



## COLUMBIA SHUSWAP REGIONAL DISTRICT

555 Harbourfront Drive NE, PO Box 978, Salmon Arm, BC V1E 4P1

**Staff Contact:** Laura Gibson  
[plan@csrd.bc.ca](mailto:plan@csrd.bc.ca) | [lgibson@csrd.bc.ca](mailto:lgibson@csrd.bc.ca)

**FILE:** BL750-04/BL751-03

**DATE:** Nov. 22, 2021

## REFERRAL RESPONSE

### RECOMMENDATION:

Please check one. Where indicated or required, please explain your answer below.

Approval recommended for reasons outlined below

Interests unaffected by bylaw

Approval recommended subject to conditions below

Approval not recommended due to reasons outlined below

No objections

### RESPONSE TEXT:

The proposed bylaw has been reviewed as per S.477 of the Local Government Act and is consistent with the CSRD's current financial plan

Signed By:

Title Manager, Financial Services

Date: August 18, 2022

Agency CSRD



**COLUMBIA SHUSWAP REGIONAL DISTRICT**

PO Box 978 SALMON ARM BC V1E 4P1  
Telephone: 250.832.8194 Fax: 250.832.1083

FILE NO.  
PL20210000254 & 255

DATE RECEIVED:  
November 22, 2021

**OPERATIONS MANAGEMENT**

Function	Comments	Reviewed By
<b>UTILITIES</b>	No concerns.	T Langlois
<b>EMERGENCY MANAGEMENT</b>	No concerns.	D Sutherland
<b>FIRE SERVICES</b>	No concerns.	D Sutherland
<b>SOLID WASTE AND RECYCLING</b>	No concerns, application appears to be consistent with the CSRD's Solid Waste Management Plan as per Section 477 of the Local Government Act."	B Van Nostrand
<b>PARKS AND COMMUNITY SERVICES</b>	No concerns.	R Nitchie
<b>ADMINISTRATION</b>	No concerns.	D Mooney





**Agricultural Land Commission**  
201 – 4940 Canada Way  
Burnaby, British Columbia V5G 4K6  
Tel: 604 660-7000 | Fax: 604 660-7033

November 25, 2021

Reply to the attention of Michael McBurnie  
ALC Issue: 52440

Local Government File: BL750-04/BL751-03 PL20210254/PL20210255

Laura Gibson  
Planner, Columbia Shuswap Regional District  
lgibson@csrd.bc.ca

**Re: Rezoning application for PID 027-805-115**

Thank you for forwarding a copy of the rezoning application for PID 027-805-115 for review and comment by the Agricultural Land Commission (ALC). The following comments are provided to help ensure that the bylaw amendment is consistent with the purposes of the *ALC Act*, the Agricultural Land Reserve (ALR) General Regulation, the ALR Use Regulation, and any decisions of the ALC.

The bylaw amendment proposes to redesignate and rezone the property from 'RH – Rural Holdings' to 'MH – Medium Holdings' to allow for subdivision of the 40+ ha parcel in to five 8 ha lots on the property identified as PID: 027-805-115 (the "Property").

The ALC recognizes that the Property is not within the ALR; however, the easternmost boundary of the Property is directly adjacent to ALR lands.

Part 3 of the Ministry of Agriculture's [Guide to Edge Planning](#) (2015) describes urban-side edge planning tools to promote urban/rural compatibility. With subdivision adjacent to the ALR, there may be potential for complaints about farm noise and smells, as well as potential impacts to agriculture, such as trespass, litter, theft, etc. For this reason, ALC staff recommend considering the setback and buffer requirements outlined in the [Guide to Edge Planning](#), including up to a 30 m residential building setback from the ALR boundary, and an associated 15 m vegetated buffer to reduce the potential for urban/agricultural conflicts.

\*\*\*\*\*

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

This response does not relieve the owner or occupier of the responsibility to comply with applicable Acts, regulations, bylaws of the local government, and decisions and orders of any person or body having jurisdiction over the land under an enactment.

If you have any questions about the above comments, please contact the undersigned at 236-468-3246 or by e-mail (michael.mcburnie@gov.bc.ca).

Yours truly,

PROVINCIAL AGRICULTURAL LAND COMMISSION

A handwritten signature in black ink, appearing to read "M. McBurnie". The signature is fluid and cursive, with the first name "Michael" and last name "McBurnie" clearly distinguishable.

Michael McBurnie, Regional Planner

Enclosure: Referral of Rezoning application for PID 027-805-115

CC: Ministry of Agriculture – Attention: Gregory Bartle

52441m1

**From:** [Lantenhammer, Desiree TRAN:EX](#)  
**To:** [Marianne Mertens](#)  
**Cc:** [Laura Gibson](#)  
**Subject:** RE: Referral Request - BL750-04 and BL751-03  
**Date:** November 22, 2021 1:19:16 PM  
**Attachments:** [image009.png](#)  
[image010.png](#)  
[image011.jpg](#)  
[image004.jpg](#)  
[image005.jpg](#)

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Hi Marianne and Laura,

Thanks for checking with this one. The rezoning does not require MoTI approval as it is greater than 800m to a Controlled Access Highway.

For the future subdivision, there will definitely be some challenges for the developer. All those watercourses may trigger the need for a flood hazard assessment. And their road design, as shown, would not be approved. We would not allow a cul-de-sac at an intersection. Im struggling to think of a reason why they would propose that. But anyways, I don't see anything showstopping. So we will hash out the details in our future subdivision review.

Have a great day!

Des

### **Desiree Lantenhammer, BSc**

Development Services Officer  
Ministry of Transportation and Infrastructure

**Phone: 778-943-0151**

Cell: 250-503-8963

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**From:** Marianne Mertens <mmertens@csrd.bc.ca>  
**Sent:** November 22, 2021 11:08 AM  
**To:** Lantenhammer, Desiree TRAN:EX <Desiree.Lantenhammer@gov.bc.ca>  
**Cc:** Laura Gibson <LGibson@csrd.bc.ca>  
**Subject:** Referral Request - BL750-04 and BL751-03

**[EXTERNAL] This email came from an external source. Only open attachments or links that you are expecting from a known sender.**

BL750-04  
PL20210000254  
BL751-03  
PL20210000255

Good morning Desiree:

Thanks for taking my call. Attached are all the documents for the referral and were sent to the Board on November 18, 2021. The referral response date is for December 22, 2021.

Thanks, and have a wonderful day.

**Marianne Mertens**

Clerical Assistant  
Development Services

**Columbia Shuswap Regional District**

**D:** 250.833.5924 | **TF:** 1.888.248.2773

**E:** [mmertens@csrd.bc.ca](mailto:mmertens@csrd.bc.ca) | **W:** [www.csrd.bc.ca](http://www.csrd.bc.ca)



Please consider the environment before printing this e-mail

This e-mail is CONFIDENTIAL. If you are not the intended recipient, please notify the sender immediately and delete this communication, attachment or any copy. Thank you.

**From:** [Cooper, Diana FLNR:EX](#)  
**To:** [Marianne Mertens](#)  
**Subject:** RE: Referral Request BL750-04 BL751-03  
**Date:** Thursday, December 16, 2021 8:40:02 AM  
**Attachments:** [image008.png](#)  
[image009.png](#)  
[image006.png](#)

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Hello Marianne,

Thank you for your referral regarding the proposed subdivision of the property legally described as LOT 1 SECTION 7 TOWNSHIP 19 RANGE 9 WEST OF THE 6TH MERIDIAN KAMLOOPS DIVISION YALE DISTRICT PLAN KAP88484, PID 027805115. Please review the screenshot of the property below (outlined in yellow) and notify me immediately if it does not represent the property listed in your referral.

### **Results of Provincial Archaeological Inventory Search**

According to Provincial records, there are no known archaeological sites recorded on the subject property.

Archaeological potential modelling for the area does not indicate a high potential for previously unidentified archaeological sites to be found on the subject property.

### **Archaeology Branch Advice**

The Archaeology Branch does not identify a need for archaeological study or Provincial heritage permit(s) at the time of this referral response.

Please notify all individuals (e.g., owners, developers, equipment operators) involved in land-altering activities (e.g., home renovations, property redevelopment, landscaping, service installation) that if archaeological material is encountered during development, they **must stop all activities immediately** and contact the Archaeology Branch for direction at 250-953-3334.

### **Rationale and Supplemental Information**

- Archaeological study and Provincial heritage permit(s) are not required in the absence of an archaeological site.
- There is always a possibility for previously unidentified archaeological sites to exist on the property.
- Archaeological sites are protected under the *Heritage Conservation Act* and must not be damaged or altered without a Provincial heritage permit issued by the Archaeology Branch. This protection applies even when archaeological sites are previously unidentified or disturbed.

### **Questions?**

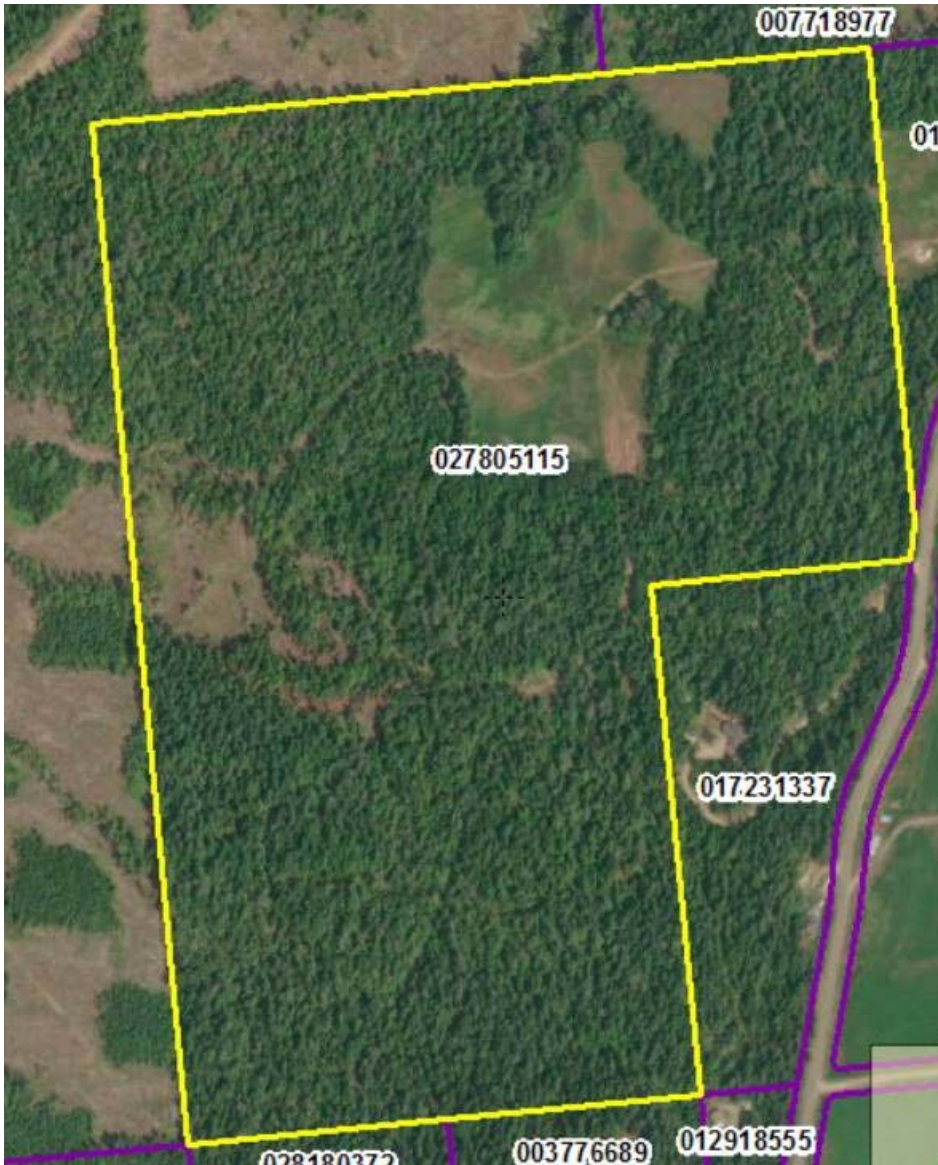
For questions about the archaeological permitting and assessment process, please contact the Archaeology Branch at 250-953-3334 or [archaeology@gov.bc.ca](mailto:archaeology@gov.bc.ca).



For more general information, visit the Archaeology Branch website at [www.gov.bc.ca/archaeology](http://www.gov.bc.ca/archaeology).

Kind regards,

*Diana*



*Please note that subject lot boundaries (yellow) indicated on the enclosed screenshot are based on information obtained by the Archaeology Branch on the date of this communication and may be subject to error or change.*

**Diana Cooper**  
**Archaeologist/Archaeological Information Administrator**  
Archaeology Branch | [Ministry of Forests, Lands, Natural Resource Operations and Rural Development](http://www.gov.bc.ca/ministry-of-forests-lands-natural-resource-operations-and-rural-development)



## COLUMBIA SHUSWAP REGIONAL DISTRICT

555 Harbourfront Drive NE, PO Box 978, Salmon Arm, BC V1E 4P1

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[plan@csrd.bc.ca](mailto:plan@csrd.bc.ca) | [lgibson@csrd.bc.ca](mailto:lgibson@csrd.bc.ca)

**FILE:** BL750-04/BL751-03

**DATE:** Nov. 18, 2021

## REFERRAL RESPONSE

### RECOMMENDATION:

Please check one. Where indicated or required, please explain your answer below.

Approval recommended for reasons outlined below

Interests unaffected by bylaw

Approval recommended subject to conditions below

Approval not recommended due to reasons outlined below

No objections

### RESPONSE TEXT:

Proposed bylaw pertains to private land therefore MFLNRORD Thompson Okanagan Region, Lands Branch has no concerns.

Signed By: \_\_\_\_\_

Title Sr. Authorizations Specialist

Date: November 22, 2021  
Resource Operations & Rural Development.

Agency Ministry of Forests, Lands and Natural



# Adams Lake Indian Band

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**Project Name:**

PL20210000254 PL20210000255

**FN Consultation ID:**

87350

**Consulting Org Contact:**

Marianne Mertens

**Consulting Organization:**

[Columbia Shuswap Regional District \(CSRD\)](#)

**Date Received:**

Monday, November 22, 2021

Weytk,

Re: the PL20210000254 PL20210000255 (87350).

Through a preliminary analysis ALIB has identified some concerns which include:

x46 known ALIB cultural heritage sites (these do not include archaeology but are specific to ALIB) found intersecting and to within 5 km, including Non-Human Being stories, sacred locales, food procurement, known locations of pithouses and habitation. It is in areas of high and moderate potential for archaeology (RAAD). It is in an extirpated caribou zone and the Thompson River watershed (salmon habitat).

Adams Lake holds constitutionally protected Aboriginal rights including title throughout the entirety of its 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.

ALIB requires a PFR and CHA be conducted on all Crown Lands, and lands associated with this project. Please contact Jen Pooley ([jpooley@alib.ca](mailto:jpooley@alib.ca)) to make arrangements for ALIB crew to visit the project area. ALIB also requires that you create a Chance Find Policy and make all those involved in the project be made aware of it and the possibility of Indigenous cultural heritage values associated with this locale.. A template to create the Policy from can be found here:

<https://islandstrust.bc.ca/document/province-of-bc-archaeology-chance-fi...> Note: this guide is from 2014. Some contact information may be out of date.

Please share any cultural heritage or environmental reports associated with this project.

Please consider using the Messages function on this referral in NationsConnect to otherwise respond to this letter.

Kukstemc,

Celia Nord, BA

Assistant Title & Rights Coordinator

Adams Lake Indian Band

Chase, BC





**Penticton Indian Band**  
Natural Resources Department  
841 Westhills Drive | Penticton, B.C.  
V2A 0E8  
Referrals@pib.ca | www.pib.ca  
Telephone: 250-492-0411  
Fax: 250-493-2882

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**Project Name:**

Bylaw amendment - Rancho/Deep Creek Official Community Plan Bylaw No. 750 and Rancho/Deep Creek Zoning Bylaw No. 751, Electoral Area D, Deep Creek

**FN Consultation ID:**

L-211122-BL750-04-BL751-03

**Consulting Org Contact:**

Marianne Mertens

**Consulting Organization:**

[Columbia Shuswap Regional District \(CSRD\)](#)

**Date Received:**

Monday, November 22, 2021

**File number:**

BL750-04/BL751-03 PL20210254/PL20210255

WITHOUT PREJUDICE AND NOT TO BE CONSTRUED AS CONSULTATION

November 26, 2021

Attention: Marianne Mertens

We are in receipt of the above referral. The proposed activity is located within Okanagan Nation Territory. All lands and resources within the vicinity of this referral are subject to unextinguished Okanagan Nation Aboriginal Title and Rights.

The Penticton Indian Band has now had the opportunity to review the proposed activity. At this time, the Penticton Indian Band will be deferring further consultation and engagement to the Okanagan Indian Band.

If you require further information or clarification, please do not hesitate to contact me.

limləmt,

Heather McDougall  
Referrals Clerk  
Natural Resources Department  
Penticton Indian Band  
P: 250-492-0411  
[Referrals.clerk@pib.ca](mailto:Referrals.clerk@pib.ca)

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*Concerns Regarding the Project*

Splatsin did not have the capacity to respond to this referral during the engagement period. Please notify us of any decisions that were made on this file and forward any monitoring reports, if applicable.

If your project was initially submitted through NationsConnect, please use the messages function on NationsConnect to respond to this letter.

Sincerely,

Kayla Gunner, Patricia Muskrat  
Splatsin Referrals

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