

## **COLUMBIA SHUSWAP REGIONAL DISTRICT**

Notes of the Public Hearing held on Tuesday January 22, 2019 at 6:30 p.m. at the Scotch Creek Community Hall/Firehall, 3852 Squilax-Anglemont Road, Scotch Creek BC, regarding proposed Bylaw No. 825-38.

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PRESENT: Chair Jay Simpson – Electoral Area F Director  
Dan Passmore – Senior Planner, Development Services  
16 members of the public

Chair Simpson called the Public Hearing to order at 6:30 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 Scotch Creek/Lee Creek Zoning Amendment (Pinegrove RV Park) Bylaw No. 825-38.

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 February 21, 2019 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 January 11 and 18, 2019.

The Planner provided background information regarding the proposed bylaw amendments and reviewed the purpose of the bylaws.

The Chair opened the floor for comments.

Fay Tainsh, #20 - 1124 Pine Grove Road, read aloud a letter that she submitted during the hearing. The letter chronicles her attempts as an owner of a condo in the neighbouring development to reach out to the Pine Grove RV Park Association to attempt to address perceived safety concerns over the Park and the Condo development's shared access. Her primary concern is to have the RV Park relocate their main access to Express Point Road.

Doug Donaldson, Site 50 - 1131 Pine Grove Road, advised that the rezoning is the focus of the Public Hearing and not the re-development of the existing development's access. He stated that the rezoning application was made to help resolve a taxation issue for the RV Park Owners, who were paying a commercial tax. He said the disclosure statements for the Shared Interest development lay out the details of the site development and agreements between the condo development and RV Park. He concluded by advising that the Public Hearing was to discuss the rezoning for park model RVs and Overhead shelter structures and not to re-design the park.

Walter Trkla, #25 – 1134 Pine Grove Road, advised that the Public Hearing was for the purpose of discussing the impact of the rezoning, which he felt would be negative. He talked about the shared use agreement and various easements registered as constituting agreements between the RV Park and the condos. Since the rezoning was to allow modular homes in the RV Park, the rezoning was contrary to these existing agreements

and changes the original intent for the development. He stated that the sewer system has reached its capacity and any increase in users will cause the system to break down. He stated that the RV Park gate is about 40 m from the condos and that its operation is noisy and causes a disturbance, in addition to the overall noise levels from the RV Park, which can only increase as more users are in the park. He advised that the RV Park has access to the foreshore through the condo development by an easement, but that many of the RV Park owners use the parking lot area to access the foreshore. He stated that the owners of 3 properties adjacent to the condos are also impacted by the RV Park.

Mr Trkla continued by describing the rezoning amendment as a spot zoning that is entirely unlike other developments within Scotch Creek. He advised that the RV Park was originally intended as an integrated holiday resort that had degenerated due to the insolvency of the developer into 3 separate developments, including the marina on the foreshore tenure. He stated that no one knows what the intent of the foreshore tenure owner has for the marina and whether it is for just the condo owners or the RV Park owners too. He has spoken with both the CSRD and Front Counter about this situation, and has not received a satisfactory answer. He concluded by stating that the rezoning amendment should not be approved by the CSRD until some settlement was reached between the condo owners, the RV Park owners and the foreshore tenure owner to amend the existing agreements in place to account for proposed changes. He advised that since these were legal agreements some financial risk was at stake.

Doug Donaldson, Site 50 - 1131 Pine Grove Road, reiterated that the rezoning was only to allow park model RVs and overhead structures, and would not increase what was already there, or involve modular homes. He stated that the gate is in good condition and is regularly serviced. He advised that children from the condos playing within the condos parking lot was not the concern of the RV Park owners. He is aware that the disclosure statement is in place and all agreements with condo owners are in place. He advised that the RV Park Owners Association had been apprised that the rezoning would not breach the disclosure statement.

Walter Trkla, #25 – 1134 Pine Grove Road, advised that he felt the conditions of the agreements were being changed by the rezoning application and that such a change would need to be negotiated with the condo owners.

Neil Walliser, Site 32 – 1131 Pine Grove Road, indicated that there are Park models already in the RV Park within the 60 existing lots and that the number of people in the park would not change. He advised that the amount of traffic into the park also would not change from what has been in the past. He stated that the gate for the RV Park is on an easement and is not on Pine Grove Road. He stated that the sewerage system is subject to a Provincial registration and an agreement with the condo owners and that the water system was built for the overall development. Neither caused an issue within the RV Park. He advised that the dock was independent of the condos and the RV Park and therefore had nothing to do with the upland owners.

Terry Kennedy, #11 – 1134 Pine Grove Road, advised that this rezoning does impact other people, even though no more units are proposed. He stated that children dare present on the access route and that RV owners go faster through the area. He asked why the access could not shift to the emergency access off Express Point Road to alleviate this conflict. He asked who paid for the sewer, water, who owns it and who operates it. He answered by advising that the condo owners pay most for the sewer. He stated that if the

system is peaking out, adjustments will need to be made and this situation causes condo owners to worry about a proposed rezoning and possible change in use.

Bruce Bryan, Site 45 – 1131 Pine Grove Road, advised that he is willing to negotiate with condo owners to use the emergency exit. He stated that it may be acceptable to the Park to move boats and park models through the emergency exit. To this point he believes park models have been delivered to the site through both access locations.

Doug Donaldson, Site 50 - 1131 Pine Grove Road, indicated that the RV Park Association is not affiliated with the dock situation. He reported that because of the lack of moorage some RV owners have been installing buoys. He advised that the RV Park had applied for the rezoning to comply with CSRD bylaws. He noted that there had been parking issues caused by renters in the condos and advised that there are not a lot of rentals within the RV Park. He recalled that the RV Park was originally started as a private campground.

Walter Trkla, #25 – 1134 Pine Grove Road, stated that the condo parking lot has been used extensively by visitors to the RV Park in the past. He advised that the condo owners have an off-site location (sewer site) which they use for extra parking and to park boat trailers. He stated that one of the main owners in the RV Park was the owner of the dock. He concluded by saying that the owner of the dock needs to advise how many slips will be going in to the dock.

Brian Rowse, #12 – 1134 Pine Grove Road, advised that the condo owners don't know what the full implications of the rezoning are, and that their concerns not about the number of units because that is not changing, rather it is the change of use that impacts on the capacity of the sewer system and the various agreements. In this regard they are seeking clarification and noted that the sewer would be a major issue.

Chair Simpson clarified that the proposal is not for new units just a change in the types of units.

Brian Rowse, #12 – 1134 Pine Grove Road, replied that the condo owners need to know what the units will be used for.

Randy Milliard, #23 – 1134 Pine Grove Road, indicated that the full extent of the RV Park is not used right now, and felt once it is fully used the traffic would double creating further safety issues. He advised that the pedestrian sidewalk is on the RV Park side of the parking lot meaning people from the condos need to cross the access route to get to the sidewalk and there is no crosswalk. He thought that when a truck is delivering a new unit fire access could be impeded adding to the safety issues. He noted that the trucks used to deliver building materials for the shelter buildings takes 10 minutes to turn the corner into the RV Park.

Neil Walliser, Site 32 – 1131 Pine Grove Road, advised that he has a park model and that it was installed through the emergency gate. He stated that a couple of the other park models went in through the main gate. He thought that the chances of such traffic blocking the access was remote. He stated that if all of the lots in the RV Park are sold then it could increase traffic.

Bruce Bryan, Site 45 – 1131 Pine Grove Road, advised that there are currently 16 park models in place in the RV Park. He advised that his uses a holding tank that balances

sewer loading. He stated that 7 of the lots are not being sold and would be rented out for RVs only. He reiterated that he would be willing to talk to the condo owners about the access issue.

Fay Tainsh, #20 - 1124 Pine Grove Road, stated that this means that there are going to be more units in the future and that the children must be kept safe.

Brian Rowse, #12 – 1134 Pine Grove Road, said that the 2 parties need to negotiate.

Doug Donaldson, Site 50 - 1131 Pine Grove Road, pointed out that the sidewalk is adjacent to the fence for the RV Park, on the condo property, and this is where the pedestrian traffic is located. He noted that the entire parking area is congested, but that he knows most of the owners. He stated that many times he does not recognize boats and traffic from the rental units in the condos.

Joanne Soga, #28 – 1134 Pine Grove Road, reported that twice this past summer she had witnessed near accidents between traffic through the parking area and kids on bikes. If this area gets any more congested it is an accident waiting to happen.

Randy Milliard, #23 – 1134 Pine Grove Road, noted that the sidewalk access from the parking lot crosses the traffic area.

Brian Rowse, #12 – 1134 Pine Grove Road, stated that the rezoning triggers a change in the agreements in place and that it is time to talk.

Terry Kennedy, #11 – 1134 Pine Grove Road, stated that he has witnessed kids exiting rear doors from vehicles into oncoming traffic. He suggested that maybe the main entrance needed to be gated to control traffic better. He indicated that he sees a lot of bike riders coming from the Provincial Park through this area and that his principal concern is safety. He noted that the turn-around in the condo parking area is used for boats by renters in the condos and the 3 adjacent property owners. He concluded that with a tightly designed site there were not a lot of options available for parking on site, but there has to be a solution to improve safety.

Doug Donaldson, Site 50 - 1131 Pine Grove Road, reported that the RV Park has an internal 5 km/hr limit, and even though there is this limit, renters in the park don't follow it. He stated that he understands the concerns coming from the condo owners.

The Chair stated that safety is important.

Ron Wilkinson, 4112 Express Point Road, observed that it seems there is a contract issue between the RV Park and the condo owners. Regardless of this, he stated that the sewer system problems are the more important issue because it impacts on everyone in Scotch Creek. If there are issues with the sewer now, what is going to happen when both developments are full in the future.

Walter Trkla, #25 – 1134 Pine Grove Road, stated that there are children from the whole street and the Provincial Park, not just from the development. He repeated that change is occurring and must be negotiated. He advised that the condo owns the sewer and uses it the most and pays for it the most, should capacity increase as a result of the rezoning, it becomes an Engineering problem that the condo will need to pay for to sort out.

Loretta Greenough, 3730 Zinck Road, stated that rampant development and crowding density into Scotch Creek is where the problems originated. She noted this is why planning is important, and hasn't curbed such things to date. She stated that we must think into the future more.

Terry Kennedy, #11 – 1134 Pine Grove Road, stated that he was not against park models on a seasonal basis. He noted the fact that some of the spaces are empty and if they are filled up it will add to the issues already stated. He is not opposed to park models , just worried about more on the site.

Neil Walliser, Site 32 – 1131 Pine Grove Road, stated that the Boards of the RV Park and the condos should meet. He also stated that he was not aware of any issues with the sewer system, as he knows the operator.

The Chair noted the fact that most of the issues discussed were shared problems between the RV Park and condo owners. This means that there are shared opportunities between the parties to get together and find creative solutions. He stated in response to a question from the floor that it is the Board of the CSRD that will decide on the rezoning amendment.

Walter Trkla, #25 – 1134 Pine Grove Road, asked about the engineering of the sewer facility, and whether the CSRD had any information on that.

The Planner responded by advising that a copy of the Ministry of Environment Registration of the system was in the file and read out some particulars on the design of the system including its design capacity.

Brian Rowse, #12 – 1134 Pine Grove Road, noted the comment from Mrs. Greenough about over-development in the area was a valid one.

Hearing no representations or questions about proposed Bylaw No. 825-38 the Chair called three times for further submissions before declaring the public hearing closed at 7:45 pm.

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

Original Signed by

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Director Jay Simpson  
Public Hearing Chair



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Dan Passmore  
Senior Planner