

## ***Comments on CSRD Referral Responses to Bylaw No. 850-12 and 851-15 as of June, 20<sup>th</sup>, 2019***

**Dear Ken Gobeil,**

We have reviewed and considered the referral responses provided by the agencies who have commented on our Bylaw No. 850-12 and 851-15 file. Please see our comments on each agency's referral responses below:

### **1. School District No.19**

School District No.19 expressed no objections.

### **2. City of Revelstoke**

The City of Revelstoke expressed no objections.

### **3. Interior Health Authority**

The IHA expressed no objections but provided a letter with comments/recommendations. In their 2019 referral response to the Bylaw No. 850-12 and 851-15 file, they reference a separate letter, dated July 29<sup>th</sup>, 2016, which provides comments on a previous application, File # Bylaws 850-11 and 850-10.

The following are our responses to the recommendations, numbered 1-4 in the 2016 letter. Many of these concerns were brought to our attention and addressed during our provincial tenure application. We are required to comply with all regulations regarding water and sewage.

- 1- The City of Revelstoke expressed no objections to our submission, and thus, they do not have any concerns over the proposed development having significantly adverse effects on the City of Revelstoke Water System source water. When the matter was brought up in our Provincial Application for Adventure Tourism, province and City of Revelstoke satisfied that no adverse effects will occur on the City of Revelstoke water source. Tenure was approved in 2017.
- 2- As is noted in Section B.4.2 of our 2017 management plan, we have an existing agreement for water consumption with the City of Revelstoke to access their treated water for agricultural purposes, and we have been working with the city to amend the agreement to permit commercial use. Other water sources will be considered as a backup, which will comply with the requirements of the Drinking Water Protection Act and Public Health Act. Professional engineers will be used in the design and building of the water treatment plant to ensure compliance.
- 3- Regarding an onsite sewage disposal system, we have obtained a project proposal from an experienced engineering firm, Franklin Engineering LTD., located in Salmon Arm BC. Professional engineers will be involved in the design and construction of an IHA approved system that will be in compliance with sewage system regulations. Once rezoning amendments are approved, a detailed design will be completed for submission and approval.

- 4- We have considered including staff accommodation in the development and are working with the CSRD planning staff to incorporate this into existing plans. We understand the importance of providing staff housing, as it is a key component to the success of Revelstoke Adventure Park.

In addition to referencing their comments from the 2016 referral response letter, the IHA provide new recommendations in the 2019 referral response letter for the Bylaw No. 850-12 and 851-15 file. The IHA emphasizes the importance of supporting Revelstoke's local food system and protecting agricultural land. We understand the IHA's concerns and we too are big supporters of maintaining the local food supply and agricultural production within the Revelstoke area. However, it should be noted that we have been granted non-farm use by the ALC. This decision followed a study conducted by agrologist Bob Holtby in 2013, who found that our land only supports limited agricultural production. Holtby provided us a report in 2013 with his study's findings, and we are happy to share it with the IHA and other agencies upon request.

Nonetheless, we appreciate the IHA's recommendations and acknowledge the importance of promoting healthy eating and providing items from the local food supply at our site. We are looking into hosting farmer's markets on site and would like to provide our visitors and staff with access to healthy, local food options at any food outlets within the development. We are working with the ALC to ensure impacts on agricultural production within the area are minimized.

After all, we are an outdoor adventure park, and our goal is to show our guests the natural beauty of British Columbia. Therefore, we seek to maintain environmentally conscious practices, and we consider all aspects of the environment within each area and stage of our development. An example being that we are exploring the possibility of acquiring a biomass burner to supply heat and possibly electricity to the site. If successfully acquired, such a system would provide a clean energy source that would maximize our waste materials and minimize impacts on neighboring agricultural activities.

#### **4. Ministry of Environment:**

We have reviewed the referral response provided by the Habitat Officer, Kristen Murphy. Kristen mentions that any work within or adjacent to a stream is subject to the Provincial Water Sustainability Act. We are aware of the restrictions and obligations specified by the Riparian Areas Regulations and we have qualified environment professionals, SEC Consulting and ENKON Environmental, working closely with us on all aspects of planning and construction. ENKON Environmental has provided a riparian area assessment on the entire property. When and where required, we will complete the appropriate riparian area applications. The Habitat Officer advises that all stored material, soil, or overburden must be kept a minimum of 15m from all streams, ponds, lakes, wetlands and/or watercourse, and we have identified these areas already and will ensure these restrictions are implemented into our construction process and operations. The Habitat Officer also acknowledges that our project area is located within a

high value grizzly bear habitat. As per section C.1.3 of our 2017 Management Plan, we have conducted a wildlife overview assessment of the project area. We have also developed a “Revelstoke Adventure Park Bear Aware Program,” to reduce human/bear conflicts. This program specifies that all outdoor trash/recycling bins will be bear-proof, and that educational signs will be posted in the appropriate areas. We will take appropriate measures to inform our construction staff about bear-safety/awareness.

## **5. CSRD Operations Management**

We have reviewed the summary of comments provided by Marianne Martens and our responses for each ‘function’ are provided below:

**Utilities:** We are in the process of determining a clean water source for the project area and will apply for all appropriate permits/approvals specified in the CSRD’s Operation Management’s referral response. Please see above IHA comments on clean water source.

**Emergency Management:** No additional comments

**Fire Services:** Comment stating that the property is outside of a CSRD fire suppression service area.

- As section C.2.2.2 in our 2017 Management Plan acknowledges, we have met with the CSRD Fire Department, and will be engaging in an agreement to cover the fire services. Additionally, section B 3.5 in our 2017 Management Plan acknowledges that we have developed plans and acquired reports regarding prevention and response to wildfires. These were provided by Spark Solutions and Wildland Professional Solutions. If required, we can provide copies of these reports to interested agencies upon request. We will consider different types of fire suppression in our design and construction of all buildings and structures on site.

**Solid Waste and Recycling;** No additional comments.

**Parks and Community Services:** Previous comments are included, which recommend that we provide cash-in-lieu of parkland dedication for our subdivision. The CSRD advises that we collaborate with the Team Leader Community Services to engage a qualified land appraiser to determine a value for the 5% cash-in-lieu of parkland dedication. We have allocated parkland in our master plan but will be working with CSRD Community Service Team Leader Ryan Nitchie to discuss possibilities.

**Administration:** No additional comments.

## **6. Ministry of Agriculture/Agricultural Land Commission**

Approved application on June 12<sup>th</sup>, 2019, with minor amendments.

## **7. Ministry of Transportation and Infrastructure**

The MOTI representative Tim Nugent confirmed that the ministry's interests are unaffected by our applications. However, we do continue to work with MOTI to complete the new intersection on the Trans-Canada Highway.

## **8. Indigenous Peoples**

Prior to submitting our application, we sent a letter to a total of 11 First Nations groups, based on a list provided by the provincial government previously. Please see the letter attached in the appendix. This letter notified them that the applications would be submitted and gave them a background and details of the applications. We noticed that the list of agencies you provide in your email with the referral responses contains a few more First Nations groups, which we do not have on our existing communications list. We will be sure to include them in all future communications.

### **Groups that we have communicated with previously:**

- Ktunaxa Nation Council
- Okanagan Nation Alliance
- Okanagan Indian Band
- Shuswap Indian Band
- Splots'in First Nation
- Penticton Indian Band
- Lower Similkameen Indian Band
- Little Shuswap Indian Band
- Neskonlith Indian Band
- Adams Lake Indian Band
- Upper Nicola Band

### **Groups to be added to communication list:**

- St. Mary's Indian Band
- Lower Kootenay band
- Tobacco Plains Indian Band
- Akisqnuq First Nation
- Simpcw First Nation

## **9. APC**

Approved in a 6-2 vote at APC meeting held on June 12<sup>th</sup>, 2019. The reasons given by the two committee members who voted 'no' are as follows:

- Absence of staff accommodations
- Inadequate septic design

Our non-farm use permit from the ALC restricts staff accommodations from being built on ALR land. That said, we recognize the importance of providing staff accommodations, and we are working with the CSRD to identify a solution for staff housing on the private lands in development area 3.

Regarding our septic system design, we are currently working with planners to complete a detailed plan. Our design must be approved by the Interior Health Authority, and professional engineers will be employed to ensure our system complies with the IHA's sewage system regulations.

#### **10. MFLNRO – Mountain Resorts Branch**

OCP and Zoning amendments occurring on private land. No changes to tenure area.

#### **11. MFLNRO- Archeology Branch**

Archeological assessment completed in 2012 by Ian Cameron, RPCA, and Splat'sin First Nation. No significant archeological concerns.

#### **12. MLFNRO- Land Authorizations**

Sharon Dailey, Section Head, replied with no concerns. See Appendix B below.

**Thank you for taking the time to review our comments on the referral responses received thus far. We will keep this document live and be sure to provide similar comments on future responses by the remaining agencies.**

## Appendix:

### Appendix A: Letter to First Nations Groups

December 18, 2018

PO Box 3700  
Merritt BC  
V1K 1B8

By email: [nrtch1@uppernicola.com](mailto:nrtch1@uppernicola.com), [reception@uppernicola.com](mailto:reception@uppernicola.com)

Re: Revelstoke Adventure Park

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Dear Council

Our desire in sending this letter is to provide you with a further update on our proposed summer adventure activity park near Revelstoke, the Revelstoke Adventure Park (“**RAP**”). You may recall that the last time we wrote to you our intention was to begin construction on RAP this year. This date has been pushed back and we are now looking to begin construction early spring 2019.

Our other news is that this week we submitted a new Comprehensive Development Rezoning & Official Community Plan (“**OCP**”) Amendment Application Package with the Columbia Shuswap Regional District. Although we previously went through this process and had the majority of our land zoned and designated under the OCP, resort commercial in 2016, our land to the north of the railway was not included within this application at that time. As such we are looking to obtain the appropriate zoning and OCP designation for this additional area. Further, we are requesting amendments to our existing zoning due to the result of recent work on our development we have undertaken with our planner/resort designers and environmental consultants.

We also concurrently submitted a Subdivision Application with the Columbia Shuswap Regional District and the Ministry of Transport and Infrastructure (“**MOTI**”). As part of this application we included a request to do a land swap/road closure and relocation with MOTI. Our proposal is to close approximately 1km of the Greely Road starting from the Illecillewaet bridge. We have put forward a land swap so that the new road layout sees the road continue straight down Loeffler Road and then turns left and continue to the east on our private land adjacent to the railway to join up with the existing Greely Road. To facilitate this land swap, we would cover the costs of the construction of the new road. Please see a map showing the relocation of the road attached.

We see this relocation of the road as being positive for the following reasons:

1. From a safety standpoint the new road layout will remove a sharp corner which currently creates a “blind spot” and a three-way intersection immediately after the single lane bridge (if coming from the Trans Canada Highway) which as traffic increases could become a hazard;
2. Access to the waterfront is still available either side of the existing bridge when it crosses the Illecillewaet River on Greely Road;

3. We intend on exploring the option of turning part of the road into a multi-use trail (pedestrian and bikes) and this will allow the public to enjoy river views and have better access to the waterfront than the previous road layout;
4. Roads adjacent to rivers are contributors of sediments and pollutants into the waterway, the proposed new location of the road will remove vehicle traffic from the Illecillewaet River Streamside Protection and Enhancement Area and will ensure that vehicle waste products (oil, gas, diesel, break dust) do not enter the river or riparian corridor. It would also been increased access for wildlife (including small and large mammals and birds).

We understand that you will hear move about this proposed road closure and relocation as it will be referred to you as part of MOTI's process. Please contact us if you would like to discuss this further.

Finally, we wanted to reiterate that we continue to be interested in exploring the possibility of working with the First Nations community. We believe that providing cultural and historical awareness and education would benefit the Revelstoke area.

Further as our development concept is furthered enhanced (and given the phased nature of our project) we do see possible opportunities to work with First Nations in a variety of capacities (i.e. operators, contractors, equipment) and are available to meet with you in person if you would like us to present our most up-to-date plans. Please contact us if you wish to set up a meeting.

We look forward to working with you in the future, and we intend to continue to seek your involvement as our project moves forward.

Thank you for your time. We look forward to hearing from you.

Best wishes for the holiday season.

Yours truly,



Jason Roe / Gemma Woods  
Chief Operating Officer / Project Coordinator  
Black Tie Properties Limited Partnership  
on behalf of Illecillewaet Development Limited Partnership

**Contact:**

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**Appendix B: June 20<sup>th</sup> email response from Sharon Dailey**

**From:** "Dailey, Sharon H FLNR:EX" <[Sharon.Dailey@gov.bc.ca](mailto:Sharon.Dailey@gov.bc.ca)>

**Date:** June 20, 2019 at 11:46:30 AM PDT

**To:** 'Jason Roe' <[jroe@blktie.ca](mailto:jroe@blktie.ca)>

**Subject:** RE: Zoning and OCP

Hi Jason,

If I have no concerns to referrals I don't respond. I have no jurisdiction over private land, so I have no concerns over your proposals.

Thanks,

Sharon

Sharon Dailey

Section Head, Land Authorizations

Kootenay Boundary Region

Ministry of Forests, Lands and Natural Resource Operations

Tel: 250-426-1753

Email: [Sharon.dailey@gov.bc.ca](mailto:Sharon.dailey@gov.bc.ca)