



# COLUMBIA SHUSWAP REGIONAL DISTRICT

## Regular Board Meeting

### AGENDA

Date: Thursday, June 20, 2019  
Time: 8:30 AM  
Location: CSR D Boardroom  
555 Harbourfront Drive NE, Salmon Arm

Pages

1. Call to Order

**Motion**

THAT: the Board convene to Committee of the Whole this 20th day of June, 2019.

2. Committee of the Whole: Policy Session

2.1 **Policy Session Update 2019**

1

Report from Charles Hamilton, Chief Administrative Officer, dated May 29, 2019.

CSR D Policies

No. A-67 Code of Ethics Policy attached to agenda, for reference.

**Motion**

THAT: it be recommended to the Board that the Policy Session Update June 2019 Report, be received for information this 20th day of June, 2019.

**Motion**

THAT: it be recommended to the Board that a Policy Session Update be held in June, 2020.

**Motion**

THAT: the Committee of the Whole now Rise and Report.

3. Introduction of New Staff

Ken Gobeil, Senior Planner

4. Presentation of Local Government Administration Certificate to Phaedra Turner, Team Leader, Administration Services, Operations Management

5. Presentation in Recognition of 25 years service (May 29, 2019) to Marianne Mertens, Clerical Assistant, Development Services

6. Board Meeting Minutes

6.1 Adoption of Minutes

12

**Motion**

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

6.2 Business Arising from the Minutes

If any.

7. Section 57 Notice on Title Hearing

7.1 Electoral Area F: Community Charter Section 57 Notice

39

- Opening of Hearing.
- Report from C. Hamilton, Chief Administrative Officer.
- CSRD Building Inspector to present.
- Opportunity for property owner to present. Owner submission attached.
- Questions from the Board.
- Closure of the Hearing.

Report from Charles Hamilton, Chief Administrative Officer, dated June 10, 2019.

7761 Columbia Drive, Anglemont

**Motion**

THAT: the Board authorize the Corporate Officer to file a Notice in the Land Title Office against the property legally described as Lot 159, Section 15, Township 23, Range 9, W6M, KDYD, Plan 15296, in accordance with Section 57 of the Community Charter, this 20<sup>th</sup> day of June, 2019;

AND THAT:

further information in respect of the Notice is available for inspection at the office of the Columbia Shuswap Regional District.



## 8. Delegations

- |     |   |    |
|-----|---|----|
| 8.1 | <b>10:15 AM Tourism Golden - Presentation of Annual Report</b>  | 61 |
|     | Joanne Sweeting, Executive Director, in attendance to provide an overview of Tourism Golden 2018 Annual Report  |    |
| 8.2 | <b>10:30 AM Columbia Basin Broadband Society– Update (video conference attendance)</b>  | 88 |
|     | Rob Gay, Chair, and Dave Lampron, Chief Operating Officer, Columbia Basin Broadband Society presenting on: Columbia Basin Broadband Committee - Update on Prominent Topics. |    |

## **ADMINISTRATION**

## 9. Correspondence

### **Motion**

THAT: the correspondence attached to the June Board Agenda be received for information this 20th day of June, 2019.

- |     |  |     |
|-----|--|-----|
| 9.1 | <b>Correspondence from Minister of Environment (June 3, 2019)</b>  | 122 |
|     | Letter from Honourable George Heyman re: CSRD Solid Waste Management Plan Amendment Approved.  |     |
| 9.2 | <b>Correspondence from Ministry of Agriculture (June 3, 2019)</b>  | 127 |
|     | Discussion Paper Seeking Local Government Feedback on Class D licensing  |     |
| 9.3 | <b>Correspondence from qathet Regional District (May 20, 2019)</b>   | 130 |
|     | Request that the CSRD write the Ministry of Environment and Climate Change (MOECCS) to expand the scope of the Recycling Regulation for Packaging and Paper Product (PPP) to include the Industrial Commercial and Institutional (ICI) sector. |     |
| 9.4 | <b>Correspondence from Premier Horgan (June 10, 2019)</b>  | 136 |
|     | Invitation to Board Chair to request Premier or Ministerial meetings at UBCM Convention, September 2019.   |     |
| 9.5 | <b>Correspondence from Minister of Municipal Affairs and Housing (June 10, 2019)</b>   | 137 |
|     | Invitation to Board Chair to book meeting with Minister Robinson, UBCM Convention, September 2019.   |     |

**9.6 Correspondence from Okanagan Regional Library (May 24, 2019) 138**

Letter from Don Nettleton, Chief Executive Officer, Request for resolution to federal governments for improved affordable access to digital publications.

Sample resolution attached for reference.

**9.7 Correspondence from Ministry of Agriculture (May 31, 2019) 143**

Reduced travel time restriction for Class E licence applications from two hours to one hour if Class A or B abattoir is located within one hour travel time of the proposed Class E establishment.

**10. Reports**

**Motion**

THAT: the Reports and Committee Meeting Minutes contained on the June 20, 2019 Regular Board agenda be received, this 20th day of June, 2019.

**10.1 CSRD Milfoil Program Overview of Annual Reports**

Presentation by Hamish Kassa, Environmental Services Coordinator.

2017 report

2018 report

**10.2 Sicamous-to-Armstrong Rail-Trail Governance Advisory Committee 144**

Action items as follows re: 1) Service Contract with Shuswap Trail Alliance and 2) Management of Encumbrance Agreements.

**10.2.1 Service Contract with the Shuswap Trail Alliance 152**

**Motion**

THAT: the Board of the Columbia Shuswap Regional District approve entering into the Sicamous to Armstrong Rail Trail Corridor Planning, Development and Consulting Services Agreement with the Shuswap Trail Alliance for a one year term with the option to extend up to two years to provide secretariat services to the Governance Committee at a cost of \$6,769.44 annually; and Project Manager services to the Operational Committee at a cost of \$166,601.28 annually to be funded from BC Rural Dividend grant funding, this 20th day of June, 2019.

## 10.2.2 Management of Encumbrance Agreements 169

### Motion

THAT: the Board of the Columbia Shuswap Regional District approve the Draft Encumbrance Agreement recommendations as outlined in the memo from the Technical Operational Committee dated May 10, 2019 recognizing current and pending litigations of Splatsin with Federal and Provincial Governments with respect to rights and title, this 20th day of June, 2019.

## 10.3 Shuswap Economic Development Committee Meeting Minutes (May 9, 2019) 173

## 10.4 Shuswap Tourism Advisory Committee Meeting Minutes (May 9, 2019) 179

## 10.5 Shuswap Watershed Council Annual 2018-2019 Report

2018-2019 Shuswap Watershed Council Annual Report

## 11. Business General

## 11.1 Amendment to Policy F-12 CSRD Firefighter and Officer Remuneration 187

Report from Jodi Pierce, Manager, Financial Services dated May 24, 2019.  
Minor amendment to Policy F-12.

### Motion

THAT: the Board endorse the amendment to Policy No. F-12 "CSRD Firefighter and Officer Remuneration" and approve its inclusion into the CSRD Policy manual.

## 11.2 Policy F-30 Electoral Area Grant in Aid Funding 193

Report from Jodi Pierce, Manager, Financial Services, dated June 4, 2019.  
Amendment to Grant in Aid policy.

### Motion

THAT: the Board endorse the amendment to Policy No. F-30 "CSRD Electoral Area Grant in Aid Funding" and approve its inclusion into the CSRD Policy manual, this 20<sup>th</sup> day of June, 2019.

## 11.3 Salmon Arm Landfill Design and Operation Plan Update – Contract Award 206

Report from Ben Van Nostrand, Team Leader, Environmental Health Services, dated May 22, 2019. Salmon Arm Landfill Design and Operation Plan Update – Contract Award.

**Motion**

THAT: the Board empower the authorized signatories to enter into an agreement with Sperling Hansen Associates to complete an update to the Salmon Arm Landfill Design and Operation Plan for a cost of \$79,088 plus applicable taxes and plus contingencies not to exceed the total budgeted amount of \$100,000, this 20<sup>th</sup> day of June, 2019.

**11.4 Memorandum of Understanding – Federation of Canadian Municipalities. 209**

Report from Ben Van Nostrand, Team Leader, Environmental Health Services, dated May 22, 2019. Memorandum of Understanding with the Federation of Canadian Municipalities to support the Vietnam Municipal Solid Waste Management Project.

**Motion**

THAT: the Board empower the authorized signatories to enter into a Memorandum of Understanding agreement with the Federation of Canadian Municipalities in support of implementation of the Vietnam Municipal Solid Waste Management Program for a two and half year term, expiring March 31, 2021.

**11.5 Alternative Approval Process – North & South Shuswap Community Arts, Recreation and Culture Programs Financial Contribution Area Establishment 212**

Report from Jennifer Sham, Assistant Deputy Corporate Officer, dated June 4, 2019.

Note: The Elector Response Form referred to in the Board report will be circulated on the Late Board Agenda.

**Motion**

THAT: for the purpose of obtaining approval for the North & South Shuswap Community Arts, Recreation and Culture Programs Financial Contribution Service Area Establishment Bylaw No. 5798, 2019, using the Alternative Approval Process, eight hundred eighty five (885) be used as the fair determination of 10% of the eligible number of electors within the service area (Electoral Areas C and F, excluding Seymour Arm), this 20<sup>th</sup> day of June, 2019.

**Motion**

THAT: the North & South Shuswap Community Arts, Recreation and Culture Programs Alternative Approval Process Elector Response Form be approved by the Board in the form attached to this report, subject to the North & South Shuswap Community Arts, Recreation and Culture Programs Financial Contribution Service Area Establishment Bylaw No. 5798, 2019, being approved by the Inspector of Municipalities by Tuesday, July 2, 2019, this 20<sup>th</sup> day of June, 2019.

**Motion**

THAT: the deadline for receipt of submissions of Elector Response Forms for the Alternative Approval Process conducted for the North & South Shuswap Community Arts, Recreation and Culture Programs Financial Contribution Service Area Establishment Bylaw No. 5798, 2019, be 4:00 PM, Wednesday, August 21, 2019, this 20<sup>th</sup> day of June, 2019.

**11.6 FireSmart Coordinator Sole Source Contract Award**

222

Report from Derek Sutherland, Team Leader, Protective Services, dated May 29, 2019. Authorization for the sole source contract award of the FireSmart Coordination contract from the Community Resiliency Investment Fund (FireSmart Grant) budget.

**Motion**

THAT: the Board empower the authorized signatories to enter into an agreement with 1477556 Alberta Ltd. for the provision of FireSmart coordination services for Electoral Areas A, B, C, D, E and F for an eleven month term commencing July 1, 2019 and expiring on May 31, 2020, for a total cost not to exceed \$50,000 and in accordance with the terms of grant received from Union of BC Municipalities through the Community Resiliency Investment Program.

**11.7 Relocation of the Downtown Sicamous Recycling Depot**

225

Report from Ben Van Nostrand, Team Leader, Environmental Health Services, dated June 5, 2019. Relocation of the downtown Sicamous Recycling Depot.

**Motion**

THAT: the Board authorize the relocation of the downtown Sicamous Recycling Depot from its existing location at the Parkland Shopping Centre located at 1133 Eagle Pass Way to the Sicamous Bottle Depot property located at 322 Finlayson Street in Sicamous, BC effective July 1, 2019.

**12. Business By Area****12.1 Grant-in-Aid Requests**

228

Report from Jodi Pierce, Manager, Financial Services, dated June 7, 2019.

**Motion**

THAT: the Board approve the following allocations from the 2019 electoral Grant-in-Aids:

Area A

\$10,000 Little Mittens Animal Rescue Association (operating expenses)

Area C

\$8,000 Sorrento Memorial Hall (tables and chairs)

\$25,000 South Shuswap Canada Day Society (Canada Day event)

Area D

\$1,900 Falkland & District Community Association (Family Day event)

Area F

\$1,100 Anglemont Volunteer Fire Department (pancake breakfast and open house)

**12.2 Infrastructure Planning Grant - Seymour Arm Water Users Community**

231

Report from Terry Langlois, Team Leader Utilities, dated June 15, 2019.  
Seeking Board Authorization for the CSRD to sponsor a Planning grant application for the Seymour Arm Water Users Community.

**Motion**

THAT: the Board empower the authorized signatories to apply for an Infrastructure Planning Grant on behalf of the Seymour Arm Water Users Community from the Ministry of Municipal Affairs and Housing in the amount of \$10,000 to develop an infrastructure upgrade plan for the community's water system, this 20<sup>th</sup> day of June, 2019.

**12.3 Electoral Area C Community Works Fund – Bulk Water Fill Station – Sorrento Water System** **234**

Report from Terry Langlois, Team Leader, Utilities, dated May 28, 2019.  
Authorization to access the Community Works Fund monies from the Electoral Area C allocation to facilitate the purchase and installation of a bulk water fill station in Sorrento.

**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 C Community Works Fund allocation for the purchase and installation of equipment to provide a bulk water fill station in Sorrento, BC, this 20<sup>th</sup> day of June, 2019.

**12.4 Director Cathcart - Verbal: Request for Board support in principle: Highway 95 North - Shoulder Season Collaboration**

The Kicking Horse Canyon Project is located on the Trans-Canada Highway between Golden and Lake Louise. The Highway will be going through major upgrading in 2020, resulting in full road closures for a significant period of time. The traffic will be rerouted though Radium Hot Springs. This will involve long stopovers, highway congestion, etc.

To capitalize on the Phase 4 Trans-Canada Highway expansion, a number of partners including the Regional District of East Kootenay/Columbia Valley Economic Development are exploring the idea of applying for funds to provide tourism events and activities during the shoulder season to help mitigate long stop overs - highway congestion, etc.

**13. Administration Bylaws**

**13.1 Sorrento Waterworks Service Area Amendment Bylaw** **237**

Report from Terry Langlois, Team Leader, Utilities, dated May 28, 2019.  
Sorrento Waterworks Service Area Amendment Bylaw.

**Motion**

THAT: Sorrento Waterworks Service Area Amendment Bylaw No. 5803, 2019 be read a first, second and third time this 20<sup>th</sup> day of June, 2019.

**13.2 City of Salmon Arm – Security Issuing Bylaw 9109** **245**

Report from Jodi Pierce, Manager, Financial Services dated May 23, 2019.  
Access to Long-term borrowing from Municipal Finance Authority.

**Motion**

THAT: Bylaw No. 9109, cited as “Columbia Shuswap Regional District Security Issuing Bylaw No. 9109, 2019” be read a first, second, and third time this 20th day of June, 2019.

**Motion**

THAT: Bylaw No. 9109, cited as “Columbia Shuswap Regional District Security Issuing Bylaw No. 9109, 2019” be adopted this 20th day of June, 2019.

### 13.3 **CSRD Solid Waste Disposal Tipping Fee and Regulation Bylaw** 260

Report from Ben Van Nostrand, Team Leader, Environmental Health Services dated May 23, 2019. Solid Waste Disposal Tipping Fee Bylaw Update.

**Motion**

THAT: Bylaw No. 5802, 2019, cited as “CSRD Solid Waste Disposal Tipping Fee and Regulation Bylaw No. 5802, 2019” be read a first, second and third time this 20th day of June, 2019.

**Motion**

THAT: Bylaw No. 5802, 2019, cited as “CSRD Solid Waste Disposal Tipping Fee and Regulation Bylaw No. 5802, 2019” be adopted

**Motion**

THAT: the tipping fee of \$240 per tonne for ‘Mixed Loads” be relaxed to \$160 per tonne until January 1, 2020 to deliver an awareness campaign to residents and businesses of the CSRD.

### 13.4 **Centennial Field Community Park Service Establishment and Centennial Field Community Park Loan Authorization Bylaws.** 297

Report from Ryan Nitchie, Team Leader, Community Services, dated May 31, 2019. Service Establishment and Loan Authorization Bylaws for park land acquisition of Centennial Field Community Park property located in Blind Bay area in Electoral Area C.

**Motion**

THAT: “Centennial Field Community Park Service Establishment Bylaw No. 5800, 2019” be read a first, second and third time this 20th day of June, 2019.

**Motion**

THAT: “Centennial Field Community Park Loan Authorization Bylaw No. 5801, 2019”, be read a first, second and third time this 20th day of June, 2019.



**14. 12:30 PM 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;

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

the Board move In Camera.

***DEVELOPMENT SERVICES*****15. Business General****15.1 Electoral Area D: Proposed Cannabis Production Facility****307**

Report from Jan Thingsted, Planner III, dated May 31, 2019  
4319 Colebank Road, Falkland

**Motion**

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,*

the Board waive this criteria for the property described as the Southeast ½ of the Northeast Section 16, Township 17, Range 11, W6M, KDWD since the proposal is for a soil based cannabis production facility and that all forms of cannabis production are now considered farm use by the Agricultural Land Commission this 20<sup>th</sup> day of June, 2019.

**Motion**

THAT: Notwithstanding CSRD Cannabis Related Business Policy A-71 and its statement:

*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,*

the Board waive this criteria for the property described as the Southeast ½ of the Northeast Section 16, Township 17, Range 11, W6M, KDWD since all forms of cannabis production are now considered farm use by the Agricultural Land Commission this 20<sup>th</sup> day of June, 2019

16. **ALR Applications**

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

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

***ELECTORAL AREA DIRECTORS***

18. **1:30 PM Business by Area**

18.1 **Electoral Area B: Temporary Use Permit No. 850-03 (Renewal)**

335

Report from Candice Benner, Planner II, dated May 28, 2019.  
1624 and 1630 Mt. Begbie Road, Revelstoke

**Motion**

THAT: in accordance with Section 493 of the Local Government Act, Temporary Use Permit No. 850-03 (Renewal) for Lot 1, Township 23, Range 2, W6M, Kootenay District, Plan NEP21998, for a vacation rental,

be approved for renewal for the term May 20, 2019 to May 20, 2022, this 20<sup>th</sup> day of June, 2019..

**18.2 Electoral Area C: Development Variance Permit 701-89**

370

Report from Christine LeFloch, Planner II, dated May 29, 2019.  
3230 Berke Road, Blind Bay.

**Motion**

THAT: in accordance with Section 498 of the Local Government Act, Development Variance Permit 701-89 for Lot 16, Section 30, Township 22, Range 10, West of the 6<sup>th</sup> Meridian, Kamloops Division Yale District, Plan KAP56039, varying South Shuswap Zoning Bylaw No. 701 as follows:

1. Section 7.2.5 Minimum setback from an interior side parcel line from 2 m to 0 m only for the existing single family dwelling and attached deck; and
  1. Section 3.5.8 Minimum setback from an interior side parcel line from 1 m to 0 m only for the eaves and gutters of the existing single family dwelling and attached deck;

be approved this 20<sup>th</sup> day of June, 2019;

AND THAT: issuance of Development Variance Permit 701-89 be subject to registration of an easement over a portion of Lot 15, Section 30, Township 22, Range 10, West of the 6<sup>th</sup> Meridian, Kamloops Division Yale District, Plan KAP56039, to include the encroaching portions of the existing single family dwelling and attached deck plus an additional 2 metres along the west side of the structure, and the easement wording is to include provisions for a 2 m building setback from the western edge of the easement to maintain the zoning setback standards for future development of Lot 15.

**18.3 Electoral Area D: Development Variance Permit No. 2500-17**

391

Report from Candice Benner, Planner II, dated May 27, 2019.  
5781 Highway 97, Falkland

Note to Board: Consideration of DVP No. 2500-17 must occur after business item 19.1 Salmon Valley Land Use Amendment (Desimone/McMullen) Bylaw No. 2559

**Motion**

THAT: in accordance with Section 498 of the Local Government Act, Development Variance Permit No. 800-32 for Lot 4, Block 7, Section 2, Township 18, Range 12, W6M, KDYD, Plan 1295, varying Salmon Valley Land Use Bylaw No. 2500, as follows:

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,

be approved for issuance this 20<sup>th</sup> day of June, 2019.

**18.4 Electoral Area E: Development Variance Permit No. 2000-75 (Adams et al) 405**

Report from Erica Hartling, Planner I, dated June 3, 2019.  
#7 1249 Bernie Road, Annis Bay

**Motion**

THAT: in accordance with Section 498 of the Local Government Act Development Variance Permit No. 2000-75 for Share 7 of Covenant Plan 41330 of Those Parts of Legal Subdivision 13 of Section 17, and Legal Subdivision 16 of Section 18 Lying to the South of the South Bank of the Salmon Arm of Shuswap Lake, Township 21, Range 8, West of the 6<sup>th</sup> Meridian, Kamloops Division Yale District, varying Rural Sicamous Land Use Bylaw No. 2000 as follows:

- Section 2.14(2)(b) Minimum setback from the north interior side parcel line (adjacent to Shuswap Lake) from 2 m to 0 m only for the cabin's attached upper and lower deck and the existing concrete retaining wall with attached stairs;

be approved for issuance this 20<sup>th</sup> day of June, 2019.

**19. Planning Bylaws**

**19.1 Electoral Area D: Salmon Valley Land Use Amendment (Desimone/McMullen) Bylaw No. 2559 431**

Report from Candice Benner, Planner II, dated June 5, 2019.  
5781 Highway 97, Falkland

**Motion**

THAT: "Salmon Valley Land Use Amendment (Desimone/McMullen) Bylaw No. 2559 be adopted this 20<sup>th</sup> day of June, 2019.

**19.2 Electoral Area D: Salmon Valley Land Use Amendment (Montgomery) Bylaw No. 2562 451**

Report from Candice Benner, Planner II, dated May 27, 2019.  
5777 Highway 97, Falkland

**Motion**

THAT: "Salmon Valley Land Use Amendment (Montgomery) Bylaw No. 2562" be read a first time this 20<sup>th</sup> day of June, 2019.

**Motion**

THAT: the Board utilize the simple consultation process for Bylaw No. 2562, and it be referred to the following agencies and First Nations:

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

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

474

Report from Candice Benner, Planner II, dated May 30, 2019  
6346 Squilax-Anglemont Road, Magna Bay

**Motion**

THAT: "Magna Bay Zoning Bylaw Amendment (Coueffin) Bylaw No. 800-31" be given second reading, this 20<sup>th</sup> day of June 2019.

**Motion**

THAT: a public hearing to hear representations on "Magna Bay Zoning Bylaw Amendment (Coueffin) Bylaw No. 800-31" 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 Jay Simpson, as Director of Electoral Area F being that in which the land concerned is located, or Alternate Director Jeffrey Tarry, 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.

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

506

Report from Erica Hartling, Planner I, dated May 31, 2019.  
3740 Ancient Creek Lane, Scotch Creek

**Motion**

THAT: "Scotch Creek/Lee Creek Zoning Amendment (Mosher) Bylaw No. 825-40" be read a second time this 20<sup>th</sup> day of June 2019;

**Motion**

THAT: a public hearing to hear representations on "Scotch Creek/Lee Creek Zoning Amendment (Mosher) Bylaw No. 825-40" 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 Jay Simpson, as Director of Electoral Area F being that in which the land concerned is located, or Alternate Director Jeffrey Tarry, 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.

**20. Release of In Camera Resolutions**

If any.

***MEETING CONCLUSION***

**21. Upcoming Meetings/Events**

Electoral Area Directors Committee, Tuesday, June 25, 2019, CSRD Boardroom at 9:30 AM.

Area A Local Advisory Committee, Tuesday, June 25, 2019, Golden Civic Centre at 6:00 PM.

**22. Next Board Meeting**

Regular Board Meeting, Thursday July 18, 2019 at 9:30 AM

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

**23. Adjournment**

**Motion**

THAT: the regular Board meeting of June 20, 2019 be adjourned.

**NOTATION**

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



# BOARD REPORT

**TO:** Chair and Directors

**File No:** 0125 00 01

**SUBJECT:** Policy Session Update 2019

**DESCRIPTION:** Report from Charles Hamilton, Chief Administrative Officer, dated May 29, 2019. For information.

**RECOMMENDATION #1:** THAT: it be recommended to the Board that the Policy Session Update June 2019 Report, be received for information this 20th day of June, 2019.

**RECOMMENDATION #2:** THAT: it be recommended to the Board that a Policy Session Update be held in June, 2020.

## SHORT SUMMARY:

The Policy Session Update 2019 is to provide the Board with an overview of the major policy and bylaw initiatives that have been worked on since June, 2018, and to advise the Board on the focus of upcoming priority policy and bylaw work for the upcoming year. To accompany the CAO Board Report, Senior Managers will speak to relevant Departmental activities and highlight future policy initiatives.

The previous Board had indicated its support for a more comprehensive policy session/review as part of the new Board Orientation in latter 2018/early 2019. The Committee of the Whole policy session is an opportunity to reacquaint the Board members on several key policies that relate to CSR D programs and services.

For reference, all CSR D policies are available on the CSR D website.

It is recommended that the next policy update session be scheduled for June, 2020.

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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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## PROGRESS REPORT:

### Operations Management Policies, Procedures and Bylaws:

After the June, 2018 policy session, the following procedure and bylaw amendments were completed:

- Waterworks Rates and Regulation Bylaw update
- Asbestos Containing Materials Procedure update.

The following Policies and Bylaws are planned to bring forward in 2019:

- Solid Waste Disposal Tipping Fee and Regulation Bylaw (June 2019 Board agenda item)
- Nicholson Groundwater Monitoring Policy (July 2019)
- Policy No. W-5 Flooding – Major review required (Fall 2019)
- Structural Protection Unit Deployment Policy (Fall 2019)
- Revelstoke Airport Rates and Regulation Bylaw (Fall 2019)
- Ranchero Dog Control Bylaw Amendment to include all of Area D (Fall 2019).



Development Services Policies, Procedures and Bylaws:

Since June, 2018 major policy work such as:

- Ongoing work took place to implement the new Building Inspection Service initiative in Area C for March 4, 2019
- Amendments to Building Regulation Bylaw
- Amendments and public consultation - Lakes Zoning Bylaw 900 (dock sizes) (Public Hearing held on May 27, 2019)
- Planning work for land use bylaw amendments for Area E and the Lakes Zoning Bylaw specific to the rail corridor lands.

For the remainder of 2019, the following policies and bylaws are the focus of the next few months:

- Development Procedures Bylaw update (Fall 2019)
- Development Services Fees Bylaw update (Fall, 2019)
- A42 Liquor License Applications Policy amendments, i.e. LCLB application procedure changes (Fall, 2019)
- A47 Encumbrances of CSRD Owned Land & P-11 Upland/Foreshore Use amendments – policy amendments needed once necessary direction received from the Sicamous to Armstrong Rail Trail Governance Advisory Committee (summer, 2019)
- A-71 Cannabis Related Business Policy amendments due to changes made by the Agricultural Land Commission and Health Canada with regard to cannabis farming and production licensing. (June Electoral Area Directors Meeting for discussion).

Financial Services Policies, Procedures and Bylaws:

Since the last policy session in June, 2018, a substantive policy re-write was the adoption of an updated Directors Remuneration Bylaw that came into effect on January 1, 2019.

Finance will work on the following policies and bylaws to bring forward this year:

New:               Benefits Continuation Policy (recommended by new Benefits provider)  
                       Reserve Policy.

Amendment(s):   Purchasing Policy  
                           Grant-in-Aid (June 2019 Board agenda item)  
                           Administration Rates and Fees Bylaw.

To Review:       Travel Expense Policy (4 years since last review, existing policy indicates review needed every four years).

Corporate Administration Services Policies, Procedures and Bylaws:

Major bylaws completed since the June, 2018 Policy Session:

- Area A Core Facilities Funding Contribution Service Establishment Bylaw

- CSRD Electronic Records Retention and Scheduling Bylaw
- CSRD Paper Records Retention and Scheduling Bylaw
- Sub-Regional Building Inspection Service Amendment Bylaw (added Area C as a participant to the service)
- Shuswap Economic Development Services Amendment Bylaw (removed District of Sicamous as participant in the service)
- Adopted Social Media Policy A-72, December 2018.

#### 2019 Priorities:

- Code of Ethics Policy A-67, applicable to Board and Committee members, was adopted in August, 2016. The existing policy indicates the Board review this policy on an annual basis.

*Staff is recommending no change to the Code of Ethics policy at this time.*

#### New:

- Significant policy work is needed as a result of the CP Rail corridor lands acquisition (policies that address the various types of encumbrances on the rail trail lands, upland/foreshore use, etc.) These policies are the combined work of Development Services and Corporate Administration Services
- Employee Service Recognition Policy
- Several policies needed in support of Freedom of Information Protection of Privacy Act to better guide staff in administering certain aspects of the legislation, for example: Personal Information Privacy Breach Management – a policy that lays out the necessary steps in responding and mitigating any accidental or unauthorized release of Individual(s) Personal Information (name, address, telephone number, email address, etc.) that the CSRD has collected.

#### Update:

- Amend the Sub-Regional Building Inspection Service Bylaw (add Area D as a participant in the service) (July 2019, for adoption by October 2019)
- Board and Committee Procedures Bylaw No. 5648
- Policy A-57 Retirement/Resignation Gift Policy.

Corporate Administration also plans to review several outdated policies over the year, such as:

- Policy A-23 Economic Development Commission (1999)
- Internet Use Procedure PR-13 (1998)
- Procedure for Processing Email (2000).

#### **POLICY:**

The Board has not adopted a formal schedule for the frequency of overall policy reviews to be considered by the Board or at a Committee of the Whole meeting.

#### **FINANCIAL:**

Some policies have financial implications to various functions/departments.

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

To regularly inform the Board on the organization's progress in moving forward to update policies, bylaws and procedures, in support of CSRD offered programs and services.

The purpose of organizational policies are intended to:

- provide direction to allow Administration to meet the Board's policy objectives
- facilitate better and more timely decisions
- allows CSRD staff to know what is expected of them
- ensures that similar situations are handled consistently
- promotes delegation of decision making to the level that must face the problem or situation when it arises
- address problems or situations that are repetitive or recurring.

#### **IMPLEMENTATION:**

The policy index is updated as new and amended policies are adopted by the Board. All Departments are actively involved in the rewriting of policies and new policies/bylaws to bring forward to the Board on a priority basis.

#### **COMMUNICATIONS:**

All policies are communicated to Directors, CSRD staff and are publicly available on the CSRD's website.

#### **DESIRED OUTCOMES:**

Receive the report of the Chief Administrative Officer dated May 29, 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.*

**Report Approval Details**

Document Title:	2019-06-20_Board_CA_01250001_Policy_Session_Update.docx
Attachments:	
Final Approval Date:	Jun 6, 2019

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

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

**Charles Hamilton - Jun 6, 2019 - 3:09 PM**

## POLICY

A-67

### CODE OF ETHICS POLICY

#### PREAMBLE

The residents and businesses of the Columbia Shuswap Regional District are entitled to have a fair, honest and open local government that has earned the public's full confidence for integrity. In keeping with the Regional District values, the Regional District seeks to maintain and enhance the quality of life for all Regional District residents through responsible, fair, community-minded and sustainable government. To help achieve this goal, the Board of the Regional District has adopted a Code of Ethics applicable to members of the Board ("Members") and to all persons appointed by the Board to the Boards, committees, commissions, panels or task forces, whether they are members of the Board or not ("Appointees").

#### PURPOSE

The purposes of the Code of Ethics are to ensure that:

1. Public business is conducted with integrity, in a fair, honest and open manner;
2. Members and Appointees respect one another, the public and staff and recognize the unique role and contribution each person has in making the Regional District a better place to work and live;
3. The conduct of Members and Appointees in the performance of their duties and responsibilities with the Regional District is above reproach;
4. Decision making processes are accessible, participatory, understandable, timely and just;
5. Members and Appointees avoid any real or perceived conflict of interest; and
6. Members and Appointees respect and uphold confidentiality requirements.

#### APPLICATION OF THE CODE OF ETHICS

The Code of Ethics is applicable to all members of the Board ("Members") and to any person appointed by the Board to the Boards, committees, commissions, panels or task forces, whether they are members of the Board or not ("Appointees"). The bodies to which the Board can appoint Appointees are referred to collectively as "Committees" throughout this Code of Ethics.

#### POLICY

1. Act in the Public Interest

Recognizing that the Regional District seeks to maintain and enhance the quality of life for all Regional District residents through effective, responsive and responsible government, Members and Appointees shall conduct their business with integrity and in a fair, honest and open manner.

## 2. Comply with the Law

Members and Appointees shall comply with all applicable federal, provincial, and local laws in the performance of their public duties. These laws include, but are not limited to: *Constitution Act, 1867, Criminal Code, Human Rights Code, Local Government Act, Community Charter*, all laws pertaining to financial disclosure and employer responsibilities, and relevant Regional District bylaws and policies.

## 3. Conduct of Members

The conduct of Members and Appointees in the performance of their duties and responsibilities with the Regional District shall be fair, open and honest. Members and Appointees shall refrain from abusive conduct, personal charges or verbal attacks upon the character or motives of each other, Regional District officers and employees, or the public.

## 4. Compliance with Processes

4.1 Members and Appointees shall perform their duties in accordance with the policies, procedures and rules of order established by the Regional District Board which govern the deliberation of public policy issues, meaningful involvement of the public, and implementation of policy decisions of the Board by Regional District staff.

4.2 Appointees shall be aware of the mandate of their respective Committees and act in accordance with it.

## 5. Conduct of Public Meetings

(a) Members and Appointees shall prepare themselves for public meetings, listen courteously and attentively to all public discussions before the body, and focus on the business at hand. They shall not interrupt other speakers, make personal comments not germane to the business of the meeting, or otherwise disturb a meeting.

(b) The policy set out in paragraph 5(a) does not apply to a Member or Appointee in relation to their role as Chair of a Board or committee meeting or of a public hearing or public meeting, if the Chair considers it necessary to address improper conduct by a person, a breach of the procedure bylaw by a person, a breach of the rules read by the Chair at a public hearing or meeting, or other conduct where the Chair deems it necessary to maintain order.

## 6. Decisions Based on Merit

Members and Appointees shall base their decisions on the merits and substance of the matter at hand.

## 7. Gifts and Favours

7.1 Members shall not accept any gift, money, property, position or favour of any kind whether to be received at the present or in the future, from a person having, or seeking to have dealings with the Regional District, except as follows:

- where such a gift or favour is authorized by law;
- where such contributions are lawful campaign contributions; or
- subject to the *Community Charter*, where such gifts or favours are received as an incident of the protocol, social obligation or common business hospitality that accompany the duties and responsibilities of the member.

7.2 Members and Appointees may participate in Regional District programs open to the public and may purchase Regional District property or goods offered for public sale.

## 8. Communication

Subject to sections 9 and 10, Members and Appointees shall publicly share substantive information that is relevant to a matter under consideration by the Board or a Committee that they may have received from sources outside of the public decision making process.

## 9. Conflict of Interest

9.1 Members shall be aware of and act in accordance with Division 6 of the *Community Charter*, and shall fulfill part (c) of their *Oath of Office*. All Members shall be aware of and declare, in writing where necessary, any real or perceived conflicts of interest.

9.2 Where in the opinion of the Board or a Committee, a Member is in a conflict of interest and has not so declared, the body may ask for a review of the matter by the Corporate Officer. The matter, if unresolved, may then be referred to legal counsel or to the Board for review.

## 10. Confidential Information

Members and Appointees shall respect the confidentiality of information concerning the property, personnel or legal affairs of the Regional District. They shall neither disclose confidential information without proper authorization, nor use such information to advance their personal, financial or other private interests.

## 11. Use of Public Resources

Members and Appointees shall not use public resources that are not available to the public in general, such as staff time, equipment, supplies or facilities, for private gain or personal purposes.

## 12. Advocacy

Members and Appointees shall represent the official policies or positions of the Regional District, the Board or Committee to the best of their abilities when designated as delegates for this purpose. When presenting their individual opinions and positions, Members and Appointees shall explicitly state they do not represent the Board, their committee or the Regional District, nor will they condone the inference that they do.

## 13. Policy Role of Members and Appointees

Members and Appointees shall respect and adhere to the structure of government as established in the Regional District. In this structure, the Board determines the policies of the Regional District with the advice, information and analysis provided by the public, Committees, and Regional District staff. Members and Appointees, therefore, shall not interfere with the administrative functions of the Regional District or with the professional duties of Regional District staff, nor shall they impair the ability of staff to implement the Board policy decisions.

## 14. Respectful Workplace Environment

Members and Appointees shall treat each other, the public, and Regional District staff with respect and shall be supportive of the personal dignity, self-esteem and well-being of those with whom they come in contact with during the course of their professional duties. Members and Appointees shall be aware of and act in accordance with the Respectful Workplace and Anti-Harassment Policies.

## **IMPLEMENTATION OF THE CODE OF CONDUCT**

The Regional District Code of Ethics is intended to be self-enforcing. Members and Appointees should view the Code of Ethics as a set of guidelines that expresses the standards of conduct expected of them. Implementation is most effective when Members and Appointees are thoroughly familiar with the Code and embrace its provisions. For this reason, the Code of Ethics will be provided to candidates for the Board and applicants to Committees.

Members and Appointees will be requested to sign the Statement, attached as Appendix A, affirming they have read and understood the Regional District Code of Ethics. In addition, the Board and Committees shall annually review the Code of Ethics, and the Board shall consider recommendations from Committees and update the Code as necessary.

## **COMPLIANCE AND ENFORCEMENT**

The Regional District Code of Ethics expresses standards of ethical conduct expected for Members and Appointees of the Regional District the Board and Committees. Members and Appointees themselves have the primary responsibility to assure that these ethical standards are understood and met, and that the public can continue to have full confidence in the integrity of the governance of the Regional District.



The Board may impose sanctions on Members and Appointees whose conduct does not comply with the Regional District's ethical standards. The Board may impose a motion of censure on a Member and may rescind the appointment of an Appointee to a Committee if he or she is found to have breached the Code of Ethics.

To ensure procedural and administrative fairness, a Member or Appointee who is accused of violating any provision of the Code of Ethics, with the exception of section 14 (to which the Complaint Resolution Policy applies), shall have a minimum of one week or the time between two consecutive meetings, whichever is greater, to prepare his or her case to respond to these allegations. Before considering a sanction, the Board must ensure that a member has:

1. received a written copy of the case against him or her;
2. a minimum of one week or the time between two consecutive meetings, whichever is greater, to prepare a defence against any allegations; and
3. a fair opportunity to be heard.

#### **VIOLATION NOT CAUSE TO CHALLENGE A DECISION**

A violation of this Code of Ethics shall not be considered a basis for challenging the validity of the Board or a Committee decision.

AUGUST 18, 2016

## APPENDIX A: MEMBER STATEMENT

As a Member of the Columbia Shuswap Regional District or an Appointee of a Regional District Committee, I agree to uphold the Code of Ethics adopted by the Regional District and conduct myself by the following model of excellence. I will:

- recognize the diversity of backgrounds, interests and views in our community;
- help create an atmosphere of open and responsive government;
- conduct public affairs with integrity, in a fair, honest and open manner;
- respect one another and the unique role and contribution each of us has in making the Regional District a better place to work and live;
- strive to keep the decision making processes open, accessible, participatory, understandable, timely, just and fair;
- avoid and discourage conduct which is not in the best interests of the Regional District;
- avoid any real or perceived conflict of interest and declare at the earliest opportunity, in writing, any interest that is or may be in conflict with the business of the body of the Regional District in which I am participating;
- respect and uphold confidentiality requirements; and
- treat all people with whom I come in contact in the way I wish to be treated.

*I affirm that I have read and understood the Regional District Code of Ethics.*

Signature: \_\_\_\_\_

Date: \_\_\_\_\_

Name (please print):

Office / Committee:

\_\_\_\_\_

\_\_\_\_\_



## REGULAR BOARD MEETING MINUTES

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

Date:	May 16, 2019	
Time:	9:30 AM	
Location:	Scotch Creek/Lee Creek Fire Hall 3852 Squilax-Anglemont Road, Scotch Creek	
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	Electoral Area E
	J. Simpson	Electoral Area F
	C. Moss	Town of Golden
	T. Rysz	District of Sicamous
	T. Lavery (Alternate Director)	City of Salmon Arm
	D. Cannon (Alternate Director)	City of Salmon Arm
Directors Absent	G. Sulz	City of Revelstoke
	K. Flynn	City of Salmon Arm
	C. Eliason	City of Salmon Arm
In Attendance	C. Hamilton	Chief Administrative Officer
	L. Shykora	Deputy Manager, Corporate Administration Services
	J. Sham	Assistant Deputy Corporate Officer
	J. Pierce*	Manager, Financial Services
	D. Mooney*	Manager, Operations Management

B. Payne*	Manager, Information Systems
G. Christie	Manager, Development Services
C. Paiement*	Team Leader, Development Services
M. Herbert*	Team Leader, Building and Bylaw Services
C. Benner*	Planner II
L. Gibson*	Planner I

\*attended a portion of the meeting only.

## 1. **Call to Order**

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

## 2. **Board Meeting Minutes**

### 2.1 **Adoption of Minutes**

2019-0501

**Moved By** Director Simpson

**Seconded By** Director Demenok

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

**CARRIED**

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

If any.

### 2.3 **Board Agenda**

Addition/Deletion of Agenda Items

The following agenda item changes were made:

Added - 6.4 Bastion Creek Area Logging Operations

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

ADMINISTRATION**4. Correspondence**

2019-0502

**Moved By** Alternate Director Lavery**Seconded By** Director Talbot

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

**CARRIED**

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

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

Board discussed the logistics/technology, cost, staff time, and viewership. City of Salmon Arm posts their meetings on YouTube and it is not a live stream. Manager of Financial Services stated that costs would be considered in the 2020 budget.

2019-0503

**Moved By** Alternate Director Lavery**Seconded By** Director Talbot

THAT: the Board direct staff to explore the feasibility of broadcasting/streaming the content of the monthly Board meetings.

**CARRIED**

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

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

Newsome Creek Mitigation Works Feasibility Study will be available at a future Board meeting.

Email from Hon. Mike Farnworth was added to the Late Agenda for reference and stated that he was unable to accommodate a meeting in the near future; however, the Provincial legislation assigns responsibility for flood hazard management to local authorities, individuals are responsible for protecting their properties, and, local governments are responsible for apply for funding that may be able to help mitigate the hazard.

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

Letter from Honorable Selina Robinson regarding the Provincial Housing Plan

### **3. Delegations**

#### **3.1 10:00 AM Shuswap Branch, Society for the Prevention of Cruelty to Animals (SPCA)**

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

Victoria Olynik, Shuswap Branch Manager, attended the meeting to present an overview of the PowerPoint presentation attached to the agenda.

### **5. Reports**

2019-0504

**Moved By** Director Brooks-Hill

**Seconded By** Director Moss

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

**CARRIED**

#### **5.1 Columbia River Treaty Local Government Committee Activities Update**

#### **5.2 Revelstoke and Area Economic Development Commission Meeting Minutes**

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

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

2019-0505

**Moved By** Alternate Director Cannon

**Seconded By** Director Brooks-Hill

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)

**CARRIED**

2019-0506

**Moved By** Alternate Director Cannon

**Seconded By** Director Brooks-Hill

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

**CARRIED**

2019-0507

**Moved By** Alternate Director Cannon  
**Seconded By** Director Brooks-Hill

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

**CARRIED**

2019-0508

**Moved By** Alternate Director Cannon

**Seconded By** Director Brooks-Hill

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.

**CARRIED**

## **6.2 Shuswap Tourism Advisory Committee Terms of Reference**

Report from Robyn Cyr, Economic Development Officer/Shuswap Tourism/Film Commission, dated May 13, 2019.

2019-0509

**Moved By** Director Demenok

**Seconded By** Director Simpson

THAT: the amended terms of reference for the Shuswap Tourism Advisory Committee be approved this 16<sup>th</sup> day of May, 2019.

**CARRIED**

### 6.3 **Revelstoke Landfill - Food Waste Composting Facility – Province of British Columbia Organics Infrastructure Program**

Report from Ben Van Nostrand, Team Leader, Environmental Health Services, dated May 13, 2019. Revelstoke Landfill - Food Waste Composting Facility Organics Infrastructure grant application.

2019-0510

**Moved By** Director Brooks-Hill

**Seconded By** Director Moss

THAT: the Board empower the authorized signatories to submit an application for grant funding from the BC Organics Infrastructure Program for a maximum of \$300,000 to fund up to 2/3 of all eligible costs to construct Phase 1 and 2 of a food waste composting facility at the Revelstoke Landfill;

AND THAT: the Board fully supports the project and is committed to contribute its share of the eligible costs and all of the ineligible costs for the Revelstoke Landfill Composting Facility Phase 1 and 2 construction project as authorized by the CSRD's 2019 Five Year Financial Plan, this 16<sup>th</sup> day of May, 2019.

**CARRIED**

### 6.4 **Bastion Creek Logging Operations**

Agenda addition

2019-0511

**Moved By** Director Demenok

**Seconded By** Director Simpson

THAT: the Board send a letter to the Minister of Forests, Lands, Natural Resource Operations and Rural Development, appropriate senior staff within FLNRORD and BC Timber Sales (BCTS) to express the CSRD's strong concerns and to request a temporary logging moratorium in the proposed cutblocks in the Bastion creek area in view of the Westrek report of November 2017 which recommended that: "A regional landslide hazard and risk study should be completed by government stakeholders for the slopes that extend from Sunnybrae to Bastion Creek to determine if there are common factors and issues. In the interim, it is recommended that the CSRD consider restricting or managing the future development and re-

development on these slopes until the landslide hazard and risk to each property is more clearly understood."

**CARRIED**

2019-0512

**Moved By** Director Demenok

**Seconded By** Director Rysz

THAT: staff be directed to investigate the feasibility of establishing a technical committee to advise CSRD staff and directors with respect to logging operations.

**CARRIED**

## **7. Business By Area**

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

#### **7.1.1 Grant-in-Aids**

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

2019-0513

**Moved By** Director Cathcart

**Seconded By** Director Brooks-Hill

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)

Discussion on the motion:

Manager of Financial Services will be bringing the Grant in Aid form to the policy session in June and asked if there is a suggestion or any other modification.

Director Demenok suggests the form include who benefits from this grant and if there are other groups or sources that they have requested funds for on the same project.

Director Simpson asked if the CSRD should be recognized for the funding. He asked if we should have some sort of acknowledgement.

Director Moss stated that there is a sponsorship program in the Town of Golden (TOG) and they have to acknowledge the TOG.

Director Talbot gets a letter from the groups when they get the funding.

Director Moss stated it shouldn't be an individual Director but to the CSRD, region-wide.

Chair Martin stated that the Shuswap Community foundation creates plaques in acknowledgement. Another option is photo opportunities.

Manager of Financial Services explained the process and expressed it has transparency when she emails all the Directors. She suggested that the form include 'how do you plan on recognize the CSRD if the group receives the funding'.

CAO stated that the transmittal letter is signed by the Area Director.

**CARRIED**

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

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

2019-0514

**Moved By** Director Talbot**Seconded By** Director Demenok

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.

**CARRIED**

2019-0515

**Moved By** Director Talbot**Seconded By** Director Demenok

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.

**CARRIED**

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

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.

2019-0516

**Moved By** Director Talbot**Seconded By** Director Demenok

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.

**CARRIED**



## 8. Administration Bylaws

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

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.

2019-0517

**Moved By** Alternate Director Lavery

**Seconded By** Director Talbot

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.

**CARRIED**

### 8.2 Saratoga Waterworks Service Amendment Bylaw No. 5797, 2019

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.

2019-0518

**Moved By** Director Simpson

**Seconded By** Director Demenok

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.

**CARRIED**

### 8.3 North & South Shuswap Community Arts, Recreation and Culture Programs Financial Contribution Service Area Establishment Bylaw No. 5798, 2019

Report from Lynda Shykora, Deputy Manager, Corporate Administration Services, dated May 14, 2019.

2019-0519

**Moved By** Director Simpson

**Seconded By** Director Demenok

THAT: "North & South Shuswap Community Arts, Recreation and Culture Programs Financial Contribution Service Area Establishment Bylaw No. 5798, 2019" be read a first, second and third time this 16<sup>th</sup> day of May, 2019.

**CARRIED**

2019-0520

**Moved By** Director Simpson

**Seconded By** Director Demenok

THAT: the Board endorse the alternative approval process in accordance with Section 345(1)(a) of the Local Government Act as the method to obtain the assent of the electors for the establishment of a North & South Shuswap Community Arts, Recreation and Culture Programs Financial Contribution Service identified in Bylaw No. 5798, 2019.

**CARRIED**

2019-0521

**Moved By** Director Simpson

**Seconded By** Director Demenok

THAT: the Board provide that the participating area approval relative to the North & South Shuswap Community Arts, Recreation and Culture Programs Financial Contribution Service is to be obtained for the entire service area (on an area-wide basis).

**CARRIED**

## DEVELOPMENT SERVICES

### **10. Business General**

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

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

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

2019-0522

**Moved By** Director Demenok

**Seconded By** Director Simpson

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.

**CARRIED**

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

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.

2019-0523

**Moved By** Director Moss

**Seconded By** Director Brooks-Hill

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.

**CARRIED**

2019-0524

**Moved By** Director Moss

**Seconded By** Director Brooks-Hill

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

**CARRIED**

2019-0525

**Moved By** Director Moss

**Seconded By** Director Brooks-Hill

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

**CARRIED**

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

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

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

Applicant was in attendance.

Application was submitted and processed when the ALC considered cannabis production as not a farm use. As of May 8, 2019, cannabis production is now a permitted farm use in the ALR.

2019-0527

**Moved By** Director Cathcart

**Seconded By** Alternate Director Cannon

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.

**CARRIED**

2019-0528

**Moved By** Director Cathcart

**Seconded By** Alternate Director Cannon

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.

**CARRIED**

**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)**

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

Applicant was not in attendance.

2019-0526

**Moved By** Director Cathcart

**Seconded By** Alternate Director Cannon

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.

**CARRIED**

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

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

Applicant was not in attendance.

2019-0529

**Moved By** Director Cathcart

**Seconded By** Alternate Director Cannon

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.

**CARRIED**

**9. IN CAMERA**

2019-0530

**Moved By** Director Moss

**Seconded By** Director Brooks-Hill

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.

**CARRIED**

Municipal Directors left the meeting.

**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)**

Report from Erica Hartling, Planner I, dated April 26, 2019.

25 - 6421 Eagle Bay Road, Wild Rose Bay

Public submissions were added to the Late Agenda

Applicant was not in attendance.

Two public submissions were received in opposition of the application.

2019-0531

**Moved By** Director Demenok

**Seconded By** Director Simpson

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.

**CARRIED**

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

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

Applicant not in attendance.

No public submissions received.

2019-0532

**Moved By** Director Demenok

**Seconded By** Director Simpson

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.

**CARRIED**

## **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**

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

Agent was in attendance.

2019-0533

**Moved By** Director Demenok

**Seconded By** Director Simpson

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.

**CARRIED**

2019-0534

**Moved By** Director Demenok

**Seconded By** Director Simpson

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.

**CARRIED**

2019-0535

**Moved By** Director Demenok

**Seconded By** Director Simpson

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.

**CARRIED**

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

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

Applicants were not in attendance.

No public submissions received.

2019-0536

**Moved By** Director Demenok

**Seconded By** Director Simpson

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.

**CARRIED**

2019-0537

**Moved By** Director Demenok

**Seconded By** Director Simpson

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.

**CARRIED**

**14.3 Electoral Area D: Salmon Valley Land Use Amendment (674816 BC Ltd.) Bylaw No. 2558**

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

Owner was in attendance.

One letter from the owner was received as well as 17 submissions in opposition were received.

2019-0538

**Moved By** Director Talbot

**Seconded By** Director Demenok

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.

Discussion on the motion:

Director Talbot strongly disagrees with the staff recommendation because it will have a negative impact on the downtown Falkland. His constituents are concerned with the lack of housing. Perhaps in the southern portion of Falkland, closer to the cannabis site, might be a better location for this proposed use rather than next to a residential area.

Planner II explained that the owner made revisions to the original proposal in response to the comments received in opposition. The owner agreed to not stacking the sea cans as well as screening the perimeter of the property.

Chair Martin stated that the property is currently zoned Commercial and there could be other uses on the property that could also lead to unsightliness, etc.

Director Simpson stated that it is important to consider community feedback.

**IN FAVOUR** - Chair Martin

**OPPOSED** - Directors Cathcart, Brooks-Hill, Demenok, Talbot, and Simpson.

**MOTION DEFEATED**

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

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

Applicant was not in attendance.

Two letters received from the same person in opposition.

2019-0539

**Moved By** Director Talbot

**Seconded By** Director Demenok

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.

**CARRIED**

**14.5 Electoral Area D: Salmon Valley Land Use Amendment (Tereposky – MacDonald) Bylaw No. 2561**

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

Applicant was not in attendance.

2019-0540

**Moved By** Director Talbot

**Seconded By** Director Demenok

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.

**CARRIED**

2019-0541

**Moved By** Director Talbot

**Seconded By** Director Demenok

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.

**CARRIED**

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

Withdrawn

**15. Release of In Camera Resolutions**

Advisory Planning Commission(s)

THAT: the Board appoint the following candidates to their respective Advisory Planning Commission as voting members, terms beginning May 16<sup>th</sup>, 2019 and ending May 20<sup>th</sup>, 2023:

**Electoral Area B**

Brian Gadbois  
Daren Cornelius  
Janis Hooge  
Jim Maitre  
Kip Wiley  
Mike Cummings  
Natelle Fitzgerald  
Peter Humphreys

**Electoral Area C**

Alan Cook  
Brian Morris  
Millicent Barron  
Natalya Melnychuk  
Patrick Frank  
Syd Loepky  
Ted Vlooswyk  
Tim Thompson

**Electoral Area F**

Charlotte Hall

Deb Bischoff  
Doug Deans  
Peter O'Toole  
Ron Wilkinson  
Trudy Montgomery

AND FURTHER THAT: The resolution be authorized for release from the Closed (In-Camera) portion of the meeting, this 16<sup>th</sup> day of May, 2019.

Shuswap Tourism Advisory Committee

THAT: the following individual be appointed to the Shuswap Tourism Advisory Committee for the term May 16, 2019 to December 31, 2020:

Piotr Ujma – Owner - Okanagan Marketplace – Falkland

AND THAT: the above resolution be authorized for release from the Closed (In Camera) portion of the CSRD Board Meeting this 16<sup>th</sup> day of May, 2019.

**18. Adjournment**

2019-0542

**Moved By** Director Demenok

**Seconded By** Director Simpson

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

**CARRIED**

Meeting adjourned at 2:28 PM.

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—  
CHAIR

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—  
CHIEF ADMINISTRATIVE OFFICER



# BOARD REPORT

**TO:** Chair and Directors

<b>File No:</b> 38801704 PR20170000004
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**SUBJECT:** Electoral Area F: Community Charter Section 57 Notice

**DESCRIPTION:** Report from Charles Hamilton, Chief Administrative Officer, dated June 10, 2019.

7761 Columbia Drive, Anglemont

**RECOMMENDATION:** THAT: the Board authorize the Corporate Officer to file a Notice in the Land Title Office against the property legally described as Lot 159, Section 15, Township 23, Range 9, W6M, KDYD, Plan 15296, in accordance with Section 57 of the Community Charter, this 20<sup>th</sup> day of June, 2019;

AND THAT:

further information in respect of the Notice is available for inspection at the office of the Columbia Shuswap Regional District.

## SHORT SUMMARY:

The CSR D Building Official has provided a recommendation pursuant Section 57 of the Community Charter (CC) regarding a retaining wall located at 7761 Columbia Drive in Anglemont. In accordance with Section 57 of the CC, the registered owner of the subject property has been notified that this matter will be placed before the Board of Directors at its regular Board meeting on June 20, 2019, commencing at 9:30 AM, in the Boardroom of the CSR D office located at 555 Harbourfront Drive NE in Salmon Arm.

Placing a Section 57 Notice on title will alert subsequent owners of the property of the outstanding building regulation non-compliance.

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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:

2013

- Owner applies for a building permit for the single family dwelling only. The retaining wall was not part of this application.

2016

- Building Official notices block materials at the site while conducting the final inspection on the single family dwelling. Building Official speaks to the owner about a permit application for the wall.
- Ongoing communication between the Building Official and the owner.

2017

- Email, phone, and in-person communications between the Building Official and the owner continues.
- Building Official met with owner on site with the owner's engineer to discuss the building permit requirements.
- Incomplete building permit application for the retaining wall received.
- Building Official requests a survey plan.

## 2018

- Building Official continues communicating with the owner, including the possibility of a Section 57 notice.
- Sent a registered letter to the owner confirming that the building application was still incomplete.

## 2019

- February:
  - Owner submits a survey, as requested by CSRD staff in 2017. The survey confirms that the retaining wall encroaches into a CSRD easement and covenant area, and was constructed within the side yard parcel line setback area (Anglemont Zoning Bylaw No. 650).
  - Stop Work Order posted on site.
  - House listed for sale.
- April:
  - Building Official establishes a deadline to receive necessary information from the owner.
  - No information received from the owner after the deadline passed.
- May:
  - Building Official recommends to the Corporate Officer that a Section 57 Notice be registered on the title of the subject property.
  - Sent notice to the owner that this matter will be considered by the CSRD Board on June 20, 2019. See attached "3880\_17\_04\_DeWeerd\_s57\_package.pdf".
  - Also hand delivered notice to the owner, on May 31, 2019, during his visit to the CSRD office.

**POLICY:**

## Section 57 of the Community Charter

The Building Official and the owner of the subject property must be given an opportunity to speak to the Board in respect of the matter. The Board may then confirm the recommendations of the Building Official and pass a resolution directing the Corporate Officer to file a notice in the land title office stating that a resolution relating to the subject property has been made in accordance with Section 57 of the CC, and that further information about it may be inspected at the CSRD office.

See "38801704\_DeWeerd\_s57\_package.pdf" attached.

**FINANCIAL:**

Costs associated with placing a Section 57 notice on title total less than \$1,000. If the Board declines to endorse the staff recommendation, the Board may wish to direct staff to pursue legal action with a court injunction, which can vary from \$10,000 to \$30,000, depending on the complexity of the file.

If the property owner addresses the outstanding non-compliance issues, and the Building Official confirms that the Section 57 notice can be removed from title, prior to the Corporate Officer filing the

cancellation notice, the property owner must pay a \$650 notice discharge fee, as per the CSRD Development Services Application Fees Bylaw No. 4000, as amended.

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

The Building Official has requested the owner of the subject property, both in verbal and written communications, to provide the required information that may allow for issuance of the necessary approvals. In the absence of the required approvals, placing a Section 57 notice on title is a priority.

### **SUMMARY:**

Based on the information provided by the Building Official and her recommendation, it is my recommendation to the Board that a Section 57 notice be authorized to be filed on the title of the subject property, and that further information in regards to the Notice on Title is available for inspection at the office of the Columbia Shuswap Regional District.

### **IMPLEMENTATION:**

If the Board authorizes the Corporate Officer to file a notice in the land title office against the title of the property legally described as Lot 159, Section 15, Township 23, Range 9, W6M, KDYD, Plan 15296, as per Section 57 of the CC, the notice will be sent to the registrar of land title for filing.

### **COMMUNICATIONS:**

The Corporate Officer gave notice that the matter will be placed on the June 20, 2019 regular Board Agenda for consideration by the Board of Directors to the registered owner of the subject property via mail on May 27, 2019 and via email on May 31, 2019. Further, when the owner was at the CSRD office on May 31, 2019, the Building Official supplied him with a copy of the notice and a brief explanation of the notice.

The owner has indicated he is not able to attend the hearing and submitted a letter dated June 6, 2019. See "Owner\_submission\_38801704\_2019-06-06.pdf" attached.

The owner of the subject property will be advised of the Board's decision.

### **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. Community Charter
2. Building Bylaw No. 660



3. Anglemont Zoning Bylaw No. 650

**Report Approval Details**

Document Title:	2019-06-20_Board_CA_38801704_s57.docx
Attachments:	- 38801704_DeWeerd_s57_package.pdf - Owner_submission_38801704_2019-06-06.pdf
Final Approval Date:	Jun 11, 2019

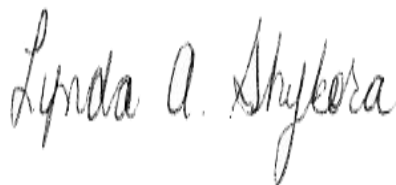
This report and all of its attachments were approved and signed as outlined below:



**Marty Herbert - Jun 10, 2019 - 4:00 PM**



**Gerald Christie - Jun 10, 2019 - 4:16 PM**



**Lynda Shykora - Jun 11, 2019 - 10:10 AM**

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

**Charles Hamilton - Jun 11, 2019 - 10:11 AM**



# 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

May 27, 2019

File No.: 3880 17 04  
PR20170000004

## REGISTERED MAIL

Clarence & Jannette De Weerd  
7761 Columbia Drive  
Anglemont, BC  
V0E 1M8

Clarence & Jannette De Weerd



Dear Mr. & Mrs. De Weerd:

**Re: Lot 159 Section 15 Township 23 Range 9 West of the 6<sup>th</sup> Meridian Kamloops Division Yale District Plan 15296**  
**7761 Columbia Drive, Anglemont, BC**  
**PID: 008-853-673**

Please be advised that I have received a recommendation pursuant to Section 57 (1) of the Community Charter.

Pursuant to Section 57 (2) (a) you are hereby advised that this matter will be placed before the Columbia Shuswap Regional District (CSRD) Board of Directors for its consideration at its Thursday, June 20, 2019, Regular Board meeting, which commences at 9:30 AM, in the Board Room of the Columbia Shuswap Regional District, 555 Harbourfront Drive NE, Salmon Arm, BC.

You are invited to attend the Board meeting to be heard. You are permitted to make a written presentation or to be represented by legal counsel if you so wish.

Enclosed for your information is a copy of the recommendation of the Building Official and a copy of Section 57 of the Community Charter.

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

Charles A. Hamilton  
Corporate Officer

Enclosures

### ELECTORAL AREAS

A GOLDEN-COLUMBIA  
B REVELSTOKE-COLUMBIA

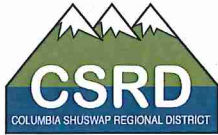
C SOUTH SHUSWAP  
D FALKLAND-SALMON VALLEY

E SICAMOUS-MALAKWA  
F NORTH SHUSWAP-SEYMOUR ARM

### MUNICIPALITIES

GOLDEN  
REVELSTOKE

SALMON ARM  
SICAMOUS



## MEMORANDUM

**TO:** Charles Hamilton  
Corporate Officer

**File No:** 3880 17 04

**FROM:** Michelle Boag  
Building Official

**Date:** May 1, 2019

**SUBJECT:** Community Charter Section 57; Note Against Land Title that Building Regulations Contravened 7761 Columbia Drive, Anglemont, Electoral Area F

Lot 159 Section 15 Township 23 Range 9 West of the 6<sup>th</sup> Meridian  
Kamloops Division Yale District Plan 15296  
Clarence and Jannette De Weerd

**RECOMMENDATION:** Whereas, during the carrying out of my duties, it was noted, in accordance with Section 57 subsections (1) (b) (i) and (1) (b) (ii) of the *Community Charter*, that the property owner had commenced construction of a retaining wall without the necessary building permit; I am recommending, in accordance with Section 57 (2) of the *Community Charter*, that the Corporate Officer give notice to the registered owner of Lot 159 Section 15 Township 23 Range 9 West of the 6<sup>th</sup> Meridian Kamloops Division Yale District Plan 15296 by the CSRD Board of Directors and that the Corporate Officer recommend to the Board that a Section 57 Notice of the contravention be filed on Title.

**SHORT SUMMARY:** This property is in contravention of the Columbia Shuswap Regional District Building Bylaw No. 660. A Building Permit has not been obtained for a retaining wall ranging up to ten feet in height that has been constructed by the owner at the rear of the property used for driveway access. At the request of CSRD staff, a survey of the retaining wall was submitted February 5, 2019 that confirmed this wall encroaches into a CSRD Easement and CSRD no construction/no disturb road access covenant area. In addition, the survey established that both ends of the wall also contravene side yard setback regulations as noted in Anglemont Zoning Bylaw No. 650. Due to these contraventions a Building Permit cannot be issued. A Stop Work Order was posted on site March 15, 2019. The owner has staunchly refused to supply information that may help in rectifying the retaining wall issues; staff therefore put forward a date of April 25, 2019 to receive information from the landowner that would illustrate a path towards bylaw compliance. April 25, 2019 has now passed without a response from the owners.

Placing a Section 57 Notice on Title serves as an efficient way to note a structure's potential non-compliance to the BC Building Code and CSRD Building Bylaw and also serves as an appropriate disclosure mechanism to potential future owners and other parties that may have an interest in

the property. This notice also serves to protect taxpayers from potential claims with regard to the BC Building Code and Building Bylaw contraventions.

**POLICY:**

**Building Regulation Bylaw No. 660:**

**Part 4: Prohibitions**

- 4.1 A person must not commence or continue any *construction, alteration, excavation, re-construction, demolition, removal, relocation or change the use or occupancy* of any *building or structure*, including other work related to construction:
- (a) except in conformity with the requirements of the *building code* and this bylaw; and
  - (b) unless a *building official* has issued a valid and subsisting *permit* for the work under this bylaw.
- 4.2 A person must not *occupy or permit the occupancy* of any *building or structure* or part of any *building or structure*:
- (a) unless a subsisting final inspection notice has been issued by a *building official* for the *building or structure* or the part of the *building or structure*; or
  - (b) contrary to the terms of any *permit* issued or any notice given by a *building official*.
- 4.9 A person must not contravene a notice of a *building official* issued under section 6.6.

**Part 6: Powers of a Building Official**

- 6.6 Subject to applicable enactments, a *building official* may by notice in writing require:
- (a) a person who contravenes any provision of this bylaw to comply with that provision within the time ordered;
  - (b) an *owner* to stop work on a *building or structure*, or any part of a *building or structure*, if the work is proceeding in contravention of this bylaw, the *building code*, or any other enactment of the Regional District or other applicable enactments, or if there is deemed to be an *unsafe condition*, and may enter on property to affix or post a stop work order in the form prescribed by the *building official*;
  - (e) an *owner* to have work inspected by a *building official* prior to covering;
  - (f) an *owner* to uncover any work that has been covered without inspection contrary to this bylaw or an order issued by a *building official*;
  - (g) a person to cease any *occupancy* in contravention of a provision of this bylaw;
  - (h) a person to cease any *occupancy* if any *unsafe condition* exists because of work being undertaken but not complete and where the *building official* has not issued a final inspection notice for the work;
  - (i) an *owner* to correct any *unsafe condition*; and
  - (j) an *owner* to correct any work that contravenes this bylaw, the *building code*, or any

other enactment.

Section 57 of the *Community Charter*

**Note against land title that building regulations contravened**

57. (1) A building inspector may recommend to the council that it consider a resolution under subsection (3) if, during the course of carrying out duties, the building inspector

(a) observes a condition, with respect to land or a building or other structure, that the inspector considers

(i) results from the contravention of, or is in contravention of,

(A) a municipal bylaw,

(B) a Provincial building regulation, or

(C) any other enactment

(ii) that, as a result of the condition, a building or other structure is unsafe or is unlikely to be usable for its expected purpose during its normal lifetime, or

(b) discovers that

(i) something was done with respect to a building or other structure, or the construction of a building or other structure, that required a permit or an inspection under a bylaw, regulation or enactment referred to in paragraph (a) (1) and

(ii) the permit was not obtained or the inspection not satisfactorily completed.

(2) A recommendation under subsection (1) must be given in writing to the corporate officer, who must

(a) give notice to the registered owner of the land to which the recommendation relates, and

(b) after notice under paragraph (a), place the matter before council.

**FINANCIAL:**

Legal, notification, and costs associated with placing a Section 57 Notice on Title would be less than \$1000. Further enforcement by way of a court injunction can vary from \$10,000-\$30,000 depending on the complexity of the file and the response received from the property owner. Development Services and Operations Management are working together with regard to the encroachment and covenant issues and staff may consider additional enforcement action in the future if the landowner continues to be uncooperative.

**KEY ISSUES/CONCEPTS:**



Staff have requested on numerous occasions, both in verbal and written communications, that the owner of the subject property provide the required information necessary that would create a path forward towards rectifying the identified retaining wall issues. The owner has failed to provide the information or to advise the CSRD when the information will be submitted to this office. In the absence of the required approvals, placing a Section 57 Notice on Title is a priority.

### COMMUNICATIONS:

The Corporate Officer will give notice to the registered owner Lot 159 Section 15 Township 23 Range 9 West of the 6<sup>th</sup> Meridian Kamloops Division Yale District Plan 15296 in accordance with Section 57 (2)(a) of the *Community Charter*, and once notice has been given to the owner the matter will be placed on the June 20, 2019 CSRD Regular Board Agenda for consideration by the CSRD Board of Directors in accordance with Section 57 (2)(b) of the *Community Charter*.

### LIST NAME OF REPORT(S) / DOCUMENT(S):

Location Map	Attached to Memorandum: <input checked="" type="checkbox"/>	Available from Staff: <input type="checkbox"/>
Section 57 of the <i>Community Charter</i>	Attached to Memorandum: <input checked="" type="checkbox"/>	Available from Staff: <input type="checkbox"/>
Photographs of the site	Attached to Memorandum: <input checked="" type="checkbox"/>	Available from Staff: <input type="checkbox"/>

REVIEWED BY:	Date Signed Off (MO/DD/YR)	Approval Signature of Reviewing Manager or Team Leader
Corporate Administration Services	05/27/19	Lynda A. Shykora
Manager, Development Services	05/24/19	Gerald Christie
Team Leader, Building & Bylaw Services	05/17/19	M. + E



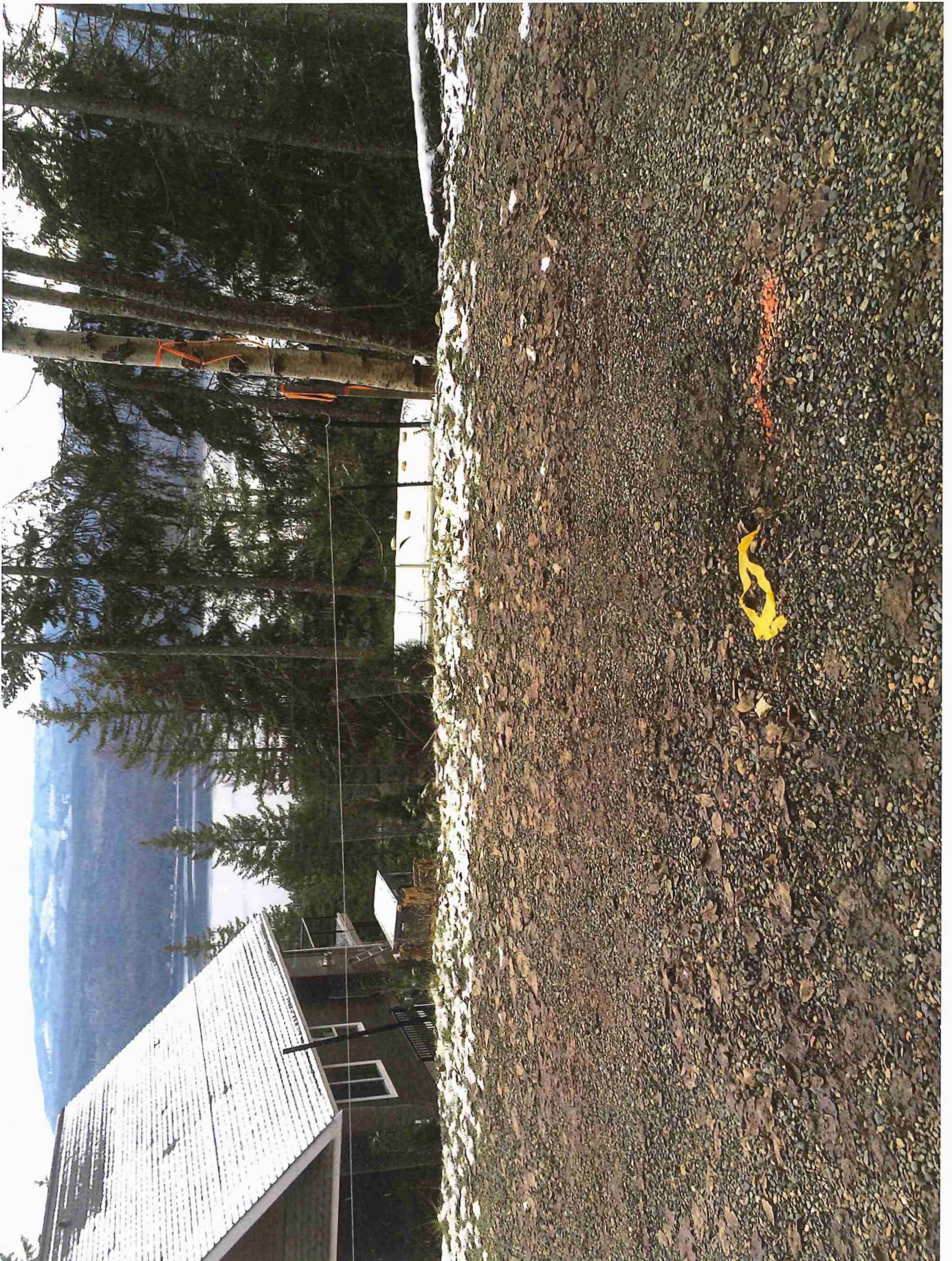


































**Note against land title that building regulations contravened**

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(a)observes a condition, with respect to land or a building or other structure, that the inspector considers

(i)results from the contravention of, or is in contravention of,

(A)a municipal bylaw,

(B)a Provincial building regulation, or

(C)any other enactment

that relates to the construction or safety of buildings or other structures, and

(ii)that, as a result of the condition, a building or other structure is unsafe or is unlikely to be usable for its expected purpose during its normal lifetime, or

(b)discovers that

(i)something was done with respect to a building or other structure, or the construction of a building or other structure, that required a permit or an inspection under a bylaw, regulation or enactment referred to in paragraph (a) (i), and

(ii)the permit was not obtained or the inspection not satisfactorily completed.

(2)A recommendation under subsection (1) must be given in writing to the corporate officer, who must

(a)give notice to the registered owner of the land to which the recommendation relates, and

(b)after notice under paragraph (a), place the matter before the council.

(3)After providing the building inspector and the owner an opportunity to be heard, the council may confirm the recommendations of the building inspector and pass a resolution directing the corporate officer to file a notice in the land title office stating that

(a) a resolution relating to that land has been made under this section, and

(b) further information about it may be inspected at the municipal hall.

(4) The corporate officer must ensure that all records are available for the purpose of subsection (3) (b).

(5) If the registrar of land titles receives a notice under subsection (3) and payment of the prescribed fee, the registrar must make a note of the filing against the title to the land that is affected by the notice.

(6) The note of a filing of a notice under this section is extinguished when a new title to the land is issued as a result of the deposit of a plan of subdivision or a strata plan.

(7) In the event of any omission, mistake or misfeasance by the registrar or an employee of the registrar in relation to the making of a note of the filing under subsection (5), or a cancellation under section 58, after the notice is received by the land title office,

(a) the registrar is not liable and neither the Provincial government nor the Land Title and Survey Authority of British Columbia is liable vicariously,

(a.1) the assurance fund or the Land Title and Survey Authority of British Columbia as a nominal defendant is not liable under Part 19.1 of the *Land Title Act*, and

(b) the assurance fund or the minister charged with the administration of the *Land Title Act* as a nominal defendant is not liable under Part 20 of the *Land Title Act*.

(8) Neither the building inspector nor the municipality is liable for damage of any kind for the doing of anything, or the failure to do anything, under this section or section 58 that would have, but for this subsection, constituted a breach of duty to any person.

(9) The authority under this section is in addition to any other action that a building inspector is authorized to take in respect of a matter referred to in subsection (1).

Thursday, June 06, 2019

To the CSRD

I would like to provide some of the details regarding the retainer wall.

After our house was built, we saw that we were looking at an unattractive weed infested dirt wall that was very unstable, considerable erosion was happening, and chunks of dirt were falling down from the old dirt wall every day.

The sensible solution appeared the construction of a concrete wall that could resist erosion and freezing. Not knowing very much about what the rules and regulations were, I started to construct a wall like the ones used in Alberta. I constructed the wall by myself due to the high cost of contractors.

Before too long, the CSRD and Engineer Mr. Watson became involved.

The 11 feet going down to the main door of the house was already there, and was likely done by early pioneers and/or loggers. Based on these principles I built the wall with only good intentions for the safety and to upgrade to the property. I had no intention to get in trouble or to cause anyone problems.

I acknowledge that in hindsight I clearly should have done things differently, and I sincerely apologize for the way things turned out, with that said, what we now have is a beautiful wall that is much an improvement over the dirt wall from before, and a big improvement for the entire community.

We very much hope that you can appreciate it the way we do, and provide your approval.

Sincerely,



Clarence & Janet de Weerd

<input checked="" type="checkbox"/> CAO	<input checked="" type="checkbox"/> Agenda	Ownership
<input type="checkbox"/> Works	<input checked="" type="checkbox"/> Reg Board	20-20-2019 Sec. 57 Hearing
<input type="checkbox"/> DS	<input type="checkbox"/> In Camera	File#
<input type="checkbox"/> Fin/Adm	<input type="checkbox"/> Other Mtg	3880-1704
Lynda Jennifer JUN 10 2019		
<input type="checkbox"/> Ec Dev	RECEIVED	
<input type="checkbox"/> IT	<input type="checkbox"/> Staff to Report	Ack Sent:
<input type="checkbox"/> Parks	<input type="checkbox"/> Staff to Respond	<input type="checkbox"/> Fax
<input type="checkbox"/> SEP	<input type="checkbox"/> Staff Info Only	<input type="checkbox"/> Mail
<input type="checkbox"/> HR	<input type="checkbox"/> Dir Mailbox	<input type="checkbox"/> Email
<input type="checkbox"/> Other	<input type="checkbox"/> Dir Circulate	

# Delegation Request Form



## Appearing Before the Board as a Delegation

### Instructions and Information

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

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

## Contact Information

### Name of Person or Organization \*

Tourism Golden Association

### Contact Information Provided \* (?)

☐ Phone Number ☒ Email Address ☐ Mailing Address

### Email Address \*

joanne@tourismgolden.com

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

☒ Yes ☐ No

## Presentation Information

### Topic of discussion \*

Highlights from the Tourism Golden 2018 Annual Report

### Purpose of Presentation \*

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

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

### Meeting Date Requested \* (?)

20-Jun-19

### Alternate Date Requested (?)

18-Jul-19

<input type="checkbox"/> CAO <input type="checkbox"/> Works <input type="checkbox"/> PS <input checked="" type="checkbox"/> Fin/Adm	<input checked="" type="checkbox"/> Agenda <input type="checkbox"/> Reg Board <input type="checkbox"/> In Camera <input type="checkbox"/> Other Mtg	Ownership  File#
251 Jen MAY 16 2019		
<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



# Tourism Golden Highlights from the 2018 Annual Report Presentation to CSRD Board | June 20<sup>th</sup>, 2019



≡TOURISM≡  
**Golden**  
GOLDEN RULES  
BRITISH COLUMBIA



# TOURISM GOLDEN STRATEGIC PLAN 2017 – 2021

## BUILD | CREATE | COMMUNICATE | COLLABORATE

Submitted by Joanne Sweeting, Executive Director

August 2016

TOURISM  
**Golden**  
GOLDEN RULES



# TOURISM GOLDEN

## MARKETING PLAN 2018

Submitted by: Joanne Sweeting, Executive Director

Approved October 12<sup>th</sup>, 2017

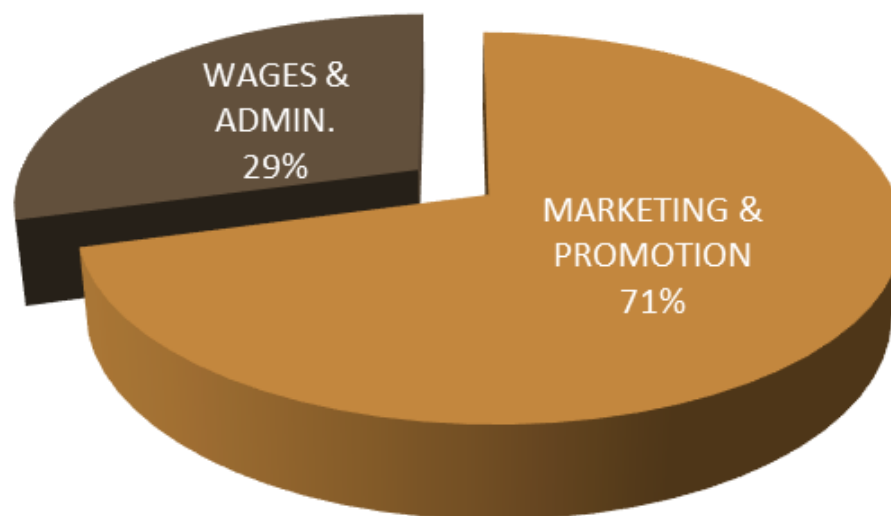
TOURISM  
**Golden**  
GOLDEN RULES

- ☐ Build on a strong brand
- ☐ Identify & own unique selling propositions
- ☐ Create, curate and communicate
- ☐ Educate & collaborate
- ☐ Inform & evaluate



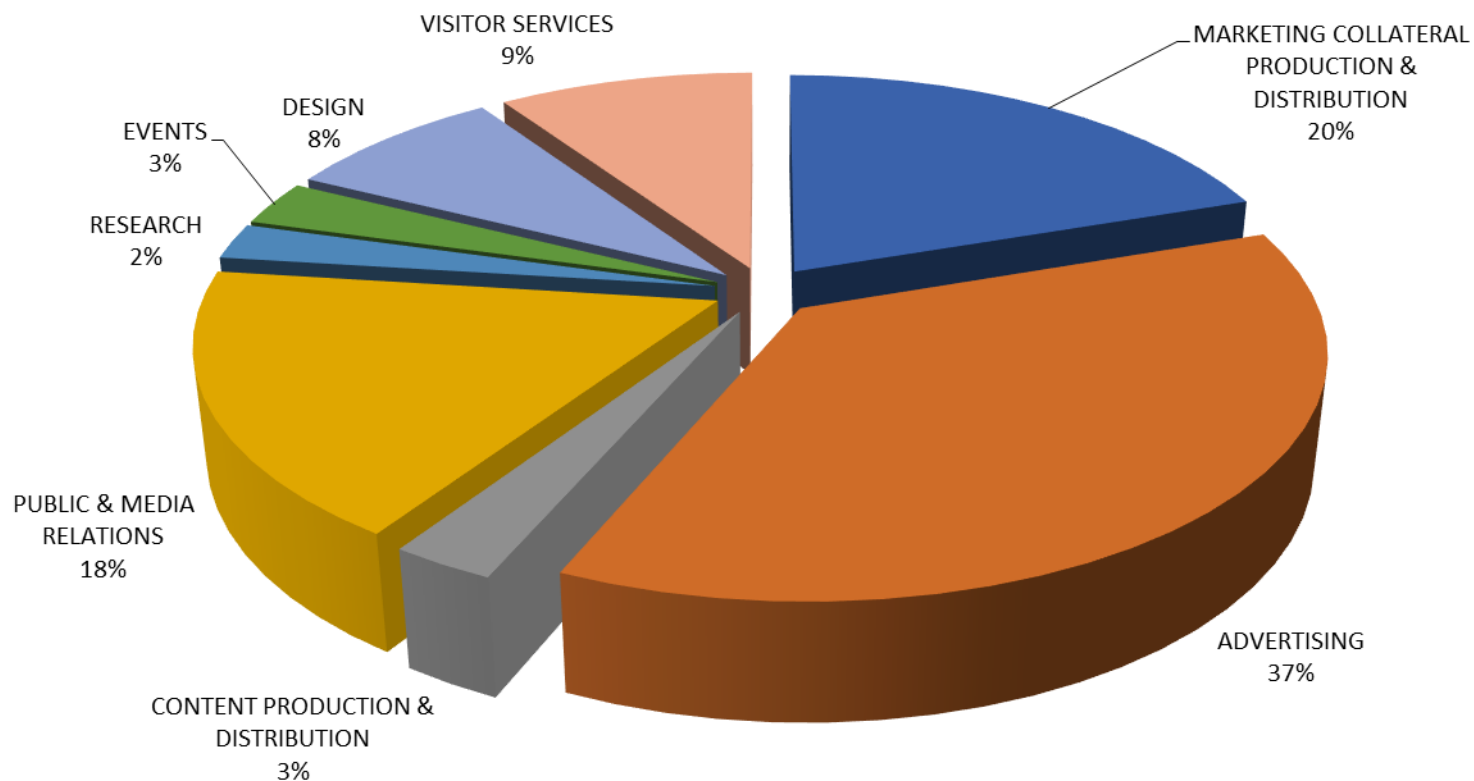
# FINANCIAL

## 2018 FY ORGANISATIONAL BUDGET



# FINANCIAL

## 2018 FY MARKETING BUDGET ALLOCATION BY STRATEGY





## SITUATIONAL ANALYSIS

*“2018 was the best year ever for international arrivals to Canada with 21.13 million tourists, breaking the 21 million mark for the first time”*

# DISRUPTERS

- ❑ BC wildfires
- ❑ Pipeline dispute
- ❑ Labour Shortages

“...we will not be coming out to BC for our golf trip this year. Some of our group do not want to spend their money in BC .....”



## 2018 HIGHLIGHTS

- ❑ 9<sup>th</sup> consecutive year of growth
- ❑ 7% increase in total revenues
- ❑ 7% increase in MRDT revenues
- ❑ \$100k Google Search Grant ad
- ❑ 13% increase in ADR
- ❑ Growth in winter spring & fall seasons
- ❑ Average length of stay summer 2.8 nights
- ❑ Average length of stay winter 3.2 nights

## INDUSTRY COLLABORATION

### ☐ Destination Development

- ☐ Highway 1 Field to Kamloops & Sun Peaks
- ☐ Kootenay Rockies Regional

### ☐ Research

- ☐ Golden Snowmobile Club Economic Impact study

### ☐ Regional & Activity Sector Marketing Consortia

- ☐ Kootenay Dirt
- ☐ Kootenay XC
- ☐ Sled Kootenay
- ☐ Fishing BC

# STAKEHOLDER RELATIONS

## ❑ Stakeholder programs

- ❑ Co-op marketing opportunities
- ❑ Pro-D workshops



## ❑ Communications

- ❑ Monthly news 50% open rate

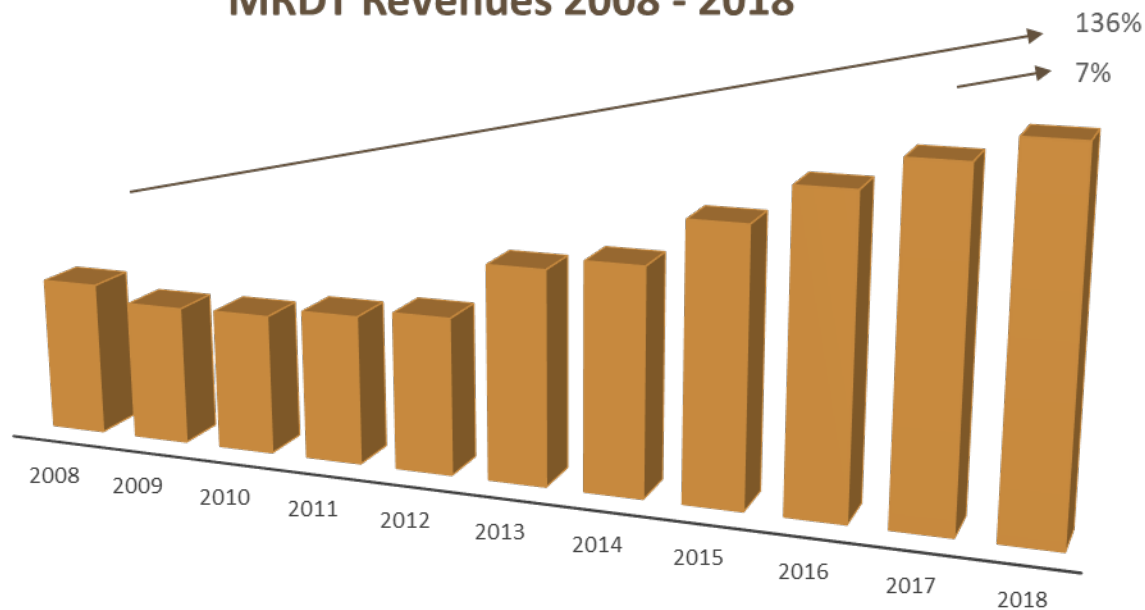


# LEAD ORGANISATION FOR TOURISM

- ❑ Representing tourism in Golden
  - ❑ KHCP4 Community Liaison Committee
  - ❑ CV, Hwy 1 & KR Destination Development projects
- ❑ Advocacy
  - ❑ STR legislation
  - ❑ Labour shortages

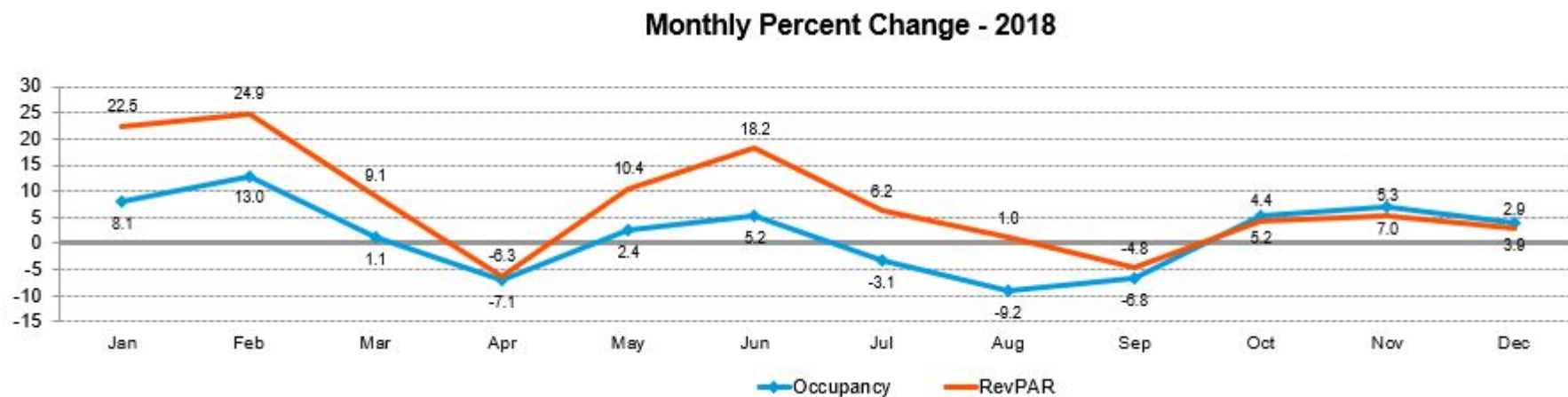
# GROW VISITATION & TOURISM REVENUES

**MRDT Revenues 2008 - 2018**



	2008	2009	2010	2011	2012	2013	2014	2015	2016	2017	2018
Series1	\$271,790	\$244,632	\$246,621	\$262,247	\$275,700	\$373,994	\$394,722	\$476,925	\$544,210	\$599,102	\$641,893

# GROW VISITATION & TOURISM REVENUES



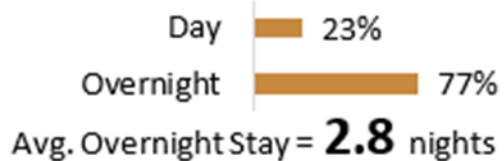


# INCREASE ECONOMIC BENEFIT



**\$596** on average, was spent in Golden by each visitor party

## Length of Stay

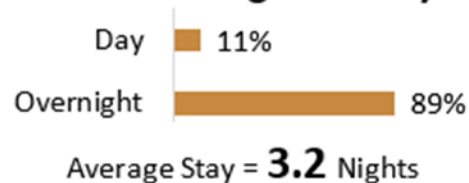


**SUMMER 2017**



**\$1,481** on average, was spent in Golden by each visitor party

## Golden Length of Stay



**WINTER 2017**

# RESEARCH

This report provides a comprehensive analysis of what people are saying about your destination online. Insights from this data should guide your strategic planning, marketing and destination development to enable you to shape the way people talk about Golden in the future.



Golden

## RESEARCH



# RESEARCH

## Tourism's Contribution

### How does tourism contribute?

#### Tourism Sentiment Score™

Tourism Sentiment Score is a measure of a Golden's ability to generate positive word of mouth about its tourism offering. It is an aggregate score that focuses solely on online conversations that reference or affect a potential traveler's perceptions of a destination's tourism offering.



#### Place Sentiment Score

Place Sentiment Score is an aggregate value of all conversations around Golden, whether or not the individual conversations have a direct impact on perceptions of the tourism offering. It captures opinions of all aspects of the destination from politics to real estate.



### Key Takeaway:

The gap between these two scores is representative of the impact your destination's tourism industry is having on the brand of the destination as a whole. Tourism is a substantial driver of a positive overall brand image.

# RESEARCH

## Summary

This report provides Golden with a view of how it is perceived and discussed among consumers as a travel destination. Everyone in your destination can influence the levels of positive and negative sentiments about its tourism experiences. Based on our analysis of word of mouth about Golden, we recommend the following actions for your organization.

### Core Conversation Drivers

Volume is a good indicator of overall awareness. The more people are talking about a specific experience, the more awareness that drives. It is important to ensure that your top awareness generators remain competitive and make positive impressions. The top drivers of conversation for Golden are:

- **Nature Viewing**
- **Hiking + Rock Climbing**
- **Skiing + Snowboarding**

### Potential Growth Opportunities

While these tourism assets may not generate the most volume, they are generating a high level of sentiment. Because of this, these categories potentially present potential for future growth. Among Golden's tourism assets, the following stood out as potential growth opportunities.

- **Cycling + Biking**
- **Skiing + Snowboarding**
- **Weddings**

### Under Performing Assets

Not every aspect of your destination needs to be at the top. However, the following assets within Golden fell below the competition for both volume and sentiment.

- **Restaurants**
- **Breweries + Pubs**



# EVENTS



## EVENTS

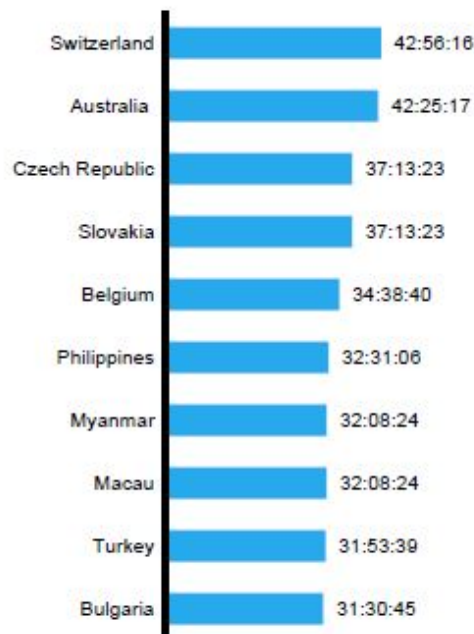
**DOWN DAYS IN  
KICKING HORSE  
GOLDEN BC**

# EVENTS



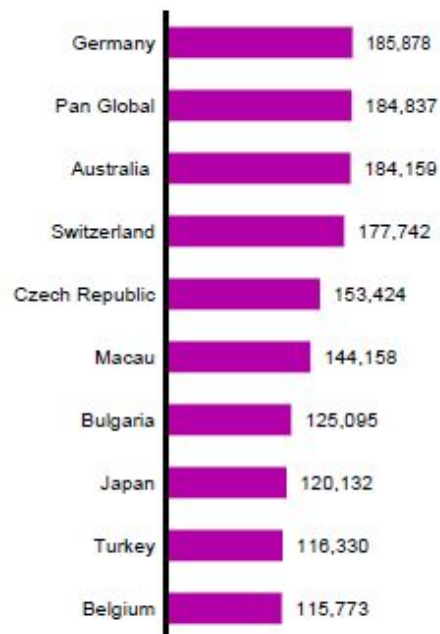
## OVERVIEW BY MARKET (TOP-10)

**VISIBILITY**  
(h:mm:ss)



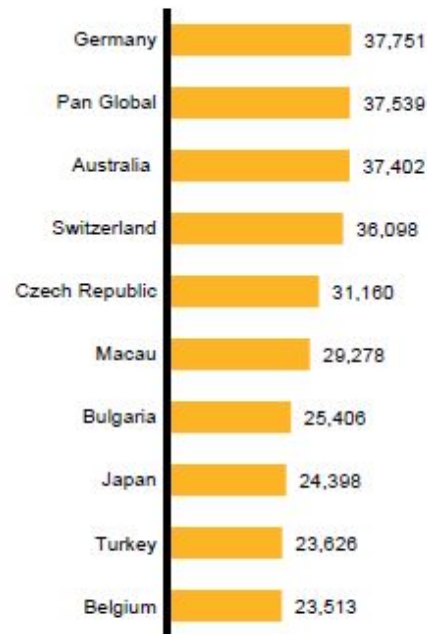
**TOTAL: 678:10:12**

**100% MEDIA EQUIVALENCY**  
(€)



**TOTAL: 3,338,322**

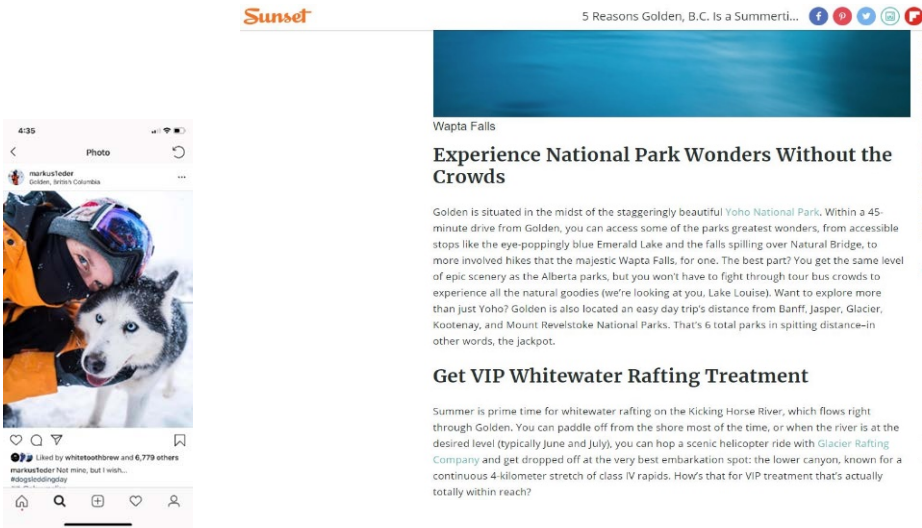
**Q1 MEDIA VALUE**  
(€)



**TOTAL: 677,994**



## 34 features directly resulting from TG activity



# TACTICAL MARKETING

- ❑ Multi-channel approach

- ❑ Campaigns

- ❑ Spring

- ❑ Fall

- ❑ Winter

- ❑ Heart of the Parks

- ❑ Skiing & boarding

- ❑ Snowmobiling

- ❑ Biking

- ❑ Hiking

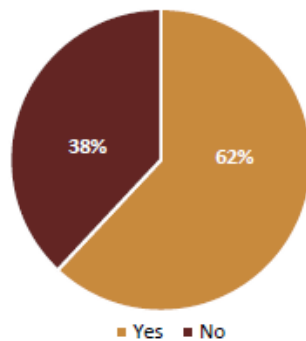
- ❑ Fishing



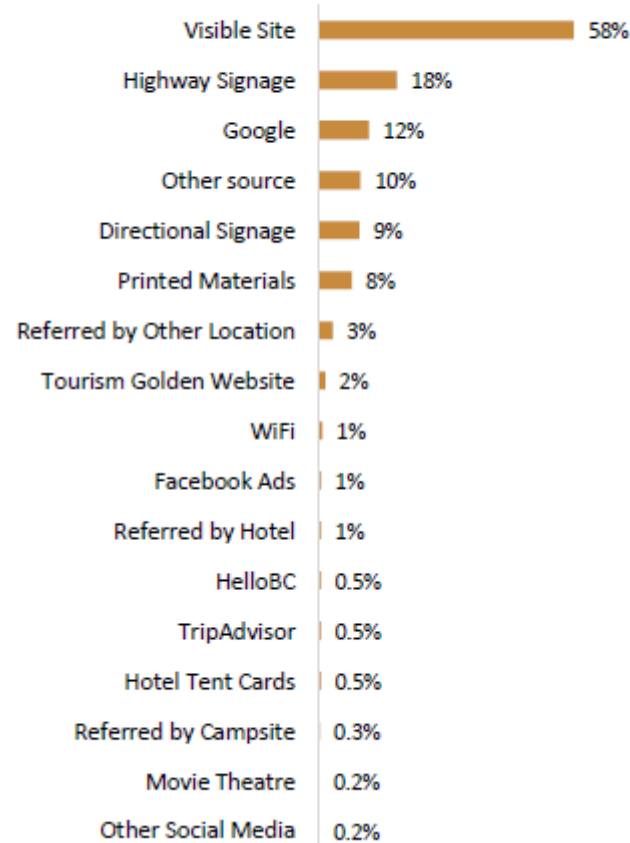
# VISITOR SERVICES



**Speak with a Visitor  
Information Counsellor Today?**  
*Percentage of GVC Visitors*



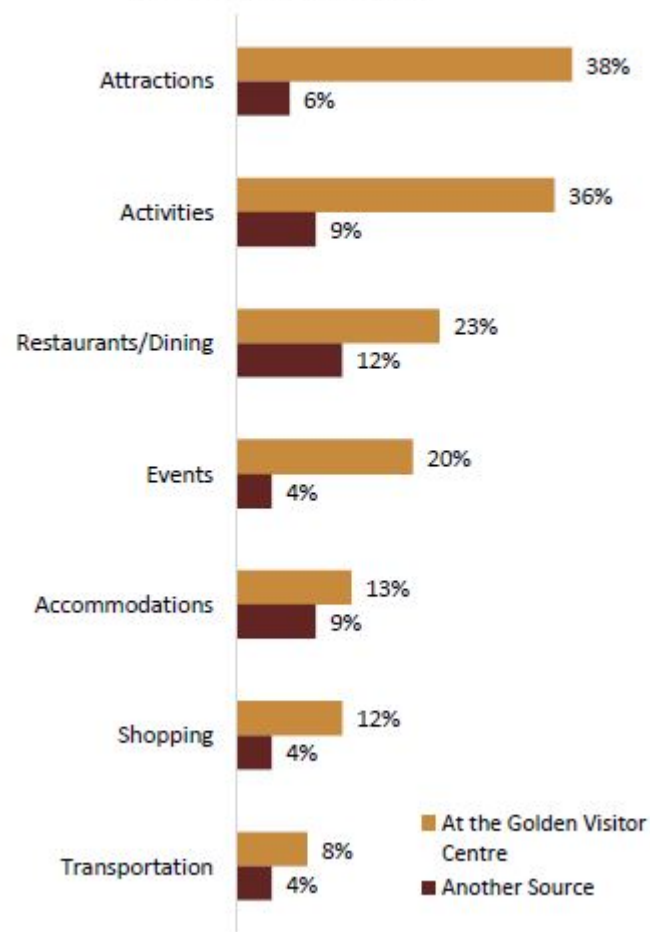
**How Did You Originally Find Out About  
Golden Visitor Centre?<sup>1,2</sup>**  
*Percentage of GVC Visitors*



# VISITOR SERVICES

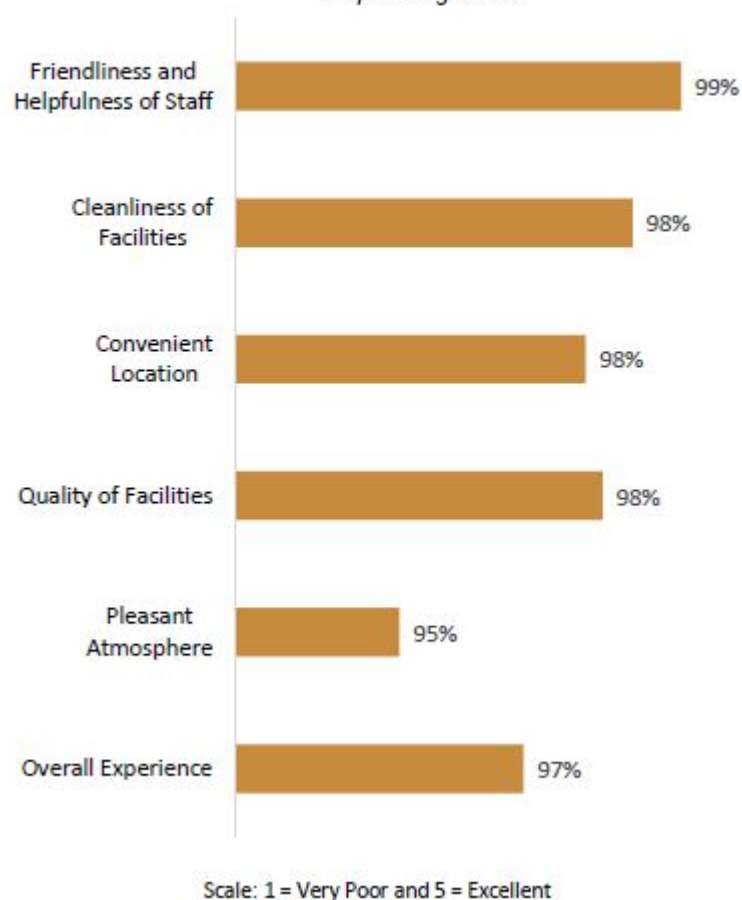
## Visitor Information Topics Researched and Obtained in Golden?

Percentage of GVC Visitors<sup>FU</sup>



## Evaluation of Quality Ratings

Top Box Results - Percentage of GVC Visitors Responding 4 or 5

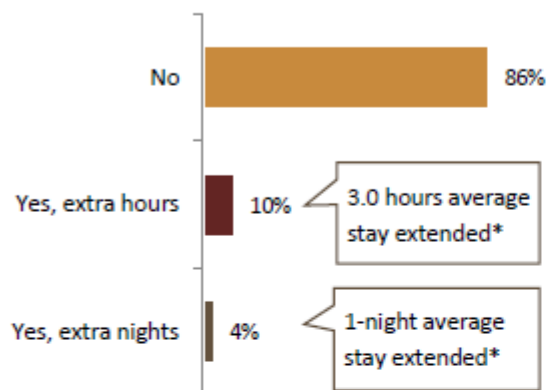




# INCREASE ECONOMIC BENEFIT

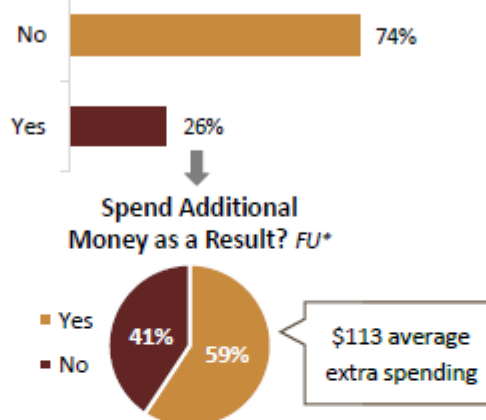
## Extend Stay in Golden due to Information Collected at GVC?

Percentage of GVC Visitors<sup>FU</sup>



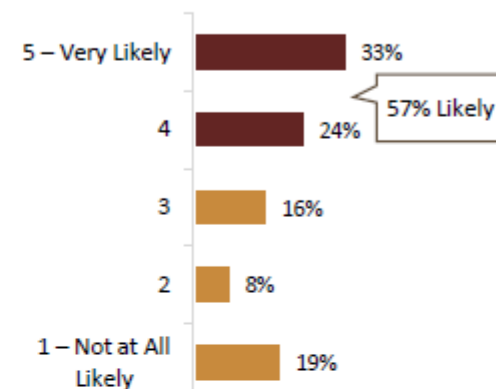
## Participate in New Activities/Places/Events in Golden due to Information Collected at GVC?

Percentage of GVC Visitors<sup>FU</sup>



## Likelihood of Future Overnight Trip Due to Information Obtained at GVC?

Percentage of GVC Visitors<sup>FU</sup>



## Application of Data to June – September 2018 GVC Visitor Party Data Results In:<sup>FU</sup>

**\$218,960** spent in Golden due to visitor extension of their current trip.

**\$114,397** due to extra hours

**\$104,563** due to extra nights

**\$212,415** spent in Golden due to visitors participating in new activities or going to places/events they didn't previously know about.

**\$5,515,251**

total estimated economic benefits due to GVC between June and September 2018.

**\$5,083,875** potential spend in Golden due to visitors returning on a future overnight trip.

Joanne Sweeting  
Executive Director  
Tourism Golden  
250-439-1111  
[joanne@tourismgolden.com](mailto:joanne@tourismgolden.com)





# 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)

## Appearing Before the Board as a Delegation Instructions and Information

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

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

### 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



## REQUEST TO APPEAR AS A DELEGATION

Name of Person or Organization:	Rob Gay (Chair RDEK), Dave Lampron (COO, Columbia Basin Broadband)
Topic of Discussion:	Update from the Regional Broadband Committee
Purpose of Presentation:	<input checked="" type="checkbox"/> Information Only <input type="checkbox"/> Requesting Support <input type="checkbox"/> Requesting Funding <input type="checkbox"/> Other (provide details) <u>Note:</u> A letter outlining the Request or the Information must accompany the Delegation Request form.
Contact Information:	Address: Dave Lampron Phone Number: 778.677.0288 Email Address: dlampron@ourtrust.org
Meeting Date Requested:	June 20th, 2019 at 10:30am

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

Send your completed **Request to Appear as a Delegation Form** to:

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



Your delegation is not confirmed until you are contacted by CSRD staff to confirm your place on the agenda. Please note that your Delegation request may not necessarily be approved for the date requested due to a maximum number of delegations, other commitments, or a particularly heavy Board Agenda of business items.

**Please note the following information:**

1. A fifteen (15) minute time limit is in effect regardless of the number of people in your delegation who wish to speak. Try to leave time for questions.
2. The name of the person and/or group will be published in the agenda and minutes (available to the public and on the CSRD website).
3. If your supporting material is not published in the agenda, bring sufficient handouts for the Board members and staff (15 copies minimum).
4. An immediate answer to your question may not be provided. The request or issue may be referred to staff for more information or to another meeting for further consideration, or it may simply be received.
5. Delegations with regard to any aspect of an Official Community Plan, Zoning or Land Use application/bylaw are prohibited between the conclusion of the Public Hearing and the Adoption of the bylaw.
6. All communication and petitions intended to be presented to the Board must be legibly written, typed, or printed; signed by at least one person; dated; and include a contact phone number or address before being accepted.

**Other Suggestions**

- Arrive 15 minutes in advance of your delegation start time.
- Turn off cell phones and pagers.
- Be prepared and speak clearly.
- Keep your presentation brief and to the point.
- Provide the Recording Secretary with any relevant notes if they have not been handed out or published in the agenda.

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**For Office Use Only:**

☐ Approved ☐ Declined ☐ Other

Appearance Date: \_\_\_\_\_

Applicant informed of appearance date on: \_\_\_\_\_

By: \_\_\_\_\_

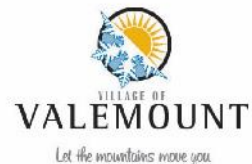
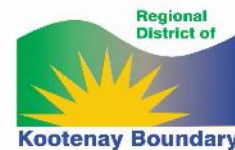
Date: \_\_\_\_\_



# Regional Broadband Committee Update

June 20, 2019

Dave Lampron and Rob Gay



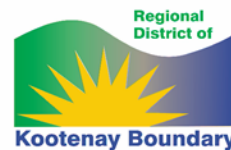
# Purpose

Provide update on prominent topics from the Regional Broadband Committee.



# Regional Broadband Committee

*The Regional Broadband Committee is a united voice to advocate for all our constituents through leadership, knowledge sharing and a common understanding of the current and future needs of high-speed broadband internet services in the region.*



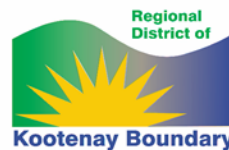


# Regional Broadband Committee: Connectivity Strategy

The purpose of this Connectivity Strategy is to clearly communicate, develop awareness and to obtain support for a plan towards realizing the potential of a highly connected region.

## Targeted Outcomes:

- Retain and grow businesses, create and retain skilled workers and re-invigorate communities.
- Access to health care through advanced tele-medicine diagnostic and specialty care widely available in the region.
- Regional educational institutions have network resources and the capacity to meet 21<sup>st</sup> century learning needs.
- Robust public safety communications systems to ensure that all residents are provided with timely information when needed.



# State of Connectivity in the Basin

## Challenges:

- Regional Districts do not have a firm grasp of magnitude of connectivity gap.
- Identifying areas/communities of priority has been more anecdotal than empirical.
- Federal/provincial data used to determine community eligibility for connectivity granting programs sometimes inaccurate.



# Gathering Data: State of Connectivity in the Basin

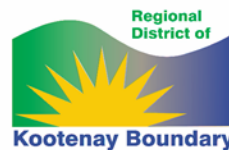


- CIRA's performance test platform 'crowd sources' data (e.g. a resident can access the testing portal and run the performance test as many times as they wish, the CIRA tool captures results of each test).
- Data can be extracted from the portal to extrapolate the state of connectivity for the entire region, an individual Regional District, an electoral area, or a given municipality/village.
- Columbia Basin/Boundary Internet Performance Testing portal: <https://performance.cira.ca/columbiabasin>



# FCM and Notable Advancements for Rural Broadband

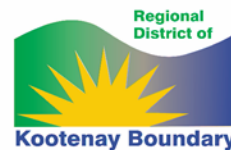
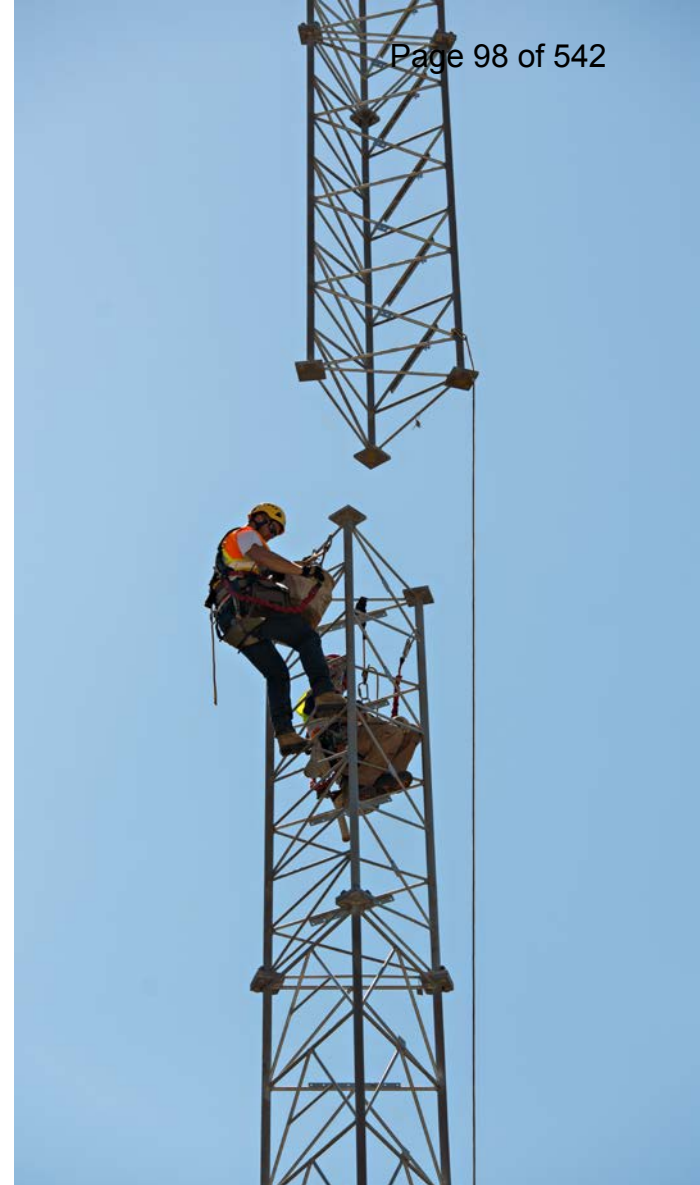
- Federation of Canadian Municipalities – Reliable Internet for Everyone:  
<https://fcm.ca/en/resources/reliable-internet-everyone>
- Federal Budget 2019:
  - Proposes a one-time additional transfer of \$2.2 billion through the federal Gas Tax Fund (GTF) to local communities—doubling the transfer for the year. To address short-term infrastructure priorities, incl. Broadband & Connectivity.
  - Budget 2019 proposes to deliver between \$5 and \$6 billion over 10 years to expand broadband access:
    - \$1.7 billion Universal Broadband Fund to extend backbone infrastructure in underserved communities.
    - \$1 billion in financing via Canada Infrastructure Bank, aiming to leverage an additional \$2 billion in private-sector investment.
- Local Government Act (LGA)
  - Enable regional districts to provide financing for capital costs to Internet service providers where it may not otherwise make sense from a business perspective.





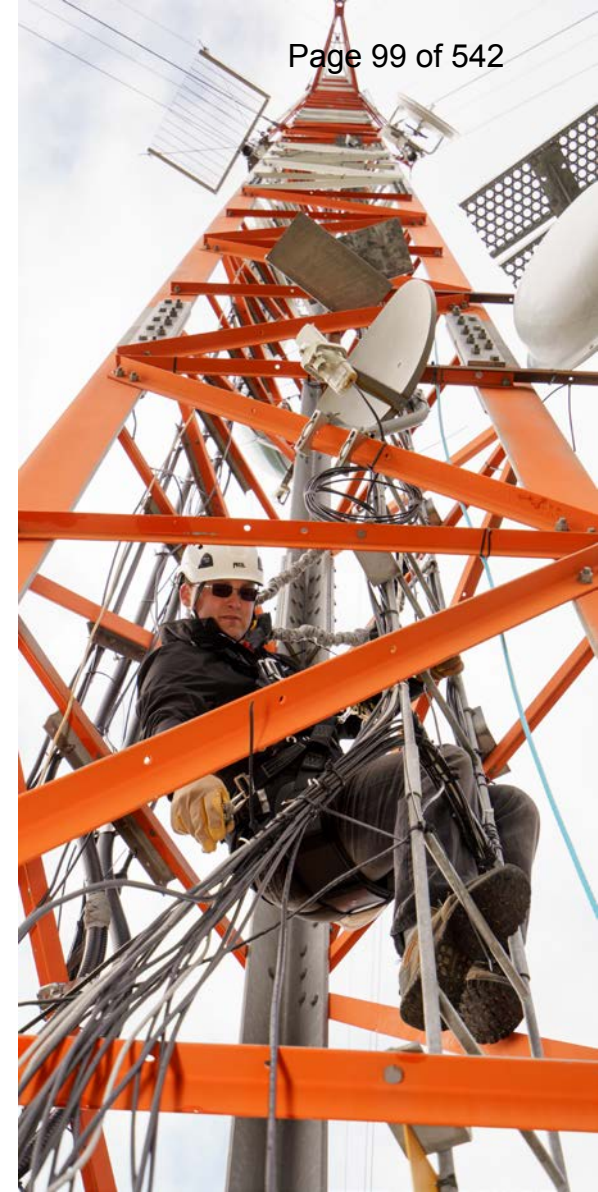
# Upcoming Broadband Grants: CRTC Broadband Fund

- \$750M over 5 years
- First intake expected to open soon
- Eligible Project Types:
  - Backbone
  - Last-mile
  - Mobile wireless/cellular
  - Satellite



# Union of BC Municipalities

- Sept 23-27
- Meeting with Minister Sims
- Presenting a unified and coordinated approach across the Columbia Basin region towards addressing the connectivity gap.



# The Trust's Broadband Initiative

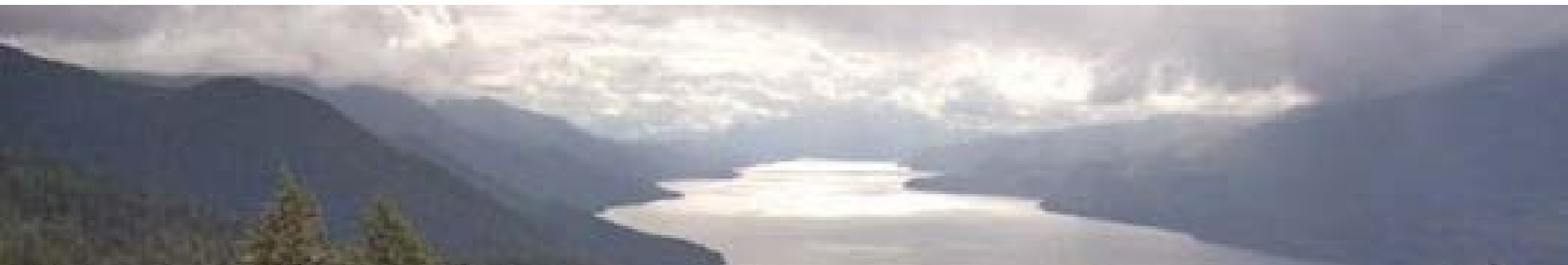
## Objectives:

1. Expand the availability of affordable broadband in the Basin.
2. Enable and facilitate social and economic development initiatives that use broadband technology and the CBBC network.
3. Increase utilization of the CBBC network.



# Connecting BC Projects

- Proposals Approved
  - Jaffray to Roosville
    - 50km in backbone expansion
    - New/improved coverage for 750 households
  - Slocan (Playmor to Shoreholme)
    - 125km in backbone expansion
    - New/improved coverage for 1,400 households



KTUNAXA  
NATION



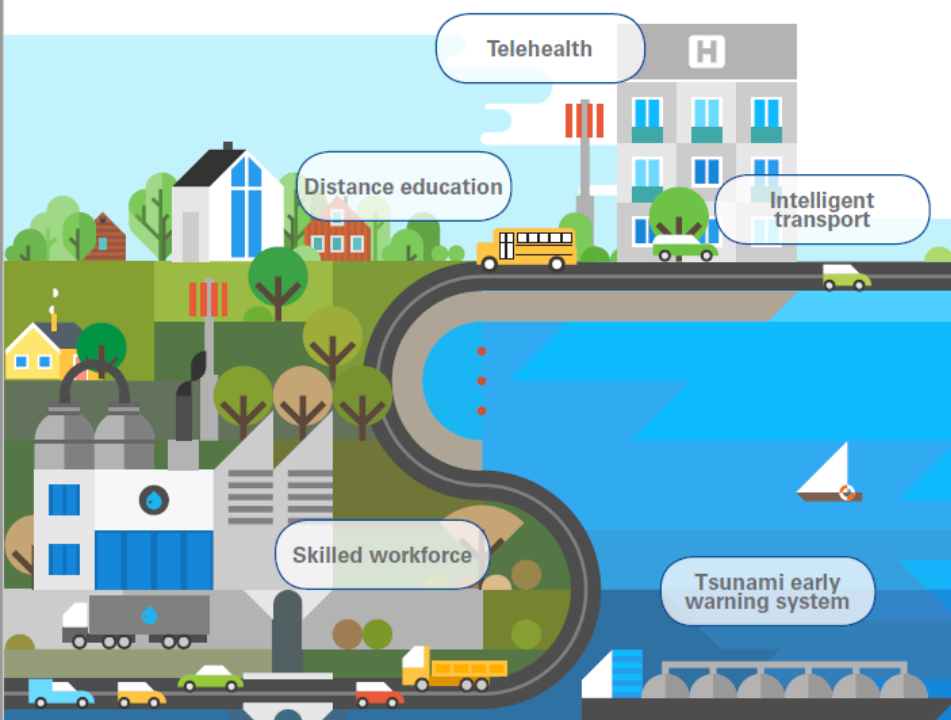
Columbia Basin **trust**





# What's Next...

## Connected Communities



## What is a Connected Community? ●

A *Connected Community* applies a digital mindset to reimagine itself in today's interconnected world. Digitally-empowered *Connected Communities* purposefully integrate technology into all aspects of community development to improve livability, workability and sustainability, while leveraging existing resources in new ways to achieve greater economic, social and environmental outcomes.

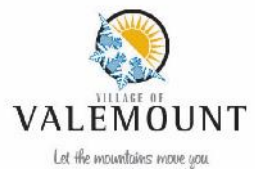
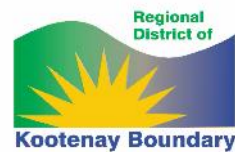




# Thank You



KTUNAXA  
NATION



# Columbia Basin & Boundary Connectivity Strategy



## Columbia Basin & Boundary Connectivity Strategy

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### Purpose of this document

The purpose of this Connectivity Strategy is to clearly communicate, develop awareness and to obtain support for a plan towards realizing the potential of a highly connected region. The audience for this plan is any community member who has an interest in the connectivity of their region. This strategy is based on a shared vision and objectives in relation to clear needs and identified strategic benefits.

This is not an engineering document. It should be used to establish a general approach and framework for prioritizing need for sustainably connecting the Region. This plan should be used to guide more detailed incremental connectivity plans, grant applications and connectivity deployments throughout the Region.

### Ownership of this Plan

This strategy is owned and overseen by the Regional Broadband Committee (RBBC). The RBBC will act as curator for this plan ensuring that it is both updated with regularity and that milestones contained within it are tracked accordingly.

### Region

References to the “Region” in this document mean the area including the Columbia Basin, as defined in the Columbia Basin Trust Act, and the Boundary Region of the Regional District of Kootenay Boundary.

### Background

It is currently cheaper to provide fast and reliable Internet to densely-populated urban centres than it is to provide that same service to rural areas. The traditional economic motivators are clear for Internet providers and large incumbent carriers: the more people living in an area, the more people there are to pay for service. For large incumbent carriers, the business case for providing adequate connectivity in rural areas is absent. That disparity in service has put residents in rural BC at a significant disadvantage compared to urban counterparts. Within the Region, this issue is particularly acute.

Rural business owners, farmers, students, health and technology professionals in the Region are not able to keep up with their counterparts in centres like Vancouver or Kelowna. The magnitude of the task is further intensified by the challenging geography of the Region (mountainous, deep valleys). To address this challenge head-on, help is required both at all levels of government and within communities themselves. The effort to truly connect the Region will require partnerships both large and small.





## Columbia Basin & Boundary Connectivity Strategy

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### Regional Broadband Committee

The Regional Broadband Committee (RBBC), established in 2014, has the following mission:

*'The Regional Broadband Committee is a united voice to advocate for all our constituents through leadership, knowledge sharing, and a common understanding of the current and future needs of high speed broadband Internet services in the region.'*

The RBBC membership consists of one elected official from each of:

- Columbia Shuswap Regional District
- Kootenay Boundary Regional District
- Ktunaxa Nation Council
- Regional District of Central Kootenay
- Regional District of East Kootenay
- Village of Valemount

### Columbia Basin Broadband Corporation

Columbia Basin Broadband Corporation (CBBC) is a wholly owned subsidiary of Columbia Basin Trust (the Trust) created to improve connectivity to Basin communities and rural areas.

The Trust provides funding support for CBBC's ongoing operating costs and the costs of activating CBBC's Open Access<sup>1</sup> fibre optic network in the Region. CBBC acts as the network manager, operator and developer, and as a resource to service providers. CBBC works closely with the RBBC and Basin communities to provide support to those seeking to extend or improve local service.

### Indigenous Connectivity

Comprehensive and robust connectivity is particularly important for Indigenous peoples in both the preservation of language and culture, as well as ensuring the ability to fully participate in the digital economy.

### CRTC: Broadband a Basic Service for All Canadians

In December 2016, the Canadian Radio-television and Telecommunications Commission (CRTC) declared that broadband access Internet service is now considered a basic telecommunications service for all Canadians.<sup>2</sup>

CRTC has set the following Universal Service Objective (USO) targets for the basic telecommunications services that Canadians need to participate in the digital economy:

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<sup>1</sup> <https://muninetworks.org/content/open-access>

<sup>2</sup> Telecom Regulatory Policy CRTC 2016-496, <https://crtc.gc.ca/eng/archive/2016/2016-496.htm>



## Columbia Basin & Boundary Connectivity Strategy

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- Speeds of 50 megabits per second (Mbps) download/10 Mbps upload for fixed broadband Internet access services.
- An unlimited data option for fixed broadband access services.
- The latest mobile wireless technology available not only in homes and businesses, but also along major Canadian roads.

### RBBC's Vision

*'Equitable, affordable high-speed broadband Internet services throughout the region, ensuring rural economic development and sustainable, healthy communities.'*

### RBBC's Benefit Statement

- Information and Communications Technology (ICT) and broadband infrastructure are strategically important tools for economic, education, health, public safety and civic growth and that all communities within the Region should have affordable and reliable Internet access;
- Community based broadband strategies are being developed and regional broadband infrastructure is being strengthened and expanded; and
- The participating organizations in the Region have expressed a desire to explore and develop a regional approach to developing broadband capacity within the Region in order to coordinate and maximize available resources and identify mutually beneficial opportunities.

### Targeted Outcomes

1. Access to and adoption of broadband allows the Region to retain and grow businesses, create and retain skilled workers, and re-invigorate communities.
2. Access to health care through advanced tele-medicine diagnostic and specialty care is widely available in the Region, with broadband in the home sufficient to allow home tele-health services to be provided.
3. Regional educational institutions have network resources and the capacity to meet 21st century learning needs.
4. The Region has robust public safety communications systems to ensure that all residents are provided with timely information when needed.

### Initiative Objectives and Scope

The essence of the objectives are simple: at completion of this plan, the Region should attain at minimum the standard defined by the CRTC Universal Service Objective (USO). Anticipating that the USO will evolve throughout the timespan of this plan, the objectives aim for standards beyond what is currently stated by the CRTC.

The RBBC sets out the following objectives:



## Columbia Basin & Boundary Connectivity Strategy

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1. 100% of critical community assets<sup>3</sup> in the Region will have broadband Internet access speeds of at least 1/1 Gbps.
2. 85% of households in the Region will have broadband Internet access speeds capable of at least a committed 100/10 Mbps<sup>4</sup>.
3. The latest generally deployed mobile wireless technology will be available on every major transportation road<sup>5</sup> in the Region.
4. Within the next 24 months, timelines will be established for achieving the first three objectives.

### Quantifying the Connectivity Gap

While connectivity gaps are recognized and reported by residents of the Region. Empirical data is largely lacking. In 2017, the Northern Development Initiative Trust commissioned KPMG to produce a *Benchmarking Connectivity in British Columbia*<sup>6</sup> report. While the report does provide some useful benchmarking information for urban areas, the CRTC data used<sup>7</sup> to establish connectivity benchmarks for the Region has been found to be inaccurate and understates the actual connectivity gap.

It is important that accurate data be produced to empirically quantify the gap both to assist in determining the acuteness of the problem, as well as establishing a more accurate estimation of the cost of addressing the connectivity gap.

### Cost and the Economics of Rural Connectivity

As noted above, accurate data describing the connectivity gap in the Region is largely lacking. The CRTC roughly estimates the cost to adequately connect rural Canada and the North at \$7 billion.<sup>8</sup> The cost to adequately connect the Region could likely be in a magnitude of several-hundred million dollars.

The business case for large traditional broadband carriers is largely absent in the Region and in most rural areas of Canada. Communities who have waited for traditional broadband carriers to connect their communities have grown weary and discouraged. Unless economic factors for broadband deployment significantly change, waiting for large traditional carriers to address the Region's needs is not a sufficient strategy.

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<sup>3</sup> Critical municipal assets: Hospitals, schools, municipal & emergency services, and downtown business cores

<sup>4</sup> Given the costs and challenging topographies in the region it is not feasibility or realistic to attempt to establish a universal objective. It is hoped that the remaining 15% of households in The Region can achieve 50/10 Mbps

<sup>5</sup> Every numbered highway: <https://www2.gov.bc.ca/gov/content/transportation/transportation-reports-and-reference/numbered-routes>

<sup>6</sup> <https://www.northerndevlopment.bc.ca/connecting-british-columbia-resources/>

<sup>7</sup> <https://crtc.gc.ca/eng/publications/reports/policymonitoring/2016/cmr.htm>

<sup>8</sup> Broadband Connectivity in Rural Canada: Overcoming the Digital Divide: <http://www.ourcommons.ca/DocumentViewer/en/42-1/INDU/report-11>, Page 24



## Columbia Basin & Boundary Connectivity Strategy

Regardless of the inaccuracy of cost, the order of magnitude of the likely cost indicates that no single entity can address the funding challenge alone, and numerous funding sources will need to be leveraged to close the gap in the Region.

### Need for a Regional Approach: Prioritizing the Need

The existence of a coordinated regional approach will increasingly become a prerequisite for government grant funding applications.

The RBBC encourages the regional districts and First Nations communities to continue to coordinate with the Columbia Basin Trust's Broadband Initiative (CBBC) in broadband-related grant proposals.

General criteria for prioritizing a broadband project in the region:

- Number of communities benefiting
- Number of residents/households/businesses within those communities
- Magnitude of connectivity gap
- Cost per resident/household
- Existence of willing funding partners
- Existence of community champions
- Existence of technical, project management, and financial expertise required to complete and operate a project
- Long-term sustainability

### Potential Funding Sources

Potential funding sources required to achieve this plan will be quite varied. The predominant funding sources are listed in the following table:

Government of Canada	Via programs such as those managed through either Innovation, Science and Economic Development, CRTC and/or Infrastructure Canada
BC Government	Via programs such as Connecting BC managed by NDIT
Regional Districts	Via Gas Tax funds, taxation
Municipalities	Via individual programs within given municipality
Columbia Basin Trust	Via the Trust's Broadband initiative
All Nations Trust Company (ANTCO)	e.g. Pathways to Technology
Carriers and Internet Service Providers	Individual service providers (both for-profit and non-profit)



## Columbia Basin & Boundary Connectivity Strategy

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### Sustainability

Given the likely lengthy time-line of implementation and realization of this strategy, the rapid cycle to obsolescence of technology must be carefully monitored. Detailed construction/deployment and the associated operational plans must incorporate effective procedures and associated financial planning from implementation through to ongoing operations. In order to achieve optimal use of infrastructure, an asset lifecycle plan should be developed to ensure their proper servicing, upgrading, renewal and disposal.

### Living Plan: Evolution of Technology

It is imperative that this plan remain 'living'. As technologies advance, so should the parameters of this strategy. A breakthrough in new technologies could completely change the profile of this plan. This plan should be reviewed and refreshed at minimum every 24 months. Some of the technologies that may prove impactful in the coming years include: **Low-Orbit Satellites<sup>9</sup>** and **5G<sup>10</sup>**.

### Timelines, Risk and Probability

It is important to underscore that statements in this strategy have dependencies that are outside of the realm and control of the plan's authors. Specifically, addressing the connectivity gap in the region will require committed and sustained funding to do so. At the time of writing, adequate committed funding was largely absent. Therefore, this strategy cannot make confident statements about when objectives could be achieved. It is hoped that this strategy will assist in securing stable funding commitments so that objectives can be stated in more accurate time-related certainty in future versions of this document.

Without both a coordinated regional approach and secured and committed funding, there is a risk this strategy will not be viable.

<sup>9</sup> <https://www.wired.com/story/can-these-small-satellites-solve-the-riddle-of-Internet-from-space/>

<sup>10</sup> <https://www.rcrwireless.com/20180114/opinion/debunking-5-common-myths-about-5g-reality-check-Tag10>



## Columbia Basin & Boundary Connectivity Strategy

A clear benchmark indicator needs to be established so that residents can clearly monitor progress:



## Columbia Basin & Boundary Connectivity Strategy

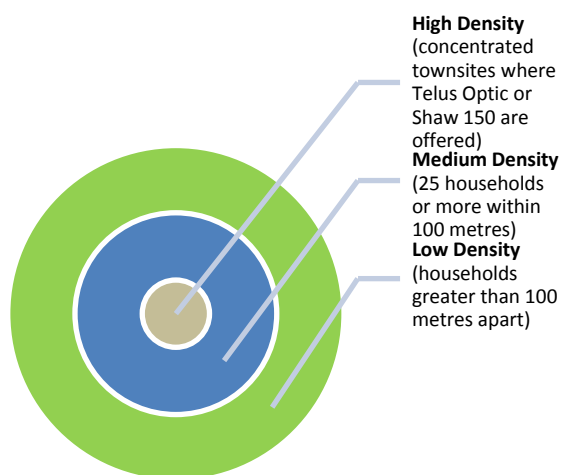
### Appendix: Scope, Specific Objectives and Planned Measurements

#### Scope

The scope of this plan covers all communities and surrounding households in the Region that are considered underserved. The following table outlines the criteria for what is considered underserved and thus in scope of this plan:

Type	Minimum Standard
<b>Critical Community Asset</b>	Broadband Internet access speeds capable of at least 1/1 Gbps
<b>Medium-Density Communities</b>	Broadband Internet access speeds capable of at least a committed 100/10 Mbps
<b>Low-Density Communities</b>	Robust fixed wireless service capable of 50/10 Mbps
<b>Major Transportation Road</b>	Latest generally deployed mobile wireless technology available

Most high-density communities<sup>11</sup> (homes and businesses clustered within a concentration of 25 or more, within 100 metres of each other within the Region) are considered to have ‘adequate’ connectivity, where either Shaw 150 or Telus Optic have a service offering (e.g. services approximately capable of the CRTC USO) costs of bringing those communities to the stated standards are not the focus of this strategy. It should be noted that although connectivity within the core of high-density communities is largely considered adequate, surrounding areas are often underserved.



<sup>11</sup> Examples of high-density communities in The Region: Cranbrook, Castlegar, Rossland, Nelson, Grand Forks



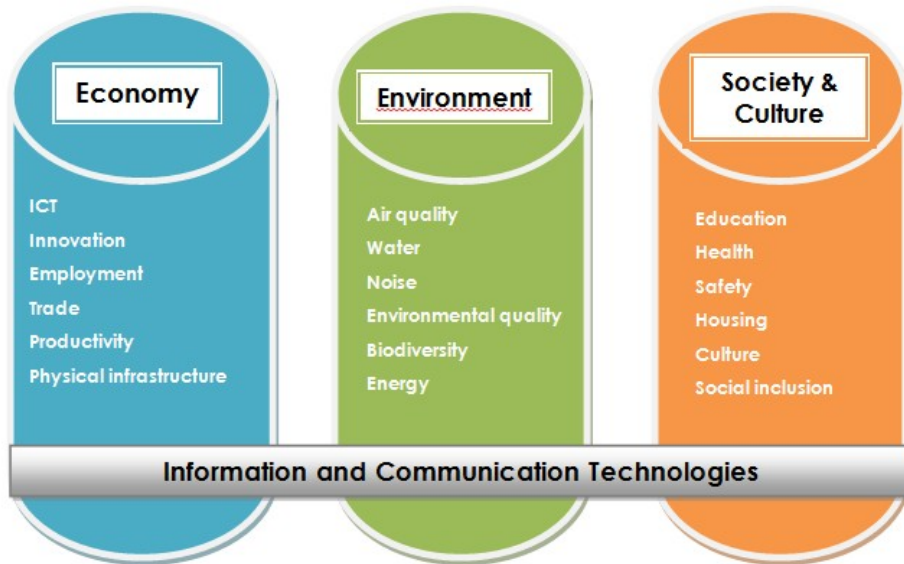


## Columbia Basin & Boundary Connectivity Strategy

### Specific Objectives

The United Nations Economic Commission for Europe (UNECE) in cooperation with the International Telecommunication Union (ITU) developed a proposal for a set of Smart Sustainable Cities Indicators.<sup>12</sup> The main objective of the UNECE “United Smart Cities” project, within which the draft Smart Sustainable Cities Indicators (SSCIs) have been elaborated, is to support regions/cities, *with economies in transition, to improve their sustainable growth while focusing on a more transparent and efficient use of their resources. Sustainable growth can also be achieved with easier access to new and affordable technologies and will result in better living conditions for citizens.*

**The UNECE–ITU Smart Sustainable Cities Indicators (SSCI) visual representation:**



<sup>12</sup> [http://www.unece.org/fileadmin/DAM/hlm/documents/2015/ECE\\_HBP\\_2015\\_4.en.pdf](http://www.unece.org/fileadmin/DAM/hlm/documents/2015/ECE_HBP_2015_4.en.pdf)



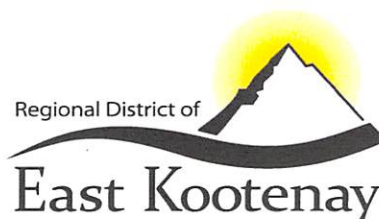
## Columbia Basin & Boundary Connectivity Strategy

### Targeted Outcomes and Planned Measurements

The RBBC proposes use of selected UNECE–ITU Smart Sustainable Cities Indicators (SSCI) to assist in measuring progress towards the targeted outcomes.

Targeted Outcomes	Smart Sustainable Cities Indicators (SSCI)
Access to and adoption of broadband allows the Region to retain and grow businesses, create and retain skilled workers, and re-invigorate communities.	<ul style="list-style-type: none"> <li>• Attractiveness for skilled people</li> <li>• Employment trends</li> <li>• ICT infrastructure</li> <li>• Internet access in household</li> <li>• e-Commerce transactions</li> </ul>
Access to health care through advanced tele-medicine diagnostic and specialty care is widely available in the Region, with broadband in the home sufficient to allow home tele-health services to be provided.	<ul style="list-style-type: none"> <li>• Adoption of telemedicine</li> <li>• Life expectancy</li> <li>• Electronic records</li> <li>• Sharing of medical resources</li> <li>• Maternal mortality trends</li> </ul>
Regional educational institutions have network resources and the capacity to meet 21st century learning needs.	<ul style="list-style-type: none"> <li>• Students' ICT capability</li> <li>• Adult literacy trends</li> <li>• Higher education ratio</li> </ul>
The Region has robust public safety communications systems to ensure that all residents are provided with timely information when needed.	<ul style="list-style-type: none"> <li>• Vulnerability assessment</li> <li>• Disaster mitigation plans</li> <li>• Emergency response</li> <li>• Disaster and emergency alert</li> </ul>





Uhh 616 012  
Nhz 646 002

October 9, 2018

Dave Lampron, Chief Operating Officer  
Columbia Basin Broadband Corporation  
Suite 300, 445 – 13 Ave.  
Castlegar BC V1N 1G1

via email: [dlampron@cbt.org](mailto:dlampron@cbt.org)  
(original to follow)

Dear Mr. Lampron:

**Re: Connecting BC Grant**

On October 5, 2018, the RDEK Board of Directors adopted the following resolutions:

**THAT the RDEK supports Columbia Basin Broadband Corporation's application to the Connecting BC Program for a backbone build between Jaffray and Roosville.**

**THAT the RDEK endorses the Regional Broadband Committee's Connectivity Strategy.**

The RDEK supports the enhancement and completion of the provision of broadband infrastructure in the region and we wish you success with your application.

Sincerely,

Shannon Moskal  
Corporate Officer

Resolutions 48079 and 48078



Box 590, 202 Lakeside Drive, Nelson, BC V1L 5R4  
**Telephone:** (250) 352-6665  
**BC Toll Free:** 1-800-268-7325

**Web:** [www.rdck.ca](http://www.rdck.ca)  
**Email:** [info@rdck.bc.ca](mailto:info@rdck.bc.ca)  
**Fax:** (250) 352-9300

File No. 0270-20-CBT

October 25, 2018

Dave Lampron  
Columbia Basin Broadband Corporation  
Via Email: [dlampron@cbt.org](mailto:dlampron@cbt.org)

Dear Mr. Lampron:

**RE: REGIONAL BROADBAND COMMITTEE'S CONNECTIVITY STRATEGY**

On behalf of the Board of the Regional District of Central Kootenay (RDCK), it is my pleasure to advise you that the Board passed a resolution at its meeting on October 18, 2018 endorsing the Regional Broadband Committee's Connectivity Strategy to make high-speed internet connectivity available throughout the region.

699/18            That the Board endorse the Regional Broadband Committee's Connectivity Strategy.

If you require anything further, please do not hesitate to contact Stuart Horn, [shorn@rdck.bc.ca](mailto:shorn@rdck.bc.ca) or (250) 352-8152.

Sincerely,

Karen Hamling  
RDCK Board Chair



October 11, 2018

Columbia Basin Broadband Corporation  
**Attn: Dave Lampron, Chief Operating Officer**

via email: [dlampron@cbt.org](mailto:dlampron@cbt.org)

**Re: Endorsement of Columbia Basin and Boundary Connectivity Strategy**

With respect to the above-referenced subject, this is to advise that the Regional District of Kootenay Boundary Board of Directors adopted the following recommendation at a meeting held September 27 2018:

**416-18**

**Corporate Vote Unweighted**

That the Regional District of Kootenay Boundary Board of Directors endorses the Regional Broadband Committee's *Columbia Basin and Boundary Connectivity Strategy* and approves the approach as stated in the Columbia Basin/Kootenay Boundary Regional Broadband Committee's Memo dated September 13, 2018 as presented to the RDKB Board of Directors on September 27, 2018.

The RDKB Board of Directors thanks you for the work that has been accomplished to date, and looks forward to further dialogue with our partners to achieve the goals as set out in the strategy.

Sincerely,

A handwritten signature in black ink, appearing to read "Theresa Lenardon".

Theresa Lenardon,  
Manager of Corporate Administration/Corporate Officer

**From:** [Jennifer Sham](#)  
**To:** [Dave Lampron](#)  
**Cc:** [Director Martin](#)  
**Subject:** Columbia Basin Boundary Connectivity Strategy endorsement  
**Date:** October 29, 2018 10:46:14 AM  
**Attachments:** [image002.png](#)  
[image003.png](#)

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Dave Lampron,

At the regular Board meeting on October 18, 2018, the Columbia Shuswap Regional District Board enthusiastically and unanimously passed the following resolution:

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

Please let me know if you need more information; the minutes for the October meeting can be found [here](#).

Thank you,

**Jennifer Sham**, MCIP RPP  
Assistant Deputy Corporate Officer  
**Columbia Shuswap Regional District**  
D: 250.833.5922 | F: 250.832.3375 | TF: 1.888.248.2773  
E: [jsham@csrd.bc.ca](mailto:jsham@csrd.bc.ca) | W: [www.csrd.bc.ca](http://www.csrd.bc.ca)



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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.





**TO:** Columbia Shuswap Regional District, Ktunaxa Nation Council, Regional District of Central Kootenay, Regional District of East Kootenay, Regional District of Kootenay Boundary and Village of Valemount

**FROM:** Columbia Basin/Boundary Regional Broadband Committee

**DATE:** April 15, 2019

**SUBJECT:** Measuring the State of Broadband Connectivity in the Columbia Basin/Kootenay Boundary

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**Purpose:**

1. This memo seeks to provide an overview of the proposed approach for gathering and measuring the state of broadband connectivity in the Columbia Basin and Boundary region and provides regional district board with the key features to be able to endorse and promote resident participation.

**Regional Broadband Committee:**

2. The Regional Broadband Committee (RBBC) was established in 2014 and includes elected officials from Columbia Shuswap Regional District, Ktunaxa Nation Council, Regional District of Central Kootenay, Regional District of East Kootenay, Regional District of Kootenay Boundary and Village of Valemount.
3. The mission statement of the RBBC is:
  - *The Regional Broadband Committee is a united voice to advocate for all our constituents through leadership, knowledge sharing, and a common understanding of the current and future needs of high-speed broadband internet services in the region.*

**Background:**

4. In Fall of 2018, the RDEK, RDCK, RDKB and CSRD formally endorsed the Columbia Basin/Kootenay Boundary Connectivity Strategy.
5. The strategy's goal is to attain at minimum the standard defined by the Canadian Radio-television and Telecommunications Commission (CRTC) Universal Service Objective (USO)<sup>1</sup> for the residents and businesses within Columbia Basin and Boundary regions, ideally beyond the USO, and do so in a timely manner.

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<sup>1</sup> <https://crtc.gc.ca/eng/internet/internet.htm>

### **The Connectivity Problem:**

6. The state and magnitude of rural connectivity challenges are not generally as well known or understood.
7. Both the CRTC and the federal Ministry of Innovation, Science and Economic Development (ISED) collect data on the state of connectivity in Canada. The source of this data is generated primarily from self-reporting by dominant telecommunication carriers.
8. This data is used to determine community eligibility for both federal and provincial connectivity granting programs.
9. Data for the Region has at times been found to be inaccurate and sometimes understates the actual connectivity gap. Further, some underserved communities have been deemed as ineligible for vital broadband granting programs.
10. The CRTC roughly estimates the cost to adequately connect rural Canada and the North at \$7 billion.<sup>2</sup> However, this figure is calculated based on the data described above.

### **Quantifying the Connectivity Problem:**

11. The Regional Broadband Committee has partnered with the Columbia Basin Trust's Broadband Initiative to subscribe to the Canadian Internet Registry Authority's (CIRA) Internet Performance Test.
12. A CIRA Internet Performance Testing portal has been created to capture data for the Columbia Basin/ Boundary areas <https://performance.cira.ca/columbiabasin>
13. CIRA's performance test platform aims to 'crowd source' data regarding connectivity performance directly from residents (e.g. a resident can access the testing portal and run the performance test as many times as they wish, the CIRA tools captures results of each test).
14. Data can be extracted from the portal to extrapolate the state of connectivity for the entire region, an individual Regional District, an electoral area, or a given municipality/village.

### **Making Residents Aware of the Performance Test Portal**

15. The more data that we have for the region, the better information we can extrapolate about the true state of connectivity for our communities. This information can then be used to prioritize areas in need.

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<sup>2</sup> Broadband Connectivity in Rural Canada: Overcoming the Digital Divide:  
<http://www.ourcommons.ca/DocumentViewer/en/42-1/INDU/report-11>, Page 24

16. The Regional Broadband Committee would like to encourage respective councils and districts to endorse the use of the Columbia Basin/ Boundary Internet Testing Portal (the portal). Further, we encourage each regional district to utilize means at their disposal to encourage residents to use the testing portal to increase the data set for our Region. Some suggested ways of sharing this platform are included below:

- Include a short description of the portal and why residents should participate in your monthly/regular email newsletter.
- Promote the link on your social media pages.
- Introduce at your town hall meetings.
- Include a link and description of the portal on your website.

17. For further support on developing the above content, you may reach out to Emily Gilmar, Manager of Communications at Columbia Basin Trust [egilmar@cbt.org](mailto:egilmar@cbt.org).

**Endorsement:**

18. The RBBC seeks support from each member Board/Council in the approach stated in the memo.

**From:** Minister, ENV ENV:EX [<mailto:ENV.Minister@gov.bc.ca>]  
**Sent:** Monday, June 03, 2019 3:54 PM  
**To:** Director Martin <[RMartin@csrd.bc.ca](mailto:RMartin@csrd.bc.ca)>  
**Cc:** Downie, AJ ENV:EX <[AJ.Downie@gov.bc.ca](mailto:AJ.Downie@gov.bc.ca)>; 'rniewenhuizen@salmonarm.ca' <[rniewenhuizen@salmonarm.ca](mailto:rniewenhuizen@salmonarm.ca)>; Lynda Shykora <[LShykora@csrd.bc.ca](mailto:LShykora@csrd.bc.ca)>  
**Subject:** RE: CSRD 2018 Solid Waste Management Plan Amendment - Letter to Minister  
**Importance:** High

Reference: 315309  
X-Reference: 10400-60/SWMP CSRD

*June 3, 2019*

Rhona Martin, Chair  
and Directors  
Columbia Shuswap Regional District  
Email: [rmartin@csrd.bc.ca](mailto:rmartin@csrd.bc.ca)

Dear Chair Martin and Directors:

I am pleased to respond to your submission of an amendment to the Solid Waste Management Plan (SWMP) for the Columbia Shuswap Regional District (CSRD).

Ministry staff have reviewed your amendment, consultation report and accompanying documentation. The amendment is a testament to your continued efforts to provide cost effective solid waste solutions for the citizens of the CSRD. I recognize and appreciate how this additional space supports the Zero Waste approach adopted by your regional district and provides significant cost savings to your citizens.

I have noted that your consultation process has revealed both moderate general support for the proposed expansion of the Salmon Arm landfill and strong opposition from the residents living closest to the facility. I commend the wide-ranging approach taken to public consultation on this amendment and your willingness to hear all concerns. I am satisfied that adequate public consultation has been conducted.

I also note that the amendment recognizes areas in which consultation could be enhanced and discusses strategies to improve relationships with stakeholders by sharing more information with the community and operating your facilities according to best practices. I trust that, under your leadership, executing these strategies will help improve the community's view of the CSRD's approach to waste management.

The Ministry of Environment and Climate Change Strategy would like to take this opportunity to strengthen your plan by encouraging your commitment to best practices through the setting of dates for you to submit SWMP components that are recommended by the Province's guidelines but are currently absent from your plan. Therefore, pursuant to Section 24(5) of the *Environmental Management Act*, I hereby approve the waste management plan amendment entitled *Columbia Shuswap Regional District Solid Waste Management Plan Amendment*:

*Salmon Arm Landfill Acquisition and Property Acquisition Guidelines*, dated March 2018, with the following additional requirements:

1. By August 24, 2021, the CSRD will submit to the director Landfill Criteria Conformance Reviews, for the following landfills:
  - Golden Landfill with the site-specific authorization Operational Certificate 17006;
  - Revelstoke Landfill with the site-specific authorization Operational Certificate 15821; and
  - Salmon Arm Landfill with the site-specific authorization Operational Certificate MR-05479.

The Landfill Criteria Conformance Reviews must be in accordance with the *Landfill Criteria for Municipal Solid Waste*, second edition, June 2016, (Landfill Criteria) Section 2.2 Conformance of Existing Landfills and include:

- (a) a comparison and evaluation of the conformance status of each landfill with all applicable sections of the Landfill Criteria, and;
  - (b) if non-conformance(s) with the Landfill Criteria are identified, Landfill Criteria Upgrading Plan(s), including action plan(s) and schedule(s) for all proposed upgrades to conform to the Landfill Criteria, and technical and environmental justification for any proposed exceptions from the Landfill Criteria.
2. The CSRD shall develop a dispute resolution process in accordance with Section C.1.1 of *A Guide to Solid Waste Management Planning*, September 2016. The Columbia Shuswap Regional District must:
  - (a) consult with the Ministry of Environment and Climate Change Strategy, Regional Operations Branch; and
  - (b) engage in meaningful consultation with potentially affected stakeholders in accordance with sections 25(4) and 27(1) of the *Environmental Management Act*.

The final version of the dispute resolution process must be submitted to the director by March 31, 2023.

3. In accordance with Section C.3 of *A Guide to Solid Waste Management Planning*, September 2016 (Guide), the CSRD shall submit, to the satisfaction of the director, a Five-Year Effectiveness Review in accordance with Section C.3.3 of the Guide by March 31, 2023. In addition to the items listed in Section C.3.3 of the Guide, the review must also include any waste composition studies completed during the plan's implementation.
4. The CSRD shall submit a full plan renewal to the Minister of Environment and Climate Change Strategy by December 31, 2028 or earlier, as applicable.

For clarity I would like to mention that the approval of the *Columbia Shuswap Regional District Solid Waste Management Plan Amendment: Salmon Arm Landfill Acquisition and Property Acquisition Guidelines*, dated March 2018, does not replace the *2009 Regional Solid Waste Management Plan* that achieved ministerial approval on July 8, 2009 and was updated on March 20, 2015, by the document entitled *Columbia Shuswap Regional District Solid Waste*



*Management Plan Review and Update.* Until your SWMP is replaced by a full plan renewal, all three of these reports remain active pieces of this living and dynamic document.

In closing, I commend the Board and staff of the Columbia Shuswap Regional District on their proactive approach to solid waste management and your renewed commitment to improved consultation strategies and best operational practices.

Sincerely,

George Heyman  
Minister

cc: AJ Downie, Regional Director, Authorizations South, Environmental Protection Division,  
Ministry of Environment and Climate Change Strategy  
Robert Niewenhuizen, Director of Engineering and Public Works, City of Salmon Arm  
Lynda Shykora, Deputy Manager, Corporate Administration Services, Columbia  
Shuswap Regional District

**From:** Minister, ENV ENV:EX  
**Sent:** Tuesday, June 12, 2018 1:35 PM  
**To:** 'RMartin@csrd.bc.ca'  
**Cc:** 'lshykora@csrd.bc.ca'; Lachance, Luc ENV:EX  
**Subject:** RE: CSRD 2018 Solid Waste Management Plan Amendment - Letter to Minister  
**Importance:** High

Reference: 315312i  
X-Reference: 10400-60/CSRD SWMP

*June 12, 2018*

Rhona Martin, Chair  
and Directors  
Columbia Shuswap Regional District  
Email: [RMartin@csrd.bc.ca](mailto:RMartin@csrd.bc.ca)

Dear Chair Martin and Directors:

Thank you for your email of April 4, 2018, regarding Columbia Shuswap Regional District Solid Waste Management Plan.

This email is to confirm the receipt of your correspondence and to inform you that it has been forwarded to Ministry of Environment and Climate Change Strategy staff in the Environmental Protection Division for their review.

Staff will conduct their review as quickly as possible.

Thank you again for your submission.

Sincerely,

George Heyman  
Minister

cc: Lynda Shykora, Deputy Manager, Columbia Shuswap Regional District  
([lschykora@csrd.bc.ca](mailto:lschykora@csrd.bc.ca))  
Luc Lachance, Authorizations Section Head, Ministry of Environment and Climate  
Change Strategy ([Luc.Lachance@gov.bc.ca](mailto:Luc.Lachance@gov.bc.ca))

**From:** Lynda Shykora [<mailto:LShykora@csrd.bc.ca>]  
**Sent:** Wednesday, April 4, 2018 1:43 PM  
**To:** Minister, ENV ENV:EX  
**Cc:** Director Martin; Ben Van Nostrand; Darcy Mooney; Phaedra Turner; Jennifer Graham; Charles Hamilton  
**Subject:** FW: CSRD 2018 Solid Waste Management Plan Amendment - Letter to Minister  
**Importance:** High

Good afternoon,

This email message is being sent on behalf of Chair Rhona Martin, Columbia Shuswap Regional District. The email message includes a letter to Minister of Environment, George Heyman, along with the Final Report CSRD SWMP Land Acquisition Amendment document.

Regards,

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



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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.



# 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)

April 4, 2018

5360 08

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

The Honorable George Heyman  
Minister of Environment and Climate Change Strategy  
PO Box 9047 Stn Prov Govt  
VICTORIA, BC V8W 9E2

Dear Minister Heyman:

**RE: 2018 Solid Waste Management Plan Amendment**

Please find enclosed for your approval, the Columbia Shuswap Regional District's (CSRD) updated 2018 Solid Waste Management Plan. The Plan was approved by the Board of Directors at its March 29, 2018 regular meeting where the following resolutions were authorized:

*THAT: the Board endorse the 2018 updated Solid Waste Management Plan amendment;*

*AND THAT: the Board authorize staff to submit the amended Solid Waste Management Plan to the Ministry of Environment for approval.*

The CSRD would like to acknowledge the guidance and direction received from Ministry of Environment regional office staff members Mr. Kirk Phair and Mr. Luc Lachance, who advised that an amendment to the CSRD's Solid Waste Management Plan (SWMP) would be necessary in order to facilitate the purchase of a 20 acre parcel of land for solid waste management purposes. As a result, CSRD staff, along with the assistance of a qualified professional, conducted a robust public consultation program and have prepared a comprehensive report for your review.

The report entitled "Columbia Shuswap Regional District Solid Waste Management Plan Amendment: Salmon Arm Landfill Acquisition and Property Acquisition Guidelines" summarizes the results of the public consultation work and is submitted to support the approval of both the purchase of the subject property and the requested SWMP amendment. The report also seeks endorsement of the criteria established for future land acquisition opportunities for solid waste purposes.

We would very much appreciate an expedited review and approval of the amended SWMP due to the fact that the CSRD has entered into a purchase agreement, subject to various conditions, for the land proposed as future landfill expansion. The CSRD is confident you will find the amended 2018 Solid Waste Management Plan satisfactory and inclusive, and we look forward to receiving your approval.

Yours truly,

**COLUMBIA SHUSWAP REGIONAL DISTRICT**

Per:

Rhona Martin, Chair

Encl.

#### 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



## **Discussion Paper to solicit feedback from Local Governments about Class D Licences**

June 3, 2019

### **Provincial Meat Inspection**

The overall objective of the provincial meat inspection program is to provide a credible regulatory system that is effective in ensuring food safety and animal welfare, while providing sufficient flexibility to enable a competitive slaughter industry with capacity for livestock producers of all sizes across B.C. The Ministry of Agriculture (Ministry) is committed to working with operators of all types and sizes to support development of cost-effective and innovative slaughter capacity solutions in all regions of the province.

Class D licences are only available in the ten regional districts that have been designated in regulation. Class D licence holders may slaughter up to 11,340 kilograms (25,000 pounds) of their own or other people's animals per year, for direct sales to consumers or to food businesses such as restaurants and meat shops in the regional district in which the meat was produced.

### **Select Standing Committee on Agriculture, Fish and Food Report**

In 2018, the all-party Select Standing Committee on Agriculture, Fish and Food (Committee) led a comprehensive engagement process with stakeholders on the current meat inspection system. The Committee gathered input by travelling throughout the province and speaking with local citizens to ensure opportunity for interested parties to participate.

The Committee released their report with 21 recommendations for government related to licensing and oversight, skilled labour and workforce, and industry growth and development. The Ministry is seeking further feedback on recommendation #3 related to Class D licensing:

**#3:** Help Class D and E licensed producers reach markets closer to home by investigating alternative boundary restrictions for sales, other than regional districts.

### **Invite Feedback**

To support rural slaughter capacity, the Ministry would like to invite input on:

- proposals for new Class D regions or sub-regions; and
- designation of new regions or sub-regions.

The Ministry has received submissions related to this topic in the past. This invitation for feedback is an opportunity to present new ideas, and for updating and consideration of previous input in the context of the Committee's report.

For more information about Class D licences please visit:

<https://www2.gov.bc.ca/gov/content/industry/agriculture-seafood/food-safety/meat-inspection-licensing/class-d-e-licences>

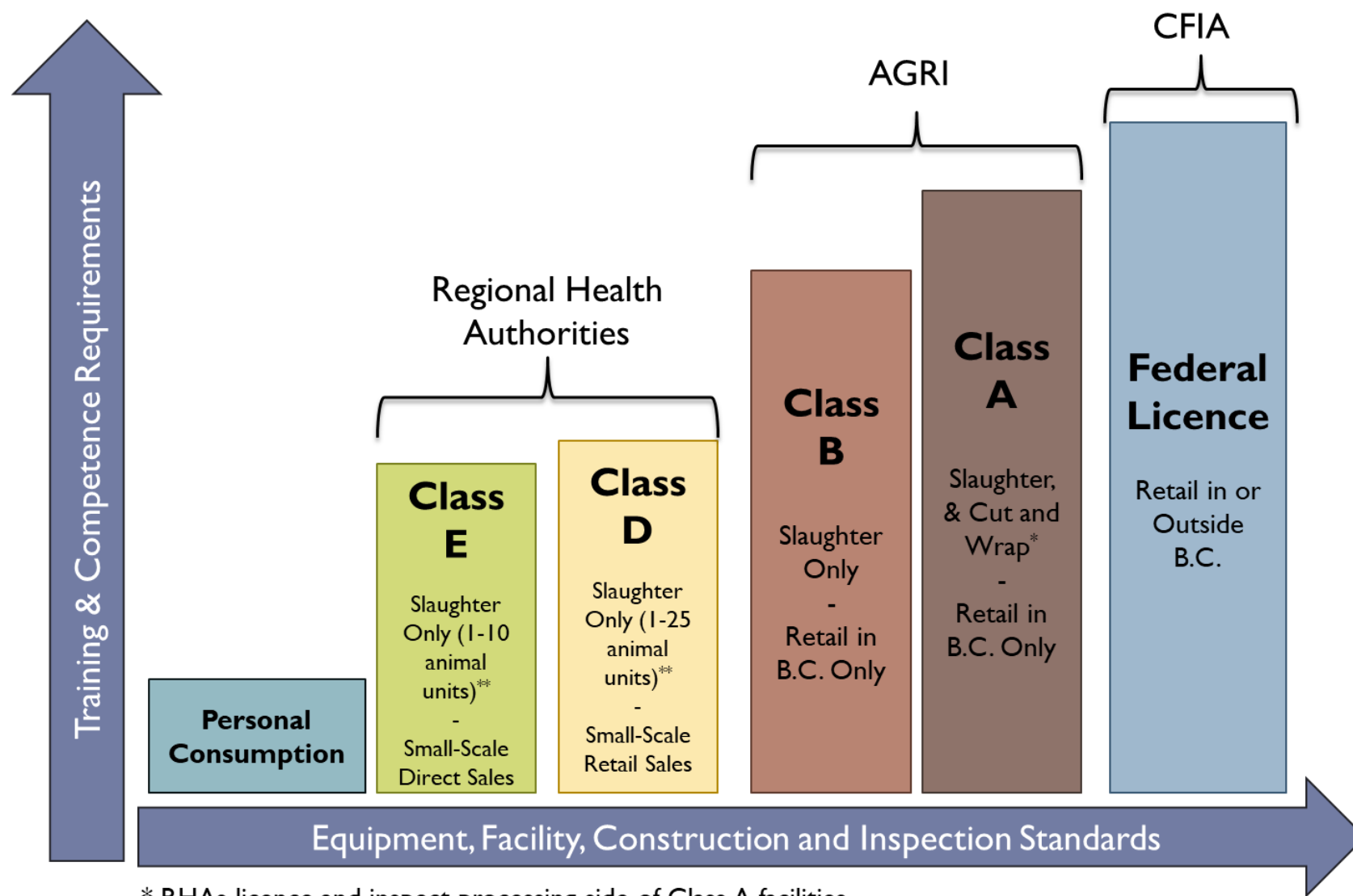
Please submit feedback by **July 19, 2019** (in Word or PDF format only) to

[bcmeatinspection@gov.bc.ca](mailto:bcmeatinspection@gov.bc.ca)

**Please note:** Only submissions from local governments will be accepted.



# Four Classes of Slaughter Licences



\* RHAs licence and inspect processing side of Class A facilities

\*\* One animal unit = combined weight, when measured alive, of 1,000 lbs or 454 kg of meat

**From:** Lets Talk Trash [<mailto:letstalktrashteam@gmail.com>]  
**Sent:** May 21, 2019 3:39 PM  
**To:** Inquiries <[inquiries@csrd.bc.ca](mailto:inquiries@csrd.bc.ca)>  
**Subject:** Letter to the Ministry to expand recycling for the ICI sector

Dear Columbia Shuswap Board of Directors,

The qathet Regional District (formerly Powell River Regional District) is experiencing a gap in recycling options for the Industrial, Commercial and Institutional (ICI) sector and is putting pressure on the Ministry of the Environment and Climate Change Strategy (MOECCS) to expand the Recycling Regulation to include the ICI sector for all printed paper and packaging (PPP). We know many voices are louder than one and invite you to take a look at a letter, signed by our Board Chair and sent to the Minister. This letter includes a list of possible short and long term options. We have included a template letter to use as a guide to send your own letters.

If you do send a letter to the MOECCS please cc the qathet Regional District CAO, Al Radke ([aradke@qathet.ca](mailto:aradke@qathet.ca)).

The qRD plans to bring this issue to UBCM and welcomes all of your support.

Many thanks

Tai Uhlmann



**qathet Regional District's  
Waste Reduction Education Team**  
(Abby McLennan, Tai Uhlmann & Ingalisa Burns)  
604-485-2260  
[letstalktrash.ca](http://letstalktrash.ca)



April 29, 2019

The Honourable George Heyman  
Minister of the Environment and Climate Change Strategy  
Room 112 Parliament Buildings  
Victoria, BC V8V 1X4

Dear Minister:

BC is known across Canada and North America as a leader in Extended Producer Responsibility (EPR).

Most recently, in 2014, the BC Recycling Regulation was expanded to include Packaging and Paper Products (PPP) which changed the landscape of recycling in BC and has resulted in improved recycling for the residential sector.

However, there is a gap in service and the qathet Regional District is writing to ask that the Ministry of Environment and Climate Change Strategy (MOECCS) expand the scope of the Recycling Regulation for PPP to include the Industrial Commercial and Institutional (ICI) sector.

In 2014, many British Columbia local governments signed on to the Multi Materials BC (now Recycle BC) program. The program is only responsible for residential PPP, leaving the ICI sector, including schools, hospitals and entertainment events, dependent on the private sector or local governments for access to recycling and does not hold the producers of the ICI PPP accountable to fund the costs for recycling.

With recent changes in the global commodity market, as a result of the Chinese National Sword, local governments and the private sector are facing challenges that include reduced access or lack of access to recycling for the ICI sector.

Without being included in the Recycling Regulation, ICI recyclables such as cardboard, paper, metal, plastic and glass containers run a huge risk of being landfilled.

Additionally, Regional Districts, through their Solid Waste Management Plans, are required to set waste diversion targets which rely on restricting recyclable material from the garbage from both the residential and ICI sectors. This shortfall in ICI recycling services will delay local government's ability to meet diversion targets and implement key initiatives such as landfill bans. As well, in many cases the current PPP EPR programs have local government taxpayers

subsidizing the ICI sector. The qRD's Solid Waste Management Plan, approved by the MOECCS in 2018, outlines a Zero Waste Strategy for our region. This strategy outlines waste diversion targets, including increasing ICI recycling. Working with ICI to increase recycling is scheduled to start in 2019 and is supported by the qRD waste Bylaw 532 which restricts recyclable material from the garbage.

Being an isolated community (only accessible by ferry or plane), the only ICI materials accepted for free by the one private local recycler, Sunshine Disposal and Recycling, was paper, cardboard and #2 plastics. In response to small businesses expressing frustration by the lack of recycling options available to them in 2016, the qRD worked with Recycle BC and Green By Nature to conduct a 3 month audit at our central recycling depot to determine the percentage of ICI materials being collected. With the percentage of ICI materials weighing in at 8%, the qRD allowed small businesses to bring limited amounts of PPP materials to our central recycling depot at a cost to the qRD of \$266 per tonne. The tipping fee for municipal solid waste is currently at \$225 per tonne.

With commodity market prices in freefall, Sunshine Disposal is currently losing money requiring them to implement a tipping fee to clients for cardboard and paper. Sunshine Disposal advised that they anticipate 80% of their customers will opt out of this paid service, which, including bin rental, will be a similar fee to garbage. The qRD can only accept a small amount of ICI at our central depot, otherwise we will be over 8%, which will be cost prohibitive.

The qRD and the rest of the province need a solution to avoid valuable resources like cardboard ending up in the landfill.

We are not coming to you in exasperation expecting the province to give us the answer. No, quite the opposite, we want to be a part of the solution and have developed some options for you to consider which would require cooperation and collaboration with the province to make any of them a reality.

Immediate:

- Expand the Recycling Regulation to include PPP from the ICI sector

The Ministry may recall that back in 2014 our Regional District met with the then Minister and Ministerial staff during the annual UBCM Convention. Our meeting included a 'show and tell'. We demonstrated that the products taken from retail shelves by consumers were produced by the very same manufacturers who distribute their products to the various wholesalers, major sporting and entertainment events, restaurants, coffee shops, hotels, schools, universities, hospitals and the like. The irony of it all is that their shipping and consumer packaging enters every market sector, whether you are a residential, institutional, commercial or industrial consumer. This solution will ensure that ICI recyclables are recycled instead of landfilled. It will shift costs to

the producers of the PPP and will help local government jurisdictions province-wide meet waste diversion targets.

Short-term:

- Relax burning permits in places like Paper Excellence Canada - Powell River

Currently, Paper Excellence burns wood hog fuel in a biomass boiler to generate steam for heat and power production. They do this under Permit 3149. With the onslaught of excess cardboard not being able to go to foreign market, relax or modify the burning permits to allow cardboard to be incinerated as a fuel source. In places like ours, we will reduce the carbon footprint of shipping out cardboard by barge or ferry from our remote and isolated community. Other communities may also have compelling factors to minimize shipping costs and transport cardboard to regionally located biomass boilers at other paper mills or industry.

Mid-term:

- Provide seed funding to create an economically efficient re-purposing industry

After markets for expended recyclables must be resilient and insulated from off-shore market economies. This could be achieved with added-value industries. Cardboard for instance, could have alternate uses. If shredded, cardboard could be used in the agriculture industry as bedding. But for safety and protection to animals, contaminants such as staples should first be removed. Capital start-up for sophisticated equipment of this nature is required. If economies of scale could be driven down, eventually strategic locations throughout the province could be established to serve local economies in various regions. This again is an attempt at reducing the carbon footprint for transporting cardboard. Invariably, the product will re-enter the ecosystem as manure and be spread on farming fields. Or it may enter the system directly as a compost feedstock.

Long-term

- Mandate recycling content in finished products

Stabilization is a responsibility of upper tier governments. Market systems are characterized by economies that can create extremes of prosperity and business cycles that produce great decline (University of Alberta/Dalhousie University, 2005). Such is the case with the policy of the Chinese National Sword. This is where upper tier governments need to step in and take measures to correct the market. Upper tier governments have the tools and the resources to do this. "Since capital and labour generally flow freely across governmental jurisdictions within a country, much of the impact of stabilization policies of one government unit will likely spill over into other jurisdictions" (Bird & Slack, 1993, p. 16). The proposed mid-term option above is also an upper tier government intervention for the good of the whole. This long-term option is to



mandate recyclable material as a percentage into feedstock for finished products such as writing paper, toilet paper, facial tissue, paper towels, packaging, etc. Some of these products are proven examples of including recyclable materials in production, but these and more products need to be expanded upon. Eliminating virgin feedstock will reduce the carbon footprint and revitalize the already consumed cardboard and packaging waste. Additionally, eliminating subsidies on virgin materials such as oil will create a more level playing field.

Thank you for your time. We respectfully ask that you move expediently on these solutions to assist in promoting a healthy and sustainable environment.

Yours sincerely,

A handwritten signature in blue ink, appearing to read 'P Brabazon', with a stylized flourish at the end.

Patrick Brabazon, Chair

cc Nicholas Simons, MLA - Powell River-Sunshine Coast

#### References

*Local government finance*. (Spring 2005). (2005). Edmonton, AB: University of Alberta.

Bird, R.M. & Slack, N.E. (1993). *Urban public finance in Canada*. Toronto, ON: John Wiley & Sons

Date

The Honourable George Heyman  
Minister of the Environment and Climate Change Strategy  
Room 112 Parliament Buildings  
Victoria, BC V8V 1X4

Dear Minister,

The \_\_\_\_\_ is writing to ask that the Ministry of Environment and Climate Change (MOECCS) to expand the scope of the Recycling Regulation for Packaging and Paper Product (PPP) to include the Industrial Commercial and Institutional (ICI) sector.

In 2014 many British Columbia local governments signed on to the Multi Materials BC (now Recycle BC) program. The program is only responsible for residential PPP, leaving the ICI sector including schools, hospitals, restaurants and entertainment events dependent on the private sector or local governments for access to recycling and does not hold the producers of the ICI PPP accountable to fund the costs for recycling.

Regional Districts, through their Solid Waste Management Plans are required to set waste diversion targets and restrict recyclable material from the garbage. With recent changes in the global commodity market, as a result of the Chinese National Sword, local governments are facing challenges that include reduced access or lack of access to recycling for the ICI sector. Without being included in the Recycling Regulation, ICI recyclables such as cardboard, paper, metal, plastic and glass containers run a huge risk of being landfilled. This shortfall in services will delay the ability of local governments to meet diversion targets set out in their Solid Waste Management Plans.

*Describe your particular local impacts here if applicable*

The \_\_\_\_\_ is proposing a solution to avoid valuable resources like cardboard ending up in the landfill. The onus on local government to carry the burden of cost should instead be transferred to the producers of the PPP. The current model is unsustainable as the end user, taxpayers and business, are subsidizing the conglomerates.

If local governments are expected to reach diversion targets with no compensation from producers, recyclable materials may not be handled properly. We are not the only local government feeling the impacts of the Chinese National Sword and want to ask that the Ministry expand the current Recycling Regulation to include PPP from the ICI sector.

Thank you for your time. We respectfully ask that you move expediently to assist in promoting a healthy and sustainable environment.

Sincerely,



June 10, 2019

Dear Mayors and Regional District Chairs:

My caucus colleagues and I are looking forward to seeing you all again at this year's Union of British Columbia Municipalities (UBCM) Convention in Vancouver from September 23-27.

*Resiliency and Change*, the theme for the 2019 Convention, is indeed an appropriate focus as communities throughout our province are experiencing change on issues ranging from the impacts of climate change to economic pressures. UBCM provides a wonderful opportunity to listen to one another, share ideas, and find new approaches to ensure our communities thrive. With local, provincial, federal, and First Nations governments working together, we can continue to build a better BC.

If you would like to request a meeting with a Cabinet Minister or with me during this year's convention, please register online at <https://ubcmreg.gov.bc.ca/> (live, as of today). Please note that this year's invitation code is **MeetingRequest2019** and it is case sensitive. If you have any questions, please contact [UBCM.Meetings@gov.bc.ca](mailto:UBCM.Meetings@gov.bc.ca) or phone 250-213-3856.

I look forward to being part of your convention, meeting with many of you, and exploring ways that we can partner together to address common issues.

Sincerely,

A handwritten signature in blue ink that reads "John J. Horgan". The signature is fluid and cursive, with a long horizontal stroke at the end.

John Horgan  
Premier



June 10, 2019

Dear Mayors and Regional District Chairs:

I am pleased to provide you with the following information regarding the process for requesting a meeting with me during the annual UBCM Convention taking place this year from September 23 to 27, 2019 in Vancouver, British Columbia.

You will receive a separate letter from the Honourable John Horgan, Premier, containing information about the online process for requesting a meeting with Premier Horgan and other Cabinet ministers.

If you would like to meet with me at the Convention, please complete the online request form at: [MAH Minister's Meeting](#) and submit it to the Ministry of Municipal Affairs and Housing before **July 17, 2019**. Meeting arrangements will be confirmed by early September. I will do my best to accommodate as many meeting requests as possible.

To get the most out of your delegation's meeting with me, it would be helpful for you to provide as much detail as possible in the online form on the topic you wish to discuss. This will enable me to have a better understanding of your delegation's interests so that our discussions can be more productive.

Ministry staff will soon email you the Provincial Appointment Book. This lists all government, agency, commission, and corporation staff who are expected to be available to meet with delegates at the Convention, as well as details on how to request a meeting with staff online.

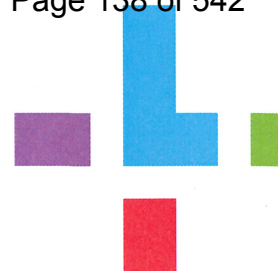
This will be my third UBCM Convention as Minister responsible for local government, and I appreciate the collaboration and partnerships that we have built over these last several years. I look forward to hearing more about your challenges and accomplishments as we continue our work together to make life better for all British Columbians.

Sincerely,

A handwritten signature in blue ink, appearing to read 'SR', is placed above the name 'Selina Robinson'.

Selina Robinson  
Minister

pc: Honourable John Horgan, Premier  
Arjun Singh, President, Union of British Columbia Municipalities



May 24, 2019

Board Chair and Directors  
Regional District Members of Okanagan Regional Library

Dear Chair and Directors:

At their meeting on May 22, the Okanagan Regional Library Board heard a report on the challenges facing Canadian public libraries regarding their inability to have affordable access to digital publications such as audiobooks and eBooks, which are currently limited. A summary of key details of that information is included on the attached memo for your information.

To generate additional support and attention for this critical issue, the Okanagan Regional Library Board agreed to ask each of its members councils to request federal government support by sending letters to your local Member of Parliament, local Federal election candidates and the Federal Minister of Canadian Heritage. Members of the Canadian Urban Libraries Council right across Canada will be bringing the same requests to their councils. A draft resolution is attached.

We thank you for considering our request and for your support in recognizing the important role that libraries play in our communities. If you have any questions, please do not hesitate to contact me.

Respectfully,

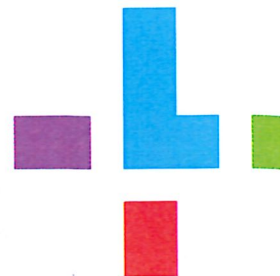
A handwritten signature in blue ink, appearing to read "Don Nettleton", with a long horizontal flourish extending to the right.

**Don Nettleton**  
**Chief Executive Officer**  
**Okanagan Regional Library**

Attachments (2)

Cc: Library Board Trustee





May 22, 2019

To all Municipal Councils, Regional District Boards, and Westbank First Nation Councils which are members of the Okanagan Regional Library

The Okanagan Regional Library is requesting your support and endorsement in helping to solve an issue that is impacting our ability to provide services to library users in our system and right across Canada.

- Members of the Canadian Urban Libraries Council, of which the Okanagan Regional Library is a member, spend approximately \$100 million in public funds annually on library acquisitions. Locally, the ORL is spending just over \$2.5 million on library acquisitions each year for our 31 library branches.
- Even with that significant expenditure, we increasingly struggle to obtain digital publications (things like e-books, e-audio books, etc.) from multinational publishers, due to other cost pressures and because of the often strict licensing limitations applied to digital publications.
- In order to properly service our communities, we need to ensure that we have access to and can afford digital publications.
- Multinational publishers are limiting access to digital publications by Canadian libraries, and, even when a publication is made available, are making it prohibitively expensive to acquire most digital publications.
- By way of example, Canadian author Louise Penny's book "Kingdom of the Blind" is available to libraries for \$13 as a paperback, \$22 in hard cover and \$60 in digital format. The \$60 cost allows the book to be checked out electronically 52 times or for 2 years – whichever happens first. A paper edition would be expected to last 3-4 years at a substantially reduced cost. The book is currently not available to Canadian libraries in any e-audio format.
- Those restrictions and costs make it difficult for libraries to provide important services in our communities that our customers want and need. We are integral to developing proficient readers of all ages, and to ensuring that kids succeed in school through early literacy programs. More and more, our digital literacy programs ensure that ORL citizens can contribute to our digital world.
- Additionally, for many seniors, low income families, youth and new Canadians, libraries are a crucial tool for participation in their communities – from education to searching for jobs to consuming Canadian cultural materials.
- Restrictions on libraries accessing digital publications – including both books and newspapers – hampers our capacity to provide modern, digitized services to those demographic groups and other library users. As a result we are increasingly unable to properly serve our community

What are we asking you to do to assist?

1. We are asking you to recognize the important role that libraries play our communities and, in turn, ask the Federal government to prioritize finding a solution to the barriers that face Canadian libraries accessing digital publications. Attached is a draft resolution that I would ask council to consider and support to signal your support. Approved motions should be

forwarded by you to the local Member of Parliament, local Federal election candidates, and the Federal Minister of Canadian Heritage.

2. In your conversations with senior levels of government and the public, continue to mention the access challenges being faced by Libraries and try to get their commitment to support solutions to these issues going forward

Please let us know your council/Boards decision regarding the above action steps, and copy us on any correspondence that you forward.

Thank you for considering these issues and for your support of your Okanagan Regional Library and all Canadian Libraries!

Regards,

A handwritten signature in blue ink, appearing to read 'Don Nettleton', with a long horizontal flourish extending to the left.

Don Nettleton, CEO

Okanagan Regional Library

Draft Municipal Motion

Whereas, the (name of municipality/Regional District/1<sup>st</sup> Nation) recognizes the important role that libraries play in our community. Libraries and the early literacy programs they run are integral to developing proficient readers and ensuring that children succeed in school. More and more, digital literacy programs run by libraries also help ensure that citizens can contribute to our digital world. Additionally vulnerable demographic groups, including seniors, low income families, youth and new Canadians rely on access to libraries as an important tool for their participation in the community – from education to searching for jobs to consuming Canadian cultural materials, and

WHEREAS, libraries in our community recognize that our users increasingly seek to access digital publications offered by multinational publishers, and that access to those publications is too often curtailed by prohibitively high licensing fees or else entirely denied to Canadian libraries, and

WHEREAS libraries must be in a position to offer digital publications to their users as part of their service offering to our community, particularly given the contemporary rapid pace of digitization of educational and cultural materials,

Now, be it resolved that the (name of municipality/Regional District/1<sup>st</sup> Nation) do hereby:

1. Indicate our support for the Canadian Urban Libraries Council in its efforts to increase access to digital publications for library users in (name of municipality/Regional District/1<sup>st</sup> Nation) and across Canada;
2. Call on the Federal government to investigate barriers faced by libraries in acquiring digital publications and the problems that poses for vulnerable demographic groups in Canada; and
3. Further ask the Federal government to develop a solution that increases access to digital publications across Canada and assist libraries in meeting the cost requirements to acquire digital publications

Draft Municipal Motion

Whereas, the (name of municipality/Regional District/1<sup>st</sup> Nation) recognizes the important role that libraries play in our community. Libraries and the early literacy programs they run are integral to developing proficient readers and ensuring that children succeed in school. More and more, digital literacy programs run by libraries also help ensure that citizens can contribute to our digital world. Additionally vulnerable demographic groups, including seniors, low income families, youth and new Canadians rely on access to libraries as an important tool for their participation in the community – from education to searching for jobs to consuming Canadian cultural materials, and

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Now, be it resolved that the (name of municipality/Regional District/1<sup>st</sup> Nation) do hereby:

1. Indicate our support for the Canadian Urban Libraries Council in its efforts to increase access to digital publications for library users in (name of municipality/Regional District/1<sup>st</sup> Nation) and across Canada;
2. Call on the Federal government to investigate barriers faced by libraries in acquiring digital publications and the problems that poses for vulnerable demographic groups in Canada; and
3. Further ask the Federal government to develop a solution that increases access to digital publications across Canada and assist libraries in meeting the cost requirements to acquire digital publications



May 31, 2019

File: 0280-30

Ref: 190311

Rhona Martin, Chair  
Columbia Shuswap Regional District  
Email: [rmartin@csrd.bc.ca](mailto:rmartin@csrd.bc.ca)

Dear Chairperson Martin:

The Select Standing Committee on Agriculture, Fish and Food (Committee) was established on April 24, 2018 and tasked with examining, inquiring into, and making recommendations concerning local meat production in B.C. After launching a public consultation, the Committee released their report in September 2018 with 21 recommendations for government, including recommendation 17 which is:

Reduce current travel time restrictions to one hour between Class A/B licensed facilities and Class D/E licensed facilities to help alleviate local slaughter capacity challenges and increase local livestock production.

As a matter of policy, the Ministry has recommended against a Class E licence if a Class A or B abattoir is located within two hours travel time of the proposed Class E establishment. Rural producers and local governments have raised concerns about lack of slaughter capacity stating that licensed Class A and B operators are either too busy or too far away to service smaller producers. These concerns were also raised when the Ministry conducted a targeted consultation with Class D and E licence holders and other interested parties in 2018.

In order to support local slaughter capacity and local food security, the Ministry of Agriculture is reducing the travel time restriction associated with Class E applications from two hours to one hour. The Ministry of Agriculture will recommend against a Class E licence if a Class A or B abattoir is located within one hour travel time of the proposed Class E establishment.

Please consider this a courtesy notification, this will be formally announced on Monday, June 3<sup>rd</sup>.

Please let me know if you have any questions.

Sincerely,

Gavin Last  
Executive Director



## Governance Advisory Committee

### Sicamous-to-Armstrong Rail Trail Corridor

### Friday, May 17th, 2019, 9:00 am - 12:00 pm

Hosted in the CSRD Board Room (555 Harbourfront Drive NE, Salmon Arm)

Agenda Version Updated: May 28, 2019

## MINUTES

**Meeting Purpose:** to provide policy direction relative to the planning, development, management and governance of the Rail Trail Corridor project.

### Objectives:

- To review minutes and business arising from the previous meeting
- To review project service contract agreement with the Shuswap Trail Alliance
- To consider recommendation to draft a co-management agreement
- To review draft recommendations for managing encumbrance agreements along the corridor
- To update on preliminary meetings with agencies including the ALC, MoTI, CP
- To update/discuss fund raising, project development, and identify priorities for upcoming meetings
- To direct communications to update the public

### Agenda:

1. Welcome, Secwepemc Acknowledgement (Splatsin), and Introductions
  - a. Co-Vice Chair Mayor Terry Rysz called the meeting to order at 9:11 am
  - b. Brayden Cook was invited by Councillor Tronson and Councillor William to welcome everyone and acknowledge Secwepemc Territory.
2. Approval of Agenda
  - a. **Motion:** *THAT: the agenda of the May 17, 2019 Sicamous-to-Armstrong Rail-Trail Governance Advisory Committee meeting be approved.*  
**Moved:** Councillor Baird; **Seconded:** Mayor Acton. **Carried:** by consensus
3. Adoption of Minutes
  - a. **Motion:** *THAT: the minutes of the March 15, 2019 Sicamous-to-Armstrong Rail-Trail Governance Advisory Committee meeting be adopted as circulated.*  
**Moved:** Director Delisle; **Seconded:** Director Fairburn. **Carried:** by consensus
4. Business Arising
  - a. **MoU, Terms-of-Reference Approval, and Technical Operational Committee** – the MoU and ToRs were all approved by Splatsin Council, RDNO Board, and CSRD Board. The TOC is now

meeting regularly and includes Ray Cormier (Splat'sin), Mike Fox (RDNO), Ryan Nitchie (CSRD), Sharen Berger (CSRD/RDNO Contract), Charles Hamilton (CSRD), David Sewell (RDNO), Shawn Tronson (Splat'sin), Theresa William (Splat'sin), and secretariat support from Phil McIntyre-Paul (Shuswap Trail Alliance).

- b. **BC Rural Dividend Program Grant announcement** – Charles Hamilton provided a brief update confirming the grant was successful. Funds will be managed through the CSRD. Includes \$834,000 in working capital for planning and design and development of long-term management plan. Also confirmed the funding will also help to kick start fundraising and overall project coordination.
- c. **Canada-BC Investing in Canada Infrastructure Program** – nothing to report at this time.
- d. **Follow-up with Federal and Provincial Ministers of Infrastructure** – Mayor Acton reported several requests to meet have been sent to Provincial Minister of Infrastructure. No response yet. Possible meeting at FCM. Any support to set meetings would be welcome. Mayor Rysz noted the upcoming opportunity to meet with Federal Minister of Tourism in Armstrong. Councillor William offered to assist with follow up on contacts.  
**ACTION:** Phil to follow up with Councillor William and others to provide support.
- e. **Update on meetings with ALC, MoTI, CP Rail, adjacent businesses** – preliminary meetings have been set up by TOC with ALC representatives to begin the consultation process and application. Follow up with CP Rail initiated to begin process on acquisition of Lansdowne to Armstrong section. TOC also reported meetings set up with MoTI and larger adjacent businesses along the rail trail corridor including Hyde Mountain Golf, Sure Crop Feeds, and North Enderby Timber. Noted farming operations will be engaged through the ALC consultation process.
- f. **Date/location for familiarization tour with Governance Advisory** – Discussion: suggest this coincide with one of the upcoming meeting dates (possibly the next)

**Motion:** THAT: the Governance Advisory Committee leave this on the agenda for future consideration.

**Moved:** Mayor Pieper; **Seconded:** Councillor Baird.

**Carried:** by consensus.

**ACTION:** Phil – to coordinate potential times/locations for consideration.

- 5. Service Contract with the Shuswap Trail Alliance (Draft Agreement – to be presented at meeting)
  - a. Resolution: ***THAT: the Committee recommends that the Board of the Columbia Shuswap Regional District approve the Sicamous to Armstrong Rail Trail Corridor Planning, Development and Consulting Services Agreement with the Shuswap Trail Alliance.***

Discussion: Phil McIntyre-Paul left the meeting while the service agreement was discussed.

**Motion:** THAT: the Governance Advisory Committee approve the Resolution.

**Moved:** Mayor Acton; **Seconded:** Councillor Baird.

**Carried:** by consensus.

6. Discussion re: agreement to allow for mutual access and public usage of contiguous trail
- a. Charles spoke to the agreement needed to work together for mutual access through SplatSIN owned portions of the Rail Corridor. Ray spoke briefly to the legal ownership and requirements of the SplatSIN owned lands. A formal agreement for managing shared access needs to be developed, including a formal dispute resolution agreement. A co-management agreement approach has been suggested.

**Motion:** ***THAT: an agreement to allow for mutual access through SplatSIN owned portions of the Rail Corridor be referred to the Technical Operational Committee to come back to the Governance Advisory Committee with recommendations.***

**Moved:** Councillor William; **Seconded:** Mayor Harrison.

**Carried:** by consensus

**ACTION:** TOC to prepare draft agreement recommendations for Governance Advisory.

7. Management of Encumbrance Agreements (See: Draft TOC Recommendations, May 10, 2019)
- a. Resolution: ***THAT: The Committee recommends that the Boards of the Columbia Shuswap Regional District, Regional District of North Okanagan and the SplatSIN Band Council approve the Draft Encumbrance Agreement recommendations.***
  - b. Discussion:
    - i. Ryan provided a review of the Draft Agreement Recommendations. Clarified these recommendations are asking for delegated authority to allow the RDNO and CSRD to move forward with agreements.
    - ii. Intention of the agreements is to clearly establish that the property is owned by the RDNO/CSRD and subject to conditions, and there is an approval process. An opportunity to clean up and clarify the process and documentation, and clarify the parameters staff will operate under.
    - iii. The CAOs recommend approving all the recommendations to allow staff to proceed with cleaning up these agreements.
    - iv. Councillor Theresa William spoke to SplatSIN interests and indicated they would approve the recommendations with the phrase added: ". . .subject to SplatSIN's pending legal

actions.” Councillor William spoke to the intent of this request. Acknowledged this is to ensure SplatSIN interests are included and addressed in these agreements

- v. No discussion re Recommendation #1 (Utility Companies).
- vi. Discussion re #2 – clarified lease lots within Coom Bay are within the rail corridor property and now jointly owned by CSRD/RDNO. Currently 6 leases are active. The leases vary from \$6,500 to \$14,500 annually, determined by the size of the lease area. Mayor Harrison shared experience of similar leases within the City of Salmon Arm.
- vii. Mayor Rysz raised the idea of a Headwater Lease. It was suggested this might be tabled for further discussion through TOC with local jurisdictions.
- viii. Re #3 (Local Government Utilities) – it was suggested bringing this to Municipal staff for review – and for clarification adding “with SplatSIN and all the stakeholders”
- ix. Re #4 (Industrial/Commercial Use) – there was discussion re room to allow the trail to pass behind adjacent businesses.
- x. Re #5 (Waterline Crossings) – no questions
- xi. Re #6 (Private Waterlines) – all known agreement holders have been contacted.  
**ACTION:** TOC – to circulate a sample copy of the agreement being used for private waterline crossings on the Okanagan rail trail.
- xii. Re #7 (Agricultural Crossings), and # 8 (Residential/Commercial Crossings) – no questions
- xiii. Re #9 – Upland Consent and Access Agreements – Charles Hamilton briefed the committee on this recommendation. Acknowledges this is one of the more complex agreements. Precedent and documentation from CP Rail was poor. Direction from the Governance Advisory is sought. Sicamous CAO Evan Parliament and Councillor Jeff Mallmes provided comment on significance of these agreements for the District of Sicamous. Suggest hosting a town hall within Sicamous to address this with dock owners. Also suggesting a Headwater Lease be considered. It was noted this would be a long process, and suggest approving recommendations to allow for consideration and processing of Agreements for new and existing tenures while this option is considered. Acknowledged needing to address access to docks, safety standards, design standards, and liability insurance requirements. Agreements will help to address these concerns. Having direction to move forward will allow the inter-jurisdictional staff to begin working on minimizing liability now.
- xiv. #10 (Docks within CSRD) – Charles Hamilton provided further background noting that within the CSRD only one dock has all the necessary approvals.
- xv. #11 – provides direction on any other structural encumbrances within the rail corridor.
- xvi. #12 – addresses other encroachments that will need to be removed, or potentially require a lease agreement as long as it does not encumber the long term development of the rail trail corridor.
- xvii. #13 – seeks authority to engage with an appraiser.
- xviii. Further discussion: the importance to consult with property owners was acknowledged. Also discussed what staff capacity will be required to manage this.

Motion: **THAT: the resolution be amended to include recognition of Splatsin's current and pending litigations with the Federal and Provincial Governments.**

**Moved:** Mayor Acton; **Seconded:** Director Delisle.

**CARRIED:** by consensus.

Resolution: (as amended) **THAT: The Committee recommends that the Boards of the Columbia Shuswap Regional District, Regional District of North Okanagan and the Splatsin Band Council approve the Draft Encumbrance Agreement recommendations, and further, that the committee recognizes Splatsin's current and pending litigations with the Federal and Provincial Governments.**

Motion: **THAT: the Governance Advisory Committee approve the Resolution as amended.**

**Moved:** Mayor Acton; **Seconded:** Director Delisle.

**CARRIED:** by consensus.

8. New Business:

- a. **Project Development review/update** (Technical Operational Committee) – a brief update was provided on the TOCs work ahead and next steps.
- b. **Discussion re fundraising direction** – Director Delisle noted leadership is travelling to Quebec. Discussion included who to approach and talking points. The importance of pushing for upper government support for funding to develop the corridor was stressed. **ACTION: Phil** – forward the briefing document and copy of the Infrastructure Grant Application.
  - i. Importance of preparing a long-term financial plan was affirmed. Also acknowledged funds can be received now through the STA and will be held in reserve (these receive charitable receipts).
  - ii. Recommend branding/communications message to focus our attention – all communication messaging should be based on the importance of being stewards in the land, as per Splatsin values.
  - iii. Talk to Okanagan Rail Trail Society and others on what worked/recommendations. Mike Fox spoke briefly to the current funding and maintenance plan on the Okanagan Rail Trail. Acknowledged the high level of collaboration between the Okanagan Rail Trail and the Sicamous-to-Armstrong project. Noted the Okanagan Rail Trail Corridor branding design is now being developed.
  - iv. The idea of user fees for trail use was raised with encouragement to be creative in developing a long-term financial plan for the rail-trail.
  - v. Affirmed importance of developing a strategy prior to launching fund raising campaign.
  - vi. Exploring potential of donated in-kind services for development also raised

c. Other Priorities



i. **Headwater Lease –**

Motion: **THAT: the TOC research Headwater Leases and come back to the Governance Advisory with recommendations.**

**Moved:** Mayor Rysz; **Seconded:** Councillor Baird. **CARRIED:** 10 in favour; 1 opposed.

**ACTION: TOC** – research Headwater Leases and bring recommendations to Governance Advisory

- ii. **Sensitive First Nations Sites** – discussion regarding the importance of identifying and protecting areas. Assessments will be done. Councillor William noted Splatstin do not want to draw public attention to sensitive areas. This will be included in the management plan.

9. Direction on communication updates to the public – **ACTION: TOC** to prepare an update.

10. Summary and Next Steps – see below.

**11. Next Meeting: Friday, July 19, 2019, 9:00 am – 12 Noon – Location: RDNO Offices**

- a. Mayor Rysz recommended the September meeting might be hosted in Sicamous.

12. Adjournment

- a. Motion: **THAT: the May 17, 2019 Sicamous-to-Armstrong Rail-Trail Governance Advisory Committee meeting be adjourned.**

**Moved:** Councillor Baird; **Seconded:** Director Delisle. **CARRIED:** by consensus.

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**Summary of Actions from Minutes:**

Task or Action	Responsibility	Timeframe
follow up with Provincial Ministry contacts to discuss funding support opportunities	Splatstin Kukpi7 Christian, RDNO Chair Mayor Acton, CSRD Chair Director Rhona Martin, with support from Councillor William & Secretariat (Phil)	immediately
coordinate potential times/locations to consider for Governance Advisory site tour on rail trail corridor	Secretariat (Phil)	Summer/fall
Prepare draft recommendations for mutual access through Splatstin owned portions of the Rail Corridor	TOC	July 19 Governance

circulate a sample copy of the private waterline crossing agreement being used for the Okanagan rail trail	TOC/Secretariat (Phil)	asap
forward the briefing document and copy of the Infrastructure Grant Application to Governance Advisory	Secretariat (Phil)	immediately
research Headwater Leases and bring recommendations to Governance Advisory	TOC	asap
prepare a communication update to the public	TOC/Secretariat (Phil)	immediately

Abbreviations: GAC (Governance Advisory Committee), TOC (Technical Operational Committee)

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**Secretariat Contact:** Phil McIntyre-Paul (Shuswap Trail Alliance) at [phil@shuswaptrails.com](mailto:phil@shuswaptrails.com), 250-804-1964 (on behalf of the Inter-Jurisdictional Governance Advisory)

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**Meeting Documents:** (Note: linked to Dropbox)

1. [Minutes – March 15, 2019: Sicamous-to-Armstrong Rail-Trail Governance Advisory Committee](#)
2. [BC Rural Dividend Program Agreement #:2018070133](#)
3. [Sicamous to Armstrong Rail Trail Corridor Planning, Development and Consulting Services Agreement \(May 16, 2019, File No. 6140 15 01\)](#)
4. [DRAFT TOC Recommendations regarding Encumbrance Agreements \(May 10, 2019\)](#)
5. [Media Release re: Rail-Trail Governance Advisory Progress \(April 4, 2019\)](#)
6. [Media Release re: BCRDP funding for Rail-Trail \(May 10, 2019\)](#)

**Background Documents:** (for Reference)

1. [In Camera Board Report, CSRD, August 10, 2018 \(File No: 8650-03\)](#)
2. [Memorandum of Understanding \(Master Agreement\) between CSRD, RDNO, and Splatins – FINAL](#)
3. [Terms of Reference - Governance Advisory Committee - Sicamous to Armstrong Rail Trail Corridor FINAL](#)
4. [Terms of Reference - Technical Operational Committee - Sicamous to Armstrong Rail Trail Corridor FINAL](#)
5. [Preliminary Concept Design Report – Sicamous to Armstrong Rail Trail Corridor \(Jan. 17, 2019\)](#)
6. [Overview Map – Rail Corridor](#)
7. [Corridor Maps showing existing leases, encroachments, docks, and crossings](#)

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**Attendance: Sicamous-to-Armstrong Rail Trail Governance Advisory Committee – May 17, 2019**

**Acting Governance Representative at Meeting:**

- Alan Harrison – City of Salmon Arm – Mayor – Alternate Rep
- Chris Pieper – City of Armstrong – Mayor – Appointed Rep
- Denis Delisle – RDNO Area F – Director – Appointed Rep
- Jay Simpson – CSRD Area F – Director – Appointed Rep
- Kevin Acton – Village of Lumby – Mayor/RDNO Chair – Appointed Rep
- Paul Demenok – CSRD Area C – Director – Appointed Rep
- Rene Talbot – CSRD Area D – Director – Appointed Rep
- Rick Fairbairn – RDNO Area D – Director – Appointed Rep
- Rhona Martin – CSRD Area E – Director/CSRD Chair – Appointed Rep
- Shawn Tronson – Splat-sin – Councillor – Alternate Rep
- Terry Rysz – District of Sicamous – Mayor – Appointed Rep
- Theresa William – Splat-sin – Councillor – Appointed Rep
- Todd York – Township of Spallumcheen – Councillor – Alternate Rep
- Tundra Baird – City of Enderby – Councillor – Appointed Rep

**Alternate Representatives (Observing):**

- Jeff Mallmes – District of Sicamous – Councillor – Alternate Rep
- Randal Ostafichuk – District of Lumby – Councillor – Alternate Rep
- Shirley Fowler – City of Armstrong – Councillor – Alternate Rep

**Staff:**

- Brayden Cook – Splat-sin
- David Sewell – RDNO – Chief Administrative Officer
- Evan Parliament – District of Sicamous – Chief Administrative Officer
- Jennifer Graham – City of Armstrong – Corporate Officer
- Melinda Smyrl – District of Sicamous – Planner
- Mike Fox – RDNO – General Manager of Community Services
- Ray Cormier – Splat-sin – Rail-Trail Technical Liaison
- Ryan Nitchie – CSRD – Team Leader, Community Services
- Sharen Berger – CSRD/RDNO – Rail Corridor Lease Agreements (Contractor)
- Tracy Hughes – CSRD – Communications

**Other:**

- Phil McIntyre-Paul – Shuswap Trail Alliance – Governance Advisory Secretariat

**Regrets:**

- Chad Eliason – City of Salmon Arm – Councillor – Appointed Rep
- Kukpi7 Christian – Splat-sin – Kukpi7 (Chief) – Appointed Rep



**COLUMBIA SHUSWAP REGIONAL DISTRICT**  
**Sicamous to Armstrong Rail Trail Corridor**  
**Planning, Development and Consulting Services**

THIS AGREEMENT dated for reference this \_\_\_\_\_ day of \_\_\_\_\_, 2019.

**BETWEEN: COLUMBIA SHUSWAP REGIONAL DISTRICT**  
Box 978  
SALMON ARM BC V1E 4P1

(hereinafter referred to as the "CSR")

**AND: SHUSWAP TRAIL ALLIANCE**  
PO Box 1531  
SALMON ARM BC V1E 4P6

(hereinafter referred to as the "Contractor")

to provide planning, development and consulting services for the Rail Trail Corridor extending from Sicamous through to Armstrong as required by the CSR.

**WHEREAS:**

- A. The CSR and the Regional District of North Okanagan ("RDNO") own, as tenants in common, the former CP Rail Corridor, except for two portions owned by Splatins First Nation ("Splatins");
- B. The CSR, RDNO and Splatins have agreed to develop a continuous recreational trail on such lands;
- C. The CSR, RDNO and Splatins have created a Governance Advisory Committee (the "Governance Committee") in accordance with the Terms of Reference which are attached hereto as Schedule C (the "TOR");
- D. The TOR anticipates appointment of a Secretariat to assist the Governance Committee as set out in the TOR;
- E. The parties have also agreed to create a Technical Operational Committee (the "Operational Committee") in accordance with the terms set out on Schedule D;
- F. The CSR has received grant funding to pay for secretariat services for the benefit of the CSR, RDNO and Splatins;
- G. The Governance Committee has agreed that the CSR will enter into an agreement with the Contractor and be responsible for payment of the Services as set out herein;

NOW THEREFORE, the CSR and the Contractor, in consideration for the mutual promises set out herein, agree as follows:

## **RESPONSIBILITIES OF CONTRACTOR**

1. The Contractor will provide services as described in Schedule A, ("the Services"), in accordance with this Agreement. Services must be provided during the term described in Section 36 (the "Term") of this agreement.
2. The Contractor will deal with the public, the CSRD, the Governance Committee and the Operational Committee in a courteous and respectful manner and will ensure that its agents and employees deal with the public, the CSRD, RDNO, Splatins, the Governance Committee and the Operational Committee in a courteous and respectful manner.
3. The Contractor will be solely responsible for the operation and maintenance of any equipment whatsoever used, rented, leased, or owned by the Contractor in his business and for the effective execution of this Agreement.
4. The Contractor will be solely responsible to comply with all Federal, Provincial and Local rules, laws and ordinances applicable to the performance of this Agreement. The Contractor will provide evidence of compliance with such laws upon request by the CSRD.
5. The Contractor will be solely responsible to obtain and maintain at its own cost, all permits, licenses, regulatory approvals and certificates required to perform the Services. The Contractor will provide copies of any required permits, licences or regulatory approvals or certificates upon request by the CSRD.
6. The Contractor will be solely responsible for all Employment Insurance, Canada Pension, Income Tax and any other applicable assessments or deductions levied by Federal, Provincial or Municipal Governments or any agency thereof.
7. The Contractor will provide proof of registration with WorkSafe BC, proof of Personal Optional Protection or proof of denied WorkSafe BC registration.
8. The Contractor will maintain a health and safety program as required by Section 115 of the Workers' Compensation Act and report immediately and in writing any workplace injury or occupational illness specified under Section 172 of the Workers' Compensation Act to the CSRD.
9. The Contractor will follow safety procedures as laid out in WorkSafe BC regulations. Contractors, their employees or agents not complying with health and safety expectations will be required to stop work and will not be allowed to resume work until the safety requirements are met.
10. The CSRD will perform a hazard assessment of the worksite(s) before Services outlined in this Agreement commence. The CSRD and the Contractor will review the hazard assessment on a regular basis. The Contractor will notify the CSRD immediately of any additional worksite(s) hazards identified during the performance of services outlined in this agreement.
11. The Contractor will be responsible for any costs, fines or levies resulting from a breach of WorkSafe BC regulations.

## **GENERAL PROVISIONS**

12. The Contractor will not assign this Agreement or any part thereof without prior written authority by the CSRD, in its absolute discretion.
13. The Contractor is and will be an independent Contractor and nothing contained herein will be construed to create a partnership, joint venture or agency, and neither party hereto will be responsible for the debts or obligations of the other party.



### **GENERAL PROVISIONS (cont.)**

14. This Agreement will be represented on behalf of the CSRD by the Chief Administrative Officer or designate.
15. This Agreement constitutes the entire Agreement between the parties hereto and no representations, warranties, understanding or Agreements, oral or otherwise, exist between the parties hereto except as expressly set out in this Agreement.
16. This Agreement will be governed by and construed in accordance with the laws of the Province of British Columbia.
17. Services not included in this Agreement for which compensation is requested must have prior written approval of the CSRD. Notwithstanding this provision, the Contractor is authorized by this Agreement to act in an emergency situation.
18. Unless written authorization has been issued by the CSRD, CSRD owned equipment will not be utilized by the Contractor for use other than those specified under the clauses of this Agreement. When authorized to utilize CSRD owned equipment, the Contractor will do so in a safe and proper manner.
19. Any damage to CSRD owned equipment and/or properties caused by the Contractor's misuse or negligence will be at the cost of the Contractor. Upon determination of costs, the Contractor will be billed for damages. If not paid within thirty (30) days, the CSRD will deduct the required amount due from future remuneration until the amount owing is paid in full.
20. Any liability claims resulting from the Contractor's misuse of CSRD owned equipment will be the responsibility of the Contractor.
21. Notwithstanding the Contractor's responsibilities, the CSRD maintains the overall authority for management and control of the Service or location of the Service. Nothing in this Agreement grants the Contractor any interest in the Service or location of the Service and the CSRD may, in its discretion, retain others to carry out work on and around the location of the Service.
22. Any provision of this Agreement that is deemed to be held unenforceable or invalid for any reason will be severed from the Agreement and all remaining provisions of the Agreement will remain in full force and effect.

### **INSURANCE AND INDEMNITY**

23. The Contractor will indemnify and save harmless the Regional District, including the Governance Committee and the Operational Committee and their respective members, from all fines, suits, proceedings, claims, demands, or actions of any kind or nature or from anyone whomsoever, arising out of or resulting from any negligent acts, errors or omissions of the Contractor, its officers, employees, agents or subcontractors in the performance of their services and duties in regard to this Agreement.
24. The Contractor will, prior to the commencement of operation and thereafter at all times during the Term of this Agreement, at its own expense, keep in force by advance payment of premiums, a general liability insurance policy in an amount not less than **THREE MILLION (\$3,000,000) DOLLARS**.

## **INSURANCE AND INDEMNITY (cont.)**

25. The CSR, RDNO and Splatsin will be named as an additional insured on said policy and the said policy will contain a waiver of cross liability clause and will provide that the CSR, RDNO and Splatsin will be notified in writing in advance of any cancellation of or material change to said policy. The insurance will be in a form satisfactory to the CSR, RDNO and Splatsin and confirmation of insurance coverage will be provided to the CSR to be retained on file.
26. The insurance policy will contain a clause stating “this policy will not be cancelled or materially changed without the insurer giving at least fifteen (15) days’ notice, by registered mail, to the CSR, RDNO and Splatsin.”
27. The Contractor will supply proof of automobile liability insurance on all licensed vehicles owned by or leased to the Contractor, protecting against damages arising from bodily injury (including death) and from claims for property damage arising out of their use in the operations of the Contractor, its subcontractors, or employees under the Agreement. Such insurance will be for an amount of not less than **TWO MILLION (\$2,000,000) DOLLARS**, inclusive of any one accident.

## **TERMINATION**

28. This Agreement may be terminated at any time by either party without cause upon giving ninety (90) days' written notice to the respective party to the address herein contained.
29. If the CSR determines that the Contractor is non-compliant with any section contained in this Agreement, an Official Notice of Non-Compliance may be issued. Notwithstanding Section 30, if an infraction has not been resolved within five (5) working days of the issuance of an Official Notice of Non-Compliance, another Official Notice of Non-Compliance may be issued.
30. Upon the delivery of a third Official Notice of Non-Compliance, termination will be immediate. The third Official Notice of Non-Compliance will contain notification and details regarding the termination. Non-Compliance notices will be delivered in writing from the CSR to the Contractor either in person, or by mailing to the address listed on the first page of this Agreement.
31. Non-compliant notices may be issued in relation to any one or multiple terms within this Agreement. The issuance of second and third Official Notice of Non-Compliance may or may not be related to a previous infraction.
32. The CSR may immediately terminate this Agreement if the Contractor or its agents or employees does one or more of the following:
  - is intoxicated;
  - uses foul, profane, vulgar or obscene language;
  - solicits gratuities or tips from the public for services performed hereunder;
  - wilfully or recklessly disregards the safety of persons or operational requirements;
  - acts in a manner which may constitute a public nuisance or disorderly conduct;
  - participates in any unauthorized sales at the site;
  - is dishonest or knowingly fails to charge the correct or any applicable fees;
  - is dishonest or fails to record incidents and infractions in a proper manner;
  - fails to deal with the public, the CSR, the Governance Committee or the Operational Committee in a courteous and respectful manner as outlined in Section 2;
  - fails to comply with WorkSafe BC requirements as outlined in Sections 7 to 11 inclusive; and
  - fails to comply with Insurance requirements as outlined in Sections 23 to 27 inclusive.

## **REMUNERATION**

33. The CSR agrees to pay the Contractor at the rates outlined in Schedule B attached hereto and forming part of this Agreement.
34. The Contractor will submit invoices within thirty (30) days of the end of the month in which service is provided.
35. The CSR assumes responsibility for the payment of applicable GST/HST to the Contractor provided that the Contractor is a GST/HST registrant. The Contractor will complete the GST/HST information sheet provided by the CSR and will advise the CSR immediately of any change to the Contractor's status as a GST/HST registrant during the Term of this Agreement.

## **TERM**

36. The Term of this Agreement is from the 1<sup>st</sup> day of June, 2019 to and including the 31<sup>th</sup> day of May, 2020.
37. The Contractor may request a twenty four month extension to the Term of the Agreement provided the request is received by the CSR at least one hundred and twenty days, prior to the expiry of the Term. The CSR will have complete discretion in determining whether it wishes to consider entering into an Amendment of Agreement. If the Contractor's Agreement extension request contains proposed changes other than a twenty four month extension, the CSR will advise the Contractor whether it wishes to enter into negotiations for an Amendment of Agreement. If the CSR enters into negotiations with the Contractor for an Amendment of Agreement, the CSR may abandon the negotiations with the Contractor at any point in time, and the CSR will not in any way be construed as granting to the Contractor any right of renewal of this Agreement at the expiration of the Term, nor will the CSR be responsible for any costs incurred by the Contractor to either supply the request or negotiate an Amendment of Agreement. Notwithstanding any suggestion to the contrary in this section, the CSR will have no contractual obligations whatsoever to the Contractor in connection with a new Agreement, the negotiation of a new Agreement or a request by the Contractor to enter a new Agreement, until and unless a new Agreement is executed by the CSR and the Contractor, and no duty of fairness, procedural or otherwise, is created by this section or owed by the CSR to the Contractor in respect of the matters contemplated under this section.

The Corporate Seal of the  
**COLUMBIA SHUSWAP REGIONAL DISTRICT**  
was hereunto affixed in the presence of:

**SHUSWAP TRAIL ALLIANCE**

\_\_\_\_\_  
CHIEF ADMINISTRATIVE OFFICER  
(CAO)

\_\_\_\_\_  
Director Signature

\_\_\_\_\_  
Director Signature

\_\_\_\_\_  
Witness Name (please print)

\_\_\_\_\_  
Witness Address

## Schedule A

### Services

1. The Contractor will provide the Services outlined below to the Governance Committee in a secretariat role and to the Operational Committee in a project planning and management capacity for the Rail Trail Corridor initiative. The Contractor will act as a conduit for communication, information and activities between both committees.
2. The Contractor will act as the Governance Committee Secretariat and will coordinate and support the committee to:
  - a. Effectively arrange and organize meetings and minutes, by preparing agendas, circulating agenda items and reports and monitoring action items;
  - b. Respond to all committee correspondence;
  - c. Keep record of all Rail Trail Corridor related publications;
  - d. Prepare a report of the Governance Committee's activities for the year; and
  - e. Keep up-to-date contact details for all government agencies, stewardship partners, voluntary organizations and other stakeholders.
3. The Contractor will provide project planning and management services to the Operational Committee in collaboration with and as directed by the committee to:
  - a. Coordinate short and long term capital plans for the Rail Trail Corridor including:
    - The development of a conceptual trail plan and an overall trail management plan for the Rail Trail Corridor;
    - The creation and execution of an annual implementation plan to advance the Rail Trail Corridor initiative;
    - The development of construction and maintenance standards and protocols for the Rail Trail Corridor;
    - The implementation of a consistent signage and access control program to compliment risk management practices and promote public safety;
    - The coordination of community engagement with stakeholders, adjacent property owners and the general public;
    - The coordination of landholder, leaseholder, public consultation and planning meetings;
    - The administration of day to day financial tracking and records keeping; and
    - The maintenance of ongoing documentation and reporting to the Governance Committee, the Operational Committee and stakeholders.
  - b. Oversee and implement capital construction of the Rail Trail Corridor including:
    - The development of construction and maintenance plans, including budget estimates, for consideration by the Operational Committee;
    - The implementation of approved maintenance and construction plans;
    - The supervision and oversight of specified project works procuring, managing, coordinating and supervising, all sub-contractors including but not limited to engineering, design, surveying, environmental, archaeological ; and
    - The provision of project completion reports, including as-builts where necessary.

## **Schedule A**

### **Services (cont.)**

- c. Develop and implement a funding strategy for the Rail Trail Corridor including:
  - The identification of funding streams to support the plan at the local, provincial and federal levels;
  - The development of funding proposals and associated budgets; and
  - The coordination of funding and fund raising strategies.
- d. Implement a communications and community engagement strategy to build public awareness of the Rail Trail Corridor including:
  - The creation and implementation of a communication plan;
  - The development of a robust coalition of project stakeholders that collectively advocate for the Rail Trail Corridor and its vision;
  - The coordination of public and media communications;
  - The keeping of records with regards to all trail related publications; and
  - The preparation of all year-end reports of the activities of the Rail Trail Corridor.
4. The Services provided in this Agreement by the Contractor will be performed at the rates outlined in Schedule B, Remuneration Schedule, and in accordance with all applicable enactments and laws and with all relevant codes, rules, regulations and standards of any professional or industry organization or association.
5. The Contractor will obtain pre-approval from the Operational Committee for all projects, prior to the performance of any and all services. The Contractor will review all invoices from sub-contractors and submit to the CSRD for payment
6. The Contractor will work to seek out additional sources of funding towards trail related works. These sources include but are not limited to provincial and federal grant and work assist programs, non-profit societies, in-kind contributions, volunteers and other local governments.
7. The Contractor will ensure its employees engaged in performing the Services under this Agreement have the required education, training, skills, experience and resources necessary to perform the Services.
8. All documents, drawings, estimates, specifications, field notes, investigations, studies and other information prepared by the Contractor in performing the services under this Agreement will be the property of the CSRD and the CSRD will have an irrevocable licence to use and make copies of any of the foregoing for its purposes.

It is agreed and understood that the CSRD will act as the lead agency with respect to this Agreement and financial disbursements subject to the consensus of the Operational Committee.

### **Indemnification of RDNO and Splat sin for cost over-runs**

For certainty, neither the RDNO nor Splat sin are directly responsible for payment of any costs of the Services. The CSRD will indemnify the RDNO and Splat sin against any costs over runs in connection with the Services.

**Schedule B**  
**Remuneration Schedule**

The CSRD agrees to pay the Contractor upon receipt of the Contractor's invoices at the remuneration rates as outlined below plus applicable taxes throughout the Term of this Agreement.

	ANNUAL RATE  June 1, 2019 to May 31, 2020
Governance Committee Secretariat	\$6,769.44
Operational Committee Project Manager	\$166,601.28

The Contractor must ensure that all invoices reflect the **Contract Number No. 2019-316-0010-3**. Failure to reference the Contract Number may delay payment and the CSRD will not be responsible for any late charges from this omission.

The Contractor must submit invoices within thirty days of the end of the month in which service is provided.

The remuneration rate(s) are all-inclusive and allow for any escalation of the Contractor's costs. The Contractor will not be entitled to extra payment for escalation during the Term of this Agreement.

WORKSAFE BC:		INSURANCE:	
GST/HST NUMBER:		PERFORMANCE SECURITY:	N/A





**Schedule C**

**Governance Committee Terms of Reference**

## **TERMS OF REFERENCE**

### **Governance Advisory Committee**

### **Sicamous to Armstrong Rail Trail Corridor**

#### **INTRODUCTION**

In December 2017, the Columbia Shuswap Regional District (CSRD) and the Regional District of North Okanagan (RDNO) successfully concluded the purchase of the CP Rail corridor, excluding the two sections previously acquired by Splat'sin First Nation (Splat'sin) in 2014.

To ensure the corridor remains contiguous, the three owner jurisdictions (CSRD, RDNO and Splat'sin) have agreed that the corridor will be developed, operated and maintained for its use as a continuous recreational trail, particularly for pedestrian and bicycle transportation, as well as future potential use as a continuous multi-model regional transportation corridor (Rail Trail Corridor).

A two-part interjurisdictional governance and management structure for the Rail Trail Corridor will consist of a politically accountable governance body and a technical operational body to organize, implement and manage the Rail Trail Corridor development. The Governance Advisory Committee (Governance Committee) will receive input from the Technical Operational Committee (Operational Committee). The Governance Committee is advisory in nature and the decision-making authority of the CSRD Board, the RDNO Board and the Splat'sin Council are not delegated in any way.

#### **PURPOSE**

The mandate of the Governance Committee is to act as a primary policy group relative to the planning, development, management and governance of the Rail Trail Corridor project.

#### **PRINCIPLES**

The Governance Committee will be guided by the following principles:

- To work collaboratively together.
- To seek consensus on matters requiring decisions.
- To work toward the establishment and continuation of mutual trust among the jurisdictional owners and stakeholder jurisdictions.
- To maintain public confidentiality on matters that are designated as such.
- To be prepared for meetings in order to contribute meaningfully to discussions and deliberations.
- To ensure a high standard of communication between the Governance Committee, the Operational Committee and the elected bodies of the owner jurisdictions and stakeholders.
- To reasonably commit to maintaining membership within the committee to the end of its term.

## **OBJECTIVES, DUTIES AND RESPONSIBILITIES**

The Governance Committee is established to achieve the following objectives, duties and responsibilities:

- To ensure the corridor provides long term public benefits, both locally and regionally.
- To provide for the development of a continuous corridor for non-motorized transportation and recreation.
- To provide the human, financial and other resources required to be enable their representatives to serve on the Operational Committee.
- To provide the human, financial and other resources required to enable and support the function of the Operational Committee.
- To ensure the protection of sensitive environmental and cultural sites along the rail corridor.
- To maintain the integrity and capability of the corridor to support the future development and operation of a continuous multi-model transportation corridor.
- To ensure that the scope and timing of trail development reflects the capacity of the three owner jurisdictions and to fund the development.
- To encourage a high level community engagement process in the planning and development of the corridor.
- To protect public safety and minimize risk in the development and use of the corridor.
- To consider beneficial opportunities with adjacent land uses.
- To pursue grant funding from senior levels of government as well as donations from community groups, foundations, businesses and the general public.
- To work towards establishment of mutually acceptable reciprocal access easements to allow for mutual intergovernmental and public usage of the contiguous trail, upon completion.
- To acknowledge agricultural values and the role of the Agricultural Land Commission.

## **MEMBERSHIP**

The members of the Governance Committee will consist of:

- A member from the City of Salmon Arm Council;
- A member from the Sicamous District Council;
- The CSRD Directors from Electoral Areas C, D, E and F;
- A member from the City of Enderby Council;
- A member from the City of Armstrong Council;
- A member from the Township of Spallumcheen Council;
- A member from the Lumby Village Council;
- The RDNO Directors from Electoral Areas D and F; and
- Two members from Splatstin Band Council.

Membership on the Governance Committee by the participating jurisdictions requires endorsement of these Terms of Reference and the commitments from each of the elected Boards and Councils. Membership on the Governance Committee is voluntary and any member may suspend or terminate its membership at any time provided that the other members of the Governance Committee are notified in writing in advance of the date of the suspension or withdrawal.

## COMMITTEE SECRETARIAT

The three owner jurisdictions will appoint a Committee Secretariat to assist the Governance Committee in carrying out its objectives, duties and responsibilities. The Committee Secretariat will be responsible to:

- Ensure meetings are effectively organized and minuted;
- Receive agenda items from Committee members, the Operational Committee and other stakeholders;
- Circulate agenda items and reports;
- Check that agreed action items are carried out and are properly authorized by the three lead agencies;
- Keep up-to-date contact details for all government agencies, stewardship partners, voluntary organizations and other stakeholders;
- Respond to all Committee correspondence;
- Keep record of all Rail Trail Corridor related publications; and
- Prepare a report of the Committee's activities for the year.

## TERM

The term of the Governance Committee expires when the initial stage of trail development is complete and the corridor is opened for public use. The three owner jurisdictions may decide to extend the term of the Governance Committee if deemed necessary to achieve the shared objectives for the corridor. If the term of the Governance Committee is extended, the adoption of a revised terms of reference by the respective Boards and Councils will be required.

## COMMITTEE DECISION MAKING

The Committee will work toward consensus, using an interest based approach, rather than a position based approach. If a vote on a matter is necessary, the vote will be taken with a simple majority of Committee members present and voting required to pass a motion. The Chair can only cast a vote in the event of a tie. In the event of an equal number of votes, the motion or matter will fail. Decisions by the Governance Committee will be made as follows:

- The Committee will strive to make decisions that serve to advance the shared objectives, duties and responsibilities of the trail corridor and that reflect the opportunities and limitations of each participating partner.
- Decisions by the Committee will be made by consensus among the representatives.
- The Committee is advisory in nature and is not delegated authority from their respective boards or councils.
- Decisions on matters falling within the mandate, jurisdiction and responsibilities of the owner jurisdictions shall only be made by the representatives of the owner jurisdictions.
- Decisions on matters falling within the mandate, jurisdiction and responsibilities of both the owner and stakeholder jurisdictions shall be made by the entire committee.

## COMMITTEE PROTOCOL

- A Chair will be elected by the Governance Committee at the first meeting in each year.
- Two Vice-Chairs will be elected by the Governance Committee at the first meeting in each year. The Vice-Chairs will each be represented by a member of the CSRD and RDNO respectively.
- Meetings will be open meetings and will be run by the Chair or Vice-Chair in the absence of the Chair.
- Meeting minutes will be taken by the Committee Secretariat at all meetings. Upon approval of the minutes they will be distributed electronically.
- The quorum of the meeting will be comprised of not less than half of appointed Committee Members.
- The Committee may invite other persons to participate in making presentations to the Committee in order to benefit from additional expertise pertaining to subjects being discussed.
- Meetings of the Committee will occur not less than two (2) times per calendar year. Dates for the meetings should be determined by the Committee during the first scheduled meeting. It is recommended that the Committee meet on a quarterly basis. If necessary, additional or fewer meetings will be determined by the Committee.
- The Committee will adhere to all statutes, legislation, acts, bylaws and all other responsibilities as Committee of the respective owner jurisdictions.
- Committee members may choose to express their personal views to others outside the Committee but may not speak on behalf of or in any way create the impression that they are speaking for the Committee as a whole. In order to ensure open and honest dialogue; Committee members should not discuss comments or opinions expressed by other Committee members without their knowledge and consent.
- Members of the public may observe meetings but will not have voting rights and will only have speaking rights through invitation by the Chair.
- A conflict of interest arises when a Committee member speaks or votes on a motion that could be the cause of some direct significant benefit - monetary or otherwise - to that member. If such a situation arises, the member involved should excuse themselves from proceedings that relate to the conflict unless explicitly requested to speak, only after a majority vote to do so. Any subsequent information provided by the individual will clearly be identified in the meeting minutes as coming from a source perceived to be in a conflict of interest.

## FUNDING AND FINANCIAL MANAGEMENT

The costs associated with a participating jurisdiction's member on the Governance Committee, including meeting attendance and travel costs, will be the direct responsibility of each jurisdiction.

## CLOSING

These Terms of Reference are adopted by the three owner jurisdictions by the signature of the Regional District Chairs and the Splatstin Chief as follows:

\_\_\_\_\_  
Chair, Columbia Shuswap Regional District

\_\_\_\_\_  
Date

\_\_\_\_\_  
Chair, Regional District of North Okanagan

\_\_\_\_\_  
Date

\_\_\_\_\_  
Chief, Splatstin

\_\_\_\_\_  
Date



**Schedule D**

**Technical Operational Committee Terms of Reference**





## TERMS OF REFERENCE

### Technical Operational Committee

### Sicamous to Armstrong Rail Trail Corridor

#### INTRODUCTION

In December 2017, the Columbia Shuswap Regional District (CSR) and the Regional District of North Okanagan (RDNO) successfully concluded the purchase of the CP Rail corridor, excluding the two sections previously acquired by Splat-sin First Nation (Splat-sin) in 2014.

To ensure the corridor remains contiguous, the three owner jurisdictions (CSR, RDNO and Splat-sin) have agreed that the corridor will be developed, operated and maintained for its use as a continuous recreational trail, particularly for pedestrian and bicycle transportation, as well as future potential use as a continuous multi-model regional transportation corridor (Rail Trail Corridor).

A two-part interjurisdictional governance and management structure for the Rail Trail Corridor will consist of a politically accountable governance body and a technical operational body to organize, implement and manage the Rail Trail Corridor development. The Governance Advisory Committee (Governance Committee) will receive input from the Technical Operational Committee (Operational Committee). The Governance Committee is advisory in nature and the decision-making authority of the CSR Board, the RDNO Board and the Splat-sin Council are not delegated in any way.

#### PURPOSE

The mandate of the Operational Committee is to organize, implement and manage corridor development and maintenance. The Operational Committee will advise the Governance Advisory Committee on a wide range of issues such as planning and design, trail management, maintenance standards and funding plans.

#### PRINCIPLES

The Operational Committee will be guided by the following principles:

- To work collaboratively together.
- To seek consensus on matters requiring decisions.
- To work toward the establishment and continuation of mutual trust among the jurisdictional owners and stakeholder jurisdictions.
- To maintain public confidentiality on matters that are designated as such.
- To prepare in advance of meetings in order to contribute meaningfully to discussions and deliberations.
- To ensure a high standard of communication between the Operational Committee and the Governance Committee.
- To reasonably commit to maintain membership within the committee.



## OBJECTIVES, DUTIES AND RESPONSIBILITIES

The Operational Committee is established to achieve the following objectives, duties and responsibilities:

- To develop of a plan for a recreational trail along the entire Rail Trail Corridor consistent with the objectives for the use and protection of the Corridor.
- To draft policies and regulations concerning the uses and activities permitted within the Rail Trail Corridor.
- To develop Rail Trail Corridor maintenance standards and designs.
- To develop a project schedule for the development of the Rail Trail Corridor.
- To build cost estimates and funding strategies to undertake improvements consistent with approved standards and designs.
- To draft policies and regulations to ensure a coordinated and consistent approach to applications for accesses, crossings, leases, rights of way, easements and similar approval requests.
- To draft policies for the administration of existing encroachment claims, leases, rights of way, easements and other tenure or interests.
- To develop fundraising strategies including joint applications for grant funding and partnering with fundraising groups.
- To create a communications policy and protocol to guide communications with the public, media, community groups and government agencies.
- To monitor and ensure that contractual obligations under the sale of the corridor such as track removal and environmental remediation are fully complied with by CP Rail.
- To carry out and provide a single point of contact for consultation and communications related to the rail corridor with the general public, owner jurisdictions, stakeholder groups, adjacent landowners and potential funding agencies consistent with adopted policies and protocols.
- To monitor the use and development of the rail corridor to ensure compliance with adopted plans, policies, and objectives and make recommendations to the owner jurisdictions to address potential issues.
- To administer and manage the funds approved for the activities of the Operational Committee consistent with approved budgets and financial management practices.
- To represent the interests, objectives and policies of their respective Regional Districts or First Nations government in the discussions, initiatives and joint recommendations of the Operational Committee.
- To report on the activities of the Operational Committee to the Governance Committee.
- To secure expertise and human resources from their Regional Districts or First Nations governments to assist in meeting the needs of the Operational Committee in carrying out its responsibilities.

## MEMBERSHIP

The members of the Operational Committee will be represented by the Chief Administrative Officer or designate from:

- The CSRD
- The RDNO
- Spltasin



Membership on the Operational Committee by the owner jurisdictions requires endorsement of these Terms of Reference and the commitments from each of the elected Boards and Councils. Membership on the Operational Committee is voluntary and any member may suspend or terminate its membership at any time provided that the other members of the Operational Committee are notified in writing in advance of the date of the suspension or withdrawal.

### **OPERATIONAL COMMITTEE DECISION MAKING**

The Operational Committee will work toward consensus, using an interest based approach, rather than a position based approach.

### **COMMITTEE PROTOCOL**

- Meeting minutes will be taken at all meetings. Upon approval of the minutes they will be distributed electronically.
- The Committee may invite other persons to participate in making presentations to the Committee in order to benefit from additional expertise pertaining to subjects being discussed.
- Meetings of the Committee will occur not less than two (2) times per calendar year. Dates for the meetings should be determined by the Committee during the first scheduled meeting. It is recommended that the Committee meet on a quarterly basis. If necessary, additional or fewer meetings will be determined by the Committee.
- The Committee will adhere to all statutes, legislation, acts, bylaws and all other responsibilities as Committee of the respective owner jurisdictions.
- Committee members may choose to express their personal views to others outside the Committee but may not speak on behalf of or in any way create the impression that they are speaking for the Committee as a whole. In order to ensure open and honest dialogue; Committee members should not discuss comments or opinions expressed by other Committee members without their knowledge and consent.

### **FUNDING AND FINANCIAL MANAGEMENT**

The costs associated with a participating jurisdiction's member on the Operational Committee, including meeting attendance and travel costs, will be the responsibility of each jurisdiction directly.

### **CLOSING**

These Terms of Reference are adopted by the three owner jurisdictions by the signature of the Regional District Chairs and the Splatshin Chief as follows:

\_\_\_\_\_  
Chair, Columbia Shuswap Regional District

\_\_\_\_\_  
Date

\_\_\_\_\_  
Chair, Regional District of North Okanagan

\_\_\_\_\_  
Date

\_\_\_\_\_  
Chief, Splatshin First Nation

\_\_\_\_\_  
Date



**TO:** Rail Corridor Governance Committee

**FROM:** Technical Operational Committee

**DATE:** May 10, 2019

**SUBJECT:** Draft recommendations for Governance Advisory Committee's Consideration

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At its meetings of April 8, 2019 and May 7, 2019, the Rail Trail Technical Operations Committee (TOC) identified 12 categories of encumbrances on the rail corridor lands. Each of these types of encumbrances has the potential to impact the construction of the rail trail. Therefore, to ensure that development of the rail trail or future creation of a transportation corridor is not compromised, and to ensure that the Splatins' interests are recognized and to acknowledge its role in co-management of the project, the TOC is making the following recommendations:

1. That the RDNO/CSRD enter into **10-year Master Agreements** with BC Hydro, Fortis and TELUS to recognize existing agreements and allow existing infrastructure to remain where there are unauthorized crossings, subject to the following conditions:
  - that all costs for legal, survey and design work be borne by the utility company;
  - that the annual fee be based upon an appraisal conducted by a qualified appraiser;
  - that the agreements include design specifications, including standards for minimum depth or height as applicable;
  - consultation with Splatins;
  - that the agreements provide for an option to renew for an additional 10-year term; and
  - that any proposed additional works within the rail corridor lands be forwarded to the Technical Operations Committee for review and recommendation.
2. That the RDNO/CSRD enter into **3-year Agreements** for the recreational land lease lots in the Coom Bay area subject to the following conditions:
  - docks will not be authorized or recognized in the Agreements as they do not have provincial tenure;
  - consultation with Splatins; and
  - that the lessees be advised that the land in this area is considered valuable for future development of a public park and therefore leases may not be renewed beyond the 3-year term.
3. That existing agreements with local governments for utility works (water and sewer) be converted to Statutory Rights of Way subject to the following conditions:
  - that all costs for legal, survey and design work be borne by the applicable local government;
  - that the Statutory Rights of Way include design specifications, including standards for minimum depth;
  - consultation with Splatins; and
  - that any proposed additional works within the rail corridor lands be forwarded to the Technical Operations Committee for review and recommendation.

.../2

4. That RDNO/CSRD enter into **5-year Agreements** for existing Industrial and Commercial use of the rail corridor subject to the following conditions:
  - that the annual fee be based on an appraisal conducted by a qualified appraiser;
  - that all costs for legal, survey and design work be borne by the owner of the industrial or commercial use;
  - that the agreements include design specifications to address safety and liability concerns;
  - consultation with Splatsin; and
  - that the agreements provide for an option to renew for an additional 5-year term.
  
5. That RDNO/CSRD enter into **10-year Master Agreements** with private Waterworks Districts to recognize existing waterline crossings subject to the following conditions:
  - that all costs for legal, survey and design work be borne by the private waterworks districts;
  - that the annual fee be based upon an appraisal conducted by a qualified appraiser;
  - that the agreements provide for an option to renew for an additional 10 year term;
  - that the agreements include design specifications, including standards for minimum depth;
  - consultation with Splatsin; and
  - that any proposed additional crossings within the rail corridor lands be forwarded to the Technical Operations Committee for review and recommendation.
  
6. That RDNO/CSRD enter into **10-year Agreements** with private individuals having existing domestic waterlines located within the rail corridor lands subject to the following conditions:
  - that all costs for legal, survey and design work be borne by the users of the waterlines;
  - that the annual fee be based upon an appraisal conducted by a qualified appraiser;
  - that the agreements include design specifications, including standards for minimum depth;
  - consultation with Splatsin;
  - that the agreements provide for an option to renew for an additional 10 year term; and
  - that any proposed additional waterline crossing within the rail corridor lands be forwarded to the Technical Operations Committee for review and recommendation.
  
7. That RDNO/CSRD enter into **10-year Agreements** for rail corridor crossings on land within the Agricultural Land Reserve, for existing irrigation waterlines, vehicular access to fields, and vehicular access to residential and farm buildings, subject to:
  - the annual fees being established in consultation with the Agricultural Land Commission;
  - that the agreements include design specifications, including standards for minimum depth for waterlines and standards for crossings to address safety and liability concerns;
  - that any proposed additional crossing of the rail corridor lands be forwarded to the Technical Operations Committee for review and recommendation.
  
8. That RDNO/CSRD enter into **10-year Agreements** for vehicular rail corridor crossings for residential, commercial, and multi-family developments, (i.e. Hyde Mountain, Shandy Cove, Hurricane Bay) subject to the following conditions:
  - that all costs for legal, survey and design work be borne by the owners of the properties which use the crossings;

.../3

- that the agreements include design specifications, including standards to address safety and liability concerns;
  - that the annual fee be based upon an appraisal conducted by a qualified appraiser;
  - consultation with Splat sin; and
  - that the agreements provide for an option to renew for an additional 10 year term.
9. That the RDNO/CSRD enter into **10-year** (or consistent end date, i.e. 2029) **Upland Consent and access Agreements** to allow for the placement of, and access to, docks lying adjacent to the rail corridor within the District of Sicamous, subject to the following conditions:
- that the docks have received provincial tenure permission;
  - consultation with Splat sin;
  - that the docks are designed and will be built to provincial environmental standards;
  - that upland consent has been granted by RDNO/CSRD;
  - that the District of Sicamous has granted its approval;
  - that **nothing** is constructed within the rail trail, the area of which will be determined by the final design;
  - that access to the docks is designed to address safety standards and liability matters;
  - that the annual fee be based upon an appraisal conducted by a qualified appraiser;
  - that the owners of the docks be advised that upland consent may not be renewed beyond the 10-year term if future enhancement of the rail corridor requires development of the riparian area.
10. That the RDNO/CSRD enter into a **10-year Upland Consent and access Agreement** (or date consistent with other upland consents, i.e. 2029) to recognize the one existing dock within the CSRD, that has all of the necessary approvals and is lawfully non-conforming in regard to Lakes Zoning Bylaw No. 900.

That letters be sent to the owners of docks within the CSRD which are non-conforming (illegal) in respect of Lakes Zoning Bylaw No. 900 and which do not have all of the other necessary approvals in place, advising them that in order to comply with existing regulations they must complete the following processes:

- Apply for, and be successful in obtaining redesignation and rezoning, or be issued a Temporary Use Permit (pending adoption of the Electoral Area “E” Official Community Plan) to permit such use;
- Apply for, and be granted provincial tenure;
- Ensure that consultation with Splat sin has taken place;
- Obtain Upland consent from RDNO/CSRD and enter into an agreement with CSRD/RDNO, which will include an annual fee based upon an appraisal conducted by a qualified appraiser and appropriate liability insurance;
- Ensure that the dock is designed and is built to provincial environmental standards;
- Ensure that access to the dock is designed to address safety standards and liability matters.

That the letter also advise that:

Lakes Zoning Bylaw No. 900 and the draft Electoral Area ‘E’ Official Community Plan do not support the granting of tenure for docks for non-waterfront property owners as it is inconsistent with provincial regulations and sets an unwanted precedent for other lakes within the Shuswap area;



that the rail corridor is a linear park and private docks are not compatible with the upland park use as set out in Bylaw No. 900, the draft Area E OCP and CSRD Policy P-11; and that upland consent may not be renewed beyond 2029 if future enhancement of the rail corridor requires development of the riparian area.

11. That the RDNO/CSRD advise owners of existing structures such as retaining walls (where necessary for slope stability) and structures which are an integral part of the access to the docks (such as stairs), which lie within the rail corridor lands but outside of the rail trail as determined by the final rail trail design, *and where recommended by the TOC*, that such structures **may be** permitted by **a 10-year Agreement** subject to the following conditions:
  - that the structures must be accurately identified and located on a legal survey plan;
  - that all costs for legal, survey and design work be borne by the owners of the structure(s);
  - that the annual fee be based upon an appraisal conducted by a qualified appraiser.
12. That RDNO/CSRD request that all other structures (volleyball courts, lawns, sheds etc.) located within the rail corridor lands be removed.
13. That as part of the design and development, an appraiser be hired to provide an appraisal to establish fair market value for various type of encumbrances. This would establish a standard fee for agreements including, but not limited to: corporate utility crossings (BC Hydro, Telus, Fortis); upland consent and access; road access; domestic waterlines; and commercial and industrial use.



## SHUSWAP ECONOMIC DEVELOPMENT COMMITTEE MEETING MINUTES

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

Date: May 9, 2019  
 Time: 9:30 am  
 Location: CSR D Boardroom  
 555 Harbourfront Drive NE, Salmon Arm

Committee Members	P. Demenok (Chair)	Director, Electoral Area C
Present	J. Simpson (Vice-Chair)	Director, Electoral Area F
	R. Martin	Director, Electoral Area E
	R. Talbot	Director, Electoral Area D
	K. Brown	South Shuswap Chamber of Commerce
	R. Marshall	Community Futures Shuswap
Staff Present	R. Cyr	Economic Development Officer
	S. Goodey	Ec. Dev. Clerical Assistant

### 1. Call to Order

The Chair called the meeting to order at 9:30 AM.

#### 1.2 Approval of Agenda

**Moved By** K. Brown

**Seconded By** R. Marshall

THAT: the agenda of the May 9th, 2019 Shuswap Economic Development Advisory Committee meeting be approved.

**CARRIED**

### **1.3 Adoption of Minutes**

**Moved By** Director Simpson

**Seconded By** Director Talbot

THAT: the minutes of the March 14th, 2019 Shuswap Economic Development Advisory Committee meeting be adopted as circulated.

**CARRIED**

## **1. Call to Order**

### **1.1 Guest(s) in Attendance**

The Chair acknowledged the guests in attendance:

Kyle Dearing - Kyle Dearing Consulting, Shuswap Economic Development Consultant

Piotr Ujma - Falkland Tourism Committee

## **3. Update on the Provincial Nominee Program (PNP) Pilot Program**

K. Dearing gave the Committee an update on the Provincial Nominee Pilot Program. This program is for high-demand foreign workers and experienced entrepreneurs to gain permanent residency in B.C. The program has been updated and will also be able to assist businesses in attracting workers in industries that are struggling with labour recruitment. The program is now into the second round of applications. The new system encourages interaction to be directly between the applicants and SED after they have been approved by the Province. The applicants must complete a four stage assessment as follows:

1. an online application
2. a video conference call
3. a mandatory site visit to the community
4. review of a formal request to start a business in the Shuswap region.

#### **4. Invest in BC / BC Business Ad partnership with SAEDS**

Shuswap Economic Development (SED) has partnered with Salmon Arm Economic Development Society (SAEDS) to collaborate in advertising that will be in the Invest in BC magazine. This partnership also includes online advertisements on the BCBusiness Website. The online advertisement will be linked to the SED website. The advertisement highlights, local business opportunities, recreation, cost of living, health care and transportation infrastructure.

#### **5. Community Engagement Meetings – May 14 & 15**

Shuswap Economic Development (SED) will be hosting two Community Engagement Meetings on May 13th and 14th in Areas C and F. ECDC Consulting has been contracted to do a presentation on Economic Development and how it integrates with the Shuswap Economic Development Strategy and Workplan. SED is working with the local Chamber of Commerce to ensure that the invite list is inclusive to all businesses in these two electoral areas. SED will also be hosting these workshop in Electoral Area D and E in the near future. These meetings are one of the projects from the SED Strategy.

#### **6. Meeting with ECDC and CSRD, Protective Services**

Shuswap Economic Development has scheduled a meeting for May 15th with ECDC and the CSRD Protective Services Department. The intention of the meeting is to begin discussions that will start the development of an Business Disaster Resiliency Plan. There is currently funding from the Rural Dividend fund allotted for this project.

#### **7. Meeting with the Minister of Agriculture**

On Saturday, May 4th 2019, R. Cyr and K. Dearing attended a meeting with the BC Minister of Agriculture, Lana Popham. SAEDS ED Lana Fitt, Councilor Chad Eliason, Chad Shipmaker, and various other community representatives also attended the meeting. Councilor Chad Eliason (City of Salmon Arm) has been the driving force behind a feasibility study for a food hub in Salmon Arm that would be available for use for the entire Shuswap Region. The Minister of Agriculture has provided \$35,000 to fund the feasibility study. When the feasibility study is completed the next step in the project is to complete a comprehensive business plan. This project is one of the initiatives of the Shuswap Agricultural Strategy that was completed in 2015.

## **8. Shuswap Food Action Society**

Shuswap Economic Development has been approached by the Shuswap Food Action Society to assist with the marketing of the upcoming Farm Tour. This year the group is hosting two separate events on two separate weekend days with the intention that all communities can be involved. Both events will most likely take place in July. In order for a farm to participate they must have some form of onsite sales and be able to provide hourly tours to the public.

## **9. Update Shuswap Economic Development Website**

The SED website is still in the development phase. The expected date of completion will be September 30, 2019. The business listings database will be a new feature for the SED website. This business listing database will be the only database for SED going forward. Currently we have two other databases - Executive Pulse and a business database on an Excel spreadsheet. Neither of these databases have permission from the businesses to use their contact information. With the new database the permissions will allow the SED staff to use the database to manage customer relationships and communications. One benefit of this database to the community is that the new website will allow for businesses to have an online presence, if they choose to not have their own website. The new website and listings will be maintained by SED staff on a regular basis with annual follow ups.

## **10. New Falkland Business Group Meeting**

A new business group has been formed in Falkland, focusing on marketing businesses in Falkland and the surrounding area. The group is wanting to work with Shuswap Economic Development (SED) and utilize the services provided by SED. R. Cyr stated that it is a great opportunity for Area D and SED to have these businesses engaged in the services of SED. K. Brown also had a meeting with the group regarding implementing new events and how to write effective grants for funding.

## **11. CrowdRiff uses for Shuswap Economic Development**

K. Dearing spoke to the committee about the Crowdriff implementation and uses. CrowdRiff is an online tool used to assist destinations in finding user generated content and integrate into their social media pages and websites. The program monitors popular social media websites, searching for commonly used hashtags and compiles them all into one place. SED will be able to then share these photos through a photo request portal. This new media hub will also maintain usage requirements and will ensure that all photos are following the photographer contract requirements. Photographers will also be able to submit

their own photos and if the proper permissions are given SED will be able to share these photos in their marketing and promotion.

**12. Seymour Arm Community Association Meeting**

R. Cyr, K. Dearing and S. Goodey attended the Seymour Arm Community Association meeting that took place on April 26, 2019. Director Simpson also attended the meeting. The meeting was a great way to engage with the community and to discuss issues and concerns within Seymour Arm. The group is a very effective and engaged in their community. SED will continue to maintain the relationship with this community organization to see how they can assist them with future projects.

**13. Recent Ministry of Jobs, Trade and Tourism Ec Dev Webinars**

K. Dearing shared with the committee that the BC Ministry of Jobs, Trade and Technology host a variety of free online webinars on various topics regarding economic development. You can participate in the webinars live or you can access past series in their online library. This is a cost effective way of keep up to date on funding programs and other resources through the Ministry of Jobs, Trade and Technology

You can access the webinars at the following link,  
<https://www2.gov.bc.ca/gov/content/employment-business/economicdevelopment/bc-ideas-exchange/webinars/upcoming-webinar>.

**14. Ministry of Jobs Trade and Technology - Self Assessment Exercise - Is your community investment ready?**

The Committee participated in a brief self assessment exercise on "Is Your Community Investment Ready?" developed by the Ministry of Jobs, Trade, and Technology.

The intent of this exercise was to gauge if the communities in the Shuswap region were "investment ready". Director Demenok collected the worksheets and will share them with the Committee once he has compiled all of the information.

**15. Community Roundtable**

Time permitting.

Due to time this discussion items was passed.



**16. 11:00 AM IN CAMERA**

*THAT: pursuant to Sections 90(1)*

*(c) labour relations or other employee relations;*

*(k) negotiations and related discussions respecting the proposed provision of a municipal service that are at their preliminary stages and that, in the view of the committee, could reasonably be expected to harm the interests of the regional district if they were held in public; of the Community Charter, the Committee move In Camera.*

Staff left the meeting.

CAO and Assistant Deputy Corporate Officer in attendance.

R. Cyr left the meeting at 11:40 am.

S. Goodey left the meeting at 11:41 am.

**17. Next Meeting**

September 12, 2019 at 9:30 AM, Location to be determined.

**18. Adjournment**

**Moved By** Director Talbot

**Seconded By** Director Simpson

THAT: the May 9th, 2019 Shuswap Economic Development Advisory Committee meeting be adjourned.

**CARRIED**

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Chair



## **SHUSWAP TOURISM ADVISORY COMMITTEE MEETING MINUTES**

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

Date: May 9, 2019  
 Time: 1:00 PM  
 Location: CSRD Boardroom  
 555 Harbourfront Drive NE, Salmon Arm

Committee Members Present	K. Brown (Chair)	Arts Council for the South Shuswap
	D. Cannon (Vice-Chair)	Councillor, City of Salmon Arm
	P. Demenok	Director, Electoral Area C
	R. Martin	Director, Electoral Area E
	J. Simpson	Director, Electoral Area F
	R. Talbot	Director, Electoral Area D
	T. Rysz	Mayor, District of Sicamous
	R. Betts	Tree Top Flyers
	G. Bushell	The Eagle Valley Snowmobile Club
	M. Lane	Dreamcycle Motorcycle Museum
	A. Maki	Enderby & District Chamber of Commerce
	P. McIntyre-Paul	Shuswap Trail Alliance
	S. Witzky	Adams Lake Band
Committee Members Absent	D. Gonella	Salmon Arm Roots & Blues
Staff Present	R. Cyr	Economic Development Officer
	S. Goodey	Tourism Clerical Assistant

### **1. Call to Order**

The Chair called the meeting to order at 1:00 PM.

### **1.1 Guest(s) in Attendance**

The Chair acknowledged the guests in attendance:

Kyle Dearing - Kyle Dearing Consulting, Shuswap Economic Development Consultant

Piotr Ujma - Falkland Tourism Committee

Patti - Armstrong Spallumacheen Chamber of Commerce

Peter Rotzetter – Armstrong Spallumacheen Chamber of Commerce

### **1.2 Approval of Agenda**

**Moved By** Director Demenok

**Seconded By** Director Talbot

THAT: the agenda of the May 9th, 2019 Shuswap Tourism Advisory Committee meeting be approved with the following additions:

6 - Shuswap Tourism Roles

7 - Kicking Horse Highway Closure

**CARRIED**

### **1.3 Adoption of Minutes**

**Moved By** A. Maki

**Seconded By** D. Cannon

THAT: the minutes of the March 14th, 2019 Shuswap Tourism Advisory Committee meeting be adopted as circulated.

**CARRIED**

## 2. Report on Action Items / Recommendations from Last Meeting

### 2.1 Appointments to Shuswap Tourism Advisory Committee

STATUS COMPLETED

Release of In Camera Resolutions at the CSRD Board Meeting - April 19th, 2019

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 18th day of April, 2019.

CARRIED

### 2.2 Thank You Letter to S. Hofstetter

STATUS COMPLETED

THAT: The Shuswap Tourism Advisory Committee send a letter to S. Hofstetter thanking him for sitting on the committee.

## 3. Expression of Interest - Piotr Ujma

The following individuals have submitted their Expression of Interest to become members of the Shuswap Tourism Advisory Committee.

Piotr Ujma - Falkland Tourism Committee

R. Cyr spoke to the committee about Piotr Ujma and stated that he would be a good candidate to sit on the committee and represent Falkland and the surrounding area. Director R. Talbot also stated that he was in favor of Piotr sitting on the Tourism committee to represent his communities.

**Moved By** Director Demenok

**Seconded By** Director Talbot

THAT : Piotr Ujma of the Falkland Tourism Committee, be appointed to the Shuswap Tourism Advisory Committee.

**CARRIED****4. Shuswap Trails Update - Phil McIntyre-Paul**

Phil McIntyre-Paul gave the committee a brief update on the work that the Shuswap Trail Alliance has recently been completing.

BC Rural Dividend Program Grant Announcement (Update as of April 29, 2019) – regionally significant grant announcements included funding support for Sicamous-to-Armstrong Rail-Trail Environmental, Archeological, Engineering Design, Project Management, and Community engagement; the Secwepemc Landmarks and Trail Sign Project; and the 2019 Shuswap Trails Infrastructure Projects.

Secwepemc Landmarks Project (BCRDP) – successful funding secured through BCRDP leverages pilot funding through Secwepemc Lakes Division Bands bringing Secwepemc artists, elders, and youth together to design and install sculptures, viewing portals and trailhead signs to showcase Secwepemc values and culture throughout the Shuswap.

For more details, P. McIntyre-Paul's report is attached to the HTML version of these minutes.

S. Witzky joined the meeting at 1:25 pm.

**5. View of New Shuswap Tourism Beta Website**

Brad Payne, Manager, IT/GIS Services for the CSRD gave the Committee an overview of the new Shuswap Tourism Website. The new website will be more responsive and adaptive to keep up with the newest technology. It is a Wordpress site which means that Shuswap Tourism will have easier access to maintain the website and keep it current and up to date. The Committee members were impressed with the preview and felt that it will be a great improvement for the visitors and residents that access the Shuswap Tourism website.

## **8. Presentation - Overview of the Destination Ambassador Program**

K. Brown gave an overview of the Destination Ambassador program being delivered by the South Shuswap Chamber of Commerce to businesses in the Shuswap region.

Destination Ambassador covers key topics that make for memorable visitor experiences, including:

- The role of local ambassadors in the visitor experience
- The importance of tourism and how it benefits your local community
- Different visitor profiles and reasons they visit your area
- Products and services your community has to offer visitors
- Where to access information and how to provide helpful service to others

Shuswap Tourism has provided partial funding to this project to ensure that the course is affordable to businesses and participants.

## **9. Crowdriff Update – New**

K. Dearing updated the committee regarding the CrowdRiff implementation. CrowdRiff is an online tool used to assist destinations in finding user generated content and integrate into their social media pages and websites. The program monitors popular social media websites, searching for commonly used hashtags and compiles them all into one place. Shuswap Tourism will be able to then use the photos on the website in their social media marketing. This new media hub will also maintain usage requirements and will ensure that all photos are following the photo contract requirements. Photographers will also be able to submit their own photos and if the proper permissions are given Shuswap Tourism will be able to use these photos for their marketing.

T. Rysz left the meeting at 2:53 pm.

G. Bushell left the meeting at 2:53 pm.

## **7. Kicking Horse Highway Closure**

The Kicking Horse Canyon Project is located on the Trans-Canada Highway between Golden and Lake Louise. The Highway will be going through major upgrading in 2020, which will result in full road closures for a significant period of time. The traffic will be rerouted though Radium Hot Springs. Although the



closure is not taking place in the Shuswap, the highway is a main route for many visitors to the area and may cause some disruption to travel plans.

Discussion was held on these closure and the affect that it will have on Tourism visitation in the Shuswap region. It was discussed that the committee will remain up to date on these closures and bring any of their concerns forward to the committee for further discussion.

## **6. Shuswap Tourism Roles**

Discussion was held about the resignation of R. Cyr as the Economic Development Officer and Manager of Shuswap Tourism. Questions were asked about the continuity of the Shuswap Tourism department responsibilities. It was stated that the CSRD Administration staff will manage any decisions regarding the position and any questions on this subject can be directed to the CAO, Charles Hamilton.

## **10. Winter Marketing Campaign Review**

R. Cyr gave the Committee an overview of the winter marketing campaign. There is a need to shift the perception that the Shuswap is just a summer destination and support the business strategy to grow the region into a multi-seasonal destination. The winter marketing campaign strategy was to position the Shuswap as a winter destination to recharge, reboot, and reconnect. The Committee was shown all three marketing videos.

Overall, by launching the Shuswap's first winter campaign, it has provided awareness of the destinations winter experiences through effective and engaging storytelling tactics.

## **11. Update on the Secwepemc Indigenous Tourism**

S. Witzky gave an update to the Committee about the Indigenous Tourism Project. The team has been working diligently on the following deliverables:

**Cultural Sharing Guidelines** - Working with Community Elders to create a list of cultural elements that can be shared within and outside of the community as a means of furthering Indigenous Tourism.

**Indigenous Artisan Support** - Researching existing Artisan databases and developing a survey to identify artisans and their potential interest to develop and market their crafts.

**Assist Entrepreneurs in the Development of their Tourism Based Business** - Identifying existing entrepreneurs and soliciting their feedback about their individual experiences.

**Develop and Deliver Tourism Events** - Developing a database of indigenous events throughout the region where cultural tourism can be showcased to wider audience.

For more details please see the report attached to the HTML version of these minutes.

**12. 2021 RBC Cup – Junior National Hockey Championships – Letter of Support**

R. Cyr provided the Shuswap Sports Society with a letter of Support for the 2021 RBC Cup - Junior National Hockey Championship bid on behalf of Shuswap Tourism.

**13. Terms of Reference Revision**

R. Cyr revised the Terms of Reference for the Shuswap Tourism Advisory Committee. The updated terms now includes membership updates which include one council member or designate from the Indigenous communities in the Shuswap region and one representative from Shuswap Trail Alliance. There also cannot be more than twenty members on the Committee. The intention of these changes is to ensure that the Tourism Industry has a strong presence on the Committee.

**Moved By** R. Betts

**Seconded By** A. Maki

THAT: The Shuswap Tourism Advisory Committee recommend to the CSRD Board the approval of the Shuswap Tourism Advisory Committee Terms of Reference as amended.

**CARRIED**

**14. New 2019 Shuswap Brand Evolution – Typography**

R. Cyr presented to the Committee the updated Typography for Shuswap Tourism. The new fonts and color updates will help integrate Shuswap Tourisms current branding to integrate with the Destination BC branding. Please see the attached document to review the changes.

**15. Calgary Outdoor Show Attendance and Stats**

Shuswap Tourism attended the Calgary Outdoor Adventure and Travel Show March 23 and 24th with Salmon Arm Economic Development.

The attendance at the Calgary show was more than the Vancouver show this year. The survey results show that 64% of surveyed have visit the Shuswap already. Overall it was a great show to attend and Shuswap Tourism plans to attend again in 2020.

**16. Next Meeting**

September 12, 2019 at 1:00 PM, Location to be determined

**17. Adjournment**

**Moved By** D. Cannon

**Seconded By** Director Demenok

THAT: the May 9th, 2019 Shuswap Tourism Advisory Committee meeting be adjourned.

**CARRIED**

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Chair



# BOARD REPORT

**TO:** Chair and Directors

**File No:** 7200 01

**SUBJECT:** CSRD Firefighter and Officer Remuneration Policy F-12

**DESCRIPTION:** Report from Jodi Pierce, Manager, Financial Services dated May 24, 2019.  
Minor amendment to Policy F-12.

**RECOMMENDATION #1:** THAT: the Board endorse the amendment to Policy No. F-12 "CSR D Firefighter and Officer Remuneration" and approve its inclusion into the CSRD Policy manual.

## SHORT SUMMARY:

The proposed amendments to Policy No. F-12 "CSR D Firefighter and Officer Remuneration" (Policy F-12) are to: 1) recognize that Structural Protection Unit ("SPU") Team members may be hired to be Instructors for CSRD approved Fire Services Training and that they should be remunerated on the same basis as other firefighters and officers within the Policy; and, 2) identify that some training sessions are less than a full day and that compensation should be pro-rated to time spent.

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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:

SPU Team members consist of firefighters from the CSRD Fire Halls, firefighters from the member municipalities and other volunteers. Currently there is no basis for compensation for SPU Team members that are from outside of the CSRD paid-on-call firefighters and the amendment will provide for compensation and insure that Workers Compensation Board and Municipal Insurance Association risks are mitigated.

## POLICY:

Policy F-12 supports previous Board direction and the amendments will provide clarity and consistency to the remuneration of firefighters, officers and SPU Team members.

## FINANCIAL:

There are no significant financial consequences.

## IMPLEMENTATION:

The updated policy will be included in the CSRD Policy Manual once approved by the Board.

## DESIRED OUTCOMES:

That the Board approve the amended Policy F-12

**BOARD'S OPTIONS:**

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

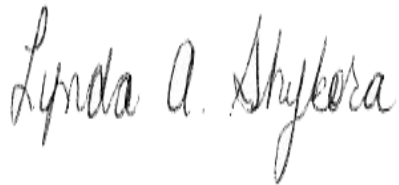
**LIST NAME OF REPORT(S) / DOCUMENT(S) AVAILABLE FROM STAFF:**

1. List reports

**Report Approval Details**

Document Title:	2019-06-20_Board_FIN Policy F-12 Minor Amendment.docx
Attachments:	- CSRD Policy F-12 CSRD Firefighter and Officer Remuneration - June 2019.pdf
Final Approval Date:	Jun 5, 2019

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



**Lynda Shykora - Jun 5, 2019 - 8:24 AM**



**Charles Hamilton - Jun 5, 2019 - 10:34 AM**



**POLICY****CSRD FIREFIGHTER AND OFFICER REMUNERATION****PURPOSE**

To provide direction on standardized honorarium and paid per call remuneration administered to all Columbia Shuswap Regional District (CSRD) Fire Department members based on the Structure Firefighters Competency and Training Playbook issued by the Office of the Fire Commissioner (OFC Playbook) and the CSRD Fire Services Review: Proficiency Criteria and Honoraria report from Dave Mitchell and Associate, September 2011. For the purposes of this policy, the CSRD representative is the Manager of Operations Management or designate.

**SCOPE**

This policy applies to all CSRD firefighters and officers.

**POLICY****Administrative Honorariums**

An annual honorarium is paid to the officer positions within fire departments to acknowledge the administrative responsibility and the level of commitment required by these positions.

<b>Officer Position</b>	<b>Annual Base Rate</b>
Fire Chief	\$2,500
Deputy Fire Chief	\$1,800
Training Officer	\$1,800
Captain	\$1,000
Lieutenant/Safety Officer	\$ 600

**Hourly Rates**

Hourly rates are paid to officers and firefighters within fire departments for time spent on approved activities as outlined below. In addition to obtaining the required training for the designated OFC Playbook classifications, the minimum officer positions must also be achieved where indicated to receive the hourly rate.

<b>OFC Playbook Position</b>	<b>Minimum Officer Positions</b>	<b>Hourly Rate</b>
Company Fire Officer	Fire Chief	\$25.00
Risk Management Officer	Deputy Fire Chief/Safety Officer	\$22.00
Team Leader	Training Officer/Lieutenant/Captain	\$21.50

Firefighters/officers will be paid according to their designated fire department level of service (exterior or interior service) upon obtaining the required training.

<b>Position</b>	<b>Hourly Rate</b>
Interior Operations – Firefighter	\$20.00
Exterior Operations – Firefighter	\$18.00
Auxiliary/Recruit/Probation	\$15.00

### **Practices**

Remuneration for weekly practices is based on a two hour session. Those firefighters and officers attending the full practice session will receive two hours compensation for weekly practices (partial practice attendance will be pro-rated). Remuneration will be paid for additional practice sessions only if pre-approval is obtained from the CSRD representative prior to the session, which includes recruit training or when a practice session exceeds two hours.

### **Training**

All training activities must be pre-approved by the CSRD representative prior to the training session occurring. Firefighters and officers will receive compensation for time spent at firefighter training activities, excluding travel time. The hourly rate payable will be associated with actual training time. Hourly rates will not apply to travel to and from the training activity, nor conferences, trade shows or non-fire-related training (i.e. BC Fire Expo, First Aid training, Air Brakes Course, etc.). Firefighters and officers may claim reimbursement for travel related to training based on kilometres to and from their respective fire hall and the location of the training consistent with CSRD Policy No. F-7.

### **Meetings**

The CSRD Regional Fire Chief meeting attended by CSRD officers is eligible for remuneration. Remuneration will be paid at the member's regular rate of pay. Any additional regional meeting may be considered for remuneration if pre-approved by the CSRD representative.

### **Instructors**

Instructor rates are paid to firefighters, officers and Structural Protection Unit (SPU) Team members that are appointed to instruct CSRD approved Fire Services training. In addition, instructors may claim reimbursement for travel related to training based on kilometres to and from their respective fire hall and the location of the training consistent with CSRD Policy No. F-7. If pre-approved by the CSRD representative, additional preparation time will be granted and paid at the individual's regular hourly rate of pay. Partial days (less than 8 hours) will be paid at pro-rated daily rates based on actual attendance.

<b>Position</b>	<b>Rate Per Day</b>
Lead Instructor	\$250.00
Instructor/Safety Officer	\$200.00
Technician/Rehab	\$150.00

### **Maintenance**

Maintenance duty crews are conducted for the inspection and verification of firefighting equipment and apparatus to ensure it is operational. Duty crew activities included the flagging for repair and/or performing minor repairs on equipment. Duty crew activities must be conducted once per month. The monthly rate will be paid based on number of apparatus stationed at each fire hall and will be prorated equally between participating members according to names submitted.

<b>Apparatus stationed at Fire Hall</b>	<b>Monthly Rate</b>
0 - 3 Units	\$ 75.00
4 - 6 Units	\$150.00
6 Units or more	\$250.00

### **On Call/Duty Chief**

During times of high fire risk, the CSRD may appoint a duty chief to respond to burning complaints/nuisance calls for a predetermined number of days. The remuneration for the duty chief on standby will be two hours per day at the firefighters' regular hourly rate of pay in addition to time spent responding to actual calls. The CSRD will approve qualified firefighters to be designated as duty chiefs for specific fire service areas.

### **Call-outs**

Firefighters and officers will be compensated at the applicable hourly rate for all hours spent during incident call-outs. Remuneration begins at the time the firefighter/officer responds to the page and ends when they complete all duties associated with the call. All incident calls will be compensated at actual time spent with a one hour minimum (actual time spent will be calculated to the nearest 15 minutes).

### **Special Events**

Special events that may require the attendance of firefighter personnel include public information sessions, fire prevention/education/awareness events and mock disaster scenario exercises. Attendance at any special event must be approved in advance by the CSRD representative. If attendance is remunerated, it will be paid at the firefighter/officers' regular hourly rate of pay. Note that remuneration is not applicable for any volunteer firefighter association/society-related functions.

There may be other instances where firefighters are asked to perform duties other than those listed above (i.e. additional hall/equipment maintenance, etc.). Provided pre-approval is obtained from the CSRD representative, participating firefighters/officers will be remunerated at their regular hourly rate of pay.

### **Procedures and Frequency of Payment**

Fire departments have the responsibility to submit attendance sheets to the CSRD for processing. These attendance sheets must be faxed, emailed or dropped off immediately upon completion of the practice/training/call-out/etc. Remuneration and honorariums will be paid on a monthly basis.

August 2012  
August 2013  
November 19, 2015  
January 19, 2017  
June 20, 2019



# BOARD REPORT

**TO:** Chair and Directors

**File No:** Policy F-30

**SUBJECT:** CSR D Policy F-30 Electoral Area Grant in Aid Funding

**DESCRIPTION:** Report from Jodi Pierce, Manager, Financial Services, dated June 4, 2019.  
Amendment to Grant in Aid policy.

**RECOMMENDATION #1:** THAT: the Board endorse the amendment to Policy No. F-30 "CSR D Electoral Area Grant in Aid Funding" and approve its inclusion into the CSR D Policy manual, this 20<sup>th</sup> day of June, 2019.

## SHORT SUMMARY:

At the May 16, 2019 CSR D Board meeting, there was discussion around changing the grant in aid funding policy. Directors requested that the Policy be changed to include additional information around the community benefits, other funding and recognition of the CSR D. Staff took the opportunity to have a more fulsome look at the existing policy and has made additional changes.

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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:

The Board had directed staff to amend the Policy F-30 Electoral Grant in Aid Funding to reflect some identified issues as per the short summary. While making those changes, staff reviewed other grant in aid policies from other organizations around the Province and enhanced the policy to provide further clarity for potential recipients and elected officials. These changes include: identification of the process; criteria and required documentation sections have been further expanded; information relating to recipient organizations was clarified; and, a section entitled "Other Information" has been included.

Additionally, during staff research into other grant in aid application processes, it was determined that many organizations have a grant-in-aid reporting form which we have adopted as part of the post-application documentation and certification process.

## POLICY:

Amendments to Policy F-30 will provide further clarity, consistency and transparency to Electoral Area Grant in Aid Funding.

## FINANCIAL:

There are no significant financial consequences.

## IMPLEMENTATION:

The updated policy will be included in the CSR D Policy Manual once approved by the Board.

**COMMUNICATIONS:**

The updated policy, new application form and post-application reporting form will be posted to the CSRD website.

**DESIRED OUTCOMES:**

That the Board approve the amended Policy F-30 Electoral Area Grant in Aid Funding.

**BOARD'S OPTIONS:**

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

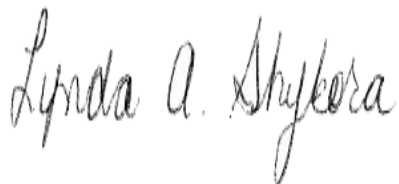
**LIST NAME OF REPORT(S) / DOCUMENT(S) AVAILABLE FROM STAFF:**

1. N/A

**Report Approval Details**

Document Title:	2019-06-20_Board_FIN Policy F-30 Grant in Aid Funding.docx
Attachments:	<ul style="list-style-type: none"><li>- CSRD Policy F-30 Electoral Area Grants-in-Aid - May 2019.pdf</li><li>- Grant Aid Application Form new 2019.pdf</li><li>- GIA Reporting Form.docx</li></ul>
Final Approval Date:	Jun 5, 2019

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



**Lynda Shykora - Jun 5, 2019 - 11:48 AM**



**Charles Hamilton - Jun 5, 2019 - 1:23 PM**





## POLICY

### ELECTORAL AREA GRANT-IN-AID FUNDING

#### **PURPOSE AND INTENT**

The Electoral Areas of the Columbia Shuswap Regional District provide Grant-in-aid funding in order to assist non-profit societies/organizations and registered charitable organizations that provide community or regional benefit and enrichment to enhance the quality of life for residents.

This policy is intended to provide a process to enable the Electoral Area Directors to make fair and equitable recommendations to the CSR Board on behalf of their respective areas in the granting of funds to the community. The goal of this policy is to establish open, transparent, consistent, and accountable guidelines for the evaluation and distribution of Electoral Areas' Grant-in-aid funds, respecting the limited financial resources available for this purpose. The maximum budget allocation for the Grant-in-aid funds is established within the Local Government Act and is subject to lesser amounts at the discretion of the Electoral Area Director.

Not all societies or organizations meeting the basic criteria will automatically receive a grant, funding is not guaranteed from year to year, and organizations are encouraged to work towards financial independence.

#### **POLICY**

Requests for Grant-in-aid funds must meet all requirements of the *Local Government Act* and be approved by the CSR Board of Directors either in the form of a line item in an adopted Five Year Financial Plan or through a separate resolution.

#### **1. The Process:**

- Grant-in-aid applications must be submitted to the Manager, Financial Services or Designate by the 1<sup>st</sup> day of the month in order to be considered for that month's Board meeting, with the exception of December, in which case, applications must be received by November 20<sup>th</sup>.
- The Manager, Financial Services or Designate will forward all complete and eligible applications to the Electoral Area Director for support.
- Supported applications go to the monthly Board meeting for approval of a Grant-in-aid resolution by the entire CSR Board, providing adequate funds remain within the current Five Year Financial Plan.
- Un-supported applications will receive correspondence from the Manager, Financial Services or Designate advising of the lack of support.
- Recipient organizations who have been approved for funding will receive a cheque and congratulatory letter within 4 weeks of the date the application was approved by the Board.

**2. Criteria:**

- The Grant-in-aid request for funds must be within the current year's budgeted allocation.
- The application must show a demonstrated need for the service/project within the community and the financial need of the Recipient organization.
- The Grant-in-aid request for funds will not be used for purposes that are the responsibility of senior levels of government, as this would represent a downloading of senior government costs to local residents.
- Grant-in-aid funds will not be provided for:
  - Personal benefit, individual, industrial, commercial or business undertakings;
  - Religious organizations serving primarily their membership and/or their direct religious purpose;
  - Ethno cultural organizations serving primarily their membership and/or their own ethnic promotion;
  - Annual fundraising campaigns;
  - Endowment funds;
  - Debt retirement, interest payments or accumulating reserves;
  - Purposes for which the Board identifies as potentially exposing the CSRD to risk of an unacceptable liability.

**3. Recipient Organization must:**

- Have a contact representative within the Regional District.
- Provide a benefit to persons residing within the Regional District.
- Be non-partisan, non-denominational and non-profit.
- Have a bank account in the society/organizations' name.
- The organization must extend its service to the general public and shall not exclude anyone by reason of religion, ethnicity, gender, age, sexual orientation, language, disability, or income, except in instances where it can be proven that the exclusion of some groups is required for effective service delivery to the target group.
- Applicants are generally required to provide a local component of funding, either through fundraising, membership, donation or work-in-kind.
- Preference of Grant-in-aid funding will be given to the following:
  - Applications that demonstrate a significant benefit to a large segment of the Electoral Area,
  - Organizations that have a demonstrated financial need,
  - Organizations that seek funding from a variety of sources,
  - Applications that promote volunteer participation and citizen involvement,
  - Exercise co-ordination, co-operation and collaboration with other groups to prevent duplication of projects, programs, services or special events.

#### **4. Documentation to include:**

The Grant-in-aid application must be fully complete, provide sufficient documentation to justify the Grant-in-aid, and include:

- Details on how the organization contributes to the general interests and advantage of the Electoral Areas. Those applications that have a measurable benefit to the communities outside the Electoral Areas must provide details of the benefit.
- A statement of purpose of the organization and purpose for which the grant funding is being requested.
- If the organization is an association or society, a list of the current officers and directors.
- A budget for the project, program, event or services.
- Information on what all sources of funding have been sought and received.
- If the funding request is greater than \$2,000, an Income Statement (profit and loss) for the most recent fiscal year end, a Balance sheet for the most current fiscal year end and a comprehensive budget for the current year activities of the applicant. These documents may be requested by the Board, the Area Director or the Manager of Financial Services for any grant-in-aid application. This policy makes no provisions for audited financial statements
- A statement on how the recipient organizations' plans to acknowledge the Grant-in-aid funds contributed by the CSRD (see other information below).

#### **5. Post-application documentation and certification**

Grant-in-aid funds are not to be utilized for any purpose other than that which is identified in the Grant-in-aid application. Approved Grant-in-aid applications receiving funding in excess of \$2,000 must provide the following documentation within the earlier of: 1 year of the payment of the Grant-in-aid by the CSRD to the recipient organization, upon completion of the project or upon a subsequent grant application:

- Copies of the paid invoice(s) where applicable,
- Financial Statements for the fiscal year in which the funds were spent,
- Photographs of project where applicable,
- Letter of certification, signed by the authorized signatory for the recipient organization that the grant-in-aid was utilized for the purpose for which the funds were sought.

If the project is not complete within one year of receipt of the Grant-in-aid, an extension letter must be provided to the CSRD indicating why the project has been delayed and the new timeline for the project.

Unspent Grant-in-aid funds must be returned to the CSRD. Failure to comply with the documentation and certification requirements will render the recipient organization ineligible to receive further Grant-in-aid funds.

## **6. Other information**

The Columbia Shuswap Regional District is subject to Provincial Freedom of Information and Privacy and Protection Act and cannot guarantee the information provided can or will be held in confidence.

Approved recipients must acknowledge the CSRD as a sponsor in any program publications or marketing, however, the project, program, service or special event cannot be represented as a project, program, service or special event of the CSRD nor may the recipient organization hold itself out as an agent of the CSRD in any way. Organizations that wish to acknowledge the CSRD by using the CSRD logo, must submit a request at <https://www.csr.bc.ca/inside-csr/stay-connected/logo-request-form>

No Grant-in-aid applications will go before the Board for approval in the three (3) regular Board Meetings prior to a local government election. In the event of a by-election, only those grant-in-aid applications applicable to the Electoral Area will be suspended until after the by-election.

It should be noted that the Electoral Areas' Grant-in-Aid process is very competitive and applicants should submit the best and most complete applications possible.

May 1991  
July 1999  
August 21, 2014  
June 16, 2016  
June 20, 2019

# COLUMBIA SHUSWAP REGIONAL DISTRICT

## APPLICATION FOR GRANT-IN-AID

1. Date: \_\_\_\_\_
2. Name of Group: \_\_\_\_\_
3. Address: \_\_\_\_\_
4. (a) Date organization established in the Regional District: \_\_\_\_\_  
 (b) Registered Society in Province of BC:  
 Reg. No. \_\_\_\_\_ Date: \_\_\_\_\_  
 (c) Registered Charitable Organization with Federal Government:  
 Reg. No. \_\_\_\_\_ Date: \_\_\_\_\_
5. Number of persons served:  
 Electoral Area: \_\_\_\_\_ Other (explain): \_\_\_\_\_
6. President: \_\_\_\_\_ Phone: \_\_\_\_\_  
 Address: \_\_\_\_\_
7. Secretary: \_\_\_\_\_ Phone: \_\_\_\_\_  
 Address: \_\_\_\_\_
8. Board of Directors
 

1. _____	4. _____
2. _____	5. _____
3. _____	6. _____
9. Executive Director or contact person: \_\_\_\_\_  
 Phone: \_\_\_\_\_ Email: \_\_\_\_\_
10. Society or Organization's objectives:

**APPLICATION FOR GRANT-IN-AID – Page 2**

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11. Purpose to which grant fund will be expended:

12. Budget (attach copy): \$ \_\_\_\_\_

13. Grant Request: \$ \_\_\_\_\_ Minimum Required: \$ \_\_\_\_\_

14. Has your organization received grants in previous years from the Regional District? Please indicate year, type of grant, and amount for past three years:

YEAR	AMOUNT

15. How will community and/or participants benefit?

16. Amount of grant received from Senior Governments (Provincial/Federal), Local Governments, Crown Agencies, and other funding Agencies for the past three years.

NAME OF CONTRIBUTOR	YEAR	AMOUNT RECEIVED

17. List amount of personal funding being used, e.g. Membership fees, bottle drives, bingo, casinos, etc.

18. Details of community support for objectives:



**APPLICATION FOR GRANT-IN-AID – Page 3**

19. Please state size of membership in your organization: \_\_\_\_\_
20. Applications must be accompanied by the following supporting information if the requested amount is \$2,000 or greater.
- (a) The organization's most recent Financial Statements.
  - (b) The organization's projected Statement of Revenues and Expenditures for the upcoming calendar year or twelve month fiscal period, together with comparatives for the previous calendar year or twelve month fiscal period.

PLEASE FORWARD TO:  
 MANAGER, FINANCIAL SERVICES  
 COLUMBIA SHUSWAP REGIONAL DISTRICT  
 BOX 978, SALMON ARM, BC V1E 4P1  
 By Email: jpierce@csrd.bc.ca

ATTACH ANY ADDITIONAL INFORMATION WHICH WOULD ASSIST  
 IN THE EVALUATION OF YOUR REQUEST.

*Note: This summary MUST be completed to process your request.*

ON BEHALF OF THE ORGANIZATION,  
 I/WE HEREBY DECLARE THAT ALL THE INFORMATION PRESENTED  
 AND/OR PROVIDED WITH THIS APPLICATION IS TRUE AND CORRECT.

DATED AT \_\_\_\_\_, BC THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 20\_\_\_\_

\_\_\_\_\_  
 NAME

\_\_\_\_\_  
 SIGNATURE

\_\_\_\_\_  
 TELEPHONE

\_\_\_\_\_  
 EMAIL

ONLY NON-PROFIT ORGANIZATIONS ARE ELIGIBLE FOR GRANTS

## **POLICY**

### **ELECTORAL AREA GRANTS IN AID**

#### **PURPOSE AND INTENT**

The giving of grants-in-aid has been left to the discretion of the Area Director. The purpose of this policy is to establish a consistent and accountable process for dealing with grant-in-aid applications in the Columbia Shuswap Regional District.

#### **POLICY**

Requests for grants-in-aid must meet all requirements of the Local Government Act and be approved by the Board of Directors either in the form of a line item in an adopted Five Year Financial Plan or through a separate resolution.

#### **1. Recipient Organization must:**

- Have a mailing address and contact representative within the Regional District.
- Provide a service to persons residing within the Regional District.
- Be non-partisan, non-denominational and non-profit.

#### **2. Documentation to include:**

The grant-in-aid application must be fully completed and provide sufficient documentation to justify the grant-in-aid, and include:

- Statement of purpose of the organization and purpose for which the grant is being requested.
- If the organization is an association or society, a list of the current officers and directors.
- If the request is in an amount greater than \$2,000, financial statements for the most recent fiscal year end and a current budget. These documents may be requested by the Board, the Area Director or the Manager of Financial Services for any grant-in-aid application. This policy makes no provisions for audited financial statements

#### **3. Application dates and payments**

Grant-in-aid applications must be supported by the Electoral Area Director in order to go before the board. Supported applications will be considered by the Board for approval each month at the regular Board Meeting, however, payment for any approved grants may not be made until after August 1<sup>st</sup> of the fiscal year in which the grant was approved.

No grants-in-aid applications will go before the Board for approval in the three (3) regular Board Meetings prior to a local government election. In the event of a by-election, only those grant-in-aid applications applicable to the Electoral Area will be suspended until after the by-election.

**4. Post-application documentation and certification**

Grant-in-aid funds are not to be utilized for any purpose other than that which is identified in the grant-in-aid application. Approved grant-in-aid applications in excess of \$2,000 must provide the following documentation within the earlier of: 1 year of the payment of the grant-in-aid by the CSRD to the recipient organization, upon completion of the project or upon a subsequent grant application:

- Copies of the paid invoice(s) where applicable
- Photographs of project where applicable
- Letter of certification, signed by the authorized signatory for the recipient organization that the grant-in-aid was utilized for the purpose for which the funds were sought.

If the project is not complete within one year of receipt of the grant-in-aid, an extension letter must be provided to the CSRD indicating why the project has been delayed and the new timeline for the project.

Unspent grant-in-aid funds must be returned to the CSRD. Failure to comply with the documentation and certification requirements will render the recipient organization ineligible to receive further grant-in-aid funds.

May 1991

July 1999

August 21, 2014

June 16, 2016

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

- 1. Name of Organization:** \_\_\_\_\_
- 2. Amount of Grant-in-Aid received:** \_\_\_\_\_
- 3. Describe the project, program, service or special event for which the Organization received the Grant-in-aid funding:**
- 4. Total project expenses:** (include copies of paid invoices) \_\_\_\_\_
- 5. Describe how the project, program, service or special event's anticipated objectives and timelines were met or not met:** (attach photographs where applicable)
- 6. Describe how this project, service or special event will continue to be sustainable past the grant time period:**

ON BEHALF OF THE ORGANIZATION, I/WE HEREBY DECLARE  
THAT THE GRANT-IN-AID FUNDING WAS UTILIZED FOR THE PURPOSE FOR  
WHICH THE FUNDS WERE SOUGHT  
DATED AT \_\_\_\_\_, BC, THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 20\_\_\_\_

NAME \_\_\_\_\_

**SIGNATURE**



# BOARD REPORT

**TO:** Chair and Directors

**File No:** 0810 20 10

**SUBJECT:** Salmon Arm Landfill Design and Operation Plan Update – Contract Award

**DESCRIPTION:** Report from Ben Van Nostrand, Team Leader, Environmental Health Services, dated May 22, 2019. Salmon Arm Landfill Design and Operation Plan Update – Contract Award.

**RECOMMENDATION:** THAT: the Board empower the authorized signatories to enter into an agreement with Sperling Hansen Associates to complete an update to the Salmon Arm Landfill Design and Operation Plan for a cost of \$79,088 plus applicable taxes and plus contingencies not to exceed the total budgeted amount of \$100,000, this 20<sup>th</sup> day of June, 2019.

## SHORT SUMMARY:

The Salmon Arm Landfill's Operational Certificate MR-05479, issued by the Ministry of Environment on July 25, 1979, requires the Design and Operation Plan be updated by a qualified professional. The current Plan is due for a review and update, and as such a procurement process was carried out and concluded on May 8, 2019.

A Request for Proposals (RFP) was released with an approved budget of \$100,000 to conduct this work. Submissions received contained a variety of pricing and project scope. Sperling Hansen Associates (SHA) is the recommended proponent as SHA has provided the proposal with the best value to the CSR D in the development of an upgraded Design and Operations Plan. Board authorization is required as SHA was not the lowest cost proposal received.

<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 Salmon Arm Landfill is being developed in phases and the existing Design and Operation Plan (DOP) calls for 5 phases of filling. Currently the operations are focused on filling Phase 2, with an estimated 2 years of remaining airspace left. As such, the DOP will incorporate specific designs for expansion into Phase 3 and a construction schedule. Furthermore, the CSR D has recently purchased an adjacent 20 acre parcel to the Salmon Arm landfill, which will also be incorporated into the updated DOP.

In 2016 the Ministry of Environment updated the BC Landfill Criteria document which recommends that BC landfills complete a conformance review. This review evaluates existing operations and site configurations, compares that information to the BC Landfill Criteria, and provides a list of recommended upgrades. The contract to review and update the DOP includes a requirement to perform a conformance review of the site.

Based on a review of the bid submissions, the value of SHA's experience both in general and specifically at the Salmon Arm landfill, was deemed to provide more value than other proponents submissions received.

SHA has provided engineering services for the CSRD's Salmon Arm landfill since 2008 when they prepared the 2008 Design and Operation Plan. In 2010, SHA prepared the Salmon Arm landfill Phase 1 Closure and Phase 2 preparation documents and throughout 2011 provided project management services for construction of these projects. SHA was retained in 2015 to prepare the Mounce Property Economic Analysis report, which provided the CSRD with an economic assessment of future landfilling options and related uses of the Mounce property. Lastly, the CSRD has been using SHA's Kamloops office to provide continued Phase 1 development and engineering assessments to ensure proper planning of timelines are in place for the development of Phase 2 and the construction of Phase 3.

### **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 if it is not the low bid.

### **FINANCIAL:**

The following table outlines the submitted proposals for this project, excluding taxes:

<b>Bidder</b>	<b>Bid Price</b>
GHD	\$100,000.00
Golder	\$83,390.00
<b>Sperling Hansen</b>	<b>\$79,088.00</b>
Tetra Tech	\$75,696.96
WSP	\$95,145.00
XCG	\$53,380.00

All bids received are within the \$100,000 budgeted amount for this project in the 2019 Solid Waste Management budget.

### **IMPLEMENTATION:**

The proponents will be notified of the results of the CSRD's selection process and the successful bidder will begin work immediately on the project.

### **COMMUNICATIONS:**

The decision of the Board will be relayed to all proponents.

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

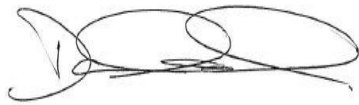
1. *Endorse the Recommendation.*
2. *Deny the Recommendation.*
3. *Defer.*
4. *Any other action deemed appropriate by the Board.*



**Report Approval Details**

Document Title:	2019_06_20_OM_SArm_Landfill_DandO_Plan_Update_RFP_Award.docx
Attachments:	
Final Approval Date:	Jun 7, 2019

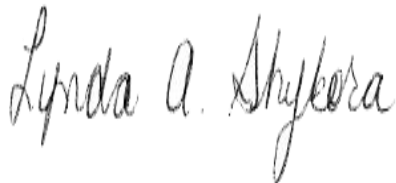
This report and all of its attachments were approved and signed as outlined below:



**Darcy Mooney - Jun 6, 2019 - 3:53 PM**

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

**Jodi Pierce - Jun 6, 2019 - 4:12 PM**



**Lynda Shykora - Jun 6, 2019 - 4:33 PM**



**Charles Hamilton - Jun 7, 2019 - 8:23 AM**



# BOARD REPORT

**TO:** Chair and Directors

**File No:** 5360 01

**SUBJECT:** Memorandum of Understanding – Federation of Canadian Municipalities.

**DESCRIPTION:** Report from Ben Van Nostrand, Team Leader, Environmental Health Services, dated May 22, 2019. Memorandum of Understanding with the Federation of Canadian Municipalities to support the Vietnam Municipal Solid Waste Management Project.

**RECOMMENDATION #1:** THAT: the Board empower the authorized signatories to enter into a Memorandum of Understanding agreement with the Federation of Canadian Municipalities in support of implementation of the Vietnam Municipal Solid Waste Management Program for a two and half year term, expiring March 31, 2021.

## SHORT SUMMARY:

In March 2019, the Environmental Health Services Team Leader travelled to Vietnam in a Federation of Canadian Municipalities led project entitled the (FCM) Vietnam Municipal Solid Waste Management Program (VnSWM). The mission was successful and the FCM would like to continue the project with the CSR. The FCM has requested the CSR engage in a Memorandum of Understanding (MOU) to continue its partnership in the project for the remaining term to March 31, 2021. The main objective of the MOU is to utilize Canadian municipal expertise to assist in the provision of technical assistance, advice, training and sharing of best practices with partner municipalities in Vietnam.

<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 FCM and the Association of Cities in Vietnam (ACVN) entered into an agreement to jointly implement the Improved Municipal Solid Waste Practices program to reduce "Short-lived Climate Pollutants" (SLCP) in the Vietnam Project, commonly called the VnSWM project. Funded by Environment and Climate Change Canada (ECCC), VnSWM is aligned with both Canada's and Vietnam's commitments under the Paris Agreement to combat climate change by reducing greenhouse gas emissions.

The two and a half year project (ending March 31, 2021) supports two medium-size cities in Vietnam, Bac Giang and Hoi An, to implement innovative "Pilot Initiatives" that contribute to the reduction of SLCPs by improving practices in municipal solid waste management. SLCP include methane and other greenhouse gases generated by organic wastes that are not properly managed. Pilot Initiatives include strategies to reduce, capture and divert organic waste destined to landfills, rehabilitate landfills, treat organic wastes and produce compost.

In March 2019 the Environmental Health Services Team Leader participated in a trip to Vietnam to begin the process of site visits and to engage with ACVN staff to provide technical assistance, advice, training and sharing of best practices from the CSR. Future missions to complete the work that commenced in 2019 are in the planning stages. There is the possibility that the CSR will host staff and politicians

from ACVN to tour and share successful solid waste management projects throughout the CSRD and neighbouring regional districts.

#### **POLICY:**

The FCM requires a Board resolution which confirms the CSRD supports and is committed to the project.

#### **FINANCIAL:**

There are no financial implications to the CSRD, as no financial commitment is expected of the CSRD for the project. The CSRD's contribution to the project is the in-kind salary contribution for volunteer time spent by the Environmental Health Services Team Leader. The FCM and the VnSWM program will cover CSRD travel, accommodation, insurance, and meal expense through funding from Global Affairs Canada.

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

Board authorization is required by the FCM to establish a formal relationship to support the implementation of the VnSWM program and formalize the principles of cooperation between the CSRD and FCM.

#### **COMMUNICATIONS:**

A copy of the Board resolution will be forwarded to FCM, along with the endorsed MOU.

#### **DESIRED OUTCOMES:**

The Board endorse the resolution in support the CSRD's continued participation in the VnSWM project to March 31, 2021.

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

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

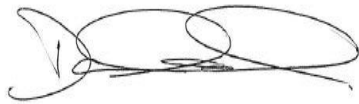
#### **LIST NAME OF REPORT(S) / DOCUMENT(S) AVAILABLE FROM STAFF:**

1. VnSWM Program Memorandum of Understanding - FCM and CSRD.

**Report Approval Details**

Document Title:	2019_06_20_OM_FCM_MOU_Vietnam_SWM_Project.docx
Attachments:	
Final Approval Date:	Jun 7, 2019

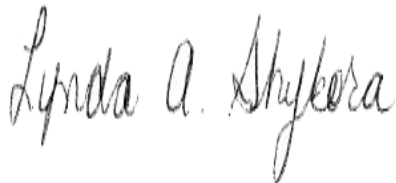
This report and all of its attachments were approved and signed as outlined below:



**Darcy Mooney - Jun 6, 2019 - 3:45 PM**

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

**Jodi Pierce - Jun 6, 2019 - 4:03 PM**



**Lynda Shykora - Jun 6, 2019 - 4:30 PM**



**Charles Hamilton - Jun 7, 2019 - 8:27 AM**



# BOARD REPORT

**TO:**

Chair and Directors

<b>File No:</b> BL5798, 2019
------------------------------

**SUBJECT:**

Alternative Approval Process – North & South Shuswap Community Arts, Recreation and Culture Programs Financial Contribution Area Establishment

**DESCRIPTION:**

Report from Jennifer Sham, Assistant Deputy Corporate Officer, dated June 4, 2019.

**RECOMMENDATION #1:**

THAT: for the purpose of obtaining approval for the North & South Shuswap Community Arts, Recreation and Culture Programs Financial Contribution Service Area Establishment Bylaw No. 5798, 2019, using the Alternative Approval Process, eight hundred eighty five (885) be used as the fair determination of 10% of the eligible number of electors within the service area (Electoral Areas C and F, excluding Seymour Arm), this 20<sup>th</sup> day of June, 2019.

**RECOMMENDATION #2:**

THAT: the North & South Shuswap Community Arts, Recreation and Culture Programs Alternative Approval Process Elector Response Form be approved by the Board in the form attached to this report, subject to the North & South Shuswap Community Arts, Recreation and Culture Programs Financial Contribution Service Area Establishment Bylaw No. 5798, 2019, being approved by the Inspector of Municipalities by Tuesday, July 2, 2019, this 20<sup>th</sup> day of June, 2019.

**RECOMMENDATION #3:**

THAT: the deadline for receipt of submissions of Elector Response Forms for the Alternative Approval Process conducted for the North & South Shuswap Community Arts, Recreation and Culture Programs Financial Contribution Service Area Establishment Bylaw No. 5798, 2019, be 4:00 PM, Wednesday, August 21, 2019, this 20<sup>th</sup> day of June, 2019.

**SHORT SUMMARY:**

The Community Charter sets out specific requirements for conducting an Alternative Approval Process (AAP). The Board must 1) establish the deadline for receipt of elector responses; 2) establish elector response forms; and, 3) make a fair determination of the total number of electors of the area to which the approval process applies. The three staff recommendations above meet the AAP requirements for the proposed North & South Shuswap Community Arts, Recreation and Culture Programs Financial Contribution Service Area Establishment Bylaw No. 5798, 2019.

**VOTING:**

Unweighted  
Corporate



LGA Part 14  
(Unweighted)



Weighted  
Corporate



Stakeholder  
(Weighted)


**BACKGROUND:**

At the May 16, 2019 Board meeting, the following resolutions were adopted:

THAT: "North & South Shuswap Community Arts, Recreation and Culture Programs Financial Contribution Service Area Establishment Bylaw No. 5798, 2019" be read a first, second and third time this 16th day of May, 2019.

THAT: the Board endorse the alternative approval process in accordance with Section 345(1)(a) of the Local Government Act as the method to obtain the assent of the electors for the establishment of a North & South Shuswap Community Arts, Recreation and Culture Programs Financial Contribution Service identified in Bylaw No. 5798, 2019.

THAT: the Board provide that the participating area approval relative to the North & South Shuswap Community Arts, Recreation and Culture Programs Financial Contribution Service is to be obtained for the entire service area (on an area-wide basis).

The North & South Shuswap Community Arts, Recreation and Culture Programs Financial Contribution Service Area Establishment Bylaw No. 5798, 2019 has been submitted to the Inspector of Municipalities for approval. An Alternative Approval Process cannot proceed until the Inspector's approval is received.

In an AAP, eligible electors (those electors who meet the same requirements for participation as in an election or referendum) register their opposition to the initiative by completing an Elector Response Form and submitting it to the Corporate Officer before the deadline, rather than attending a voting place and casting a ballot. Faxed or emailed submissions of the form are not accepted.

Pursuant to the Local Government Act and the Community Charter, the requirements of an eligible elector are:

- 18 years of age or older;
- Canadian citizen;
- resident of BC for at least 6 months immediately preceding July 12, 2019;
- resident of OR registered owner of real property within the proposed North & South Shuswap Community Arts, Recreation and Culture Programs Financial Contribution Service Area of the Columbia Shuswap Regional District for at least 30 days immediately prior to July 12, 2019; and,
- not otherwise disqualified by law from voting.

Approval is received if less than 10% of the eligible electors within the proposed service area sign and submit an Elector Response Form by the AAP deadline.

Section 86 of the *Community Charter* sets out specific requirements for conducting an AAP. The Board must:

- (a) Establish the deadline for receipt of elector responses. The deadline can be no sooner than 30 days after the second publication in the local newspaper.
- (b) Establish elector response forms. The forms must include: (i) a general description of the proposed bylaw, (ii) a description of the area to which the approval process applies, (iii) the deadline for elector responses, (iv) a statement that the Board may proceed with service establishment unless at least 10% of the electors of the area submit elector response forms by the deadline, (v) a statement that the responses must be in the form approved by the Board, where the forms are available and that



only eligible electors are entitled to sign; (vi) the number of elector responses required to prevent the Board from proceeding with adoption without conducting an assent voting opportunity (referendum).

(c) make a fair determination of the total number of electors of the area to which the approval process applies.

### **Deadline for Submission**

The Board must establish the deadline during which qualified electors are required to submit the Elector Response Forms if electors are opposed to adopting Bylaw No. 5798, 2019.

The deadline for submission of elector response forms may be no sooner than 30 days after the second publication in the local newspaper. If the Inspector of Municipalities has approved Bylaw No. 5798, 2019 by July 2, 2019 it is proposed that the Statutory Notice of Alternate Approval Process be published for two consecutive weeks (the weeks of July 12 and July 19, 2019, with the last statutory Notice being published by Friday, July 19, 2019. By setting the deadline for submission of elector response forms as Wednesday, August 21, 2019, electors will have no less than 30 days from the last newspaper publication to sign the submission form and submit it to the CSRD Corporate Officer. Any Elector Response Forms received after the deadline has passed cannot be counted.

Although an elector response form is not considered the same as the ballot used in a general local election, bi-election or in assent voting; local government corporate officers have a duty to keep the forms secure during the AAP. Local governments must also ensure the elector response forms and the personal information they contain are retained in accordance with the Freedom of Information and Protection of Privacy Act.

After the AAP deadline has passed, the local government's corporate officer must determine and certify whether the valid elector response forms submitted met or exceeded the 10% threshold established for the AAP. This determination of the corporate officer is final and conclusive. When 10% or more of the eligible electors sign and submit response forms, local governments cannot proceed with the proposed matter without first holding an assent voting opportunity (referendum). Proceeding to an assent vote would require that voting occur no later than 80 days after the deadline established for electors to submit the elector response forms during the Alternative Approval Process (November 8, 2019).

### **Elector Response Form**

A draft Elector Response Form is attached to this report for the Board's approval.

Electors are required to submit a completed Elector Response Form to the CSRD by either mail or hand delivery, by the deadline date of 4:00 PM, Wednesday, August 21, 2019. Faxed or emailed forms are not accepted.

Elector Response Forms will be made available on the CSRD website and at the CSRD throughout the AAP process.

All Elector Response Forms submitted by electors will be reviewed by staff to ensure residency requirements and compliance with other requirements stated on the Response Form.

### **Fair Determination of the Number of Electors**

Section 86(3) of the Community Charter requires that the Board make a fair determination of the total number of electors within the area to which the Alternative Approval Process applies.

With respect to determination of the number of electors within the proposed service area, a fair estimate was arrived at using Statistics Canada Census data from the last census (2016). The following is an estimate of the total number of Canadian Citizens who are 18 years of age or older (eligible electors), within Electoral Areas C and F (excluding Seymour Arm):

#### Area C

Total Population = 7,921

Canadian Citizens, 18 years of age or older = 6715

10% = 671

#### Area F

Total Population = 2,454

Canadian Citizens, 18 years of age or older = 2,235

Minus Number of Residents 18 years of age or older in Seymour Arm (95) = 2,140

10% = 214

### **10% of the population who are Canadian Citizens and 18 years of age or older within the proposed service area = 885**

Based on the fair determination of the Number of Electors, if less than 885 Elector Response Forms are signed and submitted before the AAP deadline (10% of the eligible electors within Electoral Areas C and F, excluding Seymour Arm), the Board will be in a position to consider adoption of North & South Shuswap Community Arts, Recreation and Culture Programs Financial Contribution Service Area Establishment Bylaw No. 5798, 2019.

A description of the proposed service area on Schedule A of the attached Bylaw No. 5798.

### **POLICY:**

Community Charter and Local Government Act.

There are legislative requirements to consult with the public. Sections 86 *and* 94 of the Community Charter state that notice of the approval process must be posted in the public notice posting places and published in a newspaper that is distributed at least weekly in the areas affected and must be published once per week for 2 consecutive weeks.

The advertised notice must include:

- a general description of the bylaw, agreement, or other matter;
- a statement that the local government may proceed unless more than 10% of the electors sign an elector response form;
- a description of the area to which the alternative approval process applies;
- the deadline by which elector response forms must be submitted;
- an estimate of the number of electors in the area to which the alternative approval process applies that would constitute 10% of the total electors; and,
- a statement that: elector response must be given in the form established by the local government; the forms are available at the local government offices; and the only persons entitled to sign the forms are the electors of the area to which the AAP applies.

### **FINANCIAL:**

The cost estimate for advertising of statutory public notices for the Alternative Approval Process is approximately \$2,500. The statutory public notice is a publication of Notice of the AAP and a synopsis of the bylaws, in two (2) consecutive issues of the newspaper circulating in each of the proposed service areas. There is one area newspaper (Shuswap Market News) circulating in Electoral Areas C and F. Additionally, staff will endeavour to advertise in The Kicker and the South Shuswap Scoop, with an estimated cost of \$500.

In terms of the service, the annual costs for this service will be recovered through the collection of taxes levied against the value of land and improvements for those properties within the boundaries of the service area. The Service Area Establishment Bylaw proposes the following customized cost apportionment formula amongst the service area participants for the year 2020:

Electoral Area C = 87%

Electoral Area F, excluding Seymour Arm = 13%

Further, commencing in 2021 and annually thereafter, the apportionment shall be adjusted based upon the enrolment of registrants from the service area in arts, recreational and cultural programs for the year prior, submitted to the Columbia Shuswap Regional District on an annual basis.

#### **COMMUNICATIONS:**

Once the CSRD is notified that Bylaw No. 5798, 2019 has been approved by the Inspector of Municipalities, the required statutory advertising of public notices will be published in local newspapers, CSRD website, and social media. Further, a press release will be issued, and periodic reminders of the deadline to submit will be posted on the CSRD website and social media.

Details of the Alternative Approval Process and the Elector Response Forms will be made available on the CSRD website and the CSRD office. After the submission deadline of August 21, 2019, it is expected that the results of the Alternative Approval Process will be reported at the September 19, 2019 Board meeting, and the bylaw scheduled for adoption.

#### **DESIRED OUTCOMES:**

That the Board endorse the staff recommendations so that staff is in a position to advance the Alternative Approval Process upon receipt of Ministerial approval of the service establishment bylaw.

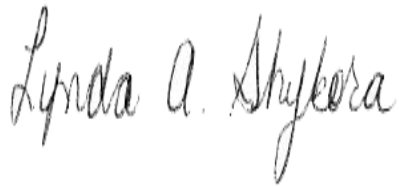
#### **BOARD'S OPTIONS:**

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

**Report Approval Details**

Document Title:	2019-06-20_Board_CA_NSSCARCP_AAP.docx
Attachments:	- Elector Response Form_NSSCARCP.pdf
Final Approval Date:	Jun 12, 2019

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



**Lynda Shykora - Jun 12, 2019 - 10:22 AM**

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

**Charles Hamilton - Jun 12, 2019 - 10:23 AM**

**COLUMBIA SHUSWAP REGIONAL DISTRICT****BYLAW NO. 5798, 2019**

A bylaw to establish a service area for the purpose of providing a financial contribution to community organizations that provide arts, recreation and cultural activities in the North & South Shuswap

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WHEREAS a regional district may, under section 332(1) of the *Local Government Act*, operate any service that the Board considers necessary or desirable for all or part of the regional district, subject to certain limitations and conditions;

AND WHEREAS in order to operate a service, a regional district board must first adopt an establishing bylaw for the service in accordance with section 338(1) of the *Local Government Act*;

AND WHEREAS the Board of the Columbia Shuswap Regional District wishes to establish a service for the purpose of providing an annual contribution to registered non-profit organizations that provide programming for arts, recreational and cultural activities that may be accessed and used for the benefit of those within Electoral Areas C and F;

AND WHEREAS the Directors of Electoral Area C and Electoral Area F have consented, in writing, to the service;

AND WHEREAS the Board of the Columbia Shuswap Regional District has obtained the approval of the service area electors in accordance with the Local Government Act and the Community Charter;

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

**SERVICE**

1. The Regional District hereby establishes, within Electoral Area C and a portion of Electoral Area F, a service area for the purpose of providing, by way of an annual grant, financial contributions to registered non-profits organizations that provide arts, recreation and cultural programs in the service area, to be known as the "North & South Shuswap Arts, Recreation and Culture Programs Financial Contribution Service Area".

**SERVICE AREA**

2. The service area established by this bylaw is the entirety of Electoral Area C and a portion of Electoral Area F shown outlined on Schedule 'A' attached hereto and forming part of this bylaw.

**PARTICIPATING AREA**

3. The participating area in the named service is the entirety of Electoral Area C and a portion of Electoral Area F.

**REQUISITION**

4. The maximum amount that may be requisitioned for the service provided under Section 1 of this bylaw shall not exceed \$300,000.00 or \$.08/\$1,000 of net taxable value of land and improvements annually within the service area.

5. The requisition of money to be collected by property value taxes imposed in accordance with Division 3 of Part 11 of the *Local Government Act* is to be apportioned among the Participating Area as follows, for the year 2020:
- 87% from Electoral Area "C"; and
  - 13% from those properties in Electoral Area "F", as identified on the attached Schedule A.
6. Further, commencing in 2021 and annually thereafter, the apportionment shall be adjusted based upon the enrolment of registrants from the service area in arts, recreational and cultural programs for the year prior, submitted to the Columbia Shuswap Regional District on an annual basis.

### **COST RECOVERY**

7. The annual costs for the North & South Shuswap Arts, Recreation and Culture Programs Financial Contribution Agreement Service shall be recovered by one or more of the following:
- requisition of money to be collected by a property value tax on the net taxable value of land and improvements within the service area imposed in accordance with the Local Government Act;
  - revenues raised by other means authorized under this or another Act;
  - revenues received by way of agreement, enterprise, gift, grant or otherwise.
8. No borrowing shall be incurred for the purposes of this service.

### **FORCE AND EFFECT**

9. This bylaw will come into force and effect on December 31, 2019.

### **CITATION**

10. This bylaw may be cited as "North & South Shuswap Community Arts, Recreation and Culture Programs Financial Contribution Service Area Establishment Bylaw No. 5798, 2019".

READ a first time this 16<sup>th</sup> day of May, 2019.

READ a second time this 16<sup>th</sup> day of May, 2019.

READ a third time this 16<sup>th</sup> day of May, 2019.

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

RECEIVED elector approval this \_\_\_\_\_ day of \_\_\_\_\_, 2019.

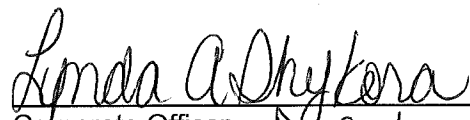
ADOPTED this \_\_\_\_\_ day of \_\_\_\_\_, 2019.

\_\_\_\_\_  
CORPORATE OFFICER

\_\_\_\_\_  
CHAIR

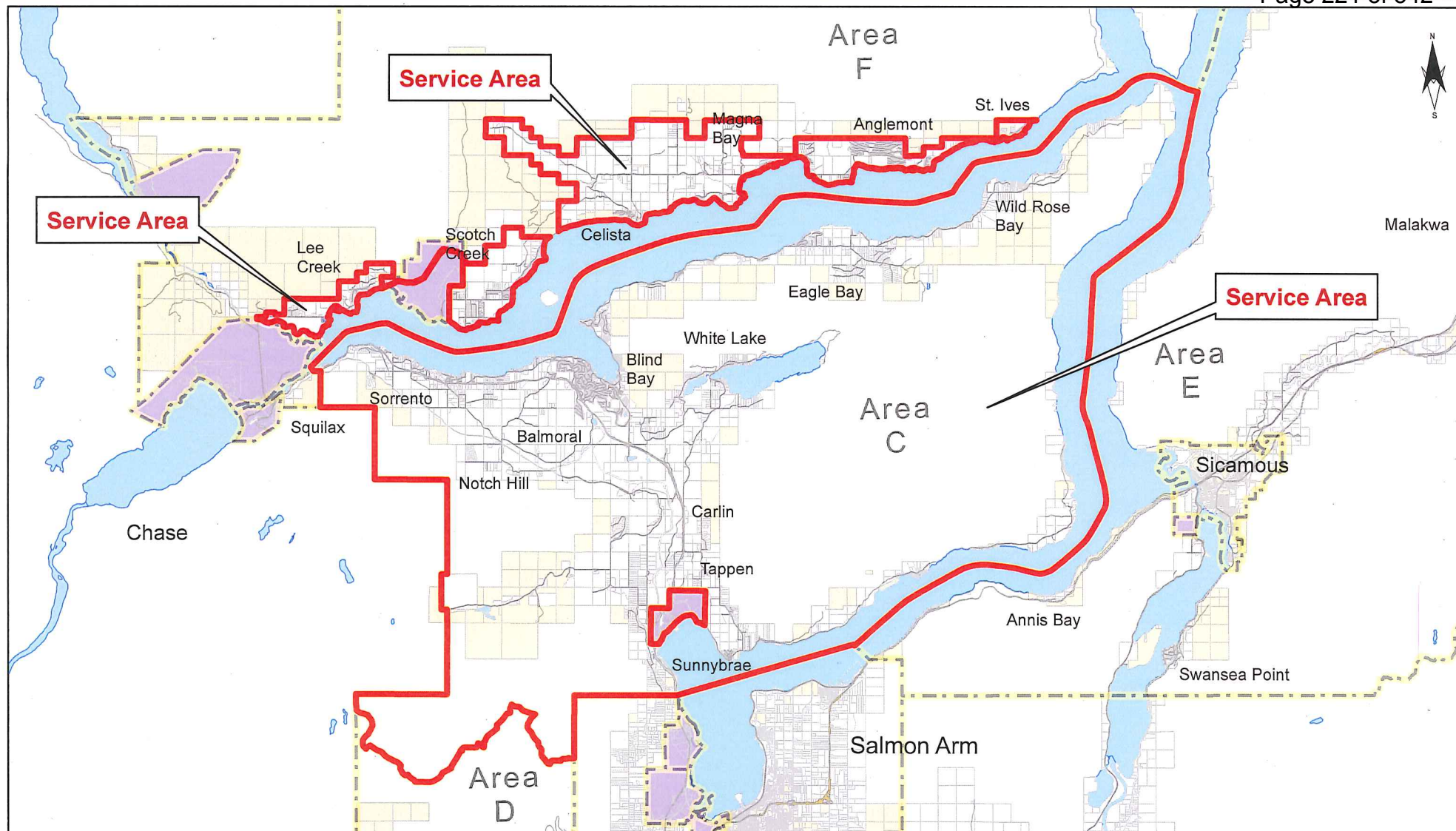


CERTIFIED a true copy of  
Bylaw No. 5798, 2019 as read a third time.

  
Corporate Officer, Deputy

CERTIFIED a true copy of  
Bylaw No. 5798, 2019 as adopted.

\_\_\_\_\_  
Corporate Officer

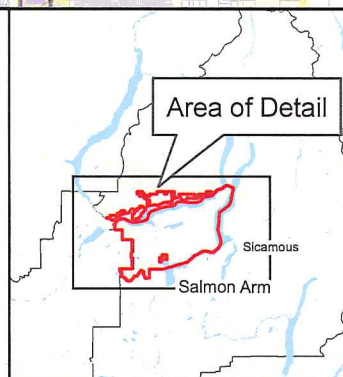


### Schedule A

#### North & South Shuswap Community Arts, Recreation and Culture Programs Financial Contribution Service Area Establishment Bylaw No. 5798, 2019

0 10 km  
Scale: 1:250,000

Established by Service Area  
Bylaw No. 5798, 2019



### Legend

- Service Area
- CSRD Boundary
- Parcel Boundary
- Crown Land
- Native Land
- Road
- Water



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

Date: May 8, 2019

Nad 83 CNT Datum  
UTM Zone 11

The information on this map was compiled by the CSRD for regulatory and internal reference purposes only. No representation or warranty is made as to the accuracy of the information.



# BOARD REPORT

**TO:** Chair and Directors

**File No:** 7200 01

**SUBJECT:** FireSmart Coordinator Sole Source Contract Award

**DESCRIPTION:** Report from Derek Sutherland, Team Leader, Protective Services, dated May 29, 2019. Authorization for the sole source contract award of the FireSmart Coordination contract from the Community Resiliency Investment Fund (FireSmart Grant) budget.

**RECOMMENDATION #1:** THAT: the Board empower the authorized signatories to enter into an agreement with 1477556 Alberta Ltd. for the provision of FireSmart coordination services for Electoral Areas A, B, C, D, E and F for an eleven month term commencing July 1, 2019 and expiring on May 31, 2020, for a total cost not to exceed \$50,000 and in accordance with the terms of grant received from Union of BC Municipalities through the Community Resiliency Investment Program.

## SHORT SUMMARY:

The CSR D received \$100,000 of grant funding from the Community Resiliency Investment Fund through UBCM in April 2019 to provide FireSmart programming within the six electoral areas of the CSR D. The grant includes provisions to hire a FireSmart Coordinator to build awareness and capacity within the rural communities to help manage interface fire risk. Building FireSmart capacity within communities allows for local level interventions that generate resilience to wildfire and allows a community to recover faster after an event. Mr. Len Youden is the lead consultant of 147556 Alberta Ltd. and has the experience and qualifications to provide the required FireSmart coordination services. Board authorization is required for any sole sourced contract over \$10,000.

## VOTING:

Unweighted  
Corporate

☐

LGA Part 14  
(Unweighted)

☐

Weighted  
Corporate

☒

Stakeholder  
(Weighted)

☐

## BACKGROUND:

The Community Resiliency Investment program is a new provincial program intended to reduce the risk and impact of wildfire to communities in BC through funding and educational support.

The Union of BC Municipalities, Emergency Services Society, First Nations and the Forest Enhancement Society of BC are working with the Ministry of Forests, Lands, Natural Resource Operations and Rural Development through BC Wildfire Service, to administer the FireSmart Community Funding and Supports portion of the program for local government and First Nation applicants.

The CSR D submitted an application during the initial offering of the grant and was successful in that application. The proposal requires the engagement of a coordinator to manage the FireSmart programs and develop assets in the communities. The company's lead consultant, Mr. Len Youden has extensive

experience in marketing and delivery of strategic initiatives. Mr. Youden has provided CSRD staff with a proposed project timeline that clearly demonstrates his understanding and passion for the work required with this project. Mr. Youden is also a firefighter with one of the CSRD's fire departments and therefore has a thorough understanding of local fire suppression activities and needs within the CSRD context.

**POLICY:**

In accordance with Policy No. F-32 "Procurement of Goods & Services", Board authorization must be obtained for any sole sourced contract over \$10,000.

**FINANCIAL:**

The FireSmart Coordinator contract is valued at approximately \$50,000 and will be funded from the CRI FireSmart Community Funding & Supports grant.

**KEY ISSUES/CONCEPTS:**

To award the sole source contract to a qualified consultant to build the foundation of a successful FireSmart program.

**IMPLEMENTATION:**

Upon approval 1477556 Alberta Ltd. will be notified and engaged on contract for a term ending May 31, 2020.

**COMMUNICATIONS:**

Information about the FireSmart program will be published on the CSRD website and through social media.

**DESIRED OUTCOMES:**

The Board approve the recommendation as presented.

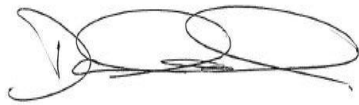
**BOARD'S OPTIONS:**

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_06_20_Board_OM_FireSmart_Coordinator_Sole_Source_Award.docx
Attachments:	
Final Approval Date:	Jun 11, 2019

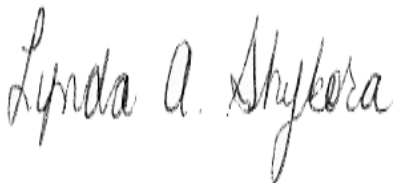
This report and all of its attachments were approved and signed as outlined below:



**Darcy Mooney - Jun 11, 2019 - 12:20 PM**



**Jodi Pierce - Jun 11, 2019 - 2:06 PM**



**Lynda Shykora - Jun 11, 2019 - 2:42 PM**

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

**Charles Hamilton - Jun 11, 2019 - 2:43 PM**



# BOARD REPORT

**TO:** Chair and Directors

**File No:** 5380 40 05

**SUBJECT:** Relocation of the Downtown Sicamous Recycling Depot

**DESCRIPTION:** Report from Ben Van Nostrand, Team Leader, Environmental Health Services, dated June 5, 2019. Relocation of the downtown Sicamous Recycling Depot.

**RECOMMENDATION #1:** THAT: the Board authorize the relocation of the downtown Sicamous Recycling Depot from its existing location at the Parkland Shopping Centre located at 1133 Eagle Pass Way to the Sicamous Bottle Depot property located at 322 Finlayson Street in Sicamous, BC effective July 1, 2019.

## SHORT SUMMARY:

In an effort to provide a more convenient and efficient way for the residents of the District of Sicamous to manage their recycling, the CSR D is proposing to relocate the existing CSR D recycling depot to the Sicamous Bottle Depot property. The Sicamous Bottle Depot offers increased hours of operation and a convenient "one stop drop" service to the community. This relocation has been discussed with and is supported by the District of Sicamous.

## VOTING:

Unweighted  
Corporate



LGA Part 14  
(Unweighted)



Weighted  
Corporate



Stakeholder  
(Weighted)



## BACKGROUND:

The original CSR D recycling depot within the District of Sicamous was located at 534 Main Street. In 2016, the District of Sicamous requested the facility be moved to accommodate future highway and access road improvements in the area. The CSR D negotiated an agreement with the owner of the Parkland Shopping Centre to lease an area of property behind the mall to host the recycling receiving infrastructure. During this time, CSR D staff approached the owners of the Sicamous Bottle Depot to explore the option of adding a CSR D recycling depot at their site. The bottle depot owners were not interested at that time, citing space issues as a limiting factor due to sharing the property with the Greyhound bus depot service.

In the fall of 2018 the CSR D was informed that the Sicamous Bottle Depot had changed ownership. The new owners expressed an interest in taking on the CSR D's recycling program, having operated a bottle depot with Recycle BC programs in Cranbrook for several years. Furthermore, with the Greyhound bus service no longer in operation at the site, space restriction is not an issue.

The current agreement with the operator of the existing downtown recycling depot expires on June 30, 2019. The owners of the Sicamous Bottle Depot have agreed to take over the CSR D's recycling program on July 1, 2019. Recycle BC, the District of Sicamous and the owner of the Parkland Shopping Centre, have all been notified of the change and all parties are supportive of the relocation.

**POLICY:**

The relocation of the recycling depot from the Parkland Shopping Centre to the local bottle depot will create a convenient one-stop drop of recyclables for residents. These types of initiatives are supported in the CSRD's Regional Solid Waste Management Plan.

**FINANCIAL:**

A purchase order will be issued on a monthly basis to the owner of the Sicamous Bottle Depot for July, August, and September 2019 to operate and maintain the recycling facilities. In September, CSRD staff will recommend long term agreements to the Board for all bottle depot operations that contain CSRD recycling facilities on site including Bill's Bottle Depot in Salmon Arm, the Revelstoke Bottle Depot and the Golden Bottle Depot.

The cost to operate the downtown Sicamous Recycling Depot is expected to slightly increase over the current model due to the increased number of hours the recycle depot site will be open and available to the public. The current site is open 24 hours per week and the Sicamous Bottle Depot site will operate a minimum of 30 hours per week. The total cost difference will be better determined once the facility is operating at the new location for a few months. Any cost increase will be absorbed within the existing Five Year Financial Plan.

**KEY ISSUES/CONCEPTS:**

Relocation of the downtown Sicamous Recycling Depot will increase the hours available to residents for recycling and be located at a more convenient location.

**COMMUNICATIONS:**

A communication plan has been prepared in anticipation of the relocation and will commence once the Board has approved the relocation, including social media updates, newspaper, radio and signage. The owner of the Parkland Shopping Centre Mall will be informed by the CSRD and arrangements to remove any infrastructure from the site will be completed to ensure the site is restored to a satisfactory condition.

**DESIRED OUTCOMES:**

The Board endorse the resolution to relocate the downtown Sicamous Recycling Depot.

**BOARD'S OPTIONS:**

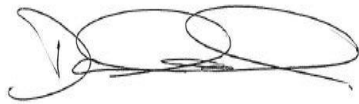
1. *Endorse the Recommendation.*
2. *Deny the Recommendation.*
3. *Defer.*
4. *Any other action deemed appropriate by the Board.*



**Report Approval Details**

Document Title:	2019_06_20_ Board_OM_Sicamous_Recycling_Depot_Relocation_.docx
Attachments:	
Final Approval Date:	Jun 10, 2019

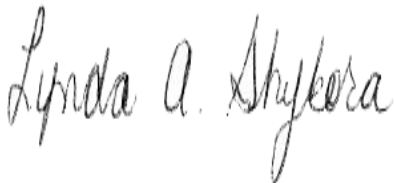
This report and all of its attachments were approved and signed as outlined below:



**Darcy Mooney - Jun 10, 2019 - 12:17 PM**



**Jodi Pierce - Jun 10, 2019 - 3:20 PM**



**Lynda Shykora - Jun 10, 2019 - 3:34 PM**

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

**Charles Hamilton - Jun 10, 2019 - 3:35 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 June 7, 2019.

**RECOMMENDATION:** THAT: the Board approve the following allocations from the 2019 electoral Grant-in-Aids:

Area A

\$10,000 Little Mittens Animal Rescue Association (operating expenses)

Area C

\$8,000 Sorrento Memorial Hall (tables and chairs)

\$25,000 South Shuswap Canada Day Society (Canada Day event)

Area D

\$1,900 Falkland & District Community Association (Family Day event)

Area F

\$1,100 Anglemont Volunteer Fire Department (pancake breakfast and open house)

**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:	2019-06-20_Board_FIN_Grant in Aids.docx
Attachments:	
Final Approval Date:	Jun 7, 2019

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

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

**Lynda Shykora - Jun 7, 2019 - 1:01 PM**

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

**Charles Hamilton - Jun 7, 2019 - 3:07 PM**



# BOARD REPORT

**TO:** Chair and Directors

**File No:** 1855 03

**SUBJECT:** Infrastructure Planning Grant - Seymour Arm Water Users Community

**DESCRIPTION:** Report from Terry Langlois, Team Leader Utilities, dated June 15, 2019. Seeking Board Authorization for the CSR D to sponsor a Planning grant application for the Seymour Arm Water Users Community.

**RECOMMENDATION #1:** THAT: the Board empower the authorized signatories to apply for an Infrastructure Planning Grant on behalf of the Seymour Arm Water Users Community from the Ministry of Municipal Affairs and Housing in the amount of \$10,000 to develop an infrastructure upgrade plan for the community's water system, this 20<sup>th</sup> day of June, 2019.

## SHORT SUMMARY:

The Ministry of Municipal Affairs and Housing offers an Infrastructure Planning Grant Program. The program allows for a local governments to apply for funding on behalf of a small water system. The funding covers 100% of the first \$5000 and 50% of the next \$10,000 for a total funding amount of \$10,000 on an eligible planning initiative.

## VOTING:

Unweighted  
Corporate

☐

LGA Part 14  
(Unweighted)

☐

Weighted  
Corporate

☒

Stakeholder  
(Weighted)

☐

## BACKGROUND:

The Seymour Arm Water Users Community has been working proactively to try and meet Interior Health's guidelines for small community water systems. The community has been upgrading some failing infrastructure and is planning for expansion of their service area to meet the demand. The water system faces some major challenges as there is no power available in the area, the community is quite remote, and as the system is a private water utility, is not eligible for any major infrastructure grants. The group has requested the CSR D apply for an infrastructure planning grant on behalf of the small water system and the Electoral Area Director has provided verbal support for this initiative.

## POLICY:

The grant criteria allows for a local government to apply for a grant on behalf of a small water system. As part of the submission process, a Board resolution supporting the project is required.

## FINANCIAL:

There is no financial impact to the CSR D in order to support this grant application on behalf of the Seymour Arm Water Users Community.

## KEY ISSUES/CONCEPTS:

A Board resolution supporting the community group's application is required to be submitted with the grant application.

**IMPLEMENTATION:**

Upon Board approval, the application will be submitted to the Province, along with the Board resolution and any other required supporting documentation.

**COMMUNICATIONS:**

The Seymour Arm Water Users Community will be informed of the Board's decision.

**DESIRED OUTCOMES:**

The Board support the request for grant support.

**BOARD'S OPTIONS:**

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

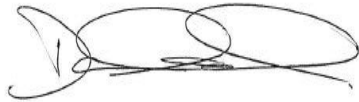
**LIST NAME OF REPORT(S) / DOCUMENT(S) AVAILABLE FROM STAFF:**

1. Seymour Arm Water Users Community – Infrastructure Planning Grant Application.

**Report Approval Details**

Document Title:	2019_06_20_OM_IPGrant_Seymour_Arm_Water_Users_Community.docx
Attachments:	
Final Approval Date:	Jun 7, 2019

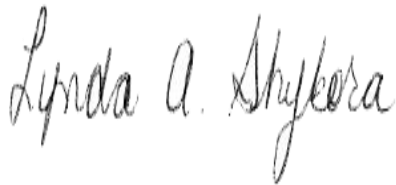
This report and all of its attachments were approved and signed as outlined below:



**Darcy Mooney - Jun 6, 2019 - 3:40 PM**

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

**Jodi Pierce - Jun 6, 2019 - 3:53 PM**



**Lynda Shykora - Jun 6, 2019 - 4:25 PM**



**Charles Hamilton - Jun 7, 2019 - 8:47 AM**





# BOARD REPORT

**TO:** Chair and Directors

**File No:** 1855 04

**SUBJECT:** Electoral Area C Community Works Fund – Bulk Water Fill Station – Sorrento Water System.

**DESCRIPTION:** Report from Terry Langlois, Team Leader, Utilities, dated May 28, 2019. Authorization to access the Community Works Fund monies from the Electoral Area C allocation to facilitate the purchase and installation of a bulk water fill station in Sorrento.

**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 C Community Works Fund allocation for the purchase and installation of equipment to provide a bulk water fill station in Sorrento, BC, this 20<sup>th</sup> day of June, 2019.

## SHORT SUMMARY:

The total cost to install a bulk water fill station is estimated to be \$60,000. The Sorrento Water System's Capital Reserve Fund will cover 50% of the project costs. Access to the Electoral Area C Community Works Fund allocation to fund the remaining 50% is being requested. The project involves running a water model along the water distribution system to determine a suitable location in terms of adequate infrastructure and room for trucks and trailers with water tanks to easily access the facility. The Sorrento Blind Bay Park has been identified as an adequate and appropriate location for the fill station. The bulk water fill station will provide access to safe potable water for residents and for other users such as the Ministry of Transportation and Infrastructure, Canadian Pacific Railway and others to access a bulk water supply if needed. The fill station will operate with a card reader which users will purchase swipe cards from the CSR D.

## VOTING:

Unweighted  
Corporate

☐

LGA Part 14  
(Unweighted)

☐

Weighted  
Corporate

☒

Stakeholder  
(Weighted)

☐

## BACKGROUND:

There are properties located within the community of Sorrento that cannot presently be serviced by the Sorrento Water System. These properties have a long history of water issues, both in terms of quantity and quality. The CSR D has been in discussions with these property owners since 2012 and have been working on a long term plan to extend water service. However, this plan could still be several years away and the need for access to safe potable water is significant in this area. There are several properties outside of Sorrento that also have these same issues with inadequate water supply and quality. The bulk water fill station option will provide property owners and residents a viable option to access safe potable water. Other potential users of this fill station would be contractors, Ministry of Transportation, and CP Rail who in the past have accessed water through CSR D fire hydrants. Utilizing water in this way through CSR D hydrants does pose concerns with cross connections and damage to hydrants. The Electoral Area Director has provided verbal support to this initiative.

**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:**

This project will be 50% cost shared by the Sorrento Waterworks Capital Reserve fund and the Electoral Area C Community Works Fund allocation. The bulk water will be sold through the issuance of swipe cards and the all revenue collected will be allocated into the Sorrento Waterworks Capital Reserve fund to replenish the capital contribution of \$30,000.

Funds will be allocated from the Electoral Area C Community Works fund allocation. The Electoral Area C Director has provided support for this initiative. The balance of the Area C Community Works Fund (Gas Tax) at May 31, 2019 is approximately \$1,431,000 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:**

There are expected to be approximately 50 regular users of the bulk water fill station located within the community of Sorrento that cannot presently be serviced by the Sorrento Water System. These properties have a long history of water issues, both in terms of quantity and quality. A bulk water fill station provides an opportunity for these residents to access potable water in the area. Other commercial/industrial users have historically drawn water through service area fire hydrants which add cross control and hydrant damage concerns that will be alleviated with the development of a bulk water fill station.

**COMMUNICATIONS:**

The CSRD will solicit quotations for the project in accordance with CSRD Purchasing Policy No. F-32 - Procurement of Goods & Services.

**DESIRED OUTCOMES:**

The Board will endorse the recommendation to allow for access to the Community Works Fund monies for this project.

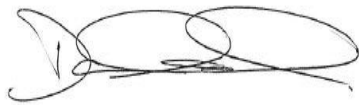
**BOARD'S OPTIONS:**

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_06_20_Board_OM_185504_CWF_Sorrento_Bulk_Water_Fill_Station.docx
Attachments :	
Final Approval Date:	Jun 10, 2019

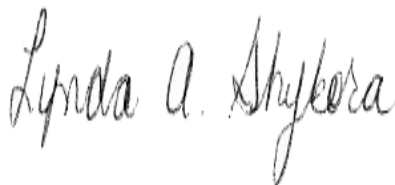
This report and all of its attachments were approved and signed as outlined below:



**Darcy Mooney - Jun 7, 2019 - 10:35 AM**

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

**Jodi Pierce - Jun 7, 2019 - 12:26 PM**



**Lynda Shykora - Jun 10, 2019 - 4:24 PM**

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

**Charles Hamilton - Jun 10, 2019 - 4:25 PM**



# BOARD REPORT

**TO:** Chair and Directors

<b>File No:</b> 5600 51 03 Bylaw 5803
--

**SUBJECT:** Sorrento Waterworks Service Area Amendment Bylaw

**DESCRIPTION:** Report from Terry Langlois, Team Leader, Utilities, dated May 28, 2019. Sorrento Waterworks Service Area Amendment Bylaw.

**RECOMMENDATION:** THAT: Sorrento Waterworks Service Area Amendment Bylaw No. 5803, 2019 be read a first, second and third time this 20<sup>th</sup> day of June, 2019.

## SHORT SUMMARY:

The owners of the property located at 780 Coubeaux Place in Sorrento, BC have requested their property be connected to the Sorrento Water System. The Electoral Area C Director has been notified and a successful public assent process to include this property in the Sorrento Waterworks Service Area was completed on May 24, 2019.

## VOTING:

Unweighted  
Corporate ☐

LGA Part 14  
(Unweighted) ☐

Weighted  
Corporate ☒

Stakeholder  
(Weighted) ☐

## BACKGROUND:

The property owners of 780 Coubeaux Place have requested connection to the Sorrento Water System. The Sorrento Waterworks Service Area borders this property and has the capacity to accommodate additional connections. In order to connect the property to the system, it must be included in the Sorrento Waterworks Service Area. All connection costs have been determined and agreed to by the property owner and a successful public assent process was completed on May 24, 2019.

## POLICY:

CSR D Policy No. W-4 "Water Utility Acquisition".

## FINANCIAL:

The property owners are responsible for any infrastructure costs to extend the water main to their property at 780 Coubeaux Place. The property owners are also required to make a contribution to the water system's capital reserve fund in accordance with Section 34 of Policy No. W-4 of the Water System Acquisition Strategy. Additionally, the owners are responsible for the applicable one time connection fee and the annual user fees, as outlined in CSR D Waterworks Rates and Regulation Bylaw No. 5780.

## KEY ISSUES/CONCEPTS:

To supply safe potable water to the property at 780 Coubeaux Place.

## IMPLEMENTATION:

Upon adoption of Bylaw No. 5803, anticipated to be at the July 18, 2019 Board meeting.

**COMMUNICATIONS:**

The property owners will be notified of the Board's decision.

**DESIRED OUTCOMES:**

To supply water to the property located at 780 Coubeaux Place and expand the Sorrento Waterworks Service Area.

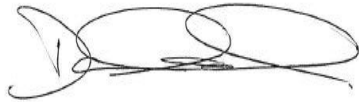
**BOARD'S OPTIONS:**

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_06_20_OM_Sorrento_WW_Service_Area_Amendment_Bylaw.docx
Attachments:	- BL5803, 2019 Sorrento Waterworks Amendment Bylaw.docx - Certificate of Sufficiency.pdf
Final Approval Date:	Jun 6, 2019

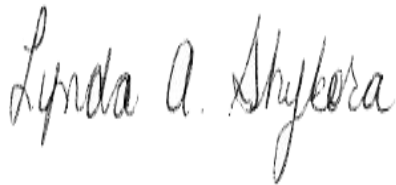
This report and all of its attachments were approved and signed as outlined below:



**Darcy Mooney - Jun 6, 2019 - 1:51 PM**

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

**Jodi Pierce - Jun 6, 2019 - 2:10 PM**



**Lynda Shykora - Jun 6, 2019 - 3:18 PM**



**Charles Hamilton - Jun 6, 2019 - 3:22 PM**

**COLUMBIA SHUSWAP REGIONAL DISTRICT**

**BYLAW NO. 5803, 2019**

A bylaw to amend Sorrento Waterworks Service Area Bylaw No. 5541

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WHEREAS a service area has been established by the Columbia Shuswap Regional District by Bylaw No. 5541, cited as “Sorrento Waterworks Service Area Bylaw No. 5541”, for the purpose of providing water to the Sorrento area within Electoral Area C;

AND WHEREAS requests from property owners not within the service area established by Bylaw No. 5541 have been received by the Regional Board for the purpose of having additional lands included in the waterworks service area;

AND WHEREAS it is deemed desirable to include within the aforesaid service area additional lands as petitioned;

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:

**BOUNDARY**

1. The boundaries of the “Sorrento Waterworks Service Area” as established by Sorrento Waterworks Service Area Bylaw No. 5541 are hereby extended to include the lands outlined and described in Schedule B, which is attached hereto and forms part of this bylaw.
2. Schedule A of Sorrento Waterworks Service Area Bylaw No. 5541 is hereby deleted and replaced by Schedule A attached hereto and forming part of this bylaw.

**EFFECTIVE DATE**

3. This Bylaw will come into effect upon adoption.



**CITATION**

4. This Bylaw may be cited as the "Sorrento Waterworks Service Area Amendment Bylaw No. 5803, 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.

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

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

\_\_\_\_\_  
CHAIR

CERTIFIED a true copy of  
Bylaw No. 5803, 2019 as read a third time.

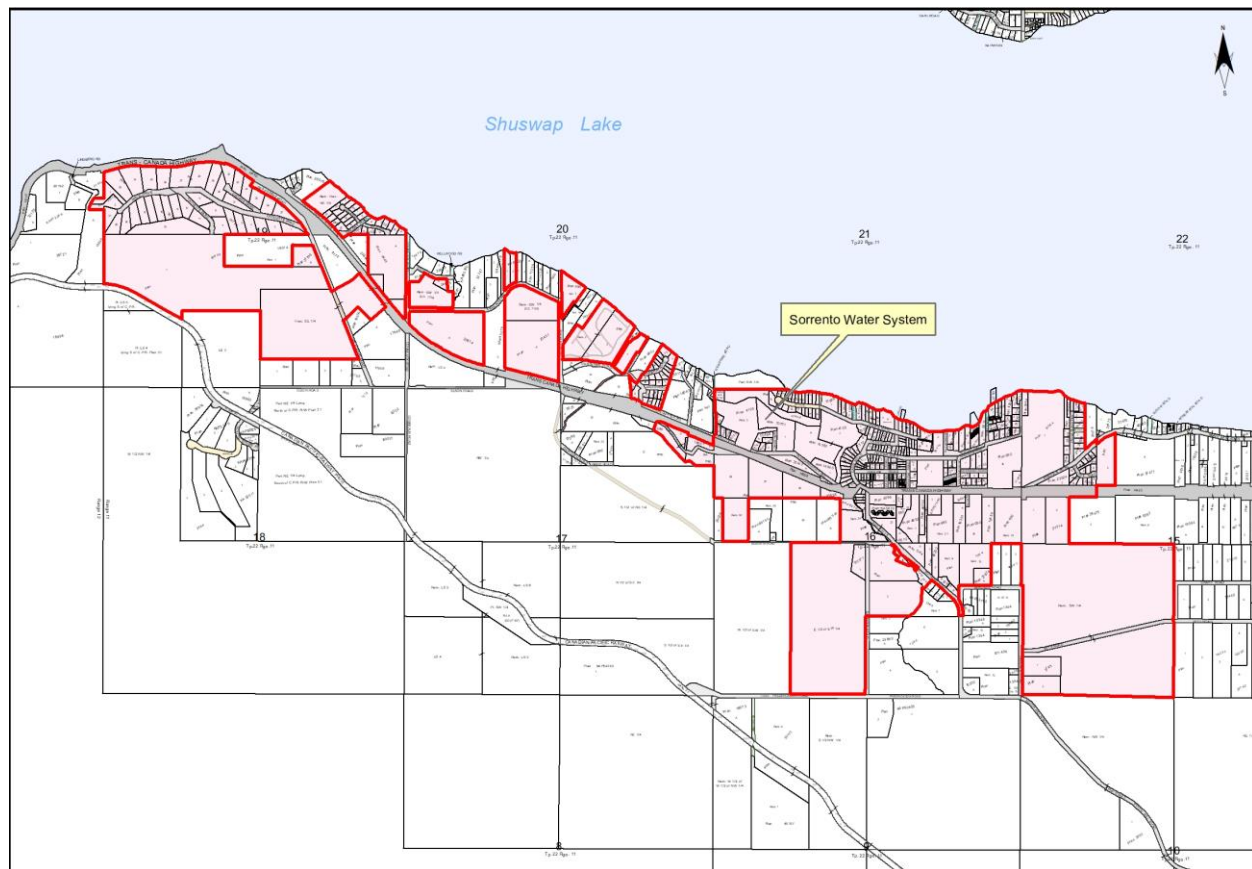
CERTIFIED a true copy of  
Bylaw No. 5803, 2019 as adopted.

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

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

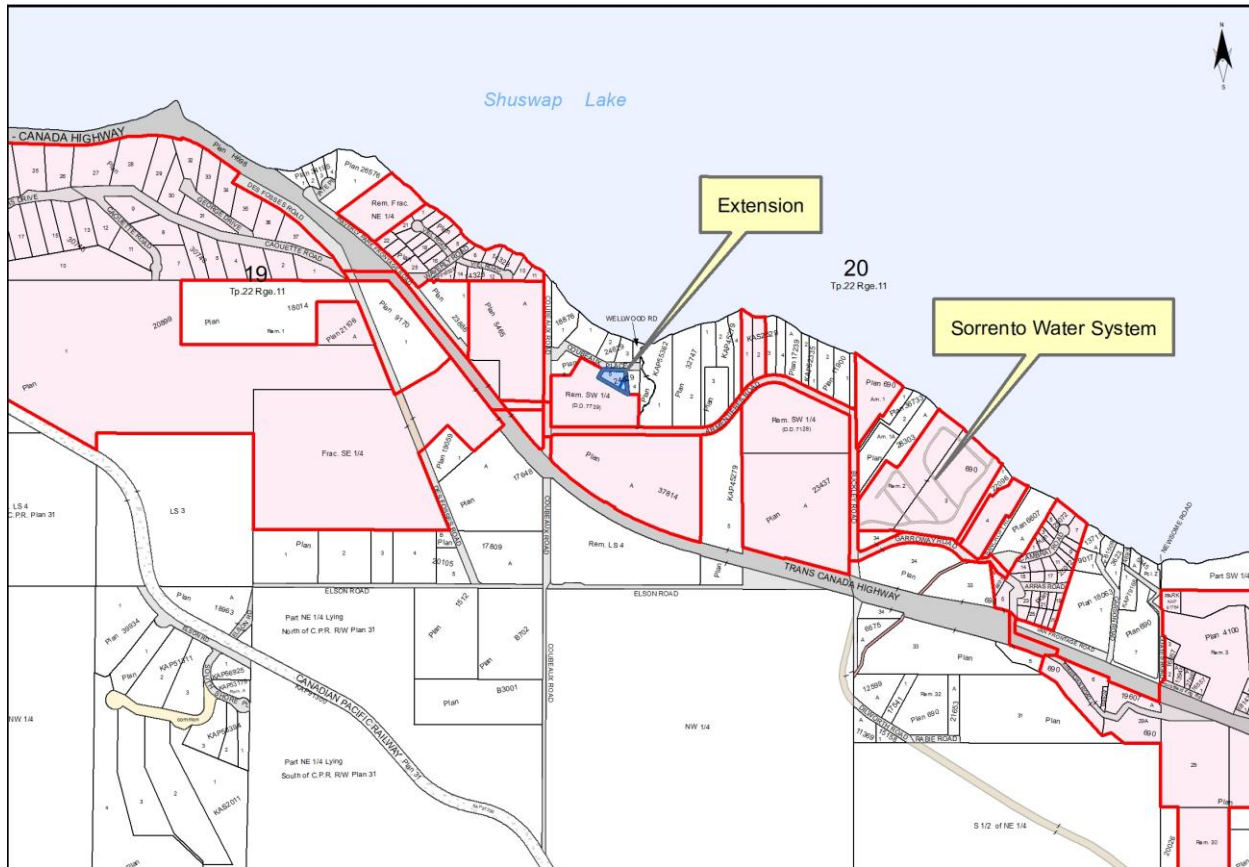
**SORRENTO WATERWORKS  
SERVICE AREA AMENDMENT BYLAW NO. 5803, 2019**

**SCHEDULE A**



**SORRENTO WATERWORKS  
SERVICE AREA AMENDMENT BYLAW NO. 5803, 2019**

## SCHEDULE B





# 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

## CERTIFICATE OF SUFFICIENCY

### SORRENTO WATERWORKS SERVICE AREA EXTENSION

Pursuant to Section 337 of the Local Government Act, and based on the following criteria, I hereby certify the petition received by the Corporate Officer, Columbia Shuswap Regional District (CSRD), requesting the CSRD to extend the boundaries of the Sorrento Waterworks Service Area to include one property into the service area and the petitioners agreeing to the parcel tax levy for water service paid by property owners within the Sorrento Waterworks Service Area established by Bylaw No. 5541 and for annual water user fees set out in the CSRD Waterworks Rates and Regulation Bylaw No. 5744, as described on the Data Sheet on the reverse of the petition, to be **SUFFICIENT** for the aforementioned purposes.

Total Parcels in Proposed Area	1
Total Petitions <b>Required</b> (50% of the owners of parcels liable to be charged for the service)	1
Total Valid Petitions <b>Received</b>	1 (100%)
Total Assessment of Property to be included	\$139,000
Total Assessment <b>Required</b> (50% of net taxable value of all Land and improvements within the Service Area)	\$69,500
Total Assessment of Valid Petitions <b>Received</b>	\$139,000 (100%)

Lynda Shykora, Deputy Manager  
Corporate Administration Services

Dated this 24<sup>th</sup> day of May, 2019

#### 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



# BOARD REPORT

**TO:** Chair and Directors

**File No:** SI Bylaw 9109

**SUBJECT:** City of Salmon Arm – Security Issuing Bylaw 9109

**DESCRIPTION:** Report from Jodi Pierce, Manager, Financial Services dated May 23, 2019. Access to Long-term borrowing from Municipal Finance Authority.

**RECOMMENDATION #1:** THAT: Bylaw No. 9109, cited as “Columbia Shuswap Regional District Security Issuing Bylaw No. 9109, 2019” be read a first, second, and third time this 20th day of June, 2019.

**RECOMMENDATION #2:** THAT: Bylaw No. 9109, cited as “Columbia Shuswap Regional District Security Issuing Bylaw No. 9109, 2019” be adopted this 20th day of June, 2019.

## SHORT SUMMARY:

Pursuant to S. 182 of the Community Charter, municipality borrowing under a loan authorization bylaw must be undertaken by the applicable regional district on behalf of the municipality. Pursuant to S. 824 of the Local Government Act, the Regional District will finance the loan authorization bylaw of a municipality approved under the Community Charter. This will permit the municipality to access long-term borrowing through the Municipal Finance Authority for an upcoming issue.

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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:

The City of Salmon Arm has provided Loan Authorization Bylaw 4500 in the amount of \$5,300,000 to the Regional District. This bylaw was approved for \$5,300,000 which is the borrowing cost of carrying out the construction of the Ross Street Underpass project including related contingencies and incidental expenses. The total project cost is estimated to be \$12,483,000 and was funded in part by Gas Tax funds and a Transport Canada Grant. This bylaw needs to be approved by the CSR Board by July 18, 2019 to ensure that the Municipal Finance Authority deadlines for issue in the fall of 2019 are met.

## POLICY:

Section 182(1) of the Community Charter and Section 824 of the Local Government Act.

## FINANCIAL:

There is no financial impact to the CSR. The debt is issued to the City of Salmon Arm through the Regional District and all principal and interest payments are paid by the City of Salmon Arm.

## KEY ISSUES/CONCEPTS:

To enable the City of Salmon Arm to access long-term borrowing from the Municipal Finance Authority.

**COMMUNICATIONS:**

Signed documentation will be forwarded to the Ministry of Municipal Affairs and Housing, and to the Municipal Finance Authority. The City of Salmon Arm will also be notified of the Board's decision.

**DESIRED OUTCOMES:**

To facilitate long-term borrowing through the Municipal Finance Authority on behalf of the City of Salmon Arm.

**BOARD'S OPTIONS:**

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

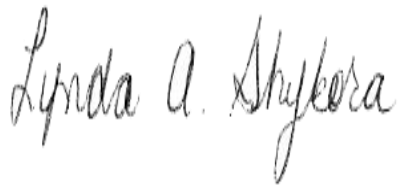
**LIST NAME OF REPORT(S) / DOCUMENT(S) AVAILABLE FROM STAFF:**

1. N/A

**Report Approval Details**

Document Title:	2019-06-20_Board_FIN Security Issuing Bylaw 9109 (City of Salmon Arm).docx
Attachments:	- Liability Servicing Certificate.pdf - Loan Authorization Bylaw and Statutory Approval.pdf
Final Approval Date:	May 23, 2019

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



**Lynda Shykora - May 23, 2019**



**Charles Hamilton - May 23, 2019**



**LIABILITY SERVING LIMIT CERTIFICATE**

The The City of Salmon Arm (the "Municipality")  
 In relation to \_\_\_\_\_

The undersigned Financial Officer assigned responsibility for financial administration under section 149 of the Community Charter, SBC 2003, Chapter 26 (the "Charter") or Auditor appointed for the Municipality under section 169 of the Charter hereby certifies as follows:

Calculation revenue for the previous year (section 4 & 5, BC Reg 254/2004)	<u>29,275,975.00</u> a
Liability Servicing Limit (a x 25%) (section 2, BC Reg 254/2004)	<u>\$7,318,993.75</u> b
Annual Servicing cost for previous year	<u>\$3,231,255.00</u> c

Plus: New liabilities incurred, other than current request

Liability Type and reference	Annual servicing cost
Bylaw No. 4244	<u>\$180,360.00</u> d
_____	<u>\$0.00</u> e
_____	<u>\$0.00</u> f
_____	_____ g
_____	_____ h
_____	_____ i
_____	_____ j
_____	_____ k
_____	_____ l
Total of lines d through l	<u>\$180,360.00</u> m

Less: Liabilities which have matured

Liability type and reference	Annual servicing cost
Bylaw No. 3334/3981 - Paid Out (2016)	<u>\$100,052.56</u> n
Bylaw No. 3159 - Paid Out (2017)	<u>\$147,507.54</u> o
Bylaw No. 3334 - Paid Down (2016)	<u>\$315,000.00</u> p
Bylaw No. 3569 - Paid Down (2017)	<u>\$110,000.00</u> q
Payment Chg - Bylaw 3479/3458/3551/35	<u>\$85,952.85</u> r
Total of lines n through r	<u>\$758,512.95</u> s
Amount of new liability (section 3, BC Reg 254/2004)	<u>\$0.00</u> t
Annual servicing cost of new liability (section 3, BC Reg 254/2004)	<u>\$323,402.08</u> u
Total liability servicing cost including current request (lines c+m-s+u)	<u>\$2,976,504.13</u> v

☒ which is less than the annual liability servicing limit stated on line b.

OR

☐ which exceeds the annual liability servicing limit stated on line b, and the undersigned hereby requests approval of the Inspector of Municipalities under section 174 of the Charter to exceed the limit established under the section.

In accordance with section 179(5) or section 175(1)(b) of the Charter, as applicable, the debt to be contracted under the loan authorization bylaw, or other liability for which certification is being made, referred to above will not exceed the lesser of 30 years and the reasonable life expectancy of the capital asset, activity, work or service, or the remaining term of the applicable agreement, as the case may be, for which the debt is to be contracted.

The undersigned Financial Officer or Auditor also hereby authorizes the law firms of Farris, Vaughan, Wills & Murphy and Bryant & Company to rely on this Certificate in giving any opinion in connection with any borrowing by the Municipal Finance Authority of British Columbia ("MFA") and the issuance of bonds, debentures, and other securities by the MFA in respect of the loan authorization bylaw, or other liability for which certification is being made, referred to above.

DATED this 25 day of JUNE, 2008

  
 Financial Officer

OR

\_\_\_\_\_  
 Auditor

Chelsea Van de Cappelle, CPA, BBA  
 (Please print full name)

\_\_\_\_\_  
 (Please print full name & company)

# City of Salmon Arm

500 - 2 Avenue NE

Mailing Address: Box 40

Salmon Arm, BC V1E 4N2

Tel: 250.803.4000 Fax: 250.803.4041

www.salmonarm.ca



*Salmon Arm*

May 8, 2019

Columbia Shuswap Regional District  
Box 978  
Salmon Arm, BC V1E 4P1

<input type="checkbox"/> CAO	<input type="checkbox"/> Agenda <i>Future</i>	Ownership
<input type="checkbox"/> Works	<input checked="" type="checkbox"/> Reg Board	File#
<input checked="" type="checkbox"/> DS	<input type="checkbox"/> In Camera	<i>SI BL</i>
<input checked="" type="checkbox"/> Fin/Adm	<input type="checkbox"/> Other Mtg	
<i>Jodi P. Sheenah, Lynda J. Jennifer</i> <b>MAY 10 2019</b>		
<input type="checkbox"/> Ec Dev	<input checked="" type="checkbox"/> RECEIVED	Ack Sent:
<input type="checkbox"/> IT	<input checked="" type="checkbox"/> Staff to Report	<input type="checkbox"/> Fax
<input type="checkbox"/> Parks	<input checked="" type="checkbox"/> Staff to Respond <i>(JP)</i>	<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	

Attention: Charles Hamilton, Chief Administrative Officer

Dear Charles:

Re: Fall 2019 Debenture Issue  
Ross Street Underpass  
Loan Authorization Bylaw No. 4500 - \$5,300,000.00

Enclosed is a certified copy of the City of Salmon Arm Security Issuing Resolution requesting the Columbia Shuswap Regional District to undertake financing for the City of Salmon Arm. Also enclosed is a certified copy of Bylaw No. 4500, the applicable Statutory Approval and Certificate of Approval.

The City wishes to access the long term bond market undertaken by the Municipal Finance Authority in the fall of 2019.

I trust the foregoing is satisfactory, however, should you have any questions please contact me at 250-803-4032 or [cvandecappelle@salmonarm.ca](mailto:cvandecappelle@salmonarm.ca).

Yours truly,

  
Chelsea Van de Cappelle, CPA  
Chief Financial Officer

9. INTRODUCTION OF BYLAWS

3. City of Salmon Arm Ross Street Underpass Loan Authorization Bylaw No. 4500 – Final Reading and City of Salmon Arm Ross Street Underpass Temporary Borrowing Bylaw No. 4290 – First, Second and Third Readings

0481-2018

Moved: Councillor Eliason

Seconded: Councillor Flynn

THAT: the Declaration of Official Assent Voting Results for the City of Salmon Arm Ross Street Underpass Loan Authorization Bylaw No. 4500 be received;

AND THAT: the bylaw entitled City of Salmon Arm Ross Street Underpass Loan Authorization Bylaw No. 4500 be read a final time;

AND THAT: Council approve the borrowing from the Municipal Finance Authority of BC, as part of the 2019 Fall Borrowing Session, \$5,300,000.00 as authorized through the "City of Salmon Arm Ross Street Underpass Loan Authorization Bylaw No. 4500" and that the Columbia Shuswap Regional District be requested to consent to the City's borrowing over a thirty (30) year term and include the borrowing in a Security Issuing Bylaw;

AND FURTHER THAT: the bylaw entitled City of Salmon Arm Ross Street Underpass Temporary Borrowing Bylaw No. 4290 be read a first, second and third time.

CARRIED UNANIMOUSLY

I hereby certify this to be a true correct copy of Resolution No. 0481-2018 as made at the City of Salmon Arm Regular Council Meeting of November 13th, 2018.

Dated at Salmon Arm, British Columbia, this 27th day of November, 2018.

  
Erin Jackson  
Director of Corporate Services

## CITY OF SALMON ARM

BYLAW NO. 4500**A bylaw to authorize the borrowing for the purpose of a capital nature**


---

WHEREAS under the provisions of Section 179 of the Community Charter, Council may, by a loan authorization bylaw adopted with the approval of the Inspector, incur a liability by borrowing for any purpose of a capital nature;

WHEREAS it is deemed desirable and expedient to design and construct the Ross Street Underpass;

AND WHEREAS the amount to be borrowed to construct such improvements and to do all things necessary in connection herewith is the sum of \$5,300,000.00 which is the amount of debt intended to be created by this bylaw;

AND WHEREAS the maximum term for the debentures to be issued to secure the monies authorized to be borrowed hereunder is thirty (30) years;

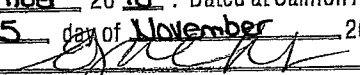
AND WHEREAS the approval of the Inspector has been obtained prior to its adoption, pursuant to Section 179 of the Community Charter;

AND WHEREAS the electors within the boundaries of the City of Salmon Arm were notified, under the elector assent voting process, pursuant to Section 85 of the Community Charter, that Council intends to borrow to undertake the construction of the Ross Street Underpass and do all things necessary in connection herewith;

AND WHEREAS the Council has been advised through a report prepared by the Corporate Officer that elector responses submitted by the electors within the boundaries of the City of Salmon Arm, requesting Council not to proceed with the borrowing to construct the Ross Street Underpass unless it is approved by assent of the electors are insufficient;

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

1. The Council of the City of Salmon Arm is hereby authorized and empowered to undertake and carry out or cause to be carried out the borrowing for the construction of the Ross Street Underpass and do all things necessary in connection herewith and without limiting the generality of the foregoing:
  - a) To borrow upon the credit of the Municipality a sum not exceeding \$5,300,000.00 and the maximum term for the debentures to be borrowed hereunder is thirty (30) years.

Certified a true correct copy of Bylaw No. 4500  
 as adopted by Council on the 13 day of  
November 20 18. Dated at Salmon Arm, B.C.  
 this 15 day of November 20 18.  
  
 Corporate Officer

Loan Authorization Bylaw No. 4500  
Ross Street Underpass

Page 2

- b) To acquire all such property, easements, rights-of-way, licences, rights or authorities as may be requisite or desirable for or in connection with the construction of the Ross Street Underpass.
2. This bylaw may be cited as "City of Salmon Arm Ross Street Underpass Loan Authorization Bylaw No. 4500"

READ A FIRST TIME THIS                      25       DAY OF                      June                      2018

READ A SECOND TIME THIS                      25       DAY OF                      June                      2018

READ A THIRD TIME THIS                      25       DAY OF                      June                      2018

APPROVED BY THE INSPECTOR PURSUANT TO SECTION 179 OF THE COMMUNITY

CHARTER THIS                                      8       DAY OF                      August                      2018

ADOPTED BY COUNCIL THIS                      13       DAY OF                      November                      2018

"A. HARRISON"  
MAYOR

"E. JACKSON"  
CORPORATE OFFICER



## ***Statutory Approval***

***Under the provisions of sections*** 179

***of the*** Community Charter


***I hereby approve Bylaw No.*** 4500

***of the*** City of Salmon Arm,

***a copy of which is attached hereto.***

***Dated this*** 8th ***day***

***of*** August ***, 2018***

  
**Deputy Inspector of Municipalities**



## *Certificate of Approval*

Under the authority of the *Local Government Act*, I certify that Bylaw No.4500, cited as the "City of Salmon Arm Ross Street Underpass Loan Authorization Bylaw No. 4500" of the City of Salmon Arm has been lawfully and validly made and enacted, and that its validity is not open to question on any ground in any court of British Columbia.

Dated this                      07                      day  
   of                      January                      , 2019

*Deputy Inspector of Municipalities of British Columbia*



Regional District Security Issuing Bylaw  
COLUMBIA SHUSWAP REGIONAL DISTRICT

BYLAW No. 9109, 2019

A bylaw to authorize the entering into of an Agreement respecting financing between the Columbia Shuswap Regional District and the Municipal Finance Authority of British Columbia

---

WHEREAS the Municipal Finance Authority of British Columbia (the “Authority”) may provide financing of capital requirements for regional districts or for their member municipalities by the issue of debentures or other evidence of indebtedness of the Authority and lending the proceeds therefrom to the regional district on whose request the financing is undertaken;

AND WHEREAS the City of Salmon Arm is a member municipality of the Columbia Shuswap Regional District (the “Regional District”);

AND WHEREAS the Regional District will finance from time to time on behalf of and at the sole cost of its member municipalities, under the provisions of Section 410 of the *Local Government Act*, the works financed pursuant to the herein mentioned loan authorization bylaws;

AND WHEREAS under the provisions of Section 411 of the *Local Government Act*, the amount of borrowing authorized by each of the following loan authorization bylaws, the amount already borrowed under the authority thereof, the amount of authorization to borrow remaining thereunder, the amount being issued under the authority thereof by this bylaw, and the term of the debt are included in this bylaw;

AND WHEREAS the tables contained in this bylaw are to provide clarity and information for the purposes of this bylaw;

AND WHEREAS the Regional Board, by this bylaw, hereby requests such financing shall be undertaken through the Authority;

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

1. The Regional Board hereby consents to financing the debt of City of Salmon Arm and further described in the Municipal Loan Authorization Bylaws table, in the amount of Five Million Three Hundred Thousand Dollars (\$5,300,000) in accordance with the following terms.

Municipality	Loan Authorization Bylaw #	Purpose	MSIR #/Date	Amount Of Borrowing Authorized	Amount Already Borrowed	Borrowing Authority Remaining	Term of Issue	Amount of Issue
City of Salmon Arm	4500	Ross Street Underpass project		\$5,300,000	Nil	\$5,300,000	30 Yrs.	\$5,300,000
<b>Total</b>				\$	\$	\$		\$

2. The Authority is hereby requested and authorized to finance from time to time the above noted undertakings, and further described in the Municipal Loan Authorization Bylaws table, at the sole cost and on behalf of City of Salmon Arm up to, but not exceeding Five Million Three Hundred Thousand Dollars (\$5,300,000) in lawful money of Canada (provided that the Regional District may borrow all or part of such amount in such currency as the Trustees of the Authority shall determine but the aggregate amount in lawful money of Canada and in Canadian Dollar equivalents so borrowed shall not exceed \$5,300,000 in Canadian Dollars) at such interest and with such discounts or premiums and expenses as the Authority may deem appropriate in consideration of the market and economic conditions pertaining.
3. Upon completion by the Authority of financing undertaken pursuant hereto, the Chair and officer assigned the responsibility of financial administration of the Regional District, on behalf of the Regional District and under its seal shall, at such time or times as the Trustees of the Authority may request, enter into and deliver to the Authority one or more agreements, which said agreement or agreements shall be substantially in the form annexed hereto as Schedule "A" and made part of this bylaw (such Agreement or Agreements as may be entered into, delivered or substituted hereinafter referred to as the "Agreement") providing for payment by the Regional District to the Authority of the amounts required to meet the obligations of the Authority with respect to its borrowings undertaken pursuant hereto, which Agreement shall rank as debenture debt of the Regional District.
4. The Agreement in the form of Schedule "A" shall be dated and payable in the principal amount or amounts of monies and in Canadian dollars or as the Authority shall determine and subject to the *Local Government Act*, in such currency or currencies as shall be borrowed by the Authority under section 1 and shall set out the schedule of repayment of the principal amount together with interest on unpaid amounts as shall be determined by the Treasurer of the Authority.
5. The obligation incurred under the said Agreement shall bear interest from a date specified therein, which date shall be determined by the Treasurer of the Authority, and shall bear interest at a rate to be determined by the Treasurer of the Authority.
6. The Agreement shall be sealed with the seal of the Regional District and shall bear the signature of the Chair and the officer assigned the responsibility of financial administration of the Regional District.
7. The obligations incurred under the said Agreement as to both principal and interest shall be payable at the Head Office of the Authority in Saanich and at such time or times as shall be determined by the Treasurer of the Authority.
8. During the currency of the obligations incurred under the said Agreement to secure borrowings in respect of the City of Salmon Arm Loan Authorization Bylaw No. 4500 there shall be requisitioned annually an amount sufficient to meet the annual payment of interest and the repayment of principal.
9. The Regional District shall provide and pay over to the Authority such sums as are required to discharge its obligations in accordance with the terms of the Agreement, provided, however, that if the sums provided for in the Agreement are not sufficient to meet the obligations of the Authority, any deficiency in meeting such obligations shall be a liability of the Regional District to the Authority and the Regional Board of the Regional District shall make due provision to discharge such liability.
10. The Regional District shall pay over to the Authority at such time or times as the Treasurer of the Authority so directs such sums as are required pursuant to Section 15 of the *Municipal Finance Authority Act* to be paid into the Debt Reserve Fund established by the Authority in connection with

the financing undertaken by the Authority on behalf of the Regional District pursuant to the Agreement.

11. This bylaw may be cited as "Security Issuing Bylaw No. 9109, 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.

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

\_\_\_\_\_  
Chair

\_\_\_\_\_  
Corporate Officer

Certified a true copy of Bylaw No. 9109, 2019 as adopted.

\_\_\_\_\_  
Corporate Officer

**SCHEDULE "A" to Bylaw No. 9109, 2019****CANADA****PROVINCE OF BRITISH COLUMBIA****AGREEMENT**

## Regional District of Columbia Shuswap

The Regional District of Columbia Shuswap (the "Regional District") hereby promises to pay to the Municipal Finance Authority of British Columbia (the "Authority") at its Head Office in Saanich, British Columbia, the sum of \_\_\_\_\_ DOLLARS (\$\_\_\_\_\_) in lawful money of Canada, together with interest thereon from the \_\_\_\_ day of \_\_\_\_\_ 20\_\_, at varying rates of interest, calculated semi-annually, in each and every year during the currency of this Agreement; and payments of principal and interest shall be as specified in the schedule attached commencing on the \_\_\_\_ day of \_\_\_\_\_ 20\_\_, provided that in the event the payments of principal and interest hereunder are insufficient to satisfy the obligations of the Authority undertaken on behalf of the Regional District, the Regional District shall pay over to the Authority such further sums as are sufficient to discharge the obligations of the Regional District to the Authority.

DATED at \_\_\_\_\_, British Columbia, this \_\_\_\_ day of \_\_\_\_\_, 20\_\_.

IN TESTIMONY WHEREOF and under the authority of  
Bylaw No. 9109 cited as " \_\_\_\_\_",

this Agreement is sealed with the Corporate Seal of the  
Regional District of Columbia Shuswap and signed by the  
Chair and Financial Administration Officer thereof.

\_\_\_\_\_  
Chair

\_\_\_\_\_  
Financial Administration Officer

Pursuant to the *Local Government Act*, I certify that the within Agreement has been lawfully and validly made and issued and that its validity is not open to question on any ground whatsoever in any court of the Province of British Columbia.

\_\_\_\_\_  
Inspector of Municipalities of British Columbia

**PRINCIPAL AND/OR SINKING FUND DEPOSIT AND INTEREST PAYMENTS**

<b>Date of Payment</b>	<b>Total Payment</b>	<b>Principal/Sinking Fund Deposit</b>	<b>Interest</b>
	\$	\$	\$
	\$	\$	\$
	\$	\$	\$



# BOARD REPORT

**TO:**
**Chair and Directors**

<b>File No:</b>	5360 01 Bylaw 5802
-----------------	-----------------------

**SUBJECT:**

CSR Solid Waste Disposal Tipping Fee and Regulation Bylaw

**DESCRIPTION:**

Report from Ben Van Nostrand, Team Leader, Environmental Health Services dated May 23, 2019. Solid Waste Disposal Tipping Fee Bylaw Update.

**RECOMMENDATION**
**#1:**

THAT: Bylaw No. 5802, 2019, cited as "CSR Solid Waste Disposal Tipping Fee and Regulation Bylaw No. 5802, 2019" be read a first, second and third time this 20th day of June, 2019.

**RECOMMENDATION**
**#2:**

THAT: Bylaw No. 5802, 2019, cited as "CSR Solid Waste Disposal Tipping Fee and Regulation Bylaw No. 5802, 2019" be adopted this 20th day of June, 2019.

**RECOMMENDATION**
**#3:**

THAT: the tipping fee of \$240 per tonne for 'Mixed Loads' be relaxed to \$160 per tonne until January 1, 2020 to deliver an awareness campaign to residents and businesses of the CSR.

**SHORT SUMMARY:**

On July 1, 2019 the City of Salmon Arm (City) will be implementing changes to their curbside collection program, including the introduction of food waste collection. In support of the City's initiative and consistent with the CSR's Solid Waste Management Plan (SWMP), the CSR will receive and manage the City's food waste to ensure it's managed according to Ministry of Environment requirements. The costs associated with the CSR's management of the City's food waste program will be funded through tipping fees collected from the City.

As a result, a tipping fee amendment is needed to establish a cost recovery fee for Food Waste. If approved, the new food waste tipping fees will be effective July 1, 2019.

In addition, staff are proposing changes to the mixed load and demolition waste categories of the bylaw. When waste is mixed with recyclables it typically renders the load as garbage. A mixed load category currently exists with an associated \$160 per tonne charge. Demolition waste is currently defined as 'mixed loads of waste material produced through...tear down of structures'. Demolition waste currently has a tipping fee of \$160 per tonne unless mixed with recyclables (shingles, woodwaste, etc.), which in that case are charged a tipping fee of \$240 per tonne. Staff recommend that the demolition waste definition and fee be removed and mixed load rate of \$160 be increased to \$240 to apply consistency in the application of the mixed waste category and further incentivize recyclable waste separation. In order for the CSR to develop an awareness campaign, it is suggested that the \$240 tipping fee for mixed loads be relaxed to \$160 until January 1, 2020.

**VOTING:**

 Unweighted  
Corporate

☐

 LGA Part 14  
(Unweighted)

☐

 Weighted  
Corporate

☒

 Stakeholder  
(Weighted)

☐

**BACKGROUND:**

The CSRD's 2015 SWMP contains an Organics Implementation section (6.3) which specifically references the development and implementation of curbside collection programs for organics. Based on this information, in 2016, the CSRD and the City of Salmon Arm partnered in a trial curbside collection program to gather information which would help advance a city wide program. The information gathered from the trial was used by the City with their waste collection procurement process in 2018. The City has recently established an agreement with SCV Waste Solutions for the city wide curbside collection of food waste, recycling and garbage, with a start date of July 1, 2019.

In an effort to support the implementation of the food waste curbside collection program, the CSRD has established a reload facility at the Salmon Arm landfill. In addition, the CSRD is in the process of awarding a contract to Spa Hills Composting to haul and process the food waste as per the direction of the Board from the regularly schedule in-camera section of the April Board meeting on April 18, 2019:

*"the Board empower the authorized signatories to enter into a three year agreement with an optional two year extension with Spa Hills Farms Inc. effective July 1, 2019, in order for Spa Hills Farms Inc. to transport and compost food waste collected by the City of Salmon Arm's curbside collection program from the Salmon Arm Landfill to Spa Hills Farms Inc. located at 2223 Yankee Flats Road in Silver Creek, at a rate of \$110 per tonne plus applicable taxes, subject to the City of Salmon Arm amending its agreement with its waste collection contractor to deliver residentially sourced food waste (collected from the City's curbside food waste collection program) to the Salmon Arm Landfill."*

In order to fund the CSRD's responsibilities under this food waste program, a tipping fee of \$120/tonne is necessary for food waste delivered to the Salmon Arm landfill. This fee will fund all contract, operational, and administration costs associated with delivery of food waste to Spa Hills Compost. As a result, the Tipping Fee Bylaw requires an amendment to facilitate the charging of applicable fees. The City has been notified and supports the proposed tipping fee.

In addition to the setting of a tipping fee for food waste, staff have reviewed the tipping fee bylaw and is proposing a number of additional housekeeping definitions as well as a tipping fee change. The following provides an overview of the additions and changes to the Tipping Fee Bylaw update:

- **Include a definition for Food Waste.**

"Food Waste" means compostable material that has been discarded from either a commercial or residential source.

- **Included a definition for Compostable Material.**

"Compostable Material" means the biological composition of organic materials that when processed under controlled circumstances will create Compost.

- **Include a disposal fee of \$120 per tonne for Food Waste.**

This cost is to cover the processing and administration costs associated with composting Food Waste at Spa Hills Compost.

- **Update the definition of a Mixed Load.**

"Mixed Load" means a Load combining one or more Marketable Wastes with Unmarketable Wastes rendering the entire Load unmarketable by virtue of mixing of Wastes or the reluctance to separate Marketable Wastes from Unmarketable Wastes by a site user, but does not include Controlled Waste or Prohibited Waste. A Mixed Load is deemed to be Unmarketable if it contains 10% or more by volume of Marketable Waste.



- **Increase the Mixed Load rate and remove the Demolition Waste disposal fee.**

In an effort to make fees more transparent and straight forward for both the public, contractors and Scalehouse contractors, the Bylaw will remove the definition and tipping fee associated with Demolition Waste and rely on the definition of Mixed Load. The Mixed Load rate will be assessed at \$240 to encourage the separation of marketable materials from incoming loads. The current rate of \$160 is not a strong financial deterrent to separation of recyclables as a majority of users are choosing to mix recyclables in with waste and pay the higher fee. The Mixed Load rate will remain at \$160 until January 1, 2020 to allow staff to educate users of the facilities of the rate increase.

**POLICY:**

Tipping fees are set by bylaw and any changes require Board approval. The proposed changes are consistent with policies within the Solid Waste Management Plan.

**FINANCIAL:**

The proposed changes to the tipping fees are financially prudent and address the need for a rate to cover the City of Salmon Arm's introduction of a curbside food waste collection program. In addition, the Mixed Load rate is set at three times the refuse rate to encourage the separation of marketable materials for proper reuse or recycling. Staff will monitor for increased diversion and re-evaluate the need for future fee modifications based on load audits and waste diversion efforts.

**KEY ISSUES/CONCEPTS:**

To update the tipping fee bylaw to facilitate the City of Salmon Arm's curbside collection of food waste beginning July 1, 2019, amend the Mixed Load Rate, remove the Demolition Waste Disposal Fee, and other housekeeping changes.

**IMPLEMENTATION:**

Bylaw No. 5802, 2019 will be effective July 1, 2019. Once adopted, staff will begin to update users through a variety of methods including social media, advertisements, posting at CSRD refuse disposal facilities, updating signage and by providing education and training to CSRD site attendants.

**DESIRED OUTCOMES:**

The Board approve the new Bylaw No. 5802, 2019, a bylaw to fix and regulate the use, rates, terms and conditions for refuse disposal facilities within the Columbia Shuswap Regional District.

**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:**

Board Report

Solid Waste Tipping Fee and Regulation Bylaw Update

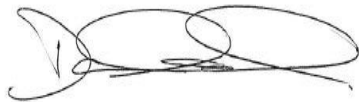
June 20, 2019

N/A

**Report Approval Details**

Document Title:	2019_06_20_om_2019_Tipping Fee changes.docx
Attachments:	<ul style="list-style-type: none"><li>- Solid Waste Disposal Tipping Fee and Regulation Bylaw No. 5802,2019 - with changes identified.docx</li><li>- Solid Waste Disposal Tipping Fee and Regulation Bylaw No. 5802,2019 v2.docx</li></ul>
Final Approval Date:	Jun 11, 2019

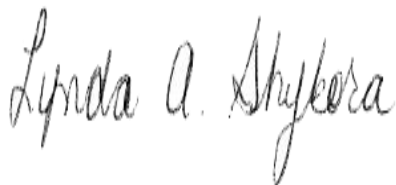
This report and all of its attachments were approved and signed as outlined below:



**Darcy Mooney - Jun 6, 2019 - 4:00 PM**

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

**Jodi Pierce - Jun 6, 2019 - 4:30 PM**



**Lynda Shykora - Jun 11, 2019 - 1:04 PM**

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

**Charles Hamilton - Jun 11, 2019 - 1:10 PM**

## COLUMBIA SHUSWAP REGIONAL DISTRICT

### BYLAW NO. 5802, 2019

A bylaw to establish and regulate the use, rates, terms and conditions for refuse disposal facilities within the Columbia Shuswap Regional District

---

WHEREAS the Regional District is authorized by the Local Government Act to impose fees and charges, by bylaw, for the purpose of recovering the annual costs for a service.

AND WHEREAS the Regional District has established by separate bylaw, a service area for the purpose of Solid Waste Management including the collection, disposal, removal, recycling, and treatment of waste and noxious, offensive or unwholesome substances within the Regional District.

AND WHEREAS it is deemed desirable to fix and regulate, the rates, terms, conditions and use of the various refuse disposal facilities located within the Regional District.

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

#### REPEAL

1. Bylaw No. 5759 cited as "CSRD Solid Waste Disposal Tipping Fee and Regulation Bylaw No. 5759" and its amendments are hereby repealed.

#### DEFINITIONS

2. For the purpose of this bylaw, the following definitions will apply:

**"Active Face"** means the working surface of a Landfill within a Refuse Disposal Facility where Solid Waste is deposited before placement of daily cover.

**"Appliances"** means metal Appliances such as refrigerators, freezers, clothes washers, dishwashers, clothes dryers, ranges, stoves, air conditioners and hot water tanks.

**"Asbestos Waste"** means Waste containing friable and non-friable asbestos fibres or asbestos dust as defined in the Hazardous Waste Regulation.

**"Bag"** means a container holding a volume up to 66 cm x 91 cm or 77 litre equivalent.

**"Biosolids"** means stabilized municipal sewage sludge resulting from a municipal waste water treatment process or septage treatment process which has been sufficiently treated to reduce pathogen densities and vector attraction to allow the sludge to be beneficially recycled in accordance with the Organic Matter Recycling Regulation and its amendments.

**"Biomedical Waste"** means Waste generated by human or animal health facilities, medical or veterinary research and teaching establishments, health care teaching establishments, clinical testing or research laboratories and facilities involved in the production or testing of vaccines as identified in the Hazardous Waste Regulation.

**"Book"** means a hardcover or paperback book bound with a rigid or flexible protective cover.

**“Bulky Waste”** means items with a volume greater than 1.5 m<sup>3</sup> and greater than 2.5 m in length.

**“Clean Soil”** means soil, sod, potting soil, sediment or fill material which does not contain the substances in quantities or concentrations greater than those specified in Contaminated Sites Regulation.

**“Commercial Recyclable Material”** means Marketable Waste generated by industrial, commercial or institutional businesses.

**“Compost”** means organic material beneficial to plant growth when used as a soil amendment, created by a controlled process of biological decomposition in accordance with the Organic Matter Recycling Regulation.

**“Compostable Material”** means the biological composition of organic materials that when processed under controlled circumstances will create Compost.

**“Concrete”** means brick, porcelain, or a construction material that consists of cement, aggregate (generally gravel and sand) and water, as a hardened mixture.

**“Contaminated Sites Regulation”** means the Contaminated Sites Regulation 184/2016, July 19, 2016 and amendments enacted under the Environmental Management Act.

**“Contaminated Soil”** means soil or sediment or fill material containing substances in quantities or concentrations greater than those specified in the Contaminated Sites Regulation but is not a Hazardous Waste as identified in the Hazardous Waste Regulation.

**“Controlled Waste”** means Waste that requires special handling and disposal techniques to avoid creating health hazards, nuisances or environmental pollution. Disposal of Controlled Waste requires pre-approval and a permit issued by the Regional District prior to Disposal. Controlled Wastes are identified in Schedule D attached.

**“Credit Account Holder”** means those persons who have received a credit account from the Regional District in accordance with Schedule C attached.

**“Dead Animal”** means the carcass or part of the carcass of a domestic animal or roadkill.

**“Deep Burial”** means an area of the Landfill excavated to accommodate and bury Controlled Waste with a minimum of 50 cm of cover material.

**“Deep Burial Waste”** means Waste that requires Deep Burial at a Landfill Site.

**“Dispose or Disposal”** means leaving Solid Waste at the Refuse Disposal Facility for the purpose of burial, destruction or placement for future reuse, recycling or recovery.

**“Environmental Management Act”** means the Environmental Management Act, SBC 2003 Chapter 53 and amendments.

**“Facility Attendant”** means the contractor or authorized agent of the contractor that from time to time holds the contract for the position of Facility Attendant at a Refuse Disposal Facility.

**“Facility Operator”** means the contractor or authorized agent of the contractor that from time to time holds the contract for Landfill operations at a Refuse Disposal Facility.

**“Facility Regulations”** means regulations as described in Schedule B attached, which must be adhered to by a person using a Refuse Disposal Facility.

**“Food Waste”** means ~~feed compostable material~~ that has been discarded, ~~lost or uneaten~~ from either a commercial or residential source.

**“Hazardous Waste”** means any chemical compound, mixture, substance or article which is defined as Hazardous Waste in the Hazardous Waste Regulation.

**“Hazardous Waste Regulation”** means the Hazardous Waste Regulation, BC Reg. 179/2016, July 19, 2016 and its amendments enacted under the Environmental Management Act.

**“Invasive (Alien) Plant”** means any invasive alien plant species that has the potential to pose undesirable or detrimental impacts on humans, animals or ecosystems and identified under the Forest and Range Practices Act’s Invasive Plants Regulation.

**“Invasive Plants Regulation”** means the Invasive Plants Regulation, BC Reg. 18/2004, January 31, 2004 and its amendments enacted under the Forest and Range Practices Act.

**“Land Clearing Waste”** means mixed vegetation including branches, stumps (up to 1.5 m<sup>3</sup>), woody materials and non-contaminated soil and rock from land clearing and grubbing, utility line maintenance and seasonal or storm related cleanup.

**“Landfill”** means the area at a Refuse Disposal Facility where Refuse and soil cover have been buried. Landfills are located at the Golden, Revelstoke, Salmon Arm and Sicamous Refuse Disposal Facilities.

**“Load”** means Solid Waste which arrives at a Refuse Disposal Facility in a Vehicle.

**“Manager”** means the employee of the Regional District responsible for the management of the regional Solid Waste function or another person assigned by the Manager to act on their behalf.

**“Marketable Waste”** means Waste which can be directed to a Provincial Product Stewardship Program, a Regional District program or a commercial market through waste reduction, reuse or recycling opportunities.

**“Mattress”** means a unit comprised of a case of canvas or other heavy cloth stuffed with wool, cotton, other fibres or similar material, with or without coiled springs, that was used as a bed or as a support for a bed.

**“Metal Waste”** means ferrous and non-ferrous metallic materials, including but not limited to, sheet metal, siding, roofing, rebar, flashings, pipes, window frames, doors, furnaces, duct work, wire, cable, bathtubs, fencing, bicycle frames, automotive body parts, machinery, garbage cans, metal furniture, tire rims, propane cylinders (up to 46 kgs in size).

**“Mixed Load”** means a Load combining one or more Marketable Wastes with Unmarketable Wastes rendering the entire Load unmarketable by virtue of mixing of Wastes or the reluctance to separate Marketable Wastes from Unmarketable Wastes by a site user, but does not include Controlled Waste or Prohibited Waste. ~~A Mixed Load is deemed to be Unmarketable if it contains 10% or more by volume of Marketable Waste.~~

**“Motor Vehicle Act”** means the Motor Vehicle Act RSBC 1996, Chapter 318 and amendments.

**“Organic Matter Recycling Regulation”** means the Organic Matter Recycling Regulation BC ~~Reg. 179/2016, July 19, 2016~~ Reg. 7/2019, February 28, 2019 and amendments enacted under the Environmental Management Act and the Public Health Act.

**“Ozone Depleting Substance”** means any substance containing chlorine, fluorine, bromine, carbon and hydrogen in varying proportions, often described as halocarbons and all chemical agents associated with an Appliance that have a detrimental effect on stratospheric ozone levels.

**“Provincial Product Stewardship Program Material”** means items and provisions that are included in an approved Provincial Stewardship Program as identified in the Recycling Regulation, such as beverage containers, electronics, cell phones, lead-acid batteries, small appliances, packaging, printed paper, paints, solvents, pesticides, gasoline, pharmaceuticals, tires, used oil and antifreeze.

**“Prohibited Waste”** means gaseous, liquid and Solid Waste not acceptable for burial or Disposal at a Refuse Disposal Facility as identified in Schedule E attached hereto.

**“Radioactive Waste”** means any material (liquid, gaseous or solid) that contains a radioactive “nuclear substance” as defined in the Nuclear Safety and Control Act, SC 1997 and amendments and which the owner has declared to be Waste.

**“Reactive Waste”** means Waste that is gaseous, liquid or solid as defined in the Hazardous Waste Regulation which:

- a) is explosive, oxidizing or so unstable that it readily undergoes violent change in the presence of air or water;
- b) generates toxic gases, vapors or fumes by itself or when mixed with water; or
- c) is polymerized in whole or in part by chemical action and causes damage by generating heat or increasing in volume.

**“Recyclable Asphalt Shingles”** means asphalt based shingle roofing material but does not include torch-on membrane roofing and shingle wrapping paper.

**“Recyclable Gypsum Board or Drywall”** means Waste or material containing any amount of Gypsum Board or Drywall including off-cuts or scraps from new construction and old Gypsum Board or Drywall that has been painted or covered in wallpaper. Gypsum Board or Drywall containing asbestos will be considered as Asbestos Waste.

**“Recycling Regulation”** means the Recycling Regulation BC Reg. 284/2016, December 7, 2016 and amendments, enacted under the Environmental Management Act.

**“Refuse”** means discarded or abandoned materials, substances or objects destined for burial at a Landfill.

**“Refuse Disposal Facility”** means a location as set out in Schedule A of this Bylaw under the control of the Regional District which accepts Refuse for the purpose of immediate disposal, marshalling and/or shipping to an alternate disposal or processing location, either scaled or unscaled.

**“Refuse Transfer Station”** means an area under the control of the Regional District for collecting Refuse in preparation for transportation to a Refuse Disposal Facility.

**“Regional District”** means the Columbia Shuswap Regional District.

**“Residential Recyclable Materials”** means items collected under a Provincial Product Stewardship Program as identified in the Recycling Regulation.



**“Reuse Centre”** means the building where products that are in a usable, working condition can be Disposed of and Salvaged. Tipping Fees apply to Disposed items and a permit to Salvage must be issued by Facility Attendant to a person who desires to remove items.

**“Salvage”** means the orderly removal by an authorized person of Solid Waste from a Refuse Disposal Facility with inherent reuse, resale or scrap value.

**“Scaled Site”** means a Refuse Disposal Facility which contains a device to calculate the mass of a Load.

**“Site”** means a specific Refuse Disposal Facility.

**“Small Load”** means a Load of Solid Waste brought by Vehicle to at a Refuse Transfer Station for Disposal that is not in excess of 1,000 kgs of net weight at a Scaled Site or not in excess of 5.0 m<sup>3</sup> at an Unscaled Site.

**“Solid Waste and Waste”** means ~~items~~ materials that are no longer valued for their original intended purpose and originate from residential, commercial, institutional, demolition, land clearing or construction sources as defined in the Environmental Management Act and its amendments.

**“Specified Risk Material”** means the tissues in livestock that would contain the Bovine Spongiform Encephalopathy (BSE) commonly known as mad cow disease, if the animal were infected.

**“Tipping Fee”** means the user fee charged for the Disposal of Solid Waste at a Refuse Disposal Facility.

**“Treasurer”** means the Manager of Finance of the Regional District or an authorized agent.

**“Unmarketable Wastes”** means Waste which cannot be directed to an existing Provincial Product Stewardship Program, a Regional District program or commercial market through waste reduction, reuse or recycling opportunities because they are mixed and cannot be separated or there is no program or market available.

**“Unscaled Site”** means a Refuse Disposal Facility which does not contains a device to calculate the weight of a Vehicle and the Load will be determined by volume.

**“Vehicle”** means a vehicle, as defined by the Motor Vehicle Act RSBC 1996 Chapter 318.

**“Waste Disposal Area”** means an area of the Refuse Disposal Facility that has been designated for the Disposal of Solid Waste that has been separated by means of a barrier or placement in containers into clearly distinguishable accumulations of different types of materials, substances or objects belonging in the particular class of waste being disposed of.

**“Wood Waste”** means all wood materials except materials defined as Yard and Garden Waste.

**“Wood Waste – Chipped”** means Wood Waste that has been processed to ensure the resulting product meets the optimum size of 6 cm thickness by 15 cm length, void of metal contaminants and any refuse.

**“Yard and Garden Waste”** means vegetative matter from gardening, landscaping and land clearing including shrub and tree branches less than 20 cm in diameter. Yard and Garden Waste does not include Invasive (Alien) Plants.

**CONDITIONS**

3. All Solid Waste Disposed of at a Refuse Disposal Facility shall become property of the Regional District.
4. A person shall not Dispose of Solid Waste at a Refuse Disposal Facility except in accordance with this bylaw and the Facility Regulations.
5. A person shall not Dispose of Solid Waste at a Refuse Disposal Facility which originated from outside the Regional District.
6. A person shall not Dispose of Prohibited Waste at a Refuse Disposal Facility.
7. A person shall not Dispose of Solid Waste at a Refuse Disposal Facility, nor enter any Refuse Disposal Facility at any time other than during the designated hours of operation, unless authorized by the Manager.
8. A person shall not Dispose of Solid Waste at a Refuse Disposal Facility other than in the designated Waste Disposal Area as directed by the Facility Attendant or Facility Operator.
9. A person shall not operate a Vehicle on any part of a Refuse Disposal Facility other than on the roads and areas designated by the Regional District.
10. A person shall not act in a manner that is contrary to the posted signage, instructions, orders and directions given by the Regional District, the Facility Attendant and the Facility Operator at a Refuse Disposal Facility.
11. A person shall not Salvage Solid Waste from a Refuse Disposal Facility unless written authorization has been provided by the Manager.
12. A person shall not remove items from a Reuse Centre unless a permit has been issued by the Facility Attendant.
13. A person shall not Dispose of Controlled Waste at a Refuse Disposal Facility other than in the designated Controlled Waste Disposal Area provided that:
  - a) the Manager has given written authorization, including and the terms and conditions of the Disposal;
  - b) the Controlled Waste is one type and from no more than one source unless written authorization is given by the Manager;
  - c) the Controlled Waste is manifested as regulated by the British Columbia Ministry of the Environment;
  - d) three business days' notice is given to the Regional District prior to Disposal of the Controlled Waste, in the form of a written application;
  - e) the Controlled Waste is disposed of one (1) hour before the closing time of the Refuse Disposal Facility and is not on a Saturday or a Sunday;
  - f) there are no health and safety risks associated with the disposal of the Controlled Waste.
14. Despite subsection 13(d), the Manager may permit the Disposal of Controlled Waste without the required notice and on days and times other than those specified in 13(e).

15. A person shall not loiter at a Refuse Disposal Facility. Vehicles must proceed directly to the designated Waste Disposal Area and then leave as soon as possible after disposal.
16. A person shall not loiter at a Reuse Centre. Visits must be limited to a maximum of 15 minutes.
17. A person shall not Dispose of Specified Risk Material at any Refuse Disposal Facility unless authorized by the Manager. The Salmon Arm Refuse Disposal Facility is the only Site that accepts Specified Risk Material.
18. A person who contravenes the Facility Regulations, fails to obey orders or directions given by the Regional District, the Facility Attendant or the Facility Operator, fails to comply with posted notices and signs at a Refuse Disposal Facility may be refused or prohibited re-entry to all Refuse Disposal Facilities for a designated period of time as determined by the Manager.

## **FEES AND CHARGES**

19. A person who Disposes of Solid Waste at a Refuse Disposal Facility shall pay to the Regional District the applicable Tipping Fees and charges in accordance with the terms and conditions as set out in Schedule C attached.
20. Despite the rest of this bylaw, the Manager may designate periods during where no Tipping Fee is payable under this bylaw at a specific Refuse Disposal Facility on a specified date for Wastes generated as part of a cleanup event initiated by a non-profit and/or community group targeting clean-up on public lands.

## **VIOLATIONS AND PENALTIES**

21. A person who:
  - a) violates any provision of this bylaw;
  - b) permits any act or thing to be done in contravention of this bylaw; or
  - c) neglects to or refrains from doing anything required to be done by any provision of this bylawwill be deemed to have committed an offence against this bylaw and each day that a violation continues to exist is deemed to be a separate offence against this bylaw and:
  - i. will be liable to a fine as set out in the CSRD Ticket Information Utilization Bylaw; and
  - ii. will be liable, upon summary conviction, to penalties prescribed by the Offence Act (British Columbia) and amendments.
  - iii. may be prohibited from depositing Solid Waste at a Refuse Disposal Facility.
22. The penalties imposed under Section 21 shall be in addition to and not in substitution of any other penalty or remedy imposed by this bylaw or any other statute, law or regulation.
23. A person who contravenes any of the Facility Regulations contained within this bylaw shall be responsible for all costs associated with facility remediation.

## **SEVERABILITY**

24. If any section, subsection or clause of this bylaw is declared or held to be invalid by a Court of competent jurisdiction, then that invalid portion shall be severed and the remainder of this bylaw shall be deemed to have been adopted without the invalid and severed section, subsection or clause

## FORCE AND EFFECT

25. This Bylaw shall be effective July 1, 2019.

## CITATION

26. This bylaw may be cited as “CSRD Solid Waste Disposal Tipping Fee and Regulation Bylaw No 5802, 2019.”

READ a first time this 20<sup>th</sup> day of June, 2019.

READ a second time this 20<sup>th</sup> day of June, 2019.

READ a third time this 20<sup>th</sup> day of June, 2019.

ADOPTED this 20<sup>th</sup> day of June, 2019.

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

\_\_\_\_\_  
CHAIR

CERTIFIED a true copy of  
Bylaw 5802, 2019, as adopted

\_\_\_\_\_  
MANAGER OF CORPORATE  
ADMINISTRATION SERVICES (SECRETARY)

**CSRD SOLID WASTE DISPOSAL TIPPING FEE AND REGULATION  
BYLAW NO. 5802, 2019  
SCHEDULE A**

**CSRD REFUSE DISPOSAL FACILITIES**

<b>SCALED SITE</b>	<b>ADDRESS</b>
Golden Refuse Disposal Facility	350 Golden-Donald Upper Road, Golden BC
Revelstoke Refuse Disposal Facility	330 Westside Road, Revelstoke BC
Sicamous Refuse Disposal Facility	900 Two Mile Road, Sicamous BC
Salmon Arm Refuse Disposal Facility	4290 20th Avenue SE, Salmon Arm BC
Skimikin Refuse Transfer Station	2281 Skimikin Road, Tappen BC
Scotch Creek Refuse Transfer Station	3508 Squilax Anglemont Road, Scotch Creek BC
<b>UNSCALED SITE</b>	<b>ADDRESS</b>
Falkland Refuse Transfer Station	2830 Wetaskiwin Road, Falkland BC
Glenemma Refuse Transfer Station	3125 McTavish Road, Salmon Arm BC
Seymour Arm Refuse Transfer Station	1815 Quast Road, Seymour Arm BC
Malakwa Refuse Transfer Station	3591 McLean-Sawmill Road, Malakwa BC
Parson Refuse Transfer Station	3583 Highway 95 South, Parson BC
Trout Lake Refuse Transfer Station	5100 Highway 31, Nakusp BC

**CSRD SOLID WASTE DISPOSAL TIPPING FEE AND REGULATION**  
**BYLAW NO. 5802, 2019**  
**SCHEDULE B**

**FACILITY REGULATIONS**

**PURPOSE:**

To ensure a safe and orderly environment for all persons at all Refuse Disposal Facilities.

**POLICY:**

The Facility Regulations shall be observed by all persons attending all Refuse Disposal Facilities.

**PROCEDURES:**

**1. LOADS**

- 1.1. All Loads entering a Refuse Disposal Facility shall be secured as defined in the Motor Vehicle Act.
- 1.2. A person who deposits Solid Waste at Refuse Disposal Facility not meeting the requirements in Section 1.1 shall pay double (two-times) the Tipping Fee required by Schedule C and may be subject to a fine associated with a ticketable offence.
- 1.3. Only Small Loads are accepted for Disposal at a Refuse Transfer Station.

**2. SAFETY**

- 2.1. A person entering a Refuse Disposal Facility does so at their own risk. The Regional District accepts no responsibility for damage or injury to property or person.
- 2.2. Children under the age of 16 must be supervised at all times at any Refuse Disposal Facility.
- 2.3. Pets are not permitted at Refuse Disposal Facilities unless they remain inside a vehicle.
- 2.4. Smoking is not permitted at Refuse Disposal Facilities.
- 2.5. A person entering a Refuse Disposal Facility must check in with the Facility Attendant.
- 2.6. A person unloading Solid Waste at a Site must unload at a safe distance from other unloading Vehicles. At a minimum, Vehicle separation should be one and a half (1.5) times the height of the tallest Vehicle between the unloading Vehicle and of the closest stationary Vehicle.

**CSRD SOLID WASTE DISPOSAL TIPPING FEE AND REGULATION  
BYLAW NO. 5802, 2019  
SCHEDULE C**

**TIPPING FEES AND CHARGES**

**1. TIPPING FEES**

- 1.1. The Tipping Fees for Disposal of Solid Waste at a Scaled Refuse Disposal Facility as measured by mass on the scale operated by the Facility Attendant at a Refuse Disposal Facility are as follows:

<b>Materials Accepted (Scaled Site)</b>	<b>Fee</b>	<b>Unit Rate</b>	<b>Minimum Charge</b>
Bagged Refuse	\$3	Each	NIL
Bagged Refuse for Reuse Centre	\$3	Each	NIL
Refuse	\$80	Tonne	\$5
Refuse for Reuse Centre	\$80	Tonne	\$5
Compostable Material	\$120	Tonne	\$10
Bulky Waste	\$160	Tonne	\$10
Mixed Load	\$240	Tonne	\$15
Metal Waste (Including Appliances and Propane Cylinders)	NO CHARGE		
Appliances (containing Ozone Depleting Substance)	NO CHARGE		
Clean Soil	\$10	Tonne	\$5
Wood Waste	\$40	Tonne	\$5
Wood Waste - Chipped	\$15	Tonne	\$5
Yard and Garden Waste	NO CHARGE		
Invasive (Alien) Plants	NO CHARGE		
Gypsum Board or Drywall	\$100	Tonne	\$5
Asphalt Shingles	\$100	Tonne	\$5
Concrete (includes asphalt, bricks, porcelain)	\$80	Tonne	\$5
Mattresses	\$15	Unit	\$15
Land Clearing Waste	\$160	Tonne	\$10
Dead Animal	\$80	Tonne	\$5
Controlled Waste	\$160	Tonne	\$10
Controlled Waste (requiring deep burial)	\$240	Tonne	\$240
Biosolids	\$10	Tonne	\$5
Contaminated Soil	\$35	Tonne	\$5
Septage Pumping (Revelstoke Landfill Only)	\$45	Tonne	\$5
Commercial Recyclable Material	\$80	Tonne	\$5
Residential Recyclable Materials	NO CHARGE		
Batteries, Books	NO CHARGE		



**CSRD SOLID WASTE DISPOSAL TIPPING FEE AND REGULATION  
BYLAW NO. 5802, 2019  
SCHEDULE C**

- 1.2. The Tipping Fees for Disposal of Solid Waste at an Unscaled Refuse Disposal Facility as assessed by volume by the Facility Attendant at a Refuse Disposal Facility are as follows:

Materials Accepted (Unscaled Site)	Fee	Unit Rate	Minimum Charge
Bagged Refuse	\$3	Each	NIL
Bagged Refuse for Reuse Centre	\$3	Each	NIL
Refuse	\$12	m <sup>3</sup>	\$5
Refuse for Reuse Centre	\$12	m <sup>3</sup>	\$5
Bulky Waste	NOT ACCEPTED		
Mixed Load	<del>\$25</del> \$30	m <sup>3</sup>	<del>\$40</del> \$15
Metal Waste (Including Appliances and Propane Cylinders)	NO CHARGE		
<del>Demolition Waste (containing Drywall or Asphalt Shingles)</del>	<del>\$30</del>	<del>m<sup>3</sup></del>	<del>\$15</del>
Appliances (containing Ozone Depleting Substance)	NO CHARGE		
Clean Soil	NOT ACCEPTED		
Wood Waste	\$12	m <sup>3</sup>	\$5
Wood Waste - Chipped	\$5	m <sup>3</sup>	\$5
Yard and Garden Waste	NO CHARGE		
Invasive (Alien) Plants	NO CHARGE		
Gypsum Board or Drywall	\$15	m <sup>3</sup>	\$5
Asphalt Shingles	\$15	m <sup>3</sup>	\$5
Concrete (includes asphalt, bricks, porcelain)	\$12	m <sup>3</sup>	\$5
Mattresses	\$15	Unit	\$15
Land Clearing Waste	NOT ACCEPTED		
Dead Animal	NOT ACCEPTED		
Controlled Waste	NOT ACCEPTED		
Controlled Waste (requiring deep burial)	NOT ACCEPTED		
Biosolids	NOT ACCEPTED		
Contaminated Soil	NOT ACCEPTED		
Septage Pumping	NOT ACCEPTED		
Commercial Recyclable Material	NOT ACCEPTED		
Residential Recyclable Materials	NO CHARGE		
Batteries, Books	NO CHARGE		

**CSRD SOLID WASTE DISPOSAL TIPPING FEE AND REGULATION  
BYLAW NO. 5802, 2019  
SCHEDULE C**

**2. SURCHARGES**

- 2.1. The Regional District may issue an additional surcharge where applicable:

Surcharge	Amount
Failure to dispose of Solid Waste in the designated Waste Disposal Area	\$50
Failure to weigh in or out at a Scaled Site <i>(where the Regional District must subsequently obtain vehicle tare weight and ownership information for subsequent billing. The registered tare weight of the vehicle will be subtracted from the scaled gross weight and the designated Tipping Fee will be allocated to the difference and will be invoiced to the registered vehicle owner in addition to the surcharge)</i>	\$50
Failure to pay the required Tipping Fee in full <i>(where the Regional District must subsequently invoice a person for the outstanding Tipping Fee or balance of Tipping Fee)</i>	\$50

**3. PRODUCT SALES**

- 3.1. The fees for the purchase of product from select Refuse Disposal Facilities are as follows:

Product	Fee	Unit Rate	Minimum Charge
Compost – manually loaded by customer	\$10	m <sup>3</sup>	\$5.00
Compost – mechanically loaded by Regional District	\$15	m <sup>3</sup>	\$30.00

**4. GENERAL**

- 4.1. Where a dollar amount per tonne is indicated, it is to be interpreted as allowing a proportionate charge for a portion of a tonne in 10 kg increments.
- 4.2. All scaled Tipping Fees shall be rounded up to the nearest quarter of a dollar.
- 4.3. In the event that the weigh scales provided at a Scaled Site are not operational, or at the discretion of the Manager, weights shall be estimated based on volume by the Manager, Regional District staff, the Facility Attendant or the Facility Operator.
- 4.4. All fees payable under this bylaw shall be paid to the Regional District in the form of cash or cheque at all Unscaled Sites prior to Disposal of the Solid Waste for which the charge is made.
- 4.5. All fees payable under this bylaw shall be paid to the Regional District in the form of cash, cheque, debit card or credit card at all Scaled Sites prior to Disposal of the Solid Waste for which the charge is made for Solid Waste assessed by volume or by the number of items when applicable.

**CSRD SOLID WASTE DISPOSAL TIPPING FEE AND REGULATION**  
**BYLAW NO. 5802, 2019**  
**SCHEDULE C**

- 4.6. All fees payable under this bylaw shall be paid to the Regional District in the form of cash, cheque, debit or credit card at all Scaled Sites following weighing the empty Vehicle after the Load is Disposed of and shall be based on the difference in weight between the loaded weight and the weight of the empty Vehicle.
- 4.7. Where a fee or charge is not paid within the time as specified, a person who is liable to pay such a charge shall:
- a) pay interest as outlined by bylaw on the applicable fees at the rates as outlined in Schedule C.
  - b) not Dispose of any Solid Waste at any Refuse Disposal Facility until such charges are paid in full.
- 4.8. A person may make application to the Regional District for a Solid Waste credit account. If the Treasurer is satisfied with the credit worthiness, credit will be granted to that person in which case payment of the Tipping Fees shall be made and the credit extended on the following conditions and as outlined in CSRD Administrative Rates and Charges Bylaw No. 5298 and its amendments:
- a) A Credit Account Holder shall pay to the Regional District all charges in full within thirty (30) days of the invoice date for which an invoice has been issued. The Regional District may invoice twice monthly. The invoice amount will be based on the total quantity of Solid Waste delivered during the invoicing period and the posted Tipping Fee rates in effect at the time of delivery;
  - b) The Regional District reserves the right to cancel, upon five (5) days' written notice, the credit offered herein for late payment, non-payment or other justified cause as judged solely by the Treasurer;
  - c) The Regional District reserves the right to refuse access to a Refuse Disposal Facility to any person receiving credit until all outstanding charges are paid.
- 4.9. If a Credit Account Holder fails to pay the Regional District all charges owing in full within thirty (30) days of the invoice date in which an invoice has been issued, the Regional District may withhold monies equivalent to those charges, plus interest, from the firm receiving credit under a separate contract, agreement or offer between the Regional District and the firm receiving credit.
- 4.10. Credit Account Holders shall provide the Regional District with Vehicle identity information including the licence plate numbers of all Vehicles authorized to charge to the credit account. Any Vehicles that have not been registered under the credit account will not be permitted to charge to an account without the expressed written approval from the Credit Account Holder.
- 4.11. All Credit Account Holders will be responsible for all Tipping Fees charged by registered Vehicles under their account.
- 4.12. The Regional District shall provide a receipt for all Tipping Fees paid or charged to a Credit Account Holder.

**CSRD SOLID WASTE DISPOSAL TIPPING FEE AND REGULATION**  
**BYLAW NO. 5802, 2019**  
**SCHEDULE D**

**1. CONTROLLED WASTE**

- 1.1. Controlled Waste materials are accepted at a Landfill Site upon written authorization issued by the Manager. Controlled Waste includes the following materials but is not limited to:

Asbestos
Contaminated Soil
Specified Risk Material <i>(accepted at Salmon Arm Landfill only)</i>

**CSRD SOLID WASTE DISPOSAL TIPPING FEE AND REGULATION**  
**BYLAW NO. 5802, 2019**  
**SCHEDULE E**

**1. PROHIBITED WASTE**

1.1. The following items are prohibited from entry at all Refuse Disposal Facilities:

Auto Hulks
Biomedical Waste
Farm Animal Carcasses and Body Parts
Hazardous Waste <i>(except those Sites where a system of collecting Hazardous Wastes has been established)</i>
Liquids and semi-solid Wastes except as permitted by this bylaw
Log Yard Waste
PCB's
Radioactive Waste
Reactive Waste
Solid Waste which is on fire or smoldering
Tires <i>(suitable for Product Stewardship Program)</i>

## COLUMBIA SHUSWAP REGIONAL DISTRICT

### BYLAW NO. 5802, 2019

A bylaw to establish and regulate the use, rates, terms and conditions for refuse disposal facilities within the Columbia Shuswap Regional District

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WHEREAS the Regional District is authorized by the Local Government Act to impose fees and charges, by bylaw, for the purpose of recovering the annual costs for a service.

AND WHEREAS the Regional District has established by separate bylaw, a service area for the purpose of Solid Waste Management including the collection, disposal, removal, recycling, and treatment of waste and noxious, offensive or unwholesome substances within the Regional District.

AND WHEREAS it is deemed desirable to fix and regulate, the rates, terms, conditions and use of the various refuse disposal facilities located within the Regional District.

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

#### REPEAL

1. Bylaw No. 5759 cited as "CSRD Solid Waste Disposal Tipping Fee and Regulation Bylaw No. 5759" and its amendments are hereby repealed.

#### DEFINITIONS

2. For the purpose of this bylaw, the following definitions will apply:

**"Active Face"** means the working surface of a Landfill within a Refuse Disposal Facility where Solid Waste is deposited before placement of daily cover.

**"Appliances"** means metal Appliances such as refrigerators, freezers, clothes washers, dishwashers, clothes dryers, ranges, stoves, air conditioners and hot water tanks.

**"Asbestos Waste"** means Waste containing friable and non-friable asbestos fibres or asbestos dust as defined in the Hazardous Waste Regulation.

**"Bag"** means a container holding a volume up to 66 cm x 91 cm or 77 litre equivalent.

**"Biosolids"** means stabilized municipal sewage sludge resulting from a municipal waste water treatment process or septage treatment process which has been sufficiently treated to reduce pathogen densities and vector attraction to allow the sludge to be beneficially recycled in accordance with the Organic Matter Recycling Regulation and its amendments.

**"Biomedical Waste"** means Waste generated by human or animal health facilities, medical or veterinary research and teaching establishments, health care teaching establishments, clinical testing or research laboratories and facilities involved in the production or testing of vaccines as identified in the Hazardous Waste Regulation.

**"Book"** means a hardcover or paperback book bound with a rigid or flexible protective cover.

**“Bulky Waste”** means items with a volume greater than 1.5 m<sup>3</sup> and greater than 2.5 m in length.

**“Clean Soil”** means soil, sod, potting soil, sediment or fill material which does not contain the substances in quantities or concentrations greater than those specified in Contaminated Sites Regulation.

**“Commercial Recyclable Material”** means Marketable Waste generated by industrial, commercial or institutional businesses.

**“Compost”** means organic material beneficial to plant growth when used as a soil amendment, created by a controlled process of biological decomposition in accordance with the Organic Matter Recycling Regulation.

**“Compostable Material”** means the biological composition of organic materials that when processed under controlled circumstances will create Compost.

**“Concrete”** means brick, porcelain, or a construction material that consists of cement, aggregate (generally gravel and sand) and water, as a hardened mixture.

**“Contaminated Sites Regulation”** means the Contaminated Sites Regulation 184/2016, July 19, 2016 and amendments enacted under the Environmental Management Act.

**“Contaminated Soil”** means soil or sediment or fill material containing substances in quantities or concentrations greater than those specified in the Contaminated Sites Regulation but is not a Hazardous Waste as identified in the Hazardous Waste Regulation.

**“Controlled Waste”** means Waste that requires special handling and disposal techniques to avoid creating health hazards, nuisances or environmental pollution. Disposal of Controlled Waste requires pre-approval and a permit issued by the Regional District prior to Disposal. Controlled Wastes are identified in Schedule D attached.

**“Credit Account Holder”** means those persons who have received a credit account from the Regional District in accordance with Schedule C attached.

**“Dead Animal”** means the carcass or part of the carcass of a domestic animal or roadkill.

**“Deep Burial”** means an area of the Landfill excavated to accommodate and bury Controlled Waste with a minimum of 50 cm of cover material.

**“Deep Burial Waste”** means Waste that requires Deep Burial at a Landfill Site.

**“Dispose or Disposal”** means leaving Solid Waste at the Refuse Disposal Facility for the purpose of burial, destruction or placement for future reuse, recycling or recovery.

**“Environmental Management Act”** means the Environmental Management Act, SBC 2003 Chapter 53 and amendments.

**“Facility Attendant”** means the contractor or authorized agent of the contractor that from time to time holds the contract for the position of Facility Attendant at a Refuse Disposal Facility.

**“Facility Operator”** means the contractor or authorized agent of the contractor that from time to time holds the contract for Landfill operations at a Refuse Disposal Facility.

**“Facility Regulations”** means regulations as described in Schedule B attached, which must be adhered to by a person using a Refuse Disposal Facility.



**“Food Waste”** means compostable material that has been discarded from either a commercial or residential source.

**“Hazardous Waste”** means any chemical compound, mixture, substance or article which is defined as Hazardous Waste in the Hazardous Waste Regulation.

**“Hazardous Waste Regulation”** means the Hazardous Waste Regulation, BC Reg. 179/2016, July 19, 2016 and its amendments enacted under the Environmental Management Act.

**“Invasive (Alien) Plant”** means any invasive alien plant species that has the potential to pose undesirable or detrimental impacts on humans, animals or ecosystems and identified under the Forest and Range Practices Act’s Invasive Plants Regulation.

**“Invasive Plants Regulation”** means the Invasive Plants Regulation, BC Reg. 18/2004, January 31, 2004 and its amendments enacted under the Forest and Range Practices Act.

**“Land Clearing Waste”** means mixed vegetation including branches, stumps (up to 1.5 m<sup>3</sup>), woody materials and non-contaminated soil and rock from land clearing and grubbing, utility line maintenance and seasonal or storm related cleanup.

**“Landfill”** means the area at a Refuse Disposal Facility where Refuse and soil cover have been buried. Landfills are located at the Golden, Revelstoke, Salmon Arm and Sicamous Refuse Disposal Facilities.

**“Load”** means Solid Waste which arrives at a Refuse Disposal Facility in a Vehicle.

**“Manager”** means the employee of the Regional District responsible for the management of the regional Solid Waste function or another person assigned by the Manager to act on their behalf.

**“Marketable Waste”** means Waste which can be directed to a Provincial Product Stewardship Program, a Regional District program or a commercial market through waste reduction, reuse or recycling opportunities.

**“Mattress”** means a unit comprised of a case of canvas or other heavy cloth stuffed with wool, cotton, other fibres or similar material, with or without coiled springs, that was used as a bed or as a support for a bed.

**“Metal Waste”** means ferrous and non-ferrous metallic materials, including but not limited to, sheet metal, siding, roofing, rebar, flashings, pipes, window frames, doors, furnaces, duct work, wire, cable, bathtubs, fencing, bicycle frames, automotive body parts, machinery, garbage cans, metal furniture, tire rims, propane cylinders (up to 46 kgs in size).

**“Mixed Load”** means a Load combining one or more Marketable Wastes with Unmarketable Wastes rendering the entire Load unmarketable by virtue of mixing of Wastes or the reluctance to separate Marketable Wastes from Unmarketable Wastes by a site user, but does not include Controlled Waste or Prohibited Waste. A Mixed Load is deemed to be Unmarketable if it contains 10% or more by volume of Marketable Waste.

**“Motor Vehicle Act”** means the Motor Vehicle Act RSBC 1996, Chapter 318 and amendments.

**“Organic Matter Recycling Regulation”** means the Organic Matter Recycling Regulation BC Reg. 179/2016, July 19, 2016 and amendments enacted under the Environmental Management Act and the Public Health Act.

**“Ozone Depleting Substance”** means any substance containing chlorine, fluorine, bromine, carbon and hydrogen in varying proportions, often described as halocarbons and all chemical agents associated with an Appliance that have a detrimental effect on stratospheric ozone levels.

**“Provincial Product Stewardship Program Material”** means items and provisions that are included in an approved Provincial Stewardship Program as identified in the Recycling Regulation, such as beverage containers, electronics, cell phones, lead-acid batteries, small appliances, packaging, printed paper, paints, solvents, pesticides, gasoline, pharmaceuticals, tires, used oil and antifreeze.

**“Prohibited Waste”** means gaseous, liquid and Solid Waste not acceptable for burial or Disposal at a Refuse Disposal Facility as identified in Schedule E attached hereto.

**“Radioactive Waste”** means any material (liquid, gaseous or solid) that contains a radioactive “nuclear substance” as defined in the Nuclear Safety and Control Act, SC 1997 and amendments and which the owner has declared to be Waste.

**“Reactive Waste”** means Waste that is gaseous, liquid or solid as defined in the Hazardous Waste Regulation which:

- a) is explosive, oxidizing or so unstable that it readily undergoes violent change in the presence of air or water;
- b) generates toxic gases, vapors or fumes by itself or when mixed with water; or
- c) is polymerized in whole or in part by chemical action and causes damage by generating heat or increasing in volume.

**“Recyclable Asphalt Shingles”** means asphalt based shingle roofing material but does not include torch-on membrane roofing and shingle wrapping paper.

**“Recyclable Gypsum Board or Drywall”** means Waste or material containing any amount of Gypsum Board or Drywall including off-cuts or scraps from new construction and old Gypsum Board or Drywall that has been painted or covered in wallpaper. Gypsum Board or Drywall containing asbestos will be considered as Asbestos Waste.

**“Recycling Regulation”** means the Recycling Regulation BC Reg. 284/2016, December 7, 2016 and amendments, enacted under the Environmental Management Act.

**“Refuse”** means discarded or abandoned materials, substances or objects destined for burial at a Landfill.

**“Refuse Disposal Facility”** means a location as set out in Schedule A of this Bylaw under the control of the Regional District which accepts Refuse for the purpose of immediate disposal, marshalling and/or shipping to an alternate disposal or processing location, either scaled or unscaled.

**“Refuse Transfer Station”** means an area under the control of the Regional District for collecting Refuse in preparation for transportation to a Refuse Disposal Facility.

**“Regional District”** means the Columbia Shuswap Regional District.

**“Residential Recyclable Materials”** means items collected under a Provincial Product Stewardship Program as identified in the Recycling Regulation.

**“Reuse Centre”** means the building where products that are in a usable, working condition can be Disposed of and Salvaged. Tipping Fees apply to Disposed items and a permit to Salvage must be issued by Facility Attendant to a person who desires to remove items.

**“Salvage”** means the orderly removal by an authorized person of Solid Waste from a Refuse Disposal Facility with inherent reuse, resale or scrap value.

**“Scaled Site”** means a Refuse Disposal Facility which contains a device to calculate the mass of a Load.

**“Site”** means a specific Refuse Disposal Facility.

**“Small Load”** means a Load of Solid Waste brought by Vehicle to at a Refuse Transfer Station for Disposal that is not in excess of 1,000 kgs of net weight at a Scaled Site or not in excess of 5.0 m<sup>3</sup> at an Unscaled Site.

**“Solid Waste and Waste”** means materials that are no longer valued for their original intended purpose and originate from residential, commercial, institutional, demolition, land clearing or construction sources as defined in the Environmental Management Act and its amendments.

**“Specified Risk Material”** means the tissues in livestock that would contain the Bovine Spongiform Encephalopathy (BSE) commonly known as mad cow disease, if the animal were infected.

**“Tipping Fee”** means the user fee charged for the Disposal of Solid Waste at a Refuse Disposal Facility.

**“Treasurer”** means the Manager of Finance of the Regional District or an authorized agent.

**“Unmarketable Wastes”** means Waste which cannot be directed to an existing Provincial Product Stewardship Program, a Regional District program or commercial market through waste reduction, reuse or recycling opportunities because they are mixed and cannot be separated or there is no program or market available.

**“Unscaled Site”** means a Refuse Disposal Facility which does not contains a device to calculate the weight of a Vehicle and the Load will be determined by volume.

**“Vehicle”** means a vehicle, as defined by the Motor Vehicle Act RSBC 1996 Chapter 318.

**“Waste Disposal Area”** means an area of the Refuse Disposal Facility that has been designated for the Disposal of Solid Waste that has been separated by means of a barrier or placement in containers into clearly distinguishable accumulations of different types of materials, substances or objects belonging in the particular class of waste being disposed of.

**“Wood Waste”** means all wood materials except materials defined as Yard and Garden Waste.

**“Wood Waste – Chipped”** means Wood Waste that has been processed to ensure the resulting product meets the optimum size of 6 cm thickness by 15 cm length, void of metal contaminants and any refuse.

**“Yard and Garden Waste”** means vegetative matter from gardening, landscaping and land clearing including shrub and tree branches less than 20 cm in diameter. Yard and Garden Waste does not include Invasive (Alien) Plants.

**CONDITIONS**

3. All Solid Waste Disposed of at a Refuse Disposal Facility shall become property of the Regional District.
4. A person shall not Dispose of Solid Waste at a Refuse Disposal Facility except in accordance with this bylaw and the Facility Regulations.
5. A person shall not Dispose of Solid Waste at a Refuse Disposal Facility which originated from outside the Regional District.
6. A person shall not Dispose of Prohibited Waste at a Refuse Disposal Facility.
7. A person shall not Dispose of Solid Waste at a Refuse Disposal Facility, nor enter any Refuse Disposal Facility at any time other than during the designated hours of operation, unless authorized by the Manager.
8. A person shall not Dispose of Solid Waste at a Refuse Disposal Facility other than in the designated Waste Disposal Area as directed by the Facility Attendant or Facility Operator.
9. A person shall not operate a Vehicle on any part of a Refuse Disposal Facility other than on the roads and areas designated by the Regional District.
10. A person shall not act in a manner that is contrary to the posted signage, instructions, orders and directions given by the Regional District, the Facility Attendant and the Facility Operator at a Refuse Disposal Facility.
11. A person shall not Salvage Solid Waste from a Refuse Disposal Facility unless written authorization has been provided by the Manager.
12. A person shall not remove items from a Reuse Centre unless a permit has been issued by the Facility Attendant.
13. A person shall not Dispose of Controlled Waste at a Refuse Disposal Facility other than in the designated Controlled Waste Disposal Area provided that:
  - a) the Manager has given written authorization, including and the terms and conditions of the Disposal;
  - b) the Controlled Waste is one type and from no more than one source unless written authorization is given by the Manager;
  - c) the Controlled Waste is manifested as regulated by the British Columbia Ministry of the Environment;
  - d) three business days' notice is given to the Regional District prior to Disposal of the Controlled Waste, in the form of a written application;
  - e) the Controlled Waste is disposed of one (1) hour before the closing time of the Refuse Disposal Facility and is not on a Saturday or a Sunday;
  - f) there are no health and safety risks associated with the disposal of the Controlled Waste.
14. Despite subsection 13(d), the Manager may permit the Disposal of Controlled Waste without the required notice and on days and times other than those specified in 13(e).
15. A person shall not loiter at a Refuse Disposal Facility. Vehicles must proceed directly to the designated Waste Disposal Area and then leave as soon as possible after disposal.

16. A person shall not loiter at a Reuse Centre. Visits must be limited to a maximum of 15 minutes.
17. A person shall not Dispose of Specified Risk Material at any Refuse Disposal Facility unless authorized by the Manager. The Salmon Arm Refuse Disposal Facility is the only Site that accepts Specified Risk Material.
18. A person who contravenes the Facility Regulations, fails to obey orders or directions given by the Regional District, the Facility Attendant or the Facility Operator, fails to comply with posted notices and signs at a Refuse Disposal Facility may be refused or prohibited re-entry to all Refuse Disposal Facilities for a designated period of time as determined by the Manager.

## **FEES AND CHARGES**

19. A person who Disposes of Solid Waste at a Refuse Disposal Facility shall pay to the Regional District the applicable Tipping Fees and charges in accordance with the terms and conditions as set out in Schedule C attached.
20. Despite the rest of this bylaw, the Manager may designate periods during where no Tipping Fee is payable under this bylaw at a specific Refuse Disposal Facility on a specified date for Wastes generated as part of a cleanup event initiated by a non-profit and/or community group targeting clean-up on public lands.

## **VIOLATIONS AND PENALTIES**

21. A person who:
  - a) violates any provision of this bylaw;
  - b) permits any act or thing to be done in contravention of this bylaw; or
  - c) neglects to or refrains from doing anything required to be done by any provision of this bylawwill be deemed to have committed an offence against this bylaw and each day that a violation continues to exist is deemed to be a separate offence against this bylaw and:
  - i. will be liable to a fine as set out in the CSRD Ticket Information Utilization Bylaw; and
  - ii. will be liable, upon summary conviction, to penalties prescribed by the Offence Act (British Columbia) and amendments.
  - iii. may be prohibited from depositing Solid Waste at a Refuse Disposal Facility.
22. The penalties imposed under Section 21 shall be in addition to and not in substitution of any other penalty or remedy imposed by this bylaw or any other statute, law or regulation.
23. A person who contravenes any of the Facility Regulations contained within this bylaw shall be responsible for all costs associated with facility remediation.

## **SEVERABILITY**

24. If any section, subsection or clause of this bylaw is declared or held to be invalid by a Court of competent jurisdiction, then that invalid portion shall be severed and the remainder of this bylaw shall be deemed to have been adopted without the invalid and severed section, subsection or clause

## **FORCE AND EFFECT**

25. This Bylaw shall be effective July 1, 2019.

**CITATION**

26. This bylaw may be cited as “CSRD Solid Waste Disposal Tipping Fee and Regulation Bylaw No 5802, 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.

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

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

\_\_\_\_\_  
CHAIR

CERTIFIED a true copy of  
Bylaw 5802, 2019, as adopted

\_\_\_\_\_  
MANAGER OF CORPORATE  
ADMINISTRATION SERVICES (SECRETARY)

**CSRD SOLID WASTE DISPOSAL TIPPING FEE AND REGULATION  
BYLAW NO. 5802, 2019  
SCHEDULE A**

**CSRD REFUSE DISPOSAL FACILITIES**

<b>SCALED SITE</b>	<b>ADDRESS</b>
Golden Refuse Disposal Facility	350 Golden-Donald Upper Road, Golden BC
Revelstoke Refuse Disposal Facility	330 Westside Road, Revelstoke BC
Sicamous Refuse Disposal Facility	900 Two Mile Road, Sicamous BC
Salmon Arm Refuse Disposal Facility	4290 20th Avenue SE, Salmon Arm BC
Skimikin Refuse Transfer Station	2281 Skimikin Road, Tappen BC
Scotch Creek Refuse Transfer Station	3508 Squilax Anglemont Road, Scotch Creek BC
<b>UNSCALED SITE</b>	<b>ADDRESS</b>
Falkland Refuse Transfer Station	2830 Wetaskiwin Road, Falkland BC
Glenemma Refuse Transfer Station	3125 McTavish Road, Salmon Arm BC
Seymour Arm Refuse Transfer Station	1815 Quast Road, Seymour Arm BC
Malakwa Refuse Transfer Station	3591 McLean-Sawmill Road, Malakwa BC
Parson Refuse Transfer Station	3583 Highway 95 South, Parson BC
Trout Lake Refuse Transfer Station	5100 Highway 31, Nakusp BC



**CSRD SOLID WASTE DISPOSAL TIPPING FEE AND REGULATION**  
**BYLAW NO. 5802, 2019**  
**SCHEDULE B**

**FACILITY REGULATIONS**

**PURPOSE:**

To ensure a safe and orderly environment for all persons at all Refuse Disposal Facilities.

**POLICY:**

The Facility Regulations shall be observed by all persons attending all Refuse Disposal Facilities.

**PROCEDURES:**

**1. LOADS**

- 1.1. All Loads entering a Refuse Disposal Facility shall be secured as defined in the Motor Vehicle Act.
- 1.2. A person who deposits Solid Waste at Refuse Disposal Facility not meeting the requirements in Section 1.1 shall pay double (two-times) the Tipping Fee required by Schedule C and may be subject to a fine associated with a ticketable offence.
- 1.3. Only Small Loads are accepted for Disposal at a Refuse Transfer Station.

**2. SAFETY**

- 2.1. A person entering a Refuse Disposal Facility does so at their own risk. The Regional District accepts no responsibility for damage or injury to property or person.
- 2.2. Children under the age of 16 must be supervised at all times at any Refuse Disposal Facility.
- 2.3. Pets are not permitted at Refuse Disposal Facilities unless they remain inside a vehicle.
- 2.4. Smoking is not permitted at Refuse Disposal Facilities.
- 2.5. A person entering a Refuse Disposal Facility must check in with the Facility Attendant.
- 2.6. A person unloading Solid Waste at a Site must unload at a safe distance from other unloading Vehicles. At a minimum, Vehicle separation should be one and a half (1.5) times the height of the tallest Vehicle between the unloading Vehicle and of the closest stationary Vehicle.

**CSRD SOLID WASTE DISPOSAL TIPPING FEE AND REGULATION**  
**BYLAW NO. 5802, 2019**  
**SCHEDULE C**

**TIPPING FEES AND CHARGES**

**1. TIPPING FEES**

- 1.1. The Tipping Fees for Disposal of Solid Waste at a Scaled Refuse Disposal Facility as measured by mass on the scale operated by the Facility Attendant at a Refuse Disposal Facility are as follows:

<b>Materials Accepted (Scaled Site)</b>	<b>Fee</b>	<b>Unit Rate</b>	<b>Minimum Charge</b>
Bagged Refuse	\$3	Each	NIL
Bagged Refuse for Reuse Centre	\$3	Each	NIL
Refuse	\$80	Tonne	\$5
Refuse for Reuse Centre	\$80	Tonne	\$5
Compostable Material	\$120	Tonne	\$10
Bulky Waste	\$160	Tonne	\$10
Mixed Load	\$240	Tonne	\$15
Metal Waste (Including Appliances and Propane Cylinders)	NO CHARGE		
Appliances (containing Ozone Depleting Substance)	NO CHARGE		
Clean Soil	\$10	Tonne	\$5
Wood Waste	\$40	Tonne	\$5
Wood Waste - Chipped	\$15	Tonne	\$5
Yard and Garden Waste	NO CHARGE		
Invasive (Alien) Plants	NO CHARGE		
Gypsum Board or Drywall	\$100	Tonne	\$5
Asphalt Shingles	\$100	Tonne	\$5
Concrete (includes asphalt, bricks, porcelain)	\$80	Tonne	\$5
Mattresses	\$15	Unit	\$15
Land Clearing Waste	\$160	Tonne	\$10
Dead Animal	\$80	Tonne	\$5
Controlled Waste	\$160	Tonne	\$10
Controlled Waste (requiring deep burial)	\$240	Tonne	\$240
Biosolids	\$10	Tonne	\$5
Contaminated Soil	\$35	Tonne	\$5
Septage Pumping (Revelstoke Landfill Only)	\$45	Tonne	\$5
Commercial Recyclable Material	\$80	Tonne	\$5
Residential Recyclable Materials	NO CHARGE		
Batteries, Books	NO CHARGE		

**CSRD SOLID WASTE DISPOSAL TIPPING FEE AND REGULATION**  
**BYLAW NO. 5802, 2019**  
**SCHEDULE C**

- 1.2. The Tipping Fees for Disposal of Solid Waste at an Unscaled Refuse Disposal Facility as assessed by volume by the Facility Attendant at a Refuse Disposal Facility are as follows:

<b>Materials Accepted (Unscaled Site)</b>	<b>Fee</b>	<b>Unit Rate</b>	<b>Minimum Charge</b>
Bagged Refuse	\$3	Each	NIL
Bagged Refuse for Reuse Centre	\$3	Each	NIL
Refuse	\$12	m <sup>3</sup>	\$5
Refuse for Reuse Centre	\$12	m <sup>3</sup>	\$5
Bulky Waste	NOT ACCEPTED		
Mixed Load	\$30	m <sup>3</sup>	\$15
Metal Waste (Including Appliances and Propane Cylinders)	NO CHARGE		
Appliances (containing Ozone Depleting Substance)	NO CHARGE		
Clean Soil	NOT ACCEPTED		
Wood Waste	\$12	m <sup>3</sup>	\$5
Wood Waste - Chipped	\$5	m <sup>3</sup>	\$5
Yard and Garden Waste	NO CHARGE		
Invasive (Alien) Plants	NO CHARGE		
Gypsum Board or Drywall	\$15	m <sup>3</sup>	\$5
Asphalt Shingles	\$15	m <sup>3</sup>	\$5
Concrete (includes asphalt, bricks, porcelain)	\$12	m <sup>3</sup>	\$5
Mattresses	\$15	Unit	\$15
Land Clearing Waste	NOT ACCEPTED		
Dead Animal	NOT ACCEPTED		
Controlled Waste	NOT ACCEPTED		
Controlled Waste (requiring deep burial)	NOT ACCEPTED		
Biosolids	NOT ACCEPTED		
Contaminated Soil	NOT ACCEPTED		
Septage Pumping	NOT ACCEPTED		
Commercial Recyclable Material	NOT ACCEPTED		
Residential Recyclable Materials	NO CHARGE		
Batteries, Books	NO CHARGE		

**CSRD SOLID WASTE DISPOSAL TIPPING FEE AND REGULATION  
BYLAW NO. 5802, 2019  
SCHEDULE C**

**2. SURCHARGES**

- 2.1. The Regional District may issue an additional surcharge where applicable:

Surcharge	Amount
Failure to dispose of Solid Waste in the designated Waste Disposal Area	\$50
Failure to weigh in or out at a Scaled Site <i>(where the Regional District must subsequently obtain vehicle tare weight and ownership information for subsequent billing. The registered tare weight of the vehicle will be subtracted from the scaled gross weight and the designated Tipping Fee will be allocated to the difference and will be invoiced to the registered vehicle owner in addition to the surcharge)</i>	\$50
Failure to pay the required Tipping Fee in full <i>(where the Regional District must subsequently invoice a person for the outstanding Tipping Fee or balance of Tipping Fee)</i>	\$50

**3. PRODUCT SALES**

- 3.1. The fees for the purchase of product from select Refuse Disposal Facilities are as follows:

Product	Fee	Unit Rate	Minimum Charge
Compost – manually loaded by customer	\$10	m <sup>3</sup>	\$5.00
Compost – mechanically loaded by Regional District	\$15	m <sup>3</sup>	\$30.00

**4. GENERAL**

- 4.1. Where a dollar amount per tonne is indicated, it is to be interpreted as allowing a proportionate charge for a portion of a tonne in 10 kg increments.
- 4.2. All scaled Tipping Fees shall be rounded up to the nearest quarter of a dollar.
- 4.3. In the event that the weigh scales provided at a Scaled Site are not operational, or at the discretion of the Manager, weights shall be estimated based on volume by the Manager, Regional District staff, the Facility Attendant or the Facility Operator.
- 4.4. All fees payable under this bylaw shall be paid to the Regional District in the form of cash or cheque at all Unscaled Sites prior to Disposal of the Solid Waste for which the charge is made.
- 4.5. All fees payable under this bylaw shall be paid to the Regional District in the form of cash, cheque, debit card or credit card at all Scaled Sites prior to Disposal of the Solid Waste for which the charge is made for Solid Waste assessed by volume or by the number of items when applicable.

**CSRD SOLID WASTE DISPOSAL TIPPING FEE AND REGULATION**  
**BYLAW NO. 5802, 2019**  
**SCHEDULE C**

- 4.6. All fees payable under this bylaw shall be paid to the Regional District in the form of cash, cheque, debit or credit card at all Scaled Sites following weighing the empty Vehicle after the Load is Disposed of and shall be based on the difference in weight between the loaded weight and the weight of the empty Vehicle.
- 4.7. Where a fee or charge is not paid within the time as specified, a person who is liable to pay such a charge shall:
- a) pay interest as outlined by bylaw on the applicable fees at the rates as outlined in Schedule C.
  - b) not Dispose of any Solid Waste at any Refuse Disposal Facility until such charges are paid in full.
- 4.8. A person may make application to the Regional District for a Solid Waste credit account. If the Treasurer is satisfied with the credit worthiness, credit will be granted to that person in which case payment of the Tipping Fees shall be made and the credit extended on the following conditions and as outlined in CSRD Administrative Rates and Charges Bylaw No. 5298 and its amendments:
- a) A Credit Account Holder shall pay to the Regional District all charges in full within thirty (30) days of the invoice date for which an invoice has been issued. The Regional District may invoice twice monthly. The invoice amount will be based on the total quantity of Solid Waste delivered during the invoicing period and the posted Tipping Fee rates in effect at the time of delivery;
  - b) The Regional District reserves the right to cancel, upon five (5) days' written notice, the credit offered herein for late payment, non-payment or other justified cause as judged solely by the Treasurer;
  - c) The Regional District reserves the right to refuse access to a Refuse Disposal Facility to any person receiving credit until all outstanding charges are paid.
- 4.9. If a Credit Account Holder fails to pay the Regional District all charges owing in full within thirty (30) days of the invoice date in which an invoice has been issued, the Regional District may withhold monies equivalent to those charges, plus interest, from the firm receiving credit under a separate contract, agreement or offer between the Regional District and the firm receiving credit.
- 4.10. Credit Account Holders shall provide the Regional District with Vehicle identity information including the licence plate numbers of all Vehicles authorized to charge to the credit account. Any Vehicles that have not been registered under the credit account will not be permitted to charge to an account without the expressed written approval from the Credit Account Holder.
- 4.11. All Credit Account Holders will be responsible for all Tipping Fees charged by registered Vehicles under their account.
- 4.12. The Regional District shall provide a receipt for all Tipping Fees paid or charged to a Credit Account Holder.

CSRD SOLID WASTE DISPOSAL TIPPING FEE AND REGULATION

BYLAW NO. 5802, 2019

SCHEDULE D

1. CONTROLLED WASTE

1.1. Controlled Waste materials are accepted at a Landfill Site upon written authorization issued by the Manager. Controlled Waste includes the following materials but is not limited to:

Asbestos
Contaminated Soil
Specified Risk Material <i>(accepted at Salmon Arm Landfill only)</i>

**CSRD SOLID WASTE DISPOSAL TIPPING FEE AND REGULATION**  
**BYLAW NO. 5802, 2019**  
**SCHEDULE E**

**1. PROHIBITED WASTE**

1.1. The following items are prohibited from entry at all Refuse Disposal Facilities:

Auto Hulks
Biomedical Waste
Farm Animal Carcasses and Body Parts
Hazardous Waste <i>(except those Sites where a system of collecting Hazardous Wastes has been established)</i>
Liquids and semi-solid Wastes except as permitted by this bylaw
Log Yard Waste
PCB's
Radioactive Waste
Reactive Waste
Solid Waste which is on fire or smoldering
Tires <i>(suitable for Product Stewardship Program)</i>





# BOARD REPORT

**TO:** Chair and Directors

**File No:** 6140 40 16  
BL 5800 & BL 5801

**SUBJECT:** Centennial Field Community Park Service Establishment and Centennial Field Community Park Loan Authorization Bylaws.

**DESCRIPTION:** Report from Ryan Nitchie, Team Leader, Community Services, dated May 31, 2019. Service Establishment and Loan Authorization Bylaws for park land acquisition of Centennial Field Community Park property located in Blind Bay area in Electoral Area C.

**RECOMMENDATION #1:** THAT: "Centennial Field Community Park Service Establishment Bylaw No. 5800, 2019" be read a first, second and third time this 20th day of June, 2019.

**RECOMMENDATION #2:** THAT: "Centennial Field Community Park Loan Authorization Bylaw No. 5801, 2019", be read a first, second and third time this 20th day of June, 2019.

**RECOMMENDATION #3:** THAT: the Board endorse the alternative approval process in accordance with Section 345(1)(a) of the Local Government Act as the method to obtain the assent of the electors for the establishment of a Centennial Field Community Park Service identified in Bylaw No. 5800, 2019.

## SHORT SUMMARY:

At the April 18, 2019 Closed (In Camera) meeting, the CSR D Board empowered staff to enter into a Purchase Agreement with Shuswap Lake Estates Ltd. and Shuswap West Developments Ltd. for two parcels of land totalling approximately 9.525 acres and structures legally described as Part NW Section 18, Township 22 Range 10, W6M, KDYD Except Plan 1497, B6613, 11875, 12218, 19693 201618 23834 excluding the portion of land on the south side of Centennial Drive, located at 2690 Centennial Drive and Lot A, Plan 19893, Section 18, Tp 22, Range 10, W6M, KDYD Except Plan 20808, located at 2546 Blind Bay Road in Electoral Area C for a purchase price not to exceed \$2,750,000, in order to develop a regional park.

Staff has successfully negotiated and executed a Purchase Agreement and are now presenting the requisite Service Establishment Bylaw and Loan Authorization Bylaws.

Service Area Establishment Bylaw No. 5800, 2019 and Loan Authorization Bylaw No. 5801, 2019 are attached for the Board's consideration.

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

The Electoral Area C Parks Master Plan (Plan), 2017 identifies that:

*"In the Blind Bay Community, the highest priorities identified through the analysis and discussions with the community were to acquire and develop a large community or regional park that would serve as a central gathering place, and to have more amenities for children, youth and seniors such as walking paths, sports fields, community events and play spaces, as well as more flexible open space."*

Since the adoption of the Electoral Area C Parks Master Plan, staff has engaged with real estate consultants, appraisers and property owners and have identified the property known as Centennial Field as the most suitable park land for development in the Blind Bay area of Electoral Area C.

Staff have successfully negotiated a Purchase Agreement with the land owners to acquire the property for the purpose of park development.

The map below outlines the subject properties:



The negotiated Purchase Agreement generally identifies the following conditions precedent to the sale:

- The Purchaser shall have obtained the assent of the electors as required under the Local Government Act for borrowing the purchase price:
- The Purchaser shall have enacted a service establishment bylaw as required under the Local Government Act:
- The Vendor, with the CSRD acting as agent for the Vendor, will apply to subdivide the property to remove the portion of land to the south of Centennial Drive that is the location of the Shuswap Lake Estates water works building.
- The Vendor shall obtain a registrable discharge of an existing mortgage on the property.
- The Purchaser shall covenant under Section 221 of the Land Title Act to restrict the use of the lands to recreational purposes.

With the purchase agreement now executed, staff is proceeding with the next steps to establish a service area bylaw and a loan authorization bylaw. The establishment of a service area bylaw is the mechanism that will formally establish the Centennial Field Community Park Service in Electoral Area C.

Identified within Bylaw No. 5800, 2019 the service proposed is to acquire, develop, manage and operate a regional park within the subject property.

Bylaw No. 5800, 2019 is attached for consideration to establish a service area for the proposed Centennial Field Community Park.

Following discussions with the Electoral Area C Director, it is recommended that assent from the electors (to authorize the CSRD to borrow the necessary funds to purchase the property) be obtained through the alternative approval process. A resolution of the Board is required in order to proceed with using the alternative approval process to obtain the assent of the electors related to the establishment of this new service and for the associated loan authorization.

In order to acquire the properties described as 2690 Centennial Drive and 2546 Blind Bay Road, the adoption of a loan authorization bylaw is needed to authorize the CSRD to borrow funds to acquire this property. Approximately \$1,100,000 is available to be utilized from the Area C Park Acquisition Reserve Fund to offset the costs of the purchase and associated loan.

Staff recommend that \$750,000 be allocated from the Park Acquisition Reserve Fund with approximately \$250,000 to remain in the fund. Staff believe that in the event of Sorrento/Blind Bay incorporation or the Area C boundary being realigned into two areas, it would be appropriate for park acquisition funds to be available for future park acquisition opportunities.

The Area C Director prefers an allocation of \$1,000,000 from the Park Acquisition Reserve Fund be allocated towards the purchase of this park. The option of utilizing a \$1,000,000 allocation from the Area C Park Acquisition Reserve Fund resulting in a loan amount of \$1,770,000, can be done through a bylaw amendment at the Board meeting, should the Board choose to do so.

Bylaw No. 5801, 2019 is attached for consideration to authorize borrowing for the purpose of acquiring the park land property (which utilizes an allocation of \$750,000 from the Area C Park Acquisition Reserve Fund). This bylaw as currently drafted identifies a loan amount of \$2,025,000, as recommended by staff.

Upon approval of the bylaws by the Inspector of Municipalities, an alternative approval process will be advanced within Electoral Area C.

#### **POLICY:**

Section 332 of the Local Government Act identifies that a regional district may by bylaw, establish and operate any service that the Board considers necessary or desirable for all or part of the regional district.

The Local Government Act requires that the Board seek the approval of the electors in the participating area to establish the Service and to authorize the borrowing of funds.

The Inspector of Municipalities' approval of these bylaws is required before undertaking the Alternative Approval Process. It is anticipated to take approximately four to six weeks to receive the Ministerial approval.

#### **FINANCIAL:**

The annual costs for this service will be recovered through the collection of taxes levied against the value of land and improvements for those properties within the boundaries of Electoral Area C.

The proposed loan authorization bylaw would authorize the CSRD to borrow up to \$2,025,000 (includes 1% holdback for MFA Debt Reserve Fund) to purchase the subject properties. \$750,000 would be allocated from the Area C Parks Acquisition Reserve account to reach the total purchase amount of \$2,750,000. The Area Director has indicated his preference of the CSRD to borrow up to \$1,770,000 (includes 1% holdback for MFA Debt Reserve Fund), with \$1,000,000 allocated from the Area C Parks Acquisition Reserve Fund.

The Loan Authorization Bylaw proposes borrowing over a 25 year period. This is supported by the Area C Director.

**DESIRED OUTCOMES:**

That the Board support staff's recommendations for Three Readings of both the proposed Service Area Establishment Bylaw and the Loan Authorization Bylaw, as well as support for the Alternative Approval Process.

Upon receiving Third reading, the bylaws will be submitted to the Inspector of Municipalities for approval.

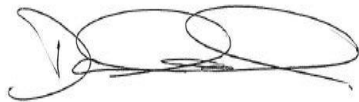
**BOARD'S OPTIONS:**

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:	2019-06-20_Board_OM_61404016_Centennial_Field_Park_Service.docx
Attachments:	- BL5800,2019 Centennial Field Service Establishment Bylaw.docx - BL5801,2019 Loan Authorization Bylaw - Centennial Field.docx
Final Approval Date:	Jun 11, 2019

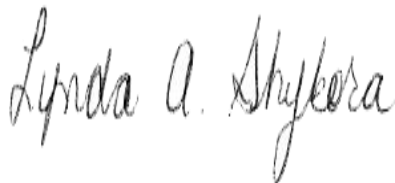
This report and all of its attachments were approved and signed as outlined below:



**Darcy Mooney - Jun 7, 2019 - 12:53 PM**

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

**Jodi Pierce - Jun 7, 2019 - 2:50 PM**



**Lynda Shykora - Jun 11, 2019 - 4:08 PM**

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

**Charles Hamilton - Jun 11, 2019 - 4:12 PM**

## **COLUMBIA SHUSWAP REGIONAL DISTRICT**

### BYLAW NO. 5800, 2019

A bylaw to establish a service area within Electoral Area C of the Columbia Shuswap Regional District for the purpose of providing community park facilities.

---

WHEREAS a regional district may, by bylaw, establish and operate a service under the provisions of the *Local Government Act*;

AND WHEREAS the Board of the Columbia Shuswap Regional District wishes to acquire land in order to develop community park facilities in the Blind Bay area to be known as Centennial Field Community Park.

AND WHEREAS THE Board wishes to establish a service to acquire, develop, manage and operate community park facilities on the land to be known as Centennial Field Community Park;

AND WHEREAS the *Local Government Act* and the *Community Charter* provide authority for a regional district to obtain approval of the electors for an establishing bylaw by the Alternative Approval Process;

AND WHEREAS the approval of the electors in the participating area has been obtained by the Alternative Approval Process in accordance with the *Local Government Act*;

AND WHEREAS the approval of the Inspector of Municipalities has been obtained in accordance the *Local Government Act*;

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

### **SERVICE ESTABLISHMENT**

1. The Regional District hereby establishes a service for the purpose of acquiring, developing, managing and operating community park facilities within Electoral Area C to be known as "Centennial Field Community Park Service".

### **SERVICE AREA**

2. The service area boundaries established by this bylaw is all of Electoral Area C.

### **PARTICIPATING AREA**

3. The participating area in the named service is all of Electoral Area C.

**REQUISITION**

4. The maximum amount that may be requisitioned for the service is the amount equivalent to \$0.40 for each \$1,000 of net taxable value of land and improvements within the service area.

**COST RECOVERY**

5. The annual operating and debt servicing costs shall be by one or more of the following:
- (a) The requisition of money to be collected by a property value tax on land and improvements only;
  - (b) The imposition of fees and 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.

**CITATION**

6. This bylaw may be cited as "Centennial Field Community Park Service Establishment Bylaw No. 5800, 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.

RECEIVED the assent of the electors the \_\_\_\_\_ day of \_\_\_\_\_, 2019.

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

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

\_\_\_\_\_  
CHAIR



Bylaw 5800, 2019

Page 3

CERTIFIED a true copy of  
Bylaw No. 5800, 2019 as read a third time,

CERTIFIED a true copy of  
Bylaw No. 5800, 2019 as adopted.

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Deputy Manager of Corporate  
Administration Services

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Deputy Manager of Corporate  
Administration Services

**COLUMBIA SHUSWAP REGIONAL DISTRICT****BYLAW NO. 5801, 2019**

A bylaw to authorize borrowing for the purpose of acquiring and developing community park facilities within Electoral Area C.

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WHEREAS the Board of the Columbia Shuswap Regional District has established by Bylaw No. 5800, 2019 (Centennial Field Community Park Service Establishment Bylaw) a service area for the purpose of providing community park facilities within Electoral Area C;

AND WHEREAS it is deemed desirable and expedient to acquire land for the location of a community park to serve Electoral Area C;

AND WHEREAS the estimated cost of acquiring the land for community park facilities including development expenses incidental thereto is the sum of Two Million Seven Hundred and Fifty Thousand Dollars (\$2,750,000) of which the sum of Two Million Twenty-five Thousand Dollars (\$2,025,000) is the amount of debt intended to be borrowed by this bylaw;

AND WHEREAS the maximum term for which a debenture may be issued to secure the debt created by this bylaw is for a term not to exceed twenty-five (25) years;

AND WHEREAS the authority to borrow under this bylaw expires five years from the date on which this bylaw is adopted;

AND WHEREAS the Board has submitted the proposal to borrow funds for the purpose of acquiring and developing the land to the electors within the service area and approval of the electors, in accordance with section 345 of the *Local Government Act*, has been obtained;

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

1. The Board of the Columbia Shuswap Regional District is hereby empowered and authorized to undertake and carry out or cause to be carried out the acquisition of land within Electoral Area C and to do all things necessary in connection therewith and without limiting the generality of the foregoing:
  - a. To borrow upon the credit of the Columbia Shuswap Regional District a sum not exceeding Two Million Twenty-five Thousand Dollars (\$2,025,000);
  - b. To acquire all such real property, easements, rights of way, licences, rights or authorities as may be requisite or desirable for the Centennial Field Community Park Service.
2. The Regional District service for which the debt authorized by this bylaw would be incurred is "Centennial Field Community Park Service Establishment Bylaw No. 5801, 2019."
3. The maximum term for which debentures may be issued to secure the debt created by this bylaw is twenty-five (25) years.

4. This bylaw may be cited as the "Centennial Field Community Park Loan Authorization Bylaw No. 5801, 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.

RECEIVED the assent of the electors the \_\_\_\_\_ day of \_\_\_\_\_, 2019.

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

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

\_\_\_\_\_  
CHAIR

CERTIFIED a true copy of  
Bylaw No. 5801, 2019 as read a third time.

CERTIFIED a true copy of  
Bylaw No. 5801, 2019 as adopted.

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

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



# BOARD REPORT

**TO:**

Chair and Directors

<b>File No:</b> 4600 03
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**SUBJECT:**

Electoral Area D: Proposed Cannabis Production Facility

**DESCRIPTION:**
Report from Jan Thingsted, Planner III, dated May 31, 2019  
4319 Colebank Road, Falkland
**RECOMMENDATION  
#1:**

THAT: Notwithstanding CSR D Cannabis Related Business Policy A-71 and its statement:

*Cannabis related businesses are not supported on Land within the Agricultural Land Reserve,*

the Board waive this criteria for the property described as the Southeast ½ of the Northeast Section 16, Township 17, Range 11, W6M, KDWD since the proposal is for a soil based cannabis production facility and that all forms of cannabis production are now considered farm use by the Agricultural Land Commission this 20<sup>th</sup> day of June, 2019.

**RECOMMENDATION  
#2:**

THAT: Notwithstanding CSR D Cannabis Related Business Policy A-71 and its statement:

*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,*

the Board waive this criteria for the property described as the Southeast ½ of the Northeast Section 16, Township 17, Range 11, W6M, KDWD since all forms of cannabis production are now considered farm use by the Agricultural Land Commission this 20<sup>th</sup> day of June, 2019

**SHORT SUMMARY:**

The agent has applied to Health Canada for a standard cannabis cultivation licence to establish a soil based cannabis production facility ("facility") at 4319 Colebank Road, east of Falkland in Electoral Area D. The proposed facility is compliant with CSR D zoning and does not require non-farm use permission from the Agricultural Land Commission (ALC). To achieve compliance with CSR D Cannabis Related Business Policy A-71, the agent is requesting that the CSR D Board waive the statement regarding cannabis production facilities on ALR land. Staff are also recommending that the Board waive the Policy statement directing cannabis production facilities to industrial zones since all forms of cannabis production are now considered farm use by the Agricultural Land Commission.

**VOTING:**
Unweighted  
CorporateLGA Part 14  
(Unweighted)Weighted  
CorporateStakeholder  
(Weighted)
**BACKGROUND:**
REGISTERED OWNERS:  
Robert Weibe

**AGENT/APPLICANT:**

Greg McCaffrey (Better Bud Botanicals Ltd.)

**ELECTORAL AREA:**

D (Salmon Valley)

**LEGAL DESCRIPTION:**

The Southeast ½ of the Northeast Section 16, Township 17, Range 11, W6M, KDWD

**PID:**

003-765-300

**CIVIC ADDRESS:**

4319 Colebank Road, Falkland (Cedar Hill)

**SURROUNDING LAND USE PATTERN:**

North: Rural (ALR)

South: Rural (ALR/forested)

East: Rural (forested)

West: Rural (ALR/forested)

**CURRENT USES:**

Residential (one single-family dwelling)

Hay production

**PROPOSED USES:**

Standard cultivation licenced medical cannabis production facility

Residential use and hay production will continue

**PARCEL SIZE:**

33.01 HA

**DESIGNATION/ZONE:**

Salmon Valley Land Use Bylaw No. 2500

R – Rural

**PROPOSED DESIGNATION/ZONE:**

No proposed change

**AGRICULTURAL LAND RESERVE:**

89%

**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.

To view applicable plan and maps see: "Better\_Bud\_Botanicals\_ Notification\_Plans\_Maps\_MAY-2019.pdf"

## **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;*

#### *2.4 R Rural*

##### Permitted Uses

*2.4.1 The following uses and no others are permitted in the area zoned as R:*

*.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.*

*"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*

- 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)*
- 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 Reserve Regulation**

Relevant excerpts from: Information Bulletin #4 - Cannabis Production in the ALR (Revised: May 8, 2019)

#### *3. Whether Cannabis Production is a Farm Use*

*In the past, certain forms of cannabis production, but not others, had been "designated" as farm use by regulation. This was the practice followed when s. 2(2.5) of the former regulation was introduced in July 2018. The fact that certain production required "designation" to be a farm use suggested that non-designated forms of cannabis production:*

- *were not a farm use; and*
- *as such, could only be engaged in if the Agricultural Land Commission (the Commission) approved a non-farm use application specific to that use.*

*On February 22, 2019, s. 2(2.5) of the former regulation was repealed and the ALR Use Regulation was created. The ALR Use Regulation addresses cannabis production in s. 8, in a part of the ALR Use Regulation that is entitled "Farm Uses", and no longer "designates" a subset of cannabis production as farm use. This regulatory change clarifies that all forms of cannabis production are a "farm use".*

*Because all forms of cannabis production are a "farm use" [i.e. soil based or non-soil based], cannabis production in the ALR does not contravene the ALCA even if engaged in without the Commission's approval.*

## **FINANCIAL:**

There are no financial implications to the CSRD with regard to this application.

## **KEY ISSUES/CONCEPTS:**

The agent is requesting that the Board waive the statement "*Cannabis related businesses are not supported on Land within the Agricultural Land Reserve (ALR)*" from Policy A-71 since the proposed greenhouses will not consist of concrete floors or footings. Rather, cultivation will be entirely soil based (in the ground) and the building will be placed on removable screw piles. The ALR Use Regulation also now identifies all forms of cannabis production as "farm use" (i.e. soil based or non-soil based).

### Salmon Valley Land Use Bylaw No. 2500

The subject parcel is zoned Rural in Salmon Valley Land Use Bylaw No. 2500. The Rural 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. 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. It should



be noted that the Policy contains a statement allowing the CSRD Board to modify the locational criteria on a site by site basis, in consideration of local factors.

The proposed facility meets all location criteria in Policy A-71 except that it is located on ALR land and not on a parcel zoned Industrial.

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
Property is zoned Industrial	<b>no*</b>	(*Where zoning exists, the Policy only supports cannabis related business in industrial zones)
Property is <b>zoned</b> Residential	no	
Property is in the ALR	<b>yes*</b>	89% 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	7 km from nearest business (5450 Hwy 97) 2.5 km away from nearest proposed business (4860 Hoath Rd.)
<b>Does the proposed facility meet the minimum building setbacks?</b>		
30 m to Other lot lines	yes	all interior lot lines – setbacks > 30 m
30 m to Watercourses	yes	n/a

## SUMMARY:

Staff is recommending that the Board modify the criteria of the Policy A-71 for the following reasons:

- The subject property is zoned "Rural" in Salmon Valley Land Use Bylaw No. 2500 which permits "Agriculture";
- Cannabis cultivation is proposed to be entirely soil based (in the ground) and the building will be placed on removable screw piles;
- The ALR Use Regulation identifies all forms of cannabis production as "farm use" (i.e. soil based or non-soil based); and

- Impact to neighbouring properties will be negligible since all setback criteria of the Policy have been met.

**IMPLEMENTATION:**

If the Board endorses the proposed resolutions, CSRD staff will provide the agent and Health Canada a letter stating that the CSRD Board has waived the statement in CSRD Cannabis Related Business Policy A-71 regarding growing cannabis on ALR land and not an industrial zone.

**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:	2019-06-20_Board_DS_4600_03 _Cloud _Holdings.docx
Attachments:	<ul style="list-style-type: none"> <li>- Cannabis_Related_Business_Policy_A-71.pdf</li> <li>- Cannabis_Related_Business_Referrals_Procedure_PR-32.pdf</li> <li>- ALC_Information_Bulletin_04_cannabis_production_2019-05-08.pdf</li> <li>- Better_Bud_Botanicals_notification_letter_MAY-2019.pdf</li> <li>- Better_Bud_Botanicals_Plans_Maps_MAY-2019.pdf</li> </ul>
Final Approval Date:	Jun 10, 2019

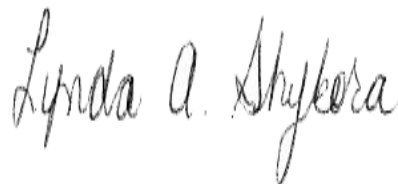
This report and all of its attachments were approved and signed as outlined below:



**Corey Paiement - Jun 7, 2019 - 10:05 AM**



**Gerald Christie - Jun 7, 2019 - 1:31 PM**



**Lynda Shykora - Jun 10, 2019 - 3:11 PM**

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

**Charles Hamilton - Jun 10, 2019 - 3:12 PM**

**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

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



## INFORMATION BULLETIN 04

### CANNABIS PRODUCTION IN THE ALR

**Revised: May 8, 2019**

Issued: August 15, 2018

#### 1. SCOPE OF THIS INFORMATION BULLETIN

This information bulletin provides guidance to assist in interpreting the *Agricultural Land Commission Act*, S.B.C. 2002, c. 36 (**ALCA**) and regulations in relation to cannabis production in the Agricultural Land Reserve (**ALR**). The ALCA and regulations will govern if inconsistent with this bulletin.

This information bulletin is directed only to interpretation of the ALCA and regulations. Compliance with the ALCA and regulations in relation to cannabis does not relieve persons from the need to comply with all other applicable laws, regulations and bylaws at the federal, provincial and local government levels.

#### 2. RECENT CHANGES TO STATUTE AND REGULATIONS

Effective February 22, 2019, the ALCA and the Agricultural Land Reserve Use, Subdivision and Procedure Regulation (now the **ALR General Regulation**) were amended and the Agricultural Land Reserve Use Regulation (the **ALR Use Regulation**) was created. Though many concepts contained in the ALCA and regulations remain unchanged, there have been changes related to the use of ALR land for cannabis production. All references in this information bulletin to the ALCA and regulations are as of February 22, 2019, unless otherwise stated.

#### 3. WHETHER CANNABIS PRODUCTION IS A FARM USE

In the past, certain forms of cannabis production, but not others, had been “designated” as farm use by regulation. This was the practice followed when s. 2(2.5) of the former regulation was introduced in July 2018. The fact that certain production required “designation” to be a farm use suggested that non-designated forms of cannabis production:

- were not a farm use; and
- as such, could only be engaged in if the Agricultural Land Commission (the **Commission**) approved a non-farm use application specific to that use.

On February 22, 2019, s. 2(2.5) of the former regulation was repealed and the ALR Use Regulation was created. The ALR Use Regulation addresses cannabis production in s. 8, in a part of the ALR Use Regulation that is entitled “Farm Uses”, and no longer “designates” a

subset of cannabis production as farm use. This regulatory change clarifies that all forms of cannabis production are a “farm use”.

Because all forms of cannabis production are a “farm use”, cannabis production in the ALR does not contravene the ALCA even if engaged in without the Commission’s approval.

**However:**

- the ALR Use Regulation specifically allows local governments to prohibit cannabis production in certain forms (see section A of this bulletin); **AND**
- certain other activities associated with cannabis production, such as fill placement or soil removal, may still require proponents to engage with the Commission (see section B of this bulletin).

**A. Local Government Authority To Prohibit**

Local governments play a significant role in determining what kind of cannabis production occurs in their community.

Local governments may regulate or prohibit certain kinds of cannabis production, though may not prohibit all forms of cannabis production.

Section 8 of the ALR Use Regulation provides:

- (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.

Section 4 of the ALR Use Regulation provides:

The farm uses referred to in this Part [which includes s. 8] may not be prohibited

- (a) by a local government enactment except a bylaw under section 552 *[farming area bylaws]* of the *Local Government Act*, or
- (b) by a first nation government law, if the activity is conducted on settlement lands.

#### **B. Placing Fill In, And Removing Soil From, The ALR**

There are strict rules regarding placement of fill in the ALR and removal of soil from the ALR, **even when necessary for a farm use**, unless limited exceptions are met.

*Q. Do the rules on placement of fill in the ALR and removal of soil from the ALR apply to the construction of structures intended to be used for the production of cannabis?*

*A. Yes. These rules are found in ss. 35-36 of the ALR Use Regulation and apply generally, to the construction of structures for the production of cannabis, subject only to the limited exceptions summarized below.*

Typically even where the fill placement or soil removal is for cannabis production, successful completion of a notice of intent and/or use application process is required before the activity can proceed. This is so unless all of the following conditions are met:

- the fill placement or soil removal are for the purpose of constructing a structure for farm use; AND
- the total area from which the soil is removed or on which fill is placed is 1,000 m<sup>2</sup> or less; AND
- if the area from which the soil is removed or on which the fill is placed is in a floodplain, the resulting elevation level is consistent with the minimum elevation level established under all applicable local government enactments and first nation government laws, if any, respecting flood protection in the floodplain; AND
- the fill **is not, and does not contain**, construction or demolition waste (including masonry rubble, concrete, cement, rebar, drywall and wood waste), asphalt, glass,

synthetic polymers, treated wood, or unchipped lumber, as none of these may be used as fill in the ALR: ALR Use Regulation, ss. 35-36.

*See the Commission's Information Bulletin #7 – Soil or Fill Use in the ALR for more information.*

#### **4. CONSTRUCTION, MAINTENANCE AND OPERATION OF STRUCTURES NECESSARY FOR FARM USE**

Subject to any limits and conditions set out in Part 2 of the ALR Use Regulation, the use of land in the ALR to construct, maintain or operate a structure (including a greenhouse), driveway or utility that is necessary for a farm use is designated as a farm use: ALR Use Regulation, s. 5. A designated farm use may be undertaken without making a use application to the Commission.

*Q. What does “subject to any limits and conditions set out in Part 2 of the ALR Use Regulation” mean for the construction of structures intended to be used for cannabis production?*

*A. The construction of structures for cannabis production are limited by the specific limitations for cannabis production set out at s. 8 of the ALR Use Regulation.*

In determining whether an activity is “necessary” for a farm use, consideration must be given to whether the nature and size of the activity is proportionate to the farm use. If a landowner claims that an activity is “necessary” for a farm use that has not yet commenced, issues may arise in respect of whether the proposed use is in fact going to occur, and whether the nature and size of activity characterized as “necessary” will in fact be necessary to that use.

#### **5. STORING, PACKING, PREPARING AND PROCESSING FARM PRODUCTS**

The ALR Use Regulation refers to certain other activities potentially related to cannabis that local governments may not prohibit, but may regulate, as described in s. 4 of the ALR Use Regulation, such as certain storing, packing, preparing and processing uses set out in s. 11.

The use of land in the ALR for storing, packing, preparing and processing farm products is designated as a farm use, and as such may be undertaken without application to the Commission, if at least 50% of the farm product is (a) produced either on that agricultural land or by an association (as that term is used in the *Cooperative Association Act*) to which the owner of the agricultural land belongs, or (b) feed required for farm use on that agricultural land: ALR Use Regulation, s. 11(2).

CV: property 003-765-300

Mr Jan Thingsted  
Columbia Shuswap Regional District  
555 Harbourfront Drive NE  
PO Box 978  
Salmon Arm, BC V1E 4P1

January 17, 2017

RE: Cannabis cultivation facility in Falkland, BC

Dear Mr Thingsted

Please note that Cloud Holdings Inc. has applied for cannabis cultivation, processing and medical marijuana sales licenses and will be operating on land located at:

4319 Colebank Road, Falkland, BC, V0E 1W1

Sincerely

Greg McCaffrey  
Cloud Holdings Inc.  
201 – 1233 West Cordova St.  
Vancouver, BC. V6C 3R1  
604-343-4933

<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>FEB 19 2019</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	<b>RECEIVED</b> <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



Greg McCaffrey  
 Better Bud Botanicals Ltd.  
 4319 Falkland, BC  
 Ph. 604-353-4933  
[gregormcca@gmail.com](mailto:gregormcca@gmail.com)

April 30, 2019

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

Re: CSRD policy regarding cannabis facilities on ALR land

Hello

I am requesting an amendment to a CSRD policy regarding growing cannabis on ALR land. Following is a description of the plan for cultivating and processing cannabis at 4319 Colebank Road, Falkland, BC.

Better Bud Botanicals Ltd has taken over the cannabis tracking and licensing system (CTLS) application from Cloud Holdings Inc. and is the sole applicant being considered for licensing by Health Canada. The application is for cultivation, processing and sale of medical marijuana. Our application has been in progress for about a year and was submitted on the CTLS April 2, 2019; but estimates for the time needed to go through the process vary from 6 months to something less than a year. Health Canada is backlogged with applications so they will not give estimates of the time it will take to process them.

The Falkland area property at 4319 Colebank Rd. is within the Agricultural Land Reserve so agricultural uses are permitted on the property in normal circumstances. However the Columbia Shuswap Regional District has a policy to prohibit cannabis production from ALR land but doesn't specify whether properties acceptable to the ALC would be exempted. The Agricultural Land Commission has excluded growing cannabis on ALR land if it is a non-agricultural use of the land. That designation of 'non-agricultural use' is directed at the method of growing rather than the cannabis crop itself. Their stated opinion is that, should the indoor growing facilities become obsolete for growing cannabis, they will likely be turned into an industrial or commercial use rather than to another agricultural use. That concern is primarily due to the buildings having concrete floors that permanently remove the land from cultivation and the buildings themselves being too high tech for conversion to barns. Due to the cannabis industry currently turning hundreds of thousands of square feet of land into concrete floored production facilities that concern is justified for the protection of land that could be potentially taken out of agricultural use. The ALC does permit the production of cannabis on ALR land providing it meets the 'agricultural use' regulations.

The Better Bud Botanical Ltd. land use will be agricultural according to the ALC regulations. After consultation with the ALC representative we were able to design a facility that conforms to the ALR regulations and still provides the degree of security required by Health Canada. There will be 3 temporary greenhouses and a permanent processing building built on 4 ground levels in the south west corner of the 80 acre property. We have already dug out 100' by 300' shelves in the hillside and will pack and level them while we wait for Health Canada's license approval.

The entire area is from the north driveway to the south property line and approximately 132 meters off the west property line. The greenhouses and processing building will be at least 33 meters from the west property line. The area will be security fenced and the main gate will be on the easement where the new road will leave the existing road. The south side property is unoccupied forest and the west property is unoccupied hay field. The property on the north is a chicken farm and their barns and residence are about a half mile from the cannabis facility, as is the eastern neighbor. The facility will all have high quality air filters so no

vented air will have odor.

The greenhouse design that conforms to the regulations is a metal frame roof with 12' steel stud walls sheathed with aluminum siding and stainless steel interiors resting on screw pilings. The entire building including the screw pilings can be dismantled and removed if desired. There will be no concrete floor or concrete footings and the plants will be grown in the dirt floor. The initial greenhouse design currently has 100% artificial light for security reasons but future greenhouses may have glass rooves if permitted by Health Canada. In that case precautions and measures will be taken regarding night time light diffusion.

A related processing building on ALR land is permitted to be 20% maximum the size of the area under cultivation. The area that we will have under cultivation for the 3 greenhouses will be 54,000 sq ft (3 x 60' x 300') and the processing building will be 10,500 sq ft (70' x 150'). The processing building will have a security office and sanitary change room at the entrance. All employees will need to enter through this building as no outside access to the greenhouses are available. (Each greenhouse has 4 waste storage rooms that are locked when not in active use cleaning the greenhouse of after-harvest waste). All movement within the processing building will be monitored via employee key cards and security cameras through a central computer. Additional cameras monitor the fence line and area inside the compound area. Motion detectors rather than constant lighting will be used at night.

The weekly traffic will be minimal outside the employees. Once all 3 greenhouses are operating we expect to require 80 employees including 35 full time employees. These jobs are well paying entry level agricultural worker employment as well as management and some contractual service positions. Most construction contracting will also be done with local companies.

We expect to make a single weekly delivery for all recreational sales and possibly a single daily delivery to medical marijuana patients. No sales transactions will occur on the property. Better Bud Botanicals is also working with our Quality Assurance Person, who is a local pharmacist, on a pilot project for smaller local pharmacies to supply their customers. That is a service that is currently lacking according to the QAP because many patients are not able to attend the larger pharmacies currently supplying the products.

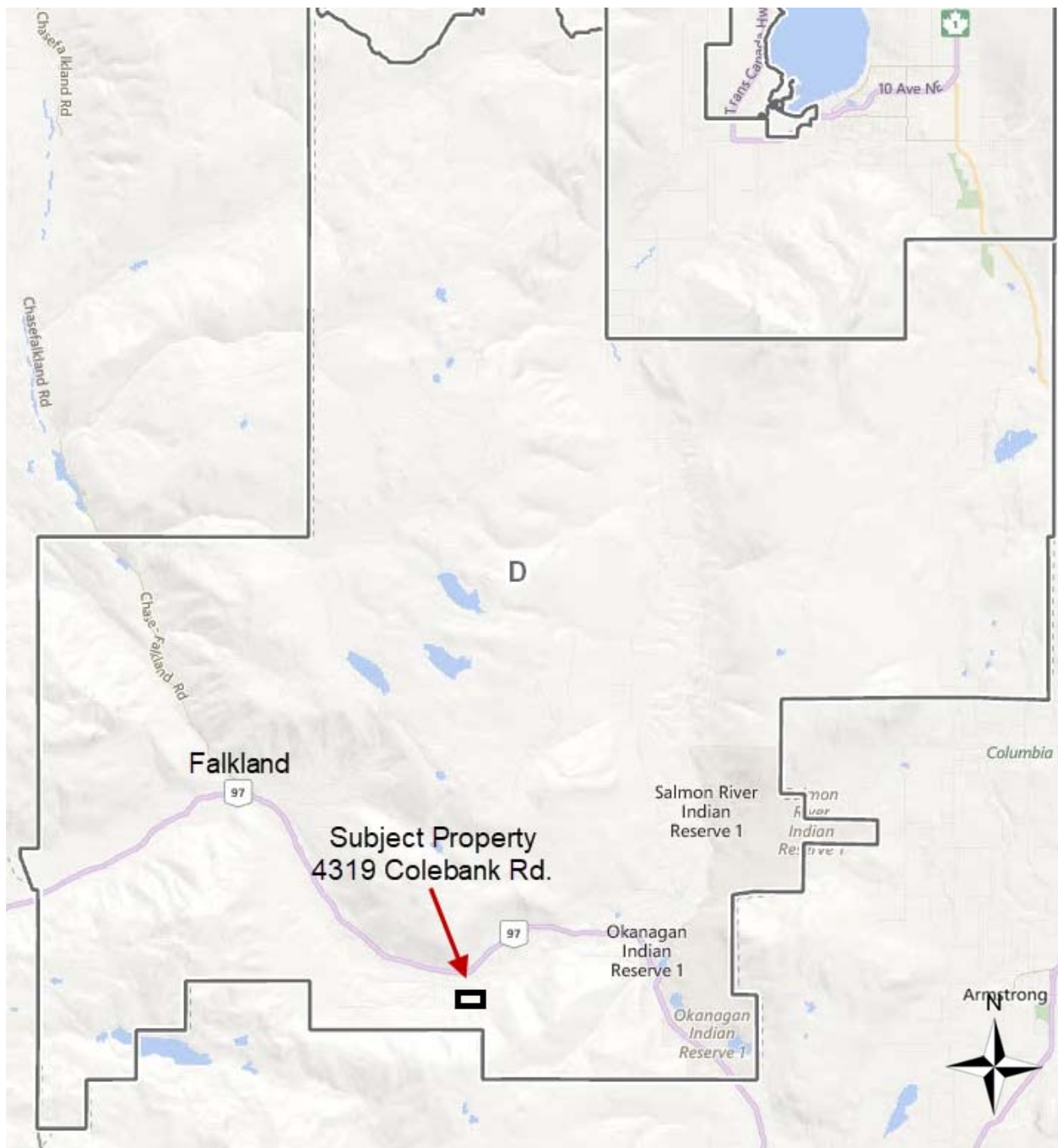
So whether the CSRD intended the policy to restrict agricultural use of ALR land to grow cannabis or only non-agricultural use as with the ALC, Better Bud Botanicals Ltd. is requesting that the board amend the policy that does restrict it, or give Better Bud Botanicals an exemption so we can complete the project and be in compliance with all local bylaws and policies. We will be a significant employer in the Falkland area which will also draw employees from both CSRD and NORD. We are also intending to fill the void created with the change of law for local medical marijuana patients, who previously purchased cannabis from the now closed and illegal dispensaries, so we are helping make medical marijuana available to the clients' through their normal sources of medication. (Medical marijuana is used for pain and treatment of nausea for many cancer, arthritis, and lupus sufferers as well as in the treatment of seizures in some epilepsy patients). The development site is very private and no risk to the public is created and the facility is not near any public area where children could be. No land will be taken out of agricultural use and the processing building will conform to the ALC regulation regarding size. The plan will conform in its entirety to the ALC regulations. Please make the appropriate change to the policy to permit our facility.

Thank you

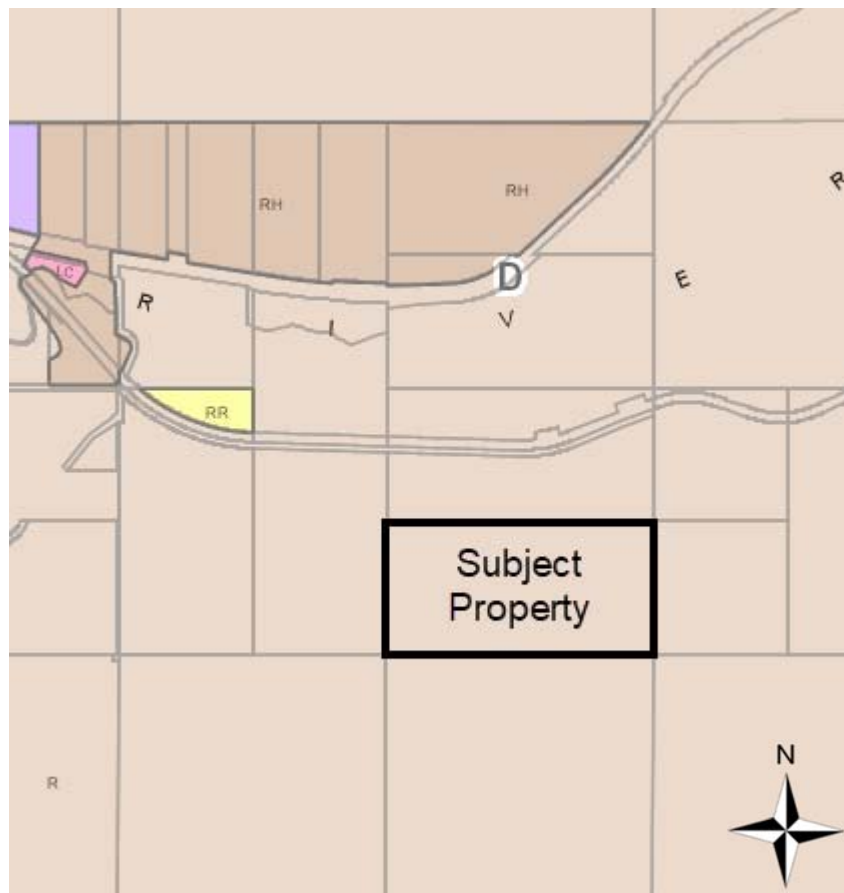
Greg McCaffrey

Better Bud Botanicals Ltd.  
4319 Colebank, Falkland, BC.

## Location



## Salmon Valley Land Use Bylaw No. 2500 - Zoning



R = Rural (subject property's zoning /designation)

RH = Rural Holdings

RR = Rural Residential

LC = Local Commercial

IG = Industrial

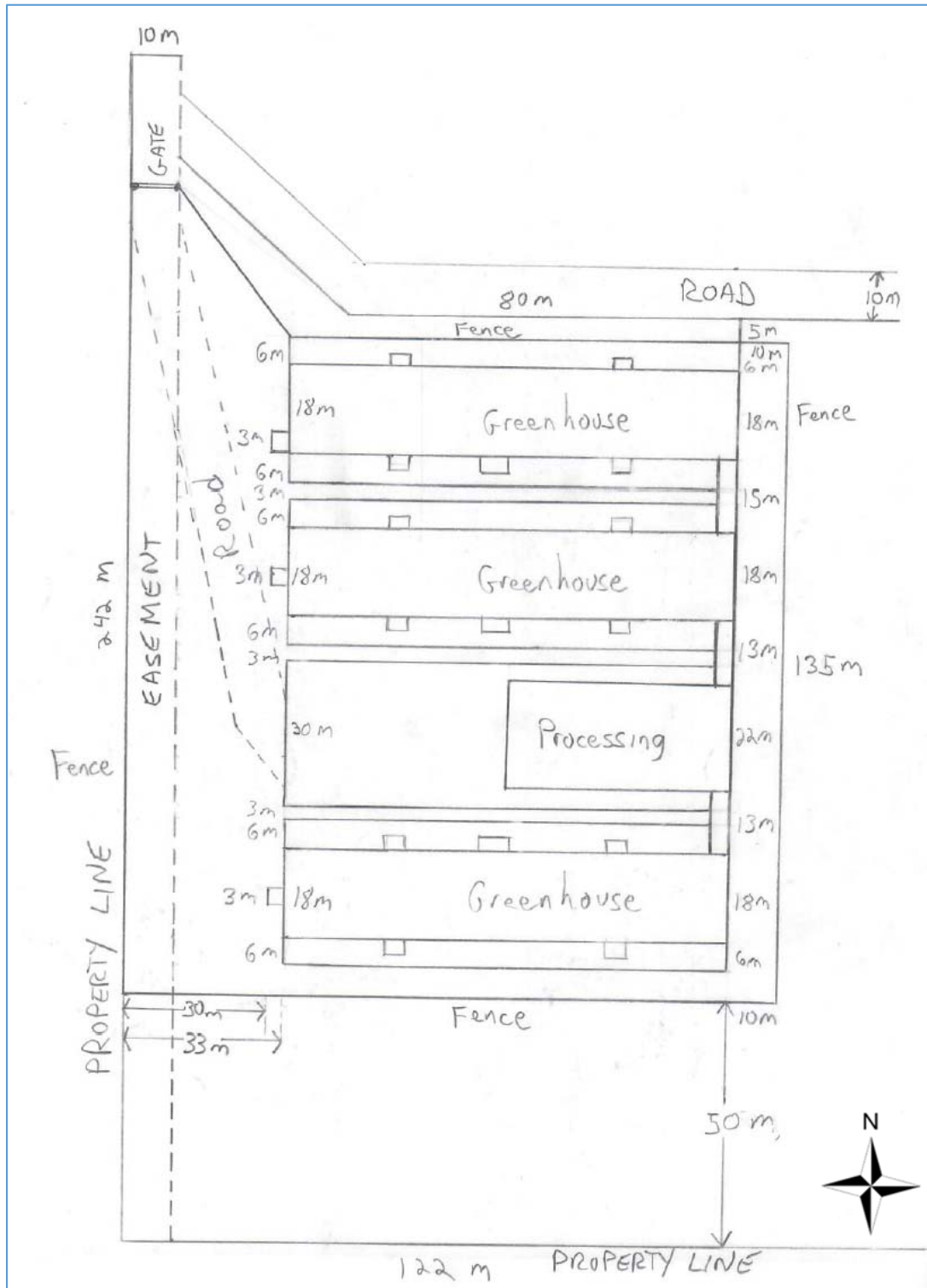
## Sketch Plan of Proposed Cannabis Production Facility

Sketch Plan of  
The South 1/2 of the Northeast 1/4 of Section 16,  
Township 17, Range 11, W6M, Kamloops Division Yale District

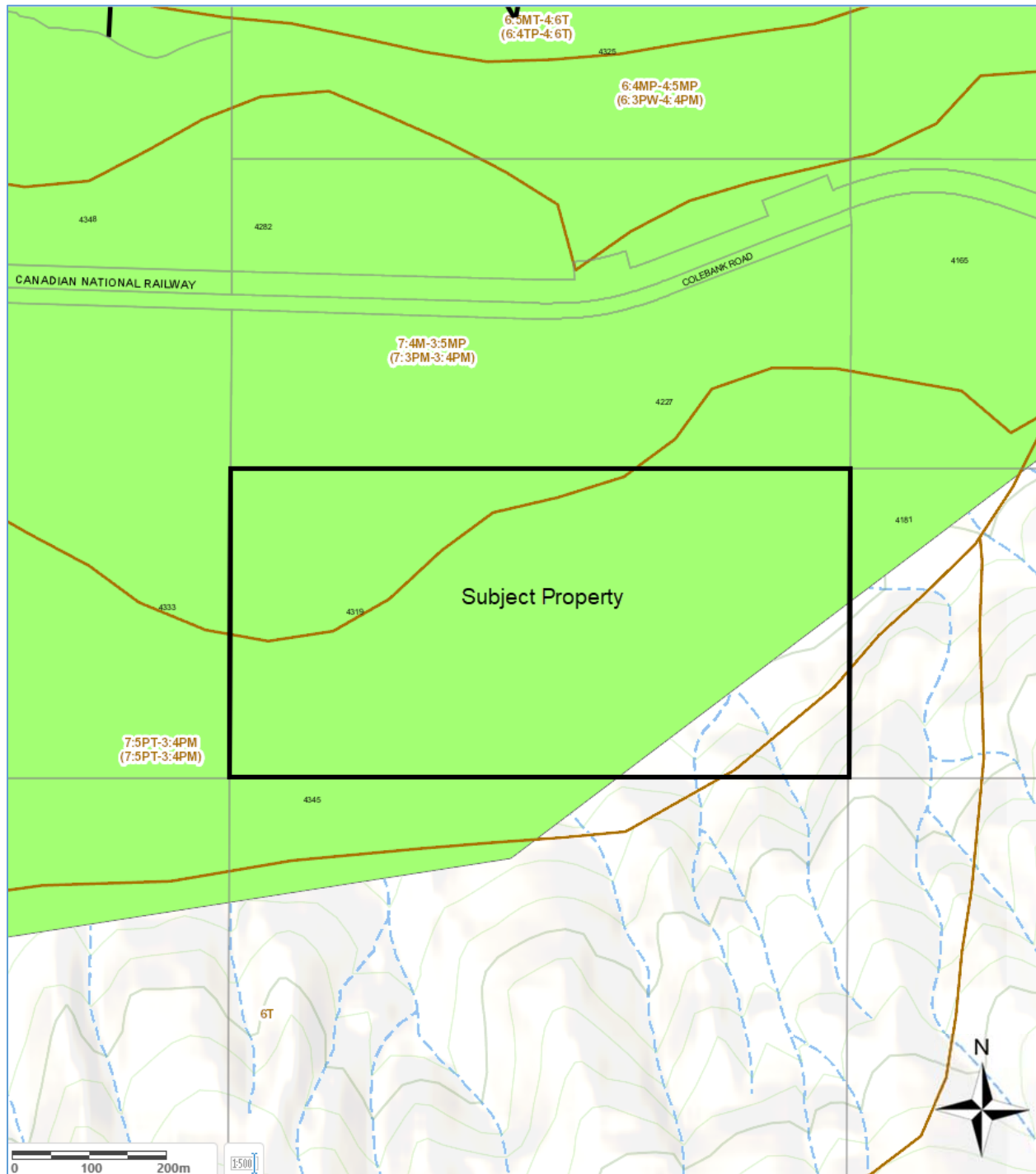
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# Site Plan of Proposed Cannabis Production Facility



## ALR/Agricultural Capability







# BOARD REPORT

**TO:** Chair and Directors

**File No:** TUP850-03  
PL2019092

**SUBJECT:** Electoral Area B: Temporary Use Permit No. 850-03 (Renewal)

**DESCRIPTION:** Report from Candice Benner, Planner II, dated May 28, 2019.  
1624 and 1630 Mt. Begbie Road, Revelstoke

**RECOMMENDATION:** THAT: in accordance with Section 493 of the Local Government Act, Temporary Use Permit No. 850-03 (Renewal) for Lot 1, Township 23, Range 2, W6M, Kootenay District, Plan NEP21998, for a vacation rental, be approved for renewal for the term May 20, 2019 to May 20, 2022, this 20<sup>th</sup> day of June, 2019..

## SHORT SUMMARY:

The Board approved issuance of a TUP850-03 for the subject property located at 1624 and 1630 Mt. Begbie Road on April 14, 2016, subject to conditions. The conditions were fulfilled and the TUP was issued on May 19, 2016. The TUP is for vacation rental use which is operated out of the second single family dwelling at 1630 Mt. Begbie Road. The applicant has applied to renew the TUP for another 3 year-term.

## VOTING:

Unweighted  
Corporate

☐

LGA Part 14  
(Unweighted)

☒

Weighted  
Corporate

☐

Stakeholder  
(Weighted)

☐

## BACKGROUND:

### PROPERTY OWNERS:

Harry Scott Renaud and Michelle Anne Renaud

### ELECTORAL AREA:

B

### CIVIC ADDRESS:

1624 and 1630 Mt. Begbie Road

### LEGAL DESCRIPTION:

Lot 1 Section 21 Township 23 Range 2 W6M Kootenay District Plan NEP21998

### SIZE OF PROPERTY:

4.0 ha

### DESIGNATION:

SH Small Holdings



**ZONE:**

SH Small Holdings

**CURRENT USE:**

Residential and Vacation Rental

**PROPOSED USE:**

Residential and Vacation Rental

**SURROUNDING LAND****USE PATTERN:**

North: Residential

South: Residential

East: Crown Land

West: Mt. Begbie Road, Residential, Agriculture

**ALR:**

0%

**SITE COMMENTS:** Development Services staff visited the site on November 6, 2015. The property contains steep slopes and contains a few flat areas that have been built on. There are two single family dwellings, a large two car garage, and a couple of sheds located on the property. Each single family dwelling is connected to its own separate septic system and well.

**POLICY:**

See "BL850\_BL851\_Excerpts\_TUP850-03.pdf" attached.

Local Government Act

Division 8 Temporary Use Permits

Term of permit and renewal of permit

497(1) The owner of land in respect of which a temporary use permit has been issued has the right to put the land to the use described in the permit until the earlier of the following:

- (a) the date that the permit expires;
- (b) 3 years after the permit was issued.

(2)A person to whom a temporary use permit has been issued may apply to have the permit renewed, subject to the restriction that a temporary use permit may be renewed only once.

(3)Subsection (1) and sections 495 [*permit conditions: undertaking respecting land*] and 496 [*permit conditions: additional security requirements*] apply in relation to a renewal under subsection (2).

**FINANCIAL:**

The owners have provided proof of adequate vacation rental and liability insurance for 2019. Insurance is renewed on an annual basis and the owners have provided proof of insurance the last three years.

**KEY ISSUES/CONCEPTS:**

See "2016-04-16\_Board\_DS\_TUP-03\_Renaud.pdf" attached.

In August 2018 staff notified the owners of the upcoming May 19, 2019 expiry of TUP850-03 and presented the options to either renew the TUP for one more term or to apply to rezone the property. Staff had not heard back from the owners so followed up in April 2019 to confirm if they wished to continue operating the vacation rental. The owners wished to continue and were advised by staff that due to timing constraints on the upcoming May 2019 expiry, the only option available to them, if they wanted to continue to operate the vacation rental without interruption, was to apply to renew the TUP, which they subsequently applied for. In consideration of staff processing and report deadlines, the June 20, 2019 Board meeting is the earliest meeting that this renewal could be placed on the agenda. The renewal date of the TUP850-03 permit reflects a date of May 20, 2019, in consideration of the May 19, 2019 expiry date.

The owners have indicated that they reside in the primary single family dwelling year-round (1624 Mt. Begbie Road), and the second single family dwelling (1630 Mt. Begbie Road) is currently being used as a vacation rental.

The owners have been operating a vacation rental out of the second single family dwelling on the subject property for the last three years. The vacation rental allows for a maximum of 8 guests, staying for a minimum of 3 days at a time.

As part of the original TUP application, the owners were required to provide proof of adequate servicing for both dwellings on the subject property; documentation was received confirming that both dwellings on the property had adequate servicing.

The Local Government Act allows for one renewal application of a Temporary Use Permit; if the Board approves this renewal the owners may operate the vacation rental use for the next three years from May 20, 2019 to May 20, 2022. If they want to continue to operate beyond the three years, they will be required to make an application to rezone the property to permit permanent vacation rental use on the subject property.

**SUMMARY:**

Staff are recommending that this TUP renewal be issued for the following reasons:

- No complaints have been received from the public over the last three years regarding the vacation rental use; and
- The owners have complied with the originally issued TUP requirements over the last three years including obtaining the required liability insurance coverage.

**IMPLEMENTATION:**

If the Board issues the TUP renewal the owners will continue to operate their vacation rental use for another three years. If the owners want to continue to operate this use beyond the three years they will need to apply to rezone the property.

**COMMUNICATIONS:**

Neighbouring property owners first became aware of this application when a sign was posted on the subject property on May 13, 2019, in accordance with Section 7.2 of the Development Services Procedures Bylaw No. 4001 as amended. Further, as per Section 466 and 494 of the Local Government Act, local government must give notice to owners and tenants within 100 m of the subject property, and must publish a notice in a newspaper at least 3 days prior to Board consideration of this TUP.

This file has been referred to APC B for review; staff will provide a verbal update on the APC recommendation at the Board meeting.

As of the date of this report, no written submissions or complaints have been received regarding the vacation rental use.

**DESIRED OUTCOMES:**

That the Board endorse staff recommendation to renew TUP850-03.

**BOARD'S OPTIONS:**

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

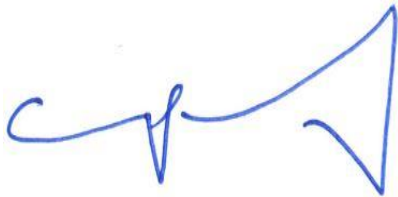
**LIST NAME OF REPORT(S) / DOCUMENT(S) AVAILABLE FROM STAFF:**

1. Electoral Area B Official Community Plan Bylaw No. 850
2. Electoral Area B Zoning Bylaw No. 851

**Report Approval Details**

Document Title:	2019-06-20_Board_DS_TUP850-03_renewal_Renaud.docx
Attachments:	<ul style="list-style-type: none"> <li>- TUP850-03_renewal.pdf</li> <li>- BL850_BL851_Excerpts_TUP850-03_renewal.pdf</li> <li>- 2016-04-06_Board_DS_TUP-03_Renaud.pdf</li> <li>- Maps_Plans_Photos_TUP850-03_renewal.pdf</li> </ul>
Final Approval Date:	Jun 10, 2019

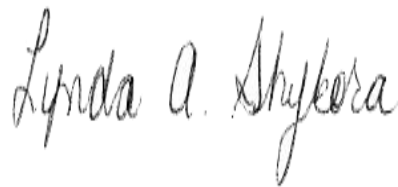
This report and all of its attachments were approved and signed as outlined below:



**Corey Paiement - Jun 7, 2019 - 12:15 PM**



**Gerald Christie - Jun 7, 2019 - 1:15 PM**



**Lynda Shykora - Jun 10, 2019 - 1:48 PM**

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

**Charles Hamilton - Jun 10, 2019 - 1:48 PM**



### TEMPORARY USE PERMIT NO. 850-3 (Renewal)

Registered Owners: Harry Scott Renaud  
Michelle Anne Renaud



1. This Temporary Use Permit is issued subject to compliance with all the Bylaws of the Regional District applicable thereto, except as specifically varied or supplemented by this Permit.
2. This Permit applies only to the lands described below:  
 Legal Description: Lot 1 Section 21 Township 23 Range 2 W6M KD Plan NEP21998  
 PID: 019-165-072  
 which property is more particularly shown on the map attached hereto as Schedule A.
3. The owners of the subject property have applied for a Temporary Use Permit for a vacation rental in one of the two single family dwellings on the subject property. The owners reside in the single family dwelling at 1624 Mt. Begbie Road. The vacation rental will be conducted in the single family dwelling at 1630 Mt. Begbie Road, as shown on the site plan attached hereto as Schedule B.
4. The use authorized by this Temporary Use Permit may be carried out only in accordance with the terms and conditions set out herein.
5. If the terms of this permit are not adhered to, this permit may be revoked prior to the expiry date of the permit.
6. In addition to Section 3.21 Vacation Rental regulations and the permitted uses in the SH Small Holdings Zone in the Electoral Area 'B' Zoning Bylaw No. 851, the subject property may be used for a year-round vacation rental subject to compliance with the following conditions:
  - a) Limited to the single family dwelling at 1630 Mt. Begbie Road.
  - b) Maximum number of guests at one time is 8.

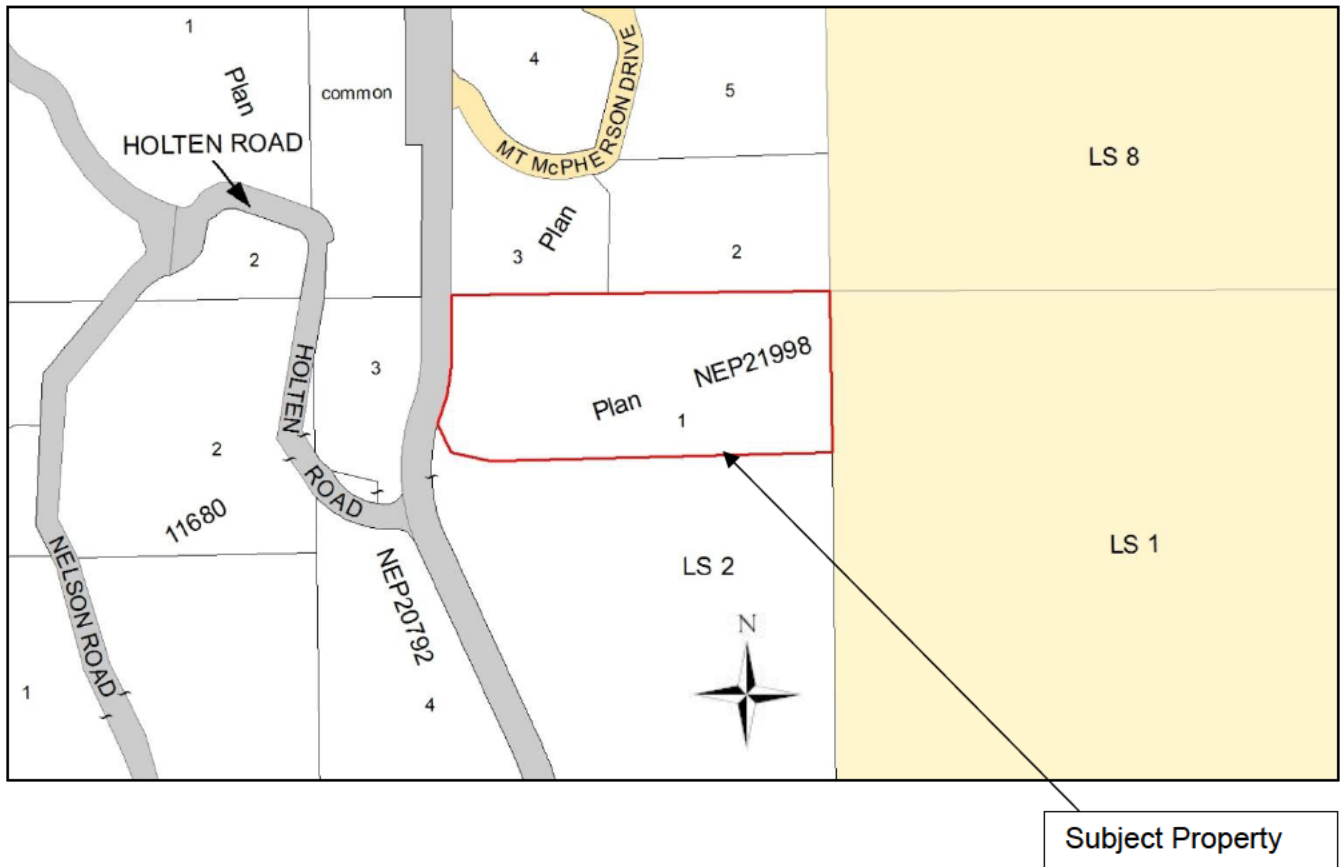
- c) Quiet time is from 11 PM to 6 AM daily.
  - d) Vacation rental signage shall be limited to one sign.
  - e) All parking must be accommodated on site; no parking shall occur on Mt. Begbie Road.
  - f) The owner is wholly responsible for the proper disposal of all garbage, recycling, and yard waste created by the operation of the vacation rental.
7. This Temporary Use Permit is subject to proof of adequate vacation rental and liability insurance, with a minimum of \$5 million dollars in coverage, naming the CSRD as an additional insured, and providing a release and indemnification agreement to the CSRD for any damages arising from or relating to the issuance of the Temporary Use Permit. Proof of renewal of the vacation rental insurance is required on an annual basis.
  8. This Temporary Use Permit is not a Building Permit, nor shall it be construed as providing warranty or assurance that the property or any of the structures complies with the BC Building Code or any other applicable enactments.
  9. Issuance of a Temporary Use Permit does not relieve the property owner of the responsibility to comply with applicable acts, regulations, or bylaws of the CSRD, or other agencies having jurisdiction under an enactment (e.g. Interior Health, Ministry of Transportation).
  10. This permit, issued as per Section 493 of the Local Government Act, is valid for a 3-year period. This permit may not be renewed.
  11. This permit is valid from May 20<sup>th</sup>, 2019, and shall expire on May 20<sup>th</sup>, 2022.

AUTHORIZED FOR ISSUANCE BY RESOLUTION of the Columbia Shuswap Regional District Board on the \_\_\_\_ day of \_\_\_\_\_, 2019.

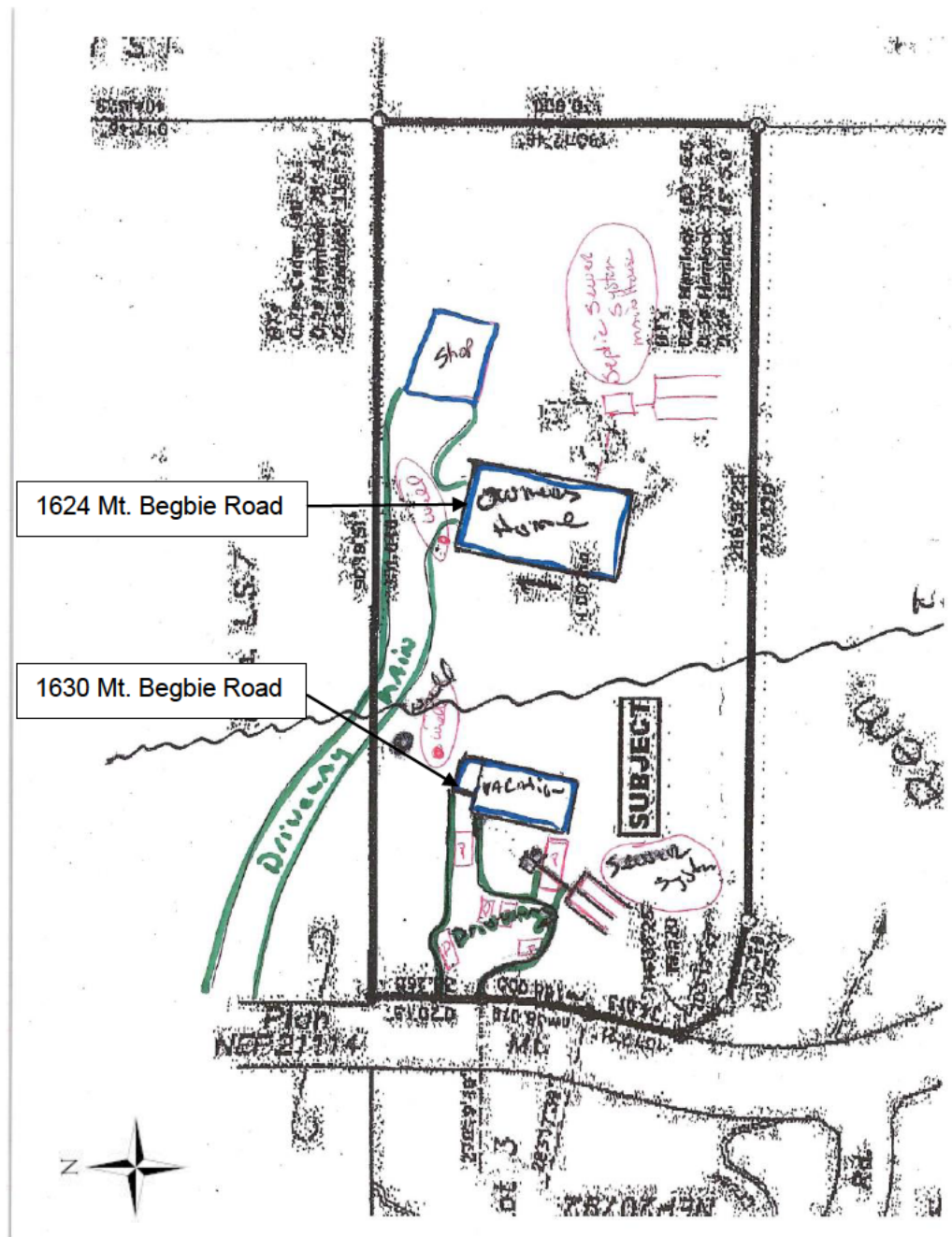
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CORPORATE OFFICER

Schedule A



## Schedule B





## **Relevant Excerpts from Electoral Area 'B' Official Community Plan Bylaw No. 850 and Electoral Area 'B' Zoning Bylaw No. 851**

(See Bylaw No. 850 and Bylaw No. 851 for all policies and land use regulations)

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### Residential

#### 4.1 Community Context

Minimum parcel size for SH Small Holdings is 4 ha.

The majority of the residential development in the plan area is low density, single family development set in a rural context on large lots.

#### 4.3 Land Use & Density Policies

4.3.5 Support a range of residential dwelling types.

4.3.9 Support a process to initiate implementation of a Building Inspection Process.

4.3.10 One primary dwelling unit and one secondary dwelling unit shall be permitted in the primary dwelling in all residential zones subject to the relevant parking requirements, the requirements of the Agricultural Land Commission Act, and the BC Building Code. Once building permits are mandatory and the requirements of the BC Building Code can be addressed, sewage disposal systems must be designed or upgraded to accommodate the total combined number of bedrooms to be serviced by the system.

### Small Holdings

4.3.20 The principal use shall be residential or agricultural.

4.3.22 One primary dwelling and one secondary dwelling unit shall be permitted per parcel.

4.3.23 The minimum parcel size for subdivision of Small Holdings shall be 4 ha.

### Secondary Dwelling Units

4.3.28 Owing to the remote and recreational nature of this area, residents may have need for additional accommodation on site. The CSRD supports secondary dwelling units including carriage houses, and secondary suites as strategies to provide one additional dwelling unit per parcel. Secondary dwelling units are required to address the following:

- accessory to a single family dwelling where accessory is less than 60% of the floor area of the principle dwelling;
- register a covenant against the title of the subject property to specify that there shall be no intent to subdivide to create separate parcels for each dwelling;
- where the second dwelling is an independent structure, sites shall be a minimum of 2 ha to allow sufficient area for independent sewer systems as required by the Interior Health Authority. Sewage disposal systems shall be designed or upgraded to accommodate the total combined number of bedrooms to be serviced by the system;
- connected to the approved on-site utilities, including water, sewer and hydro;
- the addition of an accessory dwelling unit will trigger additional regulatory approvals and all of these must be met; and
- provide one additional parking space.

### Vacation Rental

4.3.34 Vacation Rentals allow the use of temporary accommodation in residential areas on a commercial basis and are regulated either by a temporary use permit or through the zoning bylaw. Vacations Rentals shall:

- a. first be considered on a three year trial basis by the use of a temporary use permit (refer to Section 14);
- b. not create an unacceptable level of negative impact on surrounding residential uses;
- c. comply with all applicable regulations of the Provincial Agricultural Land Commission when located within the Agricultural Land Reserve; and
- d. be subject to local health authority requirements.
- e. be subject to all Ministry of Transportation and Infrastructure Access Permit requirements.

### 4.4 Community Specific Policies

#### Begbie Bench

4.4.17 Recognize the strong community interest in maintaining the rural character of the area and continue to support the existing minimum parcel size of 4 ha with lands designated as Small Holdings.

4.4.18 Minimum parcel sizes may be reduced in the Begbie Bench area to 2 ha subject to applications meeting the guidelines outlined in Section 4.3.24.

### Section 14: Temporary Use Permits

Temporary use permits may be considered by the Regional Board to allow specific land uses to occur for a short period of time. The permit can contain very detailed requirements such as indicating the buildings that can be used, the time frame of the permit, and other conditions.

#### 14.1 Objectives

There are important objectives that form a framework for the policies.

14.1.1 Allow opportunity for the consideration of the issuance of a temporary use permit in order to permit a temporary use to continue while a more suitable location for the use is determined or a rezoning application is completed.

14.1.2 Allow opportunity for the consideration of interim activities such as gravel extraction prior to development.

14.1.3 Ensure that temporary permits are not considered a substitute for a rezoning application.

#### 14.2 Policies

The specific policies are:

14.2.1 Consider the issuance of temporary use permits based upon the following general conditions:

- a. The use must be clearly temporary or seasonal in nature;

b. The temporary use should not create an unacceptable level of impact on surrounding permanent uses;

c. In the case of the discovery of a use already underway that does not conform with zoning regulations, there is either an undertaking to initiate a rezoning application, or, an outline provided of when and how the temporary use in that location will be ended.

14.2.2 Consider applying conditions in the temporary permit such as, but not limited to; the buildings to be used, the area of use, the hours of use, appearance, site rehabilitation, noise control, and means of ensuring compliance.

14.2.3 The issuance of temporary use permits can be considered in all Official Community Plan designations.

Staff note that Section 4.3.34 states that a vacation rental first be considered on a three year trial basis; however, the Board may issue a TUP for a period of less than three years. Further, if the terms or conditions of the TUP are not adhered to, the TUP may be revoked prior to the expiration date of the permit.

Development Services staff is currently working on a policy for issuing TUPs in areas with no building inspection for Board consideration at a future Board meeting.

### **Electoral Area 'B' Zoning Bylaw No. 851**

#### Section 5.5

#### SH - Small Holdings

##### Principal Uses

The uses stated in this subsection and no others are permitted in the Small Holdings zone as principal uses, except as stated in Part 3: General Regulations:

- agriculture
- day care
- horticulture
- single family dwelling
- standalone residential campsite
- timber harvesting

##### Secondary Uses

The uses stated in this subsection and no others are permitted in the Small Holdings zone as secondary uses, except as stated in Part 3: General Regulations:

- accessory use
- bed and breakfast
- home occupation
- small-scale sawmill
- residential campsite
- secondary dwelling unit

Minimum parcel size created by subdivision: 4 ha

Maximum parcel coverage: 25%

Maximum number of single family dwellings per parcel (subject to Section 3.15 of this bylaw):  
1

Maximum number of secondary dwelling units per parcel (subject to Section 3.15 of this bylaw): 1

Maximum gross floor area of secondary dwelling unit: less than 60% of the floor area of the principal dwelling unit

Definitions:

Dwelling unit is the use of one or more habitable rooms in a building that constitute a single self-contained unit with a separate entrance, and used together for living and sleeping purposes for not more than one family, and containing a bathroom with a toilet, wash basin, and a bath or shower and only one room which due to its design, plumbing, equipment and furnishings may be used primarily as a kitchen. Dwelling unit does not include camping unit, park model, tourist cabin, or sleeping unit in a hotel, lodge or motel;

Guest accommodation is the use of a secondary dwelling unit on the same parcel as a single family dwelling or two-family dwelling, for temporary free accommodation on a non-commercial basis by guests of the permanent residents living on that same parcel.

Secondary dwelling unit means one or more rooms located within a single family dwelling or in an accessory building (where permitted by this bylaw) for either guest accommodation or long-term/seasonal rental accommodation. A secondary dwelling unit has direct access to outside without passing through any part of the principal dwelling unit and may have its own separate cooking, sleeping and bathing facilities.

Single family dwelling is the use of land, structures and one detached building used exclusively for one dwelling unit, except where additional uses are specifically permitted in this Bylaw as a part of a single family dwelling.

Vacation Rental is the use of a residential dwelling unit or secondary dwelling unit for temporary accommodation on a commercial basis.

Required parking spaces and loading spaces:

Dwelling unit – two per dwelling unit

Vacation rental – one per sleeping unit



## BOARD REPORT

**TO:** Chair and Directors

**FROM:** Jennifer Sham  
Planner

**SUBJECT:** Temporary Use Permit

**File No:** TUP850-3

**Date:** March 30, 2016

**RECOMMENDATION #1:** THAT:

In accordance with Section 493 of the Local Government Act, Temporary Use Permit No. 850-3 for Lot 1, Section 21, Township 23, Range 2, W6M, KD, Plan NEP21998, for a vacation rental be issued this 14<sup>th</sup> day of April, 2016, subject to the applicant fulfilling the following conditions:

- a) Proof of adequate vacation rental and liability insurance with a minimum of \$5 million dollars in coverage for the vacation rental house, and naming the CSRD as an additional insured;
- b) Registration of a suitably worded Section 219 Covenant on the title of the subject property agreeing to obtain the acceptable insurance and agreeing to a release and indemnification to the CSRD for any damage that occurs as a result of the temporary use/vacation rental; and,
- c) Written confirmation of an adequate and functioning septic system for the owner's house located at 1624 Mt. Begbie Road.

**RECOMMENDATION #2:** THAT:

The Board empower the authorized signatories to execute discharge documents for Section 219 covenant (LA017854).

**APPROVED for Board Consideration:**

Meeting Date: April 14, 2016

*Charles Hamilton, CAO*

**SHORT SUMMARY:**

On July 23<sup>rd</sup>, 2015, Development Services staff held a meeting in Revelstoke to present options on how to bring existing vacation rentals into compliance with Electoral Area 'B' Zoning Bylaw No. 851. Owners of properties being used for vacation rentals were contacted and invited to this meeting. The applicants attended the meeting and subsequently are applying for a 3 year Temporary Use Permit (TUP) to allow a vacation rental on the subject property. There are currently two single family dwellings on the property, and the applicants reside in one of the single family dwellings.

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

**BACKGROUND:**

PROPERTY OWNERS:	Harry Scott Renaud and Michelle Anne Renaud
ELECTORAL AREA:	'B'
CIVIC ADDRESS:	1624 & 1630 Mt. Begbie Road, Revelstoke
LEGAL DESCRIPTION:	Lot 1 Section 21 Township 23 Range 2 W6M KD Plan NEP21998
SIZE OF PROPERTY:	4.0 ha
DESIGNATION:	SH Small Holdings
ZONE:	SH Small Holdings
CURRENT USE:	Residential and Vacation Rental
PROPOSED USE:	Residential and Vacation Rental
SURROUNDING LAND USE PATTERN:	North: Residential South: Residential East: Crown Land West: Mt. Begbie Road, Residential, Agriculture
ALR:	0%

**SITE COMMENTS:** Development Services staff visited the site on November 6, 2015. The property contains steep slopes and contains a few flat areas that have been built on. There are two single family dwellings, a large two car garage, and a couple sheds located on the property. Each single family dwelling is connected to its own separate septic system and well. The applicants have indicated that the property is within the Revelstoke Fire Services area. The applicants have indicated that they reside in the primary single family dwelling year-round, and the other single family dwelling is currently being used as a vacation rental.

**POLICY:****Electoral Area 'B' Official Community Plan Bylaw No. 850**Residential**4.1 Community Context**

Minimum parcel size for SH Small Holdings is 4 ha.

The majority of the residential development in the plan area is low density, single family development set in a rural context on large lots.

4.3 Land Use & Density Policies**4.3.5 Support a range of residential dwelling types.****4.3.9 Support a process to initiate implementation of a Building Inspection Process.**

**4.3.10** One primary dwelling unit and one secondary dwelling unit shall be permitted in the primary dwelling in all residential zones subject to the relevant parking requirements, the requirements of the Agricultural Land Commission Act, and the BC Building Code. Once building permits are mandatory and the requirements of the BC Building Code can be addressed, sewage disposal systems must be designed or upgraded to accommodate the total combined number of bedrooms to be serviced by the system.

Small Holdings

4.3.20 The principal use shall be residential or agricultural.

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#### Secondary Dwelling Units

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- accessory to a single family dwelling where accessory is less than 60% of the floor area of the principle dwelling;
- register a covenant against the title of the subject property to specify that there shall be no intent to subdivide to create separate parcels for each dwelling;
- where the second dwelling is an independent structure, sites shall be a minimum of 2 ha to allow sufficient area for independent sewer systems as required by the Interior Health Authority. Sewage disposal systems shall be designed or upgraded to accommodate the total combined number of bedrooms to be serviced by the system;
- connected to the approved on-site utilities, including water, sewer and hydro;
- the addition of an accessory dwelling unit will trigger additional regulatory approvals and all of these must be met; and
- provide one additional parking space.

#### Vacation Rental

4.3.34 Vacation Rentals allow the use of temporary accommodation in residential areas on a commercial basis and are regulated either by a temporary use permit or through the zoning bylaw. Vacations Rentals shall:

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- c. comply with all applicable regulations of the Provincial Agricultural Land Commission when located within the Agricultural Land Reserve; and
- d. be subject to local health authority requirements.
- e. be subject to all Ministry of Transportation and Infrastructure Access Permit requirements.

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##### Begbie Bench

4.4.17 Recognize the strong community interest in maintaining the rural character of the area and continue to support the existing minimum parcel size of 4 ha with lands designated as Small Holdings.

4.4.18 Minimum parcel sizes may be reduced in the Begbie Bench area to 2 ha subject to applications meeting the guidelines outlined in Section 4.3.24.

#### Section 14: Temporary Use Permits

Temporary use permits may be considered by the Regional Board to allow specific land uses to occur for a short period of time. The permit can contain very detailed requirements such as indicating the buildings that can be used, the time frame of the permit, and other conditions.

##### 14.1 Objectives

There are important objectives that form a framework for the policies.

14.1.1 Allow opportunity for the consideration of the issuance of a temporary use permit in order to permit a temporary use to continue while a more suitable location for the use is determined or a rezoning application is completed.

14.1.2 Allow opportunity for the consideration of interim activities such as gravel extraction prior to development.

14.1.3 Ensure that temporary permits are not considered a substitute for a rezoning application.

#### 14.2 Policies

The specific policies are:

14.2.1 Consider the issuance of temporary use permits based upon the following general conditions:

- a. The use must be clearly temporary or seasonal in nature;
- b. The temporary use should not create an unacceptable level of impact on surrounding permanent uses;
- c. In the case of the discovery of a use already underway that does not conform with zoning regulations, there is either an undertaking to initiate a rezoning application, or, an outline provided of when and how the temporary use in that location will be ended.

14.2.2 Consider applying conditions in the temporary permit such as, but not limited to; the buildings to be used, the area of use, the hours of use, appearance, site rehabilitation, noise control, and means of ensuring compliance.

14.2.3 The issuance of temporary use permits can be considered in all Official Community Plan designations.

Staff note that Section 4.3.34 states that a vacation rental first be considered on a three year trial basis; however, the Board may issue a TUP for a period of less than three years. Further, if the terms or conditions of the TUP are not adhered to, the TUP may be revoked prior to the expiration date of the permit.

Development Services staff is currently working on a policy for issuing TUPs in areas with no building inspection for Board consideration at a future Board meeting.

### **Electoral Area 'B' Zoning Bylaw No. 851**

#### Section 5.5

#### SH - Small Holdings

##### Principal Uses

The uses stated in this subsection and no others are permitted in the Small Holdings zone as principal uses, except as stated in Part 3: General Regulations:

- agriculture
- day care
- horticulture
- single family dwelling
- standalone residential campsite
- timber harvesting

##### Secondary Uses

The uses stated in this subsection and no others are permitted in the Small Holdings zone as secondary uses, except as stated in Part 3: General Regulations:

- accessory use
- bed and breakfast
- home occupation
- small-scale sawmill
- residential campsite
- secondary dwelling unit



Minimum parcel size created by subdivision: 4 ha

Maximum parcel coverage: 25%

Maximum number of single family dwellings per parcel (subject to Section 3.15 of this bylaw): 1

Maximum number of secondary dwelling units per parcel (subject to Section 3.15 of this bylaw): 1

Maximum gross floor area of secondary dwelling unit: less than 60% of the floor area of the principal dwelling unit

Definitions:

Dwelling unit is the use of one or more habitable rooms in a building that constitute a single self-contained unit with a separate entrance, and used together for living and sleeping purposes for not more than one family, and containing a bathroom with a toilet, wash basin, and a bath or shower and only one room which due to its design, plumbing, equipment and furnishings may be used primarily as a kitchen. Dwelling unit does not include camping unit, park model, tourist cabin, or sleeping unit in a hotel, lodge or motel;

Guest accommodation is the use of a secondary dwelling unit on the same parcel as a single family dwelling or two-family dwelling, for temporary free accommodation on a non-commercial basis by guests of the permanent residents living on that same parcel.

Secondary dwelling unit means one or more rooms located within a single family dwelling or in an accessory building (where permitted by this bylaw) for either guest accommodation or long-term/seasonal rental accommodation. A secondary dwelling unit has direct access to outside without passing through any part of the principal dwelling unit and may have its own separate cooking, sleeping and bathing facilities.

Single family dwelling is the use of land, structures and one detached building used exclusively for one dwelling unit, except where additional uses are specifically permitted in this Bylaw as a part of a single family dwelling.

Vacation Rental is the use of a residential dwelling unit or secondary dwelling unit for temporary accommodation on a commercial basis.

Required parking spaces and loading spaces:

Dwelling unit – two per dwelling unit

Vacation rental – one per sleeping unit

**FINANCIAL:**

There are no direct financial implications to the CSRD, the TUP application is not the result of a Bylaw Enforcement action. The cost of preparing legal documents, and obtaining insurance will be borne by the property owners. However, there could be future financial implications in terms of risk management, and therefore the requirement for the property owners to obtain the minimum liability insurance naming the CSRD as an additional insured is required.

**KEY ISSUES/CONCEPTS:**

According to the owners, the proposed vacation rental house located at 1630 Mt. Begbie Road was constructed in 1998 and the primary house located at 1624 Mt. Begbie Road where the owners live, was constructed in 2007.

**Water Supply and Sewage Disposal**

Each single family dwelling is connected to its own separate septic system and separate well. Staff is in receipt of a Sewerage System Letter of Certification dated April 26, 2007 for 1630 Mt. Begbie Road (applicant's primary house). According to the applicant, a new house number was assigned (1624 Mt.

Begbie Road) after the house was built. Further, staff is in receipt of a letter from Sam LeRose, Registered On-site Wastewater Practitioner dated November 8, 2015 (for the rental house), stating that the system appears to be functioning properly and appears to be adequate for the existing rental home.

Staff has been in contact with Mr. LeRose regarding information about the primary house. Mr. LeRose confirms that the septic system for the main house was pumped within the last 2 years, but he did not inspect the system at that time. Further, Mr. LeRose said that he would inspect the system and send a letter after he has completed it. To date, staff has not received the letter from Mr. LeRose. Confirmation of an adequate and functioning septic system for the existing main house will be required as a condition of issuance of the permit, if the Board issues TUP850-3.

#### **Access and parking:**

Access to both single family dwellings is off Mt. Begbie Road. The proposed vacation rental home contains 5 bedrooms and 3 bathrooms; therefore, the required number of parking spaces will be 5. This is in addition to the required 2 parking spaces for the applicant's single family dwelling. The applicant has indicated that there is ample room for parking on the property and has included the parking spaces on the site plan.

#### **Covenant:**

The vacation rental house was originally the primary single family dwelling. The second single family dwelling, currently occupied by the applicants, was built in 2007; however, in 2006, the owners registered a Section 219 covenant on title (LA017854) stating that the new single family dwelling shall not be entitled to be occupied until the existing single family dwelling has been converted to an accessory building and will not be used for human habitation. The vacation rental house is currently being rented out on a short-term basis. The Section 219 covenant (LA017854) restricts the vacation rental from being approved, so the owner's lawyer will need to have the CSRD's permission to discharge this covenant from the title of the subject property. If the Board issues TUP850-3, an additional resolution will be required authorizing staff to sign the necessary documents to discharge this covenant.

#### **Proposal:**

To allow a year-round vacation rental for a maximum of 8 guests, staying for a minimum of 3 days in the second single family dwelling on the subject property.

#### **IMPLEMENTATION:**

If the Board denies issuance of TUP850-3, the vacation rental will not be permitted and the property will be the subject of a Bylaw Enforcement case.

If the Board chooses to issue this TUP, upon receipt of the adequate vacation rental insurance, registration of a suitably worded Section 219 covenant, and proof of an adequate septic system, TUP850-3 will be registered on title of the subject property. Further, staff will discharge the Section 219 covenant (LA017854) registered on title.

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

1. TUP850-3, including location map and site plan 2. Maps: Location, OCP, Zoning 3. Orthophoto, photos	Attached to Board Report: <input checked="" type="checkbox"/>	Available from Staff: <input type="checkbox"/>
4. Additional photos 5. Application	Attached to Board Report: <input type="checkbox"/>	Available from Staff: <input checked="" type="checkbox"/>

**DESIRED OUTCOMES:**

That the Board endorse staff recommendations.

**BOARD'S OPTIONS:**

1. *Endorse staff recommendation to authorize issuance of TUP850-3, subject to the applicant satisfying the conditions of the TUP, and to discharge the covenant (LA017854).*
2. *Deny the Recommendations.*
3. *Defer.*
4. *Any other action deemed appropriate by the Board.*

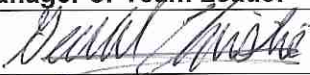



**COMMUNICATIONS:**

Neighbouring property owners first became aware of this application when a sign was posted on the subject property on November 5, 2015, in accordance with Section 7.2 of the Development Services Procedures Bylaw No. 4001 as amended. As of the date of this report, no written submissions have been received. Further, as per Section 466 and 494 of the Local Government Act, local government must give notice to owners and tenants within 100 m of the subject property, and must publish a notice in a newspaper at least 3 days prior to Board consideration of this TUP.

If the Board issues TUP850-3, the owner will be notified of the Board's decision, and upon satisfying any necessary conditions, the TUP will be registered at the Land Title Office.

The application was also forwarded to the following agencies:

Agency	Comments
Advisory Planning Commission 'B'	Recommended approval of the TUP with the condition that the secondary dwelling be less than 60% in size of the primary dwelling.
Interior Health	Interests are unaffected
CSRD Operations Management	Fire Services: Revelstoke Fire Dept should be advised of temporary use change in order to update property information and prepare new pre incident tactical planning information. Owner should verify all fire extinguishers and smoke alarms are inspected annually.

REVIEWED BY:	Date Signed Off (MO/DD/YR)	Approval Signature of Reviewing Manager or Team Leader
Manager, Development Services	04/04/16	
Team Leader, Development Services	Mar 30, 2016	
Operations Management	Mar 30, 2016	
Financial Services	Mar 30, 2016	



### TEMPORARY USE PERMIT NO. 850-3

Registered Owners: Harry Scott Renaud  
Michelle Anne Renaud



1. This Temporary Use Permit is issued subject to compliance with all the Bylaws of the Regional District applicable thereto, except as specifically varied or supplemented by this Permit.
2. This Permit applies only to the lands described below:

Legal Description: Lot 1 Section 21 Township 23 Range 2 W6M KD Plan NEP21998  
PID: 019-165-072

which property is more particularly shown on the map attached hereto as Schedule 'A'.

3. The owners of the subject property have applied for a Temporary Use Permit for a vacation rental in one of the two single family dwellings on the subject property. The owners reside in the single family dwelling at 1624 Mt. Begbie Road. The vacation rental will be conducted in the single family dwelling at 1630 Mt. Begbie Road, as shown on the site plan attached hereto as Schedule 'B'
4. The use authorized by this Temporary Use Permit may be carried out only in accordance with the terms and conditions set out herein.
5. If the terms of this permit are not adhered to, this permit may be revoked prior to the expiry date of the permit.
6. In addition to Section 3.21 Vacation Rental regulations and the permitted uses in the SH Small Holdings Zone in the Electoral Area 'B' Zoning Bylaw No. 851, the subject property may be used for a year-round vacation rental subject to compliance with the following conditions:
  - a) Limited to the single family dwelling at 1630 Mt. Begbie Road.
  - b) Maximum number of guests at one time is 8.
  - c) Quiet time is from 11 PM to 6 AM daily.
  - d) Vacation rental signage shall be limited to one sign.
  - e) All parking must be accommodated on site; no parking shall occur on Mt. Begbie Road.
  - f) The owner is wholly responsible for the proper disposal of all garbage, recycling, and yard waste created by the operation of the vacation rental.

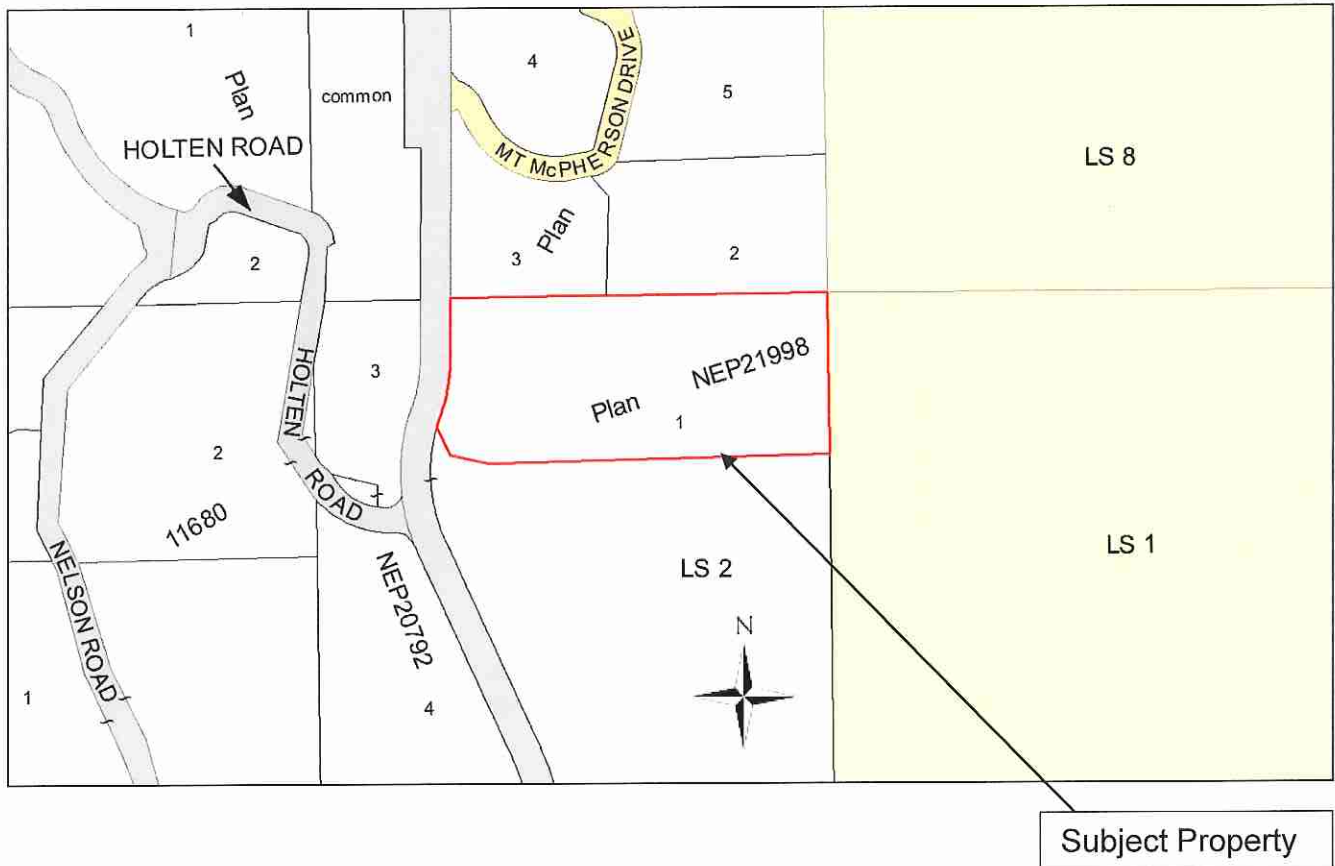


7. This Temporary Use Permit is subject to proof of adequate vacation rental and liability insurance, with a minimum of \$5 million dollars in coverage, naming the CSRD as an additional insured, and providing a release and indemnification agreement to the CSRD for any damages arising from or relating to the issuance of the Temporary Use Permit. Proof of renewal of the vacation rental insurance is required on an annual basis.
8. This Temporary Use Permit is not a Building Permit, nor shall it be construed as providing warranty or assurance that the property or any of the structures complies with the BC Building Code or any other applicable enactments.
9. Issuance of a Temporary Use Permit does not relieve the property owner of the responsibility to comply with applicable acts, regulations, or bylaws of the CSRD, or other agencies having jurisdiction under an enactment (e.g. Interior Health, Ministry of Transportation).
10. This permit, issued as per Section 493 of the Local Government Act, is valid for a 3 year period. This permit may be extended only for one additional period up to 3 years in duration, upon application and subsequent approval by the CSRD Board of Directors.
11. This permit is valid from \_\_\_\_\_ 2016, and shall expire on \_\_\_\_\_ 2019.

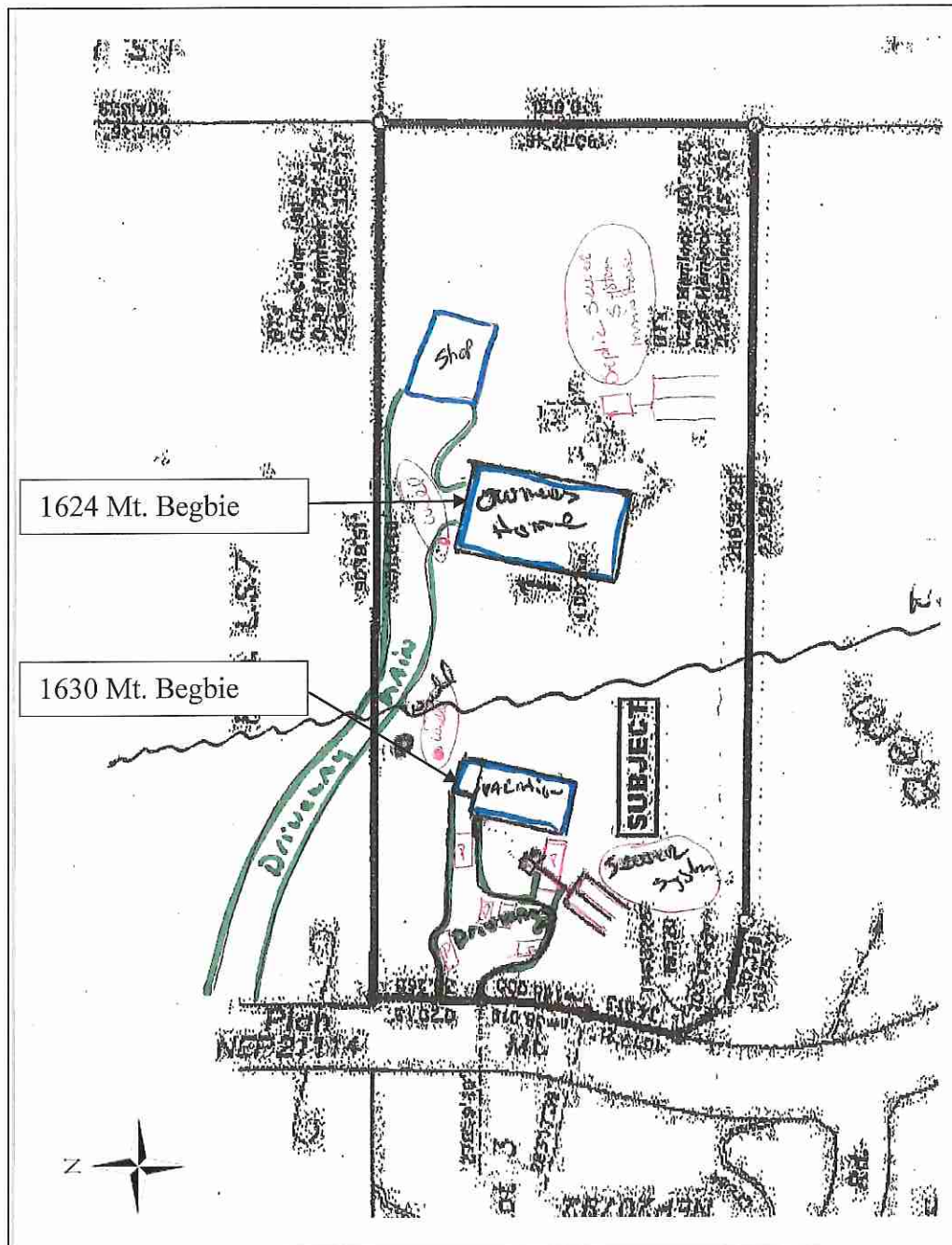
AUTHORIZED AND ISSUED BY RESOLUTION NO. \_\_\_\_\_ of the Columbia Shuswap  
Regional District Board on the \_\_\_\_ day of \_\_\_\_\_, 2016.

\_\_\_\_\_  
CORPORATE OFFICER

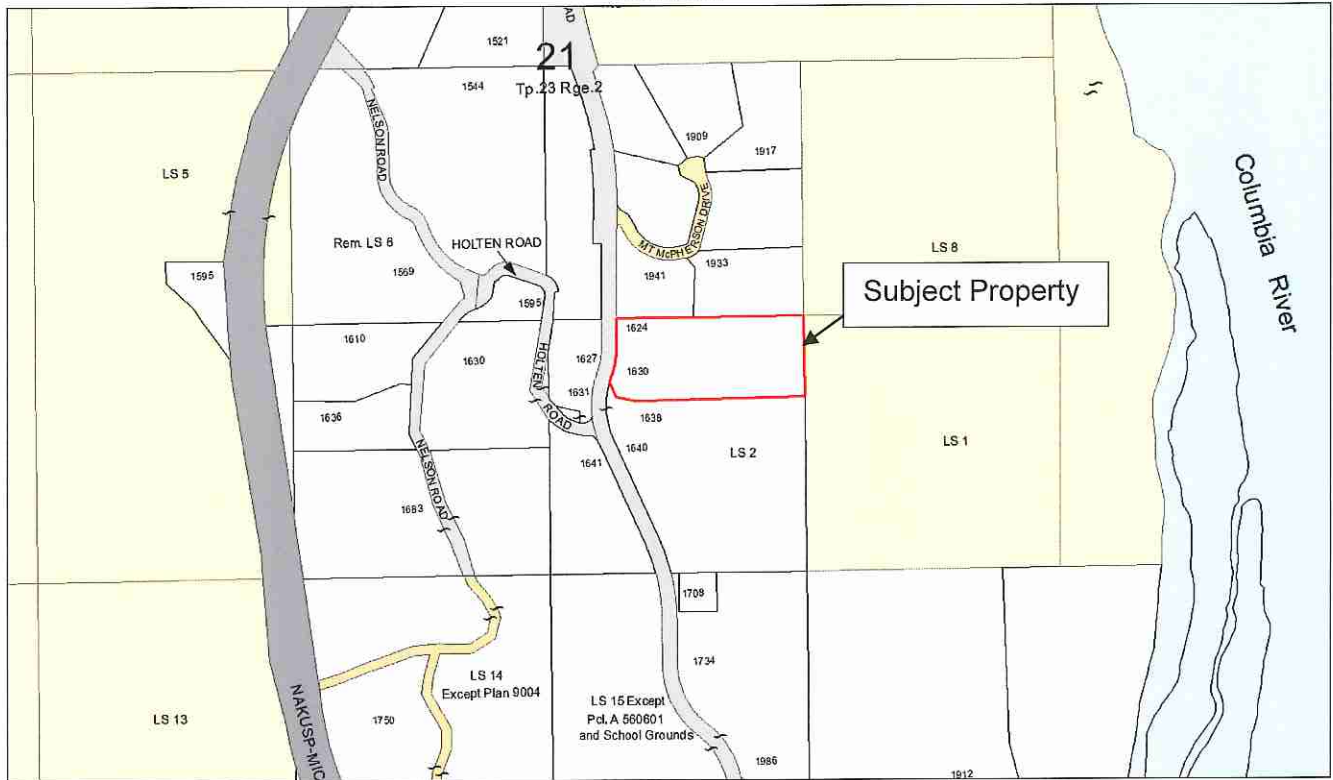
TUP 850-3  
Schedule 'A'



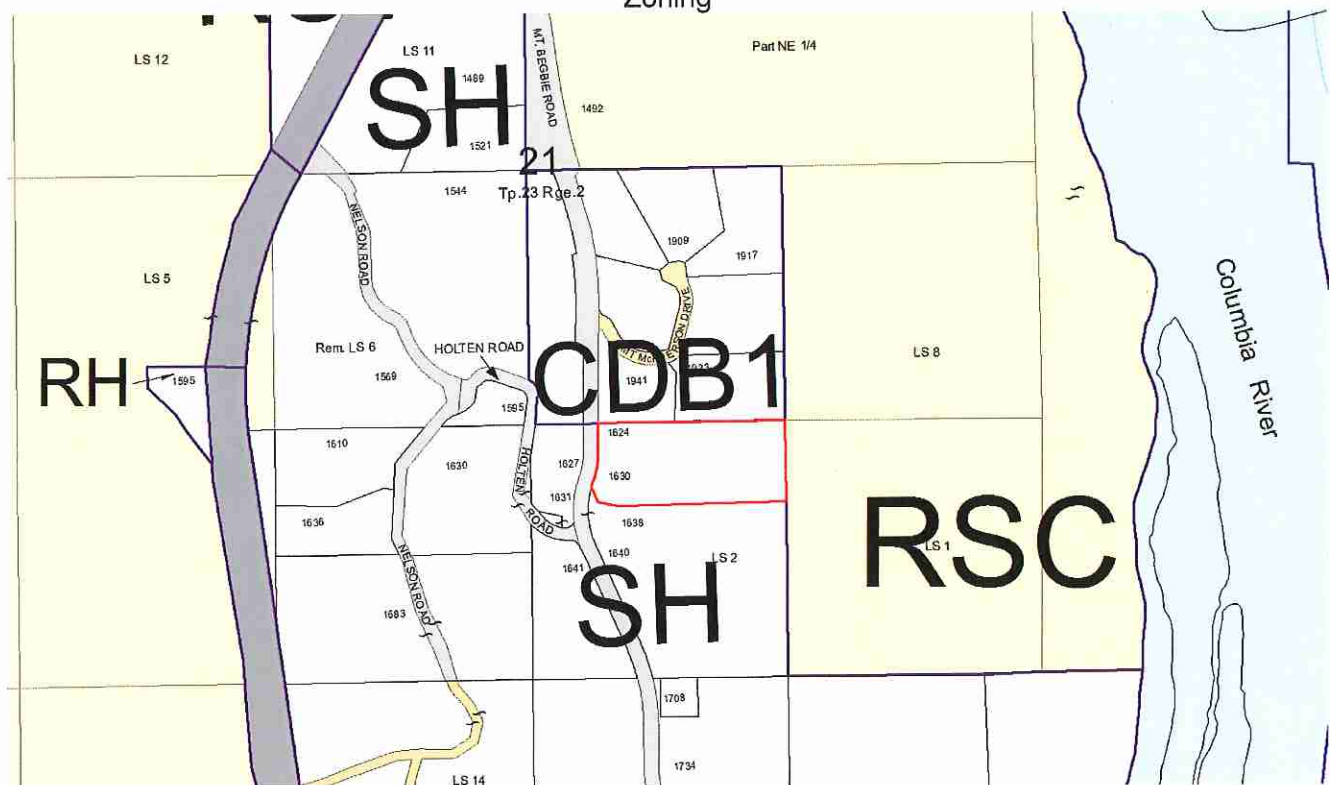
TUP850-3  
Schedule 'B'



Location







Orthophoto





Photos



Facing east at the vacation rental house



Facing east from the driveway to the owner's house



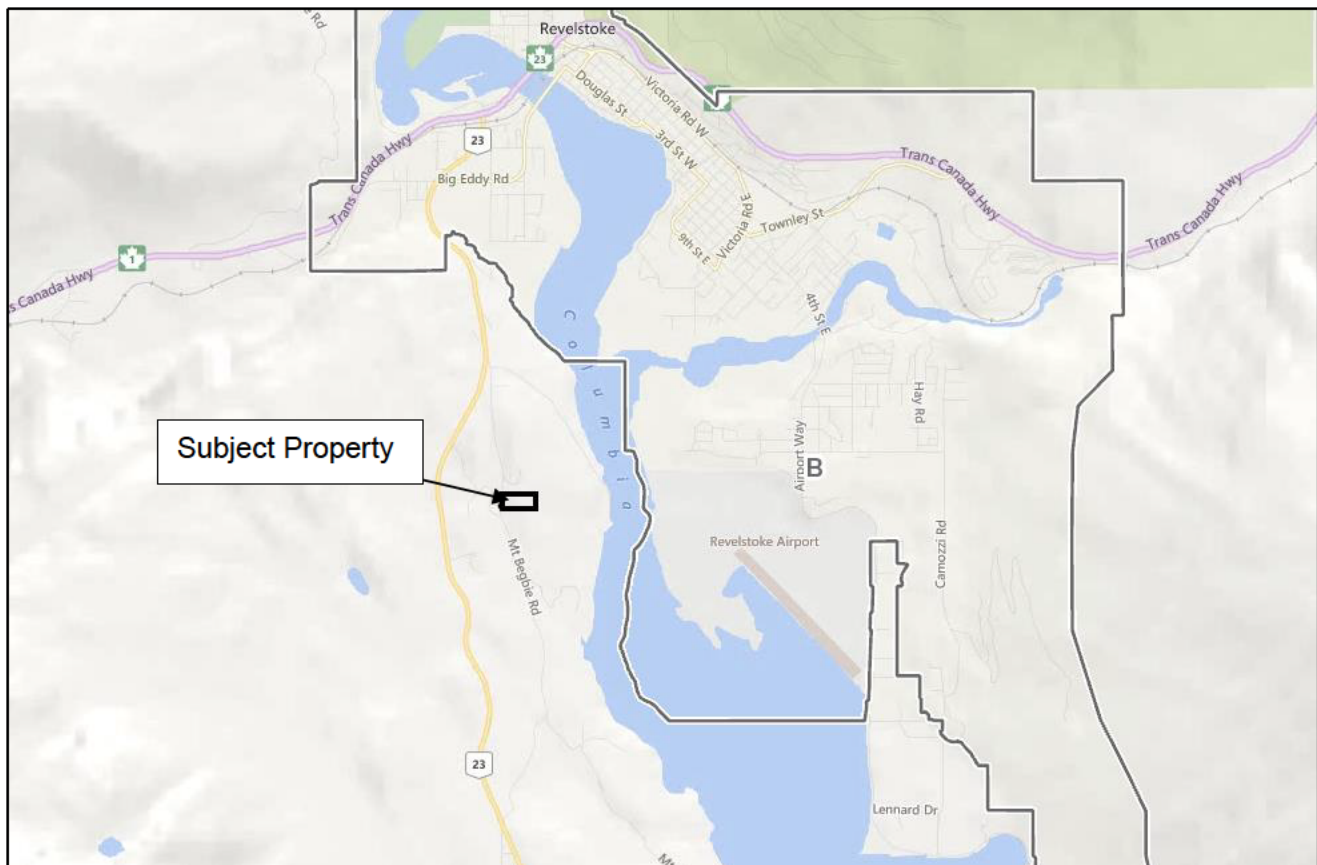
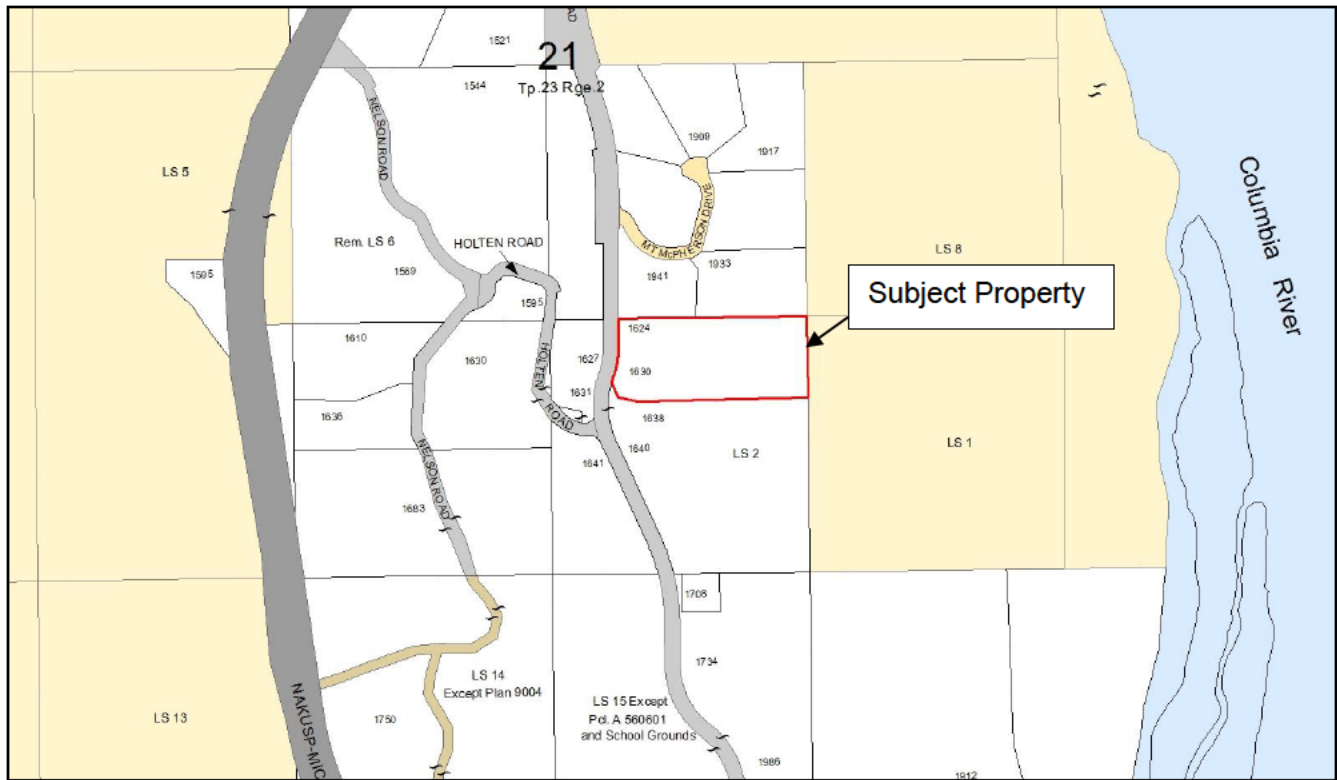


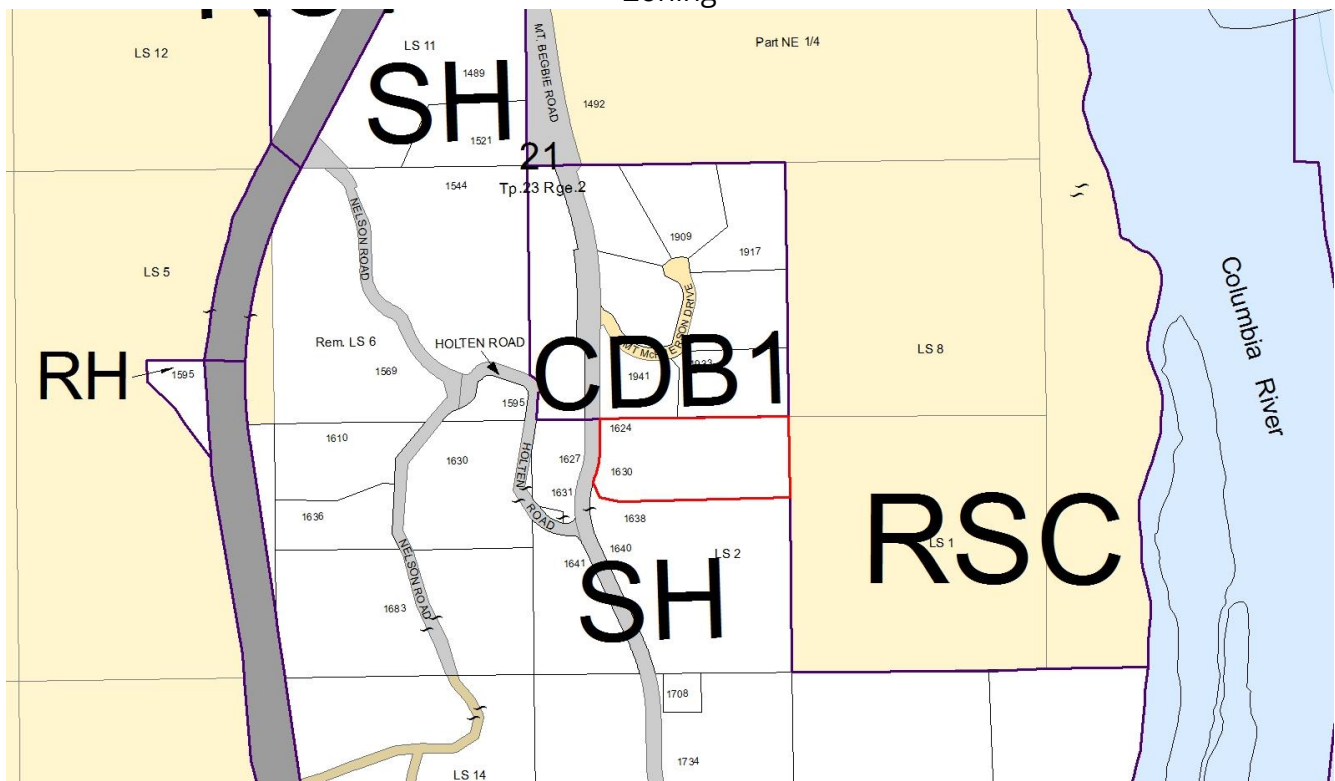
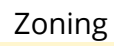
Facing south at the owner's house



Facing south from the side of the owner's house

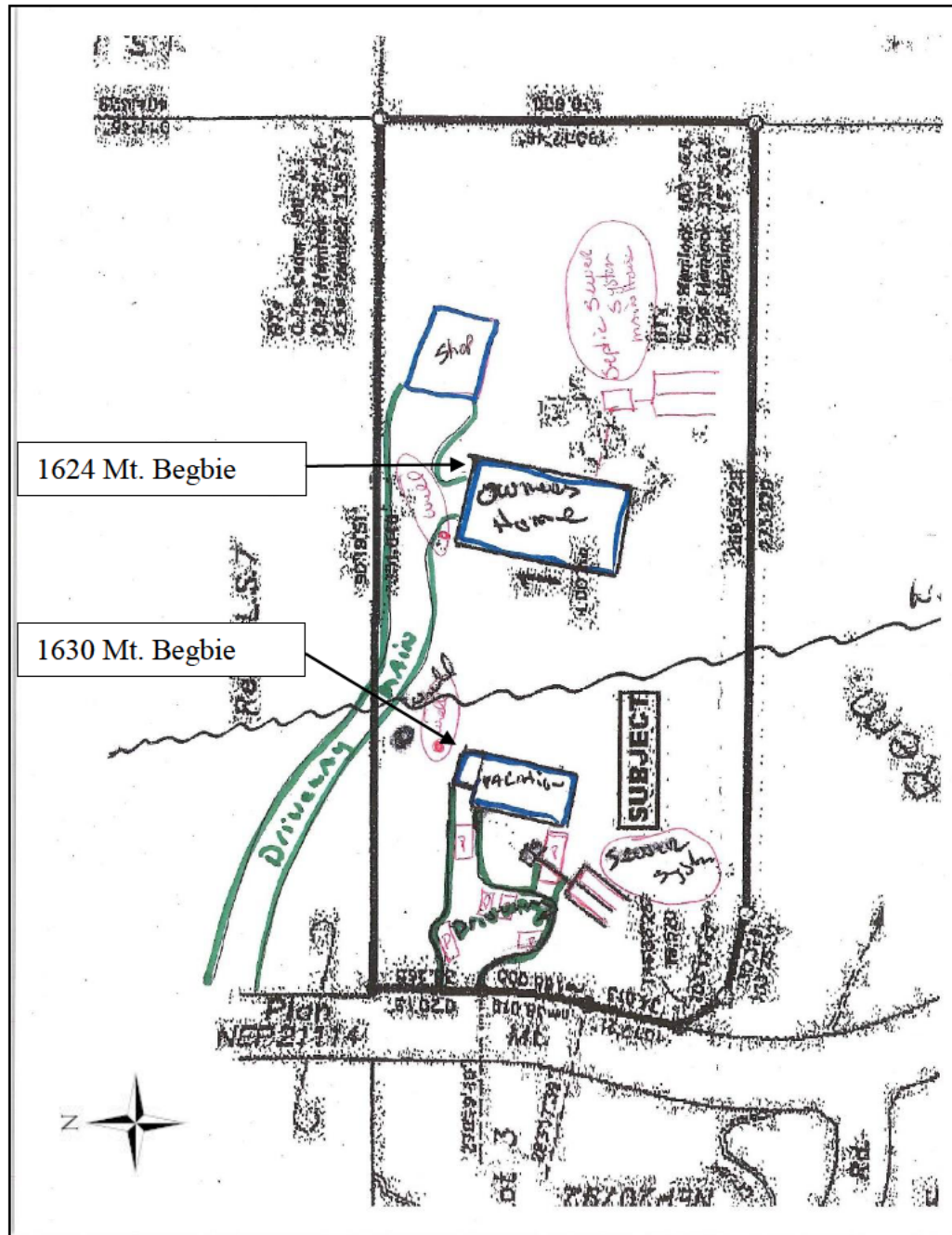
## Location







Site Plan



Orthophoto





Photos



Facing east at the vacation rental house



Facing east from the driveway to the owner's house





Facing south at the owner's house



Facing south from the side of the owner's house



# BOARD REPORT

**TO:** Chair and Directors

**File No:** DVP701-89  
PL20190000071

**SUBJECT:** Electoral Area C: Development Variance Permit 701-89

**DESCRIPTION:** Report from Christine LeFloch, Planner II, dated May 29, 2019.  
3230 Berke Road, Blind Bay.

**RECOMMENDATION** THAT: in accordance with Section 498 of the Local Government Act, Development Variance Permit 701-89 for Lot 16, Section 30, Township 22, Range 10, West of the 6<sup>th</sup> Meridian, Kamloops Division Yale District, Plan KAP56039, varying South Shuswap Zoning Bylaw No. 701 as follows:

1. Section 7.2.5 Minimum setback from an interior side parcel line from 2 m to 0 m only for the existing single family dwelling and attached deck; and
2. Section 3.5.8 Minimum setback from an interior side parcel line from 1 m to 0 m only for the eaves and gutters of the existing single family dwelling and attached deck;

be approved this 20<sup>th</sup> day of June, 2019;

AND THAT: issuance of Development Variance Permit 701-89 be subject to registration of an easement over a portion of Lot 15, Section 30, Township 22, Range 10, West of the 6<sup>th</sup> Meridian, Kamloops Division Yale District, Plan KAP56039, to include the encroaching portions of the existing single family dwelling and attached deck plus an additional 2 metres along the west side of the structure, and the easement wording is to include provisions for a 2 m building setback from the western edge of the easement to maintain the zoning setback standards for future development of Lot 15.

## SHORT SUMMARY:

The applicant would like to resolve a building encroachment that occurred prior to his purchase of the subject property (Lot 16). The western side of the existing single family dwelling constructed on Lot 16 is encroaching 5 m onto Lot 15 and the deck attached to the single family dwelling is encroaching 6.9 m onto Lot 15. The applicant purchased Lot 15 after learning that the single family dwelling and attached deck encroach onto that property. The applicant is requesting variances to allow these structures to be sited at 0 m from the interior side lot line and is offering to register an easement over Lot 15 to allow the structure to remain in its current location, as shown on the easement plan (included in the attached document Maps\_Plans\_Photos\_DVP701-89.pdf).

## VOTING:

Unweighted  
Corporate

☐

LGA Part 14  
(Unweighted)

☒

Weighted  
Corporate

☐

Stakeholder  
(Weighted)

☐

## BACKGROUND:

## REGISTERED OWNER(S):

Svend Lojstrup

## APPLICANT:

Cates Ford EPP Barristers and Solicitors c/o Morgan R. Elander

## AGENT:

Morgan R. Elander

## ELECTORAL AREA:

C

## LEGAL DESCRIPTION:

Lot 16, Section 30, Township 22, Range 10, West of the 6<sup>th</sup> Meridian, Kamloops Division Yale District, Plan KAP56039

## PID:

023-292-687

## CIVIC ADDRESS:

3230 Berke Road, Blind Bay

## SURROUNDING LAND USE PATTERN:

North = Berke Road, Rural Residential

South = Rural Residential

East = Rural Residential

West = Rural Residential

## CURRENT USE:

Single family dwelling and attached deck on Lot 16 is encroaching onto Lot 15

## PROPOSED USE:

Resolve encroachment of single family dwelling through a Development Variance Permit and an easement over Lot 15 for the area of the encroachment and 2.0 m setback areas.

## PARCEL SIZE:

Lot 16 – 0.53 ha

Lot 15 – 0.6 ha

## PROPOSED PARCEL SIZE:

N/A

## DESIGNATION:

Electoral Area C Official Community Plan Bylaw No. 725

RR2 Rural Residential 2

## ZONE:

South Shuswap Zoning Bylaw No. 701

RR1 Rural Residential (.4 ha)

**PROPOSED DESIGNATION:**

N/A

**PROPOSED ZONE:**

N/A

**AGRICULTURAL LAND RESERVE:**

0%

**SITE COMMENTS:**

The subject property is located on Berke Road in the MacArthur Heights subdivision in Blind Bay. According to CSRD slope mapping the lot contains slopes between 35-50%. The steeper portions of the lot are well treed. Access to the property is on Lot 16 via Berke Road and other than the encroaching portions of the house Lot 15 remains undeveloped.

**SERVICING:**

The property is serviced by a septic system and MacArthur Heights Water System. The septic system is located on Lot 16 on the east side of the house.

**POLICY:**

Please see BL701\_BL725\_Excerpts\_DVP701-89.pdf, attached.

**FINANCIAL:**

There are no financial implications for the CSRD as a result of this application.

**KEY ISSUES/CONCEPTS:**

The owner of the subject property purchased Lot 16 in October of 2012. At that time the property was already developed with the existing house in its present location. It is noted that there was no building inspection in Electoral Area C at that time. The encroachment issue was not realized until 2016 at which time the owner purchased Lot 15.

In order to regularize and permit the encroachment the owner is seeking the following variances:

- Section 7.2.5 Minimum setback from the interior side parcel line from 2 m to 0 m only for the existing single family dwelling and attached deck; and
- Section 3.5.8 Minimum setback from the interior side parcel line from 1 m to 0 m only for the eaves and gutters of the existing single family dwelling and attached deck.

The owner has looked into other options for resolving the encroachment issue, including a boundary adjustment between the two parcels. However, there is a Statutory Building Scheme on title of both parcels along with 34 other lots in MacArthur Heights. This building scheme precludes subdivision, and because a boundary adjustment is considered to be a form of subdivision an application to adjust the boundary would entail obtaining consent from either the developer, or in their absence, all other owners

and mortgage holders within the building scheme. The other option considered was consolidation of Lots 15 and 16, which is combining the two lots to create one larger lot. Despite the encroachment there is still enough usable area on Lot 15 for another single family dwelling. Consolidating the lots would entail a loss of value to the owner, who would be able to sell the lot if the encroachment issue is resolved. For these reasons the owner has opted to apply for the above noted variances.

The owner has offered to register an easement over a portion of Lot 15 including the encroaching portions of the house plus an additional 2 metres along the west side. The easement wording would include provisions for a 2 m setback from the edge of the easement to maintain the zoning setback standards for future development of Lot 15. Registration of the easement would be included as a condition of DVP issuance.

**SUMMARY:**

Staff are recommending that DVP701-89 be approved for the following reasons:

- The proposed variances would permit a 0 m setback for the existing single family dwelling and attached deck located on Lot 16;
- The easement being offered would permit the encroachment of the existing single family dwelling and attached deck located on Lot 15 and establishes a 2 m setback as if the easement boundary were a lot line; and
- The applicant currently owns the subject property (Lot 16) and the adjacent Lot 15 which is the property most affected by the proposed variances.

**IMPLEMENTATION:**

If Development Variance Permit 701-89 is approved by the Board, staff will notify the applicant of the conditional approval. Once the applicant provides documentation to the CSRD showing registration of the easement, staff will prepare a notice to be sent to the Land Titles and Survey Authority for registration of the DVP on title.

**COMMUNICATIONS:**

Notice of the proposed Development Variance Permit has been sent to all owners of property lying within 100 m of the subject property in accordance with Section 499 of the Local Government Act advising of the opportunity to comment on the proposed variances.

This application was sent to the Electoral Area C Advisory Planning Commission (APC) for review. The APC recommended approval of the proposed variances.

**DESIRED OUTCOMES:**

The Board approve 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

**Report Approval Details**

Document Title:	2019-06-20_Board_DS_DVP701-89_Lojstrup.docx
Attachments:	<ul style="list-style-type: none"><li>- DVP 701-89.pdf</li><li>- BL701_BL725_Excerpts_DVP701-89.pdf</li><li>- Maps_Plans_Photos_DVP701-89.pdf</li></ul>
Final Approval Date:	Jun 7, 2019

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



**Corey Paiement - Jun 7, 2019 - 9:59 AM**



**Gerald Christie - Jun 7, 2019 - 1:07 PM**

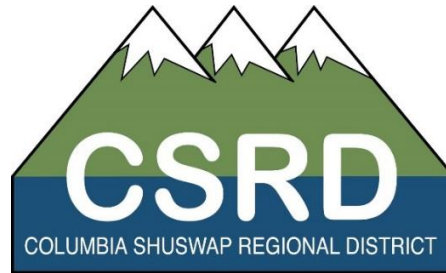
**No Signature - Task assigned to Lynda Shykora was completed by assistant Jennifer Sham**

**Lynda Shykora - Jun 7, 2019 - 1:24 PM**



**Charles Hamilton - Jun 7, 2019 - 3:13 PM**





DEVELOPMENT VARIANCE PERMIT NO. 701-89

OWNERS: Svend Lojstrup



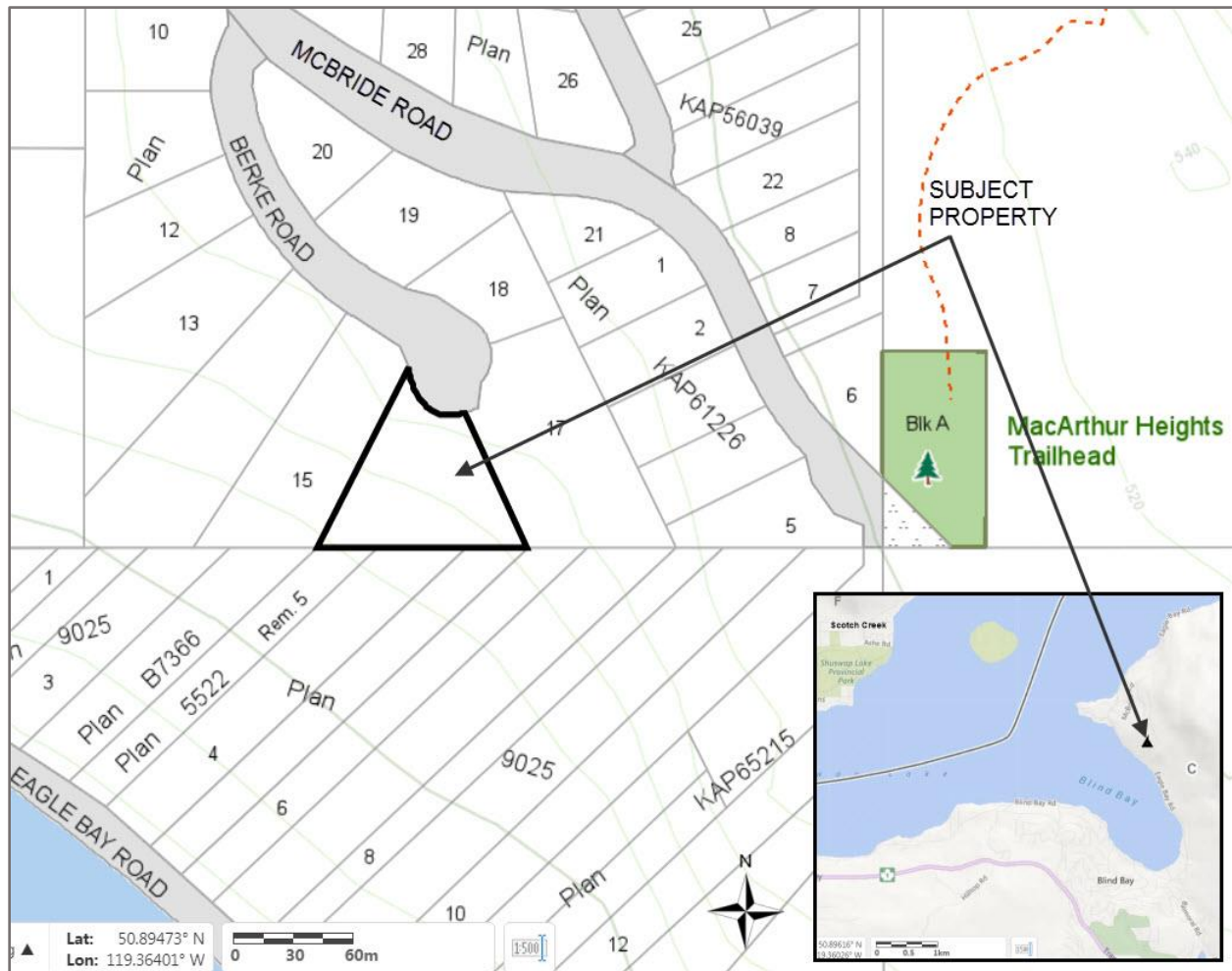
1. This permit applies only to the land described below:  
  
Lot 16, Section 30, Township 22, Range 10, W6M, KDYD, Plan KAP56039, which property is more particularly shown outlined in bold on the map attached hereto as Schedule 'A'.
2. The South Shuswap Zoning Bylaw No. 701, is hereby varied as follows:  
  
Section 7.2.5 Minimum setback from an interior side parcel boundary from 2 m to no less than 0 m only for the existing single family dwelling and attached deck; and  
  
Section 3.5.8 Minimum setback from an interior side parcel boundary from 1 m to 0 m only for the eaves and gutters of the existing single family dwelling and attached deck;  
  
as more particularly shown on the site plan attached hereto as Schedule 'B'.
3. This is NOT a building permit.

AUTHORIZED AND ISSUED BY RESOLUTION of the Columbia Shuswap Regional District Board on the \_\_\_\_\_ day of \_\_\_\_\_, 2019.

\_\_\_\_\_  
DEPUTY CORPORATE OFFICER

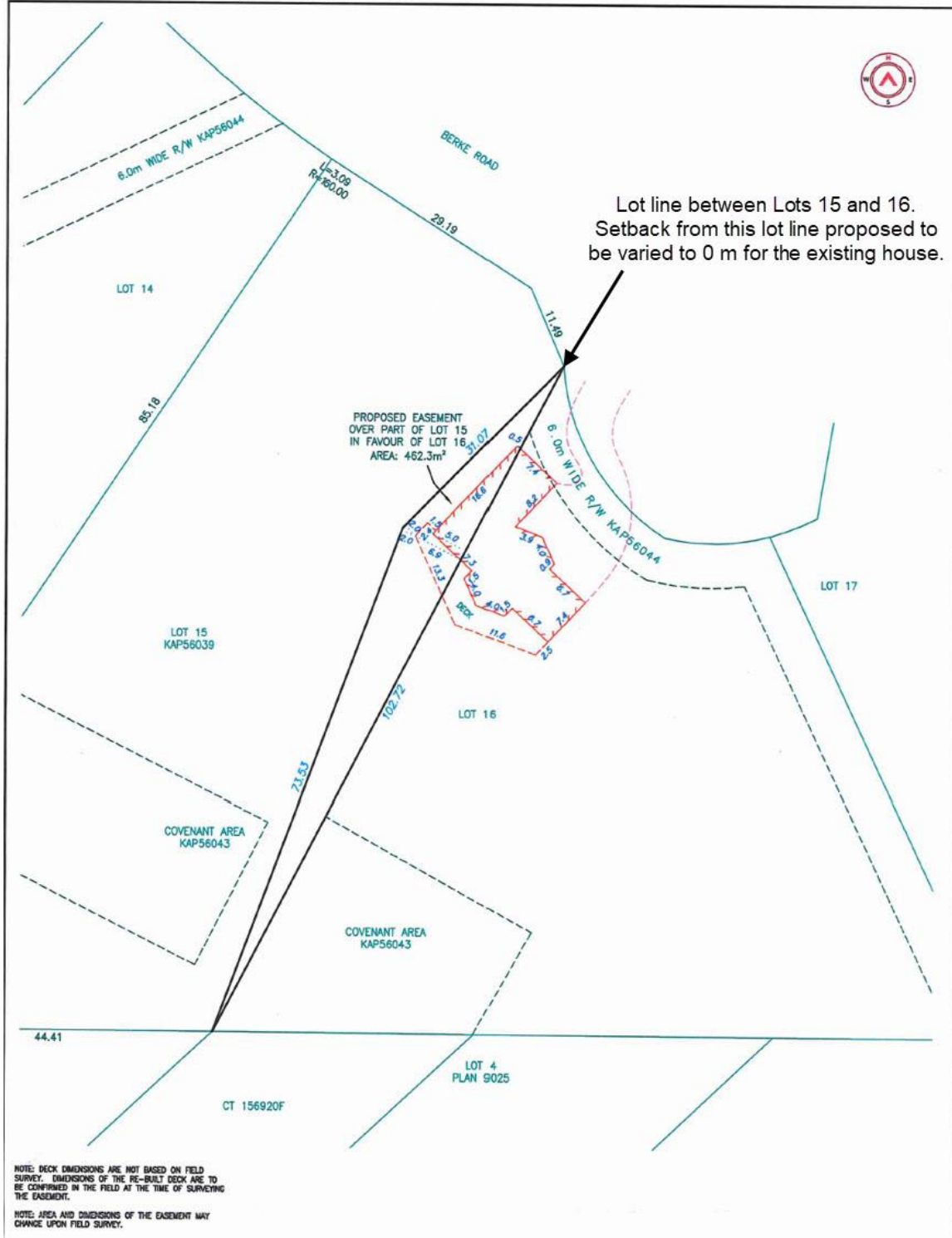
NOTE: Subject to Section 504 of the Local Government Act, if the development of the subject property is not substantially commenced within two years after the issuance of this permit, the permit automatically lapses.

**COLUMBIA SHUSWAP REGIONAL DISTRICT**  
**Development Variance Permit 701-89**  
**Schedule 'A'**



**COLUMBIA SHUSWAP REGIONAL DISTRICT**  
**Development Variance Permit 701-89**  
 Schedule 'B'

Sketch Plan of house siting and proposed easement



**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**

3.4 Residential

3.4.1 Policies

.2 Residential development is subject to the following land use designations, housing forms and maximum densities:

Land Use Designation	Housing Form	Maximum Density
Medium Density (MD)	Detached	5 units/ac (1 unit/0.2 ac) 12 units/ha (1 unit/0.08 ha)
	Semi-detached	8 units/ac (1 unit/0.13 ac) 20 units/ha (1 unit/0.05 ha)
	Townhouse	12 units/ac (1 unit/0.13 ac) 30 units/ha (1 unit/0.03 ha)
Neighbourhood Residential (NR)	Detached, Semi-detached	2 units per 1 acre (1 unit/0.2 ha)
Country Residential (CR)	Detached, Semi-detached	1 unit per 1 acre (0.4 ha)
Rural Residential (RR)	Detached, Semi-detached	1 unit per 2.5 acres (1 ha)
Rural Residential 2 (RR2)	Detached, Semi-detached	1 unit per 5 acres (2 ha)
Small Holdings (SH)	Detached, Semi-detached	1 unit per 10 acres (4 ha)
Medium Holdings (MH)	Detached, Semi-detached	1 unit per 20 acres (8 ha)
Large Holdings (LH)	Detached, Semi-detached	1 unit per 25 acres (10 ha)
Rural Holdings (RH)	Detached, Semi-detached	1 unit per 148 acres (60 ha)

**South Shuswap Zoning Bylaw No. 701**

**Section 1 – Definitions**

PARCEL LINE means any boundary of a parcel.

PARCEL LINE, INTERIOR SIDE means a parcel line other than a front parcel line or a rear parcel line which is not common to a highway other than a lane.

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:

.8 eaves and gutters, provided they are not closer than 1 m from any parcel line.

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## RR1 - RURAL RESIDENTIAL ZONE (4000 m<sup>2</sup>)

## SECTION 7

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### Purpose

*The purpose of the RR1 zone is to accommodate rural, low density, single family residential uses.*

### Permitted Uses

7.1 The following uses and no others are permitted in the RR1 zone:

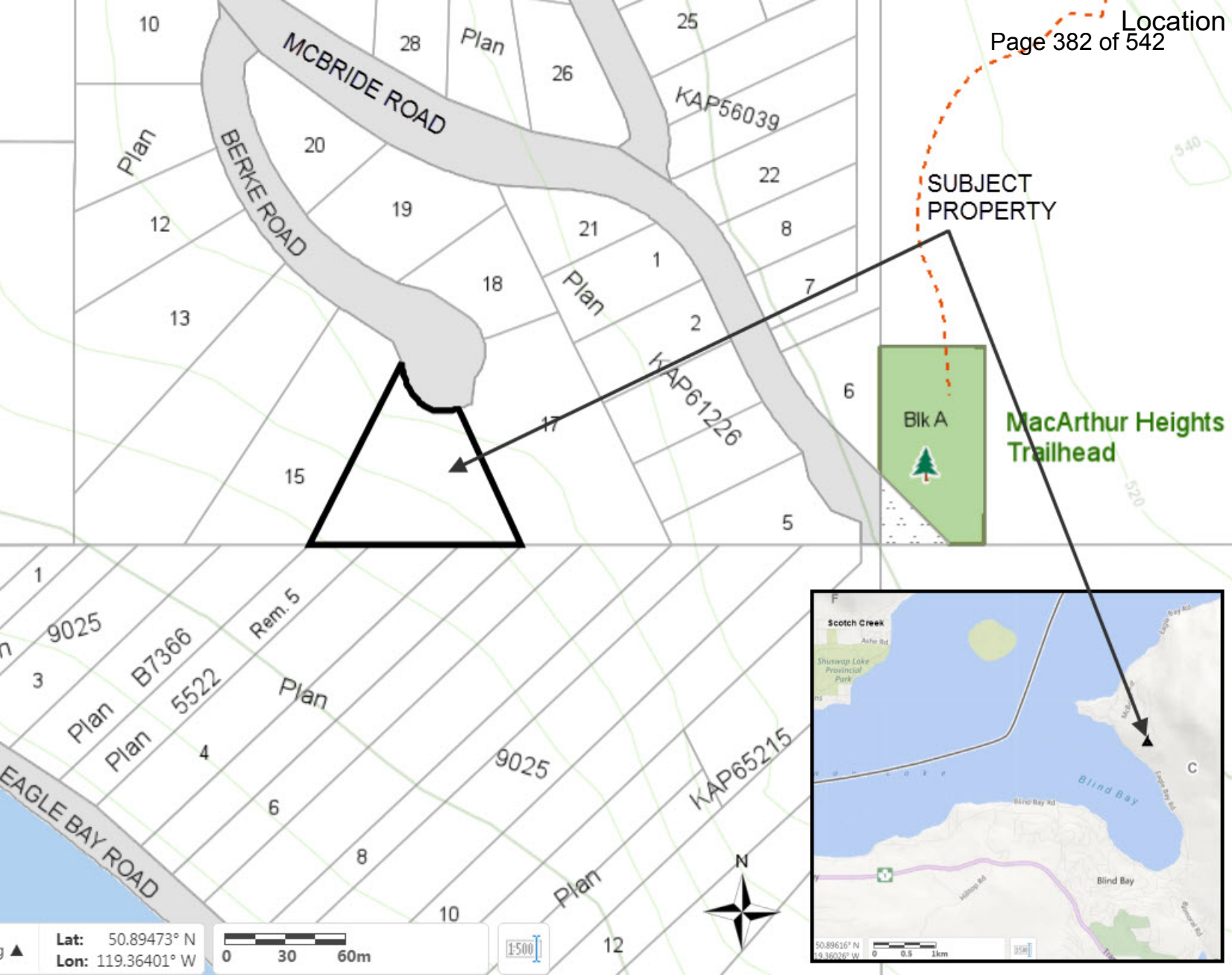
- .1 single family dwelling;
- .2 cottage, permitted only on parcels greater than 4,000 m<sup>2</sup>;
- .3 bed and breakfast;
- .4 home business;
- .5 accessory use.

### Regulations

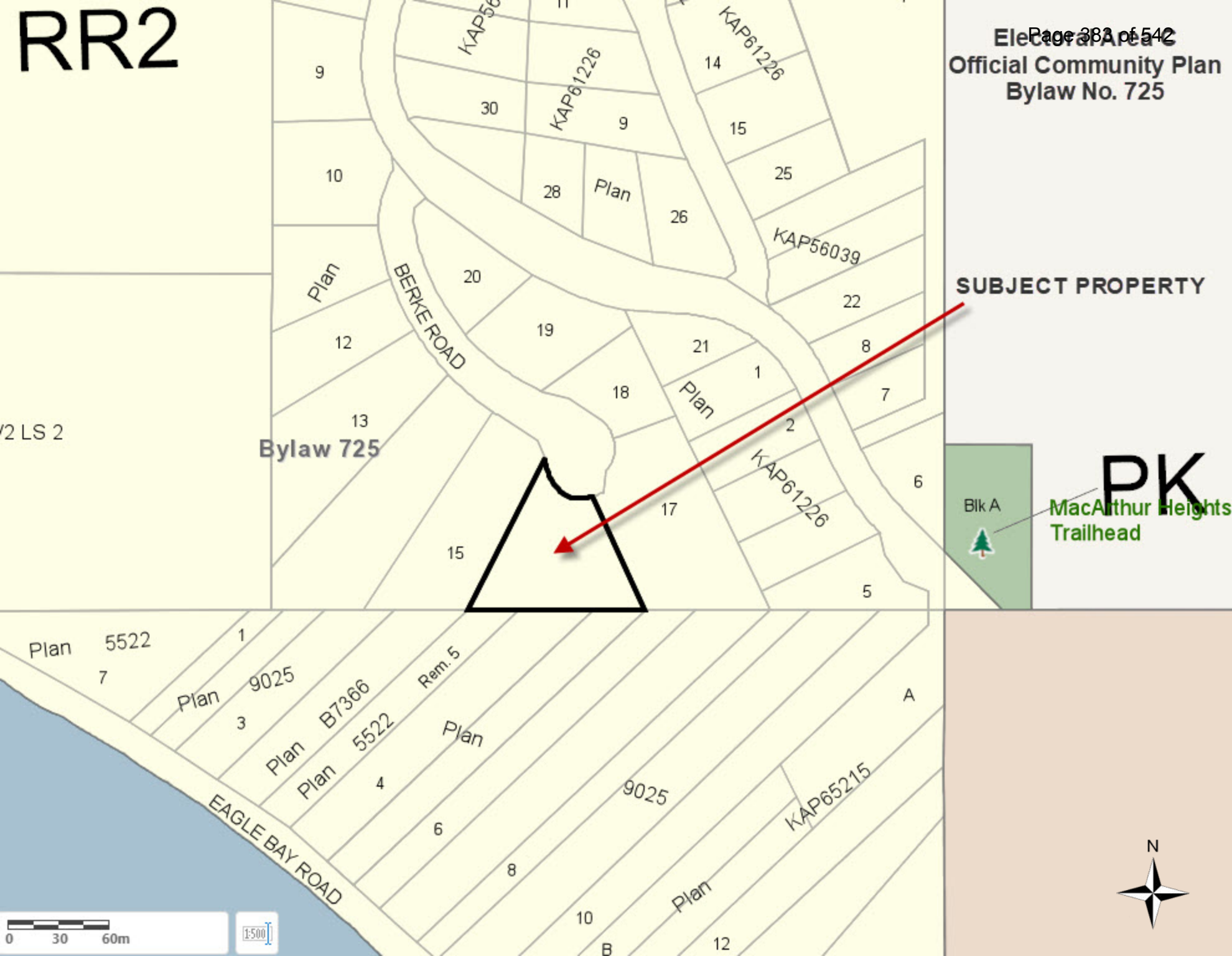
7.2 On a parcel zoned RR1, no building or structure shall be constructed, located or altered and no plan of subdivision approved which contravenes the regulations established in the table below in which Column I sets out the matter to be regulated and Column II sets out the regulations.

COLUMN I MATTER TO BE REGULATED		COLUMN II REGULATIONS
.1	Minimum Parcel Size for New Subdivisions	1 ha
.2	Maximum Number of Single Family Dwellings Per Parcel	1
.3	Maximum Number of Cottages Per Parcel	1
.4	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>10 m (32.81 ft.)</li> <li>6 m (19.69 ft.)</li> </ul>
.5	Minimum Setback from: <ul style="list-style-type: none"> <li>front parcel line</li> <li>exterior side parcel line</li> </ul>	5 m 4.5 m

	<ul style="list-style-type: none"> <li>• interior side parcel line</li> <li>• rear parcel line</li> </ul>	2 m 5 m
.6	Maximum Coverage on Parcels Less than 4000 m <sup>2</sup>	40 %







SUBJECT PROPERTY

Bylaw 725

PK

MacArthur Heights Trailhead



RR1

Bylaw 701 -  
South Shuswap

SUBJECT PROPERTY

Blk A

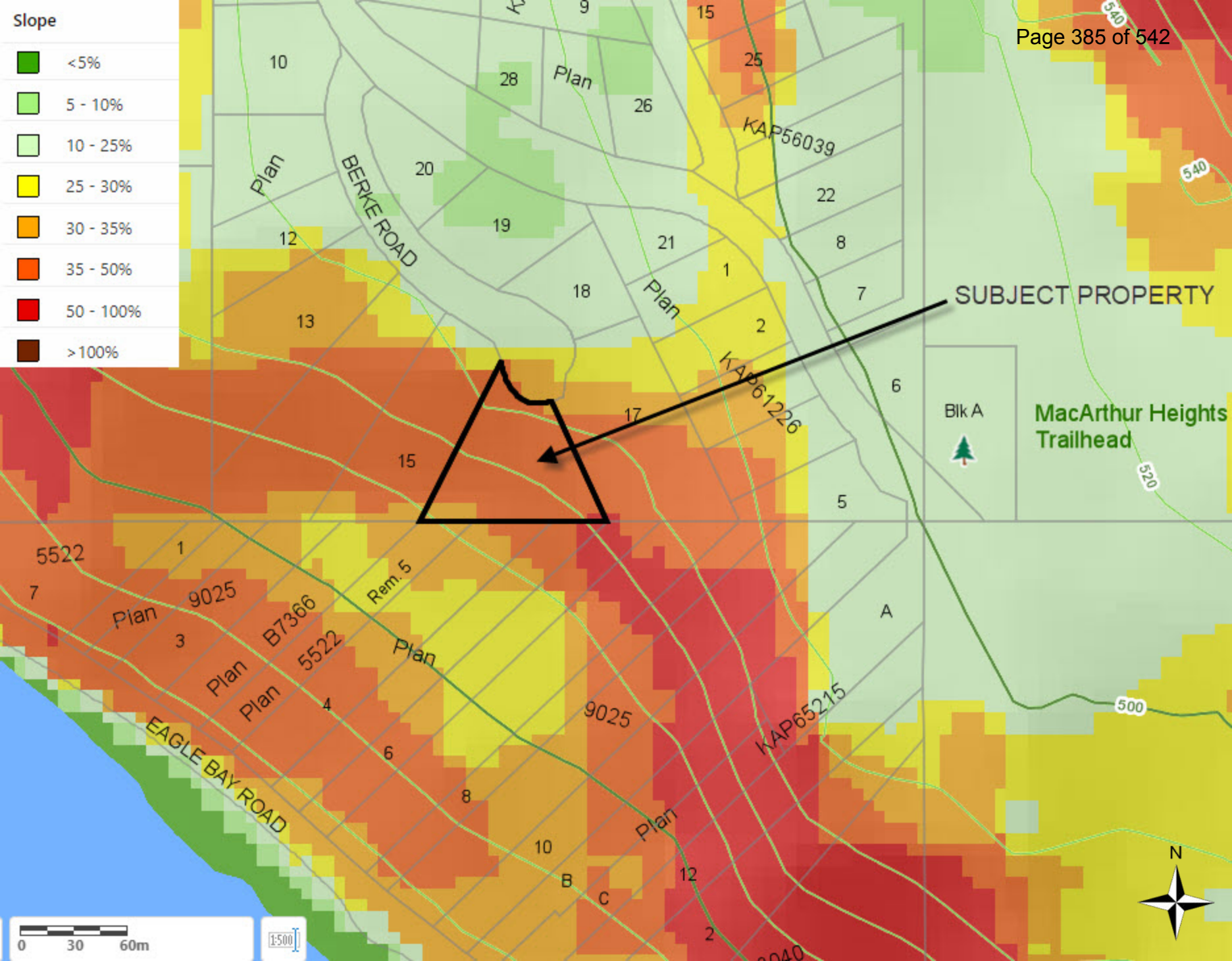
MacArthur Heights  
Trailhead

FR1



1:500







18

2018 Orthophoto

17

15



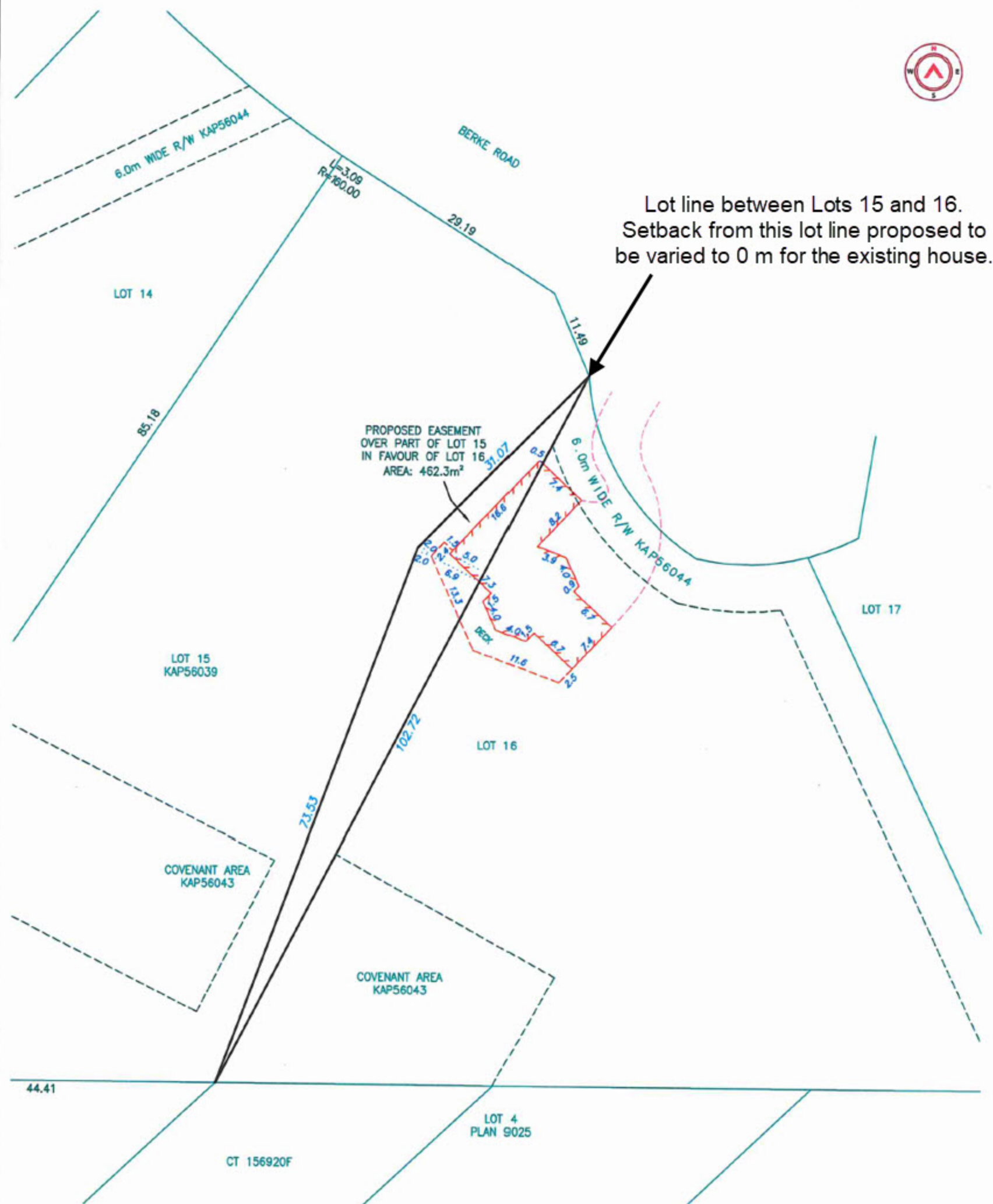








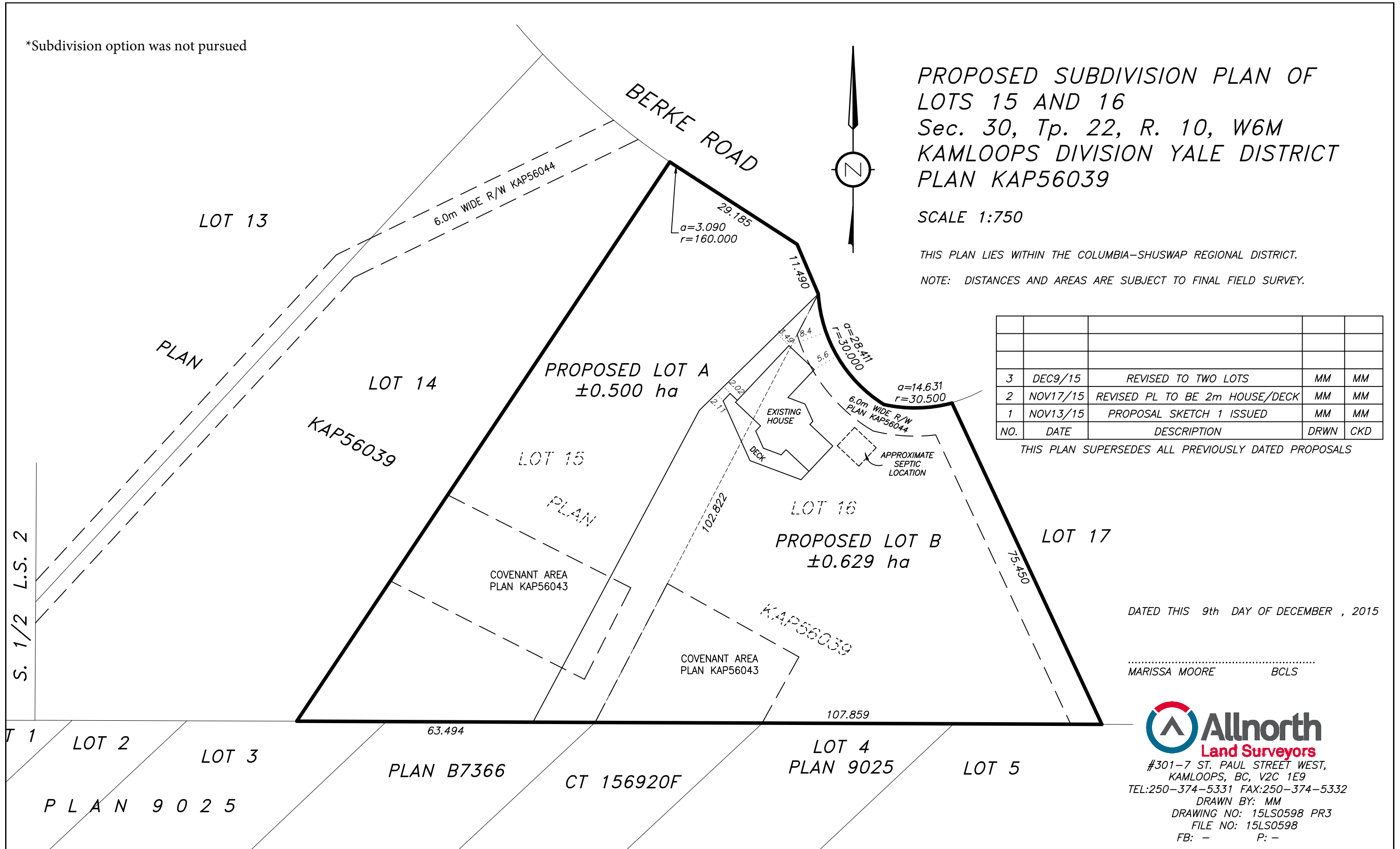
3230 Berke Road  
Google Streetview May 2012



NOTE: DECK DIMENSIONS ARE NOT BASED ON FIELD SURVEY. DIMENSIONS OF THE RE-BUILT DECK ARE TO BE CONFIRMED IN THE FIELD AT THE TIME OF SURVEYING THE EASEMENT.

NOTE: AREA AND DIMENSIONS OF THE EASEMENT MAY  
CHANGE UPON FIELD SURVEY.

\*Subdivision option was not pursued







# BOARD REPORT

**TO:** Chair and Directors

<b>File No:</b> DVP2500-17 PL2019019
---

**SUBJECT:** Electoral Area D: Development Variance Permit No. 2500-17

**DESCRIPTION:** Report from Candice Benner, Planner II, dated May 27, 2019.  
5781 Highway 97, Falkland

**RECOMMENDATION:** THAT: in accordance with Section 498 of the Local Government Act, Development Variance Permit No. 800-32 for Lot 4, Block 7, Section 2, Township 18, Range 12, W6M, KDYD, Plan 1295, varying Salmon Valley Land Use Bylaw No. 2500, as follows:

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,

be approved for issuance this 20<sup>th</sup> day of June, 2019.

## SHORT SUMMARY:

As part of a bylaw amendment application (BL2559) for the subject property, the owners 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 require a Development Variance Permit (DVP).

The three proposed variances can only be considered for approval if BL2559 is adopted and the subject property is rezoned from C – Commercial to RS – Single and Two Family Residential.

---

<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:

**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

**DESIGNATION/ZONE:**

Salmon Valley Land Use Bylaw No. 2500

RS-Single and Two Family Residential

**CURRENT USE:**

Two-family dwelling and one accessory building.

**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:****Salmon Valley Land Use Bylaw No. 2500****2.7 RS Single and Two Family Residential****2.7.1 The following uses and no others are permitted in the area zoned as RS:**

- .1 single family dwelling;
- .2 two family dwelling;
- .3 home occupation;
- .4 accessory use.

**2.7.2 Regulations****.2 minimum siting of buildings, structures or uses from parcel lines:**

front parcel line:	6 metres;
rear parcel line:	5 metres;
side parcel line:	2 metres;

exterior side parcel line          4.5 metres

### **Development Variance Permit**

The application is to vary the Salmon Valley Land Use Bylaw No. 2500 as follows:

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.

### **FINANCIAL:**

There are no financial implications to the CSRD regarding this application.

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

As part of the rezoning application, 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 setback. 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 and require a DVP application for these structures to recognize the siting of the two-family dwelling.

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.

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 is currently in the process of moving the shed and will provide photo evidence to staff once it has been moved.

The property to the west that shares the parcel boundary for which this variance is for is currently vacant.

### **SUMMARY:**

Staff are recommending approval of this DVP for the following reasons:

- The two-family dwelling complies with the 2 m interior side parcel line setback except for the attached deck, stairs and storage shed which may be considered minor encroachments; and
- The variances should have minimal to no impact on surrounding properties; in particular the adjacent property to the west which is currently vacant.

### **IMPLEMENTATION:**

If this DVP is approved, the three existing encroachments will be compliant with zoning regulation.

### **COMMUNICATIONS:**

Notice of the proposed Development Variance Permit was sent to all owners of properties lying within 100 m of the subject property in accordance with Section 499 of the Local Government Act advising of the opportunity to comment on the proposed variances.

At this time there is no Advisory Planning Commission for Electoral Area D.

**DESIRED OUTCOMES:**

That the Board support the staff recommendation to approve issuance of DVP2500-17.

**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. Building Department Referral

**Report Approval Details**

Document Title:	2019-06-20_Board_DS_DVP2500-17_Desimone.docx
Attachments:	- DVP2500-17.pdf - Maps_Plans_Photos_DVP2500-17.pdf
Final Approval Date:	Jun 6, 2019

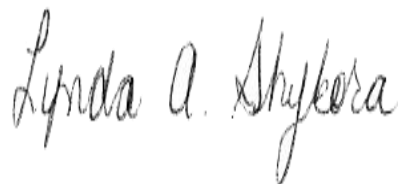
This report and all of its attachments were approved and signed as outlined below:



**Corey Paiement - Jun 4, 2019 - 12:58 PM**



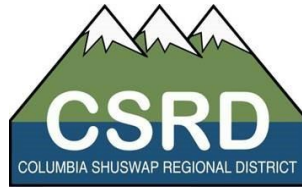
**Gerald Christie - Jun 5, 2019 - 3:03 PM**



**Lynda Shykora - Jun 6, 2019 - 11:29 AM**



**Charles Hamilton - Jun 6, 2019 - 3:19 PM**



DEVELOPMENT VARIANCE PERMIT NO. 2500-17

1. OWNERS: Stephen McMullen  
Lenae Desimone



*As joint tenants*

2. This permit applies only to the land described below:

Lot 4, Block 7, Section 2, Township 18, Range 12, West of the 6<sup>th</sup> Meridian, Kamloops Division Yale District, Plan 1295, which property is more particularly shown on the map attached hereto as Schedule A.

3. The Salmon Valley Land Use Bylaw No. 2500 is hereby varied as follows:

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.

As more particularly shown on the site plan attached hereto as Schedule B.

4. This is NOT a building permit.

AUTHORIZED AND ISSUED BY RESOLUTION of the Columbia Shuswap Regional District Board on the \_\_\_\_\_ day of \_\_\_\_\_, 2019.

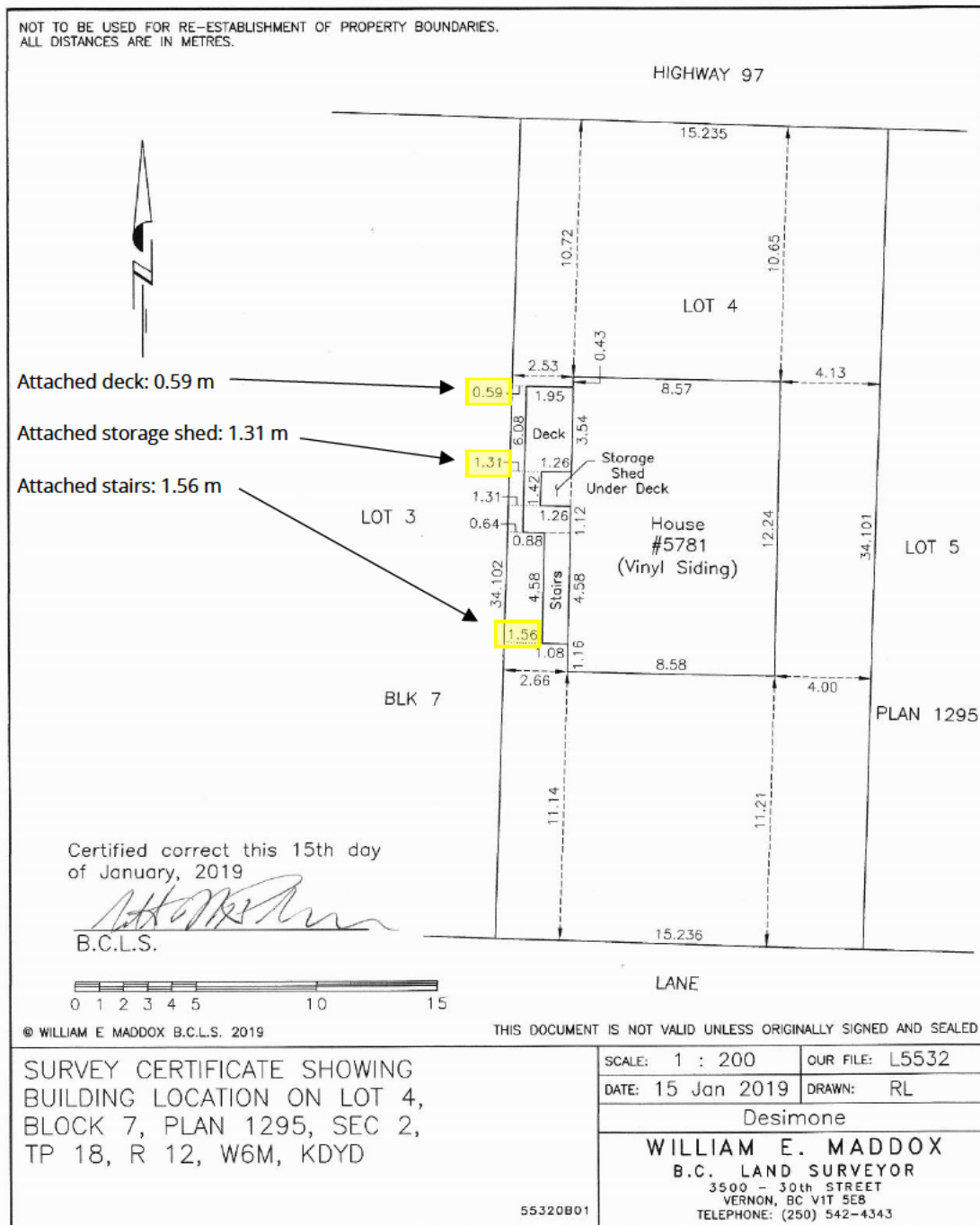
\_\_\_\_\_  
CORPORATE OFFICER

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.

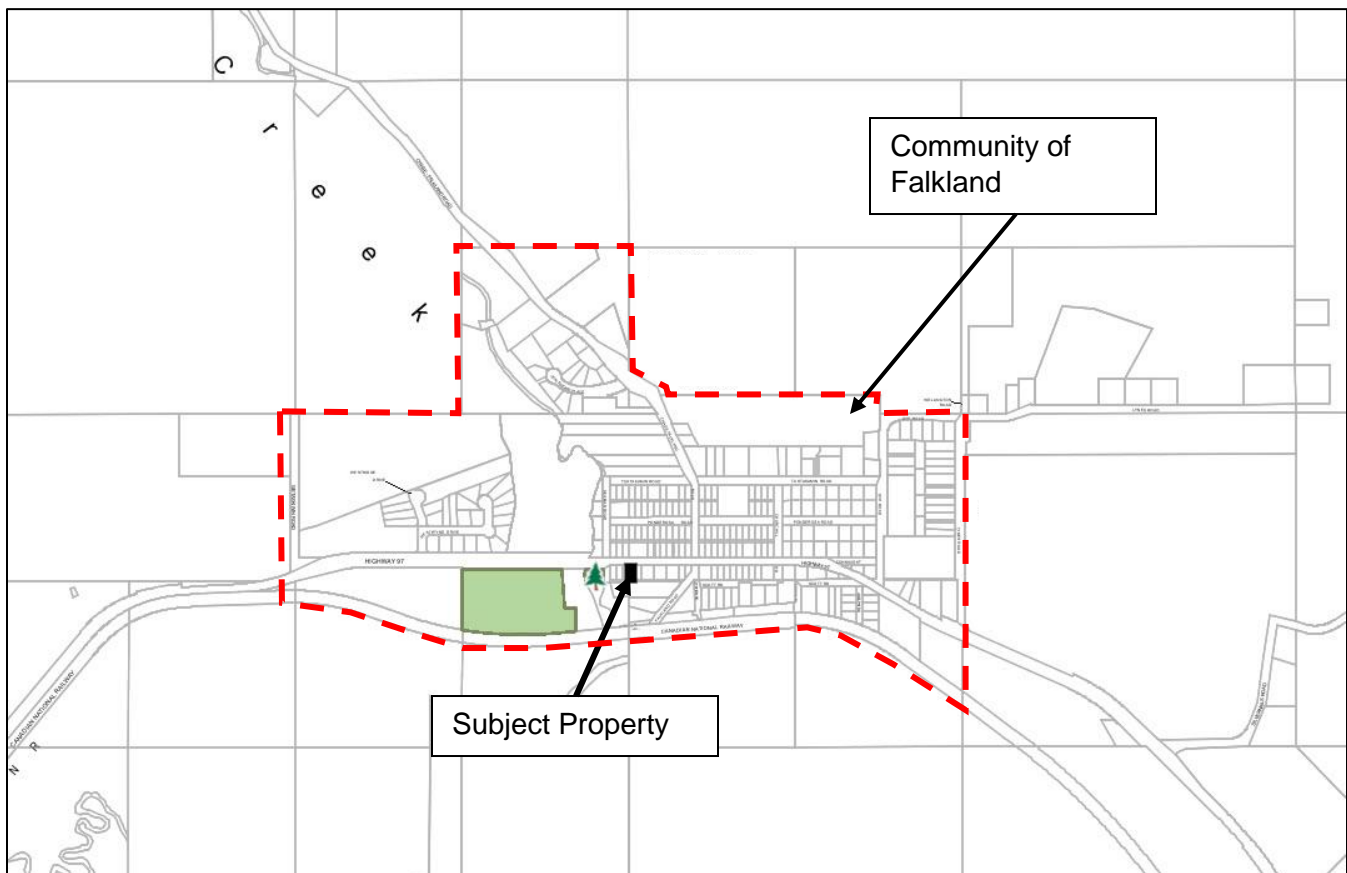
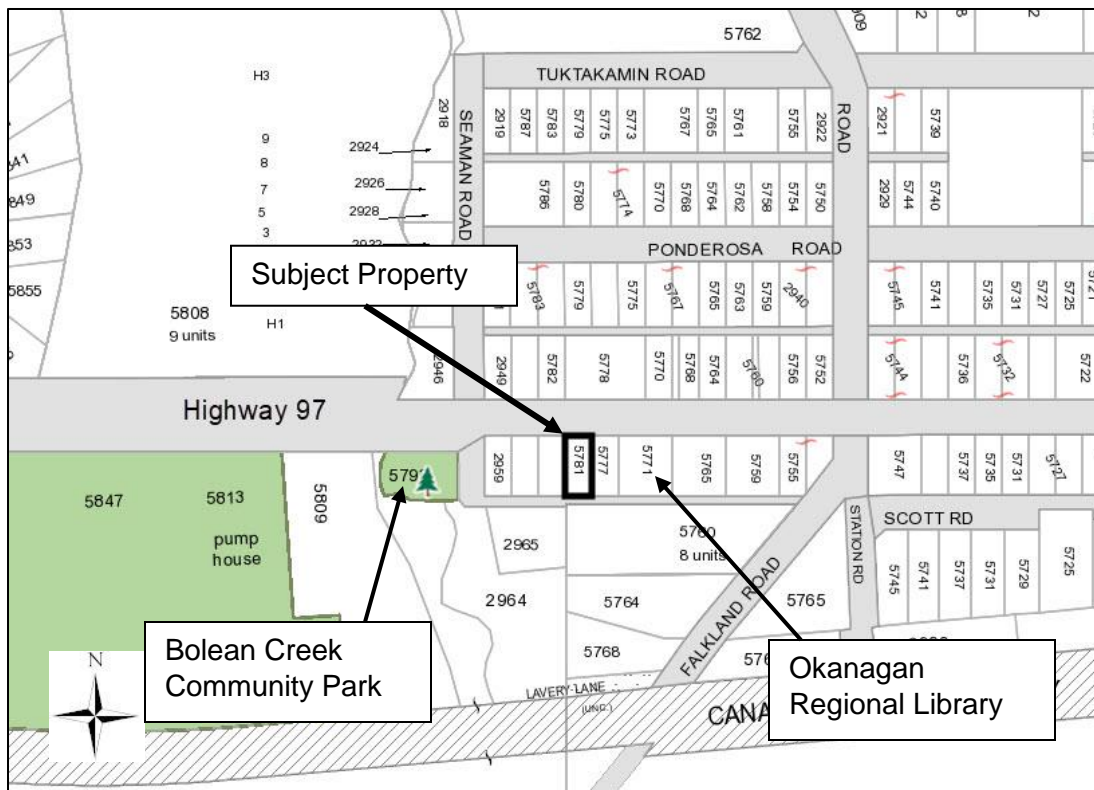
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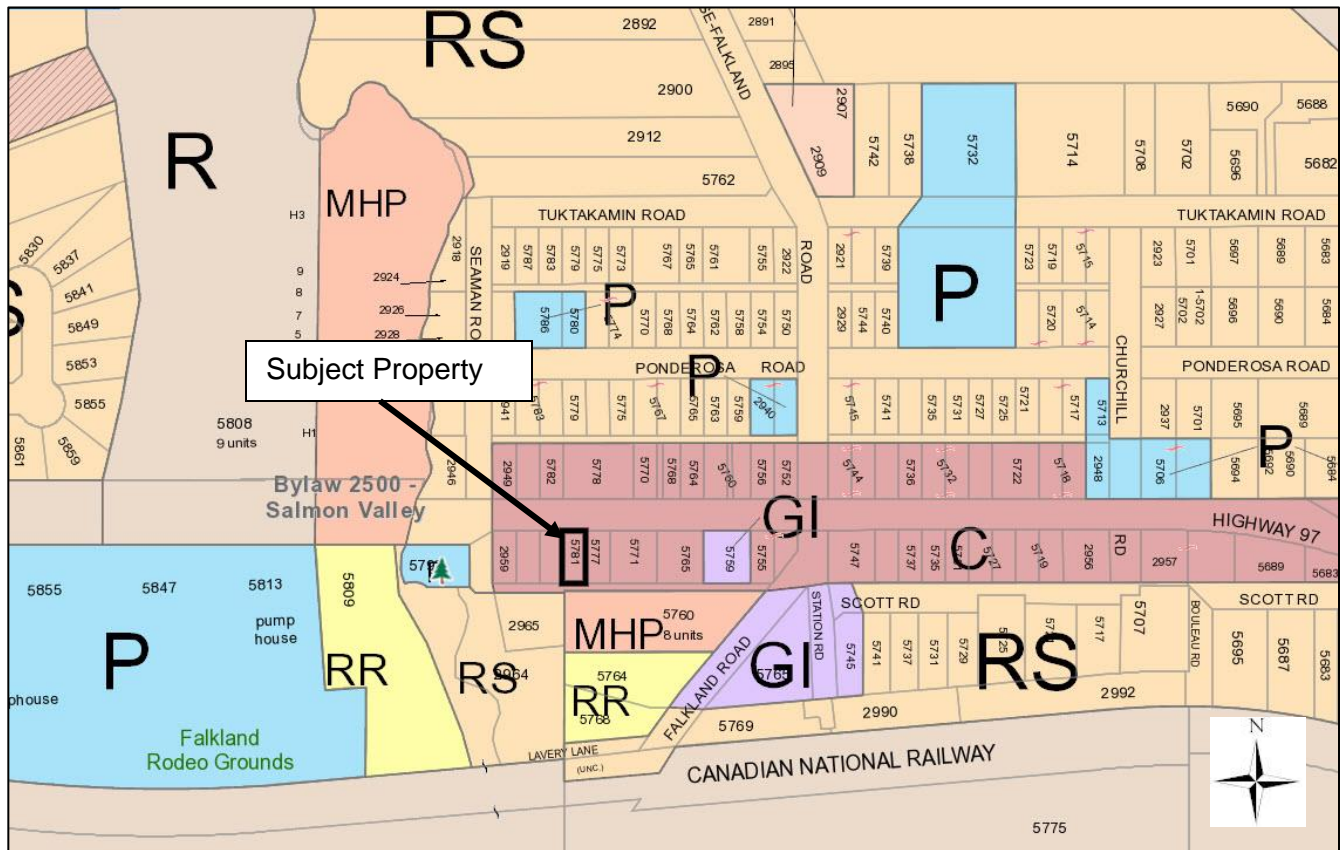
## Schedule B



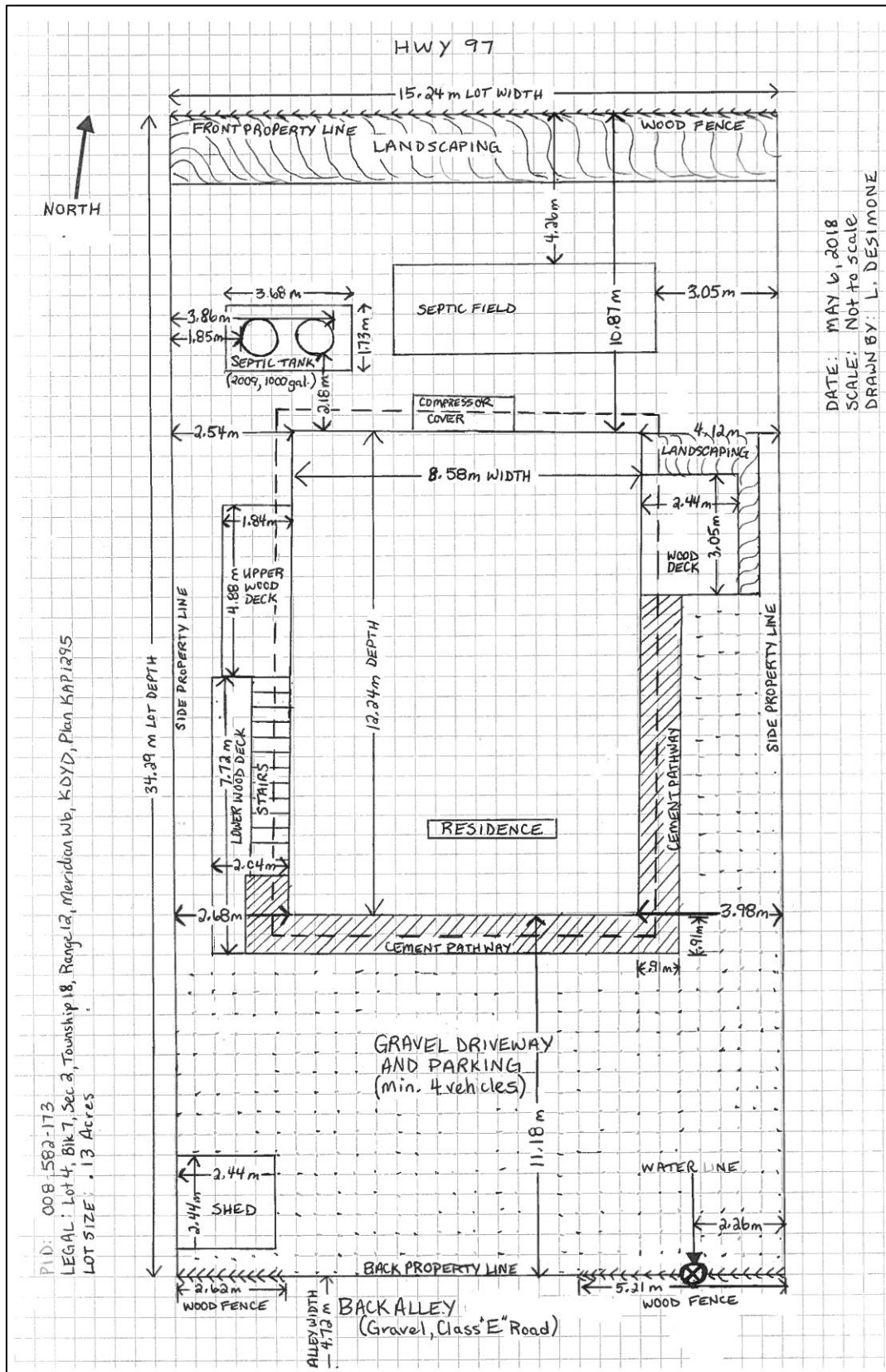
## Location



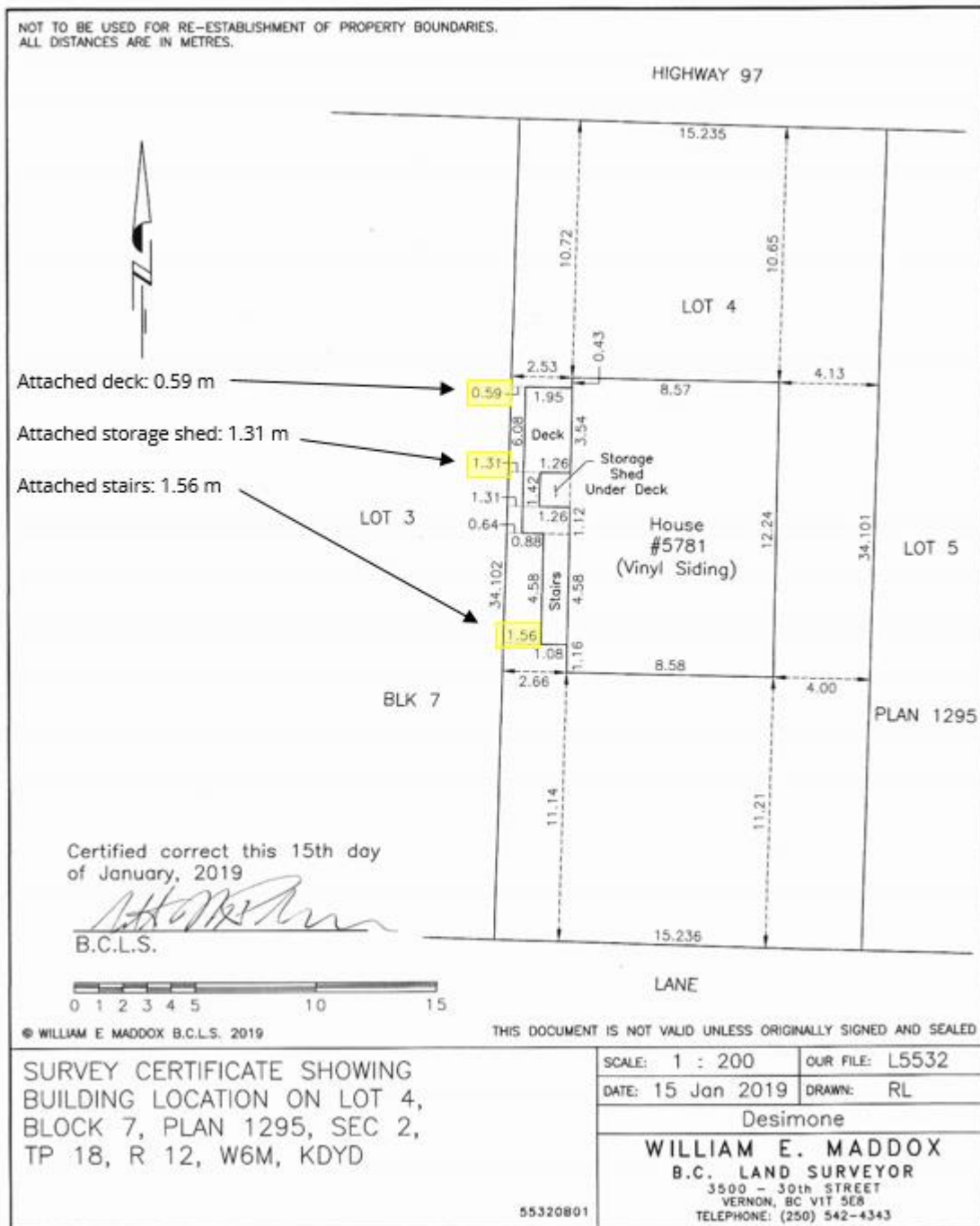
## OCP/Zone



## Site Plan



## Survey



Orthophotograph





Photos



View of subject property with two-storey two family dwelling, showing attached stairs, deck, and storage shed. Vacant lot to the right





# BOARD REPORT

**TO:** Chair and Directors

**File No:** DVP2000-75  
PL2019080

**SUBJECT:** Electoral Area E: Development Variance Permit No. 2000-75 (Adams et al)

**DESCRIPTION:** Report from Erica Hartling, Planner I, dated June 3, 2019.  
#7 1249 Bernie Road, Annis Bay

**RECOMMENDATION:** THAT: in accordance with Section 498 of the Local Government Act Development Variance Permit No. 2000-75 for Share 7 of Covenant Plan 41330 of Those Parts of Legal Subdivision 13 of Section 17, and Legal Subdivision 16 of Section 18 Lying to the South of the South Bank of the Salmon Arm of Shuswap Lake, Township 21, Range 8, West of the 6<sup>th</sup> Meridian, Kamloops Division Yale District, varying Rural Sicamous Land Use Bylaw No. 2000 as follows:

- Section 2.14(2)(b) Minimum setback from the north interior side parcel line (adjacent to Shuswap Lake) from 2 m to 0 m only for the cabin's attached upper and lower deck and the existing concrete retaining wall with attached stairs;

be approved for issuance this 20<sup>th</sup> day of June, 2019.

## SHORT SUMMARY:

The subject property is located at #7 1249 Bernie Road in the Annis Bay area of Electoral Area E, and is waterfront to Shuswap Lake. The property currently contains a cabin with an upper and lower deck with a set of stairs, as well as an existing concrete retaining wall with attached stairs. The owners are currently replacing the existing deck and stairs. The applicant has applied for a Development Variance Permit to vary the interior side parcel boundary setback of 2.0 m to 0 m for the proposed reconstruction of the upper and lower deck and to recognise the location of the existing retaining wall and stairs.

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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):  
Simon Adams, Michael Davis, Amy Johnson, Sarah Lucas

APPLICANT: Simon Adams

ELECTORAL AREA:  
E

LEGAL DESCRIPTION:

Share 7 of Covenant Plan 41330 of Those Parts of Legal Subdivision 13 of Section 17, and Legal Subdivision 16 of Section 18 Lying to the South of the South Bank of the Salmon Arm of Shuswap Lake, Township 21, Range 8, West of the 6<sup>th</sup> Meridian, Kamloops Division Yale District.

**PID:**

001-832-786

**CIVIC ADDRESS:**

#7, 1249 Bernie Road

**SURROUNDING LAND USE PATTERN:**

North: Annis Bay of Shuswap Lake

South: CPR RoW

East: Shared interest seasonal cabins

West: Shared interest seasonal cabins

**CURRENT USE:**

Three storey single family dwelling (i.e. seasonal cabin) with attached upper and lower deck with stairs and a concrete retaining wall with stairs along the foreshore.

**PROPOSED USE:**

Usage of the property will not change. The owners propose to replace the existing upper and lower deck with a new deck and stairs. As with the old deck, the new deck will sit atop the pre-existing concrete slab, which is located behind a pre-existing poured concrete retaining wall that is adjacent to Shuswap Lake.

**PARCEL SIZE:**

Total Shared Lot: 3.65 ha

Share Interest # 7: Approx. 400 m<sup>2</sup>

**DESIGNATION:**

Rural Sicamous Land Use Bylaw No. 2000

MD – Medium Density Residential

**ZONE:**

Rural Sicamous Land Use Bylaw No. 2000

MSR - Multi-Single Family Residential Zone

**SITE COMMENTS:**

See "Maps\_Plans\_Photos\_DVP2000-75.pdf" attached.

The subject property (Lot 7) is waterfront to Shuswap Lake (Annis Bay) and is located within a shared interest parcel, Lakemount Shuswap Recreation Ltd.. Lot 7 currently contains a seasonal three storey cabin in the central portion of the property. The cabin contains an attached upper and lower deck with a set of stairs that are currently under construction on the north side of the cabin. The owners have since stopped construction of these structures and have applied for the required permits; they are now working on a building permit, development variance permit and floodplain exemption.

There is an existing concrete slab that is located below the proposed lower deck that extends for 3.75 m from the retaining wall on the foreshore of the property to the front foundation wall of the house. Five concrete blocks that are approximately 0.1 m in height are situated on the slab and elevate the joists of the lower deck. The front portion of the upper deck is supported by three wooden posts founded on the surface of the lower deck, while the rear portion of the proposed upper deck is supported by three wooden posts founded on the front foundation wall of the house. The stairs are founded on the surface of the lower deck and provide access to the upper deck. See site photos showing the decks and stairs under construction in the attached "Maps\_Plans\_Photos\_DVP2000-75.pdf".

An existing concrete retaining wall is located along the foreshore of the property, to protect against foreshore erosion and retrogression and to retain the yard. A set of concrete stairs is present in the northwest corner of the deck providing access from the deck to the foreshore. A second Allan block retaining wall is located to the west of the existing cabin and retains the landscaped yard.

**POLICY:****Rural Sicamous Land Use Bylaw No. 2000 (Bylaw No. 2000)**

See "BL2000 \_Excerpts\_DVP2000-75.pdf" attached.

- Multi-Single Family Residential Zone
- Setback Exceptions
- Definitions
- Floodplain Regulations

**Building Regulation Bylaw No. 660**

The proposed deck and stairs require a building permit (after-the-fact), which the applicant has applied for and is actively working on with the CSRD Building Official.

**FINANCIAL:**

The development variance permit application is the result of an enquiry and not Bylaw Enforcement action. Once the owners became aware of the required permits they stopped work and applied for a building permit, development variance permit, and floodplain exemption. There are no financial implications to the CSRD with regard to this application at this time. However, as the proposed development is currently under construction, if the Board does not issue the Development Variance Permit No. 2000-75 and the owners do not bring the proposed upper and lower deck into compliance with the setback regulations, staff will consider initiating Bylaw Enforcement action.

**KEY ISSUES/CONCEPTS:**

See "Maps\_Plans\_Photos\_DVP2000-75.pdf" attached.

The shared interest parcel is zoned MSR in Bylaw No. 2000. The parcel does not currently front on a highway or an access route in a bare land strata, and therefore the interior parcel line setback of 2.0 m applies to all parcel boundaries. The subject property has experienced erosion since the Natural Boundary was recorded in the Land Title Office with Covenant Plan 41330; and, as depicted on the surveyed site plan (See "Maps\_Plans\_Photos\_DVP2000-75.pdf" attached) the Lake Boundary is now at the toe of the concrete retaining wall and where the zoning setbacks are measured from.

The new upper deck and stairs are smaller in size and setback farther away from the lake and side parcel line (completely within the subject property boundaries) than the original structures, the original upper deck was slightly encroaching over the current property line. In addition, the new upper deck has

recently been cut back more than what was initially planned and then resurveyed (see attached photos and site plan). The upper deck is now 0.15 m (6 inches) shorter from what is shown in the attached site photos, as the applicant wanted to be certain that it is fully within their property boundaries.

The subject property's (Lot 7) existing structures (retaining wall and stairs) and proposed development (upper and lower deck) meet the permitted uses in the MSR zone but are sited around 0 – 0.15 m from the north interior side parcel line (adjacent to Shuswap Lake) and require a variance from 2 m to 0 m.

As the subject property (Lot 7) is within a shared interest parcel, the applicant has provided the CSRD with a letter from Lakemount Shuswap Recreation Ltd., who have stated that they are in support of the deck renovation on Share Lot 7. Neighbouring lots within the shared interest parcel and directly adjacent to Lot 7 have similar retaining walls and decks. As the subject property's development fronts Shuswap Lake, the proposed deck should have minimal visual impacts on the surrounding properties.

The applicant has noted that new upper and lower deck and stairs are to replace the original structures that were built in the 1990's, as the old deck and stairs were not built to BC Building Code. The owners are in the process of replacing the original structures as they consider them unsafe for their intended use. As previously noted in this report, the new upper and lower deck and stairs require a building permit to be issued by a CSRD Building Official. The structures will be required to meet the requirements of Building Bylaw No. 660 and the BC Building Code and the Building Official may require further information during the building permit application stage.

### **Floodplain Exemption**

Sections 2.3.4 (2) and (3) Bylaw No. 2000 establish the floodplain setbacks and flood construction levels. The applicant has applied for an exemption to the floodplain setback and construction level requirements of Bylaw No. 2000 for the location of the upper and lower deck with attached stairs and the existing concrete retaining wall with attached stairs.

In support of the exemption application process, a floodplain assessment report was provided. The report, dated March 12, 2019, was completed by Larissa Laderoute, GIT. and Rod Williams, P. Geo. of Onsite Engineering Ltd. In the report, the geoscientists summarize that based on the fact that the upper and lower deck and stairs are protected by the retaining wall (top of wall at 349.2 m asl) and the surface of the lower deck is elevated to 349.64 m asl, it is their opinion that the assessed moderate risk associated with a highwater event occurring on average every ten years overtopping the retaining wall and potentially inundating the upper and lower deck and stairs is likely tolerable. The consequences of a flood event are limited to minor damage (i.e., less than \$10,000) and are not considered life-threatening. As a result of these factors, it is the geoscientists' opinion that the upper and lower deck and stairs that are currently under construction on the property can be considered safe for their intended use with respect to flooding hazards presented by Shuswap Lake.

Staff are processing the floodplain exemption concurrently with the development variance permit. As part of the floodplain exemption application process and approval, the applicant is required to register a Section 219 Covenant on title. The covenant will notify future property owners of the floodplain regulations, flood hazard and assessment, and the issued floodplain exemption. The covenant will also save the CSRD harmless for any damages caused by flooding or erosion to the subject property or to any building, improvement, or other structure built and constructed on the property. Approval of technical permits such as these has been delegated to the Manager of Development Services. If the development variance permit is approved by the Board, the Manager will be able to consider issuing the floodplain exemption.

### **Riparian Areas Regulations**

The proposed development is within the Provincial 30 m riparian area measured from the high watermark of Shuswap Lake. Currently, the applicant is not required to apply for a Riparian Area Regulation Development Permit to the CSRD, as an Official Community Plan Bylaw designating Development Permit Areas has not been adopted for Electoral Area E. Further, the applicant has provided the CSRD with a letter completed by Patty Skinner, Qualified Environmental Professional (QEP) of Triton Environmental Consultants Ltd, dated February 13, 2019. The QEP outlines that the Riparian Area Regulation does not apply to the subject development, as it is to be constructed on an existing concrete slab and will not be moved or extended within the riparian area.

**SUMMARY:**

The application proposes to vary Rural Sicamous Land Use Bylaw No. 2000, as follows:

- Section 2.14(2)(b) Minimum setback from the north interior side parcel line (adjacent to Shuswap Lake) from 2 m to 0 m only for the cabin's attached upper and lower deck and the existing concrete retaining wall with attached stairs.

Development Services staff are recommending that the Board consider issuance of Development Variance Permit No. 2000-75, as:

- The location of the new upper deck and stairs are smaller in size and setback farther away from the lake and side parcel line than the original structures;
- The original deck was potentially unsafe and did not meet BC Building Code and the new upper deck requires a building permit and will meet BC Building Code;
- Neighbouring lots within the shared interest parcel have similar retaining walls and decks and the subject property's development fronts Shuswap Lake and should have minimal visual impact on the surrounding properties; and,
- The upper and lower deck and the attached stairs are protected by the existing retaining wall and are considered by Onsite Engineering Ltd. to be safe for their intended use with respect to flooding hazards presented by Shuswap Lake.

**IMPLEMENTATION:**

If Development Variance Permit No. 2000-75 is approved and issued by the Board, staff will prepare a notice to be sent to the Land Title and Survey Authority of British Columbia for registration on title. The Manager of Development Services will be able to consider issuance of the floodplain exemption. As previously noted, the floodplain exemption requires the applicant to register a Section 219 Covenant on title. Once issued and the Section 219 Covenant registered on title, staff will notify the building department and the Building Official will be able to consider issuance of the building permit.

**COMMUNICATIONS:**

In addition to the shared interest property owners of Lakemount Shuswap Recreation Ltd., all property owners and tenants in occupation within 100 m of the shared interest parcel 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.

**DESIRED OUTCOMES:**

That the Board support the staff recommendation to approve issuance of Development Variance Permit No. 2000-75.

**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. Floodplain Assessment Report, dated March 12, 2019.

**Report Approval Details**

Document Title:	2019-06-20_Board_DS_DVP2000-75_Adams_et_al.docx
Attachments:	<ul style="list-style-type: none"><li>- DVP2000-75.pdf</li><li>- BL2000_Excerpts_DVP2000-75.pdf</li><li>- Maps_Plans_Photos_DVP2000-75.pdf</li></ul>
Final Approval Date:	Jun 10, 2019

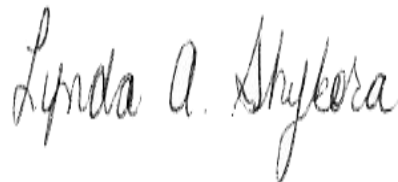
This report and all of its attachments were approved and signed as outlined below:



**Corey Paiement - Jun 7, 2019 - 11:40 AM**



**Gerald Christie - Jun 7, 2019 - 1:25 PM**

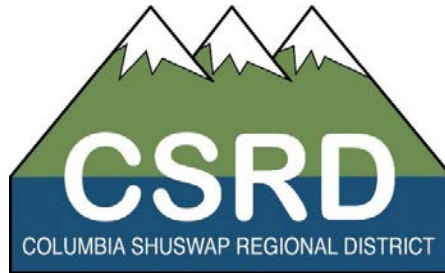


**Lynda Shykora - Jun 10, 2019 - 3:18 PM**

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

**Charles Hamilton - Jun 10, 2019 - 3:19 PM**





### **DEVELOPMENT VARIANCE PERMIT NO. 2000-75**

1. OWNERS: Michael Douglas Davis  
Amy Elizabeth Johnson

[REDACTED]  
[REDACTED]  
[REDACTED]

*As to an undivided 5/458 interest as joint tenants*

Sarah Deanne Elizabeth Lucas  
Simon Joseph Adams

[REDACTED]  
[REDACTED]  
[REDACTED]

*As to an undivided 5/458 interest as joint tenants*

2. This permit applies only to the land described below:

Share 7 of Covenant Plan 41330 of Those Parts of Legal Subdivision 13 of Section 17, and Legal Subdivision 16 of Section 18 Lying to the South of the South Bank of the Salmon Arm of Shuswap Lake, Township 21, Range 8, West of the 6th Meridian, Kamloops Division Yale District (PID: 001-832-786), which property is more particularly shown outlined in bold on the Location Map attached hereto as Schedule A.

3. The Rural Sicamous Land Use Bylaw No. 2000, is hereby varied as follows:

- Section 2.14(2)(b) Minimum setback from the north interior side parcel line (adjacent to Shuswap Lake) from 2 m to 0 m only for the cabin's attached upper and lower deck and the existing concrete retaining wall with attached stairs;

as more particularly shown on the Site Plan attached hereto as Schedule B.

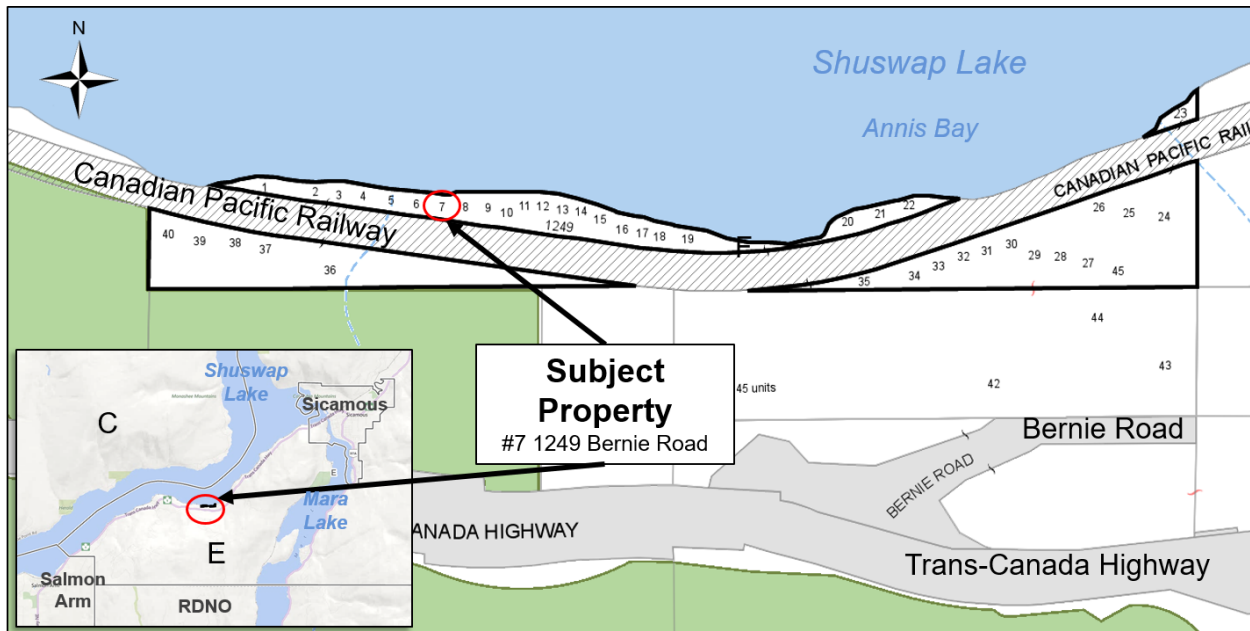
5. This permit is NOT a building permit.

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



**Retaining wall and stairs:**  
Side setback from 2 m to 0 m

**This plan does not serve to update Land Title Office records.**

### Side Parcel Line

Lower and upper deck:  
Side setback from 2 m to 0 m

Canadian Pacific Railway  
Plan 31

## Relevant Excerpts from Rural Sicamous Land Use Bylaw No. 2000

(See [Bylaw No. 2000](#) for all policies and land use regulations)

- [Multi-Single Family Residential Zone](#)
- [Setback Exceptions](#)
- [Definitions](#)
- [Floodplain Regulations](#)

### MSR MULTI-SINGLE FAMILY RESIDENTIAL ZONE

#### Permitted Uses

- 2.14 (1)** The *uses* stated in this subsection and no others are permitted in the MSR zone, except as stated in sections 2.3.1 to 2.4.7.
- (a) *Home business*
  - (b) *Place of religious worship*
  - (c) *Single family dwelling*
  - (d) *Accessory use*

#### Regulations

- (2)** On a *parcel* designated MSR, 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 sections 2.3.1 to 2.4.7.

COLUMN 1 MATTER REGULATED	COLUMN 2 REGULATION
<b>(a)</b> Maximum number of <i>single family dwellings</i> per <i>parcel</i>	1 per 650 m <sup>2</sup> (6996.6 sq. ft.) of parcel area to a maximum of 50 per parcel
<b>(b)</b> Minimum setback 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>	4.5 m (14.76 ft.) 2 m (6.56 ft.) 4.5 m (14.76 ft.) 4.5 m (14.76 ft.)

<b>(c)</b> Minimum separation distance between single family dwellings on the <i>parcel</i>	4.5 m (14.76 ft.)
<b>(d)</b> Minimum <i>parcel</i> size created by subdivision	8 ha (19.76 ac.)
<b>(e)</b> Servicing standard for subdivisions	<ul style="list-style-type: none"> <li>• on site sewage disposal</li> <li>• on site water supply</li> </ul>
<b>(f)</b> Maximum <i>height</i> for: <ul style="list-style-type: none"> <li>• Principal <i>buildings</i> and structures</li> <li>• <i>Accessory buildings</i></li> </ul>	<ul style="list-style-type: none"> <li>• 11.5 m (37.73 ft.) 6 m (19.69 ft.)</li> </ul>

## SETBACK EXCEPTIONS

**2.3.10** The following may be in a required minimum front *setback*, rear *setback*, or side *setback*:

- (a)** a fence not exceeding 2.4 m (7.87 ft.) in height, in compliance with the regulations set out in section 2.3.22 Sight Triangles;
- (b)** landscaping features such as a trellis, manmade pond or yard ornament;
- (c)** a utility pole, including a pole used for area lighting;
- (d)** a driveway and walkway;
- (e)** a structure below finished grade;
- (f)** a wheel chair ramp;
- (g)** *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; and,
- (h)** exterior stairway not forming part of a building.

## DEFINITIONS

**BUILDING** is a structure used or intended for supporting or sheltering a use or occupancy but does not include a recreational vehicle;

**ACCESSORY USE** is the use of land, buildings and structures that are customarily incidental to, subordinate to, and exclusively devoted to the principal use or a single family dwelling. An accessory use does not include human habitation;

**HABITATION** in respect of development proposed on properties subject to floodplain specifications, means the support of life processes within a building, including, but not limited to, sleeping, eating, food preparation, waste elimination, personal cleaning, and rest and relaxation areas;

**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.);

**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;

**NATURAL BOUNDARY** is the visible high water mark of any lake, river, stream or other body of water where the presence and action of the water are so common and usual, and so long continued in all ordinary years, as to mark on the soil of the bed of the body of water a character distinct from that of its banks, in vegetation, as well as in the nature of the soil itself;

**PARCEL BOUNDARY, FRONT** means the parcel boundary 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 BOUNDARY, INTERIOR SIDE** is a *parcel* boundary other than a *front parcel boundary* or a *rear parcel boundary* that is not common to a *highway* other than a lane or a walkway;

**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;

**WATERCOURSE** is a natural depression with banks and a bed of 0.6 m (1.97 ft.) or more below the surrounding land and 1 of the following, a) serving to give direction to a current of water for at least 6 months of the year, b) having a drainage area of 2 km<sup>2</sup> (494 ac.) or more, c) an area designated as a watercourse by the Province, and includes lake, pond, river, stream, creek, spring, ravine, swamp, and wetland.



## FLOODPLAIN REGULATIONS

### Establishment of Flood Plains

- 2.3.4 (1)** The following land is designated as flood plain:
- (a) land lower than the flood construction level; and
  - (b) land within the flood plain setback.
- (2)** The flood construction level is:
- (a) 0.6 m (1.97 ft.) above the 1:200 year flood level where it can be determined;
  - (b) 351 m Geodetic Survey of Canada datum for Shuswap Lake and 351.1 m Geodetic Survey of Canada datum for Mara Lake;
  - (c) 1.5 m (4.92 ft.) above the *natural boundary* of a *water body*; other than Shuswap and Mara Lakes;
  - (d) 3 m (9.84 ft.) above the *natural boundary* of a *watercourse*; and
  - (e) Where more than 1 flood construction level is applicable, the higher elevation is the flood construction level.
- (3)** The floodplain setback is:
- (a) 15.0 m from the mean annual high water mark of Shuswap Lake, defined as 348.3 metres Geodetic Survey of Canada Datum;
  - (b) 15.0 m from the mean annual high water mark of Mara Lake, defined as 348.4 metres Geodetic Survey of Canada Datum;
  - (c) 30 m (98.43 ft.) from the natural boundary of the Eagle River, Sicamous Creek and the portion of Hummingbird Creek that is downstream from highway 97A;
  - (d) 15 m (49.2 ft.) from the natural boundary of any other watercourse; and
  - (e) where more than 1 flood plain setback is applicable, the larger distance is the flood plain setback.

### Measurement of Flood Construction Level and Flood Plain Setback

- 2.3.5 (1)** The flood construction level is determined by measuring at a 90° angle to the mean annual high water mark for Shuswap and Mara Lakes, or the natural boundary for all other watercourses to a point where the elevation is the required elevation above said mean annual high water mark or natural boundary.
- (2)** The flood plain setback is determined by measuring at a 90° angle to the mean annual high water mark for Shuswap and Mara Lakes or the natural boundary for all other watercourses, the distances stated in Section 2.3.4(3).

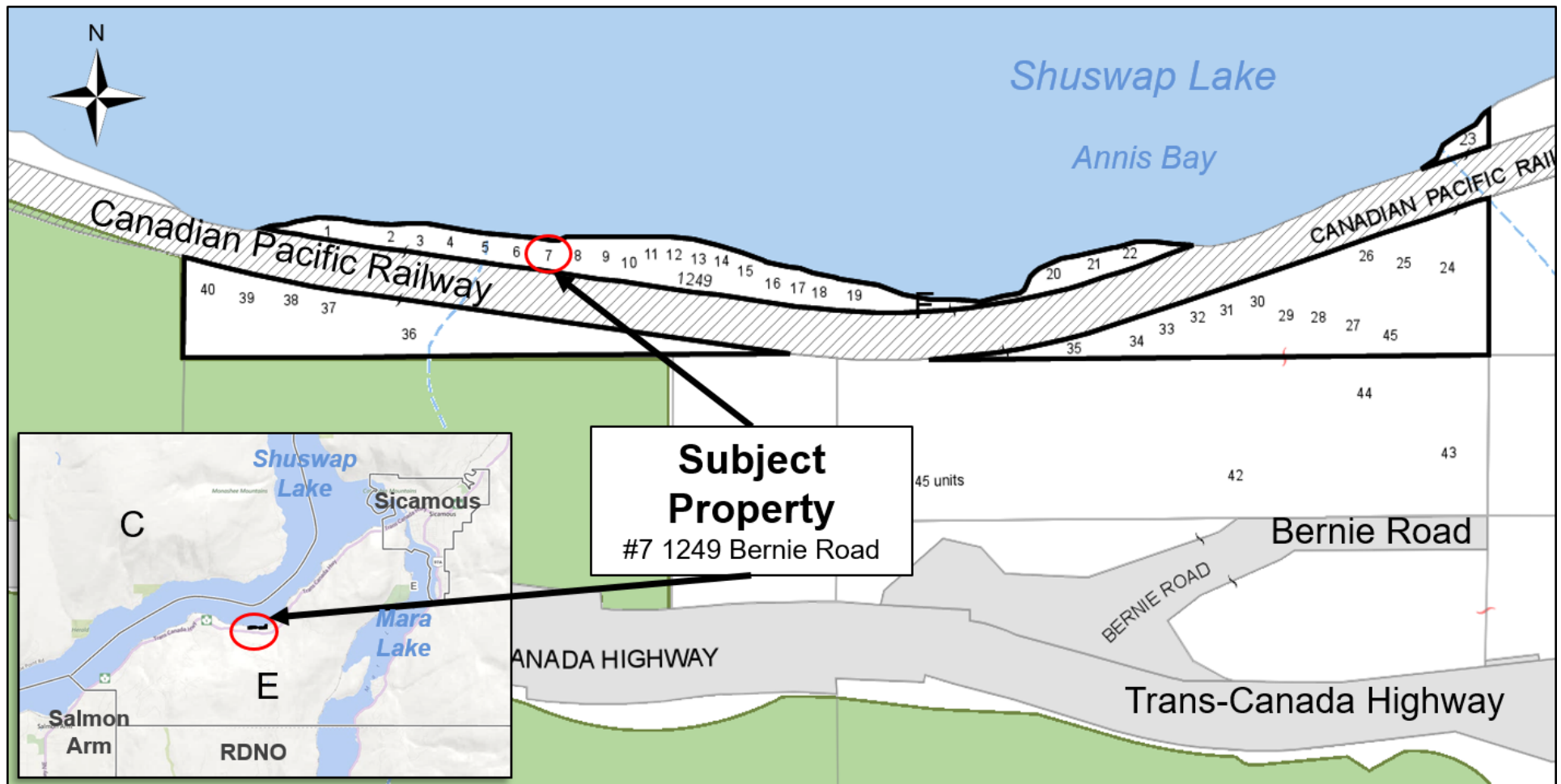
### Application of Flood Plains

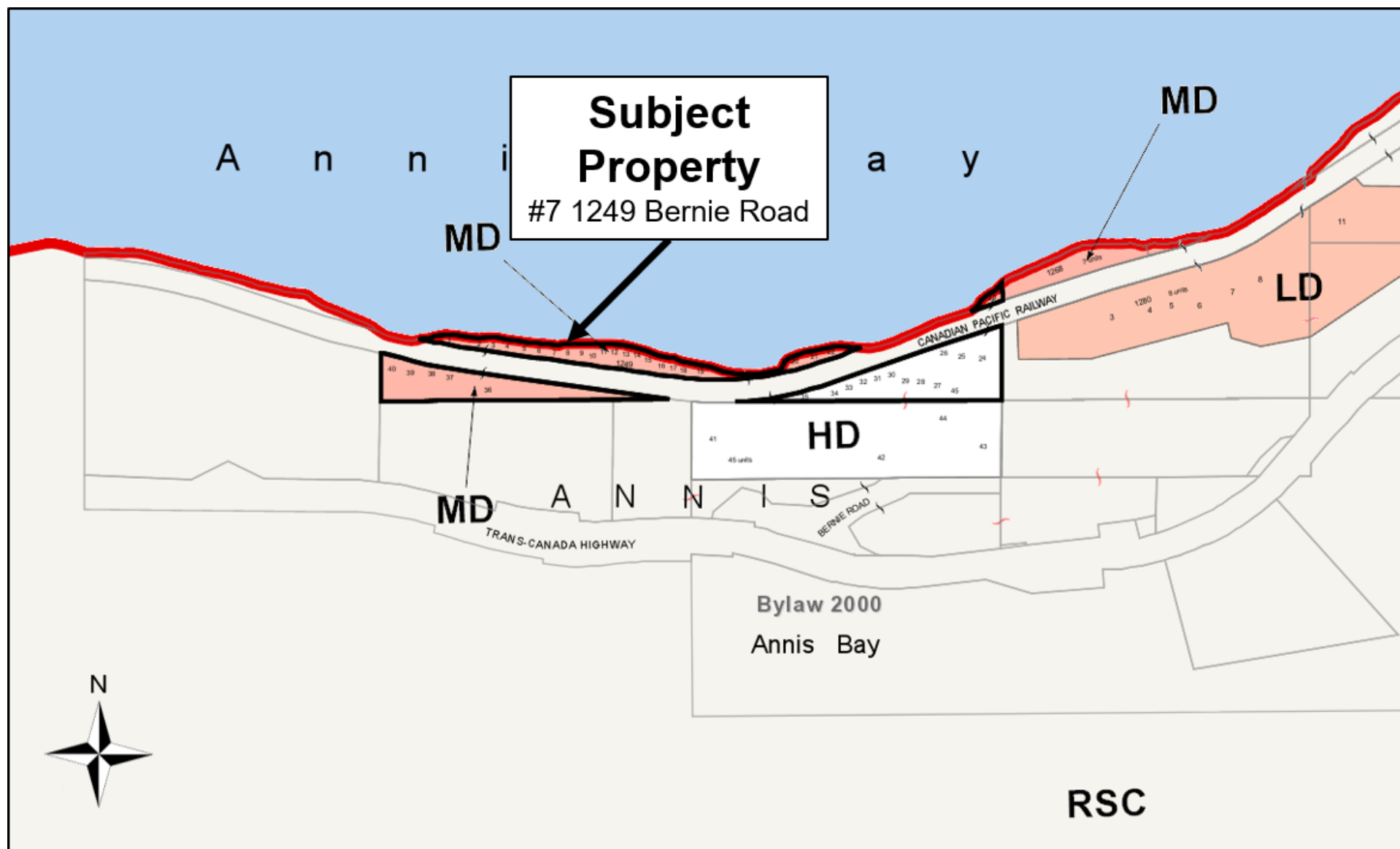
- 2.3.6 (1)** A *building*, including a manufactured home or structure must not be constructed, reconstructed, moved or extended within a flood plain setback.
- (2)** The underside of a floor system or top of concrete slab that is used for *habitation*, business, or the storage of goods that are susceptible to damage by floodwater, must be above the flood construction level.
- (3)** Where landfill or structural support or both are used to comply with subsection (2), they must be protected against scour and erosion from flood flows, wave action, ice and other debris and not extend within the flood plain setback.
- (4)** Furnaces and other fixed equipment susceptible to damage by floodwater must be above the flood construction level.
- (5)** The Manager of Development Services or their delegate requires that a Surveyor Certificate be submitted to them by the land and property owners to verify compliance with the flood construction level and flood plain setback specified in subsections 2.3.4 (2) and (3).
- (6)** The following are exempted from the regulations of subsection (2) as they apply to the flood construction level:
- (a)** a renovation of an existing *building*, including a manufactured home or structure that does not involve an addition to the exterior of the *building*, manufactured home or structure;
  - (b)** an addition to a *building*, manufactured home or structure of less than 25 percent of the *floor area* existing the date of June 19, 1986. The addition must be no lower in elevation than the floor existing the date of June 19, 1986. The distance from the *building*, manufactured home or structure to a *water body* or *watercourse* must not be decreased with respect to the flood plain setback;
  - (c)** a carport or domestic garage;
  - (d)** a *building* used for *agriculture* excluding a closed-sided livestock housing and a *dwelling unit*; and
  - (e)** a farm *dwelling unit* that is located both on a *parcel* 8.1 ha (20.01 ac.) or larger and within the provincial Agricultural Land Reserve and provided:
    - (i)** the underside of a wooden floor system;
    - (ii)** the top of a concrete slab;
    - (iii)** in the case of a manufactured home, the top of the *pad*; or
    - (iv)** the ground surface under an area used for *habitation*, is no lower than 1 m (3.28 ft.) above the natural ground elevation

measured from the highest point on the perimeter of the farm *dwelling unit* or no lower than the flood construction level, whichever is the lesser.

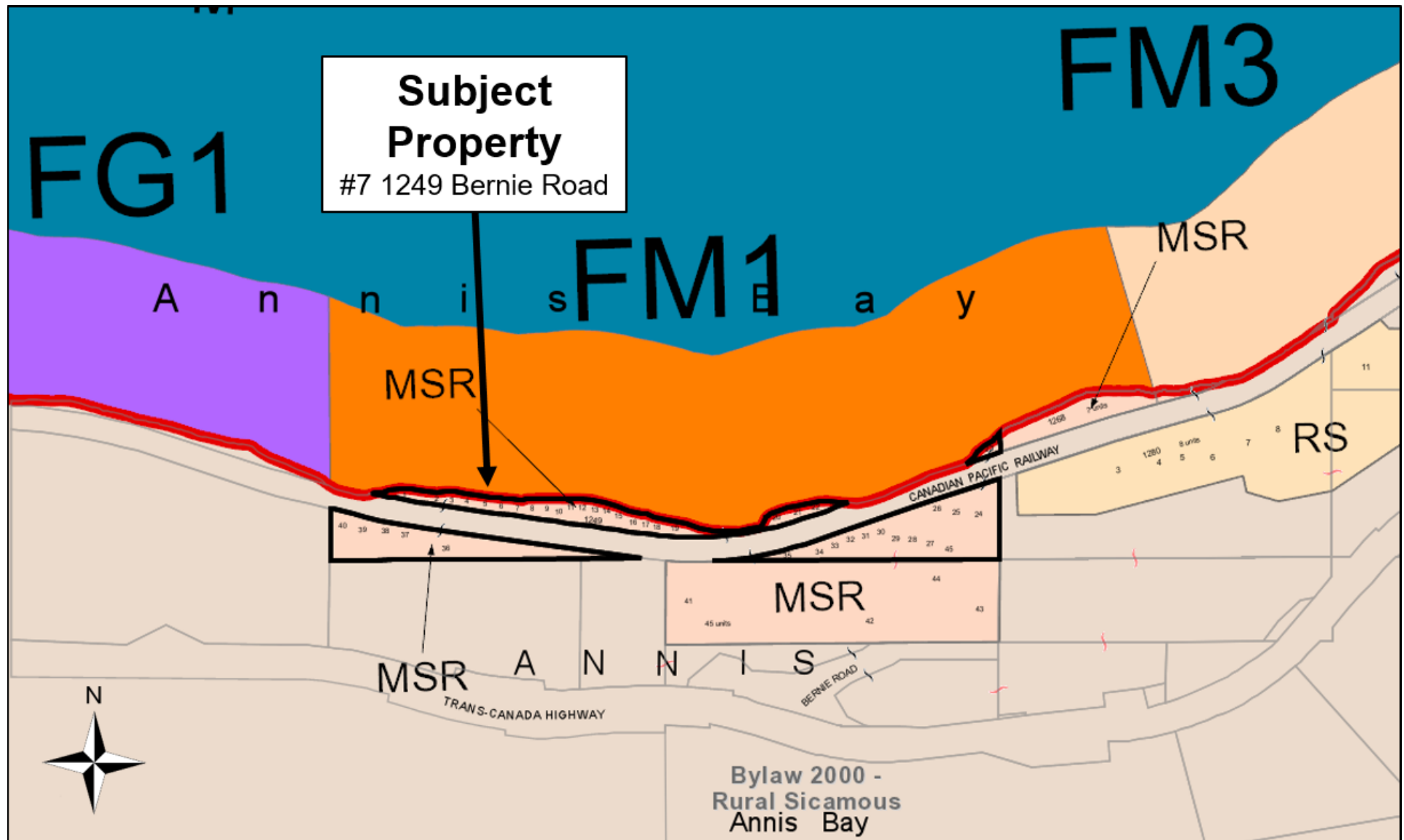
- (7)** The following are exempted from the requirements of sub-section (1) and (2) as they apply to the flood construction level and floodplain setback:
- (a)** a floating building or structure;
  - (b)** a dock or wharf;
  - (c)** a boat fueling use;
  - (d)** a fence constructed of wood or wire through which water can flow freely;
  - (e)** flood proofing protection works constructed to stabilize the shoreline of a water body or the banks of a watercourse;
  - (f)** a roof overhang or cantilevered deck with no footings within the setback area;
  - (g)** on-loading and off-loading facilities associated with water-oriented industry and portable sawmills;
  - (h)** ground level patios;
  - (i)** detached accessory building that do not include habitation;
  - (j)** exterior stairway not forming part of a building or attached in any way to another structure, provided it does not extend below the parcel boundary, or the natural boundary;
  - (k)** electrical or mechanical equipment not susceptible to damage by floodwater; and,
  - (l)** storage of goods not damageable by flood waters.

## Location



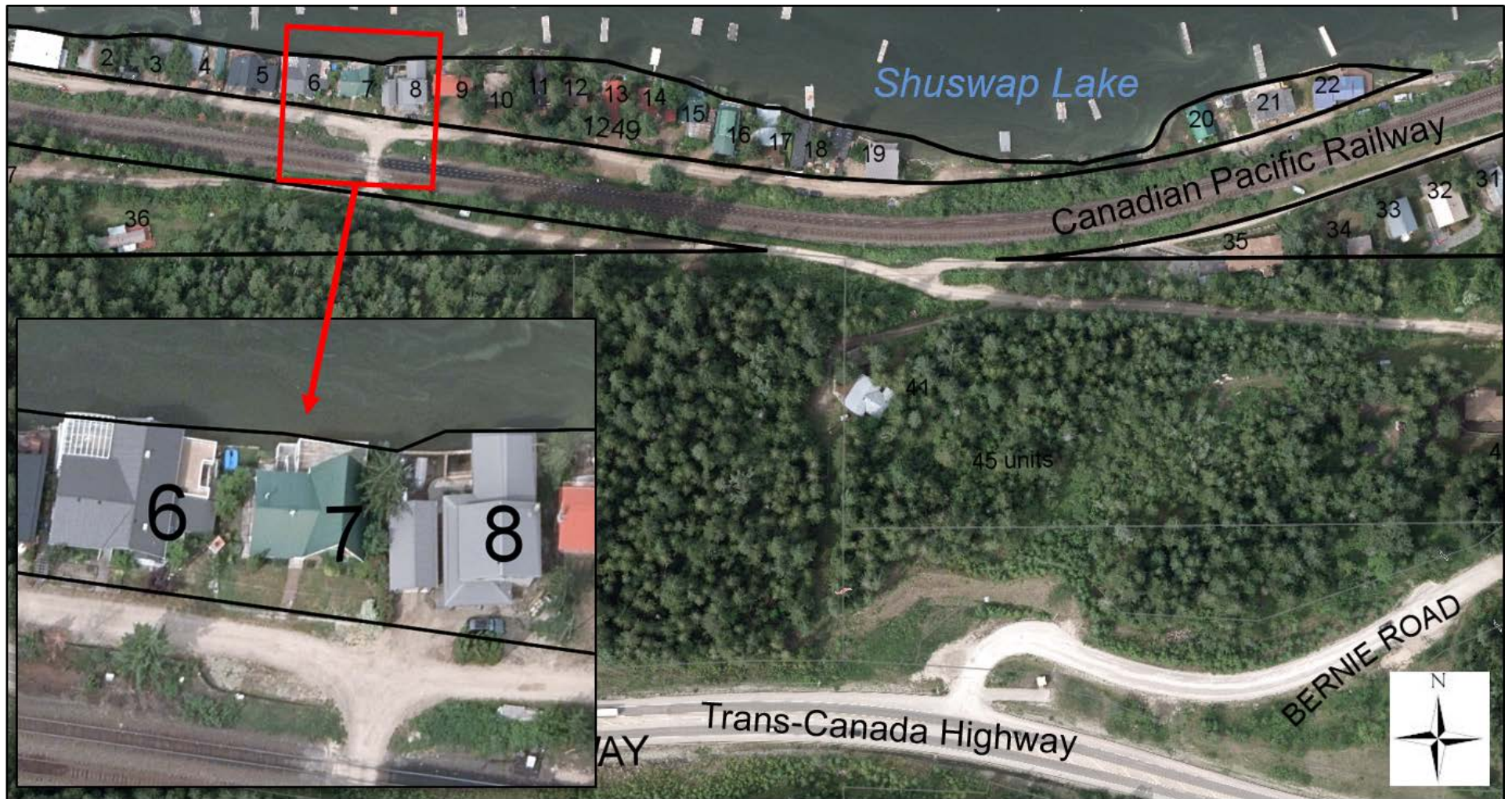


## Rural Sicamous Land Use Bylaw No. 2000 - Zone

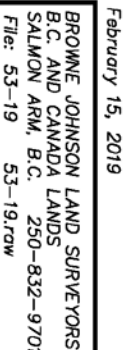


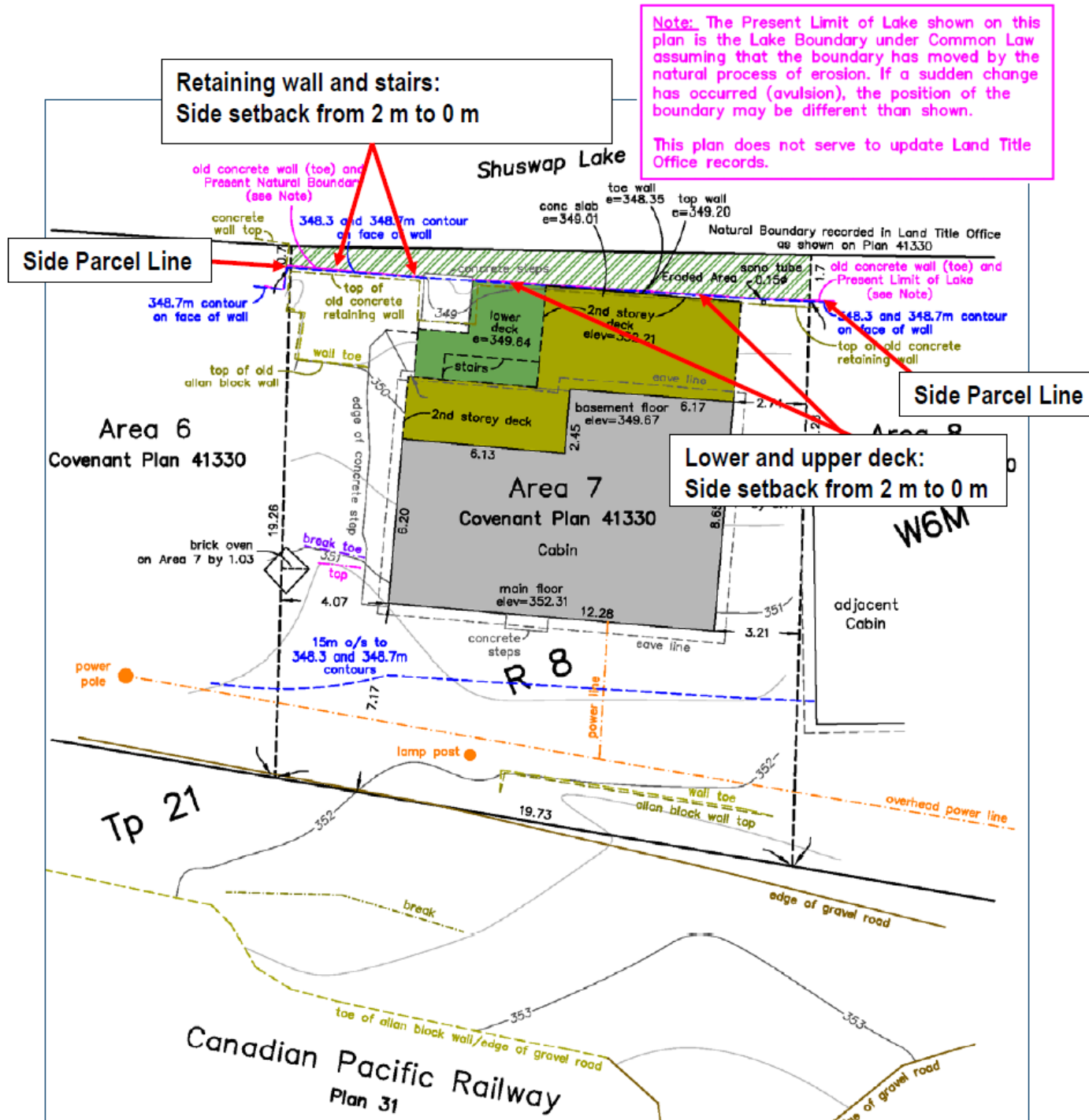


2018 Orthophoto









## Site Photos

*(Acquired from two professional reports submitted to the CSRD)*

**Photo 1:** Original deck, 2018 (Triton Environmental Consultants Ltd.)



**Photo 2:** New, partially completed deck. View of the subject property and foreshore, looking south (Triton Environmental Consultants Ltd.)



**Applicant has cut back the deck by 6 inches, since this photo was taken.**



**Photo 3:** Concrete foundation under original and new deck (Triton Environmental Consultants Ltd.) **Markup on photo:** 0.15 m (6inches) has been cutoff the upper deck since this photos was taken.

**Photo 4:** Recent photo submitted by the applicant showing that the deck has been cutback 0.15 m (6 inches).



**Photo 5:** The lower deck currently under construction, looking east. (Triton Environmental Consultants Ltd.)





**Photo 6:** The stairs accessing the upper deck currently under construction, looking southeast. (Onsite Engineering Ltd.)



**Photo 7:** The concrete stairs providing access to the beach and the Allan block retaining wall located to the west of the cabin, looking south. (Onsite Engineering Ltd.)



# BOARD REPORT

**TO:** Chair and Directors

<b>File No:</b> BL2559 PL201080
------------------------------------

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

**DESCRIPTION:** Report from Candice Benner, Planner II, dated June 5, 2019.  
5781 Highway 97, Falkland

**RECOMMENDATION #1:** THAT: "Salmon Valley Land Use Amendment (Desimone/McMullen) Bylaw No. 2559 be adopted this 20<sup>th</sup> day of June, 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 third reading at its May 16, 2019 Board meeting. Staff have received Statutory Approval from Ministry of Transportation and Infrastructure and therefore it is now appropriate for the Board to consider the bylaw for adoption.

## 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", "2019-01-21\_Board\_DS\_BL2559\_Desimone\_McMullen.pdf", and "2019-05-16\_Board\_DS\_BL2559\_Desimone\_McMullen.pdf" attached.

## SUMMARY:

Staff continue to support Bylaw No. 2559 and recommend that the Board consider the bylaw for adoption.

**IMPLEMENTATION:**

See "2019-05-16\_Board\_DS\_BL2559\_Desimone\_McMullen.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 has been received.

**COMMUNICATIONS:**

See "Agency\_Referral\_Responses\_BL2559.pdf" and "2019-05-16\_Board\_DS\_BL2559\_Desimone\_McMullen.pdf" attached.

**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:	2019-06-20_Board_DS_BL2559_adoption_Desimone_McMullen.docx
Attachments:	- BL2559_adoption.pdf - BL2500_Excerpts_BL2559.pdf - Maps_Plans_Photos_BL2559.pdf
Final Approval Date:	Jun 6, 2019

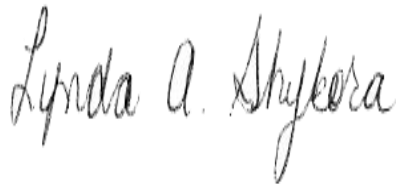
This report and all of its attachments were approved and signed as outlined below:



**Corey Paiement - Jun 5, 2019 - 4:28 PM**



**Gerald Christie - Jun 6, 2019 - 11:04 AM**



**Lynda Shykora - Jun 6, 2019 - 1:52 PM**



**Charles Hamilton - Jun 6, 2019 - 3:11 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 16 day of May, 2019.

RECEIVED THE APPROVAL of Ministry of Transportation and Infrastructure this 5 day of June, 2019.

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

\_\_\_\_\_  
CORPORATE OFFICER

\_\_\_\_\_  
CHAIR

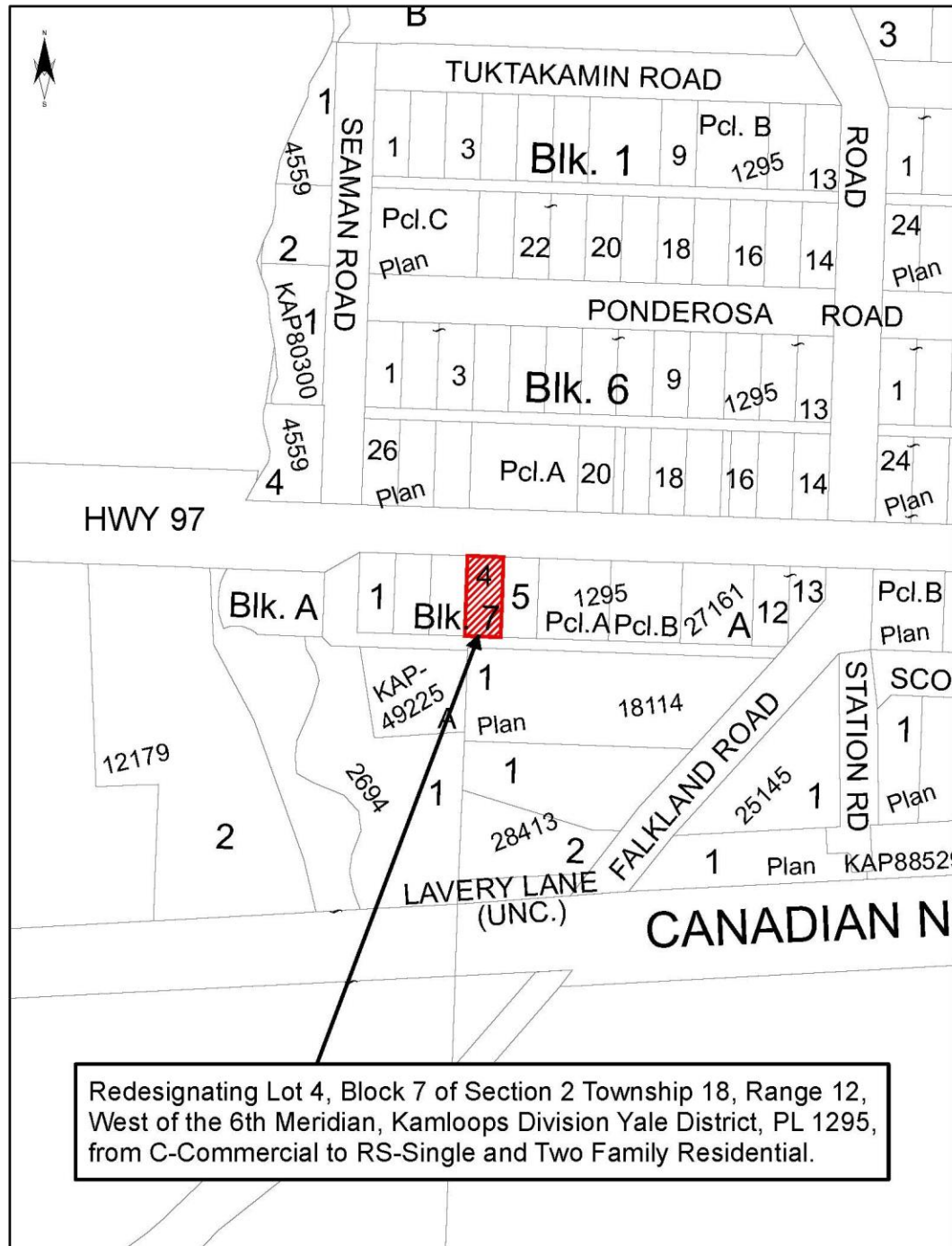
Certified true copy of Bylaw No. 2559  
as read a third time.

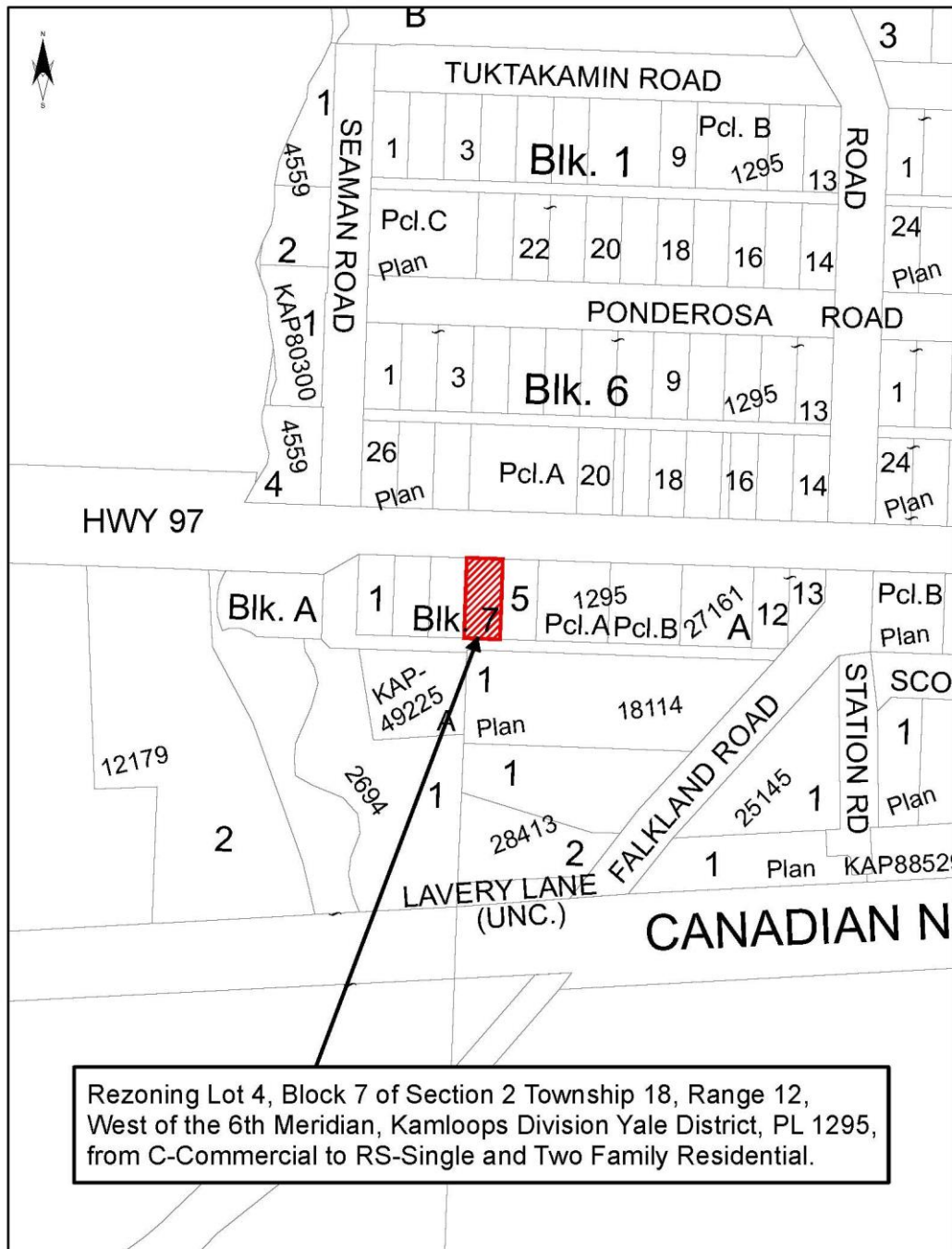
Certified true copy of Bylaw No. 2559  
as adopted.

\_\_\_\_\_  
Corporate Officer

\_\_\_\_\_  
Corporate Officer

Schedule 1  
OCP Designation Maps Amendment  
Salmon Valley Land Use Amendment (Desimone/McMullen)  
Bylaw No. 2559





**Relevant Excerpt From Salmon Valley Land Use Bylaw No. 2500 – BL2559**

(See Bylaw No. 2500 for all policies and zones)

## Part I Broad Objectives and Policies

1.9 Land Use Pattern

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.

1.9.2 The policies of the Regional Board are as follows:

.3 On Schedule A, the OCP Designation Maps, single family and multiple family residential areas within the community of Falkland are designated as RS (Single family Residential) and RM (Multiple Family Residential) respectively;

.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;

.7 New highway commercial and service commercial uses are encouraged to concentrate in Falkland, fronting on Highway 97;

1.10 Redesignation CriteriaObjective

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.

1.12 Hazardous AreasObjective

1.12.1 An objective of the Regional Board is to prevent development on hazardous areas except in compliance with this bylaw.

Policies

1.12.2 The policies of the Regional Board are as follows:

.1 The Regional Board designates the following as hazardous areas:

**Relevant Excerpt From Salmon Valley Land Use Bylaw No. 2500 – BL2559**

(See Bylaw No. 2500 for all policies and zones)

.areas within the floodplain (as defined in the Salmon Valley Floodplain Management Bylaw No. 2600) of the Salmon River, Bolean Creek and other water courses and water bodies within the plan area;

.alluvial fans, as defined in the Salmon Valley Floodplain Management Bylaw No. 2600, due to potential flooding and stream shifting hazards;

.slopes having a gradient of 30% or greater;

.areas on or below unstable slopes and slide areas.

.2 To protect against loss of life and to minimize property damage associated with flooding events the Regional Board encourages agricultural, park, and open-space recreational uses of flood prone lands. Where flood prone lands are required for development, the construction and siting of buildings and mobile homes to be used for habitation, business or the storage of goods damageable by floodwaters shall be floodproofed to those standards specified in the Salmon Valley Floodplain Management Bylaw No. 2600.

.3 Development on other hazardous areas will be prohibited unless adequate protective measures have been taken by the Owner to address the relevant hazard.

### 1.13 Transportation Network

#### Objective

1.13.1 An objective of the Regional Board is to encourage a safe and efficient transportation network.

#### Policies

1.13.2 The policies of the Regional Board are as follows:

.1 Highway No. 97, Salmon Valley Road, Chase - Falkland Road, Yankee Flats Road, and Heywood Road are recognized as major roadways as shown on Map 4 Major Road Network Map;

.2 Off-street parking is required to avoid parking on highway rights-of-way;

.3 Land owners are encouraged to use local and collector roads to access land rather than providing multiple access points to highways and major roads.



**Relevant Excerpt From Salmon Valley Land Use Bylaw No. 2500 – BL2559**

(See Bylaw No. 2500 for all policies and zones)

## Part II Land Use Regulations

2.2 General RegulationsHome Occupation

## 2.2.3 Home occupations shall comply with all of the following regulations:

.1 no outdoor storage of materials, equipment, containers, finished products or other items associated with the home occupation is permitted;

.2 the home occupation shall be carried out wholly within a completely enclosed dwelling or permitted accessory building;

.3 no retail sales other than the sale of goods produced on the premises shall be permitted;

.4 persons employed in a home occupation shall be restricted to the residents of the dwelling located on the parcel where the home occupation is taking place, and one additional person.

2.7 RS Single and Two Family Residential Permitted Uses

## 2.7.1 The following uses and no others are permitted in the area zoned as RS:

- .1 single family dwelling;
- .2 two family dwelling;
- .3 home occupation;
- .4 accessory use.

Regulations

## 2.7.2 On a parcel located in an area zoned as RS, no land shall be used; no building or structure shall be constructed, located or altered; and no plan of subdivision approved which contravenes the regulations set out in the table below in which Column I sets out the matter to be regulated and Column II sets out the regulations.

Column IColumn II

- |                                 |   |
|---------------------------------|---|
| .1 maximum number of dwellings: | 1 single family dwelling<br>or 1 two family dwelling<br>per parcel; |
|---------------------------------|---|

**Relevant Excerpt From Salmon Valley Land Use Bylaw No. 2500 – BL2559**

(See Bylaw No. 2500 for all policies and zones)

- |    |  |  |
|----|--|--|
| .2 | minimum siting of buildings, structures or uses from parcel lines:       |  |
|    | * front parcel line:   | 6 metres;  |
|    | * rear parcel line:  | 5 metres;  |
|    | * side parcel line:  | 2 metres;  |
|    | * exterior side parcel line  | 4.5 metres                                       |
|    |  |  |
| .3 | minimum parcel size for subdivision for a single family dwelling:        |  |
|    | * serviced by both a community water and community sewer system          | 700 m <sup>2</sup>                               |
|    | * serviced by a community water system                                   | 4000 m <sup>2</sup>                              |
|    |  |  |
| .4 | minimum parcel size for subdivision for a two family dwelling or church: |  |
|    | * serviced by both a community water and community sewer system          | 1000 m <sup>2</sup>                              |
|    | * serviced by a community water system                                   | 4000 m <sup>2</sup>                              |
|    |  |  |
| .5 | minimum servicing standard:  | on-site sewage disposal; community water supply. |
|    |  |  |
| .6 | maximum height for:  |  |
|    | * principal buildings and structures                                     | 11.5 m (37.73 ft.)                               |
|    | * accessory buildings  | 6 m (19.69 ft.)                                  |

**Relevant Excerpt From Salmon Valley Land Use Bylaw No. 2500 – BL2559**

(See Bylaw No. 2500 for all policies and zones)

2.10 C CommercialPermitted Uses

2.10.1 The following uses and no others are permitted in the area zoned as GC:

- .1 automotive part supply;
- .2 bank;
- .3 boat building;
- .4 botanical and zoological garden;
- .5 building material supply;
- .6 campground, recreation vehicle park;
- .7 car wash;
- .8 commercial recreation establishment;
- .9 contractor and tradesman office and worksyard;
- .10 convenience store;
- .11 farm and garden supply;
- .12 fruit and vegetable sales;
- .13 gasoline service station, key-lock fuel establishment;
- .14 hotel, motel;
- .15 institutional use;
- .16 insurance, finance or real estate office;
- .17 licensed establishment; (this includes neighbourhood pub)
- .18 medical and dental office;
- .19 museum and archive;
- .20 personal service establishment;
- .21 printing and publishing;
- .22 radio, TV, and telephone communication facility;
- .23 repair shop;
- .24 restaurant, cafe;
- .25 retail establishment;
- .26 sale, rental, service and repair of motor vehicles, recreation vehicles, and boats;
- .27 sign shop;
- .28 theatre;
- .29 trucking and storage;
- .30 upholstery shop;
- .31 wholesale establishment;
- .32 accessory use;
- .33 single family dwelling in conjunction with uses listed in 2.10.1.1 to 2.10.1.31 above.
- .34 accessory dwelling in conjunction with permitted uses listed in 2.10.1.1 to 2.10.1.31 above.

**Relevant Excerpt From Salmon Valley Land Use Bylaw No. 2500 – BL2559**

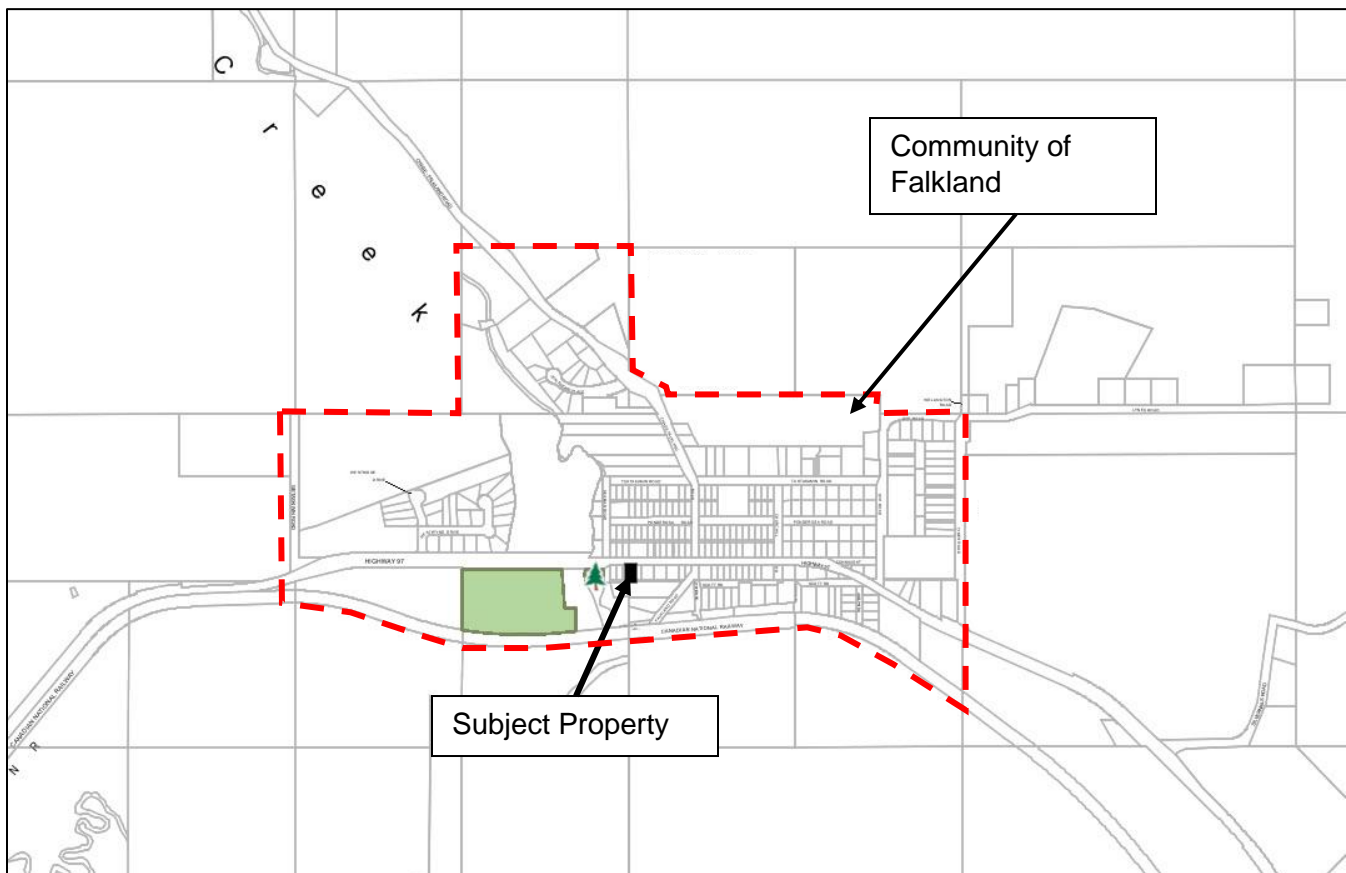
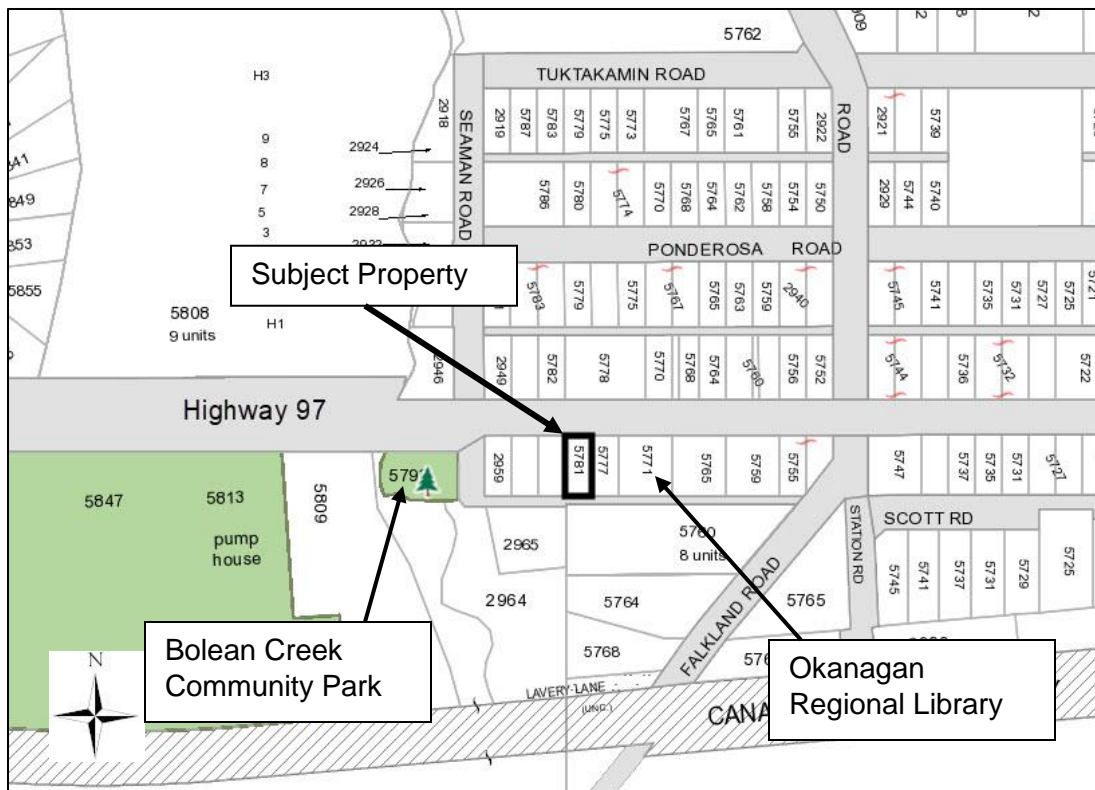
(See Bylaw No. 2500 for all policies and zones)

Regulations

- 2.10.2 On a parcel located in an area zoned as GC, no land shall be used; no building or structure shall be constructed, located or altered; and no plan of subdivision approved which contravenes the regulations set out in the table below in which Column I sets out the matter to be regulated and Column II sets out the regulations.

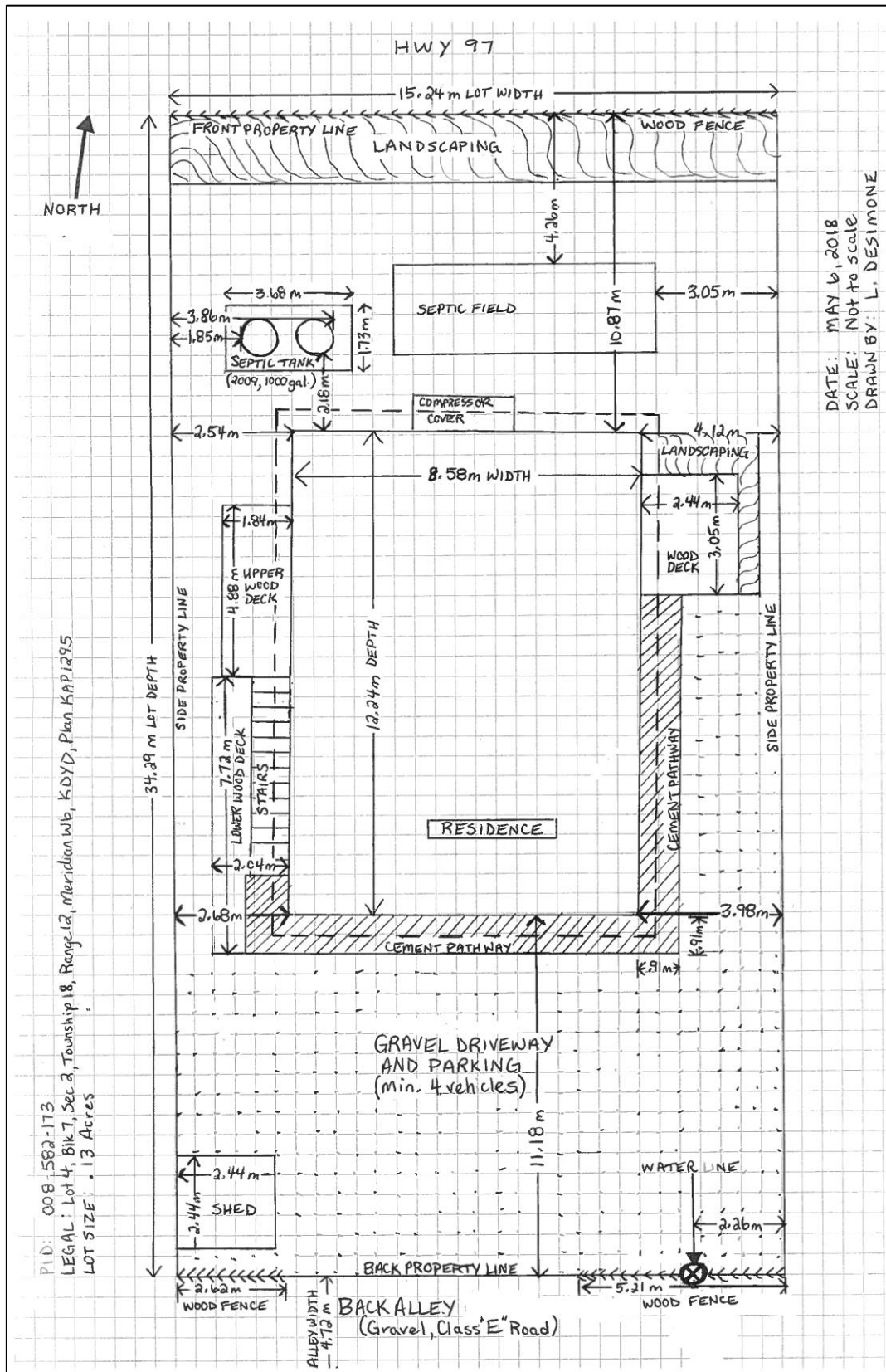
	<u>Column I</u>	<u>Column II</u>
.1	maximum number of dwellings per parcel	1 dwelling per parcel
.2	minimum siting of buildings, structures, or uses from parcel lines:	
	* front parcel line	4.5 metres;
	* rear parcel line	4.5 metres;
	* side parcel line	2.5 metres;
	* exterior side parcel line	4.5 metres
.3	minimum parcel size for subdivision:	
	* serviced by both a community water and community sewer system	1400 m <sup>2</sup>
	* serviced by community water system:	4000 m <sup>2</sup>
	* in all other cases	1 ha
.4	maximum parcel coverage	40%
.5	minimum servicing standard:	on-site sewage disposal; on-site water supply.
.6	maximum height for:	
	* principal buildings and structures	11.5 m (37.73 ft.)
	* accessory buildings	10 m (32.81 ft.)

## Location





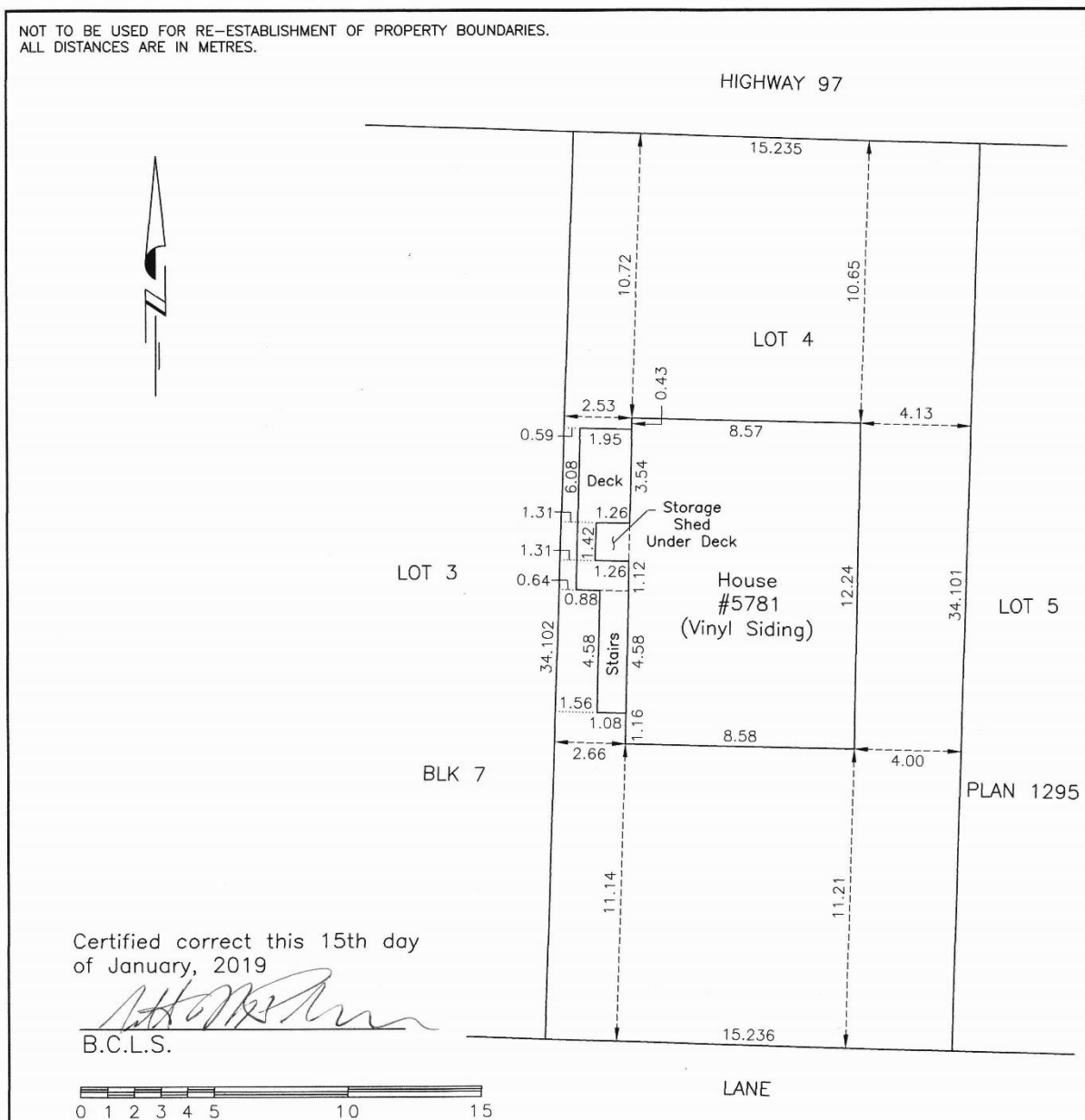
## Site Plan





## 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

<b>File No:</b>	BL2562 PL2019055
-----------------	---------------------

**SUBJECT:** Electoral Area D: Salmon Valley Land Use Amendment (Montgomery) Bylaw No. 2562

**DESCRIPTION:** Report from Candice Benner, Planner II, dated May 27, 2019.  
5777 Highway 97, Falkland

**RECOMMENDATION #1:** THAT: "Salmon Valley Land Use Amendment (Montgomery) Bylaw No. 2562" be read a first time this 20<sup>th</sup> day of June, 2019.

**RECOMMENDATION #2:** THAT: the Board utilize the simple consultation process for Bylaw No. 2562, 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.

## SHORT SUMMARY:

The subject property is located at 5777 Highway 97 in Falkland of Electoral Area D. The property is currently zoned C-Commercial in Salmon Valley Land Use Bylaw No. 2500. A mobile home (single family dwelling) was placed on the property in the fall of 2018; 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 residential use on the property.

<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:

**OWNERS:**  
Kyla Montgomery

**ELECTORAL AREA:**  
D (Falkland)

**CIVIC ADDRESS:**  
5777 Highway 97

**LEGAL DESCRIPTION:**  
Lot 5 Block 7 Section 2, Township 18, Range 12, W6M, KDYD, Plan 1295

**PID:**  
008-582-190

**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:**

Single family dwelling and accessory building

**PROPOSED USE:**

Single family dwelling and accessory building

**SITE COMMENTS:**

The subject property is west of downtown Falkland on the south side of Highway 97. The single family dwelling sits centrally on the property with a grassed yard in the front and an accessory building in the rear. Access to the property is from Highway 97.

On both sides of the highway are various mixed uses including residential, commercial, community library, and vacant lots.

The neighbouring property, 5781 Hwy 97, located immediately to the west is currently going through a redesignation/rezoning application (BL2559) from C -Commercial to RS -Residential to recognize the existing residential two-family dwelling use on the property. The Board gave third reading of BL2559 at its May 16, 2019 and will consider it for adoption at the June 20, 2019 Board meeting.

**POLICY:**

See attached “BL2500 \_Excerpts \_BL2562” 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.

This application is the result of bylaw enforcement which is being held in abeyance pending the outcome of this application.

**KEY ISSUES/CONCEPTS:**

The single family dwelling located on the subject property was placed on the property in the fall of 2018; 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 single family dwelling residential use on the property.

The single family dwelling is connected to the CSRD owned Falkland Water System and a new septic system has been installed on the property.

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 have been working on a similar commercial to residential rezoning for the neighbouring property to the west. As part of that application, 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 Boleen 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 which shares the east parcel boundary with 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.

Staff have requested a building location certificate for the subject property as the existing buildings may encroach within the parcel line setbacks and will require a Development Variance Permit application.

**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 single 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 multi-family 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.

### **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 Lake Indian Band
- Lower Nicola Indian Band
- Lower Similkameen Indian Band
- Lytton First Nation
- Neskonalith 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
- Splat'sin 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 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:	2019-06-20_Board_DS_BL2562_First_Montgomery.docx
Attachments:	- BL2562_first.pdf - BL2500_Excerpts_BL2562.pdf - Maps_Plans_Photos_BL2562.pdf
Final Approval Date:	Jun 10, 2019

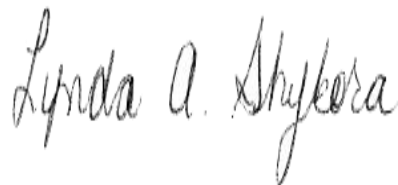
This report and all of its attachments were approved and signed as outlined below:



**Corey Paiement - Jun 7, 2019 - 11:32 AM**



**Gerald Christie - Jun 7, 2019 - 1:34 PM**



**Lynda Shykora - Jun 10, 2019 - 2:11 PM**

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

**Charles Hamilton - Jun 10, 2019 - 2:12 PM**

COLUMBIA SHUSWAP REGIONAL DISTRICT

SALMON VALLEY LAND USE AMENDMENT (MONTGOMERY) BYLAW NO. 2562

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 5 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 5 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 (Montgomery) Bylaw No. 2562."

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 Ministry of Transportation and Infrastructure this \_\_\_\_\_ day of \_\_\_\_\_, 2019.

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

\_\_\_\_\_  
CORPORATE OFFICER

\_\_\_\_\_  
CHAIR

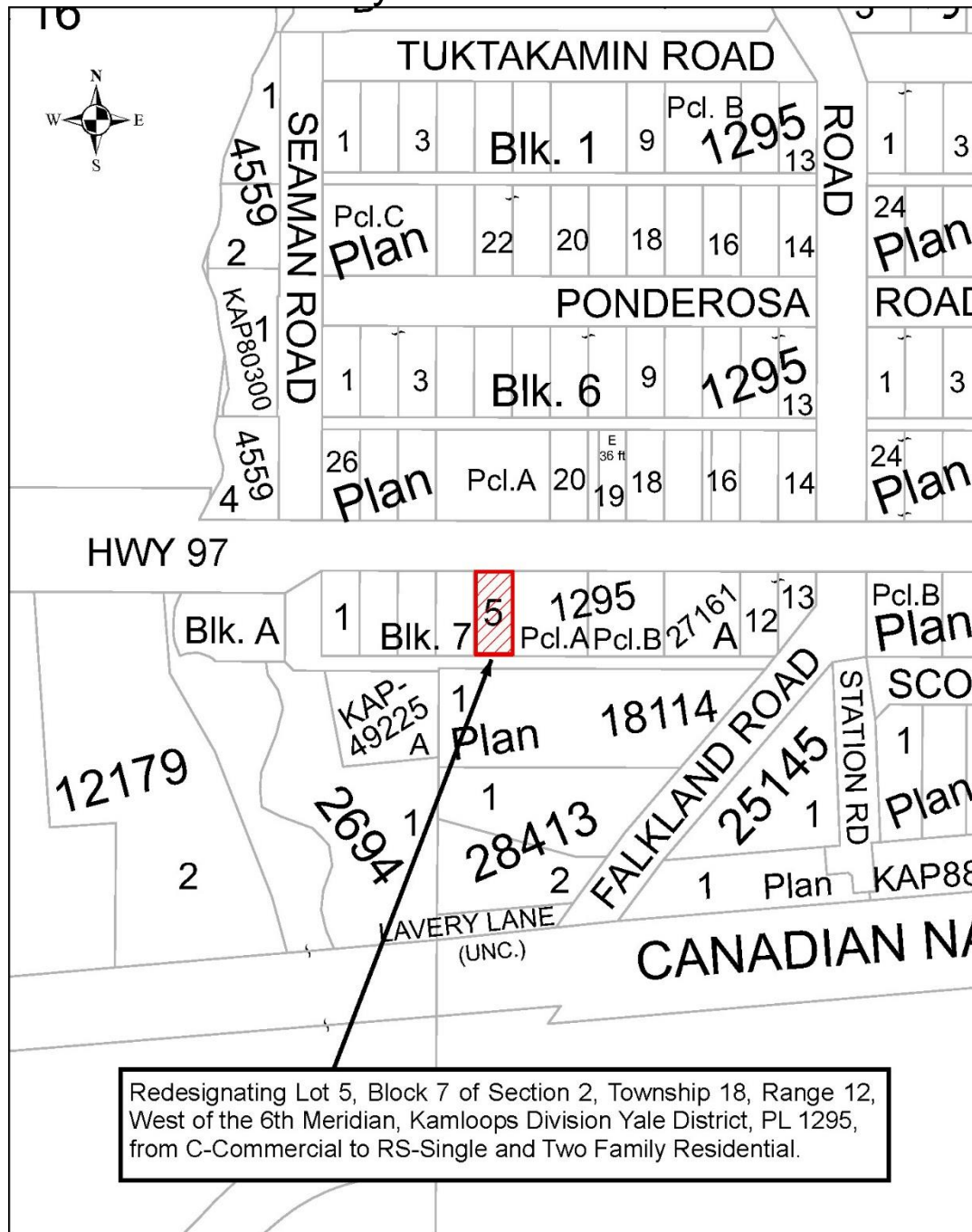
Certified true copy of Bylaw No. 2562  
as read a third time.

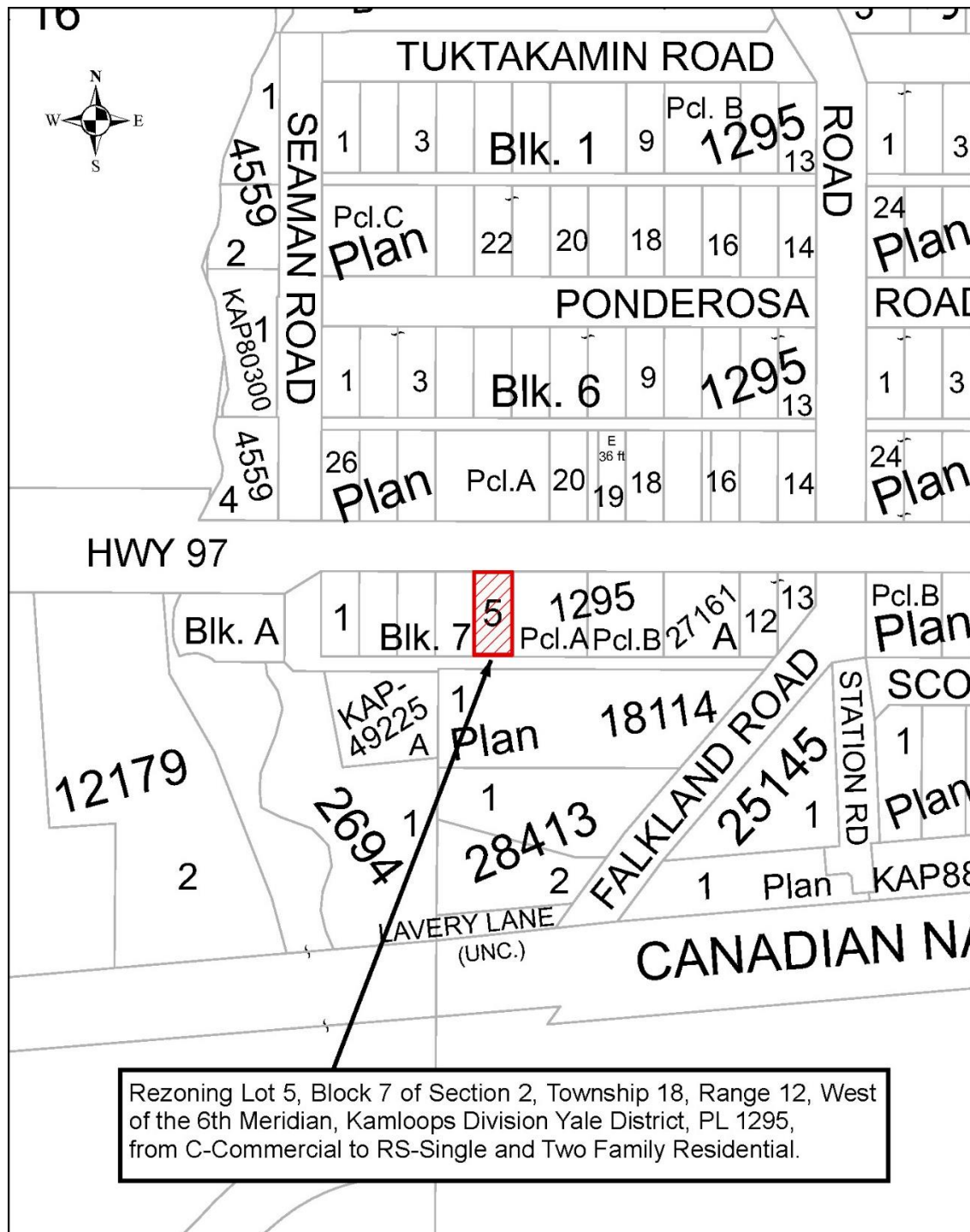
Certified true copy of Bylaw No. 2562  
as adopted.

\_\_\_\_\_  
Corporate Officer

\_\_\_\_\_  
Corporate Officer

Schedule 1  
OCP Designation Maps Amendment  
Salmon Valley Land Use Amendment (Montgomery)  
Bylaw No. 2562









**Relevant Excerpt From Salmon Valley Land Use Bylaw No. 2500 – BL2562**

(See Bylaw No. 2500 for all policies and zones)

## Part I Broad Objectives and Policies

1.9 Land Use Pattern

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.

1.9.2 The policies of the Regional Board are as follows:

.3 On Schedule A, the OCP Designation Maps, single family and multiple family residential areas within the community of Falkland are designated as RS (Single family Residential) and RM (Multiple Family Residential) respectively;

.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;

.7 New highway commercial and service commercial uses are encouraged to concentrate in Falkland, fronting on Highway 97;

1.10 Redesignation CriteriaObjective

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.

1.12 Hazardous AreasObjective

1.12.1 An objective of the Regional Board is to prevent development on hazardous areas except in compliance with this bylaw.

Policies

1.12.2 The policies of the Regional Board are as follows:

.1 The Regional Board designates the following as hazardous areas:

**Relevant Excerpt From Salmon Valley Land Use Bylaw No. 2500 – BL2562**

(See Bylaw No. 2500 for all policies and zones)

.areas within the floodplain (as defined in the Salmon Valley Floodplain Management Bylaw No. 2600) of the Salmon River, Bolean Creek and other water courses and water bodies within the plan area;

.alluvial fans, as defined in the Salmon Valley Floodplain Management Bylaw No. 2600, due to potential flooding and stream shifting hazards;

.slopes having a gradient of 30% or greater;

.areas on or below unstable slopes and slide areas.

.2 To protect against loss of life and to minimize property damage associated with flooding events the Regional Board encourages agricultural, park, and open-space recreational uses of flood prone lands. Where flood prone lands are required for development, the construction and siting of buildings and mobile homes to be used for habitation, business or the storage of goods damageable by floodwaters shall be floodproofed to those standards specified in the Salmon Valley Floodplain Management Bylaw No. 2600.

.3 Development on other hazardous areas will be prohibited unless adequate protective measures have been taken by the Owner to address the relevant hazard.

### 1.13 Transportation Network

#### Objective

1.13.1 An objective of the Regional Board is to encourage a safe and efficient transportation network.

#### Policies

1.13.2 The policies of the Regional Board are as follows:

.1 Highway No. 97, Salmon Valley Road, Chase - Falkland Road, Yankee Flats Road, and Heywood Road are recognized as major roadways as shown on Map 4 Major Road Network Map;

.2 Off-street parking is required to avoid parking on highway rights-of-way;

.3 Land owners are encouraged to use local and collector roads to access land rather than providing multiple access points to highways and major roads.

**Relevant Excerpt From Salmon Valley Land Use Bylaw No. 2500 – BL2562**

(See Bylaw No. 2500 for all policies and zones)

## Part II Land Use Regulations

2.2 General RegulationsHome Occupation

## 2.2.3 Home occupations shall comply with all of the following regulations:

.1 no outdoor storage of materials, equipment, containers, finished products or other items associated with the home occupation is permitted;

.2 the home occupation shall be carried out wholly within a completely enclosed dwelling or permitted accessory building;

.3 no retail sales other than the sale of goods produced on the premises shall be permitted;

.4 persons employed in a home occupation shall be restricted to the residents of the dwelling located on the parcel where the home occupation is taking place, and one additional person.

2.7 RS Single and Two Family Residential Permitted Uses

## 2.7.1 The following uses and no others are permitted in the area zoned as RS:

- .1 single family dwelling;
- .2 two family dwelling;
- .3 home occupation;
- .4 accessory use.

Regulations

## 2.7.2 On a parcel located in an area zoned as RS, no land shall be used; no building or structure shall be constructed, located or altered; and no plan of subdivision approved which contravenes the regulations set out in the table below in which Column I sets out the matter to be regulated and Column II sets out the regulations.

Column IColumn II

- |                                 |   |
|---------------------------------|---|
| .1 maximum number of dwellings: | 1 single family dwelling<br>or 1 two family dwelling<br>per parcel; |
|---------------------------------|---|

**Relevant Excerpt From Salmon Valley Land Use Bylaw No. 2500 – BL2562**

(See Bylaw No. 2500 for all policies and zones)

- |    |  |   |
|----|--|---|
| .2 | minimum siting of buildings, structures or uses from parcel lines:       |   |
|    | * front parcel line:   | 6 metres;   |
|    | * rear parcel line:  | 5 metres;   |
|    | * side parcel line:  | 2 metres;   |
|    | * exterior side parcel line  | 4.5 metres  |
|    |  |   |
| .3 | minimum parcel size for subdivision for a single family dwelling:        |   |
|    | * serviced by both a community water and community sewer system          | 700 m <sup>2</sup>                                  |
|    | * serviced by a community water system                                   | 4000 m <sup>2</sup>                                 |
|    |  |   |
| .4 | minimum parcel size for subdivision for a two family dwelling or church: |   |
|    | * serviced by both a community water and community sewer system          | 1000 m <sup>2</sup>                                 |
|    | * serviced by a community water system                                   | 4000 m <sup>2</sup>                                 |
|    |  |   |
| .5 | minimum servicing standard:  | on-site sewage disposal;<br>community water supply. |
|    |  |   |
| .6 | maximum height for:  |   |
|    | * principal buildings and structures                                     | 11.5 m (37.73 ft.)                                  |
|    | * accessory buildings  | 6 m (19.69 ft.)                                     |

**Relevant Excerpt From Salmon Valley Land Use Bylaw No. 2500 – BL2562**

(See Bylaw No. 2500 for all policies and zones)

2.10 C CommercialPermitted Uses

2.10.1 The following uses and no others are permitted in the area zoned as GC:

- .1 automotive part supply;
- .2 bank;
- .3 boat building;
- .4 botanical and zoological garden;
- .5 building material supply;
- .6 campground, recreation vehicle park;
- .7 car wash;
- .8 commercial recreation establishment;
- .9 contractor and tradesman office and worksyard;
- .10 convenience store;
- .11 farm and garden supply;
- .12 fruit and vegetable sales;
- .13 gasoline service station, key-lock fuel establishment;
- .14 hotel, motel;
- .15 institutional use;
- .16 insurance, finance or real estate office;
- .17 licensed establishment; (this includes neighbourhood pub)
- .18 medical and dental office;
- .19 museum and archive;
- .20 personal service establishment;
- .21 printing and publishing;
- .22 radio, TV, and telephone communication facility;
- .23 repair shop;
- .24 restaurant, cafe;
- .25 retail establishment;
- .26 sale, rental, service and repair of motor vehicles, recreation vehicles, and boats;
- .27 sign shop;
- .28 theatre;
- .29 trucking and storage;
- .30 upholstery shop;
- .31 wholesale establishment;
- .32 accessory use;
- .33 single family dwelling in conjunction with uses listed in 2.10.1.1 to 2.10.1.31 above.
- .34 accessory dwelling in conjunction with permitted uses listed in 2.10.1.1 to 2.10.1.31 above.

**Relevant Excerpt From Salmon Valley Land Use Bylaw No. 2500 – BL2562**

(See Bylaw No. 2500 for all policies and zones)

Regulations

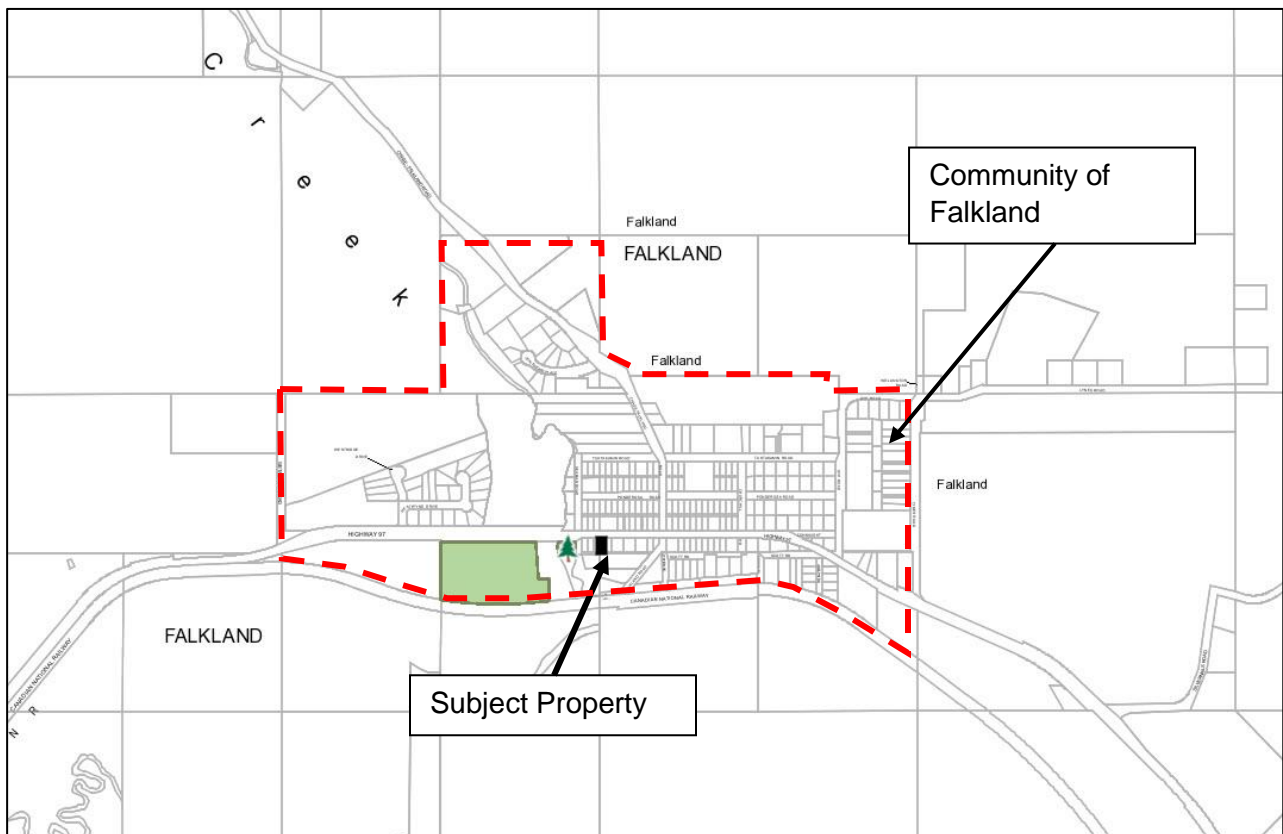
- 2.10.2 On a parcel located in an area zoned as GC, no land shall be used; no building or structure shall be constructed, located or altered; and no plan of subdivision approved which contravenes the regulations set out in the table below in which Column I sets out the matter to be regulated and Column II sets out the regulations.

	<u>Column I</u>	<u>Column II</u>
.1	maximum number of dwellings per parcel	1 dwelling per parcel
.2	minimum siting of buildings, structures, or uses from parcel lines:	
	* front parcel line	4.5 metres;
	* rear parcel line	4.5 metres;
	* side parcel line	2.5 metres;
	* exterior side parcel line	4.5 metres
.3	minimum parcel size for subdivision:	
	* serviced by both a community water and community sewer system	1400 m <sup>2</sup>
	* serviced by community water system:	4000 m <sup>2</sup>
	* in all other cases	1 ha
.4	maximum parcel coverage	40%
.5	minimum servicing standard:	on-site sewage disposal; on-site water supply.
.6	maximum height for:	
	* principal buildings and structures	11.5 m (37.73 ft.)
	* accessory buildings	10 m (32.81 ft.)

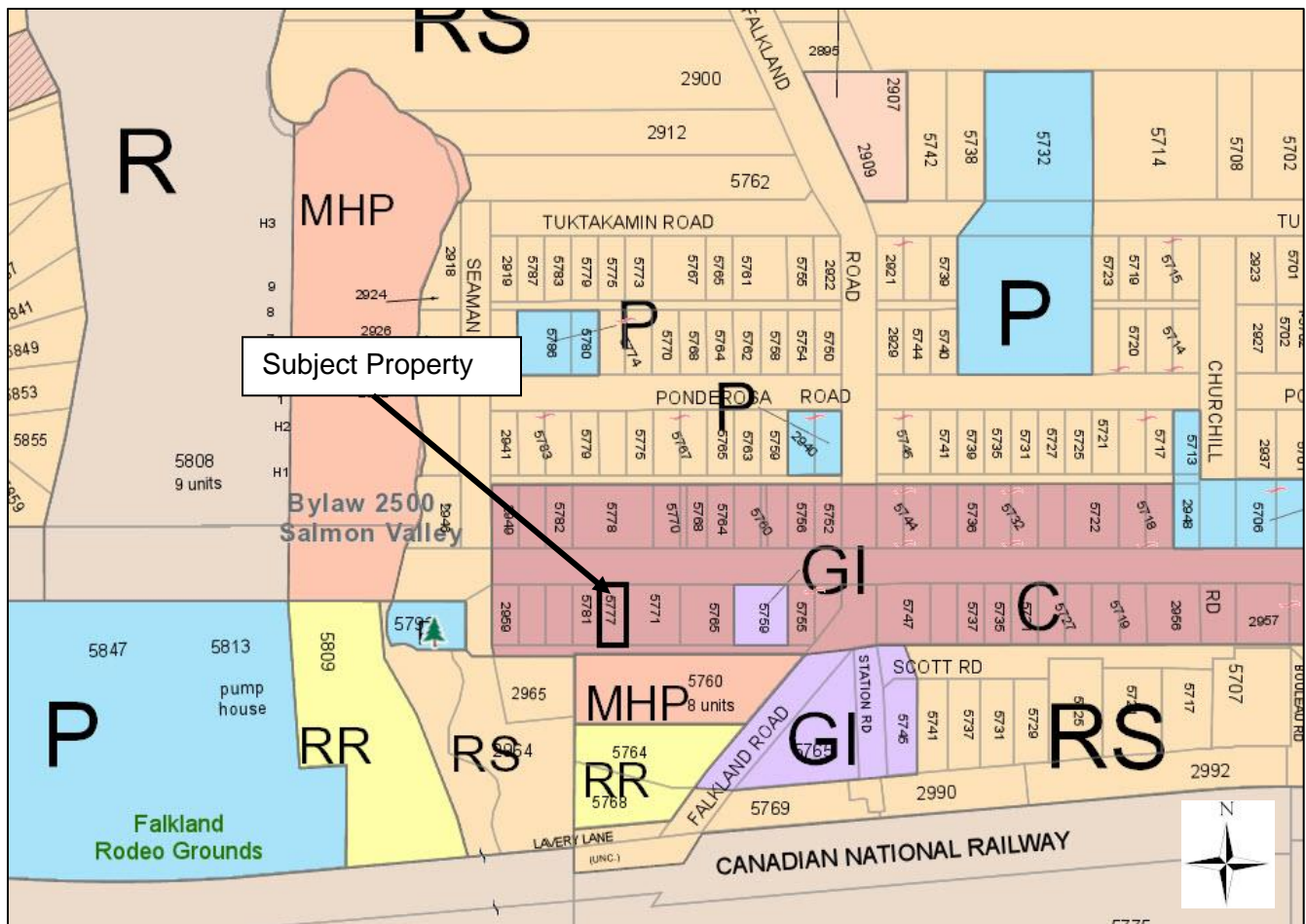


The map displays a residential neighborhood with various streets and property lots. Key features include:

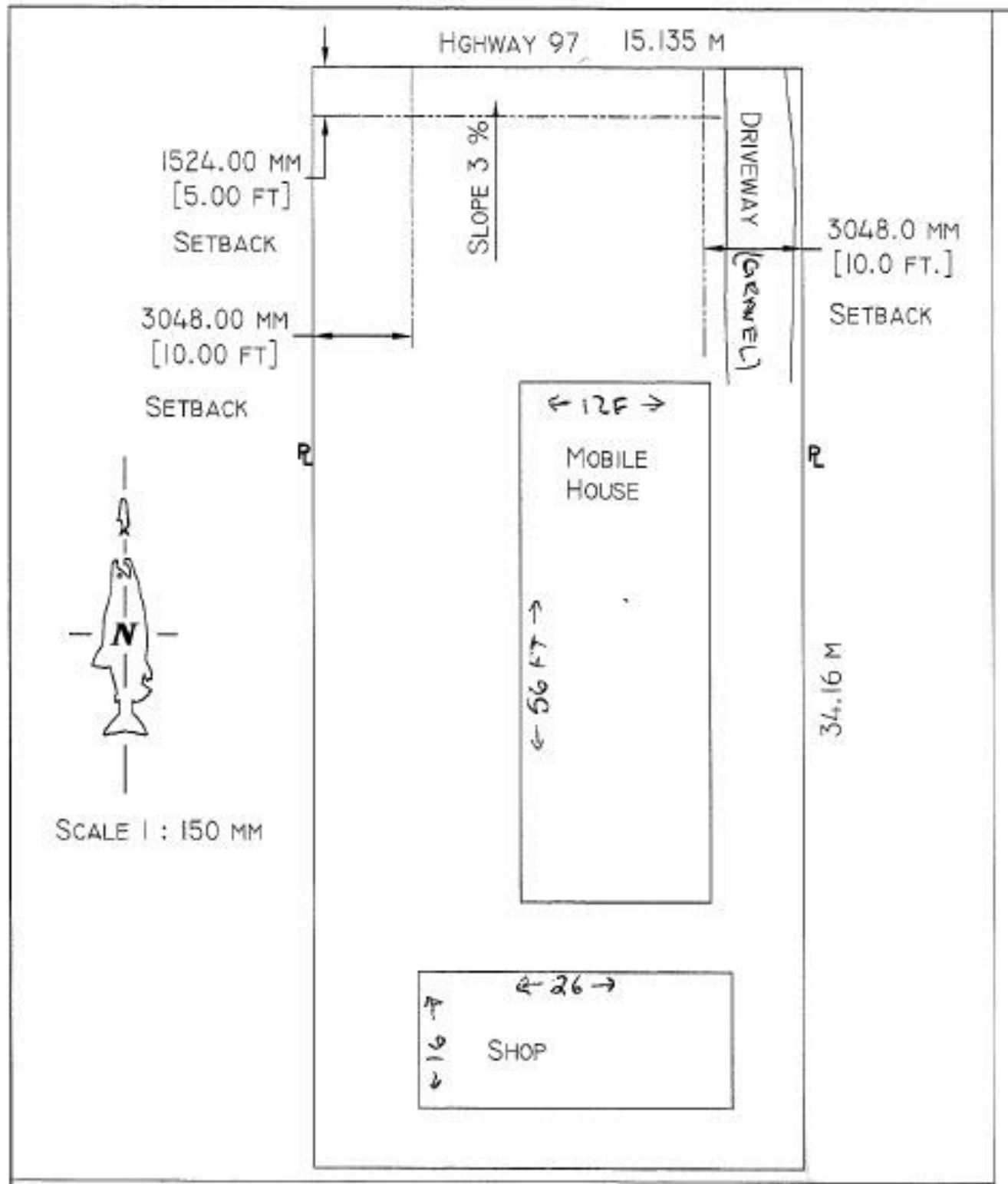
- Streets:** Falkland Road, Seaman Road, Ponderosa Road, Churchill Road, Scott Road, Station Road, and Boulevard Road.
- Property Lots:** Numerous lots are numbered, including 5708, 5702, 5714, 5738, 5732, 5742, 5709, 5739, 5740, 5744, 5746, 5713, 5748, 5717, 5718, 5722, 5721, 5727, 5731, 5736, 5739, 5738, 5741, 5706, 5709, 5707, 5717, 5721, 5725, 5731, 5736, 5737, 5741, 5746, 5707, 5717, 5721, 5725, 5731, 5736, 5737, 5741, 5746, 5707, 5717, 5721, 5725, 5731, 5736, 5737, 5741, 5746.
- Landmarks:** Boleen Creek Community Park, Falkland Rodeo Grounds, and the Okanagan Regional Library.
- Subject Property:** A specific property is highlighted with a black box and labeled 'Subject Property'.
- Other Features:** A north arrow is located in the bottom right corner.



OCP/Zone



## Site Plan



Orthophotograph





## Photos



View of subject property with single family dwelling and access from Highway 97. Okanagan Regional Library is to the left. To the right is 5781 Hwy 97, which is the subject of an application for redesignation/rezoning from C to RS zone (BL2559) to also recognize residential use.



View of subject property with single family dwelling and accessory building in the rear.



View of residential properties directly north and across the highway from the subject property.



# BOARD REPORT

**TO:** Chair and Directors

<b>File No:</b>	BL800-31 PL20180179
-----------------	------------------------

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

**DESCRIPTION:** Report from Candice Benner, Planner II, dated May 30, 2019  
6346 Squilax-Anglemont Road, Magna Bay

**RECOMMENDATION #1:** THAT: "Magna Bay Zoning Bylaw Amendment (Coueffin) Bylaw No. 800-31" be given second reading, this 20<sup>th</sup> day of June 2019.

**RECOMMENDATION #2:** THAT: a public hearing to hear representations on "Magna Bay Zoning Bylaw Amendment (Coueffin) Bylaw No. 800-31" 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 Jay Simpson, as Director of Electoral Area F being that in which the land concerned is located, or Alternate Director Jeffrey Tarry, if Director Simpson is absent, and the Director or Alternate Director, as the case may be, give a report of the public hearing to the Board.

## SHORT SUMMARY:

The applicant is wanting to rebuild a garage that burned down at 6346 Squilax-Anglemont Road in Magna Bay. With the construction of the garage the property will exceed the maximum allowed parcel coverage for the RS (Residential) zone. The applicant is proposing a site specific amendment to the RS zone to increase the permitted parcel coverage from 25% to 28%.

The Board gave first reading of this bylaw amendment at its April 18, 2019 Regular Board meeting and it is now appropriate to consider the application for second reading and delegation of a public hearing.

---

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

See "2019-04-18\_Board\_DS\_BL800-31\_Coueffin.pdf", attached.

## POLICY:

See attached "BL800\_Excepts\_BL800-31.pdf".

The existing and proposed use are consistent with the SSA –Secondary Settlement Area designation in Electoral Area F Official Community Plan Bylaw No. 830.

## FINANCIAL:



There are no financial implications to the CSRD regarding this application.

**KEY ISSUES/CONCEPTS:**

See "2019-04-18\_Board\_DS\_BL800-31\_Coueffin.pdf", attached.

**SUMMARY:**

The applicant wants to rebuild a new garage on the old garage footprint. The applicant has applied for a site specific bylaw amendment to allow for 28% parcel coverage for the subject property; as the proposed garage construction on the property will exceed the maximum 25% parcel coverage permitted in the RS zone.

Staff are recommending that the bylaw be given second reading and delegation of a public hearing.

**IMPLEMENTATION:**

In accordance with CSRD Policy P-18 regarding Consultation Processes –Bylaws, staff recommended the simple consultation process.

Notice of development signs were posted on the property on May 13, 2019, following first reading on April 14, 2019. As of the date of this report, no written submissions from the public have been received.

**COMMUNICATIONS:**

See "Agency\_referral\_responses\_BL800-31.pdf" attached.

Bylaw No. 800-31 was sent out to the following referral agencies for comment:

Ministry of Forests, Lands and Natural Resource Operations, Archaeology Branch:

Approval recommended subject to conditions; in the event of an archaeological site being discovered during any land-altering development, the owners must halt work and the Archaeology Branch contacted.

Ministry of Transportation:

Did not comment on referral, but did issue a Permit to Reduce Building Setback for the proposed garage.

Adams Lake Indian Band:

Expressed concerns for the proposed development; the proximity of the proposed garage in relation to Shuswap Lake is considered to have high archaeological potential and require protection of this potential archaeological site through the permitting process.

CSRD Operations Department:

No concerns.

The following agencies did not respond to the request for comments:

- Little Shuswap Lake Indian Band;
- Neskonlith Indian Band;
- Okanagan Indian Band;
- Shuswap Indian Band;
- Simpcw First Nation; and,
- Splots'in First Nation.

**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.*

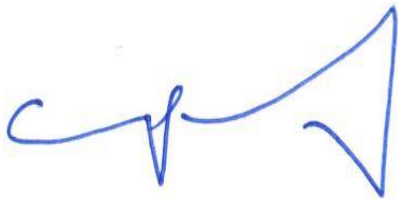
**LIST NAME OF REPORT(S) / DOCUMENT(S) AVAILABLE FROM STAFF:**

1. Electoral Area F Official Community Plan Bylaw No. 830
2. Magna Bay Zoning Bylaw No. 800
3. Building Department referral, March 6, 2019
4. Ministry of Transportation Setback Permit (2019-01269), March 28, 2019

**Report Approval Details**

Document Title:	2019-06-20_Board_DS_BL800-31_Second_Coueffin.docx
Attachments:	<ul style="list-style-type: none"><li>- BL800-31_Second.pdf</li><li>- 2019-04-18_Board_DS_BL800-31_Coueffin.pdf</li><li>- BL800-31_First.pdf</li><li>- BL800_Excerpts_BL800-31.pdf</li><li>- Agency_referral_responses_BL800-31.pdf</li><li>- Maps_plans_photos_BL800-31.pdf</li></ul>
Final Approval Date:	Jun 6, 2019

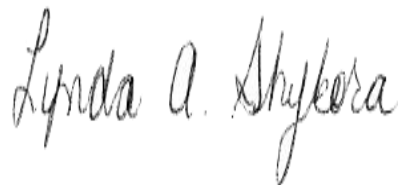
This report and all of its attachments were approved and signed as outlined below:



**Corey Paiement - Jun 4, 2019 - 12:28 PM**



**Gerald Christie - Jun 5, 2019 - 4:10 PM**



**Lynda Shykora - Jun 6, 2019 - 1:36 PM**



**Charles Hamilton - Jun 6, 2019 - 3:13 PM**

**COLUMBIA SHUSWAP REGIONAL DISTRICT**

**MAGNA BAY ZONING**  
**AMENDMENT (COUEFFIN) BYLAW NO. 800-31**

A bylaw to amend the "Magna Bay Zoning Bylaw No. 800"

WHEREAS the Board of the Columbia Shuswap Regional District adopted Bylaw No. 800;

AND WHEREAS the Board deems it appropriate to amend Bylaw No. 800;

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

1. "Magna Bay Zoning Bylaw No. 800", as amended, is hereby further amended as follows:

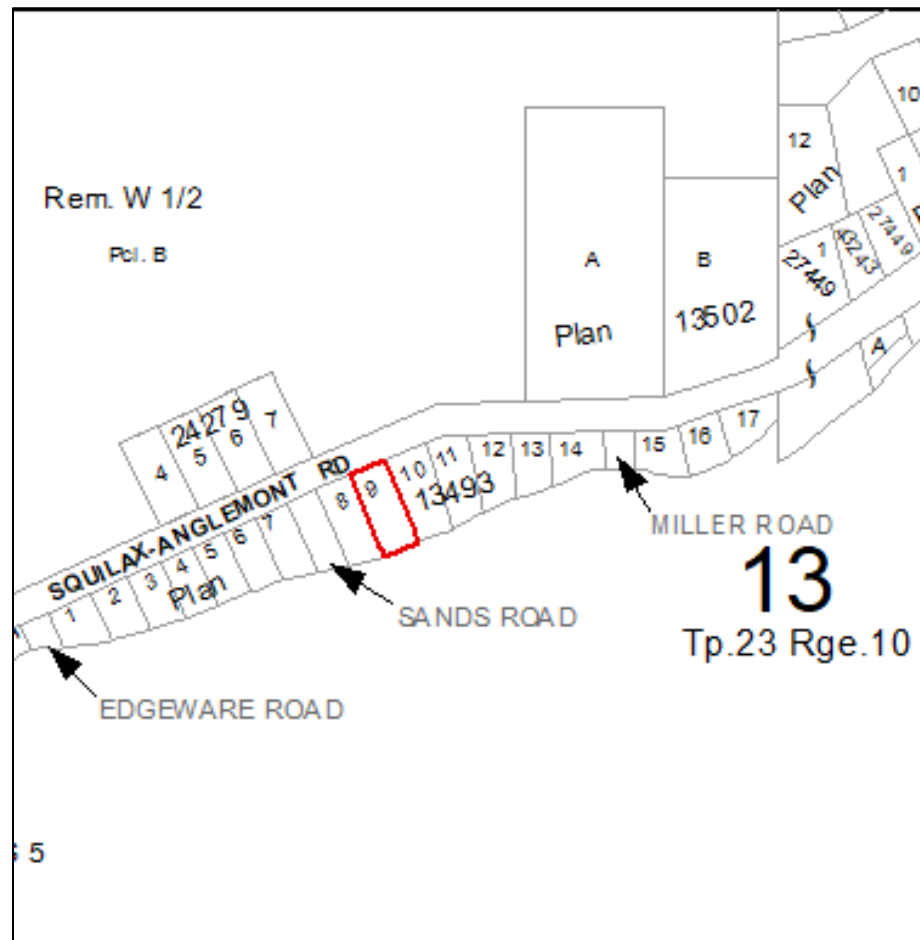
A. TEXT AMENDMENT

- i. Schedule A, Zoning Bylaw Text, Part 5 – Zones, Section 5.5 Residential -RS is hereby amended by adding subsection 7, in its entirety, including the attached map.

"(7)(a) In this subsection, lands are described by legal description and by map, and in the event of a discrepancy between the legal description of the lands or portion of the lands and the map, the map governs.

(b) despite the maximum parcel coverage as established in Section 5.5(2)(e), the maximum parcel coverage is 28%,

Only for Lot 9, Section 13, Township 23, Range 10, West of 6th Meridian, KDYD, Plan 13493, which is more particularly shown on the following map:



2. This bylaw may be cited as "Magna Bay Zoning Amendment (Coueffin) Bylaw No. 800-31"

READ a first time this 18<sup>th</sup> day of April, 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.

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

\_\_\_\_\_  
CHAIR

CERTIFIED true copy of Bylaw No. 800-31  
as read a third time.

CERTIFIED true copy of Bylaw No. 800-31  
as adopted.

\_\_\_\_\_  
Chief Administrative Officer

\_\_\_\_\_  
Chief Administrative Officer



# BOARD REPORT

**TO:**

Chair and Directors

<b>File No:</b> BL800-31 PL20180179
--

**SUBJECT:**

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

**DESCRIPTION:**
Report from Candice Benner, Planner II, dated April 2, 2019  
6346 Squilax-Anglemont Road, Magna Bay
**RECOMMENDATION  
#1:**
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;
- CSR D Operations Management;
- Relevant First Nations Bands and Councils.

**SHORT SUMMARY:**

The applicant is wanting to rebuild a garage that burned down at 6346 Squilax-Anglemont Road in Magna Bay. With the construction of the garage the property will exceed the maximum allowed parcel coverage for the RS zone. The applicant is proposing a site specific amendment to the RS zone to increase the permitted parcel coverage from 25% to 28%.

**VOTING:**
Unweighted  
Corporate
☐
LGA Part 14  
(Unweighted)
☒
Weighted  
Corporate
☐
Stakeholder  
(Weighted)
☐
**BACKGROUND:**
**OWNERS:**
Ricky Coueffin  
Irene Coueffin
**APPLICANT:**

Ricky Coueffin

**ELECTORAL AREA:**

F (Magna Bay)

**CIVIC ADDRESS:**

6346 Squilax-Anglemont Road

**LEGAL DESCRIPTION:**



Lot 9, Section 13, Township 23, Range 10, W6M, KDYD, Plan 13493

**PID:**

006-909-698

**SIZE OF PROPERTY:**

0.142 ha

**SURROUNDING LAND**

**USE PATTERN:**

NORTH: Squilax-Anglemont Road, vacant

SOUTH: Shuswap Lake

EAST: Residential

WEST: Residential

**DESIGNATION:**

Electoral Area F Official Community Plan Bylaw No. 830

SSA –Secondary Settlement Area

**CURRENT ZONE:**

Magna Bay Zoning Bylaw No. 800

RS –Residential

**PROPOSED ZONE:**

RS –Residential –Special Regulation

**CURRENT USE:**

Single Family Dwelling, accessory building– (shed/boathouse)

**PROPOSED USE:**

Single Family Dwelling, accessory buildings (shed/boathouse and garage)

**POLICY:**

See attached "BL800\_Excepts\_BL800-31.pdf".

The existing and proposed use are consistent with the SSA –Secondary Settlement Area designation in Electoral Area F Official Community Plan Bylaw No. 830.

**FINANCIAL:**

There are no financial implications to the CSRD regarding this application.

**KEY ISSUES/CONCEPTS:**

The applicant's garage burned down in a fire in July 2018; he is wanting to rebuild the new garage on the same footprint as the old garage due to siting constraints on the property. The proposal is for a two-storey structure: a 1 bay garage first floor with office space in the basement.

The property has an existing single family dwelling and accessory building (shed/boathouse); with the re-construction of the garage, the parcel coverage will be 28% which will exceed the 25% permitted in the RS zone.

Parcel coverage is defined in Bylaw No. 800 as the horizontal area within the vertical projection of the outermost walls of the buildings on a parcel expressed as a percentage of the parcel area.

Parcel coverage is used in zoning regulation as a tool to limit density. By restricting the total area that can be developed on a property this limits the potential habitable area of a dwelling(s). Parcel coverage typically applies to zones with smaller sized parcels that require land area for onsite servicing, such as a groundwater well, on-site sewage disposal system, and stormwater management. Staff has initiated a process to review and increase the maximum parcel coverages permitted in the Electoral F zoning bylaws; the proposal will be to increase the 25% maximum parcel coverages on residential properties.

The applicant has indicated that the basement will have a full bathroom with sink, toilet, and shower as well as a kitchenette that includes a sink, microwave, and fridge. The applicant has been advised that guest accommodation is not permitted on parcels less than 1 ha in the RS zone. The trigger for a structure to be considered a dwelling unit or guest accommodation is installation of a stove unit or a 220 electrical outlet. Neither a stove unit nor a 220 electrical outlet is being proposed.

Staff have requested servicing information for the proposed office to confirm that existing water and septic services can accommodate the additional use.

#### **Development Variance Permit**

The old garage was located at the front of the property, close to Squilax-Anglemont Road, and the west parcel line. The applicant would like to build the new garage in this same location which will require a Development Variance Permit as it would be located within the front and interior side parcel boundary setbacks.

The proposed setbacks for the garage, including eaves and gutters, would be 0.5 m from the front and interior side parcel boundary; the walls of the garage would be 1.0 m setback from the parcel lines.

The proposed height for the garage is 7.92 m, which is over the maximum allowed 6 m for an accessory building.

The maximum gross floor area for an accessory building is 55 m<sup>2</sup> in the RS zone; the proposed 2 storey garage exceeds the maximum floor area permitted; the gross floor area for the building is 58 m<sup>2</sup> which includes both floors. Bylaw No. 800 exempts off-street parking in floor area calculation; the first floor garage has two off-street parking spaces which are deducted from the total. The area for the first floor is 13 m<sup>2</sup> and the basement floor area is 45 m<sup>2</sup>; the combined total of which is 58 m<sup>2</sup>. The old garage was also two storeys and so the floor area and height would have been similar.

The Board will review the DVP for issuance when this amendment is considered for adoption, should it proceed through further readings. The variance for consideration would be as follows:

The Magna Bay Zoning Bylaw No. 800 would proposed to be varied:

Section 5.5(2)(e) Maximum height for an accessory building from 6 m to 7.92 m for a garage;

Section 5.5(2)(f) Minimum setback from the front parcel boundary from 4.5 m to 0.5 m and from the interior side parcel boundary from 2.0 m to 0.5 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 58 m<sup>2</sup> for a garage.

Staff consulted with the CSRD Building Services Department regarding future potential fire separation issues there may be for the garage, as it will be located within 2.4 metres of an interior side parcel line setback shared with the neighbouring property. The building department has indicated that there will be building material restrictions in order to meet fire resistant ratings for the west wall and overhang of the garage located within the setback; this will be addressed through the Building Permit process. The Building Department comments have been shared with the applicant.

The fire in 2018 also burned down the neighbour's garage at 6342 Squilax-Anglemont Road, for which the Board will review a Development Variance Permit (DVP800-32 Lamb) application for the rebuild of that garage at its April 18, 2019 Board meeting. Similar to the Coueffin's proposed garage, DVP800-32 proposes to vary front and interior side parcel setbacks, height, and gross floor area of a garage.

Staff is in receipt of an issued Setback Permit from Ministry of Transportation for the subject property that permits the garage to be within 4.5 m of the road right of way.

### **SUMMARY:**

The applicant wants to rebuild a new garage on the old garage footprint. The applicant has applied for a site specific bylaw amendment to allow for 28% parcel coverage for the subject property; as the proposed garage construction on the property will exceed the maximum 25% parcel coverage permitted in the RS zone.

Staff are recommending that the bylaw be given first reading and staff be directed to send out referrals to applicable agencies and First Nations because:

- a garage is an accessory use consistent with zoning,
- a 3% increase in parcel coverage is considered minor; and,
- and staff are currently undergoing a review to consider increasing the maximum parcel coverage in the Electoral Area F zoning bylaws.

### **IMPLEMENTATION:**

#### **Consultation Process**

As per CSRD Policy No. P-18 regarding Consultation Processes-Bylaws, staff recommends the simple consultation process. Neighbouring property owners will first become aware of the application to rezone when notice of development signs are posted on the property after first reading.

#### **Referral Process**

The following list of referral agencies is recommended:

- Ministry of Forests, Lands and Natural Resource Operations –Archaeology Branch;
- CSRD Operations Management;
- Adams Lake Indian Band;
- Little Shuswap Indian Band;
- Neskonalith Indian Band;
- Okanagan Indian Band;
- Shuswap Indian Band;
- Simpcw First Nation; and,
- Splots'in 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 recommendation.

**BOARD'S OPTIONS:**

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

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

1. Electoral Area F Official Community Plan Bylaw No. 830
2. Magna Bay Zoning Bylaw No. 800
3. Building Department referral, March 6, 2019
4. Ministry of Transportation Setback Permit (2019-01269), March 28, 2019

**Report Approval Details**

Document Title:	2019-04-18_Board_DS_BL800-31_Coueffin.docx
Attachments:	<ul style="list-style-type: none"><li>- BL800-31_First.pdf</li><li>- BL800_Excerpts_BL800-31.pdf</li><li>- Maps_plans_photos_BL800-31.pdf</li></ul>
Final Approval Date:	Apr 8, 2019

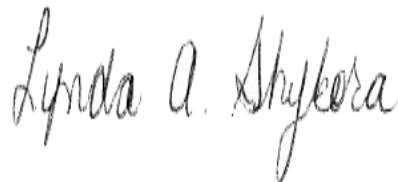
This report and all of its attachments were approved and signed as outlined below:



**Corey Paiement - Apr 5, 2019 - 10:57 AM**



**Gerald Christie - Apr 5, 2019 - 11:40 AM**



**Lynda Shykora - Apr 8, 2019 - 12:49 PM**



**Charles Hamilton - Apr 8, 2019 - 1:34 PM**

**COLUMBIA SHUSWAP REGIONAL DISTRICT**

**MAGNA BAY ZONING**  
**AMENDMENT (COUEFFIN) BYLAW NO. 800-31**

A bylaw to amend the "Magna Bay Zoning Bylaw No. 800"

WHEREAS the Board of the Columbia Shuswap Regional District adopted Bylaw No. 800;

AND WHEREAS the Board deems it appropriate to amend Bylaw No. 800;

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

1. "Magna Bay Zoning Bylaw No. 800", as amended, is hereby further amended as follows:

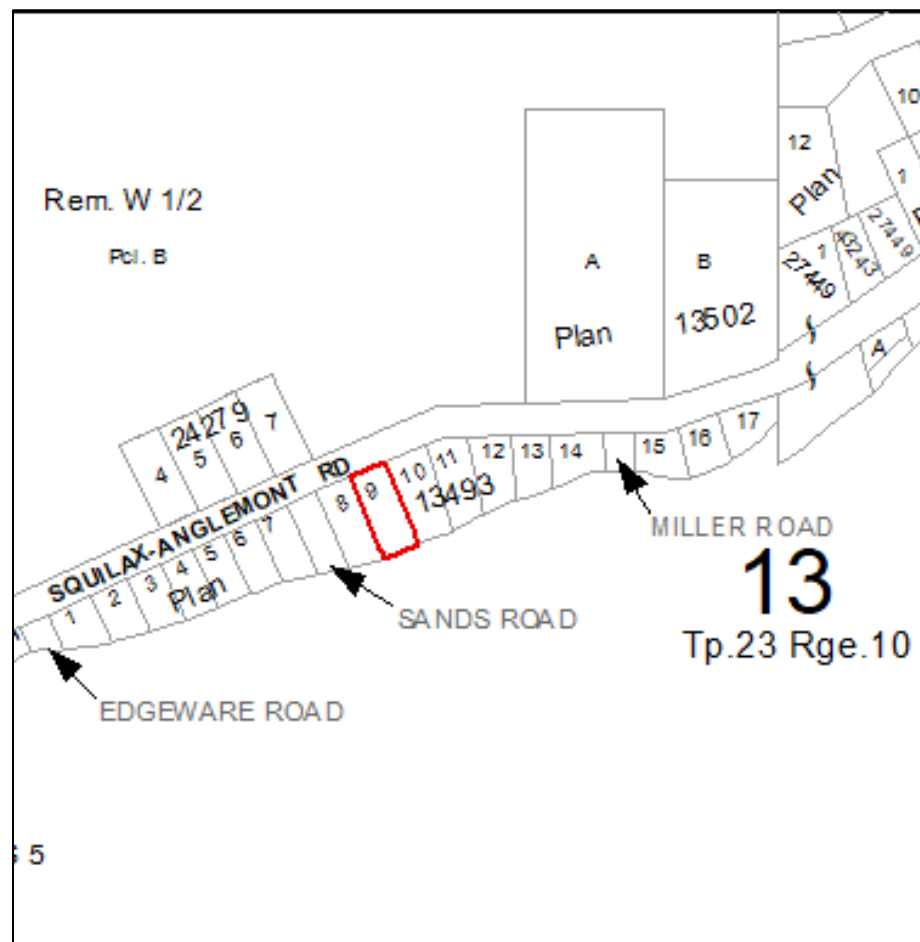
A. TEXT AMENDMENT

- i. Schedule A, Zoning Bylaw Text, Part 5 – Zones, Section 5.5 Residential -RS is hereby amended by adding subsection 7, in its entirety, including the attached map.

"(7)(a) In this subsection, lands are described by legal description and by map, and in the event of a discrepancy between the legal description of the lands or portion of the lands and the map, the map governs.

(b) despite the maximum parcel coverage as established in Section 5.5(2)(e), the maximum parcel coverage is 28%,

Only for Lot 9, Section 13, Township 23, Range 10, West of 6th Meridian, KDYD, Plan 13493, which is more particularly shown on the following map:





2. This bylaw may be cited as "Magna Bay Zoning Amendment (Coueffin) Bylaw No. 800-31"

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.

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

\_\_\_\_\_  
CHAIR

CERTIFIED true copy of Bylaw No. 800-31  
as read a third time.

CERTIFIED true copy of Bylaw No. 800-31  
as adopted.

\_\_\_\_\_  
Chief Administrative Officer

\_\_\_\_\_  
Chief Administrative Officer

## Relevant Excerpts from Magna Bay Zoning Bylaw No. 800

(See Bylaw No. 800 for all policies and land use regulations)

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### 1.0 Definitions

ACCESSORY BUILDING is a detached building or structure that is customarily incidental to, subordinate to and exclusively devoted to a principal use or a single family dwelling, is not used for human habitation and is used for an accessory use or where permitted, for a home business;

FLOOR AREA is the total area of all floors in a building measured to the outside face of exterior walls. Where the context requires it, floor area is the total area of all floors in a portion of a building in a particular use, measured to the outside face of the walls of the area of the use. Floor area does not include off street parking areas, balconies, elevator shafts and areas used for building ventilation machinery;

GROSS FLOOR AREA is the total area of all floors in a building measured to the outside face of exterior walls. Where the context requires it, gross floor area is the total area of all floors in a portion of a building in a particular use, measured to the outside face of the walls of the area of the use.

PARCEL COVERAGE is the horizontal area within the vertical projection of the outermost walls of the buildings on a parcel expressed as a percentage of the parcel area.

### 5.5 Residential –RS

#### (1) Permitted Uses

The uses stated in this subsection and no others are permitted in the Residential zone, except as stated in Part 3 General Regulations.

- (a) Single family dwelling
- (b) Bed and breakfast, permitted on a parcel 1 ha (2.47 ac.) or larger
- (c) Guest accommodation, permitted on a parcel 1 ha (2.47 ac.) or larger
- (d) Home business
- (e) Home industry, permitted on a parcel 4000 m<sup>2</sup> (0.99 ac.) or larger
- (f) Residential campsite
- (g) Standalone residential campsite
- (h) Accessory use

#### (2) Regulations

On a parcel zoned 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 Off Street Parking and Off Street Loading Regulations.

COLUMN 1 MATTER REGULATED	COLUMN 2 REGULATION
(a) Minimum parcel size created by subdivision <ul style="list-style-type: none"> <li>• where a parcel is served by both a community water system and a community sewer system</li> <li>• in all other cases</li> </ul>	4000m <sup>2</sup> (1 ac.) 1 ha (2.47 ac.)
(b) Minimum parcel width created by subdivision	20 m (65.62 ft.)
(c) Maximum parcel coverage	25 percent
(d) Maximum number of single family dwellings per parcel	1
(e) Maximum height for: <ul style="list-style-type: none"> <li>• Principal buildings and structures</li> <li>• Accessory buildings</li> </ul>	11.5 m (37.73 ft.) 6 m (19.69 ft.)
(f) Minimum setback of a building containing a home industry from each parcel boundary Minimum setback for all other uses from: <ul style="list-style-type: none"> <li>• front parcel boundary</li> <li>• interior side parcel boundary</li> <li>• exterior side parcel boundary</li> <li>• rear parcel boundary</li> </ul>	10 m (32.81 ft.)  4.5 m (14.76 ft.) 2 m (6.56 ft.) 4.5 m (14.76 ft.) • for an accessory building 3 m (9.84 ft.) • for a single family dwelling and guest accommodation 4.5 m (14.76 ft.)
(g) Maximum gross floor area of an accessory building	55 m <sup>2</sup> (592.02)



## COLUMBIA SHUSWAP REGIONAL DISTRICT

P.O. Box 978 SALMON ARM, BC V1E 4P1

Telephone: 1-250-832-8194 Fax: 1-250-832-3375

Candice Benner, Planner II:

FILE: BL800-31

PL2018\_0179

DATE: April 24, 2019

## RESPONSE SUMMARY

- |   |  |
|---|--|
| <input type="checkbox"/> Approval Recommended for Reasons Outlined Below              | <input type="checkbox"/> Interests Unaffected by Bylaw.                          |
| <input checked="" type="checkbox"/> Approval Recommended Subject to Conditions Below. | <input type="checkbox"/> Approval not Recommended Due To Reasons Outlined Below. |
| <input type="checkbox"/> No Objections  |  |

Thank you for your referral BL800-31 PL2018\_0179, regarding an application to re-build a garage at 6349 Squilax-Anglemont Road, Magna Bay, PID 006909698, LOT 9 SECTION 13 TOWNSHIP 23 RANGE 10 WEST OF THE 6TH MERIDIAN KAMLOOPS DIVISION YALE DISTRICT PLAN 13493. According to Provincial records there are no known archaeological sites recorded on the subject property. However, archaeological potential modeling indicates there is the possibility for unknown/unrecorded archaeological sites to exist on the property. The waterfront location of the property also indicates a 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.

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 property 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 colouration indicates high potential for unknown/unrecorded archaeological deposits.



Signed By: Diana Cooper

Title Archaeological Site Info and Data Administrator

Date: 07 May, 2019

Agency Archaeology Branch (FLNRORD)



## Adams Lake Indian Band

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**Project Name:**

PL20180000179

**FN Consultation ID:**

BL800-31

**Consulting Org Contact:**

Marianne Mertens

**Consulting Organization:**

[Columbia Shuswap Regional District](#)

**Date Received:**

Friday, April 26, 2019

The Adams Lake Indian Band has some issues with the PL20180000179. Through a preliminary analysis we have identified some concerns which include:

1. Proximity to Shuswap Lake with is considered a trail for the Nation. in the Archaeological Model this is considered to have high potential and digging a large foundation may run the risk of disturbing an archaeological site.

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 the protection of this potential archaeological site through your permitting process.

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/36832/review/email-response-bl800-31>

**COLUMBIA SHUSWAP REGIONAL DISTRICT**

PO Box 978 SALMON ARM BC V1E 4P1  
 Telephone: 250.832.8194 Fax: 250.832.1083

FILE NO. :BL800-31

PL2018\_179

DATE RECEIVED:

Apr 26, 2019

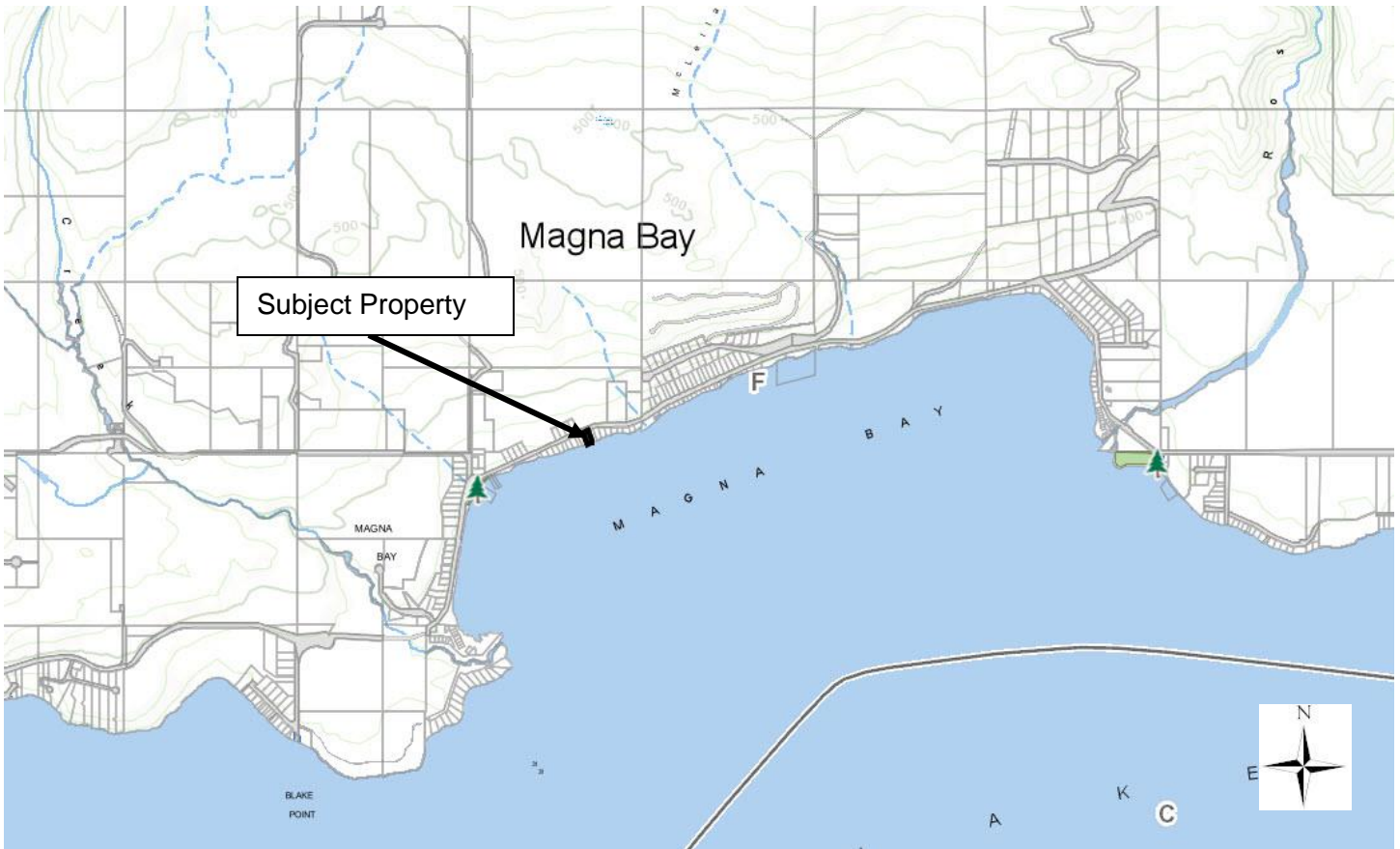
**OPERATIONS MANAGEMENT**

Marianne Mertens

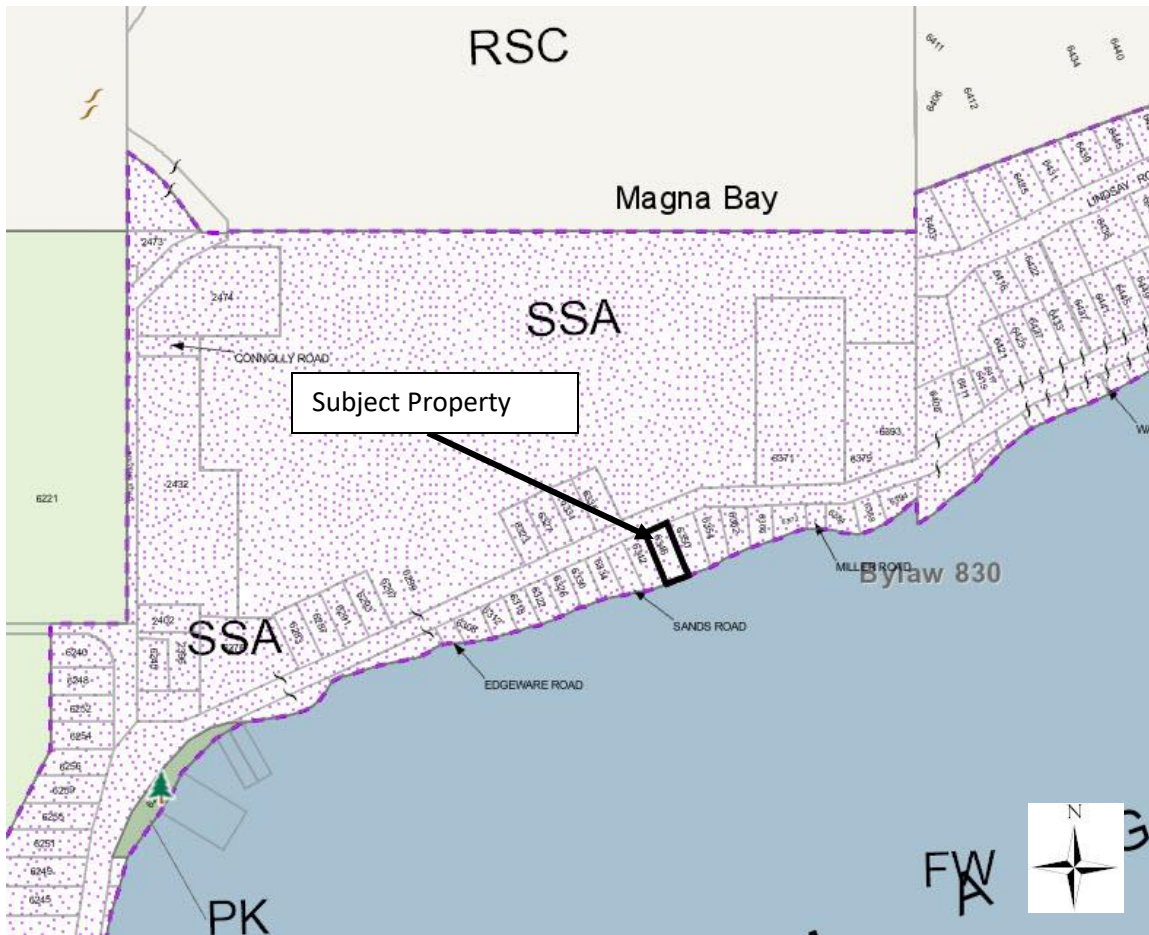
Function	Comments	Reviewed By
<b>UTILITIES</b>	no concerns	T Langlois
<b>EMERGENCY MANAGEMENT</b>	No concerns	D Sutherland
<b>FIRE SERVICES</b>	No concerns	D Sutherland
<b>SOLID WASTE AND RECYCLING</b>	No Concerns	B Van Nostrand
<b>PARKS AND COMMUNITY SERVICES</b>	No Concerns	R Nitchie
<b>ADMINISTRATION</b>	No concerns	P Turner



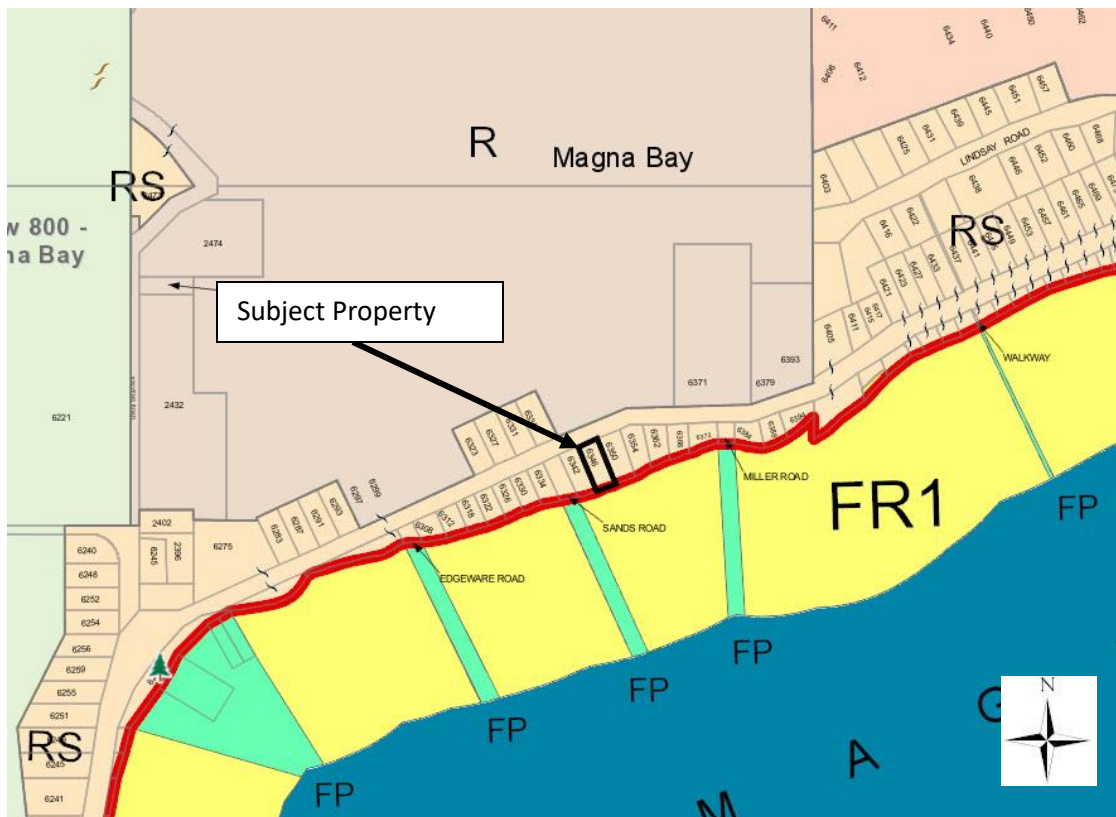
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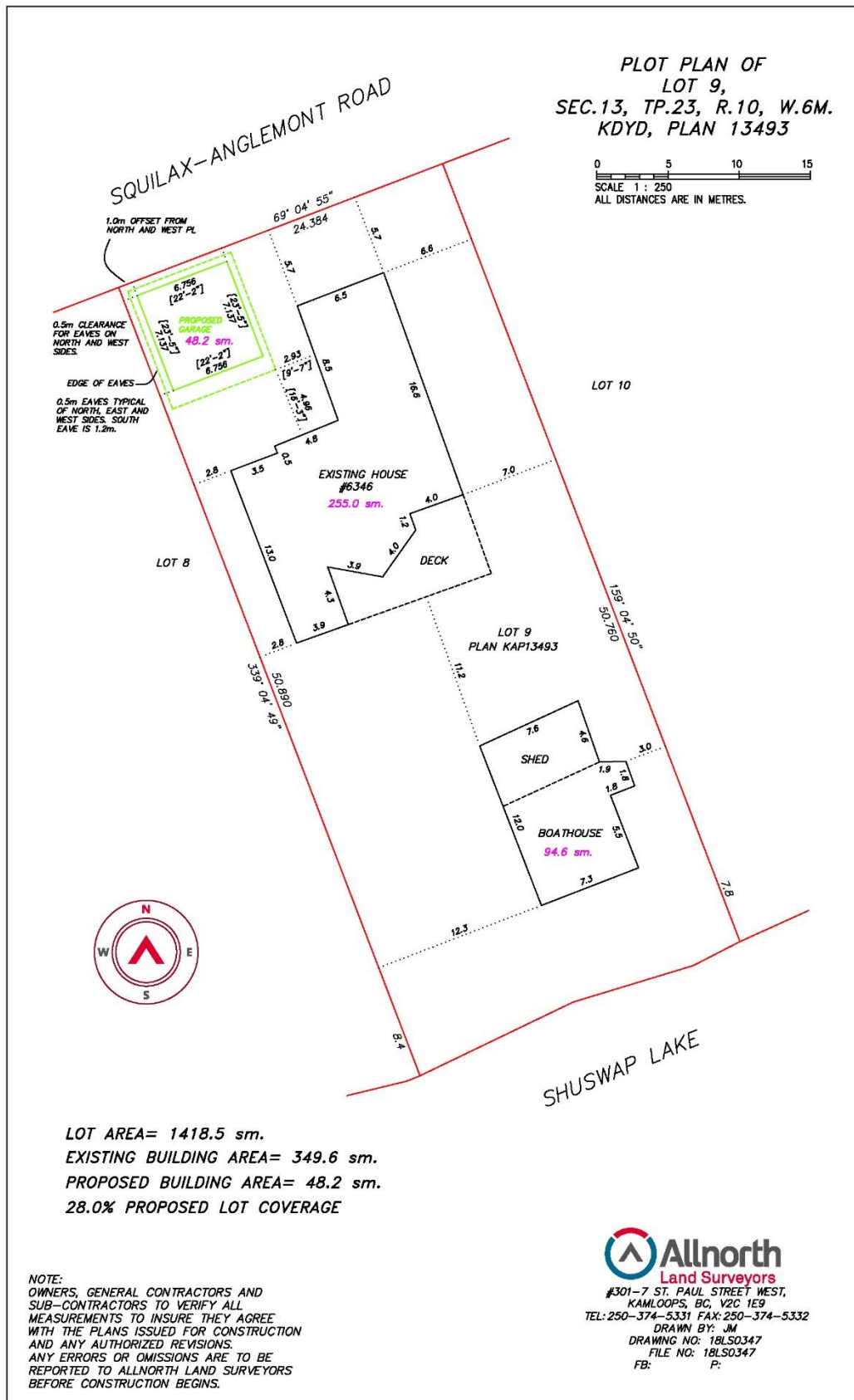
# OCF



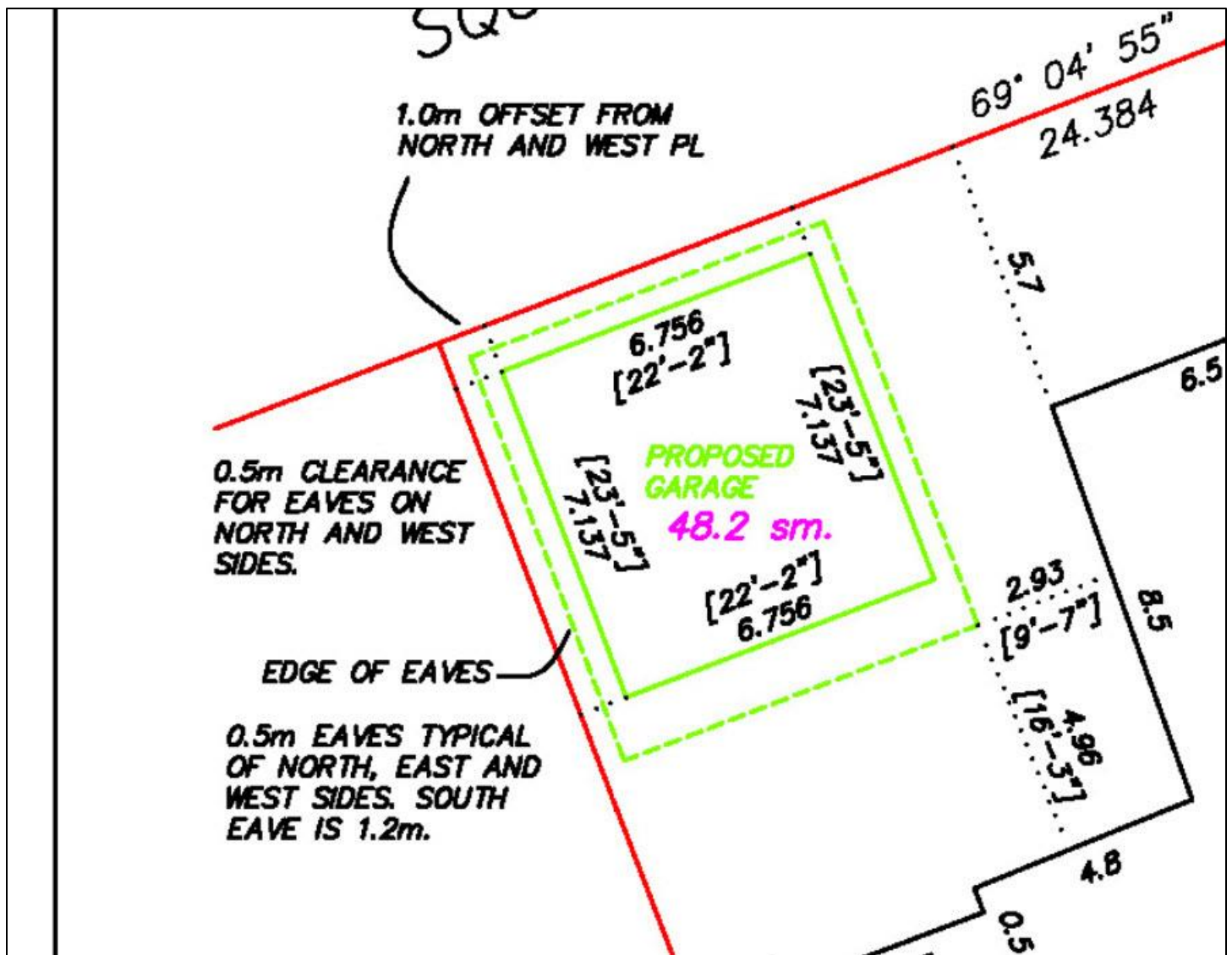
# Zoning



## Site Plan



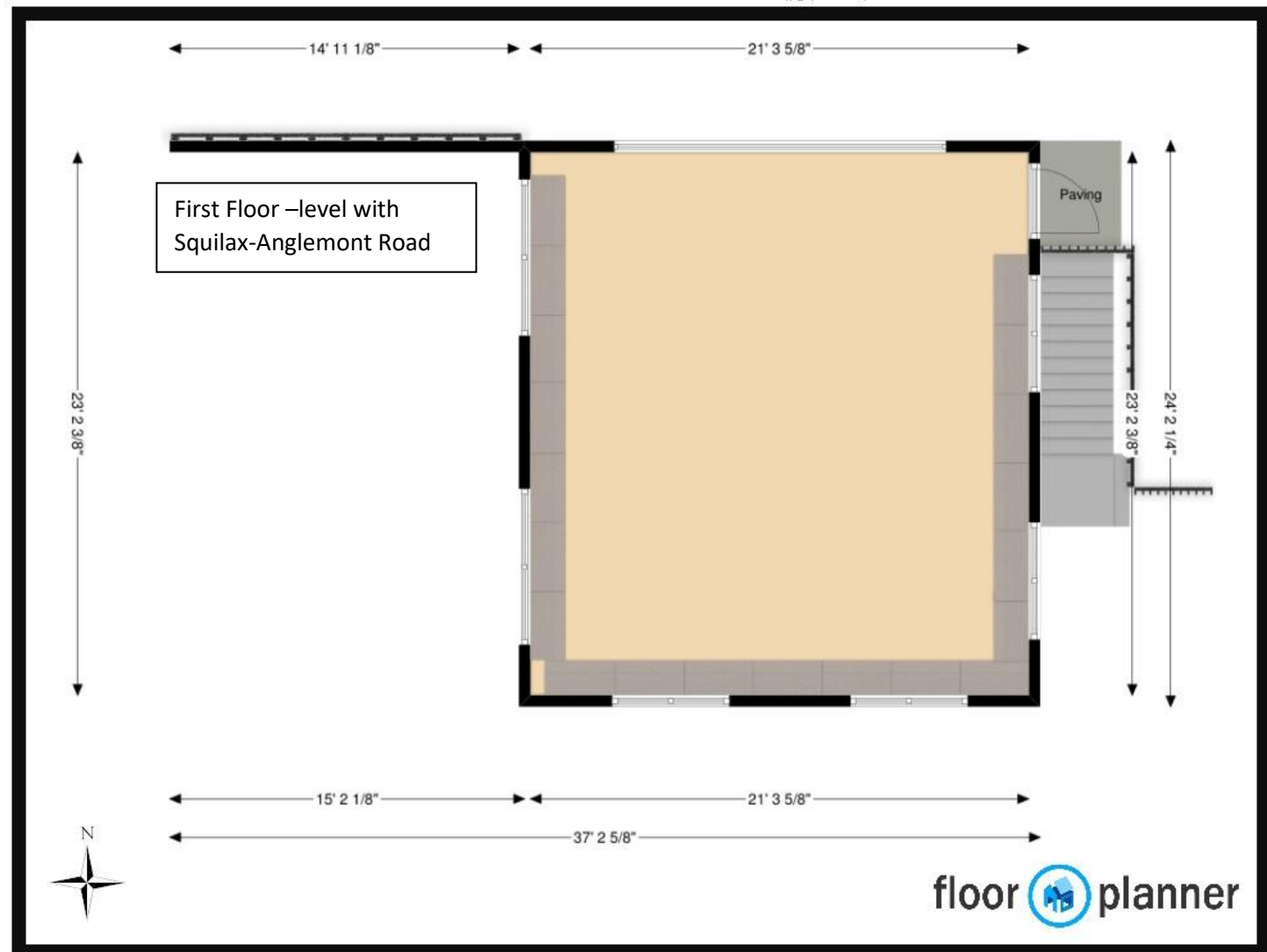




## Building Plans

2/21/2019

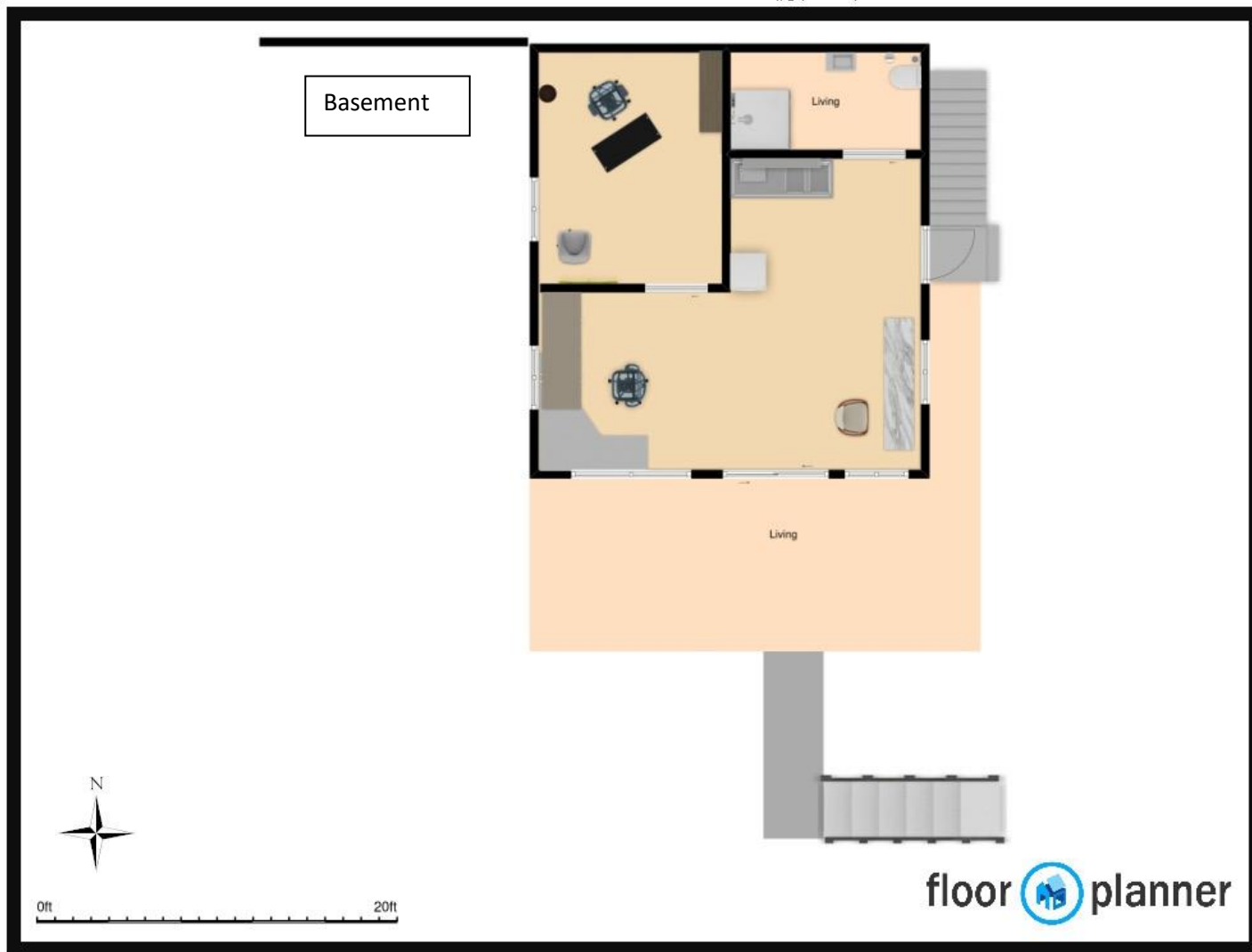
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1/1

2/21/2019

6df723dc354a9c414bf8ec29fea05b7592d21011.jpg (960x720)



<https://s3-eu-west-1.amazonaws.com/fp-export/exports/2d6df723dc354a9c414bf8ec29fea05b7592d21011.jpg>

1/1

Orthophoto





**Google Maps Streetview of Old Garages**



**Subject property garage to the left and the neighbour's garage (DVP800-32) to the right**



Photos



View of proposed garage location showing the neighbour's existing garage foundation



View of existing single family dwelling from neighbour's property





View of subject property from Squilax-Anglemont Road



View of accessory building (shed/boathouse) near Shuswap Lake on subject property



# BOARD REPORT

**TO:** Chair and Directors

**File No:** BL825-40  
PL20190030

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

**DESCRIPTION:** Report from Erica Hartling, Planner I, dated May 31, 2019.  
3740 Ancient Creek Lane, Scotch Creek

**RECOMMENDATION #1:** THAT: "Scotch Creek/Lee Creek Zoning Amendment (Mosher) Bylaw No. 825-40" be read a second time this 20<sup>th</sup> day of June 2019;

**RECOMMENDATION #2:** THAT: a public hearing to hear representations on "Scotch Creek/Lee Creek Zoning Amendment (Mosher) Bylaw No. 825-40" 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 Jay Simpson, as Director of Electoral Area F being that in which the land concerned is located, or Alternate Director Jeffrey Tarry, 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 subject property is located at 3740 Ancient Creek Lane in Scotch Creek of Electoral Area F. The owners are applying to amend the zone of the Scotch Creek/Lee Creek Zoning Bylaw No. 825 from MU – Mixed Use to R1 – Residential – 1. The proposed R1 zone will continue to allow a single family dwelling or standalone residential campsite as a principal use for the subject property but will not permit the commercial principal uses that are listed in the MU zone.

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 "2019-04-18\_Board\_DS\_BL825-40\_First\_Mosher.pdf" and "Maps\_Plans\_Photos\_BL900-20.pdf" attached.

## POLICY:

See "BL830\_BL825\_Excerpts\_BL825-40.pdf" attached.

#### Electoral Area F Official Community Plan Bylaw No. 830

- 11.1 General Land Use
- 12.8 NR - Neighbourhood Residential

#### Scotch Creek/Lee Creek Zoning Bylaw No. 825

- 5.12 MU – Mixed Use
- 5.7 R1 – Residential – 1

### **FINANCIAL:**

There are no financial implications to the CSRD with regard to this application.

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

See "2019-04-18\_Board\_DS\_BL825-40\_First\_Mosher.pdf" attached.

The Board gave first reading of Bylaw No. 825-40 at its April 18, 2019 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. See copies of the complete referral responses "Agency\_Referral\_Responses\_BL825-40.pdf" attached.

Referral comments came back with interest unaffected or no known concerns with the subject property and proposal. Little Shuswap Lake Indian Band (LSLIB) requested that they are given provisions to conduct archaeology field assessments if necessary. As the property owners have no plans to develop the lot at this time, they have not contacted LSLIB to perform a field study. The owners are aware of the Archaeology Branch and LSLIB procedures and if an archaeological site is encountered during development, activities will be halted and both the Archaeology Branch and LSLIB will be contacted for direction.

### **SUMMARY:**

Staff continue to support Bylaw No. 825-40 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. 825-40 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. 825-40 was referred to the following agencies and First Nations for comments, which are summarized below. See "Agency\_Referral\_Responses\_BL825-40.pdf" attached.

- Interior Health: Interests unaffected. No health impacts associated with the proposal.
- Ministry of Transportation and Infrastructure: Interests unaffected.
- Archaeology Branch: Approval recommended subject to conditions. Small area of potential but no known archaeological sites recorded on the subject property.
- CSRD Operations Management: No concerns.
- Adams Lake Indian Band: Defers their comments to the Little Shuswap Lake Indian Band.
- Little Shuswap Lake Indian Band (LSLIB): Requests provisions for LSIB to conduct archaeology field assessments and to conduct an AOA and AIA if necessary.

The following agencies and First Nations did not respond to the request for comments:

- Neskonlith Indian Band;
- Okanagan Indian Band;
- Shuswap Indian Band;
- Simpcw First Nation; and,
- Splots'in First Nation.

### **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. 830
2. Scotch Creek/Lee Creek Zoning Bylaw No. 825



**Report Approval Details**

Document Title:	2019-06-20_Board_DS_BL825-40_Second_Mosher.docx
Attachments:	<ul style="list-style-type: none"><li>- BL825-40_Second.pdf</li><li>- 2019-04-18_Board_DS_BL825-40_First_Mosher.pdf</li><li>- BL825-40_First.pdf</li><li>- BL830_BL825_Excerpts_BL825-40.pdf</li><li>- Agency_Referral_Responses_BL825-40_Second.pdf</li><li>- Maps_Plans_Photos_BL825-40.pdf</li></ul>
Final Approval Date:	Jun 6, 2019

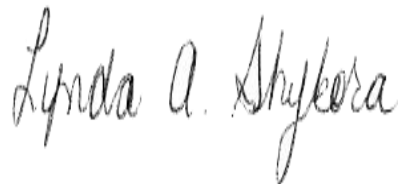
This report and all of its attachments were approved and signed as outlined below:



**Corey Paiement - Jun 3, 2019 - 2:27 PM**



**Gerald Christie - Jun 5, 2019 - 3:11 PM**



**Lynda Shykora - Jun 6, 2019 - 11:50 AM**



**Charles Hamilton - Jun 6, 2019 - 3:16 PM**



**COLUMBIA SHUSWAP REGIONAL DISTRICT**

**SCOTCH CREEK/LEE CREEK ZONING**  
**(MOSHER) BYLAW NO. 825-40**

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 amended as follows:

A. MAP AMENDMENT

- i. Schedule B, Zoning Map, which forms part of "Scotch Creek/Lee Creek Zoning Bylaw No. 825" is hereby amended by:

Rezoning Lot 6, Section 33, Township 22, Range 11, West of the 6<sup>th</sup> Meridian, Kamloops Division Yale District, Plan KAP59951, which part is more particularly shown hatched on Schedule 1 attached hereto and forming part of this bylaw, from MU – Mixed Use to R1 – Residential – 1.

2. This bylaw may be cited as "Scotch Creek/Lee Creek Zoning (Mosher) Bylaw No. 825-40"

READ a first time this 18<sup>th</sup> day of April, 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. 825-40  
as read a third time.

CERTIFIED a true copy of Bylaw No. 825-40  
as adopted.

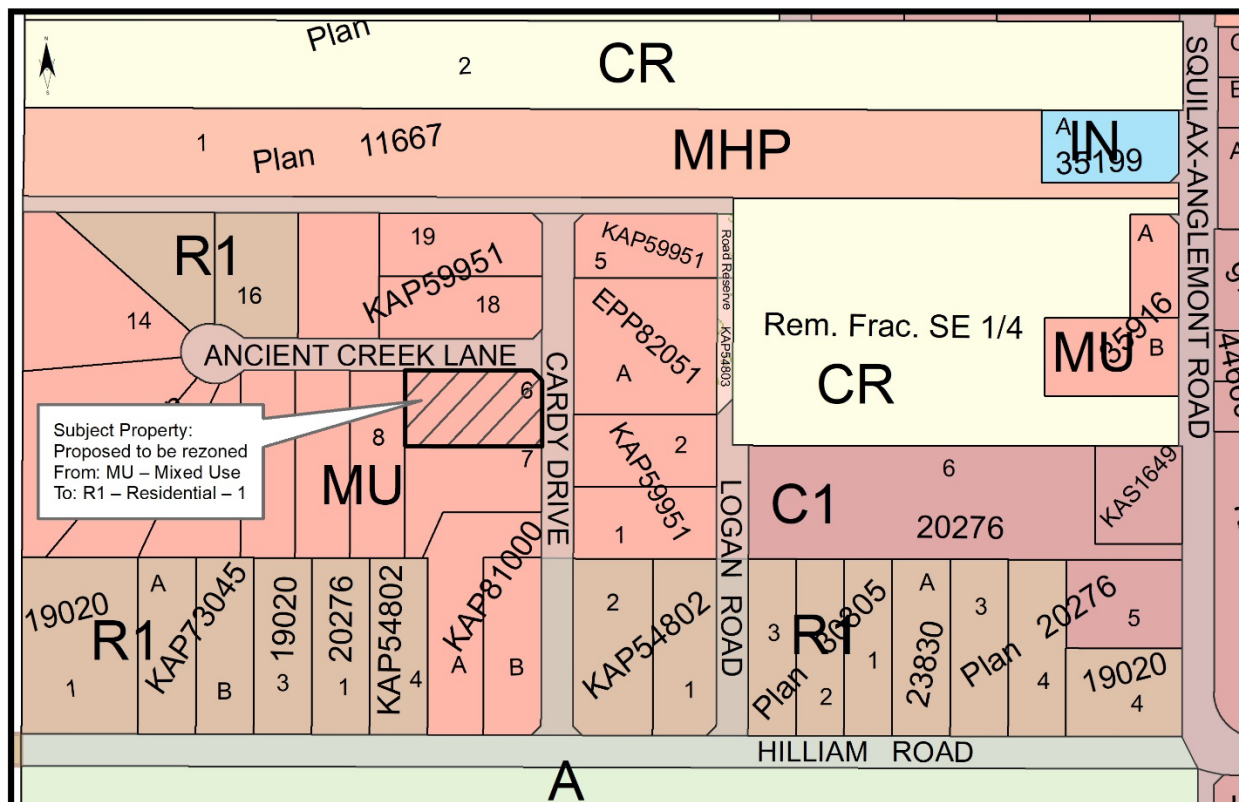
\_\_\_\_\_  
Corporate Officer

\_\_\_\_\_  
Corporate Officer

**SCHEDULE 1**

## ZONING AMENDMENT

**SCOTCH CREEK/LEE CREEK ZONING**  
**(MOSHER) BYLAW NO. 825-40**





# BOARD REPORT

**TO:**

Chair and Directors

<b>File No:</b> BL825-40 PL20190030
--

**SUBJECT:**

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

**DESCRIPTION:**

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

**RECOMMENDATION:**

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.

**SHORT SUMMARY:**

The subject property is located at 3740 Ancient Creek Lane in Scotch Creek of Electoral Area F. The owners are applying to amend the zone of the Scotch Creek/Lee Creek Zoning Bylaw No. 825 from MU – Mixed Use to R1 – Residential – 1. The proposed R1 zone will continue to allow a single family dwelling or standalone residential campsite as a principal use for the subject property but will not permit the commercial principal uses that are listed in the MU zone.

---

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

---

**BACKGROUND:**
**REGISTERED OWNER(S):**

Christopher James Mosher, Athanasia Mosher

**ELECTORAL AREA:**

F

**LEGAL DESCRIPTION:**

Lot 6, Section 33, Township 22, Range 11, West of the 6<sup>th</sup> Meridian, Kamloops Division Yale District, Plan KAP59951

**PID:**

023-873-809

**CIVIC ADDRESS:**

3740 Ancient Creek Lane, Scotch Creek

**SURROUNDING LAND USE PATTERN:**

North = Ancient Creek Lane, Residential properties

South = Residential properties

East = Cardy Drive, North Shuswap Storage Resort, and a Residential/Recreational property

West = Residential and Recreational properties

**CURRENT USE:**

Recreational - standalone residential campsite

**PROPOSED USE:**

No proposed change, current residential/recreational use to remain

**PARCEL SIZE:**

0.407 ha (1.01 acres)

**DESIGNATION**

Electoral Area F Official Community Plan Bylaw No. 830 (OCP)

NR - Neighbourhood Residential, Scotch Creek Primary Settlement Area

**ZONE:**

Scotch Creek/Lee Creek Zoning Bylaw No. 825

MU – Mixed Use

**PROPOSED ZONE:**

R1 – Residential – 1

**SITE COMMENTS:**

See "Maps\_Plans\_Photos\_BL825-40.pdf" attached.

The subject property is currently used as a recreational lot and the owners have a standalone residential campsite (recreational trailer) as the principal use, with future plans to build a single family dwelling. The owners have no plans to develop the lot for commercial use. The property is

surrounded by similar uses and most of the neighbouring properties either have a single family dwelling or a standalone residential campsite as the principal use.

**POLICY:**

See "BL830\_BL825\_Excerpts\_BL825-40.pdf" attached.

Electoral Area F Official Community Plan Bylaw No. 830

- 11.1 General Land Use
- 12.8 NR - Neighbourhood Residential

Scotch Creek/Lee Creek Zoning Bylaw No. 825

- 5.12 MU – Mixed Use
- 5.7 R1 – Residential – 1

**FINANCIAL:**

There are no financial implications to the CSRD with regard to this application.

**KEY ISSUES/CONCEPTS:****Proposal**

This application proposes to rezone the subject property from the MU to R1 zone to remove the commercial principal uses that are currently permitted in the MU zone. The property owners believe that a successful rezoning to the R1 zone will decrease their property taxes. The lot is currently used as a residential recreational property and the owners have no plans to utilize any of the commercial uses listed in the MU zone. The majority of the properties within the Ancient Creek Lane subdivision have been developed and most of the property owners have also opted to construct single family dwellings or have a standalone residential campsite as their principal use, instead of the various commercial uses available within the current MU zone.

**Previous Bylaw Amendment**

The Board reviewed a similar rezoning application (Bylaw No. 825-27) over two properties (3719 and 3723 Ancient Creek Lane) in the Ancient Creek Lane subdivision, requesting to remove the commercial uses that are permitted in the MU zone. These two properties were rezoned from MU to the R1 zone and the bylaw amendment was adopted February 20, 2014. Five community members residing in the area at the time were in attendance at the public hearing and all were in support of the proposed R1 zone. In addition, the referral agencies that responded to rezoning from MU to R1 all had no concerns with the proposed amendment.

**Neighbourhood Residential (NR) Policies**

The proposal is consistent with the NR designation and policies within Bylaw No. 830 and reflects the existing neighbourhood's character and general development patterns in the area. The subject property and neighbouring properties are considered Scotch Creek Larger Lots within the NR

designation, which supports maintaining the existing setbacks, landscaping, visual buffers, building massing and building orientation of the residential/recreational neighbourhood.

**Servicing**

The subject property is within the Scotch Creek Primary Settlement Area of the OCP, which requires all new development to connect to a community water system and a community sewer system. At the time of subdivision all of the lots created within the Ancient Creek Lane subdivision were originally developed with individual groundwater wells. Currently no options exist in the subject area for either community water or sewer servicing and the owners have confirmed that the subject property is serviced by a residential on-site well and septic system.

A future community water service area is planned for Scotch Creek; however, the Ancient Creek Lane subdivision is not included in the planned Phase 1 service area and there is no set timeline for when a water service area and connection will be available to the subject property.

**Access and Parking**

The subject property is a corner lot to Ancient Creek Lane and Cardy Drive and is currently accessed off of Ancient Creek Lane. The property has plenty of room available to meet the minimum parking space requirements for the permitted uses of the R1 zone.

**SUMMARY:**

The owners have applied to amend Bylaw No. 825 to rezone the subject property from MU to R1. As the rezoning is in compliance with the OCP policies of the Neighbourhood Residential designation and reflects the dominant land use pattern within the area, staff recommends Bylaw No. 825-40 be given first reading and sent to the recommended referral agencies.

**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 is posted on the subject 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;
- Adams Lake Indian Band;
- Little Shuswap Indian Band;
- Neskonlith Indian Band;



- Okanagan Indian Band;
- Shuswap Indian Band;
- Simpcw First Nation; and,
- Splots'in First Nation.

**COMMUNICATIONS:**

If the Board gives Bylaw No. 825-40 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. 830
2. Scotch Creek/Lee Creek Zoning Bylaw No. 825

**Report Approval Details**

Document Title:	2019-04-18_Board_DS_BL825-40_Mosher.docx
Attachments:	- BL825-40_First.pdf - BL830_BL825_Excerpts_BL825-40.pdf - Maps_Plans_Photos_BL825-40.pdf
Final Approval Date:	Apr 8, 2019

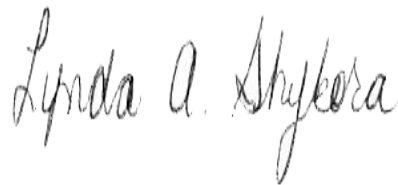
This report and all of its attachments were approved and signed as outlined below:



**Corey Paiement - Apr 3, 2019 - 11:46 AM**



**Gerald Christie - Apr 4, 2019 - 11:31 AM**



**Lynda Shykora - Apr 8, 2019 - 11:30 AM**



**Charles Hamilton - Apr 8, 2019 - 1:55 PM**

**COLUMBIA SHUSWAP REGIONAL DISTRICT**

**SCOTCH CREEK/LEE CREEK ZONING AMENDMENT**

**(MOSHER) BYLAW NO. 825-40**

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 amended as follows:

A. MAP AMENDMENT

- i. Schedule B, Zoning Map, which forms part of "Scotch Creek/Lee Creek Zoning Bylaw No. 825" is hereby amended by:

Rezoning Lot 6, Section 33, Township 22, Range 11, West of the 6<sup>th</sup> Meridian, Kamloops Division Yale District, Plan KAP59951, which part is more particularly shown hatched on Schedule 1 attached hereto and forming part of this bylaw, from MU – Mixed Use to R1 – Residential – 1.

2. This bylaw may be cited as "Scotch Creek/Lee Creek Zoning Amendment (Mosher) Bylaw No. 825-40"

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

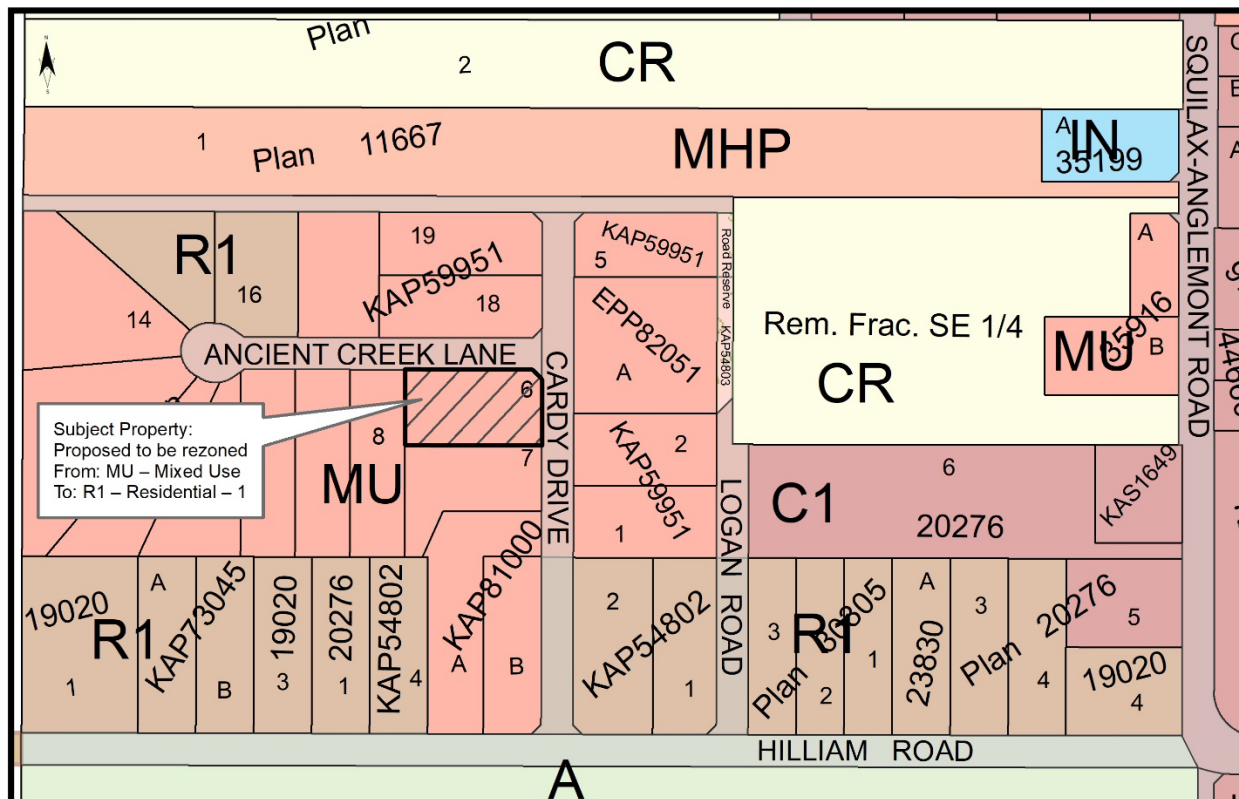
\_\_\_\_\_  
CHAIR

CERTIFIED a true copy of Bylaw No. 825-40  
as read a third time.

CERTIFIED a true copy of Bylaw No. 825-40  
as adopted.

\_\_\_\_\_  
Corporate Officer

\_\_\_\_\_  
Corporate Officer



## Relevant Excerpts from

### Electoral Area F Official Community Plan Bylaw No. 830

### Scotch Creek/Lee Creek Zoning Bylaw No. 825

(See [Bylaw No. 830](#) and [Bylaw No. 825](#) for all policies and land use regulations)

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#### **Bylaw No. 830**

##### **11.1 General Land Use**

###### *Objective 1*

To be thoughtful and careful stewards of the lands and waters of the North Shuswap to ensure that future generations will appreciate and benefit from wise choices made by today's elected decision-makers.

###### *Objective 2*

To direct growth and development in an organized and desirable manner, reinforcing established settlement patterns and discouraging development outside these settled areas.

###### *Policy 3*

Scotch Creek is the Primary Settlement Area. The Regional District will encourage residential, commercial, and light industrial growth in Scotch Creek that is consistent with the policies of this plan. All new development must be connected to community water and sewer systems.

##### **12.8 NR - Neighbourhood Residential**

###### *Objective 1*

The Neighbourhood Residential (NR) land use refers to development that is existing. The intent of this land use designation is to recognize that the existing neighbourhoods within Scotch Creek are an important part of the definition of the character of the area.

###### *Policy 1*

A "neighbourhood" is defined as an area of contiguous lots that have common setbacks, building orientation, and size, or that were constructed as part of a single development and form a coherent and commonly understood cluster. Refer to Map 1.

###### *Policy 2*

Development within Neighbourhood Residential areas will normally only take the form of infill (for example, construction of a new house on a vacant lot) or subdivision of an existing lot and construction of a new dwelling unit on each new lot.

### Policy 3

Policies for infill in NR areas are intended to reflect and support the neighbourhood character and density, and to either maintain or improve conditions regarding setbacks, landscape, visual buffers, building massing, and building orientation. Refer to the following sections for guidelines for each neighbourhood.

1. Within existing neighbourhoods designated NR Neighbourhood Residential, a lot may be subdivided in two, providing that the size of each resulting parcel is equal to or larger than 1/4 acre (therefore only 1/2 acre lots or larger have potential for subdivision). This will ensure that the overall density of each neighbourhood remains comparable to existing density, while allowing sensitive intensification through the potential to subdivide larger lots.
2. Any new subdivision is considered as new development, and must be connected to community sewer and water services.
3. Construction of any new dwelling unit within any parcel designated as Neighbourhood Residential is strongly encouraged to conform to the guidelines for the neighbourhood in which it is found. The existing setback, landscape, visual buffers, building massing and building orientation of each neighbourhood are described in the following Neighbourhood Types sections (a key map is included to indicate the location of the neighbourhood type). By reflecting these conditions in any infill development, the existing character and conditions will be continued, while still allowing individuality and innovation in design.

Normally a maximum building height of two storeys is permitted.

#### Scotch Creek Larger Lot

*Average Density:* 1 - 2 units / acre (2.5 - 5 units / hectare)

*Average Lot Sizes:* 1/2 - 1 acre (0.2 - 0.4 hectares)

*Front Setbacks:* Range from 16 - 165 ft. (5 - 50 m)

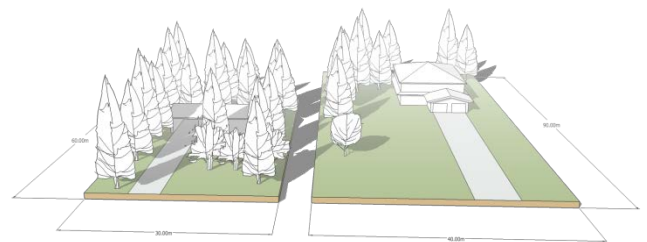
*Side Setbacks:* Building typically centred on lot

*Rear Setbacks:* Varies with front setbacks

*Landscape:* Native vegetation and turfgrass

*Visual Buffers:* Vegetation - As setbacks decrease, buffers increase

*Building Massing:* 1 - 2 storeys





*Building Orientation:* Towards the street front

*Parking:* Carport or garage placed behind house



## **Bylaw No. 825**

### **5.12 Mu - Mixed Use**

#### **Principal Uses**

- (1) The *uses* stated in this subsection and no others are permitted in the Mixed Use zone as principal *uses*, except as stated in Part 3: General Regulations:
- (a) *Day care*
  - (b) *Fuel storage*
  - (c) *Mini storage*
  - (d) *Office*
  - (e) *Outdoor sales*
  - (f) *Personal services*
  - (g) *Plant nursery and services*
  - (h) *Recreation services*
  - (i) *Single family dwelling*
  - (j) *Standalone residential campsite*

#### **Secondary Uses**

- (2) The *uses* stated in this subsection and no others are permitted in the Mixed Use zone as *secondary uses*, except as stated in Part 3: General Regulations:
- (a) *Accessory use*
  - (b) *Bed and breakfast*
  - (c) *Guest suite*
  - (d) *Home business*
  - (e) *Owner/operator dwelling*
  - (f) *Residential campsite*

### **5.7 R1 - Residential – 1**

#### **Principal Uses**

- (1) The *uses* stated in this subsection and no others are permitted in the Residential - 1 zone as principal *uses*, except as stated in Part 3: General Regulations:
- (a) *Single family dwelling*
  - (b) *Standalone residential campsite*

#### **Secondary Uses**

- (2) The *uses* stated in this subsection and no others are permitted in the Residential - 1 zone as *secondary uses*, except as stated in Part 3: General Regulations:
- (a) *Accessory use*
  - (b) *Bed and breakfast*
  - (c) *Guest accommodation*
  - (d) *Home business*
  - (e) *Residential campsite*



April 30, 2019

Marianne Mertens  
Columbia Shuswap Regional District  
PO Box 978  
555 Harbourfront Dr NE  
Salmon Arm, BC V1E 4P1  
<mailto:mmertens@csrd.bc.ca>

Dear Marianne Mertens:

**RE: File #: BL 825-40**  
**Our interests are unaffected**

The IH Healthy Built Environment (HBE) Team has received the above captioned referral from your agency. Typically we provide comments regarding potential health impacts of a proposal. More information about our program can be found at [Healthy Built Environment](#).

An initial review has been completed and no health impacts associated with this proposal have been identified. As such, our interests are unaffected by this proposal.

However, should you have further concerns, please return the referral to [hbe@interiorhealth.ca](mailto:hbe@interiorhealth.ca) with a note explaining your new request, or you are welcome to contact me directly at 1-855-744-6328 then choose HBE option.

Sincerely,

**Mike Adams, CPHI(C)**  
Team Leader, Healthy Communities  
Interior Health Authority

**From:** [Solberg, David W TRAN:EX](#)  
**To:** ["Corey Paiement"](#)  
**Cc:** [Marianne Mertens](#); [Knight, Tara TRAN:EX](#); [Keam, Elizabeth TRAN:EX](#)  
**Subject:** RE: BL825-40 Referral  
**Date:** Monday, April 29, 2019 4:18:54 PM  
**Attachments:** [image004.png](#)  
[image006.png](#)

---

Hi Corey (& Maryanne):

This is a great example of what we were talking about in referrals.

Does your staff have a specific question about this development?

The rezoning doesn't trigger a requirement for our approval (as Maryanne has noted in her email) and the proposed land use would generate less traffic than the commercial...so no concern for us there...

As this will be single family residential, on a rural side road, the land owner is not be required to apply for an access permit from MoTI...

Our comments on the proposal:

"...our interests are unaffected..."

Cheers,

Dave.

W. David Solberg,  
Senior District Development Tech,  
MoT, Okanagan Shuswap District  
Vernon (250)503-3607  
Salmon Arm (250)833-3373

[http://www.th.gov.bc.ca/Development\\_Approvals/home.htm](http://www.th.gov.bc.ca/Development_Approvals/home.htm)

---

**From:** Marianne Mertens [mailto:mmertens@csrd.bc.ca]  
**Sent:** Monday, April 29, 2019 1:45 PM  
**To:** DA Salmon Arm TRAN:EX; Keam, Elizabeth TRAN:EX; Knight, Tara TRAN:EX; Solberg, David W TRAN:EX  
**Cc:** Erica Hartling; Corey Paiement  
**Subject:** BL825-40 Referral

File: 825-40  
CV: PL20190000030

April 29, 2019

Good afternoon:

Development Services has a referral which the Development Services staff is proposing an amendment to the Scotch Creek/Lee Creek Zoning Bylaw No 825. This is to rezone the property from MU – Mixed Use to R1 – Residential-1 zone to remove the commercial principal uses the are currently permitted in the MU zone. **This referral is NOT within 800m of an intersection with a**

**Controlled Access Highway.**

You are requested to comment on the attached Bylaw for potential effect on your agency's interests. We would appreciate your response May 29, 2019. If no response is received within that time, it will be assumed that your agency's interests are unaffected.

Regards,

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)



Please consider the environment before printing this e-mail

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


**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 825-40

PL230190000030

DATE: April 24,  
2019

## RESPONSE SUMMARY

- |   |  |
|---|--|
| <input type="checkbox"/> Approval Recommended for Reasons Outlined Below              | <input type="checkbox"/> Interests Unaffected by Bylaw.                          |
| <input checked="" type="checkbox"/> Approval Recommended Subject to Conditions Below. | <input type="checkbox"/> Approval not Recommended Due To Reasons Outlined Below. |
| <input type="checkbox"/> No Objections  |  |

Thank you for your referral BL825-40 regarding the rezoning of the property legally described as LOT 6 SECTION 33 TOWNSHIP 22 RANGE 11 WEST OF THE 6TH MERIDIAN KAMLOOPS DIVISION YALE DISTRICT PLAN KAP59951, PID 023873809. According to Provincial records there are no known archaeological sites recorded on the subject property.

Archaeological potential data for the area indicates that there is a small area of potential in the south west corner of the property (shown as the beige area on the screenshot below). The area of potential is not dense enough to warrant an archaeological investigation or permitting, but we mention potential so property owners know that there is a possibility, albeit a small one, of there being an archaeological site present.

Archaeological sites (both recorded and unrecorded) are protected under the *Heritage Conservation Act* and must not be altered or damaged without a permit from the Archaeology Branch. If any land-altering development is planned for the property, 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.

Please review the screenshot of the property below (outlined in yellow). If this does not represent the property listed in the data request, please contact me.

Kind regards,

Diana

Signed By: Diana Cooper

Title Archaeological Site Inventory Information and Data Admin

Date: 08 May 2019

Agency Archaeology Branch, FLNRORD






**COLUMBIA SHUSWAP REGIONAL DISTRICT**

PO Box 978 SALMON ARM BC V1E 4P1  
 Telephone: 250.832.8194 Fax: 250.832.1083

FILE NO. BL825-40  
 PL20190000030

DATE RECEIVED:  
 Apr 29, 2019

**OPERATIONS MANAGEMENT**

Marianne Mertens

Function	Comments	Reviewed By
<b>UTILITIES</b>	no concerns	T Langlois
<b>EMERGENCY MANAGEMENT</b>	No concerns	D Sutherland
<b>FIRE SERVICES</b>	No concerns	D Sutherland
<b>SOLID WASTE AND RECYCLING</b>	No Concerns	B Van Nostrand
<b>PARKS AND COMMUNITY SERVICES</b>	No concerns	R Nitchie
<b>ADMINISTRATION</b>	No Concerns	P Turner



## Adams Lake Indian Band

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**Project Name:**

PL20190000030

**FN Consultation ID:**

BL825-40

**Consulting Org Contact:**

Marianne Mertens

**Consulting Organization:**

[Columbia Shuswap Regional District](#)

**Date Received:**

Tuesday, April 30, 2019

While Adams Lake defers to the Little Shuswap Lake Indian Band] on PL20190000030, 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.

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/36845/review/email-response-bl825-40>



1886 Little Shuswap Lake Road • Chase BC • V0E 1M2  
Tel: 250.679.3203 • [www.lslib.com](http://www.lslib.com)

Without Prejudice<sup>1</sup>

May 02, 2019

Columbia Shuswap Regional District  
555 Harbourfront Drive NE Salmon Arm, BC V1E 3M1  
Salmon Arm BC V1E 3M1

Your File: CSRD BL 825-40 MM 2019  
Our File: RTS# 311  
Dated: April 30, 2019

Attention: Marianne Mertens

Little Shuswap Lake Indian Band acknowledges receipt of your referral dated April 30, 2019.

After careful consideration of the information you have provided, we would like to make the following requests:

- Provisions for Little Shuswap Lake IB to conduct archaeology field assessments
- Provisions for Little Shuswap Lake to conduct an AOA and AIA if necessary

We look forward to your response.

Regards,

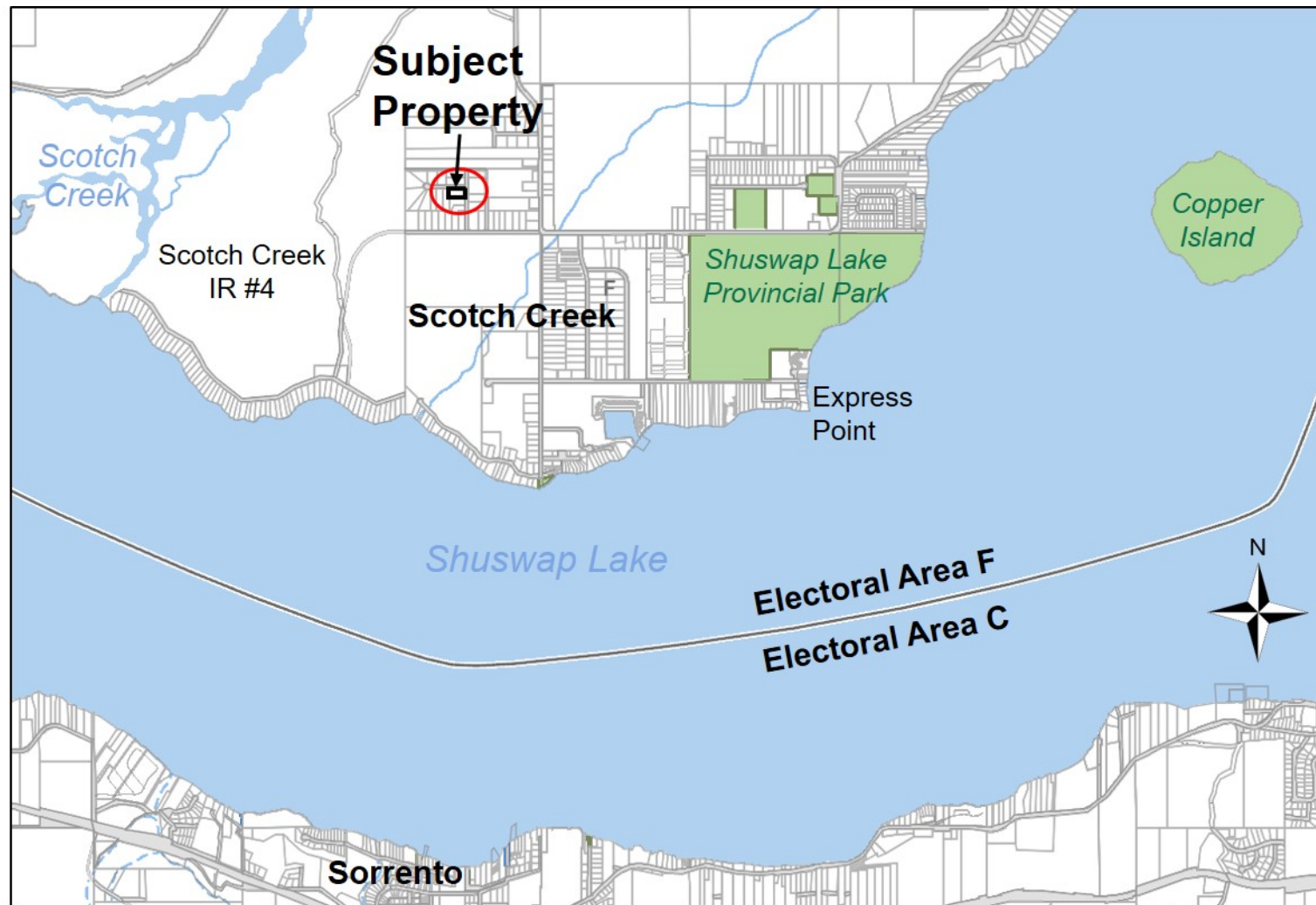


Warren Fortier; BNRsc.  
**Referrals – Consultation Administrator**  
Skwlax Aboriginal Interest Department  
[referrals@lslib.ca](mailto:referrals@lslib.ca)  
250-679-3203 ext. 148

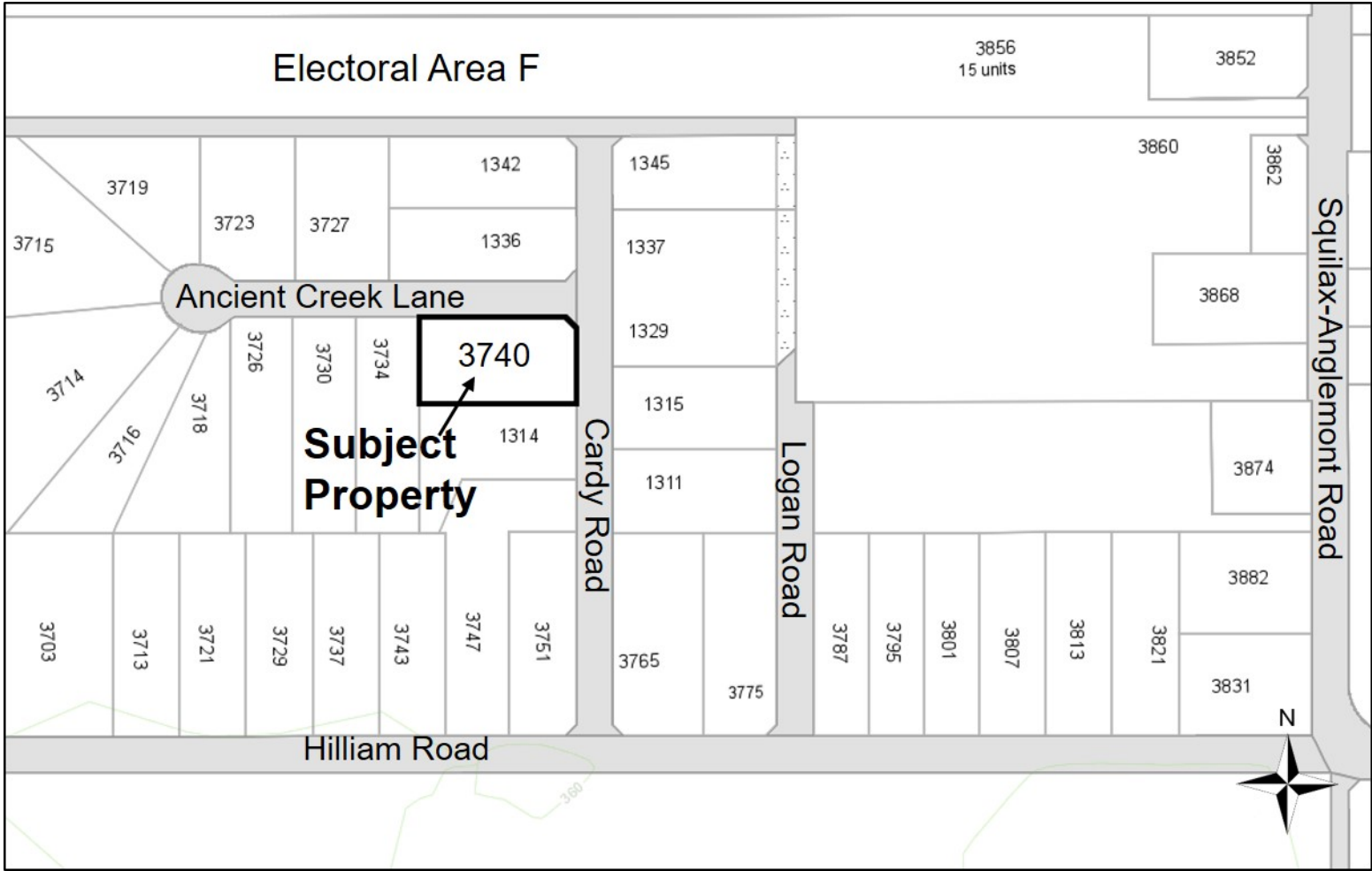
cc.

<sup>1</sup> This communication is not meant to be construed as 'Meaningful Consultation' and is 'Without Prejudice' to the Title and Rights of the Little Shuswap Lake Indian Band.

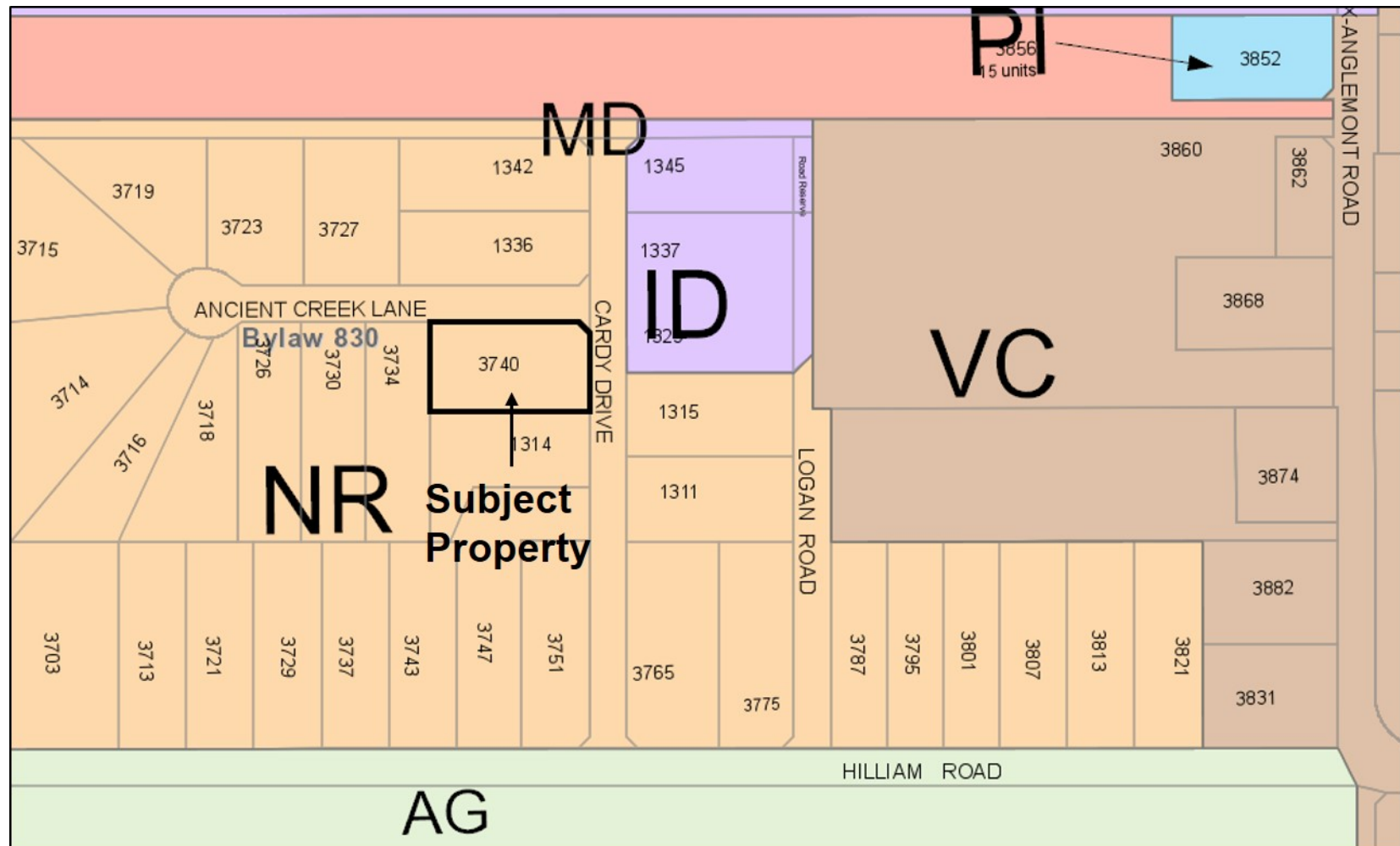
## Location



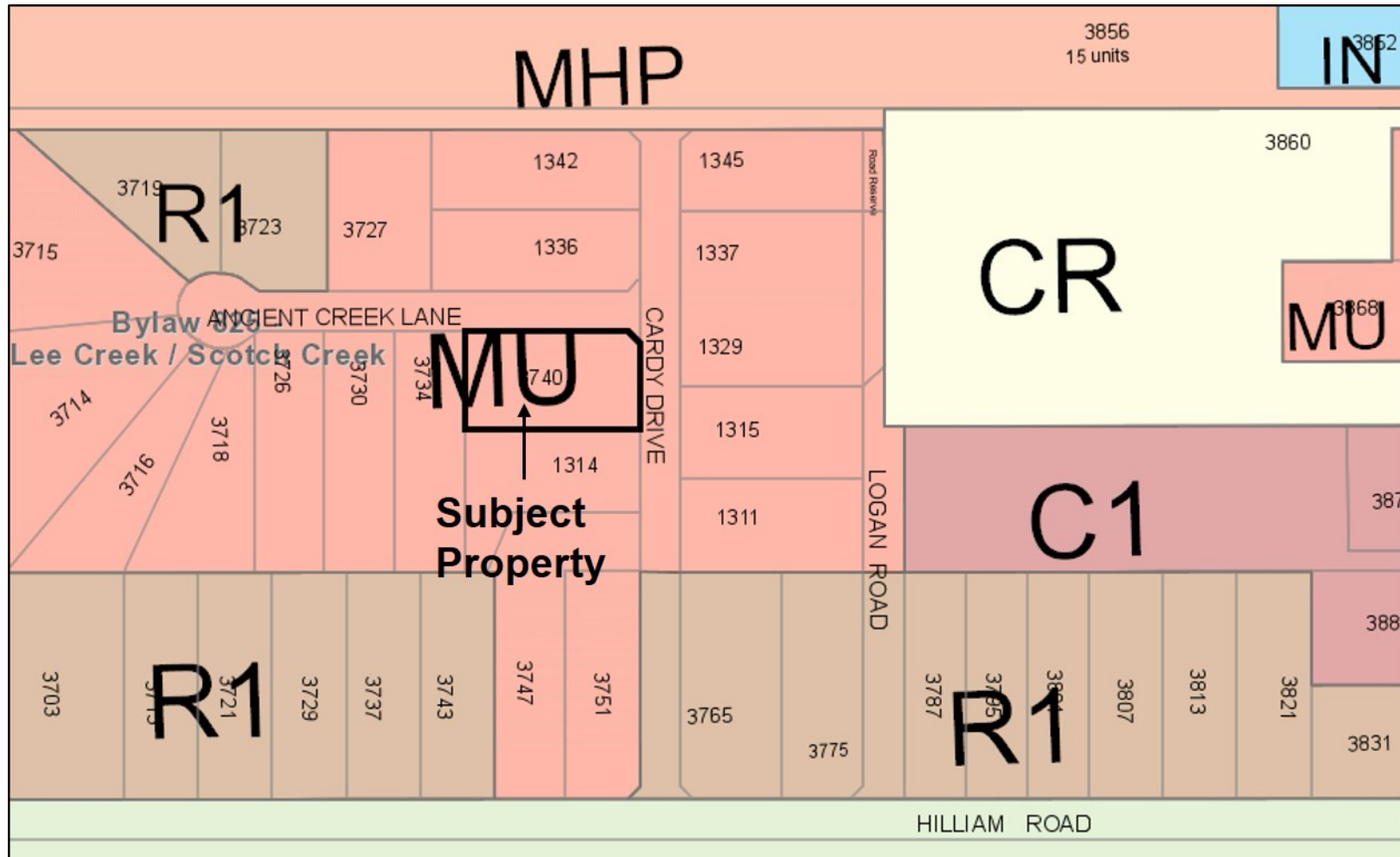
Location



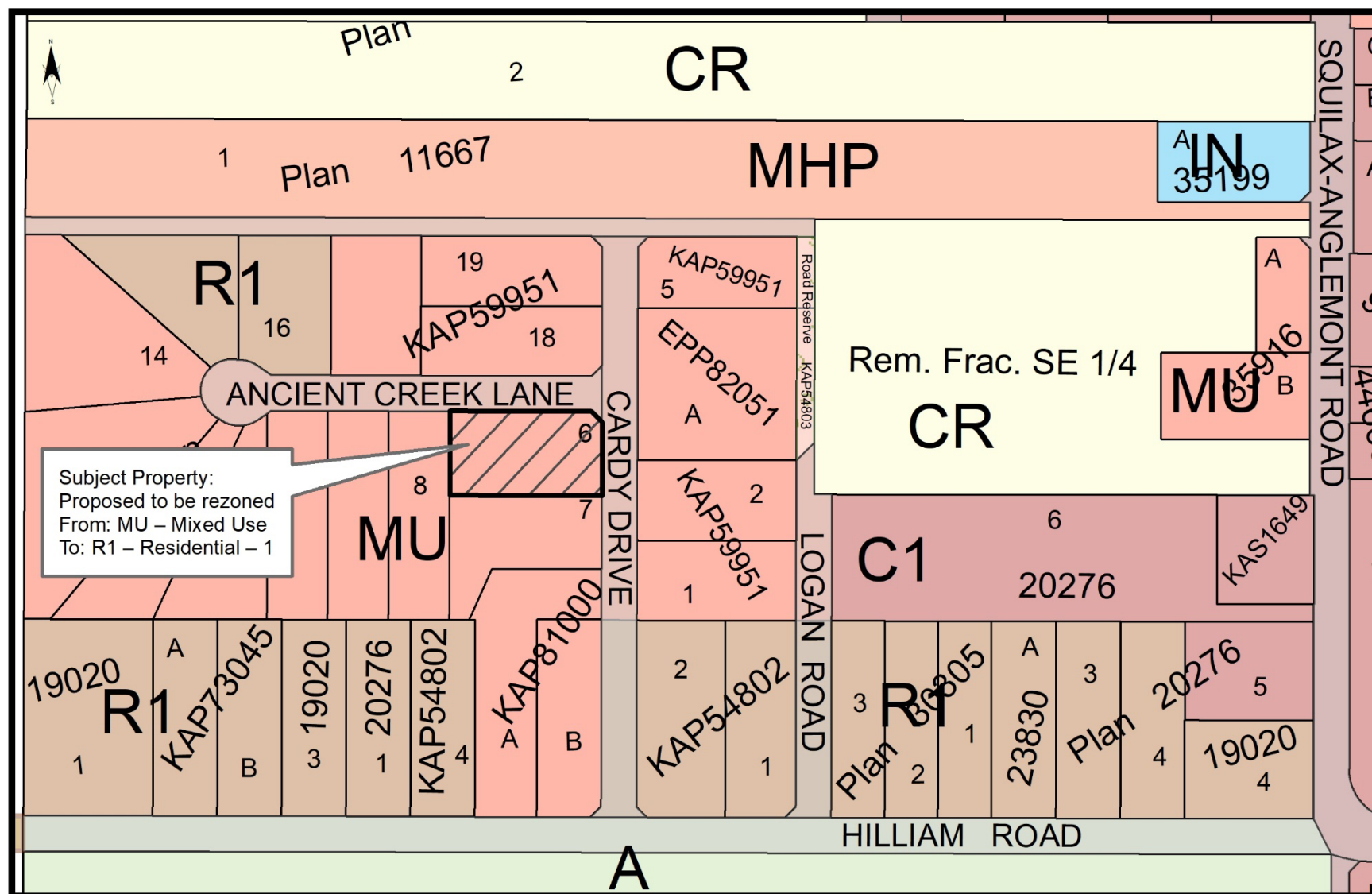
# Electoral Area F Official Community Plan Bylaw No. 830



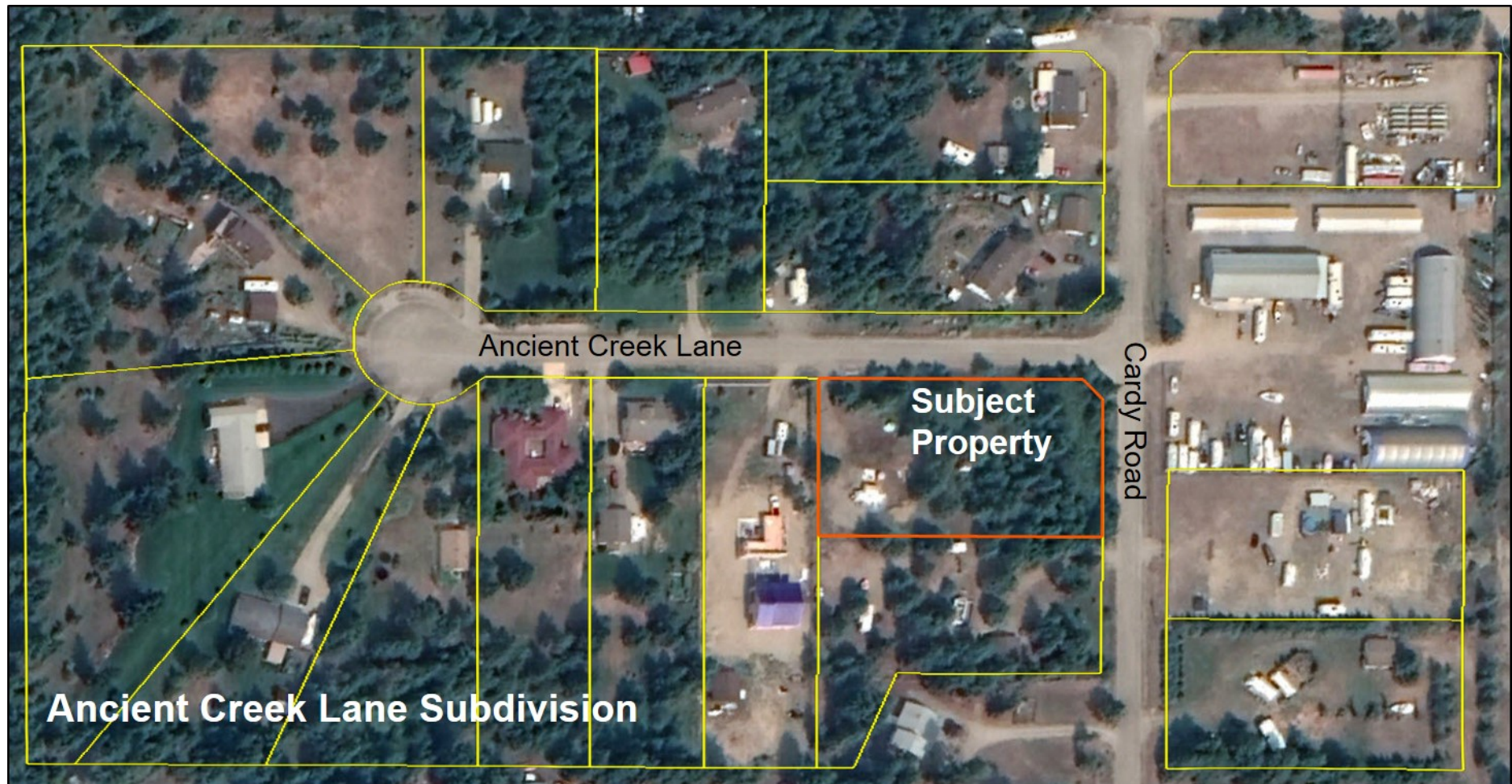
## Scotch Creek/Lee Creek Zoning Bylaw No. 825







2018 Google Earth Imagery





May 2012 - Google Street View

