



# COLUMBIA SHUSWAP REGIONAL DISTRICT

## Regular Board Meeting

### AGENDA

Date: Thursday, September 21, 2017  
Time: 9:30 AM  
Location: CSR D Boardroom  
555 Harbourfront Drive NE, Salmon Arm

Pages

1. Call to Order

2. Board Meeting Minutes

2.1 Adoption of Minutes

1

Adoption of August 17, 2017 regular Board meeting minutes.

**Motion**

THAT: the minutes of the August 17, 2017 regular Board meeting be adopted.

2.2 Business Arising from the Minutes

-None.

3. Delegations

3.1 10:00 AM: Tolko Industries Ltd.

23

Presentation on Tolko Industries Ltd. harvesting practices and plans for the Southern Interior particularly those relevant to the catchment area of the CSR D.

In attendance:

Tom Hoffman, Manager, External and Stakeholder Relations;  
Michael Bragg, Southern Interior Woodlands Manager; and  
Ray Crampton, Regional Executive Director from the Ministry of Forests,  
Lands, Natural Resource Operations, and Rural Development.

**3.2 10:15 AM: South Okanagan-Similkameen Conservation Program**

26

Bryn White, Program Coordinator of the South Okanagan-Similkameen Conservation Program, in attendance to give information to the Board on their conservation program.

Request to invite Program Coordinator of South Okanagan-Similkameen Conservation Program brought forward to the Board by Director Demenok from the June 26, 2017 Electoral Area Directors' Committee meeting.

**ADMINISTRATION****4. Correspondence****4.1 Tolko Industries Ltd.**

27

Letter from Tom Hoffman, Manager, External and Stakeholder Relations and Michael Bragg, Southern Interior Woodlands Manager requesting an opportunity to speak the Board.

Related to the 10:00 AM Delegation.

**Motion**

THAT: the correspondence contained on the September 21, 2017 regular Board agenda be received for information.

**5. Reports**

-None.

**6. Business General****6.1 Director Morgan - Verbal - Request for Consideration of Support for Provincial Government Governance Study Funding, Electoral Area F**

Background: Director Morgan has expressed to CSRD Administration, after observing the Electoral Area C Governance Study process, that it would be appropriate to consider the pursuit of Provincial Government funding support for a Governance Study in Electoral Area F.

- It is suggested that CSRD Administration raise and discuss the potential of Governance Study Funding for Electoral Area F with the Ministry of Municipal Affairs and Housing staff at the scheduled meeting during UBCM 2017 Conference.

- For information.



**6.2 Trail Consulting, Construction and Maintenance Services Agreement**

28

Report from Ryan Nitchie, Team Leader Community Services, dated September 8, 2017.

Five year trail consulting, construction and maintenance services agreement with the Shuswap Trail Alliance.

**Motion**

THAT: the Board empower the authorized signatories to enter into an agreement with the Shuswap Trail Alliance for trail consulting maintenance and construction services within Electoral Areas C, D, E and F for a five year term commencing October 1, 2017 and expiring on September 30, 2022, with an option to renew the agreement for an additional five years.

**7. Business By Area****7.1 Grant in Aid Requests**

33

Report from Jodi Pierce, Manager, Financial Services dated September 11, 2017.

**Motion**

THAT: the Board approve the following allocations from the 2017 electoral grant in aids:

Area C

\$3,500 White Lake Fire Department (Halloween event)

\$26,460 Sorrento Drop-In Society (parking lot repairs)

\$4,000 Tappen Sunnybrae Fire Department (Halloween event)

\$12,450 South Shuswap Health Services Society (equipment for Wellness Centre)

Area E

\$3,500 Eagle Valley Rescue Society (crew training and operational funding)

\$5,500 Malakwa Learning Academy (cooking & nutrition program)

\$4,000 Malakwa Playschool Society (operational funding)

\$1,000 Eagle Valley Seniors Meals Society (operational funding).

**7.2 Revelstoke/Area B EOF Application – Farwell Splash Park**

36

Report from Jodi Pierce, Manager, Financial Services, dated September 12, 2017.

**Motion**

THAT: With the concurrence of the City of Revelstoke and the Electoral Area B Director, the Board approve funding from the Revelstoke and Area B Economic Opportunity Fund in the amount of \$50,000 to assist with the development of a new splash park in Revelstoke.

### **7.3 Area D Community Works Fund – Salmon Valley Senior Citizens Branch 107 43**

Report from Jodi Pierce, Manager, Financial Services dated September 11, 2017.

Access to Community Works Funds.

**Motion**

THAT: in accordance with Policy F-3 “Electoral Area Community Works Fund – Expenditure of Monies”, access to the Community Works Fund be approved up to \$26,000 plus applicable taxes from the Area D Community Works Fund for a new water well at the Salmon Valley Senior Citizens Hall.

### **7.4 Electoral Area E Community Works Fund 49**

Report from Ryan Nitchie, Community Services Team Leader, September 6, 2017.

Access to Electoral Area E Community Works Fund for additional park infrastructure at Malakwa Community Park.

**Motion**

THAT: in accordance with Policy No. F-3 “Electoral Area Community Works Fund - Expenditure of Monies” access to the Electoral Area Community Works Fund be approved for up to \$140,000 plus applicable taxes from the Electoral Area E Community Works Fund allocation for park construction at Malakwa Community Park.

### **7.5 Crown Land Tenure – Don Fink Community Park – Seymour Arm 52**

Report from Ryan Nitchie, Community Services Team Leader, dated August 30, 2017.

Crown tenure application .85 hectares of land at Don Fink Community Park in Seymour Arm.

**Motion**

THAT: the Board empower the authorized signatories to acquire a licence of occupation for a term of ten years from the Province of British Columbia over the land described as, that part of Lot 6 of District Lot 663, Kamloops Division of Yale District, Plan 5824 and containing .85 hectares, more or less, for community park purposes.

## 8. Administration Bylaws

### 8.1 **Annis Bay Fire Suppression Service Area Establishment Bylaw No. 5758**

55

Report from Darcy Mooney, Manager, Operations Management, dated September 7, 2017.

Bylaw to establish a fire suppression service area for eleven properties in the Annis Bay area of Electoral Area E.

#### **Motion**

THAT: Bylaw No. 5758 cited as “Annis Bay Fire Suppression Service Area Establishment Bylaw No. 5758” be read a first, second and third time this 21<sup>st</sup> day of September, 2017.

## 9. IN CAMERA

#### **Motion**

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

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

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

of the Community Charter, the Board move In Camera.

## ***DEVELOPMENT SERVICES***

## 10. Business General

### 10.1 **All Electoral Areas: Proposed Noise Bylaw No. 5754 Consultation Results**

63

Report from Gerald Christie, Manager, Development Services, dated September 10, 2017.

Results of the public consultation conducted in regard to proposed Noise Bylaw No. 5754.

#### **Motion**

THAT: the Board receive the report of Gerald Christie, Manager, Development Services dated August 24, 2017 re: Proposed Noise Bylaw No. 5754, for information.

#### **Motion**

THAT: the Board provide direction to staff with regard to bylaw amendments and also confirm the participating Electoral Areas for Bylaw No. 5754.

## 10.2 Electoral Areas B, E, and F: Building Regulation Public Engagement Summary 123

Report from Gerald Christie, Manager Development Services, dated September 21, 2017.

A summary of the public engagement and open houses held in Electoral Areas B, E and F with regard to the implementation of building regulation in those areas.

### **Motion**

THAT: the Board receive the report 'Electoral Areas B, E., and F: Building Regulation Public Engagement Summary' dated September 21, 2017 from the Manager, Development Services, for information

### **Motion**

THAT: the Board adopt a resolution to confirm participating Electoral Areas in the proposed Building Regulation service in order that Administration is able to proceed with staff recruitment for the building inspection service implementation.

## 11. ALR Applications

### 11.1 Electoral Area D: Agricultural Land Commission (ALC) Application Section 21(2) - Subdivision and Section 17(3) - Inclusion 210

Report from Jennifer Sham, Planner, dated August 28, 2017.  
2972 & 3020 Yankee Flats Road, Yankee Flats

### **Motion**

THAT: Application No. LC2538D, Section 21(2) Subdivision for Parcel A (DD V44313) of the Northwest ¼ of Section 6 Township 18 Range 10 West of the 6<sup>th</sup> Meridian Kamloops Division Yale District, be forwarded to the Provincial Agricultural Land Commission recommending approval on this 21<sup>st</sup> day of September, 2017.

### **Motion**

THAT: Application No. LC2539D, Section 17(3) Inclusion of a portion of Parcel A (DD V44313) of the Northwest ¼ of Section 6 Township 18 Range 10 West of the 6<sup>th</sup> Meridian Kamloops Division Yale District, be forwarded to the Provincial Agricultural Land Commission recommending approval on this 21<sup>st</sup> day of September, 2017.

## 12. Directors' Report on Community Events

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

**ELECTORAL AREA DIRECTORS****13. Business by Area****13.1 Electoral Area C: Form and Character DP 725-110 (Blind Bay Hideaway Ltd.) 236**

Report from Dan Passmore, Senior Planner, dated August 10, 2017.  
2094 Eagle Bay Road, Blind Bay.

**Motion**

THAT: in accordance with Section 490 of the Local Government Act Development Permit No. 725-110 for proposed construction of an additional 4 weekly vacation rental cabins (cabins #6-9) on Lot 11, Section 20, Township 22, Range 10, West of the 6<sup>th</sup> Meridian, Kamloops Division Yale District, Plan 6612 (PID: 010-078-347), be issued this 21<sup>st</sup> day of September, 2017.

**13.2 Electoral Area C: Development Variance Permit No. 900-4 (CSRD) 258**

Report from Jennifer Sham, Planner, dated August 29, 2017.  
3580 Sunnybrae-Canoe Point Road, Sunnybrae

**Motion**

THAT: in accordance with Section 498 of the Local Government Act, Development Variance Permit No. 900-4 for Block B Section 10 Township 21 Range 10 West of the 6<sup>th</sup> Meridian Kamloops Division Yale District, varying Section 3.4.2(d) of Lakes Zoning Bylaw No. 900, as follows:

1. Maximum surface area of a swim platform from 10 m<sup>2</sup> to 24.3 m<sup>2</sup>,  
be approved for issuance this 21<sup>st</sup> day of September, 2017.

**13.3 Electoral Area F: Development Permit No. 830-215 (Rogers –Smith) 274**

Report from Candice Benner, Development Services Assistant, dated August 24, 2017.  
1218 Beatrice Road, Lee Creek

**Motion**

THAT: in accordance with Section 490 of the Local Government Act, Development Permit No. 830-215 (Rogers-Smith) for a Foreshore and Water Development Permit for Lot 5, Section 25, Township 22, Range 12, and of Section 30, Township 22, Range 11, W6M, KDYD, Plan 7418, varying 4.4.2(b) of Lakes Zoning Bylaw No. 900, as follows:

1. Maximum total upward facing area for a floating dock from 24m<sup>2</sup> to 27.87 m<sup>2</sup>; and,
2. Maximum width of any portion of a floating dock surface from 3 m to 3.048 m,

be approved for issuance this 21<sup>st</sup> day of September, 2017.

### 13.4 Changes to the Provincial Private Moorage Program

287

Update/status report (verbal) from Development Services staff - Changes to the Provincial Private Moorage Program:

Recommendations from the April 4 2017 Electoral Area Directors meeting were endorsed by the Board:

1. M/S Directors Talbot/Martin THAT:

a letter be sent to Premier Christy Clark and to Steve Thompson, Minister of Forests

Lands and Natural Resource Operations, and MLA Greg Kylo, outlining CSRD

concerns with the changes to the Private Moorage Program, lack of consultation

with local government about the changes, and requesting that Shuswap and Mara

lakes be designated as an application-only area for private moorage.

CARRIED

DIRECTOR MORGAN OPPOSED

**STATUS: The letter was sent May 8, 2017. Development Services staff subsequently met with staff from the Ministry of Forests, Lands and Natural Resource Operations in Kamloops in June 2017 to discuss the letter. Staff will provide a verbal summary of this meeting.**

2. M/S Directors Martin/Parker THAT:

a letter be sent to UBCM outlining CSRD concerns regarding the changes to the

Provincial Private Moorage Program, and that the letter be copied to SILGA and the

District of Coldstream.

CARRIED

**STATUS: The letter was sent May 10, 2017.**

3. M/S Directors Martin/Talbot THAT:

CSRD staff be directed to prepare communications regarding Lakes Zoning Bylaw

No. 900 to remind the public of the CSRD bylaw requirements for docks, buoys

and other foreshore structures.

CARRIED

STATUS: An ad was published in newspapers covering Electoral Areas C, E and F in June 2017. CSRD social media was also utilized. Letters were sent August 23, 2017 to companies that are known to complete dock, swimming platform, and buoy work in the Columbia and Shuswap areas.

14. Planning Bylaws

- 14.1 Electoral Areas C, E, and F: Housekeeping Amendments – Floodplain Management, Intersection Sightlines, and Panhandle Lots (CSRD Zoning Bylaws) 292

Report from Dan Passmore, Senior Planner, dated August 16, 2017.

**Motion**

THAT: "Scotch Creek Zoning Amendment (CSRD) Bylaw No. 825-34' be read a third time, as amended, this 21<sup>st</sup> day of September, 2017;

**Motion**

THAT: "Scotch Creek Zoning Amendment (CSRD) Bylaw No. 825-34' be adopted this 21<sup>st</sup> day of September, 2017;

**Motion**

THAT: "Magna Bay Zoning Amendment (CSRD) Bylaw No. 800-26" be read a third time, as amended, this 21<sup>st</sup> day of September, 2017;

**Motion**

THAT: "Magna Bay Zoning Amendment (CSRD) Bylaw No. 800-26" be adopted this 21<sup>st</sup> day of September, 2017;

**Motion**

THAT: "Anglemont Zoning Amendment (CSRD) Bylaw No. 650-11" be read a third time, as amended, this 21<sup>st</sup> day of September, 2017;

**Motion**

THAT: "Anglemont Zoning Amendment (CSRD) Bylaw No. 650-11" be adopted this 21<sup>st</sup> day of September, 2017;

**Motion**

THAT: "Rural Sicamous Land Use Amendment (CSRD) Bylaw No. 2064" be read a third time, as amended, this 21<sup>st</sup> day of September, 2017;

**Motion**

THAT: "Rural Sicamous Land Use Amendment (CSRD) Bylaw No. 2064" be adopted this 21<sup>st</sup> day of September, 2017;

**Motion**

THAT: "South Shuswap Zoning Amendment (CSRD) Bylaw No.701-83" be read a third time, as amended, this 21<sup>st</sup> day of September, 2017;

**Motion**

THAT: "South Shuswap Zoning Amendment (CSRD) Bylaw No.701-83" be adopted time this 21<sup>st</sup> day of September, 2017;

**14.2 Electoral Area F: Scotch Creek/Lee Creek Zoning Amendment (Ted & Lucille Tash) Bylaw No. 825-37**

350

Report from Dan Passmore, Senior Planner, dated August 4, 2017.

1 – 1022 Scotch Creek Wharf Road, Scotch Creek.



**Motion**

THAT: Scotch Creek/Lee Creek Zoning Amendment (Ted & Lucille Tash) Bylaw No. 825-37, be read a second time this 21<sup>st</sup> day of September, 2017.

**Motion**

THAT: a public hearing to hear representations on Scotch Creek/Lee Creek Zoning Amendment (Ted & Lucille Tash) Bylaw No. 825-37 be held;

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

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

**15. Release of In Camera Resolutions**

- If any.

***MEETING CONCLUSION***

**16. Upcoming Meetings/Events**

**16.1 Electoral Area Directors Committee Meeting**

Cancelled EAD Meeting of Tuesday, October 3, 2017.

New Meeting Date to be confirmed.

**17. Next Board Meeting**

Thursday, October 19, 2017 at 9:30 AM  
CSRD Boardroom, 555 Harbourfront Drive NE, Salmon Arm.

**18. Adjournment**

**Motion**

THAT: the regular Board meeting of September 21, 2017 be adjourned.



## REGULAR BOARD MEETING MINUTES

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

Date: August 17, 2017  
 Time: 9:30 AM  
 Location: CSRD Boardroom, 555 Harbourfront Drive NE, Salmon Arm

### Directors

R. Martin (Chair)	Electoral Area E
K. Cathcart	Electoral Area A (Absent)
S. Knaak (Alt. Director)	Electoral Area A
L. Parker	Electoral Area B
P. Demenok	Electoral Area C
R. Talbot	Electoral Area D
L. Morgan	Electoral Area F
C. Moss	Town of Golden
M. McKee	City of Revelstoke
K. Flynn	City of Salmon Arm
C. Eliason	City of Salmon Arm
T. Rysz	District of Sicamous

### Staff

C. Hamilton	Chief Administrative Officer
L. Shykora	Deputy Manager, Corporate Administration Services
E. Johnson	Executive Assistant/Confidential Secretary
D. Mooney	Manager, Operations Management
B. Van Nostrand	Team Leader, Environmental Health Services
G. Christie	Manager, Development Services
D. Passmore	Senior Planner
J. Sham	Planner
C. Benner	Development Services Assistant
S. Walker	Building Inspector
L. Matousek	Clerical Assistant, Development Services
B. Payne	Manager, Information Systems

## 1. **Call to Order**

The Chair called the meeting to order at 9:30 AM.

## 2. **Board Meeting Minutes**

### 2.1 **Adoption of Minutes**

2017-0801

**Moved By** Director Morgan

**Seconded By** Director Talbot

THAT: the minutes of the July 20, 2017 regular Board meeting be adopted.

**CARRIED**

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

#### 2.2.1 **Request for Clarification: Staff require details/specifics to include as Briefing Notes for the Ministerial meeting requests related to Resolution No. 2017-0703**

"THAT: the CSRD request a meeting with the Minister of Forests, Lands and Natural Resource Operations and the Minister of Solicitor General at the UBCM Conference to discuss emergency management issues to advocate for our region in terms of funding and resources, as well as to update the Minister on our situations."

Staff noted that the resolution put forward by the Board at its July 20, 2017 regular meeting was too vague for staff to submit a meaningful Ministerial meeting request to the Union of B.C. Municipalities. With this in mind, staff requested clarification as to what the meeting request was about so that a meeting request could be submitted that detailed the background.

The Board discussed the background and noted that the meeting request came forward in relation to the closure of the Salmon Arm RapAttack base.

The Board also discussed emergency response and the Province's role. For example, recent landslides occurred on lands subdivided by the Province. The array of environmental concerns are now impacting the Regional District. Staff noted that the Columbia

Shuswap Regional District (CSRD) has already submitted a meeting request with the Ministry of Transportation and Infrastructure (MoTI). Given that subdivisions are approved by MoTI, these concerns can be brought forward at that meeting.

### **2.2.2 Chair Reconsideration: Resolution No. 2017-0737 (Development Permit - Pesonen)**

Requires reconsideration by the Board, due to an administrative error. Reconsideration of this matter, accompanied by a Board Report, is scheduled in the Electoral Area Directors section, item 14.2.

## **3. Section 57 Notice on Title Hearing**

### **3.1 Section 57 Notice on Title Hearing**

Civic Address: 2943 Vickers Trail, Anglemont

- Opening of Hearing.
- Report from C. Hamilton, Corporate Officer, dated July 31, 2017.
- CSRD Building Inspector to present.
- Opportunity for property owner to present.
- Questions from the Board.
- Closure of the Hearing.

The Hearing Opened at 9:42 AM. The Chief Administrative Officer outlined the Hearing process.

Chair Martin read the Opening Statement that at this Hearing: The Board will consider a Recommendation to file a Notice on Title for Bylaw infractions to the Columbia Shuswap Regional District Building Regulation Bylaw No. 630 as amended, at the property described as Lot 30 Section 22 Township 23 Range 9 West of the 6th Meridian Kamloops Division Yale District Plan 20232.

A report from C. Hamilton, Corporate Officer, dated July 31, 2017 was reviewed, including the recommendations that the Board file a Notice on Title.

Building Inspector, Steve Walker, advised the purpose of the Notice is to advise the property owner and subsequent property owners of the issues.

The Building Inspector also noted the chronology of events leading up to this Section 57 Notice on Title:

- He became aware that the property owner had commenced construction of a second floor to a building without the necessary permits, the structure was non-compliant with building bylaw, zoning bylaw, or official community plan bylaw; further, a steep slope development permit would be required;
- He hand delivered a stop work notice;
- The owner added a roof to the building after the stop work notice was delivered;
- The owner notified the CSRD that he wanted to try for a variance to address the non-compliant size of the structure; no application was made;
- Almost a year later, the Building Inspector noticed a new structure on the property that would also require a building permit;
- Site map of the area and pictures displayed;
- Mr. Wagar is unable to apply for building permits at this time so this Section 57 Notice on Title is to ensure that future property owners are aware of the issues on the site.

The property owner, Mr. Wagar, was not in attendance.

The Board discussed the matter, recognizing that this notice on title is intended to inform future property owners or interested parties as to the issues of non-compliance. Should future property owners wish to use these structures, they would also be required to bring them into compliance.

The Notice on Title Hearing on the subject property closed at 9:55 AM.

2017-0802

**Moved By** Director Morgan

**Seconded By** Director Eliason

THAT: the Board authorize the Corporate Officer to file a Notice in the Land Title Office against the property legally described as Lot 30 Section 22 Township 23 Range 9 West of the 6<sup>th</sup> Meridian Kamloops Division Yale District Plan 20232, in accordance with Section 57(3) of the Community Charter;

AND THAT: further information in respect of the Notice is available for inspections at the office of the Columbia Shuswap Regional District.

**CARRIED**

**6. Reports**

**6.1 Shuswap Economic Development Committee Meeting Minutes**

2017-0803

**Moved By** Director Eliason

**Seconded By** Director McKee

THAT: the minutes of the May 4, 2017 Shuswap Economic Development Meeting be received for information.

**CARRIED**

**6.2 Shuswap Tourism Advisory Committee Meeting**

2017-0804

**Moved By** Director Rysz

**Seconded By** Director Morgan

THAT: the minutes of the May 4, 2017 Shuswap Tourism Advisory Committee meeting be received for information.

**CARRIED**

**7. Business General**

**7.2 Fire Smart Initiatives**

Report from Derek Sutherland, Team Leader, Protective Services, dated August 17, 2017.

Information update on current Fire Smart Initiatives and Preparedness.

Darcy Mooney, the Manager, Operations Management, provided an overview of the report written by the Team Leader, Protective Services and provided the background that elicited the report: the Electoral Area C Director thought it would be prudent to mail each and every property owner in Area C a copy of the FireSmart manual. Mr. Mooney provided an estimate of the cost to conduct such a mail out and noted that funds had not been budgeted for such an expense.

Director Demenok explained the value of direct mailing the FireSmart Manual to residents. He felt that a personalized addressed letter would

have a better read rate than mass mail and explained that mass mailouts wouldn't be sent to absentee owners. Director Demenok was concerned about growth on vacant lots as a fire hazard.

Mr. Mooney noted that the brochures are already distributed at events and CSRD Fire departments provide a number of workshops to the public in one-on-one and group settings. The brochures are provided to anyone who is interested.

The Board discussed the matter and noted that the issues are faced regionally, not just by Electoral Area C. With this in mind, the Board offered alternative solutions with a much better cost-benefit ratio such as placing the manuals in community hubs, taking the brochures to events, and including the manual with another mass mail out, rather than just sending the one item (i.e. with Property Tax Notices).

Considering the concerns about vegetation growth, the Board considered the timing of distribution of such a message noting that spring may be an ideal time to advise the public as it would tie in to free yard waste at the landfills. The Board also weighed concerns about the current lack of bylaws to enforce overgrowth on vacant lots and the enforcement aspect.

2017-0805

**Moved By** Director Eliason

**Seconded By** Director McKee

THAT: staff be requested to contact the appropriate provincial agency to request that the FireSmart Homeowner brochure be included as a mail out with the 2018 provincial rural property tax notices.

Opposed (2): Director Demenok, and Director Talbot

**CARRIED (9 to 2)**

2017-0806

**Moved By** Director Talbot

**Seconded By** Director Morgan

THAT: the Board receive the report dated August 17, 2017 from Derek Sutherland, Team Leader, Protective Services as information on current Fire Smart initiatives and preparedness.

Opposed (1): Director Demenok

**CARRIED (10 to 1)**

The Board had a 10 minute break.

#### **4. Delegations**

##### **4.1 10:30 AM: Presentation of Area C Governance Study Final Report and Recommendations**

- Chair Steve Wills, Area C Governance Committee in attendance;
- Allan Neilson, Neilson-Welch Consulting in attendance (via Skype).

The Electoral Area C Director opened the topic by expressing his gratitude and appreciation of the exemplary participation of the Committee members in the study process and to the consultants for the commitment and expertise that they brought into this process and for the final report.

Steve Wills, Electoral Area C Governance Study Committee Chair thanked the Board for the opportunity to participate in this study. Mr. Wills introduced Allan Neilson of Neilson & Welch consulting to present the findings on behalf of the Committee.

Mr. Neilson gave a presentation to the Board about the Electoral Area C Governance Study purpose, committee, process and findings/recommendations.

The purpose of the study was to document and assess governance. How decisions are made, how services are provided and to whom, and how do residents want services to be delivered. Mr. Neilson noted that the study was not an incorporation or restructure study.

The Governance Study Committee is comprised of volunteers representing the Area C residents. The Committee oversaw the work of the consultants and the consultation with the Committee and brought a fresh set of eyes to review governance. The Committee has developed recommendations for the Board. Members of the Committee were in attendance at the meeting and were introduced to the Board: Andy Bartels, Karen Brown, Lenore Jobson, Edith Rizzi.

Mr. Neilson reviewed the stages of the year long study process and the time that each stage took and what it involved.

Finally, Mr. Neilson presented the findings of the process and the recommendations of the committee. The need for change was largely considered in anticipation of needs changing as development continues in



these areas. Some services may have to expand and the current model is likely to stretch resources thin and some services may have issues as they expand. Mr. Neilson concluded that in considering the need for change, the committee looked at different options and unanimously recommend that the Board move forward with a restructure study examining two options:

- The incorporation of a portion of the electoral area
- The division of the current electoral area into two electoral areas.

Mr. Neilson then responded to questions from the Board regarding grant opportunities. The Board thanked the committee members and the consultants for their hard work coming to these positive conclusions.

## **7. Business General**

### **7.1 Area C Governance Study Final Report and Recommendations (to be circulated in the Late Agenda package)**

2017-0807

**Moved By** Director Demenok

**Seconded By** Alternate Director Knaak

THAT: as recommended unanimously by the Area C Governance Committee at its June 29, 2017 meeting, the Board endorse the following recommendation:

Based on its review of the current governance and service delivery frameworks, the South Shuswap Governance Committee recommends to the CSRD Board of Directors that a restructure study for Electoral Area C be undertaken and that the restructure study examine two options:

- The incorporation of a portion of the electoral area; and
- The division of the current Electoral Area into two Electoral Areas.

**CARRIED**

2017-0808

**Moved By** Director Demenok

**Seconded By** Alternate Director Knaak

THAT: the Board submit a funding request to the Minister of Municipal Affairs and Housing, for a Restructure Study that would examine two options:

- (1) an incorporation study area; and

(2) a determination of the exact boundaries for two Electoral Areas in Electoral Area C.

**CARRIED**

2017-0809

**Moved By** Director Demenok

**Seconded By** Alternate Director Knaak

THAT: staff be directed to request a meeting with the Minister of Municipal Affairs and Housing at the 2017 UBCM Convention to provide an update on the Governance Study initiative and to request funding support to undertake a formal restructure study.

**CARRIED**

## **8. Business By Area**

### **8.1 Grant in Aid Requests**

Report from Jodi Pierce, Manager, Financial Services dated August 8, 2017.

2017-0810

**Moved By** Alternate Director Knaak

**Seconded By** Director Moss

THAT: the Board approve the following allocations from the 2017 electoral grant-in-aids:

#### Area A

\$1,500 Golden & District Historical Society (Fall Faire)

#### Area F

\$11,000 Imai Park Foundation (replacement of dugouts, bleacher repair and operational funding)

**CARRIED**

### **8.2 Area A Grant in Aid Request**

Report from Ben Van Nostrand, Team Leader, Environmental Health Services.

Electoral Area A discretionary grant-in-aid funds to cover landfill tipping fees associated with the clean-up of a wind storm event on July 23, 2017

Staff informed the Board that the Town of Golden has indicated it will fund 50% of the tipping fees (\$4,250) associated with the July 23, 2017 wind storm event.

The Alternate Director for Electoral Area A and the Golden Director expressed their appreciation to staff for being able to deal with the community's needs.

2017-0811

**Moved By** Alternate Director Knaak

**Seconded By** Director Moss

THAT: in accordance with Policy No. F-30 "Electoral Area Grants in Aid" the Board authorize the expenditure of a maximum of \$4,250 from the Electoral Area A Grant-in-Aid to cover 50% of the total \$8,500 landfill user fees associated with the disposal of woody debris from the July 23, 2017 wind storm event in Golden and Electoral Area A.

**CARRIED**

### **8.3 Area D Community Works Fund - Larch Hills Nordic Society**

Report from Jodi Pierce, Manager, Financial Services dated August 8, 2017.

Access to Community Works Funds

Charles Hamilton, Chief Administrative Officer, presented to the Board to outline the purpose for which the Community Works Funds will be used. The Larch Hills Nordic Society's existing chalet is too small and is inadequate to accommodate the large number of users/events throughout the winter season. The expanded chalet will help with resolve these issues.

The Electoral Area Director indicated his support for this initiative.

2017-0812

**Moved By** Director Talbot

**Seconded By** Director Morgan

THAT: in accordance with Policy F-3 "Electoral Area Community Works Fund – Expenditure of Monies", access to the Community Works Fund be approved up to \$17,400 plus applicable taxes from the Area D Community

Works Fund for windows and doors as part of the Chalet Expansion project being undertaken by the Larch Hills Nordic Society.

**CARRIED**

#### **8.4 Revelstoke/Area B EOF Application – Tourism Revelstoke – Air Service Initiative**

Report from Jodi Pierce, Manager, Financial Services dated August 10, 2017.

The Chief Administrative Officer presented the background of this Economic Opportunity Fund request to the Board. In February 2016, the Board approved \$37,500 from the Economic Opportunity Funds for the first trial of this program. The charter air service took place early in 2017. This request is for an enhanced program that will see double the number of flights per week and 10 weeks of service.

The Electoral Area B Director advised the Board of the importance that the charter air service had in 2017 and urged the Board to support this Economic Opportunity Fund application.

The Revelstoke Director also noted that the charter flights had a positive impact and would like the Board to support this application.

Director Flynn left the meeting at 11:33 am.

2017-0813

**Moved By** Director Parker

**Seconded By** Director McKee

THAT: with the concurrence of the City of Revelstoke and the Electoral Area B Director, the Board approve funding from the Revelstoke and Area B Economic Opportunity Fund up to \$90,400 to contribute to funding charter air service for 2018 for the purpose of promoting tourism and determining if a business case can be made for regularly scheduled flight service to and from the Revelstoke Airport.

**CARRIED**

Director Flynn joined the meeting at 11:34 am.

## 10. IN CAMERA

2017-0814

**Moved By** Director Moss

**Seconded By** Alternate Director Knaak

THAT: pursuant to Sections 90(1) (e):

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

of the Community Charter, the Board move In Camera.

**CARRIED**

The Board took a break at 11:36 AM and convened In Camera.

The meeting reconvened at 12:03 PM.

## 12. Agricultural Land Reserve (ALR) Applications

### 12.1 Electoral Area D: Agricultural Land Commission (ALC) Application Section 20(3) - Non Farm Use LC2537D (Koopmans)

Report from Christine LeFloch, Development Services Assistant, dated July 27, 2017.

2939 Sallenback Road, Yankee Flats

The owner has made application for a boundary adjustment subdivision of the subject property. The purpose of the boundary adjustment is to sell a portion of the property containing arable land and farm buildings including a residence to the neighbouring farm owned by Bernadine and Bill Bykerk. This would add an additional residence to the Bykerk property which is intended to be used by their son who would assist with farm operations and would result in a total of 3 residences for this new parcel. This property is entirely within the ALR. Approval of the additional residence as a Non-Farm Use by the Agricultural Land Commission is required as a condition of subdivision approval.

The owners were in attendance at the meeting.

Staff responded to questions from the Board about the temporary use permit related to the mobile home.

2017-0815

**Moved By** Director Talbot

**Seconded By** Director Morgan

THAT: Application No. LC2537D, Section 20(3) Non-Farm Use in the ALR, for the Northeast ¼, Section 30, Township 18, Range 10, West of the 6<sup>th</sup> Meridian, Kamloops Division Yale District be forwarded to the Agricultural Land Commission recommending approval this 17<sup>th</sup> day of August, 2017.

**CARRIED**

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

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

Following the verbal reports on community events, the Board recessed at 12:27 PM.

The Municipal Directors left the meeting at 12:28 PM.

The meeting reconvened at 12:57 PM.

**ELECTORAL AREA DIRECTORS**

**14. Business by Area**

**14.1 Electoral Area C: Development Variance Permit No. 701-74 (Pesonen)**

Report from Dan Passmore, Senior Planner, dated July 31, 2017. 2597 Highlands Drive – Blind Bay.

The applicant applied for a Development Variance Permit to sanction the current location of the single family dwelling, which was reviewed by the Board at the July 20, 2017 regular Board meeting and authorized for issuance by resolution No. 2017-0737. Staff failed to disclose a letter of opposition received to the Board for their consideration of the matter. This omission requires the Board to re-consider the matter.

The applicant was not in attendance at the meeting.

The Chair noted her appreciation for staff's attention to detail and bringing this back for the Board's consideration.

2017-0816

**Moved By** Director Demenok

**Seconded By** Alternate Director Knaak

THAT: in accordance with Section 217 of the Local Government Act, the Board re-consider Resolution No. 2017-0737, from the July 20, 2017 regular meeting authorizing issuance under Section 498 of the Local Government Act of Development Variance Permit No. 701-74 for Lot 27, Section 18, Township 22, Range 10, West of the 6<sup>th</sup> Meridian, Kamloops Division Yale District, Plan KAP79982 and an undivided 1/14 share in Lot 59, Plan KAP79982, (PID: 026-562-316), varying South Shuswap Zoning Bylaw No. 701, as follows:

Vary the requirement of Section 12.2.6, rear parcel line setback from 5.0 m to 4.85 m for a single family dwelling,

in view of correspondence received regarding the matter, and not disclosed to the Board on the 20<sup>th</sup> day of July, 2017.

**CARRIED**

#### **14.2 Electoral Area C: Development Variance Permit No. 701-76 (Fritz)**

Report from Christine LeFloch, Development Services Assistant, dated July 28, 2017.

2465 Waverly Drive, Blind Bay

The subject property is subject to South Shuswap Zoning Bylaw No. 701 and Electoral Area 'C' Official Community Plan Bylaw No. 725. The owner would like to construct a single family dwelling and attached garage on the property. This project requires variances to the front and interior side parcel line setbacks as well as the maximum height of the building.

The applicant was not in attendance at the meeting.

It was noted that there were two submissions from adjacent land owners in relation to the proposed variance. One letter in opposition, included in the late agenda and another received after the late agenda was published, not in opposition.

The Electoral Area Director noted concerns about parking interfering with road traffic and had concerns about the size of the home relative to the rest of those in the community. The home would be much closer to the front of the lot than the neighbouring houses, and would take up much

more room side-to-side, with a mere metre between properties. The Area Director also asked about septic on the lot, concerned about the hill. Staff noted that Interior Health is the approving authority for that, and furthermore that the septic system was signed off by a certified professional.

The Board discussed the matter and noted that the proposal meets the parcel coverage regulations and generally won't negatively interfere with views. Without a form and character development permit requirement, there is no reason for the Board to deny the application based on the home's appearance in the community. Still, the Board requested that staff notify the applicant of its concern about the size of the building relative to the lot and that the Board would like this house to blend in, as well as possible, with the surrounding community; that it not stand out as inordinately large.

2017-0817

**Moved By** Director Demenok

**Seconded By** Alternate Director Knaak

THAT: In accordance with Section 498 of the Local Government Act Development Variance Permit No. 701-76 for Lot 39, Section 18, Township 22, Range 10, West of the 6<sup>th</sup> Meridian, Kamloops Division Yale District, Plan 21795, varying South Shuswap Zoning Bylaw No. 701, as follows:

1. Section 11.2.4 Minimum setback from the front parcel line boundary from 5 m to no less than 2 m to any portion of the building only for the proposed single family dwelling and attached garage; and
2. Section 11.2.4 Minimum setback from the west side parcel boundary from 2 m to 0.88 m only for the proposed deck attached to the single family dwelling; and
3. Section 11.2.3 Maximum height for principal buildings and structures from 10 m to 11.61 m for a single family dwelling,

be approved for issuance this 17<sup>th</sup> day of August, 2017.

Opposed (1): Director Morgan

**CARRIED (5 to 1)**



**14.3 Electoral Area C: Development Variance Permit No. 900-3 (Hawkins) & Development Permit No. 725-109 (Hawkins)**

Report from Jennifer Sham, Planner, dated July 28, 2017.  
1635 Blind Bay Road, Blind Bay

The owner would like to replace the existing wooden dock with a new floating prefabricated aluminum dock. The new dock is wider and larger in area than permitted in the FR1 Foreshore Residential 1 zone of the Lakes Zoning Bylaw No. 900 and the agent is applying for a Development Variance Permit to vary the permitted width to 3.05 m and size of the dock to 27.89 m<sup>2</sup>.

The subject property is located within the Electoral Area C Official Community Plan Bylaw No. 725 area that establishes Development Permit Areas and if the Board authorizes issuance of this Development Variance Permit (DVP), staff is recommending that the Board also approve issuance of the technical Development Permit (DP).

The agent was in attendance at the meeting.

It was noted that there were not any submissions from adjacent land owners in relation to the proposed variance.

The Electoral Area Director noted that he was in favour of approval of the application.

2017-0818

**Moved By** Director Morgan

**Seconded By** Director Talbot

THAT: in accordance with Section 498 of the Local Government Act, Development Variance Permit No. 900-3 for Lot 1 Section 15 Township 22 Range 11 West of the 6<sup>th</sup> Meridian Kamloops Division Yale District Plan 40252, varying Section 4.4.2 (b) of Lakes Zoning Bylaw No. 900, as follows:

1. Maximum total upward facing surface area from 24 m<sup>2</sup> to 27.89 m<sup>2</sup>; and,
  2. Maximum width of any portion of a floating dock surface from 3 m to 3.05 m,
- be approved for issuance this 17<sup>th</sup> day of August, 2017.

**CARRIED**

2017-0819

**Moved By** Director Morgan

**Seconded By** Director Talbot

THAT: in accordance with Section 490 of the Local Government Act, Development Permit No. 725-109 for a Foreshore and Water Development Permit for Lot 1 Section 15 Township 22 Range 11 West of the 6th Meridian Kamloops Division Yale District Plan 40252 be approved for issuance this 17th day of August, 2017, subject to the issuance of DVP900-3.

**CARRIED**

#### **14.4 Electoral Area F: Temporary Use Permit No. 830-3**

Report from Dan Passmore, Senior Planner, dated July 6, 2017. 3848 Squilax-Anglemont Road, Scotch Creek.

The applicant has submitted this application for a Temporary Use Permit to allow the western 3.27 ha of the subject property to be used for commercial outdoor boat and trailer and equipment parking for a period of 3 years. The parking area is proposed to be operated by Captain's Village Marina.

The applicants were not in attendance at the meeting.

It was noted that there was a submission from an adjacent land owner in relation to the proposed variance included in the agenda package.

The Electoral Area Director indicated his support of a Temporary Use Permit for this use noting that the conditional nature of the Temporary Use Permit helps to take several factors into account.

The Board discussed screening between the adjacent mobile home park and the lot to be used for parking considering the temporary nature of the permit. The Board also considered the current zoning and designation, noting that the land owner would need to apply to rezone if they wanted to continue this use in the future.

2017-0820

**Moved By** Director Morgan

**Seconded By** Director Talbot

THAT: in accordance with Section 493 of the Local Government Act, Temporary Use Permit No. 830-3 for Lot 2, Section 33, Township 22,

Range 11, W6M, KDYD, Plan 12027 (PID: 009-389-351), for the approximately 3.27 ha western portion of the subject property for commercial outdoor boat and trailer and equipment storage on the subject property for a period of three (3) years be authorized for issuance this 17<sup>th</sup> day of August, 2017.

**CARRIED**

**14.5 Electoral Area F: Form and Character Development Permit 830-208 (ABCO Marine Developments Ltd.)**

Report from Dan Passmore, Senior Planner, dated July 10, 2017. 3877 Captain's Village Way, Scotch Creek.

The applicant is proposing to construct a 12,092 sq. ft. addition onto the existing main marina building on the subject property. Since the property is within the Scotch Creek Primary Settlement Area there is a requirement for a Waterfront Commercial (WC) Form and Character Development Permit, where construction on WC designated lands occurs. The Development Permit area contains guidelines for form and character of buildings.

The applicant was not in attendance at the meeting.

It was noted that there were not any submissions from adjacent land owners in relation to the proposed variance.

The Electoral Area Director indicated his support of staff's recommendation to approve the permit.

2017-0821

**Moved By** Director Demenok

**Seconded By** Alternate Director Knaak

THAT: in accordance with Section 490 of the Local Government Act Development Permit No. 830-208 for proposed construction of a 12,092 ft<sup>2</sup> addition onto the existing main marina building on That Part of the SW1/4, Section 27, Township 22, Range 11, W6M, KDYD, Which is not covered by the waters of Shuswap Lake, Except; (1) Plan attached to DD5912F, and (2) Plans B5406, 8408, 9416, 9920, KAP79865, KAP85492, and EPP44150, (PID: 002-505-701), be issued this 17<sup>th</sup> day of August, 2017.

**CARRIED**

## 15. Planning Bylaws

### 15.1 Electoral Area A: Highway Planning Area No. 1 Amendment (Donald Development Corporation) Bylaw No. 649-1

Report from Dan Passmore, Senior Planner, dated July 14, 2017.  
2780 Trans Canada Highway, Donald

The applicant is proposing to rezone portions of the subject properties from Zone No. 1, and Zone No. 2, as well as portions not currently zoned to a new Comprehensive Development 2 Zone CD2A to support a proposed future 9 lot subdivision of the subject properties. The CD2A zone would establish 3 separate Development Areas which would correspond with proposed Lots 1 and 2 (DA 1 and DA2), and Lots 3 through 9 (DA3) of a proposed subdivision plan.

Development Area 1 is proposed to be developed first and would be a major travel centre consisting of service station, restaurants and pubs, retail stores, and some service features for trucks. Development Area 2 is proposed to be a card-lock fueling facility. Development Area 3 would permit a variety of commercial uses and would include a second floor residential dwelling unit.

The applicant was not in attendance at the meeting.

Alternate Director Knaak indicated her support for the staff recommendation to give the bylaw amendment first reading but noted that she had some concerns about the proponent accounting for concerns of the public. Staff advised that they had encouraged the proponent to engage with the public to ensure that they could try to address these concerns. The applicant has held some public engagement meetings already to help deflect some of the opposition, and of course, this will go forward to a public hearing after second reading.

2017-0822

**Moved By** Alternate Director Knaak

**Seconded By** Director Demenok

THAT: "Highway Planning Area No. 1 Amendment (Donald Development Corporation) Bylaw No. 649-1", be read a first time this 17<sup>th</sup> day of August, 2017;

AND THAT: the Board utilize the simple consultation process for Bylaw No. 900-21, and it be referred to the following agencies and First Nations:

- Interior Health Authority;
- Ministry of Environment;
- Ministry of Forests, Lands and Natural Resource Operations, Water Rights Branch;
- Ministry of Forests, Lands and Natural Resource Operations, Archaeology Branch;
- Ministry of Transportation and Infrastructure;
- School District No. 6;
- CSRD Operations Management;
- CSRD Financial Services; and
- All relevant First Nations

**CARRIED**

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

Report from Jennifer Sham, Planner, dated July 17, 2017.  
Highway 97, Falkland

The agent has applied to redesignate and rezone a portion of the subject property located in Falkland on Highway 97 from C Commercial to RS Residential (proposed Lots 3 and 4), and further amend the C Commercial zone for only proposed Lot 5 to additionally allow outdoor storage of vehicles, recreational vehicles (RVs), boats, and trailers.

The agent was not in attendance at the meeting.

The Electoral Area Director indicated that he would like to see it go to first reading and receive feedback from agencies.

2017-0823

**Moved By** Director Talbot

**Seconded By** Director Morgan

THAT: "Salmon Valley Land Use Amendment (674816 BC Ltd.) Bylaw No. 2558" be read a first time this 17<sup>th</sup> day of August, 2017;

AND THAT: the Board utilize the simple consultation process for Bylaw No. 2558, and it be referred to the following agencies and First Nations:

- Area D Advisory Planning Commission;
- Interior Health Authority;
- Ministry of Forests, Lands, Natural Resource Operations and Rural Development;
- Ministry of Forests, Lands, Natural Resource Operations and Rural Development –Archaeology Branch;
- Ministry of Transportation and Infrastructure;
- FortisBC;
- BC Hydro;
- CSRD Operations Management; and,
- All relevant First Nations.

**CARRIED**

### **15.3 Electoral Area E: Lakes Zoning Amendment (Layden) Bylaw No. 900-19**

Report from Christine LeFloch, Development Services Assistant, dated July 28, 2017.

655 Swanbeach Rd, Swansea Point.

The foreshore area proposed to be rezoned is located in the Swansea Point area of Electoral Area E. The applicants have applied to amend Lakes Zoning Bylaw No. 900 to recognize the existing fixed dock. This dock is not currently sited in compliance with the required setbacks. The proposed amendment would add a special regulation to the FR1 Foreshore Residential Zone, which would apply to the portion of Mara Lake lying adjacent to the subject property which contains the existing fixed dock.

The Board gave first reading to the Lakes Zoning Bylaw Amendment No. 900-19 at their meeting held June 15, 2017 and directed staff to refer the bylaw to applicable agencies and First Nations for comment. Comments have been received and were summarized by staff. A number of letters of support from neighbouring property owners have also been received. With this positive input, staff is now recommending that the bylaw be amended to allow the dock to be located in its current location and configuration. It is now appropriate for the Board to consider the bylaw for second reading as amended and referral to a public hearing.

The agent was not in attendance at the meeting.

The Electoral Area Director indicated her support for the application.

2017-0824

**Moved By** Director Talbot

**Seconded By** Director Morgan

THAT: "Lakes Zoning Amendment (Layden) Bylaw No. 900-19" be read a second time, as amended, this 17th day of August, 2017.

**CARRIED**

2017-0825

**Moved By** Director Talbot

**Seconded By** Director Morgan

THAT: a public hearing to hear representations on "Lakes Zoning Amendment (Layden) Bylaw No. 900-19" 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 Rhona Martin, as Director for Electoral Area E being that in which the land concerned is located, or Alternate Director Brian Thurgood, if Director Martin is absent, and the Director or Alternate Director, as the case may be, give a report of the public hearing to the Board.

**CARRIED**

**19. Adjournment**

2017-0826

**Moved By** Director Parker

**Seconded By** Director Demenok

THAT: the regular Board meeting of August 17, 2017 be adjourned.

**CARRIED**

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CHAIR

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CHIEF ADMINISTRATIVE OFFICER

Lynda Shykora  
Deputy Manager  
Corporate Administration Services  
Columbia Shuswap Regional District

Dear Lynda,

As part of our commitment to open communication and public consultation, we are writing to request an audience with the CSRD during you September 21, 2017 meeting.

Our purpose is to outline Tolko's harvesting practices and plans for the Southern Interior particularly those relevant to the catchment area of the CSRD. As there have been many requests from CSRD residents since Tolko began our planning process in the area, we believe it is important for the Board to understand our planning, consultation, and harvesting processes and practices. Our appearance would also provide an opportunity for Board members to ask questions of our experts to clarify any concerns they may have.

During our time, we would begin with a short 5-10 min presentation outlining Tolko's approach followed by an opportunity for discussion.

We hope the Board sees value in this presentation and we look forward to hearing from you soon.

Sincerely,

Tom Hoffman, Manager External and Stakeholder Relations  
Michael Bragg, Southern Interior Woodlands Manager

PO Box 39  
3203-30 Avenue  
Vernon, BC  
Canada V1T 6M1

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





## REQUEST TO APPEAR AS A DELEGATION

Name of Person or Organization:	Tom Hoffman, Manager External and Stakeholder Relations Michael Bragg, Woodlands Manager Tolko Industries Ltd
Topic of Discussion:	Tolko's Forestry Planning Process
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: 3000-28 <sup>th</sup> Street Vernon BC V1T 6M1 Phone Number: 250-550-2598 Email Address: janice.lockyer@tolko.com
Meeting Date Requested:	Thursday Sept. 21, 2017

**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: \_\_\_\_\_



# 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)

July 27, 2017

File No.: 0530 01

Bryn White, Program Coordinator  
South Okanagan Similkameen Conservation Program  
Sent via email: [bryn.white@gov.bc.ca](mailto:bryn.white@gov.bc.ca)

Dear Bryn White:

## **Re: Invitation to Columbia Shuswap Regional District Board Meeting**

I am the Chair of the Electoral Area Directors' Committee of the Columbia Shuswap Regional District (CSRD) Board. The Committee met on June 27, 2017 and we would like more information about the South Okanagan Similkameen Conservation Program. To this end, the Committee passed the following resolution:

*THAT: the Electoral Area Directors' Committee invite Bryn White, Executive Director of South Okanagan Similkameen Conservation Program to present as a delegation at a future regular Board meeting to give information on their conservation program.*

Our staff would be happy to schedule you on the agenda of one of our upcoming Board meetings. To help you determine when might work for you, here is a list of some of our upcoming Board meeting dates. Please respond to Lynda Shykora, Deputy Manager, Corporate Administration Services, to schedule the delegation:

Thursday, September 21, 2017  
Thursday, October 19, 2017  
Thursday, November 16, 2017  
Friday, December 1, 2017

Our Board meetings start at 9:30 AM, with delegations typically scheduled for 10 AM (for 15 minutes or up to 30 minutes for invitees). If none of these dates work, please still touch base with Ms. Shykora at [lschykora@csr.bc.ca](mailto:lschykora@csr.bc.ca) to see if the Board or Electoral Area Directors Committee can have you come to a meeting on another date.

Yours truly,

Paul Demenok  
Electoral Area Directors' Committee Chair

#### 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

Lynda Shykora  
Deputy Manager  
Corporate Administration Services  
Columbia Shuswap Regional District

Dear Lynda,

As part of our commitment to open communication and public consultation, we are writing to request an audience with the CSRD during you September 21, 2017 meeting.

Our purpose is to outline Tolko's harvesting practices and plans for the Southern Interior particularly those relevant to the catchment area of the CSRD. As there have been many requests from CSRD residents since Tolko began our planning process in the area, we believe it is important for the Board to understand our planning, consultation, and harvesting processes and practices. Our appearance would also provide an opportunity for Board members to ask questions of our experts to clarify any concerns they may have.

During our time, we would begin with a short 5-10 min presentation outlining Tolko's approach followed by an opportunity for discussion.

We hope the Board sees value in this presentation and we look forward to hearing from you soon.

Sincerely,

Tom Hoffman, Manager External and Stakeholder Relations  
Michael Bragg, Southern Interior Woodlands Manager

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# BOARD REPORT

**TO:** Chair and Directors **File No:** 6130 10 01

**SUBJECT:** Trail Consulting, Construction and Maintenance Services Agreement

**DESCRIPTION:** Report from Ryan Nitchie, Team Leader Community Services, dated September 8, 2017. Five year trail consulting, construction and maintenance services agreement with the Shuswap Trail Alliance.

**RECOMMENDATION:** THAT: the Board empower the authorized signatories to enter into an agreement with the Shuswap Trail Alliance for trail consulting maintenance and construction services within Electoral Areas C, D, E and F for a five year term commencing October 1, 2017 and expiring on September 30, 2022, with an option to renew the agreement for an additional five years.

## SHORT SUMMARY:

The Shuswap Trail Alliance is a non-profit society devoted to planning, construction and maintenance of a robust trail network throughout the Shuswap region. CSR D Parks has established an excellent working partnership with the Shuswap Trail Alliance in part because of the existing contract that has been in place since 2012.

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

The Shuswap Trail Alliance (STA) is a non-profit society devoted to creating a vast integrated trail network around the Shuswap. The CSR D has worked with the STA to maintain existing trails and construct new trails on a regular basis since commencement of the CSR D parks function. Previously, these works were done through various purchase orders, agreements or letters of understanding for separate projects. In 2012, the working relationship between the CSR D and the STA was formalized through a standard three year services contract with a two year extension option. In recognition of the added value that the non-profit STA brings to such works (relative to a for-profit contractor), staff recommends that a new five year agreement, with an option to extend the agreement for an additional five years, be approved by the Board.

There are clear benefits to partnering with the STA for trail planning, construction and maintenance on a contractual basis:

- The STA is a non-profit organization comprised of community members and organizations devoted to trails in the region;
- The STA engages volunteers which reduces labour costs and promotes greater stewardship of trails;
- The STA has developed and follows trail construction and maintenance standards which ensure a uniform quality of trail development and signage;
- The STA has developed an environmental screening tool that ensures that trails are planned, constructed and maintained in an environmentally sustainable manner;

- The STA has developed a network of trail stewards and a reporting system which has become an invaluable tool utilized by CSRD Parks staff for trail inspection;
- The STA has partnered with the CSRD to apply for government and non-government funding resources for trail planning and development;
- The STA has facilitated and fostered relationships with local residents, provincial agencies and First Nations communities to further strengthen the development and sustainability of trail networks in the region.

**POLICY:**

In accordance with Policy No. F-32, Procurement of Goods and Services, Board authorization is required for any sole source contract over \$10,000.

**FINANCIAL:**

The STA's remuneration rates (see the attached "Schedule B, Remuneration Schedule") are cost effective and reflect a modest inflationary increase over the previous contract. One of the ongoing benefits of working with the STA is their ability to leverage funding from other sources and use volunteer resources for all projects, adding value to each project. The following statement has been included in the agreement alongside the remuneration schedule. The intent of this statement is to outline the added value derived from working with the STA for each project:

*"The Contractor will at all times possible 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".*

Specific trail maintenance and trail projects will continue to be planned and funded as part of the Five Year Financial Plan. The relevant parks budget will fund the specific planned projects and expenditures with the STA within the regular budget process.

**IMPLEMENTATION:**

If approved by the Board, the agreement will be executed by the CSRD and the Shuswap Trail Alliance and will commence on October 1, 2017.

**COMMUNICATIONS:**

The Shuswap Trail Alliance will be advised of the Board's decision.

**DESIRED OUTCOMES:**

That the Board approve the recommendation to enter into a five year agreement for trail consulting, maintenance and construction services with the Shuswap Trail Alliance.

**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. Trail Consulting, Maintenance and Construction Services Agreement.

**Report Approval Details**

Document Title:	2017 Shuswap Trail Alliance Board Report_September.docx
Attachments:	- STA Schedule B 01October2017-30Sept2022.pdf
Final Approval Date:	Sep 13, 2017

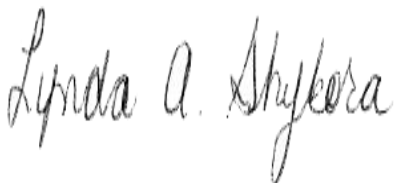
This report and all of its attachments were approved and signed as outlined below:

**No Signature - Task assigned to Darcy Mooney was completed by assistant Phaedra Turner**

**Darcy Mooney - Sep 12, 2017 - 3:40 PM**



**Jodi Pierce - Sep 12, 2017 - 3:46 PM**



**Lynda Shykora - Sep 12, 2017 - 4:05 PM**



**Charles Hamilton - Sep 13, 2017 - 9:10 AM**



**SCHEDULE B**  
**REMUNERATION SCHEDULE**

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

	<b>RATE PER HOUR</b>
	<b>October 1, 2017 to September 30, 2018</b>
<b>Project Manager</b>	<b>\$60.00</b>
<b>Trail Developer/Design</b>	<b>\$46.00</b>
<b>Operation Manager/Field Supervisor</b>	<b>\$46.00</b>
<b>Field Plotter/Field Technician</b>	<b>\$36.00</b>
<b>Senior/Lead Trail Crew/Labour</b>	<b>\$26.00</b>
<b>Junior/Assistant Trail Crew/Labour</b>	<b>\$21.00</b>
<b>Environmental Screening</b>	<b>\$60.00</b>
<b>GIS/Mapping</b>	<b>\$60.00</b>
<b>Graphic Design</b>	<b>\$60.00</b>

**ANNUAL RATE INCREASES:** Annual rate per hour increases will be in accordance with BCCPI (all items) and will be effective annually commencing October 1, 2018.

**VEHICLE MILEAGE RATE:** The rate per kilometre will be paid in accordance with the annual reasonable per-kilometre allowance rates set by Canada Revenue Agency (CRA). For 2017, they are \$0.54 per kilometre, and will be subject to change as per CRA guidelines.

The Contractor must ensure that all invoices reflect the **Contract Number No. 2017-999-0067-5**. Failure to reference the Contract Number may delay payment and the Regional District 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.

<b>WORKSAFE BC:</b>	<b>802438</b>	<b>INSURANCE:</b>	
<b>GST/HST NUMBER:</b>		<b>PERFORMANCE SECURITY:</b>	<b>NA</b>



# BOARD REPORT

**TO:**
**Chair and Directors**
**File No:** 1850 20 17

**SUBJECT:**
**Grant in Aid Requests**
**DESCRIPTION:**

Report from Jodi Pierce, Manager, Financial Services dated September 11, 2017.

**RECOMMENDATION  
#1:**

THAT: the Board approve the following allocations from the 2017 electoral grant in aids:

Area C

\$3,500 White Lake Fire Department (Halloween event)  
 \$26,460 Sorrento Drop-In Society (parking lot repairs)  
 \$4,000 Tappen Sunnybrae Fire Department (Halloween event)  
 \$12,450 South Shuswap Health Services Society (equipment for Wellness Centre)

Area E

\$3,500 Eagle Valley Rescue Society (crew training and operational funding)  
 \$5,500 Malakwa Learning Academy (cooking & nutrition program)  
 \$4,000 Malakwa Playschool Society (operational funding)  
 \$1,000 Eagle Valley Seniors Meals Society (operational funding).

**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 required source documentation has been received. These requests are within the Electoral Area's grant-in-aid budget.

**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.

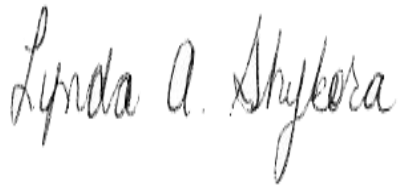
**BOARD'S OPTIONS:**

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

**Report Approval Details**

Document Title:	2017-09-21_Board_Fin_Grant in Aids.docx
Attachments:	
Final Approval Date:	Sep 11, 2017

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



**Lynda Shykora - Sep 11, 2017 - 12:16 PM**



**Charles Hamilton - Sep 11, 2017 - 3:25 PM**



# BOARD REPORT

**TO:** Chair and Directors **File No:** 1850 31

**SUBJECT:** Revelstoke/Area B EOF Application – Farwell Splash Park

**DESCRIPTION:** Report from Jodi Pierce, Manager, Financial Services, dated September 12, 2017.

**RECOMMENDATION #1:** THAT: With the concurrence of the City of Revelstoke and the Electoral Area B Director, the Board approve funding from the Revelstoke and Area B Economic Opportunity Fund in the amount of \$50,000 to assist with the development of a new splash park in Revelstoke.

## SHORT SUMMARY:

The Splash Park concept was brought forward by a local community initiative. The development of this park would increase the ability of the City to attract families both as residents and as tourists. The location of the Splash Park is ideally situated to attract visitors and residents.

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

The Farwell Splash Park Society is a community initiative that is promoting the development of the Splash Park concept. The City of Revelstoke has endorsed the park design and location and the community was invited to attend public houses and provide feedback. Investment in tourism infrastructure is an important part of the City's plan for resident and tourism attraction. To date there have been over \$50,000 donated towards the development of the park, and the further funding from the Economic Opportunity Funds will allow the City to leverage other grant funding opportunities.

## POLICY:

This request meets the criteria for support in relation to CSR Policy *F-29, BC Hydro Payments -in-Lieu of Taxes* funding assistance to stimulate economic development within the Revelstoke/Area B area.

## FINANCIAL:

The balance of the Revelstoke/Area B EOF (less commitments) as at August 31, 2017 is approximately \$420,000 which includes the 2017 distribution. There are additional commitments in future years that will be funded through subsequent PILT distributions.

**IMPLEMENTATION:**

Upon Board and City of Revelstoke approval, EOF funds will be made available as required to the City of Revelstoke.

**DESIRED OUTCOMES:**

The Board endorse the recommendation.

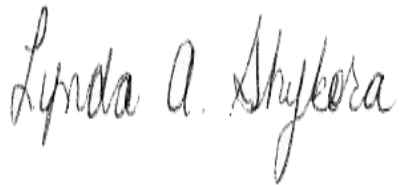
**BOARD'S OPTIONS:**

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

**Report Approval Details**

Document Title:	2017-09-21_Board_Fin_EOF Rev Area B - Splash Park.docx
Attachments:	- EOF Funding Request - Farwell Splash Park.pdf
Final Approval Date:	Sep 12, 2017

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



**Lynda Shykora - Sep 12, 2017 - 11:47 AM**



**Charles Hamilton - Sep 12, 2017 - 1:15 PM**



## COLUMBIA SHUSWAP REGIONAL DISTRICT

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

### APPLICATION FOR ECONOMIC OPPORTUNITY FUNDS – Page 1

#### PREAMBLE:

The EOF were created specifically as a means of compensating for the loss of economic opportunities on those lands affected by the dams and reservoirs and the resultant economic impacts to the affected communities. As such, the EOF are to provide funding assistance for projects deemed by the participating members and ratified by the Corporate Board to be worthy of support in an effort to stimulate economic development within the impact areas.

Impact Areas are as follows:

- Golden and Area 'A'
- Revelstoke and Area 'B'
- Sicamous and Area 'E'
- Area 'B' only

Criteria for accessing each EOF will be based on the demonstrable and enduring benefit to the economy of the affected communities at large. The EOF are designed to stimulate economic generators, transportation facilities and infrastructure development supportable jointly by the participating members involved and approved by the Board.

The EOF shall not be used as grant-in-aid funding.

**ONLY NON-PROFIT ORGANIZATIONS ARE ELIGIBLE FOR FUNDING**

1. Date: September 11, 2017
2. Name of Organization: City of Revelstoke
3. Address: 415 Mackenzie
4. (a) Date organization established in the Regional District: N/A  
 (b) Registered Society in Province of BC:  
 Reg. No. \_\_\_\_\_ Date: \_\_\_\_\_
5. President: N/A Phone: \_\_\_\_\_  
 Address: N/A
6. Secretary: \_\_\_\_\_ Phone: \_\_\_\_\_  
 Address: \_\_\_\_\_
7. Board of Directors
 

1. <u>N/A</u>	4. _____
2. <u>N/A</u>	5. _____
3. <u>N/A</u>	6. _____



## APPLICATION FOR ECONOMIC OPPORTUNITY FUNDS – Page 2

8. **Executive Director or contact person:** Allan Chabot  
**Phone:** 250-837-2911 **Email:** achabot@revelstoke.ca
9. **Impact Area:** Revelstoke and CSRD Area B
10. **Society or Organization's objectives:**  
 Quality of Life - The City of Revelstoke will emphasize quality of life issues including social, active, living, cultural experiences and recreation opportunities.  
 Planning for the Future- The City of Revelstoke will ensure that City services encourage and support community vision towards development for the future.  
 Safeguard Infrastructure - The City of Revelstoke will protect the continuance of healthy infrastructure for current and future generations.  
 Economic Development and Business Support - The City of Revelstoke will take initiatives to attract, promote and support economic development.
11. **Purpose to which funding will be expended:**  
 Development of the Farwell Splash Park. Currently RCU has donated \$50,000 and Community Foundation has donated \$1,000. The Farwell Splash Park Society is now actively seeking other grant opportunities. The \$50,000 from the EOF Funds will be used to leverage other grant monies.
12. **Funding Requested:** \$ 50,000
13. **Budget (attach copy):** \$ 653,082
14. **How will the project stimulate economic development within the community?**  
 Investment in Tourism Infrastructure is an important part of resident and tourism attraction. Developing a Splash Park in Revelstoke stands to increase the communities ability to attract families with children as both residents and tourists. In particular the location of the Splash Park in Farwell Park (relatively close proximity to the highway) is ideally situated to attract tourists travelling past Revelstoke to stop in and visit Revelstoke when otherwise they may have just driven by.
15. **Details of community support for objectives:**  
 The Splash Park concept was brought forward by a local community initiative: The Farwell Splash Park Society. They have actively been seeking community support. The Revelstoke Credit Union has donated \$50,000 towards the development of the Splash Park.  
 On February 29, 2016 the public was invited to attend an open house to give feedback on the design of the Splash Park and on October 25, 2016, Council endorsed the Farwell Park design and location.

## APPLICATION FOR ECONOMIC OPPORTUNITY FUNDS – Page 3

COMPLETED APPLICATIONS SHOULD BE MAILED OR EMAILED TO:  
COLUMBIA SHUSWAP REGIONAL DISTRICT  
ATTN: MANAGER, FINANCIAL SERVICES  
PO BOX 978, SALMON ARM, BC, V1E 4P1  
finance@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 301 Victoria Road, Revelstoke, BC THIS 11 DAY OF September, 2017

Nicole Fricot

NAME

SIGNATURE

250-814-8094

TELEPHONE

nfricot@revelstoke.ca

EMAIL

## Splash Park Project Expenses - Recirculation System

	Estimated Cost
<u>Site Preparation:</u>	\$ 41,000.00
<u>Design &amp; Engineering:</u>	
Engineering Services	\$ 20,000.00
<u>Electrical Service:</u>	\$ 25,000.00
<u>Water Service:</u>	\$ 11,000.00
<u>Water Treatment System Building</u>	\$ 130,000.00
<u>Sanitary Sewer:</u>	\$ 3,000.00
<u>Waterplay components: (RecTec)</u>	\$ 163,442.00
<u>Installation of Waterplay components (RecTec)</u>	\$ 171,990.00
<u>Storm Sewer: (COR)</u>	
Need to tie into existing storm system at Farwell School soccer field. Includes all catch basins and connection.	\$ 50,000.00
<i>**There may be an opportunity to cost share if other capital works are approved in this area.</i>	
<u>Testing &amp; Inspecting:</u>	
Testing & inspecting fees	\$ 5,000.00
<u>Landscaping: (COR)</u>	
Restoration & enhancement of landscaped area for park	\$ 15,000.00
<u>Health Reg. &amp; Other Approvals:</u>	
IHA Permitting Fees	\$ 150.00
<u>Grand Opening:</u>	
Advertising	\$ 500.00
Cake and refreshments	\$ 1,000.00
Contingency (25 %)	16,000
<b>TOTAL PROJECT COST:</b>	<b>\$ 653,082.00</b>



# BOARD REPORT

**TO:** Chair and Directors **File No:** 1850 40 17

**SUBJECT:** Area D Community Works Fund – Salmon Valley Senior Citizens Branch 107

**DESCRIPTION:** Report from Jodi Pierce, Manager, Financial Services dated September 11, 2017. Access to Community Works Funds.

**RECOMMENDATION #1:** THAT: in accordance with Policy F-3 “Electoral Area Community Works Fund – Expenditure of Monies”, access to the Community Works Fund be approved up to \$26,000 plus applicable taxes from the Area D Community Works Fund for a new water well at the Salmon Valley Senior Citizens Hall.

## SHORT SUMMARY:

Information relating to this request is attached and is supported by the Electoral Area D Director. A new water well will provide clean potable water to the Hall.

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

The Salmon Valley Senior Citizens Branch 107 is a non-profit organization that serves the community in providing programs and events to encourage seniors and others to remain active and engaged in their community. A new water well would allow the organization with more opportunities for programs and activities.

## POLICY:

This request meets the criteria for support in relation to CSR D Policy *F-3, Community Works Fund – Expenditure of Monies*. Eligible recipients for Gas Tax funding include non-municipal not-for-profit organizations and the water well is an eligible expenditure. The Hall is for public use and benefit.

## FINANCIAL:

The balance of the Area D Community Works Fund (Gas Tax) is \$250,000 after all previously approved commitments. The 2017 distribution of approximately \$165,000 is included in the above amount. Expenditure of the funds will be in accordance with the 2014-2024 Agreement between the UBCM and CSR D, dated July 7, 2014.

## IMPLEMENTATION:

Upon Board approval, a Use of Community Works Funds Agreement will be forwarded to the Salmon Valley Senior Citizens Branch 107 for signature and funding will be made available upon submission of copies of eligible invoices for payment at the end of the project.

**COMMUNICATIONS:**

The CSRD will enter into an agreement with the Salmon Valley Senior Citizens Branch 107 that transfers CSRD obligations on ownership and reporting to the Organization (e.g. the Organization will need to maintain records, provide access to auditors, spend funding on eligible costs of eligible projects, report to the CSRD on outcomes achieved, etc).

**DESIRED OUTCOMES:**

The Board will approve the recommendation.

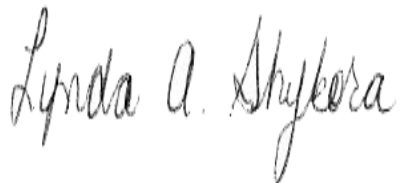
**BOARD'S OPTIONS:**

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

**Report Approval Details**

Document Title:	2017-09-21_Board_Fin_Gas Tax - Salmon Valley Senior Citizens Branch 107.docx
Attachments:	- Salmon Valley Senior Citizens Branch 107.pdf
Final Approval Date:	Sep 12, 2017

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



**Lynda Shykora - Sep 12, 2017 - 8:37 AM**



**Charles Hamilton - Sep 12, 2017 - 9:54 AM**



# COLUMBIA SHUSWAP REGIONAL DISTRICT

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

## APPLICATION FOR ECONOMIC OPPORTUNITY FUNDS – Page 1

*GAS Tax*

### PREAMBLE:

The EOF were created specifically as a means of compensating for the loss of economic opportunities on those lands affected by the dams and reservoirs and the resultant economic impacts to the affected communities. As such, the EOF are to provide funding assistance for projects deemed by the participating members and ratified by the Corporate Board to be worthy of support in an effort to stimulate economic development within the impact areas.

Impact Areas are as follows:

Golden and Area 'A'  
Revelstoke and Area 'B'  
Sicamous and Area 'E'  
Area 'B' only

Criteria for accessing each EOF will be based on the demonstrable and enduring benefit to the economy of the affected communities at large. The EOF are designed to stimulate economic generators, transportation facilities and infrastructure development supportable jointly by the participating members involved and approved by the Board.

The EOF shall not be used as grant-in-aid funding.

### ONLY NON-PROFIT ORGANIZATIONS ARE ELIGIBLE FOR FUNDING

1. Date: Aug 28, 2017
2. Name of Organization: Salmon Valley Senior Citizens Branch 107
3. Address: 3056 Hornsberger Rd. Salmon Arm BC V1E 3H1
4. (a) Date organization established in the Regional District: 1979  
 (b) Registered Society in Province of BC: Branch 107  
 Reg. No. Senior's Association of BC Date: 1979
5. President: Johnny Noble Phone: 250-803-0372  
 Address: 3059 Hornsberger Rd Salmon Arm, BC V1E 3H1
6. Secretary: Donna Bernard Phone: 250-833-0123  
 Address: 1130 Salmon River Rd. Salmon Arm, BC V1E 3G3
7. Board of Directors
  1. All members are
  2. Considered directors
  3. (35)
  4. \_\_\_\_\_
  5. \_\_\_\_\_
  6. \_\_\_\_\_

## APPLICATION FOR ECONOMIC OPPORTUNITY FUNDS – Page 2

8. Executive Director or contact person: Johnny Noble  
 Phone: 250-803-0372 Email: djbernard2009@hve.ca

9. Impact Area: Silver Creek Community and surrounding area.

10. Society or Organization's objectives:

To serve all member's of the community and surrounding area by providing programs/events to encourage Senior's and all members of the community to participate in various functions provided.  
 At present the hall requires clean, potable water in order to serve the community.

11. Purpose to which funding will be expended:

To drill a water well and install water pump and pressure tank into the hall.

12. Funding Requested: \$ 26,000.00

13. Budget (attach copy): \$ Well drilling: \$16,281.30 ; Pump Installation \$988.90  
~~Electrician + trenching \$1000~~

14. How will the project stimulate economic development within the community?

Opens the hall to more opportunities for programs in the community.

15. Details of community support for objectives:

All members and people in the community are looking forward to having clean potable water.



## APPLICATION FOR ECONOMIC OPPORTUNITY FUNDS – Page 3

COMPLETED APPLICATIONS SHOULD BE MAILED OR EMAILED TO:  
COLUMBIA SHUSWAP REGIONAL DISTRICT  
ATTN: MANAGER, FINANCIAL SERVICES  
PO BOX 978, SALMON ARM, BC, V1E 4P1  
finance@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 Salmon Arm, BC THIS 28 DAY OF August, 2017

JOHNNY NOBLE  
NAME

Johnny Noble  
SIGNATURE

(250) 803-0372  
TELEPHONE

djbernard2009@live.ca  
EMAIL



# BOARD REPORT

**TO:**
**Chair and Directors**
**File No:** 6140 70 43

**SUBJECT:**

Electoral Area E Community Works Fund

**DESCRIPTION:**

Report from Ryan Nitchie, Community Services Team Leader, September 6, 2017. Access to Electoral Area E Community Works Fund for additional park infrastructure at Malakwa Community Park.

**RECOMMENDATION #1:**

THAT: in accordance with Policy No. F-3 "Electoral Area Community Works Fund - Expenditure of Monies" access to the Electoral Area Community Works Fund be approved for up to \$140,000 plus applicable taxes from the Electoral Area E Community Works Fund allocation for park construction at Malakwa Community Park.

**SHORT SUMMARY:**

After consultation with the Electoral Area E Director, staff is seeking approval for additional funding to complete the construction of a new community park in Malakwa. Board approval is being sought for expenditure of these funds in accordance with Policy No. F-3 "Electoral Area Community Works Fund – Expenditures of Monies".

**VOTING:**

 Unweighted  
Corporate

☐

 LGA Part 14  
(Unweighted)

☐

 Weighted  
Corporate

☒

 Stakeholder  
(Weighted)

☐
**BACKGROUND:**

The construction of new parks including playground equipment, walking and cycling trails, signage, a vault toilet, picnic shelter, community garden, landscaping, fencing, utilities and irrigation qualify as eligible expenditures of Community Works Fund money.

The Electoral Area E Parks Advisory Committee as well as the Electoral Area Director concur that completion of the new community park in Malakwa is a 2017 priority. The construction project was released for tender in August 2017 and the bid submissions received were much higher than the opinion of probable costs.

Phases two and three of the park construction project were originally budgeted from the Electoral Area E parks capital fund for completion in 2018 and 2019 respectively. In order to complete the park's amenities in a timelier manner, phases two and three will be funded with the Electoral Area E Community Works Funds and completed in 2017.

This additional funding will ensure that the majority of the works including irrigation, electrical, lighting, playground construction, landscaping, fencing, concrete plaza, vault toilet, tree planting and water line installation is completed in the fall of 2017. The timber frame picnic shelter structure will be completed in the spring of 2018, dependant on contractor availability.

**POLICY:**

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

**FINANCIAL:**

The balance of the Area E Community Works Fund (Gas Tax) is \$188,000 after all previously approved commitments. The allocation of \$140,000 will reduce the balance of available funds to \$48,000. 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:**

Policy No. F-3 "Electoral Area Community Works Fund – Expenditure of Monies", states that the expenditure of monies from the Community Works Fund must be approved by the Board.

**COMMUNICATIONS:**

Staff will procure the goods and services for these projects in accordance with Policy No. F-32 "Procurement of Goods and Services".

**DESIRED OUTCOMES:**

The Board approve the expenditure from the Electoral Area E portion of the Community Works Fund.

**BOARD'S OPTIONS:**

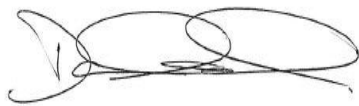
1. *Endorse the Recommendation.*
2. *Deny the Recommendation.*
3. *Defer.*
4. *Any other action deemed appropriate by the Board.*

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

**Report Approval Details**

Document Title:	Area E Community Works Fund Malakwa Community Park.docx
Attachments:	
Final Approval Date:	Sep 11, 2017

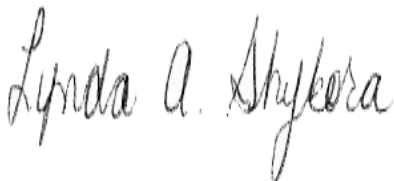
This report and all of its attachments were approved and signed as outlined below:



**Darcy Mooney - Sep 11, 2017 - 9:25 AM**



**Jodi Pierce - Sep 11, 2017 - 9:45 AM**



**Lynda Shykora - Sep 11, 2017 - 12:18 PM**



**Charles Hamilton - Sep 11, 2017 - 3:24 PM**



# BOARD REPORT

**TO:** Chair and Directors

**SUBJECT:** Crown Land Tenure – Don Fink Community Park – Seymour Arm

**File No:** 6140 70 28

**DESCRIPTION:** Report from Ryan Nitchie, Community Services Team Leader, dated August 30, 2017. Crown tenure application .85 hectares of land at Don Fink Community Park in Seymour Arm.

**RECOMMENDATION #1:** THAT: the Board empower the authorized signatories to acquire a licence of occupation for a term of ten years from the Province of British Columbia over the land described as, that part of Lot 6 of District Lot 663, Kamloops Division of Yale District, Plan 5824 and containing .85 hectares, more or less, for community park purposes.

## SHORT SUMMARY:

The CSR D assumed licence of occupation for Don Fink Community Park in Seymour Arm from the Seymour Arm Community Association in 2006. The original licence of occupation was for a ten year term, which is now expired. In order to renew the licence of occupation from the Province, a resolution which confirms the Board's support must be submitted with the application.

<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:

Don Fink Community Park is located in Seymour Arm area of Electoral Area F, adjacent to Silver Beach Provincial Park. The park was operated in the past by the Seymour Arm Community Association. The park contains a ball field, swing set, picnic area, toilets, horseshoe pitch and volleyball area. In 2006, a ten year licence of occupation from the Province was assigned to the CSR D from the Seymour Arm Community Association, and the CSR D assumed the operation and maintenance of the park. The 2006 issued licence of occupation has since expired and in order to obtain a new agreement, Board approval is required.

## FINANCIAL:

The replacement application fee is \$200 and will be allocated to the Area F Parks Budget. No further costs are associated with this tenure application.

## COMMUNICATIONS:

A certified copy of the Board Resolution will be forwarded to the Ministry of Forests, Lands and Natural Resource Operations and Rural Development in support of the application.

## DESIRED OUTCOMES:

The Board endorse the recommendation in order to complete the application process.

## BOARD'S OPTIONS:

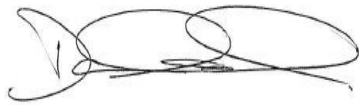
1. *Endorse the Recommendation.*
2. *Deny the Recommendation.*
3. *Defer.*
4. *Any other action deemed appropriate by the Board.*

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

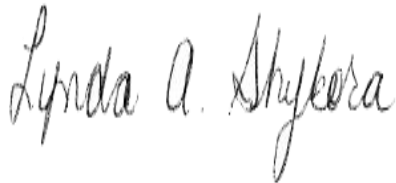
**Report Approval Details**

Document Title:	Don Fink Community Park Tenure.docx
Attachments:	
Final Approval Date:	Sep 11, 2017

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



**Darcy Mooney - Sep 11, 2017 - 9:25 AM**



**Lynda Shykora - Sep 11, 2017 - 9:34 AM**



**Charles Hamilton - Sep 11, 2017 - 3:35 PM**



# BOARD REPORT

**TO:**
**Chair and Directors**

<b>File No:</b> 7200 23 01 Bylaw 5758
--

**SUBJECT:**

Annis Bay Fire Suppression Service Area Establishment

**DESCRIPTION:**

Report from Darcy Mooney, Manager, Operations Management, dated September 7, 2018. Bylaw to establish a fire suppression service area for eleven properties in the Annis Bay area of Electoral Area E.

**RECOMMENDATION:**

THAT: Bylaw No. 5758 cited as "Annis Bay Fire Suppression Service Area Establishment Bylaw No. 5758" be read a first, second and third time this 21<sup>st</sup> day of September, 2017.

**SHORT SUMMARY:**

Property owners in the Annis Bay area of Electoral Area E have requested fire suppression coverage for their properties for several years; however due to the complex nature of the shared interest development and proximity to fire halls, providing the service has been historically problematic. The District of Sicamous Council has recently endorsed the Sicamous Fire Department to provide fire suppression to the Annis Bay area through agreement with the CSR. A public assent process (formal petition) to establish the fire suppression service area for the Annis Bay properties was initiated by the CSR and received 100% support from the property owners.

**VOTING:**

 Unweighted ☐

 LGA Part 14 ☐  
 (Unweighted)

 Weighted ☐  
 Corporate

☒ Stakeholder ☐  
*(Weighted)*
**BACKGROUND:**

Owners from Lakemount Recreation Ltd. (Lakemount), a shared interest property located on Bernie Road in the Annis Bay area of Electoral Area E, have been wanting fire protection for their properties for several years. In 2016, an informal petition was submitted to the CSR from all 45 shares of the Lakemount property, requesting the CSR conduct a feasibility study to determine the cost for the delivery of fire suppression to the Lakemount properties from either the City of Salmon Arm or the District of Sicamous (Sicamous) through an agreement with the CSR. Both the City of Salmon Arm and the District of Sicamous expressed interest and a cost proposal. The proposal from the District of Sicamous was more cost effective and the Sicamous Fire Hall is closer to the Annis Bay area for response time than the City of Salmon Arm's fire hall in Canoe.

Sicamous agreed to provide the service with a condition that all properties serviced by Bernie Road would need to be in the service area, not just the Lakemount property. Response time in the event of a fire emergency is critical and the department did not want to be burdened with making a determination in an emergency call out as to whether a property was actually covered or not. The representatives from Lakemount contacted the owners from the other two properties on Bernie Road (Annis Bay Estates Ltd. and Larue Investments Ltd.) to determine their interest level for fire suppression for their properties.

CSR staff met with representatives from all three owner groups to review the costs and answer questions related to the service. All three groups were satisfied and expressed their interest for the CSR to initiate a public assent process. Staff has determined sufficiency and validity of the petition



and has drafted a service area establishment bylaw which will create the Annis Bay Fire Suppression Service Area.

#### **POLICY:**

"Annis Bay Fire Suppression Service Area Establishment Bylaw No 5758" will be brought back to the Board for consideration of adoption after approval has been received from the Inspector of Municipalities.

#### **FINANCIAL:**

The properties within the proposed Annis Bay Fire Suppression Service Area will pay a property value tax based on the cost for the Sicamous Fire Department to provide the service. The 2018 tax requisition rate will be approximately \$0.55/\$1000 of net taxable value of land and improvements within the service area. The maximum tax requisition limit identified in the bylaw is \$1.00/\$1000 of net taxable value of land and improvements within the service area. .

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

The bylaw will establish the boundary of the service area to include all properties accessed by Bernie Road in the Annis Bay area.

#### **IMPLEMENTATION:**

If approved, the fire suppression service will commence December 31, 2017.

#### **COMMUNICATIONS:**

Upon adoption of the bylaw, correspondence and maps will be sent to the Sicamous Fire Department advising of the new service area. A fire suppression agreement between the District of Sicamous and the CSRD will be drafted for endorsement by both parties. Property owners will also be advised of the bylaw adoption and the effective service date. Both Surrey Fire Dispatch and the 911 dispatch will be advised of the new service. In addition, BC Assessment will be advised of the service for the 2018 assessment roll.

#### **DESIRED OUTCOMES:**

The Board approve the establishment of the Annis Bay Fire Suppression Service Area and adopt Bylaw No. 5758.

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

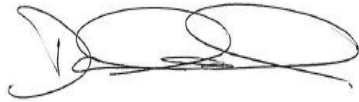
1. *Endorse the Recommendation.*
2. *Deny the Recommendation.*
3. *Defer.*
4. *Any other action deemed appropriate by the Board.*

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

**Report Approval Details**

Document Title:	Annis Bay Fire Suppression Service Establishment Board Report.docx
Attachments:	<ul style="list-style-type: none"><li>- Certificate of Sufficiency - Annis Bay Fire.pdf</li><li>- BL5758 Annis Bay Fire Suppression Service Area Establishment Bylaw.docx</li><li>- 17-191 Fire Protection Extension to Bernie Road and Annis Bay.pdf</li></ul>
Final Approval Date:	Sep 11, 2017

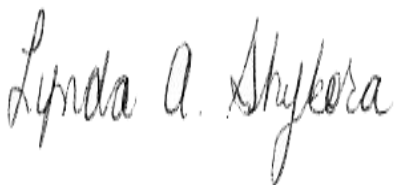
This report and all of its attachments were approved and signed as outlined below:



**Darcy Mooney - Sep 11, 2017 - 9:26 AM**



**Jodi Pierce - Sep 11, 2017 - 9:47 AM**



**Lynda Shykora - Sep 11, 2017 - 12:52 PM**



**Charles Hamilton - Sep 11, 2017 - 3:07 PM**



# 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)

File: Bylaw No. 5758

## CERTIFICATE OF SUFFICIENCY

### ANNIS BAY FIRE SUPPRESSION SERVICE ESTABLISHMENT

Pursuant to Section 337 of the Local Government Act, and based on the following criteria, I hereby certify the petition received by 4 PM, September 5, 2017 by the Corporate Officer, Columbia Shuswap Regional District (CSRD), requesting the CSRD to establish the boundaries of the Annis Bay Fire Suppression Service Area to include the properties described on the Data Sheet on the reverse of the petition for Annis Bay dated September 5, 2017, to be **SUFFICIENT** for the purposes of establishment of the boundaries of the Annis Bay Fire Suppression Service Area:

Total Parcels in Proposed Area	11
Total Petitions <b>Required</b> (50% of the owners of parcels liable to be charged for the service)	6
Total Valid Petitions Received	11 (100%)
Total Assessment of Property to be included	\$22,042,300
Total Assessment Required (50% of net taxable value of all Land and improvements within the additional Service Area)	\$11,021,150
Total Assessment of Valid Petitions Received	\$22,042,300

Lynda Shykora, Deputy Manager  
Corporate Administration Services

Dated this 8<sup>th</sup> day of September, 2017

#### ELECTORAL AREAS

A GOLDEN-COLUMBIA  
B REVELSTOKE-COLUMBIA

C SOUTH SHUSWAP  
D FALKLAND-SALMON VALLEY

E SICAMOUS-MALAKWA  
F NORTH SHUSWAP-SEYMOUR ARM

#### MUNICIPALITIES

GOLDEN  
REVELSTOKE

SALMON ARM  
SICAMOUS

## **COLUMBIA SHUSWAP REGIONAL DISTRICT**

### BYLAW NO. 5758

A bylaw to establish a service area within Electoral Area 'E' of the  
Columbia Shuswap Regional District for the purpose of providing fire suppression for Annis Bay.

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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 establish a service within Electoral Area 'E' for the purpose providing fire suppression to the Annis Bay area within Electoral Area 'E';

AND WHEREAS the Board has submitted the proposal to establish the service to the electors within Electoral Area 'E' and approval of the electors, pursuant to the Local Government Act, has been obtained;

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

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

#### **SERVICE**

1. To establish within Electoral Area 'E' a service area to be known as the "Annis Bay Fire Suppression Service Area".

#### **SERVICE AREA**

2. The service area established by this bylaw is shown outlined on Schedule 'A' attached hereto and forming part of this bylaw.

#### **PARTICIPATING AREA**

3. The participating area in the named service is a portion of Electoral Area 'E'.

#### **REQUISITION**

4. The maximum amount of money that may be requisitioned for the service provided under Section 1 of this bylaw will be \$1.00/\$1000 of net taxable value of land and improvements within the service area. .

**COST RECOVERY**

5. The annual costs shall be recovered by requisition of money to be collected by a property value tax on land and improvements within the service area.
6. The Regional District may enter into contractual arrangements with the District of Sicamous, or others, for the delivery of this service.

**FORCE AND EFFECT**

7. This bylaw will come effect on December 31, 2017.

**CITATION**

8. This bylaw may be cited as "Annis Bay Fire Suppression Service Area Establishment Bylaw No. 5758."

READ a first time this \_\_\_\_\_ day of \_\_\_\_\_, 2017.

READ a second time this \_\_\_\_\_ day of \_\_\_\_\_, 2017.

READ a third time this \_\_\_\_\_ day of \_\_\_\_\_, 2017.

APPROVED by the Inspector of Municipalities this \_\_\_\_\_ day of \_\_\_\_\_, 2017.

RECEIVED elector approval this \_\_\_\_\_ day of \_\_\_\_\_, 2017.

ADOPTED this \_\_\_\_\_ day of \_\_\_\_\_, 2017.

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

\_\_\_\_\_  
CHAIR

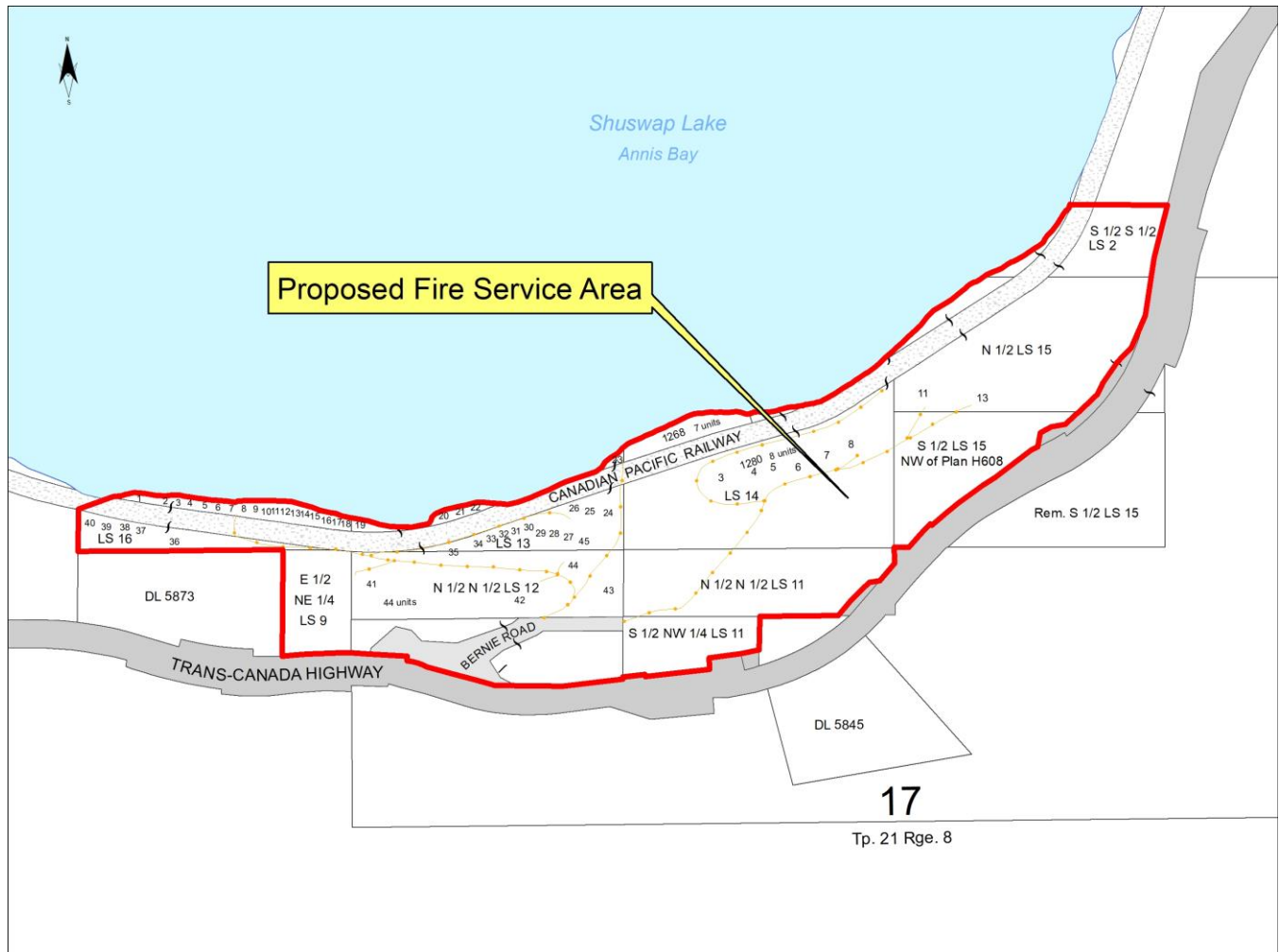
CERTIFIED a true copy of  
Bylaw No. 5758 as read a third time.

CERTIFIED a true copy of  
Bylaw No. 5758 as adopted.

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

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

SCHEDULE A  
ANNIS BAY FIRE SUPPRESSION SERVICE AREA



**District of Sicamous**  
446 Main Street  
PO Box 219  
Sicamous, BC  
VOE 2V0

**T:** 250 836 2477  
**F:** 250 836 4314  
**E:** info@sicamous.ca  
sicamous.ca



**Certified Resolution 17-191**

**It was moved and seconded:**

**THAT Council approve the Columbia Shuswap Regional District's request for the District of Sicamous to extend fire suppression services to the properties outlined in red on the base map titled "Proposed Annis Bay Fire Suppression Service Area" provided that the Columbia Shuswap Regional District confirms sufficient assent from the property owners through a petition process for fire protection service;**

**AND THAT all costs associated with the provision of fire suppression will be covered by the property owners from within the benefiting area through a Fire Suppression Agreement between the District of Sicamous and the Colombia Shuswap Regional District.  
Carried**

Certified a true and correct copy of a resolution endorsed by the Council at its Regular Council Meeting held on July 12, 2017.

Dated this 14<sup>th</sup> day of July, 2017.

A handwritten signature in dark ink, reading "Evan D. Parliament", is written over a horizontal line.

Evan D. Parliament,  
Corporate Officer



# BOARD REPORT

<b>TO:</b>	<b>Chair and Directors</b>	<b>File No:</b> BL 5754 3995 20 04
<b>SUBJECT:</b>	<b>All Electoral Areas: Proposed Noise Bylaw No. 5754 Consultation Results</b>	
<b>DESCRIPTION:</b>	Report from Gerald Christie, Manager, Development Services, dated September 10, 2017. Results of the public consultation conducted in regard to proposed Noise Bylaw No. 5754.	
<b>RECOMMENDATION #1:</b>	THAT: the Board receive the report of Gerald Christie, Manager, Development Services dated August 24, 2017 re: Proposed Noise Bylaw No. 5754, for information.	
<b>RECOMMENDATION #2:</b>	THAT: the Board provide direction to staff with regard to bylaw amendments and also confirm the participating Electoral Areas for Bylaw No. 5754.	

## SHORT SUMMARY:

During July and August 2017, staff advertised throughout the CSR D, provided online and hardcopy information, and asked for comments from the public in regard to the proposed Noise Bylaw No. 5754. The number of comments received and the multitude of opinions expressed varied greatly within and between Electoral Areas. This report provides a snapshot of those comments and the themes encountered. All comments received have been sorted by Electoral Area and provided as an attachment to this report.

Staff continue to be concerned about the public expectations if the Board adopts this bylaw and the potential impacts on staffing and budget resources. As discussed previously with the Board, the enforcement intent of the bylaw continues to be that this bylaw is utilized by the RCMP as necessary in the enforcement of noise related complaints in the participating Electoral Areas. If the Board desires to move forward with this bylaw, and in light of the public concerns and comments received, staff are recommending some changes be made to the Noise Bylaw and that Directors confirm in which Electoral Areas the bylaw should apply.

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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:

On February 7, 2017, staff were given direction from the Electoral Area Directors to:



*"... draft a Noise Bylaw pertaining to Electoral Areas A, B, C, D, E and F for first reading, to be followed up by a public consultation process in the affected communities."*

On April 20, 2017, proposed Noise Bylaw No. 5754 was presented by staff to the Board and given first reading. Discussion by the Board focused on the need to consult with the public in the Electoral Areas. The following motion was passed by the Board:

*"THAT: staff develop a budget estimate and a Communications Plan that sets out (1) how information on the Noise Bylaw No. 5754 will be relayed to the residents in Electoral Areas A – F, and (2) the method(s) in which feedback from electoral area residents will be gathered in relation to the proposed noise bylaw regulations, for consideration at the May, 2017 Board meeting."*

As directed, staff subsequently prepared a report for the May 18, 2017 Board meeting which identified options for public consultation and recommended that social media, printed material, the CSRD's website and an online survey be utilized. Following significant discussion the Board desired to change the proposed "community consultation" to "public information" and directed staff to:

*"... draft refinements to the communications plan that will properly inform the public about the proposed noise bylaw and what it is and what it is not."*

At the June 15, 2017 Board meeting, the Board approved of a staff recommended revised motion that utilizes advertising and social media and the CSRD website to inform the public about the proposed Noise Bylaw:

*"THAT: the Board support a communications plan for Noise Bylaw No. 5754, the purpose of the communications being to inform the public about the proposed bylaw by developing a Frequently Asked Questions Fact Sheet, with the information to be posted on the CSRD website, social media and available at the CSRD office, prior to considering second reading of the bylaw."*

Staff noted that there would be an opportunity for the public to provide comment about the proposed bylaw via an online form as well as having printed material available at the CSRD offices.

Starting in late June, advertisements were placed in two editions of most newspapers servicing the Electoral Areas as well as in smaller community publications about the proposed Noise Bylaw and how the public could obtain additional information and provide comment. A standalone webpage on the CSRD website was also created for the proposed Noise Bylaw and housed general information, a Frequently Asked Questions (FAQ) sheet, the proposed bylaw, and contact information if a resident wished to speak with a staff member about the bylaw (<http://www.csr.bc.ca/proposed-noise-bylaw>). This information was also provided on the CSRD's Facebook page. Online comments were received by staff until August 18, 2017.

## **POLICY:**

As noted in previous Board reports in regards to Bylaw No. 5754, the main intent of the proposed bylaw is to provide a municipal ticketing option for the RCMP to deal with noise-related issues. Given the civil and subjective nature of noise complaints, the large geographic size of the regional district, that most complaints happen outside of normal weekday staff hours, and the safety issues of investigating complaints occurring at night or with large gatherings in remote locations, CSRD enforcement staff would not be investigating such complaints.

If the proposed Bylaw No. 5754 is adopted, at a future Board meeting CSRD staff will bring forward proposed amendments to Bylaw Enforcement Policy A-69 noting the RCMP ability to ticket for bylaw contraventions and the limited practical abilities of CSRD staff to address such complaints. CSRD Bylaw Enforcement staff involvement would consist of forwarding such complaints to the RCMP if a noise-related complaint is made to the CSRD.

### **FINANCIAL:**

Financial impacts consist of providing ticketing books to the RCMP for their use in ticketing for noise-related issues.

Although not a specific budgetary impact, there will be public expectation that proposed Bylaw No. 5754 be enforced if it is adopted. This will result in additional Bylaw Enforcement staff time to receive noise complaints from the public, communicate with complainants and explain the purpose of the bylaw (not for the CSRD to investigate and enforce but to provide an enforcement tool for RCMP), and advise complainants to submit their complaints to the RCMP. Staff are concerned that additional Bylaw Enforcement staff time will be necessary in administering proposed Bylaw No. 5754 and may make less time available to investigate and enforce other CSRD Bylaws. If the proposed Bylaw No. 5754 is adopted, staff will monitor the impact of this bylaw and report out to the Board at later date.

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

As requested by the Board, staff undertook a newspaper and social media information campaign to provide details about the proposed Noise Bylaw No. 5754 and to encourage comments from the public in regard to the proposed Bylaw. Numerous online comments have been received from all over the CSRD with wide ranging views about the need and applicability of the bylaw in the Electoral Areas.

In total 245 comments were received. A breakdown of the number of comments received per Electoral Area is provided in Table 1 below as well the number of comments that would be considered in favour of the bylaw, not in favour of the bylaw, or if a clear opinion of support/non-support was not provided:

**Proposed Noise Bylaw No. 5754 Public Comment Summary**

<b>Electoral Area (EA)</b>	<b>In Favour</b>	<b>NOT In Favour</b>	<b>Indeterminate</b>	<b>Total</b>
EA 'A'	41	94	17	152
EA 'B'	0	0	0	0
EA 'C'	20	11	9	40
EA 'D'	6	3	8	17
EA 'E'	2	1	1	4
EA 'F'	10	4	5	19
Unknown	4	4	5	13

Total	83	117	45	245*
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\* 12 duplicate/blank submissions not counted

Significant themes that were expressed in the comments received include:

In favour of the bylaw:

- There are inconsiderate neighbours;
- Short term renters and tourists cause a lot of late night noise;
- Would be in favour of the bylaw if it deals with boat noise (note: this bylaw is not able to regulate boat noise);
- Quality of life is being impacted.

Not in favour of the bylaw:

- Residents moved to the rural areas to enjoy a rural lifestyle including not having regulations such as a Noise Bylaw;
- City/urban rules do not belong in a rural area;
- This is just a way to bring in more rules and bylaws that are not wanted;
- People talk to their neighbours to resolve issues such as noise;
- Enforcement would be difficult.

General comments include:

- The bylaw should have exceptions for livestock guardian dogs;
- Barking dogs are big nuisance;
- Make it 7:00 AM across the board instead of two different times; rural properties start making noise before the proposed 8:00 AM bylaw regulation;
- In summertime the quiet time should be 11:00 PM as people recreate outside later;
- Less confusion if quiet times for residential and commercial/industrial are the same;
- Enforcement of this bylaw and deciding what is loud is very subjective;
- Should be some tolerance by neighbours of noise from parties, etc.;
- Trains continue to make a lot of noise;
- Look at regulating boat noise too;
- Noise from farm animals and operations needs to be excluded.

The comments received indicate a very polarized view as to the role, appropriateness and effectiveness of a Noise Bylaw. The comments also appear to show a divide between a more rural perspective on permitting some potentially annoying noise to occur and remain unregulated (e.g. Electoral Area A), versus that of a more suburban perspective in more densely populated areas where noise should be regulated (e.g. Electoral Area C).

Some constructive comments were made with regard to issues that are not currently addressed by the bylaw or where the bylaw is unclear. If the Board desires to move forward with Noise Bylaw No. 5754 staff recommend that the Board consider the following issues and the associated proposed amendments to the bylaw.

1. Extension of permitted noise hours – Some comments from the public indicated a desire for the same 'quiet time' hours for residential and commercial/industrial activities. Further, that a later hour permitting noisy activities be allowed on weekends versus weekday, or even later hours in the summer versus winter. For simplicity purposes however, including the ease of understanding by the public as to the noise regulations in place and the difficulty of

enforcement of such a bylaw, staff recommend a 11:00 PM to 7:00 AM 'quiet time' regardless of season, day of week, or type of activity.

*Staff recommend Section 3.2 Specific Prohibitions be changed from a 10:00 PM to 7:00 AM quiet time to 11:00 PM to 7:00 AM.*

2. Snow clearing operations – although the bylaw specifically notes that government operations for snow clearing operations are exempt from the bylaw there is no such exemption for private operators who often need to work during the night or early morning hours clearing driveways or business parking lots prior to their use later that day. It is, therefore, recommended that private snow clearing operators conducting snow clearing or removal be noted as an exemption to the bylaw in Section 3.3 Exemptions:

*3.3 (e) Commercial snow clearing and removal operations;*

3. Commercial deliveries – there are numerous commercial truck operators who deliver supplies to stores or other businesses prior to those businesses opening to the public in the morning. It is, therefore, recommended that such truck deliveries, and the associated noise that they may make (e.g. motor noise, backup alarms, etc.) be added as an exemption in Section 3.3 Exemptions in the bylaw to allow such deliveries to continue:

*3.3 (f) Operating a commercial delivery vehicle;*

4. Livestock Guardian Dogs/Barking dogs – Significant concern was expressed by the public in some areas that livestock guardian dogs and the noise they may make when used for agricultural and ranching purposes (e.g. barking) is not clearly permitted in the bylaw. Further, ALC regulations also do not clearly define the use of such dogs as an inalienable and protected farm use. As this Noise Bylaw is not meant to be a Dog Bylaw whereby such bylaws regulate barking, nuisance or aggressive dogs, staff recommend for clarity that the Noise Bylaw exempt noise coming from barking dogs generally:

*3.3 (g) This bylaw does not deal with noise from barking dogs;*

5. Permitted Agricultural Land Commission (ALC) uses - The ALC permits certain types of uses on Agricultural Land Reserve (ALR) lands. Local governments are permitted to regulate some of those land uses if desired. Given the numerous ALR properties and operations that exist in the CSRD, and that the ALC has their own enforcement staff for enforcing ALC regulations, staff recommend that the Noise Bylaw specifically exempt noise which occurs from activities that are permitted by the ALC:

*3.3 (h) Noise resulting from agricultural or other uses that the Agricultural Land Commission (ALC) permits on properties within the Agricultural Land Reserve (ALR).*

## SUMMARY:

After Noise Bylaw No. 5754 received first reading staff were directed by the Board to provide information to the public and allow an opportunity for comments to be submitted in regards to the proposed bylaw. A total of 245 comments were received from throughout the CSRD except Electoral Area 'B'. Although most comments had strong opinions both for and against the bylaw some constructive changes were also proposed; staff have therefore recommended some amendments be made to the bylaw if the Board desires to move the bylaw forward. Staff will also require direction from the Board as to which Electoral Areas the bylaw is going to apply. Staff will then be able to bring back an amended bylaw to the Board this fall for consideration of second reading, third reading, and adoption. Staff is concerned about the effectiveness of the bylaw to meet public expectations and the time resources required for the Bylaw Enforcement staff to answer enquiries, etc. about the bylaw.

**IMPLEMENTATION:**

If adopted, Noise Bylaw No. 5754 will be placed on the CSRD webpage that has been created for the bylaw and a news release noting that the Noise Bylaw is now in effect. RCMP detachments will also be made aware of the adoption of the bylaw and provided with copies for their information.

**COMMUNICATIONS:**

The RCMP has been referred this bylaw previously and will be notified if the Board adopts the bylaw. CSRD Bylaw Enforcement staff will continue to liaise with the RCMP as necessary and provide the local detachments with ticketing books and applicable bylaws as required.

**DESIRED OUTCOMES:**

That the Board provide direction to staff as to what bylaw amendments should be made and indicate which Electoral Areas wish to participate in the bylaw. Staff will then make any necessary changes to the bylaw and bring it back to the Board for consideration of second reading, third reading and adoption this fall.

**BOARD'S OPTIONS:**

1. *Endorse the Recommendations.*
2. *Propose additional amendments; Bylaw No. 5754 will be brought forward to the next regular Board meeting for second reading as amended.*
3. *Deny one or all of the Recommendations.*
4. *Defer.*
5. *Any other action deemed appropriate by the Board.*

**Report Approval Details**

Document Title:	2017-09-21_Board_DS_BL5754 - Noise Bylaw consultation results.docx
Attachments:	- BL5754_First.pdf - Public_comments_summary_BL5754.pdf
Final Approval Date:	Sep 11, 2017

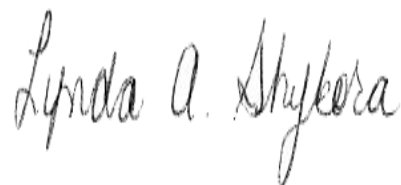
This report and all of its attachments were approved and signed as outlined below:



**Corey Paiement - Sep 11, 2017 - 12:50 PM**



**Gerald Christie - Sep 11, 2017 - 1:12 PM**



**Lynda Shykora - Sep 11, 2017 - 3:04 PM**



**Charles Hamilton - Sep 11, 2017 - 3:18 PM**

COLUMBIA SHUSWAP REGIONAL DISTRICT

BYLAW NO. 5754

A BYLAW TO ENHANCE THE QUALITY OF LIFE  
FOR THE CITIZENS OF THE COLUMBIA SHUSWAP REGIONAL DISTRICT

WHEREAS, the Board of the Columbia Shuswap Regional District desires to protect the quality of life for its citizens, endeavours to promote civic responsibility, and strives to encourage good relationships between neighbours;

AND WHEREAS the Board wishes to exercise its authority under Section 324 of the Local Government Act related to noise control;

AND WHEREAS the Columbia Shuswap Regional District, pursuant to supplementary Letter Patent dated October 1, 1981, was granted the power to exercise the authority under section 932 of the Municipal Act pertaining to control of noise;

NOW THEREFORE BE IT RESOLVED that the Board of the Columbia Shuswap Regional District in open meeting assembled, hereby ENACTS AS FOLLOWS:

**PART I - INTERPRETATION**

- 1.1 Words or phrases defined in the British Columbia Interpretation Act, Motor Vehicle Act or Local Government Act or any successor legislation, shall have the same meaning when used in this Bylaw unless otherwise defined in this Bylaw.
- 1.2 Terms used in this Bylaw are defined in Schedule "A" attached to this Bylaw.
- 1.3 A reference to an enactment refers to an enactment of the Province of British Columbia and a reference to an enactment, including a bylaw of the Regional District, refers to that enactment as it may be amended or replaced from time to time.
- 1.4 The headings contained in this Bylaw are for convenience only and are not to be construed as defining, or in any way limiting, the scope or the intent of the provisions of this Bylaw.
- 1.5 If any part of this Bylaw is for any reason held invalid by any court of competent jurisdiction, the invalid portion shall be severed and the severance shall not affect the validity of the remainder.

**PART II – GENERAL REGULATIONS**

- 2.1 No *person* shall obstruct or interfere with a *bylaw enforcement officer* in the exercise of their duties.
- 2.2 A *bylaw enforcement officer* or peace officer shall have the right to enter upon the property of any owner or occupant at all reasonable times and in a reasonable manner to inspect and determine whether the requirements, restrictions and regulations of this Bylaw are being met.

## PART III – NOISE REGULATIONS

### 3.1 General Prohibitions:

- (a) No *person* being the owner, occupier or tenant of *real property* shall allow or permit such *real property* to be used so that noise or sound which occurs thereon or emanates therefrom, disturbs or tends to disturb the quiet, peace, rest, enjoyment, comfort or convenience of any *person* or *persons* on the same property or in the neighbourhood or *vicinity* of that property.
- (b) No *person* shall make or cause, or permit to be made or caused, any noise or sound on a highway or other public place in the *Regional District* which disturbs or tends to disturb the quiet, peace, rest, enjoyment, comfort or convenience of any *person* or *persons* in the neighbourhood or *vicinity* of that place.

### 3.2 Specific Prohibitions:

Without limiting the generality of Section 3.1 herein, any of the following sounds are deemed by the Board to be objectionable and disturbing the quiet, peace, rest, enjoyment, comfort or convenience of individuals or the public and are, therefore, generally prohibited:

- (a) between the hours of 10 p.m. and 8 a.m., the use of a megaphone, microphone or other voice amplification device, or shouting, clamouring, banging or making similarly disruptive sounds, whether produced outdoors or from the occupants within a premises, vehicle or vessel, such that the sound can be heard from a neighbouring lot or from another premises in the vicinity;
- (b) between the hours of 10 p.m. and 8 a.m., sound from a radio, stereophonic equipment, television, musical instrument, computer or other instrument or other apparatus for the production or amplification of sound, whether produced outdoors or from within a premises, vehicle or vessel, such that the sound can be heard from a neighbouring lot or from another premises in the vicinity;
- (c) between the hours of 10:00 p.m. and 7:00 a.m., no person shall construct, erect, reconstruct, alter, repair or demolish any building, structure or thing or excavate or fill in land in any manner so as to generate any noise that can be heard from a neighbouring lot or from another premises in the *vicinity*.

### 3.3 Exemptions:

Section 3.1 does not apply to persons engaged in any of the following:

- (a) operating or in charge of Fire Department, Police or Ambulance or Emergency vehicles while in the execution of their duties;
- (b) operating any motor vehicle, machinery or other apparatus or thing during an emergency or for a civic, provincial or federal purpose such as avalanche or rock fall control, snow removal, civil defence exercises, construction, alteration, excavation, maintenance, improvement and repair



of highways, water and sewer mains and other public works, buildings and structures and park property;

- (c) performing works of an emergency nature for the preservation or protection of life, health or property; or
- (d) farm operations conducted on land designated by the Province as a farm area or agricultural land reserve or that is the subject of an aquaculture licence, and in accordance with normal farm practices under the Farm Practices Protection (Right to Farm) Act.

#### **PART IV - ENFORCEMENT**

- 4.1 The provisions of this Bylaw may be enforced by a *Bylaw Enforcement Officer* or by a *peace officer* unless otherwise specified.

#### **PART V - PENALTY**

- 5.1 A person who contravenes any provisions of this Bylaw, or who directs, permits, suffers or allows any act or thing to be done in contravention or violation of any of the provisions of this Bylaw, commits an offence and each day that the offence continues constitutes a separate offence.
- 5.2 If proceedings are brought under the Offence Act, a person convicted of an offence under this Bylaw is liable to pay a fine in the maximum amount established under that Act, and any further penalties, costs, fines and compensation that may be ordered by the court under that Act or the Local Government Act, or both.
- 5.3 If proceedings are brought under the CSRD Ticket Information Utilization Bylaw No. 5296, a person convicted of an offence is liable to pay a fine of up to \$1,000.

#### **PART VI – APPLICATION**

- 6.1 The provisions of this Bylaw apply to lands located within Electoral Areas A, B, C, D, E and F situated within the geographic boundaries of the Regional District.

#### **PART VII – TITLE**

- 7.1 This Bylaw may be cited as the “CSRD Noise Bylaw No. 5754”.

READ a FIRST TIME this 20<sup>th</sup> day of April, 2017.

READ a SECOND TIME this \_\_\_\_\_ day of \_\_\_\_\_, 2017.

READ a THIRD TIME this \_\_\_\_\_ day of \_\_\_\_\_, 2017.

ADOPTED this \_\_\_\_\_ day of \_\_\_\_\_, 2017.

\_\_\_\_\_  
Chair

\_\_\_\_\_  
Chief Administrative Officer

CERTIFIED true copy of Bylaw No. 5754, as adopted.

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(Deputy) Manager, Corporate  
Administration Services

PROPOSED

**SCHEDULE "A"****Attached to CSRD Noise Bylaw No. 5754****In this Bylaw:**

"Bylaw Enforcement Officer" means the persons duly appointed by the Board as such, and shall include any peace officer, the Chief Administrative Officer or designate, Corporate Officer or designate, Manager, Development Services or designate; and the Manager of Operations or designate;

"Board" means the Board of Directors of the Regional District;

"peace officer" has the same meaning as in the British Columbia Interpretation Act and includes a bylaw enforcement officer;

"person" includes a natural person, a company, corporation, partnership, firm, association, society, or party and the personal or other legal representatives of a person to whom the context can apply according to law;

"premises" means any place occupied by an individual as a residence;

"real property" means land, with or without improvements so affixed to the land as to make them in fact and in law a part of the real property, and includes, as the context requires, individual premises located on the real property;

"Regional District" means the Columbia Shuswap Regional District or the area within the geographic boundaries of the electoral area as the context may require.

"vicinity" means close to neighbouring or near a particular place of origin.

Proposed Noise Bylaw No. 5754 - Public Comments	
	Electoral Area
<b><u>ELECTORAL AREA 'A'</u></b>	
<p>Hello. I am a very concerned citizen. I am a farmer/rancher. I provide jobs and local food to the economy. We are a growing farm despite the odds and uphill battle. This by-law is very grey for farmers. It allows fines and further measures to harass farmers without awareness of the true circumstances of farming. For thousands of years, farmers have been using Livestock Guardian Dogs to not only protect flocks but also to protect wildlife as with LGD's (livestock guardian dogs) conflicts with farms are brought to virtually zero, This preserves the life of top predators that have been destroyed because of conflicts. The down side is LGD's bark at night when required. It is not unreasonable barking and it serves its purpose. Anyone in my area that has livestock will have deadstock in short order with out an LGD - this has been proven over and over. No amount of fencing, electric fencing or any other deterrent works. I believe the noise bylaw ultimately does not make better neighbors and should not proceed. However if it is to proceed, very clearly LGD's should be exempt 100% from this bylaw. We could not have a farm without them, it's that simple. I have seen neighbours entire flocks and herds wiped out on a farm in one night that don't don't have LGD's. We live in the middle of 160 acres and to think that some RCMP officer could charge me for one of my LGD's barking at night because a tourist complains to their host is disheartening, scary. Further more it rattles the cages of long term planning and sheer desire to farm if tourism and peoples pristine silence is becoming more important then the food we eat. I implore you all to think through the implications for farmers. 100% unarguable exemptions must be made for farmers if this is to proceed.</p>	A
<p>Further to my comments in the previous form. I am very frustrated that this is the first I have heard of this by-law. If it has been aware in Area A, it has been very quietly. I am glad I did not miss this comments cut of.</p>	A
<p>A guard dog chasing off predators should not be considered noise pollution. Having a farm environment which includes working guard dogs keeps livestock safe and reduces the number of predators that become problem animals that have to be put down.</p>	A
<p>I completely disagree with this new bylaw.</p>	A
<p>The reason I live in csrd and not a town in this area is because we have no bylaws. You have no right to try and implement any bylaw. Leave things alone, if people have noise issue they can move into a town with bylaws.</p>	A

<b>Proposed Noise Bylaw No. 5754 - Public Comments</b>	
	<b>Electoral Area</b>
<p>This seems a little excessive. As the owner of a successful wedding venue in Goldens Area A, this noise bylaw would essentially ensure that we are no longer as successful as we are now. Weddings are a major part of Goldens summer success and if people are given more tools to complain, where does that leave the business industry in Golden? While I am definitely always mindful of neighbours and noise, a bylaw takes a lot out of our hands. If we keep putting road blocks up for our local businesses, people will soon have a lot more to complain about than noise. Weddings bring a lot of money to this town and having to shut it down by 10 pm is definitely not going to help. Please consider the many wedding venues, other small businesses and peoples want and need to enjoy the beautiful outdoors - if there is a bit of noise, is that really so bad?</p>	A
<p>I would like to see an exception to this bylaw in regards to working livestock gaurdian dogs actively protecting livestock on farms producing producing meat/eggs. These dogs do not bark all night but do bark at approaching bears, coyotes, cougars and the like and are imperative to the success of local farms in our region.</p>	A
<p>Please consider an exemption for Livestock Guardian Dogs. We need to support our farmers so we can eat local and have food security.</p>	A
<p>I think it would be good to have a livestock guard dog exemption, since we live in an area full of bears and cougars and need to keep these animals away from livestock without resorting to killing them with guns.</p>	A

Proposed Noise Bylaw No. 5754 - Public Comments	
	Electoral Area
<p>I am not a supporter of this bylaw, and see no reason for it in this particular part of area A.</p> <p>However, if it must be implemented, I would like to request an exemption for noises made by livestock, working dogs, and other domestic animals.</p> <p>There are many small farms in this area. For the most part, they are not in the ALR nor in an area designated by the province as farmland. In many (most?) cases, they didn't have farm status, as they are "hobby" farms. People move to this area specifically to take part in small farm operations.</p> <p>Guardian animals (e.g. dogs, donkeys) will make a loud noise when they perceive a threat (and bears don't limit themselves to 8am-10pm to wander through). Other animals (e.g. roosters) make noises at dawn (well before 8am for the most part). These noises are part of living in the area.</p> <p>I'm also concerned that 8am seems late to be allowed to make noise. Life in rural properties generally starts earlier than that, users of the school bus or those that travel into the municipal areas for work are often off the property by 8am. Construction noise is only affected until 7am. Make it 7am across the board instead of different times for different activities.</p>	A
<p>I have a livestock guardian dog (LGD) that protects my pigs and chickens from wild predators. I would like to be exempt from any legal action pertaining to the loud barks from my LGD during the restricted hours in your bylaw.</p> <p>My LGD is also necessary as a theft deterrent. There have been thefts on my property and when reported to the RCMP there has been no investigation. Any bylaw enforcement that prevents me from protecting my property and animals will be held in disregard.</p>	A

Proposed Noise Bylaw No. 5754 - Public Comments	
	Electoral Area
<p>In our Area A, from Parson, Golden, Field, Donald, the noise which disrupts nice peaceful Canadian living are the Trains (crossing) and highways &amp; Silica mines (blasting &amp; constant noise). Shouldn't the RCMP concentrate on crooks quietly sneaking about people's personal property and robbing them instead??!! Crime rates are up around here in the last year, this is when dogs barking is helpful, to let people know there is something out there in the area. We have a produce farm and some farm animals, our dog communicated with other dogs in the area to let us know there is something moving through out there, we have them trained to stop when necessary.</p> <p>Also what about complaints about safety pertaining to no cell service between Parson and Donald, there are more dead cell areas now than 10 years ago. Shouldn't that be more on the agenda? People living on this end of the valley work together to solve complaints, if there are Albertan weekenders coming in and quading at 11pm at night on public roads, or partying with loud music at all hours, or letting off fireworks during fire bans, we talk to them first to resolve it with common sense, and then would go to the RCMP if they continued, no bylaw or extra bureaucratic paperwork needed. Thanks but no thanks, keep it to where the real complaints on residential noise probably originate Invermere and surrounding busy tourism weekender areas.</p>	A
<p>Aside from incessant dog barking during the day and night without care or attention from dog owners, the only real noise concern I have for Area A is the PLANE that operates 7 days per week with multiple flights per hour buzzing and whirring overhead. This operation of a Sky Diving Business by Plane has more than destroyed the PEACE AND HARMONY which many if not most of the population has sought in our Pristine Environment. The sound of Birds, Water, Wind all gone when that PLANE starts up at 7:30am. This business Supersedes all of Area A's right to Silence with intermittent Noise. This PLANE is not intermittent, it is constant during Spring and Summer. Please fix this.</p>	A

Proposed Noise Bylaw No. 5754 - Public Comments	
	Electoral Area
I am concerned that this bylaw has no exception for farming, whether that be noise from Livestock guardian dogs barking to keep away the predators or from the animals raised for local food themselves (calves that are weaned tend to bawl all night for example). Livestock guardian dogs are essential in our area to keep the animals and also our children safe from predators. In farming, sometimes you need to make hay while the sun shines.....and this isn't always between 8am and 10pm. Tractors and equipment are loud. This will have a huge effect on local farming, especially as the rise in tourism is happening rapidly. This gives a huge amount of power to the guest or owner in a nearby lodge to complain about farming noise and get the RCMP involved. I am not confident that the RCMP is aware of challenges of farmers in this area.	A
We live out of town because there is no noise bylaw we have 3 dogs that bark when something or someone is in our yard doing there job my husband also parks his semi truck in our yard and sometimes has to leave the reefer running and we like to do family get togethers in the summer that go after 10 or 11 pm at night and I like to mow lawn at 7 in the morning because it cool out then. I for one do not want to see this bylaw passed it's not why I moved to the country	A
This is ridiculous, I live out of town so I can do what I want, when I want on my own property. I for one won't be paying any 1,000\$ fine and if anyone steps foot on my private property to give out such a fine will surely wish they hadn't. So I'm hoping this goes to a public vote because any local resident who has lived in surrounding area of Golden will not approve of this bylaw. If people want city rules and city by laws go back to the city.	A
very much opposed. this level of regulation belongs in towns, not rural areas. I feel that this, and any other attempts to bring in new bylaws, should be put to a vote.	A
Please put this to a vote because I don't want it-thanks	A
ABSOLUTELY NOT!!! I propose that when the CSRD receives a complaint, they instruct the complainant to go speak to the noise maker. We live in the country for a reason!! Stay out of our business.	A
I live in the country for a reason and the main reason being there aren't bylaws restricting everything we do. I am tired of people moving out here from cities and towns and then wanting to change everything. We like things the way they are! If you want bylaws and restrictions move to town.	A



Proposed Noise Bylaw No. 5754 - Public Comments	
	Electoral Area
Will this extend towards CP rail and their midnight car switching in Hobart subdivision. They have been a bit better recently but for a while they were waiting till after midnight and the noise level was horrendous the whole house shook cause they were just slamming them till 4 am. Regular train noise we can live with. It would be better if they scheduled it for daytime instead of the middle of the night	A
I am strongly opposed to this bylaw. I chose to live in a rural area for extra freedom to play my music loud whenever I like or cut the lawn at 6 am if I choose. I feel this bylaw is a means for a select few to make waves for their neighbours.	A
Big no to the noise bylaw being proposed	A
We want a vote on this. We chose to live out of town so we didn't have to abide by town rules.	A
I do not want a noise bylaw I like it how it is I live out of town to get away from all the rules and live my life how I want to live it.	A
There is no need for this bylaw people live outside town limits for this reason among many other reasons	A
As a current and long time resident of Area A (Nicholson) I disagree with this bylaw. The reason I live in the Area A is I avoid bylaws such as this and building code.. summer evenings are best spent outside around a campfire, and I believe that if you start restricting what we can do on our properties, the majority of home owners will be unhappy. I respect my neighbours as they respect me - and I think that's more meaningful than a bylaw. Don't take my freedom away!	A
I am voting AGAINST having a noise bylaw! Please just let things be!	A
Is a noise bylaw really necessary? We all live out of town for a reason. Is this noise bylaw supposed to restrict weekend parties? How about property improvements? In the heat of the summer, I am not going to wait until 8am to start working on my property. Do you really think the RCMP needs to be wasting their resources by chasing down noise complaints?	A
Not in favor. Those who live in the country enjoy the privacy and freedom to do as we please. People can move to the city if they want bylaws.	A
Do not want this	A

Proposed Noise Bylaw No. 5754 - Public Comments	
	Electoral Area
<p>When we moved to our rural area in 1978 we loved that we had no 'city rules' such as noise bylaws or building restrictions. Now, after nearly 40 years we are beginning to wish we had some regulations. For some reason, people who live out of town feel this gives them license to be as loud and as unruly as they choose with no regard for their neighbors. In our neighborhood, the biggest nuisance is dogs barking all night and all day. Occasionally we have issues with parties but not often enough to require a bylaw. If people could consider that their neighbors may not want to hear their heavy equipment at 0400 hours or their partying B&amp;B clients, then we wouldn't need a bylaw but it seems to me that people have lost their common sense. I would be in favor of a bylaw to 'help' remind my neighbors that we are all residents of this neighborhood and need to be considerate of others! I cannot imagine anyone NOT wanting a bylaw that would help enforce what should be happening already: quiet during 10 pm and 7 am.</p>	A
As an area A resident I am against this bylaw and ask it not be passed.	A
I do not agree with this at all. If one of my neighbors is being too loud, which has never been an issue, I would just ask them to tone it down. We do not need enforcement.	A
Who would try to put such a bylaw in place obviously someone who is retired or has the work ethic's. Most people work 12 hour days away from their home you only time they can get their wood split work done on their property is usually on weekends or after work or early in the morning before work. People live in the country so they don't have to deal with the nonsense and people don't mind their own business telling them how to run their lives. So yes I object to this	A
Not needed!!	A
Please leave us alone, we do not need this bylaw STOP messing with your lives	A

Proposed Noise Bylaw No. 5754 - Public Comments	
	Electoral Area
<p>We suffer from incessant dog barking at all hours of the day! Home based businesses are our livelihood as it is for many others so we are at home alot during workdays, not to mention weekends! This "Dog" culture has grown to the point where it's bizzare! with owners having multiple animals. One example I know of is an owner with 21 "pet" dogs. Another with 4 hounds that bark uncontrollably for hours each day, yet these dogs aren't used for hunting but are rather cooped up for some perverse reason! these are only 2 examples of many! This has affected our quality of life and many others I know of here in Golden Rural for years! and it's getting worse! We also have a dog but yet it's controlled out of respect to the animal, wildlife and others! We have made many complaints to the csrd and rcmp etc yet to no avail! I would hope that considerable focus is put on to this "animal noise" in regards to this new noise bylaw! construction noise and human noise in general pails in comparison to these so called pets people love more than their own kind.</p>	A
I am opposed to the bylaw in Area A	A
<p>I feel this is just another tactic to try and push us toward rural bylaws! This issue as well as many other that have been before us, so many times in the past years, and is still met with great resistance, because the MAJORITY of us live out here to enjoy our freedoms!! Was it so long ago she can't remember the, quote "pitch fork mob she feared" unquote??Maybe it's time the Area A director understood this and quit wasting are time trying to manipulate us to further her mandates! CSRD should focus on getting the PROPER mosquito control that we have paid for the last three years on our taxes or credit us instead of paying the contractor that have not helped the situation!</p>	A
<p>I have lived outside of town limits my whole life. We have never ever had bylaws out here and that's exactly why we choose to live were we do. I do not support getting bylaws out of town limits.</p>	A
Hells no.	A
Thats completely absurd!!! I live out in the country for a reason and its not to be completely quite.	A
<p>I am opposed to this bylaw. One of the reason we live out of town is because we can enjoy our property as we please. Even though there are instances where loud noise can be heard outside of the stated hours, overall I feel our neighborhood can all co-exist peacefully and there is no one in particular causing unreasonable ruckus at an unreasonable frequency. Let people live their lives!</p>	A

Proposed Noise Bylaw No. 5754 - Public Comments	
	Electoral Area
I love this idea. Finally some bite. We live at Kicking Horse Resort and noise issues are a major problem. We have called the RCMP on occasion but there is not much they do but if there is a bylaw with a fine attached, this is great. I am very much in favour.	A
<p>We are definitely saying yes to implementing this bylaw</p> <p>We have lived here full-time, year-round for 10 years. We are not seasonal residents, nor weekend visitors. We have experienced a lot of inconsiderate loud noise, loud parties around us, loud music, loud drunken people on the plaza when the bars close, late at night. We have seen/heard an awful lot of this through the years. Also, Tour groups exiting their rooms at 530am, talking loudly. Buses idling for up to an hour or more, at all times of the day and night. And on and on.</p> <p>There has to be some control over these things, to maintain quiet, peace, rest and enjoyment of one's residence.</p> <p>The RCMP certainly do need to have the ability to ticket for these types of infractions.</p>	A
I do not support this. Leave things Alone!	A
I do not support this.	A
<p>I have to say that I have been disturbed by loud renters in adjacent properties from time to time and I am generally speaking in favor of the proposed by law. However, I am concerned about its strict application as ;</p> <p>1) it should be permitted occasionally for an owner to make some noise-for example a New Year's Eve party or a 50th birthday celebration. There should be some reciprocal tolerance and understanding by neighbors of noise from time to time. I also think the 10 pm start time is too early and should be midnight.</p> <p>2) there should be some exception for businesses particularly for ones established for many years and may have existed before others moved into area ( grandfathering) or at very least a later start time.</p> <p>Should have ability for a person to apply for an exemption from application of noise bylaw for a particular event.</p>	A
<p>Seems like a very blanketed bylaw. It doesn't seem like a very necessary bylaw considering that if someone has a noise complaint the RCMP are obligated to check it out and shut it down if necessary. I don't think that neighbors should be fined and would cause more harm than good for relationships with people living next to one another. I for one am against this. Thanks for your time.</p>	A

Proposed Noise Bylaw No. 5754 - Public Comments	
	Electoral Area
<p>This noise bylaw is very important as the regional district has increasingly attracted weekenders and tourists who have little connection with the communities here. A group who rent a home for a weekend are "care free" so the objections of residents are not on their minds. Neighbourhood noise where we live is not easily avoided and when a big party carries on all night, it is intimidating to try and shut it down as residents of the neighbourhood have no real skills, authority or experience in dealing with drunk and sometimes belligerent people. this should be up the law enforcers to deal with. A BYLAW IS NECESSARY.</p>	A
<p>Totally in agreement with this ByLaw. Noise issues with renters and airbnb on the residential streets at Kicking Horse mountain resort, and this would help.</p>	A
<p>The railway does too much unnecessary noise in the nights. Idling engines are running by hours! Grating and squeak are very loud.</p>	A
<p>Hello, as a resident of the Blaeberry and Area A and an accommodation owner, I am please to see the noise bylaw drafted. I think this bylaw is timely. However my preference is that in the summer the bylaw hours be extended to 11 PM. With the long days, people are often outside until later and sound does carry on these clear evenings. With it being so light it is hard to understand why they can't be outside around a campfire talking. I trust you understand and will consider my comment.</p>	A
<p>This is a great idea and long overdue. As our regional district becomes more densely populated, noise becomes a disruptive factor. Will this also pertain to noise from guns? We ahave neighbours that shoot their guns repeatedly.</p>	A
<p>This proposed bylaw is a great idea. I own and use property at the Kicking Horse area. The nature of this property leads to out of control parties and noise and is almost without exception, impossible to control or shut down due to the current lack of enforcement options held by the RCMP. I do not feel that this bylaw will impact the day to day lifestyle of most residents, but is a good step forward to improve the quality of life of all residents.</p>	A
<p>I am all in favor of the by-law. However, the 10:00 pm start time seems very aggressive. In peak summer the sun has just barely set by 10:00 am and it is very bright with another hour of light. An 11:00 pm start time seems much more reasonable to me. This allows people to be outside enjoying the long summer days but heading in once nightfall comes.</p>	A

Proposed Noise Bylaw No. 5754 - Public Comments	
	Electoral Area
I am a full-time resident at Kicking Horse Mountain Resort where excessive noise is frequently heard from the many rental homes. Sometimes this leads to uncomfortable confrontations. Therefore, I am in favor of this proposed bylaw.	A
do not support this proposed bylaw	A
I am fully supportive of the Proposed Noise ByLaw No 5754.	A
I live south of golden and operate an autobody repair facility. I run a very organized business here and have good relations with all my neighbours. Having said that I believe before implementing and kinds of bylaws there should be a vote regarding ANY bylaws in area a. We have already lost our river due to a 20 hp restriction that seemed to be implemented with no vote that I was aware of anyways. We do not need a noise bylaw outside town, if you want that type of thing, live in town. I'm also afraid if one bylaw gets passed it will be the start of a whole bunch more bylaws. And I think enforcing these would be a terrible waste of money and where is this money going to come from and if it's already allotted for please spend it on something useful.	A
Totally unnecessary bylaw, have lived in Area A 15+ years and although there has been sounds of construction and vehicles nearby, it has never been long term or serious. Logging truck traffic was a concern, but it seems they drive a respectable speed in most residential areas. I don't mind people enjoying their rural property with occasional music and noise, we are land owners and prefer being close to sounds of nature rather than living in town with local conveniences and the loud, disturbances of the railway, highway and street car noise. If there are complaints of neighborhood they should be taken up with the source and not take the RCMP away from protecting the community.	A
This is a horrible idea! Let people who live out of town be able to make as much noise as they want! That's the whole reason they live out of town so there's no noise violations. We have dirt bikes and quads we have fires at night, we should be able to do what we please.	A
Noise bylaw this is a joke we live on acreages and area A for a reason. To do what we want and have no one to enforce petty rules and laws. Take a hike with your noise bylaw and find something better to do with your time.	A
Area a has all the rules that we need . If this bylaw is adopted it will be a stepping stone for more to come . LEAVE IT ALONE If the people think a bylaw is going to change anything think again.	A

Proposed Noise Bylaw No. 5754 - Public Comments	
	Electoral Area
<p>I am very much in favor of this bylaw. We moved to a rural area three years ago to grow food and to have peace and quite and now our neighbors are catering weddings which have been loud until the 11pm or beyond midnight. Also, they have had fireworks beyond 10pm, which we really do not enjoy. They also have heavy machinery running past 11pm sometimes, and they started an accidental forest fire when clearing their land (April 2016), which was very disruptive to our home and the wildlife when the heli-water bomber circled out home for 3 hours to get water from the Columbia Wetlands. I wonder if they (Columbia Outpost Lodge) are authorized by the Agricultural Land Commission to have multiple weddings, other events with large amounts of people, land clearing and other major works happen on their property, which is within the Agricultural Land Reserve? I am not in favor of what they are doing and I hope that this noise bylaw will help lower our decreased level of outside enjoyment on our property due to their noise pollution ,which seems to continually be increasing since they bought this property about 1.5 years ago.</p>	A
We do not need this!	A
<p>Think it's a great idea to give enforcement officers legal backing to enforce when certain situations arise for the greater good of the community!</p> <p>100%support</p>	A
<p>This bylaw is not what we as an area A residents want ever were tired of the area A director and her committee pushing bylaws when they have been told that we don't want hem</p>	A
<p>We had a choice of where to build and develop tourist accommodation. We picked CSRD Area A because of the fact that there was less Red Tape and bylaws than other areas. We get a lot of tour groups that want to play music around the campfire. Right now we don't have neighbours (which is why we built here) and therefore no one to complain. However my concern is that with this new bylaw, someone can buy land near us and build a place and then turn around and tell us to be quiet. Its' like someone who buys a house next to an airport and turns around and complains about noise from planes! We bought and developed this land on the specific condition that we could let our groups party without worrying about heavy handed police presence. And now you are telling me that I may have wasted a million dollars because you are going to change that?! This is NOT acceptable!</p>	A
<p>I am competely against this bylaw unless it includes CPR! We live out of town because we like having no bylaws! We have lived in Habart for 28 years and have no complaints that we know of and if we did our neighbors would let us know believe me! Bylaws create more bylaws and that's a problem! You bet I will be at the meetings &amp; voting NO!</p>	A

Proposed Noise Bylaw No. 5754 - Public Comments	
	Electoral Area
I am VERY MUCH in favor of a noise bylaw! I am currently housesitting in Parson and 2 nights ago had to listen to loud music until late at night from a commercial wedding across the highway . The neighbour called the police due to this noise.	A
We do not need a noise by-law in residential areas in Area A - we live out here so we can start our snow machines at 6 am - have guests over around a campfire - have dogs in the yard to keep away bears. If we wanted by-laws we would move to town, easy enough	A
I am not in favour of this Bylaw number 5754. There is provisions in the. criminal Code of Canada which prohibits noise which inhibits the lawful enjoyment of ones property that the RCMP or peace Officer can use to quell noise in the rural areas. There is no need to have another law running parallel to one CCC. MY VOTE IS NO	A
I vote No, I am not in favour of Noise By Law 5754.	A
Great idea!! Maybe my neighbours can be held accountable with this?!	A
Our area a rep is trying sneak another piece of legislation through that no one has had a say in other than her little elite circle. As a tax paying resident I demand to be heard. I am against this bulaw	A
another back door zoning bylaw being saddled on Area A residents without any public input. As part of the waste of money on the zoning proposal study the people of Area A are overwhelmingly opposed to new regulations. Karon continues to advance her agenda against the wishes of Area A residents.	A
so does this mean that CP can't not stop within 100 m of a house or the Rock tricks from the mine have to obey the timeline? Why punish the tax paying property owners by charging us more becauae some city folk want piece and quiet when they rent property out of town. You know they can't hear the birds & we Scare off the wildlife when we mow our grass or work on OUR properties. Bullshit. The tourists are deciding how we should live because they have cash I have lived out of Golden for years and have never had an issue with my neighbors that couldn't be handled by a quick phone call or a chat the next day. What distubs my Sleep is the train and I live way up Mnt 7.	A
I am a resident of area A and I am completely against the proposed noise bylaw #5754	A



Proposed Noise Bylaw No. 5754 - Public Comments	
	Electoral Area
we live out of town for a reason, so we don't have to worry about all the rules of living within town limits. Civil conversation usually resolves these issues between neighbours, and when things get to be too much, that's what the RCMP are there for anyway. My family does not support this. Leave our rights that living out of town limits beings alone.	A
I vote against this bylaw	A
NO! Save your bylaws for your towns and cities. Leave us rural folks the hell alone.	A
I would like to be placed among the number of people that are against this bylaw. I don't want to have it in my area and I don't think it is nessessary. If you want quiet times and other such rules move into a subdivision that offers that life or into a municipality with those rules, if you choose the rural life we should be free from burdens like this. I also feel that if this is placed on Area A it will be just the beginning of the rules and regulations that will slowly degrade the lifestyle that we live out in Area A for. Please vote against this bylaw being added to Area A.	A
Not interested in this bylaw!	A
I disagree with this!	A
I am opposed to this noise bylaw in Area A. I feel that this is CSR de trying to sneak in the back door and start imposing by laws on us. I know there are complaints at Kickinghorse mountain resort but they can deal with it in their own way . It would be stupid to impose this on everyone	A
I have lived in area A for 37 years and I am AGAINST this by- law. Yes there have been times that I have heard my neighbors but it has never been so bad that I couldn't sleep. Occasionally people have a special occasion and it might be a little noisier than usual but it's never been a problem. Most houses in this area are not real close to their neighbors as it would be in Town so if any noise is heard it is minimal.	A
Not interested in this or any other bylaws being enforced in area A. We enjoy or freedom out here and have the ability to work with our neighbors to resolve issues.  Please do not pass this bylaw.	A
Construction related noise should have same time restrictions applied as other noise - 10pm - 8am (7am is too early for such noise to begin) Definition of construction noise must be applied to commercial noise arising from conduct of business or transportation/vehicular noise related to conduct of business.	A

Proposed Noise Bylaw No. 5754 - Public Comments	
	Electoral Area
My husband and I are very much in favour of a Noise Bylaw! It is rare in the summer months in particular to enjoy a quiet peaceful evening on our deck. We chose to live in a rural area years ago because we wanted privacy, peace and quiet. The situation in our neighbourhood is changing as a neighbour is operating a commercial enterprise that is increasingly encroaching on our property line, and creating disturbances and annoyances, often into early morning hours, all summer long.	A
I hope this also applies to Hemskirk (AKA Blaeberry Silica) Silica Plant. Some mornings when the air is cool, the plant is very loud.	A
We are in full support of this bylaw. We are hopeful that the bylaw will also apply to shooting of guns. We are often unnerved by neighbours shooting guns - target practice? - or just rowdy behaviour? after dark.	A
I think the bylaw makes sense. Will it apply to shunting trains in Nicholson and Habart? I hope so.	A
area A has twice voted out any and all bylaws because we do not want them. here you are trying to putr in one bylaw and before you know it there will be another one and another one. Please stay out of our lives and leave us alone.	A
Haven't really heard enough disruptive noise other than created by corporate and government to justify a bylaw	A
I am all for Bylaw 5754, the noise from (illegal in rural residential 300 m zone) industrial operations commencing at 6 am is not acceptable(Sunday included) on Anderson Road 1 km. west of Golden. And of course Crandall's Crapville is an offence to the eye, environment(leaking fluids from busted vehicles, trailers, etc.).	A
What is proposed has more restrictive hours than the town of Golden, this doesn't make sense. Most of all though, we do not want a noise bylaw!!!	A
I am fully against this proposed noise bylaw. I along with everyone I've spoken to about this do not want it. Please scrap it.	A
We really feel this bylaw is unnecessary. We would also like to know how this affects the agricultural communities? I have yet to to be able to tell a cow to be quiet or the hay to wait to be bailed. There are some things in these situations that time is irrelevant and noise is the result.	A
NO to Bylaw #5754!	A
Hopefully this also includes noise from GMA = Genitically Modified Animals i.e. dogs	A
This is one of the dumbest law there is this why we live in the country is for are freedom	A

<b>Proposed Noise Bylaw No. 5754 - Public Comments</b>	
	<b>Electoral Area</b>
I fully support this proposal. My wife and I moved out of town 9 year ago for the peace and quiet of country living. As the rural population continues to grow, peace and quiet are become more and more a rarity. I think the proposed 'quiet hours of 10:00pm to 8:00am for disruptive sounds and 10:00pm to 7:00am for construction-related activities are very reasonable. Thank you so much for hearing the concerns of the rural citizens and keep up the great work!	A
This proposed By-Law is another great example of how our current Area A representatives have priorities backwards. How is it we can introduce talks on a proposal that stops residents from noise pollution when Area A allows commercial noise pollution? The hauling from Moberly Silca Plant has never made it to talks such as this to inform area A of the health issues associated with Silca, the noise pollution from the trucks and the huge increase in safety hazard. How does a residents noise pollution that may effect one or two properties take priority over dozens that are effected by the Haul trucks. How does this proposal get started and nothing was done before the Mine made clear of its plan with area A? Let's start with a commercial ban on noise pollution before we start by-laws for our own.	A
<p>Thank you for sharing this proposed by-law for external feedback.</p> <p>Although this proposal affects residents in Area A in mainly a positive way, it does not go far enough. Most residents who have chosen to live here to pursue a quiet lifestyle are impacted by daily construction/ industrial/ commercial traffic, that compromises the peace they came for. This by-law should have an inclusion regarding unacceptable noise levels during day-time hours in what is now an essentially residential area. Cities across Canada have facilitated ring-roads to deal with reducing the impact of commercial traffic on residential areas. Unlikely as this is to happen (ring road) in Area A, we must therefore stipulate an alternative. Roads in the area must be audibly secured by stipulating unacceptable noise levels (e.g. truck retarder brakes; "jake brakes) through appropriate by-laws.</p>	A
Totally against proposed noise bylaw #5754.	A

Proposed Noise Bylaw No. 5754 - Public Comments	
	Electoral Area
<p>I have a four concerns:</p> <p>1) There is no criteria for what constitutes "loud and disruptive noise" in terms of measurement . The ambient noise level is about 40 decibels depending on the wind etc and the pain threshold is 115-140 decibels depending on the person. You need some science here - what have other jurisdictions done with respect to this?</p> <p>2) Someone may get upset at anything above ambient noise, even if it is only 60 db (about the level of a car going by). Also how do you deal with problem or vindictive neighbours who may complain about the noise at any level, potentially getting back at people they don't get along with.</p> <p>3) You single out construction but what about restaurants or other such businesses. If the nature of a business is to provide entertainment until 1:00AM, can local neighbours shut down this business (and all of the related jobs and economic activity) with their complaints?</p> <p>4) A personal concern is motorcycles on Hwy 95 where we live. We are about 300m from the road but I still get 80 db on our deck. Regular road noise goes to about 60 db and the train is about 55. We are currently getting 50-70 motorcycles a day on a weekend, and mufflers seem to be a forgotten piece of technology for many of them. Once, when I was at the Parson store, I watched a fellow put in ear plugs before he started his motorcycle. I had to cover my ears because the noise from his mufflers hit above my pain threshold.</p>	A
So does this bylaw limit hours of operation	A
<p>I am in full favor of this by-law having dealt with noisy neighbors playing their music so loud I can hear it in my house as well as neighbors hosting weddings at their place with loud music until 2 am. I do believe that the by-law should also include barking dogs. This is probably the noise that keeps people awake at night the most. We lived next to 20 dog sledding dogs for a year and they would go off at all hours of the day! For a year I could not sleep with my window open. Please consider dog noises in your by-law.</p>	A
<p>As a resident of area a, I am strongly opposed to any proposed noise bylaw. And I am very disappointed in the round about way that this info came to me. I saw nothing about this from our area a directors emails I receive.</p>	A

Proposed Noise Bylaw No. 5754 - Public Comments	
	Electoral Area
I see this as a positive and useful bylaw and I'm in favour of seeing it go through. Simply having a standard regulation for noise levels during specific hours will help keep things peaceful as it will likely speak for itself and help discourage excessive noise levels at night without requiring any enforcement. Although the community likely won't have to use it very often, as a last resort enforcement might be the only way to get compliance from certain cases of excessive noise disturbance which I'm sure most residents can appreciate.	A
We live on a residential street in area A, and the house next to us has been turned into a nightly/vacation rental property, like many recently have been. Since then it's pretty much come to be expected that there is usually night time noise on the weekends, but there are times when it really gets out of hand and the noise lasts all night, and the renters probably feel that they're staying out in the woods and don't recognize that they're bothering anyone. The noise bylaw will be helpful for these situations and just to be able to set a baseline for noise tolerance that visitors can be made aware of in the neighbourhoods outside town/area a.	A
This by law does not represent any area A residents. We don't want it or need it please put this to a vote! As it will be voted down AGAIN!	A
I feel this is an appropriate step forward, especially as subdividing land continues and overall area A living densities become higher. Quite time after 11pm works for me. I might be a nice idea to have a simple permit system which would allow a variance to the bylaw allowing a party etc to go on until say 1am. This would help facilitate the odd wedding or party but should be only given for a none commercial event and only available once per year per property.	A
I remain absolutely opposed to introducing bylaws in area A. Please stop trying to impose such rules on behalf of the few. I disagree with the need for such a bylaw.	A

Proposed Noise Bylaw No. 5754 - Public Comments	
	Electoral Area
<p>My husband and I wish to submit a negative response to the instigation of this bylaw in Area A. In our opinion it is not relevant nor needed.</p> <p>This effort seems to be coming about without public discussion and input which is not what Area A director promised. The information came about only because some one else happened to be aware of it and introduced it through social media. This avenue is not public enough. It appears on our part to be an attempt to slide in a by-law into Area A through a back door.</p> <p>It does not seem that it is a needed by-law for our area. We are not bothered excessively by Noise. If we are mostly it can be dealt with personally.</p> <p>The bylaw should not arbitralily be imposed on all Area regions it should be voted on by each Area separately.</p> <p>The by-law would infringe on resident's rights to do what they wish on their own property ie would mean no fire work displays, no private wedding parties or other family gatherings that continue on after 10 pm as these functions often do. No snowmobiling at night on your own fields etc etc.</p> <p>Opens the door to abuse by neighbours that do not get along and would involve RCMP needlessly.</p> <p>What proof would need to be provided should the complaint be made in writing? And after the fact? What recourse would the so called offender have to dispute?</p>	A

Proposed Noise Bylaw No. 5754 - Public Comments	
	Electoral Area
<p>after the fact? what recourse would the so called offender have to dispute?</p> <p>Means the tax payers of Area A would have to pay for employment of an officer to issue fines and our taxes would be paying for a position that would likely not be utilised. The bylaw procedure would sit on the books as an essentially unused item but it would see a precedent for bylaws into Area A which is bylaw free at the moment.</p> <p>Why should only commercial activities and farmers be exempt? What constitutes a farmer? What about the residents that have to start equipment, vehicles early in am to go to work? Chainsaws in the evening when residents have to work all day and only have evenings to do personal chores, Nit picking it sounds like to you but all valid situations in our rural life.</p> <p>What constitutes a neighbour? In our area noise from upriver carries a very long way miles? I can clearly hear parties up river and down river on an evening and the properties are several km's away by road....</p> <p>We are residents of Area for 40 years and please do not continue with this unwarranted by-law in our Area .</p>	
<p>Last year many meetings were held on the assumption that the people in area A's desires would be heard and dealt with accordingly. It was made very clear by a big majority that we did not want any bylaws. This noise bylaw has been brought in as an attempt to start a process of adding more and more bylaws. People in Area A have farms and ranches and need guard dogs to protect their livestock. This bylaw would enable people to complain when the dogs are barking at night to scare away predators. Once again let me state what was clearly communicated at last years meetings, we do not want any bylaws.</p>	A
NO, NO,NO!!!! To # 5754	A

Proposed Noise Bylaw No. 5754 - Public Comments	
	Electoral Area
<p>I am not at all in favour of a bylaw regarding noise in area A. this is a huge huge area. A bylaw of this nature is unnecessary. We could have some community meetings to work on ways to deal with any issues that are arising - promoting neighbourhood cooperation and communication. also identifying what the issues are for the broader community would help. many probably have provincial regulation already in place that are either unknown or not enforced. the rcmp can already visit a rowdy location if they have time, they can ask noise to be reduced etc if they have time.....although a lot of this is likely better dealt with by communication and cooperation.</p> <p>....I can't see hiring a csrd bylaw officer for this issue....waste of money...and otherwise the bylaw will just sit there.</p> <p>I may write a more detailed note later about the issue of bylaws - but for now please register my opposition to a bylaw on noise.</p> <p>I do support initiatives that bring groups together; for example, working together on trail use for different users etc. so i am not against making positive changes. but a bylaw ? for noise? in a diverse and vast area of mostly wilderness such as Area A ...not so much. bylaws are more for urban areas and even there....an officer must be paid to enforce..and how often do we hear of ticketing....even in an urban area the effectiveness is questionable at best.</p>	A
<p>The only noise issues that are problematic to Area A are commercial-related (i.e. haul trucks), an issue that is being skirted while this sort of "whine about your neighbours" waste of time is pursued. I am happy to hear my neighbours. However, watching and listening to Moberly Mountain get exploded and hauled away is infuriating and can honestly be called noise pollution. WE ARE NOT IN AGREEMENT WITH THIS BYLAW. PERHAPS IT IS TIME TO START LISTENING TO REAL COMPLAINTS.</p>	A
Hard NO.	A



Proposed Noise Bylaw No. 5754 - Public Comments	
	Electoral Area
<p>I think that a bylaw like this will not be a good neighbor bylaw. I think it is important to first open dialogue with the offending noise maker. It will make for some very nasty feelings if people are able to just phone in their complaints</p> <p>I also think that this type of bylaw is difficult for anyone in the farming industry. During the summer when the weather is finally hot, we cut hay and some days there are some very long days put in. As the saying goes (make hay while the sun shines)There is no such thing as an 8 hr work day at that time of year Some nights the cattle herd get very noisy if they re being bothered by a predator. More noise. Please do not implement this noise by law.</p>	A
In agreement for evening noise bylaw	A
I think a noise bylaw makes good sense thank you	A
<p>Rural properties should not have a noise bylaw!! When you buy property in a rural area, and you are not a loud to make noise after 10pm this by-law is restrictive to your rights. In town there should be a noise by-law as the properties are close together and noise can be heard by more people. Living on your acres, you should be free to communicate with others past 10pm. This is by-law is quite controlling and concerning.</p> <p>Strongly against this by law!</p>	A
<p>Please DO NOT proceed with this. Myself and my husband do not support these proposed changes. We live on a quarter section of land in area A and continue to live here to be free from the endless rules of city living. If we have a problem with our neighbors we talk to them.</p>	A
We don't need a Noise By Law EXPECIALLY not one put in place without the people voting!!	A
I wish to make my opposition to the bylaw known.	A
I disagree with the noise by law proposal	A
<p>I am in favor of the proposed noise bylaw. It is necessary for RCMP to be able to enforce noise complaints and keep our rural areas peaceful and have some element of control over business activity in the CSRD.</p> <p>At this moment our neighbour is operating a wedding event facility on ALR land. We have been kept up and our quality of life is suffering. We called the RCMP and had them drop in on one of the loudest nights and they returned to say that they could not do anything as there is no noise bylaw...case in point we need bylaws not just noise bylaws in Area A.</p>	A

<b>Proposed Noise Bylaw No. 5754 - Public Comments</b>	
	<b>Electoral Area</b>
I support the proposed Noise Bylaw No.5754. I truly believe this is necessary to have in place, as there is unfortunately, some rural residents who feel it is their right to be unreasonably loud and disruptive at night. Why should the concern of excessive noise be any different for rural residents as those residing within the town limits where there is recourse. I feel a noise bylaw has become necessary, common courtesy to others is not always a given.	A
In support of a reasonable noise bylaw	A
I have to admit that a noise bylaw in area A is absurd. The people who live there are there because of the freedoms that are associated with living in the area. If there is someone out there who is making an excessive amount of noise then isn't it the responsibility of the person being bothered by the sound to put on his or her grown up pants and talk to that individual themselves instead of crying to the government?	A
I cannot express enough how much we need this bylaw. My personal life and business are harmed every weekend with those who choose to disregard their neighbours rights with loud parties, foul language and over the top music until all hours of the night and early mornings. The RCMP, although eager to assist have no teeth to help curb the abuse. With more and more private homes being rented out for weddings and stags we need to stop this before it gets worse. We already have a reputation for "anything goes" parties in some areas and soon no one will want to retire or move here with a family.	A
This is a great idea the noise from the amount of weddings and houses being rented is increasing and the noise from these stag parties etc is extremely loud  This enforcement would be great	A
I totally agree with the need for this bylaw and enforcement being a homeowner here we are constantly having to put up with the noise from houses that are rented out for weddings stags and parties	A

Proposed Noise Bylaw No. 5754 - Public Comments	
	Electoral Area
<p>I completely support this bylaw as a good first step. I had to deal with an inconsiderate neighbour for a 2 year period. This individual would play his stereo all day at unacceptably loud levels, in particular loud , thumping bass which could be heard even inside my house. RCMP were called on several occasions about this individual who was often stoned or drunk and very confrontational. I eventually had to retain a lawyer and investigate civil action against the property owner as the problem person was a tenant. This eventually had the desired effect as the problem person moved out. I had to spend almost \$1000 in lawyer's fees before the problem was solved. The RCMP were reluctant to lay mischief charges under the criminal code, although I was quite prepared to testify in court.</p> <p>Had there been a noise bylaw in place, I am quite certain one or more tickets would have solved the problem much quicker and without me having to spend money on lawyers!</p> <p>My only criticism of this bylaw is that objectionable noise ie loud stereos, should be illegal regardless of the time of day. If you can hear music from a neighbour's property on your property, it is too loud! Many people work shifts and have to sleep during the day. Stereo noise is 100% discretionary and not essential to running a household like lawn mowing etc. I suggest that this form of noise in particular, be prohibited at all times. I don't want to be subjected to other people's music at any time of the day. I know I am not alone in this position. There are far too many people living in area A now that care nothing for their neighbours and are all about self gratification. There are also commercial operations such as campgrounds that host events that are frequently noisy (loud music).</p> <p>I support this bylaw, but it would better yet with the amendment I suggested above.</p>	A
I agree with this the proposed noise bylaw as it has been difficult to discourage and enforce people who disregard the peaceful nature of Golden and the Kicking Horse Resort.	A

Proposed Noise Bylaw No. 5754 - Public Comments	
	Electoral Area
<p>Sections 2.2 and 4.1 You would be allowing a by-law enforcement officer (citizen) to enter on private property without any check or balance. Who is to stop a by-law enforcement officer with a personal vendetta? Is it the area director? If it is why would you want that responsibility? Any noise complaint should be handled by the RCMP. Let the Criminal Code deal with a public nuisance.</p> <p>Section 3.1 Who decides what constitutes a noise? Motorcycles in my opinion are way too loud but are accepted by society as a whole. A lot of people don't like the sound of trains at night but good luck with that!</p> <p>Part 5 Penalty</p> <p>Who pays for taking a person to court to convict them of an offence?</p>	A
<p>There is a law in effect for this "problem", therefore DO NOT see any need for a by law now or anytime in the future. It would seem to me that if there was a problem with noise then the complainants should have called police. Why bog down now an already overloaded police system with another bylaw when there is should already one in place?</p>	A
I do not agree to the bylaw # 5754	A
<p>I am in favour of the noise bylaw.</p> <p>KHMR has many weddings and the noise that comes with some puts the area in a negative experience.</p> <p>Lately it has been getting worse instead of better.</p>	A
<p>I find it hard to believe that there are that many people concerned about noise, for example - one person complaining sixteen times still equates to one complaint.</p> <p>I also don't believe that the RCMP will be enforcing this bylaw --- as they already have the (Disturbing the Peace), law, that applies to all of Canada.</p> <p>Perhaps this bylaw should be introduced to a few populated areas- to see if there is any possibility of it working before it is applied in blanket form, where it would be totally cost prohibitive and unworkable.</p>	A
I think this is great but i do think consideration for events and decibel levels should be taken into account.	A
I Love the idea of a Noise ByLaw though I think it should start at 11pm. I find 10pm too early	A
No thanks to Bylaw No. 5754	A
My property in Field is greatly disturbed by CP rail. Could you advise if CP would be fined and if this is enforceable in the National Parks.	A

Proposed Noise Bylaw No. 5754 - Public Comments	
	Electoral Area
I don't agree to this noise by-law. There are other laws that need to be dealt with first as a safety requirement for living in this RESORT community	A
<p>I would like to make a few comments on the proposed noise bylaw. I have lived in the Area A for over 27 years. In my years living on my own personal property that I personally purchased, I have done whatever and whenever I wanted. I am the one that have purchased my property and where I live. No one is ever going to tell me how to run things on my property and when. I have to admit that where I live all the neighbours are friendly and courteous. We all get along. We all notify of anything that will be going on each of our properties. We have never had any concerns about any noise or if anyone is doing anything suspicious. Area A is where I choose to live. It is very peaceful and all neighbours are the right distance apart where noise is not an issue. Everyone has a choice to do whatever and whenever they want. I feel that the noise bylaw is meant for people that do actually break any law and do not have consideration for others and that put others in harms way. Other people should not be penalized for what others chose to do wrongfully. Where I live, as Karen Cathcart, had a personal meeting with our neighbourhood, we choose not have any bylaw enforced to our area as we all get along and have not had any problems with others in regards. Plus how is any bylaw going to correct what does go on and when on other properties? One officer cannot manage to maintain Area A alone, too big of an area. This will not change anything as people that live in the Area A district have lived in the area for very long time and no one person is going to change the ways that people do things and when. We chose to live</p>	A

Proposed Noise Bylaw No. 5754 - Public Comments	
	Electoral Area
<p>person is going to change the ways that people do things and when. We chose to live where we live for a reason and no one is going to change my mind on this subject. I will say it over and over again, where I live, where Karen Cathcart had a meeting with most of our neighbours. We do not want any bylaw for our area as our neighbourhood looks after one another. We are our own little community, per say. I do not want any changes and no one is going to change my mind on this. I feel that not everyone has had the opportunity to comment on this as I own a business and have talked to anyone that I could on this subject and not everyone did not even know that this is trying to be in effect. I feel that not all Seniors or people with disabilities have had the opportunity to discuss this matter or attend meetings about this subject. As stated in a few meeting that Karen Cathcart was having around everywhere around our community area a area, seniors and people with disabilities have not been able to attend meetings where they do not have access to as a lot of places were not accessible by all and was not user friendly by all people to attend the meetings. I will say this over and over, I do not want anything to change now or ever. I chose to live where I live and no one else is going to tell me what to do and when to do it. I could go on and on about this subject. Please call me if you want more of my opinion on this subject. Also as a property own like all others, some properties have businesses on them. Like mine, I do not want anyone to tell me what to do and whenever to do that will affect on how my business is run. I feel like others that have businesses from home, this bylaw will not work and could affect financially on businesses and homeowners, then what. Who is going to financially support us then if we have to change the way and how we run our businesses? There will be no support so then leave us alone and we do not want change. Please phone me on this subject. Please!!!!</p>	
	A

Proposed Noise Bylaw No. 5754 - Public Comments	
	Electoral Area
<p>Last year Area A residents spent a considerable amount of time and money on having a survey conducted that established the concerns of the residents in Area A. I do not believe that the results of this survey indicated that the majority of the residents in Area A wanted a noise bylaw.</p> <p>You stated that the noise bylaw was developed because there were some complaints of loud and disruptive noises created by some landowners and tenants in residential areas. Perhaps you could focus on the areas where the complaints were made and determine if the majority of people in that area want a bylaw passed. A minority of people should not dictate what bylaws should be established.</p> <p>Also, since the Criminal code does have a section dealing with noise and disruptive behaviour, I don't see a need to have another law to enforce what is already there.</p> <p>Part 11 , section 2.2 says that a bylaw officer can enter a property to determine if the bylaw regulations etc, are being met. Why would they need to enter a property to determine if a noise bylaw was being broken? Surely that could be determined from outside the property, since that is where the noise would have been heard, if a complaint had been made.</p> <p>Also, in Schedule A the definition of Bylaw Enforcement Officer, seems to include a multitude of people or their designates, that can enter a property to check up on the local residents.</p> <p>In Section 3.1 of the bylaw there are no specific times stated. In Section 3.2 there are specific times stated. but the first part of 3.2 states "without limiting the generality of</p>	

<b>Proposed Noise Bylaw No. 5754 - Public Comments</b>	
	<b>Electoral Area</b>
<p>Section 3.1. Does this mean that a business or industry cannot be established anywhere in the Columbia Shuswap Regional District if it makes a noise at anytime. What happens to existing businesses in the area?</p> <p>Section 3.3 (b), gives civic, provincial and federal agencies an exemption to work outside of the 10:00 pm to 7:00 am timelines, but there is no exemption listed for residents to use machinery to plow their driveways or clear their driveways of fallen trees, between 10:00pm and 7:00am. Section 3.3 (c) allows for operating machinery in an emergency, but I'm not sure that getting to work on time is an emergency.</p> <p>Other things to consider---</p> <p>What is the definition of noise and how long does the noise have to occur before it is classified as disruptive? How does one prove that a loud noise was or wasn't made. Are fireworks going off on New Year's Eve and July 1 considered to be a loud and disruptive noise?</p> <p>If your dog barks between 10:00pm and 7:00am can someone in the vicinity report you? Even if it is not a common occurrence?</p> <p>When logging operations have to start early in the morning due to dry forests, can the logs be hauled before 7:00am?</p> <p>At one of the local Area A meetings I attended last year, I was told (very aggressively) by an employee of the CSRD that our representative did not have to listen to our concerns and that she could do as she pleased since she had been elected. I found this quite disturbing.</p> <p>Last year I saw Karen work hard on finding out what the residents in Area A wanted for their communities. The results are in and a getting a noise bylaw was not on the agenda.</p>	
Completely in favour of this. Finally a by-law with some bite, and just what is needed at Kicking Horse Mountain Resort.	A
<b>ELECTORAL AREA 'B' - No Comments Received</b>	
<b><u>ELECTORAL AREA 'C'</u></b>	



<b>Proposed Noise Bylaw No. 5754 - Public Comments</b>	
	<b>Electoral Area</b>
There does not appear to be any proposal regarding "noise" emitting from marine traffic on the waterways within the CSRD. Those of us who live on the lakeside are often inundated by the assault of extremely loud exhaust from all manner of marine traffic. This is more annoying than any construction or entertainment equipment.	C
The only comment I would have is the time should be 11:00 p.m., we are tourist business and the sun is not down till 11:00 and we enforce a quiet time then at our Resort	C
All other aspects are just fine with the proposed bylaw	
This bylaw has been needed for several years so I am very happy to see that the CSRD is finally considering implimenting a noise bylaw in our area. With the increase in RV parks and bible schools in residential/rural areas, this is long overdue. As the owner of a small farm - we are respectful to our neighbours and never start work before 8 or 9 in the morning and finish long before 10 in the evening. If we can do this - surely others can be respectful of people in the neighbourhood.	C
I believe this is a very positive step and is required on the south side of Shuswap as well. Why could this by law not be proposed for both north & south sides?	C
I have a few questions. First, to whom would a potential fine apply? I rent out my house, would the fine be written in the name of the person making the violation or in the name of the property owner? Second, I think that 10 pm is too early for summer as most of summer it is still light out at 10 pm. I think there should be different times for different seasons. Third, what does it mean that a peace officer can "enter" a property? I do not want people entering my property at their discretion or interpretation.	C
Please look into the noise bylaw in effect on Okanagan Lake whereby excessively loud boats are not allowed and enact the same type of regulations for Shuswap Lake. Please extend bylaw 5754 to cover noise on Shuswap perhaps above a certain decibel level. This would force boats' exhaust to be released under water rather than above, thus limiting the noise. Thank you for your consideration.	C
We agree that a noise bylaw is required. However, we are just as concerned about the noise on the lake-from loud boats that exhaust above water rather than below to boats with loud music. The problem is getting worse every year. Would it be possible to amend this bylaw to include these concerns?	C

Proposed Noise Bylaw No. 5754 - Public Comments	
	Electoral Area
I agree generally with the noise bylaw, but have not seen where the hours might be amended (by approval) for a special event. Currently, things like Canada Day, weddings, and other special events where fireworks or music might be enjoyed, run past the 10 PM time. I hope that has been, or will be, taken into consideration. Thank you.	C
Please consider changing the proposed bylaw re construction-related activities and excavation or fill -- prohibited between the hours of 8:00pm and 7:00am	C
I have been vacationing along Eagle Bay Road in Blind Bay since 1981 and since that time I've seen a significant residential and recreational population increase in the area. A noise bylaw is long overdue. There are cottage and home owners along this stretch for whom a party stretches into the early hours of the morning and without a bylaw and resulting consequences, not much can be done to curtail their noise. I am not against having fun to a reasonable hour but after 11 or even 12 pm it seems appropriate, courteous and civil to consider others. Noise, of course, travels easily across water and I know that these parties annoy everyone around the Bay. In my own case, I have had to consider when and if guests might come out (avoiding long weekends!) because party noise is a problem. This stretch is starting to be seen by vacationers and locals as the rowdy part of Blind Bay, to be avoided. As there is a campground as well as cabin rentals nearby, I would think that everyone has a stake in keeping the area attractive to vacationers, day or night. Road noise is a whole other topic ... for the next Bylaw!	C
What is happening about the noise levels put out from the cigar boats running up and down Shuswap Lake during the day? Conversations cannot take place as well as I have concerns about hearing damage due to the loud noise and vibrations coming from the boats. Not sure which electoral area we are in, maybe C , we are in the main arm of Shuswap Lake.	C
I agree with the noise bylaw. Boat noise needs by regulated.	C
I strongly support the implementation of Noise Bylaw No. 5754. As a family physician, I am aware of the health consequences of noise. The Shuswap area population and tourist activity has grown to the point where further regulation on several fronts will be necessary to protect the healthy and beautiful environments and communities we enjoy. Thank you for your leadership!	C
Very much in favor of this bylaw - there are stretches on eagle bay road in blind bay that can get particularly loud.	C

<b>Proposed Noise Bylaw No. 5754 - Public Comments</b>	
	<b>Electoral Area</b>
I am writing in support of Proposed Noise Bylaw No.5754. I have been spending summers at our vacation property for the past 28 years. Each year there have been several sleepless nights due to our neighbour's party activities, which often include pointing speakers towards the lake at full blast until 6 or 7 am. I agree that excessive noise in this regard must be regulated.	C
Thank you for your attention to this problem. Noise disrupts the community equilibrium and can lead to disputes between parties that can be harmful. Having this by-law in place will contribute significantly to the safety of our citizens. Please consider giving additional funding to enable enforcement.	C
A noise bylaw is much needed in our area. The major concern I have are the motorcycles with no mufflers, or illegal mufflers. the other concern is the cigarette boats in the bay or even out in the water, that have their exhausts out of the water. With all doors and windows closed due to the smoke, one or two boats in particular are so loud that we thought five water bombers were flying over our home. And we are up from the water in Shuswap Estates. They are also deafening when going by when we are on the water. There is no need for this.	C
I am all for a Noise Bylaw with such an influx of new people in the area it seems to be getting worse. I run a B & B and have a neighbour who likes to Boom his music out.. its all about the bass.....He has been good lately but what can you do if there is not any bylaws...Good idea all for it..How would you handle Jet boats i think that would be tough to enforce.	C
One of the most ridiculous things i have heard from this current Board. Good luck enforcing it, the cost alone will be a complete waste of tax dollars. Focus on more important things like improving options for recycling pickup in rural areas. Is this really that big of an issue in the csrd or just the loudmouth minority wanting municipal regulations living in rural areas and tunnel vision. See what the silent majority really wants.	C
I believe that a tighter restriction should apply to construction. It is far more intrusive than "neighbour" noises. I suggest 6pm to 8am.	C

Proposed Noise Bylaw No. 5754 - Public Comments	
	Electoral Area
I agree with the bylaw but also think it should include loud noises coming from boats (particularly high performance cigarette boats) at any time of day. It is quite disruptive to hear these boats ripping down the lake at any time of day and I believe most individuals would prefer not having this noise emulating around the whole lake during the day. They scare off the eagles and wildlife, erode the shoreline and break the peace and tranquility on the lake that I believe most people come to enjoy at the Shuswap. Besides the noise, the speed that these boats travel creates safety issues on a heavy populated lake.	C
I think this is a great plan! For years I have had to deal with barking dogs and partying neighbors. I love where I live but would also love to be able to enjoy an open window in the evening to get some airflow during the summer months. Or maybe a peaceful few minutes out on my deck.	C
Yes, this is needed	C
Even though I do have neighbour that is disrespectful and creates excess noise occasionally (shooting firearms in backyard), I do not support this bylaw. I feel that there are times and circumstances that people might have to make noise that others might find offensive and they should not be punished for it. As a whole people need to be more accepting and respectful of others. I feel that the ones complaining are the people who live near the park and are tires of the noise created by dirt bikes etc. Perhaps a bylaw pertaining to that problem	C
I got to admit some few abusers do make me mad but I don't think we need more stupid rules we have enough that are poorly enforced already!! The cost would greatly out way any problems we have. Less rules and more respect!!	C
	C

Proposed Noise Bylaw No. 5754 - Public Comments	
	Electoral Area
<p>13 August 2017</p> <p>I am submitting the following comments on behalf of the Cedar Heights Community Association, 2316 Lakeview Drive, Blind Bay, BC. Our concern is the noise prohibition timeframe, 10:00 p.m. to 8:00 a.m. (paragraph 3.2 (a) and (b) of the proposed noise bylaw).</p> <p>BACKGROUND</p> <p>The Association's mission is to provide a social centre in the South Shuswap where neighbours become friends. Our recreational and social programs promote an active lifestyle and we engage in civic and social issues that benefit our community. Our non-profit Association is managed by a dedicated group of volunteers who operate and maintain our 7.5 acre site which includes a 6,600 square foot two level chalet (the Cedar Heights Community Centre) with commercial kitchen, a par 3 Golf Course, four Pickleball Courts, two Bocce Courts, an Information Kiosk, a covered BBQ area, an outdoor gathering area, a covered area for Canada Post mailboxes and two parking lots. Our facilities are open to Association members, guests and the public and are in use seven days a week.</p>	

Proposed Noise Bylaw No. 5754 - Public Comments	
	Electoral Area
<p>RENTALS</p> <p>In addition to using our facilities to conduct numerous recreational and social programs, we make those facilities available for group and private rentals. This provides an affordable and convenient service and venue to the community for weddings, family reunions, anniversaries, celebrations of life, group BBQs, etc. Rentals are an important source of revenue for the Association and account for approximately 13% (projected \$13,900. in 2017) of our annual income. This significantly helps to keep our membership and program fees low for Association members, guests and the public.</p> <p>Rentals such as weddings, family reunions, anniversaries, etc., are normally held during a spring/summer weekend evening. Even in the absence of a current noise bylaw, we have been very mindful of the issue and have been instructing our renters to stop any loud or disruptive noise after 11:00 p.m. (indoors and outdoors). The proposed CSRD noise bylaw stipulates a 10:00 p.m. timeframe. This early timeframe, especially for weekends, will undoubtedly impact our future viability as a rental venue and consequently our financial bottom line, potentially resulting in membership and program fee increases. If the bylaw is adopted as proposed, this would also put in jeopardy our already secured 2018 rental contracts.</p> <p>RECOMMENDATION</p> <p>To address the situation, I propose that paragraph 3.2 (a) and (b) be amended as follows:</p> <p>Delete: <del>Between the hours of 10 p.m. and 8 a.m.</del></p>	
<p>I have properties in both D &amp; F electoral areas, If this were a vote I would vote NO to a new bylaw, I am getting so sick and tired of people complaining about everything, if you want more bylaws and rules move back to the city, country life is all about noises, being able to do things without be told when, where and what to do ( within reason). I am already disappointed that my recreational property has more bylaws then my home does and I sure do not want all those rules here too.</p>	C

Proposed Noise Bylaw No. 5754 - Public Comments	
	Electoral Area
I did already make some comments but I neglected to say that I am generally NOT in favor of this bylaw. I do not really see the need for the police or other enforcement agents to be involved in simple noisy occurrences. This is too subjective an area and it would be best if the public could manage these noises themselves - be somewhat more tolerant. When there is physical danger to the public or it is a domestic dispute approaching violence - then those agents already have the power to act.	C
I hope the csrd considers the noise generated from the excessive noisy high-speed boats that have 1000 horsepower or more with straight pipe exhaust we bought a property 3 years ago on eagle bay the high-speed boats always used the other side of the lake. But Last year the mechanic that services these boats moved in two doors up now we have these monsters coming past our property at 150.00mph plus wide open as a salute to their mechanic. we paid a considerable amount of money for our property. We and our neighbors should be able to enjoy our property with out fear of our guest and grand children being in the water when these things come close in to our property. The Okanagan lake baned them because of noise so why cant we	C
I believe a noise bylaw is overdue, and would very much support such a bylaw.	C
I agree that the CSRD should have a Noise Bylaw and ENFORCE that Bylaw. I would also like to see loud boats be included in the Bylaw. There should be a method to control the maximum exhaust noise allowed for boats on Shuswap Lake.	C
I vote no on the proposed bylaw.	C
I think this is ridiculous. We have enough rules in our area. We do not need to be policed in our own backyards. It is a waste of time and our money. If CSRD want to help the people perhaps they could assist in getting proper walk and bike path along the lake roads before someone is killed. Perhaps they should monitor the speed at which vehicles travel, especially Eagle Bay Road. If you are so bothered by noise shut your doors, this is a recreational area not a retirement home.	C
There should be no bylaw implemented!	C
No! Just no. This Bylaw takes away our freedoms. Anything can be a interpreted as disruptive noise. If I'm vacuuming at 10:30, watching my home theater or using my super duper blendmaster 9000 to make an early morning smoothie I'm liable for a fine if my crabbie neighbor complains. No Thanks!!!	C

Proposed Noise Bylaw No. 5754 - Public Comments	
	Electoral Area
I see no need for proposed noise bylaw enforcement as it will be abused in most cases especially in the rural areas	C
will this include extra loud vehicles, motorcycles etc? who will there be to enforce this in Blind Bay? some motorcycles and cars rattle my windows they are so loud, and I can't hear the TV inside my house with the doors and windows closed..and it is not pleasant to try and enjoy the outside with that kind of noise..we rarely see the RCMP out here so who will be enforcing this here???	C
<p>I bring my small children here every year for the summer. Every year we deal with people partying until the wee hours of the morning. Respectful requests that they have a modicum of respect for their neighbours are usually met with disdainful profanity and an increase in the length and loudness of the noise. I have given up asking people to stop because all it does it make things worse, and it means that our short time here is considerably less enjoyable because of retaliation from our neighbours.</p> <p>It's unfortunate that it's come to this, but respect for others appears to be a thing of the past. I support the bylaw, and hope that people will adhere to it.</p>	C
<p>Replace by: Between the hours of 10 p.m. and 8:00 a.m. from Sunday to Thursday and between the hours of 11 p.m. and 8:00 a.m. on Friday and Saturday</p> <p>This change would not only alleviate our concern but also accommodate private residences who hold weekend evening functions. Additionally, the Shuswap promotes itself as a vacation destination; an overly restrictive noise prohibition timeframe would not be conducive to attracting visitors.</p> <p>Thank you for taking my comments under consideration.</p>	C
No to proposed noise bylaw	C



<b>Proposed Noise Bylaw No. 5754 - Public Comments</b>	
	<b>Electoral Area</b>
<b><u>ELECTORAL AREA 'D'</u></b>	
<p>To whom it may concern,</p> <p>I read about the proposed Bylaw in the news paper today. I was very concerned about it coming into effect. Yes, it is very important to be considerate of neighbouring properties when making noise in the late hours of the night. However, my concerns are more towards how this will effect our rights to farm. I live on Mallory Rd by a dairy. Many of my neighbours and myself keep livestock that cock a doodle doo, baa, moo etc sometimes starting at 4:30am in the summer. If it's rut season for my goats they may holler back and forth before 8:00am. I was hoping the wording of the bylaw could exclude noise from farm animals. This is a farming community and it would be a shame to bring in bylaws that could effect that.</p> <p>Thank-you,</p>	D
<p>In principle, the rule sounds like a good idea. That said, there are people in your areas who make a living and pay taxes who have to make noise to do so. Do farmers who get up at before 8 am (4 or 5am) and need to operate a tractor or vehicle that might be heard by a neighbour have to stop? We work 12-16 hours every day in the summer to provide consumers with the best food products in the world. We have a short summer to do what we need to do, limiting our activities which may be heard by the neighbours to after 8am is not possible nor in the best interest for our livestock.</p>	D
<p>I am very much in favor of the noise bylaw. We have lived on our rural property for almost forty years and do so mainly for the peace and quiet and privacy. However for the past few years an acreage property which is about 1/3 mile away as the crow flies has held gatherings on some weekends where there would be countless recreational vehicles parked by the river on the property and amplified music from a refurbished barn. The music would play til late into the night and even with the windows closed (which isn't pleasant in the warm weather) it was disturbing. Numerous quads and dirt bikes added to the noise during the day. If I wanted this type of environment I would live in the city.</p>	D

Proposed Noise Bylaw No. 5754 - Public Comments	
	Electoral Area
We are homeowners and seniors in an area of Salmon Arm currently experiencing a development boom. We are DELIGHTED with the prospect of being able to sleep until 8 am for the first time in 2 years! Beeping trucks and hammering just after 7 am is a miserable way to waken. Please pass this amendment!	D
I fully support the 10:00 pm - 7:00 am restriction and realize the complexity of enforcement , given the geography and resources. I'd suggest a process of a first documented warning followed by a fine as a potential consequence.	D
Does this include barking dogs? Neighbours dog barks steady, have talked to them many times. Can't fix stupid.	D
Yes please but only if it includes our area We need this ASAP, generally there are a LOT of parties with hundreds of adolescents drinking, playing VERY loud music and having huge pallet burning fires. From what I understand many of them are coming from Armstrong to party at the McTavish Road, Kelly Main area, where crown land is adjacent to private. However if this bylaw does not apply to our area I would be greatly concerned if passed it will push the parties even more so into our area where crown meets private land. We are already dealing with an uncontrolled issue as mentioned above we prefer not having it escalated	D
I support the bylaw...and it should include dogs barking all night long. Also back-up beepers should be removed from construction equipment at all times in residential areas.	D
I agree with the proposed noise bylaw some people have no respect for others hit them in the pocket book	D

Proposed Noise Bylaw No. 5754 - Public Comments	
	Electoral Area
<p>Thank you for the opportunity to comment.</p> <p>I live just south of the Silver Creek Store and noise from traffic here is extremely bad for country living. We cannot hear our television or speak to our neighbors over the fence due to the noise that comes from the road. Of course this is not steady noise but consistent. I believe if people were doing the speed limit it wouldn't be half as bad. The speed limit changes just outside the store area, and some people are too impatient for others to get their speed back up and pass, flying by all the houses that live so close to the road in this area. Unfortunately, we never see anyone enforcing the speed limit here. Summer is bad with windows open but even in winter with windows closed road noise overpowers our television and we are using speakers.</p> <p>I have heard that the road is set to be upgraded, and the new pavement would probably help. I wonder if there has been any testing as to the amount of traffic that goes through here, or the noise from the traffic on this road, especially on the straight sections. Lowering the speed limit, or enforcing the speed limit might also help.</p> <p>I love living here, but feel that issues surrounding this road have been neglected, not only with traffic and the noise creates, but with the lack of space allowing for bikes and pedestrians.</p> <p>I want to thank you for allowing me to comment.</p>	D
<p>The noise bylaw would be nice for some circumstances, but for dogs? Neighbours need to talk to each other. I have a feeling it may cause more trouble than it's worth. My concerns are the gunshots and explosions around silver creek gravel pit and park, I haven't heard this yet this year due to dry conditions.</p>	D
<p>In my opinion I do not believe this can be in-forced fairly. You may have a disgruntle neighbour and every-time you turn your radio on in the evening he could be phoning the noise bylaw officer. What is acceptable to one may not be acceptable to another. There must be a better way to serve your community then to hand out monetary fines. Please don't forget we our a lake community which in-turn you will have boat and all water craft noise, how will you police that. The people that visit our community also drives our community financially. It is up to the individual to speak to the individual who they think are being noisy, not a noise bylaw officer. I think we are capable of policing our selves.</p>	D

<b>Proposed Noise Bylaw No. 5754 - Public Comments</b>	
	<b>Electoral Area</b>
I would like to vote no to the noise bylaw. I believe the RCMP are the people to call at present for a disturbance. Some measures need to be mediated with the RCMP and neighbours involved.	D
It would be nice to have some enforcement on dog barking that sometimes goes on all throughout the night. Disrupting sleep for neighbours, and the dog/s must be in some sort of stress. I took my concerns to Salmon Arm office a couple of years ago, and they said Silver Creek was in a sort of grey area between Falkland and S/A and nothing could be done.	D
No! Bylaws such as this are part of the reason there is not any common sense. Go talk to your neighbours. If they won't be quiet, go with a bunch of your neighbours and talk to your neighbours. We have a hard enough time getting the police to show up in Falkland for crime, domestic abuse, emergencies, car accidents. Don't burden them with babysitting and bickering. It's ridiculous to even consider sending someone from Salmon Arm all the way to Falkland to ask someone to turn down their music.	D
We live on 97b across from Mellors store, timberline constrstion starts up their big trucks next door to us every morning at 6 will that effect them cause would be great	D
The proposed bylaw does not take into consideration any special events hosted by the various communities throughout the CSRD. I am specifically concerned about the events hosted by the Falkland Community Association, especially the Annual Falkland Stampede and Dance held during the May long weekend. The dances held on Saturday and Sunday night will violate the bylaw as stated. As well as the Stampede during the day. The Falkland Community Association also hosts various other events throughout the year that may also be in contravention of the proposed bylaw. The bylaw does not allow for home owners to make noise to renovate, repair, do yard work or any other duties required to maintain their property and home. I don't see any reference regarding commercial properties.	D
<b><u>ELECTORAL AREA 'E'</u></b>	
I am very much in favour of having a noise bylaw. Inconsiderate people, particularly in Swansea Point, is a major problem that is limiting many people from enjoying their properties. Please get this bylaw in place ASAP.	E
A noise bylaw is long overdue. Get it done.	E

<b>Proposed Noise Bylaw No. 5754 - Public Comments</b>	
	<b>Electoral Area</b>
Has area E had many or any complaints about the noise. ? If so I would like to see some written proof of complaints that would warrant such a bylaw for this area	E
<p>I am becoming more disturbed by the loss of our wonderful quiet piece of paradise. . Presently I feel we are on a flight path with the constant noise of a helicopter flying in and out of the property located up on the hill on the dump road. This is a very large helicopter, not only the noise factor is an issue but to me and the surrounding neighbors, Safety is a huge issue. I question how the property owner was ever able to procure a permit for such as this.</p> <p>Another noise issue is the very large, very noisy racing boats on Mara Lake. That too, is a huge safety issue. Small boats on the lake are very much in danger by the speed and size of these boats. There is no such thing as peace and quiet in our tranquil little neighbor hood. There are 2 such boats, the names of the owners are . There is no reason what so ever for them to race up and down our little Mara lake...they need to drive quietly and sensibly to the big Shuswap Lake where they have plenty of room to stunt!!!</p>	E
<b><u>ELECTORAL AREA 'F'</u></b>	
We are concerned and annoyed by loud " Cigar" boats exhaust noise due to " straight piping" That is, bypassing the exhaust being directed under water; thereby causing excessive noise. One individual has been working on his engine often for two hours a day during the past two summers creating so much noise that one cannot converse on their deck or dock. The noise disturbs babies and others wishing to rest.	F
This bylaw fails to take into account the very disturbing noise from the many cigar/ thunder boats on the Shuswap lake. The bylaw purports to control noises that disturbs the peace & quiet that is normally a part of lake living. There is nothing more disturbing than the unnecessary , unmuffled sound of these large racing type boats. Surely your bylaw can be altered that noise from these boats can be muffled.	F

Proposed Noise Bylaw No. 5754 - Public Comments	
	Electoral Area
I would like to propose a variance in the proposed noise bylaw #5754 for Anglemont Estates Golf Course for the months Of June,July and August every year.We must start earlier than the hours in the bylaw in order to accomadate our customers.	F
There will be less confusion with just one time for both situations, i.e. 10 pm - 8 am. Working crew can always arrive earlier to organize before starting at 8.	F
Our bigger problem at St. Ives is unsightly properties that are not only a unwanted tourist distraction but also unsafe and/or a fire hazard so really hope you will address this problem after the noise bylaw is passed.	
10pm till 8am? We're not all retired around the Shuswap you know. Some of us believe it or not work till 8pm in town to afford these homes in these communities. I'm not a fan of the torusists or part time residence partying with no respect till 2am on week days but 10pm is a bit extreme. Friday night live hardly ends at that time. Stop being prudes. 11pm till 7am like the city is more then acceptable. Highly doubt CSRD has the means to inforce this bylaw at these hours and your wasting the RCMP time when they should be catching the drunk drivers on the roads. Thanks for listening. Cheers.	F
Although I can understand that it may be difficult, I would like to see a definition or some examples of 'loud or disruptive sounds' included in the bylaw. Words such as profanity, loud music, noisy excitement around playing games, argumentative conversation, excessive boisterousness, screaming children might be used. I feel that many people have absolutely no idea about what constitutes 'loud' let alone 'disruptive'. Additionally, I would personally comment that in my lakefront area in Lee Creek, in over 35 years of being here I can only recall half a dozen times when we were actually disturbed my noise after 10pm for more than 30 to 60 minutes and that would not have been a continuous noise. We have a mix of owners, seasonal and rentals.	F
People come here to party in the summer and they bring their money with them. A large percentage of working aged people here make their living from these noisy people. I get as annoyed as the next guy at times but it is just for 2 months of the year and they make a significant contribution to the local economy. This is after all a rural community. I choose to live here because there are no bylaws telling me or my neighbours when bedtime is.	F
I absolutely support a noise bylaw! Please!	F

Proposed Noise Bylaw No. 5754 - Public Comments	
	Electoral Area
I would love to see a Noise Bylaw in Area F. Most weekends in the summer months, I must sleep with earplugs because some of my neighbours and some boaters stay up partying and playing loud music until midnight or sometimes even 1 or 2 am. It worries me to have to wear the earplugs this summer, especially, because of the possibility of wildfire evacuations at night. With the earplugs in, I would be unable to hear anyone at my front door.	F
Agree with the proposal as I have been woken at 5AM for local construction/home improvement projects. Barking dogs throughout the day and night. Seems people bring their dogs to the Shuswap to let them exercise their vocal chords. Loud abnoxious people who when asked to keep their noise down respond with "you have 't heard nothing yet" and it deteriorates. Gatherings and parties heard from two streets away. Speeding Quads and dirt bikes at all hours. Yes, I fully support this proposal.	F
So happy to finally see this issue being addressed. Every summer we have endured many sleepless nights.	F
I am in support of the proposed noise bylaw no 5754.	F
Yes! Would definitely like a noise bylaw. There is a great deal of noise on the lake which is very disruptive...many times when a loud boat goes by, it is hard to carry on a conversation either outside or inside the house. I believe these are boats without a muffler. The other noise that is really bothersome are the boats with loud speakers attached to the tower of the boat. The music that blasts out of those is extremely loud and annoying.	F
My wife and I are against the noise bylaw. We both feel it is effort to promote the defeated zoning proposal. We respect our neighbors and our neighbors respect us. We need no more than that.	F
We have enough bylaws on the Shuswap Lake. The loud boats are only on the Lake for eight weeks a year and usually only on weekends. The Houseboat Companies regulate their vessels quite well - noise issues should be be dealt with through them. Loud parties again are only during the summer months - they should be dealt with through the RCMP.	F

<b>Proposed Noise Bylaw No. 5754 - Public Comments</b>	
	<b>Electoral Area</b>
I spend my summers out there and i think this is a great Bylaw and i hope it will be enforced there are lots of problems beside the Anglemont marina,I also think they should start ticketing fast cigarette boats it's gotten out of hand with noise and speed close to the beaches and it's a matter of time before someone gets killed or there is property damage.everyone wants to go to the lake and have fun and come home alive!	F
I would like to disagree with this bylaw. I own two properties in Anglemont and I believe that this bylaw will take money away from the area, we survive on our tourist \$\$, don't put bylaws against people having fun and possibly being noisy. We already have way too many bylaws in Anglemont which takes - away property value (like the bylaw against trailers in Anglemont!) and also these people who like to party and possibly made a little bit too much noise are the same people that will take their money elsewhere if they can not enjoy themselves in Anglemont. With all these bylaws you are killing this area off - soon will not have any stores or services to enjoy.	F
I am in favour of a noise bylaw. However, I would suggest that the time should be 2200hrs (1000 PM) to 0700hrs (700 AM). As a waterfront owner on the North Shuswap, the best time for water skiing is usually around 0700hrs. I avoid starting before that time as I recognize that a ski boat does create some noise that may be disruptive to some individuals. In the past 10 years my neighbours have expressed no concerns about the 0700hrs start time. Generally, my neighbours are up and active by that time.	F
I am in complete agreement with this bylaw. Giving the RCMP the ability to deal with late-night and long weekend noise complaints will hopefully reduce the amount of noise we have to deal with every summer.	F
<b>UNKNOWN ELECTORAL AREA</b>	



Proposed Noise Bylaw No. 5754 - Public Comments	
	Electoral Area
<p>Could this part of the bylaw be used as a basis for a complaint against a business such as a pub, restaurant or a dance held in a community?</p> <p>(b) between the hours of 10 p.m. and 8 a.m., sound from a radio, stereophonic equipment, television, musical instrument, computer or other instrument or other apparatus for the production or amplification of sound, whether produced outdoors or from within a premises, vehicle or vessel, such that the sound can be heard from a neighbouring lot or from another premises in the vicinity;</p> <p>Snow clearing business parking lots is usually done early in the morning, could this violate the bylaw? Should it be included in the exemptions?</p> <p>(b) operating any motor vehicle, machinery or other apparatus or thing during an emergency or for a civic, provincial or federal purpose such as avalanche or rock fall control, snow removal, civil defence exercises, construction, alteration, excavation, maintenance, improvement and repair</p>	
<p>Thank you! So glad to hear that there is noise control being put in! I was awoken to hammers pounding the other day at 6:45am! The guys building down the road started really early that day. Also dealing with people blaring their stereos at 2:00am will be easier if there is a bylaw behind us!</p>	
<p>I think proposed Noise Bylaw No. 5754 is a welcome addition to the bylaws of the CSRD. Neighborhoods seem to be getting progressively louder and at all hours of the day and night. Hopefully this bylaw will cause some of the people to reconsider their actions and show some courtesy to their neighbors.</p>	
<p>I am hoping this bylaw includes dogs that are causing continued disruptions.</p>	
<p>It would be cheaper to buy the complaining neighbors ear plugs</p>	
<p>I live in the country for a reason and do not believe that we need a noise bylaw ! Waste of time and money to reinforce something like this.</p> <p>I am against a noise bylaw out of town limits</p>	
<p>This needs to be voted on strongly disagree with this proposal this is why we choose to live in rural areas.</p>	
<p>I feel. This is totally uncesry , I live out of town so I don't have to deal with BS. !!!! Such as this , I don't know who the people are that started this but maybe they should move back we're they came from , or to a town that has this bs in place!! , And who the hell came up with the times for this I would personally like to talk to somebody face to face as soon as possible !!!</p>	

Proposed Noise Bylaw No. 5754 - Public Comments	
	Electoral Area
I believe that IF I registered a noise complaint, a violation ticket was issued and the fine amount paid, I should receive the majority of the fine amount as the noise was disturbing myself and the csrd really had nothing to do with the ticket except for the issuance of the ticket, which all they have to do is mail it and wait for a dispute. Of course then I would have to attend court as I was the complainant, not csrd.	
Does this mean I can sleep this winter no jake brakes from 1am to 7am all night long or does toko get off on this to	
Can we use this by-law in the enforcement for the use of "jake" brakes that MANY trucks use when travelling East from 30th St NE down to the intersection of Hgwy 97B. I realise that the RCMP is responsible for this, however, perhaps this noise bylaw might make it more obvious about how many times this law is ignored.	
I live in what I consider a rural area. I own 2.5 acres of land which is a lot of work to maintain. That means mowing grass in the summer. Cutting firewood in the fall and plowing snow in the winter. Hard work which I try to get done before it becomes hot during spring and summer months. And at times when I'm not at work in the winter. This proposed bylaw basically means that I can be ticketed all year round for attempting to maintain my property and heat my home. I am in complete objection to this new bylaw.	

Proposed Noise Bylaw No. 5754 - Public Comments	
	Electoral Area
<p>This bylaw will assist the police in managing other uncivil behaviors that come with elevated noise. In my neighbourhood we have theft, criminal harassment and assault occurring that is flying under the radar. All these behaviors, including public urination and throwing up on the street, public intoxication, among others, come with extremely elevated and often aggressive noise. Repeatedly. Neighbours do not feel safe and several have spoken of moving from this area because of it. To have a noise bylaw will give the RCMP one more tool in the toolbox to assist them in keeping the peace and perhaps curtailing behaviors that occur as elevated noise develops. I have followed the discussion by the board on this noise bylaw and I cannot impress emphatically enough that we need a bylaw to prevent community wide uprising and to keep people from being in harms way. It really is not as much about the noise as it is about managing everything else that comes with it. To not support and pass a noise bylaw would be an egregious error in judgement.</p> <p>I do understand the pressures on staff in responding to complaints under this bylaw and I believe the caveat on the CSRD web page explaining how it will be followed up on is perfect. This statement provides a framework for expectation that the public can understand. There is a point of diminishing returns in keeping a civil society. With regards to noise we have absolutely reached that in this case. I whole heartedly support a noise bylaw in Area C and I support it being passed expeditiously. Thank you for the opportunity to comment.</p>	



# BOARD REPORT

<b>TO:</b>	<b>Chair and Directors</b>	<b>File No:</b> 3760 06
<b>SUBJECT:</b>	<b>Electoral Areas B, E, and F: Building Regulation Public Engagement Summary</b>	
<b>DESCRIPTION:</b>	<p>Report from Gerald Christie, Manager Development Services, dated September 21, 2017.</p> <p>A summary of the public engagement and open houses held in Electoral Areas B, E and F with regard to the implementation of building regulation in those areas.</p>	
<b>RECOMMENDATION #1:</b>	<p>THAT: the Board receive the report 'Electoral Areas B, E., and F: Building Regulation Public Engagement Summary' dated September 21, 2017 from the Manager, Development Services, for information.</p>	
<b>RECOMMENDATION #2</b>	<p>THAT: the Board adopt a resolution to confirm participating Electoral Areas in the proposed Building Regulation service in order that Administration is able to proceed with staff recruitment for the building inspection service implementation.</p>	

## SHORT SUMMARY:

As previously requested by the Board, Development Services staff and applicable CSRD Directors created information material and held open houses in Electoral Areas B, E and F to inform residents about the pending introduction of building regulation (inspection services) in their areas slated for January 1, 2018. For the most part, the open houses were well attended and resulted in very good discussions about the proposed service.

This report details the outreach that was conducted and summarizes the results of these meetings with the public in Electoral Areas B, E and F.

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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:

Nielsen-Welch Consulting Inc. presented the *Building Inspection Service Electoral Areas B, C & E Business Case* at the Electoral Area Directors (EAD) meeting of December 2, 2016. At that meeting the EAD resolved to recommend to the Board that:

*"The Board, in principle, endorse the process to move forward with a six level building inspection services for Electoral Areas B, E and F for implementation in January 2018."*

At their January 2017 meeting the Board approved of the EAD recommendation.

Staff were then instructed to prepare a communication engagement plan for the proposed building regulation service. To that end, staff worked with Nielsen-Welch Consulting and produced detailed

information about the service that would be disseminated via social media, CSRD website and at an open house to be held in each of the participating Electoral Areas. The information created for this outreach included:

- Comprehensive overview document of the proposed building inspection service, i.e. what is the proposed service, how did we get to this point, costs of the service, process, building scenarios;
- Frequently Asked Questions (FAQ) sheet and glossary of terms;
- Building Inspection 101 brochure, i.e. what is building inspection, why is it important;
- Benefits and Costs of CSRD Building Inspection;
- Building Permit Primer, i.e. what are building permits, information required; and,
- Service Implementation Chart, i.e. steps being followed to implement the service.

These materials were all made available in hardcopy at the CSRD office and could be viewed and downloaded via the website. Poster boards were also created based on this material and displayed at the open houses held in each Electoral Area. There was also the ability of the public to provide their comments with regard to the proposed service via an online form or at the open houses as written comment.

The open houses were advertised via CSRD social media and website as well as in two editions of most local newspapers servicing Electoral Areas 'B', 'E' and 'F'. The advertisements included information as to where and when the upcoming open houses would be held, as well as where to find additional information and who to contact about the proposed service.

Open houses were then held in the following areas; the number of attendees and comments submitted to CSRD staff are noted below:

<b>Electoral Area</b>	<b>Attendees*</b>	<b>Comment Sheets</b>	<b>Online Submissions</b>
B Revelstoke Community Centre June 8, 2017	52	9	6
E Sicamous Community Centre June 7, 2017	5	0	0
F Scotch Creek Fire Hall June 5, 2017	14	2	0
F Seymour Arm Community Hall August 18, 2017	60	0	0

\* Estimate: not all attendees sign-in

As could be expected the attendance and opinions varied greatly at each open house with regard to the proposed service.

At the first open house in Scotch Creek there were 14 attendees and the overall sentiment from attendees was positive and that the existing building inspection service in that Electoral Area was functioning very well. There were comments that did express concern about the added amount of time and cost that the expanded service may add to the construction process.

The Sicamous open house had five attendees, one of which was a newspaper columnist there to ask questions about the open house and the proposed building regulation service. Other attendees had questions about the ability of the inspector to get to the rural areas on a timely basis, and what the overall impact the service would have on taxes.

The Revelstoke open house was very busy with over 50 people in attendance. Some attendees included individuals from the within the municipality of Revelstoke who noted that they were quite upset with the existing building inspection level of service, i.e. length of time to get a building permit from the City, and were there to express this dissatisfaction. Other attendees either had homes in Electoral Area B or noted that they have property in the Electoral Area and may be constructing buildings on those properties in the future. Concerns expressed included that there should be a referendum about bringing in the service, that taxes will increase along with the cost of construction, the need for a permit will delay the construction process, and that builders and owners can monitor themselves.

At the request of Director Morgan, staff held an additional open house in Seymour Arm of Electoral Area F on August 18, 2017. Approximately 60 residents attended the open house and from the very beginning of the meeting strongly stated their opposition to bringing building regulation to Seymour Arm. Several residents spoke of 'putting the cart before the horse' as Seymour Arm is very rural area of the CSRD, accessed by an unsafe poorly maintained forestry and ungazetted road, not being connected to the BC Hydro electrical grid (Seymour Arm only has some electrical service via diesel generators), and there is a very limited community water and distribution system. Residents demanded the CSRD not bring in building regulation at this time and instead prioritize and help to get a proper and well serviced road to their community, and most importantly, that the CSRD help get Seymour Arm connected to the BC Hydro grid. It was also noted that due to the often extreme and sometimes unsafe seasonal conditions encountered on the active forestry road, and the lengthy distance to be travelled to their community, that it did not make sense to have a building inspector travel all that way until the road was dramatically upgraded and serviced appropriately. Staff reminded those in attendance that the CSRD has brought forward these concerns to the province and will continue to do so. Staff also heard very clearly that until those issues are dealt with that building regulation should not be brought to Seymour Arm. Staff and Director Morgan noted to the residents that we now better understand these community concerns and priorities and would not seek to expand the service to Seymour Arm at this time.

**POLICY:**

Staff have now completed the community engagement as requested by the Board with regard to the proposed building regulation service. A draft Building Regulation Bylaw No. 660 has been created to replace the existing Building Regulation Bylaw No. 630 and have building regulation service apply to Electoral Areas B and E and the existing service area of Electoral Area F. As Seymour Arm is not recommended to be included in the building regulation service area at this time, there is no proposed change to the existing building regulation service area for Electoral Area F. Prior to implementation of the expanded building regulation service area on January 1, 2018, the new Building Regulation Bylaw No. 630 will need to be considered and adopted before the end of 2017.

**FINANCIAL:**

Costs associated with the public engagement for the proposed building regulation service included the costs associated with developing the information materials, newspaper advertisements, hall rentals,

travel costs, consultant and staff time. Total expenses were approximately \$12,000 and budgeted for in the CSRD 2017 budget.

**KEY ISSUES/CONCEPTS:**

The open houses were an excellent opportunity for Development Services staff and Directors to speak with residents and landowners about the proposed building regulation service. Although there were several members of the public that arrived with preconceived ideas as to what the service would be and what the impacts on them individually would mean, staff and Directors were able to hear these concerns first hand while also being able to correct some misinformation about the proposed service. Even though in many conversations there was an understanding as to why the CSRD Board and staff may desire to bring in building inspection to other Electoral Areas, e.g. legal costs, health and safety, some individuals philosophically still felt that there is already too much regulation and do not believe that local government should be bringing in regulation where none currently exists. As detailed in the *Building Inspection Service Electoral Areas B, C & E Business Case* there are several reasons why building regulation is necessary, including for equitable taxation and assessment, consumer protection, building and occupant safety, and others, and these reasons were discussed with the attendees.

**SUMMARY:**

Staff have now completed the public engagement requested by the Board in regard to the proposed Building Regulation Service. Next steps will be for the Board to consider a new Building Regulation Bylaw for adoption before the end of 2017 for the new building regulation service to begin on January 1, 2018.

**IMPLEMENTATION:**

With the public engagement now complete staff is developing a new Building Regulation Bylaw No. 660 for the Board's consideration. This new bylaw would replace the CSRD's existing Building Regulation Bylaw No. 630 and add Electoral Areas B and E to the existing building inspection service area already in Electoral Area F. The new bylaw will also meet the latest BC Building Code and legal requirements. Staff have also begun the advertising process for a new Building Inspector and Building Assistant. These positions were approved in the 2017 budget and are anticipated to start prior to November in order to begin to liaise with builders, contractors and landowners/homeowners and officially implement the new service as scheduled for January 1, 2018.

**COMMUNICATIONS:**

Although the formal public engagement is now complete with regard to the proposed building regulation service, all of the material used for this engagement will remain available on the CSRD's website and in hardcopy at the front counter at the CSRD office. As the new Building Regulation Bylaw No. 660 is considered by the Board this fall, additional communications will be undertaken with other government agencies, e.g. Interior Health and Ministry of Transportation and Infrastructure (MOTI), as well as reaching out to those involved in the construction industry, with updated informational brochures and face to face contact with building staff.

**DESIRED OUTCOMES:**

That the Board receive this report for information.

**BOARD'S OPTIONS:**

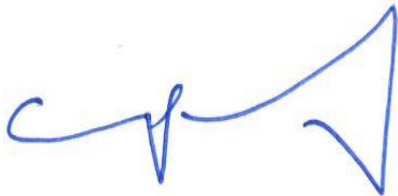
1. *Endorse the Recommendation.*
2. *Deny the Recommendation.*
3. *Defer.*
4. *Any other action deemed appropriate by the Board.*



**Report Approval Details**

Document Title:	2017_09_21_Board_Bldg_Reg_Engagement_Summary.docx
Attachments:	<ul style="list-style-type: none"> <li>- Bldg Reg FAQ - handout.pdf</li> <li>- Bldg Reg Overview.pdf</li> <li>- Bldg Reg Open House Poster Boards.pdf</li> <li>- Bldg Insp Business Case (Oct2016).pdf</li> <li>- Bldg Reg EA B Comments (ID removed).pdf</li> <li>- Bldg Reg EA F Comments (ID removed).pdf</li> </ul>
Final Approval Date:	Sep 12, 2017

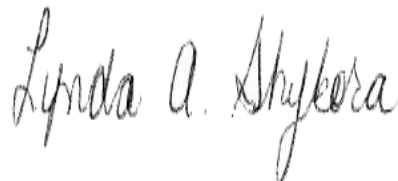
This report and all of its attachments were approved and signed as outlined below:



**Corey Paiement - Sep 11, 2017 - 4:21 PM**



**Gerald Christie - Sep 11, 2017 - 4:32 PM**



**Lynda Shykora - Sep 12, 2017 - 11:37 AM**



**Charles Hamilton - Sep 12, 2017 - 1:27 PM**



## Building Inspection Service Electoral Areas B, E & F

# FREQUENTLY ASKED QUESTIONS

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### What is building inspection?

Building inspection is a local government service that requires owners to submit building plans for review and receive a building permit from the local government prior to beginning construction. During construction, inspections must be arranged with a building official from the local government at various phases of the project, to ensure the *BC Building Code* standards are met. The service, therefore, ensures construction projects meet both the local government's land use regulations (e.g. OCP, zoning) and public health and safety objectives (expressed in the *BC Building Code*).

### Why do we need building inspection?

A building inspection service allows the regional district to review building plans to ensure they conform to the OCP and zoning, including regulations regarding environmentally sensitive areas such as riparian areas or the foreshore or lake. In addition, buildings have to meet *BC Building Code* standards that protect health and safety of a building's occupants. Building permits also help the owners obtain home insurance, and provide assurance to future buyers that the buildings meet code and comply with local government regulations.

### Will building inspection discourage development?

Building inspection is not expected to discourage development in the region. All four

municipalities within the CSRD already provide this service, and require building permits and inspections. Most regional districts within the Province have established a building inspection service; it is considered a best practice for local governments. Construction is already required to be in accordance with the *BC Building Code*, so builders are already aware of the standards. Experienced builders in the area are also familiar with building permit and inspection processes. The most significant learning curve will be for home owner builders; however, staff at CSRD can help guide these owners through each step of the building inspection process.

It is worth noting that the *absence* of building inspection may actually discourage economic development and growth in the parts of the region that lack the service. Some prospective home buyers and businesses may be reluctant to invest in buildings that are constructed without the benefit of inspections. Inspections, it is widely acknowledged, help to ensure that all construction is of a consistent quality, and is in compliance with the regulations and standards of the *BC Building Code*.

### Why is the service only in Electoral Areas B, E and F?

Electoral Areas B, E and F have identified building inspection as a community priority to ensure that construction conforms to planning



objectives and safety standards. Once the service is created, other electoral areas will be encouraged to join the service.

#### **How much will the service cost taxpayers?**

The cost of the building inspection service will be recovered through a combination of permit fees and property taxes. Property tax impacts are estimated at a rate of 0.078 for every \$1,000 of assessed value of land and improvements. This rate equates to about \$16 for a property valued at \$200,000 or \$23 for a residential property valued at \$300,000.

#### **When will the service start?**

The service will come into effect on January 1, 2018.

#### **Why is there no referendum?**

Sometimes when regional district services are established, referendums are used to obtain approval from those who are directly affected by, and required to pay for, the service. The *Local Government Act* recognizes, however, that referendums are not well-suited to every local government decision. Decisions to regulate the actions of individuals through the establishment of regulatory services such as building inspection are good examples. Regulatory services such as building inspection have important health, safety, economic, environmental and other benefits that are important to the broader community. These services do not require approval through a referendum. Instead, the *Act* enables the Electoral Area Director of each participating area to consent to establishing the service on behalf of his or her electors.

The Electoral Area Directors for Areas B, E and F will be asked to provide consent to the new CSRD building inspection service on behalf of the electors in their respective areas. The service bylaw will then be sent to the Province's Inspector of Municipalities for review and approval.

#### **When is a building permit required?**

Each person who wishes to undertake construction in Areas B, E and F will need to apply for and receive a building (and, in most cases, plumbing ) permit before commencing construction. Building permits are required for most construction, demolition and excavation, including:

- construction of a house, townhouse, commercial and industrial building
- construction of accessory buildings, including most garages and sheds
- demolition of a building
- significant alteration to or repair of an existing building (e.g. structural changes, electrical updates, construction of a second floor deck, moving of plumbing)
- changes to the use or occupancy of an existing building (e.g. from a garage to a dwelling, or from a residence to a commercial use)
- relocation of a building
- alterations that affect a venting or sewerage system
- installation of a factory-built or manufactured building

Anyone who is unsure whether a project requires a permit is encouraged to contact the CSRD building staff (1.888.248.2773 or 250.833.5911; or [plan@csrd.bc.ca](mailto:plan@csrd.bc.ca)).

#### **When is a building permit NOT required?**

If a construction project involves no structural changes and no relocation or installation of new plumbing fixtures, then no building permit is required. In addition, certain types of structures will be exempt, including:

- one storey accessory buildings that are under 10m<sup>2</sup> in size, and do not create a hazard
- projects that are under \$10,000 value
- farm buildings with “low human occupancy” (defined by the *National Farm Building Code of Canada*) on properties assessed as a farm by BC Assessment



- non-structural repairs such as window replacements (same size windows), roof updates, kitchen renovations with no movement of plumbing fixtures, finishing of basement with flooring and drywall (not including creation of secondary suite)
- patios, decks or balconies that are less than 2 feet (0.61m) off the ground
- repairs or minor alterations to the plumbing system or fixtures that do not affect the venting or sewerage system
- landscaping retaining walls below 1.5m in height that do not support loads created by buildings or parking areas
- construction of temporary structures, utility poles and towers and public infrastructure systems (as identified in Section 1.1.1.1(2) of the *BC Building Code*)

Anyone who is unsure whether a project requires a permit is encouraged to contact the CSRD building staff (1.888.248.2773 or 250.833.5911; or [plan@csrd.bc.ca](mailto:plan@csrd.bc.ca)).

#### **Do I need a permit if I've already started construction before January 1, 2018?**

Property owners that have already passed the framing stage of construction prior to January 1, 2018, would not need to apply for a permit. Owners who have reached this stage prior to this date should keep records of work (invoice receipts and photo documentation) to provide proof that construction had reached this stage prior to January 1, 2018. Any projects underway that have not proceeded past framing stage by January 1, 2018, as well as all new projects, will be required to apply for a permit. Building inspectors will determine how many inspections are required based on the application and what work has already been completed.

#### **How much are permit fees?**

Permit fees vary depending upon the value of the construction, but a new home (including a fireplace) valued at \$200,000 would result in a building permit fee of approximately \$2,100.

#### **How do I apply for a building permit?**

Building permit applications are available online at the CSRD website ([www.csrd.bc.ca](http://www.csrd.bc.ca)) or can be picked up from the CSRD office in Salmon Arm (555 Harbourfront Drive NE). Applicants are encouraged to submit their permit applications in person so that they can be reviewed for completeness. Property owners can contact building staff by phone in advance (1-888-248-2773) to answer any questions, or to book an appointment with a building official.

#### **What other permits (in addition to a building permit) are required?**

The CSRD may require other permits, such as a *development permit* or *plumbing permit*, depending on the type and location of the construction project. *Development permit* areas are identified in the Area B and Area F *Official Community Plans*, and the draft Area E *Official Community Plan* (see CSRD website for copies). Development permit areas are established for land with environmental significance (such as lakefront, foreshore or riparian areas) or hazardous conditions (e.g., steep slopes or flood areas). Other development permit areas are created to ensure that the character of commercial and multi-family developments are developed in accordance with the community vision (as expressed in the OCP). Construction within development permit areas must follow guidelines to ensure development is safe for the use intended, that environmental areas are identified and protected and that the character is consistent with the community vision. *Plumbing permits* are part of all building permits that require additional or relocated plumbing fixtures. Not all construction projects require a plumbing permit. As part of the building permit review, the CSRD staff will confirm whether any other permits are required.

**How long will it take to get a permit?**

From the time that applicants submit a complete application (all documents required by the CSRD), building permits typically take 2 to 3 weeks to be processed and issued. In the busy summer months the timeline may increase depending on the number of permits being processed. The CSRD does not process a permit until the application is considered complete and the application fee has been paid.

matter proceed to court, however, and if required by direction of law, the CSRD may be obligated to disclose the information provided.

**Why are six inspections required?**

When creating the new service, the CSRD considered the existing building inspection service provided in part of Area F, as well as practices in other communities and best practices on implementing the BC Building Code. The CSRD decided on inspections at six stages of construction, as six is considered the minimum number necessary to adequately ensure adherence to the *BC Building Code*. By comparison, Revelstoke and Salmon Arm require seven inspections (not including for fireplaces); Sicamous requires eight.

**How do I make inspection requests of the building inspector?**

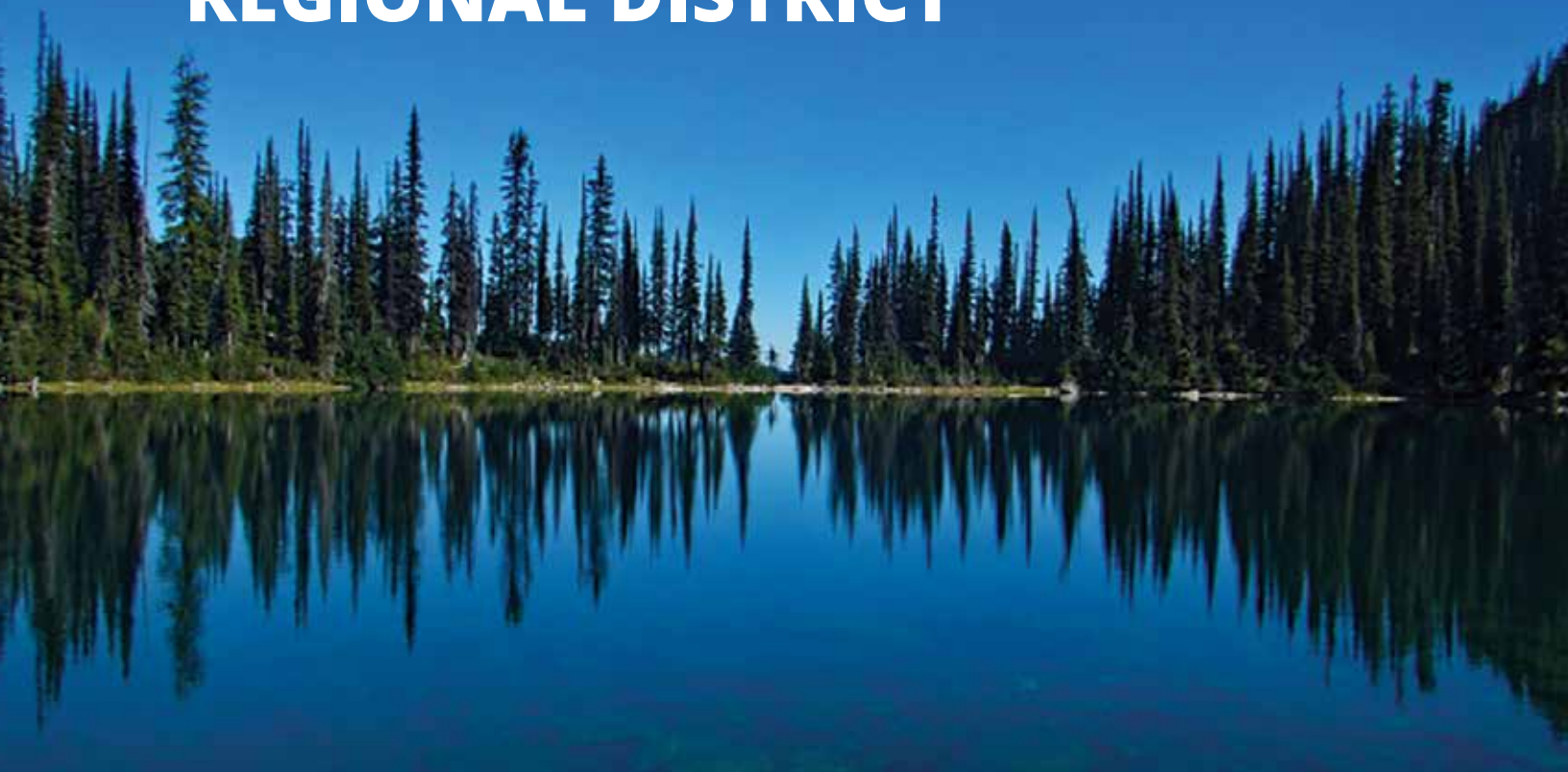
Required site inspections may be scheduled by phoning the CSRD offices at 1.888.248.2773. The owner must provide the Building Inspector a minimum of 2 work days (48 hours) notice when requesting an inspection.

**What can I do if my neighbour is constructing without a permit (after January 1, 2018)?**

Residents can make a complaint to report construction work being carried out without the required permit(s). The CSRD has an online complaint form on its website ([www.csr.bc.ca](http://www.csr.bc.ca)) and can also be reached by email ([enforcement@csr.bc.ca](mailto:enforcement@csr.bc.ca)) or by phone (250.832.8194 or 250.833.5904). Complainant information is considered confidential by the CSRD and your identity will not be revealed (it is protected under the *Freedom of Information and Protection of Privacy Act*). Should the



# COLUMBIA SHUSWAP REGIONAL DISTRICT



## OVERVIEW

This *Overview* explains the new building inspection service that is being introduced throughout Electoral Areas B and E, and expanded to include all of Electoral Area F, in the Columbia-Shuswap

Regional District (CSRD). This *Overview* explains what the service is, why it is being introduced, how it will be implemented, and what it will cost.

## WHAT IS A BUILDING INSPECTION SERVICE?

Building inspection services are established by local governments to ensure that new construction complies with the requirements of the *BC Building Code*, and the regulations set out in key community planning documents, such as a Zoning Bylaw and Official Community Plan.

Building inspection is most easily understood in the context of the broader land development process. In British Columbia, governments at both the provincial and local levels have important roles to play in creating and enforcing the rules that govern this process. The provincial



government is responsible for creating the *BC Building Code*, a technical document that sets out the requirements and standards for the construction, alteration, repair and demolition of all types of buildings.



Local governments — including regional districts — regulate development using both land use and building bylaws. On the land use side, municipalities and regional districts create Zoning Bylaws and Official Community Plans that set out their communities' long-term goals, and that guide development in ways that support the goals. On the construction side, local governments adopt building regulation bylaws to apply and enforce the rules and standards of the *BC Building Code*, and detail the building inspection approval process. Property owners who wish to construct buildings in a jurisdiction covered by a building regulation bylaw must apply for and obtain a building permit before construction can start. A building inspection service is the service through which applications for building permits are reviewed for compliance with the *BC Building Code*, Zoning Bylaws and Official Community Plans.

## HOW DO BUILDING INSPECTIONS PROTECT PUBLIC HEALTH AND SAFETY?

Buildings are complex, particularly when they include plumbing, electrical wiring, and connections to drinking water and septic systems. The *BC Building Code* establishes minimum requirements that are designed to help keep occupants safe and healthy. When followed, the requirements help to ensure that buildings:

- are structurally sound, with proper building frames and foundations
- provide adequate fire protection
- address issues concerning radon gas
- provide adequate exits in the event of emergencies
- are equipped with proper plumbing for safe drinking water and liquid waste disposal
- minimize hazards to prevent accidents

All buildings are required to be constructed to the *BC Building Code*. Only buildings in areas with building inspection, however, are subject to the consistent and high level of oversight required, at key points of the construction process, to ensure that the *Code* is met and safety standards are upheld.

## WHY IS A BUILDING INSPECTION SERVICE NEEDED?

The primary purpose of a building inspection service is to protect public health and safety. As noted earlier, local governments provide building inspection to ensure that residential, commercial, industrial and public buildings meet the minimum construction standards set out in the *BC Building Code*.

Building inspection also serves as a tool to implement and promote a community's local planning goals. In Electoral Areas B, E and F, residents have invested considerable time, energy and money into the preparation of Official Community Plans and Zoning Bylaws to promote local planning goals, including goals related to the protection of watercourse riparian areas, and the type and form of community development. Building inspection helps to ensure that new development complies with the Zoning Bylaw regulations and development

permit guidelines in Official Community Plans. Through the building inspection service, projects are reviewed for compliance with local land use regulations at a crucial stage in the development process — namely, before construction occurs. In the absence of building inspection, construction may proceed in ways that are not consistent with policies and regulations and, that undermine local planning goals. Construction without building inspection may also result in buildings being placed in potentially unsafe areas (e.g., hazardous areas or areas prone to flooding). Efforts to enforce compliance after construction is complete are costly and acrimonious for the property owners, the local government, and local taxpayers.

Other reasons the CSRD Board supports the introduction of building inspection are as follows:

- *Ensures Other Requirements are Completed* — A building inspection service allows local governments to ensure that property owners have obtained all necessary permits and development approvals, including those required by other agencies such as Interior Health, the Ministry of Transportation, and BC Housing.
- *Promotes Equitable Taxation* — BC Assessment uses building permit records to ensure that the assessed value of each property represents that property's true market value. This information provides for an equitable distribution of the property tax burden across all property owners. Without this information, owners who have improved their properties may not be paying their fair share of local taxes.





- *Provides Important Planning Information* — Local governments collect current and historical building data to assist in making development forecasts, formulating planning policies, and preparing infrastructure plans. The information is also accessed and used by a variety of public agencies and individuals.
- *Protects Consumers* — Building permit records provide a level of assurance to homebuyers that construction work has been undertaken in accordance with the standards of the *BC Building Code*. Homeowners who are undertaking renovations can also take comfort in knowing that contractor plans have been reviewed and work inspected for compliance to important health and safety standards contained in the *Code*.
- *Reduces Insurance Costs* — Buildings that have received building permits often qualify for lower insurance premiums. In some case, over

the lifespan of a building, savings from reduced premiums may offset any building permit fees.

As with any new service, there are costs associated with implementing building inspection, as well as new requirements for property owners who undertake building, renovation and construction projects (see costs section below). The benefits of building inspection, however, are widely recognized by local governments and the communities they govern. Every regional district that surrounds the CSRD — indeed, every regional district in southern British Columbia — has a building inspection service. Within the CSRD itself, building inspection is required in every member municipality and, since 2001, in a number of settlement areas in Electoral Area F. Building inspection is not currently provided, however, in any of the remaining electoral areas.



## BUILDING INSPECTION AND THE CSRD

In the CSRD, building inspection exists — and has for some time existed — as an important local government service in every member municipality. In the Regional District's electoral areas, however, the situation is somewhat different.

Building inspection for the electoral areas has been a topic of discussion and some debate in the CSRD since the establishment of the Regional District in 1965. For a brief 18-month period, beginning in 1966, a full building inspection service existed across all Electoral Areas. In 1968, however, the service was repealed and replaced with a more limited version in portions of Electoral Area B and, subsequently, parts of Area E.

Amendments occurred after 1975 to change the number of inspections and cost recovery mechanisms. Other amendments after 1991 expanded the service area to include parts of Area F, then subsequently contracted the area to eliminate the original portions of Areas B and E. By 2001, building inspection in the non-municipal areas of the CSRD applied only to key settlement areas in Area F that continue to be served today.

The current initiative aimed at establishing a full service in Areas B, E and F is a response, in part, to concerns about the consistency of construction quality, and adherence to *BC Building Code* regulations. The initiative also reflects a strong desire on the part of residents and the CSRD to promote local planning goals. In these areas, residents have invested heavily in the preparation of Official Community Plans, Zoning Bylaws and other tools to set out and promote important goals, including those related to the natural environment and community character. Building inspection will help to ensure that new development respects and supports these goals.

The current initiative is limited to Areas B, E and F. It is anticipated, however, that other remaining electoral areas — perhaps all areas — may opt into the service in the coming years.

## WHAT ARE THE COSTS OF A BUILDING INSPECTION SERVICE?

The most immediate costs associated with a building inspection service will apply to property owners who wish to construct a new building, build an addition, or undertake specific types of renovations. With building inspection in place, these owners will need to:

- submit a building permit application and pay the required permit fees
- allow extra time in their project schedule for the permit to be reviewed and issued, and for inspections to be done

These changes will affect all property owners in Electoral Areas B, E and F under the new building inspection service. Property owners in a portion of Area F already have a building inspection service in place; however, this existing service will be expanded to require six (6) inspections at key stages of construction, instead of the three (3) inspections required today. This change will make the existing Area F service consistent with the new service being introduced in Areas B and E.

## HOW WILL THE NEW SERVICE WORK?

The new building inspection service will be provided throughout all of Electoral Areas B, E and F (See Figure 1). Property owners will be required to obtain a building permit before beginning construction of any type of building — single family, multi-family, institutional, industrial, commercial. Certain types of structures will be exempt from this requirement, including:

- accessory buildings that are small in size (under 10m<sup>2</sup>)
- non-structural projects that are modest in value (under \$10,000) and that do not create

sleeping spaces

- farm buildings
- a variety of other small projects

Building permits will be needed, however, in most cases, including those which involve the:

- construction of a house, townhouse, commercial and industrial building
- construction of accessory buildings, including any structure (e.g., garage) that is larger than 10m<sup>2</sup>, unless otherwise exempted
- demolition of a building
- significant alteration to or repair of an existing building (e.g., structural changes, moving of plumbing systems)
- changes to the use or occupancy of an existing building (e.g., from a garage to a dwelling, or from a residence to a commercial use)
- relocation of a building
- alterations that affect a venting or sewerage system
- installation of a factory-built or manufactured building



Figure 1: Building Inspection Service Area



# THE BUILDING PERMIT PROCESS

The process to obtain a building permit will consist of three stages:

- **Application** — To start the process, the property owner will submit an application that details the type of building, alteration or repair, and the value of the proposed work. As part of the application, the owner will need to provide drawings and a site plan, and will be expected to pay the required building permit fee. Other documents may also be required, depending on the type and location of the proposed construction. Such documents may include easements or covenants registered on title, a contaminated site profile, and environmental and/or geotechnical reports.
- **Plan Checking** — The submitted application and plans will be reviewed by CSRD staff for compliance with the *BC Building Code*,

the *CSRD Building Bylaw*, local Zoning Bylaw regulations and development permit guidelines in Official Community Plans. Compliance with other agency approval processes, such as the Interior Health process for on-site sewage disposal, will also be reviewed. Once all checks have been done, and all concerns have been addressed, a building permit (and, if necessary, a plumbing permit) will be issued.

- **Building Inspections** – CSRD building inspectors will conduct a total of six (6) on-site building inspections at key points of the construction process, including at the:

1. footing construction stage  
(before concrete)
2. installation of perimeter drainage  
pipe and drain rock  
(prior to backfilling)
3. installation of building drain, sanitary  
or storm sewer and plumbing system  
(prior to backfilling)
4. framing construction stage  
(before drywall)
5. insulation, vapour barrier and air  
barrier stage
6. completion of the project

As noted earlier, the existing building inspection service in Area F requires only three (3) inspections. Industry best practices, however, suggest that six (6) is the minimum number needed to ensure adherence to the *BC Building Code*. In most places, including in the municipalities in the CSRD, more than six (6) inspections are required.

Electoral Area E



Area: 1,621 km<sup>2</sup>  
Census Population: Stats Can 2016 - 1,185  
Local Municipalities: District of Sicamous



At any time in the permit process, building inspectors will be authorized to:

- enter onto properties to ensure compliance with regulations
- require owners to uncover or correct an item
- request further testing to ensure compliance
- issue stop work notices
- revoke permits

Once a building permit is issued, construction will need to begin within six (6) months from the date of issuance. Construction cannot be discontinued or suspended for a period of more than six (6) months, and must be complete within a period of three (3) years. If these conditions are not met, the permit will expire. New permits (and permit fees) would be required to re-start construction.

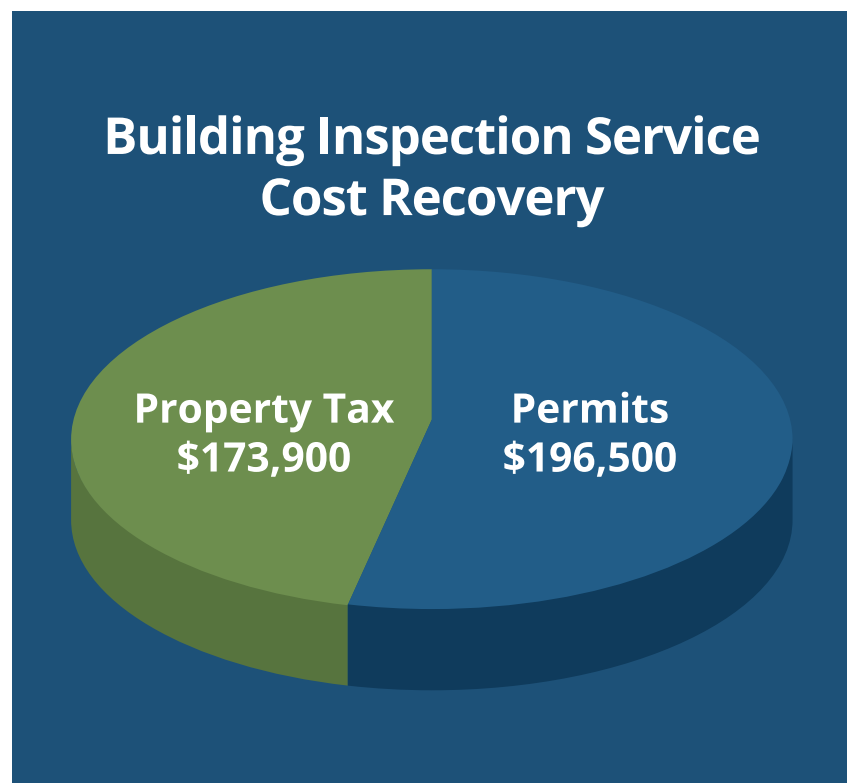
## WHAT WILL THE SERVICE COST AND WHO WILL PAY?

The new building inspection service is expected to cost about \$370,000 in its first year of operation (2018). More than half of that cost – close to \$200,000 – will be recovered through building permit fees, with the remainder being raised through property taxes on all properties (land and buildings) within Areas B, E, and F.

Cost estimates of the CSRD's service are based upon the costs of the existing building inspection service currently provided to a portion of Area F. The proposed new service includes an additional building inspector and a plan checker to share the increased workload.

Service revenues (permit volumes) are estimated to increase from the current Area F service, given the

increase in area and the number of affected properties. The estimated permit revenue also accounts for the extra number of inspections in the newly proposed service (i.e., six inspections instead of three in the existing service).



# WHAT WILL THE BUILDING PERMIT FEES BE?

The fees for the building and plumbing permits will be consistent with those in place today under the existing Area F inspection service, with adjustments to reflect the additional three inspections proposed for the service. Three types of fees are payable for each application:

- application fee
- permit fee (based on the value of construction)
- special permit fees for specific items such as demolitions, moving a building, a change of occupancy and other cases



## WHAT WOULD THE PERMIT FEES BE FOR A SINGLE FAMILY HOME?

Based on an example of a single family home with a construction value of \$200,000:

- Application fee - \$72
- building permit fee - \$2,033

**TOTAL: \$2,105**

This fee allows for the six required inspections; the additional inspection for a fireplace (if required) would be an extra \$72.

Note, as well, that the CSRD has the ability to credit the application fee to the total building permit fee. In such cases, the total fee for a \$200,000 residence would be \$2,033.

The **application fee** is \$72 for a single-family dwelling, and \$288 for multi-family, commercial, institutional or industrial buildings.

The **permit fee** is a flat fee of \$648, plus:

- \$72 for first \$1,000 of construction value
- \$7.20 for each additional \$1,000 of value, up to \$100,000
- \$6.00 for each additional \$1,000 of value over \$100,000

## HOW WILL THE NEW SERVICE AFFECT MY TAXES?

Ultimately, the tax impacts will depend upon the number and type of building permits in any given year. However, the tax impacts can be estimated based on a projection of building permits for Areas B, E and F. It is estimated that just over half the cost of the service can be recovered through building permit fees. Based

on 2016 assessment values, the resulting tax rate would be 0.078 per \$1,000 of assessed value. The rate amounts to \$15.60 on a property valued at \$200,000. Figure 3 shows the estimated impact on properties of different types and assessed values (land and improvements included).

Property Type	Property Assessment	Tax Rate	Tax Payment
Residential	\$200,000	0.078	\$15.60
	\$250,000	0.078	\$19.50
	\$300,000	0.078	\$23.40
Commercial	\$500,000	0.191	\$95.55
	\$1,000,000	0.191	\$191.10
Industrial	\$1,000,000	0.265	\$265.19

## HOW AND WHEN WILL THE SERVICE BE IMPLEMENTED?

The CSRD will be implementing the building inspection service January 1, 2018. In preparation for this date, the CSRD is undertaking a community engagement process to:

- explain the service
- outline the cost of the service for permit applicants and for taxpayers

as a whole

- provide opportunities for stakeholders and the community to ask questions, get answers and express opinions
- detail the process for developing and implementing the service

The engagement process will include Open Houses and meetings with interested stakeholder groups, beginning in June 2017, accompanied by a series of written materials to explain the service. Materials are available online and at the Open Houses. The engagement process will culminate in a report to the CSRD Electoral Area Directors' Committee.

After the community engagement process, the CSRD will prepare a service establishment bylaw and ask the Electoral Area Directors for Areas B, E and F to give consent to the bylaw on behalf of their electors. A referendum on the establishing bylaw is not required because

building inspection is a regulatory service with broad health, safety, environmental and economic benefits that promote the public interest. Following Director assent, the Province's Inspector of Municipalities will be asked to give formal approval.

Once the service establishment bylaw is approved and adopted, the CSRD Board will need to amend the existing *Building Regulation Bylaw No. 630* to include Electoral Areas B, and E and all of Area F, and will need to amend the inspection process and fees to reflect the six inspections.





## TO LEARN MORE

This *Overview* is an information resource to help residents of Electoral Areas B, E and F learn about the CSRD's new Building Inspection Service.

For additional information, go to [www.csr.bc.ca/services/building-regulationinspection](http://www.csr.bc.ca/services/building-regulationinspection) and review frequently-asked-questions (FAQ) on the service, as well as a *Building Scenarios* sheet that explains how the service's requirements

will apply to three different types of common construction projects. A *Building Inspection Glossary* is also available, as is a card that residents can complete to provide comments.

The CSRD will be hosting one Open House in each of Electoral Areas B, E and F to provide information and receive comments about the new service. The details are as follows:

### (AREA F)

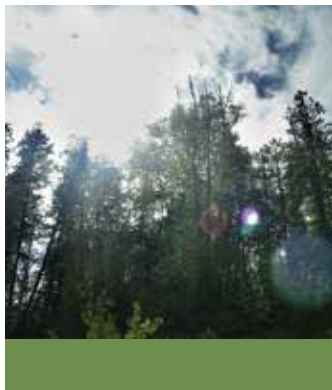
Scotch Creek Fire Hall  
3852 Squilax-Anglemont Hwy  
Monday, June 5, 2017  
4:00 pm to 7:00 pm

### (AREA E)

Sicamous Community Centre  
1121 Eagle Pass Way, Sicamous  
Wednesday, June 7, 2017  
4:00 pm to 7:00 pm

### (AREA B)

Revelstoke Community Centre  
600 Campbell Ave, Revelstoke  
Thursday, June 8, 2017  
4:00 pm to 7:00 pm



555 Harbourfront Drive NE Salmon Arm, BC V1E 3M1  
T: 250.832.8194 • F: 250.832.3375 • TF: 1.888.248.2773  
[inquiries@csrd.bc.ca](mailto:inquiries@csrd.bc.ca) • [csrd.bc.ca](http://csrd.bc.ca)



# OPEN HOUSE

Welcome to the Columbia Shuswap Regional District's Open House on the new Building Inspection Service for Electoral Areas B, E and F.

Please spend some time reviewing the poster boards to learn about the new service. Your Electoral Area Director and CSR staff are here to answer any questions you may have. There are a number of hand-outs available to take with you, including a 12-page *Overview* on the service. All of the information is also available online at the CSR website under the "services" tab ([csrd.bc.ca/services/building-regulationinspection](http://csrd.bc.ca/services/building-regulationinspection)).

# WHAT IS BUILDING INSPECTION?



## BUILDING INSPECTION

Building inspection services are established by local governments to ensure that new construction complies with the requirements of the *BC Building Code*, as well as the regulations that are set out in key community planning documents, such as Zoning Bylaws and Official Community Plans (OCPs).

Building inspection is most easily understood in the context of the broader land development process. In British Columbia, governments at both the provincial and local levels have important roles to play in creating and enforcing the rules that govern this process. The provincial government is responsible for creating the *BC Building Code*, a technical document that contains requirements and standards for the construction, alteration, repair and demolition of all types of buildings.

Local governments — including regional districts — regulate development using both land use and building bylaws. On the land use side, municipalities and regional districts create Zoning Bylaws and OCPs that outline their communities' long-term goals, and that guide development in ways that support the goals. On the construction side, local governments adopt Building Regulation Bylaws to enforce the requirements of the *Building Code*, and to detail the building permit approval process.

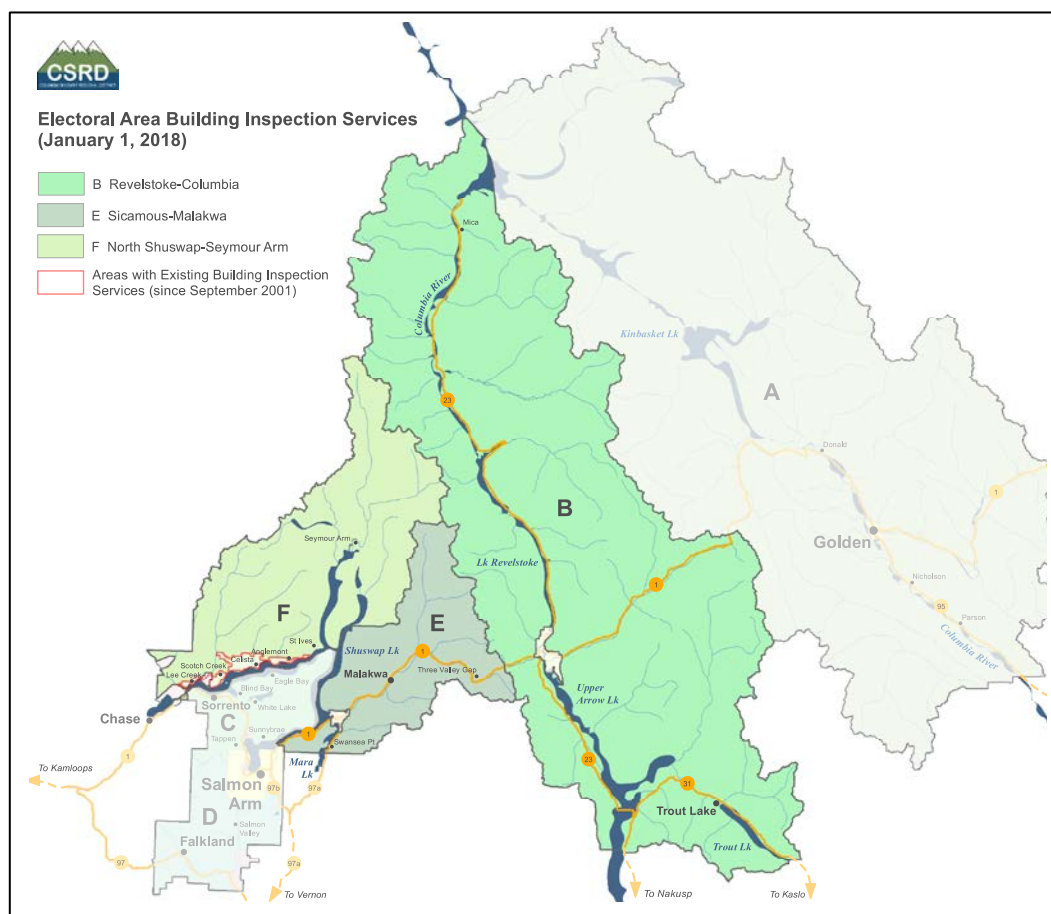
Property owners who wish to construct buildings in jurisdictions that are covered by a Building Regulation Bylaw must apply for and obtain a building permit before starting construction. Building inspection is the service through which applications for building permits are reviewed by local governments for compliance with the *BC Building Code*, and with the relevant Zoning Bylaws and OCPs.

## BUILDING INSPECTION

The new building inspection service will take effect on January 1, 2018, throughout all of Electoral Areas B, E and F. The service is a response, in part, to concerns about the consistency of construction quality, and adherence to the *BC Building Code* regulations. The initiative also reflects a strong desire on the part of residents and the CSR D to promote local planning goals. In Areas B, E and F, residents have invested heavily in the creation of Official Community Plans, Zoning Bylaws and other tools to identify and promote important goals, including goals related to the natural environment and community character. Building inspection will help to ensure that development respects and supports these goals.

The new service is limited to Areas B, E and F. Other areas of the CSR D, however, may opt into the service in the coming years.

It should be noted that since 2001, building inspection has existed in a portion of Electoral Area F. The new service will extend building inspection across the entire area, and will replace the existing service.



# VALUE OF THE SERVICE



## HEALTH AND SAFETY

The main purpose of a building inspection service is to protect public health and safety. Building inspection services help to ensure that residential, commercial, industrial and public buildings meet the minimum construction standards presented in the *BC Building Code*.

## PLANNING GOALS

Building inspection is a tool to implement and promote a community's local planning goals. In Electoral Areas B, E and F, residents have created OCPs and Zoning Bylaws with regulations to promote a range of important goals, including those related to the protection of watercourse riparian areas, and the type and form of community development. Through the building inspection service, projects will be reviewed for compliance with key planning regulations at a crucial stage in the development process — namely, before construction occurs. In the absence of building inspection, there is a risk that construction may proceed in ways that are not consistent with policies and regulations, and that undermine local planning goals. Construction without building inspection may also result in buildings being placed in potentially unsafe areas (e.g., hazardous areas). Efforts to enforce compliance after construction are costly and acrimonious for the property owners, local government, and local taxpayers.

### HOW DO BUILDING INSPECTIONS PROTECT PUBLIC HEALTH AND SAFETY?

Buildings are complex, particularly when they include plumbing, electrical wiring, and connections to drinking water and septic systems. The *BC Building Code* establishes minimum requirements that are designed to help keep occupants safe and healthy. When followed, the requirements help to ensure that buildings:

- ▶ are structurally sound, with proper building frames and foundations
- ▶ provide adequate fire protection
- ▶ address issues concerning radon gas
- ▶ provide adequate exits in the event of emergencies
- ▶ are equipped with proper plumbing for safe drinking water and liquid waste disposal
- ▶ minimize hazards to prevent accidents

All buildings are required to be constructed to the *BC Building Code*. Only buildings in areas with building inspection, however, are subject to the consistent and high level of oversight required, at key points of the construction process, to ensure that the *Code* is met and safety standards upheld.

## OTHER BENEFITS

Some of the other benefits of building inspection are as follows:

- ▶ **Ensures Other Requirements are Met** — A building inspection service allows local governments to ensure that property owners have obtained all necessary permits and development approvals, including those required by other agencies such as Interior Health, the Ministry of Transportation and Infrastructure, and BC Housing.
- ▶ **Promotes Equitable Taxation** — BC Assessment uses permit records to ensure that the assessed value of each property represents that property's true market value. This information provides for an equitable distribution of the property tax burden across all property owners. Without this information, owners who have improved their properties may not be paying their fair share of local taxes.
- ▶ **Provides Important Planning Information** — Local governments collect current and historical building data to assist in making development forecasts, planning policies, and infrastructure plans. The information is also accessed and used by a variety of public agencies and by individuals.
- ▶ **Protects Consumers** — Building permit records provide a level of assurance to homebuyers that construction work has been undertaken in accordance with the standards of the *BC Building Code*. Homeowners who are undertaking renovations can also take comfort in knowing that contractor plans have been reviewed and work inspected for compliance to important health and safety standards.

# WHEN DOES IT START?



## SERVICE APPROVAL

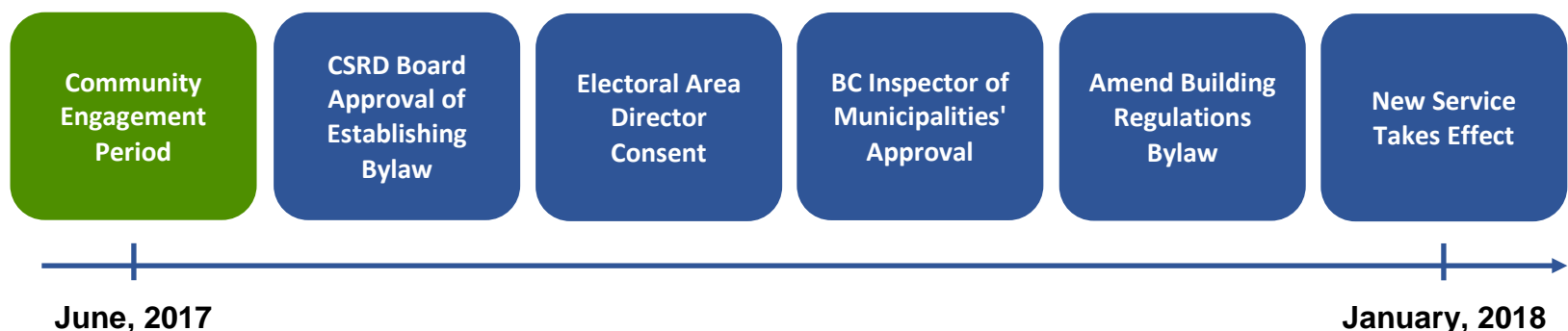
The new CSRD building inspection service will take effect throughout the whole of Electoral Areas B, E and F on **January 1, 2018**.

For the remainder of June, 2017, Electoral Area Directors and staff will be engaging the community on the new service — this Open House is a key part of the engagement effort. Following the engagement period, staff will prepare a building inspection service establishment bylaw for review by the CSRD Electoral Area Directors' Committee, and for submission to the CSRD Board.

After Board endorsement, the bylaw must receive approval of the electors within the service area. Sometimes when regional district services are established, referendums are used to obtain this approval. The *Local Government Act* recognizes, however, that referendums are not well-suited to every local government decision. Decisions to regulate the actions of individuals through the establishment of regulatory services such as building inspection are good examples. Regulatory services have important health, safety, economic, environmental and other benefits that are important to the broader community. These services do not require approval through a referendum. The *Act* enables the Electoral Area Director of each participating area to consent to establishing the service on behalf of, and for the benefit of, his or her electors. For the new CSRD building inspection service, approval will be obtained using this Electoral Area Director consent provision. A referendum on the new service will not be held.

Following Director consent, the Province's Inspector of Municipalities will be asked to give formal approval. The CSRD Board will then need to amend the existing *Building Regulation Bylaw No. 630* to include Electoral Areas B, E and all of F, and to change the inspection process and fees to allow for six inspections.

2018 JANUARY						
Sunday	Monday	Tuesday	Wednesday	Thursday	Friday	Saturday
	1	2	3	4	5	6
7			10	11	12	13
14	15	16	17	18	19	20
21	22	23	24	25	26	27
28	29	30	31			



## CONSTRUCTION UNDERWAY

Property owners who have passed the framing stage of construction prior to January 1, 2018, will not need to apply for a building permit. Owners in this situation should keep records of work (invoices, receipts, photos) to provide proof that construction did, indeed, reach this stage prior to the start of the new building inspection service. Any projects underway that have not proceeded passed framing will, as with all new projects, be subject to the requirements of the new service. Permits will be required for these projects.



# HOW DOES IT WORK?



## BUILDING PERMITS

On January 1, 2018, the new building inspection service will be introduced throughout all of Electoral Areas B, E and F. Property owners in these areas will be required to obtain a building permit before beginning construction of any type of building — single family, multi-family, commercial, industrial and public. There are some exemptions to this requirement; however, in most cases, owners will need to get a permit.\*

### Building Permits Required

- ▶ construction of a house, townhouse, commercial, industrial or public building
- ▶ construction of accessory buildings, including most structures (e.g., garage) larger than 10 m<sup>2</sup> (110 ft<sup>2</sup>)
- ▶ demolition of a building
- ▶ significant alternation to, or repair of, an existing building
- ▶ changes to the use or occupancy of a building
- ▶ relocation of a building
- ▶ alterations that affect venting or sewerage
- ▶ installation of a factory-built or manufactured building

### Building Permits NOT Required

- ▶ one-storey accessory buildings that are under 10 m<sup>2</sup> (110 ft<sup>2</sup>), and that do not create a hazard
- ▶ non-structural projects valued at less than \$10,000 that do not create sleeping spaces
- ▶ farm buildings with "low human occupancy", situated on properties assessed as Farm
- ▶ various non-structural repairs
- ▶ patios, decks or balconies that are less than 0.61 m (2 ft) off the ground
- ▶ repairs or minor alterations to plumbing that do not affect the venting or sewerage
- ▶ landscaping retaining walls less than 1.5 m (4.5 ft) high that do not support buildings or parking

## BUILDING PERMIT PROCESS

- ▶ **Application** — To start the process, the property owner will submit an application that details the type of construction, alteration or repair, and the value of the proposed work. Drawings and a site plan will need to be provided, and the permit fee will need to be paid. Other documents may also be required, depending on the type and location of the project.
- ▶ **Plan Checking** — The application and plans will be reviewed by CSRD staff for compliance with the *BC Building Code*, the *CSRD Building Bylaw*, local Zoning Bylaw regulations, and development permit guidelines in the applicable OCP. Compliance with other agency approval processes will also be reviewed. After all checks have been done and concerns addressed, a building permit will be issued.
- ▶ **Building Inspections** — CSRD inspectors will conduct six (6) on-site building inspections at key points of construction.

Once a building permit is issued, construction will need to begin within six (6) months, and completed within three (3) years.

### Six (6) Building Inspections

On-site building inspections will be conducted at key points of the construction process, including at the:

1. Footing construction stage (before concrete)
2. Installation of perimeter drainage pipe and drain rock (prior to backfilling)
3. Installation of building drain, sanitary or storm sewer, and plumbing system (prior to backfilling)
4. Framing construction stage (before drywall)
5. Insulation, vapour barrier and air barrier stage
6. Completion of the project

The existing building inspection service in Area F requires only three (3) inspections. Industry best practices, however, suggest that six (6) is the minimum number needed to ensure adherence to the *BC Building Code*. In most places, including in the municipalities of the CSRD, more than six (6) inspections are required.

\* To find out if a specific project will require a permit, contact the CSRD building staff at 1.888.248.2773.

# COST OF BUILDING INSPECTION



## SERVICE COSTS

The new building inspection service is expected to cost about \$370,000 in its first year of operation (2018). More than half of that cost — close to \$200,000 — will be recovered in the form of building permit fees; the remainder will be raised through property taxes on all properties (land and buildings) in Areas B, E and F.

Service costs will increase from those of the current Area F service, given the increase in service area, the number of affected properties, and the higher number of inspections in the new service (six inspections instead of three). Service revenues will also increase.

## BUILDING PERMIT FEES

The permit fees will be consistent with those in place in the existing Area F service, with adjustments to reflect the additional three inspections under the new service. Three types of fees will be payable for each application:

- ▶ application fee
- ▶ permit fee (based on construction value)
- ▶ special fees for items such as demolitions, moving a building, changing occupancy type, and other cases

The application fee will be **\$72** for a single family dwelling, and **\$288** for multi-family, commercial, public or industrial buildings. The permit fee will be a flat charge of **\$648**, plus:

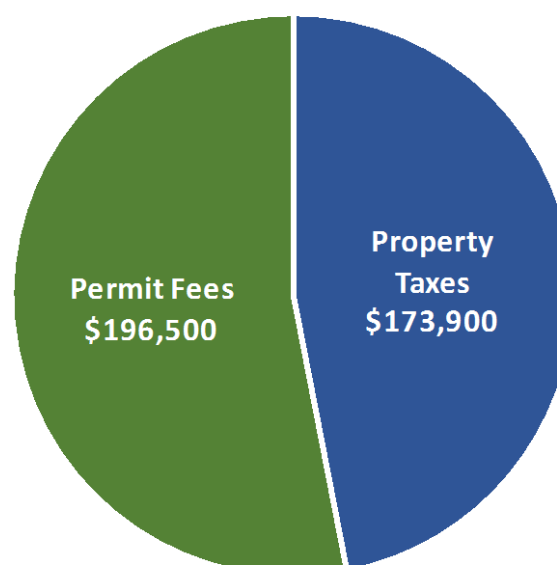
- ▶ **\$72** for the first **\$1,000** of construction value
- ▶ **\$7.20** for each additional **\$1,000** of value, up to **\$100,000**
- ▶ **\$6.00** for each additional **\$1,000** of value over **\$100,000**

## PROPERTY TAX IMPACT

All property owners in Areas B, E and F will contribute to the net cost of the new building inspection service. The accompanying table shows the annual tax payment for different property types and assessed values (land and improvements), based on 2016 assessments.

Property Type	Assessed Value	Tax Rate	Tax Payment
Residential	\$200,000	0.078	\$15.60
	\$250,000	0.078	\$19.50
	\$300,000	0.078	\$23.40
Commercial	\$500,000	0.191	\$95.55
	\$1,000,000	0.191	\$191.10
Industrial	\$1,000,000	0.265	\$265.19

**Building Inspection  
Cost Recovery**



### Building Permit Fee Single Family (Detached) House Construction Value \$200,000

Application fee	<b>\$72</b>
Permit Fee	<b><u>\$2,033</u></b>
<b>Total</b>	<b>\$2,105</b>

This fee allows for the six (6) required inspections; an additional inspection for a fireplace (if required) would be an extra \$72.

Note that the CSR D has the ability to credit the application fee to the total building permit fee. In such cases, the total fee for the \$200,000 single family house would be **\$2,033**.

# GLOSSARY: PART I



## APPLICATION DOCUMENTS

Building permit applications must be accompanied by a number of different documents. This chart describes some of the key documents, and explains where to get them.

DOCUMENT	DESCRIPTION	WHERE TO GET IT
Statement of Title	A statement of title details the ownership of a lot, its legal description, and the list of any documents registered on title (mortgages, easements, covenants, etc.).	A statement of title is obtained from the BC Land Title and Survey office ( <a href="http://www.ltsa.ca">www.ltsa.ca</a> ). The website provides a list of registry agents that can provide, and help owners interpret, the statement of title and other documents registered on title.
Covenants and Easements	Easements are agreements that allow other parties access to the property (for services, driveway access, etc.). Covenants are commitments that are attached to the property, typically regarding use, and that bind the property owners. Covenants and easements are registered on title.	Copies can be obtained through a registry agent at the BC Land Title and Survey office ( <a href="http://www.ltsa.ca">www.ltsa.ca</a> ). A lawyer, notary public or land surveyor can also provide title searches, and provide an explanation of any records or documents registered.
Letter of Authorization	A letter of authorization enables a builder, contractor or other third party to submit plans and applications on behalf of the property owner. Authorization forms must be signed by all owners of the property.	The CSRD has an authorization form available at the office or online ( <a href="http://www.csr.bc.ca">www.csr.bc.ca</a> ).
Estimated Value	Building permits require an estimate of the value of the improvements. This estimate, which is different from the cost of the materials or work, takes into account the amount that the improvement will add to the value of the property.	Typically the estimated value on building permits is provided by the applicant, and is based on figures from the contractor or builder. The amount is not affected if the project is completed by the owner, or if any materials are obtained for free. If the value is unknown, refer to <i>CSRD Building Regulation Bylaw</i> schedule .
Record of Sewage System and Septic Letter of Certification	Buildings that have plumbing or may change septic loads require proof that there is an adequate septic system to handle the wastewater.	The Salmon Arm Health Centre (250.833.4106) can provide more information on septic approvals. Septic systems must be built by an Authorized Person who must submit a Record of Sewage System (RSS) prior to construction, and a Letter of Certification to Interior Health within 30 days of completing construction. The Letter of Certification is required prior to receiving final building occupancy approval by the CSRD.



# GLOSSARY: PART II

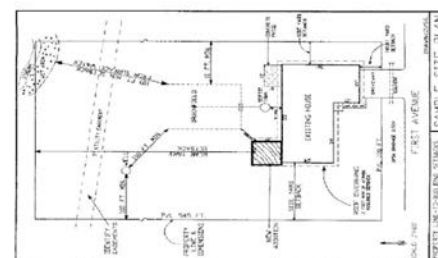


## BUILDING PLANS

Building permit applications require copies of building plans, including site plans, elevations, cross sections, floor plans and foundation plans.

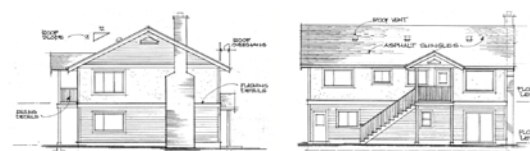
### ► Site Plan

Site plans illustrate the physical location of improvements, such as buildings and driveways, in relation to the property lines, and to natural features on the property. Site plans must include the distances from the buildings to the property lines and features.



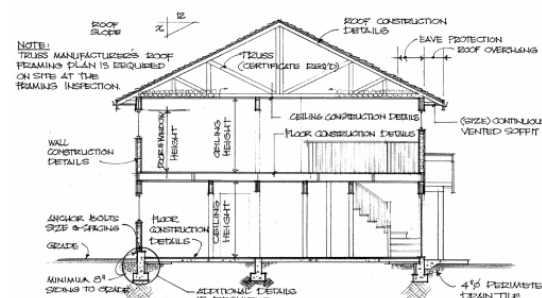
### ► Elevations

Elevations show what the building will look like from each side (rear, front and both sides) once constructed. Plans are drawn to scale.



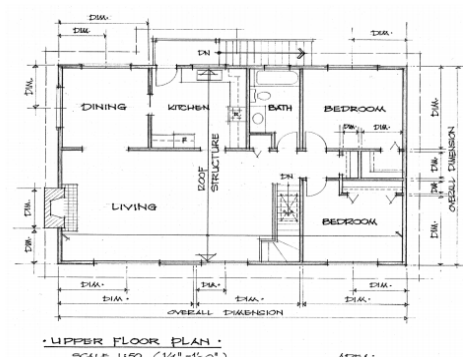
### ► Cross Section

Cross Section plans show the structural detail of the inside of a building, as though it were cut on a vertical plane. Plans show ceiling heights, wall, floor and ceiling thicknesses, truss and framing information, and other details. Plans are drawn to scale.



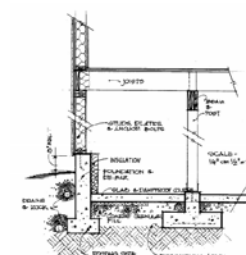
### ► Floor Plans

Floor plans show the inside details of each storey from “plan view”, looking from the top down into the building (as though the roof were removed). The plans show the dimensions and use of each room, and the relationships among rooms, spaces and features. Sometimes called blueprints, floor plans are drawn to scale.



### ► Foundation Plan

Foundation plans typically use the floor plans of the ground floor to indicate the footings and foundation walls. Foundation plans can be accompanied with additional cross section detail to show more information on the construction, materials and surrounding works.



# RENOVATION SCENARIOS



## RENOVATION TO INCLUDE SECONDARY SUITE

The property owner, builder and CSRD have important and distinct roles in the building inspection service. This scenario describes these roles in the renovation of an existing house to include a secondary suite.

### Property Owner

- ▶ hire a builder; discuss plans, materials, cost
- ▶ get certificate of title and copies of covenants
- ▶ obtain plans from builder, including
  - 2 sets of building plans showing elevations
  - site plan with dimensions
  - foundation plan
  - floor plan
  - cross sections
- ▶ estimate value of improvements
- ▶ obtain record of sewerage system (Interior Health)
- ▶ submit building application, along with fee, to CSRD
- ▶ sign and submit agent authorization form ([www.csr.bc.ca](http://www.csr.bc.ca)) if builder or contractor is making submissions and decisions on behalf of property owner
- ▶ pay remainder of building permit fee, once permit ready to be issued
- ▶ provide letter of certification for septic system (prior to final approval and occupancy)
- ▶ ensure that any other permits (e.g., electrical, gas) are obtained from BC Safety Authority



### Home Builder

- ▶ become a Licensed Registered Builder
- ▶ prepare and discuss plans with owner
- ▶ submit plans as part of the building permit process
- ▶ coordinate and obtain any other relevant permits (e.g., electrical, gas) on behalf of owner
- ▶ begin work on house after permit(s) received
- ▶ contact CSRD building inspectors to inspect during framing, insulation and final stages
  - 2 or 3 inspections required, depending on age of home and level of insulation



### CSRD

- ▶ review application and accompanying plans
- ▶ inform applicant of any additional requirements (e.g., other studies, development permits)
- ▶ confirm total fee and collect fee from applicant upon issuance of building permit
- ▶ identifies number of inspections required
- ▶ conducts inspections when contacted by owner/builder

## RENOVATION OF KITCHEN AND BATHROOM

This scenario describes the roles in the renovation of a kitchen and bathroom, without structural change or relocation of plumbing fixtures.

### Property Owner

- ▶ hire a builder; discuss plans, materials, cost
- ▶ confirm with builder that there are no structural changes to the house that require a CSRD building or plumbing permit
  - septic assessment and confirmation, as well as electrical / gas permits, may still be required



### Home Builder

- ▶ confirms with property owner that no CSRD permits are required, based on plans



### CSRD

- ▶ no applications, review or inspection required

# CONSTRUCTION SCENARIO



## NEW HOUSE ON A VACANT LOT

The property owner, builder and CSR D have important and distinct roles in the building inspection service. This scenario describes the role of each player in the construction of a new house on a vacant lot.

### Property Owner

- ▶ hire a builder; discuss plans, materials, cost
- ▶ get certificate of title and copies of covenants
- ▶ obtain plans from builder, including
  - 2 sets of building plans showing elevations
  - site plan with dimensions
  - foundation plan
  - floor plan
  - cross sections
- ▶ estimate value of improvements
- ▶ obtain record of sewerage system (Interior Health)
- ▶ submit building application, along with fee, to CSR D
- ▶ sign and submit agent authorization form ([www.csr d.bc.ca](http://www.csr d.bc.ca)) if builder or contractor is making submissions and decisions on behalf of property owner
- ▶ pay remainder of building permit fee, once permit ready to be issued
- ▶ provide letter of certification for septic system (prior to final approval and occupancy)
- ▶ ensure that any other permits (e.g., electrical, gas) are obtained from BC Safety Authority



### Home Builder

- ▶ become a Licensed Registered Builder through BC Housing
- ▶ prepare and discuss plans with owner
- ▶ submit plans as part of the building permit process
- ▶ coordinate and obtain any other relevant permits (e.g., electrical, gas) on behalf of owner
- ▶ begin work on house after permit(s) received
- ▶ contact CSR D building inspectors to inspect during each of 6 stages in the process (2 business days' notice required for each inspection)



### CSR D

- ▶ review application and accompanying plans
- ▶ inform applicant of any additional requirements (e.g., other studies, development permits)
- ▶ confirm total fee and collect fee from applicant upon issuance of building permit
- ▶ conduct inspections at each of 6 stages of construction, when contacted by owner/builder



Columbia Shuswap Regional District

# **BUILDING INSPECTION SERVICE ELECTORAL AREAS B, C & E BUSINESS CASE**

This *Business Case* has been prepared by Neilson-Welch Consulting Inc. for the Columbia Shuswap Regional District. The document is presented for discussion with, and for the sole use of, the Regional District. No representations of any kind are made by the consultants to any party with whom the consultants do not have a contract.

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## INTRODUCTION

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This *Business Case* explains the need for, and presents a complete outline of, a proposed building inspection service for Electoral Areas B, C and E of the Columbia Shuswap Regional District (CSRD).

The document consists of three main chapters. Chapter 1 provides an overview of building inspection — what it is, why it is important, and where it is provided. The chapter also identifies and assesses alternatives to building inspection. The history of building inspection efforts in the CSRD is reviewed, and the subject electoral areas are profiled. The need for a new building inspection service in the three areas is presented to close the chapter.

Chapter 2 outlines in detail the proposed new building inspection service. All key elements of the service are profiled, including:

- a description of the service
- the specific service area
- the types of development that would be subject to the service's requirements
- exemptions under the service
- building permit conditions
- the authority of the building inspector under the service
- building permit fees that would be charged
- the service's financial model

Chapter 3 deals with service establishment. Legislative requirements and options for bylaw approval are reviewed, and a suggested service start date is provided. The need for extensive community consultation is highlighted, and a consultation program is presented.

This *Business Case* was reviewed in draft form with CSRD staff in July, 2016. Comments and direction from staff have been incorporated into this *Business Case* document for presentation to the CSRD Board of Directors.

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## CHAPTER 1

### BUILDING INSPECTION

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#### DEVELOPMENT

Development is an important activity across British Columbia. Where managed properly, it can contribute to the economic prosperity of the host community, the surrounding region and the province as a whole. It can enrich communities in other ways as well, including through the construction of public infrastructure systems, the addition of community parkland, and the creation of other local amenities. The influx of new residents through development can enhance community diversity.

The development process relies on the efforts and contributions of both the private and public sectors. Developers, home builders and construction companies in the private sector bring ideas and capital required to develop the parcels, homes, and commercial buildings that, taken together, create the built environment.

Governments exist to establish the regulatory framework that sets out how and where development and construction can occur.

#### ➤ Provincial Government

In British Columbia, governments at both the provincial and local levels have important roles to play in creating and enforcing the rules that govern the development process. The provincial government establishes laws, such as the *Local Government Act*, to authorize and/or require the establishment of land use plans and planning tools at the local level, as well as the establishment of local building inspection services and building regulations. The provincial government is responsible, as well, for establishing the *BC Building Code*, a technical document that sets out the requirements, standards and provisions to govern the construction, alteration, repair and demolition of all types of structures in British Columbia.<sup>1</sup> Public safety is the principal focus of the *Code*; also included in the document, however, are requirements for energy and water efficiency.

#### ➤ Local Governments

Local governments regulate development in certain key ways. On the land use side, local governments formulate land use policies, bylaws and permit processes that together articulate the community's long-term goals, and guide development in ways to support the goals. The documents, which include official community plans, zoning bylaws, development permit areas, development cost charge bylaws and other tools, set out:

- the areas in which different types of development may and may not occur

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<sup>1</sup> In BC, the *Code* does not apply to structures on certain lands owned by the federal government, or to structures on lands within the City of Vancouver. Vancouver has its own building code (which is very similar to the *BC Building Code*).





- various requirements related to densities, heights, setbacks, lot coverage and other features
- the processes, including public consultation, that developers must complete to obtain development approval
- the fees that must be paid to protect existing taxpayers from paying the full infrastructure and administrative costs associated with development

On the construction side, local governments exercise regulatory oversight through the establishment of local building inspection services, and, pursuant to these services, the adoption of building regulation bylaws. Building regulation bylaws are the vehicles through which local governments apply the rules, standards and provisions of the *BC Building Code*. Developers and others who wish to construct buildings in a jurisdiction covered by a building regulation bylaw must first apply for and obtain specific permits, the most important of which is a building permit. Local governments review application packages against land use and building requirements, issue permits to allow construction to begin, and undertake a series of on-site inspections of the permitted project during key stages of construction.

#### **BUILDING INSPECTION IN BC**

The *BC Building Code* applies throughout the province to promote and require safe construction in every community. The efficacy of the *Code*, however, is dependent on local government enforcement through the establishment of a building inspection service and building regulation bylaw. Local governments in British Columbia are not required to establish building inspection in order to enforce compliance to the *BC Building Code* and local government planning regulations — for regional districts and municipalities the authority to take action is permissive, not prescriptive. The vast majority of local governments across British Columbia, however, have elected to make use of the authority available. In the southern parts of the province where populations, growth rates and development activity are highest, local building inspection services are almost ubiquitous. Indeed, every regional district and that surrounds the CSRD has put in place a building inspection service to implement the *BC Building Code*, including:

- Thompson Nicola Regional District
- North Okanagan Regional District
- Kootenay Boundary Regional District
- Central Kootenay Regional District
- East Kootenay Regional District
- Fraser-Fort George Regional District
- Cariboo Regional District
- Central Okanagan Regional District
- Squamish Lillooet Regional District
- Okanagan Similkameen Regional District
- Fraser Valley Regional District

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Within the CSRD itself building inspection is a feature in every member municipality, as well as in a portion of Electoral Area F. Building inspection is not at present provided, however, in any of the remaining electoral areas of the Regional District. This situation sets the CSRD apart from all surrounding regions, with the sole exception of the Regional District of Okanagan-Similkameen, where building inspection applies only in six of eight electoral areas. The situation, it is worth noting, sets CSRD apart as well from regional districts on Vancouver Island.<sup>2</sup>

### **BENEFITS OF BUILDING INSPECTION**

The protection of public health and safety is the primary focus of building inspection services. Local governments undertake building inspection to ensure that the residential, commercial and public buildings that make up the built community meet the minimum construction standards set out in the *BC Building Code*. Buildings that comply with these standards are safe for their current and future occupants, and for the community around them.

Apart from health and safety, local governments use building inspection as a tool in the implementation of a community's land use policy. At the permit application stage where plan checking occurs, and during on-site inspections, local governments have opportunities to enforce regulations and requirements contained in zoning bylaws, OCPs (development permits) and other planning documents. Local governments without building inspection services lack these opportunities for enforcement early in the construction process. These local governments are forced to pursue enforcement actions after construction has been completed. Such "after-the-fact" enforcement is not considered effective.

The protection of health and safety, and compliance to land use policy, are strong reasons for having a building inspection service in place. Other benefits, however, may also be realized. Consider the following points:

- *Trigger for Other Permits* — A building inspection service allows local government plan checkers and inspectors to ensure that builders have obtained the necessary permits and approvals from other public agencies, such as BC Safety Authority (electrical and gas permits), Interior Health (septic systems), Ministry of Transportation (highway access permit) and BC's Homeowner Protection Office (home warranty and registered builder assurance). Builders are alerted to the need for these other approvals when applying for a building permit, and must show that all requirements have been met prior to buildings being occupied.
- *Measure to Promote Equitable Taxation* — Local property value taxes are the primary means by which local governments in British Columbia pay the costs of services provided to their communities. Property taxes are based on the

<sup>2</sup> Across Canada building inspection is identified in every province as a service that local governments may provide. In Ontario, building inspection must be provided.



assessed market value of individual parcels, as determined each year by BC Assessment. Assessed values change over time based on a number of factors, a key one of which is the degree to which properties are improved through the construction or re-development of structures.

BC Assessment relies on local government building and permit data to accurately build its annual assessment rolls. Assessment rolls that are based on accurate, up-to-date building data help to ensure that tax burdens are distributed equitably across service areas. Local governments with building inspection services are able to provide the data required by BC Assessment; local governments without building inspection are not.

- *Mechanism to Collect Other Charges* — In addition to property tax revenues, local governments rely on fees and charges to fund infrastructure and pay for specific services. Building inspection services provide a trigger and collection method for certain fees and charges that are tied to building permits (development cost charges are a prime example).
- *Opportunity to Provide Advice* — In many communities, prospective homebuilders and others will seek advice from local governments on construction standards, possible equivalencies, development requirements and other development-related matters. Local governments with a building inspection service in place are well positioned to provide such advice.
- *Provision of Information* — Local governments play an important role in collecting current and historical data and information that is used by a variety of public agencies and individuals. Development data are used by Statistics Canada, CMHC and other agencies to inform policy development and, in some cases, determine senior government payments to local authorities.

Individual property owners who construct buildings within a building inspection service framework would realize some additional benefits. A key one would relate to property insurance premiums. Buildings that have received building permits and that have been subjected to inspections at various stages of construction would qualify for lower insurance premiums that would otherwise be charged. Over the lifespan of the buildings, the savings from these reduced premiums would more than offset any building permit fees.

#### **ALTERNATIVES TO BUILDING INSPECTION**

Local governments that recognize the value of building inspection, but that are reluctant to introduce a full building inspection service, may seek out service alternatives. Three specific alternatives tend to be examined, including:

- regulation of construction through the Homeowner Protection Office
- home inspection services, retained at time of purchase

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- development of a siting permit process (also referred to as "building inspection lite")

#### ➤ **Homeowner Protection Office**

The Homeowner Protection Office (HPO) was created in 1998 following the Barrett Commission's investigation into the quality of condominium construction in BC. Under the *Homeowner Protection Act*, the HPO today is a branch of BC Housing that exists to provide basic consumer protection for buyers of new homes (single- and multi-family), and to improve the quality of all residential construction in the province.

Under the legislation, all builders of homes in the province must be licensed with the HPO. All new homes must also be protected by a home warranty program that is offered through a licensed insurance company (i.e., a home warranty provider). Compliance officers at the HPO are responsible for enforcing the agency's rules and regulations. These officers may enter construction sites at any time to ensure that all builders are licensed, and to inspect the work of the builders. The officers have the power to issue "compliance orders", which can be enforced by the courts. Home warranty providers may also undertake an on-site evaluation of specific (limited) construction aspects in order to minimize insurance risks. Home warranty providers undertake site visits, post construction, to investigate possible defects that are the subject of claims.

Some local governments have pointed to the HPO's consumer protection framework as a possible alternative to a local building inspection service. The HPO option, however, falls short in three important respects:

- The inspections undertaken by the compliance officers are not performed to ensure compliance to the *BC Building Code* or to local land use regulations. The inspections are performed, instead, to ensure that all builders on site are licensed with the HPO.
- The inspections undertaken by home warranty providers also do not test for compliance against the *Code* or local bylaws. The purpose of these inspections is to manage insurance risks and insurance losses.
- The HPO regulations cover residential buildings only. The regulations have no application to commercial, industrial, institutional or other types of construction.

It is worth noting that the HPO consumer protection framework was never conceived, and is not intended to serve, as an alternative to building inspection. The framework was instead designed to complement local government building inspection services. Section 30 of the *Homeowner Protection Act* refers to local government building permits. It instructs local governments to issue permits



only to licensed builders, and only for projects that are covered by home warranty insurance.

#### ➤ **Home Inspection**

Home inspectors, who may be registered with the Home Inspectors Association of British Columbia, provide on-site inspections of new and existing homes for prospective buyers. Inspectors are concerned primarily with identifying significant maintenance and building issues that may require substantial investment, post-sale, to remedy. These inspectors perform inspections on finished products only, and thus are not able to confirm that the structures are in full compliance with the *BC Building Code*.<sup>3</sup> Home inspectors are also not concerned with compliance to land use bylaws.

Many prospective home buyers feel that home inspectors play an important role in minimizing risk associated with home purchase. Home inspectors, however, are not intended to replace the work of local government building inspectors.

#### ➤ **Siting Permits**

A local government building inspection service consists of two fundamental parts: plan checking and inspection. Plan checking is the process through which local government plan checkers review building permit applications to ensure compliance, on paper, with local government land use regulations, including siting, lot coverage, setbacks, height and any applicable development permit area requirements. Plan checking also allows staff to assess compliance, on paper, with the construction standards in the *BC Building Code*. Applications that have taken into account all land use and *Building Code* requirements are approved; building permits are issued for these applications.

Inspections are undertaken on permitted projects at various stages of the construction cycle. Inspections allow building inspectors to assess *actual* compliance, on the ground, with local bylaws and the *Building Code*.

A siting permit service focuses on the plan checking component of building inspection, and either eliminates or significantly reduces the inspection component. All new construction is required to apply for and obtain a siting permit to ensure compliance, on paper, with local land use bylaws and *Building Code* requirements. Actual inspections to confirm compliance at various stages of construction, however, are either not required at all or are curtailed.

Siting permits do offer the promise of greater compliance with local planning requirements and with construction standards. The approach is not, however, effective at ensuring a high degree of *actual* compliance, particularly in cases where on-site inspections are eliminated altogether. The ability of the approach

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<sup>3</sup> Not all home inspectors would be qualified, in any event, to assess compliance to the *Building Code*.



to protect public health and safety, and to support the local community's land use goals, is questionable.

Another concern relates to the authority of local governments to establish siting permit programs. In BC, explicit authority for a planning-focused version of the approach is provided under the *Islands Trust Act*, but only for the Islands Trust. Regional districts do have the same explicit authority at present.

The CSRD examined the possibility of a siting permit service in 2011. A framework based on the 2011 idea was developed in 2014 to regulate construction in all electoral areas outside of the Business Improvement Association portion of Electoral Area F. Under the proposed framework, single- and two-family buildings were to apply for "building declaration and siting permits" through a process that relied heavily on plan checking, and that minimized — and in some cases eliminated — on-site inspections. The new approach was never implemented by the CSRD. Concerns over liability and duty of care responsibilities forced the Regional District to abandon the initiative.

### **BUILDING INSPECTION IN THE CSRD**

In the CSRD, building inspection exists — and has for some time existed — as an important local government service in every member municipality. In the Regional District's electoral areas, the situation is somewhat different. Building inspection for the electoral areas has been a topic of discussion and some debate in the CSRD since the establishment of the Regional District in 1965. In 1966, the CSRD Board of Directors put in place a building inspection service throughout all electoral areas. This service, implemented through *CSRD Building Bylaw No. 6, 1966*, was short-lived — eighteen months after its adoption it was repealed. From 1968 through 1975, a reduced building service without scheduled on-site inspections was created for portions of Electoral Area B only. In 1975, this service was expanded through *CSRD Building Regulatory Bylaw No. 85* to include portions of Electoral Area E.

*Bylaw 85* was amended by *Columbia-Shuswap Building Regulatory (Amendment) Bylaw, No 129* in 1977 to provide for seven inspections and the requirement for an occupancy permit. A further amendment was made in 1978 (*Bylaw 266*) to impose a time limit on building permits, and to include provisions for the revocation of permits. *Bylaw 487* in 1984 introduced new building permit fees, including fee minimums. The service area, limited to portion of Electoral Areas B and E, remained unchanged over these years.

*Bylaw 85* was the regulatory bylaw through which the Regional District carried out its authority to regulate construction. In early 1990, *Bylaw 85* was replaced by two separate bylaws, namely *Building Inspection Extended Service Area Establishment Bylaw No. 570*, and *CSRD Building and Plumbing Bylaw No. 580*. *Bylaw 570* was introduced as the establishing bylaw for the building inspection service. The bylaw defined the service, set out the service area (unchanged), and outlined cost recovery for the service. *Bylaw 580* became the building regulatory bylaw through which

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building inspection was applied. Eight on-site inspections were prescribed in *Bylaw 580* for all types of structures (i.e., residential, commercial and other).

In late 1991, *Bylaw 580* was replaced by *CSRD (Area B) Building and Plumbing Bylaw No. 595*, and *CSRD (Area E) Building and Plumbing Bylaw No. 600*. As the titles suggest, *Bylaw 595* took the provisions of *Bylaw 580* and applied them within the serviced areas of Electoral Area B only. *Bylaw 600* did the same for the serviced areas of Electoral Area E.

Changes to the service establishing bylaw (*Bylaw 570*) and the building regulatory bylaws (*Bylaw 595* and *Bylaw 600*) occurred over the following ten years. The service area expanded to include portions of Electoral Area F, then contracted to eliminate the original portions of Areas B and E. By 2001, building inspection in the non-municipal areas of the CSRD applied only in the portions within Area F, as outlined under *CSRD Building Regulatory Bylaw, No. 630*, which remains in effect today.

## **ELECTORAL AREAS B, C AND E**

### **► Electoral area B**

Electoral Area B (Revelstoke Rural) is a vast area geographically, but is also the smallest of the CSRD's six electoral areas in terms of population with fewer than 600 residents. Figure 1.1 gives a sense of Area B's size and location within the CSRD. There are seven distinct communities within Area B, including:

- South Revelstoke
- Begbie Bench
- West Trans-Canada Highway
- Lake Revelstoke (Mica Creek and Downie Loop)
- Arrow Lakes (Galena Bay, Beaton, Shelter Bay and Arrowhead)
- Trout Lake
- East Revelstoke (Canyon Hot Springs and Greeley)

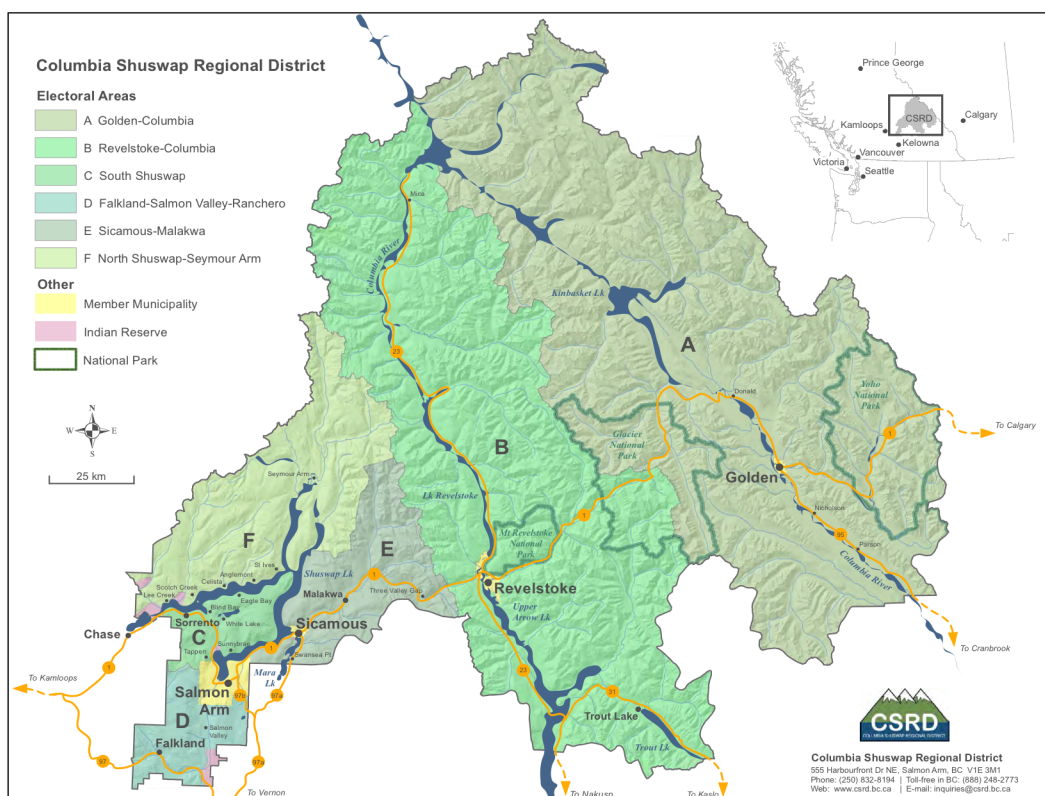
In the 1970s and 1980s, the Area underwent a series of sharp population fluctuations associated with the construction of the Revelstoke and Mica Dams. Since that time, however, both the Electoral Area and the City of Revelstoke have experienced net population losses. In the coming years this trend is expected to be reversed in the City and in the surrounding community of South Revelstoke thanks to the ongoing development Revelstoke Mountain Resort.

This potential for development is one of the driving factors behind the current interest in a building inspection service. Another is the desire to explore development opportunities on Lake Revelstoke and at Trout Lake. The need to ensure that all development respects sensitive ecosystems is a third factor. The Electoral Area B *Official Community Plan*, created with the community in 2014, identifies the re-introduction of building inspection as a strategic action to be pursued in the short term for the Electoral Area as a whole.





**Figure 1.1**  
**CSRD Electoral Areas and Member Municipalities**



### ► Electoral Area C

Measured in square kilometres, Electoral Area C (South Shuswap) is the smallest of the Regional Districts unincorporated areas. In terms of population, however, it is the largest with close to 8,000 full-time residents. Area C is located just to north of the City of Salmon Arm on Shuswap Lake (see Figure 1.1). The main community in Area C is Sorrento, which is also the designated Village Centre in the Area C *Official Community Plan*. Other local communities include:

- Blind Bay
- Eagle Bay
- White Lake
- Sunnybrae
- Tappen

Electoral Area C has invested heavily in the development of a local planning framework. The Area's 2015 OCP sets out a clear vision for the Area's communities, based on principles of sustainability and protection of Shuswap Lake. Development permit areas, shoreline setback regulations, zoning

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restrictions and other planning tools are put in place to ensure that new development enhances the natural environment.

Future growth, while less intensive than in the nearby Okanagan Valley, is anticipated to occur at a moderate level over the next twenty years. A diversity of housing types and commercial units is encouraged. Development is to be concentrated primarily in Sorrento (Village Centre) and only then in the other local communities (Secondary Centres). New development throughout the area is to be serviced by proper water and sewer systems.

With the exception of the eighteen-month period from late 1966 to early 1968, there has never been a building regulation bylaw or building inspection service in Electoral Area C. Throughout the years, however, debate over the merits of a local building inspection service has occurred with some frequency. Debate has been strong in the past decade in response to a number of factors, including:

- increased development pressure along the lakeshore and within Sorrento and Blind Bay
- growing concerns about the impact of unregulated development on Shuswap Lake's water quality, shoreline ecosystems and recreational value
- an increase in regulatory violations, unintentional and intentional, in the development of lots that are subject to setback, height, lot coverage, density and other planning restrictions

#### ➤ **Electoral Area E**

Electoral Area E is situated between the Cities of Salmon Arm and Revelstoke along Highway 1. The District of Sicamous is located at the western edge of the Area. The year-round population of 1,300 is concentrated in the Eagle Valley, which includes the unincorporated community of Malakwa. Swansea, a community in the southwest of the Area on Mara Lake, is a largely-seasonal residential centre.

Electoral Area E has not experienced, and does not anticipate, development pressures similar to those in Area C. Similar to Area C, however, Electoral Area E is intent on ensuring that all future growth occur in ways that respect and, where possible, enhance the natural environment. The Electoral Area E *Official Community Plan* (Proposed) identifies a number of development permit areas to protect sensitive ecosystems. Other planning tools are identified to ensure that development supports community characteristics and planning goals. Building inspection is anticipated as a key tool to help the community realize its goals, and to promote building safety.

#### ➤ **Building Inspection**

Each of the three electoral areas has its own specific reasons for considering building inspection. Common to all of the jurisdictions, however, is the desire to





ensure that new development respects and supports each community's local planning goals. These goals, which include strong protection for local ecosystems and community character, have been developed through local planning processes in which residents have invested considerable resources, including time, energy and money.

A building inspection service that combines an on-site inspection schedule with pre-construction plan checking offers an effective way for the CSRD to ensure that new development conforms to local planning goals. Plan checking is important for ensuring that building plans take into account all planning rules and regulations. It is also important for ensuring that builders have obtained the range of permits and approvals from other government agencies, such as Interior Health. Plan checking on its own, however, is not enough to prevent violations from occurring. On-site inspections are needed to ensure that actual on-the-ground development respects local and other requirements that exist to protect the natural environment and the community character, as well as other key planning principles. On-site inspections also ensure conformity to the health, safety and environmental requirements of the *BC Building Code*.

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## CHAPTER 2

### PROPOSED SERVICE

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This chapter provides an outline of the proposed building inspection service for Electoral Areas B, C and E. All key elements of the service are identified and explained in detail, including:

- service definition
- service area
- types of development
- permit exemptions
- service stages
- permit conditions
- authority of building inspector
- permit fees
- service financial model

#### SERVICE DEFINITION

The service would be identified as *Sub-Regional Building Inspection (Electoral Areas B, C and E)*. It would be established to regulate all construction that occurs within the service area. The term "construction" includes:

- construction of a new structure
- demolition of an existing structure
- excavation of a building site
- significant alteration to an existing structure
- significant repair to an existing structure
- changes to the use or occupancy of an existing building
- relocation of an existing building
- installation of plumbing fixtures
- alterations that affect a venting or sewerage system
- installation of a solid fuel appliance or chimney
- installation of a factory-built or manufactured building

Under the terms of the proposed service, each person who wishes to undertake construction within the service area must apply for and receive a building and, in most cases, plumbing permit before commencing the construction.<sup>4</sup>

#### SERVICE AREA

The service would apply throughout all of Electoral Areas B, C and E. Unlike the existing building inspection service in Area F, the proposed service would not be limited in application to specific portions of each electoral area.

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<sup>4</sup> Some projects are exempt from the requirement for a permit. See "Exemptions".



## TYPES OF DEVELOPMENT

Construction for all types of development would be regulated under the proposed service, including:

- single family residential (including seasonal)
- multi-family residential (all types, including duplexes)
- commercial
- industrial
- institutional

## PERMIT EXEMPTIONS

Construction that meets specific conditions set out in the *Building Regulation Bylaw* would not require permits under the service. In general, exemptions include construction projects that are relatively modest in nature and value, that are related to farming, and that do not pose risk to human health and safety. In specific terms, exemptions are set out as follows:

- any single-storey accessory building with gross floor area of under 10.0 m<sup>2</sup> that is situated in a way that, in the opinion of the building inspector, does not create a hazard
- farm buildings designed for "low human occupancy" as defined by the *National Farm Building Code of Canada*, on a parcel of land that is assessed by BC Assessment as an agricultural operation
- non-structural repairs or alternations that do not exceed \$10,000 in value, and that do not create bedrooms or some other sleeping accommodation
- unenclosed, non-roofed sundecks, patio decks or balconies that are less than 0.609 m at any point from the adjacent finished ground elevation
- repairs to, minor alterations to, or servicing of the plumbing system or fixtures that do not affect the venting or sewerage system
- retaining walls with a retention height of fewer than 1.5 m that do not support a vertical or horizontal load imposed by a building or adjacent parking area
- construction that is identified in section 1.1.1.1(2) of the *BC Building Code* (e.g., temporary structures, utility poles and towers, and public infrastructure systems)

## SERVICE STAGES

The proposed building inspection service would consists of three stages: permit application stage; plan checking stage; and building inspection stage.

### ➤ Permit Application

To begin the construction approval process, the applicant would submit a complete application permit for a building permit and, if necessary, a plumbing permit. For all types of development, the package would include:

- a description of the intended use or uses of the structure

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- a statement of the true value of the proposed work
- two sets of architectural drawings for the proposed structure (sealed by a Registered Professional if required by the Building Inspector)
- two copies of the site plan to identify proposed siting of structure relative to setbacks, watercourses, septic systems, flood plain requirements, highway access and other features
- a survey certificate prepared by a registered BC Land Surveyor to confirm proposed building site
- for single- and multi-family residential structures, a builder's license or home owner's statutory declaration as provided by the Home Protection Office
- a completed Contaminated Site Profile, if required under the *Waste Management Act*
- a Qualified Environmental Professional Report, if required under the *Riparian Areas Regulation*
- evidence of a water source (if required by the Building Inspector),
- Interior Health acceptance filing to address sewage
- specifications of proposed heating and ventilation systems
- roof and floor truss layouts, certificates and pre-engineered beam certificates, as applicable (Building Code Schedule B1 and B2 for engineered trusses)
- Building Code schedules B1 and B2 for structural engineering (sealed and signed drawings to be included for non-residential structures and, if required by the Building Inspector, for residential structures)
- current parcel title and copies of registered covenants, easements or rights-of-way

Additional items could be required by the Building Inspector in any specific case.

#### ➤ **Plan Checking**

Upon receipt, each complete permit application would be reviewed for compliance to local zoning bylaws, development permit area requirements and other planning regulations. Building setbacks, heights, lot coverage and other features would be confirmed at this stage. The application would also be reviewed against the requirements of the *BC Building Code* to ensure that all health and safety needs are addressed. Plan checking is the process, as well, during which it is confirmed that the required approvals from other public agencies (e.g., Interior Health) have been obtained.

Once all concerns identified through the plan checking stage have been addressed by the applicant, a building permit (and, if necessary, a plumbing permit) is issued.

#### ➤ **Building Inspection**

Building inspections would be conducted on-site at pre-determined points in the construction process. The number of inspections is important to establish. In

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general, the greater the number of inspections the greater the ability of the local government to ensure full compliance to all planning and building requirements, and to take immediate corrective action where compliance is not achieved. Local governments that require a high number of inspections, however, incur additional service costs and risk losing the support of property owners who may need to use the service.

Under the existing Electoral Area F Building Inspection service, the CSRD requires three (3) inspections in all cases, plus an additional inspection in cases involving the installation of a fireplace, woodstove or chimney. In the Regional District of Nanaimo, by contrast, up to twelve (12) inspections are required in some cases. In the City of Salmon Arm, seven (7) inspections are required, plus an additional inspection for a fireplace, and an occupancy permit.

For the purposes of this *Draft Business Case*, two options are considered:

- *Option 1* — Three inspections, plus a fourth in cases involving the installation of a fireplace, woodstove or chimney (this option is in place for the Area F service). The three standard inspections would occur at:
  - footing construction stage (before concrete)
  - framing construction stage (before drywall)
  - completion stage
- *Option 2* — Six inspections, plus a seventh in cases involving the installation of a fireplace, woodstove or chimney. The six standard inspections would occur at:
  - footing construction stage (before concrete)
  - installation of perimeter drainage pipe and drain rock (prior to backfilling)
  - installation of building drain, sanitary or storm sewer and plumbing system (prior to backfilling)
  - framing construction stage (before drywall)
  - insulation, vapour barrier and air barrier stage
  - completion stage

#### **BUILDING PERMIT CONDITIONS**

The key condition attached to a building permit concerns the expiration of the permit. In all cases once a permit has been issued, construction must begin within six (6) months from the date of issuance, and cannot be discontinued or suspended for a period of more than six (6) months. These conditions are standard across local governments.

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Also standard is the requirement for construction to be completed within a set time period. In the case of the existing Area F service, the time period is three (3) years; the same period is proposed for the Area B, C and E service.

Permits are considered expired in cases where applicants fail to meet any of these conditions. Refunds are not provided; new permits are required to re-start construction.

### **AUTHORITY OF BUILDING INSPECTOR**

To allow for the effective enforcement of building and planning requirements, the Building Inspector must be given specific authorities, including the authority to:

- withhold permits in cases where an application does not comply, or appear to comply, with the *BC Building Code* or the relevant CSRD planning regulations, or in cases where professional certification (if required) has not been provided
- revoke a permit in cases where an application was based on incorrect information
- enter onto properties for the purpose of enforcing regulations
- issue an order to correct construction
- issue a Stop Work Notice
- order work to be uncovered to determine compliance
- order work to be tested to ensure compliance with standards
- require the owner to register a Section 219 covenant (*Land Titles Act*) for geotechnical purposes

### **BUILDING PERMIT FEES**

The fees proposed for the building and plumbing permits are consistent with those currently in place for the Area F Building Inspection service, as outlined in *CSRD Building Regulation Bylaw No. 630*.<sup>5</sup> Three types of fees are payable on each application:

- application fee
- permit fee, which is based on the value of construction
- special permit fees for specific items such as demolitions, moving a building, a change of occupancy and other cases

The application and special permit fees would be the same as those in place for Area F. The building permit fees, however, would differ based on the number of inspections required (see Option 1 and Option 2 under "Building Inspection" earlier).

<sup>5</sup> Fees in this *Business Case* are based on the fees being charged by the CSRD in Area F. As an alternative to this approach, fees could be structured to provide adequate cost recovery for all service costs, or for certain costs incurred under the service (e.g., variable costs, similar to the approach taken by the Regional District of Nanaimo).



In the existing Area F service, base building permit fees for all structure types (e.g., single family, multi-family, commercial, etc.) are set at:

- \$72 for first \$1,000 of construction value<sup>6</sup>
- \$7.20 for each additional \$1,000 of value, up to \$100,000
- \$6.00 for each additional \$1,000 of value over \$100,000

For a structure with a construction value of \$200,000, the total building permit fee is \$1,385. This fee allows for three inspections; the additional inspection for a fireplace (if required) costs an additional \$72.

Option 1, identified earlier under "Building Inspections", would require three standard inspections under the proposed Area B, C and E service, and would thus match the existing Area F service. For this option, the building permit fees would be the same as those in place in Area F. For Option 2, which would require six standard inspections, the proposed fees would be set at:

- Option 1 fees (equal to the existing Area F fees), plus
- \$648 flat fee for the additional inspections required under Option 2

The \$648 add-on is based on the existing "special inspection" fee of \$216 per inspection, as identified in the current *Building Regulation Bylaw No. 630*. For a structure with a construction value of \$200,000, the building permit fee under Option 2 would total \$2,033.

### FINANCIAL MODEL

The financial model for the service takes into account the costs anticipated to operate the service, and the revenues expected to be generated. All inputs have been determined using information from the current Building Inspection service in Area F, and from the DRAFT *Building Permit Service Framework Report* conducted for the CSRD in 2014. Inputs have also been informed by the CSRD's 2015 and 2016 *Five Year Financial Plans*, which include actual cost and revenue numbers from key years.

Figure 2.1 outlines the anticipated costs and revenues of the service in 2018 (the service would take effect on January 1, 2018). For both costs and revenues, two service options are profiled: Option 1, which includes three (3) inspections, and Option 2, which features six (6) inspections.

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<sup>6</sup> Construction values are determined based on average values outlined in Schedule C of *Building Regulation Bylaw No. 630*.



**Figure 2.1**  
**Service Costs and Revenues (2018)**

Service Costs	Option 1	Option 2
CSRD Administration	28,300	41,300
Salaries and Benefits (Inspectors)	216,000	324,000
Service Administration (Portion Area F)	21,600	21,600
Training	5,000	7,500
Travel	10,000	15,000
Other	9,500	14,250
<b>Total</b>	<b>290,400</b>	<b>423,650</b>
Service Revenues	Option 1	Option 2
Permits	162,600	294,800
Tax Requisition	127,800	128,850
Surplus	-	-
Other	-	-
<b>Total</b>	<b>290,400</b>	<b>423,650</b>

### ► Service Costs

As indicated in Figure 2.1, the major cost item would be staffing. The numbers assume a staffing complement of two (2) or three (3) inspectors, depending on the number of inspections required under the service. If Option 1 were chosen, two building inspectors would be required. This option, as noted earlier, would require three inspections per building permit, which is the same number as that required under the existing service in Area F. If Option 2 were chosen, three inspectors would be needed. This option would require six inspections per permit.

The inspectors associated with each option, it is important to note, would be hired in addition to the existing Building Inspector who is dedicated to the Area F service. The need for additional inspectors under the two options is based on the following points and assumptions:

- The Area F Building Inspector is presently the sole building inspector employed by the CSRD. The Inspector's time in 2014 was allocated among tasks as follows:
  - 40% on inspections
  - 20% on plan checking
  - 40% on service administration duties

Time spent by the Inspector answering general questions and providing information on building requirements is incorporated into these figures.





- Development activity in the proposed service area (Electoral Areas B, C and E) is anticipated to be greater than that in Area F, possibly three times greater under both options. Most activity, it is expected, would occur in Area C, followed by Area B surrounding Revelstoke.
- Under Option 1 with three inspections per permit, two inspectors would be expected to be sufficient provided they could allocate their time as follows:
  - 60% on inspections
  - 30% on plan checking
  - 10% on administration
- Under Option 2 with six inspections per permit, a third additional inspector would be needed to assist in carrying out the workload. The general time allocation for all three inspectors would break down as:
  - 70% on inspections
  - 20% on plan checking
  - 10% on administration

The three additional inspections would double the number of total inspections required per permit. The time required to conduct the extra inspections, however, would not double the overall workload for the building inspection team dedicated to the service. Under this option, the estimated number of permits would not change, and nor, therefore, would the amount of time required for plan checking. Only the time required for inspections would change.

The other cost entries in Figure 2.1 are determined as follows:

- *CSRD Administration* — The "administration" charge accounts for the CSRD overhead and administration fee allocated across all CSRD services. The same percentage (10.8%) charged to Area F is charged to the proposed new service (total expenses before administration) under each option.
- *Service Administration* — The proposed Inspectors associated with the new service area under both options would be required to spend some time on general administration and related duties; however, most service administration could be handled along with and supervision duties by the existing Inspector. Fifty percent of the existing Inspector's administrative time (20% of the Inspector's overall time) would need to be accounted for in the new service's budget under both options.

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- *Training, Travel, Other* — Training, travel and other expenses are based on the existing Area F service estimates for 2018, but have been adjusted to account for two inspectors under Option 1, and three inspectors under Option 2.

In earlier discussions on the option of building inspection, decision makers at the CSRD had noted that, in the absence of a building inspection service, bylaw enforcement officers were being forced to spend a consider amount of time acting on planning bylaw infractions related to building setbacks, development permit area restrictions, density issues and other matters. It was expected that a building inspection service that required building permits, and that combined plan checking and on-site inspections, would lower the demands on bylaw enforcement staff, possibly to the point of being able to realize savings in staffing costs.

In Board workshop discussions around the development of the CSRD's *2016 Financial Plan*, the possibility that a new building inspection service could generate savings in bylaw enforcement was raised again. It was determined, however, that the existing staffing complement in bylaw enforcement was already stretched beyond capacity and unable to attend to all service needs. Any new capacity generated for the bylaw enforcement officers by the introduction of a new building inspection service would be helpful in allowing the offers to meet existing demands. No savings, therefore, would be anticipated.

#### ► Revenues

The revenues identified in Figure 2.1 are based on the following assumptions:

- Service costs would be funded using a combination of building permit fee revenues and property value tax revenues. This approach mirrors that taken by the CSRD for the existing Electoral Area F. It also reflects the view that the health, safety, economic, environmental and other benefits of a building inspection service extend beyond the individual user of the service (i.e., the building permit applicant) to include other property owners in the service area, and the broader community. Individual users of the service pay through permit fees; the broader community contributes through the property value tax.
- Building permit fees would be charged using the same fee schedule that is in place under CSRD *Building Regulation Bylaw No. 630* for the existing Area F building inspection service (the rates contained in the bylaw were outlined earlier).
- Total permit revenue for Option 1 takes the average of the past two years' (2014-2015) of permit fee revenues (\$54,200) and multiplies by three, for a total of \$162,600, to reflect higher anticipated development

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volumes. This approach assumes that average permit fee values for individual permits in the different areas would be comparable.

- Total fee revenue for Option 2 uses the base from Option 1 and adds revenues associated with three additional inspections per permit. The total number of additional inspections is estimated as follows:
  - average annual number of building permit applications — 68 — in Area F in past two years (June, 2014 to June, 2016) multiplied by three for a total of 204 permits
  - three additional inspections for each building permit, for a total of 612 additional inspections

Each additional inspection would be charged \$216, as identified under *Bylaw 630*. Total additional revenues under Option 2 would be approximately \$132,200.<sup>7</sup>

- Tax revenues would need to be raised to make up the remaining funds required to balance the service budget. As indicated in Figure 2.1, total taxes of \$127,800 would need to be raised in 2018 for Option 1, \$128,850 for Option 2. These revenues would be raised by through a service tax on all properties across the three participating electoral areas, using the total converted assessment base for the three areas, as indicated in Figure 2.2:

**Figure 2.2**  
**Service Area Assessment Base**

Electoral Area	Converted Assessment (2016)
B	45,012,718
C	220,377,725
E	47,334,289
<b>Total</b>	<b>312,724,732</b>

For a residential property, the tax rate applied under Option 1 would be 0.0409; under Option 2 the rate would be 0.0412. Figure 2.3 shows what these rates would mean in terms of annual payments for the a range of sample residential properties:

<sup>7</sup> This number, it is important to note, assumes that all building permits in Area F and in the new service area would be full residential or commercial construction projects, and would require all inspections.



**Figure 2.3**  
**Residential Tax Impacts — Both Options**

Property Assessment*	Option 1		Option 2	
	Tax Rate	Tax Payment	Tax Rate	Tax Payment
\$200,000	0.0409	\$8.18	0.0412	\$8.24
\$250,000	0.0409	\$10.23	0.0412	\$10.30
\$300,000	0.0409	\$12.27	0.0412	\$12.36

\* land and improvements included

➤ **Variations on Financial Model**

The financial model presented in this *Business Case* is based on specific service delivery, service cost and cost recovery assumptions. Changes to the assumptions would result in different cost and revenue figures, as well as different tax impacts. A delivery model that made use of contracted municipal staff from Revelstoke and/or Salmon Arm, for example, would produce different total costs and different revenue needs. A policy decision to require the service to be funded entirely by permit fee revenues would change (eliminate) the property tax impact identified in Figure 2.3.

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## CHAPTER 3

### SERVICE ESTABLISHMENT

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This chapter outlines the steps to be taken, and key issues to be considered, in establishing the proposed building inspection service.

#### SERVICE ESTABLISHING BYLAW

Most local government services — building inspection is an example — that are developed and provided by a regional district must be formally created using a regional district establishing bylaw.<sup>8</sup> The CSRD would need to create a service establishing bylaw for the new building inspection service in Electoral Areas B, C and E. The new bylaw would need, at a minimum, to:<sup>9</sup>

- describe the service (i.e., building inspection regulatory service)
- define the boundaries of the service area
- identify Electoral Areas B, C and E as the three participating electoral areas
- identify the method of cost recovery for the service (i.e., permit fees and property value taxes levied against total assessed values)

Since building inspection is considered a regulatory service, the CSRD would not be required to indicate in the establishing bylaw the maximum tax requisition for the service. *Appendix I* presents a draft *Sub-Regional Building Inspection (Electoral Areas B, C and E) Service Establishing Bylaw*.

#### ► Approval of Establishing Bylaw

Adoption of a new building inspection establishing bylaw would need to be approved by each participating electoral area. Approval could be obtained directly by electors in each of the areas through referendum. Alternatively, approval could be obtained by having each of the Electoral Area Directors for Areas B, C and E give written consent to the bylaw on behalf of his or her area.<sup>10</sup> This consent method is available to the CSRD because building inspection is a regulatory service.

Community involvement in decision-making is a hallmark of local governance in British Columbia and in electoral areas in particular. The requirement in the *Local Government Act* for elector assent over certain decisions speaks to the importance of citizens in the governing process. The legislation recognizes that persons who are directly affected by such decisions, and who would in many cases be required to pay for the services established by such decisions, should have a direct role in approving the decisions. Referendums, in many cases, may be the appropriate mechanism to use.

<sup>8</sup> Section 339(1) of *Local Government Act*.

<sup>9</sup> Section 339 of *Local Government Act*.

<sup>10</sup> Section 347 of *Local Government Act*.



The *Local Government Act* also recognizes, however, that referendums are not well-suited to every local government decision. Decisions to regulate the actions of individuals through the establishment of regulatory services such as building inspection are good examples. Regulatory services such as building inspection have important health, safety, economic, environmental and other benefits that are important to the broader community. The broader public interest in these cases outweighs the interests and rights individual property owners who may not wish to obtain building permits, pay permit fees, or schedule inspections.

The importance of regulatory services such as building inspection to the broader community is recognized in the *Local Government Act* under the sections that deal with methods of approval. The *Act* allows local governments to establish these types of services without elector assent because the services are in the interest of the community as a whole.

It is important to note that the *Act* does not eliminate the need for approval altogether. The Electoral Area Directors of each participating area must give explicit consent to the decision on behalf of their areas. These officials are elected by, and are directly accountable to, their local electors. The *Act* also requires the Province's Inspector of Municipalities to approve the local government's decision to establish a regulatory service. This requirement provides an additional safeguard.

In all, it would be anticipated that some electors in Areas B, C and E would expect the CSRD to seek elector assent through referendum for any new building inspection service. It is suggested, however, that the Board exercise its authority to obtain approval from the Electoral Area Directors on behalf of the participating areas.

#### **BUILDING REGULATION BYLAW**

Once a service establishing bylaw had been approved and adopted, the CSRD Board would need to amend *Building Regulation Bylaw No. 630* to include Electoral Areas B, C and E in Schedule A of the bylaw (Schedule A identifies the portions of the Regional District in which *Bylaw 630* applies). At present, Schedule A includes only the Business Improvement Area portion of Electoral Area F.

Schedule G of *Bylaw 630* sets out the inspections that are required at specific points in the construction process. This schedule would have to be amended in the event that the Board chose to proceed with Option 2 of the proposed new service (Option 2 requires six standard inspections).

Section 9 of *Bylaw 630* speaks to the fees required for building permits; the specific fees are presented in Schedule C. Fees associated with the service would need to be reviewed and possibly revised on a regular basis (e.g., every two years). In an effort



to simplify regular fee changes, the Board should consider placing all fee requirements in a separate (new) *CSRD Building Regulation Fees and Charges Bylaw*. If this suggestion were supported, *Bylaw 630* would be amended to remove Section 9 and Schedule C altogether. *Appendix II* presents the necessary amendments to *Bylaw 630*. *Appendix III* presents a *Draft CSRD Building Regulation Fees and Charges Bylaw*.

Amendments to *Bylaw 630*, and the introduction of a new fees and charges bylaw, could be approved by the Board alone. No additional approvals would need to be obtained from the electors, the Electoral Area Directors on behalf of their areas, or the Inspector of Municipalities.

### PROPOSED START DATE

If this *Business Case* is endorsed and a new building inspection service for Electoral Areas B, C and E is supported, the Board will need to determine when to bring the new service into effect. In determining a start date, it will be important for the Board to provide ample time for:

- extensive community consultation
- the CSRD Administration to put in place the administrative infrastructure, including staffing, to operate the service
- the full approval process for the service establishing bylaw, including the review and sign-off by the Inspector of Municipalities
- the amendment of *CSRD Bylaw 630*
- the development and approval of a new *Fees and Regulation Bylaw* for building regulation

Figure 3.1 proposes a service development timeline that accommodates all of these needs. It prepares the Electoral Areas, Board and Administration for a start date of January, 2018. Implementation in January, 2018 — an entirely achievable date — would put the service in place well before the November, 2018 local government elections. If the Board anticipates that complications could arise to force a delay in implementation beyond January, 2018, the Board should consider postponing action

**Figure 31**  
**Proposed Timeline**

	2016	2017				2018
Steps Leading to Start Date	Fall	Winter	Spring	Summer	Fall	Winter
1. Board Endorsement	■					
2. Consultation Program		■				
3. Community Consultation		■	■	■		
4. Administrative Preparation				■	■	
5. Board Approval of Bylaws					■	
6. Start Date						✓

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until later in 2019.<sup>11</sup> No such complications, however, are anticipated at this time.

### COMMUNITY CONSULTATION PROGRAM

The introduction of any new local service by a regional district should be preceded by a robust consultation program that provides meaningful opportunities for stakeholders to understand the purpose and structure of the proposed service, and to give input to decision-makers on the service. The need for such a program would be particularly strong in the case of the proposed building inspection service for Electoral Areas B, C and E. Building inspection has been a topic of discussion and debate in the CSRD for many years. Any service initiative that proposed to regulate development activity in the areas and impose a new tax on property owners would generate the demand for additional discussion and input.

A detailed consultation program would be developed for the service if the CSRD Board determined, based on the final *Business Case*, to proceed with the service initiative. The program would include the following provisions:

- *Stakeholders Identification* — The CSRD would identify all distinct stakeholder groups, including the development community, environmental associations, planning advisory bodies, ratepayer groups, and the broader community as a whole. Issues anticipated to be important to the various groups would be identified; responses to the address the issues would be crafted.
- *Written Materials* — A variety of written materials would be produced to provide an overview of the proposed service, to outline service and tax impacts, and to address a set of frequently asked questions. Materials would be customized, where possible, for individual stakeholder groups. All materials would be distributed in hard copy throughout the proposed service area, and would be available for download on-line.
- *On-line Presence* — The CSRD would establish a dedicated website (or section of the existing CSRD site) to distribute information on the proposal, and to allow for on-line input.
- *Information Open Houses* — A set of information open houses would be held throughout the affected communities. Each event would feature a set of poster boards that attendees could review at their own pace. CSRD staff and elected officials would be present to engage community members, address questions, and record feedback. Each event would also feature a formal presentation on the proposed service. Attendees would be given the opportunity to ask questions following the presentation. Summaries of all questions and the responses to them would be provided on line for all to review.

<sup>11</sup> The inability to hire building inspectors would be an example of a complication.





- *Small-group Meetings* — CSRD staff and elected officials would make themselves available to meet with individual stakeholder groups to address specific questions and concerns. Summaries of all such meetings and their outcomes would be shared on line.
- *Reports to Electoral Area Directors Committee and Board* — Staff would provide regular updates on the service initiative to the EAD Committee and the Board.

The consultation program would be extended over a three-to-five month period, as suggested in Figure 3.1.

### NEXT STEPS

This *Business Case* will be presented to the CSRD Board of Directors at its regular meeting on October 20, 2016. At that meeting or the following, the Board will need to determine whether to endorse the proposal for a new Sub-Regional Building Inspection Service (Electoral Areas B, C and E), and direct staff accordingly.

#### ➤ Choice Between Options 1 and 2

If the Board elects to establish a new service, the Board will need to decide between Option 1 with its three standard inspections per permit, and Option 2 with its requirement for six inspections. As noted earlier in the text, it is generally the case in building inspection that the greater the number of inspections required, the greater the ability of the local government to ensure full compliance to all planning and building requirements, and to take immediate corrective action where compliance is not achieved. This statement would favour the endorsement of Option 2. The outline of the service financial model, which revealed essentially no difference between the options in terms of impact on local taxpayers, would also point to Option 2 as the preferred model.

It was also noted earlier, however, that local governments which require a high number of inspections risk losing the support of property owners who may need to use the service. This caution is particularly germane in Electoral Areas B, C and E where the concept of local government building inspection has been controversial in past discussions. It is worth remembering, as well, that the existing Area F building inspection service requires only three inspections. Finally, it is important to highlight that while the cost impact on taxpayers would be no higher under Option 2, the direct cost to property owners who use the service would be.

The Board may wish to defer any choice between the options until after it has consulted the affected communities. Alternatively, the Board may wish to propose a phased-in approach to implementation that would proceed as follows:

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- Introduction on January 1, 2018, of a new Sub-Regional Building Inspection Service (Electoral Areas B, C and E) that includes the requirement for three standard inspections per permit (i.e., Option 1)
- Operation under the three-inspection service for a period of two years
- Amendment of the new service in year three (2020) to include requirement for six standard inspections

This proposed phased approach could be presented to the affected communities as part of the consultation effort identified in Figure 3.1. The approach could also be considered for application to the existing Area F service in order to provide for parity between the services.

➤ **Consultation Program**

Once the Board has selected its preferred approach, staff will need to begin work on developing the appropriate consultation strategy using as guidance the points identified earlier in this chapter. Accompanying materials will also need to be prepared, including advertising.

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## APPENDIX I

### SUB-REGIONAL BUILDING INSPECTION SERVICE (ELECTORAL AREAS B, C & E) ESTABLISHING BYLAW

Figure AI.1 presents a draft service establishing bylaw for the proposed new Sub-Regional Building Inspection Service (Electoral Areas B, C and E).

**Figure AI.1**  
**Columbia Shuswap Regional District**  
**Bylaw No. \_\_\_\_**

A bylaw to establish a Building Inspection service in Electoral Areas B, C and E.

WHEREAS a regional district may, by bylaw, establish a service under Part 10 of the *Local Government Act* that the Board considers is necessary or desirable for all or part of its community;

AND WHEREAS the Board wishes to establish the service of building inspection in a portion of the regional district that consists of Electoral Areas B, C and E;

AND WHEREAS the Board has obtained approval for the service from the participating Electoral Areas in the form of written consent provided by each of the Electoral Area's Electoral Area Director, pursuant to section 347(2) of the *Local Government Act*;

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

1. The Service being established and to be operated is Building Inspection.
2. The Service Area consists of the whole of Electoral Areas B, C and E, as described in Schedule A of this bylaw.
3. Electoral Areas B, C and E are the participating areas for this Service.
4. The annual operating costs for the Service shall be recovered by:
  - 4.1. The imposition of fees and other charges set by separate bylaw; and
  - 4.2. The requisition of money to be collected as a property value tax levied against the assessed value of land and improvements, in accordance with section 388(1)(a) of the *Local Government Act*.
5. This bylaw may be cited as "Sub-Regional Building Inspection Service (Electoral Areas B, C and E) Establishing Bylaw, No. \_\_\_\_."

READ a first time this \_\_\_\_ day of \_\_\_\_\_, 2017.

READ a second time this \_\_\_\_ day of \_\_\_\_\_, 2017.

READ a third time this \_\_\_\_ day of \_\_\_\_\_, 2017.

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APPROVED by the Inspector of Municipalities this \_\_\_\_ day of \_\_\_\_\_, 2017.

RECONSIDERED AND ADOPTED this \_\_\_\_ day of \_\_\_\_\_, 2017.

### CONSENT

I, the undersigned director of Electoral Area B of the Columbia Shuswap Regional District, hereby consent to "Sub-Regional Building Inspection Service (Electoral Areas B, C and E) Establishing Bylaw, No. \_\_\_\_."

\_\_\_\_\_  
Electoral Area B Director

\_\_\_\_\_  
Date

I, the undersigned director of Electoral Area C of the Columbia Shuswap Regional District, hereby consent to "Sub-Regional Building Inspection Service (Electoral Areas B, C and E) Establishing Bylaw, No. \_\_\_\_."

\_\_\_\_\_  
Electoral Area C Director

\_\_\_\_\_  
Date

I, the undersigned director of Electoral Area E of the Columbia Shuswap Regional District, hereby consent to "Sub-Regional Building Inspection Service (Electoral Areas B, C and E) Establishing Bylaw, No. \_\_\_\_."

\_\_\_\_\_  
Electoral Area E Director

\_\_\_\_\_  
Date

### SCHEDULE A

### PARTICIPATING AREAS

*(Included in this Schedule are maps that show the whole of Areas B, C and E.)*

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## APPENDIX II

### AMENDMENTS TO BUILDING REGULATION BYLAW

---

The *Columbia Shuswap Regional District Building Regulation Bylaw No. 630, 2008* is the tool in place today at the CSRD to enforce the provisions of the *BC Building Code*, and to set out requirements that builders of all new construction projects must meet in order to receive all permits necessary. At present, *Bylaw 630* applies only to the CSRD's building inspection service in the Business Improvement Area of Electoral Area F. As well, *Bylaw 630* sets out a requirement for three standard inspections only (explained in detail in Schedule G). Finally, *Bylaw 630* includes as Schedule C all permit fees and construction valuation information.

If the CSRD Board of Directors chooses to establish a new Sub-Regional Building Inspection Service (Electoral Areas B, C and E), as set out in this *Business Case*, *Bylaw 630* will need to be amended to apply the provisions of the bylaw across the whole of Areas B, C and E. An additional change would be needed to *Bylaw 630* in the event that the Board endorsed Option 2 with six standard inspections. Finally, it is recommended to remove the fee schedule from *Bylaw 630* and place it in a separate bylaw (see *Appendix III*).

Figure All.1 sets out the proposed amendment bylaw. The changes in the Figure assume a new service with three standard inspections, as set out in Option 1 in *Business Case*. Amendments to the inspection requirements in Schedule G of *Bylaw 630* are not included in Figure All.1.

**Figure All.1**  
**Columbia Shuswap Regional District**  
**Bylaw No. \_\_\_\_**

WHEREAS the "Columbia Shuswap Regional District Sub-Regional Building Inspection Service (Electoral Areas B, C and E) Bylaw, 2017" provides that the Regional District may provide building inspection service to Electoral Areas B, C and E;

AND WHEREAS the Regional District wishes to amend the "Columbia Shuswap Regional District Regulation Bylaw, No. 630, 2008";

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

1. "Columbia Shuswap Regional District Regulation Bylaw, No. 630, 2008" is amended as follows:

- 1.1. Subsection 1.1 is repealed and replaced with the following:

"1.1 This Bylaw is enacted under the authority of Part 9 of the *Local Government Act*."



1.2 Schedule A is repealed and replaced with Schedule A attached to this bylaw.

1.3 Subsection 6.4.3 is repealed and replaced with the following:

"6.4.3 The applicant for a Permit has paid to the Regional District the fee or fees prescribed in Schedule A of the 'Columbia Regional District Building Regulation Fees and Charges Bylaw, No. \_\_\_\_, 2017' and amendments thereto."

1.4 Schedule C is repealed.

1.5 Subsection 6.7.1(g) is repealed and replaced with the following:

"6.7.1(g) where an inspection, additional to those required by this Bylaw, is required due to incorrect work, contravention, incomplete work or inaccessibility at the time of inspection, the Owner shall pay an additional re-inspection fee prescribed in Schedule A of the 'Columbia Regional District Building Regulation Fees and Charges Bylaw, No. \_\_\_\_, 2017' and amendments thereto."

1.6 Subsection 8.5 is repealed and replaced with the following:

"8.5 Where a re-inspection of an inspection stage is required due to a contravention of the Building Code, this Bylaw or any other bylaw or enactment, or the construction was incomplete at the time of the scheduled inspection, a recall inspection fee as set out in Schedule A of the 'Columbia Regional District Building Regulation Fees and Charges Bylaw, No. \_\_\_\_, 2017' and amendments thereto, shall be paid prior to the re-inspection."

1.7 Subsections 9.1, 9.2, 9.5 and 9.8 are repealed and replaced with the following:

"9.1 The fees for issuance of a Permit under this Bylaw shall be in accordance with Schedule A of the 'Columbia Regional District Building Regulation Fees and Charges Bylaw, No. \_\_\_\_, 2017' and amendments thereto."

"9.2 Each Permit application shall include a non-refundable application fee as prescribed in Schedule A of the 'Columbia Regional District Building Regulation Fees and Charges Bylaw, No. \_\_\_\_, 2017'. The non-refundable application fee shall be credited toward the final Permit fees due at issuance of the Permit provided no changes to the application documentation are made prior to issuance."

"9.5 The Permit fees shall be calculated based on the building valuation rates prescribed in Schedule A of the 'Columbia Regional District Building Regulation Fees and Charges Bylaw, No. \_\_\_\_, 2017' and amendments thereto."

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"9.8 Where the Building Code or Building Inspector requires that a Registered Professional undertake the design and complete a field review of the construction work and provides the applicable Building Code Schedules, the Permit fee as calculated under Schedule A of the 'Columbia Regional District Building Regulation Fees and Charges Bylaw, No. \_\_\_\_, 2017' shall be reduced by twenty (20%) percent."

1.8 Subsection 11.5 is repealed and replaced with the following:

"11.5 The fee for a Temporary Building Permit or renewal shall be as required in Schedule A of the 'Columbia Regional District Building Regulation Fees and Charges Bylaw, No. \_\_\_\_, 2017' and amendments thereto."

1.9 Subsection 18.4 is repealed and replaced with the following:

"18.4 Without limiting the foregoing in any manner, if any construction for which a Permit is required under this Bylaw has been commenced prior to the issuance of the Permit, the applicant shall pay to the Regional District the applicable Permit fee(s) as prescribed in Schedule A of the 'Columbia Regional District Building Regulation Fees and Charges Bylaw, No. \_\_\_\_, 2017' and amendments thereto, and in addition to the applicable fee, a penalty equivalent to the fee upon issuance of the Permit."

2. This bylaw may be cited for all purposes as the "Columbia Shuswap Regional District Building Regulation Bylaw Amendment Bylaw, No. \_\_\_\_, 2017".

READ a first time this \_\_\_\_ day of \_\_\_\_, 2017.

READ a second time this \_\_\_\_ day of \_\_\_\_, 2017.

READ a third time this \_\_\_\_ day of \_\_\_\_, 2017.

RECONSIDERED AND ADOPTED this \_\_\_\_ day of \_\_\_\_, 2017.

#### **SCHEDULE A BUILDING REGULATION AREA MAPS**

*(Included in this Schedule is the existing map for the Business Improvement Area of Electoral Area F, plus maps that show the whole of Areas B, C and E.)*

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## APPENDIX III

### BUILDING REGULATION FEES AND CHARGES BYLAW

---

In the Business Case it is proposed to separate the building regulation fees and charges from the *Building Regulation Bylaw, No. 630* in order to simplify future amendments to fees and charges collected by the Regional District. Figure AIII.1 presents in draft form a bylaw that could to achieve this separation.

**Figure AIII.1**  
**Columbia Shuswap Regional District**  
**Bylaw No. \_\_\_\_**

WHEREAS the Columbia Shuswap Regional District wishes to impose fees and charges in connection with the administration of "Building Regulation Bylaw No. \_\_\_\_, 2017;

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

#### Interpretation

1. Words and phrases defined in this bylaw shall have the same meaning as in the "Columbia Shuswap Regional District Building Regulations Bylaw, No. \_\_\_\_, 2017".

#### Permit and Other Fees

2. An applicant for a Permit must pay to the Regional District the fee or fees prescribed in Schedule A of this bylaw.
3. A person must pay to the Regional District any other fee or fees prescribed in Schedule A of this bylaw in connection with any other activity referred to in the Schedule.

#### Citation

4. This bylaw may be cited for all purposes as the "Columbia Shuswap Regional District Building Regulation Fees and Charges Bylaw, No. \_\_\_\_, 2017".

READ a first time this \_\_\_\_ day of \_\_\_\_, 2017.

READ a second time this \_\_\_\_ day of \_\_\_\_, 2017.

READ a third time this \_\_\_\_ day of \_\_\_\_, 2017.

RECONSIDERED AND ADOPTED this \_\_\_\_ day of \_\_\_\_, 2017.

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#### SCHEDULE A PERMIT FEES AND VALUATION SCHEDULE

*(This Schedule is comprised of Schedule C, in its entirety and without change, from the existing Building Regulation Bylaw, No. 630.)*





## COLUMBIA SHUSWAP REGIONAL DISTRICT

555 Harbourfront Dr. NE Salmon Arm, BC  
PO Box 978 V1E 4P1 | 250-832-8194

### NEW BUILDING INSPECTION SERVICE

#### COMMENT FORM

Comments:

Hello,  
I live in electoral area B and I  
would like to voice my opinion  
against the introduction of the  
proposed bylaw adjustments. I  
would like to see a vote or referendum  
situation during this process so  
that people who actually live  
here can make the decision.  
Thank you.

Name:

Contact Information:

Electoral Area:

B ☒ E ☐ F ☐

Please submit comment sheet here at the open house, email at [buildingpermit@csrd.bc.ca](mailto:buildingpermit@csrd.bc.ca), or mail to  
555 Harbourfront Drive NE, PO Box 978, Salmon Arm BC V1E 4P1

Submission Deadline: June 23, 2017



## COLUMBIA SHUSWAP REGIONAL DISTRICT

555 Harbourfront Dr. NE Salmon Arm, BC  
PO Box 978 V1E 4P1 | 250-832-8194

### NEW BUILDING INSPECTION SERVICE

#### COMMENT FORM

Comments:

- THIS PROCESS SHOULD BE DEMOCRATICALLY APPROVED = REFERENDUM VOTE!
- NOT RAILROADED THROUGH
- IT IS THE RIGHT THING TO ENSURE SAFETY, FIRE REC. / INSURANCE
- A MORE CONDENSED VERSION SHOULD BE CONSIDERED - 3 STEPS VS 6? BECAUSE OF COSTS! ~~LESS~~ TIME, COVER YOUR ASS.
- I FEAR THIS WILL OPEN A CAN OF WORMS THAT WILL COST MORE MONEY, GRIT, ENFORCEMENT

Name:

Contact Information:

Electoral Area:

B ☒ E ☐ F ☐

Please submit comment sheet here at the open house, email at [buildingpermit@csrd.bc.ca](mailto:buildingpermit@csrd.bc.ca), or mail to 555 Harbourfront Drive NE, PO Box 978, Salmon Arm BC V1E 4P1

Submission Deadline: June 23, 2017



## COLUMBIA SHUSWAP REGIONAL DISTRICT

555 Harbourfront Dr. NE Salmon Arm, BC  
PO Box 978 V1E 4P1 | 250-832-8194

# NEW BUILDING INSPECTION SERVICE

## COMMENT FORM

Comments:

I think the CSRD in  
Revelstoke is not in the interest  
of the residents that live here.  
If we move forward with  
building permits we should  
all just go into the city  
and receive city sewer and  
water and help with the Tax  
Base. The CSRD should not  
be here any longer.

Name:

Contact Information:

Electoral Area:

B ☐ E ☐ F ☐

Please submit comment sheet here at the open house, email at [buildingpermit@csrd.bc.ca](mailto:buildingpermit@csrd.bc.ca), or mail to  
555 Harbourfront Drive NE, PO Box 978, Salmon Arm BC V1E 4P1

Submission Deadline: June 23, 2017



## COLUMBIA SHUSWAP REGIONAL DISTRICT

555 Harbourfront Dr. NE Salmon Arm, BC  
PO Box 978 V1E 4P1 | 250-832-8194

### NEW BUILDING INSPECTION SERVICE

#### COMMENT FORM

Comments:

I do not want a building inspector in my area. You are going to increase my taxes plus the added cost of permits. My biggest concern is my voice not being heard because executors chose to not listen to the people.

Name:

Contact Information:

Electoral Area:

B ☒ E ☐ F ☐

Please submit comment sheet here at the open house, email at [buildingpermit@csrd.bc.ca](mailto:buildingpermit@csrd.bc.ca), or mail to 555 Harbourfront Drive NE, PO Box 978, Salmon Arm BC V1E 4P1

Submission Deadline: June 23, 2017



## COLUMBIA SHUSWAP REGIONAL DISTRICT

555 Harbourfront Dr. NE Salmon Arm, BC  
PO Box 978 V1E 4P1 | 250-832-8194

# NEW BUILDING INSPECTION SERVICE

## COMMENT FORM

Comments:

I AM NOT IN FAVOR OF THE PROPOSED PLAN.

I THINK THERE NEEDS TO BE MORE DISCUSSION  
ON THE PLAN. I ALSO DON'T THINK THAT ~~THE~~ WE  
THIS AMOUNT OF REGULATION FOR RELATIVELY  
FEW PROBLEMS.

THE CITY HAS DEMONSTRATED THE PROBLEMS  
WE COULD HAVE.

A SITE PERMIT WITH ONE VISIT IS ALL THAT  
IS REQUIRED.

Name:

[REDACTED]

Contact Information:

[REDACTED]

Electoral Area:

B ☒ E ☐ F ☐

Please submit comment sheet here at the open house, email at [buildingpermit@csrd.bc.ca](mailto:buildingpermit@csrd.bc.ca), or mail to  
555 Harbourfront Drive NE, PO Box 978, Salmon Arm BC V1E 4P1

Submission Deadline: June 23, 2017



## COLUMBIA SHUSWAP REGIONAL DISTRICT

555 Harbourfront Dr. NE Salmon Arm, BC  
PO Box 978 V1E 4P1 | 250-832-8194

### NEW BUILDING INSPECTION SERVICE

#### COMMENT FORM

Comments:

Is this Empire building??  
I can see the value in South  
Revelstoke which is densely populated.

I am against Building Inspection  
in the rest of the area.

I don't see why one has to hire  
a builder! 6 inspections seem  
excessive!

I am OK with present regulations  
for BC Hydro Hookup and  
septic inspection

Name:

Contact Information:

Electoral Area:

☒ B ☐ E ☐ F ☐

Please submit comment sheet here at the open house, email at [buildingpermit@csrd.bc.ca](mailto:buildingpermit@csrd.bc.ca), or mail to  
555 Harbourfront Drive NE, PO Box 978, Salmon Arm BC V1E 4P1

Submission Deadline: June 23, 2017



## COLUMBIA SHUSWAP REGIONAL DISTRICT

555 Harbourfront Dr. NE Salmon Arm, BC  
PO Box 978 V1E 4P1 | 250-832-8194

### NEW BUILDING INSPECTION SERVICE

#### COMMENT FORM

Comments:

*Do not agree with the implementation of the new inspection service for these areas of the CSRD. In particular I Revelstoke and Trout Lake as I don't believe the resources will be available to conduct the required services. Also, I Revelstoke is covered under fire protection of city of Revelstoke and if any changes are to be made we should be brought into city limits.*

Name:

[REDACTED]

Contact Information:

[REDACTED]

Electoral Area:

B ☐ E ☒ F ☐

Please submit comment sheet here at the open house, email at [buildingpermit@csrd.bc.ca](mailto:buildingpermit@csrd.bc.ca), or mail to 555 Harbourfront Drive NE, PO Box 978, Salmon Arm BC V1E 4P1

Submission Deadline: June 23, 2017



## COLUMBIA SHUSWAP REGIONAL DISTRICT

555 Harbourfront Dr. NE Salmon Arm, BC  
PO Box 978 V1E 4P1 | 250-832-8194

# NEW BUILDING INSPECTION SERVICE

## COMMENT FORM

Comments:

something as important as a building  
inspector in the area should go to a  
referendum to see if the rural people  
want one. The City of Revelstoke is  
having issues finding a candidate  
and it is holding up construction projects.  
Our building season is short → why  
tangle it up with further issues.  
Besides, Besides, there is a reason  
we live out of the town. If it is such  
a good idea - why don't the other areas  
have one ???

Name:

[REDACTED]

Contact Information:

[REDACTED]

Electoral Area:

B ☒ E ☐ F ☐

Please submit comment sheet here at the open house, email at [buildingpermit@csrd.bc.ca](mailto:buildingpermit@csrd.bc.ca), or mail to  
555 Harbourfront Drive NE, PO Box 978, Salmon Arm BC V1E 4P1

Submission Deadline: June 23, 2017





<input type="checkbox"/> CAO <input type="checkbox"/> Works <input type="checkbox"/> ODS <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#
JUN 14 2017		
<input type="checkbox"/> Ec Dev <input type="checkbox"/> IT <input type="checkbox"/> Parks <input type="checkbox"/> SEP <input type="checkbox"/> HR <input type="checkbox"/> Other	RECEIVED <input type="checkbox"/> Staff to Report <input type="checkbox"/> Staff to Respond <input type="checkbox"/> Staff Info Only <input type="checkbox"/> Dir Mailbox <input type="checkbox"/> Dir Circulate	Ack Sent:  <input type="checkbox"/> Fax <input type="checkbox"/> Mail <input type="checkbox"/> Email

## COLUMBIA SHUSWAP REGIONAL DISTRICT

555 Harbourfront Dr. NE Salmon Arm, BC  
PO Box 978 V1E 4P1 | 250-832-8194

# NEW BUILDING INSPECTION SERVICE

## COMMENT FORM

Comments:

*I have not heard of any issues regarding the lack of Building permits in Area B. What the concern is that the red tape associated with permits, will delay the issuance of building permits, and delays after the permits have been issued.*

*I am saying why try to fix it if it isn't broken? We have chosen to live in a rural area to have less regulation and red tape*

Name:

[REDACTED]

Contact Information:

[REDACTED]

Electoral Area:

B ☒ E ☐ F ☐

Please submit comment sheet here at the open house, email at [buildingpermit@csrd.bc.ca](mailto:buildingpermit@csrd.bc.ca), or mail to 555 Harbourfront Drive NE, PO Box 978, Salmon Arm BC V1E 4P1

Submission Deadline: June 23, 2017

## Building inspection proposal

[REDACTED]

Thu 6/22/2017 9:48 PM

To: Building Permit <BuildingPermit@csrd.bc.ca>;

### To Whom it may concern:

I would like to state that the people in Area B are not in favour of the build permits and inspection. The hole process of trying to introduce building permits without the consent of the public is a clear violation of our democratic rights to vote. In the passed we had a referendum on this subject and the people voted against it. Why all of a sudden does our Area B represented believe she can be a dictator on this subject? She is a represented for the people and the best way to see what the people want is to have a vote on this subject.

The CSRD claims that the building inspection is for health and safety but in fact it is just a cash grab. All building in B.C have to fallow the B.C building codes, and the banks will not lend you any money unless they do. If the CSRD is concerned about set backs and unsafe areas then just make it so we have to supply a plot plan.

On page two of the handout it states that the build inspection will provide adequate fire protection. How does that work? So your going to tell me the CSRD is going to provide infrastructure for fire protection? Or is this going to be another cost for the home owner to provide. Interior health looks after safe drinking water and liquid waste disposal not the BC building code.

On page four it is stated that this process often results in lower insurance cost, there is no supporting evidence for this statement. Insurance are assessed on cost analyses on how much it will cost to rebuild your house or structure.

On page 10 of the handout the cost for building inspection service is a joke in only shows only the lowest possible cost for the taxpayer. What happens if the cost recovery on the permits side is not a great as you think the taxpayer fill flip the rest of the bill. There is also no allotting for cost overruns and increases. When reading the hand out it comes to my attention that the CSRD is out of touch with the cost associated with the new service. There dollar figure of \$370,000 will not pay for a full time building inspector, and the hiring of additional staff with benefits, insurance cost, vehicle cost, fuel, meals and travel expense and short fall will once again fall on the taxpayer.

Since the building inspection service will be based out of Salmon arm this is a inconvenience for people in area B to bring plans and documents there. There office hour are the same as most working peoples schedules this will make it difficult to summit plans and the proper paper work. Its not like you can take your lunch break and drive there.

The fee schedule for the permit indicated in the handout is miss leading as it is based on unrealistic cost of a building dwelling. Since there is no infrastructure the home owner is burden will all the cost road access, power, telephone, water, sewage and land clearing putting the house cost now a days around \$600,000 plus. So then your going to ask the home owner to spend another \$4500 in permits plus \$3000 for survey, plans, and engineering. This is a lot more then the \$2105 cited in the information given.

As you all know the summer months is when the building period starts this is about 6 months long. Your going to tell me that its going to take one or two days for a inspection to happen I LAUGH! In area B it will take the hole day to look at one inspection there between driving, waiting for traffic finding the site checking it over and driving back. I look at Revelstoke right know it is taking 6 to 8 weeks just to get a building permit and that not even a inspection and your going to tell me that your going to serve a area 100 times that.

In summary i will say I am against this forced action by the elected officials of the CSRD, with there blatant disregard for the wishes of the voting public. I will hope the people of area B will show there democratic right to vote a new represented in that will care about the voters concerns.

## Form submission from: Building Inspection Services Comment Form

Columbia Shuswap Regional District <info@csrd.bc.ca>

Sun 6/4/2017 9:20 PM

To: Building Permit <BuildingPermit@csrd.bc.ca>;

Submitted on Sunday, June 4, 2017 - 21:20

Submitted by anonymous user: [REDACTED]

Submitted values are:

Comments: I've been here for 35 years, had inspections in the early 90's, totally ineffective, and a total waste of time and money. This is a service that can be acquired privately if one wants, but for the most part useless. Most will build to/or better than code if they have the money to construct. The Canadian building code changes constantly and personally I have encountered inspectors that aren't up to date, or codes that have been improperly applied.

Name: [REDACTED]

Contact Information: [REDACTED]

Electoral Area: B

[REDACTED]

## Form submission from: Building Inspection Services Comment Form

Columbia Shuswap Regional District <info@csrd.bc.ca>

Mon 6/5/2017 12:32 PM

To: Building Permit <BuildingPermit@csrd.bc.ca>;

Submitted on Monday, June 5, 2017 - 12:32

Submitted by anonymous user: [REDACTED]

Submitted values are:

### Comments:

In my opinion, imposing building permit regulations in such a far reaching area is setting us up for delays, unreasonable restrictions and higher costs that bring NO added value.

Residents have so far done a great job of policing their own construction quality, selecting reputable contractors or doing the work themselves with extra care.

If its not broken, why change it? Can we make building permits/inspections OPTIONAL? There exists a far more competitively priced private inspection option for those requiring it for their own peace of mind, mortgage qualification or insurance.

Currently in the city of Revelstoke, construction is at a standstill with permits/inspections back up due to poor planning and Municipal capacity.

Finally, in my opinion, this issue needs to be decided by the residents...not imposed. I look forward to being fairly represented when it comes to this issue.

Name: [REDACTED]

Contact Information: [REDACTED]

Electoral Area: B

[REDACTED]

## Form submission from: Building Inspection Services Comment Form

Columbia Shuswap Regional District <info@csrd.bc.ca>

Thu 6/8/2017 11:01 AM

To: Building Permit <BuildingPermit@csrd.bc.ca>;

Submitted on Thursday, June 8, 2017 - 11:01

Submitted by anonymous user [REDACTED]

Submitted values are:

### Comments:

Requiring permits and inspections is a terrible idea. I am sure no referendum is being held as you know for sure it will never pass. The reasons for requiring this are not credible. The building code is largely about cookie cutter buildings, not safety and supports large manufacturers by requiring their exclusive products.

The reason for not having a referendum have not been given, only the reasons you do not have to. This is insulting.

If anything, building permits and inspections should be available to those who want it for insurance or mortgage purposes. Those who not not want it should not be required to have it.

I demand this go to referendum. If this goes through without a referendum I will vote out anyone I can who supported it and I will run for Director and repeal the law.

There is no good reason for this to go through when the citizens of the area do not want or need it.

Name: [REDACTED]

Contact Information: [REDACTED]

Electoral Area:

[REDACTED]

## Form submission from: Building Inspection Services Comment Form

Columbia Shuswap Regional District <info@csrd.bc.ca>

Thu 6/8/2017 9:08 PM

To: Building Permit <BuildingPermit@csrd.bc.ca>;

Submitted on Thursday, June 8, 2017 - 21:08

Submitted by anonymous user: [23.16.202.165]

Submitted values are:

### Comments:

I do not believe due process has been followed by implementing this service without putting it to the electorate either in the form of referendum or presenting it before the next election as part of a candidate's platform.

I am an owner of several properties in Area B and object strenuously to this imposition without direct consultation with the electorate.

This new "service" is not a service but an imposition making construction of modest structures unaffordable.

Any director who votes in favour of this should be wary at the time of the next election!

Name: [REDACTED]

Contact Information: [REDACTED]

Electoral Area: B

[REDACTED]

## Form submission from: Building Inspection Services Comment Form

Columbia Shuswap Regional District <info@csrd.bc.ca>

Mon 6/12/2017 8:36 PM

To: Building Permit <BuildingPermit@csrd.bc.ca>;

Submitted on Monday, June 12, 2017 - 20:36

Submitted by anonymous user [REDACTED]

Submitted values are:

### Comments:

I am very disappointed and unhappy that the CSRD Area B is planning to impose building permits, codes and inspectors without having a referendum about this major change. I find this to be very authoritarian and undemocratic.

Further, I suspect that this change is in response to a few developments which are in the works in this area such as that of [REDACTED]. If this is the case, I think it is very unfortunate to catch all freeholders in this net. I sympathise with wanting to hold commercial developments to a good building code, but I think that could be addressed with legislation focusing only on Strata developments and other commercial developments. A building inspector solely for this purpose could be hired or brought in on a contract basis when needed to inspect such commercial developments. Much of this can be addressed with development permits and zoning in the first place. I find it a shame to change the character of the life of the under 600 hundred residents in Area B. Such codes and inspections will citify this area, drive up the price of housing, and make the dream of an affordable house or vacation property out of reach for many.

I, with my husband, own several parcels of land in CSRD Area B

Name: [REDACTED]

Contact Information: [REDACTED]

Electoral Area: B

[REDACTED]





## COLUMBIA SHUSWAP REGIONAL DISTRICT

555 Harbourfront Dr. NE Salmon Arm, BC  
PO Box 978 V1E 4P1 | 250-832-8194

### NEW BUILDING INSPECTION SERVICE

#### COMMENT FORM

Comments:

I AM OPPOSED TO GOING TO A SIX POINT  
INSPECTION & TO BRINGING BUILDING  
PERMITS TO SEYMOUR ARM. THIS WILL  
RESULT IN MORE STAFF HAVING TO BE  
HIRED & AS A RESULT TAXES WILL  
INCREASE. I ALSO AM CONCERNED  
THAT THIS WILL ALSO SLOW THE  
BUILDING PROCESS DOWN WHICH I  
HEAR A LOT OF COMPLAINTS FROM  
PEOPLE. SOME GIVE UP & OTHERS  
STATE THEY WOULD NEVER BUILD  
ANOTHER HOME HERE.

Name:

[REDACTED]

Contact Information:

[REDACTED]

Electoral Area:

B ☐ E ☐ F ☒

Please submit comment sheet here at the open house, email at [buildingpermit@csrd.bc.ca](mailto:buildingpermit@csrd.bc.ca), or mail to  
555 Harbourfront Drive NE, PO Box 978, Salmon Arm BC V1E 4P1



## COLUMBIA SHUSWAP REGIONAL DISTRICT

555 Harbourfront Dr. NE Salmon Arm, BC  
PO Box 978 V1E 4P1 | 250-832-8194

### NEW BUILDING INSPECTION SERVICE

#### COMMENT FORM

Comments:

IT'S ABOUT TIME! NOW WE  
NEED TO GET THEM IN THE  
ENTIRE CSRD AND RESPECT  
PUBLIC SAFETY RATHER THAN  
BOW TO UNINFORMED COMPLAINTS

Name:

[REDACTED]

Contact Information:

[REDACTED]

Electoral Area:

B ☐ E ☐ F ☒

Please submit comment sheet here at the open house, email at [buildingpermit@csrd.bc.ca](mailto:buildingpermit@csrd.bc.ca), or mail to  
555 Harbourfront Drive NE, PO Box 978, Salmon Arm BC V1E 4P1



# BOARD REPORT

**TO:**
**Chair and Directors**

<b>File No:</b>	LC2538
	LC2539
	MP20170132

**SUBJECT:**

Electoral Area D: Agricultural Land Commission (ALC) Application  
Section 21(2) - Subdivision and Section 17(3) - Inclusion

**DESCRIPTION:**

Report from Jennifer Sham, Planner, dated August 28, 2017.  
2972 & 3020 Yankee Flats Road, Yankee Flats

**RECOMMENDATION  
#1:**

THAT: Application No. LC2538D, Section 21(2) Subdivision for Parcel A (DD V44313) of the Northwest ¼ of Section 6 Township 18 Range 10 West of the 6<sup>th</sup> Meridian Kamloops Division Yale District, be forwarded to the Provincial Agricultural Land Commission recommending approval on this 21<sup>st</sup> day of September, 2017.

**RECOMMENDATION  
#2:**

THAT: Application No. LC2539D, Section 17(3) Inclusion of a portion of Parcel A (DD V44313) of the Northwest ¼ of Section 6 Township 18 Range 10 West of the 6<sup>th</sup> Meridian Kamloops Division Yale District, be forwarded to the Provincial Agricultural Land Commission recommending approval on this 21<sup>st</sup> day of September, 2017.

**SHORT SUMMARY:**

The applicants are applying to subdivide the ~63.99 ha property, located at 2972 & 3020 Yankee Flats Road in Electoral Area D, into two parcels of approximately 10 ha and a remainder of 53.99 ha. Further, if the ALC approves the subdivision, the applicants would like to include approximately 4.42 ha of the property into the Agricultural Land Reserve (ALR).

**VOTING:**

Unweighted  
Corporate ☒

LGA Part 14 ☐  
(Unweighted)

Weighted ☐  
Corporate

Stakeholder ☐  
(Weighted)

**BACKGROUND:**

REGISTERED OWNER(S):  
Jessica Walters and Trena Scott

AGENT:  
R.G. Holtby

ELECTORAL AREA:  
D

LEGAL DESCRIPTION:  
Parcel A (DD V44313) of the Northwest ¼ of Section 6 Township 18 Range 10 West of the 6<sup>th</sup> Meridian Kamloops Division Yale District

CIVIC ADDRESS:  
2972 & 3020 Yankee Flats Road, Yankee Flats

**SURROUNDING LAND USE PATTERN:**

North = Agriculture

South = Rural Residential, Crown Land

East = Agriculture

West = Crown Land

**CURRENT USE:**

Hobby Farm

**PROPOSED USE:**

Hobby Farms

**PARCEL SIZE:**

~63.99 ha

**PROPOSED PARCEL SIZES:**

~53.99 ha and ~10 ha

**DESIGNATION & ZONE:**

Salmon Valley Land Use Bylaw No. 2500

R Rural

**AGRICULTURAL LAND RESERVE:**

20%

**SOILS CAPABILITY:**

See "Holtby\_report\_2017-05-04\_LC2538.pdf" attached.

Canada Land Inventory Soil mapping indicates that 80% of the property contains Class 6 with topography and consolidated bedrock as limiting factors.

The soils are unimprovable.

Approximately 20% of the subject property is Class 5 with moisture limitations and topography.

The soils are improvable to 60% Class 4 with topography and stoniness and 40% Class 5 topography and moisture limitations.

**HISTORY:**

See "Maps\_Plans\_Photos\_LC2538.pdf" attached.

- 1638 (1980) allowed five lot subdivision of 17.5 ac, 3.6 ac, 39 ac, 85 ac and 120 ac. (1981) refused a road dedication because it splits the farm in half.
- LC2252 (2000) ALC allowed a 0.48 ha subdivision for a homesite.
- LC2358 (2007) ALC refused a subdivision of a 8 ha lot from the 64 ha parcel. Although the two fields are separated, the Commission believed that the property could be operated as a single unit. Further, the proposal would have a negative impact on agriculture. (2008) reconsideration refused.
- LC2438 (2011) approved a 2 lot subdivision.

- LC2479 (2015) refused a 2 lot subdivision because the ALC "does not believe the road is a significant impediment to utilization of the property as a whole" and that the proposed subdivision would not be consistent with Section 6 of the ALC Act. (Subject Property).

#### SITE COMMENTS:

See "Maps\_Plans\_Photos\_LC2538.pdf" attached.

A site visit was conducted on July 7, 2017. There was a single family dwelling (3020 Yankee Flats Road) and a manufactured home (2972 Yankee Flats Road) on the property, both on the west side of Yankee Flats Road. The proposed remainder parcel consists of rolling hills that slope upwards towards Crown lands to the west. There were chickens and goats on the property, and the neighbour to the south has a horse. The proposed lot is separated from the parent parcel by Yankee Flats Road.

#### POLICY:

Salmon Valley Land Use Bylaw No. 2500 (Bylaw No. 2500)

##### Part 2.2.5

##### Agricultural Land Reserve (ALR)

In addition to the regulations established in this Bylaw, all lands within the Agricultural Land Reserve are also subject to the provisions of the Agricultural Land Commission (ALC) Act, regulations and orders of the ALC (thereby not permitting the subdivision of land or the development of non-farm uses unless approved by the ALC).

##### Part 2.2.5.1

##### Additional Residences within the ALR

Any properties located within the ALR and in land use zones that permit two single family dwellings must have the approval of the ALC, prior to establishing the second residence.

In the event that the farm requires more than two single family dwellings on the property, either issuance of a Temporary Use Permit or a successful rezoning is required, after approval from the ALC is received.

##### Part 2.2.13.4

##### Minimum Parcel Area Exceptions

Where a portion of the parcel is physically separated from the remainder of the parcel by a highway or other titled land provided that:

- no parcel created in the R or RH zone is less than 4000 m<sup>2</sup> in area;
- the subdivision is restricted to dividing the parcel along the highway or other titled land that physically separates the parcel;
- this exception shall not include areas marked "Return to Crown" as indicated on the registered plan; and,
- this exception does not apply to a parcel shown on a reference, explanatory or subdivision plan deposited in the Land Title Office after December 31, 1995.

##### R Rural

Permitted uses: agriculture; airfield, airstrip; equestrian centre; fish farm; forestry; guest ranch; gun club and archery range; harvesting wild crops; home occupation; kennel; portable sawmill; single family dwelling; trapping; accessory use.

Maximum number of single family dwellings per parcel:

On a parcel with less than 2 ha in area = 1

On a parcel with 2 ha or more in area = 2

Minimum area of parcels to be created by subdivision = 60 ha

#### **FINANCIAL:**

There are no financial implications to the CSRD with regard to this application.

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

Prior to their passing, James and Trena Scott applied to subdivide the property into two lots (LC2479), divided by Yankee Flats Road. CSRD staff and the Board recommended approval of this application. The ALC refused the application in 2015 and stated that "it does not believe the road is a significant impediment to the utilization of the property as a whole; and that the proposed subdivision would not be consistent with section 6 of the ALCA." Section 6 states that the purposes of the commission are to: preserve agricultural land; encourage farming on agricultural land in collaboration with other communities of interest; and, encourage local governments, first nations, the government and its agents to enable and accommodate farm use of agricultural land and uses compatible with agriculture in their plans, bylaws and policies.

Trena Scott passed away in October, 2015 (James Scott predeceased her), and the administration of her estate was granted to her daughter Lindsay Hall. Ms. Hall lives in the manufactured home located on the west side of road at 2972 Yankee Flats Road. Their other daughter, Jessica Walters, moved into the home at 3020 Yankee Flats Road, also on the west side of Yankee Flats Road. Both homes are located on the proposed remainder lot, with the manufactured home outside of the ALR, and the other home (3020 Yankee Flats Road) within the ALR. See "Maps\_Plans\_Photos.pdf" attached. Their son owns and farms the 160 ha lot to the east of the subject property.

The current application (LC2538) and the previous application (LC2479) both proposed a 2 lot subdivision, divided by Yankee Flats Road, but with the change in ownership, the applicant has indicated that there is a desire to develop hobby farms on both sides of Yankee Flats Road. Further, the applicant has applied for an inclusion (LC2539) of approximately 4.4 ha of land into the ALR along either side of Yankee Flats Road: 2 ha west of the road, and 2.4 ha east of the road, contingent on the ALC approving the subdivision.

Having been on site during the previous application (LC2479), staff confirm that at the site visit for this application, a significant amount of the salvage and old farming equipment has been removed from the property; however, staff note that most of the developed portion of property is not within the ALR. It appears the owners at 3020 Yankee Flats Road have also started a hobby farm with chickens and goats. Speaking with Ms. Walters during the site visit, she intends to expand the farming operation (livestock) on the property in the future; her sister, Ms. Hall, also intends to start a hobby farm on the proposed lot across Yankee Flats Road (in the ALR), if the ALC approves this application and the subdivision process through Ministry of Transportation and Infrastructure is successful.

If the ALC approves this subdivision and inclusion application, the applicants may proceed with a subdivision application through the Ministry of Transportation and Infrastructure. Although the minimum parcel size in the R zone is 60 ha, Section 2.2.13.4 minimum parcel area exceptions in Bylaw No. 2500 states that minimum parcel area regulations shall not apply where a portion of the

parcel is physically separated from the remainder of the parcel by a highway or other titled land provided that: "no parcel created in the R or RH zone is less than 4000 m<sup>2</sup> in area; the subdivision is restricted to dividing the parcel along the highway or other titled land that physically separates the parcel..."

If the ALC does not approve the subdivision application, the Approving Officer has the ability to approve a plan of subdivision along the ALR boundary (Part 5, Section 10(1)(d) of the ALC Act); however, the lots will not meet the minimum parcel size of 60 ha in Bylaw No. 2500. A successful bylaw amendment application to redesignate and rezone the property to RH Rural Holdings (minimum parcel size 8 ha) would be required.

There is a section (Section 514) of the Local Government Act (LGA) regarding subdivision to provide residence for a relative; however, an application under Section 514 is not an option in this case because under Section 514, the owner must have owned the property for 5 years and the purpose of the application is to provide a separate residence for the owner, a parent of the owner or of the owner's spouse, the owner's child or the spouse of the owner's child, or the owner's grandchild. The current owner has not owned the parcel for 5 years, and the proposed subdivision is to provide a separate title for a sister, which is not in the list above.

#### **SUMMARY:**

The applicants have applied to subdivide the subject property along Yankee Flats Road creating two lots of approximately 10 ha and 53.99 ha. If the ALC approves the subdivision, the applicants would also like to include approximately 4.42 ha of land into the ALR.

Staff recommends approval of these application for the following reasons:

- The majority of the property is not within the ALR and the subdivision and inclusion would create one lot that is completely within the ALR and a remainder lot with an increased area of ALR lands;
- Yankee Flats Road divides the property and the subdivision would not significantly change or negatively impact the surrounding properties; and,
- Both sisters have indicated that if the property is subdivided, they both would expand and establish hobby farms, which would increase the farm use of the property and farming in the area.

#### **IMPLEMENTATION:**

If the ALC allows this subdivision, the owner will continue with the subdivision process by applying to both Ministry of Transportation and Infrastructure and the CSRD.

#### **COMMUNICATIONS:**

These applications were forwarded to the Advisory Planning Commission D who recommended approval.

The recommendation of the Board will be forwarded to the ALC for consideration during its review of this application.

#### **DESIRED OUTCOMES:**

That the Board endorse staff recommendations.

**BOARD'S OPTIONS:**

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

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

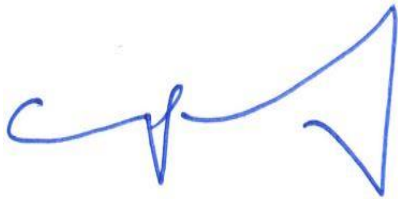
1. Salmon Valley Land Use Bylaw No. 2500
2. ALC Act and Regulations
3. APC D August 2017 Meeting Minutes



**Report Approval Details**

Document Title:	2017-09-21_Board_DS_LC2538_LC2539_Walters-Scott.docx
Attachments:	- Holtby_report_2017-05-04_LC2538.pdf - Maps_Plans_Photos_LC2538.pdf
Final Approval Date:	Sep 11, 2017

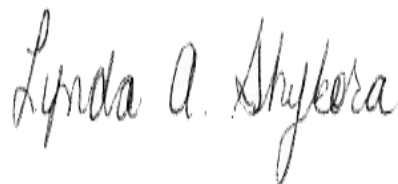
This report and all of its attachments were approved and signed as outlined below:



**Corey Paiement - Aug 25, 2017 - 4:03 PM**



**Gerald Christie - Sep 10, 2017 - 3:27 PM**



**Lynda Shykora - Sep 11, 2017 - 9:50 AM**



**Charles Hamilton - Sep 11, 2017 - 3:32 PM**

# An Opinion on an Application to Subdivide within and Include Land into the Agricultural Land Reserve

Clients: Jessica Walters  
Estate of Trena Scott  
Date: May 4, 2017

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## 1.0 Introduction

Jessica Walters and Lindsay Hall, Executrix for the Estate of Trena Scott, are making an application to subdivide:

Parcel A(DD V44313) of the North West  $\frac{1}{4}$  of Section 6, Township 18, Range 10, West of the 6<sup>th</sup> Meridian, Kamloops Division, Yale District containing 63.95 hectares or 158.03 acres and located at 3020 Yankee Flats Road

The subdivided land is 9.7 hectares or 24 acres.

To smooth out the ALR boundary, and to recognize the utilization of land being part of a hobby farm, it is proposed that lands be included in the ALR.

The dividing line for the subdivision is Yankee Flats Road as shown in Figure 1.

**Figure 1: Aerial View of Subject Parcel**



The land to be included in the ALR is the thin wedge on the east side of Yankee Flats Road. The original line followed the old road. The new road to the west of the old left a strip. In addition, the land to the west of the Walters homesite is being used for their hobby farm. The applicants feel that it is better included in the ALR to maintain the integrity of the boundary.

The proposal to include the land within the ALR is shown in Figure 2.

The area along the road is about 2.02 ha or 5 acres and the area west of the homesite is about 2.4 ha or 5.8 acres.

This parcel was the subject of an application to subdivide along the road. At the time, she wished to allow for another home on the parcel as she and her husband were disabled. Since that time, both of them have passed. Their daughters wish to subdivide the parcel to have a residence on their family lot. The decision on that application is discussed later in this opinion.

**Figure 2: Area to be Included in the ALR**



## 2.0 Qualifications

I am a licensed Agrologist and have been a full member of the B.C. Institute of Agrologists since 1971 (except 2001-2002). I am a graduate from the University of British Columbia with a Bachelor of Science degree in 1967, specializing in Agriculture Economics, and a Master of Science degree in 1972, specializing in Farm Management. My thesis for my Master's degree was entitled *Resource Allocation for the Median Peace River Farm in British Columbia*

I have been involved in the work of the Agricultural Land Commission since 1974 when the reserve boundaries were proclaimed. At that time, I was District Agriculturist for the British Columbia Ministry of Agriculture in Prince George. In October 1978 I entered private practice and have provided professional opinions for clients who have sought amendments to the Agricultural Land Reserve boundaries, subdivision within the ALR, or who have needed assistance in compliance with requests from the Commission.

I have also written and spoken of the need to address the unintended consequences of the provincial land use policy.

All agricultural assessments, whether they are for feasibility or management purposes, start with the soils. Past that point one needs an understanding of plant science, animal science and farm management to properly assess the farming potential of any site. I have demonstrated that understanding throughout my career.

During my years in both public and private practice, Courts and Review Boards have accepted me as an expert regarding farming practices in British Columbia. Consequently, I feel qualified to provide an assessment of a proposal under the *Agricultural Land Commission Act*. My qualifications and experience allow me to comment on the value of agricultural land and the practices of farming on that land. While not formally trained in soil science, I have been exposed to the principles of that discipline through short courses, field trips, and by accompanying pedologists during soils assessments.

Consequently, I believe I am qualified to comment on the two main purposes of the Agricultural Land Commission. That is: to preserve agricultural land, and to encourage farming on agricultural land in collaboration with other communities of interest.

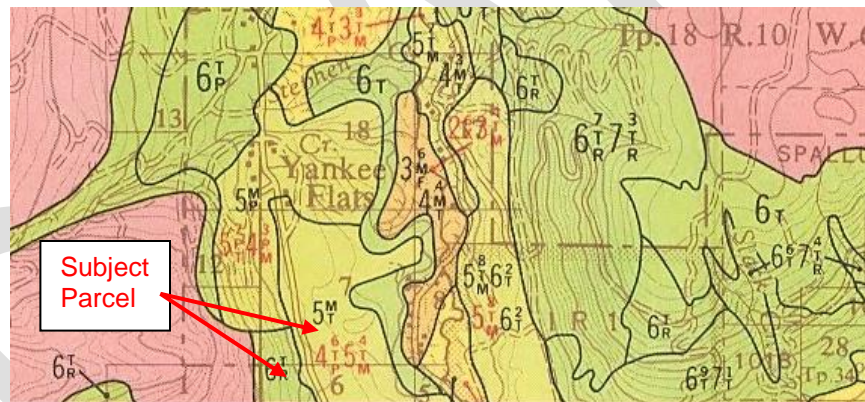
I am currently a member of the Environmental Appeal Board and the Forest Appeals Commission. Following these appointments, I have received training in Administrative Law and the Rules of Natural Justice.

### 3.0 Agricultural Capability of the Subject Parcel

The Yankee Flats area has variable landforms. The western portion has steep slopes that limit its arability while the areas on the east side of Yankee Flats road need irrigation for assured production.

The Canada Land Inventory classifications of the subject parcel are shown in Figure 3:

**Figure 3: CLI Classifications of Subject Area**



As shown in Figure 3, the homesite and the land east of the road are classed as Class 5 limited by the lack of moisture and topography. With irrigation, the range of crops available increased to 60% Class 4 limited by topography and stoniness while the remaining 40% retains the Class 5 limitations from topography and moisture. The portion of the land north of the homesite and west of the road is classed as Class 6 limited by topography and rockiness.

The meaning of these classifications is that, without irrigation, the more level land is limited to permanent forages, probably for pasture or hay. The Class 6 land has some grazing values but is not considered arable.

There is a water licence of 2.273 m<sup>3</sup>/day or 500 Imperial gallons per day appurtenant to the parcel but it is for domestic use only. While this amount of water allows for garden and lawn watering, it is not sufficient to support a crop.



As is shown from the CLI ratings, the drafters of the Agricultural Land Reserve generally drafted the boundaries along Yankee Flats Road and also included the homesite on the west side of the road as shown in Figure 2. Separating that homesite from the balance of the property is the subject of this application. Also, adjusting the boundary to the road is intended by the applicants to provide a more logical boundary.

My inspection of the property concentrated on the homesite. Generally, the soils are a sandy loam that can be productive if provided with water. A soil pit in Photograph 1 shows the soils.

Photograph 2 shows the area proposed for inclusion west of the homesite. My examination concluded that the soils are similar to the homesite and are not impaired by steep topography.



**Photograph 1: Soil Pit on Homesite**



**Photograph 2: Area Proposed for Inclusion**

Photograph 3 shows Yankee Flats Road looking north. The area proposed for inclusion lies to the right of the road in the photograph. It also illustrates the steep slope that comes down to the road from the west. The separation of the ALR and non-ALR lands is justified by the change in topography.



**Photograph 3: Looking North along Yankee Flats Road**

With the limited arability of the land in and proposed to be included in the ALR, it is my opinion that they are sufficiently arable to be considered “Agricultural”. That is they are capable of being “... suitable for farm use” as defined in Section 15 of the *Act*. However, given the limited parcel size, the farm use would be limited to hobby farming even without the subdivision.

The lands outside the ALR, with the exception of that area proposed for inclusion around the homesite, are not considered arable or “Agricultural.”

#### **4.0 Local Government Concerns**

The subject parcel is zoned by the Columbia Shuswap Regional District as “R” for Rural. The minimum parcel size to be created by subdivision is limited to 60 hectares.

However, since the land is to be provided to a relative, I believe that Section 514 of the *Local Government Act* will apply. Since Trena Scott owned the parcel for more than 5 years prior to her death, Section 514 (2)(a), requiring five year ownership, should not apply.

I note that under the previous application, the Regional District Board passed a motion to forward the application to the ALC with a recommendation for approval.

#### **5.0 Previous Application**

In March, 2015, the Commission denied an application by Trena Scott to move the ALR boundary along Yankee Flats Road. While this was the same proposal as the current one, the rationale behind it has changed.



Mr. and Mrs. Scott had established a manufactured home on the west side of the road to accommodate their infirm condition. Consequently, the application became somewhat moot. Nevertheless, the Commission made a decision that<sup>1</sup> "... it does not believe the road is a significant impediment to the utilization of the property as a whole and that the proposed subdivision would not be consistent with section 6 of the ALCA."

Following their deaths, their eldest daughter, Lindsay Hall, and her family moved into that home. Their youngest daughter, Jessica Walters, renovated and moved into the family home.

The homesite proposed for severance from the rest of the arable land is now an active hobby farm with livestock and poultry. They have substantially cleaned up the old equipment on the parcel and seek to extend their operation into arable land to the west of the homesite. That is the land proposed for inclusion into the ALR. This activity contrasts with the statement of Mrs. Scott who declared that they had<sup>2</sup> "... not actively farmed the smaller piece for many years."

Most of the arable land from the Scott estate has been acquired by their son who is farming on the land.

Consequently, the subject parcel is isolated from the balance of the estate due to its change in ownership.

## **6.0 Summary and Conclusion**

The application is in Zone 1, and thus the original purposes of the Commission hold. That is:

**6** The following are the purposes of the commission:

- (a) to preserve agricultural land;
- (b) to encourage farming on agricultural land in collaboration with other communities of interest

There are a number of definitions of agricultural land. In my opinion above, I used the Section 15 definition that it is land capable of farm use. Consequently, all of the arable land remains within the Agricultural Land Reserve. Indeed, the ALR land base is increased both in the homesite and along the road.

When the Hall family is able to solely acquire the land along the east side of the road, I expect that they, too, will develop a hobby farm.

Thus, the application enhances the rural community development structure, preserves and enhances agricultural land, and encourages hobby farming.

The Commission has asked, in the past, for a comment from me as to the benefits to agriculture from the application. In this case, I believe that the application allows for two young families to develop hobby farms on their family home. As such, the community is enhanced by their presence as is the school population. Maintaining a viable rural community is not within the mandate of the Commission, but would be a positive outcome from allowance of this application.

---

<sup>1</sup> Agricultural Land Commission, *Reasons for Decision, File 53392*, March 24, 2015, page 3

<sup>2</sup> *Ibid.*, page 2

I remain available to answer questions which may arise from my opinions on this application.

Respectfully submitted,

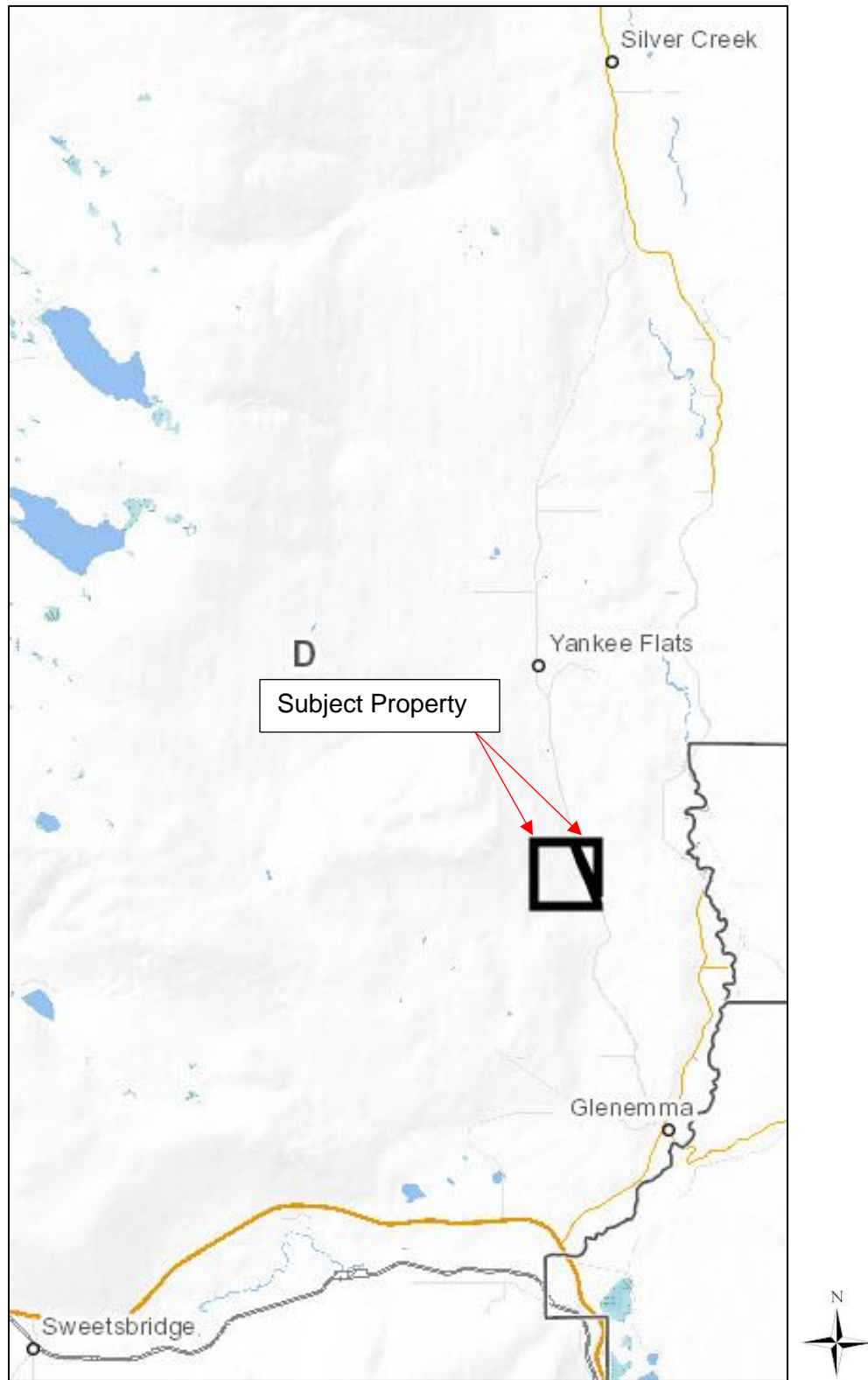
A handwritten signature in black ink, appearing to read "R.G. Holtby", with a long, sweeping horizontal line extending to the right.

R.G. (Bob) Holtby, P.Ag.

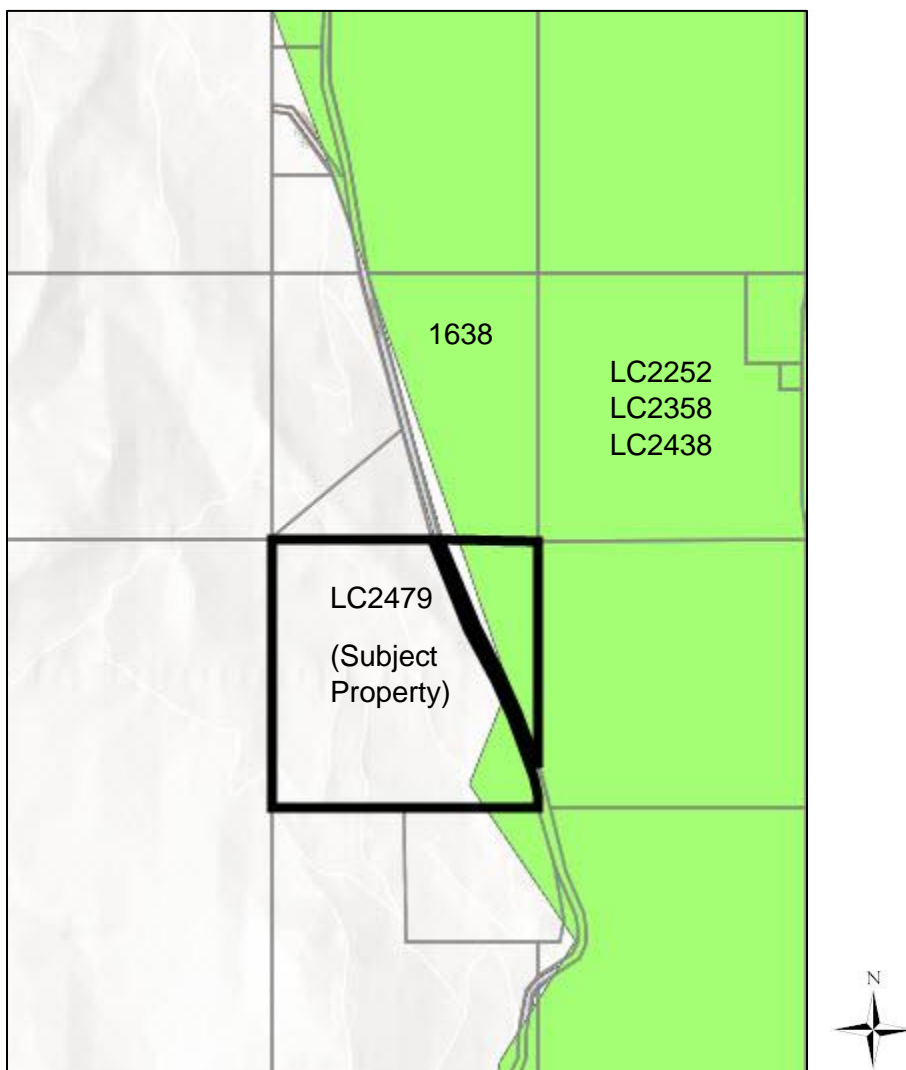
May 4, 2017

DRAFT

## Location

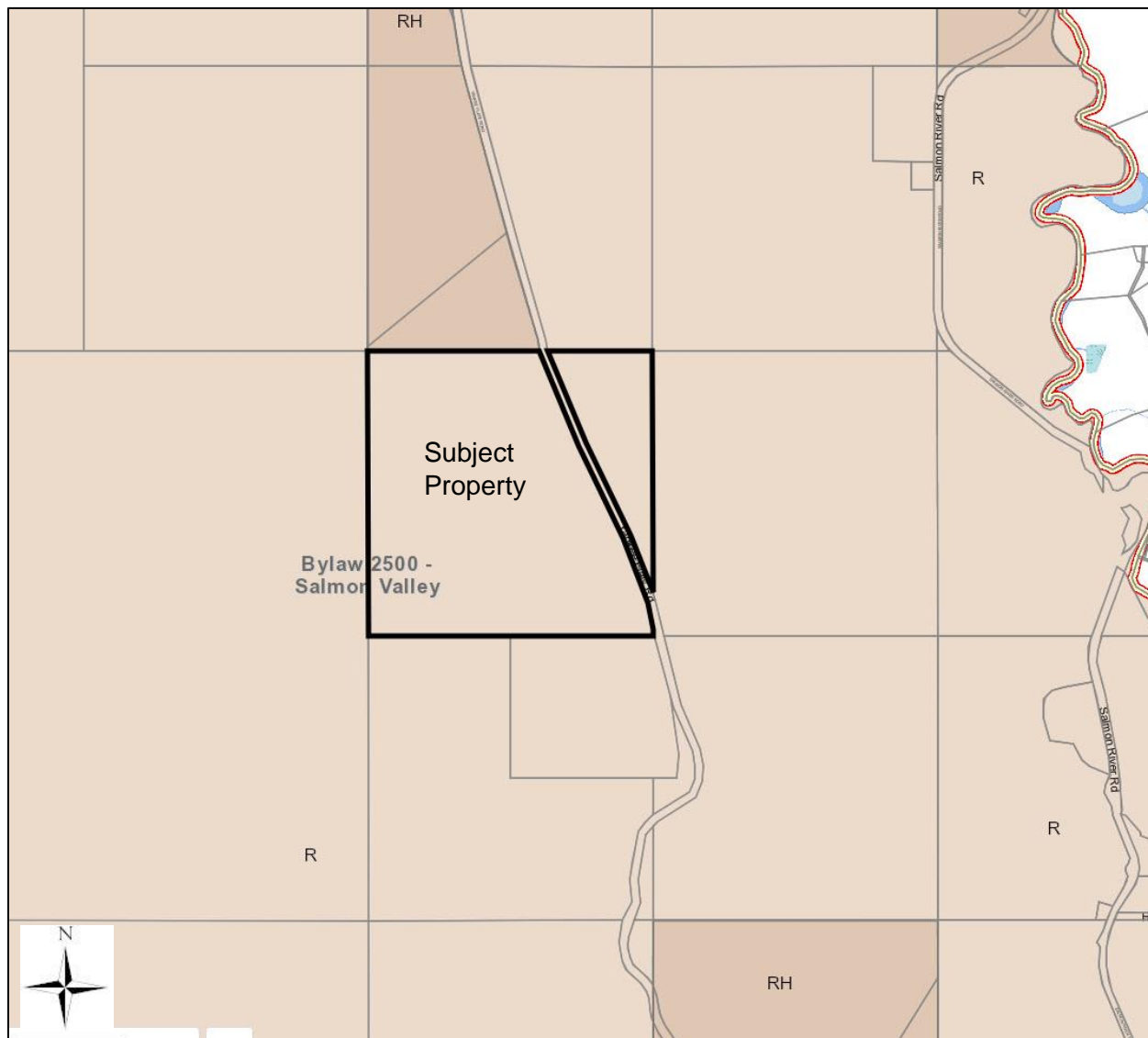


## ALR/History



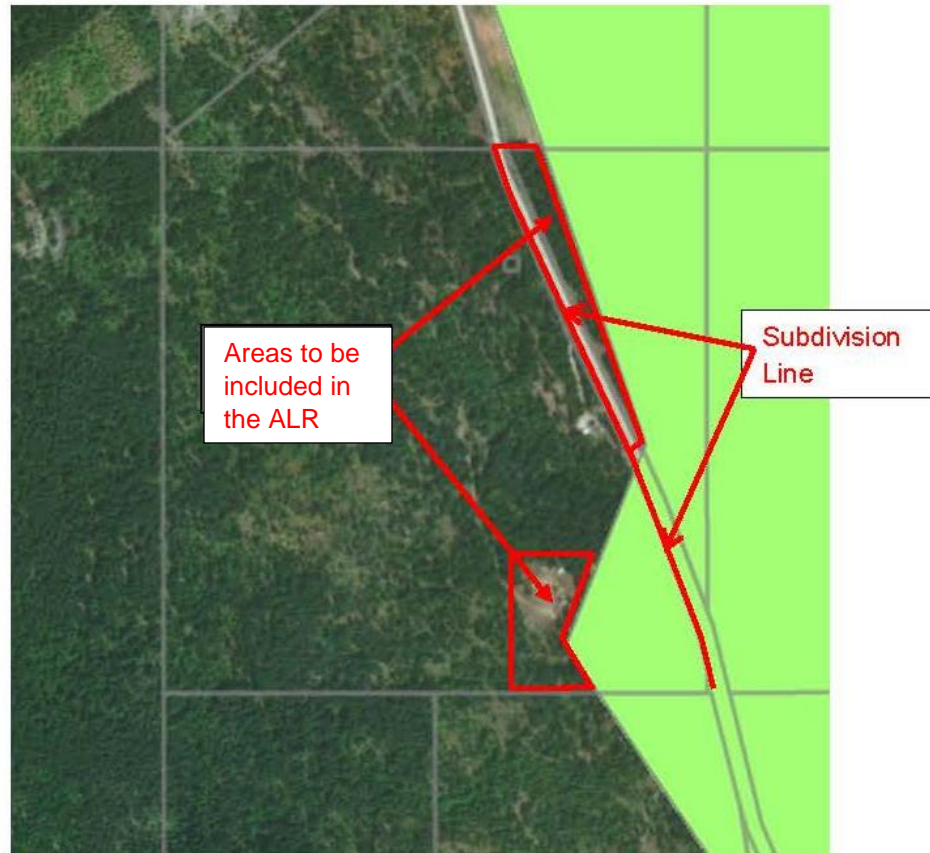
ALR land is in green

## OCP/Zoning

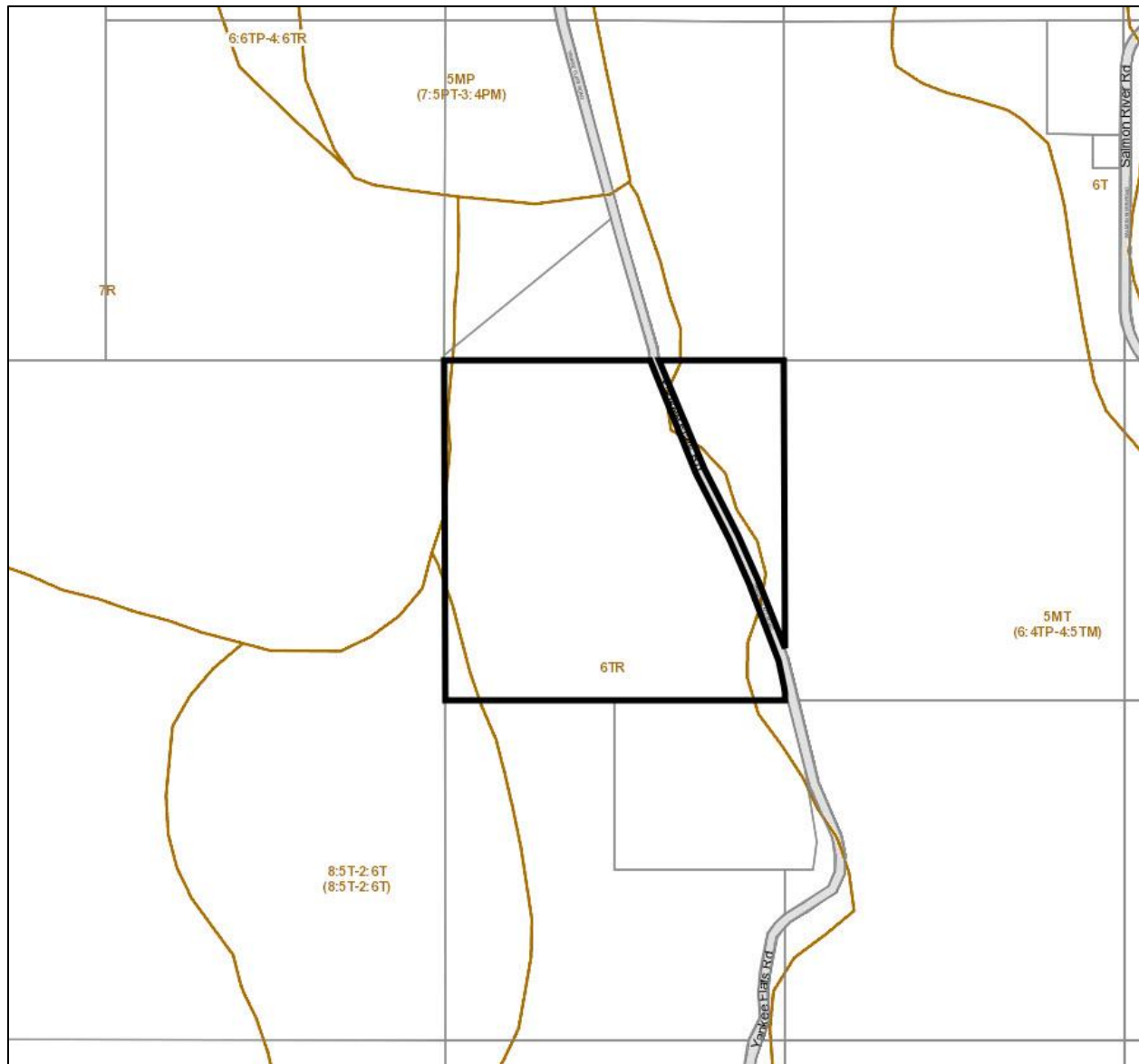


# Site Plan

## Proposed Inclusion and Subdivision

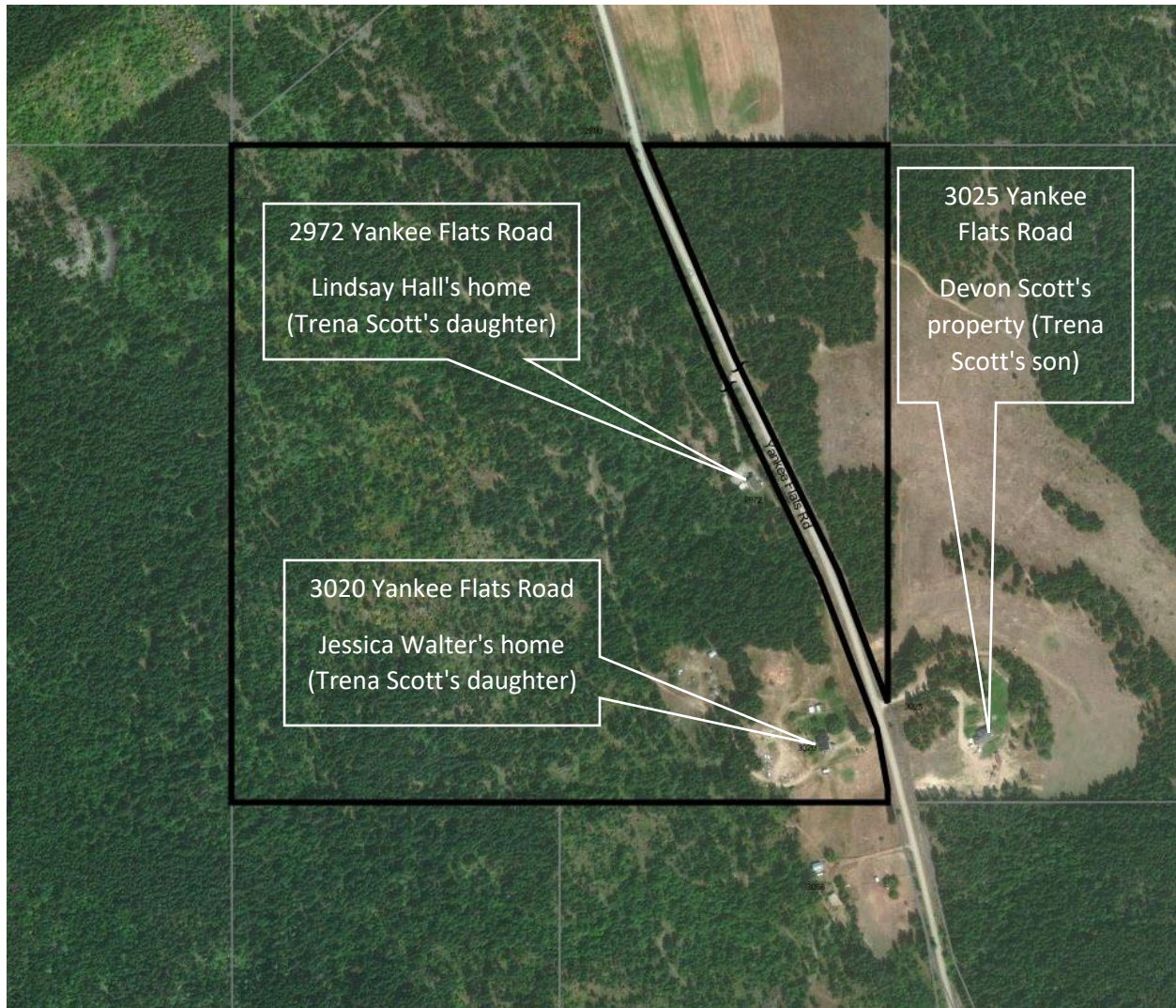


# Soils





## Orthophotograph





## Photos



This photo was taken facing west from the driveway at 3020 Yankee Flats Road.



This photo was taken facing northwest from Yankee Flats Road at the subject property. The property is well treed and slopes upwards towards the north and west.





These photos were taken from the south of the subject property facing north on Yankee Flats Road. The CSRD white vehicle was parked on the driveway to the property (left side of the photo).



This photo was taken from the southern property boundary of the subject property, facing north on Yankee Flats Road. A small portion of the property on the east side of the road is not within the ALR, while only a small portion of the property on the west side of the road is in the ALR.



This photo was taken facing south on Yankee Flats Road. The driveway to the manufactured home is on the right of the photo. The subject property is hooked across the road.



This photo was taken facing south on Yankee Flats Road. Staff note the 60 km/hr cautionary sign in the photo.





This photo was taken facing south at the manufactured home on the north portion of the subject property.



This photo was taken facing south on Yankee Flats Road at the well treed portion of the subject property proposed to be included into the ALR. The remainder of the property on this side of Yankee Flats Road is within the ALR.



# BOARD REPORT

**TO:**
**Chair and Directors**

<b>File No:</b>	DP 725-110 PL20170092
-----------------	--------------------------

**SUBJECT:**

Electoral Area C: Form and Character DP 725-110 (Blind Bay Hideaway Ltd.)

**DESCRIPTION:**

Report from Dan Passmore, Senior Planner, dated August 10, 2017.  
2094 Eagle Bay Road, Blind Bay.

**RECOMMENDATION  
#1:**

THAT: in accordance with Section 490 of the Local Government Act Development Permit No. 725-110 for proposed construction of an additional 4 weekly vacation rental cabins (cabins #6-9) on Lot 11, Section 20, Township 22, Range 10, West of the 6<sup>th</sup> Meridian, Kamloops Division Yale District, Plan 6612 (PID: 010-078-347), be issued this 21<sup>st</sup> day of September, 2017.

**SHORT SUMMARY:**

The applicant is constructing 4 additional weekly vacation rental cabins (cabins #6-9) on the subject property, which currently has 5 such existing cabins. The subject property is designated commercial and therefore a Commercial Form and Character Development Permit is required.

<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:**

PROPERTY OWNER:  
Blind Bay Hideaway Ltd.

APPLICANT:  
Brad Long

ELECTORAL AREA:  
'C' (Blind Bay)

LEGAL DESCRIPTION:  
Lot 11, Section 20, Township 22, Range 10, West of the 6<sup>th</sup> Meridian, Kamloops Division Yale District, Plan 6612 (PID: 010-078-347)

ADDRESS:  
2094 Eagle Bay Road

SIZE OF PROPERTY:  
0.73 ha (1.8 ac)

**SURROUNDING LAND USE PATTERN:**

NORTH	Residential
SOUTH	Residential

WEST  
EAST

Eagle Bay/Shuswap Lake  
Crown Land

**CURRENT USE:**

Tourist Accommodation (5 weekly rental cabins)

**PROPOSED USE:**

Additional 4 weekly rental cabins

**OCP DESIGNATION:**

TC – Tourist Commercial

**ZONING:**

C5 – Tourist Commercial

**POLICY:**

**Electoral Area 'C' Official Community Plan Bylaw No. 725**

The subject property is designated TC Tourist Commercial. The OCP contains the following policy for guidance:

3.8.2.5 Existing Commercial (C), Tourist Commercial (TC) and Resort Commercial (RC) land use designations are recognized on Schedules B and C. New Commercial (C), Tourist Commercial (TC) and Resort Commercial (RC) may be considered in the Secondary Settlement Areas through individual redesignation and rezoning applications.

The following is the Form and Character Development Permit:

**12.7 Commercial Development Permit Area**

**.1 Purpose**

The Commercial Development Permit Area is designated under the *Local Government Act* for the establishment of objectives for the form and character of commercial development for areas designated as Commercial in the OCP,

**.2 Justification**

The justification of this Commercial DP is to promote pedestrian movement and a high level of site and building design which integrates well with the character of the surrounding built environment. As some commercially designated parcels are outside of the Village Centre and Secondary Settlement Areas it is important that commercial development fit with the primarily residential and rural character of the area.

**.3 Area**

This DPA applies to the areas designated as commercial (C, TC, RC, WC, HC) as set out in Schedules B and C.

**.4 Exemptions**

- .1 A single storey accessory building with a gross floor area less than 10 m<sup>2</sup> (107.4 ft<sup>2</sup>);
- .2 Non-structural external repairs or alterations exempted by the BC Building Code; or,
- .3 Creation of impervious or semi-impervious surfaces less than 100 m<sup>2</sup> (1,076.4 feet<sup>2</sup>).

.5 *Guidelines*

- .1 A landscaped buffer between parking areas and public streets should be provided. Additional landscaping within parking lots is encouraged;
- .2 The primary pedestrian entrance to all units and all buildings should be from the street, or if from the parking lot, a pedestrian sidewalk should be provided. Entries must be visible and prominent;
- .3 Weather protection in the form of awnings or canopies should be provided over all grade level entries to residential and retail units;
- .4 Use of non-combustible external building materials is encouraged;
- .5 Outside storage, garbage and recycling areas should be screened with fencing or landscaping or both;
- .6 Design of signage and lighting should be integrated with the building facade and with any canopies or awnings; and,
- .7 Buildings on corners should have entries, windows and an active street presence on the two public facades, to avoid the creation of blank walls in prominent locations.

Section 12.1 of the Electoral Area 'C' OCP designates all properties, any portion of which, contain slopes 30% or greater as Hazardous Lands Development Permit Area (Steep Slope). The purpose of this designation is to protect development from steep slope hazardous conditions. A Development Permit may be issued following submission of a geotechnical report from an Association of Professional Engineers and Geoscientists of British Columbia (APEGBC) registered professional with experience in geotechnical engineering. The report must contain the following:

- i. site map showing area of investigation, including existing and proposed: buildings, structures, septic tank & field locations, drinking water sources and natural features, including watercourses;
- ii. strength and structure of rock material, bedding sequences, slope gradient, landform shape, soil depth, soil strength and clay mineralogy;
- iii. surface & subsurface water flows & drainage;
- iv. vegetation: plant rooting, clear-cutting, vegetation conversion, etc.
- v. recommended setbacks from the toe and top of the slope;
- vi. recommended mitigation measures; and
- vii. recommended 'no-build' areas.

Further, Development in steep slopes should avoid:

- i. cutting into a slope without providing adequate mechanical support;
- ii. adding water to a slope that would cause decreased stability;
- iii. adding weight to the top of a slope, including fill or waste;
- iv. removing vegetation from a slope;
- v. creating steeper slopes; and
- vi. siting Type 1, 2 and 3 septic systems and fields within steep slopes.

Finally, a Covenant may be registered on title identifying the hazard and remedial requirements as specified in the geotechnical or engineering reports for the benefit and safe use of future owners.

### **South Shuswap Zoning Bylaw No. 701**

The subject property is currently zoned C5 – Tourist Commercial Zone. Permitted uses in the C5 zone are as follows:

1. commercial lodging;
2. restaurant;
3. outdoor recreation facility;
4. indoor recreation facility;
5. campground;
6. convenience store;
7. bakery;
8. post office;
9. gasoline/vehicle fuel sales;
10. craft and gift shop;
11. personal service establishment;
12. neighbourhood pub;
13. gallery or studio (but not including television, music or radio studios);
14. police station;
15. ambulance station;
16. accessory upper floor dwelling units with or without sewer;
17. single family dwelling for caretaker of property;
18. accessory use.

The proposed development of 4 additional cabins complies with the C5 zone.

### **FINANCIAL:**

The application for a Development Permit (DP-725-110) is the result of a bylaw enforcement action. The owner had begun construction of the 4 new cabins on the subject property without first having obtained the necessary Development Permit. Should the Board decide not to issue the Development Permit, the Board will need to consider further bylaw enforcement action.

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

#### **The Proposal**

The subject property currently has 5 weekly rental cabins (cabins #1-5) located on it that were constructed prior to the adoption of South Shuswap Zoning Bylaw No. 701. The existing cabins are situated on the lower portion of the property, closer to Eagle Bay Road. The owner had commenced construction of four new cabins (cabins #6-9) on the middle bench of the property. This Development Permit will only apply to the new 4 cabins.

Perris Creek crosses into the property from the north and has been contained within a culvert at some point in the past. The culvert runs directly under existing cabin #2 and enters another culvert which exits across Eagle Bay Road into Shuswap Lake.

The proposed new development has occurred on the middle bench of the property above a rock bluff and consists of an additional 4 weekly rental cabins as well as a new septic system.



**Sewage Disposal**

The four new cabins, as well as the 5 existing cabins are proposed to be serviced by an on-site septic sewage disposal system, which is being constructed on the east part of the property more than 100 m from Shuswap Lake.

**Water Supply**

The property is currently serviced by a surface water intake from Shuswap Lake. It is unknown if the owner has obtained the permission of the Ministry of Transportation and Infrastructure (MoT) to cross under Eagle Bay Road with the water supply line.

**Access**

Access to the proposed new lots will be from Eagle Bay Road. It is unknown whether MoT has issued a commercial access permit for the development. It is also unknown whether MoT will require an amendment to any existing access permit (if one has been issued) for the increase in usage on the site. MoT was sent a referral on this application and simply responded that the issuance of this DP did not fall under their legislated requirements.

**Steep Slopes Development Permit Area**

The applicant has additionally made an application for a Development Permit under Section 12.1 of the Electoral Area C Official Community Plan Bylaw No. 725. Staff have reviewed the geotechnical report, and the Manager of Development Services is prepared to authorize issuance of this technical Development Permit, should the Board approve this form and character Development Permit.

Staff note that the Geotechnical report makes a point of omitting any review of a lock-block retaining wall constructed previously on the subject property to support a driveway constructed into the upper area of development where the new cabins have been constructed. The permit under consideration for issuance contains the following clause:

The Steep Slope Geotechnical Assessment Report by Rod Williams, P.Geo., of Onsite Engineering Ltd., dated July 19, 2017, specifically excludes consideration of a lock-block retaining wall constructed on the south side of the subject property, and as shown on the site plan attached hereto as Schedule B, and Photo 2 on Page 9 of the report, to support a driveway. These works are outside the scope of the guidelines under Section 12.1, and the CSRD does not have Building Regulations within Electoral Area C, the retaining wall construction must therefore meet all applicable BC Building Code standards and to do so must be designed by a professional engineer.

Consideration of the retaining wall was not included in the report because it had been previously constructed and the geotechnical professional was not on site to supervise either existing geotechnical conditions or construction methods.

**SUMMARY:**

The applicant is requesting a Development Permit in respect of form and character guidelines expressed in the OCP for 4 new cabins on the site.

Most of the guidelines for form and character are in respect of the street presence of new development. Since the new cabins are on the middle bench of the property, their impact on the streetscape is negligible. Also, the applicant is not proposing new signage. Therefore, the proposed additional buildings meet the objectives and policies for Commercial development and complies with the applicable Development Permit guidelines as required in Electoral Area C Official Community Plan No. 725.

**IMPLEMENTATION:**

If the Board issues DP 725-110, the applicant will be notified of the decision in writing, and documentation will be forwarded to the Land Titles Office for registration against the title of the property.

**COMMUNICATIONS:**

Property owners and tenants in occupation within 100 m of the subject property were given notification a minimum of 10 days prior to the September 21, 2017, CSRD Board Meeting. All interested parties have had the opportunity to provide comments regarding this application prior to the Board Meeting.

**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.*

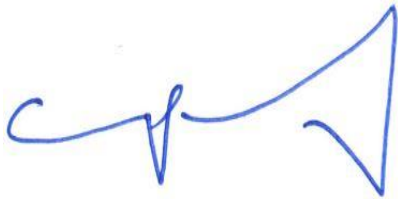
**LIST NAME OF REPORT(S) / DOCUMENT(S) AVAILABLE FROM STAFF:**

1. Electoral Area C Official Community Plan Bylaw No. 725, as amended.
2. South Shuswap Zoning Bylaw No. 701, as amended.
3. Application.

**Report Approval Details**

Document Title:	2017-09-21_Board_DS_DP725-110-BlindBayHideaway.docx
Attachments:	- Maps_Plans_DP725-110.pdf - DP725 110-Long- Permit and Schedules-FormandCharacter.pdf
Final Approval Date:	Sep 11, 2017

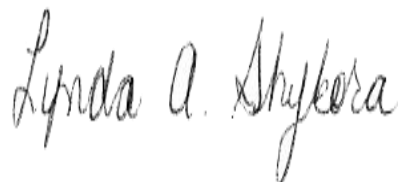
This report and all of its attachments were approved and signed as outlined below:



**Corey Paiement - Sep 7, 2017 - 12:11 PM**



**Gerald Christie - Sep 10, 2017 - 3:19 PM**

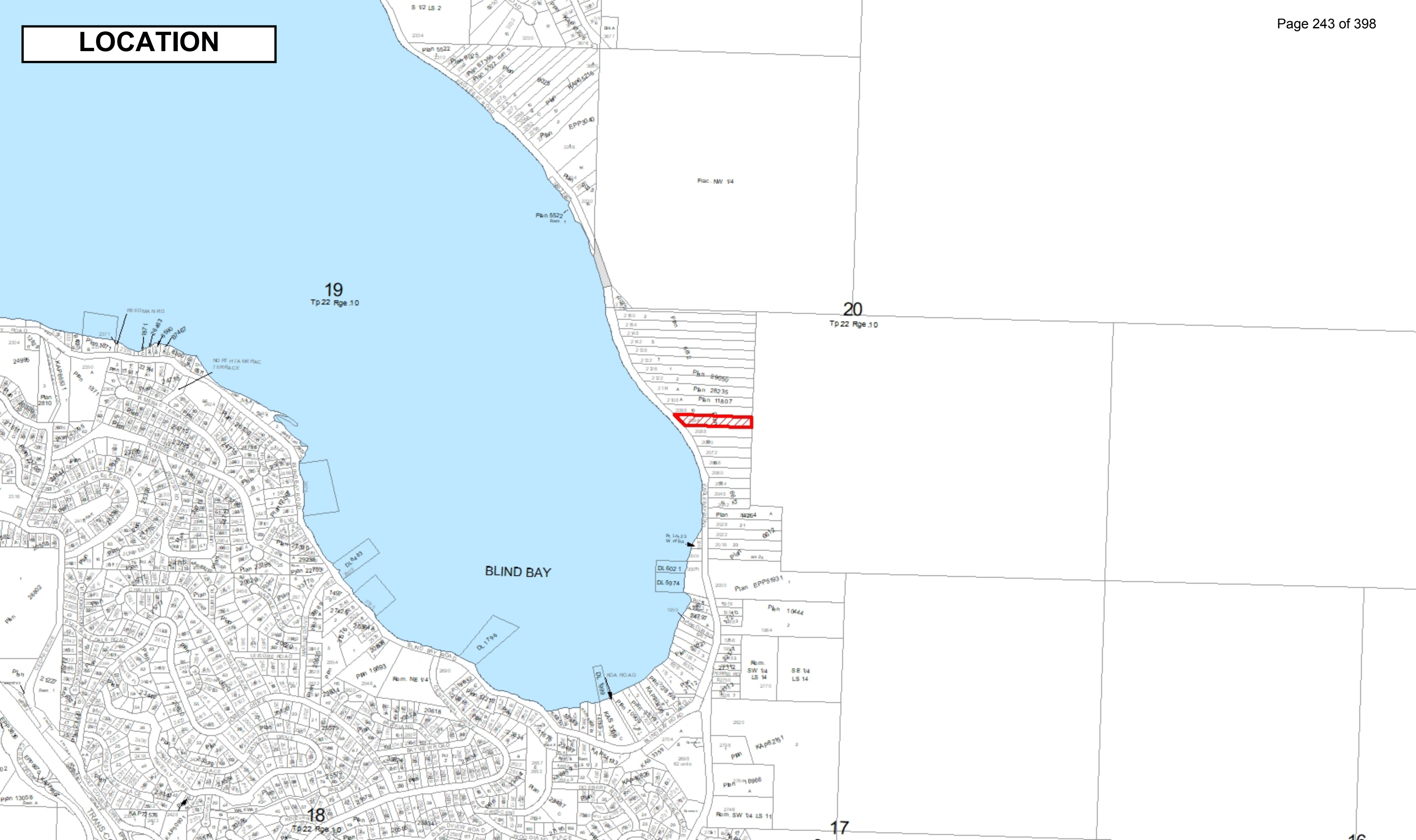


**Lynda Shykora - Sep 11, 2017 - 2:22 PM**



**Charles Hamilton - Sep 11, 2017 - 3:03 PM**

## LOCATION



# LOCATION

2142 5

2138

2132 7

2126 1

2122 2

2114 A

2108 A

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Plan 29050

Plan 28235

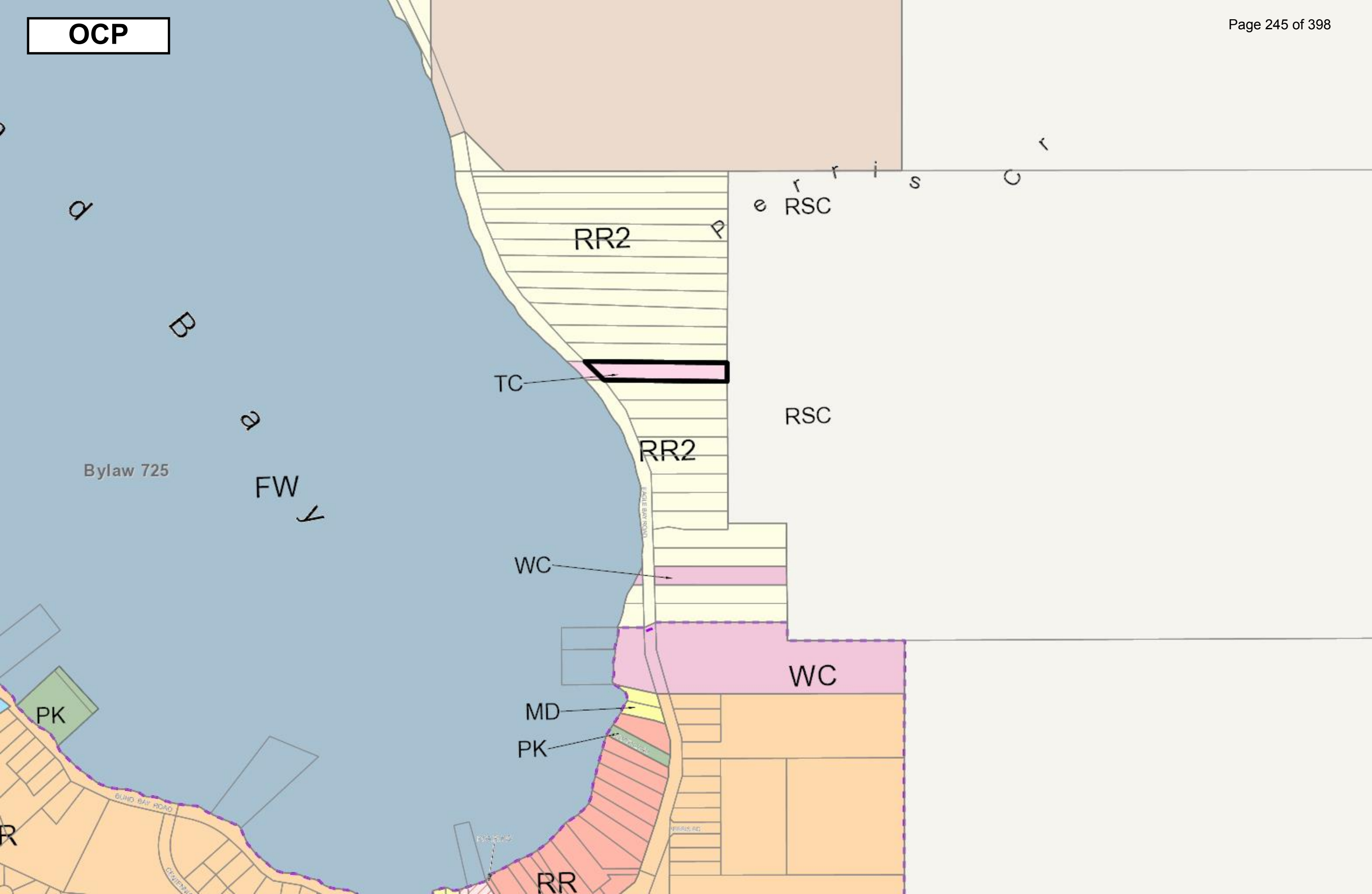
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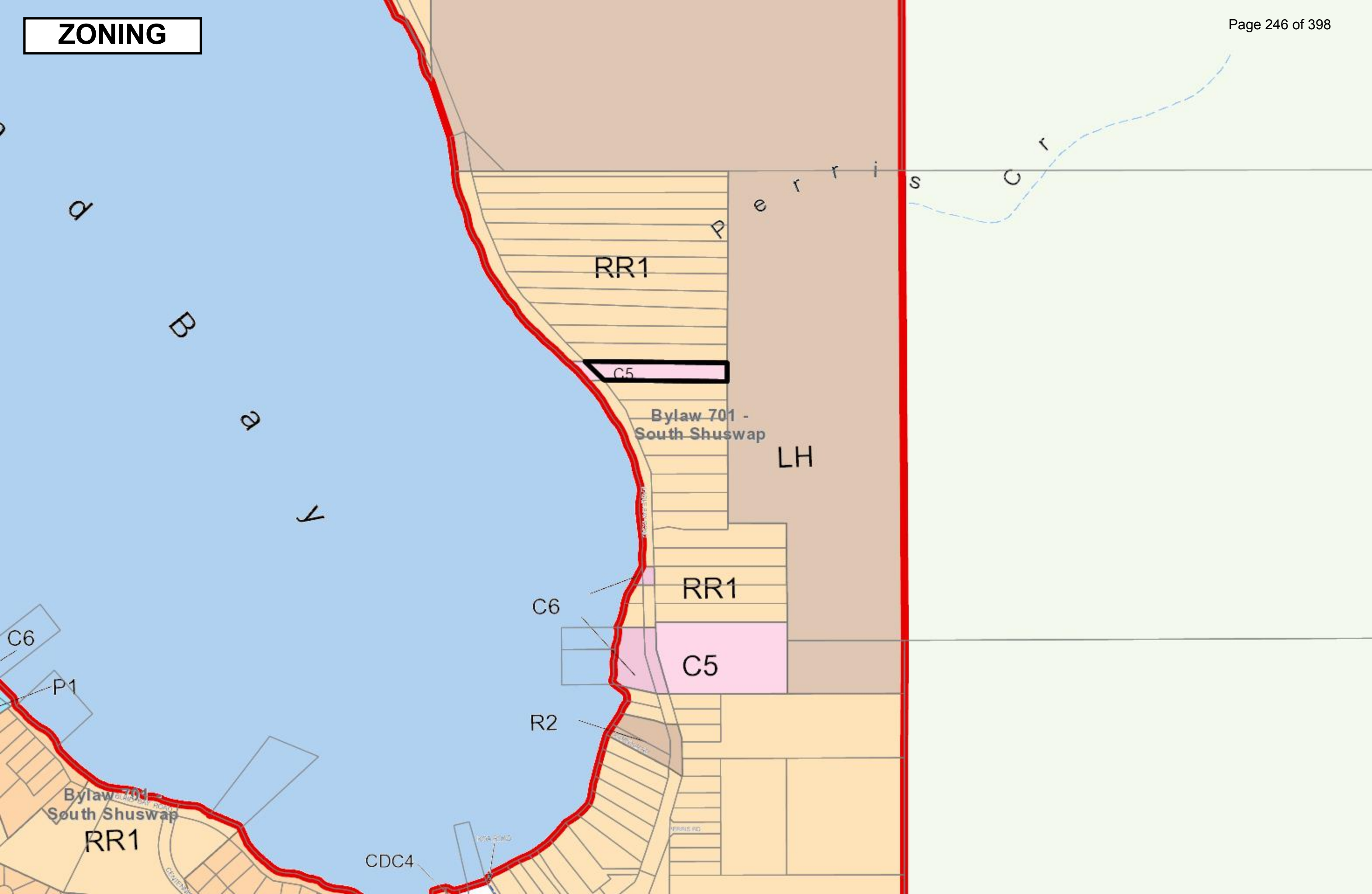
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6612

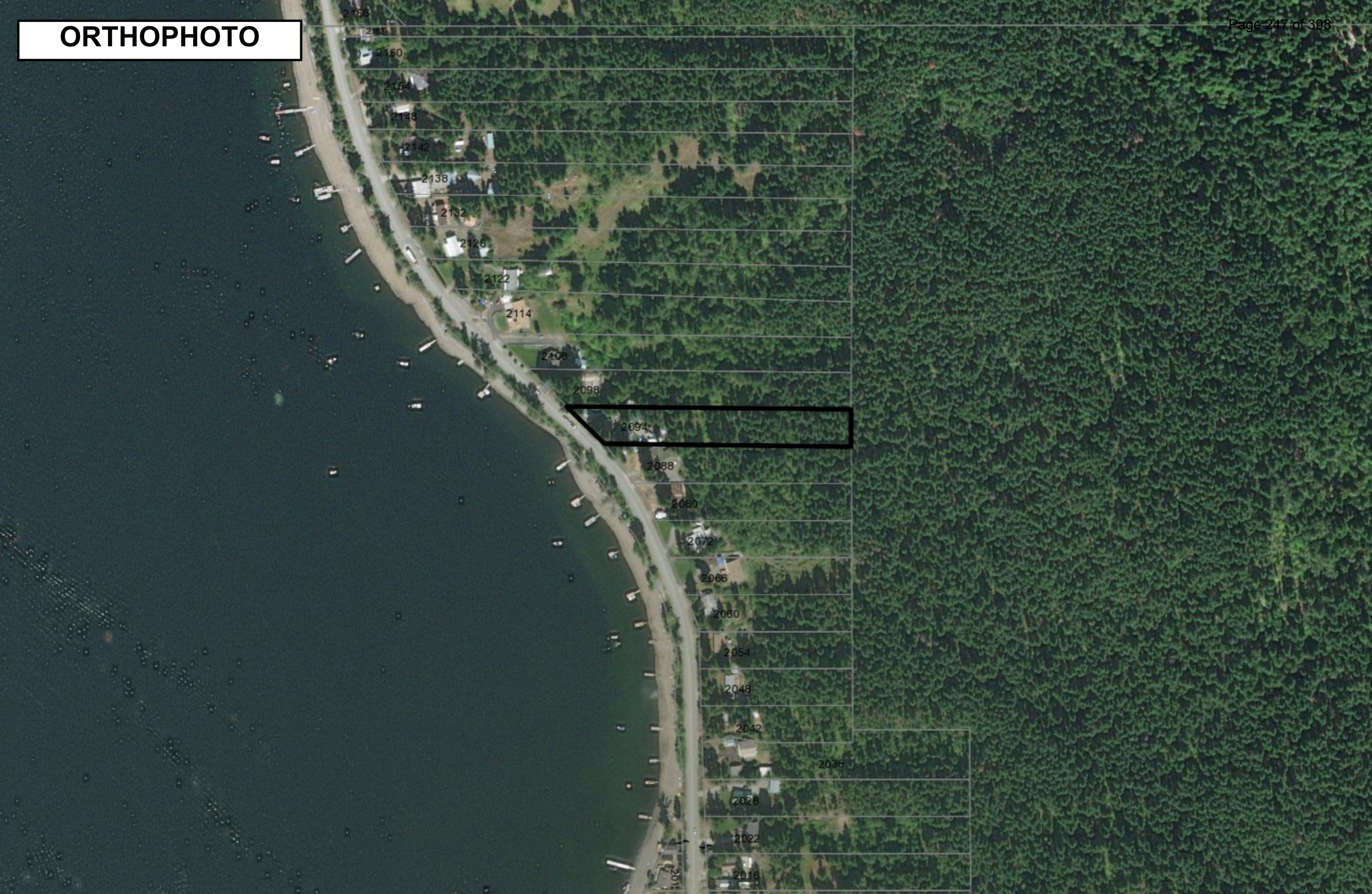
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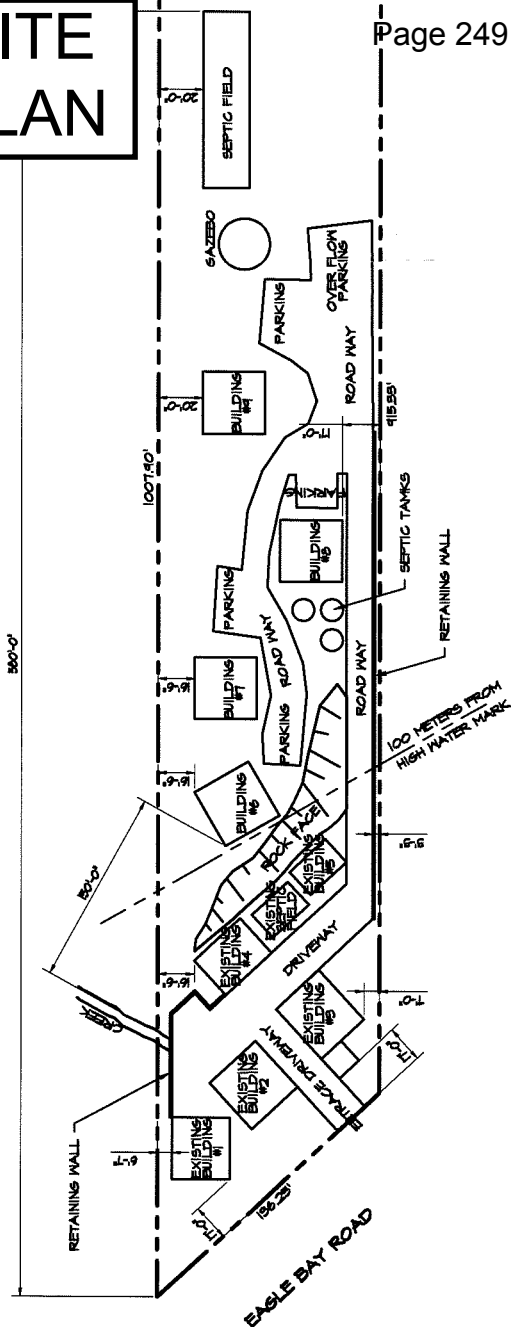
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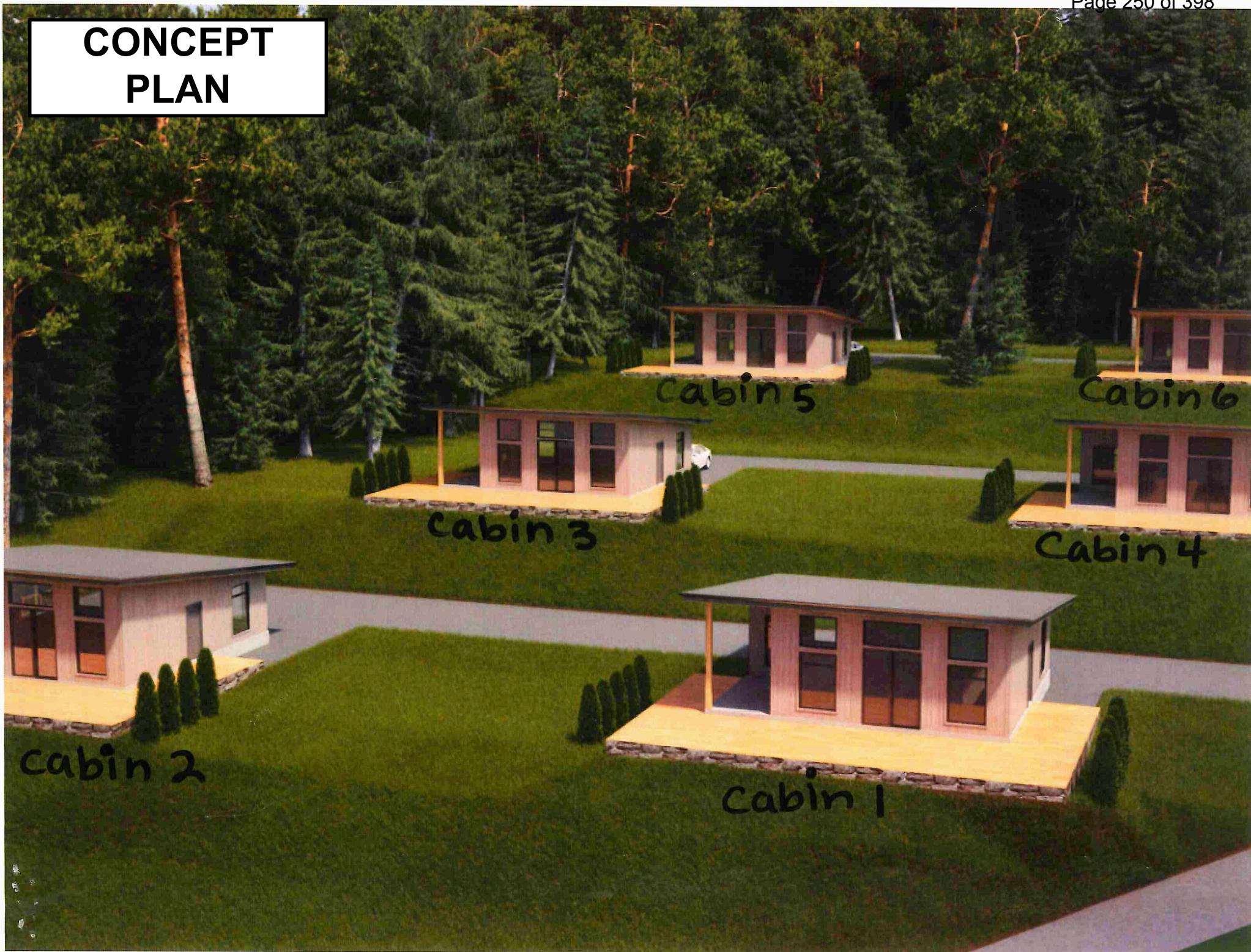


## Page 249 of 398

# PLANETS

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# CONCEPT PLAN

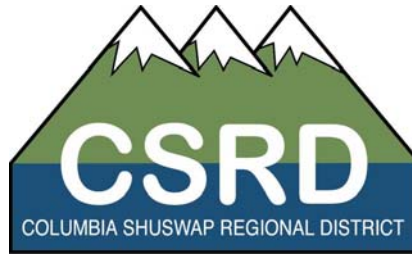


# FLOOR PLAN

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## DEVELOPMENT PERMIT NO. 725-110

OWNERS: Blind Bay Hideaway Ltd.  
2094 Eagle Bay Road  
Blind Bay, BC, V0E 1H1

1. This Commercial Form and Character Development Permit is issued subject to compliance with all the Bylaws of the Regional District applicable thereto, except as specifically varied or supplemented by this Permit.
2. This Permit applies only to the lands described below:  
Lot 11, Section 20, Township 22, Range 10, West of the 6<sup>th</sup> Meridian, Kamloops Division Yale District, Plan 6612  
(PID: 010-078-347)  
which property is more particularly shown outlined in bold on the Location Maps attached hereto as Schedule A.
3. This Permit is issued pursuant to Sections 12.7 of the "Electoral Area 'C' Official Community Plan Bylaw No. 725" in support of construction of 4 new weekly rental cabins only (Cabins #6, 7, 8, and 9) as more particularly shown on the Site Plan attached hereto as Schedule B.
4. An amendment to the Permit will be required if development is not in substantial compliance with this Permit.
5. This Permit is issued based on the plans attached hereto as Schedule B (Proposed Site Plan), Schedule C (Proposed Building Rendering), and Schedule D (Proposed Floor Plan) which satisfies the requirements of the Commercial Form and Character Development Permit as set out in Section 12.7 of Electoral Area `C` Official Community Plan Bylaw No. 725, as amended..
6. It is understood and agreed that the Regional District has made no representation, covenants, warranties, guarantees, promises or agreement (verbal or otherwise) with the developers other than those in the permit.
7. This Permit shall inure to the benefit of and be binding upon the parties hereto and their respective heirs, executors, administrators, successors and assigns.
8. This Permit is NOT a building permit.

AUTHORIZED AND ISSUED BY the Columbia Shuswap Regional District Board on the 21<sup>st</sup> day of September, 2017.

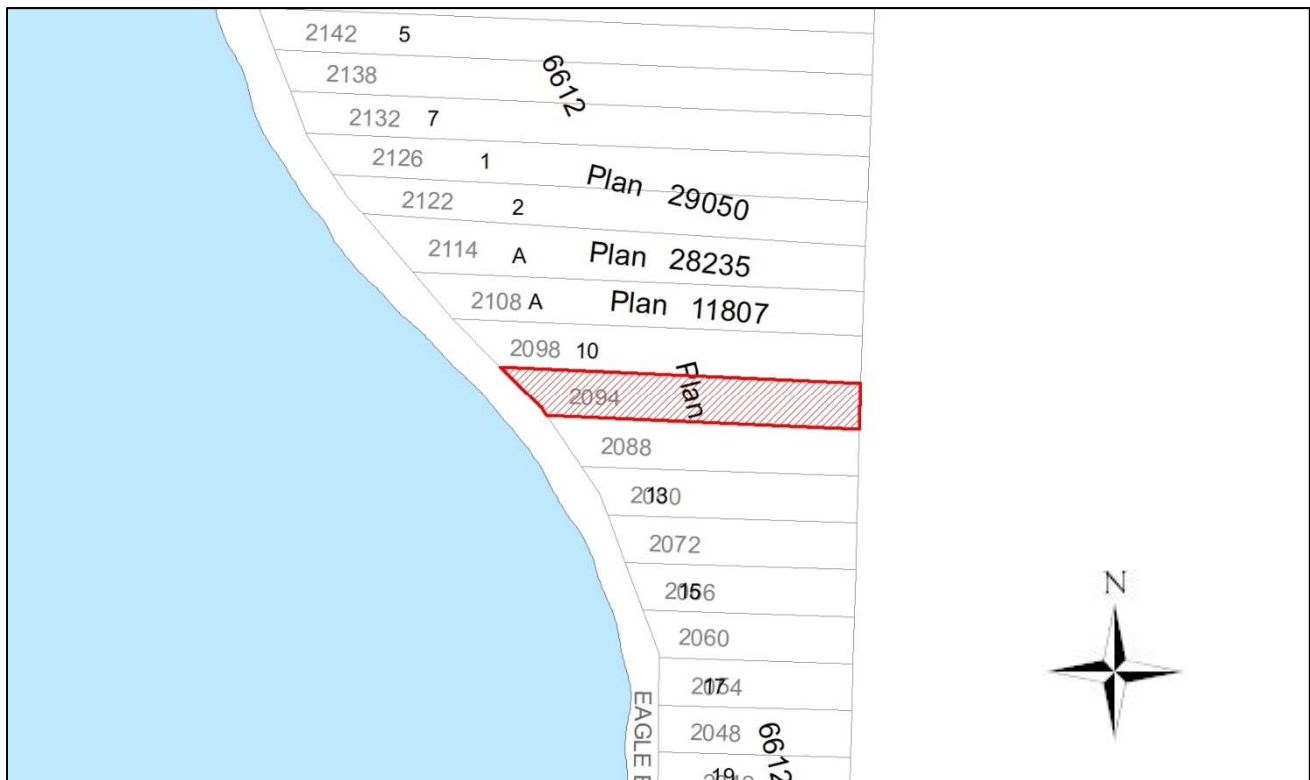
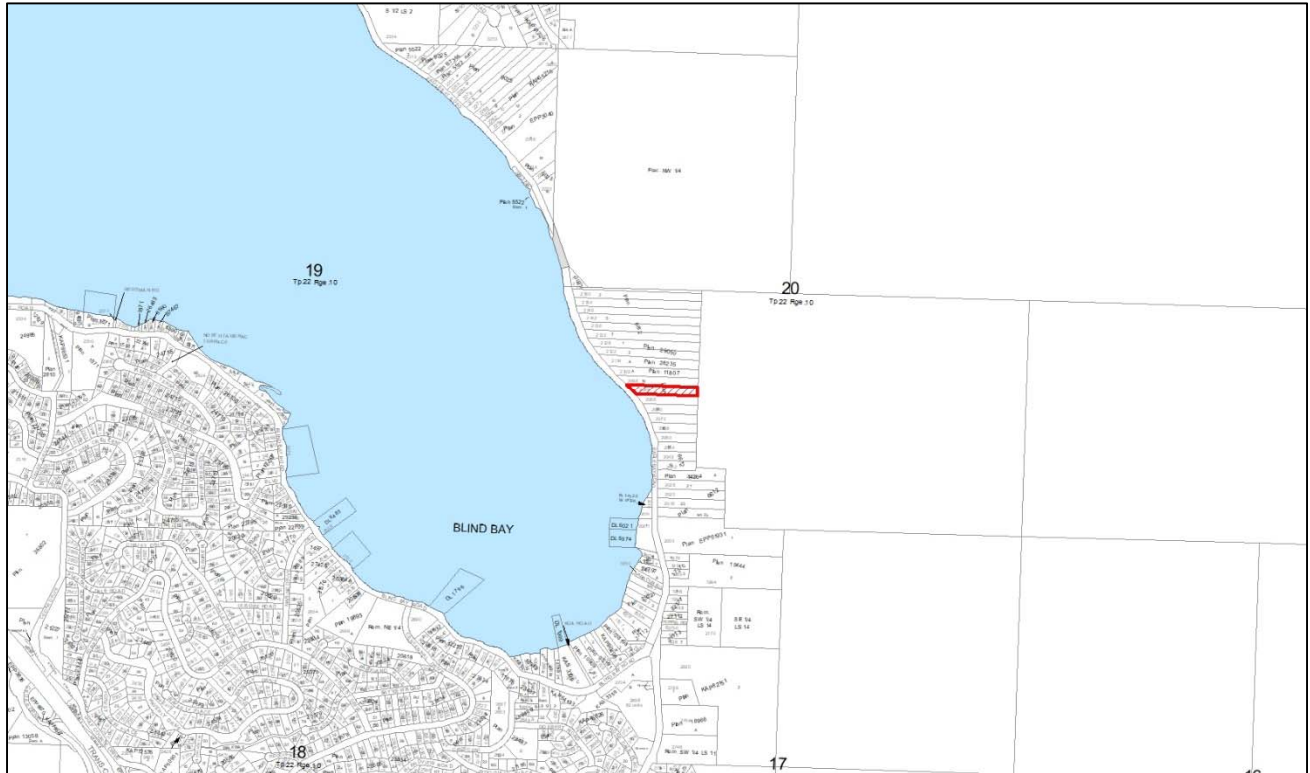
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Corporate Officer

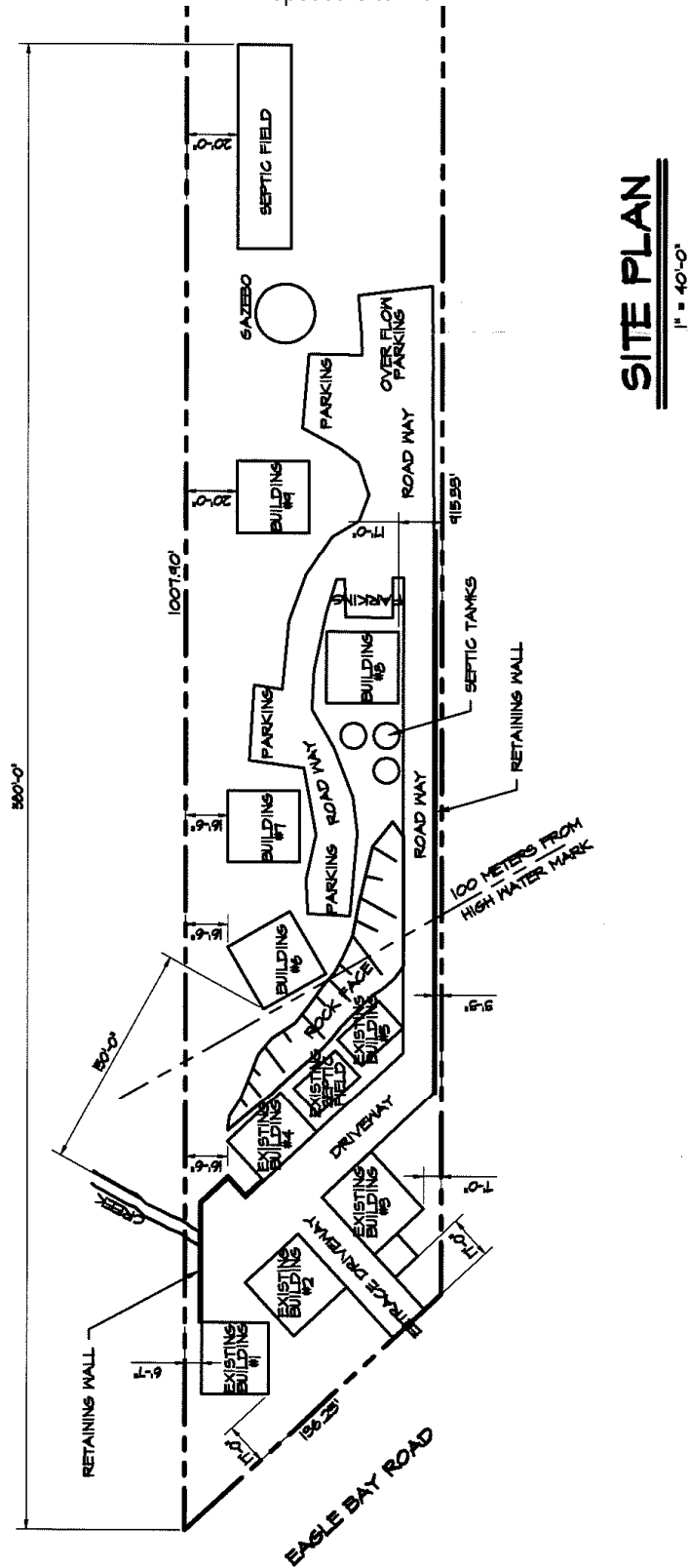
PLEASE NOTE:

- 1) Pursuant to Section 926(1) of the *Local Government Act*, if the development of the subject property authorized by this permit is not substantially commenced within two years after the issuance of this permit, the permit automatically lapses.
- 2) This Permit addresses Local Government regulations only. Further permits or authorizations may be required from Provincial and Federal governments. It is the owner's responsibility to call Front Counter BC at 1-877-855-3222 regarding this project.

Schedule A  
DP 725-110



Schedule B - DP 725-110  
Proposed Site Plan





Schedule C - DP 725-110  
Proposed Building Rendering



Schedule D - DP 725-110  
Proposed Floor Plan





# BOARD REPORT

**TO:**
**Chair and Directors**

<b>File No:</b>	DVP900-4 PL20170125
-----------------	------------------------

**SUBJECT:**

Electoral Area C: Development Variance Permit No. 900-4 (CSR D)

**DESCRIPTION:**

 Report from Jennifer Sham, Planner, dated August 29, 2017.  
 3580 Sunnybrae-Canoe Point Road, Sunnybrae

**RECOMMENDATION:**

 THAT: in accordance with Section 498 of the Local Government Act, Development Variance Permit No. 900-4 for Block B Section 10 Township 21 Range 10 West of the 6<sup>th</sup> Meridian Kamloops Division Yale District, varying Section 3.4.2(d) of Lakes Zoning Bylaw No. 900, as follows:

1. Maximum surface area of a swim platform from 10 m<sup>2</sup> to 24.3 m<sup>2</sup>,

 be approved for issuance this 21<sup>st</sup> day of September, 2017.

**SHORT SUMMARY:**

The subject property is located in the Sunnybrae area of Electoral Area C at 3580 Sunnybrae-Canoe Point Road (Sunnybrae Community Park). The Columbia Shuswap Regional District (CSR D) has applied to replace the existing plastic swim platform at Sunnybrae Community Park with a larger fiberglass swim platform (formerly used as a dock and currently in storage).

**VOTING:**

 Unweighted  
Corporate ☐

 LGA Part 14 ☒  
(Unweighted)

 Weighted  
Corporate ☐

 Stakeholder ☐  
(Weighted)

**BACKGROUND:**

 REGISTERED OWNER:  
 Columbia Shuswap Regional District

 APPLICANT:  
 Columbia Shuswap Regional District

 AGENT:  
 Jared Taylor, CSR D Community Parks & Recreation Coordinator

 ELECTORAL AREA:  
 C

 CIVIC ADDRESS:  
 Sunnybrae Community Park

 LEGAL DESCRIPTION:  
 Block B Section 10 Township 21 Range 10 W6M KDYD

**SURROUNDING LAND USE PATTERN:**

North: Sunnybrae-Canoe Point Road, Vacant

South: Shuswap Lake

East: Sunnybrae-Canoe Point Road, Residential, Secondary Settlement Area, Vacant

West: Shuswap Lake

**EXISTING SWIM PLATFORM SIZE:**

~1.52 m x ~1.83 m (5 ft x 6 ft) = 2.78 m<sup>2</sup> (30 ft<sup>2</sup>)

**PROPOSED SWIM PLATFORM SIZE:**

9.72 m x 2.5 m (31.9 ft x 8.2 ft) = 24.3 m<sup>2</sup> (261.56 ft<sup>2</sup>)

**ZONING:**

FP – Foreshore Park

**POLICY:****Lakes Zoning Bylaw No. 900**

## Part 1 Definitions

SWIMMING PLATFORM is a floating structure used for non-motorized recreational activities, such as swimming, diving, and sun-bathing, but not boat mooring. {See Section 3.4}

## Part 3 General Regulations

## 3.1 Uses and Structures Permitted in Each Zone

- (c) swimming platform, subject to the limitations set out in Section 3.4
- (e) park and accessory uses to a park [...]

## 3.4 Swimming Platforms

## .2 Swimming platforms:

- (a) Must be accessory to a permitted use on the adjacent waterfront parcel, semi-waterfront parcel or waterfront unit;
- (b) Must only be used for passive recreation;
- (c) Must not be used for boat mooring;
- (d) Must not be greater than 10 m<sup>2</sup> (107.64 ft<sup>2</sup>) in surface area;
- (e) Must have minimum setbacks of:
  - 5 m (16.4 ft) from the side parcel boundaries of the adjacent waterfront parcel or semi-waterfront parcel, projected onto the foreshore and water;
  - 6 m (19.69 ft) from a Foreshore Park (FP) zone or park side parcel boundaries projected onto the foreshore and water.

## Foreshore Park FP

## 4.16 Permitted Uses:

- (a) Park
- (b) Floating or fixed dock(s), including permanent or removable walkway that is accessory to a park use.
- (c) Park mooring and recreation facilities.
- (d) Buoy(s) that is accessory to a park use.

- (e) Boat lift(s) that is accessory to a park use.
- (f) Boat launch that is accessory to a park use.

#### 4.16.2 Regulations

##### (a) Size of dock and walkway:

- Floating or fixed dock must not exceed 24 m<sup>2</sup> (258.33 ft<sup>2</sup>) in total upward facing surface area (not including permanent or removable walkway).
- Floating or fixed dock surface must not exceed 3 m (9.84 ft) in width for any portion of the dock.
- Permanent or removable walkway surface must not exceed 1.5 m (4.92 ft) in width for any other portion of the walkway.

##### (b) Location and Siting of dock, buoys or boat lifts:

The minimum setback of a floating or fixed dock, buoy or boat lift is as follows:

- 5 m (16.4 ft) from the side parcel boundaries of that waterfront parcel, projected onto the foreshore and water.

Additional setbacks for buoys:

- 20 m (65.62 ft) from any existing structures on the foreshore or water.
- 50 m (164.04 ft) from any boat launch ramp or marina.

### **Electoral Area C Official Community Plan Bylaw No. 725 (Bylaw No. 725)**

The property is designated Public and Institutional in Bylaw No. 725.

This parcel is located within the Electoral Area C Official Community Plan Bylaw No. 725 area that establishes Development Permit Areas.

#### Section 12.2 Foreshore and Water Development Permit Area

A Foreshore and Water Development Permit is required for new and replacement docks and swimming platforms.

##### 12.2.4 Exemptions

A Foreshore and Water DPA is not required for the following:

.1 Structures and works associated with a public park use. [...]

The subject property (land) is not within a zoned area.

### **DEVELOPMENT VARIANCE PERMIT:**

The applicant is proposing to vary Lakes Zoning Bylaw No. 900, as follows:

- a) Part 3, General Regulations, Section 3.4.2(d) maximum surface area of a swimming platform from 10 m<sup>2</sup> to 24.3 m<sup>2</sup>.

See "Maps\_Plans\_Photos\_DVP900-4.pdf" attached.

### **FINANCIAL:**

If the Board denies issuance of this DVP, and the dock cannot be repurposed as a swim platform, it will be disposed of at the landfill and the CSRD Parks Department will purchase a new fiberglass swim platform with a maximum surface area of 10m<sup>2</sup> for the Sunnybrae Community Park in the future.

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

According to the agent, in years past, the CSRD purchased a number of fiberglass docks for use in CSRD community parks throughout the regional district. Due to changes in provincial regulations, fiberglass is no longer a permitted material for a dock because of its inability to allow the sun to penetrate the water (fish habitat consideration) and the pontoon portion of the dock is not the "flow through" type and impedes fish mobility. The CSRD Parks Department is proposing to re-purpose fiberglass docks for use as swim platforms in deeper water and away from fish habitat.

At the June 2017 regular Board meeting, the Board empowered the authorized signatories to acquire a Crown Land tenure from the Province for 17.12 ha of foreshore adjacent to Sunnybrae Community Park for "a swim area and swim platforms for the purposes of lake access for community parks and recreation." There is an existing plastic swim platform at Sunnybrae Community Park, and the proposed fiberglass swim platform is currently in storage. If the Board issues this DVP, future plans include attaching ladders to the fiberglass swim platform. Regardless if the Board issues or denies this DVP, there are no plans to remove the existing plastic swim platform at this time.

This application is the first of potentially a number of similar DVP applications (approximately six (6) more) at different park locations around the Shuswap Lake, for repurposing fiberglass docks to swim platforms. The province is not requiring immediate compliance with current environmental regulations regarding the docks, however, the CSRD has chosen to take the necessary steps to replace the fiberglass docks currently being used in CSRD community parks to meet those regulations. The durability and ownership status (CSRD-owned) of these docks make repurposing them to swim platforms ideal.

**SUMMARY:**

Staff is recommending approval of issuance of DVP900-4 for the following reasons:

- The larger sized swimming platform will be utilized by the public and it is complementary to the activity/use of the park;
- The larger sized swimming platform will not negatively impact the neighbouring properties because of the large setbacks from the side parcel boundaries;
- Using the fiberglass dock as a swimming platform in deeper water will not negatively impact fish habitat; and;
- Repurposing the fiberglass dock as a swimming platform will result in no additional costs to the CSRD because the dock is CSRD-owned and in storage.

**IMPLEMENTATION:**

If the Board approves issuance of DVP900-4, the CSRD Parks Department will be advised of the decision, and DS staff will prepare the Notice of Permit for submission to Land Title Office for registration on the title of the subject property.

**COMMUNICATIONS:**

Property owners and tenants in occupation within 100 m of the subject property will be notified of this DVP application by mail, prior to consideration by the Board.

This application was forwarded to the following agencies for comments:

- Advisory Planning Commission C who recommended approval; and,
- Ministry of Forests, Lands, Natural Resource Operations, and Rural Development who stated no objection and "will recognize this in the management plan for file #3411648" [if the Board approves issuance of DVP900-4].

**DESIRED OUTCOMES:**

That the Board endorse staff recommendation.

**BOARD'S OPTIONS:**

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

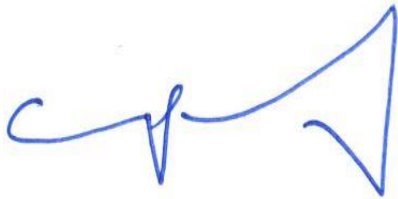
**LIST NAME OF REPORT(S) / DOCUMENT(S) AVAILABLE FROM STAFF:**

1. Lakes Zoning Bylaw No. 900
2. Electoral Area C Official Community Plan Bylaw No. 725
3. Advisory Planning Commission C August meeting minutes
4. Ministry of Forests, Lands, Natural Resource Operations and Rural Development referral response

**Report Approval Details**

Document Title:	2017-09-21_Board_DS_DVP900-4_CSRD.docx
Attachments:	- DVP900-4.pdf - Maps_Plans_Photos_DVP900-4.pdf
Final Approval Date:	Sep 11, 2017

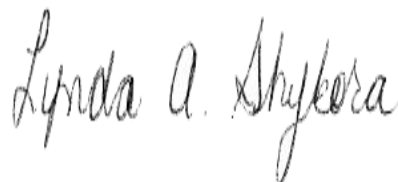
This report and all of its attachments were approved and signed as outlined below:



**Corey Paiement - Aug 31, 2017 - 11:32 AM**



**Gerald Christie - Sep 10, 2017 - 3:30 PM**



**Lynda Shykora - Sep 11, 2017 - 9:29 AM**



**Charles Hamilton - Sep 11, 2017 - 3:39 PM**





DEVELOPMENT VARIANCE PERMIT NO. 900-4

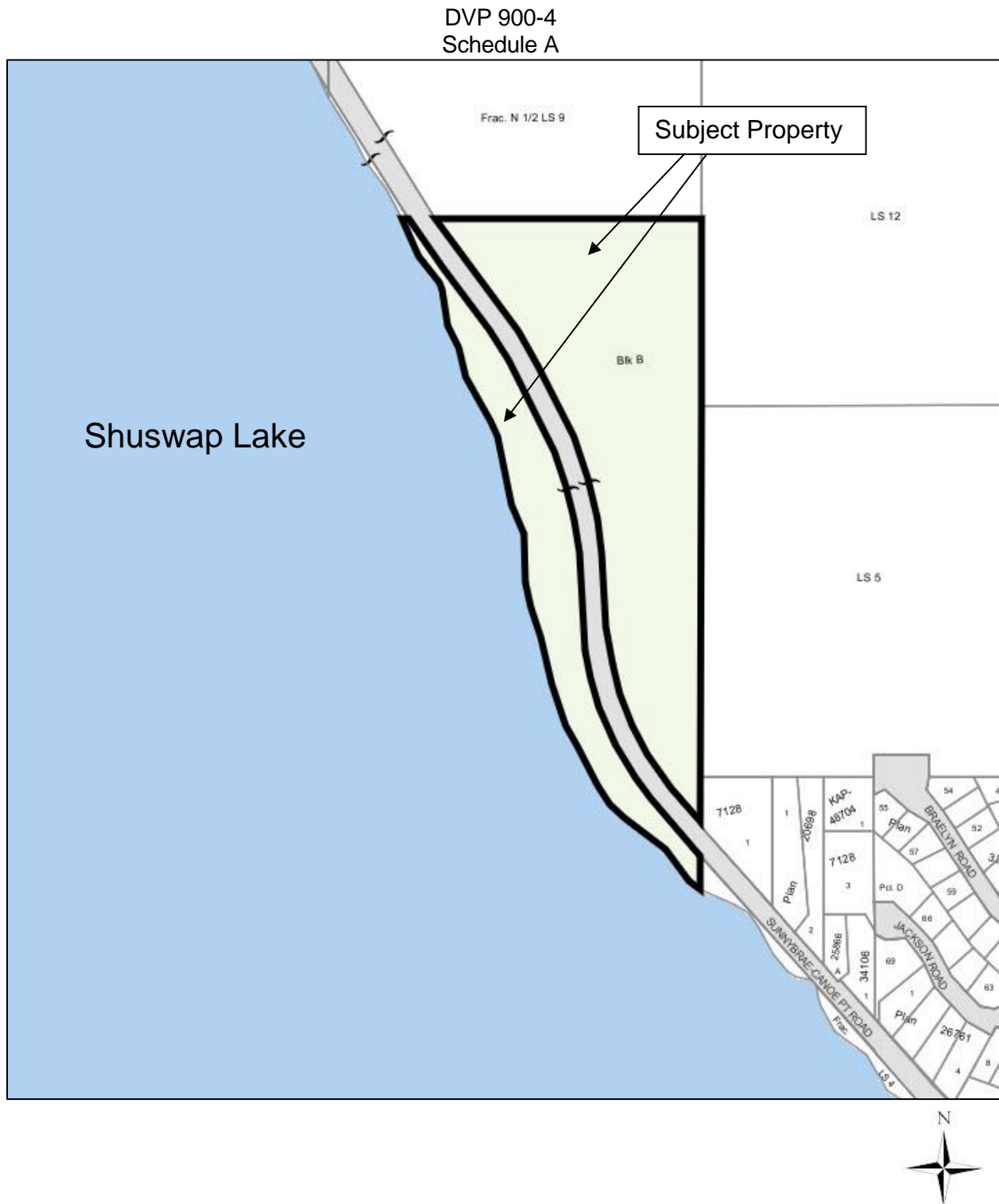
1. OWNER: Columbia Shuswap Regional District  
PO Box 978  
555 Harbourfront Drive NE  
Salmon Arm, BC V1E 4P1
2. This permit applies only to the land described below:  
  
Block B, Section 15, Township 22, Range 11, West of the 6<sup>th</sup> Meridian, Kamloops Division  
Yale District, Plan 40252 (PID: 026-631-601)  
  
which property is more particularly shown on the map attached hereto as shown outlined in  
bold on Schedule A.
3. Lakes Zoning Bylaw No. 900, Section 3.4.2(d) is hereby varied as follows:
  - a) Maximum facing surface area of a swimming platform from 10 m<sup>2</sup> to 24.3 m<sup>2</sup>,  
as shown on Schedule B.
4. This permit is NOT a building permit.

AUTHORIZED FOR ISSUANCE BY RESOLUTION of the Columbia Shuswap Regional District  
Board on the 21<sup>st</sup> day of September, 2017.

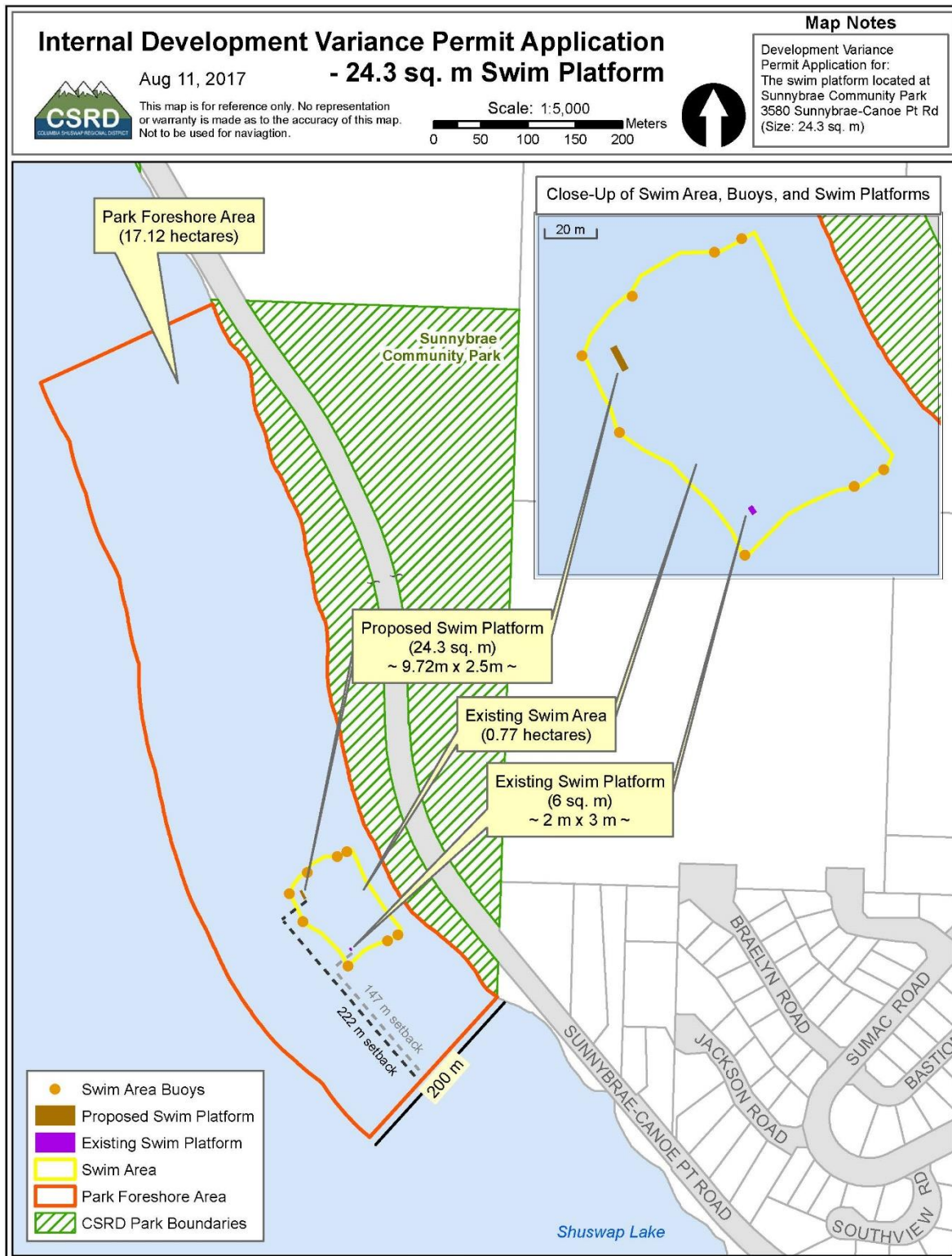
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CORPORATE OFFICER

NOTE: Subject to Section 504 of the Local Government Act, if the development of the subject  
property is not substantially commenced within two years after the issuance of this permit, the permit  
automatically lapses.



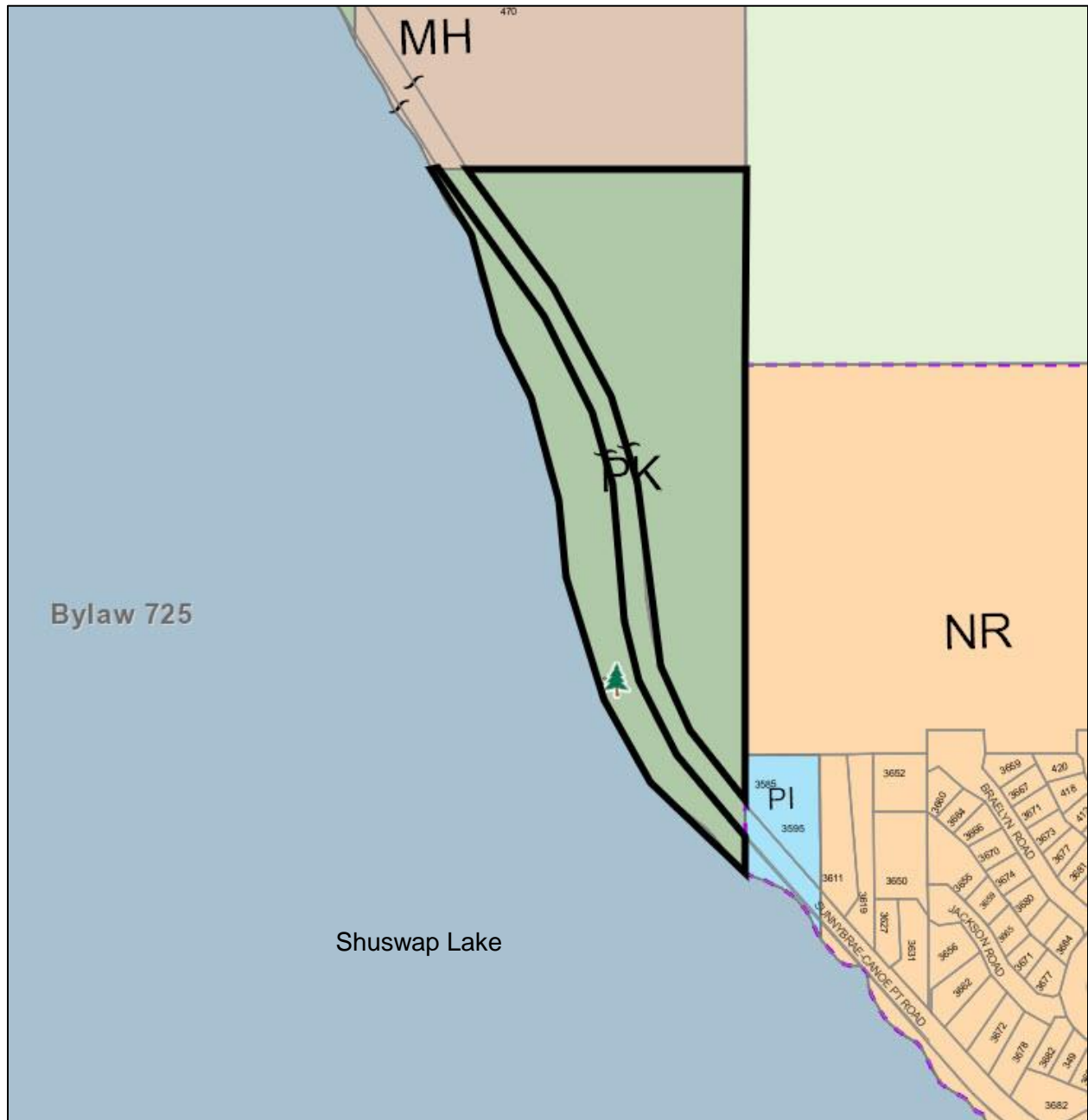
DVP 900-4  
Schedule B



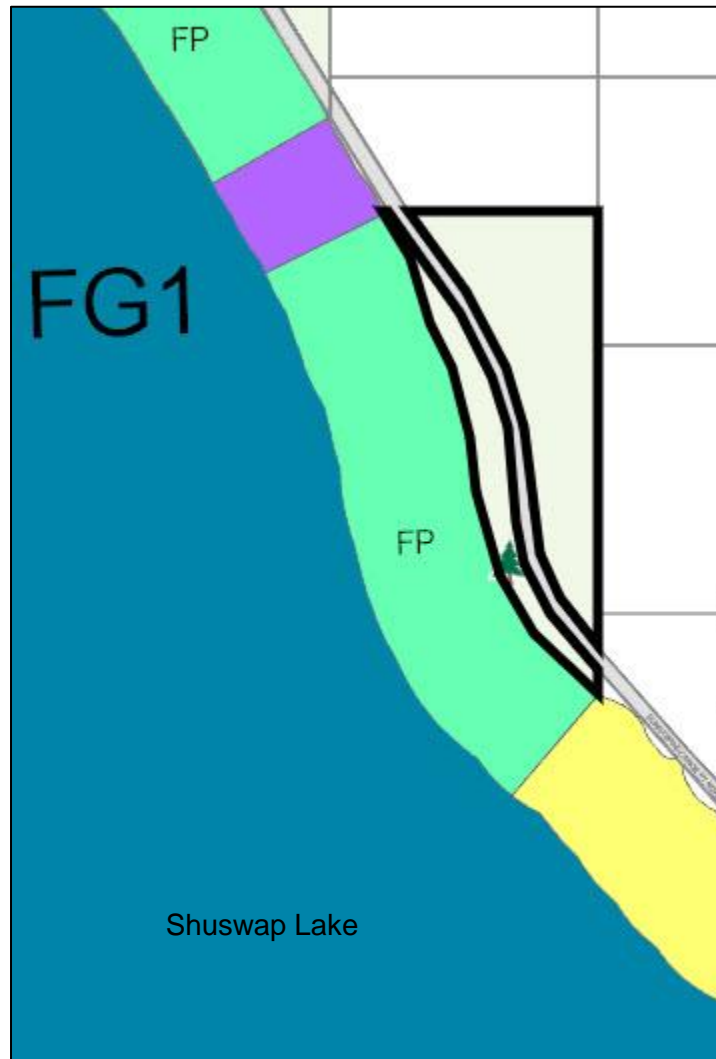
### Location



OCP

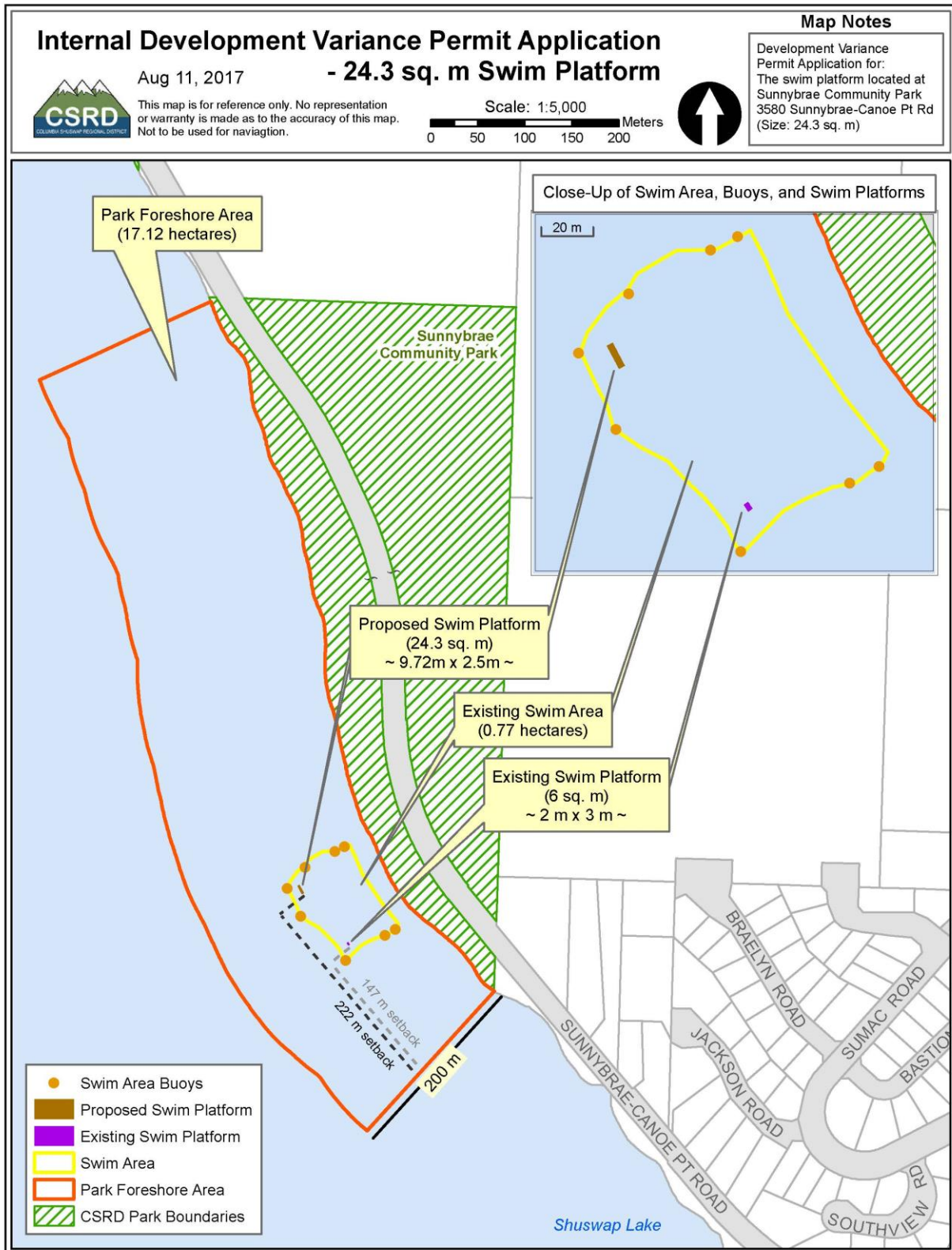


### Zoning





## Site Plan



Orthophoto



Shuswap Lake





**Photos (provided by agent)**



Example of a plastic swim platform



Example of a fiberglass dock





# BOARD REPORT

**TO:**
**Chair and Directors**

<b>File No:</b>	DP830-215 PL20170142
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**SUBJECT:**
**Electoral Area F: Development Permit No. 830-215 (Rogers – Smith)**
**DESCRIPTION:**

Report from Candice Benner, Development Services Assistant, dated August 24, 2017.  
1218 Beatrice Road, Lee Creek

**RECOMMENDATION:**

THAT: in accordance with Section 490 of the Local Government Act, Development Permit No. 830-215 (Rogers-Smith) for a Foreshore and Water Development Permit for Lot 5, Section 25, Township 22, Range 12, and of Section 30, Township 22, Range 11, W6M, KDYD, Plan 7418, varying 4.4.2(b) of Lakes Zoning Bylaw No. 900, as follows:

1. Maximum total upward facing area for a floating dock from 24m<sup>2</sup> to 27.87 m<sup>2</sup>; and,
2. Maximum width of any portion of a floating dock surface from 3 m to 3.048 m,

be approved for issuance this 21<sup>st</sup> day of September, 2017.

**SHORT SUMMARY:**

The subject property is located in Lee Creek of Electoral Area F at 1218 Beatrice Road and is located in the Electoral Area F Official Community Plan Bylaw No. 830 area that establishes a Development Permit (DP) Area. The owner would like to replace an old 44.58 m<sup>2</sup> floating dock with a new 27.87 m<sup>2</sup> ecofriendly floating dock in Shuswap Lake, adjacent to their upland property, which requires a Foreshore and Water Development Permit (DP).

The proposed dock size of 27.87 m<sup>2</sup> with a width of 3.048 m is 3.87 m<sup>2</sup> larger and .048 m wider than what is permitted in the FR1 Foreshore Residential 1 zone in Lakes Zoning Bylaw No. 900 and therefore, requires a variance to the DP. The proposed dock size is more than a 10% variance and therefore requires Board review and approval.

**VOTING:**

Unweighted  
Corporate

☐

LGA Part 14  
(Unweighted)

☒

Weighted  
Corporate

☐

Stakeholder  
(Weighted)

☐
**BACKGROUND:**
**REGISTERED OWNER:**

Hope Rogers, Leslie Rogers, Geoffrey Smith

**APPLICANT:**

Triton Docks Inc./Nadine Mayer

**CIVIC ADDRESS:**

1218 Beatrice Road

**LEGAL DESCRIPTION:**

Lot 5, Section 25, Township 22, Range 12, and of Section 30, Township 22, Range 11, W6M, KDYD, Plan 7418 (PID: 009-997-555)

**EXISTING DOCK SYSTEM:**

Walkway: 0.914 m (width)

Floating dock: 44.58 m<sup>2</sup>

**PROPOSED DOCK SYSTEM:**

Walkway: 0.914 (width)

Floating dock: 9.144 m x 3.048 m = 27.87 m<sup>2</sup>

**ZONING:**

FR1 – Foreshore Residential 1

**SITE COMMENTS:**

Staff did not conduct a site visit. According to mapping, the property is waterfront to Shuswap Lake and is surrounded upland by other residential properties. According to the applicant, the neighbouring properties have larger sized docks, similar to the 44.5 m<sup>2</sup> dock size the owners currently have.

**POLICY:****Lakes Zoning Bylaw No. 900 (Bylaw No. 900)**

Foreshore Residential 1 FR1

**4.4.1 Permitted Uses:**

- (a) Floating dock, including permanent or removable walkway, that is accessory to a permitted use on an adjacent waterfront parcel.
- (b) Private mooring buoy(s) that is accessory to a permitted use on an adjacent waterfront parcel or an adjacent semi-waterfront parcel.
- (c) Boat lift(s) that is accessory to a permitted use on an adjacent waterfront parcel.

**4.4.2 Regulations****(a) Density**

Maximum number of docks and private mooring buoys:

- Dock: 1 floating dock per adjacent waterfront parcel.
- Private mooring buoys:
  - (a) 1 per adjacent semi-waterfront parcel.
  - (b) 1 per adjacent waterfront parcel having a lake boundary length less than 30 m (98.43 ft).
  - (c) 2 per adjacent waterfront parcel having a lake boundary length 30 m (98.43 ft) or more.

**(b) Size of dock and walkway:**

- Floating dock must not exceed 24 m<sup>2</sup> (258.33 ft<sup>2</sup>) in total upward facing surface area (not including removable walkway).

- Floating dock surface must not exceed 3 m (9.84 ft) in width for any portion of the dock.
- Removable walkway surface must not exceed 1.5 m (4.92 ft.) in width for any other portion of the walkway.

(c) Location and Siting of dock, private mooring buoys or boat lifts:

The minimum setback of a floating dock, private mooring buoy or boat lift accessory to an adjacent waterfront parcel (and adjacent semi waterfront parcel in the case of private mooring buoys) is as follows:

- 5 m (16.4 ft) from the side parcel boundaries of that waterfront parcel (and semi-waterfront parcel in the case of private mooring buoys), projected onto the foreshore and water.
- 6 m (19.69 ft) from a Foreshore Park (FP) zone or park side parcel boundaries projected onto the foreshore and water.

Additional setbacks for private mooring buoys:

- 20 m (65.62 ft) from any existing structures on the foreshore or water.
- 50 m (164.04 ft.) from any boat launch ramp or marina.

### **Electoral Area F Official Community Plan Bylaw No. 830 (Bylaw No. 830)**

#### **Section 13.2 Foreshore and Water Development Permit Area**

A Foreshore and Water DP is required for new and replacement docks and swimming platforms. This is a technical DP and the authority to issue technical DPs has been delegated to the Manager of Development Services (DS).

The Manager of DS, through the Delegation Bylaw No. 5582, has the power to issue technical DPs. The DS Procedures Bylaw No. 4001 specifies that the Manager of DS has the power to issue technical DPs "for which the applicant is also seeking to vary the provisions of a bylaw under Division 7 of [Part 490] of the Local Government Act, when such a variance application can illustrate hardship and would not exceed what is allowed under the bylaw by more than 10%." The process to deal with dock DP with variances that the Manager cannot issue, was to have owners apply for a DVP addressing the variance, and if successful, apply for a DP addressing the placement of the new dock. DS staff have revised this process so that owners will now only apply for a single application to allow for the placement of the new oversized dock thus, streamlining the process for both the CSRD and waterfront owners, and further reducing the cost of two applications down from \$1150 to \$800.

#### **Development Permit with Variance:**

The applicant is proposing to vary Lakes Zoning Bylaw No. 900, as follows:

- a) Section 4.4.2(b) Maximum size of floating dock in total upward facing surface area (not including removable walkway) from 24 m<sup>2</sup> to 27.87 m<sup>2</sup>; and,
- b) Section 4.4.2(b) Floating dock width from 3 m to 3.048 m.

#### **FINANCIAL:**

There are no financial implications to the CSRD with regard to this application.

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

The current 44.58 m<sup>2</sup> dock requires replacing as it is several years old and falling apart; the existing dock is considered non-conforming and the owners are permitted to complete repairs up to 75% of the dock over a 3 year period. However, the owners are wanting to replace the old dock with a new aluminum dock with environmentally friendly materials and therefore requires a Foreshore and Water DP. The owners are proposing to downsize the size of the new dock to 27.87 m<sup>2</sup> which is significantly smaller than the existing dock but still requires variance approval as it is 3.87 m<sup>2</sup> over the permitted 24 m<sup>2</sup> size.

The subject property is located in an area with a shallow foreshore that extends quite a distance into the lake; the proposed dock size will help the owners achieve the required 1.5 m depth requirement from the Province. The provincial best management practices for depth clearance below a floating structure help ensure minimal potential impacts to fish and fish habitat from boat propellers. The applicant/dock builder has indicated that the walkway will already need to be quite long to meet the depth requirement for the proposed dock; they have indicated that if the owners must build a smaller dock, the builder is not comfortable with making the walkway even longer as it would potentially compromise the integrity of the walkway, dock, and lake bed and is therefore unsure of a dock design that would meet both provincial and CSRD requirements.

The proposed dock width variance from the permitted 3 m to 3.048 m (0.048 m difference) is due to the conversion between metric and imperial for dock building materials. The dock building industry work in imperial measurements with their materials and designs measured in feet and inches; 3.048 m converts to 10.0 ft. exactly, which is what the materials are designed to.

The owners have obtained a Section 11 "Change In and About a Stream", June 27, 2017, for this proposed works and they do not require a specific permission from the Province to build the proposed dock.

**SUMMARY:**

Staff is recommending approval of issuance for this DP with a variance for the following reasons:

- The proposed dock size is significantly smaller than the existing dock;
- The new aluminum dock is more environmentally friendly than the existing dock;
- The proposed dock size will help the owners meet the provincial 1.5 m depth requirement as the lake in this area is very shallow.

**IMPLEMENTATION:**

If the Board approves issuance of DP 830-215, the owner will be advised of the decision and staff will prepare a Notice of Permit for submission to Land Title Office for registration on title of the subject property.

**COMMUNICATIONS:**

Property owners and tenants in occupation within 100 m of the subject property were notified of this DP variance application by mail, prior to consideration by the Board.

This application is in an area that currently is without an APC.

**DESIRED OUTCOMES:**

That the Board endorse staff recommendation.

**BOARD'S OPTIONS:**

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

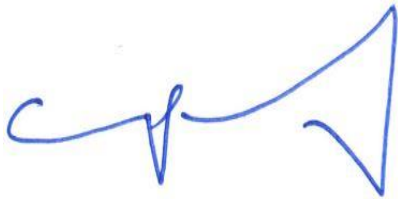
**LIST NAME OF REPORT(S) / DOCUMENT(S) AVAILABLE FROM STAFF:**

1. Lakes Zoning Bylaw No. 900
2. Electoral Area F Official Community Plan Bylaw No. 830

**Report Approval Details**

Document Title:	2017-09-21_Board_DS_DP830-215_Rogers.docx
Attachments:	- DP830-215.pdf - DP830-215_maps.pdf
Final Approval Date:	Sep 11, 2017

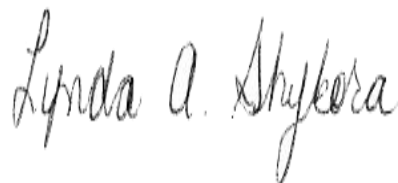
This report and all of its attachments were approved and signed as outlined below:



**Corey Paiement - Sep 11, 2017 - 9:38 AM**



**Gerald Christie - Sep 11, 2017 - 9:47 AM**

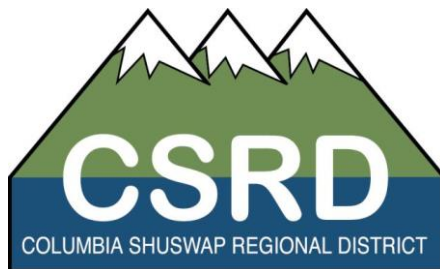


**Lynda Shykora - Sep 11, 2017 - 12:37 PM**



**Charles Hamilton - Sep 11, 2017 - 3:22 PM**





### DEVELOPMENT PERMIT NO. 830-215

OWNERS: Hope Cecilia Rogers  
8140 Barnhartvale Rd  
Kamloops BC  
V2C 6W1

Leslie Anne Rogers  
Geoffrey Harold Smith  
2351-10<sup>th</sup> Avenue  
Vancouver BC  
V6K 2J2

As to an undivided ½ interest

As to an undivided ½ interest as joint tenants

1. This Foreshore and Water Development Permit is issued subject to compliance with all the Bylaws of the Regional District applicable thereto, except as specifically varied or supplemented by this Permit.
2. This Permit applies only to the lands described below:  
  
Lot 5 Section 25 Township 22 Range 12 and of Section 30 Township 22 Range 11 W6M KDYD Plan 7418 (PID: 009-997-555) which property is more particularly shown outlined in bold on the Location Map attached hereto as Schedule 'A'.
3. This Permit is issued pursuant to Section 13.2 of the "Electoral Area 'F' Official Community Plan Bylaw No. 830," for the protection of the natural environment, its ecosystems and biological diversity for Foreshore and Water areas in regard to the placement of one floating dock on the portion of Shuswap Lake immediately adjacent to the property as more particularly shown on the Site Plan attached hereto as Schedule 'B'.
4. Lakes Zoning Bylaw No. 900, is hereby varied as follows:
  - a. Section 4.4.2(b) Maximum size of floating dock in total upward facing surface area (not including removable walkway) from 24 m<sup>2</sup> to 27.87 m<sup>2</sup>; and,
  - b. Section 4.4.2(b) Floating dock width from 3 m to 3.048 m.
5. An amendment to the Permit will be required if development is not in substantial compliance with this Permit.
6. This Permit is issued subject to the clear display of "DP 830-215" on at least two opposite sides of the dock (e.g. both the land and the lake sides).
7. It is understood and agreed that the Regional District has made no representation, covenants, warranties, guarantees, promises or agreement (verbal or otherwise) with the developers other than those in the permit.

8. This Permit shall inure to the benefit of and be binding upon the parties hereto and their respective heirs, executors, administrators, successors and assigns.
9. This Permit is NOT a building permit.

AUTHORIZED AND ISSUED BY the Manager of Development Services of the Columbia Shuswap Regional District on the \_\_\_\_\_ day of \_\_\_\_\_, 2017.

---

Gerald Christie  
Manager, Development Services

**PLEASE NOTE:**

- 1) Pursuant 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.
- 2) The proposed new floating dock should be constructed in accordance with the measures contained within Appendix 1, included for reference and convenience only, to ensure protection of the natural environment and its ecosystems.
- 3) The owner is required to apply for and be issued a Section 11 Approval and/or license from the Provincial Government, if necessary, to install the proposed new floating dock, prior to proceeding with installation.
- 4) This Permit addresses Local Government regulations only. Further permits or authorizations may be required from Provincial and Federal governments. It is the owner's responsibility to call Front Counter BC at 1-877-855-3222 regarding this project.

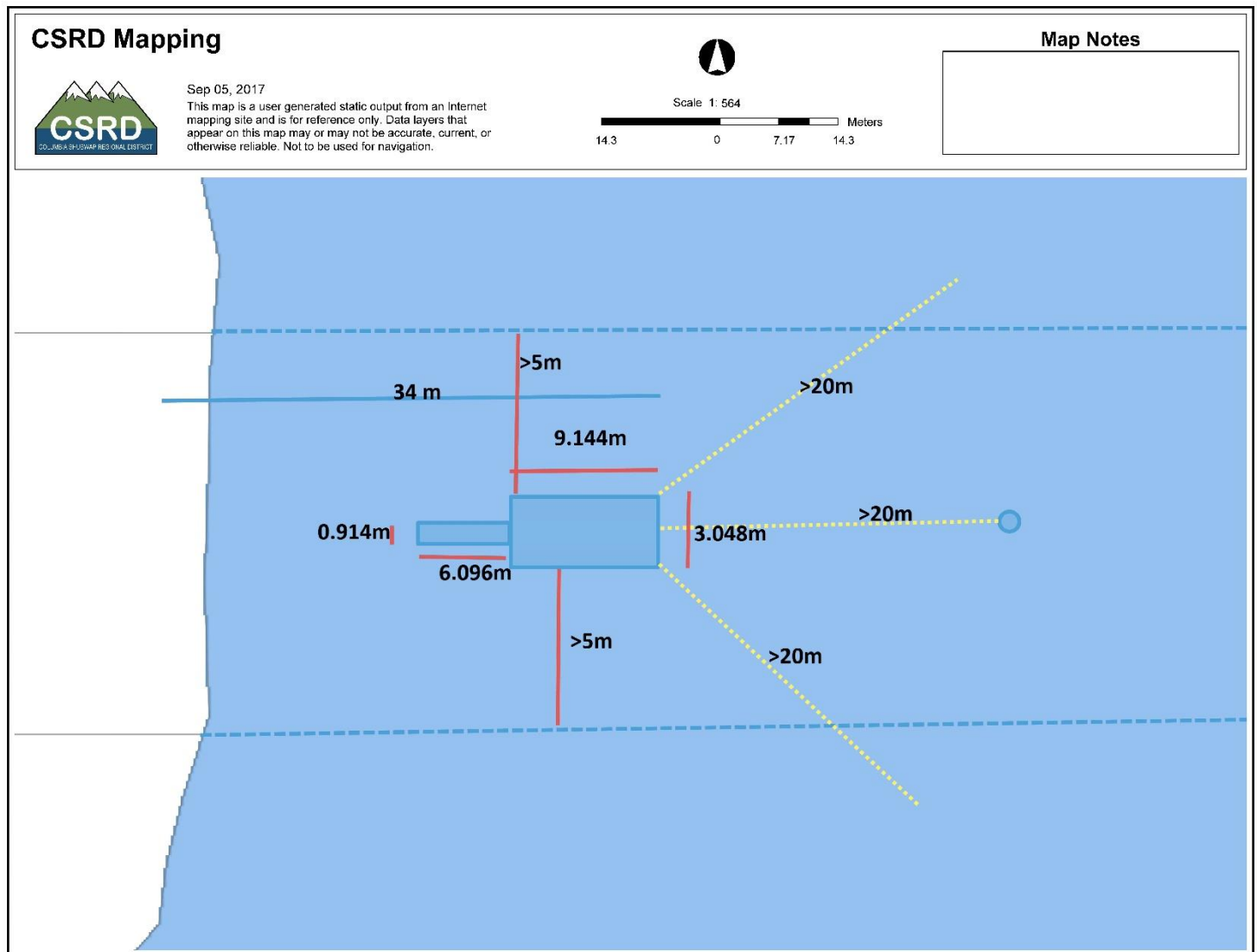
## APPENDIX 1

The following construction standards are excerpted from Electoral Area "F" Official Community Plan Bylaw No. 830 and are required to be met by the owner for the installation of the floating dock.

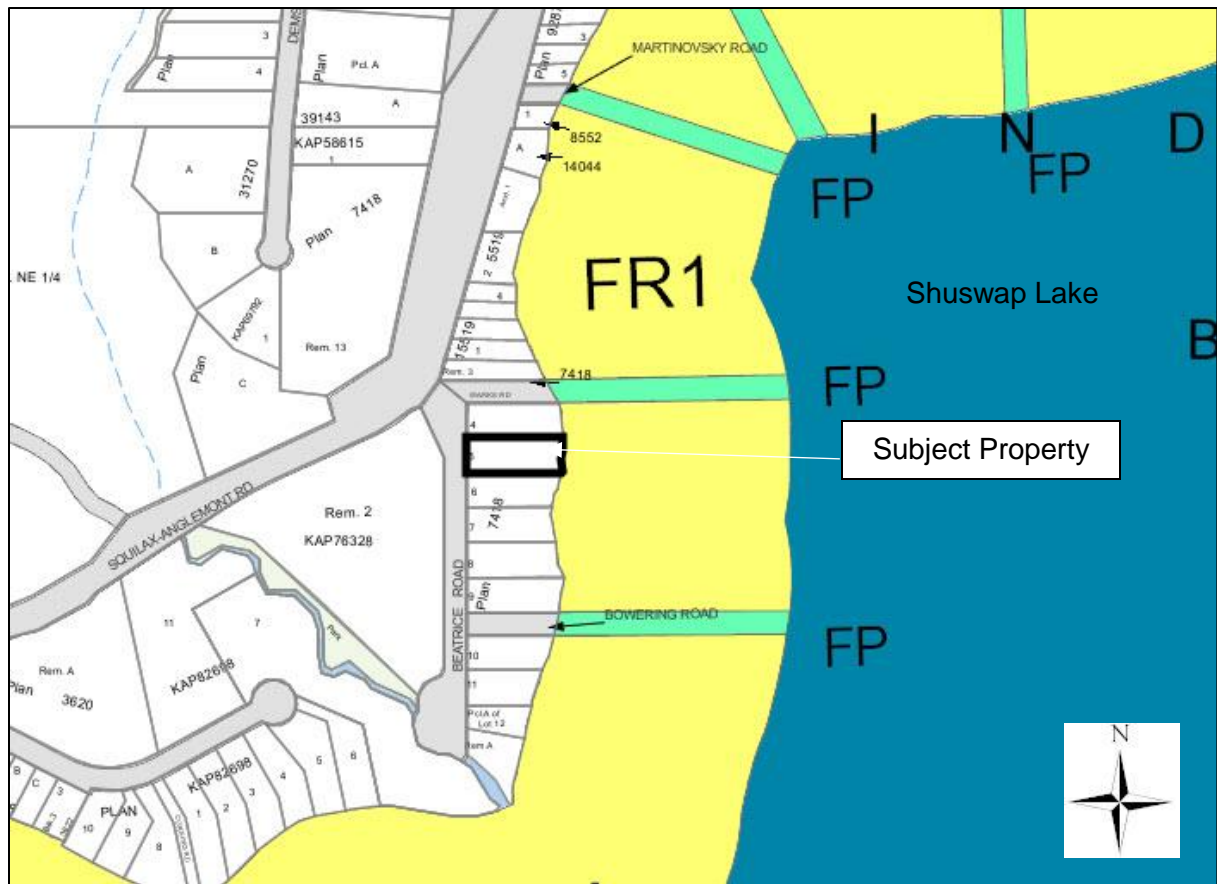
For docks and swimming platforms:

- Materials used in the construction of the dock shall not be concrete, pressure-treated wood (i.e. creosote), paint or other chemical treatments that are toxic to many aquatic organisms, including fish, and severely impact aquatic environments;
- Materials used shall be untreated (e.g. cedar, tamarack, hemlock, rocks, plastic, etc.) as supports for dock structures that will be submerged in water. Treated lumber may contain compounds that can be released into the water and become toxic to the aquatic environment.
- Where treated materials are used, only treated lumber that is environmentally-friendly for dock structures shall be used, and only on those portions of the dock that are above water.
- Any cutting, sealing and staining of lumber shall be conducted away from the water using only environmentally-friendly stains. All sealed and stained lumber should be completely dry before being used near water.
- Ensure plastic barrel floats are free of chemicals inside and outside of the barrel before they are placed in water.
- Rubber tires are not permitted to be used as they are known to release compounds that are toxic to fish.
- The dock is required to be sited in a manner which minimizes potential impacts on fish spawning and rearing habitat areas;
- The dock is required to be sited in a manner which minimizes potential impacts on water intakes and other utilities; and,
- Placement of the dock shall avoid aquatic vegetation and minimize disturbance to the lakebed and surrounding aquatic vegetation by positioning the dock or swimming platform in water deep enough to avoid grounding and to prevent impacts by prop wash in the case of docks. A minimum 1.5 m (4.92 ft) water depth at the lake-end of the dock is recommended at all times.

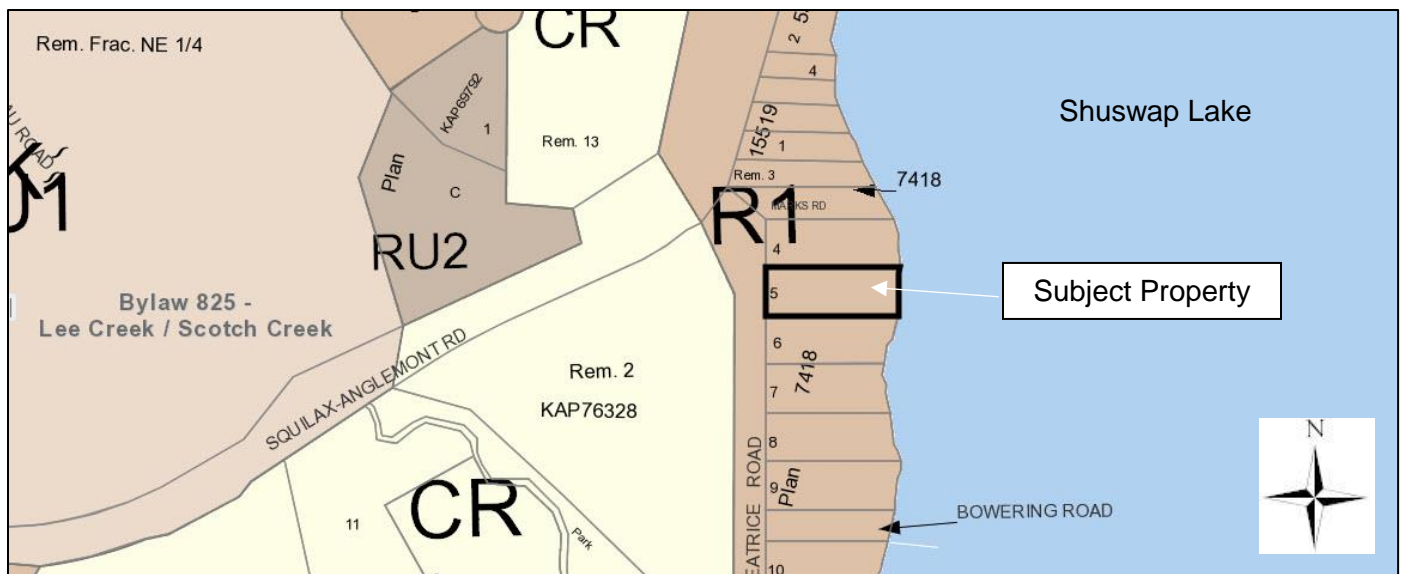
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Schedule 'B'  
Site Plan

# Foreshore Zoning

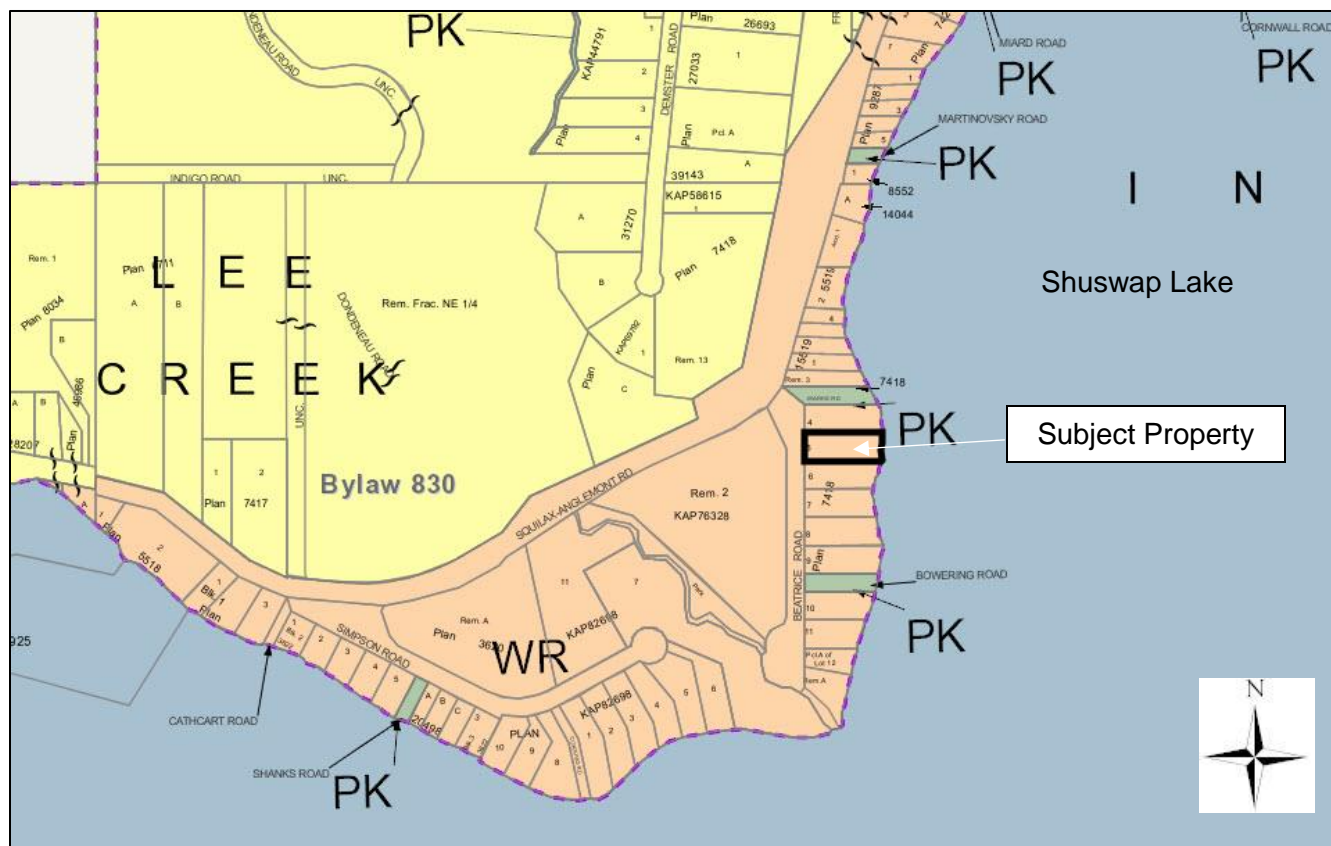


# Upland Zoning





OCP



Orthophoto





# 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-d.bc.ca

May 8, 2017

File No.: BL900-GEN

The Honourable Christy Clark, M.L.A.  
Premier of British Columbia  
PO BOX 9041 STN PROV GOVT  
Victoria BC V8W 9E1

Via EMAIL: premier@gov.bc.ca

Dear Premier Clark:

## Re: Provincial Private Moorage Program

The Columbia Shuswap Regional District (CSRD) contains Shuswap and Mara Lakes, which are important for their ecological and aesthetic values in addition to being drinking water sources for communities and individual residences. Shuswap and Mara Lakes are also known for their fisheries resource as well as for their significance as recreational areas on a provincial level. These lakes also contain a number of known archaeological sites and have been flagged as having high potential for archaeological sites generally. Docks are an issue that the CSRD has been working on for a number of years with development of the Lakes Zoning Bylaw No. 900 as a key outcome of this work.

The CSRD became aware of the changes to the Provincial Private Moorage Program (Program) by way of a copy of a letter from Greg Kockx, Manager Land Tenures Branch, Ministry of Forests Lands and Natural Resource Operations, to Gary MacIsaac, Executive Director, UBCM, dated January 17, 2017. The CSRD Board is very concerned about the negative implications of these changes.

At their meeting held April 20, 2017, the CSRD Board adopted the following resolutions:

*"THAT: A letter be sent to Premier Christy Clark and to Steve Thompson, Minister of Forests Lands and Natural Resource Operations, and MLA Greg Kylo, outlining CSRD concerns with the changes to the Private Moorage Program, lack of consultation with local government about the changes, and requesting that Shuswap and Mara lakes be designated as an application-only area for private moorage; and*

*THAT: A letter be sent to UBCM outlining CSRD concerns regarding the changes to the Provincial Private Moorage Program, and that the letter be copied to SILGA and the District of Coldstream."*

### Lack of Consultation with Local Government

The CSRD has concerns regarding the lack of consultation with local government with regard to the recent changes made to the Provincial Private Moorage Program. The CSRD has worked closely in the past with Ministry staff to develop local regulations regarding docks and buoys and has always included the Province in our consultation processes to ensure compatible regulations and administration. The CSRD Board is disappointed that the Province did not reciprocate this courtesy and consult with the CSRD during its consideration of changes to the Program.

#### 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



In particular, the CSRD is concerned with the change to remove the 24 m<sup>2</sup> dock surface area limit as this would allow for significantly larger docks to be constructed without any review by the Province. Prior to changes being made to the Program General Permissions were granted only for residential docks up to 24 m<sup>2</sup> in size. Anything larger required a Specific Permission which was reviewed by Provincial staff and was also referred to local government to ensure compliance with local government requirements. If there were issues related to local government zoning or other requirements, the Special Permission would generally not be issued until the local government concerns were met. With a less restrictive approach to General Permissions now in place, the CSRD is concerned that opportunities for review of dock projects prior to implementation will not take place resulting in increased conflict between waterfront property owners and the general public; it is anticipated that this change will also lead to increased bylaw enforcement issues and thus increased costs for CSRD tax payers. There are also concerns regarding a decrease in protection of environmental and archaeological values on these lakes without the necessary provincial oversight.

#### Request to Designate Shuswap and Mara Lakes as an Application-only Area for Private Moorage

Section 11.2 of the Private Moorage Policy states that "*Application-only areas will cover areas that will generally have a higher risk of impacts or user conflicts related to the construction and use of any dock*", and further states that "*Regional operations of the Authorizing Agency may work with provincial and federal resource agencies, First Nations and communities to identify appropriate application-only areas. Once designated information on these specific areas will be available from the Authorizing Agency*".

Appendix 5 of the Private Moorage Policy further indicates that the Ministry will work with provincial and federal resource agencies, local government and First Nations, as needed to identify potential application-only areas based on certain criteria. These criteria include but are not limited to:

- narrow water bodies where riparian rights are at risk of being infringed, or navigation and safety compromised (e.g. small coves, channels and sections of rivers);
- areas important for public access and use (e.g. beaches, areas adjacent to waterfront parks)
- areas subject to local requirements associated with foreshore development
- environmentally sensitive areas (e.g. fish spawning, critical habitat areas mapped by Ministry of Environment);
- areas where First Nations have expressed a strong interest, or have specifically requested consultation on all private moorage proposals;
- areas which contain Land Act dispositions or other government authorizations that are at risk of being in conflict with dock placement and use; and
- areas that are experiencing significant growth and concerns associated with waterfront development.

General Permissions are not granted for docks proposed to be located in Application-only Areas or Areas of Special Interest. Areas of special interest include known archaeological sites, ecological reserves, parks, and protected areas. Ministry staff have confirmed that there are no Application-only Areas, ecological reserves, parks, or protected areas in the residential foreshore areas of Shuswap or Mara Lakes. However, the CSRD is aware that there are a number of known archaeological sites on Shuswap and Mara Lakes, that these lakes have high ecological significance such as the the Adams River Sockeye salmon population, and are known to be important lakes from a cultural and environmental perspective for First Nations. These lakes are also heavily used recreationally, have a number of public beaches and parks, and are experiencing residential growth along the shorelines resulting in significant pressure for new residential moorage. The CSRD also has local government regulations related to foreshore development including Lakes Zoning Bylaw No. 900, Foreshore Development Permit Areas (DPA) in Electoral Areas C (South Shuswap Lake) and F (North Shuswap

Lake), and a proposed Foreshore DPA for Electoral Area E (Northeast Shuswap Lake and Mara Lake). Thus, many of the criteria for designating Application-only Areas are applicable to Shuswap and Mara Lakes.

The CSRD hopes that you will support our efforts at protecting the ecological and archaeological values along with recognizing the residential and recreational pressures that impact Shuswap and Mara Lakes by working with the CSRD and other relevant stakeholders, to designate the lake system as an Application-only Area with respect to private moorage. The CSRD is of the opinion that such a designation will benefit Shuswap and Mara Lakes in the long term, as well as the property owners, residents and tourists that live in and visit these resources.

Yours truly,

**COLUMBIA SHUSWAP REGIONAL DISTRICT**

Per:

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Rhona Martin  
Chair

cc: The Honourable Steve Thompson, Minister of Forests Lands and Natural Resource  
Operations  
Greg Kylo, M.L.A. Shuswap



# 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.d.bc.ca

May 10, 2017

File No.: BL900-GEN

Murray Krause, President  
Union of British Columbia Municipalities  
Suite 600-10551 Shellbridge Way  
Richmond BC V6X 2W9

Via EMAIL: ubcm@ubcm.ca

Dear Mr. Krause:

## **Re: Provincial Private Moorage Program**

The CSR D became aware of the changes to the Provincial Private Moorage Program (Program) by way of a copy of a letter from Greg Kockx, Manager Land Tenures Branch, Ministry of Forests Lands and Natural Resource Operations, to Gary MacIsaac, Executive Director, UBCM, dated January 17, 2017. The CSR D Board is very concerned about the negative implications of these changes.

At their meeting held April 20, 2017, the CSR D Board adopted the following resolutions:

*"THAT: A letter be sent to Premier Christy Clark and to Steve Thompson, Minister of Forests Lands and Natural Resource Operations, and MLA Greg Kylo, outlining CSR D concerns with the changes to the Private Moorage Program, lack of consultation with local government about the changes, and requesting that Shuswap and Mara lakes be designated as an application-only area for private moorage; and*

*THAT: A letter be sent to UBCM outlining CSR D concerns regarding the changes to the Provincial Private Moorage Program, and that the letter be copied to SILGA and the District of Coldstream."*

For the reasons outlined in the attached letter to Premier Clark, the CSR D has requested that the Province work with the CSR D and other relevant stakeholders to designate the lake system as an Application-only Area with respect to private moorage. We hope that you will support our efforts at protecting the ecological and archaeological values along with recognizing the residential and recreational pressures that impact Shuswap and Mara Lakes by supporting our request. The CSR D is of the opinion that such a designation will benefit Shuswap and Mara Lakes in the long term, as well as the property owners, residents and tourists that live in and visit these resources.

Yours truly,

**COLUMBIA SHUSWAP REGIONAL DISTRICT**

Per:

Rhona Martin

#### 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

Chair

Enclosure

cc: Executive Board – Southern Interior Local Government Association  
via EMAIL: yoursilga@gmail.com  
Jim Garlick, Mayor - District of Coldstream



# BOARD REPORT

**TO:**

**Chair and Directors**

<b>File No:</b>	BL 825-34
	BL 800-26
	BL 650-11
	BL 2064
	BL 701-83

**SUBJECT:**

Electoral Areas C, E, and F: Housekeeping Amendments – Floodplain Management, Intersection Sightlines, and Panhandle Lots (CSR D Zoning Bylaws)

**DESCRIPTION:**

Report from Dan Passmore, Senior Planner, dated August 16, 2017.

**RECOMMENDATION**

**#1:**

THAT: "Scotch Creek Zoning Amendment (CSR D) Bylaw No. 825-34' be read a third time, as amended, this 21<sup>st</sup> day of September, 2017;

**RECOMMENDATION**

**#2:**

THAT: "Scotch Creek Zoning Amendment (CSR D) Bylaw No. 825-34' be adopted this 21<sup>st</sup> day of September, 2017;

**RECOMMENDATION**

**#3:**

THAT: "Magna Bay Zoning Amendment (CSR D) Bylaw No. 800-26" be read a third time, as amended, this 21<sup>st</sup> day of September, 2017;

**RECOMMENDATION**

**#4:**

THAT: "Magna Bay Zoning Amendment (CSR D) Bylaw No. 800-26" be adopted this 21<sup>st</sup> day of September, 2017;

**RECOMMENDATION**

**#5:**

THAT: "Anglemont Zoning Amendment (CSR D) Bylaw No. 650-11" be read a third time, as amended, this 21<sup>st</sup> day of September, 2017;

**RECOMMENDATION**

**#6:**

THAT: "Anglemont Zoning Amendment (CSR D) Bylaw No. 650-11" be adopted this 21<sup>st</sup> day of September, 2017;

**RECOMMENDATION**

**#7:**

THAT: "Rural Sicamous Land Use Amendment (CSR D) Bylaw No. 2064" be read a third time, as amended, this 21<sup>st</sup> day of September, 2017;

**RECOMMENDATION**

**#8:**

THAT: "Rural Sicamous Land Use Amendment (CSR D) Bylaw No. 2064" be adopted this 21<sup>st</sup> day of September, 2017;

**RECOMMENDATION**

**#9:**

THAT: "South Shuswap Zoning Amendment (CSR D) Bylaw No.701-83" be read a third time, as amended, this 21<sup>st</sup> day of September, 2017;

**RECOMMENDATION**

**#10:**

THAT: "South Shuswap Zoning Amendment (CSR D) Bylaw No.701-83" be adopted time this 21<sup>st</sup> day of September, 2017;

**SHORT SUMMARY:**

Amendments are proposed to the floodplain management provisions of Anglemont Zoning Bylaw No. 650, Magna Bay Zoning Bylaw No. 800, Scotch Creek/Lee Creek Zoning Bylaw No. 825, Rural Sicamous Land Use Bylaw No. 2000, and South Shuswap Zoning Bylaw No. 701. The proposed amendments would change the location of measurement for floodplain setbacks in Bylaw Nos. 650, 800, 825 and 2000 from the natural boundary of Shuswap Lake to the 348.3 m GSC datum and edit the list of exemptions for structures that are not required to meet the floodplain setback and flood construction level in all of the bylaws so that the regulations are consistent for all areas. General housekeeping amendments are also proposed for the floodplain management sections of these bylaws.

Staff had amended the bylaws to include additional exemptions from the floodplain setbacks, such as, detached accessory buildings that are not used for human habitation, electrical or mechanical equipment, stairways not connected to other structures, and storage of goods not damageable by floodwater. Also included was the addition of regulations for subdivision of panhandle lots to the bylaw amendments.

The Board gave Bylaws No. BL 825-34, BL 800-26, BL 650-11, BL 2064, and BL 701-83 first readings at the March 17, 2016 regular meeting, and directed staff to utilize the simple consultation process. No development notice was required to be posted in accordance with Development Services Procedures Bylaw No. 4001. Staff had referred the bylaws to affected Ministries, agencies and First Nations and comments received have been summarised in previous reports. The Board gave the bylaws second reading, as amended, at the June 15, 2017 regular meeting and delegated Public Hearings.

A Public Hearing for Bylaws No. BL 2064 and BL 701-83 was held August 10, 2017 and a Public Hearing for Bylaws No. BL 825-34, BL 800-26, and BL 650-11 was held August 15, 2017. It is now appropriate for the Board to consider the results of the Public Hearings and consider the bylaws for third readings and adoption.

The Bylaws have been amended to clarify the definition of "Habitation" so that it only has application to structures contemplated within an area subject to floodplain specifications.

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

See attached Report dated April 12, 2017.

#### **POLICY:**

Staff presented applicable floodplain regulations from each Zoning Bylaw proposed to be amended in the report previously viewed by the Board, at the March 17, 2016 regular meeting. There are no current regulations included in any of the Bylaws proposed to be amended that regulate panhandle lots. Visual clearance regulations at intersections are only currently within South Shuswap Zoning Bylaw No. 701.

#### **FINANCIAL:**

These bylaw amendments are not the result of bylaw enforcement action. There are no financial implications associated with this bylaw amendment.

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

See attached Report dated April 12, 2017.

An amendment is being proposed to the Bylaws to narrow the definition of habitation so that it only has application for development that is occurring within areas subject to the floodplain specifications.

This clarification is necessary to ensure that property owners seeking to build accessory buildings elsewhere, have some flexibility in the amenities they are allowed to construct within the accessory building. The proposed amendments provide clarification only, and do not impact on use or density, and fall within the scope of amendments allowed in Section 470 of the *Local Government Act* which states that after a public hearing, the regional board may, without further notice or hearing, adopt or defeat the bylaw, or alter and then adopt the bylaw provided the alteration does not alter the use, increase the density, or without the owner's consent, decrease the density of any area from that originally specified in the bylaw.

**SUMMARY:**

Staff is recommending that the Board consider the public input, that the bylaws be given third reading as amended, and that the bylaws be considered for adoption.

**IMPLEMENTATION:****Consultation Process**

Considering the minor and technical nature of these amendments, as per CSRD Policy No. P-18 regarding Consultation Processes-Bylaws, staff recommended the simple consultation process. Staff forwarded the bylaw and staff report to referral agencies for review and comment, a summary of the responses has been provided in previous reports to the Board. Property owners first became aware of these bylaw amendments when a notice was placed in the newspapers regarding the public hearings.

**Public Hearing – August 10, 2017**

The delegated Public Hearing for Bylaws No. BL 2064 and BL 701-83 was held Thursday August 10, 2017, at the CSRD Boardroom in Salmon Arm. One member of the public attended. Please see the attached Public Hearing notes for details about public input. No correspondence was received.

**Public Hearing – August 15, 2017**

The delegated Public Hearing for Bylaws No. BL 825-34, BL 800-26, and BL 650-11 was held August 15, 2017 at the Scotch Creek Firehall/Community Hall in Scotch Creek. 8 members of the public attended. Please see the attached Public Hearing notes for details about public input. No correspondence was received.

**COMMUNICATIONS:**

Staff advertised and held the delegated Public Hearings in accordance with the Local Government Act. If the Bylaws are given third reading and adopted, CSRD staff will amend Bylaws No. 650, 800, 825, 701, and 2000, which will be posted on the CSRD website and copies will be provided to the Directors and Electoral Area C APC.

**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.*



**Report Approval Details**

Document Title:	2017-09-21_Board_DS_Floodplain_CSRD.docx
Attachments:	<ul style="list-style-type: none"> <li>- 2017-06-15_Board_DS_FloodplainAmendments_CSRD.pdf</li> <li>- PH_Notes Aug10-2017.pdf</li> <li>- PH_Notes Aug15-2017.pdf</li> <li>- Bylaw 650-11 Thirdasamended.pdf</li> <li>- Bylaw 800-26 - Thirdasamended.pdf</li> <li>- Bylaw 825-34 - Thirdasamended.pdf</li> <li>- Bylaw 2064 Thirdasamended.pdf</li> <li>- Bylaw 701-83 Thirdasamended.pdf</li> </ul>
Final Approval Date:	Sep 11, 2017

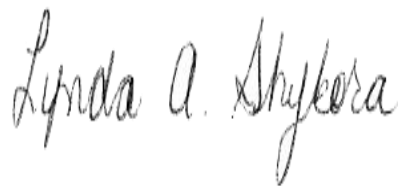
This report and all of its attachments were approved and signed as outlined below:



**Corey Paiement - Sep 8, 2017 - 2:49 PM**



**Gerald Christie - Sep 10, 2017 - 3:23 PM**



**Lynda Shykora - Sep 11, 2017 - 4:00 PM**



**Charles Hamilton - Sep 11, 2017 - 4:20 PM**



# BOARD REPORT

**TO:** Chair and Directors

<b>File No:</b>	BL 825-34
	BL 800-26
	BL 650-11
	BL 2064
	BL 701-83

**SUBJECT:** Electoral Areas C, E, and F: Housekeeping Amendments – Floodplain Management, Intersection Sightlines, and Panhandle lots (CSR D Zoning Bylaws)

**DESCRIPTION:** Report from Dan Passmore, Senior Planner, dated April 12, 2017.

**RECOMMENDATION #1:** THAT: "Scotch Creek Zoning Amendment (CSR D) Bylaw No. 825-34" be read a second time, as amended, this 15<sup>th</sup> day of June, 2017;

**RECOMMENDATION #2:** THAT: "Magna Bay Zoning Amendment (CSR D) Bylaw No. 800-26" be read a second time, as amended, this 15<sup>th</sup> day of June, 2017;

**RECOMMENDATION #3:** THAT: "Anglemont Zoning Amendment (CSR D) Bylaw No. 650-11" be read a second time, as amended, this 15<sup>th</sup> day of June, 2017;

**RECOMMENDATION #4:** THAT: "Rural Sicamous Land Use Amendment (CSR D) Bylaw No. 2064" be read a second time, as amended, this 15<sup>th</sup> day of June, 2017;

**RECOMMENDATION #5:** THAT: "South Shuswap Zoning Amendment (CSR D) Bylaw No. 701-83" be read a second time, as amended, this 15<sup>th</sup> day of June, 2017;

**RECOMMENDATION #6:** THAT: a public hearing to hear representations on Scotch Creek Zoning Amendment (CSR D) Bylaw No. 825-34, Magna Bay Zoning Amendment (CSR D) Bylaw No. 800-26, Anglemont Zoning Amendment (CSR D) Bylaw No. 650-11, Rural Sicamous Land Use Amendment (CSR D) Bylaw No. 2064, and South Shuswap Zoning Amendment (CSR D) Bylaw No. 701-83, be held;

AND FURTHER 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 Rhona Martin, as Chairman of the Board of the CSR D, or

Director Paul Demenok, if Director Martin is absent, and the Director give a report of the public hearing to the Board.

**SHORT SUMMARY:**

Amendments are proposed to the floodplain management provisions of Anglemont Zoning Bylaw No. 650, Magna Bay Zoning Bylaw No. 800, Scotch Creek/Lee Creek Zoning Bylaw No. 825, Rural Sicamous Land Use Bylaw No. 2000, and South Shuswap Zoning Bylaw No. 701. The proposed amendments would change the location of measurement for floodplain setbacks in Bylaw Nos. 650, 800, 825 and 2000 from the natural boundary of Shuswap Lake to the 348.3 m GSC datum and edit the list of exemptions for structures that are not required to meet the floodplain setback and flood construction level in all of the bylaws so that the regulations are consistent for all areas. General housekeeping amendments are also proposed for the floodplain management sections of these bylaws.

Staff have amended the bylaws to include additional exemptions from the floodplain setbacks. Staff are proposing to exempt detached accessory buildings that are not used for human habitation, electrical or mechanical equipment, stairways not connected to other structures, and storage of goods not damageable by floodwater.

Staff are also proposing the addition of regulations for subdivision of panhandle lots to the bylaw amendments.

The Board gave Bylaws No. BL 825-34, BL 800-26, BL 650-11, BL 2064, and BL 701-83 first readings at the March 17, 2016 regular meeting, and directed staff to utilize the simple consultation process. No development notice was required to be posted in accordance with Development Services Procedures Bylaw No. 4001. Staff has referred the bylaw to affected Ministries, agencies and First Nations and comments received have been summarised in this report. It is now appropriate for the Board to consider second readings, as amended, and to delegate Public Hearings.

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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:**

Section 524 of the Local Government Act allows the CSRD to designate floodplains by bylaw. Such bylaws allow the CSRD to specify the flood level for waterbodies, which regulates the flood construction levels to be met for new construction adjacent to waterbodies, and the setbacks required from the waterbodies. The Province allows the CSRD to consider a number of factors to establish these flood construction levels and floodplain setbacks, as follows;

- (a) different areas of a flood plain;
- (b) different zones;
- (c) different uses within a zone or an area of a flood plain;
- (d) different types of geological or hydrological features;
- (e) different standards of works and services;

- (f) different siting circumstances;
- (g) different types of buildings or other structures and different types of machinery, equipment or goods within them;
- (h) different uses within a building or other structure

There are currently five separate zoning bylaws regulating land use surrounding Shuswap Lake. All of these bylaws designate floodplains for Shuswap Lake and Bylaw No. 2000 for Mara Lake. South Shuswap Zoning Bylaw No. 701 requires that floodplain setbacks be measured from the 348.3 m contour, which is the mean annual high water mark for Shuswap Lake established by the Ministry of Environment (MoE). The remaining four bylaws require that floodplain setbacks for Shuswap Lake be measured from the natural boundary of the lake. This bylaw amendment proposes to amend Anglemont Zoning Bylaw No. 650, Magna Bay Zoning Bylaw No. 800, Scotch Creek Zoning Bylaw No. 825 and Rural Sicamous Land Use Bylaw No. 2000 to create consistency in how setbacks are measured across all areas of Shuswap Lake, i.e.: from the mean annual high water mark of 348.3m GSC Datum.

While consistency is the goal, it is also difficult to justify requiring developers and landowners in the North Shuswap and Rural Sicamous areas to hire a BC Land Surveyor to establish the natural boundary of Shuswap or Mara Lake in order to apply the floodplain specifications. Whereas a developer or land owner in the South Shuswap can hire a survey technician to find a contour and measure floodplain specifications from the contour.

Additionally, over time, the exact location of the natural boundary can vary as natural shoreline processes occur. In a significant numbers of cases, staff has noted that natural boundaries established by surveyor for legal purposes no longer reflects the current natural boundary, as re-development of lots occurs, and development along the lake front alters the shorelines. Use of an elevation to measure floodplain specifications from eliminates any variability. Should the mean annual high water mark change, as established by the MoE, then a simple amendment to the bylaw can adjust for the new contour level, creating greater flexibility.

Within the various zoning bylaws the regulations differ with regard to which types of structures may be exempted from meeting the required floodplain setback. With this in mind, staff have added some additional items to be considered for exemption. Staff are proposing amendments to create consistency between all of the bylaw areas. The proposed amendments will also address some minor housekeeping issues within the floodplain specifications of the various bylaws.

In addition to the proposed amendments to the floodplain specifications, staff have included amendments to these zoning bylaws to establish a set of regulations for subdivision of panhandle lots. Panhandle lots are lots created by using a narrow neck of land between the main body of the lot and the fronting highway. These bylaws all lack such regulations and since the Approving Authority does not have regulations, have resulted in approval of subdivisions which are extremely irregular.

**POLICY:**

Staff presented applicable floodplain regulations from each Zoning Bylaw proposed to be amended in the report previously viewed by the Board, at the March 17, 2016 regular meeting. There are no current regulations included in any of the Bylaws proposed to be amended that regulate panhandle lots. Visual clearance regulations at intersections are only currently within South Shuswap Zoning Bylaw No. 701.

**FINANCIAL:**

This bylaw amendment is not the result of bylaw enforcement action. There are no financial implications associated with this bylaw amendment.

**KEY ISSUES/CONCEPTS:**Measurement of Flood Construction Level and Floodplain Setback

Staff are proposing to amend Bylaw No. 650, 800, 825, and 2000 whereby the floodplain setback and flood construction level would be required to be measured from the mean annual high water mark of Shuswap Lake rather than the natural boundary. The mean annual high water mark for Shuswap Lake is defined as 348.3 m Geodetic Survey of Canada Datum (GSC Datum) which is a contour line that runs around the perimeter of Shuswap Lake. Staff are also proposing to amend Bylaw No. 2000 to include floodplain specifications to be measured from the 348.4 m GSC Datum contour for Mara Lake.

'Natural boundary' is defined as: *"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"*. The only persons able to determine the location of the Natural Boundary are BC Land Surveyors (BCLS). However, this definition is open to interpretation and may mean that different surveyors could come up with different locations for natural boundary. Also, since the location is subject to natural processes, it is highly variable.

In contrast, a geodetic elevation is a discreet value and is consistent via survey. This makes it clear for a surveyor, or a survey technician as to how to establish the correct floodplain setback and have consistency for such setbacks from one property to another. It also gives homeowners and developers flexibility in who they hire to illustrate compliance with the floodplain setback requirement. A BCLS is licensed in the Province, by the Surveyors General Office to create and re-survey legal parcels, and a survey technician is only able to provide building location certificates. Owners/developers will still have their choice who they hire, but will have greater flexibility in the choice depending on which is available, or provides the better price to do the work.

Currently, South Shuswap Zoning Bylaw No. 701 is the only bylaw in the CSRD that requires that floodplain setbacks be measured from the mean annual high water mark (HWM), however, from a practical perspective it appears that most surveyors are defaulting to the 348.3 m (or 348.4 m in the case of Mara Lake) contour when preparing surveys in other areas as well. In a letter to the CSRD dated August 12, 2009, Fisheries and Oceans Canada (DFO) advised that the mean annual high water marks for Shuswap Lake and Mara Lake being used by both the Ministry of Environment and DFO were 348.3 m and 348.4 m GSC datum respectively. The letter notes that the use of these standardized elevations has reduced uncertainty caused by the previous, highly variable “natural boundary” standard. Staff recommend that all of the zoning bylaws for areas surrounding Shuswap and Mara Lakes be amended to reflect this practice in order to create a consistent and level playing field for all waterfront property owners on these lakes.

#### Exemptions from Flood Construction Level and Floodplain Setback Requirements

The types of structures that are listed in the exemptions from flood construction level requirements are fairly consistent across all of the bylaws, but there are some differences in wording as to what types of structures are exempt from the floodplain setback requirements.

For example, works constructed to stabilize the shoreline of a waterbody or the banks of a watercourse are exempted under Bylaw No. 800, 825 and 2000, but are not exempted under Bylaws 650 and 701. This means that property owners in Anglemont and the South Shuswap wishing to construct flood proofing works to protect their property from flooding must apply for a Floodplain Exemption and have a report completed by a Geotechnical Engineer prior to proceeding with construction, while property owners in Magna Bay, Scotch Creek, and Rural Sicamous do not need to make this type of application.

Further, on-loading and off-loading facilities associated with water-oriented industry and portable sawmills are exempted under Bylaw No. 701 but are not exempt under any of the other bylaws. Roof overhangs and cantilevered decks where no supporting structural components are located within the setback area, and ground level patios are not currently exempted in any of the bylaws and at the present time would trigger the need for a floodplain exemption application although they would typically not either be subject to damage from inundation or be compromised structurally themselves by the erosive effects and wave action of flooding.

Similarly, staff are also proposing amendments at second reading to exempt the following from floodplain setbacks:

- Detached accessory buildings or structures that do not include human habitation;
- 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
- Electrical or mechanical equipment; and,
- Storage of goods not subject to damage from floodwaters.

Some of the bylaws currently exempt carports and garages that are attached to a principal building. The proposed changes would allow detached accessory structures like these, as well as storage sheds, provided there is no habitation within these structures. Electrical or mechanical equipment, like lighting, pumps and lift stations, would also be exempt.

Staff are proposing to include these in the list of exemptions and amend all of the bylaws covering lands abutting Shuswap Lake and Mara Lake so that the list of exemptions from both setbacks and flood construction levels is consistently measured across all bylaw areas.

#### Flood Proofing Works and Retaining Structures

Bylaw No. 701 currently makes a distinction between Retaining Structures and Landscape Retaining Structures. The distinction was made to clear up some setback interpretation issues. Retaining structures are subject to zone setbacks except when they are physically and structurally connected to the principal building and landscape retaining structures are exempted. Landscape retaining structures are defined as a particular type of retaining structure which is under 1.2 m in height. The chief difference is that the retaining structure requires structural engineering under the BC Building Code while the landscape retaining structure does not.

Homeowners currently use both types of these structures to provide flood proofing for their properties. These types of structures are particularly useful where the homeowner is trying to create more yard space on sloped properties. However, as a structure designed to retain earth, they are subject to the effects of earth pressure behind them as they tend to be more vertical facing. This means that they are more susceptible to toppling due to soil erosion at their base and the effects of wave action at their toe. Water pressure from groundwater behind the face of the wall is also a factor in toppling.

Other methods of flood proofing are also used such as reinforced earth or rip-rapping placed over an earthen bank to protect the natural earthen slopes from erosive damage. These types of flood proofing works are less structural in nature than retaining structures, and do not usually benefit the homeowner in creating additional level yard areas, except for retaining existing yard areas. Also, armoring is not typically subject to water pressure from groundwater behind the structure. So there is rationale to exempt such flood proofing methods from the floodplain specifications.

In order to foster an exemption for specific flood proofing structures, a new definition will need to be added to Bylaw No. 701, as follows;

"FLOOD PROOFING PROTECTION means the installation of improvements provided they are upland of the current natural boundary, that are specifically designed to prevent damage to existing earthen banks caused by erosive effects of water and wave action by armouring the soil surface through the use of geotextile materials and some combination of rip-rap or other



protective surfacing materials. *Retaining Structures* and *Landscape Retaining Structures* are not included under this definition."

Additionally the definitions for *flood proofing protection*, *retaining structures*, and *landscaping retaining structures* are being added to all bylaws, other than Bylaw No. 701 for consistency of application. Since, flood-proofing protection is not considered a structure, they are not subject to zone setbacks in any of the bylaws.

#### Definition of Watercourse

It is important to include a definition for "watercourse" to ensure clarity in terms of what the floodplain specifications apply to and what they do not apply to, i.e.: a ditch vs. a creek. There are some minor differences between the various bylaws regarding the definition of "watercourse" as noted in the policy section above. It is proposed to amend each of the bylaws to include the following definition in order to foster a clear and consistent approach between all bylaw areas. This would include deleting the definition of "water body" in Bylaws No. 800 and No. 2000.

"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."

Because of the impact of the Province's Riparian Area Regulation, the duty to determine if a given water feature is a waterbody, would be determined by a Qualified Environmental Professional (QEP).

#### Setback Exceptions

With the proposed addition of definitions for Retaining Structure, Landscape Retaining Structure, and Flood Proofing Protection, the siting exceptions provided in the General Regulations sections in Bylaws No. 650, No. 800, No. 825, and No. 2000 will also need to be amended.

#### HWM vs. Natural Boundary vs. Property Boundary

As indicated earlier, the goal of the proposed bylaw amendments is to provide a consistent measurement for the HWM, and to measure the floodplain setback from this discreet measurement, as opposed to the Natural Boundary. Establishment of property boundaries through the subdivision process relies on the BCLS to establish a current natural boundary. Once this has been established it becomes the mark from which compliance with setbacks is determined. Since natural boundary is something that can, and often does change over time due to natural processes, it can be difficult to determine if an intended flood proofing work is actually within the confines of the legal parcel. Unfortunately, it is critical to do so, because the CSRD does

not have jurisdiction to approve improvements below the natural boundary, which can be variable. For this reason the exemption proposed must be subject to the works being constructed upland of the natural boundary.

### Vision Clearance at Intersections

The definition for Sight Triangle and General Regulations for Sight Triangles are proposed to be added to the other bylaws for consistency. This will enhance safety at intersections by ensuring that sight obstructions, such as trees and bushes, retaining walls and fences are not placed in these areas.

### Panhandle Lots and Subdivision

Currently the only Provincial Regulation describing standards for panhandle subdivision proposals is under the Local Services Act, Subdivision Regulations (BC Reg. 262/70). The following regulations can act as a guideline when the Provincial Approving Officer is reviewing an application for subdivision:

#### *Panhandle lots*

##### *6.09*

*Without limiting the generalities of section 4.01 and notwithstanding the requirements of section 6.08, where a parcel is a panhandle lot capable of further subdivision, the approving officer shall be satisfied that the panhandle is adequate to provide a future highway.*

#### *Panhandle not part of minimum parcel area*

##### *6.10*

*Notwithstanding the requirements of sections 6.01 to 6.05, inclusive, where a parcel is a panhandle lot, the access strip or panhandle shall not be calculated as part of the minimum parcel area.*

However, the regulations do not apply to subdivisions occurring where the Local Government has a Subdivision Servicing Bylaw. There is an exemption which applies to a Subdivision Servicing Bylaw that advises that where such a bylaw does not regulate a matter then the Regulation applies. However, in the case of panhandle lots, the ability to regulate the shape, dimensions and area, and minimum parcel sizes can only be enacted by a Regional District under a Zoning Bylaw and not a Subdivision Servicing Bylaw.

The proposed amendments will add these two areas of established regulation into the bylaws to ensure that they are regulated. Additionally, other matters, including the following are proposed to be addressed:

- Minimum width of 10.0 m for the panhandle driveway
- restrictions on building within the panhandle driveway;

- configuration of the panhandle; and,
- the proximity of occurrence of such lots (no more than 2 panhandle driveways adjacent to each other).

Staff are proposing to add these regulations through a combination of definitions and general regulations, together with a diagram which illustrates the intent.

#### Minor Housekeeping

Staff are also proposing additional minor amendments to ensure consistency between the floodplain regulations in all of the Shuswap area zoning bylaws, e.g. amend language to 'gender neutral' and tidy up the formatting.

#### **SUMMARY:**

Staff are recommending that the Board consider the bylaws, as amended for second readings, and delegate public hearings.

#### **IMPLEMENTATION:**

##### **Consultation Process**

Considering the minor and technical nature of these amendments, as per CSRD Policy No. P-18 regarding Consultation Processes-Bylaws, staff recommended the simple consultation process. Property owners will first become aware of these bylaw amendments when a notice is placed in the newspapers regarding the public hearings.

#### **COMMUNICATIONS:**

If the Board supports second readings, as amended, of the bylaws, and delegates a Public Hearing in accordance with the staff recommendation for one all-encompassing joint Public Hearing for all bylaw amendments, staff will proceed with advertising the Public Hearings in Electoral Areas C, E, and F, as set out in the Local Government Act.

Referral agencies have provided their comments, they are attached as Appendix A to this report.

#### **DESIRED OUTCOMES:**

That the Board endorse staff recommendations.

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

1. *Endorse the recommendations. Bylaw No. 701-83, Bylaw No. 825-34, Bylaw No. 800-26, Bylaw 650-11, and Bylaw 2064 will be given second readings, as amended and a single Public Hearing for all bylaws will be delegated.*

2. *Decline second readings, as amended, Bylaw No. 701-83, Bylaw No. 825-34, Bylaw No. 800-26, Bylaw 650-11 and Bylaw 2064 will be defeated. The current measurement standards for floodplain setbacks will continue to apply.*
3. *Defer.*
4. *Any other action deemed appropriate by the Board.*

**Report Approval Details**

Document Title:	2017-06-15_Board_DS_FloodplainAmendments_CSRD.docx
Attachments:	<ul style="list-style-type: none"> <li>- APPENDIX-A-AgencyReferralResponses.docx</li> <li>- Bylaw 650-11 Second.docx</li> <li>- Bylaw 800-26 - Second.docx</li> <li>- Bylaw 825-34 - Second.docx</li> <li>- Bylaw 2064 Second.docx</li> <li>- Bylaw 701-83 Second.docx</li> </ul>
Final Approval Date:	Jun 5, 2017

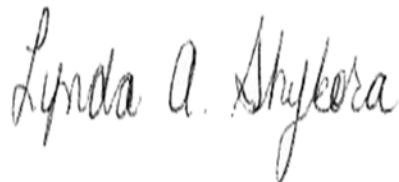
This report and all of its attachments were approved and signed as outlined below:



**Corey Paient - May 24, 2017 - 3:16 PM**



**Gerald Christie - May 30, 2017 - 9:11 AM**



**Lynda Shykora - May 30, 2017 - 9:57 AM**



**Charles Hamilton - Jun 5, 2017 - 11:06 AM**

**COLUMBIA SHUSWAP REGIONAL DISTRICT**

Notes of the Public Hearing held on Thursday August 10, 2017 at 3:00 p.m. at the CSRD Board Room, 555 Harbourfront Drive NE, Salmon Arm, BC, regarding proposed Bylaw No. 701-83 and Bylaw No. 2064.

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PRESENT: Chair Rhona Martin – Electoral Area E Director  
 Alternate Chair Paul Demenok – Electoral Area C Director  
 Dan Passmore – Senior Planner, Development Services  
 1 member of the public

Chair Martin called the Public Hearing to order at 3:03 pm. Following introductions, the Chair advised that all persons who believe that their interest in property may be affected shall be given the opportunity to be heard or to present written submissions pertaining to the proposed Rural Sicamous Land Use Amendment (CSRD) Bylaw No. 2064 and South Shuswap Zoning Amendment (CSRD) Bylaw No. 701-83.

The Planner explained the requirements of Section 470 of the Local Government Act and noted that the Public Hearing Report will be submitted to the Board for consideration at its September 21, 2017 meeting. The Planner explained the notification requirements set out in the Local Government Act and noted the Public Hearing was placed in the Shuswap Market News on July 28 and August 4, 2017, as well as in the Eagle Valley News July 26 and August 2, 2017.

The Planner provided background information regarding this proposed Bylaw amendment and reviewed the purpose of the bylaws.

The Chair opened the floor for comments.

Candice Benner, 3110 20<sup>th</sup> Avenue NE, asked if exemptions were included in the proposed amendments.

The Planner responded by advising that a number of additional exemptions were being added to the proposed amendments.

Candice Benner, 3110 20<sup>th</sup> Avenue NE, asked how the amendments apply to rivers with extensive floodplains, in particular the Eagle River.

The Planner advised that the amendment to the floodplain setback was specific to lands adjoining Shuswap and Mara Lakes, and no amendment was proposed for other watercourses, however, the exemptions would apply to the other watercourses.

Candice Benner, 3110 20<sup>th</sup> Avenue NE, asked if landscape walls and flood proofing were exempt.

The Planner explained that landscape walls would not be exempt, but flood proofing protection works would be.

Candice Benner, 3110 20<sup>th</sup> Avenue NE, asked if a BCLS would be required for exemption survey plans.

The planner advised that since the floodplain setback was no longer based on natural boundary, the services of a BCLS were no longer required, and a survey technician could provide the information necessary.

Director Demenok expressed that this may save the applicant some money.

Hearing no further representations or questions about proposed Bylaw No. 701-83 and Bylaw No. 2064 the Chair called three times for further submissions before declaring the public hearing closed at 3:17 pm.

CERTIFIED as being a fair and accurate report of the public hearing.

Original Signed by

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Director Rhona Martin  
Public Hearing Chair

A handwritten signature in black ink, appearing to be 'Dan Passmore', written over a horizontal line.

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Dan Passmore  
Senior Planner

## **COLUMBIA SHUSWAP REGIONAL DISTRICT**

Notes of the Public Hearing held on Tuesday August 15, 2017 at 4:00 p.m. at the Scotch Creek Community Hall/Firehall, 3852 Squilax-Anglemont Road, Scotch Creek BC, regarding proposed Bylaw No. 650-11, Bylaw 800-26 and Bylaw No. 825-34.

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PRESENT: Chair Larry Morgan – Electoral Area F Director  
 Dan Passmore – Senior Planner, Development Services  
 8 members of the public

Chair Morgan called the Public Hearing to order at 4:01 pm. Following introductions, the Chair advised that all persons who believe that their interest in property may be affected shall be given the opportunity to be heard or to present written submissions pertaining to the proposed Anglemont Zoning Amendment (CSRD) Bylaw No. 650-11, Magna Bay Zoning Amendment (CSRD) Bylaw No. 800-26 and Scotch Creek Zoning Amendment (CSRD) Bylaw No. 825-34.

The Planner explained the requirements of Section 470 of the Local Government Act and noted that the Public Hearing Report will be submitted to the Board for consideration at its September 21, 2017 meeting. The Planner explained the notification requirements set out in the Local Government Act and noted the Public Hearing was placed in the Shuswap Market News on August 4 and August 11, 2017, as well as in the North Shuswap Kicker August, 2017 edition.

The Planner provided background information regarding these proposed bylaw amendments and reviewed the purpose of the bylaws.

The Chair opened the floor for comments.

Jackie Santa, 1312 Deodar Road, asked for an explanation of the content of the bylaws.

The Planner responded by outlining the proposed amendments. What followed was further requests for information and explanation behind the purpose of the bylaw.

Ron Wilkinson, 4112 Express Point Road;  
 Bob Misseghers, 1414 Webb Road;  
 Peter O'Toole, 4000 Butters Road;  
 Leslie Banks, #6 – 7220 Welch Road; and,  
 Jackie Santa, asked more and more detailed questions regarding the subject matter.

The participants asked about the following:

- What specifically is being amended?
- What is the Natural Boundary, and how is that different from the 348.3 m contour?
- Was the intent of the bylaw amendments to make the requirement consistent throughout the CSRD?
- How would the amendments impact on the flood construction level?
- Doesn't the Province regulate these issues? The Federal Government?



- What are floodproofing works?
- Would the exemptions include retaining walls?
- How would the regulations impact existing structures?
- What is the 348.3 m contour based on?
- Doesn't the Mean Annual High Water Mark (MAHWM) change over time, and who decides what it is?
- How would climate change impact the MAHWM?
- How would severe storms and weather impact flooding?
- What is scour?
- What is a panhandle lot?
- Would the panhandle lot regulations stop more than one panhandle lot beside another?

The Planner responded to the specific questions with specific answers on the technical issues and background behind the proposed amendments, until there were no more questions.

The Chair then requested the audience to provide the meeting with input regarding the proposed amendments.

Leslie Banks, #6 – 7220 Welch Road, advised that she had concerns over the impacts to homeowners of over-regulation. She advised that recent storm events had done some damage to her property, and that CSRD staff had visited her property and posted a stop work order. When she inquired about the order she was advised that significant work would be required to satisfy the existing development regulations. She expressed that she would prefer a more common-sense approach to development regulation.

The Planner explained that a consistent approach to floodplain regulations throughout the Shuswap and Mara Lakes areas taken in the proposed amendments would ease any issues currently experienced with interpretation of where the floodplain setback would be measured from.

Hearing no further representations or questions about proposed Bylaw No. 650-11, Bylaw 800-26 and Bylaw No. 825-34 the Chair called three times for further submissions before declaring the public hearing closed at 5:07 pm.

CERTIFIED as being a fair and accurate report of the public hearing.

Original Signed by

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Director Larry Morgan  
Public Hearing Chair




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Dan Passmore  
Senior Planner

COLUMBIA SHUSWAP REGIONAL DISTRICT

ANGLEMONT ZONING AMENDMENT (CSRD) BYLAW NO. 650-11

A bylaw to amend the "Anglemont Zoning Bylaw No. 650"

WHEREAS the Board of the Columbia Shuswap Regional District adopted Bylaw No. 650;

AND WHEREAS the Board deems it appropriate to amend Bylaw No. 650;

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

1. "Anglemont Zoning Bylaw No. 650" is hereby amended as follows:

A. TEXT AMENDMENT

1. Schedule A, Zoning Bylaw Text, which forms part of the "Anglemont Zoning Bylaw No. 650" is hereby amended as follows:

i. Part 1, Definitions is amended by adding the following new definitions:

"FLOOD PROOFING PROTECTION means the installation of improvements, provided they are upland of the current *natural boundary*, that are specifically designed to prevent damage to existing natural earthen banks caused by the erosive effects of water and wave action by armouring the soil surface through the use of geotextile materials and some combination of rip-rap or other protective surfacing materials. *Retaining Structures* and *Landscape Retaining Structures* are not included under this definition;"

After the definition of "FAMILY";

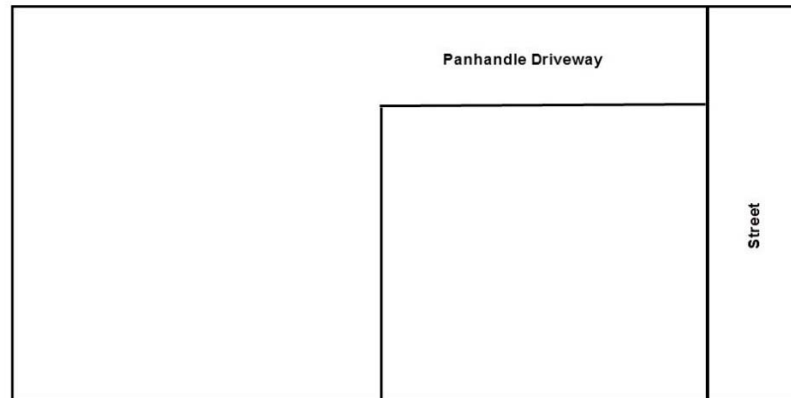
"HABITATION in respect of development proposed on properties subject to floodplain specifications, means the support of life processes within a *building*, including, but not limited to, sleeping, eating, food preparation, waste elimination, personal cleaning, and rest and relaxation areas."

After the definition of "GUEST COTTAGE";

"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;"

After the definition of "KENNEL";

“LOT, PANHANDLE means a lot that has its primary *highway* frontage through a narrow strip of land which projects to the highway from the main portion of the lot. This narrow strip is an integral part of the lot and is referred to as the *panhandle driveway*, as illustrated in the following drawing:



”

Before the definition of “MARINA”;

"MEAN ANNUAL HIGH WATER MARK means an elevation of 348.3 metres Geodetic Survey of Canada Datum”;

After the definition of “MARINA”;

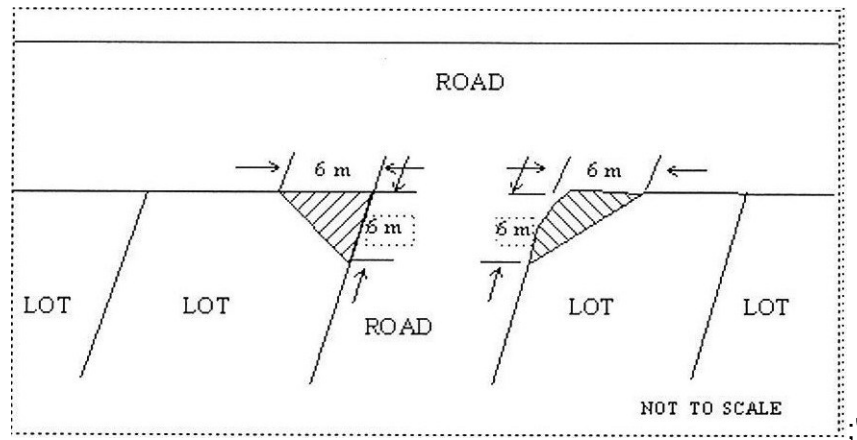
“PANHANDLE DRIVEWAY means that portion of a *panhandle lot* that is the narrow strip fronting a *highway*.”

After the definition of “OFFSTREET PARKING AREA”;

"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”;

After the definition of “RETAIL STORE”;

"SIGHT TRIANGLE means the area formed by a triangle in the angle formed by the right of way boundaries or boundaries produced and 2 points on those boundaries 6 m from the point of intersection, as shown crosshatched in the diagram below.



After the definition of “SETBACK”;

“SURVEYOR CERTIFICATE means a sketch plan provided by either a BC Land Surveyor or a Survey Technician which locates all *buildings* structures and improvements on a parcel.”

After the definition of “SINGLE FAMILY DWELLING”; and,

“FINISHED GROUND ELEVATION means either a natural or altered ground level but shall not include areas artificially raised through the use of *retaining structures* unless the *retaining structure* provides a level ground area that is a minimum of 1.2 m wide measured from the face of the *building*; or earth piled against the *building* with a slope of greater than 2:1 (horizontal to vertical).”

After the definition of “FAMILY”.

ii. Part 1, Definitions is further amended by:

a) Replacing the existing definition of “WATERCOURSE” with the following:

“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;”.

b) replacing the existing definition of “PARCEL BOUNDARY, FRONT”, with the following:

“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 in the case of a *panhandle lot* means the line separating the *panhandle driveway* from the main part of the lot.”

iii. Part 3, General Regulations is amended by:

a) deleting Section 3.2.2(a), and replacing it with the following:

"(a) a fence not exceeding 2.4 m (7.87 ft.) in height, in compliance with the regulations set out in Section 3, General Regulations, subsection 3.19 Sight Triangles;

b) adding Section 3.2.2(g) as follows:

"(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,"

c) Adding Section 3.2.2(h) as follows:

"(h) exterior stairway not forming part of a building."

d) deleting Section 3.5.3, and replacing it with the following:

".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 (49.2 ft.) from the *natural boundary* of any other watercourse.

e) deleting Section 3.6., and replacing it with the following:

".1 A *building*, including a manufactured home or structure must not be constructed, reconstructed, moved or extended within a floodplain 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 electrical or mechanical 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 3.6.1, .2, .3, and .4.
  - .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 coming into force of this bylaw. The addition must be no lower in elevation than the floor existing the date of coming into force of this *bylaw*. The distance from the *building*, manufactured home or structure to a *water body* or *watercourse* must not be decreased with respect to the floodplain setback;
    - (c) carport or domestic garage.
  - .7 The following are exempted from the requirements of Sections 3.6.1, .2, and .3 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; and
    - (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.”

- f) adding a new section 3.15 titled Sight Triangle, as follows:

**"SIGHT TRIANGLE**

3.15 An owner, occupier or lessee of land at the intersection of any *highway* must not grow or place, or cause or allow to be grown or placed, within the sight triangle on that land, any signs or structures or trees or other plants, with horizontal dimension exceeding 0.6m, unless:

- a) the person has the consent of the Minister of Transportation and Infrastructure to do so; or
- b) an eye 0.9 m above the surface elevation of one *highway* can, by looking directly over the sign or structure or tree or other plant, see an object 0.9 m above the surface elevation of the other highway."

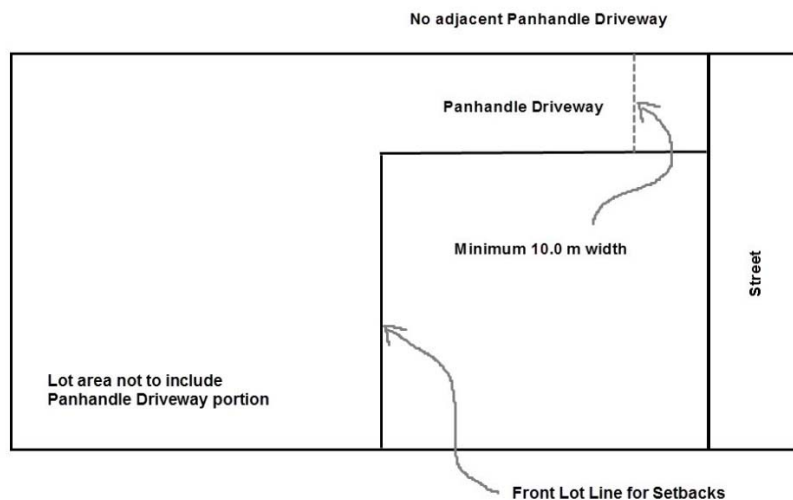
- g) Adding new section 3.16 titled Subdivision Regulations for Panhandle Lots, as follows:

**"SUBDIVISION REGULATIONS FOR PANHANDLE LOTS**

3.16 Where a subdivision application proposes to create a *panhandle lot* the *panhandle lot* must meet the following requirements:

- a) The minimum width of the *panhandle driveway* is 10.0 m;
- b) The *panhandle driveway* portion of the lot is not included in lot area calculation for minimum *parcel* size; and,
- c) No more than 2 *panhandle lots* to be adjacent to each other.

As illustrated in the following drawing:



2. This bylaw may be cited as "Anglemont Zoning Amendment (CSRD) Bylaw No. 650-11."

READ a first time this 17 day of March, 2016.

READ a second time, as amended, this 15 day of June, 2017.

PUBLIC HEARING held this 15 day of August, 2017.

READ a third time, as amended, this \_\_\_\_\_ day of \_\_\_\_\_, 2017.

ADOPTED this \_\_\_\_\_ day of \_\_\_\_\_, 2017.

\_\_\_\_\_  
Corporate Officer

\_\_\_\_\_  
Chair

Certified true copy of Bylaw No. 650-11  
as read a third time.

Certified true copy of Bylaw No. 650-11  
as adopted.

\_\_\_\_\_  
Corporate Officer

\_\_\_\_\_  
Corporate Officer





COLUMBIA SHUSWAP REGIONAL DISTRICTMAGNA BAY ZONING AMENDMENT (CSRD) BYLAW NO. 800-26A 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" is hereby amended as follows:

A. TEXT AMENDMENT

1. Schedule A, Zoning Bylaw Text, which forms part of the "Magna Bay Zoning Bylaw No. 800" is hereby amended as follows:

i. Part 1, Definitions is amended by adding the following new definitions:

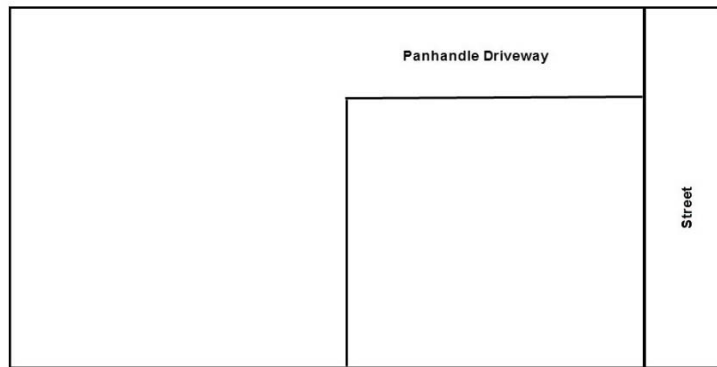
"FLOOD PROOFING PROTECTION means the installation of improvements, provided they are upland of the current *natural boundary*, that are specifically designed to prevent damage to existing natural earthen banks caused by the erosive effects of water and wave action by armouring the soil surface through the use of geotextile materials and some combination of rip-rap or other protective surfacing materials. *Retaining Structures* and *Landscape Retaining Structures* are not included under this definition;"

After the definition of "FAMILY";

"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;"

After the definition of "KENNEL";

"LOT, PANHANDLE means a lot that has its primary *highway* frontage through a narrow strip of land which projects to the highway from the main portion of the lot. This narrow strip is an integral part of the lot and is referred to as the *panhandle driveway*, as illustrated in the following drawing:



”

Before the definition of “MARINA”;

"MEAN ANNUAL HIGH WATER MARK means an elevation of 348.3 metres Geodetic Survey of Canada Datum;"

After the definition of “MARINA”;

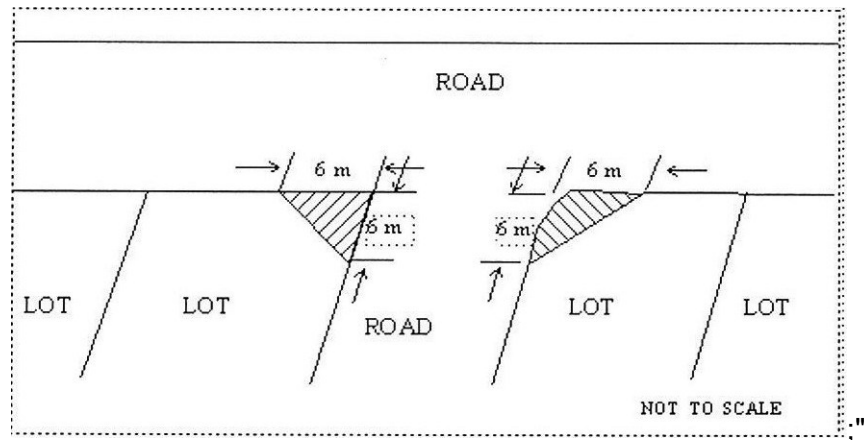
“PANHANDLE DRIVEWAY means that portion of a *panhandle lot* that is the narrow strip fronting a *highway*.”

After the definition of “PAD”;

"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;"

After the definition of “RETAIL STORE”;

"SIGHT TRIANGLE means the area formed by a triangle in the angle formed by the right of way boundaries or boundaries produced and 2 points on those boundaries 6 m from the point of intersection, as shown crosshatched in the diagram below



After the definition of “SETBACK”;

“FINISHED GROUND ELEVATION means either a natural or altered ground level but shall not include areas artificially raised through the use of *retaining structures* unless the *retaining structure* provides a level ground area that is a minimum of 1.2 m wide measured from the face of the *building*; or earth piled against the *building* with a slope of greater than 2:1 (horizontal to vertical).”

Before the definition of “FLOOR AREA”; and,

“SURVEYOR CERTIFICATE means a sketch plan provided by either a BC Land Surveyor or a Survey Technician which locates all *buildings* structures and improvements on a parcel.”

After the definition of “STANDALONE RESIDENTIAL CAMPSITE”.

ii. Part 1, Definitions is further amended by:

a) Replacing the existing definition of “WATERCOURSE” with the following:

“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;”.

b) replacing the existing definition of “PARCEL BOUNDARY, FRONT”, with the following:

“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 in the case of a *panhandle lot* means the line separating the *panhandle driveway* from the main part of the lot."

c) Replacing the existing definition of "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."

iii. Part 3, General Regulations is amended by:

a) deleting Section 3.2(a), and replacing it with the following:

"(a) a fence not exceeding 2.4 m (7.87 ft.) in height, in compliance with the regulations set out in Section 3, General Regulations, subsection 3.19 Sight Triangles;

b) deleting Section 3.2 (e), and replacing it with the following:

"(e) a structure below finished grade;"

c) adding Section 3.2.(g) as follows:

"(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,"

d) adding Section 3.2.(h), as follows:

"(h) exterior stairway not forming part of a building."

e) deleting Section 3.4(3), and replacing it with the following:

"(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) 30.0 m (98.4 ft.) from the *natural boundary* of Ross Creek;
  - (c) 20.0 m (65.62 ft.) from the *natural boundary* of Onyx Creek;
  - (d) 15.0 m (49.2 ft.) from the *natural boundary* of a water body or watercourse other than Onyx Creek and Ross Creek; and
  - (e) where more than one floodplain setback is applicable, the larger distance is the floodplain setback.”
- f) deleting Section 3.6(5), and replacing it with the following:
- “(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 3.6(1), (2), (3) and (4).”
- g) deleting subsection 3.6(7)(e) and replacing it with the following:
- “(e) *flood proofing protection* works constructed to stabilize the shoreline or banks of a *watercourse*,”
- h) adding the following subsections to Section 3.6(7):
- “(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*;
  - (j) electrical or mechanical equipment; not susceptible to damage by floodwater; and,
  - (k) storage of goods not damageable by flood waters.”
- i) adding a new section 3.19 titled Sight Triangle, as follows:

### **"SIGHT TRIANGLE**

3.19 An owner, occupier or lessee of land at the intersection of any *highway* must not grow or place, or cause or allow to be grown or placed, within the sight triangle on that land, any signs or structures or trees or other plants, with horizontal dimension exceeding 0.6 m, unless:

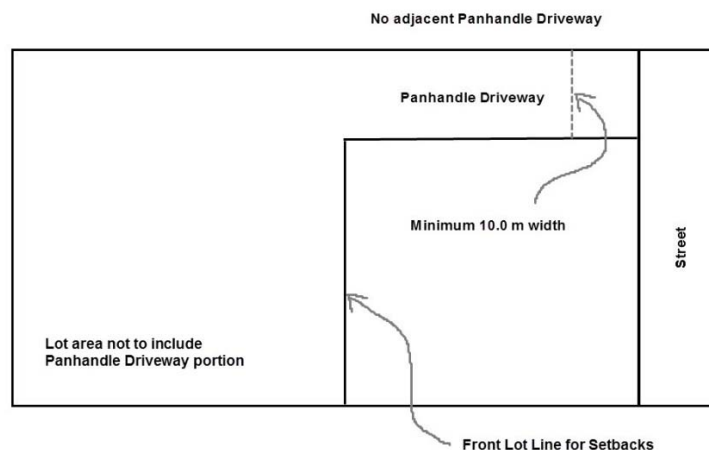
- a) the person has the consent of the Ministry of Transportation and Infrastructure to do so; or
  - b) an eye 0.9 m above the surface elevation of one *highway* can, by looking directly over the sign or structure or tree or other plant, see an object 0.9 m above the surface elevation of the other *highway*.”
- j) Adding a new section 3.20 titled Subdivision Regulations for Panhandle Lots, as follows:

### **“SUBDIVISION REGULATIONS FOR PANHANDLE LOTS**

3.20 Where a subdivision application proposes to create a *panhandle lot* the *panhandle lot* must meet the following requirements:

- a) The minimum width of the *panhandle driveway* is 10.0 m;
- b) The *panhandle driveway* portion of the lot is not included in lot area calculation for minimum *parcel* size; and,
- c) No more than 2 *panhandle lots* to be adjacent to each other.”

As illustrated in the following drawing:



2. This bylaw may be cited as "Magna Bay Zoning Amendment (CSRD) Bylaw No. 800-26."

READ a first time this 17 day of March, 2016.

READ a second time, as amended, this 15 day of June, 2017.

PUBLIC HEARING held this 15 day of August, 2017.

READ a third time, as amended, this \_\_\_\_\_ day of \_\_\_\_\_, 2017.

ADOPTED this \_\_\_\_\_ day of \_\_\_\_\_, 2017.

\_\_\_\_\_  
Corporate Officer

\_\_\_\_\_  
Chair

Certified true copy of Bylaw No. 800-26  
as read a third time.

Certified true copy of Bylaw No. 800-26  
as adopted.

\_\_\_\_\_  
Corporate Officer

\_\_\_\_\_  
Corporate Officer



COLUMBIA SHUSWAP REGIONAL DISTRICT

SCOTCH CREEK/LEE CREEK ZONING AMENDMENT (CSRD) BYLAW NO. 825-34

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" is hereby amended as follows:

A. TEXT AMENDMENT

1. Schedule A, Zoning Bylaw Text, which forms part of the "Scotch Creek/Lee Creek Zoning Bylaw No. 825" is hereby amended as follows:

i. Part 1, Definitions is amended by adding the following definitions:

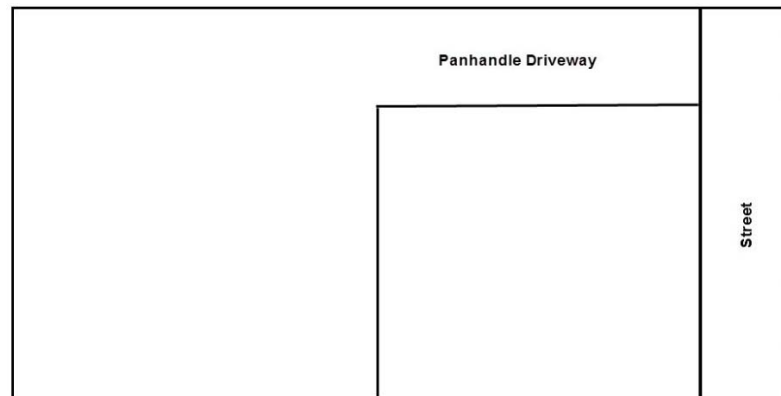
"FLOOD PROOFING PROTECTION means the installation of improvements, provided they are upland of the current *natural boundary*, that are specifically designed to prevent damage to existing natural earthen banks caused by the erosive effects of water and wave action by armouring the soil surface through the use of geotextile materials and some combination of rip-rap or other protective surfacing materials. *Retaining Structures* and *Landscape Retaining Structures* are not included under this definition;"

After the definition of "FAMILY";

"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;"

After the definition of "KENNEL";

"LOT, PANHANDLE means a lot that has its primary *highway* frontage through a narrow strip of land which projects to the *highway* from the main portion of the lot. This narrow strip is an integral part of the lot and is referred to as the *panhandle driveway* as illustrated in the following drawing:



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After the definition of “LOADING AREA”;

“PANHANDLE DRIVEWAY means that portion of a *panhandle lot* that is the narrow strip fronting a *highway*.”

After the definition of “PAD”;

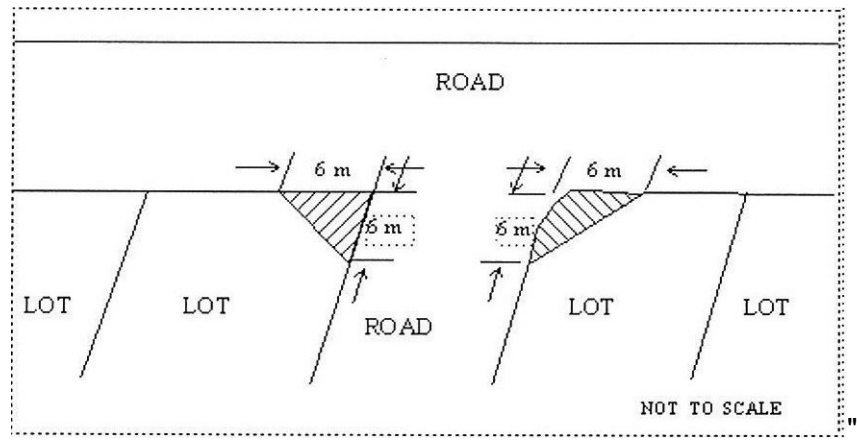
“MEAN ANNUAL HIGH WATER MARK means an elevation of 348.3 metres Geodetic Survey of Canada Datum;”

After the definition of “MARINA”;

“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*;

After the definition of “RESTAURANT”;

“SIGHT TRIANGLE means the area formed by a triangle in the angle formed by the right of way boundaries or boundaries produced and 2 points on those boundaries 6 m from the point of intersection, as shown crosshatched in the diagram below:



After the definition of “SIDE PARCEL BOUNDARY”.

“FINISHED GROUND ELEVATION means either a natural or altered ground level but shall not include areas artificially raised through the use of *retaining structures* unless the *retaining structure* provides a level ground area that is a minimum of 1.2 m wide measured from the face of the *building*; or earth piled against the building with a slope of greater than 2:1 (horizontal to vertical).”

Before the definition of “FLOOR AREA”; and,

“SURVEYOR CERTIFICATE means a sketch plan provided by either a BC Land Surveyor or a Survey Technician which locates all *buildings* structures and improvements on a *parcel*.”

After the definition of “STRUCTURAL ALTERATION”.

ii. Part 1, Definitions is amended by:

a) replacing the existing definition of “WATERCOURSE” with the following:

“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.”

b) replacing the existing definition of “FRONT PARCEL BOUNDARY”, with the following:

“FRONT PARCEL BOUNDARY 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 in

the case of a *panhandle lot* means the line separating the *panhandle driveway* from the main part of the lot."

- c) Replacing the existing definition of "HABITATION" with the following:

"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."

- iii. Part 3, General Regulations is amended by:

- a) deleting Section 3.2(1)(b), and replacing it with the following:

"(b) a fence not exceeding 2.4 m (7.87 ft.) in height, in compliance with the regulations set out in Section 3, General Regulations, subsection 3.17 Sight Triangles;

- b) adding Section 3.2(1)(g) as follows:

"(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."

- c) deleting Section 3.4(3), and replacing it with the following:

"(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) 30.0 m (98.4 ft.) from the *natural boundary* of Corning (Lee) Creek;
- (c) 30.0 m (98.4 ft.) from the *natural boundary* of Adams River;
- (d) 15.0 m (49.2 ft.) from the *natural boundary* of any other *watercourse*; and
- (e) where more than one floodplain setback is applicable, the larger distance is the floodplain setback.

- d) deleting Section 3.6(5), and replacing it with the following:

“(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 3.6(1), (2), (3) and (4).”

e) adding the following subsections to Section 3.6(7):

- “(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.”

f) deleting subsection 3.6(7)(e) and replacing it with the following:

“(e) *flood proofing protection* works constructed to stabilize the shoreline or banks of a *watercourse*”

g) adding new section 3.17 titled Sight Triangle, as follows:

#### **"SIGHT TRIANGLE**

3.17 An owner, occupier or lessee of land at the intersection of any *highway* must not grow or place, or cause or allow to be grown or placed, within the sight triangle on that land, any signs or structures or trees or other plants, with horizontal dimension exceeding 0.6m, unless:

- a) the person has the consent of the Ministry of Transportation and Infrastructure to do so; or
- b) an eye 0.9 m above the surface elevation of one *highway* can, by looking directly over the sign or structure or tree or other plant, see an object 0.9 m above the surface elevation of the other *highway*."

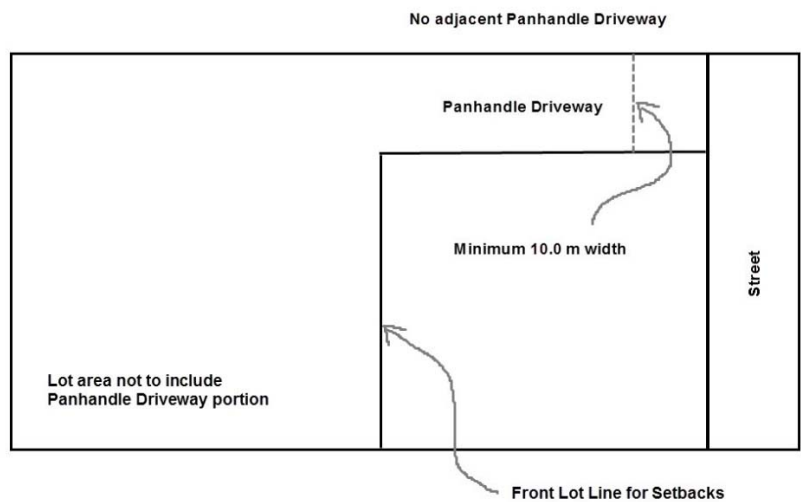
h) Adding new section 3.18 titled Subdivision Regulations for Panhandle Lots, as follows:

#### **"SUBDIVISION REGULATIONS FOR PANHANDLE LOTS**

3.18 Where a subdivision application proposes to create a *panhandle lot* the panhandle lot must meet the following requirements:

- a) The minimum width of the *panhandle driveway* is 10.0 m;
- b) The *panhandle driveway* portion of the lot is not included in lot area calculation for minimum *parcel* size; and,
- c) No more than 2 *panhandle lots* to be adjacent to each other.

As illustrated in the following drawing:



2. This bylaw may be cited as "Scotch Creek/Lee Creek Zoning Amendment (CSRD) Bylaw No. 825-34."

READ a first time this 17 day of March, 2016.

READ a second time, as amended, this 15 day of June, 2017.

PUBLIC HEARING held this 15 day of August, 2017.

READ a third time, as amended, this \_\_\_\_\_ day of \_\_\_\_\_, 2017.

ADOPTED this \_\_\_\_\_ day of \_\_\_\_\_, 2017.

\_\_\_\_\_  
Corporate Officer

\_\_\_\_\_  
Chair

Certified true copy of Bylaw No. 825-34  
as read a third time.

Certified true copy of Bylaw No. 825-34  
as adopted.

\_\_\_\_\_  
Corporate Officer

\_\_\_\_\_  
Corporate Officer

COLUMBIA SHUSWAP REGIONAL DISTRICT

RURAL SICAMOUS LAND USE AMENDMENT (CSRD) BYLAW NO. 2064

A bylaw to amend the "Rural Sicamous Land Use Bylaw No. 2000"

WHEREAS the Board of the Columbia Shuswap Regional District adopted Bylaw No. 2000;

AND WHEREAS the Board deems it appropriate to amend Bylaw No. 2000;

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

1. "Rural Sicamous Land Use Bylaw No. 2000", as amended is hereby further amended as follows:

A. TEXT AMENDMENT

1. PART 2 – LAND USE REGULATIONS is amended as follows:

- i. Section 2.1, DEFINITIONS is amended by adding the following new definitions:

"FLOOD PROOFING PROTECTION means the installation of improvements, provided they are upland of the current *natural boundary* that are specifically designed to prevent damage to existing natural earthen banks caused by the erosive effects of water and wave action by armouring the soil surface through the use of geotextile materials and some combination of rip-rap or other protective surfacing materials. *Retaining Structures* and *Landscape Retaining Structures* are not included under this definition;"

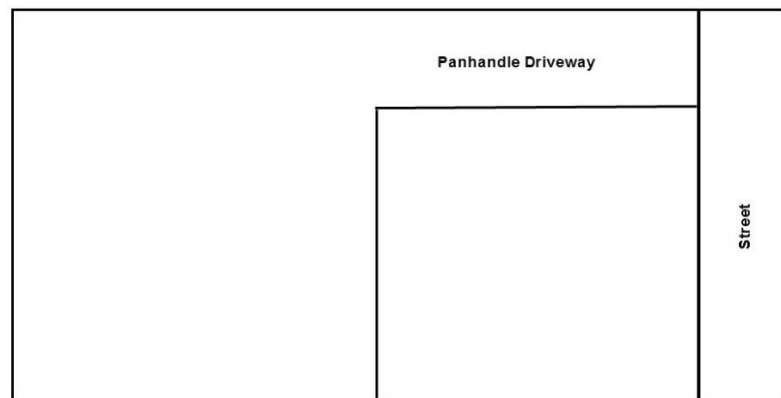
After the definition of "FARM AND GARDEN CENTRE";

"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;"

After the definition of "KENNEL";

"LOT, PANHANDLE means a lot that has its primary *highway* frontage through a narrow strip of land which projects to the *highway* from the main portion of the lot. This narrow strip is an integral part of the lot and is referred to as the *panhandle driveway*, as illustrated in the following drawing:





.”

Before the definition of “MARINA”;

“MEAN ANNUAL HIGH WATER MARK means an elevation of 348.3 metres Geodetic Survey of Canada Datum for Shuswap Lake and 348.4 for Mara Lake;”

After the definition of “MARINA”;

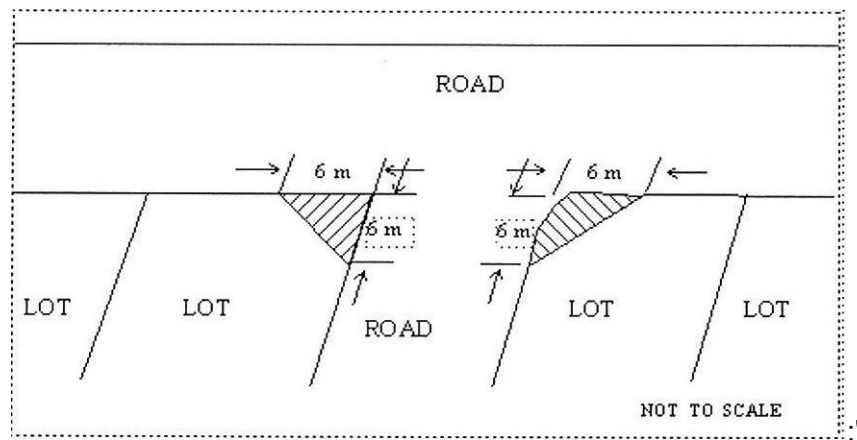
“PANHANDLE DRIVEWAY means that portion of a *panhandle lot* that is the narrow strip fronting a *highway*.”

After the definition of “PAD”;

“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;”

After the definition of “RETAIL STORE”;

“SIGHT TRIANGLE means the area formed by a triangle in the angle formed by the right of way boundaries or boundaries produced and 2 points on those boundaries 6 m from the point of intersection, as shown crosshatched in the diagram below



After the definition of "SETBACK";

"FINISHED GROUND ELEVATION means either a natural or altered ground level but shall not include areas artificially raised through the use of *retaining structures* unless the *retaining structure* provides a level ground area that is a minimum of 1.2 m wide measured from the face of the *building*; or earth piled against the *building* with a slope of greater than 2:1 (horizontal to vertical)."

Before the definition of "FLOOR AREA"; and,

"SURVEYOR CERTIFICATE means a sketch plan provided by either a BC Land Surveyor or a Survey Technician which locates all buildings structures and improvements on a parcel."

After the definition of "STRUCTURE".

ii. Section 2.1, DEFINITIONS is further amended by:

a) Replacing the existing definition of "WATERCOURSE" with the following:

"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;"

b) replacing the existing definition of "PARCEL BOUNDARY, FRONT", with the following:

"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;"

c) replacing the existing definition of “HABITATION” with the following:

“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.”

iii. Section 2.3.4, ESTABLISHMENT OF FLOOD PLAINS is amended by:

(a) deleting sub-section (3), and replacing it with the following:

"(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.”

iv. Section 2.3.5, MEASUREMENT OF FLOOD CONSTRUCTION LEVEL AND FLOOD PLAIN SETBACK is amended by:

a) deleting subsections (1) and (2) and adding the following:

- “
- (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). “

v. Section 2.3.6, APPLICATION OF FLOOD PLAINS is amended by:

(a) deleting subsection (5) and replacing with the following:

“(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)."

(b) deleting subsection (7) and replacing it with the following:

"(7) The following are exempted from the requirements of subsection (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."

vi. Section 2.3.10 SETBACK EXCEPTIONS is amended by:

(a) deleting Section 2.3.10(a), and replacing it with the following:

"(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; and

(b) deleting Section 3.2 (e), and replacing it with the following:

"(e) a structure below finished grade;"

(c) adding Section 2.3.10(g) as follows:

"(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,"

(d) adding Section 3.2.(h), as follows:

“(h) exterior stairway not forming part of a building.”

vii. Add a new Section 2.3.22 titled SIGHT TRIANGLE, as follows:

**"SIGHT TRIANGLE**

2.3.22 An owner, occupier or lessee of land at the intersection of any *highway* must not grow or place, or cause or allow to be grown or placed, within the sight triangle on that land, any signs or structures or trees or other plants, with horizontal dimension exceeding 0.6m, unless:

- a) the person has the consent of the Minister of Transportation and Infrastructure to do so; or
- b) an eye 0.9 m above the surface elevation of one *highway* can, by looking directly over the sign or structure or tree or other plant, see an object 0.9 m above the surface elevation of the other highway.”

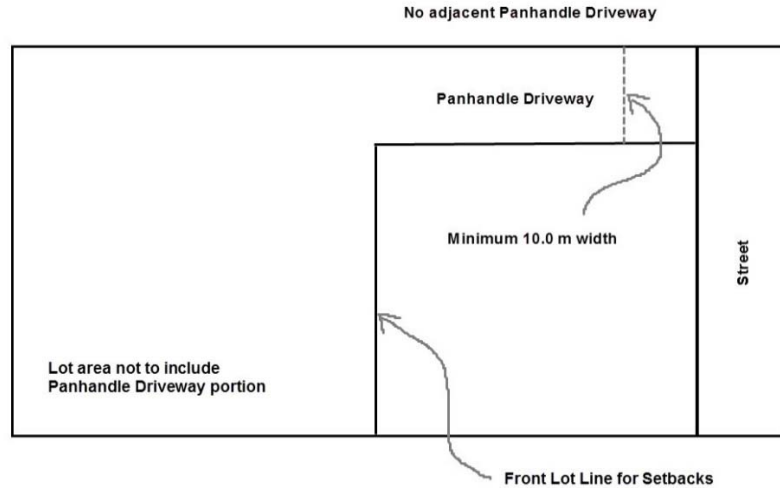
viii. Adding new section 2.3.23 titled Subdivision Regulations for Panhandle Lots, as follows:

**"SUBDIVISION REGULATIONS FOR PANHANDLE LOTS**

2.3.23 Where a subdivision application proposes to create a *panhandle lot* the *panhandle lot* must meet the following requirements:

- a) The minimum width of the *panhandle driveway* is 10.0 m;
- b) The *panhandle driveway* portion of the lot is not included in lot area calculation for minimum parcel size; and,
- c) No more than 2 *panhandle lots* to be adjacent to each other.

As illustrated in the following drawing:



2. This bylaw may be cited as "Rural Sicamous Land Use Amendment (CSRD) Bylaw No. 2064."

READ a first time this 17 day of March, 2016.

READ a second time, as amended, this 15 day of June, 2017.

PUBLIC HEARING held this 10 day of August, 2017.

READ a third time, as amended, this \_\_\_\_\_ day of \_\_\_\_\_, 2017.

ADOPTED this \_\_\_\_\_ day of \_\_\_\_\_, 2017.

\_\_\_\_\_  
Corporate Officer

\_\_\_\_\_  
Chair

Certified true copy of Bylaw No. 2064  
as read a third time.

Certified true copy of Bylaw No. 2064  
as adopted.

\_\_\_\_\_  
Corporate Officer

\_\_\_\_\_  
Corporate Officer



COLUMBIA SHUSWAP REGIONAL DISTRICT

SOUTH SHUSWAP ZONING AMENDMENT (CSRD) BYLAW NO. 701-83

A bylaw to amend the "South Shuswap Zoning Bylaw No. 701"

WHEREAS the Board of the Columbia Shuswap Regional District adopted Bylaw No. 701;

AND WHEREAS the Board deems it appropriate to amend Bylaw No. 701;

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

1. "South Shuswap Zoning Bylaw No. 701" is hereby amended as follows:

A. TEXT AMENDMENT

1. Schedule A, Zoning Bylaw Text, which forms part of the "South Shuswap Zoning Bylaw No. 701" is hereby amended as follows:

i. Section 1, Definitions is amended by:

Adding the following new definitions:

"FLOOD PROOFING PROTECTION means the installation of improvements, provided they are upland of the current *natural boundary*, that are specifically designed to prevent damage to existing natural earthen banks caused by the erosive effects of water and wave action by armouring the soil surface through the use of geotextile materials and some combination of rip-rap or other protective surfacing materials. *Retaining Structures* and *Landscape Retaining Structures* are not included under this definition";

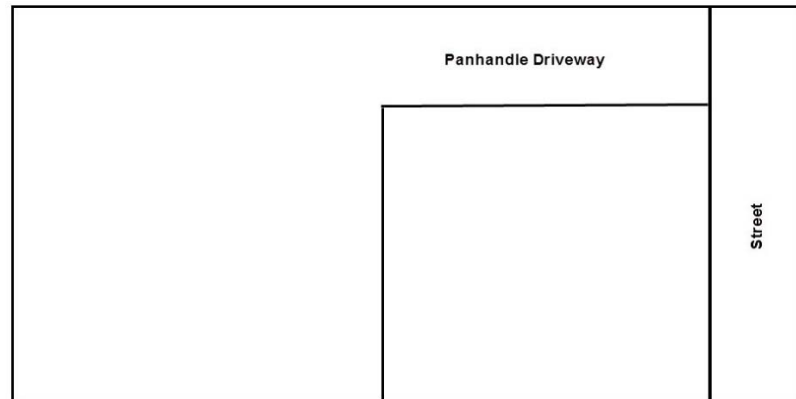
after the definition of "FINISHED GROUND ELEVATION";

"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."

After the definition of "FLOOR AREA";

"LOT, PANHANDLE means a lot that has its primary *highway* frontage through a narrow strip of land which projects to the *highway* from the main portion of the lot. This narrow strip is an integral part of the lot and is referred to as the *panhandle driveway*, as illustrated in the following drawing:





After the definition of “LANE”;

“PANHANDLE DRIVEWAY means that portion of a *panhandle lot* that is the narrow strip fronting a *highway*.”

After the definition of “PAD”; and,

“SURVEYOR CERTIFICATE means a sketch plan provided by either a BC Land Surveyor or a Survey Technician which locates all *buildings structures* and improvements on a parcel.”

After the definition of “STRUCTURE”.

ii. Section 1, Definitions is further amended by:

a) replacing the existing definition of “WATERCOURSE” with the following:

“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;”.

b) replacing the existing definition of “PARCEL LINE, FRONT”, with the following:

“PARCEL LINE, FRONT means the parcel line that is the shortest parcel boundary common to the lot and an abutting *highway* or access route in a bare land strata plan, and where and in the case of a *panhandle lot* means the line separating the *panhandle driveway* from the main part of the lot.”

- iii. Section 3.18, Application of Floodplain Specifications is amended by:
  - a) deleting Section 3.18, and replacing it with the following:
    - “.1 A *building*, including a manufactured home or structure must not be constructed, reconstructed, moved or extended within a floodplain setback.
    - .2 The underside of any floor system or top of concrete slab supporting any space or room 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 shall 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 3.18.1, .2, .3, and .4.
    - .6 The following are exempted from the regulations of subsection .2 as they apply to the flood construction level:
      - .1 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*;
      - .2 an addition to a *building*, manufactured home or *structure* of less than 25 percent of the *floor area* existing the date of adoption of this bylaw, provided that the degree of non-conformity is not increased;
      - .3 carport or domestic garage;
      - .4 a *building* used for *agriculture* excluding a closed-sided livestock housing and a *dwelling unit*; and
      - .5 a farm *dwelling unit* that is located both on a *parcel* 8.1 ha (20.01 ac.) or larger and within the 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-sections (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;
- (j) electrical or mechanical equipment not susceptible to damage by floodwater; and,
- (k) storage of goods not damageable by flood waters.”

.8 Buildings or structures constructed within District Lot 6483, K.D.Y.D. and as permitted in Modification Agreement No. 0251702 to Lease 344987 are exempted from the requirements of 3.17 as it pertains to the Flood Construction Levels and Floodplain Setbacks

.9 Buildings or structures constructed within District Lot 6021, K.D.Y.D., as permitted by Provincial Lease 333195 are exempted from the requirements of 3.17 as it pertains to the Food Construction Levels and Floodplain Setbacks.”

iv. Section 3.5, Setback Exceptions is amended by:

a) Replacing Section 3.5.9 with the following:

“.9 *landscape retaining structures*, provided that such structures must be separated from each other by a minimum 1.5 m distance measured horizontally from the face (or from the toe of the upper wall to the top face of the lower wall, if the *landscape retaining structures* are not vertical) of each *landscape retaining structure* and specifically excludes *landscape retaining structures* proposed to be constructed adjacent to a Section 42 road, as defined in the Transportation Act, or in the sight triangle. Landscape retaining structures proposed to be located adjacent to a Highway must comply with Ministry of

Transportation and Infrastructure regulations and may require the approval of that Ministry.”

v. Section 3 General Regulations is amended by:

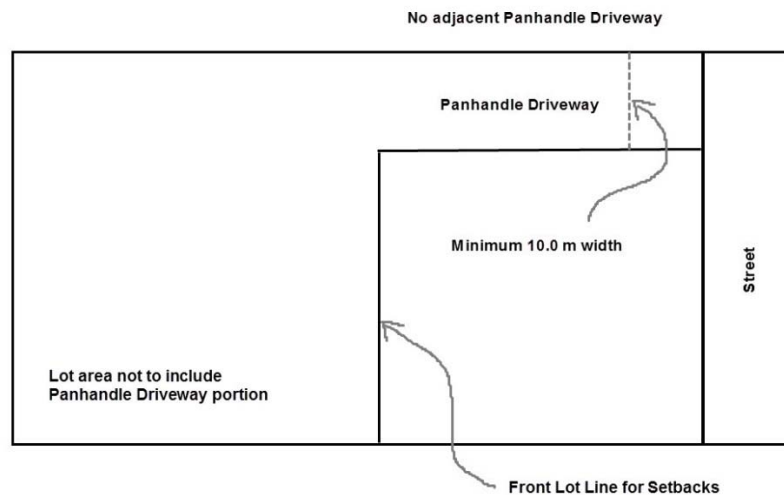
a) Adding a new section 3.20 titled Subdivision Regulations for Panhandle Lots, as follows:

**“SUBDIVISION REGULATIONS FOR PANHANDLE LOTS**

3.120 Where a subdivision application proposes to create a *panhandle lot* the *panhandle lot* must meet the following requirements:

- a) The minimum width of the *panhandle driveway* is 10.0 m;
- b) The *panhandle driveway* portion of the lot is not included in lot area calculation for minimum parcel size; and,
- c) No more than 2 *panhandle lots* to be adjacent to each other.

As illustrated in the following drawing:



2. This bylaw may be cited as "South Shuswap Zoning Amendment (CSRD) Bylaw No. 701-83."

READ a first time this 17 day of March, 2016.

READ a second time, as amended, this 15 day of June, 2017.

PUBLIC HEARING held this 10 day of August, 2017.

READ a third time, as amended, this \_\_\_\_\_ day of \_\_\_\_\_, 2017.

ADOPTED this \_\_\_\_\_ day of \_\_\_\_\_, 2017.

\_\_\_\_\_  
Corporate Officer

\_\_\_\_\_  
Chair

Certified true copy of Bylaw No. 701-83  
as read a third time.

Certified true copy of Bylaw No. 701-83  
as adopted.

\_\_\_\_\_  
Corporate Officer

\_\_\_\_\_  
Corporate Officer





# BOARD REPORT

**TO:**
**Chair and Directors**

<b>File No:</b>	BL 825-37 PL20150149
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**SUBJECT:**

Electoral Area F: Scotch Creek/Lee Creek Zoning Amendment (Ted & Lucille Tash) Bylaw No. 825-37

**DESCRIPTION:**

Report from Dan Passmore, Senior Planner, dated August 4, 2017.  
1 – 1022 Scotch Creek Wharf Road, Scotch Creek.

**RECOMMENDATION**
**#1:**

THAT: Scotch Creek/Lee Creek Zoning Amendment (Ted & Lucille Tash) Bylaw No. 825-37, be read a second time this 21<sup>st</sup> day of September, 2017.

**RECOMMENDATION**
**#2:**

THAT: a public hearing to hear representations on Scotch Creek/Lee Creek Zoning Amendment (Ted & Lucille Tash) Bylaw No. 825-37 be held;

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

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

**SHORT SUMMARY:**

The applicant is planning to rebuild a new single family dwelling on Strata Lot 1, Section 27, Township 22, Range 11, West of 6th Meridian, KDYD, Strata Plan K227. Unfortunately, the proposed building exceeds the parcel coverage for the R1 zone. The applicant is proposing a site specific amendment to the R1 zone to allow for a parcel coverage of 75.24%, as well as setback relaxations that will permit the proposed house to be constructed on the subject property.

The Board gave Bylaw No. 825-37 first reading at the October 15, 2015 regular meeting and directed staff to utilize the simple consultation process. The development notice was posted in accordance with Development Services Procedure Bylaw No. 4001, as required. Staff has referred the bylaws to affected Ministries, agencies and First Nations and comments received have been summarized in this report.

It is now appropriate for the Board to consider second reading of Bylaw No. 825-37.

<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:**

**PROPERTY OWNERS:**

Ted and Lucille Tash

**ELECTORAL AREA:**

F' (Scotch Creek)

**LEGAL DESCRIPTION:**

Strata Lot 1, Section 27, Township 22, Range 11, West of 6th Meridian, KDYD, Strata Plan K227

**ADDRESS:**

1 – 1022 Scotch Creek Wharf Road

**SIZE OF PROPERTY:**

103 m<sup>2</sup> (1,108.7 ft<sup>2</sup>)

**SIZE OF K227:**

5,625.1 m<sup>2</sup> (1.39 Ac.) (Total of 10 strata lots)

**SURROUNDING LAND USE PATTERN:**

NORTH	Residential
SOUTH	Park/Shuswap Lake
EAST	Residential
WEST	Residential

**CURRENT OCP DESIGNATION:**

NR Neighbourhood Residential, Scotch Creek Primary Settlement Area

**CURRENT ZONING:**

Residential 1 (R1)

**PROPOSED ZONING:**

Residential 1 (R1) – Special Regulation

**CURRENT USE:**

Single Family Dwelling

**PROPOSED USE:**

New Single Family Dwelling

**POLICY:****Electoral Area 'F' Official Community Plan Bylaw No. 830**

Development Services staff provided the Board with a complete review of OCP policies impacting this proposal in the September 25, 2015 report, reviewed by the Board during the October 15, 2015 regular meeting. However, it is important to stress to the Board that this property is within the Scotch Creek Primary Settlement area and, as such, new development is discouraged without servicing from a community sewer and water system that has been approved by the jurisdiction having authority.



### Proposed Residential - 1 (R1) Zone Amendments

A special regulation is proposed that would be specific to the subject property as follows:

Notwithstanding subsection (3), on Strata Lot 1, Section 27, Township 22, Range 11, West of 6th Meridian, KDYD, Strata Plan K227 as shown hatched on the map below, the following supplemental siting characteristics for a proposed new single family dwelling shall be permitted:

- .1 Notwithstanding subsection 3(c), the maximum parcel coverage for the proposed new single family dwelling is 75.24%.
- .2 Notwithstanding subsection 3(f), the minimum setbacks for the proposed new single family dwelling are as follows:

(f) Minimum <i>setback</i> from:	
▪ <i>front parcel boundary</i>	▪ 0.0 m (0.0 ft.)
▪ <i>interior side parcel boundary</i> (west side)	▪ 0.0 m (0.0 ft.)
▪ <i>interior side parcel boundary</i> (east side)	▪ 0.246 m (0.808 ft.)
▪ <i>rear parcel boundary</i>	▪ 0.388 m (1.273 ft.)

A map showing the subject property would also be included in the bylaw amendment.

### FINANCIAL:

There are no financial implications to the CSRD with regard to this application.

### KEY ISSUES/CONCEPTS:

#### Anchor Bay Strata KAS227

The original strata plan K227 was deposited in the Land Title's Office in July, 1978. The plan shows Lot 1 has an area of 103 m<sup>2</sup>. The plan of subdivision was modified in November, 2008 to include areas of Limited Common Property (LCP) consisting of a 2.6 m wide strip around each of the 10 lots defined in the original plan. Lot 1 only had 2.6 m of LCP described in the amending plan added onto the north and west sides.

Cabins were constructed on each of the strata lots. A survey plan of the development shows that the lot lines established in the original plan of strata subdivision appeared to coincide with the walls of existing cabins. The addition of the 2.6 m LCP strip around each of the lots in the strata plan appears to have been an attempt to reconcile the fact that eaves on all the cabins extended over lot lines.

In the case of Lot 1, a fishing cabin was constructed in the 1950's which had a footprint of 16' x 24' with a large deck attached at ground level to the east side of the cabin. The deck extended out to the east side property line. When the survey plan was deposited, the cabin's south east corner encroached onto the neighbouring property to the south (Plan B5406) by a small amount (0.122 m<sup>2</sup> or 1.3 ft<sup>2</sup>), not including the roof eaves. The neighbouring property to the south is currently owned by the CSRD for a Park. The proposed plan of development of the property will remove this encroachment, when the old cabin is demolished to make way for the new one. In all other respects the cabin and deck on Lot 1 fit fully onto the strata lot, but do not meet setback requirements.

#### Anchor Bay Strata KAS227 – Sewer and Water Servicing

Staff were able to ascertain from records associated with the approval of the strata subdivision in 1978 that a Final Certificate No. 11095 was issued by the Environmental Engineering Division of the Department of Health on August 18, 1977 for the waterworks system. Additionally the Medical Health Officer had reviewed pertinent information and advised the Provincial Approving Officer that the sanitary sewage disposal system met Health Unit requirements at that time.

In spite of this information current IHA staff had advised that no authorizations exist for the water and sewer systems and that the strata corporation must comply with both the Drinking Water Protection Act and Regulation for the water system and that an Authorized Person, must demonstrate that the existing onsite sewerage system is in compliance with the existing development along with a performance test to ensure that the system is capable of functioning as designed.

The proposed rezoning is for one strata lot within the overall 10 lot strata subdivision, and responsibility for servicing is entrusted to the strata corporation and not the owner of the subject property. The subject property owners had not received a great deal of information from the strata corporation and in any event would be simply unable to have the strata corporation commit to upgrading the systems or even have them authorized by the authority having jurisdiction. This represents a severe source of difficulty to the property owners when it comes to meeting the guidelines in the OCP about community sewer and water systems.

It is important to note that should any other strata owners decide to structurally alter or replace their cabins, they would face the same issues as the Tashes.

### **The Re-Development Proposal**

The applicants would like to demolish the existing cabin and construct a new single family dwelling. The new building would be a 2 storey structure consisting of a total of 1,257 ft<sup>2</sup> with 786 ft<sup>2</sup> on the main floor and 471 ft<sup>2</sup> on the second floor. The new house would feature 3 bedrooms. A deck at or around ground level is also proposed.

The single family dwelling is proposed to be sited on the north and west property boundaries, with eaves overhanging the property lines into the Limited Common Property (LCP). The plans also indicated that the house would be built on the south property line, but this was amended because the eaves would encroach onto CSRD property to the south. A setback from the south property boundary will ensure that the eaves do not encroach.

### **The Current Owners and the Process**

Mr. and Mrs. Tash purchased the property in 2003. It quickly became apparent that the cabin was too small for their family and needed significant repairs. In September 2005 the Tash's allege they submitted an application for a building permit to the CSRD for the proposed new house. The Tash's claim they were advised by CSRD staff that a permit could not be issued for the proposed building because the eaves overhung onto common property. As a result of this issue, the strata ownership undertook the amendment to the strata plan to include 2.6 m strips of LCP around each of the strata lots to deal with the eave overhang issues.

In June, 2012 CSRD Development Services staff sent a letter to the Tash's advising that since the proposed re-development was within 30 m of Shuswap Lake a Development Permit (DP) application, together with a Development Variance Permit (DVP) application to relax R1 zone setbacks, and an

exemption to floodplain setbacks would be required to be submitted. In response to this letter the Tash's submitted an application for DP and a DVP in November, 2012.

Staff reviewed the application and advised the Tash's in a letter dated January 23, 2013 that the DP could not be issued because it did not comply with Scotch Creek/Lee Creek Zoning Bylaw No. 825 (Bylaw No. 825) R1 zone setbacks. The letter went on to further state that the DVP also could not be issued because of the eave encroachment onto Limited Common Property (LCP). Over the next months the issue of the eave encroachment was discussed and settled with legal advice.

In August 2013, the DP and DVP application was returned to the Tash's together with their fee and a letter explaining that while a DVP could deal with the matter of setback relaxation, it could not deal with a relaxation of parcel coverage, as this is a matter of density and would require a rezoning application.

### **Sewer and Water Servicing**

Water is drawn from Shuswap Lake via a strata operated pumphouse and distributed to all of the lots in the strata. Similarly sewer is collected from the lots and treated in a strata operated septic sewage system. No documentation was originally provided that permits are in place to operate either the water or sewer system. Further, no documentation was supplied from the strata indicating that the existing sewer system is adequate to service the proposed new construction.

Referral comments from IHA indicated that their records did not contain authorizations for the water and sewer systems. As a result, the IHA had recommended that the owner provide information that the lot is capable of being serviced with an on-site septic sewerage system and an independent on-site water system. Development Services staff had forwarded the IHA comments to the applicant and had asked the applicant to contact IHA to provide additional information regarding the community water and sewer systems.

Development Services staff researching the subdivision files from the late seventies obtained Certificate No. 11095 issued August 18, 1977 by the Regional Engineer of the Environmental Health Division for Public Health for the waterworks system. Development Services staff forwarded this certificate to IHA for comment. The IHA responded by advising that the community water supply system does not exist and that the system must comply with the Drinking Water Protection Act and Regulations.

The Strata President and the Tashes have since, in 2016 met on-site with Katie McNamara of IHA. At that meeting the strata presented to the IHA representative water quality test results for the system intake, together with the "Boil Water" notice that is given to the resident's in the strata. The practice of boiling water from the supply system to use for drinking water is common operating practice for all resident's within the strata currently.

The IHA representative discussed alternatives at the meeting, including the following:

- Strata Lot #1 to obtain a license from the Water Rights Branch for obtaining drinking water directly from Shuswap Lake via their own surface water intake.
- All strata owners could follow suit with their own separate intakes.
- Install a new water treatment plant to current regulations in an enlarged pumphouse.

- Strata Lot #1 to install an above ground water storage tank and have drinking water trucked in to the site.

The recent approval by the CSRD Board of funding to pursue a preliminary engineering study on the feasibility of a CSRD community water system for the Scotch Creek area has also presented the strata with another alternative, which is to continue to operate for the time being, and commit to become a subscriber for a connection to the community water system when it becomes available. In this regard the strata has passed a resolution to support the community water system. All of this information has been included in a letter from the Strata Board Chair, which is attached to this report.

A referral response from the Medical Health Officer issued April 11, 1978 to the Ministry of Highways Provincial Approving Officer indicated that the proposed subdivision met Health Unit requirements. This information was also forwarded to the IHA for comment. The IHA responded by advising that an Authorized Person must demonstrate that the existing onsite sewerage system is in compliance with the existing development along with performance test to ensure that the system is capable of functioning as designed.

In an effort to follow through on this aspect, the strata hired Mr. Chad Meier, P.Eng. of Cleartech Consulting Ltd. (an Authorized Person) to review the current community septic system. Mr. Meier prepared a report, dated October 24, 2016 which reviewed the current system. A copy of this report has been included as an attachment to this report. The report concludes that the existing system is satisfactory to service the proposed re-development of Lot #1, and that the system is in good working order.

### **Riparian Area Regulation**

In order to support their application for a DP, the applicants had hired a Qualified Environmental Professional (QEP), Mr. Jeremy Ayotte, RPBio, to prepare a Riparian Area Assessment Report (RAAR). The RAAR was filed with the Provincial Riparian Area Assessment Report Notification System (RAARNS) on July 26, 2012. The RAAR indicates that the proposed construction is in compliance with RAR.

A RAR DP will be required before a building permit can be issued for the new single family dwelling.

### **Floodplain Issues**

The RAAR contains mapping indicating that the proposed new house will be sited more than 15.0 m from the 348.3 m contour, and therefore will comply with the floodplain setback requirement. The applicant is aware that the proposed new home would not be issued a Building Permit if the flood construction level of 351.0 m is not met.

### **Access**

Access to the strata lot is from existing internal strata roadways, accessed directly from Scotch Creek Wharf Road.

### **Local Government Act – Non-Conforming Status**

The Local Government Act (LGA) permits structures that existed prior to the adoption of a bylaw to remain legally non-conforming until such time as they are altered or reconstructed. Part 14: Division 14 – Non-Conforming Use and Other Continuances, Section 528(1) of the LGA states: "If at the time a land use regulation bylaw is adopted, (a) land, or a building or other structure, to which that bylaw

applies is lawfully used, and (b) the use does not conform to the bylaw, the use may be continued as a non-conforming use."

Section 531 of the LGA – Restrictions on Alteration or Addition to a Building or Other Structure, subsection (1) states: "Subject to this section, a structural alteration or addition must not be made in or to a building or other structure while a non-conforming use is continued in all or any part of it." Section 529 of the LGA – Non-conforming structures: restrictions on maintenance, extension and alteration applies to a non-conforming use or density.

In this case, the existing home is not being repaired or altered; it is being replaced.

**Covenant KT017277**

This covenant is registered on the title of Lot 2, in favour of Lot 1, and establishes a 2.0 m wide area on the east side of the mutually shared property line where nothing can be constructed.

**Covenant N38625**

Registered on title in 1978 as a requirement of the approval of the strata subdivision to require a 7.5 m floodplain setback from Shuswap Lake and a flood construction level of 351.0 m.

**Groundwater Absorption Coefficient (GAC)**

For the Scotch Creek Primary Settlement Area, a policy regarding protection of water quality has been included. Policy 12.14 sets out the justification and criteria for calculating the GAC, in an effort to reduce impermeable surfaces in a given development to below 45%. This proposal with parcel coverage consisting of just the proposed building of 75.24% will exceed this, not counting the proposed deck. While the GAC is currently a guideline for development, Policy 12.14 recommends that provision for GAC be included in the Zoning Bylaw to augment the parcel coverage regulations. Since this is an amendment to increase the parcel coverage, the GAC is relevant to the proposed rezoning amendment.

**SUMMARY:**

The applicant would like to demolish an existing cabin and rebuild a single family dwelling on the subject property. A rezoning is required because the proposed new house vastly exceeds the allowed parcel coverage in the R1 zone of the Scotch Creek/Lee Creek Zoning Bylaw No. 825. Staff had proposed that a special regulation for this subject property only could be considered by the Board, which would increase the permitted parcel coverage to 75.24% and would also include parcel line setback relaxations.

Staff is recommending that the Board consider the new site servicing information provided by the applicant, and that the Bylaw can be considered for second reading and delegation of a Public Hearing.

**IMPLEMENTATION:**

As per CSRD Policy No. P-18 regarding Consultation Processes-Bylaws, staff recommended the simple consultation process. Neighbouring property owners first became aware of the application for zoning amendments when the notice of development sign was posted on the property.

**COMMUNICATIONS:**

If the Board gives Bylaw No. 825-37 second reading and a public hearing is delegated, staff will proceed with notification of adjacent property owners and advertising the Public Hearing as set out in the Local Government Act.

Referral agencies have provided their comments and they have been attached as Appendix B to this report.

**DESIRED OUTCOMES:**

That the Board endorse staff recommendation.

**BOARD'S OPTIONS:**

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

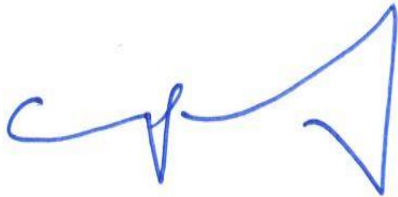
**LIST NAME OF REPORT(S) / DOCUMENT(S) AVAILABLE FROM STAFF:**

1. Electoral Area F Official Community Plan Bylaw No. 830, as amended:
2. Scotch Creek/Lee Creek Zoning Bylaw No. 825, as amended.
3. Application.

**Report Approval Details**

Document Title:	2017-09-21_Board_DS_BL825-37_Tash.docx
Attachments:	<ul style="list-style-type: none"><li>- Referral_ResponseSummary.pdf</li><li>- K227-Letter.pdf</li><li>- 13.5_BL825-37.pdf</li><li>- BL825-37-ReportAttachments.pdf</li><li>- BL825-37-Second.pdf</li></ul>
Final Approval Date:	Sep 11, 2017

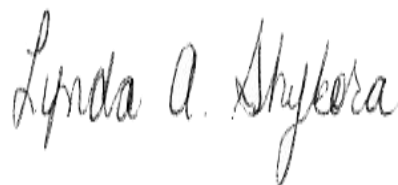
This report and all of its attachments were approved and signed as outlined below:



**Corey Paiement - Sep 7, 2017 - 10:00 AM**



**Gerald Christie - Sep 10, 2017 - 3:16 PM**



**Lynda Shykora - Sep 11, 2017 - 3:35 PM**



**Charles Hamilton - Sep 11, 2017 - 3:46 PM**

## REFERRAL RESPONSE SUMMARY

<b>Area 'F' Advisory Planning Commission</b>	APC recommended approval.
<b>Interior Health Authority</b>	<p>October 30, 2015 - Interior Health does not recommend the proposal unless it can be shown that the lot is sustainable for onsite water and onsite sewerage. This recommendation is based on the information provided within the referral, Interior Health's assessment is to determine if the proposal is in compliance with BC Regulation 326/2004, Sewerage System Regulation, BC Regulation 262/70, and the BC Drinking Water Protection Act and BC Drinking Water Regulation. The applicant should provide documentation on both the community water supply system and the community onsite sewerage system.</p> <p>June 17, 2016 - The engineering approval through Victoria is a good start however a community water supply system does not exist at this site. Our office has no information about this parcel therefore they would need to comply with the Drinking Water Protection Act and Regulation. Their Small Water Environmental Health officer has been cc'd on this e-mail.</p> <p>The subdivision in 1978 seems to provide no information regarding the community sewer system. The owners would be required to obtain the services of an authorized person to demonstrate that the existing onsite sewerage disposal is in compliance with the existing development along with performance test to ensure that the onsite sewerage system is capable of functioning as designed.</p>
<b>Ministry of Forests Lands and Natural Resource Operations – Archaeology Branch</b>	Provincial records indicate that there are no known archaeological sites recorded on the subject property. Given the proximity to the lakeshore there is the potential for unknown archaeological sites to exist on the property. 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.
<b>Ministry of Environment – Ecosystems Branch</b>	No response.
<b>Ministry of Forests, Lands and Natural Resource Operations – Water Branch</b>	No response.
<b>Ministry of Transportation and Infrastructure</b>	The proposal is further than 800 m from a Controlled Access Highway, and therefore does not require the endorsement of this Ministry, as outlined in Section 52(3)(a) of the Transportation Act. The Ministry's interests are unaffected.
<b>CSRD Operations Management</b>	<p><u>Team Leader Utilities</u> No concerns.</p> <p><u>Regional Fire Chief</u> – No concerns.</p> <p><u>Team Leader Environmental Health</u> – No concerns.</p>



	<u>Community Parks and Recreation Operator</u> – No concerns for Parks. <u>Manager Operations Management</u> - No concerns.
<b>School District #83</b>	Interests unaffected by Bylaw.
<b>CSRD Financial Services</b>	Interests unaffected by Bylaw.
<b>Adams Lake Indian Band</b>	No response.
<b>Coldwater Indian Band</b>	No response.
<b>Cooks Ferry Indian Band</b>	No response.
<b>Esh-kn-am Cultural Resources Management Services</b>	No response.
<b>Lower Similkameen Indian Band</b>	No response.
<b>Neskonlith Indian Band</b>	No response.
<b>Nlaka'pamux Nation Tribal Council</b>	No response.
<b>Okanagan Indian Band</b>	No response.
<b>Okanagan Nation Alliance</b>	No response.
<b>Penticton Indian Band</b>	No response.
<b>Siska Indian Band</b>	No response.
<b>Splats'in First Nation</b>	No response.
<b>Simpcw First Nation</b>	No concerns with the proposed bylaw change and does not oppose this referral.

August 2, 2017

Dan Passmore  
Senior Planner – Development Services  
C.S.R.D.  
555 Harbour Front Drive NE  
Box 978 Salmon Arm, BC  
V1E 4P1

Reference: Strata K-227  
Scotch Creek BC  
Cottage Development Permit Application – Strata Lot #1  
Ted and Lucille Tash

Dear Sir,

We thank you for the hour long Friday AM July 28, 2017 meeting, held at the C.S.R.D. offices in Salmon Arm, BC. In attendance were the following: Strata K-227 – Ted Tash and Alex Douglas, C.S.R.D. – Dan Passmore and Corey Paiement, with Terry Langlois joining the meeting during the last 15 minutes.

The purpose of the meeting was to discuss the status of the building permit application for Strata Lot #1, owned by Ted and Lucille Tash. This permit application process with the C.S.R.D., by Strata Lot #1, has been ongoing for at least 6 years. To our knowledge, two remaining subjects of concern by C.S.R.D. were the sewage disposal system and community water system.

In 2016, the Strata K-227 sewage disposal system was site reviewed by a Kamloops consulting firm, Cleartech Consulting Ltd, Chad Meter P.Eng., and presently meets all governing regulations. This 4 page consultant's report was submitted to C.S.R.D. by Ted Tash and attached.

The Strata K-227 community water system installed over 40 years ago was reviewed on site with Interior Health representative Katie McNamara in 2016. The strata has a common water intake pipe from the lake and lake water pumped from a submersible +65 foot deep pump and underground water distribution piping system to each of the 10 strata lots. Lake water quality analysis testing was undertaken in July 2016, by ALS in Kamloops BC and test results (water tests indicated drinkable quality) given to Interior Health (report attached). All strata owners were given a "Boil Water Notice" (copy attached) many years ago, and this practice has been the standard operating procedure for all concerned. Each strata lot owner has a personal responsibility to ensure adherence to the "Boil Water Notice". Alternative option is to purchase potable water at the Super Value Scotch Creek Store.

Many options were discussed concerning our community water system, with Interior Health representative, Katie McNamara. Options included the following:

1. Strata Lot #1 to install individual water line to the lake and include pump, piping, electrical, controls, etc. to service new structure.
2. All Strata Lots #1 - #10 to install individual water lines to the lake and include pump, piping, electrical, controls, etc. to service each lot.
3. Install new water treatment plant to current regulations in an enlarged existing Pump House.
4. Strata Lot #1 to install above grade water tank and pump, piping, electrical, etc. and arrange for truck to deliver potable water to new structure.

Strata K-227 have been following the recent developments of a Scotch Creek Community Water System. We were informed that funds have been approved for the engineering consulting services to investigate and design a shovel ready, Scotch Creek Community Water System project, for an application for federal and provincial funding in late 2018. This project probably will be a 3 to 5 year time frame.

Strata K-227, at the 2 July 2017 AGM discussed the proposed Scotch Creek Community Water System. Under "New Business" in the AGM Minutes the following was recorded:

"Strata K-227 (Anchor Bay) is encouraged by and endorses this initiative. Establishment of a community system is seen as essential for a strong and vibrant community.

On motion of Colin Yakashiro and Sid Lundel, Strata K-227 confirmed its agreement with and full support for a community water system in Scotch Creek

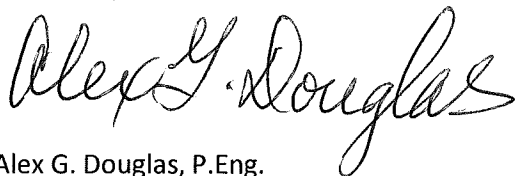
This motion received unanimous approval".

The 2 July 2017 AGM Minutes are attached for reference purposes.

Strata K-227 supports Strata Lot #1 – Ted and Lucille Tash, in their building permit application process to C.S.R.D. Strata K-227 requests CSRD building permit approval for Strata Lot #1 to be permitted to remain connected to the present water and sewage system servicing their lot. Strata K-227 is fully committed to connecting to the new Scotch Creek Community Water System as soon as the project is completed.

Strata K-227 reviewed the latest UBC invention that uses bacteria, not chemicals and complex machines, to make dirty water drinkable (UBC Professor Pierre Bêrubé).

Yours truly,

A handwritten signature in black ink that reads "Alex G. Douglas". The signature is fluid and cursive, with the first letters of each word being capitalized and prominent.

Alex G. Douglas, P.Eng.

Chairperson

Strata K-227

13.5



## BOARD REPORT

**TO:** Chair and Directors

**File No:** BL 825-37

**FROM:** Dan Passmore  
Senior Planner

**Date:** September 25, 2015

**SUBJECT:** Scotch Creek/Lee Creek Zoning Amendment (Ted & Lucille Tash)  
Bylaw No. 825-37

**RECOMMENDATION:** THAT:  
Scotch Creek/Lee Creek Zoning Amendment (Ted & Lucille Tash)  
Bylaw No. 825-37, be read a first time this 15<sup>th</sup> day of October 2015.

AND THAT:  
the Board utilize the simple consultation process for Bylaw No. 825-37  
and it be referred to the following:

- Area 'F' Advisory Planning Commission;
- Ministry of Transportation and Infrastructure;
- Interior Health Authority;
- Ministry of Environment, Ecosystems Branch;
- Ministry of Forests, Lands and Natural Resources Operations – Archaeology Branch;
- Ministry of Forests, Lands and Natural Resources Operations – Water Branch;
- School District No. 83;
- CSR D Operations Management; and,
- All relevant First Nations Bands and Councils;

**APPROVED for Board Consideration:**

Meeting Date: October 15, 2015

*Charles Hamilton, CAO*

### SHORT SUMMARY:

The applicant is planning to rebuild a new single family dwelling on Strata Lot 1, Section 27, Township 22, Range 11, West of 6th Meridian, KDYD, Strata Plan K227. Unfortunately, the proposed building exceeds the parcel coverage for the R1 zone. The applicant is proposing a site specific amendment to the R1 zone to allow for a parcel coverage of 75.24%, as well as setback relaxations that will permit the proposed house to be constructed on the subject property.

<b>VOTING:</b>	Unweighted Corporate <input type="checkbox"/>	Weighted Corporate <input type="checkbox"/>	Stakeholder <input type="checkbox"/>
			(Weighted)
	LGA Part 26 <input checked="" type="checkbox"/>		
	(Unweighted)		

**BACKGROUND:**

PROPERTY OWNERS:	Ted and Lucille Tash	
ELECTORAL AREA:	'F' (Scotch Creek)	
LEGAL DESCRIPTION:	Strata Lot 1, Section 27, Township 22, Range 11, West of 6th Meridian, KDYD, Strata Plan K227	
ADDRESS:	1 – 1022 Scotch Creek Wharf Road	
SIZE OF PROPERTY:	103 m <sup>2</sup> (1,108.7 ft <sup>2</sup> )	
SURROUNDING LAND USE PATTERN:		
	NORTH	Residential
	SOUTH	Park/Shuswap Lake
	EAST	Residential
	WEST	Residential
CURRENT OCP DESIGNATION:	NR Neighbourhood Residential, Scotch Creek Primary Settlement Area	
CURRENT ZONING:	Residential 1 (R1)	
PROPOSED ZONING:	Residential 1 (R1) – Special Regulation	
CURRENT USE:	Single Family Dwelling	
PROPOSED USE:	New Single Family Dwelling	

**POLICY:****Electoral Area 'F' Official Community Plan Bylaw No. 830**

The Area 'F' OCP Section 1.2 Sustainable Planning Principles contains the following information points:

Principle 3: To encourage a range of housing choices for all age groups, taking into account affordability choices for existing residents, particularly young families. Only ground-oriented housing is appropriate near Shuswap Lake.

Section 3 A lake community includes objectives and policies for Riparian Area development as follows:

**3.3 Fish and Aquatic Habitat**

Some of the most sensitive fish and aquatic habitats are close to the shoreline. Human activity along the shoreline can have a substantial impact on the health of aquatic habitats.



*Objective 1*

To identify significant fish and aquatic habitat, including spawning and rearing habitat and protect these areas from human encroachment.

*Policy 1*

The Regional District will:

1. Implement the Riparian Areas Regulation to help protect fish and aquatic habitats.
2. Expect landowners and developers to refer to the Department of Fisheries and Oceans — Land Development Guidelines for the Protection of Aquatic Habitat, when constructing near any watercourses for activities not covered by the RAR. Landowners and developers should refer to the Living by Water Guidebook ([livingbywater.ca](http://livingbywater.ca)) for appropriate foreshore development guidelines.

*Policy 2*

The CSRD will use Shuswap Watershed Mapping Project data and the Provincial Site Sensitivity Map to assist in its decision-making regarding development applications.

*Policy 3*

Development proposals within the Riparian Areas Regulation Development Permit Area or the Shuswap Lake Development Permit Area are required to meet those guidelines.

Section 11 Managing growth: North Shuswap includes objectives and policies for Residential development as follows:

**11.1 General Land Use**

The policies of this Plan aim to protect the rural character of the North Shuswap, yet allow modest growth in areas that are, or will be, serviced by community water and sewer systems.

By directing growth to the Settlement Areas, there will be less impact on the rural and natural areas of the community, thereby protecting agricultural land and natural habitat, and preserving the area's highly valued rural character. This settlement pattern will also facilitate shorter vehicle trips, as well as encourage more walking, bicycling and, potentially, the introduction of public transit.

The land use designations of this Plan generally reflect the present pattern of land use in which residential, commercial and public uses are concentrated in settlement areas, leaving most of the land for forestry, agriculture, and other resource uses. This plan identifies one Primary Settlement Area (Scotch Creek) and six Secondary Settlement Areas. The term Primary Settlement Area is synonymous with Scotch Creek in this plan and should be interpreted as referring to the same area.

*Objective 1*

To be thoughtful and careful stewards of the lands and waters of the North Shuswap to ensure that future generations will appreciate and benefit from wise choices made by today's elected decision-makers.

*Objective 2*

To direct growth and development in an organized and desirable manner, reinforcing established settlement patterns and discouraging development outside these settled areas.



*Objective 5*

To ensure that land use and development will not negatively affect environmental features and functions, both inside and outside of settlement areas.

*Policy 1*

The Primary and Secondary Settlement Areas are delineated on Schedules B & C. This Plan directs growth and development to these areas. The Plan does not support significant growth and development outside the Primary and Secondary Settlement Areas.

*Policy 3*

Scotch Creek is the Primary Settlement Area. The Regional District will encourage residential, commercial, and light industrial growth in Scotch Creek that is consistent with the policies of this plan. All new development must be connected to community water and sewer systems.

Section 12 Managing growth: Scotch Creek (Primary Settlement Area) includes objectives and policies for Residential development as follows:

**12.1 Vision Statement***Towards a Viable Year-Round Community*

*Scotch Creek is a popular tourist destination in the North Shuswap. During the summer, the population swells to well over 2,500, contributing to the economy, but placing stress on several aspects of the resources and infrastructure. Scotch Creek is also home to a smaller, but growing, full time population of approximately 800, and many people who are initially attracted as tourists later become full-time residents as they come to appreciate the many qualities of the area. The two-season nature of the area is one of the unique challenges in creating a viable, sustainable year-round community.*

*Tourism is the biggest industry in Scotch Creek, however its seasonal nature needs to be balanced with a year-round economy composed of a more diverse range of businesses and industries and their related employment. Additional population is required to support businesses throughout the year, and to make community services and amenities economically viable, however, it is not only the number of people present in an area, but their proximity, that help to make a community viable and vital. Diverse employment opportunities will help to support the evolution of a complete community, in which the economy, as well as the cultural, recreational and social aspects of Scotch Creek may be able to thrive.*

*The existing small town character and way of life are part of the attraction for living in Scotch Creek, and these qualities need to be respected. As well, new development is required in order to provide the range of housing types needed for a growing population that includes all segments of society, including families, couples and singles, seniors and students, seasonal workers and full time residents. It is not just houses on large lots that need to be provided, but a wider range of smaller and more affordable units that are suitable to a range of people and their circumstances. As more housing, of various types, is provided, the population can grow, and there will be a greater likelihood that new businesses, industries, and community amenities will emerge.*

*Growth is not only inevitable, it is desirable in order to make a viable, year-round community, however HOW that growth takes place is of great importance. The distribution of land uses and population and density are of concern. Drawing on the feedback received through the public engagement process environmental, economic and social sustainability, and the development of high standards in land use patterns, neighbourhood design, site planning, and supportive technology are emphasized. Several 'best practices' and precedents are included in the Appendix, and these provide examples of successful approaches to sustainable community design that sensitively incorporates new development and appropriate densities.*

## 12.2 Principles

### *Principle 1*

Encourage the development of a livable community that provides a high quality of life within its unique environmental setting by:

- a) Ensuring that there is an appropriate range of community services, amenities and open spaces for all;
- b) Striving for a balance of residential, recreational, commercial and light industrial uses, and ensure that adjacent uses are compatible;
- c) Developing the plan for a community that includes all ages from children to seniors; and
- d) Developing planning strategies that acknowledge the population patterns (full time residents and increased numbers during the summer season) and their different needs and impacts.

### *Principle 2*

Strive for an economically and socially sustainable community by:

- a) Providing a breadth of affordable housing types for the diverse population ranging from families to seniors, and including full-time, temporary, and summer residents and workers;
- b) Including housing and development types that will support diversity and address needs;
- c) Identifying opportunities for economic development that would support the local population and address needs; and
- d) Encouraging the development of employment opportunities, especially year-round permanent jobs.

### *Principle 5*

Ensure that the community develops within the limits of its resources and maintains its rural lakeshore character by:

- a) Developing a land use plan that results, over time, in the best distribution and development densities for Scotch Creek;
- b) Encouraging the development of community character and identity through built form and landscape that expresses rural and lakeshore qualities, and develop guidelines for fences and other landscape features that reflect the community character;
- c) Encouraging high quality of design and construction;
- d) Determining the development forms, massing and density to support the desired character and quality of life of Scotch Creek;
- e) Discouraging light pollution and noise pollution, in keeping with the rural environment; and
- f) Recognizing agriculture as an important land use that predates many other uses, and encourage agricultural activities.

### *Principle 8*



Preserve and enhance the environmental and visual quality of the area by:

- a) Encouraging practices that protect groundwater and lake water quality and quantity;
- b) Considering the carrying capacity of current and future water systems and keep the water supply within local control and within the local watershed;
- c) Protecting the local forests, wildlife, and fish through appropriate practices;
- d) Ensuring that sewage systems do not negatively affect the environment;
- e) Avoiding lakeshore development that negatively affects the water quality and the visual quality;
- f) Ensuring that all new developments respect the views to and from the lake; and
- g) Developing guidelines for landscape, fencing and other features.

## **12.8 Neighbourhood Residential (NR)**

### *Objective 1*

The Neighbourhood Residential (NR) land use refers to development that is existing. The intent of this land use designation is to recognize that the existing neighbourhoods within Scotch Creek are an important part of the definition of the character of the area.

### *Policy 1*

A "neighbourhood" is defined as an area of contiguous lots that have common setbacks, building orientation, and size, or that were constructed as part of a single development and form a coherent and commonly understood cluster. Refer to Map 1.

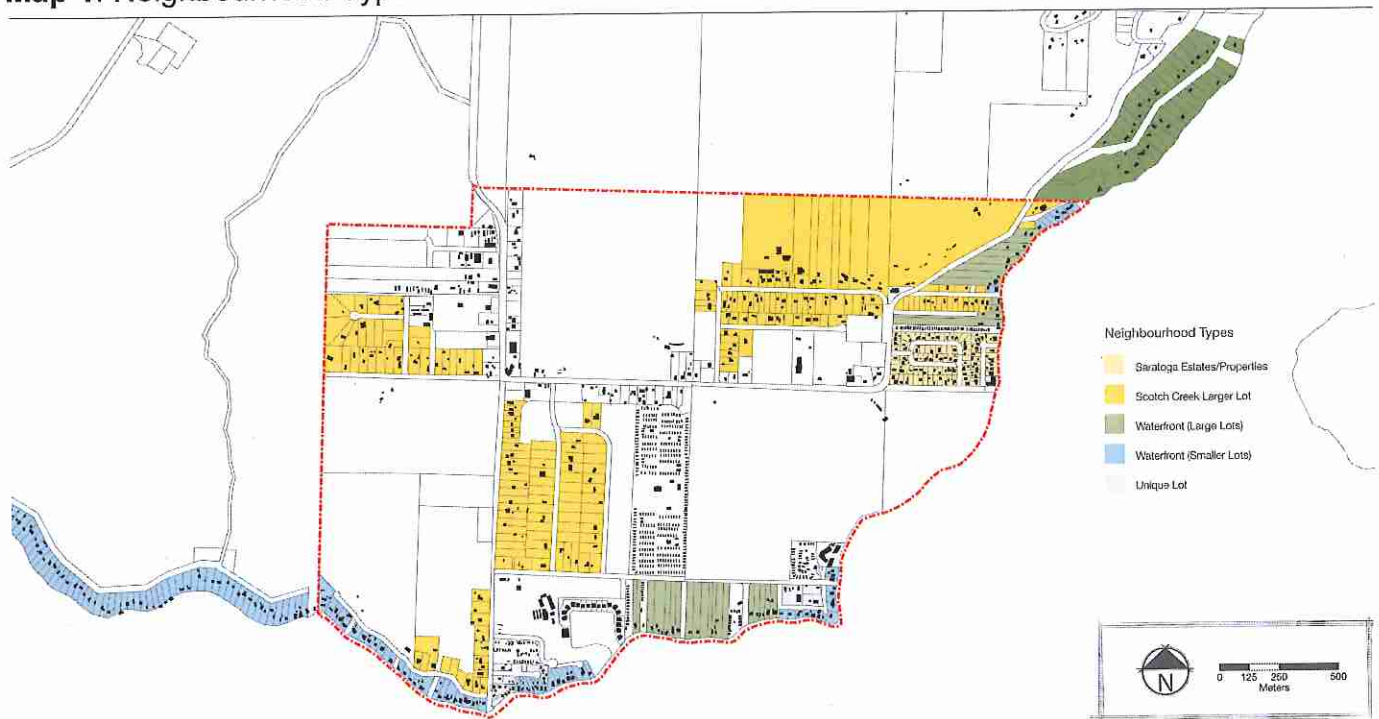
### *Policy 2*

Development within Neighbourhood Residential areas will normally only take the form of infill (for example, construction of a new house on a vacant lot) or subdivision of an existing lot and construction of a new dwelling unit on each new lot.

### *Policy 3*

Policies for infill in NR areas are intended to reflect and support the neighbourhood character and density, and to either maintain or improve conditions regarding setbacks, landscape, visual buffers, building massing, and building orientation. Refer to the following sections for guidelines for each neighbourhood.

1. Within existing neighbourhoods designated NR Neighbourhood Residential, a lot may be subdivided in two, providing that the size of each resulting parcel is equal to or larger than 1/4 acre (therefore only 1/2 acre lots or larger have potential for subdivision). This will ensure that the overall density of each neighbourhood remains comparable to existing density, while allowing sensitive intensification through the potential to subdivide larger lots.
2. Any new subdivision is considered as new development, and must be connected to community sewer and water services.
3. Construction of any new dwelling unit within any parcel designated as Neighbourhood Residential is strongly encouraged to conform to the guidelines for the neighbourhood in which it is found. The existing setback, landscape, visual buffers, building massing and building orientation of each neighbourhood are described in the following Neighbourhood Types sections (a key map is included to indicate the location of the neighbourhood type). By reflecting these conditions in any infill development, the existing character and conditions will be continued, while still allowing individuality and innovation in design.
4. Normally a maximum building height of two storeys is permitted.

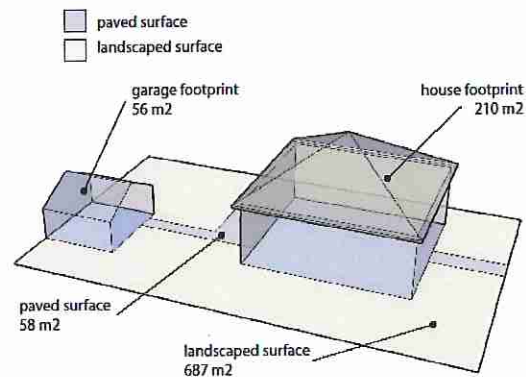
**Map 1: Neighbourhood Types****12.14 Water Quality Protection**

1. The quality of surface and ground water needs to be maintained in order to ensure environmental integrity and to contribute to the sustainability of Scotch Creek.
2. Typical practices of urbanization tend to increase the amount of paved surfaces (driveways, parking lots, walkways) and reduce the amount of infiltration. Permeable surfaces, especially landscaping, allow greater infiltration of rain and storm runoff, recharging of groundwater, and contribution to a more comfortable micro-climate. The Groundwater Absorption Coefficient (GAC) is the percentage of a lot that is required to be free of impervious material (concrete, asphalt, etc.).
3. All new residential developments should aim for a minimum GAC of 45% through the use of pervious surfacing materials.
4. It is recommended that the policy regarding Groundwater Absorption Coefficient (GAC) be included in the Zoning Bylaw to augment the site coverage regulations.
5. Whenever possible, all new developments should integrate green stormwater infrastructure in the form of bioswales on sides of streets/roads and parking lots, rather than curbs and gutters, which channel storm water quickly away and require storm drainage infrastructure.



**Example of GAC calculations:**

Lot	1,011 m <sup>2</sup> (0.25 ac)
	100.0%
House	210 m <sup>2</sup> (2,260 ft <sup>2</sup> )
	20.7%
Garage	56 m <sup>2</sup> (200 ft <sup>2</sup> )
	5.6%
Paved	58 m <sup>2</sup> (625 ft <sup>2</sup> )
	5.7%
Landscaped	687 m <sup>2</sup> (7,395 ft <sup>2</sup> )
	68.0%



The amount of surface free of impervious materials is 68%. It exceeds the 45% GAC requirement, therefore is acceptable.

**13.4 Riparian Areas Regulation (RAR) Development Permit Area**

The proposed development is within 30.0 m of Shuswap Lake, so a RAR DP will be required.

**Scotch Creek/Lee Creek Zoning Bylaw No. 825****Existing Residential-1 (R1) Zone**

The principal uses are as follows:

- (a) *Single family dwelling*
- (b) *Standalone residential campsite*

Secondary Uses are as follows:

- (a) *Accessory use*
- (b) *Bed and breakfast*
- (c) *Guest accommodation*
- (d) *Home business*
- (e) *Residential campsite*

## Regulations

COLUMN 1 MATTER REGULATED	COLUMN 2 REGULATION
(a) Minimum <i>parcel</i> size created by subdivision <ul style="list-style-type: none"> <li>where <i>parcel</i> is serviced by an existing <i>community sewer system</i></li> <li>in all other cases</li> </ul>	0.1 ha (0.25 ac.) 1.0 ha (2.47 ac.)
(b) Minimum <i>parcel width</i> created by subdivision	20 m (65.62 ft.)
(c) Maximum <i>parcel coverage</i>	25%
(d) Maximum number of <i>single family dwellings per parcel</i>	One
(e) Maximum <i>height</i> for: <ul style="list-style-type: none"> <li>Principal <i>buildings</i> and structures</li> <li>Accessory <i>buildings</i></li> </ul>	<ul style="list-style-type: none"> <li>11.5 m (37.73 ft.)</li> <li>6 m (19.69 ft.)</li> </ul>
(f) Minimum <i>setback</i> from: <ul style="list-style-type: none"> <li><i>front parcel boundary</i></li> <li><i>interior side parcel boundary</i></li> <li><i>exterior side parcel boundary</i></li> <li><i>rear parcel boundary</i></li> <li><i>rear parcel boundary</i> for an <i>accessory building</i> (excluding <i>guest cottage</i> or <i>home business</i>)</li> </ul>	<ul style="list-style-type: none"> <li>4.5 m (14.76 ft.)</li> <li>2.0 m (6.56 ft.)</li> <li>4.5 m (14.76 ft.)</li> <li>4.5 m (14.76 ft.)</li> <li>2.0 m (6.56 ft.)</li> </ul>
(g) Maximum <i>gross floor area</i> of an <i>accessory building</i>	75 m <sup>2</sup> (807.32 sq. ft.)

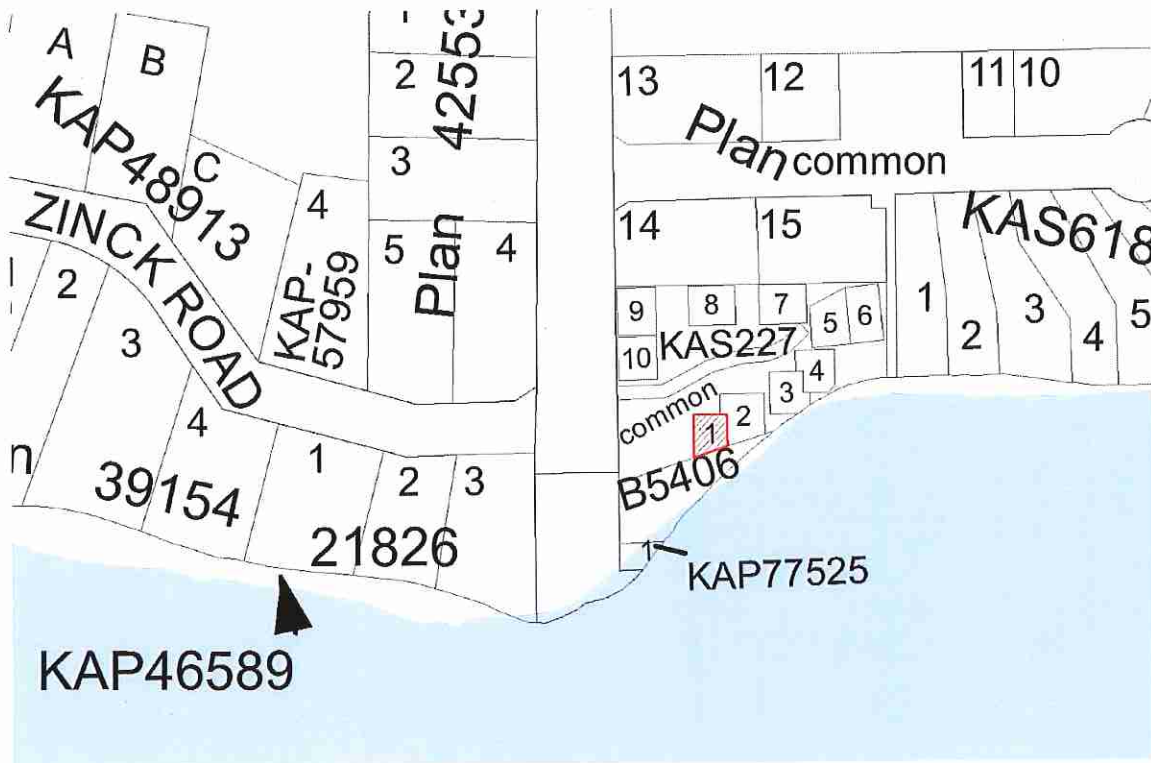
**Proposed Residential - 1 (R1) Zone Amendments**

A special regulation is proposed that would be specific to the subject property as follows:

Notwithstanding subsection (3), on Strata Lot 1, Section 27, Township 22, Range 11, West of 6th Meridian, KDYD, Strata Plan K227 as shown hatched on the map below, the following supplemental siting characteristics for a proposed new single family dwelling shall be permitted:

- Notwithstanding subsection 3(c), the maximum parcel coverage for the proposed new single family dwelling is 75.24%.
- Notwithstanding subsection 3(f), the minimum setbacks for the proposed new single family dwelling are as follows:

(f) Minimum <i>setback</i> from: <ul style="list-style-type: none"> <li><i>front parcel boundary</i></li> <li><i>interior side parcel boundary</i> (west side)</li> <li><i>interior side parcel boundary</i> (east side)</li> <li><i>rear parcel boundary</i></li> </ul>	<ul style="list-style-type: none"> <li>0.0 m (0.0 ft.)</li> <li>0.0 m (0.0 ft.)</li> <li>0.246 m (0.808 ft.)</li> <li>0.388 m (1.273 ft.)</li> </ul>
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### KEY ISSUES/CONCEPTS:

#### Anchor Bay Strata KAS227

The original strata plan K227 was deposited in the Land Title's Office in July, 1978. The plan shows Lot 1 has an area of 103 m<sup>2</sup>. The plan of subdivision was modified in November, 2008 to include areas of Limited Common Property (LCP) consisting of a 2.6 m wide strip around each of the 10 lots defined in the original plan. Lot 1 only had 2.6 m of LCP described in the amending plan added onto the north and west sides.

Cabins were constructed on each of the strata lots. A survey plan of the development shows that the lot lines established in the original plan of strata subdivision appeared to coincide with the walls of existing cabins. The addition of the 2.6 m LCP strip around each of the lots in the strata plan appears to have been an attempt to reconcile the fact that eaves on all the cabins extended over lot lines.

In the case of Lot 1, a fishing cabin was constructed in the 1950's which had a footprint of 16' x 24' with a large deck attached at ground level to the east side of the cabin. The deck extended out to the east side property line. When the survey plan was deposited, the cabin's south east corner encroached onto the neighbouring property to the south (Plan B5406) by a small amount (0.122 m<sup>2</sup> or 1.3 ft<sup>2</sup>), not including the roof eaves. The neighbouring property to the south is currently owned by the CSRD for a Park. In all other respects the cabin and deck on Lot 1 fit fully onto the strata lot.

#### The Re-Development Proposal

The applicants would like to demolish the existing cabin and construct a new single family dwelling. The new building would be a 2 storey structure consisting of a total of 1,257 ft<sup>2</sup> with 786 ft<sup>2</sup> on the main floor and 471 ft<sup>2</sup> on the second floor. The new house would feature 3 bedrooms. A deck at or around ground level is also proposed.



The single family dwelling is proposed to be sited on the north and west property boundaries, with eaves overhanging the property lines into the LCP. The plans also indicated that the house would be built on the south property line, but this was amended because the eaves would encroach onto CSRD property to the south. A setback from the south property boundary will ensure that the eaves do not encroach.

### **The Current Owners and the Process**

Mr. and Mrs. Tash purchased the property in 2003. It quickly became apparent that the cabin was too small for their family and needed significant repairs. In September 2005 the Tash's allege they submitted an application for a building permit to the CSRD for the proposed new house. The Tash's claim they were advised by CSRD staff that a permit could not be issued for the proposed building because the eaves overhung onto common property. As a result of this issue, the strata ownership undertook the amendment to the strata plan to include 2.6 m strips of LCP around each of the strata lots to deal with the eave overhang issues.

In June, 2012 CSRD Development Services staff sent a letter to the Tash's advising that since the proposed re-development was within 30 m of Shuswap Lake a Development Permit (DP) application, together with a Development Variance Permit (DVP) application to relax R1 zone setbacks, and a exemption to floodplain setbacks would be required to be submitted. In response to this letter the Tash's submitted an application for DP and a DVP in November, 2012.

Staff reviewed the application and advised the Tash's in a letter dated January 23, 2013 that the DP could not be issued because it did not comply with Scotch Creek/Lee Creek Zoning Bylaw No. 825 (Bylaw No. 825) R1 zone setbacks. The letter went on to further state that the DVP also could not be issued because of the eave encroachment onto LCP. Over the next months the issue of the eave encroachment was discussed and settled with legal advice.

In August 2013, the DP and DVP application was returned to the Tash's together with their fee and a letter explaining that while a DVP could deal with the matter of setback relaxation, it could not deal with a relaxation of parcel coverage, as this is a matter of density and would require a rezoning application.

### **Sewer and Water Servicing**

Water is drawn from Shuswap Lake via a strata operated pumphouse and distributed to all of the lots in the strata. Similarly sewer is collected from the lots and treated in a strata operated septic sewage system. No documentation has been provided that permits are in place to operate either the water or sewer system. Further, no documentation has been supplied from the strata indicating that the existing sewer system is adequate to service the proposed new construction.

Staff will need to rely on referral comments from IHA to determine if the systems current authorizations would allow for the proposed re-development of this strata lot. The IHA referral response will be included in a future report on this matter to the Board. Any outstanding information will be required prior to Board consideration of second reading of the bylaw.

### **Riparian Area Regulation**

In order to support their application for a DP, the applicants had hired a Qualified Environmental Professional (QEP), Mr. Jeremy Ayotte, RPBio, to prepare a Riparian Area Assessment Report (RAAR). The RAAR was filed with the Provincial Riparian Area Assessment Report Notification System (RAARNS) on July 26, 2012. The RAAR indicates that the proposed construction is in compliance with RAR.

A RAR DP will be required before a building permit can be issued for the new single family dwelling.

### **Floodplain Issues**

The RAAR contains mapping indicating that the proposed new house will be sited more than 15.0 m from the 348.3 m contour, and therefore will comply with the floodplain setback requirement. The applicant is aware that the proposed new home would not be issued a Building Permit if the flood construction level of 351.0 m is not met.

### **Access**

Access to the strata lot is from existing internal strata roadways, accessed directly from Scotch Creek Wharf Road.

### **Covenant KT017277**

This covenant is registered on the title of Lot 2, in favour of Lot 1, and establishes a 2.0 m wide area on the east side of the mutually shared property line where nothing can be constructed.

### **Covenant N38625**

Registered on title in 1978 as a requirement of the approval of the strata subdivision to require a 7.5 m floodplain setback from Shuswap Lake and a flood construction level of 351.0 m.

### **Groundwater Absorption Coefficient (GAC)**

For the Scotch Creek Primary Settlement Area, a policy regarding protection of water quality has been included. Policy 12.14 sets out the justification and criteria for calculating the GAC, in an effort to reduce impermeable surfaces in a given development to below 45%. This proposal with parcel coverage consisting of just the proposed building of 75.24% will exceed this, not counting the proposed deck. While the GAC is currently a guideline for development, Policy 12.14 recommends that provision for GAC be included in the Zoning Bylaw to augment the parcel coverage regulations. Since this is an amendment to increase the parcel coverage, the GAC is relevant to the proposed rezoning amendment.

## **IMPLEMENTATION:**

### **Consultation Process**

As per CSRD Policy No. P-18 regarding Consultation Processes-Bylaws, staff recommends that the Simple Consultation process be followed. A notice of development sign will be required to be posted on the property.

The following list of referral agencies is recommended:

- Area 'F' Advisory Planning Commission;
- Ministry of Transportation and Infrastructure;
- Interior Health Authority;
- Ministry of Environment, Ecosystems Branch;
- Ministry of Forests, Lands and Natural Resources Operations – Archaeology Branch;
- Ministry of Forests, Lands and Natural Resources Operations – Water Branch;
- School District No. 83;
- CSRD Operations Management; and,
- All relevant First Nations Bands and Councils;;



**SUMMARY**

The applicant would like to demolish an existing cabin and rebuild a single family dwelling on the subject property. A rezoning is required because the proposed new house vastly exceeds the allowed parcel coverage in the R1 zone of the Scotch Creek/Lee Creek Zoning Bylaw No. 825. Staff proposes that a special regulation for this subject property only could be considered by the Board, that would increase the permitted parcel coverage to 75.24% and would also include setback compliance issues.

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

1. Scotch Creek/Lee Creek Zoning Amendment (Ted & Lucille Tash) Bylaw No. 825-37	Attached to Board Report: <input checked="" type="checkbox"/>	Available from Staff: <input type="checkbox"/>
2. Maps: Location, OCP, Zoning, Orthophotos	Attached to Board Report: <input checked="" type="checkbox"/>	Available from Staff: <input type="checkbox"/>
3. Proposed Building Site Plans, Floor Plans.	Attached to Board Report: <input checked="" type="checkbox"/>	Available from Staff: <input type="checkbox"/>
4. Building Elevations	Attached to Board Report: <input type="checkbox"/>	Available from Staff: <input checked="" type="checkbox"/>
5. Strata Plan K227, Amended Strata Plan K227	Attached to Board Report: <input checked="" type="checkbox"/>	Available from Staff: <input type="checkbox"/>
6. Building Location Survey of K227	Attached to Board Report: <input checked="" type="checkbox"/>	Available from Staff: <input type="checkbox"/>
7. RAAR by Jeremy Ayotte, R.P.Bio., dated July 25, 2012	Attached to Board Report: <input type="checkbox"/>	Available from Staff: <input checked="" type="checkbox"/>

**DESIRED OUTCOME:**

That the Board endorse staff recommendation.

**BOARD'S OPTIONS:**

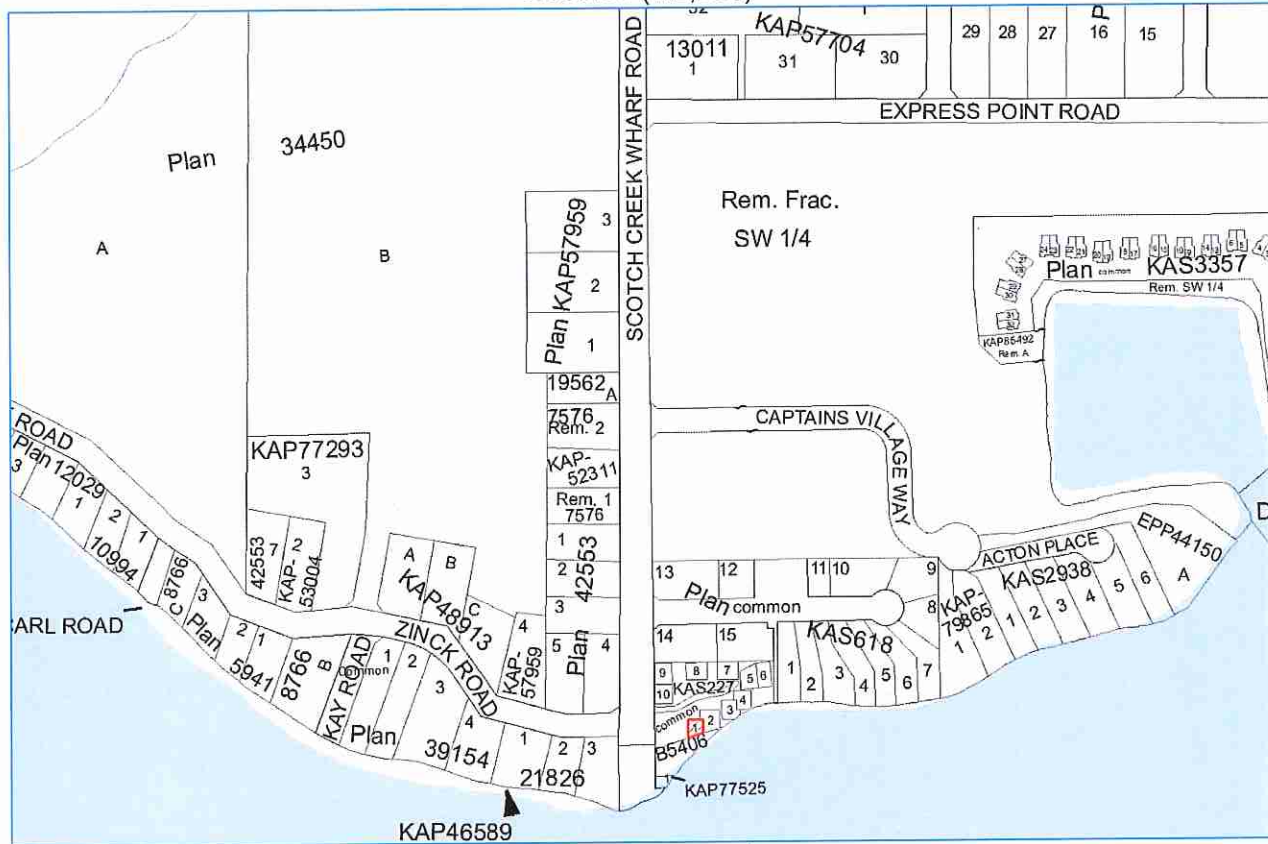
1. *Endorse recommendation. Bylaw No. 825-37 will be given first reading and the bylaw will be forwarded to referral agencies.*
2. *Decline first readings. Bylaw No. 825-37 will be defeated.*
3. *Defer*
4. *Any other action deemed appropriate by the Board.*

**COMMUNICATIONS:** To be provided with a future Board report following receipt of referral responses.

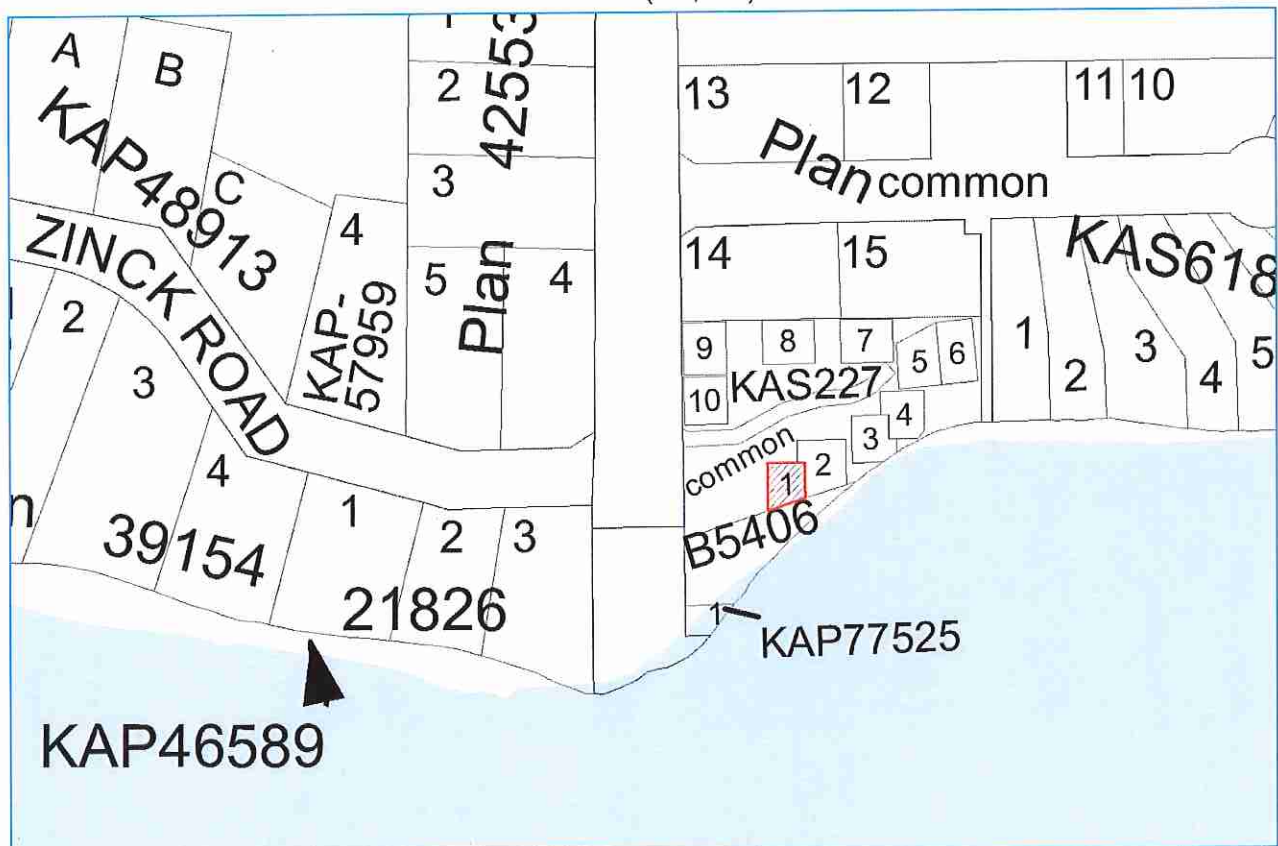


REVIEWED BY:	Date Signed Off (MO/DD/YR)	Approval Signature of Reviewing Manager or Team Leader
Development Services Team Leader	Oct. 5, 2015	S. Burger
Manager Development Services	10/05/15	Paula Luistro
Manager, Operations Management	Oct 5 2015	DL

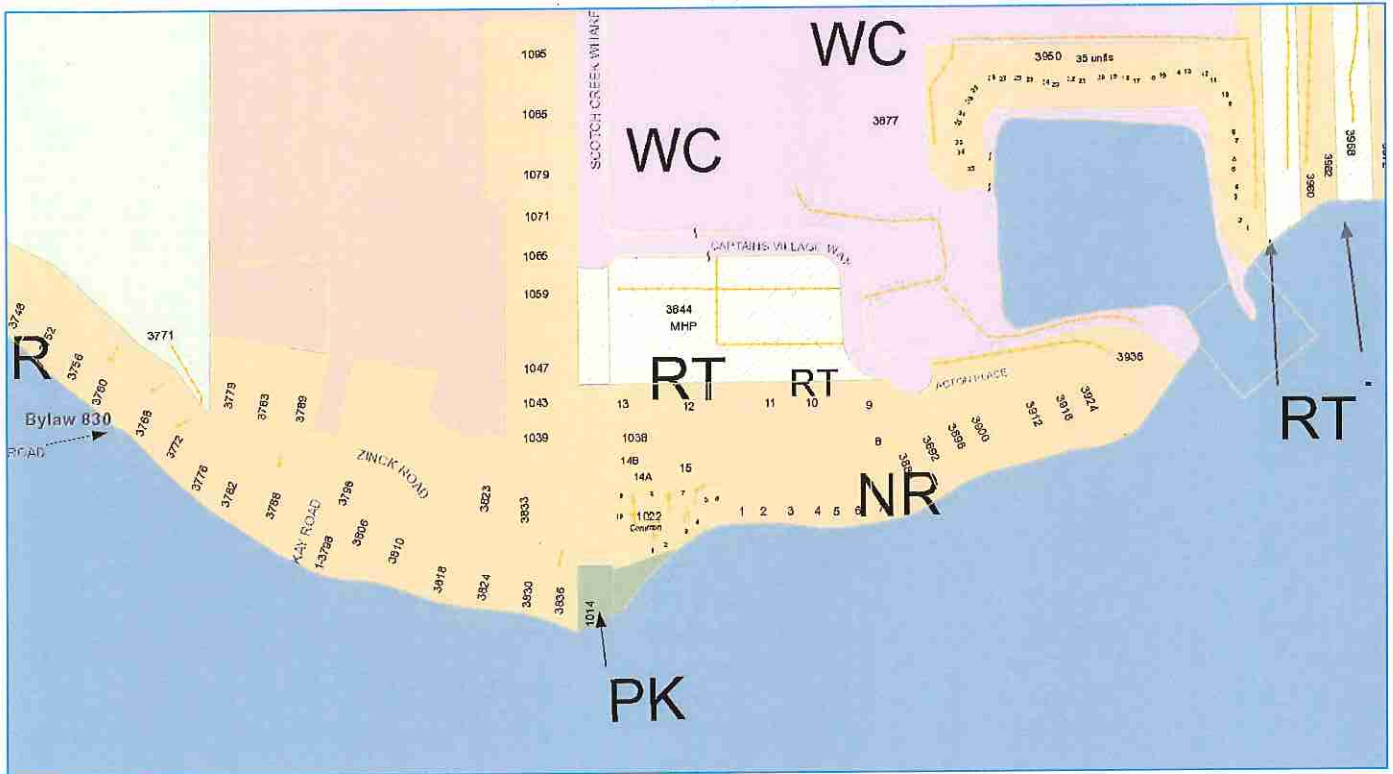
Location (1:2,500)



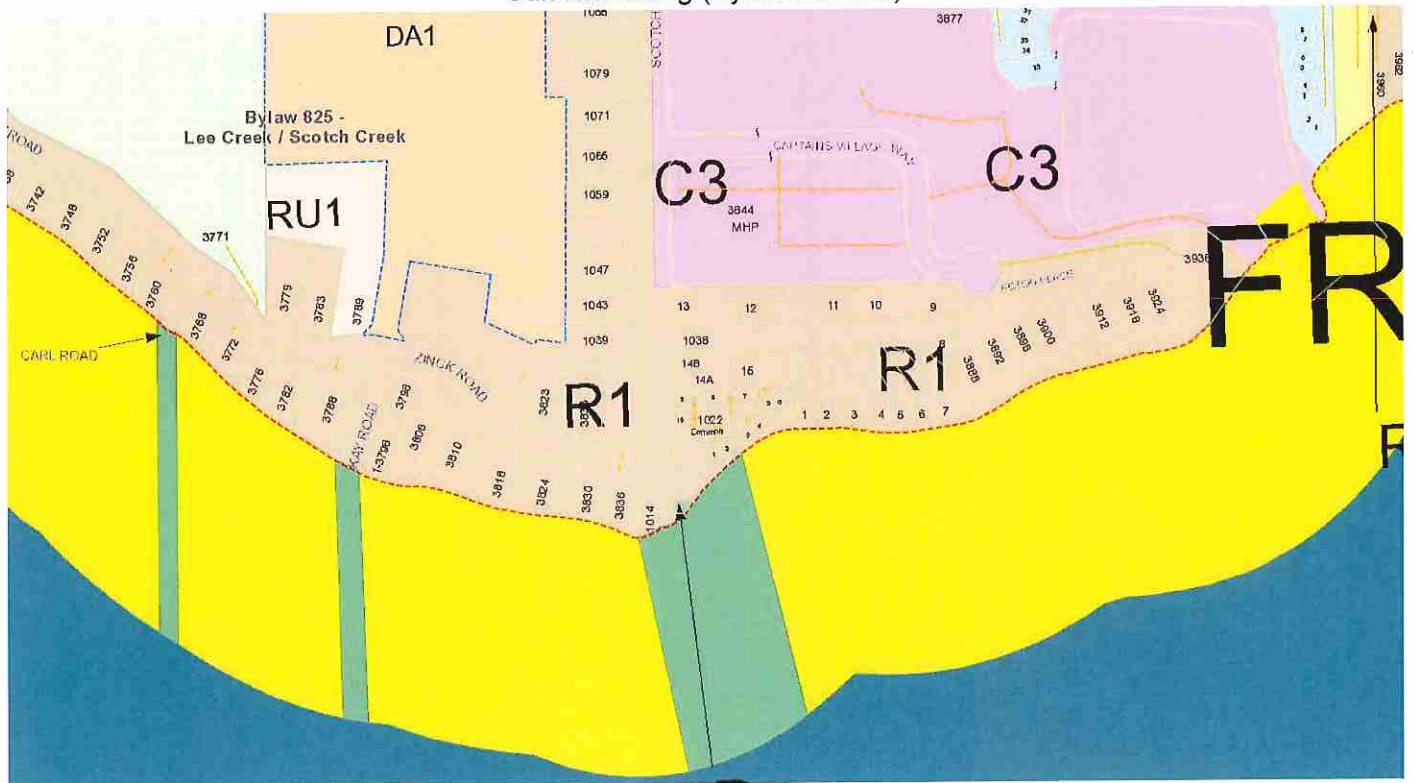
Location (1:1,000)



Current OCP (Bylaw 830)



Current Zoning (Bylaw No. 825)





Orthophoto 2013 Foreshore Large Scale



Orthophoto 2013 Foreshore



## Original Strata Plan K227

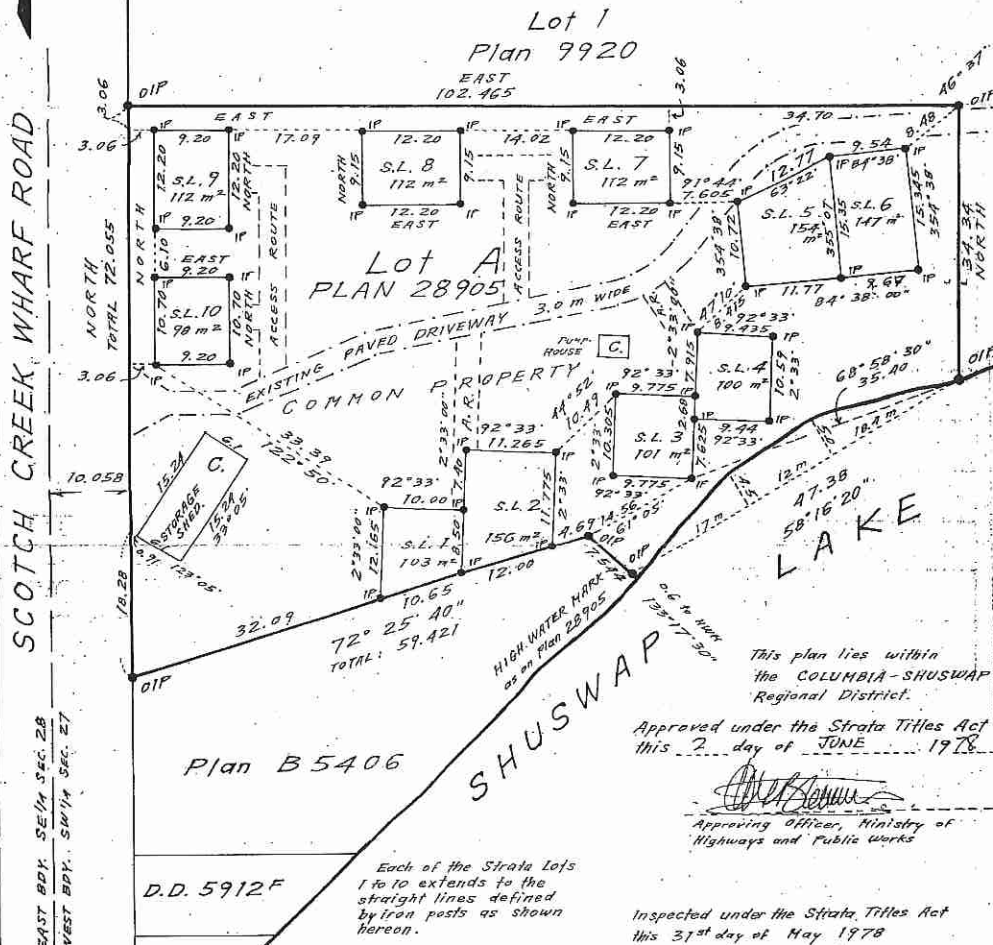
SHEET 1 OF 5 SHEETS

**Strata Plan of**  
**Lot A, Plan 28905**  
**Sec. 27 Tp. 22 Rge. 11 W. 6 M.**  
**Kamloops Division of Yale District**  
**SCALE 1:500**  
**VERNON ASSESSMENT DISTRICT**

**STRATA PLAN K227**

Deposited and Registered  
 in the Land Registry Office  
 at Kamloops, B.C. this 13<sup>th</sup> day  
 of JULY 1978

**J.C. GROVES**  
 Registrar



Bearings are astronomic and are derived from Plan 9920.

All distances are in METRES except where indicated otherwise.

- OIP denotes old iron post found.
- IP denotes iron post set.

S.L. STRATA LOT.  
 C. Common Property.  
 m<sup>2</sup> Square Metres.

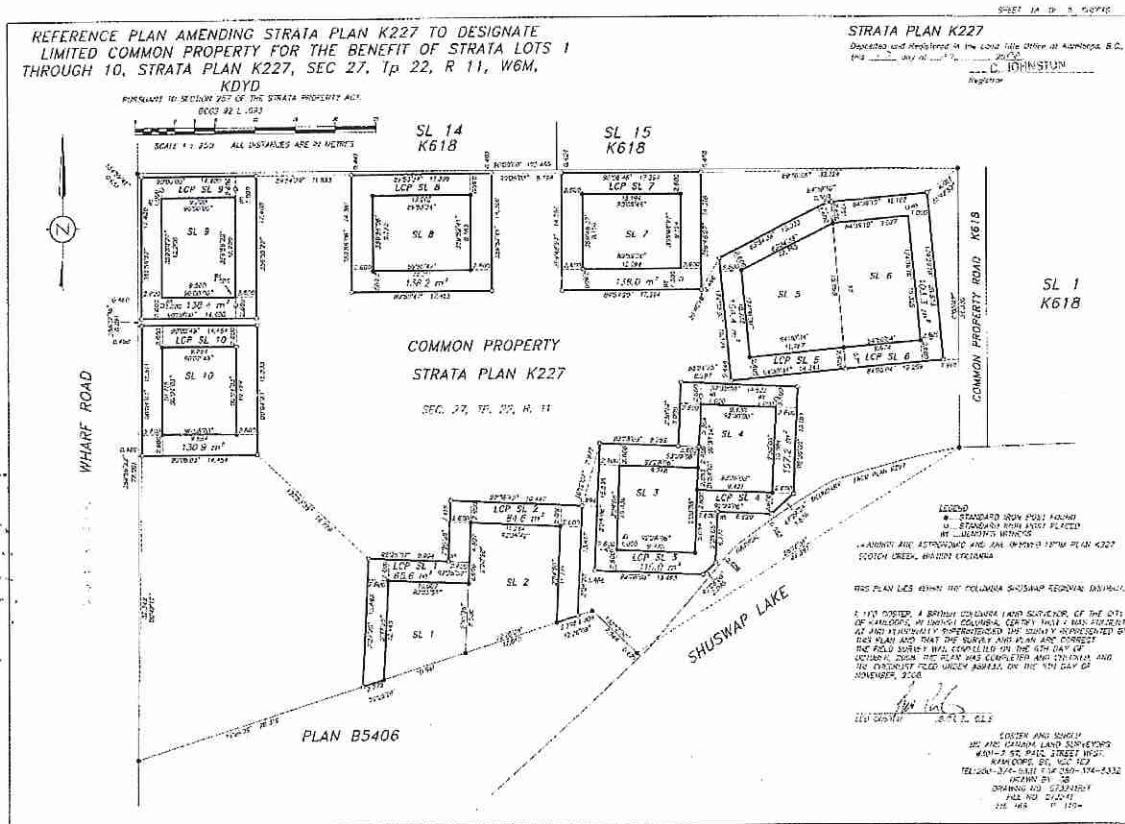
--- denotes the existing paved driveway, 3 m wide.

A.R. denotes ACCESS ROUTE.

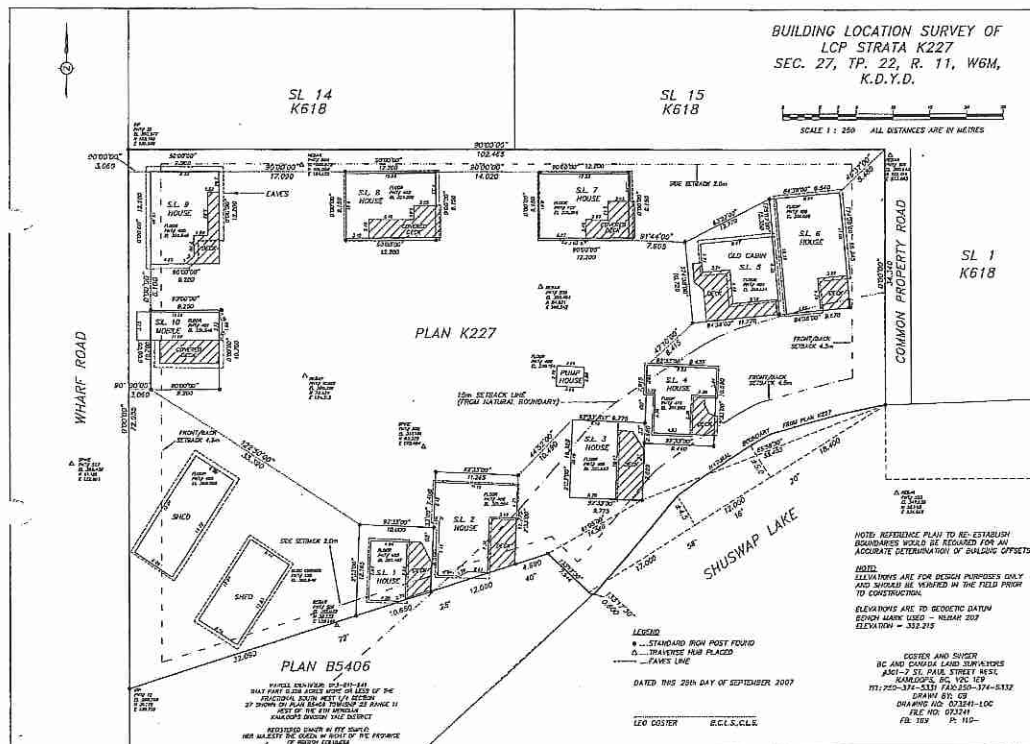
The registered owner designated hereon, hereby declares that he has entered into a condition or covenant with the Crown under Sec. 24 of the Land Registry Act.



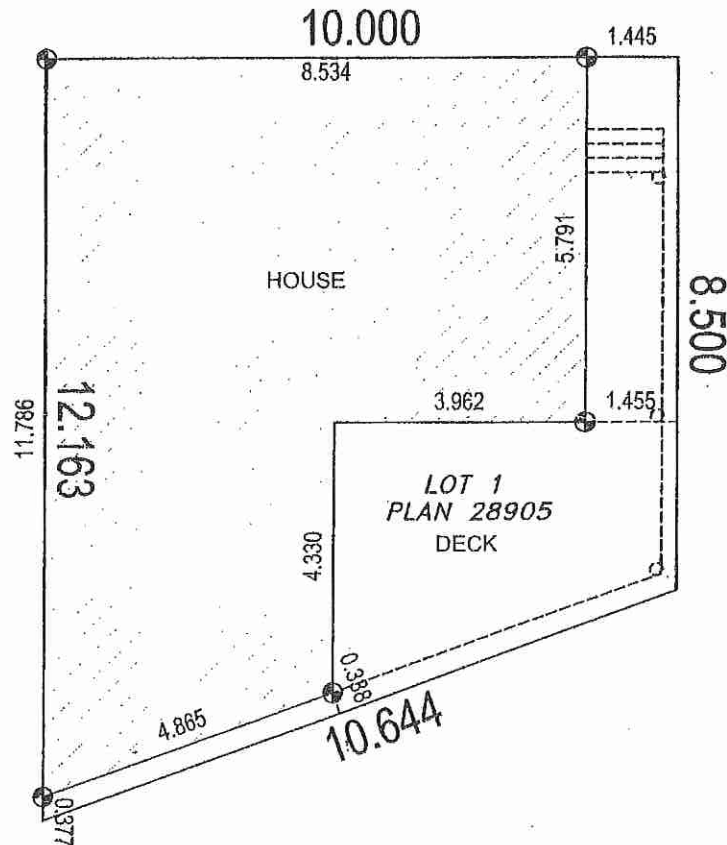
## Amended Strata Plan K227



## Building Location Survey



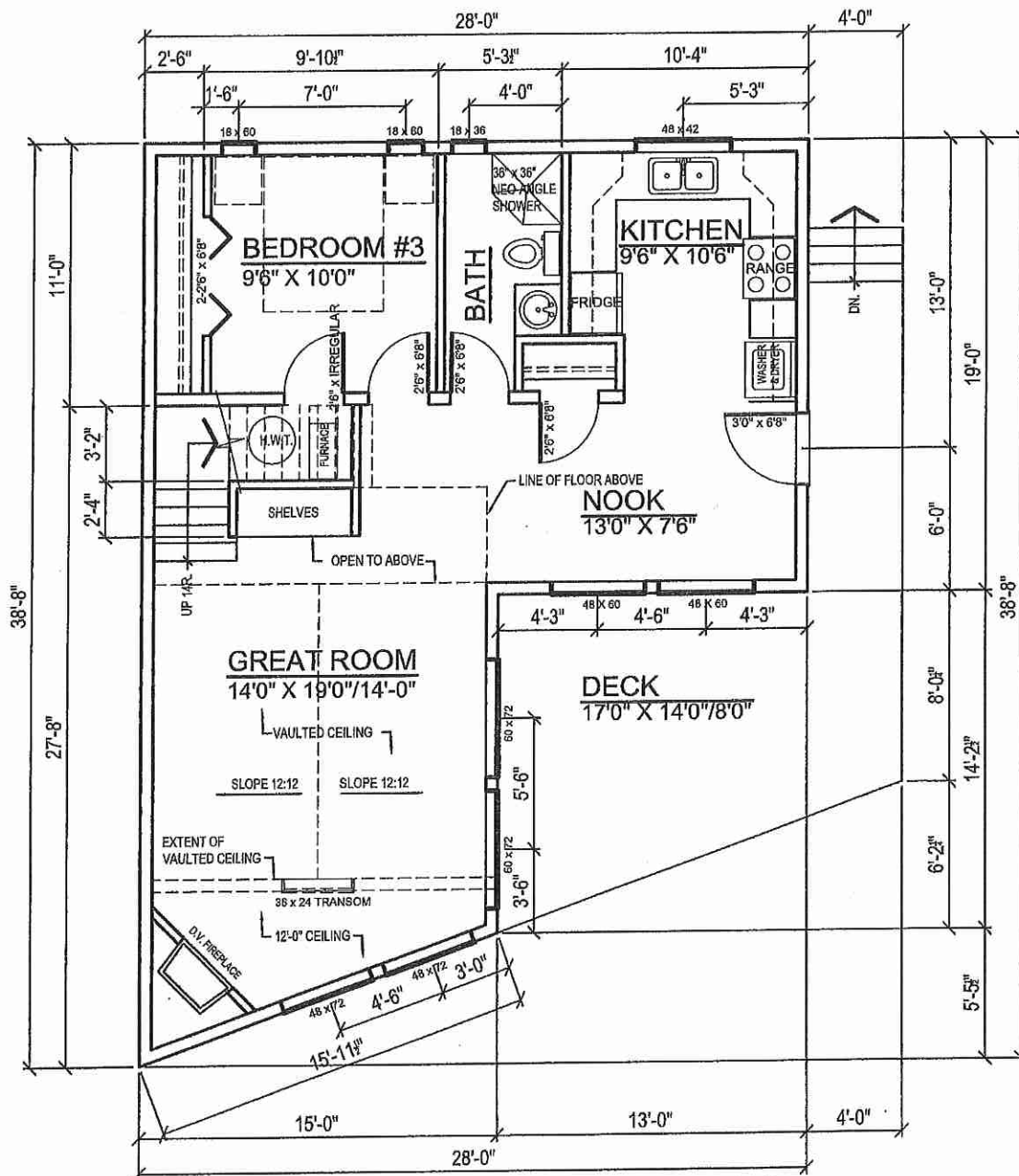
## Proposed Building Site Plan



SITE PLAN  
SCALE: 1/8" = 1'-0"

<b>Pro-X</b>
Drafting Service
2020 Edgewood Avenue
Kennett, R.D. 108 NW
(501) 319-7210 fax (501) 319-7043
drawn by: D.G.M.
approved by:
date: APRIL 2000
scale: 1/8" = 1'-0"
notes:
Contractor shall verify all dimensions and details and notify the designer of any error or omissions prior to the commencement of any work. All drawings are the instruments of Pro-X Drafting Service and shall not be used without the permission of Pro-X Drafting Service.
project:
TASH CABIN
1257 SQ.FT.
drawing no.
LOT 1 PLAN 28905
1/1

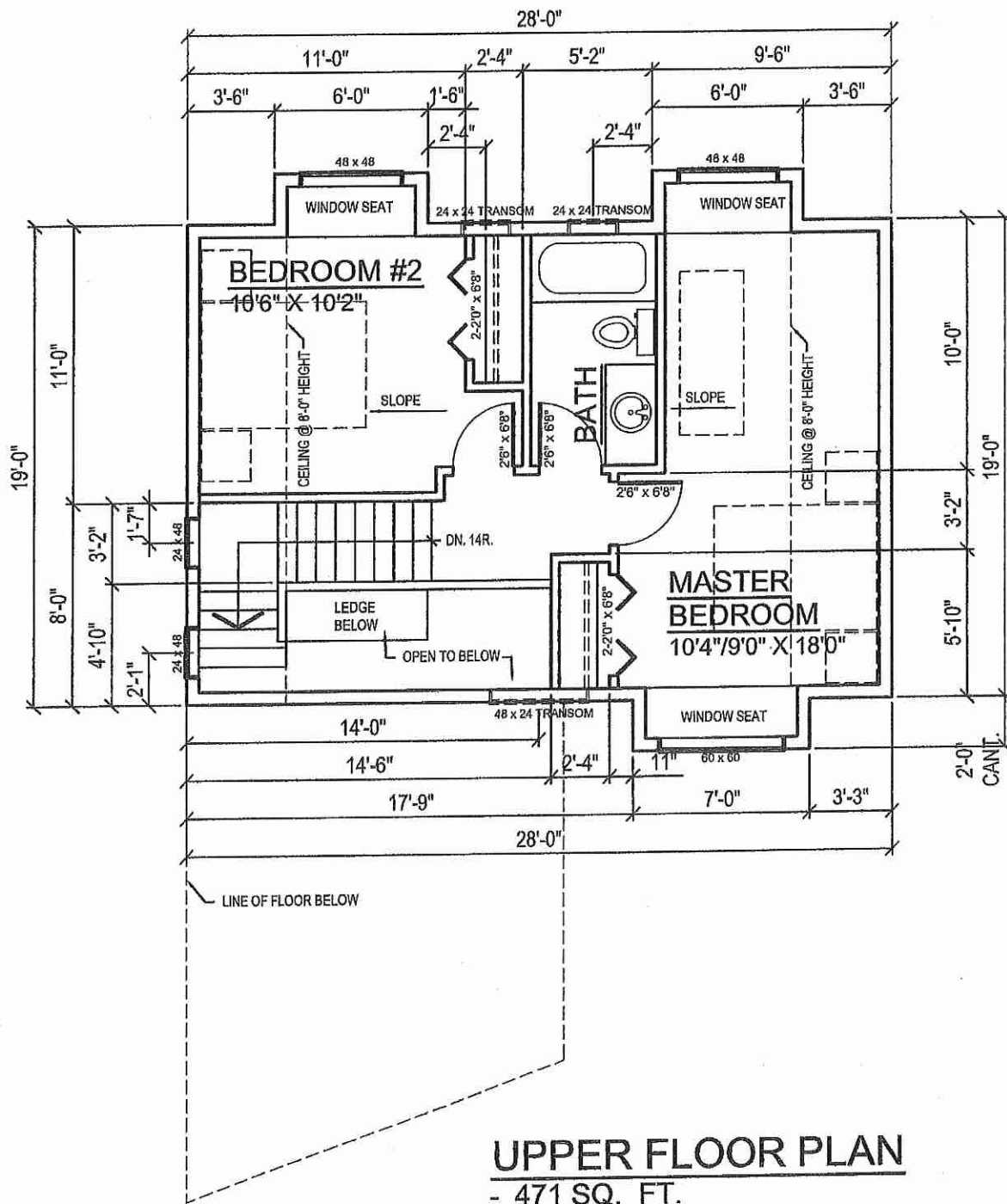
## First Floor Plan

**MAIN FLOOR PLAN**

- 786 SQ. FT.

TOTAL - 1257 SQ. FT.





**COLUMBIA SHUSWAP REGIONAL DISTRICT**

**SCOTCH CREEK/LEE CREEK ZONING  
AMENDMENT (TED & LUCILLE TASH) BYLAW NO. 825-37**

A bylaw to amend the " Scotch Creek/Lee Creek Zoning Bylaw No. 825"

WHEREAS the Board of the Columbia Shuswap Regional District adopted Bylaw No. 825;

AND WHEREAS the Board deems it appropriate to amend Bylaw No. 825;

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

1. "Scotch Creek/Lee Creek Zoning Bylaw No. 825", as amended, is hereby further amended as follows:

A. TEXT AMENDMENT

- i. Schedule A, Zoning Bylaw Text, Part 5 – Zones, Section 5.7 Residential - 1 is hereby amended by adding subsection 4 (ss), in its entirety, including the attached map.

"(ss) Notwithstanding subsection (3), on Strata Lot 1, Section 27, Township 22, Range 11, West of 6th Meridian, KDYD, Strata Plan K227 as shown hatched on the map below, the following supplemental siting characteristics for a proposed new single family dwelling shall be permitted:

- .1 Notwithstanding subsection 3(c), the maximum parcel coverage for the proposed new single family dwelling is 75.24%.
- .2 Notwithstanding subsection 3(f), the minimum setbacks for the proposed new single family dwelling are as follows:

(f) Minimum <i>setback</i> from:	
▪ <i>front parcel boundary</i>	▪ 0.0 m (0.0 ft.)
▪ <i>interior side parcel boundary (west side)</i>	▪ 0.0 m (0.0 ft.)
▪ <i>interior side parcel boundary (east side)</i>	▪ 0.246 m (0.808 ft.)
▪ <i>rear parcel boundary</i>	▪ 0.388 m (1.273 ft.)



Bylaw No. 825-37

Page 3

2. This bylaw may be cited as " Scotch Creek/Lee Creek Zoning Amendment (Ted & Lucille Tash) Bylaw No. 825-37"

READ a first time this \_\_\_\_\_ day of \_\_\_\_\_, 2015.

READ a second time this \_\_\_\_\_ day of \_\_\_\_\_, 2016.

PUBLIC HEARING held this \_\_\_\_\_ day of \_\_\_\_\_, 2016.

READ a third time this \_\_\_\_\_ day of \_\_\_\_\_, 2016.

ADOPTED this \_\_\_\_\_ day of \_\_\_\_\_, 2016.

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

\_\_\_\_\_  
CHAIR

CERTIFIED true copy of Bylaw No. 825-37  
as read a third time.

CERTIFIED true copy of Bylaw No. 825-37  
as adopted.

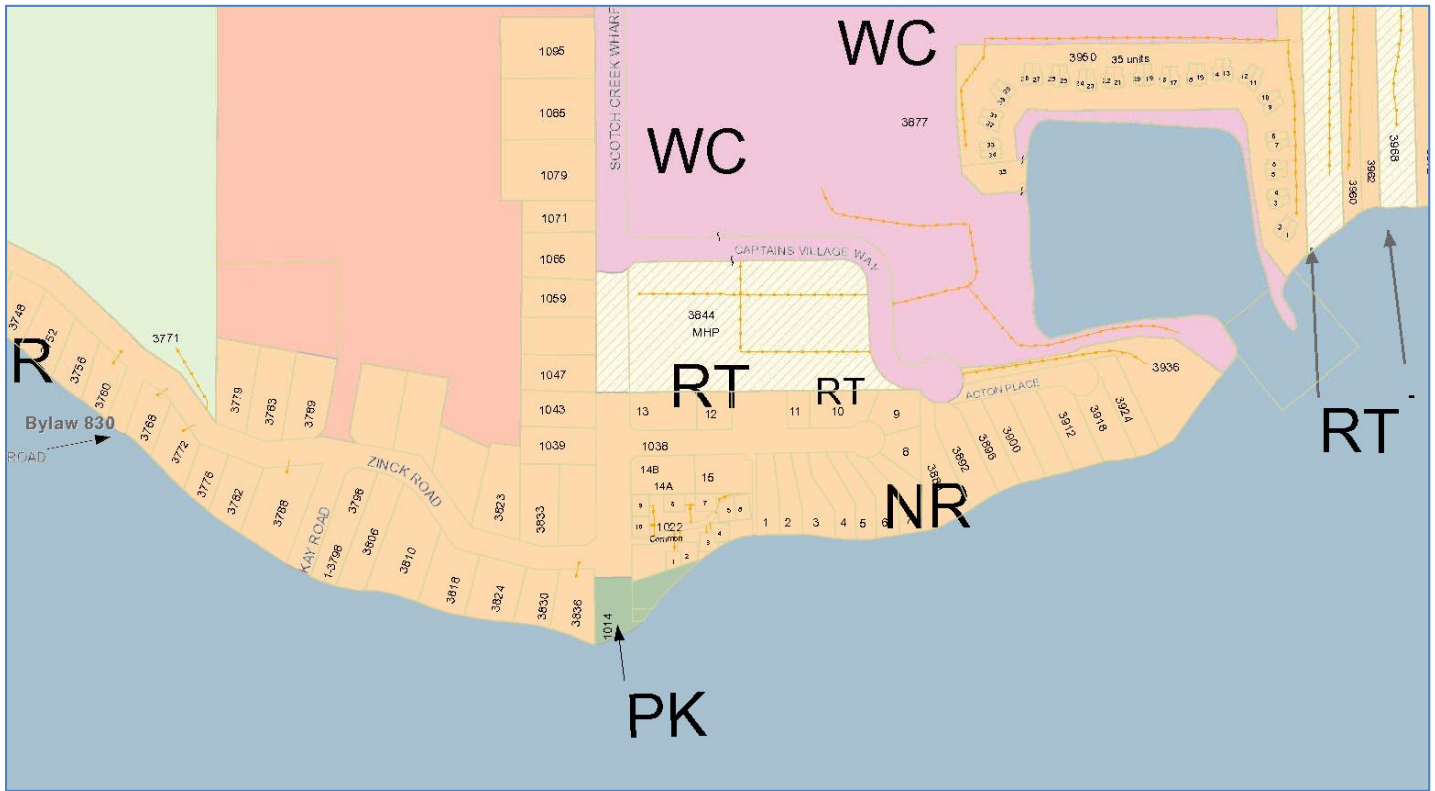
\_\_\_\_\_  
Chief Administrative Officer

\_\_\_\_\_  
Chief Administrative Officer

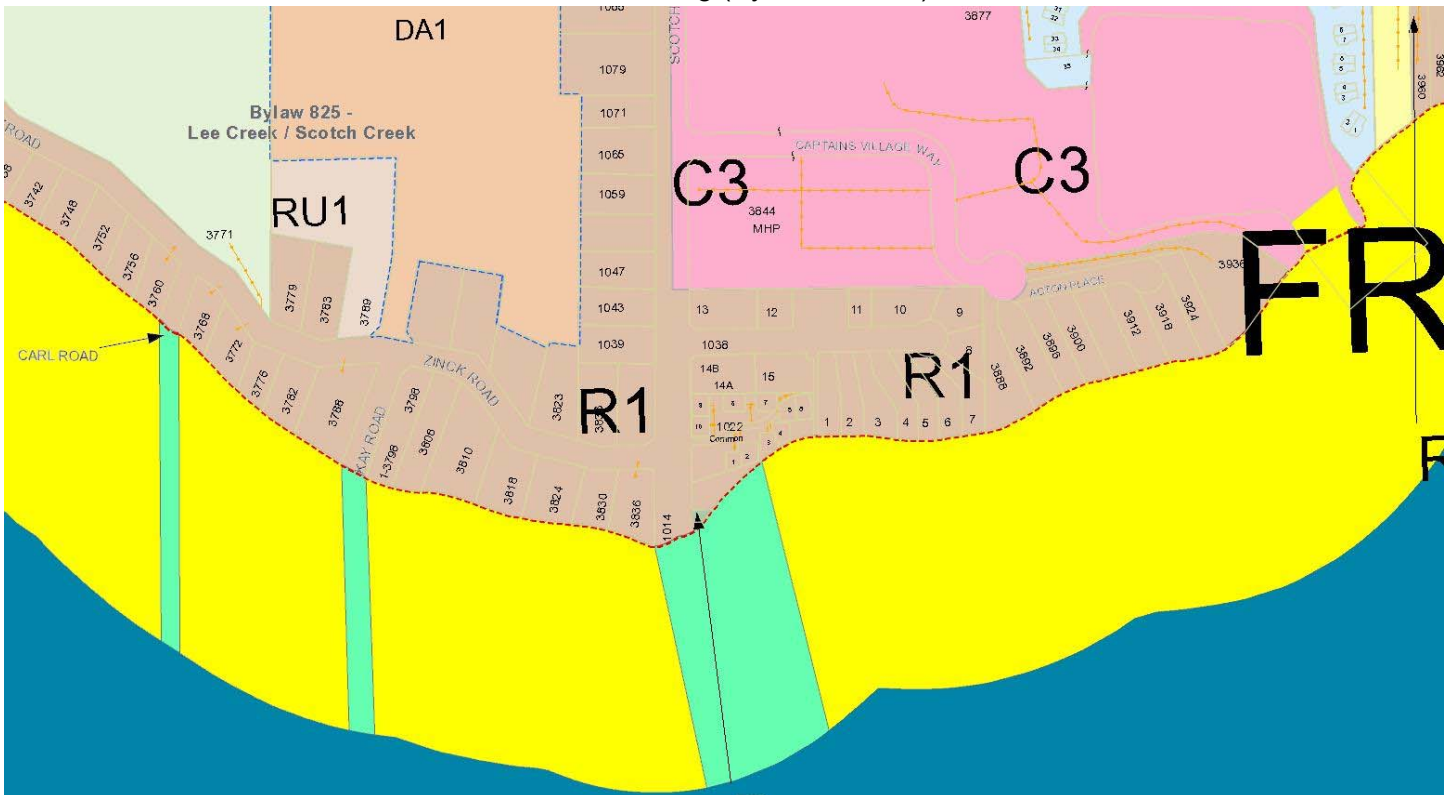




Current OCP (Bylaw 830)

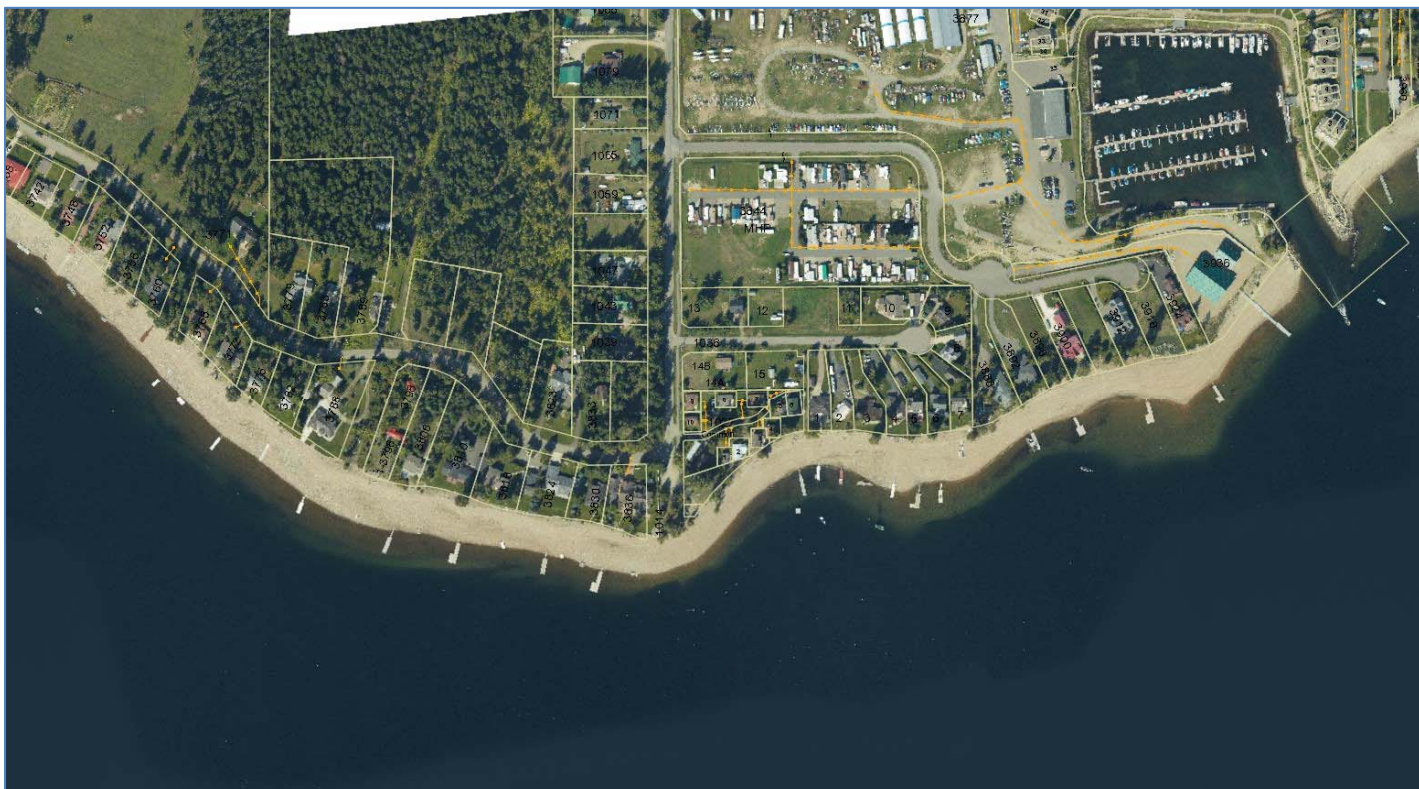


Current Zoning (Bylaw No. 825)





Orthophoto 2013 Foreshore Large Scale



Orthophoto 2013 Foreshore



## Original Strata Plan K227

SHEET 1 OF 5 SHEETS

# Strata Plan of Lot A, Plan 28905

Sec. 27 Tp. 22 Rge. 11 W.6M.  
Kamloops Division of Yale District

SCALE 1:500

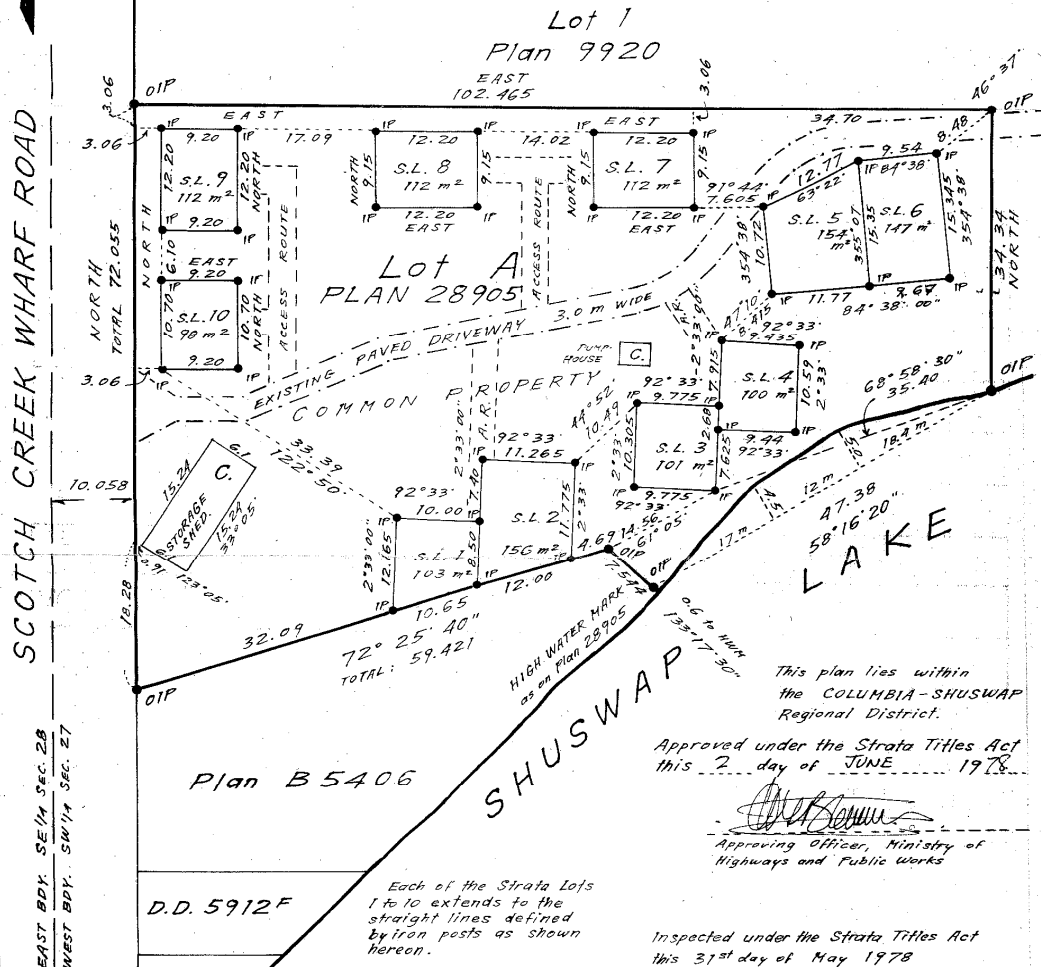
VERNON ASSESSMENT DISTRICT

## STRATA PLAN K227

Deposited and Registered  
in the Land Registry Office  
at Kamloops, B.C., this 2 day  
of June 1978

J.C. GROVES

Registrar



Bearings are astronomic and are derived from Plan 9920.

All distances are in METRES except where indicated otherwise.

- OIP denotes old iron post found.
- IP denotes iron post set.

S.L. STRATA LOT.  
C. Common Property.  
m<sup>2</sup> Square Metres.

--- denotes the existing paved driveway, 3m wide.

A.R. denotes ACCESS ROUTE.

The registered owner designated hereon, hereby declares that he has entered into a condition or covenant with the Crown under Sec. 24 of the Land Registry Act.

The address for service of documents on the Strata Corporation is:  
300 - 153 SEYMOUR STREET  
KAMLOOPS, B.C.

The civic address is:  
SCOTCH CREEK, B.C.

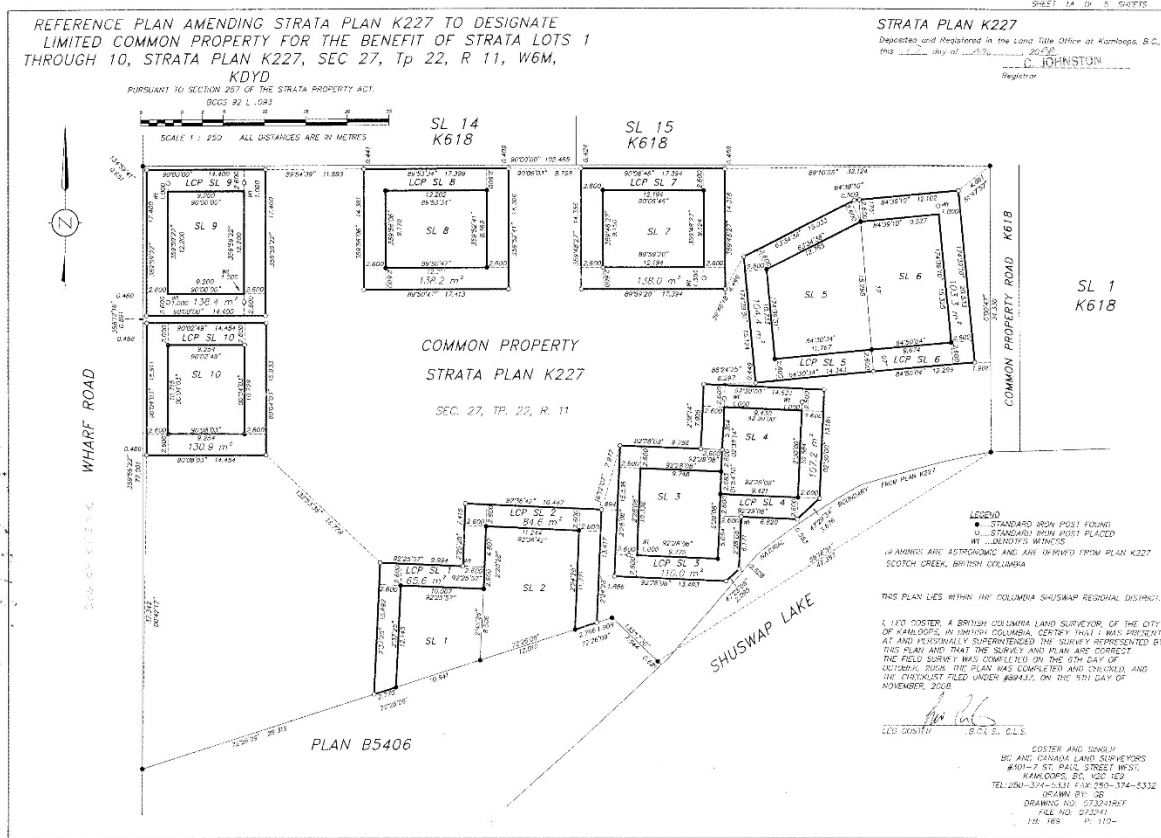
S.R. LEGGETT & ASSOCIATES  
B.C. Land Surveyors - Kamloops

JOB KS 6038 FB. 154 p. 82-90  
142, p. 102, 116

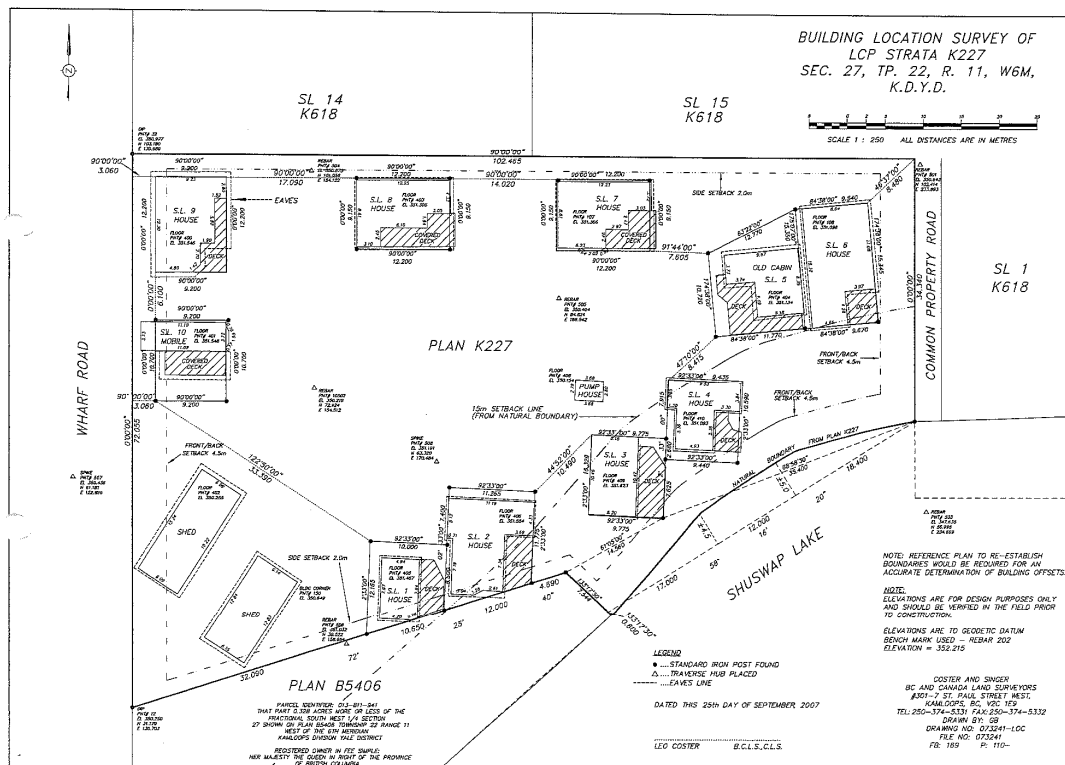
See 1657-F



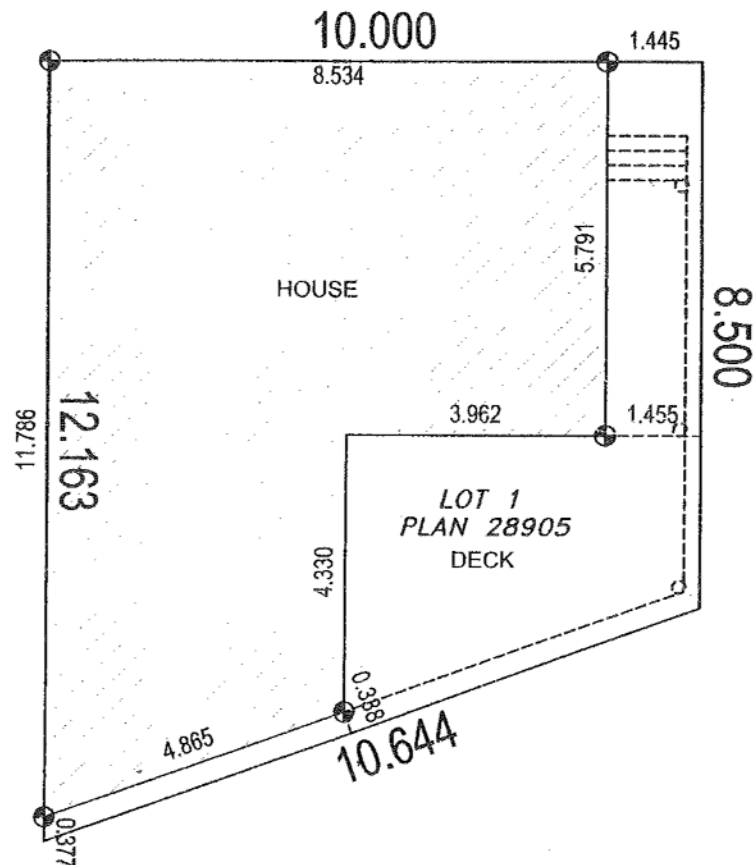
## Amended Strata Plan K227



## Building Location Survey



## Proposed Building Site Plan

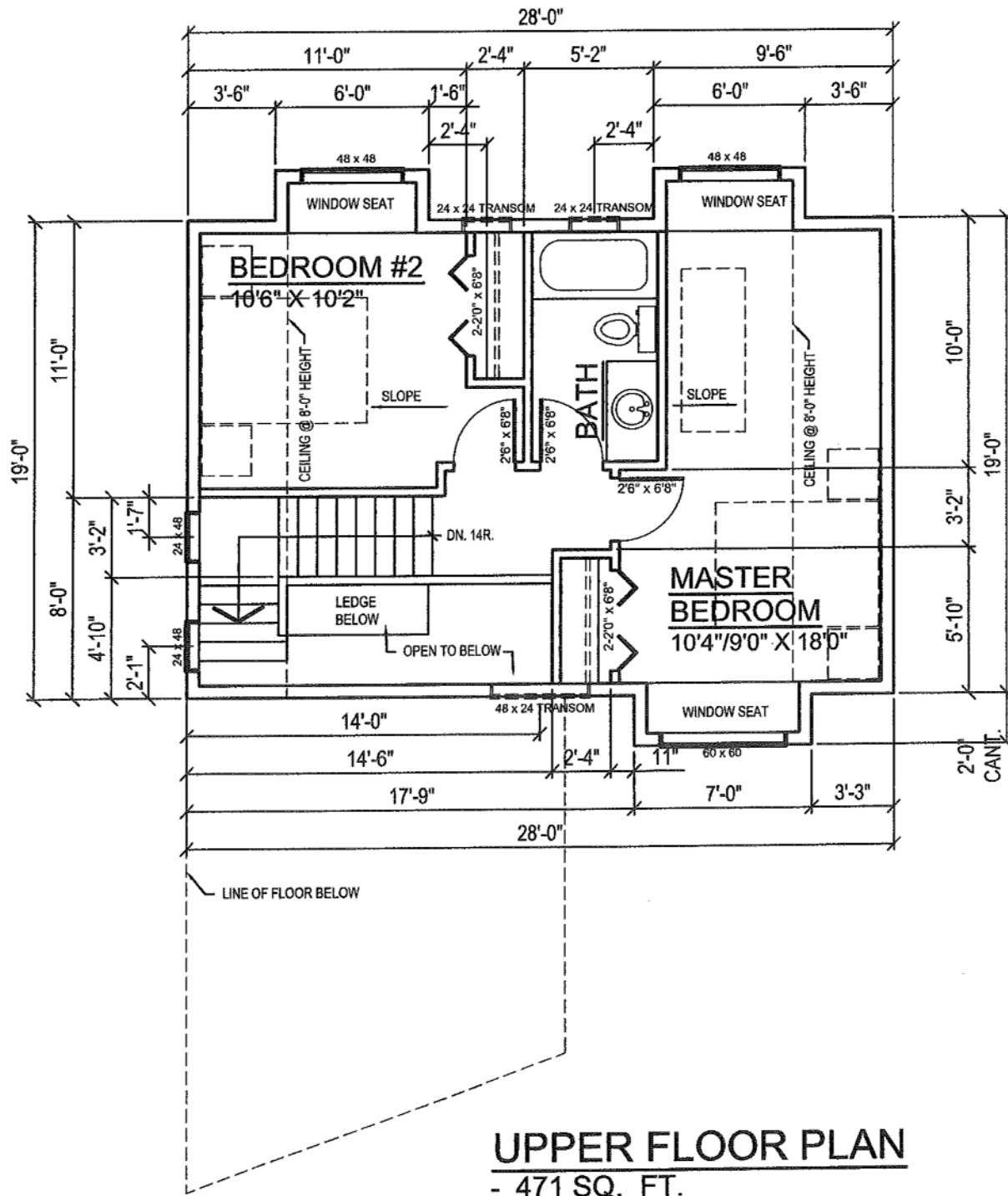


**SITE PLAN**  
SCALE: 1/8" = 1'-0"

<b>Pro-X</b>
Drafting Service
2626 Briarwood Avenue
Kamloops, B.C. V2S 8P7
(250) 215-2218 fax (250) 378-0043
drawn by: D.G.M.
approved by:
date: APRIL 2008
scale: 1/8" = 1'-0"
notes:
Contractor/Builder shall verify all dimensions and details and notify the designer of any errors or omissions prior to the commencement of any work. All drawings are the instruments of Pro-X Drafting Service and shall not be used without the permission of Pro-X Drafting Service.
project:
TASH CABIN
1257 SQ.FT.
drawing no.
LOT 1 PLAN 28905
1/1

## First Floor Plan

## Second Floor Plan



**COLUMBIA SHUSWAP REGIONAL DISTRICT**

**SCOTCH CREEK/LEE CREEK ZONING  
AMENDMENT (TED & LUCILLE TASH) BYLAW NO. 825-37**

A bylaw to amend the "Scotch Creek/Lee Creek Zoning Bylaw No. 825"

WHEREAS the Board of the Columbia Shuswap Regional District adopted Bylaw No. 825;

AND WHEREAS the Board deems it appropriate to amend Bylaw No. 825;

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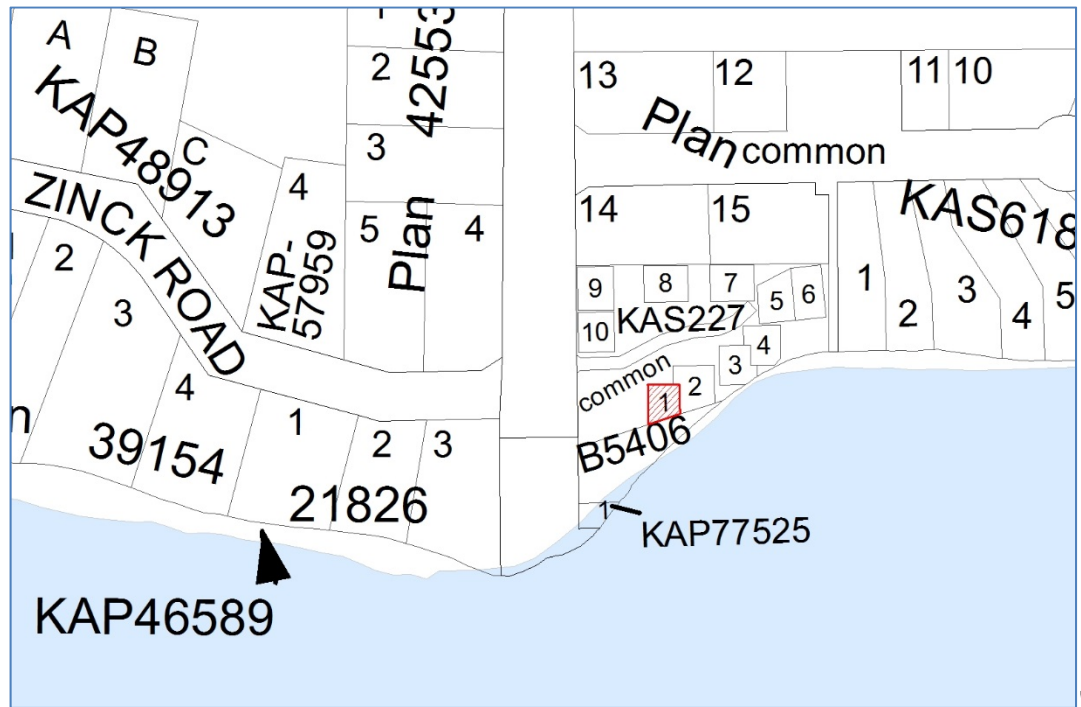
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"(ss) Notwithstanding subsection (3), on Strata Lot 1, Section 27, Township 22, Range 11, West of 6th Meridian, KDYD, Strata Plan K227 as shown hatched on the map below, the following supplemental regulations for a proposed new single family dwelling shall be permitted:

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- .2 Notwithstanding subsection 3(f), the minimum setbacks for the proposed new single family dwelling are as follows:

(f) Minimum <i>setback</i> from: <ul style="list-style-type: none"> <li>▪ <i>front parcel boundary</i></li> <li>▪ <i>interior side parcel boundary</i> (west side)</li> <li>▪ <i>interior side parcel boundary</i> (east side)</li> <li>▪ <i>rear parcel boundary</i></li> </ul>	<ul style="list-style-type: none"> <li>▪ 0.0 m (0.0 ft.)</li> <li>▪ 0.0 m (0.0 ft.)</li> <li>▪ 0.246 m (0.808 ft.)</li> <li>▪ 0.388 m (1.273 ft.)</li> </ul>
--	--



2. This bylaw may be cited as " Scotch Creek/Lee Creek Zoning Amendment (Ted & Lucille Tash) Bylaw No. 825-37"

READ a first time this 15 day of October, 2015.

READ a second time this \_\_\_\_\_ day of \_\_\_\_\_, 2016.

PUBLIC HEARING held this \_\_\_\_\_ day of \_\_\_\_\_, 2016.

READ a third time this \_\_\_\_\_ day of \_\_\_\_\_, 2016.

ADOPTED this \_\_\_\_\_ day of \_\_\_\_\_, 2016.

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

\_\_\_\_\_  
CHAIR

CERTIFIED true copy of Bylaw No. 825-37  
as read a third time.

CERTIFIED true copy of Bylaw No. 825-37  
as adopted.

\_\_\_\_\_  
Chief Administrative Officer

\_\_\_\_\_  
Chief Administrative Officer