



BOARD REPORT

TO: Chair and Directors

File No: BL830-19
PL20180012
BL900-24
PL20180011

SUBJECT: Electoral Area F: Electoral Area F Official Community Plan Amendment (CSR) Bylaw No. 830-19 and Lakes Zoning Amendment (CSR) Bylaw No. 900-24

DESCRIPTION: Report from Christine LeFloch, Development Services Assistant, dated May 23, 2018.
1946 Bristow Road, Celista

RECOMMENDATION #1: THAT: "Electoral Area F Official Community Plan Amendment (CSR) Bylaw No. 830-19" be read a second time this 21st day of June, 2018.

RECOMMENDATION #2: THAT: "Lakes Zoning Amendment (CSR) Bylaw No. 900-24" be read a second time this 21st day of June, 2018.

RECOMMENDATION #3: THAT: a public hearing to hear representations on "Electoral Area F Official Community Plan Amendment (CSR) Bylaw No. 830-19" and "Lakes Zoning Amendment (CSR) Bylaw No. 900-24" be held;

AND THAT: notice of the public hearing be given by staff of the Regional District on behalf of the Board in accordance with Section 466 of the Local Government Act;

AND FURTHER THAT: the holding of the public hearing be delegated to Director Larry Morgan, as Director for Electoral Area F being that in which the land concerned is located, or Alternate Director Bob Misseggers, if Director Morgan is absent, and the Director or Alternate Director, as the case may be, give a report of the public hearing to the Board.

SHORT SUMMARY:

The CSR recently acquired the subject properties located at 1946 Bristow Road in Celista and the Parks staff is preparing to construct a community boat launch and waterfront park at this location. The project includes an amendment to the Electoral Area F Official Community Plan to change the designation from SSA - Secondary Settlement Area to PK - Parks and Protected Areas, and an amendment to Lakes Zoning Bylaw No. 900 to rezone the foreshore from FR1 - Foreshore Residential 1 to FP - Foreshore Park. The Board gave first reading to Electoral Area F Official Community Plan Amendment (CSR) Bylaw No. 830-19 and Lakes Zoning Amendment (CSR) Bylaw No. 900-24 at their meeting held on March 29, 2018 and directed staff to refer the bylaws to applicable agencies and First Nations. Referral comments have been compiled and it is now appropriate for the Board to consider the bylaws for second reading and referral to a public hearing.

VOTING:

Unweighted
Corporate

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LGA Part 14
(Unweighted)

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Weighted
Corporate

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Stakeholder
(Weighted)

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BACKGROUND:**PROPERTY OWNER:**

Columbia Shuswap Regional District

AGENT:

Kristina Flackman, Community Parks & Recreation Coordinator

ELECTORAL AREA:

F

LEGAL DESCRIPTIONS:

(1) Lot 2, Sec 9, Twp 23, Rge 10, W6M, KDYD, Plan 4002

(2) Lot 3, Sec 9, Twp 23, Rge 10, W6M, KDYD, Plan 4002

PIDs:

(1) 007-407-718

(2) 007-407-742

CIVIC ADDRESS:

1946 Bristow Road

SURROUNDING LAND USE PATTERN:

North: Squilax-Anglemont Road, residential

South: Shuswap Lake

East: residential

West: Bristow Road, grocery store, gas station, residential, North Shuswap Elementary School

PARCEL SIZE:

(1) 0.22 ha (0.54 ac)

(2) 0.21 ha (0.52 ac)

CURRENT DESIGNATION (1 & 2)

SSA – Secondary Settlement Area

PROPOSED DESIGNATION:

(1 & 2)PK – Parks and Protected Areas

ZONE:

(1 & 2)Upland - N/A, Bylaw No. 900 – Foreshore Residential 1

PROPOSED LAKE ZONING:

(1 & 2)FP – Foreshore Park

SITE COMMENTS:

The subject properties are located in the village centre of Celista near the North Shuswap Elementary School, a small grocery store and gas station. The two lots are currently utilized as one property and

are developed with a single family dwelling, and a few accessory buildings. Existing improvements are proposed to be removed in order to develop the property as a community boat launch and park.

POLICY:

Please see attached staff report (2018-03-29_Board_DS_BL900-24_BL830-19_CSRD).

FINANCIAL:

The CSRD purchased the subject properties for the purpose of developing a community boat launch and waterfront park to serve the Celistia area. As the upland area is to be developed as a park, the OCP amendment is being done as a housekeeping item for consistency within the plan area. If the amending lakes zoning bylaw is not approved by the Board then CSRD Parks would not be able to move forward with their plans to construct the boat launch in this location. The property would either need to be sold or used for a different purpose.

KEY ISSUES/CONCEPTS:Update on park development

Logging, clearing and grubbing of the site along with preparation of the existing residence for demolition is underway. As noted in the previous staff report dated March 29, 2018 this work is being supervised by a Qualified Environmental Professional from Western Water Associates. A Riparian Areas Regulation Development Permit is not required as the proposed use is institutional.

First Nations/Archaeology

Following first reading of Bylaws 830-19 and 900-24 referrals were sent to applicable agencies and First Nations. Referral comments received included a request from the Little Shuswap Lake Indian Band (SLSIB) to have their archaeology team conduct a Preliminary Field Review (PRF) of the subject properties. While not a requirement under the Heritage Conservation Act, a PFR was arranged by Parks staff and this work was conducted on April 16th, 2018. Following the PFR the SLSIB recommended that a further archaeological impact assessment of the site be conducted by their team. Staff consulted with the Archaeology Branch of the Ministry of Forests, Lands, Natural Resource Operations and Rural Development (FLNRORD) to determine the legal requirements under the Heritage Conservation Act (HCA). Ministry staff indicated that there are no known archaeological sites in the immediate vicinity of the subject property, but that the area is considered to have high archaeological potential. Ministry staff advised that there is no requirement under the HCA for a property owner to conduct any studies, however due to the high potential of the area if the CSRD chose not to undertake further studies, a "chance find procedure" should be implemented in order to have a protocol in place for contractors and staff in the event that a protected heritage site is discovered during work on the subject property. Staff opted to forgo further studies at this time and have implemented a "chance find procedure" which has been communicated to all contractors and incorporated into all written agreements for work on the subject property. The "chance find procedure" states that if a site is discovered, all work must immediately cease and the Archaeology Branch must be contacted for further direction.

Provincial Approvals

Referral comments from the Ministry of Forests, Lands, Natural Resource Operations and Rural Development – Lands Branch indicated that a Section 11 Authorization for Works in and about a Stream is required for works below the high water mark including installation of the dock and construction of the boat launch, and that a Crown tenure application is required for the proposed use of the Crown

foreshore. Ministry of Transportation and Infrastructure comments included a reminder that a Commercial Access Permit is required for the boat launch off Bristow Road. Parks staff have confirmed that all of the above noted provincial applications have been made and that issuance of the Commercial Access Permit is pending adoption of the bylaw amendments.

SUMMARY:

Referral comments received noted that a number of approvals are required from Provincial agencies for the proposed works. CSRD Parks staff have indicated that applications have been made for all of the required approvals. Further, a Preliminary Field Review of the site has been conducted by the Little Shuswap Lake Indian Band and a chance find procedure has been implemented to ensure that all staff and contractors working on the site are aware of the requirements should a heritage site be discovered during work on the property. Staff is recommending that the Board read the proposed amending bylaws a second time and delegate a public hearing to hear representations from the public.

IMPLEMENTATION:

If the Board delegates a public hearing, staff will set a date for the public hearing, and proceed with notification of property owners within 100 metres and publication of notices as required by the Local Government Act.

COMMUNICATIONS:

Bylaw 900-24 was referred to the following agencies and First Nations:

Ministry of Forests, Lands, Natural Resource Operations and Rural Development – Lands Branch	Thank you for sending this referral for comment. There are no objections to the proposal provided that the proper authorizations can be obtained. Please note that for works in and about a stream (or lake) a Section 11 authorization under the <i>Water Act</i> must be obtained. Also, a Crown Land tenure is required under the Land Act for the area occupied below the present natural boundary.
Ministry of Forests, Lands and Natural Resource Operations – Archaeology Branch	According to Provincial Records there are no known archaeological sites recorded on the property. However, archaeological potential modeling for the area indicates there is the possibility for unknown/unrecorded sites to exist on the property. Archaeological sites (both recorded and unrecorded, disturbed and intact) are protected under the <i>Heritage Conservation Act</i> and must not be altered or damaged without a permit from the Archaeology Branch. Prior to any land alterations (e.g. addition to home, property redevelopment, extensive landscaping, service installation) an Eligible Consulting Archaeologist should be contacted to review the proposed activities and, where warranted,

	<p>conduct a walk over and/or detailed study of the property to determine whether the work may impact protected archaeological materials. If the archaeologist determines that development activities will not impact any archaeological deposits, then a permit is not required. <u>In the absence of a confirmed archaeological site, the Archaeology Branch cannot require the proponent to conduct an archaeological study or obtain a permit prior to development. In this instance it is a risk management decision for the proponent.</u> If any land altering development is planned and proponents choose not to contact an archaeologist prior to development, 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. If an archaeological site is encountered during development and the appropriate permits are not in place, proponents will be in contravention of the Heritage Conservation Act and likely experience delays while the appropriate permits are obtained.</p>
Ministry of Transportation and Infrastructure	<p>The proposed amendment is for a specific property beyond 800 m from a controlled access highway therefore this Ministry's endorsement is not required. As there are proposed works within the Bristow Road dedication and access(s) off Bristow Road to the properties, a permit application is required. Please submit the permit application to this Ministry via eDAS for the commercial access to the properties and include any proposed works in Bristow Road dedication.</p>
CSRD Operations Management	Application is supported.
Transport Canada	No response.
Adams Lake Indian Band	No response.
Little Shuswap Lake Indian Band	<p>After careful consideration we request that you provide us with the following: Conduct a Preliminary Field Review (PFR) on site, area of disturbance. Without this information, we cannot proceed with our desktop review. (Staff provided information on the area of disturbance and directed LSIB staff to contact the owner regarding the PFR).</p>
Neskonlith Indian Band	No response.
Okanagan Indian Band	No response.
Shuswap Indian Band	No response.

Simpcw First Nation	No response.
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DESIRED OUTCOMES:

That the Board endorse the staff recommendation.

BOARD'S OPTIONS:

1. *Endorse the Recommendation.*
2. *Deny the Recommendation.*
3. *Defer.*
4. *Any other action deemed appropriate by the Board.*

LIST NAME OF REPORT(S) / DOCUMENT(S) AVAILABLE FROM STAFF:

1. Electoral Area F Official Community Plan Bylaw No. 830
2. Lakes Zoning Bylaw No. 900
3. Electoral Area F Parks Plan Final Report
4. Archaeological Chance Find Procedure

Report Approval Details

Document Title:	2018-06-21_Board_DS_BL900-24_BL830-19_CSRD.docx
Attachments:	<ul style="list-style-type: none">- BL830-19_Second.pdf- BL900-24_Second.pdf- 2018-03-29_Board_DS_BL900-24_BL830-19_CSRD.pdf- BL830-19_First.pdf- BL900-24_First.pdf- Agency_Referral_Responses_BL900-24_BL830-19.pdf- Maps_Plans_Photos_BL900-24_BL830-19.pdf
Final Approval Date:	Jun 8, 2018

This report and all of its attachments were approved and signed as outlined below:



Corey Paiement - Jun 5, 2018 - 1:04 PM



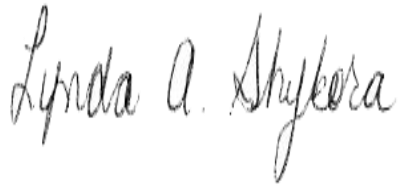
Gerald Christie - Jun 8, 2018 - 8:24 AM



Jodi Pierce - Jun 8, 2018 - 11:13 AM

No Signature - Task assigned to Darcy Mooney was completed by assistant Phaedra Turner

Darcy Mooney - Jun 8, 2018 - 1:25 PM

A handwritten signature in cursive script that reads "Lynda A. Shykora".

Lynda Shykora - Jun 8, 2018 - 2:06 PM

No Signature - Task assigned to Charles Hamilton was completed by assistant Lynda Shykora

Charles Hamilton - Jun 8, 2018 - 2:07 PM