



Regional District of Central Kootenay
RURAL AFFAIRS COMMITTEE
Open Meeting Agenda

Date: Wednesday, September 13, 2023
Time: 9:00 am
Location: Hybrid Model - In-person and Remote

Directors will have the opportunity to participate in the meeting electronically. Proceedings are open to the public.

Pages

1. WEBEX REMOTE MEETING INFO

To promote openness, transparency and provide accessibility to the public we provide the ability to attend all RDCK meetings in-person or remote (hybrid model).

Meeting Time:

9:00 a.m. PST

Join by Video:

<https://nelsonho.webex.com/nelsonho/j.php?MTID=mf0ddc964e64984211d9a9f8b0ad0bb4a>

Join by Phone:

1-844-426-4405 Canada Toll Free
+1-604-449-3026 Canada Toll (Vancouver)

Meeting Number (access code): 2773 863 5190

Meeting Password: KmnNMySP278

In-Person Location: RDCK Head Office - Board Room, 202 Lakeside Drive, Nelson BC

2. CALL TO ORDER

Chair Jackman called the meeting to order at ____ a.m.

3. TRADITIONAL LANDS ACKNOWLEDGEMENT STATEMENT

We acknowledge and respect the indigenous peoples within whose traditional lands we are meeting today.

4. ADOPTION OF THE AGENDA

RECOMMENDATION:
The agenda for the September 13, 2023 Rural Affairs Committee meeting be adopted as circulated.

5. DELEGATIONS

6. PLANNING & BUILDING

- 6.1 BUILDING BYLAW CONTRAVENTION - EVANS** 9 - 16
File No.: 3135-20-I-709.05749.300-BP021431
1726 Thrums East Rd – Accessory Building
(Dobie & Alisha Evans)
Electoral Area I

The Committee Report dated March 23, 2023, re: Building Bylaw Contravention - Evans, has been received.

Rural Affairs Committee
Referred July 19, 2023 to September 13, 2023

RECOMMENDATION:
That it be recommended to the Board:

That the Corporate Officer of the Regional District of Central Kootenay be directed to file a Notice with the Land Title and Survey Authority of British Columbia, stating that a resolution has been made under Section 57 of the *Community Charter* by the Regional District Board relating to land at 1726 Thrums East Road, Electoral Area I and legally described as LOT C, PLAN NEP68184, DISTRICT LOT 1239, KOOTENAY LAND DISTRICT MANUFACTURED HOME REG. # 36149., and further, if an active Building permit or Building application is in place, that it be cancelled; and finally, that information respecting the resolution may be inspected at the office of the Regional District of Central Kootenay on normal working days during regular office hours.

- 6.2 BUILDING BYLAW CONTRAVENTION - EVANS** 17 - 24
File No.: 3135-20-I-709.05749.300-BP024256
1726 Thrums East Road - Deck Only
(Dobie & Alisha Evans)
Electoral Area I

The Committee Report dated March 23, 2023, re: Building Bylaw Contravention - Evans, has been received.

Rural Affairs Committee
Referred July 19, 2023 to September 13, 2023

RECOMMENDATION:

That it be recommended to the Board:

That the Corporate Officer of the Regional District of Central Kootenay be directed to file a Notice with the Land Title and Survey Authority of British Columbia, stating that a resolution has been made under Section 57 of the *Community Charter* by the Regional District Board relating to land at 1726 Thrums East Road, Electoral Area I and legally described as LOT C, PLAN NEP68184, DISTRICT LOT 1239, KOOTENAY LAND DISTRICT MANUFACTURED HOME REG. # 36149., and further, if an active Building permit or Building application is in place, that it be cancelled; and finally, that information respecting the resolution may be inspected at the office of the Regional District of Central Kootenay on normal working days during regular office hours.

6.3 BUILDING BYLAW CONTRAVENTION - EVANS & MCLEAN

25 - 30

File No.: File No.: 3135-20-I-709.05749.300-BP023217

1726 Thrums East Rd – Manufactured Home

(Dobie Evans & Ronald Mclean)

Electoral Area I

The Committee Report dated March 23, 2023, re: Building Bylaw Contravention - Evans & Mclean, has been received.

Rural Affairs Committee

Referred July 19, 2023 to September 13, 2023

RECOMMENDATION:

That it be recommended to the Board:

That the Corporate Officer of the Regional District of Central Kootenay be directed to file a Notice with the Land Title and Survey Authority of British Columbia, stating that a resolution has been made under Section 57 of the *Community Charter* by the Regional District Board relating to land at 1726 Thrums East Road, Electoral Area I and legally described as LOT C, PLAN NEP68184, DISTRICT LOT 1239, KOOTENAY LAND DISTRICT MANUFACTURED HOME REG. # 36149., and further, if an active Building permit or Building application is in place, that it be cancelled; and finally, that information respecting the resolution may be inspected at the office of the Regional District of Central Kootenay on normal working days during regular office hours.

6.4 TEMPORARY USE PERMIT - FRANCOEUR

31 - 48

File No.: T2301B

5601 Kitchener Road

(Oliver Phillip Francoeur)

Electoral Area B

The Committee Report dated August 29, 2023 from Zachari Giacomazzo, Planner, re: Temporary Use Permit - Francoeur, has been received.

RECOMMENDATION:

That it be recommended to the Board:

That the Board direct staff to provide notification of the Board’s intention to consider Temporary Use Permit application T2301B by Oliver Phillip Francoeur for the property located at 5601 Kitchener Road, Electoral Area B and legally described as LOT 2, DISTRICT LOT 4592, KOOTENAY DISTRICT PLAN 2354, EXCEPT PART INCLUDED IN PLAN 9577 (PID: 015-332-799) at the next available opportunity.

6.5 DEVELOPMENT VARIANCE PERMIT - REMPEL

49 - 74

**File No.: V2304B – Rempel
1016 27th Avenue South
(Tobias Tomas Rempel)
Electoral Area B**

The Committee Report dated August 29, 2023 from Zachari Giacomazzo, Planner, re: Development Variance Permit - Rempel, has been received.

RECOMMENDATION:

That it be recommended to the Board:

That the Board APPROVE the issuance of Development Variance Permit V2304B to Tobias Tomas Rempel for the property located at 1016 27th Avenue South, Electoral Area B and legally described as THAT PART OF LOT 2, DISTRICT LOT 812, KOOTENAY DISTRICT PLAN 730B, LYING NORTH OF A LINE WHICH BISECTS THE EASTERLY AND WESTERLY BOUNDARIES OF THE SAID LOT (PID: 016-111-532) to vary Section 23.5 of *Rural Creston Electoral Area ‘B’ Comprehensive Land Use Bylaw No. 2316, 2013* in order to permit the maximum depth of the Farm Residential Footprint to be 350 metres from the Front Lot Line whereas the bylaw requires that the maximum depth of the Farm Residential Footprint shall not exceed 60 metres from the Front Lot Line.

SUBJECT TO:

1. The Farm Residential Footprint shall be confined to the northern portion of the lot and be substantially in accordance with “Attachment ‘D’ - Conceptual Farm Residential Footprint Plan”.

6.6 DEVELOPMENT VARIANCE PERMIT - ONDRYSEK

75 - 91

**File No.: V2303K - Ondrysek
209 Kilarney Crescent
(Helena Ondrysek and Roman Ondrysek)
Electoral Area K**

The Committee Report dated August 29, 2023 from Zachari Giacomazzo, Planner, re: Development Variance Permit - Ondrysek, has been received.

RECOMMENDATION:

That it be recommended to the Board:

That the Board APPROVE the issuance of Development Variance Permit V2303K to Helena Ondrysek and Roman Ondrysek for the property located at 209 Kilarney Crescent, Electoral Area K and legally described as LOT 14, DISTRICT LOTS 182A AND 183A KOOTENAY DISTRICT PLAN 6069 (PID: 014-211-149) to vary Division 607 (5) of *Regional District of Central Kootenay Zoning Bylaw No. 1675, 2004* in order to permit a total of six (6) persons who are not a resident of the dwelling to be employed in the Home Based Business whereas the bylaw allows a maximum of two (2) persons who are not a resident of the dwelling to be employed in the Home Base Business.

6.7 STRATA TITLE CONVERSION - 1377323 BC LTD.

92 - 106

File No.: ST2301E – 1377323 BC LTD.

1155 Insight Drive

(1377323 BC Ltd.)

Electoral Area E

The Committee Report dated August 29, 2023 from Zachari Giacomazzo, Planner, re: Strata Title Conversion - 1377323 BC Ltd., has been received.

RECOMMENDATION:

That it be recommended to the Board:

That the Board APPROVE Strata Title Conversion ST2301E for the property located at 1155 Insight Drive, Electoral Area E and legally described as LOT A, DISTRICT LOT 5665, KOOTENAY DISTRICT PLAN NEP66434, EXCEPT PLAN NEP68359 (PID 024-736-449) for the conversion of the existing building to 16 strata units:

SUBJECT TO:

1. Confirmation of water and wastewater services to the satisfaction of the RDCK and Interior Health Authority.
2. Preparation of a restrictive covenant on title for each proposed Strata Unit in order to notify individual unit owners that the use of the units is limited to those uses approved for the F2 category in the BC Building Code and if other uses are proposed, a building permit would be required and;
3. Preparation of a restrictive covenant on title for each proposed Strata Unit in order to notify individual unit owners that the on-site wastewater system is only designed to accommodate conventional domestic waste and other treatment solutions (e.g. pre-treatment) are required to be installed by the unit owner if commercial or industrial waste/by-products are handled/processed or to be flushed down any of the drains that feed into the shared septic system.

6.8 HERITAGE REGISTER: NOMINATION APPLICATION – LARDEAU MUSEUM BUILDING(S)

107 - 113

File No.: 10-4970-20-LARDEAU_MUSEUM

Electoral Area D

The Committee Report dated September 5, 2023 from Stephanie Johnson, Planner, re: Heritage Register: Nomination Application – Lardeau Museum Building(s), has been received.

RECOMMENDATION:

That it be recommended to the Board:

THAT the Regional Board approve the inclusion of the Lardeau Valley Museum buildings, identified as having heritage value, be included on the Regional District of Central Kootenay Community Heritage Register;

AND THAT pursuant to Section 592 of the *Local Government Act*, the Regional District of Central Kootenay give notice of this to the owner of the heritage property; and pursuant to Section 595 of the *Local Government Act*, the Regional District of Central Kootenay must give notice of this to the provincial heritage minister.

- 6.9 **FORESTRY REFERRAL – CANFOR FOREST STEWARDSHIP PLAN** 114 - 238
File No.: \\FILES\RDCK\09\4340\30\2023\R2335ABC-CANFOR FSP-FR000099
Electoral Area A, B & C

The Committee Report dated August 30, 2023 from Corey Scott, Planner, re: Forestry Referral – Canfor Forest Stewardship Plan, has been received.

RECOMMENDATION:

That it be recommended to the Board:

That the Board direct staff to respond to Canadian Forest Products Ltd. regarding “Draft 2023 Forest Stewardship Plan” as described in the Committee Report “Forestry Referral R2335ABC – Canfor Forest Stewardship Plan”, dated August 30, 2023.

- 6.10 **UNSIGHTLY PROPERTY BYLAW - TESSIER - REMEDIAL ACTION REQUIREMENT** 239 - 295
File No.: 3310-20-22-25-G-05557.120
1864 Airport Road
(Carl & Erin Tessier)
Electoral Area G

The Committee Report dated August 2, 2023 from Jordan Dupuis, Bylaw Department Supervisor, re: For Information: Unsightly Property Bylaw - Tessier - Remedial Action Requirement, has been received.

Rural Affairs Committee

Referred October 12, 2022 to December 7, 2022

Referred December 7, 2022 to May 17, 2023

Referred May 17, 2023 to June 14, 2023

Referred June 14, 2023 to July 19, 2023

Referred July 19, 2023 to August 16, 2023

Referred August 16, 2023 to September 13, 2023

RECOMMENDATION:

That it be recommended to the Board:

The Regional Board order Carl Tessier to meet compliance with the Unsightly Property Bylaw No. 1687, 2004 within thirty (30) days, as per the *Community Charter*. If the work is not completed within the thirty (30) day timeline, the Board authorize Bylaw Enforcement to enter onto the property located at 1864 Airport Road, Electoral Area G and legally described as, LOT 2, PLAN NEP 14561, DISTRICT LOT 1236, KOOTENAY LAND DISTRICT PID: 009-996-800. with a contractor to remove all offending matter such as rubbish, garbage, bottles, building materials, broken glass or other discarded materials or unwholesome materials or ashes, property not stored or piled in a neat and organized manner, all or part of any machinery such as a tractor, backhoe or similar construction equipment, or equipment which is not capable of performing the task it was originally intended to perform, all wrecked vehicles and demolish any structure deemed unsafe with all cost incurred by the RDCK being billed to the owners of the property, identified as Carl Tessier and Erin Tessier.

RECOMMENDATION:

That it be recommended to the Board:

All cost incurred be added to the property tax as “taxes in arrears” should the property owners identified as Carl Tessier and Erin Tessier not pay the bill by December 31st of the year the cleanup occurs at the property located at 1864 Airport Road, Electoral Area G and legally described as, LOT 2, PLAN NEP 14561, DISTRICT LOT 1236, KOOTENAY LAND DISTRICT, PID: 009-996-800.

- 6.11 UNSIGHTLY PROPERTY BYLAW - JIA - REMEDIAL ACTION REQUIREMENT**
File No.: 3310-20-22-710.02997.000
562 Willow Street
(Lily Jia)
Electoral Area K

296 - 304

The Committee Report dated August 30, 2023 from Charmaine Daoust, Bylaw Department, re: For Information: Unsightly Property Bylaw - Jia - Remedial Action Requirement, has been received.

RECOMMENDATION:

That it be recommended to the Board:

The Regional Board order Remedial Action Requirement to Lily Jia to meet compliance with the *Unsightly Property Bylaw No. 1687, 2004* within thirty (30) days, as per the *Community Charter*. If the work is not completed within the thirty (30) day timeline, the Board authorize Bylaw Enforcement to enter onto the property located at 562 Willow Street, Electoral Area K and legally described as LOT 44, PLAN NEP6172, PID: 008-406-367, DISTRICT LOT 9156800 with a contractor to remove all offending matter such as rubbish, garbage, bottles, building materials, broken glass or other discarded materials or unwholesome materials or ashes,

property not stored or piled in a neat and organized manner, all or part of any machinery such as a tractor, backhoe or similar construction equipment, or equipment which is not capable of performing the task it was originally intended to perform, all wrecked vehicles and demolish any structure deemed unsafe with all cost incurred by the RDCK being billed to the owner of the property, identified as Lily Jia.

RECOMMENDATION:

That it be recommended to the Board:

All cost incurred be added to the property tax as “taxes in arrears” should the property owner identified as Lily Jia not pay the bill by December 31st of the year the cleanup occurs at the property located at 562 Willow Street, Electoral Area K and legally described as LOT 44, PLAN NEP6172, PID: 008-406-367, DISTRICT LOT 9156800.

7. ENVIRONMENTAL SERVICES

No items.

8. RURAL ADMINISTRATION

No items.

9. PUBLIC TIME

The Chair will call for questions from the public and members of the media at _____ a.m./p.m.

10. ADJOURNMENT

RECOMMENDATION:

The meeting be adjourned at _____



Committee Report

Notice on Title

Date of Report: Mar 23, 2023
Date & Type of Meeting: Jul 19, 2023, Rural Affairs Committee
Author: Tony Hadfield _Building/Plumbing Official
Subject: NOTICE ON TITLE REPORT
File: 3135-20-I-709.05749.300-BP021431
Electoral Area: I
Registered Owners: Evans, Dobie and Evans, Alisha
Civic Address: 1726 Thrums East Rd – Accessory Building
Legal Description: Lot C Plan Nep68184 District Lot 1239 Kootenay Land District
Manufactured Home Reg. # 36149.
Zoning: R2I
ALR: No

SECTION 1: EXECUTIVE SUMMARY

The purpose of this report is for the RDCK Board to consider placing a Notice on Title on the above noted property as a consequence of a building bylaw contravention-**Expired permit.**

SECTION 2: BACKGROUND/ANALYSIS

Jan 23, 2018 Building Permit (BP) application was received to construct an accessory building (shop).
Sep 26, 2019 Framing Inspection completed.
Nov 19, 2020 Emailed expiry letter was sent, and email bounced back.
Jan 12, 2021 Mailed expiry letter to Owner.
Feb 05, 2021 Building Official visited the site; approved another one year renewal.
May 11, 2021 Mailed expired letter to Owner.
Jul 19, 2021 Owner called Building Department and confirmed he will extend shop permit for one year as it expired in February 2021.
Nov 01, 2021 BO approved BP to be renewed for one year, and the new expiry date is May 31, 2022.



Mar 23, 2023 No Further contact from the Owner

SECTION 3: DETAILED ANALYSIS

3.1 Financial Considerations – Cost and Resource Allocations:

Included in Financial Plan: Yes No Financial Plan Amendment: Yes No
Debt Bylaw Required: Yes No Public/Gov't Approvals Required: Yes No

In keeping with past practice, and further to Building Bylaw Section 22, the following estimate of penalties and costs are provided:

Notice on Title Removal Fee	\$750.00
RDCK Building Permit Fee based upon total value of construction in the case of a Stop Work Order (estimated)	\$1500.00
Penalty as per Clause 22.3 of Building Bylaw (25% of the Building Permit fee) minimum	\$200.00

3.2 Legislative Considerations (Applicable Policies and/or Bylaws):

1. Section 57 Community Charter;
2. BC Building Code;
3. RDCK Policy No. 400-01-03 Action for Compliance – Notice on Title Procedures;
4. Building Bylaw Contravention – This contravenes RDCK Building Bylaw 2200, Section 13.3.3 the permit shall expire and the rights of the owner shall terminate in the event and at the time that either of the above conditions is not met or in any event thirty-six months after the date the permit was issued.

3.3 Environmental Considerations

N/A

3.4 Social Considerations:

N/A

3.5 Economic Considerations:

N/A

3.6 Communication Considerations:

N/A

3.7 Staffing/Departmental Workplace Considerations:

N/A

3.8 Board Strategic Plan/Priorities Considerations:

N/A

SECTION 4: OPTIONS & PROS / CONS

1. Do not accept recommendation as presented – the property will remain in contravention of the BC Building Code and RDCK Building Bylaw.
2. Accept recommendation as presented – file Notice on Title.

Notice on Title 00686 – Evans, Dobie and Evans, Alisha
1726 Thrums East Rd

SECTION 5: RECOMMENDATIONS

That the Corporate Officer of the Regional District of Central Kootenay be directed to file a Notice with the Land Title and Survey Authority of British Columbia, stating that a resolution has been made under Section 57 of the *Community Charter* by the Regional District Board relating to land at 1726 Thrums East Rd Electoral Area I, legally described as Lot C Plan Nep68184 District Lot 1239 Kootenay Land District Manufactured Home Reg. # 36149., and further, if an active Building permit or Building application is in place, that it be cancelled; and finally, that information respecting the resolution may be inspected at the office of the Regional District of Central Kootenay on normal working days during regular office hours.

Respectfully submitted,
Tony Hadfield_Building/Plumbing Official
Digitally approved by John Southam for BO

CONCURRENCE

Chris Gainham/Building Manager
Digitally approved by Chris Gainham
Sangita Sudan/General Manager of Development and Community Sustainability Services
Digitally approved by Sangita Sudan
Stuart J. Horn/Chief Administrative Officer
Digitally approved by Stuart J. Horn



BY REGISTERED MAIL

File: 3135-20-I-709.05749.300-BP021431

REGISTERED OWNERS:

Evans, Dobie and Evans, Alisha
1726 Thrums Rd
Castlegar BC, V1N 4N4

SUBJECT: Notice on Title

CIVIC ADDRESS: 1726 Thrums East Rd

The Rural Affairs Committee members (RAC) hereby invite you to attend and address their meeting, the **Jul 19, 2023** RAC Committee. To promote openness, transparency and provide accessibility to the public we provide the ability to attend all RDCK meetings in-person or remote.

Date: Jul 19, 2023
Time: 9:00 a.m. PST
Hybrid Meeting: **In-Person Location** - RDCK Board Room, 202 Lakeside Drive, Nelson, BC
Remote Attendance - Please visit rdck.ca for meeting call-in information

At this time, committee members will consider making a recommendation to the Regional District Board to direct the Corporate Officer to file a Notice, in the Land Title Office under Section 57 of the *Community Charter*, against the above noted property.

Please advise in advance whether you and/or a representative, who may be legal council, will be present at the Rural Affairs Committee meeting by contacting the Administration Department at (250) 352-1575 or by email chopkyns@rdck.bc.ca **no less than 3 business days prior to the meeting.**

Should you have no objection to the filing of the subject Notice, please sign and return the attached statement in the stamped, self-addressed envelope. All owners named on the statement must sign this statement. This will allow the Corporate Officer to proceed with filing of the Notice against your property in the Land Title Office. A copy of the Notice will be forwarded for your records.

A copy of the building official's report relative to your property is attached for your reference, as well as a copy of Section 57 of the *Community Charter*.

In order to avoid a Notice on Title, you must contact the building department to resolve concerns noted in the building official's report **no later than 3 business days prior** to the meeting. For specific building inspection inquiries respecting the above, you may contact the writer at either 1-800-268-7325 or (250) 352-8156.

Yours truly,

Building Official

Notice on Title 00686 – Evans, Dobie and Evans, Alisha
1726 Thrums East Rd

Enclosures

CC: Electoral Area I Director



REGIONAL DISTRICT OF CENTRAL KOOTENAY

FILING OF SECTION 57 NOTICE

Building / Plumbing Official
Regional District of Central Kootenay
Box 590
202 Lakeside Drive
NELSON, BC
V1L 5R4

We, Evans, Dobie and Evans, Alisha hereby confirm that we have no objection to the Corporate Officer of the Regional District of Central Kootenay filing a Notice in the Land Title Office under Section 57 of the *Community Charter* against our/my property legally described as Lot C Plan Nep68184 District Lot 1239 Kootenay Land District Manufactured Home Reg. # 36149.

DATE

Evans, Dobie

DATE

Evans, Alisha



File No: 3135-20-«FolioNumbers»

[Click here to enter a date.](#)

«Name1»«Name2»
«MailingAddress»

Dear «Name1»and «Name2»:

RE: FILING OF NOTICE IN LAND TITLE OFFICE UNDER SECTION 57 OF THE COMMUNITY CHARTER
«LongLegals»

We wish to advise that the Board, at its meeting held [Click here to enter a date.](#), adopted the following resolution:

[Click here to enter text.](#)

Pursuant to Resolution [Click here to enter text.](#), a Notice has been forwarded to the Land Title Office for filing against your property, a copy of which is attached for your records.

The Community Charter offers the following avenues of resolution respecting removal of the Notice:

- 58(1) “On receiving a report from a building inspector that the condition that gave rise to the filing of the notice under section 57(3) has been rectified, the corporate officer must file a cancellation notice and, on receiving the notice, the registrar of land titles must cancel the note against the title to which it relates.”
- 58(2) “An owner of land with respect to which a notice has been filed under section 57(3), may apply to the council for a resolution that the note be cancelled.”
- 58(3) “After hearing an applicant under subsection (2), the council may pass a resolution directing the corporate officer to file a cancellation notice.”

We also wish to bring to your attention that pursuant to Regional District of Central Kootenay Building Bylaw No. 2200, 2010, you will be charged an Administrative Fee of \$750.00 for removal of the “Notice on Title”.

If you have any questions, please contact the Building Inspection Department at 250.352.8155.

Sincerely

Sangita Sudan
General Manger of Development Services

Notice on Title 00686 – Evans, Dobie and Evans, Alisha
1726 Thrums East Rd

Attachment

c.c. BC Assessment Authority
Interior Health Authority, Nelson



Committee Report

Notice on Title

Date of Report: Mar 23, 2023
Date & Type of Meeting: Jul 19, 2023, Rural Affairs Committee
Author: Tony Hadfield_Building/Plumbing Official
Subject: NOTICE ON TITLE REPORT
File: 3135-20-I-709.05749.300-BP024256
Electoral Area: I
Registered Owners: Evans, Dobie and Evans, Alisha
Civic Address: 1726 Thrums East Rd--Deck Only
Legal Description: Lot C Plan Nep68184 District Lot 1239 Kootenay Land District
Manufactured Home Reg. # 36149.
Zoning: R2I
ALR: No

SECTION 1: EXECUTIVE SUMMARY

The purpose of this report is for the RDCK Board to consider placing a Notice on Title on the above noted property as a consequence of a building bylaw contravention-**Work has not been carried out in accordance with the BC Building Code**

NOTE: The RDCK has initiated three NoT reports simultaneously for this one property

SECTION 2: BACKGROUND/ANALYSIS

Apr 14, 2014 A building permit (BP) application was received to construct a deck, site plan and drawing were not provided at the time of application.

Jun 02, 2014 Stop Work Order (SWO) posted on the construction of a deck.

Jun 13, 2014 BP21431 was issued for the deck's construction.

Aug 17, 2015 Last inspection letter sent to Owner.

Aug 24, 2015 Owner called to let us know that he had an engineer look at the deck and will call for an inspection later.

Feb 27, 2017 BB renewed for one year from the expiry date.

Jul 09, 2018 BP renewed for another year.

Apr 10, 2018 Pending expiry letter sent to Owner.

Apr 26, 2018 Framing inspection failed: Framing is acceptable for most of the deck except the ridge beam needs support at the house end. P.Eng will provide a report but no report received to date

Jun 27, 2018 Final expiry letter sent to Owner.

Jul 02, 2019 Final expiry letter sent to Owner.

Nov 19, 2020 Emailed Owner expiry letter for BP21431 and BP024256

Jan 04, 2021 Email no longer valid; mailed expiry letter to Owner. The Building Officials (BO) recommends Notice on Title (NoT), posted Do Not Occupy and SWO.



- Jan 04, 2021** BO recommends not renewing or opening a new permit; we will need complete plans, engineering letter or Schedule B.
- Feb 09, 2021**
- Jul 19, 2021** BO posts a Do Not Occupy notice on the deck
 Owner called and is working on getting structural still for the other buildings
- Mar 23, 2023** No further contact from Owner.

SECTION 3: DETAILED ANALYSIS

3.1 Financial Considerations – Cost and Resource Allocations:

Included in Financial Plan: Yes No **Financial Plan Amendment:** Yes No
Debt Bylaw Required: Yes No **Public/Gov’t Approvals Required:** Yes No

In keeping with past practice, and further to Building Bylaw Section 22, the following estimate of penalties and costs are provided:

Notice on Title Removal Fee	\$750.00
RDCK Building Permit Fee based upon total value of construction in the case of a Stop Work Order (estimated)	\$1500.00
Penalty as per Clause 22.3 of Building Bylaw (25% of the Building Permit fee) minimum	\$200.00

3.2 Legislative Considerations (Applicable Policies and/or Bylaws):

1. Section 57 Community Charter;
2. BC Building Code;
3. RDCK Policy No. 400-01-03 Action for Compliance – Notice on Title Procedures;
4. Building Bylaw Contravention – This contravenes RDCK Building Bylaw 2200, Section 4.3 It is the full and sole responsibility of the owner (and where the owner is acting through a representative, the

Notice on Title 00697 – Evans, Dobie and Alisha Dobie
1726 Thrums East Rd

representative) to carry out the work, in respect of which a permit is issued under this Bylaw, in compliance with the Building Code, this Bylaw and other applicable enactments respecting safety.

3.3 Environmental Considerations

N/A

3.4 Social Considerations:

N/A

3.5 Economic Considerations:

N/A

3.6 Communication Considerations:

N/A

3.7 Staffing/Departmental Workplace Considerations:

N/A

3.8 Board Strategic Plan/Priorities Considerations:

N/A

SECTION 4: OPTIONS & PROS / CONS

1. Do not accept recommendation as presented – the property will remain in contravention of the BC Building Code and RDCK Building Bylaw.
2. Accept recommendation as presented – file Notice on Title.

SECTION 5: RECOMMENDATIONS

That the Corporate Officer of the Regional District of Central Kootenay be directed to file a Notice with the Land Title and Survey Authority of British Columbia, stating that a resolution has been made under Section 57 of the *Community Charter* by the Regional District Board relating to land at 1726 Thrums East Rd Electoral Area I, legally described as Lot C Plan Nep68184 District Lot 1239 Kootenay Land District Manufactured Home Reg. # 36149., and further, if an active Building permit or Building application is in place, that it be cancelled; and finally, that information respecting the resolution may be inspected at the office of the Regional District of Central Kootenay on normal working days during regular office hours.

Respectfully submitted,
Tony Hadfield_Building/Plumbing Official
Digitally approved by John Southam for BO

CONCURRENCE

Chris Gainham/Building Manager
Digitally approved by Chris Gainham
Sangita Sudan/General Manager of Development and Community Sustainability Services
Digitally approved by Sangita Sudan
Stuart J. Horn/Chief Administrative Officer
Digitally approved by Stuart J. Horn



BY REGISTERED MAIL

File: 3135-20-I-709.05749.300-BP024256

REGISTERED OWNERS:

Evans, Dobie and Evans, Alisha
1726 Thrums Rd
Castlegar BC, V1N 4N4

SUBJECT: Notice on Title

CIVIC ADDRESS: 1726 Thrums East Rd

The Rural Affairs Committee members (RAC) hereby invite you to attend and address their meeting, the **Jul 19, 2023** RAC Committee. To promote openness, transparency and provide accessibility to the public we provide the ability to attend all RDCK meetings in-person or remote.

Date: Jul 19, 2023

Time: 9:00 a.m. PST

Hybrid Meeting: **In-Person Location** - RDCK Board Room, 202 Lakeside Drive, Nelson, BC
Remote Attendance - Please visit rdck.ca for meeting call-in information

At this time, committee members will consider making a recommendation to the Regional District Board to direct the Corporate Officer to file a Notice, in the Land Title Office under Section 57 of the *Community Charter*, against the above noted property.

Please advise in advance whether you and/or a representative, who may be legal council, will be present at the Rural Affairs Committee meeting by contacting the Administration Department at (250) 352-1575 or by email chopkyns@rdck.bc.ca **no less than 3 business days prior to the meeting.**

Should you have no objection to the filing of the subject Notice, please sign and return the attached statement in the stamped, self-addressed envelope. All owners named on the statement must sign this statement. This will allow the Corporate Officer to proceed with filing of the Notice against your property in the Land Title Office. A copy of the Notice will be forwarded for your records.

A copy of the building official's report relative to your property is attached for your reference, as well as a copy of Section 57 of the *Community Charter*.

In order to avoid a Notice on Title, you must contact the building department to resolve concerns noted in the building official's report **no later than 3 business days prior** to the meeting. For specific building inspection inquiries respecting the above, you may contact the writer at either 1-800-268-7325 or (250) 352-8156.

Yours truly,

Building Official

Notice on Title 00697 – Evans, Dobie and Alisha Dobie
1726 Thrums East Rd

Enclosures

CC: Electoral Area I Director



REGIONAL DISTRICT OF CENTRAL KOOTENAY

FILING OF SECTION 57 NOTICE

Building / Plumbing Official
Regional District of Central Kootenay
Box 590
202 Lakeside Drive
NELSON, BC
V1L 5R4

We, Evans, Dobie and Evans, Alisha hereby confirm that we have no objection to the Corporate Officer of the Regional District of Central Kootenay filing a Notice in the Land Title Office under Section 57 of the *Community Charter* against our/my property legally described as Lot C Plan Nep68184 District Lot 1239 Kootenay Land District Manufactured Home Reg. # 36149.

DATE

Evans, Dobie

DATE

Evans, Alisha



File No: 3135-20-«FolioNumbers»

[Click here to enter a date.](#)

«Name1»«Name2»
«MailingAddress»

Dear «Name1»and «Name2»:

RE: FILING OF NOTICE IN LAND TITLE OFFICE UNDER SECTION 57 OF THE COMMUNITY CHARTER
«LongLegals»

We wish to advise that the Board, at its meeting held [Click here to enter a date.](#), adopted the following resolution:

[Click here to enter text.](#)

Pursuant to Resolution [Click here to enter text.](#), a Notice has been forwarded to the Land Title Office for filing against your property, a copy of which is attached for your records.

The Community Charter offers the following avenues of resolution respecting removal of the Notice:

- 58(1) “On receiving a report from a building inspector that the condition that gave rise to the filing of the notice under section 57(3) has been rectified, the corporate officer must file a cancellation notice and, on receiving the notice, the registrar of land titles must cancel the note against the title to which it relates.”
- 58(2) “An owner of land with respect to which a notice has been filed under section 57(3), may apply to the council for a resolution that the note be cancelled.”
- 58(3) “After hearing an applicant under subsection (2), the council may pass a resolution directing the corporate officer to file a cancellation notice.”

We also wish to bring to your attention that pursuant to Regional District of Central Kootenay Building Bylaw No. 2200, 2010, you will be charged an Administrative Fee of \$750.00 for removal of the “Notice on Title”.

If you have any questions, please contact the Building Inspection Department at 250.352.8155.

Sincerely

Notice on Title 00697 – Evans, Dobie and Alisha Dobie
1726 Thrums East Rd

Sangita Sudan
General Manger of Development Services

Attachment

c.c. BC Assessment Authority
Interior Health Authority, Nelson



Committee Report

Notice on Title

Date of Report: Mar 23, 2023
Date & Type of Meeting: Jul 19, 2023, Rural Affairs Committee
Author: Tony Hadfield _Building/Plumbing Official
Subject: NOTICE ON TITLE REPORT
File: 3135-20-I-709.05749.300-BP023217
Electoral Area: I
Registered Owners: Evans, Dobie
 Mclean, Ronald
Civic Address: 1726 Thrums East Rd – Manufactured Home
Legal Description: Lot C Plan Nep68184 District Lot 1239 Kootenay Land District
 Manufactured Home Reg. # 36149.
Zoning: R2I
ALR: No

SECTION 1: EXECUTIVE SUMMARY

The purpose of this report is for the RDCK Board to consider placing a Notice on Title on the above noted property as a consequence of a building bylaw contravention-**Expired Permit**

NOTE: The RDCK has initiated three NoT reports simultaneously for this one property

SECTION 2: BACKGROUND/ANALYSIS

Aug 30, 2016 Building Permit (BP) application was received for placing a manufactured home (MH).
Dec 12, 2016 BP23217 was issued to establish a MH.
Nov 14, 2016 Received complaint that Owner is building a shop, advised Bylaw enforcement.
Apr 26, 2018 Rough-In-Plumbing inspection completed. MH snow load of 65 PSF is not adequate.
Oct 17, 2019 First expiry notice sent.
Jan 03, 2020 Final expiry notice sent.



Mar 23, 2023 No Further contact from Owner.

SECTION 3: DETAILED ANALYSIS

3.1 Financial Considerations – Cost and Resource Allocations:

Included in Financial Plan: Yes No **Financial Plan Amendment:** Yes No
Debt Bylaw Required: Yes No **Public/Gov't Approvals Required:** Yes No

Notice on Title 00685– Evans, Dobie and Mclean, Ronald
1726 Thrums East Rd

In keeping with past practice, and further to Building Bylaw Section 22, the following estimate of penalties and costs are provided:

Notice on Title Removal Fee	\$750.00
RDCK Building Permit Fee based upon total value of construction in the case of a Stop Work Order (estimated)	\$1500.00
Penalty as per Clause 22.3 of Building Bylaw (25% of the Building Permit fee) minimum	\$200.00

3.2 Legislative Considerations (Applicable Policies and/or Bylaws):

1. Section 57 Community Charter;
2. BC Building Code;
3. RDCK Policy No. 400-01-03 Action for Compliance – Notice on Title Procedures;
4. Building Bylaw Contravention – This contravenes RDCK Building Bylaw 2200, Section 4.3 It is the full and sole responsibility of the owner (and where the owner is acting through a representative, the representative) to carry out the work, in respect of which a permit is issued under this Bylaw, in compliance with the Building Code, this Bylaw and other applicable enactments respecting safety.

3.3 Environmental Considerations

N/A

3.4 Social Considerations:

N/A

3.5 Economic Considerations:

N/A

3.6 Communication Considerations:

N/A

3.7 Staffing/Departmental Workplace Considerations:

N/A

3.8 Board Strategic Plan/Priorities Considerations:

N/A

SECTION 4: OPTIONS & PROS / CONS

1. Do not accept recommendation as presented – the property will remain in contravention of the BC Building Code and RDCK Building Bylaw.
2. Accept recommendation as presented – file Notice on Title.

SECTION 5: RECOMMENDATIONS

That the Corporate Officer of the Regional District of Central Kootenay be directed to file a Notice with the Land Title and Survey Authority of British Columbia, stating that a resolution has been made under Section 57 of the *Community Charter* by the Regional District Board relating to land at 1726 Thrums East Rd Electoral Area I,

Notice on Title 00685– Evans, Dobie and Mclean, Ronald
1726 Thrums East Rd

legally described as Lot C Plan Nep68184 District Lot 1239 Kootenay Land District Manufactured Home Reg. # 36149., and further, if an active Building permit or Building application is in place, that it be cancelled; and finally, that information respecting the resolution may be inspected at the office of the Regional District of Central Kootenay on normal working days during regular office hours.

Respectfully submitted,
Tony Hadfield_Building/Plumbing Official
Digitally approved by John Southam for BO

CONCURRENCE

Chris Gainham/Building Manager

Digitally approved by Chris Gainham

Sangita Sudan/General Manager of Development and Community Sustainability Services

Digitally approved by Sangita Sudan

Stuart J. Horn/Chief Administrative Officer

Digitally approved by Stuart J. Horn



BY REGISTERED MAIL

File: 3135-20-I-709.05749.300-BP023217

REGISTERED OWNERS:

Evans Dobie and Mclean, Ronald
1726 Thrums Rd
Castlegar BC, V1N 4N4

SUBJECT: Notice on Title

CIVIC ADDRESS: 1726 Thrums East Rd

The Rural Affairs Committee members (RAC) hereby invite you to attend and address their meeting, the **Jul 19, 2023** RAC Committee. To promote openness, transparency and provide accessibility to the public we provide the ability to attend all RDCK meetings in-person or remote.

Date: Jul 19, 2023
Time: 9:00 a.m. PST
Hybrid Meeting: **In-Person Location** - RDCK Board Room, 202 Lakeside Drive, Nelson, BC
Remote Attendance - Please visit rdck.ca for meeting call-in information

At this time, committee members will consider making a recommendation to the Regional District Board to direct the Corporate Officer to file a Notice, in the Land Title Office under Section 57 of the *Community Charter*, against the above noted property.

Please advise in advance whether you and/or a representative, who may be legal council, will be present at the Rural Affairs Committee meeting by contacting the Administration Department at (250) 352-1575 or by email chopkyns@rdck.bc.ca **no less than 3 business days prior to the meeting.**

Should you have no objection to the filing of the subject Notice, please sign and return the attached statement in the stamped, self-addressed envelope. All owners named on the statement must sign this statement. This will allow the Corporate Officer to proceed with filing of the Notice against your property in the Land Title Office. A copy of the Notice will be forwarded for your records.

A copy of the building official's report relative to your property is attached for your reference, as well as a copy of Section 57 of the *Community Charter*.

In order to avoid a Notice on Title, you must contact the building department to resolve concerns noted in the building official's report **no later than 3 business days prior** to the meeting. For specific building inspection inquiries respecting the above, you may contact the writer at either 1-800-268-7325 or (250) 352-8156.

Yours truly,

Building Official

Notice on Title 00685– Evans, Dobie and Mclean, Ronald
1726 Thrums East Rd

Enclosures

CC: Electoral Area I Director



REGIONAL DISTRICT OF CENTRAL KOOTENAY

FILING OF SECTION 57 NOTICE

Building / Plumbing Official
Regional District of Central Kootenay
Box 590
202 Lakeside Drive
NELSON, BC
V1L 5R4

We, Evans, Dobie and Mclean, Ronald hereby confirm that we have no objection to the Corporate Officer of the Regional District of Central Kootenay filing a Notice in the Land Title Office under Section 57 of the *Community Charter* against our/my property legally described as Lot C Plan Nep68184 District Lot 1239 Kootenay Land District Manufactured Home Reg. # 36149.

DATE

Evans, Dobie

DATE

Mclean, Ronald



Committee Report

Date of Report: August 29, 2023
Date & Type of Meeting: September 13, 2023, Rural Affairs Committee
Author: Zachari Giacomazzo, Planner
Subject: TEMPORARY USE PERMIT - FRANCOEUR
File: T2301B
Electoral Area/Municipality B

SECTION 1: EXECUTIVE SUMMARY

The purpose of this report is for the Rural Affairs Committee and Regional Board to consider authorizing a Temporary Use Permit (TUP) in Electoral Area 'B'.

This TUP would allow for the construction of an accessory building to store vehicles, equipment and materials prior to a principal residential use being established on the subject property.

Staff recommends that the Board direct staff to provide notice of their intention to consider approval of this TUP at a future Board meeting.

SECTION 2: BACKGROUND/ANALYSIS

GENERAL INFORMATION

Property Owner: Oliver Phillip Francoeur

Property Location: 5601 Kitchener Road, Electoral Area 'B'

Legal Description: LOT 2 DISTRICT LOT 4592 KOOTENAY DISTRICT PLAN 2354 EXCEPT PART INCLUDED IN PLAN 9577 (PID: 015-332-799)

Property Size: 1.78 hectares (4.4 acres)

Current Zoning: Rural Resource (R4)

Current Official Community Plan Designation: Rural Residential (RR)

SURROUNDING LAND USES

North: Rural Residential (RR)

East: Suburban Residential (RS)

South: Railway (RW)

West: Rural Residential (RR)

Background Information and Subject Property

The subject property is located in Electoral Area 'B' in the community Kitchener. The property is adjacent to the Rural Resource (R4) zone to the north, east and west. To the south is as rail corridor which is zoned Railway (RW). The property will be serviced by a drilled well and an on-site wastewater (septic) system.

The property owner has commenced construction of the accessory building prior to the issuance of a building permit. On August 29, 2023 the Building Department issued a Stop Work Order. See “Figure 6” for a photo of the building that has been partially constructed.

The accessory structure will have a Gross Floor Area (GFA) of 234 m² and will be approximately 7.8 metres tall at the highest point. Based on the information provided, the size and height of the proposed accessory building comply with the requirements of the zoning bylaw. This proposed TUP application would allow the applicant to enjoy the “accessory buildings and structures” use by allowing the construction of an accessory storage building prior to constructing a dwelling on the subject property.

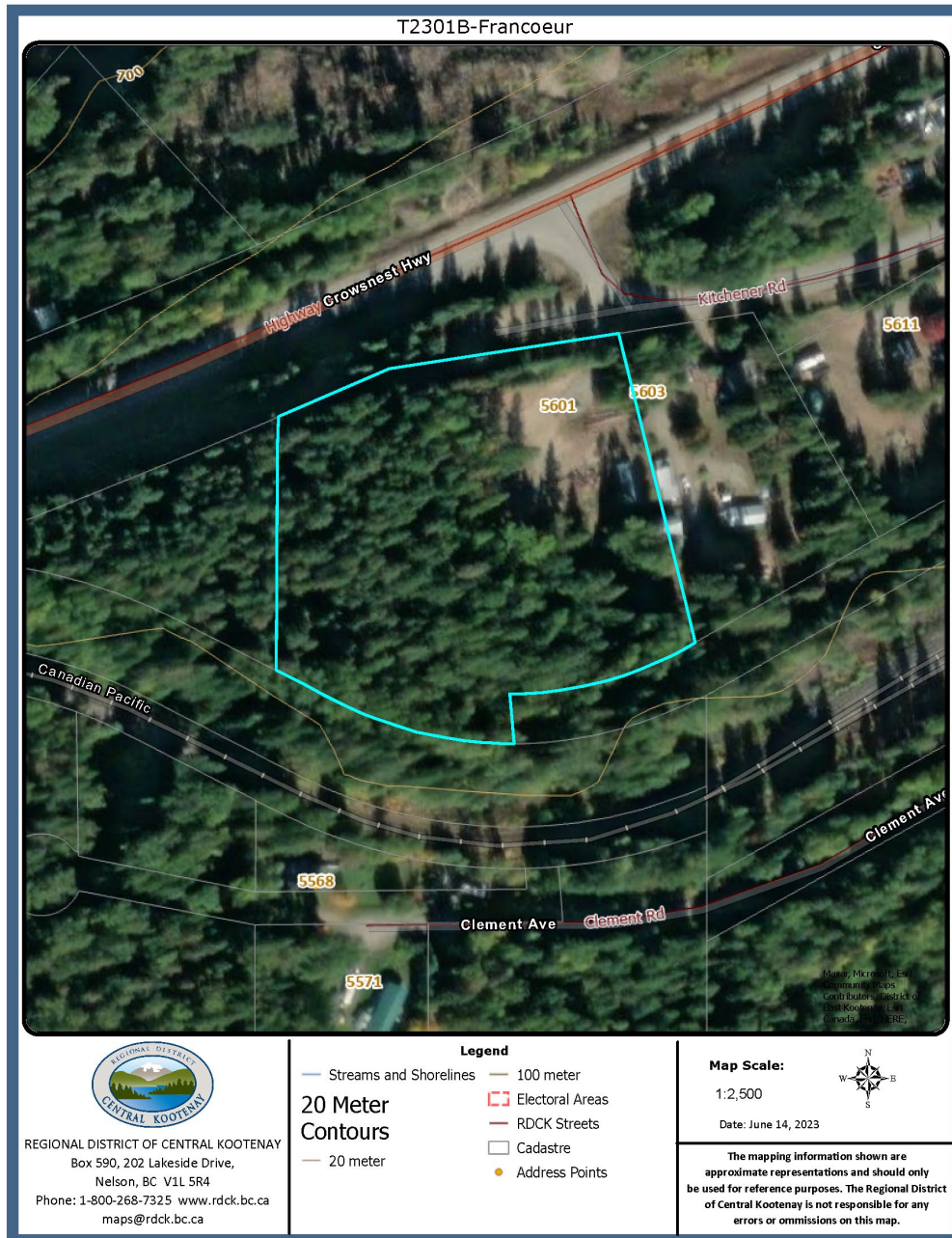


Figure 1 - Location Map

T2301B - Zoning Map



REGIONAL DISTRICT OF CENTRAL KOOTENAY
 Box 590, 202 Lakeside Drive,
 Nelson, BC V1L 5R4
 Phone: 1-800-268-7325 www.rdck.bc.ca
 maps@rdck.bc.ca

Zoning Class

- Commercial
- Railway
- Residential 1
- Residential 4

Legend

- Resource Area
- Electoral Areas
- RDCK Streets
- Cadastre
- Address Points

Map Scale:

1:5,000

Date: August 30, 2023



The mapping information shown are approximate representations and should only be used for reference purposes. The Regional District of Central Kootenay is not responsible for any errors or omissions on this map.

Figure 2 - Zoning Map

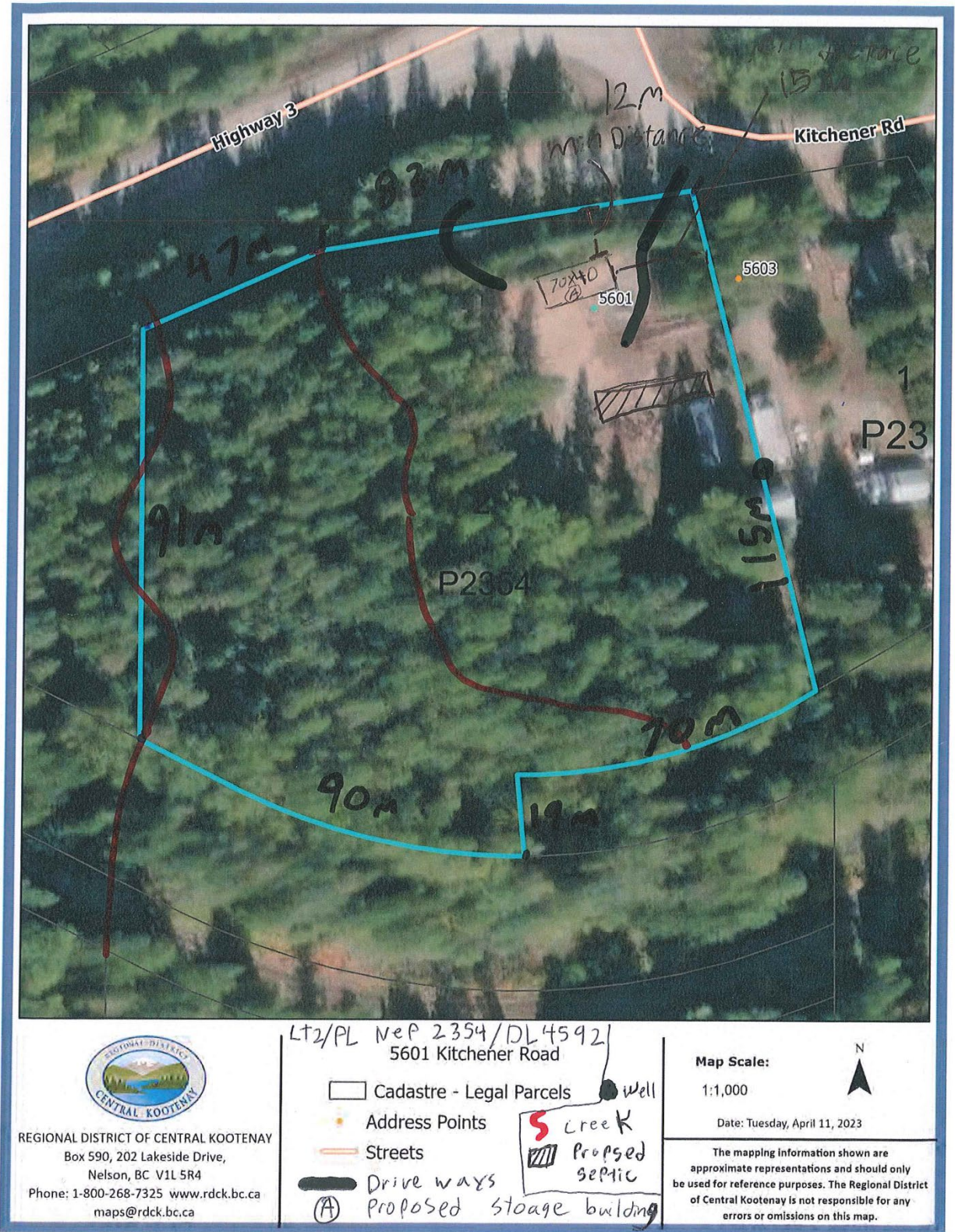


Figure 3 - Site Plan

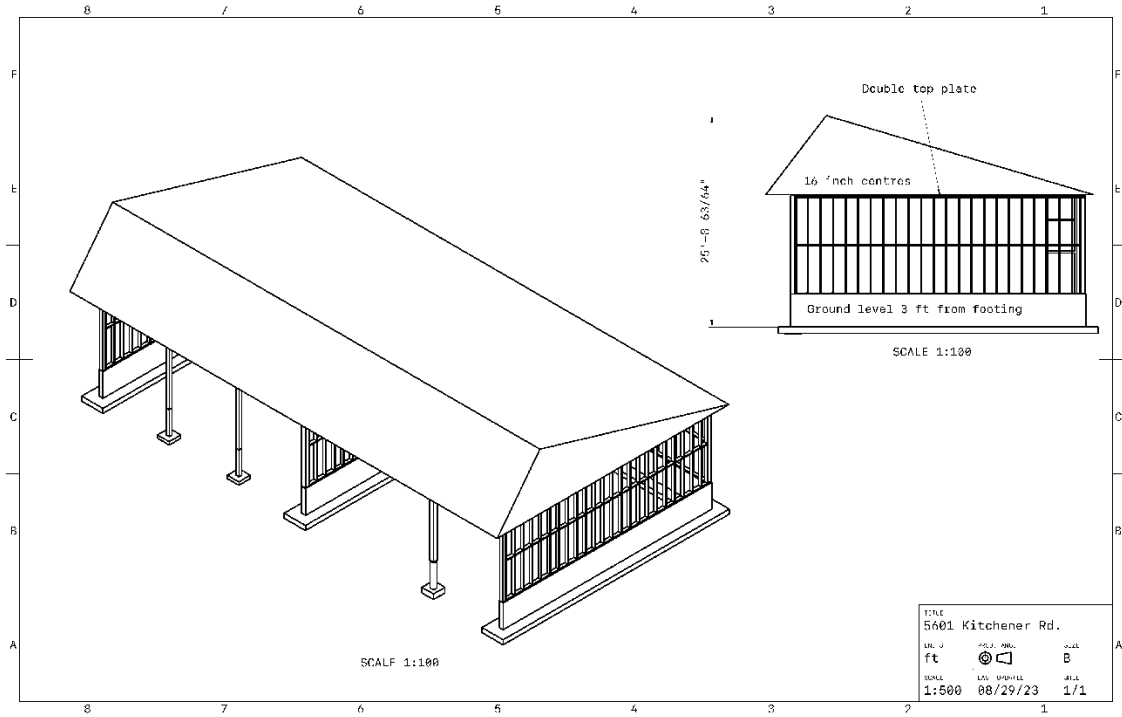


Figure 4 - Building Rendering and Elevation Plan

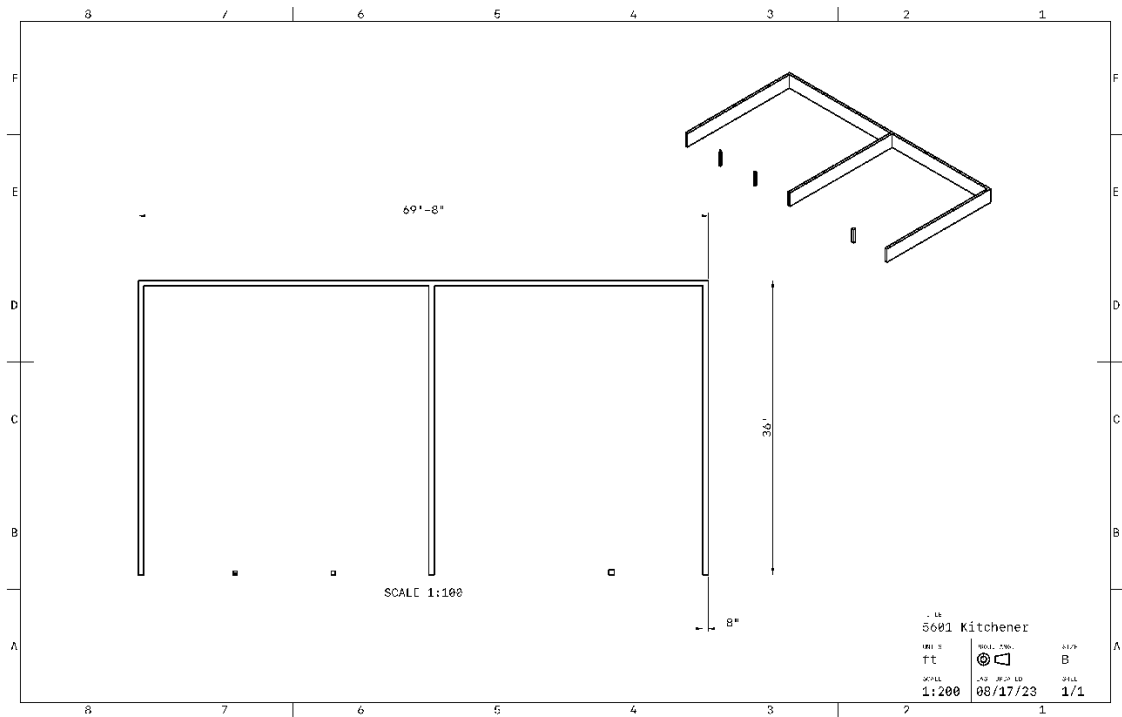


Figure 5 - Building foundation plan showing the proposed building area of 234 m²



Figure 6 - Partially constructed storage building that has been constructed prior to issuance of building permit.

SECTION 3: DETAILED ANALYSIS

3.1 Financial Considerations – Cost and Resource Allocations:

Included in Financial Plan: Yes No Financial Plan Amendment: Yes No

Debt Bylaw Required: Yes No Public/Gov't Approvals Required: Yes No

The application fee has been paid in full pursuant to the Planning Fees and Procedures Bylaw No. 2457, 2015.

3.2 Legislative Considerations (Applicable Policies and/or Bylaws):

Under Section 493 of the Local Government Act (LGA), the Board has the authority to issue a TUP by resolution to designated land within Official Community Plans (OCP's) where temporary uses are allowed.

Section 40.0 of Electoral Area 'B' Comprehensive Land Use Bylaw No. 2316, 2013 directs that the Regional Board will consider issuing temporary use permits throughout the plan area subject to the following:

- a. demonstration that the use is temporary or seasonal in nature;
- b. potential conflict with nearby land uses;

- c. potential impacts on environmentally sensitive areas;
- d. provision of adequate servicing that meets health requirements; and
- e. relevant policies within other sections of this plan.

Under Section 494 of the LGA, if a local government proposes to pass a resolution under section 493 (1)(a) it must give notice and the notice must state:

- (a) *in general terms, the purpose of the proposed permit,*
- (b) *the land or lands that are the subject of the proposed permit,*
- (c) *the place where and the times and dates when copies of the proposed permit may be inspected,*
- (d) *the time and date when and, if applicable, the place where the resolution will be considered, and*
- (e) *if the meeting at which the resolution will be considered is conducted by means of electronic or other communication facilities, the way in which the meeting is to be conducted by those means.*

3.3 Environmental Considerations

None anticipated.

3.4 Social Considerations:

No social considerations are anticipated from this TUP application.

3.5 Economic Considerations:

None anticipated.

3.6 Communication Considerations:

In accordance with the LGA and the RDCK's *Planning Procedures and Fees Bylaw No. 2457, 2015* a sign describing the proposal was posted on the subject property shortly after the TUP application was submitted, and notices were mailed to surrounding neighbours within a 100 metre radius of the subject site on July 10, 2023. To date, the Planning Department has received no community correspondence or inquires related to this TUP application.

Planning staff referred the application to all relevant government agencies, internal RDCK departments and the Advisory Planning and Heritage Commission (APHC) for Electoral Area 'B' for review. The following comments were received:

Ministry of Transportation and Infrastructure (MoTI) – Development Officer

The ministry has no concerns with the construction of an accessory building prior to the main house being constructed. The property does front both Highway 3 and Kitchner Road, no access to Highway 3 will be permitted pursuant to section 49 of the Transportation Act

Interior Health Authority (IHA) – Team Leader, Healthy Community Development

Thank you for the opportunity to provide comments. Interior Health interests are not affected.

RDCK Fire Services – Fire Chief

No comments provided.

BC Hydro – Property Coordinator, Property Rights Services

Thank you for your email. BC Hydro has no objection in principle to the Temporary Use Permit application as BC Hydro's work do not physically cross the property nor is there a Right of Way Agreement registered on Title.

- 1. For new construction, BC Hydro wishes to ensure that building permits do not get issued that allow for encroachment of buildings into the safety clearance zones required around existing bare utility conductors, including those utility works installed within road allowance adjacent to the property.*
- 2. It is the responsibility of the Architect and Electrical Engineer of Record (EEOR) to ensure compliance with the Canadian Electrical Code (CEC), Canadian Safety Association (CSA) and WorkSafe BC (WSBC). The CEC, CSA and WSBC stipulate minimum clearances of powerlines and equipment from buildings for safety and safe working clearances (Limits of Approach).*
- 3. If the Developer or Property Owner requires any additional electrical connections, or wishes to relocate any existing powerlines or equipment, please call BC Hydro's Electric Service Coordination Centre at 1-877-520-1355 and ask to speak to a Distribution Designer.*

FortisBC – Property Services

Land Rights Comments

- There are no immediate concerns or requests for additional land rights, however there may be additional land rights requested stemming from changes to the existing FortisBC Electric ("FBC(E)") services, if required.*

Operational & Design Comments

- There are FortisBC Electric ("FBC(E)") primary distribution facilities along Kitchener Road.*
- All costs and land right requirements associated with changes to the existing servicing are the responsibility of the applicant.*
- The applicant and/or property owner are responsible for maintaining safe limits of approach around all existing electrical facilities within and outside the property boundaries.*
- For any changes to the existing service, the applicant must contact an FBC(E) designer as noted below for more details regarding design, servicing solutions, and land right requirements.*

In order to initiate the design process, the customer must call 1-866-4FORTIS (1-866-436-7847). Please have the following information available in order for FBC(E) to set up the file when you call.

- Electrician's Name and Phone number*
- [FortisBC Total Connected Load Form](#)*
- Other technical information relative to electrical servicing*

For more information, please refer to FBC(E)'s overhead and underground design requirements:

FortisBC Overhead Design Requirements
<http://fortisbc.com/ServiceMeterGuide>

FortisBC Underground Design Specification
<http://www.fortisbc.com/InstallGuide>

Land Rights Comments

- There are no immediate concerns or requests for additional land rights, however there may be additional land rights requested stemming from changes to the existing FortisBC Electric (“FBC(E)”) services, if required.

Operational & Design Comments

- There are FortisBC Electric (“FBC(E)”) primary distribution facilities along Evans Road.
- All costs and land right requirements associated with changes to the existing servicing are the responsibility of the applicant.
- The applicant and/or property owner are responsible for maintaining safe limits of approach around all existing electrical facilities within and outside the property boundaries.
- For any changes to the existing service, the applicant must contact an FBC(E) designer as noted below for more details regarding design, servicing solutions, and land right requirements.

In order to initiate the design process, the customer must call 1-866-4FORTIS (1-866-436-7847). Please have the following information available in order for FBC(E) to set up the file when you call.

- Electrician’s Name and Phone number
- [FortisBC Total Connected Load Form](#)
- Other technical information relative to electrical servicing

For more information, please refer to FBC(E)’s overhead and underground design requirements:

FortisBC Overhead Design Requirements
<http://fortisbc.com/ServiceMeterGuide>

FortisBC Underground Design Specification
<http://www.fortisbc.com/InstallGuide>

RDCK Building Department

The applicant has applied for a building permit (BP027756) for the proposed storage building that is being considered through this TUP application. The applicant started construction (pouring concrete footings/foundation) prior to the building permit being issued. A Stop Work Order was issued on August 29, 2023. Approval of this TUP application is required prior to the issuance of a building permit.

Electoral Area ‘B’ APHC

These comments are from the DRAFT Minutes from the August 30th APHC Meeting.

That the Area B Advisory Planning Commission **SUPPORT** the application for a Temporary Use Permit to allow the construction of a 195 m² accessory building prior to the construction of a Dwelling on the subject property.

3.7 Staffing/Departmental Workplace Considerations:

Should the Regional Board resolve to provide the public with a 'Notice of Permit' staff will prepare the notification and publish it in the local paper, pursuant to Section 494 of the Local Government Act as cited in Section 3.2 of this report.

If the Board proceeds with the proposal, notification will be circulated to neighbouring property owners and to the general public by way of newspaper advertisement and a Public Hearing held as per Planning Fees and Procedures Bylaw No. 2457, 2015.

3.8 Board Strategic Plan/Priorities Considerations:

Not applicable.

SECTION 4: OPTIONS

Planning Discussion

This proposed TUP would allow the construction of an accessory building prior to establishing a dwelling on the property. Based on the information provided by the applicant, the proposed accessory building will comply with the maximum gross floor area and maximum height regulations in the R4 zone, therefore the size, height and overall scale of the proposed accessory building are not being considered by this application. The applicant has indicated that the accessory building is required in order to store equipment and materials that are needed for the construction of the future dwelling. Construction of the primary residence would begin in the spring of 2024.

If the Board is to consider issuance of the Temporary Use Permit or referring the application to a Public Hearing staff will include specific conditions in the draft permit that will authorize the use for a specific period of time and only include permission to construct the proposed accessory building based on the plans that have been submitted by the applicant.

Response from the Public

Public notice of the application was completed with a Notice of Proposal sign posted on the property adjacent to Kitchener Road, written notice provided to 11 adjacent landowners, and the referral package being posted to the RDCK's active applications web page.

Given that there have been no questions, concerns or submissions received in relation to this application, staff recommend that the board approve the TUP. In accordance with the Local Government Act, if the Board resolves to direct staff to provide notification of Board's intention to approve the TUP, staff will undertake the statutory notification requirements to advance this TUP application.

The Planning Department supports the requested TUP application, since:

- The ability to issue temporary use permits can allow for flexibility in the zoning regulations on a temporary basis and with conditions aimed at addressing any potential negative impacts on the community, the neighbourhood, or the environment.
- This TUP application would allow the property owner to establish accessory uses and one related structure on the lot, which would be considered customarily incidental, subordinate and exclusively devoted to a future principal residential use on the same parcel.
- Staff do not anticipate any negative social, environmental and or neighbourhood impacts related to the issuance of this TUP.

- The accessory structure would be sited in accordance with the Zoning Bylaw’s setbacks, height and maximum gross floor area regulations and no variances are requested.
- The draft TUP requires the owners to establish a residential use onsite within a two year timeframe.
- Issuance of the TUP, including the two year timeframe would allow the applicant the opportunity to design a residence, while still permitting the use of the accessory structure on site.

It is for the above reasons that staff recommend that the Board proceed with directing staff to undertake the statutory notification requirements to advance this TUP application.

Option 1

That the Board direct staff to provide notification of the Board’s intention to consider Temporary Use Permit application T2301B by Oliver Phillip Francoeur for the property located at 5601 Kitchener Road and legally described as LOT 2 DISTRICT LOT 4592 KOOTENAY DISTRICT PLAN 2354 EXCEPT PART INCLUDED IN PLAN 9577 (PID: 015-332-799) at the next available opportunity.

Option 2

That the Board direct staff to refer Temporary Use Permit application T2301B by Oliver Phillip Francoeur for the property located at 5601 Kitchener Road and legally described as LOT 2 DISTRICT LOT 4592 KOOTENAY DISTRICT PLAN 2354 EXCEPT PART INCLUDED IN PLAN 9577 (PID: 015-332-799) to a public hearing.

Option 3

That NO FURTHER ACTION be taken regarding the issuance of Temporary Use Permit T2301B by Oliver Phillip Francoeur for the property located at 5601 Kitchener Road and legally described as LOT 2 DISTRICT LOT 4592 KOOTENAY DISTRICT PLAN 2354 EXCEPT PART INCLUDED IN PLAN 9577 (PID: 015-332-799)

SECTION 5: RECOMMENDATIONS

That the Board direct staff to provide notification of the Board’s intention to consider Temporary Use Permit application T2301B by Oliver Phillip Francoeur for the property located at 5601 Kitchener Road and legally described as LOT 2 DISTRICT LOT 4592 KOOTENAY DISTRICT PLAN 2354 EXCEPT PART INCLUDED IN PLAN 9577 (PID: 015-332-799) at the next available opportunity.

Respectfully submitted,

“Submitted electronically”

Zachari Giacomazzo, Planner

CONCURRENCE

Planning Manager – Nelson Wight
 General Manager Development & Sustainability – Sangita Sudan
 Chief Administrative Officer – Stuart Horn

ATTACHMENTS:

- Attachment A – Draft Temporary Use Permit**
- Attachment B – Excerpt from Comprehensive Land Use Bylaw No. 2316, 2013**



Temporary Use Permit

T2301B (Francoeur)

Date: August 30, 2023

Issued pursuant to Section 492 of the *Local Government Act*

TO: Oliver Phillip Francoeur

ADMINISTRATION

1. This Temporary Use Permit (TUP) is issued subject to compliance with all of the bylaws of the Regional District of Central Kootenay (RDCK) applicable thereto, except as specifically authorized by this Permit.
2. The land described shall be developed strictly in accordance with the terms and conditions and provisions of this Temporary Use Permit (TUP), and any plans and specifications attached to this Permit that shall form a part thereof.
3. This Temporary Use Permit (TUP) is not a Building Permit.

APPLICABILITY

4. This TUP is issued for the following purpose: to permit the use of an unauthorized partially constructed accessory storage building to be constructed prior to a principal residential use being established.
5. This TUP applies to and only to those lands within the RDCK described below, and any and all buildings, structures and other development thereon, substantially in accordance with Schedules '1', '2' and '3':

Address: 5601 Kitchener Road, Electoral Area 'B'

Legal: LOT 2 DISTRICT LOT 4592 KOOTENAY DISTRICT PLAN 2354 EXCEPT PART INCLUDED IN PLAN 9577

PID: 015-332-799

CONDITIONS

6. This TUP authorizes the following use of the above mentioned lands for a period not to exceed three (2) years from the date of issuance or at the date of expiry;
7. This TUP is issued subject to the following conditions:

- a. The temporary use shall be limited to one accessory structure on the subject parcel, prior to the construction and establishment of the principal residential use and building on the subject property.
- b. The accessory structure shall not contain a dwelling unit.
- c. The accessory structure shall not be used for commercial or industrial purposes.
- d. It is understood and agreed that the Regional District of Central Kootenay has made no representations, covenants, warranties, guarantees, promises, or agreements (verbal or otherwise) with the Permittee other than those contained in this Permit.
- e. Notice shall be filed in the Land Title Office that the land described herein is subject to this Permit.
- f. It is understood and agreed that this Permit does not imply approval for future rezoning of the subject property for the specified use.
- g. This Permit shall expire three (2) years from the date of issuance.

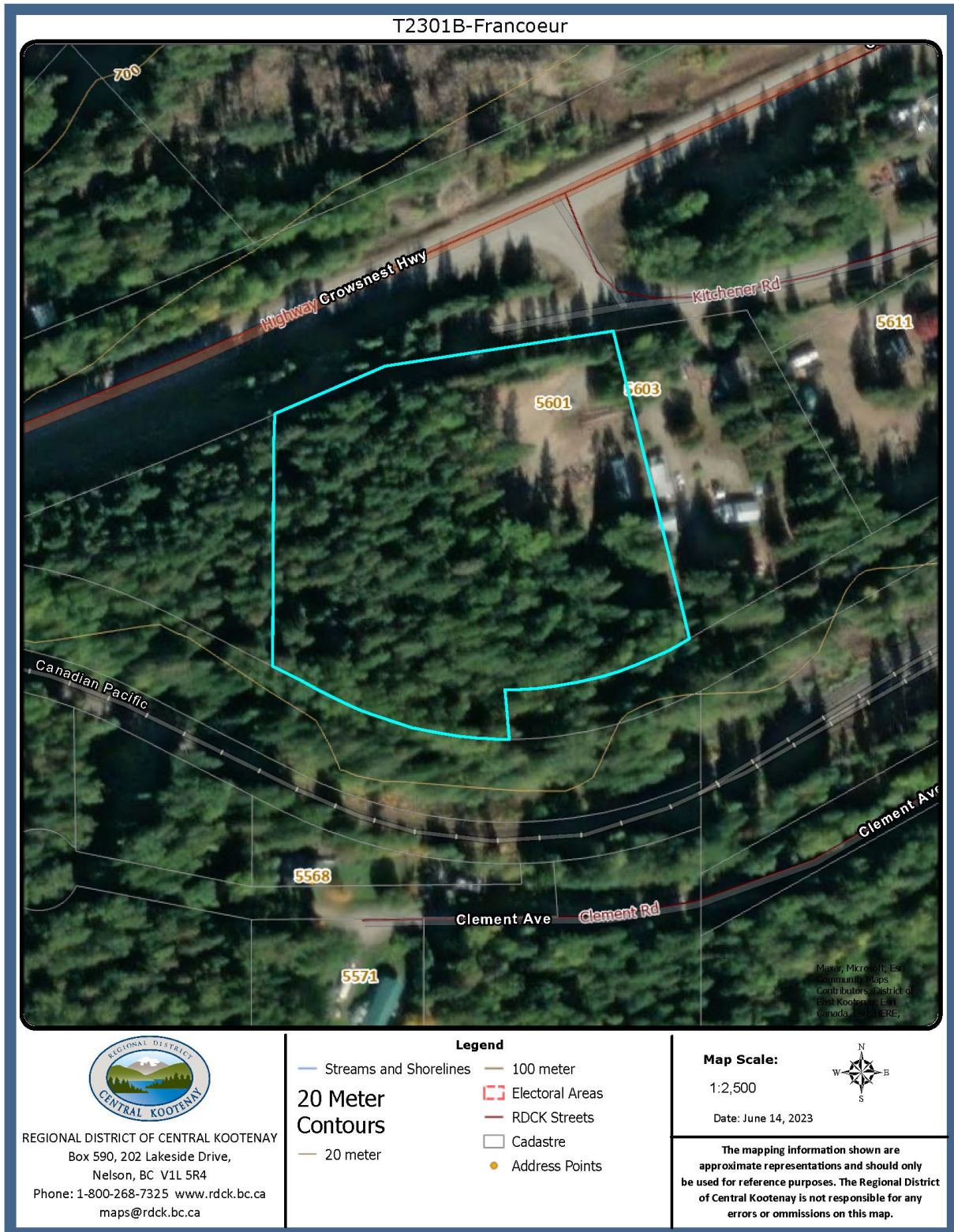
Authorized resolution *[enter resolution number]* passed by the RDCK Board on the 14th day of September, 2023.

The Corporate Seal of
THE REGIONAL DISTRICT OF CENTRAL KOOTENAY
was hereunto affixed in the presence of:

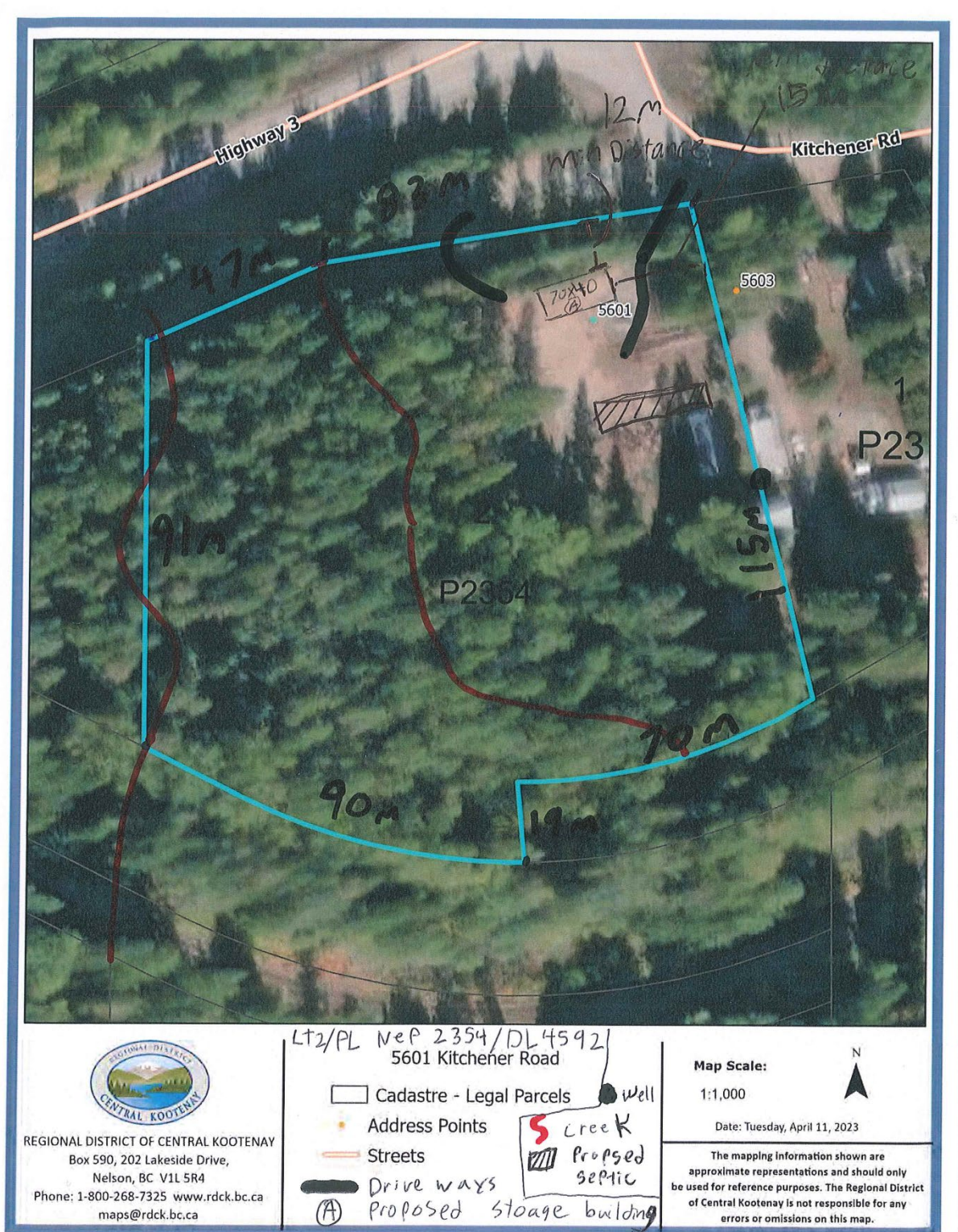
Aimee Watson, Board Chair

Mike Morrison, Corporate Officer

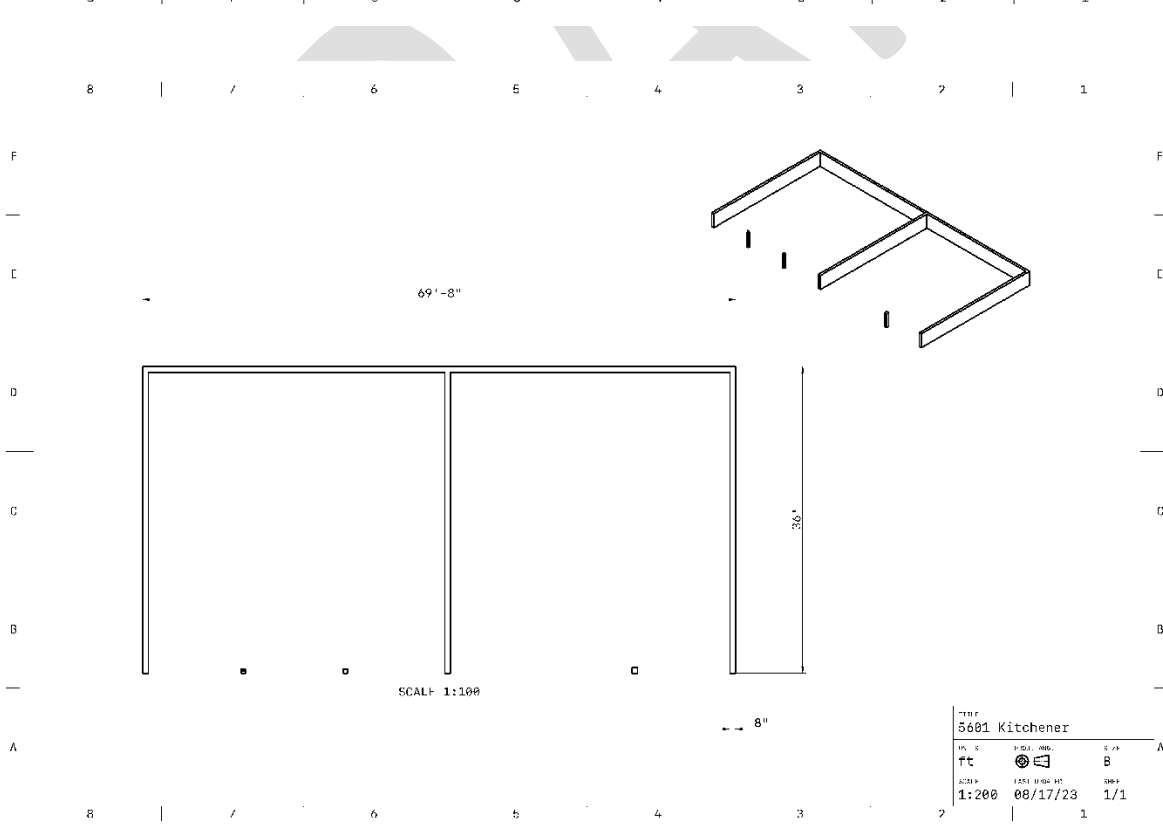
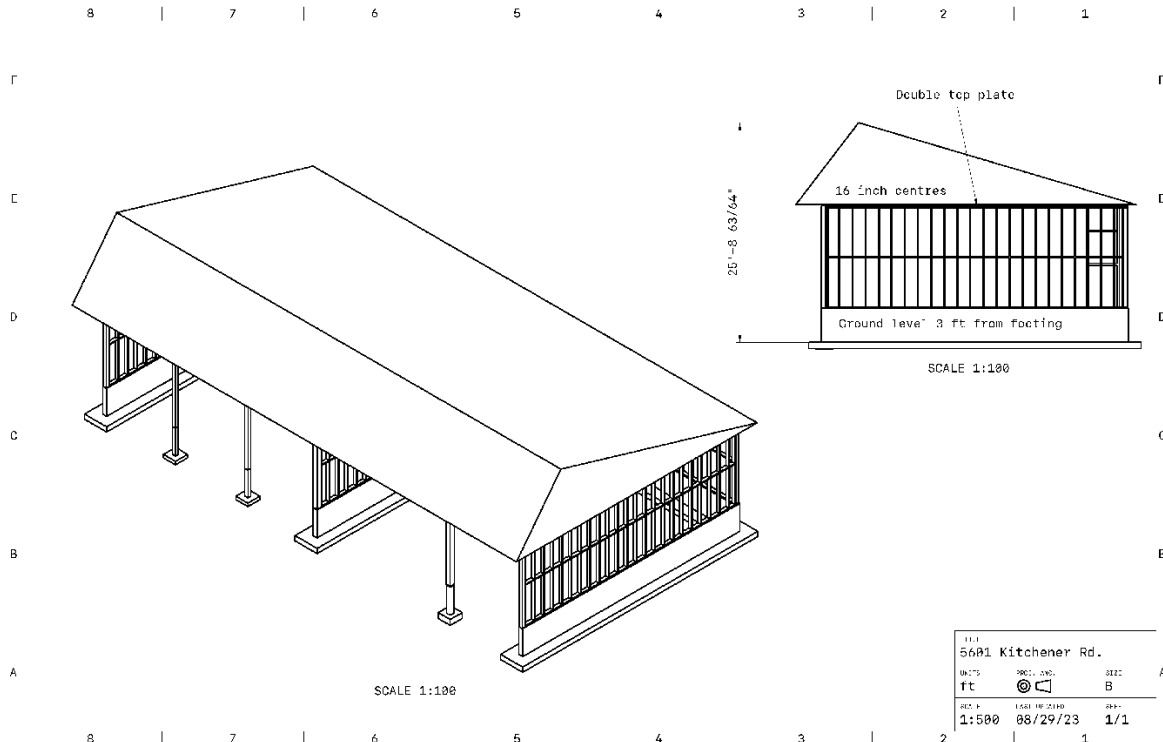
Schedule 1: Subject Property



Schedule 2: Site Plan



Schedule 3: Building Plans



20.0 RURAL RESOURCE (R4)

Permitted Uses

1. Land, buildings and structures in the Rural Resource (R4) zone shall be used for the following purposes only:
 - Dwellings:
 - One Family
 - Two Family
 - Horse Riding Stables and Boarding Stables
 - Horticulture
 - Micro Cultivation, Cannabis
 - Micro Processing, Cannabis
 - Nursery, Cannabis
 - Nurseries, Greenhouses and Florists
 - Veterinary Clinics
 - Kennels
 - Accessory Uses:
 - Accessory Buildings or Structures
 - Accessory Tourist Accommodation
 - Home Based Business
 - Keeping of Farm Animals
 - Sale of Site Grown Agricultural Produce
 - Portable Sawmills
 - Temporary Farmworker Housing

Development Regulations

2. The minimum site area for each permitted use shall be two (2) hectares.
3. The maximum site coverage permitted shall be 50 percent of the lot area.
4. The keeping of farm animals shall comply with the requirements of section 16.0 (79).
5. Buildings and structures in the case of a lot that may be further sub-divided shall be sited so as to facilitate the further subdivision of the lot or adjacent lots.
6. Portable Sawmills shall be located a minimum of 30 metres from any property line.
7. The minimum setback for a kennel shall be 30 metres from any lot line.
8. *Removed by Bylaw 2748.*
9. The maximum height of any accessory building or structure shall not exceed 8 metres.
10. The maximum footprint of any accessory building or structure shall not exceed 250 square metres.
11. The cumulative gross floor area of all accessory buildings or structures shall not exceed 500 square metres.

Cannabis Regulations

12. Any building or structure for the purposes of cannabis micro cultivation, cannabis micro processing or cannabis nurseries shall be a minimum of 15 metres from all property lines, with the exception of a structure that has a base entirely of soil which may be located within 7.5 metres of a property line.
13. Cannabis micro-cultivation, cannabis micro-processing or cannabis nursery licenses shall not be permitted in a dwelling place.

Temporary Farmworker Housing

14. Temporary Farmworker Housing shall be permitted on a lot separate from the Farm Business, provided that:
 1. The lot is 2.0 hectares or larger;
 2. The minimum setback is 6.0 metres from the Front Lot Line and Exterior Lot Line and 15.0 metres from other lot lines; and
 3. The minimum setback from the nearest exterior wall of a dwelling unit on another lot is 30.0 metres, or where a landscape screen comprised of a thick hedge of hardy shrubs or evergreen trees not less than 1.8 metres in height and 1.5 metres in width and maintained in a healthy growing condition is provided, the minimum setback from the nearest exterior wall of a dwelling unit shall not be required.



Committee Report

Date of Report: August 29, 2023
Date & Type of Meeting: September 13, 2023, Rural Affairs Committee
Author: Zachari Giacomazzo, Planner
Subject: DEVELOPMENT VARIANCE PERMIT
File: V2304B – Remppe
Electoral Area/Municipality B

SECTION 1: EXECUTIVE SUMMARY

The purpose of this report is for the Rural Affairs Committee and Regional Board to consider a Development Variance Permit (DVP) in Electoral Area ‘B’. If approved, the variance would authorize the applicant to establish a Farm Residential Footprint approximately 332 metres from the front property line whereas the bylaw requires that the maximum depth of the Farm Residential Footprint shall not exceed 60 metres from the Front Lot Line.

Staff recommend that the Board approve the Development Variance Permit, allowing the Farm Residential Footprint at the approximate distance from the road as requested, but constrained to the northerly portion of the lot, as opposed to extending entirely across it.

SECTION 2: BACKGROUND/ANALYSIS

GENERAL INFORMATION

Property Owner: Tobias Tomas Remppe

Property Location: 1016 27th Avenue S., Erickson, Electoral Area ‘B’

Legal Description: THAT PART OF LOT 2 DISTRICT LOT 812 KOOTENAY DISTRICT PLAN 730B, LYING NORTH OF A LINE WHICH BISECTS THE EASTERLY AND WESTERLY BOUNDARIES OF THE SAID LOT (PID: 016-111-532)

Property Size: 4 hectares (9.83 acres)

Current Zoning: Agriculture 1 (AG1)

Current Official Community Plan Designation: Agriculture (AG)

SURROUNDING LAND USES

North: Agriculture (AG) (ALR)

East: Agriculture (AG) (ALR)

South: Agriculture (AG) (ALR)

West: Agriculture (AG) (ALR)

Background Information and Subject Property

The subject property is located in Electoral Area ‘B’ south of the Town of Creston. The property is entirely within the ALR and surrounded by the Agriculture 1 (AG1) zone. There is presently a large storage building and an

“ATCO” style mobile unit that has been placed on the property without a building permit. Information has not been provided related to how this “ATCO” style mobile unit is being serviced. The property is within the RDCK owned Erickson water supply area and the future dwelling will be serviced with an on-site wastewater (septic) system.

The applicant has indicated that due to topographical, drainage and infrastructure-related constraints it is not reasonable to establish a Farm Residential Footprint and construct the dwelling within 60 metres of the front property line. See “Figure 1” for an approximate location of the proposed “Farm Residential Footprint”. These constraints are described in more detail below:

Topography/drainage: The portion of the lot within 60 metres of the front property line is the lowest point on the property and surface water from the front of the lot and middle/rear portions of the lot drain towards this area creating a wet area during periods of rain and throughout the spring. This “lower” portion of the land is visible in Figures 4 and 5.

Existing Infrastructure: The applicant has indicated that there is “clay drain tile” located approximately 45 metres from the front property line. The precise location of the drain tile is known only for a portion of the pipe closer to the northern interior lot line. Figure 6, a plan prepared by the applicant to highlight some of the features and constraints on the property show

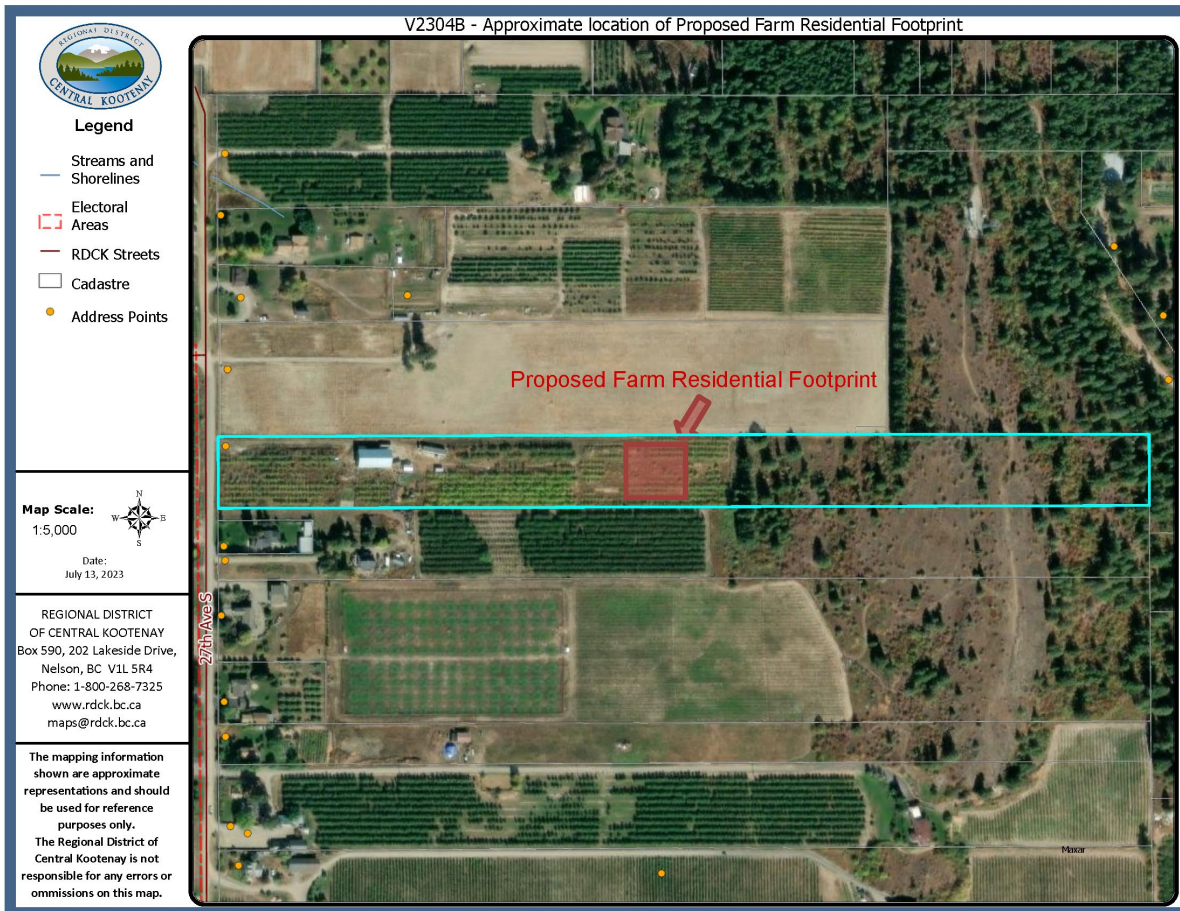


Figure 1: Overview Map

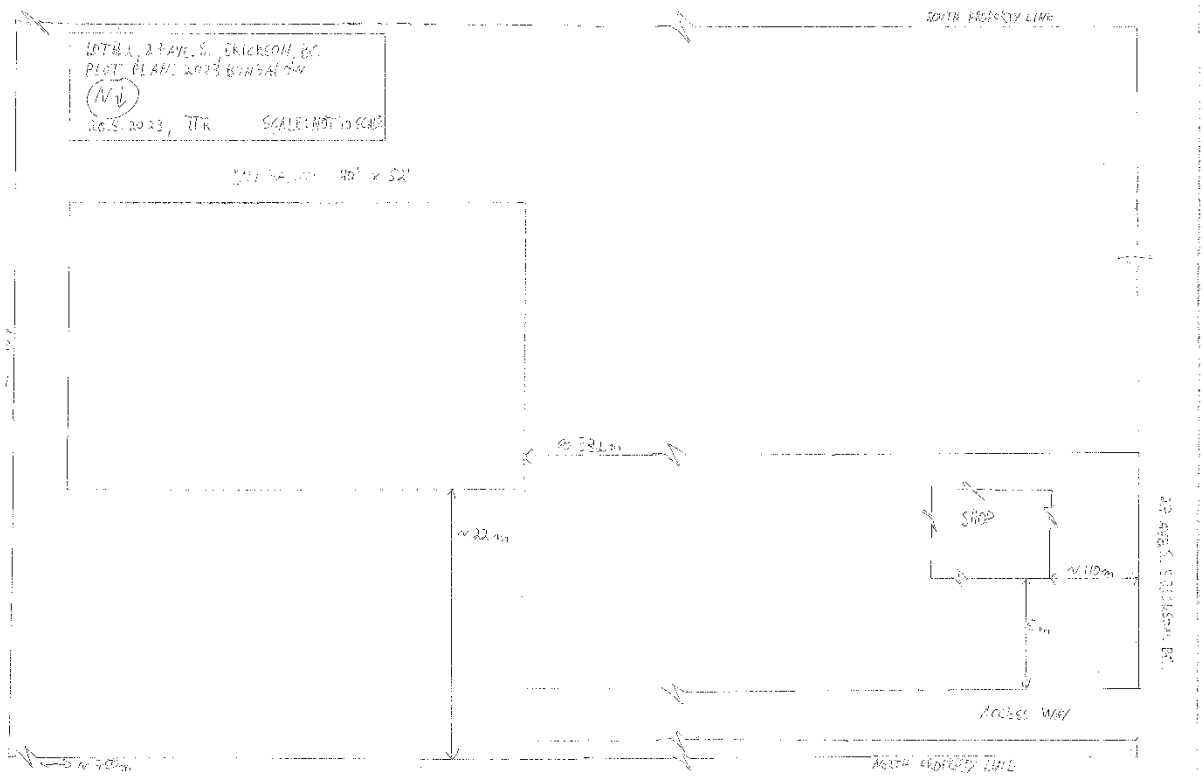


Figure 2: Site Plan



Figure 3: Proposed building site, approximately 332 metres from the front property line



Figure 4 - View looking west towards 27th Avenue and the front of the property.



Figure 5 - View looking east from a distance of approximately 60 metres from the front property line. The zoning bylaw requires that the farm residential footprint be located in this area. The applicant has indicated that there is "clay drain tile" in this lower portion of the property that could be damaged during the construction of a dwelling.

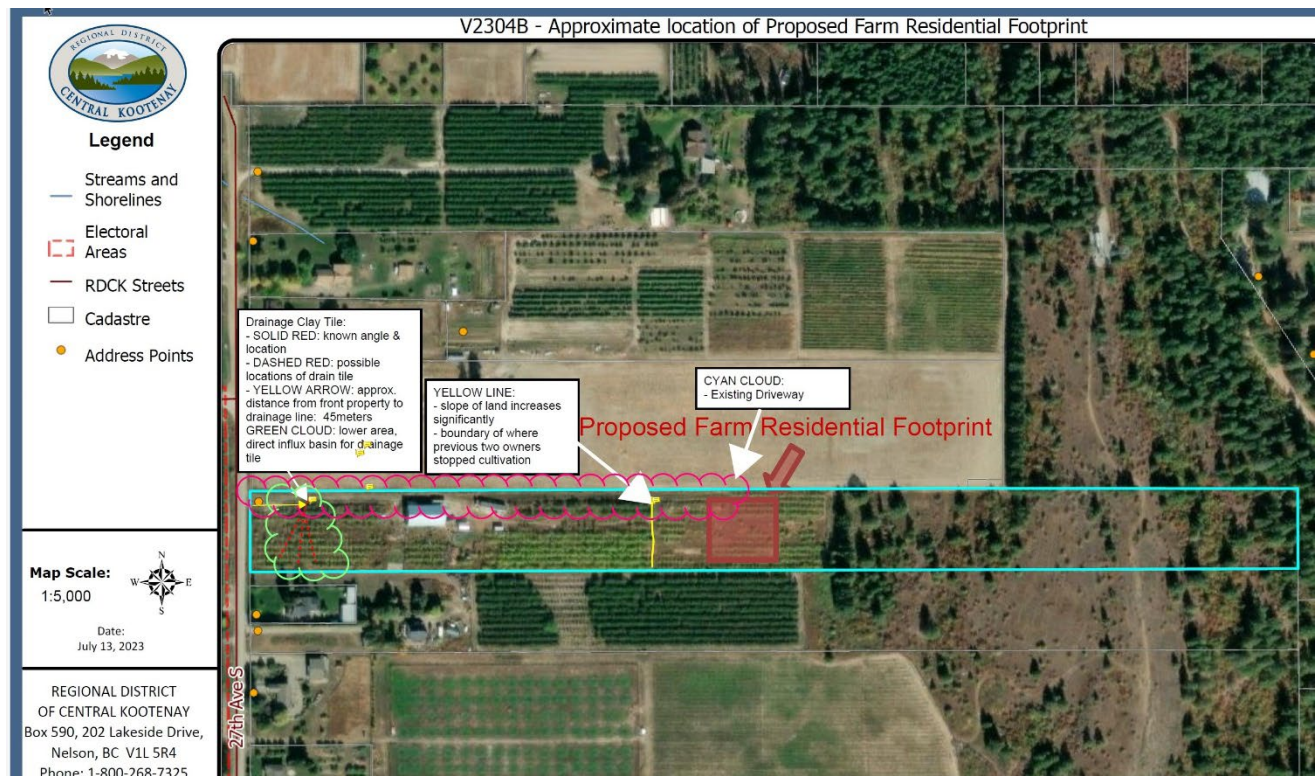


Figure 6 - Plan prepared by applicant that identifies some of the constraints and existing features on the property.

Planning Policy

Electoral Area 'B' Comprehensive Land Use Bylaw No. 2316, 2013

Agriculture Objectives

1. To preserve and promote the use of agricultural land for current and future agricultural production, and to protect this land from uses which are inconsistent with agricultural use or are incompatible with existing agricultural uses in the area.
2. To encourage the agricultural sector's viability by pursuing supportive land use policies within and adjacent to farming areas and to ensure adequate water and land resources for agricultural purposes with recognition of the importance of local food production.
3. To support agricultural land use practices that do not adversely affect the surrounding environment nor compromise the capability of the land for future food production.
4. To support agricultural land use practices within and adjacent to farming areas that seek to minimize conflicts between agriculture and other land uses.
5. To support a strategy for diversifying and enhancing farm income by creating opportunities for uses secondary to and related to agricultural use.
7. To recognize distinct agricultural areas reflecting unique historical development trends, soils and climate.
9. To work with the Town of Creston on a co-operative approach to agricultural lands within the urban / rural interface that will mitigate the loss of agricultural land to future growth.

Agriculture (AG) Policies

The Regional Board:

10. Directs that the principal use of land designated 'Agriculture' shall be for agricultural use.
14. May require that new development adjacent to agricultural areas provide sufficient buffering in the form of setbacks, fencing or landscaping.
16. Supports directing intensive agricultural operations to larger lots or increasing building setbacks and other possible mitigation measures to prevent potential conflicts with adjacent land uses.
17. Supports the use of minimum and maximum setback distances for residential development and the clustering of built structures on agricultural lands to reduce the impact to agricultural potential and operations.

Community Specific Policies

Erickson

1. Recognizes that the community is primarily characterized by a mix of small lot and large lot residential and agricultural parcels, the majority of which are located within the Agricultural Land Reserve and will allow for a mix of parcel sizes dependent on type of land use and agricultural activity.

SECTION 3: DETAILED ANALYSIS

3.1 Financial Considerations – Cost and Resource Allocations:

Included in Financial Plan: Yes No Financial Plan Amendment: Yes No
Debt Bylaw Required: Yes No Public/Gov't Approvals Required: Yes No

The application fee has been paid in full pursuant to the Planning Fees and Procedures Bylaw No. 2457, 2015.

3.2 Legislative Considerations (Applicable Policies and/or Bylaws):

Section 498 of the Local Government Act gives authority to vary provisions of a zoning bylaw provided that they do not affect use and density.

3.3 Environmental Considerations

None anticipated.

3.4 Social Considerations:

The RDCK sent notice letters by mail to 16 surrounding residents. Two responses were received which expressed concerns about the proposed variance.

3.5 Economic Considerations:

None anticipated.

3.6 Communication Considerations:

The application was referred to internal departments, external agencies and 16 surrounding residents. Two responses were received from neighbouring residents. The following responses were received from government agencies.

RDCK Water Services

No concerns.

RDCK Building Services – Building Manager

The property owner has placed an “ATCO” style mobile unit on the subject property without the issuance of a building permit and as such, is in contravention of sections 6.1 and 6.2 of the RDCK Building Bylaw 2200, 2010. Enforcement activities will include but may not be limited to posting of a “DO NOT OCCUPY” on the structure.

The DO NOT OCCUPY will remain in place until all applicable provisions of the Building Code and RDCK Building Bylaw 2200, 2010 have been substantially complied with, and a first step is the application of a building permit for the structure.

The BC Building Code applies to factory-constructed buildings and recognizes Canadian Standards Association (CSA) A277 or Z240 certified structures. To be permitted for placement in the RDCK, factory constructed buildings must bear the appropriate CSA label and are required to be designed and built to the BC Building and Plumbing Codes: this includes energy requirements – compliance with Step 3 of the Energy Step Code, design of the structure to BC Climate Zone 5 and structural design for environmental loads listed in the RDCK Building Bylaw, specifically the applicable snow load for the location. Site preparations, which include siting, foundations, and mountings as well a connections to services and installation of appliances, are required to comply with the BC Building and Plumbing Codes. Typical application submission requirements applicable to an application of this type include but are not limited to:

- *Affixed CSA Z240 or A277 certification label*
- *Manufacturer*
- *Date of Manufacture*
- *Model*
- *Size*
- *Registration number*
- *Serial number*

Building and Plumbing configurations that are not specifically included in the applicable codes, including water and waste plumbing, may require design and field review by Registered Professionals and/or submission of an Alternative Solution consistent with the Administrative Provisions of the BC Building Code.

Interior Health Authority – Team Leader: Healthy Community Development

Thank you for the opportunity to provide comments. Interior Health interests are not affected.

Ministry of Transportation and Infrastructure – Development Officer

Thank you for the opportunity to provide comments to the development permit variance, our ministry has no concerns as our interests are unaffected.

Fortis BC

Land Rights Comments

- *There are no immediate concerns or requests for additional land rights, however there may be additional land rights requested stemming from changes to the existing FortisBC Electric (“FBC(E)”) services, if required.*

Operational & Design Comments

- *There are FortisBC Electric (“FBC(E)”) primary distribution facilities along 27 Avenue N.*
- *All costs and land right requirements associated with changes to the existing servicing are the responsibility of the applicant.*
- *The applicant and/or property owner are responsible for maintaining safe limits of approach around all existing electrical facilities within and outside the property boundaries.*
- *For any changes to the existing service, the applicant must contact an FBC(E) designer as noted below for more details regarding design, servicing solutions, and land right requirements.*

In order to initiate the design process, the customer must call 1-866-4FORTIS (1-866-436-7847).

Please have the following information available in order for FBC(E) to set up the file when you call.

- *Electrician’s Name and Phone number*
- [FortisBC Total Connected Load Form](#)
- *Other technical information relative to electrical servicing*

For more information, please refer to FBC(E)’s overhead and underground design requirements:

FortisBC Overhead Design Requirements

<http://fortisbc.com/ServiceMeterGuide>

FortisBC Underground Design Specification

<http://www.fortisbc.com/InstallGuide>

Creston Valley Agricultural Advisory Commission

These comments are from the DRAFT Minutes from the August 10th APHC Meeting.

That the Creston Valley Agricultural Advisory Commission SUPPORT the Development Variance Permit Application for the property located at 1016 27th AVENUE SOUTH, ERICKSON, ELECTORAL AREA ‘B’, legally described as THAT PART OF LOT 2 DISTRICT LOT 812 KOOTENAY DISTRICT PLAN 730B, LYING NORTH OF A LINE WHICH BISECTS THE EASTERLY AND WESTERLY BOUNDARIES OF THE SAID LOT (PID: 016-111-532) to allow a Farm Residential Footprint to be established approximately in the same location as proposed in the application, but confined to the northern portion of the lot, as opposed to extending entirely across it.

Electoral Area ‘B’ APHC

These comments are from the DRAFT Minutes from the August 30th APHC Meeting.

*That the Area B Advisory Planning Commission **SUPPORT** the application is to vary Section 23.5 of Electoral Area ‘B’ Comprehensive Land Use Bylaw No. 2316 to allow a Farm Residential Footprint to be established approximately 332 metres from the front property line whereas the bylaw requires that the maximum depth of the Farm Residential Footprint shall not exceed 60 metres from the Front Lot Line.*

Summary of Responses from Neighbours (see Attachment E for referral responses from neighbours)

- *Concerns that the property is not being farmed or managed appropriately.*
- *Lack of maintenance of the land and existing orchards is negatively impacting surrounding farms.*
- *Concerns about the existing ATCO style mobile unit and how the structure is serviced.*
- *Concerns that the property owner has no regard for regulations, RDCK procedures or surrounding farmers.*

3.7 Staffing/Departmental Workplace Considerations:

Should the Board approve the requested variance, staff would issue the Permit and register a Notice of Permit on the property's Title. A Building Permit would then be required prior to constructing the dwelling.

3.8 Board Strategic Plan/Priorities Considerations:

Not applicable.

SECTION 4: OPTIONS

Planning Discussion

Based on the RDCK's Agriculture Policy Review project multiple text amendments to the Area 'B' Comprehensive Land Use Bylaw No. 2316, 2013 were adopted on October 13, 2022 by Bylaw No. 2835. One part of these amendments created a definition and development regulations for "Farm Residential Footprint":

***FARM RESIDENTIAL FOOTPRINT** means the portion of a lot that includes dwelling units and accessory residential buildings, structures or improvements such as detached garages or carports, driveways to residences, seasonal campsites, decorative landscaping, residential-related workshop, tool and storage sheds, artificial ponds not serving farm drainage, irrigation needs or aquaculture use and residential-related recreation areas such as swimming pools and tennis courts;*

This proposed DVP application has been submitted to seek relief from Section 23.5 in the Area 'B' CLUB which states the following:

5. *The maximum depth of the Farm Residential Footprint shall not exceed 60.0 metres measured from the Front Lot Line or Exterior Side Lot Line.*

This regulation requires that the Farm Residential Footprint contain all proposed dwellings and improvements related to the residential use of a property and be located within 60 metres of the front property line.

In this scenario the property owner has indicated that there are several constraints preventing them from building the dwelling in accordance with the requirements of the Zoning Bylaw and is therefore seeking approval of this DVP application that would allow them to construct a dwelling approximately 332 metres from the front property and establish a Farm Residential Footprint towards the middle of the subject property.

Based on the existing driveway being approximately 1,352 m² this leaves approximately 648 m² of "Residential Footprint Area" for the proposed dwelling, septic system, parking area and residential accessory structures.

Planning staff support this application for the following reasons:

- The drainage concerns and the location of existing storm water infrastructure (clay drainage tile) would make it difficult to establish a farm residential footprint and construct a dwelling within 60 metres of the front property line.
- The application is supported by both the Area B APHC and CVAAC.
- Staff accept as credible the applicant's contention that the area to be developed for residential use is less arable than lands closer to the road, and would therefore better achieve the spirit of the regulation which is to reduce the impact to agricultural land.

- The form and character of the surrounding residential area is not significantly impacted by the request to establish the Farm Residential Footprint and construct the future dwelling approximately 332 metres from the front property line.
- The proposal is consistent with all other applicable zoning regulations in the Electoral Area 'B' Comprehensive Land Use Bylaw No. 2316

Based on the above, staff recommend that the Board approve the issuance of the Development Variance Permit Application, on the condition that the farm residential footprint be constrained to the northern portion of the lot, as opposed to extending entirely across as it.

Option 1

That the Board APPROVE the issuance of Development Variance Permit V2304B to Tobias Tomas Rempel for the property located at 1016 27th Avenue S. and legally described as THAT PART OF LOT 2 DISTRICT LOT 812 KOOTENAY DISTRICT PLAN 730B, LYING NORTH OF A LINE WHICH BISECTS THE EASTERLY AND WESTERLY BOUNDARIES OF THE SAID LOT (PID: 016-111-532) to vary Section 23.5 of Rural Creston Electoral Area 'B' Comprehensive Land Use Bylaw No. 2316, 2013 in order to permit the maximum depth of the Farm Residential Footprint to be 350 metres from the Front Lot Line whereas the bylaw requires that the maximum depth of the Farm Residential Footprint shall not exceed 60 metres from the Front Lot Line.

SUBJECT TO:

1. The Farm Residential Footprint shall be confined to the northern portion of the lot and be substantially in accordance with "Attachment 'D' - Conceptual Farm Residential Footprint Plan".

Option 2

That the Board NOT APPROVE the issuance of Development Variance Permit V2304B to Tobias Tomas Rempel for the property located at 1016 27th Avenue S. and legally described as THAT PART OF LOT 2 DISTRICT LOT 812 KOOTENAY DISTRICT PLAN 730B, LYING NORTH OF A LINE WHICH BISECTS THE EASTERLY AND WESTERLY BOUNDARIES OF THE SAID LOT (PID: 016-111-532) to vary Section 23.5 of Rural Creston Electoral Area 'B' Comprehensive Land Use Bylaw No. 2316, 2013 in order to permit the maximum depth of the Farm Residential Footprint to be 350 metres from the Front Lot Line whereas the bylaw requires that the maximum depth of the Farm Residential Footprint shall not exceed 60 metres from the Front Lot Line.

SECTION 5: RECOMMENDATIONS

That the Board APPROVE the issuance of Development Variance Permit V2304B to Tobias Tomas Rempel for the property located at 1016 27th Avenue S. and legally described as THAT PART OF LOT 2 DISTRICT LOT 812 KOOTENAY DISTRICT PLAN 730B, LYING NORTH OF A LINE WHICH BISECTS THE EASTERLY AND WESTERLY BOUNDARIES OF THE SAID LOT (PID: 016-111-532) to vary Section 23.5 of Rural Creston Electoral Area 'B' Comprehensive Land Use Bylaw No. 2316, 2013 in order to permit the maximum depth of the Farm Residential Footprint to be 350 metres from the Front Lot Line whereas the bylaw requires that the maximum depth of the Farm Residential Footprint shall not exceed 60 metres from the Front Lot Line.

SUBJECT TO:

1. The Farm Residential Footprint shall be confined to the northern portion of the lot and be substantially in accordance with "Attachment 'D' - Conceptual Farm Residential Footprint Plan".

Respectfully submitted,

Zachari Giacomazzo

CONCURRENCE

Planning Manager – Nelson Wight **Digitally approved by**

General Manager Development & Sustainability – Sangita Sudan **Digitally approved by**

Chief Administrative Officer – Stuart Horn **Digitally approved by**

ATTACHMENTS:

Attachment A – Development Variance Permit

Attachment B – Excerpt from *Comprehensive Land Use Bylaw No. 2316*

Attachment C – Addendum to proposal summary, prepared by applicant

Attachment D – Conceptual Farm Residential Footprint Plan, prepared by staff

Attachment E – Referral responses from neighbours



Development Variance Permit

V2304B (Rempel)

Date: August 30, 2023

Issued pursuant to Section 498 of the *Local Government Act*

TO: Tobias Tomas Rempel

ADMINISTRATION

- 1. This Development Variance Permit (DVP) is issued subject to compliance with all of the bylaws of the Regional District of Central Kootenay (RDCK) applicable thereto, except as specifically varied or supplemented by this Permit.
- 2. The land described shall be developed strictly in accordance with the terms and conditions and provisions of this DVP, and any plans and specifications attached to this Permit that shall form a part thereof.
- 3. This DVP is not a Building Permit.

APPLICABILITY

- 4. This DVP applies to and only to those lands within the RDCK described below, and any and all buildings, structures and other development thereon, substantially in accordance with Schedules '1' and '2':

Address: 1016 27th Avenue S., Erickson, Electoral Area 'B'

Legal: THAT PART OF LOT 2 DISTRICT LOT 812 KOOTENAY DISTRICT PLAN 730B, LYING NORTH OF A LINE WHICH BISECTS THE EASTERLY AND WESTERLY BOUNDARIES OF THE SAID LOT

PID: 016-111-532

CONDITIONS

- 5. Development Variance
 - Electoral Area 'B' Comprehensive Land Use Bylaw No. 2316, 2013 Section 23.5 is varied as follows:
 - From: The maximum depth of the Farm Residential Footprint shall not exceed 60.0 metres measured from the Front Lot Line or Exterior Side Lot Line.
 - To: The maximum depth of the Farm Residential Footprint shall not exceed 350 metres measured from the Front Lot Line or Exterior Side Lot Line and shall be substantially in accordance with Schedule 3 of this permit.

6. Schedule

If the holder of the DVP does not substantially start any construction or does not register the subdivision with respect to which the permit was issued within two years after the date it is issued, the permit lapses.

7. Other

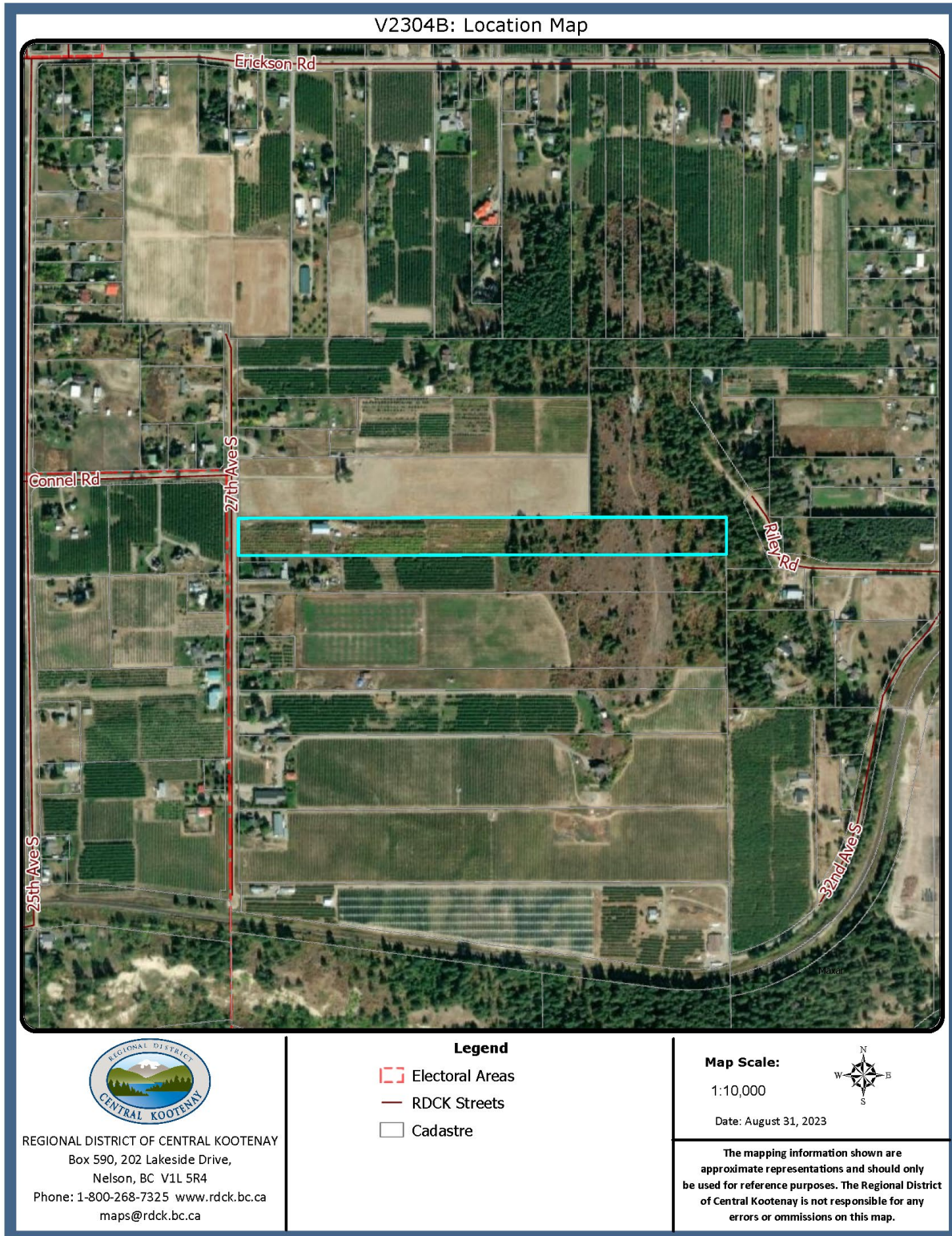
Authorized resolution **ENTER RESOLUTION NUMBER** passed by the RDCK Board on the 14th day of September, 2023.

The Corporate Seal of
THE REGIONAL DISTRICT OF CENTRAL KOOTENAY
was hereunto affixed in the presence of:

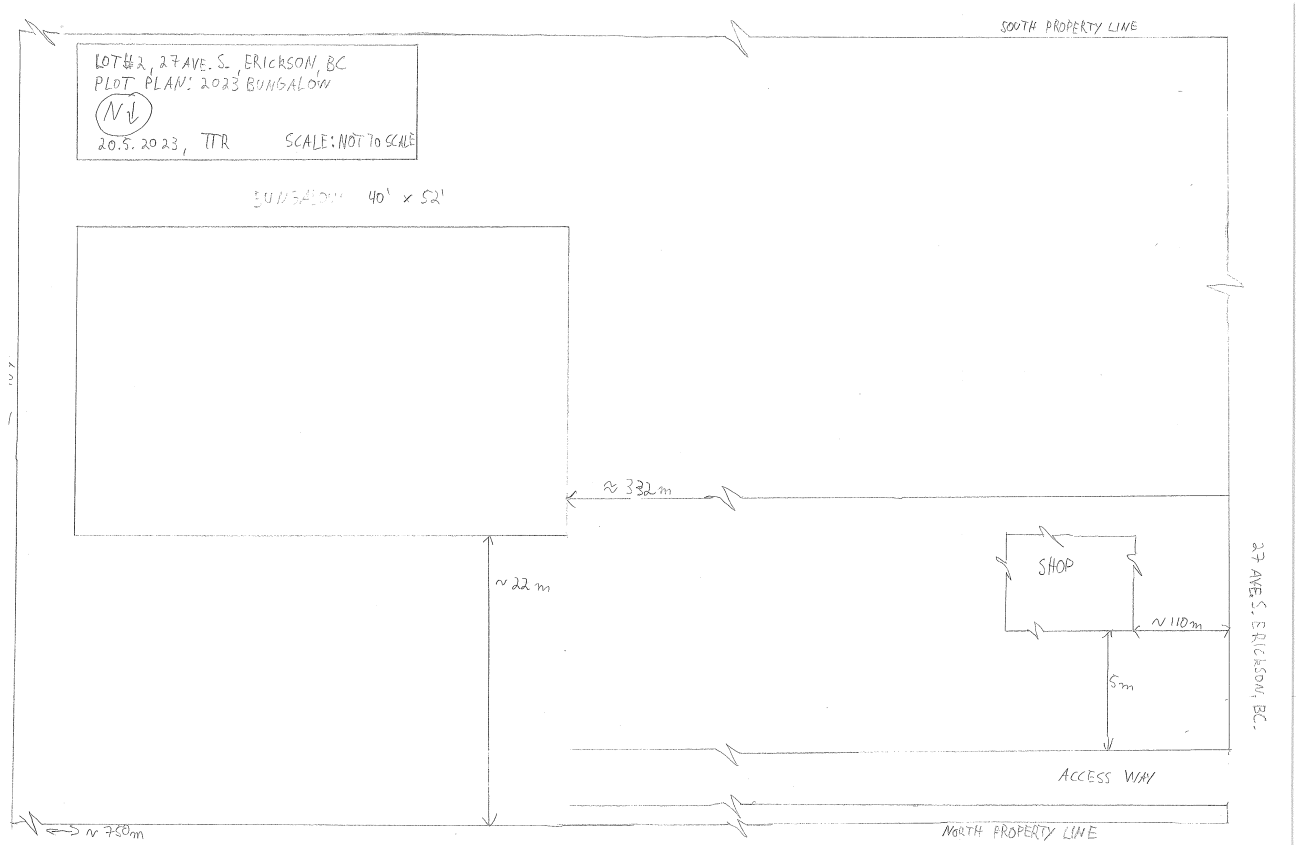
Aimee Watson, Board Chair

Mike Morrison, Corporate Officer

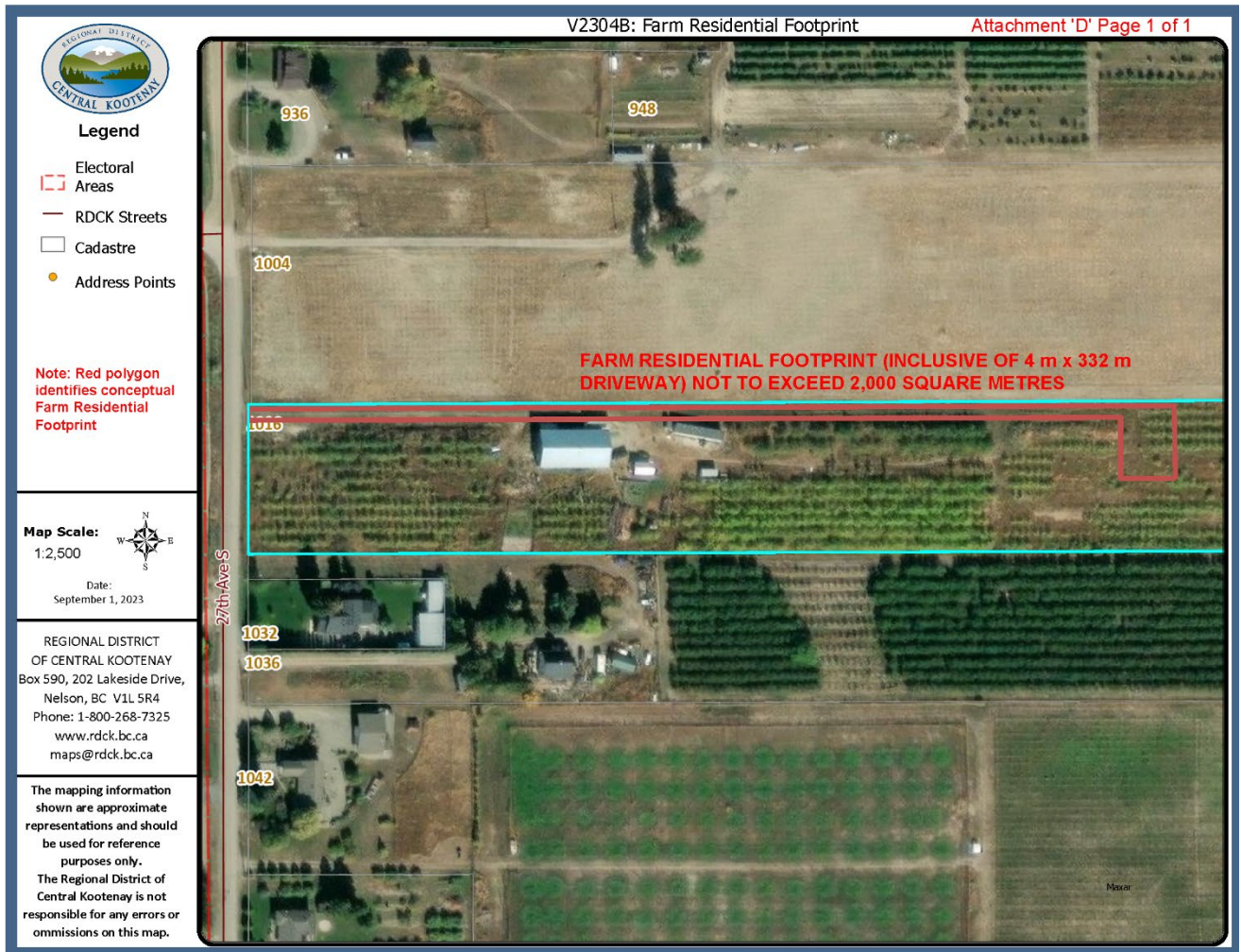
Schedule 1: Subject Property



Schedule 2: Site Plan



Schedule 3: Conceptual Farm Residential Footprint Plan



23.0 AGRICULTURE 1 (AG1)

Permitted Uses

1. Subject to the *British Columbia Agricultural Land Commission Act, Agricultural Land Reserve Use Regulation* and Orders, land, buildings and structures in the Agriculture 1 (AG1) zone shall be used for the following purposes only:

Agriculture

All activities designated as "Farm Use" as defined in the *Agricultural Land Commission Act* and Part 2 of the *Agricultural Land Reserve Use Regulation* as amended or replaced from time to time

Kennel

Micro Cultivation, Cannabis

Micro Processing, Cannabis

Nursery, Cannabis

Nursery, Greenhouses and Florist

Single Family Dwelling

Standard Cultivation, Cannabis

Standard Processing, Cannabis

Veterinary Clinic (*may require ALC non-farm use approval*)

Accessory Uses:

- Accessory Buildings or Structures
- Accessory Tourist Accommodation
- Home Based Business
- Farm Product Processing of farm product from another parcel in the Regional District of Central Kootenay (*may require ALC non-farm use approval*)
- Farmworker Dwelling Unit
- Portable Sawmills for processing of material harvested on site only
- Secondary Suite
- Temporary Farmworker Housing (*may require ALC non adhering residential use approval*)

Development Regulations

2. The minimum lot area shall be 4 hectares.
3. The maximum site coverage permitted shall be 35 percent of the lot area unless an area not larger than 60 percent of the lot is covered with greenhouses.
4. The maximum Farm Residential Footprint shall be a maximum of 2000 square meters where one dwelling unit is permitted plus 500 square meters per additional permitted dwelling unit.
5. The maximum depth of the Farm Residential Footprint shall not exceed 60.0 metres measured from the Front Lot Line or Exterior Side Lot Line.
6. The Maximum Gross Floor Area of the Single Family Dwelling is 300.0 square metres.
7. A Farmworker Dwelling Unit is permitted on a lot provided that all of the following apply:
 - a. The maximum Gross Floor Area is 90.0 square metres;

- b. The lot is classified as a farm under the Assessment Act;
 - c. The lot is larger than 2 hectares; and
 - d. The Farm Business has been operation for at least 3 years.
8. Temporary Farmworker Housing is permitted on a lot provided that all of the following apply:
- a. The lot is classified as a farm under the Assessment Act;
 - b. The lot is larger than 1.2 hectares;
 - c. The minimum setback is 6.0 metres from the Front Lot Line and Exterior Lot Line and 15.0 metres from other lot lines; and
 - d. The minimum setback from the nearest exterior wall of a dwelling unit on another lot is 30.0 metres, or where a landscape screen comprised of a thick hedge of hardy shrubs or evergreen trees not less than 1.8 metres in height and 1.5 metres in width and maintained in a healthy growing condition is provided, the minimum setback from the nearest exterior wall of a dwelling unit shall not be required.
9. No building, structures or enclosures used for housing farm animals; no drinking or feeding troughs and no manure piles may be located within 5 metres of a lot line.
10. Section (9) does not apply to fences adjacent to lot lines that are used for enclosures for the grazing of farm animals.
11. Farm Product processing that involves processing livestock:
- a. must be located on a minimum 2 hectare site outside the Agricultural Land Reserve; and
 - b. must be located at least 30 meters from the nearest business or residence on another parcel.
12. The minimum setback for a kennel building shall be 30 metres from any lot line. All kennel operations shall ensure that dogs are held within the kennel building between the hours of 8 pm and 7 am.

Cannabis Regulations

13. Any building or structure for the purposes of cannabis micro cultivation, cannabis micro processing or cannabis nurseries shall be a minimum of 15 metres from all property lines, with the exception of a structure that has a base entirely of soil which may be located within 7.5 metres of a property line.
14. Any building or structure for the purposes of cannabis standard cultivation or cannabis standard processing shall be a minimum of 30 metres from all property lines, with the exception of a structure that has a base entirely of soil which may be located within 7.5 metres of a property line.
15. The maximum height of any building or structure for the purposes of cannabis standard cultivation, cannabis standard processing, cannabis micro cultivation, cannabis micro processing or cannabis nurseries shall be 15 metres.
16. The maximum footprint of any building or structure for the purposes of cannabis standard cultivation, cannabis standard processing, cannabis micro cultivation, cannabis micro processing or cannabis nurseries shall not exceed 250 square metres.

17. The maximum gross floor area of any building or structure for the purposes of cannabis standard cultivation, cannabis standard processing, cannabis micro cultivation, cannabis micro processing or cannabis nurseries shall not exceed 600 square metres.

Cannabis Facilities may require the submission of a Notice of Intent to the ALC for the removal of soil or placement of fill.

Attachment F: PROPOSAL SUMMARY

The requested Development Variance relates to 23.5 of AG-1.

The residential single family building site was selected to minimize impacts on viable farm land on the property. In detail, the more top soil rich, moisture retaining, less rocky and cooler during summer months flat area in the front (west) of the property will be preserved.

The proposed residence is placed slightly up-slope on ground that is less desirable farm land, as it is harder to cultivate due to being on an incline. Further, the soil of the proposed building site tends to be drier, rockier and have less of the very desirable top soil for farming. In addition, this soil does not hold water as well as below on the flat area. Having the residence on the proposed location directly results in significant water use reduction and cost savings for not just this property, but the greater Erickson community. This will become more important as the municipality is planning on installing water usage meters and will help during dry summer months water use restrictions.

August 18, 2023 Addendum:

Please consult map below for reference and details described.

Top Soil Depth, Relative depth is greater in front of property than in the back of property

Based on first hand knowledge, top soil depth is greater in the front/flater part of property than on back/sloped part of property. Rocks on average increase in size and number as incline commences around 300 meter mark from front (road) side of property (see map for details). This first hand knowledge was gained from:

- building access road to proposed building site in 2016
- stripping of top soil for existing farm building
- excavation of septic test holes for proposed building site
- excavation of proposed building site
- trenching of ditch for power and gas from road to existing farm building

Throughout the above activities best soils management was practised, as is evident by existing top soil piles on the property.

In summery, the proposed building site has a lesser impact on the agricultural land than if it were to be build in the front of the property due to less net top soil being affected.

Existing Clay Drainage Tile, 45 meters from Road:

There is an existing 10” clay drainage tile about 45 meters from the front (west) side of the property and is generally located in the lower lying area. This drainage tile is draining the greater area to the south of the property affecting several neighbours to the south. The drain tile was day lighted during trenching for the power line and the drain tile installation angle is slightly in a SSW – NNE direction. This leaves the location to the south of where drain tile was exposed unknown. The known location and

and angle of the drain tile with possible trajectories to the south are marked on the map. During spring the drain tile is said to be half full of water and rupture of said drain tile has caused flooding of a neighbouring basement before. On the airphoto map below a slightly darker shade of green is evident in the foliage in and around the immediate drainage basin due to more water being present for a longer time.

In summary, it is questionable if it is technically feasible to build a foundation on top of or nearby the existing drain tile and in the known immediate drainage basin of the drain tile. Considering construction in this area calls 'Common Sense' into question.

Existing Driveway:

The existing driveway was built in 2016, with all topsoil stripped for future use. The driveway was built from road (27 Ave. S.) to proposed building site.

In summary, there is no additional impact on the property from an agricultural land perspective.

End of Cultivation Boundary from Previous 2 Property Owners:

The older existing apple and cherry trees from two previous owners ago end at about 300 meters into the property, which is also where the slope of the property increases.

The newer cherry trees that were planted by previous owners throughout the front section of the property, with the exception of the older cherry and apple trees end at the very same line on the property, namely about 300 meters from the front where the slope increases. Please consult map for details.

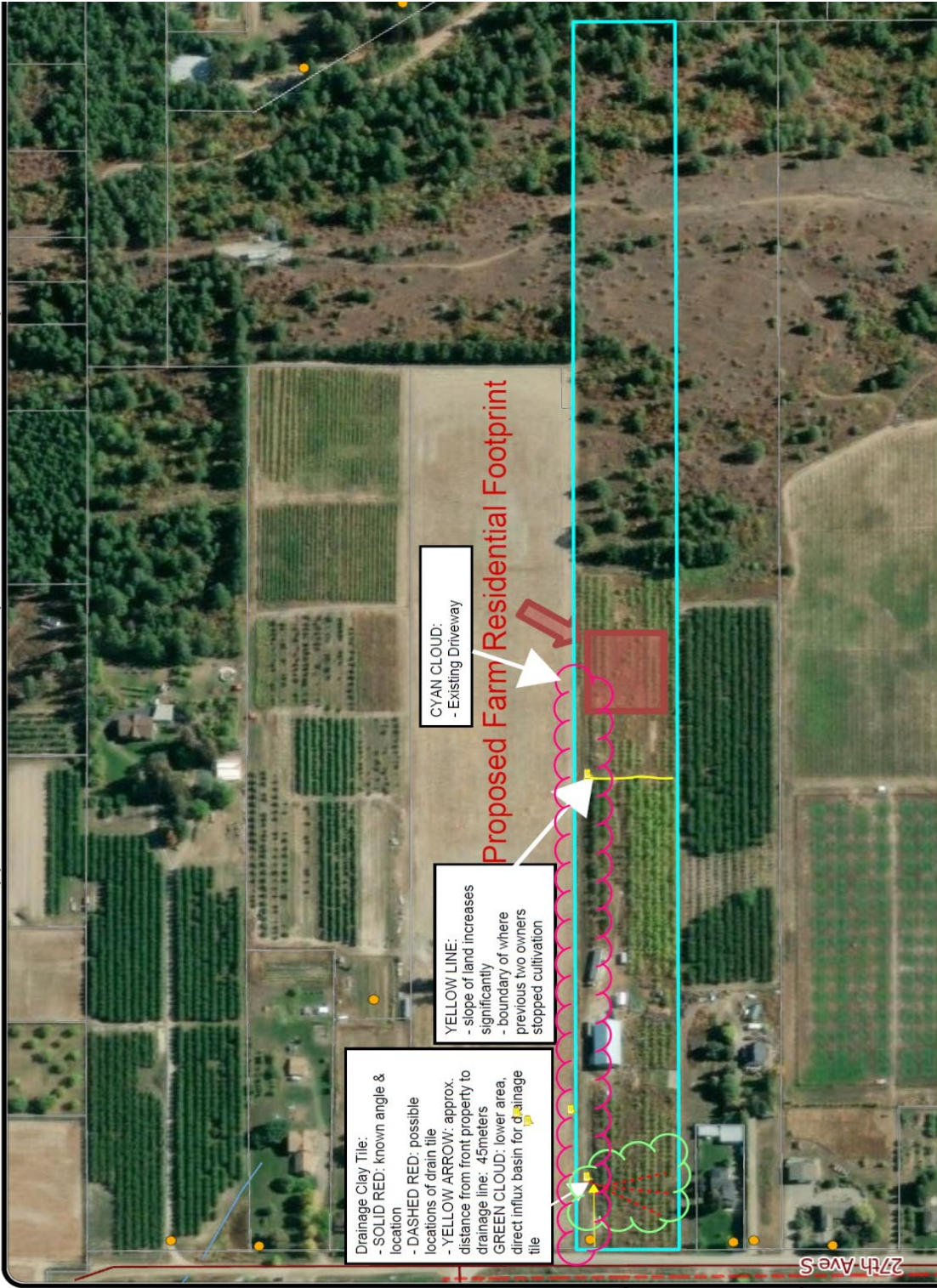
In Summary, the previous 2 property owners decided not to use land for agriculture beyond 300 meters from road obviously for the reasons stated above, namely less topsoil, less water retention in soil, increased irrigation needs and higher farming costs in general.

Conclusion:

In reference to the above points, the proposed building site is clearly the best choice to minimize agricultural land impact on this location.

Map with Details:

V2304B - Approximate location of Proposed Farm Residential Footprint



Legend

- Streams and Shorelines
- Electoral Areas
- RDCK Streets
- Cadastre
- Address Points



Map Scale:
1:5,000

Date:
July 13, 2023

REGIONAL DISTRICT
OF CENTRAL KOOTENAY
Box 590, 202 Lakeside Drive,
Nelson, BC V1L 5R4
Phone: 1-800-268-7325



Legend

- Electoral Areas
- RDCK Streets
- Cadastre
- Address Points

Note: Red polygon identifies conceptual Farm Residential Footprint

Map Scale:
1:2,500



Date:
September 1, 2023

REGIONAL DISTRICT
OF CENTRAL KOOTENAY
Box 590, 202 Lakeside Drive,
Nelson, BC V1L 5R4
Phone: 1-800-268-7325
www.rdck.bc.ca
maps@rdck.bc.ca

The mapping information
shown are approximate
representations and should
be used for reference
purposes only.

The Regional District of
Central Kootenay is not
responsible for any errors or
omissions on this map.



Zachari Giacomazzo

From: [REDACTED]
Sent: August 8, 2023 8:17 AM
To: Planning
Subject: Development Variance permit application V2304B

CAUTION

This email originated from outside the organization. Please proceed only if you trust the sender.

Good Morning Zachari Giacomazzo,

**RE: Property 1016 27th Avenue South, Erickson
Development variance permit application V2304B**

I have received a letter in the mail regarding this application for variance.

I don't agree with this variance for a few reasons:

This property is located in the ALR and is not being farmed or adequately being taken care of in anyway. This is having a huge negative effect for farmers in the area, pest, disease and insect management is not manageable, export of crops are being rejected. People's livelihood is at risk.

This property has a very large building and numerus trailers that are not being used for farm purposes. Adding another building is taking away more valuable farmland.

There is a family living there and I have concerned about there not being a septic system in place. Where is there waste being disposed of?

Allowing this variance to go through will set a very poor precedence to the public.
The ALR is important, farmland is important, food security is important for our valley.

Thank you for your time,
Resident and Farmer on 27th Ave S

Zachari Giacomazzo

From: [REDACTED]
Sent: August 9, 2023 6:49 PM
To: Planning
Subject: RE: 1016-27th Ave South, Erickson (V2304B)

CAUTION

This email originated from outside the organization. Please proceed only if you trust the sender.

The requested Development Variance relates to 23.5 of AG-1.

“The residential single family building site was selected to minimize impacts on viable farm land on the property. In detail, the more top soil rich, moisture retaining, less rocky and cooler during summer months flat area in the front (west) of the property will be preserved. The proposed residence is placed slightly up-slope on ground that is less desirable farm land, as it is harder to cultivate due to being on an incline. Further, the soil of the proposed building site tends to be drier, rockier and have less of the very desirable top soil for farming. In addition, this soil does not hold water as well as below on the flat area. Having the residence on the proposed location directly results in significant water use reduction and cost savings for not just this property, but the greater Erickson community. This will become more important as the municipality is planning on installing water usage meters and will help during dry summer months water use restrictions”

I forgot to comment on this, as it makes no sense and shows no understanding of farming or the property or general land use. Not sure how to break this down. As it shows no idea what they are actually doing. The area where they have selected to build the house is the area that is best for farming as it is hot and warm and can produce high value crops, cherries, peaches, grapes, and all other fruit crops that do well in the valley, this incline that he says is of less value if the wrong, as it is the most valuable land in the value this can be determined by property values on this street and the east side of 27th-ave south is the most desirable land in Erickson. If this wasn't desirable land the Mark Anthony Group (Mission Hill Family Estate) wouldn't have paid a premium for the property beside this property in question. Both properties on either side of the property in question are planted to grapes and were sought after properties because of the slope that this person says is a hinderance. When Farming grapes and other crops it is best if the soil doesn't hold lots of water, so that irrigation can be controlled and applied when necessary. When growing grapes we call this deficit irrigation, it produces higher quality crops. When I purchased my property I bought it because of this slope, and it helps produce the best pinot rose in Creston and the best peaches, because of the accumulated degree days. I ran data analysis on the degree days from the local weather station that is situated on Connell Road, the weather data from this site over a 52year period says that this is the spot to grow grapes. When I worked for Mission Hill Family Estate I analyzed soil and weather data, and topography for properties to purchase. If this property was in the south Okanagan on the East side of the valley like this property it would be planted to grapes and farmed. The flat area of this property is suitable for all tree fruits and grapes as is noticeable by driving up and down the road. I am not sure why they are worried about water use as they do not farm the property as it is currently set up, it is old apple, and cherry root stocks growing that are infected with disease and pests. As mentioned before they want to be removed from Erickson water as they are not farming it and don't want to pay for water. I think that they are poorly informed about farming and have no clue about what they are talking about. If they were concerned about the community or farming they would clean up their mess.

From: [REDACTED]
Sent: August 7, 2023 10:37 PM
To: plandept@rdck.bc.ca
Subject: 1016-27th Ave South, Erickson (V2304B)

I received a letter in the mail about 1016-27th Ave South, Erickson (V2304B).

I am against this variance permit for a number of reasons, besides the fact that they want to build a home over 60meters from the front of the property which doesn't meet the requirements.

This property is in the ALR and has never been farmed since the current owners purchased it, it is a total mess over run with disease and insects and other pests. This road in Erickson is home to some of the most valuable farm land in Creston and the RDCK. To have this property not being looked after and farmed in conventional manners or organically. The problems with property are impacting, apple farmers, pear farmers, cherry farmers trying to export to Japan but cant because of Codling Moth infestation in the orchard. The owner has been asked multiple times to clean up the property by countless farmers and has refused to do so, causing economic damage to other producers on the road. This farm should be condemned and cleaned up by the RDCK and the owner sent a bill as they have refused to do anything.

The owner has asked to be removed from Erickson water because they don't farm it but still want to claim farm status.

They have already cleared a piece of the property where they plan to build their house, and this notice was sent out after the earth moving took place, it shows that the property owner doesn't care about rules and regulations.

As far as I know they do not have a septic field on the property at this point in time and are living in countless Atco trailers and other trailers that seem to arrive on a regular basis. The septic issue should be investigated

They built a huge shop in the middle of the property and lived in one side of it in a trailer, They just recently put in power, until then there was no power. They put the shop in the middle of the orchard wrecking valuable farm land so it has to be farmed in small blocks. Where the shop was built is where the house should be built. The current location where they want to build is one of the most desired locations in the valley for growing cherries and grapes. The value of this land is not appreciated by the current owner as is visible upon visiting the location.

There is no concern from the owner about the property or value of it, or any concern for the neighbours that are trying to make a living farming. It is obvious the current owner doesn't care about the RDCK either by not wanting to be on Erickson water, and not having septic at the property and just clearing a spot for the new house without permission from the RDCK. The current state of the property is an eye sore, no work on the orchard has been done since it was purchased years ago and as far as I know there are no intentions of doing any. It seems like the owner is one of those people that just does what they want without permission and tries to get away with what they can and when they get caught ask for forgiveness.

Allowing this to proceed will send the wrong message to people that they can do what ever they want this sets a very poor precedent for everyone, if this proceeds there is no controlling it in the future.



Committee Report

Date of Report: August 29, 2023
Date & Type of Meeting: September 13, 2023, Rural Affairs Committee
Author: Zachari Giacomazzo, Planner
Subject: DEVELOPMENT VARIANCE PERMIT
File: V2303K - Ondrysek
Electoral Area/Municipality K

SECTION 1: EXECUTIVE SUMMARY

The purpose of this report is for the Rural Affairs Committee and Regional Board to consider a Development Variance Permit in Electoral Area 'K'. The variance would authorize the applicant to operate a "Home Based Business" that employs a total of six (6) persons who are not a resident of the dwelling whereas the zoning bylaw allows a maximum of two (2) persons who are not a resident of the dwelling to be employed by the Home Based Business.

Staff recommend that the Board approve the Development Variance Permit.

SECTION 2: BACKGROUND/ANALYSIS

GENERAL INFORMATION

Property Owner: Roman Ondrysek and Helena Ondrysek

Property Location: 209 Kilarney Crescent, Edgewood, Electoral Area 'K'

Legal Description: LOT 14 DISTRICT LOTS 182A AND 183A KOOTENAY DISTRICT PLAN 6069
(PID: 014-211-149)

Property Size: 0.2 hectares (0.53 acres)

Current Zoning: Suburban Residential 'K' (R1K)

Current Official Community Plan Designation: Suburban Residential (R1)

SURROUNDING LAND USES

North: Suburban Residential (R1)

East: Suburban Residential (R1)

South: Suburban Residential (R1)

West: Suburban Residential (R1)

Background Information and Subject Property

The subject property is located in Electoral Area 'K' in the Town of Edgewood. The property is part of survey plan NEP6069, an 18 lot subdivision created in 1967. The 0.2 ha parcel has been improved with a one-family dwelling and a small storage shed. It is surrounded by similar sized residential properties that are also zoned/designed

Suburban Residential. The applicant has indicated that all required parking spaces can be accommodated on the subject property.

The business, Okanagan Ribbons Ltd., makes coloured event and award ribbons by hand using sewing machines, hot glue guns and small-scale printing by “hot stamp” technology or with the use of a digital printer. The business would be operated entirely within the basement of the existing dwelling (see “Figure 4 – basement floor plan” for more detail).

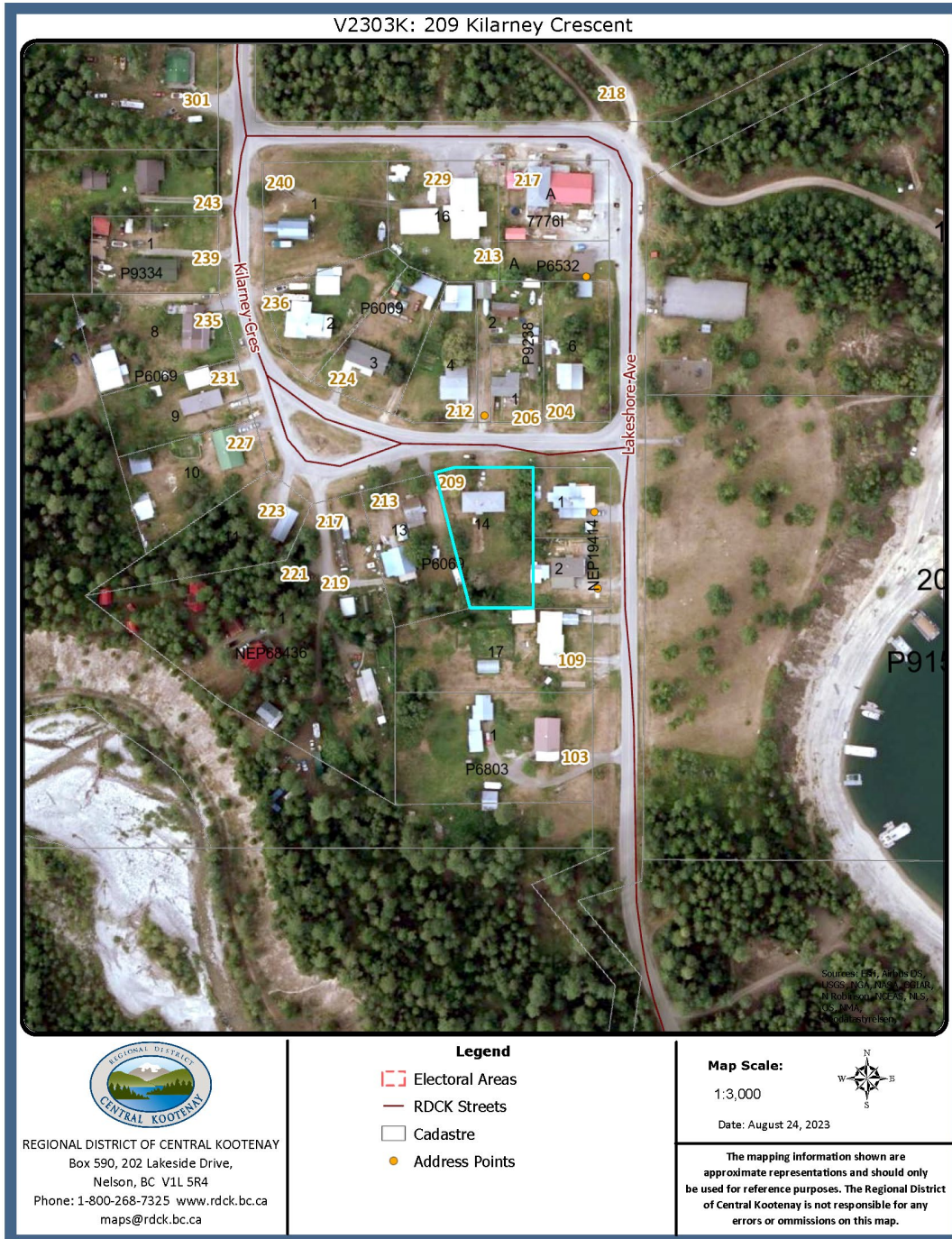
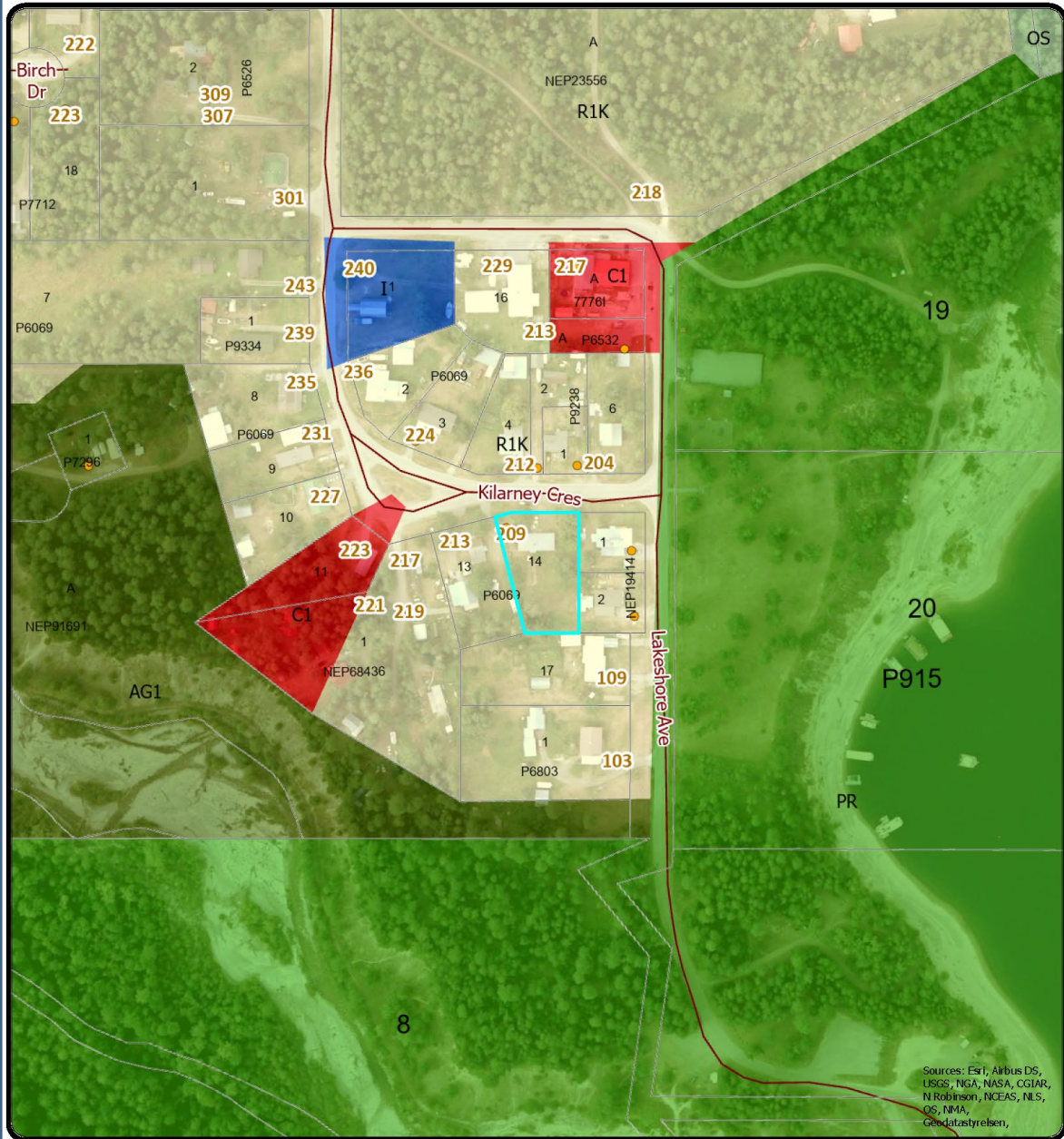


Figure 1: Overview Map

V2303K: 209 Kilarney Crescent



Sources: Esri, Airbus DS, USGS, NGA, NASA, OGIAR, N Robinson, NCEAS, NLS, OS, NMA, Geodatastyrelsen,



REGIONAL DISTRICT OF CENTRAL KOOTENAY
 Box 590, 202 Lakeside Drive,
 Nelson, BC V1L 5R4
 Phone: 1-800-268-7325 www.rdck.bc.ca
 maps@rdck.bc.ca

Zoning Class

- Agriculture
- Commercial
- Institutional
- Open Space

Legend

- Parks and Recreation
- Residential 1
- Electoral Areas
- RDCK Streets
- Cadastre
- Address Points

Map Scale:

1:4,000

Date: August 24, 2023



The mapping information shown are approximate representations and should only be used for reference purposes. The Regional District of Central Kootenay is not responsible for any errors or omissions on this map.

Figure 2: Zoning Map

Allowing 9 foot spaces/vehicle

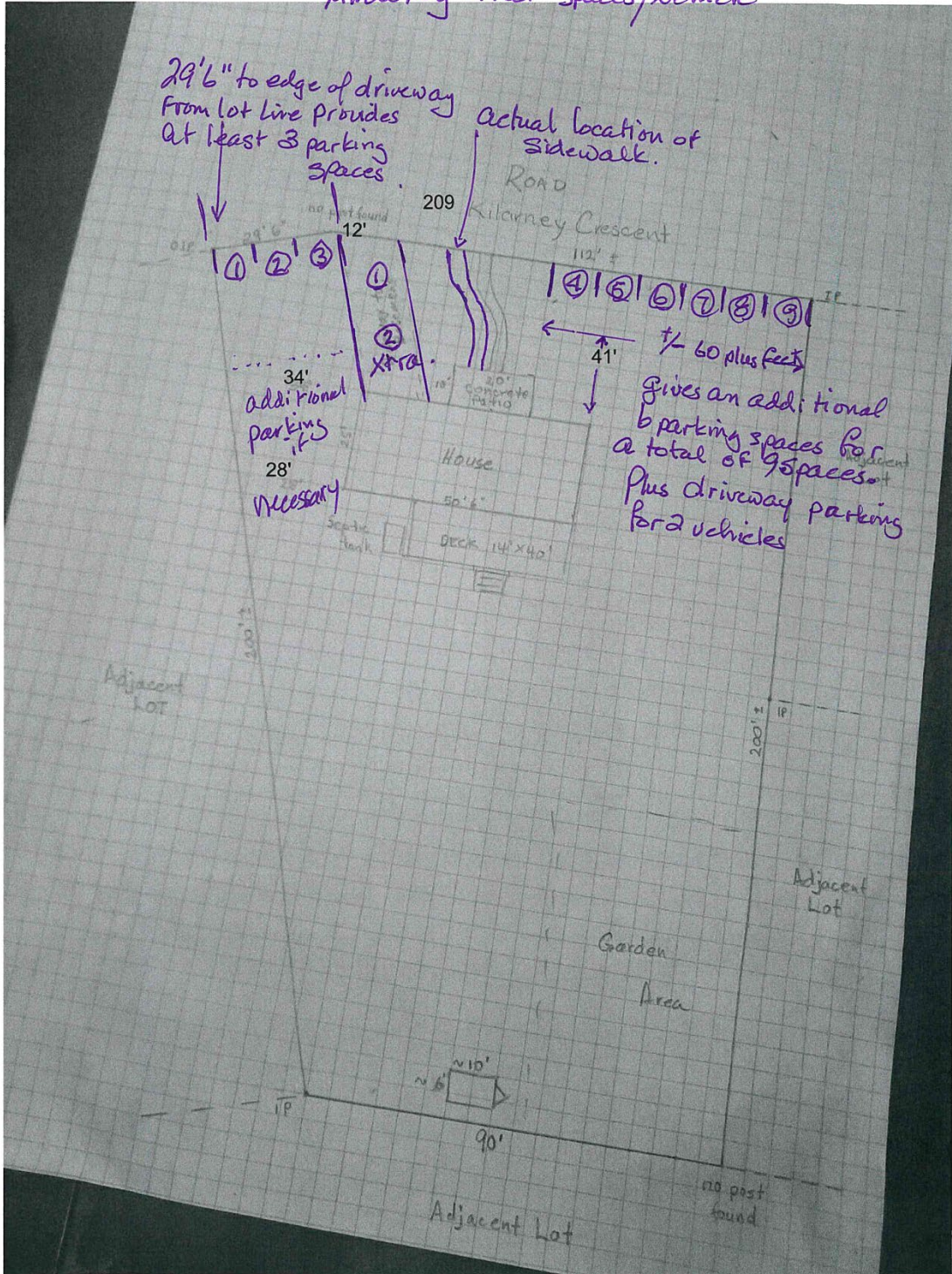


Figure 3: Site Plan with Parking Information

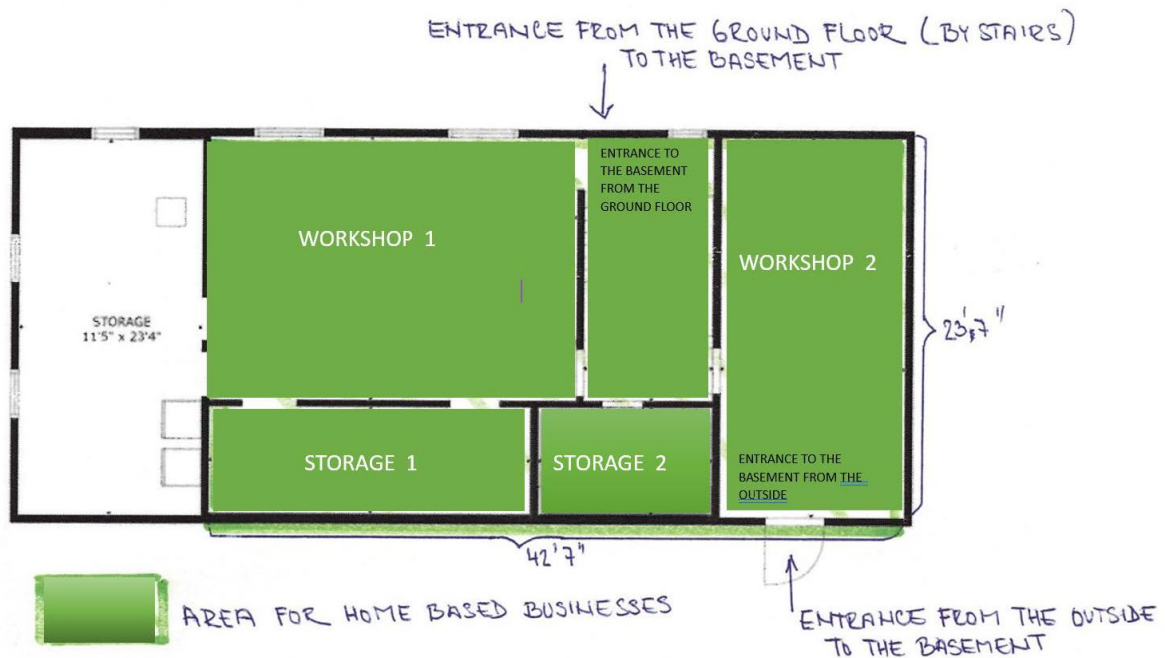


Figure 4 - Basement Floor Plan showing area used for the Home Based Business

Planning Policy

Electoral Area 'K' Official Community Plan Bylaw No. 2022, 2009

General Residential Objectives

1. To maintain opportunities for rural living through development which respects the lifestyles of area residents and the natural environment.
2. To support the provision of housing alternatives to residents, which includes the enjoyment of both rural and suburban lifestyles; and to establish suitable development policies for each form of development.
3. To identify areas considered suitable for development based on uses and densities appropriate and supportive of sustainable development patterns based on the most efficient use of existing and proposed infrastructure and community services.
4. To integrate affordable, rental and special needs housing into appropriate residential areas where community services are most accessible.

Residential Policies

The Regional Board:

1. Encourages land use amendment applications for the clustering of development into higher densities in order to provide efficient servicing and to maintain open space subject to:
 - a. density for that zone being maintained;
 - b. approval of all provincial agencies;
 - c. common lands are zoned for an environmental reserve and maintained as green space for the proposed development;
 - d. development of a community water system; and e. development of common access points to the cluster development.
2. Encourages a variety of housing tenures and organizational frameworks, including affordable housing, seniors housing, lease, rental, strata title, and co-operative housing.
3. Will regulate home occupations in residential areas to maintain the residential character of an area, and ensure that the home occupation does not have a negative impact on the quality of life enjoyed by residents of the area, nor generate undue conflicts with adjacent property owners and residents.

Community Residential (R1) Policies

The Regional Board:

1. Supports that existing lots smaller than the minimum lot size permitted may be used for the purposes permitted in the designation provided that all other regulations are met.
2. Supports the development of medium density residential with lot sizes under 1.0 ha (2.47 acres) in or adjacent to existing communities.
3. Supports that the clustering of strata lots and subdivision lots shall be encouraged subject to density not exceeding the requirements in the applicable zoning bylaw and subject to the protection of green space or provision of public amenity.
4. Directs that accessory uses include provisions to allow for accessory tourist accommodation, secondary suites, home-based business, the keeping of farm animals subject to health and agricultural regulations, and the sale of site grown horticultural produce.

Community Specific Policies

Edgewood

- Encourages existing commercial uses.
- Encourages the Province to consider designation of a public access point to the Lower Arrow Lake.
- Supports the development of an Engineering Study of the Eagle Creek Non-Standard Flood and Erosion Area.

SECTION 3: DETAILED ANALYSIS

3.1 Financial Considerations – Cost and Resource Allocations:

Included in Financial Plan: Yes No Financial Plan Amendment: Yes No
 Debt Bylaw Required: Yes No Public/Gov't Approvals Required: Yes No

The application fee has been paid in full pursuant to the Planning Fees and Procedures Bylaw No. 2457, 2015.

3.2 Legislative Considerations (Applicable Policies and/or Bylaws):

Section 498 of the Local Government Act gives authority to vary provisions of a zoning bylaw provided that they do not affect use and density.

3.3 Environmental Considerations

None anticipated.

3.4 Social Considerations:

Staff notified surrounding property owners of the proposed variance in accordance with the Planning Procedures and Fees Bylaw No. 2457. Responses were received from 3 community members with concerns about the approval of this DVP application. The concerns raised by neighbours are mostly related to:

1. Parking
2. Noise
3. Loss of Privacy and Security
4. Increased Traffic (from employees and deliveries)

3.5 Economic Considerations:

The proposed variance would allow the business to employ

3.6 Communication Considerations:

The application was referred to internal departments, other government agencies and 20 surrounding property owners. No responses were received from property owners. The following responses were received from government agencies.

RDCK Water Services – Environmental Coordinator

Water Services has no concerns with this variance application as it does not affect water use.

RDCK Building Services

The owners will need a building permit application for change of use and possibly renovations to meet Building code requirements for life safety, ie. Exiting, fire resistance, unprotected openings in exterior walls near exits / decks. Fire separation with a designated fire resistance rating is required to separate the dwelling unit from basement.

Interior Health Authority – Specialist Environmental Health Officer

Thank you for the opportunity to provide comments. I have reviewed the information. Interior Health interests are not affected by this proposed DVP because the parcel is serviced by community drinking water system, the operation does not appear to produce a large amount of wastewater, and the number of employees would be similar to the number of residents in a typical residential home. In addition workers would not generating the same amount of wastewater as residents (eg are likely not regularly showering, doing laundry or washing many dishes).

Ministry of Transportation and Infrastructure – Development Officer

Thank you for the referral, the ministry has no concerns as this does not impact our legislative responsibilities including maintaining and operating Kilarney Crescent Road.

BC Hydro

We have reviewed the attached development application. BC Hydro Properties has no comments at this time on the proposed plan

For a new electrical service connection, the applicant may contact 1-877-520-1355 or complete an online application form available at:

<http://www.bchydro.com/youraccount>

3.7 Staffing/Departmental Workplace Considerations:

Should the Board approve the requested variance, staff would issue the Permit and register a Notice of Permit on the property's Title. A Building Permit would then be required to establish the home based business in the lower level of the existing dwelling.

3.8 Board Strategic Plan/Priorities Considerations:

Not applicable.

SECTION 4: OPTIONS

Planning Discussion

A Home Based Business, as defined in RDCK Zoning Bylaw No. 1675 is permitted in the Suburban Residential 'K' (R1K) zone.

***HOME BASED BUSINESS** means any home craft, professional practice, or other means of livelihood which is carried on within a dwelling unit or accessory building or structure by a permanent resident of the dwelling unit;*

This Development Variance Permit Application has been submitted to allow the property owners an opportunity to employ more than 2 people in their Home Based Business. Staff are of the opinion that the variance being requested will not have a significant effect on the community when compared to what is permitted as-of-right in the R1K zone. The property owners are still bound to the bulk of the Home Based Business regulations in Division 607 of the Zoning Bylaw therefore there are still measures in place to ensure that the Home Based Business does not create significant noise/nuisance and disturb surrounding residents. The only regulation that is being varied by this DVP application is item #5: "No more than two (2) persons who are not a resident of the dwelling may be employed in the Home Based Business in on any R1, R2, R3, R6, R7, MFR-F, HR-I, C5 and AG zoned lot;".

Despite the seemingly significant expansion of allowable non-resident workers from 2 to 6, the intensity of activity remains in the spirit of a home-based business. The "craft" nature of the activity (hand made ribbons) is not anticipated to create significant noise, traffic, emissions or odours and the area proposed for the home-based business use within the residence remains relatively modest.

There are a number of other regulations in place that restrict the size, scale, and type of business being conducted in the dwelling and the property owners must ensure that the Home Based Business complies with all of these applicable zoning regulations.

With regards to the concerns raised by neighbours please find discussion points below:

Neighbour Concerns	Information
Parking	Employee parking will be accommodated on the applicant's private property. The Zoning Bylaw requires that off-street parking be provided for both the dwelling and the Home Based Business.

Noise	The Home Based Business will be operate within the dwelling. Based on this, noise is expected to be minimal. In accordance with Home Based Business regulation #9 in Zoning Bylaw No. 1675: <i>“There shall be minimal noise, traffic, vibration, smoke, odour, glare or electrical interference, or emissions other than that normally associated with a dwelling;”</i>
Loss of Privacy and Security	The applicant has indicated that they employ local women. In accordance with the Home Based Business regulations,
Increased Traffic	The applicant has indicated that the materials used as part of the business are “small materials” and can be delivered by smaller cars.

Planning staff support the issuance of this DVP since:

- The requested variance to allow 6 persons who are not residents of the dwelling to be employed by the Home Based Business whereas the bylaw permits 2 persons who are not residents of the dwelling is a minor change.
- The form and character of the surrounding residential area is not significantly impacted by the request to increase the number of non-residents employed by the home based business.
- The proposal is consistent with all other applicable zoning regulations in Zoning Bylaw No. 1675, 2004

Based on the above, staff recommend that the Board approve the issuance of the Development Variance Permit Application.

Option 1

That the Board APPROVE the issuance of Development Variance Permit V2303K to Helena Ondrysek and Roman Ondrysek for the property located at 209 Kilarney Crescent and legally described as LOT 14 DISTRICT LOTS 182A AND 183A KOOTENAY DISTRICT PLAN 6069 (PID: 014-211-149) to vary Division 607 (5) of RDCK Zoning Bylaw No. 1675, 2004 in order to permit a total of six (6) persons who are not a resident of the dwelling to be employed in the Home Based Business whereas the bylaw allows a maximum of two (2) persons who are not a resident of the dwelling to be employed in the Home Base Business.

Option 2

That the Board NOT APPROVE the issuance of Development Variance Permit V2303K to Helena Ondrysek and Roman Ondrysek for the property located at 209 Kilarney Crescent and legally described as LOT 14 DISTRICT LOTS 182A AND 183A KOOTENAY DISTRICT PLAN 6069 (PID: 014-211-149) to vary Division 607 (5) of RDCK Zoning Bylaw No. 1675, 2004 in order to permit a total of six (6) persons who are not a resident of the dwelling to be employed in the Home Based Business whereas the bylaw allows a maximum of two (2) persons who are not a resident of the dwelling to be employed in the Home Base Business.

SECTION 5: RECOMMENDATIONS

That the Board APPROVE the issuance of Development Variance Permit V2303K to Helena Ondrysek and Roman Ondrysek for the property located at 209 Kilarney Crescent and legally described as LOT 14 DISTRICT LOTS 182A AND 183A KOOTENAY DISTRICT PLAN 6069 (PID: 014-211-149) to vary Division 607 (5) of RDCK Zoning Bylaw No.

1675, 2004 in order to permit a total of six (6) persons who are not a resident of the dwelling to be employed in the Home Based Business whereas the bylaw allows a maximum of two (2) persons who are not a resident of the dwelling to be employed in the Home Base Business.

Respectfully submitted,

Zachari Giacomazzo

CONCURRENCE

Planning Manager – Nelson Wight *Digitally approved by*

General Manager Development & Sustainability – Sangita Sudan *Digitally approved by*

Chief Administrative Officer – Stuart Horn *Digitally approved by*

ATTACHMENTS:

Attachment A – Development Variance Permit

Attachment B – Excerpt from *Zoning Bylaw No. 1675, 2004*



Development Variance Permit

V2303K (Ondrysek)

Date: August 30, 2023

Issued pursuant to Section 498 of the *Local Government Act*

TO: Helena Ondrysek and Roman Ondrysek

ADMINISTRATION

1. This Development Variance Permit (DVP) is issued subject to compliance with all of the bylaws of the Regional District of Central Kootenay (RDCK) applicable thereto, except as specifically varied or supplemented by this Permit.
2. The land described shall be developed strictly in accordance with the terms and conditions and provisions of this DVP, and any plans and specifications attached to this Permit that shall form a part thereof.
3. This DVP is not a Building Permit.

APPLICABILITY

4. This DVP applies to and only to those lands within the RDCK described below, and any and all buildings, structures and other development thereon, substantially in accordance with Schedules '1', '2' and '3':

Address: 209 Kilarney Crescent, Edgewood, Electoral Area 'K'

Legal: LOT 14 DISTRICT LOTS 182A AND 183A KOOTENAY DISTRICT PLAN 6069

PID: 014-211-149

CONDITIONS

5. Development Variance

RDCK Zoning Bylaw No. 1675, 2004 Division 607 (5) is varied as follows:

From: No more than two (2) persons who are not a resident of the dwelling may be employed in the Home Based Business in on any R1, R2, R3, R6, R7, MFR-F, HR-I, C5 and AG zoned lot;

To: No more than six (6) persons who are not a resident of the dwelling may be employed in the Home Based Business in on any R1, R2, R3, R6, R7, MFR-F, HR-I, C5 and AG zoned lot; as shown in Schedules '1', '2' and '3'.

6. Schedule

If the holder of the DVP does not substantially start any construction or does not register the subdivision with respect to which the permit was issued within two years after the date it is issued, the permit lapses.

7. Other

Authorized resolution *ENTER RESOLUTION NUMBER* passed by the RDCK Board on the 13th day of September, 2023.

The Corporate Seal of
THE REGIONAL DISTRICT OF CENTRAL KOOTENAY
was hereunto affixed in the presence of:

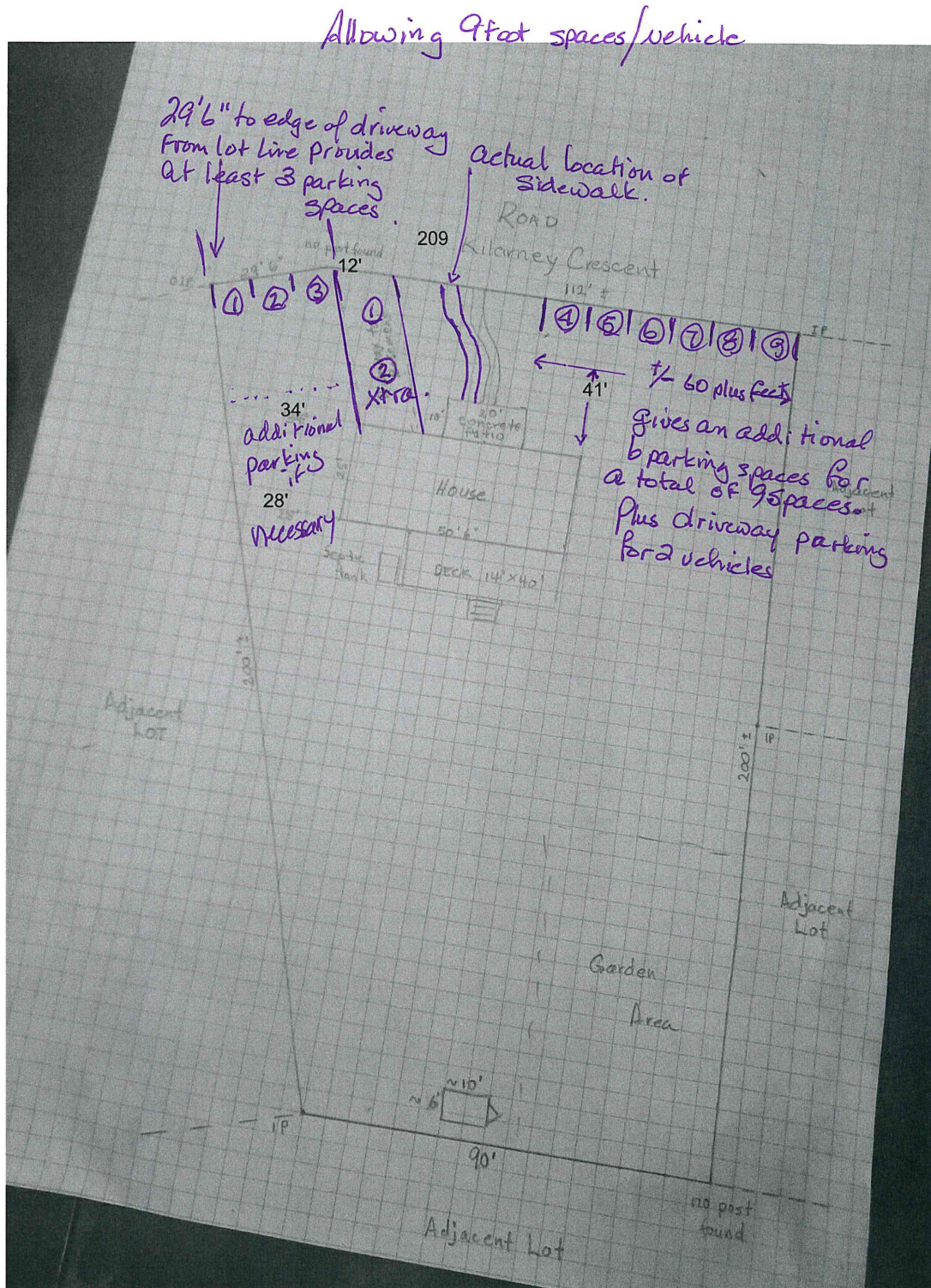
Aimee Watson, Board Chair

Mike Morrison, Corporate Officer

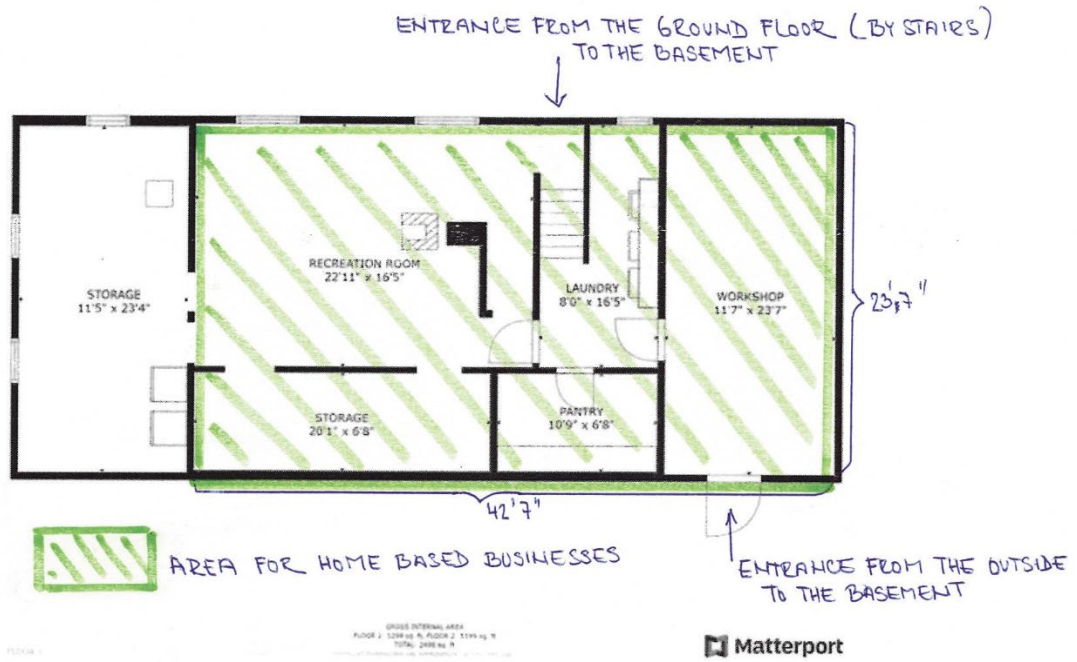
Schedule 1: Subject Property



Schedule 2: Site Plan showing parking spaces



Schedule 3: Portion of dwelling used for the Home Based Business



- 5 Despite Section 605(1), for all of Electoral Area F, unless otherwise stated in the zone, no principal or accessory building or structure except a fence may be located within 4.5 metres of a front or exterior side lot line or within 2.5 metres of any other lot line.

Note: BC Building Code regulations may require greater setbacks than those identified in Section 605 and Section 606 of this bylaw.

Setback Exceptions

606

- 1 Where the top surface of an underground structure projects no more than 0.6 metre above the average finished ground elevation, that structure may be sited in any portion of a lot.
- 2 Freestanding lighting poles, warning devices, antennae, masts, solar collectors, utility poles, wires, and flagpoles up to ten (10) metres in height may be sited on any portion of a lot.
- 3 Where chimneys, cornices, leaders, gutters, pilasters, belt courses, sills, bay windows, or ornamental features project beyond the face of the building, the minimum distance to an abutting lot line as permitted elsewhere in this bylaw may be reduced by not more than 0.6 metre providing such reduction shall apply only to the projecting feature.
- 4 Where steps, eaves, sunlight control projections, canopies, balconies, or porches project beyond the face of a building, the minimum distance to an abutting front lot line as permitted elsewhere in this bylaw may be reduced by not more than 1.2 metres and the minimum distance to an abutting site lot line or rear lot line as permitted elsewhere in this bylaw may be reduced by not more than 0.6 metre provided such reduction shall apply only to the projecting feature.

Home Based Businesses

607 A Home Based Business, where permitted, is subject to the requirements that:

- 1 The proprietor resides on the subject property;
- 2 The activity shall be conducted in a dwelling unit or accessory building;
- 3 The site area devoted to the Home Based Business, inclusive of external storage of materials, equipment or finished products, shall not exceed 100 square metres on any R1, R2, R3, R6, R7, MFR-F, HR-I, C5 and AG zoned lot;
- 4 The site area devoted to the Home Based Business, inclusive of external storage of materials, equipment or finished products, shall not exceed 200 square metres on any R4 zoned lot;

- 5 No more than two (2) persons who are not a resident of the dwelling may be employed in the Home Based Business in on any R1, R2, R3, R6, R7, MFR-F, HR-I, C5 and AG zoned lot;
- 6 No more than four (4) persons who are not a resident of the dwelling may be employed in the Home Based Business on a lot in the R4 zone;
- 7 No change is made in the external appearance of the building which would indicate that a Home Based Business is being conducted therein; except for one un-illuminated sign not exceeding:
 - a. 0.4 square metre on a lot in the R1, MFR-F, R6 and R7 zones; or
 - b. 1.0 square metre on any R2, R3, R4, C5, HR-I and AG zoned lot.
- 8 External storage of materials, equipment or finished products shall be screened from view from adjacent properties and road right-of-ways;
- 9 There shall be minimal noise, traffic, vibration, smoke, odour, glare or electrical interference, or emissions other than that normally associated with a dwelling;
- 10 No dwelling unit or accessory building used for Home Based Businesses involving automotive mechanical or body repairs, electronic repairs, wood working, or iron working may be located within 15 metres of a lot line;
- 11 The maximum number of vehicles permitted for repair on any lot at any one time shall be limited to:
 - a. two (2) for lots zoned R1, R2, R6, R7, MFR-F, HR-I, C5; and
 - b. six (6) on any R3, R4, and AG zoned lot.
- 12 Home Based Businesses that include the caring of eight or less individuals at any one time as per the *Community Care and Assisted Living Act* shall be permitted;
- 12B Overnight accommodation shall not be permitted as a Home Based Business other than the care of six individuals or less as per the *Community Care and Assisted Living Act*;
- 13 No commodities may be offered for sale except those produced on the premises, with the exception of Electoral Area 'F' where commodities may be offered for sale, including those produced off the premises;
- 14 Two off-street parking spaces shall be provided in excess of those required for the dwelling unit.



Committee Report

Date of Report: August 29, 2023
Date & Type of Meeting: September 13, 2023, Rural Affairs Committee
Author: Zachari Giacomazzo, Planner
Subject: STRATA TITLE CONVERSION
File: ST2301E – 1377323 BC LTD.
Electoral Area/Municipality E

SECTION 1: EXECUTIVE SUMMARY

The purpose of this report is for the Board to consider “Approval in Principle” of a Strata Title Conversion application for the conversion of an existing industrial building at 1155 Insight Drive in Electoral Area E. The applicants are required to provide proof of services prior to “Final Approval”. Local Governments are the Approving Authority for the subdivision of previously occupied buildings.

Staff recommend support of the strata title conversion in principle, with due consideration of the Strata Property Act as discussed in this report.

SECTION 2: BACKGROUND/ANALYSIS

2.1 PROPOSAL SUMMARY AND BACKGROUND INFORMATION

GENERAL INFORMATION
Property Owner: 1377323 BC Ltd.
Property Location: 1155 Insight Drive, Electoral Area ‘E’
Legal Description: LOT A DISTRICT LOT 5665 KOOTENAY DISTRICT PLAN NEP66434 EXCEPT PLA NEP68359 (PID: 024-736-449)
Property Size: 2.34 hectares (5.79 acres)

Proposal





The applicants propose to convert an existing building into 16 commercial strata units. The subject property is a 2.34 ha parcel located on Insight Drive and adjacent to Hwy 3A, approximately 4 km west of the City of Nelson.

ST2301E - Location map



REGIONAL DISTRICT OF CENTRAL KOOTENAY
 Box 590, 202 Lakeside Drive,
 Nelson, BC V1L 5R4
 Phone: 1-800-268-7325 www.rdck.bc.ca
 maps@rdck.bc.ca

Legend

-  Electoral Areas
-  RDCK Streets
-  Cadastre
-  Address Points

Map Scale:

1:5,000

Date: July 5, 2023



The mapping information shown are approximate representations and should only be used for reference purposes. The Regional District of Central Kootenay is not responsible for any errors or omissions on this map.

Figure 1 - Location Map

Background

The subject property was previously occupied by Pacific Insight Electronics Corp. and the existing building has been vacant for a number of years. 1377323 BC Ltd. purchased the property with the intention of submitting this Strata Title Conversion application to divide the existing building into several strata units.

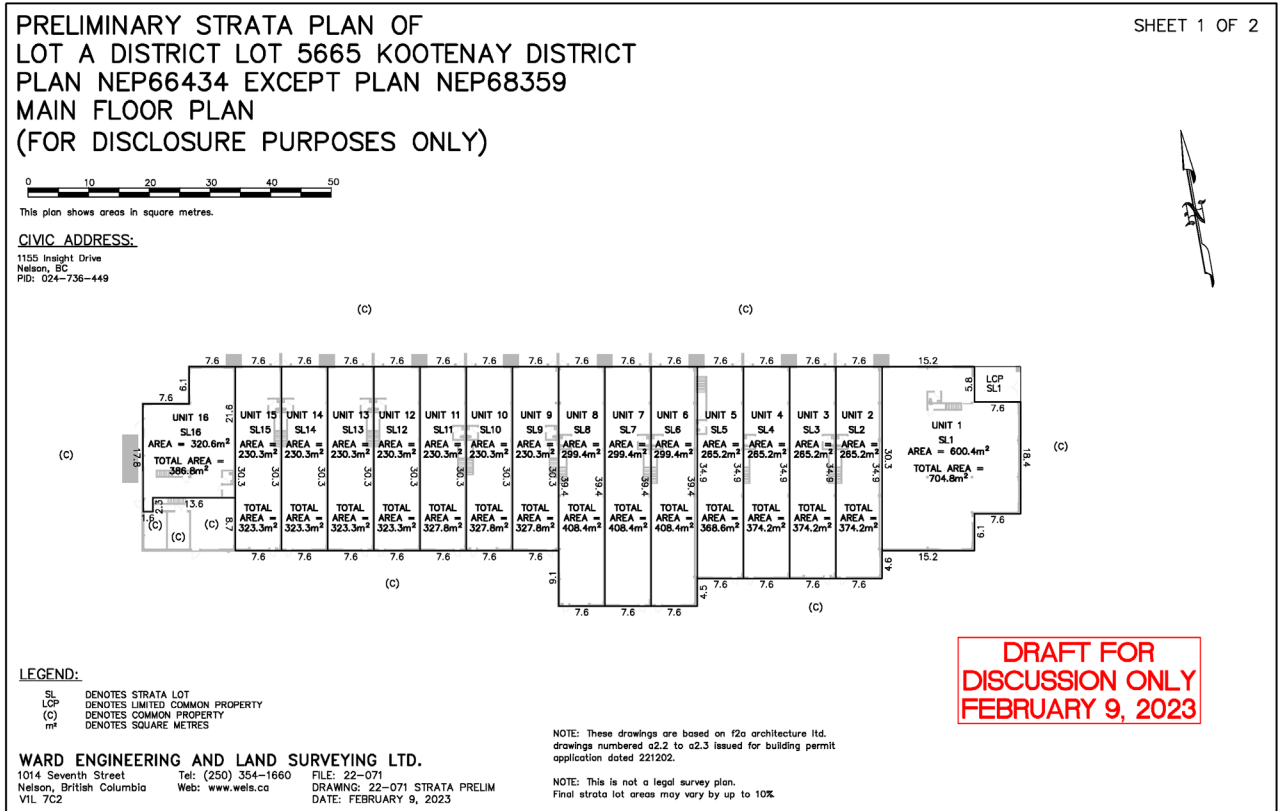


Figure 2 - Proposed Strata Plan

PRELIMINARY STRATA PLAN OF
 LOT A DISTRICT LOT 5665 KOOTENAY DISTRICT
 PLAN NEP66434 EXCEPT PLAN NEP68359
 SECOND FLOOR (MEZZANINE) PLAN
 (FOR DISCLOSURE PURPOSES ONLY)

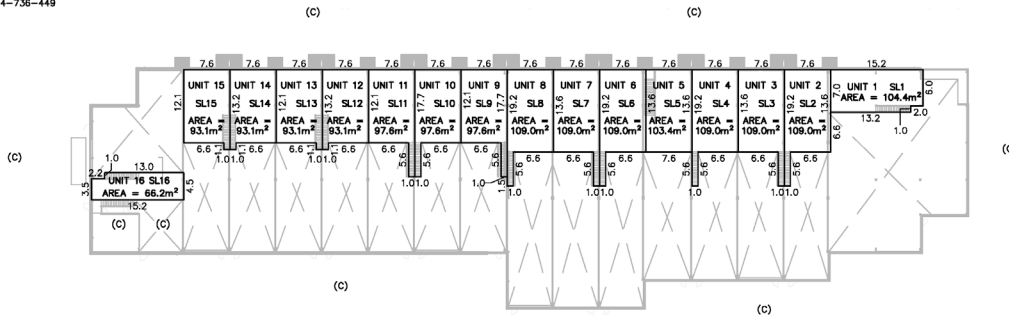
SHEET 2 OF 2



This plan shows areas in square metres.

CIVIC ADDRESS:

1155 Inaigh Drive
 Nelson, BC
 PID: 024-736-449



LEGEND:

- SL DENOTES STRATA LOT
- LCP DENOTES LIMITED COMMON PROPERTY
- (C) DENOTES COMMON PROPERTY
- m² DENOTES SQUARE METRES

WARD ENGINEERING AND LAND SURVEYING LTD.

1014 Seventh Street Tel: (250) 354-1660 FILE: 22-071
 Nelson, British Columbia Web: www.wels.ca DRAWING: 22-071 STRATA PRELIM
 VIL 7C2 DATE: FEBRUARY 9, 2023

NOTE: These drawings are based on f2a architecture ltd. drawings numbered a2.2 to a2.3 issued for building permit application dated 221202.

NOTE: This is not a legal survey plan. Final strata lot areas may vary by up to 10%.

**DRAFT FOR
 DISCUSSION ONLY
 FEBRUARY 9, 2023**

Figure 3 - Proposed Strata Plan (second floor mezzanine plan)

2.2 ANALYSIS

Under the *Strata Property Act* the Regional Board is the approving authority for conversion of previously occupied buildings. The approving authority may approve the strata plan, approve the strata plan subject to terms and conditions, refuse to approve the strata plan, or refuse to approve the strata plan until terms and conditions imposed by the approving authority are met. The Board’s decision is final and cannot be appealed.

The Board cannot approve the strata plan unless the building substantially complies with the applicable bylaws of the Regional District and the building regulations of the *Building Act*. The Board must also consider the following:

- the priority of rental accommodation over privately owned housing in the area,
- any proposals for the relocation of persons occupying a residential building,
- the life expectancy of the building,
- projected major increases in maintenance costs due to the condition of the building, and
- any other matters that, in its opinion, are relevant.

Below staff outline the Board’s considerations as per the *Strata Property Act*.

Applicable Bylaws of the Regional District

Electoral Area ‘E’ is not subject to a zoning bylaw, and the subject property is located in a portion of Electoral Area ‘E’ where there is no Official Community Plan in Effect. Therefore, the only applicable land use regulations

to this portion of Electoral Area 'E' are the RDCK Subdivision Bylaw No. 2159, 2011, Building Bylaw No. 2200, 2010, and the Floodplain Management Bylaw No. 2080.

Subdivision Bylaw No. 2080, 2009

The Subdivision Bylaw applies to all lands within the RDCK and is relevant to applications for bare land stratas, however when considering strata title conversions of previously occupied buildings, section 242 of the Strata Property Act identifies what should be considered and establishes that the approving authority is the local government. Based on the foregoing a subdivision application and consideration of the RDCK Subdivision Bylaw is not required for this application.

Building Bylaw No. 2200, 2010

As discussed in more detail in Building Regulations, the applicant has submitted a "report on existing structure" and have subsequently applied for a Building Permit to complete improvements and renovations in order to bring the existing building into "substantial compliance" with the BC Building Code.

Floodplain Management Bylaw No. 2080, 2009

The subject property is not adjacent to any watercourses and therefore there are no concerns related to the Floodplain Management Bylaw.

Building Regulations

The applicants have submitted a report completed by F2a Architecture and Construction dated March 16, 2023 (Attachment 'B'). The report outlines the work that needs to be completed, and the architect concludes that the building will substantially comply with the current BC Building Code once all the recommendations of the report have been addressed through the completion of the associated Building Permit application.

Servicing Requirements

The property is serviced by a drilled well and an on-site wastewater (septic) system. Additional servicing information will be provided by the applicant prior to consideration of final approval of this proposed Strata Title Conversion application.

Priority of Rental Accommodation

There are no land use policies that address the priority of rental accommodation because there is no OCP applicable to the subject property. The existing building has also been vacant for a number of years. As such, this item was not considered in the application.

Relocation of Occupants

A relocation of existing tenants plan has not been submitted and is not required because there are presently no occupants or tenants.

Life Expectancy of the Building

The architect's report indicates that the structure is in good condition and that work is currently being done to upgrade the building and bring it into substantial compliance with the BC Building Code.

Projected Major Increases in Maintenance Costs

The architect's report has not indicated any major increases in maintenance costs, and upgrades are currently being completed to bring it into substantial compliance with the BC Building Code. One area of uncertainty is the state of the current water distribution system and existing on-site wastewater (septic) system. More information will be provided on these two items prior to consideration of Final Approval.

SECTION 3: DETAILED ANALYSIS

3.1 Financial Considerations – Cost and Resource Allocations:

Included in Financial Plan: Yes No Financial Plan Amendment: Yes No
Debt Bylaw Required: Yes No Public/Gov't Approvals Required: Yes No

The \$2200 application fee was paid in accordance with the Planning Procedures and Fees Bylaw No. 2457, 2015.

3.2 Legislative Considerations (Applicable Policies and/or Bylaws):

This application was processed in accordance with the Planning Procedures and Fees Bylaw No. 2547, 2015.

3.3 Environmental Considerations

None anticipated with the change in ownership.

3.4 Social Considerations:

The subject property is improved with an industrial/commercial building and the building is currently vacant. The applicants were not required to provide a relocation of existing tenants plan.

3.5 Economic Considerations:

The conversion to strata units would allow local business owners with opportunities to purchase indoor commercial space.

3.6 Communication Considerations:

The application was referred to seven (7) neighbouring property owners, internal departments, the APHC for Electoral Area 'E' and other government agencies. The following responses were received:

Interior Health Authority – Environmental Health Officer

The building at 1155 Insight Drive, Nelson BC, has a water system that was installed by the previous owner. This water system has not been in use since the closure of the previous business. From our records, and the provincial database there are two wells drilled on site but it is unclear if only one, or both were in use. The Well Tag Numbers are: 100049, 82099.

The new owner must submit an Application for a Permit to Operate a Water Supply System, and provide information on the components of the system that are currently in place. An "as built" inventory of the system by a Qualified Professional (Engineer) will fulfill this request.

Interior Health will also require a comprehensive water potability analysis for each well.

Once the application is submitted and the above supporting documents received Interior Health will determine if any changes or upgrades to the system or infrastructure are needed to meet current compliance standards. Any alterations or changes to the water system will require a Construction Permit issued by Interior Health prior to any work being completed.

Upon issuance of a Permit to Operate the owner will be required to submit weekly bacteriological samples, and monitor for any other parameters that may be indicated in the chemical analysis. They will also be required to create and submit an Emergency Response and Contingency Plan for the water system.

Applications for water system permits and construction permits can be found at:

Nelson Hydro – Design & Facilities Technician 1

Nelson Hydro does not have any issues with the proposed strata.

Fortis BC – Contract Land Agent

There are no FortisBC Inc (Electric) (“FBC(E)”) facilities affected by this application. As such FBC(E) has no concerns with this circulation.

RDCK Building Services

As previously stated in this report, the architectural consultant has provided a report including drawings that have been permitted as substantially complying with the current edition of the BC Building Code.

The owners have cooperatively undertaken to understand fire fighting concerns beyond that identified in the building code. They are now having designs drawn that reflect concerns of the City of Nelson Fire Department, which upon supply and construction will see provision for water supply and fire alarm reflective of a building of this size and complexity.

Electoral Area ‘E’ APHC

- **Note: this is an excerpt from the DRAFT minutes for the meeting that was held on May 25, 2023. These minutes have not yet been provided to the Board.**
- *Good for local business, employment, upgrading building’s efficiency*
- *Concern about electrical heat, questions if heat pumps were considered?*
 - *Applicant: unfortunately I am not involved with mechanical but appears that heat pumps are included*

Comments received from the public

1. *We generally have no objection to this application*
2. *Being a residential neighbourhood directly above subject property, we request if possible wording in their (strata bylaws or on title) concerning possible noise from manufacturing. Something that would follow most noise bylaws , No noise prior to 7am or after 9pm M-Saturday , No noise on Sundays*
3. *Site and exterior building lighting, to take into consideration for night skies and lighting be restricted to lighting surrounding grounds and not up the hill side.*

3.7 Staffing/Departmental Workplace Considerations:

The processing of strata title conversion applications is part of the Planning Services Department’s role.

3.8 Board Strategic Plan/Priorities Considerations:

None.

SECTION 4: OPTIONS

SUMMARY

The report outlines information required under the Strata Property Act for the board to consider a Strata Title Conversion application for the conversion of an existing industrial/commercial building to 16 strata units at 1155 Insight Drive in Electoral Area ‘E’, as local governments are the Approving Authority for subdivision of previously occupied buildings.

Because there are no land use regulations in this portion of Electoral Area 'E' to restrict the end use of the proposed strata units, staff recommend that the Board consider a condition that will require the registration of a restrictive covenant on title for each proposed Strata Units prior to "Final Approval" in order to:

- Notify individual unit owners that the use of the units is limited to those uses approved for the F2 category in the BC Building Code and if other uses are proposed, a building permit would be required and;
- Notify individual unit owners that the on-site wastewater system is only designed to accommodate conventional domestic waste and other treatment solutions (e.g. pre-treatment) are required to be installed by the unit owner if commercial or industrial waste/by-products are handled/processed or to be flushed down any of the drains that feed into the shared septic system.

The Board may approve the strata plan subject to terms and conditions, refuse to approve the strata plan, or refuse to approve the strata plan until terms and conditions imposed by the approving authority are met.

Staff note that at this time, "Approval subject to terms and conditions" is being considered. The applicants are required to provide the RDCK with proof of services (water and wastewater) and prepare a restrictive covenant to address building code and servicing limitations prior to consideration of "endorsement of the strata plan". The applicants are aware of the requirements for water and wastewater and asked staff to proceed with consideration of "Approval" prior to completing the detailed review of the existing services and infrastructure. Once all relevant conditions have been satisfied, the application will be brought back to the Board to consider endorsement of the strata plan.

OPTIONS

Option 1 – Approval of the proposed strata plan subject to terms and conditions

That the Board APPROVE Strata Title Conversion ST2301E for the property located at 1155 Insight Drive and legally described as LOT A DISTRICT LOT 5665 KOOTENAY DISTRICT PLAN NEP66434 EXCEPT PLAN NEP68359 (PID 024-736-449) for the conversion of the existing building to 16 strata units:

SUBJECT TO:

1. Confirmation of water and wastewater services to the satisfaction of the RDCK and Interior Health Authority.
2. Preparation of a restrictive covenant on title for each proposed Strata Unit in order to notify individual unit owners that the use of the units is limited to those uses approved for the F2 category in the BC Building Code and if other uses are proposed, a building permit would be required and;
3. Preparation of a restrictive covenant on title for each proposed Strata Unit in order to notify individual unit owners that the on-site wastewater system is only designed to accommodate conventional domestic waste and other treatment solutions (e.g. pre-treatment) are required to be installed by the unit owner if commercial or industrial waste/by-products are handled/processed or to be flushed down any of the drains that feed into the shared septic system.

Option 2 – Refuse the approval of the strata plan until terms and conditions are met

That the Board NOT APPROVE Strata Title Conversion ST2301E for the property located at 1155 Insight Drive and legally described as LOT A DISTRICT LOT 5665 KOOTENAY DISTRICT PLAN NEP66434 EXCEPT PLAN NEP68359 (PID 024-736-449) for the conversion of the existing building to 16 strata units until such a time as the following terms and conditions are met:

SUBJECT TO:

1. Confirmation of water and wastewater services to the satisfaction of the RDCK and Interior Health Authority.
2. Preparation of a restrictive covenant on title for each proposed Strata Units in order to notify individual unit owners that the use of the units is limited to those uses approved for the F2 category in the BC Building Code and if other uses are proposed, a building permit would be required and;
3. Preparation of a restrictive covenant on title for each proposed Strata Units in order to notify individual unit owners that the on-site wastewater system is only designed to accommodate conventional domestic waste and other treatment solutions (e.g. pre-treatment) are required to be installed by the unit owner if commercial or industrial waste/by-products are handled/processed or to be flushed down any of the drains that feed into the shared septic system.

Option 3 – Refuse the “Approval in Principle” of the Strata Plan

That the Board NOT APPROVE Strata Title Conversion ST2301E for the property located at 1155 Insight Drive and legally described as LOT A DISTRICT LOT 5665 KOOTENAY DISTRICT PLAN NEP66434 EXCEPT PLAN NEP68359 (PID 024-736-449) for the conversion of the existing building to 16 strata units.

SECTION 5: RECOMMENDATIONS

That the Board APPROVE Strata Title Conversion ST2301E for the property located at 1155 Insight Drive and legally described as LOT A DISTRICT LOT 5665 KOOTENAY DISTRICT PLAN NEP66434 EXCEPT PLAN NEP68359 (PID 024-736-449) for the conversion of the existing building to 16 strata units:

SUBJECT TO:

1. Confirmation of water and wastewater services to the satisfaction of the RDCK and Interior Health Authority.
2. Preparation of a restrictive covenant on title for each proposed Strata Unit in order to notify individual unit owners that the use of the units is limited to those uses approved for the F2 category in the BC Building Code and if other uses are proposed, a building permit would be required and;
3. Preparation of a restrictive covenant on title for each proposed Strata Unit in order to notify individual unit owners that the on-site wastewater system is only designed to accommodate conventional domestic waste and other treatment solutions (e.g. pre-treatment) are required to be installed by the unit owner if commercial or industrial waste/by-products are handled/processed or to be flushed down any of the drains that feed into the shared septic system.

Respectfully submitted,
Originally signed by

Zachari Giacomazzo, Planner

CONCURRENCE

Planning Manager – Nelson Wight **Digitally approved by**
 General Manager Development & Sustainability – Sangita Sudan **Digitally approved by**
 Chief Administrative Officer – Stuart Horn **Digitally approved by**

ATTACHMENTS:

- Attachment A – Preliminary Strata Plans**
- Attachment B – Report on existing structure prepared by f2a architecture and construction**
- Attachment C – F2 category in the BC Building Code**

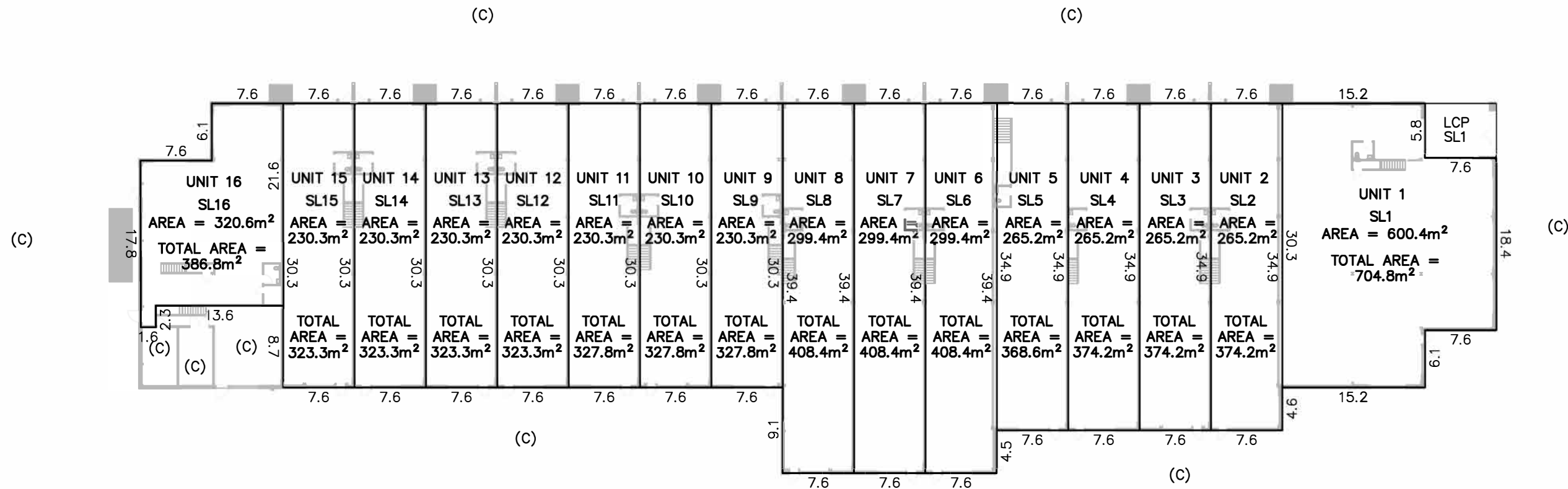
PRELIMINARY STRATA PLAN OF LOT A DISTRICT LOT 5665 KOOTENAY DISTRICT PLAN NEP66434 EXCEPT PLAN NEP68359 MAIN FLOOR PLAN (FOR DISCLOSURE PURPOSES ONLY)



This plan shows areas in square metres.

CIVIC ADDRESS:

1155 Insight Drive
Nelson, BC
PID: 024-736-449



LEGEND:

- SL DENOTES STRATA LOT
- LCP DENOTES LIMITED COMMON PROPERTY
- (C) DENOTES COMMON PROPERTY
- m² DENOTES SQUARE METRES

**DRAFT FOR
DISCUSSION ONLY
FEBRUARY 9, 2023**

NOTE: These drawings are based on f2a architecture ltd. drawings numbered a2.2 to a2.3 issued for building permit application dated 221202.

NOTE: This is not a legal survey plan. Final strata lot areas may vary by up to 10%.

WARD ENGINEERING AND LAND SURVEYING LTD.

1014 Seventh Street Tel: (250) 354-1660 FILE: 22-071
Nelson, British Columbia Web: www.wels.ca DRAWING: 22-071 STRATA PRELIM
V1L 7C2 DATE: FEBRUARY 9, 2023

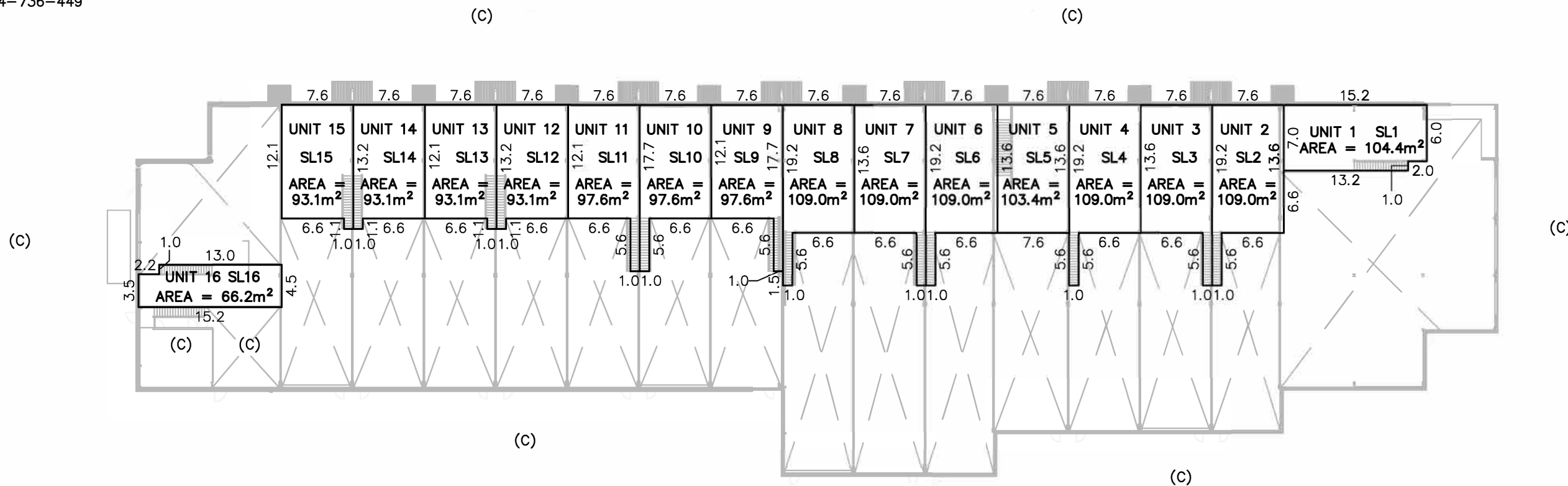
PRELIMINARY STRATA PLAN OF LOT A DISTRICT LOT 5665 KOOTENAY DISTRICT PLAN NEP66434 EXCEPT PLAN NEP68359 SECOND FLOOR (MEZZANINE) PLAN (FOR DISCLOSURE PURPOSES ONLY)



This plan shows areas in square metres.

CIVIC ADDRESS:

1155 Insight Drive
Nelson, BC
PID: 024-736-449



LEGEND:

- SL DENOTES STRATA LOT
- LCP DENOTES LIMITED COMMON PROPERTY
- (C) DENOTES COMMON PROPERTY
- m² DENOTES SQUARE METRES

**DRAFT FOR
DISCUSSION ONLY
FEBRUARY 9, 2023**

NOTE: These drawings are based on f2a architecture ltd. drawings numbered a2.2 to a2.3 issued for building permit application dated 221202.

NOTE: This is not a legal survey plan. Final strata lot areas may vary by up to 10%.

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1014 Seventh Street Tel: (250) 354-1660 FILE: 22-071
Nelson, British Columbia Web: www.wels.ca DRAWING: 22-071 STRATA PRELIM
V1L 7C2 DATE: FEBRUARY 9, 2023



architecture
construction

austin hawkins
architect AIBC

250-488-7201
info@f2a.ca
www.f2a.ca

March 16, 2023

RDCK planning staff
RDCK board
c/o Zachari Giacomazzo
zgiacomazzo@rdck.bc.ca



Strata Title Conversion - report on existing structure

Good Afternoon,

This report is to provide my professional opinion on the existing structure at 1155 Insight Drive, proposed to be converted to strata title. The purpose of this report is to provide a thorough assessment of the existing structure and its suitability for strata title conversion. I will respond directly to the requirements of the RDCK Development Application submission checklist, item K. "structural engineer or architect's report on existing structure".

The building at 1155 Insight Drive was built in 2000 for Pacific Insight Electronics Corporation as an automotive electronics and lighting manufacturing facility. It was designed by Varco Pruden of Memphis, Tennessee and prefabricated by Norsteel Building Systems Ltd. of West Kelowna. Typical of prefabricated steel buildings, it was built with transverse steel girders, longitudinal purlins, fibreglass roll insulation, and profiled steel panel cladding. The building will undergo significant renovations to prepare it for stratification. Principally, the renovation will add fire partitions along the lines of the steel girders, approximately every 25' along its length. The work will also include retrofit of the structure, envelope, mechanical system, plumbing, electrical system, and the addition of fire suppression and fire alarm systems.

In discussions with the building department, question was raised as to whether the energy efficiency of the building meets current code. If the building were built today, it would not meet thermal resistance requirements. However, the building code requires only that all modified components of an existing building meet current energy performance standards. All components replaced will therefore meet or exceed current performance requirements. In addition, the renovation will take important steps to improve the air-tightness of the envelope, the most impactful aspect of building energy efficiency. Air tightness will be improved by removing leaky ventilation ducts and patching the resulting holes, adding entrance vestibules, and patching all visible punctures in the air + vapour membrane. Further efficiency and comfort upgrades will be made by improving the mechanical system itself with HRVs and introducing daylight to office spaces by adding full height windows along the entrance facade.

1) Age and repair of all buildings and structures

There are four structures at 1155 Insight Drive. They include the main building, a cistern, and two well pump houses, all 23 years old. These buildings are largely sound and have been maintained by the owner and operator. Due to its durable structural material, there has been no concern raised over the structural integrity of the primary building. As part of the strata renovations, new overhead

doors will be added to each unit. Some of these doors overlap structural brace bays, so the longitudinal structure is planned to be retrofit to meet current structural requirements.

2) General condition and repair of the foundation

The foundation is cast-in place concrete, with pilasters and piers for column bearing as is standard for this type of building. Having reviewed the entire perimeter of the foundation inside and out, I observed just two small cracks which do not appear to have significance. In short, the foundation is in great shape. Site drainage was originally established from the south side of the building under the foundation to the drainage ditch north of the building. This drainage appears to be functioning properly. There are two drains located in the existing loading docks which will need to be extended to meet updated drainage slopes.

3) Heating, plumbing, and electrical systems and fixtures

Heating was originally provided with ceiling-mounted natural gas tube heaters. A mechanical engineer has designed a heating system retrofit which will reuse some of the tube heaters. The tube heaters will be augmented by new electric baseboard heaters installed in each unit. Baseboard heaters are durable, flexible, zero-emission, and use renewable energy, an improvement over the original all-gas heating system.

4) Roof structure and condition

The roof structure is steel girders and purlins, all in good shape without sign of movement or rust. The roof insulation is 3 1/2" fibreglass batts, and the roof cladding is profiled steel. The roof is low-slope, approximately 1:12. Where rooftop ventilation units were originally installed, the roof leaked. The rooftop units are planned to be removed, roofing repaired, and any damaged insulation replaced. The envelope of this building is the aspect in greatest need of attention. As noted above, air-tightness will be improved and any damaged insulation and air/ vapour barrier will be replaced or repaired. To maintain integrity of the roofing system, and to ensure no leaks occur in the future, roofing repairs must be sufficiently lapped as per RCABC best practices. Care will also need to be taken to repair and replace as necessary all gutters and downspouts. As architect of record, I will review component shop drawings and site work related to the building envelope.

5) Fire and sound separations

One-hour fire separations will be added between all suites. For a sprinklered building of this size and occupancy, 45 minute fire separations are required. One hour separations will be provided for future flexibility. There are no acoustic requirements for suite demising walls. Buyers may choose to add acoustic batts, resilient channel or both to suit their needs.

6) Common amenities

The common amenities included in this building are a strata suite for utility purposes, two wells and a water filtration system, a fire suppression pump and manifold, the fire alarm system and annunciator, electrical switchgear and panels, emergency generator, guest parking, a sign monument, and way-finding signage. Dedicated parking and loading spaces will also be provided for each unit.

7) Compliance with egress and exiting requirements

All suites have been designed to comply with current egress and exiting requirements. They have been provided with two exit doors each, positioned so as to meet separation requirements and not to exceed travel distances. No exit signage is required but fire-alarm pull stations will be provided at each exit.

8) Methodology used to evaluate the building and source of information on which report is based

All the information I have provided in this report is first-hand. I have personally observed the existing building for planning, review of demolition work, and made an additional inspection visit specifically to write this letter. I have also overseen drafting of existing building plans, reviewed the building code with reference to the building, and designed the building retrofit to be code compliant.

9) Disclosure of direct or indirect interest the writer of the declaration may have in the building or ownership.

Neither I nor f2a architecture has direct economic interest in this strata project. We are paid fees for our work. My interest is to achieve design and construction review excellence. My architectural practice interests itself with the retrofit and reuse of buildings and structures as we believe that to improve our environment, we must make full use of existing buildings before constructing new. We also believe that existing building upgrades must take higher priority than new construction.

Please do not hesitate to reach out if you would like me to elaborate on any of these points or to respond to any questions on other aspects of the building at 1155 Insight Drive.

Sincerely,



Austin Hawkins, Architect AIBC

Medical offices
 Offices
 Police stations without detention quarters
 Radio stations
 Small tool and appliance rental and service establishments

Group E

Department stores
 Exhibition halls
 Markets
 Shops
 Stores
 Supermarkets

Group F, Division 1

Bulk plants for flammable liquids
 Bulk storage warehouses for hazardous substances
 Cereal mills
 Chemical manufacturing or processing plants
 Distilleries
 Dry cleaning plants
 Feed mills
 Flour mills
 Grain elevators
 Lacquer factories
 Mattress factories
 Paint, varnish and pyroxylin product factories
 Rubber processing plants
 Spray painting operations
 Waste paper processing plants

Group F, Division 2

Aircraft hangars
 Box factories
 Candy plants
 Cold storage plants
 Dry cleaning establishments not using flammable or explosive solvents or cleaners
 Electrical substations
 Factories
 Freight depots
 Helicopter landing areas on roofs
 Laboratories
 Laundries, except self-service
 Mattress factories
 Planing mills
 Printing plants
 Repair garages
 Salesrooms
 Service stations
 Storage rooms
 Television studios not admitting a viewing audience
 Warehouses
 Wholesale rooms
 Woodworking factories
 Workshops



Committee Report

Date of Report:	September 5, 2023
Date & Type of Meeting:	September 13, 2023 Rural Affairs Committee Meeting
Author:	Stephanie Johnson, Planner
Subject:	Heritage Register: Nomination Application – Lardeau Museum Building(s)
File:	10-4970-20-LARDEAU_MUSEUM
Electoral Areas:	D

SECTION 1: EXECUTIVE SUMMARY

The purpose of this report is to present to the Regional Board a heritage nomination application for the Lardeau Museum buildings for consideration of inclusion on the Regional District of Central Kootenay's (RDCK's) Community Heritage Register (CHR).

Staff recommends that the Lardeau Valley Museum buildings be added to the RDCK's CHR.

SECTION 2: BACKGROUND/ANALYSIS

2.1 BACKGROUND

A CHR is a planning tool used by communities interested in integrating heritage conservation activities into other land use planning processes. The CHR is an official list of historic places, specific to a community, which have been identified by the local government as having heritage value or heritage character. Criteria for establishing a CHR is legislated under section 598 of the *Local Government Act*.

The CHR is an important component of a local government's heritage program, as it is a recognized method to identify, acknowledge and record local heritage.

By establishing and maintaining a list of heritage buildings, sites and structures, the CHR process helps the local government to understand and identify the heritage significance and value of its community.

The CHR is one of several heritage conservation tools found in the *Local Government Act*. While the legislation provides local governments with the authority to adopt a Community Heritage Register, the Act does not detail the formation and function of the register.

2.2 RDCK COMMUNITY HERITAGE REGISTER

At the April 16, 2020 Board meeting the Board passed resolution 315/20 to establish the RDCK Community Heritage Register. At this time the Board placed 26 heritage resources on the register. These sites are:

- kp'itl'els
- Burton Historical Park and Campground
- Idaho Peak Fire Lookout

- Slocan Valley Rail Trail
- J.B. Fletcher Store
- Townsite of Sandon including the Sandon Cemetery
- Harrison Memorial Church - Crawford Bay
- Brilliant Suspension Bridge
- Sandon Internment Camp
- Bay Farm Internment Camp
- Popoff Internment Camp
- Slocan City Internment Camp
- Rosebery Internment Camp
- Lemon Creek Internment Camp
- Pilot Bay Lighthouse
- City of Ainsworth Shipwreck
- Cooper Creek Gold Field
- Dewdney Trail (between Salmo and Creston)
- Creston Town Hall
- Slocan Mercantile General Store - Sandon
- Raspberry School - Brilliant
- St. Francis in the Woods - Queen's Bay
- Grain Elevators - Creston
- Vallican Heritage Hall
- Billy Clark Cabin - Meadow Creek
- Merriwake Boat – Slocan

As of 2020, eight Electoral Areas (A, C, D, E, G, H, I, J, K) participated in the Heritage Conservation Service. Practicing heritage conservation in a coordinated way through the implementation of the CHR will assist the RDCK in realizing the benefits that result from strong and integrated heritage conservation activity. Should Electoral Areas B and F seek to participate in heritage conservation planning an amendment to the *RDCK's Heritage Conservation Extended Service Establishment Bylaw No. 1958* would be required to add that Electoral Area(s). Appendix 'E' of the CHR identifies sites for further evaluation based on nominations received online, individual interviews, historic research and assessment of existing reports, documents and studies. Those sites relevant to Electoral Areas B and F include:

Electoral Area B

- Beltane Nursery
- Canyon Community Hall
- Canyon Park
- Erickson History Book
- Kootenay Landing
- Lister Community Cemetery
- Lister Park

Electoral Area F

- Coyote Park
- CPR Railbed and Railway
- Indigenous pictograph – Kootenay Lake

2.3 ADDITIONAL HERITAGE RESOURCES FOR INCLUSION

A Community Heritage Register report was prepared April 2020 that outlines historical themes and heritage values in the RDCK, a list of sites for inclusion on RDCK's CHR, and implementation tools and best management practises for the CHR. Appendix 'E' in the CHR report also included a unique list of sites identified for further evaluation based "nominations received online, individual interviews, historic research and assessment of existing reports, documents and studies". The Lardeau Museum buildings are included on this list.

Heritage Inventory

Inclusion of heritage resources on the CHR must be based on an understanding of the community's heritage values and priorities. Consideration must be given to how each heritage nomination application, reflects, or represents one or more of the below values or priorities:

- Community Identity and Sense of Place
- Preserving our History. The Past informing our Future
- Heritage as a Driver for Economic Development and Tourism
- Uniqueness and Diversity of the People of the RDCK
- Wild Environment – Natural Beauty and Outdoor Recreation

Future Heritage Resources for Inclusion

To be considered for inclusion a Statement of Significance has been prepared (Attachment 'A'). The Lardeau Valley Museum application represents the RDCK's first nomination application submission for a site identified in the CHR's Appendix 'E' since adoption of the Register.

SECTION 3: DETAILED ANALYSIS

3.1 Financial Considerations – Cost and Resource Allocations:

Included in Financial Plan: Yes No Financial Plan Amendment: Yes No
Debt Bylaw Required: Yes No Public/Gov't Approvals Required: Yes No

Being listed on a heritage register does not mean that the property is protected, simply that it is formally recognized as a heritage resource by the RDCK. It does not imply any costs to the local government.

3.2 Legislative Considerations (Applicable Policies and/or Bylaws):

A Community Heritage Register (CHR) is a legal planning tool enacted under s. 598 of the *Local Government Act*.

3.3 Environmental Considerations

Heritage conservation reduces construction and demolition waste. Rehabilitating heritage buildings conserves more energy than constructing a new building.

3.4 Social Considerations:

This nomination application would help to implement the CHR and preserve places with aesthetic, historic, scientific, cultural, social, or spiritual significance for present and future generations.

3.5 Economic Considerations:

Investment in heritage conservation can stimulate complementary economic activity such as tourism and real estate.

3.6 Communication Considerations:

The Community Heritage Register and further information on the included heritage resources such as the project report, mapping and the Statements of Significance are accessible online through the Community Heritage Register Project webpage.

3.7 Staffing/Departmental Workplace Considerations:

Ongoing support of the CHR has been designated to the Planner 2 and other Development Services staff as needed.

3.8 Board Strategic Plan/Priorities Considerations:

At the April 16, 2020 Board meeting the Board passed resolution 315/20 to establish the RDCK Community Heritage Register.

SECTION 4: OPTIONS & PROS / CONS

4.1 SUMMARY

Staff have reviewed the nomination application package and Statement of Significance, and recommend inclusion on the RDCK's CHR.

If approved to be added to the RDCK's CHR, the heritage page on the regional district's website will be updated, and this item will be forwarded for inclusion in the provincial and national registries.

4.2 BOARD OPTIONS

Option 1

1. THAT the Regional Board approve the inclusion of the Lardeau Valley Museum buildings, identified as having heritage value, be included on the Regional District of Central Kootenay Community Heritage Register.
2. AND THAT pursuant to Section 592 of the *Local Government Act*, the Regional District of Central Kootenay must give notice of this to the owner of the heritage property; and pursuant to Section 595 of the *Local Government Act*, the Regional District of Central Kootenay must give notice of this to the provincial heritage minister.

Option 2

1. THAT NO FURTHER ACTION be taken with respect to the Regional District of Central Kootenay Community Heritage Register.

SECTION 5: RECOMMENDATION

1. THAT the Regional Board approve the inclusion of the Lardeau Valley Museum buildings, identified as having heritage value, be included on the Regional District of Central Kootenay Community Heritage Register.
2. AND THAT pursuant to Section 592 of the *Local Government Act*, the Regional District of Central Kootenay give notice of this to the owner of the heritage property; and pursuant to Section 595 of the *Local Government Act*, the Regional District of Central Kootenay must give notice of this to the provincial heritage minister.

Respectfully submitted,

Stephanie Johnson, MCIP, RPP
Planner

CONCURRENCE

Planning Manager – Nelson Wight **Digitally approved by**

General Manager of Development Services and Community Sustainability – Sangita Sudan **Digitally approved by**

Chief Administrative Officer – Stuart Horn **Digitally approved by**

ATTACHMENT:

Attachment 'A' – Lardeau Valley Museum Statement of Significance

Statement of Significance

Lardeau Valley Museum Building - formerly the Gerrard Hatchery Residence 13435 Highway 31 North, Meadow Creek, BC V0G 1N0

Description of Historic Place

The Gerrard Hatchery Residence is a two-storey wood-frame, hip roof house situated along Highway 31 North in the community of Meadow Creek, in the West Kootenays region of British Columbia. It is one of several salvaged historic buildings relocated from within the Lardeau Valley area to this site to make up the open-air Lardeau Valley Museum. The Gerrard Hatchery Residence functions as the museum building and office.

Heritage Values

The historic place is situated in the homelands of the Ktunaxa and Sinixt peoples which overlap in some areas, and encompass parts of the area now known as the Columbia Basin of British Columbia. Once non-Indigenous prospectors and settlers began to arrive to the area in the 1800s, shifts in economy, pressure on natural resources, newly introduced diseases, and the policies of the Canadian Government contributed to a significantly diminished Indigenous presence around this place today.

The building itself stands testament to the diversification of settler economic activities in the Lardeau Valley which originated in the 1890s with local gold exploration and mining, sparking the first non-Indigenous settlements - Argenta, Lardeau, Duncan City and Trout Lake City - but which expanded into logging, fisheries and agriculture as mining activities declined in the 20th century. It was constructed to serve as the residence for a hatchery and egg collecting station at the community of Gerrard, which was located at the south tip of Trout Lake and was established circa 1893 under the name Selkirk but renamed Gerard in 1901. The Gerrard Hatchery Residence was constructed in 1918 during the 20 years that the operations were run by the federal government (1912-1932). It later became a private home to Mrs. Brandon, the Gerrard Postmaster's widow, from 1949 until circa 1963.

The building is further valued for being one of only two known surviving structures of the community of Gerrard, an abandoned ghost town where no remaining buildings or evidence of infrastructure remain. During its boom years, Gerrard boasted a large sawmill, a railway station, a post office, two hotels, various residences, and the trout hatchery, however the sawmill closed in 1920, the CPR abandoned the Lardeau-Gerrard line in 1942 (Gerrard was the terminus of the Arrowhead & Kootenay line) and the hatchery's last year of operation was 1954.

The Gerrard Hatchery Residence is important for its association with the Lardeau Valley Historical Society (LVHS) and their early heritage conservation advocacy and mobilization in the area. The LVHS was formed in 1978 with the objective of preserving and protecting heritage sites and buildings within the Lardeau Valley region, and in October 1993, they saved this then abandoned building through relocation to Meadow Creek.

Together with the Gerrard Hatchery Outbuilding, the Bosworth Shed and the Billy Clark Cabin, the Gerrard Hatchery Residence makes up the salvaged, relocated structures of the open-air Lardeau Valley Museum located in Meadow Creek, operated by the LVHS. It is valued as the first building brought to the Lardeau Valley Museum site where it was restored and opened to the public in 2000, and where it today serves as the main Museum Building containing a small office, archives, and exhibit space. Although removed from their original context, this collection of buildings stand testament to an important array of lost or abandoned communities and ways of life of this unique region, obliterated by the Columbia River Treaty which relocated and flooded many communities in the late 1960s to accommodate the Duncan, Keenleyside, Mica,

and Libby Dams, or abandoned due to significant local economic shifts as in the case of Gerrard and other regional mining and milling ghost towns. The historical context of these buildings is brought to life through the experiential educational programming, publicly accessible historic records and interpretive signage of the Lardeau Valley Museum, which offers effective and immersive cultural tourism and local education opportunities.

Aesthetically, the Gerrard Hatchery Residence is valued for its classical box design also known as the American Four Square or the Edwardian Box. This house design was popular in BC from the early 1900s until the end of World War I and featured a box form, a hip roof, classical columns and often small roof dormers.

Finally, this historic place holds scientific and environmental value for its traditional construction techniques, for its historic, locally-sourced, low energy-intensive materials – their quality, durability and reparability – for the embodied energy (the total energy expended over the more than 110 years lifecycle) held in the building, and for representing the historic practice of house moving which remains a relevant conservation strategy today.

Character Defining Elements

- Location at the Lardeau Valley Museum site since 1993 as part of conservation efforts of the Lardeau Valley Historical Society
- Residential form and massing as expressed in its 2-storey height, box shape and hip roof with a gabled dormer
- Wood-frame construction and finishes
- Stone veneer at foundation
- Hip roof with cedar shakes
- Single gabled dormer at front
- Horizontal drop siding
- Square trim, corner and roofline trim
- Partial front porch with gabled roof and wrap around soffit return
- Square front porch columns
- Back porch with shed roof
- Wood hung windows with wood storms. The upper and lower sashes of the windows are divided into two lights (2/2). The storms are simple 1/1 lights.
- Interior chimney
- Residential use from 1918-circa 1963
- Institutional use since 2000

Extra resources:

Ghost Towns of the Lardeau, BRITISH COLUMBIA video footage:
<https://www.youtube.com/watch?v=tAavcUyx4IM>

Nesteroff, Greg. 2014. Nelson Star newspaper. <https://www.nelsonstar.com/community/gerrard-changed-names-four-times/>



Committee Report

Date of Report:	August 30, 2023
Date & Type of Meeting:	September 13, 2022, Rural Affairs Committee
Author:	Corey Scott, Planner
Subject:	FORESTRY REFERRAL R2335ABC – CANFOR FOREST STEWARDSHIP PLAN
File:	\\FILES\RDCK\09\4340\30\2023\R2335ABC-CANFOR FSP-FR000099
Electoral Area/Municipality	Electoral Areas 'A', 'B', 'C'

SECTION 1: EXECUTIVE SUMMARY

The purpose of this staff report is to present to the Rural Affairs Committee (RAC) a referral from Canadian Forest Products Ltd. (Canfor) for their draft 2023-2028 Forest Stewardship Plan (FSP) and solicit comments from Directors to incorporate into the Regional District of Central Kootenay's (RDCK) response.

The FSP covers portions of the Kootenay Lake Timber Supply Area in Electoral Areas 'A', 'B', and 'C'. It is a map-based, landscape-level plan of potential forest development activities that are intended to take place in the plan area.

The referral is being presented to RAC because it affects three different Electoral Areas. This staff report outlines the relevant planning policy and is intended to inform Directors and seek direction on providing a response to Canfor.

SECTION 2: BACKGROUND/ANALYSIS

2.1 BACKGROUND

The RDCK has received a referral from Canfor for their draft 2023-2028 FSP (Attachment A), which covers portions of the Kootenay Lake Timber Supply Area in Electoral Areas A, B, and C. The FSP shows Forest Development Units – the areas of land where specific forest practices obligations apply – in Electoral Areas 'A', 'B', and 'C'. Relevant maps have been included as Attachment B of this staff report. Additional maps and appendices can be found under the "Forest Stewardship Plans" section of Canfor's website¹.

The FSP is a map-based, landscape-level plan of potential forest development activities that are intended to take place in the plan area. Forest agreement holders must prepare, and have approved by the Provincial Government, a FSP before harvesting or road building activities can begin. The FSP has a term of five years and may be renewed for additional terms.

The *Forest Planning and Practices Regulation* sets out the objectives for FSPs and resource professionals are encouraged to create innovative approaches for balancing multiple resource values in order to achieve these objectives in a FSP. The resource values include:

- Biodiversity

¹ Link: <https://www.canfor.com/responsibility/forest-management/plans>

- Cultural Heritage
- Fish / Riparian
- Forage & Associated Plant Communities
- Recreation
- Resource Features
- Soils
- Timber
- Visual Quality
- Water Quality
- Wildlife

The FSP must include “results” and “strategies” that address these Provincially set timber and non-timber related resource values.

The FSP is the primary referral process for notifying the public, First Nations, and government agencies as to the location of Forest Development Units and the strategies and results that will apply to the respective Forest Development Units.

Kootenay-Boundary Higher Level Plan

The “Kootenay-Boundary Higher Level Plan”² establishes resource management zones and objectives for the Kootenay-Boundary area. The areas of the RDCK affected by this FSP fall within the “Kootenay Lake Resource Management Zone” designated by the Higher Level Plan. The specific objectives in this zone address: biodiversity, old and mature forest, caribou, green-ups, grizzly bear habitat and connectivity corridors, consumptive use streams, timber, fire-maintained ecosystems, visuals, and social and economic stability.

The results and strategies proposed in the FSP respond primarily to the objectives of (and variances to) the 2002 Kootenay Boundary Higher Level Plan. Statutory decision-makers at the Province are legally obligated to ensure that decisions they make are consistent with this higher level plan, in addition to relevant legislation and binding policies. As such, and because RDCK planning staff are not experts in Provincial forestry legislation, planning staff do not review FSPs with respect to how well their content meets Provincial values and objectives.

Instead, planning staff focus on the relevant land use policies contained within each affected Electoral Area’s Official Community Plan (OCP) and recommend that the Province consider these policies and comments in making their decision.

2.2 LAND USE POLICY REVIEW

The Official Community Plans (OCPs) for Electoral Areas ‘A’, ‘B’, and ‘C’ contain policies specific to the natural environment, the Resource Area (RA) land use designations, and individual communities within each Electoral Area. The relevant policies are laid out in the draft response letter (Attachment C).

In addition to the relevant land use policies, content has been included in the draft response that reflects RDCK concerns noted in previous FSP responses. These concerns are centered on FSPs being too high-level of plans for the RDCK to provide meaningful comment on. In light of this, the response also requests the opportunity to provide feedback on the Forest Operational Plans, which provide more detail on the landscape and ecological impacts from logging activity, as well as provide comment at the site plan scale.

² Province of BC. (2002). Kootenay-Boundary Higher Level Plan Order. Link: https://www2.gov.bc.ca/assets/gov/farming-natural-resources-and-industry/natural-resource-use/land-water-use/crown-land/land-use-plans-and-objectives/kootenayboundary-region/kootenayboundary-rlup/kootenayboundary_rlup_fpc_26oct2002.pdf

SECTION 3: DETAILED ANALYSIS

3.1 Financial Considerations – Cost and Resource Allocations:

Included in Financial Plan: Yes No Financial Plan Amendment: Yes No
Debt Bylaw Required: Yes No Public/Gov't Approvals Required: Yes No

N/A

3.2 Legislative Considerations (Applicable Policies and/or Bylaws):

The RDCK Planning Procedures and Fees Bylaw No. 2457, 2017 states that, “[Forest] Referrals which impact three or more Electoral Areas will be presented to the Rural Affairs Committee to recommend a resolution for the Regional Board to endorse.” Since this referral involves Electoral Areas A, B, and C a Board resolution is required.

The RDCK does not have legislated authority of forestry practices on crown land. However, Forest Stewardship Plans must be made publicly available for review and comment to allow other tenure holders, professionals, communities, stakeholders, and the public to provide input on these plans.

Official Community Plans for the Electoral Areas contain relevant policies created with public input that are contained in the draft response.

3.3 Environmental Considerations

Environmental protection and stewardship supporting biodiversity, sensitive ecosystems, species at risk and ecological integrity are important elements of RDCK Official Community Plans.

3.4 Social Considerations:

Forests are natural assets that provide numerous ecosystem services to surrounding communities such as, clean water, clean air, and recreation. Proper management techniques can mitigate hazards to people, such as, wildfires, floods, slides, and drinking water source contamination.

3.5 Economic Considerations:

Forestry is an economic driver in the RDCK and provides employment opportunities to many residents.

3.6 Communication Considerations:

The referral was sent to Area Directors of the affected Electoral Areas for comment. It was also forwarded to the Parks, Water Services, and Community Sustainability Departments for comment.

At the time of writing this report no responses have been received.

3.7 Staffing/Departmental Workplace Considerations:

National Disaster Mitigation Program

The RDCK retained an engineering consultant to carry out a geohazard risk prioritization study for the District. The study objective was to characterize and prioritize flood and steep creek (debris-flood and debris-flow) geohazards in the RDCK that might impact developed properties. The goal is to support decisions that prevent or reduce injury or loss of life, environmental damage, and economic loss due to geohazard events. The third phase is currently underway for preliminary flood mitigation designs.

Regional Watershed Governance Initiative Project

The RDCK Board is currently exploring its role in watershed governance. The Board directed, “staff to develop a Regional Watershed Governance Initiative project plan”. Phase 3 is now underway with a focus on continued relationship building, mapping, and water monitoring.

3.8 Board Strategic Plan/Priorities Considerations:

The 2019-2023 RDCK Strategic Plan lists “Adapt[ing] to Our Changing Climate and Mitigate Greenhouse Gas Emissions” as one of its 5 objectives. The relevant Board strategy for this referral is (5.4.1.a) to “protect our water sources”, with the desired result being “Crown land logging and private land logging have limited impact on the quality and quantity of water available to RD residents for drinking.” Section 6.1.1.6 of the FSP outlines the objectives, results, and strategies for consumptive use streams. It proposes adopting sections 59 (protecting water quality) and 60 (licensed waterworks) of the *Forest Planning and Practices Regulation*:

59 An authorized person who carries out a primary forest activity must ensure that the primary forest activity does not cause material that is harmful to human health to be deposited in, or transported to, water that is diverted for human consumption by a licensed waterworks.

60 (1)An authorized person who carries out a primary forest activity must ensure that the primary forest activity does not damage a licensed waterworks.

(2)An authorized person must not harvest timber or construct a road in a community watershed if the timber harvesting or road construction is within a 100 m radius upslope of a licensed waterworks where the water is diverted for human consumption, unless the timber harvesting or road construction will not increase sediment delivery to the intake.

SECTION 4: SUMMARY

4.1 SUMMARY

Canfor has referred their draft 2023-2028 FSP (Attachment A) to the RDCK for comment. The FSP contains Forest Development Units in the Kootenay Lake Timber Supply Area in Electoral Areas A, B, and C.

The FSP is a map-based, landscape-level plan of potential forest development activities that are intended to take place in the plan area. Forest agreement holders must prepare, and have approved by the Provincial Government, a FSP before harvesting or road building activities can begin. The FSP has a term of five years and may be renewed for additional terms.

Canfor’s FSP ties its objectives to the “Kootenay-Boundary Higher Level Plan” and seeks to adopt many practices from the *Forest Planning and Protection Regulation* in response to the objectives. The FSP also provides specific “results” and “strategies” for these objectives in order to respond to the Provincially set timber and non-timber resource values.

Attachment C contains a draft response letter that incorporates previous direction given by the Board in response to FSPs, relevant policy considerations and comments from the Electoral Area ‘A’, ‘B’, and ‘C’ Directors as well as RDCK departments. Comments from the RAC can be incorporated into the draft response by resolution of the Board. Once a resolution has been passed, staff will finalize the response and forward it to Canfor as comments from the RDCK.

4.2 OPTIONS

Option 1 – Provide Comments

That the Board direct staff to respond to Canadian Forest Products Ltd. regarding “Draft 2023 Forest Stewardship Plan” as described in the Committee Report “Forestry Referral R2335ABC – Canfor Forest Stewardship Plan”, dated August 30, 2023.

Any comments provided during the RAC meeting can be included into the response prior to responding to Canfor.

Option 2 – Provide No Comment

That no further action be taken with respect to Canadian Forest Products Ltd.'s "Draft 2023 Forest Stewardship Plan".

SECTION 5: RECOMMENDATIONS

That the Board direct staff to respond to Canadian Forest Products Ltd. regarding "Draft 2023 Forest Stewardship Plan" as described in the Committee Report "Forestry Referral R2335ABC – Canfor Forest Stewardship Plan", dated August 30, 2023.

Respectfully submitted,

Corey Scott, Planner 2

CONCURRENCE

Planning Manager – Nelson Wight **Digitally approved by**
General Manager of Development Services and Community Sustainability – Sangita Sudan **Digitally approved by**
Chief Administrative Officer – Stuart Horn **Digitally approved by**

ATTACHMENTS:

Attachment A – Draft 2023 Forest Stewardship Plan, prepared by Canadian Forest Products Ltd.
Attachment B – 2023 Canfor FSP FDU [Forest Development Unit] and Creston – Kootenay Lake Maps
Attachment C – Draft Response Letter



2023 FOREST STEWARDSHIP PLAN

for

Tree Farm License 14
Forest License A19040
Forest License A18978
Forest License A18979
Forest License A94545
Community Forest Pilot Agreement K1W

in the Rocky ***Mountain Forest District*** and

Forest License A20212
Forest License A20214
Forest License A94264

in the ***Kootenay Lake TSA***

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Proposed

1 INTERPRETATION

1.1 Definitions

In this Forest Stewardship Plan, unless the **FSP** expressly specifies, or the context requires, otherwise:

“**Commencement Date**” means the date the Term of this **FSP** begins, as specified in Paragraph 2.3.

“**Date of Submission**” means the date this **FSP** is submitted for approval, as specified in Paragraph 2.1

“**FDU**” means a forest development unit

“**FRPA**” means the Forest and Range Practices Act, RSBC 2002, c. 69, and the regulations there under;

“**FPPR**” means the Forest Planning and Practices Regulation, B.C. Reg. 14/2004;

“**FSP**” means this Forest Stewardship Plan

“**GAR**” means the Government Actions Regulation as amended from time to time;

“**Holders**” means the Forest Act Agreement holders listed in Table 1 or their successors or assigns

“**KBHLP**” means the Kootenay-Boundary Higher Level Plan Order.

“**Qualified registered professional (QRP)**” means, with respect to an activity for which this forest stewardship plan requires a qualified registered professional, a person who has appropriate education and experience to carry out the activity, and is a member of, or licensed by, a regulatory body in British Columbia that has the legislated authority to regulate its members performing the activity

“**Primary forest activity**” means one or more of the following:

- a) timber harvesting
- b) silviculture treatments
- c) road construction, maintenance and deactivation.

“**RRZ**” means the riparian reserves zone as defined in the FPPR

“**RMZ**” means the riparian management zone as defined in the FPPR

“**Survival**” (of a species) means the continuation of life or existence of a species and not an individual within a species.

“**Term**” means the period specified in Paragraph 2.2

2 DATE OF SUBMISSION, DATE OF APPROVAL & TERM OF THE FSP

2.1 Date of Submission

The **date of submission** of this **FSP** for approval is August 31, 2023.

2.2 Term

The term of this **FSP** will be five (5) years from the Date of Approval. At the request of the **Holders**, the minister and their DDM may extend the term for up to an additional five years, as per Section 6 of the **FRPA** and Section 28 of the **FPPR**

2.3 Date of Approval

The Date of Approval for this **FSP** is _____
(Minister or delegate to specify as per **FRPA** s. 6(1)(b))

2.4 Amendment History

Amendment requiring approval Y/N	Amend. No.(tracker)	Date submitted or filed.	Date approved	Remarks

3 CANFOR PRACTICES IN THE KOOTENAYS AND REVIEW AND COMMENT PACKAGE

3.1 Canfor Practices in the Kootenays

The results, strategies and measures described in this FSP reflect what Canfor proposes to carry out in order to be consistent with the BC Government's FRPA legal objectives in the Kootenay Boundary Region. In addition to FRPA and Forest Act legal requirements, Canfor practices on the ground meet a multitude of other requirements as well (First Nations commitments, community/stakeholder commitments and certification requirements being key ones) which, while not part of this FSP, are a core component of Canfor's forest practices in the Kootenays. Other such examples of Canfor practices not part of this FSP but which reflect our practices on the ground in the Kootenays are CANFOR's Forest Stewardship Council (FSC) Sustainable Forest Management Plan (SFMP) available online and Canfor's collaboration with the Ktunaxa Nation Council towards the gradual implementation of the Forest Standard Document over time within Ktunaxa.

3.2 Review and Comment Package for this FSP

A review and comment package is provided in a separate document and while required by the **FPPR** section 22, does not form part of this **FSP** document. The review and comment document will contain:

- a) A copy of the notice published under section 20 FPPR
- b) A copy of each written comment received under section 21 FPPR
- c) A description of any changes made to the plan as a result of the comments received under section 21, and
- d) A description of the efforts made to meet with First Nations groups affected by this **FSP** under section 21 (1) (d) FPPR

3.3 Further Public Review

The **Holders** will, in addition to the requirements of **FPPR** section 20 and 21, commit to making proposed harvesting and road construction publicly available at least once on an annual basis, measured from April 1st to March 31st, during the term of this **FSP**. Comments from and replies to, first nations, stakeholders and members of the public will be recorded in a tracking system.

4 APPLICATION OF THE FOREST STEWARDSHIP PLAN

4.1 Licensees and Licenses (FRPA Section 3(4))

This Forest Stewardship Plan applies to the Agreement **Holders** and Agreements, within the Forest Development Units on or after the **Commencement Date** of this Forest Stewardship Plan, as indicated in the following table:

Table 1: Agreements and Agreement Holders to which this FSP applies

Tree Farm Licence 14	Canadian Forest Products Ltd.
Forest Licence A19040	Canadian Forest Products Ltd.
Forest Licence A18978	Canadian Forest Products Ltd.
Forest License A18979	Canadian Forest Products Ltd.
Community Forest Pilot Agreement K1W	Nupqu Development Corp.
Forest Licence A20212	Canadian Forest Products Ltd.
Forest Licence A20214	Canadian Forest Products Ltd.
Forest License A94264	Canadian Forest Products Ltd.
Forest License A94545	Canadian Forest Products Ltd.

5 FOREST DEVELOPMENT UNITS

5.1 Forest Development Units

The Forest Development Unit (**FDU**) boundaries identified in this Forest Stewardship Plan coincide with the **Holders** operating area boundaries as well as the BC Timber Sales (BCTS) currently defined within the Invermere, Cranbrook and Kootenay Lake Timber Supply Areas (TSA's), with some minor deviations. The **FDUs** have a 500 meter buffer where there is overlap with other licensees operating areas. This buffer recognizes that operational lines don't always work at a block level. This buffer does not supersede any operating area agreements or processes.

Despite including the BCTS operating areas in this FSP's **FDUs**, the **Holders** will not develop or submit cutting permits or road permits inside BCTS operating areas without the prior written support from BCTS Kootenay Business Area for each proposal and only in the following situations:

- For small and rare incursions where operationally beneficial to both parties (e.g. to avoid isolating timber, to put an access road through BCTS operating area to access a block inside Canfor operating area, etc.)
- For wildfire salvage, forest health salvage or for the salvage of timber damaged as a result of other natural disturbances, for cases where BCTS does not anticipate having the ability to put the timber to auction before it deteriorates beyond sawlog use, or within 6 months after the end of the disturbance, and in order to collectively achieve better performance against un-salvaged losses when and where possible.

When drafting the boundaries of the **FDU** the **Holders** considered many factors such as geography, community watersheds, operating area agreements, and land use direction, etc. Foremost, however, boundaries were determined to ensure that each **FDU** has a common set of Objectives, Results and Strategies. The **Holders** have identified seven Forest Development Units in this Forest Stewardship Plan. Table 2 identifies these units and an overview **FDU** map is attached as Appendix B.

Canfor is committed to sharing information with any licensee that shares a landscape unit where the sharing of that information helps meet a landscape level government objective. Data will be shared at least on an annual basis or as required to address changes to inventory, procedures, or objectives.

5.2 New Forest Development Units

The following table lists the new Forest Development Units in this **FSP**.

Table 2: Forest Development Units

FDU	FDU Name
1	TFL 14
2	Rocky Mountain
3	Rocky Mountain BCTS areas
4	Rocky Mountain Community Watersheds
5	Selkirk
6	Selkirk BCTS areas
7	Selkirk Community Watersheds

The map in Appendix B shows the boundaries of all Forest Development Units in this **FSP**.

5.3 Items Identified in **FDUs** (FPPR ss.14 (2) and (3))

The **FSP** map, included in Appendix B of this **FSP**, identifies the following items that are located in the **FDU** and in effect 4 months before the date this **FSP** was submitted for approval. It is understood that ongoing updates occur and these maps are only current as of the submission date.

- Community Watersheds
- Areas to which commercial timber harvesting is prohibited by another enactment (e.g. Private Land)
- Landscape Unit Boundaries
- Cutting Permits and Road Permits held by the Agreement **Holders**

The **FSP** identifies other items as follows:

Table 3: Identified FSP content

Type	Species/Item	FSP maps	FDU	FSP section	Related Order
Land Use Order	Old and old plus mature seral targets	Yes	All	6.1.1.2	Kootenay-Boundary Higher Level Plan order, Oct. 26, 2002
Section 7 notice Species at risk	Coeur d'Alene Salamander	No – data sensitive	5, 7	6.1.2.3	NA
Section 7 notice Winter habitat	Moose, elk, mule deer and white tailed deer	Appendix C and overview map	1	6.1.2.3	NA
Visual quality	Scenic areas, VQO's	Yes	All	6.1.2.9	GAR S. 17
Recreation	Established recreation sites	Yes	All	6.1.3.1	NA
Columbia Wetland Wildlife Management Area	Habitat	Yes	1, 2, 3	NA	NA
East Side Columbia Lake Wildlife Management Area	Habitat	Yes	2	NA	NA
Wildlife Habitat Areas	Lewis's Woodpecker	Yes	2,3	NA	WHA 4-001, 4-002, 4-086, 4-087, 4-121 to 4-126 inclusively, 4-130, 4-131, 4-134, 4-135, 4-203, 4-204, 4-207, 4-208
Wildlife Habitat Areas	Badger	Yes	2,3,6	NA	WHA 4-088, 4-089, 4-090, 4-091, 4-102, 4-103, 4-106, 4-107
Wildlife Habitat Areas	Long-Billed Curlew	Yes	2,3	NA	WHA 4-065 to 4-075 inclusively
Wildlife Habitat Areas	Flammulated Owl	Yes	2,3	NA	WHA 4-077 to 4-085 inclusively, 4-099, 4-100, 4-101
Wildlife Habitat Areas	Rocky Mountain Tailed Frog	Yes	2,3,5,6	NA	WHA 4-046 to 4-064 inclusively, 4-289 to 4-301 inclusively, 4-308, 4-309, 4-310, 4-311, 4-315, 4-316, 4-317

Wildlife Habitat Areas	Western Screech Owl <i>macfarlanei</i> subspecies	Yes	2,3,5	NA	WHA 4-098, 4-114, 4-115, 4-145, 4-178, 4-179, 4-243 to 4-276 inclusively
Wildlife Habitat Areas	Williamson's Sapsucker, <i>natalie</i> subspecies	Yes	2,3	NA	WHA 4-108, 4-110, 4-127, 4-128, 4-129, 4-136, 4-137, 4-138, 4-139, 4-141, 4-142, 4-143, 4-144, 4-181 to 4-188 inclusively, 4-190 to 4-202 inclusively
Wildlife Habitat Areas	Gillette's Checkerspot	Yes	2,3,4	NA	WHA 4-151 to 4-170 inclusively, 4-177, 4-217 to 4-232 inclusively, 4-234 to 4-242 inclusively
Wildlife Habitat Areas	Data Sensitive Species	No	2,3,4,5,7	NA	WHA 4-013, 4-014, 4-015, 4-027, 4-028, 4-031, 4-033, 4-044, 4-045, 4-112
Wildlife Habitat Areas	Grizzly bear	Yes	2, 3, 5, 6	NA	WHA 4-180
Wildlife Habitat Areas	Antelope Brush/Bluebunch Wheatgrass	Yes	2,3	NA	WHA 4-116, 4-117, 4-119
Wildlife Habitat Areas	Douglas-fir/Balsamroot	Yes	2,3	NA	WHA 4-118, 4-120
Ungulate Winter Range	Caribou	Yes	2,3,5,6	NA	U-4-013
Ungulate Winter Range	Caribou	Yes	1	NA	U-4-014
Fish Habitat	Fisheries Sensitive Watersheds	Yes	2	6.1.2.6	F-4-001
Ungulate Winter Range	White-tailed Deer, Mule Deer, Moose, Elk, Bighorn Sheep	Yes	2,3,5,6	NA	U-4-001, U-4-006, U-4-008
Ungulate Winter Range	Mountain Goat	Yes	1, 2, 3, 4	NA	U-4-002
Wildlife Habitat Features	Nests, dens, mineral lick, hot springs and other features as per order	NA	NA	NA	Ministerial order no. M213

No Lakeshore Management Zones or *legal* Old Growth Management Areas exist in the **FDU's** under this **FSP**, although there are priority high value Old Growth deferral areas (2-year deferral period) which are being recognized by **The Holders of this FSP** and worked through in collaboration with local First Nations and the BC government as this FSP is being written. Because management strategies for those priority high value Old Growth deferral areas are still being developed collaboratively, this FSP does not include any results or strategies for these Old Growth deferral areas yet. One very promising management strategy is a Lidar-based identification process for priority high-value old growth stands in TFL 14 developed in collaboration with government biologists, local First Nations and CANFOR. This Lidar-based approach, once fully developed and implemented across all Canfor operating areas in the Kootenays, can be the subject of a future FSP and/or amendment. Note aspatial seral targets do exist and a spatial representation

is part of that commitment and they are commonly referred to as OGMA's. As per FPPR section 69 all general wildlife measures are a legal requirement to follow.

Proposed

6 RESULTS OR STRATEGIES

6.1 Objectives Set by Government

6.1.1 Land Use Objectives

The results or strategies developed herein apply to objectives in the Kootenay-Boundary Higher Level Plan Order (**KBHLP**) dated October 26, 2002 and **KBHLP** Variances 04, 05, 06 and 07 where applicable.

The following **KBHLP** variances do not apply to the **FDU**'s depicted under this plan.

- **KBHLP** Variance -01 dated May 7, 2003
- **KBHLP** Variance -02 dated May 30, 2003
- **KBHLP** Variance -03 dated November 12, 2003 (expired)
- **KBHLP** Variance -04 (cancelled)
- **KBHLP** Variance -05 (cancelled)

The reference to variances (amendments) is not meant to limit compliance with new direction or amendments made known by government. Analysis and consistency is based landscape and BEC units as defined in the order or amendments and not subdivided or otherwise altered by **FDU** boundaries.

6.1.1.1 Biodiversity Emphasis (**KBHLP** Objective 1)

The objective for the biodiversity emphasis is as per the **KBHLP** and **KBHLP** Variance 07.

FDU	Result or Strategy
All	1. The Holders of this FSP , prior to harvesting and road building, will plan and design cutblocks and roads using the biodiversity emphasis as per map 1.1 of the KBHLP and Variance 07 to the KBHLP , and applied in subsequent objectives in the KBHLP .

6.1.1.2 Old and Mature plus Old Forest (**KBHLP** Objective 2)

The objective for the old and mature forest is as per the **KBHLP** and **KBHLP** Variances 06 and 07.

FDU	Result or Strategy
All	<ol style="list-style-type: none"> 1. As a Result the Holders of this FSP will maintain aspatial seral targets as specified in tables 2.1 to 2.4 of the KBHLP. Mature targets will be maintained as per table 2.5, as replaced in variance 7, of the KBHLP. Mature and old are defined as per table 2.6 of the KBHLP and further qualified in objective 2(4) and footnote k. 2. The Holders will conduct an annual analysis to confirm the status of old and mature plus old consistent with objective 2 or any updates to the order. 3. Where a target is in deficit as per objective 2 (5) a recruitment strategy will be developed by a QRP, for the Holders to follow, to meet the objective in the shortest time frame. An alternative strategy, other than shortest time frame, can be utilized by the Holders provided a QRP assesses and documents how this alternative strategy better maintains old growth conservation. 4. This assessment must consider: <ul style="list-style-type: none"> • The impact of the development on the biological effectiveness of the OGMA relating to the current amount of the interior condition, the amount of human impact, the dispersion/connectivity of the OGMA in the LU, the rarity of the stand or site series, stand age, successional status, presence of old growth attributes and size.

	<ul style="list-style-type: none"> • Determining if critical wildlife habitat, First Nations interests, or other values of importance exist within the OGMA. <p>As a strategy to support these aspatial targets the Holders will maintain existing OGMA and Mature areas (MMA) provided they are consistent with objectives as per KBHLP. The following strategies apply:</p> <ol style="list-style-type: none"> 1. The Holders will notify the ministry responsible of any inconsistency with objectives of the KBHLP identified by the Holders within 30 days of identification. 2. The Holders will calculate targets identified in results 1 and 2 above and compare how the existing OGMA and Mature areas meet the targets on an annual basis. Any gaps or surplus will form the basis for revision to OGMA or MMA areas to improve consistency with KBHLP objectives as per below. 3. Any changes (additions or deletions) by the Holders must be conducted by a QRP and must consider: <ul style="list-style-type: none"> • The impact of the development on the biological effectiveness of the OGMA relating to the current amount of the interior condition, the amount of human impact, the dispersion/connectivity of the OGMA in the LU, the rarity of the stand or site series, stand age, successional status, presence of old growth attributes and size. • Determining if critical wildlife habitat, First Nations interests, or other values of importance exist within the OGMA. 4. Holders will not construct a road or enter into an agreement that authorizes timber harvesting or road construction in OGMA or MMA except: <ol style="list-style-type: none"> a. for the establishment of tail holds or guy line tiebacks; b. to remove damaged timber where an identified OGMA or MMA is rendered ineffective¹ by natural damaging agents including wind, fire, or forest health factors; c. where there is no other practicable location to construct a road, or where another location would result in greater risk to one or more FRPA Values; d. where the Holders can identify one or more replacement OGMA's that provide equal or greater biological value consistent with strategy 3 above, the QRP will complete the form in appendix F in advance of signing the road or block Site Plans. Note that the form will be updated from time to time to reflect the best information available. The form in appendix F reflects the current version on the date of submission. <p>¹For the purposes of this section, 'rendered ineffective' means, in the opinion of a QRP, damaged to a degree that the OGMA no longer has the biological value of mature or old forest considering the factors identified in footnote k of KBHLP Objective 2 (5). A professional rationale will document the reasons for this judgement using criteria from footnote k of the order or other more current government direction.</p>
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6.1.1.3 **Caribou** (**KBHLP** Objective 3)

The objective for Caribou is as per the **KBHLP** and Variances 3, 4, 6 and 9. The objective has been repealed and replaced by the *Government Action Regulation Order U-4-013*. A result and strategy is not required.

6.1.1.4 **Green Up** (**KBHLP** Objective 4)

The objective for green up is as per the **KBHLP**.

FDU	Result or Strategy
All	1. The Holders will adopt, as a result or strategy, sections 64 and 65 of the FPPR as those sections were on the date this FSP was submitted for approval using a height of 2.5 m for sections 65 (3) (a) and 65 (3) (b) (iii) to be consistent with KBLHPO Part 2, Objective 4 (1) .

6.1.1.5 Grizzly Bear Habitat and Connectivity Corridors (KBHLP Objective 5)

The objective for grizzly bear is as per the **KBLHPO** objective 5.

FDU	Strategy
All	The Holders of this FSP adopt, as a strategy objective 5 KBLHPO for Grizzly Bear Habitat and Connectivity Corridors within all FDU 's identified in this FSP . Mapping, as per section 5(1) of the objective has not yet been completed. Objective 5(1) will apply to the Holders of this FSP four months after mapping has been completed and made known.

6.1.1.6 Consumptive Use Streams (KBHLP Objective 6)

The objective for consumptive use streams is as per the **KBLHP**.

FDU	Result and Strategy
All	The Holders of this FSP adopt, as a result and strategy objective 6 KBLHPO , as that objective was on the date this FSP was submitted for approval, for Consumptive Use Streams within all FDU 's identified in this FSP , where timber harvesting is proposed around S4 (fish bearing), S5 and S6 streams that are licensed for consumptive use streams and domestic water intakes. The following defines specific actions to safeguard water licensed for human consumption within the streamside management zone referred to in section 1(a) of the objective:
	<ol style="list-style-type: none"> 1. The Holders of this FSP adopts sections 59 (protecting water quality) and 60 (licensed waterworks) of the FPPR, as those sections were on the date this FSP was submitted for approval, and The strategy for achieving the results in section 59 and 60 of the FPPR are the following: <ol style="list-style-type: none"> 2. Prior to timber harvesting and/or road construction, a QRP will assess the streamside management zone and based on these assessments, prescribe specific measures to achieve. This assessment will include, but not necessarily be limited to, the following: <ol style="list-style-type: none"> i) stand structure, including species composition, wind firmness, forest health factors, etc. ii) proximity to the intake and the potential for timber harvesting to impact domestic water iii) biodiversity requirements (old growth, WTP's, etc.) iv) soil and terrain stability issues v) operational constraints vii) any other factor that the QRP considers relevant to the assessment 3. Notification will be sent to all known water licensees about block and road plans to provide them 30 days to comment before cut block layout is completed.

6.1.1.7 Enhanced Resource Development Zones – Timber (ERDZ-T) (KBHLP Objective 7)

The objective for enhanced resource development zones is as per the **KBLHP**.

FDU	Result or Strategy
1, 2, 3, 5, 6	<ol style="list-style-type: none"> 1. Subject to paragraph 2, the Holders of this FSP, prior to harvesting and road building, will plan and design cutblocks and roads by adopting, as a strategy, the specified provisions stated in Objective 7 of the KBHLP as that objective was on the date this FSP was submitted for approval. 2. If any portion of a cutblock is outside the boundary of an established ERDZ-T, the green-up requirement for the entire cutblock will be as per the strategy outlined in section 6.1.1.4 of this FSP.

6.1.1.8 Fire Maintained Ecosystems (KBHLP Objective 8)

The objective for fire-maintained ecosystems is as per the KBLHP.

FDU	Result or Strategy
All	The Holders of this FSP adopt, as a result and/or strategy, objective 8 KBHLP for Fire Maintained Ecosystems within all FDU 's identified in this FSP . Mapping of the ecosystem components has not yet been completed. Objective 8 will apply to the Holders of this FSP four months after mapping has been completed and made known.

Although ecosystem mapping has not been completed for **KBHLP** Objective 8, there are non-legal fire-maintained ecosystem planning processes in place within the Rocky Mountain Natural Resource District. These include initiatives for managing landscape level fire hazard, wildland urban interface fire hazard and ecosystem restoration within NDT 4 areas. Although presently outside the scope of this **FSP**, the **Holders** are committed to working with affected parties in achieving objectives for these values.

6.1.1.9 Visuals (KBHLP Objective 9)

The objective for visuals is as per the KBLHP.

FDU	Result or Strategy
All	Primary Forest Activities will be planned and implemented in a manner consistent with the strategy specified in section 6.1.2.9, Visual Quality Objectives, of this FSP .

6.1.1.10 Social and Economic Stability (KBHLP Objective 10)

The objective for social and economic stability is as per the KBLHP.

FDU	Result or Strategy
All	This objective states that the Government will coordinate the analysis to determine the effect of KBLUP Objectives 1 through 9 on the forest economy; therefore the Holders of this FSP will not conduct the social and economic stability analysis of the impacts Objectives 1 through 9 may have on the communities located within the area of the higher level plan.

The **Holders** of this **FSP** will co-operate with the government to create thresholds for timber supply, costs and timber profiles if the government solicits input.

6.1.2 Objectives Prescribed under Section 149(1) of FRPA

6.1.2.1 **Objectives Set by Government for Soils**
(FPPR Section 5)

FDU	Result or Strategy
All	1. For the objective for soils that is set out in section 5 of the FPPR, the Holders adopts, as a result or strategy, sections 35 and 36 of the FPPR as those sections were on the date this FSP was submitted for approval, for the Term of the FSP .

6.1.2.2 **Objectives Set by Government for Timber**
(FPPR Section 6)

As per Section 12(8) of the **FPPR** , the **Holders** of this **FSP** are exempt from the requirement to prepare results or strategies for objectives set by government for timber.

6.1.2.3 **Objectives Set By Government for Wildlife**
(FPPR Section 7 and FRPA Section 182)

A) Species at Risk Section 7 Notice

The only outstanding Section 7 Notice for species at risk that falls within the **FDU** s identified within this Forest Stewardship Plan is for the Coeur d'Alene Salamander in the Kootenay Lake Forest District. Based on information available on line the section 7 notice has been partially addressed with wildlife habitat areas with 180 ha outstanding.

FDU	Strategy
5, 7	<p>The Holders , using the Coeur d'Alene Salamander habitat attributes as described in the Section 7 notice will apply the following strategies:</p> <ol style="list-style-type: none"> 1. If Coeur d'Alene Salamander habitat attributes as described in the Section 7 Notice are found by the Holders of this FSP, the Holders will notify the Rare and Endangered Species Biologist for the Kootenay Boundary Region within 1 month of the finding. 2. The Holders will include this species as part of their mandatory species at risk training. 3. If found the Holders will set aside the area in a Wildlife Tree Patch or exclude the area from further development in order to build toward the amounts identified in the Section 7 Notice. 4. No further development will occur in the site pending confirmation of the suitability by a QRP on meeting the amounts and attributes described in the Section 7 Notice.

B) Ungulate Winter Range Section 7 Notice

In relation to the amount, distribution and attributes of wildlife habitat required for the winter survival of Moose, elk, mule deer and white tail deer specific to TFL 14, they will be met with the following strategy.

FDU	Result or Strategy

1	When the Holders of this FSP proposes harvesting within ungulate winter range polygons as identified on the attached map in Appendix C the proposed harvesting will comply with General Wildlife Measures – Forestry as outlined in Schedule 1 of Government Actions Regulation Order for Ungulate Winter Range U-4-008 for the Invermere TSA.
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6.1.2.4 **Objectives Set By Government for Water, Fish, Wildlife and Biodiversity Within Riparian Areas**
(FPPR Section 8 and 12(3))

a) Undertaking to Comply

The **Holders** of this **FSP** undertake to comply with the following sections of **FPPR** within all **FDU**'s identified in this **FSP**.

Stream riparian classes (**FPPR** sec. 47) except for FPPR 47(3) and 47(4), the Holders will use the riparian classes and riparian reserve zones and riparian management zones as they are listed below in section b.

Wetland riparian classes (**FPPR** Sec 48)

Lake riparian classes (**FPPR** Sec. 49)

Restrictions in a riparian management area (**FPPR** sec. 50)

Restrictions in a riparian reserve zone (**FPPR** Sec. 51)

Restrictions in a riparian management zone (**FPPR** sec. 52(2))

b) Retention of Trees within a Riparian Management Zone

The **Holders** will conduct an assessment on each riparian feature within or adjacent to a proposed harvest area or proposed road to determine the classification as per FPPR sections 47 to 49 except for S5 and S6 streams which will be classified as per below. This assessment will also identify information to supplement specific retention requirements as follows:

- Forest health concerns
- Stand structure (species, complex or even aged)
- Riparian management area water table and wind throw risk.
- Values (water licenses, consumptive use, community watershed, fish, Species at Risk)
- Large woody debris present and recruitment.
- Potential sediment risks

FDU	Result or Strategy
All	<p>1. For the purpose of FPPR 47(3), as that section was on the date this FSP was submitted, the following stream riparian classes for S5 and S6 streams will be used:</p> <ul style="list-style-type: none"> • S5a: an S5 stream as per FPPR 47(3) that is also inside a domestic watershed or 500 meters or less from a fish bearing stream. • S5b: an S5 stream as per FPPR 47(3) that is not in a domestic watershed and more than 500 meters upstream from a fish bearing stream. • S6a: an S6 stream as per FPPR 47(3) that is also inside a domestic watershed or 250 meters or less from a fish bearing stream. • S6b: an S6 stream as per FPPR 47(3) that is not in a domestic watershed and more than 250 meters upstream from a fish bearing stream. <p>2. For the purposes of FPPR section 12(3) and 47(4), as those sections were on the date this FSP was submitted for approval, the Holders will implement the practices for each riparian class as described in paragraphs a) to d) below, except where a stream crossing is required.</p> <p>a) S1(A & B), S2, S3 and S4 streams;</p>

Riparian Class	Riparian Management Area (meters) RMA	Riparian Reserve Zone (meters) RRZ	Riparian Management Zone (meters) RMZ
S1-A	70	30	40
S1-B	70	30	40
S2	70	30	40
S3	50	30	20
S4	50	30	20

The RMA, RRZ and RMZ sizes and distances above will be averages for each block using the site conditions as guiding factors (such as slope break, stand composition, etc.) and will be calculated as follows: the RMA, RRZ or RMZ area associated with a given stream side, divided by the length of the stream reach within the block gross area will meet the RMA, RRZ and RMZ distances above.

Outside the RRZ and within the **RMZ** retain a minimum of 65% of the pre-harvest area or basal area.

Retain non merchantable conifers, deciduous and brush species to the extent practicable within the **RMZ**.

b) **S5a, S5b, S6a and S6b streams;**

Riparian Class	Riparian Management Area (meters)	Riparian Reserve Zone (meters) RRZ	Riparian Management Zone (meters) RMZ
S5a	40	20	20
S6a	40	20	20
S5b	15	0	15
S6b	15	0	15

The RMA, RRZ and RMZ sizes and distances above will be averages for each block using the site conditions as guiding factors (such as slope break, stand composition, etc.) and will be calculated as follows: the RMA, RRZ or RMZ area associated with a given stream side, divided by the length of the stream reach within the block gross area will meet the RMA, RRZ and RMZ distances above.

Retain a minimum of 65% of the pre-harvest area or basal area within the RMZ on both sides of the stream for S5a and S6a streams.

Retain a minimum of 30% of the pre-harvest area or basal area within the RMZ on both sides of the stream for S5b and S6b streams in NDT 1, 2 and 4.

Retain a minimum of 10% of the pre-harvest area or basal area within the RMZ on both sides of the stream for S5b and S6b streams in NDT 3.

Retain non-merchantable conifers, deciduous and brush species to the extent practicable within 5 m of each side of S5b and S6b streams.

c) **L1 (A & B), L2, L3, L4 lakes and all classified wetlands;**

	<p>L1-A lakes will have the same riparian reserve zone as L1-B lakes unless as otherwise specified by the Minister as per FPPR 49(3).</p> <p>Retain a minimum of 10% of the pre-harvest area or basal area within the RMZ. Retain non-merchantable conifers, deciduous and brush species to extent practicable within 5m of the feature.</p> <p>d) Exceptions to the above RMA, RRZ and RMZ sizes If an existing road (either a permitted road or a Forest Service Road) or old landings exist within the above-listed RMA, RRZ and/or RMZ of a stream, wetland or lake, the RMA, RRZ and/or RMZ area will be the area between the existing road/landing and the stream, wetland or lake.</p> <p>If, in the opinion of a QRP, the RMA, RRZ or RMZ sizes above are not appropriate for a particular block or proposed road, due to operational constraints (e.g. a road, skid trail, landing or landing boundary buffer need to be located within a RMA, RRZ or RMZ, etc.) or other environmental factors (e.g. high blowdown risk leading to increased erosion/sedimentation, etc), the FPPR s.47 RRZ and RMZ buffers will be adequate for that block or proposed road, for up to the following maximum combined RRZ and RMA size reduction: no more than 3% of the area harvested annually under the license the block is associated with, per each year for the term of this FSP.</p>
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6.1.2.5 Objectives Set by Government for Water in Community Watersheds
(FPPR Section 8.2)

FDU	Result or Strategy
4, 7	<p>1. Where the Holders of this FSP carries out a harvesting, road construction or road deactivation within a community watershed as depicted on the FSP maps, the Holders will:</p> <p>adopt, as a result or strategy, sections 59 (protecting water quality), 60 (licensed waterworks), 61 (excavated or bladed trails) and 62 (roads in a community watershed) of the FPPR as those sections were on the date this FSP was submitted for approval</p> <p>The Holders of this FSP will adopt the following strategy when proposing timber harvesting and / or road construction within the watershed boundaries:</p> <ol style="list-style-type: none"> 1. A qualified registered professional (QRP) will assess the potential impact of the proposed timber harvesting and / or road construction activities causing: <ol style="list-style-type: none"> i) Material that is known to be harmful to human health from being deposited in or transported to water diverted for human consumption by a licensed waterworks, or ii) A material adverse impact on the quantity of water or the timing of the flow of the water to the waterworks, or iii) An increase in sediment delivery to the intake or causing sediment that is harmful to human health to enter a stream, lake or wetland from which water is being diverted for human consumption. 2. If the assessment completed in 1 indicates the risk, as defined by the QRP in the assessment, is moderate or high based on a review of the relevant and available site-specific hydrological information then, the holders will:

	<p>i) Before the commencement of timber harvesting and / or road construction activities, ensure that a hydrological assessment, including cumulative effects, is completed by a qualified registered professional.</p> <p>ii) Evaluate the recommendations of the hydrologic assessment.</p> <p>iii) Ensure that, in the opinion of a qualified registered professional, that the proposed timber harvesting and / or road construction are consistent with the recommendations contained within the hydrologic assessment.</p> <p>3. If the assessment completed in 1 indicates the risk is low based on a review of the relevant and available site-specific hydrological information then the requirements of section 2 do not apply and the timber harvesting and / or road construction may proceed without further assessment.</p>
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6.1.2.6 **Objectives Set By Government for Fish Habitat in Fisheries Sensitive Watersheds (FPPR Section 8.1)**

At the time of preparation of this **FSP**, Palliser River is an identified Fisheries Sensitive Watershed within the **Holders FDU's**. The order is F-4-001.

FDU	Result or Strategy
2	<ol style="list-style-type: none"> 1. The Holders will adopt as a result or strategy FPPR section 55 (stream crossings) section 56 (fish passage) and section 57 (protection of fish and fish habitat) as they were at the time of submission. 2. The Holders will increase retention on S4 and S6 (that are direct tributaries of fish streams) streams to 50% of the RMA on basal or areas basis. 3. The Holders will implement mitigation measures for any high-risk crossings to erosion as per appendix D. Options include, but not limited to, rip rap, silt fences, diversion ditches, drive through dips, settle ponds and seeding (refer to definition in FSP section 7.1). 4. Prior to harvesting openings greater than 1 ha, road construction or road deactivation within a fisheries sensitive watershed, the Holders will have a QRP conduct a hydrologic assessment. 5. The Holders will review the assessment and any recommendations in step 4. A QRP will ensure that any harvesting or activities as per step 4 are consistent with those recommendations.

6.1.2.7 **Objectives Set By Government for Wildlife and Biodiversity – landscape level (patch size) (FPPR Section 9)**

FDU	Result or Strategy
All	Primary forest activities will be planned and implemented in a manner consistent with the strategy specified in section 6.1.1.4, Green Up, of this FSP .

6.1.2.8 **Objectives Set By Government for Wildlife and Biodiversity – stand level (FPPR Section 9.1)**

FDU	Result or Strategy
All	<p>In relation to the objective set by government for wildlife and biodiversity at the stand level set out in section 9.1 of the FPPR for the term of this FSP the Holders will undertake to comply with section 66 of FPPR as that section was at the date of submission.</p> <p>In relation to the portion of the objective that relates to FPPR section 67 and restrictions on harvesting, as per FPPR 12.5 (2) the Holders will use the following strategy:</p> <ol style="list-style-type: none"> 1. No harvesting of wildlife trees will occur unless the following conditions are met: <ol style="list-style-type: none"> a) Consistent with FPPR section 67 the trees on the net area to reforest of the cutblock to which the wildlife tree retention area relates have developed attributes that are consistent with a mature seral condition; or b) The wildlife trees are in the opinion of a QRP rendered ineffective (damaged or destroyed by insect, fire or blowdown) and has documented with a rationale reasons for judgement; or c) The incursion is to provide road access or maintain road safety where no practicable alternative exists. 2. For conditions 1 b) and 1 c) additional requirements must be met prior to harvesting wildlife trees. <ol style="list-style-type: none"> a) A QRP has reviewed the wildlife trees, including a field review, and has determined and documented the following: <ol style="list-style-type: none"> i) The cutblock(s) to which the wildlife trees relate has greater than 3.5% wildlife trees considering both the replacement and the wildlife trees to be removed. ii) The replacement wildlife trees are a similar stand structure, age and species. iii) The replacement wildlife trees address cultural values or the existing wildlife trees were not protecting any specific cultural values. iv) The replacement wildlife trees address wildlife habitat or the existing wildlife trees were not protecting any specific wildlife feature or species at risk. v) The replacement wildlife trees provide an equivalent size (ha) and/or number (stems).

6.1.2.9 Objectives Set By Government for Visual Quality

(**FPPR** Section 9.2)

FRPA sections 180 and 181 & Government Actions Regulation (**GAR**) section 17

FDU	Result or Strategy
All	<p>When the Holders of this FSP harvests timber or constructs a road, the Holders will, adopt as a result or strategy, the Visual Quality Objectives (VQO's) and provisions defined by the District Manager on March 14, 2003 for the Rocky Mountain Forest District with the following exception:</p> <p>When the Holders of this FSP harvests timber or constructs a road, the Holders will, adopt as a result or strategy, the Visual Quality Objectives (VQO's) continued under GAR section 17 and the provisions defined by the District Manager on March 7, 2014 for the Selkirk Forest District with the following exception:</p> <p>The Holders of this FSP will meet the specified VQO's with completed harvesting, road construction, hazard abatement and with the completion of any other mitigating measures</p>

	indicated in the site plan (e.g. road rehab, grass seeding, etc. if prescribed in the site plan).
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For scenic areas without an established VQO.

Visual Quality Objectives (VQO's) have been established on March 14, 2003 for the Rocky Mountain Forest District, therefore, a result or strategy is not required for the objective set by government for visual quality, section 9.2 (2)b of **FPPR**.

Visual Quality Objectives (VQO's) have been established on March 7, 2014 for the Selkirk Forest District, therefore, a result or strategy is not required for the objective set by government for visual quality, section 9.2 (2)b of **FPPR**.

6.1.2.10 Objectives Set By Government for Cultural Heritage Resources

(**FPPR** Section 10 (a) and (b))

The objective set by government for cultural heritage resources is to conserve, or, if necessary, protect cultural heritage resources that are

- (a) the focus of a traditional use by an aboriginal people that is of continuing importance to that people, and
- (b) not regulated under the *Heritage Conservation Act*.

FDU	Result or Strategy
All	<p>To conserve or protect cultural heritage resources,</p> <ul style="list-style-type: none"> a) The results or strategies specified in this FSP for other objectives will be followed and also contribute to achieving this objective. b) The Holders of the FSP will work closely with identified First Nations contacts for lands and/or forestry referrals before submitting cutting permits and/or road permits within any FDU identified in this FSP, by making reasonable efforts to obtain information on cultural heritage resources. These efforts include, but are not limited to, information sharing that identifies proposed timber harvesting and/or road construction with identified First Nations a minimum of 30 days prior to submitting a cutting permit or road permit to the BC Government. The information sharing period may be reduced if the harvesting is to remove timber damaged or destroyed by forest pests, pathogens, wildfire or other natural disturbances. The Holders of this FSP will offer to communicate and share information on development proposals with identified First Nations contacts for lands and/or forestry referrals, leaders and/or communities at least twice every calendar year unless requested by the First Nations to do otherwise. The Holders of this FSP will make themselves available to discuss proposed development with identified First Nations at least monthly, or as otherwise mutually agreed upon with identified First Nations. c) If cultural heritage resource information is brought forward by an identified First Nation regarding a traditional use that is of continuing importance to that people in the location of a proposed Cutting Permit or Road Permit, the Holders of this FSP will: <ul style="list-style-type: none"> 1) Record the location of the cultural heritage resource (if shared by the identified First Nation);

	<ol style="list-style-type: none"> 2) Evaluate the direct impact of the planned development on the cultural heritage resource in collaboration with the identified First Nation who brought forward the cultural heritage resource; 3) Make genuine efforts to obtain support for development proposals from identified First Nations, recognizing that this may not be achievable in each and every case. Where necessary, alter planned development to the extent required in order to conserve, mitigate, or if necessary, protect, the cultural heritage resource at that location, considering: <ol style="list-style-type: none"> i. The input received and recommendations of the First Nation who identified the cultural heritage resource, to conserve, mitigate, or if necessary protect, the cultural heritage resource, and; ii. The relative value or importance of the cultural heritage resource to a traditional use by an aboriginal people; iii. The relative abundance or scarcity of the cultural heritage resource; iv. The historical extent of the traditional use of the cultural heritage resource; v. The impact on the FSP Holders' government granted timber harvesting rights in conserving or protecting the cultural heritage resource. 4) The Holders will communicate how the cultural heritage resource will be conserved or protected based on the results of 1-3, back to the identified First Nations lands referrals contacts that provided the information. 5) The Holders will include a summary of information sharing efforts and outcomes when submitting a cutting permit or road permit to the BC Government.
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6.1.3 Other Objectives Established by Government

The following results and strategies apply to the other objectives established by government that pertain to all or part of the **FDU's** under this **FSP** as required by **FRPA** section 5 (1) (b).

6.1.3.1 Interpretive Forest Sites, Recreation Sites or Recreation Trails

(**FRPA** sections 180 and 181)

Sections 180 and 181 of the **FRPA** provides for the continuation of the objectives that were in effect immediately before the effective date of January, 2004. Objectives, results and strategies for areas within the Orders are found in Appendices D-J.

FDU	Result or Strategy
All	<p>For the purposes of this section and the recreation objectives established by the Ministry of Forests in the Cranbrook, Invermere and Kootenay Lake TSA's and TFL #14:</p> <p>"Vegetation" means mosses, lichens, herbs, shrubs, forbs and commercial and non-commercial trees.</p> <p>"Forested" means vegetation as defined in this section.</p> <p>"Non-motorized" does not include motorized equipment used for industrial purposes including equipment used by the forest industry.</p> <p>"Mechanized" does not include mechanical equipment used for industrial purposes such as used by the forest industry.</p> <p>"Recreation Area" means interpretive forest sites, recreation sites or recreation trails as identified in Appendices D-J that have an established legal objective and exhibit A boundary.</p>

The **Holders** of this **FSP** adopt, as a result and/or strategy the grand parented objectives for Recreation Site, Recreation Trail or Interpretive Forest Site within all **FDU's** in the **FSP**. All primary forest activities carried out adjacent to an area identified in Appendices D-J will be consistent with the objective for the Recreation Site, Recreation Trail or Interpretive Forest Site.

- 1) Subject to paragraph 3, where the **Holders** of this **FSP** carries out a **primary forest activity** in a recreation area, the **Holders** will:
 - a) Avoid damaging existing recreation infrastructure that has recreational significance or value within the recreation area (e.g.- picnic tables, outhouses, access roads etc.), subject to paragraph 2;
 - b) To maintain the recreational experience, retain buffers of existing vegetation utilizing topographic features where applicable for recreation areas that specify natural vegetation will be conserved or forested buffer strips will be retained;
 - c) Design roads and access trails to bisect established trails in a perpendicular fashion;
 - d) Prior to carrying out a **Primary forest activity** in a recreation area that has a non-motorized experience specified in the establish management objective, the **Holders** of this **FSP** will consult with the ministry responsible for administration of the recreation area and incorporate any agreed upon recommendations for motorized access control into operational plans.
- 2) If damage to existing recreation infrastructure occurs, as a direct result of the **Holders Primary forest activity**, it will be replaced or repaired to its prior condition by the **Holders** within one snow free season.
- 3) Where the **Holders** of this **FSP** carries out a **Primary forest activity** in a recreation area for the purpose of removing a safety hazard or to remove timber damaged by wind, fire, insect, disease or other damaging agent, the **Holders** will limit activities to the following:
 - a) Fall and remove or modify a tree that is a safety hazard, or
 - b) Fall and remove or modify a tree that has been windthrown or has been damaged by fire, insects, disease or other similar cases within the recreation area, and
 - c) Fall and remove those trees that must be removed incidentally to facilitate the removal of trees in paragraphs 3(a) or (b).

7 MEASURES

7.1 Measures for Preventing the Introduction or Spread of Invasive Plants (FPPR section 17)

The following definitions apply to this measure:

“**Areas Disturbed**” means: areas of exposed mineral soil outside the net area to reforest (NAR). Despite the net area to reforest criteria, the first 50m of rehabilitated roads and a 20 m buffer (as measured from the edge of the running surface and out into the cutblock) on permanent access structures will be treated if disturbed. The maintained running surface of permanent access structures will not be treated.

“**Re-vegetation**” means the establishment of non-invasive plants over the **Areas Disturbed** such that an estimated overall percent foliage cover of 50% of the area is achieved. This would include natural fill-in of other non-invasive plants. Re-vegetation could include seeding for other purposes other than invasive plants.

“**Seeding**” means using seed that has been checked to ensure regulated or undesirable plants are not introduced and a “certificate of seed analysis” has been obtained as proof of this check. Canada Common Number 1 Forage Mixture or a native seed mix will be used. Seed containing invasive plants will not be used.

FDU	Measures
All	<p>In relation to the measures referred to in section 17 of the FPPR for preventing the introduction or spread of invasive plants, the measures for all FDUs are:</p> <ol style="list-style-type: none"> 1. Woodlands staff for the Holders will receive annual training in Best Practices for preventing the spread of invasive plants during forest management activities, 2013 edition or more current version if available. 2. This training referred to in measure #1, will also be required for contract personnel conducting layout or silviculture surveys for the Holders. 3. Contractors engaged in road construction or cutblock harvesting will be provided information by the Holders regarding the identification and reporting of invasive plants 4. Prior to conducting primary forest activities, utilize the Invasive Alien Plant Program (IAPP) to identify locations of known infestations of invasive plants (IP). 5. When the Holders of this FSP become aware of infestations of invasive plants identified by the regional Invasive Species Councils (East Kootenay, Columbia-Shuswap, and Central Kootenay Invasive Species Councils) on their Priority Plant Lists, as amended from time to time, as moderate or high priority on the Regional Early Detection Rapid Response (EDRR) species list, then the location and species of the infestation will be submitted to the IAPP system (for example, Report a Weed app) within 30 days of discovery. Species identified in this measure will also contribute to known species as per measure 6. 6. The Holders will identify in the site plan any overlap with known sites as per measures 4 and 5 above. 7. The Holders will identify in the site plan and employ the following mitigation measures during primary forest activities: <ol style="list-style-type: none"> a. If equipment is moving from an area with known invasive plant infestation area to an area with no known invasive plant infestations, then equipment will be inspected prior to moving and obvious mud and vegetation will be removed. b. 7a will also apply if the invasive plants are different between two sites.

	<p>c. For the cut blocks identified under measure 6, areas disturbed by the Holders will have seeding completed within one year of completion of the harvest/construction to minimize seedbed available for colonization by invasive plants.</p> <p>8. Monitor and control invasive plants, on an annual basis, on the Holders mill and scale sites to reduce the transportation of invasive plants from the mill site to areas of active road construction, transportation and timber harvesting</p> <p>9. Specific to FDU's 2, 3 and 4 (Rocky Mountain) where timber harvesting is proposed for the purposes of ecosystem restoration the Holders will require operations to take place during a period of time when soils are sufficiently frozen and/or a snowpack is present to prevent rutting/forest floor scalping to reduce potential soil disturbance and spread of invasive plants.</p> <p>10. If harvesting in measure #9 cannot be conducted in these specified conditions by the Holders then it will be allowed at other times where a qualified professional has specified a maximum level of soil disturbance permitted considering site factors (including soil and subsoil conditions, slopes and topography, site moisture, seasonal conditions, harvesting method and timing), as documented in a Site Plan or Support Document. Seeding of disturbed areas (not as defined above) that are above the specified a maximum level of soil disturbance permitted by the qualified professional and documented in a Site Plan or Support Document will be conducted within one year of harvest completion.</p>
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7.2 Measures to Mitigate the Loss of Natural Range Barriers (FPPR section 18)

The following definition applies to this measure:

"Range tenure" means an existing or advertised agreement under the Range Act four months before the date that this **FSP** is submitted for approval.

Old fences: for the purposes of this section, if an area has signs of an old range fence or man-made range barrier, that is no longer effective due to lack of maintenance by the BC Government and/or the range tenure holder, or for any other reasons outside of a direct action from the Holders, the removal of timber around that old range fence or man-made range barrier will not be considered as the removal of a natural range barrier for the purposes of FRPA section 48(1).

FDU	Measures
All	<ol style="list-style-type: none"> 1. On an annual basis, the Holders will provide to Range tenure holders cut block and road plans for comment, if there are activities planned in their tenure area. 2. Where the Range tenure holders or other qualified person indicates the planned development will remove or render ineffective a natural range barrier the Holders will: <ol style="list-style-type: none"> a) reach an agreement with the Range tenure holders based on mitigation measures referred to in 2 d), prior to harvesting; and, b) implement the agreed upon mitigation measure within one snow free season (if the range is currently unoccupied) and within one month (if the site is occupied) following harvesting, unless an c) alternative timeframe is agreed upon by the Holders and the Range tenure holders; d) if the Holders and Range tenure Holders cannot agree on mitigation measures, the Holders will implement alternative mitigation measures. Examples of mitigation measures include, but not limited to, cattle guard, wing fencing and fence line establishment. 3. Where identified after harvesting or road construction that a natural range barrier has been removed or rendered ineffective by the Holders, as per agreement with the Range

Officer, the **Holders** will follow the same process as per 2 above except the timeline will be within one snow free season following knowledge of that natural range barrier break.

8 STOCKING REQUIREMENTS

(FPPR Section 16)

8.1 Situations or Circumstances that Determine Whether Free Growing is Assessed on a Block Basis (FPPR s.44 (1)) or Across Blocks (FPPR ss.45 (1) and (2))

(FPPR section 16(1))

FPPR Section 44(1), free growing assessment on a block basis, applies in all situations or circumstances under this FSP.

8.2 General Stocking Standards

8.2.1 Stocking Standards Applicable to Rocky Mountain Forest District

The regeneration date, free growing height and other stocking standards that apply to Rocky Mountain District (FDU's 1, 2, 3, 4) are identified in the:

- a) Rocky Mountain Forest District Stocking Standards, August 22, 2018 as amended from time to time.
- b) Rocky Mountain Forest District Partial Cutting Stocking Standards, April 1, 2010, as amended from time to time and
- c) Rocky Mountain Forest District Ungulate Winter Range/NDT 4 Stocking Standards, incorporated into the Rocky Mountain Forest District Stocking Standards, August 22, 2018 as amended from time to time.
- d) Rocky Mountain Forest District Fire Management Stocking Standards – Partial Cut, August 29, 2016, as amended from time to time and also known as the Wildfire Risk Reduction/Wildland-Urban Interface (WUI) stocking standards.

These standards are attached in Appendix A and, except as described in section 8.4, apply where a free growing stand is required under FRPA section 29(1) and the FPPR sections 44(1).

For the purposes of FPPR section 16(4) and 44(4), if the **Holders** of this FSP harvests timber where,

- a) there are no regeneration objectives, or
- b) the species and function of any trees that will be left standing are to satisfy non-timber resource objectives, and
- c) harvesting is within the NDT 4.

The stocking standards that apply are those specified in Appendix A in particular for NDT 4 Open forest or Open Range ecosystems (Rocky Mountain Forest District Ungulate Winter Range/NDT 4 Stocking Standards – as incorporated into the Rocky Mountain Forest District Stocking Standards, August 22, 2018 as amended from time to time).

8.2.2 Stocking Standards Applicable to Selkirk Resource District

The regeneration date, free growing height and other stocking standards that apply to Selkirk district (FDUs 5, 6, 7) are identified in the:

- a) South Central Columbia Mts. - Stocking Standards, April 16, 2018 as amended from time to time (including amendment #3 dated September 16, 2022) and
- b) South Central Columbia Mts - Stocking Requirements for Single Tree Selection, June 2017 as amended from time to time
- c) Intermediate Cut Stocking Standards – February 8th, 2023, as amended from time to time.

- d) Selkirk Forest District Fire Management/Wildland-Urban Interface (WUI) stocking standards, November 20, 2018, as amended from time to time and also known as the Wildfire Risk Reduction stocking standards.

These standards are attached in Appendix A and, except as described in section 8.4, apply where a free growing stand is required under **FRPA** section 29 and the **FPPR** sections 44(1).

8.3 General Standards – Additional Specifications

8.3.1 Healthy Trees

For the purposes of assessing Free Growing or Regeneration Stocking Standards a healthy tree means,

- 1) For even-aged stands, those trees that meet the most current Free Growing Damage Criteria appended to the Establishment to Free Growing Guidebook for the Nelson Forest Region, as amended from time to time, and for all **FDU's** in combination with the Rocky Mountain Forest District standard operating procedure (SOP #7).

8.3.2 Minimum Inter Tree Distance (MITD)

The Selkirk Resource district approved stocking standard variation (dated September 16, 2022) for areas that have been mechanically site prepared, been fill planted, re-planted, planted on Hydric or sub-hydric sites or obstacle planted for snow creep or high grazing domestic animal pressure specifies that a MITD of 1.6 m is allowed in the above circumstances. This variation will apply to both the Selkirk Resource District and the Rocky Mountain Resource District FDUs.

8.3.3 Late Free Growing Extension under Section 108

The Selkirk Resource district approved stocking standard variation (dated September 16, 2022) for late free growing extensions under section 108 due to wildfire or other natural disturbances can apply to both the Selkirk Resource District and the Rocky Mountain Resource District FDUs.

8.4 Variations from General Standards

Despite Paragraph 8.2, the **Holders** of this **FSP** may apply the following variations to stocking standards in the following circumstances:

8.4.1 Caribou Management Units 15-18 and 20-22 as per U4-013

Within UWR units as specified in the order U-013, within the Rocky Mountain Forest District, spruce and balsam will be considered preferred species on all sites series in order to 'promote the development of future caribou habitat through reforestation and silviculture treatments on all areas harvested within a caribou management zone'.

8.4.2 Competing Vegetation and Deciduous Trees Not Considered Deleterious

When a Site Plan includes one or more specific wildlife habitat objective(s) where the presence of deciduous trees is beneficial to achieving that objective(s), a QRP may determine that brushing of deciduous trees is not needed on the area covered by that Site Plan, in which case, deciduous trees will not be considered deleterious for that same area.

When prescribed as per the riparian retention section 6.1.2.4, by a QRP as beneficial to be retained, deciduous trees and brush retention in a Riparian Management Zone will also be considered non deleterious.

8.4.3 Reduced stocking standards for wildlife habitat values in specific situations

When specifically requested by identified First Nations as a mitigation measure to an identified cultural heritage value and for the purposes of enhancing wildlife habitat for an ungulate species, reduced stocking standards may be applied on up to 5% of the area harvested under this FSP. The reduced stocking standard will be as prescribed by the QRP for the intended value and may be as much as 90% lower than the otherwise applicable district standard for the site.

Proposed

9 SIGNATURES OF PERSONS REQUIRED TO PREPARE PLAN

Authorized Licensee	Al Anderson, Woodlands Manager Canadian Forest Products Ltd.
Signature:	
Date:	

Preparing Forester:	<i>"I certify that the work described herein fulfills the standards expected of a member of the Association of British Columbia Forest Professionals and that I did personally supervise the Work"</i>
Paul Picard, RPF	
Signature and Seal:	
Date:	

APPENDIX A: REGENERATION AND FREE GROWING STOCKING STANDARDS

As per Rocky Mountain and Selkirk standards - attached in FSP tracker.

Proposed

APPENDIX B: FOREST STEWARDSHIP PLAN MAPS

The ***Forest Stewardship Plan Maps*** accompany this **FSP**

Attached separately in FSP tracker.

Proposed

APPENDIX C: FDU #1 (TFL 14) UNGULATE WINTER RANGE HABITAT TYPE MAP

FDU #1 (TFL 14) Ungulate Winter Range map accompanies this FSP.

Note this map is one of the attachments in FSP tracker.

Proposed

APPENDIX D: HIGH HAZARD SURFACE EROSION MATRIX

Detailed erosion hazards (low, moderate, high) by soil type and slope																
Texture	Material	Slope (%)														
		0-5	5-10	10-15	15-20	20-25	25-30	30-35	35-40	40-45	45-50	50-55	55-60	60-65	65-70	70-75
Coarse	Sandy Gravels	L	L	L	L	L	L	L	M	M	M	M	M	H	H	H
	Gravelly Sands	L	L	L	L	L	L	L	M	M	M	M	M	H	H	H
	Gravels	L	L	L	L	L	L	L	M	M	M	M	M	H	H	H
Moderately Coarse	Sand	L	L	L	L	L	L	M	M	M	H	H	H	H	H	H
	Loamy Sand	L	L	L	L	L	L	M	M	M	H	H	H	H	H	H
	Sandy Loam	L	L	L	L	L	L	M	M	M	H	H	H	H	H	H
	Fine Sandy Loam	L	L	L	L	L	L	M	M	M	H	H	H	H	H	H
	Gravelly Sandy Loam	L	L	L	L	L	L	M	M	M	H	H	H	H	H	H
	Gravelly Loamy Sand	L	L	L	L	L	L	M	M	M	H	H	H	H	H	H
Moderately Fine	Loam	L	M	M	M	H	H	H	H	H	H	H	H	H	H	H
	Silt Loam	L	M	M	M	H	H	H	H	H	H	H	H	H	H	H
	Silt	L	M	M	M	H	H	H	H	H	H	H	H	H	H	H
	Sandy Clay Loam	L	M	M	M	H	H	H	H	H	H	H	H	H	H	H
	Clay Loam	L	M	M	M	H	H	H	H	H	H	H	H	H	H	H
	Silty Clay Loam	L	M	M	M	H	H	H	H	H	H	H	H	H	H	H
Fine	Sandy Clay	L	L	M	M	M	H	H	H	H	H	H	H	H	H	H
	Clay	L	L	M	M	M	H	H	H	H	H	H	H	H	H	H
	Silty Clay	L	L	M	M	M	H	H	H	H	H	H	H	H	H	H
	Heavy Clay	L	L	M	M	M	H	H	H	H	H	H	H	H	H	H

APPENDIX E: RECREATION AREAS WITHIN FDU'S WITH LEGALLY ESTABLISHED OBJECTIVES

TFL 14:

Proj No.	Project Name	Type	Cleared (yr/m/d)	Estab. (yr/m/d)	Dist.	Map (NTS)	Size (ha)	Length (km.)	GPS (Plot)	Lands (File)	Parks (File)	Arch. Site	Objectives	Comments
2481	Bittern Lake	Site	83/04/27	94/03/17	DRM	82K15	0.5						2001/05/01 The objective is to manage the Bittern Lake recreation site for a lakeside, roaded recreation experience. The campsite will be maintained; the lake shoreline and natural vegetation will be conserved. Opportunities for camping, picnicking, and car top boat launching will be available at the site.	
2482	Fourteen Mile Lake	Site	83/04/27	95/02/09	DRM	82K15	0.2						2001/05/01 The objective is to manage the Fourteen Mile Lake recreation site for a lakeside, roaded recreation experience. The campsite will be maintained; the lake shoreline and natural vegetation will be conserved. Opportunities for	

													Opportunities for camping, picnicking, car top boat launching and swimming will be available at the site. Electric motors only.	
2483	McLain Lake	Site	83/05/06	95/02/09	DRM	82K15	0.3						2001/05/01 The objective is to manage the McLain Lake recreation site for a forested, roaded recreation experience. The campsite will be maintained; the lake shoreline and natural vegetation will be conserved. Opportunities for camping, picnicking, and car top boat launching will be available at the site.	
5214	McMurdo Cabin	Site	95/07/07	99/05/21	DRM	82N03	0.25	-					2001/05/01 The objective is to manage McMurdo Cabin recreation site for seasonal public use such as overnight accommodation, hiking, mountain ski-touring and snowmobiling. Management and maintenance of	

													the cabin is by the Columbia Valley Hut Society under a management agreement co-signed with Ministry of Forests. The site will be managed for a semi-primitive non-motorized experience with semi-primitive motorized access allowable during winter months.	
2484	Mitten Lake	Site	83/05/11	94/03/17	DRM	82K15	2						2001/05/01 The objective is to manage the Mitten Lake recreation site for a lakeside, roaded recreation experience. The campsite will be maintained; the lake shoreline and natural vegetation will be conserved. Opportunities for camping, picnicking, car top boat launching and swimming will be available at the site.	

2485	Nine Bay Lake	Site	83/04/27	94/03/17	DRM	82K15	0.6							2001/05/01 The objective is to manage the Nine Bay Lake recreation site for a forested, roaded recreation experience. A campsite and trail to the lake will be maintained; the natural vegetation will be conserved. Opportunities for camping, corralling horses and parking vehicles will be available at the site.	
2486	Rocky Point Lake	Site	83/04/27	95/02/09	DRM	82N02	0.4							2001/05/01 The objective is to manage the Rocky Point Lake recreation site for a lakeside, roaded recreation experience. The campsite will be maintained; the lake shoreline and natural vegetation will be conserved. Opportunities for camping, picnicking, and car top boat launching will be available at the site.	

5344	Silent Pass Trail	Trail	98/05/07	99/05/21	DRM	82N03		3.1					2001/05/01 The objective is to manage Silent Pass recreation trail for a semi-primitive, non-motorized experience with semi-primitive motorized use allowable during winter. The trail will be maintained and adjacent vegetation will be conserved. Opportunities are for hiking, ski touring and snowmobiling. No mechanized uses permitted in summer or fall seasons.	
2487	Summit Lake	Site	83/05/06	95/02/09	DRM	82N02	0.3						2001/05/01 The objective is to manage the Summit Lake recreation site for a lakeside, roaded recreation experience. The campsite will be maintained; the lake shoreline and natural vegetation will be conserved. Opportunities for camping, picnicking, and car	

													top boat launching will be available at the site.	
5706	Three Island Lake	Site	92/03/05	94/03/17	DRM	82N02	80	-					2001/05/01 The objective is to manage the Three Island Lake recreation site for a lakeside, roaded recreation experience. The campsite will be maintained; the lake shoreline and natural vegetation will be conserved. Opportunities for camping, picnicking, car top boat launching and swimming will be available at the site.	
2488	Wilbur	Site	83/05/06	95/02/09	DRM	82N02	0.4						2001/05/01 The objective is to manage the Wilbur recreation site for a lakeside, roaded recreation experience. The campsite will be maintained; the lake shoreline and natural vegetation will be conserved. Opportunities for	

Radium sites

Proj No.	Project Name	Type	Cleared (yr/m/d)	Estab. (yr/m/d)	Size (ha)	Length (km.)	GPS (Plot)	Lands (File)	Parks (File)	Objectives	Comments
2498	6 Mile Albert River	Map	83/08/23		32						
5337	Assiniboine Lake Trail	Trail				5.2					
5098	Aurora Cr-Marvel Pass Tr.	Trail	92/06/09	94/03/17		9				2001/05/01 The objective is to manage the Aurora Creek - Marvel Pass recreation trail for a forested and subalpine semi primitive non-motorized recreation experience. The trail will be maintained and adjacent vegetation conserved. Opportunities for hiking and camping are available, no mechanized uses permitted.	
5126	Beards Creek Trail	Trail				3.1					
2019	Botts Lake	Site	87/06/11	99/05/21	53			4420250 0217857	1-3-3- 007	2001/05/01 The objective is to manage the Botts Lake recreation site for a lakeside, roaded recreation experience. The campsite will be maintained; the lake shoreline and natural vegetation will be conserved. Opportunities for camping, picnicking, car top boat launching and swimming will be	

										available at the site. Electric motors only.	
5248	Cartwright Dead End Trail	Trail				2					
2021	Cartwright Lake	Site	87/10/21	80/12/11	275			217857	1-3-3- 007	2001/05/01 The objective is to manage the Cartwright Lake recreation site for a lakeside, roaded recreation experience. The campsite will be maintained; the lake shoreline and natural vegetation will be conserved. Opportunities for camping, picnicking, and car top boat launching will be available at the site. Engine power restriction of 7 kw (10hp) on Cartwright Lake.	
5127	Cedared Creek Trail	Trail				2					
2025	Cleland Lake	Site	87/01/21	94/03/17	68			236783	1-3-3- 015	2001/05/01 The objective is to manage the Cleland Lake recreation site for a lakeside, roaded recreation experience. The campsite will be maintained; the lake shoreline and natural vegetation will be conserved. Opportunities for camping, picnicking, and car top boat launching will be available at the site. Engine power	

										restriction of 7 kw (10hp) on Cleland Lake.	
5340	Cochrane Creek Trail	Trail				5.5					
5328	Corral Creek Trail	Trail				7.5					
2492	Cross River Canyon	Site	95/07/07	94/03/17	12	12		4420338		2001/05/01 In winter, when snow is on the ground, the objective is to manage the Cross River Canyon recreation trail for a forested, semi primitive non-motorized recreation experience; In summer, during the snow free season, the objective is to manage the trail for a forested, semi primitive non-motorized recreation experience. The trail will be maintained and adjacent vegetation conserved. In winter, opportunities for cross country skiing are available, no motorized use permitted, other than for track setting and trail grooming activities. In summer, during the snow free season, opportunities for hiking, viewing and mountain biking are available.	
2028	Cub Lake	Site	87/02/03	99/05/21	32			0217857 0236783	1-3-3-007		

6879	Dave White Cabin	Site								
2497	Diana Lake Trail	Trail	94/06/13	94/03/17	61	6		227930	1-3-2-093	2001/05/01 The objective is to manage the Diana Lake recreation trail for a forested and subalpine semi primitive non-motorized recreation experience. The trail will be maintained and adjacent vegetation conserved. A no grazing buffer of 75 metres will be maintained along the lakeshore as will a bypass horse trail to the upper meadows. Opportunities for hiking and equestrian uses are available, no mechanized uses permitted.
2011	Dogleg Lake	Site	88/01/04	95/02/09	0.9			325047		2001/05/01 The objective is to manage the Dogleg Lake recreation site for a lakeside, roaded recreation experience. The campsite will be maintained; the lake shoreline and natural vegetation will be conserved. Opportunities for camping, picnicking, and canoeing will be available at the site.
2023	Dunbar (Bigfish) Lake	Site	87/05/12	80/12/11	95			52694	1-3-3-004	2001/05/01 The objective is to manage the Dunbar Lake recreation site for a lakeside, roaded

										recreation experience. The campsite will be maintained; the lake shoreline and natural vegetation will be conserved. Opportunities for camping, picnicking, and car top boat launching will be available at the site. Engine power restriction of 7 kw (10hp) on Dunbar Lake.	
2030	Dunbar Creek	Map	87/07/07		27			217857	1-3-3-007		(Is this one cancelled?)
5097	Dunbar Creek Trail	Trail				8.2					
2219	Earl Grey Pass Trail	Trail	91/04/08		156	5.25		4420336			In PWC Park
2493	Earl Grey Pass Trail	X									Cancelled
5922	Earl Grey Pass Trail	Trail	93/05/17	94/03/17	-	5.25					In PWC Park, needs formal cancellation
2015	Farnham Creek	Map	87/09/30		3			332405			
5267	Farnham Creek Trail	Trail				2					
2178	Fenwick Lake	Site	91/02/25	99/05/21	43			331021		2001/05/01 The objective is to manage the Fenwick Lake recreation site for a lakeside, roaded recreation experience. The campsite will be maintained; the lake shoreline and natural vegetation will be conserved. Opportunities for	

										camping, picnicking, and car top boat launching will be available at the site.	
5915	Forster Cr Snowmob Cabin	Site									
5125	Fraling Creek Trail	Trail				4					
5254	Frances Creek (Upper) Trail	Trail	92/02/24			4.2					
5336	Fynn Creek Trail	Trail									In Height of the Rockies Park
2289	Halfway Lake	Site	87/05/07	99/05/21	36			4420248		2001/05/01 The objective is to manage the Halfway Lake recreation site for a lakeside, roaded recreation experience. The campsite will be maintained; the lake shoreline and natural vegetation will be conserved. Opportunities for camping, picnicking, and car top boat launching will be available at the site.	
2006	Halgrave Lake	Site	87/05/25	95/02/09	102	2		257638	1-3-2-095	2001/05/01 The objective is to manage the Halgrave Lake recreation site for a lakeside, roaded recreation experience. The campsite will be maintained; the lake shoreline and natural vegetation will be conserved. Opportunities for	

										camping, picnicking, and car top boat launching will be available at the site. Electric motors only.	
2004	Hall Lake	Site	87/04/21	94/03/17	118			226504	1-3-2-092	2001/05/01 The objective is to manage the Hall Lake recreation site for a lakeside, roaded recreation experience. The campsite will be maintained; the lake shoreline and natural vegetation will be conserved. Opportunities for camping, picnicking, and car top boat launching will be available at the site. Electric motors only.	
2339	Hall Lake Trail	X				6					
5246	Hatch Creek Trail (Harrogate Pass)	Trail				5.5					
5022	Horseshoe Rapids	Site	84/05/25	94/03/17	26					2001/05/01 The objective is to manage the Horseshoe Rapids recreation site for a riverside, roaded recreation experience. The campsite and trail will be maintained; the river shoreline and natural vegetation will be conserved. Opportunities for camping, picnicking, canoeing, kayaking and	

										viewing will be available at the site.
5094	Irish Creek Route	Trail	92/02/21			5.1				
2024	Jade Lake	Site	87/01/21	95/02/09	53			236782	1-3-3-014	2001/05/01 The objective is to manage the Jade Lake recreation site for a lakeside, roaded recreation experience. The campsite will be maintained; the lake shoreline and natural vegetation will be conserved. Opportunities for camping, picnicking, car top boat launching and swimming will be available at the site. Electric motors only.
5335	Joffre Creek Pass Trails	Trail				10.5				
2272	Jumbo Pass Trail & Cabin	Site	90/10/01	94/03/17	125	5		34581		2001/05/01 The objective is to manage the Jumbo Pass Trail recreation site for a forested and subalpine, semi-primitive non-motorized recreation experience. The cabin and the trail to the cabin will be maintained; the natural vegetation will be conserved. Opportunities for cabin accommodation, ski touring, hiking, and mountaineering will be available at the site. Cabin reservations

										required. Access is by non-motorized trail.	
5243	Kindersley Pass Trail	Trail				1.6					
5020	Kootenay River Bridge	Map	84/05/07		5						
2170	Kootenay River Canoe	Route Canoe									
5149	Kootenay River Islands	Map			2			287461	1-3-2-175		
6259	Kootenay White Junction	Site	95/02/16	99/05/21	7					2001/05/01 The objective is to manage Kootenay/White Junction recreation site for a roaded recreation experience. The campsite will be maintained and any random sites on the floodplain will be removed. Opportunities for camping, picnicking, whitewater pursuits and viewing will be available at the site.	
5348	Lake of Hanging Glacier Tr.	Trail	91/05/09	94/03/17	8					2001/05/01 The objective is to manage the Lake of the Hanging Glacier recreation trail for a forested and subalpine semi primitive non-motorized recreation experience. The trail will be maintained and adjacent vegetation conserved. Opportunities for hiking, climbing and viewing	

										uses are available, no mechanized uses permitted.	
2468	Lake of the Hanging Glacier	Map	88/08/26		7624	8		160300	1-3-2-081		Consider establishment
5274	Laundry Creek Trail	Trail				6					
5271	Law Creek Trail	Trail				4.5					
2005	Lead Queen Lake	Site	87/06/11	86/03/13	0.2			0217857 0320302 4420331	1-3-3-007	2001/05/01 The objective is to manage the Lead Lake recreation site for a lakeside, roaded recreation experience. The campsite will be maintained; the lake shoreline and natural vegetation will be conserved. Opportunities for camping, picnicking, car top boat launching and swimming will be available at the site. Electric motors only.	
5255	Lead Queen Mountain Trail	Trail				2.5					
5018	Lehman Lake Trail	Trail	84/04/02		5	1					
5019	Limestone Lakes	Map	85/05/03		3045						1/2 in Height of the Rockies Park, discussion required with respect to this map notation.
5320	Limestone Lakes Trail	Trail				7					In Height of the Rockies Park

2494	Lower Bugaboo Falls Trail	Trail	94/04/19	94/03/17	124	2		237358	1-3-3-013	2001/05/01 The objective is to manage the Lower Bugaboo Falls recreation trail for a forested and subalpine semi primitive non-motorized recreation experience. The trail will be maintained and adjacent vegetation conserved. Opportunities for hiking, biking and viewing are available.	
5354	Macauley Creek Trail	Trail				4.5					
5324	Magnesite Creek Trail	Trail				11					
5610	Maiyuk Creek	Map	92/04/29	94/03/17	19	-				2001/05/01 The objective is to manage the Maiyuk Creek recreation site for a forested, roaded recreation experience. A campsite and corral will be maintained; the natural vegetation will be conserved. Opportunities for camping, corralling horses and parking vehicles will be available at the site.	
5099	Maiyuk Creek Trail	Trail	94/04/12			6					Most of trail in Height of the Rockies Park
5269	McDonald Creek	Trail				3					
5102	Middle Fork White Trail	Trail	92/02/25			20.2					Most of trail in Height of the Rockies Park

5327	Miller Pass Trail	Trail				10					
5325	Mitchell River Trail	Trail				9.5					
5257	Mt. Forster	Trail				2.5					
5237	Mt. Nelson Trail	Trail	90/07/17			5					
5358	Olive Hut	Site	91/10/24								Duplicates 6072
6072	Olive Hut	Site	94/05/26	95/02/09	2.2	-				2001/05/01 The objective is to manage the Olive Hut recreation site for a forested, semi primitive non-motorized recreation experience. The cabin and the trail to the cabin will be maintained; the natural vegetation will be conserved. Opportunities for cabin accommodation, ski touring, hiking, and mountaineering will be available at the site. Cabin reservations required. Access is by non-motorized trail.	
5005	Palliser Albert Junction	Site	83/05/05	94/03/17	18					2001/05/01 The objective is to manage the Palliser Albert Junction recreation site for a creekside, roaded recreation experience. The campsite will be maintained; creek shoreline and natural vegetation will be conserved. Opportunities for camping, picnicking, and car top boat launching	

										will be available at the site.	
2179	Palliser Falls	Map	92/03/26		30			332408			
5331	Palliser River / Pass Trail	Trail				18					Transferred to BC Parks, Height of the Rockies Park
5300	Pass in the Clouds Trail	Trail				2					In the Height of the Rockies Park
5297	Pedley Creek Trail	Trail				11.7					
5103	Pedley Pass Trail	Trail	96/02/21	99/05/21		1.43				2001/05/01 The objective is to manage the Pedley Pass recreation trail for a forested and subalpine, semi primitive non-motorized recreation experience. The trail will be maintained and adjacent vegetation conserved. Opportunities for hiking and viewing uses are available, no mechanized uses permitted.	
5186	Queen Mary Lake	Map			57						In Height of the Rockies Park
5330	Queen Mary Lake Trail	Trail	92/06/10			12					Portion in Height of the Rockies Park
5747	Radium Wetlands	Site	92/06/01								
5329	Ralph Lake Trail	Trail				11					Portion in Height of the Rockies Park
5270	Red Line Creek Trail	Trail				4.5					
5017	Redrock Warm Spring	Map	84/03/30		3				1-3-2-199		

5343	Salt Lake Meadows	Map									
2017	Sams Folly Lake	Site	91/02/13	99/05/21	60			4420249		2001/05/01 The objective is to manage Sam's Folly recreation trail for a semi-primitive non-mechanized experience with a semi-primitive motorized use allowable during winter. The trail will be maintained under agreement with the Windermere Valley Snowmobile Society. Adjacent vegetation will be conserved. Opportunities are for hiking, equestrian use ski touring and snowmobiling.	
5092	Septet Creek Trail	Trail	92/02/21			10.1					
5515	Septet Pass Trail	Trail	92/04/29	94/03/17	-	8				2001/05/01 The objective is to manage the Septet Pass recreation trail for a forested and subalpine, semi primitive non-motorized recreation experience. The trail will be maintained and adjacent vegetation conserved. Opportunities for hiking and equestrian uses are available, no mechanized uses permitted.	
5299	Sinna Creek Trail	Trail				3.6					

5001	Slide Lake	Map	87/09/29		74			268347	1-3-3-042		Needs establishment
5920	Slide Lake Trail	Trail	94/04/12	99/05/21		2.3				2001/05/01 The objective is to manage Slide Lake recreation trail for a non-motorized experience in an industrial land use setting. A forested buffer strip will be retained for the trail corridor and any operational roads or skid trails will bisect the trail in a perpendicular fashion. Opportunities for hiking and biking are available.	
5259	Starbird Glacier Trail	Trail				2					
2007	Steamboat Lake	Site	87/05/04	80/12/11	25			257631	1-3-2-094	2001/05/01 The objective is to manage the Steamboat Lake recreation site for a lakeside, roaded recreation experience. The campsite will be maintained; the lake shoreline and natural vegetation will be conserved. Opportunities for camping, picnicking, car top boat launching and swimming will be available at the site. Electric motors only.	
2014	Stockdale Creek	Site	87/10/29	95/02/09	8			332404		2001/05/01 The objective is to manage the Stockdale Creek recreation site for a creekside, roaded	

										recreation experience. The campsite will be maintained; the creek shoreline and natural vegetation will be conserved. Opportunities for camping, picnicking, angling and viewing will be available at the site.	
5115	Stockdale Creek Trail	Trail	92/02/25			16					
5104	Tegart Pass Trail	Trail				12					
5256	Templeton - Climax	Trail				5.5					
6074	Templeton (Salmon) Falls	Site	94/04/27								
5275	Thorald Creek Trail	Trail				8.5					
5096	Thunderwater Lake Trail	Trail	99/12/03			1.2					
2031	Topaz Lake	Site	91/02/05	95/02/09	104		268346	1-3-3-041	2001/05/01 The objective is to manage the Topaz Lake recreation site for a lakeside, roaded recreation experience. The campsite will be maintained; the lake shoreline and natural vegetation will be conserved. Opportunities for camping, picnicking, car top boat launching and swimming will be available at the site. Electric motors only.		

2026	Twin (Fish) Lakes	Site	87/04/21	94/03/17	51			0217857 0182123	1-3-3- 005	2001/05/01 The objective is to manage the Twin Lakes recreation site for a lakeside, roaded recreation experience. The campsite will be maintained; the lake shoreline and natural vegetation will be conserved. Opportunities for camping, picnicking, car top boat launching and swimming will be available at the site. Electric motors only.	
5350	Upper Dunbar Lakes	Map	91/08/21								Consider establishment
5004	Upper Forester Creek	Map	87/11/10		5730						
5095	Welsh Creek Trail	Trail	91/12/19	94/03/17		4.9				2001/05/01 The objective is to manage the Welsh Lakes recreation trail for a forested and subalpine, semi primitive non-motorized recreation experience. The trail will be maintained and adjacent vegetation conserved. Opportunities for hiking and viewing uses are available, no mechanized uses permitted.	
5006	Westside Lake	Map	87/09/28		51						
5326	White Man Pass Trail	Trail	96/01/23	99/05/21		4				2001/05/01 The objective is to manage the White Man Pass recreation trail for a semi-primitive, non-	

											<p>motorized recreation experience. The trail will be maintained. Conservation of the adjacent vegetation will maintain the natural corridor and enhance the trails pre-European and cultural heritage values. Opportunities for hiking and equestrian uses are available.</p>	
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Proposed

A18978 rec sites

Proj No.	Project Name	Type	Cleared (yr/m/d)	Estab. (yr/m/d)	Dist.	Map (NTS)	Size (ha)	Length (km.)	GPS (Plot)	Lands (File)	Parks (File)	Arch. Site	Objectives	Comments
2037	Blue Lake	Site	73/09/19	97/05/01	DRM	82J02	1			320666			98/02/20 The objective is to manage the Blue Lake recreation site for a lakeside, roaded recreation experience. Maintain a campsite; conserve the lake shoreline and natural vegetation. Provide opportunities for camping, day use, picnicking and boat launching.	
2495	Buhl Creek	Site	94/04/12	95/02/09	DRM	82F16	30			313974	1-3-2-182		2001/05/01 The objective is to manage the Buhl Creek recreation site for a creekside, roaded recreation experience. The campsite will be maintained; the creek shoreline, warm springs	

2180	Fenwick Creek	Site	87/09/28	94/03/17	DRM	82J05	48			333315			2001/05/01 The objective is to manage the Fenwick Creek recreation site for a creekside, roaded recreation experience. The campsite and corral will be maintained; creek shoreline and natural vegetation will be conserved. Opportunities for camping, corralling horses, picnicking, and viewing will be available at the site.
2178	Fenwick Lake	Site	91/02/25	99/05/21	DRM	82J05	43			331021			2001/05/01 The objective is to manage the Fenwick Lake recreation site for a lakeside, roaded recreation experience. The campsite will be maintained; the lake shoreline and natural vegetation will be conserved.

													vegetation along the canyon and trail will be conserved. Day use facilities will be limited to a vehicle parking site and foot trail available for non-mechanized use only. No overnight camping.	
529 1	Graves Lookout Trails	Trail	98/04/2 9	99/05/2 1	DR M	82J03		4.61					2001/05/01 The objective is to manage the Graves Lookout recreation trail for a forested and subalpine semi primitive non-motorized recreation experience. The trail will be maintained and adjacent vegetation conserved. Opportunities for hiking and equestrian uses are available, no mechanized uses permitted.	

217 7	Johnson Lake	Site	87/11/1 6	80/12/1 1	DR M	82G1 3	49			325051			2001/05/01 The objective is to manage the Johnson Lake recreation site for a lakeside, roaded recreation experience. The campsite will be maintained; the lake shoreline and natural vegetation will be conserved. Opportunities for camping, picnicking, nature study and swimming will be available at the site.	
625 9	Kootenay White Junction	Site	95/02/1 6	99/05/2 1	DR M	82J05	7					Y	2001/05/01 The objective is to manage Kootenay/White Junction recreation site for a roaded recreation experience. The campsite will be maintained and any random sites on the floodplain will be removed. Opportunities	

													for camping, picnicking, whitewater pursuits and viewing will be available at the site.	
217 5	Larchwood Lake	Site	91/02/2 6	94/03/1 7	DR M	82G0 2	99			257637	1-3- 2- 162		2001/05/01 The objective is to manage the Larchwood Lake recreation site for a lakeside, roaded recreation experience. The campsite will be maintained; the lake shoreline and natural vegetation will be conserved. Opportunities for camping, picnicking, car top boat launching and swimming will be available at the site.	
248 3	McLain Lake	Site	83/05/0 6	95/02/0 9	DR M	82K1 5	0.3						2001/05/01 The objective is to manage the McLain Lake recreation site for a forested, roaded recreation	

													experience. The campsite will be maintained; the lake shoreline and natural vegetation will be conserved. Opportunities for camping, picnicking, and car top boat launching will be available at the site.	
6160	Mt. Stevens Trail	Trail	94/05/24	95/02/09	DRM	82G13	-	9					2001/05/01 The objective is to manage the Mount Stevens recreation trail for a forested and subalpine semi primitive non-motorized recreation experience. The trail will be maintained and adjacent vegetation conserved. Opportunities for hiking and equestrian uses are available, no mechanized uses permitted.	Merge this file into 5283.

217 3	Munroe Lake	Site	91/02/2 5	94/03/1 7	DR M	82J03	73			023667 4 023567 2	1-3- 2- 134		2001/05/01 The objective is to manage the Munroe Lake recreation site for a lakeside, roaded recreation experience. The campsite will be maintained; the lake shoreline and natural vegetation will be conserved. Opportunities for camping, picnicking, car top boat launching and swimming will be available at the site.	
510 1	Ptarmigan Lake Trails	Trail	94/04/1 2	99/05/2 1	DR M	82J03 82J04		6.2					2001/05/01 The objective is to manage the Ptarmigan Lake recreation trail for a forested and subalpine, semi primitive non-motorized recreation experience. The trail will be maintained and adjacent vegetation conserved.	

														Opportunities for hiking and equestrian uses are available, no mechanized uses permitted.	
658 7	Ram Cabin Pass	Site	97/10/09	01/03/28	DR M	82G0 2	0.2 5							2001/11/02 The objective is to manage the Ram/Cabin Pass recreation site for a forested, semi primitive motorized recreation experience. Provide and maintain a shelter; conserve the natural vegetation through a management agreement with a user group. Provide opportunities for snowmobiling, snowmobile assisted skiing and snowboarding and hut accommodations during the winter season.	

Proposed

222 1	Rock Creek	Site	85/05/3 1	97/05/0 1	DR M	82G0 6	1			325379			98/02/20..The objective is to manage the Rock Creek recreation site for a creekside, roaded recreation experience. Maintain a campsite; conserve the creek shoreline and natural vegetation. Provide opportunities for camping, day use and picnicking.
522 6	Skookumchuck Creek	Site	90/08/2 2	99/05/2 1	DR M	82G1 3	6						2001/05/01 The objective is to manage the Skookumchuck Creek recreation site for a creekside, roaded recreation experience. The campsite will be maintained; the creek shoreline and natural vegetation will be conserved. Opportunities for camping, picnicking,

													swimming and viewing will be available at the site.	
216 9	Tamarack Lake	Site	91/03/1 2	94/03/1 7	DR M	82G1 3	59			257836	1-3- 2- 160		2001/05/01 The objective is to manage the Tamarack Lake recreation site for a lakeside, roaded recreation experience. The campsite will be maintained; the lake shoreline and natural vegetation will be conserved. Opportunities for camping, picnicking, car top boat launching and swimming will be available at the site.	
532 6	White Man Pass Trail	Trail	96/01/2 3	99/05/2 1	DR M	82J12 82J13 82J14		4					2001/05/01 The objective is to manage the White Man Pass recreation trail for a semi-primitive, non-motorized	

													recreation experience. The trail will be maintained. Conservation of the adjacent vegetation will maintain the natural corridor and enhance the trails pre-European and cultural heritage values. Opportunities for hiking and equestrian uses are available.	
217 4	White River Junction (White River / Graves Creek)	Site	87/11/0 2	95/02/0 9	DR M	82J03	36					320416	2001/05/01 The objective is to manage the White River Junction recreation site for a riverside, roaded recreation experience. The campsite will be maintained; the river shoreline and natural vegetation will be conserved. Opportunities for camping, picnicking, car top boat launching and	

													swimming will be available at the site.	
218 2	Whitetail Lake	Site	84/06/2 2	84/07/1 2	DR M	82K0 1	73			216245	1-3- 2- 088		2001/05/01 The objective is to manage Whitetail Lake recreation site for a roaded recreation experience in a high use setting. The campsite will be maintained and rehabilitated in future. The shoreline and natural vegetation will be served. Opportunities for camping, picnicking, boating and swimming will be available. Waterskiing will not be permitted.	(check for designation record, not at region)

A19040 rec sites

Proj No.	Project Name	Type	Cleared (yr/m/d)	Estab. (yr/m/d)	Dist.	Map (NTS)	Size (ha)	Length (km.)	GPS (Plot)	Lands (File)	Parks (File)	Arch Site	Objectives	Comments
2206	7 Mile Lake	Site	73/08/06	97/05/01	DRM	82G04				194198	1-3-2-139		98/02/20 The objective is to manage the 7 Mile Lake recreation site for a lakeshore, roaded recreation experience. Maintain a campsite; conserve the lake shoreline and natural vegetation. Provide opportunities for camping, day use, picnicking, boat launching and beach activities.	
2351	Alki Creek Trail	Trail	91/10/21	97/05/01	DRM	82F09	9	8.8		9E+06			98/02/20 The objective is to manage the Alki Creek recreation trail for a forested/subalpine, semi-primitive non-motorized recreation experience. Maintain the trail; conserve the adjacent vegetation.	

												Provide opportunities for hiking, mountain biking and day use.	
2047	Aldridge Creek West	Site	74/05/16	97/05/01	DRM	82J07	1				324969	98/02/20 The objective is to manage the Aldridge West recreation site for a riverside, roaded recreation experience. Maintain a campsite; conserve the river shoreline and natural vegetation. Provide opportunities for camping, picnicking and equestrian use.	
2353	Bear Lake Trail	Trail	91/10/24	97/05/01	DRM	82G14	2.3	2.3				98/02/20 The objective is to manage the Bear Lake recreation trail for a subalpine, semi-primitive non-motorized recreation experience. Maintain the trail; conserve the adjacent vegetation. Provide opportunities for	

												hiking, day use and primitive camping.	
2218	Caven Cr. / Mazur Meadows	Site	85/07/23	97/05/01	DRM	82G03	55			325381		98/02/20 The objective is to manage the Mazur Meadows recreation site for a creekside, roaded recreation experience. Maintain a campsite; conserve the creek shoreline and natural vegetation. Provide opportunities for camping, day use and picnicking.	
2203	Caven/Gold Creek	Site	73/06/26	97/05/01	DRM	82G03	10			320308		98/02/20 The objective is to manage the Caven/Gold Creek recreation site for a creekside, roaded recreation experience. Maintain a campsite; conserve the creek shoreline and natural vegetation. Provide opportunities for camping, day use and picnicking.	

221 1	Cherry Lake	Site	73/06/2 6	97/05/0 1	DR M	82G0 4	112			320307		98/02/20 The objective is to manage the Cherry Lake recreation site for a lakeside, roaded recreation experience. Maintain a campsite; conserve the lake shoreline and natural vegetation. Provide opportunities for camping, day use, picnicking, boat launching and beach activities. Provide vehicle access on designated roads and parking areas.
233 8	Cooper Lake Trail	Trail	85/09/0 5	97/05/0 1	DR M	82F0 8	5					98/02/20 The objective is to manage the Cooper Lake recreation trail for a forested/subalpine, semi-primitive non-motorized recreation experience. Maintain the trail; conserve the adjacent vegetation. Provide opportunities for hiking, mountain

													biking, day use and primitive camping.	
6476	Cranbrook Comm For Inter	Site	01/01/05	00/09/29	DRM		2106						98/02/20 The objective is to manage the Cranbrook Community Forest interpretive forest for interpretive opportunities within a range of recreation experiences from semi-primitive non-motorized, roaded to rural varying with the proximity to the city. Maintain roads, trails and day use facilities; conserve forested, grassland, riparian and meadow areas. Provide opportunities for nature study, viewing, hiking, mountain biking, picnicking, horse riding and snowshoeing. Provide forest education and interpretation	

Proposed

												opportunities on local ecosystems and forest practices through brochures, self-guided interpretive trails and signs. Provide motor vehicle access on designated roads with low risk of environmental damage. Accommodate public use during day time without campfires. Prepare a management plan to guide operations and activities within the forest.	
523 5	Forsyth/Quarry	Site	91/10/3 1	97/05/0 1	DR M	82G0 7	16					98/02/20 The objective is to manage the Forsythe/Quarry Creek recreation site for a forested/creekside, roaded recreation experience. Maintain a campsite; conserve the creek shoreline and natural vegetation. Provide opportunities for camping, picnicking, hiking,	

												mountain biking and equestrian use.	
214 1	Gilnockie Creek	Site		97/05/0 1	DR M	82K0 4				276674	1-3- 2- 142	98/02/20 The objective is to manage the Gilnockie Creek recreation site for a creekside, roaded recreation experience. Maintain a campsite and cabin; conserve the creek shoreline and natural vegetation. Provide opportunities for camping, day use and picnicking.	
519 1	Gold Creek Bay	Site	91/08/1 4	97/05/0 1	DR M	82G0 3	28			4E+06		98/02/20 The objective is to manage the Gold Bay recreation site for a lakeshore, roaded recreation experience. Maintain a campsite; conserve lake shoreline and natural vegetation. Provide opportunities for camping,	

6870	Horse Barn Valley Interpretive Forest	Site	01/05/30	03/01/30	DRM	82F09	204							2003/08/25 The objective is to manage the Horse Barn Valley interpretive forest for interpretive opportunities with a semi-primitive non-motorized recreation experience. Maintain trails, cabin and day use facilities; conserve forested, riparian and meadow areas. Provide opportunities for nature study, viewing, hiking, mountain biking, picnicking, horse riding, cross country skiing and snowshoeing. Provide forest education and interpretation opportunities on local ecosystems and forest practices. Accommodate public use during the day time without campfires. Prepare a management plan to guide operations
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Proposed

													and activities within the forest.	
5220	Hourglass Lake Trail	Trail	93/01/25	97/05/01	DRM	82F09 82F10	-	3.3					98/02/20 The objective is to manage the Hourglass Lake recreation trail for a forested/subalpine, semi-primitive non-motorized recreation experience. Maintain the trail; conserve the adjacent vegetation. Provide opportunities for hiking, day use and primitive camping.	Needs to be merged with 2308 with 2308 being the main file.

236 6	Lakit Lookout & Trail	Trail	85/09/1 8	97/05/0 1	DR M	82G1 2		3					98/02/20 The objective is to manage the Lakit Lookout recreation trail and site for a subalpine, semi-primitive non-motorized recreation experience. Maintain the shelter and trail; conserve the adjacent vegetation. Provide opportunities for hiking, viewing and picnicking.
515 7	Lazy Lake	Site	97/10/0 3	97/05/0 1	DR M	82G1 3	27		208833	1-3- 2- 150			98/02/20 The objective is to manage the Lazy Lake recreation site for a lakeshore/benchland, rural recreation experience. Maintain separate campsite and day use areas; conserve the lake shoreline and natural vegetation. Provide opportunities for camping, picnicking, boat launching and beach activities at the campsite.

													Accommodate public use of the day use area during day time without campfires. Provide access within the site on designated roads.	
234 1	Lisbon Lake Trail	Trail	92/02/1 3	97/05/0 1	DR M	82G1 2	2	1.8					98/02/20 The objective is to manage the Lisbon Lake recreation trail for a forested/lakeshore, semi-primitive motorized recreation experience. Maintain the trail; conserve the adjacent vegetation. Provide opportunities for hiking, mountain biking and all-terrain vehicle access.	
516 2	Lost Creek (Englishman)	Map	97/02/2 4	98/07/3 1	DR M	82G0 3	42			4E+06	1-3- 2- 126		2001/11/02 The objective is to manage the Englishman Creek recreation site for a lakeshore, roaded recreation experience. Maintain a campsite;	

												conserve lake shoreline and natural vegetation. Provide opportunities for camping, picnicking, boat launching and beach activities.	
2033	Lower Harvey Creek	Site	73/09/20	97/05/01	DRM	82G07	3			320671		98/02/20 The objective is to manage the Lower Harvey Creek recreation site for a creekside, roaded recreation experience. Maintain a campsite; conserve the creek shoreline and natural vegetation. Provide opportunities for camping, day use and picnicking.	
5888	Lumberton Ski Trail Area	Trail	93/05/19	97/05/01	DRM	82G05 82F08						98/02/20 The objective is to manage the Lumberton Ski Trail Area recreation trails for a forested, roaded recreation experience. Locate seasonal ski trails within natural openings and on existing out of service roads	

													and trails. Maintain winter trails; conserve adjacent vegetation through a management agreement with a user group. Provide opportunities for cross country skiing, ski touring and viewing. Provide non-motorized recreation access on trails except for trail grooming and track setting activities.	
6760	Lumberton Snowmobile Trail	Trail	99/09/28	00/02/18	DRM	82G05		50					2001/11/02 The objective is to manage the Lumberton Snowmobile recreation trails for a forested, roaded recreation experience. Locate seasonal snowmobile trails within natural openings and on existing out of service roads and trails. Maintain winter trails; conserve adjacent vegetation through a management	Trail system for snowmobiling on roads.

													agreement with a user group. Provide opportunities for snowmobile access, snowmobiling and viewing.	
2348	Mallandaine Pass Trail	Trail	92/06/10	97/05/01	DRM	82F09	11	5.4					98/02/20 The objective is to manage the Mallandaine Pass recreation trail for a forested/subalpine, semi-primitive non-motorized recreation experience. Maintain the trail; conserve the adjacent vegetation. Provide opportunities for hiking, mountain biking and day use.	
2349	Mayo/Ailsa Lakes Trail	Trail	91/03/28	97/05/01	DRM	82F09		4					98/02/20 The objective is to manage the Mayo/Ailsa Lakes recreation trail for a subalpine, semi-primitive non-motorized recreation experience. Maintain the trail;	

												conserve the adjacent vegetation. Provide opportunities for hiking, mountain biking and day use.	
228 7	Mineral Lake	Site	89/09/30	97/05/01	DR M	82G0 5	32			152254	1-3- 2- 044	98/02/20..The objective is to manage the Mineral Lake recreation site for a lakeshore, roaded recreation experience. Maintain a day use area; conserve the lake shoreline and natural vegetation. Provide opportunities for day use, picnicking, hiking, nature study, boat launching and beach activities. Accommodate public use during day time. Provide vehicle access on designated roads and parking areas.	
234 6	Mount Evans Trail	Trail	91/04/08	97/05/01	DR M	82F0 9	4.5					98/02/20..The objective is to manage the Mount Evans recreation trail for a forested/subalpine, semi-primitive non-	

													motorized recreation experience. Maintain the trail; conserve the adjacent vegetation. Provide opportunities for hiking, mountain biking and day use.	
5283	Mt Stephens Trail	Trail	91/10/24	97/05/01	DRM	82G13	4.5	4.5					98/02/20..The objective is to manage the Mt. Stephens recreation trail for a forested/subalpine, semi-primitive non-motorized recreation experience. Maintain the trail; conserve the adjacent vegetation. Provide opportunities for hiking and viewing.	Trail 6160 needs to be incorporated into this file.
6160	Mt. Stevens Trail	Trail	94/05/24	95/02/09	DRM	82G13	-	9					2001/05/01 The objective is to manage the Mount Stevens recreation trail for a forested and subalpine semi primitive non-motorized recreation experience. The	Merge this file into 5283.

												trail will be maintained and adjacent vegetation conserved. Opportunities for hiking and equestrian uses are available, no mechanized uses permitted.	
217 3	Munroe Lake	Site	91/02/2 5	94/03/1 7	DR M	82J0 3	73			023667 4 023567 2	1-3- 2- 134	2001/05/01 The objective is to manage the Munroe Lake recreation site for a lakeside, roaded recreation experience. The campsite will be maintained; the lake shoreline and natural vegetation will be conserved. Opportunities for camping, picnicking, car top boat launching and swimming will be available at the site.	
203 4	Pollock Creek	Site	73/09/2 1	97/05/0 1	DR M	82G0 7	1			320672		98/02/20..The objective is to manage the Pollock Creek recreation site for a creek side, roaded recreation experience. Maintain a	

													adjacent vegetation. Provide opportunities for hiking, day use and primitive camping.	
2357	South Star Trail	Trail	83/02/25	97/05/01	DRM	82G05	1436	27					98/02/20..The objective is to manage the South Star recreation trails for a forested, semi-primitive non-motorized recreation experience. Maintain the trails; conserve the adjacent vegetation. Provide opportunities for cross country skiing, hiking, mountain biking and equestrian uses. Provide non-motorized recreation access on designated trails except for trail maintenance, grooming or track setting activities.	

200 2	Swansea Mountain	Site	87/10/0 7	95/02/0 9	DR M	82J1 2	0.2	0.5		48211			2001/05/01 The objective is to manage the Swansea Mountain recreation site and trail for a subalpine, semi primitive non mechanized recreation experience. The look out and trail will be maintained; the alpine vegetation will be conserved. Opportunities for viewing and picnicking will be available at the site. Access is by non-mechanized trail.
203 9	Tobermory	Site	73/08/2 2	97/05/0 1	DR M	82J1 1	1			320665			98/02/20..The objective is to manage the Tobermory Creek recreation site for a forested, roaded recreation experience. Maintain a campsite and cabin; conserve the creek shoreline and natural vegetation. Provide opportunities for

													camping, day use and picnicking.	
2053	Upper Elk River	Site	77/09/29	80/12/11	DRM	82J11	33				345371		98/02/20..The objective is to manage the Upper Elk recreation site for a creekside meadow, roaded recreation experience. Maintain a campsite; conserve the creek shoreline and natural vegetation. Provide opportunities for camping, day use and picnicking.	
2050	Upper Harvey Creek	Site	76/08/12	97/05/01	DRM	82G07	1				336140		98/02/20 The objective is to manage the Upper Harvey Creek recreation site for a forested, roaded recreation experience. Maintain a campsite; conserve the creek shoreline and natural vegetation. Provide opportunities for camping, day use and picnicking.	

204 3	Weary Creek	Site	74/05/0 1	97/05/0 1	DR M	82J0 7	8			325512		98/02/20..The objective is to manage the Weary Creek recreation site for a riverside side, roaded recreation experience. Maintain a campsite; conserve the creek shoreline and natural vegetation. Provide opportunities for camping and picnicking.
518 2	White Boar Lake	Site	91/09/3 0	97/05/0 1	DR M	82F0 9	140	0.5				98/02/20..The objective is to manage the White Boar Lake Recreation Site for a subalpine/lakeside, semi-primitive non-motorized recreation experience. Maintain the campsite and trail; conserve the lake shoreline and natural vegetation. Provide opportunities for camping, viewing, day use, hiking and picnicking.

A19040 continued SRMMP

Proj No.	Project Name	Type	Cleared (yr/m/d)	Estab. (yr/m/d)	Dist.	Map (NTS)	Size (ha)	Length (km.)	GPS (Plot)	Lands (File)	Parks (File)	Arch Site	Objectives	Comments
2040	Frozen Lake	Site	73/09/17	97/05/01	DRM	82G02	1			320674			98/02/20 The objective is to manage the Frozen Lake recreation site for a lakeshore, semi-primitive motorized recreation experience. Maintain a campsite; conserve the lake shoreline and natural vegetation. Provide opportunities for camping, day use, picnicking and boat launching.	
2041	Howell Creek	Site	73/10/11	97/05/01	DRM	82G02	1			320673			98/02/20 The objective is to manage the Howell Creek recreation site for a creekside, roaded recreation experience. Maintain a campsite; conserve the creek shoreline and natural	

													vegetation. Provide opportunities for camping, day use and picnicking.
204 2	Hartley Lake	Map	74/04/3 0	80/12/1 1	DR M	82G1 1	18			325418			98/02/20 The objective is to manage the Hartley Lake recreation site for a lakeside, roaded recreation experience. Maintain a day use site; conserve the lake shoreline and natural vegetation. Provide opportunities for day use, picnicking and boat launching.
204 4	Sage Creek	Site	74/04/3 0	97/05/0 1	DR M	82G0 1	12			325419			98/02/20..The objective is to manage the Sage Creek recreation site for a creekside, roaded recreation experience. Maintain a campsite; conserve the creek shoreline and natural vegetation. Provide opportunities for

													camping, day use and picnicking.	
204 5	Butts	Site	83/02/1 8	86/03/1 3	DR M	82G0 2	8			004230 2 026659 2			98/02/20 The objective is to manage the Butts recreation site for a forested, roaded recreation experience. Maintain a campsite and cabin; conserve the creek shoreline and natural vegetation. Provide opportunities for camping, day use and picnicking.	
204 6	Proctor Lake	Site	84/05/1 6	97/05/0 1	DR M	82G0 1	8			326084			98/02/20..The objective is to manage the Proctor Lake recreation site for a lakeshore, semi-primitive motorized recreation experience. Maintain a campsite; conserve the lake shoreline and natural vegetation. Provide opportunities for camping, day	

													use, picnicking and boat launching.	
2359	Snowshoe Lake Trail	Trail	91/09/19	97/05/01	DRM	82G02	2	2.1					98/02/20..The objective is to manage the Snowshoe Lake recreation trail for a forested/lakeside, semi-primitive non-motorized recreation experience. Maintain the trail; conserve the adjacent vegetation. Provide opportunities for hiking, day use and primitive camping.	
5218	Wigwam Lookout Trail	Trail	92/02/17	97/05/01	DRM	82G02	6	5.8					98/02/20..The objective is to manage the Wigwam Lookout recreation trail for a forested, semi-primitive motorized recreation experience. Maintain the trail; conserve the adjacent vegetation. Provide opportunities for	

													hiking, viewing, mountain biking and all-terrain vehicle access.	
521 9	Hornaday Pass Trail	Trail	91/03/2 8	97/05/0 1	DR M	82G1 4		14					98/02/20 The objective is to manage the Hornaday Pass recreation trail for a forested, semi-primitive non-motorized recreation experience. Maintain as a heritage trail; conserve the adjacent vegetation. Provide opportunities for hiking, viewing, mountain biking, equestrian use and primitive camping.	
556 3	Baldy Lake Trail	Trail	92/06/0 9	97/05/0 1	DR M	82G0 2	8	4.9					98/02/20 The objective is to manage the Baldy Lake recreation trail for a forested/subalpine, semi-primitive non-motorized recreation experience. Maintain the trail; conserve the adjacent vegetation.	

													Provide opportunities for hiking, viewing, equestrian use and primitive camping.	
560 4	Mt Fernie Trail	Trail	92/07/1 4	97/05/0 1	DR M	82G1 1	8	4.1					98/02/20..The objective is to manage the Mt. Fernie recreation trail for a forested/subalpine, rural recreation experience. Maintain the trail; conserve the adjacent vegetation. Provide opportunities for hiking, viewing, mountain biking equestrian and all-terrain vehicle use on the lower portion of the trail. Provide opportunities for hiking and viewing on the upper portion of the trail.	
560 6	Three Sisters Trail	Trail	92/06/2 3	97/05/0 1	DR M	82G1 1	18	9					98/02/20..The objective is to manage the Three Sisters recreation trail for a subalpine, semi-primitive non-motorized	

														recreation experience. Maintain the trail; conserve the adjacent vegetation. Provide opportunities for hiking and viewing.	
6057	Matevic Trail	Trail	94/10/07	97/05/01	DRM	82G10	31	15.7						98/02/20 The objective is to manage the Matevic recreation trail for a forested, rural recreation experience. Maintain the trail; conserve the adjacent vegetation. Provide opportunities for hiking, viewing and mountain biking.	
6587	Ram Cabin Pass	Site	97/10/09	01/03/28	DRM	82G02	0.25							2001/11/02 The objective is to manage the Ram/Cabin Pass recreation site for a forested, semi primitive motorized recreation experience. Provide and maintain a shelter; conserve	

													the natural vegetation through a management agreement with a user group. Provide opportunities for snowmobiling, snowmobile assisted skiing and snowboarding and hut accommodations during the winter season.	
679 1	Hartley / Sulphur Trail	Trail	00/10/25	00/02/18	DR M	82G1 1	256	30					01/11/02 The objective is to manage the Hartley/Sulphur Snowmobile recreation trails for a forested, roaded recreation experience. Locate seasonal snowmobile trails within natural openings and on existing out of service roads and trails. Maintain winter trails; conserve adjacent vegetation through a management agreement with a	Trail system for snowmobiling on roads.

													user group. Provide opportunities for snowmobile access, snowmobiling and viewing.	
6876	Trail Seven	Trail	01/09/28	03/01/30	DRM	82J02	140.9	7					2003/08/25 The objective is to manage the Trail Seven recreation trail for a forested, roaded recreation experience. Locate trails within natural openings and on existing out of service roads and trails. Maintain seasonal snowmobile/ATV trails; conserve adjacent vegetation through a management agreement with a user group. Provide opportunities for all terrain vehicle and snowmobile riding, and viewing.	

Fairy Creek

Proj No.	Project Name	Type	Cleared (yr/m/d)	Estab. (yr/m/d)	Dist.	Map (NTS)	Size (ha)	Length (km.)	GPS (Plot)	Lands (File)	Parks (File)	Arch. Site	
5607	Fairy Creek Trail	Trail	92/09/21	97/05/01	DRM	82G11	6	2.9					98/02/20 The trail for a fore experience. Provide oppo

A20212

Proj No.	Project Name	Type	Cleared (yr/m/d)	Estab. (yr/m/d)	Dist.	Map (NTS)	Size (ha)	Length (km.)	GPS (Plot)	Lands (File)	Parks (File)	Arch. Site	Objectives
2335	Sanca Creek	Site		92/06/11	DKL			11.791					98/03/31 The objective is to manage the Sanca Creek recreation trail for a forested and subalpine semi primitive non-motorized recreation experience. The trail will be maintained and adjacent vegetation conserved. Opportunities for hiking are available, no mechanized uses permitted.
2101	Sherman Lake Trail	Site		92/06/11	DKL			4.584					98/03/31 The objective is to manage the Sherman Lake recreation trail for a forested and subalpine semi primitive non-motorized recreation experience. The trail will be maintained and adjacent vegetation conserved. Opportunities for hiking

													and mountaineering are available, no mechanized uses permitted.
2100	Sherman Lake Recreation Site	Site		92/06/11	DKL		192.18	5.817					98/03/31 The objective is to manage the Sherman Lake recreation site for a lakeside, semi primitive non-motorized recreation experience. The campsite and trail will be maintained; the lake shoreline and natural vegetation will be conserved. Opportunities for primitive camping, picnicking, swimming and mountaineering will be available at the site. Access is by non-motorized trail.
2286	Wooden Shoe (Skelly Cr) Site	Site	84/11/13	98/01/31	DKL	82F07	450	2					98/03/31 The objective is to manage the Wooden Shoe recreation site for a lakeside, semi primitive non-motorized recreation experience. The campsite and trail will be maintained; the lake shoreline and natural vegetation will be conserved. Opportunities for camping, picnicking, and swimming will be available at the site. Access is by non-motorized trail.

APPENDIX F: OGMA/MMA REPLACEMENT FORM

OGMA/MMA Replacement Form (Version 4, September 2020) Canfor Kootenay Region

This form **must be completed** to identify replacement OGMA/MMA area when ≥ 1.0 ha of OGMA or MMA is being planned for harvest (**including fire and insect salvage blocks**) or being planned for removal for a new road right-of-way.

Complete the form, attach a map showing the exact location and boundaries of the replacement polygon(s), and scan and submit to the WIM, the Planning Forester for the area, and the Canfor Biologist.

File the completed form and map in the digital file for the block on the Kootenay Woods drive.

NOTE: The replacement OGMA(s) must be:

- Of equal or superior value; age is the key variable determining value unless old attributes are present in younger stands,
- Of minimum 2 ha size alone, or when placed contiguous with an existing OGMA/MMA,
- In the same BEC variant and LU as the OGMA proposed for harvest/road building,
- In the CFLB,
- Signed off by a QRP (RPF, RPBio to sign form and indicate which replacement area was selected).

License:		Reason the OGMA/MMA is being harvested (must be consistent with reasons provided in FSP Section 6.1.1.2 and Old and Mature SWP)	
Permit:			
Block ID:			
Road Sec.			
		For the OGMA/MMA being harvested/ roaded	For the replacement OGMA/MMA Polygon(s), listed in order from highest value to lowest value
Value	OGMA/MMA ID#	Polygon ID#	Polygon ID#
Area impacted (ha)			
Age Class or Age if known			
Successional Stage (1-7)			
Timber Type (best available info)			
Site Index			
Area of interior habitat (area >50 m from non-forest or forest > 2 age classes different if < age class 4)			
In HCVA? If so, which one and is Old Growth a key value within? If so consult Forest Science Team.			
Does the area contain First Nation's Interests? If yes, specify (e.g. CCVFs, other comments from infoshare)?			

Natural disturbance present? (e.g. burned, blowdown). How severe? Give details.			
Was the OGMA walked? (Yes/No) and by who)			
Veteran or very large (> 50 cm dbh) Trees Present? y/n and estimate sph			
Canopy gaps and multiple tree layers present? (Yes/No)			
High Value Snags Present? y/a and estimate sph.			
Riparian, seeps, streams or NCDs present within or adjacent? Y/N and specify			
Adjacent to an existing OGMA/MMA? (Yes/No)			
Does the stand provide connectivity along valley bottom or from valley bottom to higher elevations?			
Does the area contain any wildlife features (e.g. dens, trails, beds, licks, wallows, nests)? Specify and provide details.			
Does the area overlap with mapped Critical Habitat (Federal layer) for any species-at-risk or overlap with a WHA?			
Rare ecosystem types present? List site series if so.			
Amount of human impact present (rate high/moderate/ low and specify e.g., ATV trails, cattle grazing, noxious weeds, campsites).			
Overlap with other constraints, or values of importance (e.g. unstable terrain, arch polygons, etc.)? Specify			

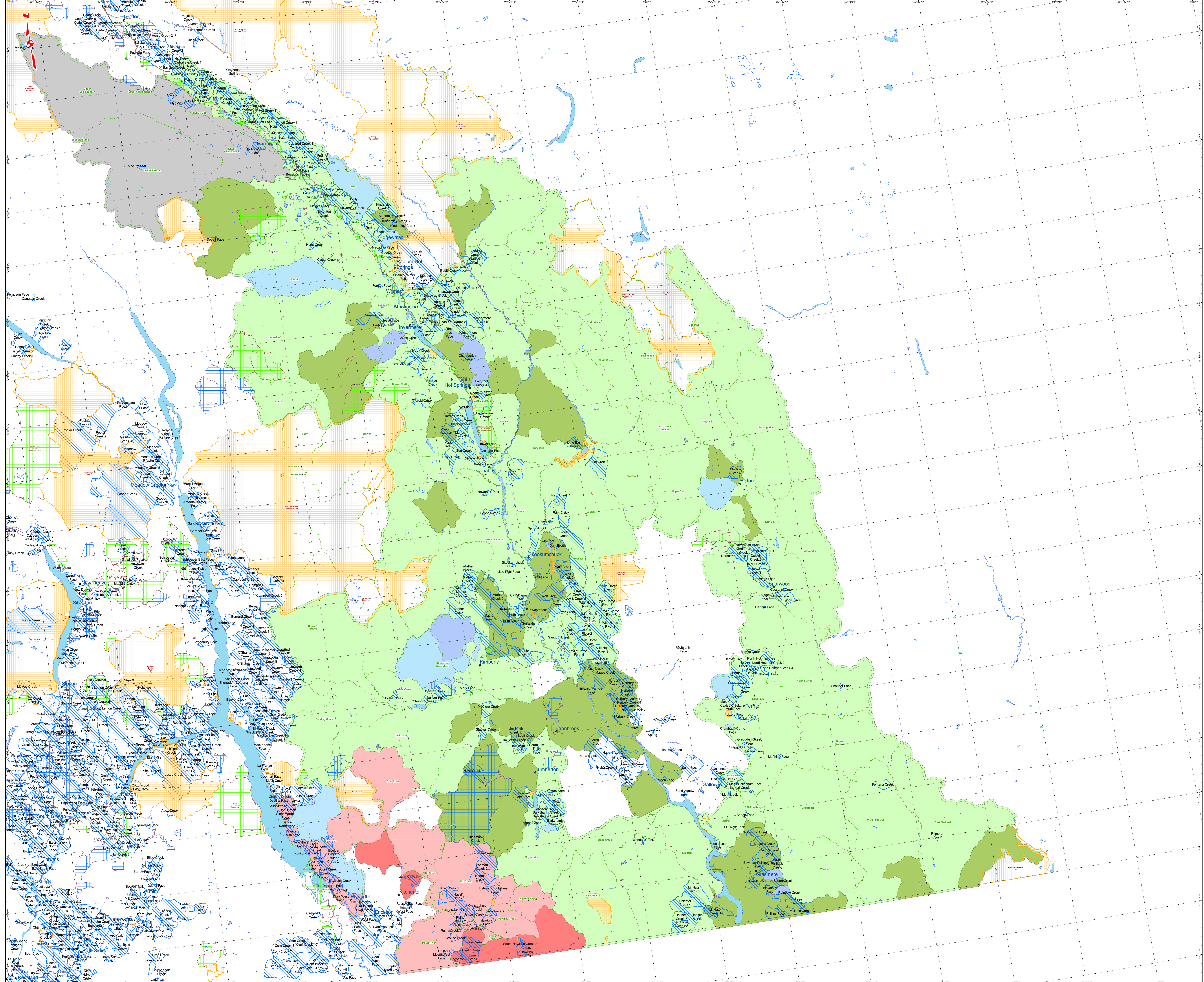
Additional information/comments			
Form completed by:		Date:	
QRP Signature		Date:	

Proposed

2023 CANFOR FSP FOREST DEVELOPMENT UNIT MAP



2023 CANFOR FSP FDU Map



Legend

- Domestic Watersheds KBHLPO
- FDU Kootenay 2023**
 - Rocky Mountain
 - Rocky Mountain BCTS
 - Rocky Mountain Community Watersheds
 - Rocky Mountain Community Watersheds BCTS
 - Selkirk
 - Selkirk BCTS
 - Selkirk Community Watersheds
 - TFL14
 - BC Towns
 - Canfor Operating Area
- Hydrology**
 - Fish Bearing Stream
 - Definite Stream
 - Indefinite Stream
 - Lake
 - Glacier/icefield
 - Wetland
- Parks and Protected Areas**
 - Provincial and National Park
 - Conservancy Area
 - Wildlife Management Area
 - Recreation Reserve
 - Recreation Site
 - Rec Site
 - Recreation Trail

Date: June 30, 2023
 Created by: Paul Picard
 Scale: 1:300,000
 0 5 10 20 30 Kilometers

2023 FSP APPENDIX B Maps

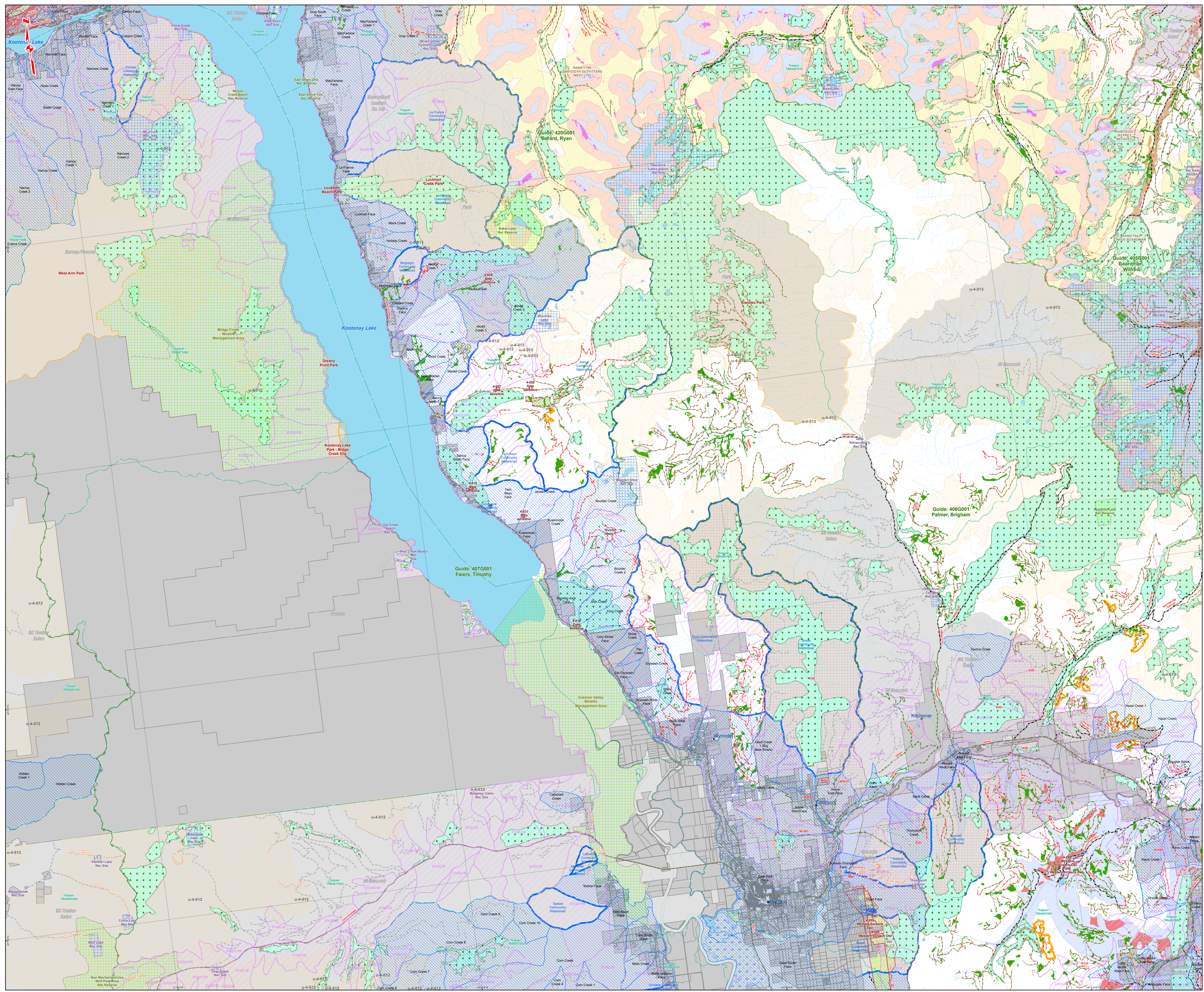


2023 FSP Referral

Map Extent:
Creston - Kootenay Lake

Legend

- BC Towns
 - Paved
 - Gravel Main
 - Operational
 - Spur
 - Proposed
 - Temp Constructed
 - Temp Proposed
 - Other
 - Barge Crossing
 - Other Tenured Roads
 - Motor Vehicle Hunting Closure Areas
 - Access Management Areas
- ### Hydrology
- Fish Bearing Stream
 - Definite Stream
 - Indefinite Stream
 - Lake
 - Glacier/icefield
 - Wetland
- ### Administrative Boundaries
- First Nations Reserve
 - Private Land
 - Canfor Operating Area
 - Trapper Tenure
 - Woodlot
- ### Block Information
- Canfor Block
 - Permitted Block
 - Reserve
 - Harvested Block
 - Partial Harvest Block
- ### Parks and Protected Areas
- Provincial and National Park
 - Conservancy Area
 - Wildlife Management Area
 - Recreation Reserve
 - Recreation Site
 - Rec Site
 - Recreation Trail
- ### Other Features
- Scenic Areas and EVQOs
 - Guide Boundaries
 - Range Tenure
 - Trapper Labels
 - Trapper Boundary
 - Wildlife Habitat Areas - 0k - 150k
 - Old Growth and Mature Management Areas
 - Community Watershed
 - Domestic Watersheds KBHLPD
 - BC Fisheries Sensitive Watersheds
 - UWR - Mule Deer - BC
 - UWR Mountain Caribou
- ### Ungulate Winter Range - DKL
- Foraging area
 - Eik; ICHW
 - Eik; ICHW
 - Moose; moderate snow
 - Mule Deer; ICHW
 - Mule Deer; ICHW
 - Mule Deer; ICHW
 - Mule Deer; ICHW
 - Mule Deer; ICHW
 - White-tailed Deer; ICHW
- ### Ungulate Winter Range - RMFD
- OPEN RANGE
 - OPEN FOREST
 - MANAGED FOREST DRY
 - MANAGED FOREST MESIC
 - MANAGED FOREST MOIST
 - MANAGED FOREST TRANSITION
 - MANAGED FOREST WET
 - Management Zone
 - Specified Area
 - Core - Rockies
 - Core - Purcellis
 - Core - Golden



Date: June 30, 2023
Created by: Paul Picard
Scale: 1:70,000
0 1 2 4 6 Kilometers



File No. R2335ABC

September 15, 2023

Canadian Forest Products Ltd. C/O
Paul Picard MSc. RPF, Planning Supervisor
#1 – 1000 Industrial Road, PO Box 2200
Cranbrook, BC V1C 4C6

RE: 2023 Forest Stewardship Plan

ATTN: Paul Picard

Thank you for providing the Regional District of Central Kootenay (RDCK) the opportunity to comment on the Canadian Forest Products Ltd. (Canfor) 2023 Forest Stewardship Plan (FSP), which covers the Kootenay Lake Timber Supply Area.

The area covered by the FSP overlaps with Electoral Areas 'A', 'B' and 'C' in the Regional District. Please see the excerpts below from the adopted Official Community Plan Bylaws as they pertain to Crown land, forestry, the natural environment, resource areas and community-specific policies in each of these three Electoral Areas. It is the expectation of the RDCK that logging activities be consistent with these policies in order to uphold the public interest in these communities.

In recognition of the scale of the draft FSP area, the Regional District respectfully requests the opportunity to provide comments at the site plan scale – relative to future forest development, including road construction, timber harvesting and silviculture activities, including proposed cutblock(s) locations prior to cutting or road permits being issued.

As a local government, the RDCK appreciates the opportunity to comment on these decisions regarding forestry activity in our region, because these decisions are important. They impact our communities in many ways, be it environmental, economic, social, and cultural. However, any feedback from us at the FSP referral stage will not provide meaningful feedback to you. It would be more useful to provide feedback on the Forest Operational Plans which provide more detail on the landscape and ecological impacts from the logging activity. Without that detail, we are unable to assess the true impact of these projects.

For this referral, please note the following as our general feedback on the FSP:

[INCLUDE ANY SPECIFIC COMMENTS FROM RURAL AFFAIRS COMMITTEE]

Official Community Plan Excerpts

<https://rdck.ca/EN/main/government/bylaws/land-use-planning.html>

Area 'A' Comprehensive Land Use Bylaw No. 2315, 2013:

Natural Environment Objectives

2. To preserve water quality in Kootenay Lake and other identifiable lakes in Electoral Area 'A' and their tributaries.

3. To protect environmentally sensitive lands such as steep slopes, floodplains, alluvial fans, watersheds and soils subject to erosion from land uses.
4. To protect all community watersheds within the Plan Area.
5. To encourage the maintenance of Provincially identified wildlife winter range.
6. To preserve viewscapes.
9. To minimize the negative effects of wildfire within the Plan Area.

Natural Environment Policies:

The Regional Board:

12. Will request of the Province that any Crown land use requests along the water front and foreshore of Kootenay Lake in the Plan Area be referred to the RDCK for review, in order that the RDCK be able to review applications in the area for consistency with the Plan.
13. Recognizes that the watersheds upstream of any identified alluvial fans within the Plan Area are sensitive to future change caused by extreme meteorological events, logging or wildfire. The extent and severity of the flood hazard on the alluvial fans of these creeks could be modified by such changes upstream.
14. Encourages the Province to impose the strictest regulation of logging of Crown lands in Sensitive/Hazardous areas.
16. Directs that development in potentially unstable areas shall... d. avoid removing vegetation from a slope.
18. The Regional Board proposes the establishment of environmentally sensitive areas as an Environmental Reserve designation (shown on Schedule B) subject to the following:
 - d. sensitive Crown land within community watersheds shall be designated 'Environmental Reserve' where it is recommended to the Province and licensees that forest harvesting activities within the 'Environmental Reserve' areas be conducted to the highest standard possible in order to protect community watersheds;
 - f. all Crown land within 30 metres of Crawford, Indian, Hendryx, Gray, Akokli, Sanca and Kuskanook Creeks shall be designated 'Environmental Reserve' where strict development standards will be developed which limit industrial and intensive commercial uses. These areas are currently regulated as habitat for fisheries by the federal Department of Oceans and Fisheries.
24. Supports the establishment of Provincially designated Old Growth Management Areas.
28. Directs that development in Hazard Areas shall be limited unless mitigation strategies are employed to the satisfaction of the RDCK.

Resource Area Objectives

1. To promote sustainable forestry practices on both Crown and private land.
5. To protect riparian zones, sensitive ecosystems, watersheds and biodiversity.
7. To protect viewscapes throughout the Plan Area.

Resource Area Policies

The Regional Board:

11. Encourages the maintenance of contiguous blocks of forest land.
12. Encourages the protection of biodiversity through appropriate forestry practices and the protection of riparian zones and other sensitive ecosystems.
14. Encourages forest managers to: a. ensure that the rate of extraction of timber does not compromise the long-term productivity of the forest, and b. use silvi-culture methods that promote healthy forests and minimize fire hazards.
15. Encourages appropriate small-scale forest related activities such as the sustainable gathering of products, food crops, hiking, bird watching and wildlife viewing, education and value added industry.
19. Shall work with the Province to ensure view-scapes are protected within the Plan Area.

Kootenay Bay/Pilot Bay/Crawford Bay Policies

15. A wildlife corridor along Crawford Creek is encouraged.

Area 'B' Comprehensive Land Use Bylaw No. 2316, 2013

Natural Environment Objectives

1. To maintain high water quality of groundwater and surface water as sources of domestic and irrigation water supply.
2. To foster an awareness of the values associated with the natural environment and to conserve sensitive and significant natural features and values from negative impacts as a result of development.
3. To encourage the maintenance of biodiversity in the Plan area, important to the biological functioning and ecological integrity of the area.
4. To protect, restore and enhance natural areas and establish an interconnected ecosystem network of protected areas and corridors, wherever feasible.
5. To encourage the maintenance of Provincially designated wildlife winter range.

Natural Environment Policies

The Regional Board:

8. Supports the Provincial requirement that developers apply for and obtain appropriate permits and authorization for "Changes In and About a Stream" pursuant to the *Water Act*.
9. Encourages the retention of existing Provincially identified wildlife corridors and access to water.
10. Encourages the Province to recognize environmentally sensitive areas, hazard areas, and areas upstream of alluvial fans, and uphold the strictest regulation for forest and mining or mineral development in these areas.
11. Encourages the protection of environmentally sensitive areas, important to the biodiversity and ecological functioning of the Plan area, and areas that contribute to community greenway corridors that link open space areas.
12. Supports the protection, enhancement and management of sensitive habitat areas for endangered or threatened species in the Plan area.
14. Will designate Crown lands adjacent and proximate to the Goat River, Camprun Creek, Arrow Creek, Teetzel Creek and associated tributaries as environmentally sensitive community watersheds.

Resource Area Objectives

1. To retain and diversify resource-based land uses which contribute to the local economy and nature of communities in the Plan area.
3. To recognize the importance of Crown lands for recreational values and opportunity.
4. To ensure, in cooperation with the Province and private land owners, that resource based activities do not result in increased occurrence or magnitude of natural hazards in areas where there is risk to persons or property in the Plan area.

Resource Area Policies

The Regional Board:

5. Recognizes that a Resource Area designation includes those uses compatible with larger parcels and/or restrictions to land use such as accessibility or hazards.
7. Recognizes the jurisdiction of the Province over public Crown land.
8. Will work with the Province to ensure community watersheds and sources of domestic water supply are recognized and protected within the Plan area.

10. Strongly encourages the Province to inform and consult with a community before any change in land use on Crown land, including issuing licences or permits for any development or activity, land sales, and land use designation amendments that may affect the community.
11. Encourages the maintenance of contiguous blocks of forest lands.
12. Supports appropriate small scale forest related activities, such as sustainable gathering of products, food crops, hiking, bird watching and wildlife viewing, education and value-added resource industries.
13. Encourages forest managers to ensure that the rate of extraction of timber does not compromise the long term productivity of the forest and that silviculture methods promote healthy forests and minimize fire hazards.

Area 'C' Comprehensive Land Use Bylaw No. 2317, 2013

Natural Environment Objectives

1. To preserve natural values.
2. To maintain high water quality of groundwater and surface water sources of domestic and irrigation water supply.
3. To foster an awareness of the values associated with the natural environment and to conserve sensitive and significant natural features and values from negative impacts as a result of development.
4. To encourage the maintenance of biodiversity in the Plan area, important to the biological functioning and ecological integrity of the area.
5. To protect, restore and enhance natural areas and establish an interconnected ecosystem network of protected areas and corridors, wherever feasible.
6. To encourage the maintenance of Provincially designated wildlife winter range.
7. To protect all watersheds within domestic water supply areas.

Natural Environment Policies

10. Supports the Provincial requirement that developers apply for and obtain appropriate permits and authorization for "Changes In and About a Stream" pursuant to Section 9 of the Water Act.
11. Encourages the retention of existing Provincially identified wildlife corridors and access to water.
12. Encourages the Province to recognize environmentally sensitive areas, hazard areas, and areas upstream of alluvial fans, and uphold the strictest regulation for forest and mining or mineral development in these areas.
13. Encourages the protection of environmentally sensitive areas, important to the biodiversity and ecological functioning of the Plan area, and areas that contribute to community greenway corridors that link open space areas.
14. Supports the protection, enhancement and management of sensitive habitat areas for endangered or threatened species in the Plan area.
16. Will designate Crown lands adjacent and proximate to the Goat River, Arrow Creek, Urmston, Alice Siding, Corn Creek and Teetzel Creek and other sources of domestic water supply as Environmental Reserve (ER).
17. Recognizes the importance of containing and controlling noxious weeds through the continued endorsement of weed prevention and control initiatives.
19. Proposes the establishment of environmentally sensitive areas as an Environmental Reserve designation subject to the following:
 - c. Unless otherwise noted below, all land within 15 metres of the natural boundary of a creek on Crown Land shall be designated as Environmental Reserve.
 - d. Sensitive Crown Land within community watersheds shall be designated Environmental Reserve where it is recommended to the Ministry of Forests and licensees that Forest Harvesting activities within the Environmental Reserve areas be conducted to the highest standard possible in order to protect community watersheds.

- f. All Crown Land within 30 metres of the Goat River and Camprun Creek shall be designated Environmental Reserve where strict development standards will be developed which limit industrial and intensive commercial uses.
- g. All Crown Land within 100 metres of the Arrow Creek and subsequent tributaries shall be designated Environmental Reserve where development standards will be developed which limit industrial and intensive commercial uses.
- h. All Crown Land within 50 metres of Teetzel Creek shall be designated Environmental Reserve where strict development standards will be developed which limit industrial and intensive commercial uses.
22. Any timber harvesting and related forest practices carried out on Crown lands within a provincial forest are subject to the Forest Act, the Forest Practices Code of British Columbia and the regulations.
23. It is strongly encouraged that burning of brush should be minimized and that composting, where feasible, be a priority of residents of the Plan Area.
24. The Board of the Regional District supports the establishment of Old Growth Management Areas in the Summit, Teetzel and Arrow Watersheds.

Resource Area Objectives

1. To retain and diversify resource-based land uses which contribute to the local economy and nature of communities in the Plan area.
2. To encourage the economic benefits of value-added resource processing to be retained in the community.
3. To recognize the importance of Crown lands for recreational values and opportunity.
4. To ensure, in cooperation with the Province and private land owners, that resource based activities do not result in increased occurrence or magnitude of natural hazards in areas where there is risk to persons or property in the Plan area.

Resource Area Policies

The Regional Board:

7. Recognizes the jurisdiction of the Province over public Crown land.
8. Will work with the Province to ensure community watersheds and sources of domestic water supply are recognized and protected within the Plan area.
10. Strongly encourages the Province to inform and consult with a community before any change in land use on Crown land, including issuing licences or permits for any development or activity, land sales, and land use designation amendments that may affect the community.
11. Encourages the maintenance of contiguous blocks of forest lands.
12. Supports appropriate small scale forest related activities, such as sustainable gathering of products, food crops, hiking, bird watching and wildlife viewing, education and value added resource industries.
13. Encourages forest managers to ensure that the rate of extraction of timber does not compromise the long term productivity of the forest and that silviculture methods promote healthy forests and minimize fire hazards.

Should you have any questions please do not hesitate to contact our offices.

Sincerely,



Corey Scott
Planner



Committee Report

Date of Report: August 2, 2023
Date & Type of Meeting: September 13, 2023 Rural Affairs Committee
Author: Jordan Dupuis, Bylaw Department Supervisor
Subject: Unsightly Property Bylaw No. 1687, 2004 – Remedial Action Requirement
File: 3310-20-22-25-G-05557.120
Electoral Area/Municipality: G

SECTION 1: EXECUTIVE SUMMARY

The purpose of this report is to provide an update and seek Board authority to enter onto and clean up an unsightly and hazardous property located at 1864 Airport Road, Salmo, BC within Electoral Area G. The property owner/occupier is Mr. Carl Tessier. On July 18, 2023 Bylaw Enforcement Team (BET) attended the property and observed that the property continues to not be in compliance with (RDCK) Unsightly Property Bylaw No. 1687, 2004 regulations.

SECTION 2: BACKGROUND/ANALYSIS

This property is located in Electoral Area G and is subject to the Regional District of Central Kootenay (RDCK) Unsightly Property Bylaw No. 1687, 2004 regulations.

Mr. Tessier purchased the property located at 1864 Airport Road, Salmo, BC on or near November 1, 2004. The property is legally described as: Lot 2, Plan NEP14561, DL 1236, KLD, and Manufactured Home Reg. #45837. PID: 009-996-800.

The Regional District of Central Kootenay (RDCK) Bylaw Enforcement department started receiving letters of complaints for unsightly property conditions on or near July, 2011. Due to unforeseen complications and attempts taken with the property owner/occupier to encourage voluntary compliance, this file was finally brought before the Rural Affairs Committee (RAC) for a Regional Committee hearing in August, 2022, as compliance had not been achieved.

A) On August 17th, 2022, this matter was presented by the Bylaw Enforcement Team (BET) to RAC for a hearing. Mr. Carl Tessier had opportunity to speak to RAC and the following motions were passed and referred to the October, 2022 RAC meeting:

6.5 UNSIGHTLY PROPERTY BYLAW - TESSIER

File No.: 3310-20-22-25-G-05557.120

1864 Airport Road

(Carl & Erin Tessier)

Electoral Area G

Property owner, Carl Tessier provided an update to the Committee regarding his property, sharing he has been working hard to clean up and comply. He provided his

plans of continue cleaning up the property.

The Committee asked the delegations questions.

Staff recommended the property owner enter into a compliance agreement for 45 days.

Moved and seconded,

And resolved:

That the following motion BE REFERRED to the October 12, 2022 Rural Affairs

Committee meeting to allow the proponent forty five (45) days to meet with staff and comply:

That the Board authorize Bylaw Enforcement to enter onto the property located at 1864 Airport Road, Electoral Area G and legally described as LOT 2, PLAN NEP 14561, DISTRICT LOT 1236, KOOTENAY LAND DISTRICT, PID: 009-996-800, with a contractor to remove all offending matter with all cost incurred by the RDCK being billed to the property owners identified as Mr. Carl Tessier and Ms. Erin Tessier.

Carried

Moved and seconded,

And resolved:

That the following motion BE REFERRED to the October 12, 2022 Rural Affairs

Committee meeting to give proponent 45 days to meet with staff and comply:

That all cost incurred be added to the property tax as taxes in arrears should the property owners identified as Mr. Carl Tessier and Ms. Erin Tessier not pay the bill by December 31st of the year the cleanup occurs at 1864 Airport Road, Electoral Area G and legally described as LOT 2, PLAN NEP 14561, DISTRICT LOT 1236, KOOTENAY LAND DISTRICT, PID: 009-996-800.

Carried

B) On October 12, 2022, this matter, as referred was brought back to RAC and the following motions were passed referring to the December, 2022 RAC Meeting:

6.4 UNSIGHTLY PROPERTY BYLAW – TESSIER

File No.: 3310-20-22-25-G-05557.120

1864 Airport Road

(Carl & Erin Tessier)

Electoral Area G

Rural Affairs Committee

Referred August 17, 2022 to October 12, 2022

NOTE: Staff recommend REFERRAL to the December 6, 2022 Rural Affairs Meeting to allow staff more time to investigate and collect information regarding the Unsightly Property Bylaw - Tessier.

Moved and seconded,

And resolved:

That the following motion BE REFERRED to the December 6, 2022 Rural Affairs

Committee meeting to allow staff more time to investigate and collect information

regarding the Unsightly Property Bylaw - Tessier:

That the Board authorize Bylaw Enforcement to enter onto the property located at 1864 Airport Road, Electoral Area G and legally described as LOT 2, PLAN NEP 14561, DISTRICT LOT 1236, KOOTENAY LAND DISTRICT, PID: 009-996-800, with a contractor to remove all offending matter with all cost incurred by the RDCK being billed to the property owners identified as Mr. Carl Tessier and Ms. Erin Tessier.

Carried

Moved and seconded,

And resolved:

That the following motion BE REFERRED to the December 6, 2022 Rural Affairs Committee meeting to allow staff more time to investigate and collect information regarding the Unsightly Property Bylaw - Tessier:

That all cost incurred be added to the property tax as taxes in arrears should the property owners identified as Mr. Carl Tessier and Ms. Erin Tessier not pay the bill by December 31st of the year the cleanup occurs at 1864 Airport Road, Electoral Area G and legally described as LOT 2, PLAN NEP 14561, DISTRICT LOT 1236, KOOTENAY LAND DISTRICT, PID: 009-996-800.

Carried

On October 4, 2022 and November 1, 2022, Bylaw Enforcement Officers conducted site visits and assessments to determine if the property conditions were improving and achieving compliance with the unsightly property bylaw regulations. Bylaw Enforcement Officers communicated with Mr. Carl Tessier providing information and assistance during these visits.

On April 19, 2023 the supervisor of BET presented a verbal update on the status of the file to RAC.

On June 13, 2023 the supervisor of the BET attended Mr. Tessier's property, and observed that the property was not in compliance with the RDCK Unsightly Property Bylaw.

On June 22, 2023 the supervisor of the BET attended Mr. Tessier's property, and conducted a tour of the property advising Mr. Carl Tessier of the actions that were required to bring his property into compliance. Mr. Tessier entered into a voluntary Compliance Agreement with the RDCK on this date. The agreement was kept purposefully simple with the direction to clean accumulated debris from his front yard, porch, and sides of the property as well as to remove 5 specific vehicles from his driveway. The vehicles are not running and are uninsured. They are also positioned such that their removal from the property would be a simple process as there are no obstacles preventing their removal. There is a free scrap car removal service available in the area requiring only a phone call to arrange for removal and Mr. Tessier is aware of this as he used to be employed by this company and BET members have suggested he contact them for removal of the vehicles.

On July 18, 2023 members of the BET attended Mr. Tessier's property and again observed that the property has not been brought into compliance. Video evidence (attachment A) capturing the current state of the property was obtained on this date.

On July 19, 2023 the supervisor of BET presented another verbal update on the status of the file to RAC.

As of August 2, 2023, compliance has not been reached with Mr. Tessier’s property. The current state of the property is extremely unsafe as any response to a structure fire would be hampered by the excessive accumulation. There is rotting garbage present which attract various rodents and other animals and there is a risk of seepage into ground water. It is the opinion of the Supervisor of the Bylaw Enforcement Team that Mr. Tessier is unable to bring his property into compliance on a voluntary basis.

Staff is recommending remedial action be approved to ensure the organized clean-up of this unsightly property.

SECTION 3: DETAILED ANALYSIS

3.1 Financial Considerations – Cost and Resource Allocations:

Included in Financial Plan: Yes No **Financial Plan Amendment:** Yes No
Debt Bylaw Required: Yes No **Public/Gov’t Approvals Required:** Yes No

Should the Regional Board authorize Bylaw Enforcement staff by way of a contractor to remove the unsightly materials, the RDCK will be required to pay up front costs of the cleanup and then apply all costs to the property owner. Should the bill remain unpaid by December 31st of the year the cleanup occurred, the costs may be added to the property tax as taxes in arrears. The cost incurred by the RDCK will be determined by the bids received for material removal from the interested contractors.

3.2 Legislative Considerations (Applicable Policies and/or Bylaws):

RDCK Unsightly Property Bylaw No. 1687, 2004.

Local Government Act – Section 305 (1) and Section 325 (c) (ii) {RSBC 2015} CHAPTER 1

3.3 Environmental Considerations

Included in previous report presented to RAC in August, 2022.

3.4 Social Considerations:

Included in previous report presented to RAC in August, 2022.

3.5 Economic Considerations:

Included in previous report presented to RAC in August, 2022.

3.6 Communication Considerations:

Included in previous report presented to RAC in August, 2022.

3.7 Staffing/Departmental Workplace Considerations:

Included in previous report presented to RAC in August, 2022.

3.8 Board Strategic Plan/Priorities Considerations:

Aligns with the Board priority for coordinated service delivery as the RDCK Bylaw Enforcement department is working with the RCMP, fire services and Interior Health.

SECTION 4: OPTIONS & PROS / CONS

Option 1: The Board authorize the immediate remedial action requirement (RAR) to be taken against Carl Tessier property located at 1864 Airport Road, Electoral Area G and legally described as LOT 2, PLAN NEP 14561, DISTRICT LOT 1236, KOOTENAY LAND DISTRICT, PID: 009-996-800 with a contractor to remove all offending matter such as rubbish, garbage, bottles, building materials, broken glass or other discarded materials or unwholesome materials

or ashes, property not stored or piled in a neat and organized manner, all or part of any machinery such as a tractor, backhoe or similar construction equipment, or equipment which is not capable of performing the task it was originally intended to perform, all wrecked vehicles and demolish any structure deemed unsafe with all cost incurred by the RDCK being billed to the owners of the property, identified as Carl Tessier and Erin Tessier. Immediate remedial action or indicating time periods shorter than 30 days is permitted pursuant to the Community Charter. Giving notice to the property owner that is shorter than the 30 day requirement is also permissible pursuant to the Community Charter.

Pro: Despite Mr. Tessier having received several warnings and information to support the clean-up of his property it continues to remain unsightly. Taking remedial action after this length of time would show that the RDCK is enforcing its bylaw. It also immediately addresses safety issues.

Con: The costs for remedial action will have to be borne by the RDCK initially, until such time as the funds can be recovered through billing the property owner or through the provincial process of placing amounts in arrears on the tax bill for the property. The process of recovering funds can take up to three years.

Option 2: The Board order Remedial Action Requirement to Carl Tessier to meet compliance with the Unsightly Property Bylaw No. 1687, 2004 within thirty (30) days, as per the Community Charter. If the work is not completed within the thirty (30) day timeline, the Board authorize Bylaw Enforcement to enter onto the property located at 1864 Airport Road Salmo, BC and legally described as, LOT 2, PLAN NEP 14561, DISTRICT LOT 1236, KOOTENAY LAND DISTRICT, PID: 009-996-800 with a contractor to remove all offending matter such as rubbish, garbage, bottles, building materials, broken glass or other discarded materials or unwholesome materials or ashes, property not stored or piled in a neat and organized manner, all or part of any machinery such as a tractor, backhoe or similar construction equipment, or equipment which is not capable of performing the task it was originally intended to perform, all wrecked vehicles and demolish any structure deemed unsafe with all cost incurred by the RDCK being billed to the owners of the property, identified as Carl Tessier and Erin Tessier.

Pro: Mr. Tessier be given more of an opportunity to clean up his property

Con: This file has been an ongoing issue since 2011 and the accumulation of material is not been addressed by the property owner.

Option 3: That Staff take no further action.

Pro: No costs will be incurred

Con: the lack of enforcement on this file will indicate lack of political support for enforcement of the Unsightly Property Bylaw No. 1687, 2004.

SECTION 5: RECOMMENDATIONS

1. The Regional Board order Carl Tessier to meet compliance with the Unsightly Property Bylaw No. 1687, 2004 within thirty (30) days, as per the Community Charter. If the work is not completed within the thirty (30) day timeline, the Board authorize Bylaw Enforcement to enter onto the property located at 1864 Airport Road, Electoral Area G and legally described as, LOT 2, PLAN NEP 14561, DISTRICT LOT 1236, KOOTENAY LAND DISTRICT PID: 009-996-800. with a contractor to remove all offending matter such as rubbish, garbage, bottles, building materials, broken glass or other discarded materials or

unwholesome materials or ashes, property not stored or piled in a neat and organized manner, all or part of any machinery such as a tractor, backhoe or similar construction equipment, or equipment which is not capable of performing the task it was originally intended to perform, all wrecked vehicles and demolish any structure deemed unsafe with all cost incurred by the RDCK being billed to the owners of the property, identified as Carl Tessier and Erin Tessier.

2. All cost incurred be added to the property tax as “taxes in arrears” should the property owners identified as Carl Tessier and Erin Tessier not pay the bill by December 31st of the year the cleanup occurs at the property located at 1864 Airport Road, Electoral Area G and legally described as, LOT 2, PLAN NEP 14561, DISTRICT LOT 1236, KOOTENAY LAND DISTRICT, PID: 009-996-800.

Respectfully submitted,

Jordan Dupuis, Supervisor, Bylaw Enforcement Team

CONCURRENCE

CAO – Stuart Horn *Digitally approved by*

Development and Community Sustainability – Sangita Sudan *Digitally approved by*

ATTACHMENTS:

Attachment A – Pictures -current property conditions

Attachment B – August 2022 report on Tessier

































Committee Report

Date of Report: June 16, 2022
Date & Type of Meeting: August 17, 2022 Rural Affairs Committee
Author: Grace Allen, Senior Bylaw Officer
Subject: Unsightly Property Bylaw No. 1687, 2004 – Remedial Action Requirement
File: 3310-20-22-25-G-05557.120
Electoral Area/Municipality: G

SECTION 1: EXECUTIVE SUMMARY

The purpose of this report is to seek Board authority to enter onto and clean up an unsightly and hazardous property located at 1864 Airport Road, Salmo, BC. and located within Electoral Area G. The property owner/occupier is Mr. Carl Tessier and co-owned by Erin Tessier. Erin Tessier does not reside on the property.

SECTION 2: BACKGROUND/ANALYSIS

Mr. Tessier purchased the property located at 1864 Airport Road, Salmo, BC on or near November 1, 2004. The property is legally described as: Lot 2, Plan NEP14561, DL 1236, KLD, and Manufactured Home Reg. #45837. PID: 009-996-800.

The Regional District of Central Kootenay (RDCK) Bylaw Enforcement department started receiving letters of complaints for unsightly property conditions on or near:

July 2011: for unsightly property conditions. The front yard had children's toys scattered about but the rear yard was accumulating vehicles, vehicle parts and tires. Mr. Tessier brought his property into compliance with the removal of many items and installed a fence to screen the remaining items until the items could be removed or stored properly.

June 2012: for unsightly property conditions. This complaint was unfounded as the only items noted in the front yard are children's toys. Mr. Tessier removed a large portion of the accumulation in 2011 and screened the items he wanted to keep. Airport Road is not subject to zoning so Mr. Tessier's fencing to screen any accumulation is permitted.

June 2018: Bylaw Enforcement received a complaint for unsightly property conditions. A site visit was conducted and the complaint information was correct as Mr. Tessier, since the last complaint, had filled his back and side yard with an accumulation of items such as (but not limited to) vehicles, vehicle parts and tires, disused furniture, piles of household garbage, a fire destroyed mobile home frame and a small hauling trailer full of household garbage, bagged. Some items are spilling out of the mobile home and into the front yard.

At that time Mr. Tessier indicated he wanted to work with the RDCK, acknowledged his property has gotten cluttered with an assortment of items. Mr. Tessier further advised he was recovering from injuries he sustained

in an accident and allowed transients to set up a tent and reside in his back yard so that is not helping to keep things tidy.

September 2018: A site visit was conducted and a noticeable improvement was made to the property. Mr. Tessier had cleaned up the front yard and remaining items neatly organized, garbage removed from the side yard, the accumulated garbage in the back yard has been removed, smaller items of no value were removed. Mr. Tessier acknowledged a lot more work is required and now he is almost ready to construct a fence in the back yard. He was committed to continue cleaning up and another site visit was scheduled.

August 2019: Bylaw Enforcement department received a letter of complaint with attached photos, against the property for unsightly conditions. The attached photos showed the back yard has greatly deteriorated. The accumulation has grown so large that it is now spread over the right of way for utilities (easement) and into an adjacent property's yard. The accumulation is made of, but not limited to: vehicles, vehicle parts and tires, household garbage, fire destroyed mobile home frame with items piled onto it, wood, electrical wires, damaged furniture, appliances, dishes including pots, pans, and many items that cannot be identified on account of other items being piled over.

October, 2019: Another letter of complaint was received against the property conditions not getting better and further advised the water and hydro has been cut off from the mobile home that is occupied by Mr. Tessier.

Subsequent site visits show the property conditions have reverted back to its previous cluttered start with more stuff being added.

March 2022: BEO supervisor, Jordan Dupuis and Building Official, Lee Telefson while on patrol, conducted a site visit to Mr. Tessier's property. Mr. Tessier was home and a cleanup of the property was discussed.

April 2022: Bylaw Enforcement received a letter of complaint against Mr. Tessier for allowing his property to become and remain unsightly. Complaint information stated "*this place is unsanitary, unsafe and a disgrace to our area*". Further complaint information advised a large population of transient individuals are seen entering and exiting Mr. Tessier's property and used needles are strewn about both on Mr. Tessier's property, along the public roads and on the interior lot line separating adjacent property.

May 2022: Bylaw Enforcement conducted a site visit to Mr. Tessier's property to verify Mr. Tessier was cleaning up the property as agreed upon during the *April, 2022*, site visit and discussion. On inspection of the property absolutely no effort has been undertaken by Mr. Tessier to clean up his property.

June, 8, 2022: A letter was prepared and hand delivered to Mr. Tessier. The letter was to advise him that no effort has been made to clean up the property voluntarily so as a result of the continued non-compliance, this matter will be placed on the Board agenda where Bylaw will seek Board authority to enter onto the property to clean up all items with all cost being forwarded to Mr. Tessier for payment.

On the last site visit the property is cluttered with an unsightly accumulation of items such as (but not limited to):

Fire destroyed mobile home frame/both piled and strewn about household garbage/disused and damaged furniture/numerous vehicle parts and tires/derelict vehicles—approximately 35/disused and damaged household tote containers full of misc items (some garbage, some electrical wiring, some dishes and other items)/clothing/dirty dishes, including pots and pans/bakeware strewn about the

yard/camping gear that is strewn about and damaged and any other item that is helping to make this property appear unsightly.

SECTION 3: DETAILED ANALYSIS

3.1 Financial Considerations – Cost and Resource Allocations:

Included in Financial Plan: Yes No **Financial Plan Amendment:** Yes No
Debt Bylaw Required: Yes No **Public/Gov't Approvals Required:** Yes No

Should the Regional Board authorize Bylaw Enforcement staff by way of a contractor to remove the unsightly materials, the RDCK will be required to pay up front all cost of the cleanup and then apply all costs to the property owner. Should the bill remain unpaid by December 31st of the year the cleanup occurred, the costs may be added to the property tax as taxes in arrears. The cost incurred by the RDCK will be determined by the bids received from the interested contractors.

3.2 Legislative Considerations (Applicable Policies and/or Bylaws):

RDCK Unsightly Property Bylaw No. 1687, 2004.

Local Government Act – Section 305 (1) and Section 325 (c) (ii) {RSBC 2015} CHAPTER 1

3.3 Environmental Considerations

As a number of derelict vehicles, approximately thirty-five (35), in all stages of disrepair have been stored on the property, tote containers with unknown fluids, both partly empty to full containers of vehicle fluids and vehicle parts, all of which may have leaked or are leaking into the ground, piles of household garbage that may be attracting rodents, flies and maggots which may spread to other properties (rodents) and as the snow melts may cause contamination of the ground and water.

3.4 Social Considerations:

Continued non-compliance with the RDCK Unsightly Property Bylaw No. 1687, 2004 may:

- Encourage other properties to become or remain unsightly in appearance in contravention of the Unsightly Property Bylaw provisions;
- May affect the value of surrounding properties on Airport Road;
- May ruin the visual aspect of the neighbourhood and surrounding properties.

3.5 Economic Considerations:

Should the Board authorize the Remedial Action Requirement (RAR) be taken against this property, all cost incurred by the RDCK will have to be paid by the RDCK and the RDCK can invoice the property owner for all cost. If unpaid by December 31st, this action was taken, can be added to the property tax as tax in arrears.

3.6 Communication Considerations:

For the RDCK Board to pass Resolution to authorize Bylaw Enforcement to enter onto the property with a contractor to remove all offending matter may show the general public and other non-compliant property owners that the Board is serious about enforcing its bylaws.

3.7 Staffing/Departmental Workplace Considerations:

Staff time will be required on site under a warrant, to direct contractors in removing the unsightly materials. The duration would be dependent on the amount of materials needed to be removed.

3.8 Board Strategic Plan/Priorities Considerations:

Aligns with the Board priority for coordinated service delivery as the RDCK Bylaw Enforcement department is working with the RCMP, fire services and Interior Health.

SECTION 4: OPTIONS & PROS / CONS

1. That the Regional Board order Mr. Tessier to reach compliance with the RDCK Unsightly Property Bylaw No. 1687, 2004, provisions within sixty (60) days from the date of the Board hearing.

Pro: Mr. Tessier may be in a position to cleanup his property within sixty days which may keep the RDCK from incurring further cost on this matter;

Con: Should Mr. Tessier be unable to cleanup his property within the sixty days, more items may be added to the already overwhelming accumulation.

2. That the Regional Board authorize Bylaw staff to enter onto the property with a contractor to remove all offending materiel with all cost incurred by the RDCK being billed to the property owner.

Pro: The cleanup of the property will occur in a timely manner, will improve the neighbourhood's visual appeal and may keep the cost lower with an available contractors.

Con: Should cleanup of the property be delayed, contractors may become unavailable due to accepting other contracts for the summer and autumn months. The amount of household garbage stockpiled onto the property may become an animal attractant (bear, cougar).

Cost will be billed to Rural Administration under code: OPR-390-101.

SECTION 5: RECOMMENDATIONS

1. That the Regional Board authorize Bylaw Enforcement to enter onto the property located at 1864 Airport Road, Salmo, BC V0G 1Z0 and legally described as: Lot 2, Plan NEP 14561, District Lot 1236, Kootenay Land District. PID: 009-996-800, with a contractor to remove all offending matter with all cost incurred by the RDCK being billed to the property owners identified as Mr. Carl Tessier and Ms. Erin Tessier.
2. All cost incurred be added to the property tax as taxes in arrears should the property owners identified as Mr. Carl Tessier and Ms. Erin Tessier not pay the bill by December 31st of the year the cleanup occurs at 1864 Airport Road, Salmo, BC V0G 1Z0 and legally described as: Lot 2, Plan NEP14561, District Lot 1236, Kootenay Land District. PID: 009-996-800.

Respectfully submitted,

Digitally approved by

Jordan Dupuis, Supervisor, Bylaw Enforcement Team

CONCURRENCE

CAO – Digitally approved by Stuart Horn.

Development and Community Sustainability – Digitally approved by Sangita Sudan.

ATTACHMENTS:

Attachment A – Slide show of property conditions.

Attachment B – Board Hearing Notice to property owner.

ATTACHMENT “A”

Mr. Carl E. Tessier
Ms. Erin E. Tessier
1864 Airport Road
Salmo, B.C - Electoral Area G

RDCK Unsightly Property Bylaw No. 1687,
2004

Legal Description:

Lot 2 Plan NEP14561, District Lot 1236,
Kootenay Land District

PID: 009-996-800

July 19, 2018



June 12, 2019



March 16, 2022













April 6, 2022



























June 8, 2022





REGIONAL DISTRICT OF CENTRAL KOOTENAY

NOTICE OF HEARING

IN THE MATTER OF *LOCAL GOVERNMENT ACT* s. 305 (1) and s 325 (c) (ii)
 [RSBC 2015] CHAPTER 1 AND
 IN THE MATTER OF THAT PART OF LOT 2, D.L. 1236, KOOTENAY LAND DISTRICT,
 PLAN NEP14561.

To: Carl Tessier, Erin Tessier
 P.O. Box 1034
 Salmo, BC V0G 1Z0

TAKE NOTICE that the Rural Affairs Committee of the Regional District of Central Kootenay at an Open Regular Meeting, pursuant to Section 305 (1) of the *Local Government Act* and the *Regional District of Central Kootenay Unsightly Property Bylaw No. 1687, 2004*, will

at the hour of 9:00 am on the 17TH day of August, 2022 in the Board Room at the Regional District of Central Kootenay office, 202 Lakeside Drive, Nelson, BC

Hear presentations by the Bylaw Enforcement Officer as to whether, with respect to the lands more particularly described above, the owner/occupier shall be required to remove the accumulation thereon of: Fire destroyed mobile home frame/both piled and strewn about household garbage/disused and damaged furniture/numerous vehicle parts and tires/derelect vehicles /disused and damaged household tote containers full of miscellaneous items (some garbage, some electrical wiring, some dishes and other items)/clothing/dirty dishes, including pots and pans/bakeware strewn about the yard/Camping gear that is strewn about, some damaged and any other item that is making the property appear unsightly.

AND FURTHER TAKE NOTICE that should the Board require the owner/occupier to remove the described accumulation, and the owner/occupier defaults, the Board may direct its employees and others to enter and effect the removal at the expense of the person defaulting. The charges for doing so, if unpaid on December 31st in the year in which the Regional District of Central Kootenay effects the removal, shall be added to and form part of the taxes payable in respect of the real property in question, as taxes in arrear.

AND FURTHER TAKE NOTICE that should you wish to make representation to the Rural Affairs Committee regarding the lands and premises listed above, you should appear at the time, date and place to make your presentation to the Rural Affairs Committee.

THIS NOTICE is given by the Corporate Officer of the Regional District of Central Kootenay this 28th day of July 2022.

Corporate Officer



Board Report

Date of Report: August 30, 2023
Date & Type of Meeting: September 13, 2023 Rural Affairs Committee
Author: Charmaine Daoust, Bylaw Department
Subject: Unsightly Property Bylaw No. 1687, 2004 – Remedial Action Requirement
File: 3310-20-22-710.02997.000
Electoral Area/Municipality: K

SECTION 1: EXECUTIVE SUMMARY

The purpose of this report is to provide a file update and seek Board authority to enter onto and clean up an unsightly and hazardous property located at 562 Willow St, Fauquier, BC within Electoral Area K. The property owner is Lily Jia. On August 17, 2023 the Bylaw Enforcement Team (BET) attended the property and observed that the property is not in compliance with (RDCK) Unsightly Property Bylaw No. 1687, 2004 regulations.

SECTION 2: BACKGROUND/ANALYSIS

This property is located in Electoral Area K and is subject to the Regional District of Central Kootenay (RDCK) Unsightly Property Bylaw No. 1687, 2004 regulations.

Lily and Dong Jia who reside in Windsor Ontario, purchased the property located at 562 Willow Street, Fauquier, BC on or near January 13, 2021. The property is legally described as: 562 Willow Street Fauquier, B.C. Lot 44, Plan NEP6172, P.I.D.: 008-406-367 and is 3.45 acres in size of which 3.41 acres is classed as R2.

The RDCK Bylaw Enforcement department first received a complaint regarding the unsightliness of this property during the spring of 2022. At that time BEO Dupuis attended and obtained video and photographic evidence and noted that this was the worst example of an unsightly property that he has ever seen. BEO Dupuis estimates that there may be approximately 50 plus dump truck loads of debris on the property. The owner was contacted and BEO Dupuis received a call from a gentleman whom identified himself as a friend of Jia. He reported that she did not have the funds to clean up the property. BEO Dupuis issued a Bylaw Offence Notice (BON ticket) to Jia for unsightly property and this fine was paid. Enforcement was discontinued for a period of time due to other operational priorities.

BEO Daoust took over the file and attended on April 05, 2023. It was evident that the property was in an extremely derelict condition. The buildings are insecure and unsafe, and classified as a nuisance. The property was listed for sale. The unsightliness was clearly evident by the amount of broken glass, needles, rotting garbage, broken household effects and clothing inside all structures up to and including the second floor spilling out of doors and windows onto the property. There were multiple piles of household garbage strewn throughout the property that were rotting and an old abandoned vehicle. There was evidence of bear scat all over the property and the grass and trees were unkempt and overgrown. All of the buildings including the house were in complete disrepair and extremely unsafe. The buildings were completely insecure with sections of walls pulled out by human and animal scavengers and had collapsing roofs and walls.

BEO Daoust called and spoke with the realtor who provided the phone number for the owner Lily Jia. But attempts to contact her were unsuccessful.

April 14, 2023 a letter with BON #1635 for Unsightliness was sent to the owner with a request for someone to contact BEO Daoust by May 01, 2023 with photos of the property attached.

May 08, 2023 BEO Daoust contacted the realtor for any new information but the results were negative.

May 18, 2023 a second letter with BON #1639 was sent for Unsightliness and a reminder that more fines would be issued should no one connect with the Bylaw team.

May 23, 2023 BEO Daoust received notification that the second BON had been paid. A call was placed to the owner Lily Jia. BEO was able to speak with her at length regarding the complexity of the cleanup required and the difficulties with her being in Ontario. She disclosed that her husband had recently passed last November and she had been completely overwhelmed. The extreme condition of the property was explained to her advising that she would have to contract a professional with heavy equipment to bring the property up to safety and basic cleanliness standards. After a few days, Lily agreed to allow a contractor from Nakusp on site to provide a few quotes from basic to full cleanup, not including the removal of the buildings.

July 04, 2023 three quotes were received from local contractor James Bruvall. For a basic clean up cost would be \$5,500 versus a thorough clean up at \$96,500 as per below:

Quote 1 - Quick tidy

This quote will include the vast amount of over growth of grasses, broken and dangerous trees as well as eroded road access, on the property, clearing of the road to access the buildings of all the debris, as well as a landing area to park and turn vehicles around. This would be a 3 day job, and would consist of no more than 4 dump runs. Your cost is \$5,500.00. This includes; all labour, fuel, equipment, mileage, insurance, as well as all dump fees associated.

This will provide a clean entrance way for any prospective buyers to be able to access the property and not risk stepping on needles, broken glass, or any of the scrap metal embedded in the ground. This would also help immensely with the overwhelming amount of bears on the property. While this will not address the larger concerns it could be enough to attract some buyer.

Quote 2 - The Deep Surface Clean

This will include everything in Quote 1 as well as all garbage located outside of the buildings, both standing and leaning. It will leave all buildings as they were and will remove all material left outside. This would be a 10 day job, this is contingent on some other arrangements however it can be done. Your cost is \$47,865.00. This includes; all labour, fuel, equipment, mileage, insurance, as well as all dump fees associated up to \$21,000.00.

Quote 3 - Complete package

This will include everything in Quotes 1 and 2. This is a complete clean up of the property making it devoid of ALL debris inside all buildings as well as outside, there are some safety issues with that however assuming everything is structurally stable it won't affect the quote. This would be a 4-5 week job, this is contingent on some other arrangements however it can be done. Your cost is \$96,555.00. This includes; all labour, fuel, equipment, mileage, insurance, as well as all dump fees associated up to \$48,000.00.

The report was sent to Lily Jia and throughout the rest of the month and into August, BEO Daoust attempted to contact her several times without response.

August 14, 2023 BEO Daoust received an email from Lily stating that she would be coming from Ontario to clean in October of 2023.

August 17, 2023 BEO's Daoust and Dupuis attended the property to take videos and photographs and also spoke with the homeowner next door. She believes the substantial amount of attractants located on the subject property attracts bears and she lives in fear of the brown bears that have been fighting over the old orchard located between her and the subject property. She worries about bears coming onto her property at all hours and no longer feels safe in her own yard. She is also very concerned about the effects of seepage on ground water and the risk of fire. She worries about the effect a fire could have from the burning garbage and chemicals on the surrounding community which is all located within a kilometer of the subject property.

August 21, 2023 BEO Daoust sent an email with a report and photos to Lily Jia in hopes of conveying to her that the property was well beyond any kind of person being able to handle the clean up required. All photos and videos were sent to her to view as well as the following description of findings:

- 1- *All buildings are uninhabitable, falling down, insecure and extremely unsafe*
- 2- *People have been coming onto your property and leaving syringes and more garbage*
- 3- *Large brown bears have been witnessed on the property rummaging through the garbage and fighting in the old orchard next to the neighbour's property.*
- 4- *Your neighbor is now unsafe to go outside in her own yard due to the amount of aggressive bears for fear of being attacked.*
- 5- *On top of the needles, there is broken glass from mason jars strewn about in the tall grass.*
- 6- *The garbage is piled up to the second story in the outbuildings. We did not go near the house as we did not feel safe.*
- 7- *There are rodents living in the buildings and apparently dead cats left behind from the previous owner.*
- 8- *The weather over the past five years has ensured that everything has mould and cannot be picked up by hand.*

Your property requires a professional team to clean it up using heavy equipment and multiple dump truck loads.

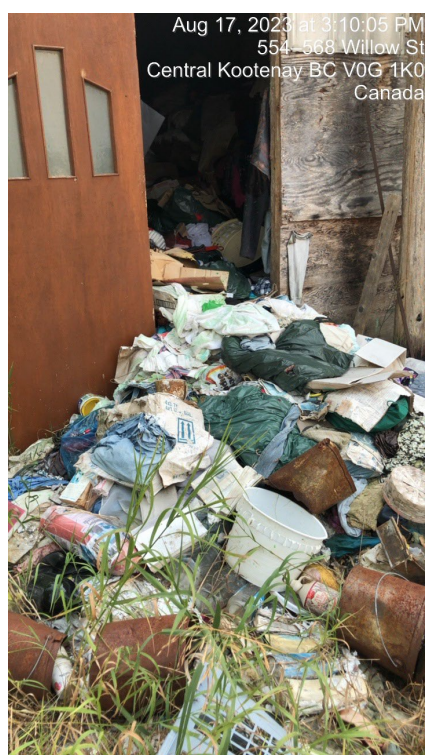
RDCK Bylaw will be going before the board to request remedial clean up to the property as it has now been several years of inaction.

I want to ensure you understand the gravity of this situation before you make the final decision to come out here. If you are coming and have a plan to hire a crew for the clean up, please let me know. The clean up of this property should only be done by professionals, with full protection from airborne danger and with heavy equipment. No one should be attempting to clean the property by “picking up garbage by hand”.

August 22, 2023 Lily Jia responded stating that she had hired someone in her area (Ontario) to attend and clean the property in October as the quotes received were too high in price for her to afford.

BEO Daoust responded that the RDCK would require a more detailed plan and information from her regarding the contractor she engaged by the end of the week. This is due to the legitimate concern on part of the Bylaw Enforcement Team that Jia fails to grasp that the clean up of this property is a monumental task that cannot be simply accomplished by two persons with garbage bags.

There has been no response from Lily Jia to date.





3.1 Financial Considerations – Cost and Resource Allocations:

Included in Financial Plan: Yes No **Financial Plan Amendment:** Yes No
Debt Bylaw Required: Yes No **Public/Gov't Approvals Required:** Yes No

Should the Regional Board authorize Bylaw Enforcement staff by way of a contractor to remove the unsightly materials and the demolish the unsafe and nuisance buildings, the RDCK will be required to pay up front all cost of the cleanup and then apply all costs to the property owner. Should the bill remain unpaid by December 31st of the year the cleanup occurred, the costs may be added to the property tax as taxes in arrears. The cost incurred by the RDCK will be determined by the bids received from the interested contractors and could be in excess of \$100,000.

3.2 Legislative Considerations (Applicable Policies and/or Bylaws):

RDCK Unsightly Property Bylaw No. 1687, 2004.

3.3 Environmental Considerations

Failing to clean up the subject property may have negative environmental impacts through leaching of unknown contaminants that may result from the rotting and break down of debris material on the property.

3.4 Social Considerations:

Continued non-compliance with the RDCK Unsightly Property Bylaw No. 1687, 2004 may:

- Encourage other properties to become or remain unsightly in appearance in contravention of the Unsightly Property Bylaw provisions;
- May affect the value of surrounding properties;
- May ruin the visual aspect of the neighbourhood and surrounding properties.

Currently the subject property appears to have frequent visits from human scavengers likely driven by substance abuse who scour the property for anything of value, exposing themselves to great risk. Cleaning up the property and addressing the risk to human safety would be beneficial to the community.

3.5 Economic Considerations:

Any contract for clean-up is likely to be awarded to a local resident due to the remoteness of the location thus providing an economic opportunity to generate local temporary employment.

3.6 Communication Considerations:

If the RDCK Board passes Resolution to authorize Bylaw Enforcement to enter onto the property with a contractor to remove all offending matter may show to the general public and other non-compliant property owners that the Board is serious about enforcing its bylaws.

The state of this property is well known in the local community and it would be beneficial for the community to observe that the RDCK takes these issues seriously and will enforce bylaws where appropriate. It may be beneficial to provide information regarding this activity through the RDCK media liaison.

3.7 Staffing/Departmental Workplan Considerations:

This unsightly property file is a priority for the RDCK Bylaw Enforcement Team and therefore staff resources will be allocated as required to accomplish compliance. Staff time will be required on site under a warrant, to direct contractors in removing the unsightly materials. The duration would be dependent on the amount of materials needed to be removed but is expected to be a number of days. Bylaw officers would be required on site and would be required to stay in local accommodation due to the travel time from the Nelson office.

3.8 Board Strategic Plan/Priorities Considerations:

SECTION 4: OPTIONS & PROS / CONS

1. That the Board order Remedial Action Requirement to Lily Jia to reach compliance with the RDCK Unsightly Property Bylaw No. 1687, 2004, provisions within thirty (30) days from the date of the Board hearing. If the work is not completed within the thirty (30) day timeline, the Board authorize Bylaw Enforcement to enter onto the property located at 562 Willow Street, Electoral Area K and legally described as Lot 44, Plan NEP6172, P.I.D.: 008-406-367 with a contractor to remove all offending matter such as rubbish, garbage,

bottles, building materials, broken glass or other discarded materials or unwholesome materials or ashes, property not stored or piled in a neat and organized manner, all or part of any machinery such as a tractor, backhoe or similar construction equipment, or equipment which is not capable of performing the task it was originally intended to perform, all wrecked vehicles and demolish any structure deemed unsafe with all cost incurred by the RDCK being billed to the owners of the property, identified as Lily Jia.

Pro: Provides Ms. Jia with a last opportunity to cleanup her property within thirty days which may keep the RDCK from incurring further cost on this matter;

Option 2: The Board authorize the immediate remedial action requirement (RAR) to be taken against the property located at 562 Willow Street, Electoral Area K and legally described as Lot 44, Plan NEP6172, P.I.D.: 008-406-367 with a contractor to remove all offending matter such as rubbish, garbage, bottles, building materials, broken glass or other discarded materials or unwholesome materials or ashes, property not stored or piled in a neat and organized manner, all or part of any machinery such as a tractor, backhoe or similar construction equipment, or equipment which is not capable of performing the task it was originally intended to perform, all wrecked vehicles and demolish any structure deemed unsafe with all cost incurred by the RDCK being billed to the owners of the property, identified as Lily Jia. Immediate remedial action or indicating time periods shorter than 30 days is permitted pursuant to the Community Charter. Giving notice to the property owner that is shorter than the 30 day is requirement is also permissible pursuant to the Community Charter.

Pro: Despite Ms. Jia having received several warnings and information to support the clean up of her property it continues to remain unsightly. Taking immediate remedial action addresses safety issues.

SECTION 5: RECOMMENDATIONS

1. The Regional Board order Remedial Action Requirement to Lily Jia to meet compliance with the Unsightly Property Bylaw No. 1687, 2004 within thirty (30) days, as per the Community Charter. If the work is not completed within the thirty (30) day timeline, the Board authorize Bylaw Enforcement to enter onto the property located at 562 Willow Street, Electoral Area K and legally described as Lot 44, Plan NEP6172, PID: 008-406-367 District Lot 9156800 with a contractor to remove all offending matter such as rubbish, garbage, bottles, building materials, broken glass or other discarded materials or unwholesome materials or ashes, property not stored or piled in a neat and organized manner, all or part of any machinery such as a tractor, backhoe or similar construction equipment, or equipment which is not capable of performing the task it was originally intended to perform, all wrecked vehicles and demolish any structure deemed unsafe with all cost incurred by the RDCK being billed to the owner of the property, identified as Lily Jia.
2. All cost incurred be added to the property tax as “taxes in arrears” should the property owner identified as Lily Jia not pay the bill by December 31st of the year the cleanup occurs at the property located at 562 Willow Street Fauquier, BC and legally described as, Lot 44, Plan NEP6172, PID: 008-406-367 District Lot 9156800.

Respectfully submitted,

Charmaine Daoust, Bylaw Enforcement Officer

CONCURRENCE

Supervisor Bylaw Enforcement Team - Jordan Dupuis Digitally approved by

GM Development and Community Sustainability – Sangita Sudan Digitally approved by

CAO – Stuart Horn Digitally approved by