

BOARD REPORT

TO: Chair and Directors **File No:** BL725-12

PL20180016

SUBJECT: Electoral Area C: Electoral Area C Official Community Plan

Amendment (Shuswap Country Estates) Bylaw No. 725-12

DESCRIPTION: Report from Dan Passmore, Senior Planner, dated July 25, 2018.

1885 Tappen Notch Hill Road, Carlin.

RECOMMENDATION #1: THAT: the Board consider public input received in regard to

"Electoral Area C Official Community Plan Amendment (Shuswap Country Estates) Bylaw No. 725-12" and direct staff to require the applicant to provide a report from a qualified professional with experience in groundwater hydrogeology which details the various water supply source wells with regard to their capacity for sustainable yield which matches the proposed development increase, and potential for drawdown interference on neighbouring

groundwater wells;

AND THAT: additional information regarding the current and anticipated future operation of the development's sewage treatment

system is also required.

RECOMMENDATION #2: THAT: a second public hearing to hear representations on "Electoral

Area C Official Community Plan Amendment (Shuswap Country

Estates) Bylaw No. 725-12 " be held;

AND THAT: notice of the public hearing be given by the staff of the Regional District on behalf of the Board in accordance with Section

466 of the Local Government Act:

AND FURTHER THAT: the holding of the public hearing be delegated to Director Paul Demenok, as Director of Electoral Area C being that in which the land concerned is located, or Alternate Director Arnie Payment, if Director Demenok is absent, and the Director or Alternate Director, as the case may be, give a report of the public

hearing to the Board.

SHORT SUMMARY:

The applicant has applied for an Official Community Plan (OCP) amendment to re-designate the subject properties. When the Electoral Area C OCP Bylaw No. 725 was adopted in March of 2014, it had designated the portion of the property where the existing Shuswap Country Estates development was located as SH – Small Holdings. Shuswap Country Estates is a manufactured

home community consisting of 54 units, the SH designation allows for a maximum residential density of 1 unit per 4 ha.

The applicant is seeking to expand the manufactured home community onto the property to the south and to further subdivide that property into 3 large rural lots.

The Board gave the bylaw first reading at the March 29, 2018 regular meeting and directed staff to refer the bylaw to agencies and First Nations. Referral comments were compiled and presented to the Board in consideration of second reading of the bylaw and delegation of a Public Hearing which occurred at the June 21, 2018 regular meeting.

The Public Hearing was held Tuesday July 24, 2018 at the Carlin Community Hall at 4051 Myers Frontage Road, Tappen BC. It is appropriate for the Board to consider public input received.

VOTING: Unweighted LGA Part 14 Weighted Stakeholder Corporate (Unweighted) Corporate (Weighted)	
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BACKGROUND:

See attached "2018-03-29_Board_DS_BL725-12_0731852-BC-LTD_1043181-ALTA-LTD.pdf".

POLICY:

See attached "2018-03-29_Board_DS_BL725-12_0731852-BC-LTD_1043181-ALTA-LTD.pdf".

FINANCIAL:

There are no financial implications to the CSRD with regard to this application.

KEY ISSUES/CONCEPTS:

See attached "2018-03-29_Board_DS_BL725-12_0731852-BC-LTD_1043181-ALTA-LTD.pdf", and "2018-06-21_Board_DS_BL725-12_0731852-BC-LTD_1043181-ALTA-LTD.pdf".

Update

At the Official Public Hearing on July 24, 2018, neighbouring property owners expressed concerns regarding changes in groundwater availability declining as a result of the development of the existing Manufactured Home Community. Residents expressed concerns that if the development is expanded, it will result in a depletion of water available for their purposes. Since the applicant did not provide up to date information regarding the water supply source, staff are concerned with this new information and are thereby recommending that the Board require the applicant to provide a hydrogeologist's report on the current and proposed expanded water supply and potential interference with neighbouring wells.

The public also advised that the current sewage treatment system has not been utilising spray irrigation for disposal of effluent despite the treatment system being registered to do so. While staff do not share the public's concern with respect to spray irrigation as a means of disposing of effluent, some sort of an explanation from the applicant with regard to the operation of the current system and anticipated operation if the expansion takes place is warranted.

SUMMARY:

The applicant has applied for an OCP amendment that would re-designate portions of the subject properties which would reconcile an existing Manufactured Home Community development on the site and allow for its future expansion while also paving the way for a 3 lot subdivision to occur. Staff have prepared the OCP amendment bylaw in accordance with the application request.

Staff expressed concerns with the application at first reading which have been resolved through communication with the applicant. However, staff still harbour concerns about the expansion of residential use and density outside of the Village Centre and Secondary Settlement Area identified in the OCP. It is recognized that this application is to expand an existing manufactured home community development that was established prior to the adoption of the OCP. Also, for the Board's consideration is that the form and density of the residential housing that is proposed may increase the supply of affordable housing in the area, which is also an objective supported by the OCP.

However, public input provided at the Official Public Hearing regarding the development's current and anticipated impact on the groundwater regime in the area, and the operation of the sewage treatment facility gives staff pause, as no information had been provided by the applicant with respect to these matters. Staff are therefore recommending that the Board consider the public input received from the Public Hearing and consider directing staff to require the applicant to provide additional information, to ensure that the development meets with current OCP policies.

Should the Board accept the staff recommendation, and new information is provided, this information needs to be made available to the public, through the delegation of a second Public Hearing.

IMPLEMENTATION:

As per CSRD Policy No. P-18 regarding Consultation Processes-Bylaws, staff recommended the simple consultation process. Neighbouring property owners first became aware of the application for OCP amendments when the notice of development sign was posted on the property. Staff forwarded the bylaw and staff report to referral agencies for review and comment, a summary of the responses has been provided in previous reports to the Board.

Public Hearing

The delegated Public Hearing for the proposed bylaws was held Tuesday July 24, 2018, at the Carlin Community Hall at 4051 Myers Frontage Road, Tappen BC. Twenty-three members of the public attended, of which 6 spoke against the Bylaw, and 1 (the applicant) spoke in favour of the Bylaw.

One of those speaking against the Bylaw was a spokesperson for the neighbouring group and delivered a 19 name petition against the Bylaw. The people signing the petition all live in the immediate neighbourhood of the development property.

Please see the attached Public Hearing Notes for details about public input (See "Public_Hearing_Notes_2018-07-24_BL725-12.pdf", attached.)

Additionally, a total of 9 pieces of correspondence were received in regard to the Bylaw: 8 spoke against the Bylaw, and 1 was in favour.

COMMUNICATIONS:

Staff notified adjacent property owners, advertised and held the Public Hearing in accordance with the Local Government Act. If the Board resolves to support the staff recommendation, staff will inform the applicant of the need to supply a hydrogeological report on the source of water, and any possible impacts to neighbouring wells, for the development and information on the current and anticipated operation of the sewage treatment facility. Once staff have received this information, and if the Board has delegated the holding of a second Public Hearing, staff will notify adjacent property owners, advertise and hold the second Public Hearing in accordance with the Local Government Act. Once the second Public Hearing has been held, staff will bring the Bylaw to a future meeting of the Board to consider the new public input and staff will provide a recommendation regarding third reading of the bylaw.

DESIRED OUTCOMES:

That the Board endorse staff recommendations.

BOARD'S OPTIONS:

- 1. Endorse the Recommendation.
- 2. Deny the Recommendation.
- 3. Defer.
- 4. Any other action deemed appropriate by the Board.

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

- 1. Electoral Area C Official Community Plan Bylaw No. 725.
- 2. Ministry of Environment Permit PE-13672 for sewage treatment and disposal.
- 3. Various permits issued by Interior Health Authority for water system.

Report Approval Details

Document Title:	2018-08-16_Board_DS_BL725-12_0731852-BC-LTD_1043181- ALTA-LTD.docx
Attachments:	- BL725-12-Third.pdf - 2018-03-29_Board_DS_BL725-12_0731852-BC-LTD_1043181-ALTA-LTD.pdf - 2018-06-21_Board_DS_BL725-12_0731852-BC-LTD_1043181-ALTA-LTD.pdf - Shuswap Country Estates OCP Supplementary Letter 20180327.pdf - Public_Hearing_Notes_2018-07-24_BL725-12.pdf - Public_submissions_BL725-12.pdf - ALC_Referral_Response_Letter_BL725-12.pdf - Agency_referral_Responses_BL725-12.pdf - Maps_Plans_BL725-12.pdf
Final Approval Date:	Aug 2, 2018

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

No Signature - Task assigned to Corey Paiement was completed by workflow administrator Tommy Test

Corey Paiement - Jul 31, 2018 - 8:44 AM

Gerald Christie - Aug 1, 2018 - 12:06 PM

Lynda Shykora - Aug 2, 2018 - 9:28 AM

Charles Hamilton - Aug 2, 2018 - 11:01 AM

COLUMBIA SHUSWAP REGIONAL DISTRICT

ELECTORAL AREA 'C' OFFICIAL COMMUNITY PLAN

AMENDMENT (SHUSWAP COUNTRY ESTATES) BYLAW NO. 725-12

A bylaw to amend the "Electoral Area 'C' Official Community Plan Bylaw No. 725"

WHEREAS the Board of the Columbia Shuswap Regional District adopted Bylaw No. 725;

AND WHEREAS the Board deems it appropriate to amend Bylaw No. 725;

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

1. Bylaw No. 725 cited as "Electoral Area 'C' Official Community Plan Bylaw No. 725" is hereby amended as follows:

A. TEXT AMENDMENT

- 1. Schedule A, (the Official Community Plan text), which forms part of the "Electoral Area 'C' Official Community Plan Bylaw No. 725" is hereby amended by:
 - i) Section 3, Part 3.4 Residential is hereby amended by adding the following new Subsection 3.4.1.9:
 - ".9 Notwithstanding 3.1.2.4, 3.1.2.5, 3.3.1.1, 3.3.2.2, 3.3.2.3, and 3.4.1.1 above, redesignation to Neighbourhood Residential (NR) is permitted on portions of Lot 1, Section 33, Township 21, Range 10, West of the 6th Meridian, Kamloops Division, Yale District, Plan 34273, and Lot 1, Section 33, Township 21, Range 10, West of the 6th Meridian, Kamloops Division, Yale District, Plan KAP55494, Except Plans KAP65068, KAP69965, and KAP75073, only, outside of a Secondary Settlement Area."

B. MAP AMENDMENT

- Schedule B, (Land Use Designations Overview), which forms part of the "Electoral Area 'C'
 Official Community Plan Bylaw No. 725" is hereby amended by:
 - i) redesignating that portion of Lot 1, Section 33, Township 21, Range 10, West of the 6th Meridian, Kamloops Division, Yale District, Plan 34273 (PID: 002-999-838), south of Tappen Notch Hill Road, which is shown hatched in yellow on Schedule 1 attached hereto and forming part of this bylaw, from SMALL HOLDINGS (SH) to NEIGHBOURHOOD RESIDENTIAL (NR);

BL 725-12 PAGE 2

ii) redesignating that portion of Lot 1, Section 33, Township 21, Range 10, West of the 6th Meridian, Kamloops Division, Yale District, Plan KAP55494, Except Plans KAP65068, KAP69965, and KAP75073 (PID: 023-187-468), which is shown hatched in red on Schedule 1 attached hereto and forming part of this bylaw, from RURAL HOLDINGS (RH) to NEIGHBOURHOOD RESIDENTIAL (NR); and,

- iii) redesignating that portion of Lot 1, Section 33, Township 21, Range 10, West of the 6th Meridian, Kamloops Division, Yale District, Plan KAP55494, Except Plans KAP65068, KAP69965, and KAP75073 (PID: 023-187-468), which is shown cross-hatched in blue on Schedule 1 attached hereto and forming part of this bylaw, from RURAL HOLDINGS (RH) to SMALL HOLDINGS (SH).
- 3. Schedule C, (Land Use Designations Mapsheets), which forms part of the "Electoral Area 'C' Official Community Plan Bylaw No. 725" is hereby amended by:
 - redesignating that portion of Lot 1, Section 33, Township 21, Range 10, West of the 6th Meridian, Kamloops Division, Yale District, Plan 34273 (PID: 002-999-838), south of Tappen Notch Hill Road, which is shown hatched in yellow on Schedule 1 attached hereto and forming part of this bylaw, from SMALL HOLDINGS (SH) to NEIGHBOURHOOD RESIDENTIAL (NR);
 - ii) redesignating that portion of Lot 1, Section 33, Township 21, Range 10, West of the 6th Meridian, Kamloops Division, Yale District, Plan KAP55494, Except Plans KAP65068, KAP69965, and KAP75073 (PID: 023-187-468), which is shown hatched in red on Schedule 1 attached hereto and forming part of this bylaw, from RURAL HOLDINGS (RH) to NEIGHBOURHOOD RESIDENTIAL (NR); and,
 - iii) redesignating that portion of Lot 1, Section 33, Township 21, Range 10, West of the 6th Meridian, Kamloops Division, Yale District, Plan KAP55494, Except Plans KAP65068, KAP69965, and KAP75073 (PID: 023-187-468), which is shown cross-hatched in blue on Schedule 1 attached hereto and forming part of this bylaw, from RURAL HOLDINGS (RH) to SMALL HOLDINGS (SH).

2.

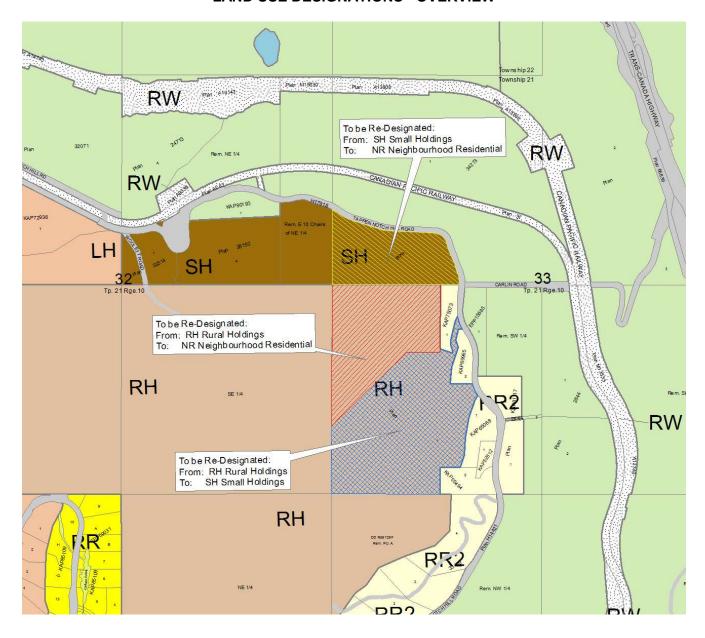
READ a first time this2	<u>29</u> day o	fMarch	, 2018
		f	
PUBLIC HEARING held this	day o	f	, 2018
READ a third time this	day o	f	, 2018
ADOPTED this	day of		, 2018
CORPORATE OFFICER		CHAIR	
CERTIFIED a true copy of Bylaw Nas read a third time.	No. 725-12	CERTIFIED a true copy of Bylaw N as adopted.	o. 725-12
Corporate Officer		Corporate Officer	

This bylaw may be cited as "Electoral Area 'C" Official Community Plan Amendment (Shuswap Country Estates) Bylaw No. 725-12."

SCHEDULE 1

ELECTORAL AREA 'C' OFFICIAL COMMUNITY PLAN AMENDMENT (SHUSWAP COUNTRY ESTATES) BYLAW NO. 725-12

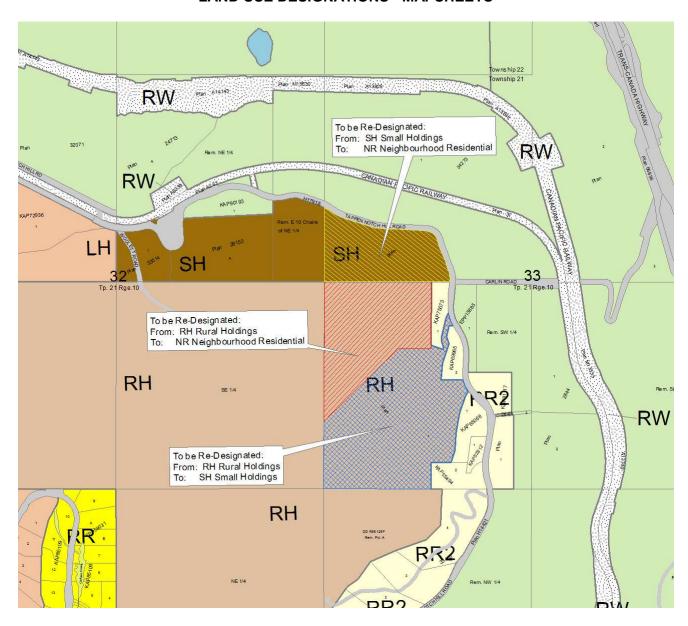
LAND USE DESIGNATIONS - OVERVIEW



SCHEDULE 2

ELECTORAL AREA 'C' OFFICIAL COMMUNITY PLAN AMENDMENT (SHUSWAP COUNTRY ESTATES) BYLAW NO. 725-12

LAND USE DESIGNATIONS - MAPSHEETS



Agency Referral Responses

Area 'C' Advisory	Recommended approval.		
Planning Commission	Comments:		
	The Commission reviewed the application with Mr. Franklin who was		
	in attendance as agent. The developers intent to provide additional		
	amenities – including a common facility, access to the trails – open		
	lands beyond the developed area and their replanting plans were all		
	noted by the Commission. The expansion was highlighted as an expansion of affordable housing in the rural area. The development is visible from the Trans Canada Highway when travelling through		
	the area and the rocky nature of the site takes some time for the		
	plantings and landscaping to overtake the visual impact of the		
	ground work required for development. The expansion was		
	discussed as it will change the current view of the development.		
	The Development has water treatment and sewage treatment		
	systems in place with capacity for the expansion. There was some		
	discussion on the nature of the homes – their typical sizes and the		
	additional outbuildings in place.		
	The Commission was supportive of the changes to the OCP to ha		
	the existing use reflected and of the plans to expand the number of		
	units within the development. The additional amenities proposed enhance the development and add to the appeal of the		
	neighbourhood.		
	The commission supported the expansion and the further		
	subdivision of the lands with the rationalization of the OCP		
	classifications.		
	Moved Morris / Vlooswyk carried 7 – 1 Barron against		
Interior Health Authority	No response.		
Agricultural Land Commission	April 17, 2018		
it has some to the attention of the Freehold Figure 12.			
	Commission (ALC) that there is a mapping error in which a tiny triangle of land in the extreme northwest corner of Lot 1,		
	Section 33, Township 21, Range 10 W6M KDYD, Plan 34273		
	shows on ALC maps as being in the ALR. The error was		
	detected during review of the Referral Form supplied with		
	Bylaw No. 725-12. The error had not previously been		
	detected because of the very small size of the triangle.		

A Google Earth image is attached, on which the triangle has been highlighted.

The error will be corrected during the next mapping update. In the meantime Columbia Shuswap may proceed to delete the triangle from any of its maps.

The Commission has no further comment on the referral pertaining to 1885 Tappen Notch Hill Road.

June 5, 2018

Thank you for forwarding a draft copy of OCP Amendment Bylaw No. 725-12 (the "Bylaw") for review and comment by the Agricultural Land Commission (ALC). The following comments are provided to help ensure that the Bylaw is consistent with the purposes of the Agricultural Land Commission Act (ALCA), the Agricultural Land Reserve Use, Subdivision and Procedure Regulation (the "Regulation"), and any decisions of the ALC.

The ALC recognizes that Property 1 is outside of the Agricultural Land Reserve (ALR), that a portion of Property 2 is within the ALR, and that the Bylaw is specific to re-designating Property 1 and the non-ALR portion of Property 2 to accommodate a proposed expansion of the existing manufactured home community (Shuswap Country Estates).

There is an existing wastewater treatment facility located on the ALR portion of Property 2 (to the North and to the East of Tappen Notch Hill Road) that was previously approved by the ALC Resolutions #765/95 and #646/96 (attached) and is therefore subject to the ALCA and Regulation.

The ALC notes that the Board Report submitted as part of the Bylaw referral documents references the interaction between the ALCA and the Environmental Management Act (EMA). With reference to the analysis under the heading "ALR" on p. 9 of the Board Report, Commission staff do not agree with your interpretation of the ALCA and EMA, and recommend that you obtain legal advice before taking any steps on the basis of that interpretation. Note that CSRD previously applied for and obtained Commission approval, subject to certain conditions, for a wastewater treatment and spray

irrigation storage facility on ALR land in accordance with the ALCA. The wastewater treatment facility is neither a farm use nor a permitted non-farm use under the ALCA and the Regulation; as such, this type of facility requires a non-farm use application for any future expansion or relocation.

Although the proposed re-designations affect non-ALR land, the Bylaw documents indicate that the proposed expansion of Shuswap Country Estates community is supported by the existing wastewater treatment facility located in the ALR. According to the Bylaw referral documents and CSRD staff, the number of units associated with the proposed expansion of the Shuswap County Estates community has not yet been determined and therefore the CSRD is unable to confirm whether or not the existing wastewater treatment facility can accommodate the proposed expansion. The ALC advises the CSRD that any expansion of the existing wastewater treatment facility would require a new non-farm use application to the ALC.

Given the above, the ALC finds that the Bylaw is premature until the details of the proposed expansion of the Shuswap County Estates community are confirmed and a determination can be made as to whether or not a new nonfarm use application for wastewater treatment facility expansion is required in order to proceed.

The ALC strives to provide a detailed response to all bylaw referrals affecting the ALR; however, you are advised that the lack of a specific response by the ALC to any draft bylaw provisions cannot in any way be construed as confirmation regarding the consistency of the submission with the ALCA, the Regulation, or any orders of the Commission.

Ministry of Agriculture

Thank you for providing the B.C. Ministry of Agriculture the opportunity to comment on the above noted proposed bylaw amendment. We appreciate being able to review and provide comments on bylaws affecting the Agricultural Land Reserve (ALR) and agricultural production. Our comments and concerns are as follows:

 The Ministry's "Guide to Edge Planning" notes that increased residential density adjacent or near

agricultural areas can have impacts and compatibility issues with agriculture. This increases potential for conflict between farm and non-farm uses. Impacts to agriculture may include disturbance to livestock, crops and farm equipment. Impacts to the residential neighbours include odour, noise, dust, early/late equipment operation, and slow-moving equipment on roadways. As such, Ministry staff does not support this expansion of residential use outside of a larger designated urban development area and within an agricultural/rural area. We recommend that the Regional District confirm with the Agricultural Land Commission (ALC) their position regarding the proposal's existing wastewater treatment facility currently located on land designated as Agricultural Land Reserve, and address any intended ALC course of action. Ministry of Environment No response. Ministry of Thank you for the referral and opportunity to comment. As this is a Transportation and proposed OCP bylaw text amendment this Ministry endorsement of Infrastructure the bylaw is not required. The land owner is responsible for the following: Apply for an access permit for any access (existing or proposed) to a public road. All accesses require a permit, except an access for one single family dwelling. A *Provincial Public Highway Permit Application* can be obtain from our office or on line at http://www.th.gov.bc.ca/permits/Apply.asp Access info http://www.th.gov.bc.ca/permits/Highway%20Access%20Permits.asp Obtain a permit should there be any works within the road dedication or any structures located within 4.5m setback from the road/property line. A *Provincial Public Highway Permit Application* can be obtain from our office or on line. Info http://www.th.gov.bc.ca/permits/Permits.asp When the Ministry receives a subdivision application from the applicant, it will be processed accordingly. Subdivision Info http://www.th.gov.bc.ca/da/Subdivision Home.asp Application http://www.th.gov.bc.ca/da/L1 apply.asp

Ministry of Forests, Lands You can mark us down as "No Objections" to this. Allow me to point Natural Resource out the following water-related information in case it's relevant: Operations, and Rural Development - Water There are numerous wells on the parcel 002-999-838 (the current Rights Branch mobile home park). The applicant's assertion that there is sufficient water in that well (or wells) to also meet the demand on the proposed parcel (023-187-468) seems reasonable; however, we will not require proof of that unless some kind of licensing application is made to us. On the subject of water applications, even though the occupancy is comprised of multiple domestic dwellings, any well water use on the subject properties is considered "waterworks", not "domestic". This means the owner(s) must apply for a groundwater licence for their groundwater use. If they do that before March 1, 2019, then we can consider any demonstrated groundwater use prior to February 29, 2016 as existing use. That greatly simplifies the process of approving water rights. If they wait until March 1, 2019 or after, their groundwater use will have to be considered as a new application to divert and use groundwater. Any future proposed use from the wells to service not-yet-existing dwellings (on parcel 023-187-468, for example) is be default considered new use. Processing staff are currently heavily backlogged with applications for groundwater use. Consequently, applications are taking some time to process. I would caution you against waiting for the results of any application the proponent may make to us for groundwater before you move ahead with a decision on the proposed subdivision. If there is any uncertainty there that you are uncomfortable with, we should discuss it to see if we can come up with a plan to allow you to move forward. According to Provincial records there are no known archaeological Ministry of Forests, sites recorded on the subject property. Lands, Natural Resource Operations and Rural Archaeological potential data for the area indicates that there are Development some areas of moderate potential on the northern two parcels Archaeology Branch (shown as the beige areas on the screenshot below). The areas of potential are not dense enough to warrant an archaeological

investigation or permitting, but we mention potential so property

owners know that there is a possibility, albeit a small one, of there being an archaeological site present. Archaeological sites (both recorded and unrecorded) are protected under the *Heritage Conservation Act* and must not be altered or damaged without a permit from the Archaeology Branch. If any land-altering development is planned for the property, 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. Please review the screenshot of the property below (outlined in yellow). If this does not represent the property listed in the data request please contact me. Do not hesitate to contact me if you have any further questions. **CSRD Operations** Team Leader Utilities - Details of the servicing demands of the proposed expansion in regard to the existing capacity of the sewer Management and water systems is required to properly review application in terms of servicing. Team Leader Protective Services - No concerns. Fire Services Coordinator – The proponent must ensure adequate road access for emergency vehicles as per MoTI requirements. Firesmart principles to be encouraged within any new development. Team Leader Environmental Health - No concerns. Parks - No concerns. Manager Operations Management – No additional concerns. **CSRD Financial Services** No response. Adams Lake Indian Band While Adams Lake defers to the Little Shuswap Lake Indian Band] on Bylaw Referral BL725-12, we reiterate that Adams Lake holds constitutionally protected Aboriginal rights including title throughout the entirety of Secwepemculucw. Members of Adams Lake continue to exercise their Aboriginal rights as their ancestors have done for generations, including hunting, trapping, gathering and fishing, along with rights associated with spiritual and cultural traditions that are practiced in accordance with Secwepemc customs, laws and governance structures. With that being said, the Adams Lake Indian Band wishes to express its concerns on this proposed activity. Through a preliminary

analysis we have identified some concerns which include: 89 si	
	within 5 km that where gathering and hunting and fishing sites.
Little Shuswap Indian	No response.
Band	
Neskonlith Indian Band	No response.



Agricultural Land Commission

201 – 4940 Canada Way Burnaby, British Columbia V5G 4K6 Tel: 604 660-7000 | Fax: 604 660-7033 www.alc.gov.bc.ca

June 5, 2018

Reply to the attention of Celeste Barlow ALC Inquiry: 51067 Local Government File: 725-12

Dan Passmore Senior Planner, Development Services Columbia Shuswap Regional District (CSRD)

Delivered Electronically

Re: OCP Amendment Bylaw No. 725-12

Properties: PID: 023-187-468 ("Property 1") and PID: 002-999-838 ("Property 2")

Thank you for forwarding a draft copy of OCP Amendment Bylaw No. 725-12 (the "Bylaw") for review and comment by the Agricultural Land Commission (ALC). The following comments are provided to help ensure that the Bylaw is consistent with the purposes of the Agricultural Land Commission Act (ALCA), the Agricultural Land Reserve Use, Subdivision and Procedure Regulation (the "Regulation"), and any decisions of the ALC.

The ALC recognizes that Property 1 is outside of the Agricultural Land Reserve (ALR), that a portion of Property 2 is within the ALR, and that the Bylaw is specific to re-designating Property 1 and the non-ALR portion of Property 2 to accommodate a proposed expansion of the existing manufactured home community (Shuswap Country Estates).

There is an existing wastewater treatment facility located on the ALR portion of Property 2 (to the North and to the East of Tappen Notch Hill Road) that was previously approved by the ALC Resolutions #765/95 and #646/96 (attached) and is therefore subject to the ALCA and Regulation.

The ALC notes that the Board Report submitted as part of the Bylaw referral documents references the interaction between the ALCA and the Environmental Management Act (EMA). With reference to the analysis under the heading "ALR" on p. 9 of the Board Report, Commission staff do not agree with your interpretation of the ALCA and EMA, and recommend that you obtain legal advice before taking any steps on the basis of that interpretation. Note that CSRD previously applied for and obtained Commission approval, subject to certain conditions, for a wastewater treatment and spray irrigation storage facility on ALR land in accordance with the ALCA. The wastewater treatment facility is neither a farm use nor a permitted non-farm use under the ALCA and the Regulation; as such, this type of facility requires a non-farm use application for any future expansion or relocation.

Although the proposed re-designations affect non-ALR land, the Bylaw documents indicate that the proposed expansion of Shuswap Country Estates community is supported by the existing wastewater treatment facility located in the ALR. According to the Bylaw referral documents and CSRD staff, the number of units associated with the proposed expansion of the Shuswap

ALC File: 51067

County Estates community has not yet been determined and therefore the CSRD is unable to confirm whether or not the existing wastewater treatment facility can accommodate the proposed expansion. The ALC advises the CSRD that any expansion of the existing wastewater treatment facility would require a new non-farm use application to the ALC.

Given the above, the ALC finds that the Bylaw is premature until the details of the proposed expansion of the Shuswap County Estates community are confirmed and a determination can be made as to whether or not a new non-farm use application for wastewater treatment facility expansion is required in order to proceed.

. . .

The ALC strives to provide a detailed response to all bylaw referrals affecting the ALR; however, you are advised that the lack of a specific response by the ALC to any draft bylaw provisions cannot in any way be construed as confirmation regarding the consistency of the submission with the ALCA, the Regulation, or any orders of the Commission.

If you have any questions about the above comments, please contact the undersigned at 604-660-7046 or by e-mail (<u>Celeste.Barlow@gov.bc.ca</u>).

Yours truly,

PROVINCIAL AGRICULTURAL LAND COMMISSION

Enclosures:

ALC Context Map

ALC Resolutions #765/95 and #646/96

Celeste Barlow, Land Use Planner

CC:

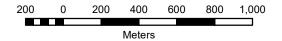
Ministry of Agriculture

51067m1



ALR Context Map

Map Scale: 1:20,000



ALC File #: 51067

Mapsheet #: 82L.084

Map Produced: May 31, 2018

Regional District: Columbia-Shuswap

Application # 25-H-95-29942-0 Resolution #765/95

MINUTES OF THE PROVINCIAL AGRICULTURAL LAND COMMISSION

Meeting held at the Provincial Agricultural Land Commission Office, 4940 Canada Way, Burnaby, B.C. on the 12th day of September 1995.

PRESENT:

K. B. Miller

Chair

G. Horn

Commissioner

C. Huscroft

Commissioner

An application under Section 20(1) of the Agricultural Land Commission Act concerning land described as Part of Lot 1, NW 1/4, Section 33, Township 21, Range 10, W6M, KDYD, Plan was considered.

APPLICATION:

#25-H-95-29942-0

APPLICANT:

Renzo & Carol Schaafsma

AGENT:

R. D. Lewis & Associates Ltd.

COMPANY NAME:

N/A

PROPERTY LOCATION:

Carlin north of Tappen.

LOCAL GOVERNMENT:

Columbia Shuswap

SUBJECT PROPERTY SIZE (Ha): 63.0

AREA WITHIN ALR (Ha):

47.3

NUMBER OF PARCELS:

1.0

To construct a sewage treatment and spray irrigation storage facility (1.4 ha of ALR land) on the property. The sewage treatment facility is to serve a mobile home park being constructed on the non-ALR portion of the property and the effluent will be used to irrigate the farm fields.

TYPE OF APPLICATION:

REGS Section 44

DATE OF PURCHASE:

1994-04-29

DATE APPLICATION RECEIVED: 1995-06-05

PRESENT USE:

Dairy/Cow calf operation.

AGRICULTURAL CAPABILITY:

Unimproved Ratings	Improved Ratings	% of Unit	
7;2D 3;2X	7:2D 3:2X	55	
6T	N/A	45	

Page 2 #765/95

SURROUNDING LAND USES:

NORTH: Railway with agriculture and forest beyond.

SOUTH: Forest and cultivated fields.

EAST: Rail lines with agriculture beyond.

WEST: Forest and agriculture.

COMMUNITY PLAN DESIGNATION: N/A

ZONING: N/A

LOCAL GOVERNMENT RECOMMENDATION: Concerned over subdivision along the road - feel all parts of the mobile home park should be in same legal parcel. Also concerned about use of ALR land for residential purpose.

BACKGROUND INFORMATION: Commission previously approved a boundary line adjustment which created the subject property. During its review of the Tappen White Lake OSP the Commission received a recommendation that the ALR boundary follow the Tappen/Notch Hill Rd. that runs through the subject property. The applicant wants the facility centrally located to facilitate use of the sewage effluent for farm irrigation purposes.

During its initial review of this application the Commission requested an onsite inspection be conducted by the District Agrologist prior to making its decision.

Comments received from Brian M. Harper, District Agrologist for the Ministry of Ag. Fish and Food dated July 24, 1995 note:

- The proposed sewage treatment plant and effluent storage facility will positively benefit the
 applicant's farming operation by providing a source of irrigation water which will greatly enhance
 crop production on adjacent land.
- 2. The non-ALR portion of the subject property located South and West of the road possesses no capability for agriculture due to a predominantly rocky/gravely soil and steep topography.

The non-ALR portion of the subject property located North and East of the road possesses limited capability for agriculture, providing some forage for grazing.

LIST OF RELEVANT APPLICATIONS

Bin	Name	Summary	Decision	Decision Date
06571-0	George & Catherine Denman	Subdivide a 6 acre portion off of the 60 ha subject property and consolidate to an adjacent holding.	Allowed as submitted subject to consolidation.	1978-04- 27
06572-0	Joseph & Brigitte. Sternberg	Subdivide a 4.5 acre lot from the 160 acre property.	Allowed subject to consolidation.	1978-04- 27
06601-0	Dean Trenholm	To stockpile approximately 70, 000 cubic meters of soil on the subject property.	Allowed.	1978-04- 27

Page 3 #765/95

PLANNERS COMMENT: Based on further discussion with Brian Harper, this is the most agriculturally beneficial place to put this facility, so that the effluent can be used by the farm.

Recommendation: Allow subject to the inclusion of all non-ALR allow subject to inclusion of all non-ALR land north and east of Tappen-Notch Hill Road.

STAFF COMMENT/RECOMMENDATION: That the application be refused as submitted. While the facility will provide irrigation water to the farm portion of the property it will alienate good capability actively managed agricultural land from production. In addition the applicant admits that there are non-ALR lands available for the facility and staff is concerned that in the future the owner may wish to sell the mobile home park. While staff appreciates that the inclusion of a portion of the property has been supported this land appears to have less agricultural utility than the area under application.

DISCUSSION: Inclusion should be required from a buffering perspective to prevent any future development of the lands located north of the Tappen Notch Hill Road. It would also be preferable if the facility could be moved as far into the non-ALR corner as possible to minimize the impact on the ALR. Also discussed was the requirement for additional roads and utilities to service this development which are to be kept out of the ALR wherever possible.

IT WAS

MOVED BY:

Commissioner G. Horn

SECONDED BY:

Commissioner C. Huscroft

That the application be allowed subject to receipt of an inclusion application for those lands located north and east of the Tappen Notch Hill Road.

This decision is subject to compliance with all other legislation.

CARRIED

f:29942\dec01.doc

Resolution #646/96

MINUTES OF THE PROVINCIAL AGRICULTURAL LAND COMMISSION

Meeting held at the Provincial Agricultural Land Commission Office 4940 Canada Way, Burnaby, B.C. on the 25th day of June 1996.

PRESENT:

J. Glover Vice Chair J. Bakker Commissioner Commissioner G. Horn D. Taylor Commissioner Commissioner M. Thompson

An application under Section 10(5) of the Agricultural Land Commission Act was considered concerning land described as Part of Lot 1 NW 1/4 Section 33 Township 21 Range 10 W6M Plan 34273.

APPLICATION:

#11-H-95-30401-0

APPLICANT:

Renzo & Carol Schaafsma

PROPERTY LOCATION:

Carlin - North of Tappen

LOCAL GOVERNMENT:

Columbia Shuswap

SUBJECT PROPERTY SIZE (Ha): 3.3 ha

AREA to be included (Ha):

1.4

NUMBER OF PARCELS:

1

To include approximately 1.4 ha of land in order to satisfy the Commission's conditional approval issued under Res. #765/95 to locate a sewage treatment and spray irrigation storage facility on the property.

TYPE OF APPLICATION:

Inclusion (Land Owner)

DATE APPLICATION RECEIVED: 12/28/95

PRESENT USE:

Farmland

SURROUNDING LAND USES:

NORTH: Agricultural

SOUTH: Mobile Home Park

EAST: Agricultural

WEST: Agricultural

COMMUNITY PLAN DESIGNATION: n/a

ZONING: n/a

....2

Page 2 #646/96

LOCAL GOVERNMENT RECOMMENDATION: Board recommended approval of the Class 2 lands but not as a condition of approval for the sewage disposal facility.

Planning Dept. comments: After reviewing the application and the general comments and recommendations of the Development Services' staff, the Board wished to go on record as opposing the Land Commissions' approval of these type of sewage disposal systems which serve developments on lands outside of the Agricultural Land Reserve. It was the opinion of the Board that the condition of inclusion did not warrant justification of utilizing Class 2 soils for sewage treatment facilities. While spray irrigation may be considered beneficial for agricultural land, non-agricultural developments should contain all parts of functioning systems within that portion of the land where the development is taking place.

The Board, after considerable discussion, recommended inclusion of the Class 2 soils into the ALR but not as a condition of approval for the sewage disposal facility.

BACKGROUND INFORMATION: Previous application #29942 required the inclusion of the area under application in order to satisfy the conditions of approval issued under Res. #765/95

LIST OF RELEVANT APPLICATIONS

Bin	Name	Summary	Decision	Decision Date
29942-0	Renzo & Carol Schaafsma	To construct a sewage treatment and spray irrigation storage facility on the property. The sewage treatment facility is to serve a mobile home park being constructed on the non-ALR portion of the property.	Allow proposed use of property for sewage treatment and storage for spray irrigation subject to receipt of inclusion application of those non ALR lands located to the north and east of the Tappen Notch Hill Road. This inclusion is to prevent any possible residential development of those non ALR lands north and east of the road.	9/12/95
06571-0	George & Catherine Denman	Subdivide a 6 acre portion off of the 60 ha subject property and consolidate to an adjacent holding.	Allowed as submitted subject to consolidation.	4/27/78
06572-0	Joseph & Brigitte. Sternberg	Subdivide a 4.5 acre lot from the 160 acre property.	Allowed subject to consolidation.	4/27/78
06601-0	Dean Trenholm	To stockpile approximately 70, 000 cubic meters of soil on the subject property.	Allowed.	4/27/78

Page 3 #646/96

STAFF COMMENT/RECOMMENDATION: Allow as application is intended to satisfy earlier decision of Commission.

DISCUSSION: Concurred with staff recommendation.

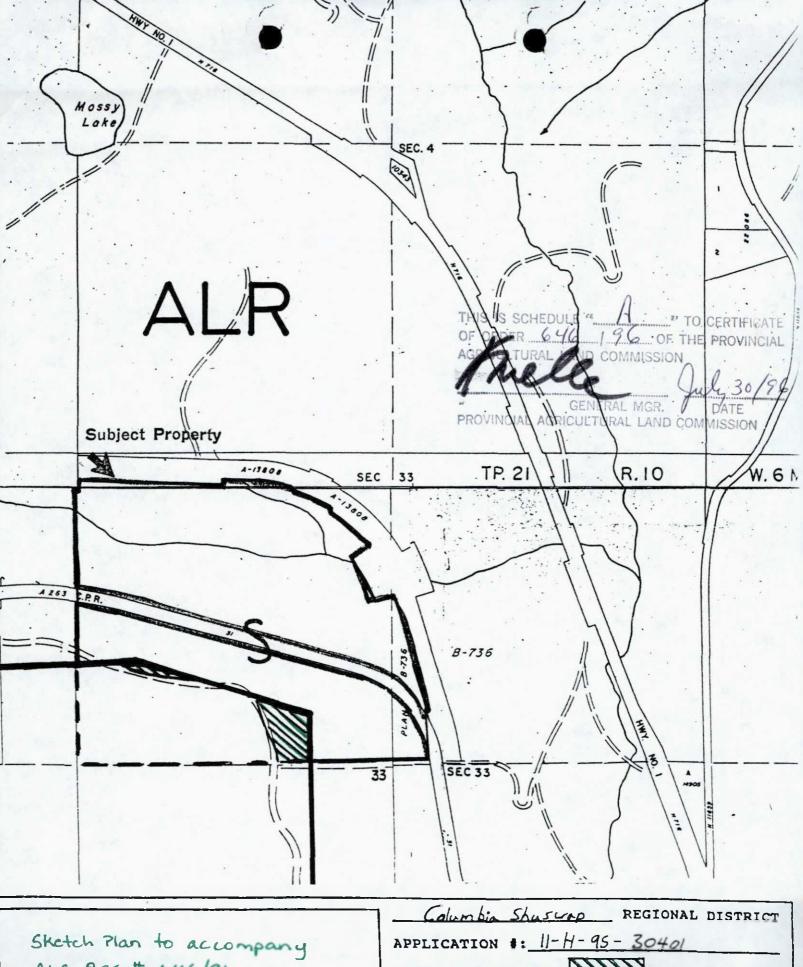
IT WAS

MOVED BY: Commissioner G. Horn SECONDED BY: Commissioner D. Taylor

That the application be allowed as requested on the grounds that this satisfies the requirements of ALC Resolution #765/95 subject to the land being designated as part of the Agricultural Land Reserve of the Columbia Shuswap Regional District.

CARRIED

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ALC Res # 646/96

SUBJECT PROPERTY:

CONSTITUENT SHEET #: 29 (1:10000)



COLUMBIA SHUSWAP REGIONAL DISTRICT

Notes of the Public Hearing held on Tuesday July 24, 2018 at 6:00 p.m. at the Carlin Community Hall at 4051 Myers Frontage Road, Tappen BC, regarding proposed Bylaw No. 725-12.

PRESENT: Chair Paul Demenok – Electoral Area C Director

Dan Passmore – Senior Planner, Development Services

23 members of the public

Chair Demenok called the Public Hearing to order at 6:00 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 'C' Official Community Plan Amendment (Shuswap Country Estates) Bylaw No. 725-12.

The Planner explained the requirements of Section 470 of the Local Government Act and noted that the Public Hearing Report will be submitted to the Board for consideration at its August 16, 2018 meeting. The Planner explained the notification requirements set out in the Local Government Act and noted the Public Hearing was placed in the Shuswap Market News on July 13 and 20, 2018.

The Planner provided background information regarding these proposed bylaw amendments and reviewed the purpose of the bylaws. At the Chair's request, the Planner also summarized the referral comments received by the CSRD to the public in attendance.

The Chair opened the floor for comments.

Raymond Heare, 1710 Tappen Notch Hill Road, read aloud the contents of a letter submitted to Development Services staff. He advised he was speaking on behalf of a number of local residents who had signed a petition, he presented the letter with the petition which contained 19 names of people who lived in the immediate area. These documents will be provided to the Board as correspondence received.

Mr. Heare advised that the primary concern of the group was a noticeable groundwater depletion in the area since 2010, when the development was originally constructed. Since there is only the one new well in the area for the Shuswap Country Estates, they are concerned that the depletion is the result of the development. Further, any increase in the density will further deplete the aquifer they rely on. He indicated that since the bylaw would have the impact of increasing density of the development, that the CSRD should not approve it unless the groundwater source is proven to be capable of supplying the development by a hydrogeologist. He noted the well logs provided by the applicant was for a well drilled in 2004, whereas the well used for water supply for the development was not documented.

Mr. Heare stated that a secondary concern for the group was the necessity to conduct significant blasting on the site to prepare for manufactured home sites in the planned expansion. The group was concerned over the safety aspects of the blasting site

preparation to the neighbouring properties, and to the impact that this blasting may have on neighboruing groundwater wells. He advised that the OCP requires a steep slopes Development Permit which requires a geotechnical review by a qualified professional, and that such a review should help the Board to determine whether the expansion of the manufactured home community is safe.

Mr. Heare continued by advising that the group also had concerns with respect to sewage servicing. He noted that the treatment system is able to operate without needing to use the spray irrigation, which the treatment system and the ALR has approved. Should the proposed expansion occur, he foresees that the system will need to start using the spray irrigation component, and expressed concerns about overspray of the effluent onto neighbouring properties, and the impact this might have on their groundwater wells. He advised that spray irrigation can atomize and travel long distances in windy conditions.

He conceded that the area needs affordable housing but notes that the site preparation involving blasting to expand the community is expensive and will lessen the likelihood of affordable housing. He noted the relevant OCP policies as reported to the Board in the staff reports and advised that while the existing community was in place the rules have changed and any expansion would be contrary to policies directing such density of growth into Secondary Settlement Areas.

Corrie Stalker, 3120 Carlin Road, advised she lived right across the road from the sewage treatment facility and that her property and the facility are situated in a wind tunnel. She explained that the winds in the area are such that she was unable to put out lawn furniture as it would blow away. This situation raises major concerns should the spray irrigation disposal ever be started, as the wind will carry the spray long distances. She further advised that she is concerned about her property value, as a result of low income housing nearby.

Vicki Squire, 1550 Tappen Notch Hill Road, questioned the referral response received from the Water Stewardship Officer of the Ministry of Forests, Lands, Natural Resource Operations, and Rural Development (MFLNRORD), which raised uncertainty because of the assertion of sufficient water from groundwater sources and the potential timelines for an application for a groundwater license, if required. She advised that if there is uncertainty, the CSRD should hold the applicant's feet to the fire. She stated that she had purchased 2 farms in the area 25 years ago and recently needed to drill a second well, because of the depletion of water in the first. Because of this she indicated that caution on the part of the CSRD is warranted. She asked a question about whether the proposed 3 new lots would be required to have a groundwater well for each.

Chair Demenok answered that this would be a requirement of the subdivision.

Vi Belfour, 1990 Tappen Notch Hill Road, asked whether the CSRD has geotechnical or hydrogeological reports from the applicant to address steep slopes, blasting and groundwater issues.

The Planner answered no.

Chair Demenok further advised that should the Board decide that the land use requires provision of such information, they would ask for it.

Corrie Stalker, 3120 Carlin Road, advised that she had concerns over the runoff that comes off of the property currently. She stated that the runoff currently turns into a creek in the spring and goes down the driveway created erosion and flows into her hayfields creating a lake.

Ken Sasges, 1725 Tappen Notch Hill Road, indicated that he had no issues with the proposed creation of 3 large lots, which is a component of the bylaw. However he was concerned over the density on the rest of the property. He advised that drilling and blasting and vegetation clearing for the proposed expansion will create a problem.

Jayme Franklin, 1710 Sunnybrae Canoe Point Road, advised that as the applicant's engineer he has been working on the property to bring the site as it is currently developed into better compliance with the OCP. He reminded the audience that there was no zoning in this area. He stated that the essential infrastructure (sewer and water) is in place for the development currently and that the infrastructure has capacity to allow for expansion as proposed. He stated the sewage system is registered with the Ministry of Environment (MoE), and that the groundwater source is in place and operational. He advised that with the additional capacity available in the groundwater well the property owner could have been drawing that water to use for irrigation on the agricultural portion of the property. He advised that spray irrigation effluent disposal is a system of disposal that has been approved elsewhere, in addition to this property by the MoE. He advised that although the density allowable in the proposed OCP amendment would be for 120 units total, the development will not get that many units on it due to site topographical constraints. He stated that as the project engineer it is his responsibility to consider site drainage. He finished by advising that a hydrogeologist had reviewed the site.

The Planner asked if the hydrogeologist report was available to provide to the CSRD.

Jayme Franklin, 1710 Sunnybrae Canoe Point Road, answered that the study had been done for the sewage treatment facility and wasn't sure if such a study had been done for the groundwater wells.

Vicki Squire, 1550 Tappen Notch Hill Road, asked who hands the legalities of wastewater

Director Demenok responded by indicating that matters regarding use of waste on Agricultural Land are under the jurisdiction of the Ministry of Agriculture. Matters regarding permits to do sewage treatment are under the jurisdiction of the MoE. He advised that the CSRD relies on the Province in these areas to ensure that developers get the necessary permits.

Vi Belfour, 1990 Tappen Notch Hill Road, stated concerns about blasting on the site and how this would impact her farm animals as well as wildlife.

Marvin Zepnick, Tappen Notch Hill Road, advised that the CPR has a well in the immediate area that they pump a lot of water out of to spray the trains for coal dust.

Raymond Heare, 1710 Tappen Notch Hill Road, advised that the Shuswap country estates development is there, but it is the proposed expansion which is the concern for the neighbourhood. He stated that this is the central problem and that if the CSRD limits the proposed growth, the groundwater will be protected. He advised that he does not agree with

Mr. Franklin's assessment. He implored the CSRD to not allow the proposed expansion of the park.

Corrie Stalker, 3120 Carlin Road, expressed concern that the petition submitted would be enough to sway the mind of the CSRD Board.

Hearing no representations or questions about proposed Bylaw No. 725-12 the Chair called three times for further submissions before declaring the public hearing closed at 7:05 pm.

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

Original Signed by

Director Paul Demenok Public Hearing Chair

Dan Passmore Senior Planner

RL725-12 Ken Sasges

July 20, 2018

Pubic Hearing Submission -- Bylaw No.725-12

In Regarding Shuswap Country Estates 1885 Tappen Notch Hill Road

My name is Ken Sasges with my wife Sirpa Sasges own neighboring property to Shuswap Country Estates at

We have several concern about the proposal.

We have lived and owned this property since October , 2007 . When we first lived here the well water would flow right out of the top of the 500 ft. well . Now for the past five years we have noticed our well static level has gone down. And never getting close to the top of the well.

Taking that much more water out of the small aquifer, that the whole neighborhood is getting their water from, might be putting everyone in hardship with water levels going down.

Another issue I have problems with is living right below the acreage in question is the drilling and blasting will affect the water run off and the two residential water wells that are here. And blasting the road access is the same road that two of us have taken care of for the past ten years with no help from Shuswap Country Estates which they have an easement and use to access their reservoir.

Erosion and winter run off is a serious concern with all the vegetation removed in the blasting to level the hillside for the building sites . the whole hillside is all rock , so there will be drilling and blasting for most of the building sites and ditching for the water and sewer lines.

I also agree there is a need for lower cost housing but the cost of drilling and blasting is very expensive .

I have no problem leaving the land in question as five to ten acre lots.

Yours truly;

Ken Sasges and Sirpa Sasges

How Cargo

□ CAO ☐ Agenda: Ownership: ☐ Works ☐ Reg Board □ DS ☐ In Camera File# ☐ Fin/Adm ☐ Other Mtg. JUL 2 4 2018 ☐ Ec Day
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TO: CHAIR: PUBLIC HAG ON
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OCO PRAN AMMINENT
SAUSWAY COUNTRY ESTERIES) BL 705-12

FR: Jim LEIPER

SORPETTO B.C. VOZONDO

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"Public Hearing Submission-Bylaw No.725-12"

In Regard to Official Community Plan Amendment (Shuswap Country Plan Estates) 1885 Tappen Notch Hill Rd.

🗎 Agenda;

E CAO

My name is Raymond (Rennie) Heare and I am in joint ownership with Barbara Shellop of a neighboring property, address

We have several concerns with this proposal but the groundwater aquifer is our main reason for not wanting this amended Bylaw to be allowed to move forward.

We purchased this property October 2006. Our well log was for 8 US gallons per minute and our static level was 115' as stated by the well driller at the time of drilling and then pumped and certified again Static level 110' and Gal/per /minute at 8 by our pump install company J's Pumps and Plumbing. (Exhibit #1)

For the first four years we lived on this property we never had any issue with the well. The pump was designed to supply 5 gallons per minute and the well produced 8.

Then in 2011 if we ran our sprinkler for any length of time we would have what I thought was a pump problem as it would shut down. This continued so we got J's Plumbing in to test the pump. The next year we continued to have the same shut down problem so J's came in and pulled the pump. This was May 29 of 2012. It was at that time that J's determined that our well had lost 86' on the static level. (Exhibit # 3) J's Pumps invoices.

We also did a rough flow test and it was 2.5-3 gals per minute verses 8. Jerry of (J's Pumps asked if I had seen any wells being drilled close to us. And I had seen drilling / developing of the well and small white building you now see in the corner of Carlin Rd. and the CPR right away.

Prior to this well being established we all watched several loads of water being hauled daily from Bolton Creek with a pickup and a water tank to supply the extra need of the households of that time which is less than the 54 that is there now.

I am not trying to say you took my water I am just showing how happenings around you can change a well drastically.

So now switching to the well in discussion in the corner of Carlin Rd. and Railway right of way. Shuswap Country Estates supplied CSRD with a well log for a well drilled in 2004 done by Bud's water wells. This I believe is not the well log for that newest well that is the main or only source for the Estates. To raise that question I ask you to examine the Omega & Associates Engineering Ltd. Drawings (Exhibit #2). The date for these drawings with the location of the proposed well water Source is hard to read but I believe it is 08/28/2009. So I would suggest that the well log supplied, is for the old well marked ex4 on this drawing. This well is not far from the new well site. As you can see from this drawing there have been several wells drilled on the property that are scheduled to be closed down. So water has been a problem for a long time. On this drawing there is an info box close to the top of that report pointing to a spot near the railway property line. It says Proposed Well Water Source. So it is not clear what water they do have and is that well registered. Questions arising then are: Does the well have its proper set back from property lines? In fact is the well on their property? We all know of old fence lines not being on actual property lines so with this being so close we trust the CSRD will require that this is proven by survey and that a certified flow tested is done as well. We believe the new well was put into service in 2010 or 2011.

However if that 2004 well log is the correct one, then the well log states this well is producing 3.5 us gallons per minute and that is not enough water for the households there now, let alone increasing the size of this development to $2\frac{1}{2}$ time it size of households now. Exhibit #4 Well Log

I looked up stats on average water used for a household with one person and that is 80-130 US Gallons. US gallons are how wells are measured.

So going by the 2004 well log at 3.5 gallons per minute = (3.5 US gal. per) minute x60 min.x24 hr = 5040 US gallons) produced in 24 hrs. (54 units x2 people x 80 = 8640 gallons. So the demand on the well is 71% over what it can produce if all is optimum with the well. So we ask that this gets reviewed as well.

The letter from Franklin Engineering Dated March 27, 2017 states the proposal is to raise the households to 125. So the math on 125 households with 2 people requires, (taking the lower volume of 80 gallons) = 125

households x 80 gallons x 2people = 20,000 US gallons per day. That is 7,300,000 gallons taken out of this aquifer annually.

All the wells in this area that I know of have limited flow rates and with our example, diminishing in flow already. We feel this additional flow of 11,360 US gallons daily is not able to be maintained within this aquifer.

So we ask, if the CSRD is going to continue researching this expansion that they would do their do-diligence and require that there is suitable testing done to establish if in fact this aquifer can handle the additional water demand long term for years to come.

Our well driller feels this aquifer area is all linked together with a network of small water flows. So with this in mind our second concern is the large amount blasting and development to accomplish this project. As this will be on the slopes and hillside that several of us get our flow of water from. This will put us at additional risk of losing our well capacity and the financial hardships of having to re-drill a well or wells as Shuswap Country Estates already have had to do.

The new regulations that came into effect in approximately 2007 regarding building sites, roads and driveways on steep ground, I believe would not allow this project to continue. We trust that this project will be governed by the updated Bylaw's / Regulations? This is a major **new** development.

Lagoon

To the best of anyone's knowledge there never has been any need to spray effluent from the lagoon with the units in the park now. However if the expansion were allowed to proceed there will be. So this again is **new** as it never has been done and that permit was done in 1997. This permit in place allows spreading to happen from April 1 to Oct. 30 each year. The permit is for Approx. 4,000 gallons per day during the dates above. If my math conversion is correct that would be approximately 783,000 gallons effluent at maximum per year. This creates big concerns for several properties close to this field. Pumping with sprinklers into the air is very poor efficiency but a real good way to have over spray drifted towards the close neigbours and along with that comes smell as well, depending on the product being spread. I personally can attest to the drift as we pumped liquid manure via a sprinkler as well. If there is any breeze at all the atomized part of the liquid

will travel a long way. For example we got a phone call from a neighbour whose elevation was at least 100' higher plus 6-800 ft. away saying we were over spraying their windows and to come and look. I did and it was correct. We all know that the winds in this valley will create movement at ninety degrees to the Carlin Rd. towards several neighbours at lot less than 6-800' away.

A secondary concern to this spreading is how close this is to the well in question in the corner of Carlin Rd. and the Railway. From the drawing it looks close enough that it could pollute the well described as the ground slope appears to be towards the well and railway property. I know there are **rules regarding distances away from wells** but I didn't get that looked up.

And last but not least all vegetation on that steep rock hill side will be damaged and lost within the construction area. We all know of what clear cut logging sites have created at times. This is no different as it will be years before there will be any amount of tree or vegetation growth to help with erosion. You can attest to this if you drive through the initial developed area. Lack of vegetation sets up for slides and extra water coming down to damage properties, driveways and roads below.

There has already been at least one bank sliding that was endangering a garage on the initial development.

None of us disagree with the need for affordable housing but the immense cost of developing this steep rock property will be far more costly than developing in other areas.

Hi density housing needs the support of community water and sewage systems as the Board Report states.

Go through highlighted Board and staff reports.

We support the Boards recommendation of this kind of development being in designated areas that are more able to handle dense housing and this area is not zoned for this. Yes years ago this was allowed, but this is 2018 and this is a new build.

So in summary:

- We the undersigned on this Petition dated July 24, 2018 respectfully but firmly say no to this proposal to amend Bylaw 725-12.
- We are ok with the area of the established mobile park that is on Small Holding zoned property to be re zoned to NE to allow compliance.
- We ask that the CSRD leave the remaining area in question Zoned as (RH & SH properties) to allow any future development to be governed by that.
- We trust that the CSRD will make the correct decision and not allow this expansion of intense housing development on this proposed site to create a negative impact in several ways but most importantly the negative effect on our groundwater resource that the CSRD has a mandate to protect.
- Petition supplied: The Petition supplied shows the unity of all neighbours surrounding the property in question.

Respectfully Submitted on behalf of the local land owners.

Raymond (Rennie) Heare

PETITION SUBMISSION - PROPOSED COMMUNITY PLAN AMENDMENT

We as a group of local property owners located near Shuswap Country Estates, address of 1885 Tappen Notch Hill Rd. wish to object to the proposed Community Plan Amendment of Bylaw No. 725-12. The undersigned names would be negatively impacted by this proposal so are signing this petition to say they do not want this to proceed for various reasons. Some will also give more written details of their individual circumstances.

PRINT NAME	SIGNATURE
LLAUS H SCHUBERT	Z//#
Scott LeQuesne.	Al Dela
GURD DUNPHY	· Good Durphy
Ken Sasges	Danson
Patrick Helmer	# The last of the
Corru Staller	
JOAN OBRIEN	Jour Ber
DOUG CHANNELL	
LSAAC HARDER FRYMOND HERE BARB SHELLOP	Ro Idean Bhellop
TAN (MUDIAK)	Jam / Kuduk
DALE & SUSAN	
Michele lason	Albehele harson
Lary Jaroun	
CORRYN GRAYSTON	
	,

PROPERTY ADDRESS

Dated: July 24TH, 2018

LIMITED PROXY FORM

The undersigned, owners of

RAYMOND (RENNIE) HEARE

as proxyholder on the matter of

ELECTORAL AREA C OFFICIAL COMMUNITY PLAN AMENDMENT (SHUSWAP COUNTRY ESTATES) BYLAW NO. 725-12 - PUBLIC HEARING SUBMISSION

to vote and act for us to the same extent that we would, if personally present.

DATE: July 23, 2018

Corryn Grayston

Vincent Koch

This proxy is revocable by the owner and is valid only for the meeting for which it is given and any lawful adjournment.

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☐ Works	☐ Reg Board	
□ DS.	☐ In Camera	File#
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"Public Hearing Submission-Bylaw No. 725-12"

July 24,2018 Property address
Points of Concern with this proposal.

My main concern is about the extra water this development will draw from our aquifer not only short term in for years to come. As proposed this will draw over 7 million gallons from the aquifer per year.

I am totally opposed to all the blasting that will be required to do this development as where this will all be happening is on the hillside where several of our water wells are or where the wells on the field area get their water from.

I am opposed to the de-forestation of the hill as this will create extra water erosion and potential damage to properties below.

We moved here for a reason and that was to be in Rural Properties as this is zoned for. I do not want the re-zoning to allow expansion of NR densely populated zoning.

We want the Rural Holdings and Small Holdings zoning to remain as they are designated in this area.

Klaus Schubert

Ita Schubert
Rita Schubert

Marianne Mertens

From:

helmer

Sent:

Tuesday, July 24, 2018 3:01 PM Planning Public Email address

To: Subject:

Public Hearing Submission - Bylaw No. 725-12

Public Hearing Submission - Bylaw No. 725-12

Patrick and Heather Helmer

The impact this amendment will bring on my property raises multiple concerns for myself. There is a concern with regards to my property's ability to produce water and the financial implications of additional well drilling. The development of the hillside also raises concerns with regards to possible future slides due to destabilization and possible increased run-off discharge.

Well impacts as per the impacts raised by 1885 Tappen Notch Hill Rd's well (by Raymond Heare) over the last several years, with regards to the documented water/well impact of the initial development of the Shuswap Country Estates. As I have only been on the property for 2 years and do not have a detailed historical record of any changes in the area, this raises a concern to the impact of my property's ability to produce water and the financial implications of additional well drilling.

As is located downhill from the proposed re-designated area from RH to NR, and the changes to the side of the hill, assuming similar changes as the current developed area, raises major concerns with the stability of the hillside and any increased risk of slides, destabilizing, and other impacts incurred due to changes to the natural landscape, over the foreseeable future.

With the reduction of natural absorption and probable increased run-off from roads and yards, this would dramatically increase the probability and severity of flooding during the spring run-off, increasing my property costs and possibly damaging my home.

Overall my concerns with the re-designation raise concerns with regards to the impact of my properties well's ability to produce water, the stability of the hillside and the impacts of any changes to said hillside on runoff through my property. Please consider these factors and how they might be mitigated and/or compensated for if damaged and/or impaired. Thank you for your consideration.

Regards,

Patrick Helmer

July 23, 2018

Columbia Shuswap Regional District 555 Harbourfront Drive NE Salmon Arm, BC V1E 4P1 Attention: Dan Passmore

Dear Mr. Passmore

Re: Public Hearing Submission - Bylaw No. 725-12

This letter is written in response to the proposed Electoral Area C Official Community Plan Amendment (Shuswap Country Estates) Bylaw No. 725-12.

We have lived on our 20 acre property, located at Tappen Notch Hill Road, for over 6 years and believe the proposed expansion of the Shuswap Country Estates will most certainly have an effect within our area, the extent of which we feel has not been fully determined to support the final approval for this mobile home park expansion and re-zoning of existing land parcels.

While the applicant has not disclosed the number of manufactured homes sites they intend to develop, this application would allow for the addition of 71 manufactured homes sites to be established on the property, for a total of 125 mobile home residences. The applicant is also requesting 3 parcels to be re-zoned to allow for more residential densification.

Our issues with this application encompass three (3) primary areas of concern:

1) Water

- a) Impact of 71 new mobile home sites drawing over 4,000,000 additional gallons of water per annum on the existing aquifer (based on 80 gallons person/day);
- b) Are geological reports available that indicate the size and capacity of the existing aquifer to quantify and support such a residential expansion; and
- The surrounding area is primarily agricultural and by virtue of that is extremely dependent on unimpeded access to existing water resources to support agricultural activities;

BL72-5-12 PL 2018-0016

PUBLIC HEARING SUBMISSION

BYLAW NO. 725-12

In Regard to Official Community Plan Amendment (Shuswap Country Later) 1885 Tappen Notch Hill Road.

My name is Joan Obrien and owner of the property at

I have concerns with the water supply for the trailor park as well as the capacity available with their existing septic system.

□Reg Board

Ownership:

DFax DMail

DIn Camera

DOther Mig

DFin/Adm

My home is serviced from a drilled well, so far there has not been any problems, but thinking that the well that the CPR drilled, as well as the one drilled by Shuswap Country Estates, and are very close to each other, are both pumping a large quantity of water each day. I am not sure but one would believe that these two wells, as well as the one on my property are drawing from the same under ground stream.

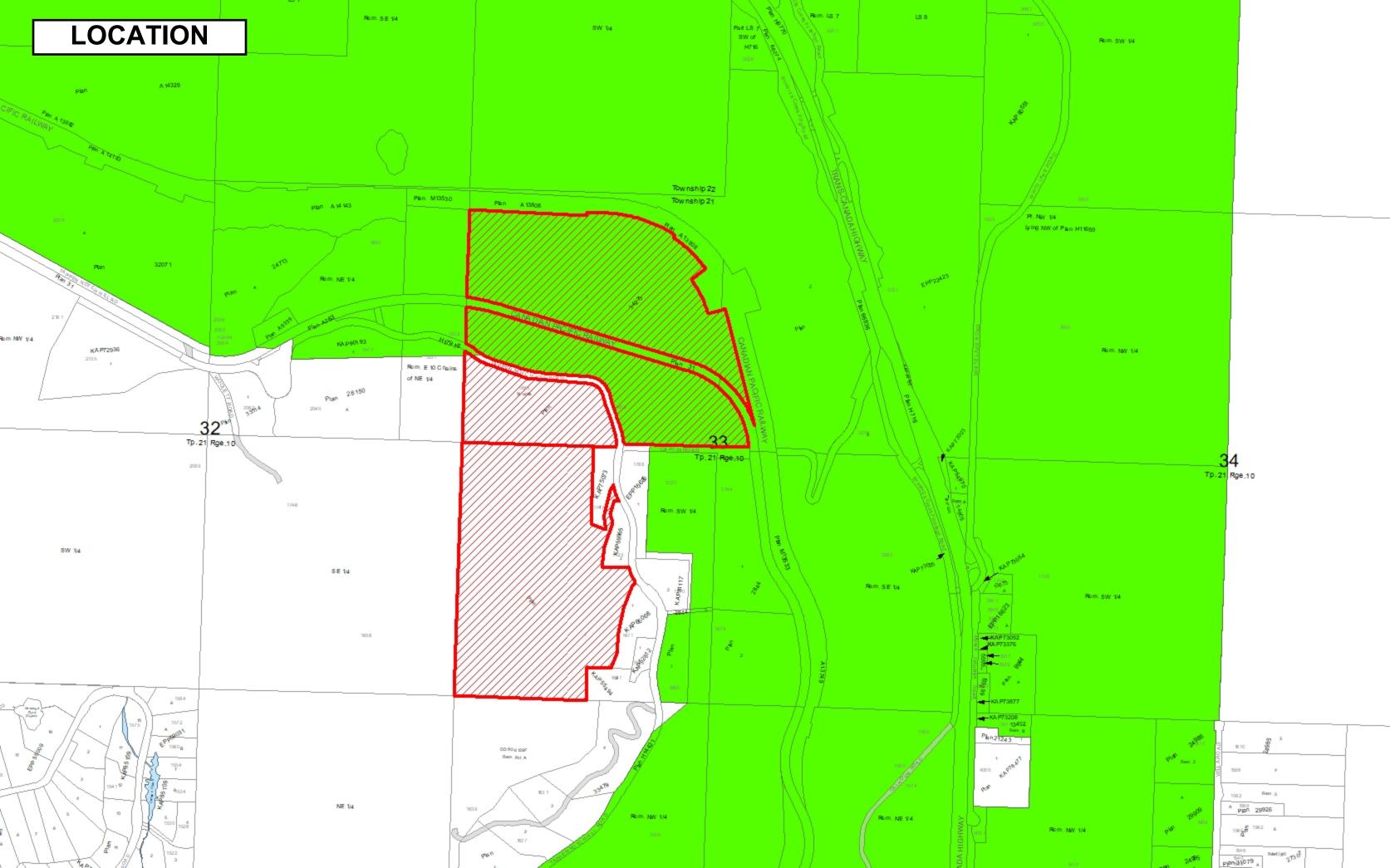
If Shuswap Country Estates is to expand, then the quantity of water they are drawing from this source would be largely increased as would the amount of waste going into the existing septic system. If this has to be pumped out where would this go?

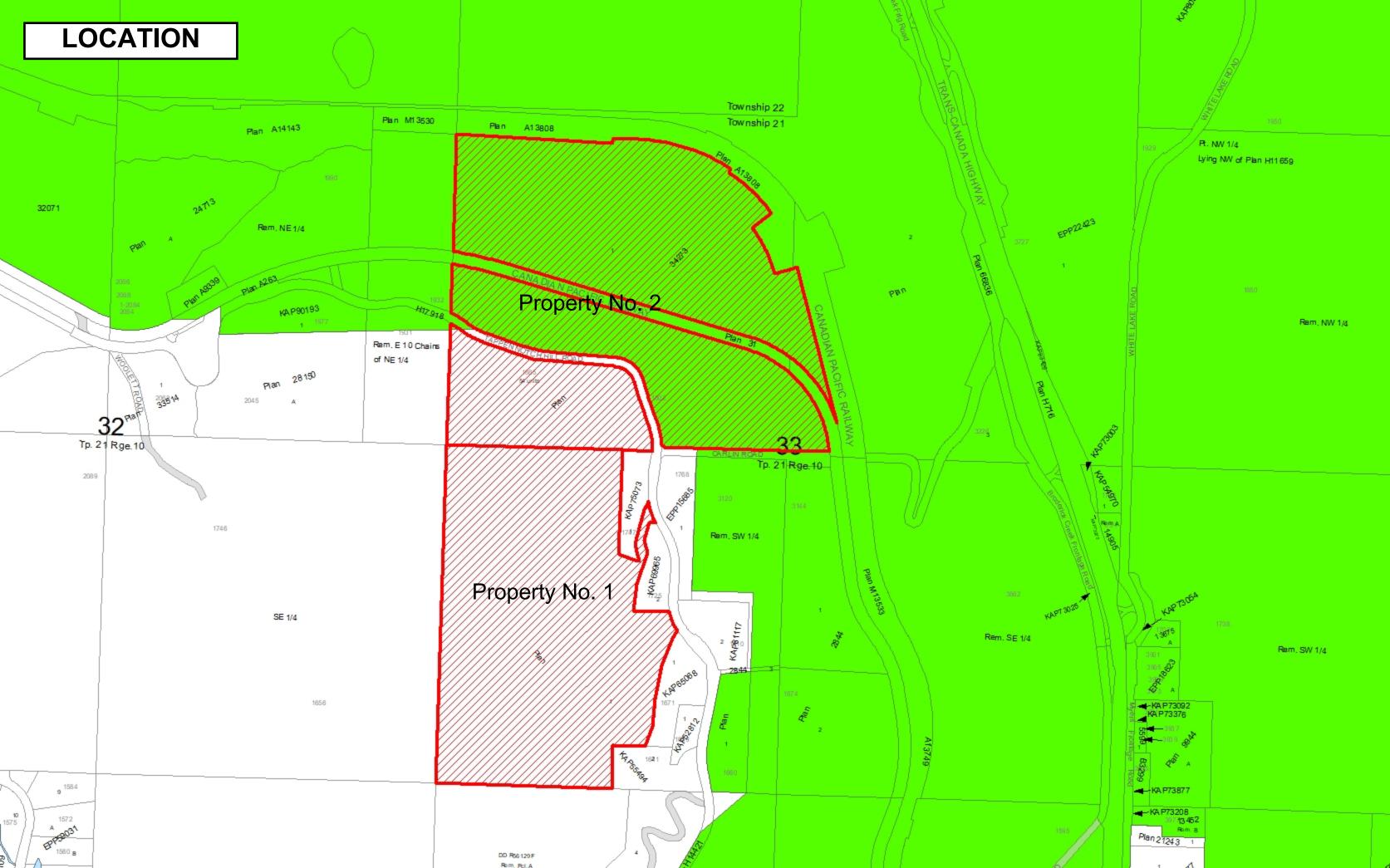
I know there is a need for more housing, but not sure that is the proper place for this to happen.

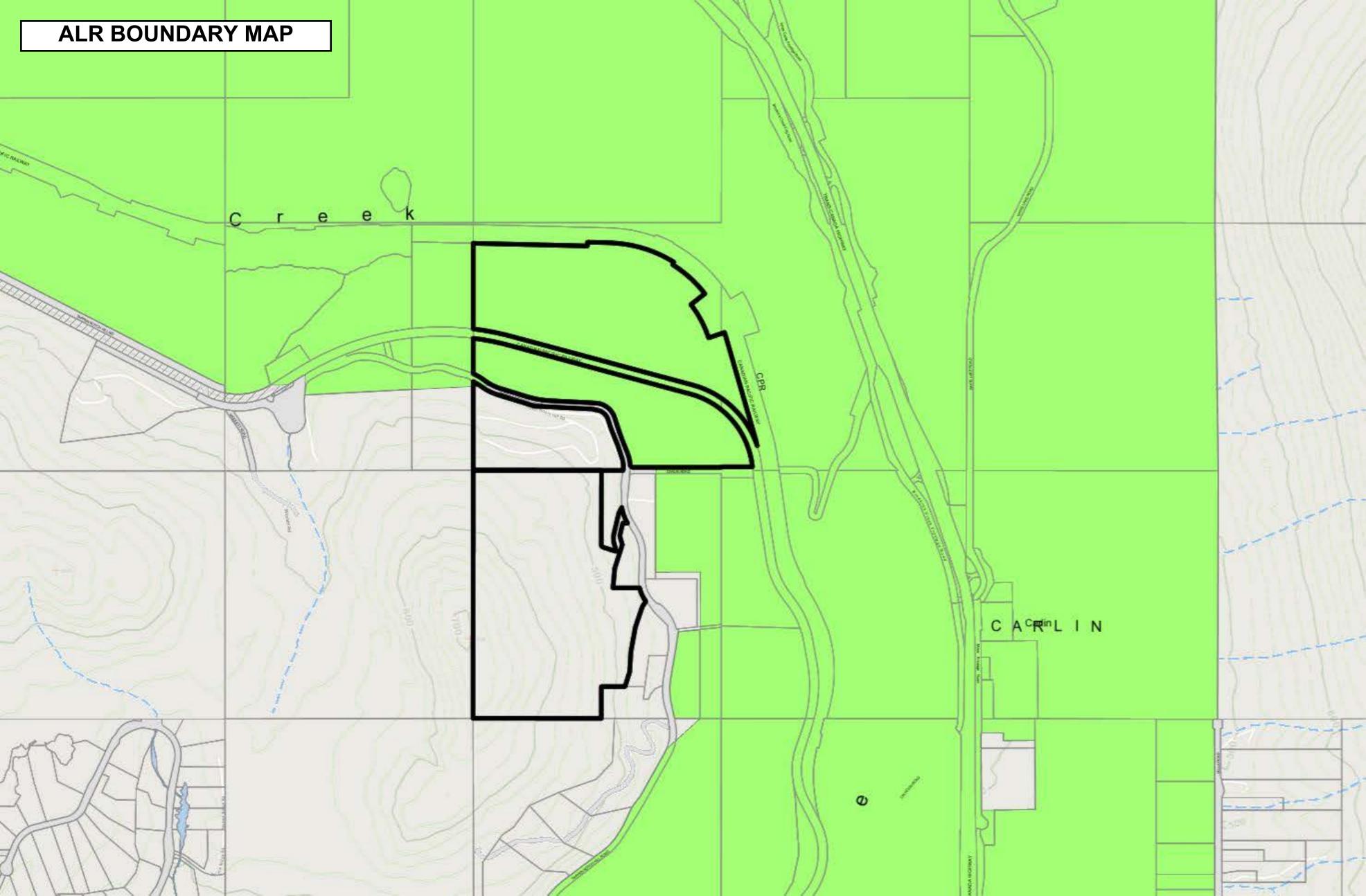
If these plans are to proceed, I would like in writing from you the CSRD, and Shuswap Country Estates, that any damage done, or loss of water to the existing wells within the area surrounding this parcel of land, will be restored by you and the property owners compensated accordingly.

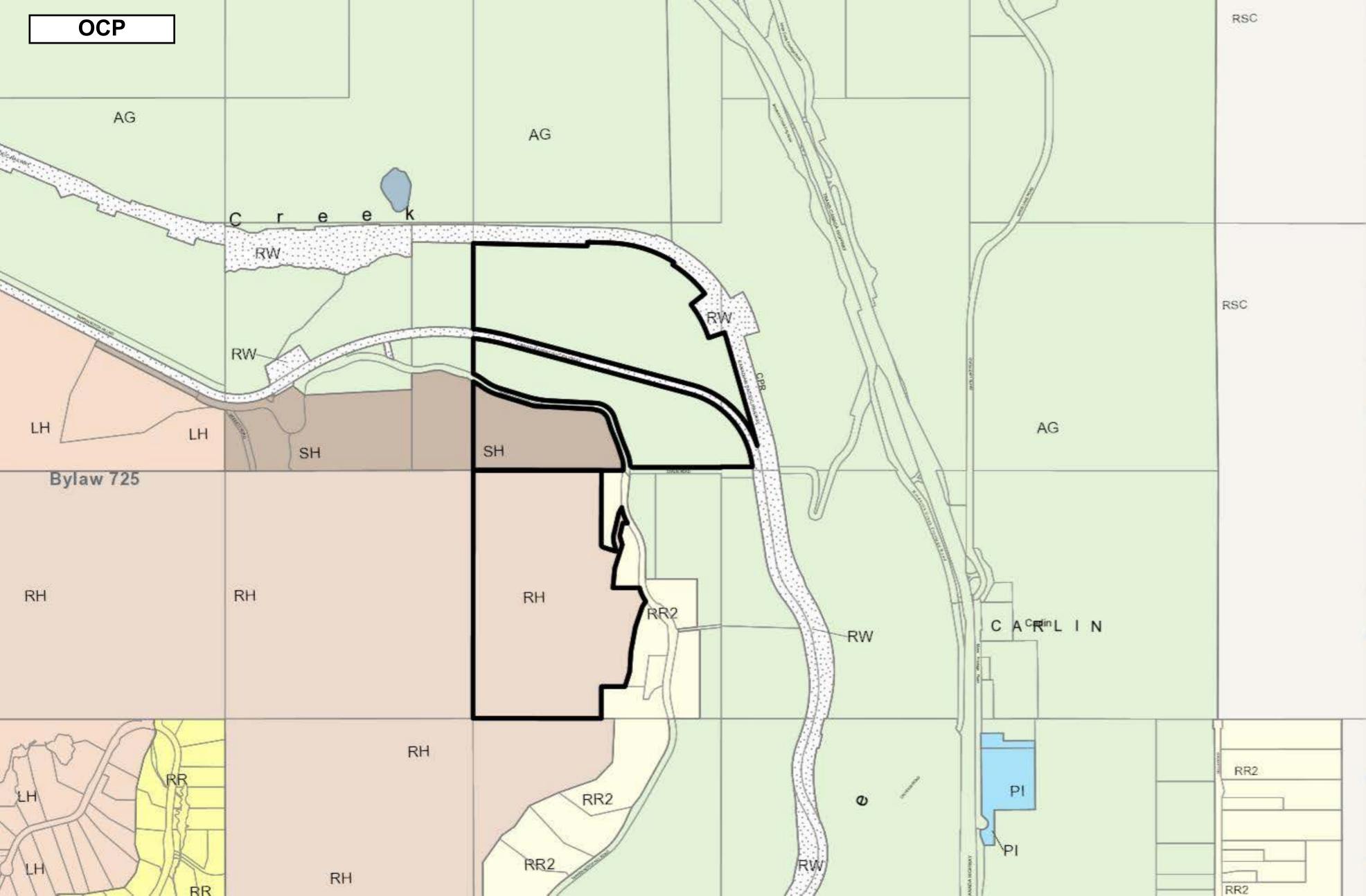
In closing I trust that CSRD will take their time to make the correct decision on this matter and protect our existing water source.

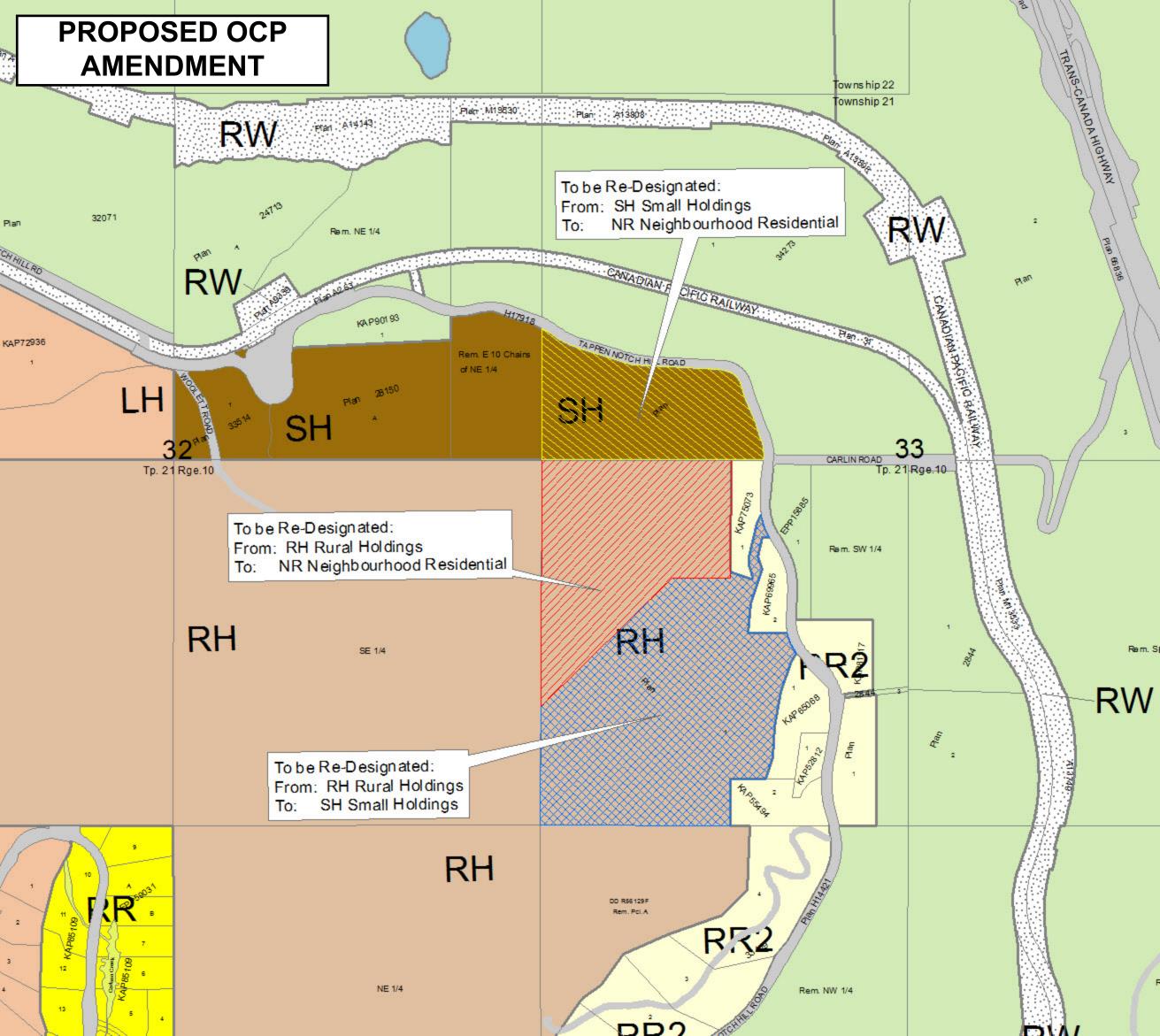
Sincerely Joan OBrien

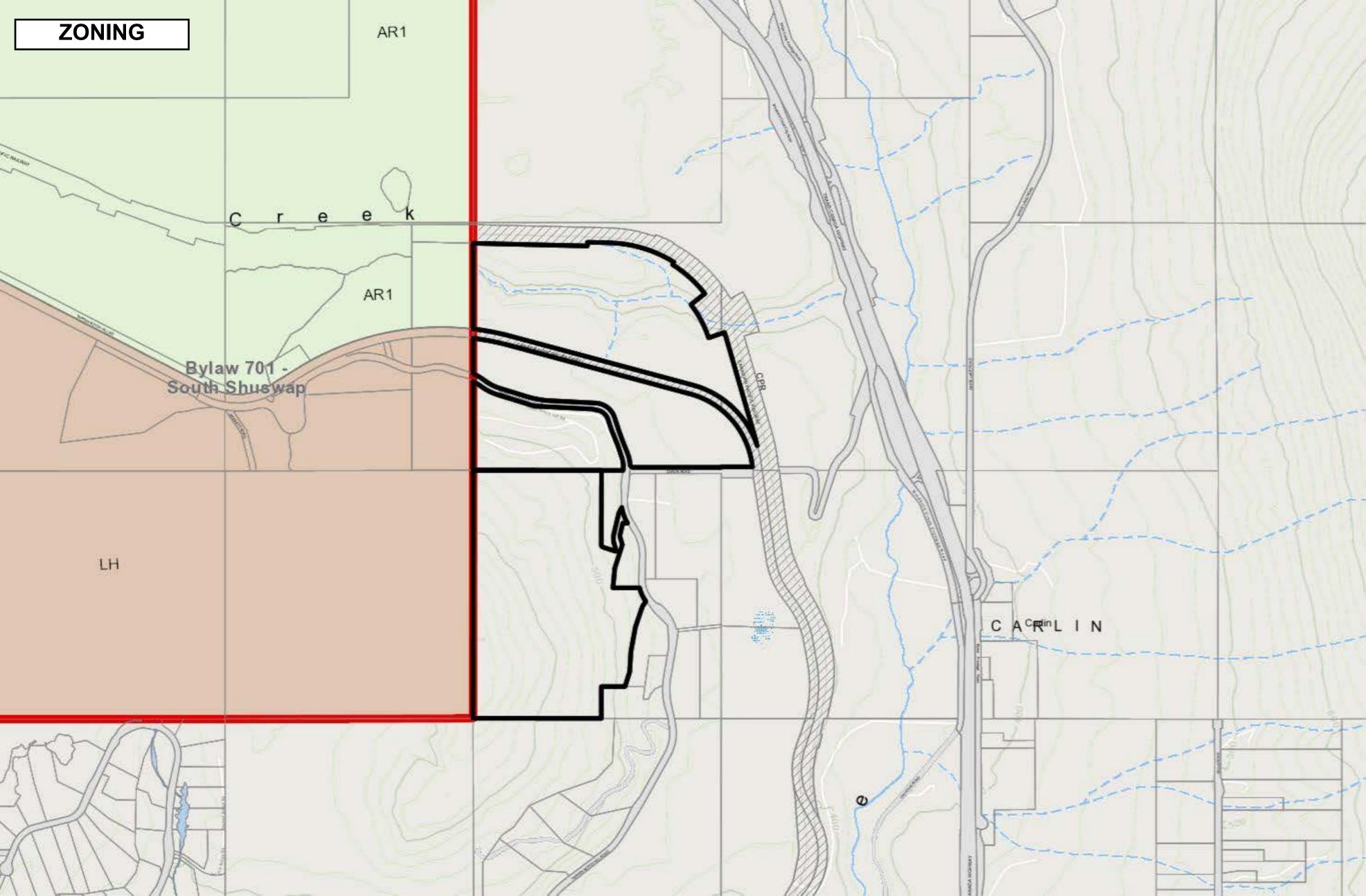












SITE FEATURES

ORTHO

