of a parcel zoned as C, RC, GI, GC, or AP along all parcel boundaries which abut parcels zoned as RR, RS, RHS, or RM.

## 2.7 RS Single and Two Family Residential

Permitted uses: single family dwelling; two family dwelling; home occupation; accessory use.

Maximum number of dwellings: 1 single family dwelling or 1 two family dwelling per parcel;

Minimum parcel size for subdivision for a single family dwelling:

Served by both a community water and sewer system = 700 m<sup>2</sup>

Served by a community water system = 4000 m<sup>2</sup>

Minimum parcel size of subdivision for a two family dwelling or church:

Served by both a community water and sewer system = 1000 m<sup>2</sup>

Served by a community water system = 4000 m<sup>2</sup>

## 2.10 C Commercial

Permitted uses: automotive part supply; bank; boat building; botanical and zoological garden; building material supply; campground, recreation vehicle park; car wash; commercial recreation establishment; contractor and tradesman office and works yard; convenience store; farm and garden supply; fruit and vegetable sales; gasoline service station, key-lock fuel establishment; hotel, motel; institutional use; insurance, finance or real estate office; licensed establishment; (this includes neighbourhood pub) medical and dental office; museum and archive; personal service establishment; printing and publishing; radio, TV, and telephone communication facility; repair shop; restaurant, cafe; retail establishment; sale, rental, service and repair of motor vehicles, recreation vehicles, and boats; sign shop; theatre; trucking and storage; upholstery shop; wholesale establishment; accessory use; single family dwelling in conjunction with uses listed; accessory dwelling in conjunction with permitted uses listed.

Maximum number of dwellings per parcel: 1 dwelling per parcel

Minimum parcel size for subdivision:

Served by both a community water and sewer system = 1400 m<sup>2</sup>

Served by a community water system = 4000 m<sup>2</sup>

In all other cases = 1 ha

Maximum parcel coverage: 40%

Special Regulation for the subject property (BL2554) allows "mini storage" as an additional permitted use.

## **FINANCIAL:**

There are no financial implications to the CSRD with regard to this application.

## **KEY ISSUES/CONCEPTS:**

### Proposal

The applicant has applied for subdivision to create 5 lots: 3 commercial lots (adjacent to Highway 97) and 2 residential lots, on the 2.43 ha subject property. This rezoning is not required to create the 5 lots as the lots meet the minimum parcel size of 4000 m<sup>2</sup> as set out in the Commercial zone in Bylaw No. 2500; however, the bylaw amendment is required because the applicant would like to:

- add outdoor storage of vehicles, boats, and trailers to the list of permitted uses in the Commercial zone for proposed lot 5; and,
- rezone proposed lots 3 and 4 lots to RS Single and Two Family Residential for residential use.

BL2554 added "mini storage" to the Commercial zone for the parent parcel. A mapping amendment to the parent parcel is required due to the proposed change in use for the residential properties.

### Water

The development is within the CSRD's Falkland Waterworks Service Area and will require connection to this community water system. Proof of water requirements will be required during the subdivision stage.

### Sewage Disposal

All proposed lots will have on-site septic systems. Proof of adequate sewage disposal on each lot will be required during the subdivision stage.

### Access

Access to the property from Highway 97 will be via Westridge Drive on the east, and Wetaskiwin Road on the west. Wetaskiwin Road is also the access road for the CSRD Falkland Transfer Station. This application is within 800 m of a controlled access highway (Highway 97), and Ministry of Transportation and Infrastructure (MOT) approval is required between third reading and adoption.

### SUMMARY:

The proposal is to allow outdoor vehicle, boat, and trailer storage on proposed lot 5 and to create 2 residential lots from the parent property. Staff is recommending first reading and referral to affected agencies and First Nations for the following reasons:

- the residential use proposed is consistent with the land use pattern policies in Bylaw No. 2500; and,
- new commercial development is encouraged in Falkland along Highway 97 as stated in Bylaw No. 2500.

### IMPLEMENTATION:

#### Consultation Process:

As per CSRD Policy No. P-18 regarding Consultation Processes – Bylaws, staff recommend the simple consultation process. Neighbouring property owners will first become aware of the application for the bylaw amendment when notice of development signs are posted on the property.

#### Referral Process:

The following list of referral agencies is recommended:

- Area D Advisory Planning Commission;
- Interior Health Authority;
- Ministry of Forests, Lands, Natural Resource Operations and Rural Development;

- Ministry of Forests, Lands, Natural Resource Operations and Rural Development – Archaeology Branch;
- Ministry of Transportation and Infrastructure;
- Fortis BC;
- BC Hydro;
- CSRD Operations Management; and,
- All relevant First Nations including:
  - Adams Lake Indian Band;
  - Coldwater Indian Band;
  - Cook's Ferry Indian Band;
  - Little Shuswap Indian Band;
  - Lower Similkameen Indian Band;
  - Neskonalith Indian Band;
  - Nlaka'pamux Nation Tribal Council;
  - Okanagan Indian Band;
  - Okanagan Nation Alliance;
  - Penticton Indian Band;
  - Siska Indian Band;
  - Splots'in First Nation; and,
  - Esh-kn-am Cultural Resources Management Services.

#### **COMMUNICATIONS:**

To be provided following referral process.

#### **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:**

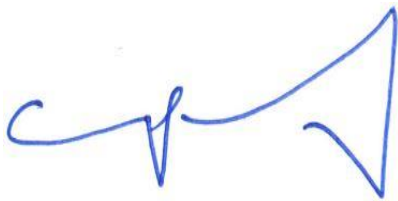
1. Salmon Valley Land Use Bylaw No. 2500



**Report Approval Details**

Document Title:	2017-08-17_Board_DS_BL2558_674816BCLTD.docx
Attachments:	- BL2558_first_reading.pdf - Maps_Plans_BL2558.pdf
Final Approval Date:	Aug 4, 2017

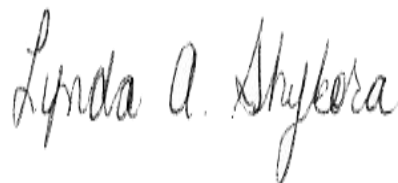
This report and all of its attachments were approved and signed as outlined below:



**Corey Paiement - Aug 4, 2017 - 1:31 PM**



**Gerald Christie - Aug 4, 2017 - 1:33 PM**



**Lynda Shykora - Aug 4, 2017 - 1:44 PM**



**Charles Hamilton - Aug 4, 2017 - 2:57 PM**

COLUMBIA SHUSWAP REGIONAL DISTRICTSALMON VALLEY LAND USE AMENDMENT (674816 BC LTD.) BYLAW NO. 2558A bylaw to amend the "Salmon Valley Land Use Bylaw No. 2500"

WHEREAS the Board of the Columbia Shuswap Regional District adopted Bylaw No. 2500;

AND WHEREAS the Board deems it appropriate to amend Bylaw No. 2500;

NOW THEREFORE the Board of the Columbia Shuswap Regional District, in open meeting assembled, HEREBY ENACTS as follows:

1. "Salmon Valley Land Use Bylaw No. 2500" is hereby amended as follows:

A. TEXT AMENDMENT

i) Part II Land Use Regulations, Section 2.10 is hereby amended as follows:

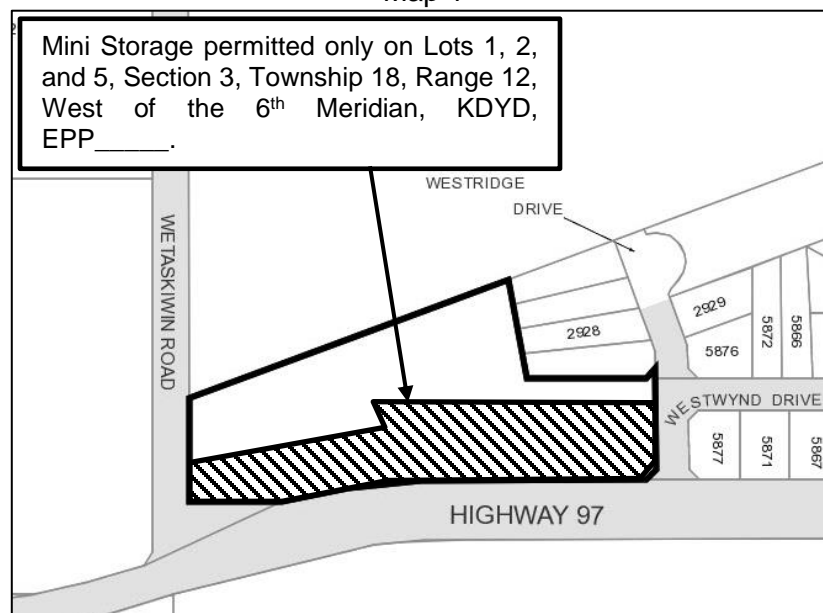
a) by removing Subsection 2.10.3 in its entirety and replacing it as follows:

"Special Regulation

2.10.3 In this subsection, lands are described by legal description and by map, and in the event of any discrepancy between the legal description of the lands and the map, the map governs.

a) In addition to the permitted uses listed in Subsection 2.10.1, the principal uses on Lots 1, 2 and 5, Section 3, Township 18, Range 12, West of the 6<sup>th</sup> Meridian, Kamloops Division Yale District, EPP\_\_\_\_, which part is more particularly shown hatched on Map 1, shall include "mini storage".

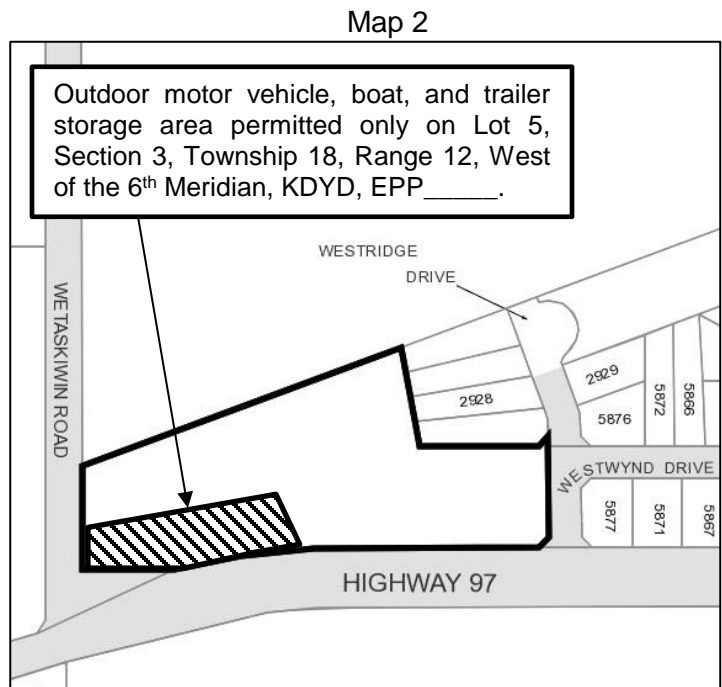
Map 1



b) by adding Subsection 2.10.4 as follows:

"2.10.4 in this subsection, lands are described by legal description and by map, and in the event of any discrepancy between the legal description of the lands and the map, the map governs.

- a) In addition to the permitted uses listed in Subsection 2.10.1 and 2.10.3, the principal use on Lot 5, Section 3, Township 18, Range 12, West of the 6<sup>th</sup> Meridian, Kamloops Division Yale District, EPP\_\_\_\_, which part is more particularly shown hatched on Map 2, shall include "outdoor motor vehicle, boat, and trailer storage area".



c) Part III Interpretation and Administration, subsection 3.1.1 is hereby amended by adding the following definition after the definition of "organic matter composting facility":

"outdoor motor vehicle, boat, and trailer storage area" means the parking of motor vehicles, recreational vehicles, boats, and trailers including boat, utility, horse, flatbed, and camper, but does not include wrecking yard, salvage operation, or junk yard."

## B. MAP AMENDMENT

- i) Schedule A, the OCP Designation Maps, which form part of the "Salmon Valley Land Use Bylaw No. 2500", as amended, is hereby further amended by:
- a. redesignating Lots 3 and 4, Section 3, Township 18, Range 12, West of the 6<sup>th</sup> Meridian, KDYD EPP\_\_\_\_, which part is more particularly shown hatched on Schedule 1 attached hereto and forming part of this bylaw from C – Commercial to RS – Single and Two Family Residential.

- ii) Schedule C, Land Use Zoning Maps, which form part of the "Salmon Valley Land Use Bylaw No. 2500", as amended, is hereby further amended by:
  - a. Rezoning Lots 3 and 4, Section 3, Township 18, Range 12, West of the 6th Meridian, KDYD EPP\_\_\_\_\_, which part is more particularly shown hatched on Schedule 2 attached hereto and forming part of this bylaw from C – Commercial to RS – Single and Two Family Residential.

Bylaw No. 2558

4

2. This bylaw may be cited as "Salmon Valley Land Use Amendment (674816 BC LTD.) Bylaw No. 2558."

READ a first time this \_\_\_\_\_ day of \_\_\_\_\_, 2017.

READ a second time this \_\_\_\_\_ day of \_\_\_\_\_, 2017.

PUBLIC HEARING held this \_\_\_\_\_ day of \_\_\_\_\_, 2017.

READ a third time this \_\_\_\_\_ day of \_\_\_\_\_, 2017.

RECEIVED approval from the Ministry of Transportation and Infrastructure this \_\_\_\_ day of \_\_\_\_\_, 2018.

ADOPTED this \_\_\_\_\_ day of \_\_\_\_\_, 2018.

\_\_\_\_\_  
CORPORATE OFFICER

\_\_\_\_\_  
CHAIR

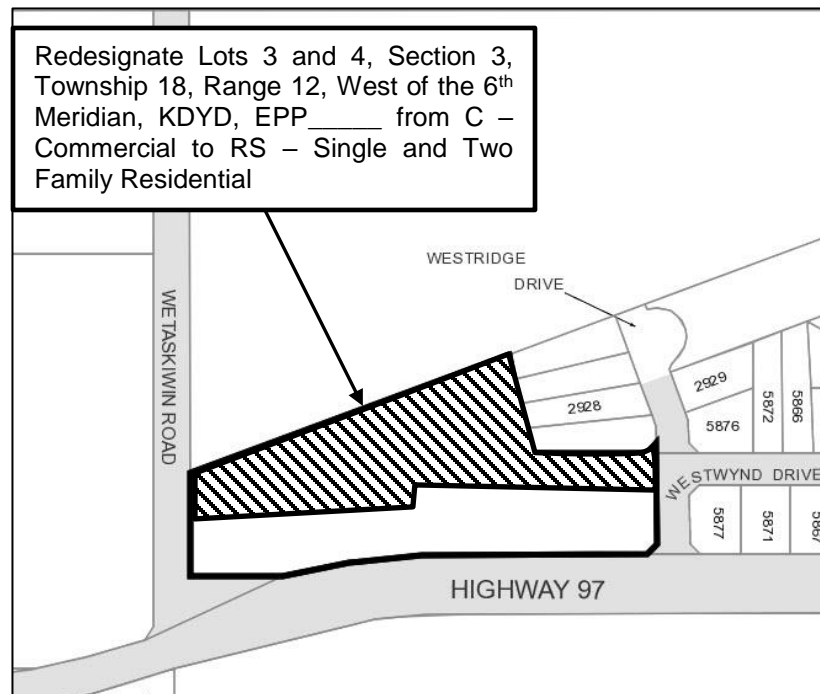
Certified true copy of Bylaw No. 2558  
as read a third time.

Certified true copy of Bylaw No. 2558  
as adopted.

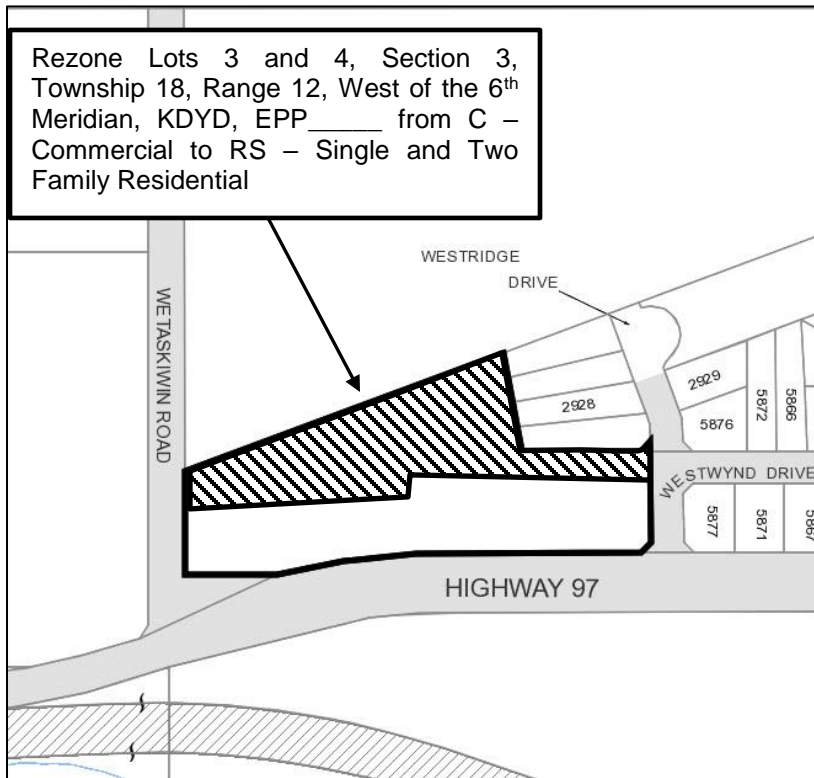
\_\_\_\_\_  
Corporate Officer

\_\_\_\_\_  
Corporate Officer

Schedule 1  
OCP Designation Maps Amendment  
Salmon Valley Land Use Amendment (674816 BC Ltd.)  
Bylaw No. 2558



Schedule 2  
Land Use Zoning Maps Amendment  
Salmon Valley Land Use Amendment (674816 BC Ltd.)  
Bylaw No. 2558







## 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.csr.bc.ca](http://www.csr.bc.ca)

Notes of the Public Hearing held on Thursday April 25, 2019 at 2:00 PM at the Falkland Seniors Hall, 5706 Highway 97, Falkland, BC regarding Salmon Valley Land Use Amendment (674816 BC Ltd.) Bylaw No. 2558 (Bylaw No. 2558).

PRESENT: Chair Rene Talbot – Electoral Area D Director  
Candice Benner – Planner II, CSRD  
13 member of the public

Chair Talbot called the Public Hearing to order at 2:00 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 amending Bylaw No. 2558.

The Planner explained that Bylaw No. 2558 proposes to redesignate and rezone a portion of the property legally described as Lot A, Section 3, Township 18, Range 12, W6M, KDYD, Plan KAP49754 Except Plan KAP49757, located in Falkland on Highway 97 from C Commercial to RS Residential (proposed Lots 2 and 3), and further amend the C Commercial zone for only the Remainder to additionally allow outdoor storage of vehicles, recreational vehicles (RVs), boats, trailers and sea can storage.

The chair offered the floor to the owner:

Bip Thind, [REDACTED] Owner, read out submission. Indicated that he respects the property's neighbours. He indicated that he is installing a fence around the commercial Remainder that will be used for outdoor storage and that the fence will have privacy slats. He said he intends to start with having about 5-10 sea cans that are new or newer. The sea cans will be 8 x 20 x 8 feet high and will not stack them. He said that he has consulted with a grader company who says he can lower the grade of the property away from the highway so that there will be less visual impact regarding the sea cans and outdoor storage. He spoke to the attached map; he is installing access driveways from both roads so that they have access on either side of the gas line. He says he intends to keep the property clean and tidy.

The Chair opened the floor for comments.

[REDACTED] Chase Falkland Road, said she is concerned about this application. She said that Falkland needs more housing. She said that sea cans at the entrance of Falkland is not pretty. She said that there is a lot of commercial available that there are other uses this property could be used for such as residential as Falkland is a young growing community. She said that chain link fence is not pretty.

[REDACTED] Falkland Road, said he is concerned with the driveway that has been put in and is concerned with two more exits on the highway; there are already issues with getting onto the highway and this would create more issues. Increased volume is a concern and also said that sea cans at the entrance of Falkland is not a pretty sight.

Bip Thind, said that no access driveways have been put in. he said he got a permit from highways to move the house onto the property.

██████████ Bolean Lake Road, she has concerns regarding the new culverts on Westwynd Drive as there should be access for a commercial lot and the culverts should be wide enough for commercial access. She said that at a different meeting with MOT they said that they wouldn't give this property access. She said that the driveway that has been put in is over 50 feet wide, doesn't have a culvert and hasn't been ditched and it's been over a month this way. She said that she saw the heavy excavator go over the gas line and it's not supposed to. She said that the fence needs to be eight feet to hide the sea cans.

Bip Thind said that he obtained two permits to go over the gas line and they padded it as well. He said that the sea cans will be eight feet tall and that he will be grading down from the fence line to address sea can concerns. He will be buying new or newer sea cans.

██████████ Tuktakamin Road, he said that having the sea cans out front along the highway is a problem. He said that residential and commercial should be switched. He said Falkland needs residential lots. He said he doesn't like that you will see sea cans coming into town.

██████████ Gyp Road, he said that the current owner may have good intentions but who knows about the next owner, who is going to police it.

██████████ Scott Road, asked if the fence will be solid.

Bip Thind said that the fence will be chain link with privacy slats, you can't see through the privacy slats.

██████████ Chase Falkland Road, said he is opposed to the application. He said that RV storage is also a concern along with sea cans as they always end up being stacked. He said that the ones in Vernon look like hell. He said that there is no control over future owners and what they do and the regional district doesn't have a lot of teeth. He would rather see houses built.

██████████ Gyp Road, wonders why it can't all be residential.

Bip Thind said that the property is currently commercial and that people will want commercial use along highway. He said that there's another property that he doesn't own along the back of his that the owners are looking at doing residential.

██████████ Westwynd Road, said that in Alberta you cannot build within 600 feet of a pipeline and doesn't understand how there can be residential built so close to this one. He said that in summertime there's at least a 10 minute wait to get off Westwynd Drive and that it will be a concern if that road gets a lot more traffic.

██████████ Highway 97, said that she is concerned for development on the highway that it will create more mess. She said to leave Lot 3 commercial. She said that the property is going to look junky.

██████████ asked what is going to happen to the driveway on the dump road.

Bip Thind said that there will be 2 access driveways on the dump road, one residential and one commercial.

██████████ said that the residential and commercial lots should be switched.

The Planner explained that commercial zoning along the highway is appropriate and that it acts as a buffer between the highway and residential properties.

2 public submissions were handed in.

Hearing no representations or questions about amending Bylaw No. 2558, the Chair called three times for further submissions before declaring the public hearing closed at 2:41 PM.

CERTIFIED as being a fair and accurate report of the public hearing.

\*Original signed by Director

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Director Rene Talbot  
Public Hearing Chair



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Candice Benner  
Planner II

**From:** [Candice Benner](#)  
**To:** [Marianne Mertens](#)  
**Subject:** BL2558 submission  
**Date:** Tuesday, April 23, 2019 2:37:37 PM

---

-----Original Message-----

From: [REDACTED]  
Sent: Tuesday, April 23, 2019 2:36 PM  
To: Candice Benner <cbenner@csrd.bc.ca>  
Subject:

[REDACTED] have read the info on the storage area for outdoor storage of boats, RV's, trailers and sea can storage in Falkland. [REDACTED] very much against the "outdoor " storage. This should be under a roof so it is not seen from the highway. [REDACTED] have enough trouble with junky yards in this town (the CSRD should be getting these yards with junk, old cars etc. cleaned). [REDACTED]

Sent from my iPad

**From:** [REDACTED]  
**To:** [Planning Public Email address; cbeanner@csrd.bc.ca](mailto:cbeanner@csrd.bc.ca); [Director Talbot](#); [REDACTED]  
**Subject:** Salmon Valley Land use Amendment (674816 BCLTD ) Bylaw No. 2558  
**Date:** Tuesday, April 23, 2019 7:14:44 PM

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Hello [REDACTED] writing to voice [REDACTED] opposition to the above application.

[REDACTED] live [REDACTED] Westridge Dr Falkland BC my name is [REDACTED] feel that this would only be a detriment to the value of [REDACTED] house and property. It will be an eye sore when approaching Falkland , having unsecured RV not inclosed in buildings will bring a rise in crime in the city of Falkland, Sea Can storage is unsightly and if contents were ever to catch fire pose a significant risk to our local fire department to get into to put out. The access to that road is a risk at best and trying to get trailers in and out dangerous.

When clearing the lots of trees they lite there slash piles very early in the morning with out any communication with [REDACTED] home owners . [REDACTED] house and vehicles were covered in ash [REDACTED] heavy smoke smell and smoke in the area and thought [REDACTED] house was on fire. There was very low cloud cover that day and the subdivision was very full of smoke , many residents of the subdivision were very concerned.

Falkland does not need any out door storage of any Boats,Trailers ,Recreation Vehicles or Sea Cans , this is a rural community and we hope to keep it that way .

Thank you for your time and consideration.

[REDACTED]

Sent from my iPad

**From:** [REDACTED]  
**To:** [Candice Benner](#)  
**Subject:** Fwd: Salmon Valley Land use Amendment (674816 BCLTD ) Bylaw No. 2558  
**Date:** Tuesday, April 23, 2019 7:19:22 PM

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Sent from my iPad

Begin forwarded message:

**From:** [REDACTED]  
**Date:** April 23, 2019 at 7:14:35 PM PDT  
**To:** [plan@csrd.bc.ca](mailto:plan@csrd.bc.ca), [cbeanner@csrd.bc.ca](mailto:cbeanner@csrd.bc.ca), [rtalbot@csrd.bc.ca](mailto:rtalbot@csrd.bc.ca), [REDACTED]  
[REDACTED]  
**Subject:** Salmon Valley Land use Amendment (674816 BCLTD ) Bylaw No. 2558

Hello [REDACTED] writing to voice my opposition to the above application.  
I live [REDACTED] Westridge Dr Falkland BC my name is [REDACTED] I feel that this would only be a detriment to the value of [REDACTED] house and property. It will be an eye sore when approaching Falkland , having unsecured RV not inclosed in buildings will bring a rise in crime in the city of Falkland, Sea Can storage is unsightly and if contents were ever to catch fire pose a significant risk to our local fire department to get into to put out. The access to that road is a risk at best and trying to get trailers in and out dangerous.

When clearing the lots of trees they lite there slash piles very early in the morning with out any communication with [REDACTED] home owners , [REDACTED] house and vehicles were covered in ash and [REDACTED] to heavy smoke smell and smoke in the area and thought [REDACTED] house was on fire. There was very low cloud cover that day and the subdivision was very full of smoke , many residents of the subdivision were very concerned.

Falkland does not need any out door storage of any Boats,Trailers ,Recreation Vehicles or Sea Cans , this is a rural community and we hope to keep it that way .

Thank you for your time and consideration.  
[REDACTED]

Sent from my iPad

**From:** [REDACTED]  
**To:** [Director Talbot](#); [Candice Benner](#); [Planning Public Email address](#)  
**Subject:** Salmon Valley Land use Amendment (674816 BCLTD ) Bylaw No. 2558  
**Date:** Tuesday, April 23, 2019 7:27:52 PM

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Hello [REDACTED] writing to voice [REDACTED] opposition to the above application. [REDACTED] don't want to see outside storage or sea can storage. This developer has also been know not to tell the truth about what he is doing. He thinks because it's a small community he can come in and do whatever he wants.

[REDACTED] live at [REDACTED] [Westridge Dr Falkland BC](#) my name is [REDACTED] feel that this would only be a detriment to the value of my house and property. It will be an eye sore when approaching Falkland , having unsecured RV not inclosed in buildings will bring a rise in crime in the city of Falkland, Sea Can storage is unsightly and if contents were ever to catch fire pose a significant risk to our local fire department to get into to put out. The access to that road is a risk at best and trying to get trailers in and out dangerous.

When clearing the lots of trees they lite there slash piles very early in the morning with out any communication with [REDACTED] home owners , [REDACTED] house and vehicles were covered in ash and [REDACTED] to heavy smoke smell and smoke in the area and thought [REDACTED] house was on fire. There was very low cloud cover that day and the subdivision was very full of smoke , many residents of the subdivision were very concerned.

Falkland does not need any out door storage of any Boats,Trailers ,Recreation Vehicles or Sea Cans , this is a rural community and we hope to keep it that way .

Thank you for your time and consideration.

[REDACTED]



**From:** [Candice Benner](#)  
**To:** [Marianne Mertens](#)  
**Subject:** FW: Amendment (674816) BC LTD Bylaw No. 2558  
**Date:** Tuesday, April 23, 2019 9:13:19 AM

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-----Original Message-----

**From:** [REDACTED]  
**Sent:** Monday, April 22, 2019 5:32 AM  
**To:** Candice Benner <cbenner@csrd.bc.ca>  
**Subject:** Amendment (674816) BC LTD Bylaw No. 2558

Was just reading the notice [REDACTED] got about the rezoning meeting and noticed that it's at 2: o'clock in the afternoon on a Thursday. How does the regional district think that the working person can attend a meeting during the day. This is totally outrageous that the Regional District would allow a meeting at this time of day. Make [REDACTED] think that you guys have your mind made up already and don't want to hear what the people have to say. [REDACTED] live at [REDACTED] Westridge drive and [REDACTED] [REDACTED] against the proposal of allowing outdoor storage of vehicles, boats, rv's, trailers and sea cans. [REDACTED] [REDACTED] not against having the commercial changed to RS. This individual thinks he can do what ever he wants and get away with it, he has already moved a house onto the property which is still commercial and put in roads ect.. and lied to highways saying he put in a temporary road so he could move off a old building which was just the opposite as he moved in a old house not removed one. They also had not regard to the neighbors when they lite a bunch of brush piles on fire and smoked out everyone's houses for 3 days. So once again [REDACTED] can't believe what time this meeting is been held and we are AGAINST ANY FORM OF OUTDOOR STORAGE.

[REDACTED]

**From:** [REDACTED]  
**To:** [Candice Benner](#); [Director Talbot](#); [Planning Public Email address](#)  
**Subject:** Against storage units and vehicles being allowed in Falkland  
**Date:** Wednesday, April 24, 2019 11:34:20 AM

---

Hello, I need to voice my concern with storage units and vehicle parking etc being proposed on Westwynd and Westridge drive in Falkland. I am one of the [REDACTED] houses there and am thinking of selling. This will just reduce the value of [REDACTED] home and make it look junky in this beautiful area. This is not the place for such storage. This development is doing well and looks great but that idea is definitely something I stand strongly against. Please do not allow this to bring down our neighborhood.

Sincerely,

[REDACTED]

Get [Outlook for Android](#)

**From:** [REDACTED]  
**To:** [Candice Benner](#)  
**Subject:** Public Hearing Submission for Bylaw #2558  
**Date:** Wednesday, April 24, 2019 8:49:44 AM

---

Good morning Candice,

So it turns out [REDACTED] on the other side of the fence this time around. [REDACTED] wanted to submit [REDACTED] opinion on the re-zoning request #2558 for Section 3, Township 18, Range 12, West of the Meridian, KDYD, EPP89262, lot 4 – requesting the addition of “outdoor motor vehicle, boat, and trailer storage areas” means the parking of motor vehicles, recreational vehicles, boats and trailers including boat, utility, horse, flatbed, and camper, but does not include wrecking yard, salvage operation, or junk yard.” [REDACTED] believe there is also a request for sea cans to be allowed as part of the outside storage.

It is [REDACTED] opinion that Falkland is in great need of additional residential living spaces. There are many people trying to move to Falkland but cannot do so due to the lack of housing both for purchase and especially for rental use. The lot as mentioned above shares the boundary of land being (or may already have been processed) from commercial to residential in order to create more livable housing; however, the value and demand for these lots will be compromised being lined with unsightly outdoor storage. This type of commercial storage will always result in a very unfavorable view and for this currently upcoming neighbourhood. The second issue with this type of allowed storage is for the sight/view from the highway. The location of this property is across from the Falkland Stampede grounds just as you are coming into the town and certainly not the sight we would want visitors and guests to see – not how [REDACTED] would want to present our community.

[REDACTED] hope the district will agree with [REDACTED] points and not allow the additional outside storage. This type of facility is more suitable for property off of the highway in a less visible location and not surrounded by residences.

Thank you for your consideration in this matter.

Sincerely,

[REDACTED]  
[REDACTED] Hwy 97  
Falkland, BC  
[REDACTED]

Public Hearing Submission  
- Bylaw No. 2558

Bottom line.. The mini storage and out door storage will be a terrible waste of land and a incredible eyesore to all the homes close by and to all of Falkland.

<input type="checkbox"/> CAO <input type="checkbox"/> Works <input type="checkbox"/> DS <input type="checkbox"/> Fin/Adm	<input type="checkbox"/> Agenda <input type="checkbox"/> Reg Board <input type="checkbox"/> in Camera <input type="checkbox"/> Other Mtg	Ownership:  File #
<p style="text-align: center;"> <i>Received at Public Hearing</i>  <b>APR 25 2019</b> </p>		
<input type="checkbox"/> Ec Dev <input type="checkbox"/> IIT <input type="checkbox"/> Parks <input type="checkbox"/> SEP <input type="checkbox"/> HR <input type="checkbox"/> Other	<div style="border: 1px solid black; padding: 5px; text-align: center;"> <b>RECEIVED</b> </div> <input type="checkbox"/> Staff to Report <input type="checkbox"/> Staff to Respond <input type="checkbox"/> Staff Info Oly <input type="checkbox"/> Dir Mailbox <input type="checkbox"/> Dir Circulate	Ask Sent: <div style="border: 1px solid black; padding: 5px;"> <input type="checkbox"/> Fax  <input type="checkbox"/> Mail  <input type="checkbox"/> Email         </div>

**From:** [REDACTED]  
**To:** [Candice Benner](#)  
**Subject:** Opposition to the bylaw #2558  
**Date:** Wednesday, April 24, 2019 1:51:37 PM

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As [REDACTED] unable to attend the public hearing for this bylaw matter [REDACTED] wanted to be able to make [REDACTED] concern known.

[REDACTED] NOT in favor of bylaw #2558 as [REDACTED] feel it will have a negative impact on the market value of the housing in the surrounding area. Our community is growing and therefore new housing is required not an outdoor storage facility. The outdoor storage will negatively impact the view for both the existing and new homes to be built in the surrounding area. [REDACTED] feel storage facilities, especially outdoor storage, belong in an industrial area not in the middle of a residential housing area where residents have to look at it.

Thanks,

[REDACTED]  
[REDACTED] Chase Falkland Rd.  
Falkland, BC

**From:** [REDACTED]  
**To:** [Planning Public Email address](#)  
**Subject:** Public hearing submission Bylaw #2558  
**Date:** Monday, April 22, 2019 8:20:07 PM

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As this proposed storage facility is the first thing that will be seen when entering Falkland. There should be stipulations in place to protect aesthetics, ie: solid fencing or wall to block sighting. It should also be kept clean. Also, access to the highway at Wetaskiwin Road will be a concern as traffic typically doesn't obey the speed limit posted there and vision to the North is limited.

Sent from my iPhone

**From:** [Candice Benner](#)  
**To:** [Marianne Mertens](#)  
**Subject:** FW: Public hearing submission bylaw No. 2558  
**Date:** Wednesday, April 24, 2019 3:42:40 PM

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-----Original Message-----

**From:** [REDACTED]  
**Sent:** Wednesday, April 24, 2019 3:41 PM  
**To:** Candice Benner <cbenner@csrd.bc.ca>  
**Subject:** Public hearing submission bylaw No. 2558

Public Hearing Submission – Bylaw No. 2558

The interest of [REDACTED] property is affected by the proposed Bylaw No. 2558. This is one of the first commercial properties that people see when entering Falkland from the west end of town. Community planning and development and aesthetics should be considered when amending commercial zoning. [REDACTED] no issues with the property being subdivided into 2 commercial lots and 2 residential lots, but the commercial zoning should not be amended to allow for sea can storage. [REDACTED] concerned about the aesthetics of the commercial property affecting the community and lowering the property values in the surrounding area. [REDACTED] apposed to this proposal.

Best regards,

[REDACTED]  
Residential owner of [REDACTED] Westwynd Drive



**From:** [Candice Benner](#)  
**To:** [Marianne Mertens](#)  
**Subject:** FW: Salmon Valley Land Use  
**Date:** Tuesday, April 23, 2019 2:37:48 PM

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BL2558 submission

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**From:** [REDACTED]  
**Sent:** Tuesday, April 23, 2019 2:36 PM  
**To:** Candice Benner <cbenner@csrd.bc.ca>  
**Subject:** Salmon Valley Land Use

[REDACTED] writing to express [REDACTED] wishes that Salmon Valley Land Use Amendment 674816 Bylaw 25587 in Falkland, B.C. be not permitted. [REDACTED] feel it be an eyesore especially as you are coming into our town.

Thanks, [REDACTED] Chase-Falkland Rd, Falkland

April 23, 2019

Public Hearing Submission – BL2558

Dear Board members,

I hereby submit my opposition to Salmon Valley Land Use Amendment (674816 BC LTD.) Bylaw No. 2558, in particular the amendment of the C Commercial zone, on the following grounds:

1. Outdoor storage of vehicles, RV's, boats, trailers and sea can storage is unsightly, as is mini-storage, and not in keeping with the rural aspect of the area in question. While knowing that some of the properties were zoned commercial, one would expect a pleasant- appearing commercial enterprise that fits in with the neighbourhood.
2. Pursuant to the above objection, the unsightly manner of such business could quite considerably lower the property values of the homes in the neighbourhood, a few of them which are brand new, including the 3 remaining lots that have not yet been built upon. People who choose to live in rural settings expect a rural setting!
3. The properties in question are very close to the Falkland Stampede grounds, an important event and tradition in Falkland. Again, proximity to a commercial venture such as proposed stands to decrease the atmosphere and rural feeling that this 100 year tradition engenders.

In short, I hope to convey to you my opposition to putting a highly visible, unsightly enterprise in a residential area of a rural town, so close to our famous rodeo grounds and right next to a new residential neighbourhood! While I do not wish to impede honest people in creating a business, it simply does not make sense to have such large, visible non-rural businesses so close to residents, the stampede, and the town of Falkland itself. I personally did not go through all the challenges of building a home (which is not yet even finished) in order to live right next to a business so alien to and unexpected in the quiet rural town that is Falkland.

Yours respectfully,

[REDACTED]

[REDACTED] Westridge Drive

Falkland, BC

From: [REDACTED]  
To: [Candice Benner](#)  
Subject: Bylaw2558  
Date: Wednesday, April 24, 2019 8:54:18 AM

---

Candace Benner,

I wish to let you know that I am totally **against** the use of this parcel of land for storage of the items requested. This is the entry to our town and should be used for something far nicer to let people know I care for our community. A small strip mall or even residential as I understand he applied for in the first place. The screening will not help. An ugly fence that will become delapated and fall down,; trees that are not taken care of and only half grow will not work. The house he has moved onto there already is too close to the road [main hwy..97] and if I listen to rumor should not be there. And I know other homes are closer and have to grandfathered in. This why we need building bylaws real soon.

I do understand that a storage place for such items is very much needed, but it should be somewhere out of sight and definitely back away from the main highway not at the entrance to our town.

[REDACTED]  
[REDACTED] Falkland Road  
[REDACTED]

**From:** [Candice Benner](#)  
**To:** [Candice Benner](#)  
**Subject:** FW: public hearing Submission  
**Date:** Thursday, May 2, 2019 10:15:00 AM

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**From:** [REDACTED]  
**Sent:** Thursday, April 25, 2019 1:01 PM  
**To:** Candice Benner <[cbenner@csrd.bc.ca](mailto:cbenner@csrd.bc.ca)>  
**Subject:** Re: public hearing Submission

Good Afternoon

I'm the property owner planning on doing the mini storage with outdoor storage including sea cans. I respect everyone's opinions and am willing to be a good neighbor and work with everyone addressing any concerns. I definitely want to make sure everything looks great for the neighborhood and will be working on making it respectfully kept up neat and tidy organized storage. Chain link fencing with privacy slats will be used around any area used for any type of storage. I would like to start with 5-10 sea cans to test the water to see if it is feasible. These sea cans will be new or newer 8x20 x 8ft high and will not be stacked. Smaller ones may be introduced depending on demand. Godard excavating has mentioned that they could grade the property lower from the fence line to make it less noticeable from the highway. Access points is shown on the map attached. There will be one access off of Westaskiwin road and the other off of Westridge drive and no highway access. Having two access points allows access to the whole property without crossing the gas right away.

Thank you for your time.

[REDACTED]

SUBDIVISION PLAN OF PART OF LOT A, Sec 3,  
Tp 18, R 12, W6M, KDYD PLAN KAP49754  
EXCEPT PLANS KAP49757 AND EPP58847

PLAN EPP89262

BCGS 82L.053

SCALE 1 : 750



The intended plot size of this plan is 560mm in width by 432mm in height (C size) when plotted at a scale of 1:750.

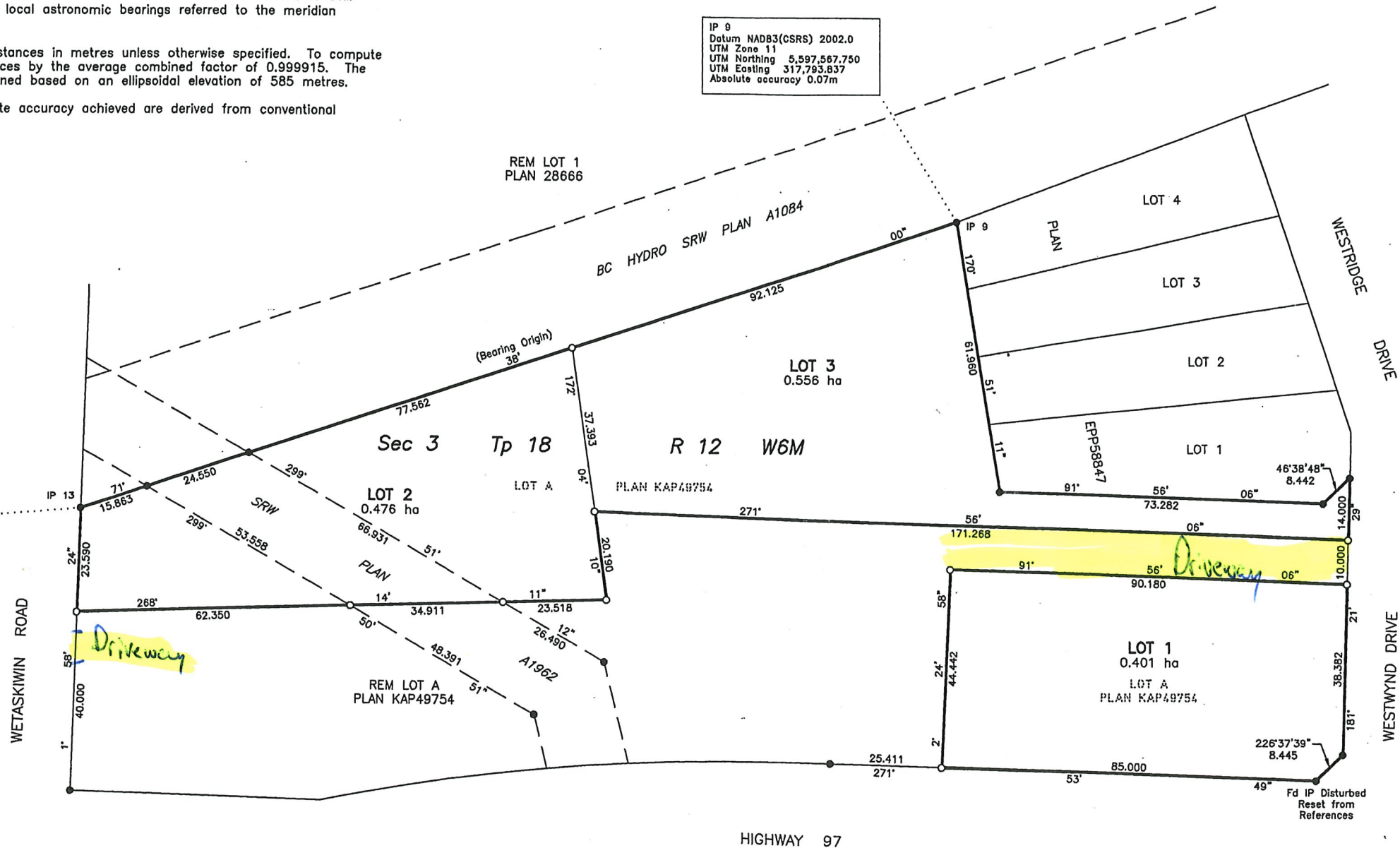
Grid bearings are derived from Plan EPP58847 and are referred to the central meridian of UTM Zone 11 (117° west longitude). To obtain local astronomic bearings referred to the meridian through IP 13, subtract 1°59'07".

This plan shows horizontal ground-level distances in metres unless otherwise specified. To compute grid distances, multiply ground-level distances by the average combined factor of 0.999915. The average combined factor has been determined based on an ellipsoidal elevation of 585 metres.

The UTM coordinates and estimated absolute accuracy achieved are derived from conventional observations to Plan EPP58847.

IP 9  
Datum NAD83(CSRS) 2002.0  
UTM Zone 11  
UTM Northing 5,597,567.750  
UTM Easting 317,793.637  
Absolute accuracy 0.07m

IP 13  
Datum NAD83(CSRS) 2002.0  
UTM Zone 11  
UTM Northing 5,597,501.554  
UTM Easting 317,594.456  
Absolute accuracy 0.06m



LEGEND

- denotes standard iron post found
- denotes standard iron post placed

**WILLIAM E. MADDOX**  
**B. C. Land Surveyor**

3500 - 30th Street, Vernon, BC V1T 5E8

103300R00

This plan lies within the jurisdiction of the  
Approving Officer for the Ministry of Transportation  
and Infrastructure.  
File No.: 2017-00207

This plan lies within the Columbia Shuswap Regional  
District.

The field survey represented by this plan was  
completed on the 27th day of November, 2018.  
William E. Maddox, BCLS 484

FILE: R10330

**From:** [REDACTED]  
**To:** [Candice Benner](#)  
**Subject:** Opposition to bylaw #2558  
**Date:** Wednesday, April 24, 2019 2:02:58 PM

---

Unfortunately [REDACTED] unable to attend the public hearing tomorrow but [REDACTED] wanted to be able to make [REDACTED] concern known.

[REDACTED] NOT in favor of bylaw #2558. As a builder, it is [REDACTED] opinion that an outdoor storage facility in that location will have a negative impact on the market value of the housing in the surrounding area. Our community is growing and therefore in need of new housing not storage facilities which belong in industrial areas where residents do not have to look at them day in and day out.

Thanks,

[REDACTED]  
[REDACTED] Chase Falkland Rd.  
Falkland, BC

**From:** [REDACTED]  
**To:** [Planning Public Email address](#); [Director Talbot](#); [Candice Benner](#)  
**Subject:** Opposition Against Suggested Storage Rental in Falkland BC  
**Date:** Tuesday, April 23, 2019 7:55:23 PM

---

To whom it may concern,

[REDACTED] a resident of Falkland. [REDACTED] Westwynd Drive and Westridge Drive. [REDACTED] writing in opposition of the storage rental units being built on the dump road. [REDACTED] highly against this as it will greatly lower the value of [REDACTED] house and [REDACTED] surrounding neighbours. [REDACTED] believe it will bring unwanted traffic and people coming into our children friendly neighbourhood, causing parents to worry. It will also be an eye sore in our beautiful small town.

Thank you for taking this into consideration.

[REDACTED]



**From:** [REDACTED]  
**To:** [Planning Public Email address](#); [Director Talbot](#); [Candice Benner](#)  
**Subject:** Opposition Against Suggested Storage Rental in Falkland BC  
**Date:** Tuesday, April 23, 2019 7:55:14 PM

---

To whom it may concern,

[REDACTED] a resident of Falkland. [REDACTED] Westwynd Drive and Westridge Drive. [REDACTED] writing in opposition of the storage rental units being built on the dump road. [REDACTED] highly against this as it will greatly lower the value of [REDACTED] house and [REDACTED] surrounding neighbours. [REDACTED] also believe it will bring unwanted traffic and people coming into [REDACTED] children friendly neighbourhood, causing parents to worry. It will also be an eye sore in our beautiful small town.

Thank you for taking this into consideration.

[REDACTED]


**COLUMBIA SHUSWAP REGIONAL DISTRICT**

P.O. Box 978 SALMON ARM, BC V1E 4P1

Telephone: 1-250-832-8194 Fax: 1-250-832-3375

**Staff Contact: Jennifer Sham**
[jsham@csrd.bc.ca](mailto:jsham@csrd.bc.ca)

BL2558

August 21, 2017

## RESPONSE SUMMARY

☐ Approval Recommended for Reasons Outlined Below

☐ Approval Recommended Subject to Conditions Below.

☒ No Objections

☐ Interests Unaffected by Bylaw.

☐ Approval not Recommended Due To Reasons Outlined Below.

Ministry of Forests Land Natural Resource Operations have no comments on this application

<input type="checkbox"/> CAO <input type="checkbox"/> Works <input type="checkbox"/> DS <input type="checkbox"/> Fin/Adm	<input type="checkbox"/> Agenda <input type="checkbox"/> Reg Board <input type="checkbox"/> In Camera <input type="checkbox"/> Other Mtg	Ownership:  File #
SEP 25 2017		
<input type="checkbox"/> Ec Dev <input type="checkbox"/> IT <input type="checkbox"/> Parks <input type="checkbox"/> SEP <input type="checkbox"/> HR <input type="checkbox"/> Other	RECEIVED <input type="checkbox"/> Staff to Report <input type="checkbox"/> Staff to Respond <input type="checkbox"/> Staff Info Only <input type="checkbox"/> Dir Mailbox <input type="checkbox"/> Dir Circulate	Ack Sent:  <input type="checkbox"/> Fax <input type="checkbox"/> Mail <input type="checkbox"/> Email

Signed By: \_\_\_\_\_

Title \_\_\_\_\_

Date: \_\_\_\_\_

Agency \_\_\_\_\_

**Marianne Mertens**

**From:** FLNR DOS Referrals CSNR:EX <FLNRDOSReferrals@gov.bc.ca>  
**Sent:** Friday, September 22, 2017 1:23 PM  
**To:** Marianne Mertens  
**Subject:** RE: CSRD Referral package for BL2558 - Comments Due - September 21, 2017 noon  
**Attachments:** BL2558 Referral return form.doc

Hi Marianne. No comments from our Ministry. Eric

**From:** Marianne Mertens [mailto:mmertens@csrd.bc.ca]  
**Sent:** Tuesday, September 5, 2017 12:02 PM  
**To:** Maxwell, Andree FLNR:EX  
**Cc:** Jennifer Sham  
**Subject:** CSRD Referral package for BL2558 - Comments Due - September 21, 2017 noon

**Subject:** Referral package for BL2558 - Agency

BL2558  
 CV: PL20160000145

Good afternoon:

You are requested to comment on the attached Bylaw Amendment for potential effect on your Agency's interests. We would appreciate your response by **Wednesday, September 20, 2017**. If no response is received within that time, it will be assumed that your Agency's interests are unaffected.

Have a great day.

Respectfully,

Marianne Mertens | Clerical Assistant  
 Development Services  
**COLUMBIA SHUSWAP REGIONAL DISTRICT**  
 PO Box 978, 555 Harbourfront Drive NE, Salmon Arm, BC V1E 4P1  
 T 250.833.5924 | F 250.832.3375  
 E [mmertens@csrd.bc.ca](mailto:mmertens@csrd.bc.ca) | W [www.csrd.bc.ca](http://www.csrd.bc.ca)

<input type="checkbox"/> CAO <input type="checkbox"/> Works <input type="checkbox"/> DS <input type="checkbox"/> Fin/Adm	<input type="checkbox"/> Agenda <input type="checkbox"/> Reg Board <input type="checkbox"/> In Camera <input type="checkbox"/> Other Mtg	Ownership:  File #
<b>SEP 22 2017</b> <i>PHB-n2x2</i>		
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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.

**Jennifer Sham**

**From:** Vieira, Cristina <Cristina.Vieira@fortisbc.com>  
**Sent:** September 21, 2017 10:23 AM  
**To:** Jennifer Sham  
**Subject:** FW: Columbia Shuswap Regional District - Hwy 97 Falkland - File BL2558 CV20160145  
**Attachments:** Scanned from a Xerox Multifunction Device.pdf

**Importance:** High

**Categories:** CityView Planning Attachment

FortisBC has a 323mm Transmission Pressure pipeline that runs through the lot in question. FortisBC does not allow any buildings, structures or storage of vehicles or boats any kind within the right of way. Please be advised that during any construction there will be no storage of any building materials within the right of way. In addition, if there is going to be heavy equipment crossing a right of way a permit must be obtained. Any work within 10m of this line or within the right of way will require a permit. You must obtain a BC one call ticket number prior to obtaining a permit. You can apply online for a permit at [www.fortisbc.com/rightofway](http://www.fortisbc.com/rightofway).

If you should have any further questions please contact the FortisBC permit desk at 604-576-7021. Thank you.

**Cristina Vieira, SR/WA**

Right of Way Service Representative

Property Services, FortisBC Energy Inc.

16705 Fraser Hwy, Surrey, BC V4N 0E8

Direct Phone (604)-576-7254, Toll Free 1-800-773-7001



JS

<input type="checkbox"/> CAO	<input type="checkbox"/> Agenda	Ownership:
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ALB x3 RECEIVED <input type="checkbox"/> Ec Dev <input type="checkbox"/> IT <input type="checkbox"/> Parks <input type="checkbox"/> SEP <input type="checkbox"/> HR <input type="checkbox"/> Other		
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0360-40.

BL 2558-PL2016-0145

BL 751-2017-0031

## Columbia Shuswap Regional District

## Electoral Area "D" Advisory Planning Commission Minutes

September 20, 2017

2:00 pm

CSRD Office Board Room

Members Present:

Kevin De Vos

Vice-Chair

Kerry Orchard

Secretary

Howard Hunt

Members Absent:

Barry Wilson

Kurstin Barta

Staff:

Rene Talbot (Area "D" Director), Jennifer Sham, Jan Thingsted

Guests:

Bip Thind (applicant BL 2558), Jeff Gaudette (MMJ Total Health Care Inc.)

<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	
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SEP 21 2017		
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<input type="checkbox"/> IT	<input type="checkbox"/> Staff to Respond	
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<input type="checkbox"/> HR	<input type="checkbox"/> Dir Circulate	<input type="checkbox"/> Email
<input type="checkbox"/> Other		

- 1) Meeting called to order: at 2:04 pm.
- 2) Adoption of Agenda: Addition of discussion of vacant Chair position, thank you to former Chair John Coulson, APC Membership under new business. Moved by Kerry Orchard to adopt agenda. Seconded by Howard Hunt.
- 3) Minutes of Previous Meetings: Minutes of the August 23, 2017 meeting reviewed and no changes called for. Moved by Howard Hunt to accept the minutes of the previous meeting. Seconded by Kevin De Vos.
- 4) Salmon Valley Land Use Amendment (674816 BC Ltd) Bylaw No. 2558 Bip Thind: Jennifer Sham gave a presentation on the application. Jennifer indicated that the CSRD has had a response from the following agencies:  
Ministry of Transportation and Infrastructure has no concerns with the application  
BC Hydro has no concerns with the application  
CSRD has indicated that all costs associated with the application are to be paid by the applicant

Bip Thind spoke to his application and indicated that he would like to subdivide the property as residential property had a stronger market now than commercial property. Bip also stated that it was an oversight to not apply for outdoor storage of vehicles, recreational vehicles, boats, and trailers on Bylaw 2554 amendment application.

Kerry Orchard asked for clarification that only lot 5 would have outdoor storage. Jennifer Sham indicated that this was the case.



Howard Hunt questioned why the recommendation of the APC "D" on Bylaw 2554 that access to the commercial property be restricted to Wetaskiwin Road wasn't carried through on Bylaw 2558. Jennifer Sham indicated that Ministry of Transportation and Infrastructure has no concerns with the application and didn't require any restriction on the road access.

Howard Hunt questioned how the Fortis Gas right of way would affect residential lot 4. Jennifer Sham indicated that the CSRD had not received a response from Fortis on the application. Jennifer also suggested Fortis would likely restrict where any permanent structures could go so as not to interfere with the right of way.

Howard Hunt asked what stage the application was at and if the CSRD had approved the application. Jennifer Sham indicated that there were several more steps to be done before the application was completed.

Kevin De Vos was not in favour of the panhandle lot. Jennifer Sham indicated that the CSRD and the Ministry of Transportation and Infrastructure have no concerns with the panhandle lot.

Kevin De Vos wondered if the two panhandles for lots 2 and 3 would effectively become one wide panhandle. Jennifer Sham indicated that screening is required on lot 2 and that would ensure the panhandles were separated.

Kerry Orchard asked how the outdoor storage provision on lot 5 would be separated from lots 1 and 2. Jennifer Sham indicated that this would be a bylaw enforcement issue and likely would not be a problem once lots 1 and 2 were sold.

**Moved by Howard Hunt that the APC Electoral Area "D" recommend approval of Salmon Valley Land Use Amendment Bylaw 2558 as presented. Seconded by Kerry Orchard. Passed unanimously.**

5) Bylaw 751 Ranchero/Deep Creek Zoning Bylaw Review: Jan Thingsted reviewed some of the issues that still require resolution. Jan indicated that the Bylaw 751 working group made progress on many of the issues at their meeting September 19, 2017.

**Home Occupation:** Discussion of what constitutes a Home Occupation, what size restrictions are appropriate, how this would fit in with residential areas and how basing size limit of the principal residence may not be the best approach.

**Bylaw Enforcement:** Howard Hunt suggested adding wording to Part 1.7 to bring the Bylaw and current practice into alignment.

**Mobile Home Park Zone:** Howard Hunt had several suggestions regarding screening, fencing, servicing, accessory buildings, and separation between units.

**Public and Institutional Zone:** Howard Hunt indicated that parking requirements for some institutions should be reduced if the student of those institutions were online rather than at a physical building.

**Signage:** Discussion of type, size and number of signs that may be used.

Secondary Dwelling Unit: Discussion of size requirements. 90 m2 was felt to be adequate.

Public Open House: Discussion of timing of public open house and what input public would have.

Cannabis Production Facilities: Jan Thingsted indicated that the CSRD was restricting Cannabis Production Facilities to AG1 zone on ALR portion only. All other requirements would be Federal or Provincial issues and regulated by those levels of government.

Jan Thingsted indicated that he would incorporate the latest recommendations for Bylaw 751 and update the Ranchero/Deep Creek Official Community Plan and forward both documents to the APC "D" members for review at the next APC "D" meeting (October 18, 2017).

- 6) New Business: Kevin De Vos Called for the next meeting of the APC "D" to be on October 18, 2017 at 2:00pm at the CSRD Board office.
- 7) New Business: Kevin De Vos asked that the CSRD recognize the service of John Coulson. Rene Talbot indicated that the CSRD Board would deal with this issue and inform the APC "D" members. This issue has been deferred to the next meeting of the APC "D".
- 8) New Business: Vacant Chair Position. Rene Talbot recommended that the APC "D" not deal with this issue until our next meeting when more members would be present. This issue has been deferred to the next meeting of the APC "D"
- 9) New Business: APC "D" membership. Jennifer Sham indicated that the CSRD is looking to add members to the APC "D". Jennifer indicated that there may be a person that is currently interested in sitting on the APC "D" and that the CSRD is considering advertising for additional members.
- 10) Adjournment Howard Hunt moved that the meeting be adjourned. Meeting adjourned at 3:43 pm.

*Handwritten signature:* KERRY ORCHARD





Columbia Shuswap Regional District  
Box 978  
Salmon Arm, British Columbia V1E 4P1  
Canada

Your File #: BL2558  
eDAS File #: 2017-05256  
Date: Aug/25/2017

**Re: Proposed Bylaw 2558 for:**

Lot A, Sec 3, Twp 18, R 12, W6M, KDYD Plan KAP49754, except Plans  
KAP49757 and EPP58847

Preliminary Approval is granted for the rezoning for one year pursuant to section  
52(3)(a) of the *Transportation Act*.

Please forward the bylaw to myself, for endorsement, after third reading.

If you have any questions please feel free to call Desiree Lantenhammer at (250) 503-  
3609.

Yours truly,

Desiree Lantenhammer, BSc  
Development Approvals Technician

Local District Address
Vernon Area Office 4791 23rd Street Vernon, BC V1T 4K9 Canada Phone: (250) 503-3664 Fax: (250) 503-3631


**COLUMBIA SHUSWAP REGIONAL DISTRICT**

P.O. Box 978 SALMON ARM, BC V1E 4P1

Telephone: 1-250-832-8194 Fax: 1-250-832-1083

FILE NO.

BL2558/PL20160000014

DATE RECEIVED:

Aug 21, 2017

## OPERATIONS MANAGEMENT

**Comments:** Marianne Mertens

**Terry Langlois**  
Team Leader Utilities

Servicing of this property will require engineering work to be completed by the CSRD to determine the costs and particulars of the connection. The costs of the connection and preliminary engineering would be the responsibility of the applicant along with the connection fees.

**Derek Sutherland**  
Team Leader  
Protective Service

Due to the construction materials used in the manufacture of trailers and the combustible gases stored in recreational vehicles the increased fire risk and proximity to residential zoning should be considered as part of this re-designation.

**Sean Coubrough**  
Fire Services Coordinator

Proponent must ensure adequate road access for emergency vehicles as per MOTI requirements.

**Ben Van Nostrand**  
Team Leader  
Environmental Health

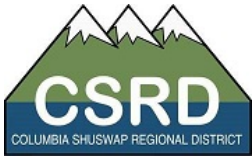
No concerns.

**Ryan Nitchie**  
Team Leader  
Community Services

No Concerns

**Darcy Mooney**  
Manager  
Operations Management

No Additional Concerns


**COLUMBIA SHUSWAP REGIONAL DISTRICT**

P.O. Box 978 SALMON ARM, BC V1E 4P1

Telephone: 1-250-832-8194 Fax: 1-250-832-3375

**Staff Contact: Jennifer Sham**
[jsham@csrd.bc.ca](mailto:jsham@csrd.bc.ca)

BL2558

August 21, 2017

## RESPONSE SUMMARY

☐ Approval Recommended for Reasons  
Outlined Below

☒ Interests Unaffected by Bylaw.

☐ Approval Recommended Subject to  
Conditions Below.

☐ Approval not Recommended Due  
To Reasons Outlined Below.

☐ No Objections

If the subdivision proceeds, all electrical servicing would be by design upon application by the developer and subject to the applicable BC Hydro extension policy in effect at the time of application.

Signed By: \_\_\_\_\_

Title Design Technician.

Date: \_\_\_\_\_

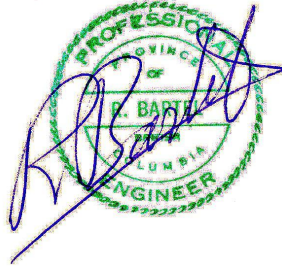
Agency \_\_\_\_\_



# CSRD Mapping



Jan 19, 2018 **POINT ONE**  
 Engineering  
 This map is a user generated static output  
 mapping site and is for reference only. Do  
 not appear on this map may or may not be ac  
 otherwise reliable. Not to be used for navi

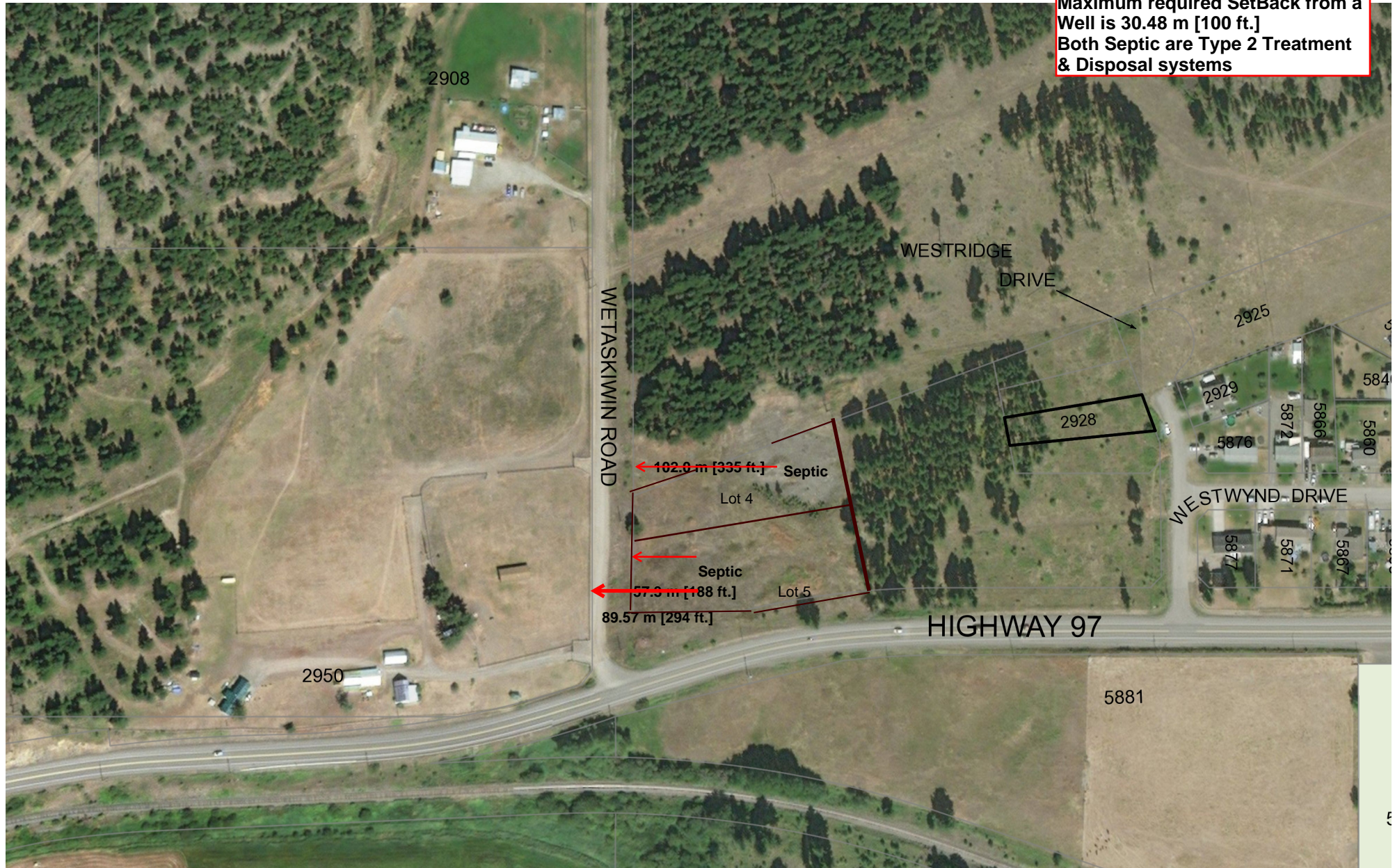


Scale 1: 4,514

114.7 0 57.33 114.7 Meters

## Map Notes

**Septic Fields on Lots 4 & 5**  
**Maximum required SetBack from a**  
**Well is 30.48 m [100 ft.]**  
**Both Septic are Type 2 Treatment**  
**& Disposal systems**





# Location

2908

WETASKIWIN ROAD

WESTRIDGE  
DRIVE

2928

2929

5876

5872

5866

5860

5856

5840

5834

5830

5837

5841

5849

5853

5855

5859

5861

5865

5867

5871

5877

WESTWYND DRIVE

HIGHWAY 97

H3

9

8

7

5

3

1

H2

H1

5808  
9 units

2924

2926

2928

2932

5855

5847

5813

pump  
house

5809

5863

57

RS

RHD

WESTRIDGE  
DRIVE

RS

RS

C

WETASKIWIN ROAD

HIGHWAY 97

WESTWYND DRIVE

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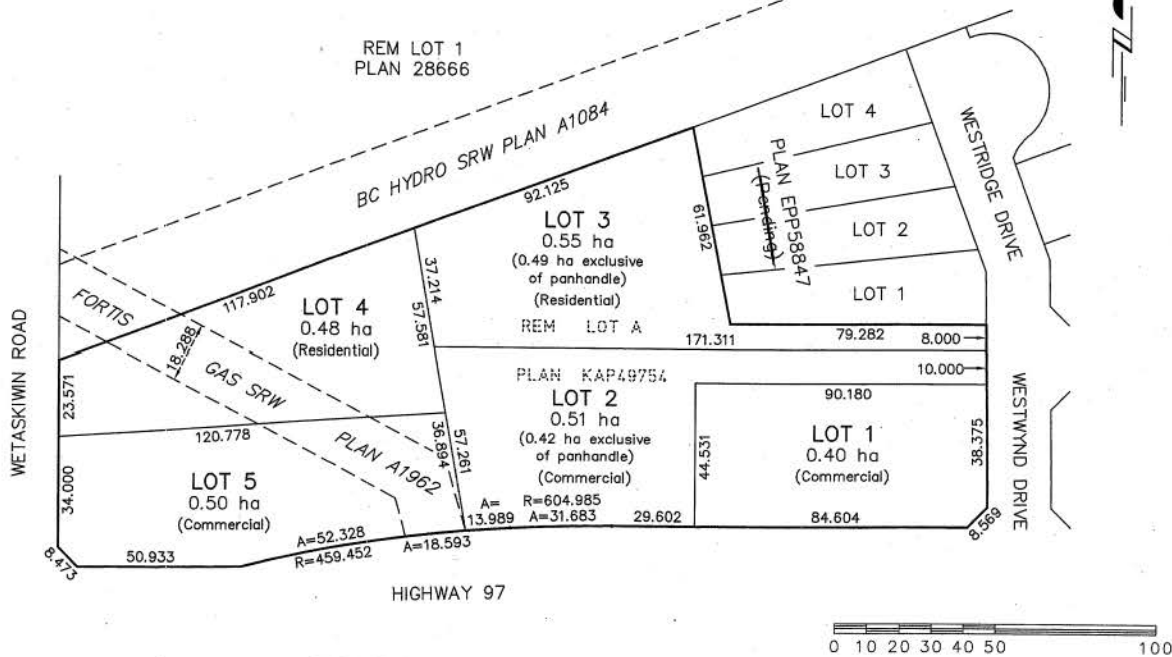
5865

5861

5859

ALL DISTANCES ARE IN METRES.

# Site Plan



PLAN OF PROPOSED SUBDIVISION OF  
LOT A, PLAN KAP49754, SEC 3, TP  
18, R 12, W6M, KDYD EXCEPT  
PLANSKAP49757 AND EPP58847

95880A08

SCALE: 1 : 1500 OUR FILE: R9588

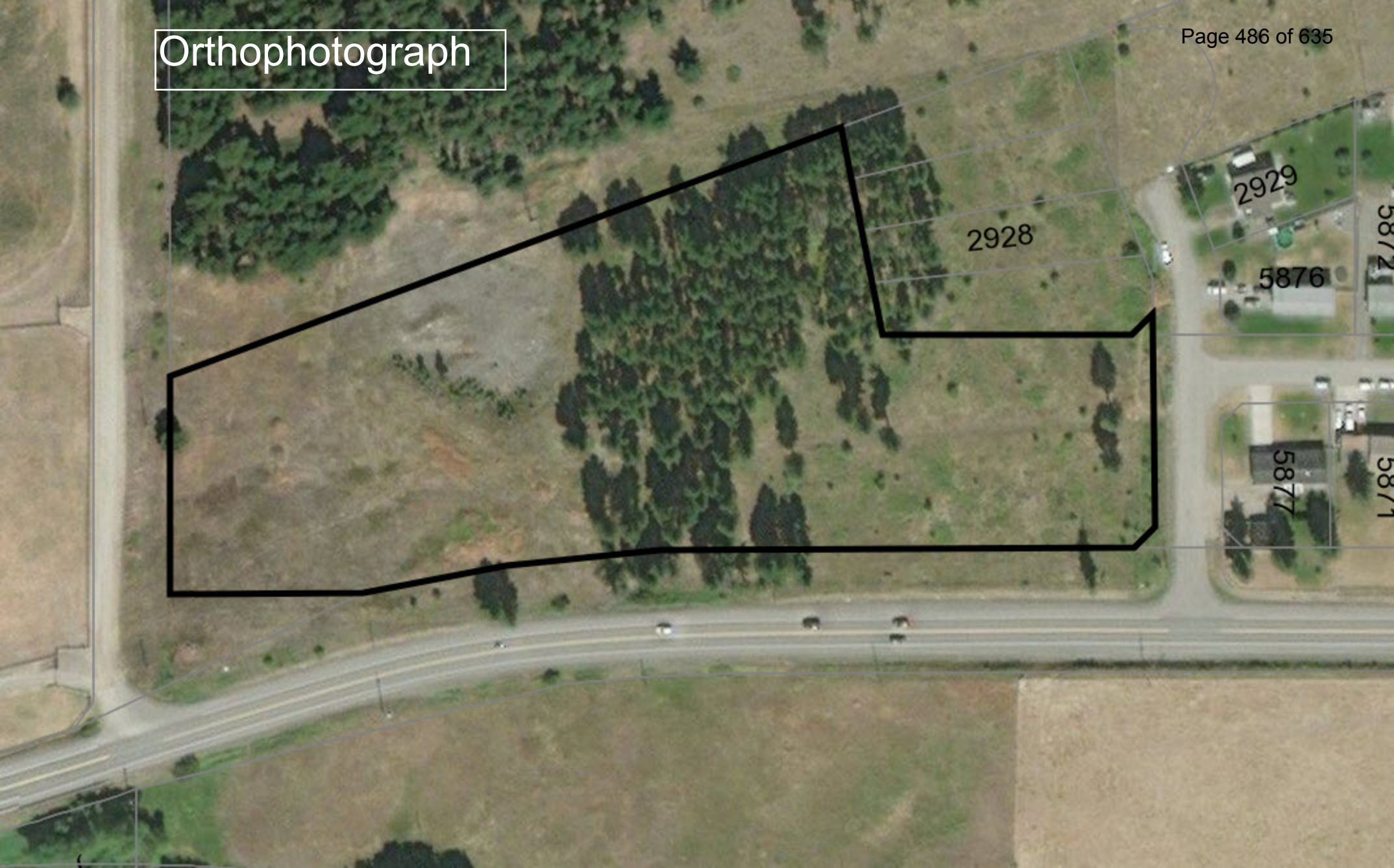
DATE: 17 May 2017 DRAWN: RJH

Thind

**WILLIAM E. MADDOX**  
B.C. LAND SURVEYOR  
3500 - 30th STREET  
VERNON, BC V1T 5E8  
TELEPHONE: (250) 542-4343



# Orthophotograph



2928

2929

5876

5877

5872

5871



# BOARD REPORT

**TO:** Chair and Directors

**File No:** BL2559  
PL2018080

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

**DESCRIPTION:** Report from Candice Benner, Planner II, dated April 29, 2019.  
5781 Highway 97, Falkland

**RECOMMENDATION:** THAT: Salmon Valley Land Use Amendment (Desimone/McMullen) Bylaw No. 2559 be read a third time this 16<sup>th</sup> day of May, 2019.

## SHORT SUMMARY:

The subject property is located at 5781 Highway 97 in Falkland of Electoral Area D. The property is currently zoned C-Commercial in Salmon Valley Land Use Bylaw No. 2500. A two-storey, two-family dwelling was built on the property in 2009; it consists of one self-contained dwelling per floor. The owners have applied to redesignate and rezone the property from C-Commercial to RS-Single and Two Family Residential in order to recognize the current two-family dwelling use on the property.

The Board gave second reading, as amended and delegated a public hearing at its February 21, 2019 Board meeting. A public hearing was held on April 16, 2019. It is now appropriate for the Board to consider third reading.

## VOTING:

Unweighted  
Corporate

☐

LGA Part 14  
(Unweighted)

☒

Weighted  
Corporate

☐

Stakeholder  
(Weighted)

☐

## BACKGROUND:

See "2018-10-18\_Board\_DS\_BL2559\_Desimone\_McMullen.pdf" and "Maps\_Plans\_Photos\_BL2559.pdf" attached.

## POLICY:

See "BL2500\_Excerpts\_BL2559.pdf" attached.

## FINANCIAL:

See "2018-10-18\_Board\_DS\_BL2559\_Desimone\_McMullen.pdf" attached.

## KEY ISSUES/CONCEPTS:

See "2018-10-18\_Board\_DS\_BL2559\_Desimone\_McMullen.pdf" and "2019-01-21\_Board\_DS\_BL2559\_Desimone\_McMullen.pdf".

The owners have provided documentation proving that all septic concerns have been resolved; including the construction of a new dispersal field and a Record of Sewerage filed with Interior Health Authority.

### **SUMMARY:**

Staff continue to support Bylaw No. 2559 and is recommending that the bylaw be considered for third reading for the following reasons:

- The policies of Bylaw No. 2500 support single family and multifamily residential uses within the community of Falkland;
- The subject property's residential use is consistent with the existing mix of residential and commercial uses located along the Highway 97 corridor within the community of Falkland; and,
- The two-family dwelling residential use on the property has existed since 2009 without any bylaw enforcement complaints from the neighbouring community, possibly indicating community acceptance for this use in this location.

### **IMPLEMENTATION:**

#### Public Hearing

A public hearing for this proposed bylaw amendment was held on April 16, 2019 in the CSRD Boardroom. Two members of the public, the subject property owners, were present. Staff received two submissions (from the same person) from the public indicating opposition to the application. See "Public\_submissions\_BL2559.pdf".

### **COMMUNICATIONS:**

If Board gives BL2559 third reading, staff will forward the bylaw to Ministry of Transportation for review and approval. Staff will then bring the bylaw back to the Board for adoption.

The Board will consider Development Variance Permit No. 2500-17 for setbacks for the existing deck, stairs, and storage shed at the same meeting as the adoption of this bylaw amendment.

### **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. Salmon Valley Land Use Bylaw No. 2500
2. Septic documentation

**Report Approval Details**

Document Title:	2019-05-16_Board_DS_BL2559_Desimone.docx
Attachments:	<ul style="list-style-type: none"> <li>- BL2559_third.pdf</li> <li>- 2019-01-21_Board_DS_BL2559_Desimone_McMullen.pdf</li> <li>- BL2559_second.pdf</li> <li>- 2018-10-18_Board_DS_BL2559_Desimone_McMullen.pdf</li> <li>- BL2559_first.pdf</li> <li>- Public_hearing_notes_2019-04-16_BL2559.pdf</li> <li>- Public_submissions_BL2559.pdf</li> <li>- Agency_referral_responses_BL2559.pdf</li> <li>- Maps_Plans_Photos_BL2559.pdf</li> </ul>
Final Approval Date:	May 6, 2019

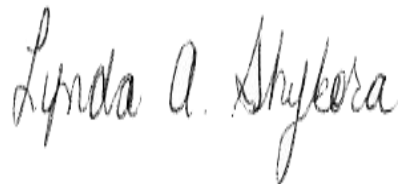
This report and all of its attachments were approved and signed as outlined below:



**Corey Paiement - May 3, 2019 - 11:25 AM**



**Gerald Christie - May 3, 2019 - 1:07 PM**



**Lynda Shykora - May 6, 2019 - 11:59 AM**



**Charles Hamilton - May 6, 2019 - 2:20 PM**

COLUMBIA SHUSWAP REGIONAL DISTRICT

SALMON VALLEY LAND USE AMENDMENT (DESIMONE/MCMULLEN) BYLAW NO. 2559

A bylaw to amend the "Salmon Valley Land Use Bylaw No. 2500"

WHEREAS the Board of the Columbia Shuswap Regional District adopted Bylaw No. 2500;

AND WHEREAS the Board deems it appropriate to amend Bylaw No. 2500;

NOW THEREFORE the Board of the Columbia Shuswap Regional District, in open meeting assembled, HEREBY ENACTS as follows:

1. "Salmon Valley Land Use Bylaw No. 2500" is hereby amended as follows:

A. MAP AMENDMENT

- i) Schedule A, the OCP Designation Maps, which form part of the "Salmon Valley Land Use Bylaw No. 2500", as amended, is hereby further amended by:
  - a. redesignating Lot 4 Block 7 Section 2, Township 18, Range 12, W6M, KDYD, Plan 1295, which is shown hatched on Schedule 1 attached hereto and forming part of this bylaw from C-Commercial to RS-Single and Two Family Residential.
- ii) Schedule C, Land Use Zoning Maps, which form part of the "Salmon Valley Land Use Bylaw No. 2500", as amended, is hereby further amended by:
  - a. rezoning Lot 4 Block 7 Section 2, Township 18, Range 12, W6M, KDYD, Plan 1295, which is shown hatched on Schedule 2 attached hereto and forming part of this bylaw from C-Commercial to RS-Single and Two Family Residential.

2. This bylaw may be cited as "Salmon Valley Land Use Amendment (Desimone/McMullen) Bylaw No. 2559."

READ a first time this 18 day of October, 2018.

READ a second time this 21 day of February, 2019.

PUBLIC HEARING held this 16 day of April, 2019.

READ a third time this day of, 2019.

RECEIVED THE APPROVAL of Ministry of Transportation and Infrastructure this day of, 2019.

ADOPTED this day of, 2019.

\_\_\_\_\_  
CORPORATE OFFICER

\_\_\_\_\_  
CHAIR

Certified true copy of Bylaw No. 2559  
as read a third time.

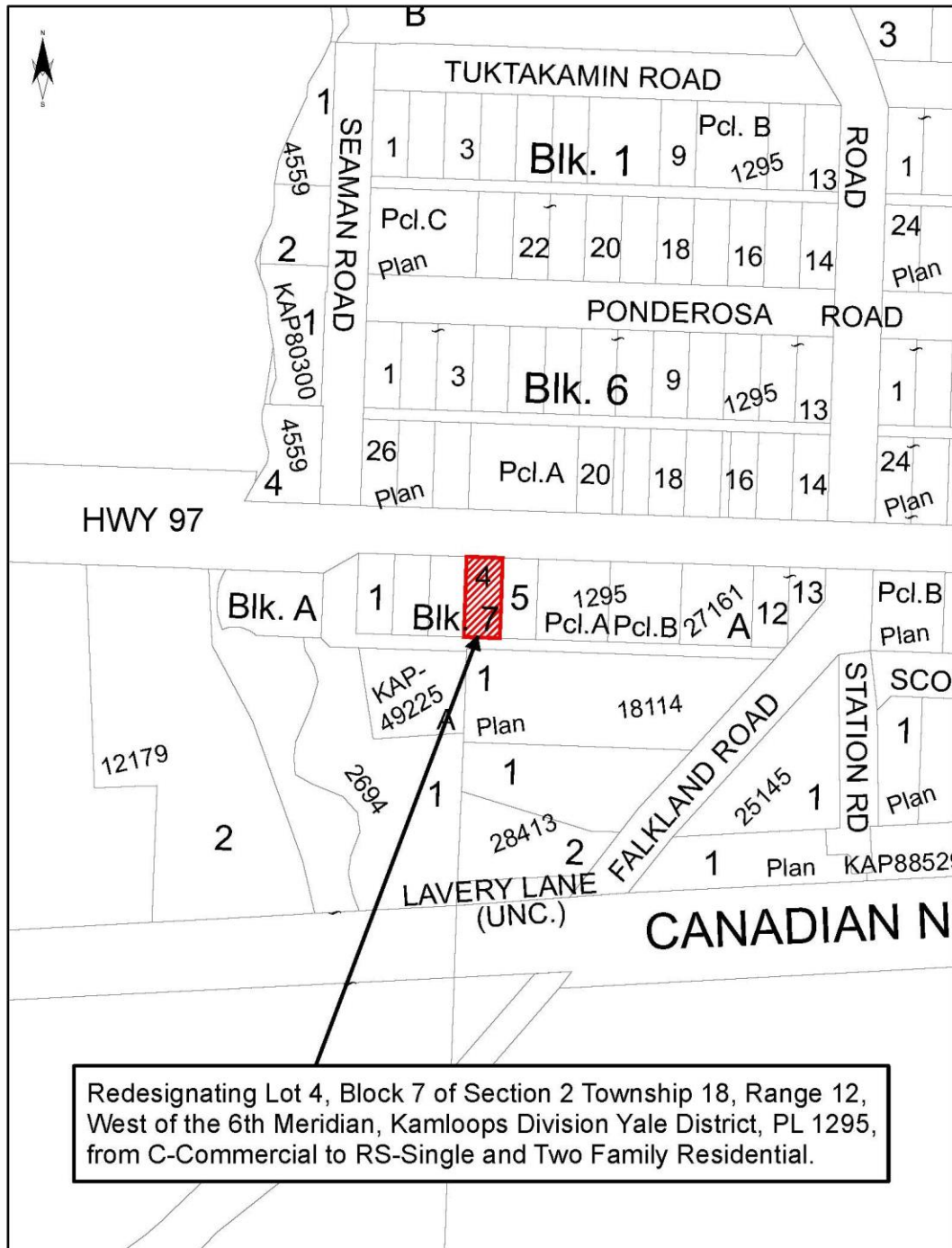
Certified true copy of Bylaw No. 2559  
as adopted.

\_\_\_\_\_  
Corporate Officer

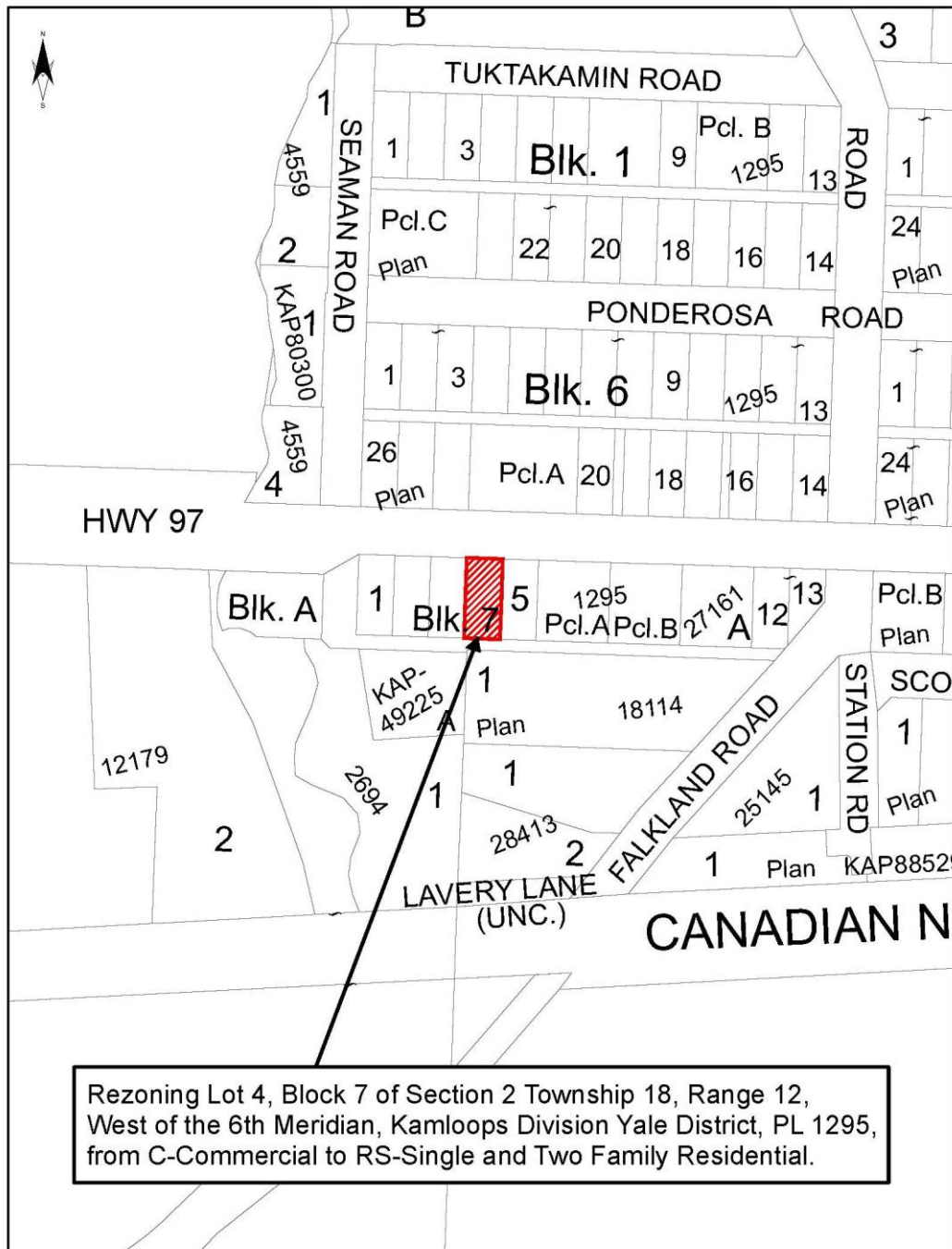
\_\_\_\_\_  
Corporate Officer



Schedule 1  
OCP Designation Maps Amendment  
Salmon Valley Land Use Amendment (Desimone/McMullen)  
Bylaw No. 2559



Schedule 2  
Land Use Zoning Maps Amendment  
Salmon Valley Land Use Amendment  
(Desimone/McMullen)  
Bylaw No. 2559





# BOARD REPORT

**TO:** Chair and Directors

<b>File No:</b> BL2559 PL2018080
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**SUBJECT:** Electoral Area D: Salmon Valley Land Use Amendment  
(Desimone/McMullen) Bylaw No. 2559

**DESCRIPTION:** Report from Candice Benner, Development Services Assistant, dated February 7, 2019.  
5781 Highway 97, Falkland

**RECOMMENDATION #1:** THAT: "Salmon Valley Land Use Amendment (Desimone/McMullen) Bylaw No. 2559" be read a second time this 21<sup>st</sup> day of February, 2019.

**RECOMMENDATION #2:** THAT: a public hearing to hear representations on "Salmon Valley Land Use Amendment (Desimone/McMullen) Bylaw No. 2559" 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 Talbot, Electoral Area D, being that in which the land concerned is located, or the Alternate Director De Vos, if the Director 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 subject property is located at 5781 Highway 97 in Falkland of Electoral Area D. The property is currently zoned C-Commercial in Salmon Valley Land Use Bylaw No. 2500. A two-storey, two-family dwelling was built on the property in 2009; it consists of one self-contained dwelling per floor. The owners have applied to redesignate and rezone the property from C-Commercial to RS-Single and Two Family Residential in order to recognize the current two-family dwelling use on the property.

The Board gave first reading and directed staff to send out referrals to applicable agencies and First Nations for this bylaw amendment at its October 18, 2018 Board Meeting. It is now appropriate for the Board to consider the bylaw amendment for second reading and delegation of a public hearing.

Since first reading, the owners have submitted a survey showing the siting of the existing buildings on the subject property; the existing second story deck, stairs, and storage shed attached to the two-family dwelling are located within the side parcel line setback and requires a Development Variance Permit (DVP). Staff have provided preliminary information about this DVP application in this report.

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## VOTING:

Unweighted  
Corporate

☐

LGA Part 14  
(Unweighted)

☒

Weighted  
Corporate

☐

Stakeholder  
(Weighted)

☐


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## BACKGROUND:

See "2018-10-18\_Board\_DS\_BL2559\_Desimone\_McMullen.pdf" and "Maps\_Plans\_Photos\_BL2559.pdf" attached.

**POLICY:**

See "BL2500\_Excerpts\_BL2559.pdf" attached.

**FINANCIAL:**

See "2018-10-18\_Board\_DS\_BL2559\_Desimone\_McMullen.pdf" attached.

**KEY ISSUES/CONCEPTS:**

See "2018-10-18\_Board\_DS\_BL2559\_Desimone\_McMullen.pdf".

The Board gave first reading of Bylaw No. 2559 at its October 18, 2018 Board meeting and directed staff to follow the simple consultation process and refer the bylaw amendment to applicable agencies and First Nations for comment. Referral comments have now been received and are summarized in the Communications section of this report.

The owners hired a Registered Onsite Wastewater Practitioner (ROWP), Rodric Anamchara, to complete a septic inspection of the existing septic system on the property. The results from the inspection, November 28, 2018, indicate that the septic system is in working condition and does not appear to cause potential health hazard. The system was constructed to accommodate a 2-3 bedroom home for up to 5 adults (300 IG/day); the ROWP indicates that although the existing residence is a two-family dwelling, there are only 3 bedrooms total, so the septic can accommodate this use as it remains at 300 IG/day. Two non-compliant features were found regarding the existing system; the first is that it was installed without a permit or filing with Interior Health and that the dispersal field does not meet required setbacks. The ROWP recommended partial replacement of the system to rectify these issues. The owners are in the process of working with the ROWP to design an updated system and plan to install the system as soon as weather and scheduling permits. Staff will not recommend adoption of this bylaw amendment until the ROWP confirms that all septic issues have been resolved.

See "Septic\_report\_2018-12-28\_BL2559.pdf" attached.

**Development Variance Permit**

Staff requested that a survey be completed for the subject property as the two-family dwelling seemed to be located close to the side parcel setbacks. The survey confirmed that although the two-family dwelling is outside of the side parcel line setbacks, the attached deck, stairs, and storage shed are all within 2.0 m of the side parcel line. A DVP for these structures will be required to recognize the siting of the two-family dwelling, however, this bylaw amendment must first be approved. The Board will review the DVP (DVP 2500-17) for issuance when this amendment is considered for adoption, should it proceed through further readings.

The variance for consideration will be as follows:

The Salmon Valley Land Use Bylaw No. 2500 is hereby varied:

Section 2.7.2.2 minimum setback from side parcel line from 2.0 m to 0.59 m for an attached deck; to 1.56 m for attached stairs, and to 1.31 m for an attached storage shed.

Although building inspection is not a function in this area, staff consulted with the CSRD Building Services Department regarding future potential fire separation issues there may be for the deck, stairs, and storage shed as they are located within the side parcel line setback; the building department does not have issue with the siting of the deck or stairs but has provided recommendations regarding a first story window located near the stairs that staff have forwarded to the owners. See "Agency\_referral\_responses\_BL2559.pdf" attached.

Staff note that the site plan the owners provided shows a wood deck located on the east side of the house; this is a ground level type patio and is not considered a structure. A shed located at the rear of the property is on the site plan as well, the surveyor did not include this structure on the survey as it is on skids and not permanent. The owner will be advised to move this structure to comply with the setback.

**SUMMARY:**

Staff continue to support Bylaw No. 2559 and is recommending that the bylaw be considered for second reading and referral to a public hearing.

**IMPLEMENTATION:****Consultation Process**

Neighbouring property owners first became aware of the application when a notice of application sign was posted on the property. As of the date of this report, no written submissions from the public have been received. If the Board approves the staff recommendation, a public hearing will be scheduled to receive input from the public.

**COMMUNICATIONS:**

If the Board supports second reading of Bylaw No. 2559 and delegates a Public Hearing, staff will proceed with notification of property owners within 100 metres and publication of notices as required by the Local Government Act.

Bylaw No. 2559 was referred to the following agencies and First Nations for comments, which are summarized below. See "Agency\_referral\_responses\_BL2559.pdf" attached.

CSRD Finance Department  
No objections.

CSRD Operations Department  
Utilities –Utility billing to be updated to recognize two residential user fees.  
Other –no concerns.

CSRD Building and Bylaw Services  
Interests Unaffected –comments on Code compliance and recommendations regarding first story window provided.

Ministry of Transportation and Infrastructure  
Preliminary Approval granted,

Archaeology Branch

Approval Recommended subject to conditions –recommendations provided should any potential archaeological discoveries be made during land alterations.

Interior Health Authority  
Interests Unaffected.

No response received from:

- Adams Lake Indian Band
- Coldwater Indian Band
- Cook's Ferry Indian Band
- Little Shuswap Indian Band
- Lower Nicola Indian Band
- Lower Similkameen Indian Band
- Lytton First Nation
- Neskonlith Indian Band
- Nlaka'pamux Nation Tribal Council
- Okanagan Indian Band
- Okanagan Nation Alliance
- Oregon Jack Creek Band
- Penticton Indian Band
- Siska Indian Band
- Skeetchestn Indian Band
- Splots'in First Nation
- Stk'emlups te Secwepemc
- Tk'emlups Indian Band
- Upper Nicola Band
- Esh-kn-am Cultural Resources Management Services.

#### **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:**

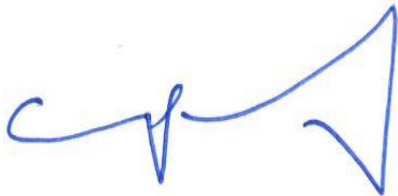
1. Salmon Valley Land Use Bylaw No. 2500
2. ROWP Septic Inspection, November 28, 2018



**Report Approval Details**

Document Title:	2019-01-21_Board_DS_BL2559_Desimone_McMullen.docx
Attachments:	<ul style="list-style-type: none"><li>- BL2559_second.pdf</li><li>- 2018-10-18_Board_DS_BL2559_Desimone_McMullen.pdf</li><li>- BL2559_first.pdf</li><li>- Agency_referral_responses_BL2559.pdf</li><li>- BL2500_Excerpts_BL2559.pdf</li><li>- Maps_Plans_Photos_BL2559.pdf</li></ul>
Final Approval Date:	Feb 8, 2019

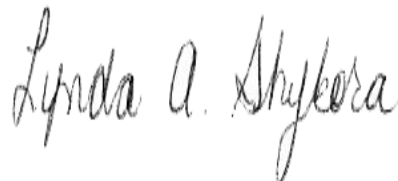
This report and all of its attachments were approved and signed as outlined below:



**Corey Paiement - Feb 8, 2019 - 11:03 AM**



**Gerald Christie - Feb 8, 2019 - 2:07 PM**



**Lynda Shykora - Feb 8, 2019 - 2:53 PM**



**Charles Hamilton - Feb 8, 2019 - 3:08 PM**

COLUMBIA SHUSWAP REGIONAL DISTRICT

SALMON VALLEY LAND USE AMENDMENT (DESIMONE/MCMULLEN) BYLAW NO. 2559

A bylaw to amend the "Salmon Valley Land Use Bylaw No. 2500"

WHEREAS the Board of the Columbia Shuswap Regional District adopted Bylaw No. 2500;

AND WHEREAS the Board deems it appropriate to amend Bylaw No. 2500;

NOW THEREFORE the Board of the Columbia Shuswap Regional District, in open meeting assembled, HEREBY ENACTS as follows:

1. "Salmon Valley Land Use Bylaw No. 2500" is hereby amended as follows:

A. MAP AMENDMENT

- i) Schedule A, the OCP Designation Maps, which form part of the "Salmon Valley Land Use Bylaw No. 2500", as amended, is hereby further amended by:
  - a. redesignating Lot 4 Block 7 Section 2, Township 18, Range 12, W6M, KDYD, Plan 1295, which is shown hatched on Schedule 1 attached hereto and forming part of this bylaw from C-Commercial to RS-Single and Two Family Residential.
- ii) Schedule C, Land Use Zoning Maps, which form part of the "Salmon Valley Land Use Bylaw No. 2500", as amended, is hereby further amended by:
  - a. rezoning Lot 4 Block 7 Section 2, Township 18, Range 12, W6M, KDYD, Plan 1295, which is shown hatched on Schedule 2 attached hereto and forming part of this bylaw from C-Commercial to RS-Single and Two Family Residential.

2. This bylaw may be cited as "Salmon Valley Land Use Amendment (Desimone/McMullen) Bylaw No. 2559."

READ a first time this 18 day of October, 2018.

READ a second time this day of , 2019.

PUBLIC HEARING held this day of , 2019.

READ a third time this day of , 2019.

RECEIVED THE APPROVAL of Ministry of Transportation and Infrastructure this day of , 2019.

ADOPTED this day of , 2019.

\_\_\_\_\_  
CORPORATE OFFICER

\_\_\_\_\_  
CHAIR

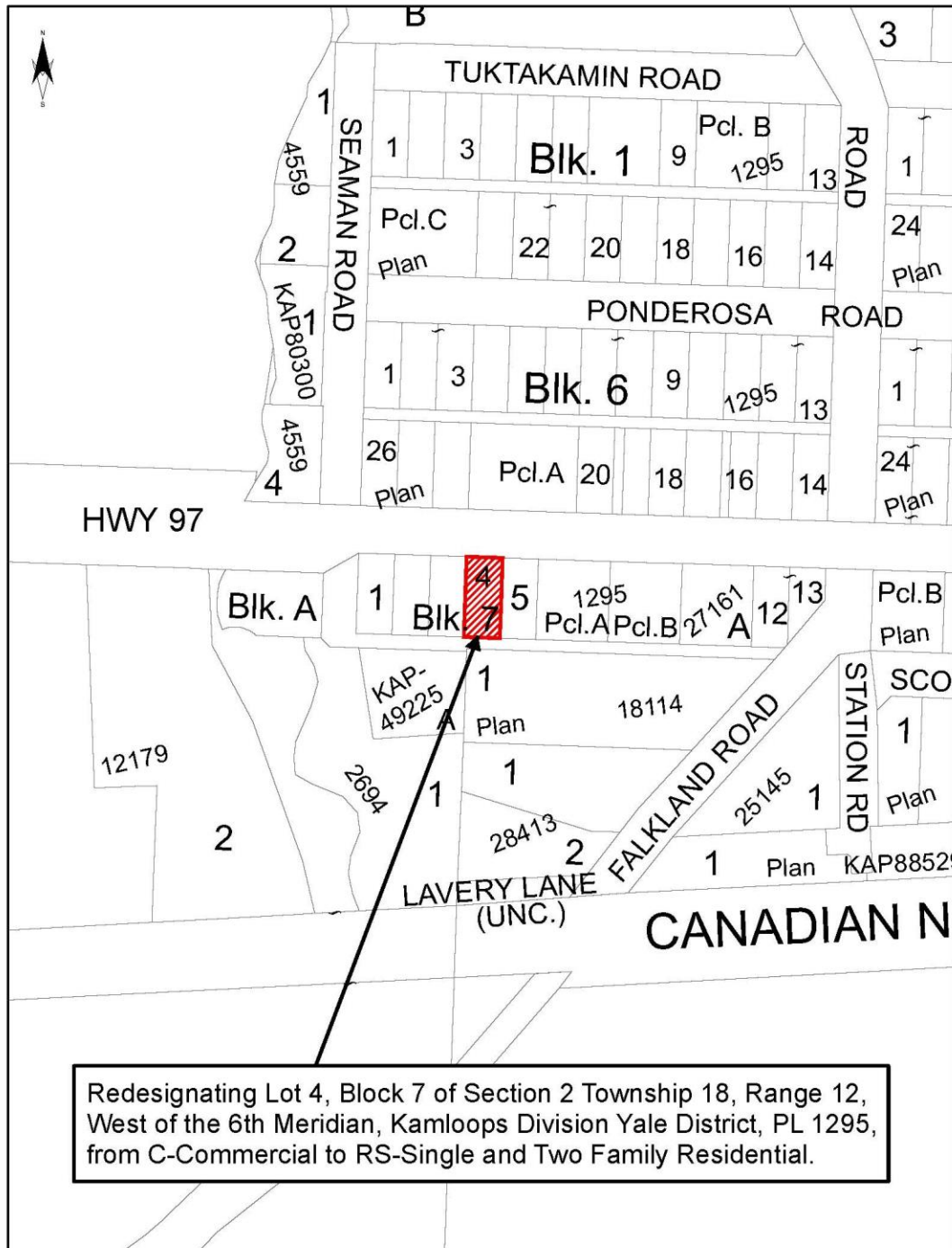
Certified true copy of Bylaw No. 2559  
as read a third time.

Certified true copy of Bylaw No. 2559  
as adopted.

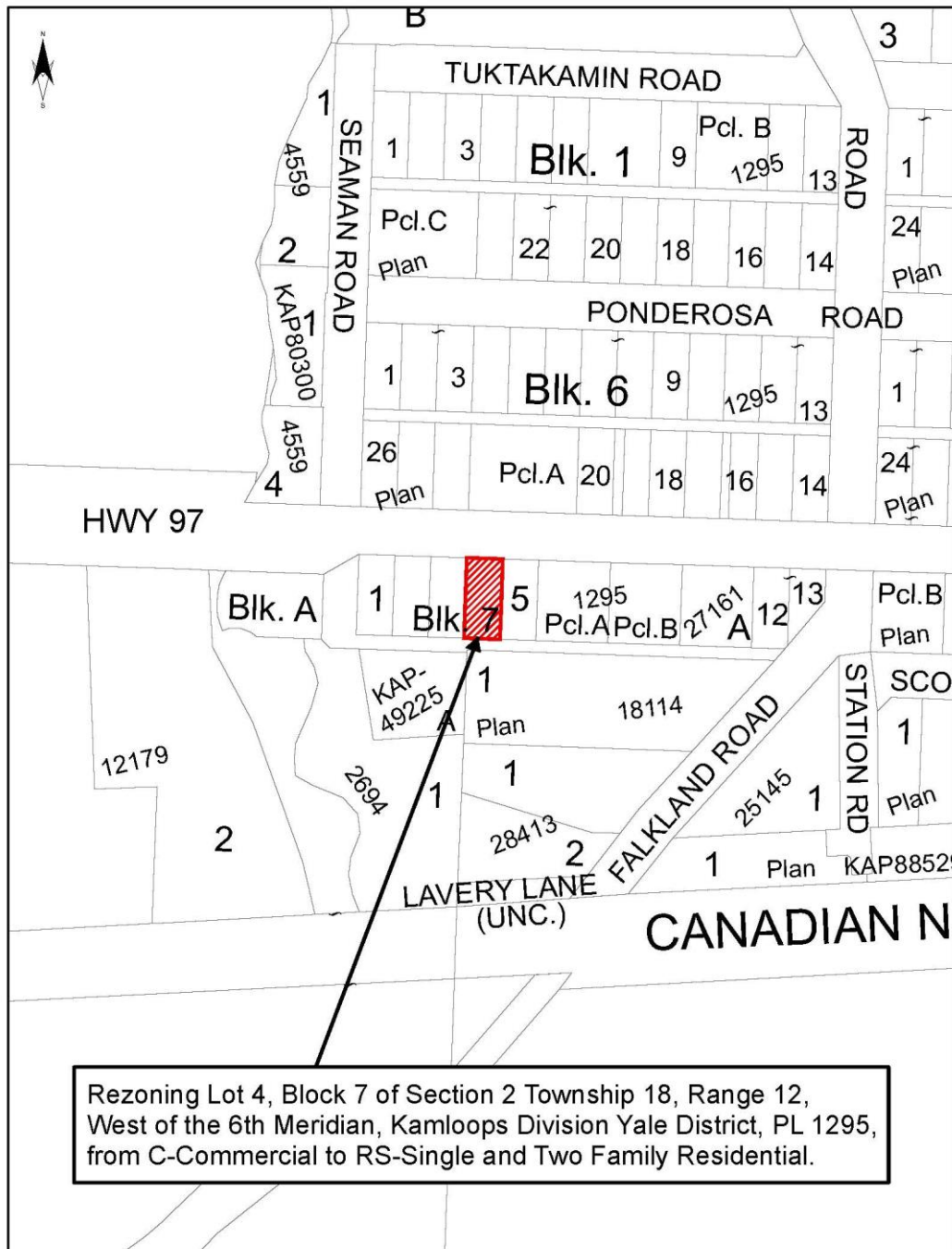
\_\_\_\_\_  
Corporate Officer

\_\_\_\_\_  
Corporate Officer

Schedule 1  
OCP Designation Maps Amendment  
Salmon Valley Land Use Amendment (Desimone/McMullen)  
Bylaw No. 2559



Schedule 2  
Land Use Zoning Maps Amendment  
Salmon Valley Land Use Amendment  
(Desimone/McMullen)  
Bylaw No. 2559





# BOARD REPORT

**TO:**

Chair and Directors

<b>File No:</b> BL2559 PL2018080
-------------------------------------

**SUBJECT:**

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

**DESCRIPTION:**

Report from Candice Benner, Development Services Assistant,  
 dated October 4, 2018.  
 5781 Highway 97, Falkland

**RECOMMENDATION #1:** 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;

**RECOMMENDATION #2:** 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;
- CSR D Operations Management;
- CSR D 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.

**SHORT SUMMARY:**

The subject property is located at 5781 Highway 97 in Falkland of Electoral Area D. The property is currently zoned C-Commercial in Salmon Valley Land Use Bylaw No. 2500. A two-storey two-family dwelling was built on the property in 2009; it consists of one self-contained dwelling per floor. The owner has applied to redesignate and rezone the property from C-Commercial to RS-Single and Two Family Residential in order to recognize the current two-family dwelling use on the property.

**VOTING:**

Unweighted ☐  
 Corporate

LGA Part 14 ☒  
 (Unweighted)

Weighted ☐  
 Corporate

Stakeholder ☐  
 (Weighted)

**BACKGROUND:**

## OWNERS:

Stephen McMullen

Lenae Desimone

## ELECTORAL AREA:

D (Falkland)

## CIVIC ADDRESS:

5781 Highway 97

## LEGAL DESCRIPTION:

Lot 4 Block 7 Section 2, Township 18, Range 12, W6M, KDYD, Plan 1295

## PID:

008-582-173

## SIZE OF PROPERTY:

0.052 ha

## SURROUNDING LAND

## USE PATTERN:

NORTH: Highway 97, residential

SOUTH: access lane, residential

EAST: Residential

WEST: residential

## CURRENT DESIGNATION/ZONE:

Salmon Valley Land Use Bylaw No. 2500

C-Commercial

## PROPOSED DESIGNATION/ZONE:

Salmon Valley Land Use Bylaw No. 2500

RS-Single and Two Family Residential

## CURRENT USE:

Two-family dwelling and accessory buildings

## PROPOSED USE:

Two-family dwelling and accessory buildings



**SITE COMMENTS:**

The subject property is west of downtown Falkland on the south side of Highway 97. The two-family dwelling sits centrally on the property with a grassed yard in the front, which is also the location of the septic system and parking at the back. Though the property fronts the Highway, access is from an established laneway at the rear of the property.

On both sides of the highway are various mixed uses including residential, commercial, community library, and vacant lots.

**POLICY:**

See attached "BL2500\_Excerpts\_BL2559" for applicable policies and land use regulation. To review policies and land use regulation in their entirety, see Salmon Valley Land Use Bylaw No. 2500 (Bylaw No. 2500).

Bylaw No. 2500 supports single family and multi-family residential uses within the community of Falkland.

Any new highway and service commercial uses are encouraged to be concentrated in Falkland, fronting on Highway 97.

**FINANCIAL:**

If the subject property is redesignated and rezoned from C to RS, the BC Assessment Authority may value the land and improvements differently.

If given first reading, this amendment will be referred to the CSRD Operations Management Department for review regarding water connection to the Falkland Water System.

This application is not the result of bylaw enforcement, but the existing two-family dwelling is not a use permitted in the C zone.

**KEY ISSUES/CONCEPTS:**

The two-family dwelling located on the subject property was built in 2009 and has maintained a residential use since; there is no commercial use being operated on the property.

The subject property is currently zoned commercial which permits only one single family dwelling per parcel and must be an accessory use to an established principle commercial use. The owners have applied to rezone the property from its current commercial zone to residential in order to recognize the existing two-family dwelling residential use on the property.

The two-family dwelling is connected to the CSRD owned Falkland Water System; the owner has indicated that the two dwellings share a water connection.

The two-family dwelling shares a single septic system; staff have requested the owner to provide further information regarding the existing system. A referral will also be sent to Interior Health for comment.

The subject property is in the Bolean Creek Floodplain Area; staff will discuss floodplain requirements and criteria with the subject property owners prior to second reading.

The community of Falkland is identified in Bylaw No. 2500 as being along Highway 97 between Wetaskiwin Road to the west and Lynes Road to the east.

Although the Highway 97 corridor in Falkland is predominately zoned Commercial for properties fronting the highway between Seaman Road to the west and Gyp Road to the east, a significant number of properties in this area also have residential uses. Staff completed an analysis of the 5700 block (between Seaman Road and Churchill Road) that the subject property is located within and determined that out of the approximate 45 properties on either side of Highway 97 and within this block area; 18 are residential properties, 8 are commercial properties, and the rest are a mix of park land, parking, and vacant lots. Some of the older residential properties may be considered to be legally non-conforming if they were constructed prior to Bylaw No. 2500 being adopted.

The majority of the commercially used properties within this block are located centrally and close to each other, in what would be considered the downtown area of Falkland around the intersection of Chase-Falkland Road and Highway 97. The residential properties are located intermittently through the highway corridor with most located on the outskirts, at the east and west ends of the corridor.

The subject property is one of the last properties located at the far west end of the 5700 block of the highway corridor. The properties further west of the subject property are residential with the last property in the 5700 block being the Bolean Creek Community Park, adjacent to Seaman Road. To the east of the subject property, and closer to the downtown area of Falkland, are vacant properties with the closest commercial property being Okanagan Regional Library located two lots east of the subject property.

The RS zone permits home occupation use and so if the subject property were zoned as such, there would still be opportunity for some form of commercial use on the property.

### **SUMMARY:**

The owner has applied to redesignate and rezone the property from C-Commercial to RS-Single and Two Family Residential in order to recognize the current two-family dwelling use on the property.

Staff recommend that this amendment be given first reading and be sent out to referral agencies for the following reasons:

- The policies of Bylaw No. 2500 support single family and multifamily residential uses within the community of Falkland;
- The subject property's residential use is consistent with the existing mix of residential and commercial uses located along the Highway 97 corridor within the community of Falkland; and,

- The two-family dwelling residential use on the property has existed since 2009 without any bylaw enforcement complaints from the neighbouring community, possibly indicating community acceptance for this use in this location.

### **IMPLEMENTATION:**

The following list of referral agencies is recommended:

- Ministry of Transportation and Infrastructure;
- Interior Health Authority;
- Ministry of Forests, Lands and Natural Resources – Archaeology Branch;
- CSRD Operations Management;
- CSRD Financial Services; and,
- Adams Lake Indian Band
- Coldwater Indian Band
- Cook's Ferry Indian Band
- Little Shuswap Indian Band
- Lower Nicola Indian Band
- Lower Similkameen Indian Band
- Lytton First Nation
- Neskonlith Indian Band
- Nlaka'pamux Nation Tribal Council
- Okanagan Indian Band
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- Penticton Indian Band
- Siska Indian Band
- Skeetchestn Indian Band
- Splots'in First Nation
- Stk'emlups te Secwepemc
- Tk'emlups Indian Band
- Upper Nicola Band
- Esh-kn-am Cultural Resources Management Services

### **COMMUNICATIONS:**

Staff is recommending the simple consultation process because the proposed amendment should not have a significant impact on properties in the bylaw area. Neighbouring property owners will first become aware of the application for the zoning amendment when a notice of development sign is posted on the subject property.

### **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.*

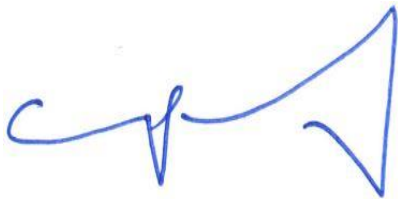
**LIST NAME OF REPORT(S) / DOCUMENT(S) AVAILABLE FROM STAFF:**

1. Salmon Valley Land Use Bylaw No. 2500

**Report Approval Details**

Document Title:	2018-10-18_Board_DS_BL2559_Desimone_McMullen.docx
Attachments:	- BL2559_first.pdf - BL2500_Excerpts_BL2559.pdf - Maps_Plans_Photos_BL2559.pdf
Final Approval Date:	Oct 9, 2018

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



**Corey Paiement - Oct 5, 2018 - 11:35 AM**



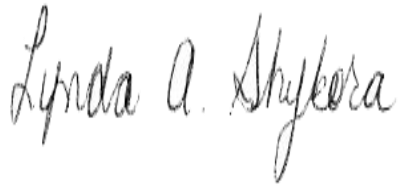
**Gerald Christie - Oct 5, 2018 - 11:57 AM**



**Jodi Pierce - Oct 5, 2018 - 12:04 PM**



**Darcy Mooney - Oct 5, 2018 - 5:42 PM**

A handwritten signature in cursive script, reading "Lynda A. Shykora".

**Lynda Shykora - Oct 9, 2018 - 10:42 AM**

A handwritten signature in cursive script, reading "Charles Hamilton".

**Charles Hamilton - Oct 9, 2018 - 10:46 AM**

COLUMBIA SHUSWAP REGIONAL DISTRICT

SALMON VALLEY LAND USE AMENDMENT (DESIMONE/MCMULLEN) BYLAW NO. 2559

A bylaw to amend the "Salmon Valley Land Use Bylaw No. 2500"

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AND WHEREAS the Board deems it appropriate to amend Bylaw No. 2500;

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2. This bylaw may be cited as "Salmon Valley Land Use Amendment (Desimone/McMullen) Bylaw No. 2559."

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

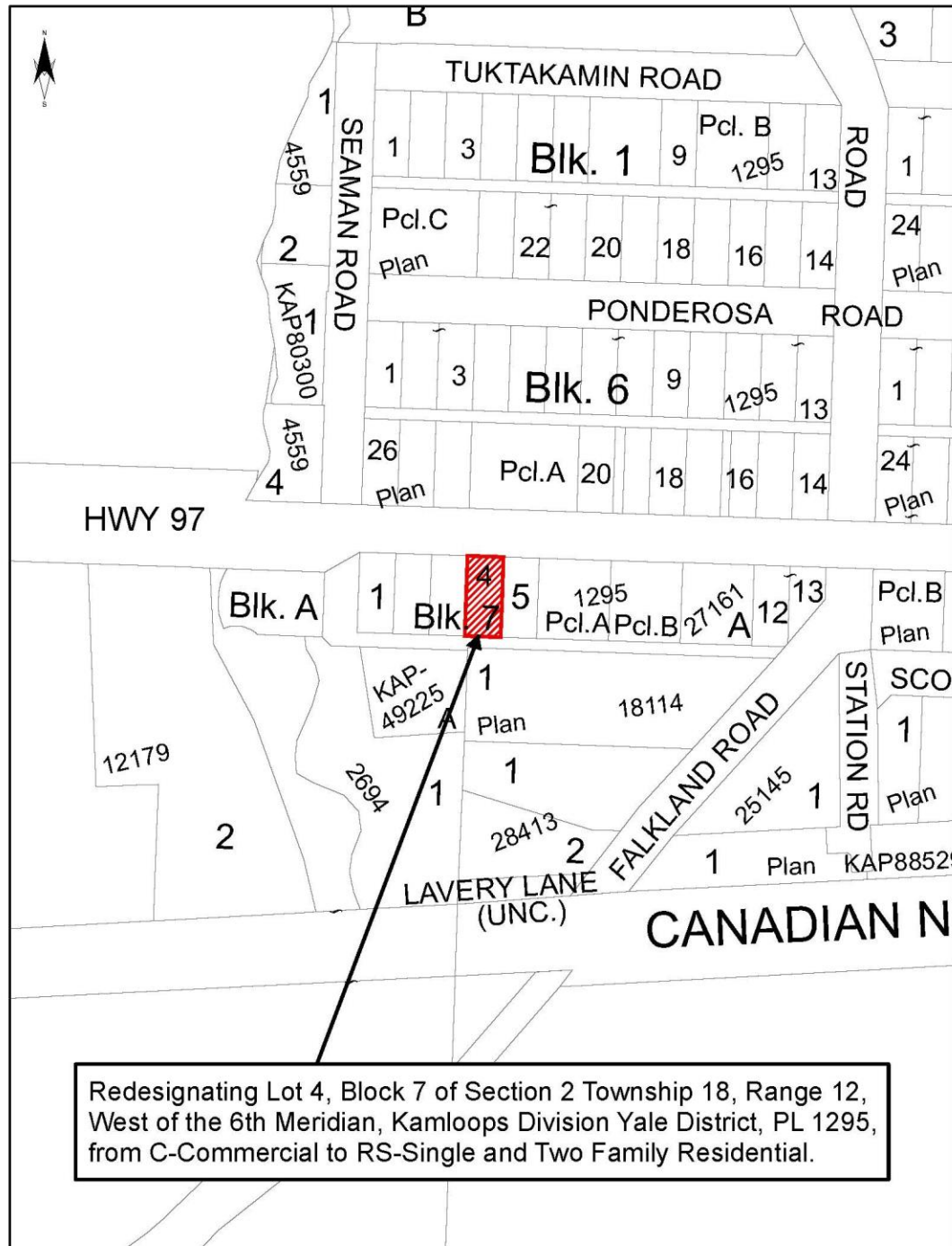
Certified true copy of Bylaw No. 2559  
as read a third time.

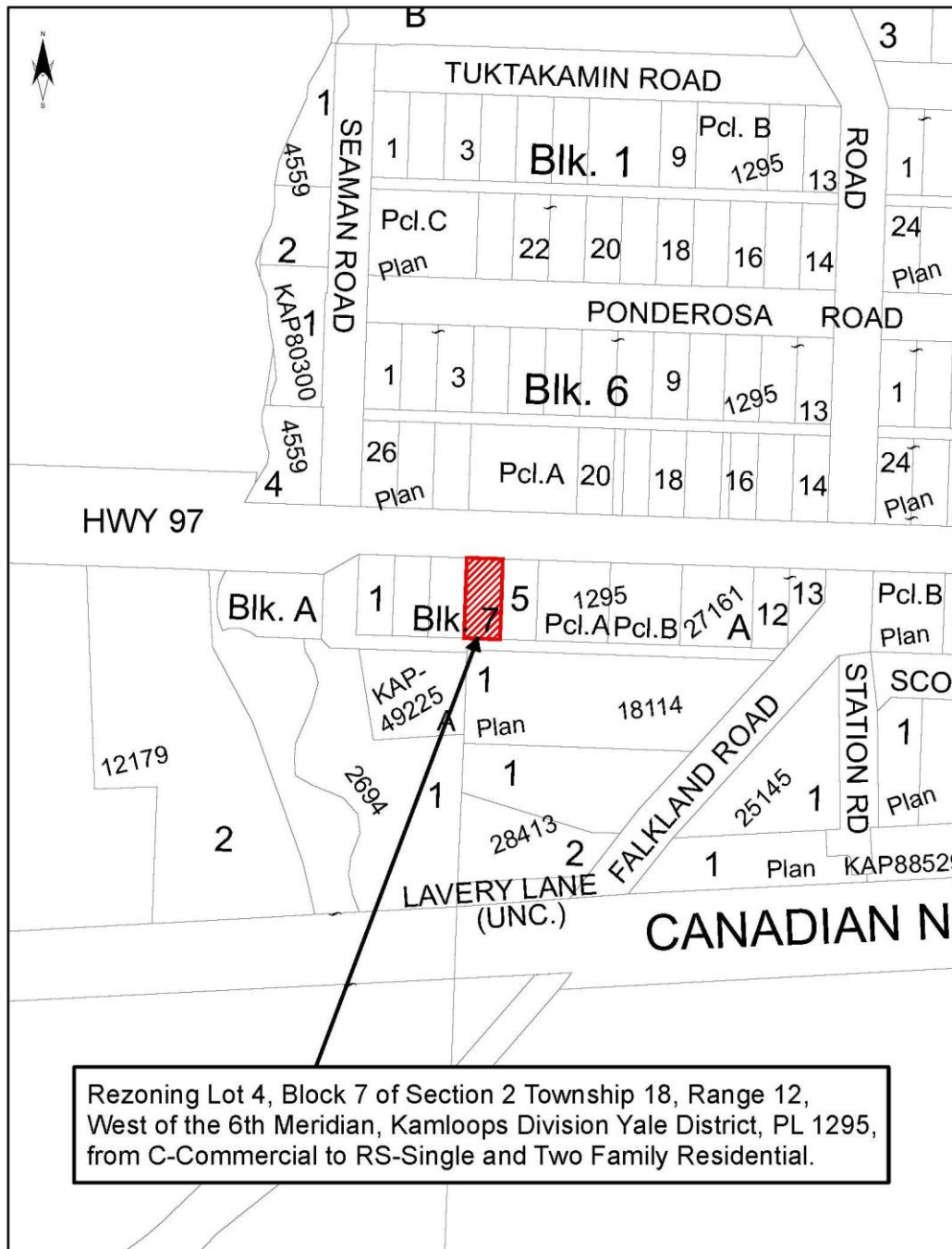
Certified true copy of Bylaw No. 2559  
as adopted.

\_\_\_\_\_  
Corporate Officer

\_\_\_\_\_  
Corporate Officer

Schedule 1  
OCP Designation Maps Amendment  
Salmon Valley Land Use Amendment (Desimone/McMullen)  
Bylaw No. 2559







## 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.csr.bc.ca](http://www.csr.bc.ca)

Notes of the Public Hearing held on Tuesday April 16, 2019 at 2:00 PM at the CSRD office, 555 Harbourfront Drive NE, BC regarding Salmon Valley Land Use Amendment (Desimone/McMullen) Bylaw No. 2559 (Bylaw No. 2559).

**PRESENT:** Chair Rene Talbot – Electoral Area D Director  
Candice Benner – Planner II, CSRD  
2 members of the public (applicants)

Chair Talbot called the Public Hearing to order at 2:00 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 amending Bylaw No. 2559.

The Planner explained that Bylaw No. 2558 proposes to redesignate and rezone the subject property located at 5781 Highway 97 from C Commercial to RS Residential in order to recognize the current two-family dwelling use on the property. The Planner also explained the current septic situation on the property and that a DVP will be required to address encroachments into the side parcel line setback.

The Chair opened the floor for comments.

Lenae Desimone, applicant, indicated that they have done everything that has been requested by the CSRD. They have addressed the septic concerns and the dispersal and junction box are now fully on her property and no longer encroaching on the neighbouring property. She indicated that they were invited to a Falkland Community Association meeting by Kevin Mitchell, president, and no public spoke up at the meeting about the application and they did receive wishes for the best. Lenae said that their intention is to be fully compliant with zoning. She said that Falkland has a lot of commercial properties in Falkland that are vacant and unused and are not selling and they could be used for residential.

Director Talbot asked about access through the back alley and Ministry of Transportation maintain that road.

Lenae replied that the back alley is a Class E roadway and Ministry of Transportation is not required to maintain it.

Director Talbot said that the only other access to the property is by Highway 97 which has about an eight foot drop off from the highway to the property.

Lenae replied that if there wasn't already access by the back alley it would be a \$2500 application fee to put in an access. Due to the size of the property and location of the septic system in the front yard, which cannot be driven over, access would be hard from the highway.

Hearing no further representations or questions about amending Bylaw No. 2559, the Chair called three times for further submissions before declaring the public hearing closed at 2:16 PM.

CERTIFIED as being a fair and accurate report of the public hearing.

\*original signed by Director

---

Director Rene Talbot  
Public Hearing Chair

*Candice Benner*

---

Candice Benner  
Planner II

February 20, 2019

CSRD Development Services

Re: File No. BL 2559, PL2018080, 5781 Highway 97, Falkland, BC

Attention: Candice Benner, Development Services Assistant

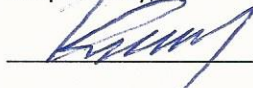
Dear Ms. Benner,

The Falkland & District Community Association represents many of the residents potentially affected by any re-zoning application of commercial property to residential zoning. The subject zoning triggered a debate amongst residents as to what the future of Falkland holds. In order to facilitate a fulsome discussion of the subject, I contacted Jan Thingsted, CSRD Long Range Planner who advised me that the Official Community Plan draft for Area D including Falkland is scheduled to begin in 2021. As the OCP is the definitive guide for future development in our area, it is our request that all rezoning applications including in-stream be tabled until the OCP is complete. Piecemeal re-zoning may hinder any long range goals or direction that an OCP will provide.

The challenge we face as a community is that Falkland needs to rejuvenate its commercial corridor to secure its future and given the limited number of commercial lots available under the current zoning Bylaw 2500, it is imperative we protect and maintain commercial opportunities

In summary, the Falkland and District Community Association does not support re-zoning applications of any properties located within the commercial corridor of Falkland and requests to be advised of any upcoming or in-stream applications.

Respectfully,



Kevin W. Mitchell, President

Falkland and District Community Association

PO Box 193, Falkland, BC V0E 1W0

Tel. 250-517-8138





## **FALKLAND & DISTRICT COMMUNITY ASSOCIATION**

Box 193

Falkland BC V0E 1W0

[falklandcommunity@hotmail.com](mailto:falklandcommunity@hotmail.com)

*Incorporated since 1925*

April 15, 2019

Ms. Candace Benner, Planner 2

Columbia-Shuswap Regional District

Re: 5781 Highway 97, Falkland BC re-zoning application

Dear Ms. Benner,

This letter is an addendum to my previous correspondence regarding the subject property. I would request this be included in the public hearing scheduled for Tuesday, April 16. I had hoped to attend the meeting in person but due to work commitments I am unable to be present.

In 1991, the CSRD council of the day had the foresight to zone most of Hwy 97 through Falkland as C-Commercial including the subject property. As this highway is a major corridor between Vernon/Kelowna and Kamloops it makes perfect sense that any development through communities like Falkland be zoned commercial to support local as well as transient populations. This zoning designation also supports community planning practices that try to avoid residential development immediately adjacent to major arterial routes with no buffer zone. The commercial zoning provides this buffer.

The staff report on this property suggests there are homes nearby that are situated along this corridor. It should be noted, however that ALL of these homes pre-date the 1991 Zoning Bylaw 2500. In fact, the ONLY building constructed in this specific area is the subject property and was built in 2009 as a "commercial garage with living unit above" as stated by the original owner-builder. This was and is a permitted use within the Commercial designation. The owner failed to comply with this zoning restriction and instead chose to convert the commercial space to a second living unit. When the current owners purchased the property, they secured a COMMERCIAL mortgage recognizing the designation as provided by zoning. The current owners claim they want the zoning changed to make the property "comply" with its current use. In fact, the current zoning would require the owners to convert the second living unit back to its original stated use.



When I asked the planning department why this building had been allowed to violate the zoning requirement, I was told there are no building permits required in Falkland and as such no one at CSRD was aware of the situation. The interesting note here is Area D Director, Rene Talbot is a resident of Falkland and has been a director for more than 16 years. This would have ensured he knew about the new building in 2009 and chose not to report its non-compliance for over 9 years.

Falkland has very little commercial zoned property and approving this application would further erode this situation.

On an unrelated note, I would request the following situation be read into the record of this hearing. I contacted Director Talbot several weeks ago and requested this public hearing be held in Falkland. Director Talbot advised me that "due to security concerns", this hearing would have to be held in Salmon Arm. I advised him the community hall had been booked for a Public Hearing in early July 2019 to review the possible implementation of building codes in Falkland. Director Talbot offered no response to this other than re-stating the "security concerns" in Falkland. It is an unfortunate situation as many Falkland residents will not travel 100 kilometers round trip to attend a public hearing about their own community when facilities exist here to accommodate up to 300 attendees, many more than the CSRD boardroom.

Regards,

A handwritten signature in black ink, appearing to read 'Kevin W. Mitchell', written in a cursive style.

Kevin W. Mitchell, President

Cell: 250-517-8138



# COLUMBIA SHUSWAP REGIONAL DISTRICT

P.O. Box 978 SALMON ARM, BC V1E 4P1

Telephone: 1-250-832-8194 Fax: 1-250-832-3375

Staff Contact: Candice Benner

[cbenner@csrd.bc.ca](mailto:cbenner@csrd.bc.ca)

BYLAW No: 2559

DATE: October 22,  
2018



## RESPONSE SUMMARY

☐ Approval Recommended for Reasons  
Outlined Below

☐ Approval Recommended Subject to  
Conditions Below.

☒ No Objections

☐ Interests Unaffected by Bylaw.

☐ Approval not Recommended Due  
To Reasons Outlined Below.

<input type="checkbox"/> CAO <input type="checkbox"/> Works <input type="checkbox"/> DS <input type="checkbox"/> Fin/Adm	<input type="checkbox"/> Agenda <input type="checkbox"/> Reg Board <input type="checkbox"/> in Camera <input type="checkbox"/> Other Mtg	Ownership:  File #
<b>OCT 24 2018</b> <i>PHD, m2 X3</i>		
<input type="checkbox"/> Ec Dev <input type="checkbox"/> IT <input type="checkbox"/> Parks <input type="checkbox"/> SEP <input type="checkbox"/> HR <input type="checkbox"/> Other	RECEIVED <input type="checkbox"/> Staff to Report <input type="checkbox"/> Staff to Respond <input type="checkbox"/> Staff Info Oly <input type="checkbox"/> Dir Mailbox <input type="checkbox"/> Dir Circulate	Ask Sent:  <input type="checkbox"/> Fax <input type="checkbox"/> Mail <input type="checkbox"/> Email

Signed By: \_\_\_\_\_

*J. Perci*

Title \_\_\_\_\_

*Manager, Financial Services*

Date: \_\_\_\_\_

*Oct 24/18*

Agency \_\_\_\_\_

*CSRD*


**COLUMBIA SHUSWAP REGIONAL DISTRICT**

PO Box 978 SALMON ARM BC V1E 4P1  
 Telephone: 250.832.8194 Fax: 250.832.1083

FILE NO.

BL2559 201800000080

DATE RECEIVED:

Oct 24, 2018

**OPERATIONS MANAGEMENT**

Marianne Mertens

Function	Comments	Reviewed By
<b>UTILITIES</b>	This property is connected to the Falkland Water System, but is currently charged for only one residential user fee. As the dwelling contains two separate contained units, it should be charged for two residential user fees. Utility billing will be updated accordingly.	Terry L
<b>EMERGENCY MANAGEMENT</b>	No concerns	Darcy/Phaedra
<b>FIRE SERVICES</b>	The property is within the Falkland Fire suppression service area. No concerns with property rezoning from commercial to residential.	Darcy/Phaedra
<b>SOLID WASTE AND RECYCLING</b>	No concerns.	Darcy/Phaedra
<b>PARKS AND COMMUNITY SERVICES</b>	No concerns.	Darcy/Phaedra
<b>ADMINISTRATION</b>	No further concerns.	Darcy/Phaedra



## COLUMBIA SHUSWAP REGIONAL DISTRICT

P.O. Box 978 SALMON ARM, BC V1E 4P1  
Telephone: 1-250-832-8194 Fax: 1-250-832-1083

FILE NO.:  
BL2559 PL2018\_0129

DATE RECEIVED:  
10/24/2018

## BUILDING DEPARTMENT

BUILDING OFFICIAL: Scott Beck

Address:	5781 HWY 97, Falkland, BC
Land Use Amendment:	BL2559 [To redesignate and rezone the subject property (5781 Highway 97) from C Commercial to RS Single and Two Family Dwelling] requesting a building department review.
Planning Review Summary:	<p>Np planning review was provided but a board report and supporting documents was provided and indicated the following items that could adversely affect the future construction or renovations of any buildings or structures:</p> <ul style="list-style-type: none"> <li>• Within Floodplain</li> <li>• Highway Access</li> </ul>
Site Plan :	A site plan is shown in the supporting documents and does show setbacks to property lines and show other features.
Property:	Property has a 2 storey two-family dwelling onsite with a smaller shed constructed and placed on the property line.
Building Plans:	Existing house plans were not provided with the application.
Building Official Comments:	<p>Based on the information provided the building official's comments are as follows:</p> <ol style="list-style-type: none"> <li>1) Building Bylaw No.660 does not apply. No building permits required.</li> <li>2) Adherence to current BC Building Code Applies <ul style="list-style-type: none"> <li>• Fire Protection and egress for two dwelling units should be considered to ensure code compliance</li> </ul> </li> <li>3) Adherence to all applicable CSRD Zoning Regulations <ul style="list-style-type: none"> <li>• Shed should be relocated to minimum setbacks</li> </ul> </li> <li>4) Adherence to all applicable CSRD Development Permits</li> <li>5) Adherence to all other Agencies Having Jurisdiction</li> </ol>



## COLUMBIA SHUSWAP REGIONAL DISTRICT

P.O. Box 978 SALMON ARM, BC V1E 4P1

Telephone: 1-250-832-8194 Fax: 1-250-832-3375

**Staff Contact:**

FILE: BL2559

DATE: Oct 25, 2018

### RESPONSE SUMMARY

☐ Approval Recommended for Reasons Outlined Below

☒ Interests Unaffected by Bylaw.

☐ Approval Recommended Subject to Conditions Below.

☐ Approval not Recommended Due To Reasons Outlined Below.

☒ No Objections

There is currently no Building Regulation Bylaw for Area 'D' of the CSRD however all buildings must still conform to the BC Building Code for the year in which they were built. As stated in the report this duplex was built in 2009 and as such must conform to the BC Building Code 2006 Cycle. As there is no Building Regulation this response is strictly for information only and cannot be used to withhold the issuance of any permit.

As per your request regarding the exterior stairs, railing and windows the items from the permanent sections from the 2006 BC Building Code are as follows:

Definitions from BCBC:

**Suite** means a single room or series of rooms of complementary use, operated under a single tenance, and includes dwelling units, individual guest rooms in motels, hotels, boarding houses, rooming houses and dormitories as well as individual stores and individual or complementary rooms for business and personal services occupancies.

Section 9.8 Stairs, Ramps, Handrails and Guards – (must conform to all but some specific requirements below)

#### 9.8.2. Stair Dimensions

9.8.2.1(1) Required exit stairs and public stairs shall have a width of not less than 900mm

#### 9.8.4. Step Dimensions

9.8.4.2.(1) Rise: Max-200mm	Run: Max-355mm	Tread Depth: Max-355mm
Min-125mm	Min-210mm	Min: 235mm

#### 9.8.6. Landings

9.8.6.3(1) Table 9.8.6.3. Shows minimum width as width of stair and minimum length not less than 900mm

#### 9.8.7. Handrails

9.8.7.1(1)(a) a handrail shall be provided on at least one side of stairs or curved ramps less than 1,100mm in width

#### 9.8.8. Guards

9.8.8.3(1) Except as provided in Sentences (2) to (4), all guards shall be not less than 1,070mm high

9.8.8.5(1) Except as provided in Sentence (2), openings through any guard that is required by Article 9.8.8.1 shall be of a size that will prevent the passage of a spherical object having a Diameter of 100mm or less unless it can be shown that the location and size of openings That exceed this limit do not represent hazard

#### 9.8.8.6 Design to prevent climbing



## Section 9.9 Means of Egress – (must conform to all but some specific requirements below)

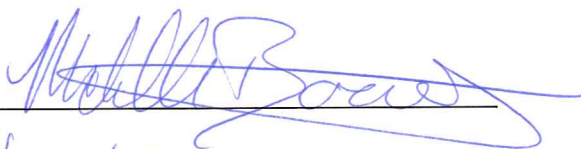
As per BCBC code interpretation 2006-0080 stairs and decks on a single or 2 family dwelling are not required to be a minimum distance from another structure or a property line. This means that they would not be required to have a fire resistance rating on the stairs on the exterior of the building.

## 9.9.4. Fire Protection of Exits

- 9.9.4.4.(1) Where an unenclosed exterior exit stair or ramp provides the only means of egress from a suite, and is exposed to fire from openings in the exterior walls of another fire compartment, the openings in the exterior walls of the building shall be protected with wired glass in fixed steel frames or glass block conforming to Articles 9.10.13.5 and 9.10.13.7 when the openings in the exterior walls of the building are within 3m horizontally and less than 10m below or less than 5m above the exit stair or ramp

In regards to the bedroom egress window that opens onto the exit stair for the upper suite, as this is allowing one fire compartment to potentially cause hazard to the only exit stair for the second fire compartment (upper suite) we would recommend either installing a second bedroom egress window away from the exit stair and replacing the current window with either 45min. rated glass block or 45min rated wired glass or installing sprinklers to be BCBC Code compliant and help ensure that the exit stair remains intact in the event of a fire. As this structure is already existing this would not be enforceable but would be a recommendation.

Signed By: \_\_\_\_\_



Title

Building Official

Date: \_\_\_\_\_

Feb 7/19

Agency \_\_\_\_\_



BRITISH  
COLUMBIA

Ministry of Transportation  
and Infrastructure

**DEVELOPMENT APPROVALS  
PRELIMINARY BYLAW  
COMMUNICATION**

Columbia Shuswap Regional District  
Box 978  
Salmon Arm, British Columbia V1E 4P1  
Canada

Your File #: BL2559 PL20180000080  
eDAS File #: 2018-06004  
Date: Nov/06/2018

**Re: Proposed Bylaw BL2559 for:**

5781 Highway 97, Falkland  
Lot 4 Block 7 Section 2, Township 18, Range 12, W6M, KDYD, Plan 1295

Preliminary Approval is granted for the rezoning for one year pursuant to section 52(3)(a) of the *Transportation Act*.

Please forward a copy of the bylaw to myself, after third reading, for endorsement.

If you have any questions please feel free to call Desiree Lantenhammer at (250) 503-8963.

Yours truly,

Desiree Lantenhammer, BSc  
Development Approvals Technician

<input type="checkbox"/> CAO <input type="checkbox"/> Works <input type="checkbox"/> DS <input type="checkbox"/> Fin/Adm	<input type="checkbox"/> Agenda <input type="checkbox"/> Reg Board <input type="checkbox"/> In Camera <input type="checkbox"/> Other Mtg	Ownership:  File #
<b>NOV 06 2018</b>		
<input type="checkbox"/> Ec Dev <input type="checkbox"/> IT <input type="checkbox"/> Parks <input type="checkbox"/> SEP <input type="checkbox"/> HR <input type="checkbox"/> Other	<div style="text-align: center;">RECEIVED</div> <input type="checkbox"/> Staff to Report <input type="checkbox"/> Staff to Respond <input type="checkbox"/> Staff Info Oly <input type="checkbox"/> Dir Mailbox <input type="checkbox"/> Dir Circulate	Ask Sent: <input type="checkbox"/> Fax <input type="checkbox"/> Mail <input type="checkbox"/> Email

Local District Address
Vernon Area Office 4791 23rd Street Vernon, BC V1T 4K9 Canada Phone: (250) 503-3664 Fax: (250) 503-3631





## COLUMBIA SHUSWAP REGIONAL DISTRICT

P.O. Box 978 SALMON ARM, BC V1E 4P1

Telephone: 1-250-832-8194 Fax: 1-250-832-3375

Staff Contact: Candice Benner

[cbenner@csrd.bc.ca](mailto:cbenner@csrd.bc.ca)

BYLAW No: 2559

PL20180000080

DATE: October 22,  
2018

DATE RECEIVED: October 26, 2018



### RESPONSE SUMMARY

☐ Approval Recommended for Reasons  
Outlined Below

☐ Interests Unaffected by Bylaw.

☒ Approval Recommended Subject to  
Conditions Below.

☐ Approval not Recommended Due  
To Reasons Outlined Below.

☐ No Objections

Regarding the property legally described as LOT 4 BLOCK 7 SECTION 2 TOWNSHIP 18 RANGE 12 WEST OF THE 6TH MERIDIAN KAMLOOPS DIVISION YALE DISTRICT PLAN 1295, PID 008582173, Provincial records indicate that there are no known archaeological sites recorded on the property. However, archaeological potential modeling for the area indicates that the property is in an area with high potential for unknown/unrecorded archaeological deposits.

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.

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.

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.

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 ([www.bcapa.ca](http://www.bcapa.ca)) or through local directories.

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.

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.

Should you have any questions regarding this referral response, please do not hesitate to contact me.

Kind regards,

Diana

Signed By: Diana Cooper

Title Archaeological Site Inventory Information and Data Admin

Date: 26 October, 2018

Agency Archaeology Branch


**COLUMBIA SHUSWAP REGIONAL DISTRICT**

P.O. Box 978 SALMON ARM, BC V1E 4P1

Telephone: 1-250-832-8194 Fax: 1-250-832-3375

**Staff Contact: Candice Benner**
[cbenner@csrd.bc.ca](mailto:cbenner@csrd.bc.ca)


BYLAW No: 2559

DATE: October 22,  
2018


## RESPONSE SUMMARY

- ☐ Approval Recommended for Reasons  
Outlined Below
- ☐ Approval Recommended Subject to  
Conditions Below.
- ☐ No Objections

- ☒ Interests Unaffected by Bylaw.
- ☐ Approval not Recommended Due  
To Reasons Outlined Below.

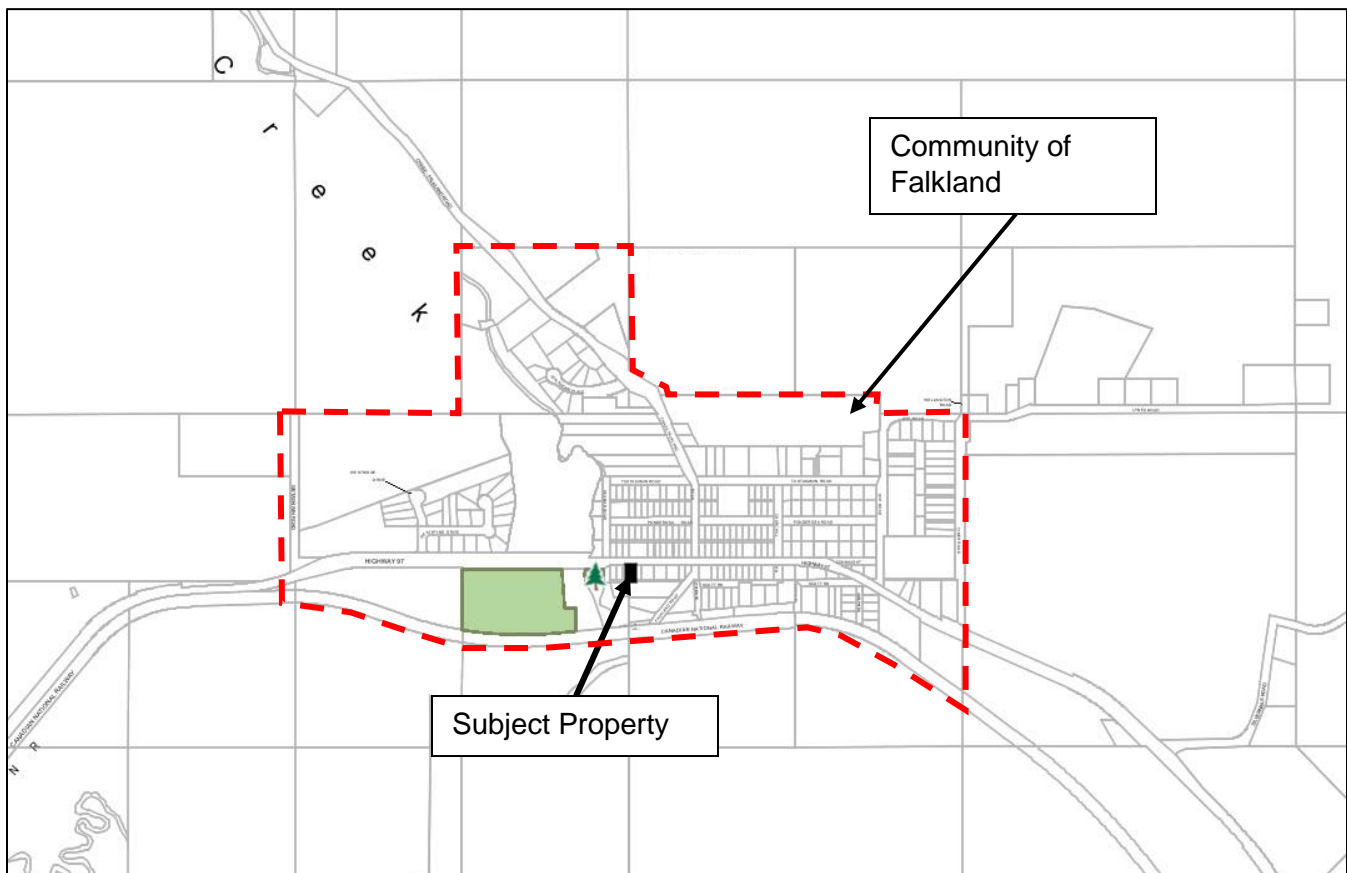
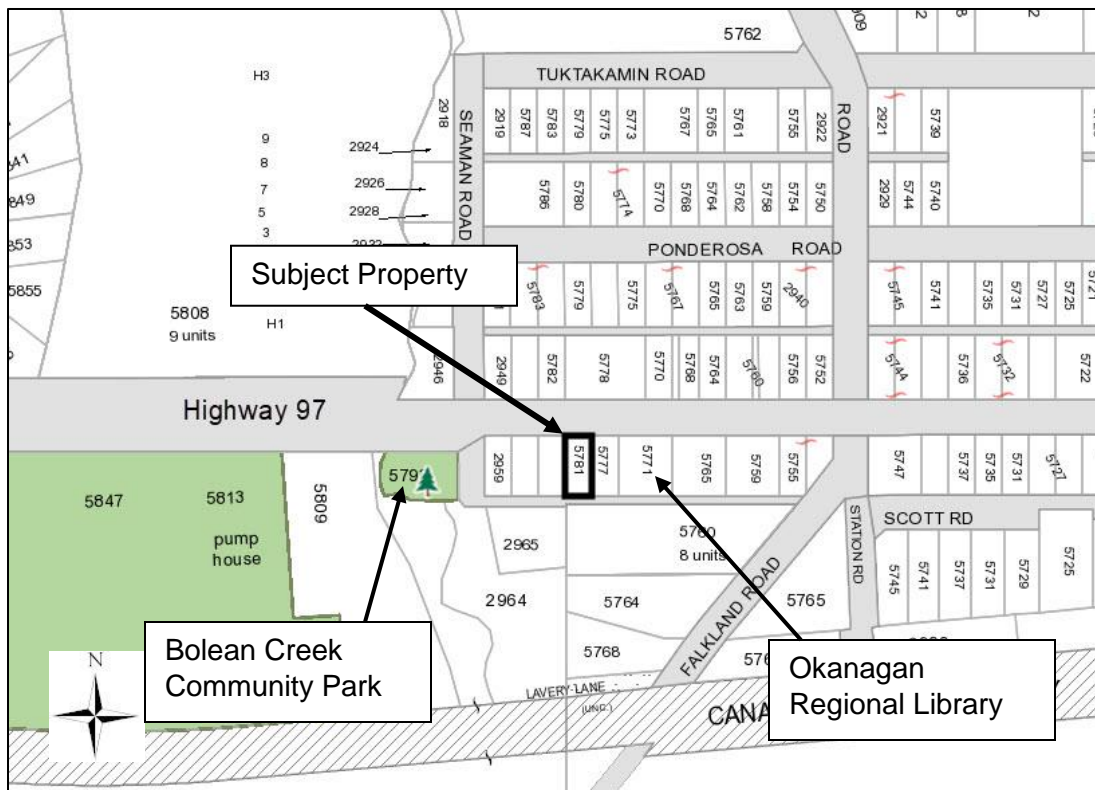
Signed By: 

Title Environmental Health Officer

Date: November 27, 2018

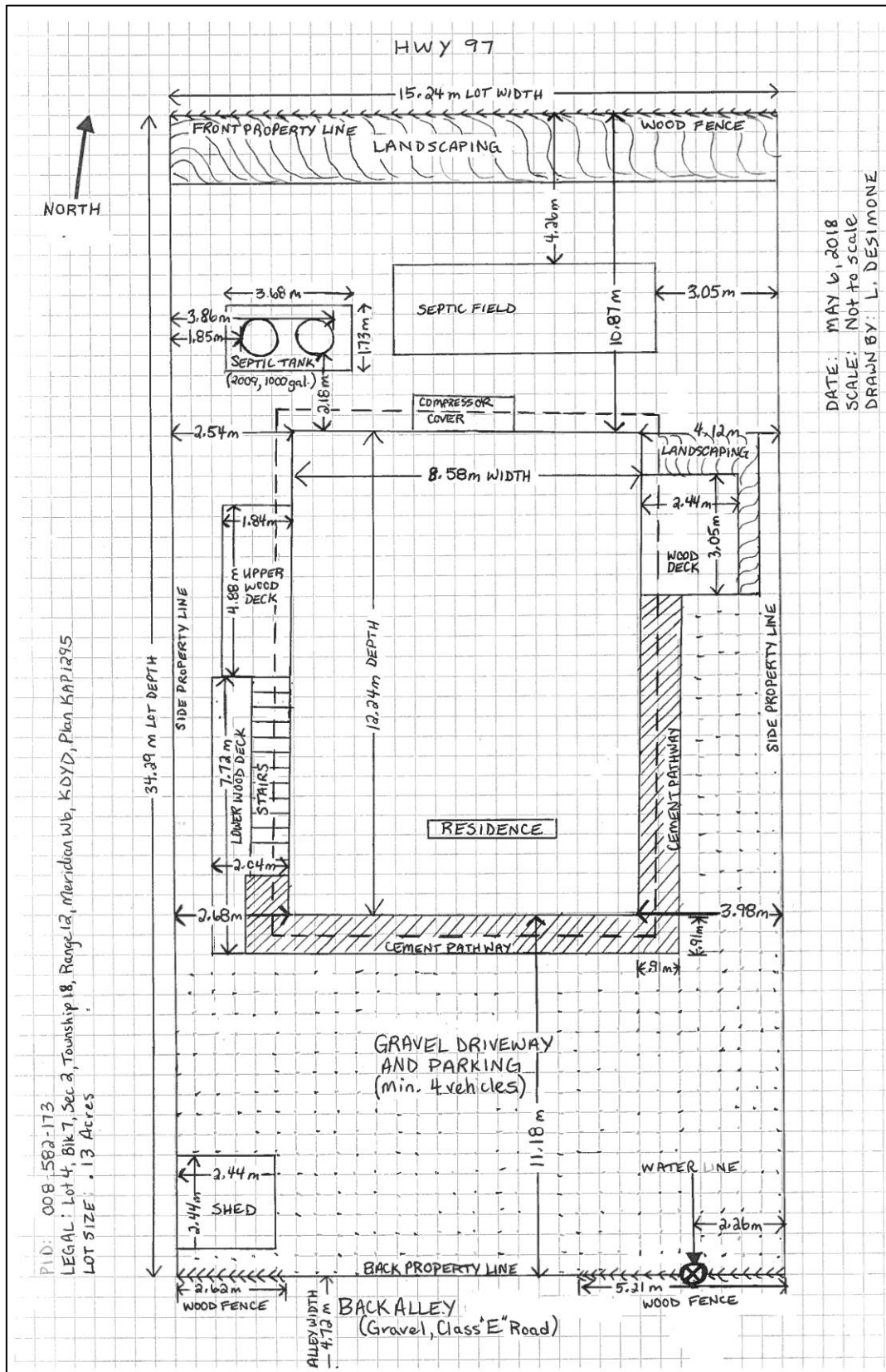
Agency Interior Health Authority

## Location



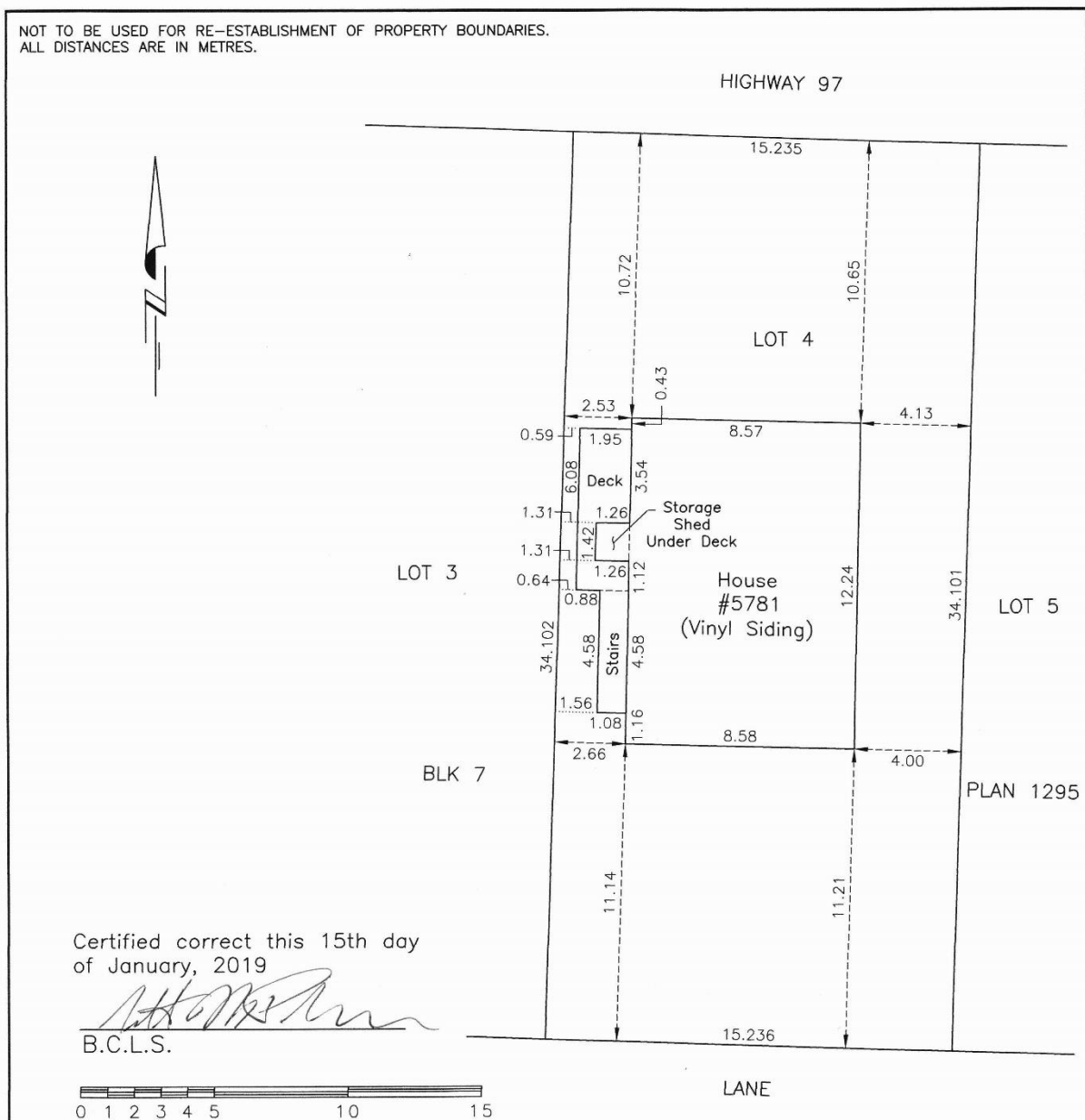


## Site Plan



## Survey

NOT TO BE USED FOR RE-ESTABLISHMENT OF PROPERTY BOUNDARIES.  
ALL DISTANCES ARE IN METRES.



Certified correct this 15th day  
of January, 2019

B.C.L.S.



© WILLIAM E MADDOX B.C.L.S. 2019

THIS DOCUMENT IS NOT VALID UNLESS ORIGINALLY SIGNED AND SEALED

SURVEY CERTIFICATE SHOWING  
BUILDING LOCATION ON LOT 4,  
BLOCK 7, PLAN 1295, SEC 2,  
TP 18, R 12, W6M, KDYD

55320B01

SCALE: 1 : 200	OUR FILE: L5532
DATE: 15 Jan 2019	DRAWN: RL
Desimone	
WILLIAM E. MADDOX B.C. LAND SURVEYOR 3500 - 30th STREET VERNON, BC V1T 5E8 TELEPHONE: (250) 542-4343	



Orthophotograph





Photos



View of subject property with two-storey two family dwelling, vacant lot to the right



View of subject property with two-storey two family dwelling, neighbouring lot with storage to the left



View of subject property to the far right, vacant lots in the middle, and Okanagan Regional Library to the far left



View of residential properties directly north and across the highway from the subject property





# BOARD REPORT

**TO:** Chair and Directors

**File No:** BL2561  
PL20190044

**SUBJECT:** Electoral Area D: Salmon Valley Land Use Amendment (Tereposky – MacDonald) Bylaw No. 2561

**DESCRIPTION:** Report from Erica Hartling, Planner I, April 26, 2019.  
2950 Wetaskiwin Road, Falkland

**RECOMMENDATION #1:** THAT: "Salmon Valley Land Use Amendment (Tereposky –MacDonald) Bylaw No. 2561" be read a first time this 16<sup>th</sup> day of May, 2019.

**RECOMMENDATION #2:** THAT: the Board utilize the simple consultation process for Bylaw No. 2561, and it be referred to the following agencies and First Nations:

- Interior Health;
- FrontCounter BC;
- Archaeology Branch;
- Ministry of Transportation and Infrastructure;
- Agricultural Land Commission;
- CSR D Operations Management;
- CSR D Financial Services; and,
- All relevant First Nations Bands and Councils.

## SHORT SUMMARY:

The subject property is located at 2950 Wetaskiwin Road in Falkland of Electoral Area D. The applicant is applying to amend the zone and designation of the Salmon Valley Land Use Bylaw No. 2500 from R – Rural to RH – Rural Holdings for the subject property. The applicant has made this bylaw amendment application to be able to apply to subdivide the property into two parcels and build a new home for themselves on the proposed remainder lot.

---

<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"/>
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## BACKGROUND:

**REGISTERED OWNER(S):**  
Ryan Tereposky, Christina Tereposky, and Kevin MacDonald

**ELECTORAL AREA:**  
D

**LEGAL DESCRIPTION:**  
Lot 2, Section 3, Township 18, Range 12, West of the 6<sup>th</sup> Meridian, Kamloops Division Yale District, Plan KAP77178

**CIVIC ADDRESS:**

2950 Wetaskiwin Road, Falkland

**SURROUNDING LAND USE PATTERN:**

North = Rural residential/agriculture, Crown land, Falkland Transfer Station

South = Highway 97, agriculture

East = Community of Falkland and vacant land zoned for commercial and higher density residential

West = Agriculture

**CURRENT USE:**

Two single family dwellings (house and mobile home) with two outbuildings used for storage and a carport.

**PROPOSED USE:**

Current proposal is to rezone to be able to apply to subdivide the property into two lots. Current uses to remain on the proposed lot 1 (10.3 ha) and the owners are proposing to build their new home on the vacant proposed remainder lot (18 ha).

**PARCEL SIZE:**

28.35 ha (70.04 acres)

**DESIGNATION & ZONE:**

Salmon Valley Land Use Bylaw No. 2500

R - Rural (60 ha minimum parcel size)

**PROPOSED DESIGNATION & ZONE:**

Salmon Valley Land Use Bylaw No. 2500

RH – Rural Holdings (8 ha minimum parcel size)

**AGRICULTURAL LAND RESERVE:**

6%

**SITE COMMENTS:**

See "Maps\_Plans\_Photos\_BL2561.pdf" attached.

A site visit was not conducted for this redesignation and rezoning application. The site information provided in this report is based on orthophoto interpretation and details provided by the applicant. The subject property has two single family dwellings (house and mobile indicated on the attached site plan) with two outbuildings used for storage and a carport; all located in the southeast area of the property adjacent to and north of Highway 97. The northeast section of the property contains fenced in fields; northwest is steeply sloped and treed; and, the southwest corner is treed and 6% in the Agricultural Land Reserve. The property currently has a Ministry of Transportation and Infrastructure (MOTI) no build covenant registered against a small portion of the property fronting Wetaskiwin Road (regd. 1996) and also several right of way plans (regd. 1949 – 1959) that run through the east to southwest boundary (gas lines and hydro transmission lines) of the property. The existing and proposed buildings are all located outside of the MOTI covenant and the right-of ways.. When the applicant submitted the rezoning application, they informed CSRD staff that they had also made an application to MOTI to discharge the no build covenant.

**POLICY:**

## **Salmon Valley Land Use Bylaw No. 2500 – Policies, General Regulations, and Zones**

See "BL2500\_Excerpts\_BL2561.pdf" attached

- 1.7 - Rural and Agricultural Character
- 1.8 - Land Resource Capability
- 1.9 - Land Use Pattern
- 1.10 - Redesignation Criteria
- 2.2.5 - Agricultural Land Reserve (ALR)
- 2.4 – R – Rural Zone
- 2.5 – RH – Rural Holdings Zone

### **FINANCIAL:**

There are no financial implications to the CSRD with regard to this application.

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

#### **Proposal**

See "Maps\_Plans\_Photos\_2561.pdf" attached.

Under the R zone the minimum parcel size is 60 ha and a redesignation and rezoning to RH is required to allow for subdivision of the subject property. As the subject property is 28.35 ha, the RH zone may permit up to a maximum of three 8 ha lots. The applicant's current proposal is for a one 10.3 ha parcel (Proposed Lot 1) surrounding the two existing single family dwellings (house and mobile home) at 2950 Wetaskiwin Road and a proposed remainder parcel (Proposed Remainder Lot) of 18 ha that would contain the owner's proposed new single family dwelling.

If the Board approves this bylaw amendment application, the applicant may proceed with a subdivision application through the Ministry of Transportation and Infrastructure and the CSRD.

### **Local Area Bylaw Amendment History**

In 2006 a neighbouring parcel to the northeast applied to redesignate and rezone their 31 ha property from a split zone of R and RR to the RH zone. The subject property owners made this application (Bylaw No. 2532) in order to be able to apply to subdivide it into two parcels. Bylaw No. 2532 was adopted June 22, 2006 and the current property owners are permitted to apply to subdivide their RH zoned lot but have not made an application to the CSRD at this time.

Neighbouring properties directly east of the subject property have also undergone several bylaw amendments and are currently vacant but are zoned for future residential and commercial developments under the RHD - High Density Residential, RS - Single and Two Family Residential, and C – Commercial zones.

### **Subdivision for a Relative**

There is a section (Section 514) of the Local Government Act (LGA) regarding subdivision to provide residence for a relative; however, an application under Section 514 is not an option in this case because under Section 514, the owner must have owned the property for 5 years. The current owner is proposing to create a lot to provide residence for themselves but they have not owned the parcel for 5 years. If they waited the 5 years, then the property owners may be able to apply to subdivide for a relative and not require a rezoning application. However, as the owners wish to make a subdivision application as

soon as possible, they have chosen to apply to amend the zone over the subject property from the R zone to the RH zone.

### **Rural and Agricultural Character Policies**

The Rural and Agricultural Character policies in Bylaw No. 2500 may consider new RH designations not located on good agricultural land. Land within the Agricultural Land Reserve (ALR) and Class 4 or better agricultural land are considered 'good' agricultural land in Bylaw No. 2500.

Almost all of the subject property is located outside the ALR (94%) and contains Class 5 - Class 7 soils; approximately 6% of the subject property is within the ALR and contains Class 3 soils. The ALR portion of the property is located in the southwest corner and is separated from the property's main access and two existing dwellings by steeply sloped land. The ALR portion is not proposed to be separated by the applicant's current subdivision plan and the applicant's proposed remainder lot of 18 ha for the owner's new single family dwelling will not be adjacent to the ALR.

The proposed redesignation and rezoning and potential subdivision are consistent with Bylaw No. 2500 policies and would not significantly change or negatively impact the surrounding rural and agricultural properties.

### **Sewage Disposal**

The proposed 10.3 ha parcel has the two existing dwellings each with their own on-site septic system. The proposed remainder of 28.35 ha is vacant and without services but proposed to contain the owner's new single family dwelling. Proof of adequate sewage disposal on each lot will be required during the subdivision stage.

### **Water Supply**

The water supply for the two dwellings is currently from a shared well and the vacant proposed remainder lot will have to meet the source of water requirements for an independent on-site water system at the subdivision stage.

### **Access**

The subject property currently has two separate driveway accesses off of Wetaskiwin Road that loop around to the two dwellings. The current second access will be directed to the proposed new home on the remainder lot if the bylaw amendment is adopted and the owners receive subdivision approval.

### **SUMMARY:**

The applicant has applied to amend the designation and zone of the Salmon Valley Land Use Bylaw No. 2500 from R – Rural to RH – Rural Holdings for the subject property. The applicant has made this bylaw amendment application to be able to apply to subdivide the subject property.

Staff recommends Bylaw No. 2561 be given first reading and sent to the referral agencies for the following reasons:

- Almost all of the subject property does not contain good agricultural land, as defined in the agricultural policies of Bylaw No. 2500;
- The current rural residential uses on each proposed lot are consistent with the land use pattern policies in Bylaw No. 2500;

- The redesignation and rezoning and the potential subdivision would not significantly change or negatively impact the surrounding rural and agricultural properties to the north, south, and west, or negatively impact the future developed residential and commercial properties to the east; and,
- Proof of adequate water requirements and sewage disposal on each lot will be required during the subdivision stage if Bylaw No. 2561 is approved.

## **IMPLEMENTATION:**

### **Consultation Process**

CSRD Policy P-18 regarding Consultation Processes – Bylaws, staff recommends the simple consultation process. Neighbouring property owners will first become aware of the application when a notice of application sign(s) is posted on the subject property.

### **Referral Process**

The following list of referral agencies and First Nations Bands and Councils is recommended:

- 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;
- Adams Lake Indian Band;
- Coldwater Indian Band;
- Cook's Ferry Indian Band;
- Little Shuswap Indian Band;
- Lower Nicola Indian Band;
- Lower Similkameen Indian Band;
- Lytton First Nation;
- Neskonlith Indian Band;
- Nlaka'pamux Nation Tribal Council;
- Okanagan Indian Band;
- Okanagan Nation Alliance;
- Oregon Jack Creek Band;
- Penticton Indian Band;
- Siska Indian Band;
- Skeetchestn Indian Band;
- Splots'in First Nation;
- Stk'emlups te Secwepemc;
- Tk'emlups Indian Band;
- Upper Nicola Band; and,
- Esh-kn-am Cultural Resources Management Services.

## **COMMUNICATIONS:**



If the Board gives Bylaw No. 2561 first reading, the bylaw will be sent out to referral agencies. Referral responses will be provided to the Board with a future Board report, prior to delegation of a public hearing.

**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.*

**Report Approval Details**

Document Title:	2019-05-16_Board_DS_BL2561_First_Tereposky_MacDonald.docx
Attachments:	<ul style="list-style-type: none"><li>- BL2561_First.pdf</li><li>- BL2500_Excerpts_BL2561.pdf</li><li>- Maps_Plans_Photos_BL2561.pdf</li></ul>
Final Approval Date:	May 3, 2019

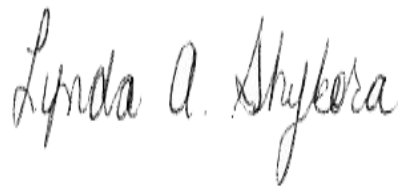
This report and all of its attachments were approved and signed as outlined below:



**Corey Paiement - May 2, 2019 - 10:38 AM**



**Gerald Christie - May 2, 2019 - 3:08 PM**



**Lynda Shykora - May 3, 2019 - 1:50 PM**



**Charles Hamilton - May 3, 2019 - 1:57 PM**

**COLUMBIA SHUSWAP REGIONAL DISTRICT**  
**SALMON VALLEY LAND USE AMENDMENT**  
**(TEREPOSKY – MACDONALD) BYLAW NO. 2561**

A bylaw to amend the "Salmon Valley Land Use Bylaw No. 2500"

WHEREAS the Board of the Columbia Shuswap Regional District adopted Bylaw No. 2500;

AND WHEREAS the Board deems it appropriate to amend Bylaw No. 2500;

NOW THEREFORE the Board of the Columbia Shuswap Regional District, in open meeting assembled, HEREBY ENACTS as follows:

1. "Salmon Valley Land Use Bylaw No. 2500" is hereby amended as follows:

A. MAP AMENDMENTS

- i) Schedule A, the OCP Designation Maps, which form part of the "Salmon Valley Land Use Bylaw No. 2500", as amended, is hereby further amended by:  
redesignating Lot 2, Section 3, Township 18, Range 12, West of the 6<sup>th</sup> Meridian, Kamloops Division Yale District, Plan KAP77178, which part is more particularly shown hatched on Schedule 1 attached hereto and forming part of this bylaw from R – Rural to RH – Rural Holdings.
- ii) Schedule C, Land Use Zoning Maps, which form part of the "Salmon Valley Land Use Bylaw No. 2500", as amended, is hereby further amended by:  
rezoning Lot 2, Section 3, Township 18, Range 12, West of the 6<sup>th</sup> Meridian, Kamloops Division Yale District, Plan KAP77178, which part is more particularly shown hatched on Schedule 1 attached hereto and forming part of this bylaw from R – Rural to RH – Rural Holdings.

2. This bylaw may be cited as "Salmon Valley Land Use Amendment (Tereposky –MacDonald) Bylaw No. 2561"

READ a first time this \_\_\_\_\_ day of \_\_\_\_\_, 2019.

READ a second time this \_\_\_\_\_ day of \_\_\_\_\_, 2019.

PUBLIC HEARING held this \_\_\_\_\_ day of \_\_\_\_\_, 2019.

READ a third time this \_\_\_\_\_ day of \_\_\_\_\_, 2019.

RECEIVED THE APPROVAL of the Ministry of Transportation and Infrastructure this \_\_\_\_\_ day of \_\_\_\_\_, 2019.

ADOPTED this \_\_\_\_\_ day of \_\_\_\_\_, 2019.

\_\_\_\_\_  
CORPORATE OFFICER

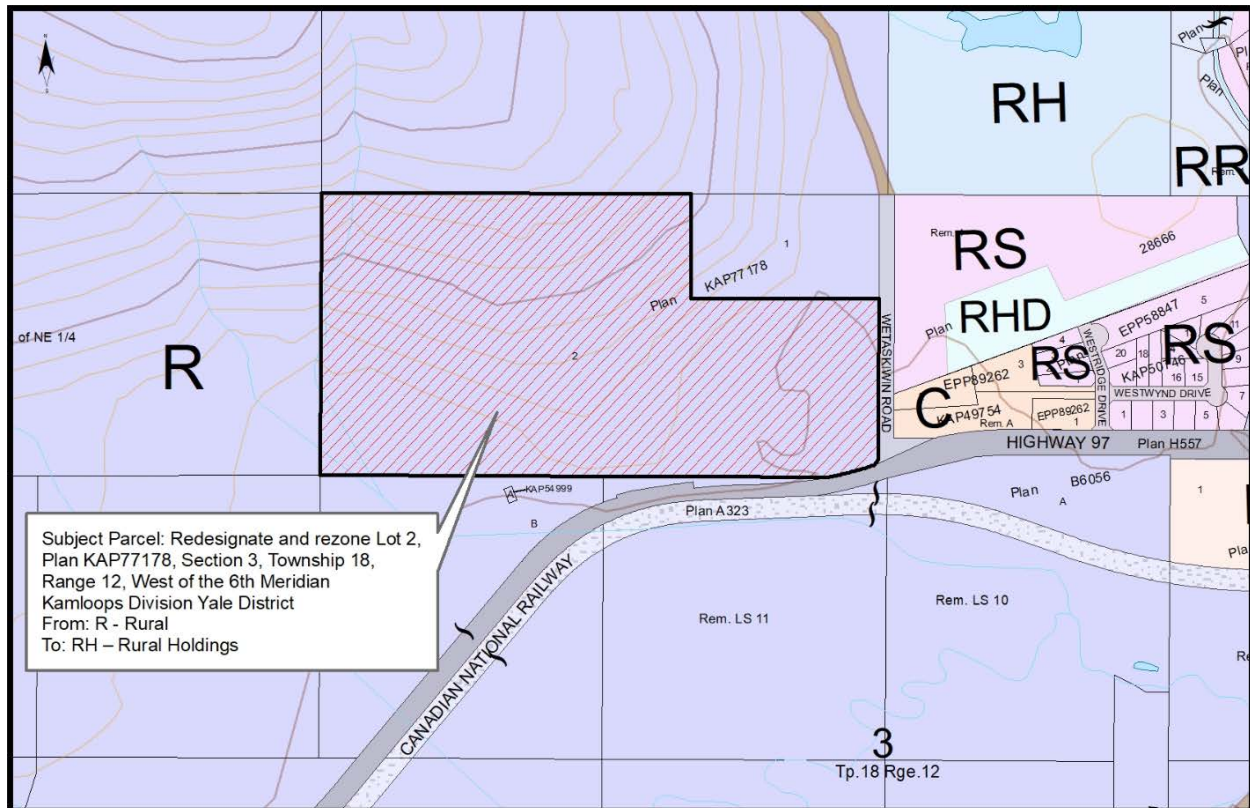
\_\_\_\_\_  
CHAIR

CERTIFIED a true copy of Bylaw No. 2561  
as read a third time.

CERTIFIED a true copy of Bylaw No. 2561  
as adopted.

\_\_\_\_\_  
Corporate Officer

\_\_\_\_\_  
Corporate Officer

**SCHEDULE 1****SALMON VALLEY LAND USE AMENDMENT****(TEREPOSKY –MACDONALD) BYLAW NO. 2561**

## Relevant Excerpts from Salmon Valley Land Use Bylaw No. 2500

(See [Bylaw No. 2500](#) for all policies and land use regulations)

### **1.7 Rural and Agricultural Character**

#### Objective

- 1.7.1** An objective of the Regional Board is to generally preserve the rural and agricultural character of the area and ensure the continued viability of economic activities based on agriculture and forestry resources.

#### Policies

- 1.7.2** The policies of the Regional Board are as follows:

**.2** Existing rural areas include parcels greater than 60 ha in area and land under resource or agricultural use. Rural areas shall be preserved to the greatest extent possible to provide for continued agricultural and resource production as the main elements of the local economy;

**.4** The rural holdings areas, with a minimum parcel size of 8 ha, are designated as RH (Rural Holdings);

**.5** The Regional Board wishes to discourage residential intrusion in agricultural areas. The Board sees the creation of 8 hectare parcels from larger parcels of good agricultural land (including land within the Agricultural Land Reserve and Class 4 or better agricultural land) as the first step toward residential intrusion on agricultural land. To prevent this intrusion, the Regional Board discourages new Rural Holding designations (8 ha minimum parcel size) on good agricultural land;

**.6** The Regional Board may consider new Rural Holding designations not located on good agricultural land;

**.7** The Regional Board prefers to see rural residential use concentrated on parcels approximately 1 ha (2.5 acres) in size and located in areas where the residential use clearly will not have a negative impact on agricultural uses;

### **1.8 Land Resource Capability**

#### Objective

- 1.8.1** An objective of the Regional Board is to generally encourage a pattern of land use that respects the capability of the land-based resources to support various uses.

#### Policies

- 1.8.2** The policies of the Regional Board are as follows:

**.3** Residential, commercial, industrial and institutional uses shall be encouraged to locate on land with low agricultural resource, or wildlife capability, and on land with soils suitable for sewage disposal.

## 1.9 Land Use Pattern

### Objective

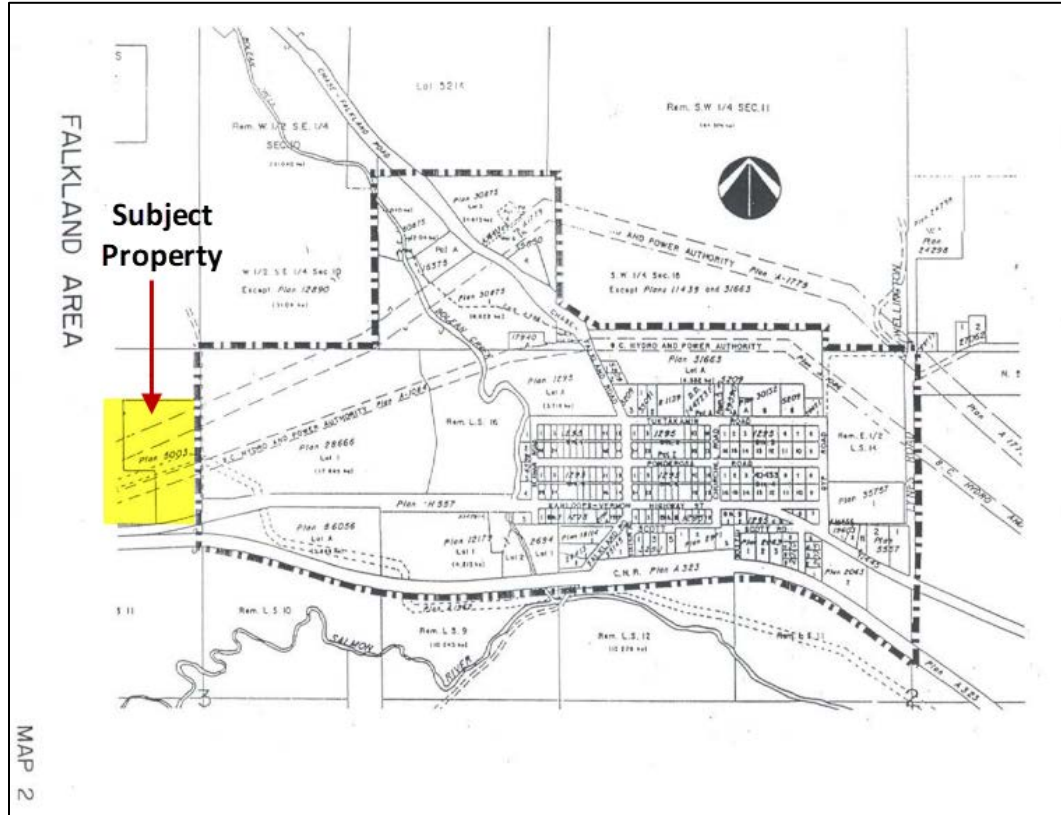
- 1.9.1** An objective of the Regional Board is to generally maintain the area's historical pattern of land use in which small-lot residential, commercial, and institutional uses concentrate in the rural communities, leaving the majority of the land for agricultural uses as well as forestry, fishery, and wildlife uses.

### Policies

- 1.9.2** The policies of the Regional Board are as follows:

**.2** Future rural residential uses with a minimum parcel size of 1 hectare shall be limited to areas within the communities of Falkland (Shown on Map 2), Silvernails Bench Area (subject to mitigation of fire interface issues) (shown on Map 2(a)), Silver Creek (Shown on Map 3), and Glenemma.

## Falkland Area Map 2





## **1.10      Redesignation Criteria**

### Objective

- 1.10.1**      An objective of the Regional Board is to manage changes in land use in a manner that generally avoids future servicing problems and prevents unnecessary conflicts between different land uses.

### Policies

- 1.10.2**      The policy of the Board is to consider redesignations based on the following:

.1 Applications for redesignation to RH (Rural Holdings) or RR (Rural Residential) shall be evaluated against the following criteria:

- soils should be suitable for sewage disposal;
- water supply should be adequate to meet development needs;
- the redesignation should not have a negative impact on the viability of agricultural uses;
- the area shall meet the locational requirements set out in other policies of this bylaw.

.7 The Regional Board shall not be limited to the criteria set out in Sections 1.10.2.1 to 1.10.2.6 above in considering redesignation applications, and may take into account any factors that the Board considers relevant.

## **Agricultural Land Reserve (ALR)**

- 2.2.5**      In addition to the regulations established in this Bylaw, all lands within the Agricultural Land Reserve are also subject to the provisions of the Agricultural Land Commission (ALC) Act, regulations and orders of the ALC (thereby not permitting the subdivision of land or the development of non-farm uses unless approved by the ALC).

## **2.4      R Rural**

### Permitted Uses

- .1 agriculture;
- .2 airfield, airstrip;
- .3 equestrian centre;
- .4 fish farm;
- .5 forestry;
- .6 guest ranch;
- .7 gun club and archery range;
- .8 harvesting wild crops;
- .9 home occupation;
- .10 kennel;
- .11 portable sawmill;

- .12 single family dwelling;
- .13 trapping;
- .14 accessory use.

Maximum number of single family dwellings per parcel:

- On a parcel with less than 2 ha in area = 1
- On a parcel with 2 ha or more in area = 2

Minimum area of parcels to be created by subdivision = 60 ha

## 2.5 **RH Rural Holdings**

### Permitted Uses

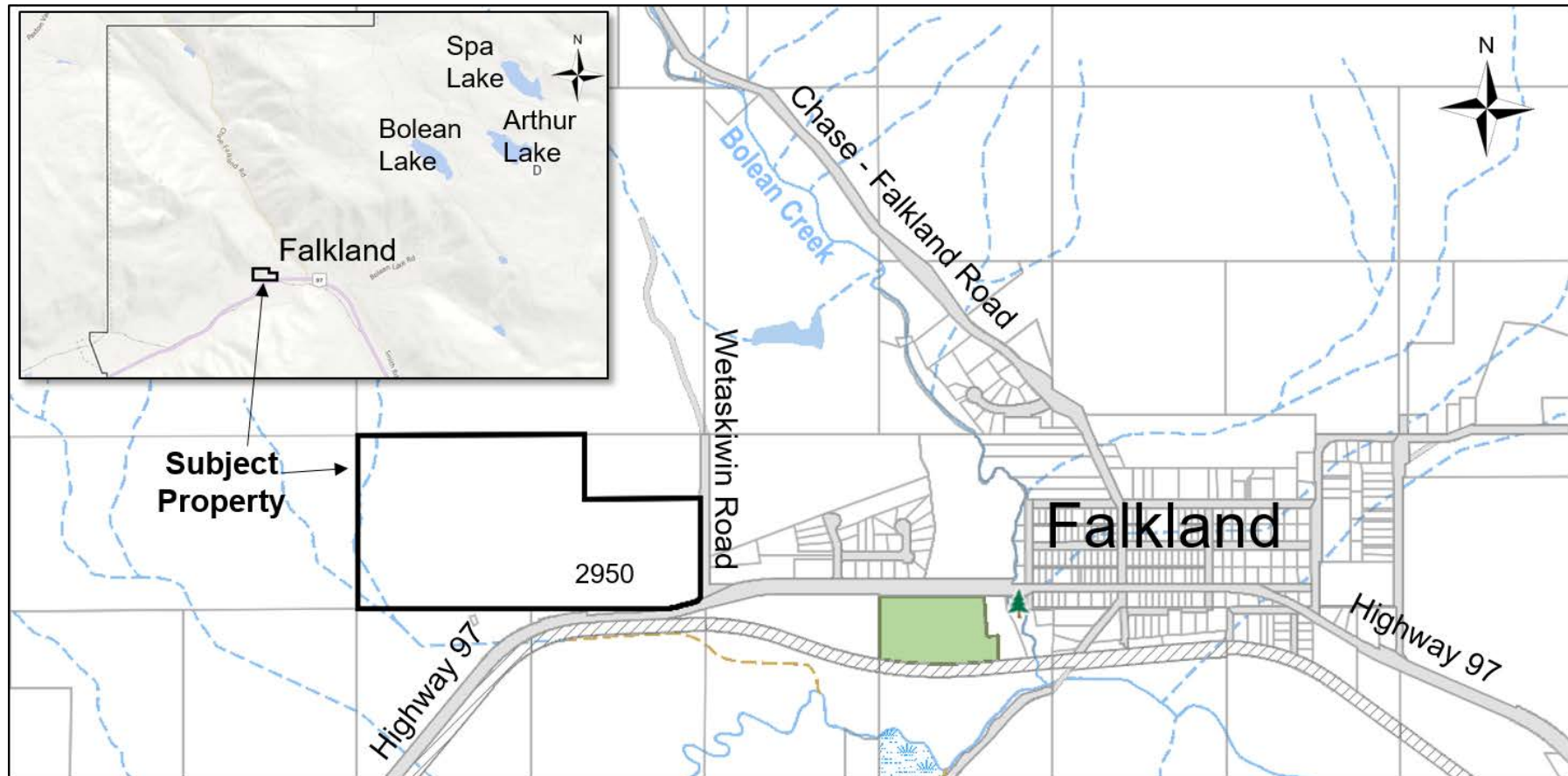
- .1 agriculture;
- .2 church;
- .3 equestrian centre;
- .4 fish farms;
- .5 home occupation;
- .6 kennel;
- .7 single family dwelling;
- .8 accessory use.

Maximum number of single family dwellings per parcel:

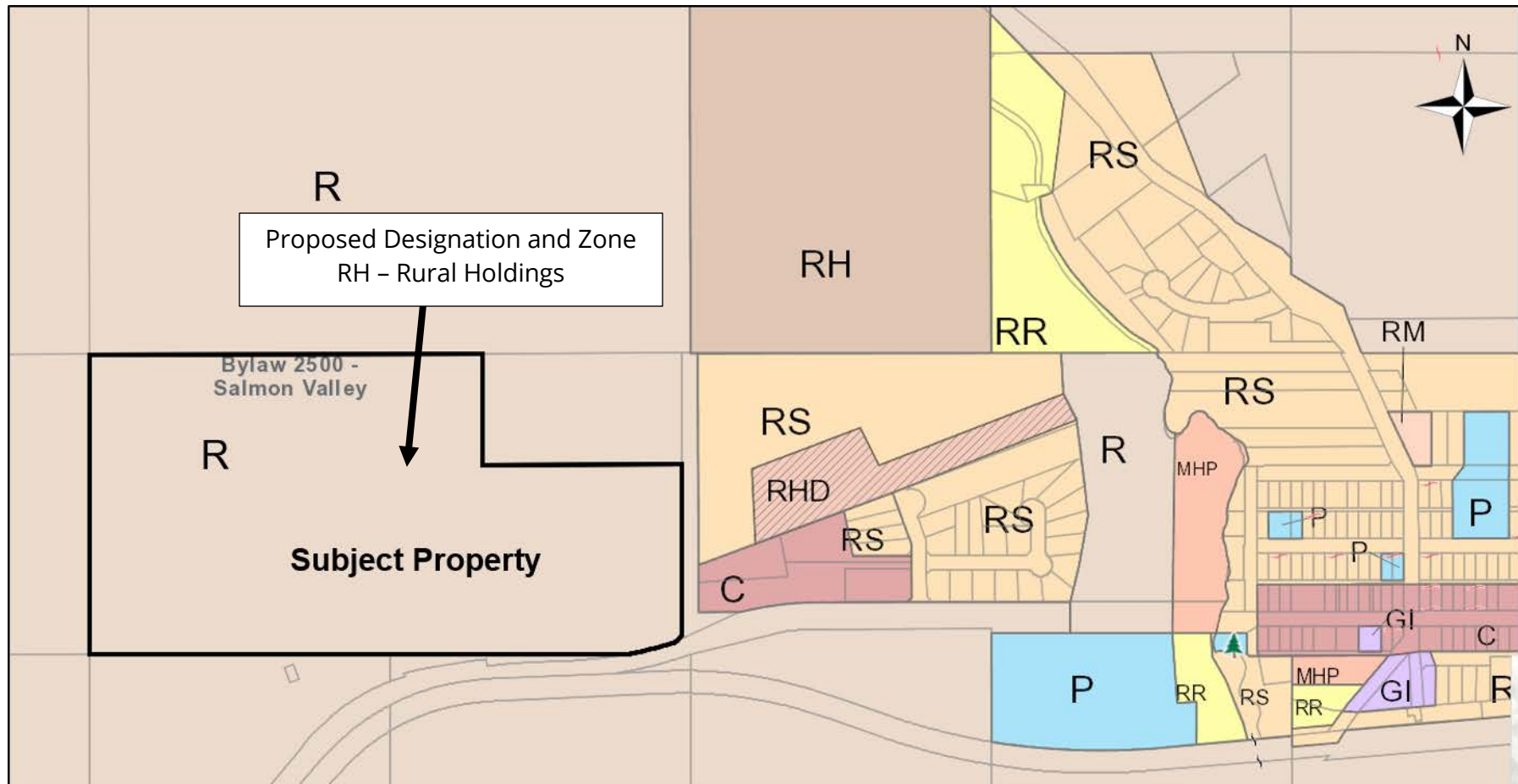
- On a parcel with less than 2 ha in area = 1
- On a parcel with 2 ha or more in area = 2

Minimum area of parcels to be created by subdivision = 8 ha

## Location

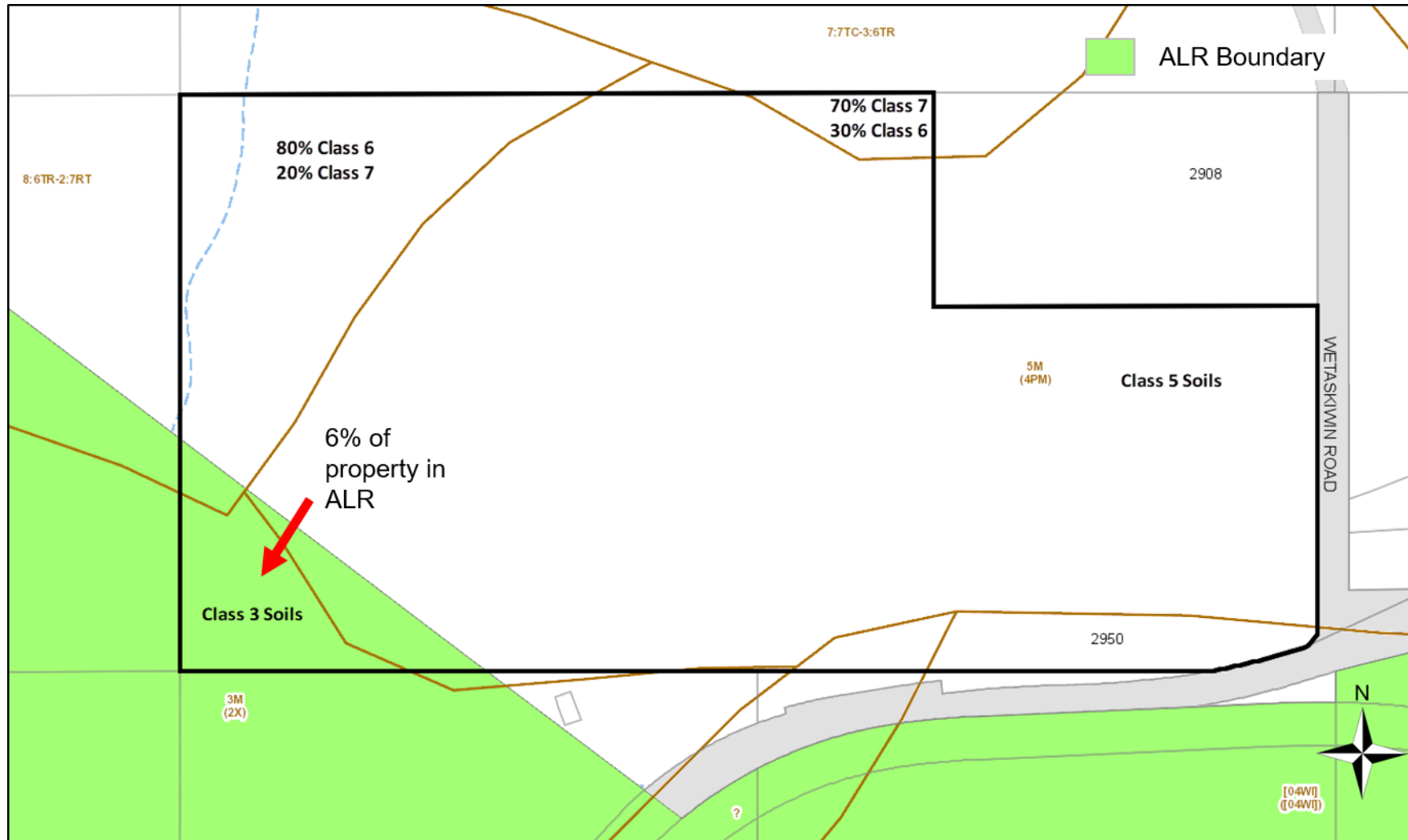


# Salmon Valley Land Use Bylaw No. 2500 Designation and Zone R – Rural



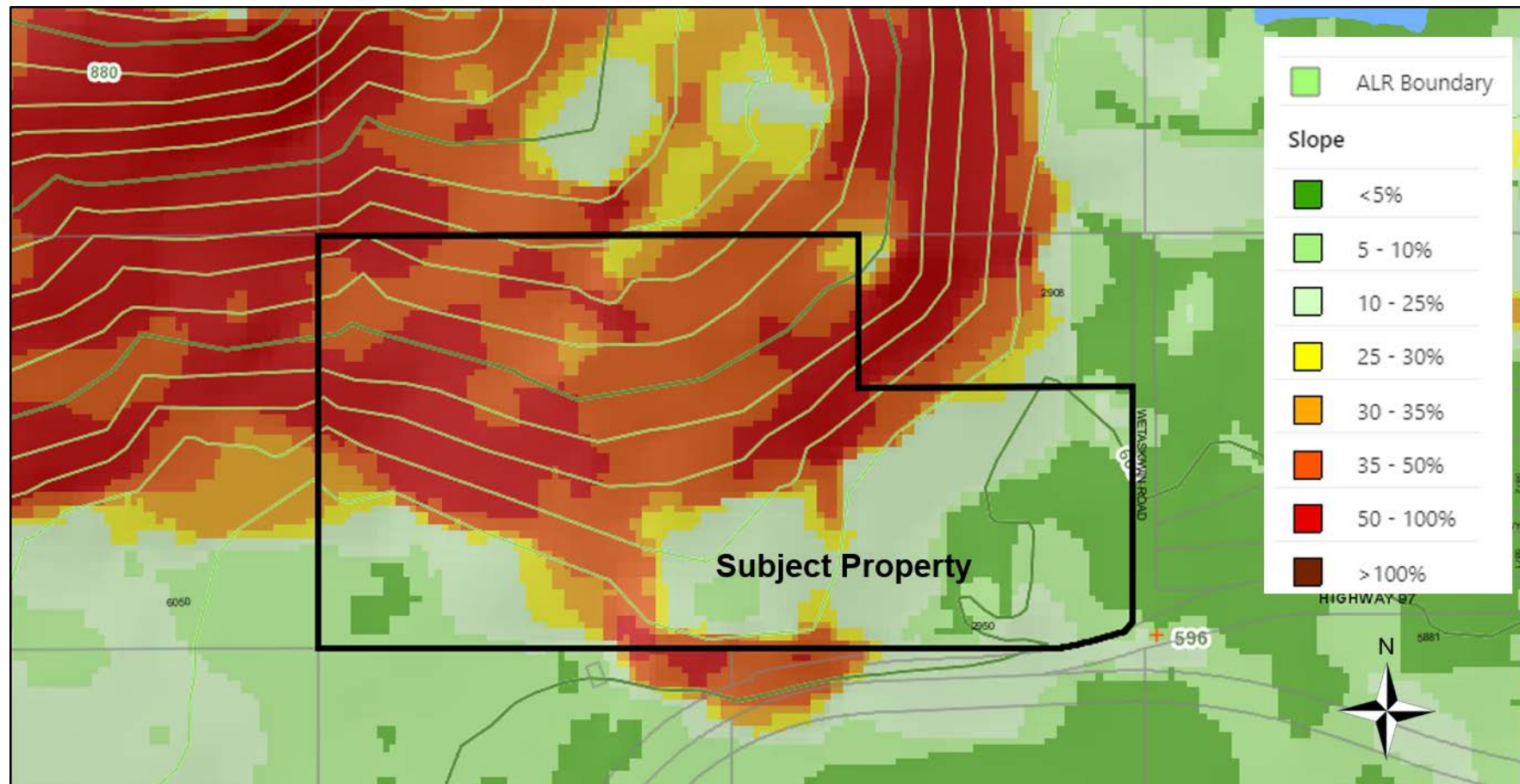


## Agricultural Land Reserve (ALR) and Soil Capability





## Slopes



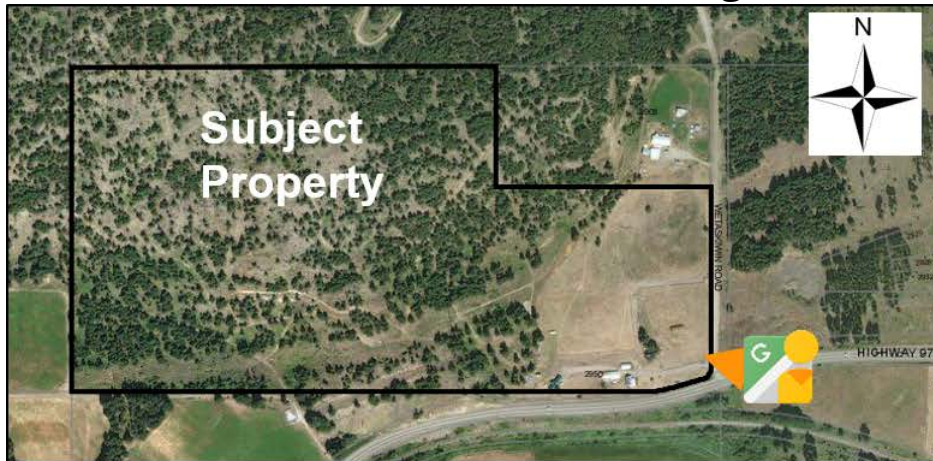


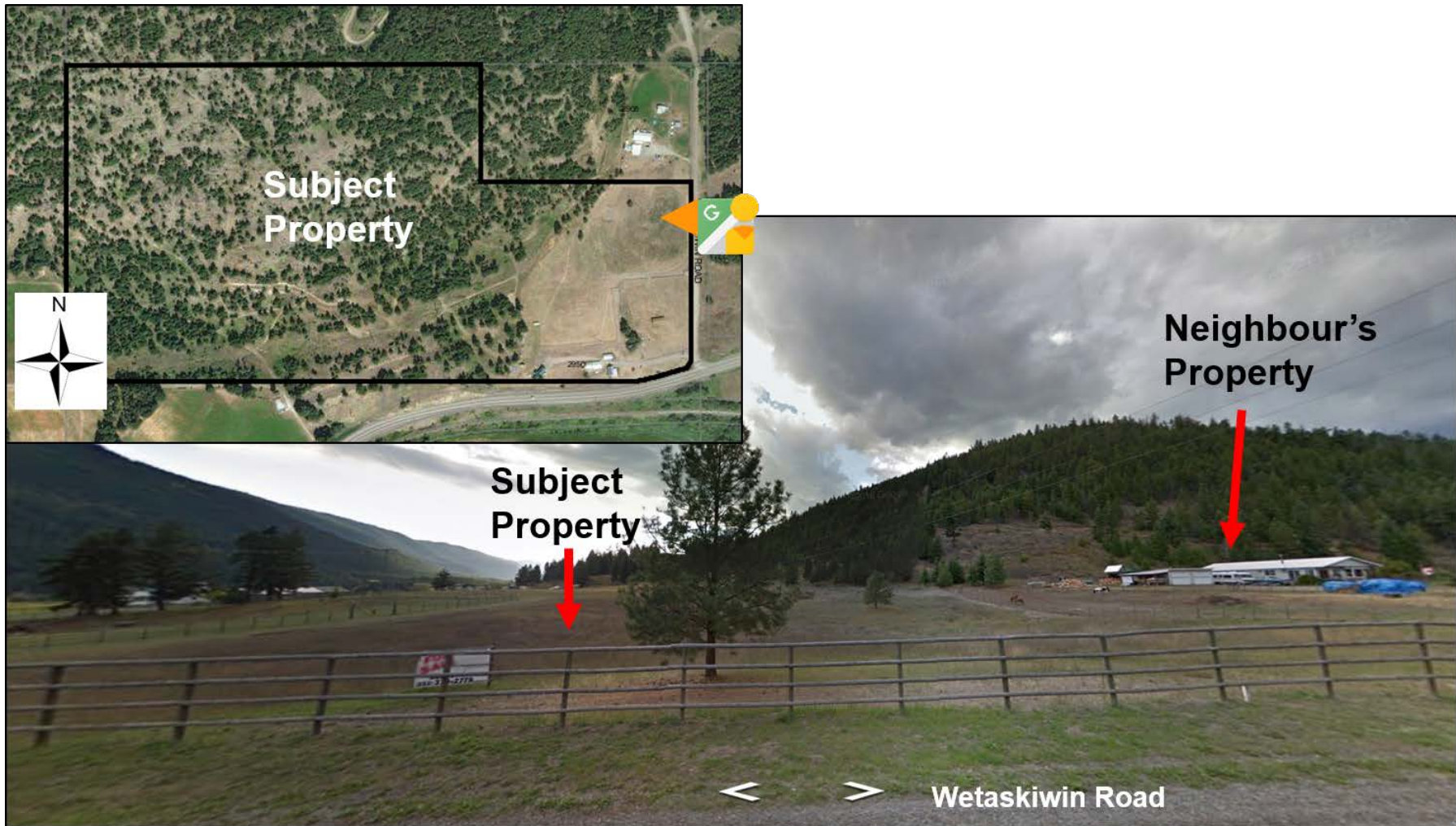
# Orthophoto





## Google Street View Photos















# BOARD REPORT

**TO:** Chair and Directors

<b>File</b>	BL825-38
<b>No:</b>	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 March 4, 2019.  
1131 Pine Grove Road, Scotch Creek.

**RECOMMENDATION #1:** THAT: "Scotch Creek/Lee Creek Amendment (Pinegrove RV Park) Bylaw No. 825-38" be given third reading, this 21<sup>st</sup> day of March, 2019.

**RECOMMENDATION #2:** THAT: "Scotch Creek/Lee Creek Amendment (Pinegrove RV Park) Bylaw No. 825-38" be adopted, this 21<sup>st</sup> day of March, 2019.

## 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 were included in the report to the Board for second reading, as amended. See attached "Agency\_referral\_responses\_BL825-38.pdf"

Additionally, the applicant had advised staff that the owner/operator dwelling use originally contemplated in first reading of the bylaw was not necessary and should be amended out of the bylaw. The Board considered the referral comments received and considered the bylaw for second reading, as amended, at their November 15, 2018 regular meeting and resolved to give the bylaw second reading, as amended, and delegated a public hearing.

The public hearing was held Tuesday, January 22, 2019, at the Scotch Creek Community/Fire Hall at 3825 Squilax-Anglemont Road in Scotch Creek. It is appropriate for the Board to consider the public input submitted for the public hearing and consider the Bylaw for third reading. Should the Board give the Bylaw third reading, it is also appropriate for the Board to consider adoption.

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<b>VOTING:</b>	Unweighted <input type="checkbox"/> Corporate	LGA Part 14 <input checked="" type="checkbox"/> (Unweighted)	Weighted <input type="checkbox"/> Corporate	Stakeholder <input type="checkbox"/> (Weighted)
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## 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", and "2018-11-15\_Board\_DS\_BL825-38\_Pinegrove-RV-Park.pdf".

At the Public Hearing, it was noted that certain owners in the adjacent condo development, which is part of an overall development which included the Pine Grove RV Park as a component, voiced concerns with respect to a shared driveway, and the existing wastewater treatment facility.

The public voiced concerns with respect to the driveway. These concerns were regarding safety aspects. The concerns noted, were partly based on public safety, as the access is also used by mostly pedestrian and bicycle traffic generated by users of the adjacent Scotch Creek Provincial Park. Concerns raised were also regarding the residents of the condo project and their children, and the RV Park owners. Development Services staff noted that the highest volume of traffic from the various users and the most potential for conflict, likely occurs during the August long weekend.

During the course of the Public Hearing, the RV Park Owner's Association President advised that the Association was willing to meet with the condo owners group in an attempt to resolve the safety issues. But it was also noted that existing legal agreements between the parties and the Provincial Government are in place to guarantee the rights to use the access in a shared manner, and therefore arguments in favour of the RV Park abandoning this access were not possible. However, the RV Park did promise to look into the possibility of utilizing an Emergency only access onto Express Point Road for moving new units/construction materials onto the site. This will be communicated to owners in the RV Park by way of a newsletter, although the Owner's Association has noted that strict adherence to this policy cannot be guaranteed.

The RV Park Owner's Association President has been in correspondence with the Condo Strata President, although no indication has been provided of any further discussions.

Concerns expressed with regard to the capacity of the wastewater treatment facility have proven to be more problematic. The facility is owned by the condo strata corporation, who operate the facility through the services of a contractor. A contract exists between the strata corporation, as the owner of the service, and the RV Park (entered into November 24, 2011) that sewer service will be provided to the RV Park. The contract refers to recreational vehicle (RV) use on the sites and is not specific in excluding any particular



type of RV (according to the Canadian RV Association, there are 10 different types of RV). Currently present on the site are a mix of motor homes, travel trailers, fifth wheels, truck campers, and park models. Since this is a contract issue between these parties, any divergence from the terms of the contract, such as a change in usage in the RV Park would be a private matter to be resolved between these parties.

The President of the Condo Strata Corporation, who has been included in correspondence between the Development Services Department and the RV Park Association has advised the following:

"The Shuswap Lake Resort Strata Council believes that re-zoning of the RV Park to allow for Park Model RV units will result in increased occupancy and hence, additional strain on the over taxed sewer plant. As mentioned separately, we are already experiencing problems with the sewer plant capacity now. As a result, we would need to re-negotiate the existing sewer plant agreement to ensure that the RV Association covers any costs associated with an operation and design assessment, upgrades required to accommodate the increase in usage, as well as any percentage increase in operating costs. However, this re-negotiation cannot take place until an operation and design assessment has been completed and the results have been reviewed by Strata Council."

Based on this, it appears that the condo strata corporation and the RV Park Association have some private consultations to pursue regarding their current contract.

Development Services staff have consulted the Sewerage System Standard Practice Manual v.3 (SSSPM) for design flows for sewerage systems. It is noted that in Table III-11 a camp trailer site (fully serviced with hook-up) specifies an Average design flow per unit/site of 170 l/day/unit. The SSSPM does not specify a design flow for a park model unit, which is also a Recreational Vehicle. Therefore, for the purposes of design flow, the RV Park must be considered as the same design flow whether it has trailers and RVs or Park Models on each site.

As a means of comparison, the SSSPM specifies seasonal cottages of less than 100 m<sup>2</sup> floor area for commercial purposes pose a potential risk of high occupancy for these types of units and states special circumstances for estimating design flow. For residential use seasonal cottages specify a design flow of 250 l/day. Park Models are typically around 50 m<sup>2</sup> floor area, for comparison purposes.

## **SUMMARY:**

The proposed RR zone and special regulation for this property is meant to reflect the actual uses on this already established site. The special regulation will accommodate park models as well as recreation vehicle or park model shelter buildings. Public input provided indicated concerns with the capacity of the sewage treatment system for the development. Development Services staff have reviewed the issue of sewage capacity with respect to recreational vehicles versus park models (which are a type of RV) and find no substantial difference in sewage volumes that would be contributed to the sewage treatment system. For these reasons, Development Services staff are recommending that the Board consider the public input submitted for the public hearing and consider the Bylaw for third reading and adoption.

**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 the rezoning amendment 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.

Ministry of Transportation endorsement of the bylaw is not necessary.

**Public Hearing**

The delegated Public Hearing for the proposed bylaws was held Tuesday January 22, 2019 at the Scotch Creek Community/Fire Hall at 3825 Squilax-Anglemont Road in Scotch Creek. 16 members of the public attended, of which 7 voiced concerns regarding the impact of the Bylaw, and 3 spoke in favour of the Bylaw.

Please see the attached Public Hearing Notes for details about public input (See "Public\_Hearing\_Notes\_2019-01-22\_BL825-38.pdf", attached.)

Additionally, a total of 9 pieces of correspondence were received in regard to the Bylaw: 8 spoke against the Bylaw, and 1 was in favour.

Please see the attached Public Correspondence received for details about public input (See "Public\_Submissions\_BL825-38.pdf", attached.)

**COMMUNICATIONS:**

Staff notified adjacent property owners, advertised and held the Public Hearing in accordance with the Local Government Act. It is now appropriate for the Board to consider the Bylaw for third reading, and for adoption.

Referral agencies have provided their comments and they have been attached "Agency\_referral\_responses\_BL825-38.pdf".

**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.*

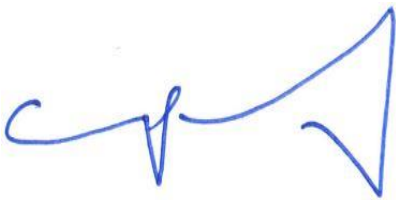
**LIST NAME OF REPORT(S) / DOCUMENT(S) AVAILABLE FROM STAFF:**

1. Electoral Area 'F' Official Community plan Bylaw No. 830
2. Scotch Creek/Lee Creek Zoning Bylaw No. 825

**Report Approval Details**

Document Title:	2019-03-21_Board_DS_BL825-38_Pinegrove-RV-Park.docx
Attachments:	<ul style="list-style-type: none"> <li>- BL825-38_Third_Adoption.pdf</li> <li>- 2018-11-15_Board_DS_BL825-38_Pinegrove-RV-Park.pdf</li> <li>- BL825-38-SecondAsAmended.pdf</li> <li>- 2018-08-16_Board_DS_BL825-38_Pinegrove_RV_Park.pdf</li> <li>- BL825-38-First.pdf</li> <li>- PH_Notes_BL825-38_2019-01-22.pdf</li> <li>- Public_Submissions_BL825-38.pdf</li> <li>- Agency_referral_responses_BL825-38.pdf</li> <li>- Maps_Plans_BL825-38.pdf</li> </ul>
Final Approval Date:	Mar 9, 2019

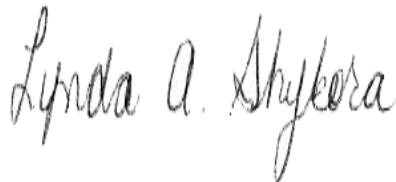
This report and all of its attachments were approved and signed as outlined below:



**Corey Paiement - Mar 5, 2019 - 2:56 PM**



**Gerald Christie - Mar 8, 2019 - 12:13 PM**



**Lynda Shykora - Mar 8, 2019 - 12:44 PM**



**Charles Hamilton - Mar 9, 2019 - 1:45 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*.

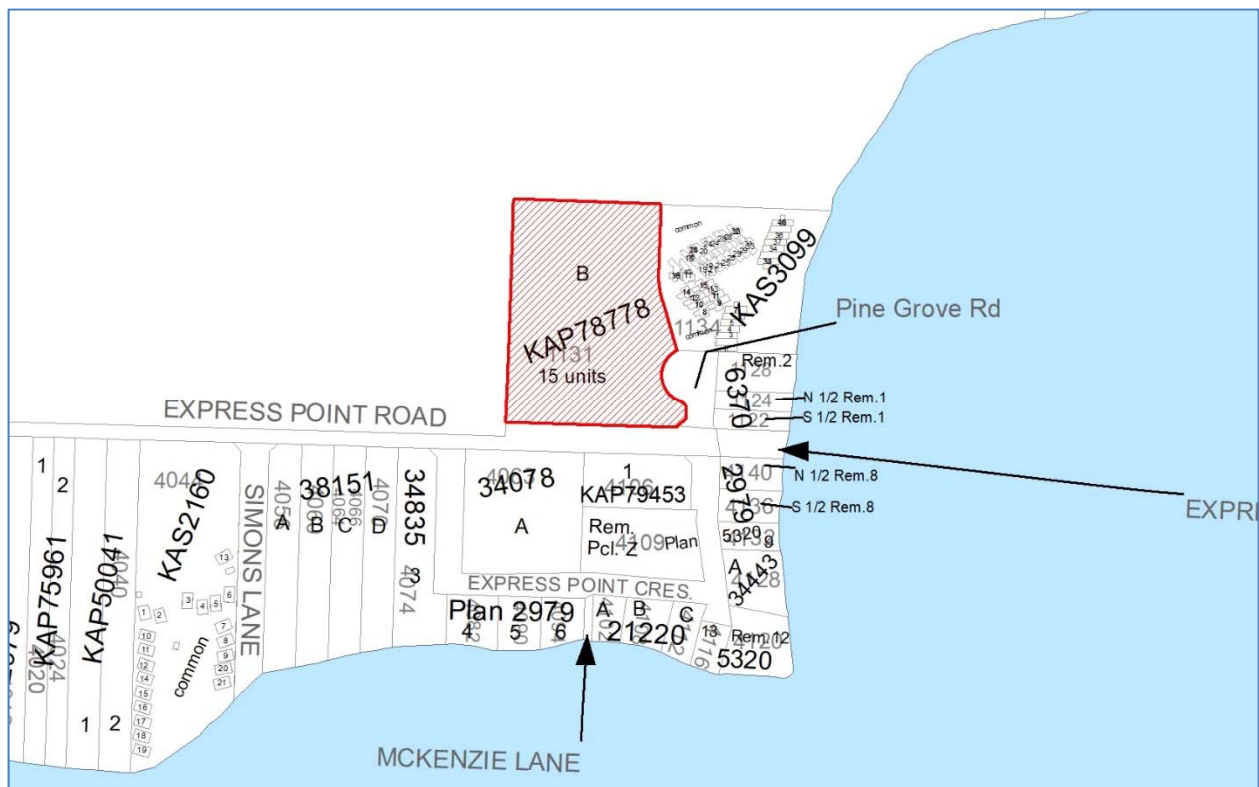
.2 Notwithstanding subsection (2), the secondary uses are as follows:

- (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>
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(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 15 day of November, 2018.

PUBLIC HEARING held this 22 day of January, 2019.

READ a third time this \_\_\_\_\_ day of \_\_\_\_\_, 2019.

ADOPTED this \_\_\_\_\_ day of \_\_\_\_\_, 2019.

\_\_\_\_\_  
CORPORATE OFFICER

\_\_\_\_\_  
CHAIR

CERTIFIED a true copy of Bylaw No. 825-38  
as read a third time.

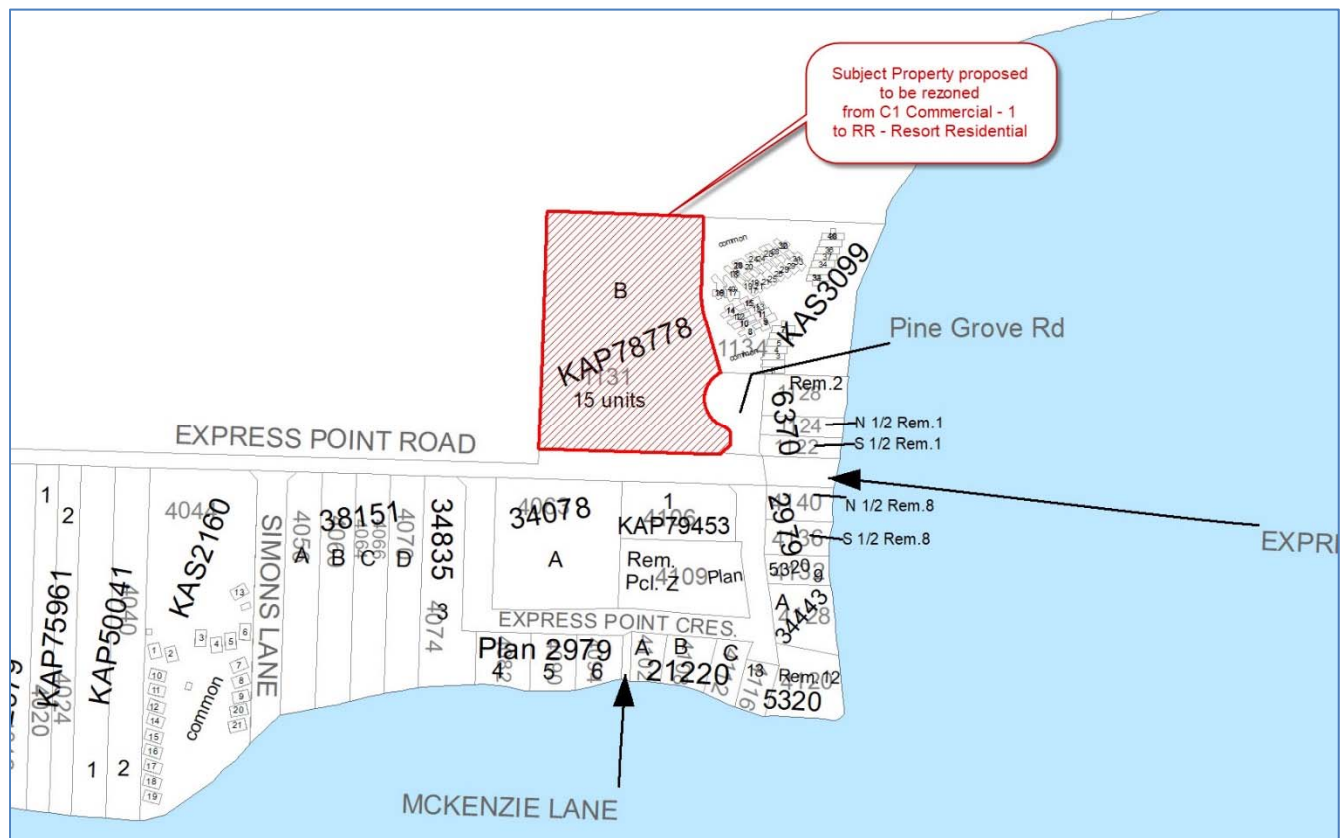
CERTIFIED true copy of Bylaw No. 825-38  
as adopted.

\_\_\_\_\_  
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> BL825-38 PL20180175
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**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.

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<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"/>
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## 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;

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- 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:

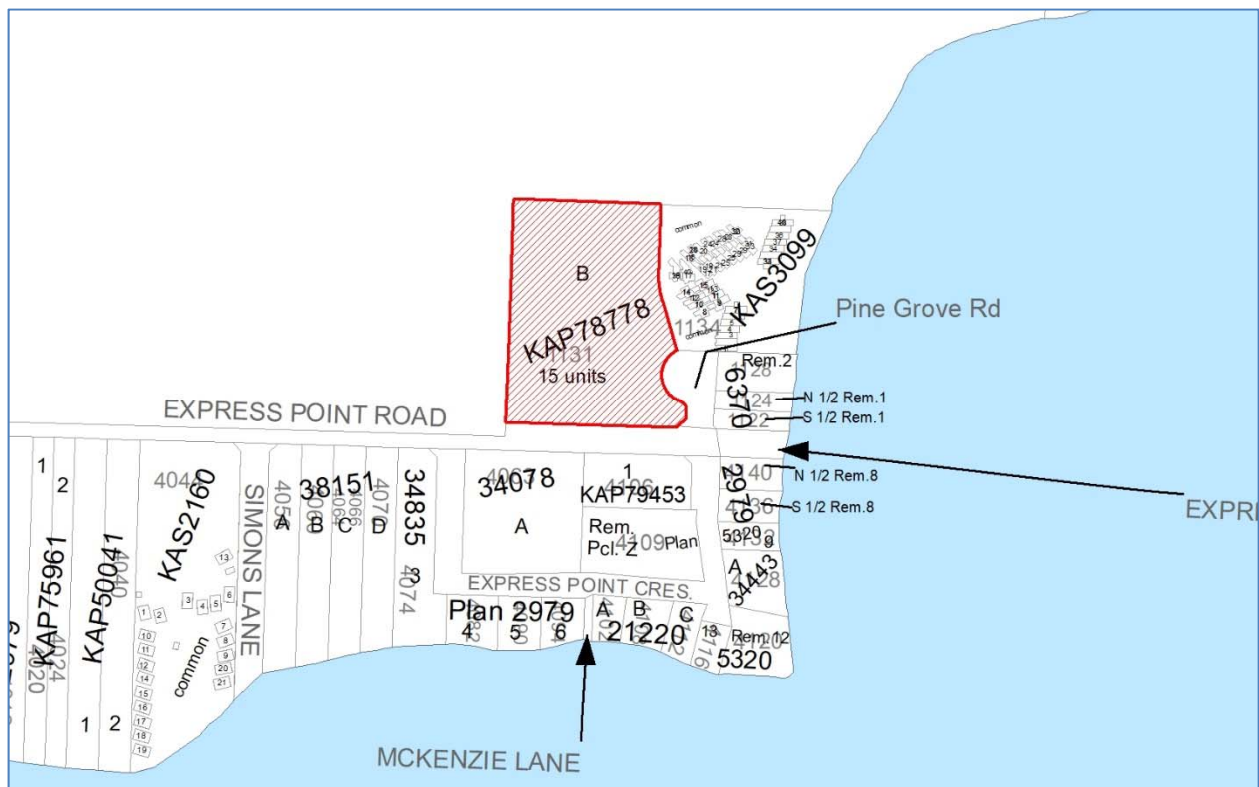
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COLUMN 1 MATTER REGULATED	COLUMN 2 REGULATION
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(i) Maximum Floor Area for: <ul style="list-style-type: none"> <li>▪ <i>Storage Shed</i></li> <li>▪ <i>Open Deck</i></li> <li>▪ <i>Recreational vehicle 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>
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## 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.

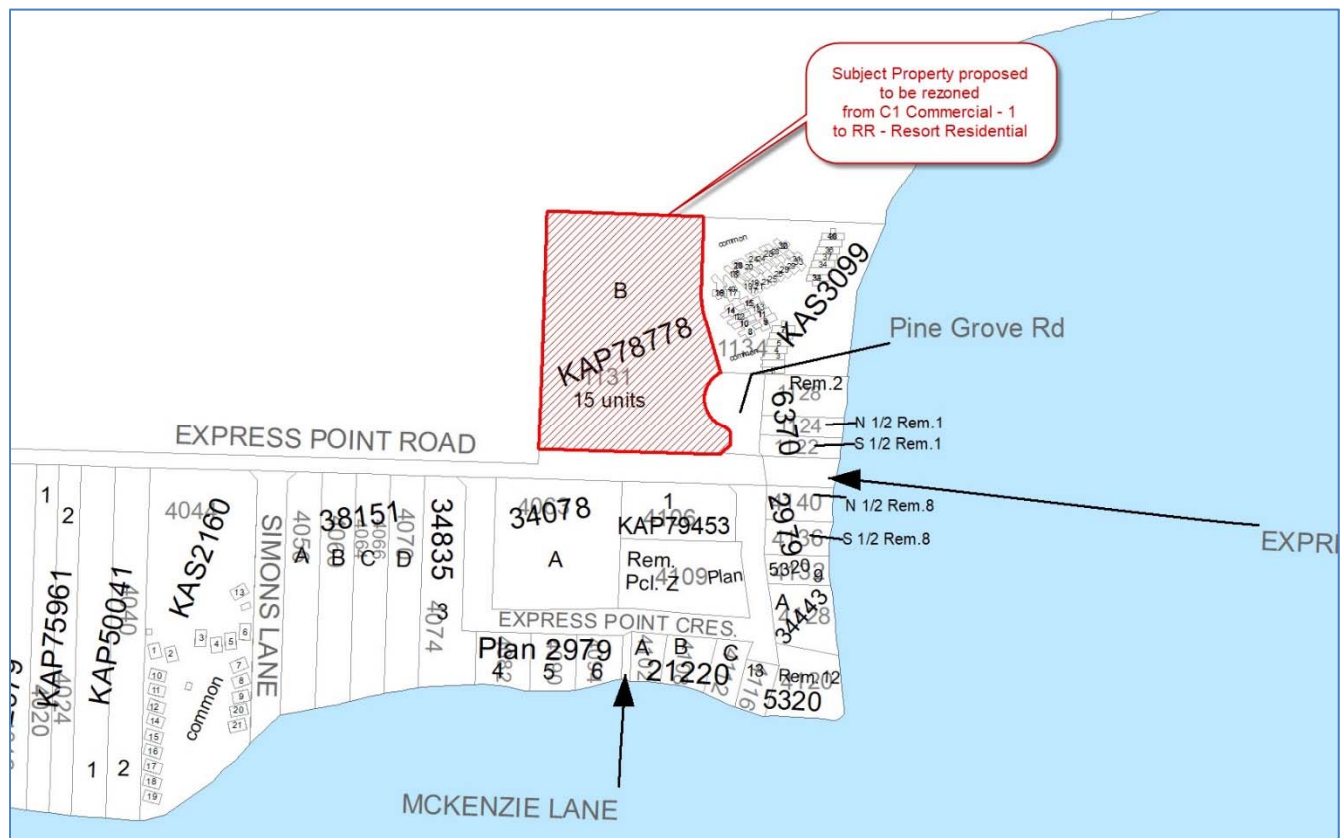
CERTIFIED true copy of Bylaw No. 825-38  
as adopted.

\_\_\_\_\_  
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

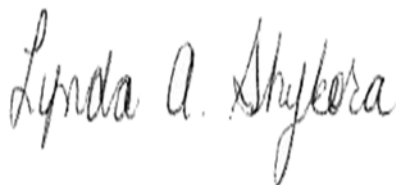
This report and all of its attachments were approved and signed as outlined below:

**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*.

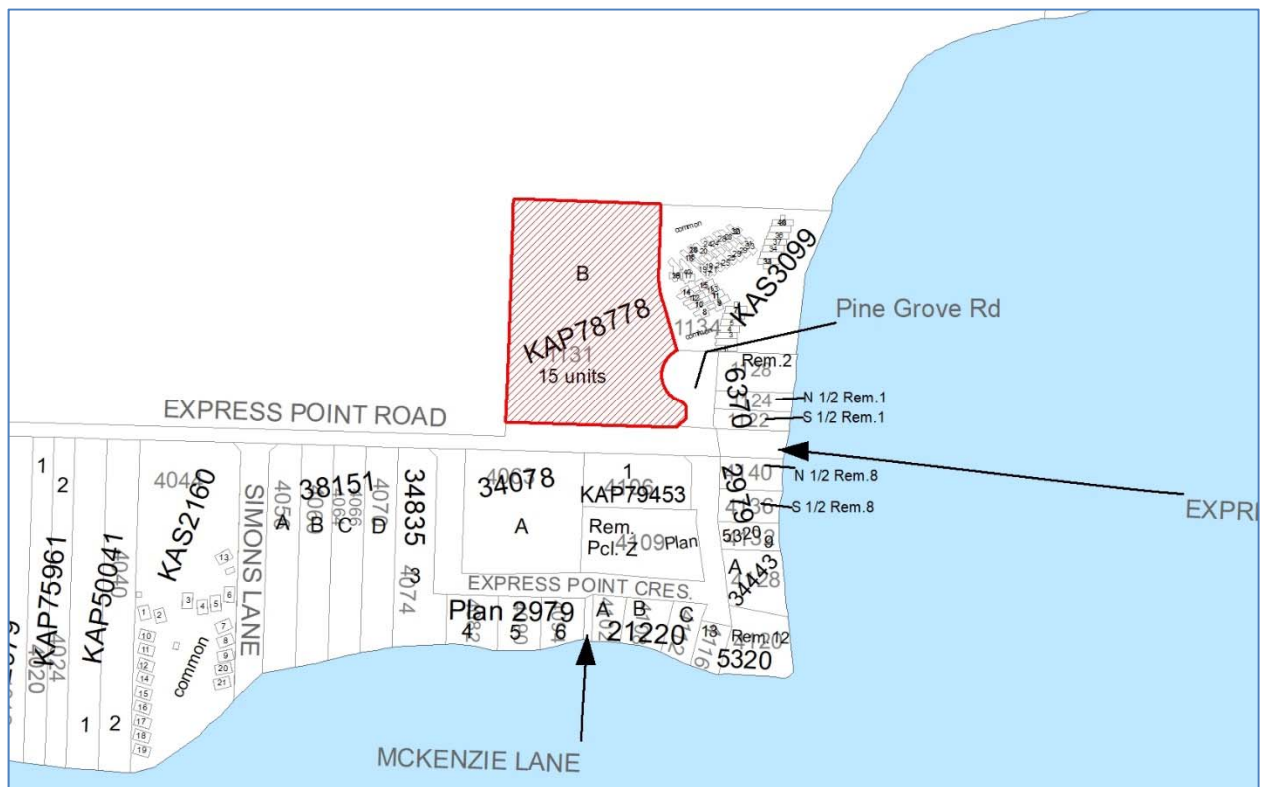


.2 Notwithstanding subsection (2), the secondary uses are as follows:

- (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</i> or <i>park models</i> per <i>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</i> or <i>park model shelter buildings</i> per <i>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.

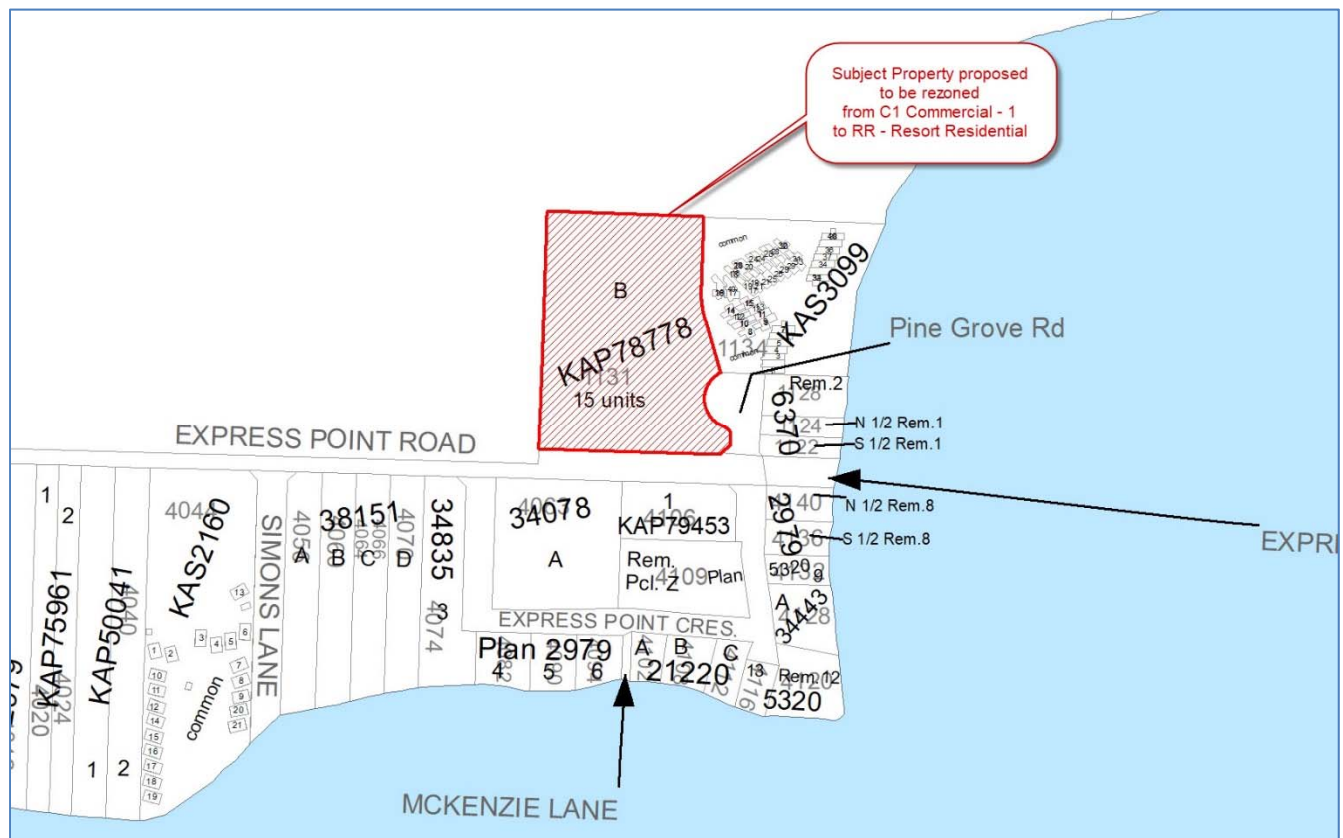
CERTIFIED true copy of Bylaw No. 825-38  
as adopted.

\_\_\_\_\_  
Corporate Officer

\_\_\_\_\_  
Corporate Officer

## SCHEDULE 1

## ZONING AMENDMENT

SCOTCH CREEK/LEE CREEK ZONING AMENDMENT  
(0934110 BC LTD.) BYLAW NO. 825-29

## **COLUMBIA SHUSWAP REGIONAL DISTRICT**

Notes of the Public Hearing held on Tuesday January 22, 2019 at 6:30 p.m. at the Scotch Creek Community Hall/Firehall, 3852 Squilax-Anglemont Road, Scotch Creek BC, regarding proposed Bylaw No. 825-38.

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PRESENT: Chair Jay Simpson – Electoral Area F Director  
 Dan Passmore – Senior Planner, Development Services  
 16 members of the public

Chair Simpson called the Public Hearing to order at 6:30 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 Scotch Creek/Lee Creek Zoning Amendment (Pinegrove RV Park) Bylaw No. 825-38.

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 February 21, 2019 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 January 11 and 18, 2019.

The Planner provided background information regarding the proposed bylaw amendments and reviewed the purpose of the bylaws.

The Chair opened the floor for comments.

Fay Tainsh, #20 - 1124 Pine Grove Road, read aloud a letter that she submitted during the hearing. The letter chronicles her attempts as an owner of a condo in the neighbouring development to reach out to the Pine Grove RV Park Association to attempt to address perceived safety concerns over the Park and the Condo development's shared access. Her primary concern is to have the RV Park relocate their main access to Express Point Road.

Doug Donaldson, Site 50 - 1131 Pine Grove Road, advised that the rezoning is the focus of the Public Hearing and not the re-development of the existing development's access. He stated that the rezoning application was made to help resolve a taxation issue for the RV Park Owners, who were paying a commercial tax. He said the disclosure statements for the Shared Interest development lay out the details of the site development and agreements between the condo development and RV Park. He concluded by advising that the Public Hearing was to discuss the rezoning for park model RVs and Overhead shelter structures and not to re-design the park.

Walter Trkla, #25 – 1134 Pine Grove Road, advised that the Public Hearing was for the purpose of discussing the impact of the rezoning, which he felt would be negative. He talked about the shared use agreement and various easements registered as constituting agreements between the RV Park and the condos. Since the rezoning was to allow modular homes in the RV Park, the rezoning was contrary to these existing agreements

and changes the original intent for the development. He stated that the sewer system has reached its capacity and any increase in users will cause the system to break down. He stated that the RV Park gate is about 40 m from the condos and that its operation is noisy and causes a disturbance, in addition to the overall noise levels from the RV Park, which can only increase as more users are in the park. He advised that the RV Park has access to the foreshore through the condo development by an easement, but that many of the RV Park owners use the parking lot area to access the foreshore. He stated that the owners of 3 properties adjacent to the condos are also impacted by the RV Park.

Mr Trkla continued by describing the rezoning amendment as a spot zoning that is entirely unlike other developments within Scotch Creek. He advised that the RV Park was originally intended as an integrated holiday resort that had degenerated due to the insolvency of the developer into 3 separate developments, including the marina on the foreshore tenure. He stated that no one knows what the intent of the foreshore tenure owner has for the marina and whether it is for just the condo owners or the RV Park owners too. He has spoken with both the CSRD and Front Counter about this situation, and has not received a satisfactory answer. He concluded by stating that the rezoning amendment should not be approved by the CSRD until some settlement was reached between the condo owners, the RV Park owners and the foreshore tenure owner to amend the existing agreements in place to account for proposed changes. He advised that since these were legal agreements some financial risk was at stake.

Doug Donaldson, Site 50 - 1131 Pine Grove Road, reiterated that the rezoning was only to allow park model RVs and overhead structures, and would not increase what was already there, or involve modular homes. He stated that the gate is in good condition and is regularly serviced. He advised that children from the condos playing within the condos parking lot was not the concern of the RV Park owners. He is aware that the disclosure statement is in place and all agreements with condo owners are in place. He advised that the RV Park Owners Association had been apprised that the rezoning would not breach the disclosure statement.

Walter Trkla, #25 – 1134 Pine Grove Road, advised that he felt the conditions of the agreements were being changed by the rezoning application and that such a change would need to be negotiated with the condo owners.

Neil Walliser, Site 32 – 1131 Pine Grove Road, indicated that there are Park models already in the RV Park within the 60 existing lots and that the number of people in the park would not change. He advised that the amount of traffic into the park also would not change from what has been in the past. He stated that the gate for the RV Park is on an easement and is not on Pine Grove Road. He stated that the sewerage system is subject to a Provincial registration and an agreement with the condo owners and that the water system was built for the overall development. Neither caused an issue within the RV Park. He advised that the dock was independent of the condos and the RV Park and therefore had nothing to do with the upland owners.

Terry Kennedy, #11 – 1134 Pine Grove Road, advised that this rezoning does impact other people, even though no more units are proposed. He stated that children dare present on the access route and that RV owners go faster through the area. He asked why the access could not shift to the emergency access off Express Point Road to alleviate this conflict. He asked who paid for the sewer, water, who owns it and who operates it. He answered by advising that the condo owners pay most for the sewer. He stated that if the

system is peaking out, adjustments will need to be made and this situation causes condo owners to worry about a proposed rezoning and possible change in use.

Bruce Bryan, Site 45 – 1131 Pine Grove Road, advised that he is willing to negotiate with condo owners to use the emergency exit. He stated that it may be acceptable to the Park to move boats and park models through the emergency exit. To this point he believes park models have been delivered to the site through both access locations.

Doug Donaldson, Site 50 - 1131 Pine Grove Road, indicated that the RV Park Association is not affiliated with the dock situation. He reported that because of the lack of moorage some RV owners have been installing buoys. He advised that the RV Park had applied for the rezoning to comply with CSRD bylaws. He noted that there had been parking issues caused by renters in the condos and advised that there are not a lot of rentals within the RV Park. He recalled that the RV Park was originally started as a private campground.

Walter Trkla, #25 – 1134 Pine Grove Road, stated that the condo parking lot has been used extensively by visitors to the RV Park in the past. He advised that the condo owners have an off-site location (sewer site) which they use for extra parking and to park boat trailers. He stated that one of the main owners in the RV Park was the owner of the dock. He concluded by saying that the owner of the dock needs to advise how many slips will be going in to the dock.

Brian Rowse, #12 – 1134 Pine Grove Road, advised that the condo owners don't know what the full implications of the rezoning are, and that their concerns not about the number of units because that is not changing, rather it is the change of use that impacts on the capacity of the sewer system and the various agreements. In this regard they are seeking clarification and noted that the sewer would be a major issue.

Chair Simpson clarified that the proposal is not for new units just a change in the types of units.

Brian Rowse, #12 – 1134 Pine Grove Road, replied that the condo owners need to know what the units will be used for.

Randy Milliard, #23 – 1134 Pine Grove Road, indicated that the full extent of the RV Park is not used right now, and felt once it is fully used the traffic would double creating further safety issues. He advised that the pedestrian sidewalk is on the RV Park side of the parking lot meaning people from the condos need to cross the access route to get to the sidewalk and there is no crosswalk. He thought that when a truck is delivering a new unit fire access could be impeded adding to the safety issues. He noted that the trucks used to deliver building materials for the shelter buildings takes 10 minutes to turn the corner into the RV Park.

Neil Walliser, Site 32 – 1131 Pine Grove Road, advised that he has a park model and that it was installed through the emergency gate. He stated that a couple of the other park models went in through the main gate. He thought that the chances of such traffic blocking the access was remote. He stated that if all of the lots in the RV Park are sold then it could increase traffic.

Bruce Bryan, Site 45 – 1131 Pine Grove Road, advised that there are currently 16 park models in place in the RV Park. He advised that his uses a holding tank that balances



sewer loading. He stated that 7 of the lots are not being sold and would be rented out for RVs only. He reiterated that he would be willing to talk to the condo owners about the access issue.

Fay Tainsh, #20 - 1124 Pine Grove Road, stated that this means that there are going to be more units in the future and that the children must be kept safe.

Brian Rowse, #12 – 1134 Pine Grove Road, said that the 2 parties need to negotiate.

Doug Donaldson, Site 50 - 1131 Pine Grove Road, pointed out that the sidewalk is adjacent to the fence for the RV Park, on the condo property, and this is where the pedestrian traffic is located. He noted that the entire parking area is congested, but that he knows most of the owners. He stated that many times he does not recognize boats and traffic from the rental units in the condos.

Joanne Soga, #28 – 1134 Pine Grove Road, reported that twice this past summer she had witnessed near accidents between traffic through the parking area and kids on bikes. If this area gets any more congested it is an accident waiting to happen.

Randy Milliard, #23 – 1134 Pine Grove Road, noted that the sidewalk access from the parking lot crosses the traffic area.

Brian Rowse, #12 – 1134 Pine Grove Road, stated that the rezoning triggers a change in the agreements in place and that it is time to talk.

Terry Kennedy, #11 – 1134 Pine Grove Road, stated that he has witnessed kids exiting rear doors from vehicles into oncoming traffic. He suggested that maybe the main entrance needed to be gated to control traffic better. He indicated that he sees a lot of bike riders coming from the Provincial Park through this area and that his principal concern is safety. He noted that the turn-around in the condo parking area is used for boats by renters in the condos and the 3 adjacent property owners. He concluded that with a tightly designed site there were not a lot of options available for parking on site, but there has to be a solution to improve safety.

Doug Donaldson, Site 50 - 1131 Pine Grove Road, reported that the RV Park has an internal 5 km/hr limit, and even though there is this limit, renters in the park don't follow it. He stated that he understands the concerns coming from the condo owners.

The Chair stated that safety is important.

Ron Wilkinson, 4112 Express Point Road, observed that it seems there is a contract issue between the RV Park and the condo owners. Regardless of this, he stated that the sewer system problems are the more important issue because it impacts on everyone in Scotch Creek. If there are issues with the sewer now, what is going to happen when both developments are full in the future.

Walter Trkla, #25 – 1134 Pine Grove Road, stated that there are children from the whole street and the Provincial Park, not just from the development. He repeated that change is occurring and must be negotiated. He advised that the condo owns the sewer and uses it the most and pays for it the most, should capacity increase as a result of the rezoning, it becomes an Engineering problem that the condo will need to pay for to sort out.

Loretta Greenough, 3730 Zinck Road, stated that rampant development and crowding density into Scotch Creek is where the problems originated. She noted this is why planning is important, and hasn't curbed such things to date. She stated that we must think into the future more.

Terry Kennedy, #11 – 1134 Pine Grove Road, stated that he was not against park models on a seasonal basis. He noted the fact that some of the spaces are empty and if they are filled up it will add to the issues already stated. He is not opposed to park models , just worried about more on the site.

Neil Walliser, Site 32 – 1131 Pine Grove Road, stated that the Boards of the RV Park and the condos should meet. He also stated that he was not aware of any issues with the sewer system, as he knows the operator.

The Chair noted the fact that most of the issues discussed were shared problems between the RV Park and condo owners. This means that there are shared opportunities between the parties to get together and find creative solutions. He stated in response to a question from the floor that it is the Board of the CSRD that will decide on the rezoning amendment.

Walter Trkla, #25 – 1134 Pine Grove Road, asked about the engineering of the sewer facility, and whether the CSRD had any information on that.

The Planner responded by advising that a copy of the Ministry of Environment Registration of the system was in the file and read out some particulars on the design of the system including its design capacity.

Brian Rowse, #12 – 1134 Pine Grove Road, noted the comment from Mrs. Greenough about over-development in the area was a valid one.

Hearing no representations or questions about proposed Bylaw No. 825-38 the Chair called three times for further submissions before declaring the public hearing closed at 7:45 pm.

CERTIFIED as being a fair and accurate report of the public hearing.

Original Signed by

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Director Jay Simpson  
Public Hearing Chair



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Dan Passmore  
Senior Planner

**Dan Passmore**

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**From:**  
**Sent:** Tuesday, October 23, 2018 10:02 AM  
**To:**  
**Cc:**  
**Subject:** Pine Grove RV Resort

Hello,

We are of

<input type="checkbox"/> CAO	<input type="checkbox"/> Agenda	Ownership: 2-2012
<input type="checkbox"/> Works	<input type="checkbox"/> Reg Board	File #
<input type="checkbox"/> DDS	<input type="checkbox"/> In Camera	
<input type="checkbox"/> Fin/Adm	<input type="checkbox"/> Other Mtg	
<b>OCT 23 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	

We want to offer a comment regarding your rezoning application to the CSRD and our observation as property owners here since 2008.

After several years of living on Pine Grove Road we have noticed the majority of daily traffic using Pine Grove Road is from the Pine Grove RV Park.

We have further noticed the considerable confusion, inconvenience and stress each time an RV Park Owner brings in their boats, RVs or Park models. Not to mention the large amount of everyday vehicle traffic to and from the RV Park.

We are wondering how long this confusion can go on until some child gets hurt that is visiting or playing without paying attention to the fact that a large truck towing either a trailer or boat is coming into the small Shuswap Lake Resort parking lot?

We feel there is a real potential for someone to get hurt.

We would like to suggest that the Pine Grove RV Park move their main front gate to Express Point Road and keep their existing gate only as an Emergency Exit/Entrance in their application.

Being totally honest the Owners in Pine Grove RV Park themselves must feel this stress vs the ease of entering from Express Point Road.

Respectfully,

**Dan Passmore**

**From:** 1>  
**Sent:** Wednesday, October 17, 2018 2:06 PM  
**To:** Dan Passmore  
**Subject:** 1131 Pine Grove Road

<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>OCT 17 2018</b>		
<input type="checkbox"/> Ec Dev	<input type="checkbox"/> Staff to Report	Ask Sent:
<input type="checkbox"/> IT	<input type="checkbox"/> Staff to Respond	<input type="checkbox"/> Fax
<input type="checkbox"/> Parks	<input type="checkbox"/> Staff Info Oly	<input type="checkbox"/> Mail
<input type="checkbox"/> SEP	<input type="checkbox"/> Dir Mailbox	<input type="checkbox"/> Email
<input type="checkbox"/> HR	<input type="checkbox"/> Dir Circulate	
<input type="checkbox"/> Other		

Hello Mr. Passmore:

As the owner of \_\_\_\_\_ in Scotch Creek, I would like to go on the record as stating I am not in favor of the rv park re-zoning change application without certain issues being addressed. The application for 1131 Pine Grove Road will allow for more and larger park model type homes instead of the pull through trailers currently allowed. Because the main entrance for the rv park is fronting our common shared roadway, we already experience high levels of traffic from the rv park. There have already been a number of close calls with our children riding their bikes on the road and side walk.

I believe that an increase in the number and size of the units, resulting in increased usage and traffic will only make that situation worse. My suggestion is for the rv park to move their main gate to the other existing entrance gate facing Express Point Road. I believe this is a simple process and one that will mitigate any additional traffic. Thank you for your time and consideration to my concerns.

**Dan Passmore**

**From:**  
**Sent:** Tuesday, October 16, 2018 12:27 PM  
**To:** Dan Passmore  
**Subject:** 1131 Pine Grove Road

<input type="checkbox"/> CAO	<input type="checkbox"/> Agenda	Ownership:
<input type="checkbox"/> Works	<input type="checkbox"/> Reg Board	
<input type="checkbox"/> DS	<input type="checkbox"/> Lin Camera	File #
<input type="checkbox"/> Fin/Adm	<input type="checkbox"/> Other Mtg	
<b>OCT 16 2018</b>		
<input type="checkbox"/> Ec Dev	<input type="checkbox"/> Staff to Report	Ask Sent:
<input type="checkbox"/> IT	<input type="checkbox"/> Staff to Respond	
<input type="checkbox"/> Parks	<input type="checkbox"/> Staff Info Oly	<input type="checkbox"/> Fax
<input type="checkbox"/> SEP	<input type="checkbox"/> Dir Mailbox	<input type="checkbox"/> Mail
<input type="checkbox"/> HR	<input type="checkbox"/> Dir Circulate	<input type="checkbox"/> Email
<input type="checkbox"/> Other		

Hello Mr. Passmore:

I do not support the change of zoning for 1131 Pine grove Road, unless certain issues can be addressed.

I am an owner of \_\_\_\_\_ in Scotch Creek. It has come to my attention that there is a rezoning application for the property located at 1131 Pine Grove Road. This application will allow a usage change from a pull through trailer and camping to allow the Park Model Type homes that are currently seen within the park, but currently, are considered non-compliant.

I am concerned with this proposed change on a few levels.

I am concerned for the safety of occupants and owners of 1134 Pine Grove Road. Currently the main entry gate for 1131 Pine Grove Road is through a shared road that passes through the parking lot of Strata KAS 3099. There have been a number of close calls with traffic from the trailer park speeding through the shared driveway property, placing children at risk of being struck by a vehicle.

There is an easement to the Provincial Park which draws a large number of walkers and bicycle enthusiasts through our roadway. If re-zoning is allowed for larger units in the Park, this is not a good combination, with a parking lot, shared roadway, walkers, cyclists and an increase in traffic. Currently, the trailer Park has a number of empty lots for sale. If the application for re-zoning is successful, this will likely draw interest in the empty lots if potential buyers know they can put larger units, or a Park Model Trailer on a space.

This change and the likely sale of the remaining empty lots will bring an increase in traffic through our shared roadway. The eventual result of this increased traffic, will likely be tragic. If re-zoning is allowed to proceed, I would strongly suggest that the main gate for 1131 Pine Grove Road, be moved to Express Point Road. Currently there is the second means of egress located there, but the conversion to a main entry gate, would be a simple process. This would alleviate many safety concerns for 1134 Pine Grove Road, KAS 3099.

Other concerns are as follows:

- 1) We have a shared Sewage Treatment plant that is at capacity in the summer months. An increase in population by allowing larger units in the trailer park, will lead to expensive upgrades eventually.
- 2) Shared Roadways do not work. Shared costs are always confrontational and this is a good opportunity to create separate entry roadways. We have never received any monies for shared road costs (snow removal) or repairs.
- 3) Parking is an issue. The trailer park continually uses our parking lot for overflow parking. Again, another reason to move the main gate to Express Point Road.
- 4) Safety. Larger units, means more people, more traffic, more chances of an accident on a shared roadway.
- 5) Lager trailers, means more Occupants, which means more pressure on our shared sewer plant, which is already at capacity in the summer months.

These are a few of my concerns, with the shared roadway and moving of the gate, being my priority request for imminent safety.

BL825-38  
PL20170000175

**From:** [Darren Wachtler](#)  
**To:** [Planning Public Email address](#)  
**Subject:** Attention Mr. Dan Passmore  
**Date:** Saturday, December 08, 2018 4:15:04 PM

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Mr. Dan Passmore

I am writing concerning the proposed rezoning of 1131 Pine Grove Road, Scotch Creek. I am a home owner at Shuswap Lake Resort which is located next to the RV park who is proposing the rezoning. I am very concerned with the proposed rezoning. Currently both the parking situation in the area and the capacity of jointly used sewer treatment centre are a problem.

This past summer, our jointly (Shuswap Lake Resort Condo's and the RV Park) used privately owned sewer system failed its regulated test at least 2 times as the system is straining to keep up due to over demand. Should the proposed rezoning occur, the density within 1131 Pine Grove Road will no doubt increase which will further add to both the sewer system and parking problem in the area.

I strongly oppose the re-zoning and would appreciate you acknowledging my concern. Please let me know if you would like to discuss further.

Regards,  
Kim & Darren Wachtler

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<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>DEC 09 2018</b> PHB, m 73		
<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
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<input type="checkbox"/> HR	<input type="checkbox"/> Dir Mailbox	
<input type="checkbox"/> Other	<input type="checkbox"/> Dir Circulate	

**Dan Passmore**

**From:** Mike Bell <mike.bell977@gmail.com>  
**Sent:** Friday, December 21, 2018 8:45 AM  
**To:** Dan Passmore  
**Cc:** Bryan, Bruce and Judy  
**Subject:** Re: BL 825-38  
**Attachments:** RE: Pine Grove RV Resort; RE: Rezoning of Pine Grove RV Park

<input type="checkbox"/> CAO	<input type="checkbox"/> Accords	<input type="checkbox"/> Ownership
<input type="checkbox"/> Works	<input type="checkbox"/> Reg Board	<input type="checkbox"/> File #
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Hi Dan,

Regarding the 2 parties that had contacted the Pine Grove RV Park with concerns about the access gate location I am attaching two emails that contain the response to those concerns that we sent to those parties on December 20, 2018.

If there is any other information you need please don't hesitate to ask.

Thanks,

Mike Bell, President  
 PGRVP Association



Redacted xxx

Plan@csrd.bc.ca

## RE: NOTICE OF PUBLIC HEARING

Proposed Amendment (Pine Grove RV Park) Bylaw no. 825-38

January 17, 2019

<input type="checkbox"/> CAD	<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.	
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<input type="checkbox"/> Ec Day	<input type="checkbox"/> Received	<input type="checkbox"/> Ack Sent
<input type="checkbox"/> IT	<input type="checkbox"/> Staff to Report	<input type="checkbox"/> Fax
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To Whom It May Concern:

Our names are Robert Renning and Kiran Marohn, registered owners of XXXX Scotch Creek BC. We are writing in regards to the proposed Amendment (Pine Grove RV Park) Bylaw no. 825-38 and the Public Hearing that is taking place January 22<sup>nd</sup>, 2019. We are unable to attend the meeting but wish to express my concerns on the proposal. We would like to state that we are not in favor of any changes without first addressing the concerns below.

Our Concerns include the following:

1. Addressing the original design and intent of the property
  2. Updating the easement of the original consolidated property
  3. Allowing for use of the existing exit on Express point road to become the main entrance to alleviate safety concerns
- 
1. The original design of the Pine Grove RV Park was for full through trailers and tenting. Any increase to larger sized units will allow for greater occupancy and a potential increase in traffic in and out of a shared roadway through parking lot of KAS 3099. In the short time since we took ownership of the property approx. 1.5 yrs ago, we have seen ongoing issues of speeding and near accidents. Our daughter and her friends age 10 experienced a near miss while walking through the parking lot in July of 2018. Increasing the trailer size and as a result the occupancy will increase the number of potential accidents until we finally experience a worst case scenario.
  2. After reviewing the original documents and design concept of the consolidated property it is clear that changes took place. At some point, this consolidated property was subsidized and the easement allowed for access to Pine Grove through a roadway that was intended to be a registered easement. With any rezoning application from Pine Grove, there should include an update to the easement to align with the subdivision of eh the original consolidated property. There are also concerns being raised that the increase to the occupancy through larger trailer sizes, will lead to an increase in water and sewer usage and production. The Current system owned by KAS 3099 reached capacity in the summer months of July and August and any further burden on the system may affect the occupancy and health of all concerned should the system fail.
  3. Pine Grove has two entrances and exists that are registered to their property and with this application and to addresses the safety issue, the main entrance should be relocated and moved to the alternate registered exit on Express

Redacted xxx

**Dan Passmore**

**From:** Hayley Graham  
**Sent:** Friday, January 18, 2019 11:24 AM  
**To:** Dan Passmore  
**Cc:** Planning Public Email address  
**Subject:** FW: Public Hearing Submission - Bylaw No. 825-38

Hi Dan,

Comments for BL825-38, I have sent a confirmation receipt to Bob,

Hayley

-----Original Message-----

**From:** Bob Rishiraj ~~xxx~~  
**Sent:** Friday, January 18, 2019 11:07 AM  
**To:** Planning Public Email address <Plan@csrd.bc.ca>  
**Subject:** Public Hearing Submission - Bylaw No. 825-38

\*\*\* please confirm receipt of submission via return email, thank you. \*\*\*

I am the owner of ~~xxx~~ at Shuswap Lake Resort located at ~~xxx~~ in Scotch Creek BC adjacent to Pinegrove RV Park. I am opposed to the amendment application to rezone the RV park. Allowing park models on a more seasonal residential basis will adversely affect the safety and enjoyment of my condominiums for the following reasons:

1) there is already too much vehicular traffic accessing Pinegrove RV park through the driveway and parking lot of Shuswap Lake Resort including large trucks with boats and trailers. This causes a safety concern for young children such as my son who play in the roundabout area right at the entrance to the parking lot a few feet away from entrance to Pinegrove RV park. Children are riding their bikes and scooters and vehicles come accelerating in and out of the RV park with some not slowing down or taking notice of children playing. The increase movement and activity of large park models would just make it even more dangerous and the increased vehicular activity of people living there on a residential basis would also be a problem. My proposed solution would be for the RV park to move their entrance and exit to Express Point Road so they are not going through our complex. They can exit straight onto a roadway instead of a private driveway with young children playing. This will also allow us to secure our property with a gate so that only residents of the condominiums can access the property just as the RV park has secured their property with fencing all around (we would also like to enjoy the same level of security). The RV park residents would still be allowed to use our gate as an emergency exit as we do recognize and respect their safety needs. Because we cannot gate our parking lot, our condominium complex is completely open with people constantly just walking through and loitering in the amenities and causing safety and security concerns for the units.

2) usage of shared sewer services will increase with people using park models on a residential basis. The existing shared sewer system is already strained and may not be able to accommodate the increase in sewage.

Respectfully Submitted for Board's Consideration,

Bob Rishiraj

Sent from my iPad

<input type="checkbox"/> CAO	<input type="checkbox"/> Agents:	<input type="checkbox"/> Ownership:
<input type="checkbox"/> Works	<input type="checkbox"/> Reg. Board	<input type="checkbox"/> File #
<input type="checkbox"/> PS	<input type="checkbox"/> In Camera	
<input type="checkbox"/> Fin/Adm	<input type="checkbox"/> Other Mtd.	
<b>JAN 18 2018</b> PHB, m2x3		
<input type="checkbox"/> Ec Day	<input type="checkbox"/> Received	<input type="checkbox"/> Ack Sent:
<input type="checkbox"/> IT	<input type="checkbox"/> Staff to Report	<input type="checkbox"/> Fax
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<input type="checkbox"/> SEP	<input type="checkbox"/> Staff Info Only	<input type="checkbox"/> Email
<input type="checkbox"/> HR	<input type="checkbox"/> Dir Mailbox	
<input type="checkbox"/> Other	<input type="checkbox"/> Dir Circulate	

January 16, 2019

Redacted.  
XXXPlan@CSRD.bc.ca

Re: Notice of Public hearing

Scotch Creek/ Lee Creek Amendment (Pinegrove RV Park) Bylaw No. 825-38

Hello:

My name is Ray Bryant; I am a registered owner of unit ~~XXXX~~ Grove Road, in Scotch Creek B.C. I recently received an information mail out regarding the public hearing that is to take place, January 22<sup>nd</sup>, 2019, regarding the potential re-zoning of the Pinegrove RV Park. I am unable to attend the meeting; however, I wish to express my concerns on the follow items that I will include in the body of this letter.

My issues will include a requirement for:

- a) Addressing the original design and the intent of property use.
- b) Updating the easement of the original consolidated property.
- c) Allowing for use of the existing exit on Express Point Road to become the main entrance to alleviate many safety and shared road use concerns.

- 1) The original design of Pine Grove RV Park was for pull through trailers and tenting. An increase to larger sized units will allow for greater occupancy and a potential increase in traffic in and out of a shared roadway that passes through the parking lot of KAS 3099. There have been ongoing issues of speeding and

near accidents in the parking lot of KAS 3099 and it will inevitably be a matter of time before a small child, or anyone for that matter, is struck by a vehicle passing through the current easement. The increase in trailer size will inevitably increase the occupancy load of Pinegrove and traffic, which will continue to exacerbate a growing safety issue. Moving the main entrance would solve this issue.

- 2) The original design of the consolidated property would have included the registered easement through KAS 3099. At some point, this consolidated property was subdivided and the easement allowed for access to Pine Grove through this roadway. With the rezoning application from Pinegrove, this easement needs to be updated to align with the subdivision of the original consolidated property.
- 3) Pinegrove has two entrances and exits registered to their property and with this application and with the issue of safety in mind, the main entrance needs to be updated and moved to the alternate registered exit on Express Point Road. This will allow for the possibility of KAS 3099 to place a gate at the entrance of the current easement and alleviate many problems associated with safety, shared roadway costs, increased security for the resident of KAS 3099 and will also alleviate the public using our parking spots for public parking year round.
- 4) Lastly, I have concerns that the increase in trailer sizes will lead to an increase in water and sewer usage and production, which will be an issue with the current system we have in place. This system, owned by KAS 3099 and used by Pinegrove is taxed to the limit in the months of July and August.

Thank you for considering my concerns.

I would not support the new proposed usage of this property unless at least the updating and relocation of the front entrance is addressed and moved to Express Point Road to mitigate safety concerns associated with increased population and vehicle traffic concerns.

Thank you

A handwritten signature in black ink, appearing to read "Ray Bryant", with a long horizontal stroke extending to the right.

Ray Bryant (Owner)

XXXXXXXX

**Dan Passmore**

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**From:** Mike Bell <mike.bell977@gmail.com>  
**Sent:** Thursday, December 20, 2018 10:58 AM  
**To:** 'Fay Tainsh'  
**Subject:** RE: Rezoning of Pine Grove RV park

Dear Fay,

Thank you for expressing your concern regarding the RV park access location. The Board of Directors of the Park reviewed your request at its November meeting and came up with the following findings:

- The current access location was designed by the developers and submitted to all the approving authorities at the time the RV Park was approved for development.
- There is an access easement legally registered in favour of the Pine Grove RV Park Association over top of Lot A (which belongs to the Condos) extending from the end of Pine Grove Road to the current access location.
- The RV Park Board has on file a document from the BC Ministry of Transportation where the Ministry provides their conditional approval of the RV Park. One of the conditions of their approval is that there be no permanent access onto either Pine Grove Road or Express Point Road.
- Some Board members did an on-site review of the Emergency Access location that goes out directly onto Express Point Road. Those members reported back to the Board that, in their opinion, there is not enough physical room to design a proper permanent access at this location due to the constraints presented by privately held RV lots on either side of the Emergency Access lane.

In addition to the above findings the Board also conducted an informal survey of some of its members regarding their experience using the access as it relates to conflicts with pedestrians. There were no reports of any close call experiences between vehicles moving through the easement area and pedestrians crossing through this same area. However, users did report that when vehicles are parked adjacent to the Condos this greatly increases congestion in the access roadway area and greatly diminishes the visibility of pedestrians who may step into the roadway area from behind these parked vehicles. This segment of the access roadway area should be considered for a no parking zone.

The Board thoroughly discussed this issue at the November meeting and concluded the following:

- The RV Park members have the appropriate legal entitlement to use the access at its current location
- A permanent access roadway would not physically fit into the space currently occupied by the emergency access lane. There is no other location inside the RV park that could accommodate an access roadway
- It is unlikely that a request to have permanent access directly onto Express Point Road would be approved by the Ministry of Transportation
- The current access location has been in use for more than 10 years without any conflicts with pedestrians, demonstrating that drivers are using the appropriate level of care and attention when using this roadway to ensure it remains safe for both pedestrians and themselves.

Therefore, the RV Park Board has decided that the permanent access to the RV park will have to remain at it's current location. The Board will, however, include a note in the Spring Newsletter, sent to all Park members, reminding them to be aware of the pedestrian traffic in and around the access roadway when coming and going from the Park.

Once again, thank you for bringing this matter to our attention. If you have any further questions or concerns, please don't hesitate to contact me.

Regards,

Mike Bell, President  
PGRVP Association

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**From:** Fay Tainsh <ftainsh@shaw.ca>  
**Sent:** October 23, 2018 7:37 AM  
**To:** 'doug.donaldson@hotmail.com; mike.bell977@gmail.com  
**Subject:** Rezoning of Pine Grove RV park

Hello, my name is Fay Tainsh and I am an owner in Shuswap lake resort.

I contacted Dan Passmore regarding your application to rezone. He gave me your email addresses and told me to contact you directly .

My husband Bill has taken on a few contracts for the resort.

We are in and around the property daily .

We have a fair number of children in the complex and it would be much safer if the only traffic going thru the resort was the resort vehicles , which are passenger vehicles only and a maximum of 40. You move boats , pontoons, RV's , park models along with your personal vehicles in and out on a daily basis, going thru our parking lot, not leaving much room to maneuver the larger units. You have 66 lots in your park , making the amount of traffic very high . Even without the new rezoning ,we see too much traffic and feel it is a safety concern for the people in our complex.

By moving your main gate to Express point road and having your emergency exit where the main gate is now , would solve the safety concerns, the parking issues we have seen, along with giving you much easier access.

I am hoping I have contacted you with enough time to have your gates moved before your request for rezoning goes to a public hearing .

Thanks,  
Fay Tainsh  
780-489-5133

Sent from my iPhone

Sent from my iPhone



**Dan Passmore**

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**From:** Mike Bell <mike.bell977@gmail.com>  
**Sent:** Thursday, December 20, 2018 11:01 AM  
**To:** 'Bob - Noreen Leasak'  
**Subject:** RE: Pine Grove RV Resort

Dear Bob and Noreen,

Thank you for expressing your concern regarding the RV park access location.

The Board of Directors of the Park reviewed your request at its November meeting and came up with the following findings:

- . The current access location was designed by the developers and submitted to all the approving authorities at the time the RV Park was approved for development.
- . There is an access easement legally registered in favour of the Pine Grove RV Park Association over top of Lot A (which belongs to the Condos) extending from the end of Pine Grove Road to the current access location.
- . The RV Park Board has on file a document from the BC Ministry of Transportation where the Ministry provides their conditional approval of the RV Park. One of the conditions of their approval is that there be no permanent access onto either Pine Grove Road or Express Point Road.
- . Some Board members did an on-site review of the Emergency Access location that goes out directly onto Express Point Road. Those members reported back to the Board that, in their opinion, there is not enough physical room to design a proper permanent access at this location due to the constraints presented by privately held RV lots on either side of the Emergency Access lane.

In addition to the above findings the Board also conducted an informal survey of some of its members regarding their experience using the access as it relates to conflicts with pedestrians. There were no reports of any close call experiences between vehicles moving through the easement area and pedestrians crossing through this same area. However, users did report that when vehicles are parked adjacent to the Condos this greatly increases congestion in the access roadway area and greatly diminishes the visibility of pedestrians who may step into the roadway area from behind these parked vehicles. This segment of the access roadway area should be considered for a no parking zone.

The Board thoroughly discussed this issue at the November meeting and concluded the following:

- . The RV Park members have the appropriate legal entitlement to use the access at its current location
- . A permanent access roadway would not physically fit into the space currently occupied by the emergency access lane. There is no other location inside the RV park that could accommodate an access roadway
- . It is unlikely that a request to have permanent access directly onto Express Point Road would be approved by the Ministry of Transportation
- . The current access location has been in use for more than 10 years without any conflicts with pedestrians, demonstrating that drivers are using the appropriate level of care and attention when using this roadway to ensure it remains safe for both pedestrians and themselves.

Therefore, the RV Park Board has decided that the permanent access to the RV park will have to remain at its current location. The Board will, however, include a note in the Spring Newsletter, sent to all Park members, reminding them to be aware of the pedestrian traffic in and around the access roadway when coming and going from the Park.

Once again, thank you for bringing this matter to our attention. If you have any further questions or concerns, please don't hesitate to contact me.

Regards,

Mike Bell, President  
PGRVP Association

-----Original Message-----

From: Bob - Noreen Leasak <nleasak@hotmail.com>  
Sent: October 23, 2018 10:02 AM  
To: mike.bell977@gmail.com  
Cc: Doug Donaldson <donaldson\_douglas@hotmail.com>; jbbryan@shaw.ca  
Subject: Pine Grove RV Resort

Hello,

We are Bob & Noreen Leasak of  
1128 Pine Grove Road.

We want to offer a comment regarding your rezoning application to the CSRD and our observation as property owners here since 2008.

After several years of living on Pine Grove Road we have noticed the majority of daily traffic using Pine Grove Road is from the Pine Grove RV Park.

We have further noticed the considerable confusion, inconvenience and stress each time an RV Park Owner brings in their boats, RVs or Park models. Not to mention the large amount of everyday vehicle traffic to and from the RV Park.

We are wondering how long this confusion can go on until some child gets hurt that is visiting or playing without paying attention to the fact that a large truck towing either a trailer or boat is coming into the small Shuswap Lake Resort parking lot?

We feel there is a real potential for someone to get hurt.

We would like to suggest that the Pine Grove RV Park move their main front gate to Express Point Road and keep their existing gate only as an Emergency Exit/Entrance in their application.

Being totally honest the Owners in Pine Grove RV Park themselves must feel this stress vs the ease of entering from Express Point Road.

Respectfully,

Bob & Noreen Leasak  
(403) 348-6477  
(403) 771-3535

Sent from my iPhone

81825-38

From: Fay Tainsh ~~xxx~~

Subject: Hello, I sent Pinegrove RV park an email on October 23 2018 regarding...

Date: January 22, 2019 at 4:49 PM

To: Fay tainsh ~~xxx~~

Redacted  
xxx

Hello, I sent Pinegrove RV park an email on October 23 2018 regarding my safety concerns with the existing amount of traffic ,and the fear that with the new rezoning our safety issues would rise to an unacceptable level.

We have 40 units with one parking stall per unit. We have a maximum of 40 personal vehicles moving in and out on any given day. The R.V. park has 66 lots,a minimum of 66 personal vehicles in and out on any given day. That is 65% higher than Shuswap lake resort. This # does not include boats, pontoons , RV's or park models .I watched a truck delivering propane today , enter our parking area , turn around ,park ,leave his vehicle to manually open the gate and then enter. I took a picture to show that if there would have been cars parked, it would not have been possible to accomplish this.

By moving the main gate to express point road and having the emergency exit where the main gate is now , would solve the safety concerns, the parking issues we have seen , along with giving the park much easier access to their property.

I received a reply on December 20 2018.

Their findings and conclusions include:

#1 ....the current access location was designed by the developers and submitted to all the approving authorities. They have appropriate legal entitlement ...

Yes, they have a right to have a main entrance and an emergency exit. We agree. We just don't agree with the location.

#2... there is an easement...

Yes. There is an easement.

#3 ... that one of the conditions from the ministry of transportation was that there be no permanent access onto either Pinegrove road or Express point Road....

The R.V. park has made permanent access on Pinegrove Road and now considering the amount of traffic and the safety of our families the gates need to be moved.

#4... there is not enough physical room to design a permanent access ...

There is just under a 2 foot difference between the size of the entrance /exit sites right now.

#5

The park agreed that there are safety concerns with "diminished visibility of pedestrians."

Their solution is for us to consider removing parking stalls to increase their "diminished visibility ".

Our solution is to have the existing entrance gate moved to express point road and the emergency exit gate be moved to pine grove road.

#6

..The current access location has been in use for more than 10 years without any conflicts with pedestrians....

No one has been hit. We would like to keep it that way. Our only safety solution is to have the gates moved.

I sent a note out to as many owners as I could contact regarding this issue.

There are 40 units in our complex. I was able to contact 27 owners. 3 did not reply and I have no access to the contact info for the remaining 13 units.

Of the 24 units that replied, all are in favour of securing the safety of our complex , and request the gates be moved.

That is 60%.

Our neighbours Bob and Noreen Leasak are also on my list.

Sent from my iPhone

<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>JAN 22 2018</b>		
<input type="checkbox"/> Ec Day	<input type="checkbox"/> Received	Ack 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 Only	<input type="checkbox"/> Email
<input type="checkbox"/> HR	<input type="checkbox"/> Dir Mailbox	
<input type="checkbox"/> Other	<input type="checkbox"/> Dir Circulate	

Received @ Public Hearing

**From:** Fay Tainsh ~~xxx~~  
**Sent:** October 23, 2018 7:37 AM  
**To:** ~~xxx~~  
**Subject:** Rezoning of Pine Grove RV park

Page 615 of 635  
*Replaced*  
~~xxx~~

Hello, my name is Fay Tainsh and I am an owner in Shuswap lake resort. I contacted Dan Passmore regarding your application to rezone. He gave me your email addresses and told me to contact you directly. My husband Bill has taken on a few contracts for the resort. We are in and around the property daily.

We have a fair number of children in the complex and it would be much safer if the only traffic going thru the resort was the resort vehicles, which are passenger vehicles only and a maximum of 40. You move boats, pontoons, RV's, park models along with your personal vehicles in and out on a daily basis, going thru our parking lot, not leaving much room to maneuver the larger units. You have 66 lots in your park, making the amount of traffic very high. Even without the new rezoning, we see too much traffic and feel it is a safety concern for the people in our complex.

By moving your main gate to Express point road and having your emergency exit where the main gate is now, would solve the safety concerns, the parking issues we have seen, along with giving you much easier access.

I am hoping I have contacted you with enough time to have your gates moved before your request for rezoning goes to a public hearing.

Thanks,  
Fay Tainsh

~~xxx~~

Sent from my iPhone

Sent from my iPhone



Redacted  
xxx

From: Mike Bell  
 Subject: RE: Rezoning of Pine Grove RV park  
 Date: December 20, 2018 at 10:58 AM  
 To: Fay Tainsh

Dear Fay,

Thank you for expressing your concern regarding the RV park access location. The Board of Directors of the Park reviewed your request at its November meeting and came up with the following findings:

- The current access location was designed by the developers and submitted to all the approving authorities at the time the RV Park was approved for development.
- There is an access easement legally registered in favour of the Pine Grove RV Park Association over top of Lot A (which belongs to the Condos) extending from the end of Pine Grove Road to the current access location.
- The RV Park Board has on file a document from the BC Ministry of Transportation where the Ministry provides their conditional approval of the RV Park. One of the conditions of their approval is that there be no permanent access onto either Pine Grove Road or Express Point Road.
- Some Board members did an on-site review of the Emergency Access location that goes out directly onto Express Point Road. Those members reported back to the Board that, in their opinion, there is not enough physical room to design a proper permanent access at this location due to the constraints presented by privately held RV lots on either side of the Emergency Access lane.

In addition to the above findings the Board also conducted an informal survey of some of its members regarding their experience using the access as it relates to conflicts with pedestrians. There were no reports of any close call experiences between vehicles moving through the easement area and pedestrians crossing through this same area. However, users did report that when vehicles are parked adjacent to the Condos this greatly increases congestion in the access roadway area and greatly diminishes the visibility of pedestrians who may step into the roadway area from behind these parked vehicles. This segment of the access roadway area should be considered for a no parking zone.

The Board thoroughly discussed this issue at the November meeting and concluded the following:

- The RV Park members have the appropriate legal entitlement to use the access at its current location
- A permanent access roadway would not physically fit into the space currently occupied by the emergency access lane. There is no other location inside the RV park that could accommodate an access roadway -?
- It is unlikely that a request to have permanent access directly onto Express Point Road would be approved by the Ministry of Transportation
- The current access location has been in use for more than 10 years without any conflicts with pedestrians, demonstrating that drivers are using the appropriate level of care and attention when using this roadway to ensure it remains safe for both pedestrians and themselves.

Therefore, the RV Park Board has decided that the permanent access to the RV park will have to remain at its current location. The Board will, however, include a note in the Spring Newsletter, sent to all Park members, reminding them to be aware of the

pedestrian traffic in and around the access roadway when coming and going from the Park.

Once again, thank you for bringing this matter to our attention. If you have any further questions or concerns, please don't hesitate to contact me.

Regards,

Mike Bell, President  
PGRVP Association

Redacted

xxx

From: Fay Tainsh xxx  
 Subject: I have been in contact with Dan Passmore at the CSRD regarding the...  
 Date: January 21, 2019 at 12:37 PM  
 To: Fay tainsh xxx

I have been in contact with Dan Passmore at the CSRD regarding the rezoning of the Pinegrove RV park . I pointed out that we have a fair number of children in our complex and it would be much safer if the only traffic going thru the resort was our resort vehicles , which are passenger vehicles only and a maximum of 40. Pinegrove RV park moves boats , pontoons, RV's , park models along with personal vehicles in and out on a daily basis, going thru our parking lot, not leaving much room to maneuver the larger units. There are 66 lots in the park , making the amount of traffic very high . Even without the new rezoning , we see too much traffic and I feel it is a safety concern for all of the people in our complex.

By moving the main gate to Express point road and having their emergency exit gate where the main gate is now, would solve the safety concerns, the parking issues we have seen, along with giving the RV park much easier access to their lots.

Mr Passmore gave me the contact information of the president and another member of the RV park and suggested I contact them directly. I let him know that I was sure that they would not consider this request and asked him what to do if they refused. I was to let them know that this would be brought up at the public hearing and the board would then make the decision .

Well they refused. The public hearing will be on Jan 22 and I will be there to plead our case.

I need the names , unit numbers and contact info of everyone that would also like to see this happen.

Can I put you on my list?

Thanks  
 Fay

3 units did not reply and I have no access to the contact info for 13 of the units.  
 24 units replied yes. 60 %

I also received a yes from Bob and Noreen Leasak address  
 #1128 Pinegrove Road.

1134 pinegrove road  
 Unit #

- #1
- #2 Vanessa Landon Walsh
- #3 Andrew and Cheralyn Merritt
- #4 Bob/Ravi Rishiraj
- #5
- #6 Dino
- #7
- #8 Wanda Chan
- #9
- #10 Judy/Ray Bryant
- #11 Terry Kennedy
- #12 Brian/Brenda
- #13 Candace/Charles
- #14 Allen Kee
- #15 Colleen/James Williams
- #16
- #17
- #18 Fred /Ollie shinkaruk
- #19 Robin Featherstone /Artit Satchaban
- #20 Bill/Fay Tainsh
- #21 Bob/Ravi Rishiraj
- #22 Debbie/Rob
- #23 Shelly/Randy
- #25 Walter Trkla
- #26 Arlene Schieven
- #27
- #28 Joanne Soga (tenant)
- #29
- #30 Dave /Aruna Gore
- #31 Ed/Marcie Luccock
- #32
- #33
- #34
- #35
- #36



#37 Kim/Darren Wachtler  
#38  
#39 Karen/Gord Brons  
#40

Sent from my iPhone

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BL 825-38

Redacted.  
xxx

Our strata have a shared use agreement with the RV park that has been created by easement, joint ownership, covenant or contract. The Strata entered into agreements with the RV park at the time when Shuswap Lake Inc. was created.

We have land use agreement, a right of ways, easements: roadway, water and electrical room plus the sewer.

The RV park has applied to rezone their property to be able to build modular homes rather than just having an RV park. This application will impact the condo owners financially and affect their enjoyment of their property. For that reason I am opposed to the rezoning.

The fact that the RV park wishes to change the original agreement which existed under ~~a~~ <sup>conditions</sup> different the condo owners have a right to renegotiate every agreement that will be affected by this rezoning.

The Sewer: We have a shared agreement presently. The sewer Has reached its capacity and this past summer we were over capacity, so we had to pump the excess. If this continues, we will be shut down by the health department the rezoning will increase the capacity inflow from the park and as owners of the sewer lands and the ~~plant~~ <sup>plant this</sup> must be renegotiated.

The water shared agreement will need to be renegotiated since the water capacity into the RV park will increased with this rezoning causing grater pressure on the equipment, increased maintenance and breakdown.

The access point into the RV park will need to be renegotiated since the traffic capacity will increase causing parking issues, more noise pollution, affecting the condos that are close to the gate, due to the gate opening and closing particularly in summer when windows to the North are open. There will be more traffic which will be a safety issue as there are many children of Condo owners playing in that area.

The access to the beach is along the Provincial park sidewalk but presently most RV park users access the beach by trespassing through the parking lot of Strata KAS 3099. They walk through our property to get to the Provincial park and the beach, , ride their bikes, and take their dogs for walk. Presently the noise level in the evening is a nuisance but with increase in capacity the nuisance will Increase leading to conflict.

Owners of the three homes on the West side of the condos are concerned with the increase in traffic. I and the house owners feel that this application is a Spot Rezoning and is not in keeping with the use of the surrounding properties.

The best example of what I am saying here already exists. Shuswap Lake Resort Inc. intended to create a holiday destination business at this location. This was to be a rental destination from a central location. Financial issues forced the developers to change the original plans from renting to selling RV pads and condo units. This made it necessary for easements and shared facilities.

One of the easements or Right of way that has caused huge problems for both the RV park and The Condo owners is the right of way given to the government in 2006 separated the riparian rights from the upland. The upland at the time of the easement was the combined complex. Now the upland land is Strata Kas 3099. With this easement the developer gave the foreshore rights to Front Counter but retained the foreshore license. From 2006 to 2010 the developer presold boat slips to RV park and Condo owners. Some 25 or so slips were purchased on the basis that the developer owned a foreshore license. In 2010 one of the directors assigned the license to a numbered company from Vancouver the RV and condo boat slip purchasers lost their money and did not get a boat slip. This led to prolonged litigation and negotiations with a company that held the license. The new license holder attempted to build a Marina but was stopped by CSRD and Front Counter since the license holder did not have parking. The fact is the parking belongs to Strata KAS 3099 and its strictly for the use of condo owners to access their condo units.

The license presently is held month to month by the same numbered company and now they want to rebuild a dock to be used only by the upland. We have no idea if they plan to sell or lease the boat slips nor do we know the cost. We have no idea what they consider as the upland. Will this lead to legal conflict between the RV park and the condo owners since RV owners were once part of the proposed dock? Does CSRD and Front Counter consider the upland just Kas 3099 or do they also consider the RV park as part of the Upland. We have no idea how many boat slips they plan to build, will they build 40, just for the condo owners or 65 to include some RV park o with gate opening and closing as well as more traffic owners, we have no idea what they plan to build, the cost, will they be built all at once, or as demand warrants. The fact is they don't have parking for this project.

*Redacted*  
*xxx*

The parking lot belongs to KAS 3099 and the condo owners have not approved the use of their parking by the numbered company to use Why would they offer someone their property to use for their business? CSRD and Front Counter is on record that they will not approve this dock unless the upland and the license holder come to an agreement on parking. This issue has now in its 9<sup>th</sup> year imagine themes that will be created if this rezoning application is approved without a negotiated settlement on the issues that I mentioned previously. Strata KAS 3099 of which I am a member owns the sewer outright and has a share in all the other common property. The changes that will take place IF this application is approved will result in all kinds of costly problems for me personally and other strata members. This application cannot be granted unless all the outstanding issues that I have mentioned are settled first.

Walter Trkla

*xxx*  
*xxx*

*Received at Public Hearing*

<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>JAN 22 2018</b>		
<input type="checkbox"/> Ec Day	Received	Ack 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 Only	<input type="checkbox"/> Email
<input type="checkbox"/> HR	<input type="checkbox"/> Dir Mailbox	
<input type="checkbox"/> Other	<input type="checkbox"/> Dir Circulate	

## 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>

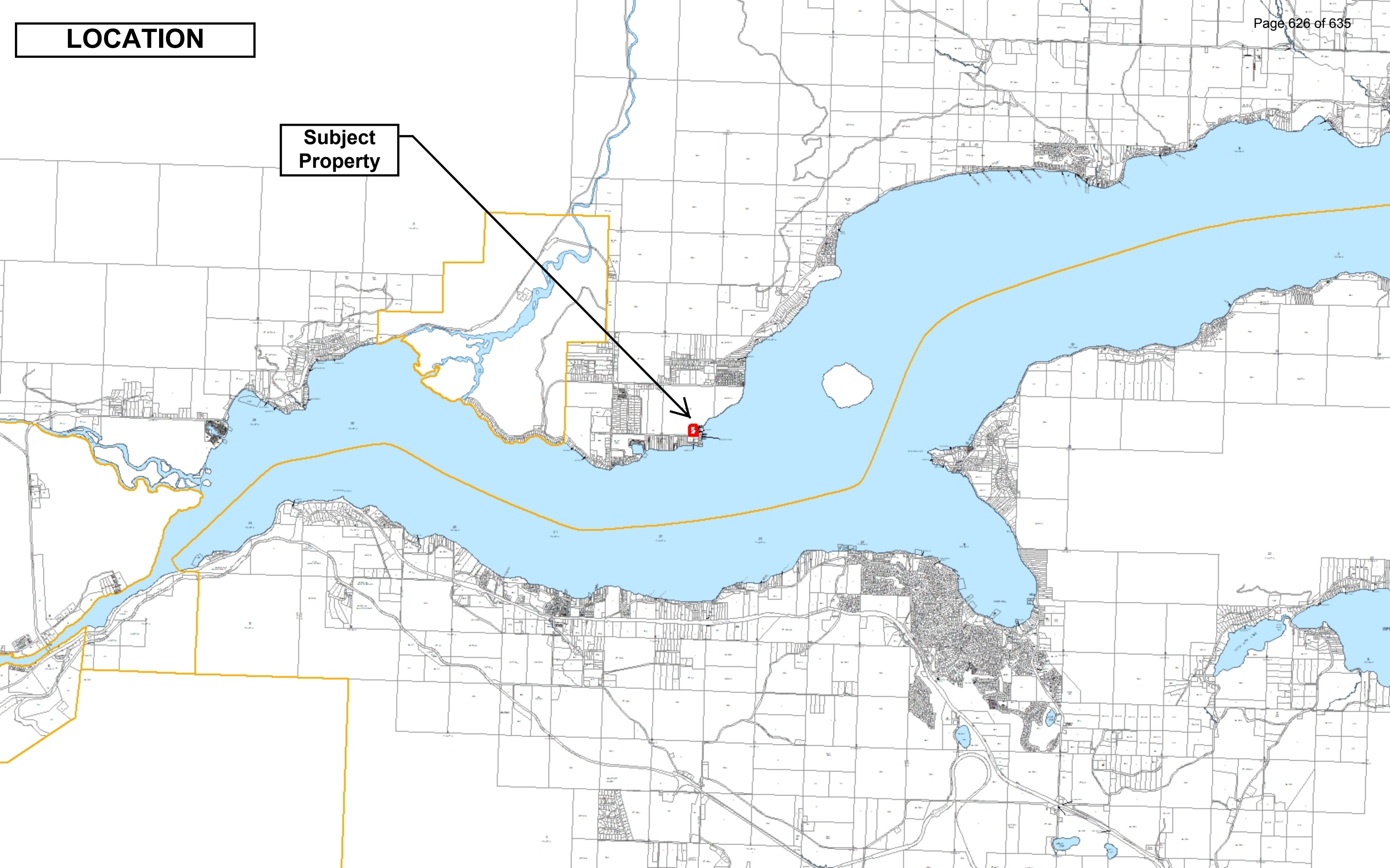
	<p>If any land-altering development is planned and proponents choose not to contact an archaeologist prior to development, owners and operators should be notified that if an archaeological site is encountered during development, activities must be halted and the Archaeology Branch contacted at 250-953-3334 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.



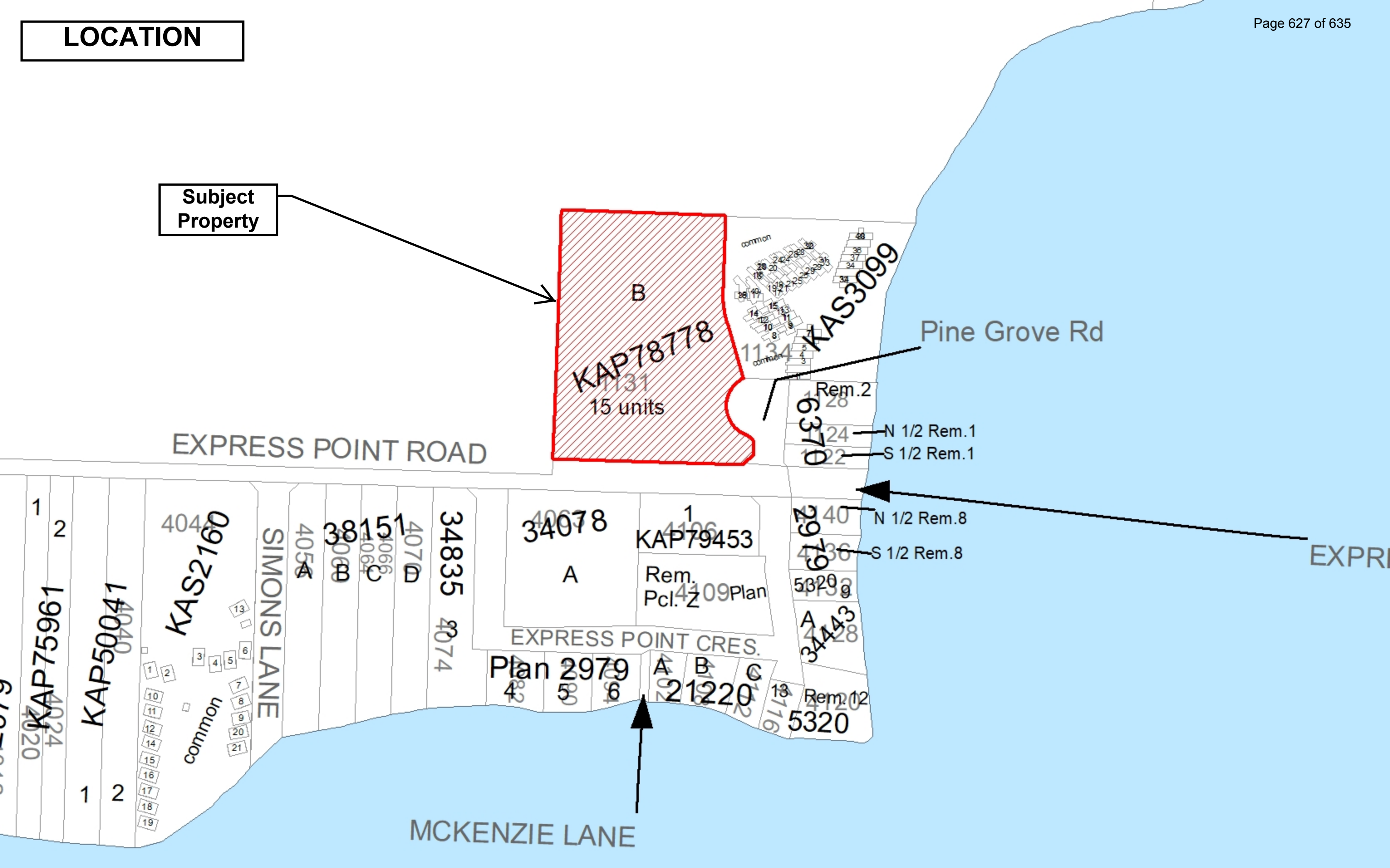
**LOCATION**

**Subject  
Property**



LOCATION

Subject  
Property



EXPRESS POINT ROAD

Pine Grove Rd

SIMONS LANE

EXPRESS POINT CRES.

MCKENZIE LANE

EXPRI





S H U S



Bylaw 825 -  
Lee Creek / Scotch Creek

S C O T C H C R E E K

L A K E

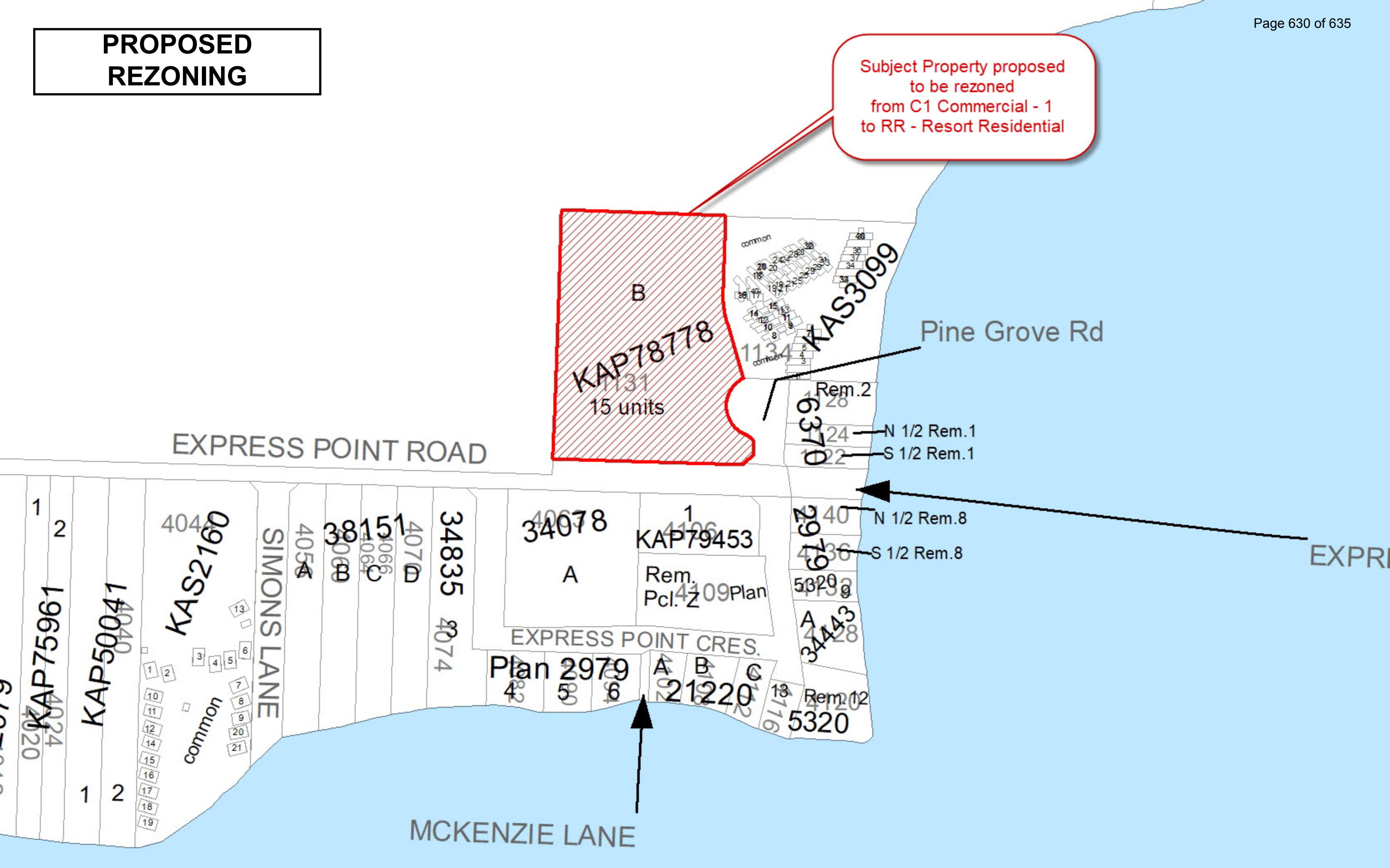
Express  
Point

**ZONING**



PROPOSED  
REZONING

Subject Property proposed  
to be rezoned  
from C1 Commercial - 1  
to RR - Resort Residential





ORTHOPHOTO



EXPRESS POINT ROAD

Pine Grove Rd

EXPRESS POI

Express  
Point



1131  
15 units

1134

1128

1124

1122

4140

4136

4132

4128

4120

4106

4109

4108

4112

4116

4063

EXPRESS POINT CRES

4082

4090

4094

4102

4044

4040

4056

4060

4064

4070

4074

SIMONS LANE

4024

4020

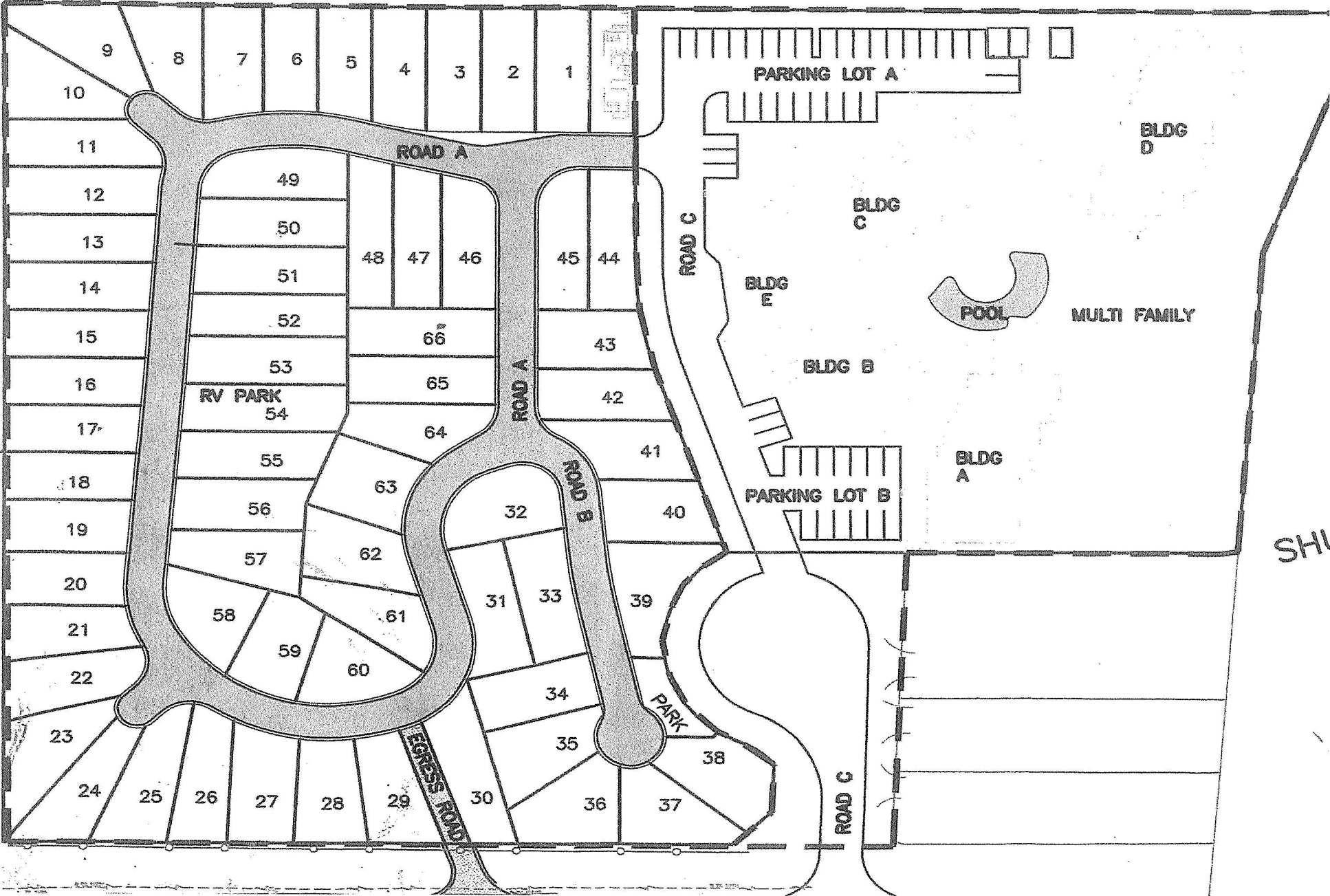




ROAD

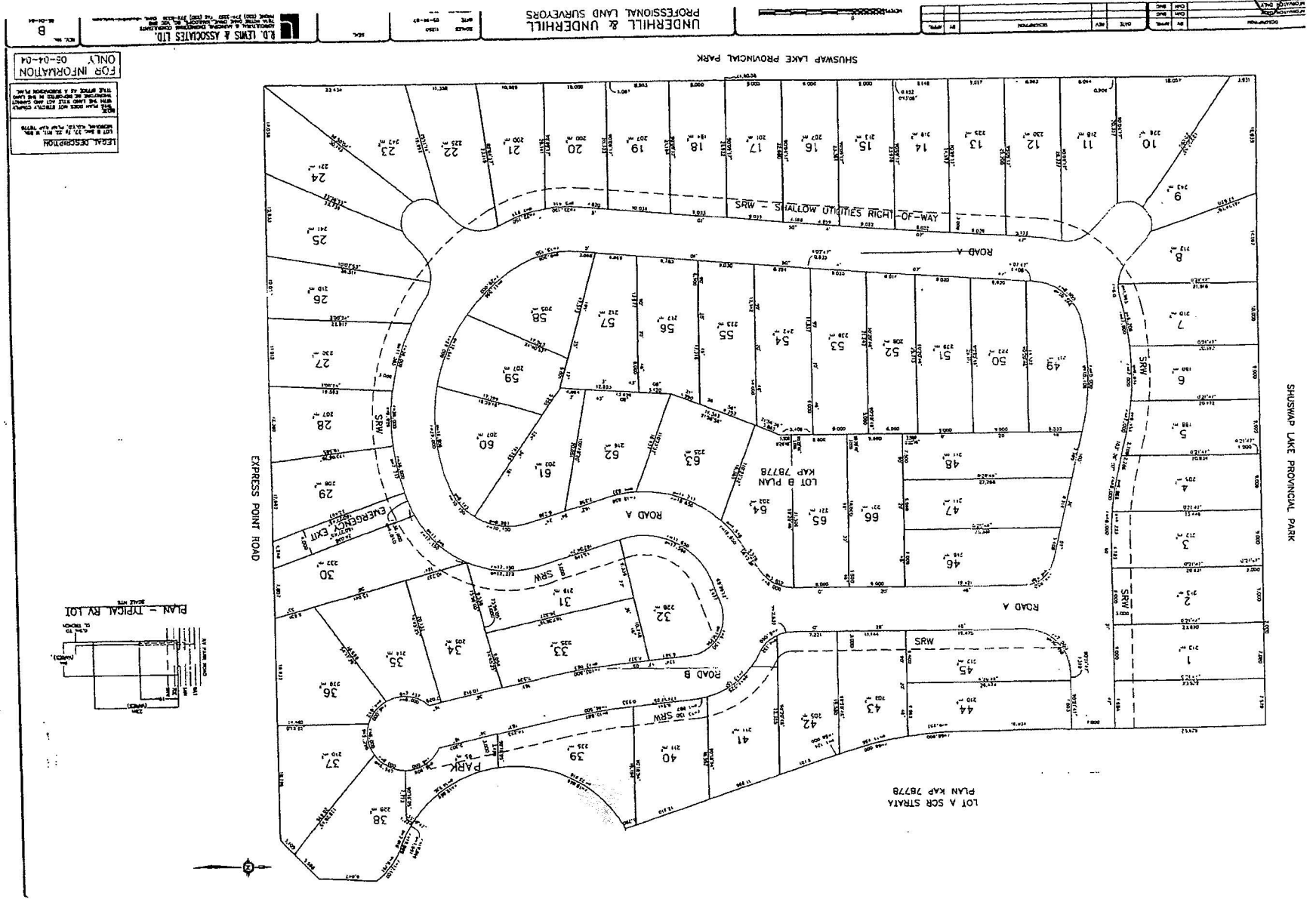


**SITE PLAN**

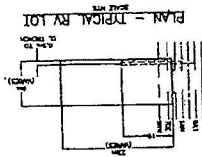


# SITE PLAN

*Handwritten notes and signatures:*  
 H.M.S.  
 [Signature]  
 [Signature]



LEGAL DESCRIPTION  
 LOT 1, PLAN 78778, SHUSWAP LAKE PROVINCIAL PARK, DISTRICT OF SHUSWAP, BC  
 FOR INFORMATION ONLY 08-04-04



*Handwritten text:*  
 SCHEDULE 1

UNDERHILL & UNDERHILL  
 PROFESSIONAL LAND SURVEYORS

R.D. LEWIS & ASSOCIATES LTD.

OWNERSHIP DETAILS



- Shareholders
- Title Holders
- Shareholder/Romspen