

Request for Reconsideration

- Rezoning
- Development Permit(s)
- Temporary Use Permit

FILE: 725-133 DATE: 07/20/2018
Month/Day/Year

Development Services Department
Columbia Shuswap Regional District
 781 Marine Park Drive NE Box 978
 Salmon Arm BC V1E 4P1
 t. 250.832.8194 / 1.888.248.2773
 f. 250.832.3375
 w. www.csr.d.bc.ca

An applicant may request reconsideration by the CSR.D Board of Directors of a development approval information requirement or decision of the Manager of Development Services or his or her designate.

To proceed with a request for reconsideration, the applicant must complete and return this form within 30 days of the date on which the requirement or decision was mailed, faxed, e-mailed or handed to the applicant. The date and time of the meeting on which the reconsideration will occur will be set as the next regular Board meeting scheduled 10 or more business days from the date on which the request for reconsideration is delivered.

I hereby make application to the Columbia Shuswap Regional District Board of Directors under Bylaw No. 644 for a reconsideration of a decision made by the Manager of Development (or his or her designate) in relation to development approval information requested to support my application.

On a separate sheet of paper, please set out the grounds on which you consider the requirement or decision inappropriate and what, if any, requirement or decision you regard as an appropriate substitute.

Registered owner(s) of the property:

Owner Name(s): Herald's Bay Developments Ltd. Inc. No. BC1097933	
Mailing Address: 10260 - 112 Street, Edmonton AB T5K 1M4	
Tel:	Fax:
Email:	

If applicant is not property owner:

Agent Name(s): David S. Cunliffe	
Mailing Address: 8 - 5260 Squilax Anglemont Road, Celista BC V0E 1M6	
Tel: 250-851-6852	Fax: 800-831-5791
Email: DaveCunliffe@AirspeedWireless.ca	

Property Civic Address:

4990 Sunnybrae-Canoe Point Road, Tappen BC

Property Legal Description:

PID: PID 013-671-502	
Lot(s): Parcel A	Section: SE 1/4 Sec 21
Plan: DD 148402F and B6878	Township: 21
Block: W6M	Range: 9

By signing below, I acknowledge that I have been notified of the date and location of the CSR.D Board of Directors meeting at which the reconsideration will be heard.

Signature: 	Date: 18/07/20
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D.S.Cunliffe, P.Eng.
Consulting Services

8 – 5260 SQUILAX ANGLEMONT ROAD, CELISTA, B.C. V0E 1M6

Consulting Engineering

CELL (250) 851-6852 FAX (800) 831-5791
EMAIL: DaveCunliffe@AirspeedWireless.ca

July 20, 2018

Charles Hamilton, CAO
Columbia Shuswap Regional District
555 Harbourfront Drive NE
PO Box 978
Salmon Arm, BC V1E 4P1

Dear Sir:

Subject: RAR DP725-133 for 4990 Sunnybrae Canoe Point Rd.
Request for Reconsideration

I have been advised by Mr. Christie in his letter of July 19, 2018 that the application for DP725-133 has been rejected. Please accept this letter as a formal request to the Columbia Shuswap Regional District Board to reconsider this request under Section 490 (5) of the Local Government Act for the following reasons.

1. Bylaw 725 is an Official Community Plan (OCP) and according to Section 471 (1) of the LGA, “An official community plan is a statement of objectives and policies to guide decisions on planning and land use management.”
2. An OCP is not a zoning bylaw. Instead, Section 478 of the LGA requires that a zoning bylaw “must be consistent with the relevant plan.” The CSRD has chosen not to impose zoning in the Sunnybrae Canoe Point Road area.
3. The prohibition of varying density with a Development Permit in Section 490 (3) LGA refers to a zoning bylaw.
4. The LGA does not require re-designation of land in a OCP when use and density has not been established in a zoning bylaw.

The delay in issuing the Riparian Development Permit has prevented Herald’s Bay Development from carrying out the restoration of important salmon habitat on Shuswap Lake that was recommended by the project biologist in the Riparian Assessment. The remedy requested from the Board is issuance of Development Permit 725-133.

Thank you for considering this request.

Yours truly,

A handwritten signature in blue ink, appearing to be 'D.S. Cunliffe', written over a faint, light blue rectangular background.

D.S.Cunliffe, P.Eng.

Cc Gerald Christie, Manager Development Services