



COLUMBIA SHUSWAP REGIONAL DISTRICT Electoral Area Directors' Committee Meeting AGENDA

Date: Tuesday, November 28, 2023
Time: 9:30 AM
Location: CSRD Boardroom
555 Harbourfront Drive NE, Salmon Arm

Pages

1. Land Acknowledgement

We acknowledge that we are meeting in service to the Columbia Shuswap Regional District which is on the traditional and unceded territories of the Secwepemc, Syilx Okanagan, Sinixt and Ktunaxa Nation. We are privileged and grateful to be able to live, work and play in this beautiful area.

Declaration on the Rights of Indigenous Peoples Act
Article 26:

1. Indigenous peoples have the right to the lands, territories and resources which they have traditionally owned, occupied or otherwise used or acquired.
2. Indigenous peoples have the right to own, use, develop and control the lands, territories and resources that they possess by reason of traditional ownership or other traditional occupation or use, as well as those which they have otherwise acquired.
3. States shall give legal recognition and protection to these lands, territories and resources. Such recognition shall be conducted with due respect to the customs, traditions and land tenure systems of the indigenous peoples concerned.

2. Call to Order

3. Adoption of Agenda

Motion

THAT: the agenda of Electoral Area Directors' Committee meeting be approved.

4. Meeting Minutes

4.1 Adoption of Minutes

1

Motion

THAT: the minutes of the May 2, 2023 Electoral Area Directors' Committee meeting be adopted.

5. Reports by Staff**5.1 Grant-in-Aids Discussion****5.2 Asset Management - Water Systems**

Greg Cockburn, Asset Management Coordinator

5.3 Compliance and Enforcement Response Options Regarding Non-Compliant Buoys

6

Request from Director Melnychuk

6. Reports by Electoral Area Directors**6.1 Solutions for Childcare in Rural Areas**

EA Directors request from the August 17, 2023 Regular Board meeting.

7. Adjournment**Motion**

THAT: the Electoral Area Directors' Committee meeting be adjourned.



ELECTORAL AREA DIRECTORS' COMMITTEE MEETING MINUTES

Note: The following minutes are subject to correction when endorsed by the Committee at the next Electoral Area Directors' Committee meeting.

Date: May 2, 2023
Time: 9:30 AM
Location: CSRD Boardroom
 555 Harbourfront Drive NE, Salmon Arm

Directors Present	Director Cathcart^	Electoral Area A Director
	Director Gibbons	Electoral Area C Director
	Director Trumbley	Electoral Area D Director
	Director Martin*	Electoral Area E Director
	Director Simpson	Electoral Area F Director
	Director Melnychuk	Electoral Area G Director

Directors Absent	Director Brooks-Hill	Electoral Area B Director
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Staff in Attendance	J. MacLean	Chief Administrative Officer
	J. Sham	Corporate Officer and Manager, Corporate Services
	C. Robichaud	Legislative Clerk
	G. Christie	Manager, Development Services
	M. Herbert	Team Leader, Building and Bylaw Services

*attended a portion of the meeting only

^electronic participation

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Declaration on the Rights of Indigenous Peoples Act

Article 9: Indigenous peoples and individuals have the right to belong to an indigenous community or nation, in accordance with the traditions and customs of the community or

nation concerned. No discrimination of any kind may arise from the exercise of such a right.

2. Call to Order

The Chair called the meeting to order at 9:38 AM.

3. Adoption of Agenda

Moved By Director Trumbley

Seconded By Director Melnychuk

THAT: the agenda of May 2, 2023 Electoral Area Directors' Committee meeting be approved.

CARRIED

4. Meeting Minutes

4.1 Adoption of Minutes

Alternate Director for Area C and G Correction.

Moved By Director Gibbons

Seconded By Director Melnychuk

THAT: the minutes of the January 12, 2023 Electoral Area Directors' Committee meeting be adopted as amended.

Typographical error on attendance list, Alternate Director Smith Electoral Area correction from Area C to G.

CARRIED

5. Reports by Staff

5.2 Community Works Fund (CWF) Eligibility

[Policy F-3 Electoral Community Works Fund](#)

[Community Works Fund Program Guide](#)

Discussion:

Directors asked the CAO to provide current Community Works Fund balances and anticipated deposits for 2023 would be for each Electoral Area.

Directors inquired about funding eligibility for projects and CAO responded staff would need to review eligibility criteria for potential projects.

Director Martin arrived at 9:59 AM.

5.1 Electoral Areas: B, C, E, F, and G Building Bylaw No. 660-03

Report from Marty Herbert, Team Leader, Building and Bylaw Services dated April 13, 2023 regarding an upcoming amendment to administer the BC Energy Step Code.

Discussion:

Directors expressed concerns with how staff and contractors were working through the changes and how the lack of messaging from the province may negatively impact residents wishing to construct a new building. Directors also acknowledged that a lack of qualified professionals to service the newly legislated requirements may cause additional cost and delays for homeowners wishing to build.

Team Leader, Building and Bylaw Services said staff and contractors were aware of the changes and have been preparing for some time and have been preparing; however, the most significant changes will be seen in step 4 and 5.

Directors were in favour of recommending a letter to the province regarding concerns with the province adopting the federal standard and the challenges and hardships the changes may cause for residents and industry.

Moved By Director Gibbons

Seconded By Director Melnychuk

THAT: the Committee recommend the Board write a letter to the Ministry of Housing regarding concerns with additional costs, administration and colder climate application associated with the BC Energy Step Code legislation and the lack of consultation with local governments.

CARRIED

Moved By Director Cathcart

Seconded By Director Gibbons

THAT: the Electoral Area Directors' Committee receive this report for information.

CARRIED

6. Reports by Electoral Area Directors

Roundtable:

Director Gibbons said he would like to see better communication for Grant-in-Aid funding applications and suggested a website page that lists the year-to-date allocation breakdown. He sent an email the CAO to have a discussion regarding the Municipal and Regional District Tax Program and was informed that regardless of the participant vote the CSRD Board is the deciding governing body for approval.

Director Martin was concerned with road conditions and has spoken with MoTI as there has been a noticeable uptick in road and highway traffic. The Malakwa Preschool celebrated their 40th anniversary in the community. She was recently appointed to the Fraser Basin Water Committee.

Director Cathcart will be meeting with the Town of Golden, Ministry of Environment, Ministry of Forests, BC Wildfire Service, Open Burning Smoke Control Regulation (OBSCR), and the FireSmart Coordinator on May 15 to review creating special burning regulations for the area because of air quality in Golden. She is on the Kinbasket Debris Committee and working with the Forest Enhancement Society of BC to fund a portable chipper to remove debris in Kinbasket to lessen burning and increase air quality.

Director Melnychuk has been meeting with various community hall representatives to review the collective needs of the area and find projects that can be funded through Community Works Funds. She has been working with the CSRD Emergency Program Facilitator to identify the Neighbourhood Emergency Program gaps in Electoral Area G and bring increased communication to residents.

Chair Simpson advised he would be attending the Keeping it Rural Conference in June. He said there was an active group working towards establishing a daycare in the North Shuswap and there was also a need for additional indoor and outdoor pickleball courts in the community. A group of farmers are working together to lease underutilized land for community food production. Director Simpson was focusing on North Shuswap 2040 and establishing four season community infrastructure to support residents of the area and support young families relocating to the region. He was looking forward to hosting the CAO and Board Chair who would be touring Electoral Area F on May 4 to see the great things the North Shuswap has to offer and the challenges they face.

Director Trumbley noted road conditions were a large concern in Electoral Area D and suggested that collectively Directors may want to put their voices together to express their shared concerns. He announced that he had been working diligently on improving CSRD communications in Area D with the implementation of his website, social media pages and creation of an informal advisory group to give the community a voice to discuss concerns. He put a spotlight on the Falkland Stampede taking place on the May long weekend noting it was largest fundraiser for local non-profits. Director Trumbley wanted to speak with staff to acquire the history of how the CSRD attained the Silver Creek park because it was gifted to the community and locals would like to see the park given back to the community's custody. He pointed out that education and information on river dynamics was important and he would be working with Shuswap Watershed Council share information with residents. Director Trumbley has been working with Shuswap Economic Development Society to develop a business society in Area D made up of local businesses.

Moved By Director Gibbons
Seconded By Director Trumbley

THAT: the Committee recommend the Board set regular meetings with MLAs and invite them to attend CSRD Board meetings.

CARRIED

7. Adjournment

Moved By Director Gibbons
Seconded By Director Melnychuk

THAT: the Electoral Area Directors' Committee meeting of May 2, 2023 be adjourned.

CARRIED

11:19 AM

CORPORATE OFFICER

CHAIR

Lakes Zoning Bylaw No. 900

Bylaw Administration and Enforcement Challenges



Overview of Lakes Zoning Bylaw No. 900

- Adopted in 2012 in response to concerns about the proliferation of docks and buoys on Shuswap and Mara Lakes
- Regulates the use, size and siting of docks, buoys and swimming platforms in Electoral Areas C (South Shuswap), E (Rural Sicamous) and F (North Shuswap)
- It applies to new installation and the replacement of all or part of these types of structures
- Similar zoning regulations and development permit requirements for other watercourses not regulated by Bylaw No. 900
 - Example: Upper Arrow Lakes in Electoral Area B (Rural Revelstoke)

Role of Provincial and Federal Governments

- Docks are also regulated by the Provincial Government – Ministry of Forest, Lands, Natural Resource Operations and Rural Development
 - 2019 Provincial changes to the Provincial Private Moorage Program – General Permissions
- Buoys are also regulated by the Federal Government – Transport Canada
 - Prevent navigation hazards
 - Regulate type of buoy float

Docks and Buoys Situation – A Snapshot

- Buoys in the North Shuswap (2013)
- Bylaw Enforcement Files for Docks and Buoys (2013 - 2017)
- Foreshore and Water Development Permits Issued (2013 - 2017)

Buoys in the North Shuswap (2013)

- A map inventory and analysis of buoys (2013) in the foreshore of the five North Shuswap communities
 - 965 waterfront and semi-waterfront properties
 - 1,495 buoys
- Many more buoys installed since 2013
- A similar analysis could be undertaken for docks

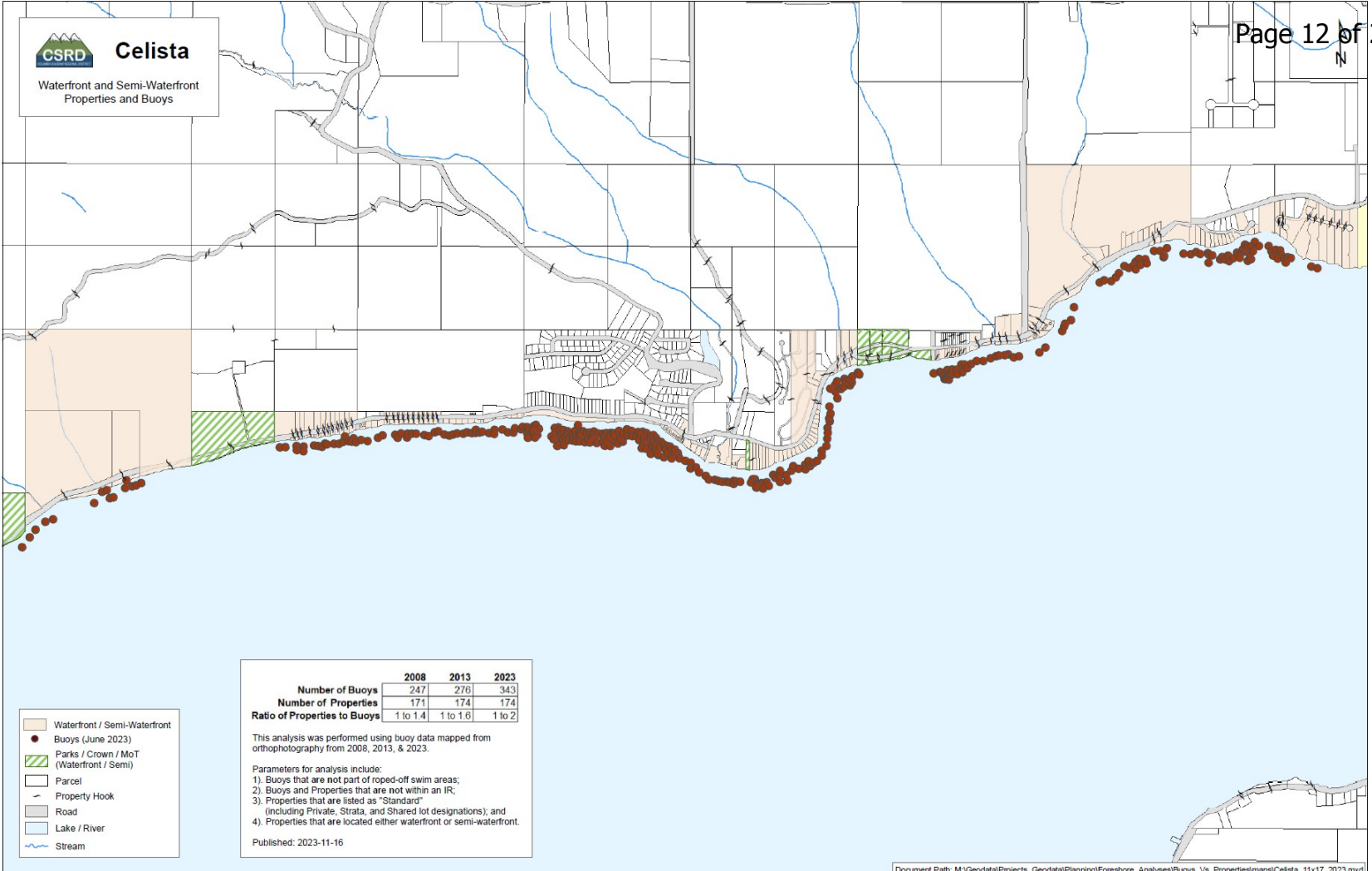
Buoys in Celista (2008, 2013, 2023)

- A map inventory and analysis of buoys in the Celista foreshore
 - 2008 – 247 buoys
 - 2013 – 276 buoys (increase 29)
 - 2023 – 343 bouys (increase 67)
 - 2008-2023 – total increase 96 or 38%



Celista

Waterfront and Semi-Waterfront Properties and Buoys



- Waterfront / Semi-Waterfront
- Buoys (June 2023)
- Parks / Crown / MoT (Waterfront / Semi)
- Parcel
- Property Hook
- Road
- Lake / River
- Stream

	2008	2013	2023
Number of Buoys	247	276	343
Number of Properties	171	174	174
Ratio of Properties to Buoys	1 to 1.4	1 to 1.6	1 to 2

This analysis was performed using buoy data mapped from orthophotography from 2008, 2013, & 2023.

Parameters for analysis include:

- 1) Buoys that are not part of roped-off swim areas;
- 2) Buoys and Properties that are not within an IR;
- 3) Properties that are listed as "Standard" (including Private, Strata, and Shared lot designations); and
- 4) Properties that are located either waterfront or semi-waterfront.

Published: 2023-11-16

Celista - Meadow Creek



Foreshore and Water Development Permits Issued

- Electoral Areas C/G and F
- 123 total issued over 10 years (2013-2023)
 - Average 12 per year.
- EA C/G – 73 total permits issued. Average 7 per year.
- EA F – 50 total permits issued. Average 5 per year

197 Bylaw Enforcement Files Created – Docks and Buoys

Year	EA C	EA E	EA F	EA G	Yearly Total
2013	10	4	11		25
2014	13	5	28		46
2015	53	6	22		81
2016	13	7	10		30
2017	6	2	7		15
2018	2	1	4		7
2019	0	0	6		6
2020	4	1	5		10
2021	7	8	3		18
2022	6	0	4	3	13
EA TOTAL	96	24	78	3	

Explanation of the Challenges of Administering and Enforcing Bylaw No. 900

- CSRD Bylaw Enforcement Policy A-69
 - Docks/buoys are Class 2 violations
 - 2 written complaints required and low priority for investigation and enforcement
- Receiving enough written information in a complaint to identify the location and determine ownership
- Researching the location of the complaint (review air photos, etc.)
- Completing a site visit to identify the dock/buoy in the field
- Determining if the dock/buoy is compliant or not
- Confirming if the dock/buoy is lawfully nonconforming or not
- Determining ownership of the dock/buoy

Explanation of the Challenges of Administering and Enforcing Bylaw No. 900 continued

- Contact the owner of the dock/buoy; may be initially by phone but one or more follow-up letters from Bylaw Enforcement Officer may be required
- Demand letter from the CSRD's solicitor may be required
- Property owner has opportunity to seek approval (rezoning and/or development variance permit) for a non-compliant dock/buoy
- Deadlines for property owner to contact staff, make a complete application to seek approval, or remove non-compliant dock/buoy
- Deadlines are rarely adhered to and often require follow-up by Bylaw Enforcement staff
- Complete application(s) may or may not be submitted in a timely manner

Explanation of the Challenges of Administering and Enforcing Bylaw No. 900 continued

- Staff review and processing of application(s) and Board consideration of approval
- Staff follow-up to ensure any conditions of approval adhered to or continue bylaw enforcement if approval not given by Board
- Ticketing for an offence related to Bylaw No. 900 is an option for Bylaw Enforcement Officers, however, often ownership of a buoy is not known
- Final enforcement tool is a statutory injunction applied for by the CSRD's solicitor
 - Injunction required for each illegal buoy

Buoys are Difficult to Administer and Enforce

- It is very difficult to identify a buoy in the field that is subject to a complaint
 - Often there is too many and there is no way to accurately pinpoint its location relative to a waterfront or semi-waterfront property
 - Buoys may move over time and seasonally
 - It is very difficult to identify the ownership of a buoy
 - Buoys may be placed by people who are not waterfront or semi-waterfront property owners
 - There are many lawfully non-conforming buoys
- Costs to follow-up enforcement through to a statutory injunction are large
- Transport Canada may get involved if a buoy is considered a navigation hazard - this is very rare.

Docks are Easier to Administer and Enforce

- A dock can usually be identified in the field because there are fewer of them
- Docks are usually related to a waterfront property
- Due to the expense of a dock, a dock owner can usually be determined or the dock owner may come forward as part of an investigation
- The Province may get involved if a dock is installed without the necessary permit(s) or is contrary to the General Permissions – this does occur

- July 2023 – letter sent to
 - Government of Canada, Minister of Transport
 - BC Minister of Environment and Climate Change Strategy
 - BC Minister of Water, Land and Resource Stewardship
- Request provincial and federal enforcement to aid in the removal of the numerous illegal and unsafe buoys from our lakes.
 - Shuswap and Mara Lakes have almost 400 kilometres of shoreline
 - In 2013, 4200 buoys in total on Shuswap Lake (1500 buoys in the North Shuswap alone)
- Shared jurisdictional authority and responsibility (provincial/federal)
 - Buoys are placed on Crown lands (anchored to the lake bottom)
 - Use of Crown lands for exclusive ongoing use
 - Float and its placement/adjacency on the water to other buoys and structures is regulated by Transport Canada.