

## Agency Referral Responses

<p>Area 'C' Advisory Planning Commission</p>	<p>Recommended approval.</p> <p>Comments:</p> <p>The Commission reviewed the application with Mr. Franklin who was in attendance as agent. The developers intent to provide additional amenities – including a common facility, access to the trails – open lands beyond the developed area and their replanting plans were all noted by the Commission. The expansion was highlighted as an expansion of affordable housing in the rural area. The development is visible from the Trans Canada Highway when travelling through the area and the rocky nature of the site takes some time for the plantings and landscaping to overtake the visual impact of the ground work required for development. The expansion was discussed as it will change the current view of the development.</p> <p>The Development has water treatment and sewage treatment systems in place with capacity for the expansion. There was some discussion on the nature of the homes – their typical sizes and the additional outbuildings in place.</p> <p>The Commission was supportive of the changes to the OCP to have the existing use reflected and of the plans to expand the number of units within the development. The additional amenities proposed enhance the development and add to the appeal of the neighbourhood.</p> <p>The commission supported the expansion and the further subdivision of the lands with the rationalization of the OCP classifications.</p> <p>Moved Morris / Vlooswyk carried 7 – 1 Barron against</p>
<p>Interior Health Authority</p>	<p>No response.</p>
<p>Agricultural Land Commission</p>	<p><u>April 17, 2018</u></p> <p>It has come to the attention of the Provincial Agricultural Land Commission (ALC) that there is a mapping error in which a tiny triangle of land in the extreme northwest corner of Lot 1, Section 33, Township 21, Range 10 W6M KDYD, Plan 34273 shows on ALC maps as being in the ALR. The error was detected during review of the Referral Form supplied with Bylaw No. 725-12. The error had not previously been detected because of the very small size of the triangle.</p>

A Google Earth image is attached, on which the triangle has been highlighted.

The error will be corrected during the next mapping update. In the meantime Columbia Shuswap may proceed to delete the triangle from any of its maps.

The Commission has no further comment on the referral pertaining to 1885 Tappen Notch Hill Road.

June 5, 2018

Thank you for forwarding a draft copy of OCP Amendment Bylaw No. 725-12 (the "Bylaw") for review and comment by the Agricultural Land Commission (ALC). The following comments are provided to help ensure that the Bylaw is consistent with the purposes of the Agricultural Land Commission Act (ALCA), the Agricultural Land Reserve Use, Subdivision and Procedure Regulation (the "Regulation"), and any decisions of the ALC.

The ALC recognizes that Property 1 is outside of the Agricultural Land Reserve (ALR), that a portion of Property 2 is within the ALR, and that the Bylaw is specific to re-designating Property 1 and the non-ALR portion of Property 2 to accommodate a proposed expansion of the existing manufactured home community (Shuswap Country Estates).

There is an existing wastewater treatment facility located on the ALR portion of Property 2 (to the North and to the East of Tappen Notch Hill Road) that was previously approved by the ALC Resolutions #765/95 and #646/96 (attached) and is therefore subject to the ALCA and Regulation.

The ALC notes that the Board Report submitted as part of the Bylaw referral documents references the interaction between the ALCA and the Environmental Management Act (EMA). With reference to the analysis under the heading "ALR" on p. 9 of the Board Report, Commission staff do not agree with your interpretation of the ALCA and EMA, and recommend that you obtain legal advice before taking any steps on the basis of that interpretation. Note that CSRD previously applied for and obtained Commission approval, subject to certain conditions, for a wastewater treatment and spray

	<p>irrigation storage facility on ALR land in accordance with the ALCA. The wastewater treatment facility is neither a farm use nor a permitted non-farm use under the ALCA and the Regulation; as such, this type of facility requires a non-farm use application for any future expansion or relocation.</p> <p>Although the proposed re-designations affect non-ALR land, the Bylaw documents indicate that the proposed expansion of Shuswap Country Estates community is supported by the existing wastewater treatment facility located in the ALR. According to the Bylaw referral documents and CSRD staff, the number of units associated with the proposed expansion of the Shuswap County Estates community has not yet been determined and therefore the CSRD is unable to confirm whether or not the existing wastewater treatment facility can accommodate the proposed expansion. The ALC advises the CSRD that any expansion of the existing wastewater treatment facility would require a new non-farm use application to the ALC.</p> <p>Given the above, the ALC finds that the Bylaw is premature until the details of the proposed expansion of the Shuswap County Estates community are confirmed and a determination can be made as to whether or not a new non-farm use application for wastewater treatment facility expansion is required in order to proceed.</p> <p>The ALC strives to provide a detailed response to all bylaw referrals affecting the ALR; however, you are advised that the lack of a specific response by the ALC to any draft bylaw provisions cannot in any way be construed as confirmation regarding the consistency of the submission with the ALCA, the Regulation, or any orders of the Commission.</p>
<p>Ministry of Agriculture</p>	<p>Thank you for providing the B.C. Ministry of Agriculture the opportunity to comment on the above noted proposed bylaw amendment. We appreciate being able to review and provide comments on bylaws affecting the Agricultural Land Reserve (ALR) and agricultural production. Our comments and concerns are as follows:</p> <ul style="list-style-type: none"> <li>• The Ministry's "Guide to Edge Planning" notes that increased residential density adjacent or near</li> </ul>

	<p>agricultural areas can have impacts and compatibility issues with agriculture. This increases potential for conflict between farm and non-farm uses. Impacts to agriculture may include disturbance to livestock, crops and farm equipment. Impacts to the residential neighbours include odour, noise, dust, early/late equipment operation, and slow-moving equipment on roadways. As such, Ministry staff does not support this expansion of residential use outside of a larger designated urban development area and within an agricultural/rural area.</p> <ul style="list-style-type: none"> <li>• We recommend that the Regional District confirm with the Agricultural Land Commission (ALC) their position regarding the proposal's existing wastewater treatment facility currently located on land designated as Agricultural Land Reserve, and address any intended ALC course of action.</li> </ul>
Ministry of Environment	No response.
Ministry of Transportation and Infrastructure	<p>Thank you for the referral and opportunity to comment. As this is a proposed OCP bylaw text amendment this Ministry endorsement of the bylaw is not required.</p> <p>The land owner is responsible for the following:</p> <p>Apply for an access permit for any access (existing or proposed) to a public road. All accesses require a permit, except an access for one single family dwelling. A <i>Provincial Public Highway Permit Application</i> can be obtain from our office or on line at <a href="http://www.th.gov.bc.ca/permits/Apply.asp">http://www.th.gov.bc.ca/permits/Apply.asp</a></p> <p>Access info <a href="http://www.th.gov.bc.ca/permits/Highway%20Access%20Permits.asp">http://www.th.gov.bc.ca/permits/Highway%20Access%20Permits.asp</a></p> <p>Obtain a permit should there be any works within the road dedication or any structures located within 4.5m setback from the road/property line. A <i>Provincial Public Highway Permit Application</i> can be obtain from our office or on line. Info <a href="http://www.th.gov.bc.ca/permits/Permits.asp">http://www.th.gov.bc.ca/permits/Permits.asp</a></p> <p>When the Ministry receives a subdivision application from the applicant, it will be processed accordingly. Subdivision Info <a href="http://www.th.gov.bc.ca/da/Subdivision_Home.asp">http://www.th.gov.bc.ca/da/Subdivision_Home.asp</a> Application <a href="http://www.th.gov.bc.ca/da/L1_apply.asp">http://www.th.gov.bc.ca/da/L1_apply.asp</a></p>

<p>Ministry of Forests, Lands Natural Resource Operations, and Rural Development – Water Rights Branch</p>	<p>You can mark us down as “No Objections” to this. Allow me to point out the following water-related information in case it’s relevant:</p> <p>There are numerous wells on the parcel 002-999-838 (the current mobile home park). The applicant’s assertion that there is sufficient water in that well (or wells) to also meet the demand on the proposed parcel (023-187-468) seems reasonable; however, we will not require proof of that unless some kind of licensing application is made to us.</p> <p>On the subject of water applications, even though the occupancy is comprised of multiple domestic dwellings, any well water use on the subject properties is considered “waterworks”, not “domestic”. This means the owner(s) must apply for a groundwater licence for their groundwater use. If they do that before March 1, 2019, then we can consider any demonstrated groundwater use prior to February 29, 2016 as existing use. That greatly simplifies the process of approving water rights. If they wait until March 1, 2019 or after, their groundwater use will have to be considered as a new application to divert and use groundwater. Any future proposed use from the wells to service not-yet-existing dwellings (on parcel 023-187-468, for example) is by default considered new use.</p> <p>Processing staff are currently heavily backlogged with applications for groundwater use. Consequently, applications are taking some time to process. I would caution you against waiting for the results of any application the proponent may make to us for groundwater before you move ahead with a decision on the proposed subdivision. If there is any uncertainty there that you are uncomfortable with, we should discuss it to see if we can come up with a plan to allow you to move forward.</p>
<p>Ministry of Forests, Lands, Natural Resource Operations and Rural Development - Archaeology Branch</p>	<p>According to Provincial records there are no known archaeological sites recorded on the subject property.</p> <p>Archaeological potential data for the area indicates that there are some areas of moderate potential on the northern two parcels (shown as the beige areas on the screenshot below). The areas of potential are not dense enough to warrant an archaeological investigation or permitting, but we mention potential so property</p>

	<p>owners know that there is a possibility, albeit a small one, of there being an archaeological site present.</p> <p>Archaeological sites (both recorded and unrecorded) are protected under the <i>Heritage Conservation Act</i> and must not be altered or damaged without a permit from the Archaeology Branch. If any land-altering development is planned for the property, 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.</p> <p>Please review the screenshot of the property below (outlined in yellow). If this does not represent the property listed in the data request please contact me.</p> <p>Do not hesitate to contact me if you have any further questions.</p>
<p>CSRD Operations Management</p>	<p>Team Leader Utilities – Details of the servicing demands of the proposed expansion in regard to the existing capacity of the sewer and water systems is required to properly review application in terms of servicing.</p> <p>Team Leader Protective Services – No concerns.</p> <p>Fire Services Coordinator – The proponent must ensure adequate road access for emergency vehicles as per MoTI requirements. Firesmart principles to be encouraged within any new development.</p> <p>Team Leader Environmental Health – No concerns.</p> <p>Parks – No concerns.</p> <p>Manager Operations Management – No additional concerns.</p>
<p>CSRD Financial Services</p>	<p>No response.</p>
<p>Adams Lake Indian Band</p>	<p>While Adams Lake defers to the Little Shuswap Lake Indian Band] on Bylaw Referral BL725-12, we reiterate that Adams Lake holds constitutionally protected Aboriginal rights including title throughout the entirety of Secwepemculucw.</p> <p>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 that are practiced in accordance with Secwepemc customs, laws and governance structures.</p> <p>With that being said, the Adams Lake Indian Band wishes to express its concerns on this proposed activity. Through a preliminary</p>

	analysis we have identified some concerns which include: 89 sites within 5 km that where gathering and hunting and fishing sites.
Little Shuswap Indian Band	No response.
Neskonlith Indian Band	No response.