



COLUMBIA SHUSWAP REGIONAL DISTRICT

Electoral Area Directors' Committee Meeting

AGENDA

Date: Thursday, November 2, 2017
Time: 9:30 AM
Location: CSR D Boardroom
555 Harbourfront Drive NE, Salmon Arm

Pages

1. Call to Order

2. Adoption of Agenda

Motion

THAT: the agenda of the November 2, 2017 Electoral Area Directors' Committee meeting be approved.

3. Meeting Minutes

3.1 Adoption of Minutes

1

Motion

THAT: the minutes the minutes of the June 27, 2017 Electoral Area Directors' Committee meeting be adopted.

3.2 Business Arising

3.2.1 Terms of Reference

10

The Terms of Reference for the Electoral Area Directors' Committee was adopted by resolution at the July 20, 2017 Regular Board meeting.

4. Reports by Staff

4.1 Soil Removal and Deposit Bylaw No. 646 update

12

Report from Gerald Christie, Manager Development Services, dated November 2, 2017.

Staff recommends that the Electoral Area Directors' Committee not pursue further consideration of a Soil Removal and Deposit Bylaw at this time.

Motion

THAT: the Electoral Area Directors' Committee receive this report and not pursue further readings of Bylaw No. 646 at this time;

AND FURTHER: that the Electoral Area Directors Committee recommend to the Board that the First Reading given to Bylaw No. 646 on August 18, 2012, be rescinded.

Motion

THAT: the Electoral Area Directors' Committee direct staff to prepare a draft policy to aid staff and Directors in providing comment to the Ministry of Energy and Mines (MEM) in regards to mines related referrals received from the Ministry.

4.2 Forest Industry Plan Referrals – Review of referral and response process 41

Verbal report from C. Paiement, Team Leader, Development Services regarding the following:

- Overview of forest industry plan and review process
- Explanation of CSRD referral review and response process
- Considerations for future referrals and responses

For discussion/direction.

4.3 Lakes Zoning Bylaw No. 900 – Bylaw administration update and next steps 53

Verbal report from C. Paiement, Team Leader, Development Services regarding the following:

- Overview of Lakes Zoning Bylaw No. 900
- Explanation of the challenges of administering and enforcing the bylaw
- Considerations for future Lakes Zoning priorities

For discussion/direction.

5. Reports by Electoral Area Directors

6. Adjournment

Motion

THAT: the Electoral Area Directors' Committee meeting of November 2, 2017 be adjourned.



ELECTORAL AREA DIRECTORS' COMMITTEE MEETING MINUTES

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

Date: June 27, 2017

Time: 9:30 AM

Location: CSRD Boardroom
555 Harbourfront Drive NE, Salmon Arm

Directors Present	K. Cathcart	Electoral Area A (via teleconference)
	P. Demenok (Chair)	Electoral Area C
	R. Talbot	Electoral Area D
	R. Martin	Electoral Area E
	L. Morgan	Electoral Area F
Directors Absent	L. Parker	Electoral Area B
Staff Present	C. Hamilton	Chief Administrative Officer
	C. Kraft	Deputy Treasurer
	E. Johnson	Executive Assistant/Confidential Secretary
	L. Schumi	Administrative Clerk
	C. Paiement	Team Leader, Development Services
	D. Passmore*	Senior Planner
	J. Thingsted*	Planner
	J. Sham*	Planner
	C. LeFloch*	Development Services Assistant

* Attended part of the meeting only

1. Call to Order

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

2. Adoption of Agenda

Moved By Director Talbot

Seconded By Director Morgan

THAT: the agenda of June 27, 2017 Electoral Area Directors' Committee meeting be approved.

CARRIED

3. Meeting Minutes

3.1 Adoption of Minutes

Moved By Director Morgan

Seconded By Director Talbot

THAT: the minutes the minutes of the April 4, 2017 Electoral Area Directors' Committee meeting be adopted.

CARRIED

3.2 Business Arising from the Minutes

-None.

4. Reports by Staff

4.1 All Electoral Areas: Subdivision Servicing Amendment (CSRD) Bylaw No. 641-2

Report from Dan Passmore, Senior Planner, dated May 25, 2017.

Housekeeping Amendments.

Mr. Passmore reviewed his report on the amendments recommended by staff. Proposed amendments would provide more clarity in definitions, especially what documents are required from applicants for Subdivisions. Most schedules attached to the original bylaw would be removed.

In response to a question regarding driveway access, Mr. Passmore stated that the access permit issued by the Ministry of Transportation and Infrastructure deals with jurisdiction over the Right-of-Way, beyond that it is not regulated so the onus falls on Local Government. The Columbia

Shuswap Regional District (CSRD) have the ability to provide direction as to what is needed and these amendments will reflect that.

Mr. Passmore continued to report on the proposed amendments, noting the streamlining of applications through arrangements with the Ministry of Transportation (MoT), approving authority for subdivisions and faster response times by the ability to bypass Interior Health with regard to On-site sewer systems. They are now being reviewed by staff.

Discussion around water servicing and licencing. In responding to a question regarding removing White Lake as an eligible water source, Mr. Passmore stated the Province has informed the CSRD that White Lake has maxed out its source. Part of the referral process is consultation with the Province, and White Lake is in a unique situation when it comes viable drinking water. The Chair suggested inviting White Lake Water Users Community to have a discussion and get feedback about this water issue.

only regarding new and potential subdivision apps; have noted some subdivisions with questionable water source.

no guarantees - hoping new regs will create more stringent rules regarding safe drinking water.

people drilling wells and not maintaining them or taking proper samples results people losing their drinking water.

how will public know about this? website, newspaper ads etc. removing the schedules but where does the info go in order to fill the gap. guidelines will be updated. will make applicants aware but wanting to reduce paper while making sure the info isn't lost and applicants are well informed of the process. operations would be responsible. this would streamline the process.

EAD's should be involved and welcome feedback especially anyone specifically.

Moved By Director Morgan

Seconded By Director Talbot

THAT: the Electoral Area Directors' Committee receive this report and consider the proposed amendments to Subdivision Servicing Bylaw No. 641.

CARRIED

Moved By Director Morgan
Seconded By Director Talbot

THAT: the Electoral Area Directors' Committee direct staff to refer this report together with the amended Subdivision Servicing Bylaw No. 641-2 to referral agencies, stakeholders, special interest groups and potentially the public to obtain input prior to Board consideration of the bylaw for first reading.

CARRIED

Amendment:

Moved By Director Martin
Seconded By Director Morgan

THAT: the above motion be amended to remove the word potentially and include the public on referral on the amended Subdivision Servicing Bylaw No. 641-2

VOTE ON AMENDMENT – CARRIED

VOTE ON MOTION AS AMENDED – CARRIED

5. Reports by Electoral Area Directors

5.1 Priorities for Ministry of Transportation and Infrastructure

April 4, 2017: Chair Demenok asked the Electoral Area Directors to draft a list of priority roads for their respective areas and defer to the next Electoral Area Directors meeting on June 27, 2017 for discussion.

Letter from JPW, following up from April 4, 2017 meeting, attached along with draft response from Chair Demenok.

concerns over these roads coming from ead when it actually came from the board.

refer to board and municipalities can comment on it.

CH - send the letter asked to get comments on roads from ead's by end of the week so PD can re-draft the letter and get it sent off.

does not pertain to area A or B

discussion around Seymour arm FSP - MOTI and FLNRO?

5.2 South Okanagan Similkameen Conservation Program

Requested by Chair Demenok. Brought forward from April 4, 2017.

View Website: <http://www.soscp.org/>

PD suggests this may be of interest - invite Bryn White to the board meeting and get the information on this program.

Moved By Director Morgan

Seconded By Director Talbot

THAT: the EAD Committee invite Bryn White, Executive Director of SOSCP to be a delegation at a future board meeting to give information on their conservation program.

CARRIED

5.3 Terms of Reference

April 4, 2017: Chair Demenok advised that he would like to see a Terms of Reference for the Committee. Currently there is no tracking mechanism for topics and recommendations coming out of Committee meetings.

Update from staff: new meeting management software, eSCRIBE, has tasking options to assign action items to staff and contains reporting options on outstanding action items.

use strathcona as a template, ead's provide comments.

the board has delegated corporate authority to CH and other officers but the board can delegate corporate authority to the committee, CH suggest get it into the policy book and amend as needed.

discussion around setting the agenda, along with the new form. practice at watershed council have a conference call ahead of time to discuss agenda items. make it a collaborative effort, formalize the approval process. look at a mechanism for tracking recommendations/motions.

using escribe to delegate tasks

go to the board with it right now.

5 min break.

Moved By Director Martin

Seconded By Director Morgan

THAT: staff be directed draft a Terms of Reference to be brought forward for approval at the July regular Board meeting.

CARRIED

5.4 Business Licenses in Electoral Areas/Regional Districts

Request from Chair Demenok. Notes on discussion points in attachment.

reconvened at 10:42

restriction in LGMA for local govt's to issue business licenses? not clear.

funding stream for local business groups, help economic development.

CORD does have business licensing. should csrd consider?

CH - kind of a harmonized rationale - smaller district. cost would out weigh the benefits, licensing office and enforcement provisions would take all funding and no funds left for business groups or chamber of commerce. potentially create more issues than benefits. need special permission from province for a provision for business licensing.

how would we enforce something like this? taxpayer will be on the hook once again.

comments around business operating in ea and in a municipality so do they require two licenses? could pay a larger fee for multi area business.

amendment would be required to the local govt act to allow regional districts to issue business licenses. TUP's can work (minus area c).

what would the differences be in regulating cannabis compared to alcohol and or tobacco.

business licensing would be a regulatory tool for cannabis and a large income. people would move to rural area so they don't need a license PD said we should collaborate efforts.

PD confirmed focus is on retail sales rather than grow ops.

comments around the smell, growing concern for the public.

number of issues around public consumption, where these retail shops would go, hours etc.

population is key, rural areas cannot compete people will go to bigger cities cause its cheaper.

CP - not there yet, DS had bigger priorities than business licensing, do we need to have a role when it comes to cannabis. provincial regulation etc. bigger operations have stringent rules set by the province already.

black market - wiped out in rural areas, number of drug stores wanting to get into the market.

what are other RD's municipalities doing to anticipate legalizing cannabis? jan spoke to City of SA and they have been issuing some licenses for dispensaries but zoning/ocp regs don't change.

any room for legal advice? too early to consult but watching brief and see how it goes. not ignore but don't act now.

what level of involvement should/do we want to take, wait and see.

CH to forward report from TNRD to committee.

5.5 Cannabis & Business Licenses

Request from Chair Demenok. Notes on discussion points in attachment. covered in topic above - chair moved on.

5.6 Shuswap Economic Development

Requested by Chair Demenok. Notes on discussion points in attachment.

CH spoke to the report back in 2009. key thing was ownership. municipalities and rural areas wanted separate econ dev efforts, no sub regional interest.

should we look at a non profit organization just for Shuswap? discussion around ownership,

need to make sure the money is available if a society is developed.

business drive econ dev - not non profit organizations/politicians comes down to whos driving the ec dev model for a specific area.

too many groups involved, scattered, simplify the process in terms of people involved.

chair - non profit are eligible for grants and funding, would be worth looking into. not been satisfied with the ec dev funding for area c. businesses are looking into moving into the region.

would require an addendum to current edc tor, does not address non profits.

driven by consultants, driven by area.

reporting arrangement needs to be more streamlined, report to councils/Board, not necessarily have politicians sit on the committee, third party approach would be needed.

comment made around business owners not having time nor resources to sit on a society, especially in rural areas and distances to SA.

third party look at it? comment waste of time and money.

RT- separate robyn cyr from ec dev, focus on tourism. non profits can have access to money we cant

looking at how municipalities are doing in terms of ec dev, and seeing how the electoral areas would benefit.

CH - recommend from ead to ec dev to see if its worth hiring a consultant.

Moved By Director Morgan

Seconded By Director Talbot

THAT: Electoral Area Directors Committee recommend to the Shuswap Economic Development Committee that a review of their organizational structure and governance as part of their Shuswap Economic Development strategy be completed and any recommendations brought forward be reported to the Electoral Area Directors' Committee;

AND FURTHER THAT: the subject be considered at their next meeting and to consult with Robyn Cyr for feedback on budgetary concerns prior to the meeting.

CARRIED

DIRECTOR MARTIN OPPOSED

6. Adjournment

Moved By Director Morgan

Seconded By Director Talbot

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

CARRIED



ELECTORAL AREA DIRECTORS' COMMITTEE

Terms of Reference

1.0 Overview

The Chair of the Board of Directors (the 'Board Chair') for the Columbia-Shuswap Regional District has established the Electoral Area Committee (the 'Committee') to provide advice and guidance to the Regional Board concerning matters for which a unique electoral area interest has been identified. In accordance with the *Local Government Act*, the Committee shall continue to exist during the term of or until terminated by the Board Chair.

2.0 Purpose and Mandate

2.1 The mandate of the Committee is to provide advice and recommendations to the Regional Board concerning matters which:

- are deemed to be of interest primarily to electoral areas, including service delivery alternatives affecting those electoral areas;
- have been specifically referred to the Committee by the Regional Board;
- have been referred to the Committee in accordance with Regional District policy; or
- are related to the assumption of additional advisory responsibilities which the Committee believes should fall within the Committee's mandate.

2.2 The Committee may also make decisions on matters for which corporate authority has been specifically delegated by the Regional Board.

3.0 Chair and Members

3.1 Membership on the Committee shall be comprised of all electoral area directors.

3.2 The Committee will elect a Chair (the 'Committee Chair') and Vice Chair at its inaugural meeting each year. The Committee Chair will serve in that capacity until the next inaugural meeting unless the Committee Chair ceases to hold the qualifications for the position.

4.0 Meetings

4.1 The Committee will meet as required to fulfill its mandate. Meetings will be as scheduled in advance by resolution of the Board at its inaugural meeting.

4.2 No Director or Alternate Director shall have more than one vote on any question before the Committee



4.3 The Committee will be subject to the rules of procedure set out in the Regional Board's procedure bylaw.

5.0 Reporting

The Committee will provide its advice and recommendations to the Regional Board through receipt and endorsement of the committee meeting minutes, or in the form of a written report from the Committee Chair.

Approved by resolution of the Regional Board

July 20, 2017.



ELECTORAL AREA DIRECTORS REPORT

TO:

Chair and Electoral Area Directors

File No:

BL No. 646

SUBJECT:

Soil Removal and Deposit Bylaw No. 646 update

DESCRIPTION:

Report from Gerald Christie, Manager Development Services, dated November 2, 2017.
Staff recommends that the Electoral Area Directors' Committee not pursue further consideration of a Soil Removal and Deposit Bylaw at this time.

RECOMMENDATION
#1:

THAT: the Electoral Area Directors' Committee receive this report and not pursue further readings of Bylaw No. 646 at this time;

AND FURTHER: that the Electoral Area Directors Committee recommend to the Board that the First Reading given to Bylaw No. 646 on August 18, 2012, be rescinded.

RECOMMENDATION
#2:

THAT: the Electoral Area Directors' Committee direct staff to prepare a draft policy to aid staff and Directors in providing comment to the Ministry of Energy and Mines (MEM) in regards to mines related referrals received from the Ministry.

SHORT SUMMARY:

Developing a Soil Removal and Deposit Bylaw and gaining Ministry of Energy and Mines and Petroleum Resources (MEMPR) approval for such a bylaw is a significant undertaking. The Board has previously given first and second reading to Bylaw No. 646 and referred the bylaw for comment to government agencies, Advisory Planning Commissions (APCs), and First Nations. After much consultation, legal review, and discussions with peer local governments, staff recommends that the Electoral Area Directors' (EAD) Committee no longer pursue the establishment of a Soil Removal and Deposit Bylaw due to the regulatory duplication with MEMPR, the increased administrative burden on staff, and the additional enforcement resources that would be required for the bylaw.

BACKGROUND:

Since 2011, staff have had discussions with the Board and EAD with regard to drafting a Soil Removal and Deposit Bylaw for the CSRD. In August 2011 a proposed Soil Removal and Deposit Bylaw No. 646 was given first reading and then granted second reading in July 2012. Beginning in 2011 staff had several discussions with MEMPR with regard to the proposed bylaw, liaised with legal counsel on numerous occasions, and have met with Electoral Area Advisory Planning Commissions (APCs) and local construction industry professionals. Further, staff have also met personally with ministry staff and had the Senior Inspector of Mines and Permitting come and present to the Board in November 2016.

Throughout this process some Directors have expressed support for the bylaw, e.g. additional public consultation and Board approval of soil-related permits, while other Directors have expressed concerns related to the regulatory duplication with the ministry and increased costs to the CSRD for the processing of applications and enforcement of the bylaw.

POLICY:

Due to the number of referrals from the MEMPR with regard to mining permits, and given the technical nature and at times the impact that can occur to surrounding property owners, it is recommended that the EAD direct staff to develop a referral policy for MEMPR soil removal and/or deposit referrals. The policy could deal with the interplay between the size of the proposed operation, whether it is located in a primarily rural area or in close proximity to residential or commercial uses, and the desire of the CSRD to have the applicant or MEMPR conduct informative and meaningful consultation with stakeholders and the public prior to granting the permit.

The CSRD has similar existing policies dealing with referral responses required from other agencies, e.g. Telecommunications Facilities Siting and Consultation Policy P-22, Subdivision Referral Procedure PR-29, Development Services Referral Nonpayment Policy P-21, and Liquor Licence Applications Policy A-42.

FINANCIAL:

If the staff recommendation to prepare a draft policy is approved there are no financial implications to the CSRD other than staff time to prepare a new MEMPR referral policy. If the EAD wishes to proceed with a Soil Removal and Deposit Bylaw, staff will prepare the bylaw for further review and include details as to the financial impacts of the bylaw which could include additional staff for the processing, monitoring and compliance of these CSRD permits, and possibly an increased legal budget to be able to force compliance through the courts (injunctive proceedings).

KEY ISSUES/CONCEPTS:

The MEMPR has a thorough application vetting process for mining permits which includes detailed pre and post site drawings, site operational plans, production levels, equipment used, reclamation plans, landscaping details, end land use, emergency plans, environmental impacts, access management, noise abatement, and protection of cultural and heritage resources, and estimation of required security necessary to meet the mining plan requirements and reclamation. The technical aspects of the application are then reviewed with regard to the Mines Act, Water Sustainability Act, Heritage Conservation Act, Land Act, Fisheries Act, ALC Act, Transportation Act and others. The Mines Inspector is responsible for conducting the technical assessment of this information and can then reject the application or accept the application for the next step in the process, i.e. additional information requirements, First Nations consultation, public notification, and referrals including to local government. The Mines Inspector then reviews all of the consultation information received and may require the applicant to then also hold a public meeting prior to the Inspector considering the application further.

There are few regional districts that have Soil Removal and Deposit Bylaws. Those that have such bylaws have had several issues in developing, modifying, and enforcing these bylaws as well as difficulty working with MEMPR in a sphere of concurrent authority, i.e. who exactly is responsible for what, who takes the lead in enforcement, who provides conditions for what activities, etc. In some cases the reason for adopting a Soil Removal and Deposit Bylaw is because of a particular situation or property that has attracted the public's attention or that of the local government. However, there is not the ability to retroactively enforce a new bylaw or revisit the applicable Mines permit that has been granted to the operator or landowner for the activity, unless they are not living up to the requirements of the permit in which such cases the ministry would then be responsible for compliance and enforcement. As the CSRD has seen in other similar circumstances, if the local government has a bylaw that regulates

within an overlapping area of provincial authority there is a penchant by the province to attempt to download such enforcement and any associated costs to the local government.

The review and processing of a permit by MEMPR is similar to those considerations of CSRD planning staff when reviewing and when processing a major rezoning application. Upon review of previous years referrals from MEMPR to the CSRD for new or renewed mining permits, the CSRD receives on average 8-10 referrals per year (some years much less while in other years there has been 20+ referrals that would result in applications to the CSRD); given previous discussions with the Board with regard to Development Services workload and staffing, an increase of this many additional major applications to the department may require additional staffing just to help process these applications or the processing of other types of applications may take longer.

The CSRD continues to hold the power to require a rezoning of lands where the desired use is for the extraction and secondary industrial processing or importation of materials for processing, e.g. screening, asphalt or concrete production. The MEMPR permit only allows for the extraction of mineral resources and processing necessary to transport the material off-site. The MEMPR permit may therefore be granted for the proposed mineral extraction and which may include conditions on the hours of operation, noise and dust mitigation, washing stations, etc., but a rezoning or temporary use permit (TUP) would be required to be granted by the CSRD for any proposed secondary uses.

The MEMPR are responsible for all monitoring and enforcement of the mines permit for which they grant. This includes taking security for the permit, conducting inspections, issuing orders, adding additional permit conditions and can even cancel permits or fine the landowner and operator for violating permit conditions. If the CSRD approves of Soil Removal and Deposit Bylaw and grants a permit for such a soil-related activity, the CSRD may become the lead agency responsible for some or all of these above mentioned enforcement issues; however, the powers vested to the CSRD are limited to utilizing the security issued for the permit, utilizing fines that could be issued through the MTI Bylaw, or undertaking a costly court injunction process to seek compliance. The MEMPR staff, through the substantial powers vested in the Chief Inspector of Mines, has significant powers to unilaterally modify permits or cancel them outright. If a court injunction is necessary in getting compliance with the approved mines permit, or if a permit was not obtained, the court proceedings are undertaken and paid for by the province.

SUMMARY:

The Ministry of Energy and Mines and Petroleum Resources has an extensive and detailed application vetting process for mining permits. However, staff and Directors have voiced concerns with the level of consultation with local governments and the public when the ministry is considering such new applications or their renewal. As noted by the Senior Inspector of Mines and Permitting at the November 2016 Board meeting, the ministry is making a renewed effort in consultations with local governments, stakeholders and the public generally during the mines permitting process. Staff agree with the Inspector that the industry is already heavily regulated through the MEMPR and the several applicable provincial acts that apply. As the ministry is already responsible for these permits, and given the geographic size of the CSRD and the number of additional applications that would need to be managed by the CSRD, the additional bureaucracy including staff time, and the additional cost and application processing time to the applicant, it is therefore the opinion of staff that in most cases the CSRD Soil Removal and Deposit Bylaw would be an unnecessary duplication of efforts. However, consistent referral messaging, i.e. MEMPR referral policy, and ongoing communication with ministry

staff will be necessary to proactively deal with new mines referrals and permits being considered by the MEMPR.

IMPLEMENTATION:

If the recommendation is approved, staff will develop a Ministry of Energy and Mines referral policy for consideration by Directors at a future EAD meeting.

COMMUNICATIONS:

N/A

DESIRED OUTCOMES:

That the EAD not pursue a Soil Removal and Deposit Bylaw at this time but direct staff to develop a MEMPR referral policy to be used by CSRD staff and Directors when responding to mines-related referrals.

BOARD'S OPTIONS:

Endorse the Recommendations.

Deny the Recommendations.

Defer.

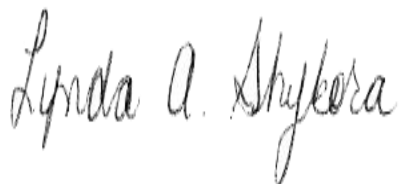
Any other action deemed appropriate by the Board.

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

Report Approval Details

Document Title:	2017-11-02_EAD_DS_BL646_SoilRemovalUpdate.docx
Attachments:	- BL646-Soil Report and Bylaw-2nd Reading(signed).pdf
Final Approval Date:	Oct 23, 2017

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



Lynda Shykora - Oct 23, 2017 - 3:12 PM



Charles Hamilton - Oct 23, 2017 - 3:37 PM



ABL2

BOARD REPORT

A65

TO: Chair and Directors

FROM: Gerald Christie
Manager Development Services

SUBJECT: Soil Removal and Deposit Bylaw No. 646

File No: BL No. 646

Date: July 19, 2012

RECOMMENDATION: THAT:
Bylaw No. 646, cited as "Soil Removal and Deposit Bylaw No. 646", be read a second time this 19th day of July, 2012;

AND THAT:

Bylaw No. 646 be referred to the following:

- Ministry of Community, Sport and Cultural Development;
- Ministry of Transportation and Infrastructure;
- Interior Health;
- Ministry of Environment;
- Ministry of Energy and Mines;
- Ministry of Forests, Lands and Natural Resource Operations;
- Ministry of Forests, Lands and Natural Resource Operations – Archaeology Branch
- All relevant First Nations Bands and Councils;
- Town of Golden;
- City of Revelstoke;
- City of Salmon Arm; and
- District of Sicamous.

APPROVED for Board Consideration:

Meeting Date: July 19th, 2012

Charles Hamilton, CAO

SHORT SUMMARY:

The Board gave first reading to Soil Removal and Deposit Bylaw No. 646 on August 18, 2011 and directed staff to undertake a consultation process with other local governments, provincial ministries and agencies, First Nations, CSRD legal counsel and Advisory Planning Commissions (APC). This consultation was conducted throughout the fall of 2011 and winter of 2012 and resulted in a number of amendments to the bylaw. Although the response to the proposed bylaw was mostly positive, due to the length of time that was necessary to solicit feedback from the various groups and agencies, and the resulting amendments to the bylaw, staff is recommending that the Board give Bylaw No. 646 second reading as amended, and refer the amended bylaw to referral agencies again as a courtesy and to solicit further feedback.

VOTING:

Unweighted Corporate ☒ Weighted Corporate ☐ Stakeholder ☐ LGA Part 26 ☐
(Weighted) (Unweighted)

BACKGROUND:

At the request of Director Bacigalupo, information regarding *Soil Removal and Deposit Bylaws* was first brought forward to the February 3, 2011 meeting of the Electoral Area Directors Committee (EAD). On May 3, 2011 a draft Soil Removal and Deposit Bylaw was presented to the EAD and subsequently the Board gave first reading to Soil Removal and Deposit Bylaw No. 646 at the August 18, 2011 regular Board meeting.

Following first reading of Bylaw No. 646, the bylaw was referred to several provincial agencies and ministries, First Nations, local governments, and APCs. The consultation consisted of several meetings and phone calls in order to solicit comment on the bylaw which resulted in numerous amendments to the bylaw. The most significant amendments came from a review of the bylaw by CSRD legal counsel as well as from discussions with Ministry of Energy and Mines (MEM) staff.

Following presentations and discussion with APC members in Electoral Areas 'B', 'C', 'D' and 'E', the response to the bylaw was overwhelmingly positive. Proposed changes to the bylaw resulting from the APC comments were mainly related to wording in order to better clarify the intent of the bylaw and to make the regulations and requirements more easily understood. The Area 'F' APC did not support the proposed bylaw and had concerns with the amount of extra regulation and cost that such a bylaw would bring to their area and to existing businesses and felt that the MEM provided adequate oversight regarding mining permits.

Comments from the APCs include:

- noxious weeds must be dealt with appropriately by the applicant;
- support requirements for public consultation by applicant;
- exemption level requiring permit may need to be increased;
- exemption level should be decreased;
- regulatory language could be stronger;
- bylaw cannot be retroactive to previously approved permits by MEM but wish that it could be;
- there are too many regulations for mining permits already;
- consider a maximum land area that could be disturbed after which a Soil Removal and Deposit permit would be required;
- ability of the Board to grant the permit for up to ten years is too long;
- base soil removal and deposit exception limit on the size of the parcel; and,
- more awareness by the public of soil-related issues is needed.

Comments received from other referrals include:

- Ministry of Energy and Mines noted that the Mines Act is the authority for mining approvals in the province and the permits granted by the CSRD must make it clear that CSRD approval does not mean that Mines Act approvals have been granted. There is always concern with such bylaws that there may be overlap and duplication with local government permitting processes and requirements regarding the information required of the applicant and security that would be taken.
- No concerns were expressed by the City of Salmon Arm, District of Sicamous, CSRD Environment and Engineering, CSRD Finance, or Agricultural Land Commission (ALC).
- Interior Health (IH) supported the principles of the bylaw as it will provide greater management and oversight of soil removal and deposit activities. Recommended assessment of activities within 100m of drinking water sources.
- Adams Lake Indian Band requested a fee for referral processing prior to commenting.
- Ministry of Transportation and Infrastructure (MoT) requires the CSRD Soil Removal and Deposit permit to note clearly that such a permit does not grant any other necessary approvals from other agencies, e.g. access permit. Further, prior to granting a soil removal and deposit permit, the CSRD should require confirmation from the applicant that MoT has given approval for an access permit if necessary.

The consultation process and legal review has resulted in many amendments to Bylaw No. 646, although the intent of the bylaw, its application, information requirements, conditions of permit, enforcement, security and penalties remain substantively unchanged.

POLICY:

The intent of Bylaw No. 646 is to provide a mechanism to the CSRD Board to approve soil removal or deposit on lands within the CSRD. The bylaw may supplement and inform the mining permit approval process at MEM and gives the Board authority over how, when and where mining operations may occur if those operations include the transportation of soil or quarry material onto or off of the site. Site, operational and reclamation planning along with provision of professional reports regarding geotechnical engineering, water quality, noise mitigation, habitat protection, etc. may be requested by the Board for its consideration of the permit. Furthermore, the applicants are requested to conduct consultation with the public prior to coming to the Board for consideration of their applications. Security may also be required of the applicants as determined by the qualified professionals completing the reports noted above, e.g. for reclamation works.

The proposed bylaw is consistent with several OCP policies of the CSRD including the need for better environmental and riparian protection, protection of lake and aquifer water quality, and geotechnical safety of property owners and residents. Large scale, soil-related operations can have a significant impact on community infrastructure, nearby property owners, the environment and residents' quality of life.

Prior to adoption of Soil Removal and Deposit Bylaw No. 646, the Soil Removal Permits Policy P-4 (April 1981) will need to be removed from the CSRD Policy Manual. This thirty year old policy has not been in use for some time. Under the policy the Area Director and 'Soil Conservation Enforcement Officer' would consider soil removal permit applications prior to issuance.

An amendment to the CSRD Fees Bylaw No. 638 will be required prior to adoption of Soil Removal and Deposit Bylaw No. 646 to allow for a Soil Removal and Deposit Permit application fee.

REFERRAL PROCESS:

Staff is recommending that the bylaw be referred again to all agencies included in the first referral. Most of the referral agencies had either no comment or very minor comments regarding the bylaw. Due to the extensive collaboration and overlapping jurisdiction with MEM within the permitting process for new mining permits, of which this bylaw will be part, it is important that MEM staff understand the CSRD's intentions with respect to the bylaw. Furthermore, aside from approval of the bylaw being granted by the Minister of Community, Sport and Cultural Development (MCSCD), the Minister of Energy and Mines (MEM) is also a required signatory to this bylaw. For this reason there must be agreement between the CSRD, MCSCD and MEM that the bylaw meets the requirements of the Local Government Act, respects the spheres of concurrent authority between the local government and the province, and does not inhibit the authority of MEM in any way.

A second referral will also provide those referral agencies that did not respond the first time an opportunity to comment on the bylaw. Except for the Area 'F' APC, there was unanimous support from the members of all the other APCs for implementation of the bylaw. The minutes of the Area 'F' APC meeting note that it is not in support of such a bylaw due to the extra regulation and bureaucracy that it would bring to mining (gravel) operations in the North Shuswap.

The following agencies and organizations would be referred the amended bylaw:

- Ministry of Community, Sport and Cultural Development;
- Ministry of Transportation and Infrastructure;
- Interior Health;
- Ministry of Environment;
- Ministry of Energy and Mines;
- Ministry of Forests, Lands and Natural Resource Operations;
- Ministry of Forests, Lands and Natural Resource Operations; Archaeology Branch
- All relevant First Nations Bands and Councils in the CSRD;
- Town of Golden;
- City of Revelstoke;
- City of Salmon Arm; and
- District of Sicamous.

If there are further amendments required as a result of referral comments, this bylaw will be returned to the Board for second reading as amended and a recommendation to proceed to a public hearing.

Board Report

Soil Removal and Deposit Bylaw No. 646

July 19, 2012

A69**SUMMARY:**

Following first reading, consultation on proposed Soil Removal and Deposit Bylaw No. 646 was conducted and resulted in numerous amendments to the bylaw. Overall the response to the bylaw has been very positive, however due to the extent of the amendments it is recommended that the amended bylaw be given second reading and be sent out again to referral agencies for information and to solicit further comment.

LIST OF REPORTS / DOCUMENTS:


1. Soil Removal and Deposit Bylaw No. 646, as amended	Attached to Agenda <input checked="" type="checkbox"/>	Available from Staff: <input type="checkbox"/>
2. Soil Removal and Deposit Bylaw No. 646 (Redlined)	Attached to Agenda <input checked="" type="checkbox"/>	Available from Staff: <input type="checkbox"/>

DESIRED OUTCOME:

That the Board endorse staff recommendation.

ELECTORAL AREA DIRECTOR COMMITTEE OPTIONS:

1. Endorse recommendation; Bylaw No. 646 will be given second reading and forwarded to referral agencies.
2. Decline recommendation; Bylaw No. 646 will be defeated.
3. Defer.
4. Any other action deemed appropriate by the Board.

REVIEWED BY:	Date Signed Off (MO/DD/YR)	Approval Signature of Reviewing Manager or Team Leader
Development Services	07/09/12	

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COLUMBIA SHUSWAP REGIONAL DISTRICT

SOIL REMOVAL AND DEPOSIT BYLAW NO. 646

A bylaw to regulate the application, approval, suspension or denial of permits for the removal and deposit of soil material within the Columbia Shuswap Regional District.

WHEREAS sections 723 and 797.1 of the Local Government Act, authorize the *Board* of the Columbia Shuswap Regional District to regulate or prohibit the *removal* or *deposit* of *soil* in the *Regional District*;

AND WHEREAS the *Board* desires to regulate, and require permits for, both the *removal* and *deposit* of *soil* within the Columbia Shuswap Regional District;

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

ADMINISTRATION

1. This Bylaw applies to all land within Electoral Areas 'A', 'B', 'C', 'D' 'E' and 'F' of the Columbia Shuswap Regional District.

DEFINITIONS

2. For the purpose of this bylaw:

Administrator means the Chief Administrative Officer (CAO) of the *Regional District* or the officer delegated by the *Board* to act on the CAO's behalf.

Board means the Board of Directors of the *Regional District*.

Deposit includes the placement, storage, spilling or releasing, directly or indirectly, of *soil* on lands in the *Regional District* where the *soil* was not previously located.

Qualified Professional means a person who is registered or duly licensed as a Professional Engineer or a professional geoscientist under the provisions of the Engineers and Geoscientists Act.

Regional District means the Columbia Shuswap Regional District.

Remove includes the act of removing, excavating, or transporting *soil* from any lands where it originally existed, including the movement of soil from one location to another location within the same lot.

Soil includes topsoil, silt, clay, sand, gravel, rock, peat or other substances of which natural land is composed but does not include soil that exceeds provincial contaminated soil guidelines, or sewage sludge.

REGULATIONS**3. Fees**

- a. An application for a Soil Removal and Deposit Permit must be submitted with the appropriate fee as prescribed by the Columbia Shuswap Regional District Fees Bylaw No. 638, as amended.

4. Applicability

- a) All lands within the Regional District are designated Soil Removal and Deposit Permit Areas unless exempted under Section 5.b).
- b) No person shall:
 - i. remove soil from; or
 - ii. deposit soil or other material on any land within a designated Soil Removal and Deposit Permit Area without first obtaining a Soil Removal and Deposit Permit, unless otherwise specifically permitted under this Bylaw.

5. Exemptions

- a) Unless exempted by this section, a permit for *soil removal* or *deposit* is required.
- b) A Soil Removal and Deposit Permit is not required for any of the following:
 - i. *Removal* or *deposit* of less than 350m³ of *soil* during a twelve month period;
 - ii. Movement of *soil removed* from and *deposited* entirely within a parcel and an adjacent parcel owned by the same private landowner;
 - iii. *Removal* or *deposit* of *soil* located on Agricultural Land Reserve (ALR) land which is exempted from a permit under the Agricultural Land Commission Act;
 - iv. *Removal* or *deposit* of *soil* undertaken by a florist, nursery worker, horticulturalist or farmer where the *soil* is used on the parcel on which that person carries on that trade;
 - v. *Removal* or *deposit* of *soil* for the purpose of constructing or maintaining provincial roadways, forest service roads, or walkways or trails;
 - vi. *Removal* of *soil* from or *deposit* of *soil* on land owned by the Regional District or its member municipalities;

- vii. *Removal of soil from or deposit of soil on land if a permit for exploration or production of minerals or coal on the land has been obtained pursuant to the Mines Act;*
- viii. *Removal of soil from or deposit of soil on land managed under the Forest Act or regulated under the Highways Act and for which a soils permit has been obtained, so long as the land continues to be used as managed forest or highways; or,*
- ix. *Removal or deposit of soil pursuant to a Development Permit approved by the Board, the Administrator, or Manager of Development Services which specifies conditions recommended in a report from a Qualified Professional for soil removal or deposit.*

6. Application

- a) Application for Soil Removal and Deposit Permits shall be made on a form provided by the *Regional District*. Applications must be submitted with the applicable fee as prescribed in the Columbia Shuswap Regional District Fees Bylaw No. 638, as amended.
- b) The application for a Soil Removal and Deposit Permit must be accompanied by the following information prepared by a *Qualified Professional*:
 - i. Civic address(es) and legal description(s) of the subject parcel or the Crown land, as applicable, where the *soil removal* and/or *deposit* will take place;
 - ii. Current title search of land(s) and written consent of the parcel owner or Crown land lessee to the *soil removal* and/or *deposit* activities, and agent authorization (if applicable);
 - iii. Start and end date of *soil deposit* and *removal* activities, including reclamation;
 - iv. Detailed information on the proposed or completed notification of the proposal to the public and adjacent property owners;
 - v. Site plan(s) illustrating all of the following on and within a minimum of 30 metres of the proposed site(s):
 - 1. Legal boundaries and zoning setback requirements of the subject parcel or leased area including all legal, natural and constructed features such as berms, buildings, fences, wells, sewage systems, rights-of-way, easements, driveways, roadways, watercourses, and vegetation;
 - 2. Land uses and designations, such as agricultural land reserve (ALR), zoning, flood plain area, environmentally sensitive area, and reserve land;

3. Existing and proposed site contours with contour interval of 2 metres or less;
 4. Proposed locations of accesses and haul routes to and from the site; and,
 5. Illustrated plan for reclamation works to be completed prior to permit expiry including proposed use, contours, and landscaping.
- vi. Report(s) detailing all of the following:
1. Primary person/position responsible for *soil removal* and *deposit* operations on site;
 2. Method(s) of *soil removal* and *deposit*;
 3. Equipment and processing proposed for the site;
 4. Phases and dates of *soil removal*, *deposit*, and reclamation;
 5. Proposed construction on the site, including any buildings, roads or servicing;
 6. Hours of operation, noise mitigation, dust control, visual and landscape buffering, erosion and drainage control, noxious weed management, and traffic impact and control;
 7. Site reclamation plan and estimated cost;
 8. Riparian Area Assessment if any proposed disturbance is within 30m of the natural boundary of any watercourse;
 9. Impacts on adjacent riparian areas and proposals for protecting the riparian areas; and,
 10. Identification, assessment and management of impacts of sources of drinking water, e.g. surface water intake or ground water wellhead, within 100m of the proposed soil removal or deposit activities.
- vii. Copies of all other necessary approvals from authorities having jurisdiction over the lands for which the Soil Removal and Deposit Permit application has been submitted;
- viii. Copies of comprehensive liability insurance for the operations to occur on site to a minimum coverage of \$2,000,000 per occurrence; and,
- ix. Any other information the *Regional District* deems necessary to review the Soil Removal and Deposit Permit application.

- c) Upon completion of the *soil removal or deposit*, and prior to the release of security taken from the applicant as a condition of the permit, the applicant must provide to the *Regional District* a certificate from a *Qualified Professional* stating that all works have been completed as required by the applicable Soil Removal and Deposit Permit, in accordance with report recommendations and details submitted in support of the application for the permit.
- d) Upon receipt of a Soil Removal and Deposit Permit application the *Regional District* will undertake the following:
 - i. Notify all property owners within 100m of the parcel boundary of the proposed application;
 - ii. Require that the applicant schedule a public information meeting in regard to the application if one has not already been held;
 - iii. Consider the application, submitted information, comments from staff, and the public, and referrals;
 - iv. Notify the public of the *Board* meeting at which the application will be considered; and
 - v. In the sole discretion of the *Board*, issue the permit, issue the permit with conditions or refuse the permit.

7. **Conditions**

- a) A Soil Removal and Deposit Permit must include requirements such as setbacks, landscaping, buffering, temporary (e.g. soil watering) or permanent (e.g. landscaping, paving) dust controls, fencing, hours of operation, permit expiry, phasing and reclamation measures, and covenants further to findings or recommendations in reports prepared by the *Qualified Professional*;
- b) Upon approval by the Administrator or their delegate, minor changes to a Soil Removal and Deposit Permit may be undertaken if the applicant provides a report from a *Qualified Professional* which, in the opinion of the Administrator or their delegate, provides sufficient details of the changes and if the changes do not substantially deviate from the original application or information previously provided;
- c) At the *Board's* discretion, the term of a Soil Removal and Deposit Permit may be from one to ten years;
- d) Prior to expiry of the Soil Removal and Deposit Permit, the Administrator or their delegate may renew the permit for an additional twelve months for completion of reclamation works;

- e) If the works authorized by the Soil Removal and Deposit Permit have not substantially started within twelve months after issuance of the permit, or the activity permitted under the permit is discontinued for longer than twelve months, the permit shall lapse and have no further force or effect and a new Soil Removal and Deposit Permit must be obtained from the *Regional District*; and,
- f) The applicant is required to receive approval from the Ministry of Transportation and Infrastructure for any access to a Ministry road pursuant to Sec. 5 of the Industrial Road Act and/or Sec. 48 of the Transportation Act as a condition of permit issuance.

ENFORCEMENT

8. Enforcement

- a) The *Administrator*, Manager of Development Services, a Bylaw Enforcement Officer, those persons retained by the *Regional District* for inspection purposes, and Agents of the *Regional District* are authorized individually or in any combination to enter at all reasonable times on any *parcel* or leased Crown land and into any *building* or structure to ascertain whether the provisions of this *bylaw* are being observed.
 - i. Notwithstanding 8 a), a mine manager may, in the fulfilling of his obligations pursuant to the Mines Act, temporarily withhold authorization to enter the worksite providing that the mine manager describes to *Regional District* staff the reasons why access is unsafe and what is being done to remedy the unsafe situation.
- b) For the purposes of ascertaining compliance with this bylaw the *Administrator* or their delegate or the Manager of Development Services may require a permit holder to provide records of *soil removal* and *deposit* and/or a specified report from a *Qualified Professional*.
- c) The suspension of a Soil Removal and Deposit permit is authorized by this bylaw and may be issued by the *Administrator* or their delegate, acting reasonably, if *soil removal* or *deposit* activities have not been undertaken in accordance with the terms and conditions of the permit.
 - i. The *Regional District* may reinstate a Soil Removal and Deposit Permit if the *Administrator* or their delegate agrees with the recommendations and conclusions contained in a report from a *Qualified Professional* confirming compliance with this bylaw or providing recommendations as to how the bylaw can be complied with within a timely manner; and,

- ii. The *Administrator* or their delegate may revoke a Soil Removal and Deposit Permit if the permit holder contravenes a stop work order on the site, contravenes a *Regional District* bylaw, or if in the opinion of the *Administrator* or their delegate, the permit holder provided false or misleading information as part of the application for the Soil Removal and Deposit Permit.

9. Security

- a) A Soil Removal and Deposit Permit will not be issued prior to the *Regional District* receiving a Security Deposit in the form of an unconditional, irrevocable letter of credit or cash in an amount equal to one hundred and twenty five percent (125%) of a *Qualified Professional's* estimate of the cost of the reclamation (including contingencies and as approved by the *Administrator* or their delegate).
- b) If the *Board* approves a phasing plan for the *soil removal* or *deposit*, the permit holder may provide security specific to each phase of development and such security may be returned to the permit holder upon completion and reclamation of that phase. Security for the first phase of *soil removal* or *deposit* must be received by the *Regional District* prior to issuance of the permit.
- c) Upon written request of the permit holder, the *Regional District* may consider returning a portion of the security amount in acknowledgement of site phasing or reclamation and based upon a report from a *Qualified Professional* detailing completed works and cost estimates.
- d) The *Board* may consider that security has been, or will be, taken by the provincial government respecting reclamation on the permitted lands, and if that security would have the same effect as security taken by the *Regional District*, the Board may reduce or waive the requirement for reclamation security.
- e) If the site has not been reclaimed in accordance with the recommendations from the *Qualified Professional* prior to the expiry of the permit, or if the use has been discontinued longer than twelve months, the *Regional District* will notify the permit holder in writing that the security may be forfeited to the *Regional District* after 60 days from delivery of the notice, and the forfeited security may be used to begin reclamation of the site.
- f) The *Board* may consider an extension to the permit and retention of security to be used for reclamation purposes based upon a *Qualified Professional's* report detailing the site works remaining and the timing required to reclaim the site.

10. Penalties

- a) Every person who violates any provision of this bylaw, or who permits any act or thing to be done in contravention of this bylaw or who fails to do any act or thing required by this bylaw will be deemed to have committed an offence against this bylaw and:
 - i. will be liable to a fine as prescribed in the *Regional District* Ticket Information Utilization Bylaw; and
 - ii. will be liable, upon summary conviction, to penalties prescribed by the Offence Act.
- b) Any person who violates any of the provisions of this Bylaw, or fails to comply with a permit or order, or prevents or obstructs those authorized to enforce this bylaw, commits an offence and on summary conviction may be liable to a penalty of up to \$2000.00 per offence, plus the cost of prosecution, pursuant to the Offence Act.
- c) Each day's continuance of an offence under this bylaw constitutes a new and distinct offence.

SEVERABILITY AND INDEMNIFICATION

- 11. If any Section or portion of this bylaw is held to be invalid by a Court of competent jurisdiction, such invalid Section or portion shall be severed and such invalidity shall not affect the remainder of this bylaw.
- 12. The holder of a Soil Removal and Deposit Permit is responsible for the conditions of the permit and is responsible for any damage or harm to person or property caused directly or indirectly by the work authorized by the permit and saves harmless the *Regional District* from all claims whatsoever in respect of the work or permit.

CITATION

13. This bylaw may be cited as "Soil Removal and Deposit Bylaw No. 646."

READ a first time this 18th day of August, 2011.

READ a second time this _____ day of _____, 2012.

READ a third time this _____ day of _____, 2012.

RECEIVED THE APPROVAL of the Minister of Energy and Mines this _____ day of _____, 2012

RECEIVED THE APPROVAL of the Minister of Community, Sport and Cultural Development
this _____ day of _____, 2012.

ADOPTED this _____ day of _____, 2012.

MANAGER OF CORPORATE
ADMINISTRATION SERVICES (SECRETARY)

CHAIR

CERTIFIED a true copy of Bylaw No. 646
as read a third time.

CERTIFIED a true copy of Bylaw No. 646
as adopted.

Manager of Corporate
Administration Services (Secretary)

Manager of Corporate
Administration Services (Secretary)

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COLUMBIA SHUSWAP REGIONAL DISTRICT

SOIL REMOVAL AND DEPOSIT BYLAW NO. 646

A bylaw to regulate the application, approval, suspension or denial of permits for the removal and deposit of soil material within the Columbia Shuswap Regional District.

WHEREAS sections 723 and ~~799~~797.1 of the Local Government Act, ~~authorizes~~authorize the *Board* of the Columbia Shuswap Regional District to regulate or prohibit the *removal* or *deposit* of *soil* in the *Regional District*;

AND WHEREAS the *Board* desires to regulate, and require permits for, both the *removal* and *deposit* of *soil* within the Columbia Shuswap Regional District;

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

ADMINISTRATION

1. This Bylaw applies to all land within Electoral Areas 'A', 'B', 'C', 'D' 'E' and 'F' of the Columbia Shuswap Regional District.

DEFINITIONS

2. For the purpose of this bylaw:

Administrator means the Chief Administrative Officer (CAO) of the *Regional District* or the officer delegated by the *Board* to act on the CAO's behalf.

Board means the Board of Directors of the *Regional District*.

Deposit ~~means~~includes the placement, storage, spilling or releasing, directly or indirectly, of *soil* on lands in the *Regional District* where the *soil* ~~did~~was not previously ~~exist~~located.

Qualified Professional means a person who is registered or duly licensed as a Professional Engineer or a professional geoscientist under the provisions of the Engineers and Geoscientists Act.

Regional District means the Columbia Shuswap Regional District.

Remove ~~means~~includes the act of removing, excavating, or transporting *soil* from any lands where it originally existed, including the movement of soil from one ~~lot~~location to another ~~portion of~~location within the same lot.

Soil ~~means~~includes topsoil, silt, clay, sand, gravel, rock, peat or other substances of which natural land is composed but does not include soil that exceeds provincial contaminated soil guidelines, or sewage sludge.

REGULATIONS**3. Fees**

- a) ~~Application~~ An application for a Soil Removal and Deposit Permit ~~is to be accompanied by a fee as noted in~~ must be submitted with the appropriate fee as prescribed by the Columbia Shuswap Regional District Fees Bylaw No. 638, as amended.

4. Applicability

- a) All lands within the Regional District are designated Soil Removal and Deposit Permit Areas unless exempted under Section 3.2.b).
- b) No person shall:
- i. remove soil from; or
 - ii. deposit soil or other material on any land within a designated Soil Removal and Deposit Permit Area without first obtaining a Soil Removal and Deposit Permit, unless otherwise specifically permitted under this Bylaw.
- ~~c) The requirements of this Bylaw are exclusive of all Mines Act requirements and applicants are advised to contact the Province of British Columbia for more information.~~

5. Exemptions

- a) Unless exempted by this section, a permit for *soil removal* or *deposit* is required.
- b) A Soil Removal and Deposit Permit is not required ~~under~~ for any of the following ~~conditions:~~
- i. ~~For the removal~~ Removal or *deposit* of less than 350m³ of *soil* during a twelve month period;
 - ii. ~~For the movement~~ Movement of *soil* ~~on~~ removed from and deposited entirely within a parcel and an adjacent parcel owned by the same private landowner's ~~sole property~~;
 - iii. ~~The soil removal and~~ Removal or *deposit* ~~is of soil~~ located on Agricultural Land Reserve (ALR) ~~lands and are~~ land which is exempted from a permit under the Agricultural Land Commission Act;
 - iv. ~~The soil removal and~~ Removal or *deposit* ~~is used for the commercial operation of soil undertaken~~ by a florist, nursery worker, horticulturalist or farmer ~~and where~~ the *soil* is used on the ~~lands where these persons carry on their~~ parcel on which that person carries on that trade;

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- v. Removal or deposit of soil for the purpose of constructing or maintaining provincial roadways, forest service roads, or walkways or trails;
- vi. ~~If the~~ Removal of soil ~~is~~ from or deposit of soil on ~~properties~~ land owned by the Regional District or its member municipalities;
- vii. ~~If~~ Removal of soil from or deposit of soil on land if a permit ~~has been obtained pursuant to Section 10 of the Mines Act~~ for exploration or production of minerals or coal on the land has been obtained pursuant to the Mines Act;
- viii. ~~If a soils permit has been obtained for lands~~ Removal of soil from or deposit of soil on land managed under the Forest Act or regulated under the Highways Act and for which a soils permit has been obtained, so long as the ~~lands continue~~ land continues to be used as managed ~~forests~~ forest or highways; or;
- ix. ~~If~~ Removal or deposit of soil pursuant to a Development Permit approved by the Board, the Administrator, or Manager of Development Services has approved a Development Permit, which specifies conditions recommended in a report from a *Qualified Professional* for soil removal or deposit.

6. Application

- a) Application for Soil Removal and Deposit Permits shall be made on a form provided by the *Regional District*. Applications must be submitted with the applicable fee as ~~noted~~ prescribed in the Columbia Shuswap Regional District Fees Bylaw No. 638, as amended.
- b) The application for a Soil Removal and Deposit Permit must be accompanied by the following information prepared by a *Qualified Professional*:
 - i. Civic address(es) and legal description(s) of ~~property~~ the subject parcel or the Crown land, as applicable, where the soil removal and/or deposit will take place;
 - ii. Current title search of land(s) and written consent of ~~landowner(s)~~ the parcel owner or Crown land lessee to the soil removal and/or deposit activities, and agent authorization (if applicable);
 - iii. Start and end date of soil deposit and removal activities, including reclamation;
 - iv. Detailed information on the proposed or completed notification of the proposal to the public and adjacent property owners;

- v. Site plan(s) illustrating all of the following on and within a minimum of 30 metres of the proposed site(s):
 - 1. Legal boundaries and zoning setback requirements of the ~~land~~subject parcel or leased area including all legal, natural and constructed features such as berms, buildings, fences, wells, sewage systems, rights-of-way, easements, driveways, roadways, watercourses, and vegetation, ~~etc~~;
 - 2. Land uses and designations, such as agricultural land reserve (ALR) ~~lands, residential, First Nations, etc~~; zoning, flood plain area, environmentally sensitive area, and reserve land;
 - 3. Existing and proposed site contours with contour interval of 2 metres or less;
 - 4. Proposed locations of accesses and haul routes to and from the site; and
 - 5. Illustrated plan for reclamation works to be completed prior to permit expiry including proposed use, contours, and landscaping;
- vi. Report(s) detailing all of the following:
 - 1. Primary person/position responsible for *soil removal* and *deposit* operations on site;
 - 2. Method(s) of *soil removal* and *deposit*;
 - 3. Equipment and processing proposed for the site;
 - 4. Phases and dates of *soil removal*, *deposit*, and reclamation;
 - 5. ~~Construction of infrastructure~~Proposed construction on the site, including any buildings, roads or servicing;
 - 6. Hours of operation, noise mitigation, dust control, visual and landscape buffering, erosion and drainage control, noxious weed management, and traffic impact and control;
 - 7. Site reclamation plan and estimated cost; ~~and~~
 - 8. Riparian Area Assessment if any proposed disturbance is within 30m of the natural boundary of any watercourse; ~~details as to how any adjacent riparian areas may be impacted or protected~~;
 - 9. Impacts on adjacent riparian areas and proposals for protecting the riparian areas; and

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10. Identification, assessment and management of impacts of sources of drinking water, e.g. surface water intake or ground water wellhead, within 100m of the proposed soil removal or deposit activities.
 - vii. Copies of all other necessary approvals from authorities having jurisdiction over the lands ~~proposed for permit in regard to soil removal and deposit~~ for which the Soil Removal and Deposit Permit application has been submitted;
 - viii. Copies of comprehensive liability insurance for the operations to occur on site to a minimum coverage of \$~~1,000,000~~ 2,000,000 per occurrence; and
 - ix. Any other information the *Regional District* deems necessary to review the Soil Removal and Deposit Permit application.
- c) ~~The~~ Upon completion of the *soil removal or deposit*, and prior to the release of security taken from the applicant as a condition of the permit, ~~the~~ applicant must provide to the *Regional District* ~~upon completion of the soil removal or deposit, and prior to the release of security taken from the applicant as a condition of the permit,~~ a certificate from a *Qualified Professional* stating that all works have been completed as ~~per the requirements of the permit, or permit as amended, if applicable, and as per~~ required by the applicable Soil Removal and Deposit Permit, in accordance with report recommendations ~~or~~ and details submitted in support of the application for ~~the~~ permit ~~approval~~.
- d) Upon receipt of a Soil Removal and Deposit Permit application the *Regional District* will undertake the following:
- i. Notify all property owners within 100m of the parcel boundary of the proposed application;
 - ii. ~~Request~~ Require that the applicant schedule a public information meeting in regard to the application if one has not already been ~~undertaken~~ held;
 - iii. Consider the application, submitted information, comments from staff, and the public, and referrals;
 - iv. Notify the public of the *Board* meeting at which the application will be considered; and
 - v. ~~The~~ In the sole discretion of the *Board* ~~will~~ issue the permit, issue the permit with conditions or refuse the permit.

7. Conditions

- a) ~~Approval of a permit may~~ A Soil Removal and Deposit Permit must include requirements ~~as deemed appropriate by the Regional District~~ such as setbacks, landscaping, buffering, temporary (e.g. soil watering) or permanent

(e.g. landscaping, paving) dust controls, fencing, hours of operation, permit expiry, phasing and reclamation measures, and covenants further to findings or recommendations ~~in respect of~~ reports ~~from~~ prepared by the *Qualified Professional(s)*;

- b) Upon approval by the Administrator or their delegate, minor changes to ~~the permit~~ Soil Removal and Deposit Permit may be undertaken if the applicant provides a report from a *Qualified Professional* which, in the opinion of the Administrator or their delegate, provides sufficient details ~~as to those of the~~ changes and ~~which if the changes~~ do not substantially deviate from the original application or information previously provided;
- c) At the *Board's* discretion, the term of ~~the permit~~ Soil Removal and Deposit Permit may be from one to ten years;
- d) Prior to expiry of the ~~permit~~ Soil Removal and Deposit Permit, the Administrator or their delegate may renew the permit for an additional twelve months for completion of reclamation works;
- e) If the works authorized by the ~~permit~~ Soil Removal and Deposit Permit have not substantially started within twelve months after issuance of the permit, or the ~~use~~ activity permitted under the permit is discontinued for longer than twelve months, the permit shall lapse and have no further force or effect and a new Soil Removal and Deposit Permit must be obtained from the *Regional District*; and,
- f) The applicant is required to receive approval from the Ministry of Transportation and Infrastructure for any access to a Ministry road pursuant to Sec. 5 of the Industrial Road Act and/or Sec. 48 of the Transportation Act, as a condition of permit issuance.

ENFORCEMENT

8. Enforcement

- a) The *Administrator*, Manager of Development Services, a Bylaw Enforcement Officer, those persons retained by the *Regional District* for inspection purposes, and Agents of the *Regional District* are authorized individually or in any combination to enter at all reasonable times on any *parcel* or leased Crown land and into any *building* or structure to ascertain whether the provisions of this *bylaw* are being observed~~;~~_;
 - i. Notwithstanding Section ~~34.1~~ 34.1(a), a mine manager may, in the fulfilling of his obligations pursuant to the Mines Act, temporarily withhold authorization to enter the worksite providing that the mine manager describes to *Regional District* staff the reasons why access is unsafe and what is being done to remedy the unsafe situation~~;~~_; ~~of~~_;
- b) ~~ii.~~ For the purposes of ascertaining compliance with this bylaw the *Administrator* or their delegate or the Manager of Development Services may ~~request~~ require a

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permit holder to provide records of *soil removal* and *deposit*; and/or a specified report from a *Qualified Professional*.

- c) ~~b)~~ The suspension of ~~the~~ Soil Removal and Deposit permit, ~~e.g. stop work order~~, is authorized by this bylaw and may be issued by the *Administrator* or their delegate, acting reasonably, if *soil removal* or *deposit* ~~does~~ activities have not ~~appear to be been~~ undertaken in accordance with the terms and conditions of the ~~Permit~~ permit.
- i. ~~Reinstatement of the permit may be granted by the~~ The *Regional District* ~~may reinstate a Soil Removal and Deposit Permit~~ if the *Administrator* or their delegate agrees with the recommendations and conclusions contained in a report from a *Qualified Professional* confirming compliance with this bylaw or ~~which provides~~ providing recommendations as to how the bylaw ~~will~~ can be complied with within a timely manner; and.
- ii. ~~Revocation of the permit by the~~ The *Administrator* or their delegate may ~~occur~~ revoke a Soil Removal and Deposit Permit if the permit holder ~~has contravened~~ contravenes a stop work order on the site, ~~contravened~~ contravenes a *Regional District* bylaw, or ~~if in their~~ the opinion ~~has of the Administrator or their delegate, the permit holder~~ provided false or misleading information ~~previously considered~~ as part of the application for the *Soil Removal and Deposit Permit* ~~application~~.

9. Security

- a) ~~The~~ A *Soil Removal and Deposit Permit* ~~shall~~ will not be issued prior to the *Regional District* receiving a Security Deposit in the form of an unconditional, irrevocable letter of credit or cash in an amount equal to one hundred and twenty five percent (125%) of ~~the~~ a *Qualified Professional's* estimate of the cost of the reclamation (including contingencies and as approved by the *Administrator* or their delegate); ;
- b) If the *Board* approves a phasing plan for the *soil removal* or *deposit*, the permit holder may provide security specific to each phase of development and ~~which~~ such security may be returned to the permit holder upon completion and reclamation of that phase. Security for the first phase of *soil removal* or *deposit* must be received by the *Regional District* prior to issuance of the permit; ;
- c) Upon written request of the permit holder, the *Regional District* may consider ~~drawing down~~ returning a portion of the security amount ~~due to~~ in acknowledgement of site phasing or reclamation and based upon a report from a *Qualified Professional* detailing completed works and cost estimates; ;
- d) The *Board* may consider that ~~if~~ security has been, or will be, taken by the provincial government respecting reclamation on the permitted lands, and ~~if~~ that security would have the same effect ~~of the~~ as security taken by the *Regional District*, ~~that~~ the *Board* may reduce or waive the requirement for reclamation security; ;

- e) If the site has not been reclaimed ~~as per~~ in accordance with the recommendations from the *Qualified Professional* prior to the expiry of the permit, or if the use has been discontinued longer than twelve months, the *Regional District* will notify the permit holder in writing ~~indicating~~ that the security may be forfeited to the *Regional District* after 60 days of receipt from delivery of the letter and notice, and the forfeited security may be used to begin reclamation of the site;
- f) The *Board* may consider an extension to the permit and retention of security to be used for reclamation purposes based upon a *Qualified Professional's* report detailing the site works remaining and the timing required to reclaim the site.

10. Penalties

- a) Every person who violates any provision of this bylaw, or who permits any act or thing to be done in contravention of this bylaw or who fails to do any act or thing required by this bylaw will be deemed to have committed an offence against this bylaw and
 - i. will be liable to a fine as prescribed in the *Regional District Ticket Information Utilization Bylaw*; and
 - ii. will be liable, upon summary conviction, to penalties prescribed by the *Offence Act*.
- b) ~~a)~~ Any person who violates any of the provisions of this Bylaw, or fails to comply with a permit or order, or prevents or obstructs those authorized to enforce this bylaw, commits an offence and on summary conviction may be liable to a penalty of up to \$2000.00 per offence, plus the cost of prosecution, pursuant to the Offence Act ~~of British Columbia~~.
- c) ~~b)~~ Each day's continuance of an offence under this bylaw constitutes a new and distinct offence.

SEVERABILITY AND INDEMNIFICATION

- 11. If any Section or portion of this bylaw is held to be invalid by a Court of competent jurisdiction, such invalid Section or portion shall be severed and such invalidity shall not affect the remainder of this bylaw.
- 12. The holder of ~~the permit~~ a Soil Removal and Deposit Permit is responsible for the conditions of the permit and is responsible for any damage or harm to person or property caused directly or indirectly by the work authorized by ~~this~~ the permit and saves harmless the *Regional District* from all claims whatsoever in respect of the work or permit.

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CITATION

13. This bylaw may be cited as "Soil Removal and Deposit Bylaw No. 646."

READ a first time this 18th day of August, 2012.

READ a second time, as amended, this _____ day of _____, 2012.

READ a third time this _____ day of _____, 2012.

RECEIVED THE APPROVAL of the Minister of Energy and Mines this

_____ day of _____, 2012.

RECEIVED THE APPROVAL of the Minister of Community, Sport and Cultural Development this

_____ day of _____, 2012.

ADOPTED this _____ day of _____, 2012.

MANAGER OF CORPORATE
ADMINISTRATION SERVICES (SECRETARY)

CHAIR

CERTIFIED a true copy of Bylaw No. 646
as read a third time.

CERTIFIED a true copy of Bylaw No. 646
as adopted.

Manager of Corporate
Administration Services (Secretary)

Manager of Corporate
Administration Services (Secretary)

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Forest Industry Plan Referrals

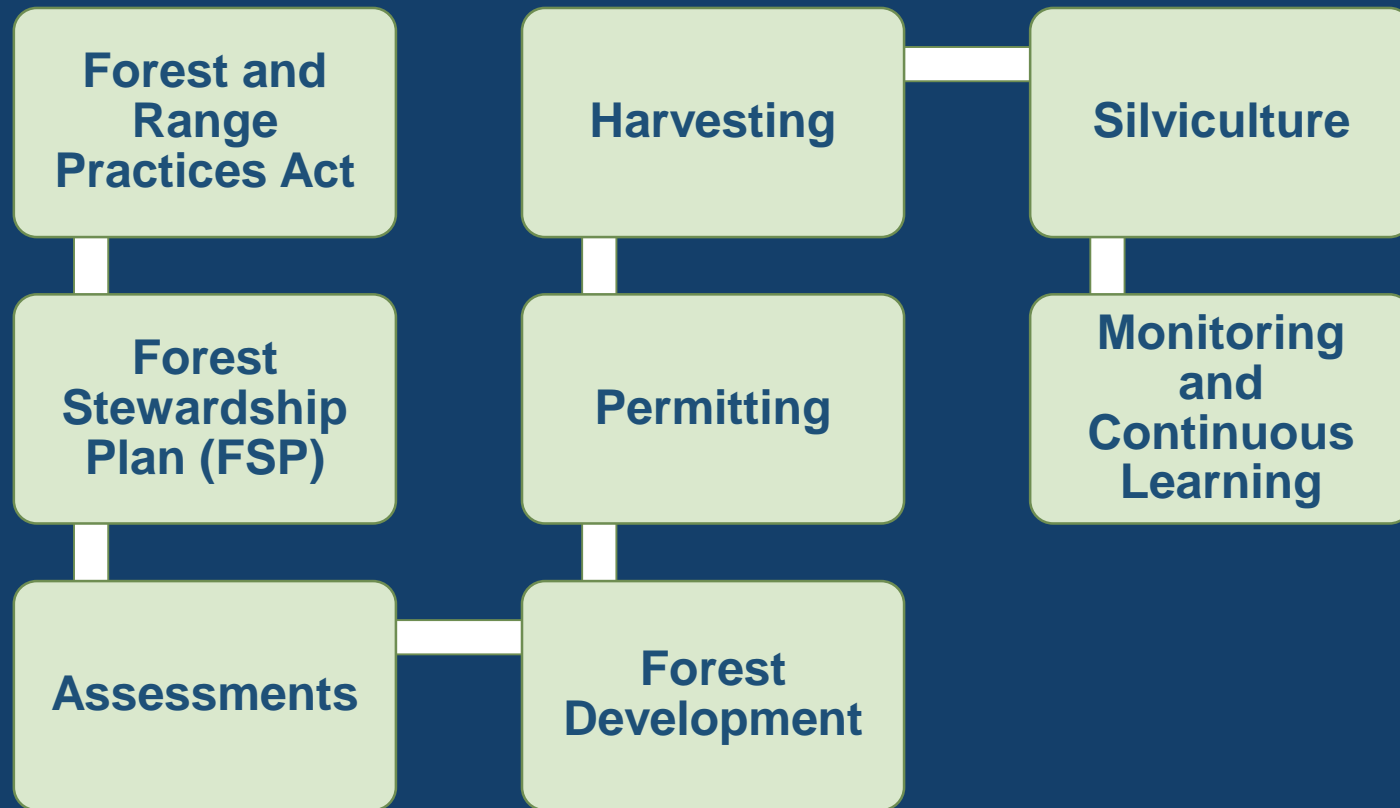
Review of referral and response process



Development Services

- Overview of forest industry plan and review process
 - Forest Stewardship Plans (FSP)
- Explanation of CSRD referral review and response process
- Considerations for future referrals and responses
- Next steps

Forest Industry Plan and Review Process



Forest Stewardship Plans (FSP)

- FSPs are approved by the Province for a term of 5 years and the term may be extended to up to 10 years
- All FSPs in BC are being updated at the direction of BC's Chief Forester. Once this round of FSPs are approved it will likely be another 5-10 years until the CSRD receives new proposed FSPs. FSP amendments will take place in the interim between approvals and consultation will occur
- The FSP referral list is public and is an appendix/schedule to the FSP. The referral list may be provided upon request

FSP Consultation

Legal Requirements

- Tenure holder must provide a 60 day review and comment period during which the public, First Nations and stakeholders may provide input
- Crown Tenure holders and First Nations must receive the referral

Non-Legal Expectations

- Information sharing with the greater public, singular public, government, and stakeholders
- Forestry companies decide who receives referrals and may refer the FSP to local government
- Forestry companies may hold a public community meeting at the request of the Ministry

CSRD Referral Review and Response Process

- Referral gets assigned to a Development Services Planner to coordinate and prepare response
- Planner forwards referral notification and package with deadline to Electoral Area Director and internal departments (i.e. Operations Management)
 - Referral packages will typically include a proposal letter, draft FSP document, and an FSP map
- Planner to review proposal and prepare comments based on the relevant CSRD land use regulations, policies, and bylaws (OCP and Zoning)

CSRD Referral Review and Response Process

Development Services staff to determine if the referral requires Board consideration and response. Staff to consult with Electoral Area Directors and Board Chair.

Board consideration required:

- Planner to prepare board report
- Assigned to board agenda
- Board review and decision
- Planner to prepare/send final referral response letter or complete electronic referral
 - cc response to Team Leader and Electoral Area Directors

Board consideration not required:

- Planner to prepare draft referral response and include internal referral comments provided
- Planner to prepare/send final referral response letter or complete electronic referral
 - cc response to Team Leader and Electoral Area Directors

Considerations for Future Referrals and Responses

How can this process be more effective/efficient for the CSRD, Province, and forest companies?

- Understand the role and expectations of the CSRD, Province and Forest Companies in the referral process

CSRD referral response includes comments from Electoral Area Directors and staff

- Staff do not facilitate or coordinate public or community stakeholder comments
- Public and community stakeholders need to contact the Forest Company directly for information and to submit their comments
- CSRD referral responses do not include comments attributed to the public and community stakeholders
- Electoral Area Directors may include public and community stakeholder concerns as part of their comments

Considerations for Future Referrals and Responses

What are the expectations for CSRD referral comments from Electoral Area Directors?

- Focus on providing comments about community concerns and local knowledge
- Detailed comments about the technical information in the FSP can be provided, but is not required
- It is optional for Electoral Area Directors to provide comments.

Are there different referral circumstances when the Board, rather than individual Electoral Area Directors, should review and provide the CSRD referral comments?

Considerations for Future Referrals and Responses

What are the expectations for CSRD referral comments from staff?

- Staff comments include relevant Official Community Plan policies and Zoning Bylaw information, as well as any other CSRD bylaw, plan or policies information
- Staff may provide, where known, comments about community concerns and local knowledge. However, the primary responsibility for these concerns and knowledge will rest with the Electoral Area Directors

Considerations for Future Referrals and Responses

What information can staff provide to assist Electoral Area Directors in preparing/formulating their comments?

DS staff to provide Electoral Area Director(s) where the referral applies with the following:

- Referral package
- An overview map of where the referral applies
- For a referral that proposes amendments to a current plan, identify where possible the proposed changes
- Draft CSRD referral response including the draft Development Services Department comments
- Deadline for Electoral Area Director(s) to submit comments to the Development Services Department

Next Steps

- The Ministry is working on a 'strategic communications plan' for the Okanagan/Shuswap. The purpose is to inform local government and stakeholders and set requirements for Ministry and Industry communications for forest planning
- Ministry staff have offered to organize a meeting with CSRD Electoral Area Directors and staff to explain Forestry 101 and strategic communication plan
 - CSRD staff to invite Ministry staff to organize meeting

Lakes Zoning Bylaw No. 900

Bylaw Administration Update and Next Steps



Development Services

Overview of Lakes Zoning Bylaw No. 900

- Adopted in 2012 in response to concerns about the proliferation of docks and buoys on Shuswap and Mara Lakes
- Regulates the use, size and siting of docks, buoys and swimming platforms in Electoral Areas C (South Shuswap), E (Rural Sicamous) and F (North Shuswap)
- It applies to new installation and the replacement of all or part of these types of structures
- Similar zoning regulations and development permit requirements in Electoral Area B (Rural Revelstoke) – Bylaw Nos. 850 and 851

Role of Provincial and Federal Governments

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

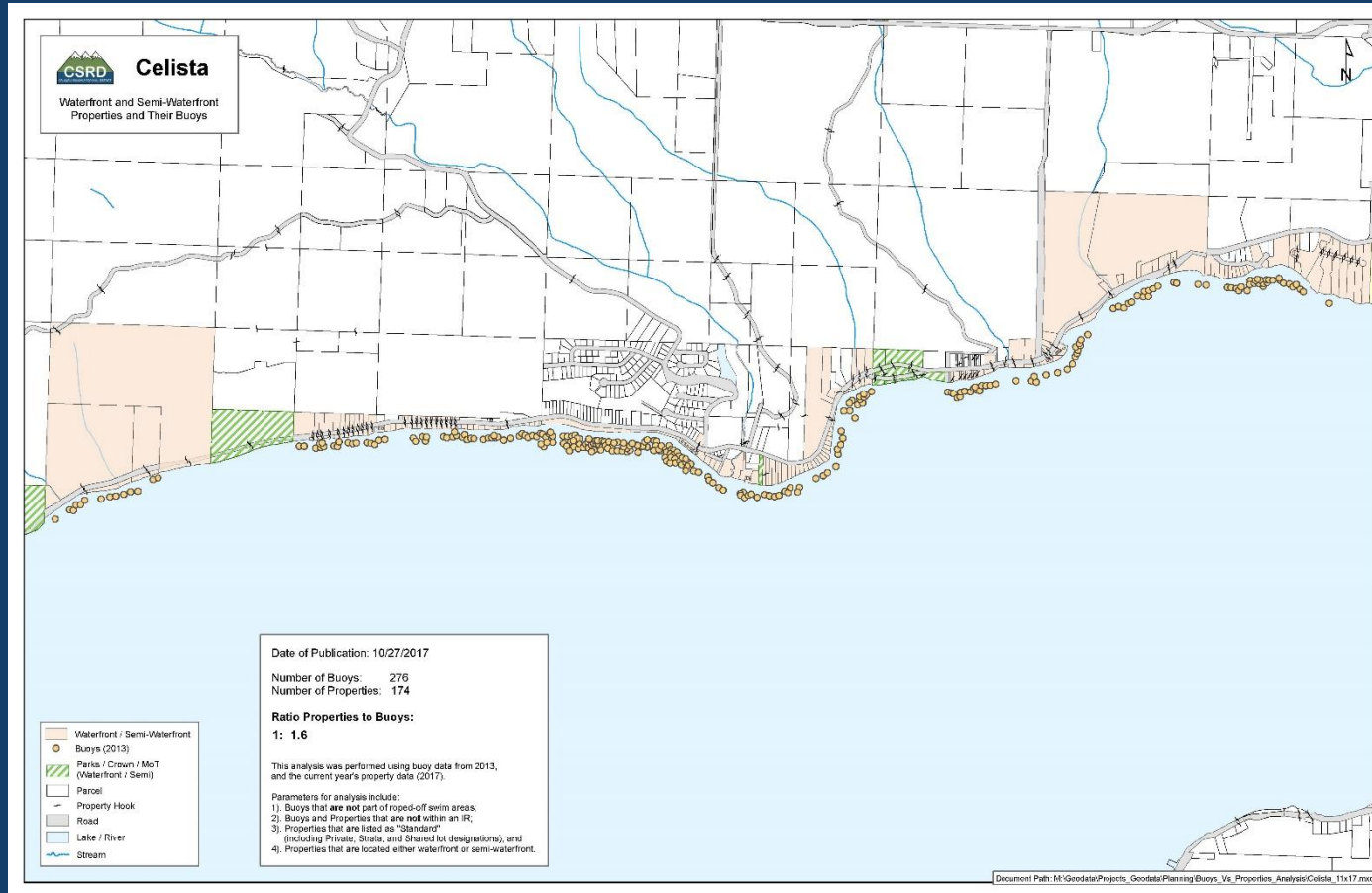
Docks and Buoys Situation – A Snapshot

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

Buoys in the North Shuswap (2013)

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

Celista Map - Buoy Inventory and Analysis (2013)



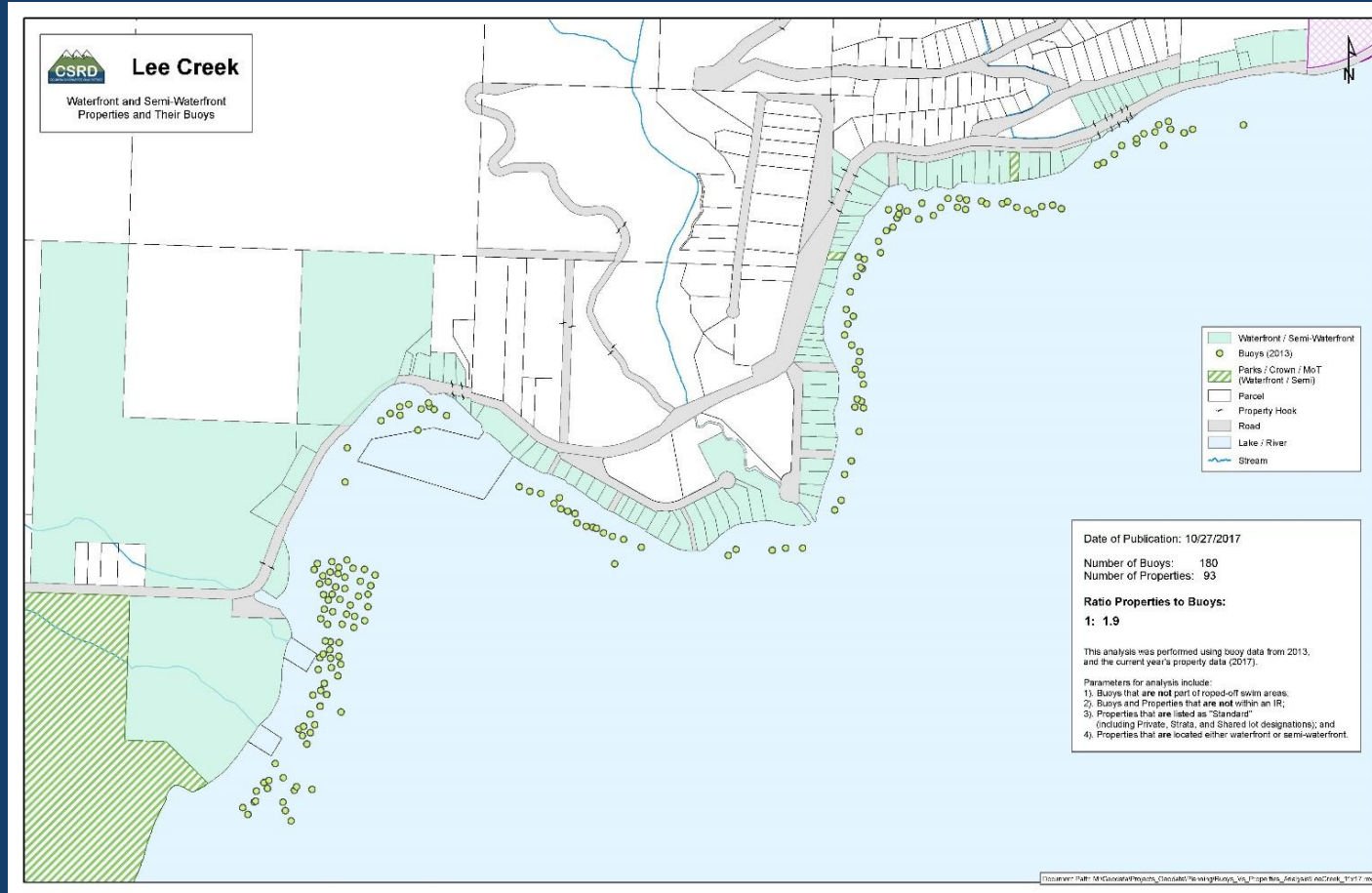
Celista - Meadow Creek

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Lee Creek Map - Buoy Inventory and Analysis (2013)



Lee Creek - Gateway and Cottonwoods

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197 Bylaw Enforcement Files Created – Docks and Buoys

Year	Electoral Area C	Electoral Area E	Electoral Area F	Yearly Total
2013	10	4	11	25
2014	13	5	28	46
2015	53	6	22	81
2016	13	7	10	30
2017	6	2	7	15
EA TOTAL	95	24	78	

Note: A file may have been created for each buoy in an area where multiple buoys were subject to a complaint

Foreshore and Water Development Permits Issued

- Electoral Areas C and F
- 40 Dock/Buoy Permits have been issued over 5 years (2013-2017)
- Average 8 per year:

Year	Electoral Area C	Electoral Area F	Yearly Total
2013	0	5	5
2014	5	0	5
2015	10	4	14
2016	6	3	9
2017	3	4	7
EA TOTAL	24	16	

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

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

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

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

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

- Staff review and processing of application(s) and Board consideration of approval
- Staff follow-up to ensure any conditions of approval adhered to or continue bylaw enforcement if approval not given by Board
- MTI Ticketing for an offence related to Bylaw No. 900 is an option for Bylaw Enforcement Officers, however tickets need to be issued to owner in person
- Final enforcement tool is a statutory injunction applied for by the CSRD's solicitor

Buoys are Difficult to Administer and Enforce

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

Docks are Easier to Administer and Enforce

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

Considerations for Future Lake Zoning Priorities

- Buoys – Consider not regulating buoys
 - Non-compliant buoys are difficult to locate and determine ownership
 - Many buoys are considered lawfully non-conforming
 - Enforcement is not effective and costs exceed benefit
 - Time and costs of buoy enforcement could be shifted to other enforcement priorities, including docks

Considerations for Future Lake Zoning Priorities

- Docks – Continue to Regulate
 - consider increasing the maximum dock area permitted
 - Provincial changes to the Provincial Private Moorage Program – General Permissions do not establish a maximum dock length or area
 - The 24m² maximum permitted dock surface area was established based on the Provincial and Federal maximum surface area requirements
 - CSRD could consider increasing the maximum surface area of a dock permitted from 24 m² to a larger area.
 - It is recommended that there be a maximum dock surface area