



COLUMBIA SHUSWAP REGIONAL DISTRICT

P.O. Box 978 SALMON ARM, BC V1E 4P1
Telephone: 1-250-832-8194 Fax: 1-250-832-3375

Bylaw No.: 900-23

DATE: April 19, 2018

REFERRAL FORM

You are requested to comment on the attached Bylaw Amendments for potential effect on your agency's interests. We would appreciate your response **within 30 days**. If no response is received within that time, it will be assumed that your agency's interests are unaffected.

PURPOSE OF THE BYLAWS:

The area proposed for zoning amendment is located in the Swansea Point area of Electoral Area 'E'. The applicants have applied to amend the Lakes Zoning Bylaw No. 900 to allow construction of a new fixed dock, on the foreshore adjacent to 709 Swanbeach Road. The proposed amendment would add a special regulation to the FR1 Foreshore Residential zone, which would apply to the portion of Mara Lake lying adjacent to the property legally described as Lot 2, Section 11, Township 21, Range 8, West of the 6th Meridian, Kamloops Division Yale District, Plan 26543. The dock is currently sited at 1.8 m from the west property line. The proposed bylaw amendment as written would not include any setback reductions and thus, would require the existing dock to be relocated in conformance with the required setbacks. Full details regarding the proposed amendments are contained in the attached report and bylaws.

GENERAL LOCATION:

The proposed amendment will affect the subject property located at 709 Swanbeach Road only.

LEGAL DESCRIPTION:

Lot 2, Section 11, Township 21, Range 8, West of the 6th Meridian, Kamloops Division Yale District, Plan 26543

AREA OF PROPERTY AFFECTED

See above

ALR STATUS

Out

OCP DESIGNATION

FW – Foreshore and Water

OTHER INFORMATION

Please fill out and return the Response Summary attached. If your agency's interests are "Unaffected" no further information is necessary. In all other cases, we would appreciate receiving additional information to substantiate your position and, if necessary, outline any conditions related to your position. Please note any legislation or official government policy which would affect our consideration of this bylaw.

(Signature)

Development Services Assistant

(Title)

This referral has also been sent to the following agencies:

- ☒ CSR D Operations Management
- ☒ Navigation Canada
- ☒ Area E Director (in lieu of Advisory Planning Commission)
- ☒ Department of Fisheries and Oceans
- ☒ Ministry of Forests Lands & Natural Resources Operations – Lands Branch Stewardship Branch

- ☒ Neskonlith Indian Band
- ☒ Lower Similkameen Indian Band
- ☒ Adams Lake Indian Band
- ☒ Little Shuswap Indian Band
- ☒ Shuswap Indian Band
- ☒ Okanagan Indian Band
- ☒ Okanagan Nation Alliance
- ☒ Penticton Indian Band
- ☒ Splat's in First Nation

RECEIVED

APR 24 2018

Province of BC



COLUMBIA SHUSWAP REGIONAL DISTRICT

P.O. Box 978 SALMON ARM, BC V1E 4P1

Telephone: 1-250-832-8194 Fax: 1-250-832-3375

Staff Contact: Christine LeFloch

clefloch@csrd.bc.ca

Bylaw No.: 900-23

DATE: April 19, 2018

RESPONSE SUMMARY

☐ Approval Recommended for Reasons Outlined Below

☒ Approval Recommended Subject to Conditions Below.

☐ No Objections

☐ Interests Unaffected by Bylaw.

☐ Approval not Recommended Due To Reasons Outlined Below.

If the zoning amendment is approved a Section 11 authorization under the *Water Sustainability Act* must be obtained before doing any works in or about a stream (or lake).

Signed By:

Tim O'Rourke

Title

Senior Land Officer

Date:

May 3, 2018

Agency

MFLNRD

**COLUMBIA SHUSWAP REGIONAL DISTRICT**

P.O. Box 978 SALMON ARM, BC V1E 4P1
Telephone: 1-250-832-8194 Fax: 1-250-832-1083

FILE NO.

DATE RECEIVED:

OPERATIONS MANAGEMENT**Comments:**

Terry Langlois
Team Leader Utilities

Derek Sutherland
Team Leader
Protective Service

Sean Coubrough
Fire Services Coordinator

Ben Van Nostrand
Team Leader
Environmental Health

Ryan Nitchie
Team Leader
Community Services

Darcy Mooney
Manager
Operations Management

Hello Christine,

Thank you for your archaeological data request regarding 709 Swanbeach Road, PID 005105129, L 2 SEC 11 TP 21 R 8 W OF THE 6TH MERIDIAN KAMLOOPS DIVISION YALE DISTRICT PL 26543. According to Provincial records there are no known archaeological sites recorded on the subject property. However, archaeological potential modeling for the area indicates there is the possibility for unknown/unrecorded archaeological sites to exist on the property.

Archaeological sites (both recorded and unrecorded, disturbed and intact) are protected under the *Heritage Conservation Act* and must not be altered or damaged without a permit from the Archaeology Branch.

Prior to any land alterations (e.g., addition to home, property redevelopment, extensive landscaping, service installation), an Eligible Consulting Archaeologist should be contacted to review the proposed activities and, where warranted, conduct a walk over and/or detailed study of the property to determine whether the work may impact protected archaeological materials.

An Eligible Consulting Archaeologist is one who is able to hold a Provincial heritage permit that allows them to conduct archaeological studies. Ask an archaeologist if he or she can hold a permit, and contact the Archaeology Branch (250-953-3334) to verify an archaeologist's eligibility. Consulting archaeologists can be contacted through the BC Association of Professional Archaeologists (www.bcapa.ca) or through local directories.

If the archaeologist determines that development activities will not impact any archaeological deposits, then a permit is not required. Occupying an existing dwelling or building without any land alterations does not require archaeological study or permitting.

In the absence of a confirmed archaeological site, the Archaeology Branch cannot require the proponent to conduct an archaeological study or obtain a permit prior to development. In this instance it is a risk management decision for the proponent.

If any land-altering development is planned and proponents choose not to contact an archaeologist prior to development, owners and operators should be notified that if an archaeological site is encountered during development, activities **must** be halted and the Archaeology Branch contacted at 250-953-3334 for direction. If an archaeological site is encountered during development and the appropriate permits are not in place, proponents will be in contravention of the *Heritage Conservation Act* and likely experience development delays while the appropriate permits are obtained.

Please review the screenshot of the property below (outlined in yellow) in relation to the archaeological potential. In this case, the entire area within which the property is located has high potential for unknown/unrecorded archaeological materials, as indicated by the brown/orange colouration of the screenshot. If this does not represent the property listed in the data request please contact me.

Kind regards,

Diana



Diana Cooper | Archaeologist/Archaeological Site Inventory Information and Data Administrator

Archaeology Branch | Ministry of Forests, Lands, Natural Resource Operations and Rural Development
Unit 3 – 1250 Quadra Street, Victoria, BC V8W2K7 | PO Box 9816 Stn Prov Govt, Victoria BC V8W9W3
Phone: 250-953-3343 | Fax: 250-953-3340 | Website: <http://www.for.gov.bc.ca/archaeology/>



1886 Little Shuswap Lake Road • Chase BC • V0E 1M2
Tel: 250.679.3203 • www.lslib.com

Without Prejudice¹

April 23, 2018

Columbia Shuswap Regional District
555 Harbourfront Drive NE Salmon Arm, BC V1E 3M1
Salmon Arm BC V1E 3M1

Your File: CSRD BL 900-23 MM-2018
Our File: RTS# 178
Dated: April 19, 2018

Attention: Marianne Mertens

Little Shuswap Lake Indian Band acknowledges receipt of your referral dated April 19, 2018.

After careful consideration of the information you have provided, we request that you provide us with the following:

- Conduct a PFR on the site
- Area of disturbance

Without this required information, we cannot proceed with our desktop review.

We look forward to your response.

Kukstemc,

Warren Fortier; BNRsc.
LSLIB Referrals Officer
referrals@lslib.ca
250-679-3203 ext. 148

cc.

¹ This communication is not meant to be construed as 'Meaningful Consultation' and is 'Without Prejudice' to the Title and Rights of the Little Shuswap Lake Indian Band.