



Regional District of Central Kootenay
RURAL AFFAIRS COMMITTEE
Open Meeting Agenda

Date: Wednesday, June 12, 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. ZOOM REMOTE MEETING INFO

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

Meeting Time:

9:00 a.m. (PDT)

Join by Video:

<https://rdck-bc-ca.zoom.us/j/94632654152?pwd=mlMOu6BDqwcsaP8Nwpr7q3Uil0j9ye.1&from=addon>

Join by Phone:

+1 778 907 2071 Canada
833 958 1164 Canada Toll-free

Meeting ID: 946 3265 4152

Meeting Password: 248784

In-Person Location:

Nelson Office - Boardroom
202 Lakeside Drive
Nelson, BC V1L 4R5

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 June 12, 2024 Rural Affairs Committee meeting be adopted as circulated.

5. RECEIPT OF MINUTES

The May 15, 2024 Rural Affairs Committee meeting minutes, have been received.

6 - 16

6. DELEGATIONS

No delegations.

7. PLANNING & BUILDING

7.1 DEVELOPMENT VARIANCE PERMIT - CROWE

**File No.: V2404A-04737.100-Crowe-DVP00252
129 Boulder Beach Road
(1068616 BC LTD., INC. NO. BC1068616 C/O Ken Crowe)
Electoral Area A**

17 - 56

The Committee Report dated May 29, 2024 from Stephanie Johnson, Planner, re: Development Variance Permit - Crowe, has been received.

*Rural Affairs Committee
Referred May 15, 2024 to June 12, 2024.*

RECOMMENDATION:

That it be recommended to the Board:

That the Board NOT APPROVE the issuance of Development Variance Permit V2404A to 1068616 BC LTD., INC. NO. BC1068616 for the property located at 129 Boulder Beach Road, Electoral Area A and legally described as LOT 5, DISTRICT LOT 4595, KOOTENAY DISTRICT PLAN 811, Except parts included in Plans 3062, 16541, R127, NEP60734, NEP68076, NEP69201 and NEP72451 (PID: 011-123-877) to vary Section 9.01 a. 'On-Site Sewerage Disposal' under the *RDCK's Subdivision Bylaw No. 2159, 2011* as follows:

- From requiring confirmation of a Type 1 (septic tank) treatment where no community wastewater exists, or is proposed, to permitting a Type 2 treatment system(s) for proposed residential Lots A and B for subdivision file no. S2319A.

7.2 COMMUNITY HERITAGE REGISTER: VERIGIN MEMORIAL PARK

57 - 67

**File No.: 10\4970\20\VERIGIN MEMORIAL PAR
Electoral Area I**

The Committee Report dated May 27, 2024 from Dana Hawkins, Planner 2, re: Community Heritage Register: Verigin Memorial Park, has been received.

RECOMMENDATION:

That it be recommended to the Board:

THAT the Regional Board approve the inclusion of Verigin Memorial Park identified as having heritage value, be included on the Regional District of Central Kootenay Community Heritage Register;

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

8. ENVIRONMENTAL SERVICES

No items.

9. RURAL ADMINISTRATION

9.1 COMMUNITY WORKS FUND APPLICATION – BALFOUR RECREATION COMMISSION “BALFOUR COMMUNITY HALL FACILITY ACCESS UPGRADE PROJECT”

68 - 80

**File No.: 1850-20-CW-267
Electoral Area E**

The Committee Report dated May 27, 2024 from Lisa Rein, Grants Coordinator, re: Community Works Fund Application - Balfour Community Hall Facility Access Upgrade Project, has been received.

RECOMMENDATION:

That it be recommended to the Board:

That the Community Works Fund application submitted by the Balfour Recreation Commission for the Balfour Community Hall Facility Access Upgrade in the total amount of \$17,000 be approved and that the funds be disbursed from Community Works Funds allocated to Electoral Area E.

9.2 COMMUNITY WORKS FUND APPLICATION – KOOTENAY MOUNTAINEERING CLUB “GRASSY AND LOST LAKE BONNINGTON HUTS WASTE AND WASTEWATER MANAGEMENT PROJECT”

81 - 100

**File No.: 1850-20-CW-303
Electoral Area F, G, H, I, J**

The Committee Report dated May 14, 2024 from Lisa Rein, Grants Coordinator, re: Community Works Fund Application - Grassy and Lost

Lake Bonnington Huts Waste and Wastewater Management Project, has been received.

RECOMMENDATION:

That it be recommended to the Board:

THAT the Community Works Fund application submitted by the Kootenay Mountaineering Club (KMC) for the project titled “Grassy and Lost Lake Bonnington Huts Waste and Wastewater Management Project” in the amount of \$50,000.00 be approved and that funds be disbursed from Community Works Funds equally allocated to Electoral Areas F, G, H, I and J.

- 9.3 COMMUNITY WORKS FUND APPLICATION – CASTLEGAR AND DISTRICT CHAMBER OF COMMERCE “THE WEST KOOTENAY GATEWAY VISITORS CENTRE AND CONFLUENCE BUILDING”** 101 - 121

File No.: 1850-20-CW-296

Electoral Area I & J

The Committee Report dated May 27, 2024 from Lisa Rein, Grants Coordinator, re: Community Works Fund Application - The West Kootenay Gateway Visitors Centre and Confluence Building, 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 “The West Kootenays Gateway Visitors Centre and Confluence Building” in the amount of \$60,000 be approved and that funds be disbursed from Community Works Funds allocated to Electoral Areas I and J, with \$30,000 being contributed by each.

- 9.4 COMMUNITY WORKS FUND APPLICATION – REGIONAL DISTRICT OF CENTRAL KOOTENAY- “CBBC BACKBONE AND LAST MILE FIBRE PROJECT”** 122 - 146

File No.: 1850-20-CW-304

Electoral Area G, H & K

The Committee Report dated May 27, 2024 from Lisa Rein, Grants Coordinator, re: Community Works Fund Application - CBBC Backbone and Last Mile Fibre Project, has been received.

RECOMMENDATION:

That it be recommended to the Board:

THAT the Community Works Fund application submitted by the Regional District of Central Kootenay (RDCK) for the project titled “CBBC-Backbone and Last Mile Fiber Project” in the amount of \$1,545,285.12 be approved and that funds be disbursed from Community Works Funds allocated to Electoral Area G, H and K.

- 9.5 FOR INFORMATION: RDEK FIREWORKS REGULATION** 147 - 150

The Regional District of East Kootenay (RDEK) Sale of fireworks Regulation Bylaw, has been received for information and discussion.

10. PUBLIC TIME

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

11. ADJOURNMENT

RECOMMENDATION:

The meeting be adjourned at _____



Regional District of Central Kootenay

RURAL AFFAIRS COMMITTEE MEETING

Open Meeting Minutes

Wednesday, May 15, 2024

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 C. Graham | Electoral Area E – In-person |
| Director T. Newell | Electoral Area F |
| 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 – In-person |
| Director T. Weatherhead | Electoral Area K – In-person |

STAFF PRESENT

| | |
|---------------|---|
| S. Horn | Chief Administrative Officer |
| Y. Malloff | Chief Financial Officer |
| U. Wolf | General Manager of Environmental Services |
| N. Wight | Planning Manager |
| C. Gainham | Building Manager |
| S. Johnson | Planner |
| D. Hawkins | Planner |
| Z. Giacomazzo | Planner |
| C. Hopkyns | Corporate Administrative Coordinator – Meeting Coordinator |

1. WEBEX REMOTE MEETING INFO

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

Join by Video:

<https://nelsonho.webex.com/nelsonho/j.php?MTID=md8e850c3669e773450ffbd52a39e0b7c>

Join by Phone:

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

Meeting Number (access code): 2770 924 9707

Meeting Password: RPbjg3UHe33 (77254384 from phones)

2. CALL TO ORDER

Chair Jackman called the meeting to order at 9:00 a.m.

3. TRADITIONAL LANDS ACKNOWLEDGEMENT STATEMENT

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

4. ADOPTION OF THE AGENDA

Moved and seconded,

And resolved:

The agenda for the May 15, 2024 Rural Affairs Committee meeting be adopted as circulated.

Carried

5. RECEIPT OF MINUTES

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

6. DELEGATIONS

Item 7.4 - Ken Crowe

Item 7.5 - Robert Measures & Jeremy de Wit

Item 7.6 - Rebecca McDonnell, Blueberry Creek Community School Council

7. PLANNING & BUILDING

7.1 BUILDING BYLAW CONTRAVENTION – EVANS

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.******Referred January 17, 2024 to March 20, 2024.******Referred March 20, 2024 to April 17, 2024.******Referred April 17, 2024 to May 15, 2024.***

- No delegation was present.
- Chris Gainham, Building Manager, shared that the property owner has submitted an application and staff are working with the property owner. Staff recommend no further action at this time.
- Chair Jackman thanked staff and referred the recommendation to Committee for consideration.

Moved and seconded,

And resolved that it be recommended to the Board:

That the Board take no further action at this time to file a Notice on Title relating to land at relating to land at 1726 Thrums East Road, Electoral Area I, currently owned by Dobie and Alisha Evans, legally described as LOT C, PLAN NEP68184, DISTRICT LOT 1239, KOOTENAY LAND DISTRICT MANUFACTURED HOME REG. # 36149.

Carried**7.2 BUILDING BYLAW CONTRAVENTION - EVANS****File No.: 3135-20-I-709.05749.300-BP024256****1726 Thrums East Road - Deck Only****(Dobie & Alisha Evans)****Electoral Area I**

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

Rural Affairs Committee***Referred July 19, 2023 to September 13, 2023.******Referred September 13, 2023 to December 13, 2023. The item was missed on the December 13, 2023 RAC meeting agenda and is being brought forward to the January 17, 2024 RAC meeting for consideration.******January 17, 2024 to March 20, 2024.******Referred January 17, 2024 to March 20, 2024.******Referred March 20, 2024 to April 17, 2024.******Referred April 17, 2024 to May 15, 2024.***

- No delegation was present.
- Chris Gainham, Building Manager, shared that the property owner has submitted an application and staff are working with the property owner. Staff recommend no further action at this time.
- Chair Jackman thanked staff and referred the recommendation to Committee for consideration.

Moved and seconded,

And resolved that it be recommended to the Board:

That the Board take no further action at this time to file a Notice on Title relating to land at relating to land at 1726 Thrums East Road, Electoral Area I, currently owned by Dobie and Alisha Evans, legally described as LOT C, PLAN NEP68184, DISTRICT LOT 1239, KOOTENAY LAND DISTRICT MANUFACTURED HOME REG. # 36149.

Carried

7.3 BUILDING BYLAW CONTRAVENTION - EVANS & MCLEAN

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

1726 Thrums East Rd – Manufactured Home

(Dobie Evans & Ronald Mclean)

Electoral Area I

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

Rural Affairs Committee

Referred July 19, 2023 to September 13, 2023.

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

Referred January 17, 2024 to March 20, 2024.

Referred March 20, 2024 to April 17, 2024.

Referred April 17, 2024 to May 15, 2024.

- No delegation was present.
- Chris Gainham, Building Manager, shared that the property owner has submitted an application and staff are working with the property owner. Staff recommend no further action at this time.
- Chair Jackman thanked staff and referred the recommendation to Committee for consideration.

Moved and seconded,

And resolved that it be recommended to the Board:

That the Board take no further action at this time to file a Notice on Title relating to land at relating to land at 1726 Thrums East Road, Electoral Area I, currently owned by Dobie Evans & Ronald Mclean, legally described as LOT C, PLAN NEP68184, DISTRICT LOT 1239, KOOTENAY LAND DISTRICT MANUFACTURED HOME REG. # 36149.

Carried

7.4 DEVELOPMENT VARIANCE PERMIT - CROWE

File No.: V2404A-04737.100-Crowe-DVP00252

129 Boulder Beach Road

(1068616 BC LTD., INC. NO. BC1068616 C/O Ken Crowe)

Electoral Area A

The Committee Report dated May 1, 2024 from Stephanie Johnson, Planner, re: Development Variance Permit - Crowe, has been received.

Stephanie Johnson, Planner, provided an overview to the Committee regarding Development Variance Permit (DVP) application to allow an alternative private wastewater disposal system that is required by the Subdivision Bylaw.

Ken Crowe, property owner, provided background information regarding his property. He gave an overview regarding the DVP application to allow an alternative private wastewater disposal system. Mr. Crowe answered the Committee's questions.

The Committee had a discussion regarding the property, different septic system types and the RDCK's Subdivision Bylaw. Staff answered the Committee's questions. The Committee recommends referral to the June 12th RAC meeting to allow the applicant time to submit a revised septic report for each proposed residential lots.

STAFF DIRECTION: That staff get clarification on both Interior Health Authorities role regarding septic system and Ministry of Transportation and Infrastructure's rural approving officer function.

Moved and seconded,

And resolved:

That the item **BE REFERRED** to the June 12, 2024 Rural Affairs Committee meeting for a decision regarding the issuance of Development Variance Permit V2404A to 1068616 BC LTD., INC. NO. BC1068616 for the property located at 129 Boulder Beach Road and legally described as Lot 5 District Lot 4595 Kootenay District Plan 811, Except parts included in Plans 3062, 16541, R127, NEP60734, NEP68076, NEP69201 and NEP72451 (PID: 011-123-877) to vary Section 9.01 a. 'On-Site Sewerage Disposal' under the RDCK's *Subdivision Bylaw No. 2159, 2011* to a future Board meeting pending receipt of revised septic reports.

Carried**7.5 NON-ADHERING RESIDENTIAL USE - MEASURES****File No.: A2401G - Measures****8965 Highway 6****(Robert & Yoshie Measures)****Electoral Area G**

The Committee Report dated May 1, 2024 from Zachari Giacomazzo, Planner, re: Non-Adhering Residential Use - Measures, has been received.

NOTE: There was an error in the recommendation on the published RAC agenda. The recommendation was updated to the following:

That the Board NOT SUPPORT application A2401G for the proposed Non-Adhering Residential Use in the Agricultural Land Reserve proposed by Jeremy de Wit for property located at 8965 Highway 6, Electoral Area 'G' and legally described as LOT C DISTRICT LOTS 273 AND 1237 KOOTENAY DISTRICT PLAN 2329, EXCEPT PARTS INCLUDED IN REFERENCE PLAN 103021I AND PLAN 5659 (PID: 008-683-654).

Zachari Giacomazzo, Planner, provided an overview to the Committee regarding the Agricultural Land Commission application for a Non-Adhering Residential Use within the Agricultural Land Reserve. The applicant seeks to convert a portion of an existing horse barn to a second dwelling with a floor area of 150 m². ALC approval is required in order to authorize a secondary residence that is larger than 90 m².

Bob (Robert) Measures, property owner, provided background on his property. He shared plans to restore the heritage barn to the way it was originally built.

The Committee had a discussion and staff answered questions. The Committee recommended referral to allow the property owner time to update the application.

Moved and seconded,

And resolved:

That the following motion **BE REFERRED** to the July 17, 2024 Rural Affairs Committee meeting:

That the Board NOT SUPPORT application A2401G for the proposed Non-Adhering Residential Use in the Agricultural Land Reserve proposed by Jeremy de Wit for property located at 8965 Highway 6, Electoral Area 'G' and legally described as LOT C DISTRICT LOTS 273 AND 1237 KOOTENAY DISTRICT PLAN 2329, EXCEPT PARTS INCLUDED IN REFERENCE PLAN 103021I AND PLAN 5659 (PID: 008-683-654).

Carried

7.6 BYLAW AMENDMENTS - MELVILLE & WHITEHEAD
File No.: Z2402J-01555.100-Whitehead-BA000080
3124 Waldie Avenue
(Jessilyn Melville & Jarrod Whitehead)
Electoral Area J

The Committee Report dated May 1, 2024 from Stephanie Johnson, Planner, re: Bylaw Amendments - Melville & Whitehead, has been received.

Stephanie Johnson, Planner, provided an overview to the Committee regarding the application for amendments to the Official Community Plan Bylaw (OCP) and Zoning Bylaw to consider the development of a daycare in Electoral Area J.

The delegation, Rebecca McDonnell, BCCS Council, was available to answer the Committee's questions.

The Committee had a discussion and staff answered questions.

Moved and seconded,

And resolved that it be recommended to the Board:

That Kootenay-Columbia Rivers Official Community Plan Amendment Bylaw No. 2964, 2024 being a bylaw to amend the Kootenay-Columbia Rivers Official Community Plan Bylaw No. 1157, 1996 is hereby given FIRST and SECOND reading by content and referred to a PUBLIC HEARING.

Carried

Moved and seconded,

And resolved that it be recommended to the Board:

That Regional District of Central Kootenay Zoning Amendment Bylaw No. 2965, 2024 being a bylaw to amend the Regional District of Central Kootenay Zoning Bylaw No. 1675, 2004 is hereby given FIRST and SECOND reading by content and referred to a PUBLIC HEARING.

Carried

Moved and seconded,

And resolved that it be recommended to the Board:

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

Carried

7.7 BILL 44 IMPLEMENTATION – SMALL SCALE MULTI UNIT HOUSING

File No.: 10-5110-20-Provincial Housing Changes

Electoral Area A, B, C, D, F, G, I, J & K

The Committee Report dated April 30, 2024 from Dana Hawkins, Planner 2, re: Bill 44 Implementation – Small Scale Multi Unit Housing, has been received.

Dana Hawkins, Planner 2, provided an overview to the Committee regarding the proposed bylaw amendments to implement the requirements of Provincial Bill 44 Housing Statutes (Residential Development) Amendment Act, which includes provisions to allow Small-Scale Multi-Unit Housing across BC. RDCK must allow for a minimum of one secondary suite and/or one detached accessory dwelling unit in all restricted zones (i.e. zones where the residential use is restricted to single detached and duplex housing) in all electoral areas. Dana answered the Committee's questions.

Moved and seconded,

And resolved that it be recommended to the Board:

THAT *Electoral Area 'A' Land Use Amendment Bylaw No. 2953, 2024* being a bylaw to amend the *Electoral Area 'A' Land Use Bylaw No. 2315, 2013* is hereby given FIRST, SECOND and THIRD READING; AND FURTHER, that consideration of adoption be withheld until Ministry of Transportation and Infrastructure signs the Amending Bylaw.

Carried

Moved and seconded,

And resolved that it be recommended to the Board:

THAT *Electoral Area 'B' Land Use Amendment Bylaw No. 2954, 2024* being a bylaw to amend the *Electoral Area 'B' Land Use Bylaw No. 2316, 2013* is hereby given FIRST, SECOND and THIRD READING; AND FURTHER, that consideration of adoption be withheld until Ministry of Transportation and Infrastructure signs the Amending Bylaw.

Carried

Moved and seconded,

And resolved that it be recommended to the Board:

THAT *Electoral Area 'C' Land Use Amendment Bylaw No. 2955, 2024* being a bylaw to amend the *Electoral Area 'C' Land Use Bylaw No. 2317, 2013* is hereby given FIRST,

SECOND and THIRD READING; AND FURTHER, that consideration of adoption be withheld until Ministry of Transportation and Infrastructure signs the Amending Bylaw.

Carried

Moved and seconded,

And resolved that it be recommended to the Board:

THAT *Electoral Area 'D' Land Use Amendment Bylaw No. 2956, 2024* being a bylaw to amend the *Electoral Area 'D' Land Use Bylaw No. 2435, 2016* is hereby given FIRST, SECOND and THIRD READING; AND FURTHER, that consideration of adoption be withheld until Ministry of Transportation and Infrastructure signs the Amending Bylaw.

Carried

Moved and seconded,

And resolved that it be recommended to the Board:

THAT *Electoral Area 'G' Land Use Amendment Bylaw No. 2957, 2024* being a bylaw to amend the *Electoral Area 'G' Land Use Bylaw No. 2452, 2018* is hereby given FIRST, SECOND and THIRD READING; AND FURTHER, that consideration of adoption be withheld until Ministry of Transportation and Infrastructure signs the Amending Bylaw.

Carried

Moved and seconded,

And resolved that it be recommended to the Board:

THAT *Regional District of Central Kootenay Zoning Amendment Bylaw No. 2958, 2024* being a bylaw to amend the *Regional District of Central Kootenay Zoning Bylaw No. 1675, 2004* is hereby given FIRST, SECOND and THIRD READING; AND FURTHER, that consideration of adoption be withheld until Ministry of Transportation and Infrastructure signs the Amending Bylaw.

Carried

8. ENVIRONMENTAL SERVICES

No items.

9. RURAL ADMINISTRATION

9.1 COMMUNITY WORKS FUND APPLICATION – KITCHENER VALLEY RECREATION & FIRE PROTECTION SOCIETY “COMMUNITY HALL ELECTRICAL UPDATE”

File No.: 1850-20-CW-299

Electoral Area B

The Committee Report dated April 22 from Lisa Rein, Grants Coordinator, re: Community Works Fund Application – Kitchener Valley Recreation & Fire Protection Society “Community Hall Electrical Update”, has been received.

Moved and seconded,

And resolved that it be recommended to the Board:

That the Community Works Fund application submitted by the Kitchener Valley Recreation & Fire Protection Society for the project titled “Community Hall Electrical Update” in the amount of \$12,000 be approved and that funds be disbursed from Community Works Funds allocated to Electoral Area B.

Carried

9.2 COMMUNITY WORKS FUND APPLICATION – ROBSON RASPBERRY IMPROVEMENT DISTRICT “RRID ASSET MANAGEMENT STUDY”

File No.: 1850-20-CW-302

Electoral Area J

The Committee Report dated April 23, 2024 from Lisa Rein, Grants Coordinator, re: Community Works Fund Application – Robson Raspberry Improvement District “RRID Asset Management Study”, has been received.

Staff answered the Committee’s questions.

Moved and seconded,

And resolved that it be recommended to the Board:

That the Community Works Fund application submitted by the Robson Raspberry Improvement District for the project titled “RRID Asset Management Study” in the amount of \$51,000 be approved and that funds be disbursed from Community Works Funds allocated to Electoral Area J.

Carried

10. PUBLIC TIME

The Chair called for questions from the public and members of the media at 11:20 a.m.

No public or media had questions.

11. ADJOURNMENT

Moved and seconded,

And resolved:

The meeting be adjourned at 11:21 a.m.

Carried

Digitally approved by

Chair Jackman, Chair



Committee Report

Date of Report: May 29, 2024
Date & Type of Meeting: June 12, 2024, Rural Affairs Committee
Author: Stephanie Johnson, Planner
Subject: DEVELOPMENT VARIANCE PERMIT
File: V2404A-04737.100-Crowe-DVP00252
Electoral Area/Municipality A

SECTION 1: EXECUTIVE SUMMARY

The purpose of this report is for the Rural Affairs Committee (RAC) and Regional Board to consider a Development Variance Permit (DVP) application requesting an alternative private wastewater disposal system not permitted under the *RDCK's Subdivision Bylaw*.

Specifically, this DVP application seeks to vary Section 9.01 a. 'On-Site Sewerage Disposal' in the *Regional District's Subdivision Bylaw No. 2159, 2011*, which states, "where no community wastewater system exists, or is proposed, confirmation of assessment for capabilities on the basis of Type 1 (septic tank) treatment for each proposed lot" is required. The applicant is seeking Type 2 treatment systems for proposed residential Lots A and B. Approval of this DVP would facilitate a subdivision that would otherwise not be possible, given the proposed wastewater treatment system.

Staff recommend that the Regional Board not approve issuance of this DVP.

SECTION 2: BACKGROUND/ANALYSIS

At the May 15, 2024 RAC meeting the following resolution was passed:

*"That the Committee **REFERRED** to the June 12, 2024 Rural Affairs Committee meeting for a decision regarding the issuance of Development Variance Permit V2404A to 1068616 BC LTD., INC. NO. BC1068616 for the property located at 129 Boulder Beach Road and legally described as Lot 5 District Lot 4595 Kootenay District Plan 811, Except parts included in Plans 3062, 16541, R127, NEP60734, NEP68076, NEP69201 and NEP72451 (PID: 011-123-877) to vary Section 9.01 a. 'On-Site Sewerage Disposal' under the RDCK's Subdivision Bylaw No. 2159, 2011 to a future Board meeting pending receipt of revised septic reports".*

At this RAC meeting staff were also directed to, "get clarification on both Interior Health Authorities role regarding septic system and Ministry of Transportation and Infrastructure's Provincial (rural) Approving Officer function".

Role of Approving Authorities in the Subdivision Process

Role of Regional Districts

Regional Districts can provide planning services for the community as a whole, specific neighborhoods, or individual parcels; this can include Regional Growth Strategies, Official Community Plans, and or local bylaws, including a Subdivision Bylaw, which lay out the acceptable means of servicing various areas. Zoning bylaws can also be used by

Regional Districts to establish operation and maintenance bylaws to control development. For example, Zoning Bylaws could specify appropriate wastewater management requirements or restrict development density using onsite systems for designated areas depending on local soil conditions.

Role of Health Authorities (HAs)

Environmental Health Officers inspect and monitor activities and premises that have the potential to affect the public’s health, including the area in which a subdivision may be located, with particular interest in drinking water supply and onsite sewage discharge. The HAs advises Provincial Approving Officers (PAOs) from the perspective of the *Public Health Act*, the Provincial Sewerage System Regulation (SSR), the *Drinking Water Protection Act*, and the Drinking Water Protection Regulation. The local HA’s do not provide any form of approval regarding the subdivision of land. Upon request health authority staff provides recommendations to PAOs on subdivision applications.

In cases where there is no community sewer system, on-site sewerage disposal matters are governed by the SSR under the *Public Health Act*. The scheme of the SSR is that construction and operation standards are established by the Ministry of Health, and compliance with the standards is monitored by the regional health authorities by means of “filings” or plans and specifications for on-site systems before and after installation. There is no longer a provincial permitting systems for approving officers to use in determining whether suitable arrangements for on-site sewage disposal have been made.

In 2005, the Province enacted the SSR, replacing the prior Sewage Disposal Regulation switching from a HA oversight model to a professional reliance model. Homeowners are responsible for ensuring appropriate system maintenance is carried out, but may have limited awareness of system maintenance requirements and their legal obligations, particularly when properties are sold to new owners.

Role of Provincial Approving Officers

Provincial Approving Officers (PAOs) through the Ministry of Transportation and Infrastructure (MOTI) are designated under the *Land Title Act* to approve rural subdivisions and ensure they are implemented in accordance with provincial statutes, regulations, local government bylaws regulating Subdivision and land use (e.g. OCP and Zoning). PAOs have separate jurisdictions of authority for approving subdivision plans and are quasi-judicial officials who act independently to ensure that the subdivision complies with Provincial acts, regulations and bylaws, as well as protecting the best interests of the public.

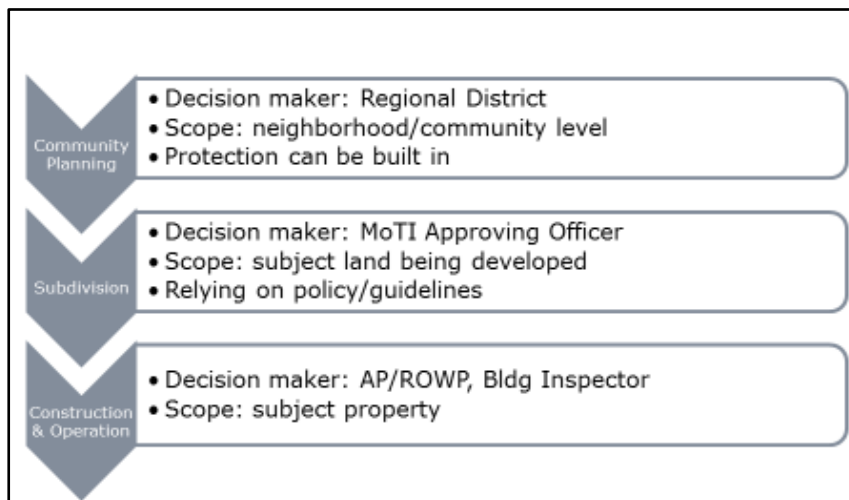


Figure 1: Overview of Decision Maker Role related to Septic Systems

RDCK Subdivision Bylaw Review Project – Update

Staff are currently reviewing the *RDCK's Subdivision Bylaw*. Feedback received from Authorized Persons involved in the review to date has provided crucial insight into why the Type 1 system requirement exists. Concerns observed with deviating from a Type 1 system include:

- System reliability – Type 1 systems are low maintenance, dependable, and less costly to install and maintain.
- Ongoing Maintenance – Type 2 systems require frequent maintenance, and one key concern raised in the review is that some people do not keep up with the maintenance or, more commonly, the property changes hands and the new owners are not aware of the maintenance requirements.
- Covenants are not monitored for compliance and Environmental Health Officers do not typically have capacity to proactively monitor systems in the region.
- Most people do not know or do not want to know about problems with their system, and systems may not be repaired or replaced until it is unavoidable (i.e. toilets not flushing or septage pooling in the field area).
- The current 4-bedroom baseline for assessment is no longer adequate with recent development trends, namely additional dwelling units and vacation rentals – the Provincial housing changes have exacerbated this concern.

Based on the preliminary feedback from the review, it is unlikely that staff would deviate from recommending all new lots be capable of supporting a Type 1 system. Mitigation measures, like sewage system maintenance bylaws or maintenance covenants, are tools that could be utilized by the RDCK to address some of the concerns related to Type 2 systems; however, the current staff capacity and organizational structure does not support the implementation of either of these tools, as they require ongoing involvement of staff with the relevant expertise to ensure the regulations of a bylaw or conditions of a covenant are being met.

| GENERAL INFORMATION |
|--|
| Property Owner: 1068616 BC LTD., INC. NO. BC1068616 C/O Ken Crowe |
| Property Location: 129 Boulder Beach Road, Kootenay/Crawford Bay, Electoral Area 'A' |
| Legal Description: Lot 5 District Lot 4595 Kootenay District Plan 811, Except parts included in Plans 3062, 16541, R127, NEP60734, NEP68076, NEP69201 and NEP72451 (PID: 011-123-877) |
| Property Size: 11.1 hectares (ha) |
| Current Zoning: Not applicable (N/A) |
| Current Official Community Plan Designation: Country Residential (RC) |

| SURROUNDING LAND USES |
|--|
| North: Country Residential and Highway 3A |
| East: Riodel Road, Country Residential and a Tourist Commercial land uses |
| South: Country Residential |
| West: Kootenay Lake and Country Residential |

Background Information and Site Context

The 11.1 ha in size subject property is addressed at 129 Boulder Beach Road in the Kootenay Bay area of Electoral Area 'A', and is located approximately 3 kilometres west of the community of Crawford Bay. The surrounding area is comprised of mostly country residential land uses. The residential portion of the site is 3.5 ha in size with roughly 260 metres of lake frontage, and currently has two existing houses adjacent to Kootenay Lake (on proposed Lots A and B) both with an existing water line extracting from the lake, and their own septic field. Cabbage Creek flows through the subject site (proposed Lot B) in a westerly direction. An unauthorized deck and stairway has been constructed at the north end of proposed Lot A, in addition to some minor beach modifications at the south end of proposed Lot B without any Regional District approvals from both Planning and Building Services (e.g. Environmentally Sensitive

Development and Building Permits). These environmental considerations are discussed further in Section 3.3 of this report. The portion of this hooked parcel adjacent to Highway 3A (south side) is currently vacant, and is approximately 7.5 ha in size.



Figure 2: Site Location Air Photo Overview

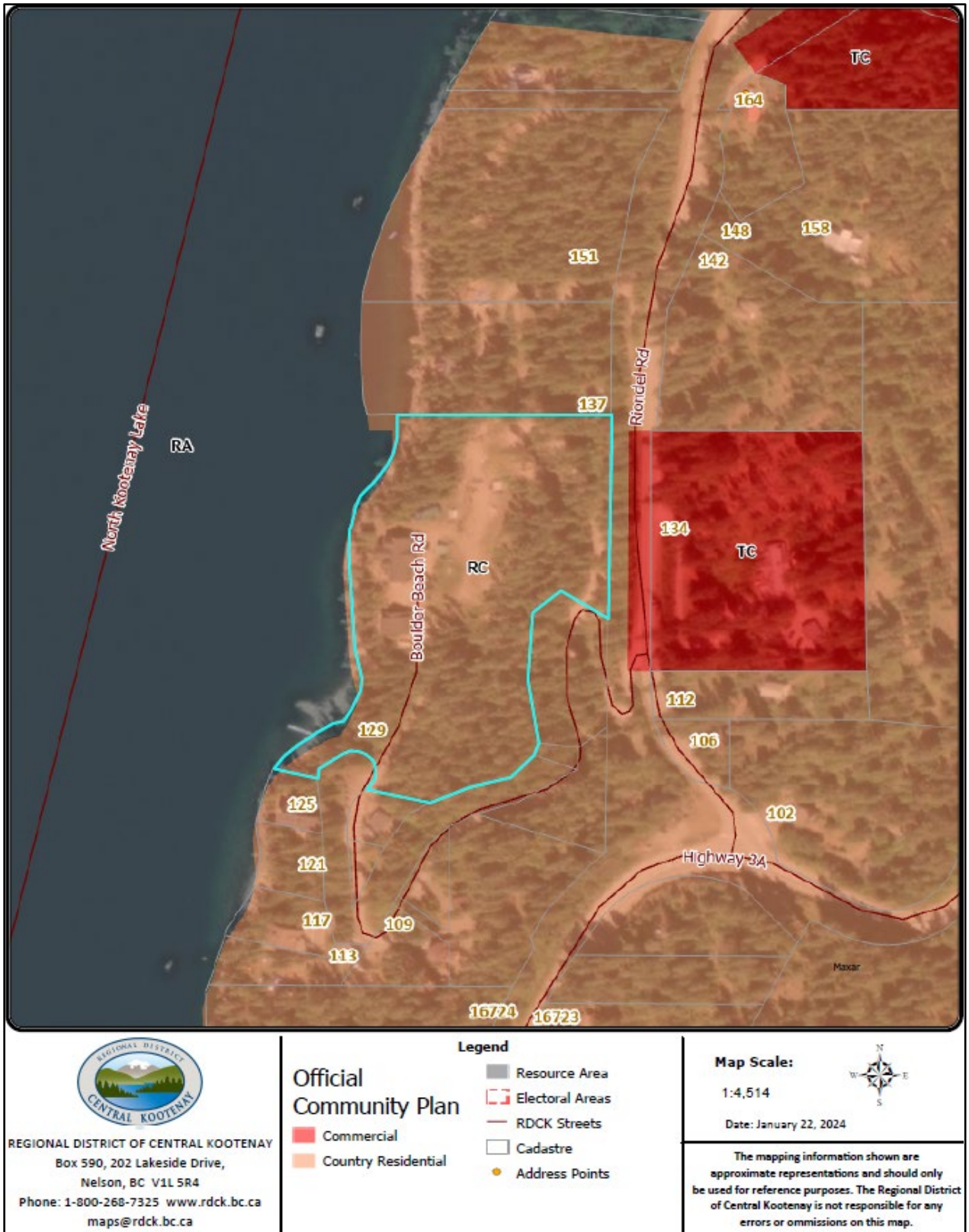


Figure 3: OCP Land Use Designation Map

Development Proposal

A rural subdivision application has been submitted to the Province (MOTI) to create three lots and a remainder parcel. Proposed residential Lots A (1.41 ha) and B (1.5 ha) are for residential use, whereas Lot C (0.53 ha) is proposed to provide common access to the existing dwellings. The applicant seeks to subdivide to recognize the above two existing home sites and provide access to these proposed lots.

The Regional District's Subdivision Bylaw No. 2159 Section 9.01 a. 'On-Site Sewerage Disposal' "requires where no community wastewater system exists, or is proposed, confirmation of assessment for capabilities on the basis of Type 1 (septic tank) treatment for each proposed lot". The applicant is proposing Type 2 treatment systems for proposed residential Lots A and B. A Type 1 system is proposed for the remainder lot. All other servicing requirements, including proof of water remain in effect for this subdivision proposal. No development is proposed for the common access Lot C.

As part of the concurrent subdivision application, the owners have submitted an Environmentally Sensitive Development Permit (ESDP) application. The ESDP application and related riparian assessment report from a Qualified Environmental Professional takes into account the unauthorized works and beach modifications. Staff await the Board's decision on this DVP application prior to undertaking the processing of the ESDP application (please see Section 3.3).

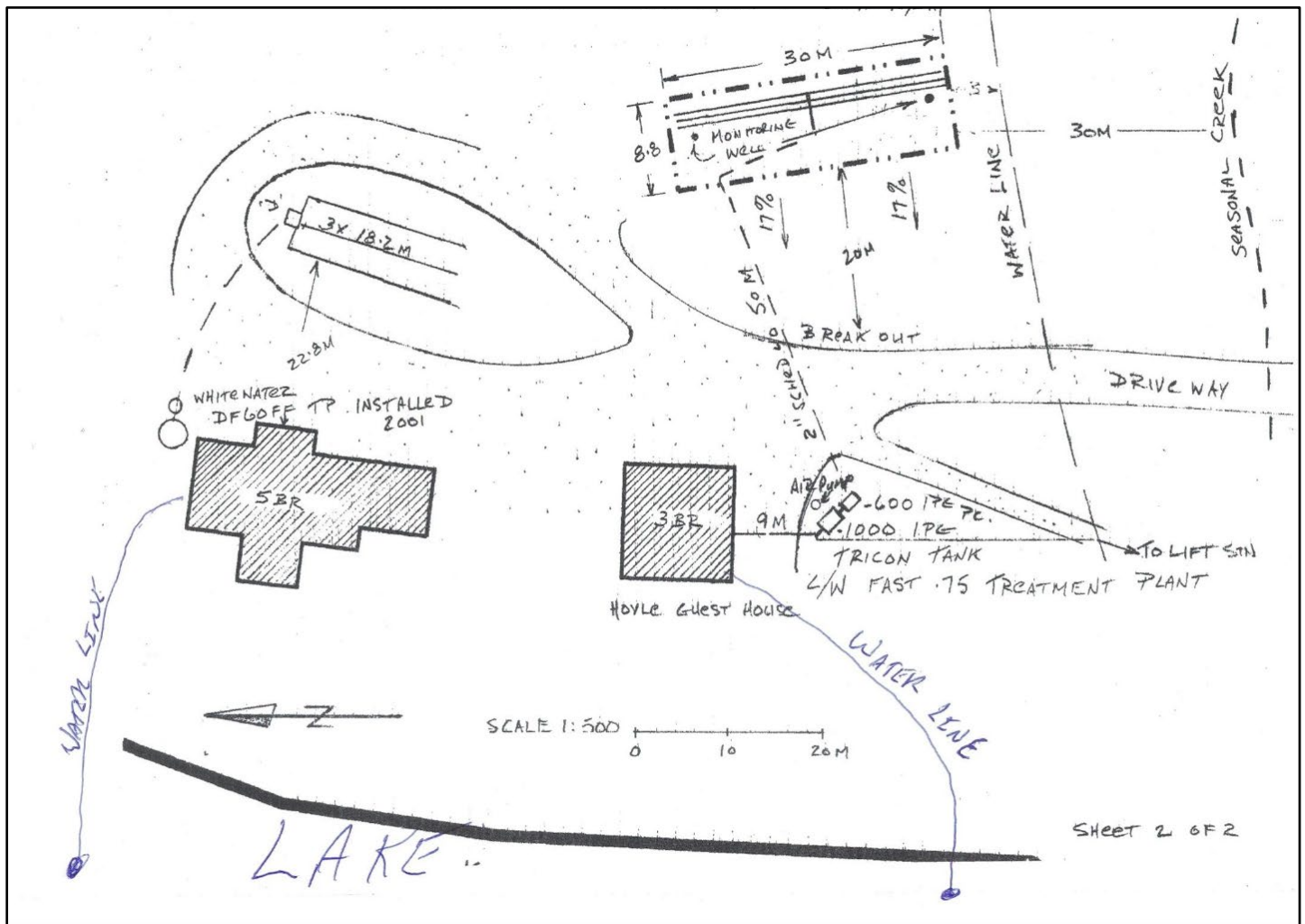
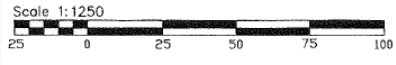
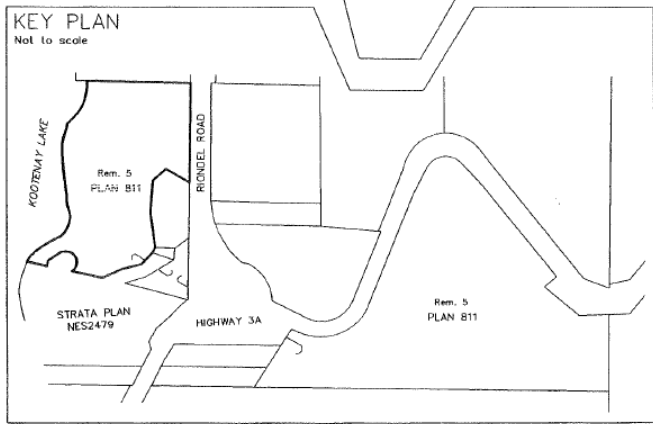
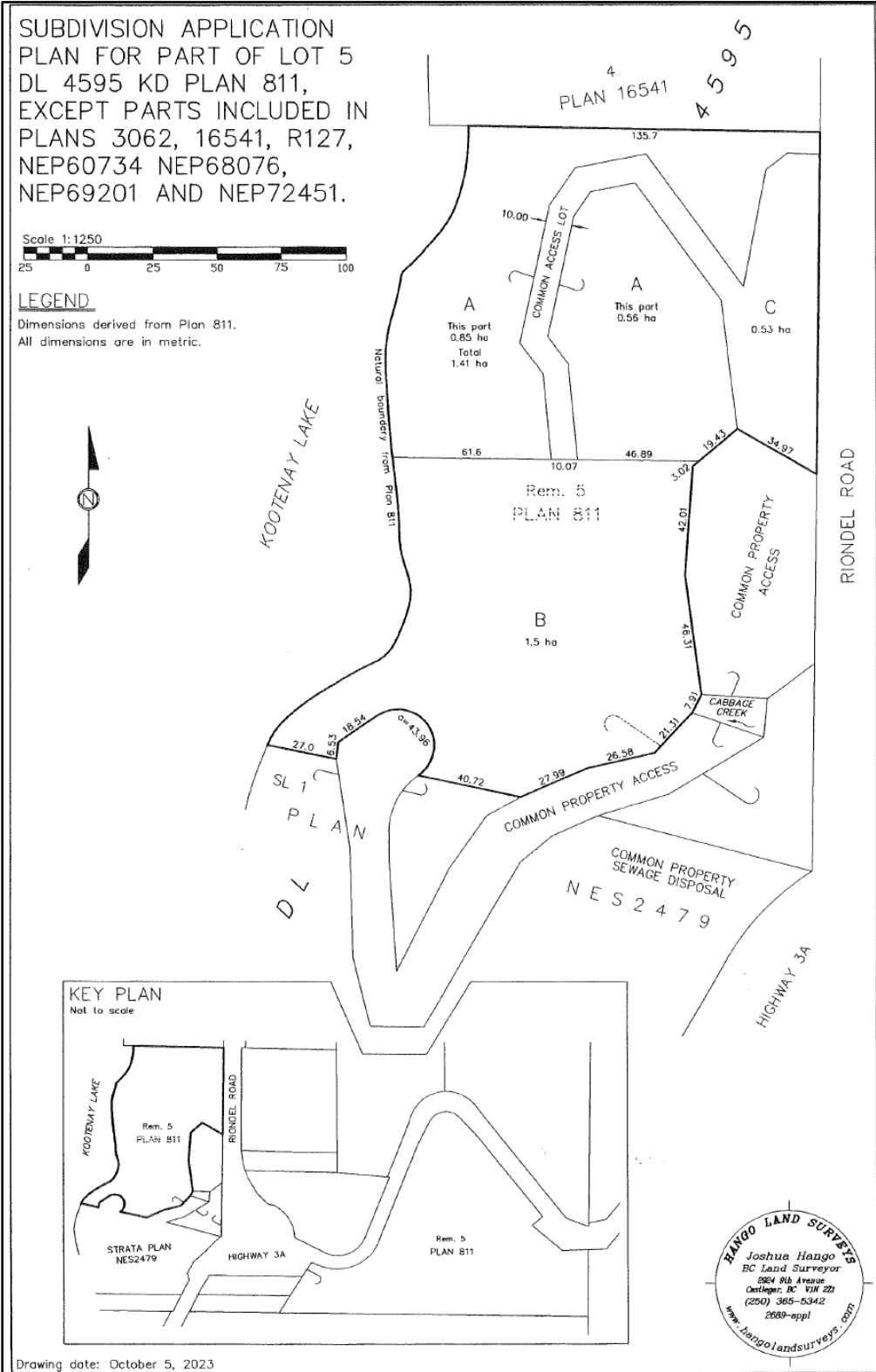


Figure 4: Existing Dwellings (cross hatched) adjacent to Kootenay Lake to Proposed to be Lots A and B (see Figure 5)

SUBDIVISION APPLICATION
 PLAN FOR PART OF LOT 5
 DL 4595 KD PLAN 811,
 EXCEPT PARTS INCLUDED IN
 PLANS 3062, 16541, R127,
 NEP60734 NEP68076,
 NEP69201 AND NEP72451.



LEGEND
 Dimensions derived from Plan 811.
 All dimensions are in metric.



Drawing date: October 5, 2023

Figure 5: Proposed Subdivision Plan

Planning Policy

The Electoral Area 'A' Comprehensive Land Use Bylaw No. 2315, 2013 includes the following relevant policies:

General Residential Objectives

1. To encourage coordinated and orderly subdivision of residential lands.
2. To consider development proposals in relation to the provision of efficient and effective services.
6. To maintain the rural character, environmental integrity and the social and cultural diversity of the Plan Area.

Country Residential (RC) Policies

The Regional Board:

25. Directs that the principal use shall be one-family or two-family dwellings.
26. Directs that a one-family or two-family dwelling should be permitted per lot and one additional dwelling shall be permitted for every one (1) hectare of lot area over one (1) hectare.
27. Directs that the recommended minimum lot size should be one (1) hectare. In areas where there is no associated zoning, this minimum lot size may vary if the area needed for an on-site septic system is less.
28. Encourages the clustering of strata lots subject to density that should not exceed one unit per hectare of total lot area and subject to the protection of green-space through issuance of a Development Permit.

SECTION 3: DETAILED ANALYSIS

3.1 Financial Considerations – Cost and Resource Allocations:

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

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

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

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

3.3 Environmental Considerations

An unauthorized deck and stairway has been constructed at the north end of proposed Lot A, in addition to some minor beach modifications at the south end of proposed Lot B. Other than the above, the riparian area is relatively undisturbed with existing development sited largely outside of the 15 metres ESDP area. With the proposed creation of two separate legal lots for residential use, however, further new development may occur impacting the environment, including if approved, the use of Type 2 septic systems without a maintenance plan, which could have a negative impact on the environment, including Kootenay Lake. As no development is proposed for this remainder parcel staff anticipate no environmental impact.

A riparian assessment has been provided by Masse Environmental Ltd. as required in conjunction with the concurrent processing of the ESDP application for the subdivision proposal and unauthorized works, including beach

modifications. This application process would include a referral circulated to all relevant internal departments and external agencies, which would identify if any additional Provincial approvals are necessary.

3.4 Social Considerations:

No social considerations are anticipated from this variance request.

3.5 Economic Considerations:

No economic considerations are anticipated from this proposed DVP application.

3.6 Communication Considerations:

In accordance with the LGA and the RDCK's *Planning Procedures and Fees Bylaw No. 2457, 2015* a sign describing the proposal was posted on the subject property, and notices were mailed to surrounding neighbours within a 100 metre radius of the subject property. To date, no comments have been received in response to the above notification.

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

Interior Health

"We understand that a development variance permit application has been submitted in support of a rural subdivision application to allow Type 2 treatment systems to be considered for two of the proposed lots, which varies from the Regional District's Subdivision Bylaw No. 2159 Section 9.01 which "requires where no community wastewater system exists, or is proposed, confirmation of assessment for capabilities on the basis of Type 1 (septic tank) treatment for each proposed lot."

The following comments have been provided from a Healthy Community Development and an Environmental Public Health perspective for your consideration:

- We fully support the Regional District of Central Kootenay's approach that each lot be assessed on the basis of a Type 1 trench based dispersal method per the existing language in Subdivision Bylaw No. 2159 Section 9.01 where no community wastewater system exists, and onsite sewerage disposal systems are being proposed.*
- Additionally per Interior Health's Subdivision Report Criteria for Authorized Persons, our Land Use and Subdivision Team's assessment is typically based on sufficient area to contain a Type 1 trench based dispersal method for a 4 bedroom home (1,600 litres/day) to ensure the long term sustainability of the lot, which is how all properties will be evaluated at the time of the proposed subdivision to the Ministry of Transportation and Infrastructure.*

We hope that these comments are helpful in supporting your decision related to this application. If you have any questions, or require further clarification, please don't hesitate to reach out".

Ministry of Transportation and Infrastructure (MOTI)

"The referral is related to an active MOTI subdivision, 2021-05374, which was issued a Preliminary Layout Review (PLR) letter in November 2023. The Ministry has no concerns with the proposed variance to allow for a Type 2 system for subdivision, however, should the variance be approved, the Provincial Approving Officer may require registration of a septic covenant on the lots depending on the recommendations provided by the Registered Professional".

Ministry of Water, Land and Resource Stewardship

“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.

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.

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.

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).

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

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

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

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

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

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).

BC Hydro

"BC Hydro has reviewed this application and has no concerns".

FortisBC

"Land Rights Comments

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

Operational & Design Comments

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

APHC

"That the Area A Advisory Planning Commission SUPPORT the Development Variance Permit Application to Ken Crowe for the property located 129 Boulder Beach Road, Kootenay Bay and legally described as LOT 5 DISTRICT LOT 4595 KOOTENAY DISTRICT PLAN 811, EXCEPT PARTS INCLUDED IN PLANS 3062, 16541, R127, NEP60734, NEP68076, NEP69201 AND NEP72451."

3.7 Staffing/Departmental Workplace Considerations:

Should the Regional Board approve issuance of the requested variance, staff would issue the Permit and register a Notice of Permit on the property's Title.

3.8 Board Strategic Plan/Priorities Considerations:

This application falls under the operational role of Planning Services.

SECTION 4: OPTIONS & PROS / CONS

Under the Provincial Sewerage System Regulation (SSR), septic systems are divided into Types 1, 2 and 3. Type 1 is treatment by septic tank and drain field. It may be gravity fed or pumped into the drain field. Type 2 and Type 3 systems introduce further treatment in order to produce a higher quality effluent that can be discharged into a smaller sized drain field. Type 2 and Type 3 systems are often used where there are site or soil constraints that prevent a Type 1 from being used. These systems often use a package treatment plant and they have mechanical or media components that require more frequent maintenance than Type 1 systems.

Planning Discussion

Staff do not support the issuance of this DVP since:

- Subdivision Bylaws, including the RDCK's are designed to ensure that 'Best Practices' are utilized. This is especially important in areas that are located near surface water or areas with other sensitive environmental features. In the absence of an updated *RDCK Subdivision Bylaw* (which would consider a long term strategy to prevent public health concerns before they arise) the potential pivotal and precedent setting nature of this variance request is concerning. Without a maintenance plan, systems can fail in a shorter period of time than Type 1 systems. On a Regional subdivision scale, this could have detrimental 'cumulative' impacts on human health and the environment and on staff capacity to process these applications.
- The applicant has chosen not to revise the septic reports via his engineer. In response, there continue to be many outstanding uncertainties associated with the quality of the septic reports (Attachment 'C'), including "community water" listed as the water source, and the site plans not showing a water line easement to an adjacent property, location of Cabbage Creek, and no information or recommendations related to the how the proposed Type 2 systems are to be maintained.
- Rather than supporting this site specific variance request, staff outline that this could be an opportunity for the Regional District to expand the scope of its *Subdivision Bylaw* project if directed, to include the review of alternative private wastewater disposal systems.
- The subject property is in an unzoned area, by asking for a type 1 trench and backup area to be demonstrated as a minimum at time of subdivision staff are building in some protection (buffer) if the land ends up being used in other ways. Most homeowners do not know or want to know about problems with their septic system unless it's unavoidable.
- The existing house on proposed Lot A is currently listed on a short term vacation rental platform with occupancy for approximately 16 people, which raises concern about the proposed septic system type, future potential failure and maintenance planning. The above is also concerning since there is no zoning in place to consider limits on the development of a parcel (e.g. parcel size to density of development), and regulation of short term rental use. Also, some uses, such as a short-term vacation rental, produce inconsistent levels of wastewater (sometimes little,

sometimes lots) depending on number of guests. As sewage systems rely on living organisms that feed on the contents of the sewage, short-term rental (or other uses) can impact the longevity of a system.

- The variance requested to permit Type 2 systems for two new legal residential lots does not follow the Province’s “Sewerage/Subdivision Best Practice Guidelines” (2017), which states that:

“All subdivision reviews should be based on Type 1 treatment (septic tank system), as defined in the SSR, BC Reg. 326/2004. Type 1 treatment systems typically operate with lower effluent application rate (hydraulic loading rates), and are less prone to problems resulting from lack of maintenance, seasonal occupancy and power outages”.

“The application of the Type 1 treatment standard to proposed lots has always been to ensure that new lots are able to sustain onsite sewage treatment for the long term and to build in capacity for higher levels of treatment should owners alter or disturb the site conditions on the property”.

- Interior Health does not support subdivision or creating new lots based on Type 2 sewerage disposal systems.

It is for the above reasons that Planning Services recommends that the Regional Board not approve issuance of this DVP.

Options

Option 1

That the Board NOT APPROVE the issuance of Development Variance Permit V2404A to 1068616 BC LTD., INC. NO. BC1068616 for the property located at 129 Boulder Beach Road and legally described as Lot 5 District Lot 4595 Kootenay District Plan 811, Except parts included in Plans 3062, 16541, R127, NEP60734, NEP68076, NEP69201 and NEP72451 (PID: 011-123-877) to vary Section 9.01 a. ‘On-Site Sewerage Disposal’ under the RDCK’s *Subdivision Bylaw No. 2159, 2011* as follows:

- From requiring confirmation of a Type 1 (septic tank) treatment where no community wastewater exists, or is proposed, to permitting a Type 2 treatment system(s) for proposed residential Lots A and B for subdivision file no. S2319A.

Option 2

That the Board APPROVE the issuance of Development Variance Permit V2404A to 1068616 BC LTD., INC. NO. BC1068616 for the property located at 129 Boulder Beach Road and legally described as Lot 5 District Lot 4595 Kootenay District Plan 811, Except parts included in Plans 3062, 16541, R127, NEP60734, NEP68076, NEP69201 and NEP72451 (PID: 011-123-877) to vary Section 9.01 a. ‘On-Site Sewerage Disposal’ under the RDCK’s *Subdivision Bylaw No. 2159, 2011* as follows:

- From requiring confirmation of a Type 1 (septic tank) treatment where no community wastewater exists, or is proposed, to permitting a Type 2 treatment system(s) for proposed residential Lots A and B for subdivision file no. S2319A.

SECTION 5: RECOMMENDATION

That the Board NOT APPROVE the issuance of Development Variance Permit V2404A to 1068616 BC LTD., INC. NO. BC1068616 for the property located at 129 Boulder Beach Road and legally described as Lot 5 District Lot 4595 Kootenay District Plan 811, Except parts included in Plans 3062, 16541, R127, NEP60734, NEP68076, NEP69201 and NEP72451 (PID: 011-123-877) to vary Section 9.01 a. 'On-Site Sewerage Disposal' under the RDCK's *Subdivision Bylaw No. 2159, 2011* as follows:

- From requiring confirmation of a Type 1 (septic tank) treatment where no community wastewater exists, or is proposed, to permitting a Type 2 treatment system(s) for proposed residential Lots A and B for subdivision file no. S2319A.

Respectfully submitted,

Stephanie Johnson, Planner MCIP RPP

CONCURRENCE

Planning Manager – Nelson Wight *Digitally approved*

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

Chief Administrative Officer – Stuart Horn *Digitally approved*

ATTACHMENTS:

Attachment A – Draft Development Variance Permit

Attachment B – Excerpt from *RDCK Subdivision Bylaw No 2159, 2011*

Attachment C – Septic Reports



Development Variance Permit

V2404A (Crowe)

Date:

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

TO: 1068616 BC LTD., INC. NO.
BC1068616 C/O KEN CROWE

ADMINISTRATION

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

APPLICABILITY

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

Address: 129 Boulder Beach Road
 Legal: Lot 5 District Lot 4595 Kootenay District Plan 811, Except parts included in Plans 3062, 16541, R127, NEP60734, NEP68076, NEP69201 and NEP72451
 PID: 011-123-977

CONDITIONS

5. Development Variance
Regional District's Subdivision Bylaw No. 2159, 2011, Section 9.01 an 'On-Site Sewerage Disposal' is varied as follows:
 FROM requiring confirmation of a Type 1 (septic tank) treatment where no community wastewater exists, or is proposed, TO permitting and requiring confirmation of a Type 2 treatment system for proposed residential Lots A and B for subdivision file no. S2319A.
 As shown on Schedules '1', '2' and '3'.

6. Schedule

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

7. Other

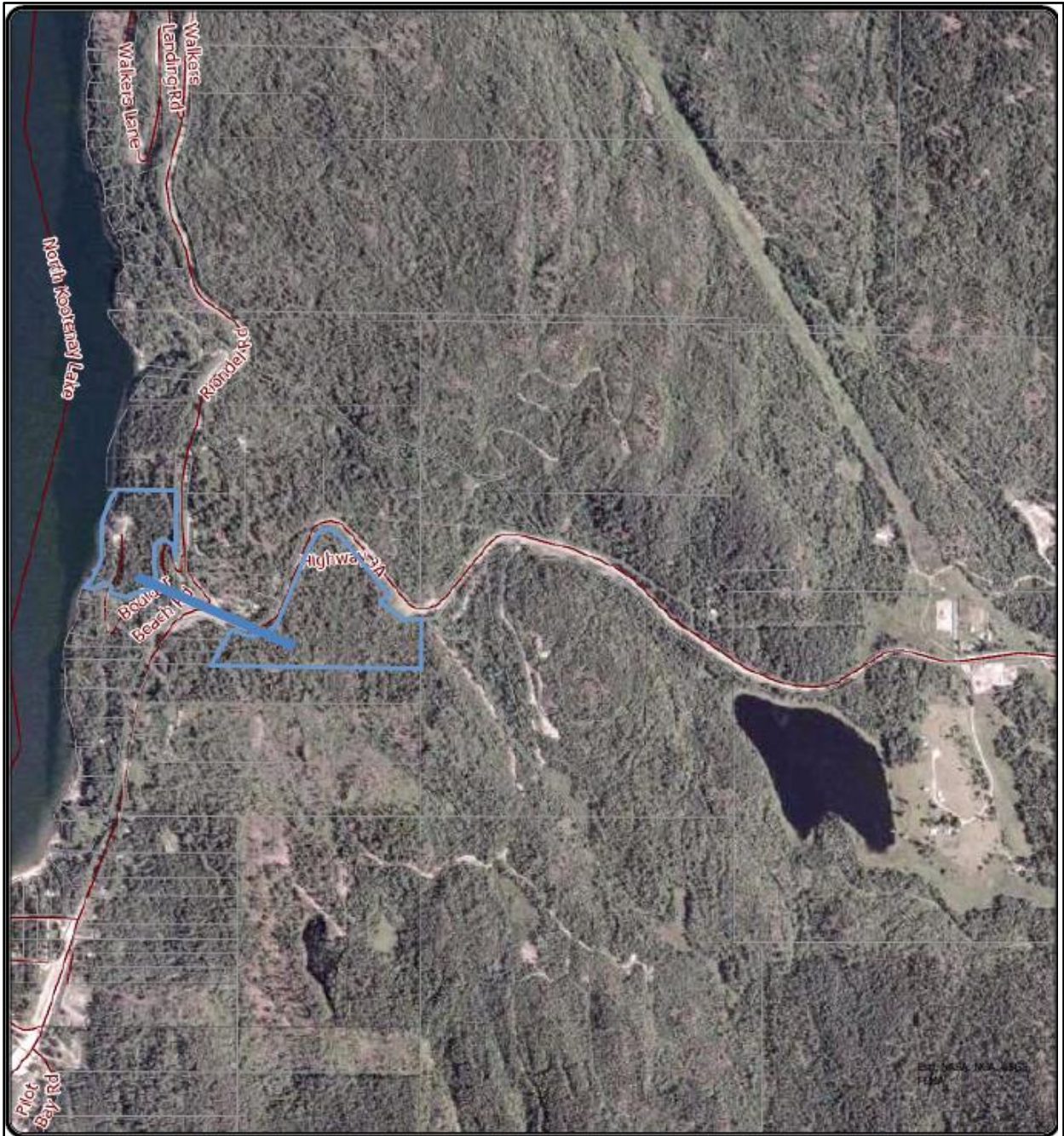
Authorized resolution [*enter resolution number*] passed by the RDCK Board on the _____ day of _____, 202_.

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

Aimee Watson, Board Chair

Mike Morrison, Corporate Officer

Schedule 1: Subject Property



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

Legend

- Electoral Areas
- RDCK Streets
- Cadastre

Map Scale:

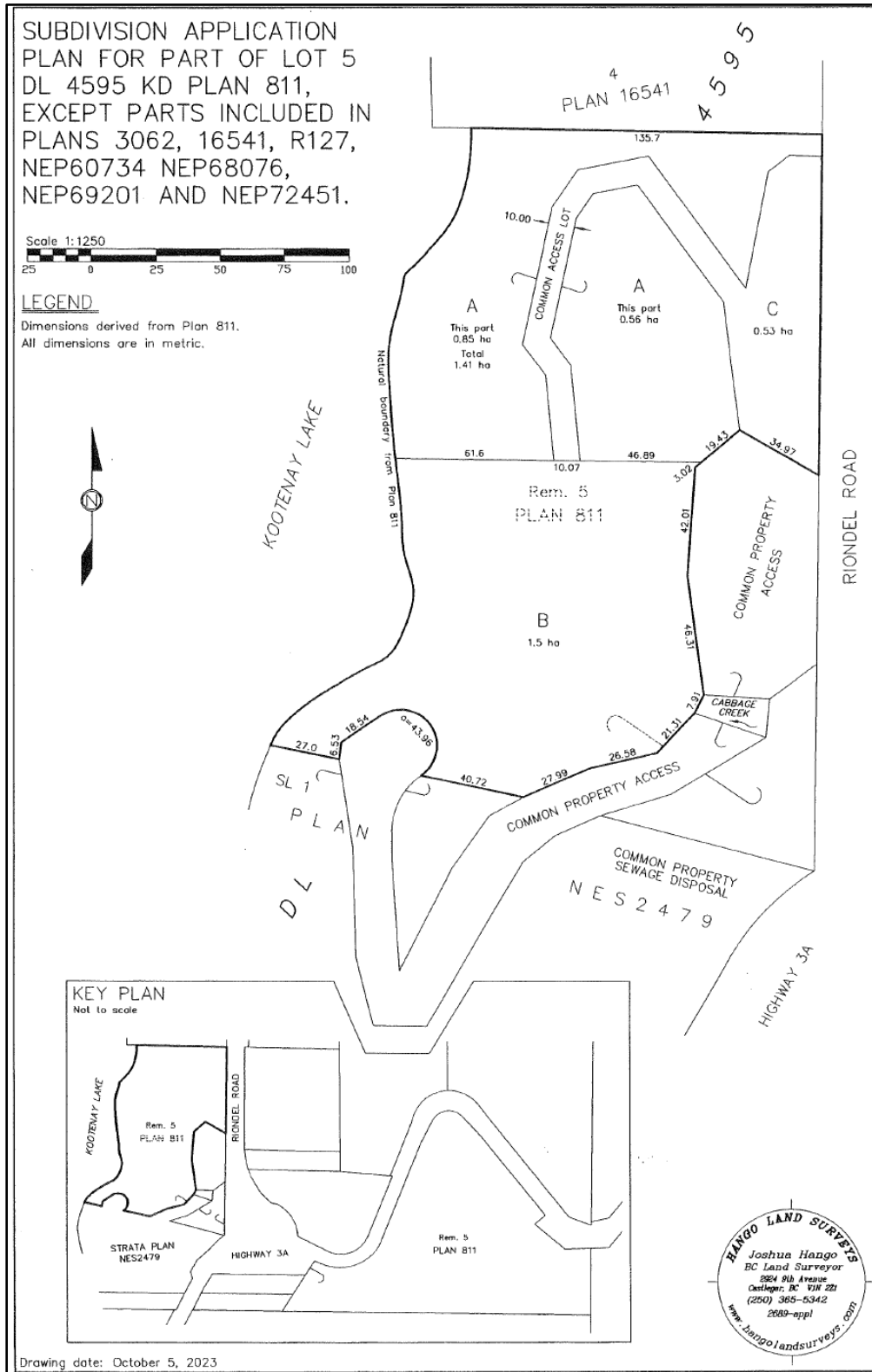
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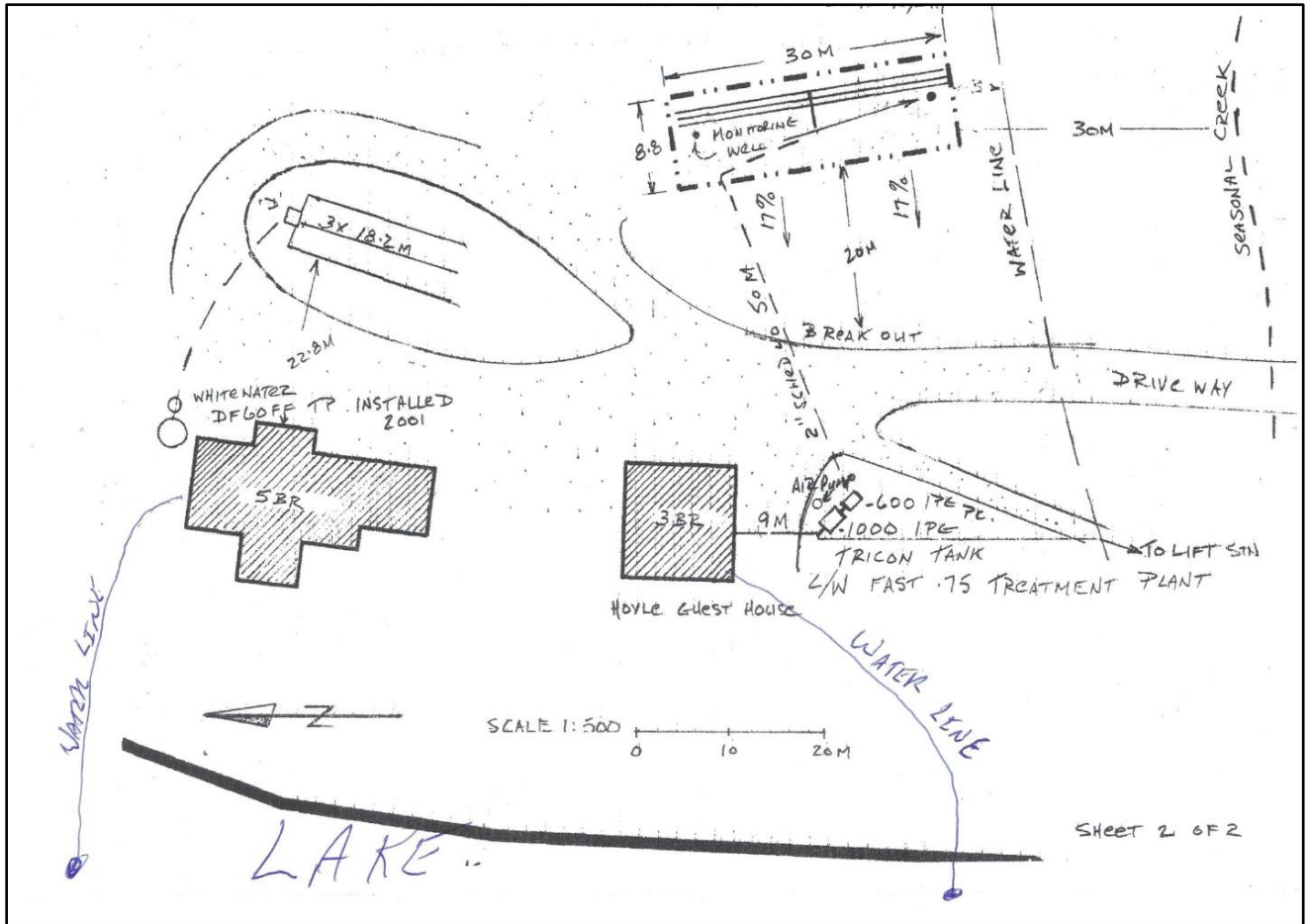
Date: March 22, 2024

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

Schedule 2: Proposed Plan of Subdivision



Schedule 3: Site Plan



- c. Confirmation of existing connection(s) to community water systems currently on boil water advisory shall be accepted as proof of water for the purposes of subdivision where the connection currently serves an existing residence as long as no new connections to the community water system are involved.

Where an applicant proposes to establish a new community water system, the applicant must submit to the Regional District:

- d. A copy of the construction permit issued pursuant to the *Drinking Water Protection Act*;
- e. Where a community water system is to be acquired by the Regional District, the design of such shall be submitted to the Regional District for approval prior to the commencement of construction as required by this Bylaw;
- f. That the water source to be used by the system is adequate to serve each parcel to be served by the system as determined by the authority having jurisdiction over the system.

PART 9 - SEWAGE

9.01 On-Site Sewage Disposal

Where no community wastewater system exists, or is proposed, soil and site conditions for on-site sewage disposal systems shall be subject to the following:

- a. Each lot be assessed on the basis of Type 1 (septic tank) treatment and trench disposal systems;
- b. Each lot must be self-contained, providing an initial and replacement sewage disposal area;
- c. Sewerage holding tanks will not be considered an acceptable method of waste water disposal.

9.02 Community Wastewater Systems

Where an applicant proposes to connect to an existing community wastewater system the applicant must submit to the Regional District:

- a. A letter from the Owner/Operator of the community wastewater system confirming that all parcels proposed can be connected to the wastewater system and that fees have been paid for connection to the wastewater system. Confirmation must be submitted prior to final Approval of the subdivision;

10/31/2022

129 Boulder Beach Rd, Subdivision #1, Site and Soils Report Type 2 System

*Interior Health Authority Filing for Construction of Septic System: Site
Investigation Report, Record of Design, and Specifications*

Alexander McNally P.Eng
WEST KOOTENAY SEPTIC SOLUTIONS



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Introduction:

| | |
|----------------------------|---|
| Legal Owner's Name: | <u>Ken Crowe (204) 570-3213</u> |
| Date: | <u>October 18, 2022</u> |
| Civic Address: | <u>129 Boulder Beach Rd, Kootenay Bay V0B 2B0</u> |
| Legal Description: | <u>Lot 5 Plan NEP811 District Lot 4595 Land District 26 Except Plan 3062 16541 R127 NEP60734 NEP68076 NEP69201 NEP72451 FOR FORESHORE SEE 786-04737.101</u> |
| Tax Assessment Roll Number | <u>21-786-04737.100</u> |
| Property PID Number | <u>011-123-877</u> |

Summary of Proposed Works:

See attached drawings Site Plan, Detailed Design, and Layout in Appendix 1

RE: 129 Boulder Beach Rd #1 Type 2 Septic System

This system will connect to an existing 5 person house at 129 Boulder Beach Rd. The system will use a Type 2 sand mound design. The house system is designed to accommodate 5 residents at 350L/D/R for a DDF of 1750L/D. A type 2 sand mound designs were chosen for these systems based on the percolation tests with a resulting Kfs of 1080mm/D. The sand mound system will use timed micro dosing to distribute the effluent throughout the day. The system will have to an outlet at the house [100 mm]. The house will use gravity to transport the effluent to a 2840 L (750 G) Dual Chamber Premium Plastic Tank (or equivalent) with a PL122 Effluent Filter [100 mm inlet/ outlet]. From the septic tank the effluent will flow with gravity into a 2840 L (750 G) Premier Pump Chamber (or equivalent). In the pump chamber the effluent will flow into a Hydromatic OSP50 Pump [$\frac{1}{2}$ hp] set to run at 46 L/S for 76 sec every 38 min [30 times a day]. The effluent leaves the pump chamber in 50mm (2") Sch. 40 PVC (or equivalent) pipe and enters a manifold with three 32 mm (1 $\frac{1}{4}$ ") Sch. 40 laterals. The manifold has a head pressure of >2 m for both systems when the pump is on. The manifold has 5mm (3/16") orifices, spaced 0.6 m apart, facing up and down, orifice shields installed on the down facing orifices to prevent erosion. The distribution field is 3 m wide and 11m long with an area of 33 m². The laterals are surround in drain rock with 50 mm (2") above the pipe and 200mm (8") below the pipe, wrapped in geotextile fabric. The distribution field is placed on a sand mound that rises 0.6m (2') above ground level and includes a sand toe which has a slope of 3:1. This all covered by natural organic material while also maintaining a slope of 3:1. The system has a HLR of 60 L/D/m² as chosen using result of percolation tests. This system is designed in accordance with the Ministry of BC's Sewer System Standard Practice Manual.

Site Information:

- Total parcel size: 27.48 Acres
- Potable Water Source: Community Water
- Closest Water Feature 45 m Kootenay Lake

Site and Soil Evaluation Report:

See Site and Soil Evaluation test photos in Appendix 2

Test pit #1

- 0 cm - 9 cm –Organics and sand dark brown soil
- 9cm – 70 cm – Mixed soil with large rocks, sand, clay, loam, greyish brown material

Test pit #2

- 0 cm - 11 cm –Organics and sand dark brown soil
- 11cm – 80 cm – Mixed soil with large rocks, sand, clay, loam, greyish brown material

$Kfs = 1080 \text{ mm/day} \Rightarrow \text{Type 2 Hydraulic Loading Rate HLR} = 60 \text{ L/D/m}^2$

Limiting Layer/ Design Limit

- Limiting Layer >150 cm

Declaration:

These plans and specifications are consistent with standard practice with regard to the Sewerage System Regulations and the Sewerage System Standard Practices Manual of the B.C. Ministry of Health. I have conducted a site evaluation, exercised due diligence, and am a registered On-Site Practitioner authorized to plan and install the system designed herein.



Appendix 1: Site Plan, Detailed Design, Layout

General Notes

1. System designed in accordance with BC Sewer System Practice Manual
2. Septic system shall be installed by authorized practitioner or under the supervision of a Professional Engineer registered with EGCBC
3. Micro Dosing
H1 46 L/min for 76 sec
Every 38 min 30 times a day
4. Kts 1060 mVd @20cm H20
5. House 5 Residents
6. H1 DDF 1750 L/D
7. HLR 60 L/D/m²
8. H1 Dispersal Area 33 m²
Length 11 m Width 3 m
9. Type 2 Orifice
All 90° bends 2 x 45°
10. Manifold head pressure >2 m H₂O
11. Water: Community System
12. Closest Water Body >30m
13. System design is site specific anyone else using this information does so at their own risk

PID 011-123-877
Tax Roll# 21-786-04737.100
Lot Size 27.48 Acres
Lat 49.886059
Long -116.869309

McNally Technical Services
Alexander McNally P. Eng
301 Vernon St. Nelson, BC
V1L 4E3

129 Boulder Beach Rd #1
Kootenay Bay
Land Subdivision
Type 2 Septic System

Lot 5 Plan NEP811 District Lot 4595 Land District 26 Except Plan 3062 16541 R127
NEP60734 NEP68076
NEP69201 NEP72451 FOR FORESHORE SEE
786-04737.101

October 31, 2022
2022-10-MTKB-5RSMTY2
Scale 1:1,128
Sheet 1 of 3
Site Plan
Rev 0

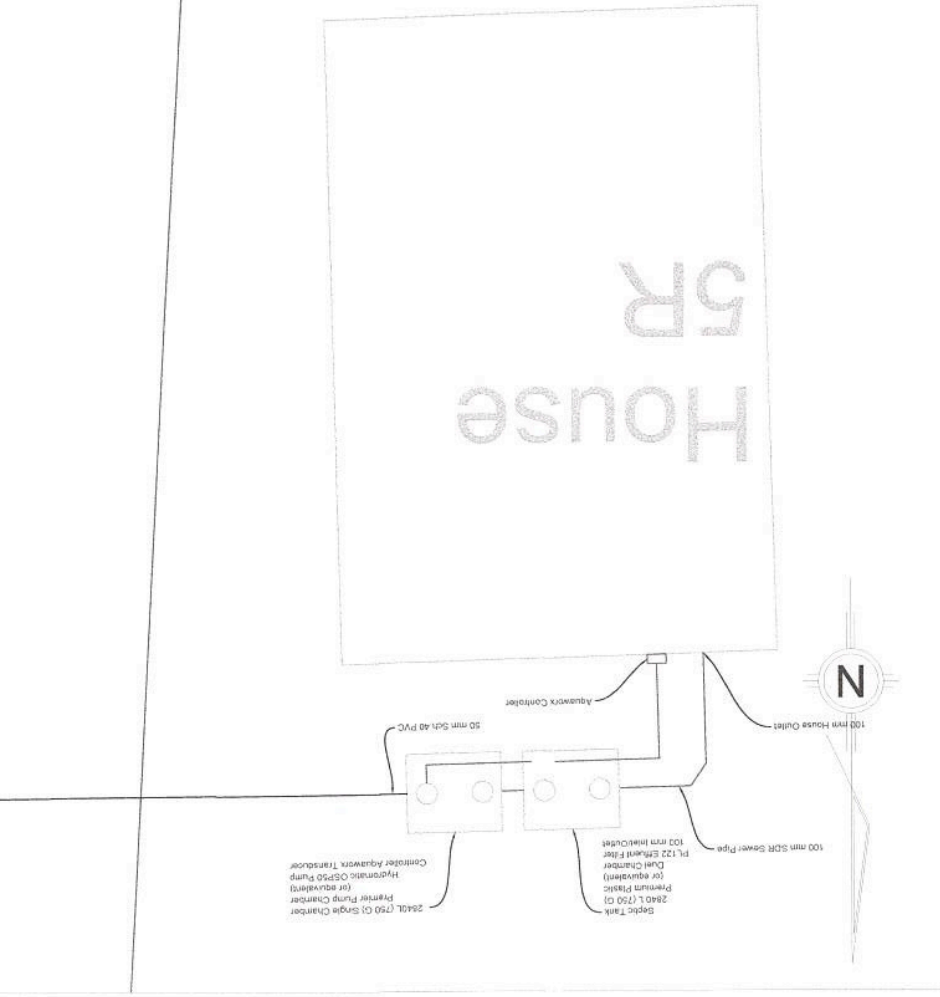
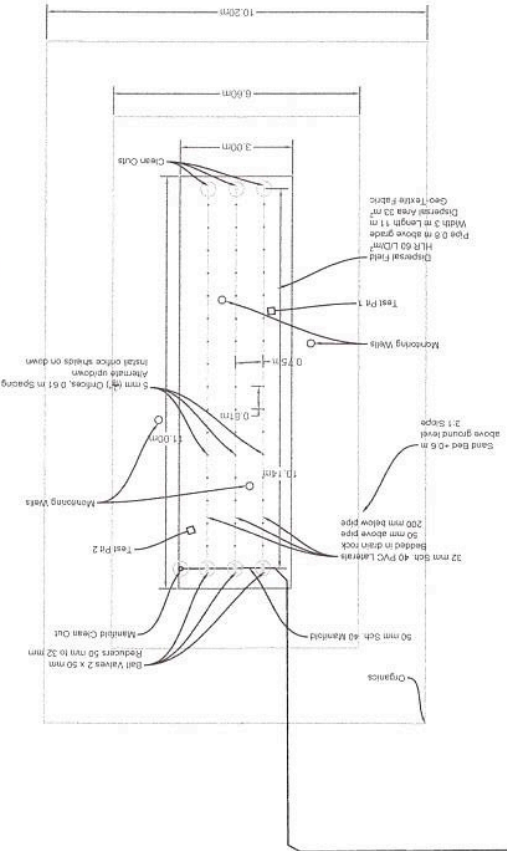


General Notes

- System designed in accordance with BC Sewer System Practice Manual
- Septic system shall be installed by authorized practitioner or under the supervision of a Professional Engineer registered with EIBC
- Micro Dosing
H1 46 L/min for 76 sec
Every 38 min. 30 times a day
4. Kts 1080 mm/D @20cm H2O
5. House 5 Residents
6. H1 DDF 1750 L/D
7. HLR 60 L/D/m²
8. H1 Dispersal Area 33 m²
Length 11 m Width 3 m
9. Type 2 Office
All 90° bends 2 x 45°
10. Manifold head pressure >2 m H₂O
11. Water: Community System
12. Closest Water Body >30m
13. System design is site specific anyone else using this information does so at their own risk

PID 011-123-877
Tax Roll# 21-786-04737.100
Lot Size 27.48 Acres
Lat 49.686059
Long -116.869309
McNally Technical Services
Alexander McNally P.Eng
301 Vernon St. Nelson, BC
V1L 4E3
129 Boulder Beach Rd #1
Koolenay Bay
Land Subdivision
Type 2 Septic System
Lot 5 Plan NEP811 District Lot
4595 Land District 26 Except
Plan 3062 16541 R127
NEP60734 NEP68076
NEP69201 NEP72451 FOR
FORESHORE SEE
786-04737.101

October 31, 2022
2022-10-MTKB-SRSMTY2
Scale 1:500
Sheet 2 of 3
Detailed Design
Rev 0



General Notes

- System designed in accordance with BC Sewer System Practice Manual
- Septic system shall be installed by authorized practitioner or under the supervision of a Professional Engineer registered with EGBC
- Micro Dosing
H1 46 L/min for 76 sec
Every 38 min 30 times a day
- Kts 1080 mm/D @20cm H20
- House 5 Residents
- H1 DDF 1750 L/D
- HLR 60 L/D/m²
- H1 Dispersal Area 33 m²
- Length 11 m Width 3 m
- Type 2 Orifice
- All 90° bends 2 x 45°
- Manifold head pressure > 2 m H₂O
- Water: Community System
- Closest Water Body > 30m
- System design is site specific anyone else using this information does so at their own risk

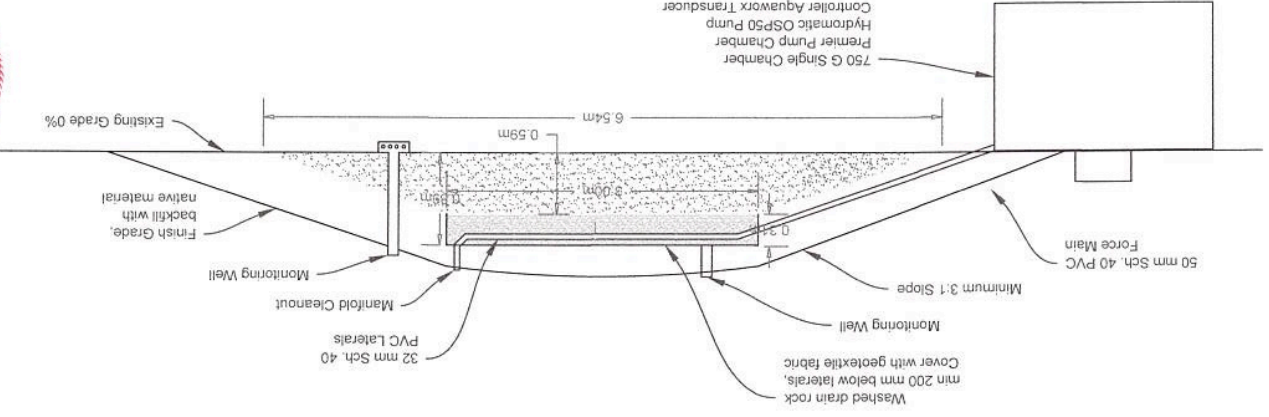
PID 011-123-877
 Tax Roll# 21-786-04737-100
 Lot Size 27.48 Acres
 Lat 49.686059
 Long -116.869309

McNally Technical Services
 Alexander McNally P. Eng
 301 Vernon St. Nelson, BC
 V1L 4E3

129 Boulder Beach Rd #1
 Land Subdivision
 Kootenay Bay
 Type 2 Septic System

Lot 5 Plan NEP811 District Lot
 4596 Land District 26 Except
 Plan 3062 16541 R127
 NEP60734 NEP68076
 NEP69201 NEP72451 FOR
 FRESHORE SEE
 786-04737-101

October 31, 2022
 Scale 1:50
 Sheet 3 of 3
 Layout
 Rev 0



Appendix 2: Site & Soil Evaluation Photos



Figure 1: test pit # 1



Figure 2: Test Pit 2



Figure 5: Organics



Figure 6: Rocks, Clay and Sandy Gravel



10/31/2022

129 Boulder Beach Rd #2, Site and Soils Report Type 2 Systems

*Interior Health Authority Filing for Construction of Septic System: Site
Investigation Report, Record of Design, and Specifications*

Alexander McNally P.Eng
MCNALLY TECHNICAL SERVICES



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Appendix 2: Site & Soil Evaluation Photos.....5

Introduction:

| | |
|----------------------------|--|
| Legal Owner's Name: | Ken Crowe (204) 570-3213 |
| Date: | October 18, 2022 |
| Civic Address: | 129 Boulder Beach Rd, Kootenay Bay V0B 2B0 |
| Legal Description: | Lot 5 Plan NEP811 District Lot 4595 Land District 26 Except Plan 3062 16541 R127 NEP60734 NEP68076 NEP69201 NEP72451 FOR FORESHORE SEE 786-04737.101 |
| Tax Assessment Roll Number | 21-786-04737.100 |
| Property PID Number | 011-123-877 |

Summary of Proposed Works:

See attached drawings Site Plan, Detailed Design, and Layout in Appendix 1

RE: 129 Boulder Beach Rd # 2, Type 2 Septic System

This system will connect to an existing 8 person house at 129 Boulder Beach Rd. The system will use a Type 2 sand mound design. The house system is designed to accommodate 8 residents at 350L/D/R for a DDF of 2800L/D. A type 2 sand mound designs were chosen for these systems based on the percolation tests with a resulting Kfs of 1080mm/D. The sand mound system will use timed micro dosing to distribute the effluent throughout the day. The system will have to an outlet at the house [100 mm]. The house will use gravity to transport the effluent to a 2840 L (750 G) Dual Chamber Premium Plastic Tank (or equivalent) with a PL122 Effluent Filter [100 mm inlet/ outlet]. From the septic tank the effluent will flow with gravity into a 2840 L (750 G) Premier Pump Chamber (or equivalent). In the pump chamber the effluent will flow into a Hydromatic OSP50 Pump [$\frac{1}{2}$ hp] set to run at 46 L/S for 120 sec every 38 min [30 times a day]. The effluent leaves the pump chamber in 50mm (2") Sch. 40 PVC (or equivalent) pipe and enters a manifold with three 32 mm (1 $\frac{1}{4}$ ") Sch. 40 laterals. The manifold has a head pressure of >2 m for both systems when the pump is on. The manifold has 5mm (3/16") orifices, spaced 0.6 m apart, facing up and down, orifice shields installed on the down facing orifices to prevent erosion. The distribution field is 3 m wide and 15 m long with an area of 45 m². The laterals are surround in drain rock with 50 mm (2") above the pipe and 200mm (8") below the pipe, wrapped in geotextile fabric. The distribution field is placed on a sand mound that rises 0.6m (2') above ground level and includes a sand toe which has a slope of 3:1. This all covered by natural organic material while also maintaining a slope of 3:1. The system has a HLR of 60 L/D/m² as chosen using result of percolation tests. This system is designed in accordance with the Ministry of BC's Sewer System Standard Practice Manual.

Site Information:

- Total parcel size: 27.48 Acres
- Potable Water Source: Community Water
- Closest Water Feature 45 m Kootenay Lake

Site and Soil Evaluation Report:

See Site and Soil Evaluation test photos in Appendix 2

Test pit #1

- 0 cm – 7 cm –Organics and sand dark brown soil
- 7cm – 72 cm – Mixed gravel with large sharp rocks, sand, clay, loam, grey material

Test pit #2

- 0 cm - 13 cm –Organics and sand dark brown soil
- 13cm – 90 cm – Large rocks, and mixed gravel, greyish brown material

$K_{fs} = 1080 \text{ mm/day} \Rightarrow \text{Type 2 Hydraulic Loading Rate HLR} = 60 \text{ L/D/m}^2$

Limiting Layer/ Design Limit

- Limiting Layer >150 cm

Declaration:

These plans and specifications are consistent with standard practice with regard to the Sewerage System Regulations and the Sewerage System Standard Practices Manual of the B.C. Ministry of Health. I have conducted a site evaluation, exercised due diligence, and am a registered On-Site Practitioner authorized to plan and install the system designed herein.



Appendix 1: Site Plan, Detailed Design, Layout



General Notes

1. System designed in accordance with BC Sewer System Practice Manual
2. Septic system shall be installed by authorized practitioner or under the supervision of a Professional Engineer registered with EGBC
3. Micro Dosing
46 L/min for 120 sec
Every 38 min 30 times a day
4. Kfs 1080 mm/D @20cm H2O
5. House 8 Residents
6. H2 DDF 2800 L/D
7. HLR 60 L/D/m²
8. H1 Dispersal Area 45 m²
Length 15 m Width 3 m
9. Type 2 Orifice
All 90° bends 2 x 45°
10. Manifold head pressure >2 m H₂O
11. Water: Community System
12. Closest Water Body >30m
13. System design is site specific anyone else using this information does so at their own risk

PID 011-123-877
 Tax Roll# 21-786-04737.100
 Lot Size 27.48 Acres
 Lat 49.686332
 Long -116.869187

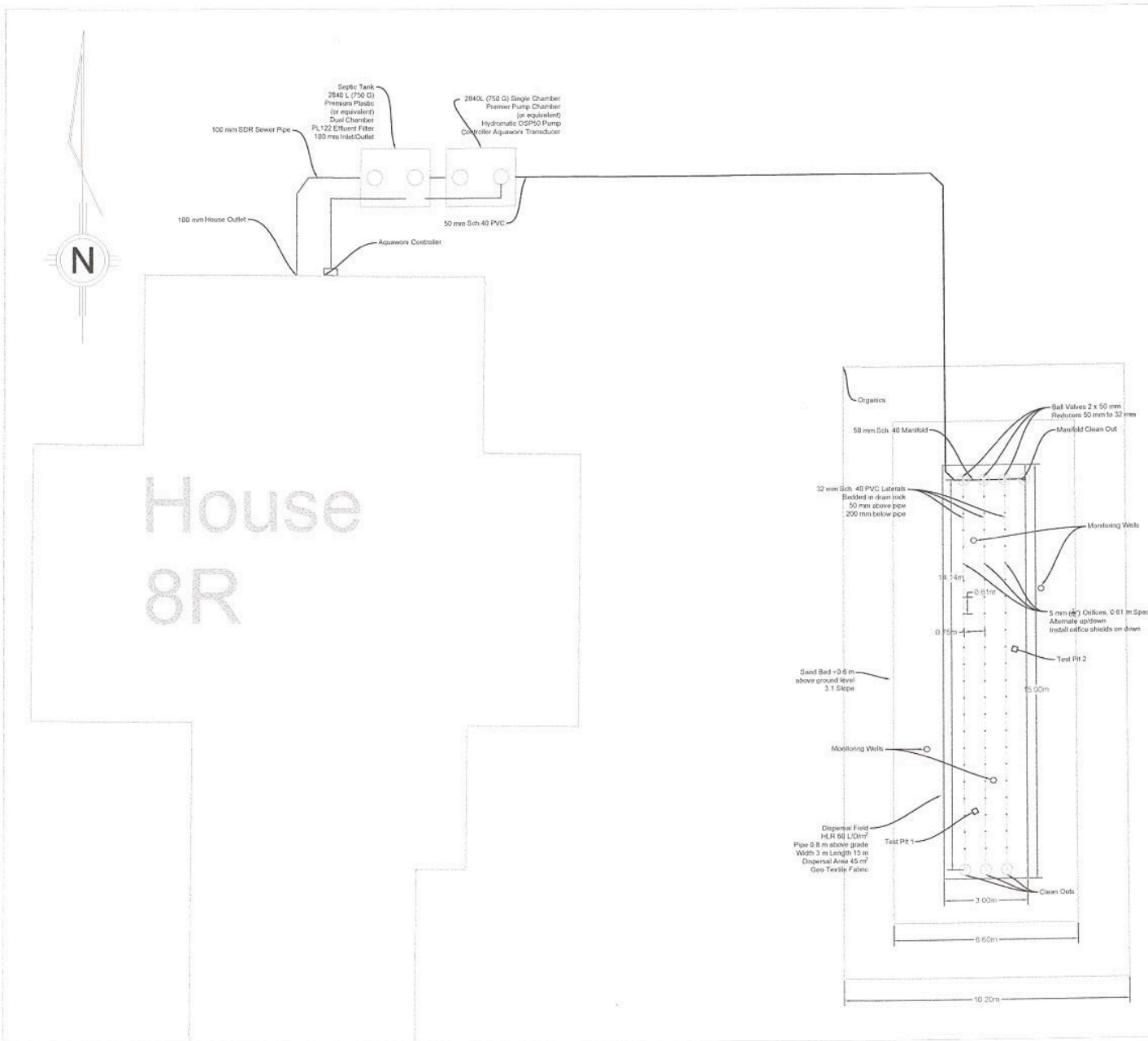


McNally Technical Services
 Alexander McNally P.Eng
 301 Vernon St, Nelson, BC
 V1L 4E3

129 Boulder Beach Rd #2
 Kootenay Bay
 Land Subdivision
 Type 2 Septic System

Lot 5 Plan NEP811 District Lot
 4595 Land District 26 Except
 Plan 3062 16541 R127
 NEP60734 NEP68076
 NEP69201 NEP72451 FOR
 FORESHORE SEE
 786-04737.101

October 31, 2022
 2022-10-MTKB-8RSMTY2
 Scale 1:1,128
 Sheet 1 of 3
 Site Plan
 Rev 0



General Notes

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Every 38 min 30 times a day
- Kfs 1080 mm/D @20cm H2O
- House 8 Residents
- H2 DDF 2800 L/D
- HLR 60 L/D/m²
- H1 Dispersal Area 45 m²
Length 15 m Width 3 m
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- Manifold head pressure >2 m H₂O
- Water: Community System
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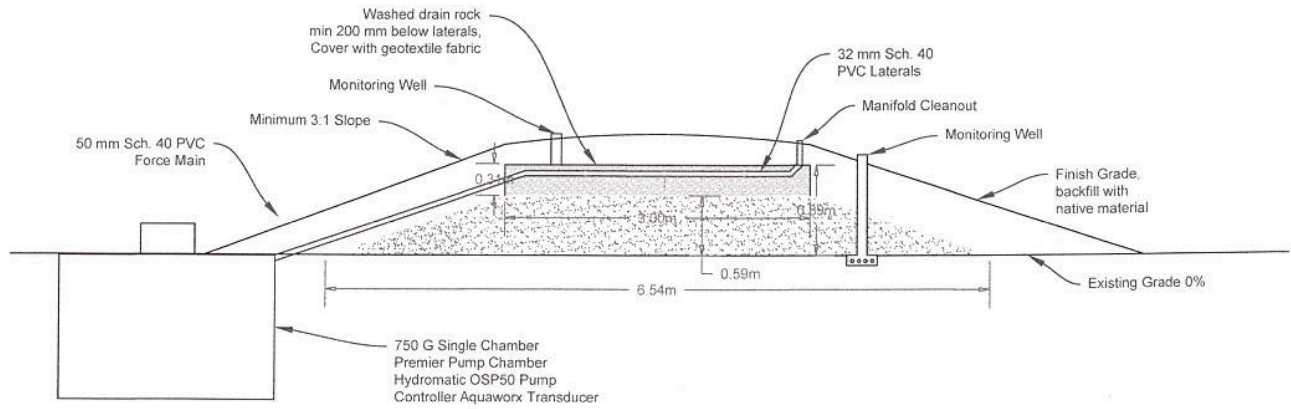
PID 011-123-877
Tax Roll# 21-786-04737.100
Lot Size 27.48 Acres
Lat 49.686332
Long -116.869187

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Alexander McNally P.Eng
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V1L 4E3

129 Boulder Beach Rd #2
Kootenay Bay
Land Subdivision
Type 2 Septic System

Lot 5 Plan NEP811 District Lot
4595 Land District 26 Except
Plan 3062 16541 R127
NEP60734 NEP68076
NEP69201 NEP72451 FOR
FORESHORE SEE
786-04737.101

October 31, 2022
2022-10-MTKB-8RSMTY2
Scale 1:500
Sheet 2 of 3
Site Plan
Rev 0



General Notes

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Every 38 min 30 times a day
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Length 15 m Width 3 m
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PID 011-123-877
 Tax Roll# 21-786-04737.100
 Lot Size 27.48 Acres
 Lat 49.686332
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McNally Technical Services
 Alexander McNally P.Eng
 301 Vernon St, Nelson, BC
 V1L 4E3

129 Boulder Beach Rd #2
 Kootenay Bay
 Land Subdivision
 Type 2 Septic System

Lot 5 Plan NEP811 District Lot
 4595 Land District 26 Except
 Plan 3062 16541 R127
 NEP60734 NEP68076
 NEP69201 NEP72451 FOR
 FORESHORE SEE
 786-04737.101

October 31, 2022
 2022-10-MTKB-8RSMTY2
 Scale 1:500
 Sheet 2 of 3
 Site Plan
 Rev 0



Appendix 2: Site & Soil Evaluation Photos



Figure 1: test pit # 1



Figure 2: Test Pit 2



Figure 5: Organics



Figure 6: Rocks, Clay and Sandy Gravel





Committee Report

Date of Report: May 27, 2024
Date & Type of Meeting: June 12, 2024 Rural Affairs Committee Meeting
Author: Dana Hawkins, Planner 2
Subject: Community Heritage Register: Verigin Memorial Park
File: 10\4970\20\VERIGIN MEMORIAL PARK
Electoral Area: I

SECTION 1: EXECUTIVE SUMMARY

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

Staff recommend that Verigin Memorial Park be added to the CHR.

SECTION 2: BACKGROUND/ANALYSIS

2.1 BACKGROUND

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

The CHR is an important component of a local government's heritage program, as it is a recognized method to identify, acknowledge and record local heritage. By establishing and maintaining a list of heritage buildings, sites and structures, the CHR process helps the local government to understand and identify the heritage significance and value of its community.

At the April 16, 2020 Board meeting the Board passed resolution 315/20 to establish the RDCK Community Heritage Register. At this time, there are 29 heritage resources on the CHR.

2.2 VERIGIN MEMORIAL PARK

Verigin Memorial Park is a burial site of Doukhobor leaders and a flower garden overlooking the confluence of Kootenay & Columbia Rivers owned and operated by the Union of Spiritual Communities of Christ located on a hillside at 1850 Terrace Road in Brilliant (Electoral Area I).

The site was nominated by a member of the public in 2023 and reviewed by the Area I Advisory Planning and Heritage Commission (APHC) May 29, 2023. The APHC resolved to support the nomination. Next, a Statement of Significance (SOS) (Attachment 'A') was prepared by a heritage consultant. An SOS is a declaration of value that briefly explains what a historic place is and why it is important; it has a consistent structure used across Canada.

2.3 RATIONALE FOR INCLUSION

A [report](#) was prepared April 2020 that outlines heritage themes and community values in the RDCK:

Themes

1. Dominance of the Waterways
2. Governance, Social Activism and Resistance
3. Inhabiting the Land
4. Lake and Mountain Environment
5. Making a Living in Central Kootenay
6. Place of Stories and Memories
7. Transportation and Communication Links
8. Off the Grid: Social and Community Life

Values

1. Community identity and sense of place
2. Preserving history, with the past informing the future
3. Heritage as a driver for economic development and tourism
4. Uniqueness and diversity of people in the RDCK
5. Wild environment, natural beauty, outdoor recreation

A nominated heritage resource must show a substantial link, relation or association to one or more of the heritage themes and community values. A nomination that doesn't relate well to the themes/values, could stay on the heritage inventory (Places that Matter) as a resource of some importance, but perhaps without formal heritage status.

Staff have reviewed the nomination form and SOS and believe it is well aligned with the heritage themes and community values. Staff recommend inclusion to the CHR.

SECTION 3: DETAILED ANALYSIS

3.1 Financial Considerations – Cost and Resource Allocations:

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

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

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

A CHR is a legal planning tool enacted under s. 598 of the *Local Government Act*.

3.3 Environmental Considerations

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

3.4 Social Considerations:

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

3.5 Economic Considerations:

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

3.6 Communication Considerations:

The CHR and further information on the included heritage resources such as the project report, mapping and the SOS's are accessible online through the [Community Heritage Register Project webpage](#).

3.7 Staffing/Departmental Workplan Considerations:

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

3.8 Board Strategic Plan/Priorities Considerations:

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

SECTION 4: OPTIONS & PROS / CONS

4.1 SUMMARY

Staff have reviewed the nomination application package and Statement of Significance for Verigin Memorial Park, and recommend inclusion on the RDCK's Community Heritage Register (CHR).

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

4.2 BOARD OPTIONS

Option 1

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

Option 2

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

SECTION 5: RECOMMENDATIONS

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

Respectfully submitted,

Dana Hawkins, MCIP RPP

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 – Verigin Memorial Park Statement of Significance

Statement of Significance

Description of Historic Place

Verigin Memorial Park is a burial site of Doukhobor leaders and a flower garden owned and operated by the Union of Spiritual Communities of Christ (USCC) located on a hillside at 1850 Terrace Road in Brilliant, British Columbia just north of the intersection of Highway 3A and Robson Rd. overlooking the confluence of Kootenay & Columbia Rivers.

Coordinates: 49.31938, -117.63148

Property size: 2.7 hectares

Heritage Values of Historic Place

Verigin Memorial Park is not the first burial site at the confluence of Kootenay & Columbia Rivers, a highly significant historic site valued first and foremost for the memorial, spiritual, cultural, and physical associations it holds of the Sinixt people's presence in this area since time immemorial. This confluence site is also deeply ingrained in the land use and histories of the Ktunaxa, Sylix and Secwécpemc peoples who like the Sinixt, all have a name for this place in their native languages.

As the burial site of a family of revered leaders amongst the West Kootenay Doukhobor community, Verigin Memorial Park was chosen for its panoramic vantage point near what was at the time Peter V. Verigin's beautiful guest house which overlooked the confluence of rivers he himself had named Brilliant for the rivers' diamond-like sparkle. This site represents associative and physical testaments to the headquarters of Doukhobor settlement in the West Kootenays in the first decades of the twentieth century when approximately 6,000 Doukhobors, Christian pacifist refugees from Russia, arrived to this area between 1908 and 1913 under the leadership of Peter V. Verigin to re-settle the floodplain as a agricultural utopian community founded on the principle of "Toil and Peaceful Life". As the vast majority of the historic buildings and homes of the early Brilliant settlement have since been dismantled, destroyed or reduced to ruins, the physicality and ongoing upkeep of this landmark is important as a tangible and spiritual testament to historic Brilliant, and for its view onto the former commune.

Containing the remains of three Doukhobor leaders Peter V. Verigin (1859-1924), his son Peter P. Verigin (1881-1939), his grandson John J. Verigin (1921-2008), three wives and a daughter, this place represents the esteemed value the Verigin family holds in the Doukhobor community in Canada. The Verigin family have continuously led the West Kootenay Doukhobor community since its arrival in 1908 represented by their Christian Community of Universal Brotherhood and after its collapse the USCC. Since 2008 Executive Director John J. Verigin, Jr., continues to make an immense contribution to the Doukhobor movement in both a practical and spiritual sense, earning the respect and loyalty of the membership. This value is expressed in the aesthetic of the monument, by the ongoing funding and meticulous maintenance of the site by the USCC, other Doukhobor societies and friends, and in its function as a

place of annual pilgrimage, prayer and reflection, bringing the current Doukhobor community together.

The transformation of this Doukhobor burial site over time also tells the story of conflict and loss in the community, from its two-toned extravagant, classical tomb for Peter V. Verigin erected in 1925 a few months after his still unresolved violent death, to the more modest, white concrete rectangular crypt seen today, built in the mid-1940s shortly after the original tomb was destroyed by a radical element of the Sons of Freedom, a sect of the Doukhobors who split-off over disagreements relating to land registration and education. They were noted for their arson campaigns as a protest against materialistic life, and are believed to have destroyed the tomb in 1944, along with several other structures in Brilliant and the Kootenay Boundary area during that period. Several fragments of the 1925 tomb have been preserved as artifacts and are today on display below the less vulnerable large concrete tomb. The abstract nature of the current tomb together with the fragments of the destroyed tomb offer a scenario for contemplation on loss, resilience, spirituality, reconciliation and healing - all intensely experienced by the Doukhobor community living at Brilliant and throughout the Kootenay Boundary region of BC.

Character-Defining Elements

The character-defining elements of the Verigin Memorial Park include:

- Active Verigin family burial site since November 1924 and under the 1968 and 2009 Peter Verigin Tomb Act
- Use as a public park under Union of Spiritual Communities of Christ (USCC) responsible for its stewardship since 1968
- The elevated, landmark location overlooking the former commune of Brilliant, the Brilliant Suspension Bridge and the confluence of the rivers
- The sloped nature of the site with its terraced rock gardens and stone walls embedded in the natural rocks of the cliff
- The views of the confluence of the Columbia and Kootenay rivers and valleys and of former Brilliant afforded from the site
- The large, white-painted, rectangular concrete crypt on an elevated platform surrounded by a low metal fence containing the buried remains of Peter Vasilyevich Verigin, Peter Petrovich Verigin and their wives Evdokia Gregoryevna Verigina and Anna Fyodorovna Verigina
- The tomb of Anna Petrovna Markova and her son John J. Verigin
- Remnants of the destroyed 1925 tomb including stone carvings of wheat sheaves (representing the Doukhobor principle of "Toil and Peaceful Life"), and stone panels with carvings of trees made by Italian masons from Trail displayed on site
- The meticulously designed and maintained formal flower garden surrounding the crypt and around the park
- Nearby ruins of the foundation of the 1922 Peter V. Verigin guest house
- A miniature replica of a Doukhobor community home with visual displays
- Painted dedication to Peter V. Verigin "Lordly" in English and Russian on a cliff facing toward the park with the same wording found at the entrance to a small cave in the Republic of Georgia where Doukhobors gathered for prayer

- The proximity of and association to Peter V. Verigin's 'besedka', a private prayer and meditation site with a stone bench, stone table and created in the 1920s, restored by the Brilliant choir in 1983 who also erected a the scripted signage

Resources

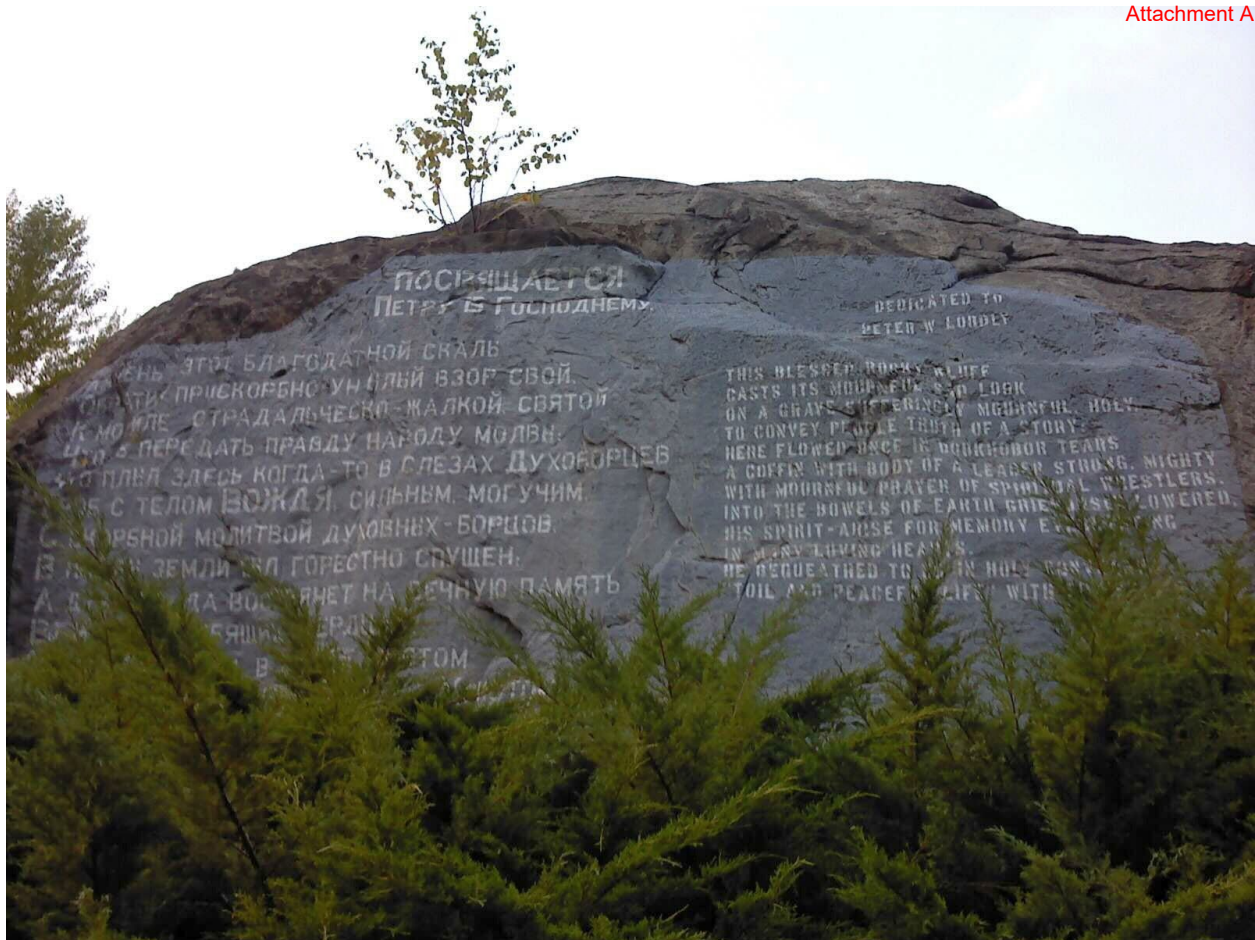
- <https://www.usccdoukhobors.org/veriginpark/veriginpark.htm>
- Photo album of Verigin Memorial Park: [Album03-verigin memorial park - USCC Doukhobors \(uscc-doukhobors.org\)](#)
- [View and download an informational brochure \(2.5 Mb\)](#)
- [http://kalmakov.com/historical/farron peter verigin last fateful journey.html](http://kalmakov.com/historical/farron%20peter%20verigin%20last%20fateful%20journey.html)
- <https://www.kutnereader.com/post/peter-lordly-verigin-s-lost-prayer-site>
- <https://uscc-doukhobors.org/hereditary-spiritual-leadership/>
- <https://en.wikipedia.org/wiki/Freedomites>
- Peter V. Verigin is designated a National Historic Person by the Historic Sites and Monuments Board of Canada (2008)
https://www.pc.gc.ca/apps/dfhd/page_nhs_eng.aspx?id=12053
- Migration of Doukhobors to British Columbia is designated a National Historic Event by the Historic Sites and Monuments Board of Canada (2008)
https://www.pc.gc.ca/apps/dfhd/page_nhs_eng.aspx?id=12052&i=78226
- John J. Verigin was bestowed Member of the Order of Canada (1976), Member of the Order of British Columbia (1996), Freeman of the City of Grand Forks (1999), and the Soviet Order of Peoples' Friendship (1988)
<https://www.gg.ca/en/honours/recipients/146-13229>
<https://www2.gov.bc.ca/gov/content/governments/celebrating-british-columbia/honours-and-awards/order-of-bc/members/t-z>

Photographs



Current view of crypt and flower gardens.

<https://www.findagrave.com/cemetery/2523378/verigin's-memorial-park>



Painted dedication. <https://www.findagrave.com/cemetery/2523378/verigin's-memorial-park>



Remnants of 1925 tomb. [http://209.95.34.155/~kalmakov/historical/farron peter verigin last fateful journey.html](http://209.95.34.155/~kalmakov/historical/farron%20peter%20verigin%20last%20fateful%20journey.html)



Verigin Memorial Park - L. Kalmakov photo 2013 - [http://kalmakov.com/historical/farron peter verigin last fateful journey.html](http://kalmakov.com/historical/farron%20peter%20verigin%20last%20fateful%20journey.html)



J.J. Verigin, current leader of the Doukhobours and USSC Executive Director at the site in 2023.
<https://www.thestar.com.my/news/focus/2023/07/12/war-and-modernity-shake-pacifists>



Tomb of Peter P. Verigin at Brilliant - Thos. Gushul photograph, 1925 - [http://kalmakov.com/historical/farron peter verigin last fateful journey.html](http://kalmakov.com/historical/farron%20peter%20verigin%20last%20fateful%20journey.html)



Verigin Tomb completely destroyed by deliberate bomb - Vancouver Province photo, 1944 - [http://kalmakov.com/historical/farron peter verigin last fateful journey.html](http://kalmakov.com/historical/farron%20peter%20verigin%20last%20fateful%20journey.html)



Committee Report

Date of Report: May 27, 2024
Date & Type of Meeting: June 12, 2024, Rural Affairs Committee
Author: Lisa Rein, Grants Coordinator
Subject: COMMUNITY WORKS FUND APPLICATION – BALFOUR RECREATION COMMISSION “BALFOUR COMMUNITY HALL FACILITY ACCESS UPGRAGE PROJECT”
File: 1850-20-CW-267
Electoral Area/Municipality E

SECTION 1: EXECUTIVE SUMMARY

The purpose of this report is to seek approval for the Community Works Fund application submitted by the **Balfour Recreation Commission** for the project titled “**Balfour Community Hall Facility Access Upgrade**” in the total amount of \$17,000, and that funds be disbursed from Community Works Funds allocated to Electoral Area E. This recreation infrastructure enhancement and upgrade project seeks to secure additional funding for the completion of the Balfour Community Hall Access Upgrades.

SECTION 2: BACKGROUND/ANALYSIS

This capital infrastructure upgrade project includes a re-design of the vestibule area and the addition of a new covered timber frame access ramp. Improving accessibility to the hall will support the BRC’s desire to create programming and recreational opportunities for a wider demographic of users.

As referenced in the Application (Appendix-A), the project is currently underway and with the new requirement of an architectural review, additional funds are required to complete the project. The estimated completion date is end of June, 2024.

Eligible Community Works Projects include Recreation Infrastructure – Recreation Facilities or Networks.

In 2022 Area E committed \$11,000.00 to this project (Board Resolution 420/22) in support of the Balfour Community Hall Facility Access Upgrade.

SECTION 3: DETAILED ANALYSIS

3.1 Financial Considerations – Cost and Resource Allocations:

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

This application is the responsibility of Area E and no other areas are being asked to contribute to the project. The Director for the area is supportive of the application and currently has sufficient funds to allocate to the project, leaving area E with a balance of \$335,343.33

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 'Recreation Infrastructure – Recreational Facilities or Networks.'

3.3 Environmental Considerations

N/A

3.4 Social Considerations:

It is anticipated that this infrastructure improvement will create a more welcoming, accessible and public community space that encourages widespread recreation use and learning opportunities.

3.5 Economic Considerations:

The balance of funds required are now covered with a change of scope to the original budget and by removing a few scope items.

3.6 Communication Considerations:

The community at large is kept up to date on all BRC project initiatives and progress via regular updates posted on the Balfour Recreation Commission website.

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 **Balfour Recreation Commission** for the **Balfour Community Hall Facility Access Upgrade** in the total amount of \$17,000 be approved and that the funds be disbursed from Community Works Funds allocated to Electoral Area E

Respectfully submitted,

Lisa Rein, Grants Coordinator

CONCURRENCE

Mike Morrison – Manager of Corporate Administration/Corporate Officer **APPROVE**

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

ATTACHMENTS:

Attachment A – Community Works Fund Application: Balfour Recreation Commission “Balfour Community Hall Facility Access Upgrade Project”



Regional District of Central Kootenay

Attachment A

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

| Community Works Fund Application (Appendix-A) | | | |
|--|---------------------------------------|--------------------------------------|---------------------|
| Gas Tax Program Services – CWF Funding (UBCM) | | | |
| "The Project" | Balfour Community Hall Access Upgrade | | |
| Date of Application | 2024/05/13 | | |
| Applicant Information | | | |
| Name of Organization | Balfour Recreation Commission | | |
| Address | 602 Queens Bay Road | | |
| City, Prov. Postal | Balfour, BC V0G 1C0 | | |
| Phone No. | 2505511917 | Fax No. | |
| Organization's Email | gm@balfourgr.com | | |
| Name of Contact | Julie Poetsch | Contact's Email | admin@balfourgr.com |
| Director in Support of Project | | | |
| Name of Director(s) | Area(s)/Municipality | Amount Requested | |
| Cheryl Graham | E | \$ 17,000.00 | |
| Project Time Line | | | |
| Project Commencement Date (yyyy/mm/dd) | | Project Completion Date (yyyy/mm/dd) | |
| 2023/05/15 | | 2024/06/30 | |
| Land Ownership | | | |
| Ownership and legal description information is required for all parcels of land on which the proposed work will occur. | | | |
| Legal Description of land(s) | 534 Charles St Balfour, BC V0G 1C0 | | |
| Registered Owners of Land(s) | Balfour Recreation Commission | | |
| Crown Land Tenure/License No./Permit No.(s) | | | |
| Compliance With Regulations | | | |
| The proponent shall in all respects abide by and comply with all applicable lawful rules, regulations and bylaws of the federal, provincial or local governments, or any other governing body whatsoever, in any manner affecting the Project. | | | |
| Have you consulted with a building official? | <input checked="" type="checkbox"/> | Yes | |
| | <input type="checkbox"/> | No | |
| Have you applied and received a building permit? | <input checked="" type="checkbox"/> | Yes, Permit No. <u>BP-027607</u> | |
| | <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 Balfour Recreation Commission (BRC) is a non-profit society located in Balfour, British Columbia. Our mission is to operate and maintain community-use facilities in the Balfour area. The BRC aims to promote healthy living and community spirit while building a network of community resources as a base for future events and community development.

The Balfour Community Hall, located at 534 Charles Street, is one of several facilities under our care and is central to the Balfour area. Originally built in the 1940's, it is believed the the Balfour Community Hall operation and maintenance was handed over to the BRC in the mid-1960's. Since that time it has been the BRC's responsibility to operate and maintain this space.

The original entryway accessed from the parking area was not easily accessible due to its three cement steps leading to the building and one more step leading to the vestibule entryway which had a manually operated doorway. The cement steps were in disrepair, limiting access for individuals with mobility issues and completely preventing entry for anyone requiring mobility assistance, such as those using wheelchairs, motorized carts, or assisted walking equipment.

We initiated an extensive overhaul of the entryway to improve accessibility. We redesigned the entry vestibule by moving the main door to the side, allowing ample room for a gently sloping ramp to be constructed. This ramp would provide wheelchair access. Additionally, we planned to install an automatic door entryway, redesign the vestibule roof to better accommodate the new access routing, and cover the ramp with a roof to protect those using the access during our fall and winter seasons.

We had commissioned some engineered drawings for our project, but unfortunately, they were not detailed enough to meet the requirements of the RDCK. As a result, we had to undergo an architectural review, which led to significant changes in the plans. This, in turn, resulted in an increase of nearly \$24,000 in costs. As a result of this unexpected expense, we are now facing a shortage of funds and had to remove a warming centre host, warming centre food, and the project manager from our original budget to help offset these additional expenses.

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

1.1 Project Costs including Timeline and Supporting Documents

The additional project costs included:

| | |
|----------------------|-----------------|
| Architectural Review | \$10,650 |
| Concrete work | \$967 |
| Engineering details | \$3504 |
| Skylights | \$4463 |
| Frame entrance | \$3800 |
| TOTAL | \$23,384 |

The project is almost complete now, and we aim to be finished by the end of June 2024.

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

1.2 Project Impact

The town site of Balfour has approximately 500 year-round residents.. However, the population of Balfour expands dramatically in the summer months with camp grounds, hotel reservations and seasonal residents. In addition, the Balfour area is currently experiencing a growth trend with multiple subdivisions and recreation home developments under way.

The Balfour Recreation Commission is excited about the positive impacts that this project will bring to our community from both recreational and social perspectives. It will provide numerous opportunities for the BRC, including:

- Improved access which will increase user engagement
- Programming designed specifically for individuals with mobility issues
- Collaborating with the Balfour Seniors Association to develop programming for their members
- Increased use of the Hall for weddings, parties, corporate functions, and meetings
- Promoting community spirit by opening the space to a broader demographic.

We believe that all segments of the population will benefit from this project, and we can't wait to see the positive impact it will have on our community.

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

1.3 Project Outcomes

The Balfour Community Hall is a central facility in the area, but unfortunately, it currently does not provide access to those using a wheelchair, motorized cart, or walking aid. Additionally, those with mobility issues face limited access. This project aims to change this unfortunate circumstance and provide easy, safe access to the entryway. The modified entryway will include an automatic door, enabling easy access for individuals with mobility issues. This project will be considered complete once these modifications are made and will be considered a success when all visitors and residents of Balfour, including those with mobility issues, can easily access the space. Providing improved access for all visitors and residents of Balfour aligns with the BRC's mission of promoting healthy living and community spirit, as well as Community Works' mandates regarding recreation infrastructure and opening up access to the community at large, including all segments of the population.

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

1.4 Project Team and Qualifications

Members of the Balfour Recreation Commission Board of Directors along with their General Manager will be overseeing this project. BRC President, Brant Gray, has a long history as a general contractor and their General Manager has the community connections and professionalism to get the work done properly and in a timely manner. Where ever possible we will be hiring local trades people who have been involved with the BRC on other projects to bring this rebuild to completion.

(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 (\$) |
|---|----------------------------------|--------------|
| RDCK Area E | Community Works Fund | \$ 17,000.00 |
| | | \$ |
| | | \$ |
| | | \$ |
| | | \$ |
| | | \$ |
| (If needed, please see page 7 to provide additional budget information) | Sub-Total Project Revenue | \$ 17,000.00 |

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

| Item | Description of Expenses | Value (\$) |
|---|-----------------------------------|--------------|
| Incremental | Engineering | \$ 10,650.00 |
| Capital | Materials | \$ 6,827.00 |
| Professional | Contractor labour | \$ 5,907.00 |
| | | \$ |
| | | \$ |
| (If needed, please see page 7 to provide additional budget information) | Sub-Total Project Expenses | \$ 23,384.00 |

| Project Revenue (continued) | | |
|---|-------------------------------|--------------|
| (Capital, Professional, Environmental Assessment, Employee, Equipment, Incremental) | | |
| Item | Project Revenue | Value (\$) |
| | | \$ |
| | | \$ |
| | | \$ |
| | | \$ |
| | | \$ |
| | | \$ |
| | | \$ |
| | | \$ |
| | | \$ |
| | | \$ |
| | Total Project Revenue | \$ 17,000.00 |
| Project Expenses (continued) | | |
| (Capital, Professional, Environmental Assessment, Employee, Equipment, Incremental) | | |
| Item | Description | Value (\$) |
| | | \$ |
| | | \$ |
| | | \$ |
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| | | \$ |
| | | \$ |
| | | \$ |
| | | \$ |
| | Total Project Expenses | \$ 23,384.00 |

| | | |
|---|---------------|------------|
| 2.1 Additional Budget Information | | |
| Quote rationale to be reviewed by RDCK Chief Administrative Officer | | |
| This application is for the significant overage we have experienced with our Balfour Hall entryway upgrade. The project revenues and expenses do not balance as we have used some of our original budget to help offset these overages. | | |
| (If needed, please provide additional information on separate page) | | |
| 3.0 Accountability Framework | | |
| The eligible recipient will ensure the following: | | |
| <ul style="list-style-type: none"> - Net incremental capital spending is on infrastructure or capacity building - Funding is used for eligible Project and eligible costs - Project is implemented in diligent and timely manner - Where recipient is a Local Government, undertake Integrated Community Sustainability Planning - Provide access to all records - Comply with legislated environmental assessment requirements and implement environmental impact mitigation measures - Provide a Project Completion Report including copies of all invoices - | | |
| 4.0 Schedule of Payments | | |
| The RDCK shall pay the grant to the proponent in accordance with the following schedule of payments: | | |
| <ul style="list-style-type: none"> a) 75% upon signing of the Contract Agreement b) 25% upon receipt of a Project completion report indicating 100% completion of the Project and proof of meeting anticipated impacts and outcomes, a statement of income and expenses, and copies of invoices/receipts supporting funding expenditures. | | |
| 5.0 Acknowledgement of Requirements | | |
| 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 st of each year detailing the beneficial impacts on the community as a result of the completed Project. | | |
| Authorized Signature for Proponent | Name | Date |
| Julie Poetsch | Julie Poetsch | 2024/05/13 |

INVOICE FOR PROFESSIONAL ENGINEERING SERVICES

To:
 Balfour Golf & Recreation
 602 Queens Bay Road
 Balfour BC V0G 1C0
gm@balfourgr.com

Please Remit Payment to:
Pennco Engineering (BC) Ltd.
 Suite 201 – 601 Front Street
 Nelson, BC V1L 4B6
 (250) 354-0112

Attention:
Mr. Craig Wilkinson, General Manager

GST Registration Number
 80356 5969 RT0001

Project Description.....**Balfour Community Hall Modifications**
 Dates Work PerformedNovember 13, 2022 – June 06, 2023

1.0 Professional Services Rendered

- Reviewed and Edited Design Drawings, and Added Architectural Features;
- Modified Design and Drawings to Accommodate Septic Tank Location;
- Prepared Stamped Issued For Permit Drawings;
- Prepared Stamped Issued For Construction Drawings;
- Prepared Letter of Assurance for Architectural Schedule B.

Penner, BH.....Senior Engineer.....1.00 hrs @ \$200.00/hr =\$ 200.00
 Cleland, CDesigner/ Drafter110.00 hrs @ \$ 95.00/hr =\$10,450.00

Total Engineering.....\$10,650.00

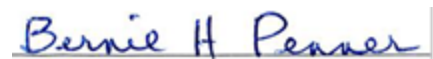
2.0 Disbursements

Total Disbursements\$ 0.00

Subtotal\$10,650.00

GST @ 5%.....\$ 532.50

Total (Please Pay This Amount).....\$11,182.50



Signature

Extra Work Budget (Excluding GST).....\$
 This Invoice (Excluding GST).....\$ 10,650.00
 Total to Date (Excluding GST).....\$ 10,650.00

Invoice NumberI-406
 Date June 07, 2023
 Pennco File..... 22-1630



adept
construction
+ renovation

Balfour Hall Extras Break Down

Due to the extensive re draw of the plans for the hall entrance the following extra costs were incurred-

Concrete work

New drawings detailed a far more complicated and extensive rebar web-

Projected Labour and Materials -\$14950

Actual Labour and Materials -\$15917

Extra -\$967

Engineering Details

Extensive mechanical ties and epoxy required in new plan for Building to canopy tie back. Not detailed in original drawings.

Labour -\$1920

Materials -\$1584.35

Extra -\$3504.35

Skylights-

Optional extra in original drawing.

Labour -\$960

Materials-\$3503.25

Extra -\$4463.25

Frame Entrance

original plan didn't detail removal and reframe of entrance -structure not in good enough shape to work with.

Labour -\$2560

Materials -\$1240

Extras total -\$12,734.60



Committee Report

Date of Report: May 14, 2024
Date & Type of Meeting: June 12, 2024, Rural Affairs Committee
Author: Lisa Rein, Grants Coordinator
Subject: COMMUNITY WORKS FUND APPLICATION – KOOTENAY MOUNTAINEERING CLUB “GRASSY AND LOST LAKE BONNINGTON HUTS WASTE AND WASTEWATER MANAGEMENT PROJECT”
File: 1850-20-CW-303
Electoral Area/Municipality F, G, H, I, J

SECTION 1: EXECUTIVE SUMMARY

The purpose of this report is to seek approval for the Community Works Fund application submitted by **The Kootenay Mountaineering Club (The KMC)** for the project titled “**Grassy and Lost Lake Bonnington Huts Waste and Wastewater Management Project**” in the total amount of \$50,000.00 and that funds be disbursed from Community Works Funds allocated to Electoral Areas F, G, H, I and J. The wastewater project seeks to construct new outhouses and grey water pits at two popular backcountry huts located in the Bonnington Range to minimize the impact of human waste at these sites.

SECTION 2: BACKGROUND/ANALYSIS

The Kootenay Mountaineering Club (The KMC) is a not-for-profit society promoting non-motorized outdoor recreation in the Kootenays since the 1980’s.

As referenced in the Application (Attachment A), the KMC will install timber frame barrel outhouses at Grassy and Lost Lake Bonnington Huts. Currently, the huts are serviced by pit toilets and the gray water is discarded in an area by the huts, contaminating the adjacent land and streams.

The project will be led by David Heyduck, KMC Huts Director, with assistance from the KMC Huts Committee, KMC executive, and KMC treasurer.

Project work is estimated to commence in August of 2024 with a projected completion of September 2025.

Eligible Community Works Projects include Wastewater – Infrastructure that supports Wastewater and Stormwater collection, treatment and management systems, including Wastewater collection systems and or Wastewater treatment facilities or systems.

SECTION 3: DETAILED ANALYSIS

3.1 Financial Considerations – Cost and Resource Allocations:

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

Although geographically located in Electoral Area G, the Bonnington Huts provide a public benefit to the broader region. The Director for Area G is supportive of the application and will be contributing funding of \$10,000. Directors for other electoral areas have also pledged the following Community Works funds to support the project:

- Area F: \$10,000
- Area H: \$10,000
- Area I: \$10,000
- Area J: \$10,000

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 'Wastewater – Infrastructure that supports wastewater and storm water collection, treatment and management systems'.

3.3 Environmental Considerations

Construction of these facilities will greatly minimize the human impacts of backcountry recreation and improve overall cleanliness and sanitation at not only these sites, but adjacent land and watercourses.

3.4 Social Considerations:

The project supports sustainable, minimally invasive outdoor recreational opportunities for residents and visitors alike.

3.5 Economic Considerations:

N/A

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 KMC fulfills the reporting requirements 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 **Kootenay Mountaineering Club (KMC)** for the project titled “**Grassy and Lost Lake Bonnington Huts Waste and Wastewater Management Project**” in the amount of \$50,000.00 be approved and that funds be disbursed from Community Works Funds equally allocated to Electoral Areas F, G, H, I and J.

Respectfully submitted,

Lisa Rein, Grants Coordinator

CONCURRENCE

Mike Morrison – Manager of Corporate Administration/Corporate Officer **APPROVE**

Stuart Horn – Chief Administrative Officer *Digitally approved*

ATTACHMENTS:

Attachment A – Community Works Fund Application: Kootenay Mountaineering Club (KMC) “Grassy and Lost Lake Bonnington Huts Waste and Wastewater Management Project”



Regional District of Central Kootenay

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

| Community Works Fund Application (Appendix-A) Gas Tax Program Services – CWF Funding (UBCM) | | | |
|--|--|---|------------------------------------|
| "The Project" | KMC Grassy and Lost Lake Bonnington huts waste and wastewater management project | | |
| Date of Application | 2024/05/01 | | |
| Applicant Information | | | |
| Name of Organization | Kootenay Mountaineering Club (KMC) | | |
| Address | P.O. Box 3195 | | |
| City, Prov. Postal | Castlegar, BC, V1N 3H5 | | |
| Phone No. | 250-687-1954 | Fax No. | |
| Organization's Email | huts@kootenaymountaineeringclub.ca | | |
| Name of Contact | David Heyduck/Bruce Reeder | Contact's Email | huts@kootenaymountaineeringclub.ca |
| Director in Support of Project | | | |
| Name of Director(s) | Area(s)/Municipality | Amount Requested | |
| Hans Cunningham (lead Director) | F, G, H, I, J | \$ 50,000.00 | |
| Project Time Line | | | |
| Project Commencement Date (yyyy/mm/dd) | | Project Completion Date (yyyy\mm\dd) | |
| 2024/09/01 | | 2025/09/30 | |
| Land Ownership | | | |
| Ownership and legal description information is required for all parcels of land on which the proposed work will occur. | | | |
| Legal Description of land(s) | Grassy: Lat. 49.2899, Long. -117.4924; Lost: Lat. 49.3549, Long. -117.3052 | | |
| Registered Owners of Land(s) | Government of British Columbia (Crown land) | | |
| Crown Land Tenure/License No./Permit No.(s) | Partnership Agreement No. PA22DKB-2 between RSTBC and the KMC | | |
| Compliance With Regulations | | | |
| The proponent shall in all respects abide by and comply with all applicable lawful rules, regulations and bylaws of the federal, provincial or local governments, or any other governing body whatsoever, in any manner affecting the Project. | | | |
| Have you consulted with a building official? | <input checked="" type="checkbox"/> | Yes | |
| | <input type="checkbox"/> | No | |
| Have you applied and received a building permit? | <input checked="" type="checkbox"/> | Yes, Permit No. <u>Partnership Agreement P/</u> | |
| | <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

Since 1986 through a partnership agreement with Recreation Sites and Trails BC (RSTBC), Ministry of Forests, the Kootenay Mountaineering Club (KMC) manages a network of five backcountry huts in Bonnington Range of the Selkirk Mountains for public non-motorized recreational use. To enhance the Bonnington huts as a year-round destination, the KMC has embarked upon a program to rebuild and enlarge the huts and to develop a summer hiking trail to connect them. In 2020-21 with funding from the Columbia Basin Trust (CBT), RDCK, RSTBC and the KMC, the Grassy hut was rebuilt. In 2021-2023 with funding from Kootenay Rockies Tourism a new hut at Lost Lake is being completed.

The original huts had pit outhouses, and gray water was simply discarded in an area adjacent to each of the huts. The current pit toilets, constructed of simple dimensional lumber and plywood, poorly withstand the snow load and snow creep on the mountainside and risk contaminating the adjacent land and streams since the rocky terrain precludes the construction of a suitable deep pit. Gray water discarded on the forest floor risks similar contamination. To reduce the impact of human waste on the natural environment in a sustainable manner, KMC wishes to install timber frame barrel outhouses and proper piped gray water pits in each location. The proposed outhouse design mirrors that used in the backcountry huts of the Alpine Club of Canada and private ski lodges. A platform is constructed beneath the outhouse structure where 45-gallon plastic barrels are positioned to collect the wastes. When full, these are capped and replaced with an empty barrel. Once a year the accumulated barrels from each location will be transported by helicopter to a nearby staging area where Valhalla Septic's pump truck will empty them and transport the waste to the Ooteshenia regional sewage treatment plant for processing. The barrels are then transported back to the respective huts for reuse. The recent construction of the new huts at the Grassy and Lost Lake locations provides an opportunity to install an upgraded outhouse at Grassy and an upgraded outhouse as well as a gray water pit at Lost Lake (such a pit has already been constructed at Grassy but final piping is yet to be completed). KMC seeks funding to construct these improved outhouses and gray water pits.

The KMC is a financially stable registered not-for-profit organization with over 370 members that has promoted safe non-motorized outdoor recreation in the Kootenays for over 40 years. Through its Partnership Agreement with RSTBC it maintains and continues to improve the network of Bonnington Huts. Ongoing maintenance of the Bonnington hut facilities, including the new facilities proposed in this application, is financed by the fees for hut use collected and managed by KMC on behalf of the Ministry.

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

1.1 Project Costs including Timeline and Supporting Documents

PROJECT COSTS

Capital Purchases include:

- Lost outhouse steel package
- Lost outhouse timber package
- Lost outhouse general building materials including windows and doors
- Lost outhouse siding and roofing
- Lost outhouse framing package (framing contractor)
- Lost gray water system supplies (piping, etc)

- Grassy outhouse steel package
- Grassy outhouse timber package
- Grassy outhouse general materials including windows and doors
- Grassy outhouse siding and roofing including underlay and wraps
- Grassy outhouse framing package (framing contractor)
- Grassy gray water system supplies to complete (piping, etc)

Other Costs include:

- Lost outhouse materials and packages transport (highway/FSR) and helicopter transfer to site
- Grassy outhouse materials and packages transport (highway/FSR) and helicopter transfer to site

TIMELINE

- August - December 2024: Design, planning and requests for quotation on pre fabricated packages;
- January - May 2025: Fabrication of structural packages;
- June - September 2025: Organization, transport and on-mountain assembly of outhouses and construction of gray water pits.

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

1.2 Project Impact

The Bonnington Huts are an outstanding regional asset. They see over 2500 person-days of use per year by regional residents (40%), other Canadians (43%), and international visitors (17%). The economic impact of the hut network is considerable, as measured by local Chamber of Commerce and Tourism offices. The Chamber estimates that hut users from inside and outside the region provide an economic inflow to the region of an average of \$800 per user, that is a total of approximately \$2 million per year. The construction of new huts and the extension of their use into shoulder seasons may double their economic impact in the coming years. For example, the construction of the 2022/23 Lost Lake cabin required the material and services of 25 local business and contractors, where over 85% of our budget was expensed.

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

1.3 Project Outcomes

The KMC will construct environmentally-sound timber frame barrel outhouses at the Grassy and Lost Lake backcountry huts, a gray water pit and piping system at the Lost Lake hut, and complete the gray water piping at the Grassy hut. These facilities, like the huts themselves, will be maintained over the long term by the KMC using the revenue generated by hut user fees.

The KMC is erecting facilities that accommodate increased non-motorized recreation by the general public in the wilderness but at the same time reduce the human footprint. The construction and use of barrel outhouses and gray water pits at the Grassy and Lost Lake backcountry huts will prevent contamination of the natural environment with human waste and gray water. The modern design of these facilities will ensure their sustainability for decades to come.

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

1.4 Project Team and Qualifications

The KMC hut construction program is professionally led by David Heyduck, KMC Huts Director, with assistance from the Huts Committee, oversight from the KMC Executive Committee, and the financial services of the KMC Treasurer. The construction program benefits from a cadre of over 40 skilled volunteers with experience in the timber frame construction methods proposed for this project.

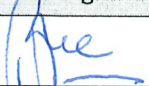
(If needed, please provide additional information on separate page)

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 (\$) |
| RDCK Area G | Community Works grant | \$ 10,000.00 |
| RDCK Area H | Community Works grant | \$ 10,000.00 |
| RDCK Area I | Community Works grant | \$ 10,000.00 |
| RDCK Area J | Community Works grant | \$ 10,000.00 |
| RDCK Area F | Community Works grant | \$ 10,000.00 |
| KMC | Reserve Fund | \$ 9,050.00 |
| (If needed, please see page 7 to provide additional budget information) | Sub-Total Project Revenue | \$ 59,050.00 |
| Project Expenses (Capital, Professional, Environmental Assessment, Employee, Equipment, Incremental) | | |
| Item | Description of Expenses | Value (\$) |
| Lost outhouse steel package | | \$ 6,200.00 |
| Lost outhouse timber package | | \$ 5,500.00 |
| Lost outhouse general building material | Includes windows and doors | \$ 5,700.00 |
| Lost outhouse siding and roofing | Includes underlay and wraps | \$ 3,800.00 |
| Lost outhouse framing package | Framing contractor | \$ 1,400.00 |
| (If needed, please see page 7 to provide additional budget information) | Sub-Total Project Expenses | \$ 22,600.00 |

Community Works Fund Application (Appendix-A)

| Project Revenue (continued) | | |
|---|---|--------------|
| (Capital, Professional, Environmental Assessment, Employee, Equipment, Incremental) | | |
| Item | Project Revenue | Value (\$) |
| | | \$ |
| | | \$ |
| | | \$ |
| | | \$ |
| | | \$ |
| | | \$ |
| | | \$ |
| | | \$ |
| | | \$ |
| | | \$ |
| | | \$ |
| | Total Project Revenue | \$ 59,050.00 |
| Project Expenses (continued) | | |
| (Capital, Professional, Environmental Assessment, Employee, Equipment, Incremental) | | |
| Item | Description | Value (\$) |
| Lost gray water system supplies | Piping for 2 gray water pits | \$ 1,750.00 |
| Grassy outhouse steel package | | \$ 5,600.00 |
| Grassy outhouse timber package | | \$ 4,700.00 |
| Grassy outhouse general building materials | Includes windows and doors | \$ 5,400.00 |
| Grassy outhouse siding and roofing | Includes underlay and wraps | \$ 3,800.00 |
| Grassy outhouse framing package | Framing contractor | \$ 1,400.00 |
| Grassy gray water system supplies to | Piping, etc. | \$ 800.00 |
| Lost outhouse materials and packages | Highway/FSR/helicopter transfer to site | \$ 6,500.00 |
| Grassy outhouse materials and packages | Highway/FSR/helicopter transfer to site | 6,500.00 |
| | | \$ |
| | | \$ |
| | | \$ |
| | | \$ |
| | | \$ |
| | | \$ |
| | | \$ |
| | Total Project Expenses | \$ 59,050.00 |

| | | |
|---|--------------|------------|
| 2.1 Additional Budget Information | | |
| Quote rationale to be reviewed by RDCK Chief Administrative Officer | | |
| In this proposal KMC seeks funding from RDCK in the amount of \$50,000 from Areas F, G, H, I, J to complement KMC resources to complete the project. | | |
| (If needed, please provide additional information on separate page) | | |
| 3.0 Accountability Framework | | |
| The eligible recipient will ensure the following: | | |
| <ul style="list-style-type: none"> - Net incremental capital spending is on infrastructure or capacity building - Funding is used for eligible Project and eligible costs - Project is implemented in diligent and timely manner - Where recipient is a Local Government, undertake Integrated Community Sustainability Planning - Provide access to all records - Comply with legislated environmental assessment requirements and implement environmental impact mitigation measures - Provide a Project Completion Report including copies of all invoices - | | |
| 4.0 Schedule of Payments | | |
| The RDCK shall pay the grant to the proponent in accordance with the following schedule of payments: | | |
| <ul style="list-style-type: none"> a) 75% upon signing of the Contract Agreement b) 25% upon receipt of a Project completion report indicating 100% completion of the Project and proof of meeting anticipated impacts and outcomes, a statement of income and expenses, and copies of invoices/receipts supporting funding expenditures. | | |
| 5.0 Acknowledgement of Requirements | | |
| 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 st of each year detailing the beneficial impacts on the community as a result of the completed Project. | | |
| Authorized Signature for Proponent | Name | Date |
|  | Bruce REEDER | 2 May 2024 |

Kootenay Mountaineering Club (KMC)

- KMC is a not-for-profit society; promoting non-motorized outdoor recreation in the Kootenays since the 1980s

- History:

- Since 1986, in partnership with RSTBC, KMC has built and manages a network of 5 backcountry huts in the Bonnington Range.
- They are available year-round to members and the public for a fee of \$20 per person per night.
- Revenue from the hut network is used for hut maintenance and provision of firewood.
- Huts are fully booked from December – April.
- In 2022-23, the huts saw 2500 person-days of use.



Bonnington Huts



Bonnington Huts Renewal Program

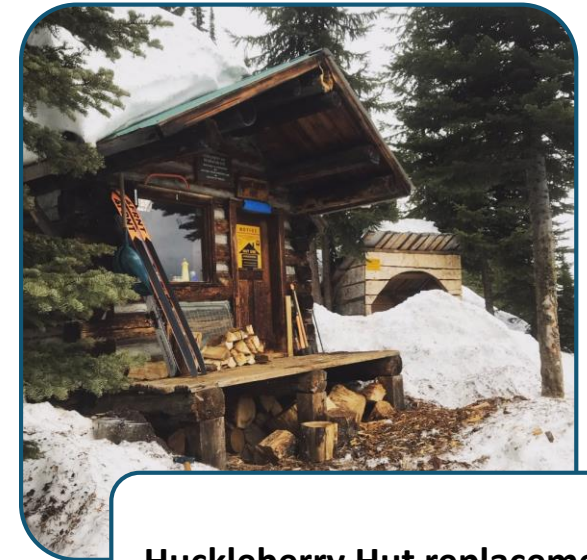
Phase 1

Phase 2

2020-22

2022-24

2024-25



Grassy Hut replacement

Funded by RDCK, CBT,
RSTBC, KMC



**Lost Lake Hut new
construction**

Funded by Kootenay Rockies
Tourism, RSTBC, KMC

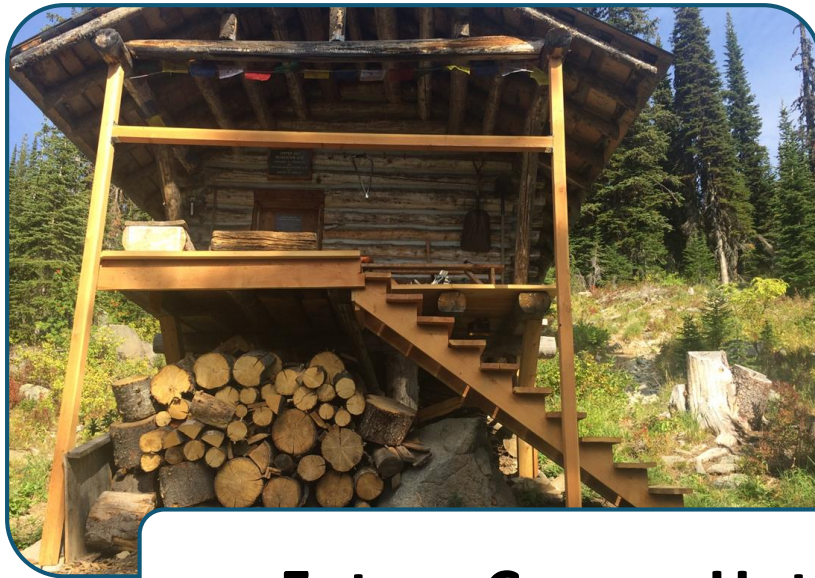
Huckleberry Hut replacement

Funded by BC Destination
Development Fund.

Bonnington Huts Renewal Program

Phase 2

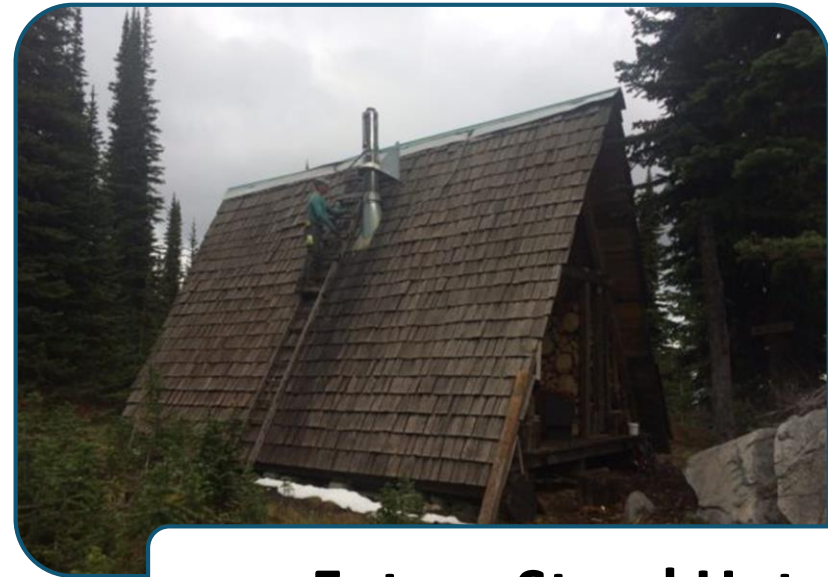
2026-27



**Future Copper Hut
replacement**



2028-29



**Future Steed Hut
renovation**

KMC Community Works Proposal

- **Current practice:** The pit outhouses are placed in terrain with a shallow soil bed and limited drainage; gray water is discarded on the ground outside huts
- **Solution:** Enhanced waste management
- **Proposal:**
 - Barrel outhouses + gray water piping and pits in two phases:
 - Phase 1. Grassy and Lost Lake huts
 - Phase 2. Huckleberry, Copper, and Steed huts



Solution: Barrel outhouses

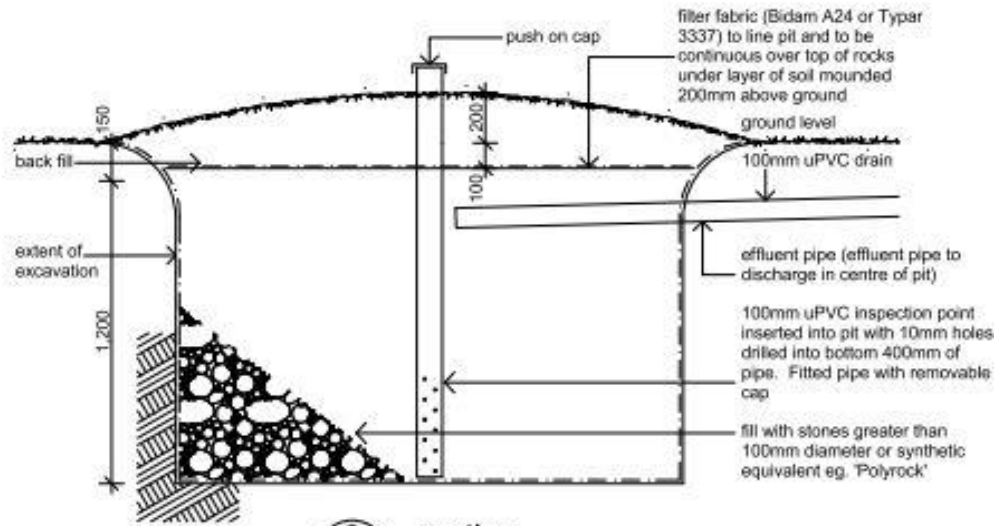
Specifications:

- elevated structure
- loading deck
- multiple capped barrels to be removed, emptied, and replaced annually by helicopter

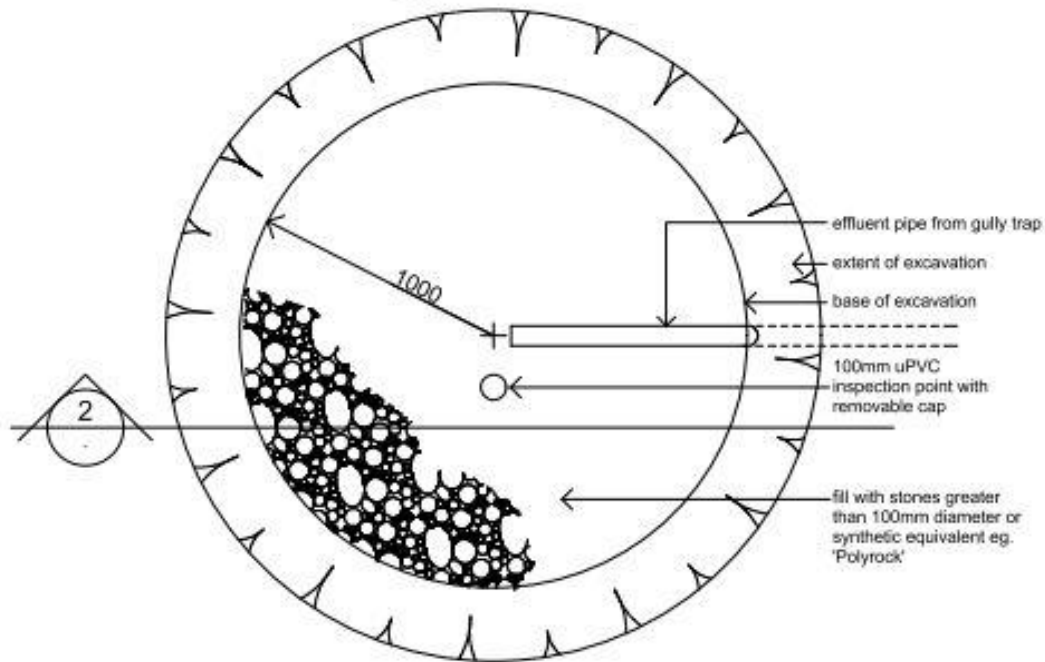
Additional requirements:

- enhanced structural support of base and roof to withstand alpine snow load

Note: Illustrated facility - ACC Asulkan Hut, Rogers Pass



2 section
1:20



1 plan of soakage pit
1:20
confirm exact location on site.

Gray water piping and pit

- PVC piping from hut as well as
- directly above pit
- Pit filled with rocks 5 – 10 cm size
- Pit covered with half of a plastic 45-gallon barrel topped by rocks, gravel and soil

Summary Budget (Phase 1)

| Phase | Hut | | Item | TOTALS |
|--|---------------|-------------|--|-----------------|
| 1 | Grassy Hut | Solid Waste | Structural package-materials and fabrication | \$20,900 |
| | | | Transport to build site (Highway, FSR, helicopter) | \$ 6,500 |
| | | Gray Water | Piping and pit | \$800 |
| | Lost Lake Hut | Solid Waste | Structural package-materials and fabrication | \$22,600 |
| | | | Transport to build site (Highway, FSR, helicopter) | \$6,500 |
| | | Gray Water | Piping and pit | \$1,750 |
| GRAND TOTAL of funding required | | | | \$59,050 |

Funding Summary & Request (Phase 1)

| | | |
|---|-------------|-----------------|
| Total Funding required | | \$59,050 |
| Present commitments | RDCK Area G | (\$10,000) |
| | RDCK Area H | (\$10,000) |
| | RDCK Area I | (\$10,000) |
| | RDCK Area J | (\$10,000) |
| Remaining and requested additional funding | | \$19,050 |

Project Timeline (Phase 1)

- **October 2023 – May 2024:**

- Design, planning, and requests for quotation on pre-fabricated packages; in-shop preparation of pre-fabricated packages

- **June - September 2024:**

- Organization, transport and on-mountain construction of outhouses and gray water pits.



Committee Report

Date of Report: May 27, 2024
Date & Type of Meeting: June 12, 2024, Rural Affairs Committee
Author: Lisa Rein, Grants Coordinator
Subject: COMMUNITY WORKS FUND APPLICATION – CASTLEGAR AND DISTRICT CHAMBER OF COMMERCE “THE WEST KOOTENAY GATEWAY VISITORS CENTRE AND CONFLUENCE BUILDING”
File: 1850-20-CW-296
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 and Confluence Building**”, in the total amount of \$60,000, 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 for the completion of the Confluence Building interior and exterior finishes.

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.

As referenced in the Application (Appendix-A), the project is currently underway with some interior and exterior finishes left to complete.

Sliding door installation work is to be completed in June or July and the exterior finishes between June and August. Completion of the work and the Grand Opening is expected in August 2024.

Eligible Community Works Projects include Tourism Infrastructure – Infrastructure that attracts travelers for recreation, leisure, business or other purposes.

In 2022, RDCK Areas I and J committed \$45,000.000 each in Community Works funding (Board Resolution 494/22), in support of the West Kootenay Gateway Visitors Centre. Increased construction costs had resulted in an additional request in 2023, for funding of \$25,000.000 (Board Resolution 38/24) from each Areas I and J. A total of \$140,000.00 Community Works funding has been awarded thus far to this project.

SECTION 3: DETAILED ANALYSIS

3.1 Financial Considerations – Cost and Resource Allocations:

| | | | | | |
|------------------------------------|------------------------------|--|---|---|--|
| Included in Financial Plan: | <input type="checkbox"/> Yes | <input checked="" type="checkbox"/> No | Financial Plan Amendment: | <input type="checkbox"/> Yes | <input checked="" type="checkbox"/> No |
| Debt Bylaw Required: | <input type="checkbox"/> Yes | <input checked="" type="checkbox"/> No | Public/Gov’t Approvals Required: | <input 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 is supportive of the application and have sufficient 2024 funds to allocate

to the project. Should this project be funded, Area I will have \$572,255.64 in Community Works funds remaining, and Area J will have \$173,215.25 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 will 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 "**The West Kootenays Gateway Visitors Centre and Confluence Building**" in the amount of \$60,000 be approved and that funds be disbursed from Community Works Funds allocated to Electoral Areas I and J, with \$30,000 being contributed by each.

Respectfully submitted,

Lisa Rein, Grants Coordinator

CONCURRENCE

Mike Morrison – Manager of Corporate Administration/Corporate Officer **APPROVE**

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 and Confluence Building”



Regional District of Central Kootenay

Attachment A

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

| Community Works Fund Application (Appendix-A) | | | |
|--|---|---|-----------------------|
| Gas Tax Program Services – CWF Funding (UBCM) | | | |
| "The Project" | The West Kootenay Gateway Visitors Centre and Confluence Building | | |
| Date of Application | 2024/05/02 | | |
| Applicant Information | | | |
| Name of Organization | Castlegar and District Chamber of Commerce | | |
| Address | 1995 - 6th Avenue | | |
| City, Prov. Postal | Castlegar, B.C. V1N 4B7 | | |
| 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 |
| Director in Support of Project | | | |
| Name of Director(s) | Area(s)/Municipality | Amount Requested | |
| Andy Davidoff/Henny Hanegraaf | RDCK Areas I and J | \$ 30,000.00 Area I and \$ 30,000.00 Area J | |
| Project Time Line | | | |
| Project Commencement Date (yyyy/mm/dd) | | Project Completion Date (yyyy/mm/dd) | |
| 2024/05/02 | | 2024/07/15 | |
| Land Ownership | | | |
| Ownership and legal description information is required for all parcels of land on which the proposed work will occur. | | | |
| Legal Description of land(s) | (Lot A, District Lot 7173, Plan EPP 89372, PID# 030-739-161) | | |
| Registered Owners of Land(s) | 50 year lease City of Castlegar | | |
| Crown Land Tenure/License No./Permit No.(s) | | | |
| Compliance With Regulations | | | |
| The proponent shall in all respects abide by and comply with all applicable lawful rules, regulations and bylaws of the federal, provincial or local governments, or any other governing body whatsoever, in any manner affecting the Project. | | | |
| Have you consulted with a building official? | <input checked="" type="checkbox"/> | Yes | |
| | <input type="checkbox"/> | No | |
| Have you applied and received a building permit? | <input type="checkbox"/> | Yes, Permit No. <u>27/23</u> | |
| | <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

This application/amendment is for additional support to project CW-296, specifically to complete the sliding doors purchase and installation between the WCGVS and the Mercer Celgar meeting space and the exterior finishes to the building.

1.0 The Confluence is a groundbreaking 8300 square foot public space, distinguished as one of the first in Canada to be constructed with Mass Timber and designed to meet PassiveHouse certification standards, resulting in an impressive 85% reduction in emissions.

This unique facility comprises two wings: the North Wing, housing the Destination Marketing Organization, Chamber of Commerce, and Economic Development Program (co-administered with Community Futures Central Kootenay), satellite offices for community service organizations, and the Mercer Celgar board room; and the South Wing, featuring the first co-working space in Castlegar, catering to the needs of executives, remote workers, tech businesses, students, and locals. The South Wing also provides lease offices, a lounge/kitchen, and meeting spaces. The iconic West Kootenay Gateway Visitors Centre connects the two wings, providing services for the entire region.

1.1

Construction commenced May 2023

Substantial completion March 2024

Sliding Door - Purchase and installation - June - July 2024

Exterior Finishes - June - August 2024

Completion of final indoor and outdoor works August 2024

Grand opening August 2024

2.0 Full project \$8.1 million. This specific part of the project \$515,000.00

3.0 All invoices, payments and financial statements will be provided and will be in compliance.

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

1.1 Project Costs including Timeline and Supporting Documents

As listed in project budget

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

1.2 Project Impact

The impact of the building for the community, region and for visitors will be of high significance due to the program make up of the entire building inclusive of 24/7 accessible co-working space and offices for lease.

The West Kootenay Visitors Centre will see an anticipated rise of 200% of visitors which will in turn provide opportunity for promotion of the region and potential uptake of relocation and entrepreneurial starts.

The items listed in this part of the project are of pivotal importance:

Sliding door to allow for privacy in the meeting space and the WKVC

Flooring and counter top for co-working space - To ensure longevity of the flooring and for expansive use of the

Co-working space to allow for 10 more seats.

Outdoor paving and landscaping - for the completion of the outdoor space and to allow for park space for the community and visitors to congregate and to picnic.

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

1.3 Project Outcomes

The completion of the Confluence of Tourism and Economic Development 8300 sq ft Passivehouse, mass timber Building in Castlegar inclusive of value engineered items (co-working space counter top, sliding partiion door between the West kootenay Gateway visitors centre and the Mercer Celgar Meeting space, final land fill, paving and landscaping.

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

1.4 Project Team and Qualifications

Lukas Armstrong - Stand Architecture - 15 + years
 Dan Verigin - Status construction - 35 + years
 Power Paving - 20 + years
 Dan and Ryan Sahlstrom - WSA Engineering - 30 + years
 Harold Chernoff - Owner - Trowalex Rentals and sales - 30 + years
 Rotary/Communities in Bloom - 50 + years

(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 (\$) |
|---|----------------------------------|----------------|
| Trowalex | donation | \$ 100,000.00 |
| Corporate Sponsorship | donation of works | \$ 150,000.00 |
| Mortgage | as needed | \$ 205,000.00 |
| RDCK Area I | | \$ \$30,000.00 |
| RDCK Area J | | \$ \$30,000.00 |
| | | \$ |
| (If needed, please see page 7 to provide additional budget information) | Sub-Total Project Revenue | \$ 515,000.00 |

Project Expenses

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

| Item | Description of Expenses | Value (\$) |
|---|---|---------------|
| Sliding door | sliding folding door between WKVC and Mercer m | \$ 75,000.00 |
| Exterior Finishes | fill, compaction, paving, landscape, benches | \$ 420,000.00 |
| | | \$ |
| | | \$ |
| V.E. items floor sealing + countertop | countertop for co-working space and floor finishing | \$ 20,000.00 |
| (If needed, please see page 7 to provide additional budget information) | Sub-Total Project Expenses | \$ 515,000.00 |

| Project Revenue (continued) | | |
|---|-------------------------------|---------------|
| (Capital, Professional, Environmental Assessment, Employee, Equipment, Incremental) | | |
| Item | Project Revenue | Value (\$) |
| | | \$ |
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| | | \$ |
| | | \$ |
| | Total Project Revenue | \$ 250,000.00 |
| Project Expenses (continued) | | |
| (Capital, Professional, Environmental Assessment, Employee, Equipment, Incremental) | | |
| Item | Description | Value (\$) |
| | | \$ |
| | | \$ |
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| | Total Project Expenses | \$ 515,000.00 |

2.1 Additional Budget Information

Quote rationale to be reviewed by RDCK Chief Administrative Officer

This iconic building has had a rise in cost that was unprecedented due to COVID related issues and the fall out that continued to drive the costs of construction and materials. Both directors Henny Hanegraaf and Andy Davidoff have been well informed of this building and the costs. They are both supportive of the intent of this building for the community and a major driver for regional economic development as well as being a substantial lead example for Green Infrastructure. In addition to this, this building has utilized 80% of local general and sub contractors. The only sub contractors that were utilized outside of this region was due to lack of employees or time to deliver or no local companies were able to supply the product.

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

3.0 Accountability Framework

The eligible recipient will ensure the following:

- Net incremental capital spending is on infrastructure or capacity building
- Funding is used for eligible Project and eligible costs
- Project is implemented in diligent and timely manner
- Where recipient is a Local Government, undertake Integrated Community Sustainability Planning
- Provide access to all records
- Comply with legislated environmental assessment requirements and implement environmental impact mitigation measures
- Provide a Project Completion Report including copies of all invoices

4.0 Schedule of Payments

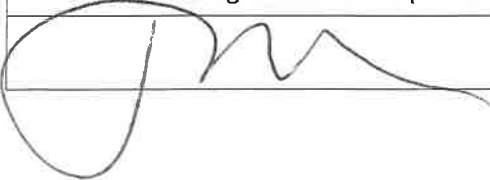
The RDCK shall pay the grant to the proponent in accordance with the following schedule of payments:

- a) 75% upon signing of the Contract Agreement
- b) 25% upon receipt of a Project completion report indicating 100% completion of the Project and proof of meeting anticipated impacts and outcomes, a statement of income and expenses, and copies of invoices/receipts supporting funding expenditures.

5.0 Acknowledgement of Requirements

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 revenues and expenses and copies of invoices or receipts that support funding expenditures. In addition, an annual report (for 5 years) is to be submitted to the RDCK prior to October 31st of each year detailing the beneficial impacts on the community as a result of the completed Project.

| Authorized Signature for Proponent | Name | Date |
|---|--------------------|------------|
|  | Tammy Verigin-Burk | 2005/05/20 |

Page 1

Attachment A - 2022

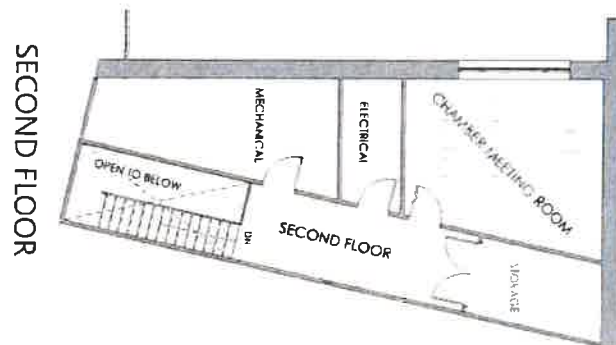
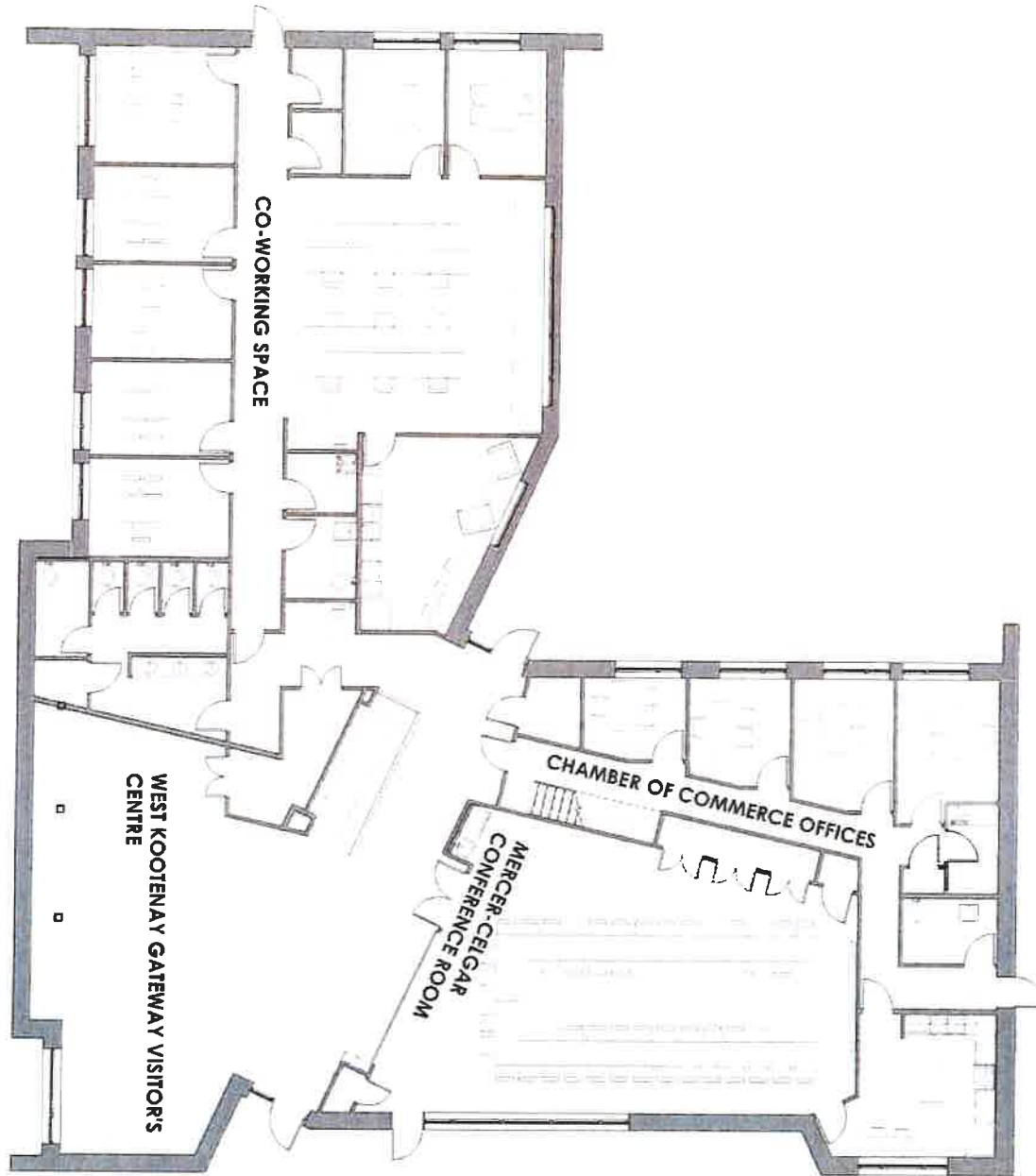
CCOC PRESENTATION PROJECT RENDERS



DATE

JANUARY 24, 2022

CCOC PRESENTATION PROJECT PLAN



CASTLEGAR CHAMBER OF COMMERCE ISSUED FOR - 90% REVIEW - LANDSCAPE PLAN

DRAWING LIST:

- L1.0 LANDSCAPE SITE PLAN
- L1.1 PLANT SCHEDULE
- L2.0 LANDSCAPE DETAILS
- L2.1 LANDSCAPE DETAILS
- L2.2 LANDSCAPE DETAILS
- L2.3 LANDSCAPE DETAILS
- L2.4 COST ESTIMATE

2022.2.10.12

CLIENT
Castlegar Chamber of Commerce
1995 6 Ave
Castlegar, BC
V1N 4V3
T 250 365 6313



ARCHITECT
Cover Architectural Collaborative Inc
Lukas Armstrong
T 250 354 4445
E lukas@cover.ca



LARCH LANDSCAPE ARCHITECTURE
Box 1738
Golden, BC V0A 1H0
T (250) 938-7337
E birchlandscapearch@architect.com
www.birchlandscapearchitect.com



All苗木, quantities or alterations of this document and the trees and shrubs mentioned herein is at the sole risk of the party and "without prejudice" to all other references to LARCH LANDSCAPE - Authentic, Mountain Design and Plant Services and all professional fees shall be retained prior to any such modification or alteration to this document.

PLANT SCHEDULE

| TREES | BOTANICAL / COMMON NAME | CONT | CAL | SIZE | QTY |
|---------|--|----------|----------|----------|-----|
| ACE AI2 | Acer x freemanii 'Jeffers' / Autumn Blaze Maple | 6 | 75mm | | |
| BET FAR | Betula platyphylla 'Fargo' TM / Dakota Pinnacle Asian White Birch | 16 | 50mm | | |
| LAR OCC | Larix occidentalis / Western Larch | 1 | | 2.0m HT. | |
| PIN SYL | Pinus sylvestris / Scotch Pine | 3 | | 2.0m HT. | |
| PIN VVO | Pinus sylvestris 'Purulia' / Dwarf Scotch Pine | 1 | | 1.0m HT. | |
| PIN MOU | Pinus uncinata / Mountain Pine | 1 | 1.5m HT. | | |
| POP TRE | Populus tremuloides / Trembling Aspen | 3 | 75mm | | |
| TIL CO3 | Tilia cordata 'Corzani' / Cornelian Littleleaf Linden | 1 | 75mm | | |
| SHRUBS | BOTANICAL / COMMON NAME | CONT | | | |
| CAL KAR | Calamagrostis x acutiflora 'Karl Foerster' / Feather Reed Grass | #2 CONT. | | | |
| COR MID | Cornus sanguinea 'Midwinter Fire' / Midwinter Fire Bloodwing Dogwood | #2 CONT. | | | |
| DES BRO | Deschampsia cespitosa 'Bronzschleier' / Turfed Hair Grass | #2 CONT. | | | |
| ECH PA9 | Echinacea x 'Purple Emperor' / Purple Emperor Coneflower | 4" Plug | | | |
| EUC COM | Euonymus alatus 'Compactus' / Compact Burning Bush | #5 CONT. | | | |
| HEL SEM | Helictotrichon sempervirens / Blue Oat Grass | #2 CONT. | | | |
| LIG LIS | Ligularia x hesssei 'Little Rocket' / Little Rocket Ligularia | #2 CONT. | | | |
| MON CAM | Monarda x 'Cambridge Scarlet' / Red Bee Balm | #2 CONT. | | | |
| PAN PR2 | Panicum virgatum 'Prairie Fire' / Prairie Fire Switch Grass | #2 CONT. | | | |
| PER ATR | Petovskia atriplicifolia / Russian Sage | #2 CONT. | | | |
| PHY COP | Physocarpus opulifolius 'Coppertina' / Coppertina Ninebark | #2 CONT. | | | |
| PHY LIT | Physocarpus opulifolius 'Tiny Wine' / Dwarf Ninebark | #2 CONT. | | | |
| PIN CO2 | Pinus mugo 'Compacta' / Dwarf Mugo Pine | #5 CONT. | | | |
| RUD GO2 | Rudbeckia fulgida sultivanii 'Goldsturm' / Black-eyed Susan | 4" Plug | | | |
| SAL CAR | Salvia nemorosa 'Caradonna' / Caradonna Perennial Salvia | 4" Plug | | | |
| VER AWS | Veronica spicata 'Alba' / White Spiked Speedwell | 4" Plug | | | |

GENERAL NOTES:

1. CONTRACTOR TO VERIFY ALL DIMENSIONS AND QUANTITIES.
2. ALL PLANTS TO BE SUPPLIED BY THE CONTRACTOR.
3. PLANTS TO BE DELIVERED TO THE SITE IN GOOD HEALTH AND READY FOR PLANTING.
4. PLANTS TO BE PLANTED IN ACCORDANCE WITH THE PLANTING SCHEDULE.
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ISSUED FOR 90% REVIEW

DATE: 2022-10-12

NOT FOR CONSTRUCTION

ISSUED FOR 90% REVIEW

DATE: 2022-10-12

NOT FOR CONSTRUCTION

PLANT SCHEDULE

L-1.1

THIS DOCUMENT IS THE PROPERTY OF CASTLEGAR AND IS NOT TO BE REPRODUCED OR TRANSMITTED IN ANY FORM OR BY ANY MEANS, ELECTRONIC OR MECHANICAL, WITHOUT THE WRITTEN PERMISSION OF CASTLEGAR.

3 CONCRETE PAVING AND CONTROL JOINT DETAIL

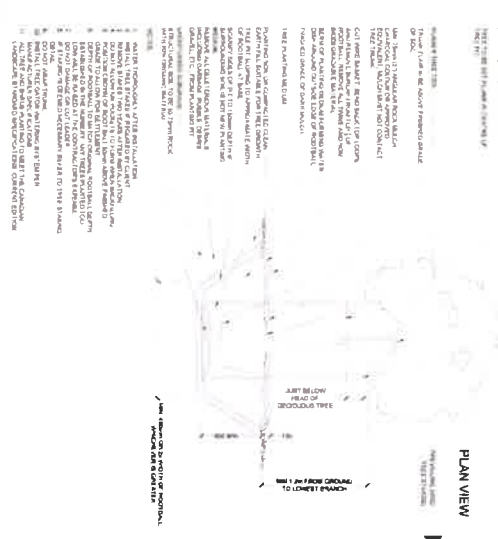
L2.0 110



- 1. 100mm (4") COMPACTED GRANULAR FILL
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1 TREE PLANTING DETAIL

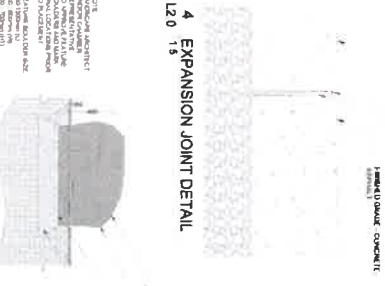
L2.0 130



- 1. 100mm (4") MULCH
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5 FEATURE BOULDER DETAIL

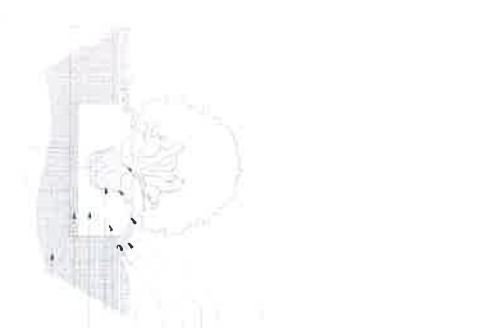
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2 SHRUB PLANTING DETAIL

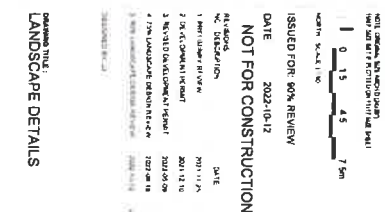
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LANDSCAPE DETAILS

L-2.0



ISSUED FOR 60% REVIEW
DATE: 2023-10-12
NOT FOR CONSTRUCTION

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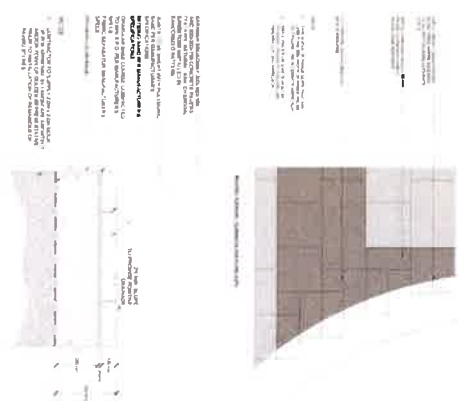
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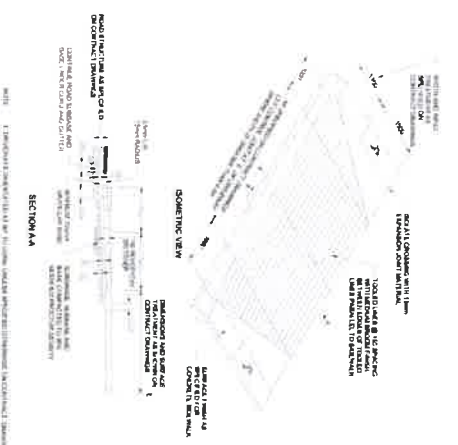
DATE: 2023-10-12
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NOT FOR CONSTRUCTION

This plan, specification or schedule of work is prepared by the architect and design professional herein as the sole basis for the preparation, marketing or delivery of any products or services. The architect and design professional herein shall not be held responsible for any errors or omissions in this document.



1 PAVING STONE DETAIL
L2.1 1/8



2 CURB LETDOWN DETAIL
L2.1 NTS

- LEGEND**
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PROJECT: CASTLEGAR CHAMBER OF COMMERCE

LOCATION: 1000 N. 10th St., Suite 100, Phoenix, AZ 85004

DESIGNER: CASTLEGAR ARCHITECTS, P.C.

DATE: 08/22/2012

ISSUED FOR: SOIL REVIEW

NOT FOR CONSTRUCTION

SCALE: 1" = 4'-0"

DATE: 08/22/2012

PROJECT: CASTLEGAR CHAMBER OF COMMERCE

LOCATION: 1000 N. 10th St., Suite 100, Phoenix, AZ 85004

DESIGNER: CASTLEGAR ARCHITECTS, P.C.

DATE: 08/22/2012

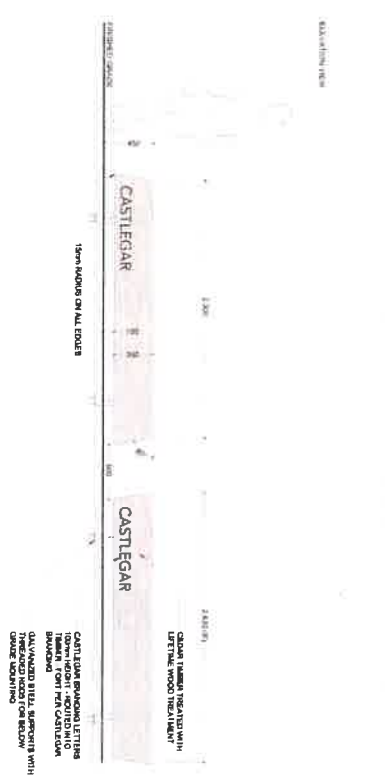
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NOT FOR CONSTRUCTION

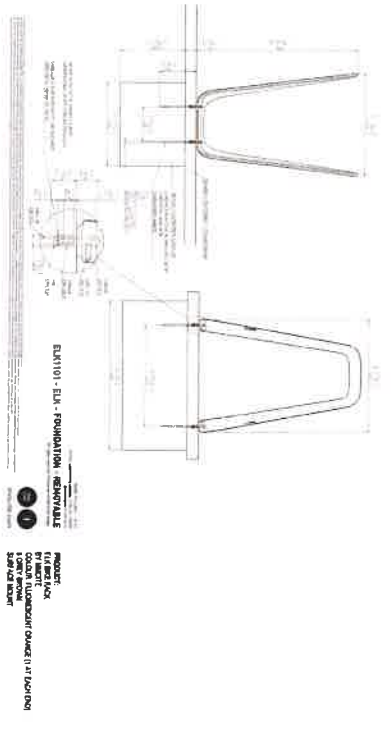
SCALE: 1" = 4'-0"

DATE: 08/22/2012

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1 CASTLEGAR BENCH DETAIL
L2.2 1/20



2 BIKE RACK DETAIL
L2.2 N.T.S

LEGEND

- EXISTING VEGETATION (0.5M DIA)
- PROPOSED VEGETATION (0.5M DIA) (0.5M DIA) (0.5M DIA)
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PROPOSED

CASTLEGAR CHAMBER OF COMMERCE

1000 S.W. 10TH AVENUE, SUITE 1000
MIAMI, FL 33135

LEGAL DESCRIPTION

LOT 1000, BLOCK 1000, PHASE 1000, PROJECT 1000, DISTRICT 1000, COUNTY 1000, STATE 1000

CLIENT

CASTLEGAR CHAMBER OF COMMERCE
1000 S.W. 10TH AVENUE, SUITE 1000
MIAMI, FL 33135

GENERAL NOTES

1. CONSULT WITH ALL AGENCIES AND OBTAIN ALL NECESSARY PERMITS AND APPROVALS PRIOR TO CONSTRUCTION.
2. ALL CONSTRUCTION SHALL BE IN ACCORDANCE WITH THE LATEST EDITIONS OF ALL APPLICABLE CODES AND REGULATIONS.
3. THE CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND APPROVALS PRIOR TO CONSTRUCTION.
4. ALL CONSTRUCTION SHALL BE IN ACCORDANCE WITH THE LATEST EDITIONS OF ALL APPLICABLE CODES AND REGULATIONS.
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9. THE CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND APPROVALS PRIOR TO CONSTRUCTION.
10. ALL CONSTRUCTION SHALL BE IN ACCORDANCE WITH THE LATEST EDITIONS OF ALL APPLICABLE CODES AND REGULATIONS.

PROPOSED

CASTLEGAR

1000 S.W. 10TH AVENUE, SUITE 1000
MIAMI, FL 33135

CLIENT

CASTLEGAR CHAMBER OF COMMERCE
1000 S.W. 10TH AVENUE, SUITE 1000
MIAMI, FL 33135

ISSUED FOR REVIEW

DATE: 2023-10-12

NOT FOR CONSTRUCTION

| NO. | DESCRIPTION | DATE | BY |
|-----|---------------------------|------------|----|
| 1 | 1. PRELIMINARY REVIEW | 2023-10-12 | JL |
| 2 | 2. REVISED DRAWING PERMIT | 2023-10-12 | JL |
| 3 | 3. REVISED DRAWING PERMIT | 2023-10-12 | JL |
| 4 | 4. REVISED DRAWING PERMIT | 2023-10-12 | JL |
| 5 | 5. REVISED DRAWING PERMIT | 2023-10-12 | JL |

DATE: 2023-10-12

SCALE: 1" = 15' - 0"

PROJECT: CASTLEGAR CHAMBER OF COMMERCE

LOCATION: 1000 S.W. 10TH AVENUE, SUITE 1000, MIAMI, FL 33135

CLIENT: CASTLEGAR CHAMBER OF COMMERCE

DESIGNED BY: JL

DATE: 2023-10-12

SCALE: 1" = 15' - 0"

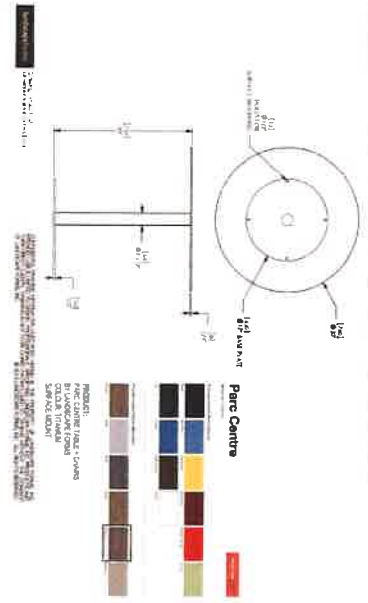
PROJECT: CASTLEGAR CHAMBER OF COMMERCE

LOCATION: 1000 S.W. 10TH AVENUE, SUITE 1000, MIAMI, FL 33135

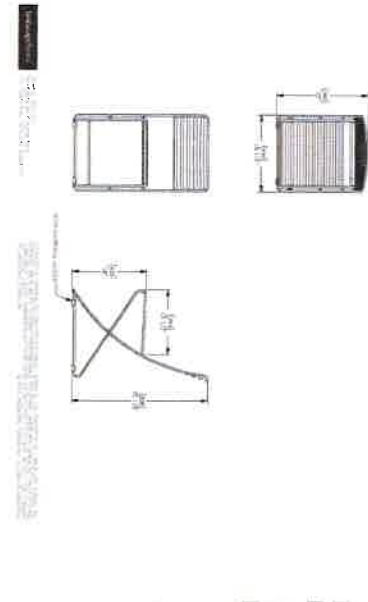
CLIENT: CASTLEGAR CHAMBER OF COMMERCE

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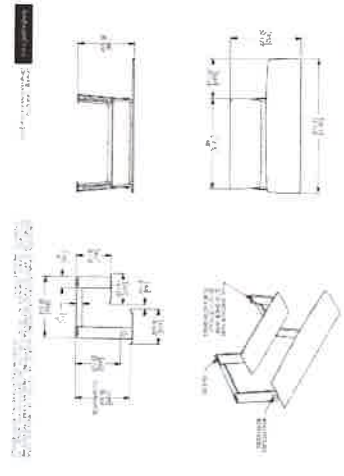
1 TABLE DETAIL
L2.3 OR APPROVED EQUIVALENT



2 CHAIR DETAIL
L2.3 OR APPROVED EQUIVALENT



3 TAKE OUT TABLE DETAIL
L2.3 OR APPROVED EQUIVALENT



LEGEND

- 1. 1" = 1' - 0"
- 2. 1/2" = 1' - 0"
- 3. 1/4" = 1' - 0"
- 4. 1/8" = 1' - 0"
- 5. 1/16" = 1' - 0"
- 6. 1/32" = 1' - 0"
- 7. 1/64" = 1' - 0"
- 8. 1/128" = 1' - 0"
- 9. 1/256" = 1' - 0"
- 10. 1/512" = 1' - 0"
- 11. 1/1024" = 1' - 0"
- 12. 1/2048" = 1' - 0"
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- 16. 1/32768" = 1' - 0"
- 17. 1/65536" = 1' - 0"
- 18. 1/131072" = 1' - 0"
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CASTLEGAR CHAMBER OF COMMERCE - LANDSCAPE PLAN
90% Detailed Design Estimate of Probable Costs

12 Oct 22



| NO. | ITEM DESCRIPTION | QTY | UNIT | UNIT \$ | COMMENTS | TOTAL \$ |
|--|--|-----|-------|----------|--|------------------|
| 1.00 HARDSCAPE + SITE FURNISHINGS | | | | | | |
| 1.01 | Concrete Paving + Curbs | 575 | SQ M | N/A | 150mm thick concrete paving with rubber curbs over rebar. Broom finish with sandalwood finish at 1.5% drop. C - Included in Civil. See also paving specifications. | N/A |
| 1.02 | Asphalt paving | 955 | SQ M | N/A | 100mm asphalt and 100mm gravel base. | N/A |
| 1.03 | Concrete Paving Stones | 130 | SQ M | \$250 | Supply and install 150mm square concrete paving stones with 10mm sand bedding. Includes base preparation, sub-base preparation, and compaction, and placement and final placement to be in compliance with Landscape Architect's specifications. | \$32,500 |
| 1.04 | Feature Boulders | 8 | EA | \$150 | Supply and install 8 feature boulders. Boulders to be in compliance with Landscape Architect's specifications. | \$1,200 |
| 1.05 | Garbage/Recycling Containers | N/A | EA | N/A | As per required. | N/A |
| 1.06 | Screen for EV Charging | N/A | LM | N/A | Screen for EV Charging per Architectural. Not included in landscape cost. | N/A |
| 1.07 | Bike Racks | 7 | EA | \$550 | Supply and install 7 bike racks. Not included in landscape cost. | \$3,850 |
| 1.08 | Benches | 14 | EA | \$2,750 | Fabricate and install 14 benches. Overall number could be reduced. | \$38,500 |
| 1.09 | Field Tables | 2 | EA | \$1,500 | Supply and installation of field metal tables. Includes mounting hardware - Forge Centre 30" round table by Landscape Forms or approved equivalent. | \$3,000 |
| 1.10 | Field Chairs | 6 | EA | \$580 | Supply and installation of field metal chairs. Includes mounting hardware - Forge Centre 30" round table by Landscape Forms or approved equivalent. | \$3,480 |
| 1.11 | Outdoor Work Tables | 12 | EA | \$3,500 | Supply and install 12 worktop tables per contract documents. | \$42,000 |
| SUBTOTAL HARDSCAPE + SITE FURNISHINGS | | | | | | \$114,730 |
| 2.00 SOFT ESCAPE | | | | | | |
| 2.01 | Deciduous Trees | 26 | EA | \$750 | Per plant schedule in contract documents and specifications. Includes 2 Year warranty. | \$19,500 |
| 2.02 | Coniferous Trees | 6 | EA | \$750 | Per plant schedule in contract documents and specifications. Includes 2 Year warranty. | \$4,500 |
| 2.03 | Shrubs | 31 | EA | \$40 | Per plant schedule in contract documents and specifications. Includes 2 Year warranty. | \$1,240 |
| 2.04 | Native and Ornamental grass specimen plantings | 70 | EA | \$39 | Per plant schedule in contract documents and specifications. Includes 2 Year warranty. | \$2,730 |
| 2.05 | Perennial Flower and Foliage Specimens | 114 | EA | \$25 | Per plant schedule in contract documents and specifications. Includes 2 Year warranty. | \$2,850 |
| 2.06 | Mulch | 315 | SQ M | \$12 | Angular rock mulch including landscape fabric underlay. | \$3,780 |
| 2.07 | Topsoil for Trees and Shrub Beds | 100 | CUM | \$30 | Includes supply and installation of 300 500mm topsoil for all trees and shrub beds per specifications. | \$3,000 |
| 2.08 | Turf Grass | 730 | SQ M | \$15 | Includes supply and installation of 150mm topsoil, grading and install of Turf Grass per specifications. | \$10,950 |
| 2.09 | Irrigation | 1 | ALLOY | \$12,500 | Make of Digiplex Irrigation System. Design build by contractor to be reviewed and approved by Landscape Architect. | \$12,500 |
| SUBTOTAL SOFT ESCAPE | | | | | | \$81,580 |
| ESTIMATED TOTAL | | | | | | \$196,310 |

- Notes:
- This is a preliminary estimate of probable costs, not a guaranteed cost figure.
 - This cost estimate is based on detailed design plans 2022-10-12.
 - Cost estimate does not include haulage, maintenance, unforeseen site conditions, and other costs associated with construction, paving and staging.
 - All costs include supply and installation unless otherwise noted.
 - All costs are exclusive of GST.

LEGAL
 10/12/2022 10:11 AM
 PROJECT: CASTLEGAR CHAMBER OF COMMERCE
 PROJECT NO: 2022-10-12
 DRAWING NO: L-2.4
 DRAWN BY: J. BROWN
 CHECKED BY: J. BROWN
 DATE: 2022-10-12
 NOT FOR CONSTRUCTION
 COST ESTIMATE
 L-2.4



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Committee Report

Date of Report: May 27, 2024
Date & Type of Meeting: June 12, 2024, 2024, Rural Affairs Committee
Author: Lisa Rein, Grants Coordinator
Subject: COMMUNITY WORKS FUND APPLICATION – REGIONAL DISTRICT OF CENTRAL KOOTENAY- “CBBC BACKBONE AND LAST MILE FIBRE PROJECT”
File: 1850-20-CW-304
Electoral Area/Municipality G, H, K

SECTION 1: EXECUTIVE SUMMARY

The purpose of this report is to seek approval for the RDCK Community Works Fund application submitted by the **Regional District of Central Kootenay (RDCK)**, for the project titled “**CBBC Backbone and Last Mile Fibre Project**” in the total amount of \$1,545,285.12, and that funds be disbursed from Community Works Funds allocated to Electoral Areas G, H and K. The project is to establish the fibre-optic infrastructure required to extend high-speed internet services into the areas within the RDCK.

SECTION 2: BACKGROUND/ANALYSIS

As per the attached Application (Attachment A), and the Funding Agreement between the Columbia Basin Broadband Corporation (CBBC) and the RDCK (Attachment B), the project will establish the backbone and last mile fibre-optic infrastructure required to extend high-speed internet service into the areas. Partial project funding is provided from Areas G, H, and K. Annual funding amounts each year over three years are Area G: \$126,863.76, Area H: \$288,019.52, Area K: \$100,211.76 per year. The Villages of New Denver, Silverton and Salmo are also part of this project however their portion of the funding is required to come directly from village funds. The RDCK will bill each village for their portion and remit to CBBC under the agreement.

The payments schedule is as follows:

- 33% of the Funds (\$554,540) by April 30, 2024
- 33% of the Funds (\$554,540) by April 30, 2025 and
- 33% of the Funds (\$554,540) by April 30, 2026

Project Timeline:

This project is expected to complete by March 31, 2027.

Eligible Community Works Projects include Broadband Connectivity – Infrastructure that provides internet access to residents, businesses, and/or institutions in British Columbia.

SECTION 3: DETAILED ANALYSIS

3.1 Financial Considerations – Cost and Resource Allocations:

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

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

This application is the responsibility of Areas G, H and K. The Directors for these areas are supportive of the application and have sufficient funds to allocate to the project. Should this project be approved, following the 2024 payment to CBBC Area G will have \$90,293.16 in Community Works funds, Area H will have \$1,262,157.95 funds remaining and Area K will have \$471,008.04 funds remaining.

With the anticipation of additional funding to be received from UBCM in the years 2024, 2025 and 2026, staff expect that funding commitments to CBBC under this project can be met.

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

Community Works (formerly Gas Tax) funded projects aim to achieve three objectives: a clean environment; strong cities and communities; and productivity and economic growth. Board policy dictates that applications to the Community Works Fund be reviewed by staff and the Rural Affairs Committee for compliance with program guidelines. Staff is of the opinion that this project falls within the program category of 'Broadband Connectivity – Infrastructure that provides internet access to residents, businesses, and/or institutions in British Columbia.

3.3 Environmental Considerations

3.4 Social Considerations:

Reliable high-speed internet connectivity

3.5 Economic Considerations:

N/A

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:

N/A

SECTION 4: OPTIONS & PROS / CONS

N/A

SECTION 5: RECOMMENDATIONS

THAT the Community Works Fund application submitted by the **Regional District of Central Kootenay (RDCK)** for the project titled "**CBBC-Backbone and Last Mile Fiber Project**" in the amount of \$1,545,285.12 be approved and that funds be disbursed from Community Works Funds allocated to Electoral Area G, H and K

Respectfully submitted,

Lisa Rein, Grants Coordinator

CONCURRENCE

Mike Morrison – Manager of Corporate Administration/Corporate Officer **APPROVE**

Stuart Horn – Chief Administrative Officer *Digitally approved*

ATTACHMENTS:

Attachment A – RDCK “CBBC Fibre-Optic Expansion Project”



Regional District of Central Kootenay

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

| Community Works Fund Application (Appendix-A) | | | |
|--|---|--------------------------------------|------------------|
| Gas Tax Program Services – CWF Funding (UBCM) | | | |
| "The Project" | CBBC Backbone and Last Mile Fibre Project | | |
| Date of Application | 2024/05/09 | | |
| Applicant Information | | | |
| Name of Organization | RDCK | | |
| Address | Box 590, 202 Lakeside Drive | | |
| City, Prov. Postal | Nelson, BC V1L 6X1 | | |
| Phone No. | 250-352-6665 | Fax No. | 250-352-9300 |
| Organization's Email | info@rdck.bc.ca | | |
| Name of Contact | Stuart J Horn | Contact's Email | shorn@rdck.bc.ca |
| Director in Support of Project | | | |
| Name of Director(s) | Area(s)/Municipality | Amount Requested | |
| H. Cunningham / W. Popoff / T. Weather | Areas G/ H/ K | \$ 1,545,285.12 | |
| Project Time Line | | | |
| Project Commencement Date (yyyy/mm/dd) | | Project Completion Date (yyyy\mm\dd) | |
| 2023/07/17 | | 2027/03/31 | |
| Land Ownership | | | |
| Ownership and legal description information is required for all parcels of land on which the proposed work will occur. | | | |
| Legal Description of land(s) | | | |
| Registered Owners of Land(s) | RDCK | | |
| Crown Land Tenure/License No./Permit No.(s) | | | |
| Compliance With Regulations | | | |
| The proponent shall in all respects abide by and comply with all applicable lawful rules, regulations and bylaws of the federal, provincial or local governments, or any other governing body whatsoever, in any manner affecting the Project. | | | |
| Have you consulted with a building official? | <input type="checkbox"/> | Yes | |
| | <input type="checkbox"/> | No | |
| Have you applied and received a building permit? | <input 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 CBBC is a wholly-owned subsidiary of the Columbia Basin Trust (CBT) and has a mission to advance social and economic development through the development and use of broadband technology.

The project will establish the fibre-optic infrastructure required to extend high-speed Internet service into the areas within the RDCK.

Estimated total project costs are \$81,978,795.00 of which \$29,169,513.00 of funding will come from the Universal Broadband fund, \$19,831,070.00 from the Columbia Basin Trust and \$32,978,212 from other funders.

At the September 2023 Board Meeting, Resolutions 594/23 and IC55/23 are approved: That the Board approve the RDCK enter into a Funding Agreement with Columbia Basin Broadband Corporation in the amount of \$1,663,620 to develop and implement backbone and last mile fibre for areas within Electoral Areas G, H and K, Salmo, Silverton, and New Denver, that the Chair and Corporate Officer be authorized to sign the necessary documents, and that the funding from the RDCK and municipalities be provided to CBBC no later than March 31, 2027.

As referenced in the Funding Agreement between the RDCK and the Columbia Basin Broadband Corporation, (Attachment-A), Directors in Area G, H & K have committed funding as follows:

Area G: \$126,863.76 Area H: \$288,019.52 Area K: \$100,211.76 per year for 2024, 2025 and 2026.

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

1.1 Project Costs including Timeline and Supporting Documents

As per (Attachment-A), the total budget for this project is \$1,663,620.00 and will be funded as follows:

- 33% of the Funds (\$554,540) by April 30, 2024
- 33% of the Funds (\$554,540) by April 30, 2025 and
- 33% of the Funds (\$554,540) by April 30, 2026

The project completion is by March 31, 2027.

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

1.2 Project Impact

Completion of this project will enable CBBC's world-class fibre to home services to residents in Areas G, H, K, Silverton, Salmo and New Denver

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

1.3 Project Outcomes

Areas G, H, K, Silverton, Salmo and New Denver fibre to home connectivity

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

1.4 Project Team and Qualifications

CBBC will carry out the project in accordance with the terms of the contribution agreement (Attachment-A)

(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 (\$) |
|---|--|------------------|
| | Universal Broadband Fund | \$ 29,169,513.00 |
| | Columbia Basin Trust | \$ 19,831,070.00 |
| | RDCK | \$ 1,545,285.12 |
| | All other funders | \$ 31,312,926.88 |
| | RDCK Villages New Denver, Silverton, Salmo | \$ 120,000.00 |
| | | \$ |
| (If needed, please see page 7 to provide additional budget information) | Sub-Total Project Revenue | \$ 81,978,795.00 |

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

| Item | Description of Expenses | Value (\$) |
|---|-----------------------------------|------------------|
| Total Eligible Costs | | \$ 75,314,222.00 |
| Total Ineligible Costs | | \$ 6,664,573.00 |
| | | \$ |
| | | \$ |
| | | \$ |
| (If needed, please see page 7 to provide additional budget information) | Sub-Total Project Expenses | \$ 81,978,795.00 |

| Project Revenue (continued) | | |
|---|-------------------------------|------------------|
| (Capital, Professional, Environmental Assessment, Employee, Equipment, Incremental) | | |
| Item | Project Revenue | Value (\$) |
| | | \$ |
| | | \$ |
| | | \$ |
| | | \$ |
| | | \$ |
| | | \$ |
| | | \$ |
| | | \$ |
| | | \$ |
| | | \$ |
| | Total Project Revenue | \$ 81,978,795.00 |
| Project Expenses (continued) | | |
| (Capital, Professional, Environmental Assessment, Employee, Equipment, Incremental) | | |
| Item | Description | Value (\$) |
| | | \$ |
| | | \$ |
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| | | \$ |
| | | \$ |
| | | \$ |
| | Total Project Expenses | \$ 81,978,795.00 |

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

ATTACHMENT-A

FUNDING AGREEMENT

THIS AGREEMENT dated for reference as July 17, 2023.

BETWEEN:

COLUMBIA BASIN BROADBAND CORPORATION, with an address of Suite 300, 445 – 13th Avenue, Castlegar, BC V1N 1G1
(the “**CBBC**”)

AND:

REGIONAL DISTRICT OF CENTRAL KOOTENAY, with an address of 202 Lakeside Drive, Nelson, BC V1L 6B9
(the “**Funder**”)

WHEREAS:

- A. CBBC is a wholly-owned subsidiary of the Columbia Basin Trust and has a mission to advance social and economic development in south-eastern British Columbia through the development and use of broadband technology;
- B. On behalf of the Government of Canada, Innovation, Science and Economic Development Canada (“ISED”) administers the Universal Broadband Fund, an initiative to extend and/or enhance high-capacity broadband infrastructure in rural and remote communities to provide access to quality broadband services to anchor institutions and households so that they can participate in the digital economy (the “**Program**”);
- C. CBBC has been selected by ISED to complete a fibre-optic expansion project (the “**Project**”) in furtherance of the Program;
- D. CBBC and ISED will enter into a contribution agreement in support of the Project (the “**Contribution Agreement**”);
- E. Pursuant to the terms of the Contribution Agreement, ISED will contribute to CBBC a portion of the funding required to deliver the Project, while CBBC and other parties will contribute the balance remaining that is required to fund the delivery of the Project;
- F. The Project will establish the fibre-optic infrastructure required to extend high-speed Internet service into the areas within the Regional District of Central Kootenay targeted by the Project.
- G. The Funder wishes to fund the Project in accordance with the terms and conditions outlined in this Agreement.

NOW THEREFORE this Agreement witnesses that, in consideration of the mutual covenants herein contained, the parties agree as follows:

1. DEFINITIONS

1.1 In the Agreement the following words will have the following meanings:

- (a) “**Agreement**” means this Agreement entered into between the Funder and CBBC and all schedules and attachments to this Agreement and any instrument amending this Agreement;
- (b) “**Budget**” means CBBC’s financial plan for the Project, as set out in Schedule B to the Contribution Agreement;
- (c) “**Confidential Information**” has the meaning ascribed in section 8.7 of this Agreement;
- (d) “**Contribution Agreement**” has the meaning ascribed in the recitals above;
- (e) “**Event of Default**” has the meaning ascribed in section 10.1 of this Agreement;
- (f) “**Fund(s)(ing)**” means the funds provided to CBBC by the Funder pursuant to this Agreement;
- (g) “**ISED**” has the meaning ascribed in the recitals above;
- (h) “**Program**” has the meaning ascribed in the recitals above;
- (i) “**Project**” means the fibre-optic expansion project as more fully described in the statement of work, a copy of which is affixed hereto as Schedule “A”.

1.2 For the purposes of this Agreement, except as otherwise expressly provided or as the context otherwise requires:

- (a) capitalized terms not otherwise defined in this Agreement will have the meaning ascribed in the Contribution Agreement;
- (b) headings are for convenience only and will not affect the interpretation of this Agreement;
- (c) except as otherwise expressly provided, all references to currency means Canadian currency; and
- (d) words in the singular include the plural and words importing a corporate entity include individuals and vice-versa.

2. TERM OF THE AGREEMENT

2.1 This Agreement will commence on the date first written above and will expire as of **March 31, 2027**, unless:

- (a) the Contribution Agreement is earlier terminated by either ISED or CBBC; or
- (b) this Agreement is earlier terminated pursuant to section 10 hereof.

3. PROJECT

- 3.1 CBBC will carry out the Project in accordance with the terms of the Contribution Agreement.
- 3.2 CBBC will not make any Material Change, without the prior written consent of the Funder. Material change means a change of any substantive aspect of the Project, including (i) a change to the proposed financing of the Project; (ii) a change to the nature or location of the Project; and (iii) a material change in the cost or scope of the Project.

4. FUNDING

- 4.1 The Funder will provide up to \$1,663,620 to CBBC for the purpose of carrying out the Project. The Funder will disburse the Funds as described in Schedule "C".
- 4.2 The Funds will be used for the purchase of goods or services associated with completing the Project and must not be used for any operational costs, including staff remuneration.

5. BUDGET

- 5.1 CBBC will use the Funds exclusively for the purpose of carrying out the Project and in accordance with the Budget.
- 5.2 CBBC will not make any material changes to the Project or Budget without the prior written consent of the Funder, provided such consent must not be unreasonable withheld.

6. REPORTING

- 6.1 Upon receiving any request in writing from the Funder, CBBC will provide to the Funder copies of any written reports prepared and deliverable to ISED pursuant to the Contribution Agreement.
- 6.2 Annually, for a period of five (5) years following completion of the Project, CBBC will complete and submit to the Funder an annual report providing Project details, outcomes, etc. as requested by the Funder. The Funder will provide CBBC with a report template each year for CBBC to complete.

7. WARRANTY

- 7.1 CBBC warrants that the Project will be carried out in accordance with the terms and conditions of the Contribution Agreement and in compliance with all federal, provincial or municipal laws or regulations, or any orders, rules or by-laws and all applicable professional standards, rules and guidelines related to any aspect of the Project.

8. RECORDS, INFORMATION PROVISION AND INSPECTION

8.1 In carrying out the Project, CBBC:

- (a) will keep and maintain all records, invoices and other documents relating to the Funding or otherwise to the Project in a manner consistent with generally accepted Canadian accounting principles or clerical practices, as the case may be, and will maintain such records and keep them available for review by the Funder for a period of seven (7) years from the date of the termination of this Agreement; and
- (b) hereby authorizes the Funder, upon no less than forty-eight (48) hours' notice and during normal business hours, to enter upon CBBC's premises to review the status and manner of operation of the Project and to inspect and copy any records, invoices and other documents in the possession or under the control of CBBC which relate to the Funding or otherwise to the Project.

8.2 The Funder's right of inspection in this Agreement includes the right to perform a full or partial audit of any kind, including a review or examination of any aspect of the Project or any Project records. The Funder will conduct any such inspection or audit at its own expense.

8.3 To assist the Funder in the task described in this section, CBBC will provide the Funder with access to records, invoices or other documents related to the Funding or otherwise to the Project in a timely manner and will provide any other information to the Funder reasonably requested by the Funder.

8.4 The purposes for which the Funder may exercise its right under this section include:

- (a) determining for what purposes CBBC expended the Funds; and,
- (b) determining whether CBBC is carrying out, or has carried out, the Project effectively and in accordance with the terms of this Agreement.

8.5 In exercising its rights under this section, the Funder will:

- (a) hold in confidence and treat as confidential all records, invoices or other documents related to the Funding or otherwise to the Project; and,
- (b) without prior written authorization from CBBC, not disclose to any person or entity any such records, invoices or other documents except as necessary for purposes of the conduct of any review, inspection or audit carried out under this section.

8.6 Nothing in this section or in this Agreement will be construed so as to give the Funder any control whatsoever over the books, accounts or other records of CBBC.

- 8.7 Subject to section 8.8 below, all confidential information provided to CBBC by the Funder under this Agreement (“**Confidential Information**”) will be kept confidential. For greater certainty, Confidential Information does not include information which:
- (a) is or has become generally available to the public or is obtained from a third party other than by breach of this Agreement; or
 - (b) is obtained from a third party who is lawfully authorized to disclose such information; or
 - (c) is authorized for release by the Funder.
- 8.8 The Funder acknowledges that CBBC is a public body with duties and obligations under the *Freedom of Information and Protection of Privacy Act* (British Columbia) and that CBBC may be required by law to disclose information relating to the Funder and the Project and the Funder hereby agrees and consents to the release of such information.
- 8.9 CBBC acknowledges that the Funder is a public body with duties and obligations under the *Freedom of Information and Protection of Privacy Act* (British Columbia) and that the Funder may be required by law to disclose information relating to CBBC and the Project and CBBC hereby agrees and consents to the release of such information.

9. **RECOGNITION**

- 9.1 CBBC will acknowledge the support of the Funder in all reports and materials and in all advertising and publicity relating to the Project.
- 9.2 CBBC will ensure the acknowledgement in any report or materials indicates that the views expressed in the report or materials are the views of CBBC and do not necessarily reflect those of the Funder.
- 9.3 The Funder will be entitled to disclose the name of CBBC and any general information about the Project publications.

10. **TERMINATION BY THE FUNDER**

- 10.1 The Funder may, in its sole discretion, without liability, cost or penalty, and without prejudice to any other rights or remedies of the Funder under the Agreement or at law or in equity, terminate the Agreement immediately upon giving notice to CBBC if:
- (a) CBBC has made a false or misleading representation to the Funder or its officials, excepting an error in good faith, the proof of which must be demonstrated by CBBC to the satisfaction of Funder;
 - (b) a Material Change (as such term is defined in section 3.2) has occurred without the prior written consent of the Funder;
 - (c) in the opinion of the Funder, CBBC ceases to carry on business or has sold or has entered into an agreement to sell all or substantially all of its assets;

- (d) CBBC becomes insolvent, commits an act of bankruptcy, takes the benefit of any statute relating to bankrupt or insolvent debtors, or goes into liquidation, receivership or bankruptcy;
 - (e) a resolution has been passed by the directors of CBBC for the winding-up of CBBC, or CBBC is dissolved; and/or
 - (f) CBBC uses the Funds or part of the Funds for purposes unrelated to the Project.
- (each an “**Event of Default**”)

10.2 The Funder will give CBBC an opportunity to remedy an Event of Default by giving CBBC written notice:

- (a) of the particulars of the Event of Default;
- (b) of the reasonable period of time within which CBBC is required to remedy the Event of Default; and
- (c) that the Funder will terminate the Agreement:
 - (i) at the end of the notice period provided for in the notice if CBBC fails to remedy the Event of Default within the time specified in the notice; or
 - (ii) prior to the end of the notice period provided for in the notice if it becomes apparent to the Funder that CBBC cannot completely remedy the Event of Default within that time or such further period of time as the Funder considers reasonable, or CBBC is not proceeding to remedy the Event of Default in a way that is satisfactory to the Funder.

10.3 If the Funder has provided CBBC with an opportunity to remedy the Event of Default, and

- (a) CBBC does not remedy the Event of Default within the time period specified in the notice; or,
- (b) it becomes apparent to the Funder that CBBC cannot completely remedy the Event of Default within the time specified in the notice or such further period of time as the Funder considers reasonable; or,
- (c) CBBC is not proceeding to remedy the Event of Default in a way that is satisfactory to the Funder,

the Funder will have the right to immediately terminate the Agreement by giving notice of termination to CBBC.

10.4 In the event of termination pursuant to sections **Error! Reference source not found.**, the effective date of termination will be the last day of the notice period, the last day of any subsequent notice period or immediately, whichever applies.

11. FUNDING ON TERMINATION

- 11.1 If the Agreement is terminated, the Funder will be under no obligation to make further payments to CBBC under this Agreement and CBBC will return to the Funder any remaining unexpended Funds in its possession or under its control.
- 11.2 Notwithstanding section 11.1, if the Agreement is terminated by the Funder pursuant to section 10.1(f), the Funder may in addition to the rights conferred upon it under the Agreement or in law or in equity, demand from CBBC the payment of funds equal to those already expended on purposes unrelated to the Project. The Funder reserves the right to demand interest on any amount owing by CBBC at the then current rate charged by the Province of British Columbia on accounts receivable.

12. FUNDING ON EXPIRY OF AGREEMENT

- 12.1 Any portion of the Funds that have not been used or accounted for by CBBC at the conclusion of the term of this Agreement will belong to the Funder and CBBC will return such Funds to the Funder immediately unless the Funder directs otherwise.

13. COUNTERPARTS

- 13.1 This Agreement may be executed in any number of counterparts, each of which will be deemed an original, but all of which together will constitute one and the same instrument.

14. DISPUTE RESOLUTION

- 14.1 In the event of a dispute arising under the terms of this Agreement, the parties agree to make a good faith attempt to settle the dispute. In the event that the parties are unable to resolve the dispute through negotiation, they agree to give good faith consideration to resorting to other alternate dispute resolution processes to resolve the dispute. However, the parties agree that nothing contained in this section will affect, alter or modify the rights of either party to terminate the Agreement.

15. INDEMNITY AND INSURANCE

- 15.1 CBBC will, both during and following the term of the Project, indemnify and save the Funder harmless from and against all claims, losses, damages, costs, expenses and other actions made, sustained, brought, threatened to be brought or prosecuted, in any manner based upon, occasioned by or attributable to any injury or death of a person, or loss or damage to property caused or alleged to be caused by any wilful or negligent act, omission or delay on the part of CBBC or its representatives, employees or agents, if any, in connection with anything purported to be or required to be provided by or done by CBBC pursuant to this Agreement or done otherwise in connection with the implementation of the Project, except to the extent that such loss is caused or contributed to by the negligence of the Funder or any of its representatives, employees or agents.

- 15.2 During the term of this Agreement, CBBC will obtain and/or maintain commercial general liability insurance coverage in the amount of at least two (2) million dollars to cover claims for bodily injury or property damage resulting from anything done or omitted by CBBC or its employees or agents, if any, in carrying out the Project. CBBC agrees to name the Funder as an additional insured party on such insurance and will, on demand, provide the Funder with written evidence of same.
- 15.3 Notwithstanding anything to the contrary contained herein, the Funder will have no liability under this Agreement, except for payments of the Funding, in accordance with and subject to the provisions of this Agreement. Without limiting the generality of the foregoing, the Funder will not be liable for any direct, indirect, special or consequential damages, or damages for loss of revenues or profits of CBBC, regardless of however arising, whether in contract, tort (including negligence), fiduciary duty, statute or otherwise.

16. NOTICES

- 16.1 Any notice or communication required to be given under the Agreement will be in writing and will be served personally, delivered by courier or sent by registered mail, postage prepaid with return receipt requested, or sent by email to the other party at the address provided below or at such other address as either party will later designate to the other in writing. All notices will be addressed as follows:

To the Funder

Box 590, 202 Lakeside Drive
Nelson, British Columbia
V1L 6B9

Attention: Chief Administrative Officer

Tel: **250-352-6665**

E-mail: **info@rdck.bc.ca**

To CBBC

445 – 13th Ave., Suite 300
Castlegar, British Columbia
V1N 1G1

Attention: Chief Operating Officer

Tel: **250-365-6633**

E-mail: **cbbc@ourtrust.org**

16.2 All notices will be effective:

- (a) at the time the delivery is made when the notice is delivered personally, by courier or by e-mail; and
- (b) seventy-two (72) hours after deposit in the mail when the notice is sent by registered or postage prepaid mail.

17. SEVERABILITY OF PROVISIONS

17.1 The invalidity or unenforceability of any provision of the Agreement will not affect the validity or enforceability of any other provision of the Agreement and any invalid provision will be deemed to be severed.

18. WAIVER

18.1 A waiver of any failure to comply with any term of the Agreement must be written and signed by CBBC or by the Funder as the circumstances dictate. Each waiver must refer to a specific failure to comply and will not have the effect of waiving any subsequent failures to comply.

19. ASSIGNMENT

19.1 CBBC will not assign the Agreement or the Funds or any part thereof without the prior written consent of the Funder.

20. GOVERNING LAW

20.1 This Agreement and the rights, obligations and relations of the parties hereto will be governed by and construed in accordance with the laws of the Province of British Columbia.

21. FURTHER ASSURANCES

21.1 The parties agree to do or cause to be done all acts or things necessary to implement and carry into effect the Agreement to its full extent.

22. CIRCUMSTANCES BEYOND THE CONTROL OF EITHER PARTY

- 22.1 A failure to perform any obligation under the Agreement that results from any matter beyond the control of the parties, including strike, lockout or any other action arising from a labour dispute, fire, flood, act of God, war, riot or other insurrection, lawful act of public authority, or delay or default caused by a common carrier which cannot be reasonably foreseen or provided against or form, will not be considered to be a breach of any term of the Agreement.

23. SURVIVAL

- 23.1 The provisions in sections 4 (Funding), 6 (Reporting), 8 (Records, Information Provision and Inspection), **Error! Reference source not found.** (Recognition), 11 (Funding on Termination), 12 (Funding on Expiry of Agreement), and 15.1 (Indemnity), will survive termination or expiry of the Agreement for a period of seven (7) years from the date of expiry or termination of the Agreement.

24. SCHEDULES


- 24.1 The following are the schedules attached to and forming part of the Agreement.
- (a) Schedule "A" (Statement of Work)
 - (b) Schedule "B" (Budget)
 - (c) Schedule "C" (Funding Payment Schedule)

25. ENTIRE AGREEMENT

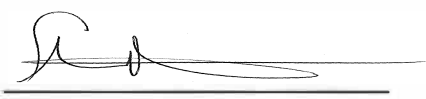
- 25.1 This Agreement together with the attached schedules listed in section 24.1 of the Agreement constitutes the entire Agreement between the parties with respect to the subject matter contained in the Agreement and supersedes all prior oral or written representations and Agreements.
- 25.2 This Agreement may only be modified by a written Agreement duly executed by both parties.
- 25.3 In the event of a conflict or inconsistency in any provision in any Schedule or other attachment to this Agreement and the main body of this Agreement, the main body of this Agreement will prevail.

IN WITNESS WHEREOF the parties have executed the Agreement made as of the date first written above.

COLUMBIA BASIN BROADBAND CORPORATION

Per: 
Name: Aimee Ambrosone
Title: Executive Director, Delivery of Benefits
Date: November 20, 2023

REGIONAL DISTRICT OF CENTRAL KOOTENAY

Per: 
Name: Stuart Horn
Title: Chief Administrative Officer
Date: November 21, 2023

SCHEDULE "A"**Statement of Work**

CBBC will develop and implement backbone and last mile fibre (fibre to the home, "FTTH") in the Regional District of Central Kootenay as set out in the table below.

| Project Name | FTTH Count |
|---|--------------|
| Regional District of Central Kootenay | 3,121 |
| Area G Meadows - Ross Spur | 154 |
| Area G Erie | 99 |
| Area G Salmo-Jersey-Nelway (includes fibre backbone) | 232 |
| Salmo | 83 |
| Area G Ymir-Porto Rico-Hall | 229 |
| Area H Playmor-Slocan Park-Passmore | 378 |
| Area H Winlaw-Vallican-Lebahdo-Appledale-Perrys | 669 |
| Area H Slocan Rural | 98 |
| Area H Lemon Creek | 62 |
| Area H Brandon | 16 |
| Area H Silverton-Red Mountain | 80 |
| Silverton | 78 |
| Area H New Denver area | 55 |
| New Denver | 61 |
| Area H Rosebery | 75 |
| Area H Hills | 140 |
| Area H Summit Lake | 48 |
| Area K Burton - Carrolls Landing-Makinson-Arrow Park-East Arrow Park-Shoreholme | 294 |
| Area K Fauquier | 151 |
| Area K Edgewood | 119 |
| Area K Nakusp – Edgewood (fibre backbone) | 0 |

SCHEDULE "B"**Budget**

| Project Costing | |
|--|--------------|
| Total Eligible Costs | \$75,314,222 |
| Total Ineligible Costs | \$6,664,573 |
| Total Project Costs | \$81,978,795 |
| Project Funding | |
| Amount from the Universal Broadband Fund | \$29,169,513 |
| Columbia Basin Trust | \$19,831,070 |
| All other Funders | \$32,978,212 |

SCHEDULE "C"

Funding Payment Schedule

The Funder will provide a total of \$1,663,620 in Funds to CBBC according to the following schedule:

- 33% of the Funds (\$554,540) by April 30, 2024;
- 33% of the Funds (\$554,540) by April 30, 2025; and
- 33% of the Funds (\$554,540) by April 30, 2026.



REGIONAL DISTRICT OF EAST KOOTENAY

SALE OF FIREWORKS REGULATION BYLAW NO 2218, 2010

This is a consolidation of the original Bylaw and adopted Bylaw amendments. The amendments have been combined with the original Bylaw for convenience only. This consolidation is not a legal document.

December 4, 2020

BYLAW AMENDMENTS

| Bylaw # | Amend. # / Yr. | Adopted | Short Citing | Description |
|----------------|-----------------------|----------------|--|---|
| 3031 | 1/20 | Dec 4, 2020 | This Bylaw may be cited as "Regional District of East Kootenay – Sale of Fireworks Regulation Bylaw No. 2218, 2010 - Amendment Bylaw No. 1, 2020." | <ul style="list-style-type: none"> - Text amendment - Section 4 is repealed and replaced (added timeframe around the sale or disposal of Fireworks) |
| 3039 | 2/21 | Feb 5, 2021 | This Bylaw may be cited as "Regional District of East Kootenay – Sale of Fireworks Regulation Bylaw No. 2218, 2010 – Amendment Bylaw No. 2, 2021." | <ul style="list-style-type: none"> - Section 4 is deleted and replaced (amended timeframe around the sale or disposal of Fireworks) |

REGIONAL DISTRICT OF EAST KOOTENAY

BYLAW NO. 2218

A bylaw to regulate the sale and disposal of fireworks.

WHEREAS a regional district may, by bylaw, regulate or prohibit the sale or disposal to any person of firecrackers and other fireworks of every nature or kind;

AND WHEREAS Bylaw No. 2217 established the Sale of Fireworks Regulatory Service;

AND WHEREAS the Board of the Regional District of East Kootenay wishes to prohibit the sale and disposal of fireworks in Electoral Areas A, B, C, E, F and G of the Regional District;

NOW THEREFORE, the Board of the Regional District of East Kootenay, in open meeting assembled, enacts as follows:

1. TITLE

1.1 This Bylaw may be cited as “Regional District of East Kootenay – Sale of Fireworks Regulation Bylaw No. 2218, 2010.”

2. APPLICATION

2.1 This Bylaw shall apply to Electoral Areas A, B, C, E, F and G within the Regional District of East Kootenay.

3. DEFINITIONS

3.1 In this Bylaw, unless the context otherwise requires:

Board means the Board of Directors of the Regional District of East Kootenay.

Officer means the Compliance Officer designated by the *Regional District* and shall also include a person or persons appointed from time to time by the *Board* to enforce and administer this Bylaw.

Fireworks includes cannon crackers, fireballs, firecrackers, mines, roman candles, sky rockets, squibs, torpedoes and any other explosive designated as a firework by regulation pursuant to the *Fireworks Act*, RSBC 1996, c. 146 or any successor legislation thereto.

Person includes any person, corporation, partnership, or party, and the heirs, executors, administrators, or other legal representatives of such person, to whom the context can apply according to law.

Regional District means the Regional District of East Kootenay.

Service Area means the Sale of Fireworks Regulatory Service Area established by Bylaw No. 2217.

4. REGULATIONS

4.1 No Person shall sell or dispose of Fireworks of every nature or kind within the Service Area at any time from the period May 1 to October 1 or when an open fire ban has been issued in any year for anywhere within the geographical boundaries of the Regional District.”

5. ENFORCEMENT

5.1 The Regional Board hereby authorizes the *Officer* to enforce the provisions of this Bylaw.

5.2 The *Officer* may enter at all reasonable times upon any real property subject to the regulations of this Bylaw in order to ascertain whether the regulations of this Bylaw are being obeyed.

BL 3031
Dec 4/20

BL 3031
Dec 4/20

BL 3039
Feb 5/21

5.3 No *Person* shall obstruct, impede, refuse or neglect to admit to any real property, the *Officer* or any person authorized by the *Regional District* in the execution of his duties within this Bylaw.

6. PENALTIES

6.1 Every *Person* who:

- (a) violates any of the provisions of this Bylaw;
- (b) suffers or permits any act or thing to be done in contravention or in violation of any provision of this Bylaw;
- (c) neglects to do or refrains from doing anything required to be done by any of the provisions of this Bylaw; or
- (d) does any act which violates any of the provisions of this Bylaw;

is guilty of an offence against this Bylaw and liable to the penalties hereby imposed. Each day that a violation continues to exist shall constitute a separate offence.

6.2 Every *Person* who commits an offence against this Bylaw is liable to a fine and penalty of not more than \$1,000.00 and not less than \$250.00 for each offence, and in default of payment thereof, forthwith or within such time as the presiding Provincial Court Judge shall direct, the fine imposed shall be recoverable under the provisions of the *Offence Act*.

7. SEVERABILITY

7.1 If any section, subsection, sentence, clause, or phrase of this Bylaw is for any reason held to be invalid by the decision of any court of competent jurisdiction, such decision shall not affect the validity of the remaining portions of this Bylaw.

8. EFFECTIVE DATE

8.1 This Bylaw shall come into force and effect on June 1, 2010.

READ A FIRST TIME the 7th day of May, 2010.

READ A SECOND TIME the 7th day of May, 2010.

READ A THIRD TIME the 7th day of May, 2010.

ADOPTED the 7th day of May, 2010.

"David Wilks"

CHAIR

"Lee-Ann Crane"

CORPORATE OFFICER