



REGIONAL DISTRICT OF CENTRAL KOOTENAY

# Memo to General Manger of Development Services

**Date of Memo:** December 21, 2020  
**Author:** Corey Scott, Planner  
**Subject:** DEVELOPMENT PERMIT (2007Hn – Valhalla Foundation for Ecology)  
**File:** 09/4260/20/2020/DP2007Hn-01309.000-Valhalla\_Foundation\_for\_Ecology-DP000104

|                          |   |
|--------------------------|---|
| <b>Owner</b>             | VALHALLA FOUNDATION FOR ECOLOGY AND SOCIAL JUSTICE, INC.NO. S0037854  |
| <b>Civic Address</b>     | HWY 6 (DL 388)  |
| <b>Legal Description</b> | DISTRICT LOT 388 KOOTENAY LAND DISTRICT PT LT 388 LYING S/W OF R/W PL A F P B VOL 9 FOLIO #2231-C & N OF LT 476 TO WHICH IS ASSIGNED PCL A. |
| <b>PID</b>               | 017-469-643   |
| <b>Lot Size</b>          | 14.3 hectares (35.3 acres)  |

|   |                   |
|---|-------------------|
| <b>PROPOSAL:</b>  |                   |
| <p>The Snk'mip March Sanctuary is an ecological restoration project that the Valhalla Foundation for Ecology has been undertaking for over three years. The project has restored 21,200m<sup>2</sup> of riparian area since it began. The restoration works were undertaken under a <i>Water Sustainability Act</i> authorization and the applicant was unaware that a Development Permit from the local government was also required for the project.</p> <p>The proposal is for the installation of three new ephemeral ponds and an accessible walking path. The path will utilize existing internal roads that were created by a previous property owner. All proposed works are upland of the existing wetland and 2019/2020 restoration works. At its closest extent, the area under application is approximately 50m+ from the existing wetland.</p> <p>There are mapped watercourses on the subject property; however, the applicant has stated that they were filled in by a previous property owner and a major goal of their restoration project is to reverse the environmental damage that occurred as a result of the previous owner's actions. The ephemeral ponds will be independent and not connect to any existing watercourse.</p> <p>The applicant provided a construction report for the already completed works with their submission. Planning Staff followed up with the Habitat Branch at the Ministry of Forests, Lands, Natural Resource Operations and Rural Development (FLNRORD) and no concerns were raised with the already-completed works or the current proposal.</p> |                   |
| <b>Electoral Area</b>   | H North           |
| <b>Development Permit Area</b>  | Watercourse (WDP) |

| Guidelines   | Meets?     | Comments  |
|--|------------|---|
| <p>All development proposals subject to this permit will be assessed by a Qualified Environmental Practitioner (QEP) in accordance with the Riparian Areas Regulation established by the Provincial and/or Federal governments as used elsewhere in the Province.</p>  | <p>Yes</p> | <p>The previous wetland restoration work completed to date was carried out under Provincial authorizations and was assessed with regard to the Provincial <i>Riparian Areas Protection Regulation</i> prior to the issuance of those authorizations. The proposed works involve grading improvements to an existing internal road and the creation of new ephemeral ponds outside of the WDP Area, appx. 50m from the existing wetland. These works will result in a net increase in riparian habitat, which exceeds the requirements of <i>RAPR</i>.</p> |
| <p>A WDP shall not be issued prior to the RDCK ensuring that a QEP has submitted a report certifying that they are qualified to carry out the assessment, that the assessment methods have been followed, and provides in their professional opinion that a lesser setback will not negatively affect the functioning of a watercourse or riparian area and that the criteria listed in the Riparian Areas Regulation has been fulfilled.</p>  | <p>Yes</p> | <p>A Construction Report, detailing the works already completed and two letters were submitted: one by Robin Annschild, Wetland Restoration Specialist, and another from Wayne McRory, R.P. Bio. The letters confirm that Mr. McRory is qualified to provide an assessment, that all works within the WDP Area have exceeded best management practices, and that the guidelines for the WDP Area have been met.</p> <p>The proposal is not requesting a lesser setback, as the works are related to environmental restoration.</p>                        |
| <p>The Riparian Areas Regulation implemented through the WDP does not supersede other Federal, Provincial and or local government requirements, including that of other development permit areas, building permits, flood covenants, Federal or Provincial authorization. Land subject to more than one development permit area designation must ensure consistency with the guidelines of each development permit area, to provide comprehensive stewardship of both fish and wildlife habitat.</p> | <p>Yes</p> | <p>Provincial Authorization under the <i>Water Sustainability Act</i> on July 25, 2019 (A4-7564) for wetland restoration works within the WDP Area that have been completed.</p>  |

|                   |                     |
|-------------------|---------------------|
| <b>Zoning</b>     | N/A                 |
| <b>OCP</b>        | Agricultural (AG)   |
| <b>ALR</b>        | Yes – Entire Parcel |
| <b>Floodplain</b> | N/A                 |

|   |     |
|---|-----|
| <b>NSFEA</b>                                  | N/A |
| <b>Geohazard</b>                              | N/A |
| <b>Archeology Sites</b>                       | N/A |
| <b>Within RDCK Water System</b>               | N/A |
| <b>Relevant Covenants and Reports</b>         | N/A |
| <b>Review Title for Miscellaneous Charges</b> | N/A |

| <b>REFERRAL COMMENTS:</b> |   |
|---------------------------|---|
| FLNRORD                   | No comments – WSA Authorization already issued. |
| Director Popoff           | No comments received.                           |

Respectfully submitted,



Corey Scott  
Planner

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| <b>CONCURRENCE</b> | <b>Initials:</b> |
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Planning Manager  
General Manager of Development Services

**ATTACHMENTS:**

Attachment A – Development Permit