



Regional District of Central Kootenay
RURAL AFFAIRS COMMITTEE
Open Meeting Agenda

Date: Wednesday, February 14, 2024
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
10:00 a.m. MST

Join by Video:

<https://nelsonho.webex.com/nelsonho/j.php?MTID=ma4ab9d35509199efd1df3e6f4d808970>

Join by Phone:

+1-604-449-3026 Canada Toll (Vancouver)

Meeting Number (access code): 2774 850 3518

Meeting Password: 7tvYr8DceU9 (78897832 from phones)

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 February 14, 2024 Rural Affairs Committee meeting be adopted as circulated.

5. RECEIPT OF MINUTES

5 - 15

The January 17, 2024 Rural Affairs Committee meeting minutes, have been received.

6. DELEGATIONS

No delegations.

7. PLANNING & BUILDING

7.1 DEVELOPMENT VARIANCE PERMIT - SCOTTEN

16 - 33

File No.: V2312F-03595.005-Scotten-DVP00246
3034 Miller Road
(Walter Brent Scotten)
Electoral Area F

The Committee Report dated January 31, 2024 from Stephanie Johnson, Planner, re: Development Variance Permit, has been received.

RECOMMENDATION:
That it be recommended to the Board:

That the Board APPROVE the issuance of Development Variance Permit V2312F to Walter Brent Scotten for the property located at 3034 Miller Road and legally described as LOT A DISTRICT LOT 788 KOOTENAY DISTRICT PLAN 13885 (PID 010-472-886) to vary the minimum front setback regulation under 605.5 under the *RDCK's Zoning Bylaw No. 1675, 2004* as follows:

1. FROM 4.5 metres TO 0 metres to permit the construction of a dwelling unit.

7.2 BYLAW AMENDMENT - RUMBLING CREEK RESORT LTD.

34 - 97

File No.: Z2304G – Rumbling Creek Resort
4626 Highway 6
(Rumbling Creek Resort Ltd.)
Electoral Area G

The Committee Report dated January 30, 2024 from Zachari Giacomazzo, Planner, re: Bylaw Amendment - Rumbling Creek Resort Ltd., has been received.

RECOMMENDATION:

That it be recommended to the Board:

That *Electoral Area 'G' Land Use Amendment Bylaw No. 2935, 2024* being a bylaw to amend *Electoral Area 'G' Land Use Bylaw No. 2452, 2018* is hereby given FIRST and SECOND reading by content;

And Further, that Staff be directed to provide notice that the public hearing is being waived in accordance with Sections 466 and 467 of the *Local Government Act*.

8. ENVIRONMENTAL SERVICES

8.1 WILDSAFEBC FUNDING PROPOSAL

98 - 105

File No.: 12-6240-20

Electoral Area/Municipality: Castlegar (Robson, Blueberry, Thrums, Ootischenia); Rural Areas A,B,C,E,F,G,H,I and J; Area D – Kaslo, Meadow Creek and surrounding; Area K – Nakusp, Edgewood, Burton, Silverton, Fauquier.

The Committee Report dated January 17, 2024 from Todd Johnston, Environmental Coordinator, re: WildSafeBC Funding Proposal for RDCK: Supplemental Information, has been received.

Rural Affairs Committee Meeting

Referred from January 17, 2024 to February 14, 2024

RECOMMENDATION:

That it be recommended to the Board:

That the Board approve the RDCK enter into a Goods and Services Agreement with the British Columbia Conservation Foundation for their WildSafeBC Program for the period of February 1, 2024 and ending on December 31, 2026, and that the Chair and Corporate Officer be authorized to sign the necessary documents;

AND FURTHER, that the annual funding for the WildSafeBC Program not exceed an annual cost of \$20,000, \$25,000, and \$32,500 for 2024, 2025 and 2026 respectively;

AND FURTHER, that the costs be paid from Service S101 Rural Administration (transferred through Environmental Services A100).

9. RURAL ADMINISTRATION

9.1 COMMUNITY WORKS FUND APPLICATION – AINSWORTH SEWER SYSTEM CORPORATION “AINSWORTH SEWER OUTFALL AND UPGRADES”

106 - 117

File No.: 1850-20-CW-298

Electoral Area D

The Committee Report dated January 30, 2024 from Micah Nakonechny,

Grants Coordinator, re: Ainsworth Sewer System Corporation “Ainsworth Sewer Outfall and Upgrades”, has been received.

RECOMMENDATION:

That it be recommended to the Board:

THAT the Community Works Fund application submitted by the Ainsworth Sewer System Corporation for the project titled “Ainsworth Sewer Outfall and Upgrades” in the amount of \$100,000 be approved and that funds be disbursed from Community Works Funds allocated to Electoral Area D.

9.2 PLANNING AND LAND USE IN THE RDCK

118 - 120

Nelson Wight, Planning Manager, will provide an overview regarding planning and land use in the RDCK.

The RDCK Areas with Zoning document, RDCK Areas with Official Community Plan (OCP) document and Development Permit Areas in RDCK document, has been received.

10. PUBLIC TIME

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

11. ADJOURNMENT

RECOMMENDATION:

The meeting be adjourned at _____



Regional District of Central Kootenay

RURAL AFFAIRS COMMITTEE MEETING

Open Meeting Minutes

Wednesday, January 17, 2024

9:00 a.m.

Remote meeting due to the office at 202
Lakeside Drive Nelson, BC being closed.

COMMITTEE MEMBERS

PRESENT

Chair G. Jackman	Electoral Area A – In Person
Director R. Tierney	Electoral Area B
Director K. Vandenberghe	Electoral Area C
Director A. Watson	Electoral Area D
Director C. Graham	Electoral Area E
Director H. Cunningham	Electoral Area G
Director W. Popoff	Electoral Area H
Director A. Davidoff	Electoral Area I
Director H. Hanegraaf	Electoral Area J
Director T. Weatherhead	Electoral Area K

COMMITTEE MEMBERS ABSENT

Director T. Newell	Electoral Area F
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GUEST DIRECTOR

Director L. Main	Village of Silverton
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STAFF PRESENT

S. Horn	Chief Administrative Office
S. Sudan	General Manager of Development and Community Sustainability Initiatives
N. Wight	Planning Manager
Z. Giacomazzo	Planner
C. Gainham	Building Manager
T. Johnston	Environmental Technologist
Uli Wolf	General Manager of Environmental Services
D. Hawkins	Planner

C. Hopkyns

Corporate Administrative Coordinator –
Meeting Coordinator

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.

Join by Video:

<https://nelsonho.webex.com/nelsonho/j.php?MTID=ma58f8558f25de6c46dbc96b3df137f7a>

Join by Phone:

+1-604-449-3026 Canada Toll (Vancouver)

Meeting Number (access code): 2771 171 9900

Meeting Password: qhPkwMCz868 (74759629 from phones)

2. CALL TO ORDER

Chair Jackman called the meeting to order at 9:00 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

Moved and seconded,

And resolved:

The agenda for the January 17, 2024 Rural Affairs Committee meeting be adopted as circulated.

Carried

Moved and seconded,

And resolved:

Director Main have freedom of the floor.

Carried

5. RECEIPT OF MINUTES

The December 13, 2024 Rural Affairs Committee meeting minutes, have been received.

6. DELEGATIONS

Item 7.4 - Louis Bouchard

Item 7.5 – Nelson Rocha

7. PLANNING & BUILDING

7.1 BUILDING BYLAW CONTRAVENTION - EVANS

File No.: 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 (RAC)

Referred July 19, 2023 to September 13, 2023

Referred September 13, 2023 to December 13, 2023. The item was missed on the December 13, 2023 RAC meeting agenda and is being brought forward to the January 17, 2024 RAC meeting for consideration.

- No delegation was present.
- Chris Gainham, Building Manager, shared that staff have been in contact with the property owner. Staff recommend referral to the March 20, 2024 RAC meeting to allow more time to work with the property owner.
- Chair Jackman thanked staff and referred the recommendation to Committee for consideration.

Moved and seconded,

And resolved:

That the following motion **BE REFERRED** to the March 20, 2024 Rural Affairs Committee meeting:

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.

Carried

7.2 BUILDING BYLAW CONTRAVENTION - EVANS**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

Referred September 13, 2023 to December 13, 2023. The item was missed on the December 13, 2023 RAC meeting agenda and is being brought forward to the January 17, 2024 RAC meeting for consideration.

- No delegation was present.
- Chris Gainham, Building Manager, shared that staff have been in contact with the property owner. Staff recommend referral to the March 20, 2024 RAC meeting to allow more time to work with the property owner.
- Chair Jackman thanked staff and referred the recommendation to Committee for consideration.

Moved and seconded,

And resolved:

That the following motion **BE REFERRED** to the March 20, 2024 Rural Affairs Committee meeting:

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.

Carried

7.3 BUILDING BYLAW CONTRAVENTION - EVANS & MCLEAN**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

Referred September 13, 2023 to December 13, 2023. The item was missed on the December 13, 2023 RAC meeting agenda and is being brought forward to the January 17, 2024 RAC meeting for consideration.

- No delegation was present.
- Chris Gainham, Building Manager, shared that staff have been in contact with the property owner. Staff recommend referral to the March 20, 2024 RAC meeting to allow more time to work with the property owner.
- Chair Jackman thanked staff and referred the recommendation to Committee for consideration.

Moved and seconded,

And resolved:

That the following motion **BE REFERRED** to the March 20, 2024 Rural Affairs Committee meeting:

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.

Carried

7.4 DEVELOPMENT VARIANCE PERMIT - SUTCO CONTRACTING LTD.

File No.: V2310J – Sutco Contracting Ltd.

25 Old Mill Road

(0889922 B.C. LTD.)

Electoral Area J

The Committee Report dated December 22, 2023 from Zachari Giacomazzo, Planner, re: Development Variance Permit - 0889922 B.C. LTD., has been received.

The property owner, Louis Bouchard, provided a brief overview to the Committee regarding the application. Mr. Bouchard answered the Committee's questions.

Moved and seconded,

And resolved that it be recommended to the Board:

That the Board APPROVE the issuance of Development Variance Permit V2310J to 0889922 BC LTD for the property located at 25 Old Mill Road, Electoral Area J and legally described as LOT 3, DISTRICT LOT 237, KOOTENAY DISTRICT PLAN EPP71075 (PID: 030-632-447) to vary Section 611.13 of RDCK Zoning Bylaw No. 1675, 2004 in order to permit 6985 m² (approximately 70% of the property) to be surfaced with gravel,

Subject to:

1. The main vehicle route through the property as shown in the site plan provided by the applicant as "Paved Section" and constituting an area of 3,132 m² is surfaced and maintained with asphalt paving.
2. Measures to control and mitigate dust are implemented as per the Dust Control Plan that has been prepared by the applicant (Attachment 'C of the Committee Report dated December 22, 2023 from Zachari Giacomazzo, Planner).

Carried

7.5 ZONING AMENDMENT BYLAW & OFFICIAL COMMUNITY PLAN AMENDMENT BYLAW - KALESNIKOFF LUMBER COMPANY LTD.

File No.: Z2306I – Kalesnikoff

2090 Highway 3A

(Kalesnikoff Lumber Company Ltd.)

Electoral Area I

The Committee Report dated December 22, 2023 from Zachari Giacomazzo, Planner, re: Zoning Amendment Bylaw & Official Community Plan Amendment Bylaw - Kalesnikoff Lumber Company Ltd., has been received.

Zachari Giacomazzo, Planner, provided background to the Committee regarding the Zoning Amendment Bylaw & Official Community Plan Amendment Bylaw for Kalesnikoff Lumber.

Nelson Rocha, agent, working on behalf of Kalesnikoff Lumber, provided an overview for the Committee and answered questions.

Moved and seconded,

And resolved that it be recommended to the Board:

That *Regional District of Central Kootenay Zoning Amendment Bylaw No. 2939, 2023* being a bylaw to amend the *Regional District of Central Kootenay Zoning Bylaw No. 1675, 2004* is hereby given FIRST and SECOND reading by content and referred to a PUBLIC HEARING.

Carried

Moved and seconded,
And resolved that it be recommended to the Board:

That *Kootenay-Columbia Rivers Official Community Plan Amendment Bylaw No. 2940, 2023* being a bylaw to amend the *Kootenay-Columbia Rivers Official Community Plan Bylaw No. 1157, 1996* is hereby given FIRST and SECOND reading by content and referred to a PUBLIC HEARING.

Carried

Moved and seconded,
And resolved that it be recommended to the Board:

That in accordance with *Regional District of Central Kootenay Planning Procedures and Fees Bylaw No. 2457, 2015*, Electoral Area I Director Andy Davidoff is hereby delegated the authority to chair the Public Hearing on behalf of the Regional District Board.

Carried

7.6 FOR INFORMATION: PLANNING SERVICES YEAR END REPORT – 2023

The Memorandum re: Planning Services Year End Report, has been received.

Staff answered the Committee's questions related to the report.

ORDER OF AGENDA CHANGED The Order of Business was changed to go into the In Camera meeting, with Item 11 - In Camera considered at this time.

11. IN CAMERA

11.1 MEETING CLOSED TO THE PUBLIC

Moved and seconded,
And resolved:

In the opinion of the Board and, in accordance with Section 90 of the Community Charter the public interest so requires that persons other than DIRECTORS, ALTERNATE DIRECTORS, DELEGATIONS AND STAFF be excluded from the meeting;

AND FURTHER, in accordance with Section 90 of the Community Charter, the meeting is to be closed on the basis(es) identified in the following Subsections:

90 (1) A part of a council meeting may be closed to the public if the subject matter being considered relates to or is one or more of the following:

- (g) litigation or potential litigation affecting the municipality;
- (i) the receipt of advice that is subject to solicitor-client privilege, including communications necessary for that purpose;

Carried

11.2 RECESS OF OPEN MEETING

Moved and seconded,
And resolved:

The Open Meeting be recessed in order to conduct the Closed In Camera meeting.

Carried

ORDER OF AGENDA Item 8 Environmental Services was considered at this time.

RESUMED

**RECESS/
RECONVENE** The meeting recessed at 11:31 a.m to move back into the open meeting and reconvened at 11:40 a.m.

8. ENVIRONMENTAL SERVICES

8.1 WILDSAFEBC FUNDING PROPOSAL

File No.: 12-6240-20

Electoral Area/Municipality: Castlegar (Robson, Blueberry, Thrums, Ootischenia); Rural Areas between Nelson-Creston-Cranbrook; Area D – Kaslo, Meadow Creek and surrounding; Area K – Nakusp, Edgewood, Burton, Silverton, Fauquier

The Committee Report dated January 8, 2023 from Todd Johnston, Environmental Coordinator, re: WildSafeBC Funding Proposal, has been received.

Todd Johnston, Environmental Coordinator, provided a summary to the Committee regarding the WildSafeBC funding proposal, reviewing the proposed gradual three-year funding plan.

The Committee had a discussion regarding the proposal and are looking for more clarification regarding funding allocation. The Committee requested referral to the February RAC.

Moved and seconded,
And resolved:

That the following motion **BE REFERRED** to the February 14, 2024 Rural Affairs Committee meeting:

That the Board approve the RDCK enter into a Goods and Services Agreement with the British Columbia Conservation Foundation for their WildSafeBC Program for the period of February 1, 2024 and ending on December 31, 2026, and that the Chair and Corporate Officer be authorized to sign the necessary documents;

AND FURTHER, that the annual funding for the WildSafeBC Program not exceed an annual cost of \$20,000, \$25,000, and \$32,500 for 2024, 2025 and 2026 respectively;

AND FURTHER, that the costs be paid from Environmental Services A100.

Carried

ORDER OF AGENDA CHANGED The Order of Business was changed to allow public time, with Item 10 Public Time considered at this time.

10. PUBLIC TIME

The Chair called for questions from the public and members of the media at 12:05 p.m.

No questions from the media or public.

ORDER OF AGENDA RESUMED Item 8.2 Valhalla Wilderness Society Annual Report & Contract Extension was considered at this time.

8.2 VALHALLA WILDERNESS SOCIETY ANNUAL REPORT & CONTRACT EXTENSION

File No.: 12-6240-20

Electoral Area H & K

The Committee Report dated January 8, 2024 from Todd Johnston, Environmental Coordinator, re: Valhalla Wilderness Society Annual Report and Contract Extension, has been received.

DIRECTOR ABSENT: Director Graham left the meeting at 12:05 p.m.

Todd Johnston, Environmental Coordinator, provided an overview regarding the Valhalla Wilderness Society and the contract extension.

The Committee had a discussion regarding area's benefitting from the service and funding allocation. Staff answered the Committee's questions.

Moved and seconded,
And resolved that it be recommended to the Board

That the Board approve the RDCK extend the Goods and Services Agreement with the Valhalla Wilderness Society for their Bear Aware Program for the period of February 1, 2024 and ending on December 31, 2026, and that the Chair and Corporate Officer be authorized to sign the necessary documents;

AND FURTHER, that the costs be paid from Service A100 Environmental Services, funds from Area H grants.

Carried

9. RURAL ADMINISTRATION

9.1 COMMUNITY WORKS FUND APPLICATION – CASTLEGAR AND DISTRICT CHAMBER OF COMMERCE “THE WEST KOOTENAY GATEWAY VISITORS CENTRE”

File No.: 1850-20-CW-295

Electoral Area I & J

The Committee Report dated January 3, 2024 from Micah Nakonechny, Grants Coordinator, re: Community Works Fund Application – Castlegar And District Chamber Of Commerce “The West Kootenay Gateway Visitors Centre”, has been received.

Moved and seconded,
And resolved that it be recommended to the Board:

THAT the Community Works Fund application submitted by the Castlegar and District Chamber of Commerce for the project titled “West Kootenay Gateway Visitors Centre” in the amount of \$50,000 be approved and that funds be disbursed from Community Works Funds allocated to Electoral Areas I and J, with \$25,000 being contributed by each.

Carried

9.2 DIRECTORS MOTION - DIRECTOR WEATHERHEAD

Area K does not have an Advisory Planning & Heritage Commission (APHC). The following recommendation is being brought to Rural Affairs Committee for consideration.

The RDCK Community Heritage Register nomination forms for Historical Hot Springs Trail and Saddle Mountain Lookout Trail have been received.

Director Weatherhead provided background to the Committee regarding her the motion. Staff answered the Committee's questions.

Moved and seconded,

And resolved that it be recommended to the Board:

That the following list of heritage resources, identified as having heritage value, be included on the Regional District of Central Kootenay Community Heritage Register:

1. Historic Hot Springs Trail;
2. Saddle Mountain Lookout Trail;

As per staff recommendation.

Carried

12. ADJOURNMENT

Moved and seconded,

And resolved:

The meeting be adjourned at 12:32 p.m.

Carried

Digitally approved by

Chair Jackman, Chair



Committee Report

Date of Report: January 31, 2024
Date & Type of Meeting: February 14, 2024, Rural Affairs Committee
Author: Stephanie Johnson, Planner
Subject: DEVELOPMENT VARIANCE PERMIT
File: V2312F-03595.005-Scotten-DVP00246
Electoral Area/Municipality F

SECTION 1: EXECUTIVE SUMMARY

The purpose of this report is for the Regional Board to consider a Development Variance Permit (DVP) application. The subject property is located at 3034 Miller Road in Electoral Area 'F' and is currently vacant.

This DVP application seeks to vary Section 605.5 of the RDCK's *Zoning Bylaw No. 1675, 2004*. The owner seeks to reduce the front setback regulation from 4.5 metres to 0 metres to allow for the construction of a residential dwelling with secondary suite.

Staff recommend that the Regional Board approve issuance of this DVP.

SECTION 2: BACKGROUND/ANALYSIS

GENERAL INFORMATION

Property Owner: Walter Brent Scotten
Property Location: 3034 Miller Road, Electoral Area 'F'
Legal Description: LOT A DISTRICT LOT 788 KOOTENAY DISTRICT PLAN 13885 (PID 010-472-886)
Property Size: 0.53 hectares (ha)
Current Zoning: Suburban Residential F (R1F)
Current Official Community Plan Designation: Suburban Residential (SR)

SURROUNDING LAND USES

North: Suburban Residential (R1F)
East: Suburban Residential (R1F)
South: Highway 3A / Open Space (OS) adjacent to the West Arm of Kootenay Lake
West: Suburban Residential (R1F)

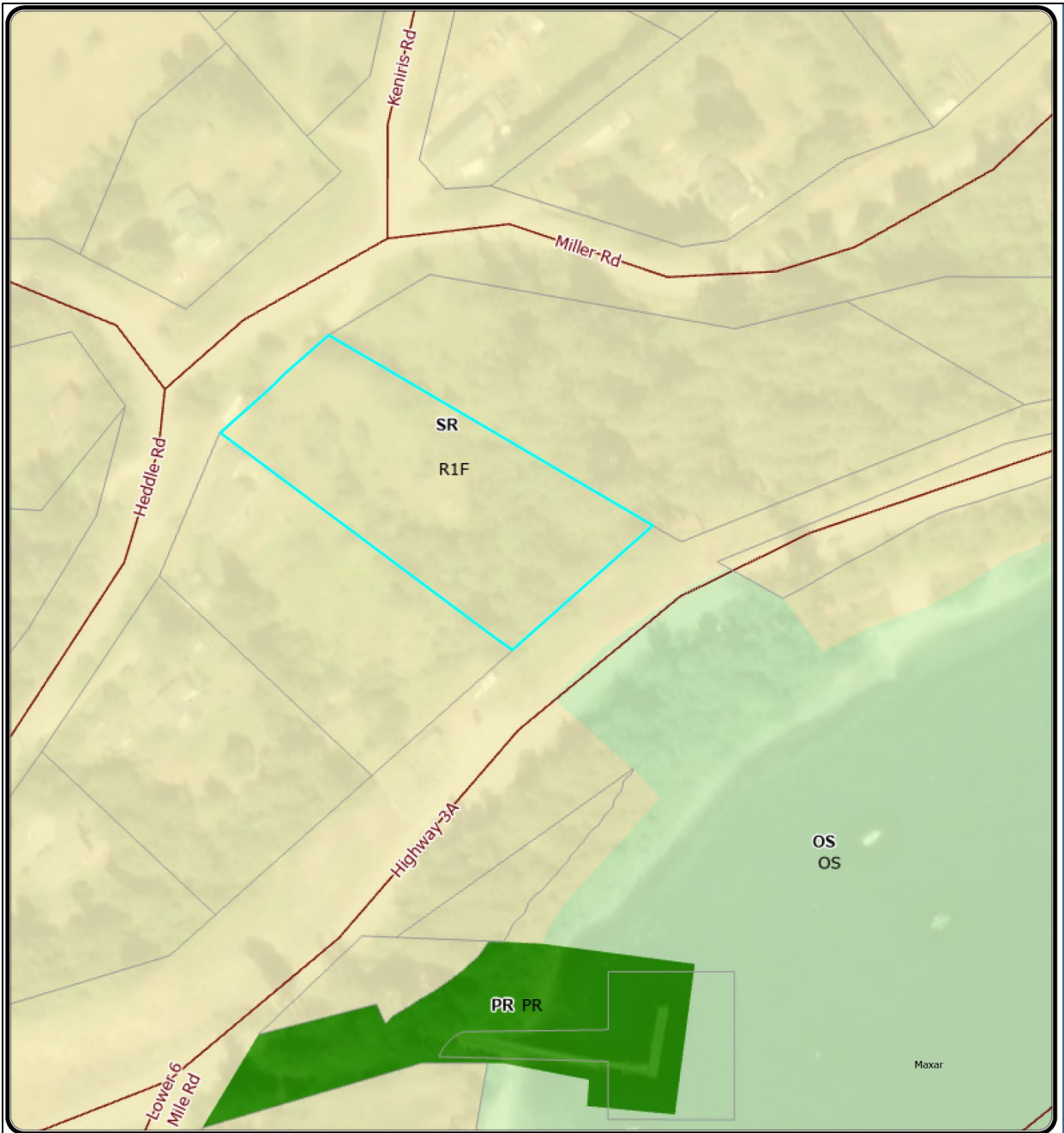
Background Information and Site Context

The subject property is 0.53 ha in size and is located at the intersection of Heddle and Miller Roads. The site is currently vacant. An existing access road for the subject property and the neighbouring lot to the east (3018 Heddle Road) provides ingress/egress to both residential lots. The lot is relatively steep sloping from north (front) to south (rear). The subject property is located in a suburban residential neighbourhood in the upper benchlands just past the community of Six Mile.

At the September 23, 2021 Regular Open meeting the Regional Board resolved to approve a front setback reduction from 4.5 metres to 0 metres submitted by the previous property owners. This variance was granted in response to different development plans for a residence, which formed part of the permit issued in 2021. Once notice of any DVP is filed at the Land Title Office, that permit binds the local government and holder of the permit to development in accordance with the permit's conditions, including attached drawings. Under Section 504 of the *Local Government Act (LGA)*, if the holder of the permit does not "substantially start" construction within two years after issuance, the permit lapses. Since no construction was started and the ownership changed, the new property owner has submitted a DVP application reflective of their building plans.



Figure 1: Site Location Overview



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

Official Community Plan

- Open Space
- Parks and Recreation
- Suburban Residential

Zoning Class

- Open Space
- Parks and Recreation
- Residential 1
- Electoral Areas
- RDCK Streets
- Cadastre

Map Scale:

1:2,257

Date: November 2, 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: OCP and Zoning Map

Development Proposal

This DVP applications seeks to vary Section 605.5 of RDCK *Zoning Bylaw No. 1675, 2004*. The applicant is requesting to reduce the front setback from 4.5 metres to 0 metres to permit the construction of a dwelling unit a 182.4 m² (1,963 ft²) in size with a secondary suite (50 m² / 540 ft² in area).

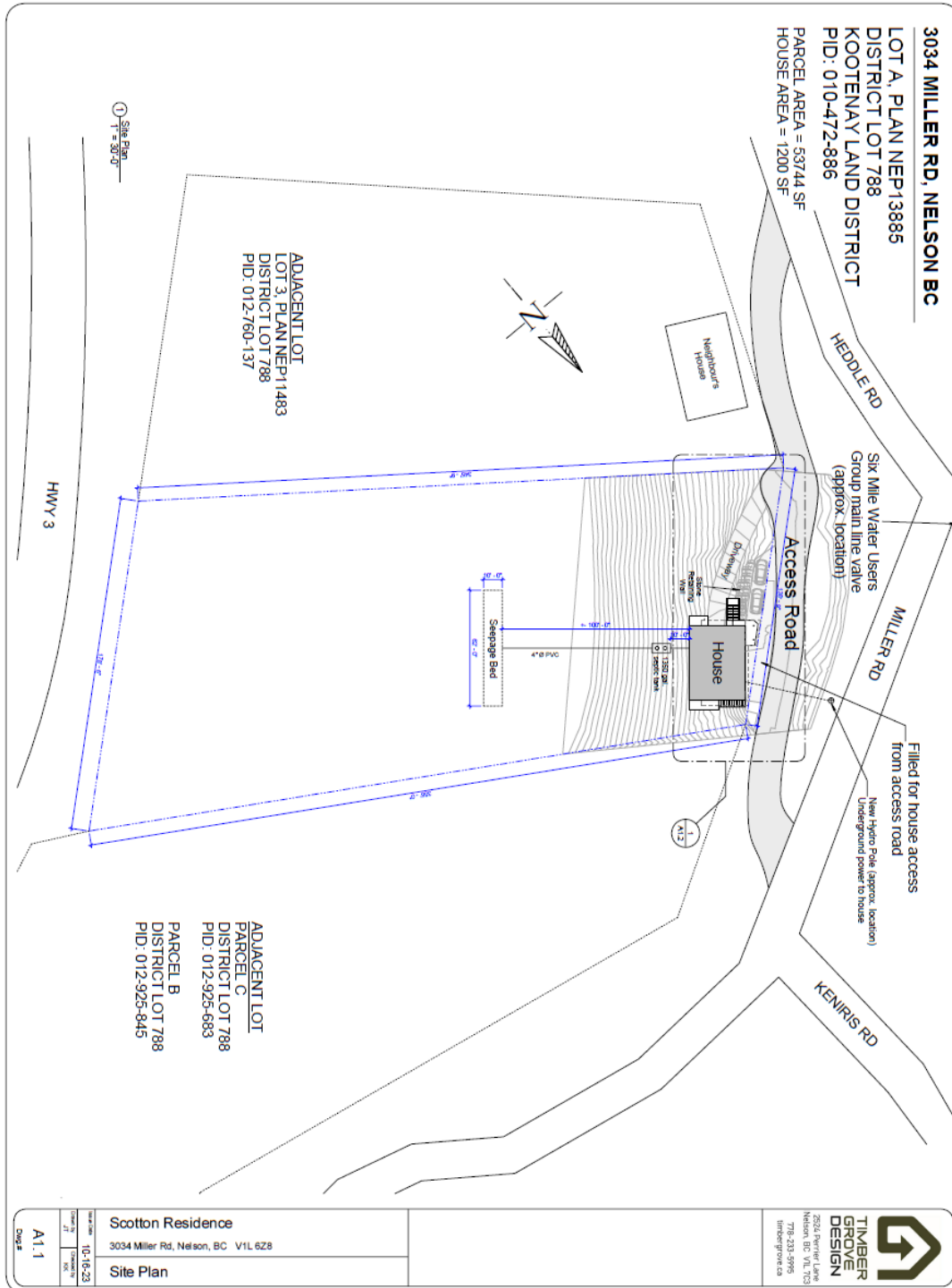


Figure 3: Site Plan

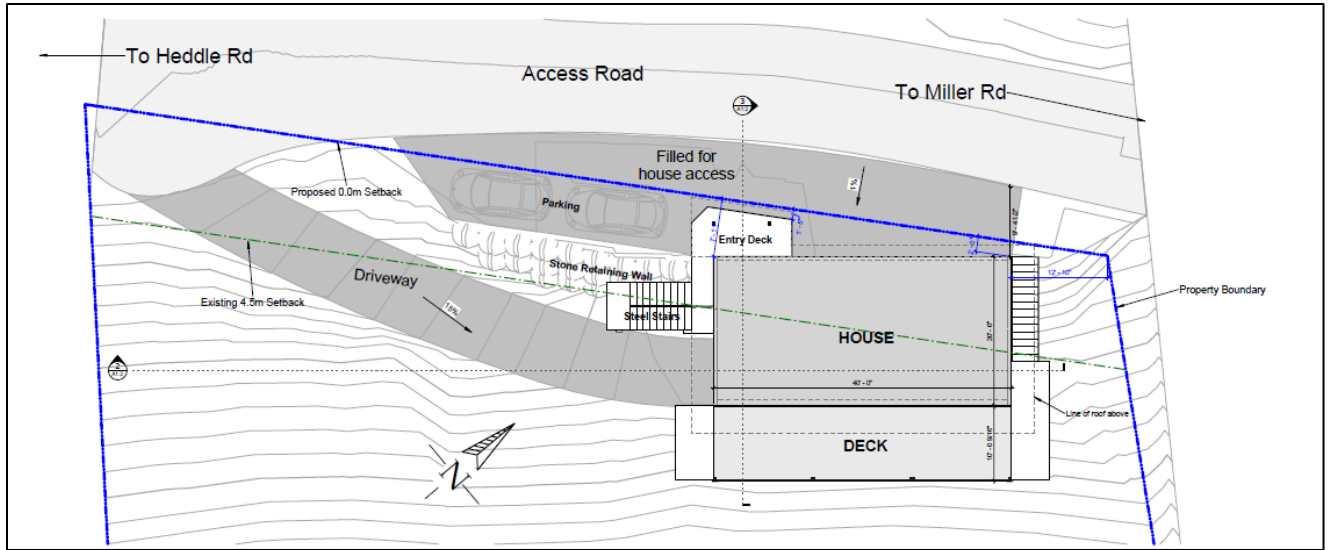


Figure 4: Site details

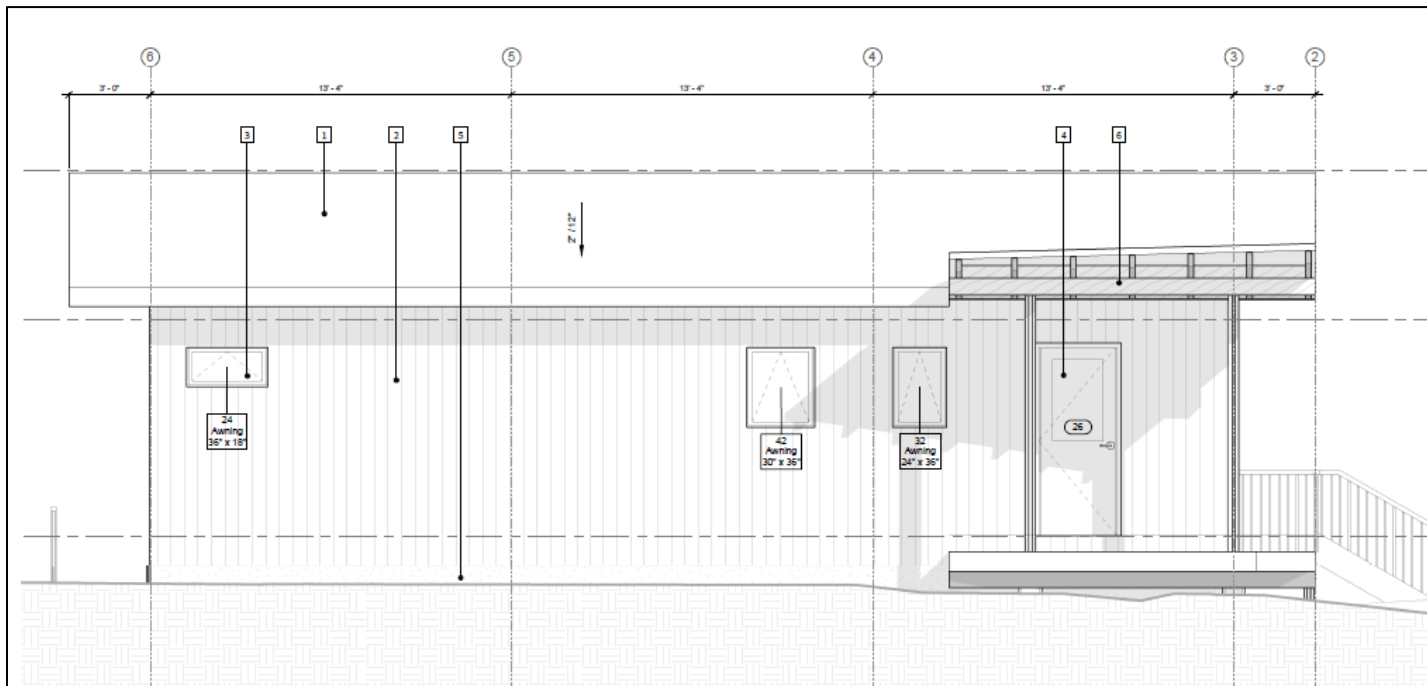


Figure 5: Building Elevation – North

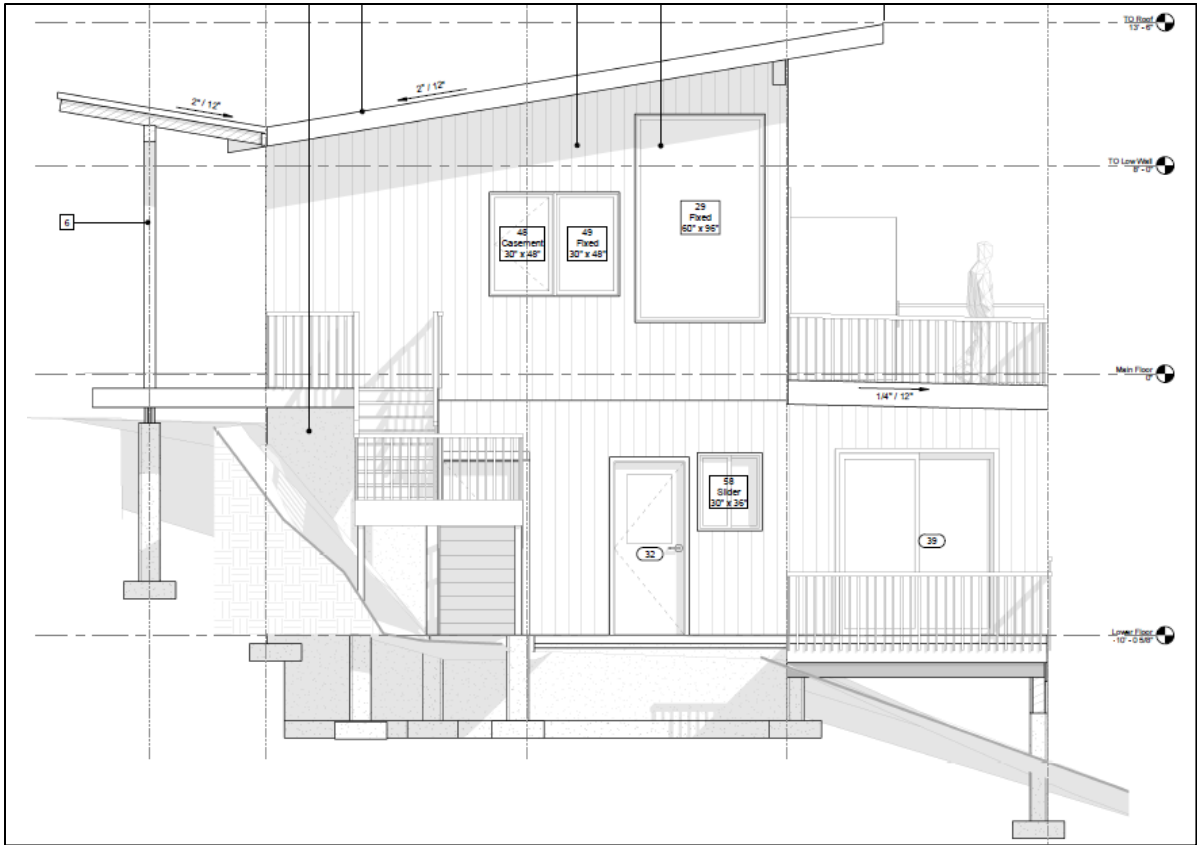


Figure 6: Building Elevation – West



Figure 7: Building Elevation – South

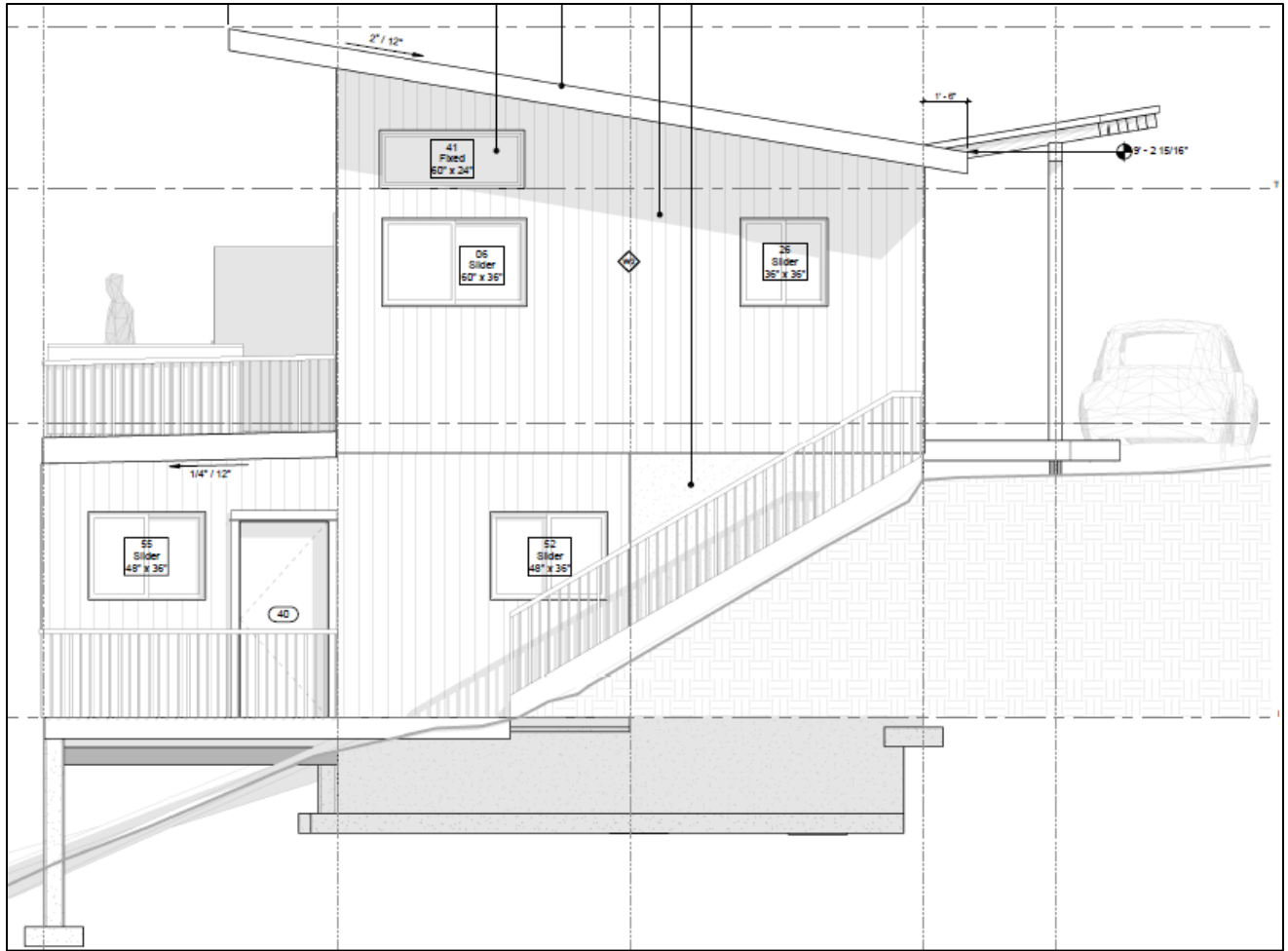


Figure 8: Building Elevation – East

Planning Policy

The Electoral Area 'F' Official Community Plan Bylaw No. 2214, 2011 includes the following relevant residential policies:

11.4 Rural, Country, and Suburban Residential

The Regional Board:

.1 Considers that new Rural, Country, and Suburban Residential development may be created in the rural area, but that the development must respect the character of the rural area, and therefore, the Regional Board will use the following criteria, in addition to those listed under General Residential policies where appropriate, to assess future development:

- a. location near parks or community facilities, and connected by pedestrian circulation to these amenities;
- b. exhibits an attractive and safe streetscape by providing for adequate off-street parking requirements, on-site landscaping and screening, and appropriate signage;
- c. respects lake and mountain views, and access to sunlight of adjacent properties; and,

- d. provides access without constructing new roads or utility corridors through Environmental Reserves, hazard areas, and without creating permanent scarring on slopes visible from major roads or residential areas.

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

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

Under Section 498 of the *LGA*, the Board has the authority to vary provisions of a Zoning Bylaw other than use or density through a DVP.

3.3 Environmental Considerations

The property is situated on a steep slope and is treed. Building a dwelling as close as possible to the road will minimize the amount of disturbance on the site. The proposed siting seeks to minimize the environmental impact.

3.4 Social Considerations:

The building plans show a one bedroom secondary suite. The construction of a secondary suite would help to provide more diverse rental housing options close to amenities (Six Mile) and an existing transportation network. The proposed suite would be consistent with the RDCK's Housing Needs Assessment (2020) and help to implement recommendations outlined in the Regional District's Housing Action Plan (2023). No negative social impacts are anticipated in this area designated and zoned for residential development.

3.5 Economic Considerations:

No economic considerations are anticipated from this proposed DVP application.

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, and notices were mailed to surrounding neighbours within a 100 metre radius of the subject property. To date, no comments have been received in response to from the above notification.

Planning staff referred the application to all relevant government agencies, internal RDCK departments and the Director for Electoral Area 'F' for review. The following comments were received:

Ministry of Transportation and Infrastructure

"The applicant received a permit from our office in July 2023, under MOTI file 2023-02709, for a 0.0 metre setback from the front property line. The plan provided in the referral package aligns with that which was given to the Ministry for review.

As such, should the building be constructed in alignment with the submitted drawings, and the applicant ensures that no overhangs encroach onto the road right-of-way, the Ministry has no concerns with the proposed variance”.

Ministry of Water, Land and Resource Stewardship

“Development specific Best Management Practices (BMPs) should be applied to help meet necessary legislation, regulations, and policies. Current BC BMPs can be found at: Natural Resource Best Management Practices - Province of British Columbia (gov.bc.ca) and Develop with Care 2014 - Province of British Columbia.

Vegetation clearing, if required, should adhere to the least risk timing windows for nesting birds (i.e., development activities should only occur during the least risk timing window). Nesting birds and some nests are protected by Section 34 of the provincial Wildlife Act and the federal Migratory Birds Convention Act. Guidelines to avoid harm to migratory birds can be found at: Guidelines to avoid harm to migratory birds - Canada.ca. If vegetation clearing is required during the bird nesting period (i.e., outside of the least risk timing window) a pre-clearing bird nest survey should be completed by a QP. The following least risk windows for birds are designed to avoid the bird nesting period:

Bird Species	Least Risk Timing Windows
Raptors (eagles, hawks, falcons, & owls)	Aug 15 – Jan 30
Hérons	Aug 15 – Jan 30
Other Birds	Aug 1 – March 31

The introduction and spread of invasive species is a concern with all developments. The provincial Weed Control Act requires that an occupier must control noxious weeds growing or located on land and premises, and on any other property located on land and premises, occupied by that person. Information on invasive species can be found at: Invasive species - Province of British Columbia. The Invasive Species Council of BC provides BMPs that should be followed, along with factsheets, reports, field guides, and other useful references. For example, all equipment, including personal equipment such as footwear, should be inspected prior to arrival at the site and prior to each daily use and any vegetative materials removed and disposed of accordingly. If noxious weeds are established as a result of this project or approval, it is the tenure holder’s responsibility to manage the site to the extent that the invasive, or noxious plants are contained or removed.

Section 33.1 of the provincial Wildlife Act prohibits feeding or attracting dangerous wildlife. Measures should be employed to reduce dangerous human-wildlife conflicts. Any food, garbage or organic waste that could attract bears or other dangerous wildlife should be removed from the work area. If this is not feasible and waste is not removed, it should be stored in a bear-proof container to avoid drawing wildlife into the area and increasing the threat of human/wildlife conflict.

9. If this referral is in relation to a potential environmental violation it should be reported online at Report All Poachers & Polluters (RAPP) or by phone at 1-877-952-RAPP (7277).

Developments must be compliant with all other applicable statutes, bylaws, and regulations”.

RDCK Building Services

“The Building Department has no issues with this DVP and notes that we have a building permit application pending review. Construction must comply with the relevant sections of 9.10 Fire Protection, of the BC Building Code (2018). A full suite of comments on the building permit will occur at the time of building permit plan review”.

BC Hydro

“Please note that we have no objection to this proposed Development Variance Permit application”.

FortisBC

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

3.7 Staffing/Departmental Workplace Considerations:

Should the Regional Board approve issuance of the requested variance, staff would issue the Permit and register a Notice of Permit on the property’s Title. Submission of a Building Permit application would then be required for the construction of the proposed dwelling.

3.8 Board Strategic Plan/Priorities Considerations:

This application falls under the operational role of Planning Services.

SECTION 4: OPTIONS & PROS / CONS

Planning Discussion

Planning staff support the issuance of this DVP since:

- The proposal is consistent with the relevant suburban residential objectives and policies in the *Electoral Area ‘F’ Official Community Plan Bylaw No. 1157, 1996*, and all other zoning regulations *within Zoning Bylaw No. 1675, 2004*, including height, site coverage and off street parking.
- The subject property is constrained by the existing topography. Siting the dwelling as close as possible to the front lot line allows for a house design that requires less retaining walls and more tree retention, which would lessen the visual impact from Highway 3A and when on this section of Kootenay Lake.
- The proposed dwelling siting is consistent with the neighbouring house to the west, and the overall rural character of the surrounding residential area.
- This development proposal seeks to expand the availability of housing options in the rural area by incorporating the construction of a secondary suite.
- Staff acknowledge that the existing access road lessens the proposed siting impact from Miller Road and the upland properties.
- Should this variance not be approved, the construction of a new dwelling at the 4.5 metre exterior setback would push the siting of a new house further into this topographically challenged site, and would require more retaining walls and tree removal.
- The MOTI has raised no objection to the proposal, and has approved a *“Highway Setback Permit”* within their jurisdiction for this development proposal.
- No comments were received in response to the notice of development proposal letter sent to adjacent property owners within 100 metres of the subject property.

It is for the above reasons that Planning Services recommends that the Regional Board proceed with issuance of this DVP.

Option 1

That the Board APPROVE the issuance of Development Variance Permit V2312F to Walter Brent Scotten for the property located at 3034 Miller Road and legally described as LOT A DISTRICT LOT 788 KOOTENAY DISTRICT PLAN 13885 (PID 010-472-886) to vary the minimum front setback regulation under 605.5 under the *RDCK's Zoning Bylaw No. 1675, 2004* as follows:

1. FROM 4.5 metres TO 0 metres to permit the construction of a dwelling unit.

Option 2

That the Board NOT APPROVE the issuance of Development Variance Permit V2312F to Walter Brent Scotten for the property located at 3034 Miller Road and legally described as LOT A DISTRICT LOT 788 KOOTENAY DISTRICT PLAN 13885 (PID 010-472-886) to vary the minimum front setback regulation under 605.5 under the *RDCK's Zoning Bylaw No. 1675, 2004* as follows:

1. FROM 4.5 metres TO 0 metres to permit the construction of a dwelling unit.

SECTION 5: RECOMMENDATIONS

That the Board APPROVE the issuance of Development Variance Permit V2312F to Walter Brent Scotten for the property located at 3034 Miller Road and legally described as LOT A DISTRICT LOT 788 KOOTENAY DISTRICT PLAN 13885 (PID 010-472-886) to vary the minimum front setback regulation under 605.5 under the *RDCK's Zoning Bylaw No. 1675, 2004* as follows:

1. FROM 4.5 metres TO 0 metres to permit the construction of a dwelling unit.

Respectfully submitted,

Stephanie Johnson, Planner MCIP RPP

CONCURRENCE

Planning Manager – Nelson Wight *Digitally approved*

General Manager of Development Services – Sangita Sudan *Digitally approved*

Chief Administrative Officer – Stuart Horn *Digitally approved*

ATTACHMENTS:

Attachment A – Draft Development Variance Permit

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



Development Variance Permit

V2312F (Scotten)

Date: January 30, 2024

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

TO: Walter Brent Scotton

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: 3034 Miller Road

Legal: LOT A DISTRICT LOT 788 KOOTENAY DISTRICT PLAN 13885

PID: 010-472-886

CONDITIONS

5. Development Variance

Regional District of Central Kootenay Zoning Bylaw No. 1675, 2004, Section 605.5 is varied as follows:

1. The front (north) setback from 4.5 metres to 0 metres.

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 day of ,
20 .

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



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

Map Scale:

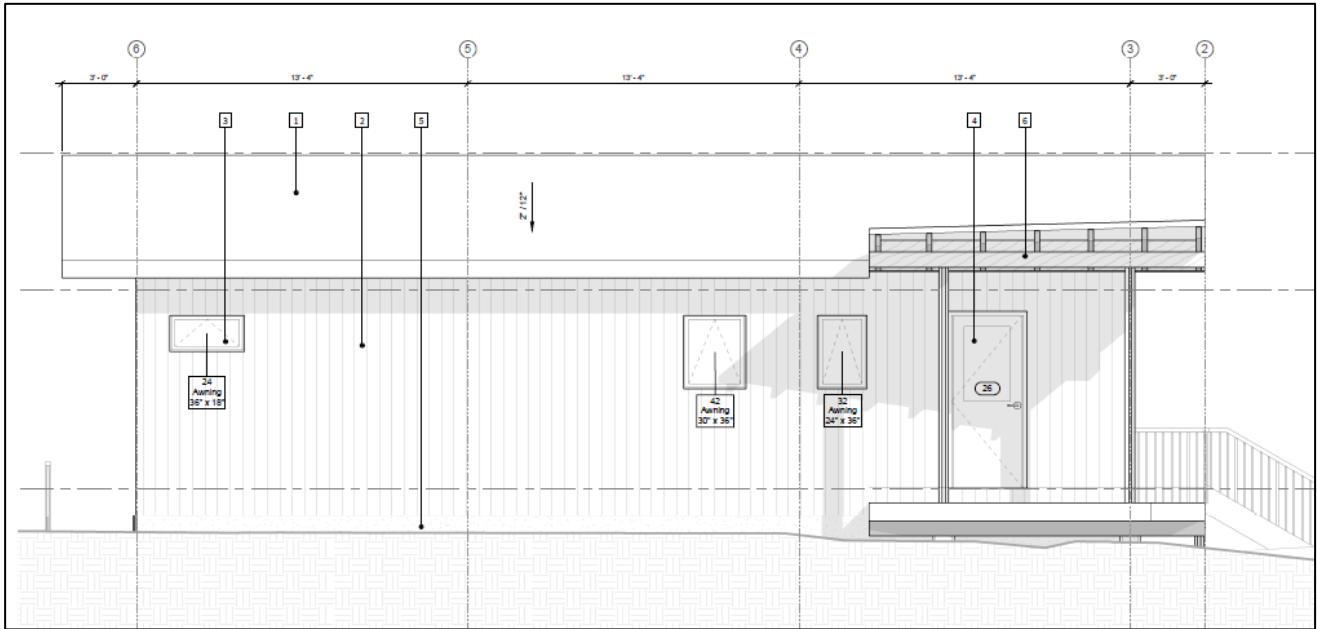
1:4,514

Date: November 2, 2023

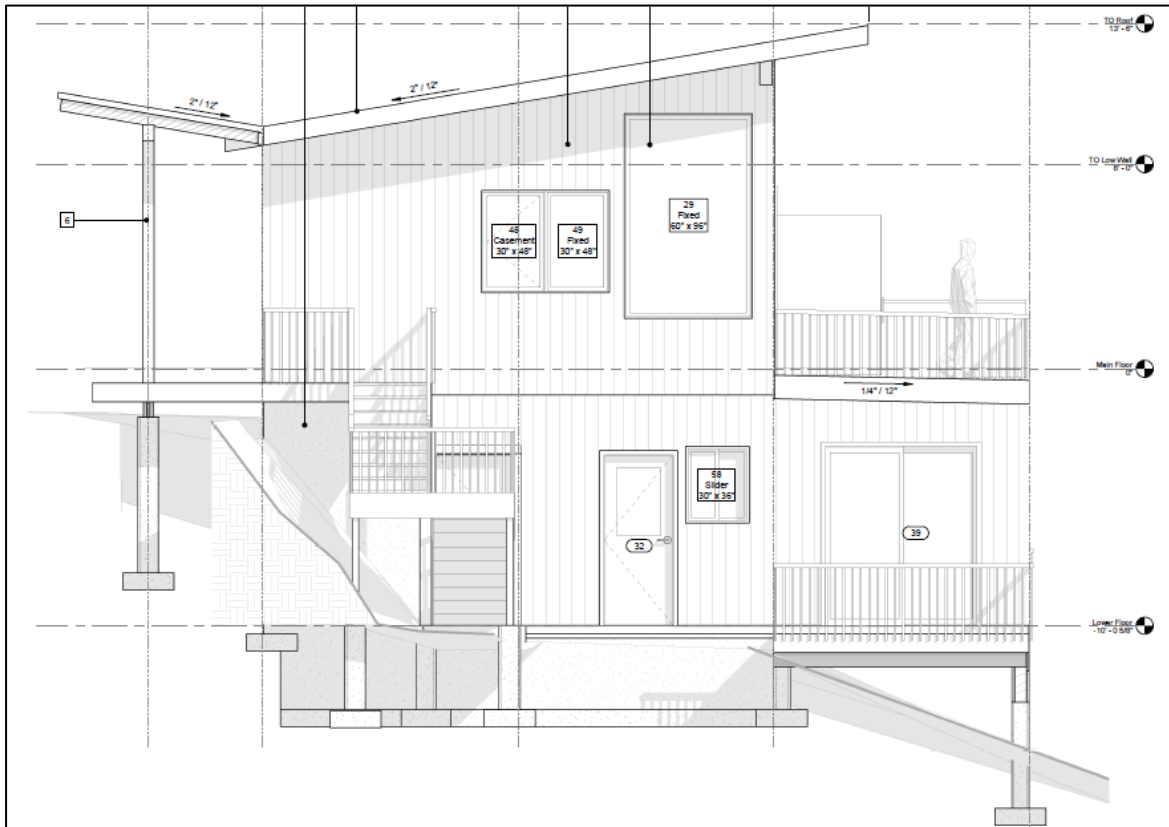


The mapping information shown are approximate representations and should only be used for reference purposes. The Regional District of Central Kootenay is not responsible for any errors or omissions on this map.

Schedule 3: Building Plans



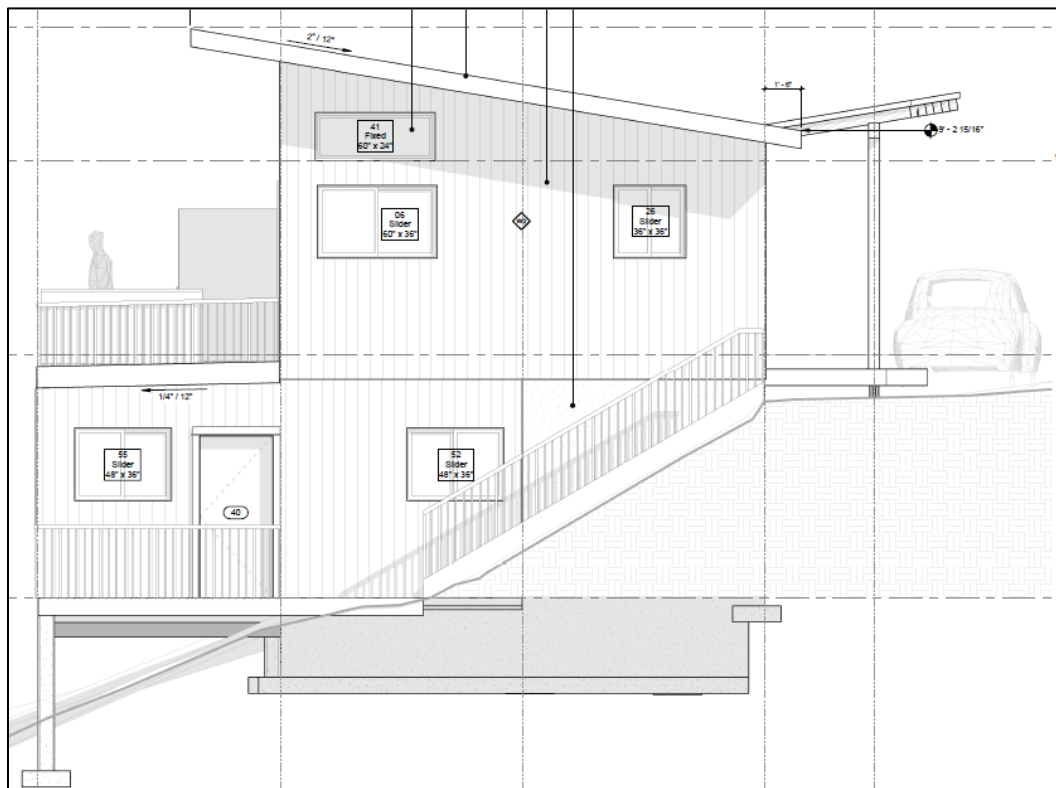
Building Elevation – North



Building Elevation – West



Building Elevation – South



Building Elevation – East

Setback Requirements

605

- 1 Unless otherwise stated, no principal or accessory building or structure except a fence may be located within 7.5 metres of a front or exterior side lot line or within 2.5 metres of any other lot line.
- 2 Despite Section 605(1), buildings and structures shall be setback a minimum of fifteen (15) metres from lot lines adjacent to the Agricultural Land Reserve boundary.
- 3 Unless otherwise stated no portable sawmill may be located within 100 metres from a property line.
- 4 Despite Section 605(1), on all lots having a residential zone and are less than 0.2 hectares in area, the minimum setback to front or exterior lot lines shall be 4.5 metres.

- 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.



Committee Report

Date of Report: January 30, 2024
Date & Type of Meeting: February 14, 2024 – Rural Affairs Committee
Author: Zachari Giacomazzo, Planner
Subject: BYLAW AMENDMENT
File: Z2304G – Rumbling Creek Resort
Electoral Area/Municipality: G

SECTION 1: EXECUTIVE SUMMARY

The purpose of this report is for the Regional Board to consider an application for a zoning bylaw amendment in Electoral Area ‘G’ to facilitate the development of tourist accommodations and associated buildings on a property with on-site servicing. The Zoning Bylaw currently prohibits the proposed density of the use due to size limitations of the lot.

In order to authorize the proposed tourist accommodation use with a total of 12 sleeping rooms and a multi-purpose building with an event space and an Eating and Drinking Establishment on the subject property, this application seeks to amend the zoning of the subject property from Tourist Commercial (C2) to Rumbling Creek Tourist Commercial (C3) which would be a new zone created specifically for this property.

Staff recommend that Amending Bylaw No. 2943, 2024 being a bylaw to amend Electoral Area ‘G’ Land Use Bylaw No. 2452, 2018 be given FIRST and SECOND reading by content and that Staff be directed to provide notice that the public hearing is being waived in accordance with Sections 466 and 467 of the Local Government Act.

SECTION 2: BACKGROUND/ANALYSIS

GENERAL INFORMATION

Property Owner: Rumbling Creek Resort Ltd.
Property Location: 4626 Highway 6, Hall Siding Electoral Area ‘G’
Legal Description: LOT 1 DISTRICT LOT 1241 KOOTENAY DISTRICT PLAN EPP121813 (PID: 031-873-529)
Property Size: 1.0 hectare
Current Zoning: Tourist Commercial (C2) - Salmo River Valley Electoral Area G Land Use Bylaw No. 2452, 2018
Current Official Community Plan Designation: Tourist Commercial (TC) - Salmo River Valley Electoral Area G Land Use Bylaw No. 2452, 2018

SURROUNDING LAND USES

North: Tourist Commercial (C2)
East: Public Utility (U) and Forest Reserve (FR)
South: Tourist Commercial (C2)
West: Tourist Commercial (C2)

Background and Site Context

The subject property is located in Electoral Area 'G' on Highway 6, approximately 10 km south of the City of Nelson just north of the turnoff for Whitewater Ski Hill Road. The property is presently vacant and has been improved with a new road access/driveway that is shared with the adjacent property.

This property is designated Tourist Commercial (TC) and is zoned Tourist Commercial (C2) under the Electoral Area 'G' Land Use Bylaw No. 2452, 2018. There are three other properties zoned Tourist Commercial near the subject property. Other surrounding uses in the area include Parks and Recreation (PR), Forest Reserve (FR) and Resource Area (RA) and Public Utility (U). See "Figure 2" for zoning designations of the surrounding properties. The property is located in close proximity to the Nelson Nordic Ski Club Area.

Land Use Bylaw Amendments Proposed

The purpose of this application is to rezone the subject property from Tourist Commercial (C2) to Rumbling Creek Tourist Commercial (C3). This is being sought to facilitate the development of tourist accommodations and associated buildings on the subject property with on-site servicing (septic system and drilled well). The proposed development includes eight cabins with a total of twelve sleeping rooms as well as one communal building. The Site Plan is included as Attachment 'B' and includes details on the proposed layout of the buildings and parking areas. The communal building is proposed to contain a commercial kitchen, laundry facilities and storage space as well as a coffee shop that will be open to the public. The communal building is also intended to be used as an event space (e.g. wedding venue) which is considered incidental and related to the Tourist Accommodation Use. The draft amending bylaw is included as Attachment 'A' to this report.



Figure 1: Overview Map

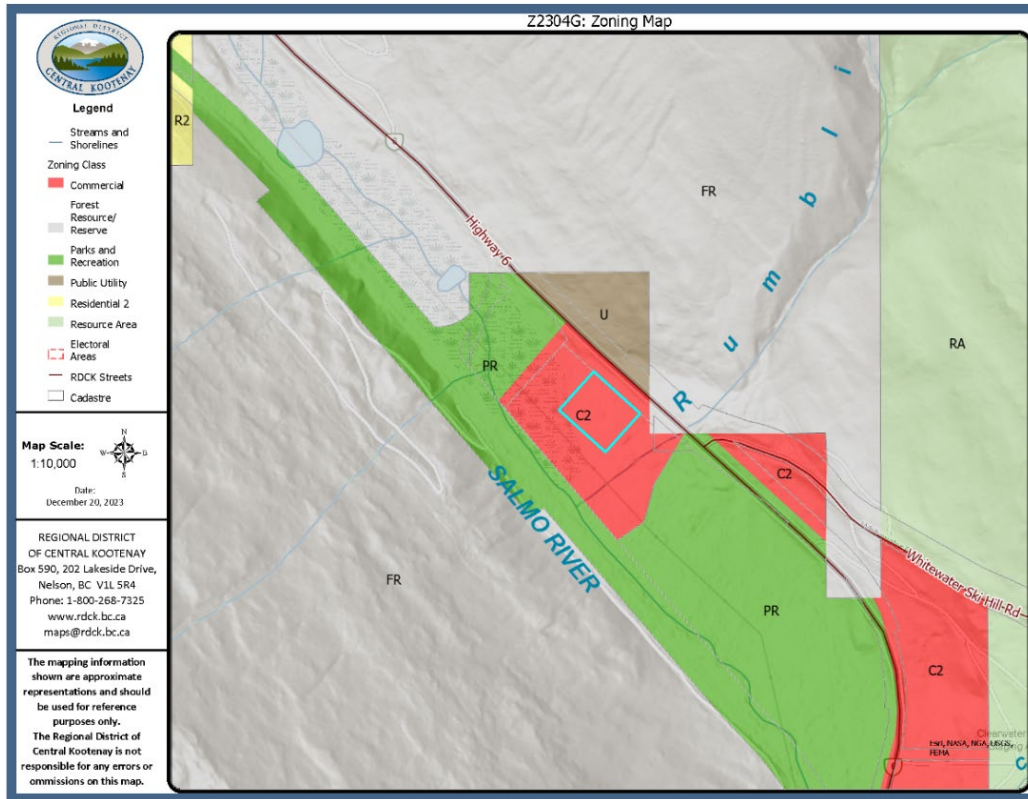


Figure 2: Zoning Map



Figure 3: Subject property facing southwest from Highway 6



Figure 4: Subject Property facing Northwest

Planning Policy

Electoral Area 'G' Land Use Bylaw No. 2452, 2018

4.0 COMMERCIAL AND INDUSTRIAL

Commercial Objectives

1. Enhance the long term vitality and economic sustainability of the Plan area by supporting new and existing businesses and the creation of employment.
2. Provide for commercial activities servicing the needs of local residents and visitors
3. Recognize the commercial and service center role of the City of Nelson and Village of Salmo and direct that commercial development in the rural communities will primarily be oriented toward serving local community needs and visitor needs.

Tourist Commercial Policies

The regional Board:

8. Anticipates that tourist commercial needs will be accommodated throughout the Plan area on lands designated as such on Schedule A.1 mapping

9. Encourages the development of a range of tourist accommodation types including campgrounds, lodges, resorts, and bed and breakfast establishments to diversify tourism opportunities in the community.
10. Enable commercial outdoor recreation, resort commercial, agri-tourism and ecotourism opportunities such as trail rides, campgrounds and wilderness tours provided they do not have demonstrated detrimental impact on important habitat, riparian areas, or adjacent land uses.

Public Hearing Not Required

The proposed Rumbling Creek Tourist Commercial (C3) zone is consistent with the Commercial Objectives and Tourist Commercial Policies in the Electoral Area ‘G’ Official Community Plan and the subject property will retain the existing Tourist Commercial (TC) Land Use designation. Because the proposed zoning change is consistent with the OCP, a public hearing is not required, pursuant to S. 464 (2) of the Local Government Act, which is copied in Section 3.2 below for convenience. Given that consistency with the OCP, and that there has not been any concerns raised by neighbouring residents during the referral period, Staff recommend that a public hearing not be required. However, there is no prohibition on holding a public hearing, and this could be done, should the Board prefer that one be held prior to further consideration of the amending bylaw.

SECTION 3: DETAILED ANALYSIS

3.1 Financial Considerations – Cost and Resource Allocations:

Included in Financial Plan:	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No	Financial Plan Amendment:	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No
Debt Bylaw Required:	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No	Public/Gov’t Approvals Required:	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No

Pursuant to Planning Fees and Procedures Bylaw No. 2457, 2015 the applicant has paid the Land Use Bylaw amendment fee of \$1600 in full.

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

The application was processed in accordance with Planning Fees and Procedures Bylaw No. 2457, 2015.

Local Government Act Section 464 (2):

A local government is not required to hold a Public Hearing on a proposed Zoning Bylaw if

- a) an official community plan is in effect for the area that is the subject of the zoning bylaw, and
- b) the bylaw is consistent with the official community plan.

3.3 Environmental Considerations

Interior health had no objections subject to a covenant being registered on title for the subject property to protect the backup area for the private wastewater disposal system.

A Watercourse Development Permit (WDP) application is required due to the proximity of the proposed development to a wetland feature associated with the Salmo River. The applicant has submitted a Riparian Assessment prepared by Masse Environmental in order to confirm that the proposed buildings are outside of the Development Permit Area (DPA). However, a WDP application will need to be considered and approved prior to any building permits being issued or further site alteration. Attachment ‘B’: Site Plan shows the extent of the property that is within the Development Permit Area. The Riparian Assessment prepared by Masse Environmental is also included as Attachment ‘C’.

3.4 Social Considerations:

A written notice of the proposed bylaw amendment was mailed to five (5) neighbouring property owners. As of the writing of this report, no responses have been received from neighbouring property owners.

3.5 Economic Considerations:

None anticipated.

3.6 Communication Considerations:

The application was sent to five neighbouring property owners, relevant government agencies and First Nations.

The following responses were received from government agencies and First Nations:

RDCK Building Department

My initial review of the site plan shows a number of cabins and a Main Hall. The Main Hall is considered an A-2 Assembly Occupancy which falls into Part 3 of the Current BC Building code. An Architectural will be required for this structure. The Plans submitted are lacking a number of details to ensure certain life safety and spatial separation requirements. The following items are what I see as missing information that we would require to confirm compliance with the Current BC Building code.

- 1) Spatial Separation, Note limiting distance to be halved as per 9.10.14.3 below.
- 2) Fire Department Access
- 3) Water Supply for the Part 3 Building as well as for fire suppression.

The Fire department response time will affect this property as well.

As per:

9.10.14.3. Limiting Distance and Fire Department Response

- 1) Except for the purpose of applying Sentences 9.10.14.4.(2), (3), (8) and (9), and Sentences 9.10.14.5.(3), (8) and (13), a *limiting distance* equal to half the actual *limiting distance* shall be used as input to the requirements of this Subsection, where
 - a) the time from receipt of notification of a fire by the fire department until the first fire department vehicle arrives at the *building* exceeds 10 min in 10% or more of all calls to the *building*, and
 - b) any *storey* in the *building* is not *sprinklered*.

Electoral Area 'G' Advisory Planning and Heritage Commission (APHC) Response

From the approved minutes of the meeting held on July 11, 2023:

That the Area G Advisory Planning Commission SUPPORT the Zoning Amendment Application Z2304G to Rumbling Creek Resort for the property located at 4626 Highway 6, Hall Siding, and legally described as LOT 1 DISTRICT LOT 1241 KOOTENAY DISTRICT PLAN EPP121813.

Interior Health Authority

From a planning perspective I recognize that the proposed new site specific tourist commercial zone has similar intentions as the existing tourist commercial zone. Ideally density (amount of sewage produced) in rural areas should be less; hence the minimum parcel size in the existing zone. Minimum parcel sizes are useful when onsite servicing has not been assessed in detail. At the very minimum each parcel should have a back-up area identified

to use as a future onsite sewerage dispersal area, and ideally this area should be protected with covenant to protect it from being used for any purpose that could impede its use as a dispersal field in the future.

The proposed layout provided by the sewerage engineer includes a back-up area. Consideration for cumulative impact from multiple onsite sewerage systems in a neighbourhood does not appear to apply in this scenario because there appears to be little development on neighbouring parcels. As such, I cannot put forth any objections to rezoning the parcel from Tourist Commercial to Tourist Commercial Site Specific. However, I recommend the back-up dispersal area be protected by a covenant.

Apart from commenting about the proposed re-zoning, I noted the development proposes a well water source, kitchen, coffee shop, wedding venue and a sauna with cold plunge pool. Please inform the applicant/property owner (and building inspector, if it applies) that construction and operating permits are required prior to constructing and operating any:

- Drinking water system
- Food service establishment (coffee shop & wedding venue)
- Pool (cold plunge pool)

Construction permits, particularly water system and pool permits, can take considerable time to process. I suggest they contact the local Environmental Public Health program as soon as possible, if they haven't already at Nelson Environmental Health Office at 250-505-7200 option 3 (main). More information can be found on the following webpages:

- Drinking Water Providers & Operators
- Food Premises
- Rec. Water Permits/Resources.

Also note, an Authorized Person with Professional designation is required to submit the Record of Sewerage System because of the food establishment use.

Front Counter BC

No apparent concerns from a Crown Land authorizations perspective on this application.

Fortis BC

Land Rights Comments

Based on the plans submitted, it is unclear whether adequate space has been provided to accommodate the transformation required to service the proposed development.

Operational & Design Comments

- There are FortisBC Electric ("FBC(E)") primary distribution and transmission facilities along Highway 6.
- To date, arrangements have not been made to initiate the design process and complete the servicing requirements.
- 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.
- To proceed, the applicant should 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>

BC Hydro

BC Hydro has no objection in principle to the rezoning 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.

Ministry of Forests

The Kootenay-Boundary Ecosystems Section of the Ministry of Water, Land and Resource Stewardship has received your referral request. We are currently unable to provide a detailed review of the referral but provide the following standard requirements, recommendations and/or comments:

1. All activities are to follow and comply with all higher-level plans, planning initiatives, agreements, Memorandums of Understanding, etc. that local governments are parties to.
2. Changes in and about a "stream" [as defined in the Water Sustainability Act (WSA)] must only be done under a license, use approval or change approval; or be in compliance with an order, or in accordance with Part 3 of the Water Sustainability Regulation. Authorized changes must also be compliant with the Kootenay-Boundary Terms and Conditions and Timing Windows documents. Applications to conduct works in and about streams can be submitted through FrontCounter BC.

<p>3. No “development” should occur within 15 m of the “stream boundary” of any “stream” [all as defined in the Riparian Areas Protection Regulation (RAPR)] in the absence of an acceptable assessment, completed by a Qualified Professional (QP), to determine if a reduced riparian setback would adversely affect the natural features, functions and conditions of the stream. Submit the QP assessment to the appropriate Ministry of Water, Land and Resource Stewardship office for potential review. Local governments listed in Section 2(1) of RAPR are required to ensure that all development is compliant with RAPR.</p>
<p>4. The federal Species at Risk Act (SARA) protects Endangered, Extirpated or Threatened species listed under Schedule 1 of SARA. Developers are responsible to ensure that no species or ecosystems at risk (SEAR), or Critical Habitat for Federally listed species, are adversely affected by the proposed activities. The BC Species and Ecosystem Explorer website provides information on known SEAR occurrences within BC, although the absence of an observation record does not confirm that a species is not present. Detailed site-specific assessments and field surveys should be conducted by a QP according to Resource Inventory Standard Committee (RISC) standards to ensure all SEAR have been identified and that developments are consistent with any species or ecosystem specific Recovery Strategy or Management Plan documents, and to ensure proposed activities will not adversely affect SEAR or their Critical Habitat for Federally-listed Species at Risk (Posted).</p>
<p>5. Development specific Best Management Practices (BMPs) should be applied to help meet necessary legislation, regulations, and policies. Current BC BMPs can be found at: Natural Resource Best Management Practices - Province of British Columbia (gov.bc.ca) and Develop with Care 2014 - Province of British Columbia.</p>
<p>6. Vegetation clearing, if required, should adhere to the least risk timing windows for nesting birds (i.e., development activities should only occur during the least risk timing window). Nesting birds and some nests are protected by Section 34 of the provincial Wildlife Act and the federal Migratory Birds Convention Act. Guidelines to avoid harm to migratory birds can be found at: Guidelines to avoid harm to migratory birds - Canada.ca. If vegetation clearing is required during the bird nesting period (i.e., outside of the least risk timing window) a pre-clearing bird nest survey should be completed by a QP. The following least risk windows for birds are designed to avoid the bird nesting period:</p> <p>Bird Species Least Risk Timing Windows Raptors (eagles, hawks, falcons, & owls) Aug 15 – Jan 30 Herons Aug 15 – Jan 30 Other Birds Aug 1 – March 31</p>

<p>7. The introduction and spread of invasive species is a concern with all developments. The provincial Weed Control Act requires that an occupier must control noxious weeds growing or located on land and premises, and on any other property located on land and premises, occupied by that person. Information on invasive species can be found at: Invasive species - Province of British Columbia. The Invasive Species Council of BC provides BMPs that should be followed, along with factsheets, reports, field guides, and other useful references. For example, all equipment, including personal equipment such as footwear, should be inspected prior to arrival at the site and prior to each daily use and any vegetative materials removed and disposed of accordingly. If noxious weeds are established as a result of this project or approval, it is the tenure holder's responsibility to manage the site to the extent that the invasive, or noxious plants are contained or removed.</p>
<p>8. Section 33.1 of the provincial Wildlife Act prohibits feeding or attracting dangerous wildlife. Measures should be employed to reduce dangerous human-wildlife conflicts. Any food, garbage or organic waste that could attract bears or other dangerous wildlife should be removed from the work area. If this is not feasible and waste is not removed, it should be stored in a bear-proof container to avoid drawing wildlife into the area and increasing the threat of human/wildlife conflict.</p> <p>9. If this referral is in relation to a potential environmental violation it should be reported online at Report All Poachers & Polluters (RAPP) or by phone at 1-877-952-RAPP (7277).</p>
<p>10. Developments must be compliant with all other applicable statutes, bylaws, and regulations.</p>

If the references above do not address your concerns, please do not hesitate to reach out to me for further investigation into your concerns.

Ministry of Transportation and Infrastructure

Thank you for the opportunity to provide comments for the proposed bylaw amendment. The ministry will require an access permit to Highway 6 for a multi-residential access. Site lines from the south may make the access difficult for travelling north or entering the site in the northbound lane. Restrictions may be imposed on the access if a design is not able to show adequate, safe site lines entering and exiting the site.

Ktunaxa Nation Council

This project footprint is entirely within a known high potential archaeological overview assessment (AOA) polygon. This project will require an arch assessment before any ground altering activity. Please contact a local archaeological consultant for more information on how to proceed with the project construction.

Staff Note: *The comments from Ktunaxa Nation Council (KNC) were forwarded to the applicant who subsequently hired a professional Archaeologist to complete an Archaeological Overview Assessment/Preliminary Field Reconnaissance Survey. KNC has confirmed that the assessment completed by the Archaeologist addresses their original concerns.*

3.7 Staffing/Departmental Workplace Considerations:

Should the Board choose to give the amending bylaw First and Second reading staff and resolve to waive a Public Hearing, staff will provide notice that the Public Hearing is being waived in accordance with Section 467 of the Local Government Act.

3.8 Board Strategic Plan/Priorities Considerations:

Not applicable

SECTION 4: OPTIONS

Planning Discussion

This section focuses on the suitability of this development on this site, with particular attention to the relevant policies in the OCP portion of Electoral Area 'G' Land Use Bylaw No. 2452, which are listed below:

OCP Section	OCP Policy	Staff Comment
4.8	Anticipates that tourist commercial needs will be accommodated throughout the Plan area on lands designated as such on Schedule A.1 mapping.	With the subject property being designated Tourist Commercial (TC) the OCP anticipates that the future use of this land would be a use consistent with the Tourist Commercial section of the OCP and associated C2 zone.
4.9	Encourages the development of a range of tourist accommodation types including campgrounds, lodges, resorts, and bed and breakfast establishments to diversify tourism opportunities in the community.	By designating the subject property TC, the policy direction is to encourage the types of uses that are being proposed through this proposed Bylaw Amendment Application in order to diversify tourism opportunities in the community.
4.10	Enable commercial outdoor recreation, resort commercial, agri-tourism and ecotourism opportunities such as trail rides, campgrounds and wilderness tours provided they do not have demonstrated detrimental impact on important habitat, riparian areas, or adjacent land uses.	This policy supports "resort commercial" among other uses provided they do not have a negative impact on important habitat, riparian areas, or adjacent land uses. A Watercourse Development Permit Application is required in order to facilitate the proposed development being considered by this proposed zoning bylaw amendment and will be accompanied by Riparian Assessment Report that will assess the impact to any adjacent natural features and ecosystem functions.

The ability to service this development that contemplates a density of units far greater than the existing Tourist Commercial zone is a key consideration. In evaluating that suitability, the applicant has provided an "Initial Septic Investigation" prepared by Highland Consulting Ltd. that confirms a suitable location for the initial septic field and a reserve field. The new zone was drafted so that the uses that were considered in the Initial Septic Investigation would be permitted.. In addition to the septic investigation a well has also been drilled on the subject property. Further assurance that the development can be adequately serviced may be added as conditions of adoption of the zoning, with, for example, the applicant providing construction and operating permits for the proposed drinking water and wastewater systems.

As noted previously in this report, a public hearing for a proposed zoning bylaw amendment may be waived by the Board of Directors when the proposed zoning bylaw amendment is consistent with the applicable Official Community Plan. Staff recommend that a public hearing for this application be waived for the following reasons:

- The proposal is consistent with the applicable policies in the Official Community Plan;
- There have been no responses or opposition from neighbouring property owners;
- At the meeting held on July 11, 2023, the Area 'G' APHC indicated that they support the proposed zoning bylaw amendment application; and
- The application is not introducing a new use, but rather only an increase in density for a use that already exists in the Tourist Commercial zone.

Next Steps

Should the Board support the Option 1 recommendation to give 1st and 2nd reading to the amending bylaw and waive the public hearing, Staff would provide notice of the public hearing being waived in accordance with the requirements of the Local Government Act. The bylaw would then be brought back to the Board of Directors for further consideration.

Option 1

That Electoral Area 'G' Land Use Amendment Bylaw No. 2935, 2024 being a bylaw to amend Electoral Area 'G' Land Use Bylaw No. 2452, 2018 is hereby given FIRST and SECOND reading by content.

And Further

That Staff be directed to provide notice that the public hearing is being waived in accordance with Sections 466 and 467 of the Local Government Act.

Option 2

That Electoral Area 'G' Land Use Amendment Bylaw No. 2935, 2024 being a bylaw to amend Electoral Area 'G' Land Use Bylaw No. 2452, 2018 is hereby given FIRST and SECOND reading by content.

And Further

That in accordance with Regional District of Central Kootenay Planning Procedures and Fees Bylaw No. 2457, 2015, Electoral Area 'G' Director Hans Cunningham is hereby delegated the authority to chair the Public Hearing on behalf of the Regional District Board.

Option 3

That no further action be taken with respect to Electoral Area 'G' Land Use Amendment Bylaw No. 2935, 2024 being a bylaw to amend Electoral Area 'G' Land Use Bylaw No. 2452, 2018

SECTION 5: RECOMMENDATIONS

That Electoral Area 'G' Land Use Amendment Bylaw No. 2935, 2024 being a bylaw to amend Electoral Area 'G' Land Use Bylaw No. 2452, 2018 is hereby given FIRST and SECOND reading by content.

And Further

That Staff be directed to provide notice that the public hearing is being waived in accordance with Sections 466 and 467 of the Local Government Act.

Respectfully submitted,

Zachari Giacomazzo, Planner

CONCURRENCE

Planning Manager – Nelson Wight **Digitally approved**

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

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

ATTACHMENTS:

Attachment 'A' – Draft Amending Bylaw No. 2943, 2024

Attachment 'B' – Site Plan prepared by BLA Design Group, dated December 7, 2023

Attachment 'C' – Riparian Assessment prepared by Masse Environmental, dated August 10, 2023

REGIONAL DISTRICT OF CENTRAL KOOTENAY

Bylaw No. 2943, 2024

A Bylaw to amend Electoral Area 'G' Land Use Bylaw No. 2452, 2018

WHEREAS it is deemed expedient to amend the Electoral Area 'G' Land Use Bylaw No. 2452, 2018, and amendments thereto.

NOW THEREFORE the Board of the Regional District of Central Kootenay, in open meeting assembled, HEREBY ENACTS as follows:

APPLICATION

1 That Schedule 'B.1' of Electoral Area 'G' Land Use Bylaw No. 2452, 2018 be amended by changing the Zoning from Tourist Commercial (C2) to Rumbling Creek Tourist Commercial (C3) for LOT 1 DISTRICT LOT 1241 KOOTENAY DISTRICT PLAN EPP121813 (PID: 031-873-529), as shown on Schedule 'A' which is attached hereto and forms part of this bylaw:

a. ADDING the following:

25.B.0 RUMBLING CREEK TOURIST COMMERCIAL (C3)

PERMITTED USES TABLE FOR C3 ZONE	
1	Principal Uses Artisan Craft Production and Sales Breweries and Distilleries Dwellings, Multi-Family Tourist Accommodation Interpretive Facilities Mixed Use Development Museum Outdoor Recreational Activities Resort Vacation Rental Accessory Uses to 'Tourist Accommodation' and 'Campgrounds' Laundromat Liquor Store Personal Service Establishment Retail Store Accessory Uses Accessory Building or Structures Accessory Dwelling

	Campground Eating and Drinking Establishment
--	---

DEVELOPMENT REGULATIONS TABLE FOR C3 ZONE		
	<p>Minimum lot area for each Principal Use:</p> <p>Community Water System and Community Wastewater System</p> <p style="padding-left: 40px;">Tourist Accommodation, Resort</p> <p style="padding-left: 80px;">First sleeping room</p> <p style="padding-left: 80px;">Each additional sleeping room</p> <p style="padding-left: 40px;">Other permitted uses</p> <p>Community Water System and On-site Wastewater Disposal or Individual Water Source and Community Wastewater System</p> <p style="padding-left: 40px;">Tourist Accommodation, Resort</p> <p style="padding-left: 80px;">First sleeping room</p> <p style="padding-left: 80px;">Each additional sleeping room</p> <p style="padding-left: 40px;">Other permitted uses</p> <p>On-site Water Source and On-site Wastewater Disposal</p> <p style="padding-left: 40px;">Tourist Accommodation, Resort</p> <p style="padding-left: 80px;">First sleeping room</p> <p style="padding-left: 80px;">Each additional sleeping room</p> <p style="padding-left: 40px;">Other permitted uses</p>	
		0.2 hectares 200 square metres 0.2 hectares
		0.4 hectares 400 square metres 0.4 hectares
		0.5 hectare 450 square metres 1.0 hectares
2	Maximum number of Cabins	8
3	Minimum front setback	4.5 metres
4	Minimum exterior side setback	4.5 metres
5	Minimum interior side setback	2.5 metres
6	Minimum rear setback	2.5 metres
7	Maximum Lot Coverage	50 percent
8	<p>Maximum building height:</p> <p style="padding-left: 40px;">Main Hall Building</p> <p style="padding-left: 40px;">Cabins</p> <p style="padding-left: 40px;">Accessory buildings and structures</p>	<p>10.0 metres</p> <p>7.0 metres</p> <p>6.0 metres</p>
9	<p>Maximum building footprint for a 1 bedroom Cabin</p> <p>Maximum building footprint for a 2 Bedroom Cabin</p>	<p>87 square metres</p> <p>112 square metres</p>
10	<p>Minimum lot area for subdivision:</p> <p>Community Water System and Community Wastewater System</p> <p>Community Water System and On-site Wastewater Disposal</p>	<p>0.1 hectares</p> <p>0.2 hectares</p> <p>0.2 hectares</p>

	Individual Water Source and Community Wastewater System Individual Water Source and On-site Wastewater Disposal	1.0 hectares
--	--	--------------

2 This Bylaw shall come into force and effect upon its adoption.

CITATION

3 This Bylaw may be cited as **“Electoral Area ‘G’ Land Use Amendment Bylaw No. 2943, 2024”**

READ A FIRST TIME this 15th day of February, 2024.

READ A SECOND TIME this 15th day of February, 2024.

WHEREAS A PUBLIC HEARING was held this [Date] day of [Month], 2024.

READ A THIRD TIME this [Date] day of [Month], 2024.

APPROVED under **Section 52 (3)(a) of the Transportation Act** this [Date] day of [Month], 20XX.

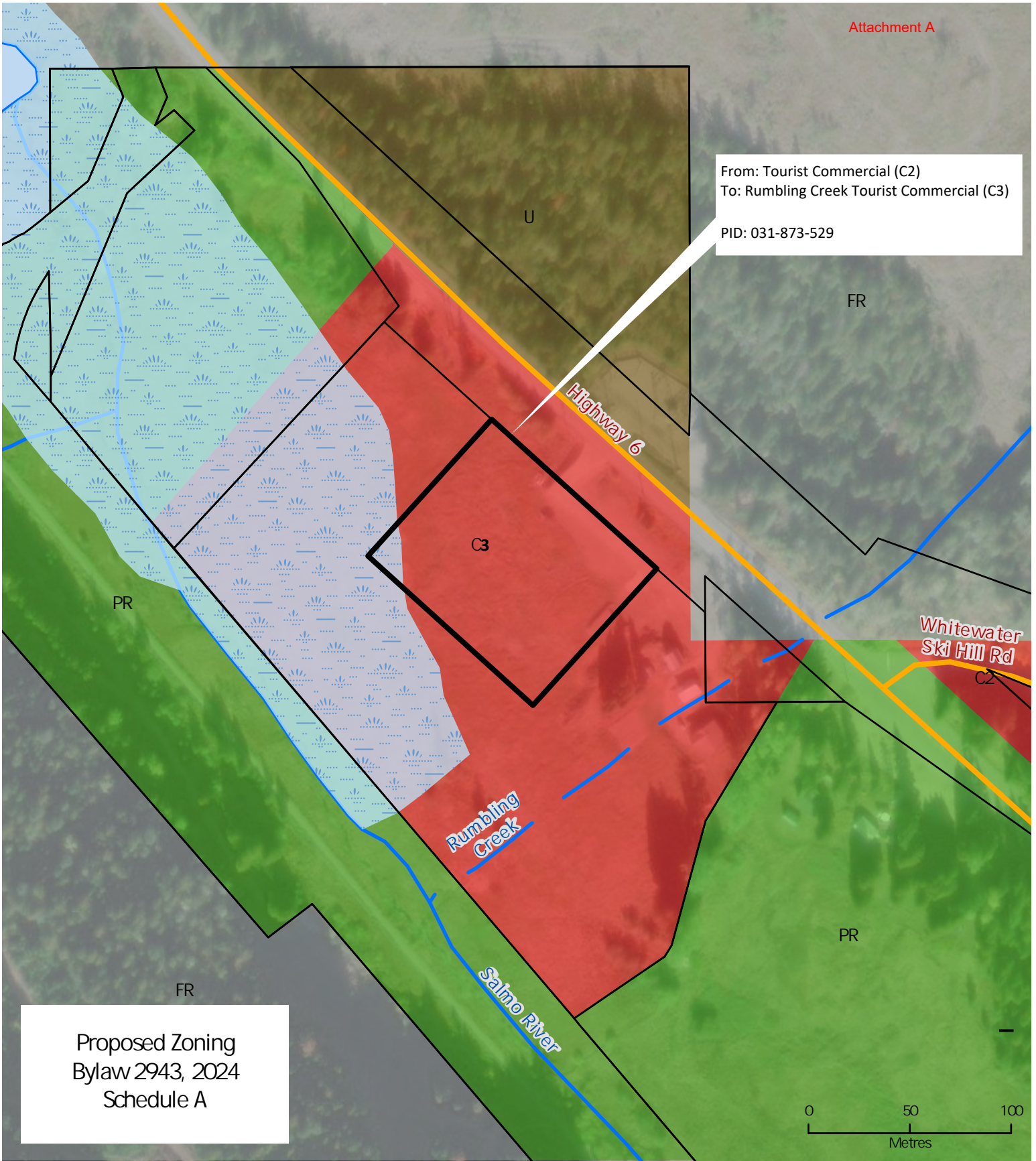
Approval Authority,
Ministry of Transportation and Infrastructure

ADOPTED this XX day of XX, 202X.

Aimee Watson, Board Chair

Mike Morrison, Corporate Officer

From: Tourist Commercial (C2)
To: Rumbling Creek Tourist Commercial (C3)
PID: 031-873-529



Proposed Zoning
Bylaw 2943, 2024
Schedule A



- Subject Property
- Lot Lines
- Road
- Stream or Shoreline
- Wetland
- Lake

- Zoning Class
- C2 - Tourist Commercial
 - FR - Forest Reserve
 - PR - Park and Recreat on
 - U - Public Utility

50

Scale: 1:2,500
Plot ed: Monday, December 18, 2023
Datum/Project on: NAD83/UTM Zone11N

The map data shown are approximate representations for reference purposes only. The Regional District of Central Kootenay is not liable for any errors or omissions on this map nor any loss or damage resulting from the use of this map.



BLA Design Group
101-8889 Laurel Street
Vancouver, BC, V6P3V9
t: 778-318-9958

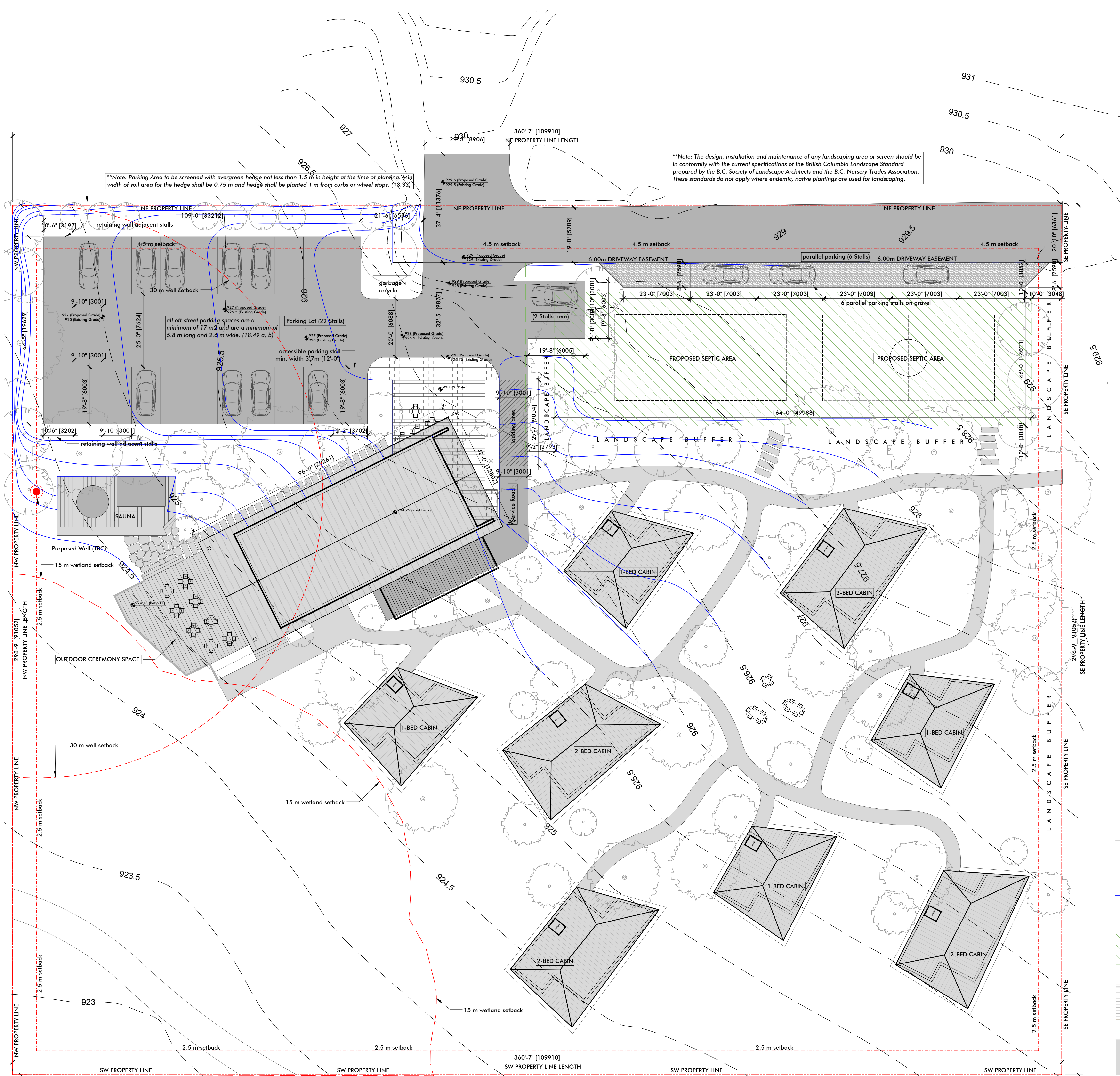
Copyright Reserved: This plan and design are and at all times remain the exclusive property of BLA Design Group and may not be used or reproduced without their written consent.

Notes: Drawings are to be read in conjunction with each other. Any discrepancies on the drawings are to be reported to the designer before initiating work, purchase of products and/or manufacturing for construction or installation.

This is a conceptual design package, and it is subject to change during the building permit and construction stages of this project.

Issues
230424 Issued for RZ/DP

Revisions
230724 Revision to Include Wetland Setback
230831 Revision for Increased Setback
231207 Revision for RZ/DP comments

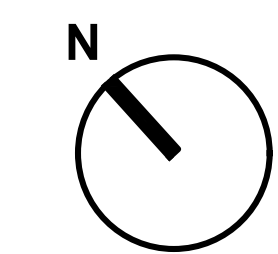


**Note: The design, installation and maintenance of any landscaping area or screen should be in conformity with the current specifications of the British Columbia Landscape Standard prepared by the B.C. Society of Landscape Architects and the B.C. Nursery Trades Association. These standards do not apply where endemic, native plantings are used for landscaping.

**Note: Parking Area to be screened with evergreen hedge not less than 1.5 m in height at the time of planting. Min width of soil area for the hedge shall be 0.75 m and hedge shall be planted 1 m from curbs or wheel stops. (18.23)

all off-street parking spaces are a minimum of 17 m² and are a minimum of 5.8 m long and 2.4 m wide. (18.49 a, b)

- Existing Grade Contours
- Proposed Grade Contours
- Septic Area
- Elevated Deck
- Gravel or Paved Surfaces



Rumbling Creek Cabins

Project Address
Nelson, BC

Drawing Scale
1/16" = 1'-0"

Drawing Title
Site Plan

A102



4626 Highway 6 Riparian Assessment



Prepared for:

Regional District of Central Kootenay

202 Lakeside Drive

Nelson, BC, V1L 5R4

August 10, 2023

Prepared by:
Masse Environmental Consultants
812 Vernon Street
Nelson, BC, V1L 4G4

Project Number 2023-1031

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1 INTRODUCTION

Masse Environmental Consultants Ltd. was retained by Jason Newton and Joel Bot, Rumbling Creek Resort Development, to conduct a riparian assessment to accompany an application for a Watercourse Development Permit (WDP) at 4626 Highway 6 (PID 031-873-529, LOT 1 PLAN EPP121813 DISTRICT LOT 1241 KOOTENAY LAND DISTRICT). The Owner proposes to develop the property. The proposed development is located within the wetland riparian area, triggering a Watercourse Development Permit (WDP).

An initial site visit was completed on May 10, 2023, by Sylvie Masse R.P.Bio., and Chanel Gagnon, B.Sc., B.I.T, and a follow up site visit was completed on June 8, 2023, by Chanel Gagnon, B.Sc., B.I.T, and Lisa Pavelich P.Ag. The riparian assessment evaluates the existing conditions of the riparian area of the wetland, identifies habitat values, assesses potential environmental impacts, and recommends measures to mitigate or compensate for the alteration of the riparian area to maintain environmental values. It is based on the following regulatory framework and best management practices documents:

- RDCK Electoral Area 'G' Rural Official Community Plan Bylaw No. 2452, 2018
- British Columbia *Riparian Areas Regulation*
- British Columbia *Water Sustainability Act*
- British Columbia *Wildlife Act*
- Federal *Fisheries Act*
- Federal *Migratory Birds Convention Act*
- Requirements and Best Management Practices for Making Changes In and About A Stream in British Columbia
- Develop with Care. Environmental Guidelines for Urban and Rural Land Development in British Columbia
- General BMPs and Standard Project Considerations (Ministry of Environment)
- On the Living Edge: Your Handbook for Waterfront Living
- British Columbia Firesmart Homeowners Manual
- Riparian Factsheet No. 6 – Riparian Plant Acquisition and Planting
- A Homeowner's Guide to Stormwater Management

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This report has been prepared by Chanel Gagnon, B.Sc., B.I.T., and reviewed by Sylvie Masse R.P.Bio.

I, Sylvie Masse, hereby certify that:

- a) I am a qualified environmental professional, as defined in the Riparian Areas Regulation made under the Fish Protection Act;
- b) I am qualified to carry out this part of the assessment of the development proposal made by the developer;
- c) I have carried out my assessment of the development proposal, and my assessment is set out in this Assessment Report; and
- d) In carrying out my assessment of the development proposal, I have followed the assessment methods set out in the Schedule to the Riparian Areas Regulation.

2 PROJECT OVERVIEW

2.1 Site Location

The subject property is located ~12 km southeast of Nelson, BC, just north of Whitewater Ski Hill Road and next to the Apex cross country skiing area (see Appendix 1 for Location Map). The property is ~2.47 acres (~1 ha) in size and is bordered by private properties on all sides, except for the northeast side that is bordered by Highway 6.

The project area is within the Interior Cedar-Hemlock dry warm variant 1 (ICHdw1) biogeoclimatic subzone, which occurs at valley bottom elevations around most of Kootenay Lake (MacKillop and Ehman 2016). The ICHdw1 subzone is characterized by moist, warm springs, hot and dry summers and mild, dry winters with moderately shallow snowpack. Winter rain-on-snow events are frequent and snow-free areas are common, particularly on warm-aspect sites. The ICHdw1 is a highly productive biogeoclimatic unit. Common species include interior Douglas fir (*Pseudotsuga menziesii*), western redcedar (*Thuja plicata*), western larch (*Larix occidentalis*), lodgepole pine (*Pinus contorta*), paper birch (*Betula papyrifera*), ponderosa pine (*Pinus ponderosa*), black huckleberry (*Gaylussacia baccata*), falsebox (*Paxistima myrsinites*), prince's pine (*Chimaphila umbellate*), queen's cup (*Clintonia uniflora*), twinflower (*Linnaea borealis*), and pipecleaner moss (*Robust rhytidiopsis*) (MacKillop and Ehman 2016).

2.2 Existing Site Conditions

The property is generally flat and gently sloping towards the Salmo River (southwest aspect), with an elevation ranging between 930 m – 935 m. The property is situated in the valley bottom between the Bonnington and Nelson Mountain Ranges, next to an extensive wetland complex to the west. Nearby watercourses include the Salmo River to the west of the wetland and Rumbling Creek to the southeast of the neighbouring property. The property has been disturbed by historical land clearing activities for

4626 Highway 6 – Riparian Assessment

agricultural and human use, as evidenced by the presence of various exotic plants, mainly reed canary grass (*Phalaris arundinacea*), and the absence of tree and shrub cover (Photo 1). The property has been influenced by Rumbling Creek which has created an alluvial fan where material from the stream has deposited over time and has created an elevated bench next to the wetland. This bench was likely used for agricultural purposes and constitutes the disturbed area (~1.9 acres or 77% of the total property). Native vegetation is present on the boundary of the wetland and the toe of the disturbed bench.

2.2.1 Watercourses

Three watercourses are within or near the property, including a wetland complex, the Salmo River and Rumbling Creek. In addition to the defined watercourses, there is extensive seepage throughout the northwest portion of the property. This was evident during the May 10th site visit. The water is conveyed through a highway culvert northeast of the property. The water originates from Rumbling Creek and the east highway ditch. The surface runoff is not a defined stream channel since it does not have a well-defined bank and stream bed and flows less than six months of the year. Therefore, it does not meet the definition of a watercourse under the watercourse development permit (RDCK 2013). However, it meets the definition of a stream under the *Water Sustainability Act* (WSA). Refer to Section 4.1.2. for more detail.

“Watercourse” means any natural or man-made depression with well-defined banks and a bed 0.6 metres (2.0 feet) or more below the surrounding land serving to give direction to a current of water at least six months of the year and/or having a drainage area of two square kilometers (0.8 square miles) or more upstream of the point of consideration (RDCK 2013).”

"stream" under WSA means

- (a) a natural watercourse, including a natural glacier course, or a natural body of water, whether or not the stream channel of the stream has been modified, or
- (b) a natural source of water supply,

including, without limitation, a lake, pond, river, creek, spring, ravine, gulch, wetland or glacier, whether or not usually containing water, including ice, but does not include an aquifer.

2.2.1.1 Wetland Complex

The property is at the headwaters of the Salmo River watershed, which originates from the wetland complex present to the northwest (Photo 2). The wetland is the only defined watercourse that transects the subject property. The wetland complex is broadly classified as swamp (Ws) at the northwestern extent, shallow open water (Ww) and marsh (Wm).

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During the site visit, the visible high-water mark (HWM) of the wetland was determined based on the changes in vegetation structure, loss of obligate hydrophytes and absence of wetland soil characteristics and the definition of natural boundary. The natural boundary was flagged in the field and is shown on the SPEA map (Appendix 3). This natural boundary will be used as the HWM from which the streamside protection area setbacks will be determined as per the Riparian Area Protection Regulation (RAPR).

“**Natural Boundary**” means the visible high water mark of any lake, river, stream or other body of water is where the presence and action of the water are so common and usual, and so long continued in all ordinary years, as to mark on the soil of the bed of the body of water a character distinct from that of its banks, in vegetation, as well as in the nature of the soil itself (MOE 2016).”



Photo 1. Aerial view of the property, looking northeast (May 10, 2023).



Photo 2. Aerial view of the property and Salmo River headwaters (May 10, 2023).

2.2.1.2 Salmo River

The Salmo River is a tributary of the Pend d’Oreille River and flows in a north to south direction from its headwaters within the wetland complex, north of the property. The Salmo River is a 6th order stream with a mainstem length of ~61 km. The Salmo River supports several fish species including species of regional significance such as Bull Trout (*Salvelinus confluentus*; BC Blue-listed, SARA Special Concern), Kokanee (*Oncorhynchus nerka*), Rainbow Trout (*Oncorhynchus mykiss*) and Westslope Cutthroat Trout (*Oncorhynchus clarkii lewisii*; BC Blue-listed, SARA Special Concern).

2.2.1.3 Rumbling Creek

Rumbling Creek is a 1st order stream that flows from the western margin of the Nelson Range and drains into the Salmo River, ~50 m south of the property boundary, and has a mainstem length of ~3 km. Rumbling Creek has a cascade pool morphology with substrate consisting predominantly of boulder and

4626 Highway 6 – Riparian Assessment

cobble with pockets of fines. The bankfull channel width at the highway crossing is ~3 m, with a gradient of ~7 %. No fisheries information was available for this stream and fish presence, or absence has not been confirmed (FISS 2023).

2.2.2 Existing Development

The property has historically experienced site disturbances from past settlements and land clearing/agriculture activities (Photo 3). There is currently no building infrastructure on the property. The vegetation appears to be largely recovering from past disturbances through a legacy of a mix of agronomic grasses, including reed canary grass, and exotic species remain on the disturbed bench, with some scattered native sedges and shrubs (Photo 4). Areas of native vegetation exist within the wetland on the northwest corner of the property. Access to the property is from Highway 6 (Photo 5). There are steep embankments (>60% slope) leading up to the property driveway that was constructed on imported fill to the height of the highway (Photo 6).



Photo 3. Photo taken from east corner, looking west (June 8, 2023).



Photo 4. Photo taken from southeast property boundary, looking northwest (June 8, 2023).



Photo 5. Access road to property, looking northwest (May 10, 2023).



Photo 6. Access road embankment, looking west (May 10, 2023).

2.3 Services

There are currently no services on the property. A septic field is proposed at the southeast corner of the property. A well is proposed along the northwest property line ~37 m west from the north corner property boundary pin (refer to Appendix 2).

2.4 Proposed Development

The proposed development is for a commercial tourism development, called Rumbling Creek Cabins, which is in the conceptual planning and design stage (Appendix 2).

- Gravel parking lot (~800 m²);
- Main hall building with raised social deck (~360 m²);
- Four 1-bedroom (~70 m²) and four 2-bedroom (~100 m²) cabins;
- Crushed gravel pathways (area unknown);
- Septic field (~1000 m²);
- Sauna and cold plunge with deck (~65 m²);
- Landscaping (area unknown; refer to Appendix 2 for planting plan).

3 REGULATORY OVERVIEW

To determine whether the 15 m WDP setback from the HWM of the wetland aligns with the Riparian Area Protection Regulation (RAPR) criteria, a detailed assessment of the subject property was conducted to calculate the Streamside Protection and Enhancement Area (SPEA) setbacks. Results for the Zones of Sensitivity (ZOS) and SPEA are presented in Table 1 and Appendix 3.

4626 Highway 6 – Riparian Assessment

As per the RAPR, the large woody debris (LWD) and litter ZOS were plotted 15 m inland from the HWM of the wetland with the shade ZOS plotted 0 - 11 m from the HWM. The SPEA setback is determined based on the ZOS with the greatest width. Therefore, within the subject property the SPEA from the HWM of the wetland is 15 m.

The BC Riparian Areas Protection Regulation (BC 2015) defines “High Water Mark” and “Stream” as follows:

“**High Water Mark**” means the visible high water mark of a stream where the presence and action of the water are so common and usual, and so long continued in all ordinary years, as to mark on the soil of the bed of the stream a character distinct from that of its banks, in vegetation, as well as in the nature of the soil itself, and includes the active floodplain.”

Table 1. Results of detailed RAPR assessment for the wetland.

Feature Type	SPVT ¹	Zones of Sensitivity			SPEA ³
		LWD ²	Litter fall	Shade	
Wetland	TR	15 m	15 m	0 - 11 m	15 m

¹ SPVT: site potential vegetation type (TR-tree)

² LWD- large woody debris

³ SPEA- streamside protection and enhancement area

4 ENVIRONMENTAL RESOURCES

4.1 Aquatic Resources

4.1.1 Wetland

The headwaters of the Salmo River originate from an important wetland complex totaling ~9.3 ha (Photo 7), which is a sensitive ecosystem with regional significance as an important wildlife corridor. The Salmo River becomes a defined channel ~600 m north of the property. Wetlands are water-saturated for much of the year, with vegetation adapted to live in resultant water-logged and low oxygen soils (Mackenzie and Moran 2004). The vegetation community and site conditions on the property are in transition due to hydrologic changes caused by historical land clearing and water diversion of the melt water from Highway 6 into a ditch at the northwest and southwest property boundary (Photo 8, Photo 9).

4626 Highway 6 – Riparian Assessment



Photo 7. Aerial view of the property and wetland complex, looking south (Photo credit Jason Newton, fall 2021).



Photo 8. View of the disturbed area transitioning into the wetland, looking northwest (June 8, 2023).



Photo 9. View of the natural boundary between the disturbed bench and the wetland, looking southwest (June 8, 2023).

4.1.2 Surface Water

Water is conveyed onto the property from a 600 mm culvert under Highway 6 (Photo 10, Photo 11) and originates from the highway ditch and a diversion ditch that appeared to have been constructed to divert water from Rumbling Creek to the property, possibly for historic irrigation purposes (Photo 12). The water source on the property is likely a combination of rainwater, snow melt and water from Rumbling Creek, which flows from the south end of the FortisBC substation and likely goes subsurface (Photo 13). The water from the culvert flows along the northwestern property boundary and eventually runs into the wetland and connects to a channelized ditch (Photo 12, Photo 13). The channelized ditch begins at the northwest corner of the property and flows south through the wetlands towards Nelson Nordic Ski Club (Photo 16). Seepage areas were also noted throughout the northwestern half of the property (Photo 17; Appendix 3), where saturated soils were present due to the high water table at ~15 - 20 cm depth (Photo 18).



Photo 10. Location of highway culvert and north corner of the property (May 10, 2023).



Photo 11. Water flow from culvert underneath highway 6 (May 10, 2023).



Photo 12. Ditch on the north side of Highway 6, supplying water to the property (May 10, 2023).



Photo 13. Start of side channel from Rumbling Creek (June 8, 2023).



Photo 14. Surface water flow on northwest property boundary, from highway culvert (May 10, 2023).

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Photo 15. Surface water flowing west towards the wetland, along the northwest property boundary (May 10, 2023).



Photo 16. Channelized ditch west of property (May 10, 2023).



Photo 17. Surface water on the northwest half of the property (May 10, 2023).



Photo 18. Water table located in the 15 m setback (June 8, 2023).

4.2 Vegetation

The property has very little tree and shrub cover and is almost primarily low cover grasses, sedges, and herbaceous plants (Photo 21 – 24). The plant community on the disturbed bench is dominated by primarily non-native species, including canary reed grass, starry broomsedge (*Carex pachystachya*; native), Canada thistle (*Cirsium arvense*), stinging needle (*Urtica dioica ssp. dioica*), vetch (*Vicia sp.*), timothy grass (*Phleum pratense*), common tansy (*Tanacetum vulgare*), common burdock (*Arctium minus*), mullein (*Verbascum thapsus*), yarrow (*Achillea millefolium*; native), scouring rush (*Equisetum hyemale*; native), with a few black hawthorn (*Crataegus douglasii*; native) and thimbleberry (*Rubus parviflorus*; native) shrubs. The toe of the disturbed bench transitions to the wetland margins, which contains a variety of native species including arrowleaf senecio (*Senecio triangularis*), white bog orchid (*Platanthera dilatate*), Canada goldenrod (*Solidago canadensis*), large-leaved avens (*Geum macrophyllum*), swamp horsetail (*Equisetum fluviatile*), kentucky bluegrass (*Poa pratensis*), Columbian monkshood (*Aconitum columbianum*), false lily

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of the valley (*Maianthemum stellatum*) before transitioning into a water sedge (*Carex aquatilis*) dominated wetland plant community. Table 2 provides a list of riparian vegetation species encountered on the property.



Photo 19. View of low cover vegetation and tree cover along the margins of the highway, looking northeast (June 8, 2023).



Photo 20. View of elevated bench transitioning to wetland, looking northwest (June 8, 2023).



Photo 21. View of upper property, looking northwest (June 8, 2023).



Photo 22. View of broomsedge (*Carex pachystachya*), which is one of the dominate species in the disturbed area (June 8, 2023).

Table 2. Plant species encountered on the property.

Common Name	Scientific Name	Common Name	Scientific Name
Trees		white Bog orchid	<i>Platanthera dilatata</i>
black hawthorn	<i>Crataegus douglasii</i>	wild strawberry	<i>Fragaria virginiana</i>
Shrubs		yarrow	<i>Achillea millefolium</i>
common snowberry	<i>Symphoricarpos albus</i>	Non-native and Invasives	
thimbleberry	<i>Rubus parviflorus</i>	burdock	<i>Arctium lappa</i>
Herbaceous		Canada thistle	<i>Cirsium arvense</i>

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Common Name	Scientific Name	Common Name	Scientific Name
arrowleaf senecio	<i>Senecio triangularis</i>	canary reed grass	<i>Phalaris arundinacea</i>
Canada goldenrod	<i>Solidago canadensis</i>	common dandelion	<i>Taraxacum officinale</i>
Columbian Monkshood	<i>Aconitum columbianum</i>	common tansy	<i>Tanacetum vulgare</i>
false lily of the valley	<i>Maianthemum stellatum</i>	hawkweed spp.	<i>Hieracium spp.</i>
large-leaved avens	<i>Geum macrophyllum</i>	knawweed	<i>Centaurea spp.</i>
kentucky bluegrass	<i>Poa pratensis</i>	meadow buttercup	<i>Ranunculus acris</i>
Oregon grape	<i>Mahonia aquilifolium</i>	mullein	<i>Verbascum thapsus</i>
scouring rush	<i>Equisetum hyemale</i>	stinging nettle	<i>Urtica dioica ssp. Dioica</i>
small-flowered bulrush	<i>Scirpus microcarpus</i>	smooth brome	<i>Bromus inermis</i>
starry broomsedge	<i>Carex pachystachya</i>	timothy grass	<i>Phleum pratense</i>
swamp horsetail	<i>Equisetum fluviatile</i>	vetch	<i>Vicia sp.</i>
water sedge	<i>Carex aquatilis</i>		

4.3 Wildlife

4.3.1 Mammals

The unique wetland ecosystem complex provides a valuable wildlife corridor where good forage opportunities exist for many species. Large mammals that are known to use the area include grizzly bear (*Ursus arctos*), American black bear (*Ursus americanus*), deer (*Odocoileus spp.*), bobcat (*Lynx rufus*), cougar (*Puma concolor*), coyote (*Canis latrans*), elk (*Cervus elaphus*), moose (*Alces alces*), as well as a variety of small mammals including, snowshoe hare (*Lepus americanus*), Columbian ground squirrels (*Urociellus columbianus*), mice, voles and bats. Columbian ground squirrels were observed on the property during both site visits, with several burrows throughout the elevated disturbed bench.

Grizzly bear (*Urus arctos*, BC Blue-listed, SARA Schedule 1-Special Concern) is a wide-ranging species that frequent the area, mainly in the spring. The wetland complex serves as a natural-movement corridor that enables grizzly bears to access other, more remote areas and low elevation forests and wetlands provide important spring forage. The area is within the South Selkirk Grizzly Bear Population Unit (ID:445), which is currently assessed as 'high' conservation concern with a 2018 population density of 14.3 bears/1000 km² (Mowat et al. 2019).

4.3.2 Reptiles and Amphibians

Reptiles and amphibians found nearby include western skink (*Plestiodon skiltonianus*; BC Blue-listed; SARA Special Concern), western toad (*Anaxyrus boreas*; SARA Special Concern), northern rubber boa (*Charina bottae*; SARA Special Concern), pacific treefrog (*Pseudacris regilla*), garter snakes (*Thamnophis sp.*), Columbia spotted frog (*Rana luteiventris*, iMapBC 2023). Garter snakes are often found in wetlands and

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riparian areas and have a high potential to occur. The wetland provides suitable habitat for several amphibians, including Columbia spotted frog, pacific treefrog and western toad.

4.3.3 Birds

Several bird species were observed during the site visit including American Pipits (*Anthus rubescens*), Bald Eagle (*Haliaeetus leucocephalus*), Cedar Waxwing (*Bombycilla cedrorum*), Lincoln Sparrow (*Melospiza lincolnii*), Pine Siskins (*Spinus pinus*), Red-winged Blackbird (*Agelaius phoeniceus*), Savannah Sparrow (*Passerculus sandwichensis*), Song Sparrow (*Melospiza melodia*), Violet-Green Swallows (*Tachycineta thalassina*), Warbling Vireo (*Vireo gilvus*), Wilson's snipe (*Gallinago delicata*) and Yellow Warbler (*Setophaga petechia*).

4.4 Species at Risk

The BC Conservation Data Center (CDC) occurrence data and critical habitat for Federally listed species at risk were queried within iMap BC (BC 2023), using a 10 km buffer around the center point of the subject property. The query results are presented in Table 3. Four species at risk were identified within this buffer. In addition to these four species, grizzly bear, western skink and northern rubber boa have been confirmed in the area. Potential occurrence on the property was assessed as likely, possible, unlikely, or unknown, according to known species habitat affinities and the habitat profile of the property and in proximity to mapped occurrences.

Table 3. Species at risk with potential occurrence based on iMap BC 10 km radius query.

Common Name (Scientific Name)	Likelihood of Occurrence on Subject Property	Comment	BC Conservation Status ¹	COSEWIC ² / SARA ²
Banded Tigersnail (<i>Anguispira kochi</i>)	Possible	CDC occurrence mapped ~ 3.5 km northwest of the subject property, at the north end of Cottonwood Lake. Occurs in moist deciduous/coniferous forests, near shores of lakes and streams (Shape ID: 121786, Occurrence ID: 15126).	Blue	NAR
Caribou (Southern Mountain Population) (<i>Rangifer tarandus pop.1</i>)	Unlikely	Critical habitat is mapped within the subject property (Critical Habitat ID: 21281, COSEWIC species ID: 638). Caribou are highly unlikely to be present given the small population and extensive habitat fragmentation.	Red	E
Grizzly Bear (<i>Urus arctos</i>)	Confirmed	Frequently observed roaming this area.	Blue	SC
Western Toad (<i>Anaxyrus boreas</i>)	Possible	Incidental observation by Fiona Lau ~850 m NE of the site within riparian area of Harrop Creek.	Yellow	SC
Whitebark pine (<i>Pinus albicaulis</i>)	Unlikely	CDC occurrence is mapped within ~5.5 km west of the subject property	Blue	E

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Common Name (Scientific Name)	Likelihood of Occurrence on Subject Property	Comment	BC Conservation Status ¹	COSEWIC ² / SARA ²
		(Critical habitat ID: 140404, COSEWIC species ID: 1086). Habitat is subalpine and timberline zones, so it is not expected at the subject site.		

¹Red = Species that is at risk of being lost (extirpated, endangered, or threatened) within British Columbia. Blue = Species considered to be of special concern within British Columbia. ²(E)Endangered = Facing imminent extirpation or extinction. (T)Threatened = Likely to become endangered if nothing is done to reverse the factors leading to its extirpation or extinction. (SC)Special concern = May become a threatened or an endangered species because of a combination of biological characteristics and identified threats. Information sources: British Columbia Conservation Data Centre, and personal sightings.

5 ARCHAEOLOGICAL RESOURCES

The subject property is part of the traditional territory of the Sinixt, Okanagan and Ktunaxa First Nations and archaeological evidence is documented at multiple sites around this area. A review of archaeological resources on this property is outside the scope of this report. However, Archaeological Chance Find Procedures are provided in Appendix 4 for guidance on which protocols to follow in the event of a chance archaeological find, to ensure that archaeological sites are documented and protected as required for compliance with the BC Heritage Conservation Act.

6 IMPACT ASSESSMENT

The proposed cabin development will increase human presence in the area. The intensity of use (i.e., activity within the wetland) and the risk of human-wildlife conflicts has potential to increase. In order to mitigate these potential impacts, no development within the SPEA is recommended.

7 MEASURES TO PROTECT THE INTEGRITY OF THE SPEA

This section provides measures to protect the integrity of the SPEA as described in RAPR, as well as recommended best management practices.

7.1 Danger Trees

There are no trees within the property.

7.2 Windthrow

There are no trees within the property.

7.3 Slope Stability

No slope stability hazard indicators were observed during the site visit. Further assessment of geotechnical hazard is beyond the scope of this report, and any such assessment should be led by a P.Geo, or P.Eng.

7.4 Protection of Trees and Vegetation in the SPEA

There are no trees within the SPEA. Native vegetation within the SPEA should be maintained to preserve the natural functioning of the wetland.

- No landscaping within the SPEA.

7.5 Encroachment

Further encroachment within the SPEA of the wetland must be avoided to maintain the natural environment, its ecosystems (aquatic and riparian), and biological diversity. Any future development (i.e., recreation trails, landscaping, manicured lawn, amenities, and/or construction of any additional structures) proposed within the SPEA will require a RAPR assessment conducted by a QEP and an RDCK Watercourse Development Permit.

7.6 Sediment and Erosion Control

Erosion and sediment control measures shall be implemented during the construction site preparation and building development phases to reduce the risk of sediment input into the wetland.

At a minimum, these measures should include:

- Limit the disturbance of native vegetation to the extent possible and ensure disturbed/exposed soils are revegetated with vegetation as soon as possible.
- Control storm water surface runoff and direct it away from disturbed/exposed soils.
- Safely stockpile any erodible materials in a manner that eliminates the possibility of erosion and sediment transport. This may require covering the stockpiles with tarps or with a vegetative cover.
- The toe of the slope for the parking lot should be armoured to reduce erosion.

During construction, install mitigation measures such as ditching, sediment fences, detention/settling ponds, check dams, etc. as necessary to manage turbid wastewater generated by heavy rain events. Turbid wastewater will not be permitted to leave the construction site.

7.7 Stormwater Management

The proposed development will result in an increase in the total impervious area of the property. Storm water runoff from the property cannot increase peak flow of the wetland. The following mitigation measures will help decrease stormwater impacts:

- Promote the installation of permeable surfaces that permit rainwater infiltration into the ground to moderate the flow of overland storm water.
- Design roof rainwater collection systems that direct rainwater into suitable landscape features which can absorb and utilize runoff.
- Integrate groundwater recharge by using vegetated swales, infiltration basins and absorbent vegetation.
- Stormwater discharges must adhere to the *Water Sustainability Act* or any other application legislation.
- An application under the *Water sustainability Act* will need to be retained to divert the stream that flows through the property at the northwest corner.

7.8 Floodplain Concerns

There were no floodplain concerns observed on the subject property.

7.9 Protection of Wildlife Habitat

Wetland complexes allow wildlife to travel between habitat “islands” by providing migration corridors between upland areas and water, as well as along riparian corridors. They also help circulate nutrients between terrestrial and aquatic ecosystems. Wildlife concerns on the property include the population of Columbian ground squirrels and bears. The proposed development will result in an increase in human pressure in the area. Ongoing visitors have the potential to increase the intensity of use which can result in disturbance through creation of new trails, soil erosion and compaction, introduction and spread of invasive plants and disturbance and displacement of wildlife. The following mitigation measures are recommended:

- Implement Columbian ground squirrels’ best management practices.
- Apply for wildlife permit and secure licensed trapper for removal of Columbian ground squirrels (Schedule B Species).
- Avoid development within the SPEA or sensitive ecosystems identified in this assessment.
- Install signage at the northwest and southwest property lines to restrict access into the wetland complex.

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- Collared bear data has shown the area from Cottonwood Lake to Hall Siding, particularly the areas of Apex and Camp Busk, are heavily used by grizzly bears in the spring (RDCK 2022). This is a sensitive time where bears use this area because of its high valued forage habitat. In most cases the bears move on to higher elevations by the middle of June. Restricting access to the wetland will help decrease the risk of human wildlife conflicts and ensure public safety and benefit the local bear population from over exposure.

7.10 Invasive Plant Management

Construction activities can potentially increase prevalence of invasive plant species which can out-compete native riparian vegetation, causing damage to habitat and ecosystem function. The following mitigation measures are recommended to reduce the establishment and proliferation of invasive plant species on site:

- All equipment should be thoroughly washed and inspected before entering the project site to prevent the import of new invasive plant seeds and root fragments.
- The amount of soil disturbance should be minimized.
- Invasive plants shall be removed and disposed of at a licensed landfill facility.

8 CONCLUSION

Overall, the proposed development is outside the SPEA. Impacts to the SPEA will be minimal as long as there is no proposed development within the SPEA and best management practices recommended herein are adhered to.

9 CLOSURE

This report has been prepared by a Qualified Environmental Professional (QEP) who has not acted for, or as an agent(s) of the RDCK and was at the expense of the property owner.

I, Sylvie Masse, certify that I am qualified to carry out this assessment; and that the assessment methods under the Regulation have been followed; and that, in my professional opinion:

4626 Highway 6 – Riparian Assessment

- (i) if the development is implemented as proposed, or
- (ii) if the streamside protection and enhancement areas identified in the report are protected from the development, and
- (iii) if the developer implements the measures identified in the report to protect the integrity of those areas from the effects of the development,

then there will be no harmful alteration, disruption or destruction of natural features, functions and conditions that support fish life processes in the riparian assessment area.

If you have any comments or questions, please do not hesitate to contact the undersigned.

Sincerely,



Chanel Gagnon, B.Sc., B.I.T.

chanel@masseenvironmental.com



Sylve Masse, MSc, RPBio

Masse Environmental Consultants

10 REFERENCES

- [BC]. 2019. *Riparian Areas Protection Regulation*. B.C. Reg. 178/2019, Last amended February 5, 2021 by B.C. Reg. 11/2021. Victoria, British Columbia, Canada.
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- [MFLNRORD] BC Ministry of Forests, Lands, Natural Resource Operations and Rural Development. 2019. *Riparian Areas Protection Regulation Technical Assessment Manual*. V 1.1. November 2019.
- [MoE] BC Ministry of Environment. 2013. *Guidelines for Raptor Conservation during Urban and Rural Land Development in British Columbia (2013)*. Province of British Columbia. Victoria, British Columbia, Canada.
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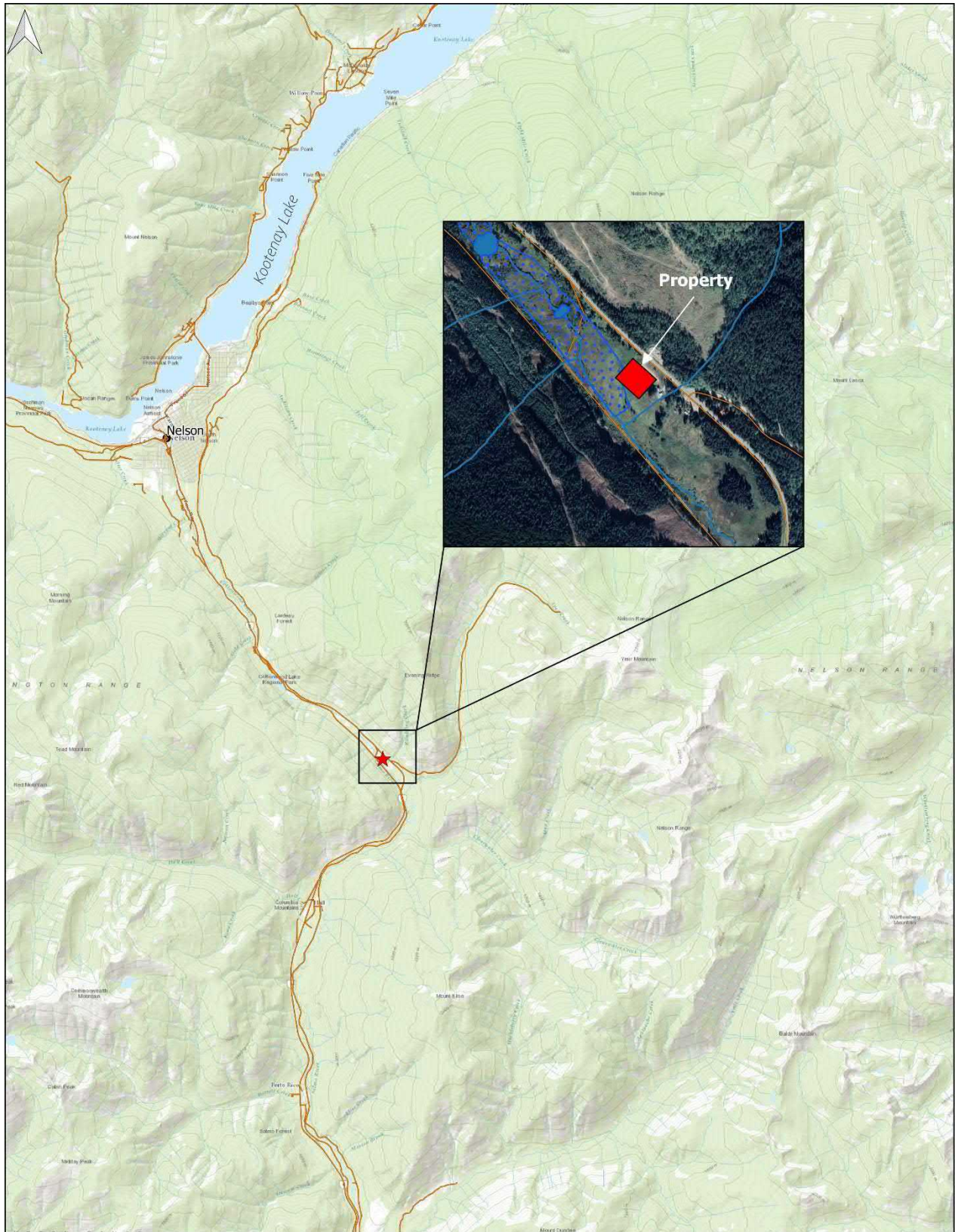
4626 Highway 6 – Riparian Assessment

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[RDCK]. 2018. Electoral Area 'G' Rural Official Community Plan Bylaw No. 2452, 2018.

APPENDIX 1. SITE LOCATION MAP



APPENDIX 2. CONCEPTUAL DESIGN PLANS AND SPEA SETBACK

LANDSCAPE DESIGN RATIONALE

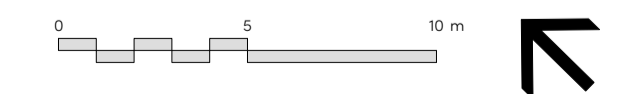
THE LANDSCAPE DESIGN FOR RUMBLING CREEK TAKES INTO ACCOUNT THE NUMEROUS FEATURES OF THIS SLOPED SITE, MAXIMIZING VIEWS TO THE WEST WHILE BALANCING A PLEASANT EXPERIENCE NAVIGATING THE SITE AND VARIOUS AMENITIES. NATURALIZED PLANTING SCREENS THE BUILDINGS FROM THE SURROUNDING CONTEXT AND PROVIDES PRIVACY TO THE CABINS AND EVENT SPACES. DECK AREAS FOR SOCIALIZING AND GATHERING ARE COMPLEMENTED BY FLEXIBLE MOWED LAWNS THAT CAN BE USED FOR GAMES AND RECREATION. CLUSTERS OF TREES AND SHRUBS PUNCTUATE THE MEADOW AND WILDFLOWER LANDSCAPE THROUGHOUT THE SITE. THE SECONDARY LAWN SPACE AMONGST THE CABINS PROVIDES A FAMILY RELAXATION AREA WITH PICNIC TABLES FOR GATHERING.

KEY LEGEND

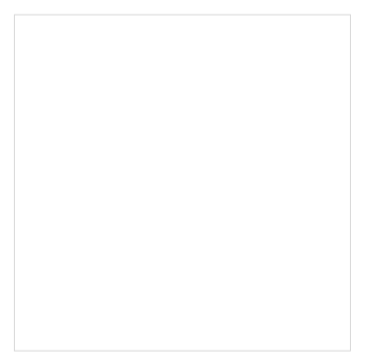
- A** ARRIVAL COURT + PARKING
- 1** RETAIL PARKING
- 2** FRONT ENTRY FEATURE PAVERS + BENCH SEATING + CAFE TABLES
- 3** GRAVEL PARKING LOT
- 4** GARBAGE ENCLOSURE
- B** SOCIAL DECK (RAISED)
- 5** RAISED DECK WITH MOVEABLE FURNITURE
- 6** SEAT STEPS/INFORMAL SEATING
- 7** ACCESS DRIVE WITH CONCRETE RETAINING WALL
- C** OVERLOOK LAWN + SAUNA / COLD PLUNGE
- 8** MOWED LAWN WITH EXPANSIVE VIEWS
- 9** FLAGSTONE LANDING
- 10** NATURALIZED BUFFER PLANTING SCREENING PARKING LOT + GRADE TRANSITION
- 11** SAUNA + COLD PLUNGE WITH DECK BUILT INTO SLOPE
- D** MULTIT-USE LAWN / SEPTIC FIELD
- 12** MOWED LAWN / FOR GAMES / RECREATION
- 13** PATH TO ROAD
- 14** BUFFER PLANTING TO SCREEN ROAD
- E** CENTRAL COMMON AREA
- 15** GRAVEL PATH 5' WIDE
- 16** PICNIC TABLES + SEATING BOULDERS
- 17** MEADOW GRASSES + WILD FLOWERS + NATURALIZED PLANTING
- F** NNSC SEASONAL CROSS COUNTRY SKI TRAIL



1 LANDSCAPE ILLUSTRATIVE PLAN
 Scale: 1:200



Project Stamp



Issue

No.	Description	Date
A	Issued for Preliminary Landscape Concepts	23-03-16
B	Issued for Concept Update	23-03-28
C	Issued for RZ/DP	23-07-24

Project Info

23055
Rumbling Creek Cabins
 Nelson, BC

Project Team

Client
 Rumbling Creek Resort Ltd.
Architect
 BLA Design Group
Landscape Architect
 LOCI Landscape Architecture + Urban Design

Drawn By	Checked By
DS	ME

LANDSCAPE ILLUSTRATIVE PLAN
L1.0
 Rev. A revision

GENERAL LAYOUT + MATERIALS NOTES:

1. ALL DIMENSIONS ARE METRIC UNLESS OTHERWISE NOTED. VERIFY ALL DIMENSIONS WITH FIELD CONDITIONS. REPORT ANY DISCREPANCIES TO LANDSCAPE ARCHITECT FOR REVIEW AND RESPONSE.
2. ALL UTILITIES TO BE STAKED OUT BY CONTRACTOR AND PROTECTED FOR DURATION OF CONSTRUCTION PERIOD.
3. UNLESS OTHERWISE NOTED, PROVIDE A MINIMUM 2% SLOPE ON ALL HARD AND SOFT LANDSCAPE AREAS TO ENSURE POSITIVE DRAINAGE AWAY FROM BUILDINGS OR TO DRAINAGE STRUCTURES. MAXIMUM 3:1 SLOPE IN SOFT LANDSCAPE AREAS.
4. THE LAYOUT OF ALL HARDSCAPE ITEMS, SITE FURNISHINGS, BOULDERS, LANDSCAPE LIGHTING, PLANTING BEDS AND OTHER MATERIALS IS TO BE STAKED OUT BY THE CONTRACTOR AND APPROVED BY THE LANDSCAPE ARCHITECT PRIOR TO INSTALLATION.
5. ALL SUBSTITUTIONS OF SPECIFIED MATERIALS TO BE APPROVED BY LANDSCAPE ARCHITECT.

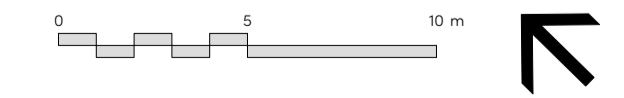
MATERIALS LEGEND

SYMBOL	KEY	DESCRIPTION
	P1	PAVING TYPE 1: GRAVEL PARKING LOT Compacted 3/4" Minus Road Mulch
	P2	PAVING TYPE 2: MAIN HALL ENTRY PAVING Precast Concrete Unit Pavers By Barkman Size: 900 X 450 X 100 mm - Colour: Ash
	P3	PAVING TYPE 3: GRAVEL PATHWAYS 3/8" Minus Limestone Rock Dust
	P4	PAVING TYPE 4: STONE SLAB PAVING Basalt Stone Slabs - Size Varies
	P5	PAVING TYPE 5: FIREPIT PAVING Storm Mountain Select Flagstone 1"-2" By Northwest Landscape Supply
	P6	PAVING TYPE 6: ACCESS ROAD PAVING By Others
	P7	PAVING TYPE 7: RAIN SPLASH STRIP Locally Sourced 3" Rock Mulch
	D1	WOOD DECKING Thermally Modified Ash By Scotty Wood
	S1	MOVEABLE BANQUET TABLES + BENCH Product TBD, by Owner
	S2	MOVEABLE CAFE TABLES + CHAIRS Product TBD, by Owner
	S3	ENTRY PLAZA BENCH Heavy Timber Bench, 4.7m Length
	B1	GARBAGE ENCLOSURE By Others
	B2	NORDIC SAUNA By Others
	B3	COLD PLUNGE TUB by Others
	W1	BOULDER / BOULDER WALLS Locally Sourced Granite Size: 300 - 400 mm
	W2	CONCRETE RETAINING WALL CIP Concrete Wall with Guardrail (1070mm Ht.) To be Coordinated with Structural and Geotechnical Engineer
	W3	GUARDRAIL Guardrail Material TBD 42" Height
	L1	NATURALIZED PLANTING Assorted Deciduous and Coniferous Trees, Shrubs, Grasses, Perennials, and Boulder Clusters
	L2	LAWN HYDROSEED MIX - REGULARLY MOWED Native Grass Species
	L3	PERENNIAL HYDROSEED MIX- MOWED ONCE PER YEAR Colourful Native Perennials + Grass Species



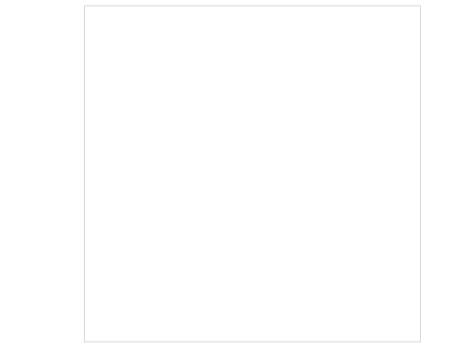
1 MATERIALS PLAN
Scale: 1:200

EXISTING RECREATION TRAIL TO BE MAINTAINED AND PROTECTED



ALL RIGHTS RESERVED.
PROPERTY OF LOCI LANDSCAPE ARCHITECTURE AND URBAN DESIGN. USE OR REPRODUCTION PROHIBITED WITH PRIOR WRITTEN CONSENT.

Project Stamp



Issue

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Rumbling Creek Cabins
Nelson, BC

Project Team

Client
Rumbling Creek Resort Ltd.
Architect
BLA Design Group
Landscape Architect
LOCI Landscape Architecture + Urban Design

Drawn By: DS | Checked By: ME

MATERIALS PLAN

L2.0

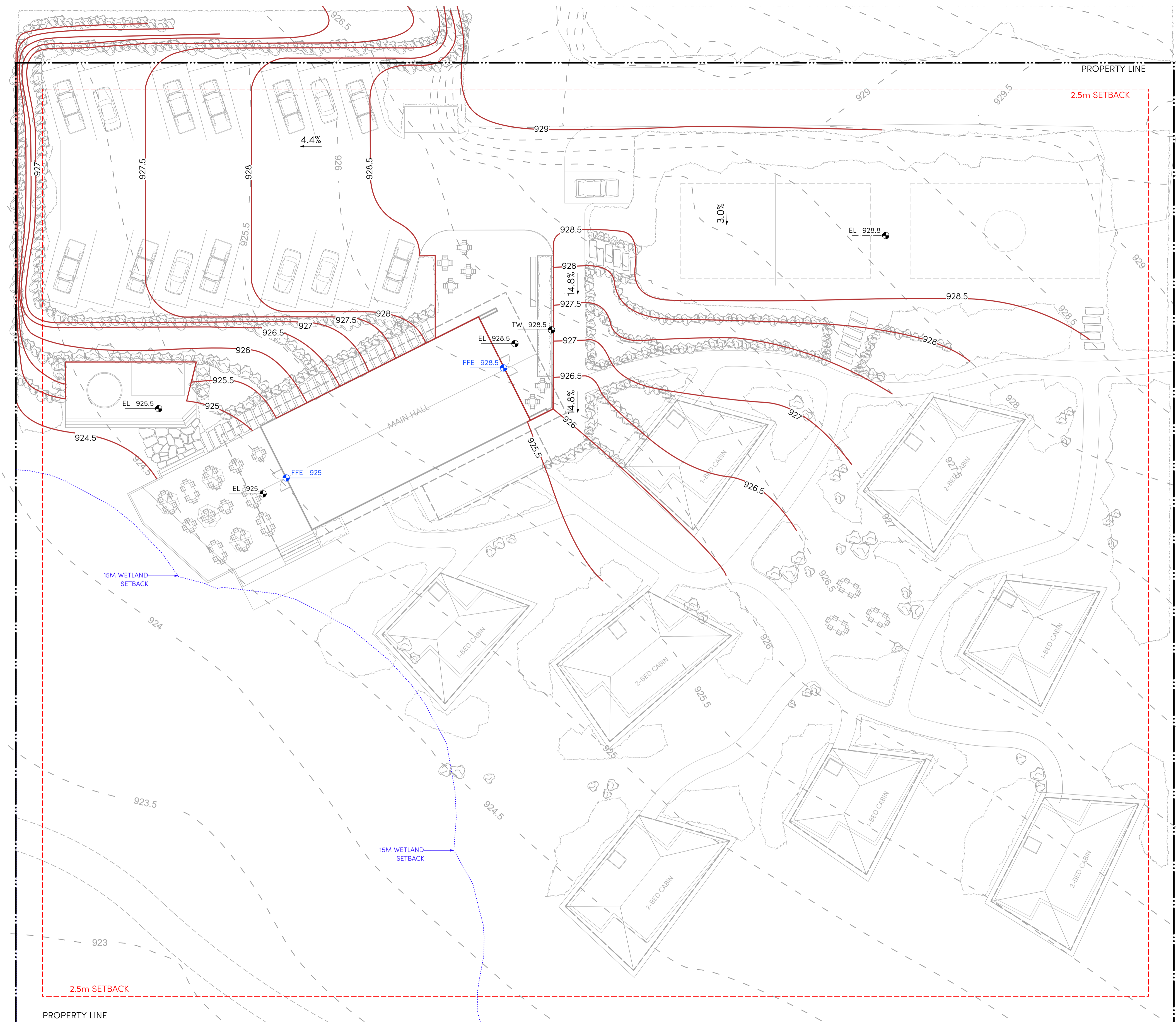
Rev. A revision

GENERAL GRADING NOTES:

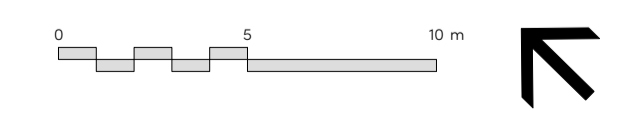
1. ALL UTILITIES TO BE STAKED OUT BY CONTRACTOR AND PROTECTED FOR DURATION OF CONSTRUCTION PERIOD.
2. UNLESS OTHERWISE NOTED, PROVIDE A MINIMUM 2% SLOPE ON ALL HARD AND SOFT LANDSCAPE AREAS TO ENSURE POSITIVE DRAINAGE AWAY FROM BUILDINGS OR TO DRAINAGE STRUCTURES. MAXIMUM 3:1 SLOPE IN SOFT LANDSCAPE AREAS.
3. THE LAYOUT OF ALL PROPOSED HARDSCAPE ITEMS, SITE FURNITURE, LIGHTING, PLANTING BEDS AND OTHER MATERIALS IS TO BE STAKED OUT BY THE CONTRACTOR AND APPROVED BY THE LANDSCAPE ARCHITECT PRIOR TO INSTALLATION.
4. ALL SUBSTITUTIONS OF SPECIFIED MATERIALS TO BE APPROVED BY LANDSCAPE ARCHITECT.
5. REFER TO CIVIL FOR EXCAVATION DEPTHS, BACKFILL, AND BASE MATERIAL FOR ALL LANDSCAPE ITEMS SHOWN ON PLAN.
6. SLOPE SHALL MATCH EXISTING GRADE ALONG ALL PROPERTY LINES.
7. REFER TO CIVIL ENGINEER'S PRECISE GRADING PLANS FOR SITE GRADING PLANS FOR SITE GRADING, DRAINAGE, AND UTILITY LOCATIONS. IF ACTUAL SITE CONDITIONS VARY FROM WHAT IS SHOWN ON THE LANDSCAPE ARCHITECT'S PLANS, THE CONTRACTOR SHALL CONTACT THE OWNER'S REPRESENTATIVE AND LANDSCAPE ARCHITECT FOR DIRECTION AS TO HOW TO PROCEED.
8. THE CONTRACTOR IS RESPONSIBLE FOR VERIFYING THE ACTUAL LOCATION AND ELEVATION IN THE FIELD PRIOR TO BEGINNING CONSTRUCTION. THE CONTRACTOR SHALL PROTECT ALL EXISTING UTILITIES AND SHALL BE RESPONSIBLE FOR ANY DAMAGE TO EXISTING UTILITIES ENCOUNTERED DURING CONSTRUCTION.
9. ALL PROPOSED GRADES ARE TO MEET AND BLEND IN WITH EXISTING GRADING AT PROJECT LIMITS, GRADING LIMITS, AND EXISTING SIDEWALK. PRECISE ELEVATIONS INDICATED ON PLANS TO BE VERIFIED IN FIELD TO AS-BUILT CONDITION.
10. THE DEBRIS CREATED BY LANDSCAPE GRADING OPERATIONS SHALL BECOME THE PROPERTY OF THE CONTRACTOR AND SHALL BE DISPOSED OF LEGALLY OFF SITE.
11. FINAL GRADING SHALL BE REVIEWED BY THE LANDSCAPE ARCHITECT IN THE FIELD PRIOR TO INSTALLATION OF PLANTING.

GRADING LEGEND

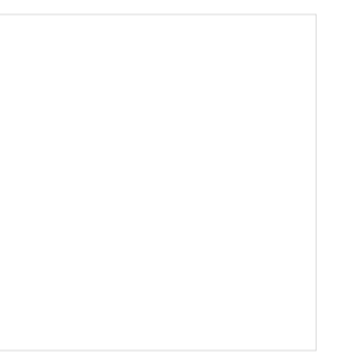
SYMBOL	DESCRIPTION
FFE 0.00	PROPOSED BUILDING FINISHED FLOOR ELEVATION
EL 0.00	PROPOSED ELEVATION
TW 0.00	TOP OF WALL ELEVATION
2%	SLOPE AND DIRECTION
928.5	PROPOSED CONTOUR
---	EXISTING CONTOUR



1 PRELIMINARY GRADING PLAN
 Scale: 1:200



Project Stamp



Issue

No.	Description	Date
A	Issued for Preliminary Landscape Concepts	23-03-16
B	Issued for Concept Update	23-03-28
C	Issued for RZ/DP	23-07-24

Project Info

23055
Rumbling Creek Cabins
 Nelson, BC

Project Team

Client
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Architect
 BLA Design Group
Landscape Architect
 LOCI Landscape Architecture + Urban Design



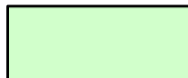


Drawn By	Checked By
DS	ME

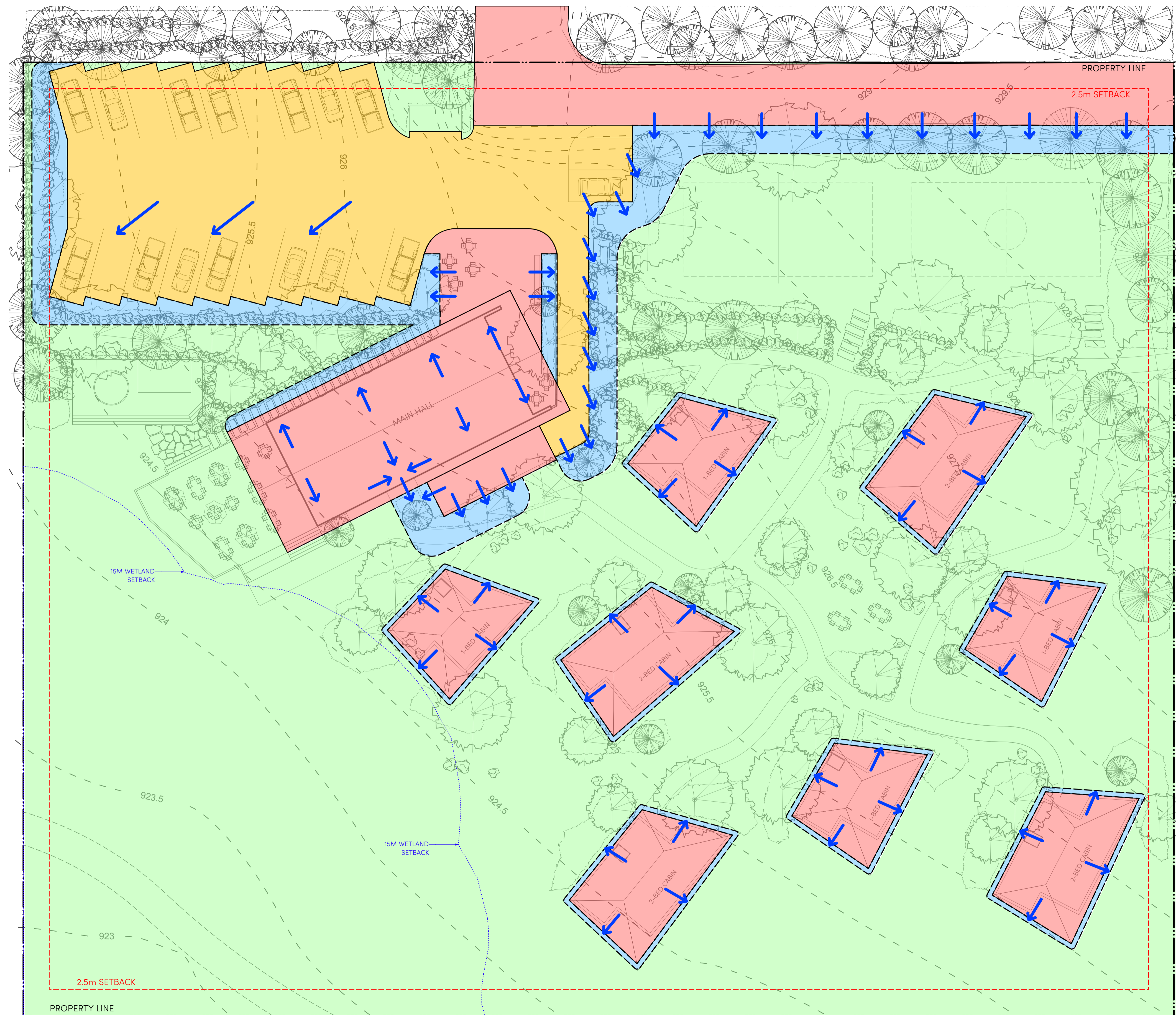
PRELIMINARY GRADING PLAN

L3.0

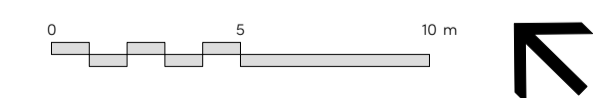
Rev. A revision

STORMWATER STRATEGY LEGEND

SYMBOL	DESCRIPTION
	IMPERMEABLE SURFACE (ROOF, PAVING)
	SEMI-PERMEABLE SURFACE (PARKING LOT)
	PERMEABLE SURFACE (PLANTED AREAS, DECKING, PATHWAYS)
	SURFACE RUN-OFF COLLECTION + ABSORPTION AREA
	SURFACE FLOW DIRECTION

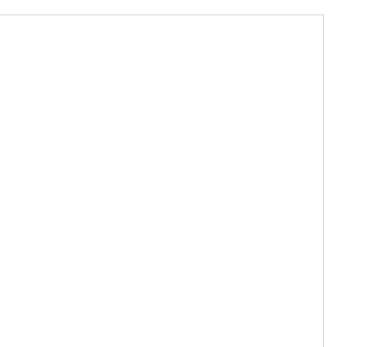


1 STORMWATER MANAGEMENT STRATEGY
Scale: 1:200



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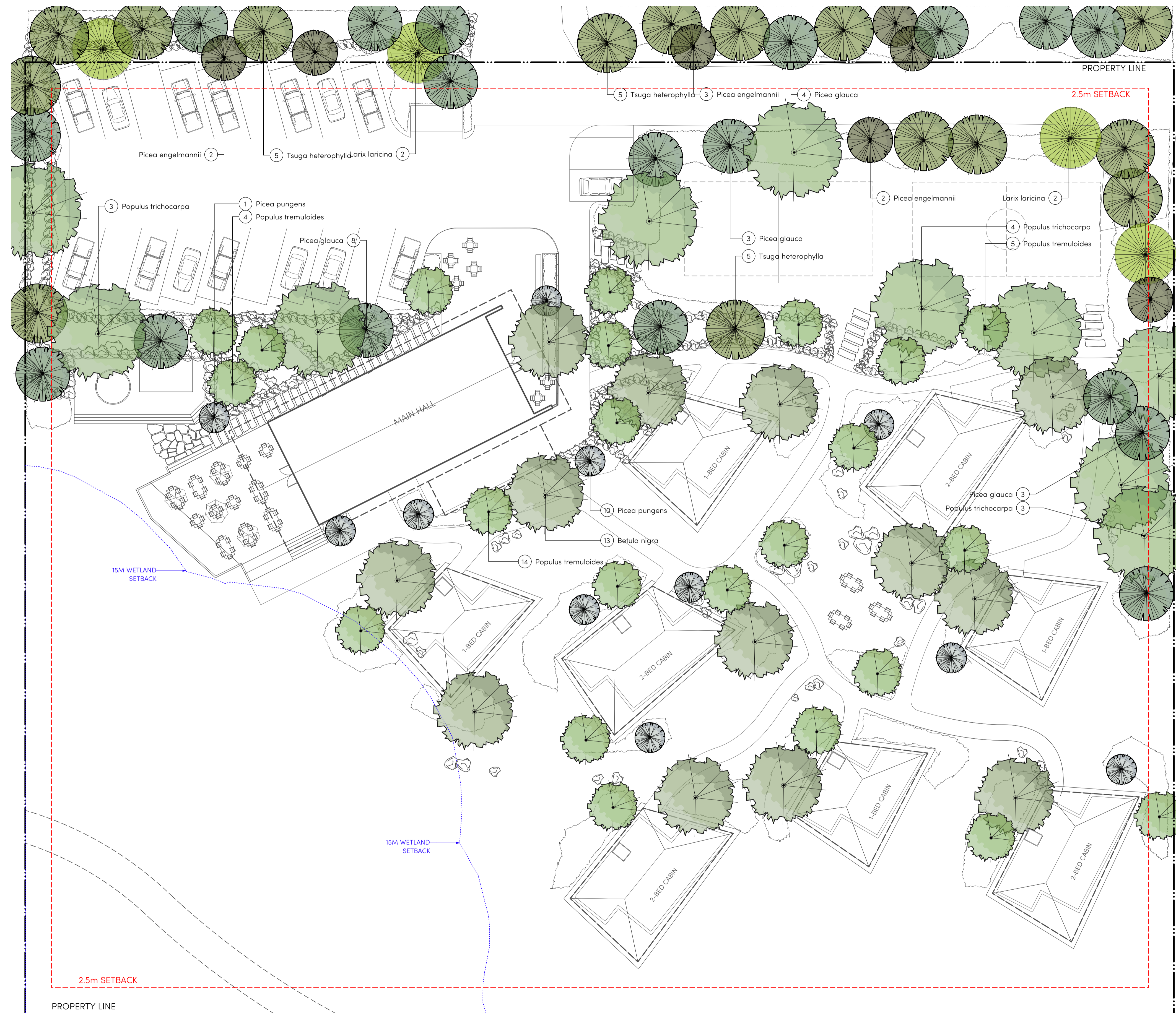
STORMWATER MANAGEMENT STRATEGY

L3.1

Rev. A revision

GENERAL PLANTING NOTES:

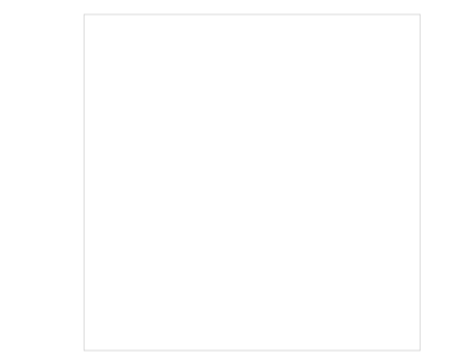
1. ALL PLANTING SHALL BE IN ACCORDANCE WITH BC LANDSCAPE STANDARD, LATEST EDITION
2. ALL TREE AND SHRUB AREAS TO BE MULCHED WITH 50MM (2") OF MEDIUM FINE MULCH, LESS THAN 50MM (2") DIAMETER.
3. ROOTZONE TO REST ON TAMPED PLANTING SOIL
4. SHRUBS: PREPARE PLANTING HOLES AS SPECIFIED. PLANT AT THE SAME GRADE AS NURSERY. WATER AND FERTILIZE AS SPECIFIED. ENSURE POSITIVE DRAINAGE THROUGHOUT PLANTING BED
5. TREE: PREPARE PLANTING HOLES AS SPECIFIED INSTALL TOP OF ROOTZONE 6" ABOVE FINISHED GRADE OF GROWING MEDIUM. WATER AND FERTILIZE AS SPECIFIED BY NURSERY.
6. FINAL SOFTSCAPE AND GRADING LAYOUTS AS WELL AS LOCATION SPACING TO BE APPROVED BY LANDSCAPE ARCHITECTS IN THE FIELD PRIOR TO INSTALLATION
7. IN CASE OF A DISCREPANCY BETWEEN PLANT INFORMATION ON THE LIST AND ON THE PLAN, THE LATTER SHALL PREVAIL
8. ALL PLANT MATERIAL TO BE MANUALLY WATERED FROM START OF INSTALLATION THROUGH THE END OF THE WARRANTY PERIOD
9. FINAL PLANT SPACING, QUANTITY AND TREE PLACEMENT TO BE REVIEWED TO THE SATISFACTION OF GENERAL MANAGER OF ENGINEERING SERVICES
10. ALL PLANTING BEDS TO RECEIVE AUTOMATIC DRIP IRRIGATION AND/OR WATERED DURING THE ESTABLISHMENT PERIOD



1 TREE PLANTING PLAN
Scale: 1:200

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Architect
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Landscape Architect
LOCI Landscape Architecture + Urban Design

Drawn By	Checked By
DS	ME

TREE PLANTING PLAN

L4.0

Rev. A revision

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10. ALL PLANTING BEDS TO RECEIVE AUTOMATIC DRIP IRRIGATION AND/OR WATERED DURING THE ESTABLISHMENT PERIOD

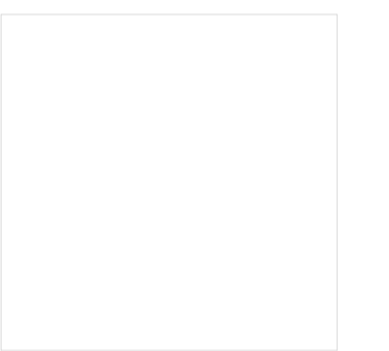


1 SHRUB PLANTING PLAN
Scale: 1:200



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Drawn By	Checked By
DS	ME

SHRUB PLANTING PLAN

L4.1

Rev. A revision

PLANT LIST

Symbol	Quantity	Botanical Name	Common Name	Scheduled Size	Spacing	Notes
DECIDUOUS TREES:						
		<i>Betula nigra</i>	River Birch	7cm cal.	As Shown	B&B
		<i>Populus tremuloides</i>	Trembling Aspen	7cm cal.	As Shown	B&B
		<i>Populus trichocarpa</i>	Black Cottonwood	7cm cal.	As Shown	B&B
CONIFERS:						
		<i>Larix laricina</i>	American Larch	3.5m ht.	As Shown	B&B
		<i>Picea engelmannii</i>	Engelman's Spruce	3.5m ht.	As Shown	B&B
		<i>Picea glauca</i>	White Spruce	3.5m ht.	As Shown	B&B
		<i>Picea pungens</i>	Colorado Blue Spruce	3.5m ht.	As Shown	B&B
		<i>Tsuga heterophylla</i>	Western Hemlock	4m ht.	As Shown	B&B
SHRUBS:						
		<i>Amelanchier alnifolia</i>	Saskatoon Berry	#3 Pot	0.8 m o.c.	
		<i>Holodiscus discolor</i>	Ocean Spray	#3 Pot	0.9 m o.c.	
		<i>Rosa gymnocarpa</i>	Baldhip Rose	#3 Pot	0.6 m o.c.	
		<i>Rubus parviflorus</i>	Thimbleberry	#2 Pot	0.6 m o.c.	
		<i>Spiraea betulifolia</i>	Birch Leaf Spirea	#2 Pot	0.6 m o.c.	
		<i>Viburnum edule</i>	Highbush Cranberry	#3 Pot	0.6 m o.c.	
PERENNIALS, GRASSES, GROUND COVER:						
		<i>Achillea millefolium</i>	Yarrow	#1 Pot	0.3 o.c.	
		<i>Calamagrostis canadensis</i>	Bluejoint	#2 pot	0.5 o.c.	
		<i>Calamagrostis rubescens</i>	Pine grass	#2 pot	0.6 o.c.	
		<i>Epilobium angustifolium</i>	Fireweed	#1 Pot	0.6 o.c.	
		<i>Lupinus polyphyllus</i>	Big Leaf Lupine	#1 Pot	0.6 o.c.	

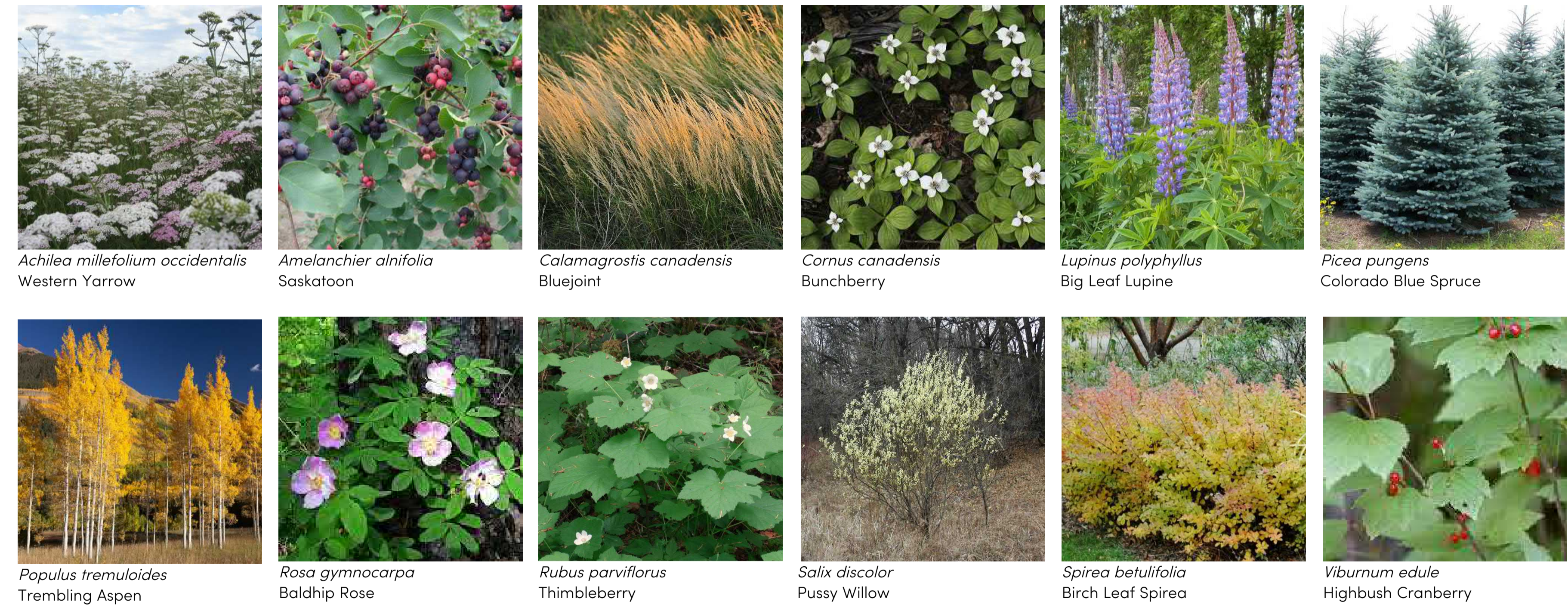
Native Species listed can be found at Nupqu Native Plant Nursery

PLANT IMAGES

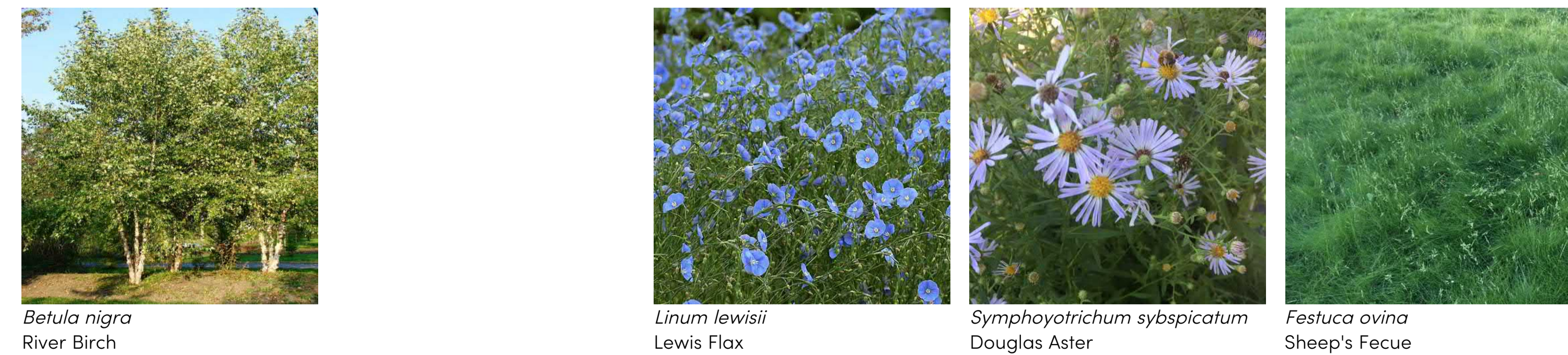
SCREENING TREES AND SHRUBS



NATURALIZED TREE AND SHRUB CLUSTERS



HYDROSEED MEADOW MIX

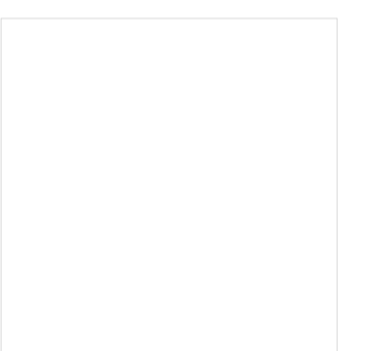


LANDSCAPE ARCHITECTURE + URBAN DESIGN

1738 KINGSWAY, VANCOUVER, BC V5N 2S3
www.locidesign.ca // 604.694.0053

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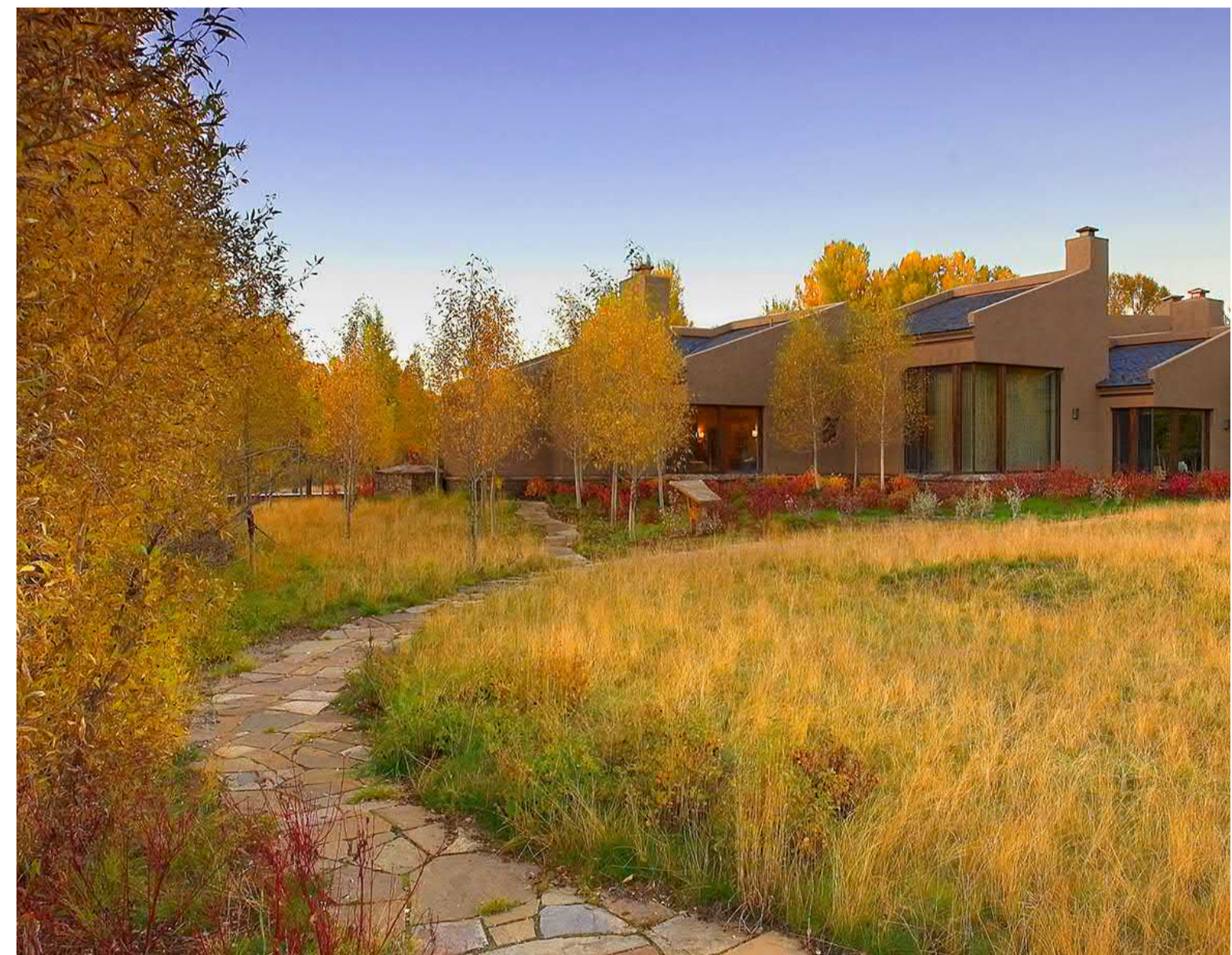
Drawn By	Checked By
DS	ME

PLANT LIST + IMAGES

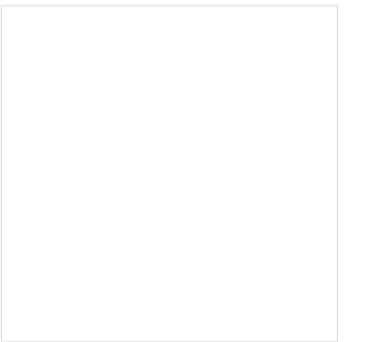
L5.0

Rev. A revision

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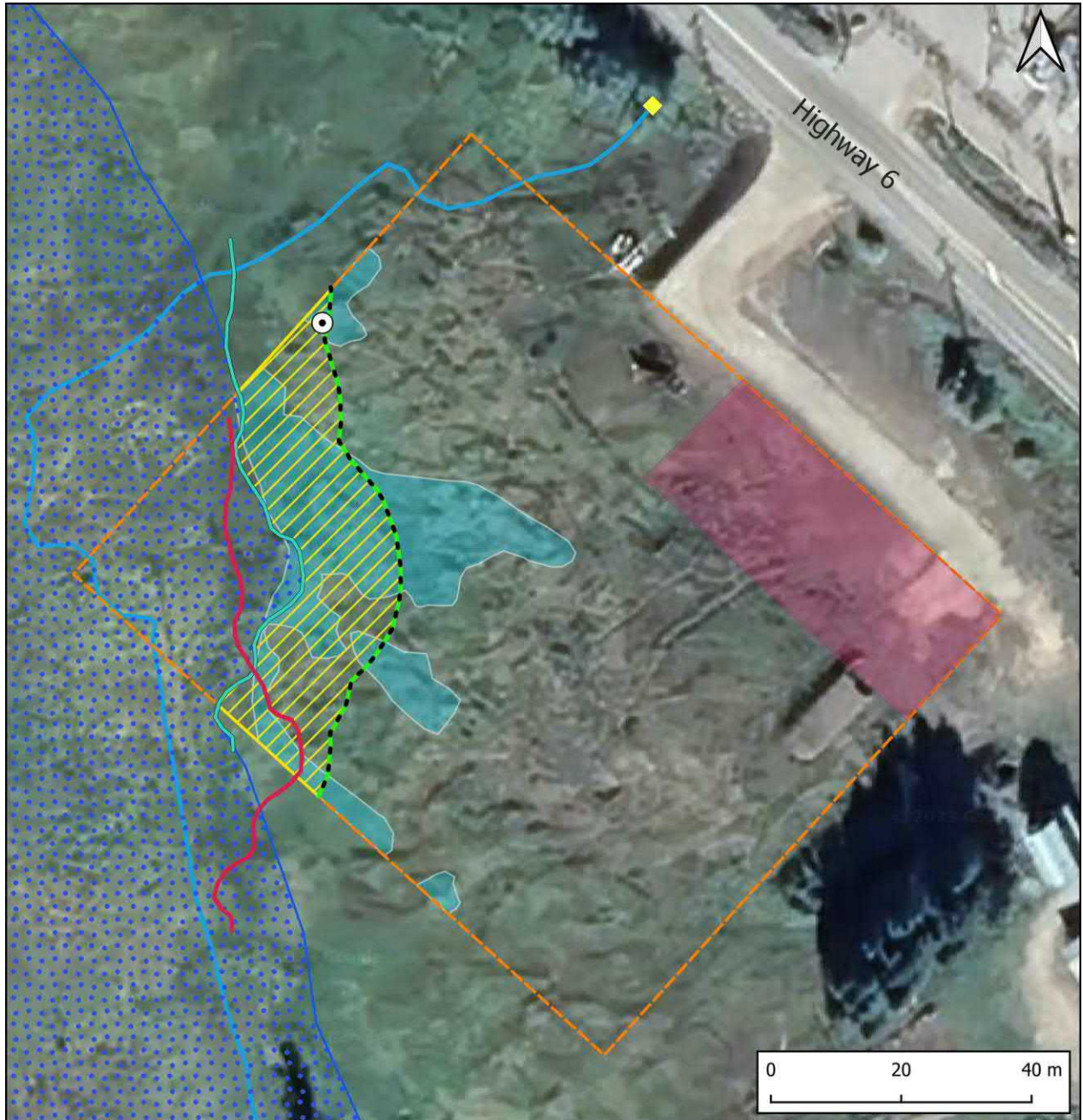
Drawn By Checked By
 DS ME

PRECEDENT IMAGES

L6.0

Rev. A revision

APPENDIX 3. SPEA SETBACKS



Riparian Assessment | SPEA Setbacks

- | | |
|--|---|
|  Property Boundary
(PID 031-873-529) |  Wetland Boundary |
|  Channel | Wetland Setbacks |
|  Seepage Area/Surface Water |  Litterfall ZOS (15 m) |
|  Freshwater Atlas Wetland |  Large Woody Debris ZOS (15 m) |
|  Culvert |  Shade ZOS (0 - 11 m) |
|  Proposed Septic Field |  SPEA Area (15 m setback) |



Map Date: 2023-08-08
 Projection: NAD83 UTM Zone 11
 Map Scale: 1: 1000
 Orthoimage Date: May 10, 2023

APPENDIX 4. ARCHAEOLOGICAL CHANCE FIND PROCEDURE



Ktunaxa Nation Council
 7825 Mission Road
 Cranbrook, BC V1C 7E5
 tel: 250-489-2464
 fax: 250-489-2438

visit us at:
www.ktunaxa.org

Chance Find Procedures for Archaeological Material

This document provides information on how a developer and/or their contractor(s) can manage for potential archaeological material discoveries while undertaking construction and/or maintenance activities. This document can provide assistance to in-field contractors in the identification of archaeological remains and the procedures to follow if a discovery is made. The discovery of human remains initiates a different course of action and is outlined separately.

Under the provincial *Heritage Conservation Act (HCA)*, archaeological sites that pre-date 1846 are automatically protected whether on public or private land. Protected sites may not be damaged, altered or moved in any way without a Section 12 or 14 Permit as issued through the *HCA*. It is illegal to collect or remove any heritage object from an archaeological site unless authorized to do so under permit.

1. Activities occurring outside of known Archaeological Sites:

When archaeological material is encountered outside of known archaeological site areas work in the vicinity must stop immediately no matter what type of material or feature has been identified. Alteration to an archaeological site can only occur under a Section 12 (Site Alteration Permit) or Section 14 (Heritage Inspection Permit) *Heritage Conservation Act* permit. Such permit applications should be prepared by a professional archaeologist.

If archaeological material is discovered during the course of construction activities:

1.1 Stop Work: Halt all work in the area of the discovery and safely secure the area. Contact the project manager or site foreman.

1.2 Contact an Archaeologist: An archaeologist should be contacted as soon as possible. For a list of qualified archaeologists in the area, the proponent is directed to the BC Association of Professional Consulting Archaeologists website: www.bcapa.ca. The proponent may also wish to contact the Ktunaxa Nation Council's Archaeology Technician Nathalie Allard for direction (1-250-426-9549; nallard@ktunaxa.org).

1.3 Archaeologist provides guidance: The archaeologist will direct the proponent on the next courses of action, which will include notifying the Archaeology

Branch and First Nations with interest in the area.

2. Activities Occurring within Known Archaeological Site Boundaries:

Land altering activity within a previously recorded archaeological site must be conducted under a Section 12 HCA Site Alteration Permit (SAP), in some cases with an onsite archaeological monitor. It is common for additional archaeological material and features to be encountered during activities occurring within previously recorded archaeological sites. Minor finds (lithic flakes, diffuse charcoal or fire altered rock) may not require work to stop, however significant finds require a level of assessment by a professional archaeologist, and it is up to the onsite project manager to determine the level of significance based on criteria presented below.

2.1 Significant Cultural Finds that Require a Professional Archaeologist (described in detail in Section 4)

- Intact archaeological features, which can include but are not limited to hearths, cultural depressions (e.g. cache pits, house depressions) and rock alignments or forms (e.g. tipi rings, cairns, blinds)
- Significant archaeological materials, which include but are not limited to, the presence of formed lithic tools (e.g. projectile point, microblade core, scraper), a dense concentration of lithic waste flakes, or artistic items
- Human Remains (described in detail in Section 3)

2.2 Archaeological Site Management Options

- 2.2.1 **Site Avoidance:** If the boundaries of a site have been delineated, redesign the proposed development to avoid impacting the site. Avoidance is normally the fastest and most cost effective option for managing archaeological sites. Site avoidance could also be achieved through minimizing ground disturbance by looking for alternative constructive methods.
- 2.2.2 **Mitigation:** If it is not feasible to avoid the site through project redesign, it is necessary to conduct systematic data collection and analysis within the site prior to its loss. This could include surface collection and/or excavation. This work can be time-consuming and therefore expensive to conduct.
- 2.2.3 **Protection:** It may be possible to protect all or portions of the site which will be impacted through installation of barriers during the development period and possibly for a longer period of time. Methods for barrier construction could include fencing around site boundaries or applying

geotextile to the ground surface and capping it with fill. The exact method used would be site-specific.

3. Chance Find Procedures for Identified Human Remains

Procedures in the event of the discovery of human remains during construction are covered in depth by an Archaeology Branch Policy Statement, found on their website at www.for.gov.bc.ca/archaeology, and are summarized below.

- 3.1 Stop all construction activities immediately in the area of found or suspected human remains and contact the RCMP and/or Office of the Coroner.
- 3.2 The coroner must determine whether the remains are of contemporary forensic concern or archaeological/aboriginal.
- 3.3 If the remains are found to be of aboriginal ancestry then the next step involves the relevant First Nations collaboratively determining the appropriate treatment of those remains.

The key to respectfully dealing with ancient aboriginal remains is to involve the appropriate First Nations as early as possible in the process. However this must be done in a manner that does not interfere with the coroner's office ability to conduct their business in the manner that they see fit.

4. Site Identification Guide

The following are characteristics typical to site types found within the Ktunaxa Traditional Territory.

4.1 Artifact Scatters

Lithic (stone) scatters from the production and maintenance of stone tools are the most common type of archaeological site found in the region. Other materials that may be represented in artifact scatters are Fire Broken Rock (FBR), bone, antler and tooth.

Lithics: What to look for

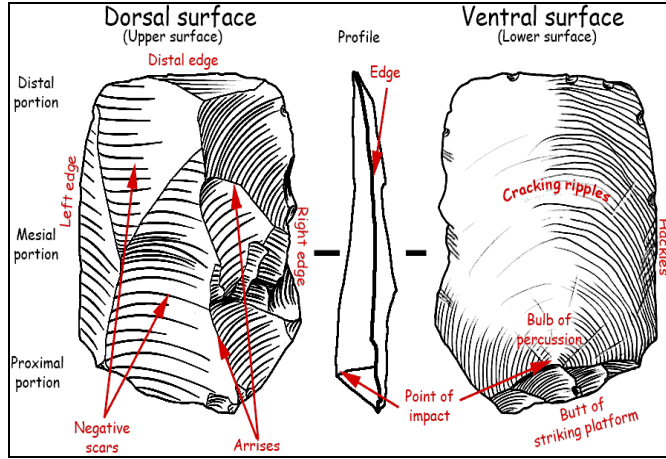


Image 1: Basic flake morphology



Image 2: Examples of lithic flakes

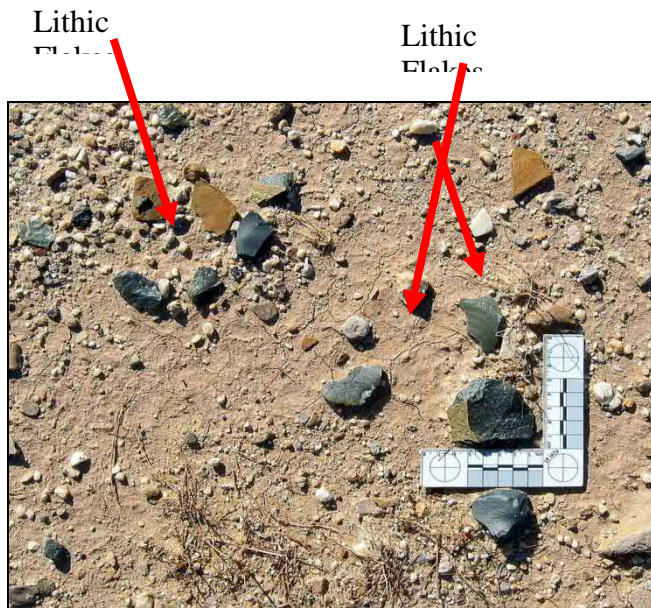


Image 3: Example of lithic scatter found on ground surface



Image 4: Example of formed lithic artifacts

Zakōqnuuk

Zaqam

Lower Kootenay

Tobacco Plains



Image 5: Ground stone artifacts

Bone, Tooth and Antler Artifacts: What to Look For

- Obvious shaping
- Incising
- Unnatural holes



Takisognuk

Taqam

Lower Kootenay

Tobacco Plains

Image 6: Bone and Antler artifacts

4.2 Fire Broken Rock and Hearths

Fire-broken rock (FBR) results from the use of fire during cooking, heating and processing activities. FBR is often associated with other features including hearths and cultural depressions, but can also be thinly scattered in concentrations away from the features with which they were first associated.

When looking for FBR, note concentrations of roughly fractured rock from rapid heating and cooling, rock showing signs of burning or oxidation and/or reddening or blackening of surrounding matrix.

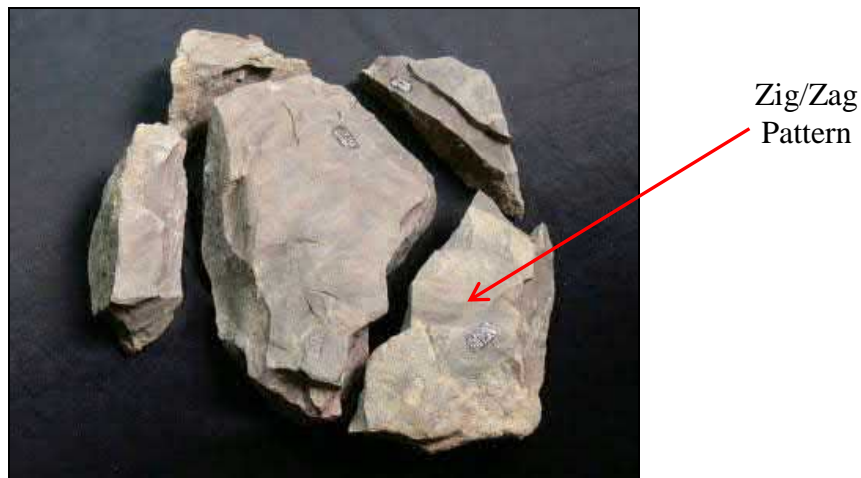


Image 7: Example of FBR; note the zig/zag pattern of breakage common to FBR. A hearth feature is evidence of a fire pit or other fireplace feature of any period. Hearths were used for cooking, heating, and processing of some stone, wood, faunal, and floral resources and may be either lined with a wide range of materials like stone or left unlined. Occasionally site formation processes (e.g., farming or excavation) deform or disperse hearth features, making them difficult to identify without careful study.

Hearths: What to look for

- FBR
- reddening or blackening of the associated soil/sediment
- charcoal
- layering of FBR and charcoal, and
- depressions in the earth associated with FBR, reddened or blackened matrix and charcoal.



Image 8: Example of a hearth uncovered along the wall of an excavation unit

4.3 Cultural Depressions

Any depression seen on the ground surface that appears to have been excavated by man can be a cultural depression and have archaeological significance. These “pits” were dug for a variety of reasons such as for food storage, cooking or as a base for a dwelling.

They can range in size from 1m across to 7-10m across, and are usually found associated with other artifacts such as FBR and lithic scatters.

To identify a cultural depression, look for:

- Subtle to deep scours on the ground surface that are circular to rectilinear in shape
- A raised rim along the edge of a depression
- Depressions associated with artifacts and FBR
- Depressions associated with fire reddening and blackening of the matrix



Image 9: Example of a large cultural depression in a natural setting

4.6 Rock Alignments

There are several types of rock alignments that occur within the culture area, which include tipi rings, medicine wheels, cairns and blinds. When attempting to identify rock alignments, look for a group of rocks that look purposefully placed as in a circle, pile or line; isolated groups of rock that do not seem to belong to that landscape; and/or rocks which form a pattern.



Image 10: Example of a Cairn or piling of rocks



Image 11: Example of a tipi ring in a natural setting



Rural Affairs Committee Report

Date of Report:	February 6, 2024
Date & Type of Meeting:	February 14, 2024 Rural Affairs Committee
Author:	Todd Johnston, Environmental Coordinator
Subject:	WILDSAFEBC FUNDING PROPOSAL FOR RDCK: SUPPLEMENTAL INFORMATION
File:	12-6240-20
Electoral Area/Municipality:	Castlegar (Robson, Blueberry, Thrums, Ootischenia); Rural Areas A,B,C,E,F,G,H,I and J; Area D – Kaslo, Meadow Creek and surrounding; Area K – Nakusp, Edgewood, Burton, Silverton, Fauquier.

SECTION 1: EXECUTIVE SUMMARY

The purpose of this report is to provide additional information to the Rural Affairs Committee, as requested at the January 17, 2024 meeting, regarding a funding proposal submitted by the BC Conservation Foundation (BCCF), requesting gradual increased funding for their WildSafeBC (WSBC) Programming, under a three year (2024-2026) agreement.

SECTION 2: BACKGROUND/ANALYSIS

To see the background associated with RDCK's support for the BC Conservation Foundation (BCCF) WildSafe BC (WSBC) program, please refer to the January 17, 2024 Staff Report to the Rural Affairs Committee (RAC) (Attachment 01).

Kala Wiens, Project Coordinator with BCCF, provided the answers below, to the questions posed at the January 17 RAC Meeting.

1. BC communities can apply for a WSBC for \$4,000 per year. Why does RDCK pay more?

A: The RDCK has, in the past paid less per community (\$3,000). Due to the three year phase out of Columbia Basin Trust (CBT) funding, the communities within the RDCK need additional funding to fill the gap left behind from CBT or else these community programs will no longer run. WSBC is planning to raise the minimum community contribution (subject to change based on rising employment costs) for the 2025 program year. Essentially, the RDCK funding and community funds will be very close if not the same moving forward. (Staff Supplemental): RDCK actually pays less per community, as each of the five areas is comprised of more than one community.

2. Are there two separate contributions supporting WSBC work in Area K – one from the RDCK contribution plus an additional Director Grant?

A: Correct. RDCK Area K did contribute \$1,000 of the \$4,000 in community funds in addition to the \$3,000 from the RDCK contribution.

3. What does the Village of Nakusp contribute?

A: The Village of Nakusp has contributed \$1,000 of the \$4,000 (WildSafeBC Arrow-Slocan) in community funds for the 2023 season.

4. Does Silverton contribute separately? The communication to municipalities may be difficult if additional costs through RDCK go up.

A: Silverton has contributed \$1,000 of the \$4,000 (WildSafeBC Arrow-Slocan) in community funds for the 2023 season.

5. RDCK will need to reach out to all affected communities about increases to funding if this proposal is approved by RDCK Board.

A: Correct, however the minimum community contribution to renew the WildSafeBC community program will still be required.

6. Please provide the entire budget for WSBC with details of sources and dollar values of funding.

BCCF WildSafeBC 2023/2024 Budget: Entire Province – April 2023 –January 2024

REVENUES

Source	Total Funds
Ministry of Forests Grant	\$128,000.00
Ministry of Environment Grant	\$150,000.00
BC Parks Grant	\$25,000.00
*Donations	\$30,643.74
*WildSafeBC E-Learning	\$109,361.73
Community and other Contributions	\$476,773.67
Columbia Basin Trust	\$80,000.00
Total Funds	\$999,779.14

*Donations revenue for 2023/2024 is \$6,242.43. The remaining 24,401.31 is carry forward from previous years.

*WildSafeBC offers E-Learning for level one and two Wildlife Awareness and Safety Training as well as in-person Bear spray demonstrations. E-Learning revenue is directed back into the WildSafeBC program. WildSafeBC E-Learning revenue for 2023/2024 is \$30,709.69. The remaining \$78,652.04 is carry forward from previous years.

EXPENDITURES

Budget Item	Details/Notes	Expenditures to Date
Provincial Wages	Program Manager, Communications Coordinator (Started November 1, 2023), Program Coordinator.	\$76,257.90
WildSafeBC Community Programs	Includes: Coordinator wages, WildSafeBC training, materials/supplies, and mileage, and Indigenous training.	\$465,648.94
Provincial Costs	Includes: BCCF office space rent, computer costs, equipment repairs, conferences, site visits, travel, advertising and supplies purchasing.	\$39,705.44
E-Learning Expenses	Includes: external requests from non-WildSafeBC communities for Bear spray workshops and WildSafeBC Ranger presentations.	\$2,380.29

Budget Item	Details/Notes	Expenditures to Date
E-Learning revenue carry forward	E-learning revenue planned to support program development initiatives for 2024.	\$82,617.24
Anticipated work order funds to be returned	BC Parks work order will come back next fiscal. Coordinators were unable to reach BC Park staff before the end of the season.	\$15,261.76
Anticipated WSBC Community program carry forward	WildSafeBC Community program carry over is used to provide project sustainability year to year.	\$123,648.06
Donations carry forward	Donations carry forward used to support program development.	\$29,867.49
BCCF Admin Costs	Administrative support to the program (15% admin. fee).	\$87,598.89
	Total Expenses	\$922,986.01
	<i>Remaining funds allocated until fiscal year end</i>	\$76,793.13

2023 WildSafeBC Regional District of Central Kootenay’s Funding Contributions

Funding Source	Amount Granted
City of Castlegar	\$6,000.00
City of Nelson	\$9,000.00
Village of New Denver	\$1,000.00
RDCK Area K	\$1,000.00
Village of Silverton	\$1,000.00
Village of Nakusp	\$1,000.00
Village of Kaslo*	\$3,560.91
Town of Creston	\$4,000.00
Columbia Basin Trust	\$31,661.55
Ministry Grant (Ministry of Environment & Ministry of Forests)	\$16,000.00
RDCK Grant	\$15,000.00
TOTAL	\$89,222.46

*WildSafeBC was unable to hire a Community Coordinator in Kaslo for the last two years. Therefore, the Village of Kaslo was not invoiced this year, instead the carry forward funds from the previous year were utilized to provide remote program coverage.

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

It was discussed at the January 17, 2024 meeting, as to whether funds should be coming from Service S100 General Admin rather than Service S101 Rural Administration.

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

See Attachment 01.

3.3 Environmental Considerations

See Attachment 01.

3.4 Social Considerations:

See Attachment 01.

3.5 Economic Considerations:

See Attachment 01.

3.6 Communication Considerations:

See Attachment 01.

3.7 Staffing/Departmental Workplan Considerations:

See Attachment 01.

3.8 Board Strategic Plan/Priorities Considerations:

See Attachment 01.

SECTION 4: OPTIONS & PROS / CONS

See Attachment 01.

SECTION 5: RECOMMENDATIONS

That the Board approve the RDCK enter into an Agreement with the British Columbia Conservation Foundation for their WildSafeBC Program for the period of February 1, 2024 and ending on December 31, 2026, and that the Chair and Corporate Officer be authorized to sign the necessary documents;

AND FURTHER, that the annual funding for the WildSafeBC Program not exceed an annual cost of \$20,000, \$25,000, and \$32,500 for 2024, 2025 and 2026 respectively;

AND FURTHER, that the costs be paid from Service S101 Rural Administration (transferred through to Environmental Services A100).

Respectfully submitted,

Originally signed by

Todd Johnston, Environmental Coordinator, Environmental Services

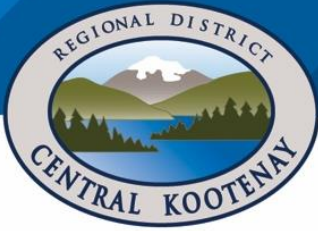
CONCURRENCE

General Manager, Environmental Services – Uli Wolf **Digitally approved**

General Manager Finance, IT and Economic Development / Chief Financial Officer – Yev Malloff

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

ATTACHMENT: 2024-01-17 Rural Affairs Committee Staff Report: WildSafeBC Funding Proposal for RDCK



Rural Affairs Committee Report

Date of Report:	01/08/2024
Date & Type of Meeting:	01/17/2024
Author:	Todd Johnston, Environmental Coordinator
Subject:	WILDSAFEBC FUNDING PROPOSAL FOR RDCK
File:	12-6240-20
Electoral Area/Municipality:	Castlegar (Robson, Blueberry, Thrums, Ootischenia); Rural Areas between Nelson-Creston-Cranbrook; Area D – Kaslo, Meadow Creek and surrounding; Area K – Nakusp, Edgewood, Burton, Silverton, Fauquier.

SECTION 1: EXECUTIVE SUMMARY

The purpose of this report is to present a funding proposal submitted by the BC Conservation Foundation (BCCF), requesting gradual increased funding for their WildSafeBC (WSBC) Programming, under a three year (2024-2026) agreement. For the first time in fourteen years, WSBC is requesting an increase above the previously allotted \$3,000 per service area.

WSBC has been notified that a key funder, the Columbia Basin Trust (CBT), has decided to phase out their yearly funding commitment over the next three years. The five programs within the RDCK boundaries will be significantly affected by this funding source loss, and therefore BCCF has proposed annual, graduated price increases between 2024-2026 to offset the CBT funding cuts.

SECTION 2: BACKGROUND/ANALYSIS

The RDCK has provided various degrees of funding for Bear Aware programs with the BC Conservation Foundation (BCCF) since 2007. In 2012 RDCK began funding five WildSafeBC (WSBC) Bear Aware education programs in the RDCK, similar to the current three year funding agreement between RDCK and BCCF.

WSBC works to prevent conflict with wildlife, and provides education and community-based solutions to residents in Central Kootenay area who report human-wildlife conflict within their communities. Factors influencing these conflicts include population dynamics, natural food availability, forest fires, drought conditions and the continuing availability of human-provided food sources within communities. The Service Areas in receipt of the WSBC Program are:

- Nelson Area E & F
- Castlegar: Robson, Blueberry, Thrums, and Ootischenia
- Rural areas between Nelson - Creston - Yakh
- Area D - Kaslo, Meadow Creek and surrounding areas
- Area K & H - Nakusp, Edgewood, Burton, Silverton and Fauquier areas

WSBC Community Coordinators (WCC) perform outreach activities designed to prevent human-wildlife conflict within their communities such as:

- WildSafe Ranger presentations for youth;
- Display booths at community events, markets, trailheads and frequented local recreation sites;
- Wildlife presentations and/or bear spray workshops;
- Garbage tagging events where removable warning stickers are placed on garbage containers set out the night before collection;
- Door to door outreach campaigns;
- Cost share programming directed at removing fruit trees from communities.

WSBC collaborates with other organizations to provide solutions in the region; which, this season included a fruit tree removal/replacement program with Biodiversity Pathways, electric fencing referrals and workshops with Grizzly Bear Coexistence Solutions, and supports for various bear working groups.

WSBC augments provincial initiatives and agencies in meeting their mandates through the Bear Smart Community Program, the Conservation Officer Service, and Species-At-Risk management. The program is developed and supported by a Provincial Advisory Committee comprised of representatives from Ministry of Forests, Ministry of Environment and Climate Change Strategy, Ministry of Water, Land and Resource Stewardship, BC Parks and academia.

For more detailed information WSBC's work in 2023, please see Attachment 01.

The most recent Goods and Services Agreement between RDCK and BCCF, a three year contract, expired December 31, 2023. The annual service cost in this contract was \$3,000 for each of the five areas, totaling \$15,000 per year or \$45,000 for the duration of the contract. The price per Area has not changed since 2012; if CPI had been applied, in accordance with the Bank of Canada inflation calculator, the \$3,000 rate per area, would be the equivalent of \$3,908.12 in 2023 dollars (<https://www.bankofcanada.ca/rates/related/inflation-calculator/>).

In November 2023, BCCRF submitted a funding proposal, requesting gradual increased funding for their WSBC Programming, under a three year (2024-2026) agreement. For the first time in fourteen years, WSBC is requesting an increase above the previously allotted \$3,000 per service area.

The driver for the increased funding commitment from RDCK, was notification to WSBC from Columbia Basin Trust, a key funder, to phase out their yearly funding commitments (provided since 2013) over the next three years. The five programs within the RDCK boundaries will be significantly affected by this funding source loss, and therefore BCCF has proposed annual, graduated price increases between 2024-2026, as shown below, to offset these cuts.

	2024	2025	2026
Cost per area	\$4,000	\$5,000	\$6,500
Annual Increase per Area from 2023	\$1,000	\$2,000	\$3,500
Total Annual Cost	\$20,000	\$25,000	\$32,500
Total Increase from 2023	\$5,000	\$10,000	\$17,500
% Increase from previous year	33%	25%	30%

WildSafeBC also receives funding support from the Province via MOE, MOF, MWLRS and BC Parks which both supplements each community program and also allows for the Provincial Team to support each community program such as recruiting communities, hiring coordinators; and providing training, supplies and support throughout the season.

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

If this funding proposal is accepted, the \$15,000 per year, typically allocated in the Financial Plan for 2024-2026, within Service A100 will successively increase by \$5,000, \$10,000 and \$17,500 compared to 2023 costs for the years 2024, 2025 and 2026 respectively. These proposed costs, when divided up by the service areas shown below, would result in a \$1,000, \$2,000 and \$3,500 increase compared to 2023 costs for each service area for 2024, 2025 and 2026 respectively.

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

None at this time.

3.3 Environmental Considerations

Every year many wild animals have to be killed because of human - wildlife conflicts. This program significantly contributes to reducing these events.

3.4 Social Considerations:

The program has proven over the years to help reduce human – wildlife conflict and support Conservation Officers in the region in their efforts.

3.5 Economic Considerations:

None at this time.

3.6 Communication Considerations:

This program will continue to be supported in their efforts through information on the RDCK website.

3.7 Staffing/Departmental Workplan Considerations:

Some minor support is required from RDCK staff for program support and contract management.

3.8 Board Strategic Plan/Priorities Considerations:

This program supports the RDCK's Strategic Objective "To Excel in Governance and Service Delivery".

SECTION 4: OPTIONS & PROS / CONS

Option 1: That the Board approve the RDCK enter into a Goods and Services Agreement with the British Columbia Conservation Foundation for their WildSafeBC Program for the period of February 1, 2024 and ending on December 31, 2026, and that the Chair and Corporate Officer be authorized to sign the necessary documents;

AND FURTHER, that the annual funding for the WildSafeBC Program not exceed an annual cost of \$20,000, \$25,000, and \$32,500 for 2024, 2025 and 2026 respectively;

AND FURTHER, that the costs be paid from Environmental Services A100.

PROS:

- The WildSafeBC Program is a valued service in the RDCK, that serves to minimize human-wildlife conflicts, and thereby protecting both wildlife and communities.
- Despite the loss of CBT funding, the continued financial and in-kind support from the Province, still guarantees a high value program at a comparably low cost to the RDCK, even with the proposed increases to the RDCK contribution.

CONS:

- The proposed funding increases for the WildSafeBC Program are significantly higher than what the RDCK has been paying since 2012, ranging between 25-33% annual increases.

Option 2: Do not approve entering in to a Goods and Services Agreement between RDCK and BCCF and direct Staff on appropriate changes to bring back to the Rural Affairs Committee in February.

PROS:

- A lower contribution to the WildSafeBC Program will reduce budget spending.

CONS:

- If BCCF is not able to recover enough to the funding loss from CBT funding the WSBC Program, it may result in a significantly diminished program or loss of this service.

SECTION 5: RECOMMENDATIONS

That the Board approve the RDCK enter into an Agreement with the British Columbia Conservation Foundation for their WildSafeBC Program for the period of February 1, 2024 and ending on December 31, 2026, and that the Chair and Corporate Officer be authorized to sign the necessary documents;

AND FURTHER, that the annual funding for the WildSafeBC Program not exceed an annual cost of \$20,000, \$25,000, and \$32,500 for 2024, 2025 and 2026 respectively;

AND FURTHER, that the costs be paid from Environmental Services A100.

Respectfully submitted,

Originally signed by

Environmental Coordinator, Environmental Services

CONCURRENCE

General Manager, Environmental Services – Uli Wolf **Digitally approved**

General Manager Finance, IT and Economic Development / Chief Financial Officer – Yev Malloff

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

ATTACHMENT: WildSafeBC Proposal for RDCK Funding 2024-2026



Committee Report

Date of Report: January 30, 2024
Date & Type of Meeting: February 14, 2024, Rural Affairs Committee
Author: Micah Nakonechny, Grants Coordinator
Subject: COMMUNITY WORKS FUND APPLICATION – AINSWORTH SEWER SYSTEM CORPORATION “AINS WORTH SEWER OUTFALL AND UPGRADES”
File: 1850-20-CW-298
Electoral Area/Municipality D

SECTION 1: EXECUTIVE SUMMARY

The purpose of this report is to seek approval for the RDCK Community Works Fund application submitted by the Ainsworth Sewer System Corporation for the project titled “Ainsworth Sewer Outfall and Upgrades” in the total amount of \$100,000 and that funds be disbursed from Community Works Funds allocated to Electoral Area D. The project seeks to replace an aging sewage outfall pipe and other wastewater treatment plant infrastructure to bring the Ainsworth Sewer System into compliance with the Ministry of the Environment’s Municipal Wastewater Regulation.

SECTION 2: BACKGROUND/ANALYSIS

The Ainsworth Sewer System is a community-owned asset that provides wastewater collection, treatment, and disposal to a portion of the unincorporated community of Ainsworth Hot Springs, adjacent to Kootenay Lake. The system services 11 residential lots and a 7-room motel with attached 2-bedroom residence. The current system consists of septic tanks on each serviced property, common effluent collection network system, and wastewater treatment plant (WWTP) consisting of a flow equalization tank, upflow sludge blanket filtration system, UV disinfection, and outfall pipe into Kootenay Lake. The permitted maximum flow rate of 16.2 m³/day is governed by the Ministry of the Environment (MoE).

In January of 2022, MoE provided to the Corporation the requirements to bring the system into compliance with the Municipal Wastewater Regulation (MWR). Several engineering consultants were engaged by the Corporation, and a list of repairs and replacements of the WWTP was developed.

The proposed work includes:

- Replacement and installation of sewage outfall pipe (complete with steel cage)
- Installation of effluent pumps for flow equalization tank
- Replacement of Zabel effluent filters
- Installation of ultraviolet disinfection unit
- Installation of monitoring and alarm system
- Replacement of bioreactor tank lids
- Purchase of emergency submersible effluent pump

These upgrades, repairs, and replacements will not only bring the system into compliance with the MWR, but ensure the WWTP operates at peak efficiency, minimize the environmental impact on the community and Kootenay Lake, and increase the system’s capacity and ability to expand the number of users on the system.

The Corporation provided a five-year budget to support asset management planning for the WWTP, which was unanimously approved by the shareholders of the corporation.

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

This application is the responsibility of Area D and no other areas are being asked to contribute to the project. The Director for the area is supportive of the application and has sufficient funds to allocate to the project. Should this project be funded, Area D will have \$232,470.11 in Community Works funds remaining.

The Corporation has acknowledged that asset management planning is a requirement of receiving the funds and has provided a five-year budget to this effect. Adherence to this budget will be made a condition in the grant agreement with the applicant.

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

Community Works (formerly Gas Tax) funded projects aim to achieve three objectives: a clean environment; strong cities and communities; and productivity and economic growth. Board policy dictates that applications to the Community Works Fund be reviewed by staff and the Rural Affairs Committee for compliance with program guidelines. Staff is of the opinion that this project falls within the program category of ‘Wastewater’.

3.3 Environmental Considerations

The proposed upgrades will minimize the impacts of untreated effluent on the Ainsworth community and Kootenay Lake.

3.4 Social Considerations:

Increased capacity of the system and WWTP will allow more users to join the system.

3.5 Economic Considerations:

The proposed project costs are eligible based on Community Works funding criteria.

3.6 Communication Considerations:

None at this time.

3.7 Staffing/Departmental Workplace Considerations:

RDCK staff resources will need to be allocated to track, process and ensure reporting requirements are fulfilled on an annual basis for a five-year period.

3.8 Board Strategic Plan/Priorities Considerations:

None at this time.

SECTION 4: OPTIONS & PROS / CONS

N/A

SECTION 5: RECOMMENDATIONS

THAT the Community Works Fund application submitted by the Ainsworth Sewer System Corporation for the project titled “Ainsworth Sewer Outfall and Upgrades” in the amount of \$100,000 be approved and that funds be disbursed from Community Works Funds allocated to Electoral Area D.

Respectfully submitted,

Micah Nakonechny, Grants Coordinator

CONCURRENCE

Mike Morrison – Manager of Corporate Administration/Corporate Officer *Digitally approved by*

Uli Wolf – General Manager of Environmental Services *Digitally approved by*

Stuart Horn – Chief Administrative Officer *Digitally approved by*

ATTACHMENTS:

Attachment A – Community Works Fund Application: Ainsworth Sewer System Corporation “Ainsworth Sewer Outfall and Upgrades”

Attachment B – Ainsworth Sewer System Corporation five-year budget



Regional District of Central Kootenay

Attachment A

Box 590, 202 Lakeside Drive, Nelson, BC V1L 5R4
 250-352-6665 1-800-939-9300 Email info@rdck.bc.ca

Community Works Fund Application (Appendix-A)			
Gas Tax Program Services – CWF Funding (UBCM)			
"The Project"	Ainsworth Sewer Outfall and Upgrades		
Date of Application	2024/01/01		
Applicant Information			
Name of Organization	Ainsworth Sewer Systems Corp.		
Address	Box 1356		
City, Prov. Postal	Ainsworth Hot Springs, BC V0G 1A0		
Phone No.	250-353-3145 (Pat D)	Fax No.	
Organization's Email	ainsworthsewersystem@gmail.com		
Name of Contact	Pat Desmeules	Contact's Email	ainsworthsewersystem@gmail.com
Director in Support of Project			
Name of Director(s)	Area(s)/Municipality	Amount Requested	
AIMEE WATSON	RDCK	\$ 100,000.00	
Project Time Line			
Project Commencement Date (yyyy/mm/dd)		Project Completion Date (yyyy\mm\dd)	
2023/03/01		2024/10/31	
Land Ownership			
Ownership and legal description information is required for all parcels of land on which the proposed work will occur.			
Legal Description of land(s)	Highway 31, Ainsworth Hot Springs BC Lot A, PLAN NEP22030, SECTION 5, TC		
Registered Owners of Land(s)	Ainsworth Sewer System Corp.		
Crown Land Tenure/License No./Permit No.(s)			
Compliance With Regulations			
The proponent shall in all respects abide by and comply with all applicable lawful rules, regulations and bylaws of the federal, provincial or local governments, or any other governing body whatsoever, in any manner affecting the Project.			
Have you consulted with a building official?	<input type="checkbox"/>	Yes	
	<input checked="" type="checkbox"/>	No	
Have you applied and received a building permit?	<input type="checkbox"/>	Yes, Permit No. _____	
	<input checked="" type="checkbox"/>	No	
If No, please explain: Not applicable			

Application Content

Must include all of the following:

- 1.0 - Description of the Project including management framework
- 1.1 - Project timeline and supporting documents
- 2.0 - Project budget
- 3.0 - Accountability Framework Financial statements that adhere to Project accountability

1.0 Description of the Project including management framework

In order to comply with Ministry of Environment (ENV) Municipal Wastewater Regulation (MWR) Registrations requirements several engineering consultants were engaged by the Ainsworth Sewer System Corp. in 2022 and a list of repairs and/or replacements of current components of the Waste Water Treatment Plant was developed.

The most urgent of these being the replacement of the original outfall pipe in Kootenay Lake in Ainsworth. The current pipe was found to be kinked and was not float-able (as per current guidelines).

As per the Feasibility Report done by Highland Consulting Ltd. the following outlines the main upgrade requirements as follows:

"The main upgrade requirements are the outfall pipe which is understood to be damaged and treated effluent may not be discharged at the designed Initial Dilution Zone (IDZ).

In addition, the WWTP component upgrades will include installation of an effluent pump(s) for the flow equalization tank, replacement of Zabel effluent filters, and purchase of a new ultraviolet disinfection unit.

The general WWTP upgrades will include providing back flow prevention on the hose bib at the WWTP, installation of a monitoring and alarm system, replacing the existing USBF bioreactor tank lids, and the purchase of a submersible effluent pump for emergency purposes."

A barge and equipment (DDC Contracting) will be required to install the new outfall pipe, at a considerable cost. In addition to the above-noted upgrades, it is recommended to install a steel cage at the end of the outfall pipe in order to provide protection and adequate weighting to prevent movement from currents, ice or possible entrainment of air, as per ENV requirements.

1.1 Outfall Requirements [MWR s. 99 to 102]

- 1.1.1 Outfalls designed to meet IDZ requirements under this regulation
- 1.1.2 Outfalls designed such that air entrapment is prevented.
- 1.1.3 Adequate weighting is provided to prevent movement from currents, ice or possible entrainment of air
- 1.1.4 The outfall is protected from corrosion.

(If needed, please provide additional information on separate page)

1.1 Project Costs including Timeline and Supporting Documents

The Ministry of Environment (ENV) issued an IRT (Information Requirements Table) on January 11, 2022, which outlined what needed to be done to meet the MWR (Municipal Wastewater Registration) standards.

The largest part of the project will be the replacement of the outfall pipe, steel cage etc

March - October 2024

- Alarm and Monitoring System
- Install Effluent Pump for Flow Equalization Tank
- Zabel filters
- Ultraviolet disinfection unit
- Back flow prevention on hose bib at WWTP
- USBF Bioreactor tank lids to be replaced

Spring of 2024 - at low water, the outfall pipe, steel cage, duckbill diffuser will be installed using a barge and DDC Contracting. We expect the installation to take approximately 3 weeks.

REPLACEMENT OF Pipe at WWTP AT LOWER PROPERTIES/WWTP
- Replacement of faulty connection (west side of highway) to the Waste Water Treatment Plant, including excavation into plant

NEW ROOF on WWTP - replace underlay and shingles

(If needed, please provide additional information on separate page)

1.2 Project Impact

The completion of these upgrades, repairs and replacements will ensure that the Ainsworth Sewer System Wastewater Treatment Plant is operating at peak efficiency, minimizing any impact on the environment and in our lake.

Additionally, these improvements will increase our capacity with a view to expand the number of users on the system in the future.

Having new users on our system as opposed to using septic fields also should have a favorable impact on our local and lake environment.

(If needed, please provide additional information on separate page)

1.3 Project Outcomes

Free flowing wastewater, highly functioning wastewater system for years to come.
Increasing potential to allow other local residents to hook up to system.
MWR requirements of Ministry of Environment met, as per the IRT

(If needed, please provide additional information on separate page)

1.4 Project Team and Qualifications

Paul Kernan, P.Eng. Highland Consulting Ltd.
 Project Manager, Doug Leduc - EOCP Certification - Small Wastewater System Operator
 DDC Excavating Ltd., Rob Daughton

(If needed, please provide additional information on separate page)

2.0 Project Budget
 List anticipated and confirmed Project revenue and expenses that have been deemed necessary for the implementation of the Project. Schedule B outlines eligible costs for eligible recipients (see attached).

Project Revenue
 (Capital, Professional, Environmental Assessment, Employee, Equipment, Incremental)

Item	Description of Revenue	Value (\$)
Community Works Grant	100% grant required for project	\$ 100,000.00
		\$
		\$
		\$
		\$
		\$
(If needed, please see page 7 to provide additional budget information)	Sub-Total Project Revenue	\$ 100,000.00

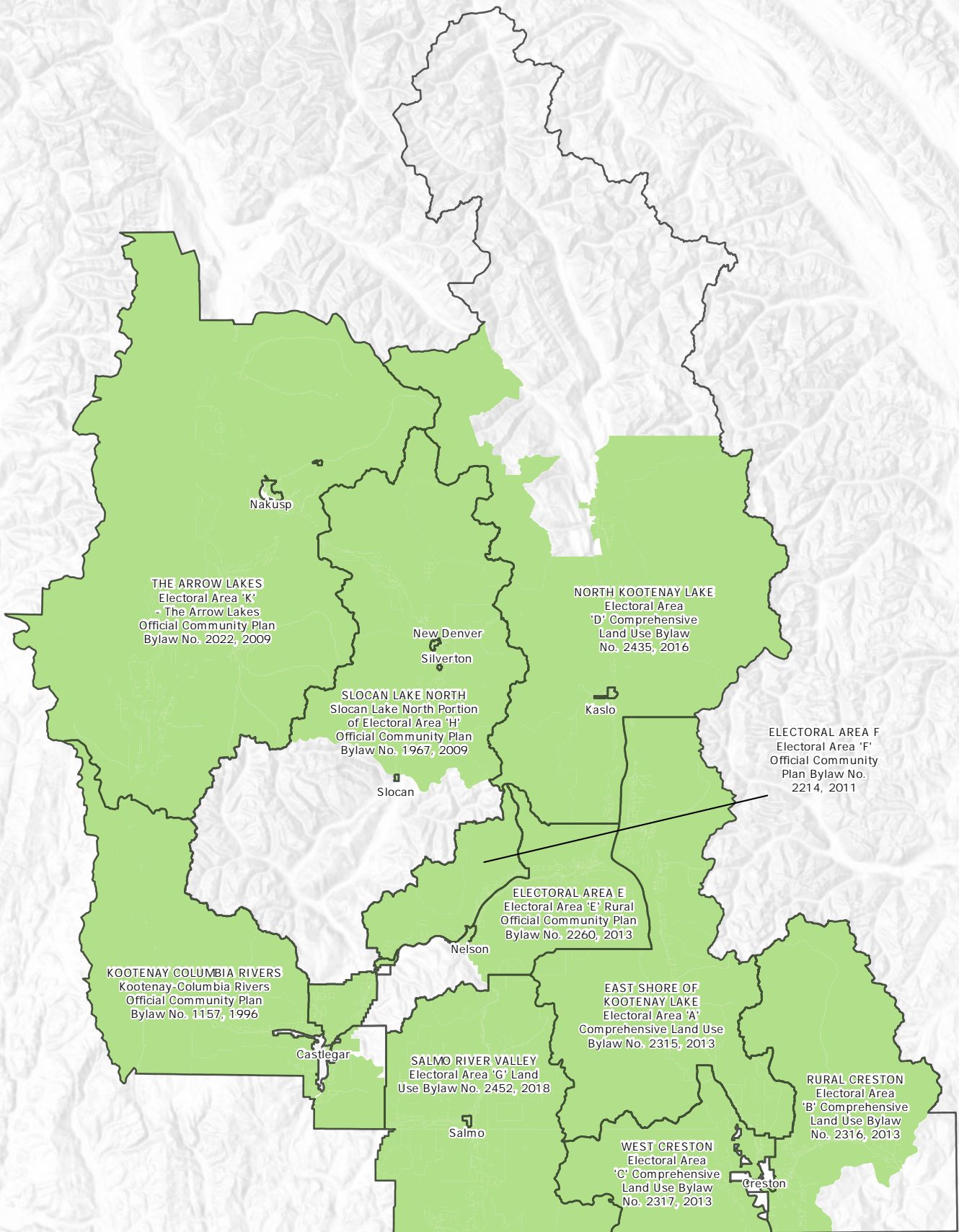
Project Expenses
 (Capital, Professional, Environmental Assessment, Employee, Equipment, Incremental)

Item	Description of Expenses	Value (\$)
Outfall pipe	1600' DR11 Outfall pipe +estimated ship	\$ 15,000.00
1500' Cable - 3/4" black	Cable to run alongside outfall pipe to weigh down	\$ 4,369.92
Zabel effluent filter	Zabel	\$ 600.00
Ultraviolet disinfection unit	Ram Tech Calgary -	\$ 14,112.00
Back flow prevention on hose bib at WW		\$ 400.00
(If needed, please see page 7 to provide additional budget information)	Sub-Total Project Expenses	\$ 34,481.92

2.1 Additional Budget Information		
Quote rationale to be reviewed by RDCK Chief Administrative Officer		
<p>We are hoping to purchase all the material as soon as possible to avoid increasing prices due to inflation.</p> <p>A five year budget was created to include funding towards an Asset Management Plan in accordance with the requirements as outlined by RDCK. The proposed budget was sent to shareholders with the motion to approve same. The motion was unanimously passed by the shareholders. The budget was submitted to RDCK and to the grants coordinator.</p>		
(If needed, please provide additional information on separate page)		
3.0 Accountability Framework		
<p>The eligible recipient will ensure the following:</p> <ul style="list-style-type: none"> - Net incremental capital spending is on infrastructure or capacity building - Funding is used for eligible Project and eligible costs - Project is implemented in diligent and timely manner - Where recipient is a Local Government, undertake Integrated Community Sustainability Planning - Provide access to all records - Comply with legislated environmental assessment requirements and implement environmental impact mitigation measures - Provide a Project Completion Report including copies of all invoices - 		
4.0 Schedule of Payments		
<p>The RDCK shall pay the grant to the proponent in accordance with the following schedule of payments:</p> <ol style="list-style-type: none"> a) 75% upon signing of the Contract Agreement b) 25% upon receipt of a Project completion report indicating 100% completion of the Project and proof of meeting anticipated impacts and outcomes, a statement of income and expenses, and copies of invoices/receipts supporting funding expenditures. 		
5.0 Acknowledgement of Requirements		
<p>Gas Tax-funded projects aim to achieve national objectives: a clean environment; strong cities and communities; and productivity and economic growth.</p> <p>By signing below, the recipient agrees to prepare and submit a Project completion report outlining Project outcomes that were achieved and information on the degree to which the Project has contributed to the above mentioned objectives. The Project completion report must include details of project revenue s and expenses and copies of invoices or receipts that support funding expenditures. In addition, an annual report (for 5 years) is to be submitted to the RDCK prior to October 31st of each year detailing the beneficial impacts on the community as a result of the completed Project.</p>		
Authorized Signature for Proponent	Name	Date
"Denise Thompson"	DENISE THOMPSON	2023/07/09

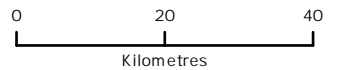
AINSWORTH SEWER SYSTEM CORP.
PROJECTED BUDGET 2024 - 2029

Budget	2024	2025	2026	2027	2028	2029
Income						
Balance forward	2,000.00	783.24	566.48	349.72	132.96	116.20
Membership Dues - Operating	10,000.00	11,000.00	11,000.00	11,000.00	11,200.00	11,200.00
Reserve Fund re Assets	15,000.00	20,000.00	26,000.00	30,000.00	33,016.00	33,016.00
Total Income	27,000.00	31,783.24	37,566.48	41,349.72	44,348.96	44,332.20
OPERATING BUDGET	12,000.00	11,783.24	11,566.48	11,349.72	11,332.96	11,316.20
Expenses						
Business Expenses						
Business Registration Fees	202.05	202.05	202.05	202.05	202.05	202.05
Contract Services						
Environmental Biologist	1,500.00	1,500.00	1,500.00	1,500.00	1,500.00	1,500.00
Engineer	1,500.00	1,500.00	1,500.00	1,500.00	1,500.00	1,500.00
Plant Operator	4,000.00	4,000.00	4,000.00	4,000.00	4,000.00	4,000.00
Water Sample Analysis (Est.)	1,000.00	1,000.00	1,000.00	1,000.00	1,000.00	1,000.00
Legal (Estimated)	150.00	150.00	150.00	150.00	150.00	150.00
Facilities and Equipment						
Property Insurance	1,379.00	1,379.00	1,379.00	1,379.00	1,379.00	1,379.00
Property Tax	189.42	189.42	189.42	189.42	189.42	189.42
Utilities	1,296.29	1,296.29	1,296.29	1,296.29	1,296.29	1,296.29
Total Expense	11,216.76	11,216.76	11,216.76	11,216.76	11,216.76	11,216.76
Net Ordinary Income - Operations	783.24	566.48	349.72	132.96	116.20	99.44



RDCK Areas with OCP

- Electoral Areas
- Official Community Plan Coverage

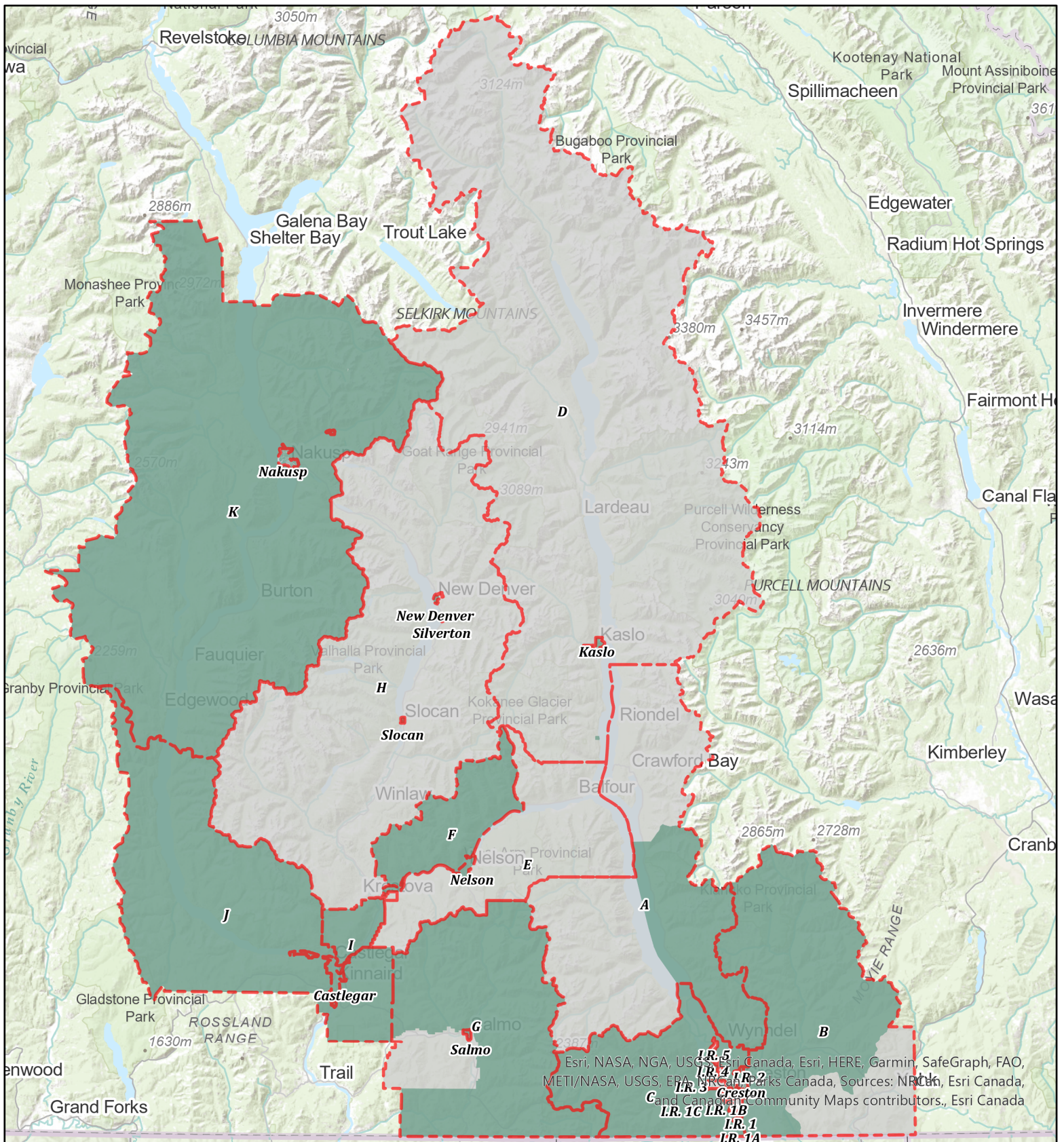


Thursday, February 8, 2024
Datum/Projection: NAD83/UTM Zone 11N
Created By: Chenoa McLean

The map data shown are approximate representations for reference purposes only. The Regional District of Central Kootenay is not liable for any errors or omissions on this map nor any loss or damage resulting from the use of this map.

Development Permit Areas in RDCK											
	Electoral Area										
	A	B	C	D	E	F	G	H	I	J	K
Commercial, Industrial and High Density Residential	-	-	-	-	-	Y	-	-	Y	Y	-
Environmentally Sensitive (ESDP)	Y	-	-	-	-	-	-	-	-	-	-
Environmentally Sensitive Residential Cluster (ESRC)	-	-	-	-	-	-	-	Y	-	-	Y
Industrial (IDP)	Y	-	Y	Y	-	-	-	Y	-	-	Y
Industrial and Commercial (ICDP)	-	-	-	-	Y	-	-	-	-	-	-
Residential Cluster (RCDP)	Y	-	-	-	Y	-	-	-	-	-	-
Resort Commercial (RCDP)	-	-	-	-	-	-	-	-	-	-	Y
Watercourse (WDP)	-	-	-	Y	Y	-	Y	Y	-	-	-

RDCK Areas with Zoning



Esri, NASA, NGA, USGS, Esri Canada, Esri, HERE, Garmin, SafeGraph, FAO, METI/NASA, USGS, EPA, NRCAN, Parks Canada, Sources: NRCAN, Esri Canada, and Canadian Community Maps contributors, Esri Canada



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- Electoral Areas
- Zoned
- Unzoned

Map Scale:

1:1,050,000



Date: Tuesday, March 14, 2023

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