



COLUMBIA SHUSWAP REGIONAL DISTRICT

Regular Board Meeting

AGENDA

Date: Thursday, November 16, 2017
Time: 9:30 AM
Location: CSR D Boardroom
555 Harbourfront Drive NE, Salmon Arm

Pages

1. Call to Order by Chief Administrative Officer

2. Inaugural Proceedings

2.1 Election of Chair Conducted by Chief Administrative Officer

2.2 Election of Vice-Chair Conducted by Chief Administrative Officer

2.3 Chair's Remarks

3. Board Meeting Minutes

3.1 Adoption of Minutes

1

Adoption of the October 19, 2017 regular Board meeting minutes.

Motion

THAT: the minutes of the October 19, 2017 regular Board meeting be adopted.

3.2 Business Arising from the Minutes

None.

4. Delegations

None.

ADMINISTRATION**5. Correspondence****5.1 Citizens for Safe Technology (October 26, 2017) 28**

Letter from Citizens for Safe Technology request for Action - Microcell Resolution & Notice of Wireless Harm

Director Morgan request to include on November Board agenda.

5.2 City of Revelstoke (October 27, 2017) 36

Letter from Allan Chabot, Chief Administrative Officer of the City of Revelstoke regarding the Area B Rural Fire Protection Services.

5.2.1 CSRD Draft Letter to the City of Revelstoke, November 16, 2017 - For Board Consideration 44

Draft response letter to the City of Revelstoke Council.

Motion

THAT: the Board endorse the Draft Letter to Mayor Mark McKee and Members of Council, City of Revelstoke, dated November 16, 2017 re: CSRD Electoral Area B Rural Fire Protection Services, and that CSRD Administration be directed to immediately communicate the letter following the November 16, 2017 Regular Board meeting.

5.3 2018 SILGA Convention, Revelstoke BC - Corporate Sponsorship (November 1, 2017) 46

Letter from the Southern Interior Local Government Association (SILGA) requesting sponsorship for the 11th Annual General Meeting and Convention.

Chair Martin request to include on November Board agenda.

Motion

THAT: the correspondence contained on the November 16, 2017 regular Board agenda be received for information.

6. Reports**Motion**

- 6.1 Revelstoke and Area Economic Development Commission Meeting Minutes - October 4, 2017** 48

Motion

THAT: the minutes of the October 4, 2017 Revelstoke and Area Economic Development Commission meeting be received for information.

- 6.2 Shuswap Watershed Council Meeting Minutes - October 25, 2017** 51

Motion

THAT: the minutes of the October 25, 2017 Shuswap Watershed Council meeting be received for information.

7. Business General

- 7.1 CSRD Fire Dispatch Radio Compliance Project Sole Source Request** 58

Report from Derek Sutherland, Team Leader, Protective Services, dated November 6, 2017. Authorization for the sole source of the CSRD fire dispatch radio compliance project.

Motion

THAT: the Board empower the authorized signatories to enter into an agreement with Vella Radiolinks Ltd. to complete a fire dispatch radio compliance project for a total cost of \$24,279 plus applicable taxes.

- 7.2 Community Emergency Preparedness Fund Grant Applications** 61

Report from Derek Sutherland, Team Leader, Protective Services, dated October 5, 2017. UBCM Community Emergency Preparedness Fund Grant Applications.

Motion

THAT: the Board empower the authorized signatories to apply for a Community Emergency Preparedness Fund Flood Risk Assessment, Flood Mapping & Flood Mitigation Planning grant in the amount of \$149,686 to complete a flood mapping project of Bastion Mountain in Electoral Area C. The CSRD will provide in-house contributions to support the project and overall grant management.

AND THAT: the Board empower the authorized signatories to enter into agreements with Kerr Wood Leidal and Westrek Geotechnical Services Ltd in an amount not to collectively exceed \$149,686 plus applicable taxes subject to the receipt of a CEPF Flood Risk Assessment, Flood Mapping & Flood Mitigation Planning grant for \$149,686.

Motion

THAT: the Board empower the authorized signatories to apply for a Community Emergency Preparedness Fund Emergency Social Services grant in the amount of \$25,000 to support capacity and resiliency building within the Emergency Support/Social Services throughout the region. The CSRD will provide in-house contributions to support the project and overall grant management.

Motion

THAT: the Board empower the authorized signatories to apply for a Community Emergency Preparedness Fund Emergency Operations Centres & Training grant in the amount of \$25,000 to support capacity and resiliency building and strengthen operational efficiencies within the region. The CSRD will provide in-house contributions to support the project and overall grant management.

8. Business By Area

8.1 **Grant-in-Aids**

64

Report from Jodi Pierce, Manager, Financial Services, dated November 6, 2017.

Motion

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

Area A

\$1,000 Columbia Basin Environmental Education Network (Wild

Voices for Kids Program)

Area B

\$500 Columbia Basin Environmental Education Network (Wild

Voices for Kids Program)

Area E

\$1,000 Ladies Aid – Malakwa Thrift Store (Dangerous tree removal)

Area F

\$1,500 Seymour Arm Snowmobile Club (Trail maintenance).

8.2 Town of Golden/Electoral Area 'A' Shared Services Discussion Paper dated November 2017 from CSRD Chief Administrative Officer

67

Resolution to receive Discussion Paper and to authorize CSRD CAO to further negotiate with the Town of Golden for a Shared Services Agreement between the Town and the rural tax papers of Electoral Area A.

Motion

THAT: the Discussion Paper dated November, 2017 entitled “CSRD - An approach to sharing the cost of services provided by the Town of Golden that benefit the population extending beyond its boundaries in Electoral Area A”, be received for information;

AND FURTHER THAT: the Board authorize the CSRD Chief Administrative Officer to negotiate on behalf of the Regional District with the representatives of the Town of Golden for a shared services agreement between the Town and the rural taxpayers of Electoral Area A in order to establish a service bylaw, subject to Board approval.

8.3 Revelstoke and Area B Emergency Management Agreement

89

Report from Darcy Mooney, Manager of Operations Management, dated November 6, 2017. Agreement extension provisions for Emergency Management Services from the City of Revelstoke to Electoral Area B.

Motion

THAT: the City of Revelstoke be provided notice that Electoral Area B is amenable to receive emergency management services until December 31, 2018 at the same terms and conditions as outlined in the Revelstoke/Electoral Area B Emergency Management Agreement, set to expire on December 31, 2017;

AND THAT: upon expiration of the Revelstoke/Electoral Area B Emergency Management Agreement on December 31, 2018, the Board is amenable to a one year extension of services, based on the mutual agreement by the Columbia Shuswap Regional District and the City of Revelstoke on or before June 30, 2018.

Motion

THAT: the Emergency Response Centre Lease Agreement between the Columbia Shuswap Regional District and the City of Revelstoke, which expired on May 31, 2016, be renewed for the term commencing March 1, 2017 until December 31, 2018 with provisions for a one year extension, based on mutual agreement by the Columbia Shuswap Regional District and the City of Revelstoke on or before June 30, 2018;

AND THAT: the City of Revelstoke be directed to pay all outstanding lease fees for the leased space at the Revelstoke Airport owed to the Columbia Shuswap Regional District by December 31, 2017

8.4 Electoral Area C Community Works Fund – Energy Efficient Upgrades for the Tappen/Sunnybrae Fire Hall. 92

Report from Derek Sutherland, Team Leader, Protective Services, dated November 6, 2017. Authorization to access the Community Works Fund monies from the Electoral Area C allocation for the Tappen/Sunnybrae Fire Hall.

Motion

THAT: in accordance with Policy No. F-3 “Community Works Fund - Expenditure of Monies” access to the Community Works Fund be approved for up to \$12,500 plus applicable taxes from the Electoral Area C Community Works Fund allocation for energy efficient upgrades at the Tappen/Sunnybrae Fire Hall.

8.5 Swanson Road Park Development 95

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

Letter to the Minister of Transportation and Infrastructure seeking a review and support for CSRD development plans for a community park at Swanson Road in Electoral Area E.

Motion

THAT: the Board request the Minister of Transportation and Infrastructure review and make a decision on the CSRD's comprehensive park concept plan submitted application to develop a portion of Swanson Road in Electoral Area E for a community park under the CSRD's current Licence of Occupation issued by the Ministry of Transportation and Infrastructure.

9. Administration Bylaws

9.1 Director Remuneration Bylaw No. 5730

99

Report from Jodi Pierce, Manager, Financial Services, dated November 6, 2017.

Motion

THAT: "Director Remuneration Bylaw No. 5730" be read a first, second and third time this 16th day of November, 2017.

Motion

THAT: "Director Remuneration Bylaw No. 5730" be adopted this 16th day of November, 2017.

9.2 Cedar Heights Waterworks Service Bylaw No. 5764

111

Report from Jodi Pierce, Manager, Financial Services dated November 2, 2017. Proposed amendment to Cedar Heights Waterworks Service Bylaw No. 5362 to increase the maximum tax requisition.

Motion

THAT: "Cedar Heights Waterworks Service Amendment Bylaw No. 5764" be read a first, second and third time this 16th day of November, 2017.

9.3 Nicholson Fire Suppression Service Amendment Bylaw No. 5763

115

Three Readings given to Bylaw No. 5763 on October 19, 2017

- For consideration of adoption.

Motion

THAT: the Nicholson Fire Suppression Service Amendment Bylaw No. 5763 be adopted this 16th day of November, 2017.

10. IN CAMERA

Motion

THAT: pursuant to Sections 90(1)(a) (g) and (i):

(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;

(g) litigation or potential litigation affecting the regional district;

(i) the receipt of legal advice that is subject to solicitor-client privilege, including communications necessary for that purpose,

of the Community Charter, the Board move In Camera.

DEVELOPMENT SERVICES

11. Business General

- None.

12. ALR Applications

- None.

13. Directors' Report on Community Events

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

ELECTORAL AREA DIRECTORS

14. Business by Area

- None.

15. Planning Bylaws

15.1 **Electoral Area B: Electoral Area B Zoning Bylaw Amendment (Siewwright)
Bylaw No. 851-11**

119

Report from Candice Benner, Development Services Assistant, dated October 31, 2017.

4785 Airport Way, South Revelstoke

Motion

THAT: "Electoral Area B Zoning Bylaw Amendment (Sievwright) Bylaw No. 851-11" be read a first time this 16th day of November, 2017.

Motion

THAT: the Board utilize the simple consultation process for Bylaw No. 851-11, and it be referred to the following agencies and First Nations:

- Area 'B' Advisory Planning Commission;
- Interior Health Authority;
- Ministry of Transportation and Infrastructure;
- Ministry of Environment;
- Ministry of Forests, Lands and Natural Resource Operations;
- Ministry of Forests, Lands and Natural Resource Operations – Water Rights Branch;
- Ministry of Forests, Lands and Natural Resource Operations, Archaeology Branch;
- CSRD Operations Management;
- CSRD Financial Services;
- City of Revelstoke;
- All relevant First Nations Bands and Councils.

15.2 Electoral Area C: South Shuswap Zoning Amendment (CSRD) Bylaw No. 701-86

137

Report from Candice Benner, Development Services Assistant, dated October 31, 2017.

An amendment to address third party advertising signs for Cedar Heights Community Association and Sorrento Memorial Hall.

Motion

THAT: third reading as amended given to "South Shuswap Zoning Amendment (CSRD) Bylaw No. 701-86", on July 20, 2017 be rescinded this 16th day of November, 2017.

Motion

THAT: "South Shuswap Zoning Amendment (CSRD) Bylaw No. 701-86", be amended this 16th day of November, 2017:

1. To include a Changeable Copy Sign definition; and
2. To include hours of operation in the General Regulations.

Motion

THAT: "South Shuswap Zoning Amendment (CSRD) Bylaw No. 701-86", be read a Third Time as amended, this 16th day of November, 2017.

15.3 Electoral Area C: South Shuswap Zoning Amendment (Ron Lindblad) Bylaw No. 701-89 185

Report from Dan Passmore, Senior Planner, dated October 11, 2017.
#1 to #6, 1541 Blind Bay Road, Blind Bay.

Motion

THAT: "South Shuswap Zoning Amendment (Ron Lindblad) Bylaw No. 701-89" be read a first time this 16th day of November, 2017,

AND THAT: the Board utilize the simple consultation process for Bylaw No. 701-89, and it be referred to the following agencies and First Nations:

- Area C Advisory Planning Commission;
- Interior Health Authority;
- Ministry of Environment;
- Ministry of Forests, Lands, Natural Resource Operations and Rural Development;
- Ministry of Forests, Lands, Natural Resource Operations and Rural Development – Archaeology Branch;
- CSRD Operations Management; and
- All relevant First Nations.

15.4 Electoral Area C: Lakes Zoning Amendment (Gray-Ulry) Bylaw No. 900-22 268

Report from Jennifer Sham, Planner, dated October 24, 2017.
3965, 3967, 3970 & 3972 Sunnybrae-Canoe Point Road, Sunnybrae

Motion

THAT: "Lakes Zoning Amendment (Gray-Ulry) Bylaw No. 900-22" be read a first time this 16th day of November, 2017;

AND THAT: The Board utilize the simple consultation process for Bylaw No. 900-22 and it be referred to the following agencies and First Nations:

- Advisory Planning Commission C;
- Interior Health Authority;
- Ministry of Environment;
- Ministry of Forests, Lands, Natural Resource Operations and Rural Development;
- Ministry of Forests, Lands, Natural Resource Operations and Rural Development – Archaeology Branch;
- Department of Fisheries and Oceans;
- FrontCounterBC;
- Transport Canada;
- CSRD Operations Management;
- CSRD Financial Services; and,
- All relevant First Nations Bands and Councils.

15.5 Electoral Area D: Salmon Valley Land Use Amendment (674816 BC LTD.) Bylaw No. 2558

300

Report from Jennifer Sham, Planner, dated October 25, 2017.
Highway 97, Falkland

Motion

THAT: "Salmon Valley Land Use Amendment (674816 BC LTD.) Bylaw No. 2558" be read a second time this 16th day of November, 2017.

Motion

THAT: a public hearing to hear representations on "Salmon Valley Land Use Amendment (674816 BC LTD.) Bylaw No. 2558" be held;

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

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

- 15.6 Electoral Area D: Ranchero / Deep Creek Official Community Plan Bylaw Amendment (CSRD) No. 750-02 & Ranchero / Deep Creek Zoning Bylaw No. 751** 336
- Report from Jan Thingsted, Planner, dated November 2, 2017.
Ranchero/Deep Creek
- Motion**
THAT: "Ranchero / Deep Creek Official Community Plan Amendment (CSRD) Bylaw No. 750-02" be read a second time, as amended, this 16th day of November, 2017.
- Motion**
THAT: "Ranchero / Deep Creek Zoning Bylaw No. 751" be read a second time, as amended, this 16th day of November, 2017.
- Motion**
THAT: the Board direct staff to hold an open house to present Bylaw No. 750-02 and Bylaw No. 751.
- 15.7 Electoral Area D: Ranchero/Deep Creek Land Use Amendment (Linda Parker) Bylaw No. 2133** 530
- Report from Dan Passmore, Senior Planner, dated October 26, 2017.
5192 Highway 97B, Ranchero
- Motion**
THAT: the Board receive this report regarding proposed Bylaw No. 2133, for information and consider new information from the applicant in relation to the July 20, 2017 resolution.
- Motion**
THAT: the Board set a new deadline of December 20, 2017 for submission of the required hydrogeological assessment in order to consider delegation of a Public Hearing for proposed Bylaw No. 2133.
- 15.8 Electoral Area E: Lakes Zoning Amendment (Layden) Bylaw No. 900-19** 573
- Report from Christine LeFloch, Development Services Assistant, dated October 17, 2017.
655 Swanbeach Road, Swansea Point
- Motion**
THAT: "Lakes Zoning Amendment (Layden) Bylaw No. 900-19" be considered for third reading this 16th day of November, 2017.
- Motion**
THAT: "Lakes Zoning Amendment (Layden) Bylaw No. 900-19" be considered for adoption this 16th day of November, 2017.

15.9 Electoral Area F: Scotch Creek/Lee Creek Zoning Amendment (Ted & Lucille Tash) Bylaw No. 825-37 629

Report from Dan Passmore, Senior Planner, dated October 25, 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 third time this 16th day of November, 2017.

Motion

THAT: Scotch Creek/Lee Creek Zoning Amendment (Ted & Lucille Tash) Bylaw No. 825-37, be adopted this 16th day of November, 2017.

15.10 Electoral Area F: Lakes Zoning Amendment (Meadow Creek Properties Park Association) Bylaw No. 900-9 686

Report from Dan Passmore, Senior Planner, dated September 12, 2017
5140 Squilax-Anglemont Road, Magna Bay.

Motion

THAT: "Lakes Zoning Amendment (Meadow Creek Properties Park Association) Bylaw No. 900-9", be given no further readings this 16th day of November, 2017.

16. Release of In Camera Resolutions

Property Purchase – Bristow Road:

THAT: the following resolution adopted at the September 21, 2017 In Camera meeting of the CSRD Board be authorized for release from In Camera, after the closing date of the property purchase agreement:

"THAT: the Board empower the authorized signatories to enter into a Purchase Agreement with Gordon and Patricia Robertson for two properties totaling 1.08 acres in size, legally described as Lot 2 and Lot 3, Section 9, Township 23, Range 10, W6M, KDYD, Plan 4002, located at 1946 Bristow Road in Celista, BC for a total cost of \$1,125,000, plus applicable taxes and associated fees, in order to develop a waterfront park and boat launch. The acquisition will take place on November 1, 2017."

MEETING CONCLUSION

17. Upcoming Meetings/Events

17.1 Area C Parks Advisory Committee Meeting

Thursday, November 16, 2017 at 7:00 PM.
Sunnybrae Community Hall, 3595 Sunnybrae Canoe Point Road

17.2 Area F Parks Advisory Committee Meeting

Wednesday, November 22, 2017 at 2:00 PM.
Scotch Creek Community Hall, 3852 Squilax Anglemont Road

17.3 Area D Parks Advisory Committee Meeting

Monday, November 27, 2017 at 7:00 PM.
CSRD Boardroom, 555 Harbourfront Drive NE, Salmon Arm, BC

17.4 Area A Local Advisory Committee Meeting

Tuesday, November 28, 2017 at 6:00 PM.
Golden & District Centennial Arena, 1410 9th Street South, Golden, BC

18. Next Board Meeting

Friday, December 1, 2017 at 9:30 AM, CSRD Boardroom, 555 Harbourfront Drive NE, Salmon Arm, BC.

19. Adjournment

Motion

THAT: the regular Board meeting of November 16, 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: October 19, 2017
 Time: 8:30 AM
 Location: CSRD Boardroom, 555 Harbourfront Drive NE, Salmon Arm

Directors Present

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

Staff

C. Hamilton	Chief Administrative Officer
L. Shykora	Deputy Manager, Corporate Administration Services
J. Pierce	Manager, Financial Services
D. Mooney	Manager, Operations Management
B. Van Nostrand	Team Leader, Environmental Health Services
R. Nitchie	Team Leader, Community Services
G. Christie	Manager, Development Services
C. Paiement	Team Leader, Development Services
D. Passmore	Senior Planner
J. Sham	Planner
J. Graham	Executive Assistant/Asst. Deputy Corporate Officer

*Attended part of meeting only.

1. Call to Order

The Chair called the meeting to order at 8:30 AM.

Chair Martin spoke to the passing of John Coulson. Condolences were expressed by Chair Martin and Director Talbot. Great appreciation was conveyed for his care of the community and passion working as a member of many committees over the years.

Chair Martin attended an Interior Health meeting recently and reported on their presentation on the opiate crisis. She encouraged fellow Directors to speak on this topic in their communities.

2017-1001

Moved By Director Morgan

Seconded By Director Talbot

THAT: the Board convene as the Committee of the Whole, this 19th day of October, 2017.

CARRIED

2. Committee of the Whole: Policy Session**2.1 Policy Session Update - 2017**

Report from Charles Hamilton, Chief Administrative Officer, dated October 10, 2017.

The Chief Administration Officer and the Managers of Development Services, Finance and Operations reviewed the report contained on the Committee of the Whole portion of the Agenda. Board members provided comments and posed questions that were responded to by the CAO and Department Managers.

The summary discussion was relative to:

Development Services:

- Flood hazard area land use amendments were released by the BC Ministry of Environment. These updates will be included in the Area E Official Community Plan. Zoning bylaws will not be affected.
- Building Inspection Bylaw timelines information included in item 11.1.

Finance:

- Disposal Policy and Administrative Rates and Charges Bylaw - to be updated.
- Director Remuneration Bylaw – upcoming CRA changes were discussed - all per diems are taxable starting January 1, 2019.
- The CAO spoke to the process to date for the Director Remuneration review and proposed that the Manager of Finance draft a new recommendation to be brought forward at the November Regular Board meeting, with an additional review possible after the 2018 election to consider the CRA changes.
- Additional discussion and questions arose from this recommendation:
 - The Chair proposed that the additional Vice Chair stipend be deducted from the Chair stipend.
 - Director Flynn and Director Eliason suggested that any new proposal should not be considered until after the election.
 - Director Demenok, Director Morgan, Director Cathcart support CAO proposal.

Operations Management:

- Reviewed policies and bylaws completed to date since last session.
- Upcoming bylaws and policies - dog control and tipping fees amending bylaws, asset management policy, Revelstoke Airport rates and fees Bylaw, and a flooding policy to more clearly identify the Regional District role.

Corporate Administration:

- Reviewed policies and bylaws completed to date since last session.
- Upcoming - changes to election bylaw as the 2018 election will be held in October instead of November. Records management policy and social media policy.
- Communications strategy in progress. Discussion of whether this should be high level or more day to day requirements. Currently taking an incremental approach with annual report and more public outreach programs and employing a de-centralized model with current staffing.

- Discussion on CSRD Board orientation – Directors would like a communications module included in the orientation as well as media training.
- General support for policy sessions.

Director Moss joined the meeting at 9:02 AM.

2017-1002

Moved By Director Morgan

Seconded By Director Talbot

THAT: it be recommended to the Board that the Policy Session Update 2017 Report dated October 10, 2017 from the Chief Administrative Officer, be received this 19th day of October, 2017.

CARRIED

2017-1003

Moved By Director Morgan

Seconded By Director Talbot

THAT: it be recommended to the Board that a 2018 Policy Update Session be scheduled on the June, 2018 Regular Board agenda, and that a more comprehensive policy session take place as part of the new CSRD Board orientation in latter 2018/early 2019.

CARRIED

2017-1004

Moved By Director Morgan

Seconded By Director Talbot

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

CARRIED

3. Board Meeting Minutes

3.1 Adoption of Minutes

2017-1005

Moved By Director Parker

Seconded By Director Cathcart

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

CARRIED

3.2 Business Arising from the Minutes

See Item 7.3.

ADMINISTRATION

5. Correspondence

5.1 Franklin Engineering (August 1, 2017)

Letter from Mike Casol of Franklin Engineering requesting the \$650 fee for Development Variance Permit for 3700 Sunnybrae-Canoe Point Road be waived.

See Item 14.1

Staff responded to questions from the Board. Staff did not recommend waiving fee.

2017-1006

Moved By Director McKee

Seconded By Director Eliason

THAT: the request of Mike Casol, Franklin Engineering asking for waiver of the \$650 application fee for Development Variance Permit, 3700 Sunnybrae-Canoe Point Road, be denied, this 19th day of October, 2017.

CARRIED

5.2 Ministry of Municipal Affairs and Housing (October 17, 2017)

Letter from Marijke Edmonson, Director, Governance and Structure Branch, regarding the 2016 Census impact on the Columbia Shuswap Regional District Board composition and voting strength. Changes effective November 1, 2017.

2017-1007

Moved By Director Talbot

Seconded By Director Morgan

THAT: the correspondence contained on the October 19, 2017 regular Board agenda be received for information.

CARRIED

6. Reports

6.1 Shuswap Economic Development Committee Meeting Minutes - September 7, 2017

2017-1008

Moved By Director Flynn

Seconded By Director Parker

THAT: the minutes of the September 7, 2017 Shuswap Economic Development Committee meeting be received for information.

CARRIED

6.2 Shuswap Tourism Committee Meeting Minutes - September 7, 2017

20174-1009

Moved By Director Flynn

Seconded By Director Parker

THAT: the minutes of the September 7, 2017 Shuswap Tourism Committee meeting be received for information.

CARRIED

6.3 Revelstoke and Area Economic Development Commission Meeting Minutes - September 13, 2017

2017-1010

Moved By Director Parker

Seconded By Director Cathcart

THAT: the minutes of the September 13, 2017 Revelstoke and Area Economic Development Commission meeting be received for information.

CARRIED

6.4 Committee of the Whole Recommendations (Item 2.1 Above)

2017-1011

Moved By Director Parker**Seconded By** Director Cathcart

THAT: the Board endorse the recommendations of the Committee of the Whole regarding the policy session, this 19th day of October, 2017.

CARRIED**6.5 UBCM 2017 Conference**

Outcome of CSRD Resolutions submitted to UBCM:

- B31 Forest Stewardship Plans – Request for Improved Consultation
- Endorsed
- B68 Dock & Buoy Regulations - Endorsed
- C5 Regulation of Small On-farm Breweries and Meaderies - Not Admitted for Debate.

Verbal Update on Ministerial Meetings at UBCM Conference:

Minister of Municipal Affairs and Housing re: Area C Governance Study Findings and Recommendations: Request funding support to undertake a formal restructure study for Electoral Area C of the CSRD 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.

Minister of Energy, Mines and Petroleum Resources - Request: Allow Seymour Arm Electrification Project to Proceed.

Minister of Forests, Lands, Natural Resource Operations and Rural Development & Public Safety and Solicitor General – Emergency Planning/Preparedness – (Importance of Dialogue with New Government), Request:

1. Rapattack fire base, Salmon Arm, housing onsite for personnel be maintained for Salmon Arm & region;
2. Advocate for continued support for emergency planning readiness / resources;
3. Advise emergency situations in CSRD/restrict access to back country, etc.

Directors discussed the conference:

Generally felt that the UBCM conference went well. The Ministries were interested and relationships with Ministry staff were reinforced.

6.6 Fraser Basin Council, Thompson Regional Committee Meeting Minutes - October 10, 2017

The minutes were circulated to the Board for information.

7. Business General

7.1 Fire Services Policy Update

Report from Darcy Mooney, Manager, Operations Management, dated October 6, 2017.

Policy update for the Fire Services function.

2017-1012

Moved By Director Morgan

Seconded By Director Talbot

THAT: the Board endorse the amendment to Policy No. W-9 "Appointment of Fire Chiefs" and approve its inclusion into the CSRD Policy Manual.

CARRIED

7.2 Fire Services Command Vehicle Purchase

Report from Derek Sutherland, Team Leader, Protective Services, dated October 5, 2017.

Fire Services Command Vehicle purchase and internal borrowing approval.

2017-1013

Moved By Director Morgan

Seconded By Director Talbot

THAT: WHEREAS section 377 (3) of the Local Government Act and section 189 (4.1) and (4.2) of the Community Charter permit a Regional District to lend money from a reserve fund for one service to a reserve fund for a different service;

NOW THEREFORE be it resolved that:

1. As needed during the 2017 financial year, the Board authorize the CSRD to borrow up to \$70,000 from the pooled capital reserve funds of the Fire Department Funds, to complete the purchase of a new Fire Services Command Unit in accordance with the Five Year Financial Plan, with total repayment of interest and principal to the contributing reserve funds within five (5) years; and
2. Principal will be repaid to the respective Reserve Funds annually upon receipt of the annual tax requisition and interest will be paid from Function 046 – Regional Fire Services on a monthly basis.

CARRIED

7.3 Business Arising from September 21, 2017 Regular Board Meeting:

Verbal report on Administration meeting with Ministry of Municipal Affairs and Housing staff at the UBCM 2017 Conference regarding Funding Request for Restructure Planning Grant – Community Needs Assessment – Electoral Area F.

- Draft letter of request attached
- Request for resolution of support from Board.

2017-1014

Moved By Director Morgan

Seconded By Director Talbot

THAT: the Board endorse the letter dated October 20, 2017 to Minister of Municipal Affairs Selena Robinson re: Request for Restructure Planning Grant Funding Electoral Area F, CSRD – Community Issues Assessment;

FURTHER: that the Board support a restructure planning grant application to the Minister of Municipal Affairs and Housing in the amount of up to \$40,000 for a community issues assessment project in Electoral Area F of the CSRD, to be cost-shared by the CSRD with a contribution of up to \$20,000;

AND FURTHER THAT: the Board direct staff to consult with Ministry of Municipal Affairs staff in the development of a Terms of Reference that establishes the scope and objectives for a Community Issues Assessment for Electoral Area F.

CARRIED

Discussion on the Motion:

Director Morgan reported on the meeting with Ministry of Municipal Affairs and Housing staff. Spoke to the support he felt was communicated and encouraged the Board to endorse the correspondence and restructure planning grant application.

7.4 Feasibility Study Funding for CP Rail Corridor Project

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

Requesting additional feasibility study funds be allocated to complete due diligence for proposed purchase of CP Rail Trail.

2017-1015

Moved By Director Rysz

Seconded By Director McKee

THAT: the Board approve an additional \$20,000 from the Regional Feasibility Study Fund to cover due diligence costs related to the potential acquisition of the CP Rail Corridor.

CARRIED

7.5 Organics Diversion Strategy Implementation Update

Report from Ben Van Nostrand, Team Leader, Environmental Health Services, October 10, 2017. Progress update on the implementation of the Organics Management Strategy and request for waiving of the tipping fee on mixed loads of refuse containing food waste.

2017-1016

Moved By Director Eliason

Seconded By Director McKee

THAT: the Board authorize the geographical area where commercially generated food waste is considered a marketable resource to be Salmon Arm, Sicamous, Electoral Area D and Electoral Area C;

AND THAT: the Board reduce the tipping fee on mixed loads of commercially generated refuse containing food waste from \$160 per tonne to the refuse rate of \$80 per tonne until July 2018 in order to conduct comprehensive consultation with all affected commercial business owners;

AND FURTHER THAT: the Board direct staff to provide an update to the Board at the regularly scheduled June 2018 Board meeting on the consultation efforts and the readiness of the commercial sector to divert food waste for composting.

CARRIED

Discussion on the Motion:

The Team Leader of Environmental Health Services responded to questions from the Board. Confirmed that education program is currently in progress. Discussion around different issues affecting each municipality and the strategies being initiated in response.

4. Delegations

4.1 10:00 AM: Ministry of Forests, Lands and Natural Resource Operations & Rural Development

Mr. Andrew Walker, Wildlife Biologist from the Ministry of Forests, Lands and Natural Resource Operations & Rural Development in attendance to present a proposal to prohibit the use of motor vehicles in the alpine area (Above 1700m) in the Joss-Tsuius Mable-Mountain area. Maps highlighting proposed area is attached.

*Presentation attached to the Late Agenda.

A PowerPoint presentation outlined:

The importance of restricted use of motor vehicles in the alpine area in the Joss-Tsuius Mable Mountain area is needed to limit the disturbance on wildlife habitat. This is the only viable grizzly bear population in this area, and it is also home to caribou and mountain goats.

This proposal has been submitted to Victoria, however the consultation component is outstanding.

Andrew Walker responded to questions and comments from the Directors. He confirmed that:

- Communications and meetings have been held with many user groups to date and that more are planned.
- There will be enforcement with new ticketing program and support from user groups.

- This restriction of motor vehicles will not include winter activities such as snowmobiles and will allow motor vehicles on existing forest service roads.

Phil McIntyre Paul spoke on behalf of the Shuswap Trail Alliance (STA) and confirmed participation in public consultation. The next STA roundtable meeting will include this topic. The working group is very supportive of protecting the habitat and wildlife in this area as well as some identified areas in North Shuswap.

2017-1017

Moved By Director Flynn

Seconded By Director Demenok

THAT: the CSRD Board supports in principle, the restriction of motor vehicles in the alpine area (above 1700m) in the Joss Tsuius Mable Mountain area, however, encourages comprehensive public consultation;

AND THAT: a letter be written to the Ministry of Forests, Lands and Natural Resource Operations & Rural Development supporting in principle, the restriction of motor vehicles, exempting snowmobiles, in the alpine area (above 1700m) in the Joss Tsuius Mable Mountain area.

CARRIED

Discussion on the motion:

Many Directors voiced support however, there was a strong consensus that communications and outreach should include the general public as well as user groups and clubs. It was also communicated that these restrictions should not impact winter activities.

7. Business General

7.6 Request for Board Resolution in Support for City of Revelstoke - Municipal and Regional Tax (MRDT) - Hotel Room Tax

- Brought forward by Director Parker.

2017-1018

Moved By Director Parker

Seconded By Director McKee

THAT: As recommended by the City of Revelstoke Director of Economic Development and as recommended by the Revelstoke and Area Economic Development Commission, the CSRD Board provide a letter of support to the City of Revelstoke to endorse the City's application to the Municipal and Regional Tax (MRDT) - "Hotel Room Tax" to renew the MRDT at a rate of 2% for a further five year term.

CARRIED

8. Business by Area

Director Talbot declared a conflict of interest due to his family member's involvement with the Sunday Morners Club and excused himself from the meeting at 10:52 AM.

8.1 Grant-in-Aids

Report from Jodi Pierce, Manager, Financial Services dated October 6, 2017.

2017-1019

Moved By Director Cathcart

Seconded By Director Parker

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

Area A

\$1,500 Golden Agricultural Society (Halloween Hunted Trail)

Area C

\$3,000 Sorrento Memorial Hall (Community Get-Together)

Area D

\$5,000 Sunday Morners Club of Falkland and District (Hall Renovations)

\$1,700 Salmon Valley Senior's Branch #107 (Water Improvements)

\$3,000 Silver Creek Fire Department Social Club (Halloween Event)

Area E

\$1,000 Malakwa Fire Department (Halloween Event)

\$300 Sicamous Seniors Activity Centre ("Chairobics" Equipment)

\$3,500 Cambie Community Hall Association (Insurance and Propane)

Area F

\$1,950 Lakeview Community Centre Society (Remembrance Day Event).

CARRIED

Director Talbot rejoined the meeting at 10:54 AM.

8.2 Nicholson Fire Suppression Service Area Amendment

Report from Darcy Mooney, Manager, Operations Management, dated October 15, 2017. Nicholson Fire Suppression Service Area Amendment.

2017-1020

Moved By Director Cathcart

Seconded By Director Parker

THAT: "Nicholson Fire Suppression Service Area Amendment Bylaw No. 5763", be read a first, second and third time this 19th day of October, 2017.

CARRIED

8.3 Golden/Area A EOF Application – Golden Visitors Centre

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

Requesting \$300,000 from the Golden and Area A Economic Opportunity Fund to help fund improvements to the Golden Visitors Centre.

2017-1021

Moved By Director Cathcart

Seconded By Director Flynn

THAT: with the concurrence of the Electoral Area A Director, the Board approve funding from the Golden and Area A Economic Opportunity Fund to the Town of Golden in the amount of \$300,000 to help fund improvements to the Golden Visitors Centre, subject to receipt of the 2018 Payment-in-Lieu of Taxes from BC Hydro.

CARRIED

Discussion on the Motion:

Director Cathcart expressed support, however would like to look at other options such as surplus funds from the Golden Area Initiative group. Additionally, the old building will possibly be sold if the crown lease can be purchased.

8.4 Area B Fire Services Update

Report from Darcy Mooney, Manager, Operations Management, dated October 17, 2017. Update on the negotiations with the City of Revelstoke regarding the Area B Fire Suppression Agreement.

*Replacement Board Report attached to the Late Agenda.

The Manager of Operations presented report and encouraged the Board to endorse alternate recommendation #1.

2017-1022

Moved By Director Parker

Seconded By Director Eliason

THAT: the Board request the City of Revelstoke Council amend its resolution adopted at the December 6, 2016 Regular Council Meeting and extend the termination date for an additional 12 months to December 31, 2018 for the existing Fire Protection Service Agreement between the CSRD and the City of Revelstoke, in order to provide time for the CSRD to consult with Electoral Area B property owners within the Service Area and to review the outcome of the Area B South Revelstoke Diagnostic Inventory on Governance, Land Use and Service Delivery.

DEFEATED

2017-1023

Moved By Director Parker

Seconded By Director Eliason

THAT: the CSRD Board request that the City of Revelstoke Council consider a new one or two year interim agreement that would have the CSRD provide for and implement a financial model to purchase a water tender over the longer term, and in the interim subsidize the CoR's water shuttling capability with the supply of contracted water hauling resources, and address apparatus needs in the BC Hydro draw-down lands;

Amendment

2017-1024

Moved By Director McKee**Seconded By** Director Talbot

AND FURTHER THAT: the CSRD draft an interim agreement which addresses the City of Revelstoke's concerns on liability issues.

VOTE ON AMENDMENT – CARRIED**VOTE ON MOTION AS AMENDED - CARRIED**Discussion on the Motion:

The Manager of Operations responded to questions by Directors:

Staff have spent many months to try to come to new negotiations. Many negotiation points have been made to date.

BC Hydro has confirmed a donation of \$50,000 for equipment for draw down lands in the event of a new contract between the City and the CSRD.

Suggested that there are no other options for fire service in that area.

The CAO commented that good progress has been made and staff are confident that an agreement can be reached but not by December 31, 2017. Staff felt they had received assurances at the City of Revelstoke June 20, 2017 Committee of Whole that service would not be terminated on that date if a new agreement was not reached.

Question on how much insurance rates increase and how much is 160% in dollar amount for each residence. Inquired about PILT money.

Manager of Finance answered: cost is an additional \$400 per year for each residence. PILT money has been contributed to capital costs each year. Commented that currently a water tender is budgeted in the City financial plans. Currently there is no capital reserve bylaw for this area.

Comments by Director Parker on process:

- Has been disappointed with process to date. Area B residents have been contributing to capital property purchases to date. Concerned that City Council will not support the new resolution and Area B residents will not have fire suppression service.

- In closing, Director Parker noted that the CSRD approached the City to update the agreement and that the Electoral Area has no say in capital purchases or budget. She is hoping there is an agreement that is fair.

Comments by Director McKee on process:

- Stated that the bottom line is that a new agreement needs to be made as the current agreement was made 37 years ago and the liability issues are not addressed. Agrees that the City is best choice to provide fire services to these residents. A water tender is needed to service this area.
- Director McKee supports the amended resolution and would like to continue good relationship, does not support terminating fire suppression services to the area.

8.5 Area C Parks Maintenance Agreement Extension

Report from Darcy Mooney, October 13, 2017. Area C Parks Maintenance Agreement Extension R.B.W Forestry and Landscaping

2017-1025

Moved By Director Demenok

Seconded By Director Cathcart

THAT: the Board empower the authorized signatories to extend the existing Electoral Area C Parks Maintenance Agreement with R.B.W Forestry and Landscaping Company for an additional 12 month term from November 1, 2017 expiring on October 31, 2018 for the maintenance of twenty (20) parks within Electoral Area C for the equivalent remuneration rates as the 2016/2017 maintenance season.

CARRIED

9. Administration Bylaws

9.1 Fire Services Operational Criteria Bylaw No. 5587

Cross reference Item No. 7.2 - Report from Operations Manager regarding Policy No. W-9, Fire Chief Appointment Process.

2017-1027

Moved By Director Demenok

Seconded By Director Cathcart

THAT: Fire Service Operational Criteria Bylaw No. 5587 and its amendments be repealed, this 19th day of October, 2017.

CARRIED

9.2 2017 Five Year Financial Plan Amendment Bylaw No. 5760

Report from Jodi Pierce, Manager, Financial Services dated October 9, 2017

2017-1028

Moved By Director Flynn

Seconded By Director Parker

THAT: "2017 Five Year Financial Plan Amendment Bylaw No. 5760" be read a first, second and third time this 19th day of October, 2017.

CARRIED

2017-1029

Moved By Director Flynn

Seconded By Director Parker

THAT: "2017 Five Year Financial Plan Amendment Bylaw No. 5760" be adopted this 19th day of October, 2017.

CARRIED

9.2 Annis Bay Fire Suppression Service Area Establishment Bylaw No. 5758

Director Martin thanked the District of Sicamous for agreeing to provide fire suppression to Annis Bay.

2017-1030

Moved By Director Rysz

Seconded By Director McKee

THAT: the "Annis Bay Fire Suppression Service Area Establishment Bylaw No. 5758" be adopted this 19th day of October, 2017.

CARRIED

9.4 Building Inspection Area F Service Area Establishment Amendment

Report from Lynda Shykora, Deputy Manager, Corporate Services, dated October 16, 2017.

Bylaw to amend building inspection service Bylaw No. 570 and its amendments.

2017-1031

Moved By Director Morgan

Seconded By Director Talbot

THAT: "Building Inspection Service Area Amendment Bylaw No. 5761" be read a first, second and third time this 19th day of October, 2017.

CARRIED

9.5 Building Inspection Areas B and E Service Area Establishment

Report from Lynda Shykora, Deputy Manager, Corporate Services, dated October 16, 2017.

Bylaw to establish a building inspection service area in Electoral Area B and Electoral Area E.

Director Parker and Director Martin have consented.

2017-1032

Moved By Director Morgan

Seconded By Director Talbot

THAT: "Sub-Regional Building Inspection Service Area Establishment Bylaw No. 5762" be read a first, second and third time this 19th day of October, 2017.

CARRIED

7. Business General - continued**7.2 Fire Services Command Vehicle Purchase**

Director Flynn declared a conflict of interest due to his business relationship with Salmon Arm GM and excused himself from the meeting at 11:55 AM.

2017-1026

Moved By Director Morgan

Seconded By Director Talbot

THAT: the Board empower the authorized signatories to enter into a Purchase Agreement with Salmon Arm GM for the acquisition of a 2017 Chevy Silverado pick-up truck for use as a Fire Services Command Vehicle

CARRIED

Director Flynn rejoined the meeting at 11:58 AM.

DEVELOPMENT SERVICES

11. Business General

11.1 Proposed Building Bylaw No. 660 Timelines

Report from Gerald Christie, Manager Development Services, dated October 19, 2017.

Timelines for the establishment of proposed Building Bylaw No. 660 to implement Building Regulation in Electoral Areas B, E and the existing service area of Electoral Area F.

The Manager of Development Services responded to questions and comments from the Directors.

- March 5, 2018 will be effective date of new regulatory bylaw for Electoral Areas B, E and F. For the existing service area in Area F the inspection service level will increase from level 3 to 6.
- Communications will begin on the new Bylaw so the areas included will be well informed.

2017-1033

Moved By Director Morgan

Seconded By Director Talbot

THAT: the Board receive the report of Gerald Christie, Manager Development Services dated October 19, 2017 re: Proposed Building Bylaw No. 660 Timelines, for information.

CARRIED

10. IN CAMERA

2017-1034

Moved By Director Morgan

Seconded By Director Talbot

THAT: pursuant to Sections 90(1)(a)(e)(i) and (j):

(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;

(i) the receipt of advice that is subject to solicitor-client privilege, including communications necessary for that purpose;

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

of the Community Charter, the Board move In Camera.

CARRIED

The meeting adjourned to a closed session at 12:05 PM

The meeting reconvened to an open session at 12:30 PM

Director Moss, Director McKee, Director Rysz, Director Eliason and Director Flynn left the meeting at 12:30 PM

ELECTORAL AREA DIRECTORS

14. Business by Area

14.1 Electoral Area C: Development Variance Permit No. 641-30 (Franklin)

Report from Jennifer Sham, Planner, dated September 26, 2017.

3700 & 3710 Sunnybrae-Canoe Point Road, Sunnybrae

The applicant was not in attendance

2017-1035

Moved By Director Demenok

Seconded By Director Cathcart

THAT: in accordance with Section 498 of the Local Government Act, Development Variance Permit No. 641-30, for Remainder Lot 1, Section 2 and 11, Township 21, Range 10, West of the 6th Meridian, Kamloops Division Yale District, Plan KAP82925, varying Schedule "A" – Levels of Service of Subdivision Servicing Bylaw No. 641, as amended, to allow a

subdivision which would create a fee simple lot (Remainder Lot 1) with a parcel size of 0.729 ha serviced by a community water system and an on-site sewerage disposal system, as shown on Schedule B, be approved for issuance this 19th day of October, 2017.

CARRIED

14.2 Electoral Area C: Form and Character Development Permit DP 725-121 (Shuswap Lake Estates)

Report from Dan Passmore, Senior Planner, dated September 22, 2017.
Golf Course Drive, Blind Bay, BC.

The applicant was not in attendance.

2017-1036

Moved By Director Demenok

Seconded By Director Cathcart

THAT: in accordance with Section 490 of the Local Government Act Development Permit No. 725-121 for subdivision of Lot A, Section 8, Township 22, Range 10, West of the 6th Meridian, Kamloops Division Yale District, Plan EPP74639 (PID: 030-217-679), be issued this 19th day of October, 2017.

CARRIED

ELECTORAL AREA DIRECTORS

14. Business by Area

14.3 Electoral Area F: Form and Character DP 830-218 (Leopold Developments Ltd.)

Report from Dan Passmore, Senior Planner, dated September 11, 2017.
3810 Kenwood Gate, Scotch Creek.

The applicant was not in attendance.

The CSRD received no comments or submissions on the issuance of this development permit.

2017-1037

Moved By Director Morgan

Seconded By Director Talbot

THAT: in accordance with Section 490 of the Local Government Act Development Permit No. 830-218 for proposed construction of a 446 m² (4,800 ft²) new building on Lot C, Section 33, Township 22, Range 11, West of the 6th Meridian, Kamloops Division Yale District, Plan KAP728 (PID: 025-598-422), be issued this 19th day of October, 2017.

CARRIED

14.4 Electoral Area F: Temporary Use Permit No. 830-4

Report from Dan Passmore, Senior Planner, dated September 29, 2017. 3810 Kenwood Gate, Scotch Creek.

The applicant was not in attendance.

2017-1038

Moved By Director Morgan

Seconded By Director Talbot

THAT: in accordance with Section 493 of the Local Government Act, Temporary Use Permit No. 830-4 for the property at 3810 Kenwood Gate to be used for industrial purposes as a manufacturing and assembly facility to manufacture and assemble docks, dock anchors, buoy anchors, and water treatment systems on Lot C, Section 33, Township 22, Range 11, West of the 6th Meridian, Kamloops Division Yale District, Plan KAP72803 (PID: 025-598-422), be issued this 19th day of October, 2017.

CARRIED

15. Planning Bylaws

15.1 Electoral Area C: Lakes Zoning Amendment (Finz Resort Ltd.) Bylaw No. 900-21

Report from Dan Passmore, Senior Planner, dated August 9, 2017. 2001 Eagle Bay Road, Blind Bay.

The applicant was in attendance.

2017-1039

Moved By Director Demenok

Seconded By Director Cathcart

THAT: "Lakes Zoning Amendment (Finz Resort Ltd.) Bylaw No. 900-21" be read a second time this 19th day of October, 2017)

CARRIED

2017-1040

Moved By Director Demenok

Seconded By Director Cathcart

THAT: a public hearing to hear representations on Lakes Zoning Amendment (Finz Resort Ltd.) Bylaw No. 900-21 be held;

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

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

CARRIED

15.2 Electoral Area F: Official Community Plan Amendment (Isley) Bylaw No. 830-18, Magna Bay Zoning Amendment (Isley) Bylaw No. 800-30

Report from Dan Passmore, Senior Planner dated September 29, 2017. 6929 Squilax-Anglemont Road and 2556 McClaskey Road, Magna Bay.

The applicant was not in attendance.

2017-1041

Moved By Director Morgan

Seconded By Director Talbot

THAT: "Electoral Area F Official Community Plan Amendment (Isley) Bylaw No. 830-18" be read a second time this 19th day of October 2017;

CARRIED

2017-1042

Moved By Director Morgan

Seconded By Director Talbot

THAT: "Magna Bay Zoning Amendment (Isley) Bylaw No. 800-30" be read a second time, as amended, this 19th day of October, 2017;

CARRIED

2017-1043

Moved By Director Morgan

Seconded By Director Talbot

THAT: a public hearing to hear representations on Electoral Area F Official Community Plan Amendment (Isley) Bylaw No. 830-18 and Magna Bay Zoning Amendment (Isley) Bylaw No. 800-30 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.

CARRIED

16. Release of In Camera Resolutions

The following resolutions were authorized for release from the October 19, 2017 In Camera (closed) meeting of the Board:

Appointment to Electoral Area D Advisory Planning Commission:

THAT: the Board appoint Stephanie Lafazanos to the Electoral Area D and E Advisory Planning Commission;

AND FURTHER THAT: the resolution be authorized for release from the Closed (In Camera) portion of the meeting.

Agreement – Landscape Architecture and Engineering Consulting Services:

THAT: the Board empower the authorized signatories to enter into an agreement with McElhanney Consulting Services Ltd. for landscape architecture and engineering consulting services for a two year term commencing November 1, 2017 and expiring on October 31, 2019;

AND THAT: the resolution be authorized for release from In-Camera (Closed) portion of the meeting.

Property Acquisition MattersMounce Property – Salmon Arm Landfill Expansion:

THAT: the Board empower the authorized signatories to extend the acquisition date to June 30, 2018 on the Purchase Agreement with Mounce Construction Ltd. for a 20 acre parcel of land located at 2750 40 Street SE in Salmon Arm, BC for the amount of \$750,000 plus applicable taxes in order to expand the Salmon Arm Landfill site, subject to the property being successfully rezoned to comply with the City of Salmon Arm's Official Community Plan;

AND THAT: the resolution and associated Board Report from Ben Van Nostrand, Team Leader, Environmental Health Services, dated October 12, 2017 re: Update on the Purchase Agreement for the Mounce Property located adjacent to the Salmon Arm Landfill, be authorized for release from the In-Camera (Closed) portion of the meeting, this 19th day of October, 2017.

Abandoned CP Rail Corridor – Sicamous to Armstrong:

THAT staff be directed to advise Canadian Pacific Railway Company that pursuant to section 4.1 of the contract of purchase and sale the following four conditions precedent are hereby waived:

- (1) The Purchasers being satisfied, in their sole and absolute discretion, with the results of their due diligence investigations with respect to the Property, the Assumed Contracts and the Permitted Encumbrances;
- (2) The Purchasers shall have secured financing and an agreement amongst participating members on participation and cost recovery mechanisms, including securing a commitment of a capital contribution of a minimum of 1/3 of the Purchase Price from senior levels of government;
- (3) The Purchasers shall have received, reviewed and approved the Property Report referred to in Section 3.3 herein;
- (4) The Purchasers shall have received approval from the electors of all participating members and, if required by law, the Province for incurring the liability to pay the Purchase Price hereunder.

THAT the Chair and the CAO are hereby authorized to execute any further documents that may be required to implement this waiver.

THAT: WHEREAS section 377 (3) of the Local Government Act and section 189 (4.1) and (4.2) of the Community Charter permit a Regional District to lend money from a reserve fund for one service to a reserve fund for a different service;

NOW THEREFORE be it resolved that:

1. As needed during the 2017 financial year, the Board authorize the CSRD to borrow from the pooled capital reserve funds to complete the purchase of the CP Rail Trail property in accordance with the Offer to Purchase Agreement as approved by the Board, with total repayment of interest and principal to the contributing reserve funds within five (5) years; and

Principal will be repaid to the respective Reserve Funds upon receipt of the proceeds from long-term borrowing pursuant to Bylaw No. 5756.

THAT, if approved, the Board authorize the release of the resolutions pertaining to the Abandoned CP Rail Corridor from Sicamous to Armstrong from the Closed (In Camera) meeting this 19th day of October 2017.

19. Adjournment

2017-1044

Moved By Director Morgan

Seconded By Director Cathcart

THAT: the regular Board meeting of October 19, 2017 be adjourned at 1:54 PM.

CARRIED

CHAIR

CHIEF ADMINISTRATIVE OFFICER



Citizens for Safe Technology

ACTION REQUIRED: Microcell Resolution & Notice of Wireless Harm

Dear Mayors and Councillors,

At last month's UBCM, BC municipalities voted in favour of a Resolution mandating that land use authorities and the public be consulted when microcells are placed within 100 metres of schools, hospitals, and residences. This requested change to existing policy closes a federal loophole that allows microcells to be placed on existing structures with no public consultation whatsoever. Over the next several months, the FCM (*Federation of Canadian Municipalities*) will be discussing the content of the UBCM resolution with the federal government.

Microcell placement and municipal rights is a hot topic. While some individuals perceive microcells as benign or even benevolent transmitters that are essential to improving connectivity and achieving economic prosperity, a growing number of civic leaders are concerned about the many issues arising from installing microcells in the public right of way. (See Section 3: **Why Local Governments are Concerned about Microcells** below.) On October 15th 2017, SB 69 - a bill giving telecoms free rein to install microcells on California rights of way, [which 300 Californian cities opposed](#) - was vetoed by state Governor Jerry Brown.

High-speed connectivity is not dependent on microcells. Safe and data-secure technological options are available. (See Section 4: **Tech-Wise-Solutions for Connectivity** below.)

The material below summarizes the concerns about microcells and outlines important actions you may take **now** to insure that as a local government you are as fully engaged as current federal policy allows in the placement of microcells in your community.

Suggested Approach:

- 1) Put the brief **Notice of Wireless Harm** in Section 2 below on the agenda of your next council meeting.
- 2) Review all permits, antenna siting policies, and agreements currently in place between your government and telecommunication companies. (See Section 5: **Action Check List** below.)
- 3) Take a few moments to read the material below so that you may make informed telecommunications decisions. This letter and that material are also attached as a PDF,

With Best Wishes,

Citizens for Safe Technology
cst.citizensforsafetechnology@gmail.com

Section 1: Overview

The Resolution that was passed:

WHEREAS public consultation on the placement of cell towers is mandated; and

WHEREAS new technology is moving away from these large towers to micro-transmitters which do not require local government or public consultation;

THEREFORE BE IT RESOLVED that the AKBLG request the UBCM petition relevant provincial and federal governments to mandate consultation with the land use authorities and the public regarding microcell transmitter siting within 100 metres of residences, schools and hospitals.

Why this Resolution Matters

ISED (*Innovation, Science and Economic Development*, formerly *Industry Canada*) allows microcells, or small cell antennas, to be placed on existing structures without any public input or often knowledge. In their 2014 [Guide to](#)

[Assisting Land-Use Authorities in Developing Antenna Siting Protocols](#), Industry Canada makes an assumption that: “certain proposals ... have minimal impact on the local surroundings and so are excluded from public and land-use consultations.”

The UBCM’s support for the microcell placement resolution shows that ISED has underestimated and overlooked the impact microcells have on municipalities and their residents.

Section 2: Microcells - Notice of Wireless Harm

Although there is no scientific research proving microcells are safe, the widespread installation of microcell technology is based on the misconception that wireless transmitters cause no harm. [Thousands of independent scientific studies](#), however, link the RFR (radiofrequency radiation) microcells emit to increased cancer risk, neurological disorders, and infertility. Even low levels of RFR exposure over time have been linked to adverse effects on plants and [insects, especially pollinators](#)

- As of October 2017, 235 scientists from 41 countries have signed the [International EMF Scientists Appeal](#) urging world leaders to “protect mankind and wildlife from the dangers of EMFs and wireless technology.”

ISED says microcells are safe as long as they comply with Health Canada’s Safety Code 6. Health Canada, however, continues to ignore the non-thermal effects of artificial electromagnetic frequencies as well as the science which shows that exposure to these frequencies, [even at levels lower than those deemed safe by Safety Code 6](#), cause potential biological harm.

- On September 28, 2014, over [50 Canadian physicians](#) condemned Safety Code 6. On July 9, 2014, [fifty-three scientists from eighteen countries](#) called on Health Canada to intervene to “help avoid an emerging health crisis.”

Microcells are establishing the infrastructure for “5G” (fifth generation) technology which the telecom industry is poised to install across the nation.

“5G” microwave frequencies have never been independently tested to prove they will not cause adverse biological and/or health effects. By allowing telecoms to install microcells, local governments currently have no recourse over how many transmitters are placed and if these microcells will be used to transmit “5G.”

- On Sept. 13, 2017, over 180 scientists from 35 countries sent a [declaration to the European Commission](#) calling for a moratorium on the rollout of microcell transmitters and “5G” saying that fifth generation technology “could lead to tragic, irreversible harm”

In 1998, Canada adopted the Wingspread Precautionary Principle, which states: “When an activity raises threats of harm to human health or the environment, precautionary measures should be taken, even if some cause and effect relationships are not fully established scientifically.”

Rethinking the indiscriminate installation of microcells in our communities supports this principle and protects local governments from being liable for damage and injury resulting from wireless harm.

Section 3: Why Local Governments are Concerned about Microcells

- **Public and Environmental Health and Safety** - as discussed in the above **Microcells - Notice of Wireless Harm**
- **Liability**

Once a municipal government has been made aware that microcells may cause personal injury or environmental harm, (the **Notice of Wireless Harm** above informs you of this) permitting microcell transmitters to be installed in your ROWs may be deemed an act of negligence, and you may be held liable for any environmental damage or personal injury resulting from this equipment having been installed. Telecommunication workers (“linemen”) are at particular risk.

In 2013, the *CRTC* and the *FCM* established this liability criterion in their **Model Municipal Access Agreement**, which may be downloaded here: <http://crtc.gc.ca/cisc/eng/ciscmanu.htm>.

- **Local Authority & Urban Planning**

The [Antenna Siting Systems Protocol Template](#) developed in 2013 by the FCM and the *Canadian Wireless Telecommunications Association* (CWTA) offers municipalities examples of how they may add their input to antenna siting in their communities, specifying design preferences, for instance, or naming preferred and discouraged locations for antenna siting. However, once a land use authority gives its permission for microcells to be installed, telecommunication companies have the final say in where microcells are placed.

This Lack of Local Authority over microcells negatively impacts:

- **Public Health and Safety** Transmitters in the public right of way are affecting pole integrity, creating increased distraction for drivers, and causing sidewalk and roadway crowding.
- **Urban Planning:** There is no limit to the number of small cells allowed per property, and no consideration for competing demands, noise, size, lighting, design, or fiscal impacts.
- **Aesthetics & Property Values:** Universal deployment of microcells degrades intentionally designed neighborhoods and historic buildings, and negatively affects property values.
- **The Public's Use and Enjoyment of the ROW:** Street-side gardening, block parties, neighbours visiting across the fence, children riding their bikes on the road by their homes... So many pastimes that add colour to a community and pleasure to life may be curtailed as citizens experience legitimate concern about lingering under the microcells and being exposed to radio frequencies.

Section 4: Tech-Wise - Solutions for Connectivity

Safe and data-secure technological options are available.

For mobile connectivity we could emulate Paris, France's pilot project and install small cells with signals that are adequate for mobile use but do not penetrate buildings or peoples' homes. For home and business internet access, wired networks of fiber optic and Ethernet cables or of fiber optic, copper wire and Ethernet cables (G-Fast) provide safe, fast, reliable, and cyber-secure connection, and will not blemish or obstruct local rights of way.

Section 5: Microcells - Municipal Rights and Responsibilities

Action Check List

- ☐ Have microcells been installed on existing structures in your municipality?
- ☐ If not, do you want to discuss other connectivity options with telecom providers before giving them access to your ROWs?
- ☐ Do you have an Antenna Siting Protocol in place? If so, does it require that notification is required for all new transmitters? If not, consider writing one that does, even for microcells being installed on existing structures.
- ☐ If microcells are installed in your ROWs:
 - ☐ Has written consent been given to the telecom by local land use authorities for each transmitter installed?
 - ☐ Have you asked the company who installed the microcell network for RF exposure level data?
 - ☐ Have you asked this company what strategies they have employed to keep the ambient RF radiation levels in residential areas as low as possible, and what strategies could still be implemented?

- ☐ Have you negotiated a Municipal Access Agreement with the telecom who has installed these microcells?
- ☐ Has the telecom submitted detailed before and after plans to your municipal engineer for each microcell installation?

The Model Municipal Access Agreement and You

The **Model Municipal Access Agreement** negotiated between the CRTC and the FCM in 2013 (<http://crtc.gc.ca/cisc/eng/ciscmanu.htm>) defines the parameters of local governments' current rights and responsibilities in relation to microcell placement. Most significantly:

1. **Consent:** Pursuant to section 43 of the Telecom Act a company must have a municipality's written consent prior to constructing equipment within the ROW.
2. **Permits:** Work within the ROWs by the company is subject to the authorization requirements established by the municipality. Municipalities determine if permits are required for each and every microcell.
3. **Plans:** Unless otherwise agreed to by the municipality, prior to installing microcells the company must submit the following to the municipal engineer:
 - Construction plans of the proposed work showing the locations of the proposed and existing equipment and other facilities, and specifying the boundaries of the area within the municipality within which the work is proposed to take place;
 - And
 - All other relevant plans, drawings and other information as may be normally required by the municipal engineer from time to time for the purposes of issuing permits.
4. **Refusal to issue Permits.** In case of conflict with any *bona fide* municipal purpose, including reasons of public safety and health and conflicts with existing infrastructure, the municipality may request amendments to the plans provided by the company or may choose to refuse to issue a permit.

5. **Utility co-ordination committee.** The company shall participate in a utility co-ordination committee established by the municipality and contribute to its equitable share of the reasonable costs of the operation and administration of the committee as approved by such committee.
6. **“As-built” drawings.** The municipality may request that, no later than a given number of days after completion of any work, the company shall provide the municipal engineer with accurate “as-built” drawings sufficient to accurately establish the plan, profile, and dimensions of the equipment installed within the ROWs.
7. **Liability.** The municipality is responsible for any damage to the natural environment and any injury to any person arising from the presence of electromagnetic radiation in connection with the company’s use of the ROWs if such damage was caused directly or indirectly, in whole or in part, by the negligence of the municipality.



City of Revelstoke

P.O. Box 170, Revelstoke, British Columbia V0E 2S0

revelstoke.ca

October 27, 2017

Chair Rhona Martin and the Board of Directors,
Columbia Shuswap Regional District
555 Harbourfront Drive N.E.,
Salmon Arm, B.C.
V1E 3M1

<input type="checkbox"/> CAO <input type="checkbox"/> Works <input type="checkbox"/> DS <input type="checkbox"/> Fin/Adm	<input checked="" type="checkbox"/> Agenda <input checked="" type="checkbox"/> Reg Board <input type="checkbox"/> In Camera <input type="checkbox"/> Other Mtg	Ownership: File # 72003501
OCT 27 2017		
<input type="checkbox"/> Eco 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"/> Mailbox	Ack Sent: <input type="checkbox"/> Fax <input type="checkbox"/> Mail <input type="checkbox"/> Email

VIA Regular Mail and
Email: chamilton@csrd.bc.ca and lshykora@csrd.bc.ca

Director
Parker
Chair Martin
via email.
Done

Dear Chair Martin and Board of Directors

RE: CSRD Area B Rural Fire Protection Services

At a Regular Meeting of City of Revelstoke Council held on Tuesday, October 24, 2017 the following resolutions were approved:

THAT the letter, dated October 20, 2017, from the Columbia Shuswap Regional District to Mayor and Council advising of a resolution adopted at a Regular Board Meeting held on October 19, 2017 regarding CSRD Electoral Area B Fire Service Agreement with City of Revelstoke be received.

THAT City staff be directed to prepare a new agreement for the provision of fire protection services to a specified area within Electoral Area B of the Columbia Shuswap Regional District (CSRD) for a one year period (January 1, 2018 until and including December 31, 2018) and remit that to the CSRD for consideration.

THAT the agreement provide that the CSRD provide confirmation to the City of its ability to provide an acceptable water tender for use by the City to supplement water supply in areas without fire hydrants or year-round access to static water sources necessary to provide adequate response to protect property and persons in the fire service area and our Revelstoke firefighters by June 30, 2018 and said tender is supplied to the City before December 31, 2018 or the agreement will not be renewed or extended. That the agreement include a provision that if a water tender is provided by December 31, 2018 the agreement would be extended for a further four (4) years.

DEVELOPMENT
SERVICES

(250) 837-3637
development@revelstoke.ca

PUBLIC WORKS

(250) 837-2001
works@revelstoke.ca

FINANCE

(250) 837-2161
finance@revelstoke.ca

FIRE RESCUE
SERVICES

(250) 837-2884
fire@revelstoke.ca

PARKS, RECREATION
& CULTURE

(250) 837-9351
prc@revelstoke.ca

CORPORATE
ADMINISTRATION

(250) 837-2911
admin@revelstoke.ca

COMMUNITY
ECONOMIC DEVELOPMENT

(250) 837-5345
ced@revelstoke.ca

THAT the funding formula in the new agreement be on the basis of 112.50% of hospital converted value of land and improvements in the rural service area and 100.00% of general converted value of land and improvements in the City.

THAT the motion be amended to change the funding formula in the new agreement be on the basis of 110% of hospital converted value of land and improvements in the rural service area and 100.00% of general converted value of land and improvements in the City.

Mayor McKee called the question on the motion as amended.

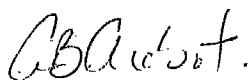
Accordingly, enclosed please find a copy of an agreement that has been amended as directed and approved by City Council for your consideration. The draft agreement requires a current service area map that we would request that your staff provide to us as soon as possible to append to the agreement as Schedule "A".

In addition to amending the funding formula in the agreement it has been further amended since it was last provided to your staff, by making the City responsible for any insurance, repairs and on-going maintenance of the RTV and tender (if acquired) in sections 8.2 and 8.3 instead of the CSRD.

In particular, I would ask that the Board approve a motion consenting to the City providing the services set out in the agreement for the Area B rural fire service area and adopting CSRD Area B Rural Fire Protection Services Authorization Bylaw No. 2212.

As you know, a new, modern rural firefighting agreement for rural fire protection is in the best interest of all parties and remains a priority for the City. We look forward to your positive response.

Yours truly,
City of Revelstoke



Allan Chabot, Chief Administrative Officer

Att. CSRD Area B Rural Fire Services Agreement

c. Rob Girard, Revelstoke Fire Chief

CITY OF REVELSTOKE

BYLAW NO. 2212

A bylaw to authorize the provision of fire protection services to the
Fire Protection Service Area within Electoral Area B of the Columbia Shuswap
Regional District

WHEREAS the Columbia Shuswap Regional District Bylaw No. 90 and amendments thereto established the Fire Protection Service Area within Electoral Area B of the Columbia Shuswap Regional District (the “Service Area”);

AND WHEREAS Section 13 of the *Community Charter*, SBC Chapter 26, provides that a municipality may provide a service in an area outside the municipality with the consent of the regional district board for the area and with that consent the municipal powers, duties and functions provided by the *Community Charter* or any other *Act* in relation to the service may be exercised in the area;

AND WHEREAS the Board of the Columbia Shuswap Regional District has consented to the provision of fire protection services in the Service Area on the terms and conditions as set out in the Agreement attached as Appendix “A” hereto;

AND WHEREAS the Council of the City of Revelstoke desires to enter into an agreement with the Columbia Shuswap Regional District under terms and conditions agreed to and set out in the Agreement attached to and forming a part of this Bylaw as Appendix “A”;

NOW THEREFORE, the Municipal Council of the City of Revelstoke, in open meeting assembled **ENACTS AS FOLLOWS:**

1. This Bylaw may be cited for all purposes as the “*CSRD Area B Rural Fire Protection Services Authorization Bylaw No. 2212*”.
2. The Mayor and the Corporate Officer are hereby authorized to execute the Agreement which is attached to and forms a part of this Bylaw as Appendix “A”.
3. The City of Revelstoke will provide fire protection services in the Service Area in accordance with the Agreement which is attached to and forms a part of this Bylaw as Appendix “A”.

READ A FIRST TIME THIS ____ DAY OF _____, 2017.

READ A SECOND TIME THIS ____ DAY OF _____, 2017.

READ A THIRD TIME THIS ____ DAY OF _____, 2017.

ADOPTED BY CITY COUNCIL THIS ____ DAY OF _____, 2017.

Director of Corporate Administration

Mayor

Certified a true copy, this ____ day of _____. _____.

THIS AGREEMENT dated for reference the day of , 2017.

BETWEEN:

COLUMBIA SHUSWAP REGIONAL DISTRICT, a Regional District pursuant to the *Local Government Act*, RSBC 1996, Chapter 323 with a place of business at 555 Harbourfront Drive N.E., Salmon Arm, B.C. V1E 3M1.

(the “CSRD”)

OF THE FIRST PART

AND:

CITY OF REVELSTOKE, a Municipality incorporated pursuant to Letters Patent issued pursuant to the laws of the Province of British Columbia, and having a place of business at 216 Mackenzie Ave, Revelstoke, BC V0E 2S0

(“the City”)

OF THE SECOND PART

WHEREAS:

- A. CSRD Bylaw No. 90 and amendments thereto, established the Fire Protection Service Area within Electoral Area B to provide Fire Protection Services on a contract basis within the Service Area (the “Service Area”), the Service Area being more particularly set out in Schedule “A” hereto;
- B. The CSRD is authorized to make agreements respecting the undertaking, provision and operation of local government services;
- C. The City is authorized to enter into agreements for the furnishing of Fire Protection Services outside of the municipality, and the City has adopted Bylaw No. 2212 which authorizes entering into a fire protection service agreement with the CSRD;
- D. The consent of the CSRD is required to provide Fire Protection Services within the Service Area and this Agreement shall be deemed to be consent of the CSRD to provide such service;

NOW THEREFORE THIS AGREEMENT WITNESSES that in consideration of the money hereinafter agreed to be paid by the CSRD to the City, the parties hereto agree as follows:

1. DEFINITIONS

In this Agreement the following expressions will have the meanings herein assigned to them.

- 1.1 **Fire Department** means Revelstoke Fire Rescue Services operated by the City of Revelstoke.
- 1.2 **Fire Protection Services** means fire protection and associated services including:
 - a) Fire Suppression;
 - b) Highway and Road Rescue

and such other services as may be agreed to between the Parties.

- 1.3 **Service Area** means those areas within 60 metres of roads outlined in red and on Schedule “A” attached to and forming part of this Agreement.

Notwithstanding the foregoing, nothing in this agreement shall require or obligate the City or its Fire Department to provide fire suppression services to any forested or grassland area in the CSRD.

2. SERVICES AND AREA

- 2.1 The City agrees to provide Fire Protection Services within the Service Area PROVIDED THAT the level of fire suppression service shall not include or require City firefighting or rescue personnel to enter any building or structure within the Service Area.
- 2.2 The Service Area and level of fire suppression services may only be expanded or altered by further agreement of the parties.

3. TERM OF AGREEMENT

- 3.1 The term of this Agreement shall commence upon 1st day of January, 2018, and this Agreement shall be fully ended and complete, except as set forth herein, on the 31st day of December, 2018, Provided That in the event that the CSRD complies with Article 8.2 and 8.3 herein, the term of this Agreement shall be extended to the 31st day of December, 2022, and shall be fully ended and complete on that date

4. FIRE PROTECTION SERVICES

- 4.1 The City shall provide Fire Protection Services within the Service Area on a 24-hour basis using such equipment from such location as the City shall deem appropriate provided by career, paid on call or volunteer firefighters, as determined by the City Fire Chief or Officer or Incident Commander, as defined by the City of Revelstoke Bylaw No. 1722.
- 4.2 The number of firefighters and type of apparatus and equipment deemed necessary to provide adequate Fire Protection Services to be dispatched for any particular incident shall be at the sole discretion of the City Fire Chief or Officer or Incident Commander.
- 4.3 If the City Fire Department is attending a fire within the Service Area and another emergency arises which requires more urgent resources of the Fire Department, it will be at the sole discretion of the City Fire Chief or Officer or Incident Commander to remain at the fire or to abandon fighting the fire and attend the more urgent emergency. The City shall not be held liable in any manner whatsoever in the event that the City Fire Chief or Officer or Incident Commander decides to abandon fighting any fire within the Service Area to attend another emergency.
- 4.4 Fire Protection Services provided by the City will be dependent on the operating condition and spacing of fire hydrants and or the water available at the site of the fire. Neither the City nor its Fire Department shall be responsible for testing and maintenance of the water systems servicing the Service Area, except where the City operates the water system. Under no circumstances shall the City or its Fire Department be liable in any manner whatsoever with regard to the availability, or lack thereof, of sufficient water to fight any fire.
- 4.5 Where hydrants are available, and operated by a third party, the CSRD shall be responsible for providing the City with annual records of fire hydrant flushing, maintenance, and flow testing in accordance with S. 6.6.4 of the British Columbia Fire Code.

5. ACCESSIBILITY

- 5.1 The City Fire Department may not respond to areas where access routes do not provide:
 - (a) a minimum of 6 meters width, clear of any obstruction, sufficient curves and corners, sufficiently cleared of snow, to enable safe passage of emergency response vehicles;
 - (b) overhead clearances of not less than 6 meters;
 - (c) a road gradient of less than 1 in 12.5, except for short distances not to exceed 15 metres;
 - (d) access routes with sufficient load bearing capacity to support firefighting equipment, including bridges, culverts and other structures; or

- (e) turn-around facilities for any dead-end portion of the access route more than 90 meters.

6. **LIABILITY**

- 6.1 Neither the City nor its Fire Department will incur any liability for damage to property or buildings arising from its action, or inaction, to suppress or reduce the spread of fire.

7. **LEVEL OF SERVICE**

- 7.1 The City shall provide a level of Fire Protection Service to the Service Area as set out in Articles 4 and 5, except as limited by the availability of fire hydrants and as excepting as set out in 2.1 of this agreement.

8. **EQUIPMENT**

- 8.1 In providing the Fire Protection Services under this Agreement, the City covenants to provide and maintain, at their cost, all equipment deemed necessary by the City.
- 8.2 The CSRD shall acquire a 3000 gallon water tender, that is deemed acceptable by the Fire Department, necessary to provide Fire Protection Services to the portions of the Service Area not serviced by fire hydrants. The City shall be responsible for any insurance, repairs and on-going maintenance of the 3000 gallon water tender. Evidence of acquisition of the 3000 gallon water tender by the CSRD shall be provided to the City on or before June 30th, 2018, and the 3000 gallon water tender delivered to the City prior to December 31st, 2018.
- 8.3 The CSRD shall acquire a Utility Task Vehicle (UTV) or Rough Terrain Vehicle (RTV) with fire suppression skid and equipment, that is deemed acceptable by the Fire Department, that enables the City to provide fire suppression services in the area known as the “BC Hydro draw down zone”, and other similar areas. The City shall be responsible for any insurance, repairs and maintenance of the UTV or RTV and related fire suppression equipment. Delivery of the UTV or RTV and related fire suppression equipment shall be made on or before April 1, 2018. Until delivery of such UTV or RTV, with fire suppression skid and equipment, the City shall have no obligation to provide fire suppression services to the BC Hydro draw down zone.

9. **PAYMENT FOR SERVICES**

- 9.1 For the purpose of this Agreement, “converted value of land and improvements” means the respective jurisdiction’s immediate preceding year’s class factors applied to current year preliminary 100% assessments, i.e., the City uses their class multiples and the CSRD uses provincial class multiples.
- 9.2 The CSRD covenants to pay the City for the services, a sum calculated as the CSRD’s proportionate share of operating and capital expenses according to the following formula, but not to exceed \$1.35 per \$1,000 on 100% assessment in the Service Area:

$$d = c \times \frac{a \times 1.110}{a + b}$$

where “a” is the hospital converted value of land and improvements for properties in the Service Area;

where “b” is the general converted value of land and improvements for the City;

where “c” is the City’s current year’s provisional budget operating and capital expenses for the Fire Protection Services, plus over/under adjustments for the immediately preceding year based on the:

- (a) actual audited costs for the Fire Protection Services;
- (b) revised assessment roll;
- (c) actual Municipal and Provincial class multiples.

For the purposes of this clause, “capital expenses” shall mean:

- (a) the annual contribution to an equipment reserve fund;

- (b) actual expenditures for other firefighting equipment;
- (c) actual expenditures for fire hall equipment;
- (d) repairs and upgrades to fire halls.

where “d” is the calculated proportionate share of expenditures for the Service Area.

- 9.3 No later than February 1 of each year, for the term of this Agreement, the CSRD shall provide the City with assessment totals, separated by assessment class, of all properties situated within the Service Area. The aforementioned totals shall be extracted from the preceding year's revised assessment roll as at March 31 and the current year's completed assessment roll.
- 9.4 No later than March 1 of each year, for the term of this Agreement, the City shall invoice the CSRD for the Fire Protection Services. This shall be the amount calculated as “d” in Section 10.2 of this Agreement. The CSRD shall pay said invoice by August 1 in each year, for the term of this Agreement.
- 9.5 In addition to the foregoing payments, and Articles 9.2 and 9.3 of this Agreement, the CSRD shall pay to the City, within 30 days of being presented with an invoice:
- a. The fees that may be specified by City Bylaw No. 2008 from time to time for responding to false alarms;
 - b. the costs of repairing or replacing any City equipment damaged when responding to a fire in the Service Area, when such damage is not the result of any act or omission of the City or its personnel.
- 9.5 The payment for services as set forth in this Agreement shall be in addition to, and not included within, or in substitution of, any other payments made by the CSRD to the City for services supplied or made available to residents of the CSRD by the City.

10. MAPPING

- 10.1 The CSRD shall be responsible for providing mapping and indexing to show locations of homes and roads within the Service Area and receiving Fire Protection Services and it shall be the CSRD's responsibility to ensure accuracy and provide updates as new developments occur.
- 10.2 The CSRD shall require that all residential and commercial properties in the Service Area adequately display address numbers that are clearly visible from any fronting road, on a year round basis.

11 INDEMNITY AND INSURANCE

- 11.1 The City will maintain all risk insurance on its major fire equipment.
- 11.2 The City shall ensure that its liability insurance coverage extends to its activities in the Service Area and that the CSRD is included as additional insured.
- 11.3 The City's costs of insurance required under this Agreement shall form part of the City's Fire Protection Services costs.
- 11.4 Both Parties will maintain liability insurance with the Municipal Insurance Association of British Columbia (MIABC). In the event that either Party's policy with MIABC is terminated, the other party may terminate this Agreement, subject to the terms of Section 13. Each Party shall promptly give notice to the other of any termination of their insurance coverage with MIABC.

12. TERMINATION AND AMENDMENT

- 12.1 Either party may terminate this Agreement upon giving notice of its intention to do so, PROVIDED THAT any such notice given shall only be effective on the 31st day of December of any year of this Agreement, and PROVIDED FURTHER that such notice must be given prior to June 30th of such year.

12.2 This Agreement may be amended at the mutual consent of both parties.

**COLUMBIA SHUSWAP REGIONAL)
DISTRICT, Per)**

AUTHORIZED SIGNATORY

AUTHORIZED SIGNATORY _____)

CITY OF REVELSTOKE, Per: _____)

AUTHORIZED SIGNATORY _____)

AUTHORIZED SIGNATORY _____)

SCHEDULE A

MAP OF SERVICE AREA

November 16, 2017

7200 35 01

Mayor Mark McKee and Members of Council
City of Revelstoke
City Hall P.O. Box 170
REVELSTOKE BC
V0E 2S0

Dear Mayor McKee and Members of Council:

Re: CSRD Electoral Area B Rural Fire Protection Services

The CSRD Board of Directors (Board) has received the October 27, 2017 letter from the City of Revelstoke's (City) Chief Administrative Officer, Mr. Chabot with a new one year Fire Service Agreement and Bylaw. The Board has directed that I reply with this letter to the City to the attention of Mayor and Council.

At the outset, the CSRD has been clear with the City that we acknowledge and agree that the existing agreement is outdated and needs to be modernized and in particular, the agreement could be amended to address the risk management concerns which have been raised by the City.

The draft agreement that was recently provided to the CSRD is not acceptable in its current form as a number of issues remain outstanding and the agreement does not reflect the points and concessions that have been mutually agreed to by CSRD and City officials over the past several months.

CSRD staff have attempted to work with City officials in seeking to find a mutually agreeable way to allow for the continuation of this service and effectively address overall concerns and budget implications.

While we had hoped that a flexible and open communication style with an open mind towards compromise would allow us to move forward collaboratively, the response from the City to quickly advance another Agreement without discussion is a concern for the Board. The advancement of another Agreement by the City without discussion does not allow for any meaningful negotiations to take place.

.../2

November 16, 2017

Electoral Area B Rural Fire Protection Services

Page 2

The CSRD Board therefore requests that the City:

1. agree to enter into a binding arbitration process as envisioned in the *Community Charter* to resolve this matter; and
2. provide confirmation that services will not be withdrawn December 31, 2017 so as to allay any concerns by residents in Area B who may be forced into the position of seeking alternative fire protection services if this matter cannot be resolved.

The Board would have preferred that the City recognize the need for further discussion and compromise with the CSRD without simply presenting a draft agreement as was received. At this point, a mutually agreed upon third party dispute resolution process makes the most sense.

Yours truly,

COLUMBIA SHUSWAP REGIONAL DISTRICT

Per:

Charles A. Hamilton
Chief Administrative Officer

cc: Allan Chabot, Chief Administrative Officer, City of Revelstoke
Rhona Martin, Chair, CSRD
Loni Parker, Electoral Area B, CSRD
Darcy Mooney, Manager, Operations Manager, CSRD
Derek Sutherland, Team Leader, Operations Management, CSRD

SILGA



November 1, 2017

CSRD
Box 978, 555 Harbourfront Drive NE
Salmon Arm, BC
V1E 4P1
Attn: Rhona Martin, Chair

Dear Rhona,

Re: Southern Interior Local Government Association (SILGA) 2018 Convention

As a gold sponsor at the 2013 SILGA convention, SILGA would be delighted if the CSRD would consider further sponsorship opportunities for the 11th annual SILGA AGM and Convention being held in Revelstoke from April 24th to 27th, 2018. The conference will be located at the Revelstoke Community Centre.

This annual convention attracts close to 200 elected and appointed officials from all municipalities and regional districts throughout the Southern Interior. SILGA's boundaries extend from Osoyoos in the south, east to Golden, west to Lillooet and north to Clinton and Blue River. The convention is always well attended as SILGA provides educational programs for the elected officials along with the opportunities for networking throughout the three days. The agenda is very busy, but the delegates always have ample time to chat with the sponsors and trade show participants.

SILGA is always looking for new, exciting speakers and/or presentation ideas for our conventions. Do you have a suggestion? Please let us know!

Levels of sponsorship available are as follows:

PLATINUM - \$12,000

- Thursday night Keynote speaker sponsor
- 15 minute presentation time to delegation
- 2 registrations – includes full convention, golf tournament, welcome reception and banquet
- 2 seats at the banquet with the keynote speaker
- Allocated booth space with power supply and signage
- Program, signage, website and video representation

GOLD - \$6,000 (Option 1)

- 10 minute presentation time to delegation
- 2 registrations – includes convention, golf tournament, welcome reception and banquet

Southern Interior Local Government Association
PO Box 27017 Cityview PO
Kamloops, BC V2E 0B2

www.silga.ca
Tel. 250-851-6653
yoursilga@gmail.com

- Allocated booth space with power supply and signage
- Program, signage, website and video representation

GOLD - \$6,000 (Option 2)

- Breakfast roundtable session with delegates
- 2 registrations – includes convention, golf tournament, welcome reception and banquet
- Allocated booth space with power supply and signage
- Program, signage, website and video representation

SILVER - \$4,000 (any one of the following)

- 5 minute presentation time to delegation
- Sponsorship of delegate gift, complete with company logo
- Welcome Reception sponsor
- Name tag sponsor

All Silver sponsorships include

- 1 registration – convention, golf tournament, welcome reception and banquet
- Allocated booth space with power supply and signage
- Program, signage, website and video representation

Bronze - \$2,500 (any one of the following) Includes one complimentary convention registration as well as verbal, website and print acknowledgement.

- Grand prize sponsor
- Registration desk sponsor
- Thursday delegate lunch sponsor
- Banquet wine sponsor
- Plenary session sponsor

Recognition sponsorships - \$1,200 each

- Golf tournament sponsor
- Educational/breakout session(s)
- Speakers' gifts
- Coffee break(s)

Trade Show participant - \$600

- Booth Space with power supply and signage

Thank you,

Alison

Alison Slater
SILGA Executive Director

**Revelstoke and Area
Minutes of the Economic Development Commission
Wednesday, October 4, 2017 at 4:00 p.m.
in the Revelstoke Business and Visitor Information Centre Boardroom,
301 Victoria Road West**

PRESENT: Members Roberta Bobicki, Tracey Buckley, Nathan Weston, Rob Elliott,
Mark Baron, Lisa Longinotto, Kevin Dorrius, Brett Renaud
Staff Nicole Fricot, Director of Community Economic Development
Brooke Burke, Recording Secretary
ABSENT: Robyn Goldsmith, Connie Brothers, Kristina Welch, Loni Parker

1. CALL TO ORDER

Meeting was called to order by chair, Roberta Bobicki at 4:03 pm. Roberta noted there has been some lack of responding to meeting reminder emails. This is important to ensure a quorum is met so that members that have responded to attend do not have to cancel at the last minute.

2. ADOPTION OF AGENDA

Moved by Kevin Dorrius

Seconded by Mark Baron

THAT the agenda be adopted as presented.

CARRIED

3. ADOPTION OF THE MINUTES

Moved by Rob Elliott

Seconded by Kevin Dorrius

THAT the minutes from September 13, 2017 be adopted as presented.

CARRIED

4. BUSINESS ARISING FROM THE MINUTES

Page 3, Item 6a, Sani-Dump Report – Tracey Buckley advised she brought the discussion back to the Chamber Board and they wanted to know why the City felt it was their responsibility to supply this type of service. Tracey wanted to clarify so the information could be taken back to the Chamber. It was noted the sani-dump is for more than just RV's it is used by charter tour buses. Parks Canada does not have one and they receive approximately 700,000 visitors, most of which are driving an RV or have a trailer. Discussion held on possible location.

Action: Roberta Bobicki will draft up a letter on behalf of the Commission requesting the City to find a year round location close to the highway and the importance of having one.

5. NEW BUSINESS

- a) **Revelstoke Destination Tourism Strategy** – Nicole wanted to show the Commission what was being worked on in conjunction with RAA (Revelstoke Accommodation Association). Document is for information and any feedback is welcome. Noted this process was also because the MRDT (Municipal & Regional District Tax) is up for renewal by the end of October 2017. Tourism priorities were reviewed with Commission. Document can be reviewed and feedback sent to Nicole.
- b) **Municipal Alcohol Policy** – Nicole noted the Municipal Alcohol Policy has been referred to a few committees for review and feedback. This policy is specifically for City owned buildings. Discussion around this policy targeting the annual ball tournament held each August, as organizers feel they have little support from the City to keep the tournament going. It was asked why the City needs this policy if they have guidelines already set that are followed.

Moved by Brett Renaud

Seconded by Rob Elliott

THAT the Economic Development Commission does not support this policy as presented the Commission would like more information about why this policy is necessary if they are to support the policy.

CARRIED

7. ACTIVITY REPORT

Nicole asked if the Commission had any questions on the report, no questions asked.

8. ECONOMIC DATA

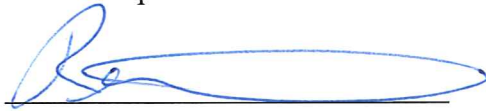
Data was not discussed, group to review on own time. Commission asked when they would see updated information on building permits. It was noted the development services is working on updating the information to present to council towards the end of this year, then it will be brought for review.

9. ADJOURNMENT

Next meeting is November 1, 2017.

Tracey Buckley moved to adjourn meeting at 5:29 pm.

Economic Development Commission Minutes, October 4, 2017

A handwritten signature in blue ink, consisting of a large, stylized 'R' followed by a long, horizontal, slightly wavy line.

Roberta Bobicki, Chair



Council Meeting
October 25th 2017 | 10:00 AM – 3:00 PM
Salmon Arm Municipal Hall – Room #100
500 2nd Avenue NE, Salmon Arm

Draft record of decisions and action items

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

Meeting objectives

1. Presentation of 2016 water quality summary report
2. Discuss and approve Water Quality Contingency Fund Framework
3. Receive presentation on nutrient research
4. Receive presentations and updates on aquatic invasive mussels

Present

Paul Demenok, Chair – Columbia Shuswap Regional District, Area C
 Larry Morgan, Vice Chair – Columbia Shuswap Regional District, Area F
 Rene Talbot – Columbia Shuswap Regional District, Area D
 Rhona Martin – Columbia Shuswap Regional District, Area E
 Rick Berrigan – Thompson-Nicola Regional District, Village of Chase
 Todd Killo – District of Sicamous
 Nancy Cooper – City of Salmon Arm
 Greg Witzky – Secwepemc Nation, Adams Lake Indian Band
 Herman Halvorson – Regional District of North Okanagan, Area F
 Brian Schreiner – Regional District of North Okanagan, City of Enderby (*alternate*)
 Randy Wood – Community representative
 Ray Nadeau – Community representative
 Lorne Hunter – Community representative
 Dennis Einarson – BC Ministry of Environment
 Laura Code – BC Ministry of Agriculture

Erin Vieira and Mike Simpson – Fraser Basin Council

Observers

Clyde Mitchell, Don Patterson, Tod Couch

Regrets

Dave Nordquist
 Representative, Thompson-Nicola Regional District, City of Kamloops

Call to Order The meeting was called to order at 10:00 AM by Chair Paul Demenok.

Adoption of meeting summary Moved/Seconded by Mayor Cooper/Director Talbot that:
The meeting summary of the May 10th 2017 meeting of the SWC be adopted.

CARRIED

Ray Nadeau requested a late agenda item be added to discuss drinking water and turbidity.

Correspondence Referral from the Columbia Shuswap Regional District, dated July 26, 2017, regarding the Adams River Salmon Society (ARSS). The referral includes correspondence from the Society to the CSRD, asking for assistance and a partnership for a Symposium in 2018.

Moved/seconded by Directors Morgan/Talbot that:
The correspondence be received for information.

Discussion

Chair Demenok asked Council members to consider the extent to which the SWC should work with ARSS in delivering a symposium in 2018 coinciding with the peak salmon return.

CARRIED

Action item: staff will invite Dave Smith, vice president of ARSS, to attend the December SWC meeting and a full discussion on a partnership with ARSS can take place.

Report from the Chair Chair Demenok has presented the SWC's annual report to the Salmon Arm, Sicamous, and Village of Chase Councils as well as the TNRD, RDNO and CSRD Boards. The responses have been favourable.

Chair Demenok is also scheduled to present to the Salmon Arm Environmental Advisory Committee in December.

Program Managers' Report

Laura Code entered the meeting at 10:15 am

Erin Vieira and Mike Simpson presented an update on program operations:

- The 2016 Water Quality Summary Report is complete. Print copies have been distributed to government offices, libraries, and visitor centres around the watershed, and an insert was placed in the

September 29th edition of Shuswap Market News; the summary can also be downloaded from www.shuswapwater.ca

- A one-year special monitoring project for nonylphenols is wrapping up this fall on the lake; results will be ready in 2018
- Entered into an agreement with Gardom Lake Stewardship Society for a water quality restoration project; \$10K will be contributed for riparian restoration and the creation of a wetland
- The Water Protection Advisory Committee will next meet in November, the meeting will include a site visit to the Alderson Creek restoration project completed last spring
- Educational campaigns for safe boating and water recreation were implemented from May - September focusing on lifejacket use, sober boating, emergency preparedness, and drowning prevention

Expenses to the end of the second quarter (April 1st to September 30th 2017) are as follows:

	Budget (\$)	Expenses (\$)
Water Monitoring Initiative	66,250	5551
Water Protection Initiative	75,650	57,901
Recreation Safety Education Program	12,800	9478
Communications	34,600	24,968
Management and Administration	41,600	16,348
Operating Reserve	99,014	0
Total expenses to September 30th 2017	329,914	114,246

Discussion

Director Martin inquired about the process for awarding water protection funds (i.e., such as the contribution to the Gardom Lake Stewardship Society) and asked about project criteria. Mike Simpson replied that there are criteria outlined in the SWC's five-year plan, and that staff have kept administration of the \$10K fund minimal.

Chair Demenok commented on the need to raise awareness of the water protection funds and make it accessible to more groups; this may help to catalyze some stewardship activity in new areas.

Randy Wood inquired if the Gardom Lake wetland restoration is linked to invasive species presence or treatment. Mike Simpson replied that the Gardom Lake Stewardship Society has multiple mandates, including invasive species, but that this particular project is meant to polish water quality flowing into Gardom Lake.

Director Martin expressed her support for on-going give-aways such as whistles or bailers to ensure boaters and water recreationists are

prepared.

2016 Water Quality Summary Report

Erin Vieira presented the 2016 Shuswap Water Quality Summary Report which includes select water quality data for the lakes, major rivers and popular beaches, as well informative 'snippets' about the watershed and monitoring programs. Council members provided comments, including positive feedback and some suggestions for subsequent years' summaries.

The 8-page summary is available at www.shuswapwater.ca.

Discussion

Ray Nadeau inquired if cyanobacteria incidents are being reported publically to a satisfactory degree. Dennis Einarson replied that the BC Ministry of Environment is working with the health authorities to develop a protocol.

SWC Water Quality Contingency Fund Framework

Moved/seconded by Director Talbot/Mayor Cooper that:
The Water Quality Contingency Fund Framework be approved.

CARRIED

Roundtable Updates

Vice Chair Morgan reported that there were several delegations and discussions at the recent Union of BC Municipalities Convention regarding aquatic invasive mussels; there was a positive reception to these by the Minister.

Director Halvorson reported that he has requested resources from the BC Ministry of Forests, Lands and Natural Resource Operations for patrolling the Shuswap River. Currently, RDNO has a service for enhanced patrolling that is done by the BC Conservation Service. Proposed boating regulations on the Shuswap River has been a divisive issue. Director Halvorson further reported that the Regional District of North Okanagan is looking into establishing a conservation fund, which could be similar to the South Okanagan Conservation Fund.

Councillor Witzky reported that Skeetchestn Indian Band is developing a Territorial Patrol Initiative; it's proposed that patrols would take place all over Secwepemc territory, with Adams Lake Indian Band's priority for an initial emphasis on the Adams Lake watershed.



Joint meeting of the SWC and the Water Protection Advisory Committee commenced at 12:45pm

Guest Presentation

Jeff Curtis, Megan Ludwig, and Ralph Van Dalfsen joined the meeting at 12:45 pm

Megan Ludwig, M.Sc candidate at UBC-Okanagan, presented an overview and update on the nutrient research project she is conducting on the Shuswap River and Salmon River. A summary of points from her presentation follows:

- The research objective is to obtain a credible understanding of point and diffuse sources of phosphorus and nitrogen, and how the nutrients are being transported to the rivers
- Research methodology includes the collection of water samples (surface water, groundwater, and ditch water) and discharge measurements from several sites on the Shuswap and Salmon Rivers
- Water samples are analyzed for various forms of phosphorus, nitrate, chloride, and other parameters
- Different lab methodologies and assessments can be used to determine the nutrient inputs from the mainstem river, tributaries, and incremental flows (i.e., overland flow and groundwater seepage to the river, not from a tributary)
- Results for July 2016 – June 2017 were presented, which included an overview of the nutrient loading from major point sources, tributaries, and incremental flows for the Shuswap River and Salmon River. In 2016, nutrient inputs via incremental flows were the greatest sources of P and N in the rivers.
- The current year's research will include continued sampling, improving incremental flows estimates, and developing land use coefficients.

Guest Presentation

Martina Beck, Acting Aquatic Invasive Species Coordinator for the BC Ministry of Environment, and Sergeant Josh Lockwood from the BC Conservation Officer Service presented an overview of aquatic invasive mussel defence program operations in 2017. A summary of points from their presentation follows:

- The Province's Invasive Mussel Defence Program includes four components: watercraft inspections; education and outreach; early detection monitoring; and collaboration with other governments and organizations on prevention
- In 2017, 10 watercraft stations were established (up from 8 stations in 2016) including one station at Golden that was open 24 hours/day. The watercraft stations inspected 35,100 watercraft and interacted with over 73,000 people. Inspections detected 24 mussel-fouled

watercrafts.

- A watercraft from Quebec en route to the Shuswap was seized due to the presence of adult mussels, detected by a mussel-sniffing dog. The boat was seized for 30 days and decontaminated, and the owner was issued violation tickets on three counts.
- Compliance at inspection stations is 81%
- Early detection monitoring in BC lakes have all tested negative for invasive mussels to-date; 234 samples were collected from 98 lakes in 2016
- An update on the status of invasive mussels in Montana was provided: In 2016, samples tested 'positive' and 'suspect' at two reservoirs in Montana; follow up sampling in 2017 did not detect any adult mussels or veligers, however the Tiber Reservoir maintains a positive status and the Canyon Ferry Reservoir maintains a suspect status
- The BC/Alberta pilot Passport Program launched in July 2017. Passports were issued to frequent travellers within BC or between BC and Alberta; inspections are faster for passport holders
- Outreach and education efforts include attending several boating and fishing shows, and mail-outs to marinas and boat industry businesses.

Robyn Hooper, Executive Director, and Sue Davies, Aquatic and Outreach Program Coordinator for the Columbia Shuswap Invasive Species Society, presented an overview of their programs in 2017. A summary of their presentation follows:

- 20 sites were monitored for aquatic invasive species by CSISS in 2017; this covers seven priority water bodies
- Outreach/education regarding aquatic invasives and boater surveys were conducted at marinas and launches in the Shuswap; signage has been installed at approximately 20 boat launches
- The partnership between the Okanagan Basin Water Board and the Okanagan and Similkameen Invasive Species Society was highlighted; together, they deliver the "Don't Move A Mussel" and "Clean Drain Dry" campaigns and related activities including planning, coordination, advocacy, and collateral.

Dennis Einarson and Rick Berrigan left the meeting at 2:30 pm

Todd Kylo left the meeting at 2:40 pm

Roundtable Discussion on

Chair Demenok asked Council members to consider what role the Council could fill next year to boost aquatic invasive mussel defence. Randy Wood



Aquatic Invasive Mussels

agreed that the Council has a worthwhile opportunity to be part of prevention efforts. Director Martin suggested a partnership with the marine industry on education and outreach. Laura Code suggested that the Council help distribute some of the existing educational material and resources to improve the reach.

Action item: Council members to consider this, and take part in a work plan discussion for 2018 at the December Council meeting. Chair Demenok offered to discuss opportunities directly with the OBWB.

Nancy Cooper left the meeting at 2:55 pm

Late agenda item: turbidity and drinking water

Ray Nadeau expressed concern over the lack of information on drinking water quality to single domestic users that draw drinking water from the lakes, particularly during times of high turbidity. He inquired about the possibility of including a representative from Interior Health Authority on the Council. Director Martin cautioned about the extra costs of monitoring drinking water. Director Morgan stated that single domestic users draw water from the lakes at their own risk and are responsible for their own treatment and/or monitoring; Interior Health Authority requires treatment and monitoring for "water systems" (two or more domestic users).

Adjourn

Moved/Seconded by Director Morgan/Randy Wood that:
The October 25th 2017 meeting of the SWC be adjourned.

CARRIED

The meeting adjourned at 3:00 pm.



BOARD REPORT

TO:
Chair and Directors
File No: 7200 08

SUBJECT:

CSRD Fire Dispatch Radio Compliance Project Sole Source Request

DESCRIPTION:

Report from Derek Sutherland, Team Leader, Protective Services, dated November 6, 2017. Authorization for the sole source of the CSRD fire dispatch radio compliance project.

RECOMMENDATION:

THAT: the Board empower the authorized signatories to enter into an agreement with Vella Radiolinks Ltd. to complete a fire dispatch radio compliance project for a total cost of \$24,279 plus applicable taxes.

SHORT SUMMARY:

Industry Canada is the regulator of radio communications within Canada. As part of their mandate, they have been auditing current radio licence holders across the country. In the summer of 2017, they completed an audit of the CSRD radio communications system for licensing compliance. The audit revealed several areas where the CSRD was found non-compliant with current radio licensing standards.

VOTING:

 Unweighted
Corporate

☐

 LGA Part 14
(Unweighted)

☐

 Weighted
Corporate

☒

 Stakeholder
(Weighted)

☐
BACKGROUND:

In the summer of 2017, the CSRD radio communications system was audited by Industry Canada for licensing compliance. The audit revealed several areas where the CSRD was non-compliant with current radio licensing regulations. In response, CSRD staff requested Vella Radiolinks Ltd. to develop a scope of work to bring the system into compliance. The project includes documenting the current hardware and radio systems in place, the removal of unnecessary equipment, the update of critical systems as necessary, and system mapping for the fire department communication and repeater sites throughout the CSRD.

POLICY:

In accordance with Policy No. F-32 "Procurement of Goods & Services", Board authorization must be obtained for any sole sourced contract over \$10,000.

FINANCIAL:

The 911 Emergency Communications budget (049) has sufficient resources to accommodate the cost of this project.

KEY ISSUES/CONCEPTS:

As the main service provider of radio communication equipment and service to the CSRD, Vella Radiolinks Ltd. is uniquely positioned to provide the best service to the CSRD for this project. Vella Radiolinks Ltd. has extensive knowledge of the CSRD's radio systems, and has acted as the CSRD representative throughout the Industry Canada audit.

IMPLEMENTATION:

Upon approval, Vella Radiolinks Ltd. will be engaged to carry out this project with completion expected by the end of January, 2018.

DESIRED OUTCOMES:

The Board approve the recommendation to sole source the CSRD radio compliance project to Vella Radiolinks Ltd. of Salmon Arm.

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:	CSRD Fire Dispatch Radio Compliance Project Sole Source Request.docx
Attachments:	
Final Approval Date:	Nov 6, 2017

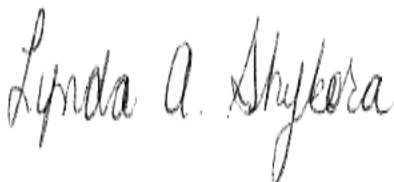
This report and all of its attachments were approved and signed as outlined below:



Darcy Mooney - Nov 6, 2017 - 11:46 AM



Jodi Pierce - Nov 6, 2017 - 1:48 PM



Lynda Shykora - Nov 6, 2017 - 1:55 PM



Charles Hamilton - Nov 6, 2017 - 1:59 PM



BOARD REPORT

TO:
Chair and Directors
File No: 1855 03

SUBJECT:
Community Emergency Preparedness Fund Grant Applications
DESCRIPTION:

Derek Sutherland, Team Leader, Protective Services, dated October 5, 2017. UBCM Community Emergency Preparedness Fund Grant Applications.

**RECOMMENDATION
#1:**

THAT: the Board empower the authorized signatories to apply for a Community Emergency Preparedness Fund Flood Risk Assessment, Flood Mapping & Flood Mitigation Planning grant in the amount of \$149,686 to complete a flood mapping project of Bastion Mountain in Electoral Area C. The CSRD will provide in-house contributions to support the project and overall grant management.

AND THAT: the Board empower the authorized signatories to enter into agreements with Kerr Wood Leidal and Westrek Geotechnical Services Ltd in an amount not to collectively exceed \$149,686 plus applicable taxes subject to the receipt of a CEPF Flood Risk Assessment, Flood Mapping & Flood Mitigation Planning grant for \$149,686.

**RECOMMENDATION
#2:**

THAT: the Board empower the authorized signatories to apply for a Community Emergency Preparedness Fund Emergency Social Services grant in the amount of \$25,000 to support capacity and resiliency building within the Emergency Support/Social Services throughout the region. The CSRD will provide in-house contributions to support the project and overall grant management.

**RECOMMENDATION
#3:**

THAT: the Board empower the authorized signatories to apply for a Community Emergency Preparedness Fund Emergency Operations Centres & Training grant in the amount of \$25,000 to support capacity and resiliency building and strengthen operational efficiencies within the region. The CSRD will provide in-house contributions to support the project and overall grant management.

SHORT SUMMARY:

Staff has been working with consultants from Westrek Geotechnical Services Ltd. and Kerr Wood Leidal (Consultants) to develop grant applications for one time grant opportunities within the Community Emergency Preparedness Fund (CEPF) administered by the Union of BC Municipalities (UBCM).

Staff has identified projects for at least three of the funding streams within the CEPF including a \$150,000 project to complete flood and landslide mapping of areas along Sunnybrae Canoe Point Road (application deadline October 27, 2017); a \$25,000 application to assist in the development of capacity and resiliency building within the Emergency Support Services function (application deadline November

17, 2017) and a \$25,000 application to strengthen capacity, resiliency and efficiency within the Emergency Operations Center (application deadline February 2, 2018).

VOTING:	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 CEPF is a suite of funding programs from the Province intended to enhance the resiliency of local governments and their residents in responding to emergencies. Four funding streams have been developed as part of an overall \$80 million announcement from the provincial Ministry of Transportation and Infrastructure. The funding streams are identified as follows: Flood Risk Assessment, Flood mapping and Flood Mitigation Planning; Emergency Social Services; Emergency Operations Centres and Training; Structural Flood Mitigation. A fifth funding stream, Evacuation Route Planning, is currently under development. Funding for these programs is administered by the UBCM.

POLICY:

A Board resolution supporting the implementation of these emergency management projects indicating a willingness to provide overall support is a requirement of the Community Emergency Preparedness Fund Grant submission.

In accordance with Policy F-32 "Procurement of Goods & Services", Board authorization must be obtained for any sole sourced contract award over \$10,000.

FINANCIAL:

The CEPF grants are 100% funded and although a successful grant application will not create debt on any existing CSRD budget function, significant in-kind contributions, through staff time will be required.

KEY ISSUES/CONCEPTS:

The CSRD should seek financial contributions through the application of grants and other means to increase product output and efficiency.

DESIRED OUTCOMES:

The Board endorse the grant funding applications, and sole source agreement with Westrek Geotechnical Services Ltd. and Kerr Wood Leidal to provide consulting services in support of these projects.

BOARD'S OPTIONS:

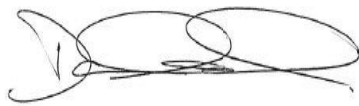
1. *Endorse the Recommendation(s).*
2. *Deny the Recommendation(s).*
3. *Defer.*
4. *Any other action deemed appropriate by the Board.*

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

Report Approval Details

Document Title:	2017_11_16_UBCM Grant Applications.docx
Attachments:	
Final Approval Date:	Nov 6, 2017

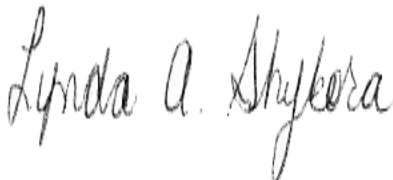
This report and all of its attachments were approved and signed as outlined below:



Darcy Mooney - Nov 6, 2017 - 11:43 AM



Jodi Pierce - Nov 6, 2017 - 1:42 PM



Lynda Shykora - Nov 6, 2017 - 2:50 PM



Charles Hamilton - Nov 6, 2017 - 3:46 PM



BOARD REPORT

TO: Chair and Directors

File No: 1850 20 17

SUBJECT: Grant-in-Aids

DESCRIPTION: Report from Jodi Pierce, Manager, Financial Services, dated November 6, 2017.

RECOMMENDATION #1: THAT: the Board approve the following allocations from the 2017 electoral grant-in-aids:

Area A

\$1,000 Columbia Basin Environmental Education Network (Wild Voices for Kids Program)

Area B

\$500 Columbia Basin Environmental Education Network (Wild Voices for Kids Program)

Area E

\$1,000 Ladies Aid – Malakwa Thrift Store (Dangerous tree removal)

Area F

\$1,500 Seymour Arm Snowmobile Club (Trail maintenance).

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.

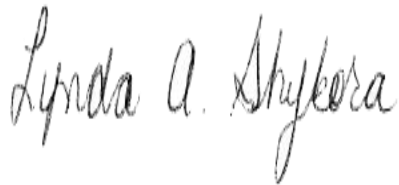
BOARD'S OPTIONS:

1. *Endorse the Recommendation.*
2. *Any other action deemed appropriate by the Board.*

Report Approval Details

Document Title:	2017-11-16_Board_FIN_Grant in Aids.docx
Attachments:	
Final Approval Date:	Nov 6, 2017

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



Lynda Shykora - Nov 6, 2017 - 11:25 AM



Charles Hamilton - Nov 6, 2017 - 1:44 PM



Columbia Shuswap Regional District

An approach to sharing the cost of services provided by the Town of Golden that benefit a population extending beyond its boundaries in Electoral Area A

DISCUSSION PAPER

Contents

Introduction	1
Work to Date.....	3
<i>Purpose of the Partnered Services Committee</i>	3
<i>The Committee's Deliberations</i>	4
<i>The Committee's Recommendations</i>	4
<i>The Core Facilities Discussion</i>	11
<i>The Town's Core Facilities Cost Sharing Proposal</i>	12
Issues to Consider	13
<i>Usage Data</i>	13
<i>Rising Service Cost</i>	14
<i>Proximity to Service</i>	14
<i>Alternatives</i>	14
Conclusions	15
<i>Suggested Formula</i>	16
<i>Capital Costs</i>	16
<i>Cost Impact</i>	16
Next Steps	16

Introduction

The Town of Golden (the Town) and Electoral Area A of the Columbia Shuswap Regional District (rural Golden) participate in a number of shared services wherein the service costs are shared between the two local government jurisdictions. Not including CSRD general administration costs, examples of shared services that are funded by taxpayers of

both jurisdictions include: emergency planning, solid waste management, recycling, Golden Arena and Curling Rink, Golden and Area Museum, Golden Municipal Airport, Community Economic Development/Cultural Services, and the Golden Cemetery.

While the Town and Area A have funding partnerships for a variety of services and facilities

in the community, the Town is the owner of other recreational and cultural facilities within the Town that are not subject to a funding partnership. These facilities are managed and maintained by the Town, however, the facilities are used by many individuals and groups in the neighbouring rural area. One of the most contentious issues that has arisen in recent years has been the sharing of costs provided by one local government that benefit the population extending beyond its boundaries. Of particular interest are the debates relating to cost sharing for recreation and cultural facilities. It is not uncommon to find many municipalities provide services that benefit populations outside their boundaries. In large part, the difficulties in enabling cost-sharing can be linked to the fact that there is fragmentation in the system (i.e., two distinct government jurisdictions) and that there is really a mismatch between the administrative boundaries of local government and the catchment or benefitting areas for providing services.

The Town of Golden, like many local governments, is being forced to rethink the scale and organization of public services given the rising costs to deliver these services. The Town is facing tough choices as available revenues fall short of what is needed to provide the desired level of service to the community. One option that is available to the Town to address the broader issue of non-contributing members using and benefitting from Town facilities would be to introduce a two-tiered fee structure for peripheral or non-resident users of a facility.

However, the Town has indicated that it wishes to avoid this approach, primarily because the Town and surrounding Electoral Area enjoy a strong relationship and a long history of cooperation and mutual support, along with the administrative cost of managing a two-tiered fee structure. Both parties recognize the value of working together and wish to find a long term, mutually acceptable funding partnership. In order to protect, develop, and maintain service levels in the community, the Town of Golden Council established a Select Committee in June 2016 entitled *Partnered Services Delivery Review Select Committee*. The

purpose of the committee, which includes members from both elected bodies, is to explore partnership agreements between the Town and Regional District given that there is significant use of Town facilities by rural residents, although these facilities are paid for solely by municipal taxpayers.

One of the biggest challenges in developing a fair and equitable funding partnership between the Town and rural Golden (Area A) is the reluctance of some residents that live outside the Town to pay their fair share of the costs of recreation and cultural services. They are content to obtain the benefit of using the facilities and programs without making contributions to the capital and operating costs. This is an important consideration because one needs to keep in mind that any funding partnership between the Town and Area A will need to be approved by the electors in Area A, and, undoubtedly, some residents will be reluctant to pay anything for a service or program that they currently enjoy at no cost.

What needs to be understood is that regional districts are only mandated to execute a very small number of functions. They act on behalf of municipalities in interactions with the Municipal Finance Authority, they must prepare comprehensive solid waste management plans, undertake emergency planning, and provide administration for rural areas. Apart from these required functions, regional districts are free to undertake a wide range of voluntary services that meet the needs and interests of their residents. This flexibility in providing only requested services allows electoral area residents to only pay for those services in which they wish to participate. The principle of voluntary participation can be problematic, however, because municipalities will frequently provide facilities and services that residents from neighboring rural areas regularly use but never financially contribute to either in terms of construction or the maintenance of the facility.

With the exception of the mandated services described above, a Regional District must first enact a service establishment bylaw if it wishes to establish a service, including shared or joint

services with another jurisdiction. These bylaws outline what the service is, how it will be delivered, who will benefit from the service, and how the costs will be recovered. In most, although not in all, instances, before a service establishment bylaw can be adopted, the assent of the electors is required. The assent of the electors is what gives the regional district the legal authority to levy a tax in respect of a given service or function.

Aside from the requirement for elector assent, some of the other challenges in designing and implementing a fair cost sharing arrangement between the two jurisdictions includes the following:

- It is difficult to measure with any precision the exact benefit received by non-contributing participants;
- How to address the differences in urban and rural expectations and the difficulty of achieving a service level and cost of service that will satisfy all participants?
- How does the CSRD ensure an appropriate degree of influence and control over service levels or service quality when decisions are made exclusively at the municipal level? and;
- How does the CSRD ensure adequate controls over rising facility costs?

The purpose of this *Discussion Paper* is to summarize the decisions that have been taken to date by the *Select Committee on Partnered Services*, to identify the facilities that the Committee believes should be included in a funding partnership, and to recommend a defensible cost sharing formula to guide next steps.

Work to Date

The following background describes the purpose of the *Partnered Services Committee*, the *Committee's* Terms of Reference, and the various recommendations that have flowed from the

Committee during its deliberations over the past year.

Purpose of the Partnered Services Committee

The *Partnered Services Delivery Review Select Committee* was established by Golden Town Council on December 1, 2015. The terms of reference of the committee and its membership were established on June 7, 2016 and are described below. The committee's inaugural meeting was held on August 17, 2016.

The committee's members are as follows:

- Mayor Ron Oszust, Town of Golden
- Councillor Chris Hambruch
- Councillor Bruce Fairley
- Karen Cathcart, CSRD Area A Director
- Stephanie Knaak, CSRD Area A Alternate Director
- Derek Smith, Area A Advisory Committee

The terms of reference of the committee are focused on reviewing the various partnered or shared services that exist between the Town and rural Golden to determine whether the agreements meet the needs of the two jurisdictions.

In keeping with the terms of reference assigned to the committee by Golden Town Council, the committee was tasked with evaluating the sharing of costs surrounding the following facilities and services:

- Golden and District Search and Rescue
- General parks and green space management
- Outdoor sports fields and courts
- Golden Municipal Campground
- Mount 7 Rec Plex
- Golden Municipal Swimming Pool
- Golden Seniors Centre
- Golden Civic Centre
- Golden and Area Museum
- Golden Municipal Airport

- Cultural Services
- Community Economic Development
- Golden Food Bank
- Grants in aid
- Golden Curling Rink
- Whitetooth Legacy Fund

The Committee's Deliberations

During the committee's deliberations, the Town argued that the breadth of shared services between the two jurisdictions should be expanded to account for those services and facilities that are available and utilized by both Town and rural residents yet paid for solely by Town of Golden taxpayers. Similarly, the CSRD countered that there are some instances where rural Golden residents pay for certain programs and services that benefit Town residents even though these costs are paid for solely by rural taxpayers. While it was generally recognized that those programs and services paid for solely by rural residents are more limited than the facilities and services paid for solely by Town residents, the committee was mindful of this situation and attempted to factor in these costs as offsets against the Town's costs of paying for certain facilities and services.

The Committee's Recommendations

The Town provides a number of essential services through cost-sharing agreements with rural Golden (Area A of the CSRD). This section summarizes the various services and facilities that are currently being provided for the benefit of residents of the Town and surrounding rural area. Some of the services and facilities have a funding or cost-sharing arrangement in place between the two local jurisdictions, while others do not.

1. Golden and District Search and Rescue (GADSAR)

Background

This service is not a function of either the Town or the CSRD, nor is it subject to a cost-sharing agreement. Instead, the Golden and District

Search and Rescue Association of British Columbia (GADSAR) is a registered non-profit organization based out of the Town of Golden. GADSAR has been committed to providing Golden and surrounding areas with search and rescue services since 1965. GADSAR is currently responsible for providing the services of: mountain rescue, avalanche rescue, ice rescue, technical rope rescue, swift water rescue, backcountry medical rescue, HETS rescue and missing person searches. The organization is operated by a group of community volunteers who are committed to maintaining coverage for all of these rescue services on a 24-hour/day basis. The Town has been contributing \$7,000 per year to GADSAR and has agreed to continue to do so. The CSRD does not make an annual contribution to the organization, but it has made contributions through grants in aid and Community Works Funds (CWF).

Recommendation

No further action to formalize this function as a shared service was contemplated by either party.

2. General Parks and Green Spaces Management

Background

The Town administers and maintains several community and neighborhood parks within its boundaries, as well as the Spirit Square public space, and the 16 kilometer Rotary Trail network. It is recognized that the Town's parks, green spaces, and trail system benefit both Town and rural residents alike. The Town did not reveal specifically what it costs to administer and maintain its parks, public spaces, and trails on an annual basis, but the cost is estimated to be in excess of \$250,000. The CSRD positioned that there is a direct offset to the costs incurred by the Town for park purposes when considering that rural Golden residents support their own Community Parks function that is utilized by and benefits residents of the Town. The Area A Community Parks operating budget for 2017 is \$230,000.

Recommendation

The capital and maintenance obligations within the municipal boundaries for general parks and green spaces is equivalent to that within the electoral area. The offsetting expenditures nullify the need for equalization by ratepayers in either jurisdiction.

3. Outdoor Sports Fields and Courts

Background

The Town's costs to administer and operate outdoor sports fields and courts is not covered by a cost-sharing agreement. It was not disclosed what the Town spends annually to maintain outdoor sport fields and courts. In reviewing the Town's financial plan, there are line items that refer to outdoor rinks, Free Ride Park, KKMP Soccer Fields, and the Spray Park. Although it was generally accepted that rural residents use these facilities, there was no suggestion that these costs should be incorporated into a formal cost sharing agreement.

Recommendation

The committee took no position on this service.

4. Golden Municipal Campground

Background

The Town owns a 72 site campground, located on the Kicking Horse River. There is no cost sharing agreement in respect of the campground. The Town's 2017 financial plan indicates that the campground receives revenue of \$50,000, while its expenses total \$26,600.

Recommendation

The committee took no position on this service.

5. Golden and District Recreation Centre

Background

The Golden & District Recreation Centre located within the Town of Golden serves the residents of Electoral Area A and the Town of Golden. The Town manages and operates the arena pursuant to a contract with the CSRD. Property owners in these jurisdictions support the annual subsidy required to operate and maintain the facility through taxation. The apportionment of costs are provided for in the *Area A and Town of Golden Recreation Local Service Bylaw No. 5076 (1992)*. The costs are shared based on converted assessment on land and improvements in the service area, with an amount equal to 5% of the total requisition being added to the Town and the same amount being deducted from Area A. Put another way, the CSRD's requisition is discounted by 5% from the default apportionment formula, while the Town's portion is increased by 5%. In 2017, based on the apportionment formula, the Town will pay 51.6% of the requisition, while Area A will pay 48.4%.

Recommendation

The committee recommends that no change be made to the funding arrangement for this facility.

6. Golden and Area Museum

Background

This is a shared service regulated by the *Golden and District Museum Operation Grants-in-Aid Specified Area Establishment Bylaw No. 1141, 1982*. The bylaw establishes a specified area comprised of Electoral Area A and the Town of Golden and authorizes the CSRD to make a grant-in-aid to the Golden and District Historical Society to assist in the operation and maintenance of the Golden and District Museum. Costs are apportioned based on converted assessment. In 2017, the Town's portion of the requisition was 46.6%, while the CSRD's share was 53.4%.

Recommendation

The committee does not recommend a change to the funding formula; however, the committee did recommend that the CSRD require the concurrence from the Town annually prior to establishing the requisition amount. The committee also recommends that Council develop a terms of reference for museum operations to rationalize the level of funding support.

7. Golden Municipal Airport

Background

This is a cost-shared service, with the CSRD's funding contribution regulated by the *Golden Airport Financial Contribution Extended Service Bylaw No. 5122, 1993*. The bylaw authorizes the CSRD to contribute financial aid toward the operating costs of the Golden airport as an extended service. The formula for providing the financial contribution is calculated by apportioning the total cost of the service between the Town and Area A on the basis of the converted value of land and improvements in those areas. In 2017, the Town's share of the operating costs amounted to 46.6%, while the CSRD's share was 53.4%.

The bylaw does not authorize the CSRD to contribute toward capital costs. There was considerable discussion about the capital needs of the airport. A pavement condition assessment of the existing runway, main taxiway system, and primary apron was carried out in 2015. The cost estimate for pavement improvements, runway widening, and lighting system improvements was \$6.43 million dollars in 2015. If grant funding is not available from senior levels of government to address these capital needs, it may be necessary to close the facility within a 5-7 year timeframe.

Recommendation

The committee recommends that the current operational funding formula for the Golden Airport remain unchanged. The committee further recommends that the Town and the CSRD lobby

senior levels of government for financial assistance to address the capital needs of the airport.

8. Cultural Services

Background

From 2006 to 2013, the Town and the CSRD provided joint annual funding from general taxation through Golden Area Initiatives (GAI) to fund a cultural services contract between GAI and Kicking Horse Culture (KHC). In May 2012, the Town gave notice of its intention to terminate the joint venture service agreement between the Town, the CSRD, and the GAI Society, effective December 31, 2013. With the demise of GAI, the Town and the CSRD considered options to provide ongoing funding support for KHC. In 2014, funding support in the amount of \$120,000 per year was shifted from utilizing general taxation to the use of Economic Opportunity Funds (EOF). Golden Town Council wanted to continue with the tax based funding mechanism, but the Electoral Area Director at the time wanted to shift the funding mechanism from general taxation to the use of EOF funding. In fiscal years 2014, 2015, and 2016, funding support for KHC was provided from EOF monies. Starting in 2017, the CSRD and the Town agreed to phase back funding support from general taxation; however, due to a misunderstanding during the 2017 budget development process, the Town did not provide for \$30,000 to come from tax based revenue. Accordingly, a decision was ultimately made to fund the entire \$120,000 from EOF monies in 2017. In fiscal year 2018, it is anticipated that the entire \$120,000 grant contribution will come from general taxation, with the Town and the CSRD being responsible for 50% respectively.

In 2010, KHC launched a summer outdoor concert series at the Town's Spirit Square. The Town provides \$40,000 per year in support of the concert series. There is no formal cost sharing arrangement with the CSRD; however, the CSRD provided a \$10,000 grant in aid to the Summer Kicks concert series in 2015 and 2016.

Recommendation

The committee recommends that the Town and the CSRD each return to a tax funded model for cultural services, effective January 1, 2018. The committee further recommends that the Summer Kicks program be incorporated into the Cultural Services contract with KHC, with the funding breakdown to be 50/50 for traditional cultural services and 75% (Town)/25% CSRD for the summer outdoor concert series.

9. Community Economic Development

Background

The CSRD operates a local service for the provision of economic development for Electoral Area A established by the *Economic Development (Electoral Area A) Service Bylaw No. 5342*. In 2002, the Town and the CSRD established the Golden and Area Community Economic Development Society (dba as Golden Area Initiatives (GAI)), a not for profit society that was incorporated to provide economic development services in the Town and surrounding rural area. GAI delivered community economic development as a shared service between the Town and the CSRD from 2002 to December 31, 2013, through a series of service agreements. The cost sharing formula contained in the service agreements provided that the annual fee would be paid as follows: (a) \$100,000 from the EOF fund, to be paid by the CSRD; and (b) of the remaining amount of an annually approved budget to be paid, each would contribute an amount proportional to the converted assessment values of land and improvements within each of the Town and electoral area for the previous calendar year.

In May 2012, the Town gave notice of its intention to terminate the joint venture service agreement between the Town, the CSRD, and the GAI Society, effective December 31, 2013. During 2013, the Town established a select committee to evaluate the economic development function and to

recommend a preferred service delivery model for moving forward. The committee ultimately recommended the establishment of a regionally oriented, municipally controlled and administered community economic development service.

Golden Town Council supported the committee recommendation to pursue a municipal staff led model; however, the CSRD did not support the proposal. The Town subsequently advised the CSRD that it considered the matter closed until such time as the CSRD brought forward its own economic development proposal.

At the Partnered Services meeting on May 10, 2017, Director Cathcart submitted a written proposal for a CED/Economic Development model for Golden and surrounding area. The main features of the proposal were as follows:

- \$50,000 per year from both the Town and the CSRD;
- \$180,000 from EOF monies;
- Operate as a 2 year pilot project;
- Hire a CED/ED manager on contract;
- Operate from the BC Visitor Information Centre (BCVIC); and
- Utilize the GAI Society framework to provide overall governance.

Concerns were raised about the cost of the proposal – specifically, the suggestion to operate from the now vacant BCVIC, where operating costs alone would amount to roughly \$85,000 per year. In an email dated July 3, 2017, Director Cathcart withdrew her CED/ED proposal due to lack of support.

Recommendation

The committee recommends that Mayor Oszust, Councillor/Director Moss, Director Cathcart, and the two CAO's meet to discuss the proposal. This meeting has not yet taken place.¹

¹ Given that Director Cathcart formally withdrew her CED/Economic Development proposal, the committee at its meeting on November 1, 2017, withdrew its

recommendation that a meeting be held to discuss CED/economic development. Therefore, no further meeting is required at this time.

10. Golden Food Bank

Background

There is no cost sharing agreement in place between the Town and the CSRD in respect of the Golden Food Bank. Moreover, the CSRD does not have an established service to provide designated funding to the Food Bank. The Area Director agreed to provide a \$14,000 annual contribution from discretionary grants-in-aid funds for fiscal years 2016, 2017, and 2018. Town council has agreed to a continuing contribution of \$6,000 per year.

Recommendation

No further obligations of either party were contemplated.

11. Grants-in Aid

Background

There is no cost sharing agreement in respect of grant-in-aid payments. The CSRD has a discretionary grant-in-aid service in Electoral Area A, with an annual budget in 2017 of \$72,000. The Town does not have a grants-in-aid program as such, but it does have a sponsorship fund and a permissive tax exemption fund.

Recommendation

The committee recommends that the Town's sponsorship fund combined with annual permissive tax exemptions creates a rough equivalency with the Electoral Area A Grant-in-aid budget.

12. Golden Curling Rink

Background

There is a cost sharing agreement in respect of the Golden Curling Rink that was established pursuant

to *Regional District of Columbia Shuswap Arena and Curling Rink Construction and Loan Bylaw, No. 9, 1966*. The bylaw provides that the cost of operating and maintaining the curling rink shall be apportioned on the basis of total converted assessment values of land and improvements with each of the Town and the Electoral Area. Based on this default formula, the Town share of the requisition amounts to 46.6% of the total, while the CSRD's share is 53.4%.

Recommendation

The committee recommends that the current requisition formula remain in place for this facility/service.

13. Whitetooth Legacy Fund

Background

The Columbia Shuswap Regional District (CSRD) established the Whitetooth Ski Hill function in 1987 to develop and operate a winter recreation facility for the residents of Electoral Area 'A' (rural Golden) and the Town of Golden (the Town). The Whitetooth Ski Hill was initially developed as a community ski hill in the mid-1980s, with the active involvement of the Whitetooth Ski Hill Society.

In 1997, the CSRD received an offer to purchase the facility and following public approval by referendum, the sale to Golden Peaks Resort Inc. took effect in September of that year. The sale generated a significant surplus of funds after the retirement of all related debt and a portion of the sale proceeds going directly to the Whitetooth Ski Society, recognizing their contribution to the establishment of the facility and as payment for the ski hill assets. The surplus, which was invested and managed by CSRD staff, had grown to approximately \$1.2 Million by 2006².

² As at December 31, 2016, the fund balance totals \$1,563,798, with the fund earning approximately \$27,000 per year in interest at current rates.

In 2006, the CSRD Board retained Suda Management to undertake a public consultation process to obtain community input on the potential allocation of the surplus funds for the future benefit of the residents and ratepayers of the local service area. The purpose of the public process was to provide the CSRD Directors with information on the views of the current ratepayers and residents of the local service area. Consultation with the function's participants (i.e., the residents and ratepayers of the Town of Golden and of Electoral Area 'A') was conducted to obtain the participant's views on:

- the potential allocation of funds remaining from the sale of the Ski Hill facility;
- identification of potential projects that may be desired by the ratepayers and residents of the specified area involved; and
- determination of recommended projects and the community's priorities.

The public consultation process was completed in the fall of 2006, following two Open House sessions, and the receipt of over 300 submissions and suggestions for investment of the surplus funds, covering over 60 different community projects.

On April 19, 2007, the Columbia Shuswap Regional District Board adopted the recommendations compiled in the consultant's report on the use of the surplus funds. The report recommended that the Board set aside all of the Whitetooth Ski Hill function surplus funds as 'Seed Funding' for investment in major community assets rather than have the surplus serve as another source of small grant funding that is already available within the community.

In 2011, the community and area Director raised concerns that the funds have not been utilized for the benefit of the community. In April 2011, the CSRD Board decided to undertake a simplified Public Consultation process to review the current Legacy Fund Bylaw and retained the services of Suda Management to hear the area resident's views, to reaffirm priorities, and to see if the

criteria for the administration of the fund should be reconsidered.

Comments and submissions that were received reveal a variety of views with no overall consensus on one specific project to be supported by the Legacy Fund. It should be noted that although the views expressed were limited in number and may not reflect the general views of the community at large, it was observed that all of the comments and submissions received were consistent with the types of projects recommended by the public during the original consultation process in 2006.

During the course of the 2011 public consultation process, no single priority project emerged. A number of consistent messages were received as follows:

- Criteria for legacy fund should be changed to eliminate the repayment requirement and allow for more flexible funding arrangements.
- A number of submissions identified the desire for a "legacy" project of "bricks and mortar" for lasting benefit of the community, such as a multi-use Aquatic Centre/Wellness Centre proposal in the future.
- Significant support for a special use facility to house a variety of community programs such as gymnastics, dance, martial arts, and others with a suggested addition to the recreation complex for such a "Soft Sport" facility/room.
- It was also suggested that the community does not have all the necessary information to make an informed decision at this time.
- Identified a need for a study to provide further information such as a "Gap Analysis" or recreation facility survey/assessment to determine community need, similar to the work done by KH Culture for the Civic Centre project.

- Suggested a referendum is not needed and may be problematic.
- Support for leverage of the funds to maximize community benefit.
- Suggested decisions should be made locally by a Golden area committee.
- Noted there already is funding available for small community groups and projects.

The committee acknowledged that the intent of the fund was to be expended on an initiative that would leave a legacy, not incur an ongoing debt for the community, and did not require another gap analysis or facility assessment. The committee noted that an intake and adjudication process was intended to be developed by the CSRD, but this was not undertaken due to a failure to establish a common vision on what an intake and adjudication process would look like.

Recommendation

The committee recommends that a terms of reference for a citizen advisory committee be developed that would be tasked with making recommendations on the use of the Whitetooth Legacy Fund.³

Other Services not contemplated in the Committee's Terms of Reference

The following three services were not specifically contemplated in the terms of reference for the Partnered Services Select Committee, but these services are discussed briefly below because two of the three services have a formal cost-sharing agreement in place, while the third service has an informal cost sharing arrangement.

³ Councillor Fairley and Director Cathcart each drafted proposed Terms of Reference for a Whitetooth Legacy Fund Citizens Advisory Committee. The draft Terms of Reference have been circulated to the other committee members for review and feedback.

14. Golden Cemetery

There is a cost sharing agreement in respect of the Golden Cemetery that was established pursuant to *Golden Cemetery Financial Contribution Extended Service Bylaw No. 5123, 1994*. The bylaw provides that the cost of operating and maintaining the cemetery shall be recovered by requisition on money and will be calculated by apportioning the total cost of the service between the Town and rural service area on the basis of converted value of land and improvements in those areas. Based on this default formula, the Town share of the requisition amounts to 46.6% of the total, while the CSRD's share is 53.4%.

Recommendation

None.

15. Mosquito Control

Background

This is a cost-shared service between the Town and the CSRD; however, there is no formal cost sharing agreement. The CSRD's authority to levy a tax for its portion of the annual cost of providing the service is derived from *Area A Mosquito Control Extended Service Bylaw No. 5075, 1991*. The Town has been paying for its portion of the annual cost as if the net cost were apportioned on the basis of converted assessment values in the Town and Electoral Area.⁴ The bylaw provides that "the Columbia Shuswap Regional District may enter into a contractual arrangement with the Town of Golden in the delivery of the mosquito control service, but a search of CSRD and Town records has not revealed the existence of any contractual agreement between the Town and the CSRD.

⁴ Net cost is used here because the service is partially subsidized by an annual contribution of \$12,760 from the Railway Tax Mitigation program.

Recommendation

The committee recommends that the funding and program structure be maintained. Staff recommend that a contractual agreement be ratified between the Town and the CSRD in order to formalize the arrangement.

16. WildSafe BC ProgramBackground

The Town of Golden has for over 10 years invested in an annual WildSafe/Bear Aware seasonal coordinator to educate the community. In the 2017 budget, the Town contributed \$8,000. There is no cost sharing arrangement with the CSRD; however, the Area Director declared support in principle to an annual financial contribution from the discretionary grant-in-aid budget. \$2,500 was committed in the 2017 budget.

Recommendation

The committee made no recommendation.

The Core Facilities Discussion

After considerable discussion on the various programs and services offered by both the Town and the CSRD, the committee agreed that the most practical way forward to establish a new cost sharing model was to focus on a limited number of key facilities that are not subject to a cost sharing arrangement, but are available to and used extensively by residents of the surrounding Electoral Area.

The four facilities that were chosen include: the Golden Municipal Swimming Pool, the Golden Civic Centre, the Golden and District Senior's Centre, and the Mount 7 Rec Plex. What follows is a summary of the discussions surrounding these four facilities in an effort to justify a funding contribution from the CSRD.

1. Golden Municipal Swimming PoolBackground

Rising operational costs and recent capital expenditures are forcing the Town to pay closer attention to the bottom line for its public aquatic facility. Currently, the Town and the CSRD do not have a cost sharing arrangement in respect of the swimming pool. The swimming pool is primarily funded through the Town's general taxation and user fees. While the CSRD does not contribute to the swimming pool through general taxation, a recent survey by the Town of user visitations revealed that up to 36% of pool visits were from people who reside in the surrounding rural area, and up to 23% of users were visitors to the community. The CSRD did make a one-time contribution of \$275,000 from the Economic Opportunity Fund (EOF) in 2015 toward operating and capital costs of the swimming pool.

Recommendation

The committee recommends that Council develop a proposal to the CSRD for an equitable funding formula for the aquatic facility.

2. Golden Civic CentreBackground

The civic centre building is a large civic building of 3,090 sq. ft. originally built in 1948 of wood construction and concrete foundation. There was a major renovation to the building in 2011 and an updated kitchen in 2012. A Facility Condition Assessment of the civic centre carried out by the Town in 2016 revealed the replacement cost of the building to be \$6.879 million.

It is acknowledged that the civic centre is used by Town residents, as well as by residents of the surrounding rural area. There is no cost sharing agreement for the civic centre so all operational costs are paid for by the Town. The CSRD did provide \$150,000 in Community Works/Gas Tax funding towards a portion of the renovation cost in 2012. The CSRD provided a further \$60,000 in

2013 from the EOF fund towards the cost to upgrade the kitchen at the Civic Centre.

While the committee members acknowledged that a reasonably strong argument could be made for the civic centre to become a shared service, the point was also made that the Town made the choice to invest in the civic centre without any prior consultation with the CSRD. User statistics on municipal vs. rural residents who regularly visit the facility are not available. Anecdotally, it was reported by the Town that roughly 50% of the attendees at various performing arts concerts are rural residents.

Recommendation

The committee generally agreed that there is enough evidence to support the principle of a funding contribution through some type of omnibus shared service bylaw.

3. Golden & District Seniors Centre

Background

The Senior Centre building is a large one-story wood framed building of 4,738 sq. ft. originally constructed in 1996. In 2012, a timber framed entrance was installed. There have been minor interior improvements since then as funding has permitted.

The facility is not subject to a cost sharing arrangement with the CSRD, however, the Town reported that – based on current membership data – it estimates roughly 33% of the people utilizing the facility reside in the neighboring rural area. The Town's financial plan indicates that the Town's costs to operate the building in 2016 was \$2,510, while the 2017 budget indicates an increase to \$16,685.

Recommendation

The committee agreed that there is sufficient rationale for a share funding arrangement for the Golden and District Seniors Centre.

4. Mount 7 Rec Plex (Mt7RP)

Background

The Mt. 7 Rec Plex (Mt7RP) is a two storey concrete block and steel superstructure resting on a full concrete foundation, with a building area of 1,444 sq. meters.

The Mt7RP has been a central recreation venue for the Town and surrounding area since its construction in 1962. In 1980 and 2002 major renovations were undertaken on the facility. The facility is primarily used for activities on its main gymnasium floor and stage area. The building is generally in fair condition and has been kept in acceptable repair on an ongoing basis.

The Mt7RP is a well utilized public facility serving a variety of community needs. It serves many smaller clubs and groups, and it is located in close proximity to local schools, Seniors Centre and other community recreational facilities. The facility receives no funding support from the CSRD. The Town's 2017 financial plan projects expenses of \$130,999, with offsetting revenue totaling \$23,500. This amounts to a net expenditure by the Town of \$107,499.

Recommendation

The committee generally agreed that the facility should be the subject of a cost sharing arrangement. A tracking of users of the facility reveal that usage by rural residents is as much as 35%.

The Town's Core Facilities Cost Sharing Proposal

Following discussion of the Town's core facilities concept, the Town developed a cost sharing proposal for the committee to consider. The basic thrust of the proposal is that the CSRD would make an annual equalization payment to the Town. The amount of the annual payment would be calculated by taking the proportionate use of the facilities by Town vs. rural residents and applying

those percentages against the Town's net annual operating expenses for the four facilities.

The Town subsequently presented the committee with a cost sharing proposal that is included in Appendix I to this *Discussion Paper*. The key features of the proposal are as follows:

- a. The CSRD would develop a Core Facilities Equalization Payment Establishment Bylaw that would authorize the regional district to levy a tax on rural taxpayers for the purpose of making a financial contribution to the four core facilities. In order to adopt such an establishment bylaw, the CSRD will need to obtain the assent of the electors in the rural area;
- b. The cost sharing formula will be based on current and future operational costs, with a built-in mechanism to adjust for inflation. The proposal does not contemplate current, future, or latecomer capital costs for the facilities.
- c. The apportionment of operating costs would be based on the following percentages for each of the four facilities:
 - Civic Centre – 50/50 – Town/CSRD
 - Mt7RP – 70/30 – Town/CSRD
 - Seniors Ctr. – 70/30 – Town/CSRD
 - Swim. Pool – 60/40 – Town/CSRD

The above described proposal was referred to Town and CSRD staff to review the fairness, equity and acceptability of the cost sharing proposal and to develop a recommendation to the CSRD Board on implementation of a new service establishment bylaw and the appropriate elector assent process to be followed.

⁵ Much of the following discussion on an equitable cost sharing formula was derived from a Discussion Paper prepared by Neilson-Welch Consulting entitled *Fraser-Ft. George Regional District Approach to Contributions to the City of Prince George Library Service*, November 2011. Some of the concepts relating to equitable cost

Issues to Consider

As noted, the Town and the Regional District both wish to establish an equitable formula to determine future Electoral Area contributions to the Core Facilities described earlier⁵. Two points make this task particularly difficult:

- First, the determination of equity is a somewhat subjective exercise, in that what may be considered by one party to be entirely equitable may be considered by another to be unfair.
- Second, there is no single correct basis for setting inter-jurisdictional, fee-for-service payments. To be sure, certain approaches are more logical and defensible than others. The "right" approach for determining annual contributions, however, will be simply the one that both parties can agree to.

For the purpose of this exercise, the parties agree that facility usage rates should form the basis of a cost sharing formula.⁶ In developing an approach to an equitable formula, there are a number of issues that are important to explore. These issues are presented and discussed in this section.

Usage Data

Preliminary data collected by the Town confirm that rural residents do, indeed, make use of the four facilities. The Town estimates that the usage rates by residents of the Electoral Area of the four Core Facilities breakdown as follows:

- Civic Centre 50%
- Mt7 Rec Plex 30%
- Senior's Centre 30%
- Swimming Pool 40%

sharing have been referenced with permission of the author.

⁶ There are other methodologies on which a cost sharing formula could be based such as converted assessment, population, per capita costs, and marginal costing, but none of these methods were deemed appropriate by the Committee.

Usage rates is a legitimate measure on which to base an equitable funding contribution. However, rural residents that use the facilities in Golden were not historically asked to identify the jurisdiction in which they live. As such, concise data on the use of the facilities by place of residence has not been readily available until the past few years.

Rising Service Cost

The cost of providing local services is rising throughout BC and is affecting all types of services. The Town of Golden and the CSRD are not immune to this trend.

Some Town representatives point to the service's escalating cost pressures as an argument for higher Electoral Area contributions. This argument may have merit to the extent that cost increases are incurred in the delivery of the same, existing service. The difficulty arises when costs increase as the result of service level changes made at the sole discretion of Town Council.

Because the Electoral Area Director has no say in how the service is provided, or in the setting of service priorities, Electoral Area ratepayers have no control over the ultimate size of the budget. It may not be reasonable for the Town to expect Electoral Area contributions to be open-ended, and to increase automatically as costs rise. Some type of cost ceiling for the purpose of determining rural area contributions may need to be considered.

Proximity to Service

The ability of Electoral Area residents to access these facilities is an important factor to consider in the discussion over contributions. All four facilities, including programming, are located or occur within the Town of Golden. In theory, Electoral Area residents have full access to these facilities. In practical terms, however, the ability of these residents to attend activities at these

facilities is limited by location of, and distance to, the facilities. Residents in communities such as Blaeberry, Donald, Habart Subdivision, and Lafontaine/Lapp Rd. live relatively close to the Town centre. Residents in other rural communities such as Field, Parson, Casteldale, and Harrogate live much farther from the Town centre. Physical proximity to the facilities, however, will remain an issue for many Electoral Area residents in the future.

Alternatives

There are limited alternatives for the Electoral Area to make an annual fee-for-service contribution to the Town in respect of the four Core Facilities. One option would involve the Town recovering a portion of its costs directly from rural users of these facilities instead of from all rural taxpayers through annual CSRD contribution. Under this option, each user outside of the Town would pay a non-resident fee for daily, monthly, or yearly admission to any one of the Core Facilities. This is not a preferred option for the following reasons:

1. Golden Town Council does not wish to implement a two-tiered fee structure due to the administrative costs of such a scheme.
2. Services recovered through property taxation provide the Town with a secure revenue stream to cover expenditures, whereas user fees provide no such guarantee.

That said, the municipality does have the authority to impose a municipal service charge (fee) that differs according to a person's residence or place of business (Section 194(2)(b) of the Community Charter.

In terms of funding, it is difficult to anticipate how much funding this option would provide to the Town. If all existing users of the Core Facilities in the Electoral Area were to pay a non-resident surcharge, the Town – at least theoretically --

would receive a fairly significant annual rural contribution to offset its costs. Not all existing users, however, would choose to pay the non-resident fee to meet the Town's funding needs.

A second alternative would involve converting the four municipally owned and operated facilities to a new or enhanced sub-regional recreation service. Under this option, the CSRD would assume ownership and control of these facilities and both the costs and decisions surrounding these facilities would be shared. The difficulty with this alternative is that the CSRD may have little interest in establishing a shared decision making model in respect of the four Core Facilities. The CSRD has never indicated that it wants to have a say on service levels, budgetary decisions, or changes that the Town Council may be contemplating for these facilities in the longer term.

A third alternative would involve the CSRD establishing a new service that would authorize the regional district to levy a tax on rural area residents for the purpose of making a funding contribution to the Town. In exchange for this contribution, Area A residents will receive access to these four facilities for its residents. The new service, which would be subject to elector assent, could be referred to as the *Core Facilities Funding Contribution Establishment Bylaw*.

A final alternative would be to maintain the status quo; however, Town representatives have signaled that this alternative is simply not financially sustainable and would likely result in service level reductions. Service level reductions may include reduced hours of operation or may lead to facility closures.

Conclusions

A number of conclusions can be drawn from the information presented thus far in the Paper:

- The Electoral Area Director supports the Core Facilities concept and recognizes that the facilities benefit rural area residents.

- The four Core Facilities are Town of Golden assets, provided by the Town for and on behalf of the Golden community. To be sure, these facilities provide benefit to rural residents in the surrounding Electoral Area. But the facilities are not a sub-regional service provided collectively by the Electoral Area and the Town of Golden to their combined populations. The vision, plans and priorities for these facilities are at the absolute discretion of the Town of Golden Council.
- Given the municipal nature of and control over these facilities, it is suggested that the Electoral Area should not be expected to contribute to the cost of providing the service on the same basis as the Town itself. The Electoral Areas should not, therefore, be expected to base contributions on assessment (or converted assessment).
- It is suggested that the contributions from the Electoral Area be viewed as fee-for-service payments. Through their annual taxpayer contributions, the Electoral Area would be purchasing the ability to access and use the facilities for its residents. The CSRD would not participate in the provision of the service or in its governance.
- Access to the facilities is an issue for many Electoral Area residents. In general, greater travel distances mean that Electoral Area residents are less able than their Town counterparts to make use of the facilities and programs. On a related point, the important role of these facilities as cultural and recreation venues does not benefit the rural communities around the Town but simply the resident that choose to use them. The facilities are focused on, and centralized within, the urban core.

Suggested Formula

Usage rates is a legitimate measure on which to base an equitable funding contribution. Although this is the preferred method identified by the Committee, it is not a perfect measure for the following reasons:

1. Historically, rural residents that use the facilities in Golden were not generally asked to identify the jurisdiction in which they live. As such, concise data on the use of the facilities by place of residence has not been readily available until the past few years. It should be noted that at the pool the Town has been tracking use by place of residency for the past three years and for the past year at the Mt7 Rec Plex. Moreover, the Town contends that Senior Centre membership is an exact metric, but it does concede that use of the Civic Centre by place of residency is less reliable. In the absence of accurate usage data over an extended timeframe, the Town representatives have put forward an educated “best guess” as to the Town – rural ratio of facility usage.
2. Actual facility usage only measures the direct benefit that Area A residents receive from the four core facilities. Actual usage does not measure the indirect benefit to Area A that comes from having access to the facilities and from having the facilities nearby.

In developing a fair and equitable cost sharing formula, consideration should be given to whether a “governance discount” should be applied to the cost-sharing figure for Area A. The rationale for a discount is that Area A would have no say in how the facilities are run. The absence of shared decision-making should be reflected in the level of contribution expected of Area A.

Capital Costs

The Town’s cost sharing proposal is based on the operating costs of the four Core Facilities. It is

suggested that the focus continue to be on operating. It is suggested that capital costs associated with the renovation of these facilities, be excluded from the budget figures on which the Electoral Area’s contribution is based. The Town will determine on its own —as is its prerogative — whether and/or how it wishes to manage these assets. The Electoral Area Director would have no say in decisions and should not, therefore, be expected to contribute to the cost of them. As purchasers of the service, however, the Electoral Area should be expected to pay a portion of the additional operating costs that may result from improvements to the facilities.

Cost Impact

To date, the Electoral Area makes no financial contribution towards the operating costs of these facilities. Under the Town’s cost sharing proposal, the contribution for Area A in 2018 would be \$183,571, with the Town’s portion amounting to \$280,744. This value was determined by multiplying the estimated Electoral Area percentage of users of the four facilities by the total operating budget, net of non-tax revenues. The suggested formula would result in a significant increase for the Electoral Area. In view of this conclusion, the parties may wish to consider a phasing-in of the increase over a three-year period (if the parties agree with the formula).

Next Steps

This *Discussion Paper* has been written for review by, and discussion with, the members of the *Partnered Services Delivery Review Select Committee* and, ultimately, Golden Town Council and CSRD Board. In order to advance a funding contribution arrangement as described in this Paper, the committee will need to focus on the following outstanding issues:

1. The parties need to agree on a defensible Town-rural usage ratio for the four core facilities. The Town’s proposal for the 2018 budget year for the four facilities combines would result in rural Golden

assuming a 40% share of the net operating costs. This figure will likely be viewed as excessive to many rural residents, which, in turn, may compromise the CSRD's ability to obtain elector assent.

2. The parties need to agree on whether a "governance discount" should be embedded in a cost sharing formula to recognize that the CSRD will have no say on how the facilities will be operated. Arguably, the governance discount might be contained in the exclusion of capital costs.
3. The parties need to agree on a term for the cost sharing arrangement.
4. The parties should address the issue of a cost ceiling so that there is a threshold over which costs will not increase in any given year.
5. The parties should address whether the agreement should contain a "phase-in" period to help cushion the tax impact to rural residents in the first year.
6. The parties should consider a strategy on how best to sell this initiative to the rural taxpayers. For example, is it the Town's position that it will proceed with a non-resident user fee if elector assent is not obtained to enact a funding contribution bylaw?

APPENDIX I

Town of Golden

Shared Services - 10 Year Estimate

COMBINED

Description		Actuals					Proposed Budget				
		2012	2013	2014	2015	2016	2017	2018	2019	2020	2021
<u>TOWN OF GOLDEN</u>											
Civic Centre	50%	46,280	46,307	41,097	39,493	37,443	40,931	43,736	44,964	46,308	47,692
Mt7 Rec Plex	70%	18,491	9,924	21,183	84,229	79,672	75,249	64,419	66,240	68,225	70,270
Senior's Centre	70%	-	-	1,061	3,850	1,757	11,679	11,895	12,124	12,357	12,595
Swimming Pool	60%	77,301	86,612	119,989		153,838	157,051	160,694	164,299	168,074	171,911
		142,072	142,844	183,329	127,572	272,711	284,910	280,744	287,627	294,964	302,467
Overall Share %		57%	57%	58%	62%	61%	61%	60%	60%	60%	60%
<u>COLUMBIA SHUSWAP REGIONAL DISTRICT</u>											
Civic Centre	50%	46,280	46,307	41,097	39,493	37,443	40,931	43,736	44,964	46,308	47,692
Mt7 Rec Plex	30%	7,925	4,253	9,078	36,098	34,145	32,250	27,608	28,388	29,239	30,116
Senior's Centre	30%	-	-	455	1,650	753	5,005	5,098	5,196	5,296	5,398
Swimming Pool	40%	51,534	57,742	79,993		102,559	104,701	107,129	109,533	112,050	114,607
		105,739	108,302	130,623	77,241	174,900	182,886	183,571	188,081	192,892	197,812
Overall Share %		43%	43%	42%	38%	39%	39%	40%	40%	40%	40%
Expenses											
All Services:		247,811	251,146	313,952	204,813	447,611	467,796	464,316	475,708	487,856	500,280

Civic Centre

Description	Actuals					Proposed Budget				
	2012	2013	2014	2015	2016	2017	2018	2019	2020	2021
Revenue	-	(64,993)	(24,501)	(26,234)	(26,941)	(30,000)	(30,000)	(30,000)	(30,000)	(30,000)
Expenses	92,560	157,607	106,695	105,221	101,828	111,861	117,472	119,928	122,615	125,383
Net Expense (Revenue)	92,560	92,614	82,194	78,987	74,886	81,861	87,472	89,928	92,615	95,383
Net Expense Split										
Town of of Golden 50%	46,280	46,307	41,097	39,493	37,443	40,931	43,736	44,964	46,308	47,692
CSRD 50%	46,280	46,307	41,097	39,493	37,443	40,931	43,736	44,964	46,308	47,692
	92,560	92,614	82,194	78,987	74,886	81,861	87,472	89,928	92,615	95,383

Mt 7 RecPlex

Description		Actuals					Proposed Budget				
		2012	2013	2014	2015	2016	2017	2018	2019	2020	2021
Revenue		-	-	(8,346)	(23,926)	(25,485)	(23,500)	(23,500)	(23,500)	(23,500)	(23,500)
Expenses		26,416	14,178	38,608	144,252	139,303	130,999	115,528	118,128	120,964	123,885
Net Expense (Revenue)		26,416	14,178	30,261	120,327	113,817	107,499	92,028	94,628	97,464	100,385
Net Expense Split											
Town of Golden	70%	18,491	9,924	21,183	84,229	79,672	75,249	64,419	66,240	68,225	70,270
CSRD	30%	7,925	4,253	9,078	36,098	34,145	32,250	27,608	28,388	29,239	30,116
		26,416	14,178	30,261	120,327	113,817	107,499	92,028	94,628	97,464	100,385

Seniors' Centre

Description	Actuals					Proposed Budget				
	2012	2013	2014	2015	2016	2017	2018	2019	2020	2021
Revenue	-	-	-	-	-	-	-	-	-	-
Expenses	-	-	1,515	5,500	2,510	16,685	16,993	17,320	17,653	17,993
Net Expense (Revenue)	-	-	1,515	5,500	2,510	16,685	16,993	17,320	17,653	17,993
Net Expense Split										
Town of of Golden	70%	-	-	1,061	3,850	1,757	11,679	11,895	12,124	12,357
CSRD	30%	-	-	455	1,650	753	5,005	5,098	5,196	5,398
		-	-	1,515	5,500	2,510	16,685	16,993	17,320	17,653

Swimming Pool

Description	Actuals					Proposed Budget				
	2012	2013	2014	2015	2016	2017	2018	2019	2020	2021
Revenue	(55,039)	(60,506)	(60,036)	(348,470)	(72,715)	(73,000)	(75,190)	(77,446)	(79,769)	(82,162)
Expenses	183,875	204,860	260,017	313,573	329,112	334,752	343,013	351,278	359,893	368,680
Net Expense (Revenue)	128,836	144,354	199,981	(34,897)	256,397	261,752	267,823	273,832	280,124	286,518
Net Expense Split										
Town of of Golden	60%	77,301	86,612	119,989	153,838	157,051	160,694	164,299	168,074	171,911
CSRD	40%	51,534	57,742	79,993	102,559	104,701	107,129	109,533	112,050	114,607
		128,836	144,354	199,981	-	261,752	267,823	273,832	280,124	286,518

Notes

Revenue

CSRD EOF Transfer
Sale of Services

(275,000.00)
(73,470.26)
(348,470.26)



BOARD REPORT

TO:
Chair and Directors
File No: 7130 98 01

SUBJECT:
Revelstoke and Area B Emergency Management Agreement
DESCRIPTION:

Report from Darcy Mooney, Manager of Operations Management, dated November 6, 2017. Agreement extension provisions for Emergency Management Services from the City of Revelstoke to Electoral Area B.

**RECOMMENDATION
#1:**

THAT: the City of Revelstoke be provided notice that Electoral Area B is amenable to receive emergency management services until December 31, 2018 at the same terms and conditions as outlined in the Revelstoke/Electoral Area B Emergency Management Agreement, set to expire on December 31, 2017;

AND THAT: upon expiration of the Revelstoke/Electoral Area B Emergency Management Agreement on December 31, 2018, the Board is amenable to a one year extension of services, based on the mutual agreement by the Columbia Shuswap Regional District and the City of Revelstoke on or before June 30, 2018.

**RECOMMENDATION
#2:**

THAT: the Emergency Response Centre Lease Agreement between the Columbia Shuswap Regional District and the City of Revelstoke, which expired on May 31, 2016, be renewed for the term commencing March 1, 2017 until December 31, 2018 with provisions for a one year extension, based on mutual agreement by the Columbia Shuswap Regional District and the City of Revelstoke on or before June 30, 2018;

AND THAT: the City of Revelstoke be directed to pay all outstanding lease fees for the leased space at the Revelstoke Airport owed to the Columbia Shuswap Regional District by December 31, 2017

SHORT SUMMARY:

The Columbia Shuswap Regional District (CSR) is interested in the City of Revelstoke's continued provision of Emergency Management Planning for Electoral Area B property owners until December 31, 2018. The CSR is interested in renewing agreements pertaining to the provision of emergency management and the lease of space at the Revelstoke Airport for an Emergency Operations Centre (EOC) through to December 31, 2018. This will provide the CSR adequate time to review the current service delivery model against the in-house management of the program. The agreement for emergency services with the City of Revelstoke expires on December 31, 2017.

VOTING:

 Unweighted
Corporate

☐

 LGA Part 14
(Unweighted)

☐

 Weighted
Corporate

☒

 Stakeholder
(Weighted)

☐
BACKGROUND:

The CSR has contracted with the City of Revelstoke for the provision of Emergency Management Services since June, 2006. The current agreement initiated in January 2013 is set to expire on

December 31, 2017. The CSRD is interested in conducting an audit of the function in 2018 to determine if it can provide the service more efficiently in-house. The CSRD contributes approximately \$25,000 annually towards the Revelstoke and Area B Emergency Management Service Program.

In addition, the CSRD has provided lease space for an EOC to the City of Revelstoke under agreement. The latest agreement expired on May 31, 2016. CSRD and City of Revelstoke staff negotiated a new agreement to begin March 1, 2017. The new agreement was forwarded to the City of Revelstoke on February 15, 2017 and numerous attempts have been made since this time to have the City of Revelstoke execute the agreement and pay the modest monthly lease rate for the space. To date, the agreement has not been executed and no lease payments have been made.

POLICY:

The CSRD is required to have Emergency Management provisions in place for all property owners of Electoral Areas.

FINANCIAL:

The lease rate for the EOC has remained at \$7.00 per square foot since June 2011, despite required provisions for annual CPI increases. The City of Revelstoke, under previous agreement, provided leasehold improvements in lieu of rent and all improvements were completed by May 2016. During contract negotiations between June 1, 2016 and February 28, 2017 the CSRD waived the lease fees. Monthly lease fees have been payable since March 1, 2017 and numerous invoices and discussions with staff have occurred in this time period without any payments received.

KEY ISSUES/CONCEPTS:

To deliver efficient and effective services to stakeholders and to ensure all partners within the service provision are committed to contributing a fair and agreed upon operational and financial levels towards the service.

IMPLEMENTATION:

The CSRD will draft agreements pertaining to the EOC lease space and the Electoral Area B Emergency Management services and will forward to the City of Revelstoke for execution prior to December 31, 2017.

COMMUNICATIONS:

If approved, notification of the resolution and action items will be immediately distributed to the City of Revelstoke.

DESIRED OUTCOMES:

The Board approve the recommendations.

BOARD'S OPTIONS:

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

Report Approval Details

Document Title:	2017-11-16_RAEMP_Agreement_Renewal.docx
Attachments:	
Final Approval Date:	Nov 6, 2017

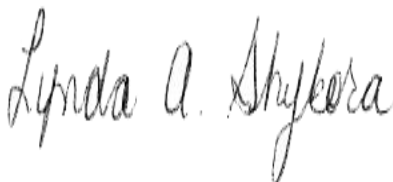
This report and all of its attachments were approved and signed as outlined below:



Darcy Mooney - Nov 6, 2017 - 1:50 PM



Jodi Pierce - Nov 6, 2017 - 3:09 PM



Lynda Shykora - Nov 6, 2017 - 3:26 PM



Charles Hamilton - Nov 6, 2017 - 3:43 PM



BOARD REPORT

TO:**Chair and Directors****File No:** 7200 46 01**SUBJECT:****Electoral Area C Community Works Fund – Energy Efficient Upgrades for the Tappen/Sunnybrae Fire Hall.****DESCRIPTION:**

Report from Derek Sutherland, Team Leader, Protective Services, dated November 6, 2017. Authorization to access the Community Works Fund monies from the Electoral Area C allocation for the Tappen/Sunnybrae Fire Hall.

RECOMMENDATION:

THAT: in accordance with Policy No. F-3 "Community Works Fund - Expenditure of Monies" access to the Community Works Fund be approved for up to \$12,500 plus applicable taxes from the Electoral Area C Community Works Fund allocation for energy efficient upgrades at the Tappen/Sunnybrae Fire Hall.

SHORT SUMMARY:

The original overhead bay doors at the Tappen/Sunnybrae Fire Hall are in need of replacement. The existing doors in the original portion of the fire hall are not adequately insulated and replacing them with a new energy efficient type will prevent heating and cooling loss.

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

The Tappen/Sunnybrae Fire Hall was constructed in 1988 and the three bay doors are original to the building. The doors are constructed of a heavy wood and contain very little insulation value. The doors do not seal well and allow for wind to pass through to the interior of the building and for warm air from inside to escape out.

The general contractor currently working on the hall expansion project can accommodate the bay door replacement into their work schedule, and has provided a quotation maximum of \$12,500, dependant on the options selected. The new doors have an insulation value of R16.

POLICY:

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

FINANCIAL:

Funds will be allocated from the Electoral Area C Community Works Fund allocation. The current balance of the Area C Community Works Fund is approximately \$1,000,000 after all previously approved projects.

KEY ISSUES/CONCEPTS:

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

DESIRED OUTCOMES:

The Board approve the expenditure from the Electoral Area C 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:	2017_11_19_TappenFD_Bay Doors CWF.docx
Attachments:	
Final Approval Date:	Nov 6, 2017

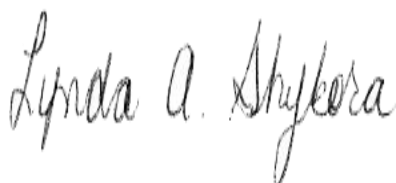
This report and all of its attachments were approved and signed as outlined below:



Darcy Mooney - Nov 6, 2017 - 11:44 AM



Jodi Pierce - Nov 6, 2017 - 1:46 PM



Lynda Shykora - Nov 6, 2017 - 1:51 PM



Charles Hamilton - Nov 6, 2017 - 2:01 PM



BOARD REPORT

TO:
Chair and Directors
File No: 6140 60 31

SUBJECT:
Swanson Road Park Development
DESCRIPTION:

Report from Ryan Nitchie, Team Leader Community Services, dated November 6, 2017. Letter to the Minister of Transportation and Infrastructure seeking a review and support for CSR D development plans for a community park at Swanson Road in Electoral Area E.

**RECOMMENDATION
#1:**

THAT: the Board request the Minister of Transportation and Infrastructure review and make a decision on the CSR D's comprehensive park concept plan submitted application to develop a portion of Swanson Road in Electoral Area E for a community park under the CSR D's current Licence of Occupation issued by the Ministry of Transportation and Infrastructure.

SHORT SUMMARY:

The Area E Parks Plan recommends development of a lake access park at Swanson Road in the Swansea Point area of Electoral Area E. The CSR D has developed lake access parks at six locations in the Swansea Point area and Swanson Road represents the final undeveloped lake access location. Encroachments from neighbouring properties to the east and west of the road right-of-way have delayed development of the park. CSR D staff have engaged with the neighboring properties in 2016 in an effort to resolve encroachment issues and proceed with development of the property into a community park. Following consultation with the neighbours, a comprehensive park concept plan was created by staff and submitted to the Ministry of Transportation and Infrastructure (MoTI) for approval. The eastern neighbour recently submitted a permit application to MoTI to construct a private loop-road through a portion of the right-of-way that would connect interior laneways within their property. CSR D staff do not support this application as it represents private use of publicly owned lands and presents a safety hazard to the public utilizing the park space. Staff has exhausted all reasonable efforts to reach a compromise with the neighbour and with local MoTI staff. Staff are now requesting that the CSR D Board ask the Minister responsible to review the application and support the CSR D's plans to develop a community park within the right-of-way.

VOTING:

 Unweighted
Corporate

 LGA Part 14
(Unweighted)

 Weighted
Corporate

 Stakeholder
(Weighted)

BACKGROUND:

The acquisition and development of Swanson Road into a lake access park is identified in the 2007 Electoral Area E Parks Plan as a high priority. Encroachments from neighbouring properties on the MoTI road right-of-way have prohibited its development to date. In 2016, staff engaged with the president of the neighbouring strata property, Strata KAS163 (Strata) and made progress in furthering the development of the park. Staff subsequently engaged with a sub-committee of the Strata to address their concerns and desires for the park development. Staff from MoTI were also consulted early in the process. Prior to development of any preliminary planning, the Strata advanced the notion to obtain approval to use public lake access space for private use. The notion was emphatically declined by MoTI.

staff who verbalized their opinion was not to allow exclusive private use of publicly owned land. Based on these discussions, CSRD staff developed a preliminary plan for the park which considered the concerns of the Strata including:

- The provision of emergency vehicle access including a laneway, roll over bollards and gates to the westerly side of the Strata property;
- The use of bollards instead of fencing along the boundary of the park and the Strata property to improve aesthetics;
- The use of vegetative and natural features and signage to delineate the park boundaries;
- The provision of a gate for occasional access for one lot owner at the south west boundary to move a recreational vehicle in and out of their property;
- The construction of a playground within the park;
- The minimization of the removal of mature trees within the park to maintain aesthetics and buffering between properties;
- The incorporation of the existing memorial bench area previously constructed at the westerly boundary of the Strata property into the park design;
- The relocation of the vault toilet to a central position between the two neighbouring properties;
- The construction of the playground at a time when the least disruption would occur to the residents of the Strata during peak summer time usage;
- The removal and disposal of a wooden fence which was constructed by the Strata which was encroaching in the right-of-way;
- The acquisition and installation of the requested emergency gates; and
- An agreement to allow for the existing encroachments into the setback to remain including buildings, sheds and air conditioning units.

Based on these considerations, a comprehensive park plan design was created and submitted to MoTI staff for approval. Following the submission of the plan to MoTI, the CSRD received correspondence from the Strata suggesting that the CSRD had failed to consult with neighbouring properties and failed to address perceived safety concerns that the development of the park would pose to residents of the Strata. CSRD staff clearly communicated to the Strata that all reasonable measures were taken to accommodate their design requests, however, the safety of residents and vehicular movement within the Strata development were not the responsibility of the CSRD. Following a meeting between CSRD staff, MoTI staff, and Strata representatives on February 22, 2017, verbal approval for the CSRD plan was provided by MoTI staff. Given the length of time needed for the delivery of playground equipment, the CSRD ordered and purchased the equipment for the Swanson Road project.

MoTI staff verbally requested the CSRD delay development of the Swanson Road project pending a MoTI review of the application to which CSRD agreed. After several additional weeks, MoTI staff indicated they had received a formal permit application from the Strata requesting use of a portion of the right-of-way to connect two of their internal laneways. CSRD staff advised MoTI that the application lacked sufficient detail to comment and that the private use of public lands was generally not supported. On October 24, 2017, the CSRD was advised by MoTI that a decision regarding both permit applications are suspended until the CSRD and the Strata come to a consensus regarding the opposing uses of the right-of-way. CSRD staff advised the Strata that it would not support development of a park that included their proposed laneway road access through the park and that no further concessions could be accommodated. A response was received from the Strata advising they would not withdraw their application as submitted.

FINANCIAL:

The project is being funded through the 2017 Five Year Financial Plan and the Electoral Area E Community Works Funds allocation.

Approximately \$30,000 has been expended to date to purchase playground equipment and conduct a survey for Swanson Road. Several hours of staff time have also been expended towards this project.

KEY ISSUES/CONCEPTS:

The Board request the Minister of Transportation and Infrastructure review and support the permit application to construct a community park as designed at Swanson Road.

COMMUNICATIONS:

Correspondence from the Board will be submitted to the Minister of Transportation and Infrastructure.

DESIRED OUTCOMES:

The Board support the recommendation to submit correspondence to the Minister of Transportation and Infrastructure.

BOARD'S OPTIONS:

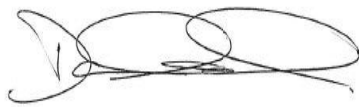
1. *Endorse the Recommendation.*
2. *Deny the Recommendation.*
3. *Defer.*
4. *Any other action deemed appropriate by the Board.*

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

Report Approval Details

Document Title:	Swanson Road MoTI Licence of Occupation.docx
Attachments:	
Final Approval Date:	Nov 6, 2017

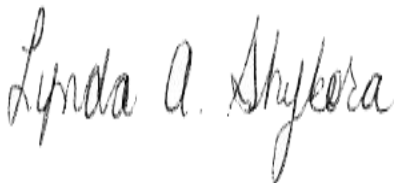
This report and all of its attachments were approved and signed as outlined below:



Darcy Mooney - Nov 6, 2017 - 1:50 PM



Jodi Pierce - Nov 6, 2017 - 3:13 PM



Lynda Shykora - Nov 6, 2017 - 3:36 PM



Charles Hamilton - Nov 6, 2017 - 3:50 PM



BOARD REPORT

TO: Chair and Directors

File No: Bylaw No. 5730

SUBJECT: Director Remuneration Bylaw No. 5730

DESCRIPTION: Report from Jodi Pierce, Manager, Financial Services, dated November 6, 2017.

RECOMMENDATION #1: THAT: "Director Remuneration Bylaw No. 5730" be read a first, second and third time this 16th day of November, 2017.

RECOMMENDATION #2: THAT: "Director Remuneration Bylaw No. 5730" be adopted this 16th day of November, 2017.

SHORT SUMMARY:

At the Committee of the Whole meeting held October 19, 2017, staff were directed to bring forward a remuneration bylaw based upon the recommendation of the Manager, Financial Services from the January 19, 2017 Board meeting. As noted in the Background section, Bylaw No. 5730 has been drafted for consideration of the Board with the updated remuneration proposed to take effect on January 1, 2018.

VOTING:

Unweighted
Corporate

☐

LGA Part 14
(Unweighted)

☐

Weighted
Corporate

☒

Stakeholder
(Weighted)

☐

BACKGROUND:

At the October 2015 Board meeting, the Board authorized an independent comprehensive review of the Directors Remuneration Bylaw No. 5510. In the spring of 2016, staff undertook an RFP process to hire a consultant to conduct the review. Kathy Sainas of Sainas Consult, Inc. was selected as the preferred candidate and began the review in June 2016. Part of the consultant's review was to consult with the directors, neighbouring Regional Districts and other Regional Districts of similar size and characteristics to the CSR. In September 2016, Kathy Sainas presented her findings and recommended a proposed Director Remuneration Bylaw. The results of that finding included the fact that CSR Directors were, on average, paid higher than seven of the nine comparative Regional Districts.

After receiving the report, Directors were requested to submit their comments and concerns to the Manager, Financial Services for consideration. Many comments were submitted by the Directors; staff reviewed those comments and developed a recommendation to form a basis for a remuneration bylaw for the January 2017 Board meeting. At that meeting, the Board failed to reach consensus and decided to establish a Remuneration Committee consisting of 2 Electoral Area Directors, 2 Municipal Directors and the Manager, Financial Services. A meeting of the Committee was held May 23, 2017 and the committee members reviewed a number of bylaws and other information from 19 other Regional Districts around the Province. Based on a review of this information, it was determined the average CSR Director remuneration is near the 75th percentile as compared to those other regional districts and further the average remuneration is \$3,000 higher than the other regional districts. During the committee meeting, consensus was reached on the following issues:

1. Electoral Area Directors should be paid more than Municipal Directors as Municipal Directors also receive a stipend from their local government and also to recognize the workload of the Electoral Area Directors.
2. It was also agreed that the Vice-Chair should receive an annual stipend for the additional workload that is bestowed on that position and the Committee agreed that the Chair stipend should be lessened by the amount of the stipend for the Vice-Chair.

However, after much discussion, the committee was not able to make a recommendation for a draft bylaw and a second meeting was discussed. A subsequent meeting was planned but not scheduled due to staffing issues. At the October 19, 2017 Committee of the Whole meeting, Director Remuneration was discussed and staff were directed to bring a bylaw forward based on the recommendation of the Manager, Financial Services from the January, 2017 Board meeting. Staff have drafted the attached Bylaw 5730 on the basis of the January recommendation with the following changes that had been communicated during the Committee meeting or at the Committee of the Whole meeting:

1. The annual Chair stipend was reduced by \$3,000 to fund an annual stipend for the Vice-Chair.
2. LGLA Conferences were included in specified conferences (formerly Discretionary in the January recommendation)
3. Guiding principles and definitions were included for clarity.

Staff also made the following change which is a departure from the January recommendation for ease of implementation:

Compensation for travel time was changed back to \$.15 per kilometer as opposed to \$15 per hour to the nearest half hour as kilometers are easily obtainable and defensible. Additionally, compensation would be paid to all parties travelling; should directors choose to car-pool, all parties would be compensated (not only the driver as per our existing bylaw).

It is clear that a Remuneration Bylaw will be not be acceptable to everyone, however; it is important to recognize that the remuneration must be fiscally sound, reasonable, and relatively simple to implement. Based on a thorough review of the report received from Sainas Consult, Inc.; a review of bylaws and related information from 19 neighbouring jurisdictions; comments from Directors; consensus from the one Committee meeting; and input from staff in the Finance, Payroll and Corporate Administration departments, staff is recommending the attached draft bylaw be given three readings and adopted at the November 2017 Board meeting. Bylaw No. 5730 would come into effect on January 1, 2018.

FINANCIAL:

Using the 2016 meeting attendance, and applying the attached draft bylaw, the Directors Remuneration would increase on average by 7.33%. This may be slightly inflated as the bylaw contains a provision for discretionary meetings and should the full allowance for meetings not be utilized, the increase would be lesser. The increase for Electoral Area Directors is on average 8.14% to reflect the additional workload within the constituencies. The increase for Municipal Directors is 6.36%, however, that is in large part because the Vice-Chair is currently a Municipal Director. Without consideration of the Vice-chair stipend, the average increase for Municipal Directors would be 2.03%.

KEY ISSUES/CONCEPTS:

To develop a thorough, comprehensive remuneration bylaw that is fiscally sound, reasonable, relatively simple to implement while still ensuring fair and reasonable compensation for elected officials in recognition of workload and time requirements.

IMPLEMENTATION:

Upon adoption by the Board, staff will ensure that sufficient remuneration is included in the Five Year Financial plan and payroll staff will begin paying remuneration to Directors in accordance with the Bylaw on January 1, 2018.

DESIRED OUTCOMES:

That the Board approve the recommendation to provide three readings and adoption of Bylaw No. 5730 to take effect on January 1, 2018. At that time, the existing Director Remuneration Bylaw No. 5510 will be repealed.

BOARD'S OPTIONS:

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

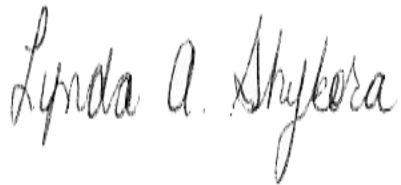
LIST NAME OF REPORT(S) / DOCUMENT(S) AVAILABLE FROM STAFF:

1. Director Remuneration Committee Background Materials

Report Approval Details

Document Title:	2017-11-16_Board_Fin_Bylaw 5730 Director Remuneration.docx
Attachments:	
Final Approval Date:	Nov 8, 2017

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



Lynda Shykora - Nov 7, 2017 - 4:18 PM



Charles Hamilton - Nov 8, 2017 - 8:46 AM

COLUMBIA SHUSWAP REGIONAL DISTRICT

BYLAW NO. 5730

A bylaw to provide for payment of remuneration to Directors and Alternate Directors

WHEREAS the Board of the Columbia Shuswap Regional District wishes to provide for the payment of remuneration to the Directors and Alternate Directors and for reimbursement for reasonable expenses incurred in connection with attendance at meetings of the Board, committee meetings or business of the Regional District specifically authorized by the Board;

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

1. Bylaw No. 5510, cited as "Directors Remuneration Bylaw No. 5510", is hereby repealed on January 1, 2018.

PRINCIPLES:

2. Directors' remuneration shall be structured as follows:
 - a) to ensure fair and reasonable compensation for elected officials in recognition of workload and time requirements;
 - b) to provide reasonable incentive to attract and retain quality individuals for these positions; and
 - c) to ensure fiscal responsibility and ensure optimization of taxpayer dollars.

DEFINITIONS:

3. Key definitions in this Bylaw:
 - a) "Conducting local business" means all meetings that are a result of electoral area business including but not limited to meetings with area constituents and community associations, public appearances, meetings with Regional District staff related to area business and other duties in office.
 - b) "Consumer Price Index increase" means the British Columbia, All-Items CPI year-over-year percentage change, as reported by Statistics Canada.
 - c) "Core meeting" means meetings required for those Regional District Committees and Commissions to which Directors are appointed by Board Resolution.
 - d) "Discretionary meeting" means all other meetings, conferences and workshops relating to CSRD business not covered elsewhere in this Bylaw.

- e) "Public Hearing" means a meeting on planning and land use bylaws that are required as per the *Local Government Act*.
- f) "Regularly scheduled meeting" means the twelve (12) Regular Board meetings, two (2) Budget/Committee of the Whole meetings and up to four (4) Electoral Area Director Committee meetings held each year.
- g) "Special meeting" means a duly convened meeting of the Board of Directors other than a regular meeting and includes additional unscheduled Committee of the Whole meetings, Board orientation meetings and strategic planning sessions.
- h) "Specified conferences" means Union of BC Municipalities (UBCM), Southern Interior Local Government Association (SILGA), Association of Kootenay and Boundary Local Governments (AKBLG) and Local Government Leadership Academy (LGLA) annual conferences.

DIRECTOR STIPEND:

4. Electoral Area Directors:

Electoral Area Directors will be paid an annual base stipend that includes:

- i. a portion (\$16,500) that is for conducting local business in the area; and
- ii. a portion (\$4,500) that is for attending the regularly scheduled meetings. The Electoral Area Director per meeting rate for Regular Board, Budget/Committee of the Whole and Electoral Area Director meetings is \$250.

If an Electoral Area Director does not attend a regularly scheduled meeting under section 4 (ii) above, \$250 will be deducted from the Director's base stipend.

5. Municipal Directors:

Municipal Directors will be paid an annual base stipend that includes:

- i. a portion (\$11,000) that is for representing the municipality on the Regional District Board; and,
- ii. a portion (\$2,800) that is for attending the regularly scheduled meetings (excludes Electoral Area Director Committee meetings). The Municipal Director per meeting rate for Regular Board and Budget/Committee of the Whole meetings is \$200.

If a Municipal Director does not attend a regularly scheduled meeting under section 5 (ii) above, \$200 will be deducted from the Director's base stipend.

6. Special Meetings:

In the event of additional special meetings scheduled by the Board on a day other than a regularly scheduled meeting, the meeting rate for all Directors will be \$250 per day in addition to the annual base stipend noted in sections 4 and 5 above.

7. Board Chair:

An annual stipend of \$20,700 will be paid to the Board Chair in addition to the annual base stipend noted in sections 4 and 5 above.

8. Board Vice-Chair:

An annual stipend of \$3,000 will be paid to the Board Vice-Chair in addition to the annual base stipend noted in sections 4 and 5 above.

9. Core Meetings:

Core meetings shall be paid a meeting rate of \$100 per meeting not to exceed \$200 per day. Meeting agendas must be submitted in support of payment.

10. Public Hearings:

Directors who are delegated to attend Public Hearings in their area are entitled to a meeting fee of \$50 per public hearing. Payment for Directors attending a public hearing outside of their electoral area is subject to the approval of the Chair.

11. Specified Conferences:

A conference day rate of \$200 shall be paid to Directors attending specified conferences on behalf of the CSRD, and two (2) travel days shall be paid at one-half (1/2) the conference day rate.

12. Discretionary Meetings/Conferences:

Directors shall be paid a per meeting rate to attend discretionary meetings on behalf of the CSRD. Meetings and workshops will be paid one (1) meeting per day at a rate of \$100. Attending unspecified conferences – Federation of Canadian Municipalities (FCM) etc. will be paid one (1) conference day rate of \$200 per day.

Discretionary meetings and conferences within this annual allowance will not require Board Chair approval or Board resolution.

The maximum annual allowances for discretionary meetings are as follows:

Electoral Area Director	\$2,500
Municipal Director	\$500

13. Executive Appointments:

Appointments to the Board of UBCM or FCM, when ratified by the CSRD Board of Directors shall be paid a conference day rate of \$200 per day and two (2) travel days shall be paid at one half (1/2) the conference day rate.

14. Alternate Directors:

Alternate Directors will be paid the meeting rate for attending in place of an absent regular Director in accordance with the type of meeting attended.

Where an Alternate Director attends a portion of a regularly scheduled meeting which the regular Director also attends but wishes to recuse him/herself for a portion of the meeting, the Alternate Director shall be paid \$50.

Alternate Directors, in addition to attending during a Director's absence, will be entitled to attend two (2) additional meetings per year with pay at their discretion. The pay shall be in accordance with the type of meeting attended.

TRAVEL REMUNERATION:

15. Directors and Alternate Directors will be paid for travel time to and from regularly scheduled meetings, special meetings and core meetings by way of compensation at the rate of \$0.15 per kilometer between home and the location of the meeting.
16. All reasonable travel and other expenses, including expenses where remuneration is provided within this Bylaw, incurred by Directors or Alternate Directors in the conducting of Regional District business shall be reimbursed upon the submission of expense vouchers and in accordance with the CSRD Travel and Expense Reimbursement Policy and Policy F-7 Meterage.

OTHER CONSIDERATIONS:

17. One-third (1/3) of the remuneration established for each Director and Alternate Director in this bylaw will be paid as an allowance for the expenses incidental to the discharge of the duties of the Director.
18. Effective January 1, 2019 and each January 1st thereafter, all remuneration amounts contained in this Bylaw will be adjusted to the nearest dollar to reflect the annual Consumer Price Index increase (if applicable). No adjustment will be made to decrease remuneration rates in a year when the CPI percentage change is negative.
19. In this bylaw, unless the context otherwise requires, the singular includes the plural.
20. The use of headings for parts and sections is for convenience of reference only and is not to affect the interpretation of this Bylaw.

FORCE and EFFECT

21. This bylaw will come into effect on January 1, 2018.

CITATION

22. This bylaw may be cited as "Director Remuneration Bylaw No. 5730".

READ a first time this _____ day of _____, 2017.

READ a second time this _____ day of _____, 2017.

READ a third time this _____ day of _____, 2017.

ADOPTED this _____ day of _____, 2017.

CHIEF ADMINISTRATIVE OFFICER

CHAIR

CERTIFIED a true copy of
Bylaw No. 5730 as read a third time.

CERTIFIED a true copy of
Bylaw No. 5730 as adopted.

Deputy Manager of Corporate
Administration Services

Deputy Manager of Corporate
Administration Services

COLUMBIA SHUSWAP REGIONAL DISTRICT

BYLAW NO. 5510

A bylaw to provide for payment of
remuneration to Directors and Alternate Directors.

WHEREAS The Board of the Columbia Shuswap Regional District wishes to provide for the payment of remuneration to the Directors and Alternate Directors and for reimbursement for reasonable expenses incurred in connection with attendance at meetings of the Board, committee meetings or business of the Regional District specifically authorized by the Board;

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

1. Bylaw No. 5377, cited as "Directors Remuneration Bylaw No. 5377", is hereby repealed.
2. The Chair of the Regional District shall be paid at the rate of Eight Hundred Thirty Dollars (\$830) bi-weekly in addition to the Director's remuneration as detailed in Clause 5 of this bylaw.
3. The Vice Chair of the Regional District shall be paid a supplementary meeting stipend of One Hundred Forty-two Dollars (\$142) in the event that he is required to chair a Board meeting.
4. Directors or Alternate Directors shall be paid One Hundred Seventy-six Dollars (\$176) per day for each regular or special meeting of the Board they are required to attend.
5. (a) Electoral Area Directors shall be paid Four Hundred Dollars (\$400) bi-weekly in addition to payment for meetings to which they may be required to attend. The difference between this amount and the Municipal Directors' remuneration identified in Clause 5 b) will be funded from Electoral Area General Government Function.
- (b) Municipal Directors shall be paid Four Hundred Dollars (\$400) bi-weekly in addition to payment for meetings to which they may be required to attend.
6. Electoral Area Directors shall be compensated for travel and other costs incurred in their Electoral Area at One Hundred Sixty-five Dollars (\$165) bi-weekly.

7. Remuneration of Directors shall be made for attendance at the following scheduled meetings at the meeting stipend rates contained herein:

SCHEDULE A - \$176/meeting

- Administration and Finance Committee
- Labour Relations Committee
- Municipal Insurance Association of BC
- Ktunaxa-Kinbasket Treaty Advisory Committee
- Okanagan Regional Library Board and Committees
- Okanagan-Shuswap Marine Advisory Council
- Milfoil Control Planning Committee
- Solid Waste Management Steering Committee
- Weed Control Committee
- Land & Resource Management Plan (LRMP)
- Fraser Basin Council
- Regional Transportation Advisory Committee
- Electoral Area Directors
- Meetings where the Chair of the Columbia Shuswap Regional District deems the Chair's attendance necessary, or where the Chair authorizes other Directors to attend

SCHEDULE B - \$55/meeting

- Revelstoke Airport Management Committee
- Shuswap Regional Airport Operating Committee
- Shuswap Regional Airport Commission
- Shuswap Emergency Preparedness Executive Committee
- Shuswap Economic Development Committee
- Shuswap Tourism
- Shuswap Lake Water Committee
- Meetings where the Chair of the Columbia Shuswap Regional District deems the Chair's attendance necessary, or where the Chair authorizes other Directors to attend

8. The meeting stipends referred to in Section 7 herein are limited to one per day.
9. Remuneration for Directors shall include Fifteen cents (\$0.15) per kilometer, in addition to the metrage rate as determined by Columbia Shuswap Regional District policy F-7, for travel to and from meetings authorized under sections 4 and 7 of this bylaw.
10. In the event that staff members are not in attendance at meetings for which remuneration is anticipated, the Director shall submit a written indication of meeting attendance for the office accounting files or report at a Board meeting.
11. Remuneration of Directors shall be made for attendance at the following conventions at the rate contained herein:

Schedule C - \$176/day (including day of travel to/from event)

UBCM Convention (including Regional District/Area Directors Seminar)
 SILGA Convention
 FCM Convention
 Other non-specified conventions

12. Remuneration of Directors and Alternate Directors shall be made for assignments, meetings, and seminars/workshops for which attendance is authorized by Board resolution.
13. All reasonable travel and other expenses, including expenses where remuneration is provided within this bylaw, incurred by Directors or Alternate Directors in the conducting of Regional District business shall be reimbursed upon the submission of expense vouchers.
14. The Alternate Director shall be deemed to be the Director for the purpose of remuneration in the event that the Director is absent or otherwise unable to serve for a period equal to or in excess of sixteen (16) consecutive days.

This Section shall apply mutatis mutandis to Sections 5, 6, and 7 contained herein.

15. One-third of the remuneration established for each Director and Alternate Director under this bylaw will be paid as an allowance for the expenses incidental to the discharge of the duties of the Director.
16. Effective January 1, 2009 and each January 1st thereafter, all remuneration amounts contained in this Bylaw, will be adjusted to the nearest dollar to reflect the annual British Columbia Consumer Price index year-over-year change as reported by Statistics Canada.
17. In this bylaw, unless the context otherwise requires, the singular includes the plural and the masculine includes the feminine gender.
18. This bylaw may be cited as "Director Remuneration Bylaw No. 5510.

READ a first, second and third time this 15th day of May, 2008.

RECONSIDERED AND ADOPTED this 15th day of May, 2008.



 MANAGER OF CORPORATE ADMINISTRATION
 SERVICES (SECRETARY)



 CHAIR

CERTIFIED a true copy of
 Bylaw No. 5510, as adopted.

 Manager of Corporate Administration
 Services (Secretary)



BOARD REPORT

TO: Chair and Directors

File No: Bylaw No. 5764

SUBJECT: Cedar Heights Waterworks Service Bylaw No. 5764

DESCRIPTION: Report from Jodi Pierce, Manager, Financial Services dated November 2, 2017. Proposed amendment to Cedar Heights Waterworks Service Bylaw No. 5362 to increase the maximum tax requisition.

RECOMMENDATION #1: THAT: "Cedar Heights Waterworks Service Amendment Bylaw No. 5764" be read a first, second and third time this 16th day of November, 2017.

SHORT SUMMARY:

Through the budget process, it has been determined that the parcel tax amount requisitioned from each property within the Cedar Heights Waterworks Service Area would be reduced, as a result of the Lakeview Heights Subdivision connection to the Cedar Heights system which increased the number of properties within the service area. The current maximum parcel tax requisition limit is low, which means when additional properties are included, the amount per property decreases to maintain the allowable maximum requisition limit. In order to maintain the same parcel tax rate per property as in previous years, the establishing bylaw requires an amendment to increase the maximum tax requisition.

VOTING:	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:

A parcel tax's maximum requisition amount can only be increased once every five years to a maximum of 25% without Inspector approval. Through discussion with staff from the Ministry of Municipal Affairs and Housing, the CSR D staff has learned the maximum requisition amount can be amended for an amount in excess of 25% as long as we obtain Inspector approval. The Cedar Heights Waterworks Reserve Fund is underfunded considering the size of the water system; additional revenue is required to help fund eventual upgrades. Parcel taxes are requisitioned as a total amount for the whole service area, rather than as an amount per parcel. As a result, when the maximum parcel tax requisition amount is met, parcel taxes for each individual parcel decrease whenever additional parcels are added to the service area. This limits the ability to generate additional revenue to cover the costs of the expanded system. Staff is recommending the maximum requisition limit be doubled for the parcel tax requisition in the Cedar Heights Waterworks to allow the same parcel tax per property be maintained as the previous year, and to allow for additional room for modest increases in the parcel tax amount over the next several years.

POLICY:

In accordance with the Local Government Regulation 113/2007 (Regional District Establishing Bylaw Approval Exemption), the tax requisition for a service may be increased by 25% of the baseline every five years without requiring public assent, however, Inspector approval is required for increases beyond 25% or those within the five year window.

FINANCIAL:

In 2017, Cedar Heights property owners paid a parcel tax in the amount of \$141 per property (including the provincial collection fee), resulting in total parcel taxes of \$62,500. During 2017, an additional 42 properties were added to the system and will be required to pay parcel taxes beginning in 2018. Without an increase to the maximum requisition amount, the parcel tax per property would actually decrease to \$129 per property (total parcel tax remains at \$62,500). By supporting an increase to the maximum requisition, the parcel tax per parcel will remain at \$141 and an additional \$5,700 in revenue will be realized. No further increases to the Cedar Heights Waterworks parcel taxes are under consideration for the 2018 budget year. The current balance of the capital reserve fund for the Cedar Heights Waterworks is approximately \$420,000 with \$60,000 being budgeted in 2018 for PRV station upgrades. Additionally, past practice has been to implement a 25% increase every five years and apply that increase to taxpayers all in one year. The recommended amendment would allow for gradual increases to the parcel taxes over time so the taxpayers would not see such a significant increase at one time.

KEY ISSUES/CONCEPTS:

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

IMPLEMENTATION:

Upon third reading, the Bylaw will be forwarded to the Ministry of Municipal Affairs and Housing for Inspector approval. Upon receipt of Inspector approval, the Bylaw will be brought to a subsequent Board meeting for adoption. Upon adoption, the 2018 budget will include parcel tax revenue in the amount of \$68,200 or approximately \$141 per parcel.

COMMUNICATIONS:

The Electoral Area C Director has consented to the increase. The Cedar Heights representative on the Regional Water Advisory Committee has been advised of the intention to increase the maximum parcel tax requisition limit.

DESIRED OUTCOMES:

That the Board approve the recommendation to amend the bylaw.

BOARD'S OPTIONS:

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

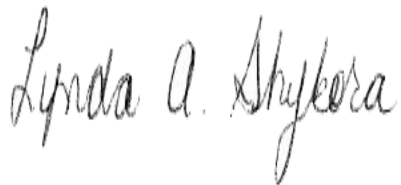
Report Approval Details

Document Title:	2017-11-16_Board_FIN_Cedar Heights Parcel Tax Amendment.docx
Attachments:	- BL5764 Cedar Heights Waterworks Amendment Bylaw.docx
Final Approval Date:	Nov 6, 2017

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

No Signature found

Darcy Mooney - Nov 6, 2017 - 11:36 AM



Lynda Shykora - Nov 6, 2017 - 12:16 PM



Charles Hamilton - Nov 6, 2017 - 1:32 PM

COLUMBIA SHUSWAP REGIONAL DISTRICT**BYLAW NO. 5764**

A bylaw to amend Cedar Heights Waterworks Service Bylaw No. 5362

WHEREAS a service area has been established by the Columbia Shuswap Regional District by Cedar Heights Waterworks Service Bylaw No. 5362 for the purpose of providing water to the Cedar Heights area within Electoral Area 'C';

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

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

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

1. Section 4 of Bylaw No. 5362 is hereby deleted and replaced with the following:
 - "4. The annual operating and debt servicing costs shall be recovered by one or more of the following:
 - a) the requisition of money to be collected by a parcel tax in an amount not to exceed \$125,000 per year;
 - b) the imposition of fees and other charges that may be fixed by separate bylaw for the purpose of recovering these costs;
 - c) revenues received by way of agreement, enterprise, gift, grant or otherwise.
2. This Bylaw may be cited as the "Cedar Heights Waterworks Service Amendment Bylaw No. 5764".

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.

ADOPTED this _____ day of _____, 2017.

CHIEF ADMINISTRATIVE OFFICER

CHAIR

CERTIFIED a true copy of
Bylaw No. 5764 as read a third time.

CERTIFIED a true copy of
Bylaw No. 5764 as adopted.

Deputy Manager of Corporate
Administration Services

Deputy Manager of Corporate
Administration Services

COLUMBIA SHUSWAP REGIONAL DISTRICT

BYLAW NO. 5763

A bylaw to amend Nicholson Fire Suppression Local Service Bylaw No. 5260

WHEREAS a service area has been established by the Columbia Shuswap Regional District by Bylaw No. 5260, cited as "Nicholson Fire Suppression Local Service Bylaw No. 5260", for the purpose of providing fire suppression service in a portion of Electoral Area 'A';

AND WHEREAS a request of property owners outside the service area has been received by the Regional Board for the purpose of having additional lands included in the fire suppression service area;

AND WHEREAS it is deemed desirable to include within the aforesaid service area additional lands as petitioned;

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

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

BOUNDARY

1. The boundaries of the "Nicholson Fire Suppression Service Area" as established by Nicholson Fire Suppression Local Service Bylaw No. 5260 are hereby extended to include the lands outlined and described in Schedule "B", which is attached hereto and forms part of this bylaw.
2. Schedule "A" of the Nicholson Fire Suppression Local Service Bylaw No. 5260 is hereby deleted and replaced by Schedule "A" attached hereto and forming part of this bylaw.

EFFECTIVE DATE

3. This Bylaw will come into effect on December 31, 2017.

Bylaw No. 5763

Page 2

CITATION

4. This Bylaw may be cited as the "Nicholson Fire Suppression Service Area Amendment Bylaw No. 5763".

READ a first time this 19th day of October, 2017.

READ a second time this 19th day of October, 2017.

READ a third time this 19th day of October, 2017.

ADOPTED this _____ day of _____, 2017.

CHIEF ADMINISTRATIVE OFFICER

CHAIR

CERTIFIED a true copy of
Bylaw No. 5763 as read a third time.

CERTIFIED a true copy of
Bylaw No. 5763 as adopted.

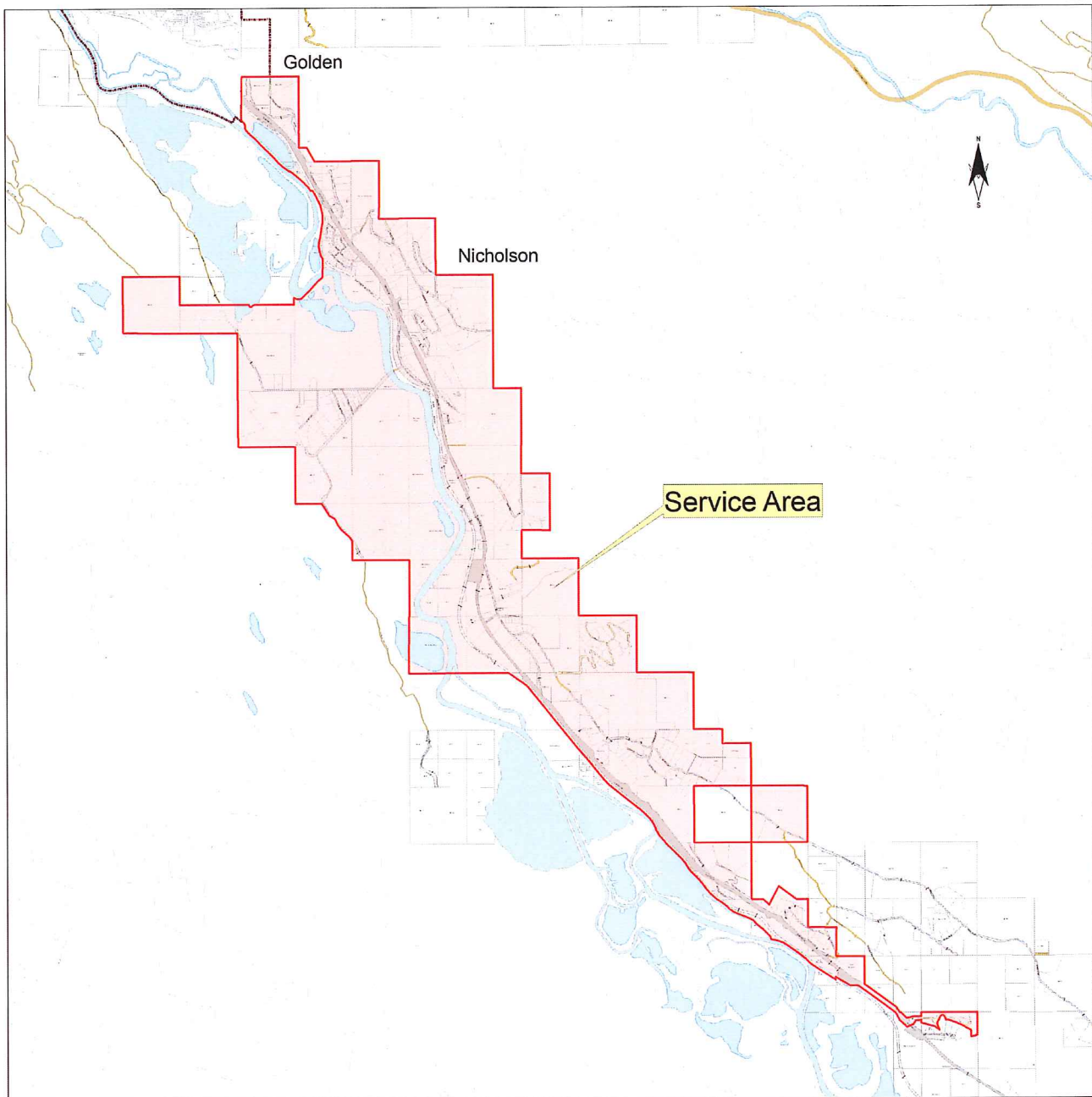


Deputy Manager of Corporate
Administration Services

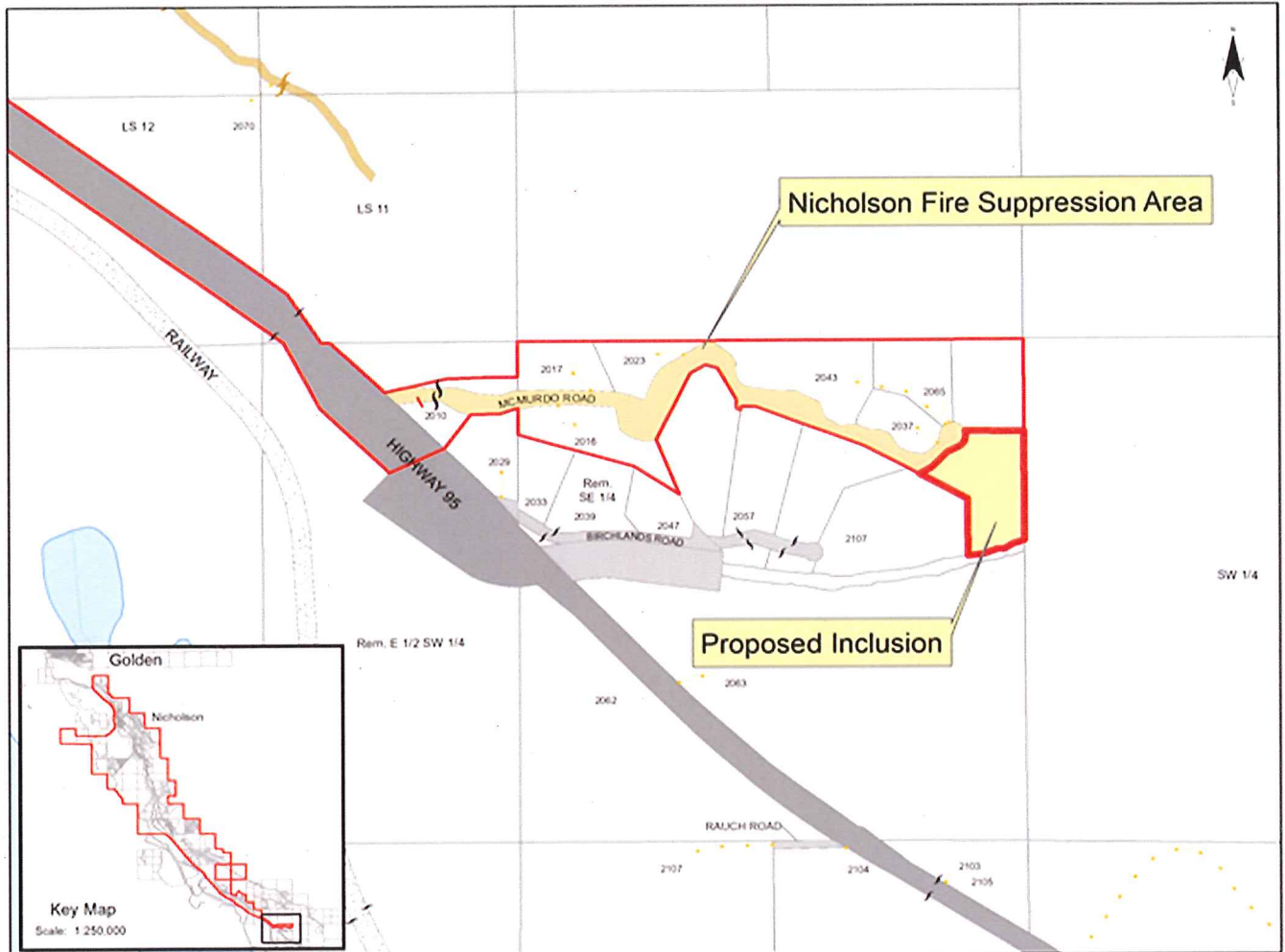
Deputy Manager of Corporate
Administration Services

**NICHOLSON FIRE SUPPRESSION
SERVICE AREA AMENDMENT BYLAW NO. 5763**

SCHEDULE "A"



**NICHOLSON FIRE SUPPRESSION
SERVICE AREA AMENDMENT BYLAW NO. 5763
SCHEDULE "B"**





BOARD REPORT

TO:

Chair and Directors

File No: BL851-11 PL20170000165

SUBJECT:

Electoral Area B: Electoral Area B Zoning Bylaw Amendment (Sievwright) Bylaw No. 851-11

DESCRIPTION:

Report from Candice Benner, Development Services Assistant, dated October 31, 2017.
 4785 Airport Way, South Revelstoke

RECOMMENDATION #1:

THAT: "Electoral Area B Zoning Bylaw Amendment (Sievwright) Bylaw No. 851-11" be read a first time this 16th day of November, 2017.

RECOMMENDATION #2:

THAT: the Board utilize the simple consultation process for Bylaw No. 851-11, and it be referred to the following agencies and First Nations:

- Area 'B' Advisory Planning Commission;
- Interior Health Authority;
- Ministry of Transportation and Infrastructure;
- Ministry of Environment;
- Ministry of Forests, Lands and Natural Resource Operations;
- Ministry of Forests, Lands and Natural Resource Operations – Water Rights Branch;
- Ministry of Forests, Lands and Natural Resource Operations, Archaeology Branch;
- CSR D Operations Management;
- CSR D Financial Services;
- City of Revelstoke;
- All relevant First Nations Bands and Councils.

SHORT SUMMARY:

The subject property is located south of the City of Revelstoke in Electoral Area 'B' on Airport Way. The owner has been operating a vacation rental use on the property for several years. This is not a permitted use in the current Small Holdings zone and, therefore, the property owner has applied to rezone the parcel to the Vacation Rental zone.

VOTING:

Unweighted
Corporate

☐

LGA Part 14
(Unweighted)

☒

Weighted
Corporate

☐

Stakeholder
(Weighted)

☐
BACKGROUND:

PROPERTY OWNER:
 Julia Sievwright

ELECTORAL AREA:

B

CIVIC ADDRESS:

4785 Airport Way, Rural Revelstoke

LEGAL DESCRIPTION:

Lot 1 Sections 30 and 31 Tp 22 Rg 1 W6M Kootenay District Plan NEP72289

SIZE OF PROPERTY:

4.10 ha

DESIGNATION:

Small Holdings –SH

ZONE:

Small Holdings-SH

ALR:

100%

SURROUNDING LAND

USE PATTERN:

North: Rural, Residential

South: Rural, Residential

East: Rural, Residential

West: Columbia River

CURRENT USE:

Vacation rental (illegal use)

PROPOSED USE:

Vacation rental

SITE COMMENTS: The property is flat with landscaped lawn and trees. An asphalt driveway leads to the house which is located centrally on the property. There is a house, detached garage, and small outbuildings on the parcel.

The parcel is surrounded by larger low density rural residential parcels to the north, south and east and by the Columbia River to the west.

POLICY:

Rural Revelstoke Official Community Plan Bylaw No. 850

2.1 Growth Patterns

South Revelstoke

At present the South Revelstoke area has a rural character that is highly valued by the residents. The area contains a mixture of lot sizes from small half acre parcels to large agricultural acreages. There is abundant forested upland area framing the valley and providing context for the proposed ski resort.

The settled area contains a mixture of housing types and sizes but the majority of development is single family residential. There are some properties that are designated as agricultural and are within the Agricultural Land Reserve but there is little active farming taking place.

4.1 Residential

Small Holdings Designation

4.3.20 The principal use shall be residential or agricultural.

4.3.22 One primary dwelling and one accessory dwelling unit shall be permitted per parcel.

4.3.23 The minimum parcel size for subdivision of Small Holdings land shall be 4 ha.

Vacation Rental

4.3.34 Vacation Rentals allow the use of temporary accommodation in residential areas on a commercial basis and are regulated either by a temporary use permit or through the zoning bylaw. Vacations Rentals shall:

- a. first be considered on a three year trial basis by the use of a temporary use permit (refer to Section 14);
- b. not create an unacceptable level of negative impact on surrounding residential uses;
- c. comply with all applicable regulations of the Provincial Agricultural Land Commission when located within the Agricultural Land Reserve; and
- d. be subject to local health authority requirements.
- e. be subject to all Ministry of Transportation and Infrastructure Access Permit requirements.

South Revelstoke

4.4.9 The Regional District recognizes the development pressure currently being experienced on the ALR lands below the Revelstoke Mountain Resort; however the ALC has indicated that it does not support a review of these lands for exclusion from the ALR. The ALC has indicated that it would only consider a review under the following conditions:

- specific information is provided as to the capacity of non ALR land in the City of Revelstoke to accommodate growth (i.e. more land is required to service growth pressures); and
- the land is proposed for incorporation into the City of Revelstoke.

Recognizing the current ALR status, lands within the ALR south of Revelstoke are to be designated Small Holdings (SH).

10.1 Agriculture

Agricultural lands in Electoral Area 'B' are primarily located in the Arrow Lakes Valley. The Regional District recognizes that some lands in the Electoral Area 'B', particularly in South Revelstoke may have limitations for agriculture, however, the ALC is not supportive of ALR exclusions at this time.

Although there is limited evidence of existing agricultural activity in the plan area there is a history of agriculture, particularly in the river valleys. The CSRD recognizes this history and the role of the ALC and the plan is supportive of agriculture, particularly where agriculture can contribute to sustainability and local food production.

10.2 Objectives

10.2.1 To support the preservation of the agricultural land base where lands have continuing value for agriculture.

10.2.2 To promote options for the production and marketing of locally grown foods.

10.2.3 To minimize conflicts between agriculture and other land uses.

10.3 Policies

10.3.1 The Regional District supports the preservation, maintenance and enhancement of lands for agricultural use within the Agricultural Land Reserve. Current Agricultural Land Reserve designations are inventoried in Schedule C.

10.3.3 Agriculture, including but not limited to agricultural food production, forage crops, livestock operations and accessory commercial uses, is permitted in the Rural Resource, Small Holdings, and Rural Residential 2 designations.

Electoral Area 'B' Zoning Bylaw No. 851

1.0 Definitions

BED AND BREAKFAST is the use of not more than three (3) bedrooms within a principal single family dwelling to provide temporary accommodation to the traveling public, and includes food service to guests

HOTEL is the use of land, buildings and structures to provide accommodation on a temporary basis to the travelling public, within a building, and may also contain meeting rooms & restaurant

LODGE is a building which complies with the definition of a "hotel" except that a lodge does not include a restaurant and areas used for public retail and public entertainment purposes

VACATION RENTAL is the use of a residential dwelling unit or secondary dwelling unit for temporary accommodation on a commercial basis

3.6 Agricultural Land Reserve

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 Act, regulations and orders of the Agricultural Land Commission (thereby not permitting the subdivision of land or the development of non-farm uses unless approved by the Agricultural Land Commission).

3.21 Vacation Rental

(1) A vacation rental may be permitted in both the single family dwelling and the secondary dwelling unit. Residential campsites, camping units, and park models shall not be used for vacation rental unless otherwise permitted in this Bylaw;

(2) Where a vacation rental is permitted, a maximum of five (5) bedrooms per parcel may be used for a vacation rental and no more than ten (10) guests are permitted in a vacation rental at any one time;

(3) A vacation rental located in a detached secondary dwelling unit is only permitted on a parcel 2 ha in size or larger;

(4) A vacation rental shall not be operated in conjunction with a bed and breakfast;

- (5) A vacation rental shall not include ancillary uses typical of a hotel, motel, lodge or inn. These uses include, but are not limited to: meeting rooms, restaurant, concierge, and retail sales;
- (6) A vacation rental shall not produce a nuisance for surrounding residents, including but not limited to noise, light or traffic that is disruptive to surrounding residents quiet and enjoyment of their property;
- (7) A vacation rental must not alter the residential character of the dwelling unit or property in which it is operated;
- (8) One (1) on-site parking space shall be provided for each bedroom used for vacation rental;
- (9) Total signage (excluding framing) used for the purpose of advertising the vacation rental on each parcel shall not exceed 0.5 m² in area and 2 m in height if free standing. Signs shall have a minimum setback of 1 m from parcel lines; and
- (10) A vacation rental must be sited in accordance with setback regulations and meet all provincial and Interior Health requirements regarding water and sewer servicing.

Current Zone:

5.5 Small Holdings (SH) Zone

Principal Uses

- (1) The uses stated in this subsection and no others are permitted in the Small Holdings zone as principal uses, except as stated in Part 3: General Regulations:
 - (a) agriculture
 - (b) day care
 - (c) horticulture
 - (d) single family dwelling
 - (e) standalone residential campsite
 - (f) timber harvesting

Secondary Uses

- (2) The uses stated in this subsection and no others are permitted in the Small Holdings zone as secondary uses, except as stated in Part 3: General Regulations:
 - (a) accessory use
 - (b) bed and breakfast
 - (c) home occupation
 - (d) small-scale sawmill
 - (e) residential campsite
 - (f) secondary dwelling unit

Regulations

- (c) Maximum parcel coverage: 25%
- (d) Maximum number of single family dwellings per parcel: One
- (e) Maximum number of secondary dwelling units per parcel: One

Proposed Zone:

5.15 Vacation Rental (VR) Zone

Principal Uses

- (1) The uses stated in this subsection and no others are permitted in the Vacation Rental zone as principal uses, except as stated in Part 3: General Regulations:
 - (a) single family dwelling
 - (b) horticulture
 - (c) vacation rental

Secondary Uses

(2) The uses stated in this subsection and no others are permitted in the Vacation Rental zone as secondary uses, except as stated in Part 3: General Regulations:

- (a) accessory use
- (b) home occupation
- (c) secondary dwelling unit

Regulations

- (c) Maximum parcel coverage: 20%
- (d) Maximum number of single family dwellings per parcel: One
- (e) Maximum number of secondary dwelling units per parcel: One

FINANCIAL:

This file initially started as bylaw enforcement as the current owners were operating a vacation rental out of the existing single family dwelling. Bylaw enforcement has been held in abeyance, pending the outcome of this application.

KEY ISSUES/CONCEPTS:

The Board has reviewed two ALR applications for this property in the past; Eagle Pass heli-skiing completed a non-farm use application to operate their heli-ski operation including using the existing dwelling as a commercial lodge. Eagle Pass was renting the property from the current owners at the time. The Board recommended approval of this application and the ALC approved this use.

The second ALR application the Board reviewed was also for non-farm use for a permanent vacation rental; the application was made by the current owners who wish to have a permanent vacation rental use for the property. The ALC determined during its review of this application that the footprint of the vacation rental within the existing dwelling is no different than that of a bed and breakfast, which is a permitted use in the ALR.

With the decision of the ALC, the owners are now continuing with the compliance process by applying to rezone the parcel to a zone appropriate for their vacation rental use. In consultation with the owners and in review of the existing vacation rental use on the property, staff believe that the Vacation Rental zone is an appropriate zone for the property.

The existing single family dwelling has been operated as a four to six bedroom and six bathroom vacation rental for several years; the owners understand that should the property be rezoned to Vacation Rental, they will be required to limit the use to a maximum of ten (10) guests and five (5) bedrooms, along with compliance with all vacation rental regulations stipulated in the zoning bylaw. The owners do not intend to operate helicopter pick/up drop off like that of Eagle Pass heli-skiing and the owners understand that the Vacation Rental zone does not permit this use.

OCP policy suggests that a Temporary Use Permit be the first step in an application for vacation rental prior to rezoning a parcel. The owners have chosen to apply directly for rezoning as they have been operating a vacation rental on the property for several years already and they intend to continue this use on a permanent basis. The ALC has also historically shown support of similar applications on the property. Subject to this application receiving first reading and receiving referral comments from

applicable agencies, staff may require further servicing information at second reading, regarding the proposed vacation rental use, from the owners.

SUMMARY:

The subject property is located south of the City of Revelstoke in Electoral Area 'B' on Airport Way. The owner wants to rezone the parcel to Vacation Rental to permit the existing vacation rental use.

IMPLEMENTATION:

If the Board gives this bylaw first reading and approves the simple consultation process, staff will send referrals out to the applicable agencies and First Nations.

COMMUNICATIONS:

If the bylaws are given first readings they will be forwarded to the referral agencies. Agency comments will be provided with a future Board report.

•Area 'B' Advisory Planning Commission;	•CSRD Financial Services;
•Interior Health Authority;	•City of Revelstoke; and,
•Ministry of Transportation and Infrastructure;	•All relevant First Nations Bands and Councils, including: Lower Kootenay Band; Lower Similkameen Indian Band, Neskonlith Indian Band, Okanagan Indian Band, Okanagan Nation Alliance, Penticton Indian Band, Shuswap Indian Band, Simpcw First Nation, Splots'in First Nation, St. Mary's Indian Band, Tobacco Plains Indian Band.
•Ministry of Environment;	
•Ministry of Forests, Lands and Natural Resource Operations;	
•Ministry of Forests, Lands and Natural Resource Operations – Water Rights Branch;	
•Ministry of Forests, Lands and Natural Resource Operations, Archaeology Branch;	
•CSRD Operations Management;	

DESIRED OUTCOMES:

That the Board endorse staff recommendation(s).

BOARD'S OPTIONS:

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


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

1. Application
2. Electoral Area B Official Community Plan Bylaw No. 850
3. Electoral Area B Zoning Bylaw No. 851

Report Approval Details

Document Title:	2017-11-16_Board_DS_BL851-11_Siewwright.docx
Attachments:	- BL851-11_First.pdf - Maps_Plans_BL851-11.pdf
Final Approval Date:	Nov 6, 2017

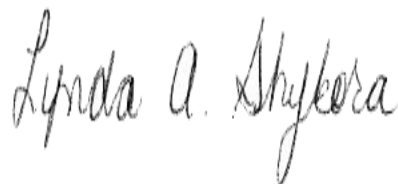
This report and all of its attachments were approved and signed as outlined below:



Corey Paiement - Nov 3, 2017 - 4:03 PM



Gerald Christie - Nov 6, 2017 - 7:20 AM



Lynda Shykora - Nov 6, 2017 - 2:35 PM



Charles Hamilton - Nov 6, 2017 - 3:30 PM

COLUMBIA SHUSWAP REGIONAL DISTRICT

ELECTORAL AREA 'B' ZONING AMENDMENT

(Sievwright) BYLAW NO. 851-11

A bylaw to amend the "Electoral Area 'B' Zoning Bylaw No. 851"

WHEREAS the Board of the Columbia Shuswap Regional District adopted Bylaw No. 851;

AND WHEREAS the Board deems it appropriate to amend Bylaw No. 851;

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

1. The "Electoral Area 'B' Zoning Bylaw No. 851", as amended, is hereby further amended as follows:

A. MAP AMENDMENT

1. Schedule B, Electoral Area 'B' Zoning Bylaw No. 851 Overview Maps, which forms part of the "Electoral Area 'B' Zoning Bylaw No. 851" as amended, is hereby further amended by:

- i) rezoning Lot 1, Sections 30 and 31, Township 22, Range 1 West of the 6th Meridian, Kootenay District, Plan NEP72289, which property is more particularly shown hatched on Schedule 1 attached hereto and forming part of this bylaw, from Small Holdings –SH to Vacation Rental –VR.

2. Schedule C, Electoral Area 'B' Zoning Bylaw No. 851 Mapsheets, which forms part of the "Electoral Area 'B' Zoning Bylaw No. 851" as amended, is hereby further amended by:

- i) rezoning Lot 1, Sections 30 and 31, Township 22, Range 1 West of the 6th Meridian, Kootenay District, Plan NEP72289, which property is more particularly shown hatched on Schedule 1 attached hereto and forming part of this bylaw, from Small Holdings –SH to Vacation Rental –VR.

2. This bylaw may be cited as "Electoral Area 'B' Zoning Amendment (Siewwright) Bylaw No. 851-11".

READ a first time this _____ day of _____, 2017.

READ a second time this _____ day of _____, 2018.

PUBLIC HEARING held this _____ day of _____, 2018.

READ a third time this _____ day of _____, 2018.

ADOPTED this _____ day of _____, 2018.

CORPORATE OFFICER

Certified true copy of Bylaw No. 851-11
as read a third time.

CORPORATE OFFICER

CHAIR

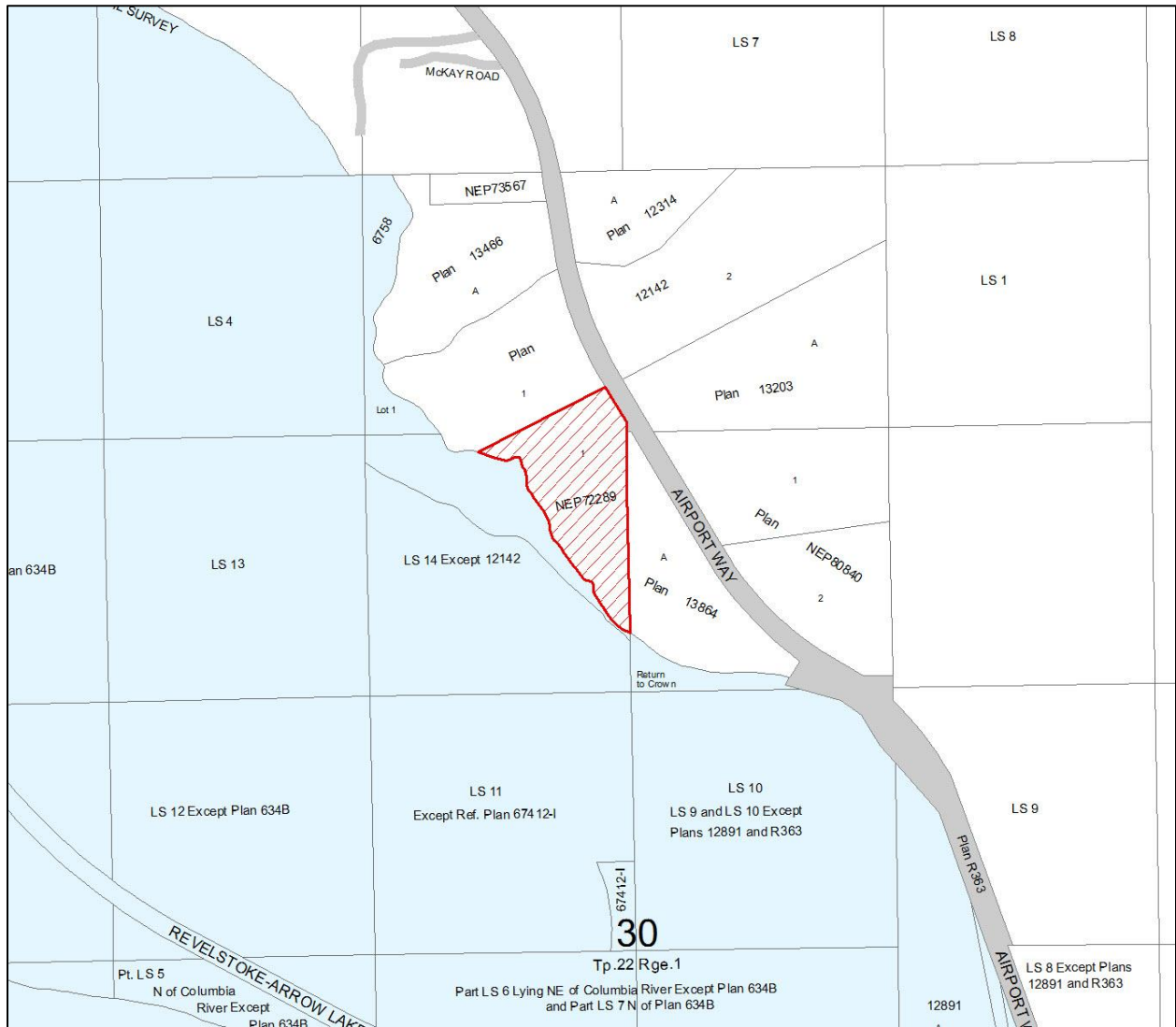
Certified true copy of Bylaw No. 851-11
as adopted.

CORPORATE OFFICER

SCHEDULE 1

ZONING AMENDMENT

ELECTORAL AREA 'B' ZONING AMENDMENT (SIEVWRIGHT) BYLAW NO. 851-11



2. This bylaw may be cited as "Electoral Area 'B' Zoning Amendment (Boltwood) Bylaw No. 851-6".

READ a first time this _____ day of _____, 2016.

READ a second time this _____ day of _____,
2016.

PUBLIC HEARING held this _____ day of _____, 2016.

READ a third time this _____ day of _____, 2016.

RECEIVED THE APPROVAL of the Ministry of Transportation and Infrastructure this

day of _____, 2016.

ADOPTED this _____ day of _____, 2016.

CORPORATE OFFICER

CHAIR

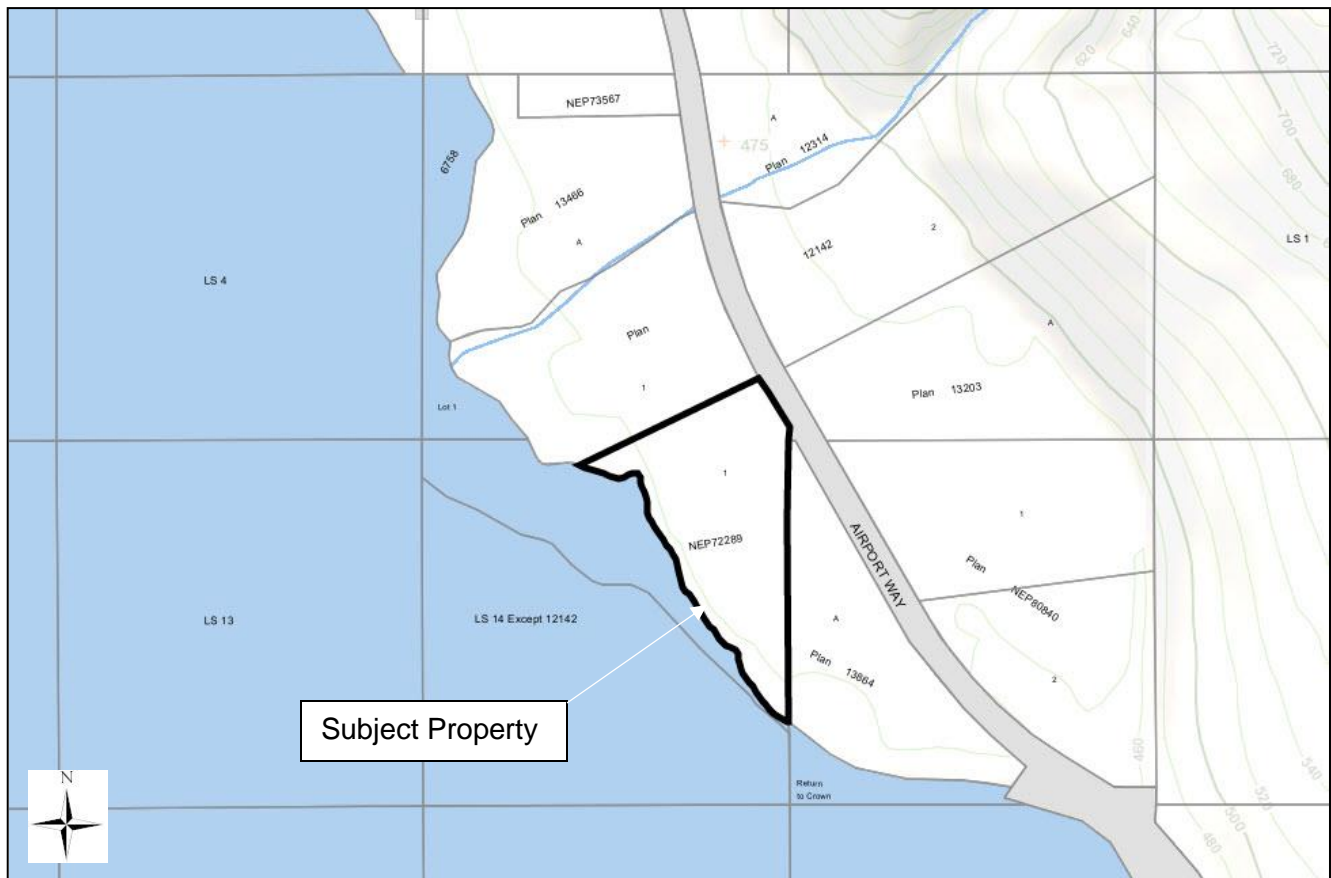
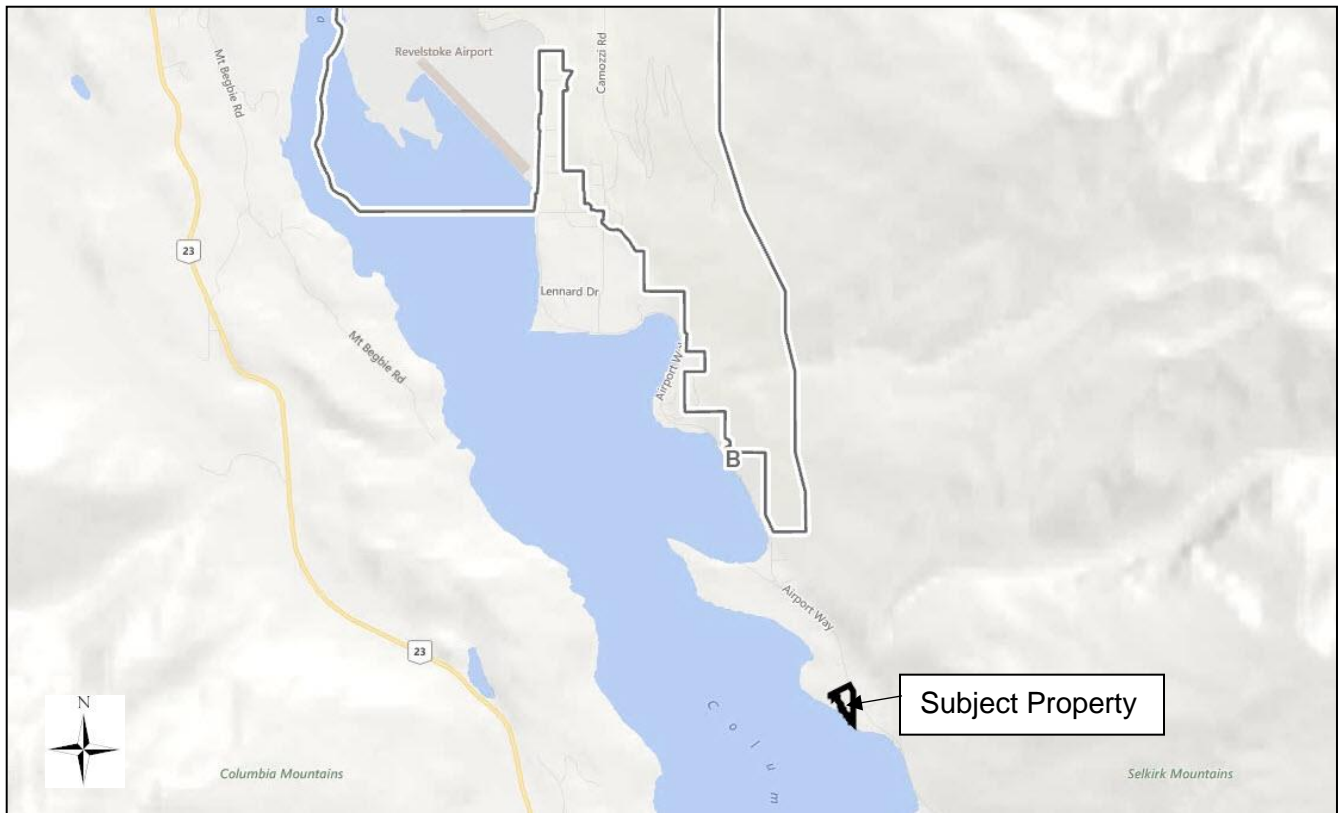
CERTIFIED true copy of Bylaw No. 851-6
as read a third time.

CERTIFIED true copy of Bylaw No. 851-6
as adopted.

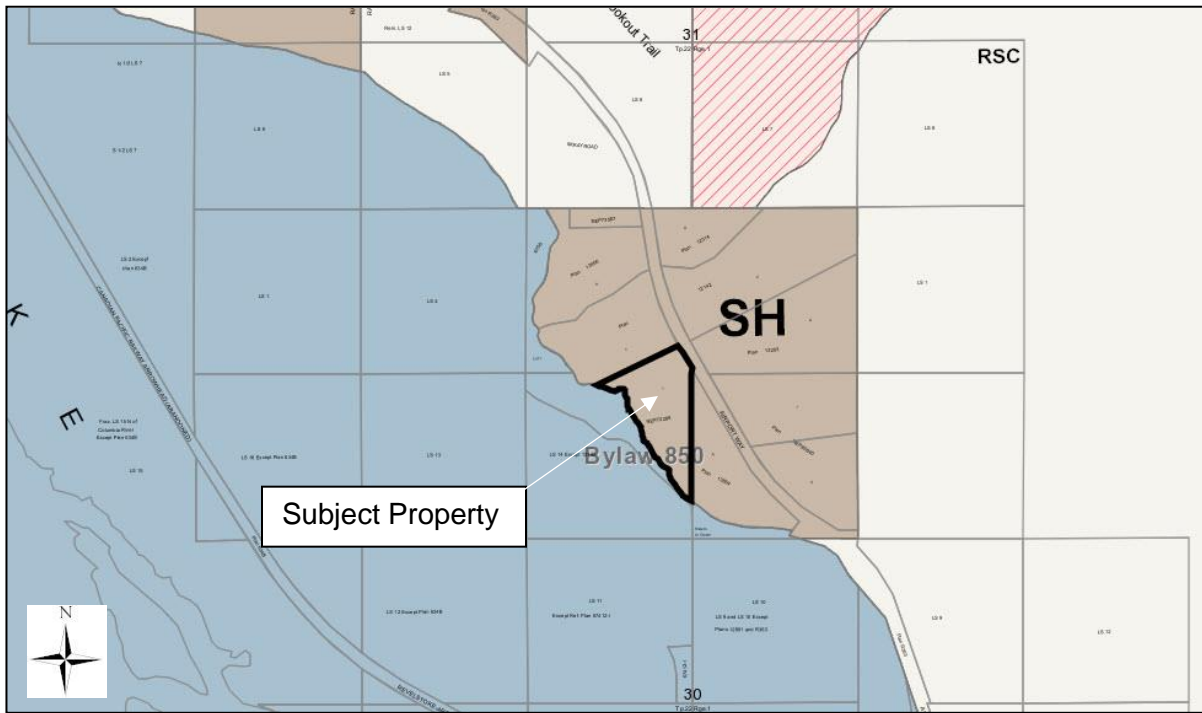
Corporate Officer

Corporate Officer

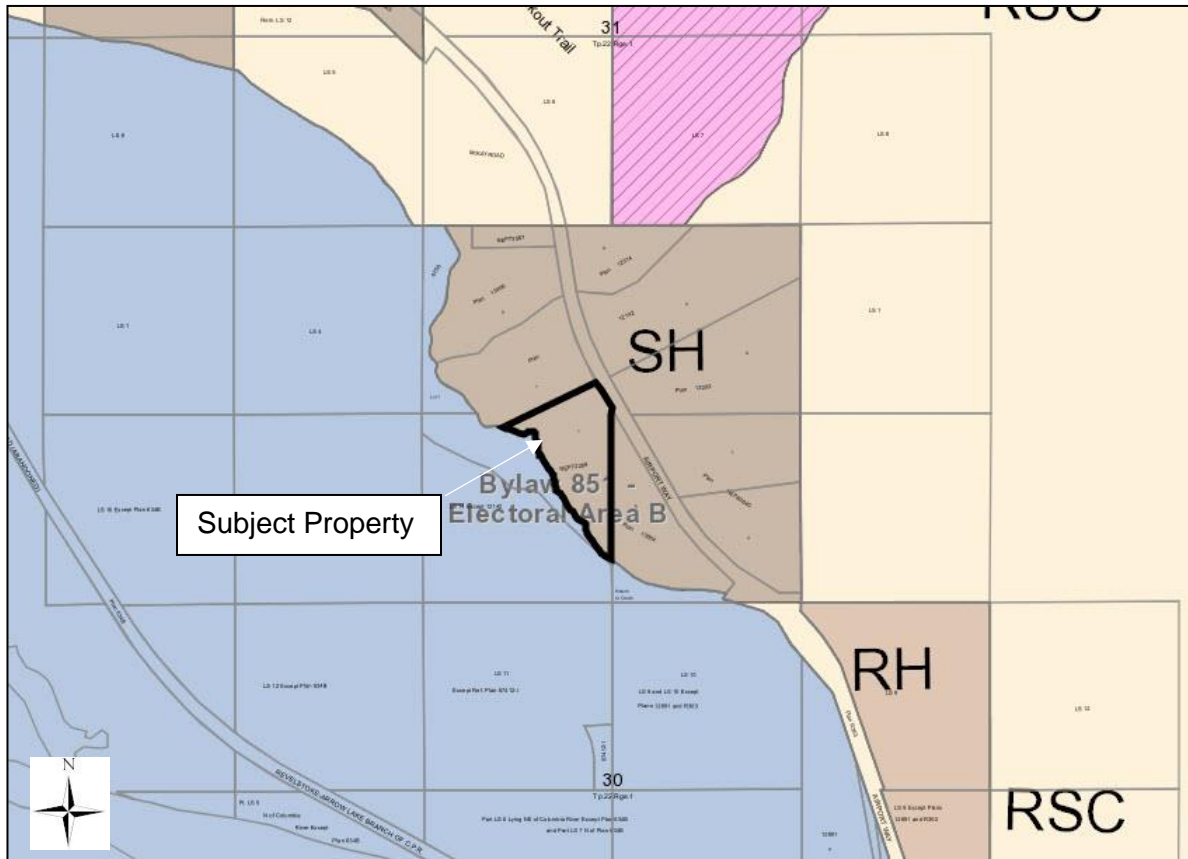
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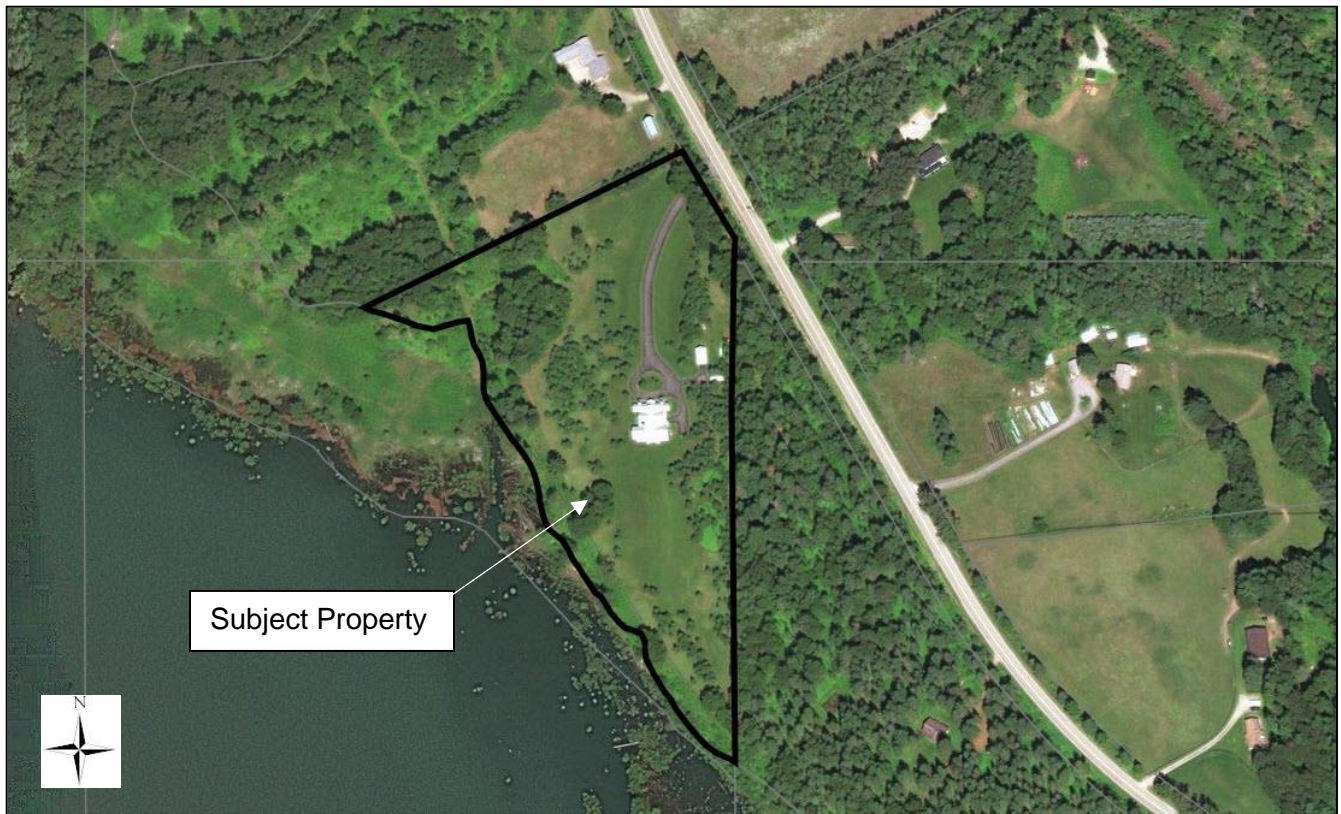
OCP



Zoning



Orthophotograph



Photos







BOARD REPORT

TO:
Chair and Directors

File No:	BL701-86 PL20160132
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SUBJECT:

South Shuswap Zoning Amendment (CSR D) Bylaw No. 701-86

DESCRIPTION:

Report from Candice Benner, Development Services Assistant, dated October 31, 2017. An amendment to address third party advertising signs for Cedar Heights Community Association and Sorrento Memorial Hall.

RECOMMENDATION #1:

THAT: third reading as amended given to "South Shuswap Zoning Amendment (CSR D) Bylaw No. 701-86", on July 20, 2017 be rescinded this 16th day of November, 2017.

RECOMMENDATION #2:

 THAT: "South Shuswap Zoning Amendment (CSR D) Bylaw No. 701-86", be amended this 16th day of November, 2017:

1. To include a Changeable Copy Sign definition; and
2. To include hours of operation in the General Regulations.

RECOMMENDATION #3:

 THAT: "South Shuswap Zoning Amendment (CSR D) Bylaw No. 701-86", be read a Third Time as amended, this 16th day of November, 2017.

SHORT SUMMARY:

The proposed bylaw amendment would allow the Sorrento Memorial Hall Association and the Cedar Heights Community Association, each located on properties zoned P1 –Public and Institutional in accordance with South Shuswap Zoning Bylaw No. 701, to display advertisements which are considered off-site signage, on these properties only. The proposed amendment will also introduce regulations for third party signs and illuminated signs which are consistent with regulations recently adopted and proposed in other CSR D zoning bylaws.

VOTING:	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:

The Board gave this amendment third reading at its July 20, 2017 Board meeting and added an amendment to include the wording:

- No sign shall be illuminated between dusk and dawn, seven days a week, and,
- Such technology shall be programmed so that the message or image on the sign changes no more than every ten (10) seconds.

After the Board meeting, CSR D staff followed-up with the representatives of the two halls to ensure that their signs could accommodate the proposed regulations. Both halls replied that their signs do not have dusk to dawn program capabilities and Cedar Heights Hall also informed staff that their sign has two different displays that have different program capabilities; the upper display is illuminated to show the Cedar Heights Community Association name and does not have program capabilities while the lower display is changeable copy that advertises events, etc. and is programmable.

Due to the programming abilities of the Sorrento and Cedar Heights signs, staff is proposing at this time, third reading, as amended, an additional definition for changeable copy sign (Section 1 Definitions CHANGEABLE COPY SIGN) and proposing new General Regulation wording regarding hours of operation (Section 3 General Regulations Section 4.1.1 and 4.1.2).

At the Board meeting held in July 2017, the Board approved an amendment to include no copy changes less than ten (10) seconds, therefore, staff have included this wording in the General Regulations Section of this bylaw amendment (Section 3 General Regulations Section 4.5.3).

POLICY:

Proposed Zoning Amendment:

The following definitions will be included in the Definitions section of Bylaw No. 701:

Section 1 Definitions

CHANGEABLE COPY SIGN means a sign on which the copy can be changed electronically or manually through the use of attachable letters, numerals and pictorial panels or electronic switching of lamps or illuminated tubes;

SIGN is an identification, description, illustration, contrivance, or device visible from a public place which is intended to direct attention to a product, service, place, activity, person, institution, business, or solicitation;

The following wording is proposed to be included in the General Regulations section of Bylaw No. 701:

Section 3 General Regulations

Third Party Off-Site Signage

3.20 Notwithstanding any other provisions of this bylaw, including Section 25.1.15, where third party off-site signage is permitted, it must comply with the following criteria:

.1 Sign Area:

.1 The maximum *sign* area shall be not greater than:

- .1 the square root of (the total wall area x 10) m² - for wall *signs* and projecting *signs*; or
- .2 3 m² for free standing *signs*.

.2 Height of Signs:

.1 The height of free standing *signs* shall not exceed 9 m.

.3 Setbacks:

.1 The setback of free standing *signs* (any part thereof) from all property lines shall be not less than 1 m;

- .2 *Signs* shall not be placed in an area where an easement or covenant restricts such structures; and
- .3 No free standing *sign* shall be permitted to be located within a distance of 6 m from a lot corner adjacent to the intersection of two public highways.

.4 Illumination:

- .1 No changeable copy sign shall be illuminated between:
 - .1 8 pm and 8 am, seven days a week, for Lot 74, Section 24, Township 22, Range 11, W6M, KDYD, Plan 26582, Except Plan KAP85511 (Cedar Heights Community Association) only; and,
 - .2 10 pm and 6 am, seven days a week, for Lot A, Section 16, Township 22, Range 11, W6M, KDYD, Plan 35143 (Sorrento Memorial Hall) only;
- .2 Internal and external illumination of *signs* shall be permitted provided that the light source does not cause a nuisance that might distract the operator of a vehicle on or near a provincial public undertaking or impair the operator's ability to drive safely or that will create a nuisance to adjacent properties.

.5 Changeable Copy:

- .1 Changes of the message or image shall be substantially instantaneous as seen by the human eye and shall not use fading, rolling, window shading, dissolving, or similar effects as part of the change; and
- .2 There shall be no effects of movement, flashing, scintillation, or similar effects in the individual message or image;
- .3 Such technology shall be programmed so that the message or image on the sign changes no more than every ten (10) seconds.

.6 Number of Signs:

- .1 The maximum number of free standing *signs* permitted shall be one (1) per *parcel*.

.7 Landscaping:

- .1 Free standing *signs* shall be placed in and co-ordinated with the landscaped areas of the *parcel*.

.8 Design Standards:

- .1 All signage shall be professionally prepared;
- .2 All *signs* affixed to the exterior of a *building* shall be architecturally compatible with the style, composition, materials, colours and details of the buildings, as well as with other *signs* used on the *building* or its vicinity;
- .3 All *signs* should be mounted so that the method of installation is hidden – including all services to the *sign*;
- .4 Guy-wires are not permitted as a method to affix or stabilize *signs*;
- .5 All *signs* shall meet BC Building Code standards as required;
- .6 All *signs* shall be visible, legible and readable and located with consideration to street appearance, traffic and pedestrian safety, and in accordance to general regulations as set within this section; and
- .7 All *signs* shall not project into areas used by the public.

.9 Maintenance:

- .1 All *signs* shall be properly maintained and any *sign* located on a property which becomes vacant and unoccupied for a period of six months, and any *sign* which pertains to a time, event, or purpose which no longer applies, shall be deemed to have been abandoned, and shall be removed by the owner of the land within thirty (30) days of receipt of a written notification by CSRD Administration.
- .2 CSRD Administration, may by written notice, require any *sign* that is in an unsafe condition be repaired or removed within ten (10) days from the date of the letter.

Section 24 P1 –Public and Institutional Zone

The proposed amendment is to add a new permitted use to Section 24.1 as follows:

18. Third party off-site signage, permitted only on Lot A, Section 16, Township 22, Range 11, W6M, KDYD, Plan 35143 (Sorrento Memorial Hall); and on Lot 74, Section 24, Township 22, Range 11, W6M, KDYD, Plan 26582, Except Plan KAP85511 (Cedar Heights Community Association).

FINANCIAL:

This bylaw amendment is not the result of bylaw enforcement; however, the Sorrento Memorial Hall is located on CSRD owned lands and is currently advertising third party off-site signage. If the Board does not adopt the proposed amendment, staff will follow up with the Board regarding next steps for resolving the illegal use.

KEY ISSUES/CONCEPTS:

CSRD staff are proposing this bylaw amendment to allow third party off-site signage only for the properties upon which the Sorrento Memorial Hall and the Cedar Heights Community Hall are located.

Following the July 2017 Board meeting, at which the Board gave this amendment third reading, staff contacted representatives of Sorrento Memorial Hall and Cedar Heights Community Association to confirm that their signs had dusk to dawn program capabilities. Both halls replied that neither sign had such capability but they both are programmable for set hours of operation, e.g. 8 pm to 8 am.

Cedar Heights also indicated that their sign has two separate displays with different programming capabilities; the upper display illuminating the "Cedar Heights Community Association" name does not have programming or dimming capability. They specifically designed the sign this way as they use the upper display to illuminate the upper and lower parking lots in the evenings for centre users to locate the hall as well as for security and safety lighting.

Cedar Heights Hall representatives indicated that since the public hearing in January 2017, they implemented 8 pm to 8 am hours of operation for their sign and have indicated that since making this change they have not received any further complaints from the community.

Sorrento Hall representatives expressed concerns of limiting their hours of operation to 8 pm to 8 am hours of operation like Cedar Heights has, as it would significantly limit advertising potential and they may lose clients with this restriction.

With the feedback received from the two halls, staff is proposing an additional "changeable copy sign" definition and amending the wording for the General Regulations, with the express purpose of exempting the upper display portion of the Cedar Heights sign.

Staff is also proposing to identify separate, set hours of operation for changeable copy sign illumination to 8 pm to 8 am for Cedar Heights Hall and 10 pm to 6 am for Sorrento Hall. Staff believe this separation of hours of operation is appropriate as the two halls are located in significantly different community settings; Cedar Heights Hall is within a residential neighbourhood while Sorrento Hall is located beside the Trans-Canada Highway and is surrounded by commercial properties.

Representatives from both halls have indicated that they have implemented the 10 second change copy regulation that the Board approved at its July 2017 meeting.

SUMMARY:

Staff is bringing this bylaw amendment back to the Board for third reading, as amended. Neither Sorrento Memorial Hall nor Cedar Heights Hall have dusk to dawn programming capabilities that were approved by the Board for hours of operation. This amendment proposes setting scheduled hours of operation for both halls and includes a new changeable copy definition to the General Regulations to accommodate the design of the Cedar Heights Hall sign.

IMPLEMENTATION:

If Board gives BL 701-86 third reading, as amended, staff will forward the bylaw to Ministry of Transportation for review and approval. Staff will then bring the bylaw back to the Board for adoption.

COMMUNICATIONS:

Staff have been in consultation with representatives with both Halls regarding the dusk to dawn settings for the signs and alternate options for hours of operation for the halls as the dusk to dawn option is not available to the halls. Both halls are aware of the set hours of operation proposed in this amendment and are agreeable to them.

DESIRED OUTCOMES:

Endorse staff recommendations.

BOARD'S OPTIONS:

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

Report Approval Details

Document Title:	2017-11-16_Board_DS_BL701-86_Third_Party_Ads_CSRD.docx
Attachments:	<ul style="list-style-type: none"> - BL701-86_third-amended_2.pdf - Maps_Photos_BL701-86.pdf - 2017-07-20_Board_DS_BL701-86_CSRD_3rd_Party_Ads.pdf - BL701-86_third_amended.pdf - 2017-11-21_Board_DS_BL701-86_second_amended.pdf - Public_hearing_notes_BL701-86.pdf - Public_hearing_submissions_BL701-86.pdf
Final Approval Date:	Nov 6, 2017

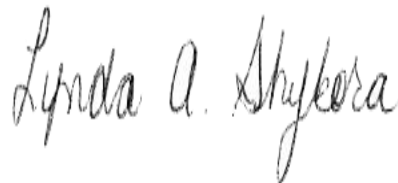
This report and all of its attachments were approved and signed as outlined below:



Corey Paiement - Nov 3, 2017 - 10:20 AM



Gerald Christie - Nov 3, 2017 - 2:14 PM



Lynda Shykora - Nov 6, 2017 - 2:08 PM



Charles Hamilton - Nov 6, 2017 - 3:35 PM

COLUMBIA SHUSWAP REGIONAL DISTRICT

SOUTH SHUSWAP ZONING AMENDMENT (CSRD) BYLAW NO. 701-86

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 definition:

"CHANGEABLE COPY SIGN means a sign on which the copy can be changed electronically or manually through the use of attachable letters, numerals and pictorial panels or electronic switching of lamps or illuminated tubes;

SIGN is an identification, description, illustration, contrivance, or device visible from a public place which is intended to direct attention to a product, service, place, activity, person, institution, business, or solicitation";

after the definition of "SIGHT TRIANGLE".

ii. Section 3, General Regulations is amended as follows:

Adding the following new section:

"Third Party Off-Site Signage

3.20 Notwithstanding any other provisions of this bylaw, including Section 25.1.15, third party off-site signage must comply with the following criteria:

.1 Sign Area:

.1 The maximum *sign* area shall be not greater than:

.1 the square root of (the total wall area x 10)
m²– for wall *signs* and projecting *signs*; or

.2 3 m² for free standing *signs*.

.2 Height of Signs:

- .1 The height of free standing *signs* shall not exceed 9 m.

.3 Setbacks:

- .1 The setback of free standing *signs* (any part thereof) from all property lines shall be not less than 1 m;
- .2 *Signs* shall not be placed in an area where an easement or covenant restricts such structures; and
- .3 No free standing *sign* shall be permitted to be located within a distance of 6 m from:
- (a) a lot corner adjacent to the intersection of two public highways; or

.4 Illumination:

- .1 No changeable copy sign shall be illuminated between:
- .1 8 pm and 8 am, seven days a week, for Lot 74, Section 24, Township 22, Range 11, W6M, KDYD, Plan 26582, Except Plan KAP85511 (Cedar Heights Community Association) only; and,
- .2 10 pm and 6 am, seven days a week, for Lot A, Section 16, Township 22, Range 11, W6M, KDYD, Plan 35143 (Sorrento Memorial Hall) only;
- .2 Internal and external illumination of *signs* shall be permitted provided that the light source does not cause a nuisance that might distract the operator of a vehicle on or near a provincial public undertaking or impair the operator's ability to drive safely or that will create a nuisance to adjacent properties.

.5 Changeable Copy:

- .1 Changes of the message or image shall be substantially instantaneous as seen by the human eye and shall not use fading, rolling, window shading, dissolving, or similar effects as part of the change; and
- .2 There shall be no effects of movement, flashing, scintillation, or similar effects in the individual message or image;
- .3 Such technology shall be programmed so that the message or image on the sign changes no more than every ten (10) seconds.

.6 Number of Signs:

.1 The maximum number of free standing *signs* permitted shall be one (1) per *parcel*.

.7 Landscaping:

.1 Free standing *signs* shall be placed in and co-ordinated with the landscaped areas of the *parcel*.

.8 Design Standards:

.1 All signage shall be professionally prepared;

.2 All *signs* affixed to the exterior of a *building* shall be architecturally compatible with the style, composition, materials, colours and details of the buildings, as well as with other *signs* used on the *building* or its vicinity;

.3 All *signs* should be mounted so that the method of installation is hidden – including all services to the *sign*;

.4 Guy-wires are not permitted as a method to affix or stabilize *signs*;

.5 All *signs* shall meet BC Building Code standards as required;

.6 All *signs* shall be visible, legible and readable and located with consideration to street appearance, traffic and pedestrian safety, and in accordance to general regulations as set within this section; and

.7 All *signs* shall not project into areas used by the public.

.9 Maintenance:

.1 All *signs* shall be properly maintained and any *sign* located on a property which becomes vacant and unoccupied for a period of six months, and any *sign* which pertains to a time, event, or purpose which no longer applies, shall be deemed to have been abandoned, and shall be removed by the owner of the land within thirty (30) days of receipt of a written notification by CSRD Administration.

.2 CSRD Administration, may by written notice, require any *sign* that is in an unsafe condition be repaired or removed within ten (10) days from the date of the letter."

iii. Section 24 P1 –Public and Institutional Zone is amended by adding the following:

"18. Third party off-site signage, permitted only on Lot A, Section 16, Township 22, Range 11, W6M, KDYD, Plan 35143 (Sorrento Memorial Hall); and on Lot 74, Section 24, Township 22, Range 11, W6M, KDYD, Plan 26582, Except Plan KAP85511 (Cedar Heights Community Association)."

2. This bylaw may be cited as "South Shuswap Zoning Amendment (CSRD) Bylaw No. 701-86."

READ a first time this 18th day of August, 2016.

READ a second time as amended this 2 day of December, 2016.

PUBLIC HEARING held this 25 day of January, 2017.

READ a third time this 20 day of July, 2017.

READ a third time as amended this _____ day of _____, 2017.

RECEIVED THE APPROVAL of the Minister of Transportation and Infrastructure this _____ day of _____, 2017.

ADOPTED this _____ day of _____, 2017.

Corporate Officer

Chair

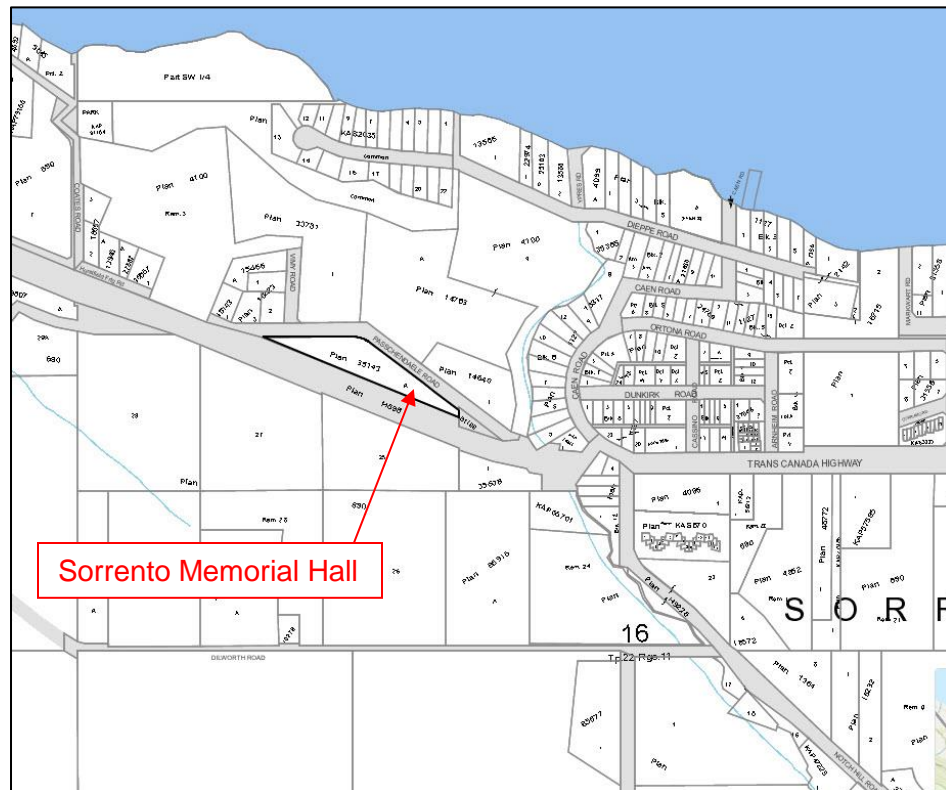
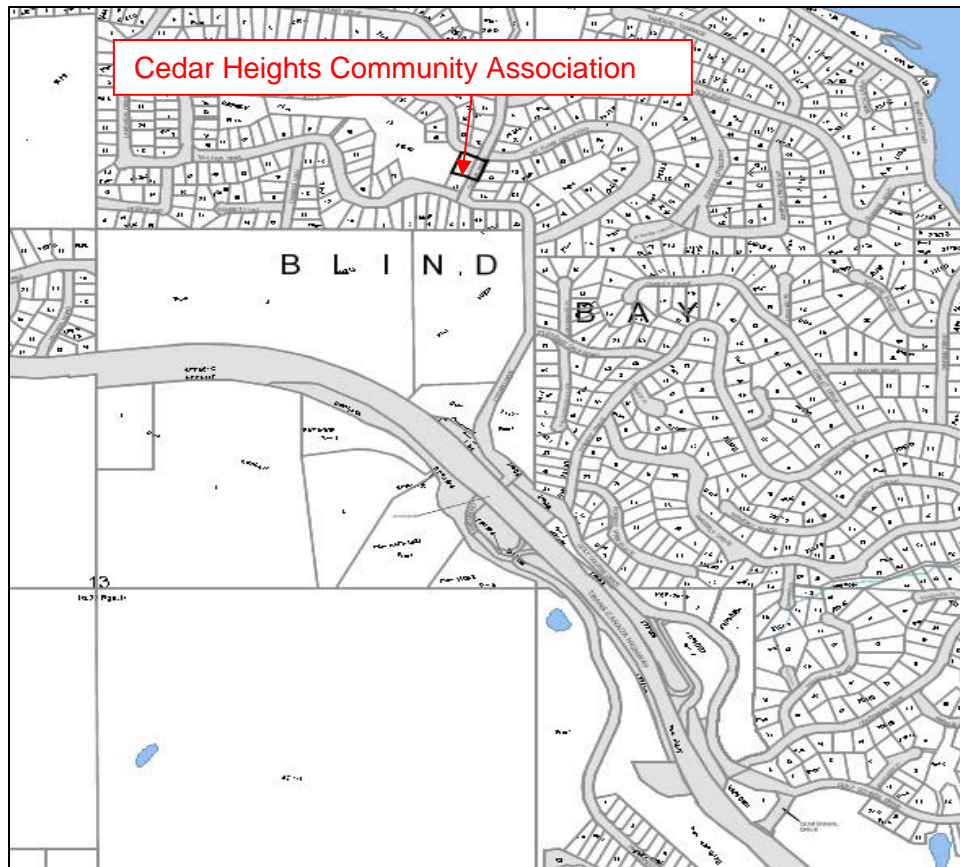
Certified true copy of Bylaw No. 701-86
as read a third time.

Certified true copy of Bylaw No. 701-86
as adopted.

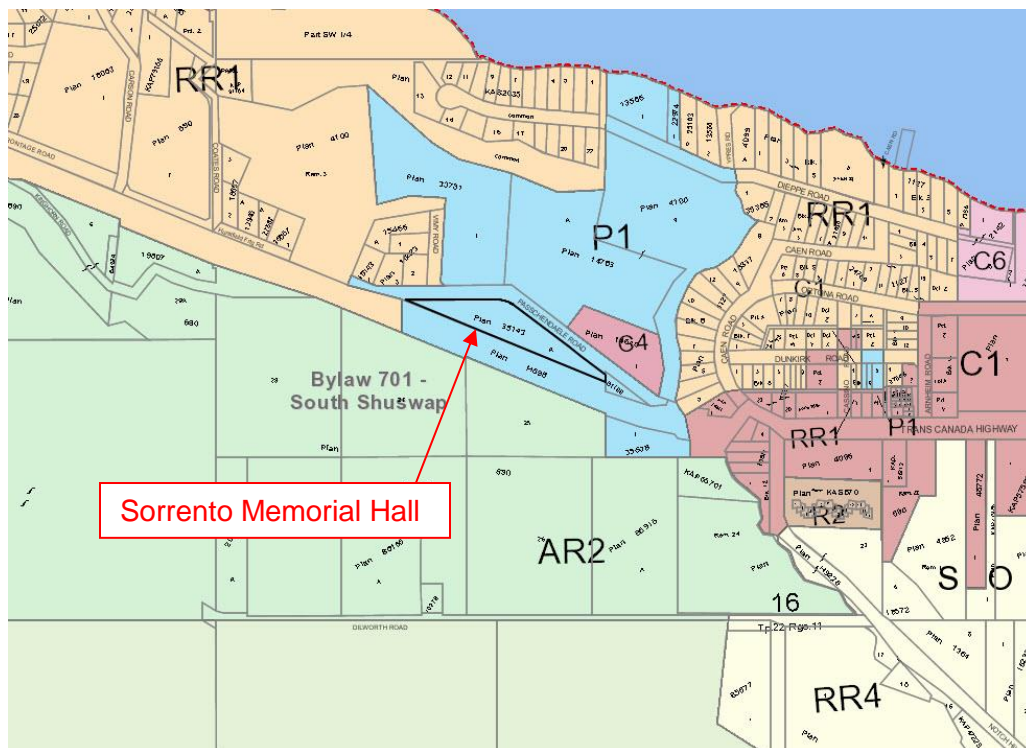
Corporate Officer

Corporate Officer

Location



Zoning



Orthophotos



Photos



Cedar Heights Community Association



Sorrento Memorial Hall



BOARD REPORT

TO: Chair and Directors

File No:	BL701-86 PL20160132
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SUBJECT: South Shuswap Zoning Amendment (CSR D)
BL 701-86

DESCRIPTION: Report from Candice Benner, Development Services Assistant, dated April 28, 2017. An amendment to address third party advertising signs for Cedar Heights Community Association and Sorrento Memorial Hall.

RECOMMENDATION THAT: "South Shuswap Zoning Amendment (CSR D) Bylaw No. 701-86", be read a third time, this 20th day of July, 2017.

SHORT SUMMARY:

The proposed bylaw amendment would allow the Sorrento Memorial Hall Association and the Cedar Heights Community Association, each located on properties zoned P1 –Public and Institutional in accordance with South Shuswap Zoning Bylaw No. 701, to display advertisements which are considered off-site signage, on these properties only. The proposed amendment will also introduce regulations for third party signs which are consistent with regulations recently adopted and proposed in other CSR D zoning bylaws.

The Board gave second reading, as amended and delegated a public hearing at the December 2, 2016 regular meeting. A public hearing was held on January 25, 2017 at the CSR D Salmon Arm office.

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

BACKGROUND:

See attached December 2, 2016 Board Report.

POLICY:

See attached December 2, 2016 Board Report for Second reading, as amended proposed policy.

The following definition will be included in the Definitions section of Bylaw No. 701:

Section 1 Definitions

SIGN is an identification, description, illustration, contrivance, or device visible from a public place which is intended to direct attention to a product, service, place, activity, person, institution, business, or solicitation;

The following wording is proposed to be included in the General Regulations section of Bylaw No. 701:

Proposed Zoning Amendment at Third reading, ~~as amended~~

Section 3 General Regulations

Third Party Off-Site Signage

3.20 Notwithstanding any other provisions of this bylaw, including Section 25.1.15, where third party off-site signage is permitted, it must comply with the following criteria:

.1 Sign Area:

.1 the maximum *sign* area shall be not greater than:

- .1 the square root of (the total wall area x 10) m² - for wall *signs* and projecting *signs*; or
- .2 3 m² for free standing *signs*.

.2 Height of Signs:

- .1 The height of free standing *signs* shall not exceed 9 m.

.3 Setbacks:

- .1 The setback of free standing *signs* (any part thereof) from all property lines shall be not less than 1 m;
- .2 *Signs* shall not be placed in an area where an easement or covenant restricts such structures; and
- .3 No free standing *sign* shall be permitted to be located within a distance of 6 m from:
 - (a) a lot corner adjacent to the intersection of two public highways.

.4 Illumination:

- .1 Internal and external illumination of *signs* shall be permitted provided that the light source does not cause a nuisance that might distract the operator of a vehicle on or near a provincial public undertaking or impair the operator's ability to drive safely or that will create a nuisance to adjacent properties.

.5 Changeable Copy:

- .1 Changes of the message or image shall be substantially instantaneous as seen by the human eye and shall not use fading, rolling, window shading, dissolving, or similar effects as part of the change; and
- .2 There shall be no effects of movement, flashing, scintillation, or similar effects in the individual message or image.

.6 Number of Signs:

- .1 The maximum number of free standing *signs* permitted shall be one (1) per *parcel*.

.7 Landscaping:

- .1 Free standing *signs* shall be placed in and co-ordinated with the landscaped areas of the *parcel*.

.8 Design Standards:

- .1 All signage shall be professionally prepared;
- .2 All *signs* affixed to the exterior of a *building* shall be architecturally compatible with the style, composition, materials, colours and details of the buildings, as well as with other *signs* used on the *building* or its vicinity;
- .3 All *signs* should be mounted so that the method of installation is hidden – including all services to the *sign*;
- .4 Guy-wires are not permitted as a method to affix or stabilize *signs*;
- .5 All *signs* shall meet BC Building Code standards as required;
- .6 All *signs* shall be visible, legible and readable and located with consideration to street appearance, traffic and pedestrian safety, and in accordance to general regulations as set within this section; and
- .7 All *signs* shall not project into areas used by the public.

.9 Maintenance:

- .1 All *signs* shall be properly maintained and any *sign* located on a property which becomes vacant and unoccupied for a period of six months, and any *sign* which pertains to a time, event, or purpose which no longer applies, shall be deemed to have been abandoned, and shall be removed by the owner of the land within thirty (30) days of receipt of a written notification by CSRD Administration.
- .2 CSRD Administration, may by written notice, require any *sign* that is in an unsafe condition be repaired or removed within ten (10) days from the date of the letter.

FINANCIAL:

See attached December 2, 2016 Board Report.

KEY ISSUES/CONCEPTS:

A public hearing was held on January 25, 2017 at the CSRD Salmon Arm office, public hearing notes are attached. Six members of the public were in attendance including representatives for the Cedar Heights Community Association. Staff also received five letters in opposition to the signs.

There were few concerns regarding the third party advertising portion of the amendment; most concerns expressed were in regard to the brightness, illumination and hours of operation of the

signs, in particular operation in the evenings. Both from residents in attendance of the public hearing and from the written submissions, concerns were expressed regarding the disruption the light causes in this residential area while distracted driving concerns pertaining to the Sorrento Memorial Hall sign were raised.

Staff have considered the comments of the public and researched further into other local governments regarding illuminated signs regulation. As a result, the Board may consider including further wording in the General Regulations section of Bylaw No. 701, including limiting the hours of operation and limiting the flashing and change copy of advertisements.

The following are examples of optional wording to include in the General Regulations of Bylaw No. 701:

- No sign shall be illuminated between: 7 pm and 7 am, seven days a week; and
- Such technology shall be programmed so that the message or image on the sign changes no more than every 10 seconds.

These proposed changes may help reduce the impact of the signs on surrounding residential properties and drivers on nearby roads and highways.

IMPLEMENTATION:

Should the Board give this amendment bylaw 701-86 third reading or third reading as amended if the Board wishes to add additional wording to the General Regulations, staff will forward the bylaw to Ministry of Transportation for final approval. Staff will then bring the bylaw back to the Board for adoption.

SUMMARY:

Staff is recommending third reading of this bylaw. Public consultation revealed that the public has concerns regarding the signs having negative impact on the residential nature of the community (Cedar Heights Hall) and distracted driver potential (Sorrento Memorial Hall). Staff has provided two options the Board may consider to include in the General Regulations section of Bylaw No. 701 to limit the hours of operation and to limit the flashing and change copy of the signs.

COMMUNICATIONS:

A public hearing was held on January 25, 2017 at the CSRD Salmon Arm office. Six members of the public were in attendance and staff received 5 letters in opposition.

DESIRED OUTCOMES:

Endorse staff recommendation to give BL701-86 third reading.

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. First Reading Board Report, August 18, 2016

Report Approval Details

Document Title:	2017-07-20_Board_DS_BL701-86_CSRD_3rdPartyadvertising.docx
Attachments:	<ul style="list-style-type: none">- Bylaw 701-86 third as amended.docx- BL701-86_PublicHearingNotes.pdf- BL701-86_PublicHearingSubmissions.pdf- BL701_86_Board Report_Signage_2ndReading.pdf
Final Approval Date:	Jul 17, 2017

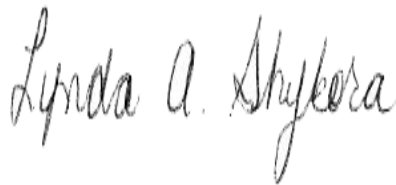
This report and all of its attachments were approved and signed as outlined below:

No Signature - Task assigned to Corey Paiement was completed by workflow administrator Brad Payne

Corey Paiement - Jul 13, 2017 - 9:21 AM



Gerald Christie - Jul 13, 2017 - 1:06 PM



Lynda Shykora - Jul 17, 2017 - 9:50 AM



Charles Hamilton - Jul 17, 2017 - 10:22 AM

COLUMBIA SHUSWAP REGIONAL DISTRICT

SOUTH SHUSWAP ZONING AMENDMENT (CSRD) BYLAW NO. 701-86

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 definition:

"CHANGEABLE COPY SIGN means a sign on which the copy can be changed electronically or manually through the use of attachable letters, numerals and pictorial panels or electronic switching of lamps or illuminated tubes;

SIGN is an identification, description, illustration, contrivance, or device visible from a public place which is intended to direct attention to a product, service, place, activity, person, institution, business, or solicitation";

after the definition of "SIGHT TRIANGLE".

ii. Section 3, General Regulations is amended as follows:

Adding the following new section:

"Third Party Off-Site Signage

3.20 Notwithstanding any other provisions of this bylaw, including Section 25.1.15, third party off-site signage must comply with the following criteria:

.1 Sign Area:

.1 The maximum *sign* area shall be not greater than:

.1 the square root of (the total wall area x 10)
m²– for wall *signs* and projecting *signs*; or

.2 3 m² for free standing *signs*.

.2 Height of Signs:

- .1 The height of free standing *signs* shall not exceed 9 m.

.3 Setbacks:

- .1 The setback of free standing *signs* (any part thereof) from all property lines shall be not less than 1 m;
- .2 *Signs* shall not be placed in an area where an easement or covenant restricts such structures; and
- .3 No free standing *sign* shall be permitted to be located within a distance of 6 m from:
- (a) a lot corner adjacent to the intersection of two public highways; or

.4 Illumination:

- .1 No changeable copy sign shall be illuminated between 8 pm and 8 am, seven days a week;
- .2 Internal and external illumination of *signs* shall be permitted provided that the light source does not cause a nuisance that might distract the operator of a vehicle on or near a provincial public undertaking or impair the operator's ability to drive safely or that will create a nuisance to adjacent properties.

.5 Changeable Copy:

- .1 Changes of the message or image shall be substantially instantaneous as seen by the human eye and shall not use fading, rolling, window shading, dissolving, or similar effects as part of the change; and
- .2 There shall be no effects of movement, flashing, scintillation, or similar effects in the individual message or image;
- .3 Such technology shall be programmed so that the message or image on the sign changes no more than every ten (10) seconds.

.6 Number of Signs:

- .1 The maximum number of free standing *signs* permitted shall be one (1) per *parcel*.

.7 Landscaping:

- .1 Free standing *signs* shall be placed in and co-ordinated with the landscaped areas of the *parcel*.

.8 Design Standards:

- .1 All signage shall be professionally prepared;
- .2 All *signs* affixed to the exterior of a *building* shall be architecturally compatible with the style,

composition, materials, colours and details of the buildings, as well as with other *signs* used on the *building* or its vicinity;

.3 All *signs* should be mounted so that the method of installation is hidden – including all services to the *sign*;

.4 Guy-wires are not permitted as a method to affix or stabilize *signs*;

.5 All *signs* shall meet BC Building Code standards as required;

.6 All *signs* shall be visible, legible and readable and located with consideration to street appearance, traffic and pedestrian safety, and in accordance to general regulations as set within this section; and

.7 All *signs* shall not project into areas used by the public.

.9 Maintenance:

.1 All *signs* shall be properly maintained and any *sign* located on a property which becomes vacant and unoccupied for a period of six months, and any *sign* which pertains to a time, event, or purpose which no longer applies, shall be deemed to have been abandoned, and shall be removed by the owner of the land within thirty (30) days of receipt of a written notification by CSRD Administration.

.2 CSRD Administration, may by written notice, require any *sign* that is in an unsafe condition be repaired or removed within ten (10) days from the date of the letter."

- iii. Section 24 P1 –Public and Institutional Zone is amended by adding the following:

"18. Third party off-site signage, permitted only on Lot A, Section 16, Township 22, Range 11, W6M, KDYD, Plan 35143 (Sorrento Memorial Hall); and on Lot 74, Section 24, Township 22, Range 11, W6M, KDYD, Plan 26582, Except Plan KAP85511 (Cedar Heights Community Association)."

2. This bylaw may be cited as "South Shuswap Zoning Amendment (CSRD) Bylaw No. 701-86."

READ a first time this 18th day of August, 2016.

READ a second time as amended this 2 day of December, 2016.

PUBLIC HEARING held this 25 day of January, 2017.

READ a third time this 20 day of July, 2017.

READ a third time as amended this _____ day of _____, 2017.

RECEIVED THE APPROVAL of the Minister of Transportation and Infrastructure this _____ day of _____, 2017.

ADOPTED this _____ day of _____, 2017.

Corporate Officer

Chair

Certified true copy of Bylaw No. 701-86
as read a third time.

Certified true copy of Bylaw No. 701-86
as adopted.

Corporate Officer

Corporate Officer



BOARD REPORT

TO: Chair and Directors

FROM: Candice Benner
Development Services Assistant

SUBJECT: South Shuswap Zoning Amendment (CSRD)
Bylaw No. 701-86

File No:	BL 701-86
Date:	November 21, 2016

RECOMMENDATION #1: THAT:
"South Shuswap Zoning Amendment (CSRD) Bylaw No. 701-86", be read a second time, as amended this 2nd day of December, 2016;

RECOMMENDATION #2: THAT:
a public hearing to hear representations on "South Shuswap Zoning Amendment (CSRD) Bylaw No. 701-86" be held;
AND THAT:
notice of the public hearing be given by the staff of the Regional District on behalf of the Board in accordance with Section 466 of the Local Government Act;
AND FURTHER THAT:
the holding of the public hearing be delegated to Director Paul Demenok, as Director of Electoral Area 'C' being that in which the land concerned is located, or Alternate Director Arnie Payment, if Director Demenok is absent, and the Director or Alternate Director, as the case may be, give a report of the public hearing to the Board.

APPROVED for Board Consideration:

Meeting Date: December 2, 2016

Charles Hamilton, CAO

SHORT SUMMARY:

The proposed bylaw amendment would allow the Sorrento Memorial Hall Association and the Cedar Heights Community Association, each located on properties zoned P1 –Public and Institutional in accordance with South Shuswap Zoning Bylaw No. 701, to display advertisements which are considered off-site signage, on these properties only. The proposed amendment will also introduce regulations for third party signs which are consistent with regulations recently adopted and proposed in other CSRD zoning bylaws.

Since first reading staff received notification that the height of the sign at the Sorrento Memorial Hall is 28 feet (8.53m) tall; this is higher than what was proposed at first reading, therefore an amendment at second reading is required.

The Board gave Bylaw No. 701-86 first reading at the August 18, 2016, regular meeting and directed staff to utilize the simple consultation process. The development notice was not required to be posted in accordance with Development Services Procedures Bylaw No. 4001. Staff referred the bylaw 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 as amended, and to delegate a Public Hearing.

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

POLICY:

Proposed Zoning Amendment:

The following definition will be included in the Definitions section of Bylaw No. 701:

Section 1 Definitions

SIGN is an identification, description, illustration, contrivance, or device visible from a public place which is intended to direct attention to a product, service, place, activity, person, institution, business, or solicitation;

The following wording is proposed to be included in the General Regulations section of Bylaw No. 701:

Section 3 General Regulations

Third Party Off-Site Signage

3.20 Notwithstanding any other provisions of this bylaw, including Section 25.1.15, where third party off-site signage is permitted, it must comply with the following criteria:

.1 Sign Area:

.1 the maximum *sign* area shall be not greater than:

- .1 the square root of (the total wall area x 10) m² - for wall *signs* and projecting *signs*; or
- .2 3 m² for free standing *signs*.

.2 Height of Signs:

- .1 The height of free standing *signs* shall not exceed 9 m.

.3 Setbacks:

- .1 The setback of free standing *signs* (any part thereof) from all property lines shall be not less than 1 m;
- .2 *Signs* shall not be placed in an area where an easement or covenant restricts such structures; and
- .3 No free standing *sign* shall be permitted to be located within a distance of 6 m from:
 - (a) a lot corner adjacent to the intersection of two public highways.

.4 Illumination:

- .1 Internal and external illumination of *signs* shall be permitted provided that the light source does not cause a nuisance that might distract the operator of a vehicle on or near a provincial public undertaking or impair the operator's ability to drive safely or that will create a nuisance to adjacent properties.

.5 Number of Signs:

- .1 The maximum number of free standing *signs* permitted shall be one (1) per *parcel*.

.6 Landscaping:

- .1 Free standing *signs* shall be placed in and co-ordinated with the landscaped areas of the *parcel*.

.7 Design Standards:

- .1 All signage shall be professionally prepared;
- .2 All *signs* affixed to the exterior of a *building* shall be architecturally compatible with the style, composition, materials, colours and details of the buildings, as well as with other *signs* used on the *building* or its vicinity;
- .3 All *signs* should be mounted so that the method of installation is hidden – including all services to the *sign*;
- .4 Guy-wires are not permitted as a method to affix or stabilize *signs*;
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- .6 All *signs* shall be visible, legible and readable and located with consideration to street appearance, traffic and pedestrian safety, and in accordance to general regulations as set within this section; and
- .7 All *signs* shall not project into areas used by the public.

.8 Maintenance:

- .1 All *signs* shall be properly maintained and any *sign* located on a property which becomes vacant and unoccupied for a period of six months, and any *sign* which pertains to a time, event, or purpose which no longer applies, shall be deemed to have been abandoned, and shall be removed by the owner of the land within thirty (30) days of receipt of a written notification by CSRD Administration.
- .2 CSRD Administration, may by written notice, require any *sign* that is in an unsafe condition be repaired or removed within ten (10) days from the date of the letter.

Section 24 P1 –Public and Institutional Zone

The proposed amendment is to add a new permitted use to Section 24.1 as follows:

18. Third party off-site signage, permitted only on Lot A, Section 16, Township 22, Range 11, W6M, KDYD, Plan 35143 (Sorrento Memorial Hall); and on Lot 74, Section 24, Township 22, Range 11, W6M, KDYD, Plan 26582, Except Plan KAP85511 (Cedar Heights Community Association).

FINANCIAL:

This bylaw amendment is not the result of bylaw enforcement; however, the Sorrento Memorial Hall is located on CSRD owned lands and is currently advertising third party off-site signage. If the Board does not adopt the proposed amendment, staff will follow up with the Board regarding next steps for resolving the illegal use.

KEY ISSUES/CONCEPTS:

CSRD staff are proposing this bylaw amendment to allow third party off-site signage only for the properties upon which the Sorrento Memorial Hall and the Cedar Heights Community Hall are located.

The Sorrento Memorial Hall sign was recently upgraded to an illuminated LED sign that is on a rotating schedule advertising upcoming community events and local businesses. Cedar Heights Community Association has expressed an interest in third party off-site advertising as they also recently upgraded their sign to an illuminated LED sign. Staff understand that Carlin Hall, located along the Trans-Canada Highway, may also wish to advertise similarly; however, Carlin Hall is not located within the area subject to Bylaw No. 701.

Ministry of Transportation and Infrastructure (MoTI) has granted preliminary approval of this bylaw amendment application upon the condition that wording from Section 16 of the *Transportation Act* be reflected in the Third-Party Signage wording of the General Regulations Section of Bylaw No. 701. As a result of these comments, CSRD staff included additional wording to Section 3.20.4 Illumination in Bylaw No. 701, in consultation with MoTI staff.

Bylaw No. 701 currently zones both the Sorrento and Cedar Heights Community Halls P1 –Public and Institutional, which does not permit third party off-site signage.

The Sorrento Memorial Hall and Cedar Heights Community Association have indicated that third party off-site advertising will increase their revenue stream.

CSRD staff has provided specific and detailed signage requirements to be included in Section 3 General Regulations section of Bylaw No. 701. In consultation with Corporate Administration staff, it was determined that developing a corporate policy with specific guidelines for third party off-site advertising standards is not necessary at this time; if there is a need in the future, Administration is able to bring forward a policy for Board consideration, as needed.

IMPLEMENTATION:**Consultation Process**

As per CSRD Policy No. P-18 regarding Consultation Processes-Bylaws, staff recommended the simple consultation process; referrals were sent out for agency comment. In accordance with Section 7.25 of Development Services Procedures Bylaw No. 4001 there is no requirement for posting notices for CSRD initiated amendments therefore, as of the date of this report, no public submissions have been received.

The public will first become aware of this application when the Public Hearing Notice is placed in the newspaper.

LIST NAME OF REPORTS / DOCUMENTS:

1. South Shuswap Zoning Amendment (CSRD) Bylaw No. 701-86	Attached to Board Report: <input checked="" type="checkbox"/>	Available from Staff: <input type="checkbox"/>
2. Location, Zoning, Orthophotos, Photos	Attached to Board Report: <input checked="" type="checkbox"/>	Available from Staff: <input type="checkbox"/>
3. First Reading Board Report, August 18, 2016	Attached to Board Report: <input type="checkbox"/>	Available from Staff: <input checked="" type="checkbox"/>

DESIRED OUTCOME:

That the Board endorse staff recommendations.

BOARD'S OPTIONS:



1. *Endorse recommendations. Bylaw No. 701-86 will be given second reading as amended and a public hearing will be delegated.*
2. *Decline second reading, as amended, Bylaw No. 701-86 will be defeated.*
3. *Defer.*
4. *Any other action deemed appropriate by the Board.*

COMMUNICATIONS:

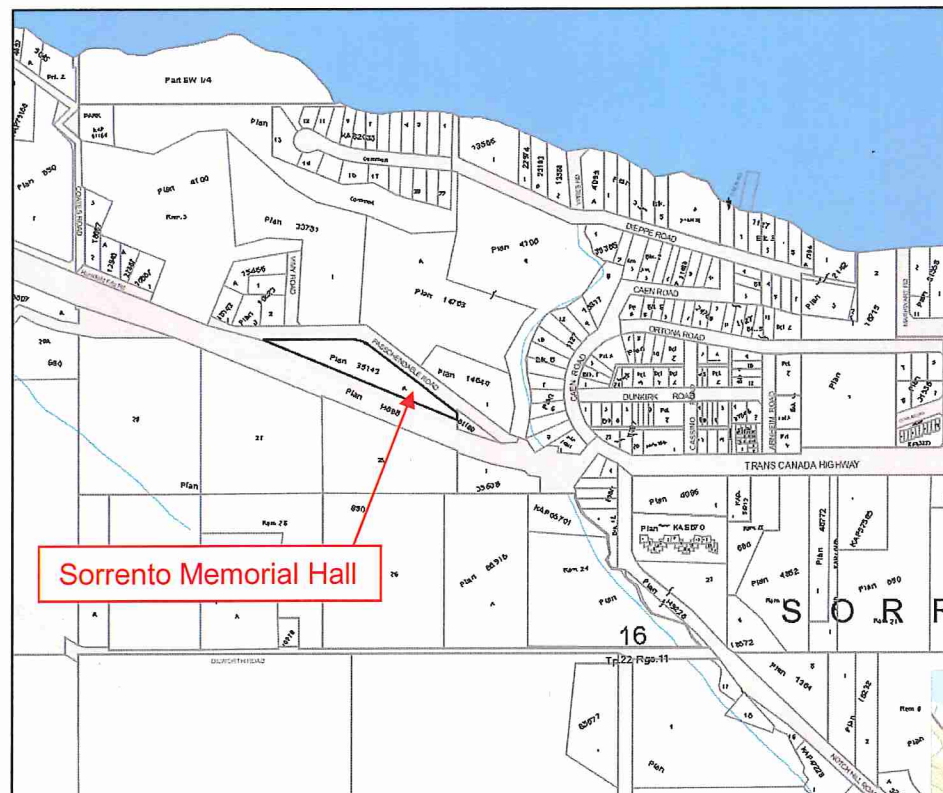
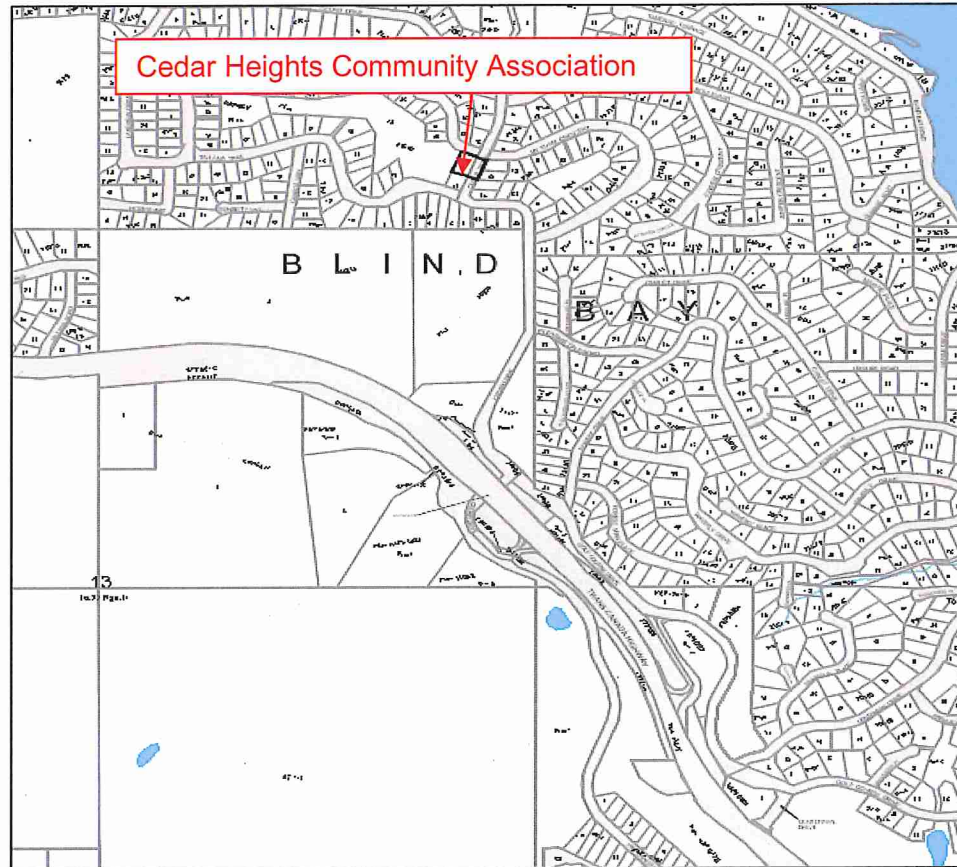
If the Board gives Bylaw No. 701-86 second reading as amended, and delegates the Public Hearing, staff will set a date for the public hearing and will proceed with notification of adjacent property owners and advertising the public hearing as required by the Local Government Act.

Referral Agency responses:

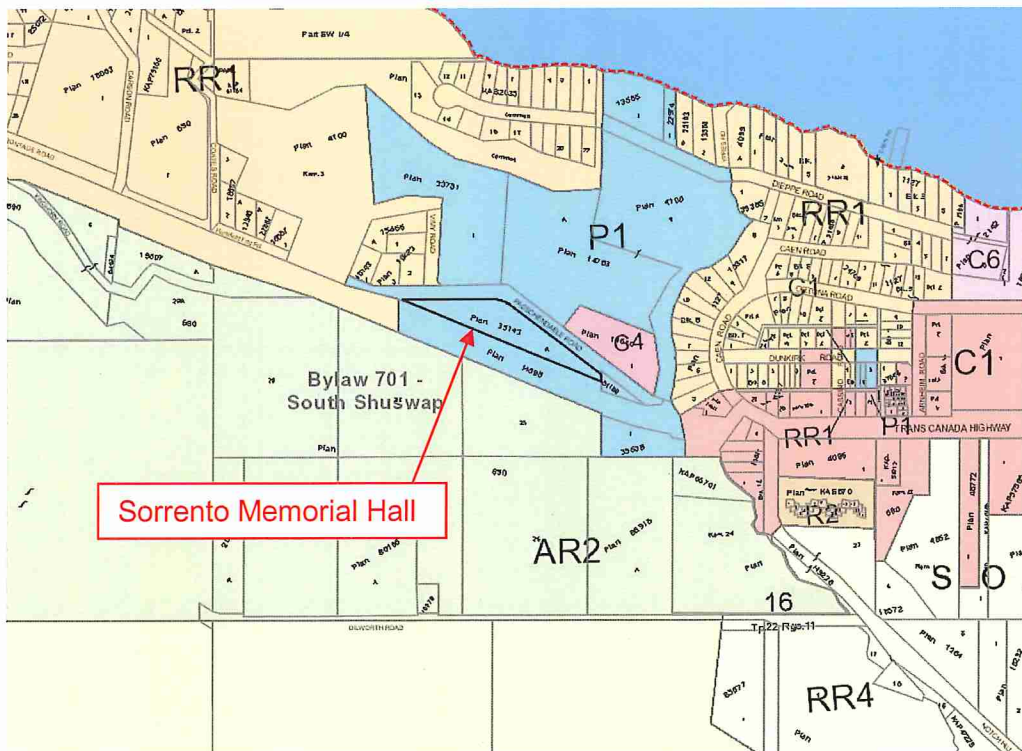
Advisory Planning Commission 'C'	Recommended approval
Interior Health	No health impacts associated with this proposal have been identified. Interests unaffected.
Ministry of Transportation and Infrastructure	Preliminary approval granted subject to additional wording from the Transportation Act be included in the Section 3.20.4 Illumination of Bylaw No. 701.
CSRD Operations Management	No concerns
CSRD Corporate Administration	have no objections to the proposed amendment and a corporate policy is not required at this time.
School District #83	No response
Adams Lake Indian Band	No response
Little Shuswap Indian Band	No response
Neskonlith Indian Band	No response

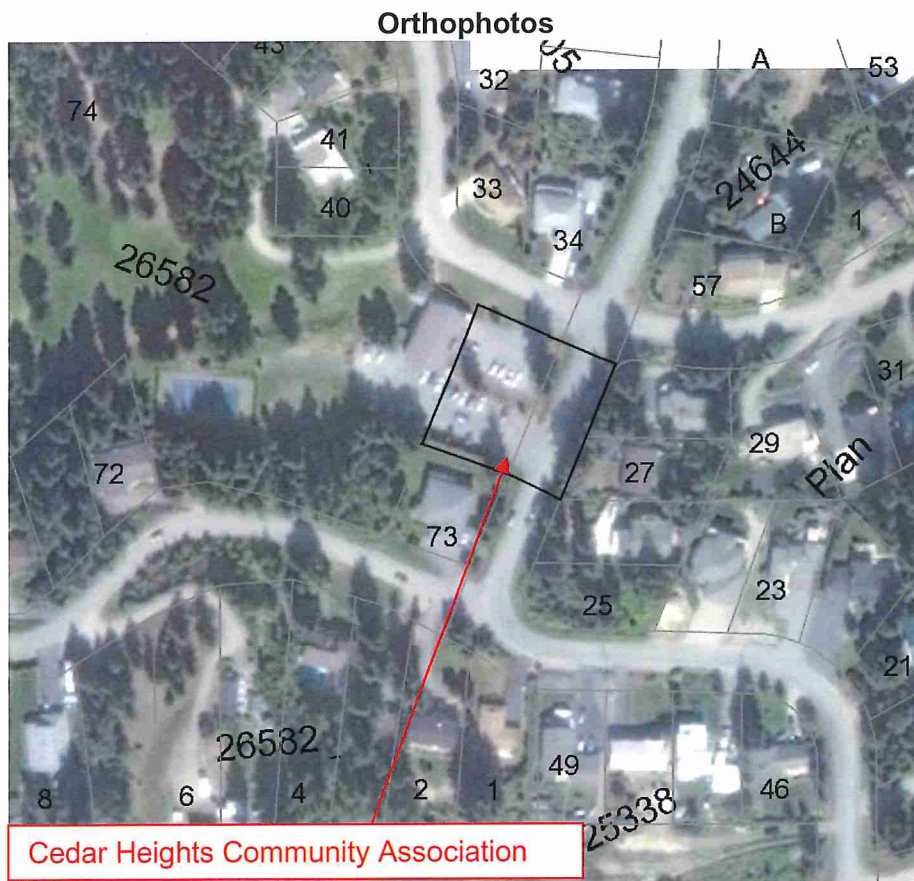
REVIEWED BY:	Date Signed Off (MO/DD/YR)	Approval Signature of Reviewing Manager or Team Leader
Team Leader, Development Services	Nov. 21, 2016	
Manager, Development Services	11/21/16	
Deputy Manager, Corporate Administration Services		

Location

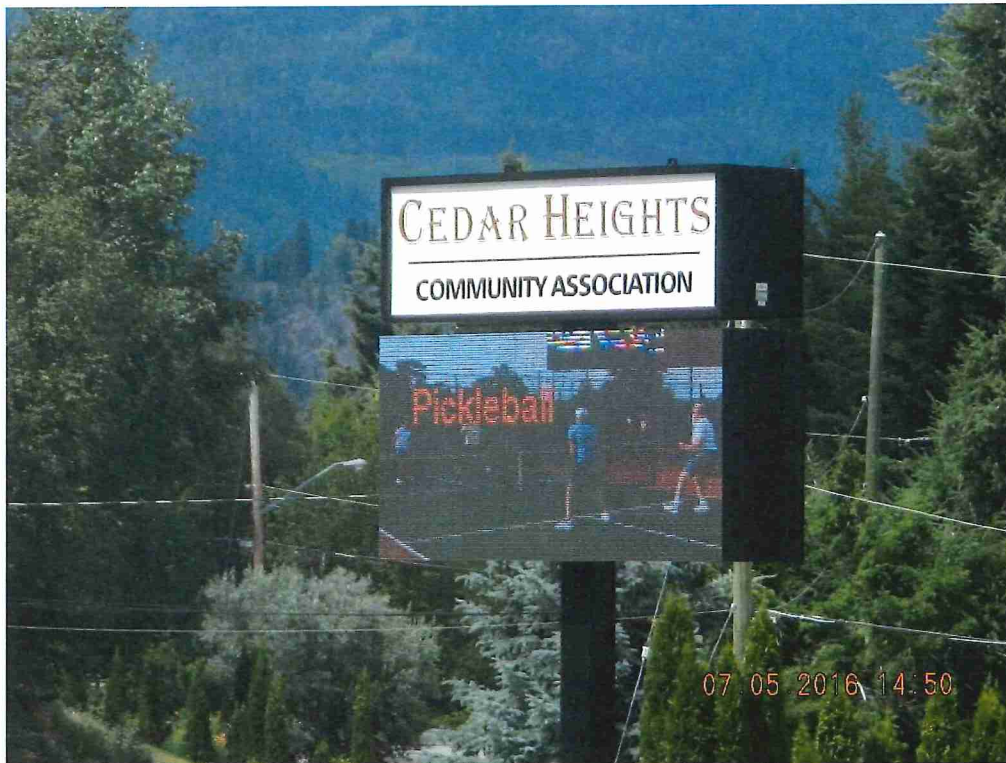


Zoning





Photos



Cedar Heights Community Association



Sorrento Memorial Hall

COLUMBIA SHUSWAP REGIONAL DISTRICT

SOUTH SHUSWAP ZONING AMENDMENT (CSRD) BYLAW NO. 701-86

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 definition:

"SIGN is an identification, description, illustration, contrivance, or device visible from a public place which is intended to direct attention to a product, service, place, activity, person, institution, business, or solicitation";

after the definition of "SIGHT TRIANGLE".

ii. Section 3, General Regulations is amended as follows:

Adding the following new section:

"Third Party Off-Site Signage

3.20 Notwithstanding any other provisions of this bylaw, including Section 25.1.15, third party off-site signage must comply with the following criteria:

.1 Sign Area:

.1 The maximum *sign* area shall be not greater than:

.1 the square root of (the total wall area x 10)
m²– for wall *signs* and projecting *signs*; or

.2 3 m² for free standing *signs*.

.2 Height of Signs:

.1 The height of free standing *signs* shall not exceed
9 m.

.3 Setbacks:

- .1 The setback of free standing *signs* (any part thereof) from all property lines shall be not less than 1 m;
- .2 *Signs* shall not be placed in an area where an easement or covenant restricts such structures; and
- .3 No free standing *sign* shall be permitted to be located within a distance of 6 m from:
 - (a) a lot corner adjacent to the intersection of two public highways.

.4 Illumination:

- .1 Internal and external illumination of *signs* shall be permitted provided that the light source does not cause a nuisance that might distract the operator of a vehicle on or near a provincial public undertaking or impair the operator's ability to drive safely or that will create a nuisance to adjacent properties.

.5 Number of Signs:

- .1 The maximum number of free standing *signs* permitted shall be one (1) per *parcel*.

.6 Landscaping:

- .1 Free standing *signs* shall be placed in and co-ordinated with the landscaped areas of the *parcel*.

.7 Design Standards:

- .1 All signage shall be professionally prepared;
- .2 All *signs* affixed to the exterior of a *building* shall be architecturally compatible with the style, composition, materials, colours and details of the buildings, as well as with other *signs* used on the *building* or its vicinity;
- .3 All *signs* should be mounted so that the method of installation is hidden – including all services to the *sign*;
- .4 Guy-wires are not permitted as a method to affix or stabilize *signs*;
- .5 All *signs* shall meet BC Building Code standards as required;
- .6 All *signs* shall be visible, legible and readable and located with consideration to street appearance, traffic and pedestrian safety, and in accordance to general regulations as set within this section; and
- .7 All *signs* shall not project into areas used by the public.

.8 Maintenance:

.1 All *signs* shall be properly maintained and any *sign* located on a property which becomes vacant and unoccupied for a period of six months, and any *sign* which pertains to a time, event, or purpose which no longer applies, shall be deemed to have been abandoned, and shall be removed by the owner of the land within thirty (30) days of receipt of a written notification by CSRD Administration.

.2 CSRD Administration, may by written notice, require any *sign* that is in an unsafe condition be repaired or removed within ten (10) days from the date of the letter."

- iii. Section 24 P1 –Public and Institutional Zone is amended by adding the following:

"18. Third party off-site signage, permitted only on Lot A, Section 16, Township 22, Range 11, W6M, KDYD, Plan 35143 (Sorrento Memorial Hall); and on Lot 74, Section 24, Township 22, Range 11, W6M, KDYD, Plan 26582, Except Plan KAP85511 (Cedar Heights Community Association)."

Bylaw No. 701-86

Page 4

2. This bylaw may be cited as "South Shuswap Zoning Amendment (CSRD) Bylaw No. 701-86."

READ a first time this 18th day of August, 2016.

READ a second time as amended this ____ day of _____, 2016.

PUBLIC HEARING held this ____ day of _____, 2017.

READ a third time this ____ day of _____, 2017.

RECEIVED THE APPROVAL of the Minister of Transportation and Infrastructure this ____ day of _____, 2017.

ADOPTED this ____ day of _____, 2017.

Corporate Officer

Chair

Certified true copy of Bylaw No. 701-86
as read a third time.

Certified true copy of Bylaw No. 701-86
as adopted.

Corporate Officer

Corporate Officer

Notes of the Public Hearing held on Wednesday January 25, 2016 at 6:00 PM at the CSRD Board room, 555 Harbourfront Drive NE, BC regarding South Shuswap Zoning Amendment (CSRD) Bylaw No. 701-86.

PRESENT: Chair Paul Demenok – Electoral Area 'C' Director
Candice Benner – Development Services Assistant (DSA), CSRD
Corey Paiement – Team Leader, Development Services, CSRD

6 members of the public

Chair Demenok called the Public Hearing to order at 6:01 PM. Following introductions, the Chair advised that all persons who believe that their interest in property may be affected shall be given the opportunity to be heard or to present written submissions pertaining to the proposed amending Bylaw No. 701-86.

The DSA said that this hearing has been called under Section 464 of the *Local Government Act*, which states that the Board shall not adopt a zoning bylaw amendment unless it has held a public hearing. The Board has delegated the holding of the public hearing to Electoral Area C Director Paul Demenok. It is expected that the Public Hearing Report will be submitted to the Board for consideration at its meeting on February 16, 2017 or March 23, 2017. The Chair may adjourn the hearing without further notice if the time and place for resumption of the hearing is stated to those present.

The Local Government Act sets out the notification requirements for a public hearing. The notice must state: location, time and date of the hearing; purpose of the bylaw, in general terms; the land or lands that are the subject of the bylaw; when and where copies of the bylaw may be inspected. The notice must be published in 2 consecutive issues of a local newspaper. The last publication is to appear not less than 3 nor more than 10 days before the public hearing.

The notice of this hearing was published in the following newspaper(s): The Shuswap Market News on January 13 and January 20, 2017. It was also posted on the CSRD website and Facebook page and all owners of property located within 100 m of the subject properties were sent notices in the mail.

Section 470 of the Local Government Act 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.

A bylaw shall not be quashed on the grounds that an owner or occupier did not see or receive the notice where a court is satisfied the board made reasonable effort to mail or otherwise deliver the notice.

The DSA explained that there is a public hearing binder at the back of the room that contains background documents available for review. The Planner said that Bylaw No. 701 currently zones both the Sorrento and Cedar Heights Community Halls P1 –Public and Institutional, which does not permit third party off-site signage.

The proposed bylaw amendment would allow the Sorrento Memorial Hall Association and the Cedar Heights Community Association, to display advertisements which are considered off-site signage, on these properties only.

The Sorrento Memorial Hall sign was recently upgraded to an illuminated LED sign that is on a rotating schedule advertising upcoming community events and local businesses. Cedar Heights

Community Association has expressed an interest in third party off-site advertising as they also recently upgraded their sign to an illuminated LED sign.

CSRD staff has provided specific and detailed signage requirements to be included in Section 3 General Regulations section of Bylaw No. 701 which are consistent with regulations recently adopted and proposed in other CSRD zoning bylaws. These General Regulations include sign area, maximum height and setbacks, illumination, and design standards. These documents can review the proposed General Regulations wording in the Public Hearing Binder at the back of the room.

The DSA outlined the various agency comments that were received during the referral process which included comments from Ministry of Transportation (MOT) wanting additional wording from the Transportation Act be included in Section 3.20.4 Illumination of Bylaw No. 701; CSRD staff worked with MOT to including this wording in the amendment.

The Chair opened the floor for comments.

Debbie Hanson, 2311 Lakeview Drive said that she has lived in Cedar Heights for 9 years. She decided to live there for the lake view and the rural environment and has enjoyed living near Cedar Heights Hall. She said that since the new sign was installed that she doesn't enjoy living there anymore. She feels that the sign turns the residential neighbourhood into a commercial one. She said that the light from the sign can be seen everywhere and constantly. She also said that the glare and brightness of the sign are hazardous for driving and she has spoken with others in the community who agree. She said that many members of the community who have concerns didn't attend this hearing because they are members of the Cedar Heights Association and didn't want to make waves. She believes that the sign lowers land values surrounding the hall. She said she is opposed to advertising for profit at the consequence of the community. She said she is not opposed to the old wooden sign or an illuminated sign by the door. She said she does not support this amendment.

Chair asked if Debbie can see the sign from her front door.

Debbie replied that she can't see the sign from her front door but she can see it from her living room. She said she can also see the glare of the different colours outside on her lakeside deck.

Mark Lane, 3096 Trans-Canada Highway, asked if a public hearing was required before the sign was put up.

Chair replied that he believed the halls had spoken with CSRD administration and Ministry of Transportation previously.

Mark Lane said that the lighting is not being controlled and it should be. He said that the Sorrento sign is so bright that you can't even read it, as well at night it's so bright that it's hard to see when driving which is a traffic safety problem and could cause an accident. He said that these types of signs can be controlled. He also said that Carlin Hall has mostly good sign lighting but then sometimes it changes to something very bright which is distracting. He said that there should be no amendment approval until the brightness of the sign lighting is well managed. He said that this should be fair for everyone; he said that he has tried to get third party advertising approval from MOT for six years and has been denied each time. He said that the argument that Cedar Heights and Sorrento Halls are non-profits and therefore could use the profit from third party advertising isn't fair as every business in the area has a hard time making money.

Jean-Luc Desgroseilliers, 2361 Sunrise Blvd, President of Community Heights Association, said that the association wants to be in good standing with the neighbours. He said the reason the association put up the new sign was for safety of Association volunteers; he said the old sign was leaning, too high, and it was unsafe to change the letters. This sign is also a more effective method for advertising Association events. He said that they have reduced the brightness of the sign to the lowest level and are improving the transitions between colours, and that they are getting away from the bright white colour to further reduce brightness. Also the operational hours of the sign are from 6 am to 10 pm and they have discussed with the programmer to possibly reduce the hours even more in the winter. He said it costs about \$110/month to operate the sign and the association put in about \$10,000 to buy the sign. He said that they want third party advertising revenue to help pay this cost without having to raise membership prices. He said that he will contact the programmer tomorrow about reducing the hours.

Mark Lane, said that when he was looking into signage for his business he found that there are dawn to dusk on/off switches with no programming required.

Chair asked Debbie if she has noticed a difference in the brightness over the past couple of months for the Association sign.

Debbie said that she did notice that a new advertisement about a church is dark and has subdued brightness compared to other advertisements. She said that the greens, reds, and blues are very bright and disturbing not just white. She said that green is less bright than the others because it is a more natural colour (against trees, etc.).

Steve Wills, 2628 Highlands Drive, Chair of APC 'C', said that the APC met on August 29th to review this amendment. He wanted to confirm that the amendment is for third party advertising and that the sign itself is not the issue.

The DSA said that the amendment is for third party advertising and there is additional wording in the General Regulations for signage.

Russ McLeod, 2217 Tahana Trail, said that the association made sure to meet the setback requirements and asked if this is after-the-fact regulation.

Chair said that this is an after-the-fact amendment.

Mark Lane, read out Ministry of Transportation wording from the Transportation Act pertaining to nuisance lighting. He said that digital lighting is considered a billboard and that MOT wording on billboards does not permit certain things and this was the reason he did not pursue putting a sign up for his business. He said that it was last fall when he approached MOT about it that they may have changed their tune about this.

The DSA noted that two public letter submissions were handed in at the hearing.

Hearing no further representations or questions about amending Bylaw No. 701-86, the Chair called three times for further submissions before declaring the public hearing closed at 6:35 PM.

CERTIFIED as being a fair and accurate report of the public hearing.



Director Paul Demenok
Public Hearing Chair

Candice Benner
Development Services Assistant

Candice Benner

From: Kyle and Laura Schumi <klsschumi@shaw.ca>
Sent: Friday, January 20, 2017 1:13 PM
To: Candice Benner
Subject: Cedar Heights Sign

Hi Candice,

This is regarding S. Shuswap Zoning Amendment Bylaw No. 701-86.

We are not opposed to these two properties displaying third party advertisements. However, we do have concerns with the illumination of the sign, mainly the one at the Cedar Heights Community Hall. It is incredibly bright, especially in the evening. We walk and drive past the Hall every day and it is almost blinding sometimes, resulting in a visual distraction for drivers.

An alternative would be to limit the time the sign is on, perhaps stating that it must be turned off from 8pm to 7am, or something to that effect. I see no reason to have the sign on in the dead of night when there is little to no traffic in this quiet neighbourhood.

Thank you,
 Kyle & Laura Schumi
 2909 Cedar Drive

<input type="checkbox"/> CAO	<input type="checkbox"/> Agenda	Ownership: File #
<input type="checkbox"/> Works	<input type="checkbox"/> Reg Board	
<input type="checkbox"/> DS	<input type="checkbox"/> In Camera	
<input type="checkbox"/> Fin/Adm	<input type="checkbox"/> Other Mtg	
PAB-m2x3 JAN 20 2017		
<input type="checkbox"/> Ec Dev	RECEIVED	
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<input type="checkbox"/> HR	<input type="checkbox"/> Dir Mailbox	
<input type="checkbox"/> Other	<input type="checkbox"/> Dir Circulate	

Marianne Mertens

From: Leppky Dick and Cathy <cfdl6@yahoo.ca>
Sent: Friday, January 20, 2017 7:32 PM
To: Planning Public Email address
Subject: display signs amendment

I am not sure what kind of signage this includes, but I would like to let the CSRD board know how much the current LED sign at Memorial Hall in Sorrento already is a problem.

Last year while driving home to Chase from Salmon Arm I was stunned by the amount of distraction the LED sign at Memorial Hall can cause. It was very bright and very busy with constantly changing messages that could cause some drivers to be distracted.

I have contacted the Hall through email, without any follow up on their part, about my concerns.

I hope the CSRD will take this into consideration.

Thank you
 Catherine Fritch
 36, 217 Shepherd Road
 Chase BC V0E 1M1
 250 679 2296

<input type="checkbox"/> CAO <input type="checkbox"/> Works <input type="checkbox"/> DS <input type="checkbox"/> Fin/Adm	<input type="checkbox"/> Agenda <input type="checkbox"/> Reg Board <input type="checkbox"/> In Camera <input type="checkbox"/> Other Mtg	Ownership: File #
JAN 20 2017 PHB-332 Y2		
<input type="checkbox"/> Ec Dev <input type="checkbox"/> IT <input type="checkbox"/> Parks <input type="checkbox"/> SEP <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 Circulate	Ask Sent: <input type="checkbox"/> Fax <input type="checkbox"/> Mail <input type="checkbox"/> Email

CSRD Notice of Public Hearing Jan 25, 2017

RE: South Shuswap Zoning Amendment Bylaw No. 701-86

We stand opposed to the new signage located at the Cedar Heights Community Association hall situated at 2316 Lakeview Drive, Sorrento (Blind Bay). Our property is located directly across the street at 2311 Lakeview Drive, one roadway's width from the Community Center property. We are not opposed to a reasonable sized sign, as was on the property when we moved here 8 years ago, but are strongly opposed to the extra-ordinarily bright and flashing sign that has recently replaced the original. We received neither notice nor any opportunity to voice our concerns.

Confirmed letter was mailed out to address abB.

At night this sign is intrusive and offensive to the senses; and is without question a potential traffic hazard at this busy intersection (corner of Cedar Drive and Lakeview Drive). The Cedar Heights Center is the location of our community mail boxes and is a busy active hall. The sign can actually be seen flashing the various advertising slogans, from as far away as Reedman Point. We live in a residential neighborhood; but this sign is clearly designed and suited for commercial establishments.

Let us be clear - a sign is not a problem on its own - but an extremely bright flashing light, bouncing its illumination off all trees and buildings in the vicinity is un-necessary and intrusive.

The sign at the Sorrento Memorial Hall is also very bright and the flashing nature of alternating advertisements is likewise a distraction to travelers and a potential hazard on the busy TransCanada Highway. We need less distraction to ensure safe passage; not more.

There has recently been a similar sign installed at the Carlin Hall property visible to the TransCanada Highway traffic and there is anecdotal testimony as to the Department of Highways opposing this installation (but that is un-verified).

We hope that any future changes to Bylaw 701 will reflect the need to carefully consider the type of signage permitted, with perhaps limitations on brightness, time of day usage, size and especially the type of neighborhood i.e. residential, schools, parks, etc.

We all chose to live and raise our families in the Shuswap, drawn in part by the beauty of this precious natural wonderland. True, our community centers need signage, but let's not turn them into big-box copy-cats.

Yours truly

Erik Hansen
Blind Bay



2311 Lakeview Drive, Sorrento, V0E 2W2

<input type="checkbox"/> CAO	<input type="checkbox"/> Agenda	Ownership:
<input type="checkbox"/> Works	<input type="checkbox"/> Reg Board	File#
<input type="checkbox"/> DS	<input type="checkbox"/> In Camera	
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JAN 23 2017		
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Jan 24 2017

PUBLIC HEARING SUBMISSION

Debbie Hansen
2311 Lakeview Drive
Sorrento BC
V0E 2W2


CSRD

Re: South Shuswap Zoning Amendment (CSRD) Bylaw No. 701-86

I live at 2311 Lakeview Drive directly across the street from Cedar Heights Community Centre. My main route to and from home daily is via a small portion of Lakeview Drive and then onto Cedar Drive, passing this sign at Cedar Heights Community Centre each and every time I leave my home or return again.

I am 100% opposed to the sign at Cedar Heights Community Centre being in our residential area. I am opposed to the sign being at Sorrento Memorial Hall as well, but in this letter, I am speaking mainly to the sign in my neighbourhood at Cedar Heights.

When I moved to 2311 Lakeview Drive approximately 10 years ago from Salmon Arm – I deliberately chose a residential area that was surrounded with trees, had a peaceful beautiful view of the lake, that was dimly lit in the evenings with just a smattering of street lights and was free of lit up signs. I love looking out my windows and seeing trees and lake. I love being in nature and moving to this part of the Shuswap was providing just that. I love the “darkness of the nights” and the calm that comes with that darkness. I love the trees and the lake and all the nature and natural beauty around me. I love the beauty of just stepping out the door and being in nature and walking around the neighbourhood in that nature. Nature is neutral, it is healing and I moved here because I wanted that.

Since I moved here, I have always enjoyed my home's location and my neighbourhood. However, since this sign came up – I have wanted to move. I no longer want to be in this neighbourhood and I no longer like this neighbourhood because of that sign. I feel the beauty and privacy of my home, my property and my neighbourhood have been violated.  by this sign. Each time I look out my living room windows I see the gaudy offensive bright light and the glow of that light. I feel my property and neighbourhood is now an extension of this bright gaudy flashing billboard at Cedar Heights and because we are right across the street there is no leaving my property or coming home to my property without getting assaulted by its brightness, its busyness, its flipping around from one image to another and its need to advertise. I also feel personally violated because rather than having the natural environment that I choose to purchase some years ago, and the view of nature when I look out my living room windows – I am now violated on a daily basis by this gaudy bright demanding sign that screams SEE ME SEE ME SEE ME. This is a residential neighbourhood. Not a commercial one. That sign perhaps belongs in a commercial area – and even then the brightness of it and the flashing of it are dangerous to drivers when driving past it at night. When my husband and I come home at night,

PUBLIC HEARING SUBMISSION – Page 2 – Debbie Hansen

down Cedar Drive and around the corner that approaches Cedar Centre – that sign is a VERY DANGEROUS DISTRACTION. It totally demands that a person's eyes loose focus on the road and get distracted by the gaudy bright lights.

I can no longer look out my living room windows or go out for a neighbourhood walk in nature without being violated by extremely bright lights, by advertising, by the intention of the sign of **being seen and being heard** and by lights lighting up and bouncing off the trees in our neighbourhood. I would not be opposed to a small lit up sign on their building perhaps by the entrance door – but to have this huge display sign on the side of the road is an intrusion and eye-soar to my quality of life here.

I do not wish to be part of Cedar Heights “billboard” advertising 365 days a year. It invades the privacy and peace of my home, my front and back yard, my deck and patio, and my neutral forested neighbourhood. This is not the reason I moved to 2311 Lakeview Drive.

Being on my patio and my deck in the evenings is one of the main things I love about living here in the Shuswap. It's calm, it is peaceful and it is “home”. Now I am violated by the light of that sign and the constant motion of it. I no longer have the peace and privacy I used to feel before that sign was erected.

It is not right what Cedar Heights Community Centre has done or that a by-law be changed to allow Cedar Heights Community Centre to keep this sign up in a residential neighbourhood for an attempt to make money from advertising to support itself. What kind of money am I and other close by neighbors going to make when we try to sell our homes?? What potential buyers do you suppose are out there that want to buy our properties with that offensive violation 365 days of the year. If I no longer want to be in this environment – what potential buyer will?? Where has the value of my home gone?? And my neighbor's homes gone?? My home is my most valuable asset and I try to keep the value of it up for resale purposes and to contribute to a nice neighbourhood. It is NOT RIGHT that the sign be allowed for advertising purposes and to make money to go into its own pocket while jeopardizing the resale of neighboring properties.

They want to make money through selling advertising on that sign. I want to make money through the sale of my home and this sign will be jeopardizing that.

The profits that Cedar Heights will gain from advertising is at the detriment of deteriorating the neighbourhood and the resale value of the “community” itself that surrounds this Community Centre. No bylaw or change in bylaw should support one company's/association's gain over the potential lose of residential property values that surround that same community centre. A community centre is there to help build strong communities is it not? Not to gain while the rest of the community losses!

PUBLIC HEARING SUBMISSION – Page 3 – Debbie Barker

I am strongly opposed to this Cedar Heights sign in my community. I am strongly opposed to any change in a CSRD bylaw that would allow Cedar Heights Community Centre to keep this sign up for purposes of advertising and for making profits from advertising while jeopardizing the sale of the valued assets of the neighbouring residents and for jeopardizing the ability of neighbouring residences to get top dollar value out of the sale of their valued assets.

Debbie Hansen

PUBLIC HEARING SUBMISSION Jan 25/2017

SARAH WARD and JASON ALDRIDGE
2913 Cedar Dr
Sorrento BC
V0E 2W2

To CBRD

Re: Bylaw regarding signage at Cedar Heights
Community Centre

I live at 2913 Cedar Drive and am opposed to
this sign at Cedar Heights Community Centre
and am opposed to any bylaw that would
allow this sign to remain at source.

The sign is way too bright, always jerping
and flashing around and therefore affecting
the calmness and peacefulness of my yard,
my property, my home and my family.

There is just "too much energy associated
with the sign". It is too hyper - keeping
the whole area of our neighborhood "hyper" and
in a state of excitement.

My son's room bedroom faces the sign and he
is always complaining because it is too
bright when ^{he} is trying to sleep. I got him
new curtains, but he is still affected by the
brightness and hyperactivity of the sign, causing him
to be cranky every morning!

Our neighborhood, which was once a peaceful and calm
feeling neighborhood is now one of violation,

of always feeling in an "emergency state".
The constant flashing and changing colors
and the brightness of it always has us
running to the window to see if there is
an ambulance or police or fire truck outside.

This is a residential community - not a
commercial area and we are 100% opposed
to this sign remaining and interfering with
our peaceful livelihood in this area and
our peace of mind, peace of neighborhood and
peace of home.

Sarah Ward



BOARD REPORT

TO:
Chair and Directors

File No:	BL 701-89 PL20170174
-----------------	-------------------------

SUBJECT:

Electoral Area C: South Shuswap Zoning Amendment (Ron Lindblad)
Bylaw No. 701-89

DESCRIPTION:

Report from Dan Passmore, Senior Planner, dated October 11, 2017.
#1 to #6, 1541 Blind Bay Road, Blind Bay.

RECOMMENDATION:

THAT: "South Shuswap Zoning Amendment (Ron Lindblad) Bylaw No. 701-89" be read a first time this 16th day of November, 2017.

AND THAT: the Board utilize the simple consultation process for Bylaw No. 701-89, and it be referred to the following agencies and First Nations:

- Area C Advisory Planning Commission;
- Interior Health Authority;
- Ministry of Environment;
- Ministry of Forests, Lands, Natural Resource Operations and Rural Development;
- Ministry of Forests, Lands, Natural Resource Operations and Rural Development – Archaeology Branch;
- CSRD Operations Management; and
- All relevant First Nations.

SHORT SUMMARY:

The owners of Strata Plan EPS162 have applied for a rezoning amendment to address several illegal non-conforming issues, as a result of bylaw enforcement action. The property is currently regulated by a special regulation within the CH2 - Cluster Housing 2 Zone, which does not reflect on the current site development.

VOTING:

Unweighted
Corporate

☐

LGA Part 14
(Unweighted)

☒

Weighted
Corporate

☐

Stakeholder
(Weighted)

☐
BACKGROUND:
APPLICANT:

Ron Lindblad, representing all strata owners

ELECTORAL AREA:

C

LEGAL DESCRIPTION:

Strata Lots 1 to 6, Section 15, Township 22, Range 11, West of the 6th Meridian, Kamloops Division, Yale District, Strata Plan EPS162

CIVIC ADDRESS:

#1 to #6, 1541 Blind Bay Road

SURROUNDING LAND USE PATTERN:

North = Shuswap Lake

South = Blind Bay Road/Vacant/Single Family Dwelling

East = Robertson Road Community Park (CSRD)/Single Family Dwelling

West = Single Family Dwelling

CURRENT USE:

6 single family dwellings

PARCEL SIZE:

0.215 ha (0.53 ac)

DESIGNATION:

RR – Rural Residential

ZONE:

CH2 – Cluster Housing 2 Zone (subject to special regulation 14.3.12)

POLICY:**Electoral Area C Official Community Plan Bylaw No. 725****2.3 Shoreline Environment***2.3.2 Policies*

.2 Land owners must not alter the natural habitat and shoreline processes unless specifically authorized. The placement of fill and the dredging of aquatic land are not generally acceptable.

3.4 Residential*3.4.1 Policies*

- .1 New residential development will be directed to the Village Centre and Secondary Settlement Areas identified on Schedules B and C. Outside these areas, residential development is discouraged unless co-located with an agricultural use.
- .2 Residential development is subject to the following land use designations, housing forms and maximum densities:

Land Use Designation	Housing Form	Maximum Density
Medium Density (MD)	Detached	5 units/ac (1 unit/0.2 ac) 12 units/ha (1 unit/0.08 ha)
	Semi-detached	8 units/ac (1 unit/0.13 ac) 20 units/ha (1 unit/0.05 ha)
	Townhouse	12 units/ac (1 unit/0.13 ac) 30 units/ha (1 unit/0.03 ha)
Neighbourhood Residential (NR)	Detached, Semi-detached	2 units per 1 acre (1 unit/0.2 ha)
Country Residential (CR)	Detached, Semi-detached	1 unit per 1 acre (0.4 ha)
Rural Residential (RR)	Detached, Semi-detached	1 unit per 2.5 acres (1 ha)
Rural Residential 2 (RR2)	Detached, Semi-detached	1 unit per 5 acres (2 ha)

Small Holdings (SH)	Detached, Semi-detached	1 unit per 10 acres (4 ha)
Medium Holdings (MH)	Detached, Semi-detached	1 unit per 20 acres (8 ha)
Large Holdings (LH)	Detached, Semi-detached	1 unit per 25 acres (10 ha)
Rural Holdings (RH)	Detached, Semi-detached	1 unit per 148 acres (60 ha)

- .3 Cluster forms of development are encouraged within the Sorrento Village Centre and Secondary Settlement Areas to reduce the amount of land affected by residential growth when the permitted number of units is clustered on part of the site, and the remaining area is protected in a natural state. Where cluster developments are located near natural features, such as waterbodies, the cluster development should be directed away from the natural features. Areas near the features should be protected common or public areas.

3.6 Waterfront Development

3.6.1 Objective

- .1 To maintain the near shore areas of Shuswap Lake, White Lake and Little White Lake ecologically intact by focusing development away from the shoreline and by minimizing impacts from moorage facilities.

3.6.2 Policies

- .1 New waterfront development will only be supported if it:
- a) Is residential in nature;
 - b) Has maximum densities of:
 - i. 1 unit / 1 ha (1 unit /2.47 ac) on the waterfront in Secondary Settlement Areas and the Sorrento Village Centre; or
 - ii. 1 unit / 2 ha (1 unit / 4.94 ac) in all other areas;
 - c) Creates lots each with a minimum of 30 m of water frontage;
 - d) Is located a minimum of 50 m away from the natural boundary of Shuswap Lake, White Lake and Little White Lake: Development Permit Areas may apply, see Section 12 of this plan; and
 - e) Provides adequate moorage subject to the moorage policies in Section 3.7.
- .2 Development on waterfront parcels should be clustered to minimize impact on the landscape and preserve natural open space. Applications that do not include Section 219 covenants to prohibit additional subdivision, protect natural areas from further development and address other site specific considerations will not be supported.

South Shuswap Zoning Bylaw No. 701

CH 2 – Cluster Housing 2 Zone

Purpose

The purpose of the CH2 zone is to recognize existing cluster housing arrangements as of March 16, 1995 but not to recognize any new cluster housing arrangements which were not existing on this date.

Permitted Uses

14.1 The following uses and no others are permitted in the CH2 zone:

- .1 single family dwelling;
- .2 cottage; permitted only on parcels greater than 4,000m²
- .3 home business;
- .4 accessory use.

Regulations

14.2 On a parcel zoned CH2, no building or structure shall be constructed, located or altered and no plan of subdivision approved which contravenes the regulations established in the table below in which Column I sets out the matter to be regulated and Column II sets out the regulations.

COLUMN I MATTER TO BE REGULATED		COLUMN II REGULATIONS	
.1	Minimum Parcel Size for New Subdivisions	10 ha	
.2	Maximum height for: <ul style="list-style-type: none"> Principal buildings and structures Accessory buildings 	<ul style="list-style-type: none"> 10 m (32.81 ft.) 6 m (19.69 ft.) 	
.3	Minimum Setback from: <ul style="list-style-type: none"> front parcel line exterior side parcel line interior side parcel line rear parcel line 	<ul style="list-style-type: none"> 5 m 4.5 m 2 m 5 m 	
.4	Maximum Coverage	70%	
.5	Maximum Number of Single Family dwellings	1	
.6	Maximum Number of Cottages	1	

14.3.12 This special regulation applies to Lot 2, Plan KAP62863, Section 15, Township 22, Range 11, W6M as shown on the map below.

- .1 Notwithstanding Section 14.2 the maximum density of single family dwellings is 32.6 /ha.
- .2 Notwithstanding Section 14.2 the maximum parcel coverage is 23%.

Proposed Amendments Bylaw No. 701

The following amendments are proposed to reflect the current development on the property:

- 1. Density is proposed to be a total of 6 single family dwellings at 27.9 units/ha.;
- 2. Parcel coverage is proposed to be 24.79%;

3. Setbacks as follows:

Front parcel line	5.0 m
Exterior side parcel line	0.66 m
Interior side parcel line	1.24 m
Rear parcel line	4.07 m
4. Maximum height for principal buildings, as follows:

Strata Lot 2	10.35 m
Strata Lot 3	10.07 m
5. Eaves and Gutters from 1.0 m from exterior side parcel line to:

Strata Lot 2	0.08 m
Strata Lot 3	0.03 m
Strata Lot 4	0.06 m
6. Floodplain Specifications for setback and flood construction level to be as follows:

Floodplain Setback	
Strata Lot 4	10.33 m
Strata Lot 5	13.62 m
Strata Lot 6	10.02 m
Flood Construction Level	
Strata Lot 2	350.91 m
Strata Lot 3	349.55 m
Strata Lot 4	349.57 m
Strata Lot 5	348.84 m
Strata Lot 6	348.83 m

FINANCIAL:

The rezoning is the result of bylaw enforcement action. If the Board does not adopt the proposed amending bylaw, the Board may then wish to direct staff to seek a legal opinion regarding possible court action. Costs for the legal opinion and possible court action, although partially recoverable through Court, could nonetheless be substantial. Staff involvement in legal action is not recoverable.

KEY ISSUES/CONCEPTS:

Bylaw No. 701-36

Bylaw No. 701-36 was adopted by the Board at the February 15, 2007 regular meeting. The rezoning amendment introduced the set of special regulations under sub-section 14.3.12 (included above) allowing greater density and limiting parcel coverage on the site. The owners applied for the amendment to include the special regulation when it was revealed to them that the adoption of the new South Shuswap Zoning Bylaw No 701 did not recognize the existing development on the property and, therefore, the existing development (7 single family dwellings, and a mobile home, which was removed from the property through the course of the rezoning application) was non-conforming with respect to the existing use.

DVP 701-32

Subsequent to the adoption of Bylaw No. 701-32, (the month after adoption) the owners applied for a Development Variance Permit (DVP) to correct some non-conformities with respect to siting of the

existing development on the property, prior to some proposed renovations and expansions of the existing cabins. This DVP 701-32, in addition to correcting exterior parcel line setbacks also purported to provide relief from Floodplain Specifications.

Initially, the applicant was advised that the DVP 701-32 could not be processed as some 3 buildings actually encroached onto Robertson Road, an unconstructed Highway Right-of-way, access to Shuswap Lake. The owners were also advised that Provincial Riparian Area Regulations had recently come into effect and a Riparian Area Assessment Report (RAAR) would be required to support the DVP application.

Finally, staff noted that the buildings did not comply with floodplain specifications. Staff advised the applicant that floodplain issues could be dealt with within the DVP 701-32 as long as the applicant had provided a report from a qualified professional with experience in assessing flood risk.

The applicant provided the necessary information, as follows, after considerable delay:

- RAAR dated December 31, 2007, by Michele Trumbley, R.P.Bio., of Trumbley Environmental Consulting Ltd.
- Flood Assessment Report, dated May 14, 2007, by Alan Bates, P.Eng., of Streamworks Unlimited
- Arborist Report, dated August 8, 2007, by Irene Palmer, Certified Arborist, of Horizon Tree Service Ltd.
- Letter Regarding On-Site Sewerage System, dated April 18, 2007, by Dick Bartel, P.Eng., of Point One Engineering.
- Encroachment Permit, (No. 02-131-17011) issued February 2, 2006, by Ministry of Transportation and Infrastructure (MoT).

The DVP 701-32 was issued by the Board at the August 21, 2008 regular meeting.

Provisions within the Local Government Act do not allow a Development Variance Permit to vary Floodplain Specifications.

Staff have attached the report to the Board from August, 2008 with attachments, for the Board's information.

Capri Cabins – Subsequent Development

On February 12, 2009, the Provincial Ministry of Environment accepted the RAAR report and authorized the approvals. On March 26, 2009, the Interior Health Authority authorized repair of an existing Type 3 on-site sewerage system for 14 bedrooms with 479.4 m² of total living area. On December 15, 2009, a plan for deposit of a building strata subdivision was registered in the Land Title Office. The plan of strata subdivision showed that 6 lots were created. Registration for a building strata plan typically happens when the buildings are framed up completely to lock-up stage.

What had occurred on the site was that rather than renovation and expansion of the existing 7 cabins on the site, the owner had demolished all of the existing units and had constructed 6 new single family dwellings on the site. The new buildings are located closer to the natural boundary, and other parcel lines than the old cabins. There are also some units that violate maximum height restrictions.

The impact of this is that the reports which both the rezoning bylaw and the subsequent DVP were based on, were invalidated, because they reflected the old development, which was demolished.

In 2010, the CSRD pursued a bylaw enforcement complaint against the construction on the property. A letter was sent to the owners on June 15, 2010. A subsequent letter from the CSRD, dated June 22, 2010 advised the owners that the development of the 6 new cabins was in violation of DVP 701-32. Through the Bylaw Enforcement process, and many additional letters, it has taken until 2017 for the owners to understand the various issues and to apply to rezone the property to correct the situation.

RAR Issues

The owners of Capri Cabins had a RAAR performed by Michele Trumbley, R.P.Bio. to support the DVP. The RAAR dealt with the existing cabins and development on the site and did not contemplate the new configuration of the new units, which in some cases were sited closer to the Lake. However, development of the site occurred prior to the adoption of Electoral Area C Official Community Plan Bylaw No. 725, which instituted a requirement for a RAR DP when it was adopted. So a RAR DP for the new replacement development was not required.

The RAAR submitted to and accepted by the Provincial Government advises that additions are proposed to the 3 lakeshore cabins, but that these additions will occur to their south sides away from the Lake.

The demolition of the existing cabins and the construction of the new single family dwellings, did not require any approval from the CSRD at the time. It would have been a requirement for a revised RAAR, had any approvals been required, such as a building permit, or a subdivision.

As such, the new single family dwellings have been constructed within the SPEA defined in the original RAAR. But this occurred at a time when no approvals were required. The current rezoning application seeks to amend the zoning bylaw to sanction the current siting, but does not constitute development under RAR. Nevertheless, staff intend to send a referral to Ministry of Environment to give them an opportunity to provide their guidance.

Floodplain Issues

The original Flood Assessment Report dealt with flood hazards with respect to the existing cabins. The demolition of those 7 cabins and the construction of 6 new single family dwellings invalidated that report, because the new structures were placed closer to the natural boundary of Shuswap Lake. The owners have provided a new report, dated September 25, 2017 from Alan Bates, P.Eng., of Streamworks Consulting Inc., which addresses the new single family dwellings.

The report advises that new units have been constructed including new foundations and excavated basements with changed setback distances and floor elevations. The report advises that the 3 buildings constructed closer to Shuswap Lake (Units No. 4, 5, and 6) are in violation of the floodplain setback of 15.0 m, requiring an exemption.

In addition to this, the report advises that of the excavated basements, only Unit No. 1 complies with the flood construction level of 351.0 m geodetic. Units 2 to 6 all fall under the flood construction level requirement, however main floor elevations do comply. The report advises that the basements are unfinished and are not used for living space, but that they do house furnaces and hot water tanks for the units. The report advises that it is the understanding of Mr. Bates that these mechanical components have been constructed on above floor platforms of some unspecified height, which may or may not comply with the flood construction level. Mr. Bates did not do a site examination to verify this information.

Mr. Bates reports that foundation walls are likely close to the flood construction level, so the danger of floodwaters overtopping the foundation walls is unlikely. To mitigate the risk of inundation the owners have installed sump pumps in each cabin. Again Mr. Bates has not verified this information through a site visit.

Mr. Bates concludes his report by indicating that the new development on the site has not significantly increased the risk of flood damage on the property and has stated that the site may continue to be used safely. However, the caveat is added that the owners must not use the basements for living space or for the storage of valuables.

The Board had previously dealt with the issue of floodplain specifications in DVP 701-32, albeit for the previously existing buildings on the property, and in a DVP, which did not comply with the Local Government Act at the time. Rather than propose an exemption which is the usual vehicle for floodplain issues, and which would require a further application, and considering the Zoning Bylaw is the vehicle for establishing floodplains and their specifications, staff are proposing that the exemption to floodplain specifications incorporated into the zoning for this property based on the revised Engineer's report was a more efficient approach to the issue.

Covenant KM95490

Registered against the title of the parent property, Lot 2, Plan KAP62863, as a condition of subdivision approval in August 1998. The covenant is in favour of the Department of Fisheries and Oceans (DFO) and restricts the removal of vegetation from the site within 15.0 m of the 348.3 m contour. A review of the RAAR and the attached arborists report indicate that tree removal within this area was anticipated by the development but that planting of 29 other new trees would mitigate this loss. It is unknown if the owners approached DFO for approval to remove trees or planted the replacement trees.

Covenant LB5664 – Sewerage System

Registered against the title of the parent property, in favour of the CSRD at the time of the rezoning Bylaw No. 701-36. This covenant was offered by the owners in response to CSRD concerns regarding the efficacy of the existing on-site sewerage system. It was also offered to address public concerns raised at the Public Hearing. The covenant restricts the use of the property and the buildings thereon. The main provision is that the Owners would not construct, build, renovate, alter or reconfigure any of the existing dwellings to contain more than 2 bedrooms each. The covenant also restricts any increase in building area unless the owners have provided an inspection report by a qualified professional advising that the on-site sewerage system is in good working order and capable of handling the then-current amount of sewage generated on the site.

As reported earlier, a filing submitted by a qualified Engineer for a repair of the existing Type 3 system was approved for construction by the IHA at or around the time of reconstruction on the site. The filing was for 14 bedrooms, and a total of 479.4 m² of living space. A review of the strata plan of subdivision registered on the site indicates that the 6 new single family dwellings constitute a total of 1,210.6 m². This figure includes basement areas, excluding basement areas leaves 824.9 m². Staff are unaware of the number of bedrooms constructed, and have asked the applicant for this information.

The applicant has further advised that the number of bedrooms within the entire complex is 12, which means that the current filing for the sewerage system is adequate, regardless of the floor area change.

Water Supply

Information provided by the owners during the first rezoning application in 2007 indicate that the property is serviced by Shuswap Lake intake. It is unknown if there is a single intake for the entire property or if each unit has its own intake. If it is a single intake, the system is a water supply system and must be approved by the Interior Health Authority.

The applicant has provided staff with a copy of a Permit to Operate a Drinking Water System, as issued by the IHA under Facility No. 14-097-00185, dated April 1, 2009, and a Waterworks Construction Permit, No. TC-660, issued August 20, 2009, both of which predate the demolition of the existing units, and the construction of the new units. Again, staff will refer the bylaw to the IHA for their perspective. Staff will provide the Board with further information during consideration of future readings of the bylaw.

Ministry of Transportation and Infrastructure – Encroachments onto Robertson Road

As noted earlier, the Ministry of Transportation and Infrastructure (MoT) issued an encroachment permit for Capri Cabins in 2006. However, this permit was for the previously existing buildings. The applicant had applied for a renewed encroachment permit, which was issued (Permit No. 2017-05825), September 22, 2017 for the new site development.

Robertson Road – CSRD Park

The Electoral Area C Parks Plan was amended in 2010 to include Robertson Road, and a License of Occupation for the foreshore area and road was obtained from MFLNRORD and MoT in 2012 for a swim area.

Electoral Area 'C' OCP Bylaw No. 725

The current OCP designation RR Rural Residential allows for a density of 1 unit per ha. The current zoning and the existing development of 6 units on a 0.215 ha property do not comply with this designation. Current policies regarding infrastructure indicate that existing development must connect to a community sewer system to protect Shuswap Lake water quality.

Foreshore Development

At some point in the past the owners have installed an extensive retaining wall structure within Shuswap Lake. Stairs lead from the top of the retaining wall down onto the beach. The installation of the retaining wall effectively reclaimed landscaped area from the Crown which owns the land below the natural boundary. If this type of structure were contemplated to be constructed now, the owner would need to apply for a tenure from the Lands Branch (Front Counter BC), as well as receive a permission under Section 11 of the Water Sustainability Act. It is unlikely the owners have obtained the required permissions from the Provincial Government for these structures. Staff will forward a referral to the Ministry for their advice in this regard.

SUMMARY:

The applicant has applied to amend the current special regulation within the CH 2 – Cluster Housing – 2 Zone which regulates the subject property. The subject property was rezoned to a special regulation within the CH 2 zone and a DVP was issued to allow what was existing on the site at that time. Subsequent to this, the owners demolished all of the existing development on the site and re-developed in violation of the zone and the DVP. This application is a response to bylaw enforcement action, and, if supported by the Board would sanction all of the illegal non-conforming elements of the new development.

Staff are recommending that the Board consider the background in that context, give Bylaw No. 701-89 first reading, and consider directing staff to forward the bylaw and background information to referral agencies and First Nations.

IMPLEMENTATION:

As per CSRD Policy No. P-18 regarding Consultation Processes-Bylaws, staff recommends the simple consultation process. Neighbouring property owners will first become aware of the application for zoning amendments when a notice of development sign is posted on the property.

Referral Process

The following list of referral agencies is recommended:

- Area 'C' Advisory Planning Commission;
- Interior Health Authority;

- Ministry of Environment;
- Ministry of Forests, Lands, Natural Resource Operations, and Rural Development;
- Ministry of Forests, Lands, Natural Resource Operations, and Rural Development - Archaeology Branch;
- CSRD Operations Management; and
- All relevant First Nations.
 - Adams Lake Indian Band
 - Little Shuswap Indian Band
 - Neskonlith Indian Band.

COMMUNICATIONS:

If the bylaw is given first reading it will be forwarded to the referral agencies. Agency comments will be provided with a future Board report. The applicant will be required to post a Notice of Development sign on the subject property in accordance with Development Services Procedures Bylaw No. 4001.

DESIRED OUTCOMES:

That the Board endorse staff recommendation.

BOARD'S OPTIONS:

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

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

1. MoT Encroachment Permit No. 2017-05825, dated September 22, 2017.
2. Electoral Area C Official Community Plan Bylaw No. 725.
3. South Shuswap Zoning Bylaw No. 701.
4. CSRD Letter November 9, 2015.

Report Approval Details

Document Title:	2017-11-16_Board_DS_BL701-89_Lindblad.docx
Attachments:	<ul style="list-style-type: none"> - 2008-08_Board_DS_DVP701-32.pdf - BL701-89-First.pdf - Letter to M Lindblad re Capri Cabins Flood Hazard Assessment - Streamworks Sep 2017.pdf - CSRD_letter_2015-11-09_BL701-89.pdf - Maps_Plans_Photos_BL701-89.pdf
Final Approval Date:	Nov 8, 2017

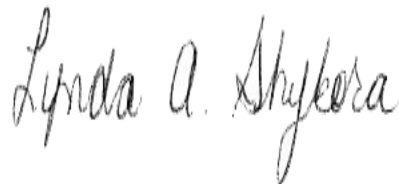
This report and all of its attachments were approved and signed as outlined below:



Corey Paiement - Nov 6, 2017 - 11:29 AM



Gerald Christie - Nov 7, 2017 - 7:59 AM



Lynda Shykora - Nov 7, 2017 - 4:12 PM



Charles Hamilton - Nov 8, 2017 - 8:49 AM

EAD-BBA 1.**MEMORANDUM**

TO: Chair and Directors **DATE: 2008 08 12**

FROM: Scott Beeching, Senior Planner II **FILE: DVP 701-32**
Development Services

SUBJECT: Development Variance Permit No. 701-32

RECOMMENDATIONS

1. THAT:

as recommended in the memorandum from the Senior Planner II, dated 2008 08 12, the Board support the proposed Streamside Enhancement and Protection Area (SPEA) variance for the proposed development based upon the professional opinion of Michele Trumbley, R.P.Bio and QEP stated in her report dated December 31, 2007;

AND THAT:

the Columbia Shuswap Regional District's support of the variance is contingent upon the report prepared by Michele Trumbley, R.P.Bio being submitted and accepted by the Ministry of Environment and the Department of Fisheries and Oceans Canada and any mitigation measures required by the report being the responsibility of the property owner and QEP.

2. THAT:

in accordance with Section 922 of the Local Government Act Development Variance Permit No. 701-32 for Lot 2, Plan KAP62863, Sec 15, Twp 22, Rge 11, W6M KDYD be issued.

INFORMATION SHEET

OWNER OF PROPERTIES: Ben Cunliffe
 Ronald Ray Lindblad
 Richard William Renard
 Michael John Lindblad
 Nicole and Lance Nikolic

APPLICANT: Ben Cunliffe

ELECTORAL AREA: 'C' (Sorrento)

LEGAL DESCRIPTION: Lot 2, Plan KAP62863, Sec 15, Twp 22, Rge 11, W6M KDYD

...2

Handwritten signature and initials, possibly 'J.B.' and 'YKG', located at the bottom right of the page.

ADDRESS: 1541 Blind Bay Road

SIZE OF PROPERTY: .215 ha (.531 acres)

SURROUNDING LAND USE

PATTERN: NORTH: Shuswap Lake
 SOUTH: Blind Bay Road
 EAST: Robertson Road, Residential Lots
 WEST: Residential Lots

CURRENT USE: 7 Single Family Dwellings

PROPOSED USE: 7 Single Family Dwellings

CURRENT ZONING: Cluster Housing 2 (CH2)
 Special Regulation 14.3.12

CURRENT OCP DESIGNATION: Country Residential 0.5 (CR.5)

PROPOSAL

The proposal is to renovate and expand the existing cabins on the property. For the most part the renovations and expansions will occur on the existing development footprint. The attached drawing demonstrates where the renovations and expansion will occur. Three dwellings are within the 15 m (49.2 ft) floodplain setback and 3 cabins are within the 4.5 m (14.76 ft) exterior side parcel line setback.

The applicant is requesting a development variance permit to vary the minimum setback from the floodplain from 15m (49.2 ft) to 10.92 m (35.83 ft), 14.2 m (46.58 ft), and 9.7 m (31.82 ft) for three cabins. The proposal is also to vary the minimum setback from the exterior side yard from 4.5 m to 0.71 m along Robertson Road right of way (east side) to accommodate three cabins. Robertson Road is an undeveloped right-of-way providing utility access to the lake.

DEVELOPMENT VARIANCE PERMIT

Shuswap Lake forms the northern boundary of the property. The deck of the Cabin #6-Ko Ko Mo is 9.7 m (31.82 ft) from the high water mark. A portion of Cabin #5-Key-Largo is 14.2 m (46.58 ft) from the high water mark. The deck of Cabin #4-Montego is 10.92 m (35.83 ft) from the high water mark.

Robertson Road forms the eastern boundary of the property, portions of the Cabin #4-Montego and Cabin #3-Jamaica are currently within .71m of the property line and the Cabin #2-Aruba is .71m from the property boundary. The owners are proposing to renovate and move the cabins so all three are .71m from the property line.

The following variances have been applied for:

1) Section 3.16.2.1

- The Floodplain Setback from 15.0 (49.2 ft) to 10.92 m (35.83 ft) for cabin #4-Montego.
- The Floodplain Setback from 15.0 (49.2 ft) to 14.2 m (46.58 ft) for cabin #5-Key Largo.
- The Floodplain Setback from 15.0 (49.2 ft) to 9.7 m (31.82 ft) for cabin #6-Ko Ko Mo.

2) Section 14.2.3

- Exterior side parcel line setback from 4.5 m (14.76 ft) to 0.71m (2.33 ft) for cabin #2-Aruba.
- Exterior side parcel line setback from 4.5 m (14.76 ft) to 0.71m (2.33 ft) for cabin #3-Jamaica.
- Exterior side parcel line setback from 4.5 m (14.76 ft) to 0.71m (2.33 ft) for cabin #4-Montego.

SOUTH SHUSWAP ZONING BYLAW NO. 701

The subject property is currently zoned Cluster Housing 2 (CH2). The maximum density of single family dwellings is regulated through the use of special regulations. Special Regulation 14.3.12 applies to the subject property and reads as follows:

"The maximum density of single family dwellings permitted on Lot 2, Plan KAP62863 Sec 22, Rge 11 W6M, KDYD is 32.6/ha."

"The maximum parcel coverage is 23%."

The proposed uses and additions for the cabins comply with Bylaw No. 701.

RIPARIAN AREAS REGULATION

A Local Government (in this case the CSRD) cannot approve any development within 30 m of any watercourse (as defined in the RAR) without a report from a Qualified Environmental Professional (QEP) being submitted and accepted by the Ministry of Environment (MOE) Ecosystems Branch. A typical RAR report would identify a Streamside Enhancement and Protection Area (SPEA) that is to be maintained in its natural state to provide or protect fish habitat. If for some reason it is not possible to maintain the SPEA there is an option to "vary" the SPEA. In order to consider a variance of the SPEA a letter of support from the Local Government is required.

A report prepared by Trumbley Environmental Consulting Ltd, December 31, 2007, is attached. In the report, Michele Trumbley, the QEP, identifies a Streamside Protection and Enhancement Area (SPEA) of 30 m. Three cabins are currently within the 30m SPEA, therefore a SPEA variance is required.

In the report the QEP identifies a number of mandatory actions, including the erection of a barrier during construction, planting of native species and monitoring the use of the SPEA, which will be required as mitigation during the development of the property. It is recommended that adherence to the mandatory actions as required in the QEP report will be a condition of issuing the permit.

If the Board supports the SPEA variance and the measures necessary to protect the SPEA as determined in the report, a letter of support will be sent to the QEP. This letter will be submitted by the QEP as part of the RAR report and submitted to MOE Ecosystems Branch for review, acceptance and eventual approval.

GEOTECHNICAL REPORT

When considering a variance to the setbacks from the floodplain, Policy P-19 requires that a professional report from a professional engineer or geoscientist that states the land may be used safely for the use intended.

The report prepared by Alan Bates, P. Eng, Water Resources Engineer of Streamworks Unlimited, May 14, 2007, (attached) states that the existing cabins' site is suitably protected from flood damage or erosion and may continued to be used safely. There are no mitigative measures considered necessary.

SEWER

There is a restrictive covenant on the property. Prior to any alterations to the existing 7 dwellings that would increase the gross square footage of the dwellings, the sewage disposal system must be inspected by a Professional Engineer. The Engineer must deem the disposal system to be in good working order and capable of handling the current amount of sewage generated and any increase that may be generated as a result of the alterations.

The covenant requires that if there is any evidence that the disposal system(s) are not in good working condition, the repairs must be completed prior to any alterations or an alternate solution must be found. The covenant limits the number of bedrooms in each building to two. The number of bedrooms is one of the criteria Interior Health requires Registered Onsite Wastewater Practitioners to consider when assessing potential septic effluent.

Correspondence from Ivor Norlin, Interior Health Public Health Inspector and Dick Bartel, Point One Engineering, is attached.

Dick Bartel submitted a letter, dated December 18, 2006 stating the sewage disposal system is in good working order. Mr. Norlin replied with a letter, dated December 29, 2006 concluding that Mr. Bartel's letter does not indicate whether the existing system meets the current Sewerage System Standard Practice Manual or whether the sewage

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system meets current health standards. Mr. Bartel submitted a letter dated January 8, 2007 stating that the proposed increase in building square footage will not have a negative impact on public or private health. Mr. Norlin responded with a letter dated, January 26, 2007, stating again that the Mr. Bartel has not stated that the septic system complies with the Sewerage System Standard Practice Manual.

In his letter (attached) dated April 18, 2007, Dick Bartel, Point One Engineering, indicates the system is in good working order. The letter states that the system will have no impact on public or private health. The letter states that the system meets the Standards of current Sewerage System Regulation Standard Practice Manual and is capable of handling the current wastewater being generated and the increases as proposed.

The owners have stated verbally and in a letter dated August 1st, 2008, that the existing sewage system will be upgraded pending further development of the property. A letter from Point One Engineering, dated June 2, 2007, is attached. The letter includes details and design of the proposed upgrades.

WATER

The northern boundary of the subject property borders on Shuswap Lake. The dwellings on the subject property receive their drinking water directly from lake water intakes. The applicant is working with Interior Health to become fully compliant with the *Drinking Water Act and Regulations*, has initiated Source Approval and will be seeking Engineering Approval for the current system.

REFERRALS

The Area 'C' Advisory Planning Commission recommended denial of this application because the application infrastructure is not adequate and there is a risk to Shuswap Lake. The minutes of the May 13, 2008 meeting are attached.

Interior Health recommends approval conditional to the installation of the proposed upgrade to the on-site sewage disposal systems as designed by Dick Bartel and connection to the community system as soon as it is available.

There was no response from the Ministry of Transportation and Infrastructure. However there is a permit to reduce the building setback to less than 4.5 metres from a property line fronting a highway dated February 1, 2006. The permit allows the buildings to extend within 0.16 m of the property line in common with Robertson Road.

There was no response from the Ministry of Environment or the Department of Fisheries and Oceans.

PUBLIC INPUT

Some members of the Advisory Planning Commission chose to submit additional information after the meeting was adjourned. The additional information consists of a Development Proposal Evaluation Form and an Addendum which are attached. The

...6

additional information was not discussed at the meeting and was not reflected in the minutes. Development Services staff recommends that the additional information be considered as public input.

The Development Proposal Evaluation Form assesses and rates the application based upon the following criteria: preservation of the natural environment and lake water quality, provision of adequate infrastructure, compatible with the neighbourhood community character, consideration of natural hazard and compliance with appropriate regulations, effect on local residential traffic and parking, and input from the neighbourhood. The summary stated "Despite 5 letters from neighbours, this high-density proposal is in contradiction of the general views of the community."

The Addendum dated May 14, 2008 reiterates that the Area 'C' APC is opposed to the DVP because of serious concerns about the potential and recognized problems with 7 homes on a septic system on .53 acre of lakeshore. The Addendum then provides further observations and an analysis of correspondence related to the file including letters from George Clarke, Bulldog Excavating, Ivor Norlin, Interior Health and Dick Bartel, Point One Engineering.

In his letter dated August 1st, 2008, Ron Lindblad, the applicant, addresses some of the information contained in the Addendum. Mr Lindblad has also included a drawing demonstrating the location of the immediate neighbours who submitted letters of support.

Seven letters, from the adjacent landowners, in support of the Development Variance Permit are attached.

SUMMARY

Seven cabins exist on the property.

A septic system that was inspected by a Professional Engineer and deemed to be in good working order and not a risk to private or public health exists on the property. The owners have stated that they will improve the existing system and would like to eventually connect to a community system.

A geotechnical engineer has stated that the cabins are safe and are sufficiently protected from flood and erosion.

The QEP identified a 30m SPEA from the boundary of Shuswap Lake. Three of the cabins are currently within the 30m SPEA. Adherence to the mitigative measures as recommended in the QEP report will improve the SPEA.

The immediately adjacent landowners support the DVP.

The Area 'C' APC does not support the variances to the setbacks from the side yard setback and the floodplain setback.

A variance of the side yard setback and the floodplain setback will allow the owners to improve the cabins, improve the SPEA and improve the septic system which will further protect Shuswap Lake.

...7

The proposal is to renovate and expand the existing cabins on the property. For the most part the renovations and expansions will occur on the existing development footprint. The attached drawing demonstrates where the renovations and expansion will occur. Three dwellings are within the 15 m (49.2 ft) floodplain setback and 3 cabins are within the 4.5 m (14.76 ft) exterior side parcel line.

The applicant is requesting a development variance permit to vary the minimum setback from the floodplain from 15m (49.2 ft) to 10.92 m (35.83 ft), 14.2 m (46.58 ft), and 9.7 m (31.82 ft) for three cabins. The proposal is also to vary the minimum setback from the exterior side yard from 4.5 m to 0.71 m along Robertson Road right of way (east side) to accommodate three cabins.

Respectfully submitted,



Scott Beeching
Senior Planner II

COLUMBIA SHUSWAP REGIONAL DISTRICT
DEVELOPMENT VARIANCE PERMIT NO. 701-32

1. OWNERS: Ben Cunliffe
Ronald Ray Lindblad
Richard William Renard
Michael John Lindblad
Nicole and Lance Nikolic

2. This permit applies only to the land described below:

Lot 2, Plan KAP62863, Sec 15, Twp 22, Rge 11, W6M KDYD
which property is more particularly shown on the map attached hereto
as Schedule 'A'.

3. The South Shuswap Zoning Bylaw No. 701, as amended, is hereby varied as follows:
 - a) Section 3.16.2.1 is varied by decreasing the floodplain setback from 15.0 (49.2 ft) to 10.92 m (35.83 ft) for cabin #4-Montego as shown on Schedule B.
 - b) Section 3.16.2.1 is varied by decreasing the floodplain setback from 15.0 (49.2 ft) to 14.2 m (46.58 ft) for cabin #5-Key Largo as shown on Schedule B.
 - c) Section 3.16.2.1 is varied by decreasing the floodplain setback from 15.0 (49.2 ft) to 9.7 m (31.82 ft) for cabin #6-Ko Ko Mo as shown on Schedule B.
 - d) Section 14.2.3 is varied by decreasing the exterior side parcel line setback from 4.5 m (14.76 ft) to 0.71m (2.33 ft) for cabin #2-Aruba as shown on Schedule B.
 - e) Section 14.2.3 is varied by decreasing the exterior side parcel line setback from 4.5 m (14.76 ft) to 0.71m (2.33 ft) for cabin #3-Jamaica as shown on Schedule B.
 - f) Section 14.2.3 is varied by decreasing the exterior side parcel line setback from 4.5 m (14.76 ft) to 0.71m (2.33 ft) for cabin #4-Montego as shown on Schedule B.

4. The permit is issued on the condition that:
 - a) The report prepared by Michele Trumbley, R.P.Bio being submitted and accepted by the Ministry of Environment and the Department of Fisheries and Oceans Canada.

DVP NO. 701-32

PAGE 2

5. This permit is NOT a building permit.

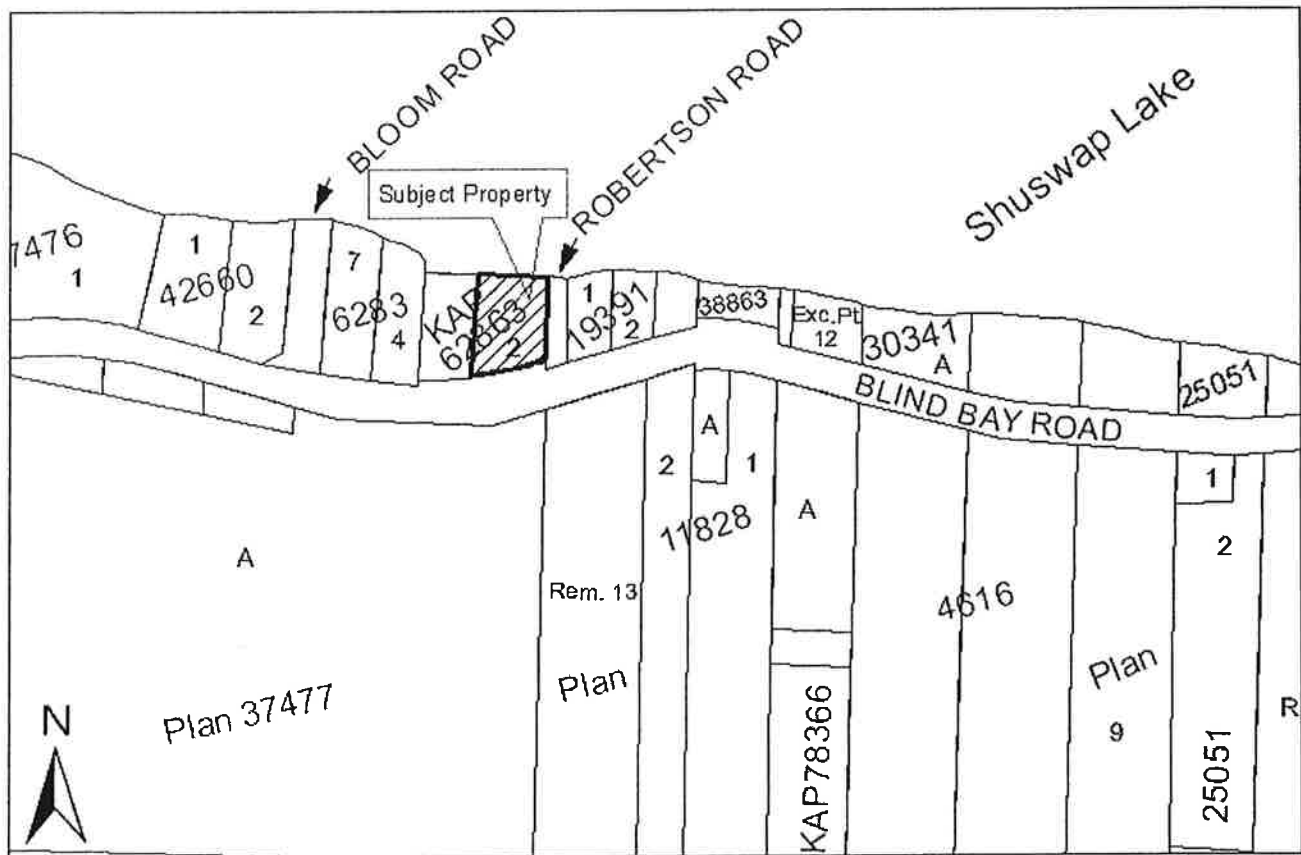
AUTHORIZED AND ISSUED BY RESOLUTION NO.

MANAGER OF CORPORATE
ADMINISTRATION SERVICES (SECRETARY)

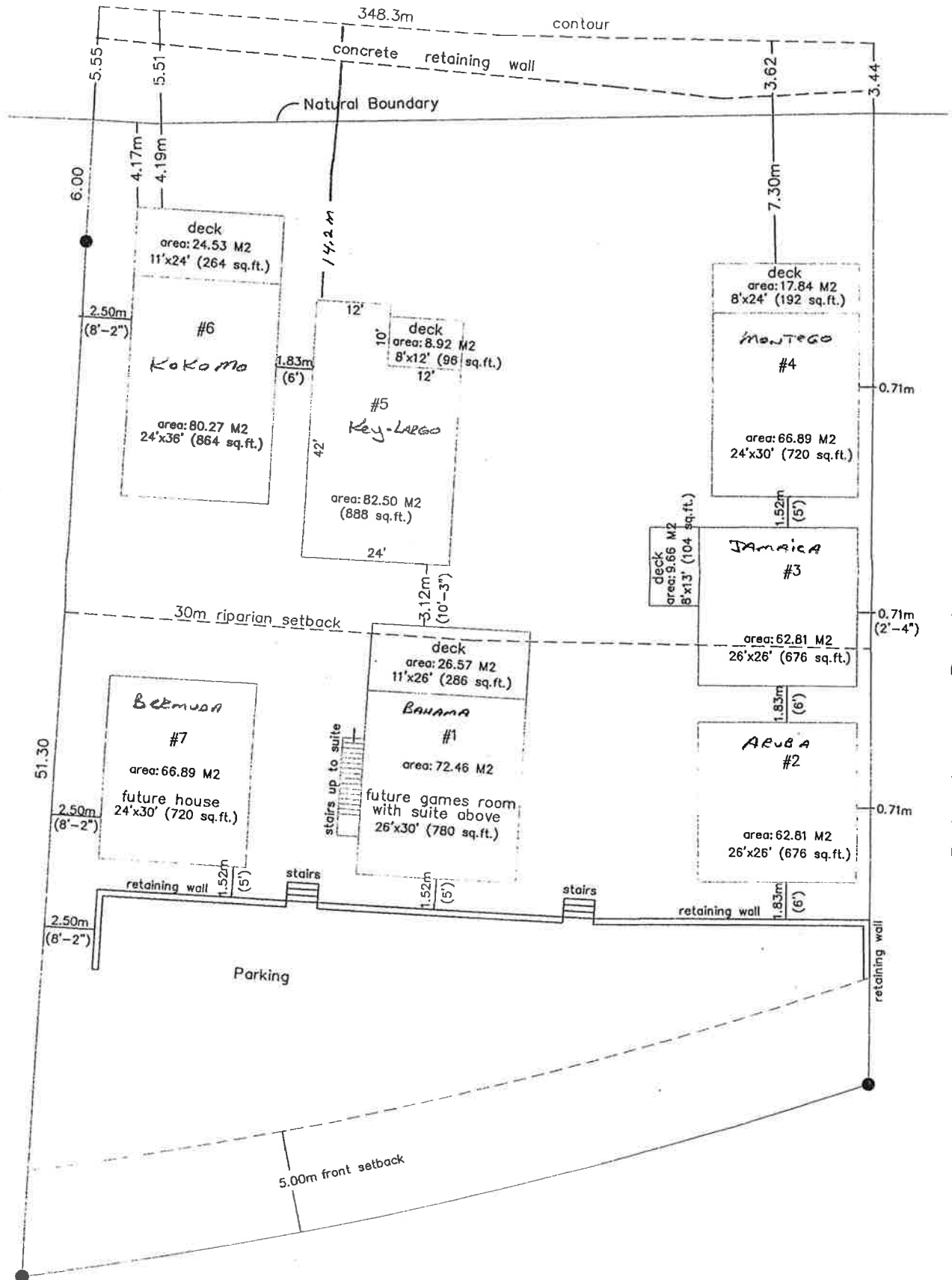
NOTE: Subject to Section 926(1) of the Local Government Act, if the development of the subject property is not substantially commenced within two years after the issuance of this permit, the permit automatically lapses.

SCHEDULE A

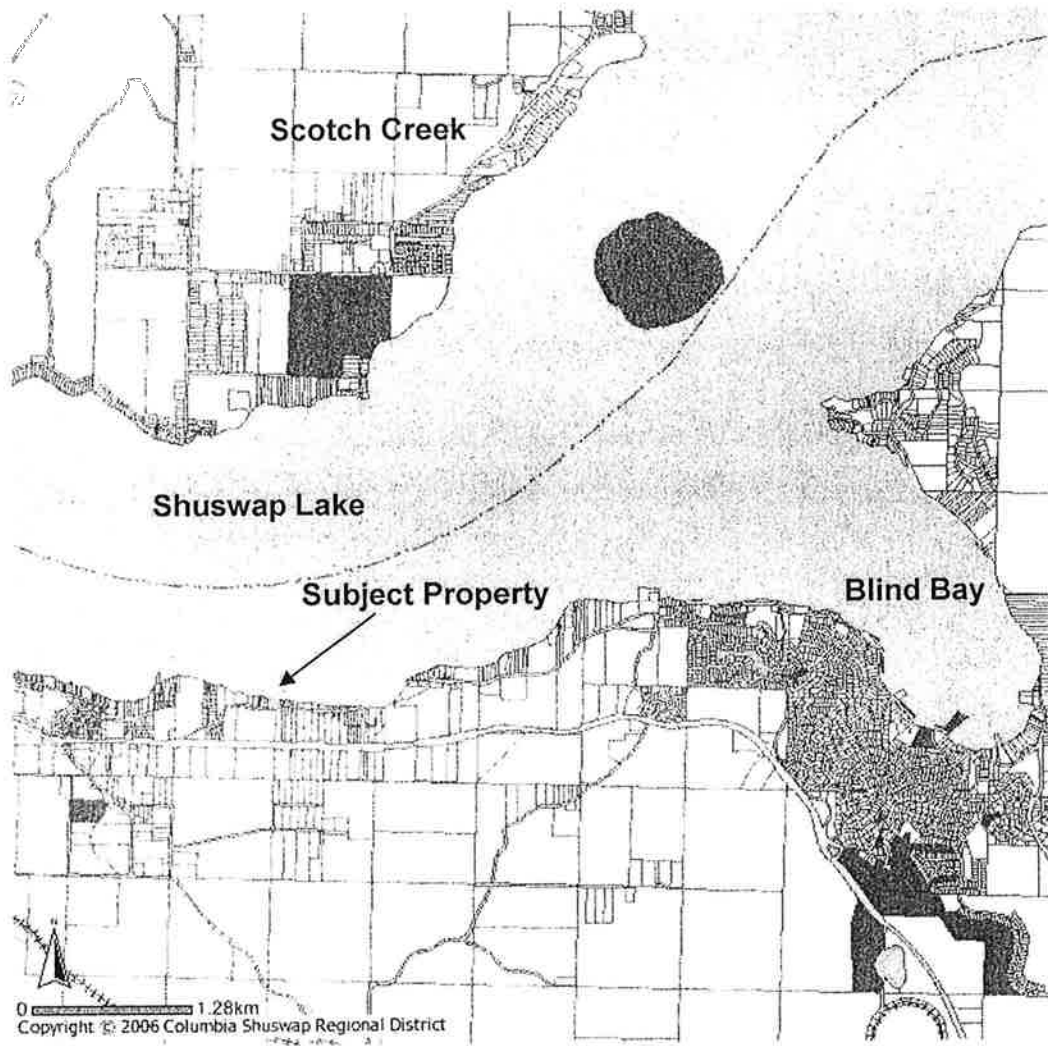
DEVELOPMENT VARIANCE PERMIT NO. 701-32



DEVELOPMENT VARIANCE PERMIT NO. 701-32



Location



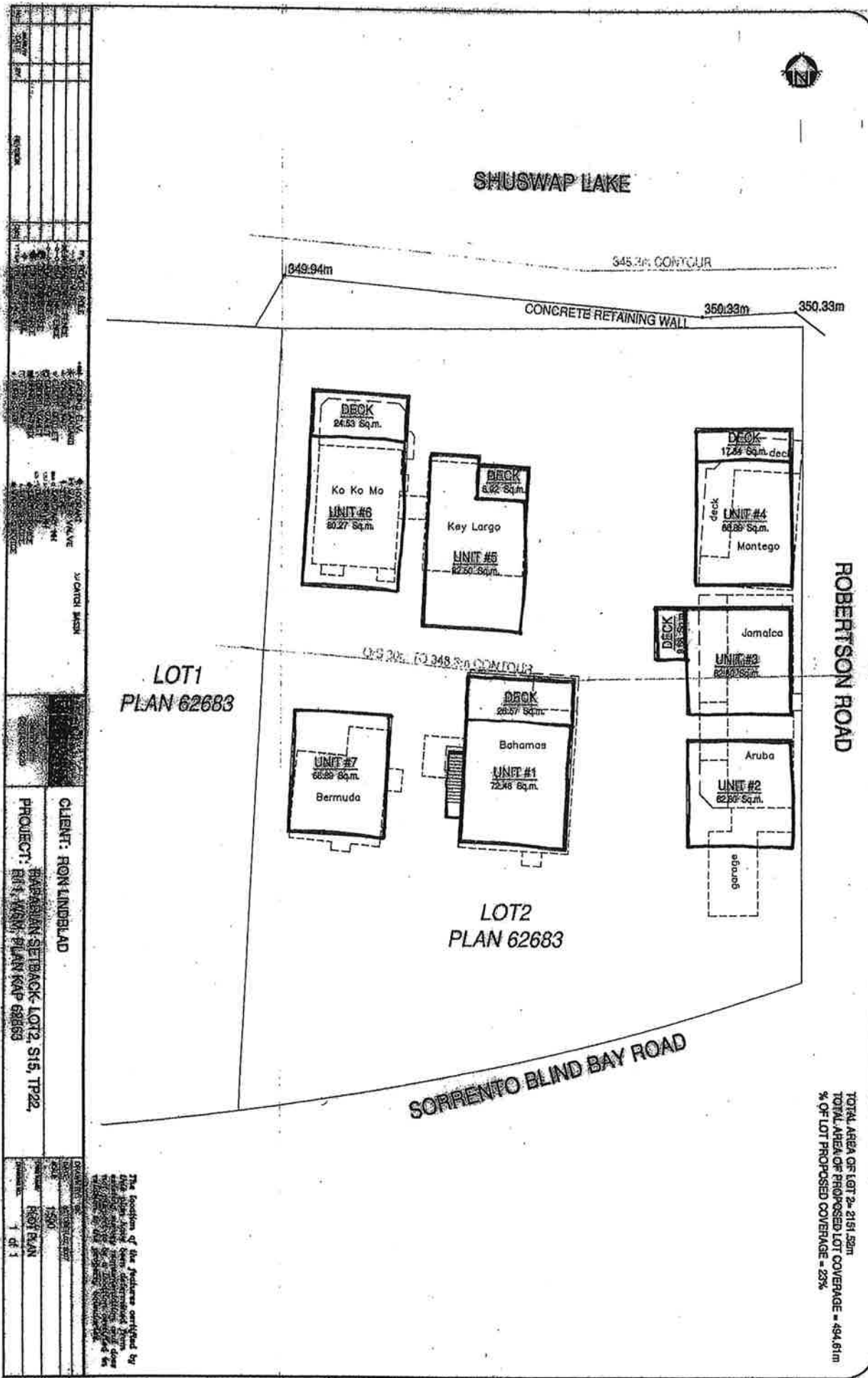
New Cabin
Areas as Drawn

<u>#2 Aruba</u> LANCE	62.81 m2
<u>#3 Jamaica</u> MIKE	62.81 m2
<u>#4 Montego</u> BEN	66.89 m2
<u>#5 Key Largo</u> RICK	82.50 m2
<u>#6 Ko Ko Mo</u> RON	80.27 m2
<u>#7 Bermuda</u> HOUSE	66.89 m2
<u>#1 Bahamas</u> GAMES/SUITE	72.46 m2

Lot Area: 2152 m2 (23164 sq.ft.)

@ 23% lot coverage = 494.96 m2 (5327.7 sq.ft.)

Total Cabin Areas	<u>494.63 m2</u>	(5324 sq.ft.)
Un-allocated area available	.33 m2	(3.7 sq.ft.)





Interior Health

HEALTH PROTECTION

Less Risk – Better Health

RECEIVED

COLUMBIA SHUSWAP
REGIONAL DISTRICT

August 7, 2008

AUG 11 2008

Scott Beeching, Senior Planner II
Columbia Shuswap Regional District
781 Marine Park Drive NE
Box 987
Salmon Arm, BC
V1E 4P1

MEETING.....
STAFF.....
CC.....

RE: Development Variance Permit No. 701-32 (Capri Cabins)

Our office has received additional information regarding Development Variance Permit No. 701-32 referral package. This additional information has been reviewed and I have the following comments:

Interior Health has received plans for an upgrade to the on-site sewage disposal system at the subject property. This upgrade is an improvement to the on-site sewage disposal system at this location.

As the Liquid Waste Management Plan (LWMP) process is currently under way in Area C of the Columbia Shuswap Regional District (CSRD), it is our recommendation the CSRD ensure the development connect to the LWMP community sewer system once available.

Work is underway to bring the drinking water system into compliance with the *Drinking Water Protection Act and Regulation*.

With that said, the new information provided to Interior Health provides indication of a net benefit to public health and therefore I **recommend approval conditional** to the installation of the proposed upgrade to the on-site sewage disposal system as designed by Dick Bartel and connection of the development to community as soon as it is available.

Should you have any questions regarding the above please contact our office at (250)-833-4100.

Sincerely,

Tanya Mrowietz, A.Sc.T., B.Tech., CPHI(C)
Public Health Inspector

\\Dc1serv4\data\$\\PH\HealthProt\Public\TCS\PH\Staff Folders\Tanya Mrowietz\2008\Land Use\CSRD DVP\DVP 701-32 (Capri Cabins)-revisited.doc

cc: applicant.

RL 701-36
DVP 701-32

POINT ONE Engineering

2 – 8844 Michael Dr.
Vernon, BC
V1B 2B9
Ph: 250-549-3506
Fax: 250-549-5108

April 18, 2007

Mr. Scott Beeching
Planner II
Columbia Shuswap Regional District
781 Marine Park Drive NE
Box 978
Salmon Arm, B.C.
V1E 4P1

RECEIVED
COLUMBIA SHUSWAP
REGIONAL DISTRICT

APR 23 2007

MEETING.....
STAFF.....
CC.....

SB/ML

RE: Lot 2, Plan KAP62863, Sec. 15, Twp. 22, R11, W6M, K.D.Y.D. – Capri Cabins – Existing On-Site Sewer System.

Attn: Mr. Beeching:

Now that snow is gone, we visited the subject site on April 12th to conduct a further site review.

The previous description of the On-Site Sceptic Tank treatment and Seepage Bed dispersal sytem installed were confirmed. The installed system is in good working order and meets the Standards of the current Sewerage System Regulation – Standard Practice Manual – Type 1

In our judgment there will be no impact on private or public health, and the environment, by the installed Type 1 Wastewater Treatment System, nor any increased flow that may be produced by the proposed increase in building square footage.

Sincerely,



Dick Bartel, P.Eng.

cc: Mr. Ron Lindblad – Cabin Owner
Mr. George Clarke, ROWP – Bulldog Excavating Ltd
Mr. J. Ivor Norlin, MSc. RPBio., CPHI(C)

BL 701-36



January 26th, 2007

Scott Beeching
Planner II, Columbia Shuswap Regional District
781 Marine Park Drive NE
Box 978
Salmon Arm, BC, V1E 4P1

RECEIVED
COLUMBIA SHUSWAP
REGIONAL DISTRICT

JAN 29 2007

MEETING.....
STAFF.....
CC.....

Dear Mr. Beeching,

Re: POINT ONE Engineering letter regarding development on Lot 2, Plan KAP62863, Sec. 15, Twp. 22, R. 11, W6M, KDYD (Capri Cabins) (Addendum)

This letter is a response to Mr. Bartel's (POINT ONE Engineering) letter dated December 29th, 2006 (see attached). –

To clarify, the BC Sewerage Regulation does not qualify Public Health Inspectors as authorized persons unless registered through ASTTBC as a planner, installer, maintenance provider and/or private inspector. To facilitate my role under the Sewerage System Regulation, I rely on authorized persons (Professional Engineers or Registered Onsite Wastewater Practitioners) to determine if onsite sewage disposal systems meet current standards and/or are operating as per their intended design.

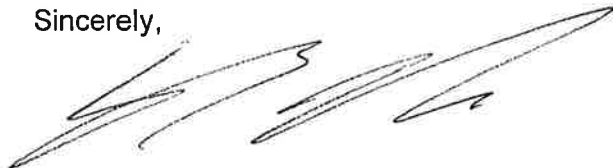
In this particular case, Mr. Bartel has indicated that in his professional opinion the system serving the above mentioned lot is capable of accommodating the proposed expansion without contributing to a health hazard or impacting the environment. However, in neither in his original letter dated December 18th, 2006 (see attached), nor in his second letter dated January 8th, 2007 has he stated that the existing conventional septic tank and seepage bed comply with the *Sewerage System Standard Practice Manual* or current engineering best practice. It is my opinion as a Public Health Inspector/Drinking Water Officer the information provided to date is inadequate to make that determination.

It is my understanding the covenant on the above mentioned lot is intended to prevent any further expansion (vertical or horizontal) without the upgrading of the existing on-site sewerage works to meet current health standards. By taking action to ensure sewerage systems are upgraded to meet current standards on this and other sites in the Blind Bay area, the regional district and Interior Health mean to mitigate cumulative impacts of high density development on local water sources (i.e. Shuswap Lake).

As Mr. Bartel has not indicated this system meets current health standards, I must again conclude that his support letter does not meet the requirements of the covenant for allowing expansion beyond the existing cabins on the above mentioned lot.

If you have any further questions, please feel free to contact me at the number or address listed below.

Sincerely,



J. Ivor Norlin MSc., RPBio., CPHI(C)
Environmental Health Officer/Public Health Inspector

cc:

- POINT ONE Engineering, 2-8844 Michael Dr., Vernon, BC, V1B 2B9
- Joe Rowlett, Senior Public Health Inspector, Interior Health

Attach:

- Letter from POINT ONE Engineering, December 18th, 2006
- Letter from J. Ivor Norlin, December 29th, 2006
- Letter from POINT ONE Engineering, January 8th, 2007

POINT ONE Engineering

**2 – 8844 Michael Dr.
Vernon, BC
V1B 2B9
Ph: 250-549-3506
Fax: 250-549-5108**

January 8, 2007

Mr. Scott Beeching
Planner II
Columbia Shuswap Regional District
781 Marine Park Drive NE
Box 978
Salmon Arm, B.C.
V1E 4P1

RE: Interior Health Letter, December 29th, 2006.

Attn: Mr. Beeching:

We have reviewed the subject letter and provide the following:

Our sealed letter requires no change. The existing Seepage Beds were constructed with the appropriate materials.

In our professional judgement as a professional engineer, and a qualified professional, as defined by Part 3 – Sewerage Systems, Section 7 (3) of the Sewerage System Regulation, there will be no impact on private or public health, an the environment, by the installed Type 1 Wastewater Treatment System, nor with any increased flow, that may be produced by the proposed increase in building square footage.

Review of Engineer's sealed documents on a professional subject are to be done when founded upon adequate knowledge (design and installation experience), per the Professional Engineers Code of Ethics.

We would be receptive to reviews of sealed documents and sealed design system drawings by individuals who meet the above criteria or who meet the criteria of :

Sewage System Regulation,

Part 3, Section 7 (3) A person is qualified to act as a professional if the person

- (a) has, through education or experience, training in soil analysis and sewerage system (design) construction and maintenance, and

- (b) is registered as a fully trained and practising member in a professional association that
- (i) is statutorily recognized in British Columbia, and
 - (ii) has, as its mandate, the regulation of persons engaging in matters such as supervision of sewerage system construction and maintenance.

We are qualified; both as a Professional Engineer and as a Qualified Professional, with significant experience of design, construction requirements and maintenance procedures. We have designed systems with flow from 1,135 LPD to 110 m³/day, completing 150 On-Site Wastewater Systems during the last 9 years.

Sincerely,



Dick Bartel, P.Eng. P.E.

cc: Mr. Ron Lindblad – Cabin Owner

J. Ivor Norlin, Environmental Health Officer, Public Health Inspector ✓

Joe Rowlett, Senior Public Health Inspector, Interior Health



Interior Health

COPY

December 29th, 2006

Scott Beeching
Planner II, Columbia Shuswap Regional District
781 Marine Park Drive NE
Box 978
Salmon Arm, BC, V1E 4P1

RECEIVED
COLUMBIA SHUSWAP
REGIONAL DISTRICT

JAN 03 2007

MEETING
STAFF
CC: JSB
21

Dear Mr. Beeching,

Re: POINT ONE Engineering letter regarding development of Lot 2, Plan KAP62863, Sec. 15, Twp. 22, R. 11, W6M, KDYD (Capri Cabins)

The intent of this letter is to provide comment on the letter provided by Mr. Dick Bartel, P.Eng., POINT ONE Engineering dated December 18th, 2006 (see attached). Specifically, it is intended to address your question as to whether Mr. Bartel's letter indicates that the existing system at the above mentioned property is capable of meeting current health standards based on existing and/or increased sewerage flows.

In his letter, Mr. Bartel states that in the opinion of POINT ONE Engineering the existing on-site sewage disposal system is capable of accommodating current and proposed sewerage flows without adversely impacting private or public health or the environment. Mr. Bartel does not, however, indicate whether the existing system meets the current Sewerage System Standard Practice Manual (SSSPM) requirements or current engineering best practice.

Based on Mr. George Clarke's May 2006 assessment and the information provided in Mr. Bartel's letter, the above mentioned site is serviced by a conventional septic tank with a seepage bed for disposal. A cursory review of the standards for seepage beds in the current SSSPM indicates that receiving soils must be coarse sand to sandy loam in texture. None of the information provided to date by Mr. Bartel indicates this system has been assessed to determine if it meets this requirement, nor any of the other requirements for seepage beds set out in Sect. 12 of the current SSSPM.

Based on the observations noted above I must conclude that Mr. Bartel's letter **does not** indicate that the existing sewerage system at the above mentioned property meets current health standards.

If you have any further questions, please feel free to contact me at the number or address listed below.

Sincerely,



J. Ivor Norlin MSc., RPBio., CPHI(C)
Environmental Health Officer/Public Health Inspector

cc:

- POINT ONE Engineering, 2-8844 Michael Dr., Vernon, BC, V1B 2B9
- Joe Rowlett, Senior Public Health Inspector, Interior Health

Attach:

- Letter from POINT ONE Engineering, December 18th, 2006

12/18/2006 9:59 PM From: JAY POINT ONE Engineering To: 1-250-549-5122 PAGE: 003 OF 003

SCOTT
Does this work? your input please! *Ken*

COPY

POINT ONE Engineering

2 - 8844 Michael Dr.
Vernon, BC

V1B 2B9

Ph: 250-549-3506

Fax: 250-549-5108

RECEIVED
COLUMBIA SHUSWAP
REGIONAL DISTRICT

December 18, 2006

DEC 19 2006

Mr. Scott Beaching
Planner II
Columbia Shuswap Regional District
781 Marine Park Drive NE
Box 978
Salmon Arm, B.C.
V1E 4P1

MEETING

STAFF

CC

RE: Lot 2, Plan KAP62863, Sec. 15, Twp. 22, R11, W6M, K.D.Y.D. -- Capri Cabins -- Existing On-Site Sewer System.

Attn: Mr. Beaching:

We have been retained to review the existing on site wastewater (sewer) system.

Design flow from Standard Practice Manual, Table 4-1: Minimum design flow for residences -- One (1) and Two (2) bedroom unit up to 150 m² [1,600 ft²] equals 1,136 LPD [250 IGPID]. There are 7 cabins/residences on the site which results in a minimum design flow of 7,952 LPD [1,751.5 IGPID]. Also, the aggregate square footage allowed, per this table, is 1,050 m² [11,200 ft²].

The treatment system for these cabins is a Type 1 (septic) system, with an aggregate of 2,700 IG of septic tanks installed. This provides a 1.34 days retention time, which is a normal, adequate, period for the septic tank renovation process. All tanks have been pumped within the last year and are hydraulically sound. Records kept of the septic tank pumping frequency indicates regular maintenance of the system.

We were unable to observe any soil pits as the ground was covered with snow on the day of our attendance at the site. However, a Registered On-Site Wastewater Planner, George Clarke, did a system, soil review and system assessment as reported in the attached letter, dated May 2, 2006. We have worked with Mr. Clarke on several new Type 2 On-Site Wastewater Systems and find him to be knowledgeable, experienced and a competent observer and recorder of Soil Profiles of Soil Pits condition. He noted, in his report, that pits have shaley, (texture type) sharp rock and beech rubble debris. Based on our previous experience designing On-Site Wastewater Systems in the general vicinity of this site, we would have expected the conditions found by Mr. Clarke.

12/18/2006 9:38 PM FROM: RAN POINT ONE B1 Interlog TO: 1 250-H32-3221 PAGE: 003 OF 003

The dispersal system used at the site consists of Seepage Beds. There are two (2) Seepage Beds at the site and these are operating in an acceptable manor, according to Mr. Clarke. Mr. Clarke comment, 'found them to be in perfect working order with no level of effluent present'. Based on the size and the soil characteristics, and system maintenance conducted at the site, we expected this to be the situation.

The system is in good working order, functioning as designed and capable of handling the current wastewater being generated.

It is our understanding that an application has been made to increase the building square footage at the site by approximately 25%. The existing septic sewerage system is capable of treating any additional wastewater that may be created by this square footage increase. Existing square footage is approximately 37 % of the allowable square footage noted by the Standard Practice Manual, Table 4.1, increasing this to 46.2 % will have little or no effect on the installed system.

In our judgment there will be no impact on private or public health, and the environment, by the installed Type 1 Wastewater Treatment System, nor any increased flow that may be produced by the proposed increase in building square footage.

Sincerely,



Dick Bartel, P.Eng.



Interior Health

April 4, 2006

J. Scott Beeching
Planner, Development Services
Columbia Shuswap Regional District
Box 978, Salmon Arm, BC V1E 4P1

RECEIVED
COLUMBIA SHUSWAP
REGIONAL DISTRICT

APR 12 2006

MEETING.....
STAFF.....
CC.....

Dear Mr. Beeching:

**Re: Zoning Amendment (CUNLIFFE) Bylaw 701-36
Lot 2, Plan KAP62863, Section 15, Township 22, Range 11, W6M, KDYD.**

There are no objections to be made regarding this application for a zoning amendment on the above named property; ***Subject to the following conditions:***

1. The Maximum Building Site Coverage (as per the legal survey drawing certified by Browne Johnson on January 3rd 2006 – File: 775-05) does not increase.
2. The existing sewage disposal systems are assessed by a Registered Onsite Wastewater Practitioner (ROWP) and deemed to be in good working order and capable of handling the current amount of sewage generated by the 7 dwellings. I was unable to find permits for all of the existing dwellings on this property. If there is any evidence that the disposal system(s) are not in good working condition, the repairs must be completed before the zoning amendment is completed.
3. The applicant should provide evidence of the availability of a legal, safe, potable, and adequate water supply for each of the current dwellings. This will involve either **private water systems** (individual lake intakes for each dwelling) or a **waterworks system**. All requirements of the *BC Drinking Water Protection Act and Regulations* apply to systems with two or more connections. I have included a copy of the Interior Health Guidelines for the Approval of Water Supply Systems.

I have concerns regarding the long term sustainability of the sewage disposal on this site. This lot is only 0.53 of an acre and currently has 7 small cabins on it. If in the future larger Single Family Dwellings are built on the property or the sewage disposal system(s) begins to fail; there will not be enough undisturbed land to safely dispose of the effluent. ***With that said, I feel that the proposed Special Regulation is an improvement on the existing situation.***

If you have any questions please call me direct at (250) 833 - 4170.

Sincerely,

Courtney Zimmerman., B.Tech., C.P.H.I.(C)
Public Health Inspector

PUBLIC HEALTH PROTECTION - Salmon Arm Health Unit

Mailing Address: P.O. Box 627, Salmon Arm, BC V1E 4N7

Physical Address: 851 – 16 St N E.

Web: interiorhealth.ca

Bus: (250) 833-4100

Fax: (250) 832-1714

Email: Courtney.zimmerman@interiorhealth.ca

George Clarke
3608 McBride Road
Blind Bay, B.C.
V0E 1H1



Cell (250)804-9646
Fax (250)675-5370
Home (250)675-5369

May 2, 2006

Interior Health Authority
851 - 16th Street N.E.
Salmon Arm, BC

ATTN: Courtney Zimmerman

RE: Septic Systems of the CAPRI, 1541 Blind Bay Road

Last spring I was called by the owners of the Capri Cabins to repair their septic system. Upon close inspection, it was discovered that a sewer line had been broken by the electrical contractor who had been hired to bury the overhead power lines. At this time we also reviewed the entire septic system with the owners. We advised that, due to the small size of the existing septic tank (approximately 300 gallons), changing the existing septic tank into a pump-out chamber and installing a larger, 1,000 gallon septic tank with filter would improve the efficiency of the system and extend the life of their field.

They agreed and the repair and improvements were completed in May of 2005.

There was no permit taken out as this repair was required immediately and occurred right in the middle of the change over of regulations and Interior Health was not accepting any applications for repair or new installations.

We excavated and inspected the seepage bed and found it to be in perfect working order with no level of effluent present. After our inspection we found the only back-up area available would be in the U-shaped driveway area where a sand mound and treatment plant could be installed in the approximately 70 X 30 foot area. Test holes were dug to approximately 3 ½ feet and were found to have shaley, sharp rock and beach rubble debris.

My evaluation of the current septic system of Capri at 1541 Blind Bay Road is as follows:

The current system is working fine, however, should the system fail, the alternatives are a sand mound field with an appropriate sized treatment plant with field installed in the upper grassy area as noted above or the owners would need to obtain land across the road to install the additional field.

We trust this fulfills your requirements. Should you have any further questions, please contact me.

Yours truly,

George Clarke
Bulldog Excavating Ltd.

ROWP - PLANNER
INSTALLER

250-804-9646



Highway District

Okanagan Shuswap

File/Permit Number

02-131-17011

The Minister of Transportation has approved, subject as to the conditions as set out in this permit, the construction of a building, the location of which does not conform with British Columbia Regulation 513/04 made pursuant to section 90 of the Transportation Act, S.B.C. 2004, namely:

The construction and use of two existing wood frame cabins. Said buildings to extend to within 0.16 metres of the property line of Robertson Road #956, as shown on drawing prepared by Browne Johnson Land Surveyors, submitted with application.

Location of the structure is on that part of Lot 2, Plan KAP62863, Section 15, Township 22, Range 11, W6M, K.D.Y.D.

Application signed by: Ben Cunliffe, November 30, 2005.

Permit issued in the name of:

Ben Cunliffe

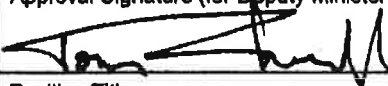
PO Box 53

Sorrento, B.C.

V0E 2W0

This permit may be terminated at any time at the discretion of the Minister of Transportation, and that the termination of this permit shall not give rise to any cause of action or claim of any nature whatsoever.

This permit in no way relieves the owner or occupier of the responsibility of adhering to all other legislation, including zoning, and other land use bylaws of a municipality or regional district.

Approval Signature (for Deputy Minister of Transportation) 	Print Name Tom D. Chernenkoff
Position Title District Development Technician	Date (yyyy/mm/dd) 2006-02-01

cc.

COPY

MINUTES

CSRD AREA "C" ADVISORY PLANNING COMMISSION

TUESDAY, MAY 13, 2008

Cedar Heights Hall, Sorrento, 7:00 p.m.

Present: Chair Ken Proctor, Secretary Edith Rizzi, Norm Fletcher, Ted Vlooswyk, Margot Hewitt, Hans Berls

Also in attendance - Director Ted Bacigalupo, Staff Scott Beeching, Applicants Ben Cunliffe, Richard Renard, Michael Lindblad and Sandra ?.

Meeting was called to ORDER

RE: Development Variance Permit No. 701-32

Discussion, questions.

MOVED by Ted Vlooswyk, **SECONDED** by Norm Fletcher, **THAT** the Area "C" APC recommend denial of this application. **CARRIED.**

Meeting Adjourned.

ED.

Attachments

Attachment: "

DEVELOPMENT PROPOSAL EVALUATION**Reference:** South Shuswap Official Community Plan: Guiding Principles**Applicant's Proposal:** EXPANDED CABIN & RECREATIONAL FACILITIES**File #:** DEVELOPMENT
VARIANCE PERMIT # 701-3
1541 BLIND BAY RD.**Type of Application:** VARIANCE PERMIT**Date:** MAY 13/08**Affected Neighbourhood Community:** BLIND BAY RD. & LAKE SHORE**Criteria****Assessment*****Preservation of the natural environment
and lake water quality.**(-3) -2 -1 0 +1 +2 +3
" " "**IMPACT:** INSUFFICIENT LAND FOR CURRENT SEWAGE DISPOSAL (SEE INTERIOR HEALTH
LETTER JAN. 26/07) CAN'T COMPLY WITH MANDATORY REQUIREMENTS OF RIPARIAN AREA
REGULATIONS.***Provision of adequate infrastructure.**(-3) -2 -1 0 +1 +2 +3
" " "**IMPACT:** CONTRARY TO STANDARD SEWAGE SYSTEMS PRACTICE MANUAL P. 25 (SET-
BACK STANDARDS). TYPE ONE SEPTIC SYSTEM IS NOT ADEQUATE TO
THIS APPLICATION***Compatible with the neighbourhood
community character.**-3 -2 -1 (0) +1 +2 +3**IMPACT:** PRIMARILY SINGLE-FAMILY NEIGHBOURHOOD RESIDENTIAL AREA, ON
INDIVIDUAL LOTS FOR YEAR-ROUND RESIDENTS***Consideration of natural hazard and
compliance with appropriate regulations.**(-3) -2 -1 0 +1 +2 +3
" " "**IMPACT:** NOT IN KEEPING WITH TERMS OF GRANDFATHERING OF OLD OCP
REQUIREMENTS. SHOULD NOT HAVE BEEN RECOGNIZED! TOO CLOSE TO THE
LAKE. SEE P. 25 OF SEWAGE SYSTEMS STANDARD PRACTICE MANUAL***Effect on local residential traffic and parking.**(-3) -2 -1 0 +1 +2 +3
" " "**IMPACT:** PARKING SPACE IS INADEQUATE FOR RESIDENTS AND GUESTS. PARKING ON "BACK-UP" SEPTIC FIELD, ACCORDING
TO GEORGE CLARKE'S LETTER (BULLDOG EXCAVATING).***Input from the neighbourhood.**-3 -2 -1 (0) +1 +2 +3
" " "**IMPACT:** ACCORDING TO OTHER SIMILAR
ISSUES AND GENERAL PUBLIC COMMUNITY RESPONSE, THE COMMUNITY DOES
NOT WANT HIGH-DENSITY DEVELOPMENT ON OR NEAR WATERFRONT.**SUMMARY STATEMENTS:** DESPITE 5 LETTERS FROM NEIGHBOURS, THIS
HIGH-DENSITY PROPOSAL IS IN CONTRADICTION OF GENERAL VIEWS OF
COMMUNITY.

Capri Cabins DVP No. 701-32

ADDENDUM

May 14, 2008.

The Area C Advisory Planning Commission is opposed to the Development Variance Permit for the following reasons:

Observations at the site and detailed analysis of correspondence related to this file point to serious concerns about the potential and recognized problems with 7 homes on a septic system on .53 of an acre of lakeshore.

We present the following evidence:

1. Letter from Courtney Zimmerman, Interior Health Public Health Inspector April 4, 2006 states: "I have concerns about the long term sustainability of the sewage disposal on this site. ...if the system begins to fail, there will not be enough undisturbed land to safely dispose of the effluent"
2. Letter from George Clarke, Bulldog Excavating (RWOP) May 2, 2006- "After our inspection we found the only back-up area available would be in the U-Shaped driveway area where a sand mound and treatment plant could be installed... however, should the system fail, the alternatives are a sand mound field with an appropriate sized treatment plant with field installed in the upper grassy area...or the owners would need to obtain land across the road to install an additional field". *The owner has indicated that he had been unable to come to an arrangement with the owner of the land across the road. They have an arrangement with their neighbour to access increased area for a field if needed, but that property is also on the lakeshore. They did not present any technical information regarding the suitability of this land for a septic field.*
3. Two letters from Mr. Bartel of Point One Engineering, Dec. 18, 2006. "The current system is in good working order", 'according to Mr. Clarke' *even though he first viewed the property with snow on the ground. Mr. Bartel quotes George Clarke's findings, but does not include a technical report of his own. However he states that in his opinion there will be no negative impact from 'increased square footage'. The engineer does not mention that this is lakeshore property in any of his correspondence and has no comment as to how long it will take the effluent to reach the lake. He also does not comment on the lack of a back-up field should the system fail. He also has no comment on the fact that this seasonal property will now be used for more permanent residential use.*
4. Letter from Ivor Norlin, Interior Health Environmental Health Officer/Public Health Inspector dated Dec. 29th 2006 - "None of the information provided to date by Mr. Bartel (the engineer) indicates this system has been assessed to determine if it meets ...the requirements for seepage beds set out in the Sewerage System Standard Practice Manual. ...I must conclude that

Mr. Bartel's letter does not indicate that the existing sewerage system at the above mentioned property meets current health standards".

5. Letter from Ivor Norlin, Environmental Health Officer, Public Health Inspector, Interior Health dated Jan. 26th 2007 "the information provided to date is inadequate to make that determination" that the existing seepage bed and tank comply with the Sewerage System Standard Practice Manual.
6. On the two occasions that the APC visited the site, we observed that Robertson Road next to the property was boggy and wet. It appears to be a watercourse leading to the lake immediately adjacent to the lake, although the owners of the land do not know what the source of the water is. *Neither the report from the Qualified Environmental Professional (QEP) nor the letters from the engineer mentions this boggy area contiguous with the applicant's property. In a conversation with Mr. Joe Rowlette, Senior Public Health Inspector, Interior Health, he gave the opinion that a watercourse near a septic field should be investigated.*
7. Neither the QEP nor the Engineer refer to the required setback from fresh water 'for all sewerage systems' in the Sewerage System Standard Practice Manual (Page 25). A Type 1 Sewerage System should be 30 metres from the high water mark.
8. During one site visit, two of our members recall smelling the odour of septic coming from a ditch that was being dug on the property.

The community is well aware that this property was historically used for seasonal rental cabins. We are concerned about the increased use of the existing system of septic disposal for 7 permanent dwellings on half an acre of lakeshore. The APC is very concerned that the comments from two different Interior Health Inspectors appear to have been set aside.

The applicant is aware of our concerns and has indicated that they would like to hook up to a public sewer utility at the earliest possible date. Failing that, they are interested in upgrading their system to a treatment plant. However, at this point the Development Services Department has not required them to do so.

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Aug.01/08

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ATTN: Scott Beeching

Enclosed for your information are the documents we talked about.

Of course this is very important to us so we would value your input, please!?

Enclosed;

- we need the interior health letter of acceptance.
- 7 letters from "All" of our immediate and surrounding neighbours (see. Map & names)
- Engineering's Letter and new septic design
- our letter to the CSRD Board of Directors in response to the planning commission

It is very important that all involved know 4 things;

#1-if this minor variance does not happen it will only hinder the coverage ratio and the septic field and parking space.

#2-we also have reason to believe the road allowance was established after our buildings were already there, so the road allowance actually encroached on our buildings location. Our buildings have been there since the 1930's early 40's.

#3-The ministry of highways has no opposition to this request.

#4-"All" of our neighbours are in support.

Sincerely,



Ron Lindblad for Capri Group.

Ronald Lindblad
Salmon Arm, BC

August 1st, 2008

Columbia Shuswap Regional District
Box 978
781 Marine Park Drive
Salmon Arm, BC V1E 4P1

Attention: Board of Directors

Dear Sirs and Mesdames:

Re: Capri Cabins and Development Variance Permit No.701-32

We note that the APC for Area C resolved on May 13th, 2008 to oppose the minor variance sought by application 701-32. On May 14th, 2008 the APC gave written reasons for its opposition. We would like to respond to those reasons.

We note the following:

1. The APC opposed the application to rezone this property in 2007. The rezoning occurred in any event and essentially legalized the existing use of the property. The APC's opposition of May 13th, 2008 appears to be directed again at the property's land use and does not address how the minor variance sought will impact the site;
2. Most of the APC's criticisms are directed at the property's existing sewer system. The APC states that the CSRD has not required the existing system to be upgraded. On this point the APC is clearly wrong. It was a condition of 2007 rezoning that a restrictive covenant be registered against the property which required the upgrading of the existing system upon further development of the site. The restrictive covenant was registered and the existing system will be upgraded. The APC's opposition based on the adequacy of the existing therefore seems somewhat misdirected; and
3. The APC has observed on two occasions that Robertson Road was boggy and wet. The APC's conclusion that Robertson Road is a watercourse is blatantly absurd, and since then the broken water line on the easement

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going to the mobile home park has “again” been repaired and the area has totally dried up, and

In conclusion, the APC’s opposition to the minor variance sought is based on factors that are simply irrelevant. The opposition is based on:

1. The APC’s opposition to the current land use;
2. Their observation about the existing system is erroneous and will continue to serve the property until the covenant is used.
3. It’s erroneous conclusion that Robertson Road is a watercourse.

We urge the Board to consider the APC’s resolution of May 13th, 2008, for this minor variance in this light.

It is very important that all involved consider 4 things:

#1-If this minor variance does not happen it will only hinder the coverage ratio and the septic field and parking space from what it currently is.

#2-We also have reason to believe the road allowance was put in after our buildings were already there. So the road allowance actually encroached on our building locations. Our buildings have been there since the 1930’s early 40’s.

#3- The ministry of highways has no opposition to this request.

#4- “All 7 of our immediate & surrounding neighbours are in support”, and have sent letters of support.

Yours sincerely,

CAPRI CABINS



Per:

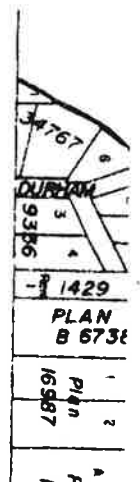
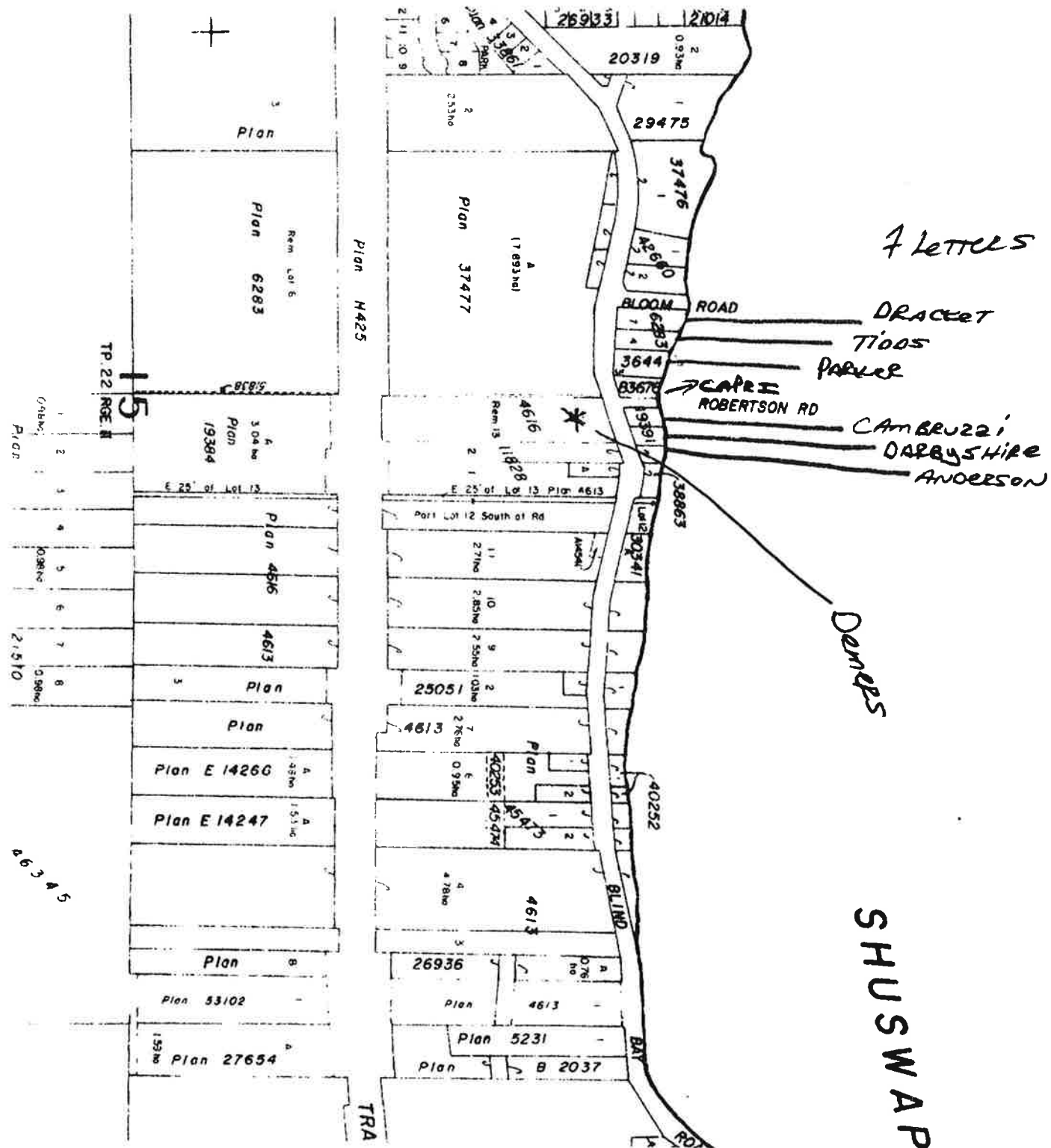
Ronald Lindblad

Mike Lindblad

Ben & Yvonne Cunliffe

Rick & Sandy Renard

Lance & Nicoli Nikolic



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JULY 30, 2008

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TO WHOM IT MAY CONCERN.

THIS LETTER IS INFORM YOU
THAT I HAVE NO OBJECTION
AND SUPPORT D.V.P. PERMIT #701-32
FOR THE CAPRI CABINS.

SINCERELY,

Jan Demers


Box 408

SORRENTO BC V0E 3W0

2531 SILVERY Beach Rd

250-679-3193

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May 6/08

1521 Palind Bay Rd

Parrento

To

Whom it may concern:

We would hereby advise you
that we do not have any objection
to the request for a variance on
the east side of the "Capri" area.

Gordon Dredt

Gordon Dredt

Fax: 250-675-2846

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May 12, 2008

TO WHOM IT MAY CONCERN

This letter is in conjunction with my letter of support for my neighbours, "Capri Cabins". As a neighbour of this resort for almost 24 years, I also strongly support their Development Permit Variance Application.

Janice Cambuzzi

Janice Cambuzzi
1545 Blind Bay Road
675-5347

May 8, 2008

Chris Tidd

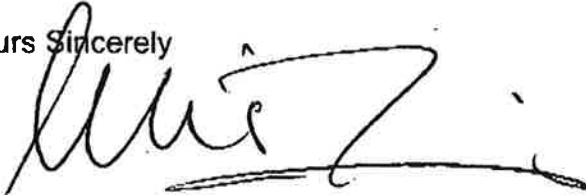
Reference: CAPRI CABIN REZONING

Dear Sir/Madam,

The undersigned own the property known as 1527 Blind Bay Road, two properties west of the Capri Cabins. We understand that you require our approval for Capri's Development Permit Variance Application. Please be advised that we have no objection to this application and generally support the redevelopment project for Capri Cabins.

Also please be advised that this letter follows our first letter supporting the original zoning application.

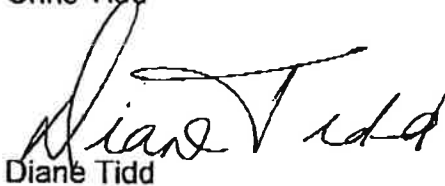
Yours Sincerely



Chris Tidd

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Diane Tidd

1527 Blind Bay Road, Sorrento, BC
604-689-9517

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CAPRI CABIN ZONING

To Whom It May Concern:

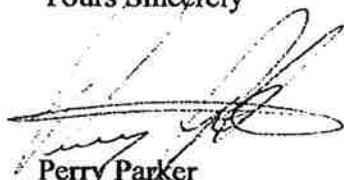
May 6, 2008

Dear Sir Madam;

Please find this letter as confirmation that I Perry Craig Parker 1533 Blind Bay Road British Columbia, support the development of the proposed Capri Cabin development project. I have been made aware that the Capri Cabin Zoning Application has asked for my approval of their new Development Permit Variance Application and I have no objection to this application.

Please be advised that this letter is being presented in conjunction with the letter submitted to you concerning the initial zoning application requested by the Capri Cabin's group

Yours Sincerely



Perry Parker
1533 Blind Bay Road, BC
403-650-7547

Tuesday, May 06, 2008

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TO WHOM IT MAY CONCERN

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CG.....

This letter goes together with and in conjunction with our Letter of Support for our neighbours,
"The Capri" zoning.

We also support their Development Permit Variance Application.

Sincerely,

Anne Darbyshire

Anne Darbyshire

Tom Darbyshire

Tom Darbyshire
1551 Blind Bay Road,
Sorrento, B.C.
VOE 2W0.

Telephone: 675-2029.

July 28, 2008

To Whom It May Concern:

RE: Notice of Intent to Issue Development Variance Permit No. 701-32

As owner of 1555 Blind Bay Road, Sorrento, BC, I have received the Notice of Intent to issue the above mentioned Development Variance Permit for the subject property at 1541 Blind Bay Road, Sorrento, BC.

This letter will serve as my agreement with the variance in the setback requirements of the South Shuswap Zoning Bylaw No. 701 which has been stated in the Development Variance Permit for the subject property.

Ardith Anderson

Ardith Anderson
1555 Blind Bay Road
Sorrento, BC

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POINT ONE Engineering

On-Site Wastewater Engineering Consultant
2 – 8844 Michael Dr. Vernon, B.C. V1B 2B9

Ph: (250) 549-3506
Fax: (250) 549-5108
email: dickbartel@shaw.ca

LETTER OF TRANSMITTAL

PROJECT: Capri Cabins , – On-Site Wastewater System

ATTENTION: Mr. Ron Linblad

DATE: June 2, 2007

Ron and Owners:

1. Enclosed are several documents which are intended to give you an oversight of the proposed On-Site Wastewater system for this location.
2. There is a plot plan showing the location of the cabins, as per the Browne Johnson document you provided. I wasn't sure exactly where the existing septic tanks are located and would ask, if you know, mark them on the plot plan. I've also shown the location of the 50 foot and 100 foot set-back on the property. If possible, we should locate the treatment systems within the 50 foot set-back and the dispersal field beyond the 100 foot set-back.
3. Included also is a schematic drawing of the proposed system showing the components of the system and the area required for the dispersal field.
4. The dispersal field can consist of 2, 4 or 6 zones, if needed to locate it on the site. After the treatment the effluent is essentially water as 95 % of the renovation has been completed by the Whitewater Treatment Systems.
5. A budget estimate is also included. You will note that it is for equipment and engineering. I would expect several installers will be able to give you an estimate of installation costs, such as Bulldog Excavating.
6. Also included is a copy of my Engagement Agreement and invoice for the retainer. Once the decision has been made to proceed, please sign a copy of the Engagement Agreement and return it with the retainer.
7. If there are any questions or comments, please let me know.

Sincerely,



Dick Bartel, P.Eng.

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598525 B.C. LTD DBA
POINT ONE Engineering

Engagement Agreement

Schedule of Services, Charges and Conditions of Agreement

1. SCOPE OF SERVICES

POINT ONE ENGINEERING shall perform the services and work outlined in the: SCOPE OF SERVICES, Schedule A , Dated: June 2, 2007 Project 2007 - 02 attached and forming part of the Agreement. The proposal is agreed to by the CLIENT and incorporated herein by reference. All services, regardless of commencement date, will be covered by this Agreement. Unless modified in writing and agreed to by both parties, the duties of POINT ONE Engineering shall not be construed to exceed those Services specifically set forth in the proposal or Schedule A. A change in the scope of services will result in additional fees and schedule adjustments.

2. INVOICES AND PAYMENT TERMS

POINT ONE Engineering's charges for services rendered will be made in accordance with POINT ONE Engineering's current schedule of fees in effect at the time the Services are performed or as outlined in the PROPOSAL or in the SCOPE OF SERVICES, Schedule A and forming part of this Agreement. All Services shall be provided on a C.O.D. basis with a retainer. CLIENT shall notify POINT ONE Engineering within 10 days of receipt, of any dispute with the invoice. CLIENT and POINT ONE Engineering will promptly resolve any disputed items. Payment of undisputed invoice amount is due upon receipt of invoice by CLIENT and is past due 30 days from the date of the invoice, without holdback. CLIENT agrees to pay a finance charge of 1.5 % per month (equivalent to 19.6% per annum), on past due accounts. POINT ONE Engineering will take a "Pens Down" position (halt all work) until outstanding invoices have been paid. CLIENT agrees to pay legal costs and fees, and all other collection costs incurred by POINT ONE Engineering in pursuit of past due payments.

The CLIENT acknowledges and agrees that POINT ONE Engineering may, at its sole discretion, hold back issuance of final reports, drawings, and Certification of Completion Letters and Seals until payment of all past due amounts has been received by POINT ONE Engineering.

3. TAXES

Fees for Services and charges for reimbursable expenses are exclusive of any taxes or similar assessments now or hereinafter imposed by any Federal, Provincial or Municipal taxing authority. Any such applicable assessments are in addition to amounts otherwise referred to herein.

4. TERMINATION

The Agreement may be terminated by either party upon 30 days written notice. The Agreement may be terminated by either party in the event of substantial failure by the other party to perform in accordance with terms thereof. Such termination shall not be effective if that substantial failure has been remedied before expiration of the period specified in the written notice.

If the agreement is terminated, CLIENT shall forthwith pay to POINT ONE Engineering fees for all Services performed.

5. DATA AND INFORMATION

POINT ONE Engineering shall be responsible for the accuracy of the data, interpretations and recommendations it generates or makes.

[illegible]

COLUMBIA SHUSWAP REGIONAL DISTRICT

SOUTH SHUSWAP ZONING AMENDMENT (RON LINDBLAD) BYLAW NO. 701-89

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

- i. Schedule A of "South Shuswap Zoning Bylaw No. 701" is amended by deleting Special Regulation 14.3.12, to the CH2-Cluster Housing 2 Zone, in its entirety, including the map.
- ii. Schedule A of "South Shuswap Zoning Bylaw No. 701" is amended by replacing former Special Regulation 14.3.12, to the CH2-Cluster Housing 2 Zone with the following:

"14.3.12 This special regulation applies to Strata Lots 1 to 6, Section 15, Township 22, Range 11, West of the 6th Meridian, Kamloops Division, Yale District, Strata Plan EPS162, including the common property, as shown on the map below.

.1 Notwithstanding Section 14.2.5 the maximum number of single family dwellings is 6, at a density of 27.9 dwelling units/ha.

.2 Notwithstanding Section 14.2.4 the maximum parcel coverage is 24.79%.

.3 Notwithstanding Section 14.2.3 the minimum setbacks are as follows:

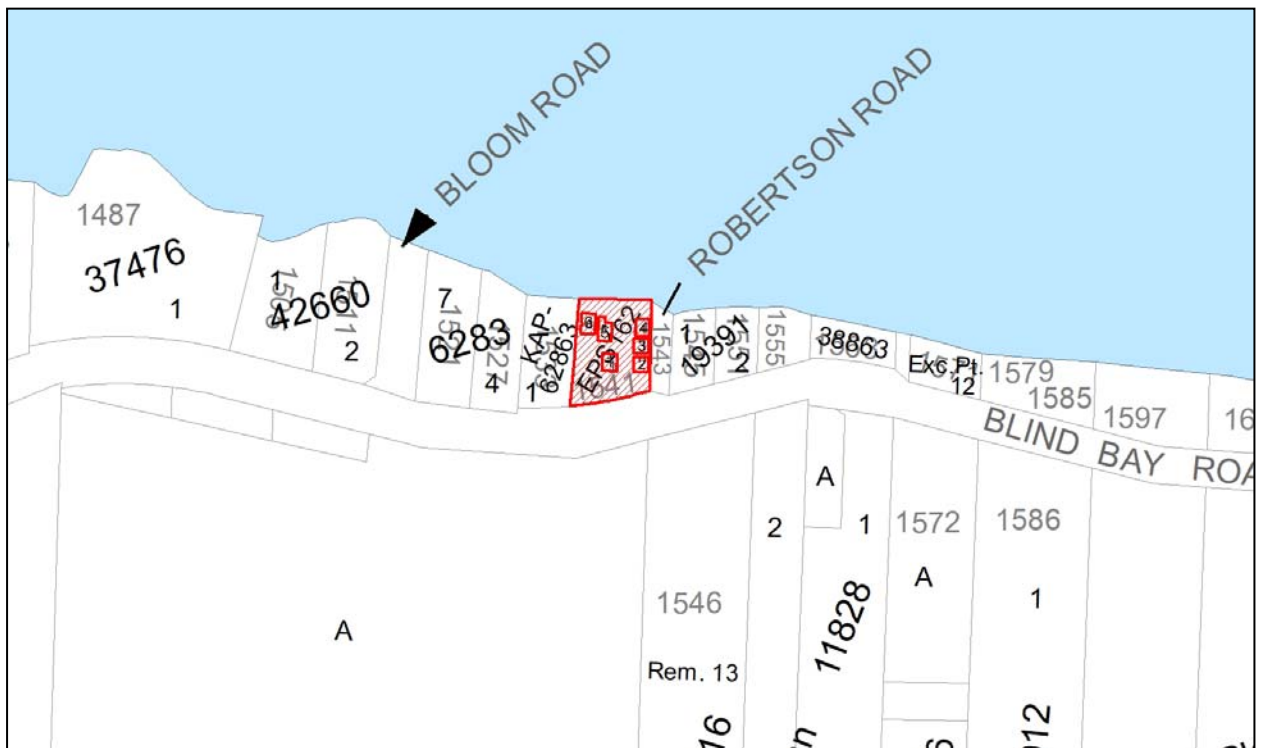
Front parcel line	5.0 m
Exterior side parcel line	0.66 m
Interior side parcel line	1.24 m
Rear parcel line	4.07 m

.4 Notwithstanding Section 14.2.2 the maximum height for principal buildings and structures is 10.0 m, except as follows:

Strata Lot 2	10.35 m
Strata Lot 3	10.07 m

.5 Notwithstanding Section 3.5.8 eaves and gutters for Strata Lots 2, 3, and 4 shall be closer than 1.0 m from the exterior side parcel line, as follows:

Strata Lot 2	0.08 m
Strata Lot 3	0.03 m
Strata Lot 4	0.06 m



- iii. Schedule A of "South Shuswap Zoning Bylaw No. 701" is amended by adding a new Section 3.18.9, as follows:

"9 Buildings or structures constructed on Strata Lots 1 to 6, Section 15, Township 22, Range 11, West of the 6th Meridian, Kamloops Division, Yale District, Strata Plan EPS162 are exempted from the requirements of 3.17 as it pertains to the Flood Construction Levels and Floodplain Setbacks as follows:

Floodplain Setback

Strata Lot 4	10.33 m
Strata Lot 5	13.62 m
Strata Lot 6	10.02 m

Flood Construction Level

Strata Lot 2	350.91 m
Strata Lot 3	349.55 m
Strata Lot 4	349.57 m
Strata Lot 5	348.84 m
Strata Lot 6	348.83 m.

The flood construction levels noted above are for basements under the indicated strata lots, and are not exempted from Section 3.18.2."

2. This bylaw may be cited as “South Shuswap Zoning Amendment (Ron Lindblad) Bylaw No. 701-89.”

READ a first time this _____ day of _____, 2017.

READ a second time this _____ day of _____, 2018.

PUBLIC HEARING held this _____ day of _____, 2018.

READ a third time this _____ day of _____, 2018.

ADOPTED this _____ day of _____, 2018.

CORPORATE OFFICER

CHAIR

CERTIFIED a true copy of Bylaw No. 701-89
as read a third time.

CERTIFIED a true copy of Bylaw No. 701-89
as adopted.

Corporate Officer

Corporate Officer



5690 Lakeshore Road NE
 Salmon Arm, BC V1E 3P5
 Phone/Fax: (250) 832-3095
 Email: streamworks@telus.net

September 25, 2017

Ron Lindblad
 c/o 1015 Lakeshore Drive SW
 Salmon Arm, B.C.
 V1E 1E4

Re: Capri Cabins – 1541 Blind Bay Road legally described as Lots 1 to 6, Plan EPS162, Section 15, Township 22, Range 11, W6M KDYD. Development Variance Permit No. 701-32

Dear Mr. Lindblad:

I have prepared this letter at your request as a follow-up to a flood risk assessment I provided to you dated May 14, 2007 for the above described property. It is my understanding that my original report was submitted to the Columbia Shuswap Regional District (CSRD) in July 2007 aimed at obtaining building permits for proposed improvements. Since that time, new units have been constructed, including new foundations and excavated basements. Setback distances and floor elevations for the newly constructed units differ from the existing buildings described in my original assessment. It is my understanding that CSRD has requested an update to the flood risk assessment. To this end, I have reviewed the updated survey information you provided (attached) and considered any changes to the flood risks associated with Shuswap Lake. No site visit was undertaken for this update/review. This letter summarizes my findings and recommendations.

As discussed in your correspondence with the Columbia Shuswap Regional District, South Shuswap Zoning By-law No. 701 requires a floodplain setback of 15m measured from the mean annual high water mark of Shuswap Lake. According to the current (August 2017) version of the By-law, the mean annual high water mark of Shuswap Lake is defined as 348.3 metres Geodetic Survey of Canada Datum. This elevation is plotted on the attached site survey plan on the lake side of the existing retaining wall. Setback distances to the three waterfront cabins are shown on the plan, ranging from 10m to 14m to the front decks. Setback distances to the foundation walls would be approximately 2 to 3m further. These buildings are therefore not in compliance with the required setback and will require an exemption.

South Shuswap Zoning By-law No. 701 also specifies a minimum Flood Construction Level (FCL) of 351.0m Geodetic Survey of Canada Datum for land adjacent to Shuswap Lake. This is based on floodplain mapping and reports for the Salmon and Seymour Rivers issued in 1991 by the BC Ministry of Sustainable Resource Management. According to the reports, this elevation is administrative and includes 0.94m freeboard to allow for wave action and/or other sources of variability (Hay & Co. 1990, Crippen 1990).

As discussed in my original report, assigned freeboards used for limits of inundation range between 0.3 and 0.6m depending upon the length of record, confidence in the calculations and other factors. Higher freeboards are sometimes applied to river flood levels where there exists the possibility that debris and/or ice jams could locally elevate floodwaters. Shuswap Lake gauging dates back to 1923, providing a good data set for frequency analysis and debris or ice jams are unlikely to affect lake levels. With multiple medium-sized inflow tributaries (i.e. Shuswap River, Seymour River, Adams River and Eagle River) all draining divergent geographical regions, the likelihood of a single storm or runoff event affecting all tributary regions simultaneously is low. This functions to moderate flood peaks in the system and reduces variability. Shuswap Lake is a relatively large lake and its slow response to inflows from its tributary streams naturally attenuates flood peaks. The highest recorded level for Shuswap Lake was 349.66 in 1972 (1.34m below the calculated flood level). The added freeboard is also intended to accommodate wind and wave action.

Wind-related wave action on Shuswap Lake is relatively infrequent. Wave action at that time of year is usually the result of boat traffic and are likely to be less than 0.5m in height. In my opinion, the assignment of 351m as the flood level for Shuswap Lake based on 0.94m freeboard above a calculated 200 year level of 350.06, is conservative and provides more than adequate protection for development at or above this elevation.

The attached survey plan shows basement floor and main floor elevations for the newly constructed cabins. The basements are unfinished and are not used for living space, however they do house the furnace and hot water tanks for the units. It is my understanding that furnaces have been built on above-floor platforms of unspecified height. The following table summarizes the cabin floor elevations:

Table 1: Cabin Floor Elevations (elevations below the designated FCL are shown in italics)

Cabin #	Basement Elevation (m)	Main Floor Elevation (m)
1	351.86	354.28
2	<i>350.91</i>	353.30
3	<i>349.55</i>	352.00
4	<i>349.57</i>	351.94
5	<i>348.84</i>	351.28
6	<i>348.83</i>	351.18

Main floors in all of the cabins are above the 351m FCL. Basement floor elevations are below the FCL for all the cabins except Cabin #1. The tops of the foundation walls are likely close to the FCL. Assuming these walls are not overtopped by floodwaters, water can only enter the basements through seepage and/or backing up through the basement drains. It will be important to keep any water in the basement below the level of the elevated furnaces. To mitigate flood risks, automatic (float-switch) under-slab and outside perimeter sump pumps have been installed for each cabin. According to residents, sump pumps did not activate during high lake levels in 2012 or 2017, two relatively high water years (349.588m and 349.072m respectively). The 2017 lake level exceeded the basement floor levels in Cabins #5 and #6 with no reports of water/moisture problems. Installed sump pumps should be able to keep up with any basement seepage.

In my opinion, despite the floor elevations of the new structures and the variance in setback distance from the Bylaw requirements, the risk of damage from flooding on the property has not been significantly increased by the newly constructed cabins. Only in extremely rare circumstances (e.g. greater than 200 year water level combined with severe wave action) will the cabins be potentially at risk. The calculated 200 year flood level without freeboard (350.06m), falls below the top of the existing concrete retaining wall. This suggests that lake levels exceeding the top of the wall and flooding the lawn area will be extremely rare. The concrete retaining wall appears well-constructed and should serve to reduce erosion potential along the front of the properties. The existing wall does not appear to be retaining fill in order to support the cabins, that is, the cabins are built on native soils. The current structures remain well-back from the top of the retaining wall.

In summary, based on the surveyed information and the assumptions outlined, the improvements made to the Capri Cabins have not significantly increased the risk of flood damage on the property. The site remains suitably protected/elevated from flooding and/or foreshore erosion and may continue to be used safely. To mitigate potential damage for the new basements below the FCL, these areas should not be used as living space or for the storage of valuables. Sump pumps should be annually inspected and maintained to ensure functionality when lake levels rise in each May.

Please feel free to contact me if you have any questions regarding the contents of this letter.

Sincerely,

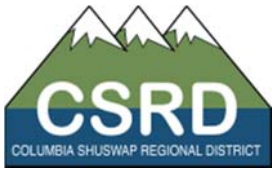


Alan Bates, P.Eng.
Water Resources Engineer
Streamworks Consulting Inc.

References:

Crippen Consultants 1990 *Salmon River – Shuswap Lake to Spa Creek - Floodplain Mapping Design Brief*. Province of British Columbia Ministry of Environment, Water Management Branch, Victoria, BC

Hay and Company March 1990 *Seymour River at Seymour Arm - Floodplain Mapping Design Brief*. Province of British Columbia Ministry of Environment, Water Management Branch, Victoria, BC



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.csrld.bc.ca

November 9, 2015

VP 701-32
BE 701-36

Owners

Re: Capri Cabins – Lots 1 to 6, Plan EPS162, Sec. 15, Tp. 22, Rge. 11, W6M, K.D.Y.D., Located at 1541 Blind Bay Road –Development Variance Permit No. 701-32

Development Variance Permit No. 701-32 was issued by the CSRD August 21, 2008. The Development Variance Permit (DVP) recognized some of the setbacks of the Capri Cabins development existing at that time which were non-compliant. The DVP also contemplated some minor additions. At some point in 2009, rather than proceed with the additions as represented to the Regional District, the existing 7 units on the site were demolished and 6 new units were constructed and subsequently subdivided into separate strata-titled building units. In most cases the new units were not constructed to the same setbacks as those that had been demolished. In some cases this has led to encroachments onto the Ministry of Transportation and Infrastructure (MoT) Right-of-Way known as Robertson Road causing issues with compliance. Where the bylaw setback has already been relaxed by issuance of a DVP, and the new construction is closer to and even over the property lines, both the bylaw and the DVP relaxed setbacks have been violated.

Additionally, the rezoning amendment bylaw which allowed the density on the site by special regulation Subsection 14.3.12, and which preceded issuance of the DVP, and the DVP itself, were based on a report, dated May 14, 2007 from Mr. Alan Bates, P.Eng., of Streamworks Unlimited that provided a flood risk assessment of the site for the existing development. Unfortunately since the report was written for the existing development, as soon as that was demolished and a new development constructed in its place closer to the natural boundary of the lake, the report became irrelevant to the new units. This means that the new units were constructed in violation of the South Shuswap Zoning Bylaw No. 701 (Bylaw No. 701) Floodplain Specifications.

CSRD staff have previously forwarded a letter dated November 12, 2010, outlining these issues and also raising the question of compliance with Zoning Bylaw parcel coverage and building height regulations.

Recently, I met with Mr. Lindblad in my office, after it had been noted that works were being done to the dock. As a result of that meeting I agreed to provide you with this letter re-iterating the areas of non-compliance and what options are available to you to achieve compliance for the Capri Cabins development. The following are the areas of non-compliance:

1. The subject property is currently zoned CH2 – Cluster Housing 2, in accordance with South Shuswap Zoning Bylaw No. 701 (Bylaw No. 701). The CH2 zone contains regulations for setbacks in Subsection 14.2.3, as follows;

Front parcel line	5.0 m
Exterior side parcel line	4.5 m
Interior side parcel line	2.0 m

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

Rear parcel line

5.0 m

On August 21, 2008, by resolution No. 2008-832 the Board of the CSRD authorized issuance of DVP 701-32, which reduced the exterior side parcel line setback from 4.5 m to 0.71 m for the existing cabins on the site.

A more recent building location certificate, dated August 9, 2010, showing the new units indicates that strata lot 2 is located as close as 0.68 m; strata lot 3 is located as close as 0.67 m; and strata lot 4 is located as close as 0.66 m from the exterior side parcel line. Additionally all 3 of these units have concrete pads which encroach into the Robertson Road Right-of-Way by 0.24 m.

2. The building location certificate also indicates that eave lines for strata lots 2, 3, and 4 are located at or on the exterior side parcel line. Subsection 3.6.8 of Bylaw No. 701, allows eaves to be located in an area of setback provided they are not closer than 1.0 m from any parcel line.
3. Subsection 14.2.2 regulates the maximum height for buildings as 10.0 m. The building location certificate shows that strata lot 2 is 10.35 m high and strata lot 3 is 10.07 m high.
4. Subsection 14.3.12.2 regulates the maximum parcel coverage at 23%. In reviewing both the building location certificate and the strata plan EPS162, CSRD staff have computed the total area of all buildings on site to be 531 m² on a parcel size of 0.2 ha. which appears to indicate a parcel coverage of 26.55%. It is suggested that the strata owners confirm the parcel coverage with the surveyor that provided the building location certificate.
5. Section 3.16 designates floodplains, and Subsection 3.17.1 establishes the flood construction level as 351.0 m for land adjacent to Shuswap Lake. Strata Plan EPS162 shows that every strata lot has a basement. The building location certificate indicates that all main floor elevations comply with the flood construction level. However, the top of lower floor elevation for every strata lot except strata lot 1 is below this flood construction level. Subsection 3.18.2 requires that any space used for dwelling purposes or storage of goods, susceptible to flood damage must be above the flood construction level.
6. Subsection 3.17.2 establishes a floodplain setback of 15.0 m from the 348.3 m contour for buildings adjacent to Shuswap Lake. DVP 701-32, as issued relaxed the floodplain setback for the existing development, but was specific to the cabins named in Schedule B attached to and forming part of DVP 701-32. Whereas, strata lot 4 is located as close as 10.33 m, strata lot 5 is located as close as 13.62 m, and strata lot 6 is located as close as 10.02 m; from the 348.3 m contour.

Setback violations for buildings and eaves, as well as building height can be dealt with by applying for and having issued by the Board a new DVP for the new structures. The DVP would be subject to the strata corporation obtaining a permit to encroach onto the Robertson Road Right-of-Way from the Ministry of Transportation and Infrastructure (MoT). Also, the strata corporation would be required to obtain a waiver from MoT to the Provincial Setback area, of 4.5 m, as established in Provincial Public Undertakings Regulation No. 513/2004 under Section 12, in regard to the proximity of strata lots 2, 3, and 4 from Robertson Road. I understand that there was a permit issued February 1, 2006 from MoT that permitted the previous buildings to be situated within 0.16 m of the Robertson Road Right-of-Way. This permit will need to be re-issued to the strata corporation reflecting the construction of the new units on the site.

Maximum parcel coverage cannot be varied by a DVP. Parcel coverage is a measure of density and therefore, in accordance with Section 922 (2)(a) of the *Local Government Act*, a DVP cannot vary either use or density. The only means available to you to allow a parcel coverage of 26.55% is to apply for a rezoning amendment which would amend the site specific regulation for the property under Subsection 14.3.12.2 in the CH2 zone.

Similarly, Section 922(2)(b) of the *Local Government Act*, limits the ability of a DVP to vary a floodplain specification, under Section 910(2) of the *Local Government Act*. Rather the matter of the violation of the floodplain specifications, for both the flood construction level and the floodplain setback would require the CSRD to process and issue an exemption to the floodplain specifications, as contemplated under Section 910(5) of the *Local Government Act*. In accordance with this section a report from a professional engineer or geoscientist experienced in geotechnical engineering would be required to be submitted to support the exemption application.

As an alternative to separate DVP, rezoning amendment and exemption from floodplain specification applications, the CSRD would like to suggest that an application for a rezoning amendment alone could be made to deal with all of the compliance issues.

To summarize, the development on the property is non-compliant with DVP 701-32 and Bylaw No. 701. The issues remain unresolved. In order to avoid further action being taken by the CSRD, you must seek to resolve these issues by following an option provided you in this letter.

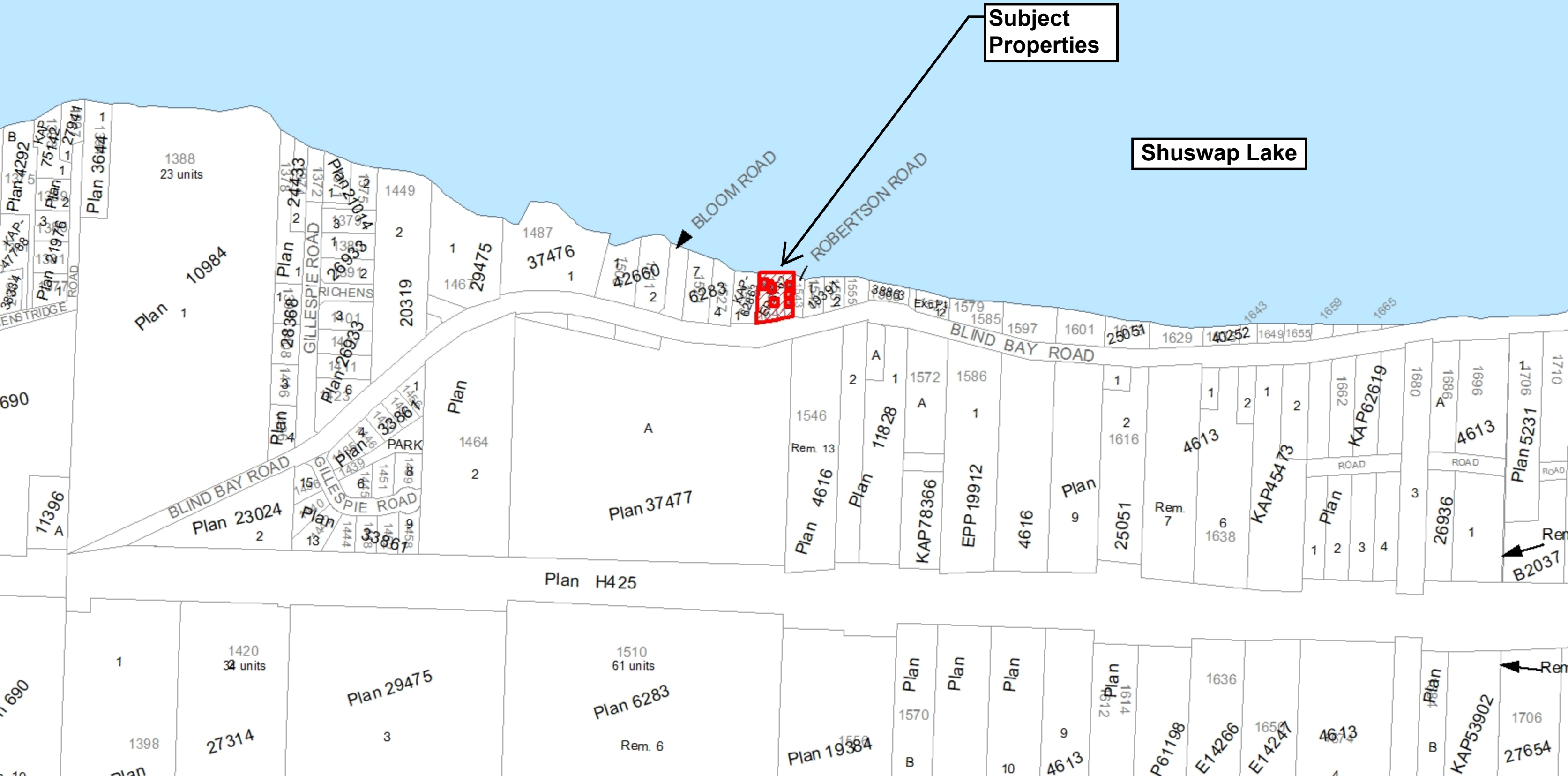
If you have any questions with regard to the information in this letter, or any other issue, please call me directly, or email me at dpassmore@csrd.bc.ca.

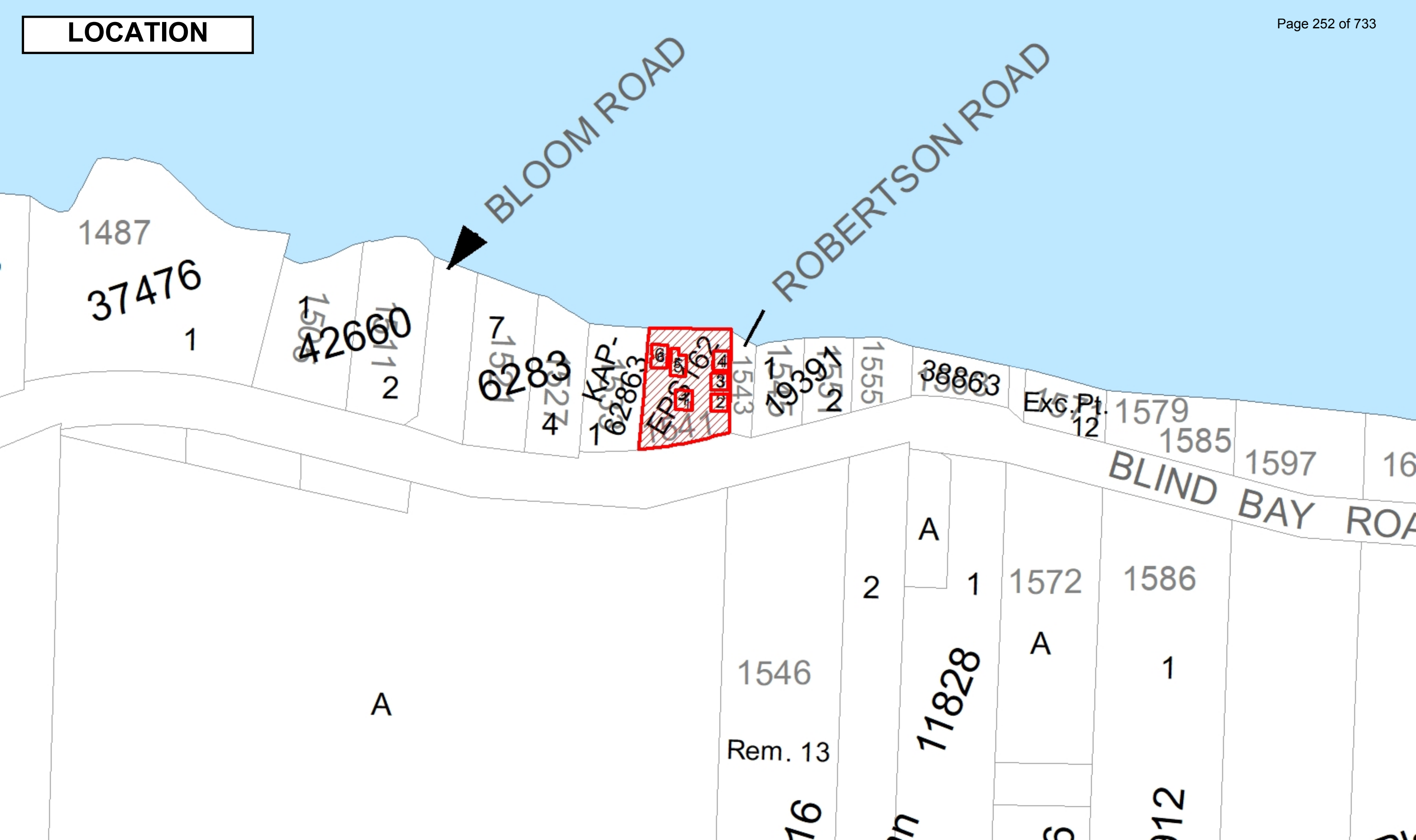
Sincerely

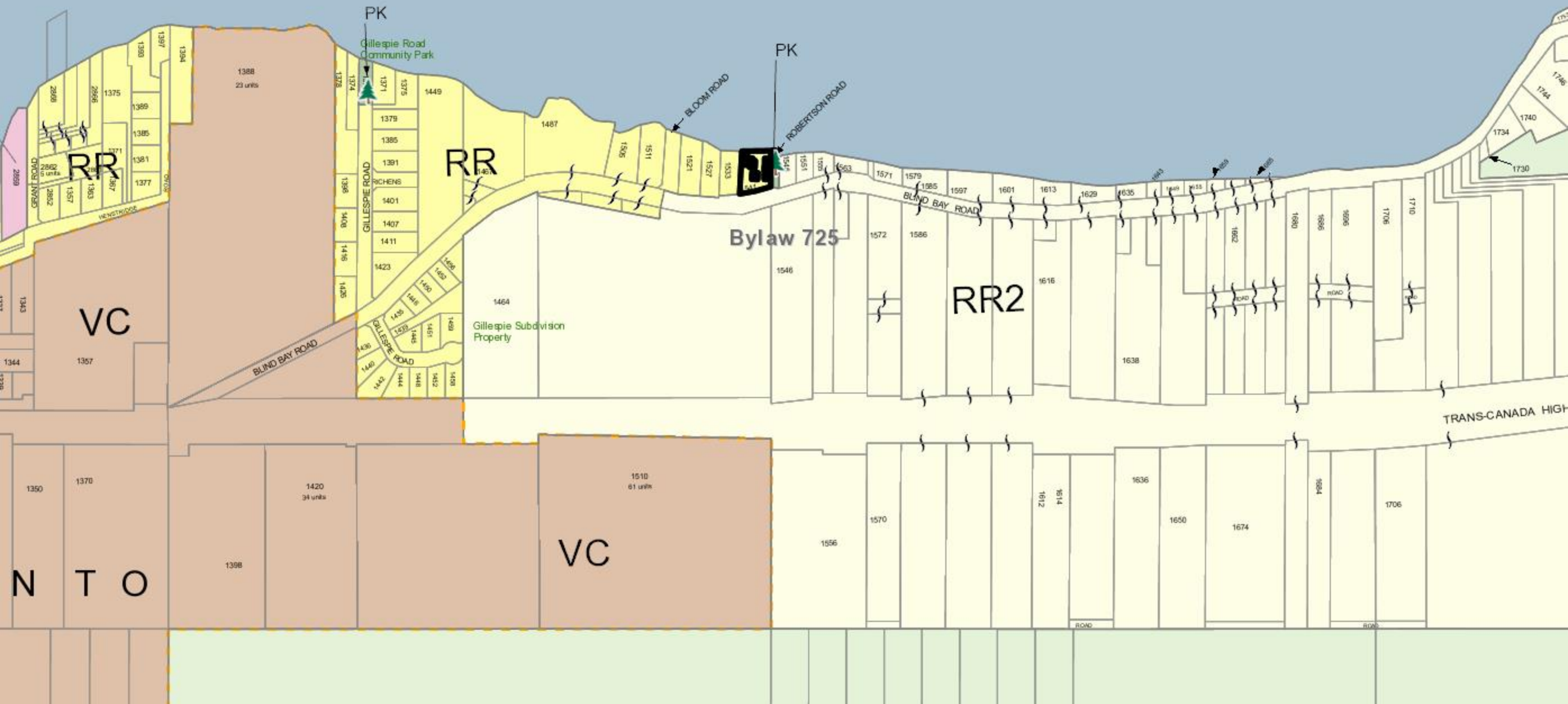
Dan Passmore
Senior Planner

/dgp

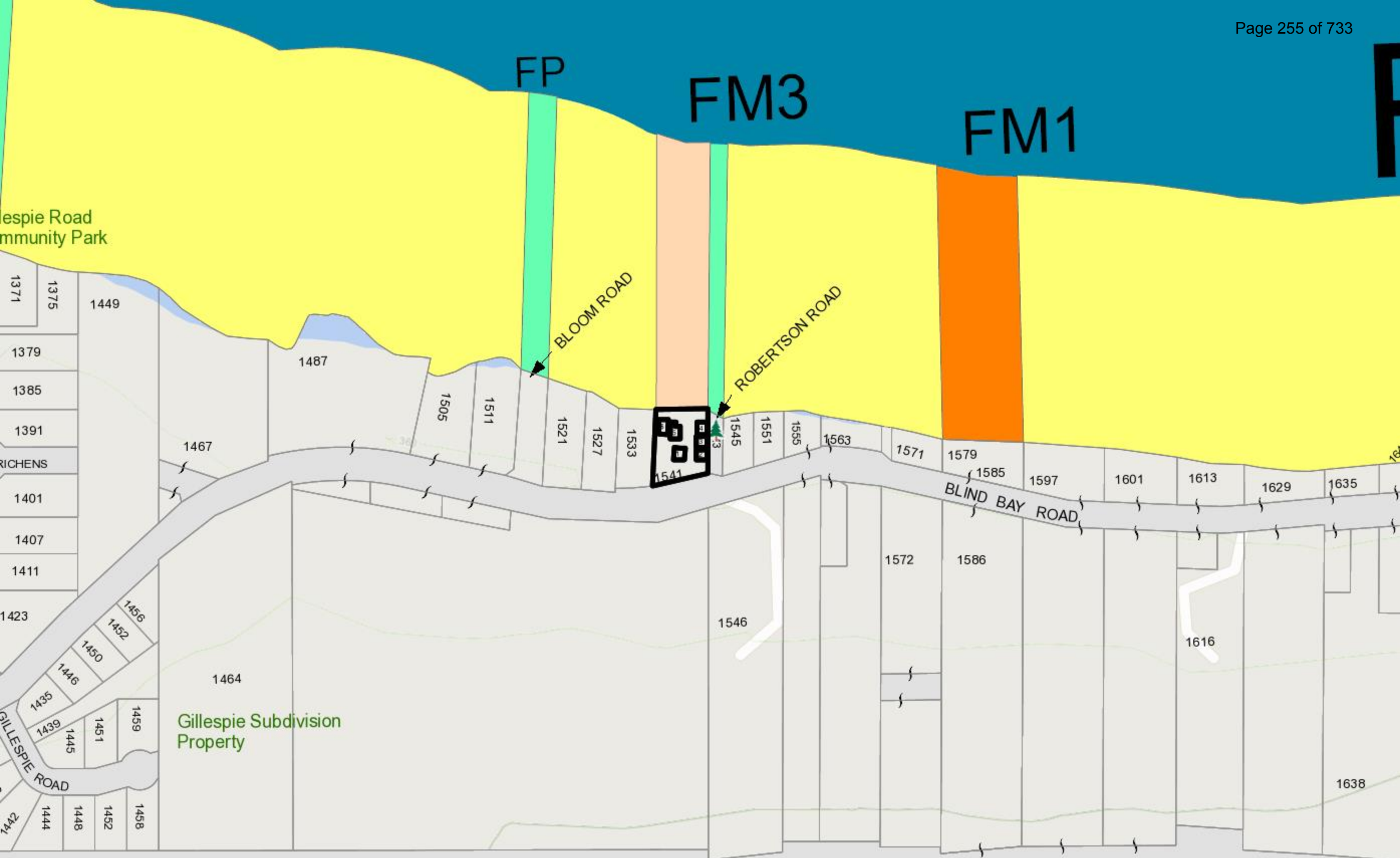
cc: Electoral Area 'C' Director, Paul Demenok













ORTHOPHOTO

BROWNE JOHNSON LAND SURVEYORS*

BRITISH COLUMBIA AND CANADA LANDS

Box 362, Salmon Arm, B.C. V1E 4N5 (250)832-9701

B.C. LAND SURVEYOR'S BUILDING LOCATION CERTIFICATE

To: Capri Cabin,
c/o Rick & Sandra Renard,
109 Branchflower Road,
Salmon Arm, B.C. V1E 3C6

Your File:

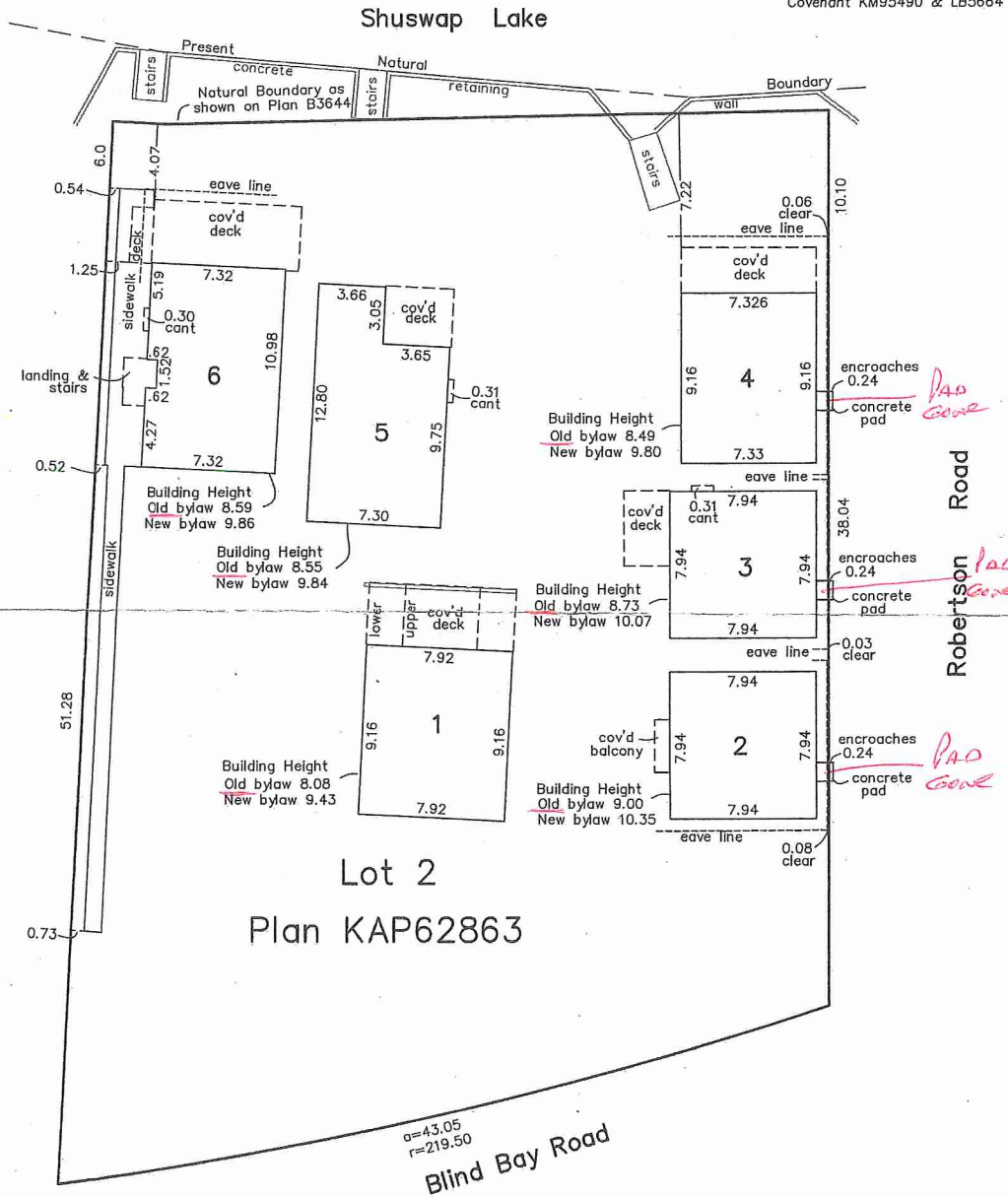
Re: Lot 2, Section 15, Township 22,
Range 11, W6M, KDYD, Plan KAP62863

Parcel Identifier(PID): 024-273-635

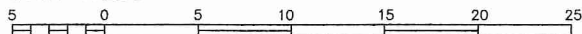
Civic Address: 1541 Blind Bay Road

List of documents registered on title which may affect
the location of improvements:

R/W LA57413 & LA57414
Covenant KM95490 & LB5664



Scale 1:250



All distances are in metres.

Dimensions derived from Plan KAP62863

Offsets from property line to building are measured from the siding.

The signatory accepts no responsibility or liability for any damages that may be suffered by a third party as a result of any decisions made, or actions taken based on this document.

This plan was prepared for inspection purposes and is for the exclusive use of our client. This document shows the relative location of the surveyed structures and features with respect to the boundaries of the parcel described above. This document shall not be used to define property lines or property corners.

This building location certificate has been prepared in accordance with the Manual of Standard Practice and is certified correct this 29th day of June, 2010.

B.C.L.S.

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**THIS DOCUMENT IS NOT VALID UNLESS
ORIGINALLY SIGNED AND SEALED.**

Our File: 375-09 Fb: raw p.

To: Capri Cabin,
c/o Rick & Sandra Renard,
109 Branchflower Road,
Salmon Arm, B.C. V1E 3C6

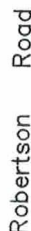
Your File:


Re: Strata Plan EPS162, Section 15, Township 22,
Range 11, W6M, KD1D


Parcel Identifier(PID): 024-273-635

Civic Address: 1541 Blind Bay Road

R/W LA57413 & LA57414
Covenant KM95490 & LB5664



 Denotes elevation of underside of main floor structure

 Denotes elevation of top of lower floor

Offsets from property line to building are measured from the siding.

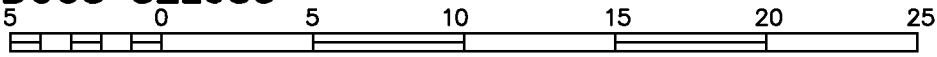
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BUILDING LOCATION CERTIFICATE FROM FLOODPLAIN ASSESSMENT

PLAN EPS162

Strata Plan of
Lot 2, Sec 15, Tp 22, R 11,
W6M, KDYD, Plan KAP62863

BCGS 82L083

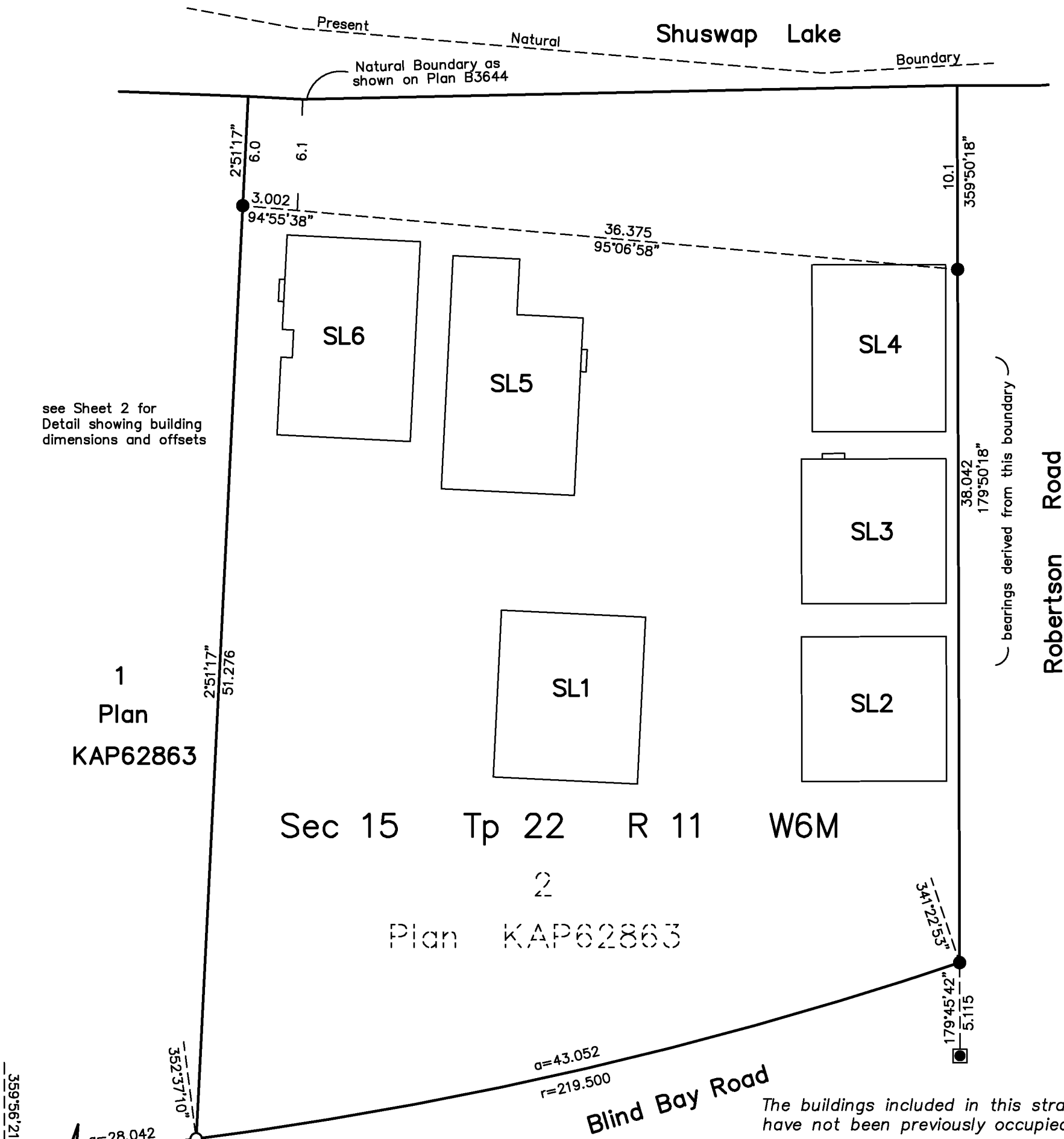


All distances are in metres.

The intended plot size of this plan is 280mm in width by 432mm in height (B size) when plotted at a scale of 1:250

This plan lies within the Columbia Shuswap Regional District and the Vernon Assessment Area.

The civic address of the building is: 1541 Blind Bay Road, Blind Bay, B.C.



see Sheet 2 for
Detail showing building
dimensions and offsets

1
Plan
KAP62863

Sec 15 Tp 22 R 11 W6M

2
Plan KAP62863

LEGEND

Bearings are astronomic and are derived from Plan KAP62863

- Standard Iron Post Found
- Standard Iron Post Placed
- Non-Standard Round Iron Post Found

'Common' Denotes common property as defined in the Strata Property Act

- SL Denotes Strata Lot
- LCP Denotes Limited Common Property the use of the strata lots indicated only

The buildings included in this strata plan have not been previously occupied.

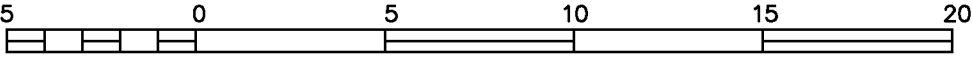
The buildings shown on this strata plan are within the external boundaries of the land that is the subject of the strata plan.

The field survey represented by this plan was completed by Andrew W. Roop, BCLS on the 24th day of November, 2009.

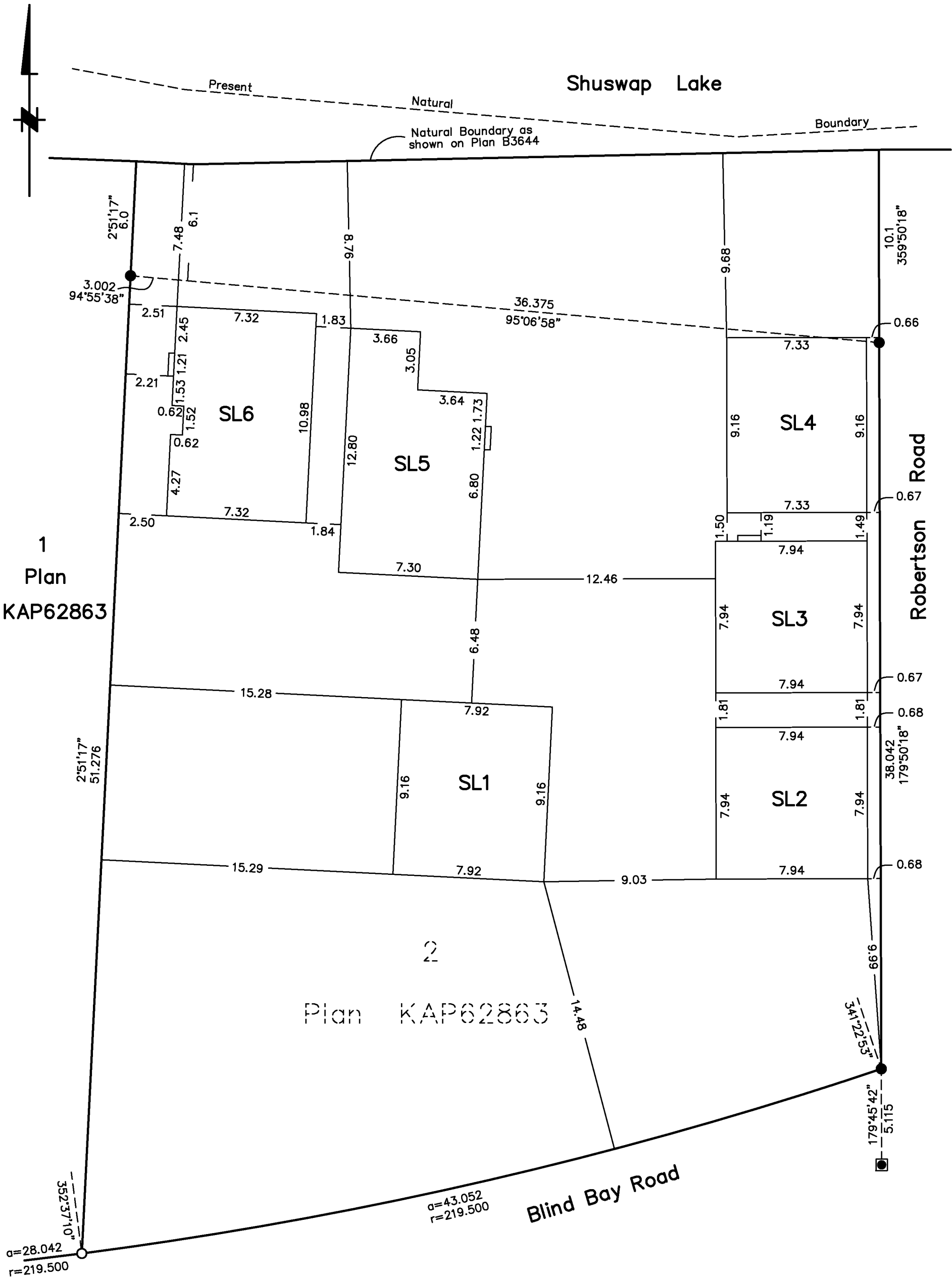
BROWNE JOHNSON LAND SURVEYORS
B.C. AND CANADA LANDS
SALMON ARM, B.C. Ph.250-832-9701
File: 375-09 375-09.raw

DETAIL

Strata Plan EPS162

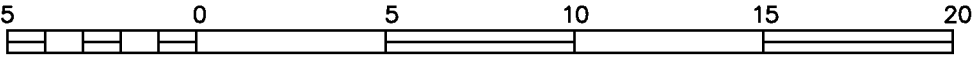


All distances are in metres.
The intended size of this plan is 280mm in width by 432mm in height (B size)
when plotted at a scale of 1:200

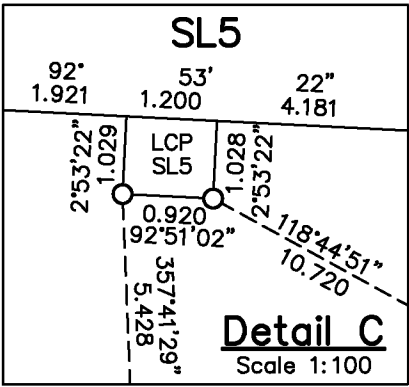
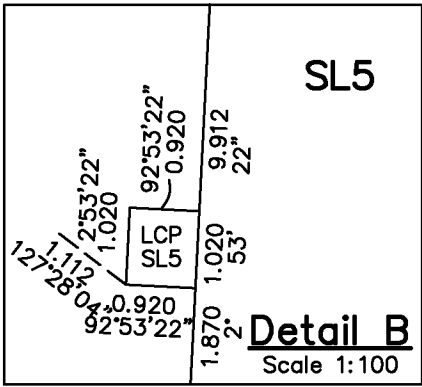
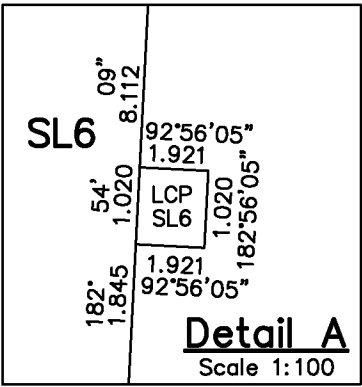


Plan of Limited Common Property

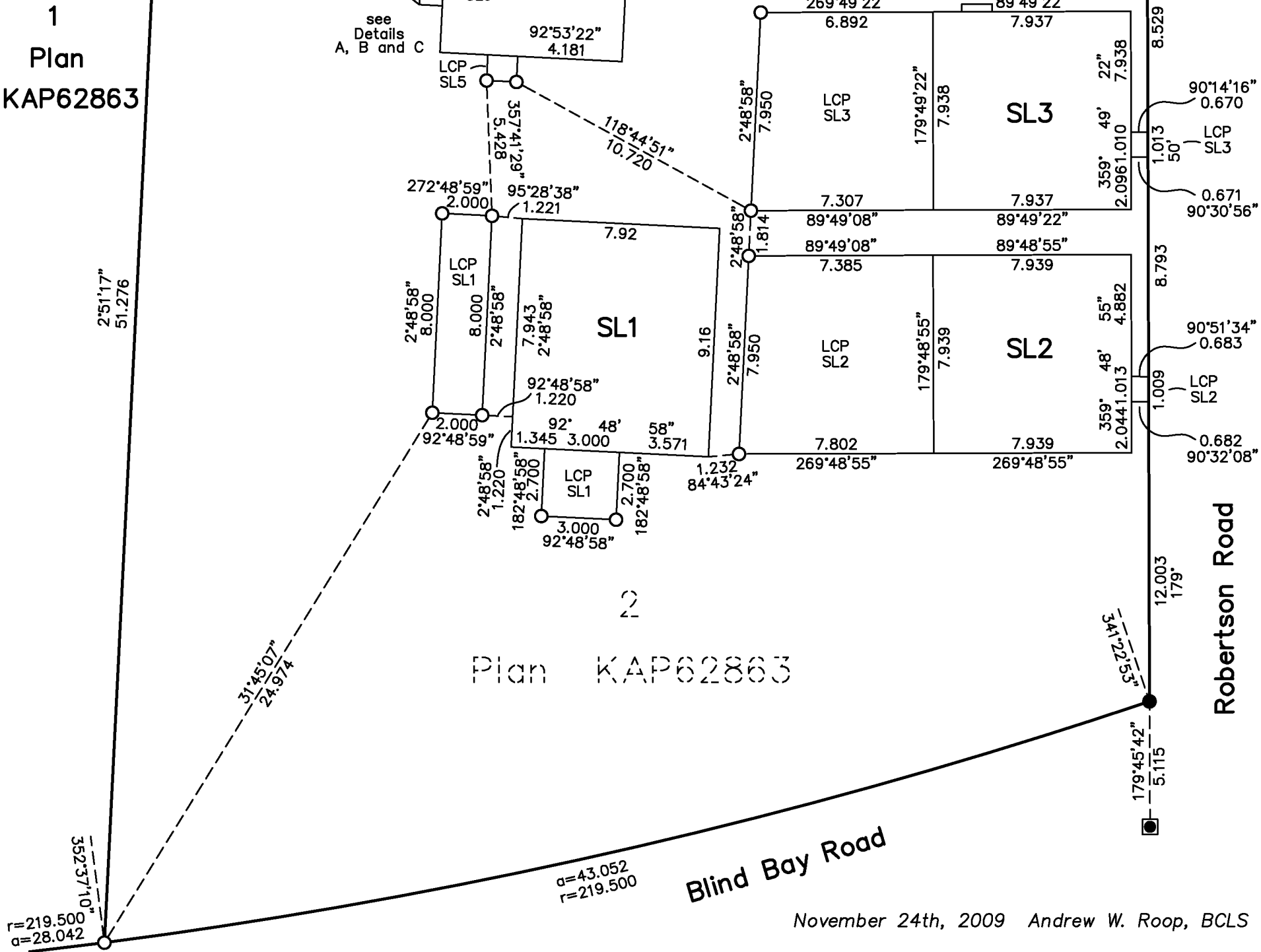
Strata Plan EPS162



All distances are in metres.
The intended size of this plan is 280mm in width by 432mm in height (B size)
when plotted at a scale of 1:200

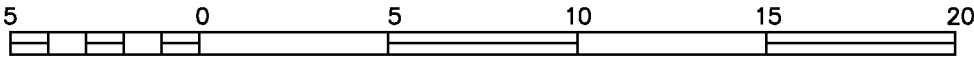


1
Plan
KAP62863



Plan of Strata Lot 1

Strata Plan EPS162

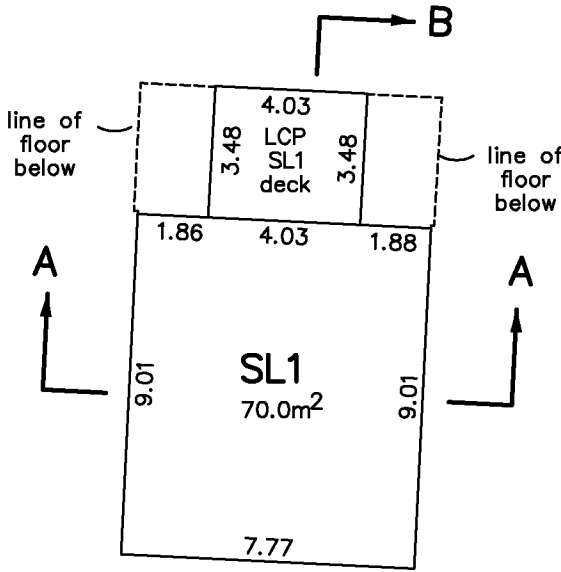


All distances are in metres.
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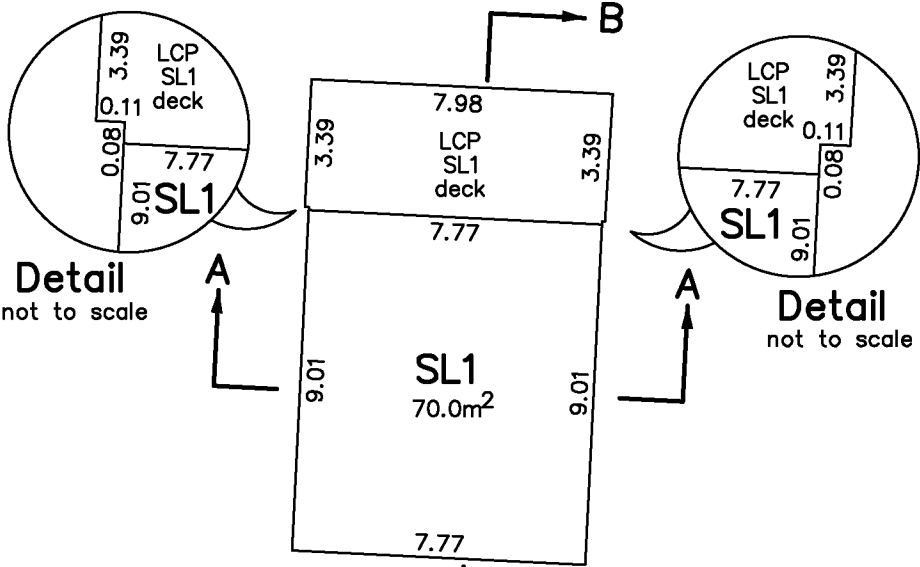
Note: The area shown as 'Common' on this sheet shall be defined as that portion of the building lying above the bottom of the roof trusses and that portion of the Lower Floor as shown.



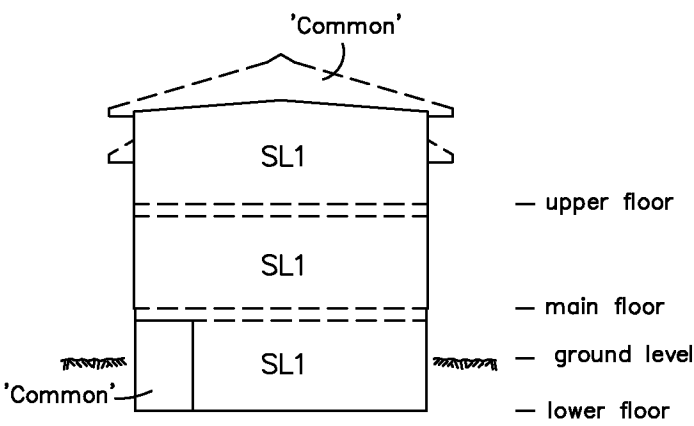
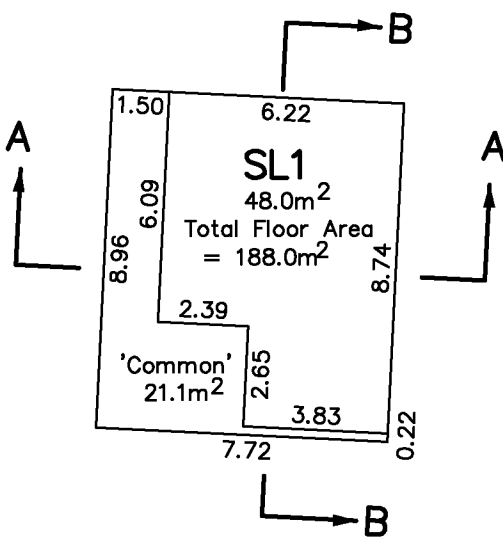
Upper Floor



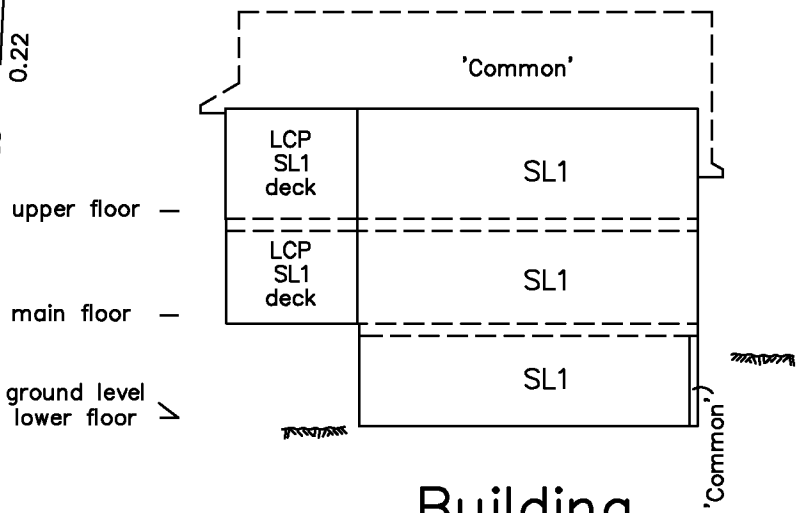
Main Floor



Lower Floor



Building Section A - A



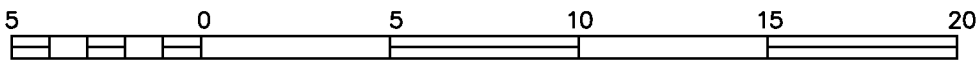
Building Section B - B

Note:
LCP Denotes Limited Common Property for the use of the strata lots indicated only
-Wall thickness varies
-Dimensions to centre line of walls

November 24th, 2009 Andrew W. Roop, BCLS

Plan of Strata Lot 2

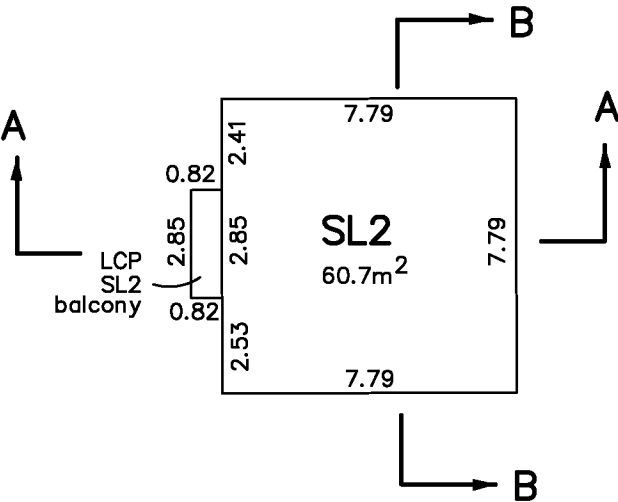
Strata Plan EPS162



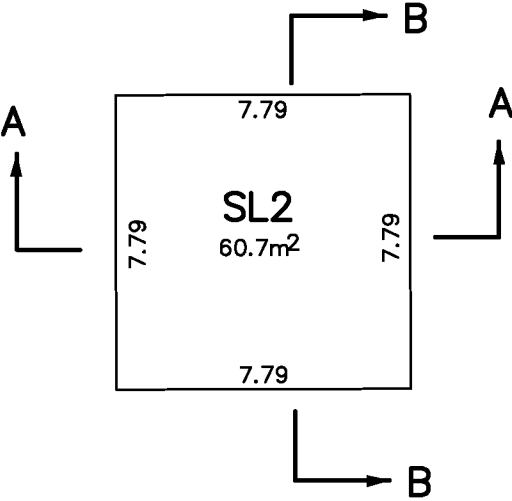
All distances are in metres.
The intended size of this plan is 280mm in width by 432mm in height (B size) when plotted at a scale of 1:200
Note: The area shown as 'Common' on this sheet shall be defined as that portion of the building lying above the bottom of the roof trusses.



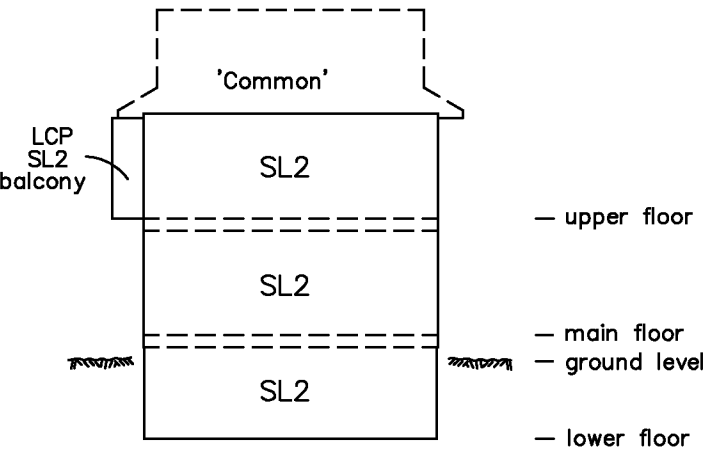
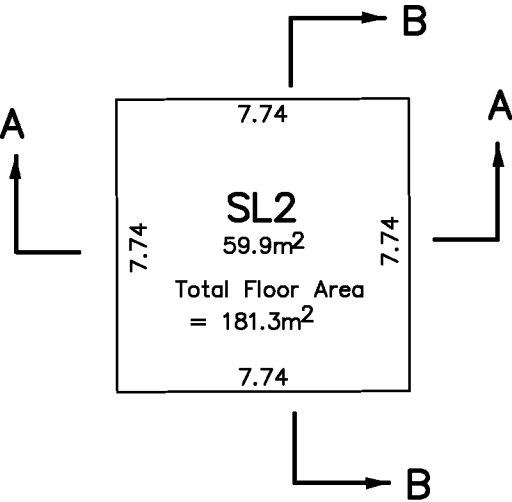
Upper Floor



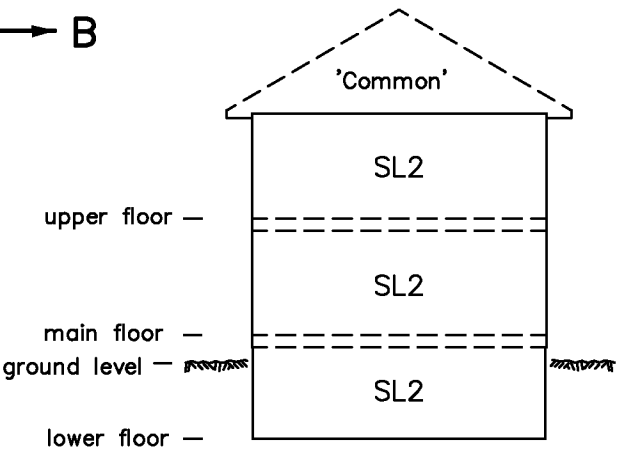
Main Floor



Lower Floor



Building Section A – A



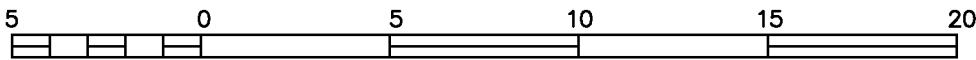
Building Section B – B

Note:
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–Wall thickness varies
–Dimensions to centre line of walls

November 24th, 2009 Andrew W. Roop, BCLS

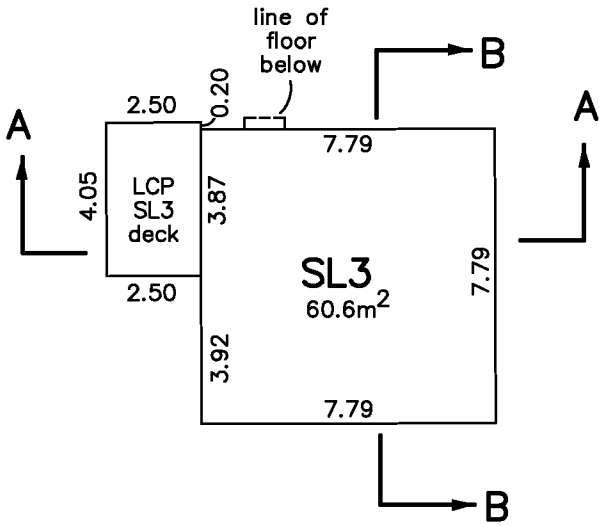
Plan of Strata Lot 3

Strata Plan EPS162

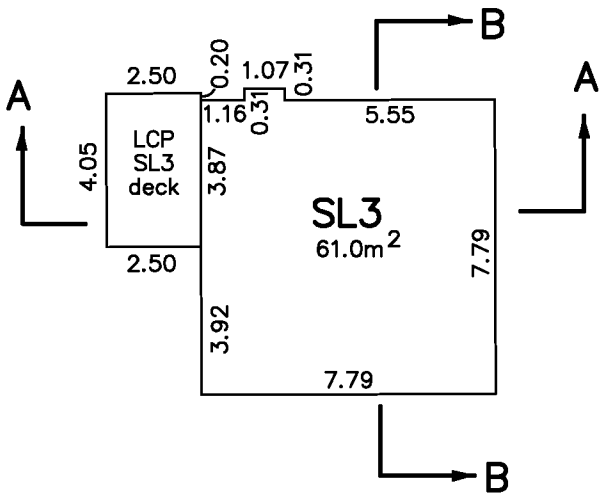


All distances are in metres.
The intended size of this plan is 280mm in width by 432mm in height (B size) when plotted at a scale of 1:200
Note: The area shown as 'Common' on this sheet shall be defined as that portion of the building lying above the bottom of the roof trusses.

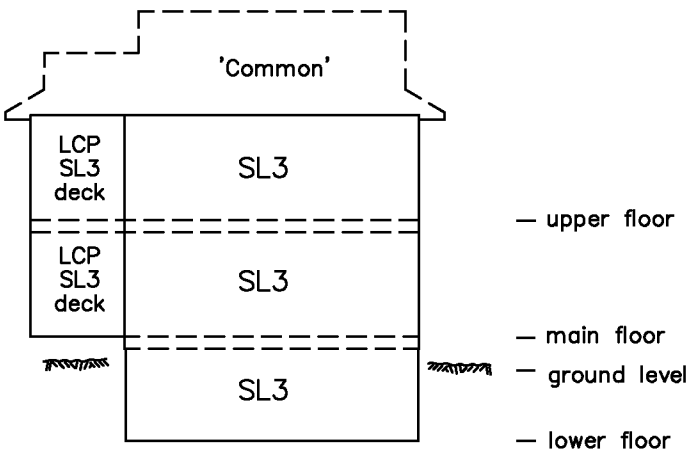
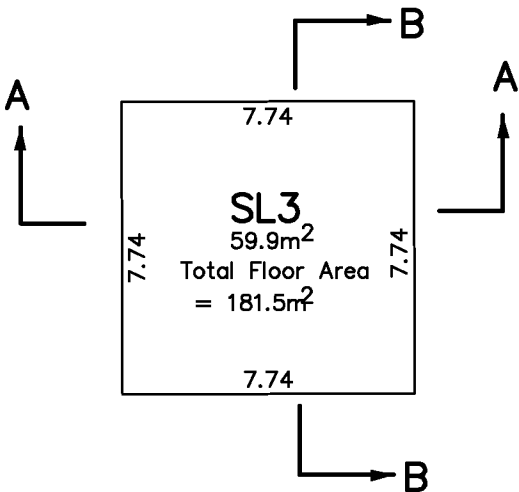
Upper Floor



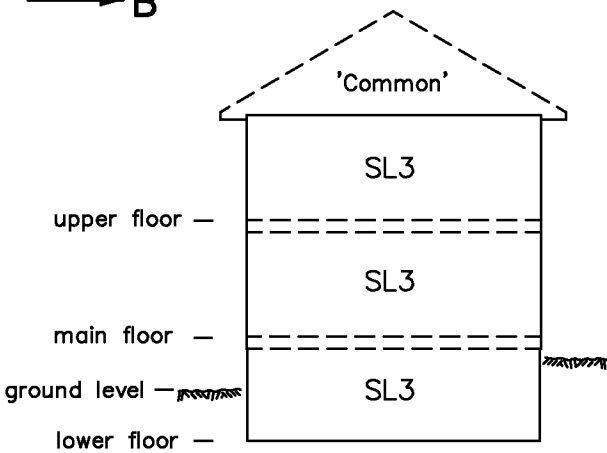
Main Floor



Lower Floor



Building Section A - A



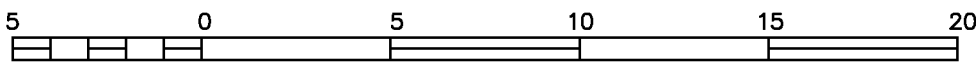
Building Section B - B

Note:
LCP Denotes Limited Common Property for the use of the strata lots indicated only
-Wall thickness varies
-Dimensions to centre line of walls

November 24th, 2009 Andrew W. Roop, BCLS

Plan of Strata Lot 4

Strata Plan EPS162

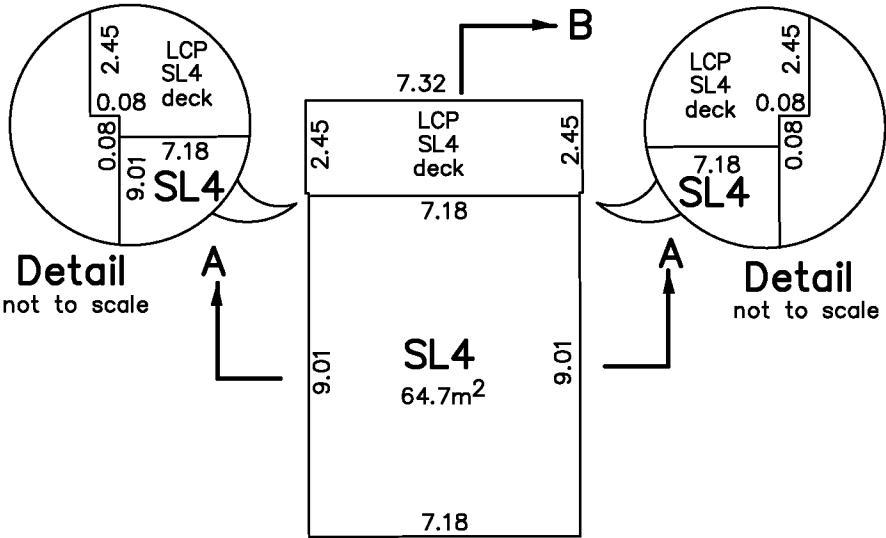


All distances are in metres.
The intended size of this plan is 280mm in width by 432mm in height (B size) when plotted at a scale of 1:200

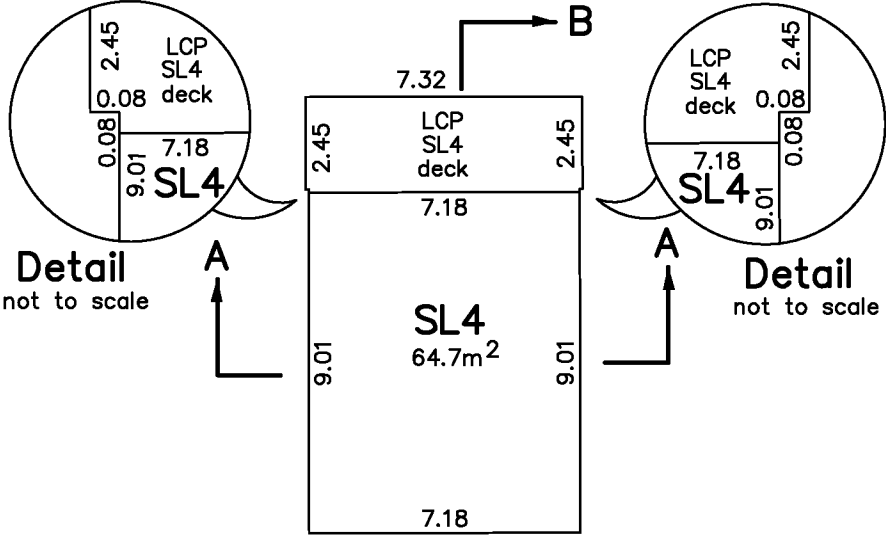
Note: The area shown as 'Common' on this sheet shall be defined as that portion of the building lying above the bottom of the roof trusses.



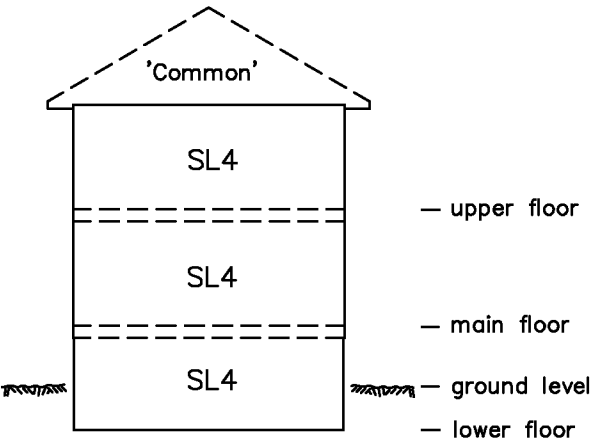
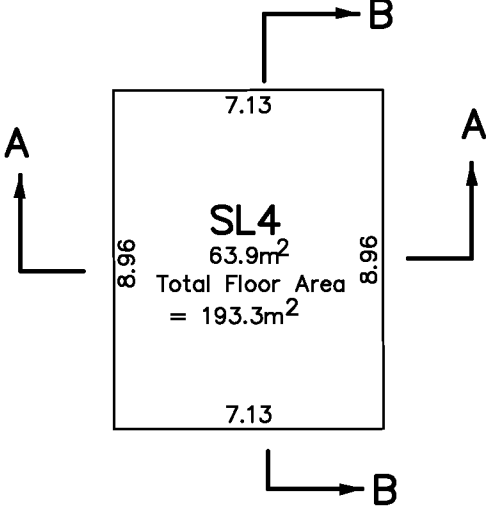
Upper Floor



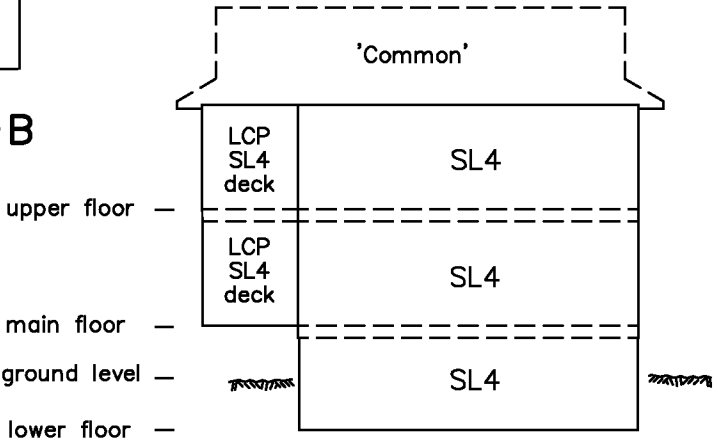
Main Floor



Lower Floor



Building
Section A – A



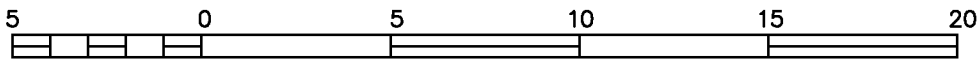
Building
Section B – B

Note:
LCP Denotes Limited Common Property for the use of the strata lots indicated only
–Wall thickness varies
–Dimensions to centre line of walls

November 24th, 2009 Andrew W. Roop, BCLS

Plan of Strata Lot 5

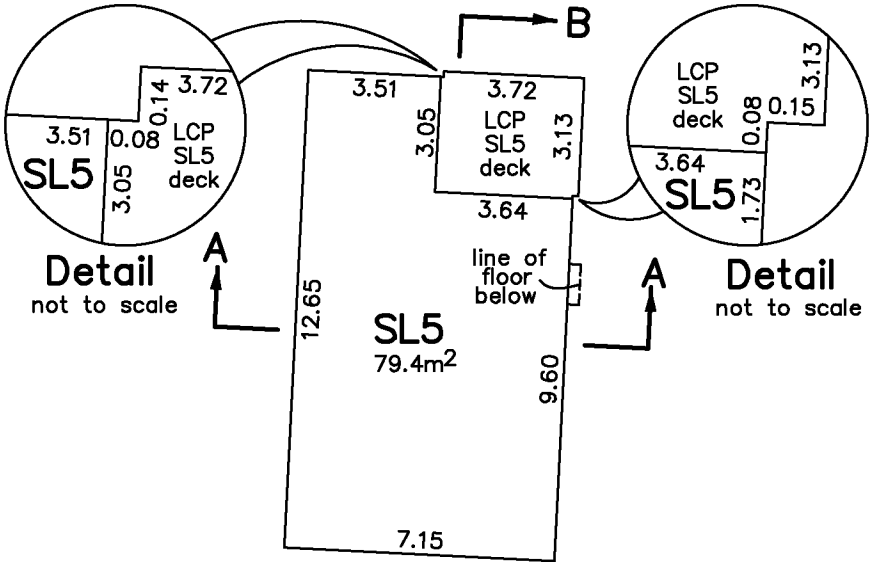
Strata Plan EPS162



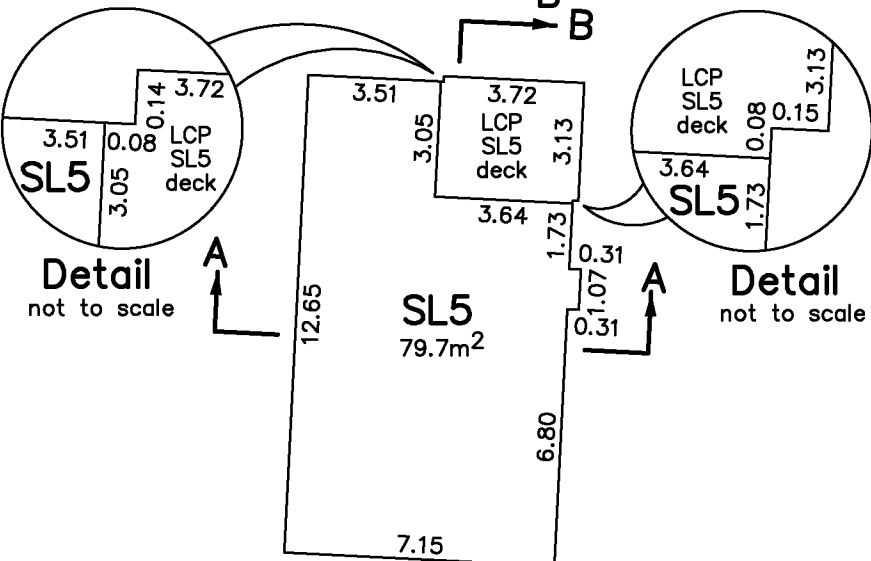
All distances are in metres.
The intended size of this plan is 280mm in width by 432mm in height (B size) when plotted at a scale of 1:200
Note: The area shown as 'Common' on this sheet shall be defined as that portion of the building lying above the bottom of the roof trusses.



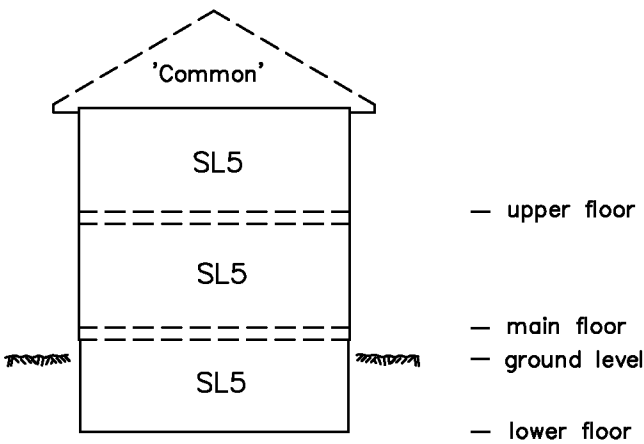
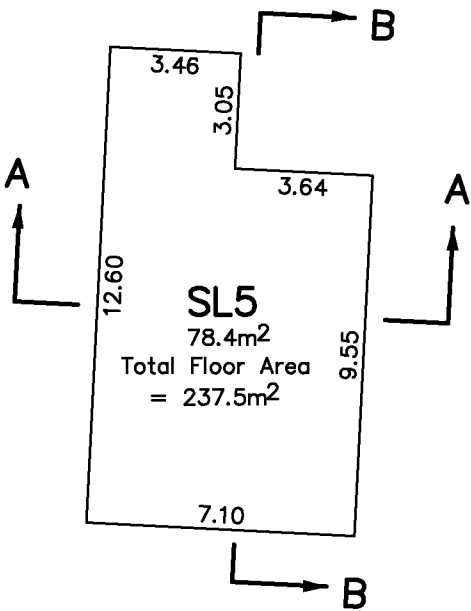
Upper Floor



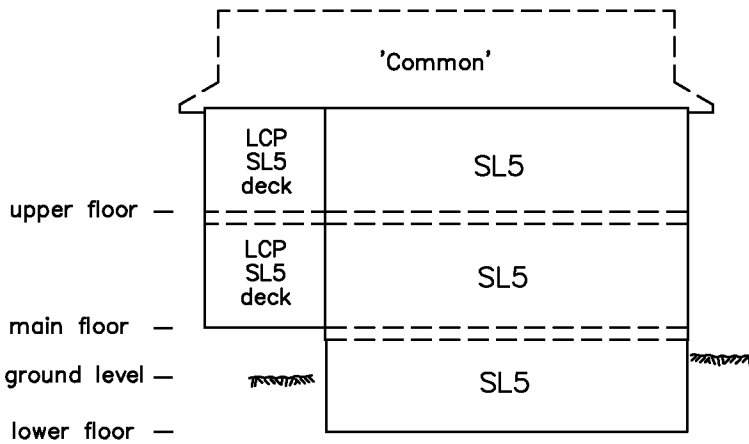
Main Floor



Lower Floor



Building
Section A — A

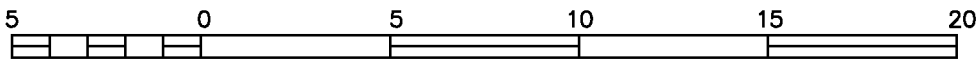


Building
Section B — B

Note:
LCP Denotes Limited Common Property for the use of the strata lots indicated only
—Wall thickness varies
—Dimensions to centre line of walls

Plan of Strata Lot 6

Strata Plan EPS162

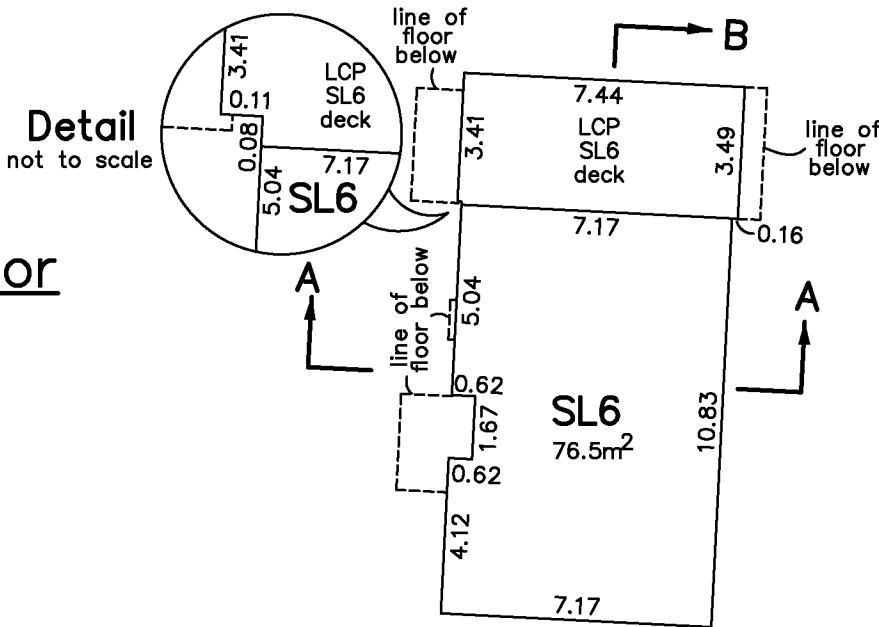


All distances are in metres.
The intended size of this plan is 280mm in width by 432mm in height (B size)
when plotted at a scale of 1:200

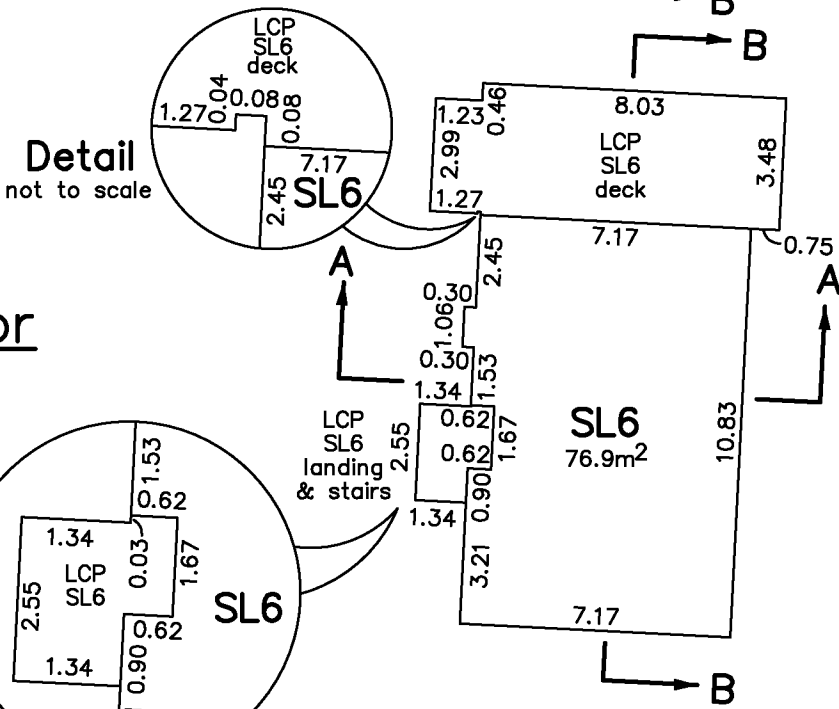
Note: The area shown as 'Common' on this sheet shall be defined as that
portion of the building lying above the bottom of the roof trusses.



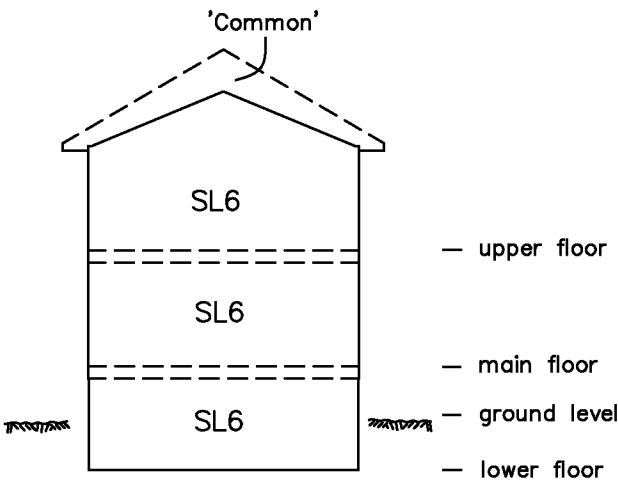
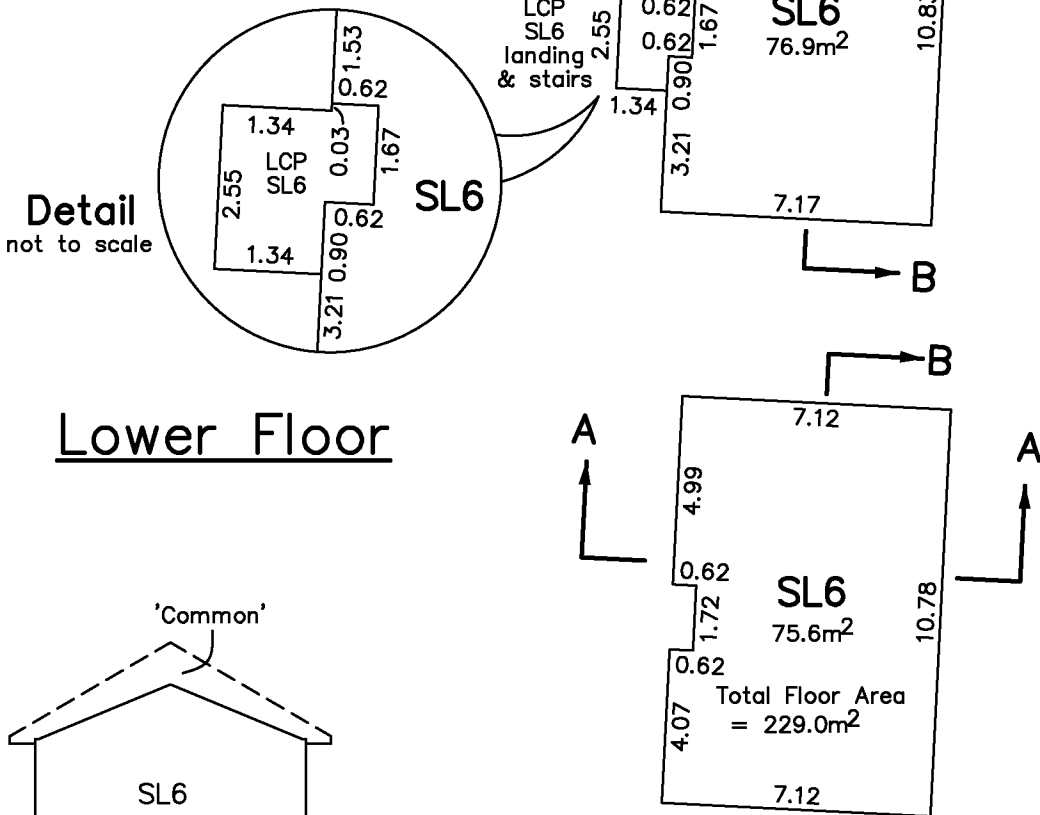
Upper Floor



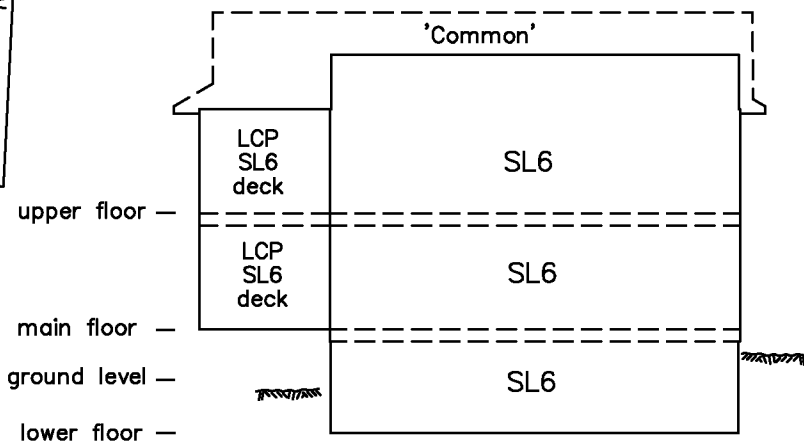
Main Floor



Lower Floor



Building Section A - A



Building Section B - B

Note:
LCP Denotes limited common property
for the use of the strata lots
indicated only
-Wall thickness varies
-Dimensions to centre line of walls

November 24th, 2009 Andrew W. Roop, BCLS



BOARD REPORT

TO:

Chair and Directors

File No:	BL900-22 PL20170149
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SUBJECT:

Electoral Area C: Lakes Zoning Amendment (Gray-Ulry) Bylaw No. 900-22

DESCRIPTION:
Report from Jennifer Sham, Planner, dated October 24, 2017.
3965, 3967, 3970 & 3972 Sunnybrae-Canoe Point Road, Sunnybrae
RECOMMENDATION:
THAT: "Lakes Zoning Amendment (Gray-Ulry) Bylaw No. 900-22" be read a first time this 16th day of November, 2017;

AND THAT: The Board utilize the simple consultation process for Bylaw No. 900-22 and it be referred to the following agencies and First Nations:

- Advisory Planning Commission C;
- Interior Health Authority;
- Ministry of Environment;
- Ministry of Forests, Lands, Natural Resource Operations and Rural Development;
- Ministry of Forests, Lands, Natural Resource Operations and Rural Development – Archaeology Branch;
- Department of Fisheries and Oceans;
- FrontCounterBC;
- Transport Canada;
- CSR D Operations Management;
- CSR D Financial Services; and,
- All relevant First Nations Bands and Councils.

SHORT SUMMARY:

The owners would like to amend the Lakes Zoning Bylaw No. 900 (Bylaw No. 900) to recognize 8 private mooring buoys and a shared dock adjacent to the common property of Strata Plan KAS2305 located in Sunnybrae in Electoral Area C. The proposal is to rezone the water adjacent to Strata Plan KAS2305 from FR1 Foreshore Residential 1 to FM2 Foreshore Multi-Family 2 zone, and to add a special regulation to recognize the existing dock and 8 private mooring buoys within the zone.

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

REGISTERED OWNER(S):

KAS2305

Strata Lot 1 = Norman Gray & Bonnie Gray

Strata Lot 2 = Lloyd Ulry & Gloria Ulry

APPLICANT:

Gloria Ulry

AGENT:

Gloria Ulry

ELECTORAL AREA:

C

LEGAL DESCRIPTIONS:

Strata Lots 1 & 2, Section 12, Township 21, Range 10, W6M, KDYD, Strata Plan KAS2305, together with an interest in the common property in proportion to the unit entitlement of the Strata Lot as shown on Form V

PID(S):

KAS2305

Strata Lot 1 = 024-932-213

Strata Lot 2 = 024-932-221

CIVIC ADDRESS:

KAS2305

Strata Lot 1 = 3965, 3967 & 3970 Sunnybrae-Canoe Point Road, Sunnybrae

Strata Lot 2 = 3972 Sunnybrae-Canoe Point Road, Sunnybrae

SURROUNDING LAND USE PATTERN:

North = Sunnybrae-Canoe Point Road, Bastion Mobile Village Mobile Home Park

South = Shuswap Lake

East = Residential

West = Lakeview Estates Mobile Home Park

CURRENT & PROPOSED USE:

Residential

PARCEL SIZE:

KAS2305

Strata Lot 1 = 0.195 ha

Strata Lot 2 = 0.165 ha

Common = 0.12 ha

DESIGNATION:

Electoral Area C Official Community Plan Bylaw No. 725

SSA Secondary Settlement Area

RR Rural Residential

FW Foreshore Water (Moorage)

ZONE:

Lakes Zoning Bylaw No. 900
FR1 Foreshore Residential 1

PROPOSED ZONE:

Lakes Zoning Bylaw No. 900
FM2 Foreshore Multi-Family 2

AGRICULTURAL LAND RESERVE:

0%

SITE COMMENTS:

Development Services (DS) staff visited the subject properties on October 12, 2017. Strata Lot 1, KAS2305 includes 3965, 3967, and 3970 Sunnybrae-Canoe Point Road: two dwellings to the north of Sunnybrae-Canoe Point Road and one to the south. Strata Lot 2, KAS2305 includes 3972 Sunnybrae-Canoe Point Road but there are 2 single family dwellings on this lot. The common area includes lands on both sides of Sunnybrae-Canoe Point Road. At the time of the site visit, the lake level was low; however, staff was unable to account for all the buoys associated with this application in the water. Prior to adoption of this bylaw, all the buoys will be tagged and documented as a condition of rezoning. See "Maps_Plans_Photos_BL900-22.pdf".

POLICY:

Electoral Area C Official Community Plan Bylaw No. 725 (Bylaw No. 725)
SSA Secondary Settlement Area
RR Rural Residential
FW Foreshore Water (Moorage)

If this bylaw amendment application is successful, a Foreshore and Water Development Permit will be required.

See "BL725_Policies_BL900-22.pdf" attached.

Lakes Zoning Bylaw No. 900
FR1 Foreshore Residential 1

1.1 Definitions

BERTH is a moorage space for a single vessel at a fixed or floating dock.

GROUP MOORAGE FACILITY is one or more multi-berth fixed or floating docks providing communal moorage to an adjacent multi-dwelling unit or multi-parcel residential development, including a strata or shared interest development.

PRIVATE MOORING BUOY is a small floating structure used for the purpose of boat moorage, typically composed of rigid plastic foam or rigid molded plastic and specifically manufactured for the intended use of boat moorage, but does not include a fixed or floating dock or swimming platform.

Part 3 General Regulations**3.3 Berths**

.1 the number of total berths shall be calculated by counting each:

- (a) Dedicated moorage space for a single vessel at a fixed or floating dock to a maximum of 10 m (32.81 ft) of linear length on its longest side; and,

- (b) 10 m (32.81 ft) of linear length of a fixed or floating dock that may be used for the mooring of a single vessel.

FRI Foreshore Residential 1

Permitted uses: floating dock, including removable walkway, that is accessory to a permitted use on an adjacent waterfront parcel; private mooring buoy(s) that is accessory to a permitted use on an adjacent waterfront parcel or an adjacent semi-waterfront parcel; boat lift(s) that is accessory to a permitted use on an adjacent waterfront parcel.

Density:

Dock: 1 floating dock per adjacent waterfront parcel;

Private mooring buoys: 1 per adjacent semi-waterfront parcel; 1 per adjacent waterfront parcel with a lake boundary less than 30 m; 2 per adjacent waterfront parcel with a lake boundary of more than 30 m.

Size:

Floating dock must not exceed 24 m² in total upward facing surface area (not including removable walkway)

Floating dock surface must not exceed 3 m in width for any portion of the dock.

Removable walkway surface must not exceed 1.5 m in width for any other portion of the walkway.

Location and siting:

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 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 from a Foreshore Park zone or park side parcel boundaries projected onto the foreshore and water.

Additional setbacks for private mooring buoys:

- 20 m from any existing structures on the foreshore or water.
- 50 m from any boat launch ramp or marina.

See "Maps_Plans_Photos_BL900-22.pdf".

FINANCIAL:

This rezoning application is the result of a bylaw enforcement action. If the Board does not adopt the proposed amending bylaw, and the owners do not bring the property into compliance, the Board may choose to direct staff to seek a legal opinion regarding possible court action. Costs for the legal opinion and possible court action, although partially recoverable through court, could nonetheless be substantial. Staff involvement in legal action is not recoverable.

KEY ISSUES/CONCEPTS:

The agent states that the existing dock has been in its current location since 1997. No licence of occupation or dock licence has ever been issued by the province for this dock; therefore, the Lakes Zoning Bylaw No. 900 did not recognize the dock. In 2015, the owners of Strata Lot 1 & 2 of KAS2305 replaced a portion of the existing dock, without a development permit, and a bylaw enforcement complaint was received. Upon receiving an application for a development permit, DS staff determined that the floating dock was providing communal moorage to the adjacent strata properties, and group moorage facility was not a permitted use in the FR1 zone. Further, the owners also stated that they had

8 existing private mooring buoys associated with the strata lots. Through a series of meetings between the owners and DS staff, the owners of KAS2305 submitted an application to rezone the water adjacent to KAS2305 to bring the property into compliance with Bylaw No. 900.

According to the dock plans supplied by the owners, the floating dock is 21.81 m² while the two walkways are 24.57 m² and 30.72 m² each. The total length of the dock and walkway is 33.48 m. The existing floating dock has 2 berths and is 7.15 m in length. The agent has indicated that the walkway exceeds the Provincial General Permission maximum width of 1.5 m at 2.1 m. Staff has informed the owners that a Provincial Specific Permission is required for this variance. The agent states that when she contacted FrontCounterBC, staff would not accept their Specific Permission application because the CSRD's rezoning process must be completed before the Specific Permission is issued.

As part of this application, the owners have indicated that they would like to also recognize the 8 private mooring buoys associated with the strata lots (4 buoys per strata lot) that existed before the adoption of Bylaw No. 900. The proposed bylaw amendment will create a zone boundary extending from the shoreline into Shuswap Lake that includes the dock and the 8 private mooring buoys. Bylaw No. 900 zone boundary currently only extends 200 m into Shuswap Lake in this area. This proposal will also extend the zone boundary 250 m into Shuswap Lake to include all 8 existing private mooring buoys. Further, this bylaw amendment will include a variance to the minimum setback area for the side parcel boundaries to the side zone boundaries, and the distance between Buoy I and Buoy J, as shown on Schedule 2 of Bylaw No. 900-22. Due to the curvature in the bay shoreline, the existing dock and buoys would be outside of the zone boundaries and would require a 0 m setback variance, if the setback was measured from the side parcel boundaries of the waterfront parcel projected onto the foreshore and water. Staff propose to measure the side boundaries from the proposed zone boundaries, and no variance is required for the existing dock or buoys. Of the buoys in the bay within the proposed zone area, two are within 20 m of one another; a variance has been included in this bylaw amendment to allow Buoy I and Buoy J (as shown on Schedule 2) to be within 18 m of each other. See "Maps_Plans_Photos_BL900-22.pdf" and "BL900-22_first.pdf".

The current FR1 zone allows 1 floating dock per adjacent waterfront parcel and 1 private mooring buoy per adjacent waterfront parcel having a lake boundary length of less than 30 m; the maximum width of the walkway must not exceed 1.5 m. The proposed FM2 zone allows a group moorage facility with 20 berths and 2 private mooring buoys; this zone does not have a maximum width for a walkway, but the floating dock surface must not exceed 3 m in width for any portion of the dock. The existing dock is 3.05 m in width; however, through the development permit process, the Manager of DS is able to issue a Development Permit with a minor variance.

Section 2.3.2.7 of Bylaw No. 725 states that the Regional District will encourage waterfront owners to consider shared docks in the interests of having one larger lock that extends into deep water, rather than a number of individual docks that are in relatively shallow water with higher fish habitat values. The existing dock is providing moorage for up to 4 dwelling units associated with KAS2305. If this rezoning is adopted, the owners of KAS2305 will be permitted one dock with 2 berths, and 8 private mooring buoys; no additional docks or buoys will be permitted.

SUMMARY:

DS staff is recommending BL900-22 be given first reading and sent to the referral agencies listed below for the following reasons:

- One shared dock for the strata will have less environmental impact on the foreshore area than the two permitted in the current zone;
- Bylaw No. 725 policies regarding waterfront development support this proposal; and,
- The owners are proposing to recognize existing uses that pre-date the adoption of Bylaw No. 900.

IMPLEMENTATION:

CSRD Policy P-18 regarding Consultation Processes- Bylaws, staff recommends the simple consultation process. Neighbouring property owners will first become aware of the application when a notice of application sign is posted on the property.

Referral Process

The following list of referral agencies is recommended:

- Advisory Planning Commission C;
- Interior Health Authority;
- Ministry of Environment;
- Ministry of Forests, Lands, Natural Resource Operations and Rural Development;
- Ministry of Forests, Lands, Natural Resource Operations and Rural Development – Archaeology Branch;
- Department of Fisheries and Oceans;
- FrontCounterBC;
- Transport Canada;
- CSRD Operations Management;
- CSRD Financial Services; and,
- All relevant First Nations Bands and Councils:
 - Neskonalith Indian Band;
 - Little Shuswap Indian Band; and,
 - Adams Lake Indian Band.

COMMUNICATIONS:

If the Board gives Bylaw No. 900-22 first reading, the bylaw will be sent out to referral agencies. Referral responses will be provided to the Board with a future Board report, prior to delegation of a public hearing.

DESIRED OUTCOMES:

That the Board endorse the staff recommendation.

BOARD'S OPTIONS:

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

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

1. Electoral Area C Official Community Plan Bylaw No. 725

2. Lakes Zoning Bylaw No. 900

Report Approval Details

Document Title:	2017-11-16_Board_DS_BL900-22_Gray-Ulry.docx
Attachments:	<ul style="list-style-type: none">- BL900-22_First.pdf- BL725_Policies_BL900-22.pdf- Maps_Plans_Photos_BL900-22.pdf
Final Approval Date:	Nov 7, 2017

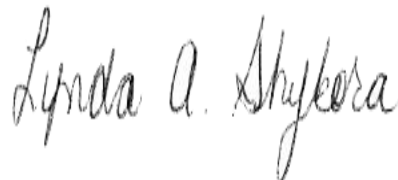
This report and all of its attachments were approved and signed as outlined below:



Corey Paiement - Nov 6, 2017 - 1:19 PM



Gerald Christie - Nov 7, 2017 - 8:15 AM



Lynda Shykora - Nov 7, 2017 - 8:37 AM



Charles Hamilton - Nov 7, 2017 - 8:43 AM

COLUMBIA SHUSWAP REGIONAL DISTRICT**LAKES ZONING AMENDMENT****(GRAY-ULRY) BYLAW NO. 900-22****A bylaw to amend the "Lakes Zoning Bylaw No. 900"**

WHEREAS the Board of the Columbia Shuswap Regional District adopted Bylaw No.900;

AND WHEREAS the Board deems it appropriate to amend Bylaw No. 900;

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

1. Bylaw No. 900 cited as "Lakes Zoning Bylaw No. 900" is hereby amended as follows:

A. TEXT AMENDMENT

1. Schedule A, Zoning Bylaw Text, Part 4 Zones, Section 4.7, Foreshore Multi-Family 2 Zone, is hereby amended by adding the following therefor:
 - i) Subsection .2 (b) Site Specific Density:

"For the surface of the *lake* adjacent to Strata Lots 1 & 2, Section 12, Township 21, Range 10, W6M, KDYD, Strata Plan KAS2305, together with an interest in the common property in proportion to the unit entitlement of the Strata Lot shown on Form V, the maximum number of berths is 2 and private mooring buoys is 8."
 - ii) Subsection .2 (c) Size of Dock:

"For the surface of the lake adjacent to Strata Lots 1 & 2, Section 12, Township 21, Range 10, W6M, KDYD, Strata Plan KAS2305, together with an interest in the common property in proportion to the unit entitlement of the Strata Lot shown on Form V, the minimum setback of private mooring buoys is 5 m from the side boundaries of the zone."
 - iii) Subsection .2 (d) Location and Siting:

"For the surface of the lake adjacent to Strata Lots 1 & 2, Section 12, Township 21, Range 10, W6M, KDYD, Strata Plan KAS2305, together with an interest in the common property in proportion to the unit entitlement of the Strata Lot shown on Form V, the minimum setback between Buoy I and Buoy J, as shown on Schedule 2 of Bylaw No. 900-22, is 18 m."

B. MAP AMENDMENT

1. Schedule B, Zoning Maps, is hereby amended by:
 - i) rezoning that part of Shuswap Lake lying adjacent to Strata Lots 1 & 2, Section 12, Township 21, Range 10, W6M, KDYD, Strata Plan KAS2305, together with an interest in the common property in proportion to the unit entitlement of the Strata Lot shown on Form V, which part is more particularly shown hatched on Schedule 1 attached hereto and forming part of this bylaw, from FR1 – Foreshore Residential 1, to FM2 – Foreshore Multi-Family 2.

BL 900-22

PAGE 2

2. This bylaw may be cited as "Lakes Zoning Amendment (Gray-Ulry) Bylaw No. 900-22."

READ a first time this _____ day of _____, 2017.

READ a second time this _____ day of _____, 2018.

PUBLIC HEARING held this _____ day of _____, 2018.

READ a third time this _____ day of _____, 2018.

ADOPTED this _____ day of _____ 2018.

CORPORATE OFFICER

CHAIR

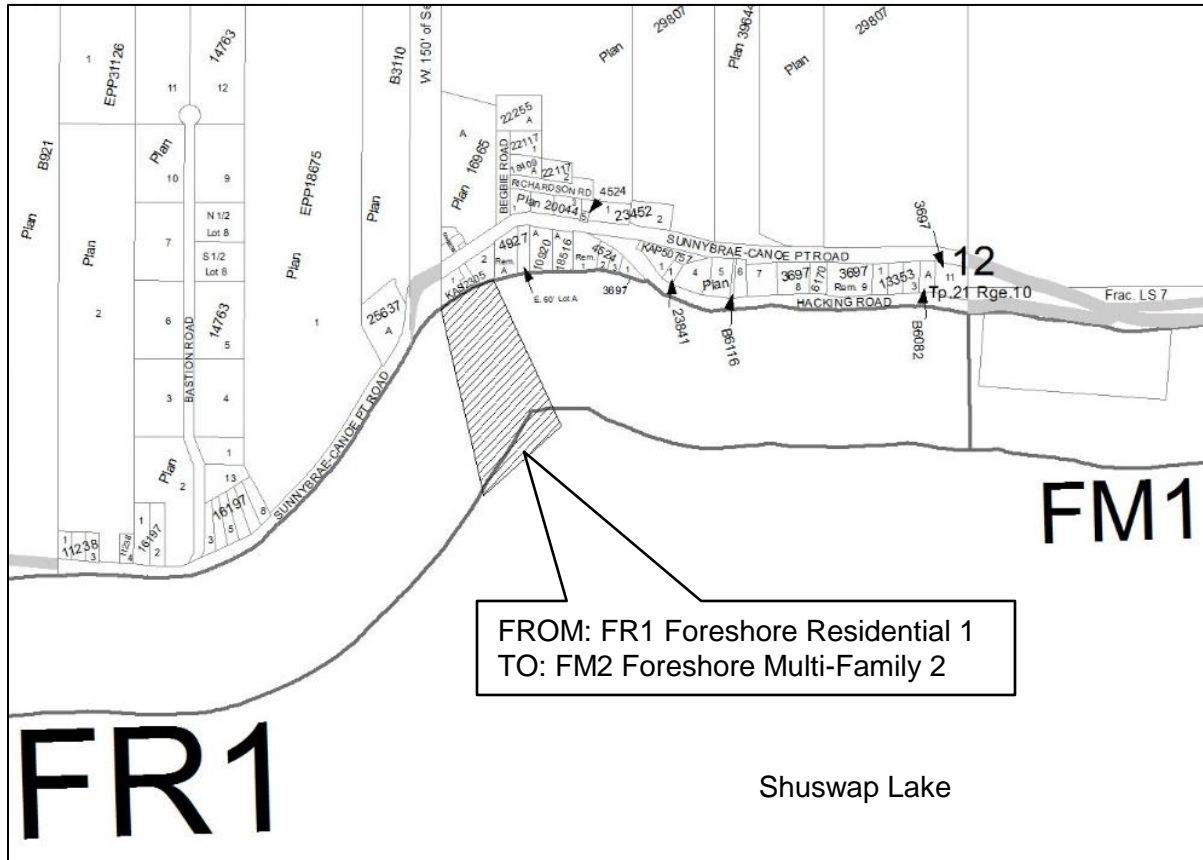
CERTIFIED a true copy of Bylaw No. 900-22
as read a third time.

CERTIFIED a true copy of Bylaw No. 900-22
as adopted.

Corporate Officer

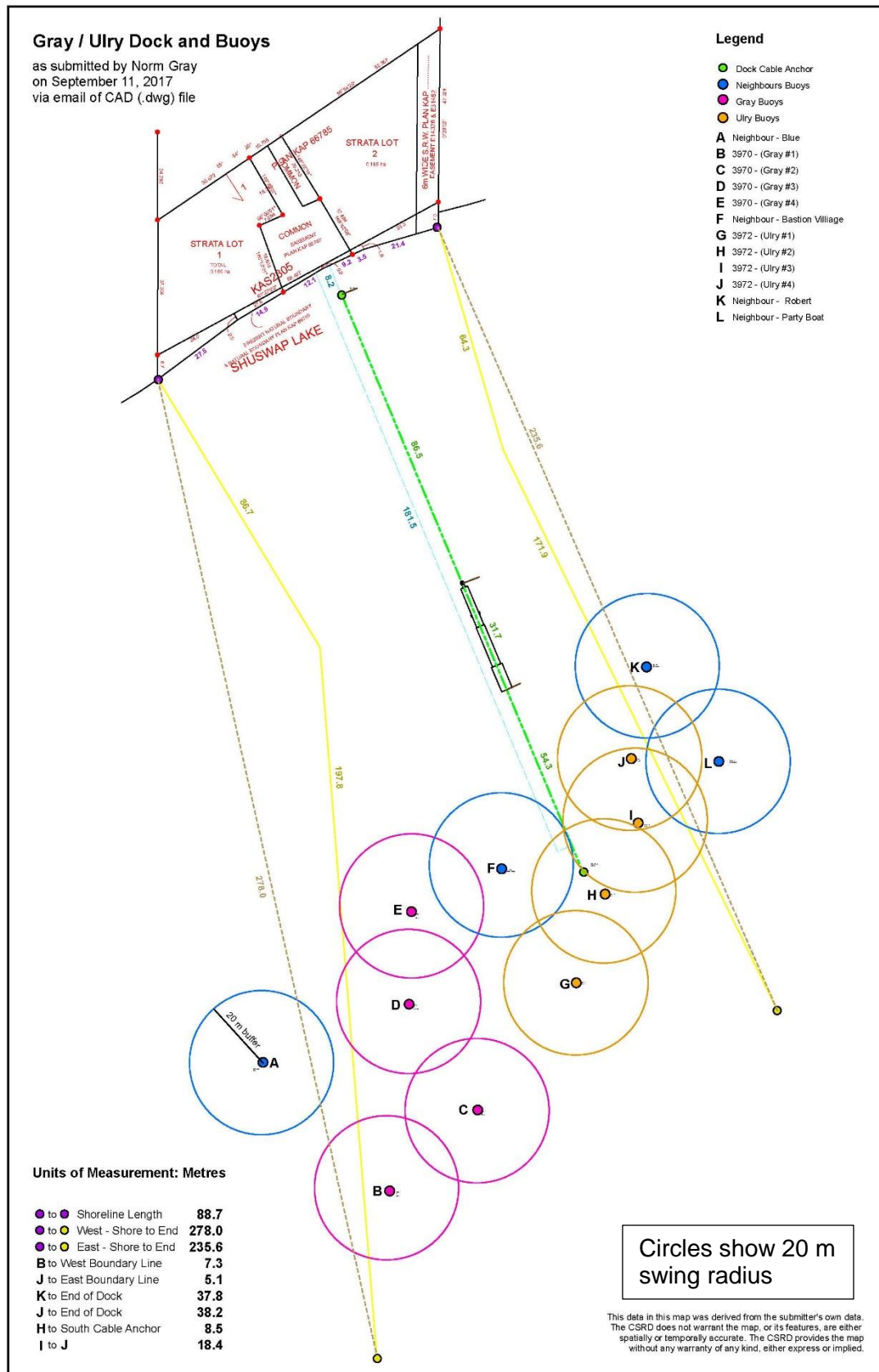
Corporate Officer

**LAKES ZONING AMENDMENT (GRAY-ULRY)
BYLAW NO. 900-22**



SCHEDULE 2

LAKES ZONING AMENDMENT (GRAY-ULRY) BYLAW NO. 900-22



Electoral Area C Official Community Plan Bylaw No. 725

Section 2. Protecting Our Lake Community

2.3 Shoreline Environment

Shorelines are among the most sensitive natural environments, as they are where two ecosystems merge — an aquatic ecosystem and a terrestrial ecosystem. Shoreline environments experience a significant amount of pressure from human activity, including the impacts from watercraft use. Private boat docks are common throughout the South Shuswap.

Though much of the upland of Shuswap and White Lake is privately owned, the Provincial Crown owns nearly all areas located between the high and low watermarks of lakes, streams and rivers. Individuals cannot build on, or develop, aquatic Crown land without the Province's authorization. If an owner of the adjacent upland property proposes to construct moorage, a licence of occupation for moorage is required from the Integrated Land Management Bureau.

2.3.1 Objectives

- .1 To maintain the unique physical and biological characteristics of the shoreline environment.
- .2 To maintain shoreline habitats to protect them from undesirable development.
- .3 To manage the foreshore to ensure appropriate use and prevent overdevelopment.

2.3.2 Policies

- .1 Non-moorage uses other than passive recreation are not acceptable on the foreshore. These include facilities such as beach houses, storage sheds, patios, sun decks, and hot tubs. Additionally, no commercial uses, including houseboat storage or camping, are acceptable on the foreshore.
- .2 Land owners must not alter the natural habitat and shoreline processes unless specifically authorized. The placement of fill and the dredging of aquatic land are not generally acceptable.
- .3 Encourage the Integrated Land Management Bureau, when carrying out reviews of foreshore tenure applications, to take the foregoing objectives and policies into consideration, with emphasis on the environmental sensitivity of the foreshore areas, as well as ensuring an appropriate relationship with upland areas.
- .4 Private moorage owners and builders will comply with the Ministry of Environment's Best Management Practices for Small Boat Moorage on Lakes, and minor works policies published by Transport Canada, Navigable Waters Protection Division prior to construction of any foreshore moorage (works).
- .5 Encourage Government agencies with mandates for protecting the environmental integrity of lakes in the South Shuswap to carry out scientific research and water quality testing to determine whether the quality of lake water near the shoreline is deteriorating, and if it is, to determine the cause(s) of the deterioration, and take steps toward correcting the situation.

The Regional District will:

- .6 Assess and strive to protect sensitive fish habitat when implementing the boat launching facilities provisions of the Electoral Area C Parks Plan;
- .7 Encourage waterfront owners to consider shared docks in the interests of having one larger dock that extends into deep water, rather than a number of individual docks that are in relatively shallow water with higher fish habitat values;

- .8 Advise and expect property owners to replace older, on-site sewage systems with newer technology to prevent potential contamination of the shoreline;
- .9 Advise and expect property owners not to remove vegetation along the shoreline that could result in erosion, loss of food and nutrients for fish, and loss of shade for young fish; landowners must refer to the Ministry of Environment's Best Management Practices for Hazard Tree and Non Hazard Tree Limbing, Topping or Removal; and
- .10 Implement Lakes Zoning Bylaw 900 which sets out regulations pertaining to the placement of docks and buoys

3.6 Waterfront Development

3.6.1 Objective

- .1 To maintain the near shore areas of Shuswap Lake, White Lake and Little White Lake ecologically intact by focusing development away from the shoreline and by minimizing impacts from moorage facilities.

3.6.2 Policies

- .1 New waterfront development will only be supported if it:
 - a) Is residential in nature;
 - b) Has maximum densities of:
 - i. 1 unit / 1 ha (1 unit /2.47 ac) on the waterfront in Secondary Settlement Areas and the Sorrento Village Centre; or
 - ii. 1 unit / 2 ha (1 unit / 4.94 ac) in all other areas;
 - c) Creates lots each with a minimum of 30 m of water frontage;
 - d) Is located a minimum of 50 m away from the natural boundary of Shuswap Lake, White Lake and Little White Lake: Development Permit Areas may apply, see Section 12 of this plan; and
 - e) Provides adequate moorage subject to the moorage policies in Section 3.7.
- .2 Development on waterfront parcels should be clustered to minimize impact on the landscape and preserve natural open space. Applications that do not include Section 219 covenants to prohibit additional subdivision, protect natural areas from further development and address other site specific considerations will not be supported.

3.7 Foreshore Water (FW) (Moorage)

3.7.1 Objective

- .1 To acknowledge existing permitted private moorage uses and commercial marinas and provide limited opportunities for future moorage associated with residential development.

3.7.2 Policies

- .1 Moorage, including docks, private moorage buoys and boat lifts, may be considered only for new fee-simple waterfront parcels.
- .2 New development proposals on the waterfront parcel will provide a maximum of 1 moorage space per:
 - a) New waterfront parcel created; or
 - b) 30m of water frontage of the parent parcel; and

Each moorage space shall be calculated as 10 m linear length of dock that may be used for mooring a single vessel.

- .3 Dry land boat storage solutions are strongly preferred over floating or fixed docks for all new or redeveloped waterfront properties.
- .4 Moorage proposals will be located away from or redesigned to avoid negative impacts on adjacent structures and uses, including other docks, marinas, beach access points, parks, utilities, water intakes, etc.
- .5 Support for new waterfront proposals should consider the provision of related public amenities such as dedicated moorage spaces and facilities for public use, dedicated public accesses to the foreshore (including boat launches), waterfront park dedication, or similar amenities which enable greater public access and use of the foreshore and water.
- .6 Moorage should be located away from or be designed to have minimal impact on fish and riparian habitat. The Shuswap Watershed Mapping Project data, as updated from time to time on the Community Mapping Network (www.cmnbc.ca), should be referenced to help determine habitat values (other government data sources may also be utilized).

12.2 Foreshore and Water Development Permit Area

.1 Purpose

The Foreshore and Water Development Permit Area is designated under the *Local Government Act* for the protection of the natural environment, its ecosystems and biological diversity.

.2 Justification

The Foreshore and Water Development Permit Area arises from the growing impact that structures, including (but not limited to) docks, swimming platforms, and private mooring buoys, are having on the lakes in the Electoral Area. Evidence of these impacts is documented in the Shuswap Watershed Mapping Project, which was completed in conjunction with Fisheries & Oceans Canada, the BC Ministry of Environment and environmental consultants.

The intent of the Foreshore and Water Development Permit Area is to:

- .1 Allow for the proper siting of structures on the foreshore and swimming platforms in the water to prevent or minimize negative impacts on lake ecology, including fish habitat; and,
- .2 Complement the Riparian Areas Regulation (RAR) and Shuswap Lake 100 m Development Permit Areas, recognizing the important and sensitive interrelationship of these shoreline areas.

.3 Area

The Foreshore and Water Development Permit Area extends from the lake's natural boundary across the entire area of Shuswap Lake, White Lake and Little White Lake. In the case of Shuswap Lake, the DPA extends to the Electoral Area 'C' boundary.

.4 Exemptions

A Foreshore and Water DPA is not required for the following:

- .1 Structures and works associated with a public park use;

- .2 Installation and maintenance of utilities and utility corridors;
- .3 Subdivision;
- .4 Commercial and multi-family moorage facilities, including marinas and strata moorage structures, requiring Provincial tenure. (*Rationale: these facilities undergo Provincial review and are referred to other government agencies, including Fisheries and Oceans Canada, through that process, thus satisfying the intent of this Development Permit Area*);
- .5 Maintenance and alterations of existing structures, except:
 - a. alterations which increase the size of the existing structures;
 - b. removal and reconstruction of existing structures; or
 - c. replacement docks and swimming platforms, as defined by the guidelines below; or,
- .6 Land alterations that will demonstrably increase environmental values (e.g. creation of additional fish habitat).

.5 Guidelines

For all relevant guidelines, the Shuswap Watershed Atlas, based on the Shuswap Watershed Mapping Project, will be referenced to determine an area's Aquatic Habitat Index Rating, known fish rearing and spawning areas, natural features such as stream deltas and vegetation, etc.

.1 For new and replacement docks and for new and replacement swimming platforms

These guidelines apply to the first-time placement of a dock or to the replacement of an existing dock or swimming platform. Docks will be considered 'replacement docks' and 'replacement swimming platforms' if more than 75% of the materials will be replaced within a 3 year period.

Docks and swimming platforms shall:

- a. minimize impact on the natural state of the foreshore and water whenever possible;
- b. not use concrete, pressure-treated wood (i.e. creosote), paint or other chemical treatments that are toxic to many aquatic organisms, including fish, and severely impact aquatic environments;
- c. use untreated materials (e.g. cedar, tamarack, hemlock, rocks, plastic, etc.) as supports for structures that will be submerged in water. Treated lumber may contain compounds that can be released into the water and become toxic to the aquatic environment;
- d. use only treated lumber that is environmentally-friendly for structures that are above water;
- e. be made by cutting, sealing and staining all lumber away from the water using only environmentally-friendly stains. All sealed and stained lumber should be completely dry before being used near water;
- f. have plastic barrel floats that are free of chemicals inside and outside of the barrel before they are placed in water;
- g. avoid the use of rubber tires as they are known to release compounds that are toxic to fish;
- h. be sited in a manner which minimizes potential impacts on fish spawning and rearing habitat areas;
- i. be sited in a manner which minimizes potential impacts on water intakes and other utilities; and,
- j. avoid aquatic vegetation and minimize disturbance to the lakebed and surrounding aquatic vegetation by positioning the dock or swimming platform in water deep enough to avoid grounding and to prevent impacts by prop wash in the case of docks. A minimum 1.5 m (4.92 ft) water depth at the lake-end of the dock is recommended at all times.

.2 For new private mooring buoys

These guidelines apply to the first-time placement of a private mooring buoy, including its anchoring system.

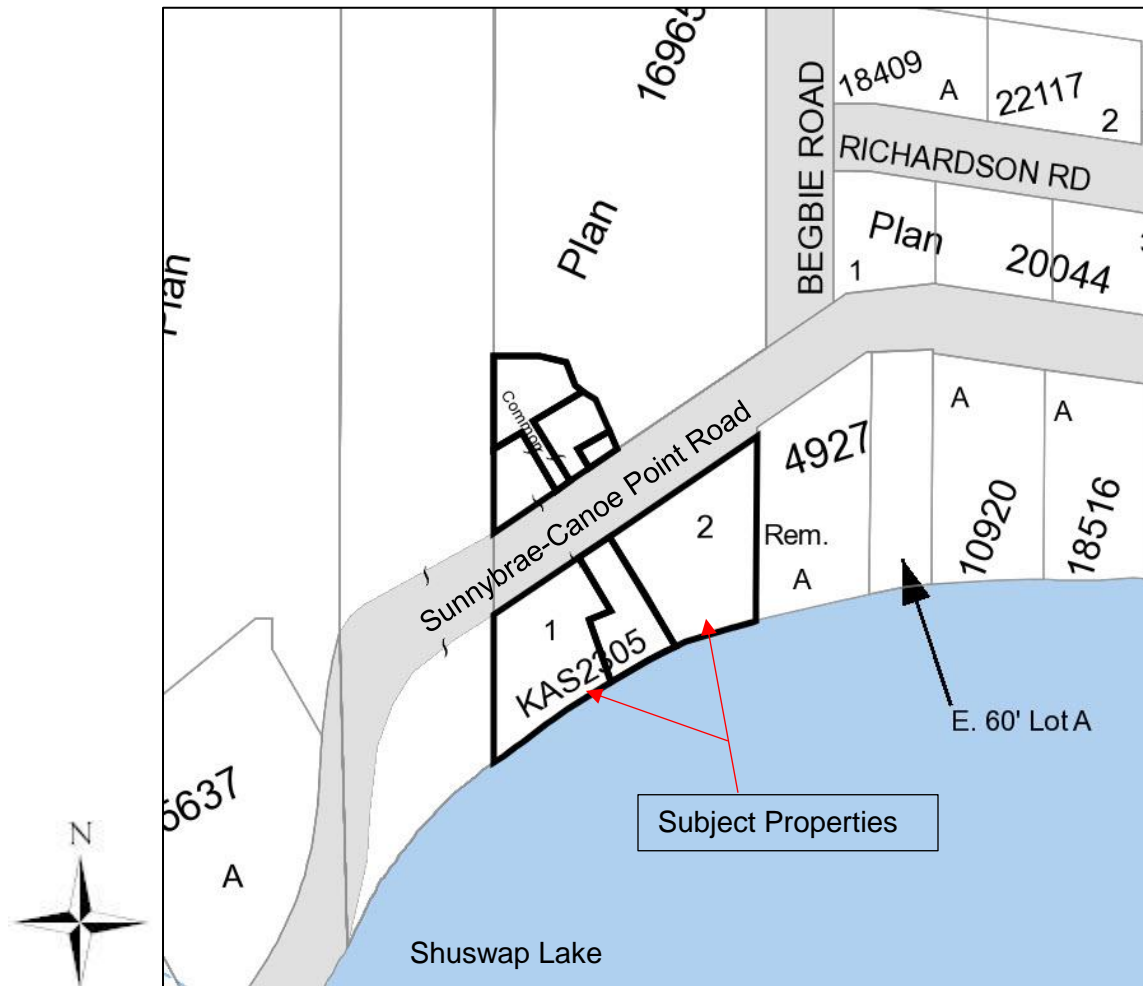
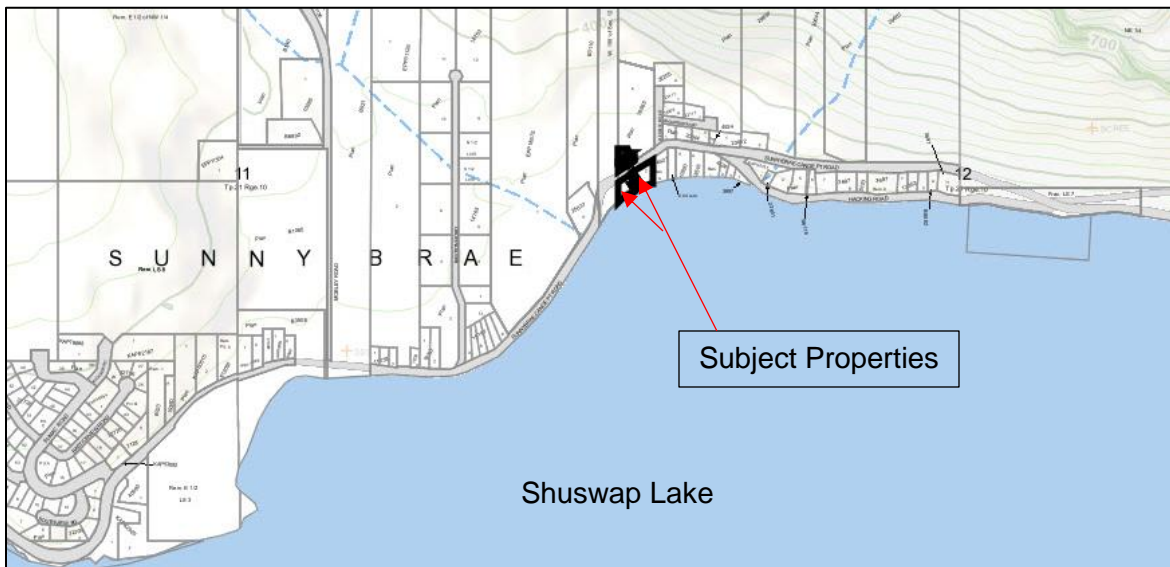
Private mooring buoys shall:

- a. avoid aquatic vegetation and minimize disturbance to the lakebed and surrounding aquatic vegetation;
- b. use helical (versus block) anchors whenever possible;
- c. use only materials intended for boat moorage, such as rigid plastic foam or rigid molded plastic, which do not contain chemicals that are toxic to aquatic organisms;
- d. be sited in a manner which minimizes potential impacts on fish spawning and rearing habitat areas; and,
- e. be sited in a manner which minimizes potential impacts on water intakes and other utilities.

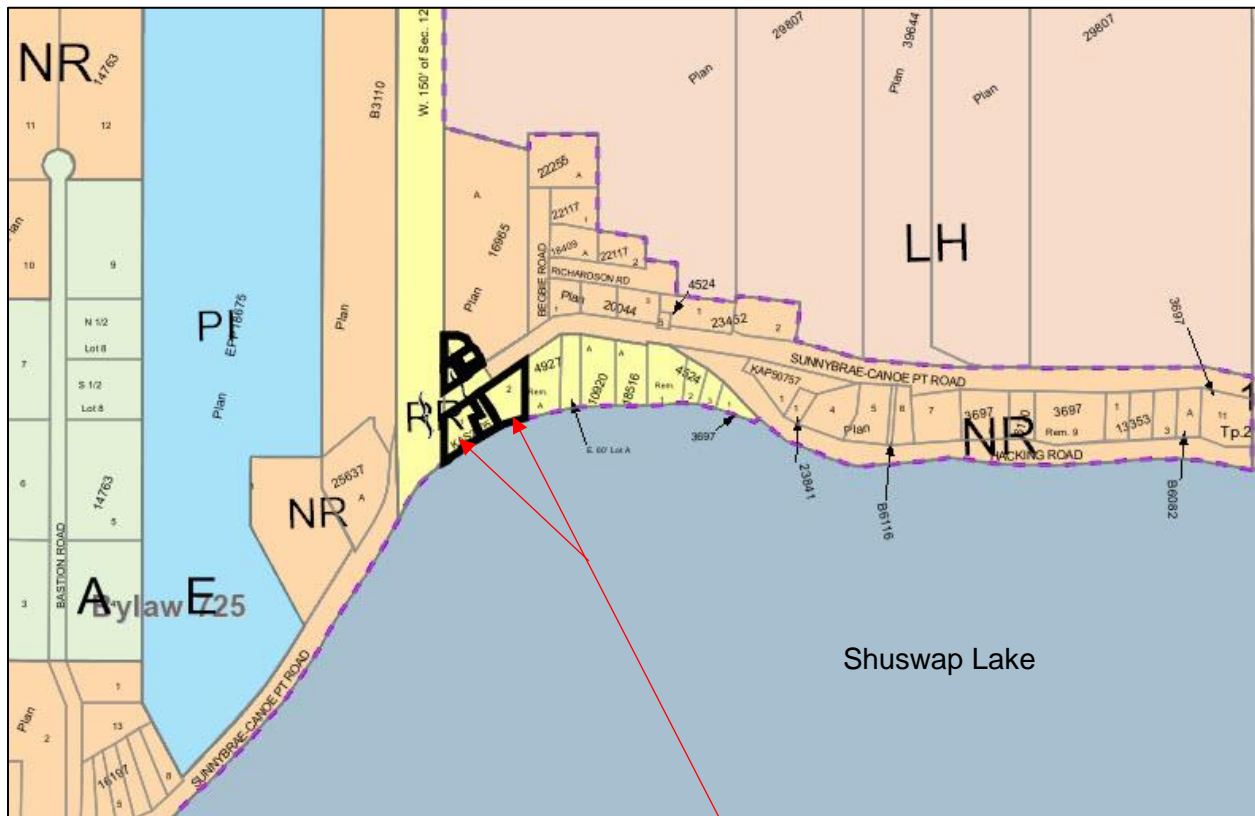
.3 For other land alterations

Proposed land alterations not listed in the exemptions section and not including new and replacement docks and new private mooring buoys shall be accompanied by a written submission from a qualified environmental professional outlining the proposed alteration, expected impacts on the foreshore or water environment and any mitigation efforts which should accompany the proposed alterations.

Location

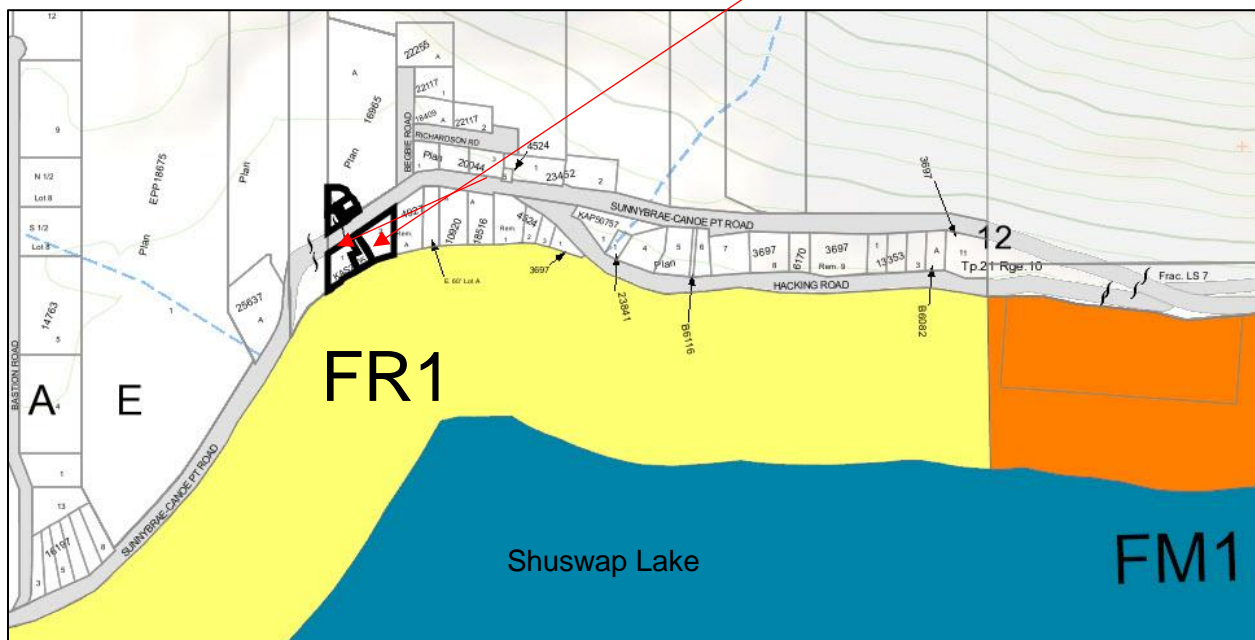


OCF

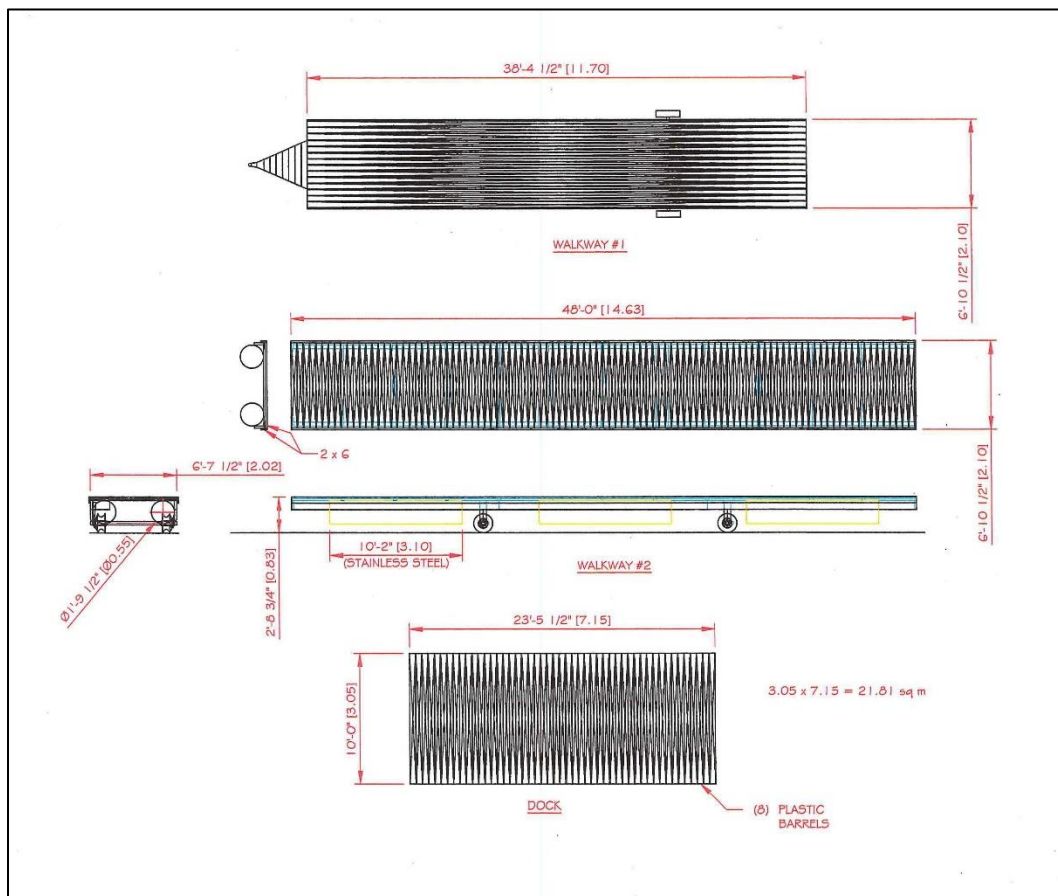
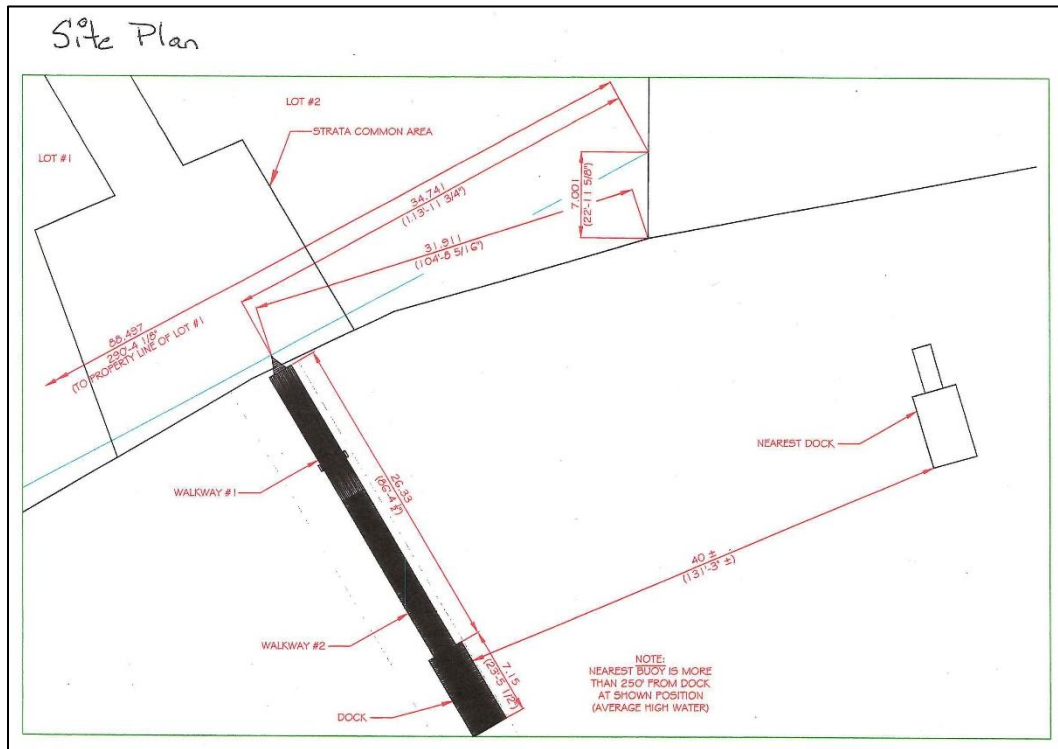


Subject Properties

Lakes Zoning



Site Plan

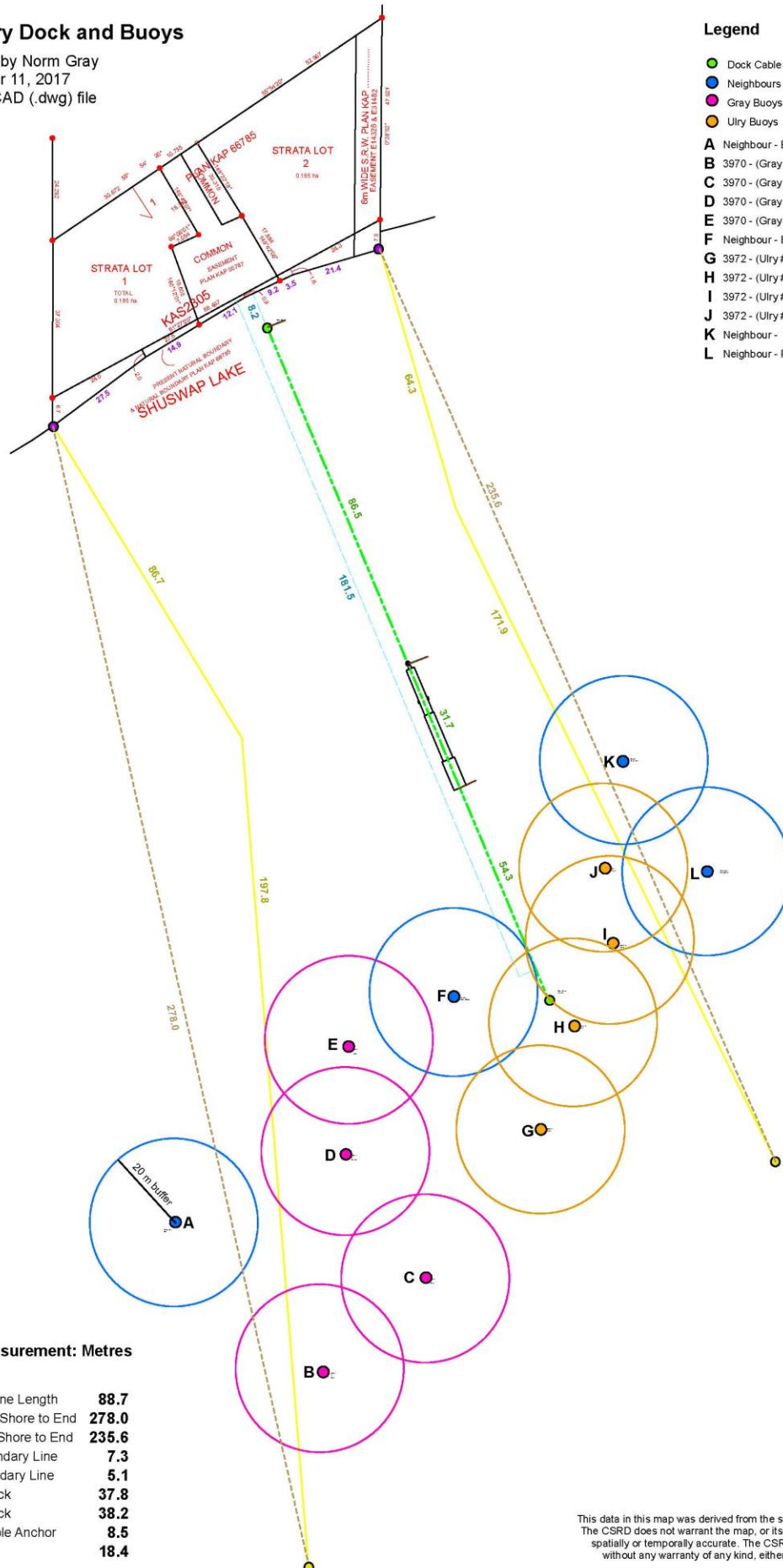


Gray / Ulry Dock and Buoys

as submitted by Norm Gray
on September 11, 2017
via email of CAD (.dwg) file

Legend

- Dock Cable Anchor
- Neighbours Buoys
- Gray Buoys
- Ulry Buoys
- A** Neighbour - Blue
- B** 3970 - (Gray #1)
- C** 3970 - (Gray #2)
- D** 3970 - (Gray #3)
- E** 3970 - (Gray #4)
- F** Neighbour - Bastion Village
- G** 3972 - (Ulry #1)
- H** 3972 - (Ulry #2)
- I** 3972 - (Ulry #3)
- J** 3972 - (Ulry #4)
- K** Neighbour - Robert
- L** Neighbour - Party Boat

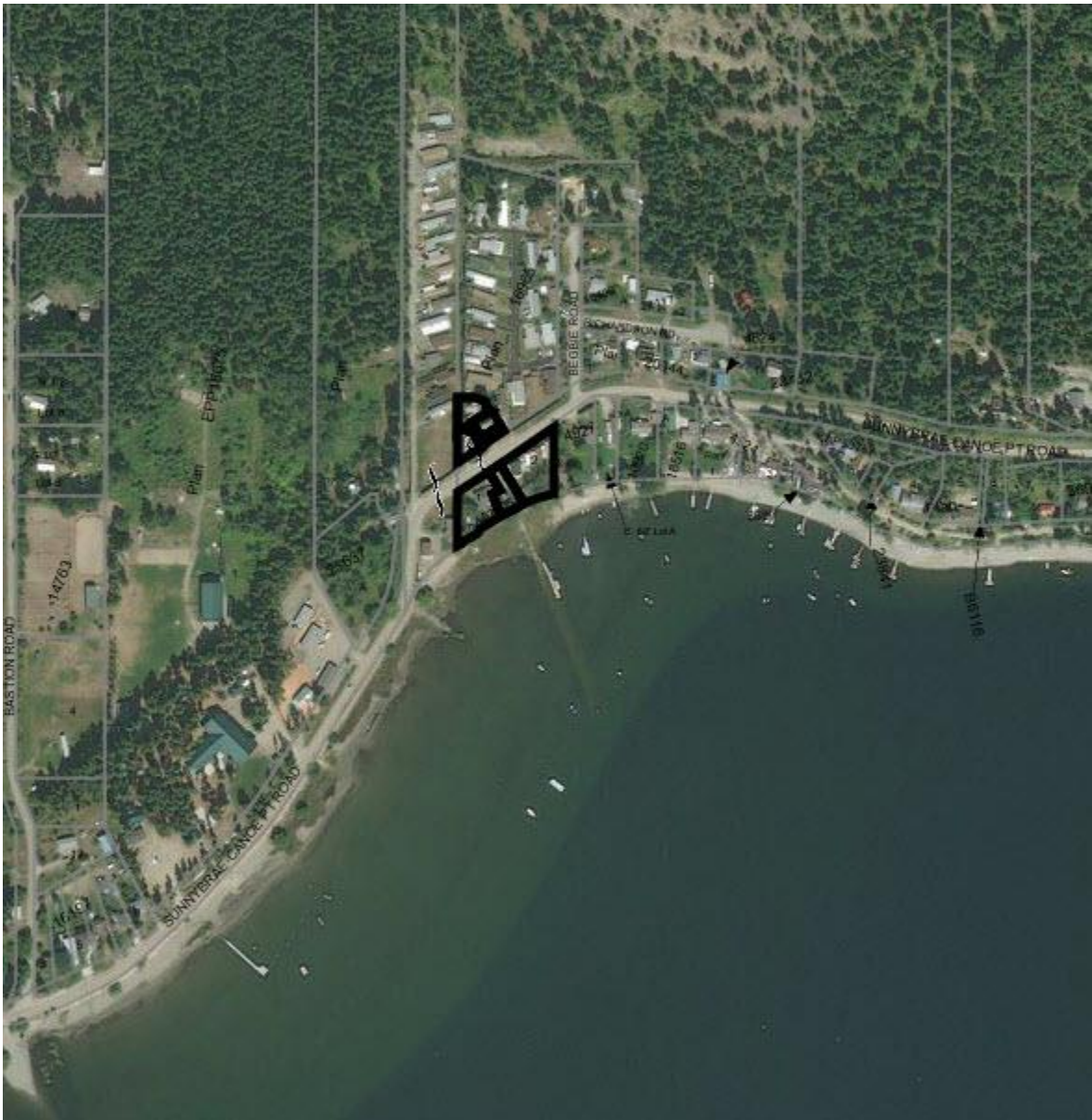


Units of Measurement: Metres

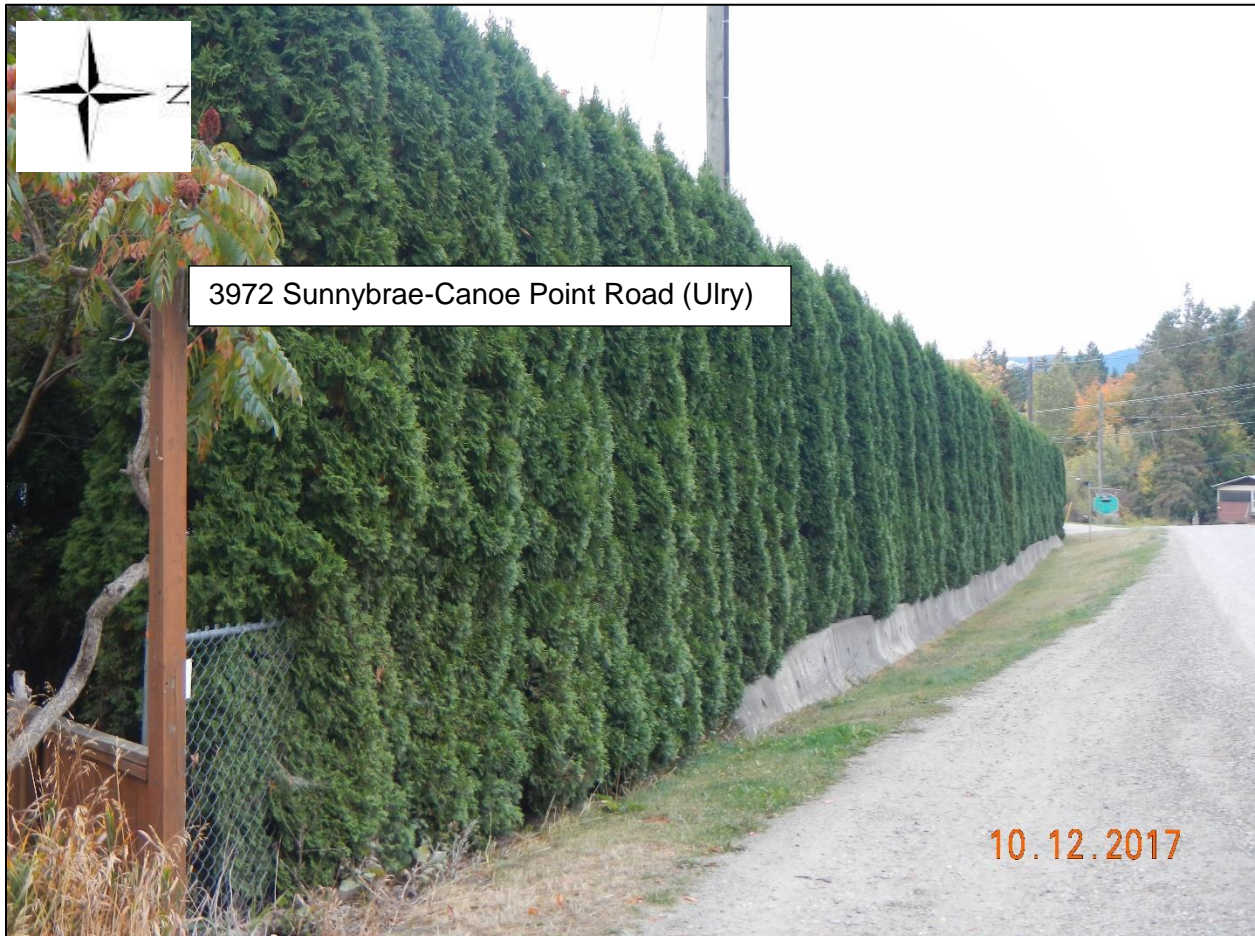
● to ● Shoreline Length	88.7
● to ● West - Shore to End	278.0
● to ● East - Shore to End	235.6
B to West Boundary Line	7.3
J to East Boundary Line	5.1
K to End of Dock	37.8
J to End of Dock	38.2
H to South Cable Anchor	8.5
I to J	18.4

This data in this map was derived from the submitter's own data. The CSRD does not warrant the map, or its features, are either spatially or temporally accurate. The CSRD provides the map without any warranty of any kind, either express or implied.

Orthophoto



Photos















Floating dock









BOARD REPORT

TO: Chair and Directors

File No: BL2558 PL20160145

SUBJECT: Electoral Area D: Salmon Valley Land Use Amendment (674816 BC LTD.) Bylaw No. 2558

DESCRIPTION: Report from Jennifer Sham, Planner, dated October 25, 2017.
Highway 97, Falkland

RECOMMENDATION #1: THAT: "Salmon Valley Land Use Amendment (674816 BC LTD.) Bylaw No. 2558" be read a second time this 16th day of November, 2017.

RECOMMENDATION #2: THAT: a public hearing to hear representations on "Salmon Valley Land Use Amendment (674816 BC LTD.) Bylaw No. 2558" be held;

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

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

SHORT SUMMARY:

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

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

See "2017-08-17_Board_DS_BL2558_674816BCLTD.pdf".

POLICY:

See "2017-08-17_Board_DS_BL2558_674816BCLTD.pdf".

FINANCIAL:

There are no financial implications to the CSR D with regard to this application.

KEY ISSUES/CONCEPTS:

See "2017-08-17_Board_DS_BL2558_674816BCLTD.pdf".

Proposal

The applicant has applied for subdivision to create 5 lots: 3 commercial lots (adjacent to Highway 97) and 2 residential lots, on the 2.43 ha subject property. This rezoning is not required to create the 5 lots as the lots meet the minimum parcel size of 4000 m² as set out in the Commercial zone in Bylaw No. 2500; however, the bylaw amendment is required because the applicant would like to:

- add outdoor storage of vehicles, boats, and trailers to the list of permitted uses in the Commercial zone for proposed lot 5; and,
- rezone proposed lots 3 and 4 lots to RS Single and Two Family Residential for residential use.

SUMMARY:

The proposal is to allow outdoor vehicle, boat, and trailer storage on proposed lot 5 and to create 2 residential lots from the parent property. Staff is recommending second reading and delegation of a public hearing for the following reasons:

- the residential use proposed is consistent with the land use pattern policies in Bylaw No. 2500;
- new commercial development is encouraged in Falkland along Highway 97 as stated in Bylaw No. 2500; and,
- in general, there have been no objections from other referral agencies.

IMPLEMENTATION:

Consultation process

As per CSRD Policy No. P-18 regarding Consultation Processes-Bylaws, staff recommended the simple consultation process. Notice of development signs were posted on the property on September 15, 2017, following first reading on August 17, 2017. As of the date of this report, no written submissions have been received.

COMMUNICATIONS:

See "Agency_referral_responses_BL2558.pdf".

Bylaw No. 2558 was sent out to the following referral agencies for comments:

Area 'D' Advisory Planning Commission:

Recommended approval

Ministry of Transportation and Infrastructure:

Preliminary Approval granted for one year. Bylaw requires MOT endorsement after third reading.

Interior Health:

Recommended approval subject to conditions. This land use plan may impact the proposed residential zoning from the increased vehicles and noise. This will impact both road safety and sense of security for those living in the single family units. IHA recommends that this land use change [consider] the potential health impact by assessing the potential risks.

CSRD Operations Management:

Utilities – Servicing of this property will require engineering work to be completed by the CSRD to determine the costs and particulars of the connection. The costs of the connection and preliminary engineering would be the responsibility of the applicant along with the connection fees.

Protective Services – Due to the construction materials used in the manufacture of trailers and the combustible gases stored in recreational vehicles the increased fire risk and proximity to residential zoning should be considered as part of this re-designation.

Fire Services – Proponent must ensure adequate road access for emergency vehicles as per MOTI requirements.

Little Shuswap Indian Band:

Requested that 1) an Archaeological Investigation Permit be applied for and conducted on the proposed development site prior to any development or ground disturbance; and 2) forward all information regarding archaeology studies that have been conducted for this site.

BC Hydro:

Interests unaffected. If the subdivision proceeds, all electrical servicing would be by design upon application by the developer and subject to the applicable BC Hydro extension policy in effect at the time of application.

Fortis BC:

Fortis BC has a Transmission Pressure pipeline that runs through the lot in question. Fortis BC does not allow any buildings, structures or storage of vehicles or boats any kind within the right of way. Please be advised that during any construction there will be no storage of any building materials within the right of way. Heavy equipment crossing a right of way, or any work within 10 m of the pipeline or within the right of way, will require a permit.

Ministry of Forests, Lands and Natural Resource Operations and Rural Development:

No objections.

The following agencies did not respond to the request for comments:

- Ministry of Forests, Lands and Natural Resource Operations and Rural Development - Archaeology Branch
- Adams Lake Indian Band
- Coldwater Indian Band
- Cook's Ferry Indian Band
- Lower Similkameen Indian Band
- Neskonlith Indian Band
- Nlaka'pamux Nation Tribal Council
- Okanagan Indian Band
- Okanagan Nation Alliance
- Penticton Indian Band
- Siska Indian Band
- Splat's'in First Nation
- Esh-kn-am Cultural Resource Management Services.

DESIRED OUTCOMES:

That the Board endorse staff recommendations.

BOARD'S OPTIONS:

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

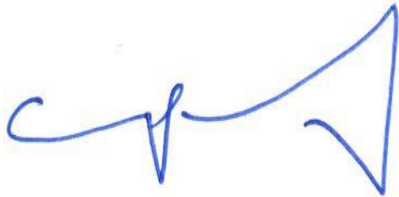
LIST NAME OF REPORT(S) / DOCUMENT(S) AVAILABLE FROM STAFF:

1. Salmon Valley Land Use Bylaw No. 2500

Report Approval Details

Document Title:	2017-11-16_Board_DS_BL2558_674816BCLtd.docx
Attachments:	<ul style="list-style-type: none"> - BL2558_second_reading.pdf - 2017-08-17_Board_DS_BL2558_674816BCLTD.pdf - BL2558_first_reading.pdf - Agency_referral_responses_BL2558.pdf - Maps_Plans_BL2558.pdf
Final Approval Date:	Nov 6, 2017

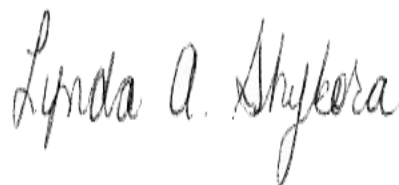
This report and all of its attachments were approved and signed as outlined below:



Corey Paiement - Nov 3, 2017 - 10:16 AM



Gerald Christie - Nov 3, 2017 - 2:16 PM



Lynda Shykora - Nov 6, 2017 - 10:20 AM



Charles Hamilton - Nov 6, 2017 - 10:23 AM

COLUMBIA SHUSWAP REGIONAL DISTRICTSALMON VALLEY LAND USE AMENDMENT (674816 BC LTD.) BYLAW NO. 2558A bylaw to amend the "Salmon Valley Land Use Bylaw No. 2500"

WHEREAS the Board of the Columbia Shuswap Regional District adopted Bylaw No. 2500;

AND WHEREAS the Board deems it appropriate to amend Bylaw No. 2500;

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

1. "Salmon Valley Land Use Bylaw No. 2500" is hereby amended as follows:

A. TEXT AMENDMENT

i) Part II Land Use Regulations, Section 2.10 is hereby amended as follows:

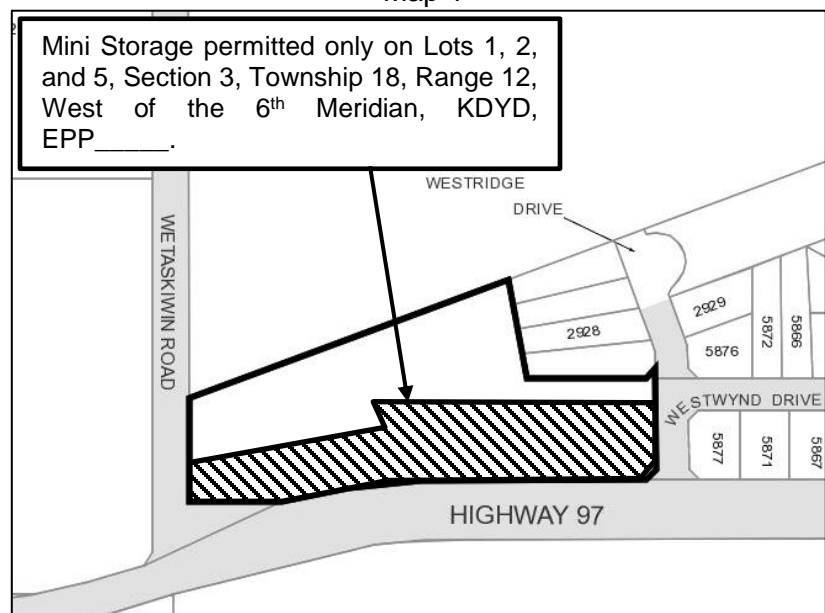
a) by removing Subsection 2.10.3 in its entirety and replacing it as follows:

"Special Regulation

2.10.3 In this subsection, lands are described by legal description and by map, and in the event of any discrepancy between the legal description of the lands and the map, the map governs.

a) In addition to the permitted uses listed in Subsection 2.10.1, the principal uses on Lots 1, 2 and 5, Section 3, Township 18, Range 12, West of the 6th Meridian, Kamloops Division Yale District, EPP____, which part is more particularly shown hatched on Map 1, shall include "mini storage".

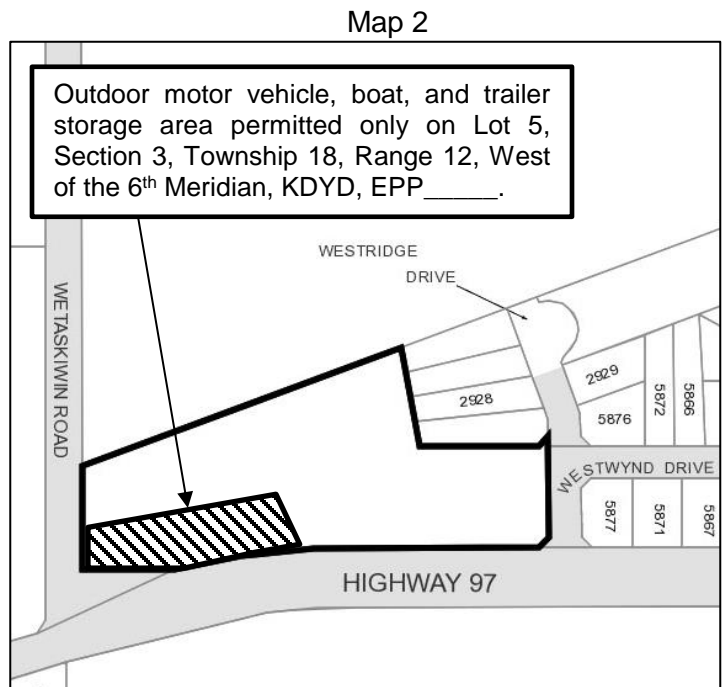
Map 1



b) by adding Subsection 2.10.4 as follows:

"2.10.4 in this subsection, lands are described by legal description and by map, and in the event of any discrepancy between the legal description of the lands and the map, the map governs.

- a) In addition to the permitted uses listed in Subsection 2.10.1 and 2.10.3, the principal use on Lot 5, Section 3, Township 18, Range 12, West of the 6th Meridian, Kamloops Division Yale District, EPP____, which part is more particularly shown hatched on Map 2, shall include "outdoor motor vehicle, boat, and trailer storage area".



- c) Part III Interpretation and Administration, subsection 3.1.1 is hereby amended by adding the following definition after the definition of "organic matter composting facility":

"outdoor motor vehicle, boat, and trailer storage area" means the parking of motor vehicles, recreational vehicles, boats, and trailers including boat, utility, horse, flatbed, and camper, but does not include wrecking yard, salvage operation, or junk yard."

B. MAP AMENDMENT

- i) Schedule A, the OCP Designation Maps, which form part of the "Salmon Valley Land Use Bylaw No. 2500", as amended, is hereby further amended by:
- a. redesignating Lots 3 and 4, Section 3, Township 18, Range 12, West of the 6th Meridian, KDYD EPP____, which part is more particularly shown hatched on Schedule 1 attached hereto and forming part of this bylaw from C – Commercial to RS – Single and Two Family Residential.

- ii) Schedule C, Land Use Zoning Maps, which form part of the "Salmon Valley Land Use Bylaw No. 2500", as amended, is hereby further amended by:
 - a. Rezoning Lots 3 and 4, Section 3, Township 18, Range 12, West of the 6th Meridian, KDYD EPP_____, which part is more particularly shown hatched on Schedule 2 attached hereto and forming part of this bylaw from C – Commercial to RS – Single and Two Family Residential.

2. This bylaw may be cited as "Salmon Valley Land Use Amendment (674816 BC LTD.) Bylaw No. 2558."

READ a first time this 17th day of August, 2017.

READ a second time this _____ day of _____, 2017.

PUBLIC HEARING held this _____ day of _____, 2017.

READ a third time this _____ day of _____, 2018.

RECEIVED approval from the Ministry of Transportation and Infrastructure this ____ day of _____, 2018.

ADOPTED this _____ day of _____, 2018.

CORPORATE OFFICER

CHAIR

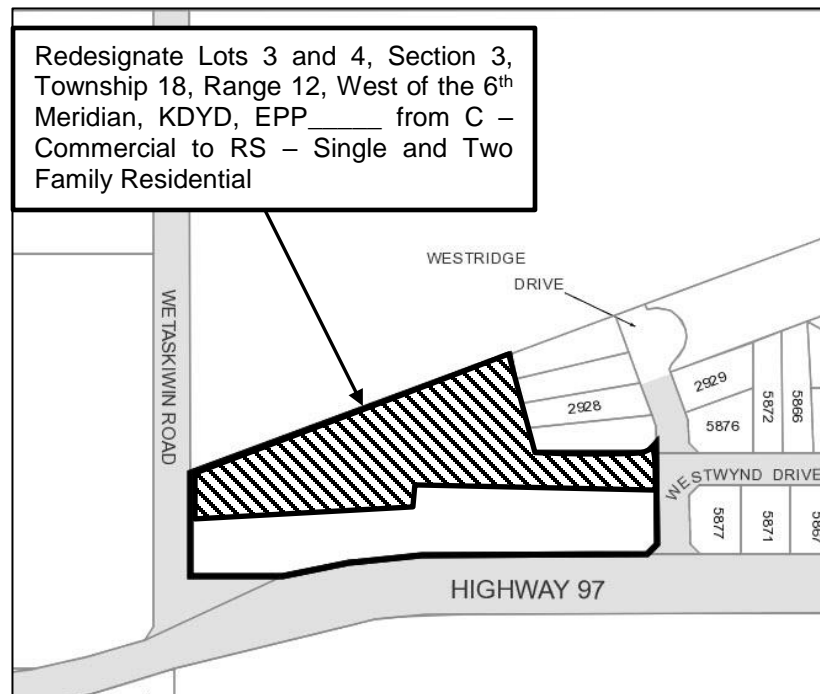
Certified true copy of Bylaw No. 2558
as read a third time.

Certified true copy of Bylaw No. 2558
as adopted.

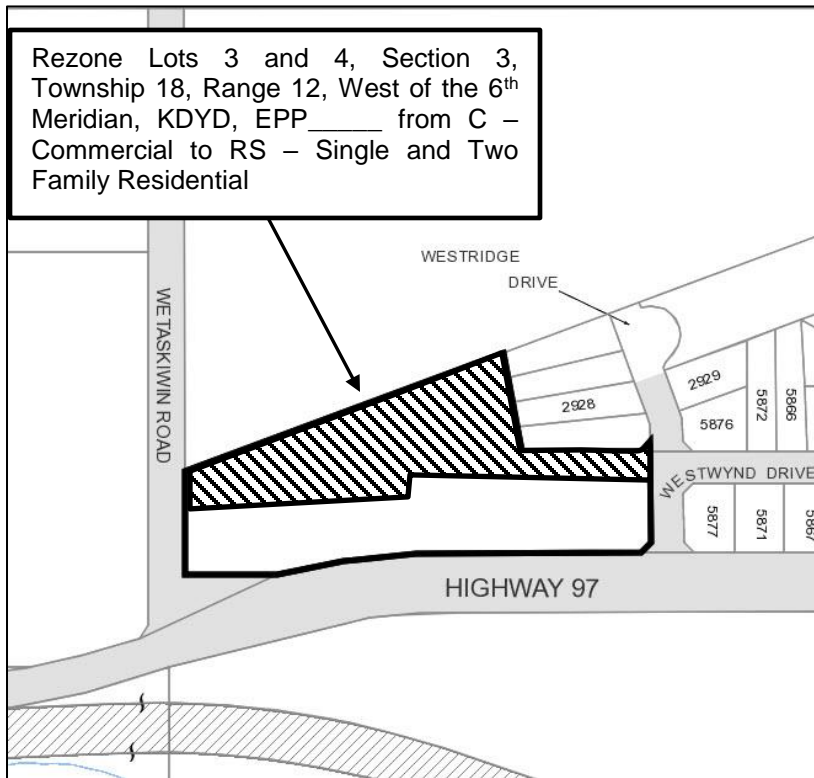
Corporate Officer

Corporate Officer

Schedule 1
OCP Designation Maps Amendment
Salmon Valley Land Use Amendment (674816 BC Ltd.)
Bylaw No. 2558



Schedule 2
Land Use Zoning Maps Amendment
Salmon Valley Land Use Amendment (674816 BC Ltd.)
Bylaw No. 2558





BOARD REPORT

TO:
Chair and Directors

File No: BL2558 CV20160145

SUBJECT:

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

DESCRIPTION:

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

RECOMMENDATION:

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

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

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

SHORT SUMMARY:

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

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

REGISTERED OWNER:
674816 BC Ltd.

AGENT:
Baldalip Thind

ELECTORAL AREA:
D

LEGAL DESCRIPTION:

Lot A Section 3 Township 18 Range 12 W6M KDYD Plan KAP49754 Except Plan KAP49757

SURROUNDING LAND USE PATTERN:

North = Residential, High Density Residential, Vacant

South = Highway 97, Rural Residential

East = Westwynd Drive, Residential

West = Wetaskiwin Road, Rural

CURRENT USE:

Vacant

PROPOSED USE:

Commercial (Lots 1, 2, and 5) and Residential (Lots 3 and 4)

PARCEL SIZE:

2.43 ha

PROPOSED PARCEL SIZES:

Lot 1 = 0.4 ha

Lot 2 = 0.51 ha (0.44 ha exclusive of panhandle)

Lot 3 = 0.55 ha (0.49 ha exclusive of panhandle)

Lot 4 = 0.48 ha

Lot 5 = 0.49 ha

DESIGNATION/ZONE:

Salmon Valley Land Use Bylaw No. 2500

C Commercial (site specific zone)

PROPOSED DESIGNATION/ZONE:

C Commercial & RS Single and Two Family Residential

AGRICULTURAL LAND RESERVE: 0 %

SITE COMMENTS: A site visit was not conducted. The parent property that created the subject property was recently subdivided in 2017 (EPP58847) - the subject property is the remainder parcel. According to orthophotographs, the property is currently vacant.

POLICY:**Salmon Valley Land Use Bylaw No. 2500****Part 1 Broad Objectives and Policies**

Policy 1.9.2.4 Future single family residential uses with a minimum parcel size of 1400 m² or less and multifamily residential uses shall be limited to areas within the community of Falkland.

Policy 1.9.2.7 New highway commercial and service commercial uses are encouraged to concentrate in Falkland, fronting on Highway 97.

2.2.14 Screening

Screening required by this bylaw shall be provided by the owner of a parcel at the time of development of the parcel and shall be constructed, erected, installed, or planted prior to the occupancy or use of the building or structure constructed, erected, or located on the parcel, and will be maintained by the registered owner(s) of the property.

2.2.14.1 Screening having a height of not less than 1.8 m shall be provided by the owner of a parcel zoned as C, RC, GI, GC, or AP along all parcel boundaries which abut parcels zoned as RR, RS, RHS, or RM.

2.7 RS Single and Two Family Residential

Permitted uses: single family dwelling; two family dwelling; home occupation; accessory use.

Maximum number of dwellings: 1 single family dwelling or 1 two family dwelling per parcel;

Minimum parcel size for subdivision for a single family dwelling:

Serviced by both a community water and sewer system = 700 m²

Serviced by a community water system = 4000 m²

Minimum parcel size of subdivision for a two family dwelling or church:

Serviced by both a community water and sewer system = 1000 m²

Serviced by a community water system = 4000 m²

2.10 C Commercial

Permitted uses: automotive part supply; bank; boat building; botanical and zoological garden; building material supply; campground, recreation vehicle park; car wash; commercial recreation establishment; contractor and tradesman office and works yard; convenience store; farm and garden supply; fruit and vegetable sales; gasoline service station, key-lock fuel establishment; hotel, motel; institutional use; insurance, finance or real estate office; licensed establishment; (this includes neighbourhood pub) medical and dental office; museum and archive; personal service establishment; printing and publishing; radio, TV, and telephone communication facility; repair shop; restaurant, cafe; retail establishment; sale, rental, service and repair of motor vehicles, recreation vehicles, and boats; sign shop; theatre; trucking and storage; upholstery shop; wholesale establishment; accessory use; single family dwelling in conjunction with uses listed; accessory dwelling in conjunction with permitted uses listed.

Maximum number of dwellings per parcel: 1 dwelling per parcel

Minimum parcel size for subdivision:

Serviced by both a community water and sewer system = 1400 m²

Serviced by a community water system = 4000 m²

In all other cases = 1 ha

Maximum parcel coverage: 40%

Special Regulation for the subject property (BL2554) allows "mini storage" as an additional permitted use.

FINANCIAL:

There are no financial implications to the CSRD with regard to this application.

KEY ISSUES/CONCEPTS:

Proposal

The applicant has applied for subdivision to create 5 lots: 3 commercial lots (adjacent to Highway 97) and 2 residential lots, on the 2.43 ha subject property. This rezoning is not required to create the 5 lots as the lots meet the minimum parcel size of 4000 m² as set out in the Commercial zone in Bylaw No. 2500; however, the bylaw amendment is required because the applicant would like to:

- add outdoor storage of vehicles, boats, and trailers to the list of permitted uses in the Commercial zone for proposed lot 5; and,
- rezone proposed lots 3 and 4 lots to RS Single and Two Family Residential for residential use.

BL2554 added "mini storage" to the Commercial zone for the parent parcel. A mapping amendment to the parent parcel is required due to the proposed change in use for the residential properties.

Water

The development is within the CSRD's Falkland Waterworks Service Area and will require connection to this community water system. Proof of water requirements will be required during the subdivision stage.

Sewage Disposal

All proposed lots will have on-site septic systems. Proof of adequate sewage disposal on each lot will be required during the subdivision stage.

Access

Access to the property from Highway 97 will be via Westridge Drive on the east, and Wetaskiwin Road on the west. Wetaskiwin Road is also the access road for the CSRD Falkland Transfer Station. This application is within 800 m of a controlled access highway (Highway 97), and Ministry of Transportation and Infrastructure (MOT) approval is required between third reading and adoption.

SUMMARY:

The proposal is to allow outdoor vehicle, boat, and trailer storage on proposed lot 5 and to create 2 residential lots from the parent property. Staff is recommending first reading and referral to affected agencies and First Nations for the following reasons:

- the residential use proposed is consistent with the land use pattern policies in Bylaw No. 2500; and,
- new commercial development is encouraged in Falkland along Highway 97 as stated in Bylaw No. 2500.

IMPLEMENTATION:

Consultation Process:

As per CSRD Policy No. P-18 regarding Consultation Processes – Bylaws, staff recommend the simple consultation process. Neighbouring property owners will first become aware of the application for the bylaw amendment when notice of development signs are posted on the property.

Referral Process:

The following list of referral agencies is recommended:

- Area D Advisory Planning Commission;
- Interior Health Authority;
- Ministry of Forests, Lands, Natural Resource Operations and Rural Development;

- Ministry of Forests, Lands, Natural Resource Operations and Rural Development – Archaeology Branch;
- Ministry of Transportation and Infrastructure;
- Fortis BC;
- BC Hydro;
- CSRD Operations Management; and,
- All relevant First Nations including:
 - Adams Lake Indian Band;
 - Coldwater Indian Band;
 - Cook's Ferry Indian Band;
 - Little Shuswap Indian Band;
 - Lower Similkameen Indian Band;
 - Neskonalith Indian Band;
 - Nlaka'pamux Nation Tribal Council;
 - Okanagan Indian Band;
 - Okanagan Nation Alliance;
 - Penticton Indian Band;
 - Siska Indian Band;
 - Splots'in First Nation; and,
 - Esh-kn-am Cultural Resources Management Services.

COMMUNICATIONS:

To be provided following referral process.

DESIRED OUTCOMES:

That the Board endorse staff recommendation.

BOARD'S OPTIONS:

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

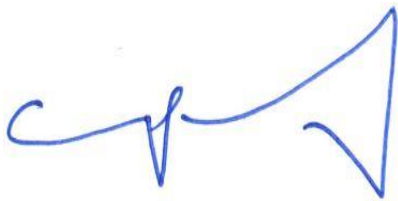
LIST NAME OF REPORT(S) / DOCUMENT(S) AVAILABLE FROM STAFF:

1. Salmon Valley Land Use Bylaw No. 2500

Report Approval Details

Document Title:	2017-08-17_Board_DS_BL2558_674816BCLTD.docx
Attachments:	- BL2558_first_reading.pdf - Maps_Plans_BL2558.pdf
Final Approval Date:	Aug 4, 2017

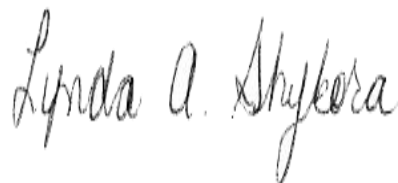
This report and all of its attachments were approved and signed as outlined below:



Corey Paiement - Aug 4, 2017 - 1:31 PM



Gerald Christie - Aug 4, 2017 - 1:33 PM



Lynda Shykora - Aug 4, 2017 - 1:44 PM



Charles Hamilton - Aug 4, 2017 - 2:57 PM

COLUMBIA SHUSWAP REGIONAL DISTRICTSALMON VALLEY LAND USE AMENDMENT (674816 BC LTD.) BYLAW NO. 2558A bylaw to amend the "Salmon Valley Land Use Bylaw No. 2500"

WHEREAS the Board of the Columbia Shuswap Regional District adopted Bylaw No. 2500;

AND WHEREAS the Board deems it appropriate to amend Bylaw No. 2500;

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

1. "Salmon Valley Land Use Bylaw No. 2500" is hereby amended as follows:

A. TEXT AMENDMENT

i) Part II Land Use Regulations, Section 2.10 is hereby amended as follows:

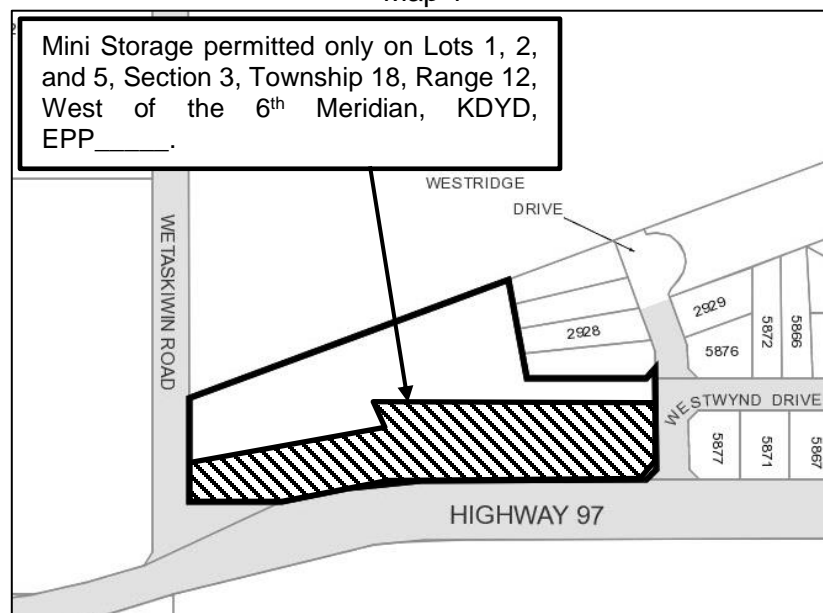
a) by removing Subsection 2.10.3 in its entirety and replacing it as follows:

"Special Regulation

2.10.3 In this subsection, lands are described by legal description and by map, and in the event of any discrepancy between the legal description of the lands and the map, the map governs.

a) In addition to the permitted uses listed in Subsection 2.10.1, the principal uses on Lots 1, 2 and 5, Section 3, Township 18, Range 12, West of the 6th Meridian, Kamloops Division Yale District, EPP____, which part is more particularly shown hatched on Map 1, shall include "mini storage".

Map 1

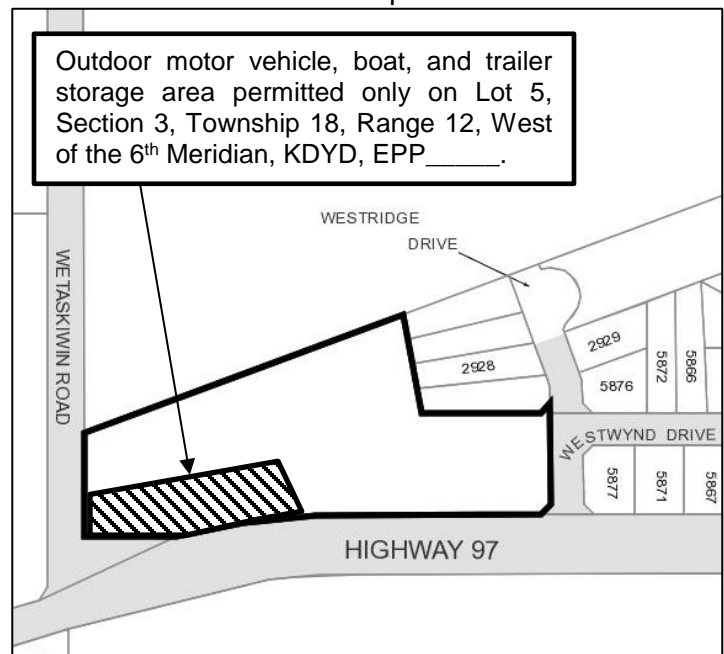


b) by adding Subsection 2.10.4 as follows:

"2.10.4 in this subsection, lands are described by legal description and by map, and in the event of any discrepancy between the legal description of the lands and the map, the map governs.

- a) In addition to the permitted uses listed in Subsection 2.10.1 and 2.10.3, the principal use on Lot 5, Section 3, Township 18, Range 12, West of the 6th Meridian, Kamloops Division Yale District, EPP____, which part is more particularly shown hatched on Map 2, shall include "outdoor motor vehicle, boat, and trailer storage area".

Map 2



- c) Part III Interpretation and Administration, subsection 3.1.1 is hereby amended by adding the following definition after the definition of "organic matter composting facility":

"outdoor motor vehicle, boat, and trailer storage area" means the parking of motor vehicles, recreational vehicles, boats, and trailers including boat, utility, horse, flatbed, and camper, but does not include wrecking yard, salvage operation, or junk yard."

B. MAP AMENDMENT

- i) Schedule A, the OCP Designation Maps, which form part of the "Salmon Valley Land Use Bylaw No. 2500", as amended, is hereby further amended by:
- a. redesignating Lots 3 and 4, Section 3, Township 18, Range 12, West of the 6th Meridian, KDYD EPP____, which part is more particularly shown hatched on Schedule 1 attached hereto and forming part of this bylaw from C – Commercial to RS – Single and Two Family Residential.

- ii) Schedule C, Land Use Zoning Maps, which form part of the "Salmon Valley Land Use Bylaw No. 2500", as amended, is hereby further amended by:
 - a. Rezoning Lots 3 and 4, Section 3, Township 18, Range 12, West of the 6th Meridian, KDYD EPP_____, which part is more particularly shown hatched on Schedule 2 attached hereto and forming part of this bylaw from C – Commercial to RS – Single and Two Family Residential.

2. This bylaw may be cited as "Salmon Valley Land Use Amendment (674816 BC LTD.) Bylaw No. 2558."

READ a first time this _____ day of _____, 2017.

READ a second time this _____ day of _____, 2017.

PUBLIC HEARING held this _____ day of _____, 2017.

READ a third time this _____ day of _____, 2017.

RECEIVED approval from the Ministry of Transportation and Infrastructure this ____ day of _____, 2018.

ADOPTED this _____ day of _____, 2018.

CORPORATE OFFICER

CHAIR

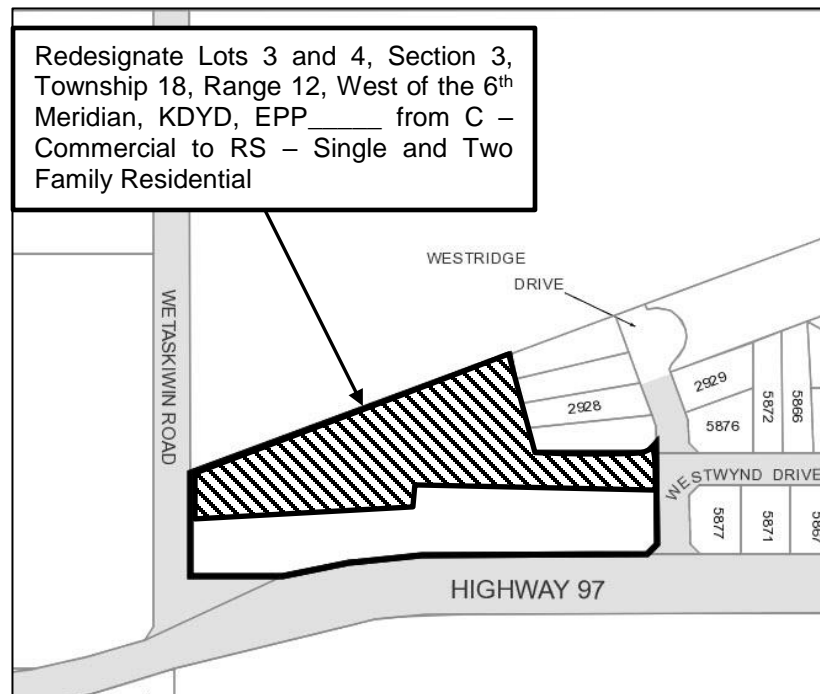
Certified true copy of Bylaw No. 2558
as read a third time.

Certified true copy of Bylaw No. 2558
as adopted.

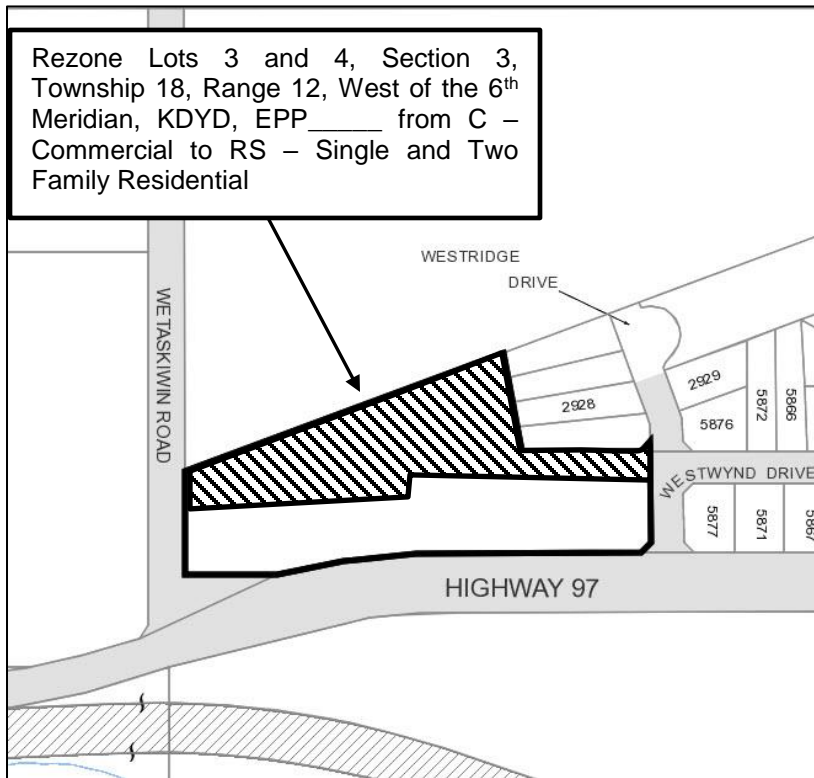
Corporate Officer

Corporate Officer

Schedule 1
OCP Designation Maps Amendment
Salmon Valley Land Use Amendment (674816 BC Ltd.)
Bylaw No. 2558



Schedule 2
Land Use Zoning Maps Amendment
Salmon Valley Land Use Amendment (674816 BC Ltd.)
Bylaw No. 2558




COLUMBIA SHUSWAP REGIONAL DISTRICT

P.O. Box 978 SALMON ARM, BC V1E 4P1

Telephone: 1-250-832-8194 Fax: 1-250-832-3375

Staff Contact: Jennifer Sham
jsham@csrd.bc.ca

BL2558

August 21, 2017

RESPONSE SUMMARY

☐ Approval Recommended for Reasons Outlined Below

☐ Approval Recommended Subject to Conditions Below.

☒ No Objections

☐ Interests Unaffected by Bylaw.

☐ Approval not Recommended Due To Reasons Outlined Below.

Ministry of Forests Land Natural Resource Operations have no comments on this application

<input type="checkbox"/> CAO <input type="checkbox"/> Works <input type="checkbox"/> DS <input type="checkbox"/> Fin/Adm	<input type="checkbox"/> Agenda <input type="checkbox"/> Reg Board <input type="checkbox"/> In Camera <input type="checkbox"/> Other Mtg	Ownership: File #
SEP 25 2017		
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Signed By: _____

Title _____

Date: _____

Agency _____

Marianne Mertens

From: FLNR DOS Referrals CSNR:EX <FLNRDOSReferrals@gov.bc.ca>
Sent: Friday, September 22, 2017 1:23 PM
To: Marianne Mertens
Subject: RE: CSRD Referral package for BL2558 - Comments Due - September 21, 2017 noon
Attachments: BL2558 Referral return form.doc

Hi Marianne. No comments from our Ministry. Eric

From: Marianne Mertens [mailto:mmertens@csrd.bc.ca]
Sent: Tuesday, September 5, 2017 12:02 PM
To: Maxwell, Andree FLNR:EX
Cc: Jennifer Sham
Subject: CSRD Referral package for BL2558 - Comments Due - September 21, 2017 noon

Subject: Referral package for BL2558 - Agency

BL2558
 CV: PL20160000145

Good afternoon:

You are requested to comment on the attached Bylaw Amendment for potential effect on your Agency's interests. We would appreciate your response by **Wednesday, September 20, 2017**. If no response is received within that time, it will be assumed that your Agency's interests are unaffected.

Have a great day.

Respectfully,

Marianne Mertens | Clerical Assistant
 Development Services
COLUMBIA SHUSWAP REGIONAL DISTRICT
 PO Box 978, 555 Harbourfront Drive NE, Salmon Arm, BC V1E 4P1
 T 250.833.5924 | F 250.832.3375
 E mmertens@csrd.bc.ca | W www.csrd.bc.ca

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Please consider the environment before printing this e-mail

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

Jennifer Sham

From: Vieira, Cristina <Cristina.Vieira@fortisbc.com>
Sent: September 21, 2017 10:23 AM
To: Jennifer Sham
Subject: FW: Columbia Shuswap Regional District - Hwy 97 Falkland - File BL2558 CV20160145
Attachments: Scanned from a Xerox Multifunction Device.pdf

Importance: High

Categories: CityView Planning Attachment

FortisBC has a 323mm Transmission Pressure pipeline that runs through the lot in question. FortisBC does not allow any buildings, structures or storage of vehicles or boats any kind within the right of way. Please be advised that during any construction there will be no storage of any building materials within the right of way. In addition, if there is going to be heavy equipment crossing a right of way a permit must be obtained. Any work within 10m of this line or within the right of way will require a permit. You must obtain a BC one call ticket number prior to obtaining a permit. You can apply online for a permit at www.fortisbc.com/rightofway.

If you should have any further questions please contact the FortisBC permit desk at 604-576-7021. Thank you.

Cristina Vieira, SR/WA

Right of Way Service Representative

Property Services, FortisBC Energy Inc.

16705 Fraser Hwy, Surrey, BC V4N 0E8

Direct Phone (604)-576-7254, Toll Free 1-800-773-7001



JS

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*"FortisBC" refers to the FortisBC group of companies which includes FortisBC Holdings, Inc., FortisBC Energy Inc., FortisBC Inc., FortisBC Alternative Energy Services Inc. and Fortis Generation Inc.

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0360-40.

BL 2558-PL2016-0145

BL 751-2017-0031

Columbia Shuswap Regional District

Electoral Area "D" Advisory Planning Commission Minutes

September 20, 2017

2:00 pm

CSRD Office Board Room

Members Present:

Kevin De Vos	Vice-Chair
Kerry Orchard	Secretary
Howard Hunt	

Members Absent:

Barry Wilson
Kurstin Barta

Staff:

Rene Talbot (Area "D" Director), Jennifer Sham, Jan Thingsted

Guests:

Bip Thind (applicant BL 2558), Jeff Gaudette (MMJ Total Health Care Inc.)

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- 1) Meeting called to order: at 2:04 pm.
- 2) Adoption of Agenda: Addition of discussion of vacant Chair position, thank you to former Chair John Coulson, APC Membership under new business. Moved by Kerry Orchard to adopt agenda. Seconded by Howard Hunt.
- 3) Minutes of Previous Meetings: Minutes of the August 23, 2017 meeting reviewed and no changes called for. Moved by Howard Hunt to accept the minutes of the previous meeting. Seconded by Kevin De Vos.
- 4) Salmon Valley Land Use Amendment (674816 BC Ltd) Bylaw No. 2558 Bip Thind: Jennifer Sham gave a presentation on the application. Jennifer indicated that the CSRD has had a response from the following agencies:
Ministry of Transportation and Infrastructure has no concerns with the application
BC Hydro has no concerns with the application
CSRD has indicated that all costs associated with the application are to be paid by the applicant

Bip Thind spoke to his application and indicated that he would like to subdivide the property as residential property had a stronger market now than commercial property. Bip also stated that it was an oversight to not apply for outdoor storage of vehicles, recreational vehicles, boats, and trailers on Bylaw 2554 amendment application.

Kerry Orchard asked for clarification that only lot 5 would have outdoor storage. Jennifer Sham indicated that this was the case.

Howard Hunt questioned why the recommendation of the APC "D" on Bylaw 2554 that access to the commercial property be restricted to Wetaskiwin Road wasn't carried through on Bylaw 2558. Jennifer Sham indicated that Ministry of Transportation and Infrastructure has no concerns with the application and didn't require any restriction on the road access.

Howard Hunt questioned how the Fortis Gas right of way would affect residential lot 4. Jennifer Sham indicated that the CSRD had not received a response from Fortis on the application. Jennifer also suggested Fortis would likely restrict where any permanent structures could go so as not to interfere with the right of way.

Howard Hunt asked what stage the application was at and if the CSRD had approved the application. Jennifer Sham indicated that there were several more steps to be done before the application was completed.

Kevin De Vos was not in favour of the panhandle lot. Jennifer Sham indicated that the CSRD and the Ministry of Transportation and Infrastructure have no concerns with the panhandle lot.

Kevin De Vos wondered if the two panhandles for lots 2 and 3 would effectively become one wide panhandle. Jennifer Sham indicated that screening is required on lot 2 and that would ensure the panhandles were separated.

Kerry Orchard asked how the outdoor storage provision on lot 5 would be separated from lots 1 and 2. Jennifer Sham indicated that this would be a bylaw enforcement issue and likely would not be a problem once lots 1 and 2 were sold.

Moved by Howard Hunt that the APC Electoral Area "D" recommend approval of Salmon Valley Land Use Amendment Bylaw 2558 as presented. Seconded by Kerry Orchard. Passed unanimously.

5) Bylaw 751 Ranchero/Deep Creek Zoning Bylaw Review: Jan Thingsted reviewed some of the issues that still require resolution. Jan indicated that the Bylaw 751 working group made progress on many of the issues at their meeting September 19, 2017.

Home Occupation: Discussion of what constitutes a Home Occupation, what size restrictions are appropriate, how this would fit in with residential areas and how basing size limit of the principal residence may not be the best approach.

Bylaw Enforcement: Howard Hunt suggested adding wording to Part 1.7 to bring the Bylaw and current practice into alignment.

Mobile Home Park Zone: Howard Hunt had several suggestions regarding screening, fencing, servicing, accessory buildings, and separation between units.

Public and Institutional Zone: Howard Hunt indicated that parking requirements for some institutions should be reduced if the student of those institutions were online rather than at a physical building.

Signage: Discussion of type, size and number of signs that may be used.

Secondary Dwelling Unit: Discussion of size requirements. 90 m2 was felt to be adequate.

Public Open House: Discussion of timing of public open house and what input public would have.

Cannabis Production Facilities: Jan Thingsted indicated that the CSRD was restricting Cannabis Production Facilities to AG1 zone on ALR portion only. All other requirements would be Federal or Provincial issues and regulated by those levels of government.

Jan Thingsted indicated that he would incorporate the latest recommendations for Bylaw 751 and update the Ranchero/Deep Creek Official Community Plan and forward both documents to the APC "D" members for review at the next APC "D" meeting (October 18, 2017).

- 6) New Business: Kevin De Vos Called for the next meeting of the APC "D" to be on October 18, 2017 at 2:00pm at the CSRD Board office.
- 7) New Business: Kevin De Vos asked that the CSRD recognize the service of John Coulson. Rene Talbot indicated that the CSRD Board would deal with this issue and inform the APC "D" members. This issue has been deferred to the next meeting of the APC "D".
- 8) New Business: Vacant Chair Position. Rene Talbot recommended that the APC "D" not deal with this issue until our next meeting when more members would be present. This issue has been deferred to the next meeting of the APC "D"
- 9) New Business: APC "D" membership. Jennifer Sham indicated that the CSRD is looking to add members to the APC "D". Jennifer indicated that there may be a person that is currently interested in sitting on the APC "D" and that the CSRD is considering advertising for additional members.
- 10) Adjournment Howard Hunt moved that the meeting be adjourned. Meeting adjourned at 3:43 pm.

Handwritten signature: KERRY ORCHARD



Columbia Shuswap Regional District
Box 978
Salmon Arm, British Columbia V1E 4P1
Canada

Your File #: BL2558
eDAS File #: 2017-05256
Date: Aug/25/2017

Re: Proposed Bylaw 2558 for:

Lot A, Sec 3, Twp 18, R 12, W6M, KDYD Plan KAP49754, except Plans
KAP49757 and EPP58847

Preliminary Approval is granted for the rezoning for one year pursuant to section
52(3)(a) of the *Transportation Act*.

Please forward the bylaw to myself, for endorsement, after third reading.

If you have any questions please feel free to call Desiree Lantenhammer at (250) 503-
3609.

Yours truly,

Desiree Lantenhammer, BSc
Development Approvals Technician

Local District Address
Vernon Area Office 4791 23rd Street Vernon, BC V1T 4K9 Canada Phone: (250) 503-3664 Fax: (250) 503-3631


COLUMBIA SHUSWAP REGIONAL DISTRICT

P.O. Box 978 SALMON ARM, BC V1E 4P1
 Telephone: 1-250-832-8194 Fax: 1-250-832-1083

FILE NO.

BL2558/PL20160000014

DATE RECEIVED:

Aug 21, 2017

OPERATIONS MANAGEMENT

Comments: Marianne Mertens

Terry Langlois
 Team Leader Utilities

Servicing of this property will require engineering work to be completed by the CSRD to determine the costs and particulars of the connection. The costs of the connection and preliminary engineering would be the responsibility of the applicant along with the connection fees.

Derek Sutherland
 Team Leader
 Protective Service

Due to the construction materials used in the manufacture of trailers and the combustible gases stored in recreational vehicles the increased fire risk and proximity to residential zoning should be considered as part of this re-designation.

Sean Coubrough
 Fire Services Coordinator

Proponent must ensure adequate road access for emergency vehicles as per MOTI requirements.

Ben Van Nostrand
 Team Leader
 Environmental Health

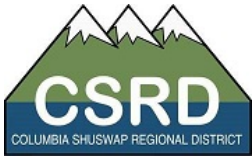
No concerns.

Ryan Nitchie
 Team Leader
 Community Services

No Concerns

Darcy Mooney
 Manager
 Operations Management

No Additional Concerns


COLUMBIA SHUSWAP REGIONAL DISTRICT

P.O. Box 978 SALMON ARM, BC V1E 4P1

Telephone: 1-250-832-8194 Fax: 1-250-832-3375

Staff Contact: Jennifer Sham
jsham@csrd.bc.ca

BL2558

August 21, 2017

RESPONSE SUMMARY

☐ Approval Recommended for Reasons Outlined Below

☒ Interests Unaffected by Bylaw.

☐ Approval Recommended Subject to Conditions Below.

☐ Approval not Recommended Due To Reasons Outlined Below.

☐ No Objections

If the subdivision proceeds, all electrical servicing would be by design upon application by the developer and subject to the applicable BC Hydro extension policy in effect at the time of application.

Signed By: _____

Title Design Technician.

Date: _____

Agency _____

Location

2908

WETASKIWIN ROAD

WESTRIDGE
DRIVE

2928

2929

5876

5872

5866

5860

5856

5840

5834

5830

5837

5841

5849

5853

5855

5859

WESTWYND DRIVE

5877

5871

5867

5865

5861

HIGHWAY 97

5808
9 units

H3

9

8

7

5

3

1

H2

H1

2924

2926

2928

2932

5855

5847

5813

pump
house

5809

5863

57

RS

RHD

WESTRIDGE
DRIVE

RS

RS

C

WESTWYND DRIVE

HIGHWAY 97

WETASKIWIN ROAD

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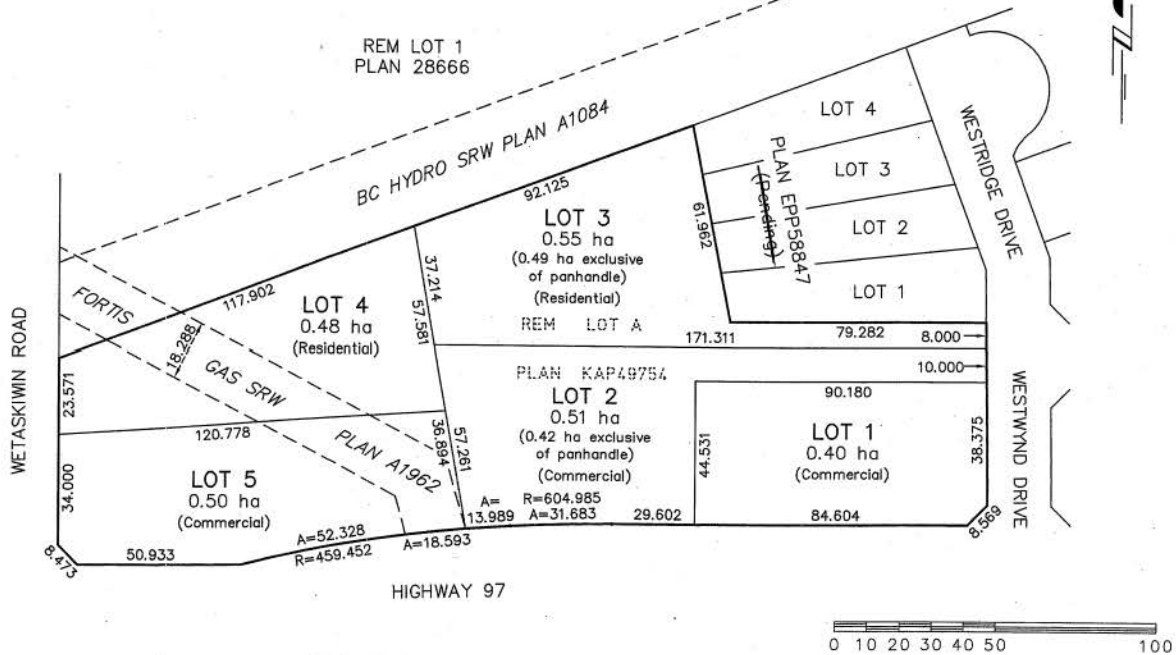
5865

5861

5859

ALL DISTANCES ARE IN METRES.

Site Plan



PLAN OF PROPOSED SUBDIVISION OF
LOT A, PLAN KAP49754, SEC 3, TP
18, R 12, W6M, KDYD EXCEPT
PLANS KAP49757 AND EPP58847

95880A08

SCALE: 1 : 1500 OUR FILE: R9588

DATE: 17 May 2017 DRAWN: RJH

Thind

WILLIAM E. MADDOX

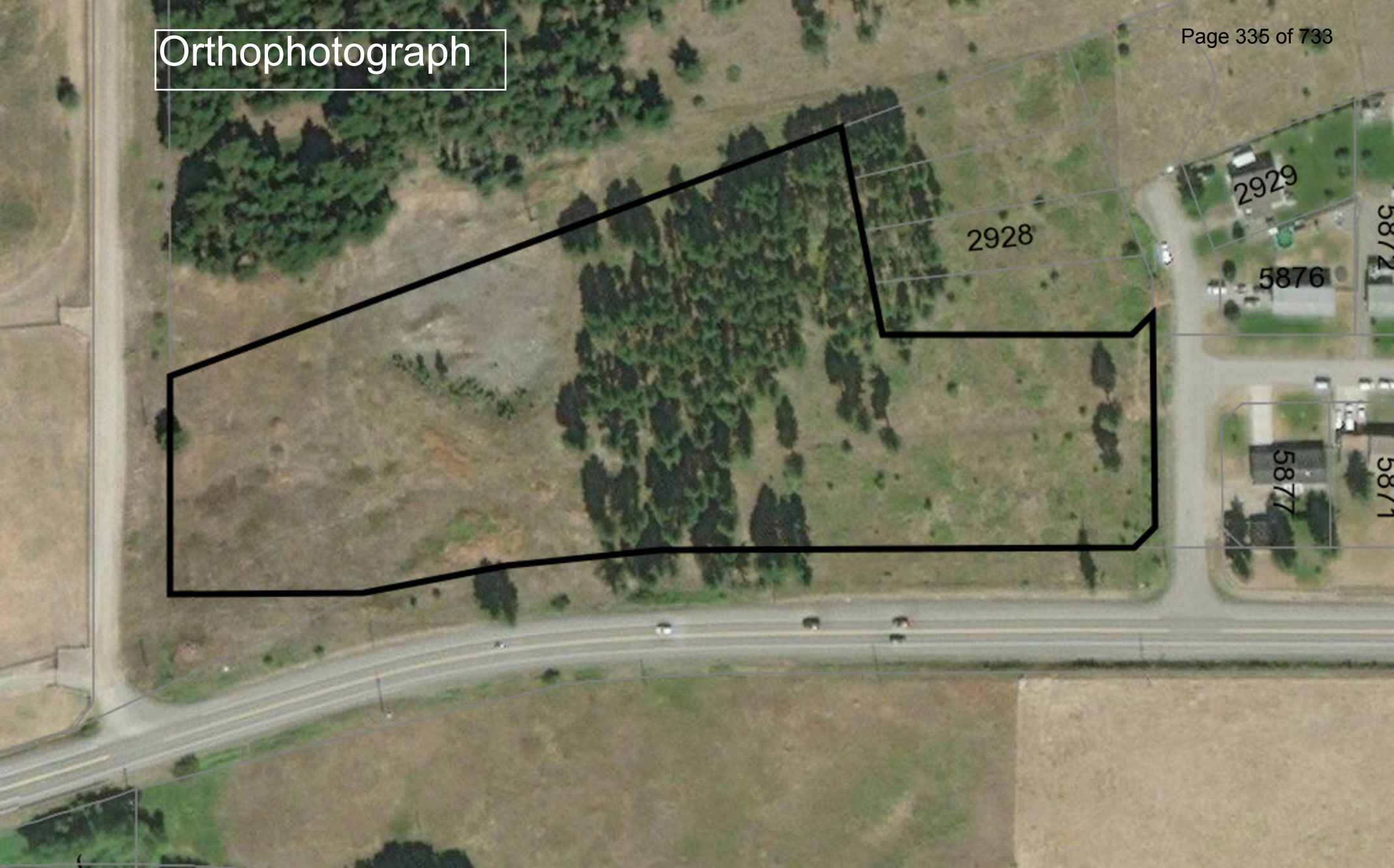
B.C. LAND SURVEYOR

3500 - 30th STREET

VERNON, BC V1T 5E8

TELEPHONE: (250) 542-4343

Orthophotograph



2928

2929

5876

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BOARD REPORT

TO:

Chair and Directors

File No: BL 751 & BL 750-02 PL20160012
--

SUBJECT:

Electoral Area D: Ranchero / Deep Creek Official Community Plan
Bylaw Amendment (CSR D) No. 750-02 & Ranchero / Deep Creek
Zoning Bylaw No. 751

DESCRIPTION:

Report from Jan Thingsted, Planner, dated November 2, 2017.
Ranchero/Deep Creek

**RECOMMENDATION
#1:**

THAT: "Ranchero / Deep Creek Official Community Plan Amendment (CSR D) Bylaw No. 750-02" be read a second time, as amended, this 16th day of November, 2017.

**RECOMMENDATION
#2:**

THAT: "Ranchero / Deep Creek Zoning Bylaw No. 751" be read a second time, as amended, this 16th day of November, 2017.

**RECOMMENDATION
#3:**

THAT: the Board direct staff to hold an open house to present Bylaw No. 750-02 and Bylaw No. 751

SHORT SUMMARY:

Ranchero / Deep Creek Zoning Bylaw No. 751 is a follow up to the Ranchero / Deep Creek Official Community Plan (OCP) Bylaw No 750. Bylaw No. 751 will provide land use regulations for the portion of Electoral Area 'D' covered by the OCP and will repeal and replace Ranchero / Deep Creek Land Use Bylaw No. 2100.

VOTING:

Unweighted
Corporate

☐

LGA Part 14
(Unweighted)

☒

Weighted
Corporate

☐

Stakeholder
(Weighted)

☐
BACKGROUND:

Zoning has been in place for the Ranchero / Deep Creek area since 1978, with the most current zoning bylaw adopted in September 1987, 30 years ago. Bylaw No. 2100 is one of the oldest land use bylaws in the CSR D and contains many references to outdated legislation. The Ranchero / Deep Creek OCP, adopted in November 2011, recommends that the current land use bylaw be replaced with a bylaw that generally reflects the status quo in terms of density and land use as well as the goals and policies of the OCP.

The process of preparing Bylaw No. 751 began in the summer of 2012, with planning students conducting a field survey to verify current land uses on all parcels in the bylaw area. Additional land use inventory work was conducted in 2014 and 2015. Drafting of the bylaw text and maps was carried out between 2014 and 2015. Bylaw No. 750-02 was given first reading in March 2016 and Bylaw No. 751 was given first reading in January 2016.

POLICY:

Section 478(2) of the Local Government Act requires that all zoning bylaws adopted after an OCP must be consistent with that plan. Bylaw No. 751 proposes to introduce several land use zones which are currently not identified in the OCP. Ranchero / Deep Creek Official Community Plan Amendment (CSRDA) Bylaw No. 750-02 is, therefore, required to create designations and policies that complement the new zones and ensure consistency between the two bylaws. For example, the proposed foreshore zones require corresponding foreshore designations and policy statements in the OCP.

FINANCIAL:

\$10,000 was allocated for 2017 to complete Bylaw No. 750-02 and Bylaw No. 751. This amount takes into consideration the cost of public open houses, public hearings, advertising, and legal counsel review. Any monies remaining from 2017 are proposed to be rolled-over into the 2018 budget to allow the completion of the project.

KEY ISSUES/CONCEPTS:

The intent of Bylaw No. 751 is to repeal and replace Bylaw No. 2100 with an up-to-date bylaw that reflects current legislation and is consistent with the OCP. The intent of Bylaw No. 750-02 is to ensure that the new zoning bylaw and current OCP are consistent with each other.

SUMMARY:

A summary of Bylaw No. 750-02 and Bylaw No. 751 was provided in a previous Board report at the time of consideration of first reading. Since that time, numerous changes have been made to these bylaws. A summary of key changes is provided below:

Key updates to Bylaw No. 750-02 since first reading:

- Updates to demographic information (new data from the 2016 census)

Key updates to Bylaw No. 751 regulation since first reading:

- Updated Definitions
- Home Occupations – more clarity on home occupation total area allowance in relation to parcel size.
- Secondary Dwelling Unit – more clarity on maximum size allowance.
- Shipping Containers – to be permitted temporarily for 6 months.
- New “limited agriculture” provisions for MH and RR1 zones.
- Cannabis Production Facilities – deletion of "Special Industrial" Zone. Cannabis Production Facilities to only be permitted on ALR land.
- Private Campgrounds - new definitions and regulations better reflect existing operations.
- Signage – new definitions.

Based on the positive input received from referral agencies and Electoral Area D APC, staff is recommending at this time that the bylaws be given second reading as amended.

IMPLEMENTATION:

Complex Consultation Process

If Bylaw No. 751 and Bylaw Amendment No. 750-02 receive second reading as amended, the bylaws will be presented at an open house to obtain public feedback. Once final edits have been made to the

bylaws, they will be sent to legal counsel for review and brought back again to the Board for consideration of any further amendments needed at second reading, along with a recommendation to delegate a public hearing.

COMMUNICATIONS:

Property owners and residents will be able to view the proposed bylaws on the CSRD website and obtain hard copies from the CSRD office. Advertisements will be placed in local newspapers to provide notice of the public open house and public hearing. Comments received from the public on this bylaw will be presented to the Board prior to third reading.

Bylaw No. 750-02 and Bylaw No. 751 were sent out to the following referral agencies listed below. Agency comments are noted in the right column.

Agricultural Land Commission	Provided comments to ensure consistency with ALC Act and regulations of the ALC – home site severances and provisions for additional dwellings
First Nations Bands and Councils	No response
Ministry of Forests, Lands and Natural Resource Operations - Archaeology Branch	No response
City of Salmon Arm	No objections
CSRD Financial Services	Interests unaffected
CSRD Operations Management	No concerns
Electoral Area D Advisory Planning Commission	Provided a motion recommending approval of 750-02 and Bylaw No. 751 as presented
Fisheries and Oceans Canada - Habitat Enhancement	No response
Interior Health Authority	No response
The Managed Forest Council	No response
Ministry of Agriculture	No response
Ministry of Community, Sport and Cultural Development	No concerns
Ministry of Energy and Mines	No response
Ministry of Environment	No response
Ministry of Forests, Lands and Natural Resource Operations	No objections
Ministry of Transportation and Infrastructure	No formal response but provided feedback on the proposed Hwy 97B setback
NAV Canada - Land Use Office	No response
Regional District of North Okanagan	Interests unaffected
School District #83	No response
Township of Spallumcheen	No comment or concerns
Transport Canada	No response

DESIRED OUTCOMES:

That the Board endorse staff recommendations.

BOARD'S OPTIONS:

1. *Endorse the Recommendations.*
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:

- Ranchero / Deep Creek Official Community Plan Bylaw No. 750
- Previous Board Reports

Report Approval Details

Document Title:	2017-11-16_Board_DS_BL751_BL750-02_CSRD.docx
Attachments:	<ul style="list-style-type: none"> - BL750-02_second_amended.pdf - BL750-02_Schedule_A_second_amended.pdf - BL750-02_Schedule_B_second_amended.pdf - BL751_second_amended.pdf - BL751_Schedule_A_second_amended.pdf - BL751_Schedule_B_second_amended.pdf - BL751_Schedule_C_second_amended.pdf
Final Approval Date:	Nov 6, 2017

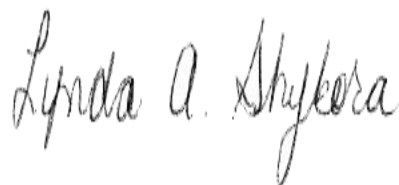
This report and all of its attachments were approved and signed as outlined below:



Corey Paiement - Nov 3, 2017 - 12:15 PM



Gerald Christie - Nov 3, 2017 - 2:08 PM



Lynda Shykora - Nov 6, 2017 - 1:30 PM



Charles Hamilton - Nov 6, 2017 - 1:43 PM

COLUMBIA SHUSWAP REGIONAL DISTRICT
RANCHERO / DEEP CREEK OFFICIAL COMMUNITY PLAN
AMENDMENT (CSRD) BYLAW NO. 750-02

A bylaw to amend the "Ranchero / Deep Creek Official Community Plan Bylaw No. 750"

WHEREAS the Board of the Columbia Shuswap Regional District adopted Bylaw No. 750;

AND WHEREAS the Board deems it appropriate to amend Bylaw No. 750;

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

1. Ranchero / Deep Creek Official Community Plan Bylaw No. 750, as amended, is hereby further amended as follows:

A. TEXT AMENDMENT

- I. Bylaw No. 750 is amended by deleting Schedule A (the Official Community Plan text) which forms part of the Ranchero / Deep Creek Official Community Plan Bylaw No. 750 and replacing it with the attached Schedule A (the Official Community Plan text).

B. MAP AMENDMENT

- I. Bylaw No. 750 is further amended by deleting Schedule B (Land Use Designations - overview map and mapsheets) which forms part of the Ranchero / Deep Creek Official Community Plan Bylaw No. 750 and replacing it with the attached Schedule B (overview map and mapsheets).

2. This Bylaw may be cited as "Ranchero / Deep Creek Official Community Plan Amendment (CSRD) Bylaw No. 750-02."

READ a first time this 17th day of March, 2016.

READ a second time this _____ day of _____, 2017.

PUBLIC HEARING held this _____ day of _____, 2017.

READ a third time this _____ day of _____, 2017.

ADOPTED this _____ day of _____, 2017.

CORPORATE OFFICER

CHAIR

CERTIFIED a true copy of Bylaw No. 750-02
as read a third time.

CERTIFIED a true copy of Bylaw No. 750-02
as adopted.

Corporate Officer

Corporate Officer



Columbia Shuswap Regional District

Electoral Area 'D'

Ranchero / Deep Creek

**Official Community Plan
Bylaw Amendment No. 750-02**

October, 2017

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for double-sided printing.*

Table of Contents

SECTION 1- INTRODUCTION	1
1.1 PURPOSE.....	1
1.2 PLAN PREPARATION.....	1
1.3 PUBLIC CONSULTATION.....	1
1.4 COMMUNITY VALUES.....	1
1.5 AUTHORITY AND REQUIREMENT OF THE LEGISLATION	3
1.6 APPLICATION	3
1.7 REVIEW AND AMENDMENT	6
1.8 SEVERABILITY.....	6
1.9 SUMMARY OF ACRONYMS	7
SECTION 2- PLANNING STRATEGY	8
2.1 LAND BASE	8
2.2 SETTLEMENT AREAS	8
2.3 POPULATION	10
2.4 NEW DEVELOPMENT ACTIVITY	11
2.5 DEMAND CONSIDERATIONS.....	12
SECTION 3 - THE DEVELOPMENT STRATEGY.....	13
3.1 DEVELOPMENT CRITERIA	13
3.2 GENERAL PLANNING POLICIES.....	14
LAND USE DESIGNATIONS.....	16
3.3 RURAL AND RESOURCE	16
3.4 RURAL HOLDINGS	17
3.5 AGRICULTURE	17
3.6 MEDIUM HOLDINGS.....	19
3.7 RURAL RESIDENTIAL LANDS	19
3.8 COMMERCIAL.....	20
3.9 INDUSTRIAL	21
3.10 PUBLIC AND INSTITUTIONAL LANDS	23
3.11 FORESHORE AND WATER.....	23
3.12 PARK AND OPEN SPACES.....	24
SECTION 4 - THE NATURAL ENVIRONMENT.....	25
4.1 ENVIRONMENTALLY SENSITIVE RESOURCES.....	25
4.2 PROTECTION OF WILDLIFE, AQUATIC LIFE AND NATIVE PLANTS	27
4.3 NATURAL HAZARD AREAS	28
4.4 CLIMATE CHANGE	29
SECTION 5 – NATURAL RESOURCE MANAGEMENT	33

5.1 AGRICULTURE	33
5.2 FORESTRY	34
5.3 MINERAL & GRAVEL RESOURCES	35
SECTION 6 – COMMUNITY RESOURCES	37
6.1 PARKS AND PROTECTED AREAS	37
6.3 COMMUNITY FACILITIES	39
6.4 COMMUNITY WATER AND SEWER SYSTEMS	40
6.5 TRANSPORTATION	41
6.6 PUBLIC TRANSPORTATION	43
6.7 SOLID WASTE MANAGEMENT	43
SECTION 7- RIPARIAN AREAS REGULATION (RAR) DEVELOPMENT PERMIT AREA	45
SECTION 8 - IMPLEMENTATION	48
8.1 IMPLEMENTATION STRATEGY	48
SCHEDULE 'F' CSRD ELECTORAL AREA 'D' PARKS PLAN – SECTIONS APPLICABLE TO THE OCP PLAN AREA	50
CSRD PARKS CLASSIFICATION SYSTEM	51
CONCLUSION AND RECOMMENDATIONS:	54

SECTION 1- INTRODUCTION

1.1 PURPOSE

The purpose of the Rancho/Deep Creek Official Community Plan (OCP) is to provide a comprehensive set of goals, objectives and policies for managing both private and public decisions regarding planning and land use management. It identifies community values, objectives and policies within the Plan Area. The objectives and policies contained in this OCP are a reflection of community values and are intended to be consistent with Provincial, and Federal government regulations and policies. Once adopted by bylaw, the Columbia Shuswap Regional District (CSRD) Board of Directors is obligated to abide by the policies of this plan. All bylaws enacted, permits issued and works undertaken within the Plan Area shall be consistent with the provisions of this OCP as in accordance with Section 478 of the *Local Government Act*.

1.2 PLAN PREPARATION

The development of this Plan was guided by an advisory working group comprised of residents from the different neighbourhoods in the Plan Area representing local social, economic and environmental perspectives. CSRD Development Services staff together with the Advisory Working Group, reviewed the previous Land Use Bylaw, and obtained input from the community and Provincial Agencies in preparation of this OCP.

1.3 PUBLIC CONSULTATION

Starting in February 2004, the public was engaged using a number of methods including a series of public and working group meetings and flyers. Using these methods, the community as a whole was given an opportunity to discuss key issues, establish community priorities and outline the vision for the future development of the area in Community Values Statements. In March 2004, an open house was held and surveys were handed out. Further public open houses were conducted in June 2005, June 2008 and November 2009. Additionally, separate meetings were held for the Rancho/Shaw Rd. and Gardom Lake neighbourhoods.

The CSRD recognizes the need for ongoing public consultation through the implementation of this Plan. The community will continue to be consulted through the Advisory Planning Commission and public hearings held on development applications and through other ongoing CSRD consultation initiatives.

1.4 COMMUNITY VALUES

Rancho/Deep Creek is made up of distinct neighbourhoods that have a diverse range of activities and interests but share many common values. The combination of temperate climate, spectacular natural environment, outdoor recreation opportunities, water resources, entrepreneurial spirit, and the progressive attitude of residents has resulted in a highly desirable and vibrant community. The area accommodates a broad mix of: agricultural, rural, residential, recreational, limited tourism, small scale commercial, small scale industrial, home businesses and resource uses with an emphasis on mutual respect and diversity.

The residents of Rancho/Deep Creek recognize that there will be pressure for change and development in their neighbourhoods. Residents are seeking to define a level of compatible development, while at the same time maintaining the values that are fundamental to the health and prosperity of the community.

These following values have been generated from the input and priorities of the residents who make up the neighbourhoods of Ranchero/Deep Creek and will be used to help guide future decisions on development proposals, environmental protection initiatives, and infrastructure development for the community, by the CSRD and senior government agencies. These values include:

1. Protection of the Plan Area's rural character and containment of urban development;
2. Identification and protection of watersheds and aquifers from degradation, inappropriate development and pollution to ensure a continued safe water supply;
3. Recognition that the sustainable development of the Plan Area must be linked to groundwater quality and quantity for all residents;
4. Protection of environmentally sensitive areas, natural hazard lands, aquifer recharge areas and natural, environmental and geographic features;
5. Recognition that a comprehensive approach to managing sewage is required;
6. Recognition of the benefits afforded to the community through the continued existence of agriculture and rural lifestyles;
7. Recognition of the importance of agriculture in the local economy;
8. Support for economic diversity in new and existing small scale developments that complement the rural integrity of Ranchero/Deep Creek;
9. Recognition of the importance of small scale commercial and home-site or home-based businesses in the growth and diversification of the Plan Area;
10. Consultation with First Nations, in accordance with statutory requirements, to develop approaches to issues of mutual interest;
11. Protection of resource lands for suitable resource uses;
12. Minimization of encroachment of land uses that are incompatible with these community values;
13. Recognition of Gardom Lake as a unique environmental resource;
14. Recognition of Gardom Lake area parks and the Benches identified on Schedule 'E' as the primary recreational resources in the Plan Area;
15. Support for environmentally responsible recreational and silvicultural uses;
16. Preservation and enhancement of green space, access to public lands and integrated trails;
17. Recognition of the need and continued support for local schools and community centres;

18. Support for bylaw recognition of existing and legal manufactured home parks, multiple housing units, and suites;
19. Support for more affordable housing;
20. Recognition and support for efficient and safe rural local transportation;
21. Recognition that storm water management should be initiated;
22. A requirement for comprehensive public consultation with respect to decisions about the future development of all lands, including Crown land and services within our communities.

1.5 AUTHORITY AND REQUIREMENT OF THE LEGISLATION

Section 472 of the *Local Government Act* gives the CSRD the authority to adopt an OCP.

Section 473 of the *Local Government Act* identifies content that *must* be addressed in an OCP while Section 474 of the *Local Government Act* identifies policies, which a local government *may* include within an OCP.

An OCP is primarily a land use management document prescribed by Provincial legislation. If a local government proposes to include a matter in an OCP which is not within the jurisdiction of local government, the plan may only state the broad objectives of the local government with respect to that matter.

1.6 APPLICATION

This Plan consists of:

- Schedule 'A': The Plan Text
- Schedule 'B': Official Community Plan Land Use Designations (Overview Map and Mapsheets)
- Schedule 'C': Agricultural Land Reserve Map
- Schedule 'D': Aggregate Resource Potential Map
- Schedule 'E': Local Area and Transportation Network Map
- Schedule 'F': CSRD Parks Classification System

The Ranchero Deep/Creek Official Community Plan Bylaw No. 750 applies to the portion of Electoral Area 'D' of the CSRD as shown on the OCP Land Use Designation Overview Map and Mapsheets (Schedule B), which is attached and forms part of Ranchero/Deep Creek Official Community Plan.

The goals, objectives and policies of the Ranchero/Deep Creek Official Community Plan Bylaw No. 750 (Schedule 'A'), will be implemented by the Board of the CSRD using a number of tools. These tools may be subject to change as opportunities and resources are determined.

- 1.6.1 The Regional District will review and implement the policies of the Plan when considering decisions with regard to zoning, land use, servicing and development in the plan area.

- 1.6.2 The Regional District will continue to support and recognize the role of the appointed Advisory Planning Commission.
- 1.6.3 The Regional District will work with the community, including a public consultation process, to replace the current Zoning Bylaw to generally reflect the status quo in terms of land use and density as well as the goals and policies of this OCP.
- 1.6.4 The Regional District may consider issuing **Temporary Use Permits** through the authority of the *Local Government Act*. Temporary Use Permits can be considered in all designations. An objective of the Regional Board is to allow the opportunity for consideration of the issuance of a Temporary Use Permit in order to permit a temporary use to continue while a more suitable location for the use is determined, a rezoning application is completed, or where the event is a temporary use where the existing zoning does not permit the event. Temporary Use Permits are not a substitute for a rezoning application. Despite the zoning of a property, Temporary Use Permits for temporary uses may be supported, subject to approval by the Regional District Board of Directors.
- 1.6.4.1 The Regional District Board will consider the issuance of Temporary Use Permits based on the general conditions which include, but are not limited to:
- (a) must be clearly temporary or seasonal in nature;
 - (b) should not create a negative impact on the environment or on surrounding land uses;
 - (c) should not be considered noxious or emit pollutants that are detrimental to the environment, neighbouring properties, and the community as a whole;
 - (d) should not create noise, vibrations, or light pollution which disrupts the peaceful enjoyment of the surrounding neighbourhood;
 - (e) should carry out appropriate remedial measures to mitigate any damage to the natural environment as a result of the temporary use; and
 - (f) must be reviewed and approved by the Ministry of Transportation and Infrastructure (MoTI) with respect to access and effect on public roads.
- 1.6.4.2 Guidelines for Temporary Use Permits include the following:
- (a) Temporary Use Permit may be granted for any length of time up to a maximum of three years;
 - (b) appropriate parking and loading spaces are available;
 - (c) the proposed hours, size and scale of the use will be compatible with adjacent land uses;
 - (d) the use will be compatible with adjacent land uses in terms of noise, odours, dust, pollution, lighting, aesthetics, parking and traffic; and

(e) the proposed use will not have negative impacts on the natural environment.

- 1.6.4.3 The Regional District may establish conditions in the Temporary Use Permit including, but not limited to; the buildings to be used, the area of use, the hours of use, appearance, landscaping, site rehabilitation, and means of ensuring compliance.
- 1.6.4.4 The Regional District may require security in the form of a letter of credit and may impose reclamation and performance measures as conditions for the issuance of a Temporary Use Permit.
- 1.6.4.5 Specific permit conditions may address mitigation measures for potential negative impacts identified in the review process.
- 1.6.4.6 Upon expiration of a Temporary Use Permit, the uses for the property shall immediately revert to those outlined in the current Zoning Bylaw. The applicant may, prior to the expiration of the Temporary Use Permit, apply for a one time permit renewal of up to three years, approval of which will be at the discretion of the Regional District Board of Directors.
- 1.6.5 The Regional District will require development approval information pursuant to the *Local Government Act*. Procedures and policies for requiring development approval information are established in the Development Approval Information Bylaw No. 644 (Bylaw No. 644) for the following:
 - Application for amendments to a Zoning bylaw;
 - Applications for a Development Permit; and
 - Applications for Temporary Use Permits.
- 1.6.5.1 Bylaw No. 644 applies to all lands within the Ranchero/Deep Creek OCP Bylaw No. 750 area. Bylaw No. 644 gives the CSRD the authority to require an applicant to provide information on the impact of the activity or development that is subject to the application. Bylaw No. 644 also specifies the matters for which additional on-site and off-site information will be required, including but not limited to such issues as:
 - Assessment of sewage disposal site as required by the appropriate authorities;
 - Hydro-geological impact assessment on the quantity and quality of water resources as required by the appropriate authorities;
 - Vehicle parking, transportation patterns and traffic flow, including pedestrian and bicycle pathway systems;
 - The impact to and assessment of local infrastructure;

- Assessment of capacity of public facilities including schools and parks;
- The impact on or need for additional community services;
- The impact and assessment of the natural environment of the area affected;
- Assessment of slope stability conditions;
- Assessment of wildlife interface risks; and
- Assessment of how the development addresses on-site issues such as emergency use, accessibility, and water conservation.

1.6.5.2 In general, applicants will need to provide sufficient information in order to:

- Identify the development impacts, both positive and negative; and
- Specify measures to avoid, minimize, and mitigate negative impacts.

1.6.5.3 In the event that appreciable negative impacts are identified, the Regional District may request certain mitigations from the applicant in order to improve the proposal and minimize potential negative impacts on the land and neighbouring properties.

1.6.5.4 Bylaw No. 644 sets out procedures regarding requests for reconsideration of Development Approval Information requirements.

1.6.6 The Regional District will develop a “sustainability checklist” to be completed by anyone applying for an OCP amendment, Zoning Bylaw Amendment, Development Permit or Temporary Use Permit. The purpose of the checklist will be to assist applicants and the CSRD in working together to develop high quality projects that move communities in the plan area closer to achieving the vision set out in the community values. The relevance of the checklist questions will depend on the scope and nature of the project.

1.7 REVIEW AND AMENDMENT

The intent of this OCP is to provide direction on how the Ranchero/Deep Creek Plan Area will grow and change over the next 20 years. As new information becomes available, it is recommended that the OCP be reviewed every five years or as necessary.

Amendments to this OCP shall be made by bylaw. Requests to amend this OCP shall follow a formal application process to the CSRD Board of Directors.

1.8 SEVERABILITY

If any section, subsection, sentence, clause or phrase in this OCP is for any reason held to be invalid by the decision of any court of competent jurisdiction, such section, subsection, sentence, clause or phrase may be severed and the decision that it is invalid shall not affect the validity of the remainder of the bylaw.

1.9 SUMMARY OF ACRONYMS

ALC	Provincial Agricultural Land Commission
ALR	Agricultural Land Reserve
CSRD	Columbia Shuswap Regional District
DFO	Fisheries and Oceans Canada
DPA	Development Permit Area
LGA	Local Government Act
MoE	Ministry of Environment
MoTI	Ministry of Transportation and Infrastructure
OCP	Official Community Plan
QEP	Qualified Environmental Professional
RDNO	Regional District of North Okanagan
RAR	Riparian Areas Regulation
RDPA	Riparian Development Permit Area
SEP	Shuswap Emergency Program
SRW	Statutory Right of Way
TRIM	Province of British Columbia Terrain Resource Inventory Maps

SECTION 2- PLANNING STRATEGY

2.1 LAND BASE

The total land area covered in this plan is estimated to be approximately 10,052 ha. The topography is variable, ranging from land suitable for agriculture and development to land that is too steep for development. Elevations range from 500 m in the Deep Creek valley floor to 1440 m on the slopes of Mount Ida to the west.

The climate is generally characterized by mild temperatures. In January the historical average daily temperature is -4° C and in July it is 18.6° C. The Plan Area has historically had relatively high precipitation. The annual average is close to 669 mm, measuring between 65.6 mm in January and 53.9 mm in July. The dominant vegetation is almost exclusively woodland and the warm moist forest habitat is categorized as transition from Interior Douglas Fir Zone to Interior Cedar Hemlock Zone.

However, it is important to recognize that the historic climate patterns and dominant vegetation are likely to undergo change as a result of climate change. With the likelihood of future drier summers, forests in the plan area could be more susceptible to fires. Climate change will also increase the probability of extreme storm events triggering landslides and other run-off events.

2.2 SETTLEMENT AREAS

Ranchero/Deep Creek consists of a large agricultural base and a number of unique neighbourhoods. The compositions of these neighbourhoods differ in terms of geographic characteristics, relationship to adjacent municipalities and parcel sizes, but share a similar history and socio-economic profile.

The identification of neighbourhoods has been provided by participants in the planning process, and it is understood that these areas are only generally defined. These neighbourhoods, as shown on Schedule 'E', within the Plan Area are:

- Ranchero
- Shaw Road
- Deep Creek Valley Floor
- Mountain Benches
- Gardom Lake
- Mallory Road
- Wolfgang and Pyott Roads

Ranchero

In Ranchero, land uses are a mix of residential and commercial properties. The residential component consists mainly of 0.4 ha lots, four manufactured home parks, and some multi-family dwellings. The residents enjoy a suburban/rural lifestyle.

Home occupations are common and accepted. Residential properties are serviced by on-site sewer and water systems.

The highway commercial area is along Mellor Frontage Road between Hudson Road and Hurst Road. The services offered here include a variety of neighbourhood commercial operations including a restaurant and small vehicle repair service. Note: At the time of writing, the Ministry

of Transportation and Infrastructure (MoTI) is considering changing the name of Mellor's Frontage Rd. to Mayfair Rd.

Ranchero Elementary School provides for approximately 150 students. There are also some small parcels of land designated for park purposes.

Shaw Road

Shaw Road is accessible only through the City of Salmon Arm's Industrial Park. The majority of residential lots are between 0.6 and 2.02 ha, while some are as large as 8 ha. There is one manufactured home park. A golf course and driving range exist southeast of Shaw Road.

Deep Creek Valley Floor

The valley floor runs north-south, bordered by Mount Ida on the west and Mallory Road on the east; it is comprised of Agricultural Land Reserve (ALR) land and farming operations in 32-64 ha parcels. There is a long history of farming with most farms being second or third generation. Dairy operations predominate and the land is used to grow forages, grass and alfalfa with some sheep and beef farming.

The west side of the Deep Creek Road is primarily rural with a number of parcels ranging from 2 to 4 ha with a few exceptions down to 0.4 ha.

On the west slope there is extensive logging activity while the east slope is host to a number of woodlot type operations.

On the west and east slopes of the valley there are also many recreation opportunities which include: hiking, horse riding, mountain biking, cross country skiing, snowshoeing, and ATV riding. There are several areas where wildlife corridors cross from one range to another. The Deep Creek road corridor is very busy as it is a through road and scenic route used by commuters, bicyclists, motorbike enthusiasts, joggers, and trucks serving the agricultural community.

Mountain Benches

The Mountain Bench areas include the east side of Mt. Ida and the ridge dividing Deep Creek and the Shuswap River Valley. There are animal migration corridors in both. Some of the areas are used as woodlot operations. The east side of Mt. Ida is also a watershed for the valley bottom. The area is mainly Crown land and has value as a natural resource area.

Gardom Lake

The Gardom Lake area is characterized by a mix of land uses. There are approximately 40 residential parcels with lake frontage ranging in size from 0.2-1 ha, with an additional 20 residential parcels approximately 0.2 ha each, and a number of larger agricultural parcels across Gardom Lake Road.

Gardom Lake itself is small, approximately 1600 m long, and primarily spring-fed. It is a popular lake for wildlife viewing, canoeing, kayaking and fishing. Boats with gas motors are prohibited from Gardom Lake. A day use community park offers public access and includes a beach, picnic area, and ball diamond. MoTI maintains a public road which provides access to the lake for boaters.

Two private camps are located on the south side of the lake. Gardom Lake Bible Camp, which offers private recreational facilities and meeting rooms, experiences a lot of activity during summer months and can accommodate roughly 180 campers at one time. The Royal Canadian Legion Veteran's Camp offers some cabins and RV sites for its members.

Mallory Road

This area is located on the western slopes of the rise of land dividing Deep Creek and the Shuswap River Valley. This area consists mainly of larger rural acreages between 4-8 ha where low density development and a rural lifestyle are desired.

Wolfgang and Pyott Roads

The Wolfgang and Pyott Road area is characterized by larger rural properties of 32-64 ha with some properties in the 4-12 ha range. Access to this area is largely through the District Municipality of Spallumcheen. Dead end roads keep traffic volumes low. The terrain is moderate to steep with shallow soil over bedrock. Some small scale agriculture operations exist, including cropland and some grazing, but the soil is not highly productive. The social and business orientation is predominately south toward North Okanagan communities.

2.3 POPULATION

Historically Electoral Area 'D' has been characterized by slow growth. In 2016 the population of Electoral Area 'D' was 4,044 persons, with Ranchero/Deep Creek accounting for 1,516 persons or approximately of 37% of Electoral Area 'D'. The CSRD (including member municipalities) has a population of 51,366 with Electoral Area 'D' representing approximately 8% of the total and Ranchero/Deep Creek representing approximately 3% of the total.

Growth trends for the Plan area actually indicate a slight population decline of 2%, or approximately 29 persons between 2001 and 2016 (Table 2.1).

Table 2.1 Ranchero - Deep Creek Population

**Source: Stats Canada, 2017*

Year	Population	Total Private Dwellings
2001	1,545	561
2006	1,471	594
2011	1,507	647
2016	1516	679

Table 2.2 indicates that the age profiles for the Electoral Area 'D' and the CSRD are fairly consistent with the province as a whole.

Table 2.2 Area 'D' Population Profile Comparison

**Source: Stats Canada, 2012*

Age	Area 'D'		CSRD		BC	
0-4 Years	215	4%	2,120	4%	205,650	5%
5-14 Years	420	11%	5,635	11%	500,415	13%
15-19 Years	310	8%	3,350	7%	270,275	7%
20-24 Years	160	4%	2,390	5%	244,065	6%
25-44 Years	1,035	26%	10,925	22%	1,174,775	30%
45-54 Years	710	18%	8,685	17%	599,705	15%
55-64 Years	595	15%	7,660	15%	379,750	10%
65-74 Years	350	9%	5,270	10%	286,710	7%
75-84 Years	180	4%	3,120	6%	186,345	5%
85 Years +	60	1%	970	2%	60,030	2%
Total	4,044	100%	51,366	100%	3,907,740	100%

2.4 NEW DEVELOPMENT ACTIVITY

Information on development activity in the Plan area was gathered for the period 2005-2015 to provide estimates for recent housing and population trends. Reliable statistics on recent development activity are difficult to obtain given that building permits are not issued within the Plan Area.

Table 2.4 New Development Activity 2005-2015

**Source: CSRD, 2016*

Year	New Dwellings	Subdivisions	Lots Created
2005	8	2	2
2006	3	1	1
2007	5	6	10
2008	5	4	4
2009	7	3	3
2010	8	2	2
2011	6	4	4
2012	3	2	8
2013	3	2	2
2014	6	2	2
2015	9	1	1
Total	63	29	39
Average	5.7	2.6	3.5

Information based upon the CSRD house numbering program indicates that new house numbers were issued for an average of 5.7 new dwellings per year for the years 2005-2015 and that subdivisions accounted for the creation of 39 new lots in that same time, as shown on Table 2.4. It should be noted, however, the number of house numbers assigned is only an indicator of housing starts since there is no building inspection in the plan area.

Given the existing vacant parcel count (excluding Crown lands) at about 61 parcels and assuming a continued new housing unit rate of approximately 5.7 per year, and number of new lots created at about 3.5 per year, it is expected there will be enough vacant parcels to accommodate close to 25 years of new development.

There is an uncertainty regarding both the availability and development suitability of existing vacant parcels. A large number of these vacant parcels may not be available for immediate use due to challenging topography or other constraints. In addition, there is the potential for future subdivision which may increase the number of vacant parcels.

2.5 DEMAND CONSIDERATIONS

The major factors influencing future growth and development in the Plan Area include: continued growth in adjacent municipalities, the desire for a rural lifestyle, and rising property costs in adjacent jurisdictions.

The anticipated housing needs over the next five years, as informed by population projections and previous development activity, can be met through the infilling of vacant parcels, new subdivisions and other policies noted in Section 3 of this Plan.

People continue to be attracted by the rural character of the area and would like to see the area retain its rural character and natural environmental qualities. Little is known about the aquifer and hydrologic regime that services most of the Plan Area but areas of concern were identified in a 2009 groundwater project. Section 4.1 of this Plan (Environmentally Sensitive Resources) provides more

A demand has been identified for accommodating those with special needs in terms of new affordable housing development. Persons with special housing related needs may include, but are not limited to:

- individuals with physical or mental disabilities and their caregivers
- individuals leaving violent homes or relationships
- young families
- youth
- seniors who wish to remain in the community but do not want to subdivide their existing parcel in order to accommodate a second dwelling.

SECTION 3 - THE DEVELOPMENT STRATEGY

The Development Strategy is a key component of the Rancho/Deep Creek OCP and sets the parameters for development within the plan area. The development strategy provides a framework for directing development to appropriate locations within the Plan Area or to adjacent municipalities in order to minimize urban sprawl.

The strategy for this Plan is driven by the Community Values Statement. The Development Strategy is illustrated through mapped 'Land Use Designations' that match the written objectives and policies to land uses, densities and parcel sizes. The designations reflect both current and future land uses. These Land Use Designations are shown on Schedule 'B'.

Taking into consideration the other values identified in this OCP, this plan supports the provision of affordable housing, rental housing and special needs housing in any land use designation that allows residential uses.

3.1 DEVELOPMENT CRITERIA

In the Rancho/Deep Creek plan area, when considering an application to amend the OCP, rezone or subdivide land to accommodate a development, an applicant must show that the proposal:

1. reflects the Community Values Statement (Section 1.4) and objectives and policies of the Official Community Plan;
2. preserves and protects the rural character of the area and directs higher density development to the Rancho and Shaw Road areas;
3. protects watersheds and aquifers from degradation and pollution;
4. protects and promotes natural, environmental, and geographic features;
5. preserves, enhances, and provides useable parkland that provides access and linkages to public lands where appropriate;
6. proposes a comprehensive approach to the management and disposal of sewage and septage;
7. proposes a comprehensive approach to drainage including management of storm water, and prevention of slope instability – in accordance with Provincial best management practices;
8. preserves archaeological areas through adherence to the Provincial Heritage and Conservation Act, and;
9. includes best practice interface forest fire mitigation techniques for building and landscaping.

3.2 GENERAL PLANNING POLICIES

1. Prior to supporting any OCP redesignation or rezoning that will increase water use on a property, the CSRD may require a hydro-geological impact review and assessment on the quantity and quality of water resources as specified in the CSRD Development Approval Information Bylaw. A qualified professional engineer or geoscientist with proven knowledge and experience in groundwater management must provide a written statement, through a hydro-geological impact assessment, verifying the long term reliability of the water supply for the proposed development. The assessment must also verify that there will be no significant negative impacts on other water supplies and properties.
2. On land outside the ALR, zoning will establish the minimum size for parcels that may be subdivided pursuant to LGA section 514. Any new parcels created by subdivision under this section, and the remainder, be at least 1 ha or larger in size, unless approved by the Environmental Health Officer.
3. All development will be strongly encouraged to use best practice interface forest fire mitigation techniques for building and landscaping.
4. All new development will be required to include provisions for surface water runoff management and the collection and treatment of domestic wastewater in accordance with all Provincial requirements and best management practices.
5. Agricultural uses are supported in all designations within the ALR. Outside ALR lands, agricultural uses are supported to an intensity compatible with surrounding uses. On ALR lands, agricultural uses are subject to the Agricultural Land Commission Act and Regulations.
6. Home occupations are permitted as an accessory use in the Rural Holdings, Agriculture, Medium Holdings, and Rural Residential designations, provided that these uses are compatible with the character of the area, do not present a potential conflict with surrounding properties, and comply with pertinent bylaws and Acts. Home occupations generally refer to any occupation, profession or craft where either the occupation, profession or craft is accessory to the use of the single detached dwelling. Regulations regarding home occupations will be specified in the Zoning Bylaw.
7. One dwelling unit shall be permitted per lot and one secondary dwelling unit may be considered in the Rural Holdings, Agriculture, Medium Holdings, and Rural Residential designations subject to zoning. The size of the parcel and size of the secondary dwelling unit will be subject to zoning restrictions. The secondary dwelling unit will be subject to special provisions, including but not limited to:
 - (a) setbacks from buildings and property lines;
 - (b) the provision of required parking and access; and
 - (c) the provision of adequate servicing that meets Provincial water and sewer regulations.
8. Vacation Rentals allow the use of dwelling units for temporary accommodation in residential areas on a commercial basis and are regulated either by a temporary use permit or through the zoning bylaw. Vacation Rentals may be considered in the Rural Holdings, Agriculture, Medium Holdings, and Rural Residential designations subject to zoning. Although not required, it is recommended that Vacations Rentals first be considered on a three year trail basis by the use of a Temporary Use Permit. Vacations

Rentals shall:

- (a) not create an unacceptable level of negative impact on surrounding residential uses;
 - (b) comply with all applicable regulations of the Provincial Agricultural Land Commission when located within the Agricultural Land Reserve;
 - (c) be subject to local health authority requirements; and
 - (d) be subject to all Ministry of Transportation and Infrastructure permit requirements.
9. Bed and Breakfast residential operations are permitted in residential areas, and are regulated through the zoning bylaw. Bed and Breakfasts are subject to special provisions, including but not limited to:
- (a) should be limited to a maximum of three (3) let rooms accommodating up to two (2) persons per room per single detached dwelling;
 - (b) the residential character of the site is maintained;
 - (c) subject to the local health authority requirements;
 - (d) located in the principal structure only; and
 - (e) when located within the Agricultural Land Reserve shall comply within all applicable regulations of the Provincial Agricultural Land Commission.
10. Any proposed cannibals production facility will only be permitted on ALR land and regulated under the current zoning bylaw. Cannibals production facilities must be properly licenced and meet all federal and provincial health and safety requirements. Such facilities are expected to fit within the character of the area and not create any, security risks, nuisance odours, or excessive lighting or noise.

LAND USE DESIGNATIONS

3.3 RURAL AND RESOURCE (RSC)

This land use designation applies to Crown lands that are used and valued for agriculture, forestry, natural resource extraction, or environmental conservation opportunities. Rural and Resource lands represent approximately half of the land base in the Plan Area. It is recognized that certain matters considered in this section are beyond the jurisdiction of the CSRD.

OBJECTIVES

1. Maintain the renewable natural resource land base and protect it from activities that may diminish resource value and potential.
2. Encourage more comprehensive management of the resource land base.
3. Protect, conserve and enhance the quality and quantity of freshwater resources.
4. Protect the environment, natural habitat and aesthetic appeal of Rural and Resource lands.
5. Encourage and protect responsible outdoor recreational opportunities in accordance with the Area 'D' Parks Plan as noted in Section 6.1 and Schedule 'F' of this Plan.
6. Direct development to be compatible with the Community Values (Section 1.4) and Development Criteria (Section 3.1).
7. Establish strong lines of communication between the CSRD, First Nations, and other levels of government that are responsible for managing Crown lands.
8. Forestry should be managed in accordance with the Okanagan Shuswap Land and Resource Management Plan (OSLRMP). The Ministry of Forests is encouraged to use its regulatory authority to ensure that best management practices are followed by logging operations. Section 5.2 of this plan provides further details.

POLICIES

1. Lands within the Rural and Resource designation are shown on Schedule 'B' as "RCS".
2. Lands within the Rural and Resource designation shall be maintained as parcels of at least 60 ha minimum.
3. Users must minimize the disturbance and pollution of watercourses, aquifers and the watershed.
4. Development within the Rural and Resource designation is to be limited to the greatest extent possible to maintain resources areas in their current natural state.

5. Support communication with and participation by First Nations communities in the management and development of Crown land, including consultation with First Nations regarding any proposed trails or other back-country alterations.
6. Upon implementation, soil removal and deposit will be subject to the Regional District's soil removal and deposit bylaw.

3.4 RURAL HOLDINGS (RH)

This land use designation applies to private land that may have some use and value for agriculture, forestry, natural resource extraction, or environmental conservation opportunities, as shown on schedule 'B'.

OBJECTIVES

1. Maintain the rural land base and protect it from activities that may diminish rural values and character.
2. Protect the environment and encourage comprehensive management of the rural land base.
3. Encourage and protect farm activities on productive or potential agricultural land including suitable agritourism opportunities and value-added agriculture.
4. Encourage and protect responsible outdoor recreational opportunities in accordance with the Electoral Area 'D' Parks Plan.
5. Direct development to be compatible with the Community Values (Section 1.4) and Development Criteria (Section 3.1).

POLICIES

1. Lands within the Rural Holdings designation are shown on Schedule 'B' as "RH".
2. Lands within the Rural Holdings designation shall be maintained as parcels of at least 60 ha minimum.
3. Zoning regulations shall provide for a mix of residential lot sizes based upon the level of servicing available and character of the neighbourhood.
4. Recognize the existing two private camps located on the south side of Gardom Lake in the current zoning bylaw.

3.5 AGRICULTURE (AG)

This land use designation applies to lands that are used and valued for agriculture. All lands within the ALR are in this land use designation. The objectives and policies relating to these matters are intended to serve as indicators of community preference and assist senior levels of government in planning and decision making.

OBJECTIVES

1. Maintain the agricultural land base and protect it from activities that may diminish agricultural value and potential.
2. Encourage suitable agritourism opportunities and value-added agriculture.
3. Support development that is compatible with the Community Values (Section 1.4) and Development Criteria (Section 3.1).
4. Encourage farmers in the Plan Area to follow the measures described in the Farm Practices Guidelines as outlined by the Ministry of Agriculture.

POLICIES

1. Lands within the Agriculture designation are shown as "AG" on Schedule 'B'.
2. Lands within the Agriculture designation shall be maintained as parcels of at least 60 ha.
3. For lands within the ALR, the regulations and policies of the Agricultural Land Commission (ALC) apply. Approval must first be obtained from the ALC where land in the ALR is proposed for subdivision, a second dwelling unit, or a non-farm use.
4. The Agriculture land use designations encompass agricultural uses, and uses accessory to agriculture. Subject to the guidelines of the Agricultural Land Commission and the zoning bylaw, the following uses are appropriate in lands designated Agriculture: agri-tourism operations, and uses which will not affect the long-term agricultural capability of the land.
5. Recognize the existing Canoe Creek Golf Course in the current zoning bylaw.

3.6 MEDIUM HOLDINGS (MH)

This land use designation applies to large lots, not presently located within the ALR, and generally 8.0 ha or more in size as shown on Schedule 'B'. These lands are intended to provide for traditional rural pursuits and serve as a buffer between Rural and Resource, Rural Holdings, and Agricultural lands and the more densely developed Rural Residential lands of the Plan Area.

In this land use designation, larger residential parcel sizes are the typical form of development and residents in the area promote the retention of large parcel sizes to protect each individual property's privacy and rural quality of life. Medium Holdings lands are characterized by the suitability to accommodate un-serviced rural activities. These parcels typically have an adequate water supply and wastewater can be treated and disposed of through on-site ground disposal systems.

OBJECTIVES

1. Preserve the rural character of lands within the Plan Area.
2. Encourage farm activities on productive or potential agricultural lands including suitable agritourism opportunities and value-added agriculture.
3. Contain the extent of growth of urban and suburban lands.
4. Support development that is compatible with the Community Values (Section 1.4) and Development Criteria (Section 3.1).

POLICIES

1. Lands within the Medium Holdings designation are shown on as "MH" on Schedule 'B'.
2. Lands within the Medium Holdings designation shall have a minimum permitted parcel size of at least 8.0 ha.

3.7 RURAL RESIDENTIAL LANDS (RR)

This land use designation recognizes the existing pattern of smaller lots distributed throughout the Plan Area and the relatively higher density lots located primarily in Ranchero, Shaw Road and around Gardom Lake. Neighbourhood agricultural pursuits are supported in these areas provided that they are consistent with adjacent densities and land use. Additional higher density development will be supported in the Shaw Rd and Ranchero areas for affordable housing units only. Affordable market housing refers to less costly housing that is produced at the low to moderate price range of the market for the Ranchero and Shaw Road areas.

It is essential that further infilling be in compliance with Provincial health regulations. The 1 ha minimum permitted parcel size is the smallest parcel generally allowed under current health policies for parcels with on-site water and sewage disposal. This does not mean that all properties are suitable for on-site water supply and sewage disposal.

OBJECTIVES

1. Support efforts to enhance the aesthetic appeal of rural residential neighbourhoods.
2. Ensure that the rural residential areas with natural hazards are identified and guidelines are provided to protect properties and lives from these hazards.
3. Support development that is compatible with the Community Values (Section 1.4) and Development Criteria (Section 3.1).
4. Encourage affordable and subsidized housing opportunities.

POLICIES

1. Lands within the Rural Residential designation are shown as "RR" on Schedule 'B'.
2. Zoning regulations shall provide for a mix of residential lot sizes based upon the level of servicing available and character of the neighbourhood.
3. Lands within the Rural Residential designation shall have a minimum permitted parcel size of at least 1 ha. New residential development in the Rural Residential designation shall be permitted at a maximum density of 1 dwelling unit per ha with adequate water and sewer services that meets Provincial regulations.
4. Existing higher density residential uses including: manufactured home parks, duplexes, and townhouses shall be recognized in the implementing bylaws.
5. In the Ranchero and Shaw Road areas (shown on schedule 'E'), higher density residential uses may only be considered to provide *affordable market housing* and subsidized housing. These units include, but are not limited to: duplexes, triplexes, four-plexes, townhouses and manufactured home parks. Higher densities will not be considered for units other than affordable housing.

These affordable housing developments will be small scale and the maximum density will not exceed 15 dwelling units per ha with adequate water and sewer services that meet current Ministry of Environment Municipal Sewage Regulation Requirements. The above density is inclusive of secondary dwelling units. Further details are to be established in the zoning bylaw.

6. When connecting to a local water facility, any OCP redesignation, rezoning or subdivision applicant must have written confirmation from the local water facility that sufficient quantity and quality of potable water is available for the development before the CSRD Board will positively consider the application.

3.8 COMMERCIAL (C)

There is a limited Commercial area within the Ranchero neighbourhood, as shown on Schedule 'B'. The objectives and policies below are intended to guide the development of this area as a strong community focal point.

The area designated Commercial is intended to support a variety of "small scale" commercial, community and professional services in the Ranchero area. Small scale services are those which reflect the existing scale of commercial activities in Ranchero including, but not limited to, gas station, general store, restaurant, and repair shops. Existing commercial sites may require redevelopment to benefit the viability, form and character of the commercial area.

OBJECTIVES

1. Concentrate compatible uses within the Commercial designation.
2. Promote the provision of improved services (sanitary sewer, water and storm sewer) to parcels within the Commercial designation.
3. Provide controlled development of commercial uses in the Plan Area to support commercial development in the area that respects the area's individuality and characteristics.
4. Avoid conflicts between commercial uses and adjacent residential and agricultural uses.
5. Recommend that the type and scale of commercial development follows community preferences to better serve the needs of the local community.
6. Support development that is compatible with the Community Values (Section 1.4) and Development Criteria (Section 3.1).

POLICIES

1. Lands designated Commercial are shown as "C" on Schedule 'B'.
2. Zoning regulations shall provide for a mix of neighbourhood commercial uses and some accessory residential uses.
3. New commercial development shall only be located in Ranchero where adequate services and access are available, or in non-commercial areas through the use of Temporary Use Permits (Section 1.6.4).
4. All new redesignation and rezoning applications for commercial uses which would require additional sewer or water capacity and which are located in proximity to a community sewer system and a community water system must connect to that system.

3.9 INDUSTRIAL (ID)

Industrial activities are provided for under the Industrial land use designation. The designation provides for limited industrial land uses.

The areas designated Industrial support a limited number of small scale light industries in the Ranchero area including an auto wrecker and saw mill. Future additional light and small scale industrial uses may be considered, but the Plan recognizes that any future heavy and medium

industrial development will be directed to existing settlement areas, such as Salmon Arm, Enderby, and Armstrong/Spallumcheen, which are better able to function as service centers.

OBJECTIVES

1. Recognize existing light industrial uses in the Plan Area.
2. Provide for small scale, light industrial activities servicing the needs of local residents.
3. Minimize land use incompatibility and conflicts between industry and surrounding land uses.
4. Discourage industrial activities that are considered noxious, polluting, and noisy or are otherwise detrimental to the environment, neighbouring properties and the community as a whole.
5. Support development that is compatible with the Community Values (Section 1.4) and Development Criteria (Section 3.1).

POLICIES

1. Lands within the Industrial designation are shown as "ID" on Schedule 'B'.
2. Zoning regulations shall provide for a mix of light or small scale industrial uses.
3. New industrial development shall only be located in areas designated as industrial or in non-industrial areas through the use of Temporary Use Permits (Section 1.6.4).
4. All industrial development must be in scale with and appropriate to the character of the rural community and must not adversely affect the natural environment.
5. Direct expanding light industry, future medium and heavy industrial development to the adjacent urban communities that have the necessary infrastructure and support services.
6. All new rezoning applications for industrial uses which would require additional sewer or water capacity and which are located in proximity to a community sewer system and a community water system must connect to that system.
7. Consider small-scale light industrial development proposals that reflect the needs of the local community and provide local employment using the following criteria:
 - (a) impact on farm land;
 - (b) capability of accommodating on-site domestic water and sewage disposal;
 - (c) capability of the natural environment to support the proposed development;
 - (d) compatibility with adjacent land uses and designations, and the character of the existing area;
 - (e) susceptibility to natural hazards including but not limited to flooding, slope instability or wildfire risk;
 - (f) proximity and access to the existing road network;
 - (g) mitigation of visual impacts where development is proposed on hillsides and other

- visually sensitive areas;
- (h) provision of solid screening or other mitigation works from adjacent land uses and designations to lessen its impact (visual, loading, noise, odour, parking, impacts, etc.);
- (i) exhibits an attractive and safe streetscape by providing for adequate off-street parking requirements, on-site landscaping, and appropriate signage, and;
- (j) will be encouraged to include provisions for surface water runoff management in accordance with all Provincial requirements and best management practices.

3.10 PUBLIC AND INSTITUTIONAL LANDS (PI)

Lands that are designated as Public and Institutional Lands in this OCP include, but are not limited to: schools, community halls, churches, senior complexes and lands provided for health and emergency services.

OBJECTIVES

1. Recognize established public and institutional uses, community facilities and services.
2. Provide for additional public and institutional services to existing and future residents and ensure that they are appropriately located.
3. Support development that is compatible with the Community Values (Section 1.4) and Development Criteria (Section 3.1).

POLICIES

1. Lands designated as Public and Institutional are shown as "PI" on Schedule 'B'.
2. Partnerships among residents, landowners, business owners, and government agencies to improve Public and Institutional Lands are encouraged and supported by this Plan.
3. New Public and Institutional developments shall be encouraged.

3.11 FORESHORE AND WATER

The Foreshore and Water designation arises from the potential impact that structures, particularly docks, mooring buoys, private boat launches, boathouses and other private moorage and lake recreation facilities can have on the natural environment of lakes in the Plan area.

OBJECTIVES

1. To acknowledge existing permitted moorage uses and provide limited opportunities for future moorage.

POLICIES

1. The Foreshore and Water designation is shown on as "FW" on Schedule B.
2. Moorage, including docks, may be considered only for existing and new fee-simple waterfront parcels.

3. New development proposals on the waterfront parcel can provide a maximum of 1 moorage space per:
 - (a) New waterfront parcel created; or
 - (b) 30 m of water frontage of the parent parcel; and
4. Moorage proposals will be located away from or redesigned to avoid negative impacts on adjacent structures and uses, including other docks, marinas, beach access points, parks, utilities, water intakes, etc.
5. Support for new waterfront proposals should consider the provision of related public amenities such as dedicated moorage spaces and facilities for public use, dedicated public accesses to the foreshore (including boat launches), waterfront park dedication, or similar amenities which enable greater public access and use of the foreshore and water.
6. Moorage should be located away from or be designed to have minimal impact on fish and riparian habitat.

3.12 PARKS AND PROTECTED AREAS (PK)

POLICY

1. The Parks and Protected Areas designation includes federal, provincial, and regional parks, and associated park uses as shown on Schedule B. Section 6.1 provides Goals, Objectives and Policies for Parks and Protected Areas.
2. The Parks and Protected Areas designation is shown on as "PK" on Schedule B.

SECTION 4 - THE NATURAL ENVIRONMENT

The protection of environmentally sensitive areas is critically important to residents. Environmentally sensitive areas include land and water that are sensitive to natural and human interference.

In addition to the protection afforded through local government bylaws, the protection of environmentally sensitive features falls under the jurisdiction of Federal and Provincial agencies. Fisheries and Oceans Canada and the Provincial Ministries of Environment and Natural Resource Operations are responsible for protecting fisheries and water resources through legislation.

4.1 ENVIRONMENTALLY SENSITIVE RESOURCES

The Plan Area is split between the South Thompson Watershed and Okanagan Watershed. Water in the north-eastern portion of the plan area flows into the Shuswap River system, Shuswap Lake, and eventually the Fraser River. In the south-west, water flows from Deep Creek into the Okanagan watershed. Water resources in the Plan Area include the Deep Creek system, the Canoe Creek system and underground aquifers all of which are important for drainage and domestic consumption. The East slope of Mount Ida is a significant source of water.

Gardom Lake's surface and groundwater resources are particularly unique and important to the Plan Area, as residents rely on these resources for domestic water and agricultural irrigation. Gardom Lake is part of an enclosed drainage system with limited surface outflow and is unique in the Plan Area for both its environmental assets and its recreational opportunities. The enclosed nature of the drainage system makes this lake susceptible to potential negative impacts caused by contaminated runoff, septic infiltration and increased erosion. Best practice septic and storm water management is essential to ensure that runoff and infiltration do not impact the environmental integrity as well as the recreational appeal of this lake.

Other small lakes and ponds in the Plan Area are also recognized as environmental assets and protected accordingly.

Ensuring that sufficient water quantity and quality is available for new subdivisions is a critical requirement when reviewing subdivision applications. Meeting the service requirements under the CSRD's Subdivision Servicing Bylaw No. 641 is mandatory prior to any subdivision approval.

GOAL

To protect the sustainability of groundwater, and surface water supplies.

OBJECTIVES

1. Identify environmentally sensitive resources and protect all freshwater resources to maintain their natural habitat, environmental quality, quantity, aesthetic appeal, and recreational value.
2. Conserve and enhance the quality and quantity of freshwater sources for all agricultural and domestic uses.
3. Plan development in a manner that minimizes impact on surface water and groundwater sources.

4. Support development that is compatible with the Community Values (Section 1.4) and Development Guideline Criteria Statements (Section 3.1).

POLICIES

1. In consultation with current land owners the CSRD will use the environmental guidelines contained in the Ministry of Environment document, "Develop with Care: Guidelines for Urban and Rural Land Development in British Columbia" (2014), to identify lands and waters that deserve to be recognized as environmentally sensitive resources (see section 7 of this Plan).
2. All watercourses as defined in the Riparian Areas Regulation (RAR) and the *Fisheries Act* are designated as Development Permit Areas and will be protected in accordance with the Federal *Fisheries Act* and the Provincial *Fish Protection Act* requirements.
3. The CSRD shall not support development on potential environmentally sensitive resource lands unless a proper environmental study has been undertaken which proves the proposed development will not adversely affect these areas. The Development Approval Information Bylaw gives the CSRD the authority to require an applicant to provide information on the impact of the activity or development that is subject to the application.
4. The CSRD recommends that the Approving Officer require subdivisions to be designed to maintain the hydrologic regime of streams and wetlands while providing sufficient drainage in a manner which does not interfere with groundwater recharge, destabilize the ground or allow the intrusion of sediment into natural watercourses, streams, lakes, and wetlands.
5. All new subdivisions, prior to approval, will be required to meet the servicing requirements in CSRD Subdivision Servicing Bylaw No. 641
6. Prior to supporting any OCP redesignation or rezoning that will increase water use on a property, the CSRD may require a hydro-geological impact assessment on the quantity and quality of water resources. A qualified professional engineer or geoscientist with proven knowledge and experience in groundwater management must certify, provide a written statement through a hydro-geological impact assessment, verifying the long term reliability of the water supply for the proposed development. The assessment must also verify there will be no significant negative impacts on other water supplies and properties.
7. The CSRD shall not positively consider development proposals in an area serviced by an existing or proposed water utility, unless written confirmation is provided from the water utility supplying the potential development ensuring it will provide sufficient quantity and quality of potable water for the development with no significant impacts on other water supplies and properties.
8. The CSRD shall not approve any OCP redesignation, rezoning or development permit, near potential environmentally sensitive resources unless a suitable storm water management plan is presented to the CSRD ensuring that storm water drainage from development does not increase the peak flow run off into adjacent areas nor disrupt natural drainage patterns.

9. The CSRSD will catalogue environmental sensitive areas (ESAs) as they become identified through the development approval information process.
10. The CSRSD will begin a public education program about water conservation, watershed protection and proper septic system care for the plan area.
11. In recognition of the environmental significance of Gardom Lake, the CSRSD will work with residents around the lake, Interior Health and the Ministry of Environment towards zero effluent seepage to the lake from septic systems and agriculture as soon as possible. The CSRSD will also raise concerns about ditching practices in the immediate vicinity of Gardom Lake with the Ministry of Transportation and Infrastructure.

4.2 PROTECTION OF WILDLIFE, AQUATIC LIFE AND NATIVE PLANTS

A number of species at risk can be found in the Plan Area including the Western Painted Turtle, Great Blue Heron, the Flammulated Owl and freshwater molluscs that have been identified in and adjacent to Gardom Lake. The aquatic species at risk that occur in Gardom Lake highlight the sensitivity of this lake and other small lakes.

Historically Gardom Lake has been rich in wildlife, with a wide variety of species observed in the water, on its surface and along its shoreline. This diversity of wildlife, however, has been compromised in recent years with the introduction of several introduced species of aquatic life, including perch and small-mouth bass, and Yellow flag (yellow iris) along its shorelines. The Plan Area also is endowed with an abundance of rare flora.

Additional significant areas have been identified in the Area 'D' Parks Plan which could result in small community parks that are oriented towards greenbelt, wildlife corridors or environmental protection. This is explained in more detail in Section 6.1 (Parks and Protected Areas).

GOAL

To conserve and protect native wildlife, aquatic habitat and plants in the Plan Area.

OBJECTIVES

1. Support the establishment of wildlife and waterfowl reserves and wildlife corridors.
2. Support the identification and designation of significant native flora and fauna areas.
3. Support development that is compatible with the Community Values (Section 1.4) and Development Guideline Criteria Statements (Section 3.1).
4. The CSRSD supports the identification and designation of areas that protect native flora and fauna in perpetuity. In particular, the CSRSD supports initiatives associated with the following areas: Provincially protected areas & parks, ecological reserves, fisheries reserves and hatcheries, wildlife refuges, waterfowl habitat, nature trusts, conservation covenants and CSRSD parkland.

5. The Plan supports and encourages the restoration and enhancement of streams, lakes and wetlands and their riparian corridors wherever possible by community groups, corporate bodies or land owners.
5. The Plan supports and encourages the identification, retention and enhancement of wildlife corridors.
6. The Plan supports the efforts of Provincial and Federal levels of governments to deal with the issue of introduced aquatic species in Gardom Lake.

POLICIES

1. Habitat protection along rivers, streams, and wetland areas is strongly supported and may be complemented with CSRD parkland initiatives.
2. The CSRD will engage in a public awareness program about minimizing runoff to water bodies and streams from fertilizers, pesticides, pet waste and other contaminants.

4.3 NATURAL HAZARD AREAS

Natural hazard areas are sources of potentially dangerous chance events. Examples of natural hazards are: fires, floods, mass movement of land, landslides and earthquakes.

Due to the vast forested areas in Ranchero/Deep Creek, there exists the potential for interface forest fires. It is important that best practice interface fire protection building and landscaping techniques be strongly encouraged to mitigate the potential for loss of life, property and the environment as a result of forest fires.

Flood potential on lands adjoining watercourses, lakes, creeks and wetlands is also a reality for lands in the Plan area.

Steep areas are more susceptible to mass movements of land, such as rock falls and landslides. The diversion of water and the removal of vegetation may destabilize slopes or adjacent slopes and consequently result in failure. The threat of landslides is a concern where development may occur near or below potentially unstable slopes. Landslides can also be triggered by inappropriate details of construction and location.

Significant seismic activity is a remote possibility within the Plan Area. The majority of the CSRD is classified as a Zone 1 area according to the Provincial Seismic Zoning Map. This indicates that the area is at low risk for seismic activity.

Other areas, locations and conditions may exist but have so far not been identified. Mapping of hazardous areas will be developed and continued to be refined as mapping data and other information becomes available.

GOAL

To reduce the potential for loss of property and personal injury.

OBJECTIVES

1. Protect existing and new development from potentially hazardous conditions.
2. Support development that is compatible with the Community Values (Section 1.4) and Development Guideline Criteria Statements (Section 3.1).

POLICIES

1. All areas with slopes in excess of 30% within the Plan Area shall be considered as potentially hazardous areas until detailed terrain hazard assessments (site specific or general mapping) have been undertaken.
2. The CSRD shall not support any rezoning or issuance of a Temporary Use Permit in the Plan Area on or near potentially hazardous areas unless the applicant provides evidence that measures can and will be taken to remediate the hazard, or render the development capable of withstanding the effects of the hazard and to protect adjacent properties from possible impacts.
3. For rezoning and Temporary Use Permit applications which apply to lands on or near potentially hazardous areas, the CSRD will require that a geotechnical report be prepared and a covenant be registered under Section 219 of the Land Title Act where a geotechnical report indicates that the land may only be used safely subject to the conditions contained in the report.
4. Strongly encourage best practice interface forest fire mitigation techniques for development to protect life, property and the environment.
5. Provide education on fire safety through a Coordinated Public Fire Safety Program.

4.4 CLIMATE CHANGE

Scientific consensus has confirmed that increasing emissions of human-caused greenhouse gases (GHG) are rapidly changing the earth's climate. Greenhouse gases refer to any or all of carbon dioxide, methane, nitrous oxide, hydrofluorocarbons, perfluorocabrons, sulphur hexafluoride and any other substance prescribed by regulation. Globally, the impacts of climate change will be profound, and are already evident. Regionally, the potential impacts and vulnerabilities are less well documented, however they are a growing concern.

As one of 175 local governments that are signatory to the B.C. Climate Action Charter, the CSRD is committed to reducing GHGs and has agreed to take actions to achieve certain goals. In order to address growing concerns regarding climate change, B.C.'s *Local Government Act* was amended in 2008 to require all OCPs to set targets for the reduction of greenhouse gases, as well as policies and actions to achieve the targets (LGA s. 473). Key Provincial initiatives include: Bill 44 (2007) Greenhouse Gas Reduction Targets Act, BC Climate Action Plan, BC Energy Plan, Bill 10 (2008) Housing Statutes Amendment Act, Bill 27 (2008) Local Government (Green Communities) Statutes Amendment Act, Community Action on Energy and Emissions (CAEE), Pacific Carbon Trust, and the Landfill Gas Management Regulation (2008).

Approaches to Setting Targets

In 2007, the BC Ministry of Environment launched a GHG reporting system called the Community Energy and Emissions Inventory (CEEI) to provide emissions inventories for municipalities and regional districts in BC. These reports capture annual community-wide energy consumption and GHG emissions estimates for three key sectors: on-road transportation, buildings, and solid waste. The inventories exclude emissions sources such as woodstoves, gas and diesel generators, boats, and propane. Estimates of GHG emissions caused by deforestation as a result of land use changes (settlement and agriculture) are available at the regional district level only.

For the unincorporated areas in the CSRD, the 2007 GHG Emissions Sources are as follows:

61% On-road Transportation
29.5% Buildings
9.5% Solid Waste

While no CEEI data has been collected specifically for the Plan Area a study has been conducted to determine total GHG emission for Electoral Area 'D.' The table below provides a profile of Electoral Area 'D' and the estimated emissions for 2007.

Table 4.1

Population: 3,899		Projected annual growth: 1.5%	
GHG emissions (total): 26,100 tonnes CO ₂ e		GHG emissions (per capita): 6.7 tonnes CO ₂ e	
Dwellings		Transportation	
Number of Dwellings	1,631	Number of Registered Passenger Vehicles	2,196
% of Single detached	84%	% Small Passenger Vehicles	25%
% of Multi-family	4%	% Large Passenger Vehicles	17%
Age distribution (% > 30yrs old)	56%	% Light Trucks, Vans, SUVs	58%

Source: CSRD Community Greenhouse Gas Emissions Strategy, 2010

A "business-as-usual" (BAU) forecast was developed for each Electoral Area to 2050. The forecasts are driven by population growth (as outlined in Table 4.1 above), but consider efficiency improvements expected as a result of senior government policy, which will occur regardless of action taken by the Regional District. Overall GHG emissions are *projected* to increase in Area 'D' by approximately 6% by 2030 under a BAU scenario.

Table 4.2. Estimated Business as Usual (BAU) energy and GHG forecast, 2030

BAU 2030	ENERGY [GJ]	GHGs [tonnes CO₂e]
Buildings	372,500	8,800
Vehicles	227,600	15,100
Solid Waste	-	3,500
TOTAL	600,100	27,400
PER CAPITA		4.9

Source: CSRD Community Greenhouse Gas Emissions Strategy, 2010

The challenge in rural areas is the availability of indicator data and the varying degrees of accuracy of the data in each sector. Electricity consumption for a defined area can be obtained from BC Hydro and it is very accurate, whereas “vehicle kilometres travelled”: (VKT) data is difficult to estimate. While there is no specific CEEI data for the Plan Area, the above baseline data is still helpful in understanding the current situation for Area 'D'.

OBJECTIVES

1. Understand the likely impacts and vulnerabilities of regional climate change within the plan area.
2. Strive to reduce greenhouse gas emissions measurably within the plan area.
3. Consider the impacts of climate change and greenhouse gas emissions in all land use decision-making.

POLICIES

1. Targets: Adopt a 10% reduction in GHG emissions by 2020 from 2007 levels and a 20% reduction in GHG emissions by 2030 from 2007 levels. If these targets are met it would signify a 25% per capita reduction by 2020 and a 45% per capita reduction by 2030.
2. Facilitate information exchange among local residents and conservation programs including:
 - Energy Efficient Building Strategy: More Action, Less Energy,
 - LiveSmart BC Program,
 - BC Hydro's Power Smart Program,
 - BC Hydro's Energy Saving Kits,
 - BC Hydro's Guides and Tips – Green Your Home,
 - EnerGuide Rating System (energy rating of 80 or higher for new homes),
 - Passive solar design, and
 - BC Living Water Smart.
3. In consultation with other jurisdictions within the watersheds of the Plan Area, undertake to:
 - Identify the potential impacts, risks and vulnerabilities regionally,
 - Identify and prioritize adaptive measures, and
 - Inventory and establish a monitoring process for GHG emissions.
4. Strive to encourage more compact and complete communities.
5. Encourage and support non-vehicular walkways and trails and alternative modes of transportation that are accessible and convenient, to help reduce vehicle dependency.

6. Encourage and support initiatives to upgrade wood-burning appliances through wood stove exchange programs.
7. Encourage reductions in building-related emissions for all new buildings and the retrofit of existing buildings.
8. Encourage the protection and restoration of natural areas and forest ecosystems.
9. Promote and support the expansion of local agriculture and food production, processing, and distribution.
10. Encourage businesses and employment that help to address GHG reduction.
11. Encourage local renewable energy generation, e.g., solar hot water technology.
12. Encourage employment opportunities that support GHG reduction, e.g., conducting energy audits for buildings, commercial composting operations.
13. Encourage and support sustainable infrastructure and use of resources, including water conservation and energy production.
14. Encourage the development of alternative transportation options such as walking and cycling within the Plan Area, and car sharing and shuttle bus services for commuters to other communities.
15. Encourage efficient vehicles and driving habits through education (e.g. anti-idling campaigns, web material).
16. Provide more opportunities for home-based business and industry to decrease dependence on automobiles in appropriate zones.
17. Support local food security through large and small scale agriculture, local food processing and local food consumption in appropriate zones.
18. Promote conservation of sensitive ecosystems and forested land—especially unfragmented areas.
19. Support the policies in the Solid Waste Management Plan to fulfill the vision that all economic activities in the CSRD will be consistent with a “Zero Waste” community.

SECTION 5 – NATURAL RESOURCE MANAGEMENT

5.1 AGRICULTURE

Existing productive farming areas and most of the undeveloped lands, with some agricultural capability within Rancho/Deep Creek plan area, are designated Agriculture. Lands within the Agricultural Land Reserve (ALR), shown on Schedule 'C', are subject to the *Agricultural Land Commission Act*. The mandate of the Provincial Agricultural Land Commission (ALC) is to preserve agricultural land and encourage farming. Non-agricultural development, including subdivision or non-farm use of these lands is not permitted without ALC approval. Therefore, lands designated in the ALR should be retained for agricultural purposes.

While regulations governing the ALR largely ensure that the land base is protected, problems may still develop at the interface between urbanizing areas and agricultural communities. *The Farm Practices Protection (Right to Farm) Act* ensures that bona fide agricultural operations, operating under normal farm practices, cannot be limited through zoning bylaws. This OCP supports agriculture and provides for buffer lands (designated Rural Holdings and Medium Holdings) to enhance land use compatibility in the Plan Area.

GOAL

To protect agricultural land both within and outside the ALR for agricultural based activities.

OBJECTIVES

1. Protect the agricultural land resources of the Plan Area for present and future food production and other agricultural purposes.
2. Recognize and protect the needs and activities of agricultural operations when considering development on adjacent lands.
3. Support farming practices that protect soil and water resources.
4. Encourage protection of the quantity and quality of the water supply, seek to improve water availability for irrigation purposes, and encourage the use of current best practices with respect to irrigation.
5. Encourage non-agricultural development away from agricultural lands.
6. Support development that is compatible with the Community Values (Section 1.4) and Development Guideline Criteria Statements (Section 3.1).
7. Encourage farmers in the Plan Area to follow the measures described in the British Columbia Farm Practices Guidelines as outlined by the Ministry of Agriculture.

POLICIES

1. This Plan supports the Agricultural Land Commission's mandate of preserving and encouraging the development of lands for agricultural purposes.

2. The CSRD encourages the retention of large land holdings within the Plan Area, including the ALR, to maintain future opportunities for farm use.
3. The CSRD discourages encroachment and fragmentation of farmland by non-farm related uses.
4. The location and construction of new roads, trails, utility or communication rights-of-way should be sited to avoid Agricultural lands wherever possible. Where unavoidable, these rights-of-way should be sited in a manner that will cause minimal impact on agricultural operations. Alignments should be established in consultation with affected landowners and the ALC.
5. Encourage adjacent property owners to cooperate in the establishment of fencing or buffers.
6. In the case of new developments adjacent to Agriculture lands, the CSRD strongly encourages the provision of adequate vegetative buffers to protect agricultural values and prevent encroachment.

5.2 FORESTRY

Forestry is a prominent land use in the Plan Area. Although most of the forest land within the Plan Area is Crown Land, there are also large areas of private holdings some of which may be regulated by the *Private Managed Forest Land Act*. Most of these lands are concentrated on Mount Ida and south and east of Gardom Lake. Existing forests are in various stages of maturity.

This Plan supports the protection of forestlands for timber production and value-added silviculture activities. Where objectives in this section relate to matters beyond the jurisdiction of the CSRD, these policies guide the Board in making recommendations to senior levels of government and private forest landowners in decisions for the management of forest lands.

GOAL

To support environmentally sensitive and sustainable practices on forest lands.

OBJECTIVES

1. Maintain the forested land base by supporting sustainable timber production and associated forestry management practices.
2. Protect environmentally sensitive areas, watersheds and water courses to prevent erosion, protect wildlife habitat, riparian areas and sources of water for domestic and agriculture uses.
3. Support appropriate and responsible recreational and educational uses.
4. Strongly encourage best practice interface forest fire mitigation techniques for development to protect life, property and the environment and limit access to the forests during times of extreme wildfire potential.
5. Support development that is compatible with the Community Values (Section 1.4) and

Development Guideline Criteria Statements (Section 3.1).

6. Appropriate Provincial agencies are encouraged to:
 - (a) ensure the quantity and quality of fresh water within the drainage system of watercourses, streams, lakes and wetlands is not compromised;
 - (b) maintain the aesthetic appeal and visual integrity of the Plan Area;
 - (c) prevent disturbance of areas of unique vegetation or wildlife;
 - (d) use methods that do not increase, or contribute to, soil erosion or slope instability;
 - (e) use silviculture methods that promote healthy forests;
 - (f) use best practice interface forest fire mitigation techniques and minimize fire hazards;
 - (g) ensure reforestation in a timely manner; and
 - (h) promote and develop slash treatments that mitigate greenhouse gas emissions.
7. The CSRD will encourage Provincial leadership towards ensuring environmentally sound forestry practices.
8. Provincial and Federal governments are encouraged to protect environmentally sensitive areas.
9. Appropriate Provincial agencies shall be encouraged to ensure the viability of responsible outdoor recreation in the woodlands.

5.3 MINERAL & GRAVEL RESOURCES

The CSRD has only limited influence on the management of mineral and aggregate resource extraction, as decisions related to such uses are generally beyond the jurisdiction of the Regional Board. The objectives and policies of this section remain broad in nature to offer guidance to senior governments in their decision-making process, as part of the referral process.

The aggregate resource potential for the Plan Area is shown on Schedule 'D', which is intended to provide estimates of broad, regional aggregate distribution. Areas are ranked for their potential to host natural aggregate deposits (mainly gravel).

GOAL

1. Minimize conflicts between extraction activities and adjacent lands, watersheds and riparian areas.
2. Encourage the Ministry of Energy, Mines and Petroleum Resources to engage in public consultation when issuing, amending, or reviewing mining licences.
3. Encourage the Ministry of Energy, Mines and Petroleum Resources to engage in meaningful dialogue with the CSRD regarding mining licences.

OBJECTIVES

1. Support good conservation practices during mining operations so as not to jeopardize the long-term renewable resource potential of the area.
2. Encourage site rehabilitation and reclamation of damaged landscapes for subsequent productive use and environmental protection.
3. Support development that is compatible with the Community Values (Section 1.4) and Development Guideline Criteria Statements (Section 3.1).
4. When considering development in an area underlain by mineral resources, the feasibility of removing the resource should be adequately considered by the Province and the CSRD.
5. Prior to issuing a permit for a mining operation, the Province is encouraged to refer the application to the CSRD and the public and provide adequate consideration to:
 - (a) possible impacts on neighbouring residential and rural parcels and the natural environment; and,
 - (b) the potential impacts of resource removal on the quantity and quality of surface and groundwater at the local and watershed scale.
6. The CSRD recommends that environmentally sound reclamation and conservation practices be undertaken at all mineral and aggregate resource extraction operations to protect long-term resource potential in the Plan Area. Specifically, where a mine or related activities may cause significant disturbance to the surface of the land, the Province shall be encouraged to require that a performance bond be posted to ensure the proper reclamation of the damaged landscape under all relevant legislation.
7. Sand and gravel extraction should be undertaken in accordance with the best management practices of the Ministry of Energy, Mines and Petroleum Resources.

SECTION 6 – COMMUNITY RESOURCES

6.1 PARKS AND PROTECTED AREAS

The CSRD currently has only a few small undeveloped community parks dispersed throughout the rural residential areas in the Plan Area which are designated on Schedule 'B' as "PK". These parks were established as part of the requirements of property subdivision pursuant to Section 510 of the *Local Government Act*. Future parks obtained through subdivision or by other means are permitted in any land use designation without amendment to this OCP. A park acquisition reserve fund is also supported when cash-in-lieu of park dedication is chosen. The 13 park sites in the plan area, including present and proposed, are identified on Schedule 'B'.

Through the development of an Electoral Area 'D' Parks Plan and through the Parks Advisory Commission, residents have had the opportunity to identify additional park land that should be developed for the:

- (a) identification and protection of known streams, wetlands, natural areas, and wildlife corridors;
- (b) provision of access to lakes and streams for recreation purposes;
- (c) provision of linear walking trails and greenway alternatives beside roadways;
- (d) protection of historical features, and;
- (e) pursuit of outdoor recreational and leisure activities.

A more detailed description of the Park Classification System and Implementation Strategy is found in Schedule 'F.' This Official Community Plan seeks to implement the Parks Plan, and therefore the relevant excerpts in Schedule F have been updated and modified slightly for consistency with this plan and statutory requirements.

GOAL

To ensure suitable land is available to meet the active and passive recreational needs of the resident population and visitors to the area, as well as to protect significant natural and historical features of the area.

OBJECTIVES

1. Support the Electoral Area 'D' Parks Plan as it pertains to the Plan Area, including the Park Classification System and Implementation Strategy (Schedule 'F').
2. Ensure that parks and recreational uses form an integral part of the community infrastructure.
3. Support public open space opportunities on Provincial, Federal, CSRD and private lands.
4. Establish and improve public access to lakes and linear recreational connections along creeks and river corridors in appropriate non-environmentally sensitive locations.
5. Improve paths and walkway alternatives which link roadways to provide safe walking, bicycling, horseback riding, and other non-motorized transportation opportunities.
6. Encourage the availability of the area's Crown lands for recreational enjoyment and education.

- 7 Advise and inform the public that park land can be voluntarily donated to many levels of government and that park land and the development of parks can be funded through donations and tax appropriations. The public will also be informed that conservation covenants, nature trusts and pathway statutory right of ways and easements can be established on private land.
8. Support development that is compatible with the Community Values (Section 1.4) and Development Guideline Criteria Statements (Section 3.1).

POLICIES

1. Lands within the Parks and Protected Areas designation are shown as "PK" on Schedule 'B'. Note that both existing and proposed park sites have been identified. For a complete list of existing and proposed sites refer to Schedule 'F'.
2. For the purposes of Section 510 of the *Local Government Act*, the entirety of the Electoral Area covered by this OCP is designated as having future park potential. Schedule 'F' of this Plan generally determines the provision of parkland within the Plan Area. In addition, the CSRSD will consider the following policies, designations, locational attributes and type of parks when determining a potential park land dedication, or the Board's decision to require cash-in-lieu, under Section 191 of the *Local Government Act*.
 - Close proximity to settlement areas, other parks & trails, and bodies of water;
 - Safe distance from environmental hazard areas;
 - Average slope should be 20% or less;
 - Adequate accessibility:
 - (a) vehicular ingress and egress should meet or exceed Ministry of Transportation standards;
 - (b) in the case of trails and pedestrian-access only parks, there should be various linkages to and from the trail or park, with at least one linkage wide enough to allow for maintenance vehicle access;
 - Cultural or natural features of significance, including beaches, waterfalls, wetlands/marshes, viewsapes and heritage sites;
 - Potential for additional dedication of park land from subdivision applications of surrounding parcels;
 - Potential for recreation (active park), conservation (passive park) or enhancement of public access; and,
 - Compatibility with the strategic directions and sites identified in Schedule 'F' and the remaining policies of this section.
3. The CSRSD shall endeavour to obtain parkland for community recreation, nature preservation, linear connections, or other parkland uses including the monitoring of alienation of Crown land and subdivisions to meet these objectives.
4. The CSRSD shall encourage the Province and forest companies to protect the natural woodlands and landscape features of the area and provide opportunities for controlled use of industrial logging roads during non-operation periods for outdoor recreation.
5. The CSRSD shall encourage and support volunteer assistance in the development and

management of community parks, stream keeper projects and trails.

6. Through the implementation of the OCP and the Area 'D' Parks Plan, the CSRD will strive to achieve the above objectives providing a better parkland and open space service, including trails, protected areas, access to lakes and streams, and developed recreational areas.
7. Consult with the public, Parks Advisory Commission, volunteer groups, service organizations and other local governments including the City of Salmon Arm, the North Okanagan Regional District and the District Municipality of Spallumcheen for inter-municipal park and open space initiatives.
8. CSRD parks will be managed in a manner respectful of First Nation's cultural heritage resources.

6.3 COMMUNITY FACILITIES

Community and institutional facilities in the Plan Area include the Ranchero/Deep Creek Fire Hall, Mennonite Church and School, the Farmers' Institute locations on Deep Creek and Mallory Roads, Anchor Academy, and the Beyond 12 Steps Healing Centre.

The Ranchero/Deep Creek Fire Department provides community fire protection to the Plan Area and to the adjacent Grandview Bench area of the North Okanagan Regional District (RDNO) Electoral Area 'F' through a cross boundary agreement. The CSRD and the Ranchero/Deep Creek Fire Department participate in Mutual Aid agreements with both RDNO Electoral Area 'F' and District Municipality of Spallumcheen.

There are community and institutional facilities found throughout the Plan Area but no new facilities proposed at this time. Higher density uses shall be encouraged to locate where appropriate in the Plan Area or in adjacent municipalities.

GOAL

Encourage the continuance of sufficient community facilities to service the present and future needs of residents.

OBJECTIVES

1. Encourage community use and support of community facilities.
2. Encourage the establishment of future community facilities to locate in appropriate areas.
3. Recognize the existing emergency services provided within the Plan Area.
4. Encourage improved coordination for providing emergency services for existing and future residents.
5. Support the strategic location of fire halls and future ambulance stations to serve the growing needs within the Plan Area.

6. Support development that is compatible with the Community Values (Section 1.4) and Development Guideline Criteria Statements (Section 3.1).

POLICIES

1. The CSRD shall encourage new proposals for private institutional facilities in appropriate locations in the Plan Area.
2. The Plan recognizes the location of the existing fire hall and fully supports the valuable volunteer fire fighting and emergency services provided by the Rancho/Deep Creek Volunteer Fire Department and the assistance provided through mutual aid agreements by RDNO's Electoral Area 'F' and the District Municipality of Spallumcheen Fire services.
3. The CSRD will continue to support coordination between volunteer fire departments to ensure that adequate fire fighting services are able to accommodate future development within the Plan Area and to improve fire protection service to rural areas and encourage interface fire mitigation techniques in all building and landscaping.
4. The Plan recognizes and fully supports the valuable volunteer emergency services provided by the Rancho/Deep Creek First Responders.
4. The Plan encourages the CSRD to continue to fund the Shuswap Emergency Program (SEP) to provide for the training of volunteers and to participate in the development of emergency evacuation plans, disaster preparedness plans, in coordination with the appropriate Federal and Provincial government agencies.

6.4 COMMUNITY WATER AND SEWER SYSTEMS

There are eight registered water utilities in the Plan Area and there may be other systems that are not registered with Interior Health. These systems rely primarily on ground water (aquifers) for their supply and are located in the Shaw Road/Rancho area.

The Plan Area relies heavily on aquifer and surface water resources. The quantity of water available from these sources is undefined and the long-term viability of both quality and quantity is not fully understood. Precautions need to be taken to protect these water resources.

At this time there are no major water or sewer systems anticipated for the Plan Area. However, as development occurs, the need for such community systems will become more important. The CSRD will consider acquiring only those community water and sewer systems that have at least 50 connections or serve at least 50 parcels and are expected to be financially viable to own and operate. Shaw Road, Rancho and Gardom Lake may be areas in the future that will require these services. Such a proposal would require community consultation prior to proceeding.

GOAL

Ensure adequate water and sewer services are provided while protecting water resources and existing users prior to new development being approved. Encourage proper functioning and maintenance of existing sewer systems through education and facilitation of disposal of septic sludge.

OBJECTIVES

1. Registration of private/public water and sewer utilities.
2. Local water purveyors will be encouraged to work with Interior Health, the Ministry of Environment and the CSRD to ensure water quantity and quality is sufficient and can be sustained for future development options.
3. Future publicly funded community sewer services are to be first proposed for those areas with environmental or public health concerns.
4. Development that is compatible with the Community Values (Section 1.4) and Development Guideline Criteria Statements (Section 3.1).

POLICIES

1. CSRD to take on a greater role in water quality preservation and sewage system regulation including:
 - (a) investigation of a comprehensive study (Liquid Waste Management Plan) to identify areas at risk and problems and solutions within the life of this plan;
 - (b) supporting environmentally safe and practical use of on-site sewage systems for the life of the system and supporting Provincial regulations and setbacks for on-site septic fields;
 - (c) supporting the provision of economical and legal facilities for disposal of septic tank sludge;
 - (d) supporting a public education program to help property owners understand and maintain their on-site septic systems;
 - (e) investigating an inventory and monitoring program for existing on-site septic systems in cooperation with Interior Health.
2. Developers and water utilities must, in consultation with Interior Health and MOE, ensure there is adequate quantity and quality of water available for any future development.
3. This Plan strongly recommends that all future subdivisions where proposed lots are smaller than one hectare be serviced with community water and sewer systems.
4. This Plan supports development of community sewer systems within the Plan Area for those areas with identified environmental or public health needs.
5. Future community infrastructure should be located where it will pose no significant negative impact on the environment.

6.5 TRANSPORTATION

Highway 97B and Deep Creek Road, shown on Schedule 'E', are the main vehicular routes in the Plan Area. Highway 97B enters the Plan Area at the City of Salmon Arm boundary at the north and travels south, turning east where it enters the North Okanagan Regional District (RDNO) east of Gardom Lake. Highway 97B is a controlled access highway and provides an important connection for vehicles between Shuswap and Okanagan communities. The intersection of

Highway 97B and Hudson Road provides access to the Ranchero neighbourhood and commercial development along Mellor Frontage Road. No major new roads are anticipated at this time but the CSRD will work closely with MoTI in any future road development planning.

Deep Creek Road begins at the intersection with Highway 97B across from the Ranchero/Deep Creek Fire Hall, heads west then turns south and follows the Deep Creek watercourse. Deep Creek Road is mainly a north/south corridor. Gardom Lake and Mallory Road neighbourhoods can be accessed from Deep Creek Road or from Gardom Lake Road which intersects Highway 97B at the RDNO boundary.

GOAL

To promote safe and efficient motor vehicle, agricultural, bicycle, pedestrian and equestrian transportation throughout the Plan Area.

OBJECTIVES

1. To plan for the provision of a road network capable of safely servicing existing and future development.
1. To acquire land and encourage greenways and alternatives to motor vehicles including park dedication further to LGA s.510, such as cycling, walking and horse trails when considering rezoning or subdivision, along road ways.
2. Support development that is compatible with the Community Values (Section 1.4) and Development Guideline Criteria Statements (Section 3.1).

POLICIES

1. Traffic impact studies must be undertaken for major development proposals in order to:
 - (a) ensure safety and mobility are maintained through access management;
 - (b) minimize disruption to farming operations;
 - (c) ensure that projected traffic volumes do not reduce the present levels of existing roadway services including: bicycle allowances, water, sewage collection and disposal, drainage and other utilities, and negative effects are mitigated; and
 - (d) ensure that existing and future roads and alignments are designed with due consideration for the protection of fish and wildlife habitat and other environmentally sensitive areas.
2. Roads should be designed for safety and enhanced to accommodate use by pedestrians, cyclists and horses. It is encouraged that additional lanes, alternative trails or pathways are developed to accommodate non-motorized traffic in a safe manner.
3. Inform property owners and residents about Ministry of Transportation and Infrastructure Access Permit requirements for developments on all land use designations.
4. Encourage buffering consistent with the Provincial Agricultural Land Commission and the Ministry of Agriculture and Land specifications and accommodate the movement of agricultural machinery.

5. Work with the Ministry of Transportation and Infrastructure to discuss a Road Network Plan that is current, defines access management agreements where applicable, and coordinates mapping with the CSRD.

6.6 PUBLIC TRANSPORTATION

GOAL

To support the development of enhanced local area public transit.

OBJECTIVES

1. Support the development of public transportation opportunities for residents of Ranchero/Deep Creek.
2. Direct development to be compatible with the Community Values (Section 1.4) and Development Criteria (Section 3.1).

POLICIES

1. The CSRD shall encourage the development of alternative transportation opportunities such as mini-bus services and facilitating car-pooling and car-sharing.
2. In consultation with BC Transit and the City of Salmon Arm, the CSRD will investigate further development of the Shuswap Transit System to better meet the needs of Ranchero/Deep Creek residents.
3. The CSRD shall investigate the development of improved mini-bus services for the handicapped and elderly if ridership warrants it.

6.7 SOLID WASTE MANAGEMENT

There are currently no solid waste facilities or plans for any such facilities in the Plan Area. The CSRD, however, adopted a new Solid Waste Management Plan in 2009. Some of the highlights of the plan include:

- Vision: All economic activities in the CSRD will be consistent with a “Zero Waste” community.
- The CSRD will emphasize and encourage the 6R hierarchy (Rethink, Reduce, Reuse, Recycle, Recover, Manage Residuals), and continually strive towards a higher “R” in waste management practice.
- The CSRD will continue to finance the cost of residual waste disposal through a region-wide user pay system to encourage an equitable and sustainable approach to managing residuals.
- The CSRD will perform a carbon footprint assessment on all existing solid waste management programs as a benchmark to assess new program delivery.
- The CSRD will explore offset methods to achieve a carbon-neutral waste management system.

- The CSRD will review landfill gas recovery systems at all landfills to determine the feasibility of constructing such facilities to reduce fugitive methane.
- Where feasible, the CSRD will mitigate greenhouse gas emissions at all regional landfills and identify the resulting carbon credits.
- The CSRD will work with member municipalities to develop curbside collection programs to reduce residential transportation costs for disposal and recycling, provide a higher diversion rate, and reduce greenhouse gas emissions by reducing the total amount of traffic driving to transfer stations, landfills, and recycle depots.
- An Extended Producer Responsibility approach will shift end-of-life material management responsibilities from the general taxpayer to the manufacturers and consumers (Product Stewards) who produce and use the goods, encouraging them to consider environmental impacts when designing their products.

POLICIES

1. Support implementation of the policies in CSRD's amended Solid Waste Management Plan.
2. Encourage, through education, efficient and environmentally responsible solid waste disposal, especially reduction of waste, reuse of materials, recycling and backyard composting

SECTION 7- RIPARIAN AREAS REGULATION (RAR) DEVELOPMENT PERMIT AREA

PURPOSE

The Riparian Areas Regulation Development Permit Area (RAR DPA) is designated under the *Local Government Act* for the protection of the natural environment, its ecosystems and biological diversity.

AREA

The RAR DPA is comprised of Riparian assessment areas for fish habitat, which include all watercourses and adjacent lands shown on Provincial TRIM map series at 1:20,000, as well as unmapped watercourses.

As illustrated in Figure 7.1, the area comprises land:

- Within 30 m of the high water mark of the watercourse;
- Within 30 m of the top of the ravine bank in the case of a ravine less than 60 m wide; and
- Within 10 m of the top of a ravine bank for ravines 60 m or greater in width that link aquatic and terrestrial ecosystems that exert an influence on the watercourse.

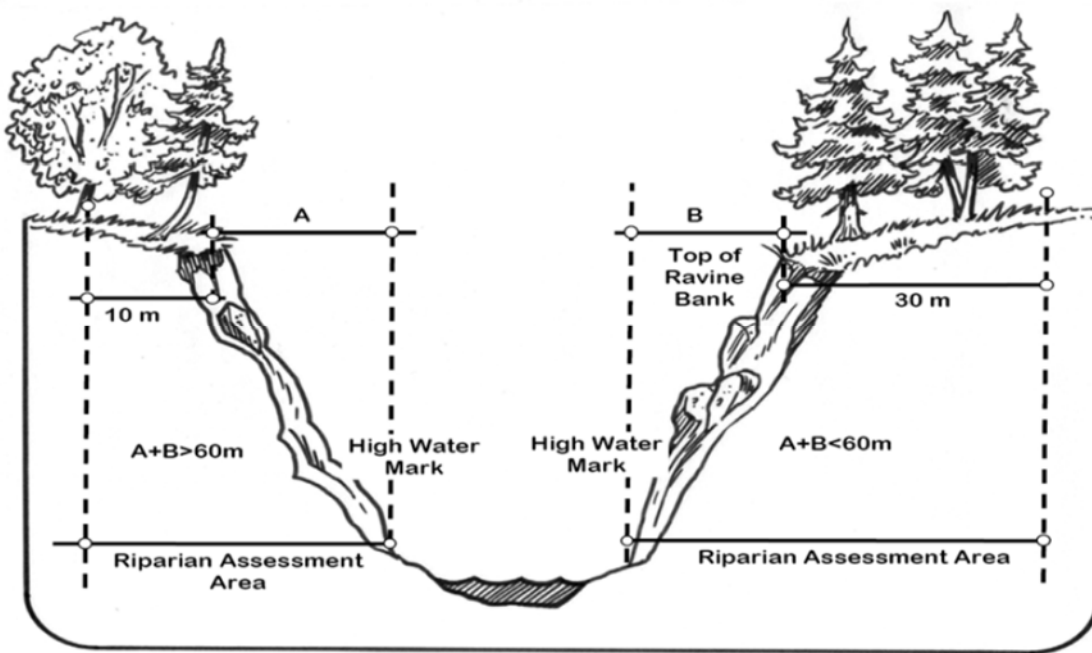


Figure 7.1

Unless the proposed development is clearly outside the riparian assessment area the location of the development shall be determined accurately by survey in relation to the RAR DPA to determine whether a development permit application is required.

The CSRD shall consider creating a policy to address information requirements for proposed developments that are not clearly shown to be outside of the Riparian Assessment Area.

JUSTIFICATION

The primary objective of the RAR DPA designation is to regulate development activities in watercourses and their riparian areas in order to preserve natural features, functions and conditions that support fish life processes (spawning, nursery, rearing, food supply and migration). Development impact on watercourses can be minimized by careful project examination and implementation of appropriate measures to preserve environmentally sensitive riparian areas.

GUIDELINES

A Development Permit must be obtained from the CSRD for any development on land or subdivision identified as a riparian assessment area within the RAR DPA except where exempted. Development requiring a Development Permit shall include, but may not be limited to, any of the following activities associated with or resulting from residential, commercial or industrial activities or ancillary activities, subject to local government powers under the *Local Government Act*:

- Removal, alteration, disruption or destruction of vegetation within 30m of a watercourse.
- Disturbance of soils, within 30 m of a watercourse;
- Construction or erection of buildings and structures within 30m of a watercourse;
- Creation of nonstructural impervious or semi-impervious surfaces within 30m of a watercourse.
- Flood protection works within 30 m of a watercourse;
- Construction of roads, trails, docks, wharves and bridges within 30m of a watercourse;
- Provision and maintenance of sewer and water services within 30m of a watercourse;
- Development of drainage systems within 30 m of a watercourse;
- Development of utility corridors within 30 m of a watercourse; and
- Subdivision as defined in the Land Title Act, and including the division of land into two or more parcels any part of which is within 30 m of a watercourse.

A Development Permit may be issued once the following guidelines have been met:

- Assessment by a Qualified Environmental Professional (QEP) in accordance with the Riparian Areas Regulation established by the Provincial and Federal Governments; and
- Provincial notification that a QEP has submitted a report certifying that he or she is qualified to carry out the assessment, that the assessment methods have been followed, and provides in their professional opinion that a lesser setback will not negatively affect the functioning of a watercourse or riparian area and that the criteria listed in the Riparian Areas Regulation has been fulfilled;

Exemptions: The RAR DPA does not apply to the following:

- Construction, alteration, addition, repair, demolition and maintenance of farm buildings;
- Farming activities;
- Institutional development containing no residential, commercial or industrial aspect;
- Reconstruction, renovation or repair of a legal permanent structure if the structure remains on its existing foundation in accordance with provisions of the relevant section of the *Local Government Act*. Only if the existing foundation is moved or extended into a riparian assessment area would a RAR DPA be required;

- An area where the applicant can demonstrate that the conditions of the RAR DPA have already been satisfied, or a Development Permit for the same area has already been issued in the past and the conditions in the Development Permit have all been met, or the conditions addressed in the previous Development Permit will not be affected;
- A letter is provided by a QEP confirming that there is no visible channel or a water course to be identified:
- Mining activities, hydroelectric facilities and forestry (logging) activities; and
- Land classified as Private Managed Forest Land

SECTION 8 - IMPLEMENTATION

8.1 IMPLEMENTATION STRATEGY

The Rancho/Deep Creek Official Community Plan has been prepared and adopted in accordance with the *Local Government Act*. Once adopted, it is intended that all bylaws enacted, permits issued and works undertaken will be consistent with the Official Community Plan.

The Plan will be implemented over a number of years through a combination of different types of initiatives, ranging from the amendment or creation of bylaws, improved communication with senior levels of government, and the direct involvement of residents and stakeholders.

Responsibility for initiating and undertaking these initiatives does not lie solely with the CSRD Board. Citizens, neighbourhoods, regional governments and senior governments must also initiate and undertake initiatives to implement the Plan. In many cases, collaboration and cooperation among all of the responsible parties will be required.

It is noted that the CSRD Board must weigh the wishes of communities with the priorities of the Region in deciding which implementation initiatives to commit resources to, and when to undertake the various implementation initiatives supported in the OCP.

The implementation strategy policies specify the anticipated timing of each implementation action. Immediate implementation actions are those actions that will be complete within one to two years of the adoption of the Rancho/Deep Creek Official Community Plan as a bylaw. Short-term implementation actions are those actions that have an anticipated two to four year timeframe for completion. Continuous implementation actions are longer term or ongoing actions.

OBJECTIVES

1. Identify key actions to implement the Rancho/Deep Creek Official Community Plan.
2. Identify responsible parties for key actions.
3. Identify timing of key actions.

POLICIES

1. The following table outlines the key actions required, parties responsible for key actions, and timing of each key action enabling the implementation of the Rancho/Deep Creek Official Community Plan.

Section	Responsible Parties			Timing	Action Items
	Senior Gov't	CSRD	Individuals & Community		
1.6	✓	✓	✓	Immediate	Conduct a complete review of the zoning bylaw and other documents to ensure consistency with the OCP
4.1	✓	✓		Immediate	Pursue provincial involvement in the mapping of Environmentally Sensitive Areas (ESAs).
4.1	✓	✓	✓	Immediate & Continuous	Identify environmentally sensitive resources and protect all freshwater resources to maintain their natural habitat, environmental quality, quantity, aesthetic appeal, and recreational value.
4.1	✓	✓	✓	Immediate	Work with residents around the Gardom Lake and other water courses, Interior Health, Ministry of Environment towards zero effluent seepage to the lake from septic systems and agriculture as soon as possible.
4.1	✓	✓		Immediate	Raise concerns about ditching practices in the immediate vicinity of Gardom Lake with the Ministry of Transportation and Infrastructure
4.1	✓	✓	✓	Immediate & Continuous	Develop and circulate water conservation and watershed protection information
6.4	✓	✓		Immediate & Continuous	Develop and circulate septic system maintenance and upgrading information.
5.2	✓	✓	✓	Short-term & Continuous	Encourage and support ESA stewardship.
6.1	✓	✓	✓	Short-term	Improve paths and walkways adjacent to and linking roadways to provide safe walking, bicycling, horseback riding, and other non-motorized transportation opportunities.
7.0		✓		Short-term	Create a policy to address information requirements for proposed developments that are not clearly shown to be outside of the Riparian Assessment Area.
6.5	✓	✓	✓	Short-term	Work with the MoTI to discuss a Road Network Plan that is current, defines access management agreements where applicable, and coordinates mapping with the CSRD
6.6	✓	✓	✓	Short-term	Examine the feasibility of expanding the Shuswap Transit System to better meet the needs of Ranchero/Deep Creek residents.
	✓	✓	✓	Short-term	Begin formal OCP review within four

					years of its adoption.
1.3	✓	✓	✓	Continuous	Facilitate on-going community involvement in the implementation of the plan in response to the growth and development of the community by utilizing a full range of media
1.4		✓	✓	Continuous	Require development applicants to provide a comprehensive approach to drainage including storm water management and prevention of slope instability.
1.6		✓	✓	Continuous	The Regional District will continue to support and recognize the role of the appointed Advisory Planning Commission.
1.6	✓	✓	✓	Continuous	The CSRD will require development approval information pursuant to Section 484 of the <i>Local Government Act</i> .
4.4		✓	✓	Continuous	Support new developments which incorporate sustainable building design and infrastructure.
4.4	✓	✓	✓	Continuous	Participate in Provincial and Federal government initiatives that help reduce GHG emissions.
6.1		✓	✓	Continuous	Advise and inform the public that park land can be voluntarily donated to many levels of government and that park land and the development of parks can be created through donations and tax appropriations, conservation covenants, nature trusts and SRW/pathway easements
6.2	✓	✓		Continuous	Consult with School District No. 83 periodically in planning for future of school needs in the community.
		✓		Annuals	Produce and publish an annual update on OCP implementation progress

Schedule 'F' CSRD Electoral Area 'D' Parks Plan – Sections applicable to the OCP Plan Area

The following has been taken from the Electoral Area 'D' Parks Plan, not the complete plan but rather key sections which pertain to the Ranchero/Deep Creek OCP Plan Area, and modified for implementation through the OCP and consistency with statutory requirements.

CSRD PARKS CLASSIFICATION SYSTEM

Most park systems are predicated upon a classification system that defines the characteristics of each type of park category (e.g. community playgrounds, natural recreation parks, wilderness parks, etc.), and a set of park standards which help to define the minimally acceptable levels of service and facilities for each category. The park classification system below was agreed during public workshops to be appropriate for Electoral Area 'D':

- 1) Waterfront Park – provides access to and from the shores of Gardom Lake, and other suitable water bodies. Provides opportunities for beach activities, swimming, picnicking, canoeing/kayaking and where appropriate, boat launching.
- 2) Community Recreation Park – provides opportunities for intensive recreation including arenas, sports fields, and playgrounds, in a residential community setting.
- 3) Trail Corridors – a linear corridor that provides opportunities for non-motorized trail based activities including hiking, bicycling, horseback riding, cross country skiing, in a natural setting. Multi-purpose trails, including motorized use, may be designated where deemed appropriate.
- 4) Conservation Park – a large natural area that provides for low-impact outdoor recreation opportunities such as nature appreciation and wilderness hiking. Focus is more on conservation and protection of natural values of the area.
- 5) Special Feature Park – Protects and presents a regionally unique and significant natural and cultural feature such as First Nations or early settlement history, or provincially red listed species. Levels of visitor use and development are contingent upon the capacity of the “special feature” to withstand use.

A total of 13 present and proposed park sites in the OCP Plan Area have been identified in the five park classification categories for the CSRD Area 'D' Parks Plan. Where noted, some sites are identified as Public and Institutional on Schedule 'B' Land Use Designations. For certainty, park designations in relation to private lands are not intended to limit uses to public uses; these designations assist in identifying parkland dedication requirements under section 941 of the *Local Government Act* upon subdivision or redevelopment of the land, and other opportunities for dedication and acquisition as opportunities arise.

Gardom Lake Park can be accessed as follows: turn at Gardom Lake Road off Hwy. 97B, proceed for 4 km, and then turn left on Park Road. Approximately ½ km down Park Road, the park entrance is on the left. The park is an important part of the local community's recreational infrastructure. There is a swimming and picnic area, a ball diamond and activities such as bird watching, fishing (trout) and canoeing. The park includes two islands with old growth forest and a trail system through natural areas. This additional shoreline provides habitat for nesting birds and amphibians. Overall the park comprises 30 acres of provincial crown land that is under License of Occupation to the Deep Creek Recreational Society. Operating funds are provided through an annual grant-in-aid from the CSRD.

Musgrave Road is one of several public (MoTI) accesses to Gardom Lake. It would need some improvement for parking and boat launching. However, there are environmental concerns and this site will require careful analysis. Motorized boats are of particular concern. Other public accesses to Gardom Lake are undeveloped except for Teal Road which is too narrow and adjacent residents have been inconvenienced by vehicles parking their trailers in front of private driveways.

Ranchero Elementary School grounds contain a playing field for soccer that doubles as a baseball field with a small backstop. There are also basketball hoops and playground equipment. A partnership could be sought with School District #83 to enable the local residents and their families to use the school facilities for community recreation purposes; alternatively, park dedication could be sought on subdivision or redevelopment of the property (Note: This site is identified as Public and Institutional on Schedule 'B' Land Use Designations).

Ranchero – Black Road is a 0.32 hectare strip of undeveloped land that averages 15 metres wide and is 215 metres long. The southern access is from Black Road just east of the junction with Mayfair Road. It is densely treed, but has an informal trail that could be improved as a walking/ hiking trail. The north end terminates at private property and any development beyond would require the approval of the property owners, until such time as acquisition is secured including through park or road dedication on subdivision or redevelopment.

Ranchero – Ranchero Drive East is a tiny 0.096 hectare site located immediately adjacent to Ranchero Elementary School in Ranchero. It is mostly grassed and thinly treed along its western edge. It is currently used by the school as a play area and as access to the back of the school. It is generally undistinguishable from the school yard. Dedication of lands from the school property could be used to expand this park.

Ranchero – Gannor Road is a 0.32 hectare parcel located on the east side of Gannor Road in Ranchero. It is vacant land that is mainly open field with trees around its southern perimeter and a rough road crossing it from Gannor Road.

Ranchero Parallel Trail, as with the Salmon River Parallel Trail, would provide residents with a safe trail beside the road for walking, biking and riding opportunities for themselves and their families. Ideally, this trail would extend along the east side of Highway 97B from Black Road in the north to Deep Creek Road in the South. Much of this trail is already in place informally and is used by children and local residents on a regular basis. No cost acquisition through park or road dedication on subdivision or redevelopment is preferred but other opportunities may be considered.

Ranchero – Highway 97B is located near the junction of Highway 97B and Auto Road. It is a 0.212 hectare site that has Canoe Creek flowing through it from south to north. It is undeveloped and because Canoe Creek is a fish bearing stream, and it is located adjacent to a busy highway, its development potential as a recreation park is limited.

Deep Creek Parallel Trail would essentially be a continuation of Ranchero Parallel Trail along the side of Deep Creek Road from the junction of Highway 97B to the southern boundary of the Regional District near Hullcar Road. No cost acquisition through park or road dedication on subdivision or redevelopment is preferred but other opportunities may be considered.

Mt. Ida Trails are located on the south side of Mt Ida and can be accessed via logging roads from both Deep Creek and Silver Creek. Specific trail routes remain to be determined, but there is high potential for loop trails with outstanding views.

Mallory Ridge is an upland area with high conservation values located to the south east of Gardom Lake. It averages about 700 metres ASL and reaches about 750 metres at its highest point. The area is particularly rich in tree and plant species because the dry southern interior bioregion meets the wetter interior bioregion and this transition encourages a great variety of vegetation to flourish. The area also includes a variety of rich habitats which allow many species

of birds to successfully nest and raise their young. Mallory Ridge provides year round opportunities for hiking, mountain biking, horseback riding and cross country skiing or snow shoeing.

Waby Lake is a small fairly deep lake that effectively forms the headwaters of Crossman Creek. It is used as a waterfowl and songbird nesting and resting area during migration in the spring and the fall. It is completely surrounded by fields used for raising cattle and is located on private property. An Environmental Farm Plan is a tool that could help protect natural values; however, any protection or restoration of the natural habitat is dependent upon the property owner at this time. No cost acquisition of the lake itself and adjacent lands, including access, through park dedication on subdivision or redevelopment is preferred but other opportunities may be considered.

Deep Creek Community Hall is an old community hall owned by the Deep Creek Farmer's Institute. It is located at 634 Deep Creek Road at the junction of School House Road about 4.6 km from Highway 97B. It serves today as an occasional meeting hall, but is in need of repairs and upgrading to modern standards. Its actual historical significance remains to be determined. (Note: This site is identified as Public and Institutional on Schedule 'B' Land Use Designations).

Local communities will be consulted to determine specific interests such as baseball or soccer, playgrounds, or other priorities to meet their particular needs. Most proposed sites are owned by the Province, CSRD, local School Boards or are community owned; therefore acquisition costs will likely be modest. For private lands, no cost acquisition through park or road dedication on subdivision or redevelopment is preferred but other opportunities may be considered. Development and maintenance costs will vary greatly depending on the stated needs of the respective communities.

The **13** parks and trails listed above have been identified in the Plan Area through the Parks planning process. This is not a static list, and more sites are likely to be identified in the future, as the Parks Plan and the Official Community Plan is implemented. Clearly, immediate action cannot be taken on all proposed sites. The following factors were considered in assigning priorities for implementation:

- The perceived public interest and expressed desire to have a particular site established and developed as a park as identified in public meetings and open houses.
- Relative importance of each site compared to others within its park classification category and across categories.
- Current availability (or lack) of similar park settings as the proposed site.
- Current opportunities for acquisition or development.

The following priorities reflect the timeframes within which acquisition and development is recommended.

Priority	Implementation
High	Within 1-2 years
Medium	3-5 years
Low	> 5 years

The suggested priority for any park may change as site availability, park and road dedication, and other administrative opportunities arise in the future. Also, if private lands are acquired through

measures other than no-cost dedications, the increased costs may force a reassessment of priorities in light of available funds. The following table summarizes the number of proposed parks in each of the priority categories.

Implementation Priority for Area 'D' Parks

Priority	IdPlan	IdPark	Park Name	Park Classification Category
2 High (within 1-2 years)	dC1	ddck0005	Mallory Ridge	Conservation
	dW3	ddck0001	Gardom Lake Park	Waterfront
4 Medium (3-5 years)	dT10	dmik0001	Mt. Ida Trails	Trail
	dT3	ddck0004	Deep Creek Parallel Trail	Trail
	dT2	drck0008	Ranchero Parallel Trail	Trail
	dW4	ddck0003	Musgrave Road	Waterfront
7 Low (> 5 years)	dR13	drck0007	Ranchero Elementary School	Recreation
	dC2	drck0009	Waby Lake	Conservation
	dR8	drck0001	Ranchero – Highway 97B	Recreation
	dR9	drck0003	Ranchero – Black Road	Recreation
	dR10	drck0002	Ranchero – Ranchero Dr. E.	Recreation
	dR11	drck0004	Ranchero – Gannor Road	Recreation
	dS2	ddck0002	Deep Creek Hall	Special Feature

Disclaimer: Parks and Trails on Private Property

Any park or trail suggestions in the plan that are within or cross private property are subject to the approval of the owners and will not be designed or developed without their expressed consent and/or agreement. Portions of such lands may be acquired at no cost through dedication on subdivision or redevelopment.

Conclusion and Recommendations:

The residents of the communities in Electoral Area 'D' have exhibited enthusiasm for the preparation of this plan as they feel their communities have been overlooked in the provision of recreational opportunities and amenities for a long time. Local communities were extensively involved in the development of the vision for Electoral Area 'D' parks, and in identifying the candidate parks, their location and priority for development. The vision for their parks system emphasizes the development of local community parks to provide needed recreation amenities for public enjoyment, the development of parallel trails and local trails, the development and preservation of, public access to waterfront, and the recognition of the need and importance of protecting unique natural and cultural features found within Electoral Area 'D'.

The following recommendations relate specifically to the implementation of this plan.

1. Discussions should be initiated immediately with provincial staff of the agencies who are current owners of many of the properties identified in this study to negotiate long term leases/licenses or to make application for free crown grants.
2. Further investigations are needed to verify presence and determine precise locations of red and blue-listed species and their significance for possible inclusion within CSRD conservation parks.
3. Consultation should take place with local communities to identify priorities for facility development so that the specific needs of the communities can be met.
4. Further discussion should be held with recreational user groups to identify and prioritize preferred amenities and types of development for specific trails and park sites.
5. Policies and regulations should be developed that clarify appropriate activities and levels of service to be provided in each park.



Official Community Plan
Ranchero / Deep Creek
Area D - Bylaw 750

Schedule B Land Use
KeyMap *

Legend

- Lake
- Highways & Roads
- Unsurveyed Roads
- Electoral Areas Boundary
- Bylaw Boundary
- Parcel Boundary
- OCP Designations**

RSC - Rural Resource (60 ha)

AG - Agriculture (60 ha)

RH - Rural Holdings (60 ha)

MH - Medium Holdings (8 ha)

RR - Rural Residential (1 ha)

C - Commercial

ID - Industrial

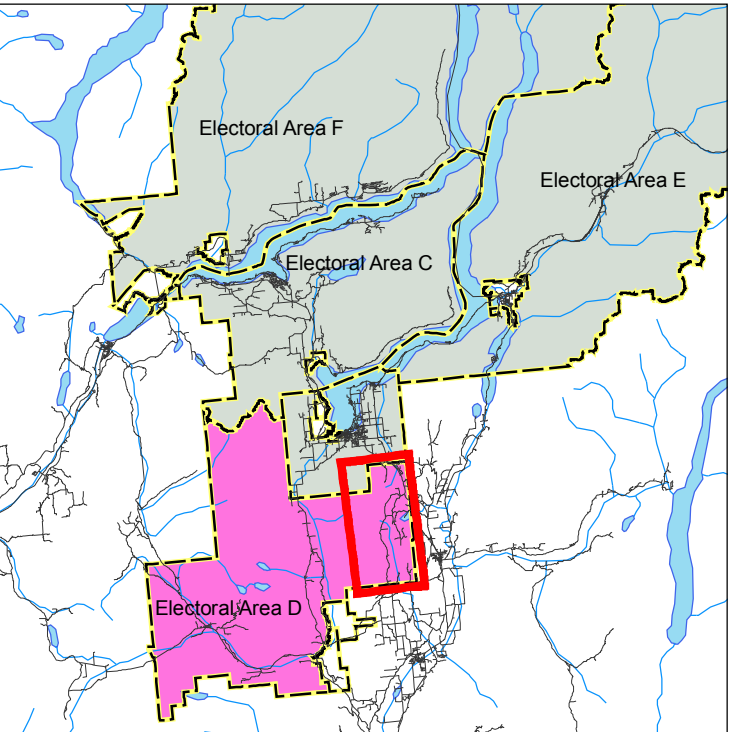
PI - Public and Institutional

PK - Parks and Protected Areas

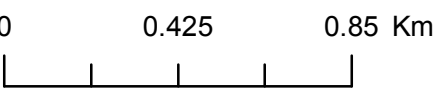
FW - Foreshore Water

* Please refer to enlarged maps for
identification of OCP boundaries.

Overview Maps



1:18,500
Scale accurate if plotted on 24x36 inch paper



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Nov 2, 2017



Official Community Plan
Ranchero / Deep Creek
Area D - Bylaw 750

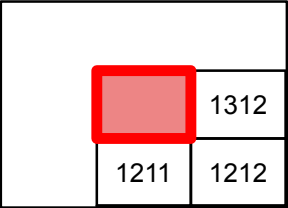
Schedule B Land Use

D 1311
Mapsheet 1 of 16

- Lake
- Highways & Roads
- Unsurveyed Road
- Electoral Areas Boundary
- Bylaw Boundary
- CSR D Mapsheets
- Parcel Boundary
- Rivers & Streams

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CSR D Mapsheets

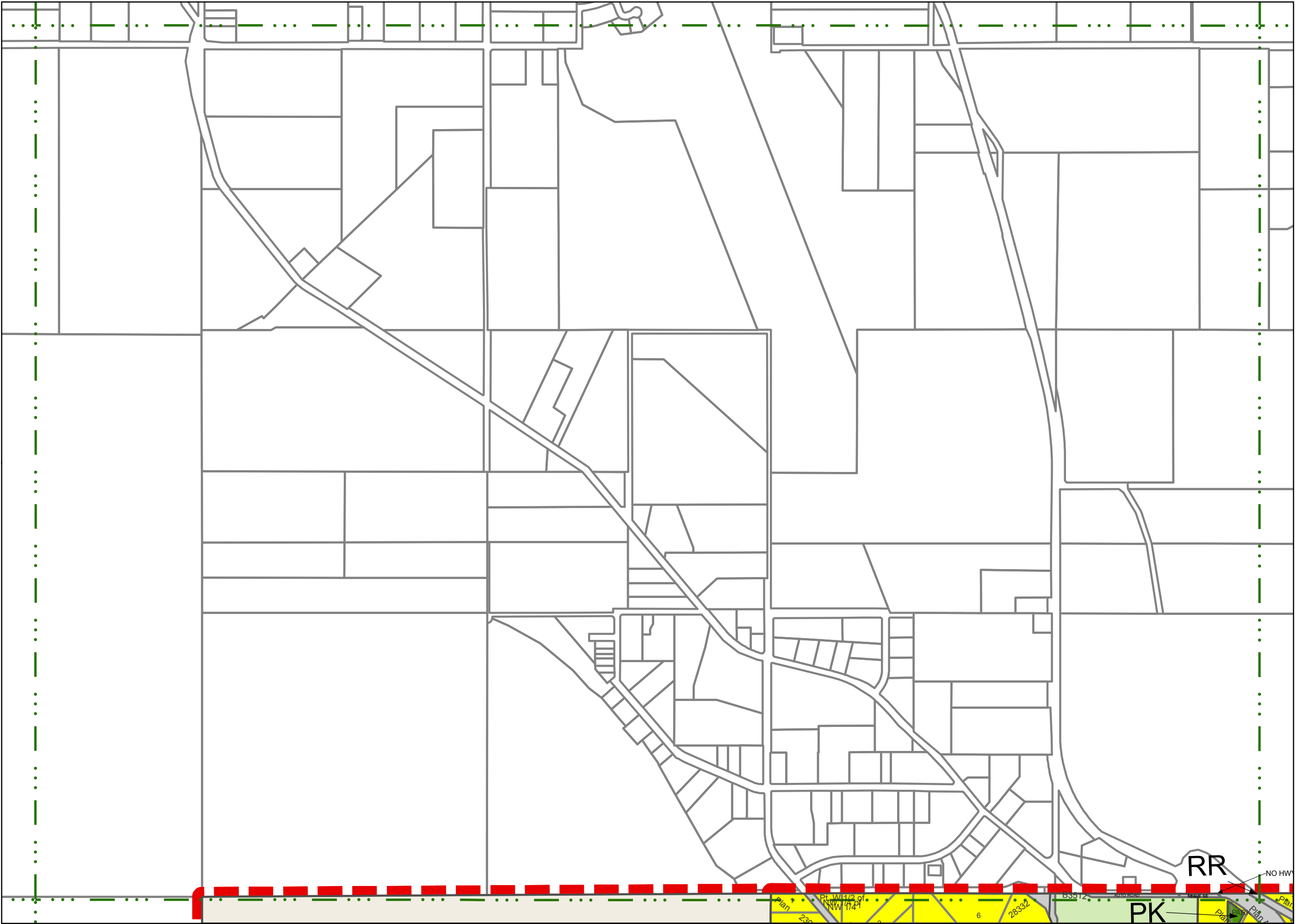


Mapsheet 1311

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UTM Zone 11 Projection
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Scale 1:10,000

Prepared by: GIS Department
Columbia Shuswap Regional District
781 Marine Park Dr NE, Salmon Arm, BC V1E 4P1
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OC P Bylaw 750 -- D --

1311



Official Community Plan
Ranchero / Deep Creek
Area D - Bylaw 750

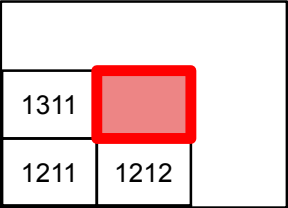
Schedule B Land Use

D 1312
Mapsheet 2 of 16

- Lake
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CSR D Mapsheets



Mapsheet 1312

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Scale 1:10,000

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Official Community Plan
Ranchero / Deep Creek
Area D - Bylaw 750

Schedule B Land Use

D 0612
Mapsheet 3 of 16

- Lake
- Highways & Roads
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CSR D Mapsheets

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0611		

Mapsheet 0612

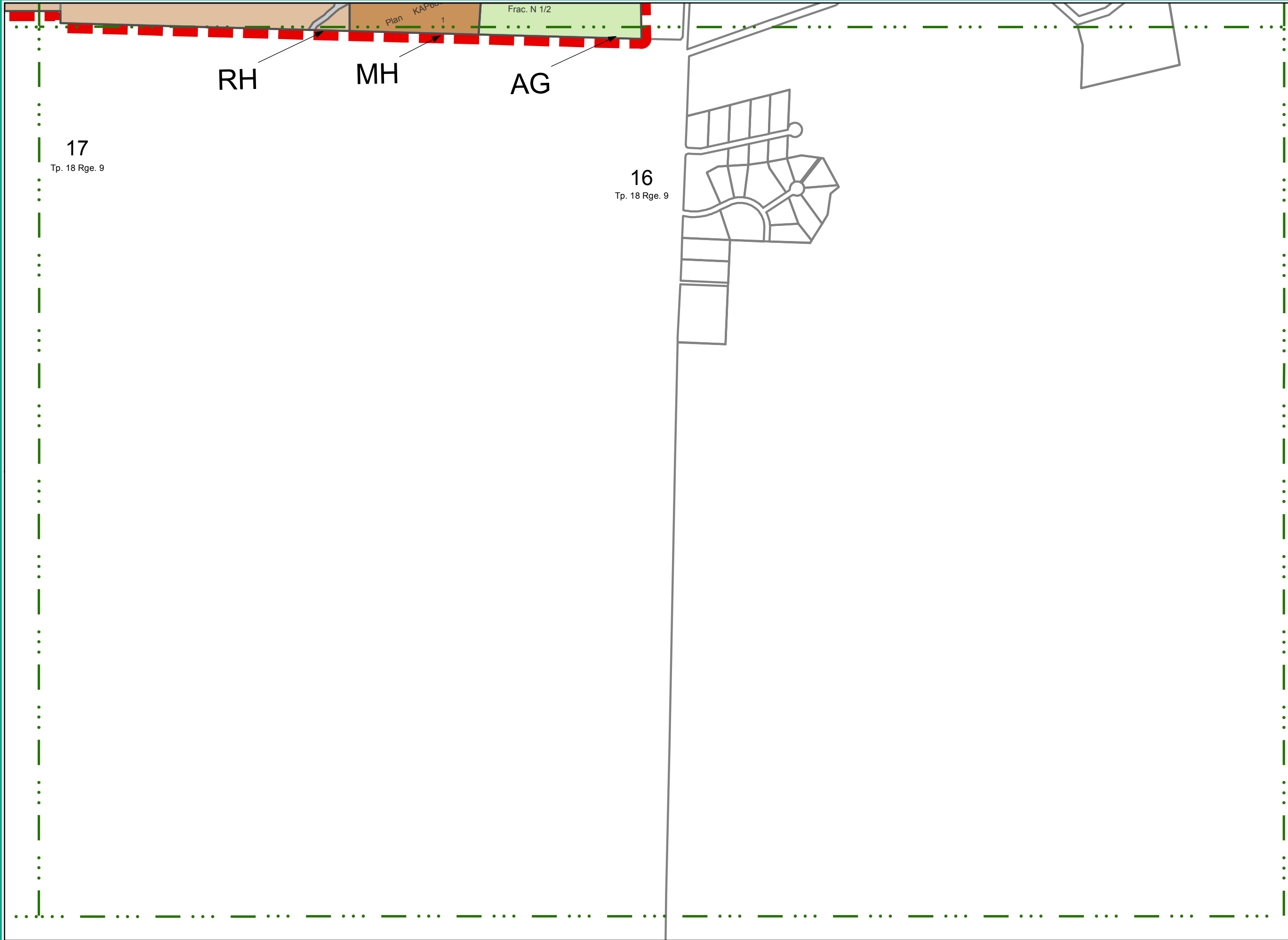
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Official Community Plan
Ranchero / Deep Creek
Area D - Bylaw 750

Schedule B Land Use

D 1111
Mapsheet 4 of 16

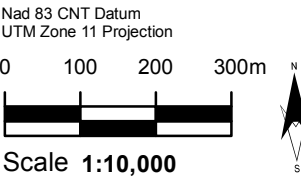
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CSR D Mapsheets

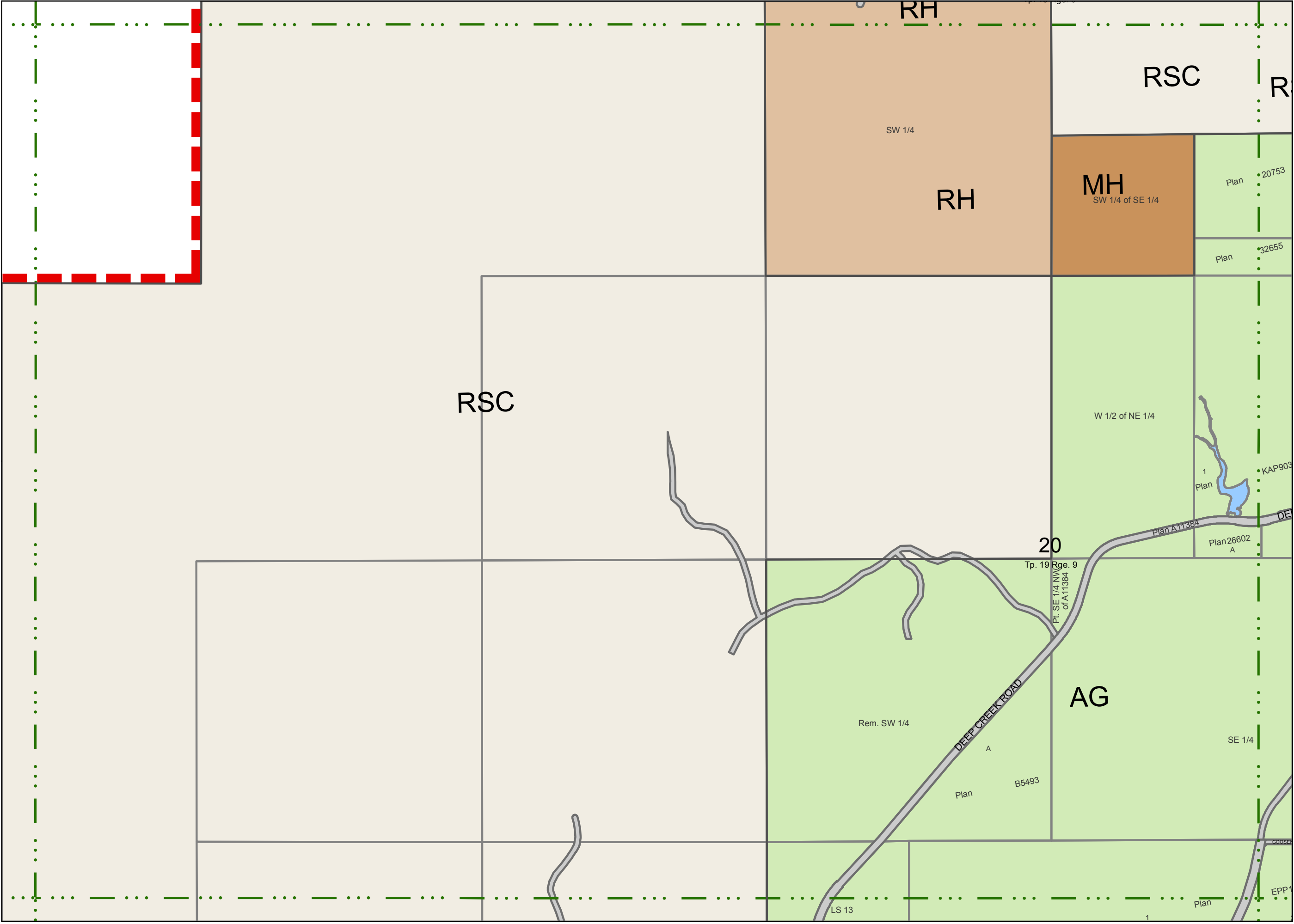
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Mapsheet 1111



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OCP Bylaw 750 -- D --

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Official Community Plan
Ranchero / Deep Creek
Area D - Bylaw 750

Schedule B Land Use

D 0911
Mapsheet 5 of 16

- Lake
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CSR D Mapsheets

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		0912
	0811	0812

Mapsheet 0911

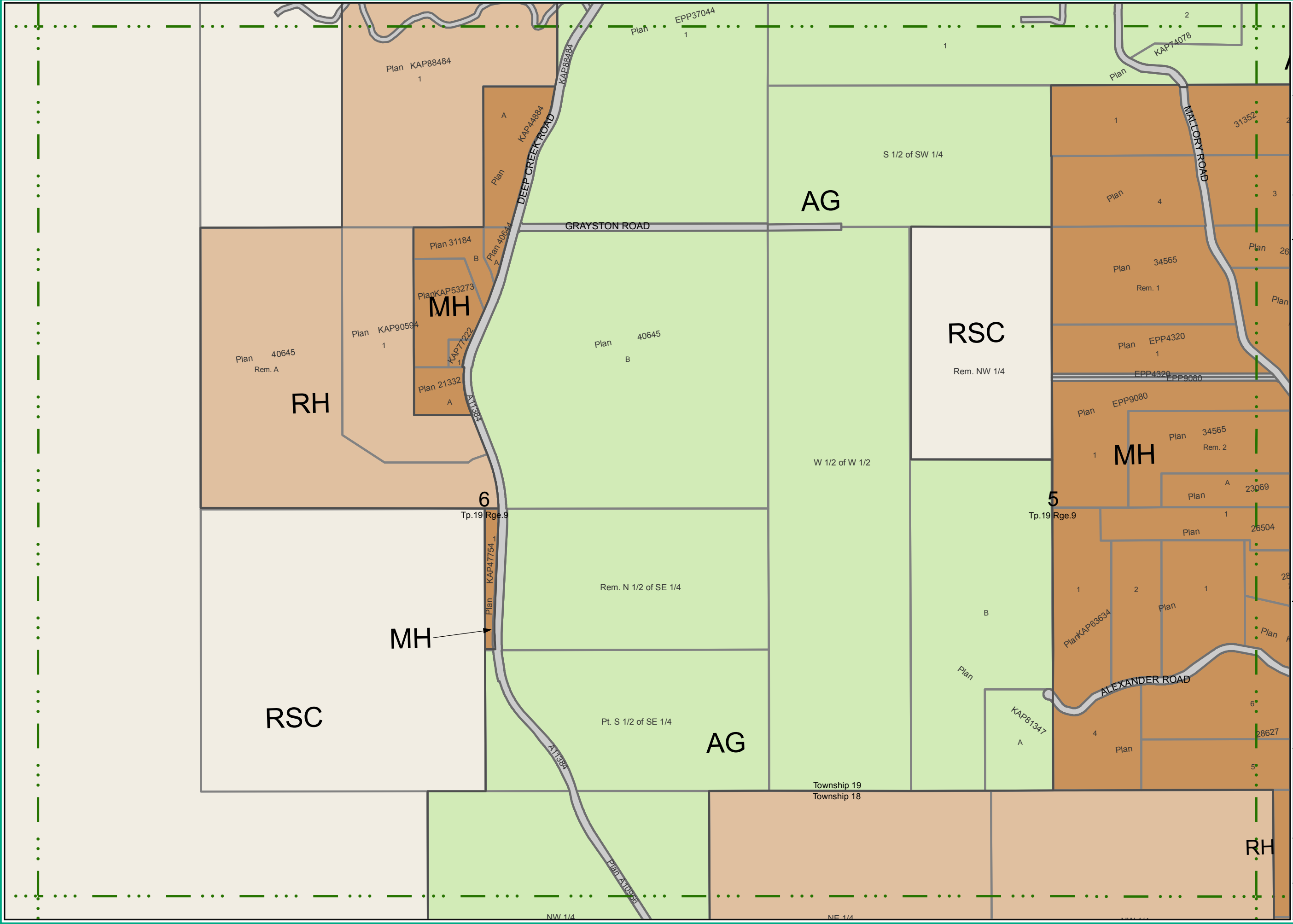
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OCP Bylaw 750 -- D --

0911



Official Community Plan
Ranchero / Deep Creek
Area D - Bylaw 750

Schedule B Land Use

D 1012
Mapsheet 6 of 16

- Lake
- Highways & Roads
- Unsurveyed Road
- Electoral Areas Boundary
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CSRD Mapsheets

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Mapsheet 1012

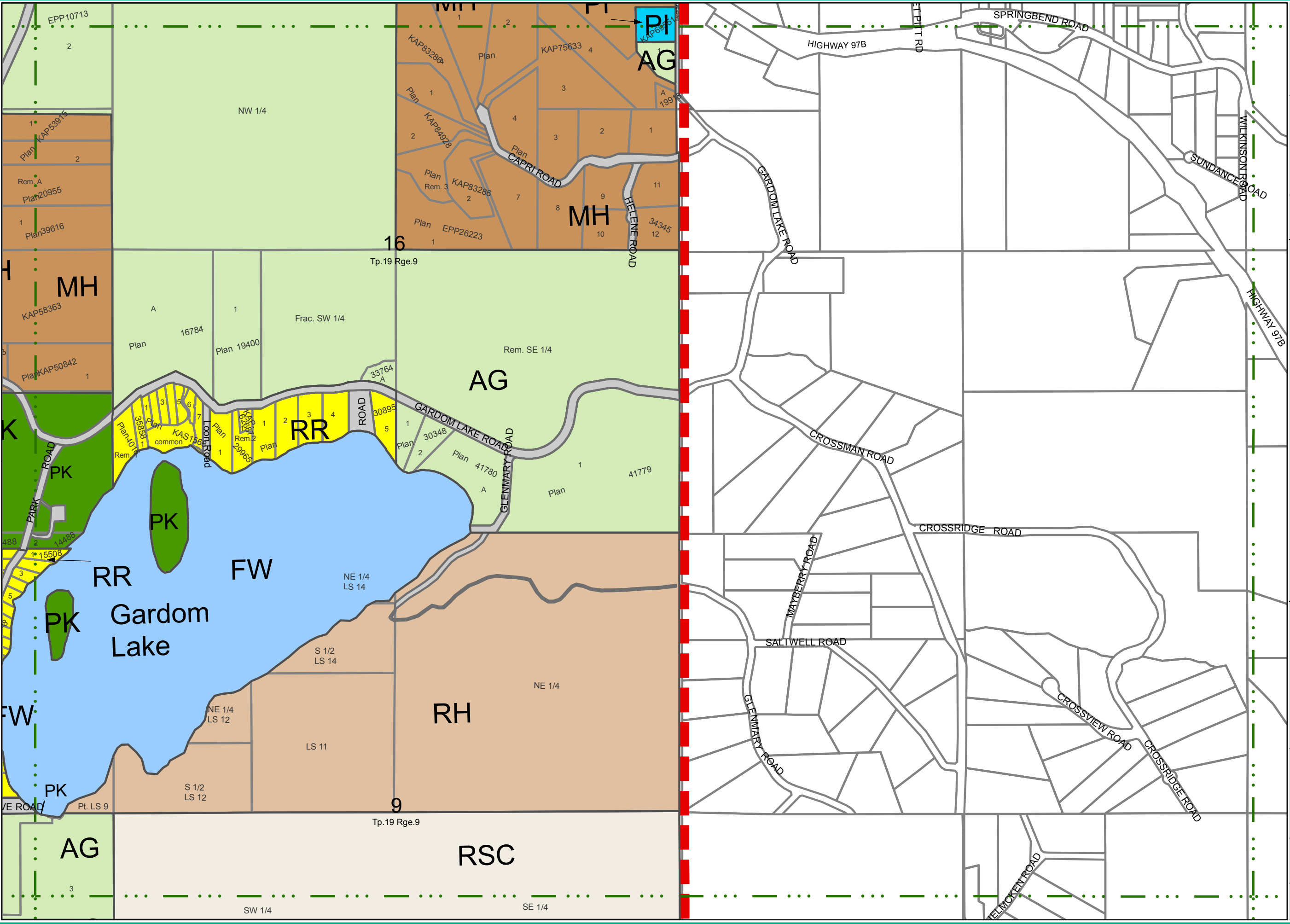
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OCP Bylaw 750 -- D --

1012



Official Community Plan
Ranchero / Deep Creek
Area D - Bylaw 750

Schedule B Land Use

D 0811
Mapsheet 7 of 16

- Lake
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CSR Mapsheets

	0911	0912
		0812
	0711	0712

Mapsheet 0811

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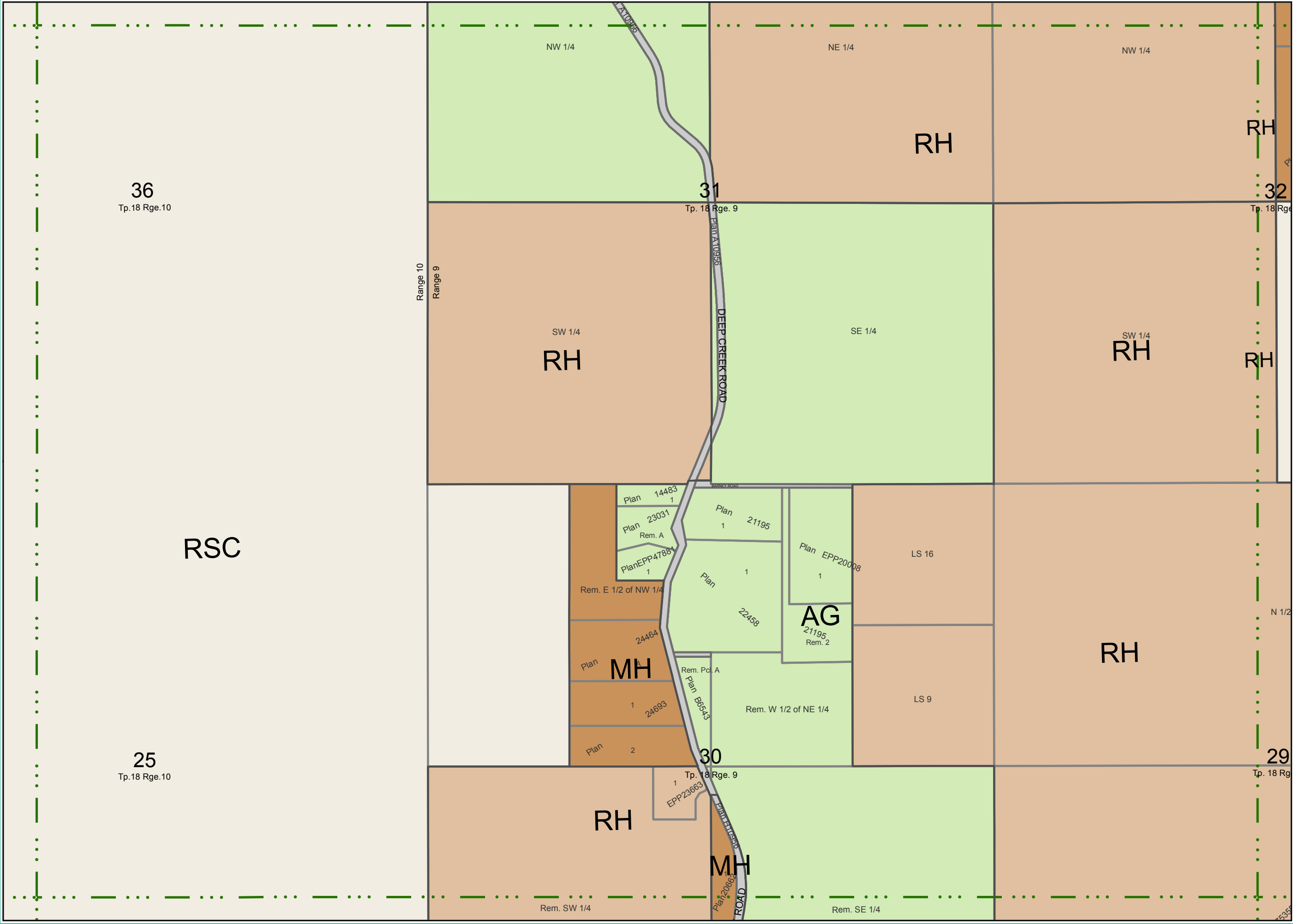
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Columbia Shuswap Regional District
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Date: Nov 1, 2017

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OCP Bylaw 750 -- D --

0811





Official Community Plan
Ranchero / Deep Creek
Area D - Bylaw 750

Schedule B Land Use

D 0812
Mapsheet 8 of 16

- Lake
- Highways & Roads
- Unsurveyed Road
- Electoral Areas Boundary
- Bylaw Boundary
- CSR D Mapsheets
- Parcel Boundary
- Rivers & Streams

- OC P Designations
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 - FW - Foreshore Water

CSR D Mapsheets

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Mapsheet 0812

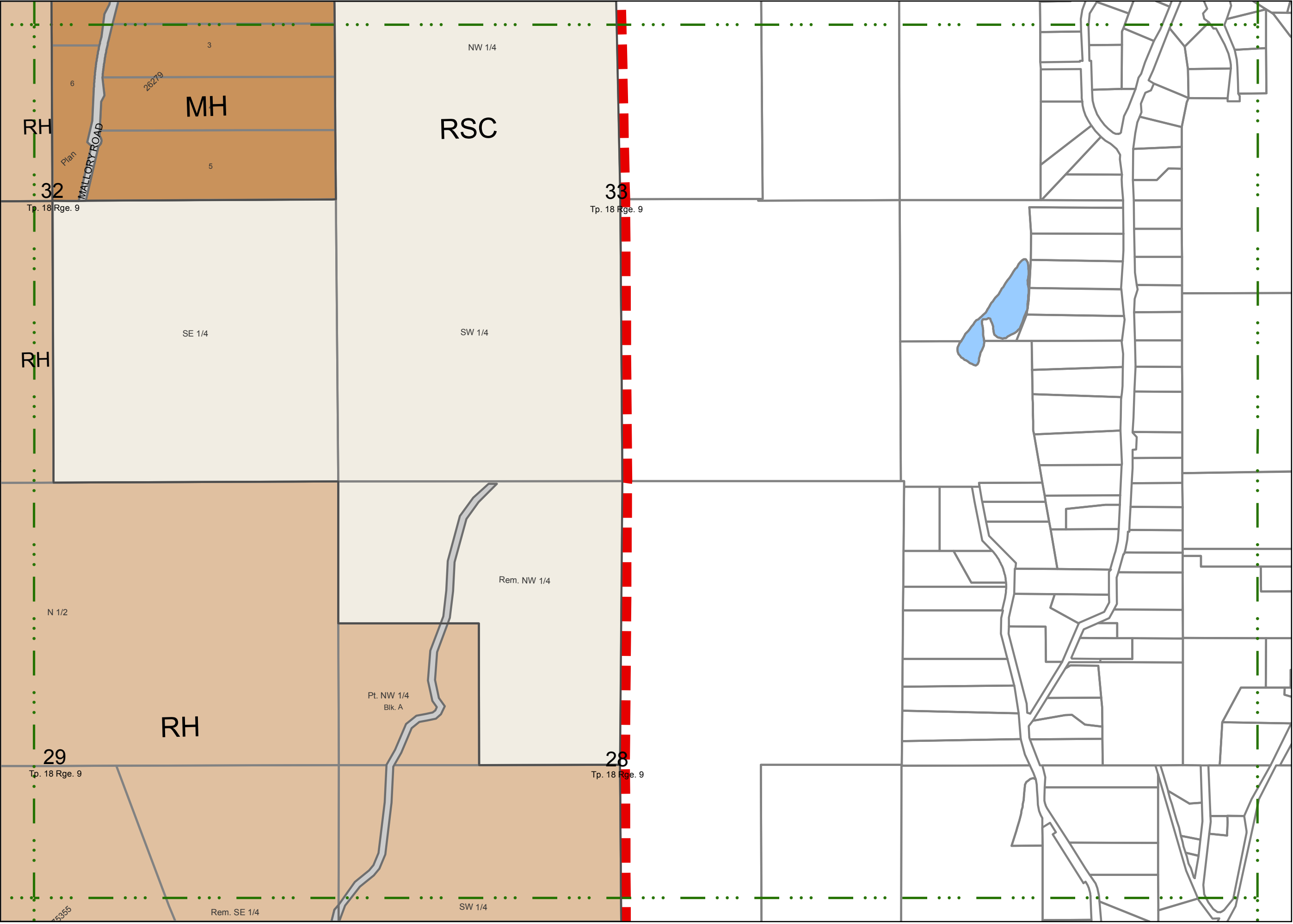
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OC P Bylaw 750 -- D --

0812



Official Community Plan
Ranchero / Deep Creek
Area D - Bylaw 750

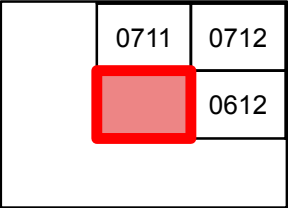
Schedule B Land Use

D 0611
Mapsheet 9 of 16

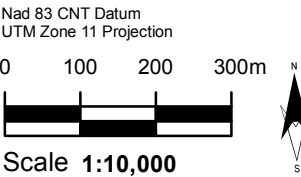
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CSR D Mapsheets



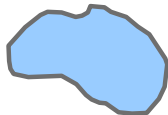
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OCP Bylaw 750 -- D --

0611



Official Community Plan
Ranchero / Deep Creek
Area D - Bylaw 750

Schedule B Land Use

D 0912
Mapsheet 10 of 16

- Lake
- Highways & Roads
- Unsurveyed Road
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- Bylaw Boundary
- CSR Mapsheets
- Parcel Boundary
- Rivers & Streams

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CSR Mapsheets

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Mapsheet 0912

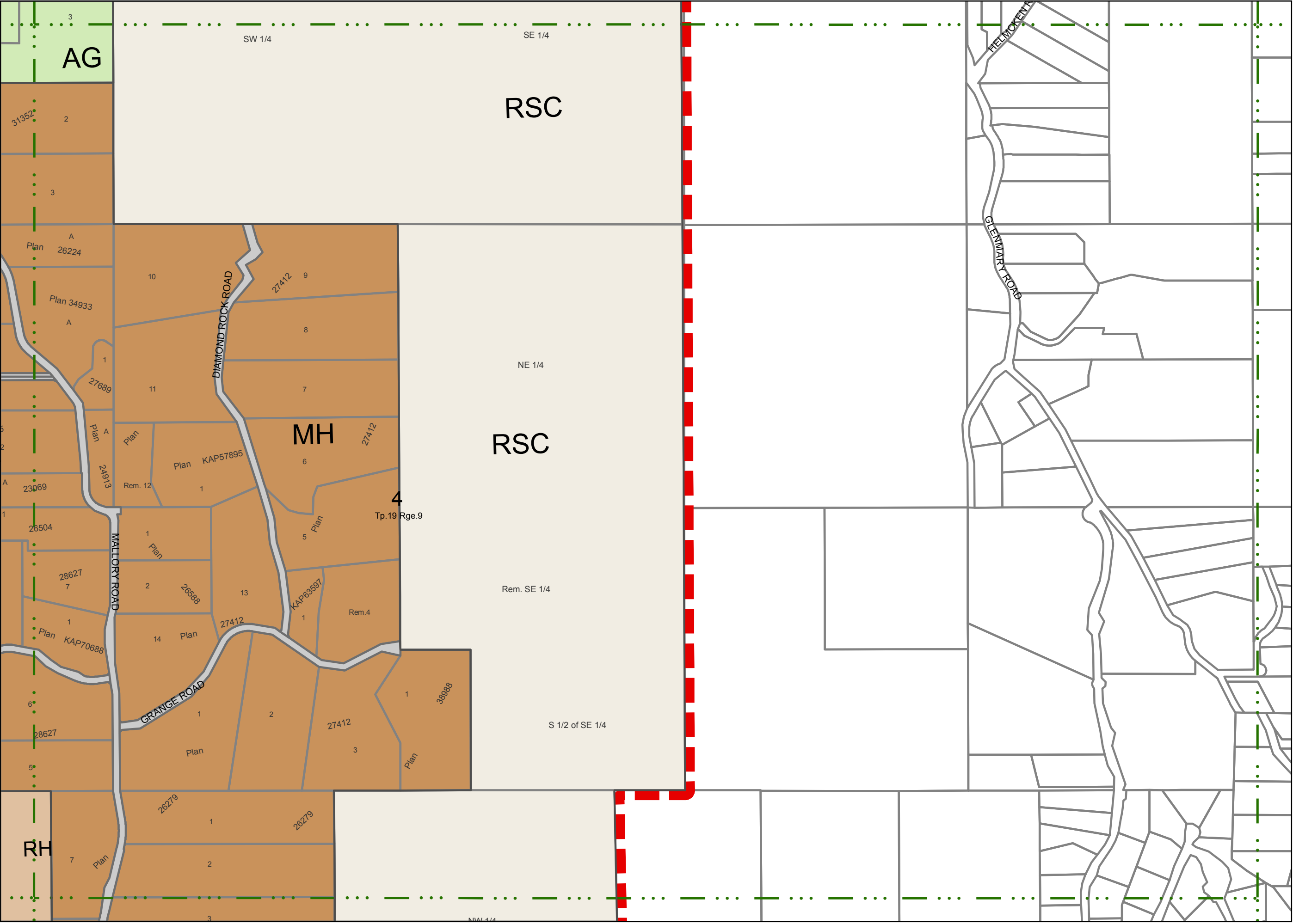
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OCP Bylaw 750 -- D --

0912



Official Community Plan
Ranchero / Deep Creek
Area D - Bylaw 750

Schedule B Land Use

D 1011

Mapsheets 11 of 16

- Lake
- Highways & Roads
- Unsurveyed Road
- Electoral Areas Boundary
- Bylaw Boundary
- CSRD Mapsheets
- Parcel Boundary
- Rivers & Streams

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CSRD Mapsheets

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	0911	0912

Mapsheet 1011

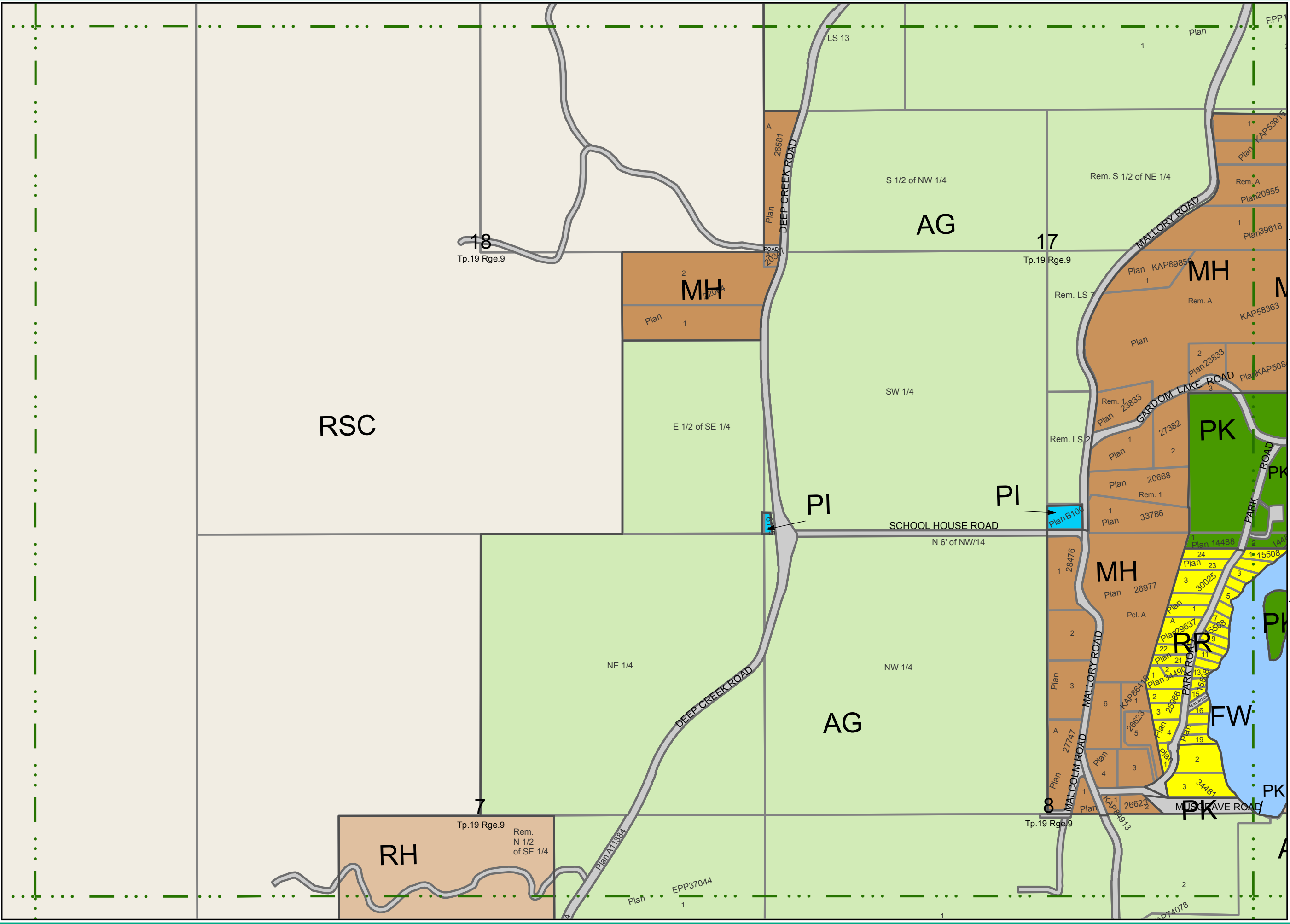
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OCP Bylaw 750 -- D --

1011



**Official Community Plan
Ranchero / Deep Creek
Area D - Bylaw 750**

Schedule B Land Use

D 1212
Mapsheet 12 of 16

- Lake
- Highways & Roads
- Unsurveyed Road
- Electoral Areas Boundary
- Bylaw Boundary
- CSRD Mapsheets
- Parcel Boundary
- Rivers & Streams

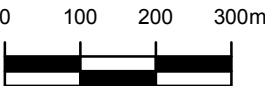
- OCP Designations**
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CSRD Mapsheets

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Mapsheet 1212

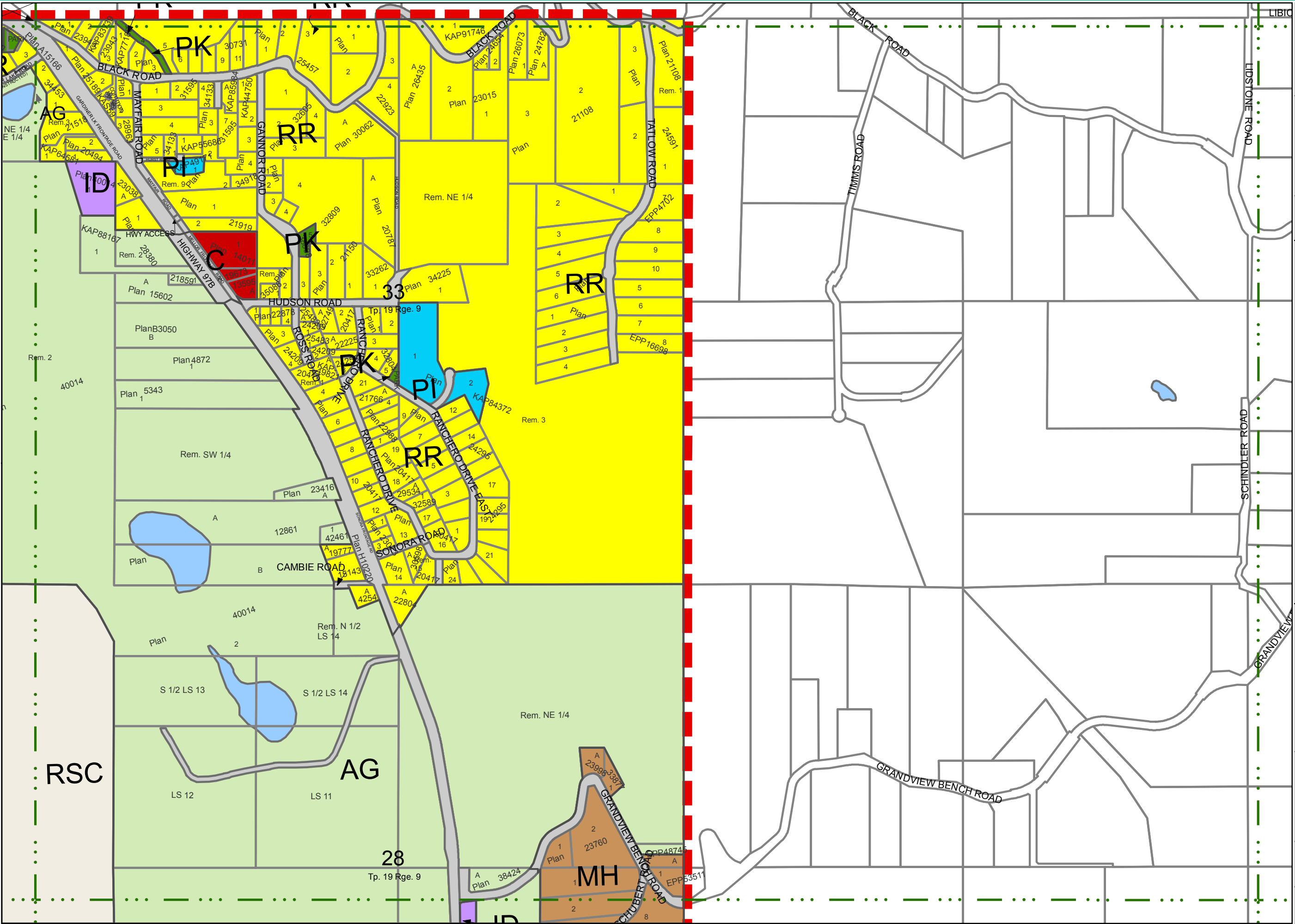
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Official Community Plan
Ranchero / Deep Creek
Area D - Bylaw 750

Schedule B Land Use

D 1211

Mapsheet 13 of 16

- Lake
- Highways & Roads
- Unsurveyed Road
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- Bylaw Boundary
- CSR D Mapsheets
- Parcel Boundary
- Rivers & Streams

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CSR D Mapsheets

	1311	1312
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Mapsheet 1211

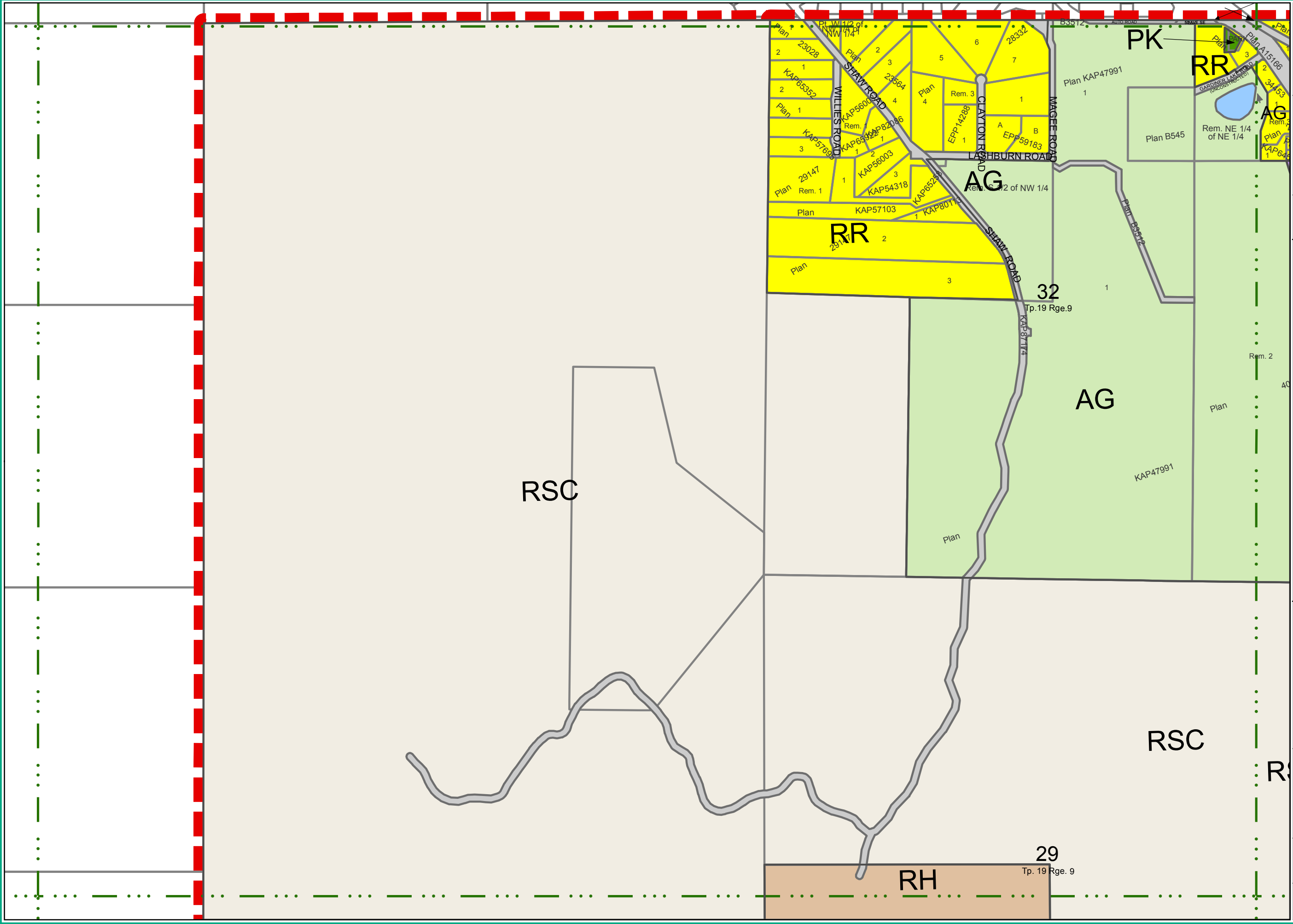
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OCP Bylaw 750 -- D --

1211



Official Community Plan
Ranchero / Deep Creek
Area D - Bylaw 750

Schedule B Land Use

D 0711

Mapsheet 14 of 16

- Lake
- Highways & Roads
- Unsurveyed Road
- Electoral Areas Boundary
- Bylaw Boundary
- CSR D Mapsheets
- Parcel Boundary
- Rivers & Streams

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CSR D Mapsheets

	0811	0812
		0712
	0611	0612

Mapsheet 0711

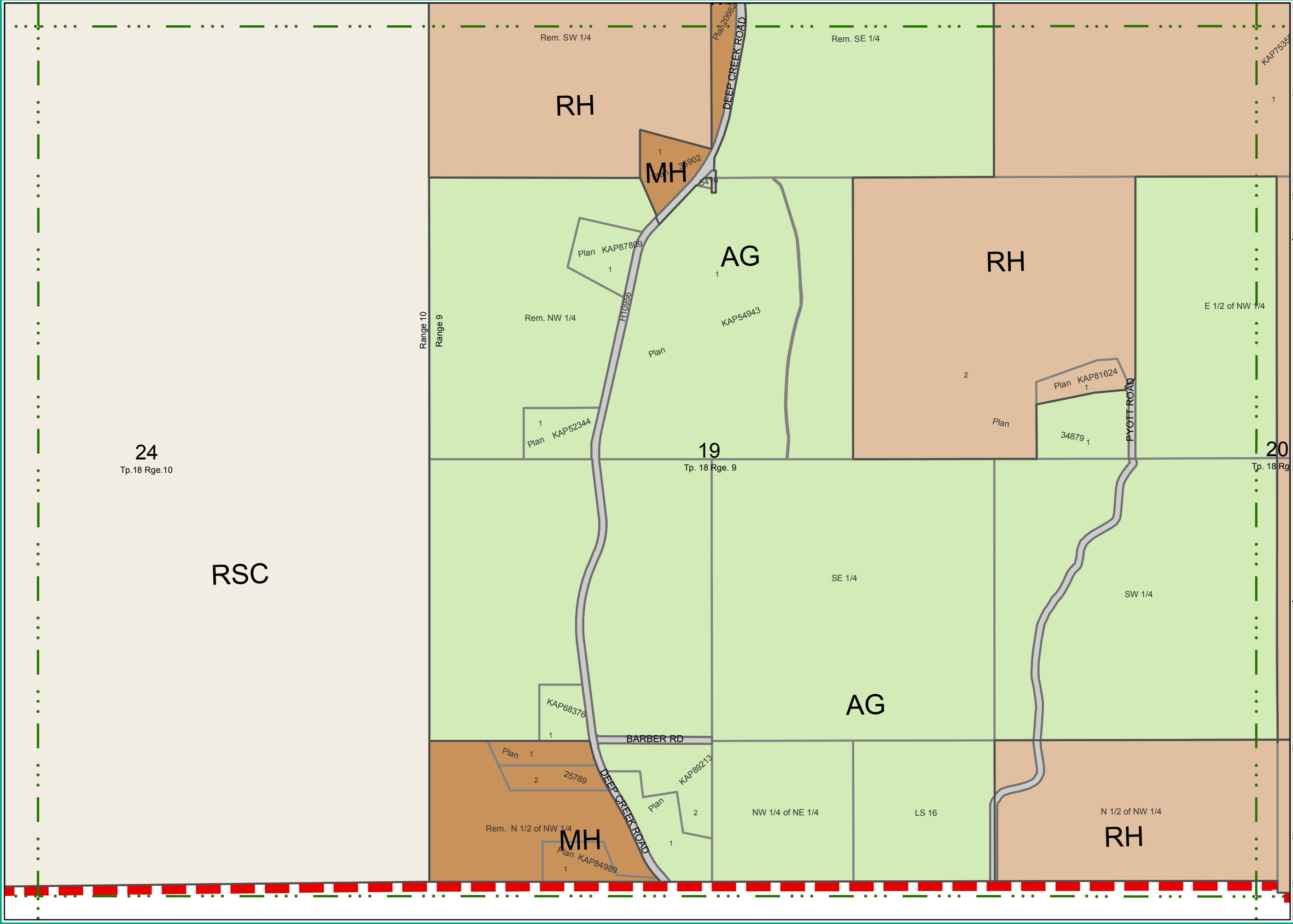
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OCP Bylaw 750 -- D --

0711



Official Community Plan
Ranchero / Deep Creek
Area D - Bylaw 750

Schedule B Land Use

D 1112

Mapsheet 15 of 16

- Lake
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CSRD Mapsheets

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Mapsheet 1112

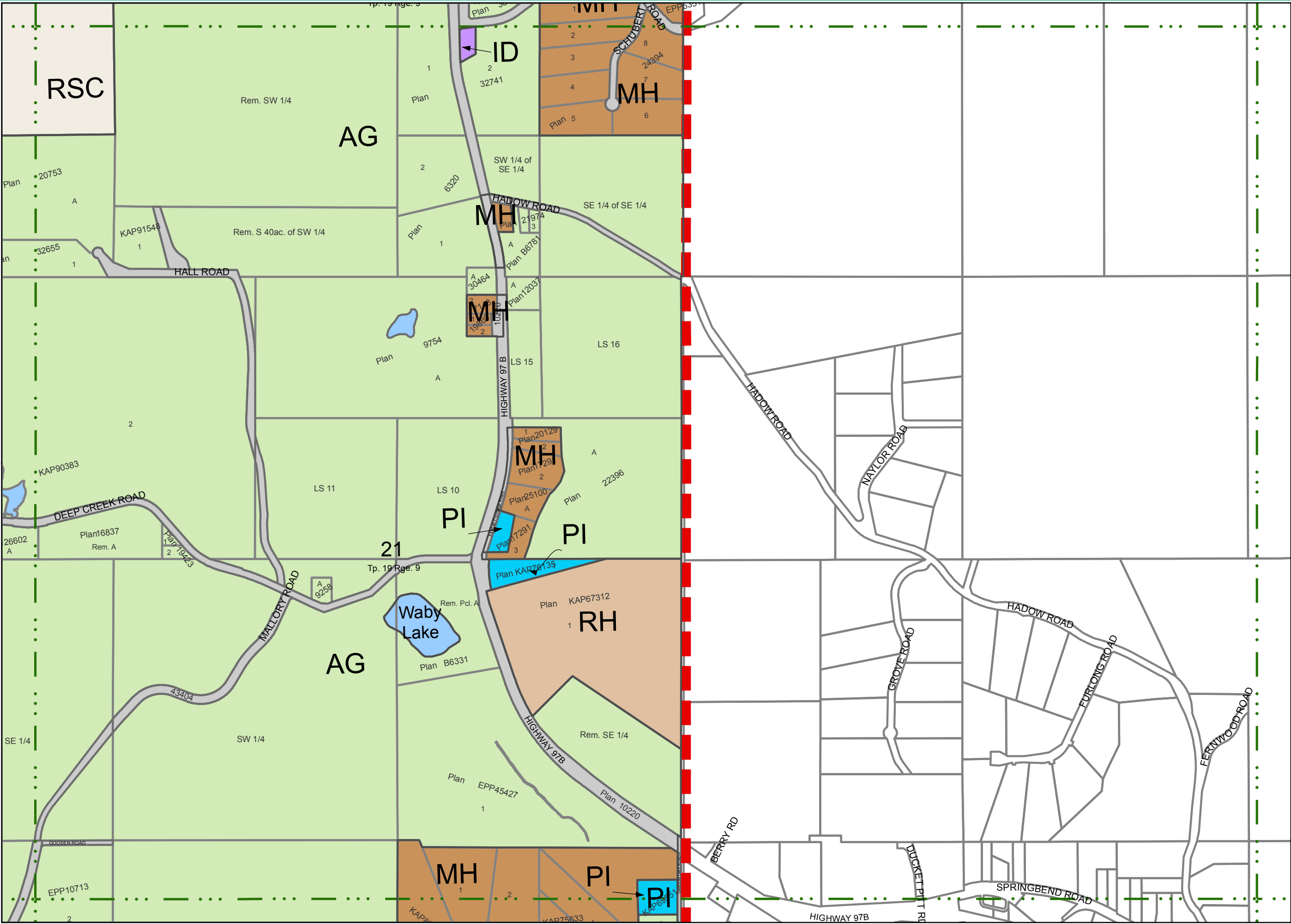
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Official Community Plan
Ranchero / Deep Creek
Area D - Bylaw 750

Schedule B Land Use

D 0712
Mapsheet 16 of 16

- Lake
- Highways & Roads
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CSRD Mapsheets

0811	0812	
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Mapsheet 0712

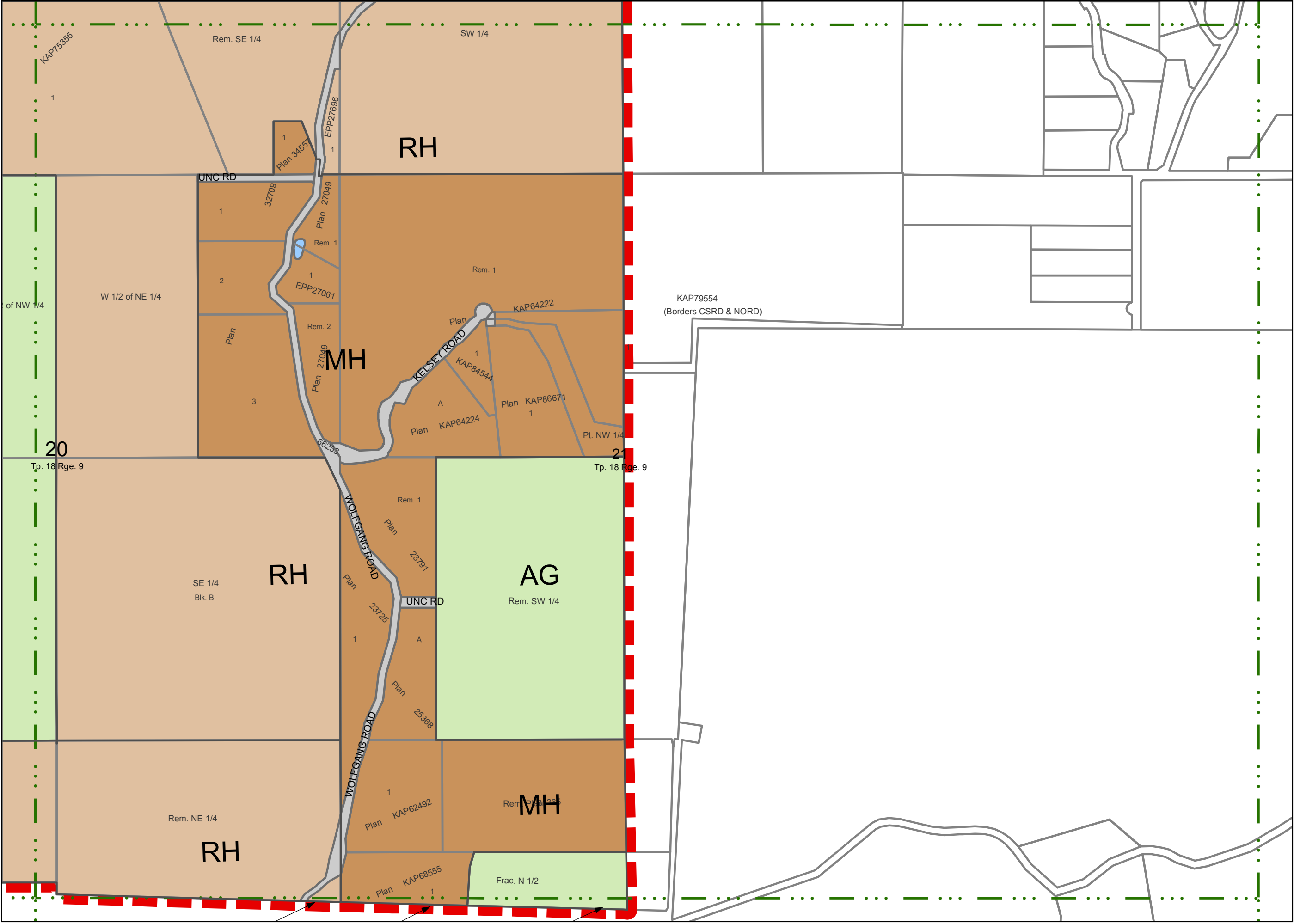
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OCP Bylaw 750 -- D --

0712

COLUMBIA SHUSWAP REGIONAL DISTRICT
RANCHERO / DEEP CREEK ZONING BYLAW NO. 751

WHEREAS the Board of the Columbia Shuswap Regional District wishes to adopt a zoning bylaw for the Ranchero / Deep Creek area of the Columbia Shuswap Regional District;

AND WHEREAS the *Local Government Act* provides that the Board may adopt a zoning bylaw;

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

1. Ranchero / Deep Creek Land Use Bylaw No. 2100 and amendments thereto are hereby repealed.
2. The following Schedules are attached hereto and form part of Ranchero / Deep Creek Zoning Bylaw No. 751:
 - (a) Schedule A, Ranchero / Deep Creek Zoning Bylaw No. 751 Text;
 - (b) Schedule B, Ranchero / Deep Creek Zoning Bylaw No. 751 Maps; and
 - (c) Schedule C, Ranchero / Deep Creek Zoning Bylaw No. 751 Mapsheets.

3. This bylaw may be cited as "Ranchero / Deep Creek Zoning Bylaw No. 751."

READ a first time this 21st day of January, 2016.

READ a second time this _____ day of _____, 2017.

PUBLIC HEARING held this _____ day of _____, 2017.

READ a third time this _____ day of _____, 2017.

Received the approval of the Ministry of Transportation and Infrastructure this _____ day of _____, 2017.

ADOPTED this _____ day of _____, 2017.

CHIEF ADMINISTRATIVE OFFICER

CHAIR

CERTIFIED true copy of Bylaw No. 751
as read a third time.

CERTIFIED true copy of Bylaw No. 751
as adopted.

Corporate Officer

Corporate Officer



Columbia Shuswap Regional District

Electoral Area 'D'

Ranchero / Deep Creek

Zoning Bylaw No. 751

October, 2017

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for double-sided printing.*

Amendments

Table of Contents

Amendments	iii
Part 1. Administration.....	5
1.1 Title.....	5
1.2 Application	5
1.3 Compliance with Other Legislation	5
1.4 Conformity	5
1.5 Severability	5
1.6 Incorporation.....	5
1.7 Inspection	5
1.8 Contravention of Bylaw.....	6
1.9 Offence	6
1.10 Penalty.....	6
Part 2. Definitions	7
2.1 Definitions.....	7
Part 3. General Regulations	23
3.1 Uses and Buildings Permitted in Each Zone	23
3.2 Setback Exemptions.....	23
3.3 Setbacks from Highway No. 97 B.....	24
3.4 Visibility at Intersections	24
3.5 Interior Side Parcel Boundary Setbacks on Bare Land Strata Parcels.....	24
3.6 Height Regulation Exemptions	24
3.7 Subdivisions to Provide Residence for a Relative	25
3.8 Subdivision for Panhandle lots	25
3.9 Exemptions from Minimum Parcel Size Requirements	26
3.10 Bare Land Strata Plan Access Route	26
3.11 Establishment of Floodplains.....	26
3.12 Measurement of Flood Construction Level & Floodplain Setback.....	27
3.13 Application of Floodplains.....	27
3.14 Accessory Building	28
3.15 Accessory Use.....	28
3.16 Secondary Dwelling Unit	28
3.17 Home Occupation.....	29
3.18 Agricultural Land Reserve Land	31
3.19 Setbacks for Agricultural Buildings and Structures.....	31
3.20 Bed and Breakfast.....	31
3.21 Vacation Rental	32
3.22 Outdoor Storage	32
3.23 Residential Campsite.....	33
3.24 Fences.....	33
3.25 Shipping Containers	33
3.26 Cannabis Production Facilities	33
3.27 Location and Extent of Foreshore Zones	34

Part 4. Zones	35
4.1 Establishment of Zones	35
4.2 Location and Extent of Zones	36
4.3 Zone Boundaries	36
4.4 RSC Rural and Resource Zone	37
4.5 RH Rural Holdings Zone	39
4.6 AG1 Agriculture Zone	42
4.8 MH Medium Holdings Zone	44
4.9 RR1 Rural Residential 1 Zone	46
4.10 MHP1 Manufactured Home Park 1 Zone	48
4.11 RM1 Multiple-Dwelling 1 Residential Zone	51
4.12 VR Vacation Rental Zone	53
4.13 CDD1 Comprehensive Development D1 Zone	55
4.14 HC Highway Commercial Zone	58
4.15 ID1 Industrial 1 Zone	60
4.16 GC Golf Course Zone	62
4.17 PI Public and Institutional Zone	64
4.18 PK Parks and Protected Areas Zone	66
4.19 FW Foreshore and Water	68
4.20 FP Foreshore Park Zone	69
4.21 FR1 Foreshore Residential 1	71
4.22 FM1 Foreshore Multiple-Dwelling 1	73
4.23 FG1 Foreshore General 1	75
Part 5. Parking and Loading Regulations	77
5.1 Changes to Situations Existing at the Date the Bylaw Came into Force ...	77
5.2 Number of Parking and Loading spaces	77
5.3 Parking Space	77
5.4 Loading space	77
5.5 Average Area of Parking Spaces	77
5.6 Access to Parking and Loading space	78
5.7 Location of Parking and Loading space	78
5.8 Bicycle Parking	78
Part 6. Signage Regulations	82
Part 7. Manufactured Home Park Regulations	83
Part 8. Beekeeping Regulations	86

Schedules:

Schedule A	Ranchero / Deep Creek Zoning Bylaw No. 751 Main Text
Schedule B	Ranchero / Deep Creek Zoning Bylaw No. 751 Overview Map
Schedule C	Ranchero / Deep Creek Zoning Bylaw No. 751 Individual Mapsheets

Amendments

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Part 1. Administration

1.1 Title

This *Bylaw* may be cited as the Ranchero / Deep Creek Zoning Bylaw No. 751.

1.2 Application

This *Bylaw* applies to the Ranchero / Deep Creek Zoning Bylaw No. 751 area shown in Schedules B and C of this *Bylaw*.

1.3 Compliance with Other Legislation

Nothing in this *Bylaw* shall be taken to relieve any person from complying with the provisions of any other bylaw of the Columbia Shuswap Regional District (CSRD) or applicable provincial or federal statute or regulation.

1.4 Conformity

- .1 Land, including the airspace above it and the surface of water, *buildings* and *structures* may only be used, constructed, altered and located in compliance with this *Bylaw*. For certainty, in a *zone* every *use* is prohibited that is not expressly permitted in the *zone*.
- .2 *Subdivision* must be in compliance with this *Bylaw*.

1.5 Severability

If any provision of this *Bylaw* is determined to be invalid by a court, the provision must be severed and the remainder of this *Bylaw* is deemed to be valid.

1.6 Incorporation

Schedule B (Overview Maps) and Schedule C (Mapsheets) attached are part of this *Bylaw*.

1.7 Inspection

The Chief Administrative Officer, Manager of Development Services, a *Bylaw* Enforcement Officer, those persons retained by the CSRD or designated by the CSRD Board for inspection purposes, and Agents of the CSRD are authorized individually or in any combination to enter at all reasonable times on any *parcel* and into any *building* or *structure* to ascertain whether the provisions of this *Bylaw* are being observed.

1.8 Contravention of Bylaw

A person who:

- (a) contravenes this *Bylaw*;
- (b) causes or permits an act or thing to be done in contravention of this *Bylaw*;
- (c) neglects or omits to do a thing required by this *Bylaw*;
- (d) fails to comply with an order, direction or notice given under this *Bylaw*, or prevents or obstructs or attempts to obstruct the authorized entry of an officer onto property under Section 1.7;
 - (i) may be issued a violation ticket for an offence against this *Bylaw* that has been designated as a ticketable offence pursuant to the CSRD's Ticket Information Utilization Bylaw; and
 - (ii) will be liable, upon summary conviction, to the penalties prescribed in the Offence Act (British Columbia).

1.9 Offence

Each day of continuance of an offence under Section 1.8 constitutes a new and separate offence.

1.10 Penalty

Every person who commits an offence under this *Bylaw* is liable on summary conviction to the maximum fine as set out in the Offence Act (currently \$10,000) and the cost of prosecution

Part 2. Definitions

2.1 Definitions

The following words and phrases wherever they occur in this *Bylaw*, shall have the meaning assigned to them as follows:

A

ACCESSORY BUILDING or STRUCTURE means a detached *building* or *structure* located on the same *parcel* as the principal *building*, the *use* of which is subordinate, customarily incidental, and exclusively devoted to that of the principal *building*;

ACCESSORY USE is the *use* of land, *buildings* and *structures* that is customarily ancillary to and exclusively devoted to a *principal use* or *single detached dwelling*;

AFFORDABLE MARKET HOUSING means less costly housing that is produced at the low to moderate price range of the market;

AGGREGATE SALE is limited to the *use* of land, *buildings* and *structures* for the storage and sale of sand, gravel, rock, earth or minerals, but does not include the processing or washing of any of these materials;

AGRICULTURE is the *use* of land, *buildings* and *structures* for conducting a farm operation as defined by the Farm Practices Protection (Right to Farm) Act (FPPA);

AGRICULTURE, LIMITED is the *use* of land, *buildings* and *structures* for the growing, rearing, producing, and harvesting of agricultural products and specifically includes nurseries, greenhouses, and the keeping of pigeons, doves, rabbits, poultry, bees, and other animals of like kind. The keeping of horses, sheep, goats, cattle or other animals of like kind is also permitted in concentrations of one (1) *animal unit* or less per hectare;

AGRI-TOURISM means a tourist activity, service or facility accessory to land that is classified as a farm under the Assessment Act, if the *use* is *temporary* and *seasonal* and promotes or markets farms products grown, raised or processed on the farm operation, but excludes accommodation;

AIRFIELD is an area of land set aside for the take-off, landing, and maintenance of aircraft;

ALR means Agricultural Land Reserve;

ANIMAL UNIT for the purpose of this *Bylaw*, the total number of animals making up one (1) *animal unit* shall be:

2 beef cattle, or
 2 dairy cows, or
 2 pigs, or
 2 donkeys, or
 2 horses, (mare and foal, or stallion or gelding, or mule or hinny), or
 2 ostriches or emus, or
 4 llama or alpaca, or
 5 weaner pigs, or
 5 goats (plus kids), or
 5 sheep (plus lambs), or
 10 feeder lambs, or
 25 rabbits (bucks, or does plus progeny to weaning, or growers), or
 50 turkeys or geese or ducks, or
 100 laying chicken hens, broiler chickens, roasters, or pullets; or
 100 doves or pigeon;

ASSISTED LIVING HOUSING means housing intended for both independent and semi-independent living in the form of either multiple *dwelling units*, or *sleeping units*, within which is provided for the exclusive use of the occupants, their families and guests, daily common meal preparation using commercial cooking facilities, dining area and laundry facilities. *Assisted living housing* may or may not accommodate health services such as nursing care, home support, rehabilitative and transportation services.

B

BACKCOUNTRY RECREATION is the *use* of land, not immediately accessible by vehicle, for outdoor recreational activities including, but not limited to: hiking, horseback riding, mountain biking, skiing, or snowmobiling;

BED AND BREAKFAST is the *use* of not more than three (3) *guest rooms* within a principal *single detached dwelling* to provide *temporary* accommodation to the traveling public, and includes food service to guests;

BERTH is a moorage space for a single *boat* at a *floating dock*;

BOAT is a small vessel propelled on water by oars, paddles, sails, or a motor;

BUILDING is a particular type of *structure* used or intended for supporting or sheltering a *use* or occupancy but does not include a tent, yurt, *recreational vehicle* or *park model*;

BYLAW is the Ranchero / Deep Creek Zoning Bylaw No. 751;

C

CAMPING SPACE is the *use* of land in a *private campground* for one *camping unit*;

CAMPING UNIT is one *recreational vehicle*, yurt, or one camping tent. *Park models* are not considered *camping units*;

CANNABIS means all parts of the genus cannabis whether growing or not and the seed or clone of such plants;

CANNABIS PRODUCTION FACILITY means the *use* of land, *buildings* and *structures* for the federally-licensed research and development, testing, production, administration, packaging and labeling, and distribution of cannabis and related substances, including temporary indoor storage and destruction of plants, or any component thereof;

CEMETERY is the *use* of land, *buildings* or *structures* for the internment of human or animal remains and includes burial grounds, mausoleum, memorial park (in accordance with and properly licensed under applicable Provincial legislation);

CHILD CARE FACILITY is any facility licensed under the Community Care and Assisted Living Act as amended from time to time that provides child care in accordance with the Act;

CHILD CARE FACILITY, IN-HOME is any facility licensed under the Community Care and Assisted Living Act as amended from time to time that provides in-home child care in accordance with the Act;

CIVIC FACILITY means premises in which government services are provided to the public including a public health facility, fire hall, *library*, post office, public works yard, public health centre, ambulance or police station;

COMMERCIAL means the *use* of land, *buildings* and *structures* for the purpose of buying and selling commodities, and supplying services;

COMMERCIAL LODGING means a *building* used for the *temporary* accommodation for the traveling public, including hotels, inns, hostels, motels and lodges and may contain *accessory* assembly, commerce, entertainment, indoor recreation, and *eating and drinking establishments*;

COMMUNITY CARE FACILITY means any facility licensed under the Community Care and Assisted Living Act as amended from time to time that provides personal care, supervision, social or education training or physical or mental rehabilitative therapy, with or without charge, to persons not related by blood or marriage to an operator of the facility;

COMMUNITY HALL is a *building* or part of a *building* designed for, or intended to be used by the public for such purposes as civic meeting, educational meeting, political meetings, recreational activities or social activities and may include banquet facilities and a community kitchen;

COMMUNITY GARDEN is a piece of land that is collectively developed, cultivated, gardened, and maintained by a group of people;

COMMUNITY MARKET is the *use* of land, *buildings* or *structures* for the purposes of a group of stalls or booths intended to be used by farmers or other vendors to sell their products directly to customers;

COMMUNITY SEWER SYSTEM is a sewage collection, treatment and disposal system serving 50 or more connections, or *parcels*. Facilities may include wastewater treatment (disposal) plants and ancillary works, sanitary sewers and lift stations for the collection and treatment of wastewater, and the discharge or re-use or both of treated effluent wastewater and biosolids;

COMMUNITY WATER SYSTEM is a waterworks system serving 50 or more connections, or *parcels*. Facilities may include water treatment plants and ancillary, works, reservoirs, impoundments (dams), groundwater development (wells), and pumping stations for the collection, treatment, storage, and distribution of domestic potable water;

CSRD means Columbia Shuswap Regional District;

D

DENSITY is the number of residential *dwelling units* on a *parcel*, expressed in units per hectare or units per *parcel*;

DRIVING RANGE is the *use* of land, *buildings* and *structures* for practicing golf drives and shots, and does not include a *golf course* except where a permitted *golf course* includes a *driving range*;

DUPLEX is a singular *building* divided horizontally or vertically into two (2) *dwelling units* that are not linked by a trellis, deck, breezeway or similar connection;

DWELLING UNIT means one (1) or more rooms in a detached *building* with self-contained eating, living, sleeping and sanitary facilities and not more than one *kitchen*, used or intended to be used as a residence for no more than one (1) *household*. *Dwelling unit* does not include *camping unit*, *park model*, or a *commercial lodging sleeping unit*;

E

EATING AND DRINKING ESTABLISHMENT means a facility where prepared foods and beverages are offered for sale to the public for consumption within the premises or off the site, such as restaurants, neighborhood pubs, lounges, cafes, delicatessens, tea rooms, dining rooms, refreshment stands and take-out restaurants, and mobile catering food services;

EDUCATION FACILITY means a building(s) including residences, *structures* and grounds associated with the operation of a school, college, university or training centre;

EVENT VENUE is the *use* of land, *buildings* and *structures* for the purpose of providing a commercially operated space that can hold events; including but not limited to parties, weddings, anniversaries, reunions, and concerts;

EXTERIOR SIDE PARCEL BOUNDARY is a *parcel* boundary, other than a *front parcel boundary* or a *rear parcel boundary*, common to the *parcel* and a *highway* other than a walkway;

F

FASCIA SIGNS means any *sign* painted on or attached to an exterior *building* wall, or any other permitted *structure*, on which a two dimensional representation may be placed, so that the *sign* does not extend more than 40 cm out from the wall or *structure* nor beyond the horizontal limits of the wall. *Fascia signs* may or may not be permanent. This definition includes banners, billboards and any other two dimensional medium;

FARM AND GARDEN SUPPLY is the *use* of land, *buildings* and *structures* for the growing and sale of plants and may also include the sale of farming and gardening equipment, and materials such as soil, bark mulch, fertilizer, and the storage of vehicles and equipment necessary to, and used in, the provision of farming and gardening services;

FENCE is a constructed barrier of any material or combination of materials erected to enclose or screen areas of land and specifically excludes *retaining structures* and *landscape retaining structures*. For the purpose of calculating *fence* height, any arch, arbor, trellis or pergola affixed to or supported by a fence shall be deemed part of the *fence*;

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 greater than 2:1 (horizontal to vertical);

FLOATING DOCK is a *structure* used for the purpose of mooring *boat(s)* which may include multiple berths but which does not include permanent physical links to shore or lakebed, except cables;

FLOOD CONSTRUCTION LEVEL means a designated flood level plus freeboard, or where a designated flood level cannot be determined, a specified height above a *natural boundary*, natural ground elevation, or any obstruction that could cause ponding;

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;

FLOODPLAIN is a lowland area, whether dyked, floodproofed, or unprotected, which is at an elevation susceptible to flooding, as determined under Section 3.13 of this *Bylaw*;

FLOODPLAIN SETBACK means the required minimum distance from the *natural boundary* of a *watercourse*, lake, or other body of water to any landfill or structural support required to elevate a floor system or pad above the *flood construction level*, so as to maintain a floodway and allow for potential land erosion;

FLOOR AREA is the total area of all floors in a *building* measured to the outside face of exterior walls or, as applicable, the total area of all floors in a portion of a *building* for a particular *use*, measured to the outside face of the walls of the area of the *use*. *Floor area* does not include balconies, elevator shafts and areas *used* for *building* ventilation machinery;

FORESHORE is the land between the *natural boundary* of a *lake* and the water;

FORESTRY is the growing, cultivating, protecting, harvesting, sorting or storage of forest products grown on the same site, and may include accessory auction, retail or wholesale of forest products grown on the same site, and the storage of harvesting equipment or supplies and temporary repair of such equipment used on the same site, but excludes the *manufacturing* of any forestry products;

FREE-STANDING SIGN is a *sign* which is supported independent of a *building*;

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 *parcel*;

G

GOLF COURSE is the *use* of land, *buildings* and *structures* for playing golf and may include an administration *office*, *driving range*, clubhouse, *eating and drinking establishment*, pro shop, and other accessory facilities necessary for the operation of the golf course;

GROSS FLOOR AREA is the total area of all floors in a *building* measured to the outside face of exterior walls or, as applicable, the total area of all floors in a portion of a *building* in a particular *use*, measured to the outside face of the walls of the area of the *use*;

GUEST RANCH is the *use* of land, *buildings* and *structures* to provide tourists the opportunity to experience the daily operations of a working ranch, but does not include overnight accommodation or *event venue*;

GUEST ROOM means a sleeping room that does not include a *kitchen*, used or maintained for the *temporary* accommodation of an individual or individuals;

H

HABITATION means the support of life processes within a *building*, including, but not limited to, sleeping, eating, food preparation, waste elimination, personal cleaning, and rest and relaxation areas;

HEIGHT is the vertical distance between the highest point of a *building* or *structure* and the lowest point of a *building* or *structure* where the *finished ground elevation* and the *building* meet, excluding localized depressions such as vehicle and pedestrian entrances to a maximum width of 6 m. The highest point excludes a mast, antenna, vent, chimney, elevator shaft, solar heating panel or similar *structure* that projects above the roof;

HEALTH SERVICES FACILITY means establishments primarily engaged in providing medical services, surgical or other services to individuals, including the offices of physicians, dentists, and other health practitioners;

HIGHWAY includes a street, road, bridge or viaduct and any other way open to the *use* of the public;

HOME OCCUPATION is any *commercial* activity conducted accessory to a *residential use* on a property;

HORTICULTURE is the *use* of land, *buildings* and *structures* for growing flowers, fruits, vegetables, or other plants for domestic *use*;

HOUSEHOLD means people living together in one (1) *dwelling unit* using a common *kitchen*;

I

ILLUMINATED SIGN is a *sign* which emanates or reflects artificial light;

INTERIOR SIDE PARCEL BOUNDARY is a *parcel boundary* other than a *front parcel boundary* or a *rear parcel boundary* that is not common to a *highway* other than a *or walkway*;

K

KENNEL is the *use* of land, *buildings* and *structures* for which five (5) or more dogs are kept;

KITCHEN means facilities used or designed to be used for the cooking or preparation of food;

L

LAKE is Gardom Lake or any other waterbody within the *Bylaw* area;

LANDSCAPING is any horticultural element designed to visually enhance a property;

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 m of retained material, such as an earthen bank;

LANDSCAPE SCREEN is an opaque or semi-opaque barrier formed by a row of shrubs, trees, by a *fence* or masonry wall or by a combination of these;

LOADING SPACE means a space located on a lot used for a commercial vehicle while loading or unloading goods and materials;

M

MANUFACTURING is the small-scale processing, manufacturing, fabricating or assembling of semi-finished or finished goods, products or equipment; the storage, cleaning, servicing, repairing or testing of materials, goods and equipment normally associated with light-industrial, business or *household use*. This *use* may include administrative *office* and warehousing;

MANUFACTURED HOME is a detached *dwelling unit*, that is factory built to comply with or exceed the CAN/CSA Z240 MH Series, "Mobile Homes";

MANUFACTURED HOME PARK is the *use of buildings, structures* and land that has been divided into *manufactured home spaces* and improved for placement of *manufactured homes* for permanent residential use;

MANUFACTURED HOME SPACE is the *use of land* within a *manufactured home park* for placement of one *manufactured home*;

MINI STORAGE is the *use of land, buildings and structures* to provide separate, individual self-storage units inside a *building*, each with a separate entrance designed to be rented or leased to the general public for private storage of personal goods, materials or equipment;

MULTIPLE-DWELLING is a *building* containing three or more *dwelling units* each of which is occupied or intended to be occupied as a permanent home or residence of not more than one *household*;

N

NATURAL BOUNDARY is the visible high water mark of any *lake*, river, stream or other body of water where the presence and action of the water is 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;

NAVIGATION is the *use of land* for the transportation of goods or people over water and includes watercraft recreation;

NUCLEUS COLONY means a colony of not more than five (5) removable frames primarily used for rearing and storing queen bees;

O

OFFICE is the *use of land, buildings and structures* for the purpose of carrying out an occupation or professional activity but does not include *retail sales, industrial uses, public assembly, or personal service use*;

ONSITE SEWAGE DISPOSAL SYSTEM is the collection, treatment and disposal of sewage to the ground on the *parcel* on which the sewage is generated, but does not include a *privy* or an outhouse;

OUTDOOR RECREATION FACILITY is the *use of land, buildings and structures* for outdoor recreation in conjunction with a *private educational camp facility*. Typical *uses* include, but are not limited to: playing field, hiking trails, climbing wall, zip-line, playground, and archery course. *Outdoor recreation facility* does not include *golf course* or *driving range*;

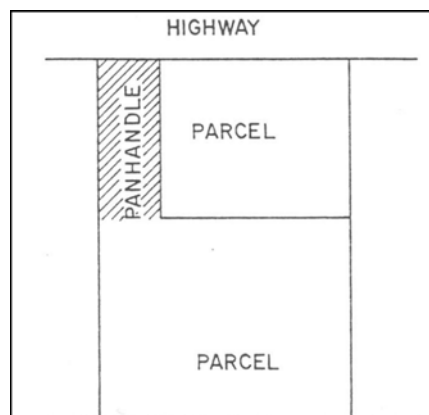
OUTDOOR SALES is the *use* of land, *buildings* and *structures* for outdoor retail sale of lumber; building products; landscaping materials; home, yard, garden and agricultural supplies; but does not include the sale of *park models*, *shipping containers*, or *manufactured homes*;

OUTDOOR STORAGE is the storage of equipment, goods, and materials in the open air where such storage of goods and materials does not involve the erection of permanent *structures*, *shipping containers*, or the material alteration of the existing state of the land;

P

PAD is a prepared surface on which blocks, posts, runners or strip footings are placed for the purpose of supporting a *manufactured home* or *park model*;

PANHANDLE LOT means a *parcel* that has its primary *highway* frontage through a narrow strip of land which projects to the *highway* from the main portion of the *parcel*. This narrow strip is an integral part of the *parcel* and is referred to as the *panhandle driveway* (shown hatched in the diagram below):



Panhandle lot and driveway

PANHANDLE DRIVEWAY means that portion of a *panhandle lot* that is the narrow strip fronting a *highway*;

PARCEL is any lot, block or other area in which land is held or into which it is subdivided, but does not include a *highway*;

PARCEL BOUNDARY means any boundary of a *parcel*;

PARCEL COVERAGE is the horizontal area within the vertical projection of the outermost edge of all *buildings* and *structures* (to the drip line of the roof) on a *parcel* and includes carports, swimming pools, covered patios, and decks, expressed as a percentage of the *parcel* area;

PARCEL WIDTH is the horizontal distance between the two *side parcel boundaries*, measured at the minimum *front setback* from the *front parcel boundary*. For a *reverse pie-shaped parcel*, the *parcel width* is the horizontal distance between the two side boundaries measured at the minimum *rear parcel boundary setback*;

PARK is the *use* of land, *buildings* and *structures used* and operated for the recreation and enjoyment of the public, and

- (a) the land is dedicated as park by a plan deposited in the Land Title Office or operated as a park local service or extended service pursuant to Part 14 of the Local Government Act;
- (b) the land is under tenure from the crown for the purpose of a *park*;
- (c) the land is under tenure from a private property owner for the purpose of a *park*
- (d) the land has been dedicated as a provincial park; or
- (e) the land has been dedicated as a national park;

PARK MODEL is a trailer or recreational unit which conforms to CSA Z241 standard for *recreational vehicles* and which has a *gross floor area* which does not exceed 50 m². A *park model* trailer shall not be considered a *dwelling unit* or *camping unit*;

PARKING AREA is one or more off-street *parking spaces* and includes circulation ways;

PARKING SPACE is an off-street space for the parking of one vehicle or bicycle exclusive of *parking area* circulation ways, driveways, ramps or obstructions;

PASSIVE RECREATION is the *use* of land for *outdoor recreation activities* that do not involve the *use* of *buildings*, *structures*, camping or motorized vehicles;

PERSONAL SERVICE is a *use* in a *building* which provides a service to the person including but not limited to hair dressing, esthetics, laundry, medical and dental practice, veterinarian, office, lawyer, accountant, and other similar professional practices;

PRINCIPAL USE is the main purpose that land, *buildings* or *structures* on a *parcel* are ordinarily used;

PRIVATE CAMPGROUND is the *use* of land, *buildings* and *structures* for the purpose of providing *seasonal temporary accommodation* in cabins, tents or *recreational vehicles* on *camping spaces*, and is not intended for *commercial lodging* or *use* by the travelling public. This *use* may include accessory facilities for eating and assembly purposes, washrooms, bathing and laundry facilities, entrance kiosk, campground manager's accommodation and is open only to members and their guests for a membership fee;

PRIVATE EDUCATIONAL CAMP FACILITY means lands, *buildings*, and *structures* used for recreation, eating, sleeping, religious, philanthropic, and education activities serving the needs of organizations or large groups and not intended for *commercial lodging* or use by the travelling public;

PRIVY is a small portable *building* that rests on or above the surface of the ground, has a bench with a hole or holes through which human excretion may be evacuated into a waterproof vault that forms an integral part of the built *structure* of the *building*;

PUBLIC ASSEMBLY FACILITY is the *use* of land, *buildings* and *structures* where people gather periodically for public, educational, cultural, religious, recreational, philanthropic or entertainment purposes;

PUBLIC UTILITY is the *use* of land, *highway*, *buildings* and *structures* for electrical, telephone, water, sewer, gas, cable television, telecommunications transmission facility (including towers), or other like services provided by government, or by a private provider operating pursuant to authority granted in *public utility* legislation or pursuant to a franchise under the Local Government Act, but does not include any office, administrative facilities, and works, repair, maintenance and storage yards;

R

REAR PARCEL BOUNDARY is the *parcel boundary* that lies the most opposite to and is not connected to the *front parcel boundary* or, where the rear portion of the *parcel* is bounded by intersecting *side parcel boundaries*, it is the point of this intersection;

RECREATIONAL VEHICLE is a vehicular-type of portable *structure* on wheels, without permanent foundation, that can be towed, hauled or driven and that is primarily designed for *use* as *temporary* living accommodation for the purposes of recreation, camping and travel, including, but not limited to, travel trailers, truck campers, camper vans, tent trailers and self-propelled motor homes (does not include park model);

RECYCLING DROP-OFF FACILITY is the *use* of land, *buildings* and *structures* for the buying, collecting, sorting and short-term storage of bottles, cans, paper, cardboard, metal, plastic and similar recyclable materials where all storage is within enclosed *buildings* or bins;

REMOVABLE WALKWAY is a *structure* used for providing pedestrian access to and from a *floating dock* with no permanent physical links to shore;

RENTAL SHOP is the *use* of land, *buildings* and *structures* for the rental and sale of equipment, vehicles, boats, farm machinery and implements, and other merchandise; but not including *park models*, *manufactured homes*, and *shipping containers*;

RESIDENTIAL CAMPSITE is the *use* of land for one (1) *camping unit*, for *temporary* free accommodation on a non-commercial basis by guests of the residents of the *single detached dwelling* that is situated on the same *parcel*;

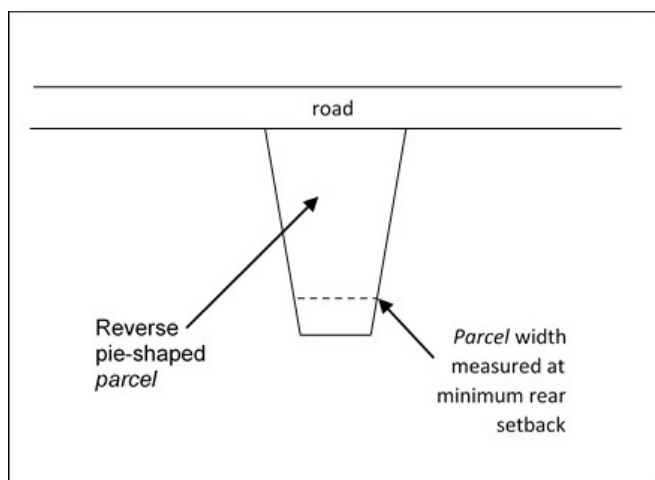
RESOURCE EXTRACTION is all related activities necessary for the extraction of sand, gravel, earth or mineralized rock found on or under a site, but does not include post-extraction activities (secondary crushing, sorting, screening, washing) to render the extracted material marketable;

RESIDENTIAL USE is the *use* of land, *buildings* and *structures* for sleeping, eating and other activities generally associated with *habitation* for more than four (4) weeks;

RETAIL STORE is the *use* of land, *buildings* and *structures* for the selling and display of merchandise and *personal services* for the public and includes limited on-site storage or limited seasonal outdoor sales to support that store's operations. *Retail store* does not include an *eating and drinking establishment*, warehouse sales, heavy agricultural and industrial equipment sales, or retail stores requiring outdoor storage;

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 m 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*;

REVERSE PIE-SHAPED PARCEL is a *parcel* which is generally configured such that its width at the *rear parcel boundary* is less than at its *front parcel boundary* (see diagram below);



Reverse Pie-Shaped Parcel

S

SEASONAL means no more than 26 weeks in a calendar year;

SECONDARY DWELLING UNIT means an accessory, self-contained, *dwelling unit* located within a *single detached dwelling*, or in an *accessory building* (where permitted by this *Bylaw*). A *secondary dwelling unit* is self-contained and has direct access to outside without passing through any part of the *principal dwelling unit* and has its own separate *kitchen*, sleeping and bathing facilities. For clarity, *duplexes* and *multiple-dwellings*, boarding rooms and rooming houses are excluded from the definition of *secondary dwelling unit*;

SECONDARY USE is a *use* which is permitted only in conjunction with an existing *principal use*;

SERVICE STATION is the *use* of land, *buildings*, and *structures* for the retailing of motor fuels, *vehicle repair*, servicing and washing; but does not include *vehicle wrecking* or autobody repair and paint shops;

SETBACK means the required minimum distance between a *structure*, *building* or *use* and each of the respective *parcel boundary*;

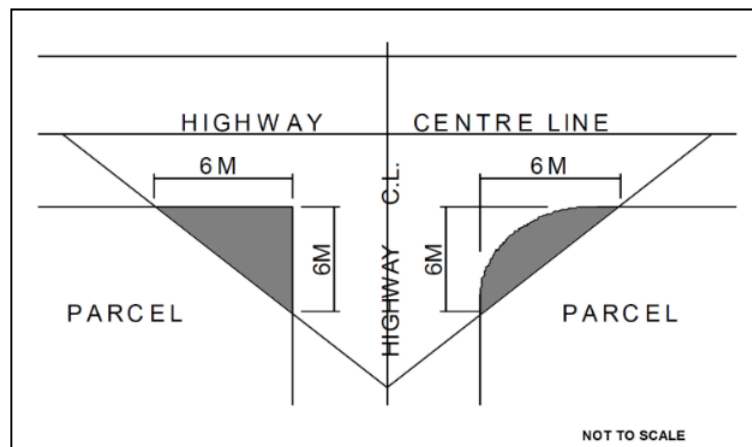
SHIPPING CONTAINER is a large portable metal or steel unit that is intended for the transport of materials, products, and/or goods from one mode of transport to another without unloading and reloading the contents of the container, whether or not it is actually used for such a purpose. *Shipping container* includes intermodal freight containers (ISO, shipping, cargo, and hi-cube containers; conex boxes; and sea cans), but does not include garbage bins/dumpsters, and recycling bins/receptacles;

SHARED WATERFRONT PARCEL includes waterfront and semi-waterfront *parcels*, and also includes *parcels* which are separated from the *natural boundary* of a *lake* only by common property associated with that *parcel*;

SIDE PARCEL BOUNDARY is a *parcel boundary* other than a *front parcel boundary* or a *rear parcel boundary*;

SIGN is any symbol, identification, description, illustration, contrivance, *structure*, or device visible from a public place which is intended to direct attention to a product, service, place, activity, person, institution, business, or solicitation;

SIGHT TRIANGLE means the area formed by a triangle in the angle formed by the right of way boundaries or boundaries produced and two (2) points on those boundaries 6 m from the point of intersection, as shown shaded in the diagram below;



Sight Triangle

SINGLE DETACHED DWELLING means a detached *building* containing only one (1) principle *dwelling unit* and, where permitted by this *Bylaw*, one (1) *secondary dwelling unit*;

SKIRTING means detachable panels fitted between the ground surface and the base of the *manufactured home* to enclose the *pad*;

SLEEPING UNIT means a *suite* used or intended to be used as a residence, which is normally accessed only from a common corridor and will contain sleeping, living and washroom facilities, but does not contain an area or facilities for the preparation or serving of food and is located within a building or complex containing a common kitchen/dining facility.

SLEEPING UNIT, TEMPORARY is one or more rooms, with not more than one bedroom and without *kitchen* facilities, to be *used* for *temporary* accommodation;

SMALL-SCALE SAWMILL is a mill for sawing logs into dimensional lumber having a capacity of less than 10 m³ (4238 F.B.M.) per day;

STRUCTURE means anything constructed or erected, whether fixed to, supported by or sunk into land or water (*setback* exemptions for *structures* are listed in Section 3.2 of this *Bylaw*);

SUBDIVISION is a division of land as defined in the Land Title Act and a bare land subdivision as defined in the Strata Property Act or any subsequent Act or Acts which may be enacted in substitution therefore;

SWIMMING PLATFORM is a floating *structure* used for non-motorized recreational activities, such as swimming, diving and sun-bathing, but not *boat* mooring;

T

TEMPORARY means less than four (4) consecutive weeks;

U

USE is purpose or function to which land, *buildings* and *structures* are put to and if not in *use*, then the purpose they are designed or intended to be put to;

V

VACATION RENTAL is the *use* of a residential *dwelling unit* for *temporary* accommodation on a commercial basis;

VEHICLE REPAIR is the *use* of land, *buildings* and *structures* for the service and repair of automobiles, *boats*, or other vehicles but does not include *vehicle wrecking* or the sale of vehicles;

VEHICLE WRECKING is the *use* of land, *buildings* and *structures* for the dismantling and storage of vehicles and sales of used vehicle parts. *Vehicle wrecking* may also include *vehicle repair* provided it is subordinate to the *vehicle wrecking*;

W

WATERCOURSE is a natural depression with banks and a bed of 0.6 m or more below the surrounding land and one of the following, a) serving to give direction to a current of water for at least six (6) months of the year, b) having a drainage area of 2 km² or more, c) an area designated as a *watercourse* by the Province, and includes lake, pond, river, stream, creek, spring, ravine, swamp, and wetland;

WATERFRONT PARCEL is a *parcel* having a boundary, including a point, in common with the *natural boundary* of a *lake*;

WHOLESALE is the sale of goods to retail dealers or to other wholesale dealers or to contractors or manufacturers for resale or for incorporation into other products;

ZONE is an area delineated by this *Bylaw* for a specific use.

Part 3. General Regulations

3.1 Uses and Buildings Permitted in Each Zone

The following *uses* and *structures* are permitted in each *zone*, with the exception of foreshore *zones* and where otherwise noted:

- (a) the *use* of a *building* or part thereof as a temporary polling station, election official's headquarters, candidate's campaign office, and any other official, *temporary use* in connection with a federal, provincial, or municipal election, referendum or census;
- (b) *highway* and transportation rights-of-way held by, or on behalf of, a government;
- (c) landscaping and *horticulture*;
- (d) *park* (also permitted in all foreshore *zones*); and
- (e) *public utility*.

3.2 Setback Exemptions

The following *buildings* and *structures* are exempt from the minimum *setback* requirements of this *Bylaw*:

- (a) air conditioners and heat pumps provided they are not closer than 1 m from any *side parcel boundary*;
- (b) driveways, walkways, and exterior stairways not forming part of a *building*;
- (c) eaves and gutters, provided they are not closer than 1 m from any *parcel boundary*;
- (d) *fences* not exceeding 2.5 m in height (unless otherwise specified in Section 3.25) or *retaining structure* not exceeding 1.5 m above ground;
- (e) *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;
- (f) *landscaping*;
- (g) open-air surfaced areas, including but not limited to, pavements, curbs, walks and patios;
- (h) rainwater harvesting *structures*, equipment and apparatus, including rain-barrels and cisterns which are 2.5 m or less in height;
- (i) *signs*, provided they are not closer than 1 m from any *side parcel boundary*;

- (j) steps, provided they are not closer than 1 m from any *side parcel boundary*;
- (k) utility poles, including poles used for area lighting; and
- (l) wheel chair ramps.

3.3 Setbacks from Highway No. 97B

Notwithstanding any other provisions of this *Bylaw*, no principal or *accessory buildings* or *structures* permitted within a *zone* shall be sited closer than 4.5 m from the existing Highway No. 97B right-of-way

A lesser *setback* from the centre line of the Highway 97B may be approved by the CSRD where relief has been obtained from the Regional Approving Officer, Ministry of Transportation and Infrastructure.

3.4 Visibility at Intersections

No *fences*, signs, plants, or *structures* higher than 0.6 m are permitted within the *sight triangle*.

3.5 Interior Side Parcel Boundary Setbacks on Bare Land Strata Parcels

The *interior side parcel boundary* requirements of this *Bylaw* shall not apply to bare land strata *parcels* under a registered plan pursuant to the Strata Properties Act where there is a common wall shared by two (2) or more *dwelling units*.

3.6 Height Regulation Exemptions

- .1 The following *structures* are exempt from the *height* limitations specified in each *zone* in this *Bylaw*:
- (a) flag pole carrying provincial, federal or municipal flags
 - (a) water tower or water storage tank that is part of a *community water system*;
 - (b) spire, steeple, belfry;
 - (c) chimney, smoke stack;
 - (d) dome, cupola;
 - (e) monument or sculpture;
 - (f) industrial cranes
 - (g) antenna or mast for the transmission or reception of radio and television
 - (h) signal;
 - (i) *structures* and *buildings* required for the operation of a farm in accordance with the Farm Practices Protection (Right to Farm) Act;

- .2 No exempted *structure*, other than *structures* and *buildings* required for the operation of a farm in accordance with the Farm Practices Protection (Right to Farm) Act; radio transmission towers, or water towers shall exceed 20 m in *height*;

3.7 Subdivisions to Provide Residence for a Relative

Lots proposed for *subdivision* pursuant to Section 514 of the Local Government Act shall be permitted provided that:

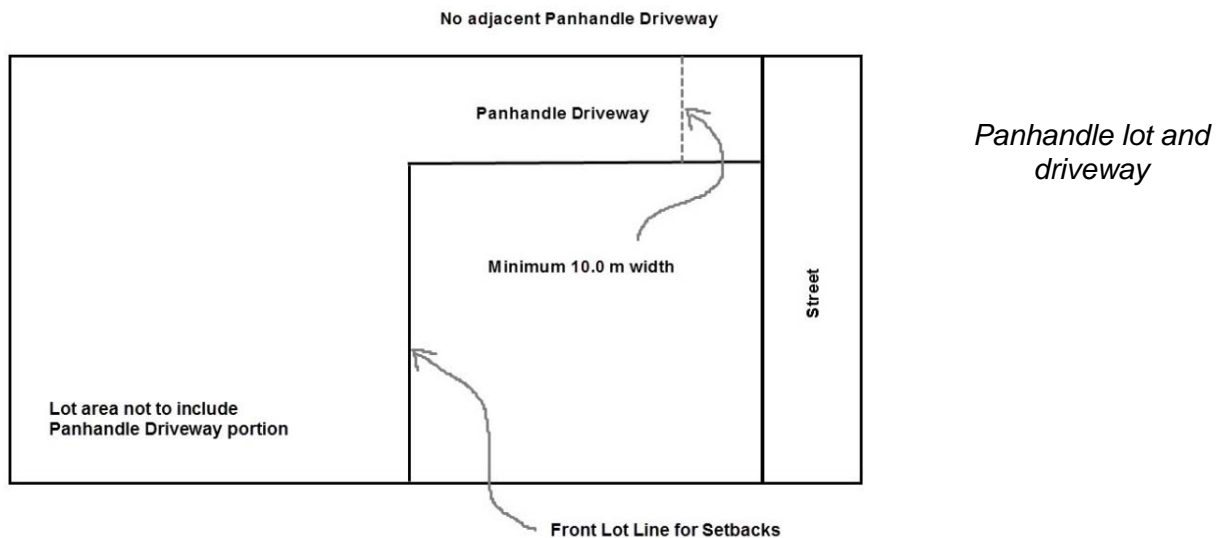
- (a) all new *parcels* (including remainders) created by *subdivision* are a minimum of 1 ha in size; and
- (b) all requirements of provincial legislation, including the ALC Act and ALC regulations, can be satisfied.

3.8 Subdivision for Panhandle lots

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 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 two (2) *panhandle lots* shall be next to each other.

As illustrated in the following drawing:



3.9 Exemptions from Minimum Parcel Size Requirements

- .1 The minimum *parcel* size regulations for new *subdivisions* stated in Part 4 do not apply if all the requirements of this subsection are met:
 - (a) the *subdivision* occurs within a *parcel* that has two (2) or more zoning designations and occurs along a *zone* boundary.
 - (b) *parcel boundaries* are relocated to facilitate an existing development or improve a *subdivision* pattern;
 - (c) no additional *parcels* are created;
 - (d) all *parcels* are contiguous; and
 - (e) no *parcel* shall be enlarged to a size permitting further *subdivision*.
- .2 The minimum *parcel* size regulation for new *subdivisions* does 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:
 - (a) no *parcel* created (including the remainder) has a *parcel* area of less than 1 ha;
 - (b) the *subdivision* is restricted to dividing the *parcel* along the *highway* or other titled land that physically separates the *parcel*; and
 - (c) the *parcels* were not registered as part of a reference, explanatory or *subdivision* plan in the Land Title Office after the adoption of this *Bylaw*.
- .3 Minimum *parcel* size regulations for new *subdivisions* does not apply to *parks*, *civic facilities*, or *public utilities* for which on-site water and septic servicing is not required.
- .4 Any homesite severance must be consistent with the ALC Act and the regulations of the ALC.

3.10 Bare Land Strata Plan Access Route

Despite any other provision of this *Bylaw*, for the purpose of a *setback*, a *highway* includes an access route within land subdivided as a bare land strata plan under the Strata Property Act.

3.11 Establishment of Floodplains

- .1 The following land is designated as *floodplain*:
 - (a) land below the *flood construction level*; and
 - (b) land within the *floodplain setback*.
- .2 The following *flood construction levels* apply:
 - (a) 1.5 m above the *natural boundary* of all *watercourses*

.3 The *floodplain setback* is:

- (a) 15 m from the *natural boundary* of any other *watercourse*.

3.12 Measurement of Flood Construction Level & Floodplain Setback

- .1 The *flood construction level* is determined by measuring at a 90 degree angle to the *natural boundary* to a point where the elevation is the required elevation above the *natural boundary* as stated in subsection 3.11.2.
- .2 The *floodplain setback* is determined by measuring at a 90 degree angle to the *natural boundary* the distance stated in subsection 3.11.3.

3.13 Application of Floodplains

- .1 A *building* including a *manufactured home*, or *structure* must not be constructed, reconstructed, moved or extended into, or moved from place to place within a *floodplain setback*.
- .2 The underside of a floor system or top of concrete slab that is used for *habitation*, occupation, or the storage of goods which are susceptible to damage by floodwater must be above the *flood construction level*.
- .3 If landfill or structural support or both are used to comply with subsection 3.13.2, they must be protected against scour and erosion from flood flows, wave action, ice and other debris and not extend within the *floodplain 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 a person designated by the Regional Board may require that a *Surveyor Certificate* be submitted to the CSRD by the land and property owners to verify compliance with the *flood construction level* and *floodplain setback* specified in subsections 3.13.1, .2, .3 and .4.
- .6 The following are exempted from the requirements of subsection 3.13.2 as they apply to the *flood construction levels*:
 - (a) a renovation of an existing *building*, *manufactured home*, or *structure* that does not involve an addition to the exterior of the *building*, or *structure*;
 - (b) an addition to a *building*, *manufactured home*, or *structure* of less than 25% to a maximum of 100 m² of the *floor area* existing the date this *Bylaw* comes into force however the addition must be no lower in elevation than the floor existing the date this *Bylaw* comes into force;
 - (c) a carport or domestic garage;
 - (d) a *building* used for *agriculture* excluding closed-sided livestock housing and a *dwelling unit*; and
 - (e) a farm *dwelling unit* that is located both on a *parcel* 8 ha or larger and within the provincial ALR 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*; and is no lower than 1 m above the natural ground elevation or no lower than the *flood construction level*, whichever is the lesser.

.7 The following are exempted from the requirements of subsections 3.13.1 and .2 as they apply to the *flood construction levels* and *floodplain setback*:

- (a) a *dock*
- (b) a floating *structure*
- (c) a *fence* constructed of wood or wire through which water can flow freely;
- (d) *flood proofing* protection works constructed to stabilize the shoreline or banks of a *watercourse*;
- (e) a roof overhang or cantilevered deck with no footings within the *setback* area;
- (f) ground level patios;
- (g) detached *accessory building* that do not include *habitation*;
- (h) 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*;
- (i) electrical or mechanical equipment not susceptible to damage by floodwater; and,
- (j) storage of goods not damageable by flood waters.

3.14 Accessory Building

- .1** An *accessory building* must be located on the same *parcel* as the *principal use* with which it relates and must only be used for an *accessory use*, *home occupation* or *secondary dwelling unit* provided these *uses* are permitted in the zone where the *accessory building* is located. Any *accessory building* used for *habitation* must meet the BC Building Code requirements for *habitation*.
- .2** *Accessory buildings* shall not be closer than 3 m to a *principal residential use building* or 4 m if the *accessory building* contains a *dwelling unit*.

3.15 Accessory Use

An *accessory use* must be located on the same *parcel* as the *principal use* with which it relates.

3.16 Secondary Dwelling Unit

- .1** One (1) *secondary dwelling unit* may be permitted per *parcel* in the zones specified in Part 4 of this *Bylaw* if the following conditions are met. The *secondary dwelling unit* must:

- (a) have a *gross floor area* no greater than 90 m², unless otherwise specified by this *Bylaw*;
- (b) be located on a *parcel* 1 ha or larger if the *secondary dwelling unit* is detached from the *single detached dwelling*;
- (c) have a door direct to the outdoors without passing through any part of the *single detached dwelling unit*;
- (d) be constructed in compliance with the BC Building Code;
- (e) remain under the same legal title as the principal *dwelling unit*;
- (f) have a maximum of one (1) *kitchen*;
- (g) meet all must meet all provincial and Interior Health requirements regarding water and sewer servicing;
- (h) not be located in a *duplex, manufactured home, or multiple dwelling unit* development;
- (i) not be used as a *vacation rental* unless otherwise specified by this *Bylaw*;
- (j) not be used as a *bed and breakfast*;
- (k) not be closer than 4 m to any *building* containing a *dwelling unit* or 2 m from an *accessory building* not containing a *dwelling unit* if the *secondary dwelling unit* is detached;
- (l) have comply with all parking and access requirements as set out in Part 5 of this *Bylaw*; and
- (m) only be permitted on lands within the ALR if the *secondary dwelling* meets the requirements of the ALC Act.

.2 A *secondary dwelling unit* may:

- (a) be permitted in an *accessory building* if the *secondary dwelling unit* meets the requirements of Section 3.14 and Section 3.16.1 of this *Bylaw*.

3.17 Home Occupation

A *home occupation* is subject to the following regulations:

- (a) The *home occupation* shall only be carried out in a *zone* that permits *residential use*;
- (b) The *home occupation* shall be carried out accessory to and on the same *parcel* as the *dwelling unit* to which the *home occupation* relates;
- (c) A maximum of one (1) *home occupation* shall be permitted per *parcel*;
- (d) All activities, including the storage of materials, equipment, and products, must be completely enclosed within a *dwelling unit, accessory building, or an area* completely screened from adjoining properties and *highways* at a minimum height of 1.8 m, with the exception of daycares and parking;
- (e) The maximum area of all *home occupation uses* on a *parcel* shall be no greater than:
 - (i) 100 m² on *parcels* less than or equal to 0.4 ha;
 - (ii) 150 m² on *parcels* greater than 0.4 ha, but less than or equal to 2 ha;

- (iii) 250 m² on *parcels* greater than 2 ha, but less than or equal to 8 ha;
- (iv) 300 m² on *parcels* greater than 8 ha;
- (f) Only persons residing in the *dwelling unit* associated with the *home occupation* may be involved in the *home occupation* plus:
 - (i) A maximum of two non-resident employees on *parcels* less than or equal to 2 ha;
 - (ii) A maximum of three (3) non-resident employees on *parcels* greater than 2 ha, but less than 8 ha;
 - (iii) A maximum of four (4) non-resident employees on *parcels* greater than 8 ha;
- (g) The *home occupation* shall not produce, discharge or emit: smoke (except smoke produced from the heating of the *home occupation space*), dust, litter, vibrations; odorous, toxic or noxious matter or vapours; heat; glare; radiation; electrical or television interference; or sufficient noise, congestion or traffic to constitute a nuisance offensive to the community;
- (h) The *home occupation* shall limit the area used for the display and sale of retail goods on a *parcel* to 25% of the *gross floor area* used for the *home occupation* and must be auxiliary and incidental to the *home occupation*;
- (i) The *home occupation* shall not include:
 - (i) *aggregate sales* or processing;
 - (ii) asphalt or concrete batch plant;
 - (iii) *cannabis production facility*;
 - (iv) *eating and drinking establishment*;
 - (v) *event venue*;
 - (vi) *kennel* (unless located on a *parcel* 8 ha or greater, located in the RH, AG1 or MH zone, and located a minimum of 60 m from all *parcel boundaries*);
 - (vii) *saw mill* (unless zoned MH on a *parcel* greater than 8 ha)
 - (viii) *vehicle wrecking yard*; or
 - (ix) *wholesale activity*;
- (j) All parking and access associated with the *home occupation* shall be located on-site. Parking and access requirements for *home occupations* are set out in Part 5 of this *Bylaw*;
- (k) The *home occupation* shall limit total signage (excluding framing) used for the purpose of advertising the *home occupation* on each *parcel* to 0.6 m² in area (two-sided) and 2 m in height if free standing. *Signs* shall have a minimum *setback* of 1 m from *parcel boundaries*; and
- (l) A *home occupation* located on ALR land is subject to the requirements of the ALC Act.

3.18 Agricultural Land Reserve Land

- .1 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 Act, regulations and orders of the Agricultural Land Commission (thereby not permitting the *subdivision* of land or the development of non-farm *uses* unless approved by the Agricultural Land Commission).
- .2 Screening vegetation, fencing and *building setbacks* on the non ALR side of the residential/ALR interface shall be provided in accordance with the "Landscaped Buffer Specifications" prepared by the Agricultural Land Commission in 1993. Buffering requirements shall be considered as a condition of *subdivision* approval.
- .3 Agricultural *buildings* and *structures* shall be setback from *watercourses* in farming areas in accordance with provincial standards as set by the Ministry of Agriculture.

3.19 Setbacks for Agricultural Buildings and Structures

The minimum *setbacks* of *buildings*, *structures* and confined livestock intended to accommodate agricultural uses shall be:

- (a) 15 m from the *rear parcel boundary* and *interior side parcel boundary*;
- (b) 30 m from the *front parcel boundary* and *exterior side parcel boundary*;
- (c) 30 m from any *dwelling unit* or *secondary dwelling unit*;
- (d) 30 m from any *watercourse*;
- (e) 30 m from any domestic water supply intake;

3.20 Bed and Breakfast

A *bed and breakfast* must comply with the following regulations:

- (f) a *bed and breakfast* shall be an *accessory use*;
- (g) there may be a maximum of one (1) *bed and breakfast* on a *parcel*;
- (h) a *bed and breakfast* shall not be operated in conjunction with a *vacation rental*;
- (i) a maximum of three (3) *guest rooms* in a *single detached dwelling* may be used for a *bed and breakfast*;
- (j) a *bed and breakfast* must be operated by a permanent resident of the *single detached dwelling* with which it relates;
- (k) a *bed and breakfast* shall not produce a nuisance for surrounding residents, including but not limited to noise, light or traffic that is disruptive to surrounding residents quiet and enjoyment of their property;
- (l) a *bed and breakfast* must meet all provincial and Interior Health requirements regarding water and sewer servicing; and
- (m) total signage (excluding framing) used for the purpose of advertising the *bed and breakfast* located on that *parcel* shall not exceed 0.6 m² in area. *Signs* shall have a minimum *setback* of at least 1 m from any *parcel boundary*.

- (n) All parking and access associated with the *bed and breakfast* shall be located on-site. Parking and access requirements for *bed and breakfast* are set out in Part 5 of this *Bylaw*;

3.21 Vacation Rental

- .1 A *vacation rental* may be permitted in both the *single detached dwelling* and the *secondary dwelling unit*. *Residential campsites, camping units, and park models* shall not be used for *vacation rental* unless otherwise permitted in this *Bylaw*;
- .2 Where a *vacation rental* is permitted, a maximum of four (4) bedrooms per *parcel* may be used for a *vacation rental* and no more than eight (8) guests are permitted in a *vacation rental* at any one time;
- .3 A *vacation rental* located in a detached *secondary dwelling unit* is only permitted on a *parcel* 2 ha in size or larger;
- .4 A *vacation rental* shall not be operated in conjunction with a *bed and breakfast*;
- .5 A *vacation rental* shall not include ancillary uses typical of *commercial lodging*. These uses include, but are not limited to: meeting rooms, *eating and drinking establishment*, concierge, and *retail sales*;
- .6 A *vacation rental* shall not produce a nuisance for surrounding residents, including but not limited to noise, light or traffic that is disruptive to surrounding residents quiet and enjoyment of their property;
- .7 One (1) on-site *parking space* shall be provided for each bedroom used for *vacation rental*;
- .8 Total signage (excluding framing) used for the purpose of advertising the *vacation rental* on each *parcel* shall not exceed 0.6 m² in area (two-sided) and 2 m in height if free standing. *Signs* shall have a minimum *setback* of 1 m from *parcel boundaries*; and
- .9 A *vacation rental* must be sited in accordance with *setback* regulations and meet all provincial and Interior Health Authority requirements regarding water and sewer servicing.

3.22 Outdoor Storage

Except as permitted in a *zone*, a *parcel* must not be *used* for the *outdoor storage* of discarded materials, rubbish; nor for *vehicle wrecking* or the storage of a vehicle which has been without a license under the Motor Vehicle Act for more than two (2) years, is not housed in a garage or carport, and which is intended to be self-propelled but is not capable of locomotion under its own power.

3.23 Residential Campsite

- .1 Where a *residential campsite* is permitted, a maximum of one *residential campsite* is permitted per *parcel*;
- .2 A *single detached dwelling* that a *residential campsite* is associated with, must be a *principal use* on the *parcel*;
- .3 A *residential campsite* must meet all provincial and Interior Health Authority requirements regarding water and sewer servicing; and
- .4 A *residential campsite* must be sited in accordance with *setback* regulations.

3.24 Fences

- .1 No *fence* constructed at the natural grade in zones MH, RR1, MHP1, RM1, VR, and CDD1 shall exceed 2 m in height, except where abutting an agricultural, commercial or industrial *use*, the maximum height is 2.4 m.
- .2 In zones MH, RR1, MHP1, RM1, VR, and CDD1 the maximum height is 1.2 m for the portion of the *fence* that is placed within the front yard. No *fence* constructed at the natural grade in zones RSC, RH, HC, ID1, GC and I shall exceed 2.4 m in height.
- .3 *Fence* height shall be measured using the average grade *setback* of 1 m from each side of the *fence*.

3.25 Shipping Containers

Shipping Containers shall be in accordance with the following requirements:

- (a) *shipping containers* are permitted in all zones, except Foreshore zones, to allow for storage for a maximum of six (6) months;
- (b) the maximum width of a *shipping container* shall be 2.5 m;
- (c) the total combined length of all *shipping containers* on a *parcel* shall not exceed 12.2 m;
- (d) *shipping containers* shall comply with the *setback* requirements set out in Part 4 of this *Bylaw*;
- (e) any *facia signage* on a *shipping container* shall comply with the Signage Regulations in Part 6 of this *Bylaw*.
- (f) if reconstructed or structurally modified in any way, if placed on a foundation, or if it remains on a property for more than six (6) months, a *shipping container* is considered an *accessory building* and is then subject to all applicable regulations in this *Bylaw* and also the BC Building Code;

3.26 Cannabis Production Facilities

Cannabis Production Facilities shall only be permitted on ALR land and shall be subject to the following regulations:

- (a) The facility must be licensed by the Federal Government and meet all Provincial Government requirements, including the requirements of the ALC Act;
- (b) The facility must be located on a *parcel* having a minimum area of 8 ha;
- (c) All *buildings* and *structures* used for *Cannabis Production Facilities* shall be *setback* a minimum of 30 m from all *parcel boundaries* and will be subject to Development Permit Guidelines and/or Section 3.13 Floodplain Regulations

3.27 Location and Extent of Foreshore Zones

- .1 The location and extent of each foreshore *zone* on Gardom Lake is shown on Schedules B and C of Ranchero/Deep Creek Zoning Bylaw No. 751. Although not shown on Schedules B and C, all other *watercourses* in the *Bylaw* area are zoned Foreshore Water (FW).
- .2 Unless expressly shown on Schedules B and C, all *zones* except Foreshore Water (FW) extend 40 m from the *natural boundary* into the *lake*. {narrow portions in Gardom Lake are less.}
- .3 Except for Foreshore Water (FW), the *zone* boundaries on the maps in Schedules B and C shall be interpreted as follows:
 - (a) *zone* boundaries extend perpendicular to the general trend of the shoreline from the *natural boundary* into the *lake*.
 - (b) where a *zone* boundary does not follow a legally defined line, such as the *natural boundary*, and where distances are not specifically stated, the *zone* boundary shall be determined by scaling to the centre of the *zone* boundary line as shown on the maps in Schedules B and C.

Part 4. Zones

4.1 Establishment of Zones

The Ranchero / Deep Creek Zoning Bylaw area is divided into *zones* with the titles and symbols stated in Table 1. Column 1 lists the title of each *zone* and Column 2 states a descriptive symbol for each *zone* that is for convenience only.

Table 1. Zone Titles and Zone Symbols

COLUMN 1 ZONE TITLE	COLUMN 2 ZONE SYMBOL
Rural and Resource	RSC
Rural Holdings	RH
Agriculture 1	AG1
Medium Holdings	MH
Rural Residential 1	RR1
Manufactured Home Park 1	MHP1
Multiple-Dwelling 1	RM1
Vacation Rental	VR
Comprehensive Development Zone D1	CDD1
Highway Commercial	HC
Industrial 1	ID1
Golf Course	GC
Public and Institutional	PI
Park and Protected Area	PK
Foreshore and Water	FW
Foreshore Park	FP
Foreshore Residential 1	FR1
Foreshore Multiple-Dwelling 1	FM1
Foreshore General 1	FG1

4.2 Location and Extent of Zones

The location and extent of each *zone* is shown in **Schedule B** and **Schedule C**.

4.3 Zone Boundaries

- .1 The *zone* boundaries on the maps in **Schedule B** and **Schedule C** shall be interpreted as follows:
 - (a) where a *zone* boundary is shown following a *highway*, the centerline of the *highway* is the *zone* boundary;
 - (b) where a *zone* boundary does not follow a legally defined line, and where distances are not specifically stated, the *zone* boundary shall be determined by scaling to the centre of the *zone* boundary line as shown on the maps in Schedule B and Schedule C.

RSC

4.4 RSC Rural and Resource Zone

.1 Intent

To accommodate a variety of resource related uses on large Crown parcels.

.2 Principal Uses

The *uses* stated in this subsection and no others are permitted in the RSC *zone* as principal *uses*, except as stated in Part 3: General Regulations:

- (a) *airfield*
- (b) *agriculture*
- (c) *backcountry recreation*
- (d) *forestry*
- (e) *resource extraction*

.3 Secondary Uses:

The *uses* stated in this subsection and no others are permitted in the RSC *zone* as *secondary uses*, except as stated in Part 3: General Regulations:

- (a) *accessory use*

.4 Regulations

On a *parcel* zoned RSC, no land shall be used; no *building* or *structure* shall be constructed, located or altered; and no plan of *subdivision* approved; that contravenes the regulations stated in this subsection, except as stated in Part 3: General Regulations and Part 5: Parking and Loading Regulations.

COLUMN 1 MATTER REGULATED	COLUMN 2 REGULATION
(a) Minimum <i>parcel</i> size created by <i>subdivision</i>	60 ha
(b) Minimum <i>parcel</i> width created by <i>subdivision</i>	100 m
(c) Maximum <i>parcel</i> coverage	25%
(d) Maximum <i>height</i> for: <ul style="list-style-type: none"> ▪ principal <i>buildings</i> and <i>structures</i> ▪ accessory <i>buildings</i> 	<ul style="list-style-type: none"> ▪ 11.5 m ▪ 10 m

(e) Minimum <i>setback</i> from: <ul style="list-style-type: none">▪ all <i>parcel boundaries</i>	▪ 5 m
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RH

4.5 RH Rural Holdings Zone

.1 Intent

To accommodate a variety of resource, agriculture, and residential related uses on large privately-owned rural parcels.

.2 Principal Uses

The *uses* stated in this subsection and no others are permitted in the RH *zone* as principal *uses*, except as stated in Part 3: General Regulations:

- (a) *agriculture*
- (b) *airfield*
- (c) *backcountry recreation*
- (d) *forestry*
- (e) *resource extraction*
- (f) *single detached dwelling*

.3 Secondary Uses

The *uses* stated in this subsection and no others are permitted in the RH *zone* as secondary *uses*, except as stated in Part 3: General Regulations:

- (a) *accessory use*
- (b) *agri-tourism*
- (c) *childcare facility, in-home*
- (d) *guest ranch*
- (e) *home occupation*
- (f) *kennel*
- (g) *residential campsite*
- (h) *secondary dwelling unit*
- (i) *small-scale sawmill*

.4 Regulations

On a *parcel* zoned RH, no land shall be *used*; no *building* or *structure* shall be constructed, located or altered; and no plan of *subdivision* approved; that contravenes the regulations stated in this subsection, except as stated in Part 3: General Regulations and Part 5: Parking and Loading Regulations.

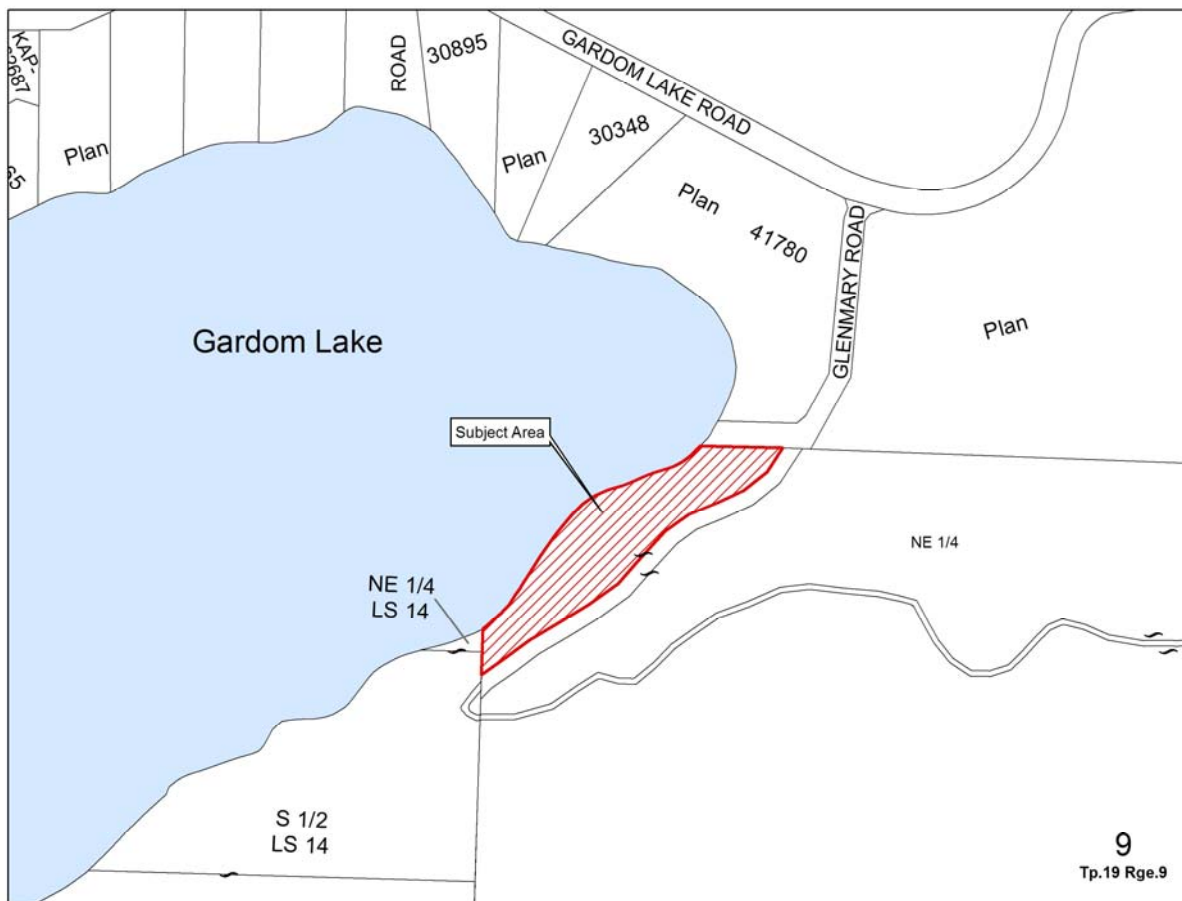
COLUMN 1 MATTER REGULATED	COLUMN 2 REGULATION
(a) Minimum <i>parcel</i> size created by <i>subdivision</i>	60 ha
(b) Minimum <i>parcel width</i> created by <i>subdivision</i>	100 m
(c) Maximum <i>parcel coverage</i>	25%
(d) Maximum number of <i>single detached dwellings</i> per <i>parcel</i>	One
(e) Maximum number of <i>secondary dwelling units</i> per <i>parcel</i> (subject to Section 3.16 of this <i>Bylaw</i>)	One
(f) Maximum <i>height</i> for: <ul style="list-style-type: none"> ▪ principal <i>buildings</i> and <i>structures</i> ▪ accessory <i>buildings</i> 	<ul style="list-style-type: none"> ▪ 11.5 m ▪ 10 m
(g) Maximum <i>gross floor area</i> of <i>secondary dwelling unit</i>	90 m ²
(h) Maximum <i>gross floor area</i> of a <i>home occupation</i>	Shall be in accordance with Section 3.17
(i) Minimum <i>setback</i> from all <i>parcel boundaries</i>	<ul style="list-style-type: none"> ▪ 5 m
(j) <i>Kennel</i>	Permitted on <i>parcels</i> 8 ha or greater. <i>Kennel buildings</i> and <i>structures</i> , including runs, must be a minimum of 60 m from a <i>parcel boundary</i> .
(k) <i>Small-Scale Sawmill</i>	Permitted on a <i>parcel</i> 4 ha or larger. <i>Small-Scale Sawmill</i> must be a minimum of 30 m from a <i>parcel boundary</i> .

4.5 Site Specific Regulation

In this subsection, lands are described by legal description and by map. In the event of any discrepancy between the legal; description of the lands and the map, the map governs.

- (a) In addition to the *principal uses* in subsection 4.5(2) of this Bylaw, the *principal uses* on Section 9, Township 19, Range 9, Part NE ¼, W6M, KDYD {Royal Canadian Legion Veteran's Holiday Camp} shall include *private campground* on the portion the subject property shown shaded on the map below. The following regulations also apply:

- (i) maximum number of *camping spaces* is 18;
- (ii) maximum number of cabins is seven (7);
- (iii) cabins must have a *floor area* of no greater than 120 m²;
- (iv) *private campground* shall only be used on a *seasonal* basis, no *residential* use is permitted with exception of the campground manager's accommodation; and
- (v) all *private campground* facilities must be serviced by a water and septic system which meets Interior Health Authority requirements.



AG1

4.6 AG1 Agriculture Zone

.1 Intent

To accommodate agricultural uses and agri-tourism on large parcels which are primarily located in the Agricultural Land Reserve. All uses on ALR land are subject to the ALC Act – policies and regulations.

.2 Principal Uses

The *uses* stated in this subsection and no others are permitted in the AG1 *zone* as *principal uses*, except as stated in Part 3: General Regulations:

- (a) *agriculture*
- (b) *cannabis production facility* (only permitted in the ALR)
- (c) *forestry*
- (d) *single detached dwelling*

.3 Secondary Uses

The *uses* stated in this subsection and no others are permitted in the AG1 *zone* as *secondary uses*, except as stated in Part 3: General Regulations:

- (a) *accessory use*
- (b) *agri-tourism*
- (c) *bed and breakfast*
- (d) *childcare facility, in-home*
- (e) *guest ranch*
- (f) *home occupation*
- (g) *kennel*
- (h) *secondary dwelling unit*

.4 Regulations

On a *parcel* zoned AG1, no land shall be *used*; no *building* or *structure* shall be constructed, located or altered; and no plan of *subdivision* approved; that contravenes the regulations stated in this subsection, except as stated in Part 3: General Regulations and Part 5: Parking and Loading Regulations.

COLUMN 1 MATTER REGULATED	COLUMN 2 REGULATION
(a) Minimum <i>parcel size</i> created by <i>subdivision</i>	60 ha
(b) Minimum <i>parcel width</i> created by <i>subdivision</i>	100 m
(c) Maximum <i>parcel coverage</i>	25%
(d) Maximum number of <i>single detached dwellings</i> per <i>parcel</i>	One
(e) Maximum number of <i>secondary dwelling units</i> per <i>parcel</i> (subject to Section 3.16 of this <i>Bylaw</i> and <i>ALC Regulations</i>)	One
(f) Maximum <i>height</i> for: <ul style="list-style-type: none"> ▪ principal <i>buildings</i> and <i>structures</i> ▪ accessory <i>buildings</i> 	<ul style="list-style-type: none"> ▪ 11.5 m ▪ 10 m
(g) Maximum <i>gross floor area</i> of <i>secondary dwelling unit</i>	90 m ²
(h) Maximum <i>gross floor area</i> of a <i>home occupation</i>	Shall be in accordance with Section 3.17
(i) Minimum <i>setback</i> from all <i>parcel boundaries</i> :	▪ 5 m
(j) <i>Kennel</i>	▪ Permitted on <i>parcels</i> 8 ha or greater. <i>Kennel buildings</i> and <i>structures</i> , including runs, must be a minimum of 60 m from a <i>parcel boundary</i> .

MH

4.8 MH Medium Holdings Zone

.1 Intent

To accommodate single detached dwellings and agricultural uses on medium-sized parcels.

.2 Principal Uses

The *uses* stated in this subsection and no others are permitted in the MH zone as principal *uses*, except as stated in Part 3: General Regulations:

- (a) *agriculture* (on *parcels* 2 ha and greater)
- (b) *forestry*
- (c) *single detached dwelling*

.3 Secondary Uses

The *uses* stated in this subsection and no others are permitted in the MH zone as *secondary uses*, except as stated in Part 3: General Regulations:

- (a) *accessory use*
- (b) *agriculture, limited* (on *parcels* less than 2 ha)
- (c) *bed and breakfast*
- (d) *childcare facility, in-home*
- (e) *home occupation*
- (f) *kennel*
- (g) *residential campsite*
- (h) *secondary dwelling unit*

.4 Regulations

On a *parcel* zoned MH, no land shall be used; no *building* or *structure* shall be constructed, located or altered; and no plan of *subdivision* approved; that contravenes the regulations stated in this subsection, except as stated in Part 3: General Regulations and Part 5: Parking and Loading Regulations. All agricultural uses must have a *setback* of at least 5 m from any *parcel boundary* and be contained by a *fence*.

COLUMN 1 MATTER REGULATED	COLUMN 2 REGULATION
(a) Minimum <i>parcel</i> size created by <i>subdivision</i>	8 ha
(b) Minimum <i>parcel width</i> created by <i>subdivision</i>	30 m
(c) Maximum <i>parcel coverage</i>	25%
(d) Maximum number of <i>single detached dwellings</i> per <i>parcel</i>	One
(e) Maximum number of <i>secondary dwelling</i> units per <i>parcel</i> (subject to Section 3.16 of this <i>Bylaw</i>)	One
(f) Maximum <i>height</i> for: <ul style="list-style-type: none"> ▪ principal <i>buildings</i> and <i>structures</i> ▪ accessory <i>buildings</i> 	<ul style="list-style-type: none"> ▪ 11.5 m ▪ 10 m
(g) Maximum gross floor area of secondary dwelling unit	90 m ²
(h) Maximum gross floor area of an <i>home occupation</i>	Shall be in accordance with Section 3.17
(i) Minimum <i>setback</i> from: <ul style="list-style-type: none"> ▪ front <i>parcel boundary</i> ▪ rear <i>parcel boundary</i> ▪ rear <i>parcel boundary</i> for an accessory building (excluding, <i>secondary dwelling unit</i> or <i>home occupation</i>) ▪ interior side <i>parcel boundary</i> ▪ exterior side <i>parcel boundary</i> 	<ul style="list-style-type: none"> ▪ 5 m ▪ 5 m ▪ 3 m ▪ 2 m ▪ 5 m
(j) <i>Kennel</i>	Permitted on <i>parcels</i> 8 ha or greater. <i>Kennel buildings</i> and <i>structures</i> , including runs, must be a minimum of 60 m from a <i>parcel boundary</i> .

RR1

4.9 RR1 Rural Residential 1 Zone

.1 Intent

To accommodate single detached dwellings on smaller parcels.

.2 Principal Uses

The *uses* stated in this subsection and no others are permitted in the RR1 *zone* as *principal uses*, except as stated in Part 3: General Regulations:

- (a) *single detached dwelling*

.3 Secondary Uses

The *uses* stated in this subsection and no others are permitted in the RR 1 *zone* as *secondary uses*, except as stated in Part 3: General Regulations:

- (a) *accessory use*
- (b) *agriculture, limited*
- (c) *bed and breakfast*
- (d) *childcare facility, in-home*
- (e) *home occupation*
- (f) *secondary dwelling unit*

.4 Regulations

On a *parcel* zoned RR 1, no land shall be *used*; no *building* or *structure* shall be constructed, located or altered; and no plan of *subdivision* approved; that contravenes the regulations stated in this subsection, except as stated in Part 3: General Regulations and Part 5: Parking and Loading Regulations. All agricultural uses must have a *setback* of at least 5 m from any *parcel boundary* and be contained by a *fence*.

COLUMN 1 MATTER REGULATED	COLUMN 2 REGULATION
(a) Minimum <i>parcel</i> size created by <i>subdivision</i>	1 ha
(b) Minimum <i>parcel width</i> created by <i>subdivision</i>	20 m
(c) Maximum <i>parcel coverage</i>	25%
(d) Maximum number of <i>single detached dwellings</i> per <i>parcel</i>	One
(e) Maximum number of <i>secondary dwelling units</i> per <i>parcel</i> (subject to Section 3.16 of this <i>Bylaw</i>)	One
(f) Maximum <i>height</i> for: <ul style="list-style-type: none"> ▪ principal <i>buildings</i> and <i>structures</i> ▪ accessory <i>buildings</i> 	<ul style="list-style-type: none"> ▪ 11.5 m ▪ 8 m
(g) Maximum gross floor area of a <i>secondary dwelling unit</i>	90 m ²
(h) Maximum gross floor area of an <i>accessory building</i>	150 m ² on <i>parcels</i> less than or equal to 2 ha
(i) Maximum gross floor area of an <i>home occupation</i>	Shall be in accordance with Section 3.17
(j) Minimum <i>setback</i> from: <ul style="list-style-type: none"> ▪ <i>front parcel boundary</i> ▪ <i>rear parcel boundary</i> ▪ <i>rear parcel boundary</i> for an <i>accessory building</i> (excluding <i>secondary dwelling unit</i> or <i>home occupation</i>) ▪ <i>interior side parcel boundary</i> ▪ <i>exterior side parcel boundary</i> 	<ul style="list-style-type: none"> ▪ 5 m ▪ 5 m ▪ 3 m ▪ 2 m ▪ 5 m

4.10 MHP1 Manufactured Home Park 1 Zone

MHP1

.1 Intent

To accommodate manufactured homes on individual pads or foundations within an un-subdivided manufactured home park.

.2 Principal Uses

The *uses* stated in this subsection and no others are permitted in the MPH1 *zone* as *principal uses*, except as stated in Part 3: General Regulations:

- (a) *manufactured home park*
- (b) *single detached dwelling*

.3 Secondary Uses

The *uses* stated in this subsection and no others are permitted in the MPH1 *zone* as *secondary uses*, except as stated in Part 3: General Regulations:

- (a) *accessory use*
- (b) *home occupation*

.4 Regulations

On a *parcel* zoned MPH1, no land shall be used; no *building* or *structure* shall be constructed, located or altered; and no plan of *subdivision* approved; that contravenes the regulations stated in this subsection, except as stated in Part 3: General Regulations and Part 5: Parking and Loading Regulations, and Part 7: Manufactured Home Park Regulations.

COLUMN 1 MATTER REGULATED	COLUMN 2 REGULATION
(a) Minimum <i>parcel</i> size created by <i>subdivision</i>	2 ha
(b) Minimum <i>parcel width</i> created by <i>subdivision</i>	50 m
(c) Maximum <i>parcel coverage</i>	40%
(d) Maximum number of <i>single detached dwellings</i> per <i>parcel</i>	One
(e) Maximum <i>density</i> of <i>manufactured home spaces</i> per hectare <ul style="list-style-type: none"> where a <i>parcel</i> is serviced by water and sewer system that meets Provincial and Interior Health Authority requirements in all other cases 	<ul style="list-style-type: none"> 15 per ha 1 per ha
(f) Maximum <i>height</i> for: <ul style="list-style-type: none"> principal <i>buildings</i> and <i>structures</i> <i>accessory buildings</i> 	<ul style="list-style-type: none"> 8 m 3 m (when accessory to a <i>manufactured home park space</i>) 8 m (when accessory to the <i>manufactured home park</i>)
(g) Minimum <i>gross floor area</i> of <i>manufactured home</i>	<ul style="list-style-type: none"> 45 m²
(h) Maximum <i>gross floor area</i> of an <i>home occupation</i> per <i>manufactured home space</i>	Shall not exceed 50 m ² in total area
(i) Minimum <i>setback</i> from: <ul style="list-style-type: none"> <i>front parcel boundary</i> <i>rear parcel boundary</i> <i>rear parcel boundary</i> for an <i>accessory building</i> (excluding, <i>secondary dwelling unit</i> or <i>home occupation</i>) <i>interior side parcel boundary</i> <i>home occupation</i> <i>exterior side parcel boundary</i> 	<ul style="list-style-type: none"> 5 m 5 m 3 m 3 m 5 m 5 m
(j) Minimum separation distance between <i>manufactured homes</i>	<ul style="list-style-type: none"> 4 m

(k) Maximum number of <i>accessory buildings</i>	<ul style="list-style-type: none">▪ one (1) <i>accessory building</i> with a maximum <i>gross floor area</i> of 20 m² shall be permitted for each <i>manufactured home park space</i>.▪ one (1) <i>accessory building</i> (for the purpose of storing equipment necessary to the operation of the <i>manufactured home park</i>) shall be permitted for each <i>manufactured home park</i> with a maximum <i>gross floor area</i> of 100 m².
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4.11 RM1 Multiple-Dwelling 1 Residential Zone

RM1

.1 Intent

To accommodate affordable market housing and subsidized housing in the form of medium density multiple-dwelling residential development in the Ranchero and Shaw Road areas.

.2 Principal Uses

The *uses* stated in this subsection and no others are permitted in the RM1 *zone* as *principal uses*, except as stated in Part 3: General Regulations:

- (a) *duplex*
- (b) *multiple-dwelling*

.3 Secondary Uses

The *uses* stated in this subsection and no others are permitted in the RM1 Residential *zone* as *secondary uses*, except as stated in Part 3: General Regulations:

- (a) *accessory use*
- (b) *home occupation*

.4 Regulations

On a *parcel* zoned RM1, no land shall be *used*; no *building* or *structure* shall be constructed, located or altered; and no plan of *subdivision* approved; that contravenes the regulations stated in this subsection, except as stated in Part 3: General Regulations and Part 5: Parking and Loading Regulations.

COLUMN 1 MATTER REGULATED	COLUMN 2 REGULATION
(a) Minimum <i>parcel</i> size created by <i>subdivision</i>	1 ha
(b) Minimum <i>parcel width</i> created by <i>subdivision</i>	30 m
(c) Maximum <i>parcel coverage</i>	50%
(d) Maximum density of <i>dwelling units</i> per hectare <ul style="list-style-type: none"> ▪ where a <i>parcel</i> is serviced by both <i>community water and sewer</i> ▪ in all other cases 	<ul style="list-style-type: none"> ▪ 15 per ha ▪ 1 per ha
(e) Maximum <i>height</i> for: <ul style="list-style-type: none"> ▪ principal <i>buildings</i> and <i>structures</i> ▪ <i>accessory buildings</i> 	<ul style="list-style-type: none"> ▪ 11.5 m ▪ 6 m
(f) Maximum <i>gross floor area</i> of an <i>home occupation</i>	Shall not exceed 50 m ² in total area
(g) Minimum <i>setback</i> from: <ul style="list-style-type: none"> ▪ <i>front parcel boundary</i> ▪ <i>rear parcel boundary</i> ▪ <i>rear parcel boundary</i> for an <i>accessory building</i> (excluding, <i>secondary dwelling unit</i> or <i>home occupation</i>) ▪ <i>interior side parcel boundary</i> ▪ <i>home occupation</i> ▪ <i>exterior side parcel boundary</i> 	<ul style="list-style-type: none"> ▪ 5 m ▪ 5 m ▪ 3 m ▪ 2 m ▪ 5 m ▪ 5 m
(h) Maximum <i>gross floor area</i> of an <i>accessory building</i>	20 m ²



4.12 VR Vacation Rental Zone

.1 Intent

To accommodate single detached dwellings on smaller parcels with the potential for commercial accommodation in a residential unit.

.2 Principal Uses

The *uses* stated in this subsection and no others are permitted in the VR *zone* as principal *uses*, except as stated in Part 3: General Regulations:

- (a) *single detached dwelling*
- (b) *vacation rental*

.3 Secondary Uses

The *use* stated in this subsection and no others are permitted in the VR *zone* as a *secondary use*, except as stated in Part 3: General Regulations:

- (a) *accessory use*
- (b) *childcare facility, in-home*
- (c) *home occupation*
- (d) *secondary dwelling unit*

.4 Regulations

On a *parcel* zoned VR, no land shall be used; no *building* or *structure* shall be constructed, located or altered; and no plan of subdivision approved; that contravenes the regulations stated in this subsection, except as stated in Part 3: General Regulations and Part 5: Parking and Loading Regulations.

COLUMN 1 MATTER REGULATED	COLUMN 2 REGULATION
(a) Minimum <i>parcel</i> size created by <i>subdivision</i>	1 n n ha
(b) Minimum <i>parcel width</i> created by <i>subdivision</i>	30 m
(c) Maximum <i>parcel coverage</i>	20%
(d) Maximum number of <i>single detached dwellings</i> per <i>parcel</i>	one
(e) Maximum <i>gross floor area</i> of an <i>accessory building</i>	150 m ² on <i>parcels</i> less than or equal to 2 ha
(f) Maximum number of <i>secondary dwelling units</i> per <i>parcel</i>	one
(g) Maximum <i>gross floor area</i> of a <i>secondary dwelling unit</i>	90 m ²
(h) Maximum <i>height</i> for: <ul style="list-style-type: none"> ▪ principal <i>buildings</i> and <i>structures</i> ▪ <i>accessory buildings</i> 	<ul style="list-style-type: none"> ▪ 11.5 m ▪ 8 m ▪
(i) Minimum <i>setback</i> from: <ul style="list-style-type: none"> ▪ <i>front parcel boundary</i> ▪ <i>interior side parcel boundary</i> ▪ <i>exterior side parcel boundary</i> ▪ <i>rear parcel boundary</i> 	<ul style="list-style-type: none"> ▪ 5 m ▪ 3 m ▪ 5 m ▪ 5 m

4.13 CDD1 Comprehensive Development D1 Zone

CDD1

.1 Intent

To accommodate a *Private Educational Camp Facility* (Gardom Lake Bible Camp).

.2 Connection to Approved Water and Sewer Systems

All development within CDD1 zone Development Area 1 shall be connected to a *sewer system* and *water system* that is approved by the province or local health authority. The maximum number of beds served by this system is 250.

Development Area 1 (10.5 ha)

.1 Principal Uses

The *uses* stated in this subsection and no others are permitted in the CDD1 zone Development Area 1 as *principal uses*, except as stated in Part 3: General Regulations:

- (a) *private educational camp facility*
- (b) *outdoor recreation facility*
- (c) *single detached dwelling*

.2 Secondary Uses

The *uses* stated in this subsection and no others are permitted in the CDD1 zone Development Area 1 as *secondary uses*, except as stated in Part 3 “General Regulations”:

- (a) *accessory use*

.3 Regulations

COLUMN 1 MATTER REGULATED	COLUMN 2 REGULATION
(a) Minimum <i>parcel</i> size created by <i>subdivision</i>	10.5 ha
(b) Minimum <i>parcel</i> width created by <i>subdivision</i>	30 m
(c) Maximum <i>parcel</i> coverage	20%
(d) Maximum number of <i>single detached dwellings</i>	one

(e) Combined maximum number of beds permitted in <i>buildings</i> and <i>structures</i> for overnight accommodation:	<ul style="list-style-type: none"> ▪ 250
(f) Maximum <i>height</i> for: <ul style="list-style-type: none"> ▪ gymnasium ▪ lodge ▪ cabins, office, <i>accessory buildings</i> 	<ul style="list-style-type: none"> ▪ 15 m ▪ 15 m ▪ 10 m
(g) Minimum <i>setback</i> from: <ul style="list-style-type: none"> ▪ <i>front parcel boundary</i> ▪ <i>rear parcel boundary</i> ▪ <i>rear parcel boundary</i> for an <i>accessory building</i> ▪ <i>interior side parcel boundary</i> ▪ <i>exterior side parcel boundary</i> 	<ul style="list-style-type: none"> ▪ 5 m ▪ 5 m ▪ 3 m ▪ 2 m ▪ 5 m

Development Area 2 (4.1 ha)

.1 Principal Uses

The *uses* stated in this subsection and no others are permitted in the CDD1 *zone* Development Area 2 as principal *uses*, except as stated in Part 3: General Regulations:

- (a) *passive recreation*
- (b) *single detached dwelling*

.2 Secondary Uses

The *uses* stated in this subsection and no others are permitted in the CDD1 *zone* Development Area 2 as *secondary uses*, except as stated in Part 3 “General Regulations”:

- (a) *accessory use*

.3 Regulations

COLUMN 1 MATTER REGULATED	COLUMN 2 REGULATION
(a) Minimum <i>parcel</i> size created by <i>subdivision</i>	4.1 ha
(b) Minimum <i>parcel</i> width created by <i>subdivision</i>	50 m
(c) Maximum <i>parcel</i> coverage	25%
(d) Maximum number of <i>single detached dwellings</i>	2

(e) Maximum <i>height</i> for:	
▪ <i>single detached dwelling</i>	▪ 11.5 m
▪ <i>accessory buildings</i>	▪ 10 m
(f) Minimum <i>setback</i> from:	
▪ <i>front parcel boundary</i>	▪ 5 m
▪ <i>rear parcel boundary</i>	▪ 5 m
▪ <i>rear parcel boundary</i> for an <i>accessory building</i>	▪ 3 m
▪ <i>interior side parcel boundary</i>	▪ 2 m
▪ <i>exterior side parcel boundary</i>	▪ 5 m

Development Area 3 (15.7 ha)

.1 Principal Uses

The *uses* stated in this subsection and no others are permitted in the CDD1 *zone* Development Area 3 as *principal uses*, except as stated in Part 3: General Regulations:

- (a) *passive recreation*
- (b) *outdoor recreation facility*

.2 Secondary Uses

The *uses* stated in this subsection and no others are permitted in the CDD1 *zone* Development Area 3 as *secondary uses*, except as stated in Part 3 “General Regulations”:

- (a) *accessory use*

.3 Regulations

COLUMN 1 MATTER REGULATED	COLUMN 2 REGULATION
(a) Minimum <i>parcel size</i> created by <i>subdivision</i>	15.7 ha
(b) Minimum <i>parcel width</i> created by <i>subdivision</i>	50 m
(c) Maximum <i>parcel coverage</i>	25%
(d) Maximum <i>height</i> for <i>accessory buildings</i>	10 m
(e) Minimum <i>setback</i> from:	
▪ <i>front parcel boundary</i>	▪ 5 m
▪ <i>rear parcel boundary</i>	▪ 5 m
▪ <i>rear parcel boundary</i> for an <i>accessory building</i>	▪ 3 m
▪ <i>interior side parcel boundary</i>	▪ 2 m
▪ <i>exterior side parcel boundary</i>	▪ 5 m

HC

4.14 HC Highway Commercial Zone

.1 Intent

To accommodate existing small-scale commercial services for the Ranchero neighbourhood and traveling public.

.2 Principal Uses

The *uses* stated in this subsection and no others are permitted in the HC *zone* as principal *uses*, except as stated in Part 3: General Regulations:

- (a) *commercial lodging*
- (b) *community care facility*
- (c) *eating and drinking establishment*
- (d) *farm and garden supply*
- (e) *financial institution, bank machine*
- (f) *health services facility*
- (g) *manufacturing*
- (h) *mini storage*
- (i) *office*
- (j) *outdoor sales*
- (k) *personal service*
- (l) *recycling drop-off facility*
- (m) *rental shop*
- (n) *retail store*
- (o) *service station*
- (p) *single detached dwelling*

.3 Secondary Uses

The *use* stated in this subsection and no others are permitted in the HC *zone* as a *secondary use*, except as stated in Part 3: General Regulations:

- (a) *accessory use*
- (b) *secondary dwelling unit*

.4 Regulations

On a *parcel* zoned HC, no land shall be used; no *building* or *structure* shall be constructed, located or altered; and no plan of *subdivision* approved; that contravenes the regulations stated in this subsection, except as stated in Part 3: General Regulations and Part 5: Parking and Loading Regulations.

COLUMN 1 MATTER REGULATED	COLUMN 2 REGULATION
(a) Minimum <i>parcel</i> size created by <i>subdivision</i> <ul style="list-style-type: none"> ▪ where <i>parcel</i> is serviced by a <i>community water</i> and <i>sewer system</i> ▪ in all other cases 	<ul style="list-style-type: none"> ▪ 0.4 ha ▪ 1 ha
(b) Minimum <i>parcel width</i> created by <i>subdivision</i>	20 m
(c) Maximum <i>parcel coverage</i>	40%
(d) Maximum number of <i>single detached dwellings</i> per <i>parcel</i>	one
(e) Maximum number of <i>secondary dwelling</i> units per <i>parcel</i>	one
(f) Maximum <i>gross floor area</i> of <i>secondary dwelling unit</i>	90 m ²
(g) Combined maximum number of <i>commercial lodging</i> units per <i>parcel</i>	50
(h) Maximum <i>height</i> for: <ul style="list-style-type: none"> ▪ principal <i>buildings</i> and <i>structures</i> ▪ accessory <i>buildings</i> 	<ul style="list-style-type: none"> ▪ 11.5 m ▪ 10 m
(i) Minimum <i>setback</i> from all <i>parcel boundaries</i> :	▪ 5 m
(j) <i>Vehicle repair and manufacturing</i>	shall be conducted entirely within a completely enclosed <i>building</i> and provided that the total floor area does not exceed 300 m ²

.5 Screening

All outside commercial storage, including the storage of garbage, shall be completely contained within a *landscape screen* of not less than 2 m in height.

ID1

4.15 ID1 Industrial 1 Zone

.1 Intent

To accommodate existing small-scale light industrial activity.

.2 Principal Uses

The *uses* stated in this subsection and no others are permitted in the ID1 *zone* as *principal uses*, except as stated in Part 3: General Regulations:

- (a) *aggregate sale*
- (b) *farm and garden supply*
- (c) *log building manufacturing*
- (d) *manufacturing*
- (e) *outdoor sales*
- (f) *outdoor storage*
- (g) *recycling drop-off facility*
- (h) *sawmill*
- (i) *single detached dwelling*
- (j) *vehicle wrecking*

.3 Secondary Uses

The *use* stated in this subsection and no others are permitted in the ID1 *zone* as a *secondary use*, except as stated in Part 3: General Regulations:

- (a) *accessory use*

.4 Regulations

On a *parcel* zoned ID1, no land shall be *used*; no *building* or *structure* shall be constructed, located or altered; and no plan of *subdivision* approved; that contravenes the regulations stated in this subsection, except as stated in Part 3: General Regulations and Part 5: Parking and Loading Regulations.

COLUMN 1 MATTER REGULATED	COLUMN 2 REGULATION
(a) Minimum <i>parcel</i> size created by <i>subdivision</i>	1 ha
(b) Minimum <i>parcel width</i> created by <i>subdivision</i>	20 m
(c) Maximum <i>parcel coverage</i>	40%
(d) Maximum number of <i>single detached dwellings</i> per <i>parcel</i>	one
(e) Maximum number of <i>secondary dwelling units</i> per <i>parcel</i>	one
(f) Maximum <i>gross floor area</i> of <i>secondary dwelling unit</i>	90 m ²
(g) Maximum <i>height</i> for: <ul style="list-style-type: none"> ▪ <i>principal buildings and structures</i> ▪ <i>accessory buildings</i> 	<ul style="list-style-type: none"> ▪ 11.5 m ▪ 10 m
(h) Minimum <i>setback</i> from all <i>parcel boundaries</i> :	<ul style="list-style-type: none"> ▪ 5 m

.5 Screening

All outside industrial storage, including the storage of refuse and recycling containers shall be completely contained within a *landscape screen* of not less than 2 m in height.



4.16 GC Golf Course Zone

.1 Intent

To accommodate private commercial golf courses and associated uses such as driving range and clubhouse.

.2 Principal Uses

The *uses* stated in this subsection and no others are permitted in the GC zone as *principal uses*, except as stated in Part 3: General Regulations:

- (a) *agriculture*, permitted only on those *parcels* within the *Agricultural Land Reserve*
- (b) *golf course*

.3 Secondary Uses

The *uses* stated in this subsection and no others are permitted in the GC zone as *secondary uses*, except as stated in Part 3: General Regulations:

- (a) *accessory use*
- (b) *agri-tourism* (permitted only on those *parcels* within the *Agricultural Land Reserve*)
- (c) *clubhouse*

.4 Regulations

On a *parcel* zoned GC, no land shall be *used*; no *building* or *structure* shall be constructed, located or altered; and no plan of *subdivision* approved; that contravenes the regulations stated in this subsection, except as stated in Part 3: General Regulations and Part 5: Parking and Loading Regulations.

COLUMN 1 MATTER REGULATED	COLUMN 2 REGULATION
(a) Minimum <i>parcel</i> size created by <i>subdivision</i>	60 ha
(b) Minimum <i>parcel</i> width created by <i>subdivision</i>	20 m
(c) Maximum <i>parcel</i> coverage	25%

(d) Maximum <i>height</i> for: <ul style="list-style-type: none">▪ principal <i>buildings</i> and <i>structures</i>▪ <i>accessory buildings</i>	<ul style="list-style-type: none">▪ 11.5 m▪ 10 m
(e) Minimum <i>setback</i> from all <i>parcel boundaries</i> :	<ul style="list-style-type: none">▪ 5 m

.5 Screening

All outside industrial storage, including the storage of garbage, shall be completely contained within a *landscape screen* of not less than 2 m in height.

PI

4.17 PI Public and Institutional Zone

.1 Intent

To accommodate public and institutional uses such as schools, community halls and fire halls.

.2 Principal Uses

The *uses* stated in this subsection and no others are permitted in the PI zone as *principal uses*, except as stated in Part 3: General Regulations:

- (a) *assisted living housing*
- (b) *child care facility*
- (c) *civic facility*
- (d) *community market*
- (e) *community care facility*
- (f) *community garden*
- (g) *community hall*
- (h) *educational facility*
- (i) *health services facility*
- (j) *park*
- (k) *public assembly facility*

.3 Secondary Uses

The *uses* stated in this subsection and no others are permitted in the PI zone as *secondary uses*, except as stated in Part 3: General Regulations:

- (a) *accessory use*

.4 Regulations

On a parcel zoned PI, no land shall be used; no building or structure shall be constructed, located or altered; and no plan of subdivision approved; that contravenes the regulations stated in this subsection, except as stated in Part 3: General Regulations and Part 5: Parking and Loading Regulations.

COLUMN 1 MATTER REGULATED	COLUMN 2 REGULATION
(a) Minimum <i>parcel</i> size created by <i>subdivision</i>	1 ha (unless otherwise stated in Section 3.9)
(b) Minimum <i>parcel width</i> created by <i>subdivision</i>	20 m
(c) Maximum <i>parcel</i> coverage	25%
(d) Maximum <i>height</i> for: <ul style="list-style-type: none"> ▪ principal <i>buildings</i> and <i>structures</i> ▪ accessory <i>buildings</i> 	<ul style="list-style-type: none"> ▪ 11.5 m ▪ 10 m
(e) Minimum setback from: <ul style="list-style-type: none"> ▪ <i>front parcel boundary</i> ▪ <i>interior side parcel boundary</i> ▪ <i>exterior side parcel boundary</i> ▪ <i>rear parcel boundary</i> 	<ul style="list-style-type: none"> ▪ 5 m ▪ 3 m ▪ 5 m ▪ 5 m

PK

4.18 PK Parks and Protected Areas Zone

.1 Intent

To accommodate parks and park related uses.

.2 Principal Uses

The *uses* stated in this subsection and no others are permitted in the PK zone as *principal uses*, except as stated in Part 3: General Regulations:

- (a) *park*
- (b) *passive recreation*

.3 Secondary Uses

The *uses* stated in this subsection and no others are permitted in the PK zone as *secondary uses*, except as stated in Part 3: General Regulations:

- (a) *accessory use*

.4 Regulations

On a *parcel* zoned PK, no land shall be used; no *building* or *structure* shall be constructed, located or altered; and no plan of *subdivision* approved; that contravenes the regulations stated in this subsection, except as stated in Part 3: General Regulations and Part 5: Parking and Loading Regulations.

COLUMN 1 MATTER REGULATED	COLUMN 2 REGULATION
(a) Minimum <i>parcel</i> size created by <i>subdivision</i>	no minimum
(b) Minimum <i>parcel</i> width created by <i>subdivision</i>	no minimum
(c) Maximum <i>parcel</i> coverage	25%
(d) Maximum <i>height</i> for: <ul style="list-style-type: none"> ▪ <i>principal buildings</i> and <i>structures</i> ▪ <i>accessory buildings</i> 	<ul style="list-style-type: none"> ▪ 11.5 m ▪ 10 m

<p>(e) Minimum setback from:</p> <ul style="list-style-type: none">▪ <i>front parcel boundary</i>▪ <i>interior side parcel boundary</i>▪ <i>exterior side parcel boundary</i>▪ <i>rear parcel boundary</i>	<ul style="list-style-type: none">▪ 5 m▪ 3 m▪ 3 m▪ 5 m
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FW

4.19 FW Foreshore and Water Zone

.1 Intent

To accommodate passive recreation and navigation on lakes.

.2 Permitted Uses

The *uses* stated in this subsection and no others are permitted in the FW *zone* as permitted *uses*, except as stated in Part 3: General Regulations:

- (a) *accessory use*
- (b) *navigation*
- (c) *park*
- (d) *passive recreation*

.3 Regulations

For clarity, the following *uses* are expressly prohibited in this *zone*:

- (a) *buildings* and other covered *structures*;
- (b) *residential use*;
- (c) all other *uses and structures* not expressly permitted in subsection 2 of this *zone*

FP

4.20 FP Foreshore Park Zone

.1 Intent

To accommodate park mooring and recreation facilities in the foreshore and water areas of Gardom Lake Community Park.

.2 Permitted Uses

The *uses* stated in this subsection and no others are permitted in the FP *zone* as permitted *uses*, except as stated in Part 3: General Regulations:

- (a) *park*
- (b) *floating dock*, including *removable walkway(s)*, that is accessory to a *park use*
- (c) *buoy(s)* that is accessory to a *park use*
- (d) *swimming platform*

.3 Regulations

For clarity, the following *uses* are expressly prohibited in this *zone*:

- (a) *buildings* and other covered *structures*;
- (b) *residential use*;
- (c) all other *uses and structures* not expressly permitted in subsection 2 of this *zone*

COLUMN 1 MATTER REGULATED	COLUMN 2 REGULATION
(a) <u>Size</u> of <i>dock</i> and <i>walkway</i> , and <i>swimming</i> <i>platform</i> :	<ul style="list-style-type: none"> ▪ Main <i>floating dock</i> at Gardom Lake Community Park must not exceed 125 m² in total upward facing surface area (not including <i>permanent</i> or <i>removable walkway</i>). ▪ All other <i>floating docks</i> in the FP zone must not exceed 24 m² in total upward facing surface area (not including <i>permanent</i> or <i>removable walkway</i>). ▪ <i>floating dock</i> surface must not exceed 3 m in width for any portion of the dock. ▪ <i>removable walkway</i> surface must not exceed 5 m² in total upward facing surface area. ▪ <i>removable walkway</i> surface must not exceed 1.5 m in width for any other portion of the walkway. ▪ <i>swimming platform</i> must not exceed 10 m² in total upward facing surface area
(b) <u>Location and Siting</u> of docks, <i>swimming</i> <i>platforms</i> , or buoys	<ul style="list-style-type: none"> ▪ The minimum setback of a <i>floating dock</i>, <i>swimming platform</i>, or buoy is as follows: ▪ 5 m from the side <i>parcel</i> boundaries of that <i>waterfront parcel</i>, projected onto the <i>foreshore</i> and water. ▪ Additional setbacks for buoys: <ul style="list-style-type: none"> ▪ 20 m from any existing <i>structures</i> on the foreshore or water ▪ 50 m from any <i>boat ramp</i>

FR1

4.21 FR1 Foreshore Residential Zone

.1 Intent

To accommodate one small floating dock per residential parcel adjacent to Gardom Lake.

.2 Permitted Uses

The *uses* stated in this subsection and no others are permitted in the FR1 *zone* as permitted *uses*, except as stated in Part 3: General Regulations:

- (a) *accessory use*;
- (b) *floating dock*, including *removable walkway*, that is *accessory* to a permitted *use* on an *adjacent waterfront parcel*;
- (c) navigation and *accessory uses* to navigation;
- (d) *passive recreation*;

.3 Regulations

For clarity, the following *uses* are expressly prohibited in this *zone*:

- (a) *Buildings* and other covered *structures*;
- (b) *residential use*;
- (c) all other *uses and structures* not expressly permitted in subsection (2) of this *zone*.

COLUMN 1 MATTER REGULATED	COLUMN 2 REGULATION
(a) <u>Density</u> maximum number of docks	<ul style="list-style-type: none"> ▪ 1 <i>floating dock</i> per adjacent <i>waterfront parcel</i>.
(a) <u>Size</u> of <i>dock</i> and <i>walkway</i>	<ul style="list-style-type: none"> ▪ <i>floating dock</i> must not exceed 12 m² in total upward facing surface area (not including <i>permanent</i> or <i>removable walkway</i>). ▪ <i>floating dock</i> surface must not exceed 2.5 m in width for any portion of the dock. ▪ <i>removable walkway</i> surface must not exceed 5 m² in total upward facing surface area. ▪ <i>removable walkway</i> surface must not exceed 1.5 m in width for any other portion of the walkway.
(b) <u>Location and Siting</u> of dock	<ul style="list-style-type: none"> ▪ The minimum setback of a <i>floating dock</i>, accessory to an adjacent <i>waterfront parcel</i> is as follows: ▪ 5 m from the side <i>parcel</i> boundaries of that <i>waterfront parcel</i>, projected onto the <i>foreshore</i> and water. ▪ 6 m from a <i>foreshore park</i> or <i>park side parcel</i> boundaries projected onto the <i>foreshore</i> and water.

FM1

4.22 FM1 Foreshore Multiple-Dwelling 1 Zone

.1 Intent

To accommodate shared mooring on a single floating dock for the properties within Strata Plan No. KAS 1568 (Gardom Lake Road).

.2 Permitted Uses

The *uses* stated in this subsection and no others are permitted in the Foreshore FM1 zone as permitted *uses*, except as stated in Part 3: General Regulations:

- (a) *accessory use*;
- (b) *floating dock*, including *removable walkway*, that is *accessory to a permitted use* on an adjacent *waterfront parcel*;
- (c) *navigation and accessory uses* to navigation;
- (d) *passive recreation*;

.3 Regulations

For clarity, the following *uses* are expressly prohibited in this zone:

- (a) *buildings* and other covered *structures*;
- (b) *residential use*;
- (c) all other *uses* and *structures* not expressly permitted in subsection (2) of this zone.

COLUMN 1 MATTER REGULATED	COLUMN 2 REGULATION
(a) <u>Density</u> maximum number of <i>floating docks</i>	<ul style="list-style-type: none"> For the surface of the lake adjacent to the common property shown on Strata Plan KAS 1568, Section 16, Township 19, Range 9, W6M, KDYD, the maximum number of <i>floating docks</i> is one (1). {Gardom Lake Road}
(b) <u>Size</u> of <i>floating dock</i> and <i>walkway</i>	<ul style="list-style-type: none"> <i>floating dock</i> must not exceed 24 m² in total upward facing surface area (not including <i>permanent</i> or <i>removable walkway</i>). <i>floating dock</i> surface must not exceed 3 m in width for any portion of the dock. <i>removable walkway</i> surface must not exceed 5 m² in total upward facing surface area. <i>removable walkway</i> surface must not exceed 1.5 m in width for any other portion of the walkway.
(c) <u>Location and Siting</u> of <i>floating dock</i>	<ul style="list-style-type: none"> The minimum setback of a <i>floating dock</i>, accessory to an adjacent <i>waterfront parcel</i> is as follows: 5 m from the side <i>parcel</i> boundaries of that <i>waterfront parcel</i>, projected onto the <i>foreshore</i> and water. 6 m from a <i>foreshore park</i> or <i>park side parcel boundaries</i> projected onto the <i>foreshore</i> and water.

FG1

4.23 FG1 Foreshore General 1 Zone

.1 Intent

To accommodate one floating dock adjacent to the Gardom Lake Bible Camp and Royal Canadian Legion Veteran's Holiday Camp.

.2 Permitted Uses

The *uses* stated in this subsection and no others are permitted in the FG1 *zone* as permitted *uses*, except as stated in Part 3: General Regulations:

- (a) *accessory use*;
- (b) *floating dock*, including *removable walkway*, that is *accessory* to a permitted *use* on an adjacent *waterfront parcel*;
- (c) *navigation and accessory uses* to navigation;
- (d) *passive recreation*;

.3 Regulations

For clarity, the following *uses* are expressly prohibited in this *zone*:

- (a) *buildings* and other covered *structures*;
- (b) *residential use*;
- (c) all other *uses* and *structures* not expressly permitted in subsection (2) of this *zone*.

COLUMN 1 MATTER REGULATED	COLUMN 2 REGULATION
(d) <u>Density</u> maximum number of <i>docks</i>	<ul style="list-style-type: none"> ▪ 1 <i>floating dock</i> per adjacent <i>waterfront parcel</i>.
(e) <u>Size</u> of <i>dock</i> and <i>walkway</i>	<ul style="list-style-type: none"> ▪ <i>floating dock</i> must not exceed 24 m² in total upward facing surface area (not including <i>permanent</i> or <i>removable walkway</i>). ▪ <i>floating dock</i> surface must not exceed 3 m in width for any portion of the dock. ▪ <i>removable walkway</i> surface must not exceed 5 m² in total upward facing surface area. ▪ <i>removable walkway</i> surface must not exceed 1.5 m in width for any other portion of the walkway.
(f) <u>Location and Siting</u> of <i>dock</i>	<ul style="list-style-type: none"> ▪ The minimum setback of a <i>floating dock</i>, accessory to an adjacent <i>waterfront parcel</i> is as follows: ▪ 5 m from the side <i>parcel</i> boundaries of that <i>waterfront parcel</i>, projected onto the <i>foreshore</i> and water. ▪ 6 m from a <i>foreshore park</i> or <i>park side parcel</i> boundaries projected onto the <i>foreshore</i> and water.

Part 5. Parking and Loading Regulations

5.1 Changes to Situations Existing at the Date the Bylaw Came into Force

- .1 A change to land, *buildings, structures and uses*, existing at the date this *Bylaw* came into force, must provide and maintain a vehicle *parking area* and a *loading area* in accordance with the regulations of this *Bylaw* with respect to the change.
- .2 A *parking area* and loading area existing the date this *Bylaw* came into force must not be reduced less than the regulations of this *Bylaw* require.

5.2 Number of Parking and Loading spaces

- .1 The number of vehicle *parking spaces* and *loading spaces* required for each *use* is set out in Table 1 Required Parking Spaces and *Loading spaces*.
- .2 Where the calculation of the required number of vehicle *parking spaces* and *loading spaces* results in a fraction, one space must be provided for the fraction.
- .3 Where seating is the basis for calculating the number of vehicle *parking spaces* and *loading spaces*, each 0.5 m of width on a bench, pew, booth or similar seating type, is one seat.
- .4 Where more than one *use* is located on a *parcel*, the total number of *parking spaces* and *loading spaces* required is the total of the requirements for each *use*.
- .5 Where more than one requirement applies to a *use*, the more stringent requirement applies.

5.3 Parking Space

A *parking space* must be a minimum of 16.5 m² in area, 3 m wide, 5.5 m long, have 2.2 m overhead clearance and have a regular surface with a maximum slope of 8%. The maximum slope of 8% does not apply to a *single detached dwelling* or *guest accommodation*.

5.4 Loading space

A *loading space* must be a minimum of 3.7 m wide, 9 m long, have 3.7 m overhead clearance, have a regular surface with a maximum slope of 8%, and not be used as a *parking space*.

5.5 Average Area of Parking Spaces

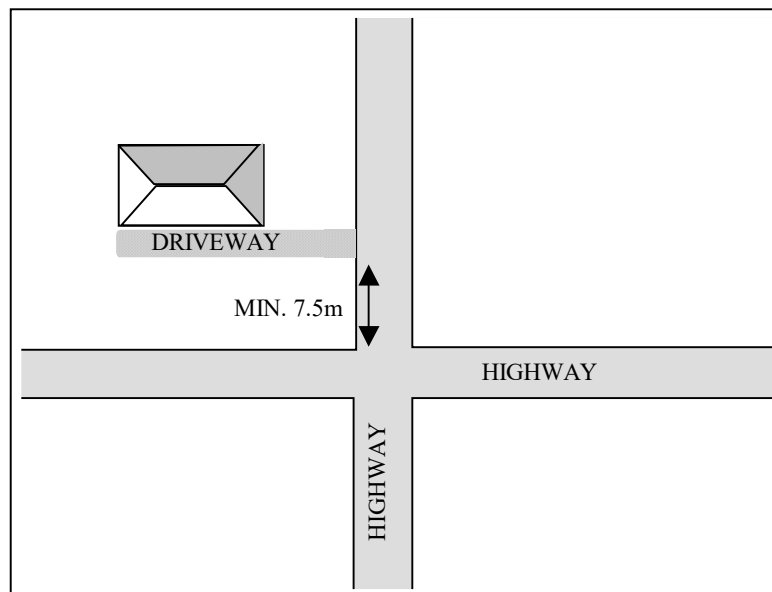
The area of a *parking space* may be reduced by a maximum of 20% provided the average area of all *parking spaces* on the *parcel* is equal to or greater than the minimum *parking space* area requirement.

5.6 Access to Parking and Loading space

- .1 A *parking space* and *loading space* must be accessible from a driveway or other internal roadway which is connected to a *highway*.
- .2 A *parking space* and a *loading space* must be constructed so as to permit unobstructed access to and egress from each space at all times without the need to move other vehicles (except a *parking space* for a *single detached dwelling*, and *guest accommodation*).

5.7 Location of Parking and Loading space

- .1 A *parking space* or *loading space* must be located on the same *parcel* as the *use* to which it is required.
- .2 A *parking space* or loading area must not be within the front *setback*.
- .3 Access from a *highway* to a *parking area* or loading area must not be closer than 7.5 m to the nearest point of intersection of two or more *highways* as shown in the figure below:



Distance from a highway to a parking space

5.8 Bicycle Parking

- .1 Bicycle *parking spaces* shall be provided in addition to vehicle parking for each *use* as specified in Table 3.
- .2 Design and Standards:
 - (a) Bicycle *parking spaces* shall be a minimum of 0.6 m in width and a minimum of 1.8 m in length, shall have a vertical clearance of at least 1.9 m, and shall be situated on a hard surface.

- (b) Aisles between parked bicycles should be a minimum 1.2 m in width.
- (c) Bicycle racks shall be located in a convenient, well-lit location that is easily located by visitors and subject to visual surveillance by occupants of the *building* served by the rack.
- (d) Bicycle racks shall:
 - (i) be constructed of theft-resistant material;
 - (ii) be securely anchored to the floor or ground;
 - (iii) support the bicycle frame above the centre of gravity; and
 - (iv) enable the bicycle frame and front wheel to be locked with a U-style lock that is CSA compliant.

Table 2 Required Parking Spaces and Loading Spaces

Use	Minimum Required Number Of Parking Spaces	Minimum Required Number of Loading spaces
<i>aggregate sale</i>	4	1
<i>assisted living housing</i>	1 space per unit	
<i>bed and breakfast</i>	1 per guest room	1
<i>campground</i>	1 for each <i>camping space</i> plus one visitor <i>parking space</i> per 10 <i>camping spaces</i>	
<i>cannabis production facility</i>	1 per 100 m ² of <i>floor area</i>	2
<i>child care facility, community care facility</i>	1 for each 20 m ² of <i>floor area</i>	
<i>civic facility</i>	1 for each 25 m ² of <i>floor area</i>	1
<i>commercial lodging</i>	two plus one per <i>temporary sleeping unit</i>	1
<i>community hall</i>		
<i>dwelling unit</i>	2 per <i>dwelling unit</i>	
<i>eating and drinking establishments</i>	3 plus one for each 10 m ² of <i>floor area</i>	one where the <i>floor area</i> is greater than 500 m ²
<i>eating and drinking establishments (drive-in only)</i>	1 per 4 seats	
<i>educational facility</i>	<ul style="list-style-type: none"> ▪ 1 for each 10 m² of <i>floor area</i> ▪ one for each 50 m² of <i>floor area</i> for distance learning schools 	
electrical, plumbing, welding, machining, mechanical repair	1 for each <i>use</i>	

Use	Minimum Required Number Of Parking Spaces	Minimum Required Number of Loading spaces
<i>farm and garden supply</i>	1 per 100 m ² of sales, storage or display area	
financial institution	1 per 30 m ² of <i>floor area</i>	
fire hall	3 per bay	1
<i>golf course</i>	6 per hole	1
<i>health services centre</i>	1 per 30 m ² of <i>floor area</i>	
<i>home occupation</i>	1, plus one for each employee	
<i>kennel</i>	1 plus 1 for each 30 m ² of <i>floor area</i>	
log building manufacturing, log milling	1 per 500 m ² of manufacturing, processing, sales, administration or display area	1
<i>manufactured home park space</i>	2 per space	
<i>manufacturing, fabricating and processing</i>	1 per 50 m ² of manufacturing area	1 per 50 m ² of manufacturing area
<i>mini storage</i>	4	
<i>multiple-family dwelling</i>	2 per <i>dwelling unit</i>	
museum	4	
<i>office</i>	1 per 30 m ² of <i>floor area</i>	
<i>outdoor sales</i>	1 per 250 m ² of sales, storage or display area	1
<i>personal service</i>	1 for each 25 m ² of <i>floor area</i>	
<i>private educational facility</i>	50	
<i>public assembly facility</i>	1 for each 10 m ² of <i>floor area</i>	
<i>public utility, public works yard</i>	3 for each <i>use</i>	
<i>recycling drop off facility</i>	4	1
<i>retail store, rental shop</i>	1 per 30 m ² of <i>floor area</i>	1 where the <i>floor area</i> is greater than 500 m ²
<i>secondary dwelling unit</i>	1 in addition to spaces required for the <i>principal dwelling unit</i>	
<i>single detached dwelling</i>	2	
<i>service station, vehicle repair, vehicle wrecking</i>	4 spaces in addition to spaces required for vehicle fueling.	1
<i>vacation rental</i>	1 per bedroom	

Table 3 Bicycle Parking Requirements

Use	Requirements
<i>bed and breakfast</i> <i>commercial lodging</i> <i>institutional use (except school)</i> <i>eating and drinking establishment</i> <i>retail store</i> <i>civic facility</i>	4 where the <i>floor area</i> is less than 500 m ² , eight where the <i>floor area</i> is 500 m ² or greater.
<i>educational facility</i>	20% of the number of students, plus 5% of the number of staff.

Part 6. Signage Regulations

- .1 These regulations apply to every *sign* on a *parcel*. *Signs* are permitted only for the following purposes:
 - (a) to denote a *home occupation*, or *bed and breakfast* operation *use* on the property on which the *sign* is located;
 - (b) to denote the name of the owner or the name or address of the *parcel*;
 - (c) to advertise the sale or rental of the *parcel* or of a *building* located on the *parcel* on which the *sign* is located;
 - (d) to advertise the sale of agricultural produce, livestock or product grown, raised or produced on the farm;
 - (e) to denote a *public utility*, *civic facility*, *public assembly facility* on the *parcel* on which the *sign* is located;
 - (f) to advertise or denote a commercial or administrative and institutional *use* on the property on which the *sign* is located.
 - (g) to promote or advertise a political party or candidate from the date of the election call to five days after election day.
- .2 *Signs* permitted under Section .1 (a) and (b) are limited to one per *parcel* and must not exceed a total *sign* area of 0.6 m².
- .3 *Signs* permitted under Section.1 (c) and (d) are limited to one per *parcel* and must not exceed a total *sign* area of 3 m² nor a height of 3 m.
- .4 *Signs* permitted under Section 1 (e) and (g) are limited to one *fascia sign* and one *free-standing sign*. No *sign* must exceed a total *sign* area of 20 m² or a height of 6.5 m.
- .5 *Signs* permitted under Section .1 (f) are limited to either one *free-standing sign* or one (1) *fascia sign*. No *sign* must exceed a total *sign* area of 7.5 m² nor a height of 4 m.
- .6 Subject to Section .1, no part of any *sign* must be located within 1 m of any *side parcel boundary*.
- .7 Internal and external illumination of *signs* shall be permitted provided that the light source does not cause undue glare to adjacent properties or persons travelling on adjacent public *highways* or in any way obstruct or interfere with the function of a traffic signal light or *sign*. *Illuminated signs* are permitted only within the HC, GC, CDD1, PI and ID zones.

Part 7. Manufactured Home Park Regulations

.1 Manufactured Home Space

- (a) All *manufactured home spaces* shall be clearly identified by permanent markers or other suitable means;
- (b) All *manufactured home spaces* shall:
 - (i) be drained to a storm sewer or other system constructed in accordance with accepted engineering practice;
 - (ii) be clearly numbered; and
 - (iii) be constructed in compliance with the BC Building Code.

.2 Manufactured Homes

- (a) All *manufactured homes* shall meet or exceed the Canadian Standards Association Standard Z240, Z241 or A277, as the case may be;
- (b) All *manufactured homes* shall be constructed in compliance with the BC Building Code, and any other applicable provincial acts as the case may be; and
- (c) *Skirtings* shall be installed within 60 days of installation of a *manufactured home* on a *manufactured home space*, and shall have two (2) easily removable access panels of a minimum width of 1.2 m. One (1) panel shall provide direct access to the area enclosed by the *skirting* for inspection or servicing the service connections to the *manufactured home*, and the other providing access to the area enclosed by the *skirting* for storage.

.3 Recreation Areas

- (a) Not less than 5% of the gross site area of the *manufactured home park* shall be devoted to tenants' recreational uses, and shall be provided in a convenient and accessible location. For the purpose of calculating recreational space requirements, any indoor recreational space provided shall be counted as double its actual area;
- (b) The recreation areas shall not include yard areas, *parking areas*, ancillary *buildings*, *manufactured home spaces*, driveways and storage areas;
- (c) In *manufactured home parks* where more than 1,000 m² of recreation space is required, two (2) or more recreational areas may be provided; and
- (d) Recreation areas in the *manufactured home park*, except indoor recreation facilities, shall be of a grass, concrete or asphaltic surface and shall be properly landscaped.

.4 Setbacks

- (a) Every *manufactured home park* shall comply with the *setback* requirements in section 4.10 of this *Bylaw*;
- (b) The only roads permitted in the setback area are those which cross it as close to right angles as practical and connect directly with the road system contained within the remainder of the *manufactured home park*. No road shall traverse a setback area and give direct access from a public *highway* to a *manufactured home park*.

.5 Access

- (a) A second access from a public *highway* separated by at least 60 m from the first access, shall be provided to each *manufactured home park* containing 50 or more *manufactured home spaces*, up to a maximum of three (3) accesses.

.6 Roadways and Walkways

- (a) All *manufactured home spaces*, owner's residential plot, storage areas, and service *buildings* as well as other facilities where access is required shall have access by internal street systems;
- (b) Minimum roadway width requirements shall be as follows:
 - (i) Roads shall have a minimum paved width of 7 m and a right-of-way of 15 m;
 - (ii) One-way roads shall not exceed 150 m in length;
 - (iii) Dead-end cul-de-sacs shall not exceed 150 m in length; and
 - (iv) Dead-end roads and cul-de-sacs shall have a turning circle right-of-way at the dead-end with a radius of at least 15 m.
- (c) Roads shall be adapted to the topography, and shall have suitable gradient for safety of traffic that shall not exceed a grade of 12%;
- (d) Minimum speed for road design shall be 15 km/h;
- (e) Pedestrian walkways shall provide safe, convenient, all season pedestrian access. They shall be of adequate width for intended *use* and shall be durable and convenient to maintain;
- (f) Pedestrian walkways shall be located in areas where pedestrian traffic is concentrated; e.g., the *park* entrance, *park office*, and other important facilities. Pedestrian walkways should preferably be through interior areas removed from the vicinity of streets;
- (g) Alignment and gradient of walkways shall be appropriate for safety, convenience, and appearance, and shall be suitable for use both by pedestrians and for the circulation of small wheeled vehicles such as baby carriages, service carts and wheelchairs;
- (h) Width of pedestrian walkways shall generally be at least 2 m; and
- (i) Individual walkways shall provide access to each *manufactured home space* from a street or *parking space* connected to the street.

.7 Drainage

- (a) All *manufactured home parks* shall be provided with a storm water drainage system installed according to a design by an appropriately registered professional to contain runoff on site, or discharge it to a storm runoff system in accordance with relevant provincial guidelines.

.8 Water System

- (a) All *manufactured home parks* shall be connected to a *community water system* or a system that is approved by the province or local health authority. The *community water system* shall be designed, fabricated and installed in accordance with good engineering practice and to the standards as set by the CSRD. The design and installation of a *community water system* shall be subject to the approval of the CSRD and the applicable provincial agency.

.9 Sewage Treatment and Disposal Systems

- (a) All *manufactured home parks* shall be connected to a *community sewer system* or a system that is approved by the province or local health authority. The *community sewer system* shall be designed, fabricated and installed in accordance with good engineering practice and to the sewer standards as set by the CSRD. The design and installation of a *community sewer system* shall be subject to the approval of the CSRD and the applicable provincial agency;

.10 Garbage Disposal

- (a) The owner of a *manufactured home park* shall dispose or arrange for disposal of garbage or refuse.
- (b) If the owner of a *manufactured home park* establishes one (1) or more garbage disposal areas within the park for the collection of garbage and refuse, he or she shall:
- (i) provide a secure and adequate number of containers;
 - (ii) maintain the containers so that they shall not become foul-smelling, unsightly, or a breeding place for flies;
 - (iii) screen the depot with shrubs, trees or fencing from adjacent *manufactured home spaces*.

Part 8. Beekeeping Regulations

Beekeeping is permitted in all *zones* except MHP1, RM1, HC, PK, and Foreshore *zones* subject to the following regulations:

- .1 Where permitted, hives should be located a minimum distance of 8 m from any *parcel boundary*, unless the beehive is situated either 2.5 m above the adjacent ground level or, less than 2 m above the adjacent ground level and behind a solid *fence* or landscape screen more than 2 m in height, running parallel to any *parcel boundary* and extending at least 6 m beyond the hive in both directions;
- .2 The number of colonies permitted in an apiary depends upon the size of the *parcel* as shown in the table below:

Parcel Size	Maximum Number of Honeybee Colonies
Less than or equal to 0.2 ha	four (4) colonies and four (4) <i>nucleus colonies</i>
Greater than 0.2 ha, but less than or equal to 0.4 ha	six (6) colonies and six (6) <i>nucleus colonies</i>
Each additional 0.4 ha for properties over 0.4 ha in size	six (6) additional colonies and six (6) additional <i>nucleus colonies</i>

(Note: The above restrictions in the table do not apply to properties located within the ALR or properties already *zoned* to allow agricultural *uses*, such as RSC, AG1, RH, MH zonings);

- .3 Bees must not be located within 5 m of *parcel boundary* fronting a *highway* or road, and, to prevent potential human-wildlife conflicts, hives must be located so that they can be seen from a safe distance in any direction;
- .4 All beehive and *nucleus colonies* must be registered with the Ministry of Agriculture; and
- .5 All beehives and *nucleus colonies* shall be :
 - (a) maintained in such a condition so as to reasonably prevent undue swarming or aggressive behavior by bees; and
 - (b) requeened if they are subject to undue swarming or aggressive behavior.

THE FOLLOWING INFORMATION IS NOT PART OF

RANCHERO / DEEP CREEK ZONING BYLAW NO. 751

Further Information About Development And Subdivision Within Ranchero / Deep Creek Zoning Bylaw Area In Addition To Ranchero/Deep Creek Zoning Bylaw No. 751

The following information is provided for the information and convenience of the reader and is not part of this Bylaw. It may be used as a guide to investigate which agencies to contact for further information or requirements where development or subdivision is proposed. The information may not be complete and should be used only as a guide.

Please note that more than one agency may regulate an activity or development. All regulations and bylaws in force must be complied with.

Zoning Bylaw Inspections

Section 1.7 of the Bylaw provides for inspections to determine whether or not the Bylaw is being complied with. Usually the CSRD's Bylaw Enforcement Officer is the person who would conduct these inspections, however, inspections can also be carried out by the Chief Administrative Officer or Manager of Development Services. The general inspection procedure is established by the CSRD's Bylaw Enforcement Policy as amended from time to time. Inspection staff also recognize the need to respect biosecurity measures when inspecting livestock or green house farm operations.

Site Specific Regulations or Special Regulations

In Schedule A of the Bylaw, the text part, there are a number of site specific regulations. These regulations describe a parcel by legal description and a map. If the legal description of the parcel or its boundaries as shown on the map are changed, then the regulation will no longer have effect because the parcel it applies to no longer exists.

Penalties for Contravention of Zoning Bylaw

In a conviction for an offence against a zoning bylaw a court may currently impose a fine of not more than \$10,000, or imprisonment for not more than six (6) months, or both. The provincial government may change the penalties from time to time. In addition to this the costs of prosecution may be awarded. A local government may also apply for an injunction to restrain the contravention of a zoning bylaw.

Development Variance Permits

The CSRD Board in response to an application from a property owner may issue a development variance permit. A development variance permit may vary the provisions of the zoning bylaw; however it must not vary the use or density of land or a flood plain regulation (excepting setbacks from natural boundaries) from that specified in the zoning bylaw.

Bylaws Amending a Zoning Bylaw

Applications to amend a zoning bylaw may be made to the CSRD in accordance with current Development Services Procedures Bylaw. Additional information is available from the CSRD, Development Services Department.

Non-conforming Uses and Siting

The Local Government Act sets out provisions for non-conforming uses and siting. Generally, if land, a building or a structure is lawfully used at the time a bylaw was adopted, and the use does not conform to the Bylaw, then the use may be continued. If the use and density of buildings and structures conform to the Bylaw but the siting, size or dimensions of a building or structure constructed before the Bylaw was adopted do not, then it may be maintained, extended or altered in the manner stated in the Act. The Local Government Act, Division 4 is more detailed than is stated here and additional limitations apply.



Ranchero / Deep Creek
Zoning Bylaw No. 751

Schedule B Land Use
Overview Map

Legend

- Wetland
- Highways & Roads
- Unsurveyed Roads
- Electoral Areas Boundary
- Bylaw Boundary
- Parcel Boundary
- Stream
- Zoning**

RSC - Rural and Resource

RH - Rural Holdings

AG1 - Agriculture 1

MH - Medium Holdings

RR1 - Rural Residential 1

RM1 - Multi-Dwelling 1

MHP1 - Manufactured Home Park 1

CDD1 - Comprehensive Development D1

HC - Highway Commercial

VR - Vacation Rental

ID1 - Industrial 1

GC - Golf Course

PI - Public and Institutional

PK - Parks and Protected Areas

FW - Foreshore Water

Gardom Lake Foreshore

FG1 - Foreshore General 1

FM1 - Foreshore Multi-Family 1

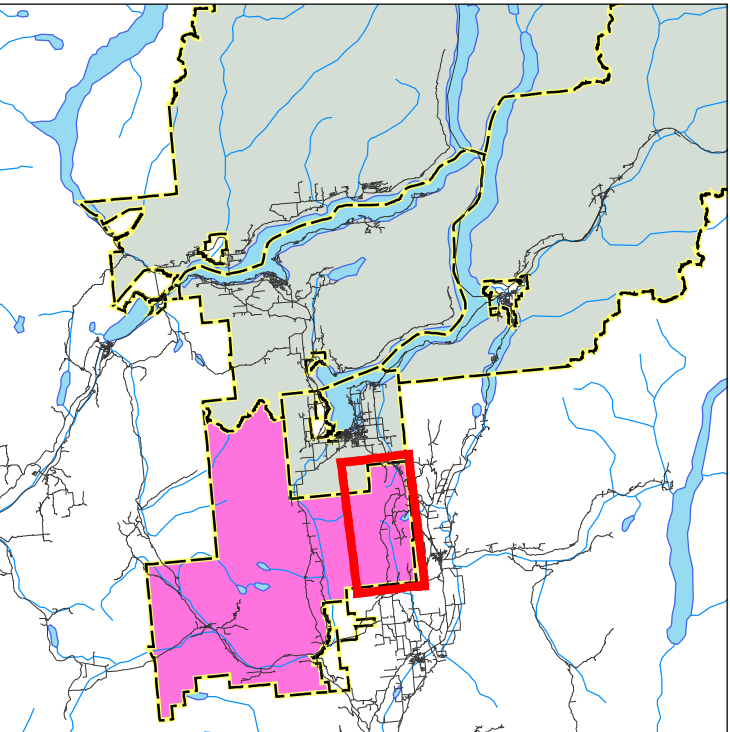
FR1 - Foreshore Residential 1

FP - Foreshore Park

FW - Foreshore Water

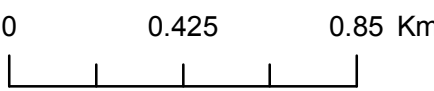
* Please refer to enlarged maps for
identification of Zoning boundaries.

Overview Maps



1:18,500

Scale accurate if plotted on 24x36 inch paper



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File: Zoning_AreaD_BL751.mxd

November 2, 2017



**Ranchero / Deep Creek
Zoning Bylaw No. 751**

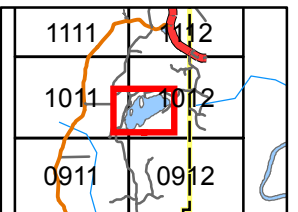
**Schedule B Land Use
Gardom Lake Inset Map**

- CSRD Mapsheets
- Parcel Boundary
- Rivers & Streams
- Lake
- Lake Boundary
- Highways & Roads
- Unsurveyed Road

Gardom Lake Foreshore Zoning

- FG1 - Foreshore General 1
- FM1 - Foreshore Multi-Family 1
- FR1 - Foreshore Residential 1
- FP - Foreshore Park
- FW - Foreshore Water
- CDD1 - Comprehensive Development D1

CSRD Mapsheets



Mapsheet

Nad 83 CNT Datum
UTM Zone 11 Projection

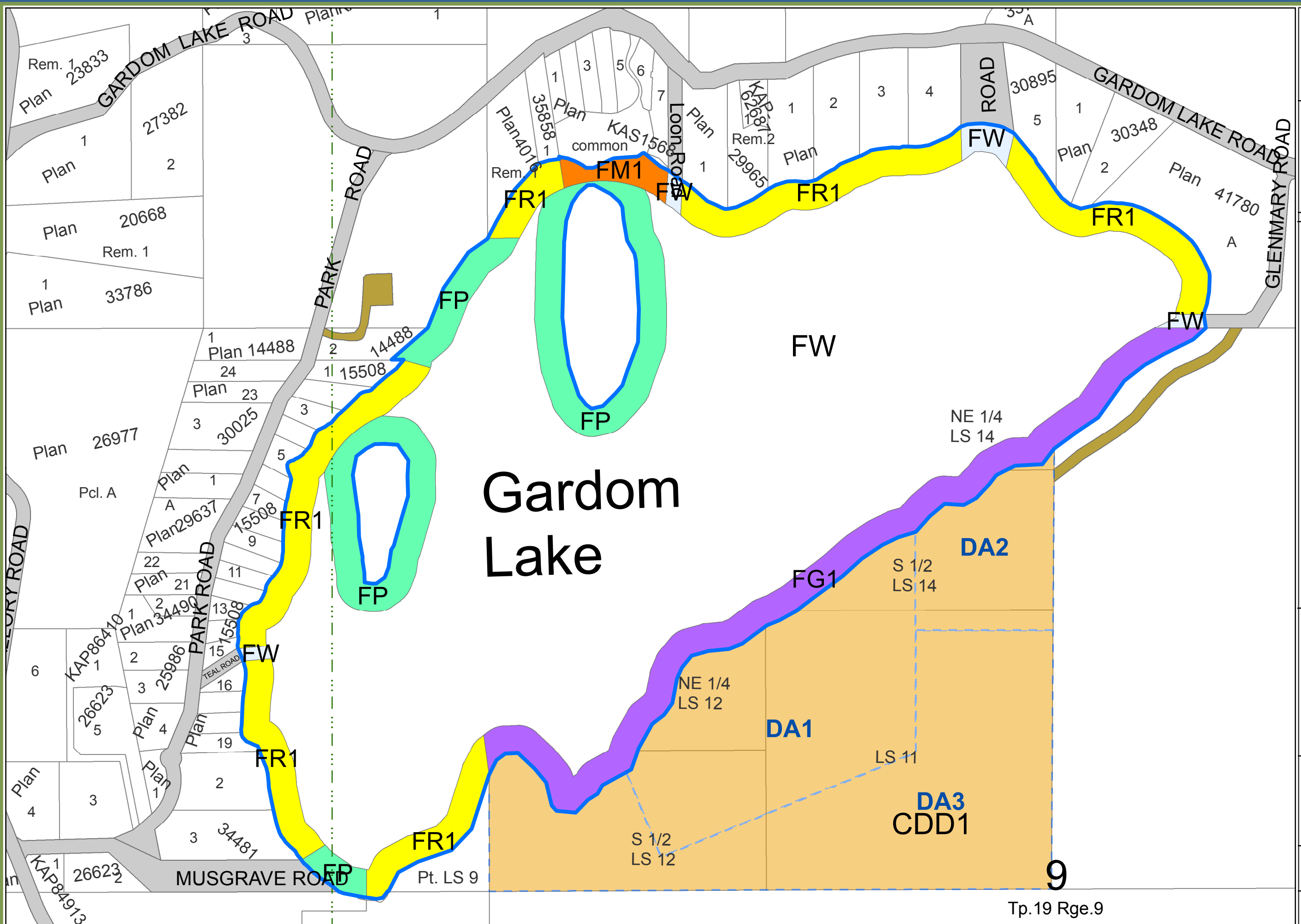
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Scale 1:5,000

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Date: November 2, 2017

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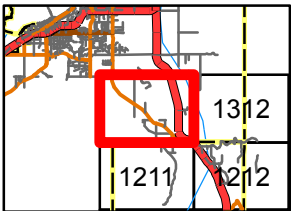
Ranchero / Deep Creek
Zoning Bylaw No. 751

Schedule C

D 1311
Mapsheet 1 of 16

- Electoral Areas Boundary
- Bylaw Boundary
- CSR D Mapsheets
- Parcel Boundary
- Rivers & Streams
- Lake
- Highways & Roads
- Unsurveyed Road
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CSR D Mapsheets



Mapsheet 1311

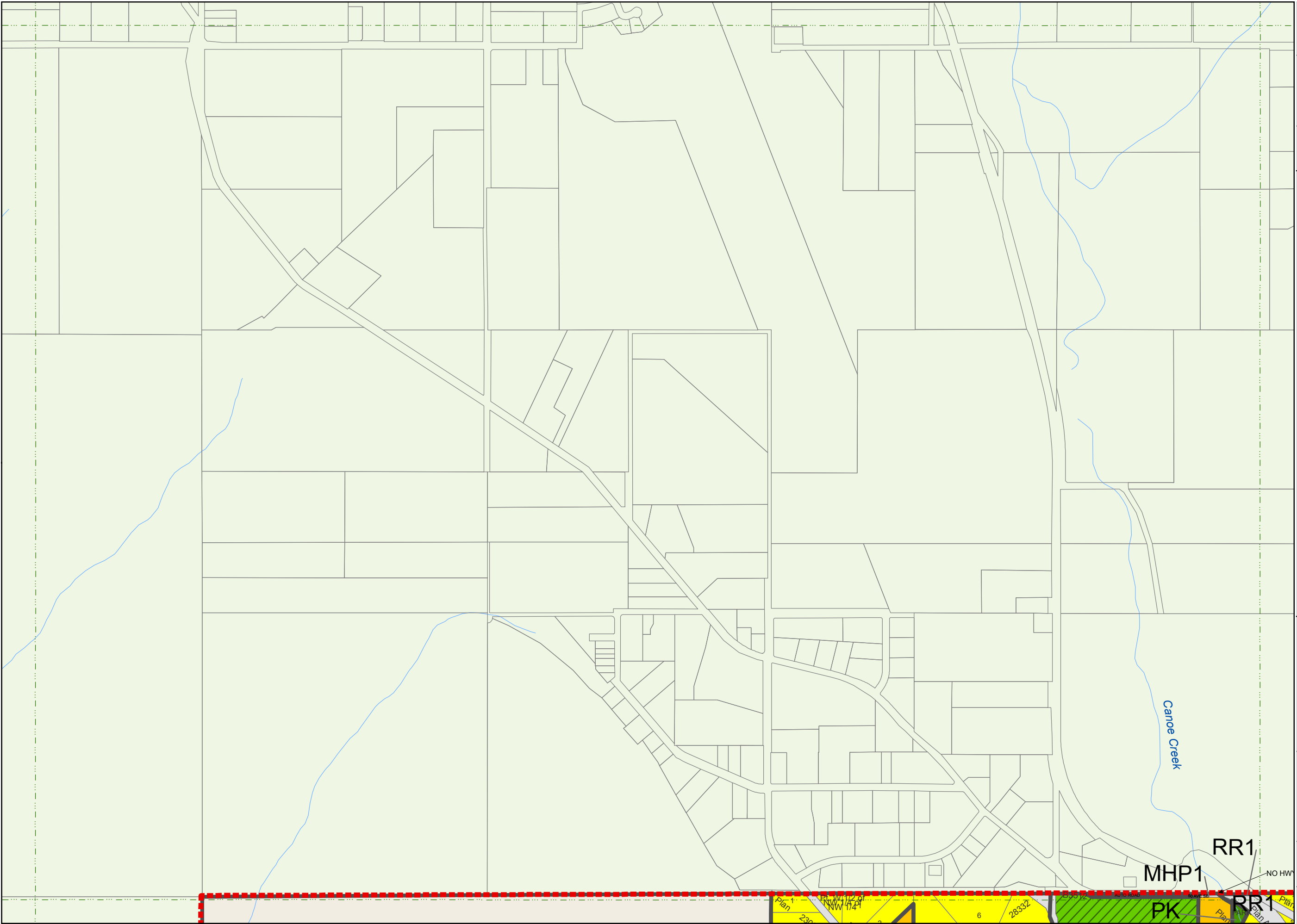
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UTM Zone 11 Projection



Scale 1:10,000

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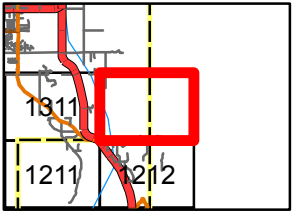
Ranchero / Deep Creek
Zoning Bylaw No. 751

Schedule C

D 1312
Mapsheet 2 of 16

- Electoral Areas Boundary
- Bylaw Boundary
- CSR D Mapsheets
- Parcel Boundary
- Rivers & Streams
- Lake
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CSR D Mapsheets



Mapsheet 1312

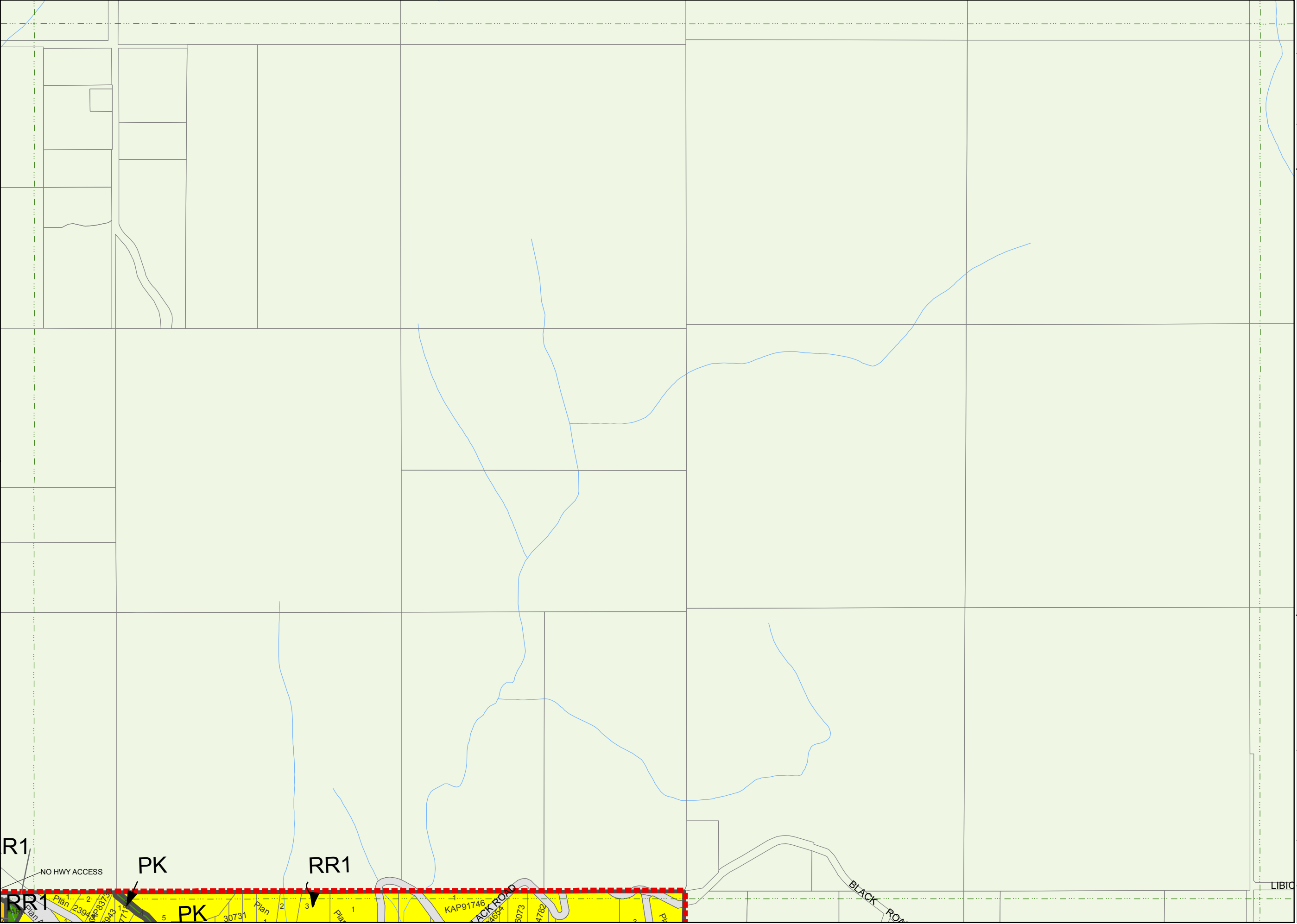
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Zoning Bylaw 751 -- D --

1312



Ranchero / Deep Creek
Zoning Bylaw No. 751

Schedule C

D 0612
Mapsheet 3 of 16

- Electoral Areas Boundary
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- CSR D Mapsheets
- Parcel Boundary
- Rivers & Streams
- Lake
- Highways & Roads
- Unsurveyed Road
- Zoning**

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FW - Foreshore Water
- Gardom Lake Foreshore**

FG1 - Foreshore General 1

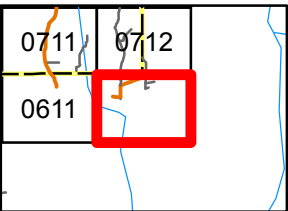
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FR1 - Foreshore Residential 1

FM1 - Foreshore Multi-Family 1

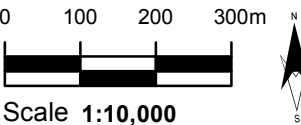
FW - Foreshore Water

CSR D Mapsheets



Mapsheet 0612

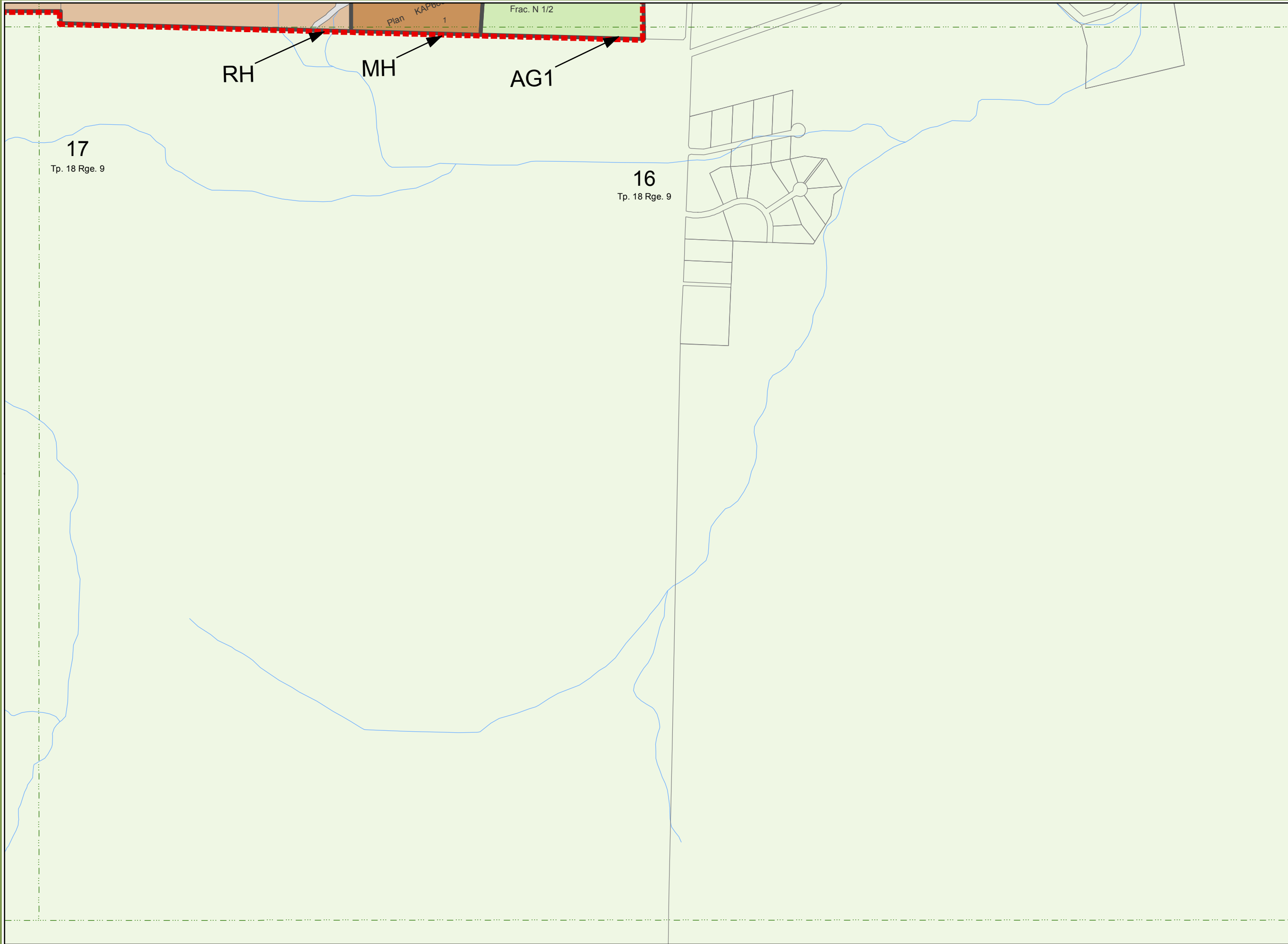
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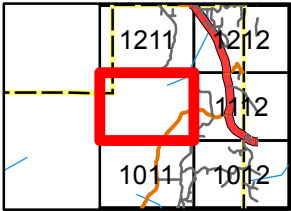
Ranchero / Deep Creek
Zoning Bylaw No. 751

Schedule C

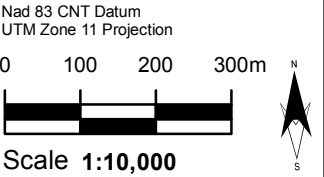
D 1111
Mapsheet 4 of 16

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 Bylaw Boundary
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 Parcel Boundary
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CSRD Mapsheets

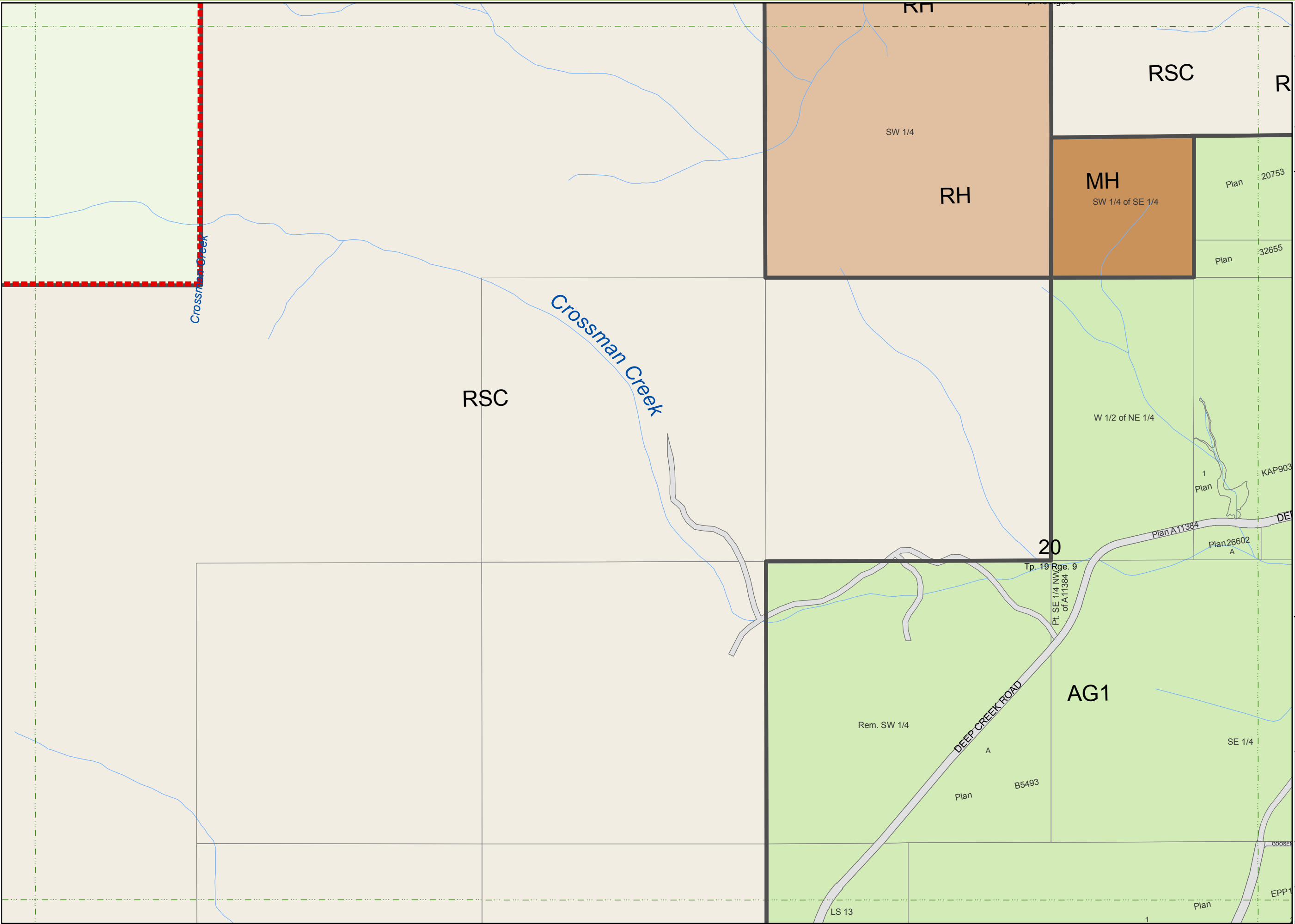


Mapsheet 1111



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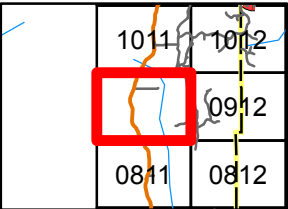
Ranchero / Deep Creek
Zoning Bylaw No. 751

Schedule C

D 0911
Mapsheet 5 of 16

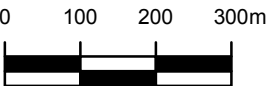
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CSR D Mapsheets



Mapsheet 0911

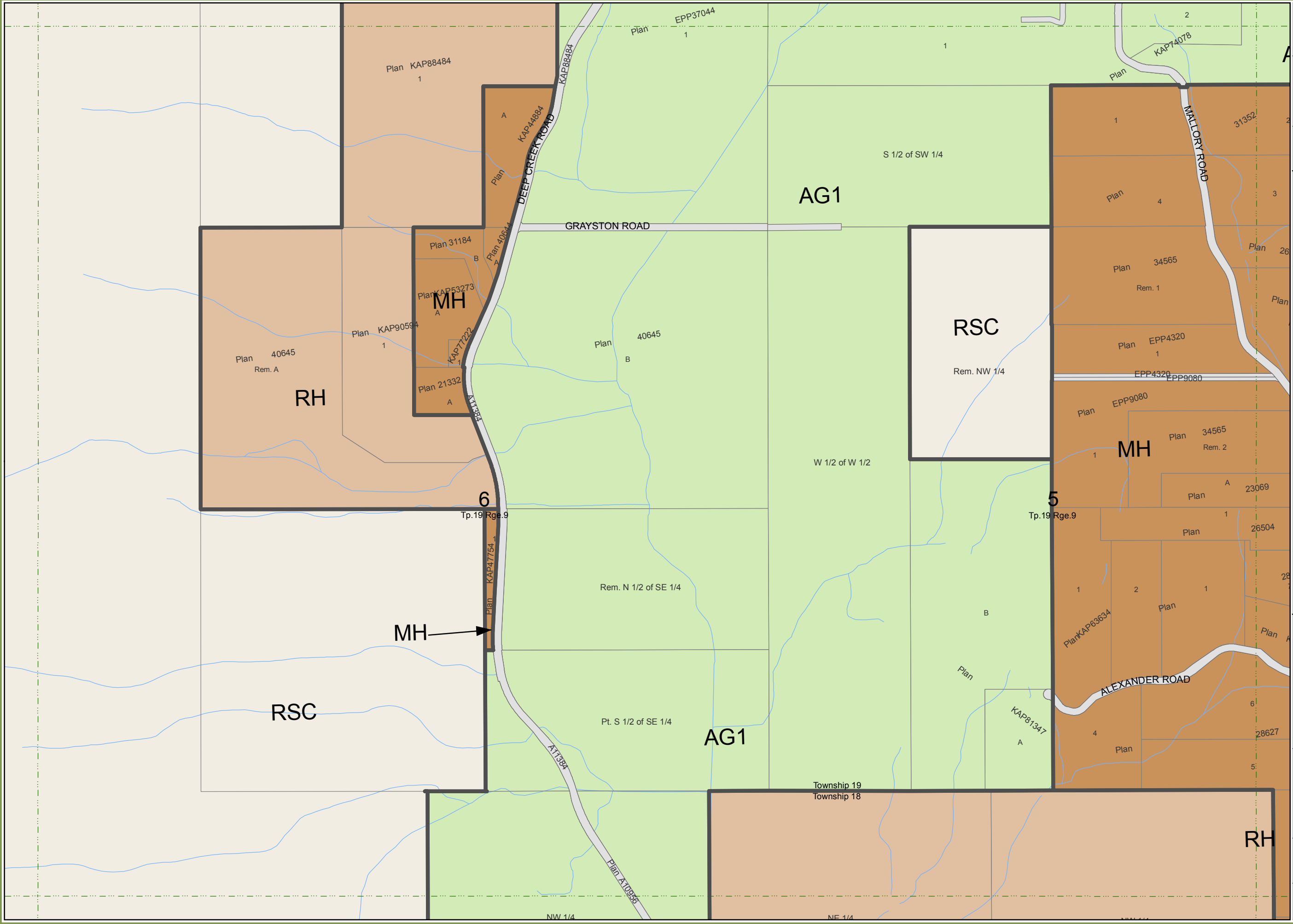
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UTM Zone 11 Projection



Scale 1:10,000

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Zoning Bylaw 751 -- D --

0911



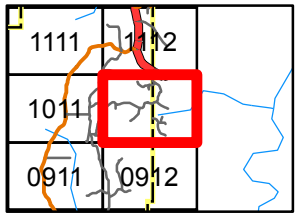
**Ranchero / Deep Creek
Zoning Bylaw No. 751**

Schedule C

D 1012
Mapsheet 6 of 16

- Electoral Areas Boundary
 Bylaw Boundary
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 Rivers & Streams
 Lake
 Highways & Roads
 Unsurveyed Road
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CSRD Mapsheets



Mapsheet 1012

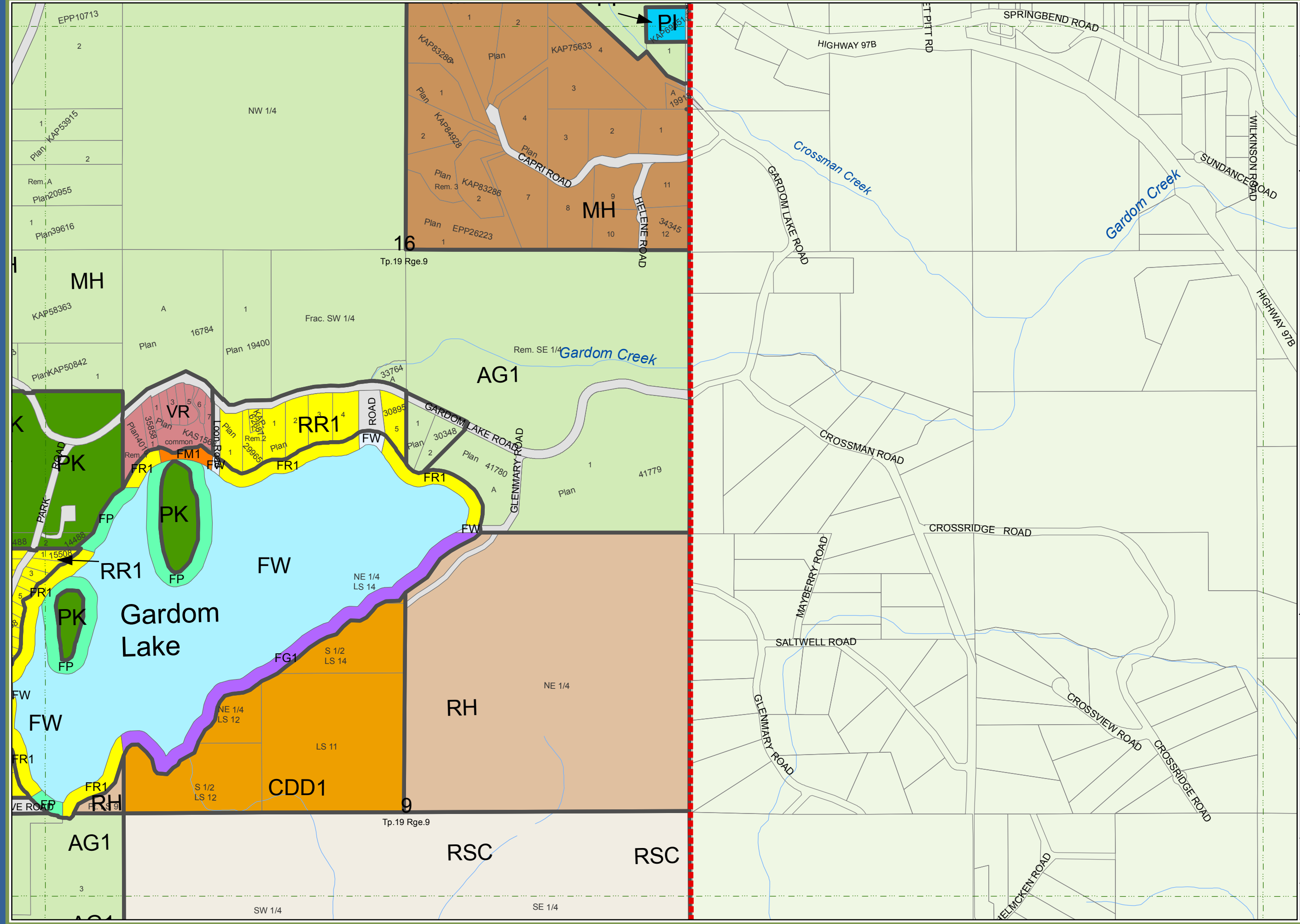
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Zoning Bylaw 751 -- D --

1012



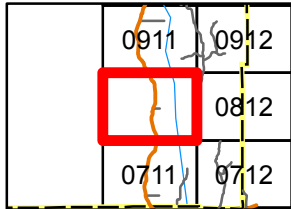
**Ranchero / Deep Creek
Zoning Bylaw No. 751**

Schedule C

D 0811
Mapsheet 7 of 16

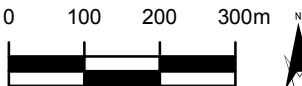
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CSRD Mapsheets



Mapsheet 0811

Nad 83 CNT Datum
UTM Zone 11 Projection



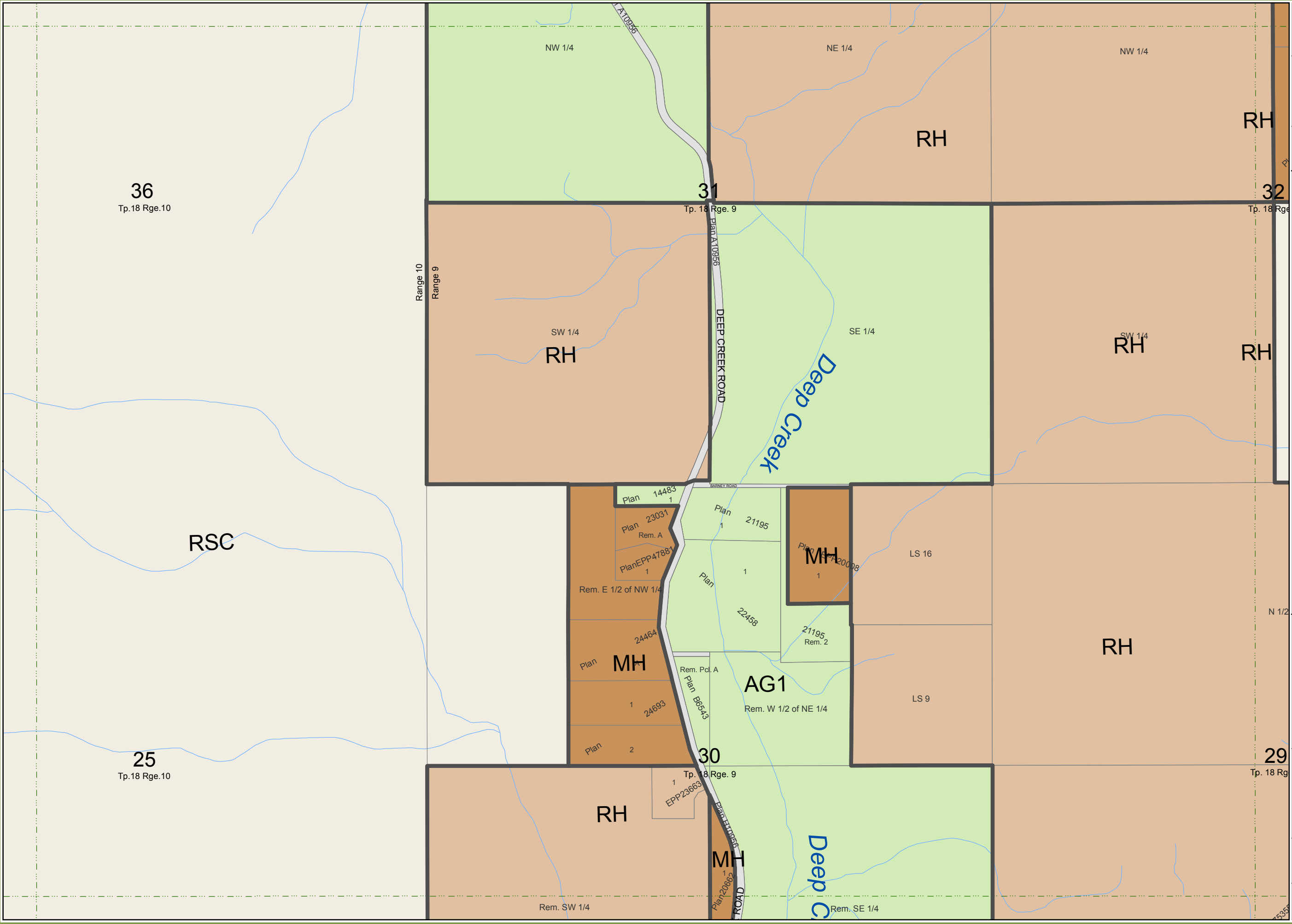
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Zoning Bylaw 751 -- D --

0811





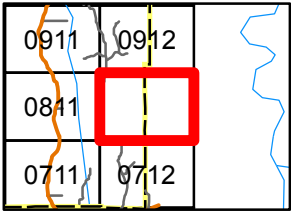
Ranchero / Deep Creek
Zoning Bylaw No. 751

Schedule C

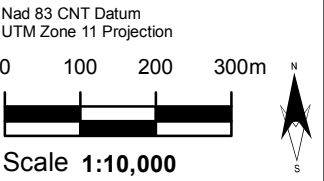
D 0812
Mapsheet 8 of 16

- Electoral Areas Boundary
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CSR D Mapsheets

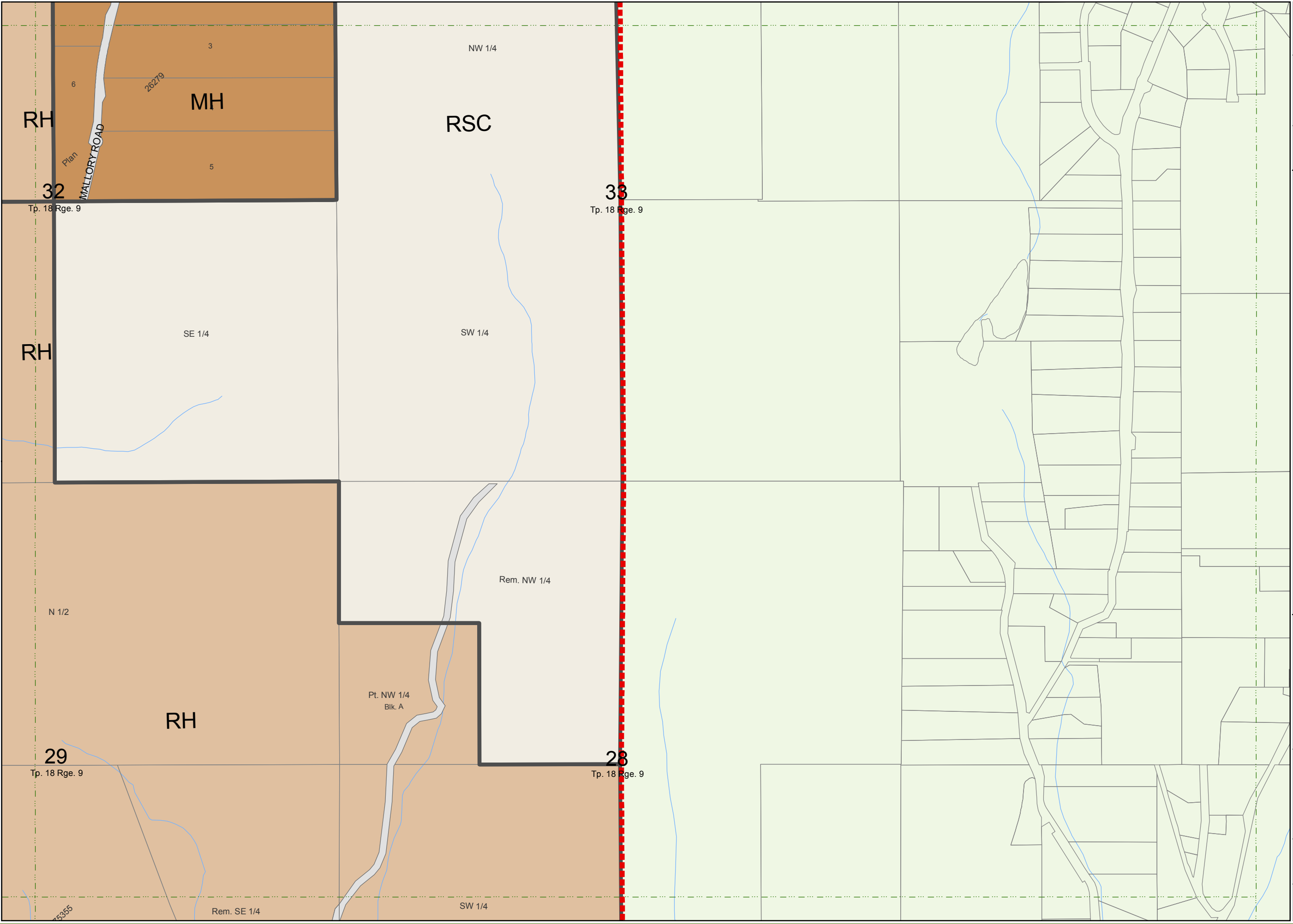


Mapsheet 0812



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Zoning Bylaw 751 -- D --

0812



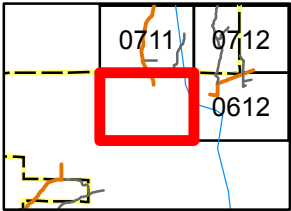
Ranchero / Deep Creek
Zoning Bylaw No. 751

Schedule C

D 0611
Mapsheet 9 of 16

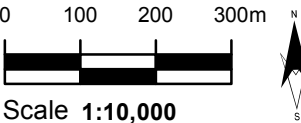
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- CSR D Mapsheets
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- Rivers & Streams
- Lake
- Highways & Roads
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CSR D Mapsheets



Mapsheet 0611

Nad 83 CNT Datum
UTM Zone 11 Projection



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Zoning Bylaw 751 -- D --

0611



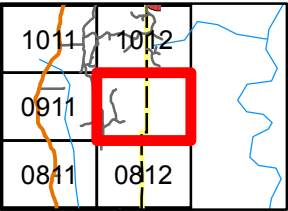
Ranchero / Deep Creek
Zoning Bylaw No. 751

Schedule C

D 0912
Mapsheet 10 of 16

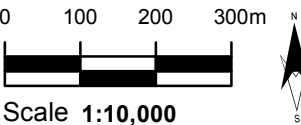
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- Lake
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CSR D Mapsheets



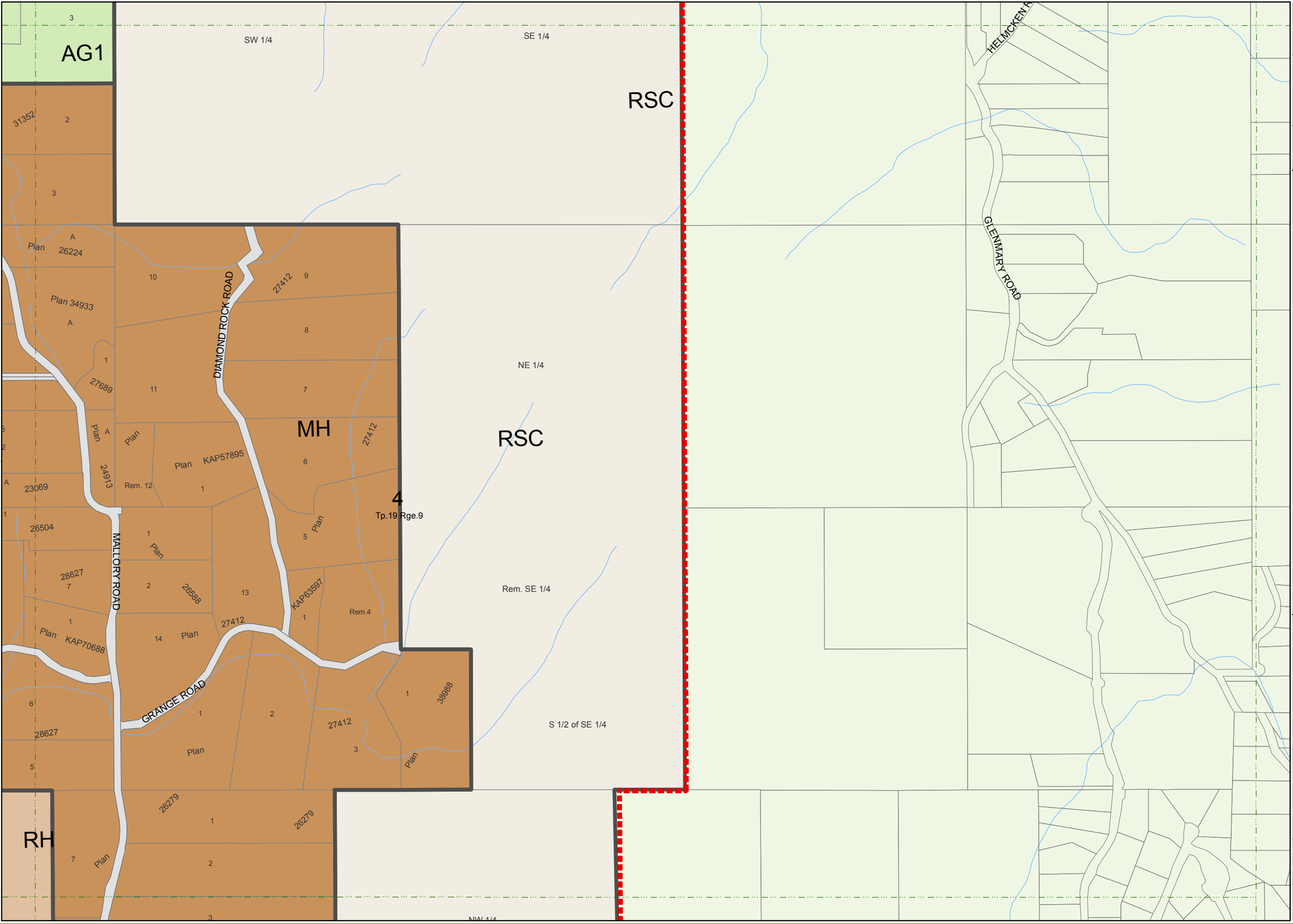
Mapsheet 0912

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UTM Zone 11 Projection



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Zoning Bylaw 751 -- D --

0912



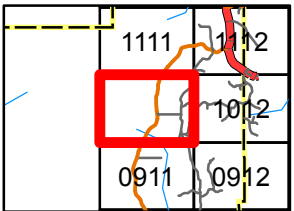
Ranchero / Deep Creek
Zoning Bylaw No. 751

Schedule C

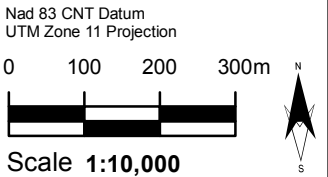
D 1011
Mapsheet 11 of 16

- Electoral Areas Boundary
- Bylaw Boundary
- CSR D Mapsheets
- Parcel Boundary
- Rivers & Streams
- Lake
- Highways & Roads
- Unsurveyed Road
- Zoning
- RSC - Rural and Resource
- RH - Rural Holdings
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CSR D Mapsheets

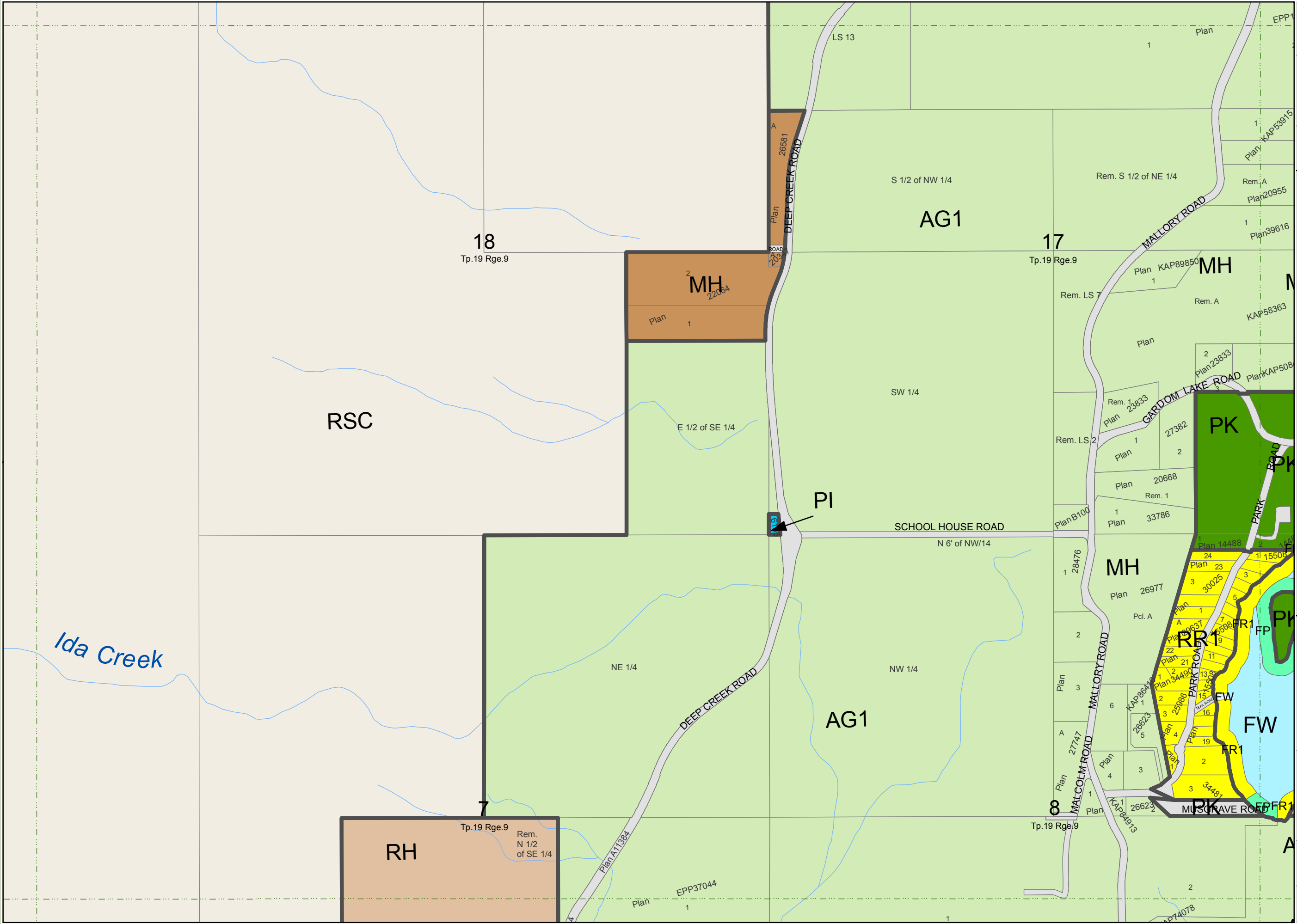


Mapsheet 1011



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Zoning Bylaw 751 -- D --

1011



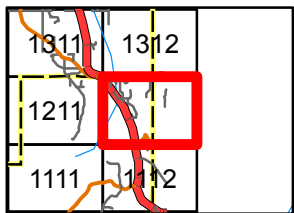
**Ranchero / Deep Creek
Zoning Bylaw No. 751**

Schedule C

D 1212
Mapsheet 12 of 16

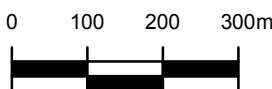
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CSRD Mapsheets



Mapsheet 1212

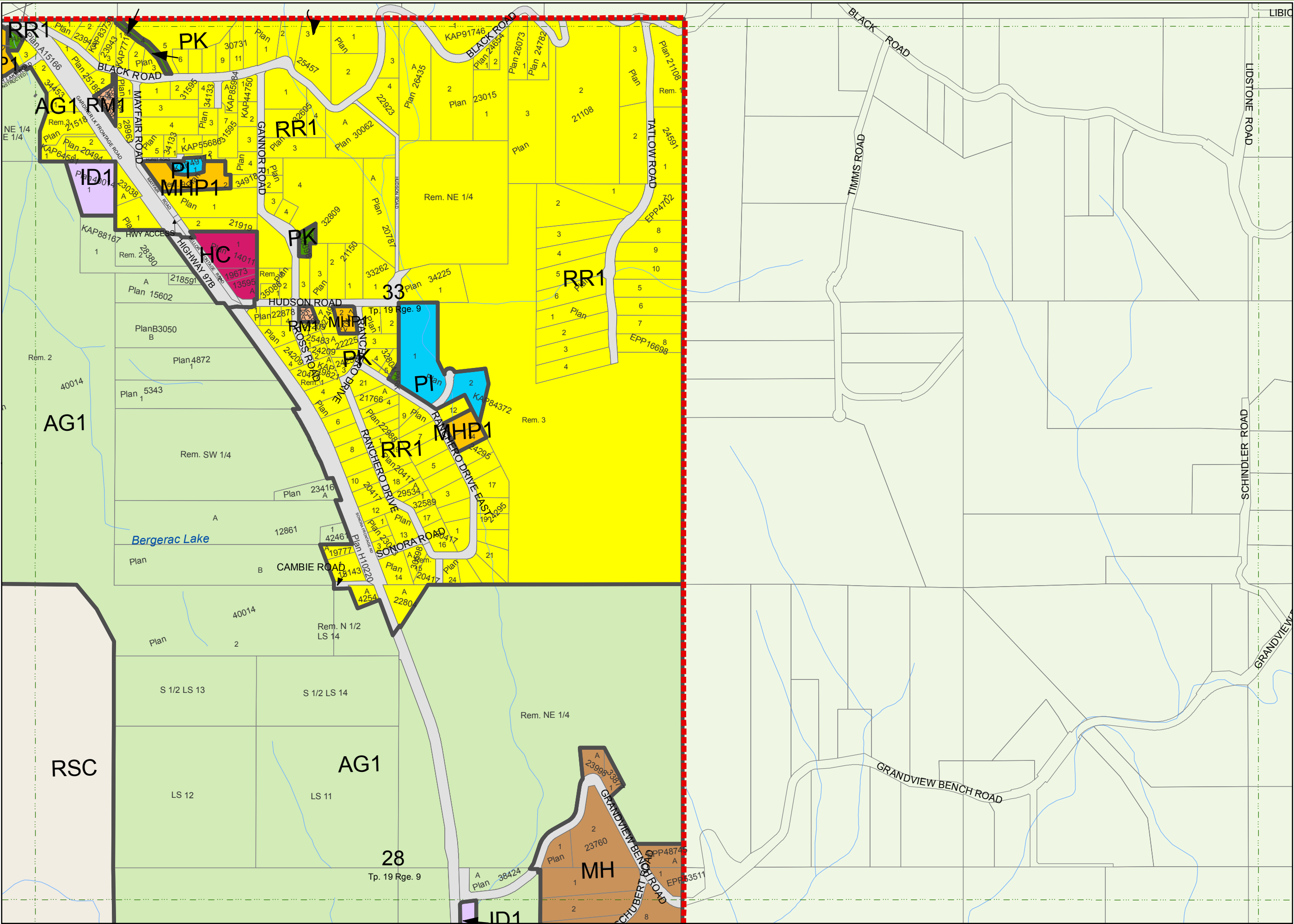
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Scale 1:10,000

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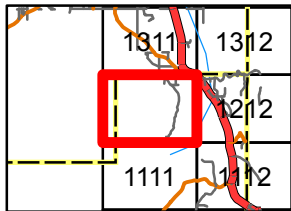
Ranchero / Deep Creek
Zoning Bylaw No. 751

Schedule C

D 1211
Mapsheet 13 of 16

- Electoral Areas Boundary
 Bylaw Boundary
 CSR D Mapsheets
 Parcel Boundary
 Rivers & Streams
 Lake
 Highways & Roads
 Unsurveyed Road
- Zoning**
- RSC - Rural and Resource
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CSR D Mapsheets



Mapsheet 1211

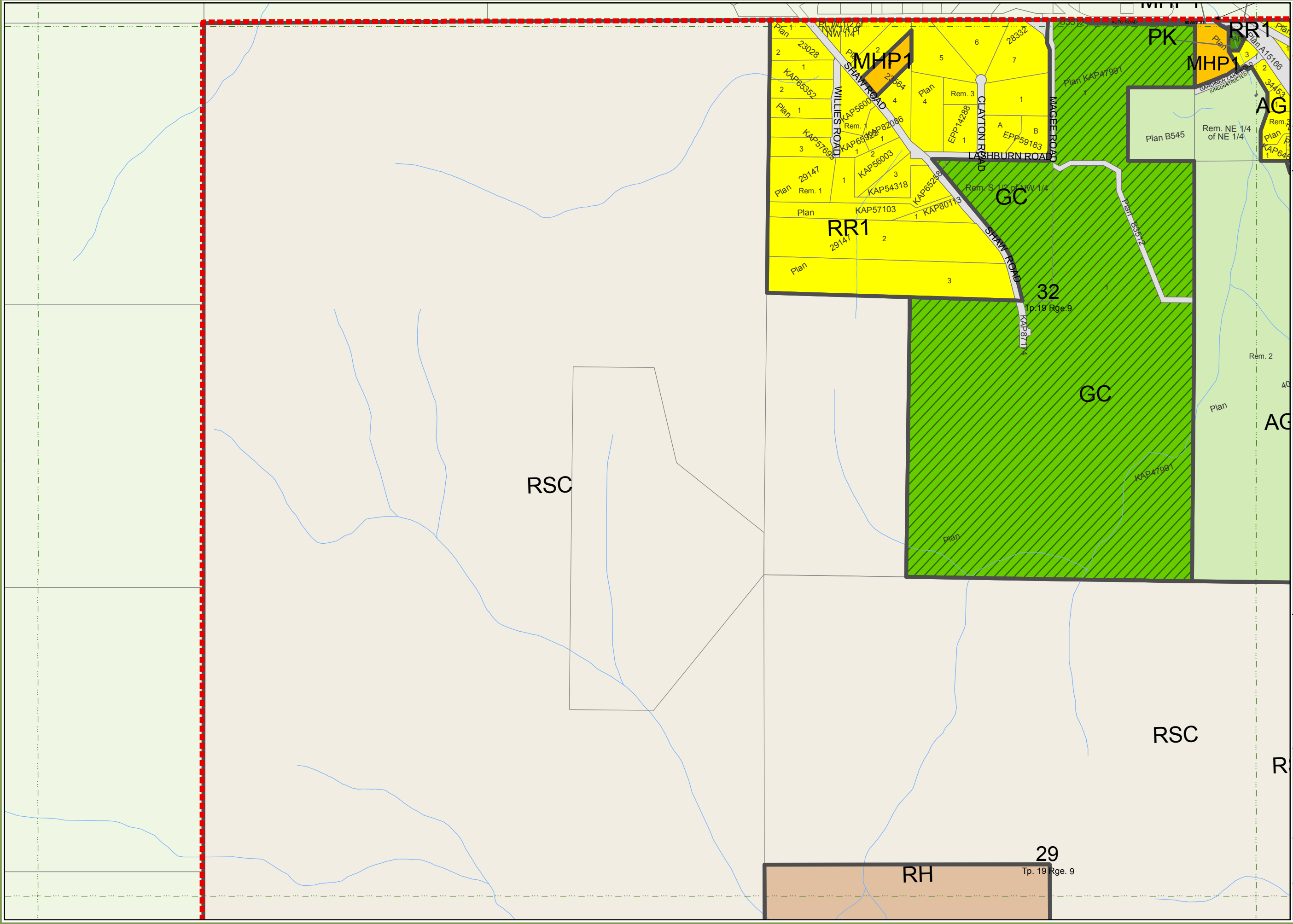
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Zoning Bylaw 751 -- D --

1211



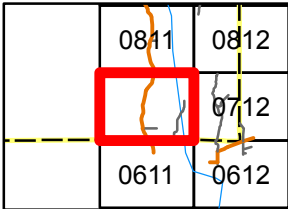
Ranchero / Deep Creek
Zoning Bylaw No. 751

Schedule C

D 0711
Mapsheet 14 of 16

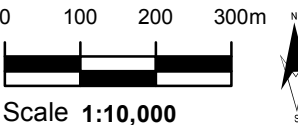
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CSR D Mapsheets



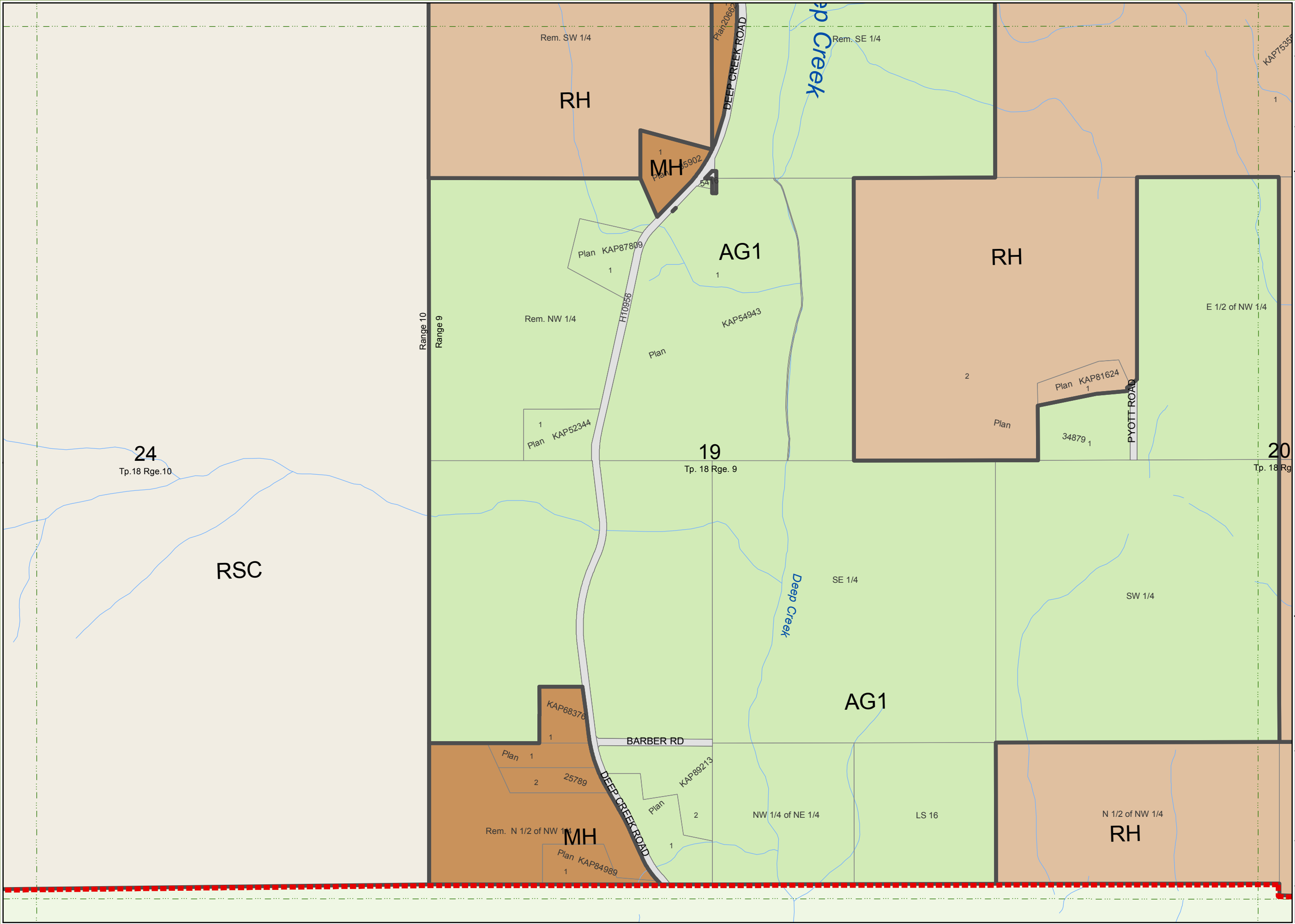
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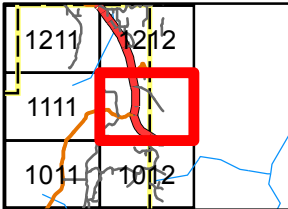
Ranchero / Deep Creek
Zoning Bylaw No. 751

Schedule C

D 1112
Mapsheet 15 of 16

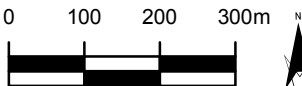
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CSR D Mapsheets



Mapsheet 1112

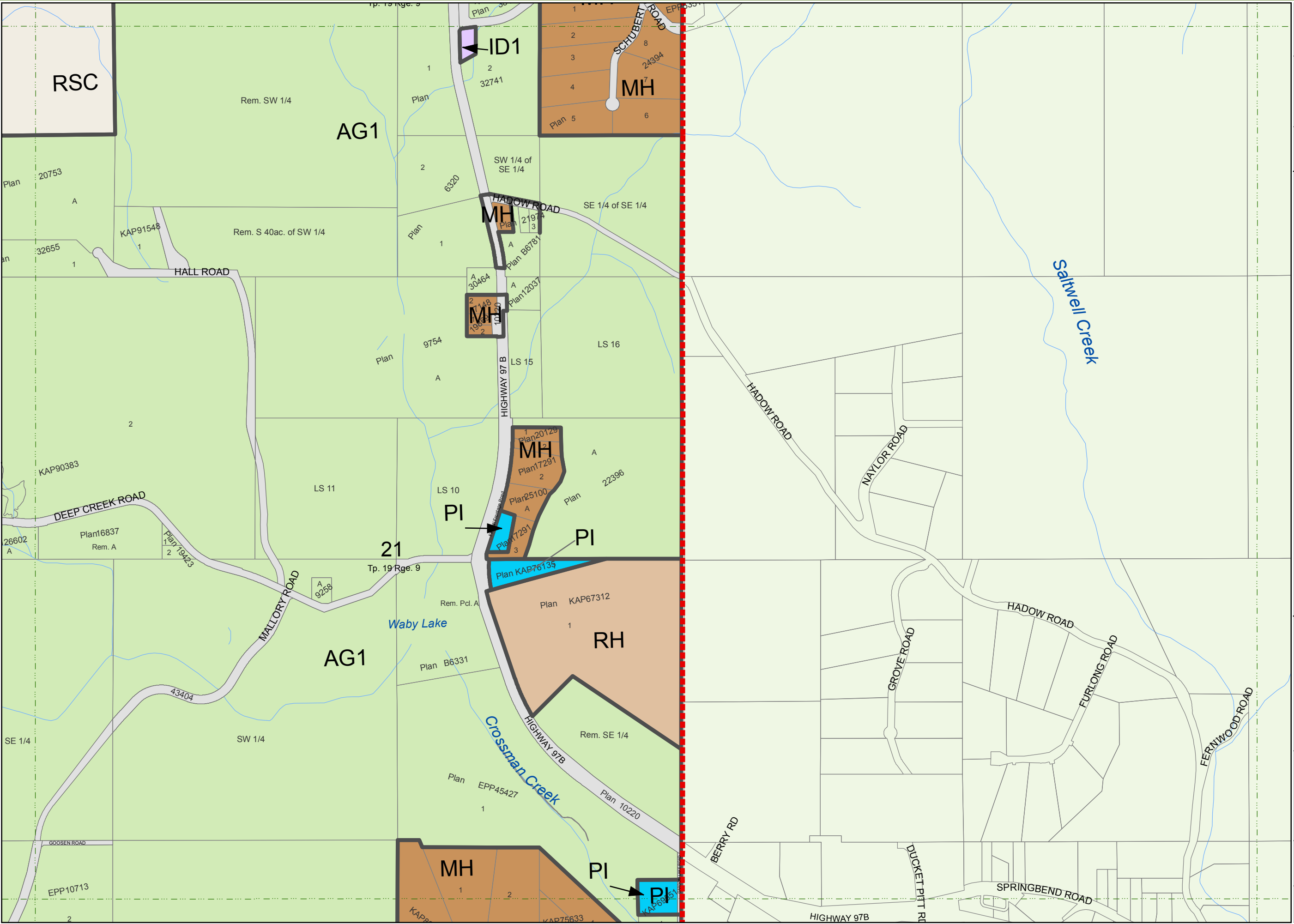
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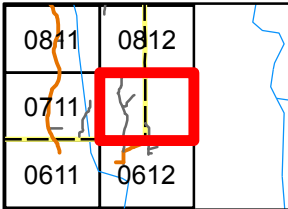
Ranchero / Deep Creek
Zoning Bylaw No. 751

Schedule C

D 0712
Mapsheet 16 of 16

- Electoral Areas Boundary
- Bylaw Boundary
- CSRD Mapsheets
- Parcel Boundary
- Rivers & Streams
- Lake
- Highways & Roads
- Unsurveyed Road
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CSRD Mapsheets



Mapsheet 0712

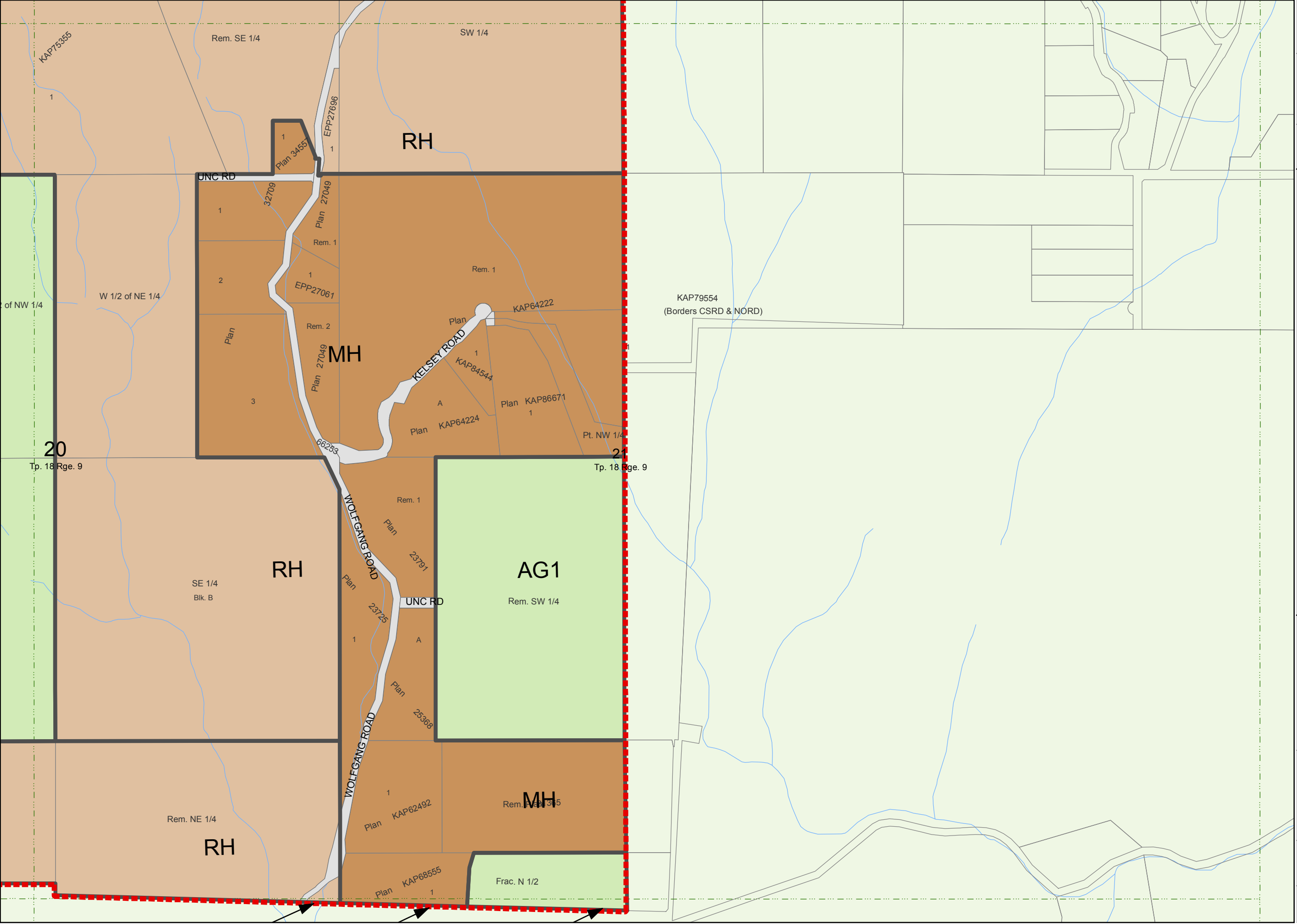
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Zoning Bylaw 751 -- D --

0712



BOARD REPORT

TO: Chair and Directors

File No: BL 2133
PL20150194

SUBJECT: Electoral Area D: Ranchero/Deep Creek Land Use Amendment (Linda Parker) Bylaw No. 2133

DESCRIPTION: Report from Dan Passmore, Senior Planner, dated October 26, 2017. 5192 Highway 97B, Ranchero

RECOMMENDATION #1: THAT: the Board receive this report regarding proposed Bylaw No. 2133, for information and consider new information from the applicant in relation to the July 20, 2017 resolution.

RECOMMENDATION #2: THAT: the Board set a new deadline of December 20, 2017 for submission of the required hydrogeological assessment in order to consider delegation of a Public Hearing for proposed Bylaw No. 2133.

SHORT SUMMARY:

The property that is the subject of this rezoning application is located at 5192 Highway 97B in the Ranchero area of Electoral Area 'D'. The original proposal was for a text amendment to the CR – Country Residential Zone that would add a new permitted use, specific to the subject property, to permit three (3) single family dwellings to remain on the subject property.

The applicant has amended the proposal so that only two (2) single family dwellings would be permitted. The application was amended after first reading of the bylaw to reflect staff concerns in the first reading report regarding site servicing issues.

The Board gave Bylaw No. 2133 second reading, July 20, 2017 but declined delegation of a Public Hearing, instead giving the applicant 90 days to provide additional documentation. While the owner has committed to construction of sewerage system improvements, they have been unable to acquire a hydrogeological assessment of the groundwater well drinking water source on the property within the 90 days allotted, which expired October 19, 2017. This is the first Board meeting that staff have had an opportunity to report to the Board regarding this time limit.

VOTING:	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 "2016-04-14_Board_DS_BL2133_Parker-Wood.pdf".

POLICY:

See attached "2016-04-14_Board_DS_BL2133_Parker-Wood.pdf".

FINANCIAL:

The rezoning is the result of a bylaw enforcement action. If the Board does not adopt the proposed amending bylaw, and the owner does not bring the property into compliance by removing the two additional single family dwellings, and which are currently occupied, the Board may then wish to direct staff to seek a legal opinion regarding possible court action. Costs for the legal opinion and possible court action, although partially recoverable through Court, could nonetheless be substantial. Staff involvement in legal action is not recoverable.

KEY ISSUES/CONCEPTS:

See attached "2017-07-20_Board_DS_BL2133_Parker-Wood.pdf" and "2016-04-14_Board_DS_BL2133_Parker-Wood.pdf".

Update

The applicant provided an e-mail dated October 1, 2017 which commits to construct the septic system designed by Mr. Steven Rogers of Shuswap Septic Service and that all necessary approvals from IHA as required will be obtained.

The applicant had not been successful in obtaining the services of a hydrogeologist for an assessment of the existing groundwater well by the end of the 90 day period given by the Board. The applicant had approached a professional hydrogeologist on October 1, 2017, who after some communication had declined the job by October 6, 2017. In declining the job, the hydrogeologist explained that he was uncomfortable with "dug wells" because of the excessive potential liability and because the well report becomes part of the property title. This hydrogeologist recommended that the owner contact another professional in the area.

Staff have recently met with this other prospective professional hydrogeologist to discuss the parameters of such an assessment. However, the second hydrogeologist has not been engaged by the applicant as of the date of the writing of this report. Staff hope to have additional information to provide the Board in a verbal presentation at the November 16, 2017 Board meeting.

In addition to this information the applicant submitted an e-mail October 13, 2017, in which he expressed some concerns with the process. Staff have included this e-mail in the Board report package for the Board's convenience.

SUMMARY:

The applicant has not fulfilled the requirements of the Board in regard to the 90 day time limit to provide a hydrogeological assessment. The Board is asked to consider this information and to direct staff on their wishes moving forward.

IMPLEMENTATION:

See attached "2017-07-20_Board_DS_BL2133_Parker-Wood.pdf" and "2016-04-14_Board_DS_BL2133_Parker-Wood.pdf".

COMMUNICATIONS:

If the Board resolves to give the bylaw no further readings, the applicants will be advised of the Board's decision, and notified that the Bylaw Enforcement process may be re-activated.

If the Board delegates a Public Hearing, staff will set a date for the Public Hearing and proceed with notification of property owners within 100 m of the subject property and publication of newspaper notices in accordance with the Local Government Act.

If the Board resolves to give the applicant additional time to engage a hydrogeologist and obtain an assessment report, staff will advise the applicant. This will require staff to report back to the Board with any results at some future Board meeting.

DESIRED OUTCOMES:

That the Board consider this issue and provide staff direction on next steps.

BOARD'S OPTIONS:

1. *Extend the 90 day time period to obtain a hydrogeological assessment report.*
2. *Adopt a resolution to give Bylaw No. 2133 no further readings.*
3. *Delegate a Public Hearing.*
4. *Defer.*
5. *Any other action deemed appropriate by the Board.*

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

1. Compliance Inspection Report, by Steven Rogers, ROWP, of Shuswap Septic & Site Preparation, endorsed by Jayme Franklin, P.Eng., dated May 6, 2017
2. Ranchero/Deep Creek Official Community Plan Bylaw No. 750
3. Ranchero/Deep Creek Rural Land Use Bylaw No. 2100
4. Site visit photos (various dates)

Report Approval Details

Document Title:	2017-11-16_Board_DS_BL2133_Parker.docx
Attachments:	<ul style="list-style-type: none"> - 2017-07-20_Board_DS_BL2133_Parker-Wood.pdf - 2016-04-14_Board_DS_BL2133_Parker-Wood.pdf - BL2133_Second_amended.pdf - BL2133_Second.pdf - BL2133_First.pdf - Applicant_Letter_2017-10-13_BL2133.pdf - Agency_Referral_Responses_BL2133.pdf - Maps_Plans_BL2133.pdf
Final Approval Date:	Nov 7, 2017

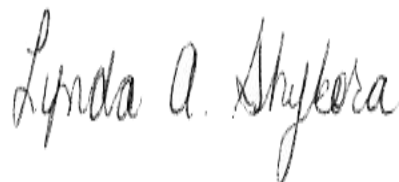
This report and all of its attachments were approved and signed as outlined below:



Corey Paient - Nov 6, 2017 - 11:40 AM



Gerald Christie - Nov 7, 2017 - 8:07 AM



Lynda Shykora - Nov 7, 2017 - 8:39 AM



Charles Hamilton - Nov 7, 2017 - 8:47 AM



BOARD REPORT

TO:**Chair and Directors****File No:**BL 2133
PL20150194**SUBJECT:**Electoral Area D: Ranchero/Deep Creek Land Use Amendment
(Linda Parker) Bylaw No. 2133**DESCRIPTION:**Report from Dan Passmore, Senior Planner, dated May 29, 2017.
5192 Highway 97B.**RECOMMENDATION:**THAT: Ranchero/Deep Creek Land Use Amendment (Linda Parker)
Bylaw No. 2133", be given second reading, as amended, this 20th day
of July, 2017.AND THAT: the Board not delegate a public hearing until the owner
has provided documentation committing to construction of the
required sewerage system improvements prior to final reading of
the Bylaw and has provided a hydrogeological assessment of the
existing groundwater well within 90 days of second reading.**SHORT SUMMARY:**

The property that is the subject of this rezoning application is located at 5192 Highway 97B in the Ranchero area of Electoral Area 'D'. The proposal is for a text amendment to the CR – Country Residential Zone that would add a new permitted use, specific to the subject property, to permit three (3) single family dwellings to remain on the subject property.

The applicant has amended the proposal so that only two (2) single family dwellings would be permitted. The application was amended after first reading of the bylaw to reflect staff concerns in the first reading report regarding site servicing issues.

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

See attached first reading report dated March 23, 2016.

POLICY:

See attached first reading report dated March 23, 2016.

FINANCIAL:

The rezoning is the result of a bylaw enforcement action. If the Board does not adopt the proposed amending bylaw, and the owner does not bring the property into compliance by removing the two additional single family dwellings, the Board may then wish to direct staff to seek a legal opinion

regarding possible court action. Costs for the legal opinion and possible court action, although partially recoverable through Court, could nonetheless be substantial. Staff involvement in legal action is not recoverable.

KEY ISSUES/CONCEPTS:**Sewage Disposal**

The applicant has hired Mr. Steven Rogers of Shuswap Septic & Site Preparation to investigate the current On-site sewerage system, and provide a compliance inspection report. The report, dated May 6, 2017 indicated that the existing system was a Type 1 system which consists of 2 septic tanks, a pump chamber and a pressure-fed dispersal field.

The report noted that one of the septic tanks is situated within 30 m of a groundwater well, which provides drinking water to the property. It advises that this septic tank should be de-commissioned. The report goes on to describe the various components of the system and its configuration in detail, and ends with a frank comment about the unsuitability of the dispersal system to process the effluent produced by a 7 bedroom property.

The report also includes options for utilising some components of the existing system, with construction of new raised sand mound dispersal areas, including a back-up dispersal field, that would be adequate to service the 7 bedrooms contemplated. The report also includes an option that would convert the system to a Type 2 system to reduce dispersal area requirements further.

The Interior Health Authority had advised that it does not recommend support for this rezoning amendment until the owner has provided a site specific onsite sewerage technical assessment of the subject lot completed by an Authorized Person under the Sewerage System Regulation which demonstrate that the parcel is capable of being self-sufficient with the existing 3 dwellings.

The current sewerage system is not compliant with IHA regulations, and would need to be altered in accordance with the report to adequately service the anticipated 7 bedrooms.

Sewage Servicing and OCP Policies

OCP Bylaw No. 750 requires new residential development in the RR Rural Residential designation to have a density of 1 dwelling unit per hectare with adequate water and sewer services that meet Provincial guidelines.

The proposal is for a rezoning amendment to sanction an additional dwelling unit onto the property. Although, the additional dwelling unit(s) are existing, they have been installed illegally, and therefore would represent new residential development in the area. The OCP does not support the rezoning amendment application.

Water Supply

Water is from an on-site groundwater well. The IHA has adopted a policy whereby property owners seeking to supply drinking water to as many as 2 single family dwellings on a property, do not have to obtain approval for a drinking water system.

Water Supply and OCP Policies

Rural Residential Lands Policy 7 talks about the CSRD possibly requiring a hydro-geological impact review and assessment on the quantity and quality of the existing groundwater well. The subject

property is in an area where densities of less than 1 dwelling unit per hectare have been developed. Due to the proximity of small properties, unknown location of other septic systems, and the prevalence of groundwater wells, it would be imprudent to foster increased densification without an examination of the existing well.

SUMMARY:

The applicant has applied to amend the CR – Country Residential Zone of Bylaw No. 2100, to add an additional permitted use which would be applicable to only the subject property to permit two (2) single family dwellings to remain on the property.

Staff are recommending that the Board give the proposed amending bylaw second reading, as amended. The applicant has not demonstrated that the property is adequately serviced to support the 2 dwelling units, in accordance with OCP policies 1.4.3, 1.4.5, 3.1.3, 3.1.6, 3.1.7 and 3.1.9. While the owner has had an inspection of the existing septic system, significant upgrading works would be required to service the proposed (existing) 2 dwelling units on the property. Also the OCP does contemplate the provision of a hydrogeological report to address drinking water supply and the Board needs to consider whether this is appropriate in this circumstance.

Staff have provided the Board with the recommendation to move the Bylaw forward, if that is the Board's direction. The recommendation provides that the owner commit to construction of the sewerage system improvements prior to any delegated Public Hearing and that the improvements must be constructed prior to final reading of the bylaw. Further, in consideration of the owners significant delays in obtaining the sewerage assessment, staff are proposing that the owner be given a strict 90 day time limit to provide a required hydrogeological assessment of the existing groundwater well given its proximity to the sewerage system. The assessment would be required to be submitted prior to the Public Hearing being delegated.

IMPLEMENTATION:**Consultation Process**

As per CSRD Policy No. P-18 regarding Consultation Processes-Bylaws, staff recommended the simple consultation process. Referral responses have been received and summarized in this report. Neighbouring property owners are aware of the application for the zoning amendment because a notice of development sign was posted on the subject property in accordance with Development Services Procedures Bylaw No. 4001. Staff will advise the applicant of the requirement to remove the sign if the Board determines to give the bylaw no further readings.

COMMUNICATIONS:

If the Board resolves to give the bylaw no further readings, the applicants will be advised of the Board's decision, and notified that the Bylaw Enforcement process may be re-activated.

If the Board gives Bylaw No. 2133 second reading and delegates a Public Hearing, staff will set a date for the Public Hearing and proceed with notification of property owners within 100 m of the subject property and publication of newspaper notices in accordance with the Local Government Act.

DESIRED OUTCOMES:

That the Board endorse staff recommendation.

BOARD'S OPTIONS:

1. *Endorse recommendation. Bylaw No. 2133 will be given second reading and the public hearing will not be delegated until the owner has provided documentation committing to construction of the required sewerage system improvements prior to final reading of the Bylaw and provided a hydrogeological assessment of the existing groundwater water well, within 90 days and prior to the Public Hearing being delegated.*
2. *Give Bylaw No. 2133 second reading and delegate a public hearing.*
3. *Give Bylaw No. 2133 no further readings. The Bylaw will be defeated and bylaw enforcement action will re-commence.*
4. *Defer.*
5. *Any other action deemed appropriate by the Board.*

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

1. Compliance Inspection Report, by Steven Rogers, ROWP, of Shuswap Septic & Site Preparation, endorsed by Jayme Franklin, P.Eng., dated May 6, 2017.

Report Approval Details

Document Title:	2017-07-20_Board_DS_BL2133_Parker-Wood.docx
Attachments:	<ul style="list-style-type: none">- BL2133_BoardReport_1st.pdf- Referral Responses.pdf- Maps_Plans_BL2133.pdf- BL2133 Second.docx
Final Approval Date:	Jul 11, 2017

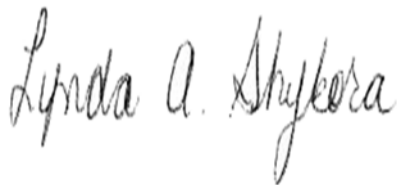
This report and all of its attachments were approved and signed as outlined below:

No Signature - Task assigned to Corey Paiement was completed by workflow administrator Brad Payne

Corey Paiement - Jul 11, 2017 - 2:29 PM



Gerald Christie - Jul 11, 2017 - 2:33 PM



Lynda Shykora - Jul 11, 2017 - 2:58 PM



Charles Hamilton - Jul 11, 2017 - 3:43 PM

12.2



BOARD REPORT

TO: Chair and Directors

FROM: Dan Passmore
Senior Planner

SUBJECT: Ranchero/Deep Creek Land Use Amendment (Linda Parker)
Bylaw No. 2133

File No: BL 2133

Date: March 23, 2016

RECOMMENDATION #1: THAT:
"Ranchero/Deep Creek Land Use Amendment (Linda Parker) Bylaw No. 2133", be read a first time this 14th day of April, 2016;

AND THAT:
the Board utilize the simple consultation process for Bylaw No. 2133, and it be referred to the following agencies and First Nations:

- Area 'D' Advisory Planning Commission;
- Ministry of Transportation and Infrastructure;
- Interior Health Authority;
- City of Salmon Arm;
- CSRD Operations Management;
- School District #83; and
- All relevant First Nations Bands and Councils.

APPROVED for Board Consideration:

Meeting Date: April 14, 2016

Charles Hamilton
Charles Hamilton, CAO

SHORT SUMMARY:

The property that is the subject of this rezoning application is located at 5192 Highway 97B in the Ranchero area of Electoral Area 'D'. The proposal is for a text amendment to the CR – Country Residential Zone that would add a new permitted use, specific to the subject property, to permit three (3) single family dwellings to remain on the subject property.

VOTING: Unweighted Corporate ☐ Weighted Corporate ☐ Stakeholder (Weighted) ☐

LGA Part 14 ☒
(Unweighted)

BACKGROUND:

APPLICANT: William J. Wood

OWNER: Linda E. Parker

ELECTORAL AREA: 'D' (Ranchero)

CIVIC ADDRESS: 5192 Highway 97B

LEGAL DESCRIPTION: Lot 2, Section 32, Township 19, Range 9, W6M, KDYD, Plan 34453

SIZE OF PROPERTY: 0.99 ac.

SURROUNDING LAND USE PATTERN:

NORTH: Highway 97B/Gardiner Road (unconstructed)/Rural Residential
 SOUTH: Rural Residential/Agricultural
 EAST: Highway 97B/Rural Residential
 WEST: Gardiner Lake/Agricultural/Canoe Creek Golf Course

OCP DESIGNATION: RR Rural Residential

CURRENT ZONING: CR – Country Residential

CURRENT USE: 3 single family dwellings

PROPOSED USE: 3 single family dwellings

POLICY:**Ranchero/Deep Creek Official Community Plan Bylaw No. 750****Community Values**

The OCP Section 1.4 outlines Community Values which were incorporated into the various policies within the OCP, and include the following;

2. Identification and protection of watersheds and aquifers from degradation, inappropriate development and pollution to ensure a continued safe water supply;
3. Recognition that the sustainable development of the Plan Area must be linked to groundwater quality and quantity for all residents;
5. Recognition that a comprehensive approach to managing sewage is required;

Rural Residential Lands

The OCP Section 3.6 outlines Rural Residential Objectives and Policies. Objectives in respect of this area are as follows:

3. Support development that is compatible with the Community Values (Section 1.4) and Development Criteria (Section 3.1).
4. Encourage affordable and subsidized housing opportunities.

Policies in respect of this area are as follows;

3. Lands within the Rural Residential designation shall have a minimum permitted parcel size of at least 1 ha (2.47 ac). New residential development in the Rural Residential designation

shall be permitted at a maximum density of 1 dwelling unit per ha (2.47 ac) with adequate water and sewer services that meets Provincial regulations.

5. In the Ranchero and Shaw Road areas (shown on schedule 'E'), higher density residential uses may only be considered to provide affordable market housing and subsidized housing. These units include, but are not limited to: duplexes, triplexes, four-plexes, townhouses and manufactured home parks. Higher densities will not be considered for units other than affordable housing.

These affordable housing developments will be small scale and the maximum density will not exceed 15 dwelling units per ha (6 dwelling units per acre) with adequate water and sewer services that meet current Ministry of Environment Municipal Sewage Regulation Requirements. The above density is inclusive of secondary suites. Further details are to be established in the zoning bylaw.

7. Prior to supporting any OCP redesignation or rezoning that will increase water use on a property, the CSRD may require a hydro-geological impact review and assessment on the quantity and quality of water resources as specified in the CSRD Development Approval Information Bylaw. A qualified professional engineer or geoscientist with proven knowledge and experience in groundwater management must provide a written statement, through a hydro-geological impact assessment, verifying the long term reliability of the water supply for the proposed development. The assessment must also verify that there will be no significant negative impacts on other water supplies and properties.
9. One dwelling unit shall be permitted per lot and one secondary dwelling unit may be considered subject to zoning and parcel size. The size of the parcel and size of the secondary dwelling unit will be subject to zoning restrictions. The secondary dwelling unit shall be subject to special provisions, including:
 - (a) setbacks from buildings and property lines, and;
 - (b) the provision of required parking and access;
 - (c) the provision of adequate servicing that meets Provincial water and sewer regulations.

Ranchero/Deep Creek Land Use Bylaw No. 2100

Current Zone: CR – Country Residential Zone

Permitted uses:

- single family dwelling;
- public use;
- home occupation;
- accessory use.

Please note, only one single family dwelling is currently permitted per parcel.

Proposed Zoning Amendment: CR– Country Residential Zone

The proposed amendment will involve adding a new permitted use to Section 2.8.1 as follows:

- .5 three (3) single family dwellings, permitted only on Lot 2, Section 32, Township 19, Range 9, W6M, KDYD, Plan 34453.

The proposed amendment will also amend the regulations section 2.8.2 to reflect the new permitted use in 2.8.1

FINANCIAL:

The rezoning is the result of a bylaw enforcement action. If the Board does not adopt the proposed amending bylaw, and the owner does not bring the property into compliance by removing the additional single family dwellings, the Board may then wish to direct staff to seek a legal opinion regarding possible court action. Costs for the legal opinion and possible court action, although partially recoverable through Court, could nonetheless be substantial. Staff involvement in legal action is not recoverable.

KEY ISSUES/CONCEPTS:

Sewage Disposal

The subject property is currently serviced by some form of existing on-site septic sewage disposal system, although the current owners are not aware if it has been approved by Interior Health Authority (IHA). The new owners have never applied to IHA to expand on the existing system or install new system(s) to support the desired additional dwelling units. From this information, it is clear that the septic system has not been approved for multiple dwelling units, or even if there are more than the one approved septic system on the property.

OCP Bylaw No. 750 requires new residential development in the RR Rural Residential designation to have a density of 1 dwelling unit per hectare with adequate water and sewer services that meet Provincial guidelines.

Water Supply

Water is from an on-site groundwater well. The IHA has adopted a policy whereby property owners seeking to supply drinking water to as many as 2 single family dwellings on a property, do not have to obtain approval for a drinking water system. 3 dwelling units on a given property would require the owner to obtain a license to operate a community water system from the IHA. The owner does not have such a license from IHA.

Access

Access to Highway 97B is existing, in the location of the unconstructed Gardiner Road.

Existing Site Development

The previous owner had constructed a two family dwelling on the property and had added what he had described as a small dwelling unit for a physically challenged relative. In a previous bylaw enforcement action, staff had discussed the situation with the new owner, who had decided to voluntarily comply with Zoning Bylaw requirements by decommissioning 2 of the dwelling units.

Since this time, the owner has recommissioned the dwelling units and they are currently occupied on the property.

IMPLEMENTATION:

Consultation Process

As per CSRD Policy No. P-18 regarding Consultation Processes-Bylaws, staff recommends the simple consultation process. Neighbouring property owners will first become aware of the application for the zoning amendment when a notice of development sign is posted on the subject property in accordance with Development Services Procedures Bylaw No. 4001. Staff will advise the applicant of the requirement for the sign after the Board has considered the bylaw for first reading.

Referral Process

The following list of referral agencies is recommended:

- Area 'D' Advisory Planning Commission;
- Ministry of Transportation and Infrastructure;
- Interior Health Authority;
- City of Salmon Arm;
- CSRD Operations Management;
- School District #83; and
- All relevant First Nations Bands and Councils.

SUMMARY:

The applicant has applied to amend the CR – Country Residential Zone of Bylaw No. 2100, to add an additional permitted use which would be applicable to only the subject property to permit the existing three (3) single family dwellings to remain on the property.

Staff are recommending that the Board give the proposed amending bylaw first reading and forward the bylaw to referral agencies.

LIST NAME OF REPORTS / DOCUMENTS:

1. Maps: Location, Orthophotos, OCP, Zoning	Attached to Agenda Summary: <input checked="" type="checkbox"/>	Available from Staff: <input type="checkbox"/>
2. Ranchero/Deep Creek Land Use Amendment (Linda Parker) Bylaw No. 2133	Attached to Agenda Summary: <input checked="" type="checkbox"/>	Available from Staff: <input type="checkbox"/>
3. Photos	Attached to Agenda Summary: <input checked="" type="checkbox"/>	Available from Staff: <input type="checkbox"/>
4. Application	Attached to Agenda Summary: <input type="checkbox"/>	Available from Staff: <input checked="" type="checkbox"/>

DESIRED OUTCOME:

That the Board endorse staff recommendation.

BOARD'S OPTIONS:

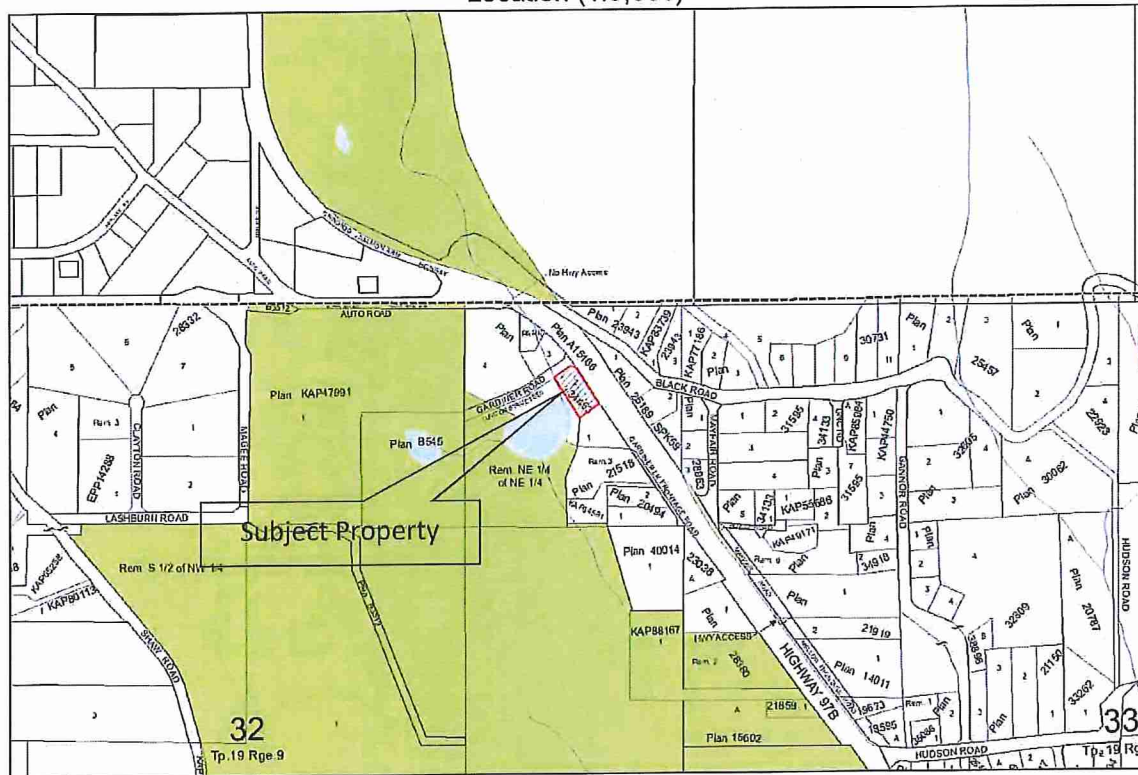
1. *Endorse recommendation. Bylaw No. 2133 will be given first reading and sent out to the referral agencies.*
2. *Decline first reading, Bylaw No. 2133 will be defeated.*
3. *Defer.*
4. *Any other action deemed appropriate by the Board.*

COMMUNICATIONS:

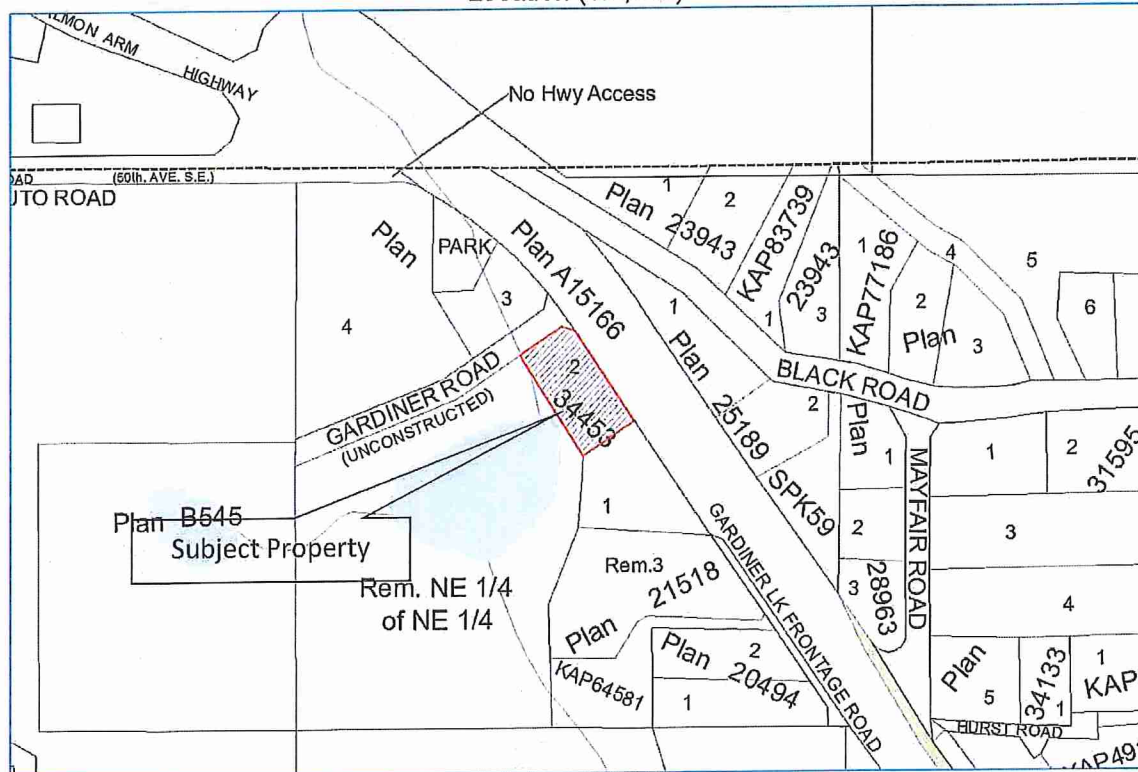
If the bylaw is given first reading it will be forwarded to the referral agencies. Agency comments will be provided with a future Board report.

REVIEWED BY:	Date Signed Off (MO/DD/YR)	Approval Signature of Reviewing Manager or Team Leader
Development Services	04/04/16	<i>[Signature]</i>
Development Services	Mar. 29, 2016	S. Berger, Team Leader
Operations Management	Mar 30, 2016	<i>[Signature]</i>
Financial Services	March 30/16	<i>[Signature]</i>

Location (1:5,000)



Location (1:2,000)



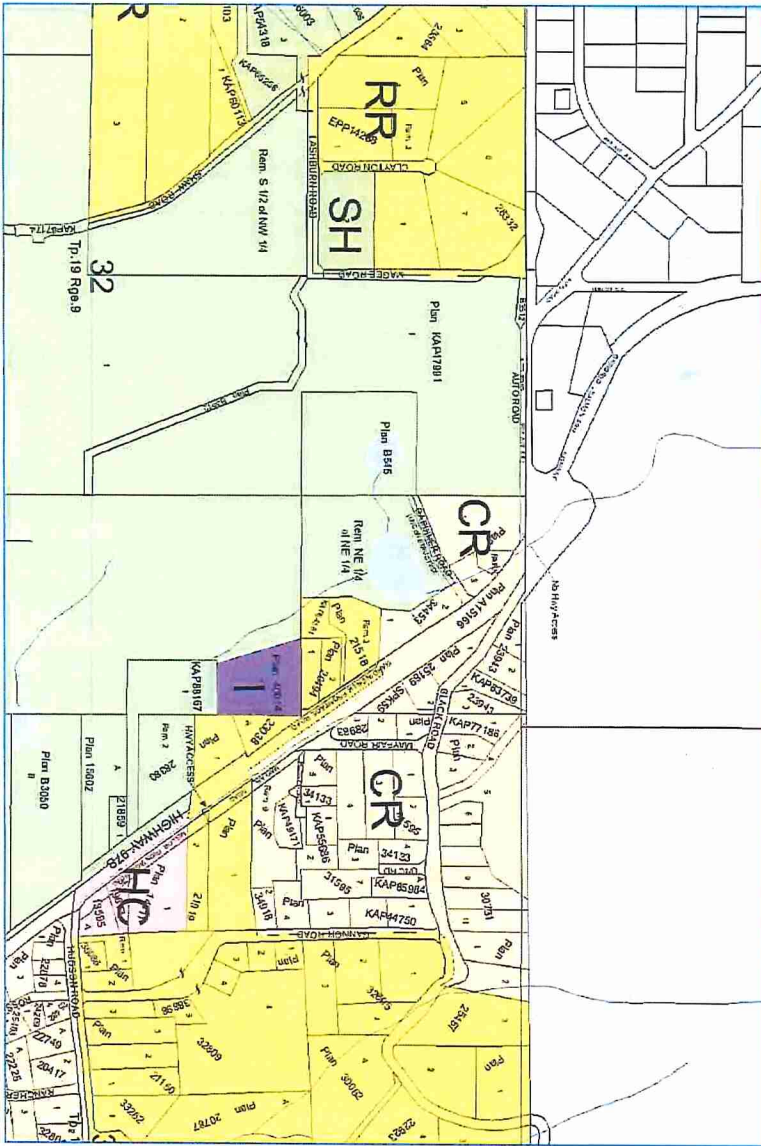
Orthophoto



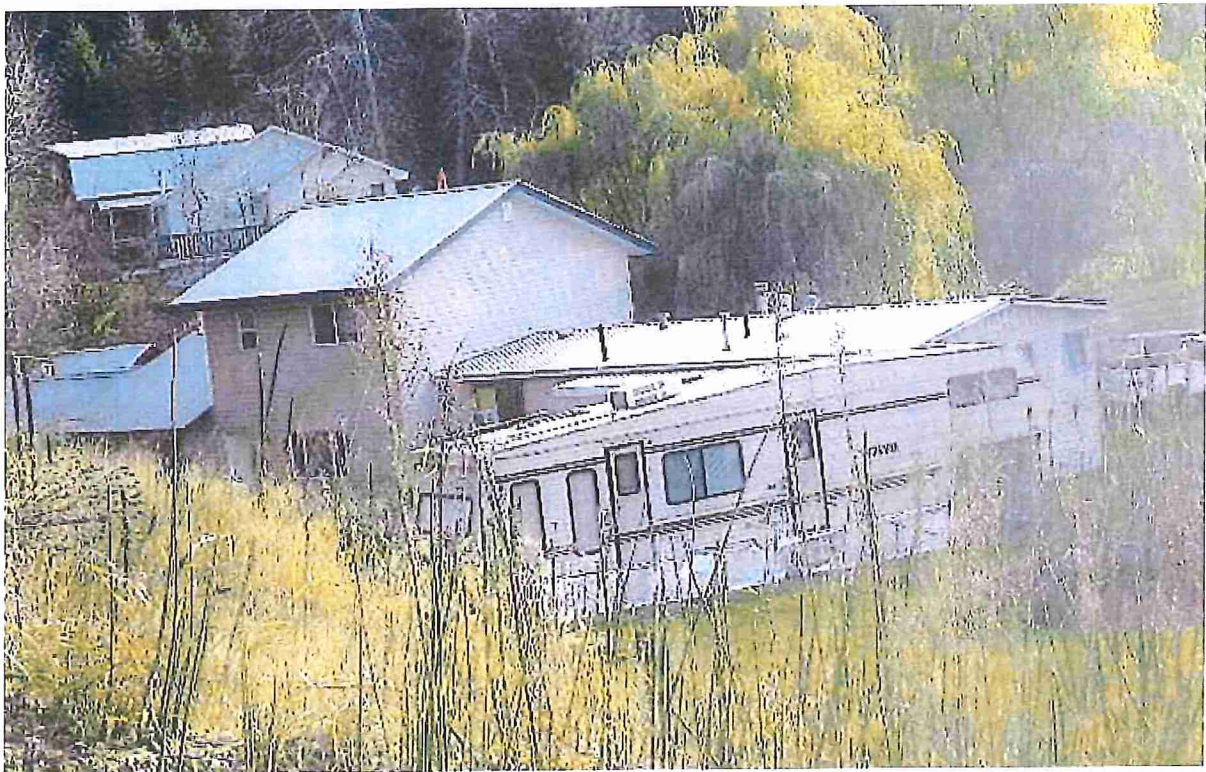
Orthophoto



Current Zoning



Photos of Property (Duplex)



Photos of Property (Secondary suite)



Accessory Building



RV on site



Bylaw No. 2133

1

COLUMBIA SHUSWAP REGIONAL DISTRICTRANCHERO/DEEP CREEK LAND USE AMENDMENT (LINDA PARKER) BYLAW NO. 2133A bylaw to amend the "Ranchero/Deep Creek Land Use Bylaw No. 2100"

WHEREAS the Board of the Columbia Shuswap Regional District adopted Bylaw No. 2100;

AND WHEREAS the Board deems it appropriate to amend Bylaw No. 2100;

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

1. "Ranchero/Deep Creek Land Use Bylaw No. 2100" is hereby amended as follows:

A. TEXT AMENDMENT

- i) Part II Land Use Regulations, Section 2.8 CR Country Residential zone, subsection 2.8.1 Permitted Uses, is hereby amended by adding the following use:

"5 three (3) single family dwellings, permitted only on Lot 2, Section 32, Township 19, Range 9, W6M, KDYD, Plan 34453."

- ii) Part II Land Use Regulations, Section 2.8 CR Country Residential zone, subsection 2.8.2 Regulations, subsection 2.8.2.1, Column II, is hereby amended by adding the following after "1 single family dwelling per parcel":

"except as noted in 2.8.1.5, above;"

Bylaw No. 2133

2

2. This bylaw may be cited as "Ranchero/Deep Creek Land Use Amendment (Linda Parker) Bylaw No. 2133."

READ a first time this _____ day of _____, 2016.

READ a second time this _____ day of _____, 2016.

PUBLIC HEARING held this _____ day of _____, 2016.

READ a third time this _____ day of _____, 2016.

RECEIVED THE Approval of the Ministry of Transportation and Infrastructure this _____ day of _____, 2016

ADOPTED this _____ day of _____, 2016.

CORPORATE OFFICER

CHAIR

CERTIFIED true copy of Bylaw No. 2133
as read a third time.

CERTIFIED true copy of Bylaw No. 2133
as adopted.

Corporate Officer

Corporate Officer

COLUMBIA SHUSWAP REGIONAL DISTRICTRANCHERO/DEEP CREEK LAND USE AMENDMENT (LINDA PARKER) BYLAW NO. 2133A bylaw to amend the "Ranchero/Deep Creek Land Use Bylaw No. 2100"

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A. TEXT AMENDMENT

- i) Part II Land Use Regulations, Section 2.8 CR Country Residential zone, subsection 2.8.1 Permitted Uses, is hereby amended by adding the following use:

“.5 two (2) single family dwellings, permitted only on Lot 2, Section 32, Township 19, Range 9, W6M, KDYD, Plan 34453.”

- ii) Part II Land Use Regulations, Section 2.8 CR Country Residential zone, subsection 2.8.2 Regulations, subsection 2.8.2.1, Column II, is hereby amended by adding the following after “1 single family dwelling per parcel”:

“except as noted in 2.8.1.5, above;”

2. This bylaw may be cited as "Ranchero/Deep Creek Land Use Amendment (Linda Parker) Bylaw No. 2133."

READ a first time this 14 day of April, 2016.

READ a second time, as amended, this 20 day of July, 2017.

PUBLIC HEARING held this _____ day of _____, 2017.

READ a third time this _____ day of _____, 2017.

RECEIVED THE Approval of the Ministry of Transportation and Infrastructure this _____ day of _____, 2017

ADOPTED this _____ day of _____, 2017.

CORPORATE OFFICER

CHAIR

CERTIFIED true copy of Bylaw No. 2133
as read a third time.

CERTIFIED true copy of Bylaw No. 2133
as adopted.

Corporate Officer

Corporate Officer

COLUMBIA SHUSWAP REGIONAL DISTRICTRANCHERO/DEEP CREEK LAND USE AMENDMENT (LINDA PARKER) BYLAW NO. 2133A bylaw to amend the "Ranchero/Deep Creek Land Use Bylaw No. 2100"

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- ii) Part II Land Use Regulations, Section 2.8 CR Country Residential zone, subsection 2.8.2 Regulations, subsection 2.8.2.1, Column II, is hereby amended by adding the following after “1 single family dwelling per parcel”:

“except as noted in 2.8.1.5, above;”

2. This bylaw may be cited as "Ranchero/Deep Creek Land Use Amendment (Linda Parker) Bylaw No. 2133."

READ a first time this 14 day of April, 2016.

READ a second time this day of , 2016.

PUBLIC HEARING held this day of , 2016.

READ a third time this day of , 2016.

RECEIVED THE Approval of the Ministry of Transportation and Infrastructure this day of , 2016

ADOPTED this day of , 2016.

CORPORATE OFFICER

CHAIR

CERTIFIED true copy of Bylaw No. 2133
as read a third time.

CERTIFIED true copy of Bylaw No. 2133
as adopted.

Corporate Officer

Corporate Officer

COLUMBIA SHUSWAP REGIONAL DISTRICT

RANCHERO/DEEP CREEK LAND USE AMENDMENT (LINDA PARKER) BYLAW NO. 2133

A bylaw to amend the "Ranchero/Deep Creek Land Use Bylaw No. 2100"

WHEREAS the Board of the Columbia Shuswap Regional District adopted Bylaw No. 2100;

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- ii) Part II Land Use Regulations, Section 2.8 CR Country Residential zone, subsection 2.8.2 Regulations, subsection 2.8.2.1, Column II, is hereby amended by adding the following after “1 single family dwelling per parcel”:

“except as noted in 2.8.1.5, above;”

2. This bylaw may be cited as "Ranchero/Deep Creek Land Use Amendment (Linda Parker) Bylaw No. 2133."

READ a first time this _____ day of _____, 2016.

READ a second time this _____ day of _____, 2016.

PUBLIC HEARING held this _____ day of _____, 2016.

READ a third time this _____ day of _____, 2016.

RECEIVED THE Approval of the Ministry of Transportation and Infrastructure this _____ day of _____, 2016

ADOPTED this _____ day of _____, 2016.

CORPORATE OFFICER

CHAIR

CERTIFIED true copy of Bylaw No. 2133
as read a third time.

CERTIFIED true copy of Bylaw No. 2133
as adopted.

Corporate Officer

Corporate Officer

Dan Passmore

From: Bill Wood <wjilwood@gmail.com>
Sent: Friday, October 13, 2017 1:22 PM
To: Dan Passmore
Cc: Corey Paiement; Nathan Wahoski
Subject: Re: Well testing

<input type="checkbox"/> CAO	<input type="checkbox"/> Agenda	<input type="checkbox"/> Ownership
<input type="checkbox"/> Works	<input type="checkbox"/> Reg Board	<input type="checkbox"/> File #
<input type="checkbox"/> DS	<input type="checkbox"/> In Camera	
<input type="checkbox"/> Fin/Adm	<input type="checkbox"/> Other Mtg	
OCT 13 2017		
<input type="checkbox"/> Ec Dev	RECEIVED	Ack Sent:
<input type="checkbox"/> IT	<input type="checkbox"/> Staff to Report	<input type="checkbox"/> Fax
<input type="checkbox"/> Parks	<input type="checkbox"/> Staff to Respond	<input type="checkbox"/> Mail
<input type="checkbox"/> SEP	<input type="checkbox"/> Staff Info Only	<input type="checkbox"/> Email
<input type="checkbox"/> HR	<input type="checkbox"/> Dir Mailbox	
<input type="checkbox"/> Other	<input type="checkbox"/> Dir Circulate	

Mr. Dan Passmore,

For this meeting on November 16th, would we be allowed to speak for ourselves and our situation? If so, what time is the meeting?

I have some concerns which I would like to have forwarded to the board members before this meeting:

- 1) When we purchased this property, there were actually 4 different dwellings. The main house with the in-law suite, the cabin and an RV parked on the pad where our RV is currently stored. Two of these (cabin and RV) were rented out. In previous correspondence, You have stated that the previous owners were in compliance. We were told that there had been a report to the CSRD about multiple dwellings and that an inspection had been done and failed. It was to be reinspected but this was not done before we occupied the property. However, the stoves had been removed and you did an inspection shortly after we took over the ownership and we were deemed compliant.
- 2) I have a letter from the real estate agent which states that there are other properties in the CSRD which are not made to conform because they have not been reported. You confirmed that you cannot inspect every property so unless someone makes a report or complaint, they are not inspected.
- 3) We purchased this property because we have two members of our family who are developmentally delayed. They wish to have their own dwelling but they require supervision. This property was ideal as they still had some independence while being monitored. However, they ate their meals in the main house with us so that we could make sure that they were eating properly and that there would be no cooking mishaps.
- 4) At one point, my stepson had been attacked and suffered life-threatening injuries. When he was released from the hospital, he was moved into the cabin as he was suffering from PTSD and required someone to be nearby at all times. It was during this time that you received another complaint about non-compliance.
- 5) We currently have friends staying in the cabin and they have been actively, without success, looking for another place to rent. They are aware that they have to move out so that we can permanently decommission the cabin.
- 6) We have had difficulty with a neighbour who has an easement through our property. This person does not maintain a residence on his property. He uses it for storage and, on occasion, allows others to camp on the property.

I believe that this is the same person who reported the previous owner's non-compliance to the CSRD. I also believe that, after an altercation with this neighbour, he reported our non-compliance to the CSRD. He admitted that he had done so, "because he could". When we met with you in your office, you suggested that re-zoning would be the only way to solve this problem and that the whole process was relatively simple. We also understood that during this process, we would be in noncompliance.

We have ongoing legal proceedings with this individual, therefore I have copied this to our lawyer.

7) When we applied for the rezoning, we applied for three dwellings. In later correspondence, you stated, that if we should continue to apply for the three dwellings, that we would have to have inspections done on the well as it would become a community well. At that time, in order to reduce our costs, we chose to change the applications to two dwellings. You have since informed us that we need to have a hydrogeological test done. We retained the services of one individual (for a quoted fee of \$6000) who has since said, "I am uncomfortable with dug wells because of the excessive potential liability and because my well report becomes part of the property title". We have contacted another person but have not yet heard anything back. We cannot proceed with this testing if we cannot find someone to do it.

At the same time, you informed us that we needed to have a septic inspection done. We did this and the system failed. It appears that the previous owner did not have permits for any of the systems that were put in place. As this would cost approximately \$25,000 we have been trying to come up with this large sum of money and we could not commit to having the work done until we had done so. We have since obtained a second mortgage on our property and have sent you a letter committing ourselves to having the septic system replaced. We have retained the services of Steven Rogers.

Once again, should it be necessary, we would like to attend the November 16th meeting so that we may speak to the emotional and financial hardships that this rezoning process is causing us.

Sincerely,
Bill Wood

On 2017-10-13 10:30 AM, Dan Passmore wrote:

Good Morning;

After consideration of this latest information, and further to my last e-mail to you on October 6, 2017, I must now advise you that I will be reporting on the current situation to the Board at their November 16, 2017 regular meeting. At this point, I can either report that you have engaged a hydrogeologist, or that you have not, depending on the result of your efforts.

I will also need to report to the Board that you have continued to occupy the 3 dwelling units on the property, despite the fact that they are non-conforming to the Zoning Bylaw.

Regards

Dan Passmore | Senior Planner
Development Services
Columbia Shuswap Regional District
T: 250.833.5915 | F: 250.832.3375 | TF: 1.888.248.2773
E: dpassmore@csrd.bc.ca | W: www.csrd.bc.ca



Please consider the environment before printing this e-mail

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

From: Bill Wood [<mailto:wjilwood@gmail.com>]
Sent: Sunday, October 8, 2017 8:45 AM

To: Dan Passmore <dpassmore@csrd.bc.ca>

Subject: Well testing

Mr. Dan Passmore

This is what I received from Dan Watterson on Friday afternoon.

I will contact Marta Green on Tuesday.

I will keep you advised.

Bill Wood

HI Bill

I spoke with Max about your well situation and unfortunately I do not think I will be able to help you. The truth is, as we spoke I am uncomfortable with dug wells because of the excessive potential liability and because my well report becomes part of the property title.

I recommend contacting Marta Green at Associated Environmental in Vernon. She is a hydrogeologist and may be able to help you out. Her number is [250-545-3672](tel:250-545-3672)

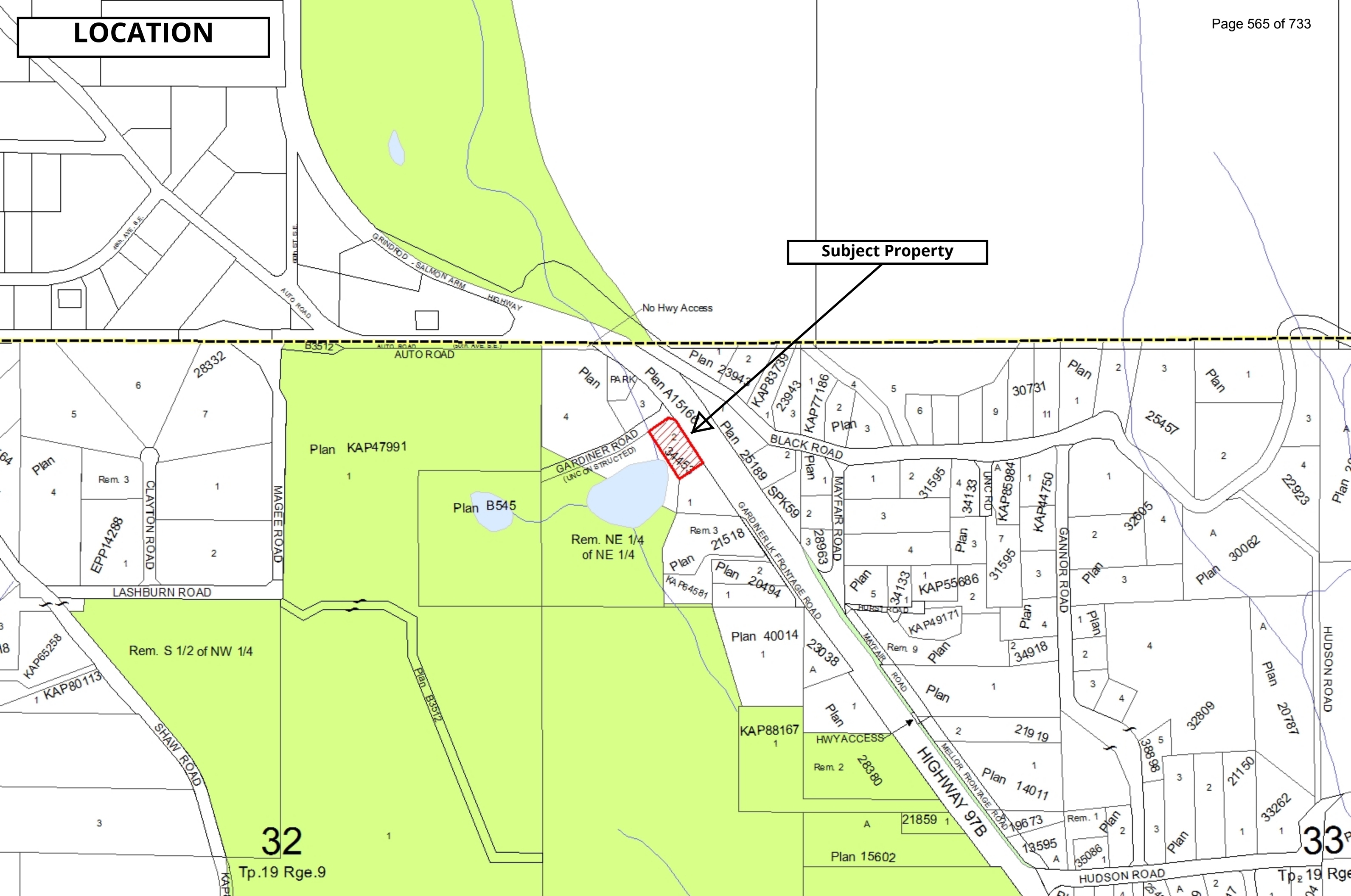
I wish you the best with your rezoning effort

Referral Responses

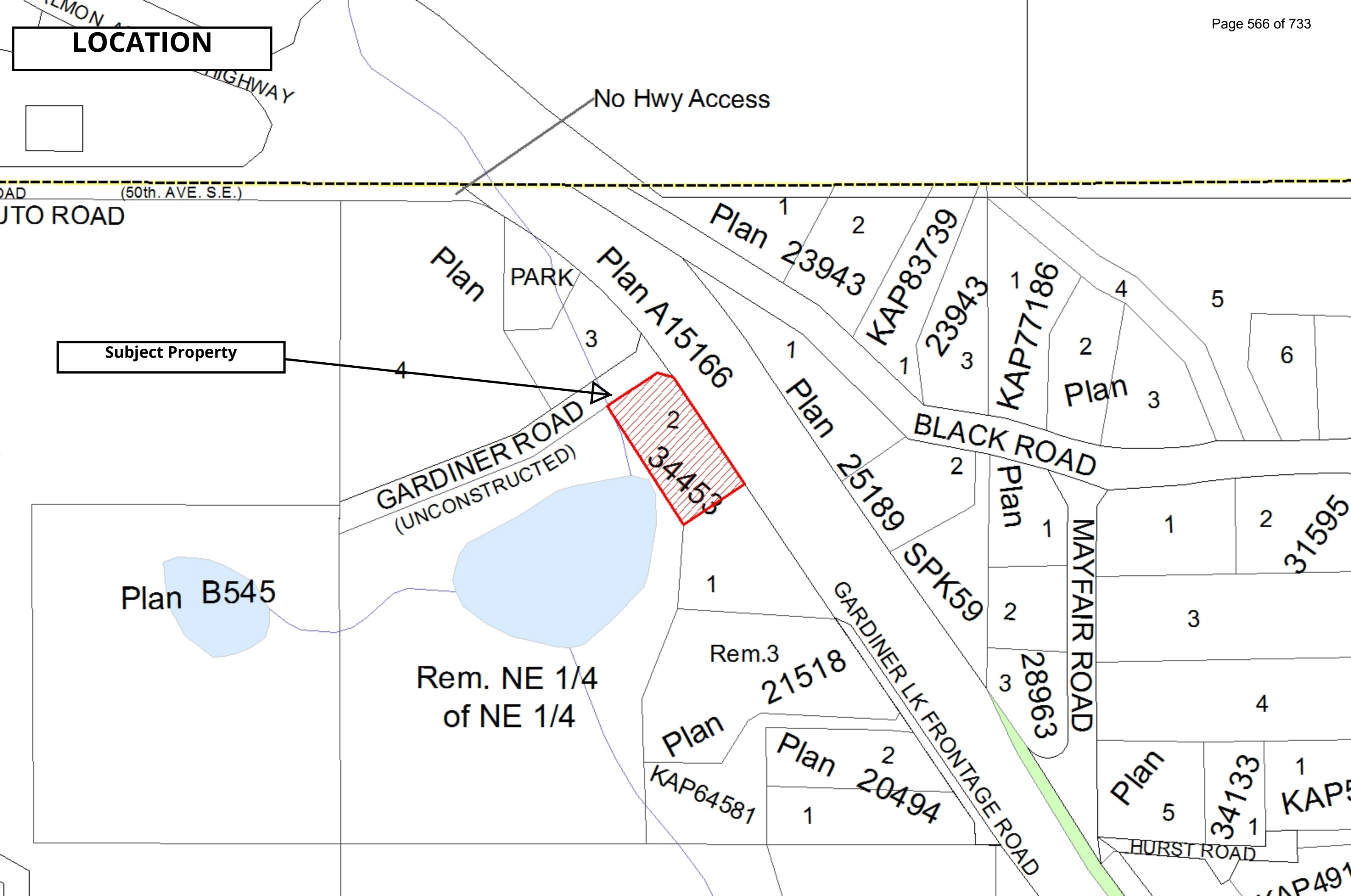
Area 'D' Advisory Planning Commission	Recommended that the Board not support the bylaw.
Interior Health Authority	<p>A review has been completed. Due to the relatively small size of the parcel it is reasonable to assume the capacity of the subject property to be self sufficient in terms of maintaining safe distances between water sources and onsite sewerage systems will be limited; especially as the amount of suitable land for onsite sewerage will be further restricted by the proximity of Gardiner Lake and Canoe Creek and the slope up to the highway. In addition, it is always advisable to have 2 areas of land identified for onsite sewerage; 1 for existing needs and another for the future when the initial field malfunctions (onsite sewerage systems have a limited lifespan).</p> <p>As such, IHA suggests this proposal should not be supported until a site specific onsite sewerage technical assessment of the subject lot is completed by Authorized Person under the Sewerage System Regulation and demonstrates the parcel is capable of being self-sufficient with the existing 3 dwellings. I also suggest sewerage back-up area(s) should be identified and protected with a restrictive covenant.</p>
Ministry of Transportation and Infrastructure	The Ministry has no objections, in principle to this proposal. If any structures encroach into the setback area or into the Highway RoW, a permit will be required from this office.
City of Salmon Arm	No response.
CSRD Operations Management	No concerns.
School District #83	No response.
Adams Lake Indian Band	No response.
Coldwater Indian Band	No response.
Cooks Ferry Indian Band	No response.
Esh-kn-am Cultural Resources Management Services	No response.
Lower Similkameen Indian Band	No response.
Neskonlith Indian Band	No response.
Nlaka'pamux Nation Tribal Council	No response.
Okanagan Indian Band	No response.
Okanagan Nation Alliance	No response.

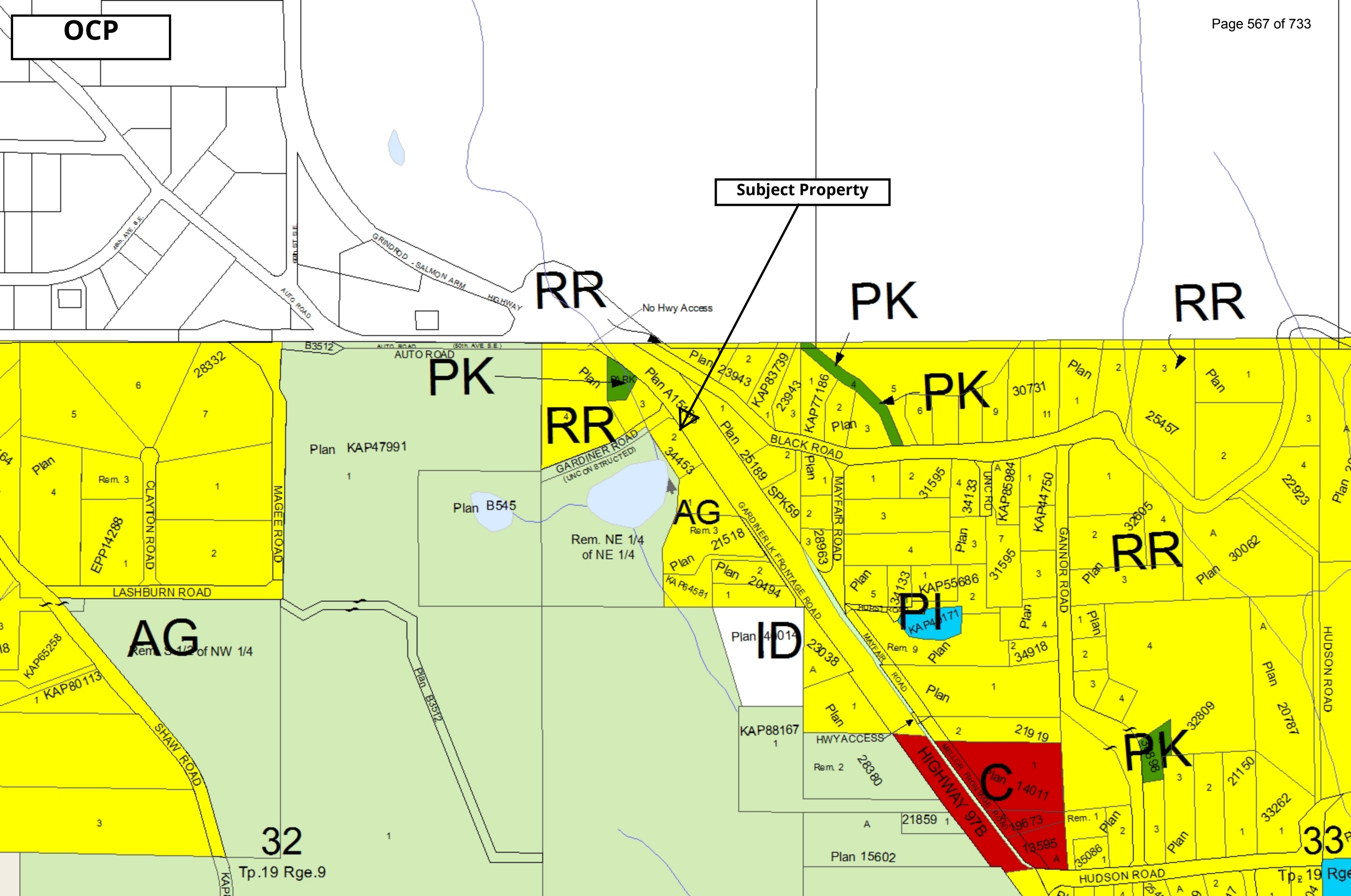
Penticton Indian Band	Acknowledges receipt of the referral and requests additional information. Information provided. No further response.
Siska Indian Band	No response.
Splats'in First Nation	No response

Subject Property



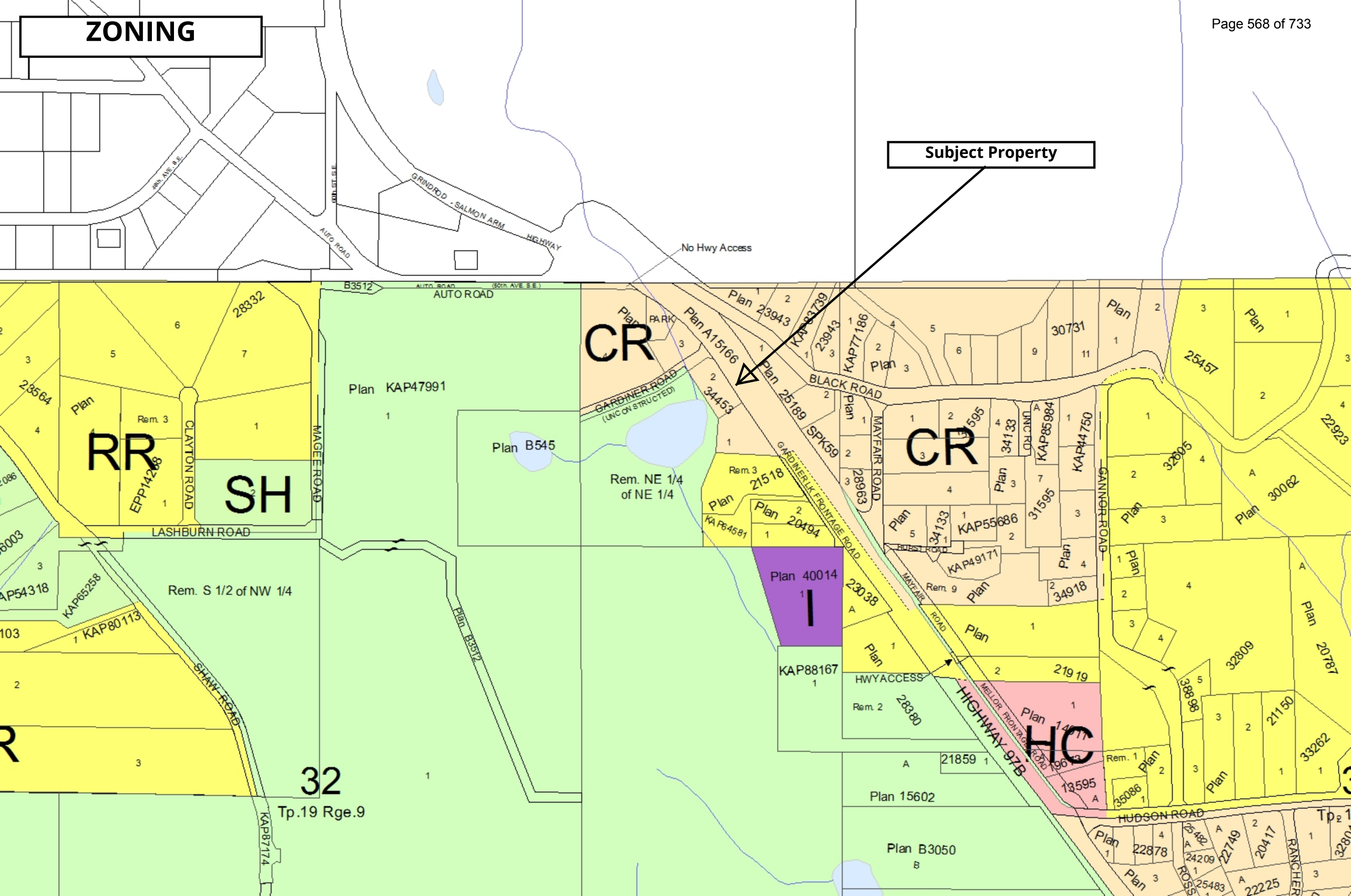
LOCATION

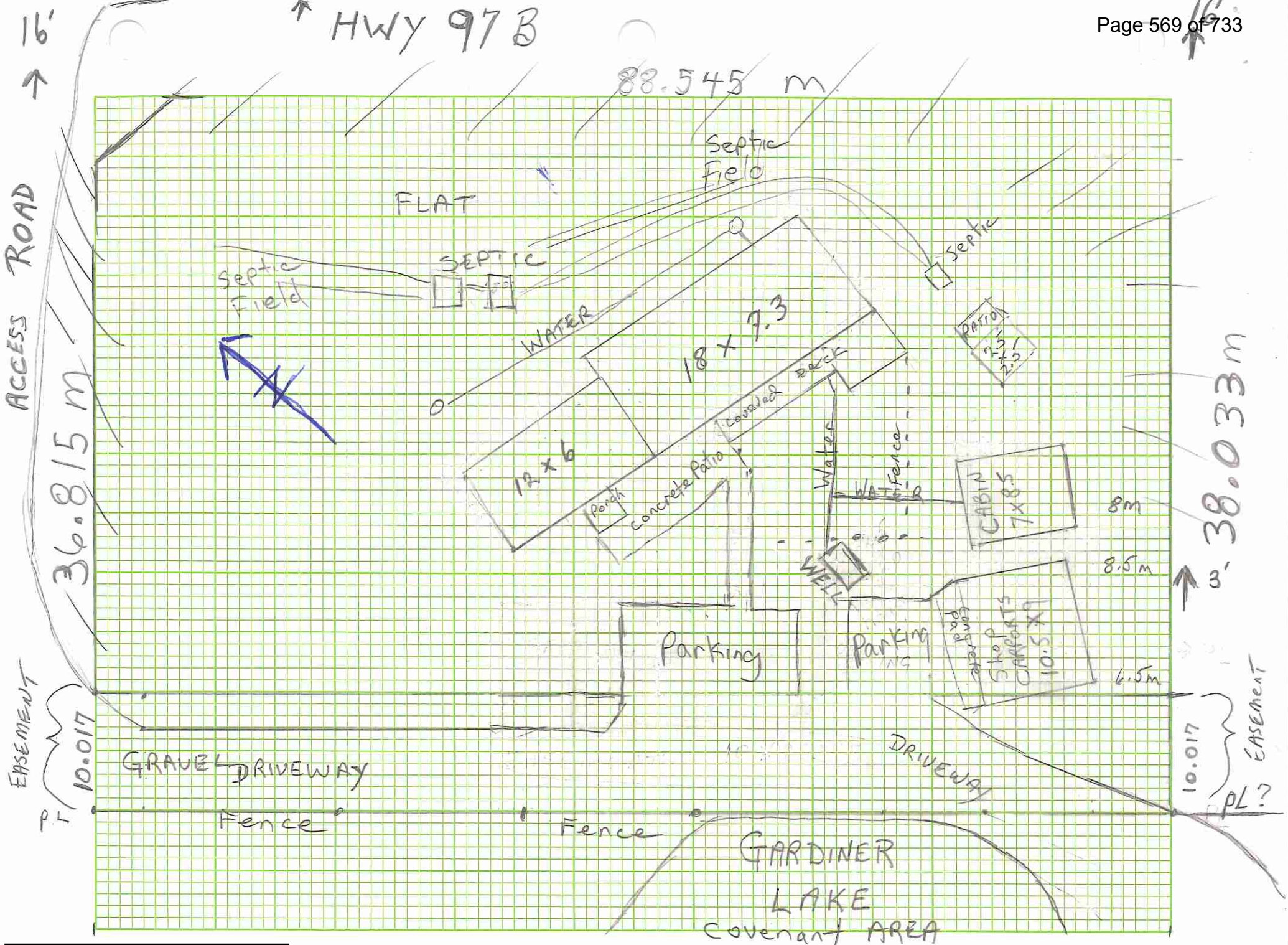




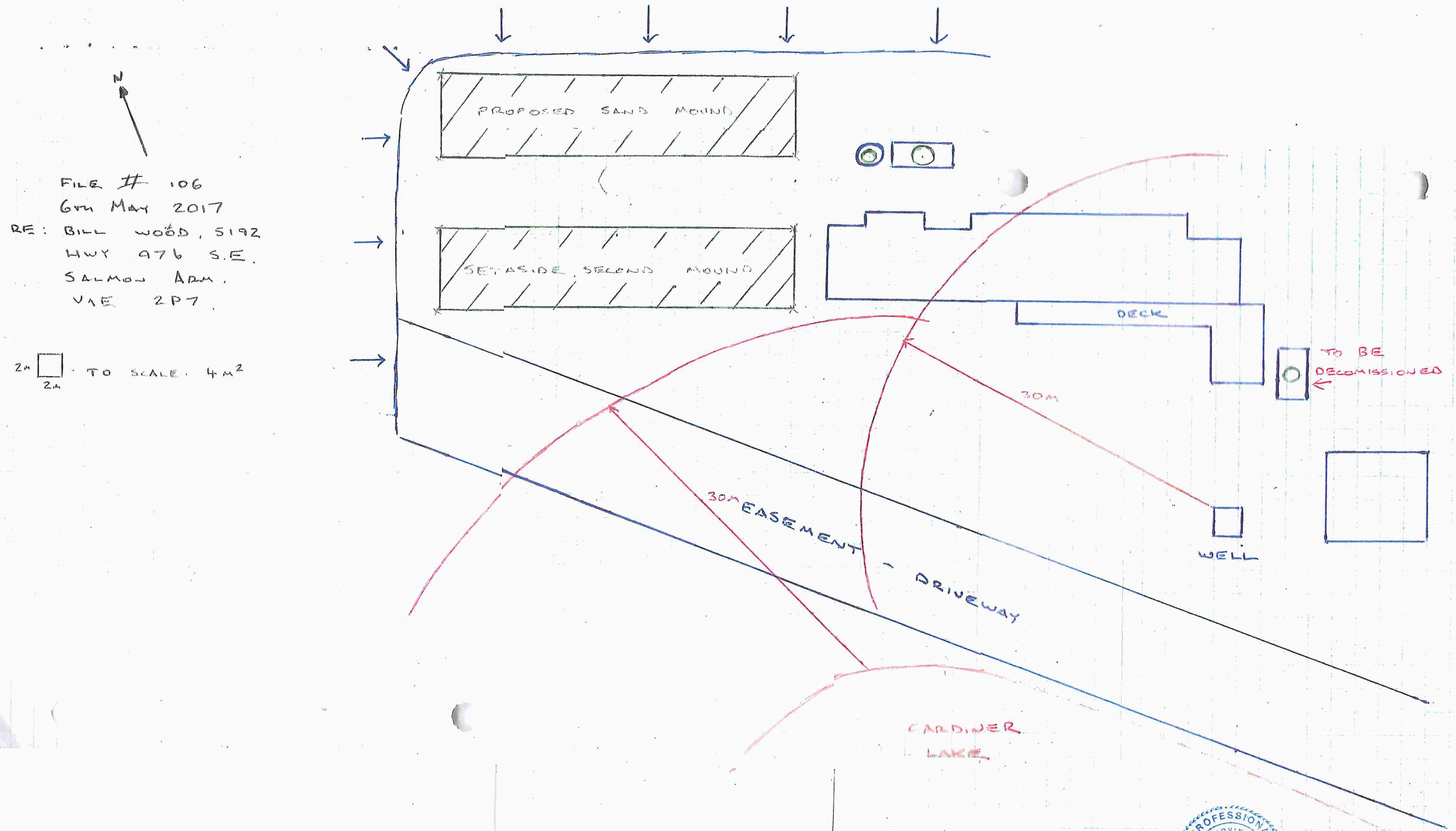
ZONING

Subject Property





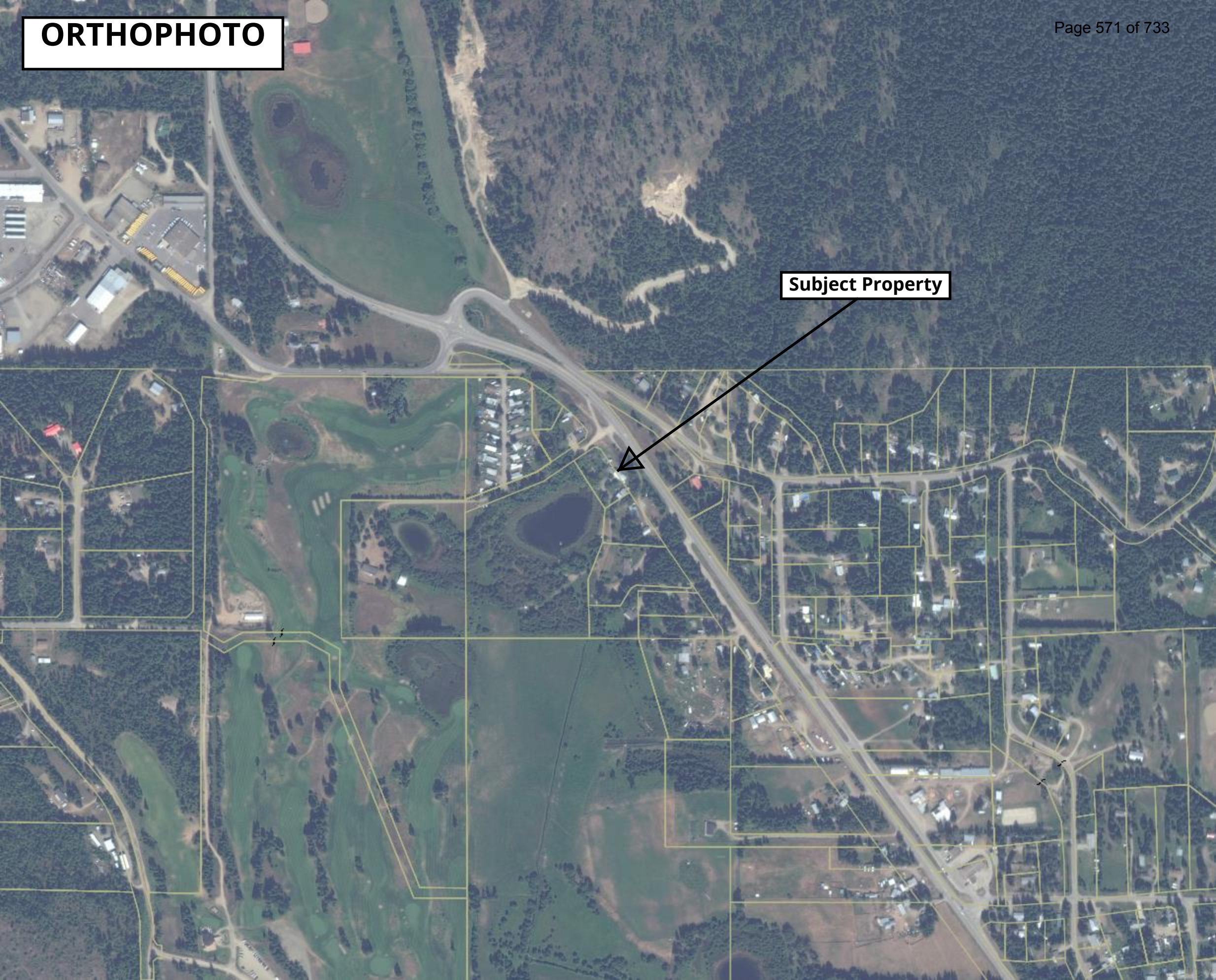
SITE PLAN



SEPTIC DESIGN PLAN



Subject Property





ORTHOPHOTO



BOARD REPORT

TO: Chair and Directors

File No: BL900-19
PL20170056

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

DESCRIPTION: Report from Christine LeFloch, Development Services Assistant, dated October 17, 2017.
655 Swanbeach Road, Swansea Point

RECOMMENDATION #1: THAT: "Lakes Zoning Amendment (Layden) Bylaw No. 900-19" be considered for third reading this 16th day of November, 2017.

RECOMMENDATION #2: THAT: "Lakes Zoning Amendment (Layden) Bylaw No. 900-19" be considered for adoption this 16th day of November, 2017.

SHORT SUMMARY:

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 associated with 655 Swanbeach Road. 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 property legally described as Lot 4, Section 11, Township 21, Range 8, W6M, KDYD, Plan 9181, which contains the existing fixed dock.

The Board gave second reading to BL900-19 at their meeting held August 17, 2017 and delegated a public hearing to be chaired by Director Martin as Director for Electoral Area E. The public hearing was held on September 20, 2017 at the Sicamous and District Recreation Centre. There were 8 members of the public in attendance, including the owners and applicant. The notes of the public hearing and three letters of opposition received are attached to this report along with several letters of support received prior to second reading. It is now appropriate for the Board to consider the bylaw for third reading and adoption.

VOTING:	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:

AGENT:
Nexus Dock and Marina c/o Lorna Eng

REGISTERED OWNER:
Terry Layden

ELECTORAL AREA:
E

LEGAL DESCRIPTION:

Lot 4, Section 11, Township 21, Range 8, West of the 6th Meridian, Kamloops Division Yale District, Plan 9181

CIVIC ADDRESS:

655 Swanbeach Road

SURROUNDING LAND USE PATTERN:

North: Mara Lake

South: Residential

East: Residential

West: Residential

CURRENT & PROPOSED USE:

Single Family Dwelling, fixed dock, mooring buoy

PARCEL SIZE:

.086 Ha (0.2 ac)

OCP/ZONING - Rural Sicamous Land Use Bylaw No. 2000:

RS – Residential

CURRENT FORESHORE ZONING – Lakes Zoning Bylaw No. 900:

FR1 - Foreshore Residential 1

PROPOSED LAKE ZONING:

FR1 – Foreshore Residential 1 with site specific regulation permitting a fixed dock setback a minimum of 1.8 m from the west property boundary.

AQUATIC HABITAT INDEX RATING:

Low

SHORE TYPE & VEGETATION:

Gravel beach with imported sand

SITE COMMENTS:

The subject property is located on Swanbeach Road in the Swansea Point area. The property is developed with a single family dwelling and has 15.24 m of lake frontage. The five lots immediately to the east are part of the same subdivision plan and all have the same amount of lake frontage. The two lots immediately to the west were formerly three lots in the same subdivision plan, but the boundaries were realigned to create two larger lots which have more lake frontage. The majority of the lots along this stretch of beach have fixed docks with long walkways and fingers. There are a few exceptions to this rule, including the adjacent property to the west which recently installed a floating dock which meets the size and siting requirements of Bylaw No. 900. Many of these houses are sited close to the high water mark and there are a few dock walkways that lead all the way to the house.

POLICY:

Please see the attached staff report dated 2017-06-15.

FINANCIAL:

The rezoning is the result of bylaw enforcement action. If the Board does not adopt the proposed amending bylaw, and the owner does not bring the property into compliance by replacing the fixed dock with a floating dock of the required size, the Board may then wish to direct staff to seek a legal opinion regarding possible court action. Costs for the legal opinion and possible court action, although partially recoverable through court, could nonetheless be substantial. Staff involvement in legal action is not recoverable.

KEY ISSUES/CONCEPTS:

This application proposes to add a site specific zone to the FR1 Zone of Lakes Zoning Bylaw No. 900 to recognize an existing fixed dock that is currently sited too close to the west side boundary of the subject property as projected onto the foreshore. At the August 17, 2017 Board meeting the Board gave the bylaw amendment 2nd reading as amended and referred it to a public hearing to be held in Sicamous and chaired by Electoral Area E Director, Rhona Martin.

A public hearing was held on September 20, 2017 at the Sicamous and District Recreation Centre to hear representations from the public regarding the proposed bylaw amendment. The owners, the applicant and her son were in attendance along with 4 interested members of the public who live in the Sorrento area and represent a group called the Sorrento Beach Walkers. This group advocates for the public's right to walk the Crown foreshore unimpeded. Although not from the immediate community, the members of this group are interested in the outcome of this application. They brought a "beach rider" to the meeting, which is a wheelchair adapted for use in the beach environment. This was brought to demonstrate the types of users who may want to access the public foreshore. Three letters of opposition were received by members of this group.

Prior to the August Board meeting a letter including several signatures from abutting property owners and other neighbours in the area was received offering support to the rezoning application. A letter was also received from the applicant Lorna Eng, of Nexus Dock and Marina, outlining the reasons the dock was reconstructed as it was.

Referral comments received from Ministry of Forests, Lands, Natural Resource Operations and Rural Development recommended approval of the bylaw amendment as the dock has been in the same location for several years, and they have not received any complaints from the owners of the affected neighbouring property to the west. They have also noted that when the piles are replaced the dock owner will need to adhere to current setback requirements.

In preparing a recommendation on this application staff have taken the support of the immediate neighbourhood into consideration. However, staff also recognize that the issue raised by the members of the Sorrento Beach Walkers is also an important consideration when dealing with applications for foreshore structures. The foreshore is publicly owned, and the right of the public to access and walk the beach should be considered when reviewing applications from waterfront property owners to place structures on the foreshore. In this case, the design of the dock includes a ramp intended to allow access over the structure to those walking the beach.

SUMMARY:

The applicant has replaced an older fixed dock with a new fixed dock of the same size and configuration using the existing piles. They have applied for an amendment to the FR1 Zone which would permit a fixed dock to be sited on the foreshore adjacent to the subject property only and would include a variance to allow the dock to be sited within the required setback from the west property boundary as

projected onto the foreshore. Front Counter BC has issued a Specific Permission for this dock. Based on the positive input received from neighbouring property owners for this proposal staff is recommending that Bylaw 900-19 be considered for third reading and adoption.

IMPLEMENTATION:

If the Board reads Bylaw No. 900-19 a third time and adopts the bylaw amendment, staff will advise the owner and applicant of the Board's decision. Bylaw No. 900 will be amended to include the site specific provisions for the subject property and the bylaw enforcement file will be closed.

COMMUNICATIONS:**Consultation Process**

CSRD Policy P-18 regarding Consultation Processes-Bylaws, indicates that a simple consultation process can be followed. Following first reading the applicant posted a Notice of Development sign on the property to alert the neighbourhood regarding the application. A public hearing was held on September 20, 2017 to receive input from the public. All adjacent property owners within 100 m were sent notice of the public hearing by mail and ads were placed in two issues of the Shuswap Market News in accordance with the requirements of the Local Government Act. Notices were also posted on the CSRD bulletin board and the CSRD website.

Referrals were sent to a number of agencies and first nations. Referral comments were summarized in the staff report dated July 28, 2017 (attached).

DESIRED OUTCOMES:

That the Board consider "Lakes Zoning Amendment (Layden) Bylaw No. 900-19" for third reading and adoption.

BOARD'S OPTIONS:

1. *Endorse the Recommendation. Bylaw No. 900-19 will be given third reading and adopted.*
2. *Deny the Recommendation. Bylaw No. 900-19 will be defeated and Bylaw Enforcement would continue.*
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

Report Approval Details

Document Title:	2017-11-16_Board_DS_BL900-19_Layden.docx
Attachments:	<ul style="list-style-type: none"> - 2017-06-15_Board_DS_BL900-19_Layden.pdf - 2017-08-17_Board_DS_BL900-19_Layden (2nd PH).pdf - BL900-19_First.pdf - BL900-19_Second_amended.pdf - BL900-19_Third.pdf - Public_Submissions_BL900-19.pdf - Public_hearing_notes_2017-09-20_BL900-19.pdf - Agency_Referral_Responses_BL900-19.pdf - Maps_Plans_Photos_BL900-19.pdf
Final Approval Date:	Nov 6, 2017

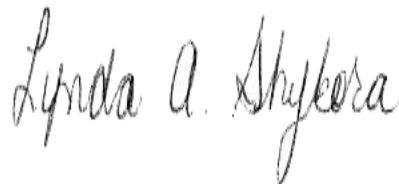
This report and all of its attachments were approved and signed as outlined below:



Corey Paiement - Nov 2, 2017 - 7:58 AM



Gerald Christie - Nov 6, 2017 - 7:15 AM



Lynda Shykora - Nov 6, 2017 - 10:33 AM



Charles Hamilton - Nov 6, 2017 - 11:04 AM



BOARD REPORT

TO:
Chair and Directors
File No:

 BL900-19
 PL20170056

SUBJECT:

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

DESCRIPTION:

 Report from Christine LeFloch, Development Services Assistant,
 dated May 8, 2017.
 655 Swanbeach Road, Swansea Point

RECOMMENDATION #1: THAT: "Lakes Zoning Amendment (Layden) Bylaw No. 900-19" be read a first time this 15th day of June, 2017;

AND THAT: The Board utilize the simple consultation process for Bylaw No. 900-19 and it be referred to the following agencies and First Nations:

- Department of Fisheries and Oceans;
- Navigation Canada;
- Ministry of Forests Lands and Natural Resource Operations – Lands Branch
- CSR D Operations Management; and
- All relevant First Nations Bands and Councils.

SHORT SUMMARY:

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 associated with 655 Swanbeach Road. 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 property legally described as Lot 4, Section 11, Township 21, Range 8, W6M, KDYD, Plan 9181, which contains the existing fixed dock.

VOTING:

 Unweighted ☐
 Corporate

 LGA Part 14 ☒
 (Unweighted)

 Weighted ☐
 Corporate

 Stakeholder ☐
 (Weighted)

BACKGROUND:
AGENT:

Nexus Dock and Marina c/o Lorna Eng

REGISTERED OWNER:

Terry Layden

ELECTORAL AREA:

E

LEGAL DESCRIPTION:

Lot 4, Section 11, Township 21, Range 8, West of the 6th Meridian, Kamloops Division Yale District, Plan 9181

CIVIC ADDRESS:

655 Swanbeach Road

SURROUNDING LAND USE PATTERN:

North: Mara Lake

South: Residential

East: Residential

West: Residential

CURRENT & PROPOSED USE:

Single Family Dwelling, fixed dock, mooring buoy

PARCEL SIZE:

.086 Ha (0.2 ac)

OCP/ZONING - Rural Sicamous Land Use Bylaw No. 2000:

RS – Residential

CURRENT FORESHORE ZONING – Lakes Zoning Bylaw No. 900:

FR1 - Foreshore Residential 1

PROPOSED LAKE ZONING:

FR1 – Foreshore Residential 1 with site specific regulation permitting a fixed dock setback a minimum of 1.8 m from the west property boundary.

AQUATIC HABITAT INDEX RATING:

Low

SHORE TYPE & VEGETATION:

Gravel beach with imported sand

SITE COMMENTS:

The subject property is located on Swanbeach Road in the Swansea Point area. The property is developed with a single family dwelling and has 15.24 m of lake frontage. The five lots

immediately to the east are part of the same subdivision plan and all have the same amount of lake frontage. The two lots immediately to the west were formerly three lots in the same subdivision plan, but the boundaries were realigned to create two larger lots which have more lake frontage. The majority of the lots along this stretch of beach have fixed docks with long walkways and fingers. There are a few exceptions to this rule, including the adjacent property to the west which recently installed a floating dock which meets the size and siting requirements of Bylaw No. 900. Many of these houses are sited very close to the high water mark and there are a few dock walkways that lead all the way to the house.

POLICY:**Rural Sicamous Land Use Bylaw No. 2000**

Part 1.4 POLICIES

1.4.1 General Form and Character of Development

(o) Two separate types of OCP designations providing for private and public uses supporting water-based recreation uses. It is intended that these two land use categories will only be applied to the foreshore and water of Shuswap and Mara Lakes. The Foreshore Water OCP designation primarily provides for uses associated with existing residential development that is located on parcels contiguous with the natural boundary and where the uses will be compatible with the uses and character of the land above the natural boundary. The Foreshore Water Commercial OCP designation is intended to be limited to those locations where there is a commercial land use category on a parcel that is contiguous with the area in the Foreshore Water Commercial OCP designation and where the uses will be compatible with the uses and character of the land above the natural boundary.

Lakes Zoning Bylaw No. 900

Definitions:

BERTH is a moorage space for a single vessel at a fixed or floating dock.

FIXED DOCK is a structure used for the purpose of mooring boat(s) which may include multiple berths and may have permanent links to the shore and lakebed, such as piles or fixed decks.

FLOATING DOCK is a structure used for the purpose of mooring boat(s) which may include multiple berths but which does not include permanent physical links to shore or lakebed, except cables.

PRIVATE MOORING BUOY is a small floating structure used for the purpose of boat moorage, typically composed of rigid plastic foam or rigid molded plastic, and specifically manufactured for the intended use of boat moorage, but does not include a fixed or floating dock or swimming platform.

SWIMMING PLATFORM is a floating structure used for non-motorized recreational activities, such as swimming, diving and sun-bathing, but not boat mooring.

FR1 – Foreshore Residential 1 Zone

Permitted uses:

- 1 floating dock, including removable walkway that is accessory to a permitted use on an adjacent waterfront parcel. The floating dock surface must not exceed 24 m² in total upward facing surface area (not including removable walkway), and 3 m in width for any portion of the dock. Removable walkway surface must not exceed 1.5 m in width.

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 from the side parcel boundaries of that waterfront parcel (and adjacent semi-waterfront parcel in the case of private mooring buoys), projected onto the foreshore and water.
- 6 m 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 from any existing structures on the foreshore or water.
- 50 m from any boat launch ramp or marina.
- Private mooring buoy(s) that is accessory to a permitted use on an adjacent waterfront parcel or an adjacent semi-waterfront parcel. (1 per adjacent semi-waterfront parcel, 1 per adjacent waterfront parcel having a lake boundary length of less than 30 m, and 2 per adjacent waterfront parcel having a lake boundary length of 30 m or more).
- Boat lift(s) that is accessory to a permitted use on an adjacent waterfront parcel.

The surface of the lake adjacent to the subject property is currently zoned FR1. The FR1 zone permits one floating dock with a maximum upward facing surface area of 24 m², and 1 private mooring buoy for the subject property as it has less than 30 m of lake frontage.

The proposal would add a site specific regulation to the FR1 Zone to permit the existing fixed dock in association with the subject property only, and to include a variance to the required setbacks to allow it to remain in its existing location.

FINANCIAL:

The rezoning is the result of a bylaw enforcement action. If the Board does not adopt the proposed amending bylaw, and the owner does not bring the property into compliance by replacing the fixed dock with a floating dock of the required size, the Board may then wish to direct staff to seek a legal opinion regarding possible court action. Costs for the legal opinion and possible court action, although partially recoverable through court, could nonetheless be substantial. Staff involvement in legal action is not recoverable.

KEY ISSUES/CONCEPTS:

The owner of the subject property has indicated that there has been a fixed dock in this location since prior to his purchase of the property in 2000. He has a current Provincial license of occupation #338293. The former wooden dock was grounding on the foreshore so the dock was replaced in the same configuration and location but using new materials and including "feet" that would prevent the dock from grounding during low water.

Nexus Docks, acting as agent for the owner, contacted CSRD staff two years ago to ask whether the dock design was acceptable. At that time, staff advised that the regulations of the FR1 Zone were applicable, and provided the definitions for floating and fixed docks for clarity. The applicant also contacted Front Counter BC and made application for a Specific Permission for the proposed dock.

Front Counter BC did not refer the Specific Permission application to the CSRD during their processing and CSRD staff did not hear anything further regarding the new dock until Bylaw Enforcement was called to investigate the installation of a new fixed dock at the subject property. Throughout the investigation the agent contended that what they had installed was a "floating dock" despite the fact that it was constructed using pilings.

Lakes Zoning Bylaw No. 900 defines a floating dock as a dock *"which does not include permanent physical links to shore or lakebed, except cables"*, and a fixed dock as a dock *"which may include multiple berths and may have permanent links to the shore and lakebed, such as piles or fixed decks"*. However, the Province considers a dock to be floating as long as it has the ability to rise and fall with the water level, even if pilings are used. The applicant claims that the mistake was due to a misunderstanding of the CSRD bylaw. Staff note that if the application for Specific Permission had been referred to the CSRD this error would have been caught prior to dock installation.

The new dock was installed using the existing pilings. However, these pilings are not located in compliance with either Provincial or CSRD setbacks. The required setback is 5 m from both side parcel boundaries. The dock is currently sited 1.8 m from the west property boundary and 6 m from the east property boundary. Due to the dock being constructed using "fingers" oriented at right angles to the walkway there is not enough room for the dock to meet the required setbacks on both sides.

There are a few ways that better compliance with the required setbacks could be achieved:

1. The dock could be reconfigured with the dock platform oriented straight from the end of the walkway, and the fingers removed. This configuration would result in the ability to relocate the dock in compliance with the required 5 m setbacks on both sides with an additional 2 metres to spare.
2. The dock could be reconfigured with the dock platform oriented in a 'T' at the end of the walkway, and the fingers removed. This configuration would result in the ability to relocate the dock in compliance with the 5 m setback on one side, but would require a reduction in setback for the other side from 5 m to 4.24 m to be included in the site specific regulation.

3. If the dock remains in its current configuration with the dock platform and fingers oriented at right angles to the walkway, it could be moved 1 m east of its current location and still meet the setback requirements on the east side. However it still would fall short of the required setback on the west side by 2.2 m therefore a reduction in setback from 5 m to 2.8 m would need to be included in the site specific regulation.

All of the above scenarios would involve relocating the existing pilings.

4. Finally, the site specific zoning regulation could include a reduction in setback for the west side setback from 5 m to 1.8 m to allow the dock to remain where it is currently sited.

It is noted that the property to the east also has a large fixed dock that is sited 2.9 m from the Layden property line and the property to the west has a new floating dock that was designed and placed in compliance with Bylaw No. 900 regulations. This dock is sited 5.79 m from the Layden property line.

At this time staff is recommending that the bylaw amendment not include any reduction in setbacks as it is possible to reconfigure the dock and relocate it to meet the required setbacks. However, it is recognized that as the bylaw moves through the amendment process feedback may be received from agencies, neighbours and the general public which may result in changes to this recommendation. The staff recommendation suggests that the bylaw be given first reading and referred out to applicable agencies and first nations for comments. Amendments to the bylaw may be made at future readings at the discretion of the Board.

This property is located four lots to the west of the Remington property which recently completed a similar rezoning process. In that case the dock was sited at 0 m from the west property line. The Province had ordered the property owner to move the dock into compliance with the required 5 m setback which was noted on their Specific Permission document. The CSRD supported the Province's requirement for the dock to comply with the 5 m setback and also required the dock to be relocated in compliance with the required 5 m setback from the west side. A reduction to the setback on the east side was included in the specific permission. In that case the east side of the property is adjacent to a CSRD park which requires an additional metre of setback distance which the dock was not able to comply with. The Remingtons have arranged to have their dock relocated in fall 2017.

While each application is looked at based on its own merits, staff feel that a consistent approach to dealing with dock siting issues should be taken wherever possible. The suggested approach is to attempt to achieve the Bylaw No. 900 setback requirements.

IMPLEMENTATION:

Consultation Process

CSRD Policy P-18 regarding Consultation Processes-Bylaws, indicates that a simple consultation process can be followed. Neighbouring property owners will become aware of the application following first reading when a Notice of Development sign is posted on the property.

COMMUNICATIONS:

If the Board gives Bylaw No. 900-19 first reading, the bylaw will be sent out to referral agencies. Referral responses will be provided to the Board with a future Board report, prior to delegation of a public hearing.

DESIRED OUTCOMES:

That the Board endorse the staff recommendation.

BOARD'S OPTIONS:

1. *Endorse the Recommendation. Bylaw No. 900-19 will be given first reading, and will be sent out for referrals.*
2. *Decline first reading. Bylaw No. 900-19 will be defeated. The file would be referred to Bylaw Enforcement staff for follow up.*
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

Report Approval Details

Document Title:	2017-06-15_Board_DS_BL900-19_Layden.docx
Attachments:	- BL900-19 - Maps and Plans.pdf - BL900-19 - Photos.pdf - BL900-19 - First.pdf
Final Approval Date:	Jun 7, 2017

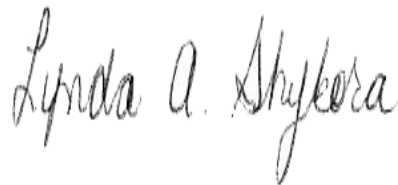
This report and all of its attachments were approved and signed as outlined below:



Corey Paiement - Jun 6, 2017 - 9:05 AM



Gerald Christie - Jun 6, 2017 - 9:31 AM



Lynda Shykora - Jun 7, 2017 - 10:16 AM



Charles Hamilton - Jun 7, 2017 - 10:25 AM

Report Approval Details

Document Title:	2017-06-15_Board_DS_BL900-19_Layden.docx
Attachments:	- BL900-19 - Maps and Plans.pdf - BL900-19 - Photos.pdf - BL900-19 - First.pdf
Final Approval Date:	Jun 9, 2017

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



Corey Paiement - Jun 8, 2017 - 1:32 PM



Gerald Christie - Jun 8, 2017 - 1:33 PM

No Signature - Task assigned to Lynda Shykora was completed by assistant Emily Johnson

Lynda Shykora - Jun 9, 2017 - 8:11 AM



Charles Hamilton - Jun 9, 2017 - 8:33 AM



BOARD REPORT

TO:
Chair and Directors
File No:

 BL900-19
 PL20170056

SUBJECT:

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

DESCRIPTION:

 Report from Christine LeFloch, Development Services Assistant,
 dated July 28, 2017.
 655 Swanbeach Rd, Swansea Point.

RECOMMENDATION #1: THAT: "Lakes Zoning Amendment (Layden) Bylaw No. 900-19" be read a second time, as amended this 17th day of August, 2017.

RECOMMENDATION #2: 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.

SHORT SUMMARY:

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 associated with 655 Swanbeach Road. 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 property legally described as Lot 4, Section 11, Township 21, Range 8, W6M, KDYD, Plan 9181, which contains the existing fixed dock. The Board gave first reading the BL900-19 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 are summarized in this report. 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.

VOTING:	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:

AGENT:

Nexus Dock and Marina c/o Lorna Eng

REGISTERED OWNER:

Terry Layden

ELECTORAL AREA:

E

LEGAL DESCRIPTION:

Lot 4, Section 11, Township 21, Range 8, West of the 6th Meridian, Kamloops Division Yale District,
Plan 9181

CIVIC ADDRESS:

655 Swanbeach Road

SURROUNDING LAND USE PATTERN:

North: Mara Lake

South: Residential

East: Residential

West: Residential

CURRENT & PROPOSED USE:

Single Family Dwelling, fixed dock, mooring buoy

PARCEL SIZE:

.086 Ha (0.2 ac)

OCP/ZONING - Rural Sicamous Land Use Bylaw No. 2000:

RS – Residential

CURRENT FORESHORE ZONING – Lakes Zoning Bylaw No. 900:

FR1 - Foreshore Residential 1

PROPOSED LAKE ZONING:

FR1 – Foreshore Residential 1 with site specific regulation permitting a fixed dock setback a
minimum of 1.8 m from the west property boundary.

AQUATIC HABITAT INDEX RATING:

Low

SHORE TYPE & VEGETATION:

Gravel beach with imported sand

SITE COMMENTS:

The subject property is located on Swanbeach Road in the Swansea Point area. The property is developed with a single family dwelling and has 15.24 m of lake frontage. The five lots immediately to the east are part of the same subdivision plan and all have the same amount of lake frontage. The two lots immediately to the west were formerly three lots in the same subdivision plan, but the boundaries were realigned to create two larger lots which have more lake frontage. The majority of the lots along this stretch of beach have fixed docks with long walkways and fingers. There are a few exceptions to this rule, including the adjacent property to the west which recently installed a floating dock which meets the size and siting requirements of Bylaw No. 900. Many of these houses are sited very close to the high water mark and there are a few dock walkways that lead all the way to the house.

POLICY:

Please see the attached staff report dated 2017-06-15.

FINANCIAL:

The rezoning is the result of a bylaw enforcement action. If the Board does not adopt the proposed amending bylaw, and the owner does not bring the property into compliance by replacing the fixed dock with a floating dock of the required size, the Board may then wish to direct staff to seek a legal opinion regarding possible court action. Costs for the legal opinion and possible court action, although partially recoverable through court, could nonetheless be substantial. Staff involvement in legal action is not recoverable.

KEY ISSUES/CONCEPTS:

This application proposes to add a site specific zone to the FR1 Zone of Lakes Zoning Bylaw No. 900 to recognize an existing fixed dock that is currently sited too close to the west side boundary of the subject property. At the June 15, 2017 Board meeting staff presented a number of options for reconfiguring the subject dock which could be used to achieve better compliance with the required setbacks for review and discussion by the Board. At that time staff recommended that the Board give the bylaw amendment first reading and that the amendment not include any reduction in setbacks. The Board supported the staff recommendation and the bylaw was given first reading and sent out for referrals.

Referral comments have now been received and are summarized in the communications section below. The Ministry of Forests, Lands, Natural Resource Operations, and Rural Development

recommended approval of the bylaw amendment as the dock has been in the same location for several years, and they have not received any complaints from the affected neighbouring property. They have also noted that when the piles are replaced the dock owner will need to adhere to current setbacks. CSRD Parks staff has noted that the subject property is located midway between two beach access parks and that the public foreshore offers a safer non-motorized connection between the two parks. While this is true, the location of the fixed dock would not have much of an effect on the ability of persons to walk the beach between parks.

A letter from Lorna Eng, of Nexus Dock and Marina, submitted on August 1, 2017, is attached to this report. In the letter Ms. Eng outlines the reasons why the dock was reconstructed as it was. Further, as of the writing of this report a letter including several signatures from neighbouring property owners has been received. This letter offers support to allowing the subject dock to remain in its existing location and has been signed by the owners of the abutting properties to both the east and west of the subject property along with a number of other owners in the area.

SUMMARY:

In the previous board report staff noted that there were a number of options for the board to consider regarding the proposed rezoning. It was noted that the staff recommendation may change as the bylaw moves through the process depending on input received from referral agencies and the public.

Based on the positive input received to date staff is recommending that the bylaw be given second reading as amended, and that the amendment include a variance to the west side yard setback to allow the dock to remain in its existing location and configuration.

IMPLEMENTATION:

Consultation Process

CSRD Policy P-18 regarding Consultation Processes-Bylaws, indicates that a simple consultation process can be followed. Following first reading the applicant posted a Notice of Development sign on the property to alert the neighbourhood regarding the application. If the Board approves the staff recommendation a public hearing will be scheduled to receive input from the public.

COMMUNICATIONS:

If a public hearing is delegated, staff will set a date for the public hearing, and proceed with notification of property owners within 100 metres and publication of notices as required by the Local Government Act. It is recommended that the public hearing be scheduled no less than 30 days after second reading to allow the public adequate time to view the signage posted on the property.

Bylaw 900-19 was sent out to the following referral agencies:

Area E Director (in lieu of Advisory Planning Commission)	No response.
Ministry of Forests, Lands, Natural Resource Operations and Rural Development – Lands Branch	Approval recommended. The dock has been located in the same location for several years and FLNRO has not received any complaints from the affected neighbouring property. When the piles are replaced the dock owner will need to adhere to current setback guidelines.
Ministry of Forests, Lands and Natural Resource Operations – Stewardship Branch	No response.
CSRD Operations Management	Parks – This property is 62 m from Canterbury Lake Access and 67 m from Swanson Lake Access, public parkland development with consent of MoTI to allow public water access. Below High Water Mark (HWM), is public land which would permit a non-motorized and safer connection between parks (each offering unique opportunities) than access along Swanbeach Road with heavy summer traffic. CSRD Parks supports the position presented by Development Services that encourages compliance with required setbacks and regulations rather than variances.
Navigation Canada	No objections
Adams Lake Indian Band	No response
Little Shuswap Indian Band	No response
Lower Similkameen Band	No response
Neskonlith Indian Band	No response
Okanagan Indian Band	No response
Okanagan Nation Alliance	No response
Penticton Indian Band	No response
Shuswap Indian Band	No response
Splat'sin First Nations	No response

DESIRED OUTCOMES:

The Board give "Lakes Zoning Amendment (Layden) Bylaw No. 900-19" second reading as amended and delegate a public hearing to hear representations from the public.

BOARD'S OPTIONS:

1. *Endorse the Recommendation. Bylaw No. 900-19 will be given second reading as amended and staff will schedule a public hearing.*
2. *Deny the Recommendation. Bylaw No. 900-19 will be defeated.*
3. *Defer.*
4. *Any other action deemed appropriate by the Board.*


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

1. List reports

Report Approval Details

Document Title:	2017-08-17_Board_DS_BL900-19_Layden.docx
Attachments:	<ul style="list-style-type: none">- BL900-19_Second_amended.pdf- BL900-19_First.pdf- 2017-06-15_Board_DS_BL900-19_Layden.pdf- Agency_Referral_Responses_BL900-19.pdf- Public_Submissions_BL900-19.pdf- Maps_Plans_Photos_BL900-19.pdf
Final Approval Date:	Aug 4, 2017

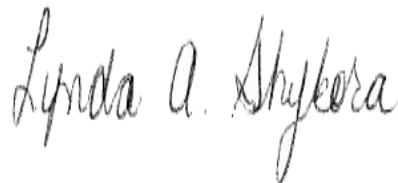
This report and all of its attachments were approved and signed as outlined below:



Corey Paiement - Aug 4, 2017 - 12:07 PM



Gerald Christie - Aug 4, 2017 - 1:50 PM



Lynda Shykora - Aug 4, 2017 - 2:11 PM



Charles Hamilton - Aug 4, 2017 - 2:55 PM

COLUMBIA SHUSWAP REGIONAL DISTRICT

LAKES ZONING AMENDMENT

(Layden) BYLAW NO. 900-19

A bylaw to amend the "Lakes Zoning Bylaw No. 900"

WHEREAS the Board of the Columbia Shuswap Regional District adopted Bylaw No.900;

AND WHEREAS the Board deems it appropriate to amend Bylaw No. 900;

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

1. Bylaw No. 900 cited as "Lakes Zoning Bylaw No. 900" is hereby amended as follows:

A. TEXT AMENDMENT

1. Schedule A, Zoning Bylaw Text, Part 4 Zones, Section 4.4, Foreshore Residential 1 Zone is hereby amended by:

i) Adding the following after subsection (c) Location and Siting:

"(d) Site Specific Permitted Uses

For the surface of the *lake* adjacent to Lot 4, Section 11, Township 21, Range 8, W6M, KDYD, Plan 9181, a *fixed dock* with a maximum upward facing surface area of 24 m² and a maximum walkway width of 1.52 is a permitted use. {Swanbeach Road}

2. This bylaw may be cited as "Lakes Zoning Amendment (Layden) Bylaw No. 900-19."

READ a first time this _____ day of _____, 2017.

READ a second time this _____ day of _____, 2017.

PUBLIC HEARING held this _____ day of _____, 2017.

READ a third time this _____ day of _____, 2017.

ADOPTED this _____ day of _____, 2017.

CORPORATE OFFICER

CHAIR

CERTIFIED a true copy of Bylaw No. 900-19
as read a third time.

CERTIFIED a true copy of Bylaw No. 900-19
as adopted.

Corporate Officer

Corporate Officer

COLUMBIA SHUSWAP REGIONAL DISTRICT

LAKES ZONING AMENDMENT

(Layden) BYLAW NO. 900-19

A bylaw to amend the "Lakes Zoning Bylaw No. 900"

WHEREAS the Board of the Columbia Shuswap Regional District adopted Bylaw No.900;

AND WHEREAS the Board deems it appropriate to amend Bylaw No. 900;

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

1. Bylaw No. 900 cited as "Lakes Zoning Bylaw No. 900" is hereby amended as follows:

A. TEXT AMENDMENT

1. Schedule A, Zoning Bylaw Text, Part 4 Zones, Section 4.4, Foreshore Residential 1 Zone is hereby amended by:

i) Adding the following after subsection (c) Location and Siting:

"(d) Site Specific Permitted Uses

For the surface of the *lake* adjacent to Lot 4, Section 11, Township 21, Range 8, W6M, KDYD, Plan 9181, a *fixed dock* with a maximum size of 24 m, maximum walkway width of 1.52 m and a setback of 1.8 m from the west property boundary is a permitted use.
{Swanbeach Road}

2. This bylaw may be cited as "Lakes Zoning Amendment (Layden) Bylaw No. 900-19."

READ a first time this 15th day of June, 2017.

READ a second time as amended, this _____ day of _____, 2017.

PUBLIC HEARING held this _____ day of _____, 2017.

READ a third time this _____ day of _____, 2017.

ADOPTED this _____ day of _____, 2017.

CORPORATE OFFICER

CHAIR

CERTIFIED a true copy of Bylaw No. 900-19
as read a third time.

CERTIFIED a true copy of Bylaw No. 900-19
as adopted.

Corporate Officer

Corporate Officer

COLUMBIA SHUSWAP REGIONAL DISTRICT

LAKES ZONING AMENDMENT

(Layden) BYLAW NO. 900-19

A bylaw to amend the "Lakes Zoning Bylaw No. 900"

WHEREAS the Board of the Columbia Shuswap Regional District adopted Bylaw No.900;

AND WHEREAS the Board deems it appropriate to amend Bylaw No. 900;

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

1. Bylaw No. 900 cited as "Lakes Zoning Bylaw No. 900" is hereby amended as follows:

A. TEXT AMENDMENT

1. Schedule A, Zoning Bylaw Text, Part 4 Zones, Section 4.4, Foreshore Residential 1 Zone is hereby amended by:

i) Adding the following after subsection (c) Location and Siting:

"(d) Site Specific Permitted Uses

For the surface of the *lake* adjacent to Lot 4, Section 11, Township 21, Range 8, W6M, KDYD, Plan 9181, a *fixed dock* with a maximum size of 24 m, maximum walkway width of 1.52 m and a setback of 1.8 m from the west property boundary is a permitted use.
{Swanbeach Road}

2. This bylaw may be cited as "Lakes Zoning Amendment (Layden) Bylaw No. 900-19."

READ a first time this 15th day of June, 2017.

READ a second time as amended, this 17th day of August, 2017.

PUBLIC HEARING held this 20th day of September, 2017.

READ a third time this _____ day of _____, 2017.

ADOPTED this _____ day of _____, 2017.

CORPORATE OFFICER

CHAIR

CERTIFIED a true copy of Bylaw No. 900-19
as read a third time.

CERTIFIED a true copy of Bylaw No. 900-19
as adopted.

Corporate Officer

Corporate Officer

September 17, 2017

Dear Christine LeFloch,

The Public Hearing Notice for the Amendment to Bylaw No. 900-19 states that attendees to this meeting should be 'anyone who believes that their interest in property is affected by the proposed bylaw amendment', and while one could perhaps argue that our waterfront property in Sorrento is not directly affected one can make a strong argument that it affects all lakeshore users. My family has owned property on Shuswap Lake, where I live year round, since 1945. As waterfront owners we are very privileged to have unlimited access to the lake and all of the pleasures that it offers from swimming to beach walking to bird watching. I'm deeply troubled by suggestions like this proposed Lake Zoning bylaw amendment because such changes will set a precedent for further installations of fixed docks along the Shuswap's foreshore, foreshore which is in fact Crown Land and so open to public access. I daily walk my dogs on the foreshore in all seasons and am increasingly faced with bigger and obstructive docks. I'm fit and have no mobility challenges and yet am at times challenged to make my way along the shore.

For multiple generations my family have acted as custodians to a piece of undisturbed forest on the waterfront, at the same time we have through the years witnessed the massive changes to the Shuswap area. While on one level like many I don't like to see those changes that the ever growing local population brings, on another I realize that these changes are inevitable. However, I cannot stress enough the need for responsible change that respects the lake's fragile ecosystems. We share this lake with many species including critical salmon habitats. That salmon habitat should be listed as one that will be directly effected by the proposed amendments to Bylaw No. 900-19 because all of these types of changes degrade the foreshore which is where the fingerlings feed and grow. I take no shame in hugging trees, but I also recognize the economic value of this lake and its habitats to regional tourist economies and the coastal fishing economies.

I have in attended public meetings regarding the docks, buoys, and development on Shuswap Lake, have applauded the bylaws that have been put in place, have witnessed the lack of implementation of these bylaws, and have made my concerns known by phone and email to relevant CSRD employees without any response. We must start making better and smarter long terms decisions that protect the water, foreshore, and watershed of Shuswap lake, and we must enforce them.

Thank you for hearing my concerns.

Regards,



Kristen Kornienko, MLA, PhD
1467 Blind Bay Rd
Sorrento, BC


 Dan McKerracher <danmckerracher@telus.net>

Re: Lakes Zoning Amendment (Layden) Bylaw No. 900 - 19

To Christine LeFloch

Cc: Honorable Doug Donaldson, Minister FLNR; Gerald Christie; Keith Weir, Kamloops Lands Branch; Al Janusas; Barb Brouwer; Director Cathcart; Director Parker; Director Demenok; Director Talbot; Director Martin; Director Morgan; Director Golden; Director Revelstoke; Director Sicamous; Director Salmon Arm 2; Darren Wilson; Dave Cunliffe, P. Eng., SWOA; Greg Kylo, MLA; Holly Cowan, MLA Executive Assistant; Kyle Beadman, RFT, Supervisor Thompson Okanagan Region, FLNR; Phil McIntyre-Paul; Ryan Nitchie; Scoop Newspaper--Jan & Tracy; Kristen Kornienko; Debbie Morris; Carmen Dawkins; Marilyn Dishon; Debra McDonald, Shuswap Adventure Trailrider Society; Adrienne & Gion Assaly; Shuswap Trail Alliance Lori Schneider Wood

I write as a concerned citizen, waterfront owner, and member of the Shuswap Beachwalkers within the Shuswap and Mara Lake foreshore environment to register my objection to the above Bylaw Amendment.

The proposed amendment was brought to my attention by another, more diligent member of our Shuswap Beachwalkers group here in Sorrento. Our group has been active for 13 months now in raising the awareness of the public--including waterfront owners and especially, owners of obstructive docks--and government officials at all levels regarding the illegal, inconsiderate, and/or unsafe presence of a number of private Sorrento-area docks that prevent the public from exercising their lawful right to safe lateral access along the foreshore from one road access point to another.

I drove to Swansea Point to view and take pictures of the dock in question on Thursday September 7. I can say with conviction that the subject of this proposed amendment, the Layden dock, is one of the most beautiful private docks I have ever seen--and since I have three of my own, all fibreglass roll-up docks that would certainly not be allowed today but which I've had on my shallow-beach waterfront since 2007, I feel I am somewhat of a connoisseur . . .

Knowing what my simple floating docks cost 10 years ago, I suggest this disputed pier-fixed and sand-supported dock system represents an investment somewhere well north of \$100,000. Understandable, then, that the owner sends the matter through the public hearing system in an attempt to retroactively legalize it. However, one presumes the same principles of judiciousness will be brought to bear by the CSRD Board and staff whether the dock is worth \$1500 or \$150,000.

I took a moment to also drive the neighbourhood a little, and especially to look at the Layden property front and back. I can therefore say the dock seems to be entirely in keeping with what I could see of the subject house and property in its infinite and meticulous attention to detail and trim. Taken together the house, property and dock system are pretty much straight out of *Home and Garden*, with apparently nothing left to chance.

Therein lies part of my concern. With all due respect, my credulity is stretched beyond the breaking point by the suggestion that neither the property and dock owner nor his professional Sicamous dock contractor were aware, or made themselves aware of the provisions and significance of Bylaw 900 in the several years it must have taken for the owner to first consider the many upgrading options for his aging pier-fixed obstructive timber dock, and then the many months of coordination with Lands Branch and especially with his chosen dock contractor, who presumably did not start and end his career with this one dock.

In any case whether they knew or not that Bylaw 900 has been law for 5 years and discussed at length before that and that it (among other things) forbids the pier-fixed replacement, is beside the point. A fundamental underpinning of common and criminal law in this country came to us through the Romans via the Latin expression, *Ignorantia juris non excusat* ("[ignorance](#) of the [law](#) excuses not").

Okay, I admit I had to look up the exact wording, but that doesn't make it any less true.

We know from our years' work with the Shuswap Beachwalkers and the comments and information we have received in that time from Blind Bay, Eagle Bay, along the 8 kilometres of Sorrento foreshore, and now at Swansea Point that there are likely hundreds, rather than dozens, of obstructive docks littering the foreshore of this beautiful, threatened drainage basin. I imagine all of these dock owners will be watching the outcome of this public hearing process with interest. As, presumably, will be Fisheries, Forest Lands and Natural Resources, Environment, human rights activists, the political and community leaders of the current Save the Foreshore program in Kelowna, and outdoor enthusiasts generally.

Obstructive docks represent a decades-old (in some cases, 60 years at least) entitlement on the part of waterfront owners; and on the other hand, neglect on the part of those government officials entrusted to protect the rights of all citizens--especially, as Ms. Morris points out in her own letter, seniors and those with mobility challenges for whom curb cuts and all-purpose community access facilities have been the accepted norm for over 30 years.

While we're on that topic, stairs and ramps may have been mentioned 50 years ago as an acceptable adjunct to the Lands Branch requirement that public access not be obstructed in placement of private docks, but in today's world they are simply an anachronism from a feudal, entitled way of thinking that in most other parts of our society is long extinct because they permanently exclude a percentage of the population. If you doubt me, contact MLA Sam Sullivan, or for a more local flavour simply go to Debra McDonald's website, Shuswap TrailRider Adaptive Adventure Society, based in Salmon Arm.

It is significant that the Shuswap Waterfront Owners Association (SWOA), is now on record in support of the public's right to uninhibited transit of the foreshore. They are advising their 1000-plus registered membership through such means as their web site and monthly newsletters, to consider the foreshore as a shared resource in the placement of their docks during all seasons.

On behalf of myself and other members of the Shuswap Beachwalkers, I implore the CSRD Board members to reject this proposed Bylaw Amendment. If part of your concern is the damage to the combined pocketbook of the dockowner and contractor, I suspect the truth is that very little of the value of these illegal dock components will be wasted; they will be repurposed and find new homes in appropriate circumstances. Certainly, a loss of \$100,000 or more is not on the table here.

A loss of face is.

I would like the opportunity to read this letter aloud at the Public Hearing in Sicamous on Wednesday. We anticipate having a Beach Wheelchair with us courtesy of one of our executive members, Debra McDonald of the Shuswap TrailRider Adaptive Adventure Society in Salmon Arm.

Yours truly,

Dan McKerracher, P. Eng.
Sorrento, B. C.

From: "B&D Morris" <morris1572@gmail.com>

Page 603 of 733

Date: September 19, 2017 at 7:00:02 AM PDT

To: rmartin@csrd.bc.ca, pdemenok@csrd.bc.ca, gchristie@csrd.bc.ca, plan@csrd.bc.ca, clefloch@csrd.bc.ca,
doug.donaldson.mla@leg.bc.ca, kyle.beadman@gov.bc.ca, keith.weir@gov.bc.ca

Subject: Lake Zoning Amendment (Layden) Bylaw No. 900-19

I am a concerned resident of the CSRD, and would like to register my objections to the proposed Lake Zoning Amendment (Layden) Bylaw No. 900-19 which would retroactively legalize a non-compliant dock (**a fixed dock built within the required set-back area**). Proceeding with this Bylaw Amendment would be contrary to Bylaw enforcement actions, the recommendations of CSRD staff (both Development Services and CSRD Parks), and interest of all public taxpayers regarding their rights of public access to the foreshore.

Current Provincial dock regulations demand that *members of the public must be able to readily cross over or go around any dock structures along the foreshore*. Floating docks with rolling walkways allow accessibility to the public foreshore without the need to clamber over a solid dock. Stairs and ramps are NOT an acceptable compromise. The Canadian Human Rights Act (1977) *guarantees accessibility without undue obstacles for persons with disabilities, seniors, and other citizens with unique needs*. How is a ramp or stairs over any dock guaranteeing access to mobility-challenged members of our community?

For years there has been an entitled waterfront culture in the Shuswap, with public foreshore encroachment and obstruction, haphazard development along and within the lake boundary, imported sand and cultivated foreshore destroying invaluable fish habitat. By continuing to entertain these type of bylaw amendment applications, this culture will persist.

It is distasteful enough to allow "as-is" existing encroachments to be "grandfathered-in" via variance application, but absolutely intolerable in regards to re-construction and new construction that deliberately ignores legal setbacks and zoning. Rather than protect the interests of all taxpayers, the CSRD continues to allow an attitude of "if I build it, they will then allow it". The Official Community Plan and Zoning was an extensive and costly process which took many years to complete. The ongoing erosion of the bylaws through rezoning, variances, and amendments encourages developers of all sorts to ignore all regulations and proceed with the assumption that the rules will then be bent to their will after the fact.

I continue to naively hope that both the Provincial and local government will step up and do their job; foreshore regulations and investigations, and stricter enforcement of existing zoning bylaws will quell this attitude of entitlement to do whatever one wants then ask for permission once completed.

Thank you for your attention to this matter,

Debbie Morris
Sorrento, BC

From: "Dan Mckerracher" <danmckerracher@telus.net>

Page 604 of 733

To: "Debra McDonald, Shuswap Adventure Trailrider Society" <debram2@telus.net>

Cc: "Director Martin" <RMartin@csrd.bc.ca>, "kristen kornienko" <kkornienko@mac.com>, "Debbie Morris" <morris1572@gmail.com>, "Carmen Dawkins" <c.dawkins@shaw.ca>, "Marilyn Dishon" <balanceconcepts@yahoo.ca>, "Debra McDonald, Shuswap Adventure Trailrider Society" <debram2@telus.net>, "Adrienne & Gion Assaly" <adrienneassaly@gmail.com>

Subject: Swansea Point Dock: Bylaw 900 - 19

Debbie, I think you are uniquely positioned to make the most impassioned argument of us all regarding one particular aspect of this and other obstructive docks--that of the relative feasibility of ramps and stairs versus the Beachwalker position that nothing will provide a safe and year round alternative but a "boots-on-the-sand" corridor.

I find it impossible to understand how anyone can deem the two docks shown in the attached Swansea photos I took the other day as suitably considerate of the shared public nature of Shuswap/Mara foreshore when they extend as an unbroken two-foot high barrier from waterline to above property line. The equitable, considerate, and safe alternative--quite apart from any concern with side-lot setback or the effect of fixed-pier construction on the fisheries resource--is for dock owners to shorten their docks and to end with a ramp or stairs towards their own property leaving a respectful distance short of normal high water mark for pedestrian travel.

It isn't all about whether people wanting to transit the foreshore in all seasons can or cannot safely manage stairs or ramps to negotiate their way over these obstructive docks, either. There must be a basic principle at stake as well; that of not treating the foreshore as though it is the private property of individual upland owners, and of respecting the rights of others.

Okay, I know I need to get a life.

Dan

PS: apologies to you, Rhona, I thought it was of some merit to tag your name on as a second thought . . .



Dear Council,

My name is Lorna Eng, I am the business manager at BC Dock and Marina dba Nexus Dock and Marina.

We were contracted by Mr. Layden to repair his dock and comply with the CSRD request of grounding on the foreshore.

I just wanted to comment on the reasons behind the dock material change, the CSRD as well as the province wanted the docks in the area to comply with the no grounding clause, along with the fact that Terrys dock was not in great shape and was wood frame structure with wood floatation and deteriorating.

The dock had existing pile that were simply left in place to accommodate the new material for the frame, legs were added (designed by Nexus and approved by the province) to ensure the dock did not rest on the floats on the lake bottom.

Environmentally:

Removing the pile and placing a floating dock in its place would have caused more harm than good, along with the fact that having a dock pulled up on shore in the winter seasons causes far more damage (erosion) to the foreshore.

Please note that by not approving the application in front of you today, you will be asking Mr. Layden to A. Either change his design

Or B. Move his dock over by .7 m which will still not provide the compliance to the set backs on the lot.

When the dock repair was completed the normal practice that is followed is that Front Counter requests the feedback from the district, in this instance that did not happen. As the dock builder we do not feel that the client (Mr. Layden) should be penalized 2 years later for the missed steps in the process.

The dock was a repair not a rebuild and the pile have been in the lake bed at this residence for years prior. In simple terms the dock frame and decking was upgraded to Aluminum Frame, Composite Deck board in order to repair the damaged dock that was deteriorating and to comply with the issue of grounding in this specific area.

Please consider this in your final decision-making process on approving the SITE-SPECIFIC Variance Application.

Thank you,

Lorna Eng

lorna@nexusdockandmarina.com

Business Manager

Columbia Shuswap Regional District

555 Harborfront Drive NE

Salmon Arm BC

Dear Rona Martin and Fellow CSRD Counsellors,


Re: Bylaw Amendment BL 900-19, regarding a new dock on Terry Layden foreshore at 655 Swanbeach Road, Mara B.C.


It is understood that the Layden request is to amend Lake Zoning Bylaw No. 900 to permit his existing dock to remain where it has been for several decades. Even though it is set back from property lines by over 6 feet, it does not meet current required setbacks.

We are asking your board to accept our input signed below as support of the Layden Dock remaining in its current location, and thereby amending bylaw 900 to accommodate this.

Thank You,

Sincerely,

 ALAN FISHER 653 SWANBEACH RD MARA B.C.

 BELINDA KNUTSEN 653 SWANBEACH RD MARA B.C.

NAME

ADDRESS

Columbia Shuswap Regional District

555 Harborfront Drive N/E

Salmon Arm BC

Dear Roma Martin and Fellow CSRD Counsellors,

Re: Bylaw Amendment BL 900-19, regarding a new dock on Terry Layden foreshore at 655 Swanbeach Road, Mara B.C.

It is understood that the Layden request is to amend Lake Zoning Bylaw No. 900 to permit his existing dock to remain where it has been for several decades. Even though it is set back from property lines by over 6 feet, it does not meet current required setbacks.

We are asking your board to accept our input signed below as support of the Layden Dock remaining in its current location, and thereby amending bylaw 900 to accommodate this.

Thank You,

Sincerely,

Lauri Kuster 653 Swanbeach Road, Mara, BC.

NAME

ADDRESS

Columbia Shuswap Regional District

555 Harborfront Drive NE

Salmon Arm BC

Dear Rona Martin and Fellow CSRD Counsellors,

Re: Bylaw Amendment BL 900-19, regarding a new dock on Terry Layden foreshore at 655 Swanbeach Road, Mara B.C.

It is understood that the Layden request is to amend Lake Zoning Bylaw No. 900 to permit his existing dock to remain where it has been for several decades. Even though it is set back from property lines by over 6 feet, it does not meet current required setbacks.

We are asking your board to accept our input signed below as support of the Layden Dock remaining in its current location, and thereby amending bylaw 900 to accommodate this.

Thank You,

Sincerely,

Raymond Lutley 1057 SWANBEACH RD. SWANSEA PT. BC

GWEN LUTLEY 1057 SWANBEACH RD. SWANSEA PT. BC

Rod MacDonald 653 Swanbeach Rd Swansea PT BC

Carolyn MacDonald 653 Swanbeach Rd. Swansea Point BC
(Knutson)

David Moir 162 Swanbeach Rd Swansea Point BC

ANDREW SURKON

Denise Surkon 1659 Swanbeach Rd Swansea Pt BC
(DENISE)

NAME

ADDRESS

Columbia Shuswap Regional District

555 Harborfront Drive NE

Salmon Arm BC

Dear Rona Martin and Fellow CSRD Counsellors,

Re: Bylaw Amendment BL 900-19, regarding a new dock on Terry Layden foreshore at 655 Swanbeach Road,, Mara B.C.

It is understood that the Layden request is to amend Lake Zoning Bylaw No. 900 to permit his existing dock to remain where it has been for several decades. Even though it is set back from property lines by over 6 feet, it does not meet current required setbacks.

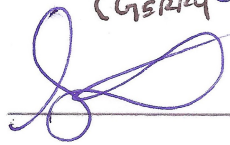
We are asking your board to accept our input signed below as support of the Layden Dock remaining in its current location, and thereby amending bylaw 900 to accommodate this.

Thank You,

Sincerely,

DL Knutson
(Garry Knutson)

653 Swanbeach Road Swansca Point BC
VOE 2K2



RAUDALL HAY
Shirley May

6095 Swansca Rd. Swansca Point BC

NAME

ADDRESS

Columbia Shuswap Regional District

555 Harborfront Drive NE

Salmon Arm BC

Dear Rona Martin and Fellow CSRD Counsellors,

Re: Bylaw Amendment BL 900-19, regarding a new dock on Terry Layden foreshore at 655 Swanbeach Road, Mara B.C.

It is understood that the Layden request is to amend Lake Zoning Bylaw No. 900 to permit his existing dock to remain where it has been for several decades. Even though it is set back from property lines by over 6 feet, it does not meet current required setbacks.

We are asking your board to accept our input signed below as support of the Layden Dock remaining in its current location, and thereby amending bylaw 900 to accommodate this.

Thank You,

Sincerely,

Kevin Knutson (Kevin Knutson) 653 SWANBEACH ROAD B.C. V0E 2K2

Patsy Knutson (Patsy Knutson) 653 SWANBEACH ROAD B.C. V0E 2K2

_____	_____
_____	_____
_____	_____
_____	_____

NAME ADDRESS

Columbia Shuswap Regional District

555 Harborfront Drive NE

Salmon Arm BC

Dear Rona Martin and Fellow CSRD Counsellors,


Re: Bylaw Amendment BL 900-19, regarding a new dock on Terry Layden foreshore at 655 Swanbeach Road, Mara B.C.


It is understood that the Layden request is to amend Lake Zoning Bylaw No. 900 to permit his existing dock to remain where it has been for several decades. Even though it is set back from property lines by over 6 feet, it does not meet current required setbacks.


We are asking your board to accept our input signed below as support of the Layden Dock remaining in its current location, and thereby amending bylaw 900 to accommodate this.


Thank You,

Sincerely,

 ALAN FISHER 653 SWANBEACH RD MARA B.C.

 BRENDA KNUTSEN 653 SWANBEACH RD MARA B.C.

 T MARSHALL 647 SWANBEACH RD MARA BC.

 G MARSHALL 647 SWANBEACH RD MARA B.C.

NAME

ADDRESS

Notes of the Public Hearing held on Wednesday September 20, 2017 at 6:30 PM at the Sicamous and District Recreation Centre, 2nd Floor, 1121 Eagle Pass Way, Sicamous, BC regarding Lakes Zoning Amendment (Layden) Bylaw No. 900-19.

PRESENT: Chair Rhona Martin – Area Director Area 'E'
Christine LeFloch – Development Services Assistant (DSA), CSRD
8 members of the public, including the applicant and owners

Chair Martin called the Public Hearing to order at 6:34 PM. Following introductions, the Chair advised that all persons who believe that their interest in property may be affected shall be given the opportunity to be heard or to present written submissions pertaining to the proposed amending Bylaw No. 900-19.

Christine LeFloch explained the legal requirements for notifications regarding the proposed bylaw amendment noting that ads had been placed in the September 8th and 15th issues of the Shuswap Market News, posted on the CSRD website, and that notices had been mailed to all owners of property located within 100 m of the subject property. She noted that Bylaw No. 900-19 proposes to recognize the existing fixed dock associated with 655 Swanbeach Rd. The proposed amendment would add a special regulation to the FR1- Foreshore Residential zone, which would apply to the portion of Shuswap Lake lying adjacent to the subject property only, which contains the existing fixed dock. She explained that the owners had hired Nexus Docks to construct a new dock to replace the old one which was deteriorating, and noted that the new dock is the same size and configuration as the original dock but was constructed with environmentally friendly materials, using legs to prevent grounding on the foreshore and utilized the original pilings. She told those present that all materials to be considered by the Board were available for viewing and that persons wishing to look at these items may do so at any time.

Christine then went over the comments received from referral agencies, and advised that a form letter with the signatures of a number of adjacent property owners had been received in support of the application. She also advised that 2 letters of opposition to the bylaw amendment had also been received.

Chair Martin opened the floor for comments.

Dan McKerracher, 1397 Henstridge Rd, Sorrento, asked if the owner and dock builder were in attendance.

Chair Martin said that they were.

Terry Layden, 655 Swanbeach Rd, Swansea Point, introduced himself and his wife.

Kristin Kornienko, 1467 Blind Bay Rd, Sorrento, read her letter regarding her concerns with the proposed bylaw amendment into the record. She then submitted the letter to Christine LeFloch. The letter is attached to these minutes.

Debbie Morris, 1572 Blind Bay Rd, Sorrento, read her letter outlining her concerns regarding the proposed bylaw amendment into the record. The letter is attached to these minutes.

Dan McKerracher, 1397 Henstridge Rd, Sorrento, read his letter outlining his concerns with the proposed bylaw amendment into the record. The letter is attached to these minutes. He also pointed to a "beach rider" chair for mobility challenged persons which the Sorrento beach walkers group brought to the meeting to demonstrate that mobility challenged individuals would not be able to navigate ramps or stairs over fixed docks even using such a chair. He pointed out that if dock walkways were required to be sited no closer than 5m from the HWM it would allow enough room for all persons to make their way along the beach without obstruction.

Lorna Eng, Nexus Docks, Kelowna, responded to comments regarding access by stating that stairs or ramps are the legal requirement of the Province and that 5 ft wide ramps had been installed on either side of the Layden dock as per these requirements. She also noted that the

dock has legs to prevent grounding, that they used the existing pilings which had been there for 30 years, and that only the frame and decking had been rebuilt. She noted that they did seek legal tenure from the Province and it was approved. She also pointed out that the Province had not sent a referral to the CSRD regarding their dock application.

Kristin Kornienko asked if Lorna was from Kelowna. Hearing that she was, she explained that she had been part of a 200 person demonstration walk along the beach in Kelowna showing support for removal of beach obstructions.

Debbie Morris asked is it was common practice for the Province to refer dock applications to the CSRD.

Chair Martin stated that it is our wish that they refer everything to the CSRD.

Christine LeFloch explained that the CSRD used to get referrals from the Province when they received applications for Specific Permissions, but the regulation changed in January 2017 to increase the size of docks that are allowed without applying for Specific Permission. Since then the CSRD no longer receives these referrals.

Debbie Morris asked, do property owners not have the responsibility to check in with local government regarding all projects?

Christine LeFloch explained that Electoral Areas C and F have OCPs in effect which require development permits for docks, but that Electoral Area E doesn't currently have an OCP in effect so a permit is not required for dock installations at this time. However, Lakes Zoning Bylaw No. 900 covers all of Shuswap and Mara Lake so, even though a permit is not required, owners are still required to build their structures in compliance with this bylaw and should be contacting staff to discuss their projects.

Chair Martin noted that an OCP for Electoral Area E is in the process of being developed and will include development permit requirements regarding docks.

Dan McKerracher stated that the fundamental issue is assuming that people don't have responsibility for abiding by all of the laws that affect their project. This will cause problems in the future because people will see that a bylaw amendment was approved and assume that the government will do the same for future applications, therefore it is precedent setting.

Chair Martin stated that staff and the board make an effort to review every application on its own merits.

Elizabeth Bulkley, 1449 Blind Bay Rd, Sorrento, asked about advertising requirements for public hearings. She asked specifically whether there are standards required for the size of ads and which newspapers are used.

Christine LeFloch explained that the Local Government Act sets out the requirements for advertising for public hearings and that we used the Shuswap Market News to advertise for this public hearing because its distribution area covers all of the Shuswap and Mara Lake areas. She also noted that while ad size is not regulated the ads that are published typically take up about a third of a page.

Chair Martin restated that we use the Market News because of the distribution area.

Elizabeth Bulkley asked if the entire Shuswap watershed is the desired community.

Chair Martin stated that yes it is and we hope people will read about it and tell their friends.

Elizabeth Bulkley asked if the circulation needs to be the entire watershed.

Chair Martin responded that this is what we hope to accomplish.

Terry Layden reminded those present that the approval process for his dock began in 2015. He noted that they had worked with Keith Weir at Front Counter BC extensively on designing the

dock so that it would meet all of the provincial requirements, including the addition of legs to prevent grounding on the foreshore. He said that he asked Keith whether they needed to do anything else, and Keith told them they had done all that was required.

Debbie Morris and Kristin Kornienko asked how we get the Province to do a better job.

Chair Martin responded that they should write letters to their MLA and cc them to the Regional District.

Terry Layden suggested that they run for office.

Chair Martin recommended that hand written letters are preferred over form letters because it shows that they have taken the time to write. She noted that she appreciates that many people don't have time but that this effort certainly stands out. She also noted that there are also times when petitions are appropriate. She advised that it takes a long time to make change and went on to say that there are lots of docks out there that are legally non-conforming and they will be there until something changes. She again encouraged those present to write to the MLA and noted again that the board wants the Province to send each application to us to review so that we can help people do things properly. She acknowledged that it is a long process to do a bylaw amendment and it is stressful for those involved because people have such varying points of view.

Dan McKerracher asked if she would encourage those present to keep writing if the board approves this application.

Chair Martin responded that yes she would.

Terry Layden asked when the notice of development sign would have to be taken down.

Christine LeFloch responded that the sign is required to remain in place until the Board makes a decision on the application.

Chair Martin asked the group not to talk to her about this bylaw amendment following the close of the public hearing because she is not allowed to accept any further feedback.

Chair Martin called 3 times for further submissions or questions regarding amending Bylaw No. 900-19. Hearing none, she thanked everyone for coming a long way to make their views known and declared the public hearing closed at 7:21 PM.

CERTIFIED as being a fair and accurate report of the public hearing.



Director Rhona Martin
Public Hearing Chair



Christine LeFloch
Development Services Assistant, CSRD


COLUMBIA SHUSWAP REGIONAL DISTRICT

P.O. Box 978 SALMON ARM, BC V1E 4P1
 Telephone: 1-250-832-8194 Fax: 1-250-832-1083

FILE NO.

BL900-19

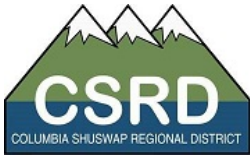
DATE RECEIVED:

June 21, 2017

OPERATIONS MANAGEMENT

Comments: Christine LeFloch

Terry Langlois Team Leader Utilities	No concerns
Derek Sutherland Team Leader Protective Service	No concerns
Sean Coubrough Assistant Regional Fire Chief Fire Services	No concerns
Ben Van Nostrand Team Leader Environmental Health	No concerns
Susan Abbott / Ryan Nitchie Community Parks / Community Services	This property is 62 m from Canterbury Lake Access and 67 m from Swanson Lake Access, public parkland development with consent of MoTI to allow public water access. Below High Water Mark (HWM), is public land which would permit a non-motorized and safer connection between parks (each offering unique opportunities) than access along Swanbeach Road with heavy summer traffic. CSRD Parks supports the position peresneted by Development Services that encourages compliance with required setbacks and regulations, rather than variances.
Darcy Mooney Manager Operations Management	no concerns


COLUMBIA SHUSWAP REGIONAL DISTRICT

P.O. Box 978 SALMON ARM, BC V1E 4P1

Telephone: 1-250-832-8194 Fax: 1-250-832-3375

Staff Contact: Christine LeFloch
clefloch@csrd.bc.ca

Bylaw No.: 900-19

DATE: June 20, 2017

RESPONSE SUMMARY

☐ Approval Recommended for Reasons Outlined Below

☐ Interests Unaffected by Bylaw.

☒ Approval Recommended Subject to Conditions Below.

☐ Approval not Recommended Due To Reasons Outlined Below.

☐ No Objections

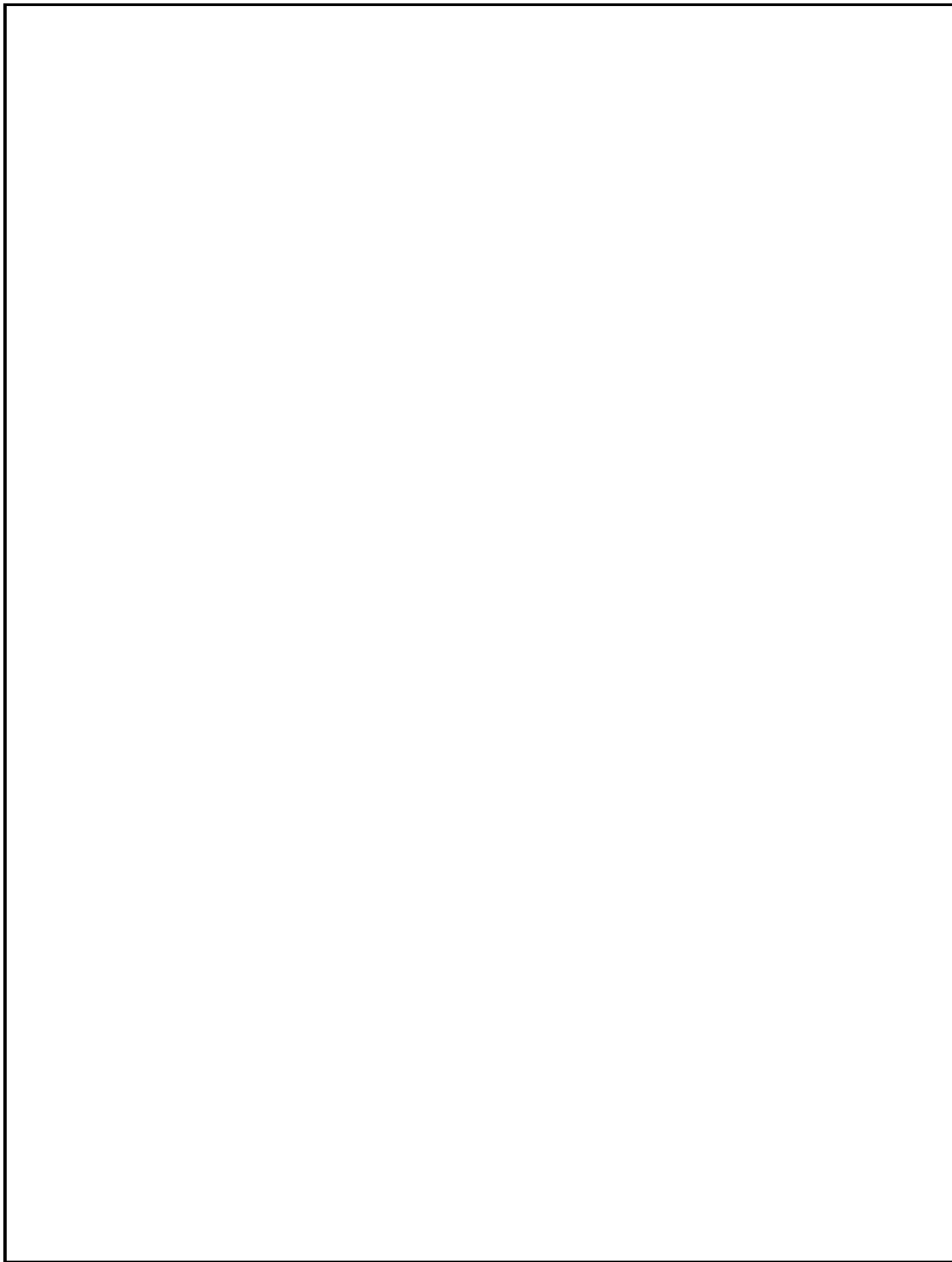
-The dock has been located in the same location for several years, and MFLNRO has not received any complaints from the affected neighboring property. When the piles are replaced, the dock owner will need to adhere to current setback guidelines.

Signed By: Keith Weir

Title Sr. land Officer

Date: August 2, 2017

Agency MFLNRO, Lands





Serving a world in motion
navcanada.ca

July 18, 2017

Your file
655 Swanbeach Road, Referral Request BL900-19
Our file
17-2277

Ms. Christine LeFloch
Columbia Shuswap Regional District
PO Box 978, 555 Harbourfront Drive NE
Salmon Arm, BC
V1E 4P1

**RE: Development Proposal/Plans: Redesignation - Swansea Point, BC
(N50° 46' 10.60" W119° 0' 42.06" / 0' AGL / 1184.3832' AMSL)**

Ms. LeFloch,

NAV CANADA has evaluated the captioned proposal and has no objection to the project as submitted.

If you have any questions, contact the Land Use Department by telephone at 1-866-577-0247 or e-mail at landuse@navcanada.ca.

NAV CANADA's land use evaluation is valid for a period of 12 months. Our assessment is limited to the impact of the proposed physical structure on the air navigation system and installations; it neither constitutes nor replaces any approvals or permits required by Transport Canada, Industry Canada, other Federal Government departments, Provincial or Municipal land use authorities or any other agency from which approval is required. Industry Canada addresses any spectrum management issues that may arise from your proposal and consults with NAV CANADA Engineering as deemed necessary.

Yours truly,

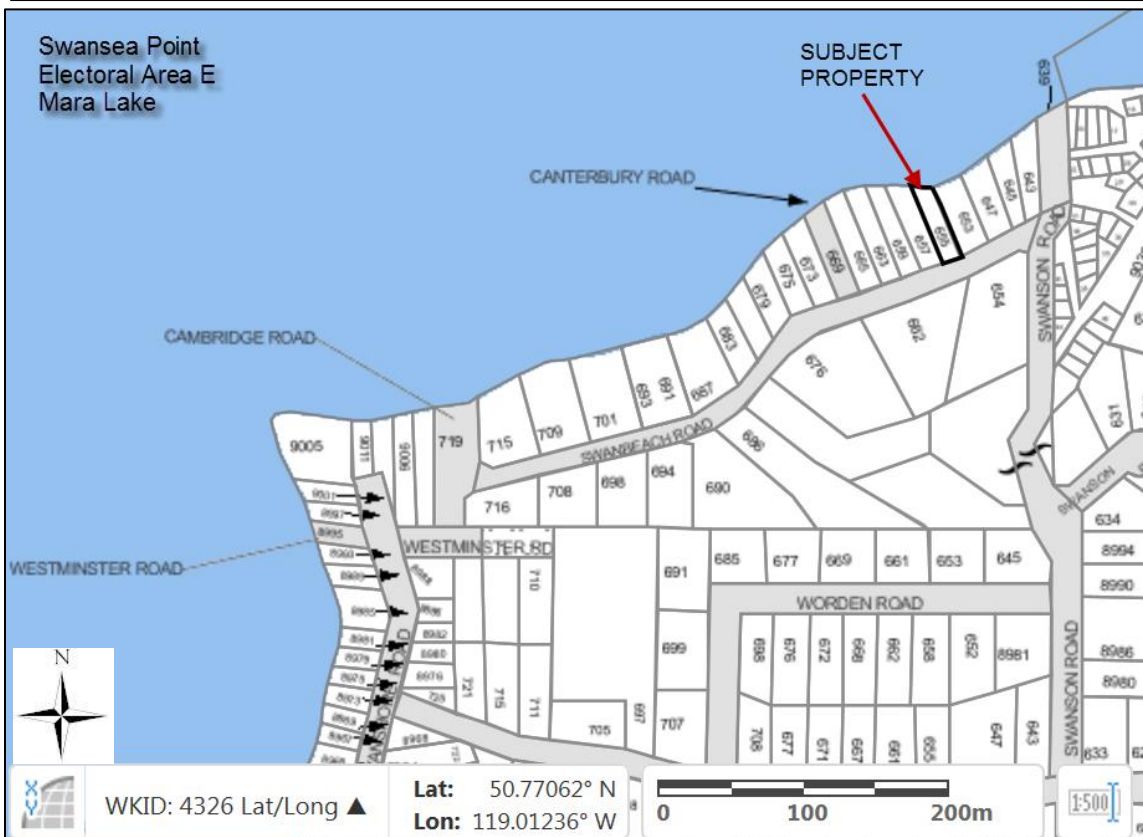
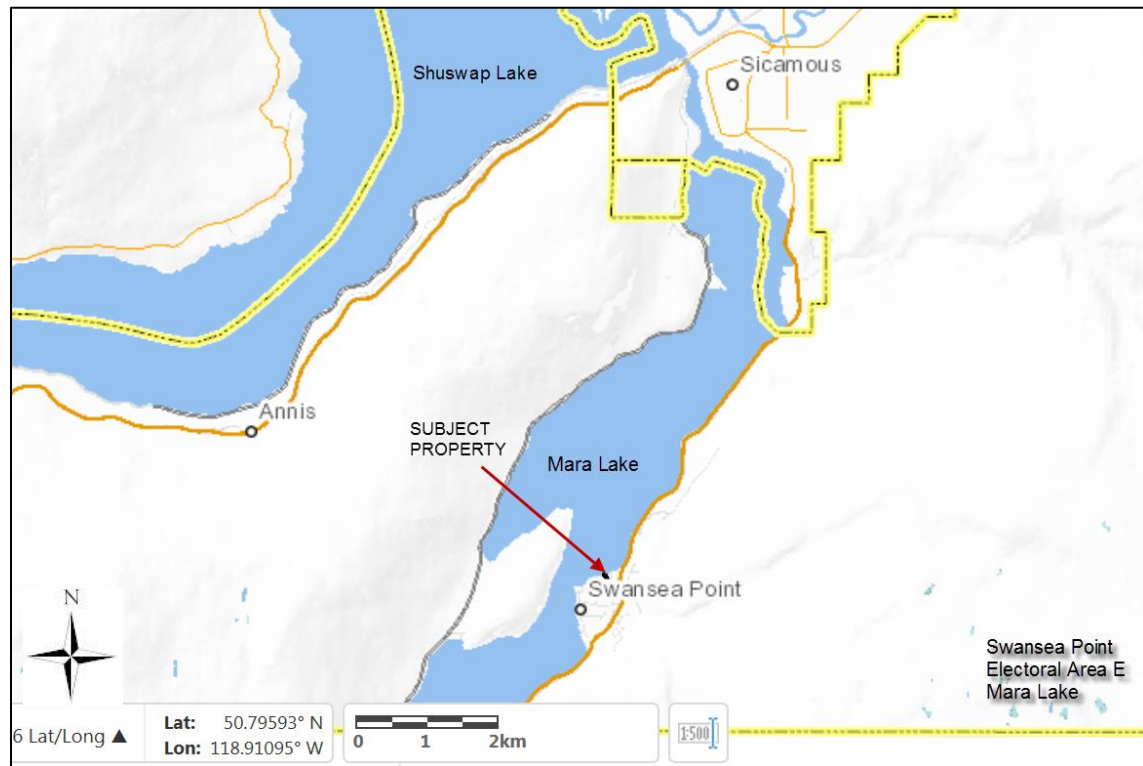
A handwritten signature in blue ink, appearing to read "G. Adamache".

Gheorghe Adamache | NAV CANADA
Manager - AIM IFP Service Delivery

cc PACR - Pacific Region, Transport Canada
COL4 - OWLS LANDING(HELI)

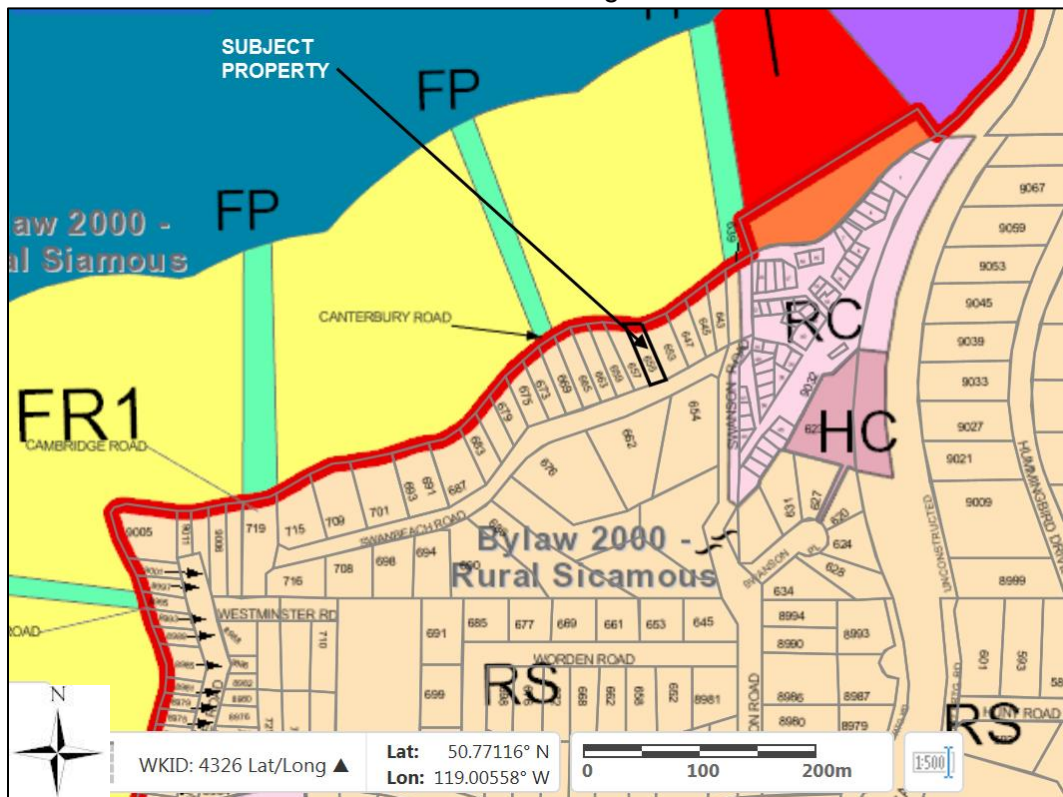
Bylaw No. 900-19 – Maps and Photos

Location



Bylaw No. 900-19 – Maps and Photos

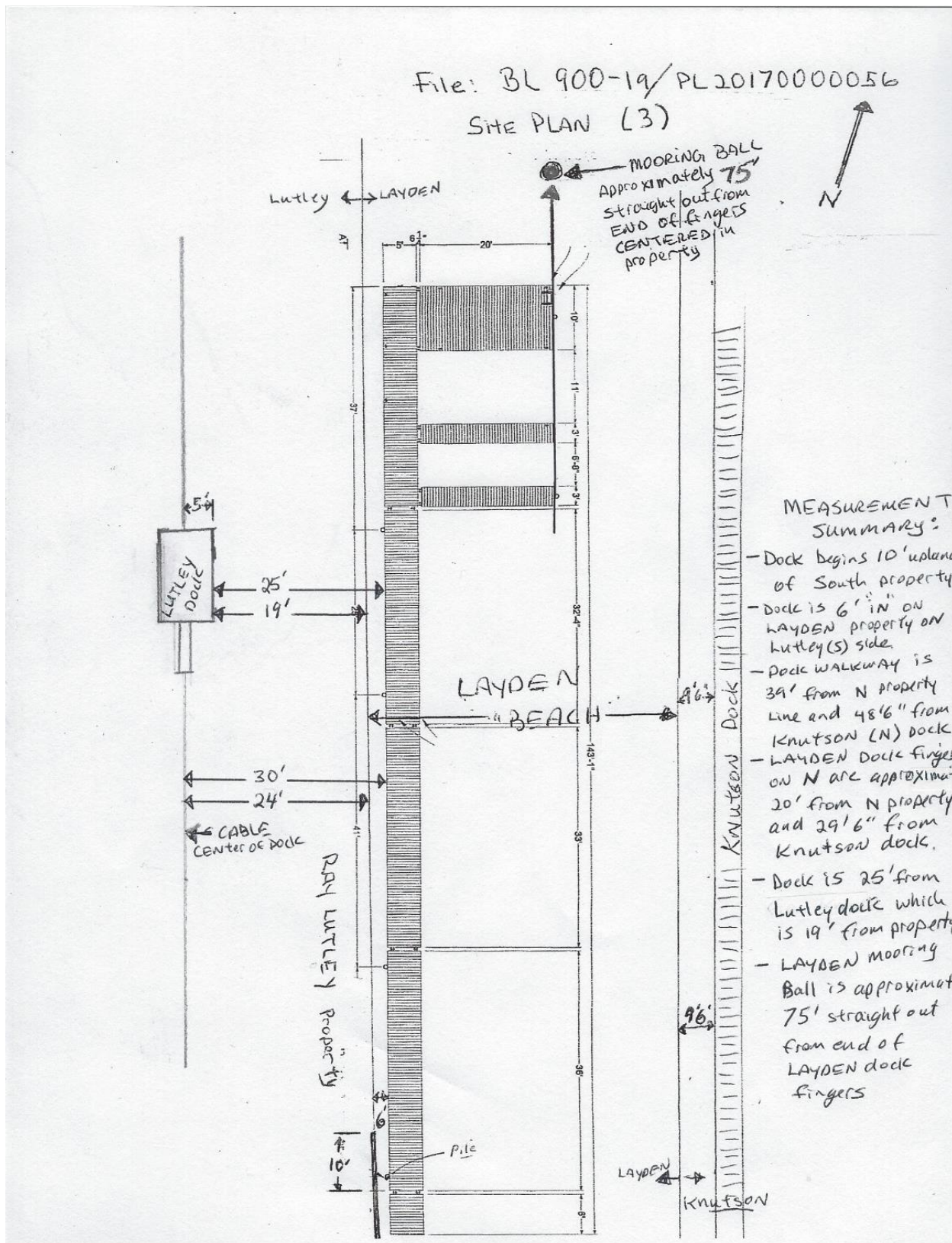
OCP/Zoning



Orthophotograph



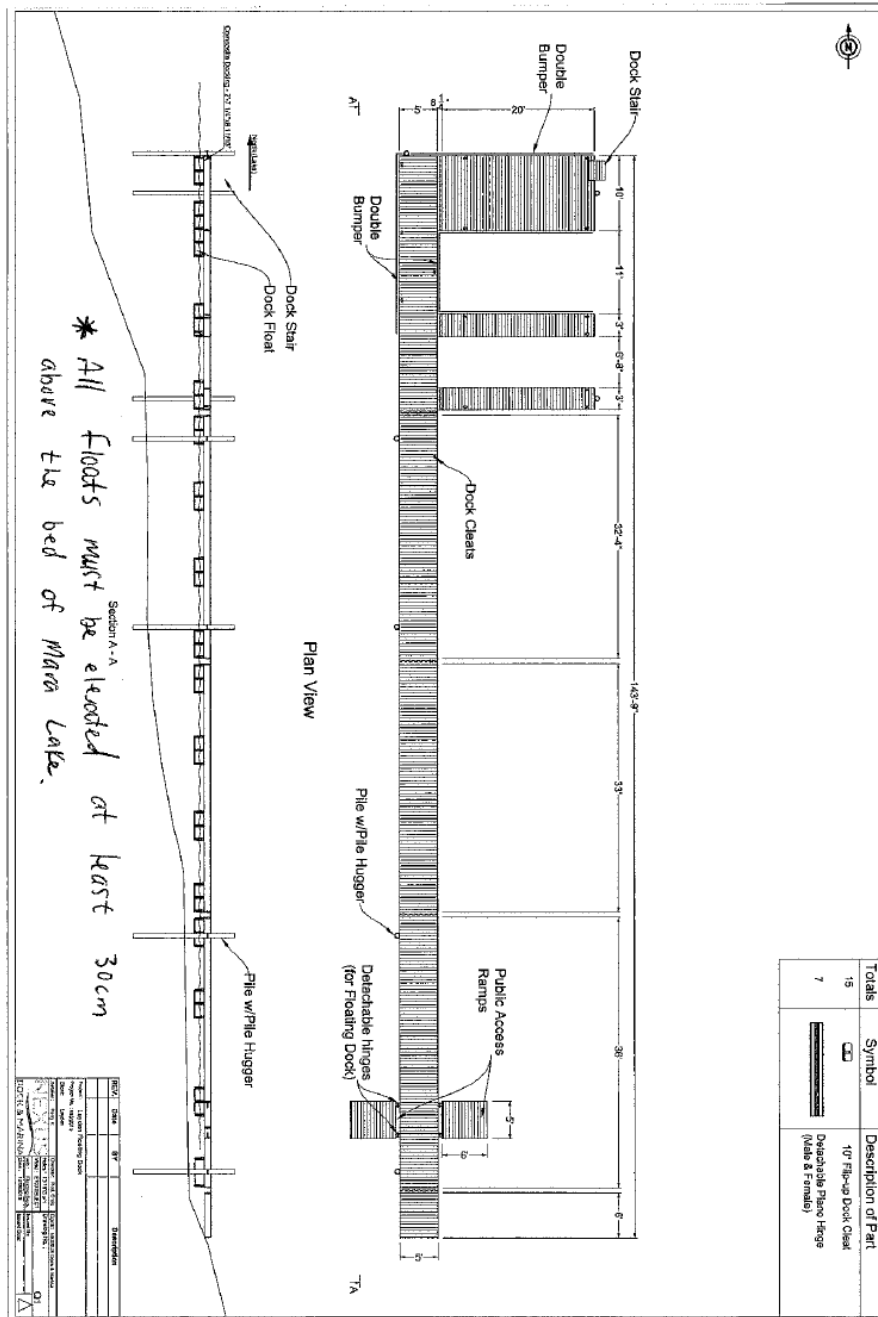
Site Plan



Specific Permission #3404832

File: 3404832

MANAGEMENT PLAN



Signed on behalf of

by a duly authorized signatory

HER MAJESTY THE QUEEN IN RIGHT
OF THE PROVINCE OF BRITISH
COLUMBIA,
by its authorized representative

Kitch W/lin

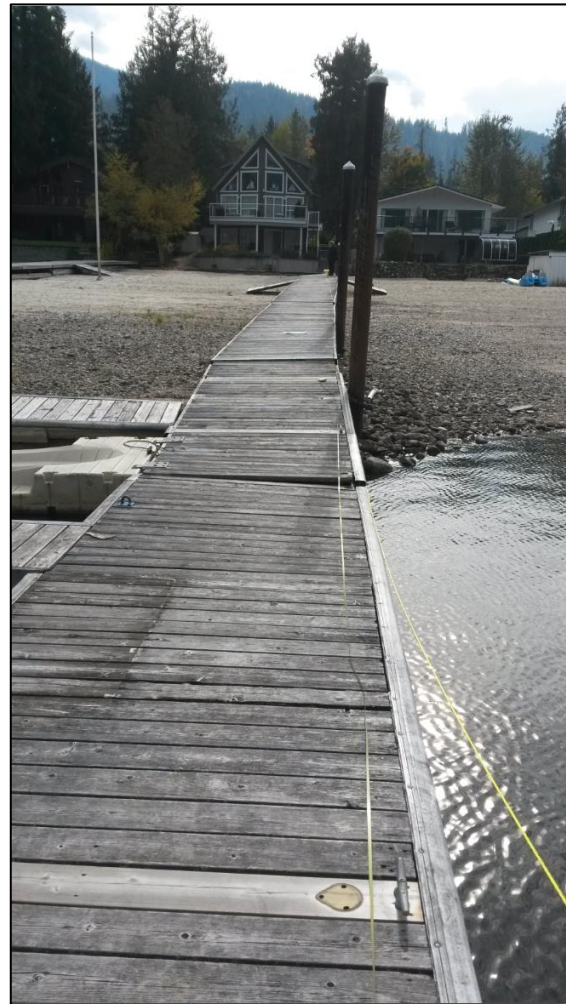
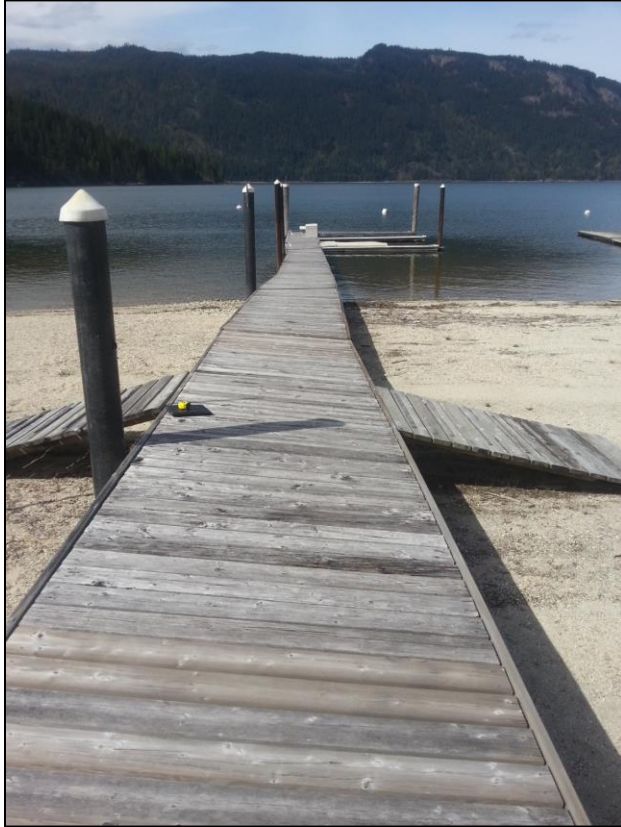
December 7, 2015

Date _____

Date _____

Bylaw No. 900-19 – Maps and Photos

Original dock



Bylaw No. 900-19 – Maps and Photos

New dock



Bylaw No. 900-19 – Maps and Photos

New dock in relation to neighbouring dock to the west



Bylaw No. 900-19 – Maps and Photos

Proximity of Layden dock to neighbouring docks

*The floating dock adjacent to Layden property was not in place at the time photo was taken

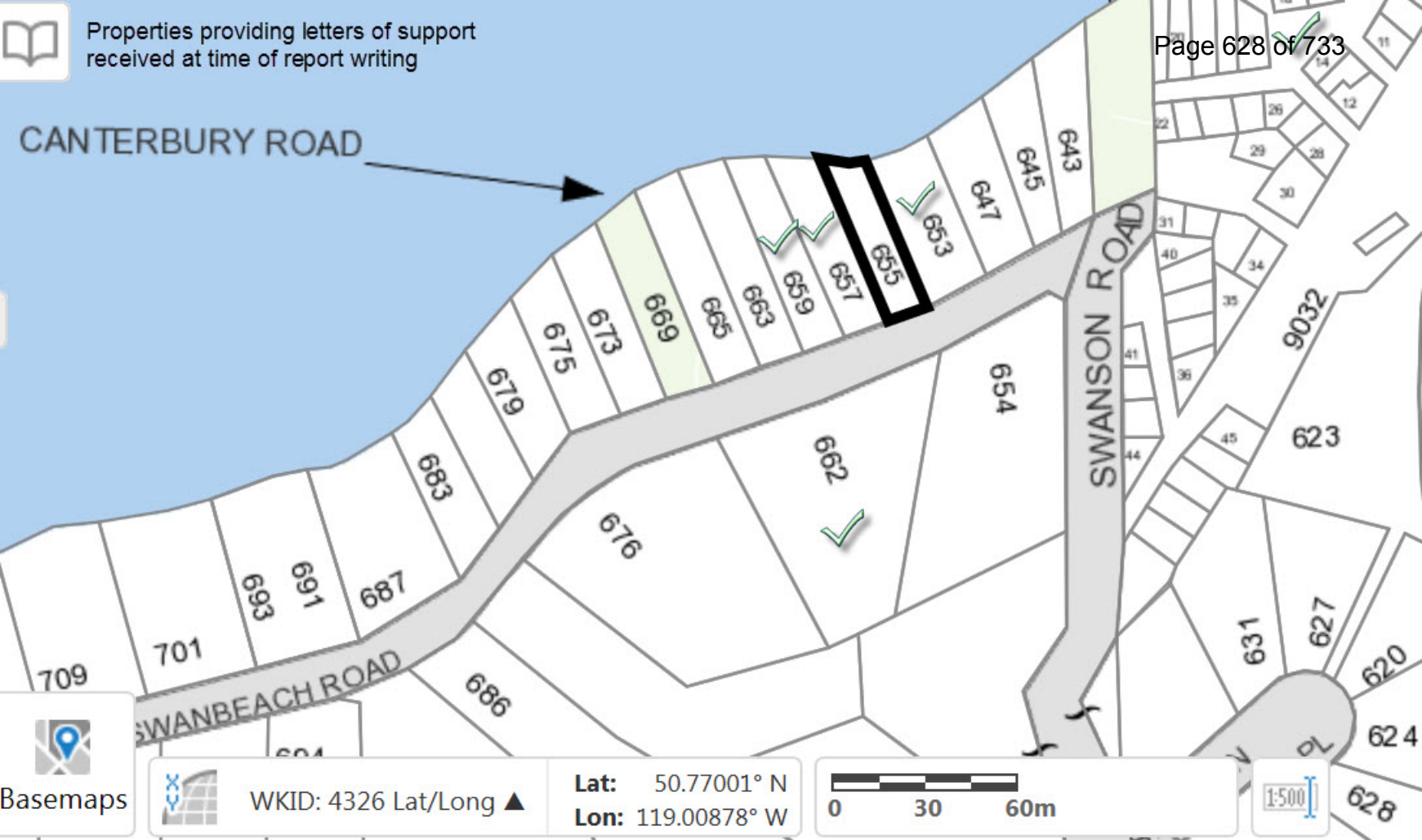




Properties providing letters of support
received at time of report writing

Page 628 of 733

CANTERBURY ROAD



Basemaps



WKID: 4326 Lat/Long ▲

Lat: 50.77001° N
Lon: 119.00878° W



0 30 60m



1:500



BOARD REPORT

TO: Chair and Directors

File No: BL 825-37 PL20150149

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 October 25, 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 third time this 16th day of November, 2017.

RECOMMENDATION #2: THAT: Scotch Creek/Lee Creek Zoning Amendment (Ted & Lucille Tash) Bylaw No. 825-37, be adopted this 16th day of November, 2017.

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 provided to the Board in the September 21, 2017 report. The Board gave the bylaw second reading and delegated a Public Hearing to the Electoral Area F Director, at the September 21, 2017 regular meeting. The Public Hearing was held October 17, 2017 in Scotch Creek and no members of the public attended, and no correspondence was received.

It is now appropriate for the Board to consider third reading and adoption of Bylaw No. 825-37.

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

BACKGROUND:

See August 4, 2017 report attached.

POLICY:

See August 4, 2017 report attached.

FINANCIAL:

There are no financial implications to the CSR D with regard to this application.

KEY ISSUES/CONCEPTS:

See August 4, 2017 report attached.

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 Bylaw can be considered for third reading and adoption.

IMPLEMENTATION:**Consultation Process**

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. Staff forwarded the bylaw and staff report to referral agencies for review and comment, a summary of the responses has been provided in previous reports to the Board.

Public Hearing

The delegated Public Hearing for the proposed bylaws was held Tuesday October 17, 2017, at the Scotch Creek Community Hall in Scotch Creek. No members of the public attended. Please see the attached Public Hearing Notes for details about public input.

No correspondence was received.

COMMUNICATIONS:

Staff notified adjacent property owners, advertised and held the Public Hearing in accordance with the Local Government Act. If the bylaws are given third reading and adopted, the applicant will be advised of the Board decision. CSRD staff will amend Bylaw No. 825, which will be posted on the CSRD website and copies will be provided to the Director.

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:	2017-11-16_Board_DS_BL825-37_Tash.docx
Attachments:	<ul style="list-style-type: none"> - 2017-09-21_Board_DS_BL825-37_Tash.pdf - 2015-10-15_Board_DS_BL825-37_Tash.pdf - BL825-37_Third_Adoption.pdf - BL825-37_Second.pdf - BL825-37_First.pdf - Public_Hearing_notes_2017-10-17_BL825-37.pdf - Maps_Plans_BL825-37.pdf
Final Approval Date:	Nov 6, 2017

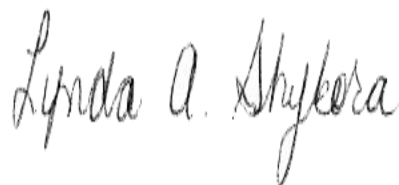
This report and all of its attachments were approved and signed as outlined below:



Corey Paiement - Nov 2, 2017 - 4:22 PM



Gerald Christie - Nov 3, 2017 - 2:23 PM



Lynda Shykora - Nov 6, 2017 - 10:08 AM



Charles Hamilton - Nov 6, 2017 - 10:25 AM



BOARD REPORT

TO:
Chair and Directors
File No:

 BL 825-37
 PL20150149

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 21st 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 Misseghers, if Director Morgan is absent, and the Director or Alternate Director, as the case may be, give a report of the public hearing to the Board.

SHORT SUMMARY:

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.

VOTING:Unweighted ☐
CorporateLGA Part 14 ☒
(Unweighted)Weighted ☐
CorporateStakeholder ☐
(Weighted)**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 m² (1,108.7 ft²)

SIZE OF K227:

5,625.1 m² (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: <ul style="list-style-type: none"> ▪ <i>front parcel boundary</i> ▪ <i>interior side parcel boundary</i> (west side) ▪ <i>interior side parcel boundary</i> (east side) ▪ <i>rear parcel boundary</i> 	<ul style="list-style-type: none"> ▪ 0.0 m (0.0 ft.) ▪ 0.0 m (0.0 ft.) ▪ 0.246 m (0.808 ft.) ▪ 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 m². 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 m² or 1.3 ft²), 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 ft² with 786 ft² on the main floor and 471 ft² 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 Continuations, 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">- Referral_ResponseSummary.pdf- K227-Letter.pdf- 13.5_BL825-37.pdf- BL825-37-ReportAttachments.pdf- BL825-37-Second.pdf
Final Approval Date:	Sep 11, 2017

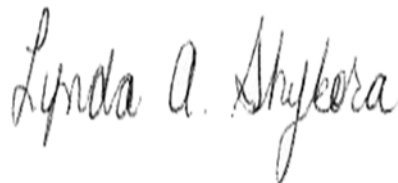
This report and all of its attachments were approved and signed as outlined below:



Corey Paiement - Sep 7, 2017 - 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



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 15th 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.

VOTING:	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 ² (1,108.7 ft ²)									
SURROUNDING LAND USE PATTERN:	<table><tr><td>NORTH</td><td>Residential</td></tr><tr><td>SOUTH</td><td>Park/Shuswap Lake</td></tr><tr><td>EAST</td><td>Residential</td></tr><tr><td>WEST</td><td>Residential</td></tr></table>		NORTH	Residential	SOUTH	Park/Shuswap Lake	EAST	Residential	WEST	Residential
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) 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.

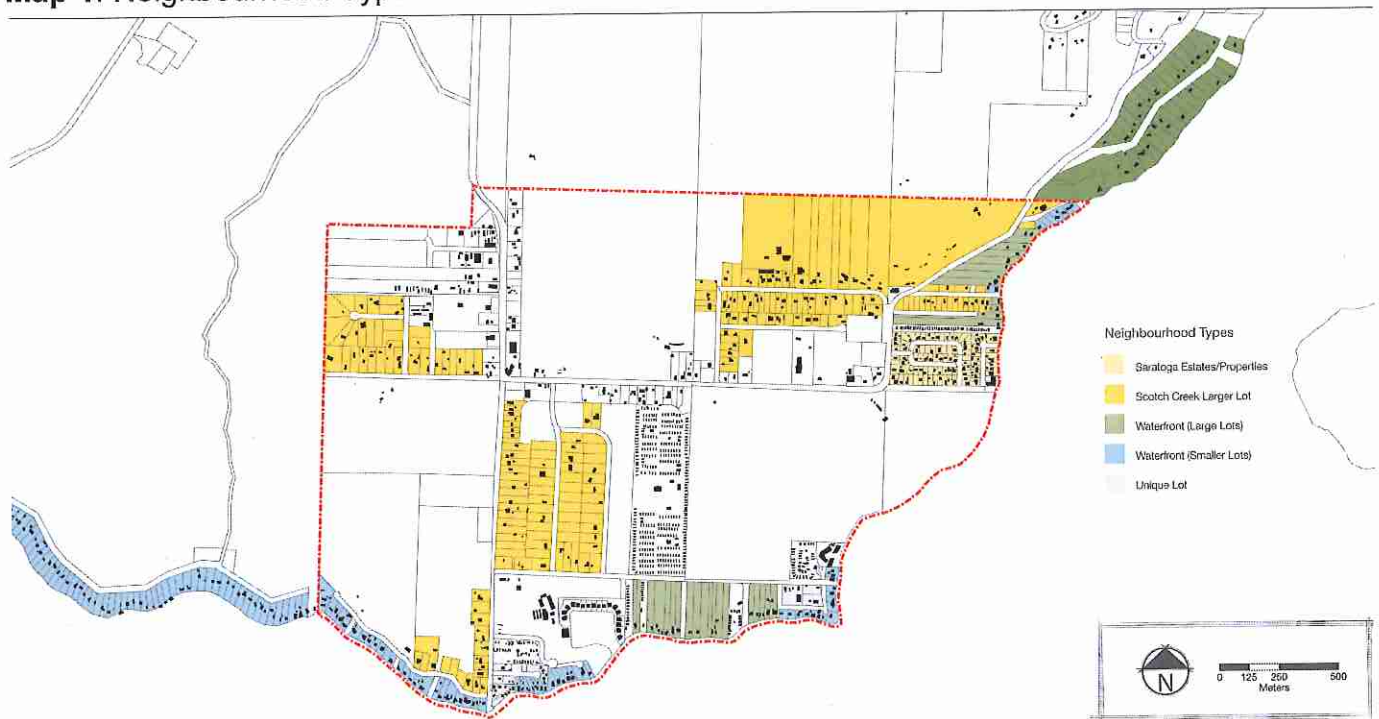
Policy 2

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.

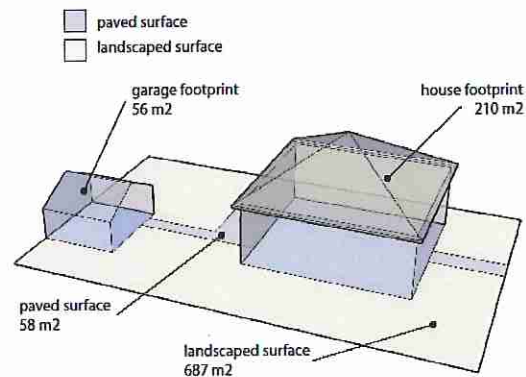
1. Within existing neighbourhoods designated NR Neighbourhood Residential, a lot may be subdivided in two, providing that the size of each resulting parcel is equal to or larger than 1/4 acre (therefore only 1/2 acre lots or larger have potential for subdivision). This will ensure that the overall density 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 ² (0.25 ac)
	100.0%
House	210 m ² (2,260 ft ²)
	20.7%
Garage	56 m ² (200 ft ²)
	5.6%
Paved	58 m ² (625 ft ²)
	5.7%
Landscaped	687 m ² (7,395 ft ²)
	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"> where <i>parcel</i> is serviced by an existing <i>community sewer system</i> in all other cases 	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</i> per <i>parcel</i>	One
(e) Maximum <i>height</i> for: <ul style="list-style-type: none"> Principal <i>buildings</i> and structures Accessory <i>buildings</i> 	<ul style="list-style-type: none"> 11.5 m (37.73 ft.) 6 m (19.69 ft.)
(f) Minimum <i>setback</i> from: <ul style="list-style-type: none"> <i>front parcel boundary</i> <i>interior side parcel boundary</i> <i>exterior side parcel boundary</i> <i>rear parcel boundary</i> <i>rear parcel boundary</i> for an <i>accessory building</i> (excluding <i>guest cottage</i> or <i>home business</i>) 	<ul style="list-style-type: none"> 4.5 m (14.76 ft.) 2.0 m (6.56 ft.) 4.5 m (14.76 ft.) 4.5 m (14.76 ft.) 2.0 m (6.56 ft.)
(g) Maximum <i>gross floor area</i> of an <i>accessory building</i>	75 m ² (807.32 sq. ft.)

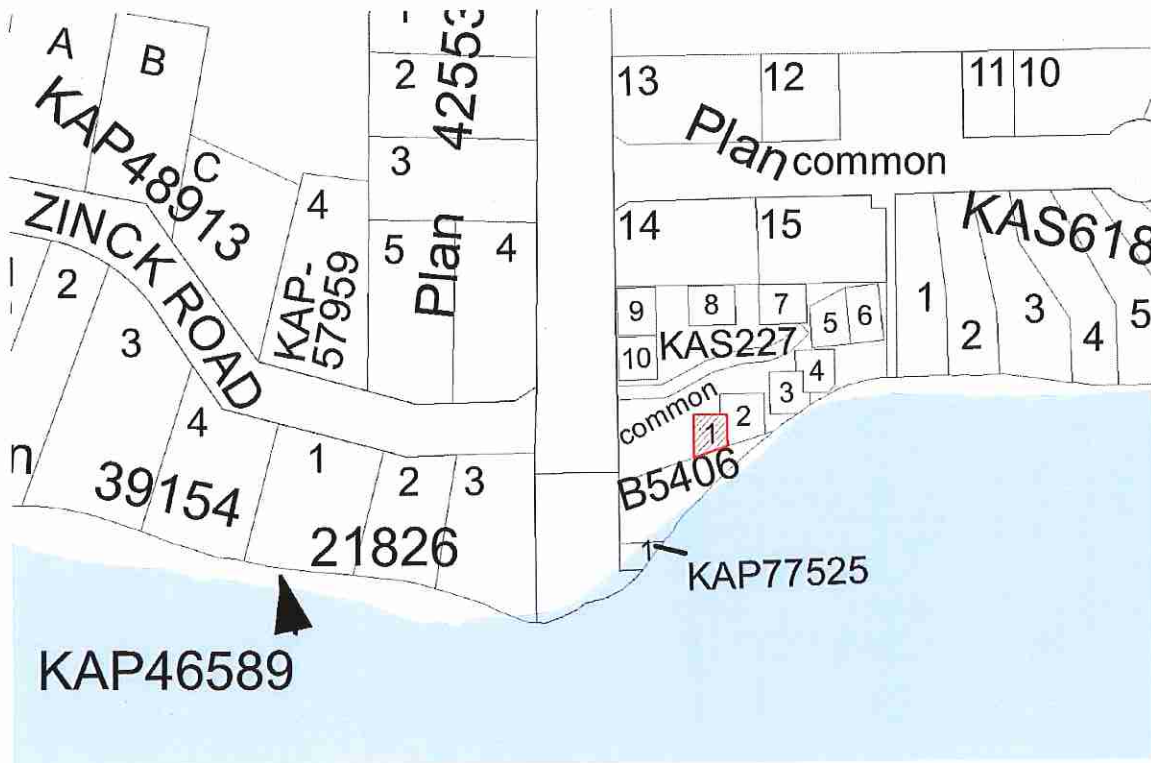
Proposed Residential - 1 (R1) Zone Amendments

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:

- .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: <ul style="list-style-type: none"> <i>front parcel boundary</i> <i>interior side parcel boundary</i> (west side) <i>interior side parcel boundary</i> (east side) <i>rear parcel boundary</i> 	<ul style="list-style-type: none"> 0.0 m (0.0 ft.) 0.0 m (0.0 ft.) 0.246 m (0.808 ft.) 0.388 m (1.273 ft.)
--	--



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 m². 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 m² or 1.3 ft²), 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 ft² with 786 ft² on the main floor and 471 ft² 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.

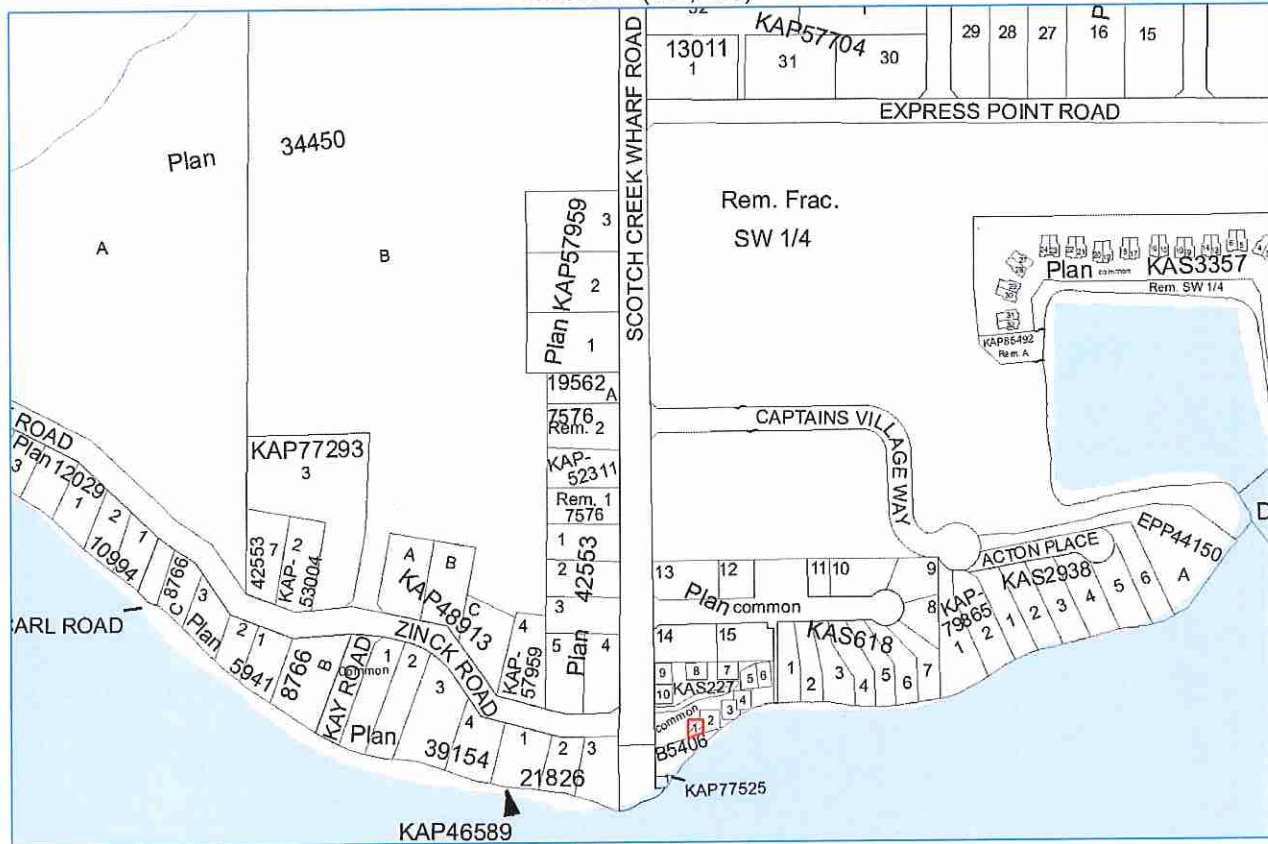
BOARD'S OPTIONS:

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.*

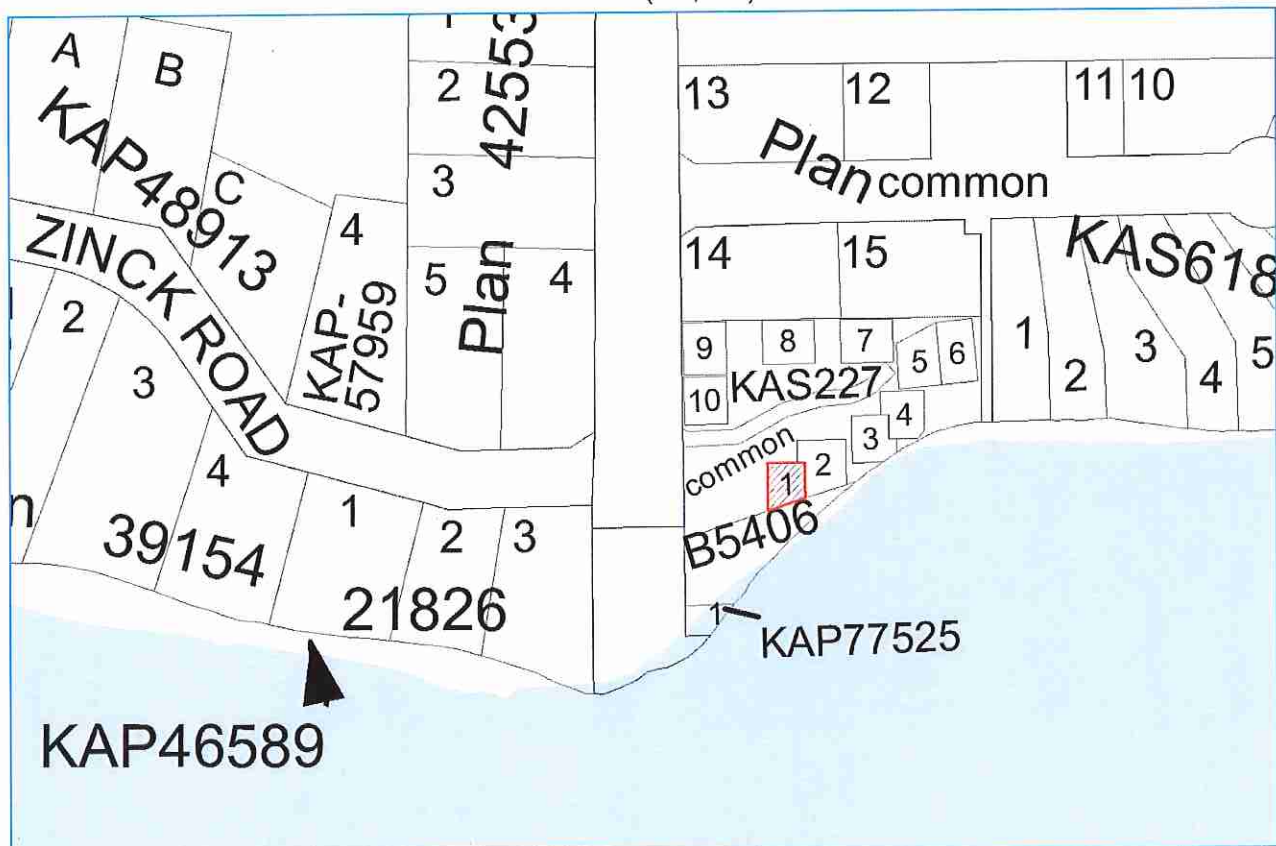
COMMUNICATIONS: To be provided with a future Board report following receipt of referral responses.

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

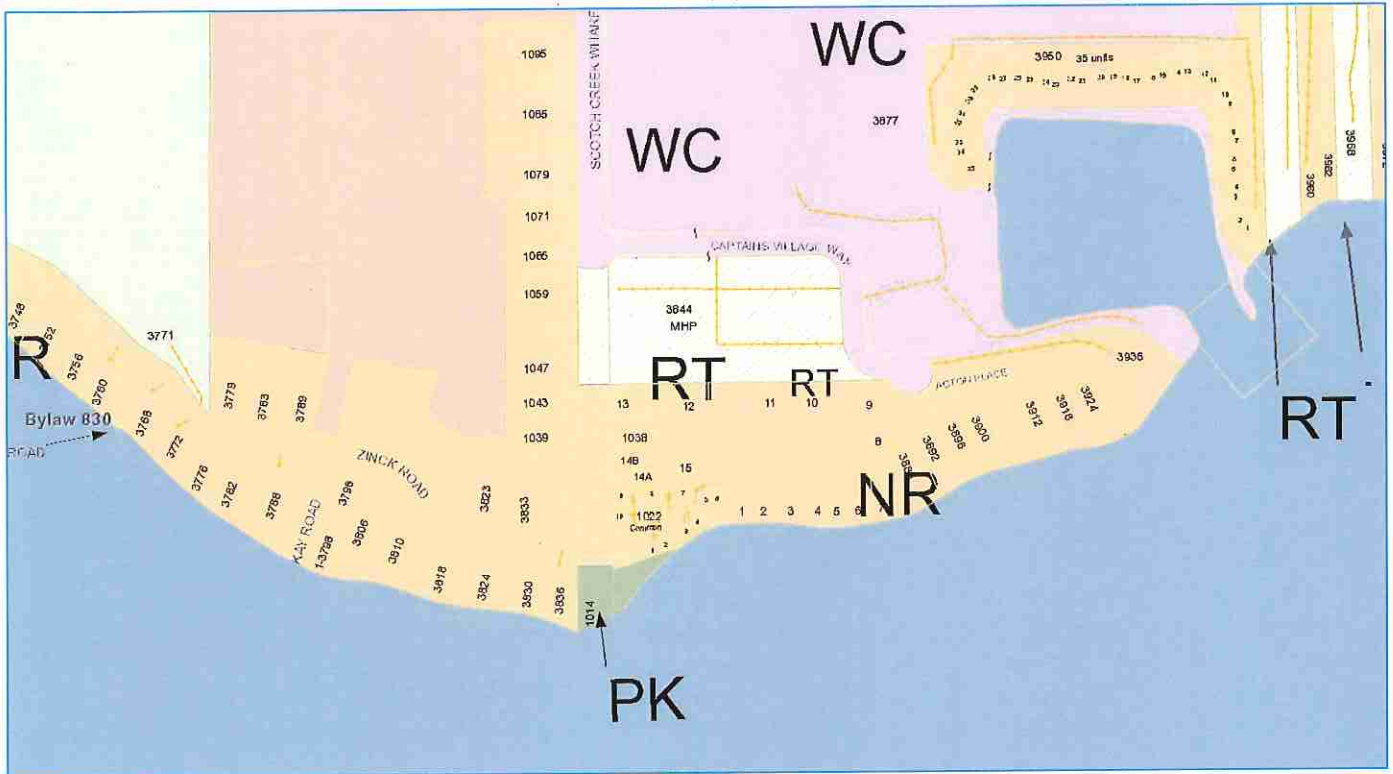
Location (1:2,500)



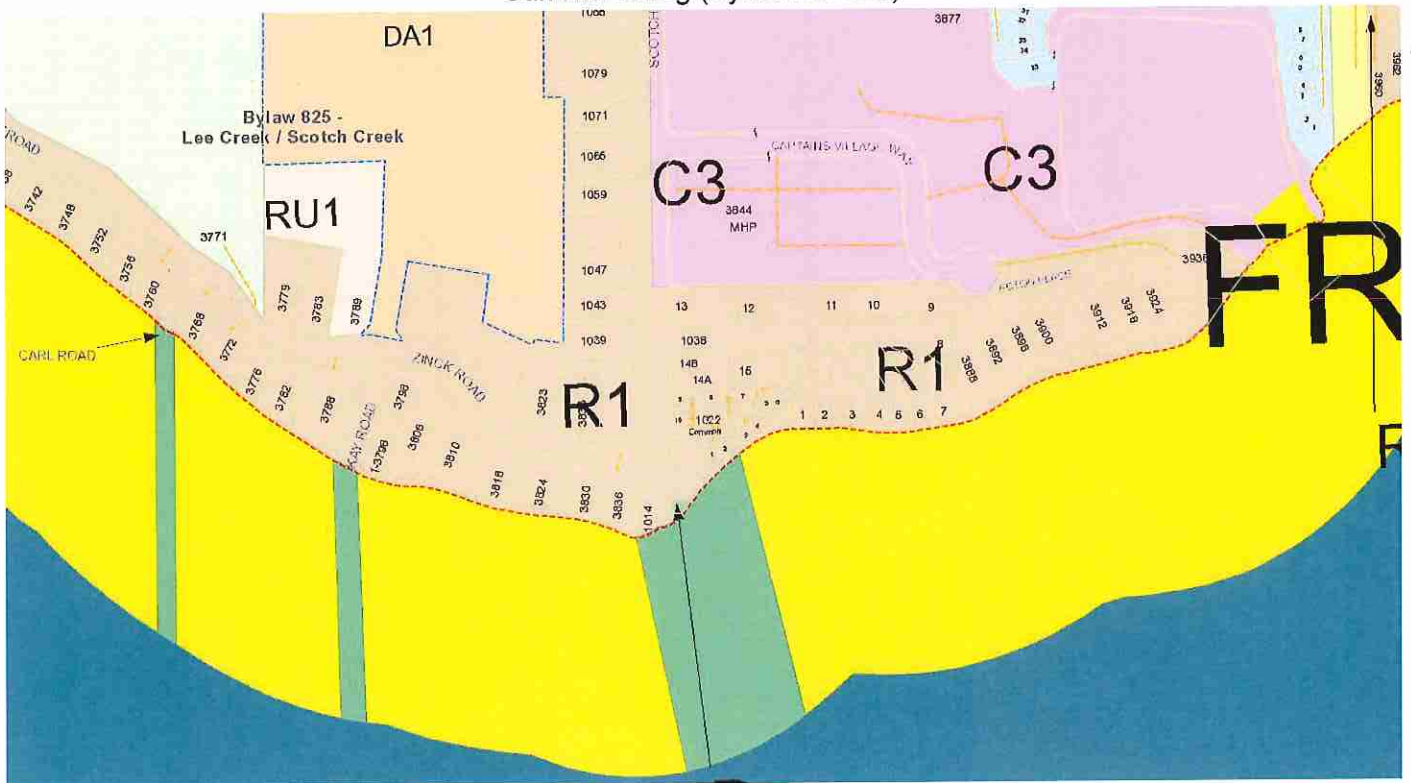
Location (1:1,000)



Current OCP (Bylaw 830)



Current Zoning (Bylaw No. 825)



Orthophoto 2013 Foreshore Large Scale



Orthophoto 2013 Foreshore



Original Strata Plan K227

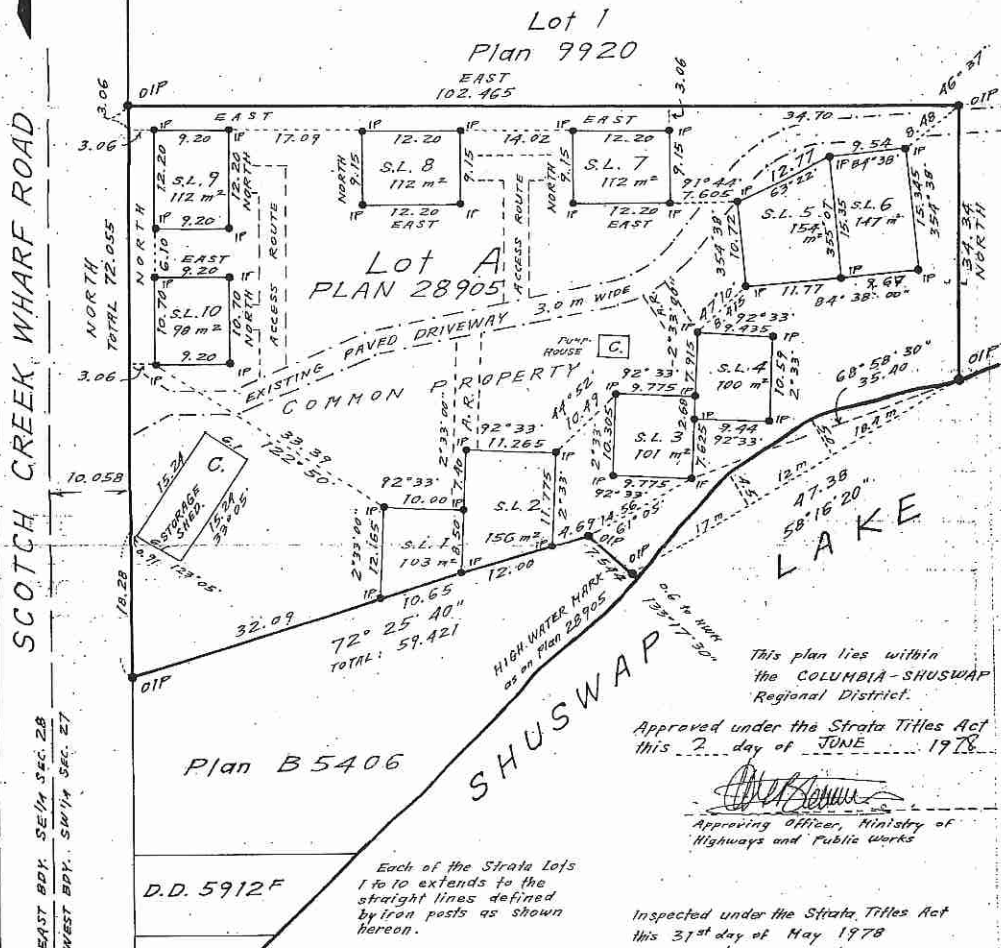
SHEET 1 OF 5 SHEETS

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 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.

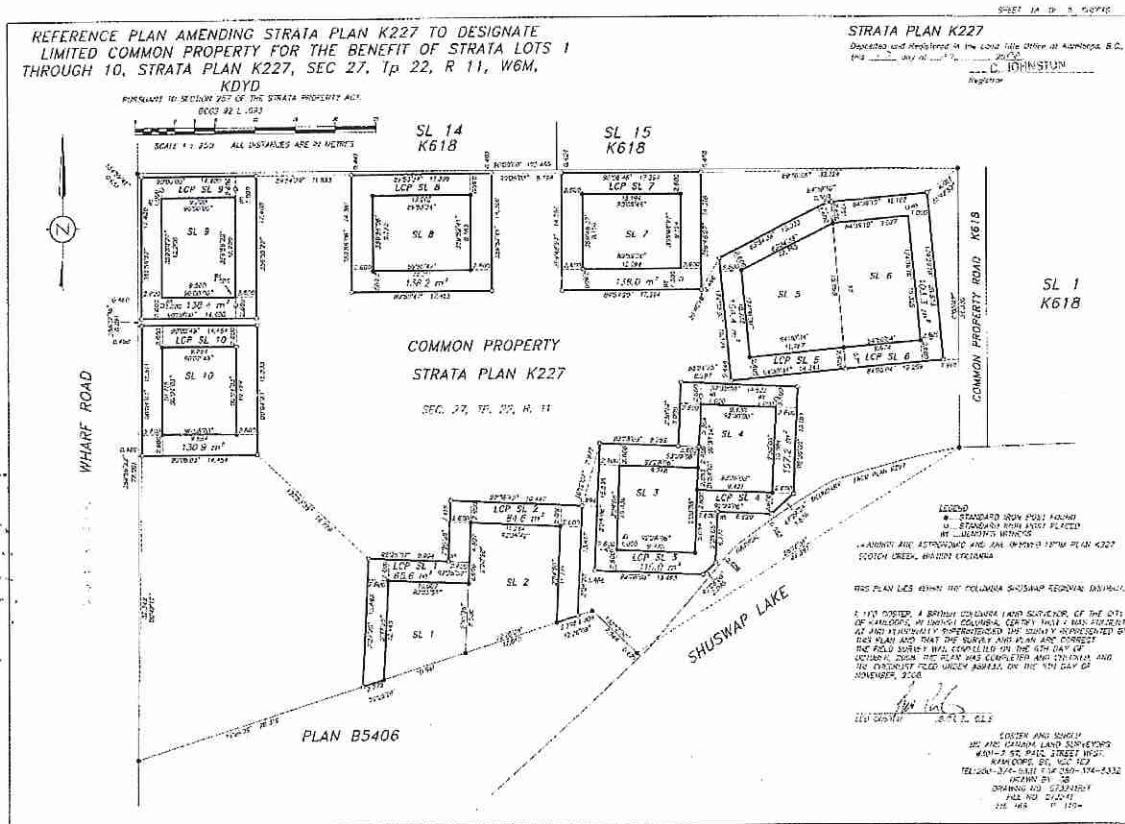
S.L. STRATA LOT.
 C. Common Property.
 m² Square Metres.

--- denotes the existing paved driveway, 3 m wide.

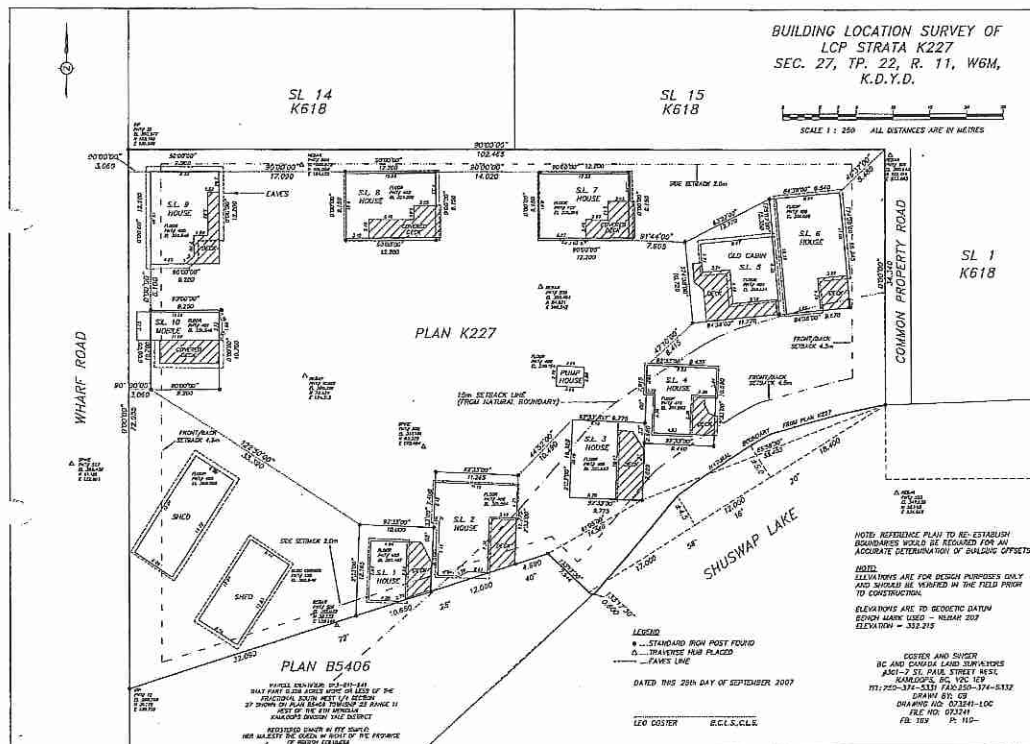
A.R. denotes ACCESS ROUTE.

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.

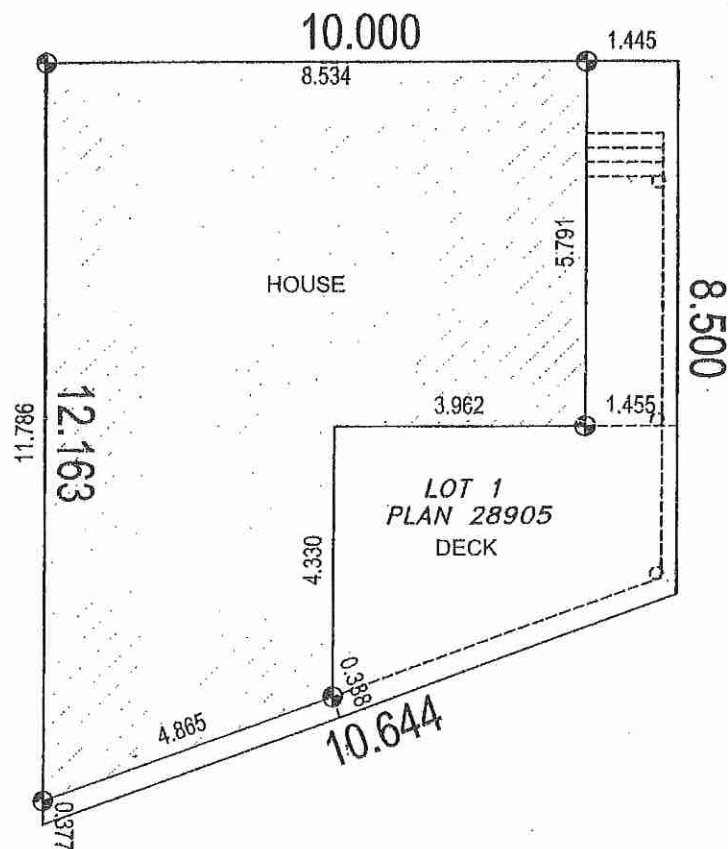
Amended Strata Plan K227



Building Location Survey



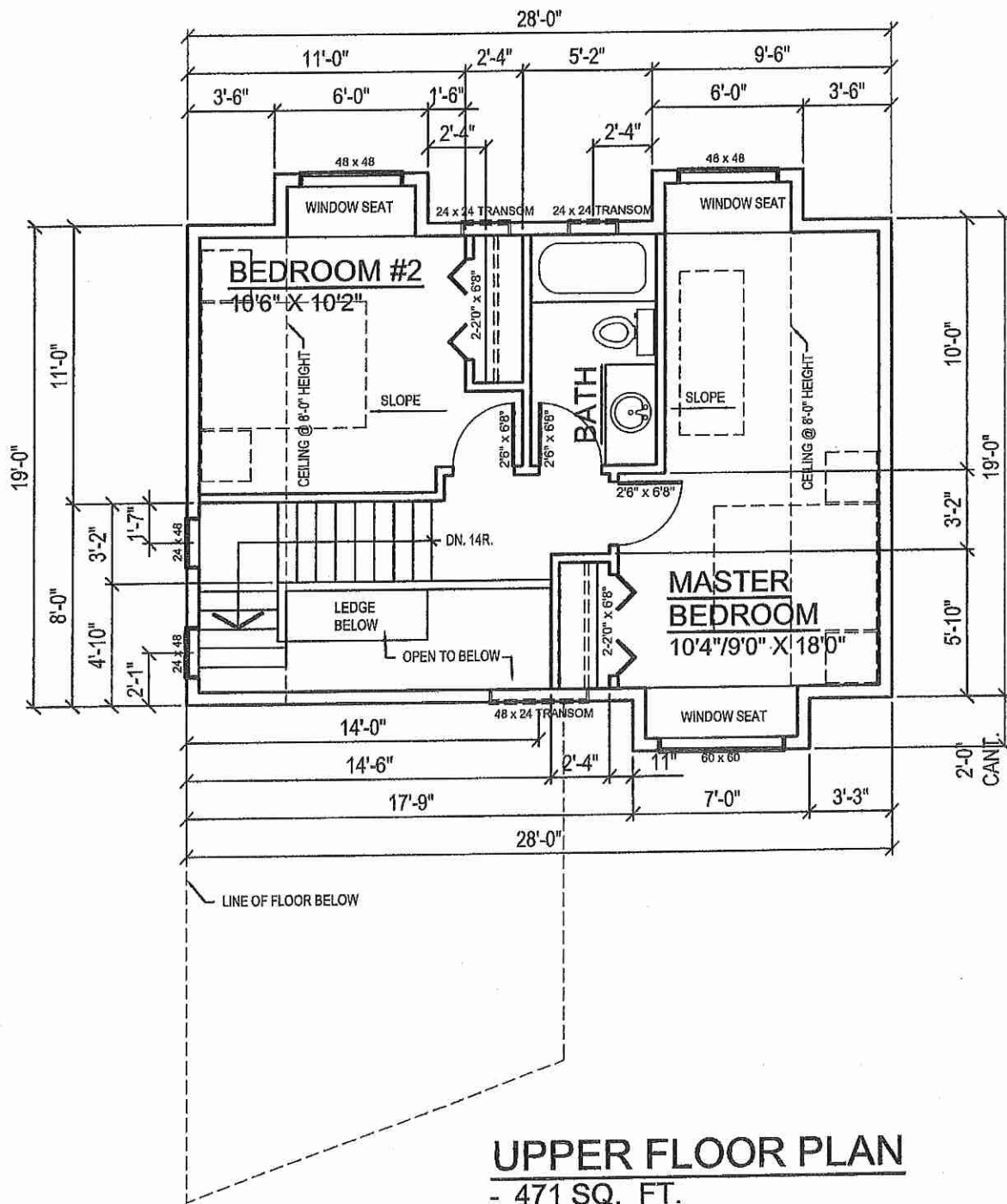
Proposed Building Site Plan



SITE PLAN
SCALE: 1/8" = 1'-0"

Pro-X
Drafting Service
2020 Edgewood Avenue
Kennett, R.D. 108 NW
(501) 312-2210 fax (252) 312-2043
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



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:

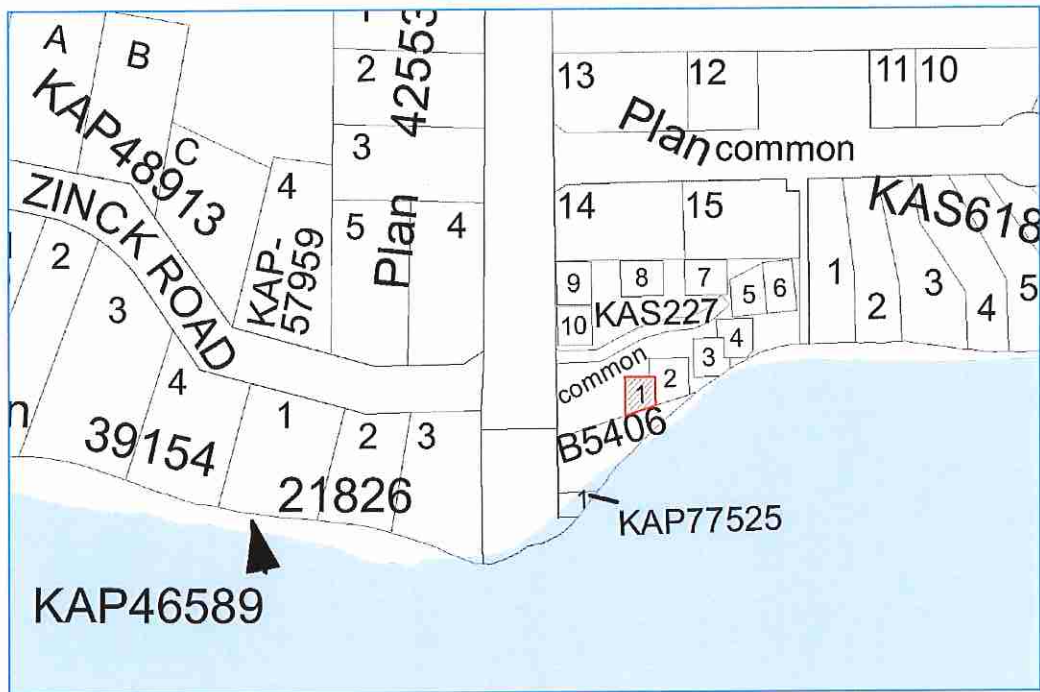
A. TEXT AMENDMENT

- 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

COLUMBIA SHUSWAP REGIONAL DISTRICT

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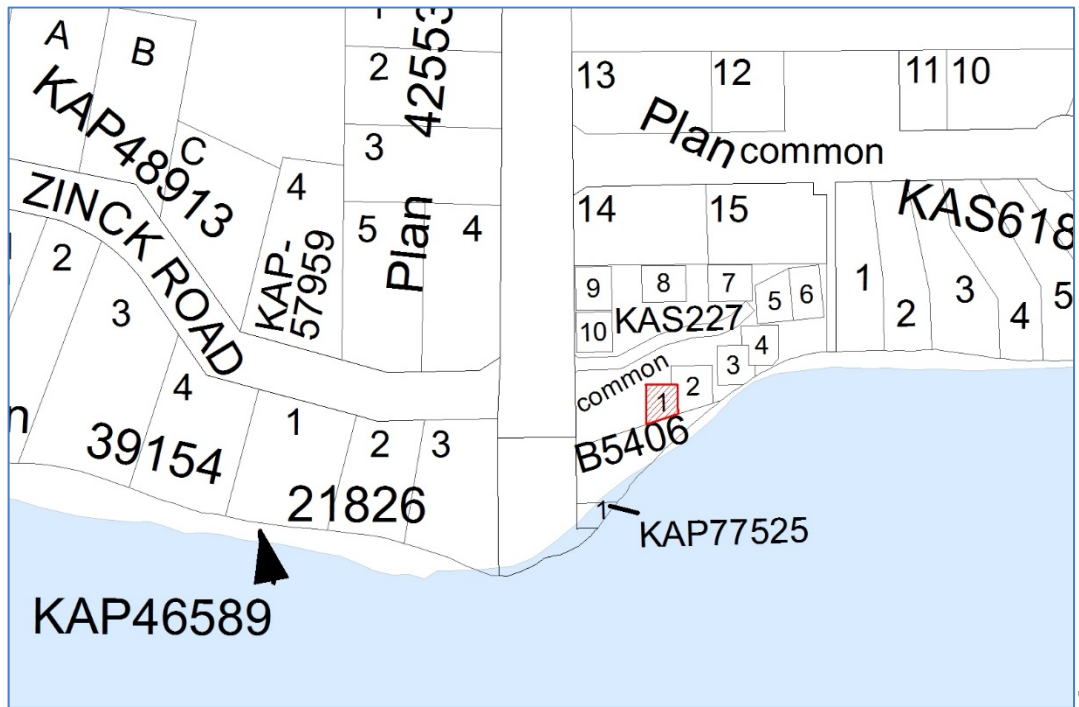
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..../3

Bylaw No. 825-37

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Bylaw No. 825-37"

READ a first time this 15 day of October, 2015.

READ a second time this 21 day of September, 2017.

PUBLIC HEARING held this 17 day of October, 2017.

READ a third time this _____ day of _____, 2017.

ADOPTED this _____ day of _____, 2017.

CHIEF ADMINISTRATIVE OFFICER

CHAIR

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as read a third time.

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Chief Administrative Officer

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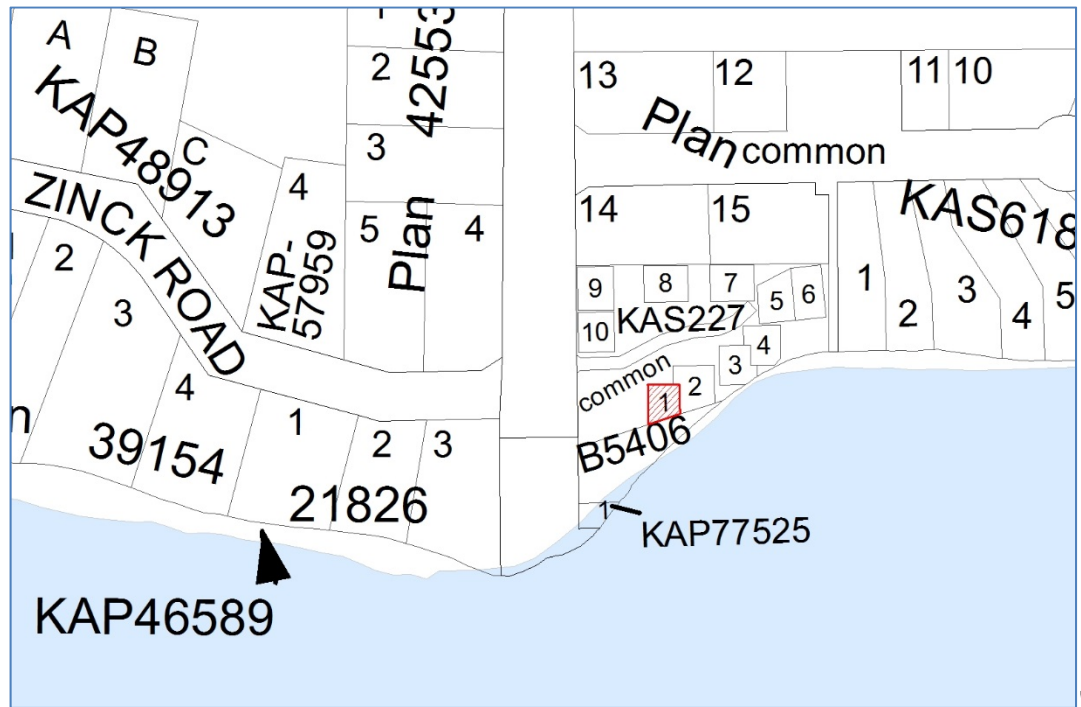
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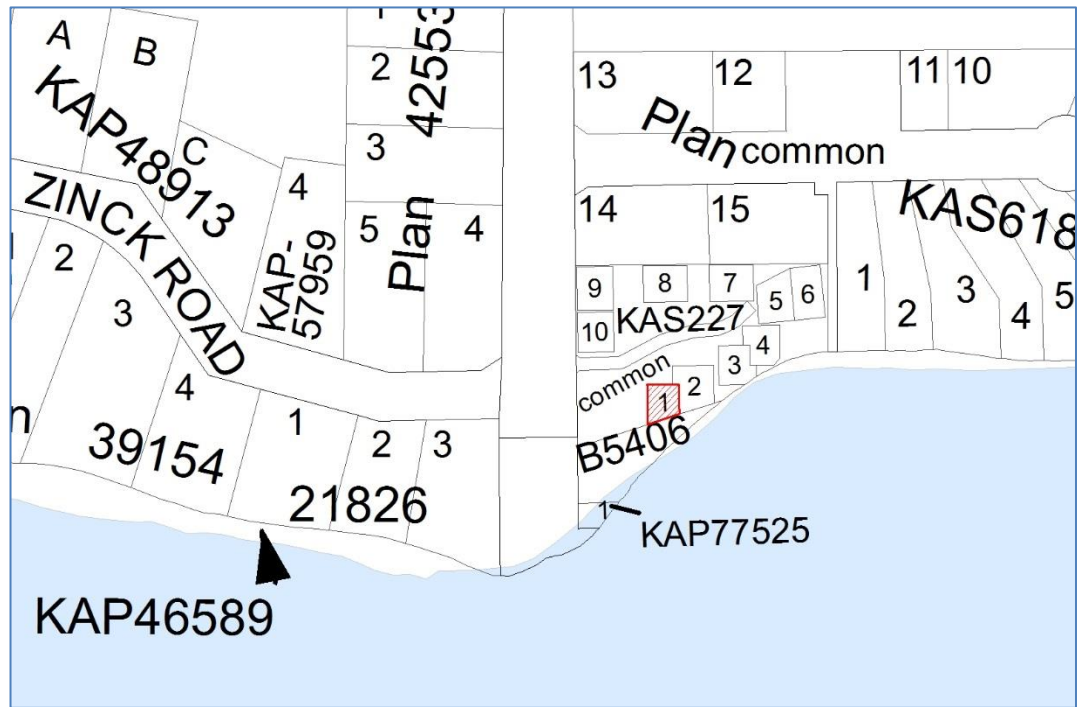
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CHAIR

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as read a third time.

CERTIFIED true copy of Bylaw No. 825-37
as adopted.

Chief Administrative Officer

Chief Administrative Officer

COLUMBIA SHUSWAP REGIONAL DISTRICT

Notes of the Public Hearing held on Tuesday October 17, 2017 at 4:00 p.m. at the Scotch Creek Community Hall/Firehall, 3852 Squilax-Anglemont Road, Scotch Creek BC, regarding proposed Bylaw No. 825-37.

PRESENT: Chair Larry Morgan – Electoral Area F Director
Dan Passmore – Senior Planner, Development Services
0 members of the public

Chair Morgan called the Public Hearing to order at 4:00 pm. Following introductions, the Chair advised that all persons who believe that their interest in property may be affected shall be given the opportunity to be heard or to present written submissions pertaining to the proposed Scotch Creek Zoning Amendment (Ted and Lucille Tash) Bylaw No. 825-37.


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 November 16, 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 October 6 and 13, 2017.

The Planner provided background information regarding these proposed bylaw amendments and reviewed the purpose of the bylaws.


The Chair opened the floor for comments.

Hearing no representations or questions about proposed Bylaw No. 825-37 the Chair called three times for further submissions before declaring the public hearing closed at 4:12 pm.

CERTIFIED as being a fair and accurate report of the public hearing.

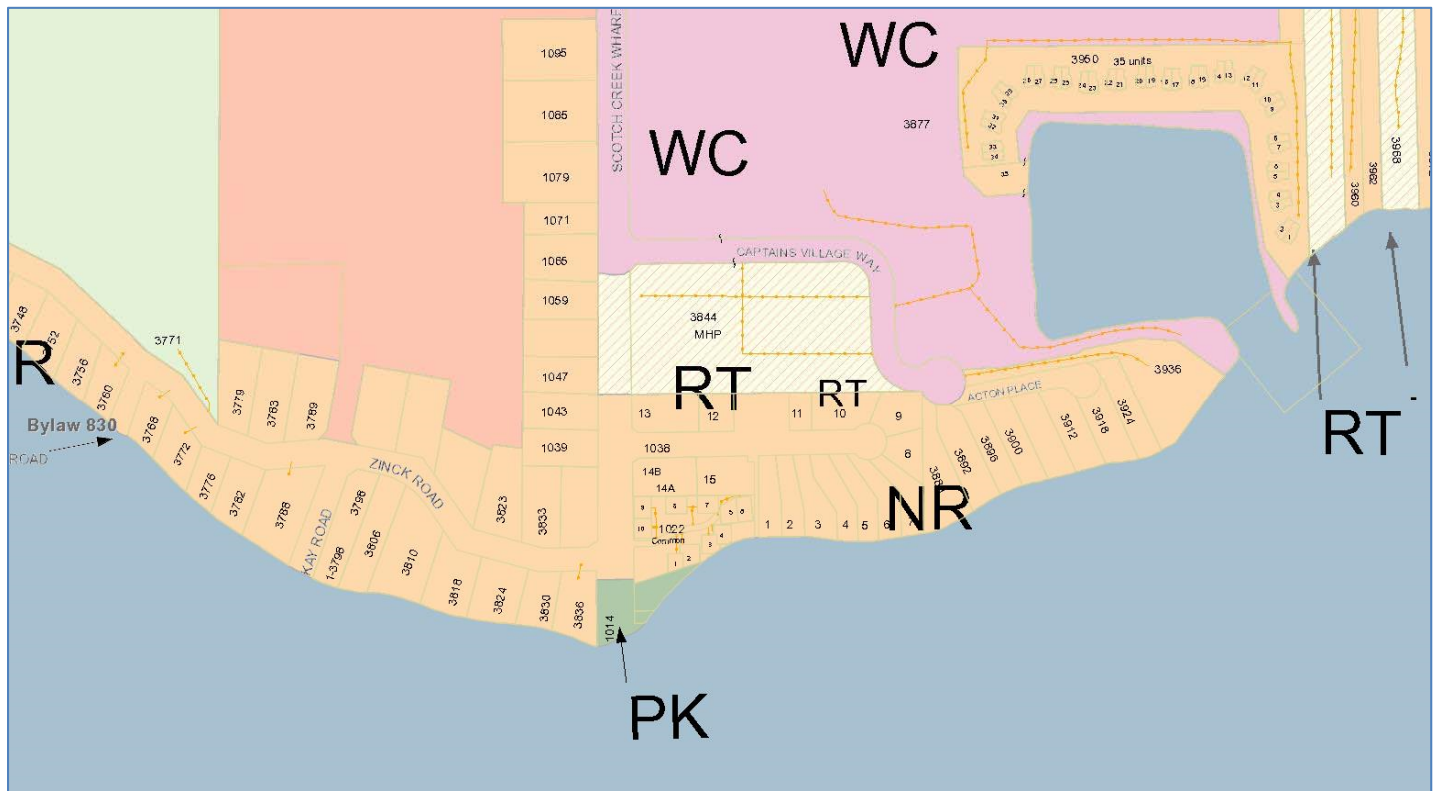


Director Larry Morgan
Public Hearing Chair

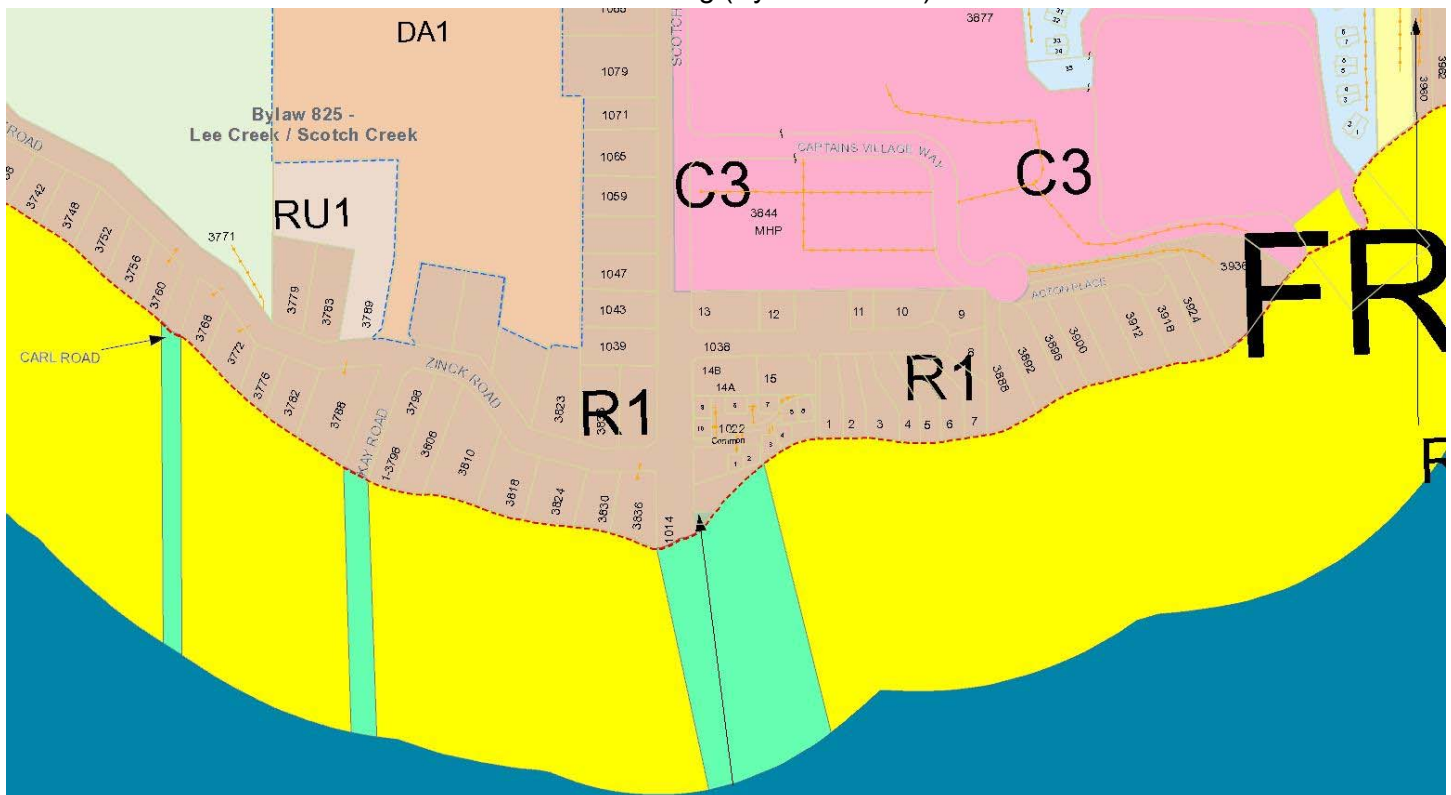


Dan Passmore
Senior Planner

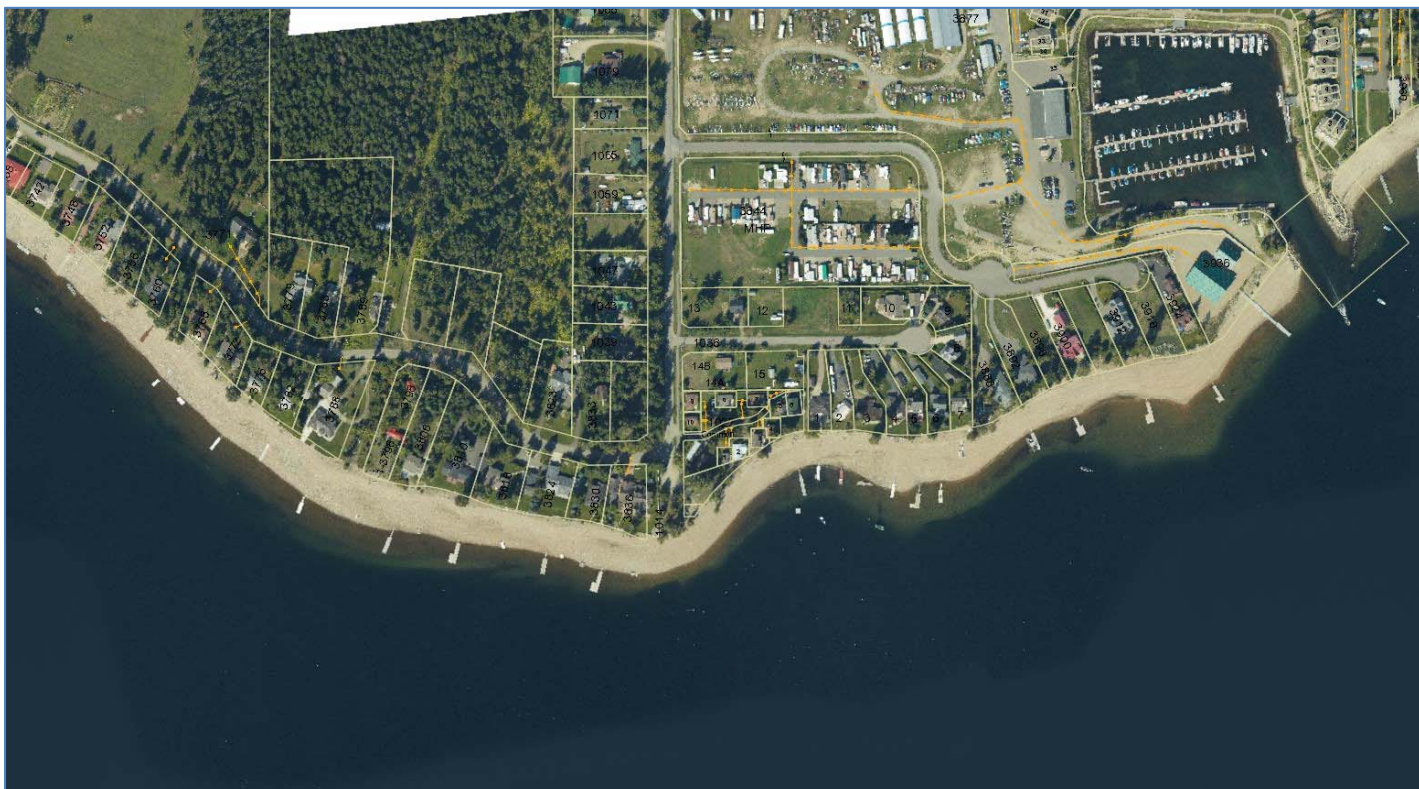
Current OCP (Bylaw 830)



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

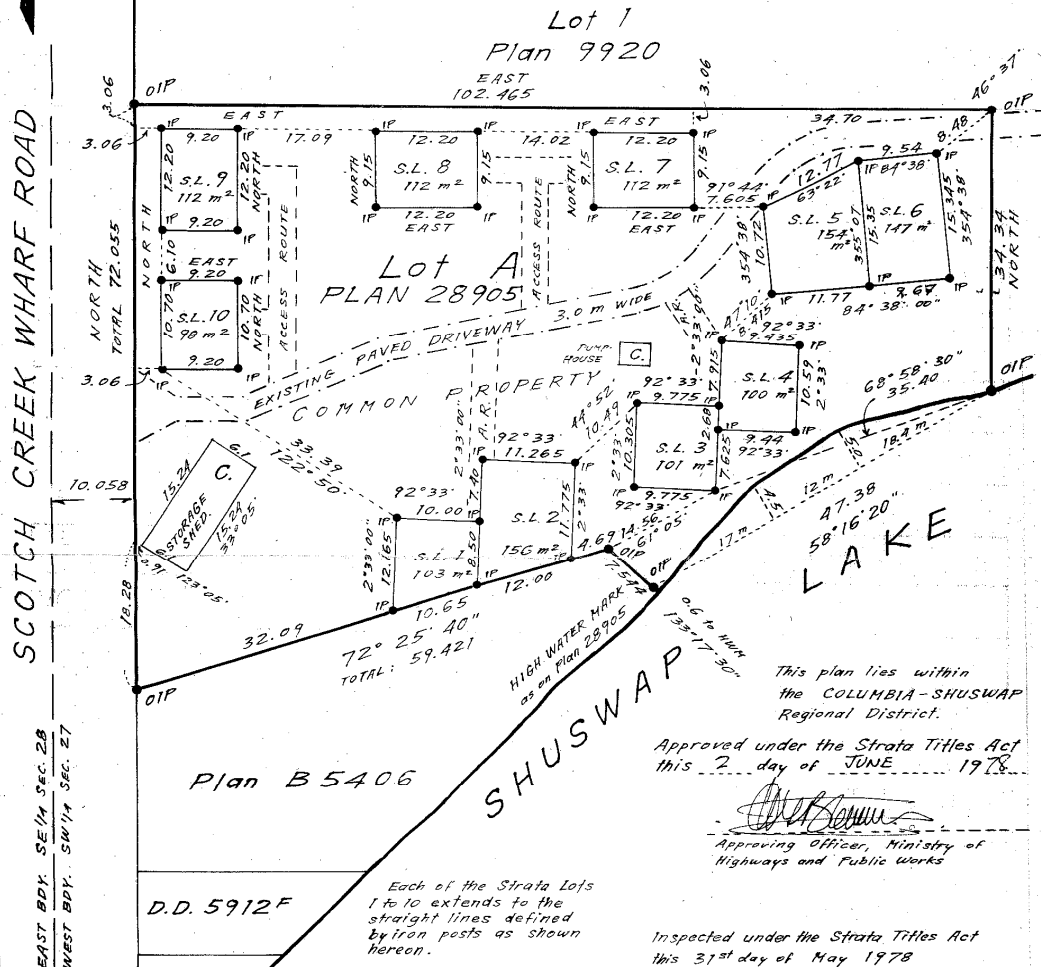
VERNON ASSESSMENT DISTRICT

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.
m² Square Metres.

--- denotes the existing paved driveway, 3 m wide.

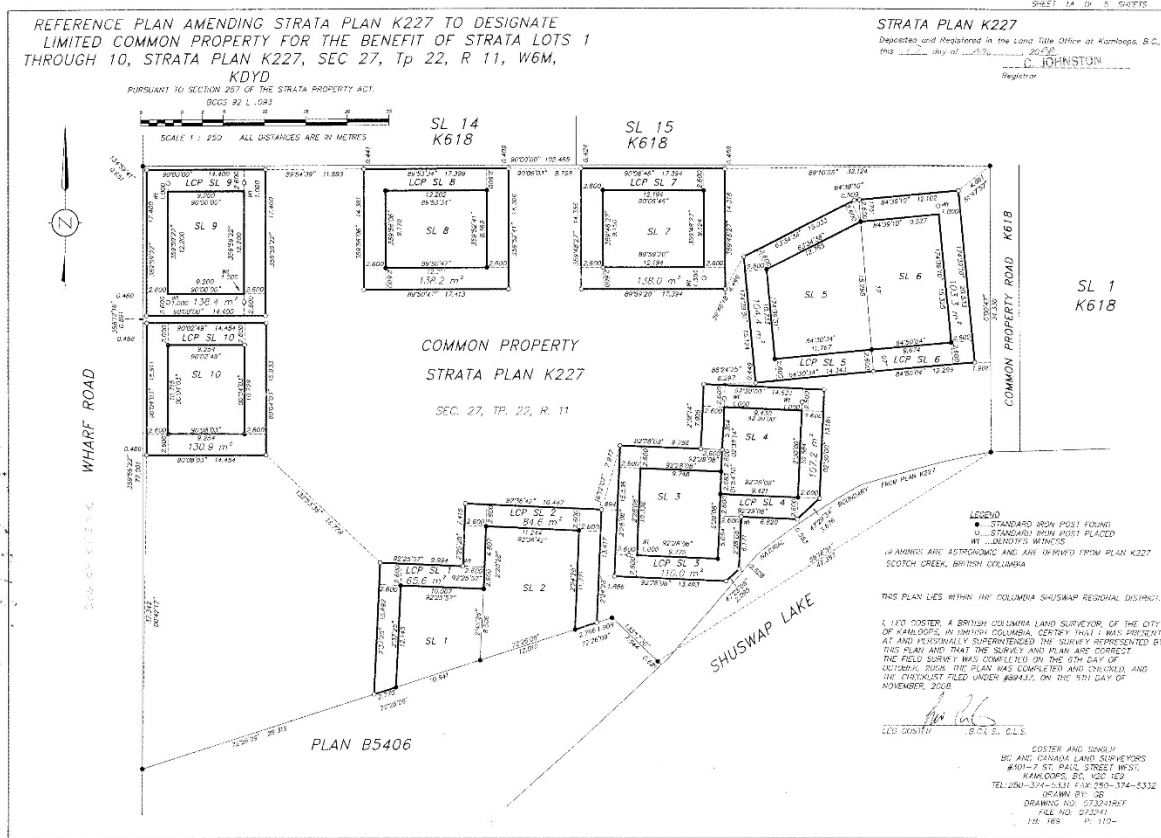
A.R. denotes ACCESS ROUTE.

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.

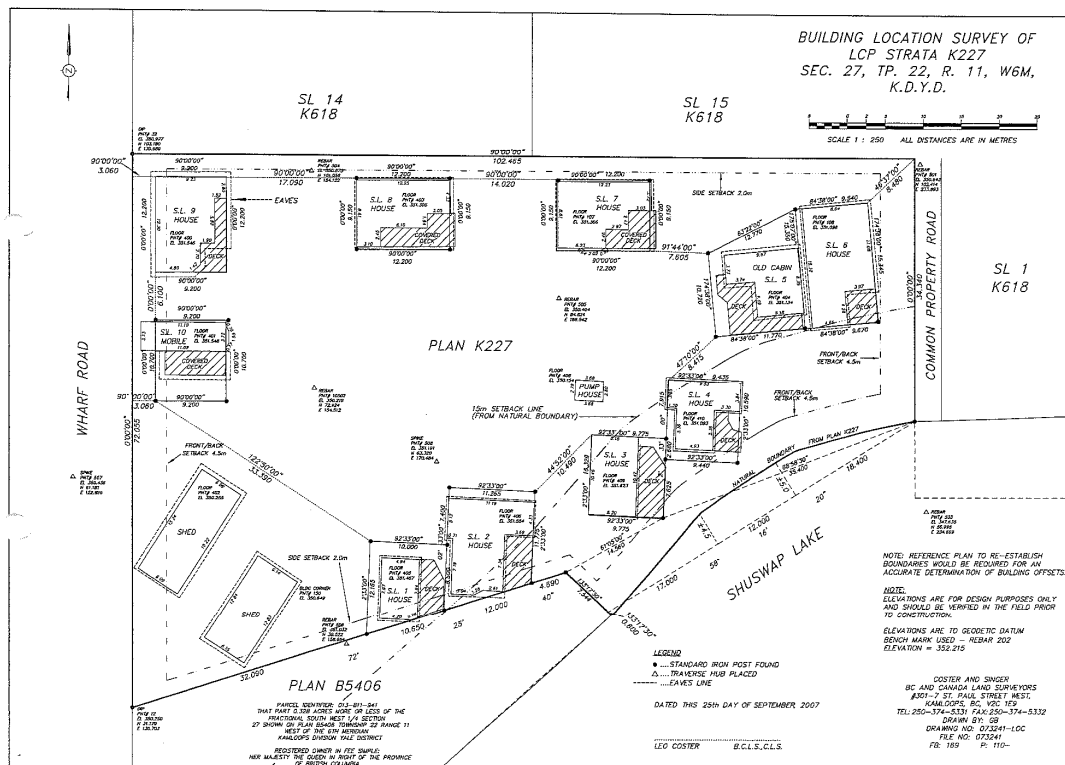
The address for service of documents on the Strata Corporation is:
300 - 153 SEYMOUR STREET
KAMLOOPS, B.C.

The civic address is:
SCOTCH CREEK, B.C.

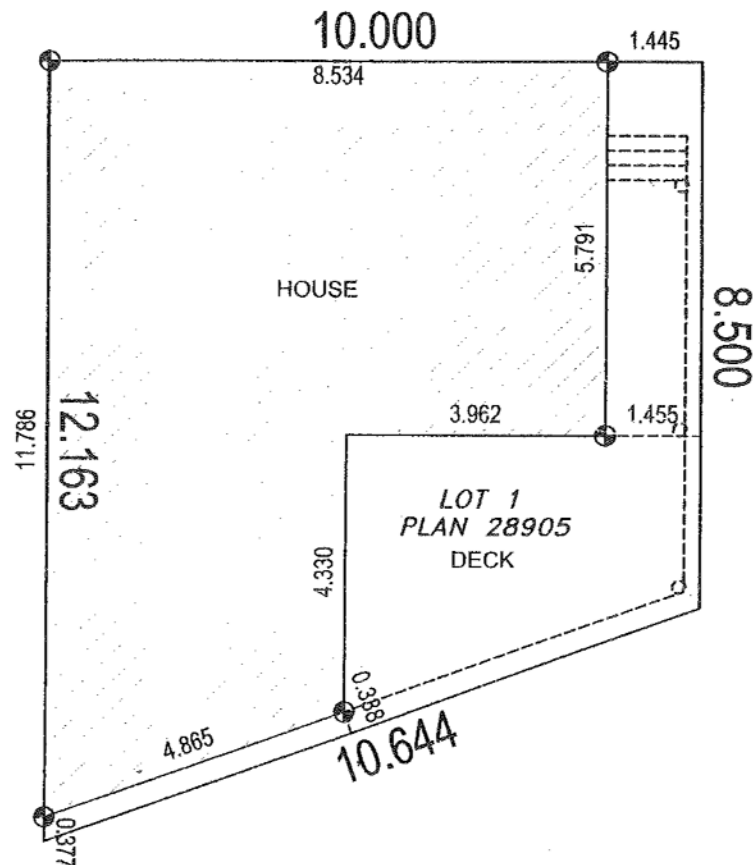
Amended Strata Plan K227



Building Location Survey



Proposed Building Site Plan

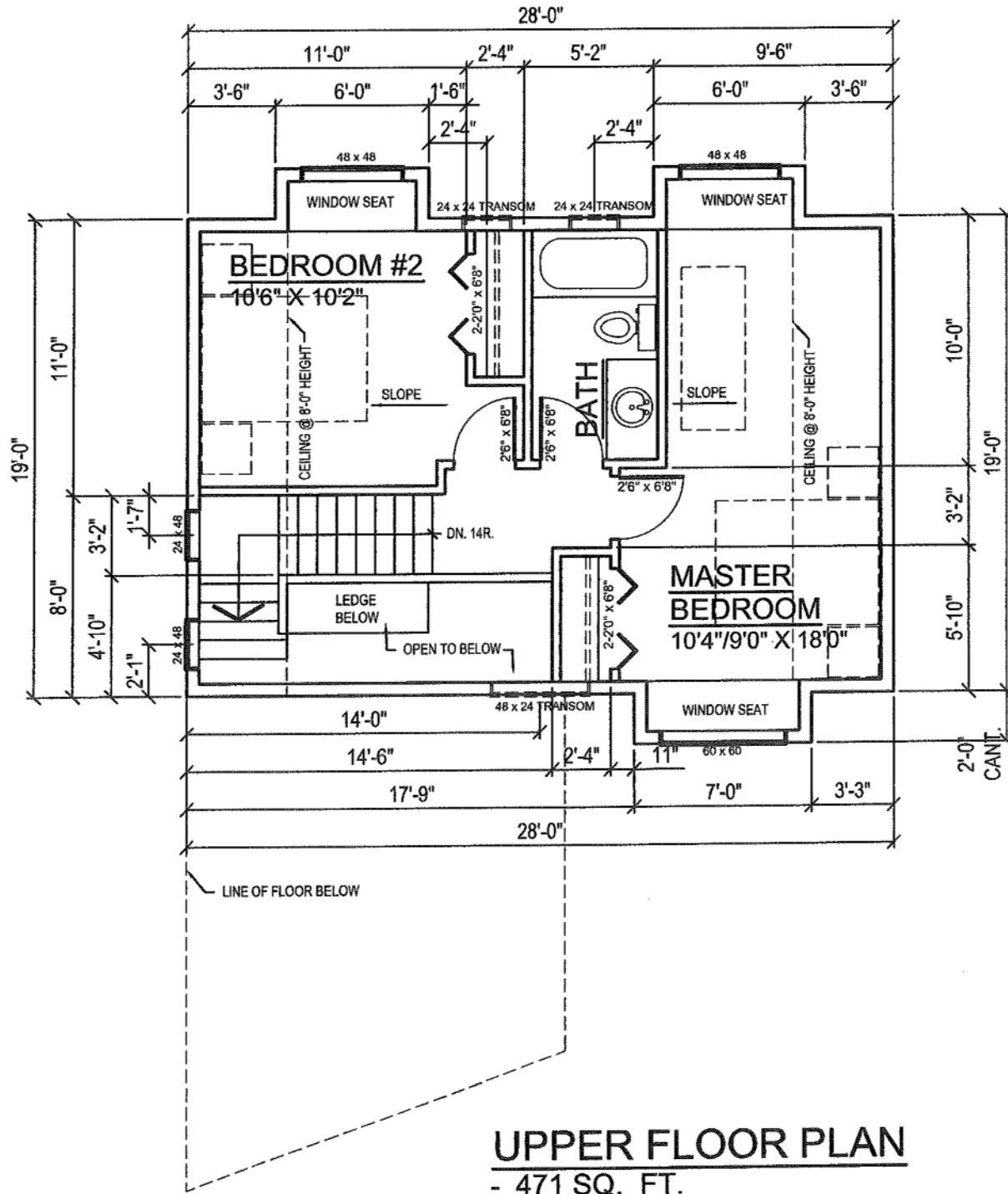


SITE PLAN
SCALE: 1/8" = 1'-0"

Pro-X
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

- 786 SQ. FT.
TOTAL - 1257 SQ. FT.

Second Floor Plan





BOARD REPORT

TO: Chair and Directors

File No:	BL 900-9 PL20140127
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SUBJECT: Electoral Area F: Lakes Zoning Amendment (Meadow Creek Properties Park Association) Bylaw No. 900-9

DESCRIPTION: Report from Dan Passmore, Senior Planner, dated September 12, 2017
5140 Squilax-Anglemont Road, Magna Bay.

RECOMMENDATION: THAT: "Lakes Zoning Amendment (Meadow Creek Properties Park Association) Bylaw No. 900-9", be given no further readings this 16th day of November, 2017.

SHORT SUMMARY:

This is a proposed amendment to Lakes Zoning Bylaw No. 900 to reflect a unique upland ownership circumstance. The owners of the upland property Lot 1, Section 8, Township 22, Range 10, W6M, K.D.Y.D., Plan 26006 are a community association. This association of upland property owners would like to amend the Multi Family 1 (FM1) zone to include a site-specific regulation for only that portion of the lake adjacent to their property.

After considerable consultation between the Association and the Ministry of Forests Lands, Natural Resource Operations, and Rural Development (MFLNRORD), the Association has amended their application to reduce the overall number of docks from 12 to 3. Therefore, this amended regulation would allow a total of 3 docks, together with the 61 mooring buoys, 1 swim platform and the boat launch facilities that currently exist on the Shuswap Lake foreshore and were part of the original application.

VOTING:	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 "2015-01-15_Board_DS_BL900-9_MMCPA.pdf".

POLICY:

See attached "2015-01-15_Board_DS_BL900-9_MMCPA.pdf".

FINANCIAL:

The rezoning is the result of a bylaw enforcement action. If the Board does not adopt the proposed amending bylaw, and the owner does not bring the property into compliance, the Board may then wish to direct staff to seek a legal opinion regarding possible court action. Costs for the legal opinion and possible court action, although partially recoverable through Court, could nonetheless be substantial. Staff involvement in legal action is not recoverable

KEY ISSUES/CONCEPTS:

See attached "2015-01-15_Board_DS_BL900-9_MMCPA.pdf".

Update

CSRD staff forwarded the referral response received from MFLNRORD, and dated January 29, 2015 to the association. The association began a long consultation with MFLNRORD which resulted in MFLNRORD ultimately looking favourably on the reduction of the total number of docks to 3. As a result of this, the Association gave members that currently had docks, other than the 3, until September 30, 2017 to remove the extra 9 docks. In an interesting twist MFLNRORD gave the Meadow Creek Properties Park Association (MCPPA) until September 1, 2017 to have the docks removed. Bylaw Enforcement staff have visited the site after this deadline in early October, and advise that the docks have not been removed.

A central concern of staff was regarding ownership and therefore management of the moorage facilities (both docks and buoys). The MCPPA has subsequently reported that the Society membership will have ownership of the 3 docks. The docks will be used for loading and unloading of boats and therefore not for overnight moorage, but only day moorage. The docks will be available to all members of the Association on a first come first serve basis. The buoys are all owned by members and the MCPPA will be able to allow other members who have a boat but no buoy to use a buoy that is not being used while they visit the Lake.

Should the buoys remain under private ownership, they will still remain illegal except those that are proven by buoy owners to be non-conforming, because they were not placed by the upland property owner, the MCPPA. The buoys cannot be considered as belonging to semi-waterfront property owners.

Private Mooring Buoys placed in Shuswap Lake adjacent to the MCPPA property prior to the adoption of Lakes Zoning Bylaw No. 900 in August 2012 are considered non-conforming, and it is only those buoys placed after the adoption of the bylaw that are considered illegal, despite not being placed by a waterfront or semi-waterfront property owner. For the proposed zoning bylaw amendment to recognize the buoys, this issue will need to be addressed. If the MCPPA does not step in and take ownership, the bylaw will need to consider allowing buoys which are not owned by waterfront or semi-waterfront property owners. This precedent may impact future applications.

In their protracted communications with the MFLNRORD it has come to light that the Province has registered a Notation of Interest for public use (a UREP) in 1996 (Reserve No. 963009, which extends 50 m into the lake) for the foreshore fronting the MCPPA property. The purpose of the UREP was to reserve the area of the lake adjacent to the MCPPA property as open for public use. Officials with MFLNRORD have speculated that the Reserve was reflective of the covenant reserving the upland property owned by MCPPA as park use only. All works on the foreshore, either sanctioned by the MCPPA or not since this time which serve a private interest are therefore in violation of the UREP. The MCPPA, had they been active with the Lands Branch in securing tenures for structures in the foreshore would likely have become aware of this issue.

In terms of any privately owned buoys which may trespass into the 50 m UREP, staff has posed that question to MFLNRORD who have responded that they would really not have any jurisdiction within the UREP or other legislation to take action against the encroaching buoy owners. Rather they are restricting their jurisdiction to the docks only.

MFLNRORD has indicated that it is willing to look favourably on 3 docks remaining on the MCPPA waterfront, provided ownership of the docks is with the MCPPA. The MCPPA is aware of this caveat, and will apply for permits for these 3 docks. However, they will not manage the docks use, but rather

will leave them to be used on a first come first served basis. Further, they have advised that they will still not take action with respect to private buoys, except through some nebulous sharing concept.

SUMMARY:

Staff are concerned that the MCPA has not enforced their deadline for removal of the additional docks, and has not put forth a management plan for these assets that is realistic. Further, staff are concerned that private non waterfront or semi-waterfront property owners will continue to own private mooring buoys and that this ownership would be recognized in Lakes Zoning Bylaw No. 900, despite the fact that Bylaw No. 900 does not otherwise permit this use. As a result, staff are recommending that the Board consider giving Bylaw No. 900-9 no further readings, so that bylaw enforcement actions can commence.

IMPLEMENTATION:

As per CSRD Policy No. P-18 regarding Consultation Processes-Bylaws, staff recommended the simple consultation process. Neighbouring property owners first became aware of the application for zoning amendments when the notice of development sign was posted on the property.

COMMUNICATIONS:

If the Board supports the staff recommendation, the applicant will be advised and the matter will be referred back to Bylaw Enforcement staff for further action.

If the Board supports second reading of Bylaw No. 900-21 and delegates a Public Hearing staff will proceed with notification of adjacent property owners and advertising the Public Hearing as set out in the Local Government Act.

Referral agencies have provided their comments and they have been attached as Appendix B to this report.

DESIRED OUTCOMES:

That the Board endorse staff recommendation.

BOARD'S OPTIONS:

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

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

1. Lakes Zoning Bylaw No. 900, as amended
2. Maps, Plans, and Photos

Report Approval Details

Document Title:	2017-11-16_Board_DS_BL900-9_MCPPA.docx
Attachments:	<ul style="list-style-type: none">- 2015-01-15_Board_DS_BL900-9_MMCPA.pdf- BL900-9 BylawSecondasamendedg.pdf- Agency_referral_responses_BL900-9.pdf- Maps_Plans_BL900-9.pdf
Final Approval Date:	Nov 6, 2017

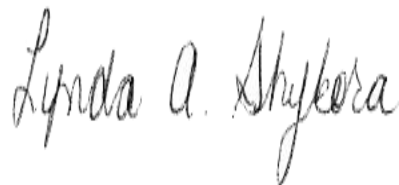
This report and all of its attachments were approved and signed as outlined below:



Corey Paiement - Nov 3, 2017 - 9:56 AM



Gerald Christie - Nov 6, 2017 - 7:19 AM



Lynda Shykora - Nov 6, 2017 - 11:47 AM



Charles Hamilton - Nov 6, 2017 - 1:39 PM



BOARD REPORT

TO: Chair and Directors

File No: BL 900-9

FROM: Dan Passmore
Senior Planner

Date: December 17, 2014

SUBJECT: Lakes Zoning Amendment (Meadow Creek Properties Park Association)
Bylaw No. 900-9

RECOMMENDATION #1: THAT:
"Lakes Zoning Amendment (Meadow Creek Properties Park Association) Bylaw No. 900-9" be read a first time this 15th day of January, 2015;

AND THAT:

the Board utilize the simple consultation process for Bylaw No. 900-9 and in accordance with Section 879 of the Local Government Act it be referred to the following agencies and First Nations:

- Area 'F' Advisory Planning Commission;
- Interior Health Authority;
- Ministry of Transportation and Infrastructure;
- Ministry of Environment;
- Department of Fisheries and Oceans;
- Ministry of Forests, Lands and Natural Resource Operations – Lands Branch;
- Ministry of Forests, Lands and Natural Resource Operations, Archaeology Branch;
- CSRD Operations Management; and
- All relevant First Nations Bands and Councils

APPROVED for Board Consideration:

Meeting Date: January 15th, 2015

Charles Hamilton
Charles Hamilton, CAO

SHORT SUMMARY:

This is a proposed amendment to Lakes Zoning Bylaw No. 900 to reflect a unique upland ownership circumstance. The owners of the upland property Lot 1, Section 8, Township 22, Range 10, W6M, K.D.Y.D., Plan 26006 are a community association that had, as of their last Annual General Meeting, 63 active members, 3 associate members and 1 lifetime member. This association of upland property owners would like to amend the Multi Family 1 (FM1) zone to include a site-specific regulation for only that portion of the lake adjacent to their property. This regulation would allow a total of 61 mooring buoys, 12 docks, 1 swim platform and boat launch facilities that currently exist on the Shuswap Lake foreshore.

VOTING:	Unweighted Corporate <input type="checkbox"/>	Weighted Corporate <input type="checkbox"/>	Stakeholder <input type="checkbox"/>
	LGA Part 26 <input checked="" type="checkbox"/>		(Weighted)
	(Unweighted)		

BACKGROUND:

APPLICANT: Meadow Creek Properties Park Association

ELECTORAL AREA: 'F' (Celista)

CIVIC ADDRESS: 5140 Squilax-Anglemont Road

LEGAL DESCRIPTION: That part of Shuswap Lake adjacent to Lot 1, Section 8, Tp. 22, Rge 10, W6M, KDYD, Plan 26006

SIZE OF PROPERTY: 1.115 ha. (2.62 ac)

**SURROUNDING LAND
USE PATTERN:**

NORTH	Residential
SOUTH	Shuswap Lake
EAST	Residential
WEST	Residential

CURRENT USE: Upland – Boat Launches, volleyball courts, parking lot, picnic areas
Foreshore – 60 mooring buoys, 12 docks and 2 boat launches

PROPOSED USE: Upland – Boat Launches, volleyball courts, parking lot, picnic areas
Foreshore – 61 mooring buoys, 12 docks, 1 swimming platform and boat launch facilities

OCP DESIGNATION: SSA – Secondary Settlement Area

ZONING: FM1 – Multi-Family – 1

POLICY:**Electoral Area 'F' Official Community Plan Bylaw No. 830****3.2 Shoreline Environment***Objective 1*

To maintain the unique physical and biological characteristics of the shoreline environment.

Objective 2

To ensure that shoreline habitats are protected from undesirable development and unnecessary shoreline manipulation.

Objective 3

To manage the foreshore to ensure appropriate use and prevent overdevelopment.

Objective 4

To direct development to areas of least ecological sensitivity, particularly in relation to fish habitat.

Policy 1

Non-moorage uses are not acceptable on the foreshore, which include facilities such as beach houses, storage sheds, patios, sun decks, and hot tubs. Additionally, no commercial uses, long-term camping (as defined in the zoning bylaw), beach creation, sand importation, groyne construction, infilling, private boat launches, substrate disturbance (shore spawning) are acceptable on the foreshore. Houseboat activities on the foreshore will be directed to areas of least environmental and social impact (i.e. low fish habitat values, away from settlement areas).

Policy 2

Shoreline stabilization works and measures are subject to the following:

1. All shoreline stabilization works must adhere to the Ministry of Environment's "Best Management Practices for Lakeshore Stabilization".
2. Recognizing that a natural shoreline is often the best and least expensive protection against erosion, shoreline stabilization activities shall be limited to those necessary to prevent damage to existing structures or established uses on waterfront property. New development should be located and designed to avoid the need for shoreline stabilization.
3. Shoreline stabilization structures for extending lawn or gardens or providing space for additions to existing structures or new outbuildings are prohibited.
4. Stabilization works should be undertaken only when there is a justifiable level of risk to existing buildings, roads, services, or property, as deemed necessary by a qualified environmental professional (QEP). In such cases, the 'softest' stabilization measures should be applied.
5. Stabilization works and measures must be located within the property line of the waterfront parcel, above the natural boundary of the watercourse. Soft shoreline measures that provide restoration of previously damaged ecological functions may be permitted waterward of the natural boundary.

Policy 3

Private moorage is subject to the following:

1. Private moorage will not impede pedestrian access along the beach portion of the foreshore.
2. The siting of new private moorage shall be undertaken in a manner that is consistent with the orientation of neighbouring private moorage, is sensitive to views and other impacts on neighbours, and avoids impacts on access to existing private moorage and adjacent properties.
3. The zoning bylaw will set out other detailed provisions related to siting, setbacks, size, configuration, width, materials, and projections for private moorage.
4. The Integrated Land Management Bureau, in carrying out reviews of foreshore tenure applications will take the foregoing factors into consideration, with emphasis on the

environmental sensitivity of the foreshore areas, as well as ensuring an appropriate relationship with upland areas.

5. Private moorage owners and builders will refer to the Ministry of Environment's Best Management Practices for Small Boat Moorage on Lakes and the Ministry's BMPs for Boat Launch Construction and Maintenance on Lakes. As well, owners and builders will refer to minor works policies published by Transport Canada, Navigable Waters Protection Division prior to construction of any foreshore moorage (works).

Policy 4

The Regional District will:

1. Assess and protect sensitive fish habitat when implementing the boat launching facilities provisions of the Electoral Area F Parks Plan.
2. Work with the Integrated Land Management Bureau to investigate ways to best achieve the goals set out in this section, including investigation of the potential for the CSRD to secure a head lease for the foreshore.
3. Encourage waterfront owners to consider shared docks in the interests of having one larger dock that extends into deep water, rather than a number of individual docks that are in relatively shallow water with higher fish habitat values.
4. Advise and expect property owners to replace older, on-site sewage systems with newer technology to prevent potential contamination of the shoreline.
5. Advise and require property owners not to remove vegetation along the shoreline that could result in erosion, loss of food and nutrients for fish, and loss of shade for young fish. Landowners must refer to the Ministry of Environment's Best Management Practices for Hazard Tree and Non Hazard Tree Limbing, Topping or Removal.

11.1 General Land Use

The Primary and Secondary Settlement Areas are delineated on Schedules B & C. This Plan directs growth and development to these areas. The Plan does not support significant growth and development outside the Primary and Secondary Settlement Areas.

11.2 Foreshore and Water Use

The property is associated with moderate fish habitat values, and therefore the following policies apply;

Policy 2 - The Foreshore and Water designation permits recreational watercraft use, commercial marinas and associated Water uses. These uses are subject to the policies of this Plan, including the Foreshore & Aquatic Development Permit Area, regulations of the zoning bylaw, and the regulations of tenuring government authorities.

Policy 3 - Commercial marinas must provide boat-launching facilities for their customers.

Policy 4 - In consideration of the high value fisheries habitat and the environmental sensitivity of the foreshore, structures such as wharves or buildings that require pilings will be very limited and subject to regulations by the relevant federal and provincial agencies.

Policy 5 - The Regional District may limit the number, size and shape of boat slips in the zoning bylaw. Mooring buoys will also be regulated within the zoning bylaw.

Policy 6 - The Regional District will work with ILMB to designate Shuswap Lake and Adams Lake as an application-only area under that agency's Private Moorage Crown Land Use Operation Policy.

11.7 Secondary Settlement Area

The subject property is designated as a Secondary Settlement Area (SSA), but no underlying designations were made to apply to this area in the OCP. Policies for the SSA designation are specific to the underlying designations. It is noted that the following designation and associated policy is available within an SSA;

11.12 Parks and Recreation (PK)

Policy 1

The Parks and Recreation designation includes federal, provincial, and regional parks, and associated park uses, as well as public and private recreation facilities.

Lakes Zoning Bylaw No. 900

The portion of the lake immediately adjacent to the subject property is currently zoned FM1 – Foreshore Multi-Family 1. The FM1 zone currently only allows a single floating dock and private mooring buoy per adjacent waterfront unit, and does not permit a group moorage facility. The adjacent upland property is currently owned by the Meadow Creek Properties Park Association and therefore does not have an adjacent waterfront unit on the property. Rather it is a vacant property reserved for the use of 176 upland title owners for park and recreation purposes.

Staff are proposing to amend the FM1 zone to include both site specific uses and density for the lake adjacent to the subject property to allow the existing facilities which have been constructed, and to allow for the potential of a larger group moorage facility in future to cater to the Associations members.

FINANCIAL:

The rezoning is the result of a bylaw enforcement action. If the Board does not adopt the proposed amending bylaw, and the owner does not bring the property into compliance, the Board may then wish to direct staff to seek a legal opinion regarding possible court action. Costs for the legal opinion and possible court action, although partially recoverable through Court, could nonetheless be substantial. Staff involvement in legal action is not recoverable.

KEY ISSUES/CONCEPTS:

Sewage Disposal

The property is not serviced by any sewage disposal system. This is a requirement for development of property within a Secondary Settlement Area.

Water Supply

The property currently has a pumphouse situated on it which supplies the Meadow Creek community water system. This property does not have a water supply. Secondary Settlement Area policies require connection to a community water system for a property to be developed.

Access

Primary access to this property and the boat launches is from Squilax-Anglemont Road. There are currently 2 driveways for the boat launches as well as an access for the community water system pump house on the east side of the property. There is a gravel parking lot available.

Section 219 Covenant KM40855

This covenant was registered in 1998. The covenant is against the title of the subject property in favour of 176 upland property owners. The covenant restricts the use of the subject property to park and recreational use and does not permit subdivision of the property.

Section 219 Covenant K50406

This covenant was registered in 1975. The covenant is granted to the Crown. The covenant is to limit the subject property's use to a park, either private or public, and that the use of the park will be interpreted as if the lands were zoned as a park area by the appropriate governmental agencies.

Statutory Building Scheme K24715

This statutory building scheme (SBS) was registered in 1975. The SBS includes a schedule of restrictions that impact on development of the individual lots within the development, but does not contain any restrictions specific to the subject property.

Statutory Building Scheme L17117

This SBS was registered in 1976, as a modification to the original SBS K24715, noted above. The SBS modifies a front line setback requirement for those properties fronting Squilax-Anglemont Road to 15'.

Riparian Area Regulations

The applicant is not proposing any additional work on the upland property, and therefore no development would be happening within 30.0 m upland of the highwater mark and so a RAR DP is not required.

Meadow Creek Properties Park Association (MCPPA)

MCPPA is a non-profit society that has been constituted to hold title to the upland property and to manage and maintain the property. Membership in the MCPPA is restricted to owners of the 176 upland titles, and then only if they become members through payment of membership dues. Becoming a member of the MCPPA provides free access to the facilities and amenities of the subject property, including the beach.

In the absence of any CSRD regulation over the upland property and the lake surface, the MCPPA did not regulate or actively manage either the placement of buoys or the placement of private docks in the water. As the upland property owner, it would have been the MCPPA's responsibility to ensure that any works done in the lake received the appropriate permissions from the authority having jurisdiction. In the case of groynes constructed along the shoreline, permission under Section 9 of the Water Act would be required from the MFLNRO. In the case of docks, a license from MFLNRO, for a dock, together with permission under Section 9 of the Water Act from MFLNRO would have been required.

After the adoption of amendments to Electoral Area 'F' Official Community Plan Bylaw No. 830, requiring a DP for water use and the adoption of Lakes Zoning Bylaw No. 900, a process of application through CSRD for a DP was also required. 2 of the members who have constructed docks in the foreshore have applied for DP 830-69 and DP 830-70.

Should the proposed rezoning amendment be approved by the CSRD Board, permissions for the docks will be required from MFLNRO. The owner has made application for a Development Permit for both the docks and the buoys. This DP cannot be issued until this rezoning has been adopted. Additionally, staff intends to send a referral to MFLNRO to ascertain if the Province would permit the existing docks.

Docks and Buoys

11 of the existing docks were placed in the lake by certain of the members of the MCPPA. It is uncertain to CSRD staff whether these members obtained permission from the MCPPA to do so. It is certain that these members did not obtain licenses from the Province to place these docks. It is also certain that the MCPPA in the name of these members as the upland property owner did not obtain permission from the Province to place the docks. CSRD staff note that, as of the date of writing this report, only the upland property owner immediately adjacent to the lake has the right to apply to the Province for permission to have a dock. It is uncertain how the Province will regard the ownership of these docks when reviewing any license applications.

The twelfth dock was placed by the association near to the boat launch facilities. Similarly to the 11 others, no authority to place the dock was obtained from the Province.

It is also uncertain how the MCPPA will manage these 11 existing privately owned docks in future, where membership in the Association grants all members access to MCPPA facilities. CSRD staff are under the impression that each of the docks was installed by a specific member of the association at their cost, and therefore it would seem that the docks are an exception to the rights of membership to use all facilities. To this date the MCPPA appears to have taken a hands-off approach to placement and management of both the docks and the buoys. Although, the MCPPA as part of their application has pledged to initiate some sort of a sharing scheme, but only for certain of the existing buoys.

By taking a hands-off approach the MCPPA has allowed private ownership of certain facilities and amenities under its responsibility as upland owner. This may have compromised the MCPPA's ability to manage these facilities and seek approvals moving forward. It may also compromise their existing constitution. As such, it is difficult for CSRD staff to accept that the MCPPA will be able to assert its duty to manage these facilities in an effective fashion in the future as the upland owner.

IMPLEMENTATION:

Consultation Process

As per CSRD Policy No. P-18 regarding Consultation Processes-Bylaws, staff recommends the simple consultation process. Neighbouring property owners will first become aware of the application for zoning amendments when a notice of development sign is posted on the subject property.

Referral Process

The following list of referral agencies is recommended:

- Area 'F' Advisory Planning Commission;
- Interior Health Authority;
- Ministry of Transportation and Infrastructure;
- Ministry of Environment;
- Department of Fisheries and Oceans;

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

SUMMARY:

The applicant has applied to amend Bylaw No. 900 to allow some site specific uses within the lake that are already existing. Staff are recommending that the Board give the proposed amending bylaw first reading and forward the bylaw to referral agencies.

LIST NAME OF REPORTS / DOCUMENTS:

1. Maps: Location, Orthophotos, OCP	Attached to Agenda Summary: <input checked="" type="checkbox"/>	Available from Staff: <input type="checkbox"/>
2. Lakes Zoning Amendment (Meadow Creek Properties Park Association) Bylaw No. 900-09	Attached to Agenda Summary: <input checked="" type="checkbox"/>	Available from Staff: <input type="checkbox"/>
3. Application	Attached to Agenda Summary: <input type="checkbox"/>	Available from Staff: <input checked="" type="checkbox"/>

DESIRED OUTCOME:

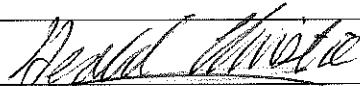
That the Board endorse staff recommendations.

BOARD'S OPTIONS:

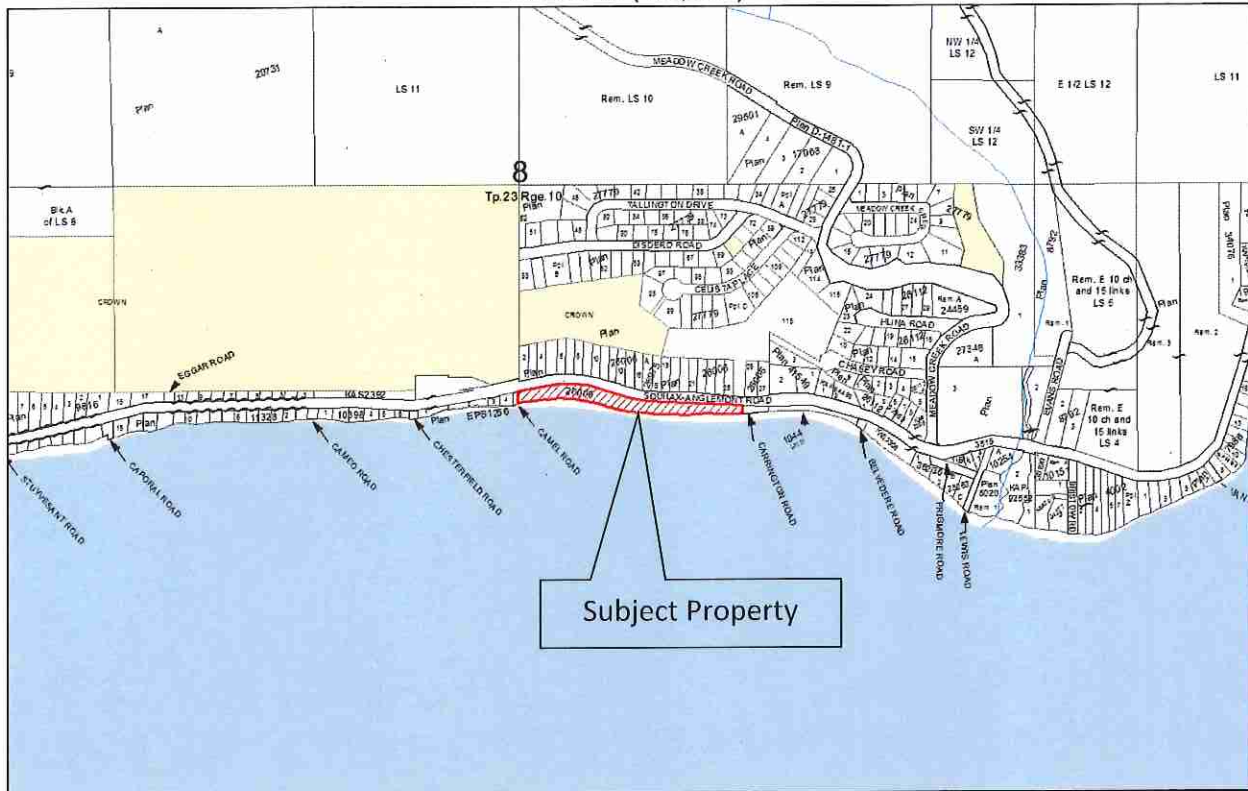
1. *Endorse recommendations. Bylaw No. 900-09 will be given first reading and will be sent out to the referral agencies.*
2. *Decline first reading, Bylaw No. 900-09 will be defeated. The current FM1 zone will apply and bylaw enforcement action will continue.*
3. *Defer.*
4. *Any other action deemed appropriate by the Board.*

COMMUNICATIONS:

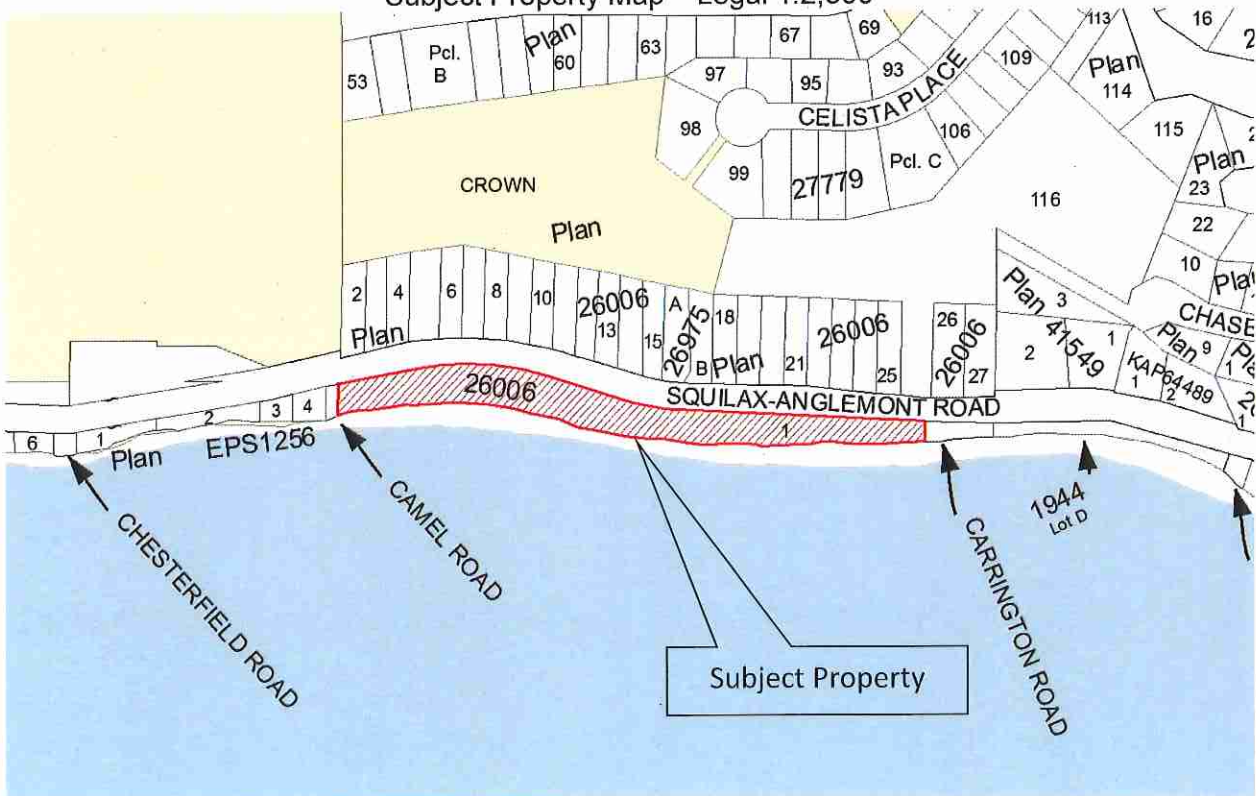
If the bylaw is given first reading it will be forwarded to the referral agencies. Agency comments will be provided with a future Board report.

REVIEWED BY:	Date Signed Off (MO/DD/YR)	Approval Signature of Reviewing Manager or Team Leader
Development Services	12/18/14	

Location (1:6,500)



Subject Property Map – Legal 1:2,500

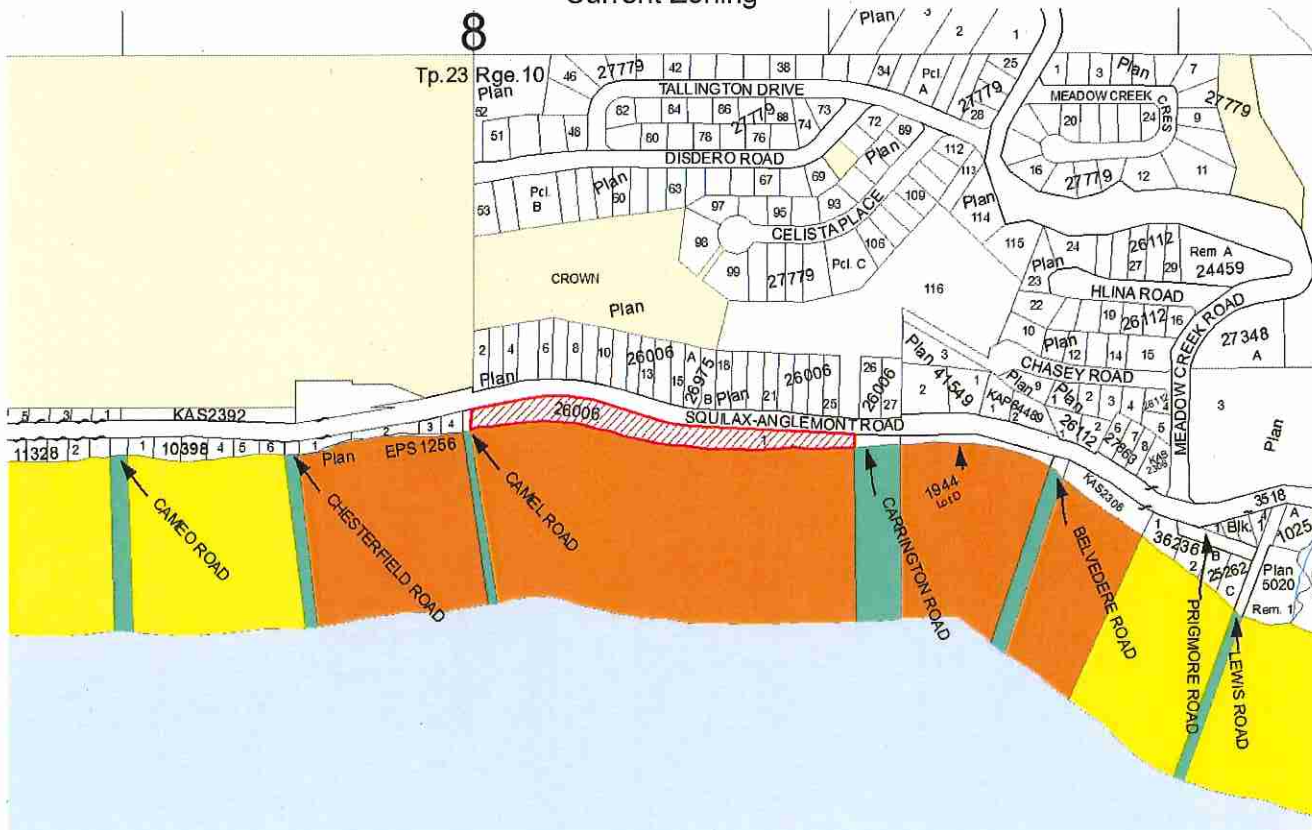


Orthophoto – 1:10,000



Orthophoto – 2013 Foreshore

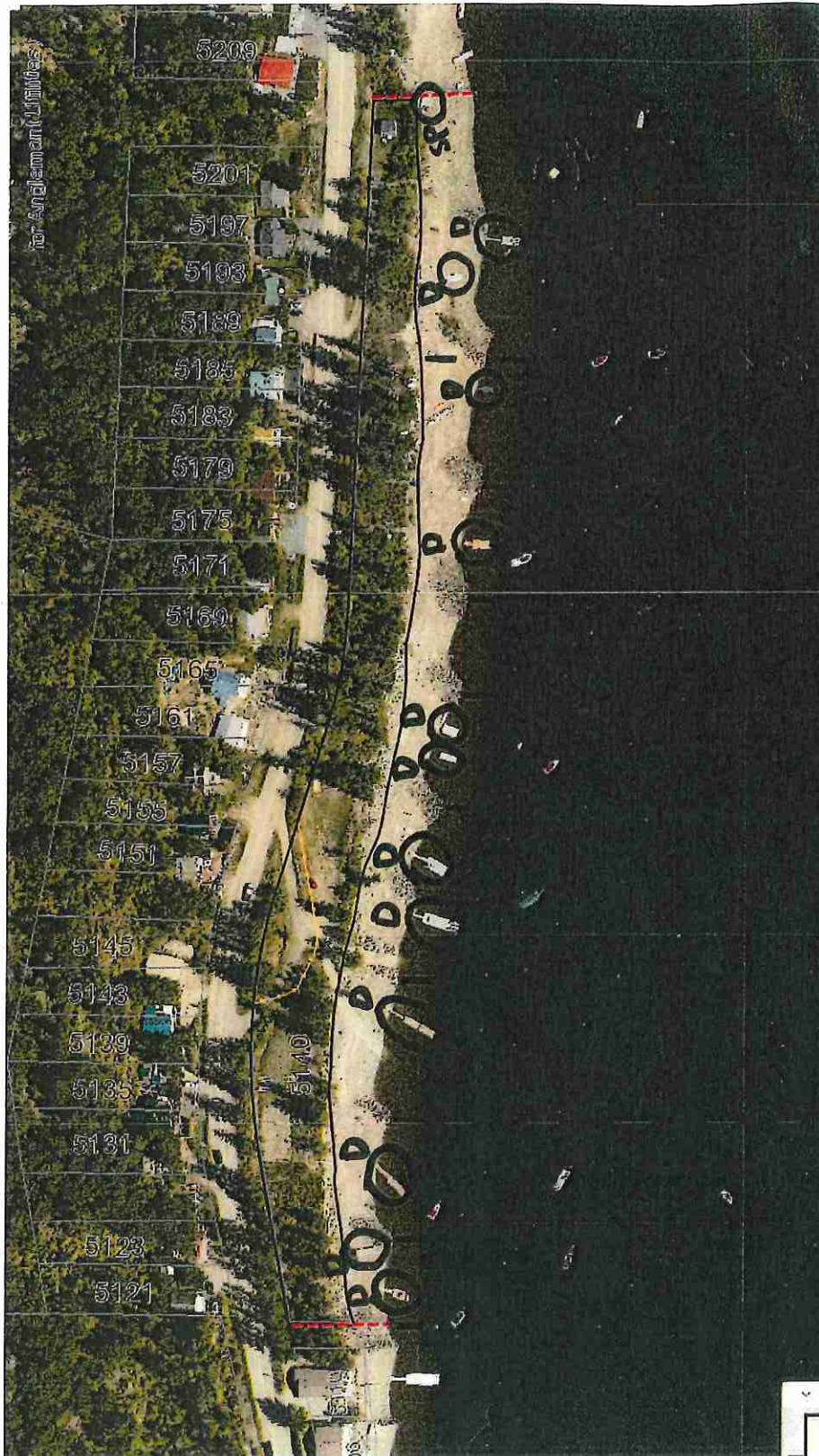




August 14, 2014 Bylaw Enforcement Foreshore Inventory

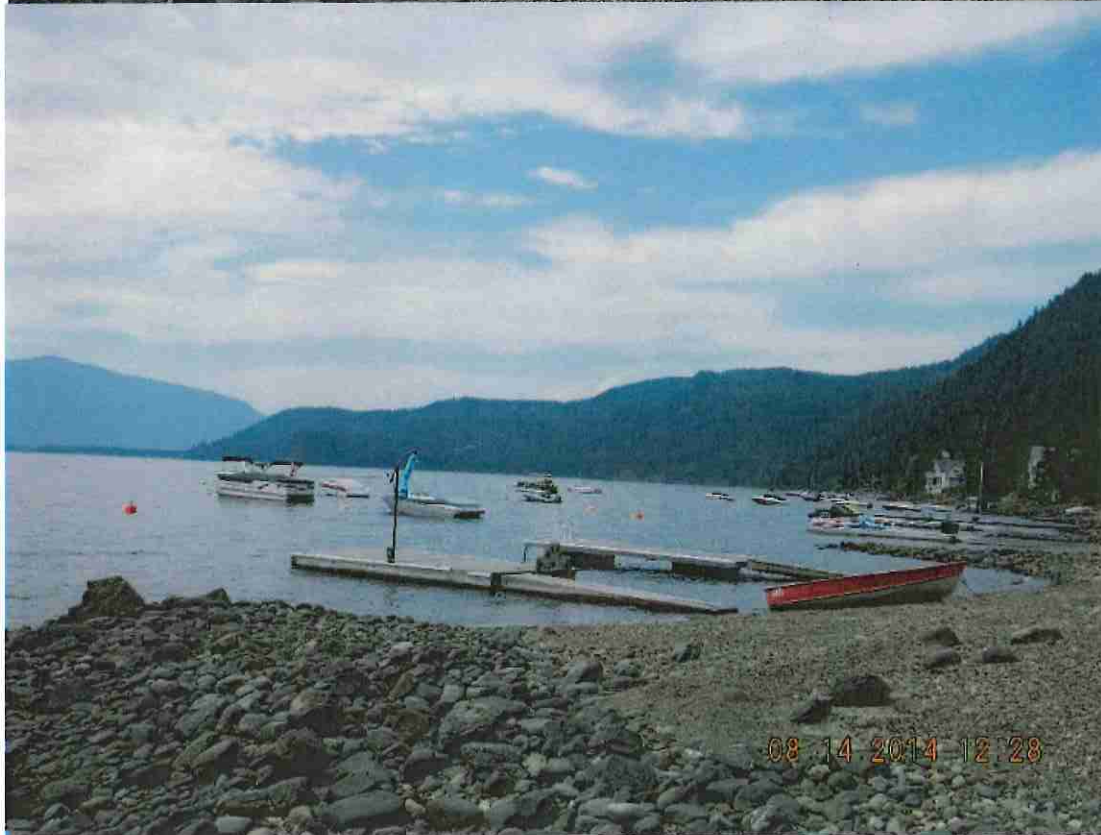
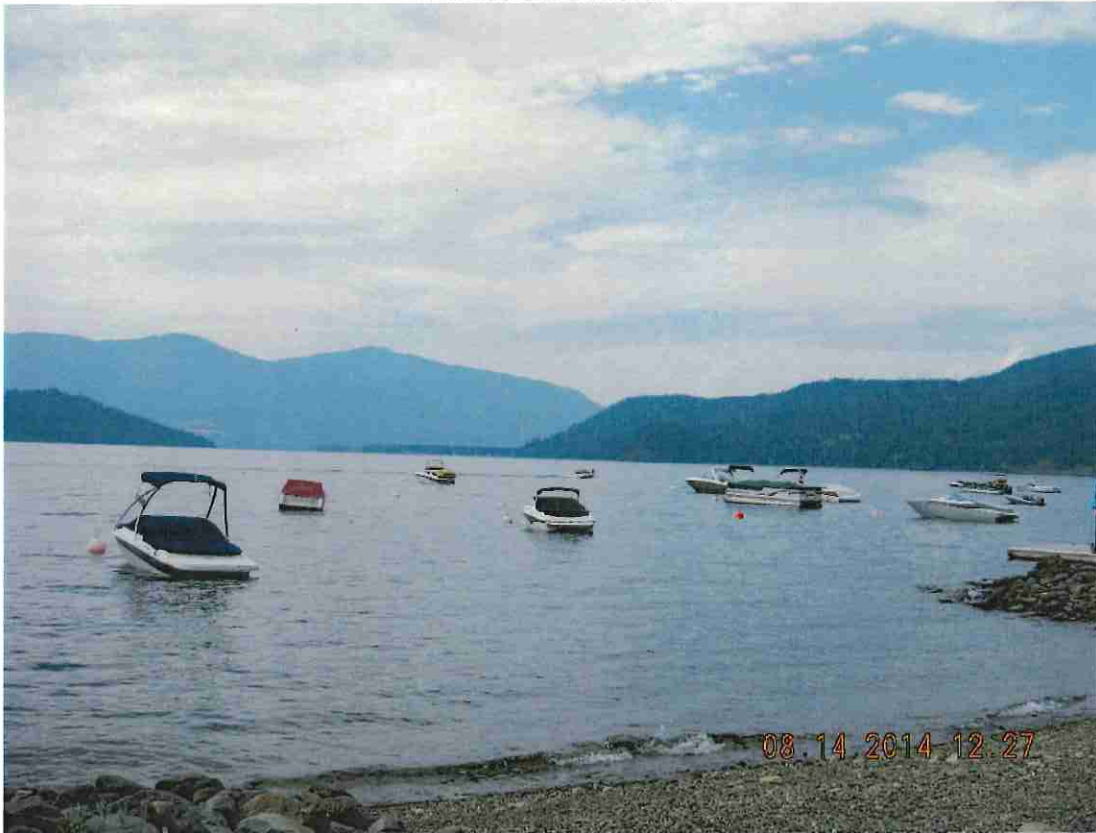
COPY

Meadow Creek - August 14, 2014 Inventory - 61 Buoys
 - 12 Docks
 - 2 Swimming platforms (SP)



CAMEL ROFF ACCESS.	GRID 10	GRID 9	GRID 8	GRID 7	GRID 6	GRID 5	GRID 4	GRID 3	GRID 2	GRID 1	CADWATER RD - ACCESS
- Nothing of concern @ time closer to S110	2 Docks S123 2 Buoys	1 Dock 7 Buoys	1 Dock no moorage swimming lounging 1 Buoy	1 Dock private use @ own risk 2 Buoys	1 Dock private recreation 3 Buoys	2 Docks 6 Buoys S165 private	5 Buoys	1 Dock 3 Buoys	1 Dock 7 Buoys	2 Docks 2 SP 15 Buoys	2 Docks 1 Buoy for certain 2 on prop.

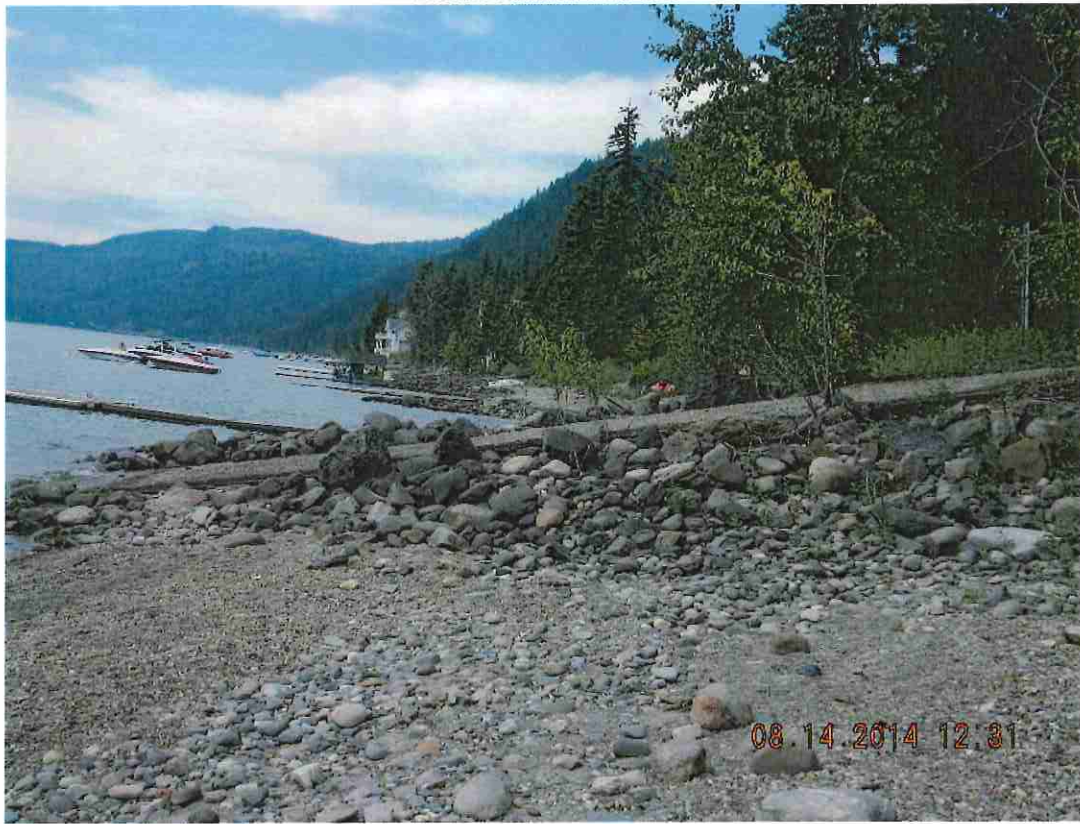
Photos of Foreshore



Photos of Foreshore (cont'd.)



Boat Launch Photos



COLUMBIA SHUSWAP REGIONAL DISTRICT**LAKES ZONING AMENDMENT****(MEADOW CREEK PROPERTIES PARK ASSOCIATION) BYLAW NO. 900-9****A bylaw to amend the "Lakes Zoning Bylaw No. 900"**

WHEREAS the Board of the Columbia Shuswap Regional District adopted Bylaw No.900;

AND WHEREAS the Board deems it appropriate to amend Bylaw No. 900;

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

1. Bylaw No. 900 cited as "Lakes Zoning Bylaw No. 900" is hereby amended as follows:

A. TEXT AMENDMENT

1. Schedule A, Zoning Bylaw Text, Part 4 Zones, is hereby amended by deleting the FM1 Foreshore Multi-Family 1 zone in its entirety and replacing it with the following:

4.6 FM1 Foreshore Multi-Family 1

FM1

.1 Permitted Uses:

- (a) *Floating dock(s)*, including *removable walkway*, that is accessory to an adjacent *waterfront unit*.
- (b) *Private mooring buoy(s)* that is accessory to an adjacent *waterfront unit*.
- (c) *Boat lift(s)* that is accessory to an adjacent *waterfront unit*.
- (d) *Boat launch*.

.2 Site Specific Permitted Uses:

- (a) In addition to the permitted *uses* in this zone, *group moorage facility* comprised of no more than one *fixed* or *floating dock*, including *permanent* or *removable walkways*, is only a permitted *use* on the surface of the *lake* in conjunction with Lot 1, Section 8, Tp. 22, Rge 10, W6M, KDYD, Plan 26006.
- (b) *Private mooring buoy(s)* that is accessory to the use of Lot 1, Section 8, Tp. 22, Rge 10, W6M, KDYD, Plan 26006

.3 Regulations:

COLUMN 1 MATTER REGULATED	COLUMN 2 REGULATION
(a) <u>Density</u> maximum number of docks and private mooring buoys:	<ul style="list-style-type: none"> ○ <i>Dock</i>: 1 floating dock per adjacent waterfront unit. ○ <i>Private mooring buoys</i>: 1 per adjacent waterfront unit.
(b) <u>Site Specific Density</u> maximum number of floating docks, group moorage facility, berths and private mooring buoys where different from (a):	<ul style="list-style-type: none"> ○ For the surface of the <i>lake</i> adjacent to Lot 1, Section 8, Tp. 22, Rge 10, W6M, KDYD, Plan 26006, the maximum number of floating docks is 11; the maximum number of group moorage facilities is 1; the maximum number of berths in the group moorage facility is 22 ; and the maximum number of private mooring buoys is 61. {Meadow Creek Properties Park Association}
(c) <u>Size</u> of dock and walkway:	<ul style="list-style-type: none"> ○ <i>Floating dock</i> must not exceed 24 m² (258.33 ft²) in total upward facing surface area (not including <i>removable walkway</i>). ○ <i>Floating dock</i> surface must not exceed 3 m (9.84 ft) in width for any portion of the dock. ○ <i>Removable walkway</i> surface must not exceed 1.5 m (4.92 ft.) in width for any other portion of the walkway.
(d) <u>Size</u> group moorage facility where different from (c)::	<ul style="list-style-type: none"> ○ <i>dock</i> surface must not exceed 3 m (9.84 ft) in width for any portion of the dock. ○ <i>Removable walkway</i> surface must not exceed 1.5 m (4.92 ft.) in width for any other portion of the walkway.

<p>(e) <u>Location and Siting of dock, private mooring buoys or boat lifts:</u></p>	<p>The minimum setback of a <i>floating dock, private mooring buoy or boat lift</i> accessory to an adjacent <i>waterfront unit or waterfront parcel</i> is as follows:</p> <ul style="list-style-type: none">○ 5 m (16.4 ft) from the side <i>parcel</i> boundaries of that <i>waterfront parcel</i>, projected onto the <i>foreshore</i> and water.○ 5 m (16.4) from adjacent <i>waterfront units</i>, projected onto the <i>foreshore</i> and water.○ 6 m (19.69 ft) from a Foreshore Park (FP) zone or <i>park</i> side <i>parcel</i> boundaries projected onto the <i>foreshore</i> and water. <p>Additional setbacks for <i>private mooring buoys</i>:</p> <ul style="list-style-type: none">○ 20 m (65.62 ft) from any existing structures on the <i>foreshore</i> or water.○ 50 m (164.04 ft.) from any <i>boat launch</i> ramp or <i>marina</i>.
---	--

BL 900-9

PAGE 4

2. This bylaw may be cited as "Lakes Zoning Amendment (Meadow Creek Properties Park Association) Bylaw No. 900-9."

READ a first time this _____ day of _____, 2015.

READ a second time this _____ day of _____, 2015.

PUBLIC HEARING held this _____ day of _____, 2015.

READ a third time this _____ day of _____, 2015.

ADOPTED this _____ day of _____ 2015.

CORPORATE OFFICER

CHAIR

CERTIFIED a true copy of Bylaw No. 900-9
as read a third time.

CERTIFIED a true copy of Bylaw No. 900-9
as adopted.

Corporate Officer

Corporate Officer

COLUMBIA SHUSWAP REGIONAL DISTRICT**LAKES ZONING AMENDMENT****(MEADOW CREEK PROPERTIES PARK ASSOCIATION) BYLAW NO. 900-9****A bylaw to amend the "Lakes Zoning Bylaw No. 900"**

WHEREAS the Board of the Columbia Shuswap Regional District adopted Bylaw No.900;

AND WHEREAS the Board deems it appropriate to amend Bylaw No. 900;

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

1. Bylaw No. 900 cited as "Lakes Zoning Bylaw No. 900" is hereby amended as follows:

A. TEXT AMENDMENT

1. Schedule A, Zoning Bylaw Text, Part 4 Zones, is hereby amended by deleting the FM1 Foreshore Multi-Family 1 zone in its entirety and replacing it with the following:

4.6 FM1 Foreshore Multi-Family 1

FM1

.1 Permitted Uses:

- (a) *Floating dock(s)*, including *removable walkway*, that is accessory to an adjacent *waterfront unit*.
- (b) *Private mooring buoy(s)* that is accessory to an adjacent *waterfront unit*.
- (c) *Boat lift(s)* that is accessory to an adjacent *waterfront unit*.
- (d) *Boat launch*.

.2 Site Specific Permitted Uses:

- (a) In addition to the permitted *uses* in this zone, *group moorage facility* comprised of no more than one *fixed* or *floating dock*, including *permanent* or *removable walkways*, is only a permitted *use* on the surface of the *lake* in conjunction with Lot 1, Section 8, Tp. 22, Rge 10, W6M, KDYD, Plan 26006.
- (b) *Private mooring buoy(s)* that is accessory to the use of Lot 1, Section 8, Tp. 22, Rge 10, W6M, KDYD, Plan 26006

.3 Regulations:

COLUMN 1 MATTER REGULATED	COLUMN 2 REGULATION
(a) <u>Density</u> maximum number of <i>docks</i> and <i>private mooring buoys</i> :	<ul style="list-style-type: none"> ○ <i>Dock</i>: 1 <i>floating dock</i> per adjacent <i>waterfront unit</i>. ○ <i>Private mooring buoys</i>: 1 per adjacent <i>waterfront unit</i>.
(b) <u>Site Specific Density</u> maximum number of <i>floating docks</i> , <i>swimming platforms</i> and <i>private mooring buoys</i> where different from (a):	<ul style="list-style-type: none"> ○ For the surface of the <i>lake</i> adjacent to Lot 1, Section 8, Tp. 22, Rge 10, W6M, KDYD, Plan 26006, the maximum number of floating docks is 3; the maximum number of swimming platforms is 1; and the maximum number of private mooring buoys is 61. {Meadow Creek Properties Park Association}
(c) <u>Size</u> of <i>dock</i> and <i>walkway</i> :	<ul style="list-style-type: none"> ○ <i>Floating dock</i> must not exceed 24 m² (258.33 ft²) in total upward facing surface area (not including <i>removable walkway</i>). ○ <i>Floating dock</i> surface must not exceed 3 m (9.84 ft) in width for any portion of the dock. ○ <i>Removable walkway</i> surface must not exceed 1.5 m (4.92 ft.) in width for any other portion of the walkway.
(d) <u>Size</u> <i>group moorage facility</i> where different from (c)::	<ul style="list-style-type: none"> ○ <i>dock</i> surface must not exceed 3 m (9.84 ft) in width for any portion of the dock. ○ <i>Removable walkway</i> surface must not exceed 1.5 m (4.92 ft.) in width for any other portion of the walkway.

<p>(e) <u>Location and Siting of dock, private mooring buoys or boat lifts:</u></p>	<p>The minimum setback of a <i>floating dock, private mooring buoy or boat lift</i> accessory to an adjacent <i>waterfront unit or waterfront parcel</i> is as follows:</p> <ul style="list-style-type: none"> ○ 5 m (16.4 ft) from the side <i>parcel</i> boundaries of that <i>waterfront parcel</i>, projected onto the <i>foreshore</i> and water. ○ 5 m (16.4) from adjacent <i>waterfront units</i>, projected onto the <i>foreshore</i> and water. ○ 6 m (19.69 ft) from a Foreshore Park (FP) zone or <i>park side parcel</i> boundaries projected onto the <i>foreshore</i> and water. <p>Additional setbacks for <i>private mooring buoys</i>:</p> <ul style="list-style-type: none"> ○ 20 m (65.62 ft) from any existing structures on the <i>foreshore</i> or water. ○ 50 m (164.04 ft.) from any <i>boat launch</i> ramp or <i>marina</i>.
---	--

BL 900-9

PAGE 4

2. This bylaw may be cited as "Lakes Zoning Amendment (Meadow Creek Properties Park Association) Bylaw No. 900-9."

READ a first time this _____ 15 _____ day of _____ January _____, 2015.

READ a second time, as amended, this _____ day of _____, 2017.

PUBLIC HEARING held this _____ day of _____, 2017.

READ a third time this _____ day of _____, 2017.

ADOPTED this _____ day of _____ 2017.

CORPORATE OFFICER

CHAIR

CERTIFIED a true copy of Bylaw No. 900-9
as read a third time.

CERTIFIED a true copy of Bylaw No. 900-9
as adopted.

Corporate Officer

Corporate Officer

APPENDIX 'B'

Agency Referral Responses

Area 'F' Advisory Planning Commission	Recommended denial.
Interior Health Authority	<p>The location and number of mooring buoys, docks, swimming platforms, and boat launches would be reviewed solely for the potential risk to the drinking and recreational water quality.</p> <p>Interior Health would be concerned with:</p> <ul style="list-style-type: none"> • A lake intake within this area that is part of a community drinking water supply system (Celista Water System). • A swimming area if there was a potential concern with the recreational water quality. • Facilities within the park/picnic area that have been established or could be established for park users.
Ministry of Transportation and Infrastructure	No response.
Ministry of Environment	No response.
Department of Fisheries and Oceans	No response.
Ministry of Forests, Land and Natural Resource Operations - Lands Branch	<p>Preliminary thoughts. January 27, 2015.</p> <p>We may consider legalizing 1 dock and 1 boat launch ramp. It is our hope that in doing so, it may encourage the Association to entertain the prospect of 1 group moorage structure, which would align with our current policies and guidelines.</p> <p>We are not in support of legalizing all 12 docks and 2 boat launches for the following reasons:</p> <ul style="list-style-type: none"> • Does not align with current policy. • None of the docks currently meet with today's standards. • Currently a UREP (or Notation of Interest for public use) is in place, it was established in 1996 for this section of foreshore which specifically states that this area remain open to public use. • The UREP was established in response to the lack of lake access by local and periphery residents. • We issue tenures when it is in the best interest of the public – we question that this application is not in the best interest of the public (as previously mentioned)

	<p>but whether it is in the best interest of the Association members, given that 11 of the docks are privately owned.</p> <ul style="list-style-type: none"> • It is my opinion that legalizing 12 docks and boat ramps will essentially privatize the beach for the exclusive use of the private park – or at the very least give that perception to local users – thus indirectly excluding public use even if the Association does not impede public access.
Ministry of Forests, Land and Natural Resource Operations - Lands Branch	<p>Email to MCPPA May 10, 2017.</p> <p>Thank you for letter indicating your wish to keep 6 of the 12 docks.</p> <p>We received your application in October of 2014 to legalize 12 existing docks and 2 boat launches fronting a privately owned park in Shuswap Lake. After extensive in-house reviews, on-site meetings inclusive with local government and environment staff we reached the following decision.</p> <p>We would consider legalizing 3 moorage facilities for your group. One servicing each boat launch and a group moorage structure.</p> <p>The decision was made based on the following:</p> <ol style="list-style-type: none"> 1) The foreshore is fronting one lot that has a restricted covenant of being used as a park, either public or private 2) A reserve was placed on the foreshore fronting the park to withdraw the opportunity for any privately owned works (docks) – the foreshore has and is still being managed for the enjoyment of the public (not just the private park owners) 3) 12 docks hinders the ability of the public to use the beach or their perception that it is available for their use 4) There are few opportunities for local residents in that area to access a public beach 5) Some of the present structures do not meet the standards of a dock that would be authorized under any of our policies <p>Present direction still remains that we will only allow 3 moorage structures and the existing boat launches.</p> <p>While I sympathize with the position you are in being the liaison between your large membership and the authorizing agencies, I will recommend that you send me your new designs for our consideration by September 1, 2017. Failure to</p>

	do so will result in a disallowance of your application. Further, the situation will be reported to Compliance and Enforcement who may ultimately remove all structures at your expense.
Ministry of Forests, Land and Natural Resource Operations - Lands Branch	<p>Clarification to MCPPA June 29, 2017.</p> <p>I have attached a copy of the reserve (UREP) for your information.</p> <p>As for determining who has the legal right to request that the docks be removed, I'm not sure I can rephrase as it is kind of a moot point considering that ALL THE DOCKS ARE IN TRESPASS AGAINST THE CROWN. I'm sorry for the caps, but it seems like the point is being missed that all the docks fronting the park are trespassing against the Crown.</p> <p>If your application is unsuccessful because your group refuses to comply by not removing those docks then the CROWN will hold MCPPA responsible for financing the removal of those docks. You are correct that any repercussions will fall on the MCPPA as they are the upland title holder. Please be aware that if your members refuse to remove their docks, then you will not receive the appropriate authorization from the Province and I suspect will not receive your rezoning based on the fact that you are not compliant (but I would let Dan speak to that).</p> <p>Given that you have triggered the process, be assured that if you fail to comply, I will be sending this file (all 3 years) to C&E for removal of the trespass structures. There really isn't any other outcome at this point.</p> <p>I guess what I'm saying is whether or not MCPPA has the legal authority to request that the docks be removed, the Province does, and all docks will be removed at MCPPA's expense. For clarification, the wording of "May and ultimately" is used because I do not have control over another business line (C&E) and professionally would not commit them to take an action. I can only explain the process and infer the consequences that will likely arise.</p>
Ministry of Forests, Land and Natural Resource Operations – Habitat Branch (Ecosystems Biologist)	<p>Removal of structures that do not comply with shoreline management guideline for fish and fish habitat; Shuswap, Mara and Little Shuswap Lakes. The area in question overlaps known Lake Trout shore spawning habitat and has docks that do not comply with the guidelines noted above, therefore recommends removal of the non-compliant docks prior to rezoning approval.</p> <p>See attached letter.</p>

Transport Canada - Navigation Protection Program	<p>The purpose of the Navigation Protection Act (NPA) is to regulate works and obstructions that risk interfering with navigation in the navigable waters listed on the schedule to the Act. It is the responsibility of the Navigation Protection Program (NPP) to administer and enforce the NPA.</p> <p>Please be advised that the Order Amending the <i>Minor Works and Waters (Navigable Waters Protection Act) Order</i> came into effect on March 31, 2014. The Order allows for works to be constructed if they meet the criteria for the applicable class of works, as well as specific terms and conditions for construction.</p> <p>Upon initial screening, we have determined that the above-noted work(s), although proposed to be constructed on a body of water listed on the schedule, may not require notice to the Minister as they appear to meet a class of works as defined in the order.</p>
Ministry of Forests, Land and Natural Resource Operations- Archaeology Branch	<p>According to Provincial records there are no known archaeological sites recorded on the subject property. However, archaeological potential modeling for the area indicate it has potential to contain unknown archaeological sites.</p> <p>Archaeological sites (both recorded and unrecorded) are protected under the <i>Heritage Conservation Act</i> and must not be altered or damaged without a permit from the Archaeology Branch. Given the potential to contain unknown archaeological sites, an Eligible Consulting Archaeologist (ECA) should be engaged prior to any land-altering activities to determine if development activities are likely to impact unknown archaeological sites. An Eligible Consulting Archaeologist is one who is able to hold a Provincial heritage permit that allows them to conduct archaeological studies. Ask an archaeologist if he or she can hold a permit, and contact the Archaeology Branch (250-953-3334) to verify an archaeologist's eligibility. Consulting archaeologists can be contacted through the BC Association of Professional Archaeologists (www.bcapa.ca) or through local directories. If the archaeologist determines that development activities will not impact any archaeological deposits, then a site alteration permit is not required. I am informing you of this archaeological potential so proponents are aware of the potential risk for encountering a site if they choose to conduct any land-altering activities on the property. Proponents should contact an archaeologist prior to</p>

	<p>development to conduct an in-field assessment and/or detailed review of the development area. However, the Archaeology Branch is not requiring the proponent conduct an archaeological study or obtain a permit prior to development in this area. In this instance it is a risk management decision for the proponent(s).</p> <p>If any land-altering development is planned and proponents choose not to contact an archaeologist prior to development, owners and operators should be notified that if an archaeological site is encountered during development, activities must be halted and the Archaeology Branch contacted at 250-953-3334 for direction. If an archaeological site is encountered during development and the appropriate permits are not in place, proponents will be in contravention of the <i>Heritage Conservation Act</i> and face possible fines and likely experience development delays while the appropriate permits are obtained..</p>
CSRD Operations Management	<p>Team Leader Utilities – Utilities has no concerns, however it should be noted the privately owned Celista community water system utilizes this same property for its lake intake and could have some concerns.</p> <p>Team Leader Community Services – Concern if fuel is being dispensed from docks. Celista FD must be consulted to complete pre-incident planning for fire suppression on docks. Consideration to access for firefighting apparatus to dock area required.</p> <p>Team Leader Environmental Health – No concerns.</p> <p>Community Parks and Recreation Operator – Concerns for public access below high water, in that a public lake access (Highway Right-of-Ways) border both ends of this property to allow the public a pedestrian access to the lake. The beach is, of course, public and 60 or 61 docks become unnecessary barriers to public access without without constant detouring into private property. The lake zoning bylaw encourages multi-family properties to support one/few dock with slips further from shore. This approach would minimize public access above high water. Does their proposal reduce the 2 boat launches to a single boat launch facility as implied by boat launch facilities? Intentions unclear, please clarify if 2 existing boat launches are to be reduced to one single facility.</p>

	Manager Operations Management – No concerns.
Adams Lake Indian Band	No response.
Coldwater Indian Band	No response.
Cooks Ferry Indian Band	No response.
Esh-kn-am Cultural Resources Management Services	No response.
Lower Similkameen Indian Band	No response.
Neskonlith Indian Band	No response.
Nlaka'pamux Nation Tribal Council	No response.
Okanagan Indian Band	No response.
Okanagan Nation Alliance	No response.
Penticton Indian Band	No response.
Siska Indian Band	No response.
Splats'in First Nation	No response.
Simpcw First Nation	At this time, we have no concerns with the bylaw amendments.

B-900-09



<input type="checkbox"/> CAO	<input type="checkbox"/> Agenda	Ownership:
<input type="checkbox"/> Works	<input type="checkbox"/> Reg Board	File #
<input type="checkbox"/> DBS	<input type="checkbox"/> In Camera	
<input type="checkbox"/> Fin/Adm	<input type="checkbox"/> Other Mtg	
JAN 29 2015		
<input type="checkbox"/> Ec Dev	RECEIVED	Ask Sent:
<input type="checkbox"/> IT	<input type="checkbox"/> Staff to Report	<input type="checkbox"/> Fax
<input type="checkbox"/> Parks	<input type="checkbox"/> Staff to Respond	<input type="checkbox"/> Mail
<input type="checkbox"/> SEP	<input type="checkbox"/> Staff Info Oly	<input type="checkbox"/> Email
<input type="checkbox"/> HR	<input type="checkbox"/> Dir Mailbox	
<input type="checkbox"/> Other	<input type="checkbox"/> Dir Circulate	

January 29, 2015

File: 58000-35-08

Your File: 900-9

Columbia Shuswap Regional District
431 Hudson Ave. NE.
Salmon Arm, BC

Attention: Dan Passmore

Re: Meadow Creek Properties Park Association Referral

The Ecosystems Section of the Ministry of Forests, Lands and Natural Resource Operations (FLNR) provides the following response to the above noted referral.

We have determined that this proposal presents a risk to fish and fish habitat. The proposal area occurs along shoreline identified as Lake Trout shore spawning habitat with known use. Because the proposal occurs in an identified sensitive site, on non-vegetated foreshore, at a shore spawning site, the *Shoreline Management Guidelines for Fish and Fish Habitat; Shuswap, Mara and Little Shuswap Lakes* prescribes following DFO best management practices, without requiring a fish habitat review. The *DFO Dock and Boathouse Construction In Freshwater Systems Operational Statement* prescribes a minimum distance of 50 m of un-disturbed shoreline between adjacent docks. The proposal area has a shoreline for approximately 450 m and can therefore accommodate no more than 8 docks without exceeding these guidelines based on the presence of other in water structures in the form of concrete boat ramps at each end of the proposal area.

Based on the submitted proposal many of the docks do not adhere to the guidelines for floating docks in the *Shoreline Management Guidelines for Fish and Fish Habitat; Shuswap, Mara and Little Shuswap Lakes*. Docks B, D, E, and F exceed the 24 m² limitation on total dock size, docks A, E, F, and H exceed the 3m limitation on dock width. The summary table describing the construction details of the existing docks indicated in the proposal was not found, so assessment of dock construction was based on the supplied photographs. Docks B, E, F, G, H, J, K, and L are not constructed with deck spacing to allow light penetration or float distribution to allow migration of juvenile fish. The grounding exhibited by many of the docks in the photographs will also impede movements of juvenile fish along the shore. Solid concrete boat launches are not recommended as they reduce the amount of potential shore spawning and rearing habitat

Ministry of
Forests, Lands and
Natural Resource Operations

Resource Management
Thompson Okanagan Region
1259 Dalhousie Drive
Kamloops, BC V2C 5Z5

Telephone: (250) 371-6200
Facsimile: (250) 828-4000

for Lake Trout. Boat launches should be constructed with breaks that allow exposure to the natural foreshore substrate.

Based on these considerations it is recommended that all docks in the proposal not be licensed. To minimize impacts to Lake Trout habitat it is recommended that docks A, B, D, E, F, G, H, J, K, and L be removed as soon as possible. Remaining docks should be maintained so that the dock structure is floating in a minimum 1.5 m of water without any gangway grounding. Due to the proximity of the two boat launches it is recommended that one launch be removed, and the area rehabilitated. The remaining boat launch should be upgraded to a design that maintains access to the foreshore substrate for juvenile fish.

If a decision is reached that the docks are to be removed the proponent should be advised:

1. Existing roads and trails should be used whenever practicable, and any new temporary access must be deactivated upon completion of works.
2. Proponents should be reminded that it is their responsibility to understand and comply with relevant Sections of Provincial and Federal legislation.
 - Water Act – Section 9 if any works occur below high water marks of rivers, streams, lakes or wetlands the proponent must submit an application under the Water Act.
 - Wildlife Act – Section 34 provides protection for birds, eggs, and nests during the breeding season and nests of eagles, peregrine falcons, gyrfalcon, osprey, heron, and burrowing owls year round.
 - Federal Fisheries Act – Sections 35 to 42 – Fisheries Protection and Pollution Prevention

If the above noted conditions are not included in the permit or authorization, please inform the undersigned in writing.

If you have any other questions or require further information please feel free to contact me.

Sincerely,

Bevan Ernst
 Ecosystem Biologist
 Ministry of Forests, Lands and Natural Resource Operations
 Thompson Okanagan Region
 250 371 6273
 Bevan.Ernst@gov.bc.ca

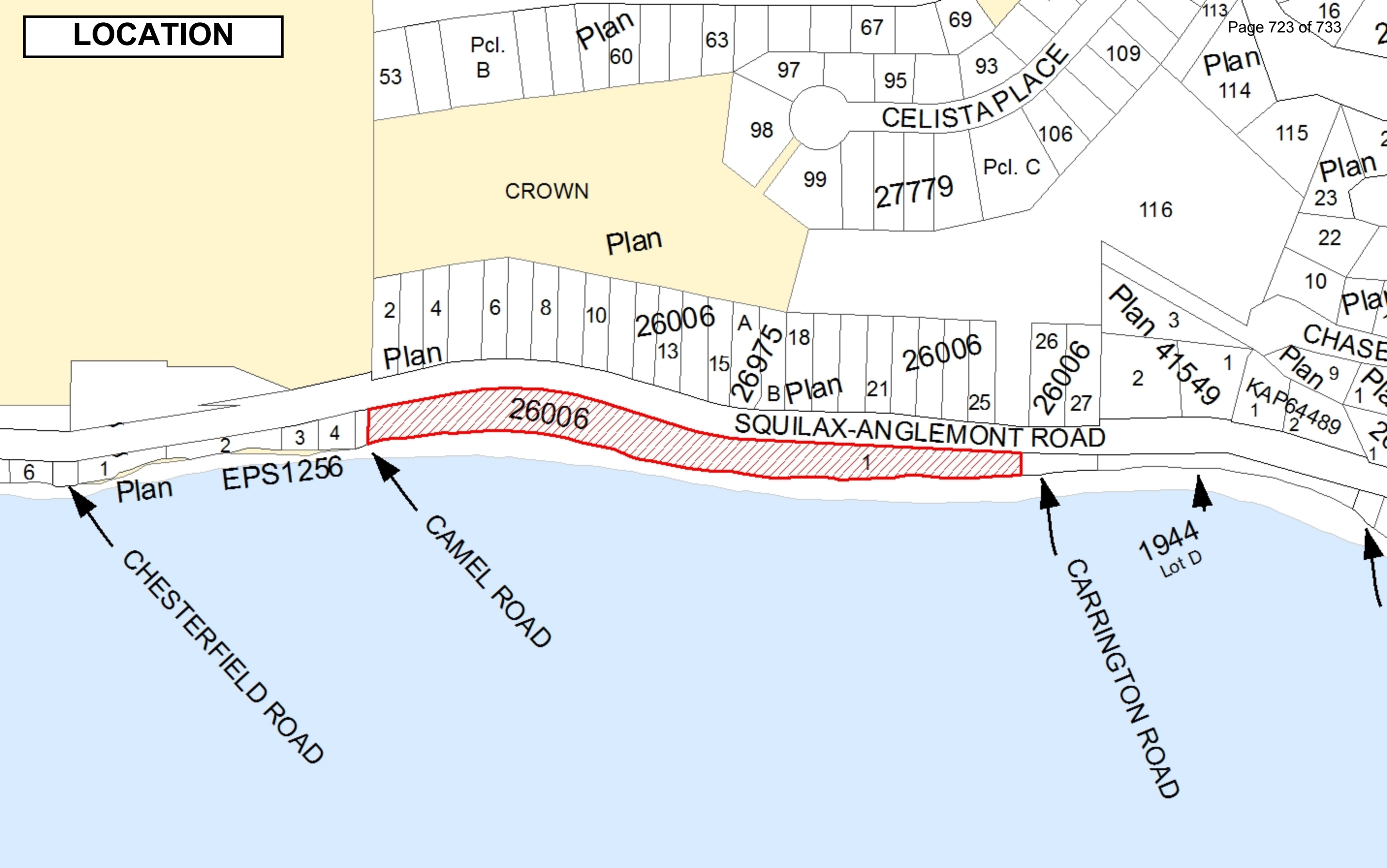
LOCATION



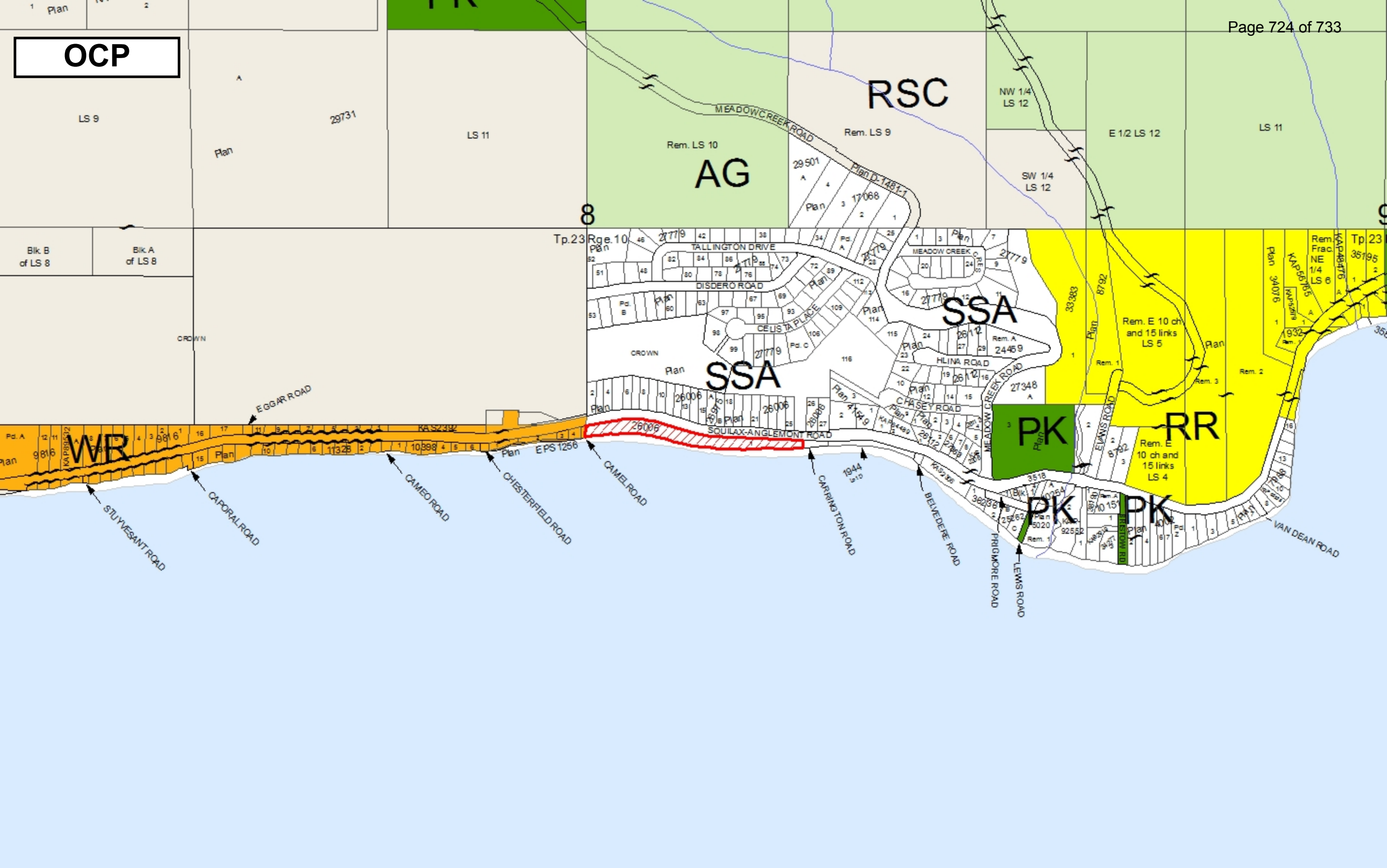
LOCATION



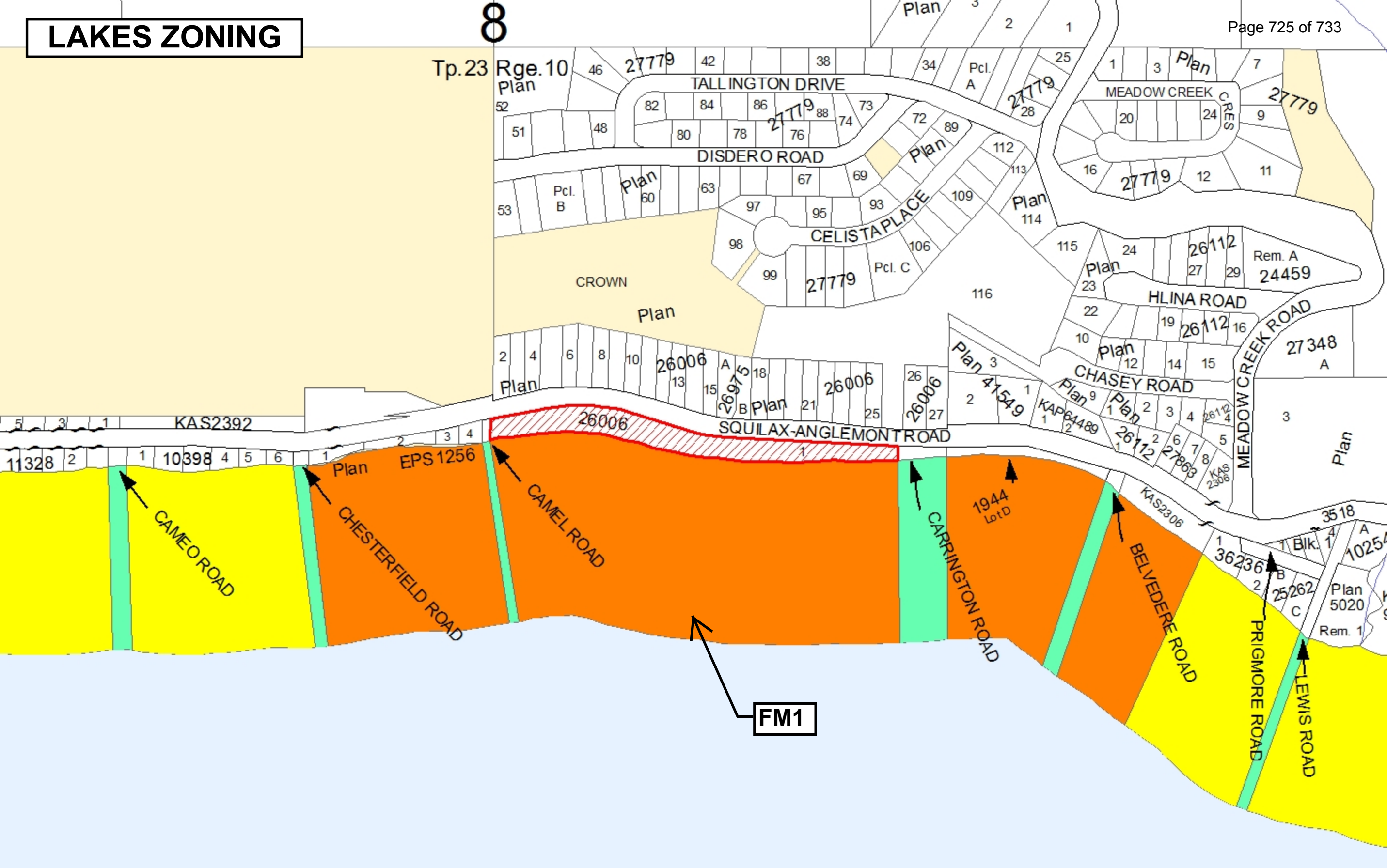
Page 723 of 733



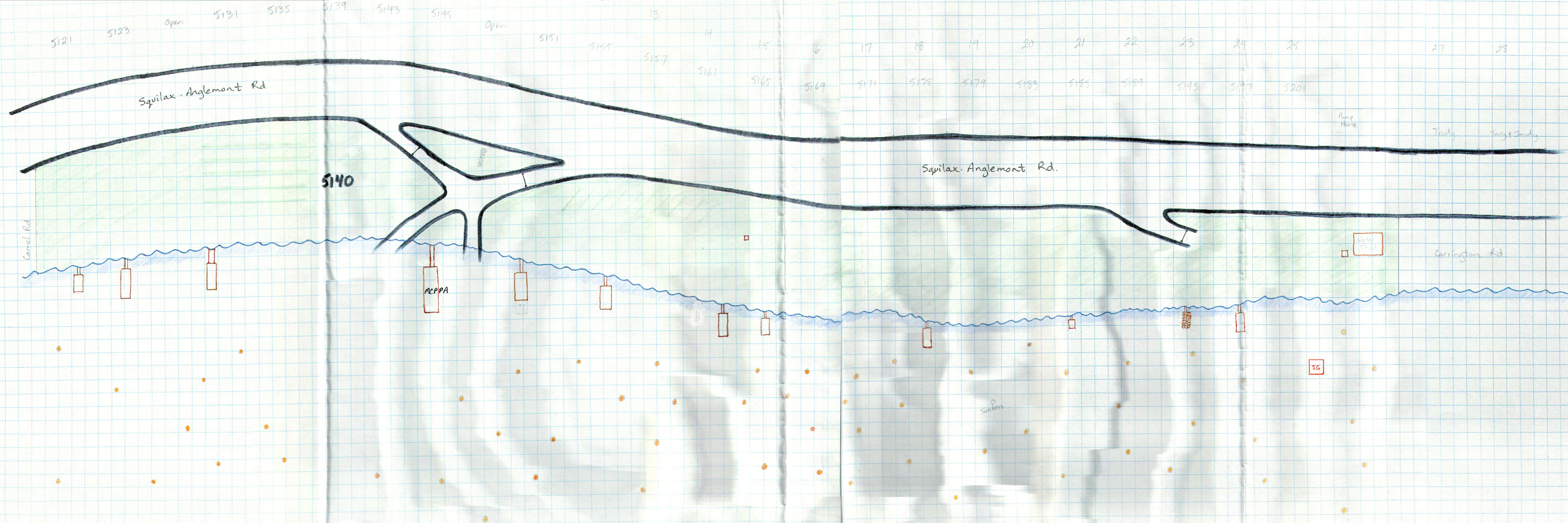
OCP



LAKES ZONING



ORIGINAL DOCK AND BUOY PLAN



Dan Passmore

From: Jeff Boulter <jeffboulter@gmail.com>
Sent: Thursday, August 31, 2017 2:41 PM
To: Crown Lands Kamloops; Dan Passmore
Subject: MCPPA
Attachments: docks 002.jpg

Good Afternoon,

As you both know we have been in the process of removing docks to get down to three. I have attached a diagram showing where the three are going to be located. As a membership we have given the dock owners until September 30, 2017 to remove their docks.

The three that are remaining are as follows:

Dock 1: gangway 6.7m long and 1 m wide
floating portion: 15.5m long and 2.4m wide

Dock 2: gangway 4.5 m long and 1 m wide
floating portion: 12.2 m long and 3.0 m wide

Dock 3: gangway 4.5 m long and 1 m wide
floating portion: 7.0 m long and 2.6 m wide

Thank you for your time

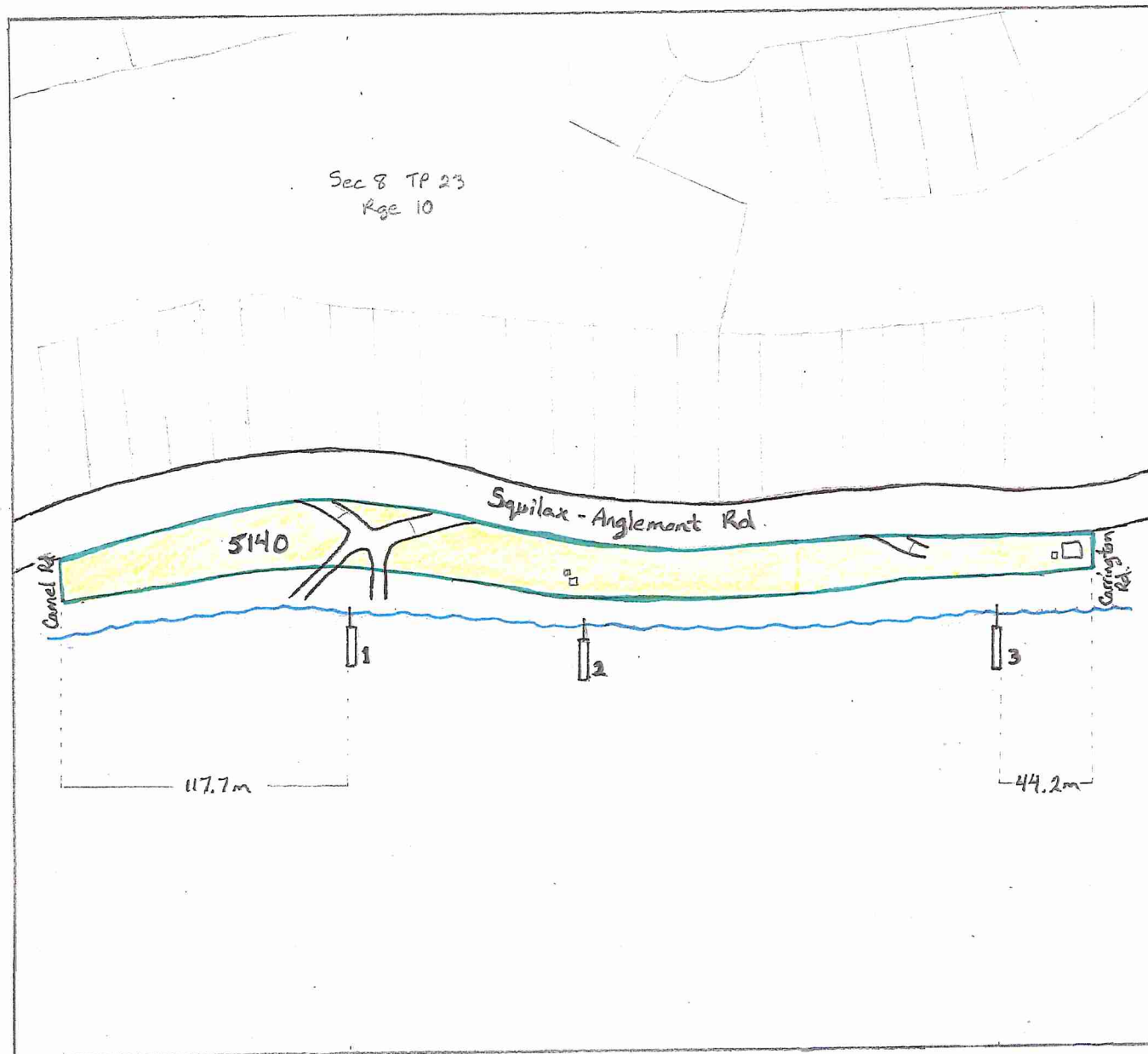
Jeff Boulter

MCPPA Director

250 955-0802

<input type="checkbox"/> CAO <input type="checkbox"/> Works <input type="checkbox"/> DS <input type="checkbox"/> Fin/Adm	<input type="checkbox"/> Agenda <input type="checkbox"/> Reg Board <input type="checkbox"/> In Camera <input type="checkbox"/> Other Mtg	Ownership: File #
SEP 05 2017		
<input type="checkbox"/> Ec Dev <input type="checkbox"/> IT <input type="checkbox"/> Parks <input type="checkbox"/> SEP <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	Ask Sent: <input type="checkbox"/> Fax <input type="checkbox"/> Mail <input type="checkbox"/> Email

AMENDMENT MAP



iMapBC Mapping

Legend

- ☐ Integrated Cadastral Fabric
- ☐ Integrated Cadastral Fabric
- ☐ Integrated Cadastral Fabric Ownership
- Survey Parcels - Tantalus
- Land Act Surveyed Rights of Tantalus - Legal Descriptions
- Land Act Survey Parcels - T Descriptions
- TileCache
- ☒ Subject Property
5140 Squilax-Anglemont Rd.
- ☐ Application Area

0 0.05 0.10 km

1: 2,500

Copyright/Disclaimer

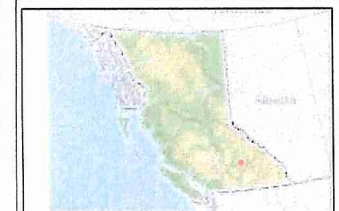
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Datum: NAD83

Projection: NAD_1983_BC_Environment_Albers

Key Map of British Columbia





Province of
British Columbia

MINISTRY OF
ENVIRONMENT
LANDS AND PARKS

BC
Lands

Thompson-Okanagan Region
478 St. Paul Street
Kamloops, B.C. V2C 2J6
Telephone: (604) 828-4800
Fax: (604) 828-4809

Our File: 3407684
Reserve No.: 963009

March 4, 1996

Your Contact is: Lynne Totten, Examiner
Telephone: 828-4834

BC Lands
Ministry of Environment, Lands and Parks
478 St. Paul St
Kamloops BC V2C 2J6

Re: Notice of Establishment - Land Act - Notation of Interest

The Crown land described as unsurveyed foreshore or land covered by water being part of the bed of Shuswap Lake, Kamloops Division of Yale District as shown outlined in red on sketch attached and containing approximately 2.6 hectares is established as a Notation of Interest for public recreation purposes.

Yours truly,

Authorized Representative

cc: Surveyor General Branch, Victoria

attach.

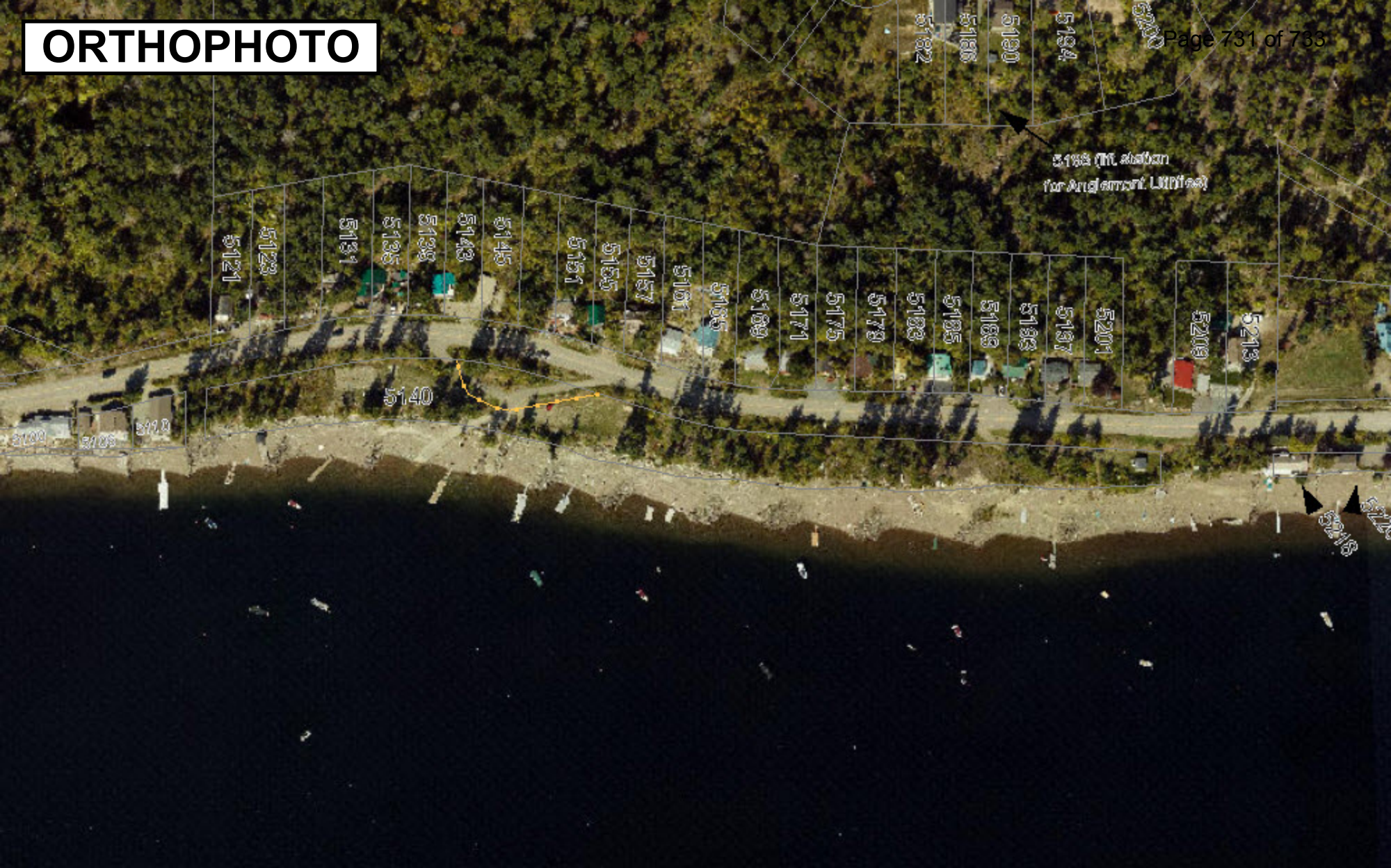
EX2RS (94/02)

TAS ENT'D MAR 13 1996

UREP No. 963009



ORTHOPHOTO

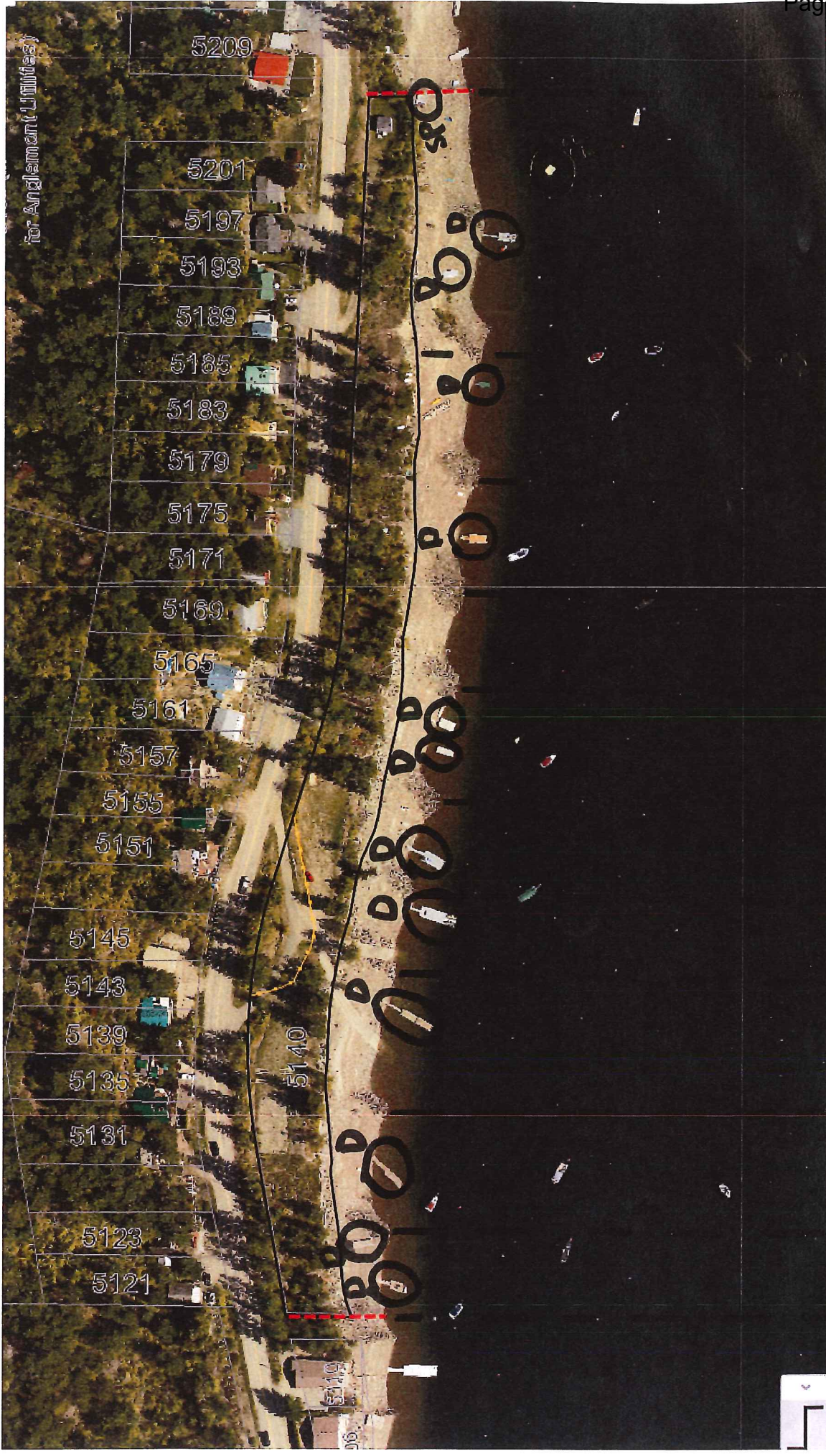




COPY

Inventory - 61 Buoy
 - 12 Docks
 - 2 Swimming platforms (SP)

Meadow Creek - August 14, 2014



Grid	Grid 1	Grid 2	Grid 3	Grid 4	Grid 5	Grid 6	Grid 7	Grid 8	Grid 9	Grid 10	CAMEL ROF
	2 Docks 2 SP 15 Buoys	1 Dock 7 Buoys	1 Dock 8 Buoys	5 Buoys	2 Docks 6 Buoys 5165 Private	1 Dock private redwood 8 Buoys	1 Dock private use @ own risk 2 Buoys	1 Dock no moorage swimming lounging 1 Buoy	1 Dock 7 Buoys	2 Docks 5123 2 Buoys	CAMEL ROF Access. - nothing of concern @ time closer to 5110

Camel RoF - Access
 2 Docks
 1 Buoy
 for certain
 2 on prop.