



## **ELECTORAL AREA DIRECTORS' COMMITTEE MEETING MINUTES**

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

**Date:** November 2, 2017  
**Time:** 9:30 AM  
**Location:** CSRD Boardroom  
555 Harbourfront Drive NE, Salmon Arm

Directors Present	K. Cathcart	Electoral Area A (Via Teleconference)
	L. Parker	Electoral Area B (Via Teleconference)
	P. Demenok	Electoral Area C
	R. Talbot	Electoral Area D
	R. Martin	Electoral Area E
	L. Morgan	Electoral Area F
Staff Present	C. Hamilton*	Chief Administrative Officer
	G. Christie	Manager, Development Services
	C. Paiement	Team Leader, Development Services
	B. Payne*	Manager, Information Systems
	D. Passmore*	Senior Planner
	J. Thingsted*	Planner
	C. LeFloch*	Development Services Assistant
	D. Wilson*	Bylaw Enforcement Officer
	L. Schumi	Administrative Clerk (Recorder)
	J. Graham	Executive Asst./Asst. Deputy Corporate Officer

\* Attended part of the meeting only

### **1. Call to Order**

The Chair called the meeting to order at 9:32 AM.

**2. Adoption of Agenda**

**Moved By** Director Talbot

**Seconded By** Director Morgan

THAT: the agenda of the November 2, 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 June 27, 2017 Electoral Area Directors' Committee meeting be adopted.

**CARRIED**

**3.2 Business Arising**

**3.2.1 Terms of Reference**

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

Chair Demenok thanked staff for completing the Terms of Reference for the Electoral Area Directors' Committee.

**4. Reports by Staff**

**4.1 Soil Removal and Deposit Bylaw No. 646 update**

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.

Mr. Christie presented his report as an update to the Soil Removal and Deposit Bylaw No. 646 originally given first reading at the regular Board meeting in August 2011.

Mr. Christie provided examples of other local governments who staff have consulted with who have or have had a Soil Removal and Deposit bylaw. The District of Peachland had a bylaw which was challenged and was determined by the courts to be too prohibitive. Local Governments do not hold the power to significantly limit soil removal or deposit and cannot infringe on the rights of the Ministry of Energy, Mines and Petroleum Resources (MEMPR) to grant mining permits. Fraser Valley Regional District had been waiting seven years to make amendments to its application process and fees structure as the ministry must approve of such bylaw changes. When consulting with the Regional District of North Okanagan (RDNO); despite staff working very closely with the Province, the Inspector of Mines ended up rejecting the RDNO proposed Soil Removal and Deposit anyway. The RDNO eventually had the bylaw approved for two electoral areas.

Mr. Christie explained that permits reviewed by the MEMPR can have significantly different requirements regarding regulations and standards than that of Local Governments thus proving difficult for operators and landowners to obtain the necessary permits and resulting in the delay of mining activities. This regulatory duplication with the MEMPR has led some operators to push back aggressively at the local level and through the courts, which is costly to local government. Enforcement of local government Soil Removal and Deposit Permits can be difficult and costly.

In response to a question, Mr. Christie explained the referral process for the Columbia Shuswap Regional District (CSRD), approximately receiving 8 to 10 referrals from the MEMPR per year and at times over 20 per year. Mr. Christie noted that in terms of workload, processing a Soil Removal and Deposit Permit application is the equivalent to that of processing a significant re-zoning application. The review and processing of an application is very complex and highly technical and must be reviewed carefully. Anecdotal evidence from some other regional districts suggest that staff find these applications very time consuming and have requested from their Boards additional staffing just to process these applications.

Mr. Christie explained that the MEMPR is not looking to download this to a local level at this time and agrees that control should continue to rest with the Province considering the Minister and Inspector of Mines have a lot of power to step-in when necessary and that the permitting process is already heavily regulated.

There was a question regarding any possible changes to the process given the change in provincial government and Mr. Christie responded that he did not get the sense that any major changes are imminent per se but that there could be some changes regarding public consultation requirements for permits.

Mr. Christie concluded that staff are not in support of implementing this bylaw but rather suggested an alternative for the Committee's consideration to adopt a policy to deal with these MEMPR referrals. This would streamline the process and help make it clear to the MEMPR as to the CSRD, Director and staff expectations when considering new mines permit applications.

**Moved By** Director Martin

**Seconded By** Director Morgan

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.

**CARRIED**

Discussion on the Motion:

Mr. Christie confirmed that operators and landowners are still required to obtain a mining permit from the Province.

Comments made regarding rock and soil issues being dealt with at the ministerial level, Mr. Christie responded that this would be a standalone policy and would encourage the Province to consult with the CSRD, however it is not mandatory. In response to a question on how long permits are granted for by MEMPR, Mr. Christie said it depends on the size and complexity of the project, but usually permits are good for five years or more. He also confirmed that the public are welcome to provide comments at any time to the ministry. Director commented that people are not made aware that they can provide feedback to the ministry and the ministry needs to do a better job of informing the public.

Brief discussion regarding gravel pits and that some gravel pits are owned by the Ministry of Transportation so even if the CSRD had a bylaw in place our regulations would not apply to these operations.

**Moved By** Director Martin

**Seconded By** Director Morgan

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.

**CARRIED**

Discussion on the Motion:

Continued discussion around public consultation. Mr. Christie confirmed that it would be included in the CSRD's referral policy that the CSRD would expect the ministry to consult in a meaningful way with the public and invite comments prior to granting a new permit or renewal. Discussion around better advertising so the public are aware they can provide input.

**4.1 Forest Industry Plan Referrals – Review of referral and response process**

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

Mr. Paiement presented a [PowerPoint](#) presentation for information, discussion, and direction. The new Development Services Assistant, Erica Hartling, is now coordinating the processing of these referrals. Mr. Jan Thingsted, Planner, is providing assistance as required. Unfortunately, Ms. Hartling could not be in attendance at this meeting.

Director comment that the maps provided by the forest companies are very hard to read. Mr. Paiement confirmed the staff have the ability to create location maps which should make it easier for Directors to understand where the referral area is located.

Questions regarding First Nations involvement and whether they have the same consultation process. Mr. Paiement responded that First Nation's and crown tenure holders must receive a referral from a forest company. It is

optional that other stakeholders, including local government, receive a referral.

Director comments regarding the need for better public engagement by forest companies and the Province about proposed logging plans

Some comments were made regarding the weight of local government input and where does the CSRD stand in terms of the decision making process. Mr. Paiement responded that this answer is best answered by the Province and forest companies. Director discussion continued around having a better opportunity now to engage the public regarding these issues with the recent change in provincial government and how local government can open up a greater dialogue with the Province but better community consultation

The Chair brought forward the notion of needing a person with knowledge of the forestry industry to assist Directors and the public with understanding proposed logging plans. This person could provide technical information to the community and be a facilitator with the Ministry and forestry company.

Mr. Jan Thingsted, Planner, confirmed that staff are not looking for or expecting technical comments from the Directors, really only looking for community concerns and local knowledge that can be very general in nature. There is no need to dwell on the technical jargon, but focus on providing information about community concerns such as noise, dust and environmental impacts.

In responding to a question, Mr. Paiement stated that the Ministry does recognize the need for more communication with local government and public. The Ministry is working on a 'strategic communications plan', but it will likely be at least a few months before this is finished. It was suggested that the Electoral Area Directors' Committee request a meeting with Ministry staff for the Directors to discuss their concerns and for the Ministry to explain it's new 'strategic communications plan.'

There was consensus among the Committee's Directors that Development Services staff invite staff from the Ministry of Forest, Lands and Natural Resource Operations that represent all areas of the CSRD to a future Electoral Area Directors meeting to explain the Provincial Forest Stewardship Planning process and discuss the Ministry's new 'strategic communications plan' for consulting with local governments and public.

#### **4.2 Lakes Zoning Bylaw No. 900 – Bylaw administration update and next steps**

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

Mr. Paiement presented a [PowerPoint](#) presentation for information, discussion, and direction.

Questions arose around federal enforcement of private moorage buoys. Bylaw Enforcement staff have been requesting more enforcement of non-compliant private moorage buoys by Transport Canada. A Director suggested that a representative from Transport Canada be invited to speak at a regular Board meeting. There should be a discussion to determine if some of the illegal buoys could be removed.

The Chair called on a member of the public in attendance. Mr. Bo Wilson, representing the Shuswap Waterfront Owners Association (SWOA), requested that the association, dock owners and dock companies be consulted about any changes being considered to Bylaw No. 900.

There was consensus among the Committee's Directors that:

- (a) Bylaw No. 900 should continue to regulate private moorage buoys;
- (b) The maximum dock surface area of 24m<sup>2</sup> in Bylaw No. 900 should be reviewed and options for a larger area be provided for the Committee's consideration; and
- (c) A representative of Transport Canada be invited to attend a future regular Board meeting to explain the federal legislation related to private moorage buoys and enforcement by the Department.

**5. Reports by Electoral Area Directors**

A Director asked about the opportunities for communication from the RCMP about policing activities.

It was noted by other Directors that a monthly report from the RCMP about policing activities can be requested by Directors. The reports are very general in nature but a good source of information.

**6. Adjournment**

Adjourned at 12:27 pm.

**Moved By** Director Morgan

**Seconded By** Director Talbot

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

**CARRIED**

Enclosures: PowerPoint presentations.

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CHAIR

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CHIEF ADMINISTRATIVE OFFICER