



Regional District of Central Kootenay  
RURAL AFFAIRS COMMITTEE  
Open Meeting Agenda

**Date:** Wednesday, January 17, 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 PST

10:00 MST

**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)

**In-Person Location:** RDCK Board Room, 202 Lakeside Drive, Nelson, B.C.

**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 January 17, 2024 Rural Affairs Committee meeting be adopted as circulated.

**5. RECEIPT OF MINUTES**

8 - 19

The December 13, 2023 Rural Affairs Committee meeting minutes, have been received.

**6. DELEGATIONS**

Item 7.4 - Louis Bouchard

**7. PLANNING & BUILDING**

**7.1 BUILDING BYLAW CONTRAVENTION - EVANS**

20 - 27

**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  
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.*

**RECOMMENDATION:**  
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.

**7.2 BUILDING BYLAW CONTRAVENTION - EVANS**

28 - 35

**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.***

**RECOMMENDATION:**

That it be recommended to the Board:

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

**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**

36 - 41

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.***

**RECOMMENDATION:**

That it be recommended to the Board:

That the Corporate Officer of the Regional District of Central Kootenay be directed to file a Notice with the Land Title and Survey Authority of British Columbia, stating that a resolution has been made under Section 57 of the *Community Charter* by the Regional District Board relating to land at 1726 Thrums East Road, Electoral Area I and legally described as LOT C, PLAN NEP68184, DISTRICT LOT 1239, KOOTENAY LAND DISTRICT MANUFACTURED HOME REG. # 36149., and further, if an active Building

permit or Building application is in place, that it be cancelled; and finally, that information respecting the resolution may be inspected at the office of the Regional District of Central Kootenay on normal working days during regular office hours.

**7.4 DEVELOPMENT VARIANCE PERMIT - SUTCO CONTRACTING LTD.**

42 - 60

**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.

**RECOMMENDATION:**

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 m<sup>2</sup> (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 m<sup>2</sup> 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).

**7.5 ZONING AMENDMENT BYLAW & OFFICIAL COMMUNITY PLAN**

61 - 77

**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.

**RECOMMENDATION:**

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.

**RECOMMENDATION:**

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.

**RECOMMENDATION:**

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.

**7.6 FOR INFORMATION: PLANNING SERVICES YEAR END REPORT - 2023**

78 - 89

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

**8. ENVIRONMENTAL SERVICES**

**8.1 WILDSAFEBC FUNDING PROPOSAL**

90 - 101

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.

**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 Environmental Services A100.

- 8.2 VALHALLA WILDERNESS SOCIETY ANNUAL REPORT & CONTRACT EXTENSION** 102 - 107  
**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.

**RECOMMENDATION:**

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.

**9. RURAL ADMINISTRATION**

- 9.1 COMMUNITY WORKS FUND APPLICATION – CASTLEGAR AND DISTRICT CHAMBER OF COMMERCE “THE WEST KOOTENAY GATEWAY VISITORS CENTRE”** 108 - 118  
**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.

**RECOMMENDATION:**

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.

- 9.2 DIRECTORS MOTION - DIRECTOR WEATHERHEAD** 119 - 120  
Area K does not have an Advisory Planning & Heritage Commission (APHC). The following recommendation is being brought to Rural Affair Committee for consideration.

The RDCK Community Heritage Register nomination forms for Historical

Hot Springs Trail and Saddle Mountain Lookout Trail have been received.

**RECOMMENDATION:**

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.

**10. PUBLIC TIME**

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

**11. IN CAMERA**

**11.1 MEETING CLOSED TO THE PUBLIC**

**RECOMMENDATION:**

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;

**11.2 RECESS OF OPEN MEETING**

**RECOMMENDATION:**

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

**12. ADJOURNMENT**

**RECOMMENDATION:**

The meeting be adjourned at \_\_\_\_\_



## Regional District of Central Kootenay RURAL AFFAIRS COMMITTEE MEETING Open Meeting Minutes

Wednesday, December 13, 2023

9:00 a.m.

Hybrid Model - In-person and Remote  
RDCK Board Room, 202 Lakeside Dr., Nelson, BC

### COMMITTEE MEMBERS PRESENT

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

### COMMITTEE MEMBERS ABSENT

Director C. Graham	Electoral Area E
--------------------	------------------

### STAFF PRESENT

S. Horn	Chief Administrative Office
S. Sudan	General Manager of Development and Community Sustainability Initiatives
N. Wight	Planning Manager
Z. Giacomazzo	Planner
T. Johnston	Environmental Technologist
Uli Wolf	General Manager of Environmental Services
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=m06ebbbec86939494c21acd98d666d584>

### Join by Phone:

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

**Meeting Number (access code):** 2774 238 3929

**Meeting Password:** zjHY7pVY6W2

**In-Person Location:** Boardroom - 202 Lakeside Drive, Nelson B.C.

### 1.1 ELECTION

#### 1.1.1 ELECTION OF CHAIR

ALL FOR NOMINATIONS (3 Times)

Chair Watson called for nominations.

Director Newell nominated Director Jackman.

Chair Watson called for further nominations a second and third time. There were no further nominations.

#### DECLARATION OF ELECTED OR ACCLAIMED CHAIR

RDCK Board Chair ratifies the appointed Director Jackman as Chair of the Rural Affairs Committee for 2024.

## 2. CALL TO ORDER

Chair Jackman called the meeting to order at 9:02 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 December 13, 2023 Rural Affairs Committee be adopted with the following:

- inclusion of Item 1.1 Election;
- inclusion of Item 1.1.1 Election of Chair;
- the addition of the addendum;

- change of the order of business, moving Item 9.3 - Community Works Fund Application - Regional District of Central Kootenay “North Shore Hall Paving Project” be considered after item 6.1 WildSafe BC;

before circulation.

**Carried**

**5. RECEIPT OF MINUTES**

The November 15, 2023 Rural Affairs Committee meeting minutes, have been received.

**6.. DELEGATIONS**

Item 7.1 – Henry Zonk

Item 7.3 – Robert Filippo

Item 7.4 – Ray Evin and Monty Evin

**DIRECTOR PRESENT:** Director Hewat joined the meeting at 9:10 a.m.

Moved and seconded,

And resolved:

Director Hewat have freedom of the floor.

**Carried**

**6.1 WILDSAFE BC**

Kathy Murray, WildSafeBC Project Coordinator, gave a presentation to the Committee regarding WildSafeBC. Kathy shared the WildSafeBC is the provincial leader in preventing conflict with wildlife through collaboration, education, and community solutions. She shared an outline of the programs they have, such as the WildSafe Ranger program, Door to Door Education and WildSafeBC displays at community events. Kathy reviewed initiatives, such as the Bare Campsite program and E Learning courses. She concluded by reviewing the program highlights and providing an overview of funding.

Kathy Murray and Kayla Wiens, BC Conservation Foundation Project Coordinator for WildSafeBC answered the Committee’s questions.

**ORDER OF AGENDA CHANGED** The Order of Business was changed to allow the area director time to provide comment before he has to leave the meeting, Item 9.3 - Community Works Fund Application - Regional District of Central Kootenay “North Shore Hall Paving Project” considered at this time.

**9.3 COMMUNITY WORKS FUND APPLICATION – REGIONAL DISTRICT OF CENTRAL KOOTENAY “NORTH SHORE HALL PAVING PROJECT”**

**File No.: 1850-20-CW-295**

**Electoral Area F**

The Committee Report dated November 28, 2023 from Micah Nakonechny, Grants Coordinator, re: Community Works Fund Application - Regional District of Central Kootenay “North Shore Hall Paving Project”, has been received.

Tom Newell thanked staff for their work on this item.

Moved and seconded,

And resolved that it be recommended to the Board:

THAT the Community Works Fund application submitted by the Regional District of Central Kootenay for the project titled “North Shore Hall Paving Project” in the amount of \$100,000 be approved and that funds be disbursed from Community Works Funds allocated to Electoral Area F.

**Carried**

**ORDER OF AGENDA** Item 7.1 Development Variance Permit - Jonk was considered at this time.  
**RESUMED**

**7. PLANNING & BUILDING**

**7.1 DEVELOPMENT VARIANCE PERMIT - JONK**

**File No.: V2305B – Jonk**

**3200 Phillips Road**

**(Henry & Cheryl Jonk)**

**Electoral Area B**

The Committee Report dated November 28, 2023 from Zachari Giacomazzo, Planner, re: Development Variance Permit - Jonk, has been received.

Henry & Cheryl Jonk, property owners, provided background to the Committee regarding their Development Variance permit. Mr. Jonk shared the steps they are taking to preserve the farmland. They shared the hope the Committee would support all three variances.

**DIRECTOR ABSENT: Newell left the meeting at 9:50 am**

Staff answered the Committees questions.

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

That the Board APPROVE the issuance of Development Variance Permit V2305B to Cheryl Jonk and Henry Jonk for the property located at 3200 Phillips Road and legally described as LOT 4 DISTRICT LOT 12716 KOOTENAY DISTRICT PLAN 12570 (PID: 011-933-097) to vary Sections 24.4, 24.5 and 24.6 of Rural Creston Electoral Area 'B' Comprehensive Land Use Bylaw No. 2316, 2013 in order to permit:

- A Farm Residential Footprint of 4000 m2 whereas the bylaw permits a Farm Residential Footprint of 2500 m2 for a Single Family Dwelling with a Secondary Suite.
- A Farm Residential Footprint with a maximum depth of 398 metres from the front property line whereas the bylaw requires that the maximum depth of the Farm Residential Footprint shall not exceed 60 metres from the Front Lot Line.
- A dwelling with a maximum Gross Floor Area (GFA) of 371 m2 whereas the bylaw permits a maximum GFA of 300 m2.

**Carried**

**7.2 DEVELOPMENT VARIANCE PERMIT - YMIR COMMUNITY ASSOCIATION**  
**File No.: V2308G**  
**7210 1st Avenue**  
**(Ymir Community Association)**  
**Electoral Area G**

The Committee Report dated [November 27, 2023 from Zachari Giacomazzo, Planner, re: Development Variance Permit - Ymir Community Association, has been received.

Director Cunningham provided background on the Development Variance permit for the Ymir Community Association.

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

That the Board APPROVE the issuance of Development Variance Permit V2308G to Ymir Community Association for the property located at 7210 1st Avenue, Electoral Area G and legally described as LOT 3, BLOCK 18, DISTRICT LOT 1242, KOOTENAY DISTRICT PLAN 640 (PID: 007-570-520) and LOT 4, BLOCK 18, DISTRICT LOT 1242, KOOTENAY DISTRICT PLAN 640 (PID: 007- 570-538) to vary Section 29.5 of *Electoral Area 'G' Land Use Bylaw No 2452, 2018* in order to permit a 0.2 metre setback from the northern interior lot line whereas the bylaw requires a 2.5 metre setback from an interior lot line.

**Carried**

**7.3 LAND USE BYLAW AMENDMENT - FILIPPO**

**File No.: Z2308G – Filippo**

**4650 Highway 6**

**(Anne & Jerry Filippo)**

**Electoral Area G**

The Committee Report dated November 28, 2023 from Zachari Giacomazzo, Planner, re: Land Use Bylaw Amendment - Filippo, has been received.

Robert Filippo, property owner, was available to answer the Committee's questions.

Moved and seconded,

And resolved that it be recommended to the Board:

That *Land Use Amendment Bylaw No. 2935, 2023* being a bylaw to amend the *Electoral Area 'G' Land Use Bylaw No. 2452, 2018* 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 'G' Director Hans Cunningham is hereby delegated the authority to chair the Public Hearing on behalf of the Regional District Board.

**Carried**

**7.4 SUBDIVISION IN THE AGRICULTURAL LAND RESERVE - EVIN**

**File No.: A2310Hs-09145.975-Evin-ALC00179**

**2849 Evin Road**

**(Raymond Evin)**

**Electoral Area H**

The Committee Report dated November 22, 2023 from Stephanie Johnson, Planner, re: Subdivision in the Agricultural Land Reserve - Evin, has been received.

Nelson Wight, Planning Manager, provided an overview to the Committee regarding the Agricultural Land Commission application for a two lot subdivision within the Agricultural Land Reserve.

Ray Evin and Monty Evin, property owners provided background to the Committee regarding the property and their application for a two lot subdivision within the Agricultural Land Reserve. They answered the Committee's questions

**DIRECTOR PRESENT: Director Newell joined the meeting at 10:28 a.m.**

**DIRECTOR ABSENT: Director Hewat left the meeting at 10:30 a.m.**

The Committee had a discussion regarding the property, application and the housing crisis.

Moved and seconded,

**MOTION ONLY**

That the Board SUPPORT regarding application A2310Hs for the purposes of subdivision in the Agricultural Land Reserve proposed by Ray Evin for the property located at 2849 Evin Road, Electoral Area H and legally described as PARCEL 2 (SEE 27808I), DISTRICT LOT 8055, KOOTENAY DISTRICT EXCEPT PART INCLUDED IN PLANS 7734 AND NEP63201 (PID: 013-525-760).

Moved and seconded,

And Resolved:

**AMENDMENT TO THE MOTION**

That the foregoing motion, being:

*That the Board SUPPORT regarding application A2310Hs for the purposes of subdivision in the Agricultural Land Reserve proposed by Ray Evin for the property located at 2849 Evin Road, Electoral Area H and legally described as PARCEL 2 (SEE 27808I), DISTRICT LOT 8055, KOOTENAY DISTRICT EXCEPT PART INCLUDED IN PLANS 7734 AND NEP63201 (PID: 013-525-760).*

Be amended to include "subject to a S.219 Restrictive Covenant being registered on the proposed parcels limiting the number of residential dwellings to only those that currently exist and that the existing residential footprint be limited to a 25% increase", thus reading:

*That the Board SUPPORT application A2310Hs for the purposes of subdivision in the Agricultural Land Reserve proposed by Ray Evin for the property located at 2849 Evin Road, Electoral Area 'H' and legally described as PARCEL 2 (SEE 27808I) DISTRICT LOT 8055 KOOTENAY DISTRICT EXCEPT PART INCLUDED IN PLANS 7734 AND NEP63201 (PID: 013--525-760) **subject to a S.219 Restrictive Covenant being***

***registered on the proposed parcels limiting the number of residential dwellings to only those that currently exist and that the existing residential footprint be limited to a 25% increase.***

Moved and seconded,

Resolved:

That Item 7.4 Subdivision in the Agricultural Land Reserve - Evin be postponed to allow the Committee to go into In-Camera, with Item 11 In-Camera considered at this time.

**Carried**

**ORDER OF AGENDA CHANGED** The Order of Business was changed to go In-Camera and after address public time, with Item 11 In-Camera and Item 10 Public Time 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**

**10. PUBLIC TIME**

The Chair called for questions from the public and members of the media at 11:46 a.m.

No questions from the media or public.

**ORDER OF AGENDA** Item 7.4 Subdivision in the Agricultural Land Reserve - Evin was considered at  
**RESUMED** this time.

Moved and seconded,  
Resolved:

That Item 7.4 Subdivision in the Agricultural Land Reserve - Evin be considered at this time.

**Carried**

Moved and seconded,  
And Resolved:

**AMENDMENT TO THE AMMENDED MOTION**

That the foregoing amended motion, being:

*That the Board SUPPORT application A2310Hs for the purposes of subdivision in the Agricultural Land Reserve proposed by Ray Evin for the property located at 2849 Evin Road, Electoral Area 'H' and legally described as PARCEL 2 (SEE 278081) DISTRICT LOT 8055 KOOTENAY DISTRICT EXCEPT PART INCLUDED IN PLANS 7734 AND NEP63201 (PID: 013--525-760) subject to a S.219 Restrictive Covenant being registered on the proposed parcels limiting the number of residential dwellings to only those that currently exist and that the existing residential footprint be limited to a 25% increase.*

Be amended by removing "that the existing residential footprint be limited to a 25% increase", thus reading:

*That the Board SUPPORT application A2310Hs for the purposes of subdivision in the Agricultural Land Reserve proposed by Ray Evin for the property located at 2849 Evin Road, Electoral Area 'H' and legally described as PARCEL 2 (SEE 278081) DISTRICT LOT 8055 KOOTENAY DISTRICT EXCEPT PART INCLUDED IN PLANS 7734 AND NEP63201 (PID: 013--525-760) subject to a S.219 Restrictive Covenant being registered on the proposed parcels limiting the number of residential dwellings to only those that currently exist.*

**Defeated**

Moved and seconded,  
And Resolved:



**AMENDMENT TO THE MOTION**

That the foregoing motion, being:

*That the Board SUPPORT regarding application A2310Hs for the purposes of subdivision in the Agricultural Land Reserve proposed by Ray Evin for the property located at 2849 Evin Road, Electoral Area H and legally described as PARCEL 2 (SEE 27808I), DISTRICT LOT 8055, KOOTENAY DISTRICT EXCEPT PART INCLUDED IN PLANS 7734 AND NEP63201 (PID: 013-525-760).*

Be amended to include “subject to a S.219 Restrictive Covenant being registered on the proposed parcels limiting the number of residential dwellings to only those that currently exist and that the existing residential footprint be limited to a 25% increase”, thus reading:

*That the Board SUPPORT application A2310Hs for the purposes of subdivision in the Agricultural Land Reserve proposed by Ray Evin for the property located at 2849 Evin Road, Electoral Area ‘H’ and legally described as PARCEL 2 (SEE 27808I) DISTRICT LOT 8055 KOOTENAY DISTRICT EXCEPT PART INCLUDED IN PLANS 7734 AND NEP63201 (PID: 013--525-760) **subject to a S.219 Restrictive Covenant being registered on the proposed parcels limiting the number of residential dwellings to only those that currently exist and that the existing residential footprint be limited to a 25% increase.***

**Carried**

Moved and seconded,

And resolved that it be recommended to the Board:

**MAIN MOTION**

That the Board SUPPORT application A2310Hs for the purposes of subdivision in the Agricultural Land Reserve proposed by Ray Evin for the property located at 2849 Evin Road, Electoral Area ‘H’ and legally described as PARCEL 2 (SEE 27808I) DISTRICT LOT 8055 KOOTENAY DISTRICT EXCEPT PART INCLUDED IN PLANS 7734 AND NEP63201 (PID: 013--525-760) subject to a S.219 Restrictive Covenant being registered on the proposed parcels limiting the number of residential dwellings to only those that currently exist and that the existing residential footprint be limited to a 25% increase.

**Carried**

**8. ENVIRONMENTAL SERVICES**

No items.

**9. RURAL ADMINISTRATION****9.1 COMMUNITY WORKS FUND APPLICATION – J.B. FLETCHER RESTORATION SOCIETY  
“J.B. FLETCHER STORE BUILDING SEALING AND SOLAR”****File No.: 1850-20-CW-294****Electoral Area D**

The Committee Report dated November 27, 2023 from Micah Nakonechny, Grants Coordinator, re: Community Works Fund Application - J.B. Fletcher Restoration Society “J.B. Fletcher Store Building Sealing and Solar”, has been received.

Moved and seconded,

And resolved that it be recommended to the Board:

THAT the Community Works Fund application submitted by the J.B. Fletcher Restoration Society for the project titled “J.B. Fletcher Store Building Sealing and Solar” in the amount of \$25,000 be approved and that funds be disbursed from Community Works Funds allocated to Electoral Area D.

**Carried****9.2 COMMUNITY WORKS FUND APPLICATION – KASLO BASEBALL AND SOFTBALL  
ASSOCIATION “MURRAY PEARSON MEMORIAL FIELD RENOVATIONS”****File No.: 1850-20-CW-297****Electoral Area D**

The Committee Report dated November 27, 2023 from Micah Nakonechny, Grants Coordinator, re: Community Works Fund Application - Kaslo Baseball and Softball Association “Murray Pearson Memorial Field Renovations”, has been received.

Moved and seconded,

And resolved that it be recommended to the Board:

THAT the Community Works Fund application submitted by the Kaslo Baseball and Softball Association for the project titled “Murray Pearson Memorial Field Renovations” in the amount of \$20,000 be approved and that funds be disbursed from Community Works Funds allocated to Electoral Area D.

**Carried****12. ADJOURNMENT**

Moved and seconded,

And resolved:

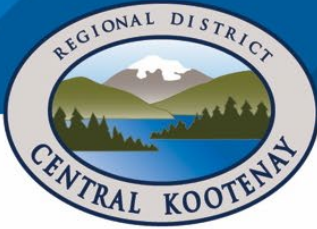
The meeting be adjourned at 12:01 a.m.

Digitally approved by

**Carried**

---

Chair Jackman, Chair



# Committee Report

## Notice on Title

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

### SECTION 1: EXECUTIVE SUMMARY

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

### SECTION 2: BACKGROUND/ANALYSIS

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



**Mar 23, 2023** No Further contact from the Owner

### SECTION 3: DETAILED ANALYSIS

#### 3.1 Financial Considerations – Cost and Resource Allocations:

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

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

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

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

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

#### 3.3 Environmental Considerations

N/A

#### 3.4 Social Considerations:

N/A

#### 3.5 Economic Considerations:

N/A

#### 3.6 Communication Considerations:

N/A

#### 3.7 Staffing/Departmental Workplace Considerations:

N/A

#### 3.8 Board Strategic Plan/Priorities Considerations:

N/A

### SECTION 4: OPTIONS & PROS / CONS

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

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

## SECTION 5: RECOMMENDATIONS

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

Respectfully submitted,  
Tony Hadfield\_Building/Plumbing Official  
Digitally approved by John Southam for BO

## CONCURRENCE

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



**BY REGISTERED MAIL**

File: 3135-20-I-709.05749.300-BP021431

**REGISTERED OWNERS:**

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

**SUBJECT:** Notice on Title

**CIVIC ADDRESS:** 1726 Thrums East Rd

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

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

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

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

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

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

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

Yours truly,

Building Official

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

Enclosures

CC: Electoral Area I Director





## REGIONAL DISTRICT OF CENTRAL KOOTENAY

### FILING OF SECTION 57 NOTICE

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

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

\_\_\_\_\_  
DATE

\_\_\_\_\_  
Evans, Dobie

\_\_\_\_\_  
DATE

\_\_\_\_\_  
Evans, Alisha



File No: 3135-20-«FolioNumbers»

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

«Name1»«Name2»  
«MailingAddress»

Dear «Name1»and «Name2»:

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

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

[Click here to enter text.](#)

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

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

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

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

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

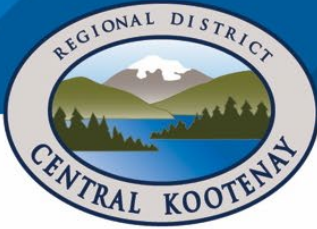
Sincerely

Sangita Sudan  
General Manger of Development Services

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

Attachment

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



# Committee Report

## Notice on Title

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

### SECTION 1: EXECUTIVE SUMMARY

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

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

### SECTION 2: BACKGROUND/ANALYSIS

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

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

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

**Aug 17, 2015** Last inspection letter sent to Owner.

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

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

**Jul 09, 2018** BP renewed for another year.

**Apr 10, 2018** Pending expiry letter sent to Owner.

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

**Jun 27, 2018** Final expiry letter sent to Owner.

**Jul 02, 2019** Final expiry letter sent to Owner.

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

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



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

**SECTION 3: DETAILED ANALYSIS**

**3.1 Financial Considerations – Cost and Resource Allocations:**

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

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

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

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

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

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

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

### 3.3 Environmental Considerations

N/A

### 3.4 Social Considerations:

N/A

### 3.5 Economic Considerations:

N/A

### 3.6 Communication Considerations:

N/A

### 3.7 Staffing/Departmental Workplace Considerations:

N/A

### 3.8 Board Strategic Plan/Priorities Considerations:

N/A

## SECTION 4: OPTIONS & PROS / CONS

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

## SECTION 5: RECOMMENDATIONS

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

Respectfully submitted,  
Tony Hadfield\_Building/Plumbing Official  
**Digitally approved by John Southam for BO**

## CONCURRENCE

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



**BY REGISTERED MAIL**

File: 3135-20-I-709.05749.300-BP024256

**REGISTERED OWNERS:**

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

**SUBJECT:** Notice on Title

**CIVIC ADDRESS:** 1726 Thrums East Rd

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

**Date:** Jul 19, 2023

**Time:** 9:00 a.m. PST

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

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

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

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

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

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

Yours truly,

Building Official

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

Enclosures

CC: Electoral Area I Director





## REGIONAL DISTRICT OF CENTRAL KOOTENAY

### FILING OF SECTION 57 NOTICE

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

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

\_\_\_\_\_  
DATE

\_\_\_\_\_  
Evans, Dobie

\_\_\_\_\_  
DATE

\_\_\_\_\_  
Evans, Alisha



File No: 3135-20-«FolioNumbers»

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

«Name1»«Name2»  
«MailingAddress»

Dear «Name1»and «Name2»:

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

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

[Click here to enter text.](#)

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

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

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

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

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

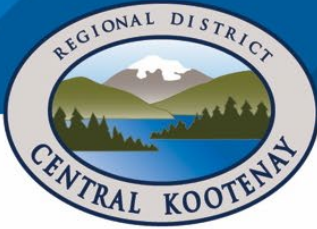
Sincerely

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

Sangita Sudan  
General Manger of Development Services

Attachment

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



# Committee Report

## Notice on Title

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

### SECTION 1: EXECUTIVE SUMMARY

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

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

### SECTION 2: BACKGROUND/ANALYSIS

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



**Mar 23, 2023** No Further contact from Owner.

### SECTION 3: DETAILED ANALYSIS

#### 3.1 Financial Considerations – Cost and Resource Allocations:

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

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

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

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

---

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

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

### 3.3 Environmental Considerations

N/A

### 3.4 Social Considerations:

N/A

### 3.5 Economic Considerations:

N/A

### 3.6 Communication Considerations:

N/A

### 3.7 Staffing/Departmental Workplace Considerations:

N/A

### 3.8 Board Strategic Plan/Priorities Considerations:

N/A

## SECTION 4: OPTIONS & PROS / CONS

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

## SECTION 5: RECOMMENDATIONS

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

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

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

Respectfully submitted,  
Tony Hadfield\_Building/Plumbing Official  
**Digitally approved by John Southam for BO**

## CONCURRENCE

Chris Gainham/Building Manager

**Digitally approved by Chris Gainham**

Sangita Sudan/General Manager of Development and Community Sustainability Services

**Digitally approved by Sangita Sudan**

Stuart J. Horn/Chief Administrative Officer

**Digitally approved by Stuart J. Horn**



**BY REGISTERED MAIL**

File: 3135-20-I-709.05749.300-BP023217

**REGISTERED OWNERS:**

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

**SUBJECT:** Notice on Title

**CIVIC ADDRESS:** 1726 Thrums East Rd

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

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

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

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

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

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

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

Yours truly,

Building Official

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

Enclosures

CC: Electoral Area I Director





## REGIONAL DISTRICT OF CENTRAL KOOTENAY

### FILING OF SECTION 57 NOTICE

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

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

\_\_\_\_\_  
DATE

\_\_\_\_\_  
Evans, Dobie

\_\_\_\_\_  
DATE

\_\_\_\_\_  
Mclean, Ronald



# Committee Report

**Date of Report:** December 22, 2023  
**Date & Type of Meeting:** January 17, 2023 Rural Affairs Committee  
**Author:** Zachari Giacomazzo, Planner  
**Subject:** DEVELOPMENT VARIANCE PERMIT  
**File:** V2310J – Sutco Contracting Ltd.  
**Electoral Area/Municipality** J

## SECTION 1: EXECUTIVE SUMMARY

The purpose of this report is for the Rural Affairs Committee and Regional Board to consider a Development Variance Permit (DVP) in Electoral Area ‘J’. The variance would authorize the applicant to surface 30% of the parking area associated with an Industrial use with asphalt, whereas Section 611.13 of Zoning Bylaw No. 1675, 2004 requires that all parking areas and maneuvering aisles in Industrial zones be surfaced with either asphalt or concrete pavement.

Staff recommend that the Board approve the Development Variance Permit.

## SECTION 2: BACKGROUND/ANALYSIS

GENERAL INFORMATION
<b>Property Owner:</b> 0889922 B.C. LTD.
<b>Agent:</b> Sutco Contracting Ltd. c/o Louis Bouchard
<b>Property Location:</b> 25 Old Mill Road, Electoral Area ‘J’
<b>Legal Description:</b> LOT 3 DISTRICT LOT 237 KOOTENAY DISTRICT PLAN EPP71075 (PID: 030-632-447)
<b>Property Size:</b> 1 hectare (2.47acres)
<b>Current Zoning:</b> Light Industrial (M1) in Zoning Bylaw No. 1675, 2004
<b>Current Official Community Plan Designation:</b> Industrial (I) in Kootenay-Columbia Rivers Official Community Plan Bylaw No. 1157, 1996

SURROUNDING LAND USES
<b>North:</b> Country Residential and Commercial
<b>East:</b> Commercial, Open Space, Suburban Residential
<b>South:</b> Open Space (Rail Line and City of Castlegar Sewage Lagoons)
<b>West:</b> Industrial

### Subject Property

The subject property is located in Electoral Area ‘J’ within the Robson/Raspberry Industrial Area on Old Mill Road. The property is currently being used as a Trucking Depot and is primarily used for the storage of trucks

and trailers. Improvements to the site are being proposed through a concurrent Industrial-Commercial Development Permit Application (DP2310J) that includes: the placement of a new mobile office building, installation of three above-grade fuel dispensing tanks, gravel/asphalt surfacing, and landscaping works to screen the property from Old Mill Road and Robson Access Road. The future office building will be serviced by a well and an on-site wastewater (septic) system.

**Background Information**

Through the review of the associated Development Permit (DP2310J) staff informed the applicant that the zoning bylaw requires the entire parking area to be hard surfaced with asphalt or concrete. The applicants engaged with an engineer and determined that it was not feasible (due to financial constraints and the increase in surface run-off) for them to surface the entire parking area. The applicants decided to submit this DVP to request relief from section 611.13 in the Zoning Bylaw that requires the entire parking area to be surfaced. In 2017 the Board considered a variance for 95 Old Mill Road at the time that a Development Permit was being considered by staff to facilitate the development of a self-storage facility. On March 16, 2017 Resolution 203/17 was passed by the Board to vary Section 611.13 which authorized gravel surfacing as an alternative to either asphalt or concrete pavement in an industrial zone provided that calcium chloride was applied to the gravel as a dust control measure.



Figure 1: Overview Map

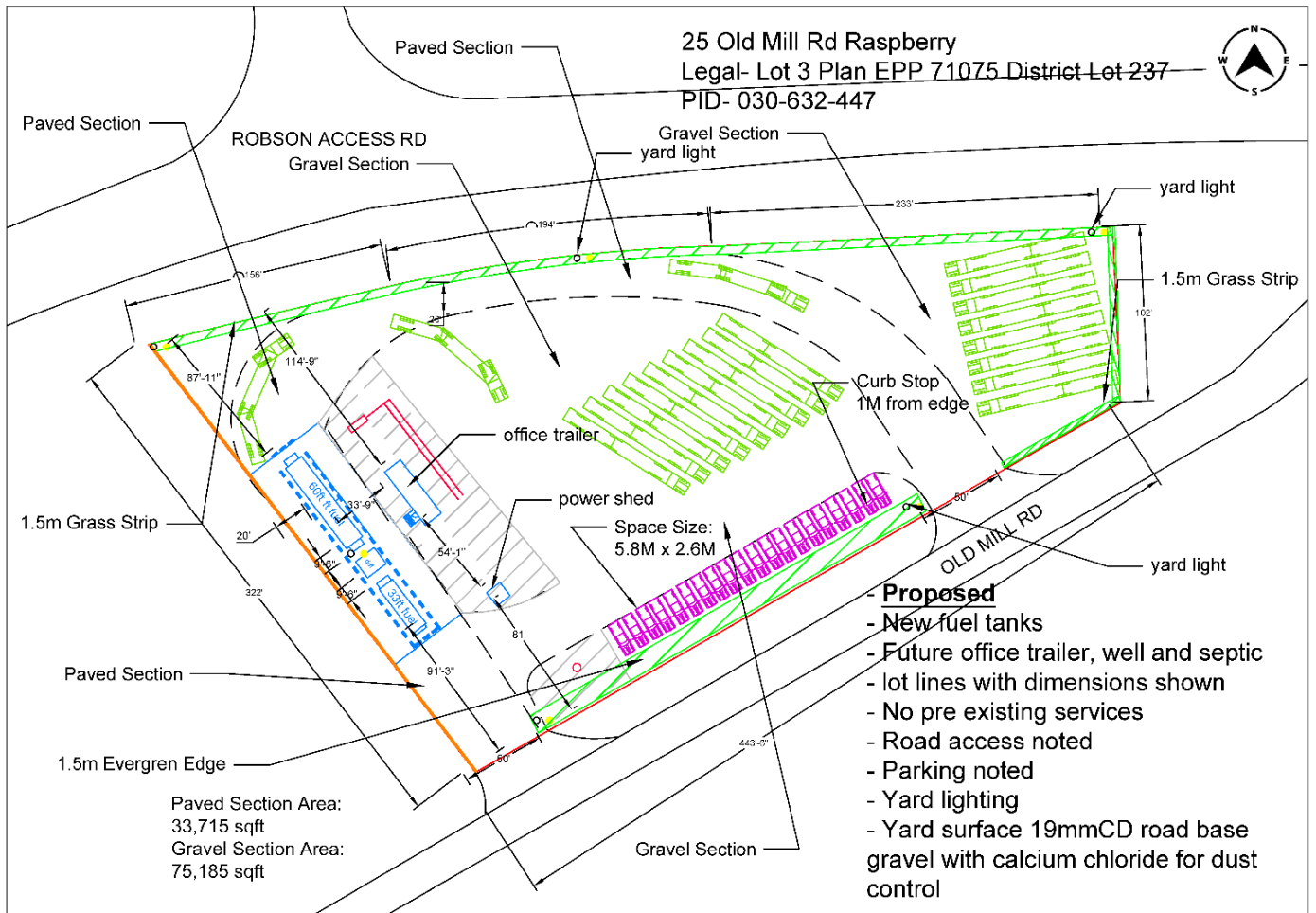


Figure 2: Site Plan Drawing showing the proposed paved and unpaved portions of the subject property.



*Figure 3: Photo of the subject property that shows the existing unsurfaced parking area/storage yard. As shown in Figure '2', the applicant is proposing to surface the main driveway around the trailers with asphalt.*

## **Planning Policy**

### **3.6 Industrial Policies**

- 3.6.1 The principal use shall be industry.
- 3.6.2 Existing industrial uses shall be recognized.
- 3.6.4 The minimum lot size shall be one (1) hectare.
- 3.6.5 Noise abatement techniques are encouraged.

### **3.10.1 Robson/Raspberry**

- 3.10.1.11 Light industrial/commercial uses adjacent to both the access to the Robson bridge and to the Castlegar Sewage Lagoon may be considered.

## SECTION 3: DETAILED ANALYSIS

### 3.1 Financial Considerations – Cost and Resource Allocations:

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

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

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

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

### 3.3 Environmental Considerations

None anticipated.

### 3.4 Social Considerations:

There was no opposition to the application which indicates that surrounding land owners do not have concerns.

### 3.5 Economic Considerations:

None anticipated.

### 3.6 Communication Considerations:

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

#### Electoral Area 'J' Advisory Planning and Heritage Commission

Comments are from the approved minutes of January 3, 2024 meeting:

- Applicant described the planned works, including proposed dust control measures and where trees will be planted. He explained that the Ministry of Transportation requires that water run-off be managed on-site.
- Commissioners Penner and Winsor acknowledge that the area is already dusty, both commissioners comment that the works could be an improvement to what currently exists at the site.
- All commissioners agree that Old Mill Rd is in poor shape. Commissioners discuss the need to improve Old Mill Rd, noting that this could be a future discussion with the Ministry of Transportation.

**MOVED** and seconded, AND resolved:

*That the Area J Advisory Planning Commission **SUPPORT** the Development Variance Permit Application to Sutco Contracting Ltd. for the property located 25 Old Mill Road, Raspberry, BC and legally described as LOT 3 DISTRICT LOT 237 KOOTENAY DISTRICT PLAN EPP71075*

#### Interior Health Authority - Team Leader, Healthy Community Development

*It is our understanding that the property is not serviced by a community drinking water system and sewer system, but by private onsite services (e.g. sewerage system).*

*Given the size of the parcel (~1.0 hectare) and the nature of the operation (Trucking Depot – office, fuel tanks, vehicle and trailer parking areas), and that it is serviced by an sewerage disposal system, with plans to construct an office building, it is beneficial from an onsite services perspective to leave some of the property in it's natural*

state (i.e. not paving the entire property) to support the existing (and future) wastewater disposal requirements. It is important for any area and soils being used for onsite sewerage disposal not to be disturbed or compacted.

Having said the above, we are concerned given the existing operations and current development plans included with the application, that this property is already constrained from an onsite sewerage disposal perspective. It will be important for the applicant to ensure there is adequate space for their current and future onsite sewerage disposal needs, and that this area is being protected, not being used for storing trailers or heavy equipment, and that the soils are not being compacted / driven over by vehicles and trailers. It will also be important to ensure that this area is 30 metres (100') from any drinking water (e.g. well) or surface water source (e.g. river).

#### **Ministry of Transportation and Infrastructure – Development Officer**

The Ministry has no objections or concerns with the applicants request to leave a portion of their property to be gravelled and utilizing calcium chloride for dust control. This variance request falls inline with the Ministry comments made on the applicant's previous Development Permit application.

#### **City of Castlegar – Planning Department**

The City has no issue with the variance application regarding surfacing, and paving the main traffic areas will assist with dust control. We do recommend that an application schedule be provided for applying calcium chloride to the parking facility areas that are not surfaced with asphalt or concrete pavement.

#### **BC Hydro – Property Coordinator**

Please note that BC Hydro does not service this location and accordingly we have no objection to the proposed Development Variance Permit Application.

#### **Ministry of Water, Land and Resource Stewardship – Ecosystem Branch**

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.
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.
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).

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.
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:

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

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

**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 facilities along Old Mill Road.



- All costs and land right requirements associated with changes to the existing servicing are the responsibility of the applicant.
- The applicant and/or property owner are responsible for maintaining safe limits of approach around all existing electrical facilities within and outside the property boundaries.
- 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>

### 3.7 Staffing/Departmental Workplace Considerations:

Should the Board approve the requested variance, staff would issue the Development Variance Permit and register a Notice of Permit on the property's Title. A Building Permit would then be required for the mobile office building.

### 3.8 Board Strategic Plan/Priorities Considerations:

Not applicable.

## SECTION 4: OPTIONS

### Planning Discussion

Planning staff support the issuance of this DVP since:

- Surfacing the high traffic portions of the Trucking Depot yard, including the entrance and exit of the property, would mitigate the overall impact of dust from vehicular movement on the subject property.
- The development proposed through the concurrent Industrial Development Permit (partial surfacing, landscaping and screening) will facilitate significant improvements to the site.
- If followed, the dust control/treatment plan that has been prepared by the applicant would mitigate the amount of dust that is generated from the site.
- Allowing part of the property to be surfaced with gravel will allow storm water to infiltrate into the ground.
- The proposal is consistent with all other applicable zoning regulations in RDCK Zoning Bylaw No. 1675, 2004
- There has been no opposition or feedback in response to the notice of proposal sign posted on the subject property or the written notice that was mailed to surrounding landowners.

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

**Option 1**

That the Board APPROVE the issuance of Development Variance Permit V2310J to 0889922 BC LTD for the property located at 25 Old Mill Road 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 m<sup>2</sup> (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 m<sup>2</sup> (approximately 30% of the site area) 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’).

**Option 2**

That the Board NOT APPROVE the issuance of Development Variance Permit V2310J to 0889922 BC LTD for the property located at 25 Old Mill Road 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 m<sup>2</sup> (approximately 70% of the property) to be surfaced with gravel.

**SECTION 5: RECOMMENDATIONS**

That the Board APPROVE the issuance of Development Variance Permit V2310J to 0889922 BC LTD for the property located at 25 Old Mill Road 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 m<sup>2</sup> (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 m<sup>2</sup> 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’).

Respectfully submitted,

Zachari Giacomazzo

**CONCURRENCE**

Planning Manager – Nelson Wight **Digitally approved**

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

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

**ATTACHMENTS:**

**Attachment A – Development Variance Permit**

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

**Attachment C – Dust Control Plan, prepared by applicant**



# Development Variance Permit

V2310J (0889922 BC LTD)

Date: December 15, 2023

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

TO: 0889922 BC LTD

## ADMINISTRATION

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

## APPLICABILITY

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

Address: 25 Old Mill Road, Electoral Area 'J'

Legal: LOT 3 DISTRICT LOT 237 KOOTENAY DISTRICT PLAN EPP71075

PID: 030-632-447

## CONDITIONS

5. Development Variance

RDCK Zoning Bylaw No. 1675, 2004 Section 611.13 is varied as follows:

From: Required parking and associated manoeuvring aisles in all Multi-Unit Residential, Commercial and Industrial zones shall be surfaced with either asphalt or concrete pavement, be adequately provided with lighting and drainage facilities, have access to and from highways and provide one (1) disabled person's parking space for every ten (10) parking spaces required.

To: 3,132 m<sup>2</sup> (approximately 30%) of required parking and associated manoeuvring aisles in all Multi-Unit Residential, Commercial and Industrial zones shall be surfaced with either asphalt or

concrete pavement, be adequately provided with lighting and drainage facilities, have access to and from highways and provide one (1) disabled person's parking space for every ten (10) parking spaces required.

Subject to:

- A. Measures to control and mitigate dust are implemented as per the Dust Control Plan that has been prepared by the applicant (Attached as Schedule '3').

6. Schedule

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

7. Other

Authorized resolution ---/24 passed by the RDCK Board on the 18<sup>th</sup> day of January, 2024.

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

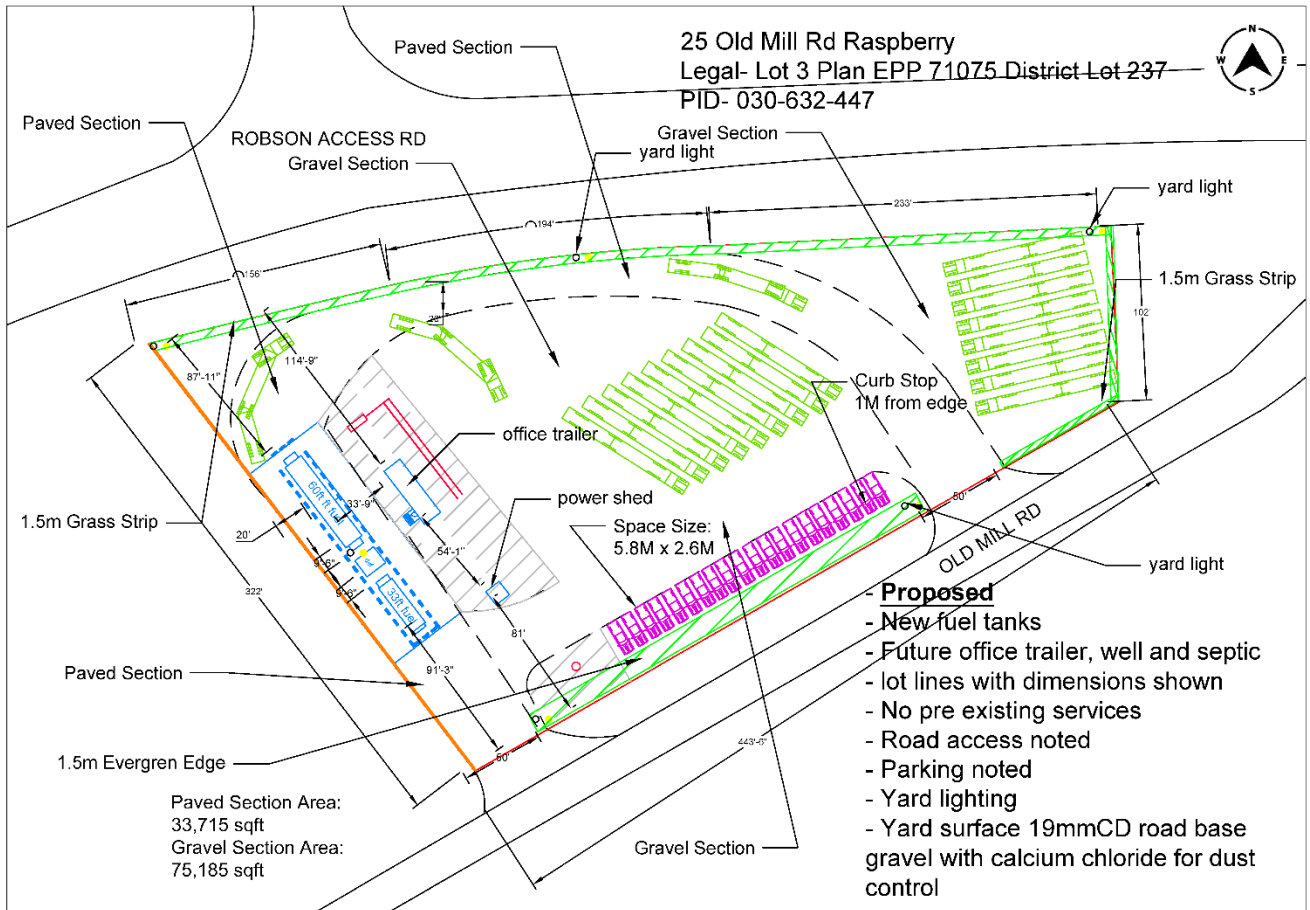
\_\_\_\_\_  
Aimee Watson, Board Chair

\_\_\_\_\_  
Mike Morrison, Corporate Officer

**Schedule 1: Subject Property**



Schedule 2: Site Plan



**Schedule 3:**

Dust control plan for  
25 Old Mill Road Yard

Sutco Contracting Ltd. is submitting this dust control plan to the planning department of RDCK to highlight measures to be taken to reduce/ control dust at our raspberry yard.

The current state of the property does not include any paved area, making the main route traveled prone to creating dust, in the past, a water truck was used to suppress dust but the soil composition (fine dust) created some dust episodes in drought period.

Our plan to control dust includes:

- Paving the main route traveled
- Lining the parking area with road base gravel
- Applying dust suppression agent on the non-paved area

The product chosen to control dust on non-paved areas will be a mixture of Calcium Chloride brine.

The product will be applied at the beginning of the warm season each year and touch-up can be performed during summer months.

An employee of Sutco Contracting Ltd. will monitor the dust accumulation on the paved areas and use a mechanical sweeper to keep the paved route clear of dust/ gravel.

We performed these improvements on other yards operated by Sutco Contracting Ltd. and had positive results in mitigating the dust level.

We hope the information above clarifies our dust control plan for our 25 Old Mill Road yard

Best Regards



Louis Bouchard

Project manager



- d. unlimited in other zones.
- 2 Any shipping container used as an unattended utility building or structure is exempt from the provisions of Section 610A(1).
  - 3 Any shipping container placed on a lot as an accessory building must comply with site coverage, siting, size and setback requirements for that zone.
  - 4 Any shipping container used as an accessory building must be screened from view from the roadway(s) and adjacent residential properties using a landscape screen or fencing of a height no less than 2.5 metres.

### Recreational Vehicles

#### 610B

- 1 A recreational vehicle may be parked or stored on a property to a maximum of two (2) vehicles.
- 2 A recreational vehicle may only be used as temporary living or sleeping quarters as per Accessory Tourist Accommodation, Temporary Guest Accommodation and Campground regulations, but can not be connected to services associated with the principal or an accessory dwelling.
- 3 Notwithstanding 610B(2) a recreational vehicle may be used to provide temporary accommodation on a property during construction of a principal or accessory dwelling on a lot, provided that:
  - a. a building permit has been issued for the principal or accessory dwelling and the dwelling is under construction; and
  - b. the occupancy of the recreational vehicle shall not continue beyond commencement of occupancy of the permanent dwelling.

### **Parking Space Requirements**

- 611 Off-street parking spaces for each building and use shall be provided in accordance with the following:

#### **Application of Regulations**

The Ministry of Transportation and Infrastructure standards for required parking spaces will apply when dealing with matters that are within its jurisdiction, such as highway access permits.

Regional District standards will apply with respect to the location, design and construction of the parking spaces. Regional District standards with respect to the required number of spaces will also apply in any situations where the Ministry of Transportation and

Infrastructure standards are lower, or where the Ministry of Transportation and Infrastructure has no jurisdiction.

### **General Provisions**

- 1 Space for the off-street parking and loading of motor vehicles in respect of a class of building or use under this bylaw must be provided and maintained in accordance with the provisions of this bylaw except where the buildings and structures are intended to be accessed exclusively by hiking, skiing, snowmobile, horseback, boat or aircraft.
- 2 The number of off-street parking and loading spaces for motor vehicles required for any use or class of building is calculated according to the table contained in this Section. In cases of mixed uses, the total requirements for off-street parking or off-street loading will be the sum of the requirements for the various uses calculated separately unless otherwise permitted. Required off-street parking spaces for one use will not be considered as required off-street parking spaces for any other use.
- 3 In reference to a building or use permitted under this bylaw which is not specifically referred to in the table below, the number of off-street parking and loading spaces is calculated on the basis of the requirements for a similar class of building or use that is listed.
- 4 Where the calculation of the required off-street parking or loading space results in a fraction, one parking space must be provided in respect of the fraction.
- 5 Where seating accommodation is the basis for a unit of measurement under this section and consists of benches, pews, booths or similar seating accommodation, each 0.5 m of length of such seating shall be deemed to be one seat.
- 6 Off-street parking and loading spaces must be located on the same parcel as the building or use they serve unless a suitably zoned site is located within 50 metres of the site.
- 7 Where some or all of the off-street parking is provided on a parcel other than that on which the use, building or structure being served is located, a covenant under Section 219 of the Land Title Act must be registered in the Land Title Office in favour of the Regional District of Central Kootenay against the parcel to be used for parking, reserving the off-street parking spaces that are not on the same parcel as the use, building or structure that they are intended to serve, for as long as that use, building or structure exists.
- 8 Off-Street Parking Space Standards
- 9 Off-street parking spaces shall be a minimum of 17.0 square metres and shall have at all times convenient, vehicular access to a public thoroughfare.

- 10 Each parking space shall have a length of not less than 5.8 metres and a width of not less than 2.6 metres and a height of not less than 2.2 metres.
- 11 Where a parking space abuts a wall along its side, the width of the parking space shall be increased by 0.6 metres from the minimum required.
- 12 Access and manoeuvring aisles must not be less than 3.6 metres for one-way traffic and 6.6 metres for two-way traffic.
- 13 Required parking and associated manoeuvring aisles in all Multi-Unit Residential, Commercial and Industrial zones shall be surfaced with either asphalt or concrete pavement, be adequately provided with lighting and drainage facilities, have access to and from highways and provide one (1) disabled person's parking space for every ten (10) parking spaces required.
- 14 In all parking areas containing more than five (5) parking spaces, every off-street parking space must have curbs, or wheel stops, to prevent vehicles from overhanging parcel lines, landscaped areas or walking corridors.
- 15 All parking areas must contain adequate provisions so that vehicles may turn around on the parcel.
- 16 All parking areas shall be so designed that motor vehicles do not back out onto a public road.
- 17 The maximum slope for the required off-street parking in all Multi-Unit Residential, Commercial and Industrial zones to accommodate more than 3 spaces is 6%. The maximum slope applies only to the area that provides the required parking spaces and not to the driveway providing access to the required parking spaces.
- 18 Excepting recreational vehicles (maximum two) and farm vehicles, not more than one (1) vehicle with a gross vehicle weight in excess of 4000 kg shall be permitted on a lot in a Residential or Agricultural zone at any time, except vehicles that are required for construction, repair, servicing or maintenance of a premises which may be on the lot during daylight hours.
- 19 Where off-street parking is required by this bylaw and where access for a person with disabilities is required, parking space(s) will be provided in accordance with the British Columbia Building Code and amendments thereto.
- 20 Where drive-through facilities are installed, there must be adequate magazine storage provided on the parcel to accommodate three (3) automobiles between the property line and the ordering station. Direct access to off-street parking spaces from the magazine storage is prohibited.

Dust control plan for  
25 Old Mill Road Yard

Sutco Contracting Ltd. is submitting this dust control plan to the planning department of RDCK to highlight measures to be taken to reduce/ control dust at our raspberry yard.

The current state of the property does not include any paved area, making the main route traveled prone to creating dust, in the past, a water truck was used to suppress dust but the soil composition (fine dust) created some dust episodes in drought period.

Our plan to control dust includes:

- Paving the main route traveled
- Lining the parking area with road base gravel
- Applying dust suppression agent on the non-paved area

The product chosen to control dust on non-paved areas will be a mixture of Calcium Chloride brine.

The product will be applied at the beginning of the warm season each year and touch-up can be performed during summer months.

An employee of Sutco Contracting Ltd. will monitor the dust accumulation on the paved areas and use a mechanical sweeper to keep the paved route clear of dust/ gravel.

We performed these improvements on other yards operated by Sutco Contracting Ltd. and had positive results in mitigating the dust level.

We hope the information above clarifies our dust control plan for our 25 Old Mill Road yard

Best Regards



Louis Bouchard

Project manager



# Committee Report

**Date of Report:** December 22, 2023  
**Date & Type of Meeting:** January 17, 2024, Rural Affairs Committee  
**Author:** Zachari Giacomazzo, Planner  
**Subject:** BYLAW AMENDMENT  
**File:** Z23061 – Kalesnikoff  
**Electoral Area/Municipality** |

## SECTION 1: EXECUTIVE SUMMARY

The purpose of this report is for the Rural Affairs Committee and RDCK Board to consider an application for a zoning and land use bylaw amendment to permit a new Business Office and staff parking across the Highway from the sawmill operations at Kalesnikoff Lumber Company in Electoral Area '1'. The proposed amendments are as follows:

- **Zoning Designation:** From Country Residential I (R2I) to General Commercial (C2)
- **OCP Designation:** From Country Residential (RC2) to Commercial (C)

Staff recommend that Amendment Bylaw No. 2939, 2023 being a bylaw to amend Regional District of Central Kootenay Zoning Bylaw No. 1675, 2004 and Amendment Bylaw No. 2940, 2023 being a bylaw to amend Kootenay-Columbia Rivers Official Community Plan Bylaw No. 1157, 1996 be given FIRST and SECOND reading by content and referred to a Public Hearing.

## SECTION 2: BACKGROUND/ANALYSIS

GENERAL INFORMATION
<b>Property Owner:</b> Kalesnikoff Lumber Company Ltd.
<b>Agent:</b> Nelson Rocha, Studio 9 Architecture + Planning
<b>Property Location:</b> 2090 Highway 3A, Tarrys, Electoral Area '1'
<b>Legal Description:</b> LOT 1 DISTRICT LOT 1239 KOOTENAY DISTRICT PLAN EPP47926 (PID: 029-696-682)
<b>Property Size:</b> 14.5 hectares (36.1 acres)
<b>Area of Property Affected:</b> 1.7 hectares (4.2 acres) west of Highway 3A
<b>Current Zoning:</b> Country Residential I (R2I) & Medium Industrial (M2) in RDCK Zoning Bylaw No. 1675, 2004
<b>Current Official Community Plan (OCP) Designation:</b> Country Residential (CR2) & Industrial (I) in Kootenay-Columbia Rivers Official Community Plan No. 1157, 1996
SURROUNDING LAND USE DESIGNATIONS
<b>North:</b> Country Residential (CR2)
<b>East:</b> Industrial (I)
<b>South:</b> Commercial (C)
<b>West:</b> Country Residential (CR2)

The subject property is located along Highway 3A, approximately 10 km north of the City of Castlegar in Electoral Area 'I'. It is a 'hooked' parcel (Figure 1), with Kalesnikoff Lumber Company currently operating on the ±12.5 hectare portion on the east side of Highway 3A. The western portion of the parcel is ±1.75 hectares and is mostly undeveloped and treed, with the exception of a Fortis Sub-station and parking for Kalesnikoff staff at the north end.



Figure 1 - Location Map

Only the western portion of the parcel (outlined in orange in Figure 1) would see further development as a result of the proposal. No further development to the existing sawmill operation on the east side of Highway 3A is being proposed as part of this application.

**Background**

The subject property is split zoned with the western portion being Country Residential 'I' (R2I) and the eastern portion being Medium Industrial (M2), as shown in Figure 2.

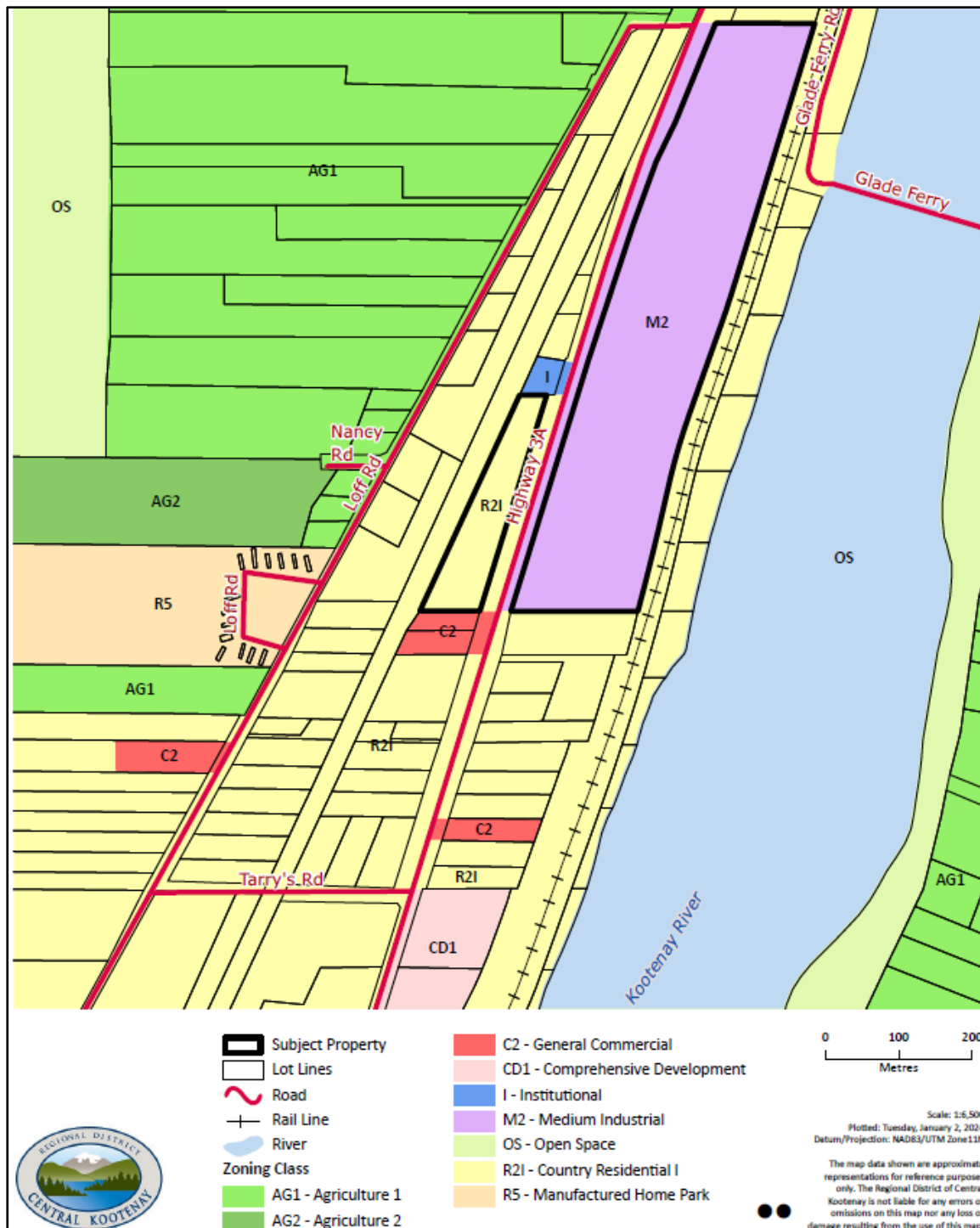


Figure 2 - Site Context and Zoning Map

The portion of the subject property under application is surrounded by the following uses:

- North: Institutional (Tarrys Fire Hall)
- South: Commercial (Russell Auction)
- East: Industrial (current Kalesnikoff Lumber Company operations – saw mill and offices)
- West: Country Residential I (±30 metre wide statutory right-of-way with homes on the other side)

## Development Proposal

The applicant is proposing to develop a new office building and additional staff parking on the smaller, western portion of the parcel that is currently treed and hosts some staff parking.

A similar application (Z17071) was submitted in 2017 by the property owners to rezone the same portion of land from R2I to General Commercial (C2). In October 2018, the Board resolved that further consideration of the application would be withheld until a noise study and a more detailed landscape plan were provided by the applicant. This information was not provided to the RDCK. As a result, the application lapsed due to inactivity in December 2019.

The proposed structure will be two stories with a building footprint area of  $\pm 4,000$  square feet. The site layout proposes the retention of existing trees to screen the development from adjacent properties and the highway (Figure 3). Further revisions to the development plan may result from community feedback and requirements under the subsequent Development Permit review process, should this rezoning application be approved.

The current application is largely the same as the previous one submitted in 2017, with the only difference being that the applicants are now proposing a site specific C2 zone that limits the permitted uses to:

- Offices
- Accessory Buildings and Structures
- One Dwelling Unit

The applicant has indicated that the intent of limiting the uses on the subject lands is to address neighbours' concerns from the previous application and further ensure that the site will only be used for an office and not an expansion of the industrial operations.

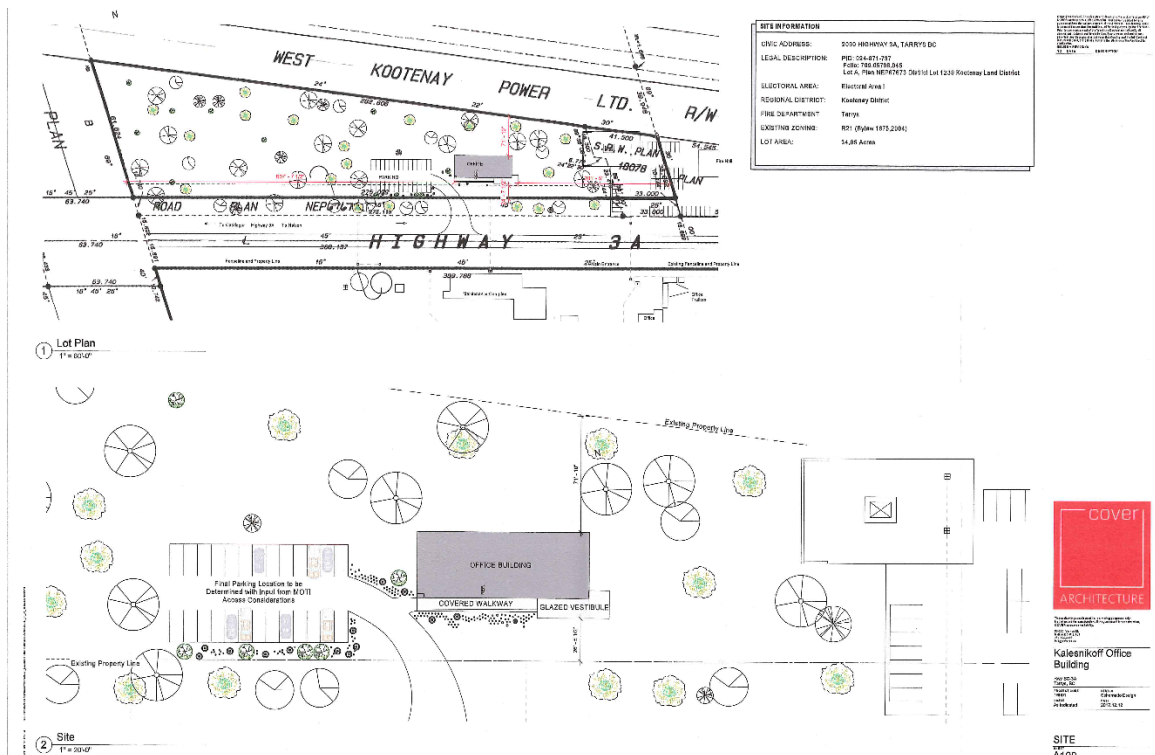


Figure 3 - Conceptual Site Plan



## **Planning Policy**

### **Kootenay-Columbia Rivers Official Community Plan No. 1157, 1996**

#### **2.4 Commercial Objectives**

- 2.4.1 To provide for commercial activities servicing the needs of local communities.
- 2.4.2 To minimize land use incompatibility between commercial activities and surrounding land uses.
- 2.4.3 To ensure the scale of all commercial developments harmonize with the natural surroundings and the rural character of the Plan Area.
- 2.4.5 To protect the character and integrity of quiet residential and rural neighbourhoods.

#### **3.5 Commercial Policies**

- 3.5.1 To provide for commercial activities servicing the needs of local communities.
- 3.5.2 The minimum lot size shall be one (1) hectare unless serviced by a community water system whereby the minimum lot size shall be .5 hectares.
- 3.5.3 Existing commercial uses shall be recognized.
- 3.5.7 A Landscape buffer shall be required to be installed and maintained on commercial properties adjacent to all properties which have a non-commercial or non-industrial designation and shall be in place prior to commencement of operation.

The proposed change in land use designation would not have any impact on the current Country Residential 2 objectives and policies.

#### **Official Community Plan Consultation, RDCK Policy No. 400-02-19**

The purpose of this policy is to establish a consistent process to comply with *Local Government Act (LGA)* consultation requirements during a minor amendment to an OCP, which is the case with this application. Further to that policy the consultation process includes the following requirements:

Consultation in the early stages of the plan development process will include initial contact to apprise persons of the nature of the proposed amendment, and the Board will consider any comments received prior to proceeding to any public hearing.

Further consultation prior to proceeding to any public hearing will include:

- i. Referral of the plan, as prepared for first reading, for comment to be received by the party consulted under 'Early and Ongoing Consultations with Persons', within 30 days;
- ii. Board consideration of every comment received in writing; and
- iii. A staff report to clarify issues that might arise during the consultation process, and delivery of such submissions with the staff report to the Board for Board consideration prior to any public hearing.

This consultation process should be construed as the minimum. Should the Board desire increased consultation, they may pass a resolution detailing additional desired consultation.

The consultation requirements detailed above have been satisfied. With reference to item ii above, the comments received are detailed in section **3.6 Communications Considerations** below. Note especially that there are two comments received from the public that are copied for convenience in that section of the report.

## 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

Pursuant to Planning Fees and Procedures Bylaw No. 2457, 2015 the applicant has paid the joint OCP/Zoning bylaw amendment fee of \$1800 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.

### 3.3 Environmental Considerations

The proposed development will require the removal of trees from the subject property. The applicant has indicated that a “treed buffer” or planted hedges along the west side of the property will be maintained or added to provide privacy to adjacent residents. Should the rezoning application be approved, future development would be regulated by a subsequent Development Permit application and applicable zoning regulations for landscaping, parking, etc.

### 3.4 Social Considerations:

Potential impacts to the use and enjoyment of land for neighbouring property must be considered. Notification of the proposal was distributed by mail to adjacent property owners within 200 metres of the subject property.

### 3.5 Economic Considerations:

Kalesnikoff Lumber Company is recognized as a significant employer within the area. The proposed office building will showcase some of the company’s lumber products and will provide for a more suitable building for business administration.

### 3.6 Communication Considerations:

In accordance with Schedule ‘C’ of the *Regional District of Central Kootenay Planning Procedures and Fees Bylaw No. 2457, 2015*, a ‘Notice of Development’ sign was placed in a visible location on Highway 3A and adjacent property owner notification was sent to 53 properties within 200 metres of the subject property. Two (2) responses were received from neighbouring property owners that identified concerns related to noise and the compatibility of the proposed use with surrounding residential uses. Below are the comments received:

Email from Gord Perepolkin, dated October 23, 2023: “I OPPOSE this development application and any future applications in the future.”

Email from Nina Perepolkin, dated November 9, 2023: “Re rezoning application By Kalesnikoff s This is a residential community were a sawmill was plunked in to the community , against the RDCK recommendation at the time, Now its out growing its site, Noise is not health, Adding more noise not acceptable NO TO THE APPLICATION”

The application was sent to relevant government agencies and First Nations. The following responses were received from government agencies and First Nations:

**Ktunaxa National Council – Guardianship Referrals Administrator – Lands & Resources**

*The Ktunaxa Nation Council has no concerns with this Bylaw Amendment.*

**Penticton Indian Band – Referrals Coordinator**

*A Cultural Heritage Resource Assessment (CHRA) is required prior to any site alteration or development activity.*

**Electoral Area ‘I’ Advisory Planning and Heritage Commission (APHC)**

These comments are from the approved minutes of the November 27, 2023 meeting:

*That the Area I Advisory Planning Commission recommend that the Bylaw Amendment Application from Nelson Rocha, Studio 9 Architecture + Planning for the property located 2090 Highway 3A, Tarrys and legally described as LOT 1 DISTRICT LOT 1239 KOOTENAY DISTRICT PLAN EPP47926 be **REFERRED** to a Public Hearing.*

**Ministry of Transportation and Infrastructure – West Kootenay District Development Services Officer**

*The Ministry will require an access permit to Highway 3A for a commercial access. The Ministry's preference would be for the applicant to utilize existing access points as opposed to creating new ones.*

*The Ministry is aware there is a high volume of pedestrians crossing Highway 3A between the current employee parking lot and Kalesnikoff Mill. It would be advantageous if the applicant's plans included a way to reduce the amount of foot traffic crossing the road for safety purposes.*

**Ministry of Water, Land and Resource Stewardship**

*So long as the land has sufficient water licencing rights associated with it to support the purpose use and volume of water allocated, Water Stewardship, Ministry of Water, Land and Resource Stewardship has no additional concerns.*

**Ministry of Water, Land and Resource Stewardship – Ecosystems Section Head – Kootenay-Boundary Region**

*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.*
- 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.*
- 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).*

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.*
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:*

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

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.*
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.*
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).*
10. *Developments must be compliant with all other applicable statutes, bylaws, and regulations.*

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

Operational & Design Comments

- *There are FortisBC Electric (“FBC(E)”) primary distribution and transmission facilities along the west side of the subject property and facilities within the boundary of the subject lot.*
- *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>

### **3.7 Staffing/Departmental Workplace Considerations:**

Should the Board choose to give the amending bylaw First and Second reading and refer to public hearing, staff will organize the public hearing pursuant to the Planning Fees and Procedures Bylaw No. 2457, 2015.

### **3.8 Board Strategic Plan/Priorities Considerations:**

N/A

## **SECTION 4: OPTIONS**

### **PLANNING DISCUSSION**

Staff consider that there is sufficient merit in the application to recommend that the proposed amendment bylaws be given first and second reading and referred to a public hearing, given that:

- The Area I Advisory Planning and Heritage Commission recommends the application go to a public hearing
- The proposal is largely consistent with the commercial objectives and policies of the Official Community Plan
- The proposed amendments restrict the commercial use of the property to only those for office space and employee parking, which are activities that serve the existing sawmill operation, and
- The proposed land use is not expected to cause conflict with adjacent land uses, particularly given the existing commercial and institutional uses adjacent to the site, and statutory right of way providing a buffer to adjacent residential uses to the west.

However, Staff also note the following concerns at this time:

- The safety issue that currently exists with employees crossing the highway from the current parking area on the western portion of the subject property remain whether this application is approved or not. Mitigation of this concern should be addressed by the applicant in consultation with MOTI
- Some residents in the area have expressed concern or outright opposition to this application, as noted in Section 3.6 Communications Concerns earlier in the report
- Development restrictions in the General Commercial (C2) zone include only a 50% site coverage restriction, building setbacks and landscaping requirements as noted in the general regulation section of that zoning bylaw. Restricting development onsite to that which is currently proposed with this application through regulation or a restrictive covenant may be desirable to mitigate concern from residents for future development of the site.
- Implementing measures to limit the development of the site (e.g. restrictive covenant or additional zoning regulations) could also facilitate the preservation of existing trees on the site in order to provide a more effective visual screen/buffer between the proposed commercial use and surrounding residential properties.

### **Option 1**

1. 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.
2. 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.
3. 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.

### **Option 2**

1. That no further action be taken with respect to 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 and 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.

## **SECTION 5: RECOMMENDATIONS**

1. 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.
2. 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.

3. 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.

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. 2939, 2023**

**Attachment B – Draft Amending Bylaw No. 2940, 2023**

**REGIONAL DISTRICT OF CENTRAL KOOTENAY**

**Bylaw No. 2939, 2023**

---

A Bylaw to amend Regional District of Central Kootenay Zoning Bylaw No. 1675, 2004

---

WHEREAS it is deemed expedient to amend the Regional District of Central Kootenay Zoning Bylaw No. 1675, 2004, 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' of Regional District of Central Kootenay Zoning Bylaw No. 1675, 2004 be amended by changing the Zoning Designation of a portion of LOT 1 DISTRICT LOT 1239 KOOTENAY DISTRICT PLAN EPP47926 (PID: 029-696-682) from Country Residential 'I' (R2I) to General Commercial (C2) Site Specific as shown on Schedule 'A' which is attached hereto and forms part of this bylaw:

A. Division 3300, General Commercial (C2) Permitted Uses by ADDING the following:

**Site Specific** – LOT 1 DISTRICT LOT 1239 KOOTENAY DISTRICT PLAN EPP47926 (PID: 029-696-682)

- Land, buildings and structures in the General Commercial (C2) zoned portion of the above referenced property shall be used for the following purposes only:
  - Offices
  - Accessory Buildings and Structures
  - One Dwelling Unit

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

**CITATION**

**3** This Bylaw may be cited as "**Regional District of Central Kootenay Zoning Amendment Bylaw No. 2939, 2023.**"

READ A FIRST TIME this 18<sup>th</sup> day of January , 2024.

READ A SECOND TIME this 18<sup>th</sup> day of January , 2024.

WHEREAS A PUBLIC HEARING was held this [Date] day of [Month] ,20XX.



READ A THIRD TIME this [Date] day of [Month] , 20XX.

[Controlled Highway or Exceeds 4500 sq.m] 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 [Date] day of [Month] , 20XX.

---

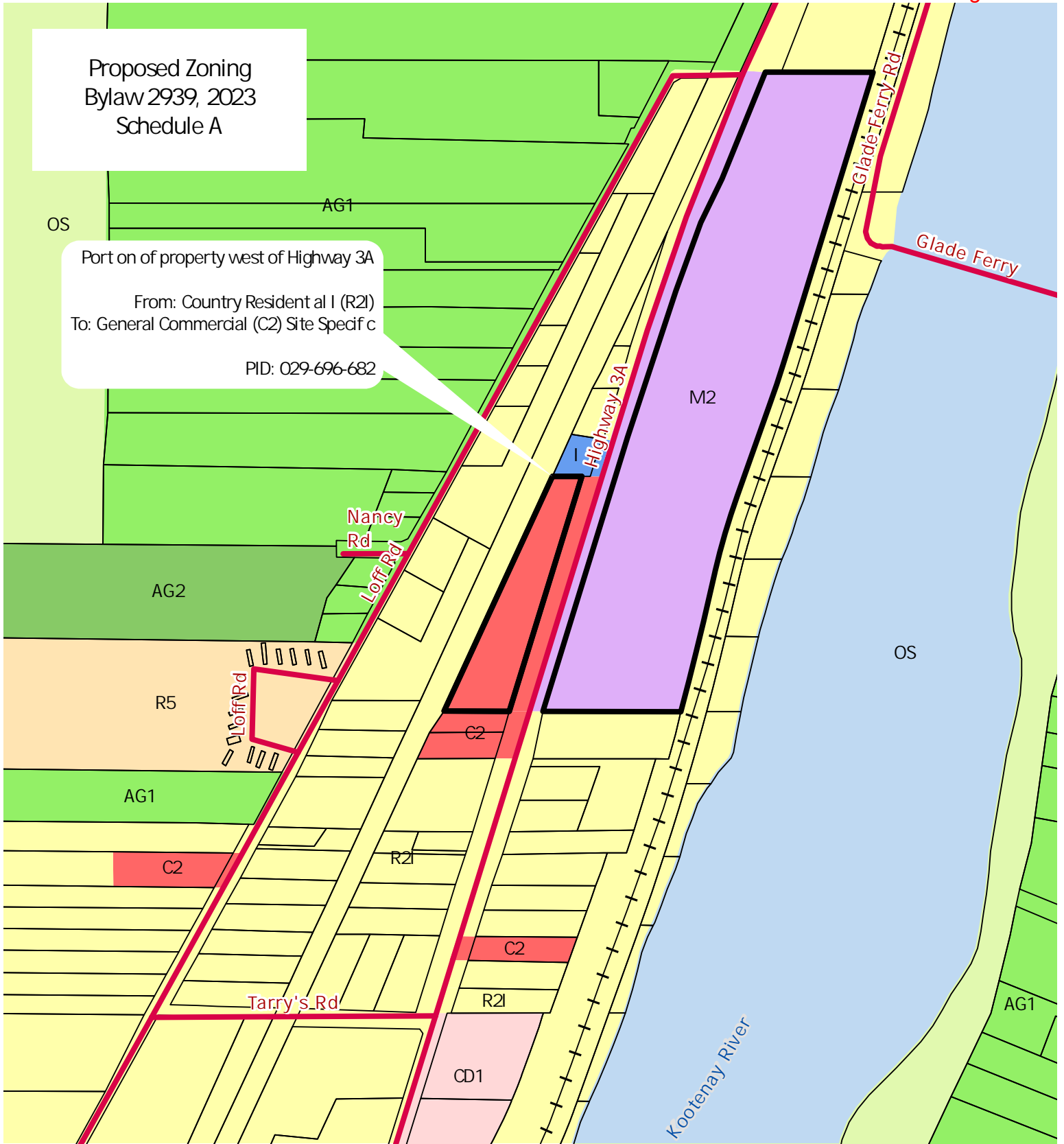
[Name of Board Chair], Board Chair

---

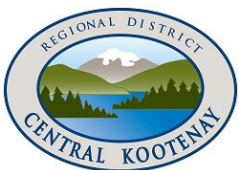
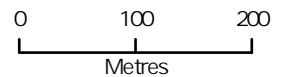
[Name of CO], Corporate Officer

Proposed Zoning  
Bylaw 2939, 2023  
Schedule A

Port on of property west of Highway 3A  
  
From: Country Resident al I (R2I)  
To: General Commercial (C2) Site Specif c  
  
PID: 029-696-682



- |                     |                                 |
|---------------------|---------------------------------|
| Subject Property    | C2 - General Commercial         |
| Lot Lines           | CD1 - Comprehensive Development |
| Road                | I - Inst tut onal               |
| Rail Line           | M2 - Medium Industrial          |
| River               | OS - Open Space                 |
| <b>Zoning Class</b> | R2I - Country Resident al I     |
| AG1 - Agriculture 1 | R5 - Manufactured Home Park     |
| AG2 - Agriculture 2 |                                 |



Scale: 1:6,500  
Plot ed: Monday, December 18, 2023  
Datum/Project on: NAD83/UTM Zone11N

The map data shown are approximate representat ons 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 result ng from the use of this map.

## REGIONAL DISTRICT OF CENTRAL KOOTENAY

**Bylaw No. 2940, 2023**


---

A Bylaw to amend Kootenay-Columbia Rivers Official Community Plan Bylaw No. 1157, 1996

---

WHEREAS it is deemed expedient to amend the Kootenay-Columbia Rivers Official Community Plan Bylaw No. 1157, 1996, 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' of Kootenay-Columbia Rivers Official Community Plan Bylaw No. 1157, 1996 be amended by changing the Land Use Designation of a portion of LOT 1 DISTRICT LOT 1239 KOOTENAY DISTRICT PLAN EPP47926 (PID: 029-696-682) from Country Residential '2' (CR2) to Commercial (C) as shown on Schedule 'A' which is attached hereto and forms part of this bylaw.
- 2 This Bylaw shall come into force and effect upon its adoption.

**CITATION**

- 3 This Bylaw may be cited as "**Kootenay-Columbia Rivers Official Community Plan Amendment Bylaw No. 2940, 2023**".

READ A FIRST TIME this 18<sup>th</sup> day of January, 2024.

READ A SECOND TIME this 18<sup>th</sup> day of January, 2024.

WHEREAS A PUBLIC HEARING was held this [Date] day of [Month], 20XX.

READ A THIRD TIME this [Date] day of [Month], 20XX.

[Controlled Highway or Exceeds 4500 sq.m] 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 [Date] day of [Month] , 20XX.

---

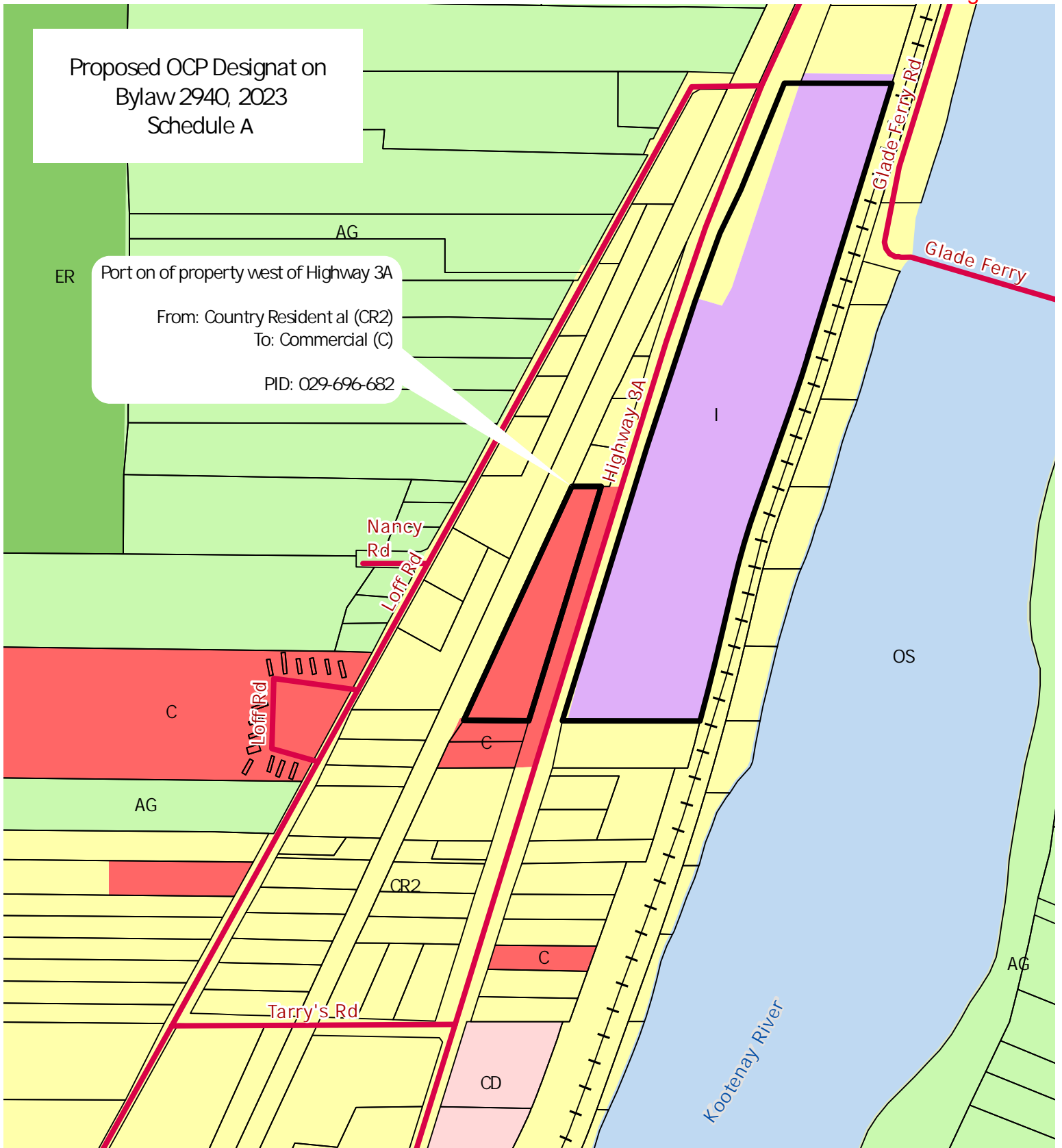
[Name of Board Chair], Board Chair

---

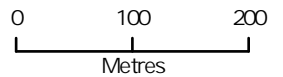
[Name of CO], Corporate Officer

Proposed OCP Designation  
 Bylaw 2940, 2023  
 Schedule A

Portion of property west of Highway 3A  
 From: Country Residential (CR2)  
 To: Commercial (C)  
 PID: 029-696-682

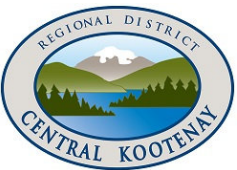


- |                  |                                |
|------------------|--------------------------------|
| Subject Property | C - Commercial                 |
| Lot Lines        | CD - Comprehensive Development |
| Road             | CR2 - Country Residential 2    |
| Rail Line        | ER - Environmental Reserve     |
| River            | I - Industrial                 |
| OCP Designation  | OS - Open Space                |
| AG - Agriculture |                                |



Scale: 1:6,500  
 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.





# Planning Services Year End Report

## New Applications and Referrals (2023)

### RDCK Applications

#### Bylaw Amendment Applications

Electoral Area	File Number	Applicant	Proposal	Bylaw(s)	Status
F	Z2301F	Zwick	OCP/Zoning amendments to allow a second dwelling and facilitate a subdivision	1675 2214	Cancelled
J	Z2302J	Horcoff	OCP/Zoning amendments to allow a second dwelling	1675 1157	Cancelled
K	Z2303K	Hascal	OCP/Zoning amendment to allow a concrete batch plant	1675 2022	Denied
G	Z2304G	Rumbling Creek Resort	Zoning amendment to allow tourist cabins, wedding venue and coffee shop	2452	In-progress
D	Z2305D	Area D CLUB	Bylaw Amendment to clarify vacation rental regulations	2435	Cancelled
I	Z2306I	Kalesnikoff Lumber	OCP/Zoning amendments to allow an office building and parking lot	1675 1157	In-progress
I	Z2307I	TSL Developments LTD	OCP/Zoning amendments to allow church use	1675 1157	In-progress
G	Z2308G	Filippo	OCP/Zoning amendments to allow a dwelling	2452	In-progress
F	Z2309F	Scheffelmaier	Zoning amendment to facilitate a subdivision	1675	In-progress
K	Z2310K	LaPierre	OCP/Zoning amendments to allow commercial use, RVs and cabins	1675 2022	New
A	Z2311A	Cummings Resort Ltd	OCP/Zoning amendments to allow commercial use	2315	New

#### Board of Variance Applications

Electoral Area	File Number	Applicant	Proposal	Bylaw	Status
B	B2301B	Smagh	Farm residential footprint variance	2316	Approved

B	B2302B	Demchuk	Farm residential footprint variance	2316	Approved
---	--------	---------	-------------------------------------	------	----------

### Development Permit Applications

Electoral Area	File Number	Applicant	Proposal	Status
H	DP2301H	Joines & Jobin	Watercourse Development Permit to construct a dwelling near Slocan Lake	On hold
A	DP2302A	May	Environmentally Sensitive Development Permit for restoration arising from unauthorized development near Kootenay Lake	On hold
F	DP2303F	Taghum Shell	Commercial, Industrial, and High Density Residential Development Permit for an addition, parking area and retaining walls	On hold
E	DP2305E	Drinkwater	Watercourse Development Permit to construct a bridge over Mill Creek	On hold
E	DP2306E	Ryan	Watercourse Development Permit to construct a fence near Laird Creek and Kootenay Lake	On hold
E	DP2307E	Levinson	Watercourse Development Permit for restoration arising from unauthorized development near Kootenay Lake	New
E	DP2308E	Graham	Industrial and Commercial Development Permit to construct recreational vehicle sites near Kootenay Lake	On hold
D	DP2309D	Ainsworth Hotsprings	Watercourse Development Permit to upgrade a waste water treatment plant and associated development near Kootenay Lake	Completed
J	DP2310J	Sutco Contracting Ltd.	Commercial, Comprehensive Development, Gravel Extraction, High Density Residential and Industrial Development Permit Area for industrial site development	In-progress
E	DP2311E	Pollock	Watercourse Development Permit to install a waterline near Kootenay Lake	Active
G	DP2312G	Rumbling Creek Resort	Watercourse Development Permit for the development of tourist cabins, a wedding venue and coffee shop near a wetland	New
E	DP2313E	Cross	Watercourse Development Permit for restoration arising from unauthorized development near Kootenay Lake	Active

E	DP2314E	Crottey	Watercourse Development Permit to construct a dwelling near Kootenay Lake	New
E	DP2315E	Harrop - Procter Forest Products	Industrial Commercial Development Permit to add structures and do site development	In-progress
D	DP2316D	Gorgiev	Watercourse Development Permit for restoration arising from unauthorized development near Kootenay Lake	New
E	DP2317E	Nugent & Henry	Watercourse Development Permit for restoration arising from unauthorized development near Kootenay Lake Residential Cluster Development Permit for proposed tourist accommodation	New

### Development Variance Permit Applications

Electoral Area	File Number	Applicant	Proposal	Bylaw	Status
B	V2301B	Verstoep	Setback variance	2316	Completed
J	V2302J	White	Setback variance	1675	Completed
K	V2303K	Ondrysek	Variance to number of employees allowed on site	1675	Completed
B	V2304B	Rempel	Farm Residential Footprint Variance	2316	Completed
B	V2305B	Jonk	Farm Residential Footprint and building size variance	2316	Completed
F	V2306F	Daniels	Setback variance	1675	Completed
J	V2307J	Horvath and Dollevoet	Height variance	1675	Active
G	V2308G	Ymir Community Association	Setback variance	2452	Completed
I	V2309I	Sperling	Farm Residential Footprint and building size variance	1675	New
J	V2310J	Sutco Contracting Ltd	Lot coverage variance	1675	In-progress
G	V2311G	Filippo	Water servicing variance	2159	Active
F	V2312F	Scotton	Setback variance	1675	Active
B	V2313B	Stavinga	Building size variance	2316	New
B	V2314B	Smagh	Farm residential footprint variance	2316	New

### Floodplain Exemption Applications



Electoral Area	File Number	Applicant	Proposal	Bylaw	Status
J	F2301J	Bourcier	To build a dwelling within the floodplain setback of the Columbia River	2080	Completed
E	F2302E	Levinson	To build 3 dwellings below the flood construction level and within the floodplain setback of Kootenay Lake	2080	New
E	F2303E	Crottey	To build a dwelling within the floodplain setback of Kootenay Lake	2080	New
A	F2304A	Drysdale	To build a dwelling within the floodplain setback of Kootenay Lake	2080	New
K	F2305K	Walt	To build a dwelling below the flood construction level of Whatshan Lake	2080	Active

#### Soil Removal and Deposit Applications

None					
------	--	--	--	--	--

#### Manufactured Home Park Applications

Electoral Area	File Number	Applicant	Proposal	Bylaw	Status
None					

#### Strata Title Conversion Applications

Electoral Area	File Number	Applicant	Proposal	Status
E	ST2301E	Ward	To convert an existing industrial building into 16 units	Active

#### Temporary Use Permit Applications

Electoral Area	File Number	Applicant	Proposal	Bylaw	Status
B	T2301B	Francoeur	To construct an accessory building prior to the principal building	2316	Completed

## Referrals sent to the RDCK

### Accretion Applications (Referred from Surveyor General)

Electoral Area	File Number	Applicant	Proposal
E	R2308E	Shannon	Accretion on Kootenay Lake
A	R2312A	May	Accretion on Kootenay Lake
E	R2320E	Manson	Accretion on Kootenay Lake
F	R2324F	Quinn	Accretion on Kootenay Lake
A	R2333A	Ross	Accretion on Kootenay Lake
E	R2334E	Cook, Stoltz & Seibt	Accretion on Kootenay Lake
A	R2342A	Folk Holdings LTD	Accretion on Kootenay Lake
E	S2349E	Jerome	Accretion on Kootenay Lake

### Agricultural Land Reserve Applications (Referred from the Agricultural Land Commission)

Electoral Area	File Number	Applicant	Type	Proposal	Status
B	A2301B	Johnson	Non Adhering Residential Use	To permit an oversized second dwelling	Cancelled
B	A2302B	Murphy	Subdivision	To create five lots from two lots	On hold
I	A2303I	Conroy	Subdivision	To create two lots	On hold
K	A2304K	Yaremicio	Subdivision	To create two lots	Completed
AC	A2305AC	Ogilvie	Subdivision	To realign the boundaries of two lots	On hold
B	A2306B	Ducharme	Non-Farm Use	To permit a commercial lumber business	On hold
I	A2307I	Denisoff	Non Adhering Residential Use	To permit an oversized second dwelling temporarily	Cancelled
A	A2308A	Kokanee Springs Resort	Inclusion	To add a portion of the property to the ALR	On hold
H	A2309H	Fournier	Non-Farm Use	To permit a campground business	Cancelled
H	A2310HS	Evin	Subdivision	To create two lots	In-progress
A	A2311A	Klim	Non Adhering Residential Use	To permit an oversized second dwelling	New

### Crown Applications (Referred by the Province)

Electoral Area	File Number	Applicant	Intended Use
K	R2301K	No Name	Trail construction
G	R2302G	Salmo Valley Trail Society	Trail construction and recreation site maintenance
H	R2303HN	North Slokan Trail Society	Trail construction and recreation site maintenance
J	R2305J	Interfor	Industrial log handling and storage
B	R2306B	Schultz	Mobile home restoration business
D	R2307D	Peeters	Purchase of waterfront recreational tenure
K	R2321K	BC Hydro and Power Authority	Creation of fish habitat structures
D	R2325D	Alpine Club of Canada	Guided tours
J	R2326J	Fortis BC	Statutory right of way
K	R2330K	Farmgate Plus - Brown	Slaughter license renewal
J	R2331J	Fortis BC	Construction of power line
K	R2338K	Mt. Ingersoll Community Association	Roadway
H	R2341HS	Fortis BC	License of occupation
EF	R2346EF	Culos Development LTD	Lease for marina, restaurant and utilities
A	R2347A	Canadian Forest Products Wynnwood Sawmill	Effluent discharge

### Forestry Applications (Referred by Forestry Companies)

Electoral Area	File Number	Applicant	Intended Use
BD	R2311BD	BCTS	Timber harvesting and road construction north of Kaslo and south of Yahk
K	R2313K	BCTS	Timber harvesting and road construction west of Whatshan Lake and west of Upper Arrow Lake
E	R2318E	ATCO	Timber harvesting and road construction south of Blewett near Fortynine Creek

D	R2319D	Kaslo and District Community Forest Society	Forest Stewardship Plan amendment for south of Kaslo
G	R2322G	ATCO	Timber harvesting west of Nelway near Limpid Creek
J	R2327J	ATCO	Timber harvesting west of Castlegar
G	R2328G	ATCO	Timber harvesting south-east of Salmo near Archibald Creek
G	R2329G	ATCO	Timber harvesting around Ymir near Stewart Creek
ABC	R2335ABC	Canfor	Forest Stewardship Plan for Kootenay Lake Timber Supply Area
G	R2339G	ATCO	Timber Harvesting east of Nelway near Lead Creek
G	R2340G	ATCO	Timber Harvesting east of Hall Siding and Porto Rico near Clearwater Creek
F	R2343F	BCTS	Timber harvesting and road construction near Sproule and Rixen Creeks

#### Industry Canada Applications (Referred by Industry Canada)

Electoral Area	File Number	Applicant	Intended Use
B	R2316B	Rogers	Telecommunications tower north of Erickson
B	R2332B	Rogers	Telecommunications tower east of Glenlilly
E	R2337E	Rogers	Telecommunications tower in Balfour

#### LCRB Applications (Referred by the LCRB)

Electoral Area	File Number	Applicant	Intended Use
A	R2307A	Riondel Curling Club	Liquor License
G	R2309B	Two Toke Timmys	Cannabis Retail License

#### Municipal Applications (Referred from Local Governments)

Municipality	File Number	Applicant	Intended Use
Creston	R2323CRE	City of Creston	Short Term Rental Review

Nelson	R2345NEL	Villa Motel	Bylaw amendment for property bordering RDCK
--------	----------	-------------	---

#### Mines Applications (Referred by Companies)

Electoral Area	File Number	Applicant	Intended Use
CAS	R2304CAS	Adrain	Sand and gravel extraction
G	R2301G	Apex Resources	Mineral exploration
K	R2314K	Arrow Lake Aggregates	Sand and gravel pit
E	R2315E	Ximen Mining Group	Mineral exploration and timber removal
K	R2317K	Crescent Bay Construction	Sand and gravel pit expansion
K	R2336K	Canyon Development	Sand and gravel extraction
K	R2344K	JD Industries LTD	Sand and gravel extraction

#### Subdivision Applications (Referred from the Ministry of Transportation and Infrastructure)

Electoral Area	File Number	Applicant	Type	Lots
H	S2301HS	Burke	Subdivide	2
B	S2303B	Friesen	Subdivide	3
A	S2304A	Bartlett	Subdivide	3
A	S2305A	Toole	Subdivide	2
F	S2306F	Nunn	Subdivide	2
J	S2307J	Repin	Boundary Adjustment	n/a
J	S2308J	Prokopp Investments	Subdivision	3
A	S2309A	Cullinane	Subdivide	3
B	S2310B	Thomson	Subdivide	6
E	S2311E	Kewn	Subdivide	2
E	S2312E	Lamb	Subdivide	2
E	S2313E	Shea	Subdivide	4

H	S2314HS	Negreiff	Subdivide	3
H	S2315HN	Camp Valhalla	Subdivide	3
J	S2316J	Seville	Subdivide	2
F	S2317F	Williams	Subdivide	2
J	S2318J	Nazaroff	Subdivide	2
A	S2319A	Crowe	Subdivide	4
K	S2320K	Yingli	Subdivide	2
K	S2321K	548629 BC LTD	Subdivide	2
E	S2322E	Dosenberger	Boundary Adjustment	n/a
H	S2323HS	Passmore Park Devs	Subdivide	5
F	S2324F	1264830 BC LTD	Boundary Adjustment	n/a
B	S2325B	Burton	Subdivide	3
C	S2326C	Olenczuk	Subdivide	2
E	S2327E	Ward	Boundary Adjustment	n/a
I	S2328I	Hadikin	Subdivide	2
J	S2329J	Ambrrosio	Subdivide	2
J	S2330J	Fiessel	Subdivide	6
I	S2331I	Sherbinnin	Subdivide	2
G	S2332G	Filippo	Subdivide	2
E	S2333E	Witherspoon	Subdivide	3
E	S2334E	Ginther	Boundary Adjustment	n/a
H	S2335H	Goodwin	Subdivide	2
AC	S2336AC	Vandervelde	Boundary Adjustment	n/a
J	S2337J	Gallant	Boundary Adjustment	n/a
B	S2338B	Decker	Subdivide	3
H	S2339HS	Evin	Subdivide	2
B	S2340B	Huscroft	Subdivide	2
H	S2341HS	Danielson	Subdivide	2

F	S2342F	Jones	Boundary Adjustment	n/a
B	S2343B	Faulks	Subdivide	4
D	S2344D	Osak	Subdivide	3
K	S2344K	Toothill	Subdivide	2
J	S2345J	Durkin	Subdivide	4
E	S2346E	Madelung	Subdivide	2
G	S2347G	Anderson	Subdivide	2
A	S2348A	Jacklin	Subdivide	2
I	S2349I	Hlookoff	Subdivide	4
J	S2350J	Melnick	Boundary Adjustment	n/a
E	S2351E	Pelant	Subdivide	3

## Summary of Applications and Referrals (2023)

January 1 – December 31	Electoral Area												Total
	Multi/Muni	A	B	C	D	E	F	G	H	I	J	K	
<b>RDCK Applications</b>													
Bylaw Amendment	0	1	0	0	1	0	2	2	0	2	1	2	<b>11</b>
Board of Variance	0	0	2	0	0	0	0	0	0	0	0	0	<b>2</b>
Development Permit	0	1	0	0	2	9	1	1	1	0	1	0	<b>16</b>
Development Variance Permit	0	0	5	0	0	0	2	2	0	1	3	1	<b>14</b>
Floodplain Exemption	0	1	0	0	0	2	0	0	0	0	1	1	<b>5</b>
Manufactured Home Park	0	0	0	0	0	0	0	0	0	0	0	0	<b>0</b>
Soil Removal & Deposit Permit	0	0	0	0	0	0	0	0	0	0	0	0	<b>0</b>
Strata Title Conversion	0	0	0	0	0	1	0	0	0	0	0	0	<b>1</b>
Temporary Use Permit	0	0	1	0	0	0	0	0	0	0	0	0	<b>1</b>
													<b>50</b>
<b>Referrals to the RDCK</b>													
Accretion Referrals	0	3	0	0	0	4	1	0	0	0	0	0	<b>8</b>
ALR Applications	1	2	3	0	0	0	0	0	2	2	0	1	<b>11</b>
Inclusion	0	1	0	0	0	0	0	0	0	0	0	0	<b>1</b>
Subdivision	1	0	1	0	0	0	0	0	1	1	0	1	<b>5</b>
Non-Farm Use	0	0	1	0	0	0	0	0	1	0	0	0	<b>2</b>
Non-Adhering Residential Use	0	1	1	0	0	0	0	0	0	1	0	0	<b>3</b>
Crown Referrals	1	1	1	0	2	0	0	1	2	0	3	4	<b>15</b>
Forestry Referrals	2	0	0	0	1	1	1	5	0	0	1	1	<b>12</b>
Industry Canada Referrals	0	0	2	0	0	1	0	0	0	0	0	0	<b>3</b>
LCRB Referrals	0	1	0	0	0	0	0	1	0	0	0	0	<b>2</b>
Mines Referrals	1	0	0	0	0	1	0	1	0	0	0	4	<b>7</b>
Municipal Referrals	2	0	0	0	0	0	0	0	0	0	0	0	<b>2</b>
Subdivision Referrals	1	5	6	1	1	9	4	2	7	3	9	3	<b>51</b>
													<b>111</b>
<b>Total Applications and Referrals</b>	<b>8</b>	<b>15</b>	<b>20</b>	<b>1</b>	<b>7</b>	<b>28</b>	<b>11</b>	<b>15</b>	<b>12</b>	<b>8</b>	<b>19</b>	<b>17</b>	<b>161</b>



## 5-Year Summary of Applications and Referrals (2019-2023)

Type	2019	2020	2021	2022	2023
Bylaw Amendment	13	9	8	11	11
Board of Variance	0	0	0	0	2
Development Permit	13	8	18	11	16
Development Variance Permit	9	24	15	12	14
Floodplain Exemption	5	2	5	4	5
Manufactured Home Park	0	0	0	0	0
Soil Removal & Deposit Permit	0	0	0	0	0
Strata Title Conversion	0	1	0	0	1
Temporary Use Permit	0	3	5	3	1
Accretion Referrals	7	11	9	7	8
ALR Applications	24	27	21	11	11
Inclusion	0	0	0	2	1
Subdivision	11	5	11	5	5
Non-Farm Use	8	0	2	3	2
Non-Adhering Residential Use	4	7	8	1	3
Exclusion	1	15	0	0	0
Crown Referrals	37	24	36	12	15
Forestry Referrals	9	12	17	14	12
Industry Canada Referrals	2	0	2	3	3
LCRB Referrals	0	0	4	4	2
Mines Referrals	2	10	9	5	7
Municipal Referrals	6	6	3	9	2
Subdivision Referrals	59	50	75	68	51
<b>Total Applications and Referrals</b>	<b>186</b>	<b>187</b>	<b>227</b>	<b>174</b>	<b>161</b>



# Rural Affairs Committee Report

<b>Date of Report:</b>	01/08/2024
<b>Date &amp; Type of Meeting:</b>	01/17/2024
<b>Author:</b>	Todd Johnston, Environmental Coordinator
<b>Subject:</b>	WildSafeBC Funding Proposal for RDCK
<b>File:</b>	12-6240-20
<b>Electoral Area/Municipality:</b>	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 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
<b>Cost per area</b>	\$4,000	\$5,000	\$6,500
<b>Annual Increase per Area from 2023</b>	\$1,000	\$2,000	\$3,500
<b>Total Annual Cost</b>	\$20,000	\$25,000	\$32,500
<b>Total Increase from 2023</b>	\$5,000	\$10,000	\$17,500
<b>% Increase from previous year</b>	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 Environmental Services Allocation 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.

While these costs are charged to A100, the funds are recovered from Rural Administration Services S101.

### 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 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.

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 **Digitally approved**

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

**ATTACHMENTS:**

Attachment 01 – WildSafeBC Proposal for RDCK Funding 2024-2026

## WildSafeBC Proposal for RDCK Funding 2024-2026



***Prepared by:***

*Lisa Lopez – WildSafeBC Program Manager and*

*Kayla Wiens – BCCF Regional Coordinator*



## Overview

BC Conservation Foundation's WildSafeBC is the provincial leader in preventing conflict with wildlife through collaboration, education and community solutions. WildSafeBC uses scientific consensus of subject matter experts and focuses on addressing the root causes of human-wildlife conflicts. The goal of WildSafeBC is *keeping wildlife wild and communities safe*. WildSafeBC continues to learn from and incorporate greater understanding, learnings and respect for wildlife conservation carried by Indigenous knowledge holders.

WildSafeBC collaborates with many partners to provide education and community-based solutions to residents in Central Kootenay area who report human-wildlife conflict within their communities. There are multiple factors that lead to these reports including population dynamics, natural food availability, a busy forest fire season, Province-wide drought conditions and the continuing availability of human-provided food sources within communities.

In 2023, the WildSafeBC Community Coordinators (WCC) have been performing outreach activities since mid-April, with the goal of preventing conflict with wildlife in their communities. These activities have so far included:

- 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.

WCCs are responding to inquiries over the phone, email and through their local WildSafeBC Facebook pages. The WCCs also submit news articles and provide interviews for local media.

Staff recruitment challenges resulted in the Kaslo position remaining unfilled. WildSafeBC took an innovative approach by having our Provincial Remote Coordinator provide responses to public requests for support regularly as well as some in-person presentations being provided from nearby coordinators.

WildSafeBC continues to collaborate with other organizations to provide solutions in the region. This season these collaborations include a fruit tree removal/replacement program with Biodiversity Pathways, electric fencing referrals and workshops with Grizzly Bear Coexistence Solutions, and support of various bear working groups.

WildSafeBC continues to evaluate program effectiveness by conducting surveys after WildSafe Ranger presentations and wildlife and awareness presentations and bear spray workshops. Coordinator feedback surveys are being performed here at the end of the season to provide opportunities for continual program improvement.



WildSafeBC is grateful for the RDCK’s ongoing support, which allows the Program to be effective at changing peoples’ perceptions and behaviours with regards to wildlife safety and attractant management. Together we can meet the challenge of keeping wildlife wild and communities safe.

WildSafeBC 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.

## Wildlife Conflicts

British Columbians value wildlife (such as bears, cougars, wolves and coyotes) because they provide numerous social, economic, environmental and cultural benefits and provide a sense of home and identity.<sup>1</sup> While coexistence between people and wildlife is a high priority, there are many challenges that lead to negative interactions. These conflicts are a result of the many ways humans live, work, recreate and grow food in BC, such as:

- Allowing easy access to attractants that contain caloric rewards for wildlife (e.g. garbage, compost, fruit, oils, grease etc.). This signals to animals that our communities provide good sources of non-natural food sources and leads into conflicts resulting in property damage, risks to human safety, increased wildlife-vehicle collisions and the spread of disease.
- Increased development in urban-wildland interfaces, growth in tourism and recreation and increased resource extraction in pristine habitat resulting in wildlife being displaced into populated habitats and urban environments.
- Local food production often leads to unintended conflicts with wildlife (e.g. urban livestock predation, damage to apiaries, backyard chickens, damage to residential fruit trees and gardens).
- Organic waste diversion initiatives often do not incorporate measures to prevent conflicts with bears and other wildlife (e.g. increased curbside collection can be easily accessed by wildlife).
- Bird feeding attracts non-target species (e.g. bears, deer, raccoons, rats and squirrels). The global bird food market has surged since COVID-19.<sup>2</sup>
- Increasing tolerance for animals such as bears and coyotes in urbanized areas lead to human habituation with intentional and unintentional wildlife feedings.
- Over 50% of black bear inflicted injuries on people in US/Canada involved dogs (2010-2013).<sup>3</sup>
- A growing disconnect between people and the natural environment leads to wildlife conflicts and safety issues (e.g. storing food in tents, hiking alone without bear spray).
- Climate change and wildfires affecting natural food, water and shelter availability leads to animals encroaching on human settlements seeking safety, food and water sources.

<sup>1</sup>Together for Wildlife Strategy. Accessed 11 October 2022: [https://www2.gov.bc.ca/assets/gov/environment/plants-animals-and-ecosystems/wildlife-wildlife-habitat/together-for-wildlife/home-page/t4w\\_strategy\\_summary.pdf](https://www2.gov.bc.ca/assets/gov/environment/plants-animals-and-ecosystems/wildlife-wildlife-habitat/together-for-wildlife/home-page/t4w_strategy_summary.pdf)

<sup>2</sup>Elbein, Asher. 2022. Bird feeders are good for some species – but possibly bad for others. *Scientific American*: 4 March 2022

<sup>3</sup>Hristienko and Herrero. 2014. Are dogs “saviours” or are they contributing factors in black bear attacks on people? *International Bear News*: Vol 23 (1).

- Communities provide ideal habitat and safety from predators.
- Wildlife-vehicle collisions result in approximately 870 human injuries and 4 fatalities in BC annually (Wildlife Collision Prevention Program).
- Lack of knowledge and cost barriers to electric fencing and certified bear-resistant containers keeps residents from making use of effective attractant management tools.

While wildlife management is a Provincial responsibility, local governments are responsible for how attractants are managed (e.g. solid waste collection). The Provincial Bear Smart Community framework provides some initial steps for reducing human-bear conflicts, however barriers still remain. Successful implementation requires a significant investment of time, resources, funding and technical support.

## Results

WildSafeBC uses an adaptive approach to embed wildlife conflict prevention within Ministerial objectives, such as local food production, solid waste reduction and diversion from landfills, tourism, recreation, and resource and land development.

In 2022, WildSafeBC partnered with over 100 communities and coordinated staff and support for 27 local programs and 3 remotely covered programs that reached out to BC residents and visitors alike:

### 2022 Columbia Basin Community Programs supported by RDCK Funding

- WildSafeBC Castlegar Areas I & J: Robson, Blueberry, Thrums, and Ootischenia
- WildSafeBC Kaslo: North Kootenay Lake - Area D, including Kaslo, Meadow Creek and surrounding area
- WildSafeBC Nelson: Electoral Areas E & F
- WildSafeBC Selkirk-Purcells: Creston and RDCK Areas A,B,C and G.
- WildSafeBC Arrow Slokan: Nakusp, Edgewood, Burton, Silvertown and Fauquier

In 2022, Coordinators in the Columbia Basin community programs had **9,933** direct contacts with British Columbians to increase education and awareness:

- Interactions with **2,338** residents through the distribution of door hangers in hot spots prioritized by the Conservation Officer Service, WildSafeBC Wildlife Alert Reporting Program, local bylaws, residents and partners.
- **4,126** people attended information booths at community events and trailheads.
- **781** people participated in wildlife awareness, safety presentations and bear spray workshops.
- **2,453** students participated in WildSafeBC Youth Education on wildlife safety and conflict prevention.
- **231** stickers placed on garbage cans to educate residents on appropriate times to set out garbage /compost for curbside collection.

WildSafeBC measures results through surveys, garbage bin set-out statistics, testimonials, case studies, participant surveys and Bear Smart Community Program criteria.



## Funding

Residents, businesses, local governments, Indigenous governments, and Provincial Ministries play a multi-jurisdictional role in preventing human-wildlife conflicts.

While funding contributions from communities continue to grow each year, we have been notified that a key funder, the Columbia Basin Trust has decided to phase out the yearly commitment to funding they have provided since 2013 over the next 3 years. The 5 programs within the RDCK boundaries will be significantly affected by this funding source loss.

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 from recruiting communities, hiring coordinators, providing training, supplies and support throughout the season to the communities and each coordinator, applying for funding for program continuity and development and working to expand the reach of the WildSafeBC message.

## Request to RDCK

Demand for WildSafeBC Community Programs continues to grow. Many communities reapply to the program each year at the same contribution level. WildSafeBC Coordinators are skilled and effective communicators who require specific training and supervision. Consistent and increased funding provides opportunity for better recruitment, retention, as well as an ability to plan ahead and work towards a more proactive and strategic approach to all WildSafeBC outreach efforts with less turnover in staff.

## Funding Request

Funding **\$20,000 for 2024, \$25,000 for 2025, and \$32,000 for 2026 under a three year (2024-2026) agreement** enables WildSafeBC to:

1. Support RDCK community programs with part-time seasonal **staff** from April/May to November regardless of the gradual loss of Columbia Basin Trust funding over the next 3 years.
2. Maintain a **Remote Provincial Coordinator** to support those communities without full programs but still needing some support in finding solutions to reducing human-wildlife conflicts.
3. Build **Indigenous outreach** work, possibly incorporating Indigenous perspectives and knowledge to help local residents best understand how to coexist with wildlife.
4. Support communities to obtain **Bear Smart Community** status and others to maintain their status as Bear Smart Communities.
5. Continue to develop, produce and distribute **information** for residents on wildlife species and how to minimize conflicts with these species.
6. Increase education around **electric fencing** as a safe and effective tool to reducing human-wildlife conflicts.
7. Build out the opportunity for **volunteer** training for local groups to learn WildSafeBC messaging and find confidence and support in sharing this info within their communities.

## Funding Request Breakdown

Multi-year Funding Proposal 2024-2026			
	RDCK Supported Communities	Funding Requested per RDCK Community	Total Funds Requested from the RDCK
2024 Funding	WSBC Castlegar: Areas I and J - Robson, Blueberry, Thrums and Ootischenia.	\$4,000	\$ 20,000.00
	WSBC Kaslo: North Kootenay Lake - Area D, including Kaslo, Meadow Creek and surrounding area.	\$4,000	
	WSBC Nelson: Electoral Areas E & F.	\$4,000	
	WSBC Selkirk-Purcells: Creston and RDCK Areas A, B, C and G.	\$4,000	
	WSBC Arrow-Slocan: Nakusp, Edgewood, Burton, Silverton and Fauquier.	\$4,000	
2025 funding	WSBC Castlegar: Areas I and J - Robson, Blueberry, Thrums and Ootischenia.	\$5,000	\$ 25,000.00
	WSBC Kaslo: North Kootenay Lake - Area D, including Kaslo, Meadow Creek and surrounding area.	\$5,000	
	WSBC Nelson: Electoral Areas E & F.	\$5,000	
	WSBC Selkirk-Purcells: Creston and RDCK Areas A, B, C and G.	\$5,000	
	WSBC Arrow-Slocan: Nakusp, Edgewood, Burton, Silverton and Fauquier.	\$5,000	
2026 Funding	WSBC Castlegar: Areas I and J - Robson, Blueberry, Thrums and Ootischenia.	\$6,500	\$ 32,500.00
	WSBC Kaslo: North Kootenay Lake - Area D, including Kaslo, Meadow Creek and surrounding area.	\$6,500	
	WSBC Nelson: Electoral Areas E & F.	\$6,500	
	WSBC Selkirk-Purcells: Creston and RDCK Areas A, B, C and G.	\$6,500	
	WSBC Arrow-Slocan: Nakusp, Edgewood, Burton, Silverton and Fauquier.	\$6,500	
	<b>Total Funds</b>		\$ 77,500.00



Attachment A

**BRITISH COLUMBIA  
CONSERVATION FOUNDATION**



# Rural Affairs Committee Report

**Date of Report:** 01/08/2024  
**Date & Type of Meeting:** 01/17/2024  
**Author:** Todd Johnston, Environmental Coordinator  
**Subject:** Valhalla Wilderness Society Annual Report and Contract Extension  
**File:** 12-6240-20  
**Electoral Area/Municipality:** Area H and K

## SECTION 1: EXECUTIVE SUMMARY

The purpose of this report is to present the Annual Report from the Valhalla Wilderness Society (VWS) and a Staff recommendation to renew their contract for an additional three years for the delivery of a Bear Aware program within the Slocan Valley rural areas and areas that lie outside the communities of Nakusp, Edgewood, Burton, Silverton and Fauquier.

## SECTION 2: BACKGROUND/ANALYSIS

The Valhalla Wilderness Society (VWS) provides a separate and distinct Bear Aware program from the BC Conservation Society's WildSafe Program. The VWS program occurs only within the Slocan Valley rural areas and areas that lie outside the communities of Nakusp, Edgewood, Burton and Fauquier, and strives to reduce conflict between people and wildlife through education, cooperation and innovation.

VWS responds and advises to public calls in resolving bear issues, specializes in electric fences training and installations, coordinate on bear issues with WSBC, and offers a rebate program in collaboration with local businesses to make bear resistant residential garbage bins and electric fence energizers more accessible through a 50:50 cost sharing program. VWS has supplemental funding (apart from the \$3,000 WildSafe annual RDCK Area H grant) for additional workshops and technical guidance on aspects of deterrents such as electric fencing.

The RDCK Bear Aware funding is specifically for Rural Area H in the Slocan Valley to implement the bear hazard study and conflict prevention plan already done under the mandate of the provincial Bear Smart program. While VWS collaborates with WSBC, there are distinctions between the two services, most notably providing grants to encourage investment in bear deterrent infrastructure.

### Highlights for VWS in 2023 included:

- ½ price cost sharing of electric fence chargers at four different properties and purchase of electric fence supplies for someone in need in Area H, and purchase of additional charges (non-RDCK funds) for at Slocan Valley Villages and several other rural areas in need;
- Purchase of eight electric fence chargers in Area H;
- Purchase of 8 bear-resistant residential garbage bins, and sale of 20 bear bins through the cost sharing program, in partnership with Silverton Building Supplies;
- Ongoing responses to bear problem inquiries;

- Continued promotion of reporting bear behavior, best practices for managing attractants, fruit trees, garbage; and electric fencing installations;
- Setup of a demonstration electric fence;
- Grizzly warning signage installations at the Bonanza Creek and beach area;
- Electric Fence workshops in New Denver and Passmore (attended by 37 residents);
- Participation with the Wildsafe BC organized bear committee to advise New Denver on how to better deal with chronic black bear issues.

The three year contract between VWS and the RDCK expired December 31, 2023. The contract total budget is \$3,000 per year, over a three year period. Staff recommend renewing the contract for an additional three years at the same rate, for a total contract value of \$9,000.

### 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 recommended contract extension for the Valhalla Wilderness Society Bear Aware Program program does not include any dollar value increases, and is budgeted within the 2024-2026 Financial Plan, within Environmental Services Allocation A100. While these costs are charged to A100, the funds are recovered from Rural Administration Services S101.

#### 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 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.

**PROS:**

- The Valhalla Wilderness Society Bear Aware Program is a valued service in the RDCK, that serves to minimize human-wildlife conflicts, and thereby protecting both wildlife and communities.
- The Program can continue to operate without price increases for an additional three years.

**CONS:**

- Requiring funding from “Rural Administration” funds.

**Option 2:**

Do not approve extending the current contract with VWS to 2026 and direct Staff on appropriate changes to bring back to the Rural Affairs Committee in February.

**PROS:**

- Not requiring funds from “Rural Administration”.

**CONS:**

- Not supporting this specific program may result in a significantly diminished program or loss of this service.

## SECTION 5: RECOMMENDATIONS

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.

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 **Digitally approved**

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

**ATTACHMENTS:**







**Valhalla Wilderness Society**  
 PO Box 329, New Denver, BC V0G 1S0  
 Phone: 250-358-2333, [vws@vws.org](mailto:vws@vws.org), [www.vws.org](http://www.vws.org)

January 02, 2024

**SLOCAN VALLEY RURAL AREA “H” RDCK BEAR SMART REPORT FOR 2023.**  
**PROJECT 2021-56-ENV\_VWS**

**SUMMARY**

On behalf of VWS part time Bear Smart coordinators/biologists Wayne McCrory and Amber Peters, we are very appreciative of the continuing support from RDCK Area “H” for our program. Unlike 2022, 2023 was a relatively quiet year for bear-people issues in Area H, compared to bear issues in the Village of New Denver. Besides the annual RDCK grant, 2023 funding was supplemented by VWS member donations and several foundations who support VWS conservation work including the Getty Family Foundation, Montana’s Craighead Institute and others. VWS has a support base of 1,800 members and supporters.

VWS biologists Wayne McCrory and Amber Peters continued the coordination role for the year as we could not find a trained replacement with bear expertise. Throughout the year we continued to coordinate with Cora Skaien, Wildsafe BC coordinator, as well as Gillian Sanders, electric fence consultant (for workshops).

Our main effort for 2023 was not only responding for advice on bear issues and installing electric fences, participating in two community presentations/workshops on e-fences, coordinating on bear issues with the Cora Skaien, Wildsafe BC coordinator, but working with Silverton Building Supplies to order and expedite the sale of 20 bear resistant residential garbage bins as well as make available electric fence energizers for our 2023 50:50 cost sharing program.

This year saw more interest than in 2022 when we spent a total of \$651.90 on ½ price cost sharing of electric fence chargers at four different Area H properties and \$48.17 on electric fence supplies for someone in need in Area H. For 2023, Area H, VWS spent a total of \$1,429 for 8 electric fence chargers and \$1,344 for 8 bear resistant residential garbage bins for a total of \$2,722. In 2023, VWS also expended about an equal amount (non-RDCK funds) on cost sharing for e-fence chargers and bear bins in Slocan Valley Villages and several other rural areas in need. All 20 bear bins were sold and we will continue the program with SBS next year.

We also responded to inquiries promoting and advising residents on bear behavior, responsible co-existence with bears including best practices for attractant management, fruit trees, garbage,

compost and electric fencing. Public education also continued. Wayne attended a number of problem residences and to advise on installing electric fencing. Wayne McCrory and Amber Peters also communicated with numerous visitors on bear issues and bear safety while carrying out western toad research at the Fish Lake rest stop. The demonstration electric fence was set up in June again across from Lucerne school but had to be removed in August when the property was sold to make way for construction of a new house. The Rosebery transfer station e-fence did its job this year and the problem bears from last year appear to have got the message.

A mother grizzly and two subadults frequented the Bonanza Creek and beach area including private lands during the bountiful Kokanee spawning run in September and October. A warning sign was placed on the beach. No encounters were reported.

In June, Amber assisted with an electric fence workshop in New Denver and in Passmore in October. All in all the workshops were attended by 37 residents. She is also participated with the Wildsafe BC organized bear committee to advise New Denver on how to better deal with it's chronic black bear issues, representing surrounding Area H residents. VWS spent a total of \$392.18 for two e-fence workshop ads and an ad in June for our cost sharing of bear bins.

**TIME TO GET BEAR SMART!  
BUY A BEAR PROOF GARBAGE BIN**

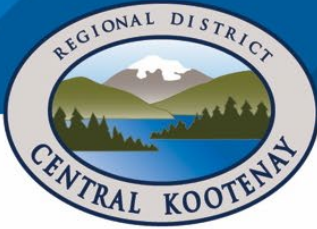
Silverton Building Supply  
Now Has Household Bear Proof Bins!

For a limited number, Valhalla Society  
is able to offer 50% cost sharing on bins and  
electric fence chargers



Cost per bin: \$336 (tax included). For 50% refund,  
e-mail copy of receipt with your name  
and mailing address to: [amber@vws.org](mailto:amber@vws.org),  
[waynem@vws.org](mailto:waynem@vws.org)

(Funding courtesy of RDCK Area H &  
VWS donors)



# Committee Report

**Date of Report:** January 3, 2024  
**Date & Type of Meeting:** January 17, 2024, Rural Affairs Committee  
**Author:** Micah Nakonechny, Grants Coordinator  
**Subject:** COMMUNITY WORKS FUND APPLICATION – CASTLEGAR AND DISTRICT CHAMBER OF COMMERCE “THE WEST KOOTENAY GATEWAY VISITORS CENTRE”  
**File:** 1850-20-CW-295  
**Electoral Area/Municipality** I, J

## SECTION 1: EXECUTIVE SUMMARY

The purpose of this report is to seek approval for the RDCK Community Works Fund application submitted by the Castlegar and District Chamber of Commerce for the project titled “The West Kootenay Gateway Visitors Centre” in the total amount of \$50,000 and that funds be disbursed from Community Works Funds allocated to Electoral Areas I and J. This Tourism Infrastructure project seeks to secure additional funding to offset increased construction costs of the original proposal.

## SECTION 2: BACKGROUND/ANALYSIS

As one of three distinct areas of the Confluence of Tourism and Economic Development building in Castlegar, the West Kootenay Gateway Visitors Centre will be an iconic focal point of the new development. The public space is expected to attract locals and visitors alike while providing information on tourism, entrepreneurship, local business assets, and business relocation resources. Strategically located at the crossroads of the Kootenays, the building has the potential to promote all areas and municipalities within the RDCK. With a mass timber design and targeted Passive House certification, the architecturally innovative building is estimated by the Chamber to experience an 85% reduction in emissions, achieved through technologies such as new HVAC systems and energy-efficient windows and doors.

The project is currently underway. The foundation, mass timber frame, and roof have been completed, while the insulation is being installed. Anticipated project completion is April 2024.

In 2022, RDCK Areas I and J committed \$45,000 each, a total of \$90,000 in Community Works funding, in support of the West Kootenay Gateway Visitors centre. Increased construction costs have resulted in the additional request for funding of \$25,000 each from Areas I and J.

## SECTION 3: DETAILED ANALYSIS

### 3.1 Financial Considerations – Cost and Resource Allocations:

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

This application is the responsibility of Areas I and J and no other areas are being asked to contribute to the project. The Directors for both areas are supportive of the application and have sufficient 2023 funds to allocate

to the project. Should this project be funded, Area I will have \$527,169.58 in Community Works funds remaining, and Area J will have \$149,429.03 remaining.

### **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 broad program category of 'Tourism Infrastructure'.

### **3.3 Environmental Considerations**

As a certified Passive House build, the new Kootenay Visitors Gateway Centre is expected to be 85% more efficient to heat and cool in comparison to building projects constructed to the minimum building code requirements.

### **3.4 Social Considerations:**

This project has been designed to include indoor and outdoor public spaces and aesthetically appealing gathering areas. Community programming options will be further explored and the facility may serve as a safe site where residents and visitors can gather during regional extreme heat or cold weather events.

### **3.5 Economic Considerations:**

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

Regional residents and tourists will have access to a centrally located facility where they can go and learn about the various opportunities to enjoy the region. Businesses will have a prominent presence in the building where they can promote their products and services. This centre will serve a key role in the development and marketing of the West Kootenay region.

### **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 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.

Respectfully submitted,

Micah Nakonechny, Grants Coordinator

## CONCURRENCE

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

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

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

### ATTACHMENTS:

**Attachment A** – Community Works Fund Application: Castlegar and District Chamber of Commerce “West Kootenay Gateway Visitors Centre”



# 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

<b>Community Works Fund Application (Appendix-A)</b>			
<b>Gas Tax Program Services – CWF Funding (UBCM)</b>			
<b>"The Project"</b>	The West Kootenay Gateway Visitors Centre (part of the new Castlegar and District Chamber of Commerce)		
Date of Application	2023/10/20		
<b>Applicant Information</b>			
Name of Organization	Castlegar and District Chamber of Commerce		
Address	Unit A - 1810 - 8th Avenue		
City, Prov. Postal	Castlegar, B.C. V1N 2Y2		
Phone No.	250.365.6313	Fax No.	
Organization's Email	cdcoced@castlegar.com		
Name of Contact	Tammy Verigin-Burk	Contact's Email	cdcoced@castlegar.com
<b>Director in Support of Project</b>			
Name of Director(s)	Area(s)/Municipality	Amount Requested	
Andy Davidoff	Area I	\$25,000.00	
Henny Hanegraaf	Area J	\$25,000.00	
<b>Project Time Line</b>			
Project Commencement Date (yyyy/mm/dd)		Project Completion Date (yyyy\mm\dd)	
2022/09/30		2024/04/30	
<b>Land Ownership</b>			
Ownership and legal description information is required for all parcels of land on which the proposed work will occur.			
Legal Description of land(s)	Lot A District Lot 7173 KOOTENAY DISTRICT PLAN PP89372		
Registered Owners of Land(s)	City of Castlegar - 50 year lease with the Castlegar and District Chamber of Commerce		
Crown Land Tenure/License No./Permit No.(s)			
<b>Compliance With Regulations</b>			
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 checked="" type="checkbox"/>	Yes	
	<input type="checkbox"/>	No	
Have you applied and received a building permit?	<input checked="" type="checkbox"/>	Yes, Permit No. _____	
	<input type="checkbox"/>	No	
If No, please explain:			

**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**

The Confluence of Tourism and Economic Development will be a landmark new building based in the Castlegar and District region of the province of British Columbia that presents a strong development potential and tremendous innovation (architecturally) as an 8,300 sq foot, targeted passive house certified and largely mass timber designed building. This building will see an 85% reduction in emissions, exceeding the targeted 2035 climate goals set by the province of B.C. The building came to fruition based on the need for a new space due to our current building falling into disrepair.

The Confluence will be pivotal to tourism and economic growth for the entire region with the opportunities the space brings with its central location, fully accessible public indoor and outdoor spaces and programs that embrace and foster services for tourists, locals, businesses, and entrepreneurs.

The building will have three distinct areas starting with the Iconic West Kootenay Gateway Visitors Centre, the North Wing that will house the world class tech savvy Mercer Celgar Board Room, the Castlegar and District Chamber of Commerce, Economic Development program, Destination Castlegar and a variety of business essential partners. The South Wing will house a 24/7 accessible space complete with for lease office spaces, co-working space, sound proof telephone booths, lounge and pocket kitchen. The outside will have an exceptional garden, picnic and gathering space, complete with pathways and lighting.

Our application for additional support to the Regional District of Central Kootenay, in which Andy Davidoff, RDCK Area I and Henny Hanegraaf, RDCK Area J Directors support, is specific to the iconic West Kootenay Gateway Visitors Centre (WKGVC). Due to the significant rise in cost of the WKGVC and entire building, we are incredibly appreciative of the additional \$25,000 contributions from Area I and J. This contribution will allow us to ensure the WKGVC has the funding it needs to create this legacy part of the building.

The WKGVC will be an iconic focal point of our new building and will be a remarkable public space that will attract a tremendous amount of visitors and locals looking to obtain information on tourist and local business assets as well as relocation and entrepreneurial information. This space will be of incredible importance as a place for locals to recharge their phones, promote their community organizations, display art, sit, observe and engage with visitors. With the location being the crossroads of the Kootenays, this building will be instrumental in not only supporting our specific region but will be major influence in promoting all areas of the RDCK and surrounding cities and towns.

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



1.1 Project Costs including Timeline and Supporting Documents

The entire Confluence Project is \$8.7 million dollars including demolition/site work including contingencies. The West Kootenay Gateway Visitors Centre new budget is \$832,300, which for this part of the building has been a rise in cost from \$627,000 in 2022.

The project is currently in progress with the completion of the Foundation, Mass Timber Walls, and Roof. Insulation currently being installed.

Project completion anticipated for April 2024.

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

## 1.2 Project Impact

As aforementioned in section 1.0, we foresee the WKGVS having a significant impact on the local region. The impact will occur due to the central location on highway. 3 with an expected increase of double the tourists that the visitor has seen in previous year to 15,000 people. Visitors Centres are pivotal to providing local and regional information on tourist assets, businesses, accommodations and relocation. The previous visitors center unfortunately lacked public space for visitors and locals to congregate and be part of the incredible action that occurs with all the tourists that come from around the world as well a place during the cold in the winter or extreme heat waves that people can be. The WKGVS will have personal devices charging stations, fresh food dispensary provided from local restaurants, kiosks for displays, art, access to IPADS, and seating for people to sit and relax. We believe the WKGVS will be a place that people as well come to learn about our PassiveHouse certified building and to view a Mass Timber structure. Both of these two are not known to exist together in a public space. We are hopeful that through this new space we encourage others to consider and follow with their new builds.

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

1.3 Project Outcomes

The creation and completion of a new West Kootenay Gateway Visitors Centre public space for use by visitors and community citizens in the local and regional community. To be completed Spring/Summer 2024. This new building and WKGVC will see an 85% reduction in emissions as an outcome. This reduction is due to the PassiveHouse certification that will be reached through the use of Mass Timber, HVAC systems, energy efficient doors and windows, etc.

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

**1.4 Project Team and Qualifications**

Architect: Lukas Armstrong  
 Project Engineer: WSA Enigneering  
 Project Electrical: READY Engineering  
 Project Mechanical: Rocky Point Engineering  
 Project Landscape Architect: Larch  
 Passive House Consultant: Peel PassiveHouse  
 General Contractor: T.A. Redek and Associates Ltd.  
 Full Sub Contractor List available if required

(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 (\$)
Grants - confirmed	Provincial, Federal and local grants confirmed	\$ 635,000.00
All items required for the development	RDCK Area I	\$ 25,000.00
All items required for the development	RDCK Area J	\$ 25,000.00
		\$
Additional Funds	Grants and corporate fundraising in progress	\$ 147,300.00
		\$
(If needed, please see page 7 to provide additional budget information)	<b>Sub-Total Project Revenue</b>	\$ 832,300.00

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

Item	Description of Expenses	Value (\$)
Construction and FFE's for WKGVS		\$ 832,300.00
		\$
		\$
		\$
		\$
(If needed, please see page 7 to provide additional budget information)	<b>Sub-Total Project Expenses</b>	\$ 832,300.00

Project Revenue (continued)		
(Capital, Professional, Environmental Assessment, Employee, Equipment, Incremental)		
Item	Project Revenue	Value (\$)
		\$
		\$
		\$
		\$
		\$
		\$
		\$
		\$
		\$
		\$
	<b>Total Project Revenue</b>	\$ 832,300.00
Project Expenses (continued)		
(Capital, Professional, Environmental Assessment, Employee, Equipment, Incremental)		
Item	Description	Value (\$)
		\$
		\$
		\$
		\$
		\$
		\$
		\$
		\$
		\$
		\$
		\$
		\$
		\$
		\$
		\$
		\$
		\$
	<b>Total Project Expenses</b>	\$ 832,300.00

<b>2.1 Additional Budget Information</b>		
Quote rationale to be reviewed by RDCK Chief Administrative Officer		
The project costs of risen substantially from the original application to \$832,300 in which Directors Andy Davidoff and Henny Hanegraaf are aware of and why they have offered additional support to this project.		
(If needed, please provide additional information on separate page)		
<b>3.0 Accountability Framework</b>		
The eligible recipient will ensure the following:		
<ul style="list-style-type: none"> <li>- Net incremental capital spending is on infrastructure or capacity building</li> <li>- Funding is used for eligible Project and eligible costs</li> <li>- Project is implemented in diligent and timely manner</li> <li>- Where recipient is a Local Government, undertake Integrated Community Sustainability Planning</li> <li>- Provide access to all records</li> <li>- Comply with legislated environmental assessment requirements and implement environmental impact mitigation measures</li> <li>- Provide a Project Completion Report including copies of all invoices</li> <li>-</li> </ul>		
<b>4.0 Schedule of Payments</b>		
The RDCK shall pay the grant to the proponent in accordance with the following schedule of payments:		
<ul style="list-style-type: none"> <li>a) 75% upon signing of the Contract Agreement</li> <li>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.</li> </ul>		
<b>5.0 Acknowledgement of Requirements</b>		
Gas Tax-funded projects aim to achieve national objectives: a clean environment; strong cities and communities; and productivity and economic growth.		
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 31 <sup>st</sup> of each year detailing the beneficial impacts on the community as a result of the completed Project.		
Authorized Signature for Proponent	Name	Date
	Tammy Verigin-Burk	2023/10/20



REGIONAL DISTRICT OF CENTRAL KOOTENAY  
Community Heritage Register

NOMINATION FORM

Heritage Resource name/s  
Historical Hot Springs Trail

Address/community (if applicable)  
Rural Nakusp (Defined Area K)

Resource type (please circle):

Building Group of Buildings Community Cultural Landscape Structure

Intangible Resource (describe) \_\_\_\_\_

Other (please describe) HIKING/HORSEBACK TRAIL

Known historical facts about the heritage resource:  
(include information about age, material, scale, style, construction, condition, events etc.)

Route travelled to access Hot Springs staked in 1894 & achieved in 1897. ADEQUATE TRAIL ESTABLISHED IN 1912 WAS 9 MILES (from Village) TODAY REMAINING TRAIL IS 8.5 KM IN LENGTH & RUNS PARALLEL TO THE HUSKAWAY CREEK. ACCESSIBLE FROM ALEXANDER ROAD & FROM NAKUSP HOT SPRINGS.  
UNDOCUMENTED: INDIGENOUS USED TRAIL TO ACCESS SPRINGS

Heritage and Community Values associated with this heritage resource:  
(you may want to read about these in the Community Heritage Register Report at <https://rdck.ca/EN/main/services/community-planning/community-heritage-register.html>)

Recreation, wild environment, community values, preserving history

Nominator/s names and contact information (e-mail and/or phone)  
BRIAN WEATHERHEAD [REDACTED]

Please note that this is for information collection purposes only; this nomination form does not automatically add a resource to the Heritage Register nor protect it.

Please return this form by email to [plandept@rdck.bc.ca](mailto:plandept@rdck.bc.ca) or in person to the RDCK offices in Nelson (202 Lakeside Drive), Nakusp (204 6th Avenue NW) or Creston (5318-16 Avenue S)  
Please attach or enclose any background documentation such as photos, documents, newspaper clippings and links

Thank you for helping to identify the RDCK's heritage resources!



REGIONAL DISTRICT OF CENTRAL KOOTENAY  
Community Heritage Register

NOMINATION FORM

Heritage Resource name/s  
SADDLE MOUNTAIN LOOKOUT TRAIL

Address/community (if applicable)  
AREA K (ARROW PARK)

Resource type (please circle):

Building    Group of Buildings    Community    Cultural Landscape    Structure

Intangible Resource (describe) \_\_\_\_\_

Other (please describe) HIKING TRAIL

Known historical facts about the heritage resource:  
(include information about age, material, scale, style, construction, condition, events etc.)

TRAIL ESTABLISHED TO ROCKY KNOB ABOVE TREE LINE AS  
A FIRE LOOKOUT WITH PANORAMIC VIEWS OF ARROW LAKES &  
MONASHEE & SELKIRK MOUNTAIN RANGES. SCOUTS MANNED  
THE LOOKOUT FROM 1923. WELL MAINTAINED, SUB ALPINE  
CLIMB 5.3 KM IN LENGTH.  
  
UNDOCUMENTED: INDIGENOUS CLIMBED PEAK FOR VIEW

Heritage and Community Values associated with this heritage resource:  
(you may want to read about these in the Community Heritage Register Report at <https://rdck.ca/EN/main/services/community-planning/community-heritage-register.html>)

Recreation, wild environment, preserving history,  
valuable to community

Nominator/s names and contact information (e-mail and/or phone)  
ERIAN WEATHERHEAD [REDACTED]

Please note that this is for information collection purposes only; this nomination form does not automatically add a resource to the Heritage Register nor protect it.

Please return this form by email to [plandept@rdck.bc.ca](mailto:plandept@rdck.bc.ca) or in person to the RDCK offices in Nelson (202 Lakeside Drive), Nakusp (204 6th Avenue NW) or Creston (531B-16 Avenue 5)  
Please attach or enclose any background documentation such as photos, documents, newspaper clippings and links

Thank you for helping to identify the RDCK's heritage resources!