

COLUMBIA SHUSWAP REGIONAL DISTRICT

Notes of the Public Hearing held on Wednesday August 1st, 2018 at 6:30 p.m. at the Scotch Creek/Lee Creek Community Hall/Fire Hall, 3852 Squilax-Anglemont Road, Scotch Creek BC regarding proposed Bylaw No. 830-19, and Bylaw No. 900-24.

PRESENT: Chair Larry Morgan – Electoral Area F Director
Christine LeFloch – Development Services Asst., Development Services
Laura Janssen – Planning Assistant, Development Services
Ryan Nitchie – Team Leader, Community Services (applicant)
28 members of the public

Chair Morgan called the Public Hearing to order at 6:34 pm. Following introductions, the Chair advised that all persons who believe that their interest in property may be affected shall be given the opportunity to be heard or to present written submissions pertaining to the proposed Electoral Area F Official Community Plan Amendment (CSRD) Bylaw No. 830-19, and Lakes Zoning Amendment (CSRD) Bylaw No. 900-24.

The Development Services Assistant (DSA) explained the requirements of Section 464 of the Local Government Act and noted that the Public Hearing Notes will be submitted to the Board for consideration at its September 20, 2018 meeting. The DSA explained the notification requirements set out in the Local Government Act and noted the Public Hearing ad was placed in the Shuswap Market News on July 20 and July 27, 2018.

The DSA provided details of the proposed park development and reviewed the purpose of the bylaws. The DSA also informed the attendees of the environmental, geotechnical, archaeological and hazardous materials abatement reports that have been completed by the applicant with regard to the project. She outlined the referral responses received from agencies and First Nations. She explained that the Little Shuswap Lake Indian Band (LSLIB) had requested an archaeological Preliminary Field Review of the subject properties, and that this work had been completed in April 2018. She further explained that through consultation with the Archaeology Branch of the MFLNRORD it was determined that no further studies would be undertaken at this time but that a Chance Find Procedure would be put in place and communicated to all contractors working on the site. She explained that this procedure requires that if any heritage sites are discovered during work on the property work must stop immediately and the Archaeology Branch contacted for further directions.

The Chair opened the floor for comments.

████████████████████ asked who makes the decisions regarding applications such as this.

The Chair explained that decisions on rezoning applications are made by the Regional Board.

████████████████████ asked for clarification on who exactly is on the Board.

The Chair explained that the Board is comprised of 11 elected representatives including one from each electoral area plus representatives from each of the member municipalities and that the six electoral area directors approve land use applications.

██████████ commented that the Chair is the only person on the Board representing the North Shuswap.

██████████ advised that she lives one property away from the boat launch to the west. She has concerns regarding the proposed 168 foot dock as she feels that it would take a beating during storms. She is also concerned about her buoy. She noted that the site plan indicates that there is a 50 m setback for all buoys from the boat launch and she is concerned that her buoy may not be far enough away. She also advised that she has concerns about milfoil. The area does not currently have any milfoil but she thinks that the presence of the dock could cause milfoil to grow. She also has concerns about the ability of the harvester to work in the area due to the dock. She further advised that she is concerned about the construction noise currently occurring at early hours due to contractors starting work very early, and about future noise that may occur by users of the park.

The Team Leader, Community Services explained that the park hours would be from 7-10 pm and the Chair explained that the CSRD now has a noise bylaw and that it is intended to deal with this type of noise. He also advised that he would talk to Hamish Kassa, Environmental Services Coordinator regarding the milfoil questions, and noted that there would be educational signage at the boat launch regarding milfoil and invasive mussels.

Discussion ensued around buoy setbacks including the 50 m setback noted on the site plan and whether existing buoys would need to be moved. The Team Leader noted that the foreshore tenure area would need to be free of private mooring buoys. He further noted that there is no intention to move any buoys and that he could send written confirmation by email.

██████████ asked why the dock needs to be so large.

The Team Leader explained that most of the dock length is on the beach as there is a long walkway but that the dock platform actually doesn't go far into the water when it is low. He also explained that dock plans are not finalized yet and that they are working with Navigation Canada as they must be compliant with federal regulations.

██████████ read her letter which was previously submitted by email. The letter outlined her concerns with the proposal in regard to maintaining lake water quality. She also advised that she has concerns with regard to development on unceded Secwepemc lands and waters. (Please see letter included in Public Submissions.)

██████████ asked whether Bristow Road will be paved. He noted that the road is beside his driveway and he is concerned about erosion of the road due to trucks and trailers turning off of it.

The Chair stated that Bristow Road is a Ministry of Transportation and Infrastructure (MoTI) owned right of way so paving is up to the Ministry.

The Team Leader advised that no comments regarding paving had been received from MoTI to date and that he would pass these concerns on to the Ministry.

██████████ have owned the Sunnyside Supermarket adjacent to Bristow Road since 2006 and that they live in ██████████ in order to be closer to the hospital due to health issues. She advised that they have ridden out economic changes in the area over the years have employed 7 people. She knows that there are lots of seasonal people in the area and that they help to support the store. She is in favour of the boat launch and park moving ahead as there are a small number of existing boat launches for the public to use and they are busy. She has is aware that the launch has the potential for bringing some negative issues to the neighbourhood but realizes that the RCMP could be called if necessary. She concluded by stating she feels that there is room for all to be accommodated.

██████████ lives across the road from the Magna Bay boat launch. He is in support of the boat launch as it could relieve congestion at the Magna Bay boat launch. However he thinks that the design as proposed is not efficient and could be improved. He asked whether the Magna Bay boat launch would be closed when the new opens and noted that he doesn't think it should be removed.

██████████ advised she was in attendance on behalf of her parents. She asked if the gate would be locked at night and who would monitor the park. She also asked if there would be any mooring buoys in the park and whether boats would be permitted to moor at the dock overnight.

The Team Leader advised that there will be a security gate but it would be for seasonal use only. The gate would not be closed at night during the summer. He further advised that there would not be security on site at all times due to cost but that there would be security patrols occurring 3 times per night. With regard to moorage he advised that the only buoys will be demarcation buoys; there will be no mooring buoys and moorage will not be permitted on the dock. Security would report anyone attempting overnight moorage.

██████████ asked whether there would be "no parking" signs posted on Bristow and Squilax Anglemont Roads.

The Team Leader advised that the CSRD does not have jurisdiction over roadways and that it is an MoTI issue. He further advised that the CSRD can ask them to post signs.

██████████ suggested that the CSRD could ask the School District for permission to use the North Shuswap Elementary School parking lot for overflow parking as it is not used during the summer months.

The Chair responded that the CSRD could explore this option with the School District.

██████████ asked whether Bristow Road would be widened. She feels that the road is not wide enough for vehicles to pass each other.

The DSA advised that the right of way is much wider than the existing road.

The Team Leader stated that MoTI did not express any concerns about road width in their referral comments.

██████████ noted that there can be no buoys within 50 m of the boat launch. He asked how close the dock and boat launch would be to the property lines. He also asked about the width of the subject properties and whether setbacks had been considered in the design.

The Team Leader stated that the property width and setback requirements were taken into consideration during the design process.

██████████ asked whether this was the first opportunity for the public to provide input into this process.

The Team Leader advised that letters had been sent out on March 12th, 2018 to all property owners within 100 m of the subject properties letting them know about the project. He further advised that the CSRD Parks Advisory Committee had been in discussions about developing a boat launch in Celista since 2016.

██████████ asked why there is no sign posted on the property advising of the application.

The DSA advised that where an application is made by the CSRD a sign is not required due to an exemption allowed through the Procedures Bylaw.

At this point several members of the public made noises indicating disapproval.

██████████ asked the purchase price of the property and how the price had been determined.

The Chair replied that the property had been purchased for \$1.125 million and that two thirds of the cost had been funded through the parkland acquisition fund with the balance being paid over 5 years through a short term loan through the regional district.

The Team Leader advised that an independent appraiser had been used and that the property had been purchased for less than the appraised value. He provided dollar amounts for various development costs associated with the park development including the launch, lot preparation, demolition, environmental reports etc.

██████████ asked whether any fisheries problems had been identified in the environmental report.

The Team Leader stated that the recommendations contained in the report include silt fencing, and a requirement for a 1:1 ratio of rehabilitation required where areas are disturbed. This means that where areas must be disturbed the CSRD will if necessary need to provide equal compensation in the form of vegetation which may need to be planted in another area on the lake ie: in another park. He noted that they would try to keep as many trees as possible.

██████████ asked about the Cottonwood trees on the site.

The Team Leader advised that they would need to do a danger tree assessment on the Cottonwoods to see if they need to be removed.

██████████ jokingly asked if the CSRD could include her trees in the danger tree assessment. She then stated that she wants to be able to remove her waterfront trees but can't due to regulations. She asked why the CSRD is allowed to do it.

██████████ asked whether permits were ever turned down for CSRD projects.

The Team Leader advised that the CSRD has obtained the required authorizations to do the work proposed for this project and that he could not speak for others.

██████████ lives across the road from the Magna Bay boat launch. She has concerns about the boat launch and parking design. She suggested that the design be flipped so that parking is adjacent to Bristow Road with the ramp on the other side of the property so that boats and trailers have a softer corner for turning.

██████████ lives immediately to the east of the subject properties. He is in support of the design as is because it suits their family well. There is a good vegetative buffer in place and he is happy about that. He advised that he has been well informed by CSRD staff through the planning process and that he appreciates this. He noted that they also have buoys and he is not sure how the 50 m buffer around the park will work.

██████████ has concerns about maintenance and security of the boat launch and wondered how many times per day/night the site would be monitored. He also asked whether there would be a phone number posted at the property identifying who to call if there is an issue. He stated that you can call the RCMP but they may not be able to respond quickly.

The Team Leader advised that Shuswap Parks Patrol is the contractor who would be monitoring the park, that they would stop by three times per evening and that they are quite responsive if there is an issue. He further advised that the phone number will be posted at the park and that ██████████ is the contractor who takes care of Area F Parks maintenance.

██████████ stated that she is not opposed to the park itself but she doesn't like how it has proceeded in terms of public process. She asked why a public hearing was being held after trees had already been cleared from the property. She questioned why a referendum was not held prior to purchase of the properties. She noted that referendums regarding parks had been held in the past but had not been done this time. She feels there should have been a referendum because part of the money for the park is from taxes.

The Chair explained that this issue has come up before. That in this case the private property came up for sale and the CSRD looked at how they could purchase it. He noted that two thirds of the cost was available from the parks acquisition fund and there were also come Gas Tax funds available to help cover the cost and the rest was borrowed so very little of the money came from direct taxation. In order to secure the purchase they could not go through a lengthy referendum process. They had to make a move or lose out

on the property. He noted that there was some local input from the Parks Advisory Committee and that this is a very unique property.

[REDACTED] stated she feels that the CSRD overpaid and she is very upset about it.

[REDACTED] stated that she would like to support the comments regarding the process because she feels that there was not enough public notice about the project. She stated that water issues affect everyone and therefore everyone should be notified.

[REDACTED] stated that she objects to the process and that public hearings should be held before trees are cleared. She wants referendums to occur before new parks are purchased.

The Chair advised that this was a unique situation as it is difficult to find a suitable location for this type of park. He also noted that it isn't expected to happen this way very often going forward.

[REDACTED] asked about the proposed budget for the project. He also stated that he can sympathize with the decision making process and noted that normally you can't get government to do anything, and then when something gets done they are still getting flack.

The Chair noted that the option still exists to sell the property if the zoning application is not approved.

The Team Leader advised that the property had been purchased for \$1.125 million, the boat launch would cost - \$94,000, the dock - \$53,000, remediation - \$11,000, engineering - \$30 - \$40,000, environmental reporting - \$2500, archaeology reporting - \$5000. He further advised that the land acquisition budget was \$450,000 for the entire project.

[REDACTED] asked how much has been spent so far prior to the public hearing. She also asked what would happen if the application does not move forward.

The Team Leader stated that \$120,000 had been spent so far to date in addition to the property purchase.

The Chair noted that gas tax dollars had been allocated to this project and reiterated that if the zoning amendment application is not approved the property could still be sold.

The Team Leader added that if the property was sold the money would go back into the parkland acquisition fund.

[REDACTED] stated that he was wearing two different hats and that hat #1 is himself as a resident - he is thrilled with the development. He declared that it was the second best thing that had happened to Celista in the last 48 hours, second only to paving of the school parking lot. He is happy that his relatives will be able to launch closer to home. He stated that hat #2 is his position with the Celista Fire Dept. He stated that the fire department wants to site a dry hydrant at the proposed park and that they

were in discussions with the CSRD about this. He explained that a certified water source is needed for Celista for firefighting purposes because none of the existing water sources (lakes and streams) are recognized by the insurance underwriters. He went on to explain that because of this Celista residents are paying a lot more for their insurance than residents in Scotch Creek and Anglemont. He noted that dry hydrants are recognized as a certified source by the insurance underwriters so if one is put in the community would have a recognized source for insurance purposes and rates would go down dramatically. He stated that they had been fighting for this for 5 or 6 years but it keeps getting put on the backburner. He also advised that he had brought information on how the dry hydrant works that he is can share.


██████████ asked if the dry hydrant is guaranteed to go into the plans.

The Team Leader advised that yes, the design and engineering work has been completed for the dry hydrant.

██████████, told those present to keep track of the Celista Fire Dept. Facebook page for more info and that if any issues arise he will post there and advise people to contact the Area Director.

Hearing no further representations or questions about proposed Bylaw No. 830-19 and Bylaw No. 900-24 the Chair called three times for further submissions before declaring the public hearing closed at 7:24 p.m.

CERTIFIED as being a fair and accurate report of the public hearing.



Director Larry Morgan
Public Hearing Chair



Christine LeFloch
Development Services Assistant