



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: Erica Hartling

ehartling@csrd.bc.ca

FILE: BL 900-20

PL20170000112

DATE: March 27, 2019

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.

Regarding referral BL 900-20 to amend the FM2 – Foreshore Multifamily 2, site specific density (Totem Pole Resort) from a maximum of 25 private mooring buoys to 35 private mooring buoys, allowing the resort an additional 10 private mooring buoys, for the area legally described as Unsurveyed Crown foreshore being part of the bed of Shuswap Lake and fronting that part of Sec 5, TWP 22, R8, W6M, KDYD, shown as Common Property on Strata Plan K46, according to Provincial records, there are no known archaeological sites recorded in the area.

Archaeological potential mapping for the area indicates that there is high potential for unknown/unrecorded archaeological deposits in the foreshore and mooring areas. 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.

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.

Prior to any land alterations, an eligible consulting archaeologist should be contacted to review the proposed activities and, where warranted, conduct a visual survey and/or detailed study of the area 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.

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 resort land and foreshore area below (outlined in yellow). If this does not represent the property listed in the referral, please contact me.

Please let me know if you have any questions regarding this information.

Kind regards,

Diana

The brown/orange areas indicate high potential for unknown/unrecorded archaeological deposits, and the beige areas indicate moderate potential.



Diana Cooper

Signed By: _____

Title: Arch Site Inventory Info and Data Admin

Date: 28 March, 2019

Agency: Archaeology Branch



Adams Lake Indian Band

Project Name:

BL900-20

Consulting Org Contact:

Marianne Mertens

Consulting Organization:

[Columbia Shuswap Regional District](#)

Date Received:

Wednesday, March 27, 2019

The Adams Lake Indian Band has concerns with BL900-20. Through a preliminary analysis we have identified some concerns which include:

Review: TU Impact Review

Hunting, Fishing , gathering, water transportation, pictographs

We reiterate that Adams Lake holds constitutionally protected Aboriginal rights including title throughout the entirety of its traditional territory. 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 which are practiced in accordance with Secwepemc customs, laws and governance structures.

Therefore we require that you ensure that the identified nearby and overlapping hunting, Fishing , gathering, water transportation and pictographs are not harmed or hindered in his application.

Regards,

Dave Nordquist, RPF
Title and Rights Coordinator
Adams Lake Indian Band

Source URL:

<https://alib.knowledgekeeper.ca/consultation/columbia-shuswap-regional-district/projects/36667/review/email-response-bl900-20>



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: Erica Hartling

ehartling@csrd.bc.ca

FILE: BL 900-20

DATE: March 27, 2019

PL20170000112

CSR D received date:
April 11, 2019

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.

Dear Erica Hartling,

The Ministry of Forests, Lands, Natural Resources, and Rural Development have reviewed the above noted referral to increase the number of mooring buoys from 25 to 35 at 7429 Sunnybrae-Canoe Point Road in Bastion Bay.

Our Ministry is not opposed to increasing the number of buoys; however, the resort has a total of 34 strata lots and 35 mooring buoys are being requested. We recommend only allowing one buoy per strata lot as permitting more than one per strata lot would set a precedent that other such developments might take advantage of. Therefore, we recommend only allowing a total of 34 buoys or one per strata lot.

Regards,

Tim O'Rourke, RPF

Signed By: Tim O'Rourke

Title Senior Land Officer

Date: April 11, 2019 Agency: Ministry of Forests, Lands, Natural Resource Operations and Rural Development



COLUMBIA SHUSWAP REGIONAL DISTRICT

NOTES ON THE MEETING

Electoral Area 'C' Advisory Planning Commission

DATE: Monday, April 29, 2019
TIME: 7:00pm
PLACE: Upper Level
Cedar Centre
2316 Lakeview Drive
Blind Bay BC V0E 2W2

Members Present:

Simon Brown	Vice-Chair	Cal Cosh	Secretary
Ted Vlooswyk	Member	Millie Barron	Member
Glenn Johanson	Member	Alan Cook	Member

Members Absent:

Steve Wills	Chair	Brian Morris	Member
Reg Walters	Member		

Applicants / agents in attendance: Heather O'Brien

AGENDA:

Welcome to the final meeting of the 2015 – 2019 APC-C term

Call to order at 7pm

The agenda as circulated was accepted and a decision made to hear item 4 first as the applicant was in attendance. Reporting has followed the agenda outline as circulated.

1. Electoral Area C Development Variance Permit No. 701-86

Civic Address: 25, 6421 Eagle Bay Road

Legal Description:

Strata Lot 25, Section 18, Township 23, Range 8, West of the 6th Meridian, Kamloops Division Yale District, Strata Plan KAS1797, together with an interest in the common property in proportion to the unit entitlement of the strata lot as shown on form 1 (PID: 023-518-448)

Owner: Case Holdings Ltd. and David Poggemoeller

Agent: Darrell Axani c/o Eagle Enterprises

Short Summary:

The subject property is located at 25 - 6421 Eagle Bay Road in Wild Rose Bay of Electoral Area C. The lot is currently vacant and the owners are proposing to construct retaining walls along the steep slopes of the property's upper and lower panhandle to allow driveway access to the future building site. The proposed retaining walls are located within the side parcel line setbacks and require a variance to the South Shuswap Zoning Bylaw No. 701 from 2 m to 0 m for the side parcel boundaries, prior to other approvals and to construction.

Discussion:

The owners are proposing retaining walls on either side of this panhandle access to the main body of the site. The Commission noted these retaining walls are of a significant height and would require some attention to safety as well.

Access to this site is very limited and the proposal maximizes the driveway width – The Commission was supportive – however;

- Wanted to know that a special effort would be made to contact the owners of lot 24.
- The strata council was supportive of the specific plan
- And that engineering and related studies were all followed

Moved/Second Cosh / Barron

To support the application with the noted concerns attended to.

Carried unanimously

2. Electoral Area C: Lakes Zoning Amendment (Totem Pole Resort) Bylaw No. 900-20

Civic Address: 7429 Sunnybrae-Canoe Point Road, Tappen BC

Legal Description:

Unsurveyed Crown foreshore being part of the bed of Shuswap Lake and fronting that part of Section 5, Township 22, Range 8, West of the 6th Meridian, Kamloops Division Yale District, shown as Common Property on Strata Plan K46

Owner: Owners Strata Plan KAS46 (Totem Pole Resort)

Applicant: Ken Hansen co/ Totem Pole Resort

Agent: Jenn Piekarczyk, Okanagan Strata Property Manager co/ Pacific Quorum Properties

Short Summary:

The subject area is the foreshore adjacent to Totem Pole Resort, located at 7429 Sunnybrae-Canoe Point Road in the Bastion Bay area of Electoral Area C. Totem Pole Resort is currently permitted 25 private mooring buoys in the FM2 - Foreshore Multi-Family 2 site specific zone of Lakes Zoning Bylaw No. 900. The applicant has applied to amend the FM2 site specific zone to

The strata council and strat building scheme should be considered and if supportive that should also add to the project support.

Moved/Second: Cosh / Cook

To support the application as outlined

Carried: unanimously

4. Electoral Area C Agricultural Land Commission LC2564C

Civic Address: 2149, 2165 and 2181 Wuori Road

Legal Description:

The North West ¼, Section 4, Township 22, Range 10, West of the 6th Meridian, Kamloops Division Yale District, except the south east 10 acres and Plans H716, H9970 and KAP66486.

Owner: Geoffrey and Heather O'Brien

Short Summary:

The subject property is located at 2149, 2165, and 2181 Wuori Road in the Carlin area of Electoral Area C. The property owners are applying to the ALC for non-farm use in the ALR for a third residence to be used as the primary dwelling. There are currently four single family dwellings on the property. Three of the dwellings predate the ALC and are the original farmhouses. The fourth dwelling was constructed in 2018 to replace the older primary dwelling. The property owners have noted that the older primary dwelling will be removed from the property this spring (2019).

Discussion:

The applicants are applying to the ALC for non farm use of the two older homes – presently rented. a We noted this is a small but working Dairy Farm and the older homes pre date the ALC regulations. The new home for the owners is also a matter of this non farm use application. With the age of the operation and the on going efforts to conform we felt this application should get all the support possible.

Moved/Second: Cook / Brown

To strongly support the application to the ALC.

Carried: Unanimously

Adjourned the final meeting of the 2016 to 2019 Commission. At 8pm.

permit a total density of 35 private mooring buoys, allowing the resort an additional 10 private mooring buoys.

The existing 25 private mooring buoys in the FM2 zone are currently owned by 24 strata lots, as historically one strata lot has owned 2 private mooring buoys. The resort has a total of 34 strata lots and the additional 10 private mooring buoys would permit each strata lot one private mooring buoy.

Discussion:

The Totem development is a long way out Sunnybrae Road and the shape / size of the holding and the remote location limits the number of neighbors in close proximity. We noted the intent to improve the distribution of the buoys and improvements for the safety of all.

The Commission wanted to see an expansion beyond the standard 100 boundary for the identification of neighbours to get notices and would prefer to see these expanded to include a more reasonable number of the waterfront owners in the area in this instance.

Moved/Second: Johanson / Vlooswyk

To support the application as outlined.

Carried: unanimously

3. Electoral Area C Development Variance Permit No. 701-91

Civic Address: 56-6421 Eagle Bay Road

Legal Description:

Strata Lot 56, Section 18, Township 23, Range 8, West of the 6th Meridian, Kamloops Division Yale District, Strata Plan KAS1797, together with an interest in the common property in proportion to the unit entitlement of the strata lot as shown on Form 1.

Owner: Sheldon Wiebe

Short Summary:

The subject property is located at 56-6421 Eagle Bay Road in Wild Rose Bay of Electoral Area C. The property owner is proposing to construct a covered outdoor kitchen and seating area, which will be attached to the existing single family dwelling. The proposed addition requires a variance to the rear parcel line setback in the South Shuswap Zoning Bylaw No. 701, prior to other approvals and to construction.

Discussion:

The Commission recognizes the small sites in the area and the lack of another neighbour behind this property – we did note the site backs on park land and felt the Parks Commission comments should be examined.