



COLUMBIA SHUSWAP REGIONAL DISTRICT

P.O. Box 978 SALMON ARM, BC V1E 4P1
Telephone: 1-250-832-8194 Fax: 1-250-832-1083

FILE NO.

DATE RECEIVED:

OPERATIONS MANAGEMENT

Comments:

Terry Langlois
Team Leader Utilities

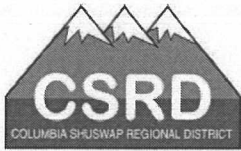
Derek Sutherland
Team Leader
Protective Service

Sean Coubrough
Fire Services Coordinator

Ben Van Nostrand
Team Leader
Environmental Health

Ryan Nitchie
Team Leader
Community Services

Darcy Mooney
Manager
Operations Management



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: Jennifer Sham

jsham@csrd.bc.ca

TUP No.: 850-7

DATE: October 3,
2017

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.

Signed By: *J. Ely*

Date: *Nov 7 / 2017*

Title *Specialist Environmental
Health Officer.*

Agency *Healthy Built Environment
I.H.A.*

Columbia Shuswap Regional District
Electoral Area 'B' Advisory Planning Commission Minutes

Date: October 18, 2017
Time: 12:00 PM
Location: Revelstoke Community Centre

Members Present:

B. Gadbois	Chairperson
K. Wiley	Secretary
A. Parkin	Member
M. Cummings	Member
J. Hooge	Member
J. Maitre	Member

<input type="checkbox"/> CAO <input type="checkbox"/> Works <input type="checkbox"/> DS <input type="checkbox"/> Fin/Adm	<input type="checkbox"/> Agenda <input type="checkbox"/> Reg Board <input type="checkbox"/> In Camera <input type="checkbox"/> Other Mtg	Ownership: File #
OCT 27 2017		
<input type="checkbox"/> Ec Dev <input type="checkbox"/> IT <input type="checkbox"/> Parks <input type="checkbox"/> SEP <input type="checkbox"/> LIA <input type="checkbox"/> Other	RECEIVED <input type="checkbox"/> Staff to Report <input type="checkbox"/> Staff to Respond <input type="checkbox"/> Staff Info Only <input type="checkbox"/> Dir Mailbox <input type="checkbox"/> Dir Circulate	Ask Sent: <input type="checkbox"/> Fax <input type="checkbox"/> Mail <input type="checkbox"/> Email

Members Absent: none

Staff: Jennifer Sham, Planner

Guests: Doug Stuart Alternate Regional Director

Call to Order: 12:05 PM

Additions to
the Agenda: none

Application: Temporary Use Permit 850-7

Delegation: Robert Lundberg, Agent

Discussion: Ms. Sham began by providing background on the application as well as the history of past applications to remove the property from the ALR. Mr. Lundberg began by providing background information as well on the proposal and then took questions from the Committee.

- The TUP is for 5 bedrooms. Only 4 are permitted in a B&B within the ALR so are 5 bedrooms permitted even though it is a vacation rental. No answer as yet pending a response from the ALC.
- Were neighbors informed of the application? Yes.
- It was noted that there was a discrepancy in the two water samples in the DeansTech Consulting report. The first test showed contamination and the second didn't. The response was that the well was new and often the first sample will show contamination.
- Would a full house be hard on the septic system. No, the septic can handle it.
- Is the land under the TUP? No, just the house.
- Concern was also expressed that the property has a garage that is separate from the vacation rental with two bedrooms above the garage. This effectively puts two residences on the one property within the ALR.

(Past applications were rejected by the ALC (Kramer) due to having two residence on the one ALR property.)

Moved by B. Gadbois, second by J. Maitre, and resolved that:

The Board of the Columbia Shuswap Regional District be advised that:

APC recommendation to the Board

To recommend approval of TUP 850-7 subject to the following conditions:

- Another water sample be taken to confirm potable water. The sample should be taken by a qualified professional.
- The recommendations in the DeansTech Consulting report be implemented prior to issuing the Temporary Use Permit.
- Approval by the ALC of a Vacation Rental on land within the ALR and if so, confirmation from the ALC regarding the number of bedrooms permitted within the ALR.
- Quiet time begin at 10 PM instead of 11 PM.

#for the motion	5
#opposed	0

Application: Development Variance Permit TUP850-10 (Eagle Pass Heli-Skiing/Tigchelaar)

Delegation: Shawn West, Eagle Pass Heli-Skiing.

Discussion: Ms. Sham began the discussion stating that in order to offer beer and wine, the application should actually be for a rezoning. Mr. West then provided some background to the application noting that Eagle Pass Heli-Skiing would like to provide a beer and wine service to their guests after a day of skiing. He said that there would only be a maximum of about 30 people and that the building usually shuts down for the day at about 5:00 PM, 6:00 PM at the latest. He said the septic and water can easily handle the estimated 30 guests.

Moved by J. Maitre, second by B. Gadbois, and resolved that:

The Board of the Columbia Shuswap Regional District be advised that:

APC recommendation to the Board

To not approve the TUP and to move forward with the rezoning application to accommodate a beer and wine service for Eagle Pass Heli-Skiing.

0360 40
TUP850-7
TUP850-10

#for the motion 5
#opposed 0

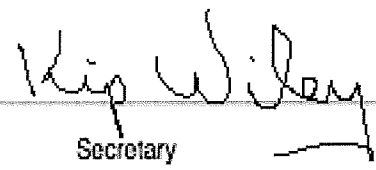
New Business: none

Adjournment

Motion to adjourn, K. Wiley, 13:15

CERTIFIED CORRECT

Chair


Secretary



Agricultural Land Commission

133 – 4940 Canada Way
Burnaby, British Columbia V5G 4K6
Tel: 604 660-7000
Fax: 604 660-7033
www.alc.gov.bc.ca

January 23, 2018

Reply to the attention of Benjamin Daly
Local Government File: TUP850-7
ALC File: 50891

SENT ELECTRONICALLY

Attn: Jennifer Sham

Re: Temporary Use Permit Referral: TUP850-7

PID: 014-006-511

Legal Description: Lot 1, Section 11, Township 23, Range 2, W6M, KDYD, Plan 7126
except part included in Plan 7169

After further review of Columbia Shuswap Regional District (CSRD) TUP 850-7, the Agricultural Land Commission (ALC) would like to provide the following clarification and amendment to its previous response on November 3, 2017.

With respect to the request for a vacation rental of the primary dwelling, the *Agricultural Land Commission Act (ALCA)* and *Agricultural Land Reserve Use, Subdivision and Procedure Regulation* (the "Regulation") do not make a distinction on the occupants of a residence and their length of occupancy. Therefore, a landowner may rent out the primary dwelling for vacation rentals to a single party, provided that no additional alterations are made to the property in conjunction with the rental and no other non-farm related activities (commercial weddings, other non-farm businesses, special events etc.) are conducted. Based on the information provided with CSRD TUP850-7, the ALC has no objection to the use of the single family dwelling as a vacation rental as proposed.

With respect to the two bedrooms located above the three car garage, the ALC confirms its previous assessment that only one dwelling unit is permitted above an existing accessory building, provided that the property is classified as a farm under the *Assessment Act*. In this regard, the bedrooms above the garage are not consistent with the Regulation. For further clarification please refer to s. 3(1)(b) of the Regulation.

3 (1) The following non-farm uses are permitted in an agricultural land reserve unless otherwise prohibited by a local government bylaw or, for lands located in an agricultural land reserve that are treaty settlement lands, by a law of the applicable treaty first nation government:

(b) for a parcel located in Zone 1,

(i) one secondary suite in a single family dwelling, and

(ii) either

(A) one manufactured home, up to 9 m in width, for use by a member of the owner's immediate family, or

(B) accommodation that is constructed above an existing building on the farm and that has only a single level;

For the reasons explained in the ALC's original response to CSRD TUP850-7, the two bedrooms for accommodation use are not consistent with the Regulation.

If you have any questions, please contact Benjamin Daly at 604-660-7047 or by e-mail (Benjamin.Daly@gov.bc.ca).

Yours truly,

PROVINCIAL AGRICULTURAL LAND COMMISSION

A handwritten signature in black ink, appearing to read 'Benjamin Daly', with a stylized, cursive script.

Benjamin Daly, Land Use Planner

Cc: Robert A. Lundberg Law Corporation

50891m2