

Regular Meeting of the Board of Directors

Thursday, February 27, 2014 - 6:00 pm

**The Regional District of Kootenay
Boundary Board Room, Trail, B.C**

F I N A L A G E N D A

1. Call to Order
2. Consideration of the Agenda (Additions/Deletions)
 - a) Items to be moved forward on the agenda if needed.
3. Minutes
 - a) The minutes of the regular board meeting held January 30, 2014 are presented.

Corporate Vote - Unweighted

Recommendation: That the minutes of the regular board meeting held January 30, 2014 be adopted as circulated.

[Regular Meeting of the Board of Directors - 30 Jan 2014 - Minutes - Pdf](#)

4. Delegation(s)
5. Unfinished Business
 - a) The Memorandum of Board Resolutions for the period

ending January 31, 2014 is presented.

Corporate Vote - Unweighted

Recommendation: That the Memorandum of Board Resolutions for the period ending January 31, 2014 be received.

[Memorandum of Board Resolutions-Ending January 31, 2014.pdf](#)

- b) Appoint a "Director at Large" for signing authority purposes to replace Larry Gray.

6. Communications

7. Communications (Information Only)

Recommendation: That Items 7 a) - 7j) be received.

Corporate Vote - Unweighted

- a) City of Parksville - Jan. 27/14
re: Provincial Emergency Notification System

[City of Parksville Letter - Board - Jan. 27/14](#)

- b) South Okanagan - Similkameen National Park Network -
Feb. 6/14
re: Thank You Letter

[South Okanagan-Similkameen National Park - Board - Feb. 6/14](#)

- c) Canada on Tour Project - Jan. 1/14
re: Canada's 150th Birthday Celebrations

[Canada On Tour Letter - Board - Jan. 1/14](#)

- d) Minutes - A.P.C. Area 'C' - Feb. 4/14
[APC Minutes Area CFeb2014.pdf](#)
- e) Minutes - A.P.C. Area 'A' - Feb. 4/14
[APC Minutes Area AFebruary2014.pdf](#)
- f) Minutes - A.P.C. Area 'E' - Feb. 7/14
[APC Minutes Area EFebruary2014.pdf](#)
- g) A.L.C. - Feb. 5/14
re: A.L.C. Resolution

[ALC Decision Feb5.pdf](#)

- h) A.L.C. - Feb. 6/13
re: Application to Conduct a Non-Farm Use on A.L.R. Lands

[ALC Decision Feb6.pdf](#)

- i) A.L.C. - Feb. 14/14
re: Application to Subdivide in the A.L.R.

[ALC Decision Feb14 Fulton.pdf](#)

- j) A.L.C. - Feb. 14/14
re: Application to Subdivide in the A.L.R.

[ALC Decision Feb14 Tribe.pdf](#)

- k) Skeena-Queen Charlotte Regional District - Feb. 3/14
re: B.C. Ferries Service Cuts

[20140224130528427.pdf](#)

8. Reports

a) **Corporate Vote - Unweighted**

Recommendation: That the following minutes be received: Beaver Valley Recreation Committee, Feb. 11/14; Boundary Economic Development Committee, Feb. 11/14; Policy, Executive and Personnel Committee, Feb. 12/14; Environmental Services Committee, Feb. 13/14; Greenwood/Area 'E' Cemetery Committee, Feb. 17/14; Electoral Area Services, Feb. 13/14; Area 'C' Parks & Recreation, Feb. 12/14; Grand Forks & District Recreation, Feb. 13/14; Public Hearing (Bylaw No. 1539), Feb. 18/14; Sewerage Committee, Feb. 4/14; East End Services Committee, Feb. 18/14; Finance Committee, Feb. 20/14.

[Minutes - Beaver Valley Recreation Committee - 11 Feb 2014 - Minutes - Pdf](#)

[Minutes - Boundary Economic Development Committee - 11 Feb 2014 - Minutes - Pdf](#)

[Minutes - Environmental Services - 13 Feb 2014 - Minutes - Pdf](#)

[Minutes - Electoral Area Services - 13 Feb 2014 - Minutes - Pdf](#)

[Minutes - Electoral Area 'C' Recreation - Feb. 12/14](#)

[Minutes - Grand Forks & District Recreation - Feb. 13/14
PublicHearingMinutes Bylaw1539.pdf](#)

[Minutes - Greenwood/Area 'E' Cemetery - Feb. 17/14](#)

[Minutes - Sewerage Committee - 04 Feb 2014 - Pdf](#)

[Minutes - East End Services Committee - 18 Feb 2014 - Pdf](#)

[Minutes - Finance Committee - February 20/14](#)

[Minutes - PEP - February 2014.docx](#)

b) **Environmental Services Committee**

Chair of the Committee - Director Wallace

Corporate Vote - Unweighted

Recommendation: That the Regional District of Kootenay Boundary Board of Directors direct staff to publish a R.D.K.B. Newsletter at least two times per year.

Recommendation: That the Regional District of Kootenay Boundary Board of Directors approve implementation of organics and garbage collection in Electoral Area 'D'.

c) **Electoral Area Services**

Chair of the Committee - Director Worley

Electoral Area Directors Only

Recommendation: That the application for a Site Specific Exemption to the Floodplain Management Bylaw submitted by Charles and Sharon Wieder to construct a single family dwelling on the property legally described as Lot A, D.L. 2360, S.D.Y.D., Plan KAP91365 be denied based on the Area 'E' Advisory Planning Commission's concerns.

Corporate Vote - Unweighted

Recommendation: That the Regional District of Kootenay Boundary Board of Directors request an amendment to the Regional District of Kootenay Boundary's Letters Patent to change the Electoral Area names as follows: Electoral Area 'B' - Electoral Area of Lower Columbia/Old Glory; Electoral Area 'C' - Electoral Area of Christina Lake; Electoral Area 'D' - Electoral Area 'D'/Rural Grand Forks and Electoral Area 'E' - Electoral Area of West Boundary.

d) **Interim Schedule of Accounts**

Chair of Finance - Director Rotvold

Corporate Vote - Unweighted

Recommendation: That the Regional District of Kootenay Boundary Board of Directors approves payment of the Interim Schedule of Accounts as follows:

Cheque Nos. 40696 - 41230	\$1,869,786.73
Payroll	512,833.36
Total	\$2,382,620.09

Interim Schedule of Accounts

e) **Board Appointments Update**

S.I.D.I.T.

S.I.B.A.C.

Okanagan Film Commission

Columbia Treaty Committee

Boundary Weed/Stakeholders Committee

Chair's Update

9. Bylaws

a) **First, Second and Third Readings**

Adoption

Director's Remuneration (Whole Board)

Corporate Vote - Unweighted

Recommendation: That Regional District of Kootenay Boundary Bylaw No. 1548 be given first, second and third readings.

Recommendation: That Regional District of Kootenay Boundary Bylaw No. 1548 be now reconsidered and finally adopted.

[Bylaw 1548 Director's Remuneration \(whole board\) rescinds 1521.pdf](#)

b) **First and Second Readings**
Area 'A' O.C.P. Amendment

Electoral Area Directors, Fruitvale, Montrose & Trail

Recommendation: That Regional District of Kootenay Boundary Bylaw No. 1546 be given first and second readings.

[Bylaw1546 Montrose Aquifer DP Area.pdf](#)

c) **Third Reading**
Area 'D' Zoning Amendment

Electoral Area Directors and Grand Forks

That Regional District of Kootenay Boundary Bylaw No. 1539 be given third reading.

Adoption

That Regional District of Kootenay Boundary Bylaw No. 1539 be now reconsidered and finally adopted.

[Bylaw 1539 McKay.pdf](#)

d) **Adoption
Area 'A' Zoning**

Electoral Area Directors, Villages of Montrose and Fruitvale, City of Trail

Recommendation: That Regional District of Kootenay Boundary Bylaw No. 1460 be now reconsidered and finally adopted.

[Bylaw1460 AreaA Revised Zoning.pdf](#)

e) **First, Second and Third Readings
East End Sewer Service Establishment**

Corporate Vote - Unweighted

Recommendation: That Regional District of Kootenay Bylaw No. 1459, 2014 be given first, second and third readings.

[Bylaw 1549 \(FINAL\) - East End Sewer Conversion and Service Establishment - February 2014.pdf](#)
[Bylaw 1549 - Appendix A - Consent Award.pdf](#)

10. New Business

a) **Grants-in-Aid**

Electoral Area Directors Only

- J.L. Crowe Bursary (In Memory of Fallen Firefighters) - Areas 'A' & 'B' - \$500 each;
- Special Olympics-Trail - Area 'B' - \$500;
- Kootenay Columbia Learning Centre - Area 'B' - \$500;
- Grand Forks ATV Club - Area 'C' - \$1,500;
- Boundary Horse Association & Boundary Motorcycle Club - Area 'D' - \$3,460;
- B.V. Blooming Society - Area 'A' - \$2,500.
- Big White Fire Department Auxiliary - Area 'E' - \$2,500

Recommendation: That the Regional District of Kootenay Boundary Board of Directors rescinds the approval for a grant-in-aid in the amount of \$2,000 from Electoral Area 'C' to Phoenix Mountain.

[Grants-in-Aid](#)

[Grants-in-Aid](#)

[Grants-in-Aid](#)

b) **Schedule Public Hearing**

Electoral Area Directors Only

Recommendation: That staff be instructed to schedule a Public Hearing for Bylaw No. 1546 and appoint Director

Grieve to attend (Directors Worley & McGregor as Alternates).

- c) A staff report from John M. MacLean, CAO regarding the proposed boundary extension by the City of Trail into the Columbia Gardens/Waneta section of Electoral Area A.

Corporate Vote - Unweighted

Recommendation: That the staff report from John M. MacLean, CAO regarding the proposed boundary extension by the City of Trail into the Columbia Gardens/Waneta section of Electoral Area A be received.

Corporate Vote - Unweighted

That a letter be sent to the Province and the City of Trail containing the following elements:

- That we acknowledge that the Province has to conduct a review of the proposal.
- That we indicate that we will stand ready to answer questions and comment on the proposed mitigation when asked to do so by the Province. Until then we will refrain from comment and allow the Province to do its work.
- That our lack of further comment at this time should not be interpreted as acceptance or agreement, as we do have concerns with the proposal. Again, we will share those concerns when asked to do so by the Province.

[Staff Report - Board - Trail Boundary Extension - February 2014 - Pdf](#)

- d) A staff report from Mark Andison, General Manager of Operations/Deputy C.A.O., regarding the 2013 Building Statistics is presented.

Corporate Vote - Unweighted

Recommendation: That the staff report from Mark Andison, General Manager of Operations/Deputy C.A.O., regarding the 2013 Building Statistics be received.

[Staff Report-Building Department-2013 Year End Statistics-Board February 27, 2014.pdf](#)

- e) A staff report from Mark Andison, General Manager of Operations/Deputy C.A.O., regarding a Building Bylaw Contravention is presented.

Corporate Vote - Unweighted

Recommendation: That the staff report from Mark Andison, General Manager of Operations/Deputy C.A.O., regarding a Building Bylaw Contravention be received.

Electoral Area Directors Only - Weighted

Recommendation: That the Regional District of Kootenay Boundary Board of Directors direct the Chief Administrative Officer to file a Notice in the Land Title Office pursuant to Section 695 of the Local Government Act and Section 57 of the Community Charter against the property legally described as Lot 1, D.L. 3227, S.D.Y.D.,

Plan KAP87217.

[Staff Report-Bylaw Contravention-Demski-Board February 27, 2014.pdf](#)

- f) A staff report from Mark Andison, General Manager of Operations/Deputy C.A.O., regarding a Building Bylaw Contravention.

Corporate Vote - Unweighted

Recommendation: That the staff report from Mark Andison, General Manager of Operations/Deputy C.A.O., regarding a Building Bylaw Contravention be received.

Electoral Area Directors Only - Weighted

Recommendation: That the Regional District of Kootenay Boundary Board of Directors direct the Chief Administrative Officer to file a Notice in the Land Title Office pursuant to Section 695 of the Local Government Act and Section 57 of the Community Charter against the property legally described as Lot 1, D.L. 3132, S.D.Y.D., Plan KAP65920.

[Staff Report-Bylaw Contravention-Hartling-Board February 27, 2014.pdf](#)

- g) A staff report from Mark Andison, General Manager of Operations/Deputy C.A.O., regarding a Building Bylaw

Contravention is presented.

Corporate Vote - Unweighted

Recommendation: That the staff report from Mark Andison, General Manager of Operations/Deputy C.A.O., regarding a Building Bylaw Contravention be received.

Electoral Area Directors Only - Weighted

Recommendation: That the Regional District of Kootenay Boundary Board of Directors invite the owner, Marjorie Lindquist to appear before the Board to make a presentation relevant to the filing of a Notice in the Land Title Office pursuant to Section 695 of the Local Government Act and Section 57 of the Community Charter against the property legally described as Lot 1, D.L. 461S, S.D.Y.D., Plan EPP17904.

[Staff Report-Bylaw Contravention-Lindquist-Board February 27, 2014.pdf](#)

- h) A staff report from Mark Andison, General Manager of Operations/Deputy C.A.O., regarding the cancellation of a Building Bylaw Contravention Notice is presented.

Corporate Vote - Unweighted

Recommendation: That the staff report from Mark Andison, General Manager of Operations/Deputy C.A.O. regarding the cancellation of a Building Bylaw

Contravention Notice be received.

Electoral Area Directors Only - Weighted

Recommendation: That the Regional District of Kootenay Boundary Board of Directors cancel the notice registered in the Land Title Office pursuant to Section 695 of the Local Government Act and Section 58 of the Community Charter against the property legally described as Lot 1, D.L. 268 & 1020S, S.D.Y.D., Plan KAP84576.

[Staff Report-Removal Bylaw Contravention-Strukoff-Board February 27, 2014.pdf](#)

- i) A staff report from Jeff Ginalias, Assistant Planner, regarding an application by Raakel's Ridge Pub for a temporary change of hours for the sale of liquor for one night each weekend through the end of the 2014 ski season is presented.

Corporate Vote - Unweighted

Recommendation: That the staff report from Jeff Ginalias, Assistant Planner, regarding Raakel's Ridge Pub's application for a temporary change of hours for the sale of liquor for one night each weekend through the end of the 2014 ski season be received.

Corporate Vote - Unweighted

Recommendation: That the Regional District of

Kootenay Boundary Board of Directors provide comments to Raakel's Ridge Pub at Big White on their two requests for temporary change of hours of operation for the sale of liquor, the one for five consecutive Sunday nights (running from March 9, 2014 through April 6, 2014) from 12 midnight to 1:00 a.m. and the other for Saturday night April 12, 2014 from 1:00 a.m. to 3:00 a.m. so that the applicant may submit their application to the Liquor Control and Licensing Branch for consideration.

[Board Report Feb LCLB Change of Hours Raakels.pdf](#)

- j) A staff report from Jeff Ginalias, Assistant Planner, regarding an application for subdivision in the A.L.R. for a property at 3565 Kettle Valley East Road is presented.

Corporate Vote - Unweighted

Recommendation: That the staff report from Jeff Ginalias, Assistant Planner, regarding an application for subdivision in the A.L.R. for a party at 3565 Kettle Valley East Road be received.

Corporate Vote - Unweighted

That the application for subdivision in the A.L.R., submitted by Gail Manson, through her agent Hoefsloot Land Surveying Ltd., for the property legally described as Lot 52, D.L. 683, S.D.Y.D., KAP378, be forwarded to the Agricultural Land Commission without a recommendation.

[Staff Report - Board - Manson A.L.R. Application](#)

- k) A staff report from Donna Dean, Planner, regarding the request by the South Okanagan Similkameen National Park Network to pass a resolution asking the Province to re-engage in the national park process and consult the R.D.K.B. throughout the process is presented.

Corporate Vote - Unweighted

Recommendation: That the staff report from Donna Dean, Planner, regarding the South Okanagan Similkameen National Park Network be received.

Corporate Vote - Unweighted

That the Regional District of Kootenay Boundary Board of Directors request that the Province of B.C. re-engage in formal discussions with the Government of Canada regarding the proposed South Okanagan - Lower Similkameen National Park Reserve;

AND FURTHER that the Regional District of Kootenay Boundary Board of Directors request that the Regional District of Kootenay Boundary be added to the list of stakeholders and be formally consulted during and at the completion of formal talks regarding the proposed National Park Reserve.

[Staff Report - Board - National Park - February 2014](#)

11. Late (Emergent) Items
12. Discussion of items for future meetings

13. Question Period for Public and Media
14. Closed (Incamera) Session
 - a) There will be a closed meeting pursuant to Section 90 (c) of the Community Charter.
15. Adjournment

The Regional District of Kootenay Boundary Board Room, Grand Forks, B.C.

Present: Director G. McGregor, Chair
Director B. Noll
Director K. Wallace
Director B. Taylor
Director R. Russell
Director M. Rotvold
Director P. Cacchioni
Director B. Crockett
Director J. Danchuk
Director L. Worley
Director A. Grieve
Director R. Georgetti (Alternate)

The Chair called the meeting to order at 6:00 p.m.

The Manager of Corporate Administration noted some changes to the agenda and it was;

1-14 Moved: Director Worley Seconded: Director Grieve

That the agenda be adopted as amended.

Carried.

The minutes of the special board meeting held November 21, 2013, regular board meeting held November 28, 2013 and statutory board meeting held December 5, 2013 were presented.

January 30, 2014

2-14 Moved: Director Noll

Seconded: Director Rotvold

That the minutes of the special board meeting held November 21, 2013, regular board meeting held November 28, 2013 and statutory board meeting held December 5, 2013 be adopted as circulated.

Carried.

Delegation(s)

Ms. Doreen Olson

re: South Okanagan Similkameen

The Chair welcomed Ms. Doreen Olson to the meeting.

Ms. Olson thanked the Board members for the opportunity to attend the meeting and provided a powerpoint presentation on the many benefits of the establishment of the South Okanagan Similkameen National Park.

Ms. Olson advised that she was requesting a letter of support from the Regional District of Kootenay Boundary for the establishment of this park.

The Chair thanked Ms. Olson for her presentation and she was excused from the meeting at 6:15 p.m.

The Board members discussed the proposal and request for a letter of support and it was;

3-14 Moved: Director Rotvold

Seconded: Director Crockett

That the presentation on the proposed establishment of the South Okanagan Similkameen National Park be received **AND FURTHER** that the request for a letter of support be referred to staff for a report.

Carried.

Unfinished Business

Memorandum of Board Resolutions

The Memorandum of Board Resolutions for the period ending December 31, 2013 was presented.

4-14 Moved: Director Grieve

Seconded: Director Worley

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That the Memorandum of Board Resolutions for the period ending December 31, 2013 be received.

Carried.

Carbon Neutral Kootenays Program

5-15

Moved: Director Crockett

Seconded: Director Rotvold

That the Regional District of Kootenay Boundary Board of Directors continue with the current partnership agreement in order to deliver future aspects of the Carbon Neutral Kootenays program in 2014 subject to approved partnership funding contributions.

Carried.

A.P.C. Appointments

6-15

Moved: Director Grieve

Seconded: Director Russell

That the Regional District of Kootenay Boundary Board of Directors approves the Advisory Planning Commission appointments as follows:

Area 'A'

Fred Buckley
Shelley Levick
Jim Green
Tyleen Underwood
Craig Stemmler
Rob Ironmonger

Area 'B'

Richie Mann
Teresa Sammartino-McTeer
Graham Jones
Mary MacInnis
Bill Edwards
Roger Cox
Henk Ravestien

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Area 'C'

Dawn Sioga
Dave Bartlett
Peter Darbyshire
David Durand
William Strookoff
Butch Bisaro
Brenda LaCroix
Terry Mooney
John Mehmal
Don Nelson
Richard White
Jeff Olsen
Jennifer Horahan

Area 'D'

Bob DeMaertelaere
Edith MacAllister
Deb Billwiller
Lesley Matthews
Werner Behrens
Andrew Novokshonoff
David Reid

Area 'E'

Grant Harfman
Denise Herdman
John Condon
George Dagg
Vic Lockhart
Michael Fenwick-Wilson

Big White

Bill DiPasquale
Ross Langmaid
Tony Stewart

Carried.

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Communications**Special Voting Opportunity**

A memo from Chair McGregor regarding a special voting opportunity for the Settlement in the East End Sewer Service Dispute was presented.

7-14 Moved: Director Wallace
Georgetti

Seconded: Alternate Director

That the memo from Chair McGregor regarding a special voting opportunity for the Settlement in the East End Sewer Service Dispute be received. *Corporate Vote - Unweighted*

Carried.

Communications (Information Only)

8-14 Moved: Director Rotvold

Seconded: Director Russell

That the items listed in Communications (Information Only) be received.

Carried.

U.B.C.M. - Nov. 19/13
re: Gas Tax Agreement

City of Trail - Nov. 20/13
re: Congratulations Letter

Ministry of Community, Sport & Cultural Development - Dec. 12/13
re: Elections Reform

Ministry of Community, Sport & Cultural Development - Dec. 16/13
re: Proposed Boundary Expansion

Minister of Industry - Dec. 16/13
re: Broadband Access

Village of Montrose - Dec. 17/13
re: Recreation Services Agreement

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City of Trail - Dec. 18/13
re: Reinvestment of Licensing Fees

Ministry of Community, Sport & Cultural Development - Dec. 13/13
re: Infrastructure Planning Grant

Village of Midway - Dec. 19/13
re: Licensing Fees

Mr. Gord DeRosa - Jan. 13/14
re: Columbia River Forum

Ministry of Jobs, Tourism & Skills Training - Dec. 24/13
re: Rural B.C. Project

Mr. Gord DeRosa - Jan. 15/14
re: S.I.D.I.T. Appointee

Ms. Selina Robinson - Jan. 16/14
re: Local Elections Campaign Financing Act

A.L.C. - Jan. 2/14
re: Application to Subdivide in the A.L.R.

Minutes - A.P.C. Area 'A' - Jan. 7/14

Minutes - A.P.C. Area 'C' - Jan. 7/14

Minutes - A.P.C. Area 'E' - Jan. 7/14

Elections Reform

The letter from the Ministry of Community, Sport & Cultural Development dated Dec. 12/13 regarding Elections Reform was discussed.

It was noted by Director Grieve that there is a major difference between campaign financing between rural and urban areas and it was;

9-14 Moved: Director Grieve

Seconded: Director Worley

That the Ministry of Community, Sport & Cultural Development consider the major difference over campaign financing between those large urban centres and the rural/smaller urban areas.

Carried.

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Reports**10-14** Moved: Director Noll

Seconded: Director Crockett

That the following minutes be received: Beaver Valley Water Committee, Jan. 6/14; East End Sewerage Committee, Jan. 7/14; Beaver Valley Recreation Committee, Jan. 14/14; East End Services Committee, Jan. 15/14; Policy, Executive and Personnel Committee, Jan. 16/14; Electoral Area Services Committee, Jan. 16/14; Environmental Services Committee, Jan. 16/14; Area 'C' Parks & Recreation Committee, Jan. 8/14, Grand Forks & District Recreation Commission, Jan. 9/14; Boundary Economic Development Committee, Dec. 10/13; Finance Committee, Jan. 22/14; Beaver Valley Recreation Committee, Jan. 27/14; Public Hearing Minutes for Bylaws Nos. 1460 and 1525, Jan. 8/14.

Carried.

Beaver Valley Water Committee**11-14** Moved: Director Grieve

Seconded: Director Cacchioni

That the Regional District of Kootenay Boundary Board of Directors approve the proposal from Diameter Services Inc. to complete a Universal Metering Plan-Implementation report and budget report for the Beaver Valley Water Service in 2014 with expected 2014 Columbia Basin Trust Smart Initiatives Program Funds.

Carried.

Universal Metering Plan-Implementation Report**12-14** Moved: Director Grieve

Seconded: Director Cacchioni

That the Regional District of Kootenay Boundary attempt to complete the Universal Metering Plan-Implementation report and budget report partnering with another Columbia Basin Trust Water Smart Community, if applicable, to reduce overall costs of the study to the Beaver Valley Water Service.

Carried.

East End Services Committee**Agreement with L.C.I.C.****13-14** Moved: Director Grieve

Seconded: Director Danchuk

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That the Regional District of Kootenay Boundary Board of Directors empower its' authorized signatories to enter into the agreement with the Lower Columbia Community Development Team Society for the provision of Economic Development Services in the Lower Columbia for the 2014 calendar year.

Carried.

14-14 Moved: Director Grieve Seconded: Director Cecchini

That the Regional District of Kootenay Boundary Board of Directors waive the Chair and Board Appointments Policy with respect to the appointments to the Lower Columbia Initiatives Corporation and that Mayor Greg Granstrom be re-appointed to represent the Regional District of Kootenay Boundary on the Lower Columbia Initiatives Corporation Board of Directors for 2014.

Carried.

15-14 Moved: Director Grieve Seconded: Director Crockett

That the Regional District of Kootenay Boundary Board of Directors appoints Director Cecchini to the Lower Columbia Initiatives Corporation Board of Directors for 2014 **AND FURTHER** that the appointment take effect April 1, 2014.

Carried.

16-14 Moved: Director Grieve Seconded: Director Cecchini

That the Regional District of Kootenay Boundary Board of Directors appoints Directors Worley, Crockett and Wallace to the West Kootenay Transit Committee for the year 2014.

Carried.

Boundary Economic Development Committee

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17-14 Moved: Director Russell Seconded: Director Noll

That the Regional District of Kootenay Boundary Board of Directors enter into a two year contract with Community Futures Boundary to provide economic development services in the Boundary at a yearly fee of \$54,000.

Carried.

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Environmental Services Committee**18-14** Moved: Director Wallace

Seconded: Director Crockett

That the Regional District of Kootenay Boundary Board of Directors appoints Directors Rotvold, Cacchioni, Russell, McGregor, Worley and Wallace to the Regional Solid Waste Management Plan Update Steering Committee.

Carried.

Policy, Executive & Personnel Committee

Moved: Director Taylor

Seconded: Director Wallace

That the Regional District of Kootenay Boundary Board of Directors approves increasing the Director's monthly stipend by \$200 per month, \$200 per month be allocated for a technology allowance (which combines the present \$75 cell/mobile phone and \$175 technology allowance) and establish a car allowance of \$50 per month (deleting the present \$40 base mileage allowance).

19-14 Moved: Director Grieve

Seconded: Director Crockett

That the resolution be referred back to the Policy, Executive & Personnel Committee.

Carried.

20-14 Moved: Director Taylor

Seconded: Director Worley

That the Regional District of Kootenay Boundary Board of Directors adopts the Director Remuneration and Responsibility - Extended Absence Policy as presented.

Carried.

21-14 Moved: Director Taylor

Seconded: Director Rotvold

That the Regional District of Kootenay Boundary Board of Directors approves the establishment of a new Planning Manager position, as identified in the 2013 Regional District of Kootenay Boundary Succession Plan, to be funded through the Planning and Development Department function.

Carried.

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22-14 Moved: Director Taylor

Seconded: Director Worley

That the Regional District of Kootenay Boundary Board of Directors approves the following two resolutions to be presented to the A.K.B.L.G. for their support:

First Responder

WHEREAS for years, many of our local Fire Departments have assisted the B.C. Ambulance Service in the performance of their duties in our local communities providing valuable and wanted services for our constituents;

AND WHEREAS the B.C. Ambulance Service unilaterally, and without consultation with Local Government, has undertaken a drastic review of the First Responder Protocols which may have a distinct negative impact on our local communities, particularly in our small rural communities;

THEREFORE BE IT RESOLVED that the Province of B.C. refrain from implementing any changes in the B.C. Ambulance Service response guidelines or First Responder Protocols until such time as meaningful and effective consultation with Local Government has occurred to ensure that the needs of the local community are being met.

Absence of Director Due to Illness

WHEREAS the role of an Electoral Area Director in Electoral Area and Regional District decision making is absolutely vital;

AND WHEREAS the current legislation is severely lacking if the absence of the Director is due to illness or injury;

THEREFORE BE IT RESOLVED that the Province of B.C. provide clearer legislation that establishes respectful, reasonable and responsible guidance as to how Electoral Area Directors and Regional Districts are to manage extended absences by Electoral Area Directors due to illness or injury.

Carried.

23-14 Moved: Director Taylor

Seconded: Director Grieve

That the Regional District of Kootenay Boundary Board of Directors extend Mr. Gord DeRosa's appointment to the Columbia Basin Trust for an additional two years (April 1, 2014 - March 31, 2016).

Carried.

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Electoral Area Services Committee**24-14** Moved: Director Worley

Seconded: Director Noll

That the Regional District of Kootenay Boundary Board of Directors approve the draft contract with Domar Construction Management for the continued Operations and Maintenance activities of the Christina Lake Solar Aquatics System for a period of two years (January 1, 2014 to December 31, 2015), which does not exceed the approved annual operating budget for the facility.

Carried.

25-14 Moved: Director Worley

Seconded: Director Crockett

That the Regional District of Kootenay Boundary Board of Directors approve the Rivervale Water System Upgrade Project as presented and completed prior to the adoption of the 2014-2018 Budget and Five-Year Financial Plan.

Carried.

26-14 Moved: Director Worley

Seconded: Director Grieve

That the Regional District of Kootenay Boundary Board of Directors approves the Gas Tax application in the amount of \$805.88 for Electoral Area 'A's participation in the L.W.M.P. Stage II Planning Process to be expensed from the Electoral Area 'A' Gas Tax apportionment.

Carried.

27-14 Moved: Director Worley

Seconded: Director Russell

That the Regional District of Kootenay Boundary Board of Directors approves the Gas Tax application from the Boundary Museum in the amount of \$77,168.50 to be expensed from the Electoral Area 'D' apportionment.

Carried.

28-14 Moved: Director Worley

Seconded: Director Russell

That the recommendation to approve \$500 per year for each Electoral Area Director for technology hardware of their choice be referred to the Policy, Executive & Personnel Committee for further review.

Carried.

January 30, 2014

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The Board members discussed the overall technology, hardware and cell phone allowances and it was;

29-14 Moved: Director Wallace Seconded: Director Taylor

That the technology, laptop purchase vs. allowance, technology and cell phone allowances for the Directors be referred to staff to provide a report.

Carried.

30-14 Moved: Director Worley Seconded: Director Russell

That the Regional District of Kootenay Boundary Board of Directors send a letter to the Minister of Agriculture (Honourable Pat Pimm), Premier Christie Clark, the Minister responsible for Core Review (Honourable Bill Bennett), and the Parliamentary Secretary to the Minister of Forests, Lands and Natural Resource Operations for the Rural Development (Donna Barnnet) to recommend: Retention of the Agricultural Land Reserve (ALR) as one province-wide zone; Retention of the Agricultural Land Commission (ALC) as a province-wide, independent administrative body with judicial powers, and; Provision of an opportunity for local governments to discuss any proposed changes to the ALR with the Province and the ALC.

Carried.

31-14 Moved: Director Worley Seconded: Director Russell

That the Chair write a letter to the municipalities within the R.D.K.B. requesting they support this resolution.

Carried.

Interim Schedule of Accounts

32-14 Moved: Director Rotvold Seconded: Director Noll

That the Regional District of Kootenay Boundary Board of Directors approves payment of the Interim Schedule of Accounts as follows:

Cheque Nos. 39775 - 40220	\$1,385,167.60
Payroll	401,931.28
Total for November	\$1,787,098.88

Carried.

January 30, 2014

Page 12 of 20

33-14 Moved: Director Rotvold

Seconded: Director Cacchioni

That the Regional District of Kootenay Boundary Board of Directors approves payment of the Interim Schedule of Accounts as follows:

Cheque Nos. 40234 - 40695	\$1,099,715.39
Payroll	483,407.68
Total for December	\$1,583,123.07

Carried.

Finance Committee**34-14** Moved: Director Rotvold

Seconded: Director Worley

That the Regional District of Kootenay Boundary Board of Directors defer undertaking an organization/governance review of the Regional District of Kootenay Boundary to the 2015 budget deliberations.

Carried.

Beaver Valley Recreation Committee**35-14** Moved: Director Grieve

Seconded: Director Cacchioni

That the Regional District of Kootenay Boundary Board of Directors proceed with the provision of a reimbursement program for the residents of the Beaver Valley (Electoral Area 'A', Fruitvale and Montrose) for the additional costs incurred due to the non-eligibility for the Trail Residency Program for all additional costs incurred subsequent to January 1, 2014 as an interim measure, and continuing until such time as the Committee provides different direction, and that further discussion of this issue be deferred until the regular committee meeting scheduled for February 11, 2014 to allow the Committee and Councils to consider the results of the public consultation.

Carried.

Board Appointments Update**S.I.D.I.T.**

Chair McGregor questioned whether or not anyone was interested in sitting on the R.A.C.

January 30, 2014

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S.I.B.A.C.

Chair McGregor advised that there will be a meeting in March, 2014.

Columbia Treaty Committee

Director Worley reviewed her reports that had been circulated.

Director Taylor questioned whether or not the Chair was attending C.O.F.I.

Chair McGregor advised that she would attend if her schedule allowed.

Chair's Report

Chair McGregor requested that Director Worley report on the Waneta Expansion Project.

Director Grieve advised that there is a newsletter provided on this project.

Bylaws**First, Second and Third Readings****Adoption****(Rivervale Waterworks Regulations & Rates)**

36-14 Moved: Director Worley

Seconded: Director Crockett

That Regional District of Kootenay Boundary Bylaw No. 1543 be given first, second and third readings.

Carried.

37-14 Moved: Director Worley

Seconded: Director Rotvold

That Regional District of Kootenay Boundary Bylaw No. 1543 be now reconsidered and finally adopted.

Carried.

First, Second and Third Readings**Adoption****(Beaver Valley Waterworks)**

38-14 Moved: Director Grieve

Seconded: Director Cecchini

January 30, 2014

Page 14 of 20

43-14 Moved: Director Russell Seconded: Director Grieve

That Regional District of Kootenay Boundary Bylaw No. 1525 be now reconsidered and finally adopted.

Carried.

Third Reading
(Zoning Amendment - Area 'A')

44-14 Moved: Director Grieve Seconded: Director Russell

That Regional District of Kootenay Boundary Bylaw No. 1460 be given third reading.

Carried.

First Reading
(Boundary Animal Control)

45-14 Moved: Director Taylor Seconded: Director Russell

That Regional District of Kootenay Boundary Bylaw No. 1550 be given first reading.

Carried.

Adoption
(Grand Forks Rural Fire Protection District)

46-14 Moved: Director Russell Seconded: Director Taylor

That Regional District of Kootenay Boundary Bylaw No. 1541 be now reconsidered and finally adopted.

Carried.

New Business

Christina Gateway Agreement

A staff report from John M. MacLean, CAO regarding a grant funding agreement with the Christina Gateway Community Development Association was presented.

January 30, 2014

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47-14 Moved: Director Russell

Seconded: Director Worley

That the staff report from John M. MacLean, CAO regarding a grant funding agreement with the Christina Gateway Community Development Association be received.

Carried.

48-14 Moved: Director Worley

Seconded: Director Grieve

That the Board of Directors authorize the Regional District's signatories to execute the grant funding agreement with the Christina Gateway Community Development Association.

Carried.

Grants-in-Aid

49-14 Moved: Director Grieve

Seconded: Director Worley

- Junior Dragens' Den - Areas 'A', 'B', 'D' - \$500 each
- Christina Gateway - Area 'C' (Homecoming) - \$15,000
- Christina Gateway - Area 'C' (Promotion) - \$3,255
- Christina Gateway - Area 'C' (Economic Contribution) - \$4,000
- Christina Gateway - Area 'C' (Wedding Promotion) - \$1,500
- City of Grand Forks - Area 'C' (Family Day) - \$500 - Area 'D' - \$500
- Christina Lake Community Assoc. - Area 'C' - \$1,000
- Boundary Country Chamber of Commerce - Areas 'C' - \$2,500, Area 'E' - \$2,000
- Christina Gateway - Area 'C' (Community Activities) - \$1,000
- Christina Lake Community Hall (non-profit use) - Area 'C' - \$1,000
- Grand Forks Rotary Club - Area 'D' - \$1,500
- Community Futures (expenses for F. Marshall) - Areas 'D' & 'E' - \$1,408.02
- Grand Forks Community Christmas Dinner - Area 'D' - \$1,000
- Boundary Dog Sled Assoc. - Area 'D' - \$1,500, Area 'E' - \$2,500
- Art e-scape - Area 'E' - \$2,500
- R.C.M.P. West boundary Community - Area 'E' - \$200
- Big White Community Policing - Area 'E' - \$4,000
- Midway Community Assoc. - Area 'E' - \$1,000
- Greenwood Community Christmas Dinner - Area 'E' - \$400
- West Boundary Rescue - Area 'E' - \$5,000
- Big White Fire Dept. - Area 'E' - \$10,000
- West Boundary Elementary School - Area 'E' - \$1,500
- Greenwood Heritage Society - Area 'E' - \$1,500
- Kettle River Museum - Area 'E' - \$2,000

January 30, 2014

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- Beaverdell Community Club Library - Area 'E'; - \$1,000
- Kettle River Seniors #102 - Area 'E' - \$5,000
- Phoenix Mountain - Area 'E' - \$5,000 - Area 'C' - \$2,000
- Midway Trails - Area 'E' - \$2,000
- W.I.N.S. - Area 'B' - \$1,000
- Kettle Valley Racing Association - Area 'E' - \$1,000

Carried.

Crown Grant Application

A staff report from Jeff Ginalias, Assistant Planner, regarding an invitation to comment on an application for a Crown Grant for residential purposes in Area 'E' was presented.

50-14 Moved: Director Rotvold Seconded: Director Worley

That the staff report from Jeff Ginalias, Assistant Planner, regarding an invitation to comment on an application for a Crown Grant for residential purposes in Area 'E' be received.

Carried.

51-14 Moved: Director Crockett Seconded: Director Noll

That the Regional District of Kootenay Boundary Board of Directors advise FrontCounter B.C. that the application submitted by Nelson and Marjorie Ouimett for a Crown Grant for residential purposes legally described as Lot 11, Block 17, Section 32, TWP 70, S.D.Y.D., Plan 24 is supported.

Carried.

Christina Lake Waterworks District

A Staff Report from Bryan Teasdale, Manager of Infrastructure and Sustainability, regarding correspondence from Christina Waterworks District requesting the RDKB to submit an Infrastructure Planning Study Grant application to complete a water transition study for the Christina Waterworks District Water System.

52-14 Moved: Director Worley Seconded: Director Noll

That the Staff Report from Bryan Teasdale, Manager of Infrastructure and Sustainability, regarding correspondence from Christina Waterworks District requesting the RDKB to submit an Infrastructure Planning Study Grant application to complete a water transition study for the Christina Waterworks District Water System, be received.

Carried.

January 30, 2014

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53-14 Moved: Director Worley

Seconded: Director Cecchini

That the Regional District of Kootenay Boundary Board of Directors approve submission of the Christina Waterworks District Water Transition Study Infrastructure Planning Study grant application with allocation of required resources from the Feasibility Study Reserve Fund.

Carried.

Draw Name for Municipal Director to Attend F.C.M.

Director Danchuk won the draw to attend the F.C.M. in Niagara Falls.

Discussion of items for Future Meetings

Waneta Dam Expansion Project

Director Grieve advised that if there is enough interest, she would arrange a tour of the Waneta Dam Expansion project.

Closed (In camera) Session

There will be a closed (in camera) meeting pursuant to Section 90 (c) of the Community Charter.

54-14 Moved: Director Noll

Seconded: Director Rotvold

That the Regional District of Kootenay Boundary Board of Directors proceeds to a closed meeting (time: 7:30 p.m.).

Carried.

55-14 Moved: Director Grieve

Seconded: Director Worley

That the Regional District of Kootenay Boundary reconvene to the regular board meeting (time: 7:45 p.m.).

Carried.

Adjournment

January 30, 2014

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There being no further business, the meeting adjourned at 7:46 p.m.

Chair

Director of Corporate Administration

January 30, 2014

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Action Items Arising from Board Direction (Task List)
Updated on February 6, 2014

PENDING TASKS

Resolution #	Date	Item/Issue	Actions Required/Taken	Status
82-10	Feb 25/10`	Update Regional Solid Waste Management Plan	Solid Waste Management Plan update include organic diversion Project Pending ongoing regulatory requirements (Province)	C
***Note: SWMP process has begun. A Steering Committee has been formed and a Consultant has been hired.				
231-10	May 26/10	Sidley Mtn. Fire Protection	Staff met with Okanagan Similkameen Regional District in June re. Satellite Service in Area 'E' (Sidley Mountain/Anarchist)	Ongoing
***Note: More work re. communications, management, administration & costs for satellite fire service is required				
232-10	May 26/10	Christian Valley Mosquito Control Service	Staff working with proponents	Ongoing
***Note: Subject to proponents still wanting to move forward in 2014, Board will receive request to approve allocation of feasibility funds				
224-12	April 26/12	Administrative/service org. structure study	Finance Committee to consider during Fall 2013 & Spring 2014 budget discussions	C
34-14	Jan 30	Org/governance review	Refer to 2015 Budget deliberations	IP
505-12	June 28&Nov. 29	Electoral Area(s) Name Change(s)	Matter being discussed at Feb 27 th Board meeting Refer to Ministry for approval	IP
***Note: Awaiting Ministry approval.				
353-12	July 26	Specified Service Areas	Staff establish specified services areas (Christian Valley, Sidley Mountain, Idabel Lake Mt. Baldy) to generate tax revenue to pay for additional solid waste services received	C
****Note: This issue will be addressed in the development of the SWMP that is currently underway.				
219-13	April 25/13	Tipping Fee Policy	Staff are reviewing current Waiving Tipping Fee Policy	C
***Note: Nov 14/13 Environmental Services Committee recommends Board to approve a broader definition of "eligible groups" in current Waive Tipping Fees Policy				
267-13	May 23/13	Carbon Emissions Reduction	Staff explore opportunities for local/regional carbon emissions reduction projects	C
5-14	Jan 30/14		Continue with current partnership agreement subject to approved partnership funding contributions	Ongoing
348-13	Aug 29/13	Volunteer Firefighter Program	Staff work with RDCK if it proceeds with volunteer program	IP
***Note: RDKB Regional Fire Chief continues to investigate this matter with RDCK. At this time, nothing has been put in place at RDCK				
379-13	Sept. 26/13	Solid Waste Management Plan	Staff research & report on alternatives & improvements to depot networking Rossland small business program during SWMP update	C

Resolution #	Date	Item/Issue	Actions Required/Taken	Status
447-13	Nov 28/13	Kootenay Energy Diet	Staff request Fortis for a breakdown on areas signing up	IP

TASKS FROM JANUARY 30, 2014 BOARD MEETING

Resolution #	Date	Item/Issue	Actions Required/Taken	Status
3-14	Jan 30	South Okanagan Similkameen National Park	Staff report Feb 27 th Board meeting recommending letter of support	C
5-14	Jan 30/14	Carbon Emissions Reduction	Continue with current partnership agreement subject to approved partnership funding contributions	Ongoing
9-14	Jan 30	Election Campaign Financing	Request Ministry consider major difference between large urban centres and rural/smaller centres	C
13-14	Jan 30	Lower Columbia Econ Dev	Enter into Agreement with Lower Columbia Initiatives Corp for 2014	C
14-14	Jan 30	Lower Columbia Initiatives Corp	Advise Mayor Granstrom re. his re-appointment for 2014	C
15-14	Jan 30	Lower Columbia Initiatives Corp	Advise LCIC re. 2014 appointment of Director Cecchini to LCIC Board	C
16-14	Jan 30	West Kootenay Transit Committee	Advise re. Directors Worley and Crockett 2014 appointments	C
19-14	Jan 30	Increase Board stipend, car & technology allowance	Remuneration Bylaws reviewed at Feb 12 th PEP meeting Referred to Feb 27 th Board meeting	C
22-14	Jan 30	AKBLG Resolutions	Refer First Responder and Absence of Director Resolutions to AKBLG	C
28-14	Jan 30	Electoral Area Director Technology	Board & Electoral Area Remuneration Bylaws reviewed at Feb 12 th PEP meeting Referred to Feb 27 th Board meeting	C
29-14	Jan 30	Technology, hardware & cell phone allowance	Board & Electoral Area Remuneration Bylaws reviewed at Feb 12 th PEP meeting Referred to Feb 27 th Board meeting	
30-14	Jan 30	Retain ALR & ALC as one Province-wide zone	Send letter to Province	C
31-14	Jan 30	Retain ALR & ALC as one Province-wide zone	Send letter to RDKB municipalities to support resolution 30-14	C
34-14	Jan 30	Org/governance review	Refer to 2015 Budget deliberations	IP
47-14	Jan 30	Christina Gateway Community Development	Execute grant funding agreement	C

Staff & Board Follow-Up –In Addition to Board Resolutions

Resolution #	Date	Item/Issue	Actions Required/Taken	Status
		Tour of Waneta Dam Expansion if there is enough interest.		



REGIONAL DISTRICT OF KOOTENAY BOUNDARY	
FILE #	FEB -3 2014
DOC #	.....
REF. TO:	FC
CC	Beard

January 27, 2014

City of Parksville
Office of the Mayor

President and Board of Directors
Union of BC Municipalities
525 Government Street
Victoria, BC V8V 0A8

On behalf of the Council of the City of Parksville I am writing to strongly urge you to continue to advocate for the provincial government to update or replace the provincial emergency notification system (PENS).

Two recent earthquakes (October 27, 2012 and January 5, 2013) off the west coast of Haida Gwaii and Vancouver Island were of strong enough intensity to generate warnings to residents about the possibility of a tsunami. The West Coast Alaska Tsunami Warning Centre, now called the National Tsunami Warning Centre, generated warnings that were sent to Emergency Management British Columbia (EMBC) where the provincial emergency notification system was activated. By the time emergency program coordinators and first responders received the provincial emergency system notification, the projected tsunami waves referenced by the warning had already contacted land.

If these two events had created large enough waves, evacuations for the life safety of coastal residents would not have been completed in time. Early notification for emergency program coordinators and first responders is paramount for the safety of residents in affected areas.

In 2013 the City of Parksville, through the AVICC and UBCM, brought forward a resolution to update or replace the provincial emergency notification system in order to provide more adequate notification to all coastal communities in the event of a natural disaster. As of this date, EMBC has advised that the province has no plan to implement any changes to the provincial emergency notification system.

This letter is to urge the UBCM and its membership to continue to advocate for the update or replacement of the provincial emergency notification system for the safety of residents living in coastal communities in British Columbia.

Yours truly,

CHRIS BURGER
Mayor

cc: Honourable Suzanne Anton, Justice and Attorney General
AVICC President and Board of Directors
UBCM Member Municipalities
Emergency Management British Columbia (EMBC)

I:\Users\ADMINISTRATION\OUNCIL-0530\Letters\2013 Letters\December 16 - Emergency Management.docx

City of Parksville | 100 Jensen Avenue East | P O Box 1390, Parksville, BC V9P 2H3
Phone 250 954-4661 (Mayor) | Phone 250 248-6144 (Office) | Fax 250 248-6650 | www.parksville.ca



SOUTH OKANAGAN – SIMILKAMEEN NATIONAL PARK NETWORK

A broad based network of like-minded individuals and organizations of local and national scope, supporting a SOS National Park helping to conserve our national treasure of indigenous plants and animals while enriching people's lives

sosnationalpark.wordpress.com

S33A C2 RR1, Kaleden, BC, V0H 1K0

(250) 497-6869

REGIONAL DISTRICT OF
KOOTENAY BOUNDARY

FILE #

FEB -6 2014

DOC #

REF. TO

CC:

Chair McGregor / Board

Regional District of Kootenay Boundary
202-843 Rossland Ave.
Trail, BC
V1R 4S8

February 4, 2014

Dear Chair McGregor and RDKB directors,

I am writing to thank you for the opportunity to present information on the proposed national park to the Kootenay-Boundary Regional District. Thank you so much for your warm and gracious welcome. Also a special thanks to Elaine Kumar who kindly assisted me through the delegation process.

Before making the presentation, I toured the communities in the Boundary Region to update myself and rediscovered these unique and beautiful towns and communities. Each of the Boundary communities are a gem in their own way, steeped in history and situated in gorgeous landscapes each different from the other. Interestingly, since most of the focus has been on the Okanagan-Similkameen, I had not realized how close these communities are to the national park and how much they would benefit from the park. It was evident to me that there is much to offer in the Boundary and Kootenay areas and it should not be overlooked.

I was pleased to talk to the mayors and business owners to learn what was important to them. Mayor Kettle has an extraordinarily historic community and, he says, "We've got it all, now we just need to get people to stop here." I enjoyed meeting everyone and exploring how the park would bring them jobs and economic benefits for their businesses and communities.

I was pleased to see that Grand Forks, Midway and the City of Greenwood formally passed their own resolution asking for re-engagement of the national park conversations, after having full public discussions, and did their own due diligence.

At their request, I made the presentation to the RDKB and hope that the board will support these communities to advocate effectively for the establishment of the national park that would help them to further their community goals.

There is so much to talk about with regard to this national park and the benefits it will bring to local communities that it is difficult to put it into a 10 minute presentation. Please let me know if you need any further information or have any questions. You can reach me at 250-497-6869 I'd be pleased to help however I can.

Thank you again for the warm welcome and for your interest in the park process.

Sincerely,

A handwritten signature in black ink, appearing to read 'Doreen Olson', written in a cursive style.

Doreen Olson, Coordinator
South Okanagan – Similkameen National Park Network

LETTER OF INFORMATION AND CALL FOR EXPRESSIONS OF INTEREST

Corporations, Organizations, Cities, Bands
Businesses, Clubs, Reg. Districts, Schools
Colleges, Unions, Trusts, Media groups Banks
and all other potential sponsors

January 1, 2014

Lawrence Antifaev
761022nd Street,
Grand Forks, BC
VOH 1H2

Communique no 1

1-250-442-3023
dreamworxz.unltd@live.ca

CANADA ON TOUR PROJECT
CANADA EXPO 2017
Lawrence Antifaev (Antifay)
Copyright 2006
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Dear Sirs/Mesdames:

This letter is to inform you about a very interesting and exciting initiative the CANADA ON TOUR PROJECT that is designed to honor, celebrate and showcase Canada and Canadas 150th birthday celebrations in the year 2017.

It consists of : 1. THE PRIMARY PRODUCT: The Canadian National Touring Exposition which would travel extensively throughout Canada during the year 2017 by rail and railway train and 2. A variety of ancilliary products and programs related to Canadas 150th Birthday including SECONDARY PRODUCT NO 1: A Canadian National Banner. This product consists of two components: 1. the creation of a large, bright and beautiful banner representing: a) the various CULTURES AND ETHNIC GROUPS of Canada and b: a representation of some of Canadas most cherished VALUES AND IDEALS. The second component is comprised a PRODUCTION AND PERFORMANCE of the National Banner that would be used at various events and ceremonies held in cities and communities throughout Canada to celebrate our nations birthday in 2017.

Naturally such a large and ambitious project would require a significant amount of assistance from sponsors, partners, volunteers and supporters, etc in the development and implementation of these products and project with such areas as communications, promotion, direction, organization funding acquisition, etc.

Some of the activities required to get this project off to a successful start could include: setting up the main website and site links, organizing a steering committee or board, finding or establishing a suitable base of operations, launching a promotional campaign, etc.

There would be a significant number and variety of cultural, educational, recreational and occupational, etc opportunities for not only those engaged in this project but also for many Canadian citizens as well over the course of the development and deployment of this project throughout Canada.

There would also certainly be a variety of real benefits and positive effects available to sponsors and partners of this project such as great branding opportunities and licensing agreements.

All interested parties are therefore cordially invited to forward inquiries and expressions of interest in participation in this prominent prestigious and patriotic project representing people and nation of Canada on the occasion of our nations 150th birthday.

Lawrence Antifaev (Antifay)
Canada on tour project

CBCT

Postscript

1. Would respondents please include contact info: postal address, email address, fax no. telephone number along with brief note as to ability, experience and resources that may be applied to project
2. Would respondents please circulate this letter to other members, member groups, affiliates, schools, locals, directors, staff volunteers as may be indicated
3. All press releases, media interviews and publications are prohibited without the prior consent and approval of the author and proprietor of this project and property

COMMUNIQUE NO. 3 (p.1 of 1)

January 15, 2014

Mir Center for Peace
Selkirk College
301 Frank Bender Way
Castlegar, BC

C.O.T.P
Lawrence AntifaeyCEO
7610 22nd Street
Grand Forks BC
VOH 1H2
1-250-442-3023
dreamwo.rxz.unltd@live.ca

CANADA ON TOUR PROJECT
CANADA EXPO 2017
Lawrence B. Antifay
Copyright 2006
All rights reserved

Re: Secondary Product No. 1 : The Canadian National Banner

Attention: Mr Randy Janzen
Chairman Mir Center for Peace

Dear Sir:

Please find enclosed Communique No. 1, a letter of introduction and call for expressions of interest for your information and consideration with regard to the possible participation of the Mir Center and Selkirk College and other local organizaations such as the U.S.S.C in Castlegar in the initial development of the C.O.T.P in general or the Secondary Product in particular. This product can be described as a **special Canadian National Arts and Cultural Peace Project.**

It may be of particular interest to your center as it is comprised of a variety of attributes which help create, maintain and promote peace and harmony for the human race.

It represents a unique synthesis of Canadian cultures, ethnicities, etc embodying and embracing the spirit and substance of peace and harmony, tolerance and respect, goodwill and friendship in the form of a single unified expression of great beauty, and magnificence!

This project would also be a **Canadian Premiere product and performance** which is completely new and orinal in nature.

It is anticipated that a product and production of this nature and value would quite readily find good support of various kinds from various sectors and various areas of Canada. For example a large corporate donation from a major Canadian national compnay(ies) would provide most or all of the funding required for the development and implementation of the particular project.

In any case, the Mir Center and Selkirk College are invited to consider participating in the development of this innovative and most **exemplary** Canadian enterprise in honor and celebration of our nations 150th birthday in 2017.

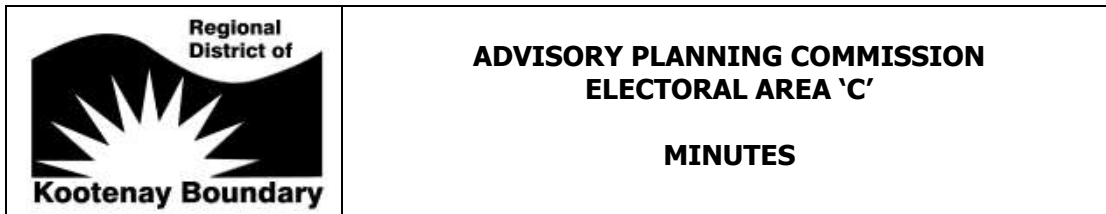
Merci beaucoup et au revoir pour maintenant,

YOURS TRULY..CANADIENNE!

Lawrence B. AntifAEV

ENC: Communique No. 1 C.O.T.P. p.1 of 1
P.C. Union of Spiritual Communities of Christ
School District no. 51 Boundary

Angus Graeme President Selkirk College
Kootenay Boundary Regional District



Minutes of the Area 'C' Advisory Planning Commission meeting held on Tuesday, **February 4, 2014** at the Christina Lake Fire Hall, Swanson Road, commencing at 7:00 p.m.

PRESENT: Dave Durand, Jennifer Horahan, Brenda LaCroix, Terry Mooney, Dave Bartlett, Butch Bisaro, Richard White, Jeff Olsen

ABSENT: Don Nelson, Dawn Sioga, John Mehmal, Peter Darbyshire, William Strookoff, Director Grace McGregor

The Chair called the meeting to order at 7:00 p.m.

MINUTES OF THE PREVIOUS MEETING:

Minutes of January 7, 2014 be received.

OLD BUSINESS:

NEW BUSINESS:

WILLOW BEACH RESORT

BAY, Dave & Kelly

RE: Development Permit Amendment

Unit 31, 14 Tedesco Road, Christina Lake, Area 'C'

Lot B, DL 7520, SDYD, Plan 10408

RDKB File: C-750-04066.000

The APC had no comments on this application.

MINUTES of the Area 'A' Advisory Planning Commission meeting held on Tuesday
February 04, 2014, B. V. Meeting Room

PRESENT

Craig Stemmler, Chairman
Shelley Levick, Recording
Fred Buckley
Rob Ironmonger

ABSENT

Tyleen Underwood
Jim Green

OTHERS PRESENT

Ali Grieve, Area 'A' Director
Larry Abenante, Public Works Manager, City of Trail

MINUTES OF PREVIOUS MEETING

Accepted as written

OLD BUSINESS

No old Business

NEW BUSINESS

1. **RDKB/City of Trail Agent**
RE: Trail Regional Airport, Development Permit
8995 Highway 22A
RDKB File: A-105A-00933.050

No concerns regarding the application

2. **BV Recreation**

Ali Grieve updated the APC on the recent public meeting and survey results.
She has requested APC members review the results and forward their
individual comments to her by the 7th of February.

ADJOURNED 5:55 pm

Feb. 7, 2014
APC meeting for Area E

Address: 25 Smoker Rd
Owner: Charles and Sharon Wieder

Not in favour of approving this application for the following reasons:

- proposal is requesting house to be built in riparian area
- there is concern about bank erosion
- don't want to change setbacks, they are there for a reason
- don't want to set a precedent for future

Address: 3565 Kettle Valley Road
Owner: Gail Manson

Email correspondence read by Vic from Gail Manson urging that her application be considered for subdivision to make it easier to will one piece to her daughter and one piece to her son-in-law

In favour of approving this application for the following reasons:

- it's a small piece of property
- there are already 2 dwellings on the property
- property beside has already been subdivided
- potential for agricultural use of this property limited

Address: 355 Lost Horse Creek
Owner: Heinrich Thiessen

In favour of approving this application for the following reasons:

- this property is a large parcel
- it is requested to be subdivided into two fairly equal parcels

Meetings changed to first Thursday of every month
7pm @ Rock Creek Medical Centre



February 5, 2014

Francesco Grayer LLP
Suite 103 – 1416 Commercial Drive
Vancouver, BC V5L 3X9

Attention: Marco Francesco Lilliu

Dear Mr. Lilliu:

Re: Reconsideration Request – ALC Resolution #474/2012

Please find attached the response of the Agricultural Land Commission with respect to your Request for Reconsideration. As agent, it is your responsibility to notify your client accordingly.

Further correspondence with respect to this application is to be directed to Lindsay McCoubrey.

Yours truly,

PROVINCIAL AGRICULTURAL LAND COMMISSION

Per:

Brian Underhill, Executive Director

Enclosure: Response to Request

cc: Regional District of Kootenay Boundary (File: E-1250-04687.000)

52710m1

REGIONAL DISTRICT OF
KOOTENAY BOUNDARY

FILE #

FEB 11 2014

DOC #

REF. TO:

CC:

Agricultural Land Commission
133–4940 Canada Way
Burnaby, British Columbia V5G 4K6
Tel: 604 660-7000
Fax: 604 660-7033
www.alc.gov.bc.ca

ALC File: #52710



PROVINCIAL AGRICULTURAL LAND COMMISSION

A meeting was held by the Provincial Agricultural Land Commission on October 2, 2013 at the offices of the Commission located at #133 – 4940 Canada Way, Burnaby, B.C. as it relates to the Request for Reconsideration of Application #52710.

COMMISSION MEMBERS PRESENT:

Richard Bullock	Chair
Jennifer Dyson	Vice-Chair
Gordon Gillette	Vice-Chair
Sylvia Pranger	Vice-Chair
Bert Miles	Commissioner
Jim Johnson	Commissioner
Jerry Thibeault	Commissioner
Lucille Dempsey	Commissioner
Denise Dowswell	Commissioner
Jim Collins	Commissioner

COMMISSION STAFF PRESENT:

Lindsay McCoubrey	Land Use Planner
Colin Fry	Executive Director

REQUEST FOR RECONSIDERATION

The Commission received correspondence dated July 17, 2013 requesting reconsideration of its decision recorded as Resolution #474/2012, by which, the proposal to exclude 2.0 ha from the 27.6 ha subject property (10.1 ha in the ALR) and to subdivide the subject property into one 0.7 ha lot, one 1.4 ha lot, three 2.0 ha lots and one 19.5 ha lot was refused.

Owner: 0472164 BC Ltd.

Agent: Francesco Grayer LLP (reconsideration request)
R.G. (Bob) Holtby (application)

Original Proposal: (Submitted pursuant to section 21(2) of the *Agricultural Land Commission Act*)
(Submitted pursuant to section 30(1) of the *Agricultural Land Commission Act*)

To exclude 2.0 ha from the 27.6 ha subject property (10.1 ha in the ALR) and to subdivide the subject property into one 0.7 ha lot, one 1.4 ha lot, three 2.0 ha lots and one 19.5 ha lot.

Legal: PID: 014-990-016
That Part of District Lot 1250 Lying West of the Westerly Boundary of the 66 Foot Road as shown on Plan 13939, Similkameen Division Yale District, Except Plan H16203

Location: Highway 33, North of Beaverdell

Original Decision: Refused as submitted.

Response to Request for Reconsideration – Application #52710

Page 2 of 3

Current Request: To exclude 2.0 ha from the 27.6 ha subject property (10.1 ha in the ALR) and to subdivide the subject property into one 0.7 ha lot, one 1.4 ha lot, three 2.0 ha lots and one 19.5 ha lot.

LEGISLATIVE CONTEXT FOR COMMISSION RECONSIDERATION

Section 33(1) of the *Agricultural Land Commission Act* provides an applicant with the opportunity to submit a request for reconsideration based on specific criteria.

- 33(1) On the written request of a person affected or on the commission's own initiative, the commission may reconsider a decision of the commission under this Act and may confirm, reverse or vary it if the commission determines that:
- (a) evidence not available at the time of the original decision has become available,
 - (b) all or part of the original decision was based on evidence that was in error or was false.

DECISION REGARDING THE REQUEST FOR RECONSIDERATION

The Commission does not believe that the applicant has provided evidence that was not available at the time of the previous decision.

The information contained in the reconsideration request was available to the Commission at the time of the original consideration as it was contained in the material submitted by the applicant and/or Local Government and/or supplied by in-office resources (maps, airphotos, agricultural capability, etc). The applicant's original submission contained a document titled, *A Report on an Application to Exclude Land from and Subdivide Land within the Agricultural Land Reserve* prepared by R.G. (Bob) Holtby P. Ag., dated December 22, 2011 (the "Holtby Report") and as such, was provided to the Commission with respect to Resolution #474/2012 and the current reconsideration request process.

As indicated in the *Applicant Information Package*, available on the ALC website, productivity is noted within the section entitled 'How Does the Commission Make a Decision':

THE LAND RESOURCE

In arriving at its decision, the Commission considers the agricultural potential of the parcel and the agricultural potential of surrounding lands.

One measure of agricultural potential is the Canada Land Inventory Agricultural Capability rating system, which is based on the range of crops that can be grown. Other parameters of agricultural potential are suitability for specific crops, productivity, and homogeneity or integrity of the farming community, both present and future.

The Commission also noted that both the applicant's agent, Mr. Holtby, and the applicant met with Commission representatives during a site inspection of the subject property and again during an exclusion meeting at the offices of the Commission in Burnaby prior to the decision recorded as Resolution #474/2012.

Response to Request for Reconsideration – Application #52710

Page 3 of 3

Conclusion:

The Commission decided not to reconsider Resolution #474/2012.

Response to Request for Reconsideration – Application #52710



February 6, 2013

R.G. Holtby, P. Ag.
2533 Copper Ridge Drive
West Kelowna, BC, V4T 2X6

Dear Mr. Holtby:

Re: Application to Conduct a Non-Farm Use on Land in the Agricultural Land Reserve (ALR)

Please find attached the Minutes of Resolution #310/2013 as it relates to the above noted application. As agent, it is your responsibility to notify your client accordingly. The Commission has also attached a sketch plan depicting the decision.

The Commission draws your attention to Section 33(1) of the *Agricultural Land Commission Act* which provides an applicant with the opportunity to submit a request for reconsideration based on specific criteria.

- 33(1) On the written request of a person affected or on the commission's own initiative, the commission may reconsider a decision of the commission under this Act and may confirm, reverse or vary it if the commission determines that:
- (a) evidence not available at the time of the original decision has become available,
 - (b) all or part of the original decision was based on evidence that was in error or was false.

A revised proposal does not constitute new evidence and as such is not a basis for reconsideration. The time limit for submitting a request for reconsideration is one (1) year from the date of this letter.

Further correspondence with respect to this application is to be directed to Lindsay McCoubrey.

Yours truly,

PROVINCIAL AGRICULTURAL LAND COMMISSION

Per:

Brian Underhill, Executive Director

Enclosures: Minutes of Resolution #310/2013
Sketch plan

cc: Regional District of Kootenay Boundary (File # D-363-02654.000)
BC Assessment

53154d1

REGIONAL DISTRICT OF KOOTENAY BOUNDARY	
FILE #	FEB 11 2014
DOC #	.....
REF. TO:	.....
CC:	.....

Agricultural Land Commission
133-4940 Canada Way
Burnaby, British Columbia V5G 4K6
Tel: 604 660-7000
Fax: 604 660-7033
www.alc.gov.bc.ca

ALC File: #53154
RDKB File: D-363-02654.000



MINUTES OF THE PROVINCIAL AGRICULTURAL LAND COMMISSION

A meeting was held by the Provincial Agricultural Land Commission on July 17, 2013 at the offices of the Commission located at #133 – 4940 Canada Way, Burnaby, B.C. as it relates to Application #53154.

COMMISSION MEMBERS PRESENT:

Gordon Gillette	Vice-Chair
Jerry Thibeault	Commissioner
Lucille Dempsey	Commissioner
Denise Dowsell	Commissioner
Jim Collins	Commissioner

COMMISSION STAFF PRESENT:

Lindsay McCoubrey	Land Use Planner
Colin Fry	Executive Director

PROPOSAL (Submitted pursuant to section 20(3) of the *Agricultural Land Commission Act*)

To legitimize the operation of an existing truck repair and machine maintenance business on a 0.5 ha portion of the 2.3 ha subject property.

PROPERTY INFORMATION:

Owner: Ronald Darbyshire

Legal: PID: 004-750-772
Lot 3, District Lot 363, Similkameen Division Yale District, Plan 6263

Location: 3345 West Almond Gardens Road, Grand Forks, BC

Size: 2.3 ha

LEGISLATIVE CONTEXT FOR COMMISSION CONSIDERATION

Section 6 (Purposes of the commission) of the *Agricultural Land Commission Act* states:

6 The following are the purposes of the commission:

- (a) to preserve agricultural land;
- (b) to encourage farming on agricultural land in collaboration with other communities of interest; and
- (c) to encourage local governments, first nations, the government and its agents to enable and accommodate farm use of agricultural land and uses compatible with agriculture in their plans, bylaws and policies.

COMMISSION CONSIDERATION

After considering the information the Commission concluded as follows:

1. The Commission received the report prepared by R.G. (Bob) Holtby, P.Ag. entitled *An Opinion on an Application for a Non-Farm Use* (the "Holtby Report") dated November 14, 2012. The Holtby Report confirms the published agricultural capability ratings and noted that the current owner does not hold any additional water licenses. While the Holtby Report questioned the availability of water licenses, the Local Government staff report notes that communication with Ministry of Environment staff indicates that the Kettle River may not be fully recorded and that provincial ground water data shows there are two domestic wells recorded on the subject property.

Conclusion: The *Agricultural Land Commission Act* does not compel land owners to conduct agricultural activity on property located within the ALR, but neither does the Commission consider the lack of agricultural activity on a property as sufficient reason to allow conversion to non-farm uses.

2. The report states:

"There is no difference between a shop used for the repair and maintenance of the owners' equipment and that of other peoples' equipment. It would be logical to expect a shop of this type to be constructed for farm purposes. While the use of the shop for commercial purposes may have an impact on land use regulations, it does not, in my opinion adversely affect the farming capability of the parcel."

Conclusion: The Commission is of the opinion that an agriculturally related machine repair shop of similar size would only be present on a large scale operation (e.g. a ranch), with a large land base. It would not be constructed for an agricultural operation that takes place on a property 2.3 ha in size.

Conclusion: Using air photo interpretation and the estimated current extent of the repair shop and associated parking area noted in the Holtby Report, the Commission calculates that the very presence of the repair shop and parking area has impacted approximately 0.5 ha, or approximately 22%, of the 2.3 ha subject property previously used as pasture.

3. The Local Government staff report noted that the current Area 'D' Official Community Plan (OCP) provisions on agricultural land and commercial land in Area 'D' indicate that agriculturally designated lands should be used for agriculture and commercial activities should be in commercially designated areas, or directed towards the City.

Conclusion:

The proposal for the repair of trucks and machinery business (Kettle River Mechanical) could be carried out on lands outside of the ALR on parcels that are not designated for agricultural priority.

Conclusion:

The proposed non-farm use is inconsistent with both the objective of the Area 'D' OCP to concentrate commercial activities to areas designated as commercial or directed towards

Page 3 of 4

the City and with the objective of the *Agricultural Land Commission Act* to preserve and encourage agriculture.

4. The Local Government staff report references five other properties in the Almond Gardens Road area that are non-agricultural zoned. The majority of the existing commercial, industrial and other non-farm uses in the Almond Gardens Road area pre-date the ALR and/or exist on properties that are exempt from the *Agricultural Land Commission Act* as per Section 23(1) of said Act.

23(1) Restrictions on the use of agricultural land do not apply to land that, on December 21, 1972, was, by separate certificate of title issued under the Land Registry Act, R.S.B.C. 1960, c. 208, less than 2 acres in area.

Conclusion: Non-farm uses established prior to the ALR and/or parcels exempt from the *Agricultural Land Commission Act* as per Section 23(1) referenced in the Local Government staff report notwithstanding, the Almond Gardens Road area is predominately designated for agricultural use, and as such, these other uses are not considered germane to the proposal to retroactively allow the commercial repair of trucks and machinery on the subject property.

IT WAS

MOVED BY: Commissioner Gillette
SECONDED BY: Commissioner Thibeault

THAT the request to use approximately 0.5 ha for the purpose of a truck and machine repair shop business and associated parking be refused as proposed.

AND THAT the Commission is prepared to allow the temporary non-farm use a 0.2 ha area for truck and machine repair for up to eighteen (18) months from the date of the Commission's letter communicating this decision. The temporary approval is for the sole purpose of facilitating the relocation of the business to a suitably designated site outside the ALR without undue disruption to the business.

AND THAT the temporary approval is subject to the following conditions:

1. That on or before August 31, 2014 the 'Parking Lot' area (approximately 0.3 ha), as detailed in Figure 1.0 of the Holtby Report, is to be rehabilitated to an agricultural standard equal to or better than that which existed prior to the development of the non-farm activity. A report prepared by qualified professional Agrologist detailing the land rehabilitation is to be submitted for Commission review and approval. The report criteria is as follows:

GENERAL REQUIREMENTS

- a. The report is to be prepared by a fully qualified professional capable of preparing a soil reclamation plan.
- b. The qualified professional must state his/her qualifications and experience in the report and certify that adequate field work was carried out and that the report was prepared by the signatory author.

Minutes of Resolution #310/2013 – ALC Application #53154

Page 4 of 4

- c. A report must contain a statement outlining the objectives of the report, limitations of the report which may be imposed by the intensity of survey, survey scale intensity, resource information used and source, and other limitations which may affect the interpretation of the findings in the report.
 - d. The report must be signed by the qualified professional with his/her professional designation attached.
 - e. All reports must contain field evidence or qualified citation of others work which adequately support the opinions, findings and conclusions drawn in the report.
 - f. Subjective or personal opinion must be clearly distinguished from that supported by field evidence or cited authority.
 - g. Certification of the work.
2. This temporary approval for non-farm use is granted for the sole benefit of the applicant and is non-transferable.

AND FINALLY THAT this decision does not relieve the owner or occupier of the responsibility to comply with applicable Acts, regulations, bylaws of the local government, and decisions and orders of any person or body having jurisdiction over the land under an enactment.

CARRIED
Resolution #310/2013

Minutes of Resolution #310/2013 – ALC Application #53154

ALC Application #53154

Resolution #310/2013 – Sketch plan





Agricultural Land Commission
 133-4940 Canada Way
 Burnaby, British Columbia V5G 4K6
 Tel: 604 660-7000
 Fax: 604 660-7033
 www.alc.gov.bc.ca

February 14, 2014

Fulton & Company LLP
 300-350 Lansdowne Street
 Kamloops, BC V2C 1Y1

Attention: Hal Hicks

Dear Mr. Hicks:

REGIONAL DISTRICT OF ALC File: #53231	
KOOTENAY BOUNDARY	
FILE #	FEB 19 2014
DOC #	.....
REF. TO:	.....
CC:	.....

Re: Application to Subdivide Land in the Agricultural Land Reserve (ALR)

Please find attached the Minutes of Resolution #42/2014 as it relates to the above noted application. As agent, it is your responsibility to notify your clients accordingly. The Commission has also attached a sketch plan depicting the decision.

Further correspondence with respect to this application is to be directed to Lindsay McCoubrey.

Yours truly,

PROVINCIAL AGRICULTURAL LAND COMMISSION

Per:

Brian Underhill, Executive Director

Enclosures: Minutes of Resolution #42/2014
 Sketch plan

cc: Regional District of Kootenay Boundary (File: E-TWP66-07982.000)

53231d1



MINUTES OF THE PROVINCIAL AGRICULTURAL LAND COMMISSION

A meeting was held by the Provincial Agricultural Land Commission on January 23, 2014 at the offices of the Commission located at #133 – 4940 Canada Way, Burnaby, B.C. as it relates to Application #53231.

COMMISSION MEMBERS PRESENT:

Richard Bullock	Chair
Jennifer Dyson	Vice-Chair
Gordon Gillette	Vice-Chair
Sylvia Pranger	Vice-Chair
Bert Miles	Commissioner
Jim Johnson	Commissioner
Jerry Thibeault	Commissioner
Lucille Dempsey	Commissioner
Jim Collins	Commissioner

COMMISSION STAFF PRESENT:

Jennifer Carson	Land Use Planner
Lindsay McCoubrey	Land Use Planner
Colin Fry	Executive Director

PROPOSAL (Submitted pursuant to section 21(2) of the *Agricultural Land Commission Act*)

To release Covenant KL15504, such that the two adjacent subject properties can be sold separately.

PROPERTY INFORMATION:

Owner: Daniel & Sonya Miller	Owner: Bowra Group Inc. (Court appointed Receiver for New Growth Capital Corp., Inc. No. A64034)
Legal: <u>PID: 001-716-786</u> The East ½ of the South East ¼ of Section 8, Township 66, Similkameen Division Yale District Except Plans KAP56219, KAP58611 and KAP88513	Legal: <u>PID: 001-716-794</u> The South West ¼ of Section 9, Township 66, Similkameen Division Yale District
Location: Bridesville	Location: Bridesville
Size: 25.2 ha	Size: 60.9 ha

LEGISLATIVE CONTEXT FOR COMMISSION CONSIDERATION

Section 6 (Purposes of the commission) of the *Agricultural Land Commission Act* states:

6 The following are the purposes of the commission:

Minutes of Resolution #42/2014 – ALC Application #53231

Page 2 of 3

- (a) to preserve agricultural land;
- (b) to encourage farming on agricultural land in collaboration with other communities of interest; and
- (c) to encourage local governments, first nations, the government and its agents to enable and accommodate farm use of agricultural land and uses compatible with agriculture in their plans, bylaws and policies.

COMMISSION CONSIDERATION

The Commission reviewed two previous applications involving the subject property:

Application #43673 (Miller, 2006)	Allowed subdivision of 3.2 ha from the subject property as divided by Highway 3 (partial release of Covenant KL15504).
Application #1852 (Miller, 1993)	Allowed subdivision of 2.4 ha from the 64 ha property, subject to the establishment of a covenant binding the remainder to the adjacent property also owned by the applicant (resulted in Covenant KL15504).

The Commission previously reviewed the application on October 2, 2013 and concluded that more information regarding the sequence of events that led to the two properties to be in contravention of Covenant KL15504 was required. The Land Title Office (LTO) and the owners of both properties responded to enquires initiated by the applicants' agent. The LTO acknowledged that there are processes in place that are meant to check current restrictions on title prior to the registration of a transfer such as this, but in this case, missed Covenant KL15504. Mr. Erickson of New Growth Capital Corp. indicated that he did not have any knowledge of a covenant prior to the purchase of PID 001-716-794. Through correspondence with Fulton and Company LLP, Mr. Miller acknowledged that he did not put his mind to the covenant at the time the property was being transferred. PID 001-716-794 was one of multiple properties being sold to Mr. Erikson's company from Mr. Miller's holdings.

After considering the information the Commission concluded as follows:

1. While the intent of the restrictive covenant binding the two subject properties as one was put in place to for the benefit of agriculture, unforeseen circumstances has led to the properties to be held by separate owners.

Conclusion: The LTO and the other authorities involved in the original land transfer missed the notation on title, requiring authorization from the ALC. The Commission accepts that an error was made but sees no reason to pursue the matter further.

IT WAS
MOVED BY: Commissioner Gillette
SECONDED BY: Commissioner Dempsey

THAT the proposal to release Covenant KL15504, such that the two properties can be sold separately, be approved;

Minutes of Resolution #42/2014 – ALC Application #53231

Page 3 of 3

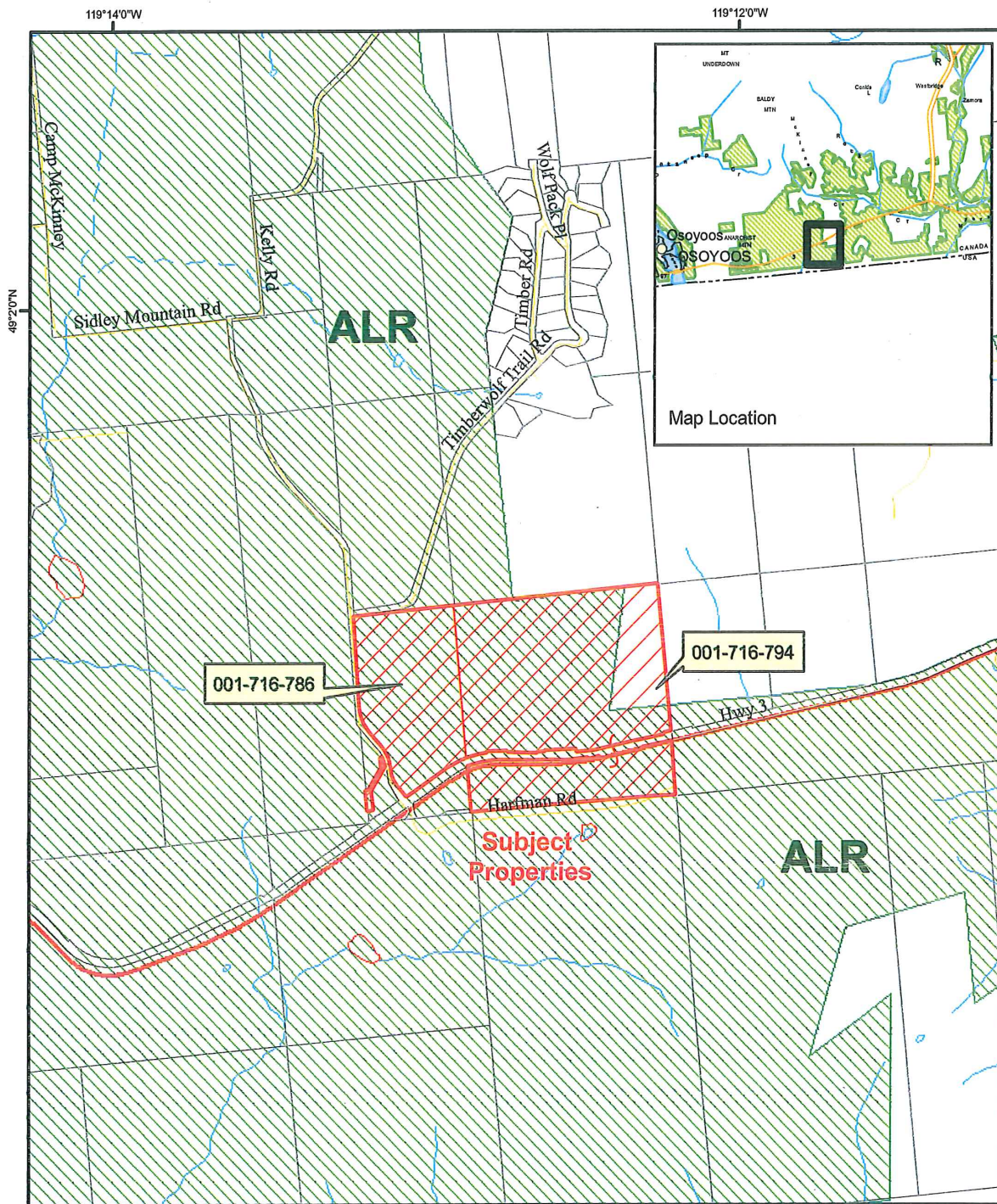
AND THAT the applicants and or their agents prepare a *Discharge of Covenant* document in the form acceptable to the Registrar of Land Titles for execution by the Commission. The *Discharge of Covenant* document is to be submitted to the Commission for review, approval and authorization to deposit at the Land Titles Office.

CARRIED
Resolution #42/2014

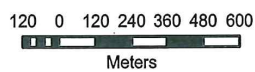
Minutes of Resolution #42/2014 – ALC Application #53231

ALC File #53231 - Resolution #42/2014

Sketch Plan - Approved release of Covenant KL15504 binding the subject properties

**ALC Context Map**

Map Scale: 1:20,000



ALC File #: 53231

Mapsheet #: 82E.004

Map Produced: September 30, 2013

Map Amended: February 14, 2014

Regional District: Kootenay Boundary



February 14, 2014

Leroy & Irene Tribe
112 1088 Sunset Drive
Kelowna, BC V1Y 9W1

Dear Mr. & Mrs. Tribe:

REGIONAL DISTRICT OF
KOOTENAY BOUNDARY

FILE #

FEB 19 2014

DOC #

REF. TO:

CC:

Agricultural Land Commission
133-4940 Canada Way
Burnaby, British Columbia V5G 4K6
Tel: 604 660-7000
Fax: 604 660-7033
www.alc.gov.bc.ca

ALC File: #53317

Re: Application to Subdivide Land in the Agricultural Land Reserve (ALR)

Please find attached the Minutes of Resolution #429/2013 as it relates to the above noted application. The Commission has also attached a sketch plan depicting the decision.

Please send two (2) copies of the final survey plan to this office. When the Commission confirms that all conditions have been met, it will authorize the Registrar of Land Titles to accept registration of the plan.

Further correspondence with respect to this application is to be directed to Lindsay McCoubrey.

Yours truly,

PROVINCIAL AGRICULTURAL LAND COMMISSION

Per:

Brian Underhill, Executive Director

Enclosures: Minutes of Resolution #429/2013
Sketch plan

cc: Regional District of Kootenay Boundary (File #: E-1306s-04730.000)

53317d1



MINUTES OF THE PROVINCIAL AGRICULTURAL LAND COMMISSION

A meeting was held by the Provincial Agricultural Land Commission on November 28, 2013 at the offices of the Commission located at #133 – 4940 Canada Way, Burnaby, B.C. as it relates to Application #53317.

COMMISSION MEMBERS PRESENT:

Richard Bullock	Chair
Jennifer Dyson	Vice-Chair
Gordon Gillette	Vice-Chair
Sylvia Pranger	Vice-Chair
Bert Miles	Commissioner
Jim Johnson	Commissioner
Jerry Thibeault	Commissioner
Lucille Dempsey	Commissioner
Jim Collins	Commissioner
Denise Dowswell	Commissioner

COMMISSION STAFF PRESENT:

Lindsay McCoubrey	Land Use Planner
Colin Fry	Executive Director

PROPOSAL (Submitted pursuant to section 21(2) of the *Agricultural Land Commission Act*)

To subdivide the 16.2 ha subject property into three 5.4 ha lots.

PROPERTY INFORMATION:

Owner: Leroy & Irene Tribe

Legal: PID: 003-915-859
The Northwest ¼ of District Lot 1306s, Similkameen Division Yale District

Location: 1851 Gough Road, Electoral Area "E", Regional District of Kootenay Boundary

Size: 16.2 ha

LEGISLATIVE CONTEXT FOR COMMISSION CONSIDERATION

Section 6 (Purposes of the commission) of the *Agricultural Land Commission Act* states:

6 The following are the purposes of the commission:

- (a) to preserve agricultural land;
- (b) to encourage farming on agricultural land in collaboration with other communities of interest; and

Page 2 of 2

- (c) to encourage local governments, first nations, the government and its agents to enable and accommodate farm use of agricultural land and uses compatible with agriculture in their plans, bylaws and policies.

COMMISSION CONSIDERATION

The Commission reviewed one previous application involving the subject property:

Application #27841 (Gough, 1984)	Refused exclusion, but allowed subdivision of multiple lots in the vicinity of the subject parcel down to 4.0 ha in size.
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The Commission concluded that the property is located within an area that has marginal agricultural capability and that the proposed subdivision is consistent with previously approved subdivisions in the area.

IT WAS

MOVED BY: Commissioner Bullock

SECONDED BY: Commissioner Gillette

THAT the proposal to subdivide the subject property into three 5.4 ha lots be approved subject to:

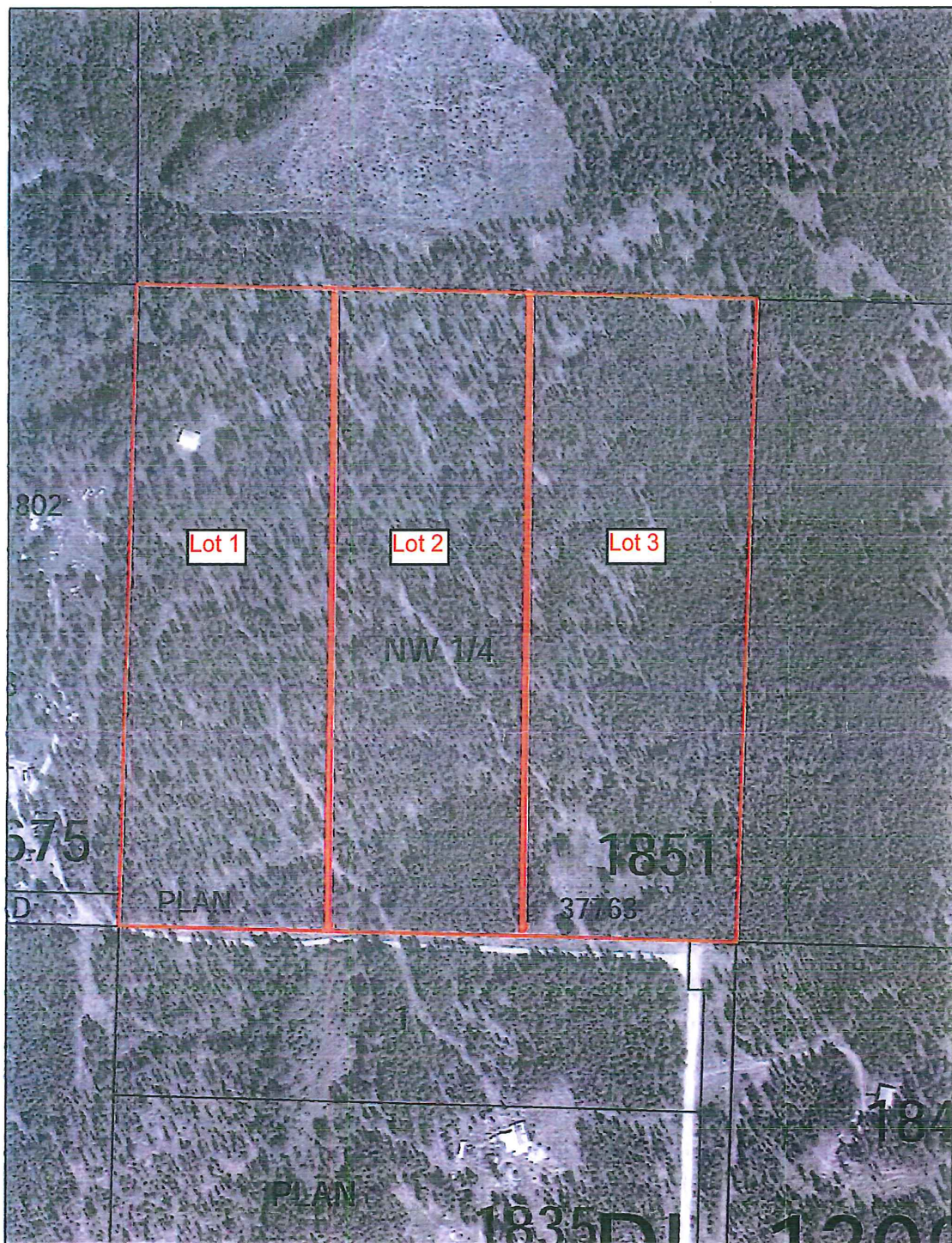
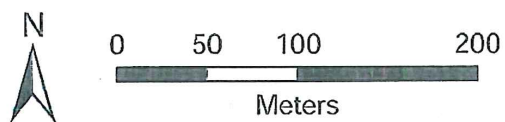
1. The subdivision being in substantial compliance with the plan submitted with the application.
2. The subdivision plan being completed within three (3) years from the date of this decision.

AND FINALLY THAT this decision does not relieve the owner or occupier of the responsibility to comply with applicable Acts, regulations, bylaws of the local government, and decisions and orders of any person or body having jurisdiction over the land under an enactment.

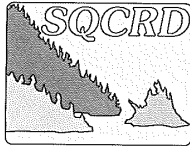
CARRIED

Resolution #429/2013

ALC Application #53317
Resolution #429/2013 - Approved Subdivision



Map modified: February 14, 2104


SKEENA-QUEEN CHARLOTTE REGIONAL DISTRICT

100 - 1st Avenue East Prince Rupert, BC V8J 1A6

Phone: (250) 624-2002 Fax: (250) 627-8493

 Website: www.sqcrd.bc.ca

February 3, 2014

 Kootenay Boundary Regional District
 202 - 843 Rossland Avenue
 Trail, BC
 V1R 4S8

 REGIONAL DISTRICT OF
 KOOTENAY BOUNDARY

FILE #

FEB 11 2014

DOC #

REF. TO

CC:

 J. L.
 BOARD

Dear Councillors/Board:

Re: BC Ferries Service Cuts

On behalf of the Skeena-Queen Charlotte Regional District (SQCRD) Board, I am writing in regards to the BC Ferries service cuts and fare increases, announced by the Province of BC on November 18th, 2013.

The Board is undivided in its concern over the rising costs and the proposed reduction in ferry services to coastal communities. In many of our communities, affordable ferry service is as necessary as the highway systems to the remainder of B.C. As a vital transportation link throughout the province, BC Ferries has a significant influence on both our local and provincial economies, and is integral to the daily functioning of many of our residents and businesses.

The BC Ferry Coalition, an ad hoc steering committee of allied residents from coastal communities around B.C., has already completed a mass rally in opposition of the cuts and is encouraging B.C.'s coastal residents to write letters to the Premier describing how the proposed service cuts and higher fares will affect their families and communities. For instance, many hotels across the province have already shown concern over the sustainability of their business, as they are seeing an unprecedented amount of booking cancellations brought on by the BC Ferries service cuts.

The coalition is gaining support from an array of coastal residents, as well as local governments, private industry and businesses, chambers of commerce, and other stakeholders. The SQCRD Board strongly supports the BC Ferry Coalition and its continued efforts in opposing the recent BC Ferries service cuts and fare increases.

To date, the SQCRD has been unsuccessful in scheduling a meeting with Premier Christy Clark to further discuss the myriad of problems surrounding this issue. Moving forward, we request that you show your support against the ferry service cuts by:

1. Writing to the Premier

Writing letters to the Premier, requesting that she schedule a joint-meeting with local governments and First Nations to further discuss this issue. Additionally, copy your letters to the SQCRD and the BC Ferry Coalition.

2. Supporting the BC Ferry Coalition

Because the BC Ferry Coalition is actively carrying out valuable work toward opposing the service cuts and fare increases, I would request that each Council or Board support the coalition in its endeavours by conveying their support by way of a resolution or letter to the coalition.

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

Thank you for your consideration in this matter.

Yours truly,

SKEENA-QUEEN CHARLOTTE REGIONAL DISTRICT



Barry Pages
Chair

Attachments: 2

Cc: Skeena-Queen Charlotte Regional District Board
BC Ferry Coalition

Attachment 1

Resolution from the January 24, 2014 Skeena-Queen Charlotte Regional District Board Meeting

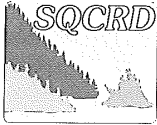
014-2014

MOVED by Director Ashley, SECONDED by Director Kinney, that the Board support the BC Ferry Coalition.

I hereby certify that this is a true and correct copy of
Resolution No. 014-2014 made by the Board of the
Skeena-Queen Charlotte Regional District on the
24th day of January, 2014.

Dated at Prince Rupert, BC this 24th day of January, 2014.

Daniel Fish
Deputy Corporate Officer



SKEENA-QUEEN CHARLOTTE REGIONAL DISTRICT

100 - 1st Avenue East Prince Rupert, BC V8J 1A6

Phone: (250) 624-2002 Fax: (250) 627-8493

Website: www.sqcrd.bc.ca

Attachment 2

January 31, 2014

Office of the Premier of British Columbia
PO Box 9041 STN Prov Govt
Victoria BC V8W 9E1

Attention: Honourable Premier Christy Clark

Dear Premier Clark:

Re: BC Ferries Service Cuts

On behalf of the Board of the Skeena-Queen Charlotte Regional District (SQCRD), I am writing to request a joint-meeting with you, and other affected communities in the province, to discuss the recent BC Ferries service cuts and the serious and detrimental impacts that they will have in our communities.

The Skeena-Queen Charlotte Regional District Board is categorically opposed to the position that the Province of BC has taken in regard to the BC Ferries service cuts and fare increases. Furthermore, the Board is supportive of the BC Ferry Coalition and its continued efforts to oppose these cuts and fare increases.

I look forward to hearing from you shortly about your availability to schedule this meeting. In the meantime, if you have any questions please feel free to reach me through the contact information provided.

Yours truly,

SKEENA-QUEEN CHARLOTTE REGIONAL DISTRICT

Barry Pages
Chair

:df



Beaver Valley Recreation Committee

Minutes

Tuesday, February 11, 2014

Beaver Valley Arena Meeting Room, Fruitvale, BC

Present:

Director A. Grieve - Chair

Director J. Danchuk

Director P. Cecchini

Staff Present:

M. Daines, Manager of Facilities and Recreation

E. Kumar, Manager of Corporate Administration

CALL TO ORDER

The Chair called the meeting to order at 5:00 p.m.

ACCEPTANCE OF THE AGENDA (additions/deletions)

The agenda for the February 11, 2014 Beaver Valley Recreation Committee was presented.

The Chair noted some additions to the agenda and it was;

Moved: Director Cecchini

Seconded: Director Danchuk

That the agenda for the February 11, 2014 Beaver Valley Recreation Committee meeting be adopted as amended.

Carried.

ADOPTION OF MINUTES

The minutes of the Beaver Valley Recreation Committee meeting held January 14, 2014 were presented.

February 11, 2014

Moved: Director Cecchini

Seconded: Director Danchuk

That the minutes of the Beaver Valley Recreation Committee meeting held January 14, 2014 be adopted as presented.

Carried.

The minutes of the Beaver Valley Recreation Committee meeting held January 27, 2014 were presented.

Moved: Director Danchuk

Seconded: Director Cecchini

That the minutes of the Beaver Valley Recreation Committee meeting held January 27, 2014 be adopted as presented.

Carried.

DELEGATIONS

A. Benzer, Kootenay Columbia Trails Society re: Old Orchard and Flag Viewpoint Trails

The Chair welcomed Mr. Art Benzer and members of the Kootenay Columbia Trails Society to the meeting.

Mr. Benzer thanked the committee members for the opportunity to attend the meeting and updated them on the Antenna, Flag Viewpoint and Old Orchard Trails.

Mr. Benzer reviewed the usage of the Trails and advised that he was requesting funding in the amount of \$6,000 for upgrades to the Old Orchard and Flag Viewpoint Trails.

The Chair thanked Mr. Benzer for his presentation and advised that the committee would discuss his request during the budget deliberations portion of the meeting.

Moved: Director Danchuk

Seconded: Director Cecchini

That the presentation from Mr. A. Benzer, Kootenay Columbia Trails Society regarding a request for funding for upgrades to the Flag Viewpoint Trail and for the completion of the Old Orchard Trail be received.

Carried.

UNFINISHED BUSINESS

February 11, 2014

**Beaver Valley Recreation Committee
re: Memorandum of Action Items**

The Beaver Valley Recreation Committee Memorandum of Action Items for the period ending January 30, 2014 was presented.

Moved: Director Cecchini

Seconded: Director Danchuk

That the Beaver Valley Recreation Committee Memorandum of Action Items for the period ending January 30, 2014 be received.

Carried.

Recreation Agreement with the City of Trail

A letter from Mayor J. Danchuk, Village of Montrose regarding a request from the Village of Montrose for the Beaver Valley Recreation Committee to negotiate a recreation agreement with the City of Trail was presented.

A letter from Mayor Danchuk, Village of Montrose regarding a request from the Village of Montrose for a recreation service review was presented.

A letter from Lila Cresswell, C.A.O., Village of Fruitvale regarding negotiations for a recreation agreement with the City of Trail was presented.

Moved: Director Danchuk

Seconded: Director Cecchini

That the letter from Mayor Danchuk, Village of Montrose regarding a request from the Village of Montrose for the Beaver Valley Recreation Committee to negotiate a recreation agreement with the City of Trail be received.

Carried.

Moved: Director Danchuk

Seconded: Director Cecchini

That the letter from Mayor Danchuk, Village of Montrose regarding the Village's request for a recreation service review be received.

Carried.

Moved: Director Cecchini

Seconded: Director Danchuk

February 11, 2014

That the letter from Lila Cresswell, C.A.O., Village of Fruitvale regarding negotiations for a recreation agreement with the City of Trail be received.

Carried.

The committee members discussed the letters and various pieces of financial information and it was;

Moved: Director Danchuk

Seconded: Director Cecchini

That the matter be referred to staff for a report.

Carried.

Director Danchuk advised that he would meet with Regional District staff and the Villages of Fruitvale and Montrose staff to discuss these issues further.

Feb 5/14 - M. Daines

re: Strategic Measurable(s) and Targets

A staff report from Mark Daines regarding an update on strategic measurable(s) and targets for the RDKB Strategic Plan was presented.

Moved: Director Cecchini

Seconded: Director Danchuk

That the updated Measureables and Targets be received.

Carried.

Discussion on Pickle Ball

The committee members discussed a request the committee members had received to use the Montrose Tennis Courts for pickleball and it was;

Moved: Director Cecchini

Seconded: Director Danchuk

That pickleball representatives be encouraged to submit a grant application to the C.B.T. Community Initiatives Fund.

Carried.

Director Danchuk advised that the Village of Montrose is reviewing the current use of the skate board park.

February 11, 2014

Feb 5/14 - M. Daines

re: Third Draft 2014 Budget and Five Year Financial Plan

A staff report by Mark Daines - Manager of Facilities and Recreation regarding the 3rd draft of preliminary budgets for 2014 for Beaver Valley Recreation was presented.

Moved: Director Danchuk

Seconded: Director Cecchini

That the staff report from Mark Daines, Manager of Facilities and Recreation regarding the 2nd draft of preliminary budgets for 2014 for Beaver Valley Recreation be received.

Carried.

Moved: Director Danchuk

Seconded: Director Cecchini

That the Beaver Valley Recreation 2014 Budget and 2014 - 2015 Five Year Financial Plan be referred to the Finance Committee with a recommendation that it be included in the overall Regional District of Kootenay Boundary 2014 - 2018 Financial Plan.

Carried.

NEW BUSINESS

Age Friendly Report

Director Cecchini updated the committee members on the Age Friendly Program and the success this program has achieved and it was;

Moved: Director Cecchini

Seconded: Director Danchuk

That the report be received.

Carried.

DISCUSSION OF ITEMS FOR FUTURE MEETINGS

Review of Survey and Townhall Meeting.

Advertising Refund Program

A meeting will be held March 5, 2014 at the Village of Fruitvale Council Chambers at 5:00 p.m. to meet with the C.A.O.'s and Elected Officials to review the budget process.

February 11, 2014

ADJOURNMENT

There being no further business, the meeting adjourned at 6:30 p.m.

February 11, 2014



Boundary Economic Development Committee

Minutes
Tuesday, February 11, 2014
RDKB Grand Forks Boardroom

Present:

Director B. Baird, Chair
Director M. Rotvold
Director B. Noll
Director R. Russell

Other Elected Officials Present:

Director G. McGregor

Staff Present:

E. Kumar, Manager of Corporate Administration
W. McCulloch, Community Futures Boundary
S. Elzinga, Community Futures Boundary

Call to Order

The Chair called the meeting to order at 9:30 a.m.

Consideration of the Agenda (additions/deletions)

The Manager of Corporate Administration advised that an item "Election of Vice Chair" needed to be added to the agenda and it was;

Moved: Director Rotvold

Seconded: Director Noll

That the agenda be adopted as amended.

February 11, 2014

Carried.

Consideration of the Minutes

The minutes of the Boundary Economic Development Committee meeting held December 10, 2013 were presented.

Moved: Director Noll

Seconded: Director Russell

That the minutes of the Boundary Economic Development Committee meeting held December 10, 2013 be adopted as circulated.

Carried.

Election of Vice Chair

The Chair called a first time for nominations for the position of Vice Chair of the Boundary Economic Development Committee for 2014 and it was;

Moved: Director Noll

Seconded:

That Director Rotvold be nominated for the position of Vice Chair for 2014.

Carried.

The Chair called a second and third time for nominations and there being none, declared Director Rotvold Vice Chair of the Boundary Economic Development Committee for 2014.

Delegations

Mr. Chuck Bennett of BlackPress
re: New Tourism Brochure

The Chair welcomed Mr. Chuck Bennett of BlackPress to the meeting.

Mr. Bennett thanked the committee members for the opportunity to attend the meeting and provide information on the 2014 Visitor's Guide.

Mr. Bennett advised that the deadline for advertising in his Guide is March 18th.

The Chair advised that the committee would discuss whether or not to place an advertisement in the Guide during the budget deliberations portion of the meeting.

February 11, 2014

The Chair thanked Mr. Bennett for his presentation.

**Ms. Lori Camire, Community Futures
re: Venture Connect**

The Chair welcomed Ms. Lori Camire of Community Futures/Venture Connect Program to the meeting.

Ms. Camire provided a powerpoint presentation that included the following:

- Business Succession & Retention;
- The Opportunity Venture Connect Provides;
- Current Business Landscape;
- Supply by Region;
- Key Reasons for Business Sale;
- Unsold Supplies;
- Local Buyers - Kootenay;
- Local Buyers - Provincial;
- Population Growth;
- Demographic Scenario Widespread and Opportunity;
- Venture Connects' Niche.

The committee members asked various questions of Ms. Camire.

The Chair thanked Ms. Camire for her presentation.

**Ms. Andrea Wilkey, Community Futures Nelson
re: Invest Kootenay**

The Chair welcomed Ms. Andrea Wilkey, Community Futures Nelson/Invest Kootenay, to the meeting.

Ms. Wilkey provided a powerpoint presentation which included the following:

- What Invest Kootenay is all About;
- Community Partners;
- Governance;
- Tools for Investor Attraction
(website, social media, advertising, rack cards);
- Statistics;
- Origin of Investors;
- Benefits to the Boundary Region.

February 11, 2014

The committee members asked various questions and it was agreed that Community Futures would review the costs and benefits of the Boundary Economic Development Committee possibly participating again.

Unfinished Business

Review of 2014 Financial Plan

The Manager of Corporate Administration reviewed the 2014 Financial Plan with the committee members with the amendments made from the last meeting.

The Manager of Corporate Administration advised that without the transfer of funds from reserves, the Financial Plan would have had an increase to the requisition of 35%.

The Manager of Corporate Administration noted that there is approximately \$15,000 remaining in the reserve and that the committee will be facing some difficult decisions in the future regarding funding.

The committee members discussed the 2014 Financial Plan and it was;

Moved: Director Rotvold

Seconded: Director Noll

That the requisition be increased by 5% in 2014.

Carried.

Moved: Director Noll

Seconded: Director Rotvold

That the Boundary Economic Development Committee 2014 Budget and 2014-2018 Five Year Financial Plan be referred to the Finance Committee with a recommendation that it be included in the overall Regional District of Kootenay Boundary 2014-2018 Financial Plan.

Carried.

Director McGregor advised that she would be providing a grant-in-aid of \$4,000 through Community Futures Boundary for regional projects.

The committee members also agreed to participate in the Kettle Valley Express Travel Guide and that participation in the BlackPress Guide would be up to individual municipalities and electoral areas.

New Business

February 11, 2014

Report from Community Futures

Ms. McCulloch and Ms. Elzinga reviewed their report and the projects that Community Futures Boundary is working on.

The Chair thanked Community Futures Boundary for their report and it was;

Moved: Director Rotvold

Seconded: Director Russell

That the report from Community Futures Boundary be received.

Carried.

Discussion of items for future agendas

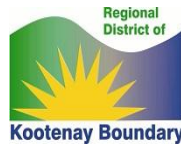
Discussion on Time and Location of March Meeting

The committee members discussed the time and location of the next meeting and it was agreed that, if there is a meeting required, the meeting would be held March 4, 2014 at 10:00 a.m. at the Community Futures Boundary meeting room.

Adjournment

There being no further business, the meeting adjourned at 11:55 a.m.

February 11, 2014



Environmental Services

Minutes

Thursday, February 13, 2014
RDKB Board Room, Grand Forks, BC

Directors Present

Director K. Wallace, Chair
Director B. Taylor
Director B. Noll
Director R. Cacchioni
Director P. Cecchini
Director G. McGregor
Director L. Worley
Director M. Rotvold
Director J. Danchuck
Director B. Crockett
Director R. Russell
Director A. Grieve (via telephone)

Staff Present:

Alan Stanley, Director of Environmental Services
Tim Dueck, Solid Waste Program Coordinator (Recording Secretary)

CALL TO ORDER

Chair Wallace called the meeting to order at 6:25 p.m.

ACCEPTANCE OF AGENDA (ADDITIONS/DELETIONS)

The Agenda for the Environmental Services Committee February 13, 2014 meeting is presented.

Moved: Director Noll

Seconded: Director Crockett

That the agenda for the Environmental Services Committee February 13, 2014 meeting be adopted.

Carried.

February 13, 2014

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MINUTES

Minutes of the Environmental Services Committee meeting held January 16, 2014.

Moved: Director Cacchioni

Seconded: Director McGregor

That the Minutes of the Environmental Services Committee meeting held January 16, 2014 be adopted as circulated.

Carried.

UNFINISHED BUSINESS

A. The Environmental Services Memorandum of Committee Action Items for the period ending January 2014 is presented.

Moved: Director Worley

Seconded: Director McGregor

That the Environmental Services Memorandum of Committee Action Items for the period ending January 2014 be received.

Carried.

Moved: Director Rotvold

Seconded: Director Worley

That the ES Committee request the Board of Directors to direct Staff to publish an RDKB Newsletter at least two times per year.

Carried.

B. A Staff Report from Alan Stanley, General Manager of Environmental Services regarding the Draft Regional Solid Waste Management 2014 Annual Budget and Five-Year Financial Plan.

Moved: Director McGregor

Seconded: Director Russell

That the staff report from Alan Stanley, General Manager of Environmental Services regarding the Draft 2014-2018 Budget and Five-Year Financial Plan - Regional Solid Waste Management be received.

Carried.

February 13, 2014

Page 2 of 4

Moved: Director McGregor

Seconded: Director Cacchioni

That the Regional Solid Waste Management 2014 Budget/2014 - 2018 Five Year Financial Plan be referred to the Finance Committee with a recommendation that it be included in the overall Regional District of Kootenay Boundary 2014 - 2018 Financial Plan.

Carried

Moved: Director Russell

Seconded: Director McGregor

That Staff report on replacing the statutory Closure Reserve with a reserve called 'The Closure and Landfill Infrastructure Reserve Fund' intended to provide funding for capital projects that extend the lifespan of landfills, and the consequence of not correcting a qualification in the annual RDKB audit.

Carried.

C.A Staff Report from Alan Stanley, General Manager of Environmental Services regarding the draft Big White Solid Waste Service 2014-2018 Annual Budget and Five-Year Financial Plan.

Moved: Director Cacchioni

Seconded: Director McGregor

That the staff report, from Alan Stanley, General Manager of Environmental Services regarding the draft Big White Solid Waste Service 2014-2018 Annual Budget and Five-Year Financial Plan be received.

Carried.

There was a discussion regarding the 19% increase over last year's requisition. Mr. Stanley pointed out year to year fluctuations in the budget. The 2014 status quo requisition of \$177,547 is an increase over the 2013 amount of \$149,052 but it is still less than the 2012 Budget of \$192,237.

Moved: Director Cacchioni

Seconded: Director Taylor

That the Big White Refuse Disposal Service 2014 Budget and 2014-2018 Five-Year Financial Plan be referred to the Finance Committee with a recommendation that it be included in the overall Regional District of Kootenay Boundary 2014 - 2018 Financial Plan.

Carried.

February 13, 2014

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D. A Staff Report from Alan Stanley, General Manager of Environmental Services regarding organics and garbage collection in Area D.

Moved: Director Russell

Seconded: Director Worley

That the staff report from Alan Stanley, General Manager of Environmental Services regarding organics and garbage collection in Area D be received.

Carried.

Discussion: Director Russell informed the Committee that this topic was raised at the Area D Townhall meeting on February 11th and that the idea was well received.

Director Taylor asked about the timing for bringing this service to Area C residents. Mr. Stanley stated that this could be done in the Spring of 2015 and that the SWMP process would produce a time-line for full-regional implementation of the Green Bin service.

Director Cacchioni pointed out that this should be in the RDKB Newsletter and website.

Director Taylor wondered if residents could have access to the finished product. Mr. Stanley reported that the material was being tested and decisions could be made after results are known.

Director Rotvold noted she receives many enquiries about when this service is coming to Midway.

Mr. Stanley pointed out that there are presently reduced tipping fees at all RDKB Landfills for 'Source Separated Organics' to encourage businesses and institutions to divert organic material from the landfill. Prior to significant increases in the organics stream, additional infrastructure is required, particularly in the east sub-region, which will be considered in the SWMP update. Other policy tools, such as landfill bans will be considered.

Moved: Director Russell

Seconded: Director Cacchioni

That the Environmental Services Committee recommend that the Board of Directors approve implementation of organics and garbage collection in Area D.

Carried.

NEW BUSINESS

LATE (EMERGENT) ITEMS

DISCUSSION OF ITEMS FOR FUTURE MEETINGS

QUESTION PERIOD FOR PUBLIC AND MEDIA

CLOSED (IN CAMERA) SESSION

ADJOURNMENT

There being no further business to discuss, Director Noll moved adjournment at 7:21 p.m.

February 13, 2014

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Electoral Area Services

Minutes

Thursday, February 13, 2014

RDKB Board Room, 2140 Central Ave., Grand Forks

Directors Present:

Director Linda Worley, Chair

Director Grace McGregor

Director Roly Russell

Director Bill Baird

Director Ali Grieve, (via teleconference)

Staff Present

Elaine Kumar, Manager of Corporate Administration

Mark Andison, General Manager of Operations/Deputy CAO

Lori King, Recording Secretary

CALL TO ORDER

Chair Worley called the meeting to order at 4:40 p.m.

ACCEPTANCE OF AGENDA (ADDITIONS/DELETIONS)

February 13, 2014

Chair Worley stated that a Discussion on the Solid Waste Management Steering Committee request would be added to the agenda.

Moved: Director McGregor

Seconded: Director Russell

That the February 13, 2014 Electoral Area Services Agenda be adopted as amended.

Carried.

February 13, 2014

Page 1 of 6

MINUTES

January 16, 2014

Moved: Director Grieve

Seconded: Director McGregor

That the January 16, 2014 Electoral Area Services Minutes be adopted as circulated.

Carried.

UNFINISHED BUSINESS

Electoral Area Services Committee Memorandum of Action Items

Moved: Director Grieve

Seconded: Director McGregor

That the Electoral Area Services Committee Memorandum of Action Items be received.

Carried.

NEW BUSINESS

TRAIL REGIONAL AIRPORT

RE: Development Permit

8995 Highway 22A, Electoral Area 'A'

Lot 4, DL 205A, KD, Plan 800

RDKB File #: A-205A-00933.050

Mark Andison, Manager of Operations/Deputy CAO reviewed the application with the Committee members. The Area 'A' APC had no concerns regarding this application.

Moved: Director McGregor

Seconded: Director Russell

That the staff report regarding the application for a Development Permit submitted by the City of Trail for the property legally described as Lot 4, DL 205A, KD, Plan 800, Except Plan 5179 SRW 15510; Lot 3 Plan NEP800 DL 205A, KD, Except Plan 5179 SRW 15510; Lot 2 Plan NEP800 DL 205A, KD, Except Plan 5179 SRW 15510; Lot 1 NEP800 DL 205A, KD, Except Plan 5179 SRW 15510, generally referred to as the Trail Regional Airport, be received.

Carried.

February 13, 2014

Page 2 of 6

BAY, Dave and Kelly (Willow Beach Resort)**RE: Development Permit Amendment**

Unit 31, 14 Tedesco Rd., Christina Lake, BC

Lot B, DL 750, SDYD, Plan 10408

RDKB File#: C-750-04066.00

Mark Andison, General Manager of Operations/Deputy CAO reviewed the application stating that the applicants were following through with the DP Guidelines. The Area 'C' APC had no concerns regarding this application.

Moved: Director McGregor

Seconded: Director Grieve

That the staff report regarding the application for a Development Permit Amendment with a Variance, submitted by David and Kelly Bay for the property legally described as Lot B, DL 750, SDYD, Plan 10408, be received.

Carried.

WIEDER, Charles and Sharon**RE: Site Specific Floodplain Exemption**

25 Smoker Rd., Carmi, BC, Electoral Area 'E'

Lot A, DL 2360, SDYD, Plan KAP91365

RDKB File#: E-2360-05164.050

Mark Andison, General Manager of Operations/Deputy CAO reviewed the application. The Area 'E' Advisory Planning Commission was not in favour of approving this application and had the following concerns:

- proposal is requesting house to be built in the riparian area.
- there is concern about bank erosion.
- don't want to change setbacks, they are there for a reason.
- don't want to set a precedent for future.

Moved: Director McGregor

Seconded: Director Baird

That the application for a Site Specific Exemption to the Floodplain Management Bylaw submitted by Charles and Sharon Wieder, to construct a single family dwelling on the property legally described as Lot A, DL 2360, SDYD, Plan KAP91365, be denied based on the Area 'E' Advisory Planning Commission's concerns.

Carried.

February 13, 2014

Page 3 of 6

THIESSEN, Heinrich

RE: Ministry of Transportation and Infrastructure Subdivision

355 Lost Horse Creek Forest Service Rd., Christian Valley, Area 'E'

Lot 16, DL 3637, SDYD, Plan 1191, Except Plans 43580, KAP48720 and KAP55950

RDKB File #: E-3637-07194.000

Moved: Director McGregor

Seconded: Director Baird

That the staff report regarding the Ministry of Transportation and Infrastructure referral for a proposed conventional subdivision at the property legally described Lot 16, DL 3637, SDYD, Plan 1191, Except Plans 43580, KAP48720 and KAP55950, be received.

Carried.

Staff Report from Mark Andison, General Manager of Operations/Deputy CAO

RE: Planning and Development Department Five Year Financial Plans

Mark Andison, General Manager of Operations/Deputy CAO reviewed the report noting the difference is the inclusion of the updated 2013 actual numbers taken from the December 31, 2013 financial statement.

Moved: Director McGregor

Seconded: Director Grieve

Carried.

That the staff report from Mark Andison, General Manager of Operations/DCAO regarding the proposed 2014 Planning and Development Department Five-Year Financial Plan be received.

Carried.

Moved: Director McGregor

Seconded: Director Russell

That the Planning and Development Committee 2014 Budget and 2014-2018 Five Year Financial Plan be referred to the Finance Committee with a recommendation that it be included in the overall Regional District of Kootenay Boundary 2014-2018 Financial Plan.

Carried.

February 13, 2014

Page 4 of 6

Staff Report by Elaine Kumar, Manager of Corporate Administration
RE: Electoral Area Name Changes

Moved: Director McGregor

Seconded: Director Baird

Carried.

That the staff report from Elaine Kumar, Manager of Corporate Administration, regarding Electoral Area Name Changes be received.

Moved: Director Russell

Seconded: Director Baird

That the Electoral Area Services Committee recommend to the Board of Directors that the staff proceed with an Order-in-Council application with the Electoral Area name changes.

Carried.

Greater Trail Community and Arts Centre
RE: Gas Tax Application

Moved: Director McGregor

Seconded: Director Grieve

That the Gas Tax application by Mark Daines, Manager of Facilities and Recreation, for the Greater Trail Community and Arts Centre in the amount of \$100,000.00 be received.

Carried.

Moved: Director Baird

Seconded: Director Russell

That the Electoral Area Services Committee members recommend that the Greater Trail Community and Arts Centre Gas Tax application in the amount of \$100,000.00 be referred to the municipalities and Electoral Area's in the east end.

Carried.

Grant in Aid Update

Moved: Director Russell

Seconded: Director McGregor

That the Grant in Aid report be received.

Carried.

February 13, 2014

Page 5 of 6

Gas Tax Update

Moved: Director Baird

Seconded: Director McGregor

That the Gas Tax report be received.

Carried.

LATE (EMERGENT) ITEMS

Discussion on the Solid Waste Management Plan (SWMP) Steering Committee request

The SWMP Steering Committee is requesting the Electoral Area Director's may wish to put forward names of anyone in their area to be a member of the SWMP Potential Public Advisory Committee.

DIRECTOR REQUEST FOR STAFF RESOURCES (DISCUSSION)

CLOSED (IN CAMERA) SESSION

ADJOURNMENT

There being no further business the meeting was adjourned at 5:20 p.m.

February 13, 2014

Page 6 of 6

**Minutes of the Regular Meeting of the Electoral Area 'C' Parks & Recreation Commission
held Wednesday February 12th, 2014 at the Welcome Centre**

Present

Carlo Crema
Liz Stewart
Paul Beattie
Dianne Wales
Dan Marcoux

Absent

Larry Walker, as advised
Dave Beattie, as advised
Bob Dupee, as advised
Don Nelson

RDKB Staff

John Mackey

Area Director

Grace McGregor

Guest

Sandy Mark

Agenda

1. M/S Paul Beattie, Dan Marcoux that the agenda is accepted as amended.

Carried

Minutes

2. M/S Liz Stewart, Paul Beattie that the minutes of the Regular Meeting of January 8th, 2014 are accepted as amended.

Carried

Correspondence

CL Gateway – Bike Infrastructure Report. Cavan Gates reviewed the report with the Commission. Director McGregor offered to fund the project with Gas Tax Funding.

3. M/S Carlo Crema, Paul Beattie that the Commission receive the Report and support it in principle.

Carried

Old Business

Financial Plan – Staff reviewed the final draft of the budget with the Commission. Budget was amended to include the following:

- Phoenix Ski Hill \$2000
- ATV Club \$4000

4. M/S Dan Marcoux, Paul Beattie that the 2014-2018 Financial Plan be recommended for inclusion in the RDKB Budget.

Carried

Larson Road Boat Ramp – Staff advised that the Environmental Study had been set and will be conducted as soon as the ice is off the lake. There is a very narrow construction window for the repairs and it will result in a limited closure this July.

New Business

Marine Plan Meeting Report – Paul Beattie presented a summary of the discussions held with interested parties.

5. M/S Paul Beattie, Dan Marcoux that staff write a letter BC Parks recommending the construction of a boat launch at the provincial park beach.

Carried

COPS Update – Volunteers still need as numbers are well down.

Community Coordinator Report, Sandy Mark gave a verbal report on her activities since the last meeting including the new website launch. It was recommended that the Commission cost share with Gateway on parking lot snow plowing.

Trail Maintenance Equipment Repair – Dan Marcoux requires some repairs and part replacement to the snow removal equipment.

6. M/S Paul Beattie, Carlo Crema that a sum not to exceed \$1200 be expended for repairs to the snow plowing equipment.

Carried**Outstanding Projects and Discussions**

Christina Crest Trail
 Boat House
 Seniors Housing
 Pole and Light in Playground
 Winter Ice Rink on Slab
 Teck Property Access
 Walking Trail around Golf Course
 Disc Golf
 Plastic Ice
 Pedestrian Bridge
 Boat Dock @ Community Park
 Fitness Trail in Nature Park

Adjournment

7. Moved by Liz Stewart that the meeting be adjourned.

Carried

John Mackey, Recording Secretary

Diane Wales, Chairperson

**Minutes of the Regular Meeting of the Grand Forks and District Recreation Commission
held Thursday February 13th, 2014 in the Arena Meeting Room**

Present

Ken Johnston
Michele Garrison
Brian Taylor
Cindy Strukoff

Absent

George Longden, as advised
Gene Robert, as advised
Michael Wirischagin, as advised

Staff

John Mackey

Area Director

Roly Russell

Agenda

1. M/S Brian Taylor, Michele Garrison that the agenda is accepted as amended.

Carried

Minutes

2. M/S Brian Taylor, Cindy Strukoff that the minutes of the regular meeting of January 9th, 2013 are accepted as circulated

Carried

Business Arising from the Minutes

Old Business

2014 Budget Planning – Staff presented a final draft of the 2014 – 2018 Financial Plan. The Commission reviewed and discussed the Plan in detail.

3. M/S Brian Taylor, Michele Garrison that the 2014-2018 Financial Plan for GFREC be recommend for inclusion in the RDKB Financial Plan.

Carried

Community Garden Project – Interest and involvement in the project is growing. Several groups and businesses have come forward with resources to assist with the development. The Recreation Commission will make financial resources available to ensure the landscaping between the Garden and the Family Fitness Park are incorporated.

4. M/S Brian Taylor, Michele Garrison that GFREC ensure a sum not to exceed \$5000 is available for landscaping issues.

Carried

Criminal Record Checks – Staff advised that employees at the Aquatic Centre are getting criminal record checks.

New Business

Partnership with Interior Health – Staff advised it has entered in to a partnership with Interior Health to deliver programming to chronically ill clients. Funding will cover program registration, admissions, public education and promotions as well as funding for employee training.

Other Business Arising from the Floor

Grand Forks ATV Club – Application for Funding – The ATV Club was looking for financial resources to fund the Gilpin Staging Area.

5. M/A Michele Garrison, Cindy Strukoff that the Club be invited to make a presentation to the Commission at its earliest convenience.

Carried

Adjournment

6. Moved by Brian Taylor that the meeting be adjourned.

Carried

John Mackey, Recording Secretary

Ken Johnston, Acting Chairman

REGIONAL DISTRICT OF KOOTENAY BOUNDARY PUBLIC HEARING MINUTES

Proposed Zoning Bylaw Amendment: Bylaw 1539

Minutes of a Public Hearing for Regional District of Kootenay Boundary Zoning Amendment Bylaw No. 1539, 2013 held at 7:00 pm, Tuesday, February 18, 2014 at the Regional District of Kootenay Boundary Grand Forks Office 2140 Central Avenue, Grand Forks, BC.

Director Present: Director Roly Russell

Staff Present: Jeff Ginalias, Assistant Planner

Others Present: Applicants Karen and Tom McKay and 14 members of the public

Director Russell opened the Public Hearing for proposed amending Bylaw 1539. The Assistant Planner then provided a summary of the amending bylaw.

The Planner reviewed the following:

- The application and specific parcel under application;
- The new permitted use in the proposed Agricultural Resource 1A Zone;
- The definition of a 'kennel' and what would be permitted on the property if the zoning is approved
- The referral responses from the Ministry of Transportation and Infrastructure, Ministry of Environment, City of Grand Forks, IHA, and Grand Forks Irrigation District. The City supports the application and the other agencies advised that their interests were unaffected.

The Assistant Planner advised that the RDKB had received one written submission to be read at the Public Hearing. A person who spoke also asked that her notes be included in the Minutes.

The written submission is from the neighbor immediately east of the parcel under application, who expressed concern that a kennel could be disruptive to the serenity of the neighbourhood and may make deter property buyers from the neighbourhood (*Submission attached*).

Director Russell then opened the floor for comments.

Susan Ross of 2135 Carson Road commented that the applicants were good neighbours and had no objection to their proposed operation, but wondered if the property is sold could a future owner operate a kennel. She asked whether there were restrictions on the number of dogs allowed. She also inquired whether there is a noise bylaw.

Pat Turner also asked whether there is a noise control bylaw and expressed concerns about kennel operations by future owners of the property if the zoning amendment is adopted.

Bob DeMaertelaere commented that Area 'D' is the only jurisdiction he has ever lived in without regulated kennels. He said the applicants are excellent kennel operators, and if regulations for kennels are to be considered, the applicants' operation should be used as a model.

Nancy Perepolkin of 5040 Carson Road suggested no noise bylaw in rural areas is in place because farming can occur at all hours. She asked about any restrictions on kennel dogs getting loose and being at large. She also asked about compensation for property owners who feel their values are reduced by the operation of a nearby kennel.

Anita Krause of 5045 Almond Gardens Road advised that a dog owners group is advocating with the Regional District for policies and regulations for humane, safe kennels. She submitted that legitimate kennel operators address noise, safety and animal stress conditions by not allowing dogs outside at night, providing adequate space and clean facilities, and using fencing and screening to keep the public safe. She said that kennel operators enjoy quiet operations as much as the neighbours, and that knowledgeable operators run proper kennels to minimize noise. The best way to minimize noise is put the animals inside at night.

Mo Ross of 2105 Carson Road distinguished between the noise related to farming and noise related to a kennel.

Laureen McLean of 6390 19th Street (City of Grand Forks) said she was a former neighbor of the applicants and endorsed their operations. She suggested they always brought their animals in at night and some of the barking noise at night in their prior neighbourhood came from other dogs. She further commented that an owner could put a pig farm on their agricultural property and it might be noisier and smellier than a kennel.

Director Russell commented that Right to Farm legislation is provincial and restricts local government's ability to regulated farm practices around noise. He suggested the comments be directed specifically to the kennel application at hand and not delve into aspects of farm practices.

Jean Burnelle of 2675 65th Ave is a member of the Pet Dog Association. She commented that there are many other kennels in the area operating without being permitted. If this application is adopted, their operation will set the standard for how operations should be regulated. She also commented that within the City of Grand Forks, there are 4 pockets where kennels are permitted. They are small but they seem to be working well.

Laura Lodder, who owns the parcel immediately west (2315 Carson Road) opposes the application, stating that a kennel is not a good use of agricultural land, has concerns about future owners and their operations, that there are limited rules on kennels, a concern that exotic pets, such as snakes are permitted, that kennels may devalue the surrounding properties, that even though some neighbouring parcels do not have houses on them, they might some day and would then be impacted, that the application says the owners may develop a full boarding facility in the future but there are no specifics, and that the majority of residents in Area 'D' residents have expressed a desire to maintain the rural character of Area 'D' and that a kennel does not maintain rural character (*Notes attached*).

Director Russell summarized the discussion to that point. The topics which keep coming back are noise, concerns on future operators, and potential impact on neighbouring property values. Those subjects had been adequately discussed and asked if there were comments on other concerns.

Sandy MacKelir of 8515 Riverside Avenue (City of Grand Forks) commented that the kennel process needs to begin somewhere. A starting point is making good kennels legal.

Karen McKay, the applicant, commented that above all she wants to be legal, so she has certainty on what she can do with her land. This is agricultural land and a kennel is agricultural use. The parcels on three sides of her property are commercial agricultural operations with no dwellings, and speculating on what they may become in the future is uncertain.

Director Russell asked if there were any further questions or comments. Hearing no further questions or comments, Director Russell closed the Public Hearing at 8:02 P.M.

I hereby certify that this is a fair and accurate record of the nature of representations made at the Public Hearing for Regional District of Kootenay Boundary Zoning Amendment Bylaw No. 1539, 2013.

Recording Secretary

Chairperson

To Whom It May Concern:

Regarding the Proposed Zoning Amendment Bylaw No. 1539 which would allow a "Kennel" to operate on the subject property at 2235 Carson Road.

My family has owned and lived on the property which borders the subject property on the east for over 60 years. After my father passed away in 2006, my mother continued to live there on her own until December of 2011, when we relocated her to White Rock in order to be closer to my family. Sadly, she also passed away last March.

Since no one in the family is interested in taking over the property and residing there, we are now left with the task of cleaning up the property and putting it on the market for sale.

There are many properties for sale in the Grand Forks area, and we would be extremely fortunate to find a buyer under the best of circumstances. Our concern is that having a kennel operating on the neighbouring property would almost certainly be a deterrent for any potential buyers.

The area at the present time is quite serene and peaceful. When I visit the family farm, it is so pleasant just to enjoy the peace and quiet. Having a kennel in the area would change that. Dogs are not quiet animals, and especially if there are several, or many concentrated in one area.

I have never been to a kennel of any kind, therefore have no first hand experience of what the noise level is like, but I imagine it could be quite loud and annoying, if not irritating to people in the neighbourhood. If we had a potential buyer for our property, they may actually want to build a new home nearer to Carson Road, which would put them even closer to the neighbour's kennel operation.

I have heard that the applicants, the McKays, previously operated a kennel in North Fork without having the proper zoning, and there were complaints from the neighbours.

Their application for this zoning change does not include any details for any structures or pens which will most likely be erected to house animals. If this zoning change goes through and a kennel is allowed, there may be no limit to what will be constructed. By then it would be too late.

I trust that there will be other neighbours who will attend the meeting this evening, voicing their concerns and asking their questions.

Respectfully submitted,
Howard Chutskoff, neighbour at 2165 Carson Road

Mammi Barnes

NOTES FROM LAURA LODDER

The Majority of Residents living in Area D
at the Community Planning Meeting in 2013
wanted to maintain the rural character

① No Rules of Area D

DO KENNELS
HAVE TO BE
PASSED BY
BLDING
INSPECTOR

Making good use of Agriculture Lands
is not having a kennel on them.

"Dogs" ~~even #~~
Having a kennel can be very noisy
& How is pooh gotten rid of
would not be good for the neighbours

* Read 2nd page of 4 highlighted
DONT SAY

HOW MANY
DOGS

Having a kennel next to existing properties
will for sure devalue them

NOISEY -

regional
regulated

If property is sold the purchaser can
also run it as a kennel this is not good.

As we are owners of the adjoining land
we are not in favour at all of the Proposed
Zoning Amendment Bylaw 1539 that would amend
Electoral Area "D" Zoning Bylaw 1299 that would be
adding a new zone Agriculture Resources 1A which
would allow the kennel to operate as permitted
Secondary use.

If this is okayed we may have many more
We are waiting for a big problem.

NOTES FROM LAURA LONDER (PAGE 2)

1. *landform* If this property is sold the Purchaser can continue to use it as a kennel. Barking and noise *isn't* up.
2. They wish to possibly do a full boarding facility in the future it says *for* how many
3. The two properties on each side do not have houses on them but one is for sale and they both could have homes built on them and even the one with
- 4 ~~Station~~ trees across the road could have ^ahomes built on it all are separate lots

**Regional District of Kootenay Boundary
Greenwood/Area 'E' Cemetery Committee**

Minutes of a meeting of the Greenwood/Area 'E' Cemetery Committee held in the City of Greenwood City Hall Council Chambers, Greenwood, B.C., Monday, February 17, 2014 at 11:00 a.m.

Present: Director B. Baird, Chair
Director B. Noll
Jill Kellerman (Bridesville)
Mary Lautard (Westbridge/Christian Valley)

Absent: Vicky Tomlinson (Beaverdell)
Mary Cannon (Rock Creek)

Also Present:

Mayor Nipper Kettle

Staff Present:

Elaine Kumar, R.D.K.B.
Robin Dalziel, C.A.O., Greenwood
Randy Smith, Greenwood Public Works

Item #1
Call to Order

The Chair called the meeting to order at 11:00 a.m.

Item #2
Consideration of Agenda

Moved: Director Noll/Sec'd: M. Lautard

That the agenda be adopted as circulated.

Carried.

Item #3
Consideration of Minutes

Moved: Director Noll/Sec'd: M. Lautard

That the minutes of the Greenwood/Area 'E' Cemetery Committee meeting held February 4, 2013 be adopted as circulated.

Carried.

Item #4
New Business

Discussion on Financial Plan

The committee members reviewed the 2014 Financial Plan and it was generally agreed to the following;

- Complete the capital upgrades of up to \$18,000 at the Greenwood Cemetery (new gate, signage, fencing and tree removal). The Manager of Corporate Administration advised that the Regional District had just paid a bill for \$4,500 for clean up at the cemetery;
- That up to \$1,000 each be approved for maintenance costs at the Greenwood, Rock Creek, Beaverdell, Bridesville and Westbridge/Christian Valley Cemeteries;
- That \$1,500 be budgeted for pest control services (all cemeteries).

It was agreed that the requisition limit be set at \$20,000.

It was also agreed that completion of the Greenwood Cemetery upgrades were a priority for 2014 and that other projects such as surveying be deferred to the 2015 budget deliberations.

Moved: M. Lautard/Sec'd: Director Noll

That the Greenwood/Area 'E' Cemetery Service 2014 Budget and 2014-2018 Five Year Financial Plan be referred to the Finance Committee with a recommendation that it be included in the overall Regional District of Kootenay Boundary 2014-2018 Financial Plan.

Carried.

Next Meeting

The next meeting will be held at the call of the Chair.

Adjournment

There being no further business, the meeting adjourned at 11:45 a.m.

EK



Sewerage Committee

Minutes

**Tuesday, February 4, 2014
RDKB Board Room, Trail, BC**

3:00 P.M.

Directors Present

Director R. Cacchioni, Chair
Director B. Crockett
Director K. Wallace

Staff Present

T. Lenardon, Executive Assistant
A. Stanley, General Manager Environmental Services
B. Teasdale, Manager Infrastructure and Sustainability

Call to Order

The Chair called the meeting to order at 3:02 p.m.

Adoption of Agenda (Additions/Deletions)

The Agenda for the February 4, 2014 East End Sewerage Committee meeting was presented.

Chair Cacchioni requested that a discussion regarding the format of the budgets and the inclusion of an executive summary as well as a discussion regarding a proposed contract for Electoral Area 'B's (Rivervale / Oasis) participation in the East End Sewer Service be added to the agenda, and it was;

Moved: Director Wallace Seconded: Director Crockett

That the agenda be adopted as amended.

Carried.

Adoptions of Minutes

The minutes of the East End Sewerage Committee meeting held January 7, 2014 were presented.

Director Wallace inquired about the inclusion of a resolution respecting the completion of activities to obtain more information regarding the costs of upgrading flow meters and flow meter stations.

Staff noted that to the best of their recollection this was a discussion and that a resolution was not advanced, and it was;

Moved: Director Crockett Seconded: Director Wallace

That the minutes from the East End Sewerage Committee meeting held January 7, 2014 be adopted as presented.

Carried.

Delegation(s)

There were no delegations in attendance.

Unfinished Business**East End Sewerage Committee
Memorandum of Action Items**

The East End Sewerage Committee Memorandum of Action Items for the period ending January 31, 2014 was presented.

Moved: Director Crockett Seconded: Director Wallace

That the East End Sewerage Committee Memorandum of Action Items for the period ending January 31, 2014 be received.

Carried.

Staff answered inquiries regarding the following action items:

1. Electoral Area 'B's participation in the service once Staff have drafted a new East End Sewerage Service Establishment Bylaw for the cities of Rossland and Trail and Village of Warfield pursuant to the Arbitration Minutes of Settlement.
2. Response and recovery claims from severe weather events of 2012.
3. Costs related to flow meters and flow stations. A Staff Report was provided by Staff that was discussed later in the meeting, and
4. Updated cost estimates for other river crossing options as identified by Opus Dayton-Knight. The Consultants are still working on this matter.

B. Teasdale – Jan 21/14**re: Updated Draft 2014 Budget and Five Year Financial Plan**

A Staff Report from Bryan Teasdale, Manager of Infrastructure and Sustainability regarding further development of the East End Regionalized Sewer Utility Draft 2014-2018 Budget and Five Year Financial Plan was presented.

Moved: Director Wallace Seconded: Director Crockett

That the Staff Report from Bryan Teasdale, Manager of Infrastructure and Sustainability regarding the further development of the East End Regionalized Sewer Utility Draft 2014-2018 Budget and Five Year Financial Plan be received.

Carried.

The Manager of Infrastructure and Sustainability reviewed the second draft of the 2014 Budget and 2014-2018 Five Year Financial Plan and he explained the modifications that have been made since the January meeting.

The Manager of Infrastructure and Sustainability explained that given the (Arbitration) Minutes of Settlement now require the cost allocation for the Sewer Service to be based on flows and on benefiting communities, that there will be a Budget for the overall "Regional" service and three new separate budgets for each participating area (e.g. benefiting community). The overall Regional Budget, where Rossland, Warfield and Trail and Area 'B' Rivervale / Oasis, on contract, share the interceptor line from the Warfield Flow Meter Station, Murray Park and Glenmerry Lift Stations and the Columbia Pollution Control Centre, is the old 700 Budget. The portion of Trail only (Robertson and Sunningdale Lift Stations, their associated force mains and the gravity main from Teck / Rivervale / Oasis) is now Budget 700-01, the Rossland only (portion of the Regional Interceptor from Rossland to Warfield) is Budget 700-02 and the portion where Rossland and Warfield (only) share the interceptor line (to the Warfield Flow Meter Station) is Budget 700-03. He briefly reviewed the new cost apportionment for the overall "Regional" service where all participants share the costs as follows:

- Trail: 62.56% (\$855,901),
- Rossland: 24.90% (\$340,664),
- Warfield: 12.54% (\$171,563) and
- Electoral Area 'B' Rivervale / Oasis Contract \$25,883.

The portion of the service that is shared between Warfield and Rossland breaks down so that Rossland is responsible for 67% of the costs and Warfield 33%.

The Manager of Infrastructure and Sustainability referred to the "Regional" Budget and he advised that there is a current projection of \$236,910 in surplus funds from 2013. He also advised of the following circumstances:

- In general, reserves are decreasing to less than \$100,000 for the Regional Services, which is due to the estimated \$400,000 being transferred from the Reserve Account to install flow meters in 2014 according to the Minutes of Settlement. This does not

include the projected surplus from 2013 or possible reconciliation of the 2012 Provincial Emergency Preparedness (PEP) recovery claims. There is an increase of \$133,300 in costs related to the Regional Service from 2013 to 2014, which is a 10.80% increase. Adding all four Budgets (700, 700-01, 700-02, and 700-03) together, there is an increase of approximately \$207,285 or 16.78% to that of all of the functions previously contained within the old Regional Service.

- The Manager of Infrastructure and Sustainability also pointed out that the annual debt interest payments for borrowing (over 25 years) for the currently budgeted amount of \$3.8 Million for completion of the river crossing is approximately \$190,000. The annual debt principal payments will be approximately \$91,250. Both payments are based on a full year of borrowing. This is currently budgeted to commence in 2015 as the draft 2014 Budget only covers a portion of that payment. This is subject to change.

Staff explained the Collection System Labour and fuel costs noting that the calculations used to determine each participant's share are based on percentages from the terms set out in the Minutes of Settlement and that the method used is the simplest and fairest means to calculate the costs.

There was a discussion regarding the location of the flow meters in relation to the lift stations and the portion of the interceptor line that Teck is responsible for.

The Manager of Infrastructure and Sustainability explained that Teck undertakes all capital, operating and maintenance work and the costs associated with those tasks on the section of pipe that is located on the company's property. However, the RDKB has a Statutory Right of Way over that section of land.

The Committee members agreed that all flow meters should be the same type and brand, including those that will be installed on Teck property so that there is consistency and that Teck's flows are compatible with the service flows. Staff was directed to communicate with Teck on this matter to ensure that there is compatibility and that the Company's meters have the same measure of accuracy (e.g. +/- 5%) as the other meters.

Staff was also directed to print the separate budgets in a larger font and include a summary page for each as well as to replicate the Regional Infrastructure Benefiting Communities table and diagram with dollar amounts so it will be easier for each participant to explain the amounts to their respective Councils for a better understanding of the amounts and the calculations.

Staff will also include the current amounts that Area 'B' Rivervale / Oasis contributes and a proposed reasonable contribution for the next 2-3 years to reflect what Area 'B' should be paying in place of the current contractual amount of 1.45%. This information will be included on the agenda for the March 4th meeting along with options respecting Area 'B's participation for the Committee to review.

Director Wallace expressed concerns with respect to the \$3.8 Million that has been declared as the costs for a new pipe-bridge.

The General Manager of Environmental Services advised that the Committee directed Staff to investigate the present costs of the other bridge options that were discussed in 2012 and he explained that the Consultants are still working on figuring out the updated costs for these options. This information will be provided once it becomes available.

After further discussion, it was;

Moved: Director Wallace Seconded: Director Crockett

That Staff make a request to the City of Trail that the City considers building a bridge in the manner that the City deems appropriate but independent from the East End Regional Sewerage Service with the intent that the Sewer Service would lease part of the bridge to locate the Regional Interceptor line.

Carried.

(Director Cacchioni opposed)

Staff expects that updated costs for the river crossing options will be received for discussion at the March meeting.

The General Manager of Environmental Services cautioned the Committee members with respect to moving forward with the construction of a new river crossing in a timely manner. He advised that given the Committee has been aware of the bridge's state of disrepair for some time, and knowing that a new river crossing needs to be established, that the Province would possibly levy penalties with respect to the possible environmental impacts of the infrastructure breach.

New Business

CPCC Sanitary Sewer Monthly Report - December 2013

A Staff Report by J. Paakkunainen, Chief Operator, regarding the Sanitary Sewer Monthly Report for December 2013 was presented.

Moved: Director Crockett Seconded: Director Wallace

That the Staff Report by J. Paakkunainen, Chief Operator, regarding the Sanitary Sewer Monthly Report for December 2013 be received.

Carried.

A. Stanley – Jan 29/14

re: Sewer Flow Meter Request for Proposals (RFP)

A Staff Report from Alan Stanley, General Manager of Environmental Services regarding issuance of a Request for Proposals for system survey and design, installation, commissioning, certification and operations and maintenance plan for sewage flow meters for the Regional Sewage System was presented.

Moved: Director Wallace Seconded: Director Crockett

That the Staff Report from Al Stanley, General Manager of Environmental Services regarding the issuance of a Request for Proposals for system survey and design, installation, commissioning, certification and operations and maintenance plan for sewage flow meters for the East End Regionalized Sewage System be received.

Carried.

The General Manager of Environmental Services reviewed his Staff Report, which includes excerpts of the requirements included in the Minutes of Settlement for the recent sewage arbitration. These requirements (Minutes of Settlement Clauses 6 and 7) mean that the RDKB must retain a qualified consultant to complete a study, propose solutions, consult with participants, issue construction tenders, acquire land if necessary, complete construction and test and commission meters before December 31, 2014.

The General Manager of Environmental Services stated that the RFP would contain language stating that a qualified consultant must be able to guarantee that the equipment will meet the maximum allowed margin of error (e.g. + - 5% accuracy) and the required annual operating and maintenance parameters to continue this accuracy. Therefore, the RFP should include language that promotes greater accuracy than what is specified in the Minutes of Settlement subject to the consultant being able to guarantee the improved accuracy, and it was;

Moved: Director Crockett Seconded: Director Wallace

That the East End Sewerage Committee directs Staff to issue a Request for Proposals for system survey and design, installation, commissioning, certification and operations and maintenance plan for sewage flow meters for the East End Regionalized Sewage System.

Carried.

Late (Emergent) Items

Budget Executive Summary Page / Narrative

It was noted that this matter was discussed under Unfinished Business, Item 5B).

Contract with Electoral Area 'B'

The Committee members reviewed the matter of executing a contract with Electoral Area 'B' (Oasis/Rivervale) for sewer services.

It was noted that presently, the cost allocation for Electoral Area 'B' to participate in the East End Sewerage Service is 1.45%. It was agreed that this arrangement is outdated and needs further review as per the (Arbitration) Minutes of Settlement with cost apportionment based on flows.

The Committee members discussed this matter further, and it was;

Moved: Director Crockett Seconded: Director Wallace

That Staff be directed to investigate a three-year (2014-2016) contract that includes a new cost apportionment for Electoral Area 'B's (Oasis / Rivervale) participation in the East End Sewerage Service with the understanding that the cost allocation formula will be tied to flow meters in 2016. **FURTHER** that Staff present this information at the March 4, 2014 meeting.

Carried.

Staff was requested that as soon as possible, to forward the Committee members an executive summary for the revised Budgets (700, 700-01, 700-02 and 700-03) for their review. The Committee members should forward feedback to Staff so that any required changes to the executive summary can be made and the document redistributed to the Committee members for discussion with their respective Councils. The summary should include the 2013 and 2014 requisition amounts.

Spill at Teck

The General Manager of Environmental Services and the Manager of Infrastructure and Sustainability provided an update with respect to the spill at Teck Metals resulting in a sodium hydroxide solution being disbursed into the sewer system, which eventually made its way to the Columbia Pollution Control Centre (CPCC). They summarized the steps that RDKB Staff have taken to investigate and monitor the incident and they provided information on what can be done in the future with respect to removing cross-connections at Teck in order to remove this kind of incident from occurring in the future.

Staff also advised that they have met with officials from Teck and the Ministry of Environment to investigate the possible causes.

The Committee members expressed concerns respecting the sewerage flow and its composition from Teck and they discussed whether an accurate measure of this can be identified.

After further discussion, it was;

Moved: Director Wallace Seconded: Director Crockett

That Staff continue to discuss the sewerage flow and its composition from Teck with company representatives to ensure that the future application of flow meters represents an accurate measurement of flows from Rossland, Warfield and Trail in relation to flows from Rivervale / Oasis and Teck volumes, and that the information be included into the Request for Proposals for the Sewer Flow Meter Project.

Carried.

Staff will provide an update on the Teck spill at the March meeting, including any damage that may occur at the CPCC and any potential costs to the Service.

Discussion of Items for Future Agendas

There were no items for future agendas to discuss.

Question Period for Public and Media

A question period was not required.

Closed (In camera) Session

A closed session was not required.

ADJOURNMENT

There being no further business, it was;

Moved: Director Crockett Seconded: Director Wallace

That the meeting be adjourned (time: 5:15 p.m.).

Carried.

TL



**East End Services Committee
Tuesday, February 18, 2014
3:30 P.M.
Muriel Griffith Recital Room
Greater Trail Community and Arts Centre
Trail, BC
Minutes**

Directors Present

Director A. Grieve - Chair
Director R. Cacchioni
Director P. Cecchini
Director L. Worley
Director J. Danchuk
Director B. Crockett
Director G. Granstrom (Alternate)

Staff Present:

J. MacLean, Chief Administrative Officer
T. Lenardon, Executive Assistant
C. Goldsbury, Manager of Victims Assistance
T. Martin, Fire Chief, Kootenay Boundary Regional Fire Rescue
D. Derby, Deputy Fire Chief, Kootenay Boundary Regional Fire Rescue
M. Daines, Manager of Facilities and Recreation
E. Kumar, Manager of Corporate Administration
M. Andison, Deputy Chief Administrative Officer/General Manager of Operations
B. Burget, Manager of Financial Services

Approximately 24 members of the public.

Call to Order

The Chair called the meeting to order at 3:30 p.m. and welcomed the members of the East End Services Committee and the members of the public.

The Chair acknowledged the attendance of Mr. Dave Mitchell and Mr. Ian McDonald from Dave Mitchell & Associates Ltd. who prepared and presented the findings of the Kootenay-Boundary Regional District Fire Services Review.

Acceptance of the Agenda (additions/deletions)

The agenda for the East End Services Committee meeting held February 18, 2014 was presented.

The Chair advised that the order of the agenda would be revised by moving Item 6a); *Discussion of the results of the Fire Services Review* to the beginning of the agenda, and it was;

Moved: Director Crockett Seconded: Director Cecchini

That the agenda for the East End Services Committee meeting held February 18, 2014 be adopted as amended.

Carried.

Minutes

Paper copies of the minutes from the previous meeting held on January 15, 2014 were distributed to each Committee member and the Chair noted that these minutes had also been sent earlier to the Committee members via e-mail.

The Chair acknowledged that there may not have been enough time for the Committee members to review the January 15, 2014 minutes and she provided options for adopting them.

The Committee members discussed this matter.

Alternate Director Granstrom expressed concerns with adopting the minutes at this meeting, given the need for more time for review.

Moved: Director Cecchini Seconded: Director Worley

That the minutes of the East End Services Committee meeting held January 15, 2014 be adopted as presented.

Carried.

(Alternate Director Granstrom opposed)

Delegations

D. Mitchell and I. McDonald
Dave Mitchell and Associates Ltd.
re: Presentation of the Findings of the
Kootenay-Boundary Regional District Fire Services Review

The Chair introduced Mr. Dave Mitchell and Mr. Ian McDonald to the meeting.

Mr. Mitchell thanked the Committee for the opportunity to attend the meeting to present the results of the Kootenay-Boundary Regional District Fire Services Review and he provided brief bios of the five-member team that worked on the study noting that there was a broad range of expertise and knowledge for reviewing the issues.

Mr. Mitchell thanked Chief Martin and Deputy Chief Derby for their assistance and he thanked all the volunteer fire fighters for their input.

The following are some of the highlights from a power point presentation provided by Mr. Mitchell and Mr. McDonald:

- *Challenges of Fire Services in BC* - largest is recruitment and retention of paid on call volunteers, Fire Underwriters have significant control in how taxpayers pay for fire insurances and have stringent standards and assessments of fire departments, there are budget pressures due to risk management, training and certification to meet Provincial regulations.
- *KBRFR General Structure* - one department with centralized administration that allows support to volunteer halls, is the only multi-jurisdictional model in BC and is unique, is a model other fire departments in BC look to, there is a vast fire suppression area to cover as well as sizable hazardous material(s) risks, the KBRFR Service is comprised of a vast range of diverse skills.
- *Response Analysis* - responds to an average of 3.5 calls per day and emergency response about every 6-7 hours, 6-years of well maintained data.
- *Coverage* - No recommendations to reduce the number of fire-halls.
- *Risk Analysis (excluding Teck)* - significant risks overall with risk distributed across the region, there is a significant movement of dangerous goods on two rail systems which results in the need for continuous reviews and assessments.
- *Teck* - largest employer in area and probably most significant in terms of risk profiles for the fire department, there is a Fire Services Protection Agreement between Teck and RDKB, important for KBRFR Service to consider increasing the level of awareness and understanding about the risks at Teck and that there is cooperation for response(s).
- *Training* - is critical and there needs to be assurances for fire fighter safety and effectiveness on scene with proper training of paid on call volunteers which is essential as they do not get the same level of experience as career fire fighters, there are needs for succession planning, a regional training site and a regional training officer (e.g. Columbia Shuswap, Central Okanagan Regional District models), which will aid in improving communications between the paid on call volunteers and the career fire fighters, there should be increased regular training together and continue to optimize the relationship.
- *Apparatus* – there has been extensive reviews of maintenance and records and the fleet is standardized to a high degree with further replacements to be completed.
- *Fire Halls* - should not remove any of the halls as current number of halls provide coverage that is required by the Fire Underwriters. Warfield, Montrose and Fruitvale Halls require certain upgrades and local training areas should be put in place, including in Rossland, with future consideration of establishing a hall by the Trail Airport.

- *Recruitment and Retention of Volunteers* - is one of the largest challenges given structure is a composite model and will be so for quite some time, must embrace volunteer halls at all levels with the local governments taking active roles, spend time with volunteers and review compensation and how it is managed, public recognition and support from industry and businesses is important.
- *KBRFR Budgets* - system used is the same throughout the Province and is conceptually fair based on standard models of assessment / tax base, fire service should be viewed as an investment.
- *Ratings* - if fire service is cut back the area ends up trading tax dollars saved against fire insurance (e.g. trade-off between tax dollars and cost of fire insurance), department ratings have a role therefore personnel and equipment must meet requirements of Fire Underwriters (there is a cost benefit in terms of getting on side with the Fire Underwriters).
- *Communications and Dispatch* - consider implementing mobile CAD to enhance response time.
- *Bylaws and Mutual Aid Agreements* - refresh fire bylaws, consider agreements with Teck, Salmo and Castlegar.
- *Staffing* - increase staffing by one fire fighter per shift, employ a full-time training officer, ensure Engine 4 responds 24/7 without delay and balance staffing on both sides of the City of Trail with increasing minimum complement from 3 to 4 personnel.

Discussion - Results of the Fire Services Study

The Chair thanked Mr. Mitchell and Mr. McDonald and she opened the floor for the Committee members to direct questions and comments with respect to the information provided on the fire services review.

The Chair noted that there are some issues already being addressed administratively. She inquired whether the Committee can be advised which recommendations that have financial impacts can be implemented in the short-term (e.g. 2014-2015) and which would then be implemented in the long-term.

Mr. Mitchell advised that the document currently being discussed is still a client review document and that a summary report that will include the most important short and long-term recommendations needing to be addressed will be provided in the near future.

Alternate Director Granstrom explained that the fire services review was initiated by the City of Rossland due to some specific concerns and questions that the City has in terms of fire efficiencies and reductions in the cost of the Fire Service. He inquired whether the Consultants can identify where in the Fire Services Review document these issues, as well as the responses are identified. He stated that given the City of Rossland made specific requests to initiate the process it wishes the Consultants to respond to these in the body of the report.

Mr. Mitchell explained that to deal with the City of Rossland's concerns, the level of service would have to be reduced and this is not the recommended course of action. However, he noted that the City of Rossland's questions and concerns and the responses thereto will be captured in the final report.

The Committee members discussed the presentation further. There was agreement that a final summary report with a final statement that categorizes and prioritizes the recommendations as to what cannot be done, what can be done in the short and long-terms as well as the costs is required.

Mr. Mitchell stated that this is possible, but was not done at this stage of the review process because the Consultants felt it was more important for the Committee to view the overall presentation first. Through this discussion, the Consultants can now move forward.

After further discussion, it was;

Moved: Director Crockett Seconded: Director Cacchioni

That once the final summary report, that includes the views of the Consultants which correspond to the priorities and recommendations, has been submitted that Staff review the information and provide suggestions and options as to how to manage the Fire Service Review recommendations; most notably what can be implemented in 2014-2015, the financial implications, the timeline and the resources that will be required.

Carried.

Director Cacchioni noted that the City of Trail wishes to know which recommendations, even those with costs attached, can be implemented in 2014 and at what cost, especially in the areas of occupational health and safety, operations and training.

Mr. Mitchell advised that he will be able to report back to the Committee with respect to these matters in the near future.

The Chair thanked Mr. Mitchell and Mr. McDonald for the presentation and she recessed the meeting (time: 5:15 p.m.).

The Chair reconvened the meeting at 5:50 p.m.

Unfinished Business

East End Services Committee Memorandum of Action Items

The East End Services Committee Memorandum of Action Items for the period ending January 31, 2014 was presented.

Director Cacchioni expressed concerns that for some time now the Ministry of Justice has not increased its contribution to the RDKB's Victims Assistance Service and he requested Staff to include a follow-up action item respecting this matter, and it was;

Moved: Director Cacchioni Seconded: Director Crockett

That the East End Services Committee Memorandum of Action Items for the period ending January 31, 2014 be received.

Carried.

Moved: Director Cacchioni Seconded: Director Crockett

That Staff update the East End Services Committee Memorandum of Action Items to include Staff contacting the Ministry of Justice to request the Ministry to review its contribution to the RDKB Victims Assistance Service and to consider indexing its contribution.

Carried.

**East End Services
Annual Requisition / Budget Summary Report**

The Annual Requisition / Budget Summary Report for the East End services was presented.

Moved: Director Cacchioni Seconded: Director Cecchini

That the Annual Requisition / Budget Summary Report for the East End services be received.

Carried.

The Chief Administrative Officer advised that the report is for information only and he stated that it is subject to change prior to the adoption of the Financial Plan in March as not all Budgets have been approved yet.

**Victims Assistance Service
re: Proposed 2014 Budget/Five Year Financial Plan**

The proposed 2014 Budget/2014-2018 Five Year Financial Plan for the Victims Assistance Service was presented.

Moved: Director Cecchini Seconded: Director Worley

That the proposed 2014 Budget/2014-2018 Five Year Financial Plan for the Victims Assistance Service be received.

Carried.

C. Goldsbury, Manager of Victims Assistance reviewed the proposed Budget and Five Year Financial Plan.

Moved: Director Cacchioni Seconded: Director Worley

That the 2014 Budget/2014-2018 Five Year Financial Plan for the Victims Assistance Service be referred to the Finance Committee with a recommendation that it be included in the overall Regional District of Kootenay Boundary 2014-2018 Five Year Financial Plan.

Carried.

**Recreation, Culture and Arts for the Lower Columbia Service
re: Proposed 2014 Budget/Five Year Financial Plan**

The proposed 2014 Budget/2014-2018 Five Year Financial Plan for the Recreation, Culture and Arts for the Lower Columbia Service was presented.

M. Daines, Manager of Facilities and Recreation distributed a Staff Report which highlights the financial impacts of the proposal for the Charles Bailey Theatre as submitted by the Trail and District Arts Council (TDAC).

The Manager of Facilities and Recreation advised that TDAC proposes the following:

1. employment of a PR/Marketing position at a cost of \$18,500 for three years,
2. waive lighting and sound charges to performance companies,
3. TDAC assume complete control of the Theatre in Year 4, and
4. TDAC receive \$50,000 as an operating grant from the RDKB in Year 4.

The Manager of Recreation and Facilities noted that by including these requests and maintaining a zero requisition, the impacts include:

Reductions - Revenue

- \$18,500 for the PR Marketing position in 2014, 2015 and 2016
- \$20,000 in Theatre rental revenue to waive sound and lighting costs in 2014, 2015 and 2016

These figures together with figures of \$225,000 for Box Office Revenue in 2017 and 2018 plus \$46,000 for Theatre Rental Revenue in 2017 and 2018 result in a total of \$271,000 in lost revenue in 2017 and 2018.

Reductions - Expenses

- \$15,200 for Theatre materials in Years 2014, 2015 and 2016 to offset the PR/Marketing person and another \$15,200 in 2017 and 2018
- \$63,000 in 2017 and 2018 for Theatre Manpower
- \$240,000 in 2017 and 2018 for Box Office expenses

These calculations equal \$318,200 in expenses in 2017 and 2018 but with revenue less expenses, the requisition will be decreased by \$47,200.

Increases

- \$50,000 operating grant from the RDKB in 2017 (Year 4) when TDAC would assume complete control of the Charles Bailey Theatre including all revenue and all expenses.

The requisition will increase \$23,300 in 2014, 2015 and 2016 and \$2,800 in 2017 and 2018. These calculations do not consider that with an increase in revenue there is also an increase in costs.

The Committee members reviewed the proposal and the Manager of Facilities and Recreation noted that with respect to TDAC assuming full control of the Charles Bailey Theatre in Year-4 of the Business Plan proposal, TDAC is suggesting a 3-year (2014, 2015 and 2016) agreement to determine whether an ongoing arrangement after 2016 would be viable. He also explained that this arrangement poses no risk to the boiler replacement project.

Director Cacchioni stated that he does not think the proposal is unreasonable and he would support entering into a 3-year contract with an escape clause.

After further review and discussion, it was;

Moved: Director Cacchioni Seconded: Alternate Director Granstrom

That the proposed 2014 Budget/2014-2018 Five Year Financial Plan for the Recreation, Culture and Arts for the Lower Columbia Service be received.

Carried.

Moved: Director Cacchioni Seconded: Director Crockett

That the matter of entering into a 3-year agreement, that would include an escape clause, with the Trail and District Arts Council regarding its Business Plan proposal for the Charles Bailey Theatre be referred to Staff to prepare a draft agreement **FURTHER** that Staff also provide the Committee with information as to the feasibility of the proposal/agreement, options and opinions on how Staff view an agreement and how it would be managed and organized in terms of the Trail and District Arts Council managing and promoting the Theatre for a 3-year period.

Carried.

The Manager of Facilities and Recreation reviewed the proposal for replacing the boilers and noted that there are two options to consider; Option A-Financing and Option B-Purchase and Payback. He noted that in both options the capital replacement costs are \$275,000 and that with engineering costs of \$25,000 the total costs in both options before any grants or rebates equal \$300,000.

The Manager of Facilities and Recreation explained that for Option A he factored in \$100,000 in gas tax funding and a \$25,000 rebate from FortisBC so that the total costs for Option A are \$175,000 over 5 years (\$35,000 in 2015-2018). For option B he factored in \$100,000 in gas tax funding without any rebates so that the total costs for Option B are \$200,000 over 14 years.

The installation of the boilers could be completed without the gas tax money and that is how the figures would show in the proposed budget. If the gas tax grant application was approved, there would likely be a surplus in the budget at the end of the fiscal year.

The Committee members discussed the options, the use of gas tax funds and the reserve account. It was agreed to build up the reserves for an emergency.

Staff was directed to prepare a new draft proposal for the boiler project as well as a new budget including five year financing for submission at the March 18, 2014 Committee meeting.

**Kootenay Boundary Regional Fire Rescue Service
re: Proposed 2014 Budget/Five Year Financial Plan**

The proposed 2014 Budget/2014-2018 Five Year Financial Plan for the Kootenay Boundary Regional Fire Rescue Service was presented.

Moved: Director Danchuk Seconded: Director Worley

That the 2014 Budget/2014-2018 Five Year Financial Plan for the Kootenay Boundary Regional Fire Rescue Service be received.

Carried.

Chief Martin and Deputy Chief Derby presented information with respect to the 2014 Financial Plan for the Kootenay Boundary Regional Fire Rescue Service.

Chief Martin reviewed the changes that have been made since the January meeting noting that there may be further increases to the Budget as a result of the recommendations from the Fire Services Review that may proceed in 2014. He also explained that the 2013 surplus carried over to the reserve account was \$271,815 and that \$1,500 per hall (x6 halls) totaling \$9,000 for the fire hall improvement plan has also been included.

Presently, there is a 0.2% increase to the requisition amount.

There was a discussion regarding the proposed assessment of the fire halls, which will help with drafting a Fire Hall Improvement Plan and there was also a discussion regarding the increase to the reserve account to build for the future.

The Fire Chief explained that presently, there are enough funds to undertake the fire hall(s) assessments as well as funds to manage extraordinary repairs etc.

The Fire Chief reviewed financial information regarding the total costs for apparatus and equipment. Director Cacchioni requested that in future reports that Staff include the figures and numbers for the total apparatus and equipment costs as well as the number of years of financing.

East End Economic Development Service
re: Proposed 2014 Budget/Five Year Financial Plan

The proposed 2014 Budget/2014-2018 Five Year Financial Plan for the East End Economic Development Service was presented.

Moved: Director Worley Seconded: Director Cecchini

That the proposed 2014 Budget/2014-2018 Five Year Financial Plan for the East End Economic Development Service be received.

Carried.

Moved: Alternate Director Granstrom Seconded: Director Cacchioni

That the 2014 Budget/2014-2018 Five Year Financial Plan for the East End Economic Development Service be referred to the Finance Committee with a recommendation that it be included in the overall Regional District of Kootenay Boundary 2014-2018 Five Year Financial Plan.

Carried.

East End Cemetery Service
re: Proposed 2014 Budget/Five Year Financial Plan

The proposed 2014 Budget/2014-2018 Five Year Financial Plan for the East End Cemetery Service was presented.

Moved: Director Worley Seconded: Director Cacchioni

That the proposed 2014 Budget/2014-2018 Five Year Financial Plan for the East End Cemetery Service be received.

Carried.

Moved: Director Crockett Seconded: Director Cecchini

That the 2014 Budget/2014-2018 Five Year Financial Plan for the East End Cemetery Service be referred to the Finance Committee with a recommendation that it be included in the overall Regional District of Kootenay Boundary 2014-2018 Five Year Financial Plan.

Carried.

East End Transit Service
re: Proposed 2014 Budget/Five Year Financial Plan

The proposed 2014 Budget/2014-2018 Five Year Financial Plan for the East End Transit Service was presented.

Moved: Director Crocket Seconded: Alternate Director Granstrom

That the proposed 2014 Budget/2014-2018 Five Year Financial Plan for the East End Transit Service be received.

Carried.

The Chief Administrative Officer advised that Staff has initiated discussions with School District #20 with respect to proposed reductions to the peak hour service that handles students including a possible reduction in the number of buses and possibly moving towards using smaller buses, all of which eventually would result in reductions in the Budget in the future, but not for 2014. BC Transit is working out the costs for 2015 and beyond.

There is a possibility that the reduction to the student peak hour service may be implemented in September 2014, however further discussion will be required.

**Regional Airport
re: Proposed 2014 Budget/Five Year Financial Plan**

The proposed 2014 Budget/2014-2018 Five Year Financial Plan for the Regional Airport Service was presented.

Moved: Director Cacchioni Seconded: Director Worley

That the proposed 2014 Budget/2014-2018 Five Year Financial Plan for the Regional Airport Service be received.

Carried.

The Chief Administrative Officer reviewed the Airport Financial Plan and explained that the RDKB and the City of Trail are finalizing the sale of the airport to the City.

The outstanding items that need to be included in the budget include statistics for the revenues from the final passenger fees (to February 14, 2014) from Pacific Coastal, which will assist in calculating the surplus. A revised budget will be presented to the Committee in March including the final numbers for parking revenues and expenditures.

The funds from the sale of the airport will be put into General Government / Administration reserves until the RDKB Board of Directors makes a decision as to where the proceeds will finally be allocated.

Director Cacchioni suggested that this matter should be discussed by the East End Services Committee before it is presented to the Board of Directors.

After a further discussion it was generally agreed that this matter will be presented directly to the Board of Directors.

New Business

The Discussion of the Results of the Kootenay Boundary Regional Fire Service Review was moved to the front of the agenda. Therefore, there was no New Business to discuss.

Late (Emergent) Items

There were no late emergent items to discuss.

Discussion of items for future agendas

There were no items for future agendas to discuss.

Question Period for Public and Media

A question period was not necessary.

Closed (In camera) Session

A Closed Session was not required.

Adjournment

There being no further business, it was;

Moved: Director Crockett

That the meeting be adjourned (time: 6:50 p.m.).

Carried.

TL



Finance Committee

Minutes

Thursday, February 20, 2014
RDKB Board Room, Grand Forks, BC

Present:

Director M. Rotvold, Chair
Director K. Wallace
Director B. Taylor
Director N. Kettle
Director R. Cacchioni
Director P. Cecchini
Director G. McGregor
Director L. Worley
Director J. Danchuk
Director B. Crockett
Director R. Russell
Director B. Baird
Director A. Grieve

Staff Present:

J. MacLean, C.A.O.
E. Kumar, Manager of Corporate Administration
B. Burgett, Manager of Financial Services

CALL TO ORDER

The Chair called the meeting to order at 6:00 p.m.

ADOPTION OF AGENDA (ADDITIONS/DELETIONS)

The Chair advised that the committee needed to elect a Vice Chair in light of the fact that Barry Noll was no longer on the Board and it was;

February 20, 2014

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Moved: Director McGregor

Seconded: Director Worley

That the agenda be adopted as amended.

Carried.

ELECTION OF VICE CHAIR

The Manager of Corporate Administration called a first time for nominations for the position of Vice Chair of the Finance Committee for 2014.

Moved: Director Worley

That Director Baird be nominated for the position of Vice Chair.

Carried.

The Manager of Corporate Administration called a second, third and final time for nominations and there being none, declared Director Baird Vice Chair of the Finance Committee for 2014.

ADOPTION OF MINUTES

The minutes of the Finance Committee meeting held January 22, 2014 were presented.

Moved: Director Taylor

Seconded: Director McGregor

That the minutes of the Finance Committee meeting held January 22, 2014 be approved.

Carried.

UNFINISHED BUSINESS

A staff report from Beth Burget, Financial Services Manager on the proposed Five Year Financial Plans was presented.

Moved: Director Cacchioni

Seconded: Director Worley

That the staff report from Beth Burget, Financial Services Manager on the proposed Five Year Financial Plans be received.

Carried.

General Government (Administration) Service

February 20, 2014

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The proposed Five Year Financial Plan for the General Government (Administration) Service was presented.

Moved: Director McGregor

Seconded: Director Russell

That the proposed Five Year Financial Plan for the General Government (Administration) Service be received.

Carried.

Director Grieve requested support for a grant of \$10,000 from the General Government (Administration) Service to be transferred to the Columbia Gardens Water System Financial Plan.

Director Cacchioni reviewed his concerns with this request.

The C.A.O. reviewed the history regarding this issue and noted that the Province had approved the Regional District providing this grant from General Administration to the Columbia Gardens Water System Financial Plan.

Moved: Director Grieve

Seconded: Director Cecchini

That the Finance Committee approves an annual grant of \$10,000 from the General Government (Administration) Service Financial Plan to the Columbia Gardens Industrial Park Water System Service.

Director Russell noted his concerns that the grant would be in perpetuity and advised that he could support a time limit of up to five years and it was;

Moved: Director Russell

Seconded: Director Worley

That the resolution be amended to approve up to \$10,000 to the Columbia Gardens Industrial Park Water System Financial Plan to offset the increased costs associated with the new water system up to five years.

Carried.

(Directors Cacchioni & Taylor opposed)

Voting on the original resolution as amended - Carried.

(Director Cacchioni opposed)

February 20, 2014

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The C.A.O. advised that this item would be a weighted vote at the Board table.

Director McGregor advised that discussions regarding the sale of the airport lands funds would be discussed at the Board table and requested Directors bring forward their ideas regarding the funds.

Director Wallace requested information on the breakdown of 7-mile and Waneta dams and it was;

Moved: Director Wallace

Seconded: Director Cacchioni

That the breakdown (82% 7-mile and 18% Waneta dams) of funds be added to the Financial Plan.

Carried.

MFA Debenture Debt

The proposed Five Year Financial Plan for the MFA Debenture Debt Service was presented.

Moved: Director Crockett

Seconded: Director Baird

That the proposed Five Year Financial Plan for the MFA Debenture Debt Service be received.

Carried.

Moved: Director Crockett

Seconded: Director Baird

That the Finance Committee approve the inclusion of the 2014 MFA Debenture Debt Service financial plan in the overall 2014 - 2018 Financial Plan.

Carried.

Building Inspection Service

The proposed Five Year Financial Plan for the Building Inspection Service was presented.

February 20, 2014

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Moved: Director Worley

Seconded: Director Taylor

That the proposed Five Year Financial Plan for the Building Inspection Service be received.

Carried.

Moved: Director Crockett

Seconded: Director Baird

That the Finance Committee approve the inclusion of the 2014 Building Inspection Service financial plan in the overall 2014 - 2018 Financial Plan.

Carried.

Feasibility Study Service

The proposed Five Year Financial Plan for the Feasibility Study Service was presented.

Moved: Director Baird

Seconded: Director Worley

That the Five Year Financial Plan for Feasibility Study Service be received.

Carried.

Moved: Director McGregor

Seconded: Director Worley

That the Finance Committee approve the inclusion of the 2014 Feasibility Study Service financial plan in the overall 2014 - 2018 Financial Plan.

Carried.

NEW BUSINESS

7 Mile Dam Report

A staff report from John M. MacLean, CAO proving historical and current information as to how the RDKB manages and utilizes the grant-in lieu monies provided on behalf of the 7 Mile Dam was presented.

Moved: Director Grieve

Seconded: Director Worley

February 20, 2014

Page 5 of 6

That the staff report from John M. MacLean, CAO proving historical and current information as to how the RDKB manages and utilizes the grant-in lieu monies provided on behalf of the 7 Mile Dam be received.

Carried.

Annual Budget and Requisition Comparison Report

The Annual Budget and Requisition Comparison Report was presented.

Moved: Director Kettle

Seconded: Director McGregor

That the Annual Budget and Requisition Comparison Report be received.

Carried.

Audit Planning Letter

An audit planning letter from L. Soligo and Associates was presented.

Moved: Director Grieve

Seconded: Director Grieve

That the audit planning letter from L. Soligo and Associates be received.

Carried.

Moved: Director Baird

Seconded: Director Wallace

That the information provided by Mrs. Burget, Financial Services Manager be received.

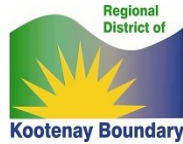
Carried.

ADJOURNMENT

There being no further business, the meeting adjourned at 7:00 p.m.

February 20, 2014

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Policy, Executive and Personnel Committee

Minutes

Wednesday, February 12, 2014
RDKB Board Room, Grand Forks, BC

Directors Present:

Director G. McGregor, Chair
Director K. Wallace
Director B. Taylor
Director R. Cacchioni
Director L. Worley
Director B. Baird

Staff Present:

John MacLean, C.A.O.
Elaine Kumar, Director of Corporate Administration

CALL TO ORDER

The Chair called the meeting to order at 2:00 p.m.

ADOPTION OF AGENDA (ADDITIONS/DELETIONS)

A number of items were added to the agenda and it was;

Moved: Director Wallace

Seconded: Director Cacchioni

That the agenda be adopted as circulated.

Carried.

ADOPTION OF MINUTES

February 12, 2014

The minutes of the Policy, Executive and Personnel Committee meeting held January 16, 2014 were presented.

Moved: Director Cacchioni

Seconded: Director Worley

That the Minutes of the Policy, Executive and Personnel Committee meeting held January 16, 2014 be approved.

Carried.

UNFINISHED BUSINESS

Memorandum of Action Items

The Policy, Executive and Personnel Committee Memorandum of Action Items ending January 31, 2014 was presented.

Moved: Director McGregor

Seconded: Director Wallace

That the Policy, Executive and Personnel Committee Memorandum of Committee Action Items ending January 31, 2014 be received.

Carried.

Staff were requested to update the Committee members on the status of training for minute taking.

Changes to Remuneration

A staff report from John M. MacLean, CAO, regarding a referral from the Board of Directors to reconsider changes in the remuneration provided to Directors was presented.

The C.A.O. advised that this item had been referred back to the committee from the Board.

Moved: Director McGregor

Seconded: Director Worley

That the staff report from John M. MacLean, CAO, regarding a referral from the Board of Directors to reconsider changes in the remuneration provided to Directors be received.

Carried.

The committee members discussed the report and it was;

February 12, 2014

Moved: Director Baird

Seconded: Director Wallace

That the Policy, Executive and Personnel Committee recommend to the Regional District of Kootenay Boundary Board of Directors that they adopt the following changes regarding Director's Remuneration:

All Directors

- increase basic stipend by \$200/month;
- increase office/technology allowance by \$25/month (total of \$200);
- change sundry mileage allowance to a car allowance from \$40 to \$50.

Electoral Area Directors

- technology (hardware) allowance of \$500/year.

Carried.

NEW BUSINESS

Policy Review Plan

A staff report from John M. MacLean, CAO presenting a plan for policy review for the upcoming year was presented.

Moved: Director Cacchioni

Seconded: Director Baird

That the staff report from John M. MacLean, CAO presenting a plan for policy review for the upcoming year be received.

Carried.

Director Wallace requested that the "Meal Policy" be moved forward on the list of policies being proposed to be reviewed in 2014.

Anti-Bullying Policy

A staff report from John M. MacLean, CAO presenting a proposed Workplace Anti-Harassment and Anti-Bullying Policy and Program was presented.

February 12, 2014

Moved: Director Worley

Seconded: Director Wallace

That the staff report from John M. MacLean, CAO presenting a proposed Workplace Anti-Harassment and Anti-Bullying Policy and Program be received.

Carried.

The committee members discussed the policy and it was;

Moved: Director Cacchioni

Seconded: Director McGregor

That the proposed Workplace Anti-Harassment and Anti-Bullying Policy and Program be approved as presented and referred to the Board of Directors for comment.

Carried.

LATE (EMERGENT) ITEMS

IT Concerns

The committee members discussed concerns they have had regarding the present technology being used including downloading agendas, report naming, and access to the RDKB web site.

The C.A.O. updated the committee members on how staff have tried to alleviate some of these concerns and advised that all agendas (committee and board) will include the executable zip file to open and download agendas.

Director Request for Information

The committee members discussed the issue of a Director requesting information from staff and this information not being provided to all members of the Board and questioned whether or not there should be a policy developed on this issue and it was;

Moved: Director Cacchioni

Seconded: Director Wallace

That staff be directed to develop a policy statement on the distribution of information requested from a Director.

Carried.

Appointment of Municipal Directors

February 12, 2014

Director McGregor reviewed her concerns with the timing of Municipal Directors being appointed by their Councils to the Board.

The committee members discussed this issue and it was;

Moved: Director McGregor

Seconded: Director Baird

That staff be directed to develop a "best practices" statement on appointments to the Regional District of Kootenay Boundary Board of Directors by Municipal Councils.

Carried.

Policy Manuel

Moved: Director McGregor

Seconded: Director Baird

That staff provide binders to each Director which includes all policies, Committee Terms of Reference and expense claim sheets **AND FURTHER** that a binder be available in both board rooms.

Carried.

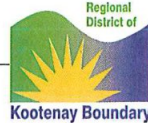
ADJOURNMENT

There being no further business, the meeting adjourned at 3:25 p.m.

February 12, 2014

REGIONAL DISTRICT OF KOOTENAY BOUNDARY

Cheque Register-Summary-Bank



AP5090

Page : 1

Date : Feb 19, 2014

Time : 2:09 pm

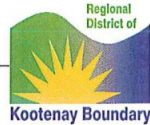
Supplier : 084010 To ZUC010
 Cheque Dt. : 01-Jan-2014 To 31-Jan-2014
 Bank : 1 - CIBC Bank - General

Seq : Cheque No. Status : All
 Medium : M=Manual C=Computer E=EFT-PA

Cheque #	Cheque Date	Supplier	Supplier Name	Status	Batch	Medium	Amount
40696	02-Jan-2014	ACK020	ACKLANDS-GRAINGER INC.	Issued	2	C	421.05
40697	02-Jan-2014	ALP030	ALPINE DISPOSAL & RECYCLING	Issued	2	C	1,508.64
40698	02-Jan-2014	ASS020	ASSOC. OF KOOTENAY & BOUNDARY LOCAL	Issued	2	C	3,596.80
40699	02-Jan-2014	BAZ010	THE PARTY BAZAAR	Issued	2	C	44.04
40700	02-Jan-2014	BCI010	B.C. INSTITUTE OF AGROLOGISTS	Issued	2	C	400.00
40701	02-Jan-2014	BCS080	B.C. SPCA	Issued	2	C	11,750.00
40702	02-Jan-2014	BEA640	BEAVER VALLEY MANOR SOCIETY	Issued	2	C	17,349.00
40703	02-Jan-2014	BIG060	BIG WHITE SKI RESORT LTD.	Issued	2	C	1,083.97
40704	02-Jan-2014	BIG130	BIG WHITE ELECTRICAL LTD.	Issued	2	C	376.43
40705	02-Jan-2014	BIL100	BILLY'S WATERWORKS	Issued	2	C	1,480.50
40706	02-Jan-2014	BOU010	BOUNDARY ELECTRIC(1985) LTD.	Issued	2	C	63.00
40707	02-Jan-2014	BRI001	BRINK'S CANADA LIMITED	Issued	2	C	289.17
40708	02-Jan-2014	BRI090	BRITISH COLUMBIA LIFE & CASUALTY COMP.	Issued	2	C	9,848.16
40709	02-Jan-2014	CAS001	CASCADIA SPORT SYSTEMS INC.	Issued	2	C	3,818.66
40710	02-Jan-2014	CIN001	CINTAS THE UNIFORM PEOPLE	Issued	2	C	39.76
40711	02-Jan-2014	COC010	COCA-COLA BOTTLING LTD.	Issued	2	C	200.55
40712	02-Jan-2014	COL240	COLUMBIA FILTER LTD.	Issued	2	C	94.08
40713	02-Jan-2014	COR130	CORMACK, CHRISTOPHER	Issued	2	C	31.32
40714	02-Jan-2014	COU010	COUNTERFORCE INC.	Issued	2	C	226.80
40715	02-Jan-2014	DHC010	DHC COMMUNICATIONS INC.	Issued	2	C	1,344.00
40716	02-Jan-2014	DOE020	DOELL PHOTO	Issued	2	C	56.00
40717	02-Jan-2014	DOM020	DORMAR CONSTRUCTION MANAGEMENT	Issued	2	C	4,239.55
40718	02-Jan-2014	EMC050	EMCON SERVICES INC.	Issued	2	C	579.08
40719	02-Jan-2014	ENO010	ENORMOUS PRODUCTIONS	Issued	2	C	1,293.60
40720	02-Jan-2014	FER001	FERRARO FOODS	Issued	2	C	145.58
40721	02-Jan-2014	FOR010	FORTISBC - ELECTRICITY	Issued	2	C	12,774.06
40722	02-Jan-2014	FOR040	FORTIS BC - NATURAL GAS	Issued	2	C	1,375.15
40723	02-Jan-2014	FRI100	FRITO LAY CANADA	Issued	2	C	76.40
40724	02-Jan-2014	FRU010	THE VILLAGE OF FRUITVALE	Issued	2	C	26.00
40725	02-Jan-2014	GFO010	GOVERNMENT FINANCE OFFICERS ASSOC.	Issued	2	C	630.00
40726	02-Jan-2014	GRA023	GRAND FORKS CONCRETE AND GRAVEL LTI	Issued	2	C	257.60
40727	02-Jan-2014	HAL060	HALL'S BASICS & GIFTS LTD	Issued	2	C	77.70
40728	02-Jan-2014	HER090	HERLIHY, ANGIE	Issued	2	C	250.00
40729	02-Jan-2014	HSL010	HSL BUILDING MAINTENANCE	Issued	2	C	450.00
40730	02-Jan-2014	ICO010	ICOMPASS TECHNOLOGIES INC.	Issued	2	C	4,817.75
40731	02-Jan-2014	INT180	INTERIOR TECHNICAL SERVICES LTD.	Issued	2	C	52.50
40732	02-Jan-2014	JAM020	RJAMES MANAGEMENT GROUP	Issued	2	C	76.16
40733	02-Jan-2014	JAY030	JAY'S FIRE SAFETY	Issued	2	C	651.63
40734	02-Jan-2014	JUS010	JUSTICE INSTITUTE OF B.C.	Issued	2	C	485.00
40735	02-Jan-2014	KAL100	KALMAKOFF, WILLIAM	Issued	2	C	250.00
40736	02-Jan-2014	KET170	KETTLE VALLEY WASTE LTD.	Issued	2	C	1,193.80
40737	02-Jan-2014	KOO027	KOOTENAY INDUSTRIAL SUPPLY LTD.	Issued	2	C	150.35
40738	02-Jan-2014	KOO200	KOOTENAY COFFEE COMPANY	Issued	2	C	75.00
40739	02-Jan-2014	LAE010	LAERDAL MEDICAL CANADA LTD.	Issued	2	C	275.19
40740	02-Jan-2014	LOC050	LOCAL GOVERNMENT MANAGEMENT ASSOC	Issued	2	C	1,197.00
40741	02-Jan-2014	LOR010	LORDCO PARTS LTD.	Issued	2	C	280.69
40742	02-Jan-2014	MAI003	MAIN PLUMBING & HEATING	Issued	2	C	78.75
40743	02-Jan-2014	MAL080	MALONEY, GAIL	Issued	2	C	350.00
40744	02-Jan-2014	MAR006	MARINO WHOLESALE LTD.	Issued	2	C	882.59
40745	02-Jan-2014	MCP010	MCPHEE, NIGEL	Issued	2	C	350.00
40746	02-Jan-2014	MID010	VILLAGE OF MIDWAY	Issued	2	C	600.00
40747	02-Jan-2014	MIN030	MINISTER OF FINANCE	Issued	2	C	9,595.00
40748	02-Jan-2014	MIN040	MINISTER OF FINANCE	Issued	2	C	473.69
40749	02-Jan-2014	MMM001	MMM GROUP LIMITED	Issued	2	C	840.00

REGIONAL DISTRICT OF KOOTENAY BOUNDARY

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Supplier : 084010 To ZUC010

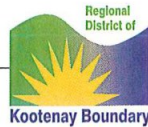
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Bank : 1 - CIBC Bank - General

Seq : Cheque No. Status : All

Medium : M=Manual C=Computer E=EFT-PA

Cheque #	Cheque Date	Supplier	Supplier Name	Status	Batch	Medium	Amount
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40750	02-Jan-2014	NEO001	NEOPOST	Issued	2	C	1,034.35
40751	02-Jan-2014	OAS010	OASIS RECREATION SOCIETY	Issued	2	C	25.00
40752	02-Jan-2014	OVE010	OVERWAITEA FOODS	Issued	2	C	22.38
40753	02-Jan-2014	OVE030	OVERLAND WEST FREIGHT LINES LTD.	Issued	2	C	314.37
40754	02-Jan-2014	PAC020	PACIFIC BLUE CROSS	Issued	2	C	21,613.79
40755	02-Jan-2014	PAR050	PARSLOW LOCK & SAFE	Issued	2	C	236.59
40756	02-Jan-2014	PLA020	PLANNING INSTITUTE OF BC	Issued	2	C	515.00
40757	02-Jan-2014	PLA110	PLANEDIN, GORD	Issued	2	C	350.00
40758	02-Jan-2014	PLU010	PLUMBING OFFICIALS' ASSOC. OF BC	Issued	2	C	480.00
40759	02-Jan-2014	PRA040	PRAXAIR DISTRIBUTION	Issued	2	C	229.68
40760	02-Jan-2014	PUR020	PUROLATOR COURIER LTD.	Issued	2	C	44.00
40761	02-Jan-2014	REC010	RECEIVER GENERAL FOR CANADA	Issued	2	C	79,679.52
40762	02-Jan-2014	REC080	RECYCLING COUNCIL OF B.C.	Issued	2	C	175.00
40763	02-Jan-2014	ROG001	ROGERS	Issued	2	C	97.92
40764	02-Jan-2014	ROS090	ROSSLAND PUBLIC LIBRARY	Issued	2	C	2,169.00
40765	02-Jan-2014	RUN020	RUNNALLS DENBY	Issued	2	C	1,808.63
40766	02-Jan-2014	SAG010	SAGAL, LEON	Issued	2	C	250.00
40767	02-Jan-2014	SCH100	SCHROEDER, DARLA	Issued	2	C	250.00
40768	02-Jan-2014	SCH350	SCHEER, KENNETH	Issued	2	C	250.00
40769	02-Jan-2014	SEC030	SECURE BY DESIGN	Issued	2	C	44.80
40770	02-Jan-2014	SEL160	SELKIRK SECURITY SERVICE	Issued	2	C	210.00
40771	02-Jan-2014	SEN060	SENIOR CITIZEN'S ASSOC. BRANCH #68	Issued	2	C	100.00
40772	02-Jan-2014	SEQ010	SEQUOIA FUELS LTD.	Issued	2	C	11,859.41
40773	02-Jan-2014	SEX010	SEXAUER LTD.	Issued	2	C	98.36
40774	02-Jan-2014	SHA030	SHAW CABLE	Issued	2	C	52.30
40775	02-Jan-2014	SHE040	SHELL CANADA PRODUCTS	Issued	2	C	443.84
40776	02-Jan-2014	SOU080	SOURCE OFFICE FURNISHINGS	Issued	2	C	917.28
40777	02-Jan-2014	SPE030	SPEEDPRO SIGNS PLUS	Issued	2	C	28.00
40778	02-Jan-2014	SUP030	SUPERIOR PROPANE INC.	Issued	2	C	1,038.36
40779	02-Jan-2014	TEA020	TEASDALE, BRYAN	Issued	2	C	315.50
40780	02-Jan-2014	TEL001	TELUS COMMUNICATIONS (B.C.) INC.	Issued	2	C	172.38
40781	02-Jan-2014	TEL002	TELUS MOBILITY	Issued	2	C	164.97
40782	02-Jan-2014	THE010	THE SOURCE	Issued	2	C	28.00
40783	02-Jan-2014	TOM040	TOMASHEWSKY, ROSANNE	Issued	2	C	20.00
40784	02-Jan-2014	TRA029	TRAIL COFFEE & TEA COMPANY	Issued	2	C	100.00
40785	02-Jan-2014	VER100	VERE, JOHN KENNETH	Issued	2	C	50.43
40786	02-Jan-2014	VIS020	VISSER MACHINING 2007 LTD.	Issued	2	C	325.53
40787	02-Jan-2014	WAL080	WAL MART CANADA CORP	Issued	2	C	76.55
40788	02-Jan-2014	WDS010	W.D. SHEETMETAL LTD.	Issued	2	C	4,500.30
40789	02-Jan-2014	WEN003	WENZEL, MARIE	Issued	2	C	500.00
40790	02-Jan-2014	WHI060	WHITEHEAD, MICHAEL	Issued	2	C	443.52
40791	02-Jan-2014	XLW010	XL QUALITY INDUSTRIAL SERVICES	Issued	2	C	35.84
40792	02-Jan-2014	YRW010	Y & R WATER SALES & SERVICE INC.	Issued	2	C	41.47
40793	06-Jan-2014	BEA130	BEAVER VALLEY LIBRARY	Issued	4	C	14,365.67
40794	06-Jan-2014	FRU010	THE VILLAGE OF FRUITVALE	Issued	4	C	181,871.47
40795	06-Jan-2014	GOL100	GOLDSBURY, CORRIE	Issued	4	C	82.00
40796	06-Jan-2014	GRA170	GRAND FORKS PUBLIC LIBRARY	Issued	4	C	84,747.25
40797	06-Jan-2014	HIR010	HIRAM, JANICE	Issued	4	C	217.00
40798	06-Jan-2014	SPC010	SOCIETY FOR PREVENTION OF CRUELTY TC	Issued	4	C	7,291.58
40799	06-Jan-2014	VAB010	VAB ENTERPRISES	Issued	4	C	682.50
40800	09-Jan-2014	ABE030	ABELL PEST CONTROL	Issued	9	C	73.50
40801	09-Jan-2014	ACC050	ACCURA ALARMS SECURITY SERVICE	Issued	9	C	157.50
40802	09-Jan-2014	ACE010	A.C.E. COURIER SERVICES	Issued	9	C	227.56

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Supplier : 084010 To ZUC010
 Cheque Dt. : 01-Jan-2014 To 31-Jan-2014
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Seq : Cheque No. Status : All
 Medium : M=Manual C=Computer E=EFT-PA

Cheque #	Cheque Date	Supplier	Supplier Name	Status	Batch	Medium	Amount
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40803	09-Jan-2014	ACK020	ACKLANDS-GRAINGER INC.	Issued	9	C	97.76
40804	09-Jan-2014	ALP002	ALPINE SIGNS & GRAPHICS	Issued	9	C	89.60
40805	09-Jan-2014	ALP030	ALPINE DISPOSAL & RECYCLING	Issued	9	C	1,488.45
40806	09-Jan-2014	ARR010	ARROW BUILDING SUPPLY	Issued	9	C	211.77
40807	09-Jan-2014	ASS020	ASSOC. OF KOOTENAY & BOUNDARY LOCAL	Issued	9	C	2,000.00
40808	09-Jan-2014	AST040	ASTRAL MEDIA RADIO G.P.	Issued	9	C	1,792.00
40809	09-Jan-2014	ATS001	AT SOURCE RECYCLING SYSTEMS CORP.	Issued	9	C	761.60
40810	09-Jan-2014	BAG020	BAGG, KEVIN	Issued	9	C	4,160.00
40811	09-Jan-2014	BAT030	BATTRICK & SONS LOCKSMITHING	Issued	9	C	63.00
40812	09-Jan-2014	BCT030	BC TRANSIT	Issued	9	C	111,035.00
40813	09-Jan-2014	BEL020	BELLA TIRE SERVICE CENTRE LTD.	Issued	9	C	202.05
40814	09-Jan-2014	BEN015	BENEFITS BY DESIGN	Issued	9	C	2,457.07
40815	09-Jan-2014	BIG060	BIG WHITE SKI RESORT LTD.	Issued	9	C	2,153.56
40816	09-Jan-2014	BOU070	BOUNDARY HOME BUILDING CENTRE	Issued	9	C	11.96
40817	09-Jan-2014	BRA030	BRANDT TRACTOR	Issued	9	C	37.19
40818	09-Jan-2014	BUT025	BUTLER, ROBERT	Issued	9	C	328.95
40819	09-Jan-2014	BVC001	BV COMMUNICATIONS LTD.	Issued	9	C	47,316.59
40820	09-Jan-2014	BVT010	BV TOOL RENTALS (2011) LTD.	Issued	9	C	127.25
40821	09-Jan-2014	CAN003	CANADIAN ASSOCIATION OF FIRE CHIEFS	Issued	9	C	808.92
40822	09-Jan-2014	CAN035	CANADIAN SPRINGS	Issued	9	C	71.26
40823	09-Jan-2014	CAN150	CANADIAN TIRE ASSOCIATE STORE #665	Issued	9	C	646.32
40824	09-Jan-2014	CAN170	CANADA POST CORP	Issued	9	C	1,080.75
40825	09-Jan-2014	CAN560	CANADIAN LINEN AND UNIFORM SERVICE	Issued	9	C	152.26
40826	09-Jan-2014	CAR012	CARO ANALYTICAL SERVICES	Issued	9	C	2,080.37
40827	09-Jan-2014	CAR015	CARVELLO LAW CORPORATION	Issued	9	C	1,436.24
40828	09-Jan-2014	CAS240	CASCADE PRO ELECTRIC INC.	Issued	9	C	7,557.30
40829	09-Jan-2014	CEN010	CENTURY VALLEN	Issued	9	C	12,254.87
40830	09-Jan-2014	CHR003	CHRISTMAN, MARTIN RUSSELL	Issued	9	C	443.94
40831	09-Jan-2014	CHR010	CHRISTINA LAKE COMMUNITY ASSOCIATION	Issued	9	C	480.00
40832	09-Jan-2014	CIB010	CIBC VISA	Issued	9	C	14,768.37
40833	09-Jan-2014	CIE020	CI EXCAVATING	Issued	9	C	1,272.60
40834	09-Jan-2014	CIN001	CINTAS THE UNIFORM PEOPLE	Issued	9	C	39.76
40835	09-Jan-2014	COL010	COLANDER RESTAURANTS (1999) LTD.	Issued	9	C	334.40
40836	09-Jan-2014	COM020	COMMISSIONAIRES BRITISH COLUMBIA	Issued	9	C	9,030.00
40837	09-Jan-2014	COO050	COOKSON MOTORS LTD.	Issued	9	C	630.47
40838	09-Jan-2014	COR100	CORDILLERAN ECOLOGICAL	Issued	9	C	5,221.13
40839	09-Jan-2014	COU010	COUNTERFORCE INC.	Issued	9	C	226.80
40840	09-Jan-2014	CRA040	CRAIG, NEIL ALLAN	Issued	9	C	617.40
40841	09-Jan-2014	DEB001	DEBIASIO, GRACE	Issued	9	C	10.00
40842	09-Jan-2014	DEL070	DELL CANADA INC	Issued	9	C	17,532.63
40843	09-Jan-2014	DEL080	DE LAGE LANDEN FINANCIAL SERVICES CAN	Issued	9	C	655.20
40844	09-Jan-2014	DHC010	DHC COMMUNICATIONS INC.	Issued	9	C	4,098.65
40845	09-Jan-2014	DOH020	DOHERTY, ALLAN GORDON	Issued	9	C	1,386.69
40846	09-Jan-2014	DOM010	DOMMASCH, RON	Issued	9	C	1,000.00
40847	09-Jan-2014	DUP001	DUPEE, ROBERT	Issued	9	C	167.90
40848	09-Jan-2014	ECO080	ECO/LOGIC ENVIRONMENTAL	Issued	9	C	4,959.29
40849	09-Jan-2014	FAS025	FASTENAL CANADA LTD.	Issued	9	C	23.52
40850	09-Jan-2014	FDM010	FDM SOFTWARE LTD.	Issued	9	C	37,500.06
40851	09-Jan-2014	FIN030	FINNING (CANADA) CREDIT DEPT.	Issued	9	C	244.87
40852	09-Jan-2014	FIR080	FIRE CHIEFS' ASSOCIATION OF BRITISH COL	Issued	9	C	1,688.00
40853	09-Jan-2014	FOR010	FORTISBC - ELECTRICITY	Issued	9	C	9,205.02
40854	09-Jan-2014	FOR040	FORTIS BC - NATURAL GAS	Issued	9	C	5,930.45
40855	09-Jan-2014	FOU080	FOUR STAR COMMUNICATIONS INC.	Issued	9	C	250.43

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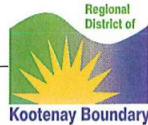
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Seq : Cheque No. Status : All
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Cheque #	Cheque Date	Supplier	Supplier Name	Status	Batch	Medium	Amount
Bank : 1 CIBC Bank - General							
40856	09-Jan-2014	FRU010	THE VILLAGE OF FRUITVALE	Issued	9	C	140.00
40857	09-Jan-2014	FRU020	FRUITVALE CO-OP	Issued	9	C	631.49
40858	09-Jan-2014	GES010	SONEPAR CANADA INC - GESCAN WEST	Issued	9	C	326.28
40859	09-Jan-2014	GLA040	GLACIER VALLEY TREE CARE LTD.	Issued	9	C	1,548.75
40860	09-Jan-2014	GRA010	CITY OF GRAND FORKS	Issued	9	C	29,603.74
40861	09-Jan-2014	GRA023	GRAND FORKS CONCRETE AND GRAVEL LTD.	Issued	9	C	966.01
40862	09-Jan-2014	GRA050	GRAND FORKS HOME HARDWARE	Issued	9	C	314.24
40863	09-Jan-2014	GRE030	GREYHOUND COURIER EXPRESS	Issued	9	C	215.22
40864	09-Jan-2014	GUI001	GUILLEVIN INTERNATIONAL INC.	Issued	9	C	64.96
40865	09-Jan-2014	HAC020	HACH SALES AND SERVICE CANADA LTD.	Issued	9	C	715.68
40866	09-Jan-2014	HOU010	HOUSTON, GREGG	Issued	9	C	70.00
40867	09-Jan-2014	HUB020	HUB FIRE ENGINES & EQUIPMENT LTD.	Issued	9	C	221.62
40868	09-Jan-2014	IMP020	IMPERIAL OIL LIMITED	Issued	9	C	372.32
40869	09-Jan-2014	INL070	INLAND ALLCARE	Issued	9	C	5,295.25
40870	09-Jan-2014	INT170	INTERIOR ICE	Issued	9	C	49.50
40871	09-Jan-2014	JAM020	RJAMES MANAGEMENT GROUP	Issued	9	C	21.98
40872	09-Jan-2014	JJH010	J.J.H. ENTERPRISES	Issued	9	C	105.46
40873	09-Jan-2014	JOH012	JOHNSON, KIM, IN TRUST	Issued	9	C	90.18
40874	09-Jan-2014	KEL030	CITY OF KELOWNA	Issued	9	C	2,692.30
40875	09-Jan-2014	KET170	KETTLE VALLEY WASTE LTD.	Issued	9	C	35,392.16
40876	09-Jan-2014	KIM020	KIMCO CONTROLS LTD.	Issued	9	C	924.53
40877	09-Jan-2014	KOO026	KOOTENAY WEED CONTROL	Issued	9	C	11,403.53
40878	09-Jan-2014	KOO045	KOOTENAY COMMUNICATIONS LTD.	Issued	9	C	4,115.25
40879	09-Jan-2014	KOO200	KOOTENAY COFFEE COMPANY	Issued	9	C	756.00
40880	09-Jan-2014	KOO210	KOOTENAY VALLEY WATER CO.	Issued	9	C	249.70
40881	09-Jan-2014	LEP010	LEPITRE, DONALD	Issued	9	C	200.00
40882	09-Jan-2014	LOO020	LOOMIS EXPRESS	Issued	9	C	28.11
40883	09-Jan-2014	LOR010	LORDCO PARTS LTD.	Issued	9	C	931.88
40884	09-Jan-2014	LUD001	LUDWAR, CORA	Issued	9	C	77.14
40885	09-Jan-2014	MAC100	MACKEY, JOHN	Issued	9	C	1,104.20
40886	09-Jan-2014	MAR006	MARINO WHOLESALE LTD.	Issued	9	C	77.91
40887	09-Jan-2014	MCE010	MCEWAN & CO. LAW CORPORATION	Issued	9	C	1,228.42
40888	09-Jan-2014	MIN010	MINISTER OF FINANCE	Issued	9	C	14,332.50
40889	09-Jan-2014	MOH020	MOHAWK CANADA LTD.	Issued	9	C	3,602.50
40890	09-Jan-2014	MSC020	MSC ENTERPRISES LTD. C/O STEVE DANSHI	Issued	9	C	98.70
40891	09-Jan-2014	MYR010	MYRON'S DOOR SERVICE	Issued	9	C	1,853.91
40892	09-Jan-2014	NUT010	NUTINI, DOMINIC	Issued	9	C	430.59
40893	09-Jan-2014	OME040	OMEGA COMMUNICATIONS LTD.	Issued	9	C	154.01
40894	09-Jan-2014	PAR050	PARSLOW LOCK & SAFE	Issued	9	C	44.75
40895	09-Jan-2014	PET010	PETRO CANADA	Issued	9	C	6,088.52
40896	09-Jan-2014	PHY010	PHYSIO-CONTROL CANADA SALES LTD.	Issued	9	C	57.36
40897	09-Jan-2014	PLA100	PLANET CLEAN	Issued	9	C	78.77
40898	09-Jan-2014	POW060	POWER KELLY "IN TRUST"	Issued	9	C	202.30
40899	09-Jan-2014	PRA040	PRAXAIR DISTRIBUTION	Issued	9	C	120.79
40900	09-Jan-2014	PUR020	PUROLATOR COURIER LTD.	Issued	9	C	42.64
40901	09-Jan-2014	RAC010	RACE TRAC FUELS	Issued	9	C	573.62
40902	09-Jan-2014	REB001	REBELATO MORNING PERK	Issued	9	C	113.28
40903	09-Jan-2014	RED004	RED BARON AIRCRAFT REPAIR	Issued	9	C	2,042.06
40904	09-Jan-2014	RED060	RED MOUNTAIN RACERS	Issued	9	C	10,532.00
40905	09-Jan-2014	REG010	REGIONAL DISTRICT OF CENTRAL KOOTENAY	Issued	9	C	262.50
40906	09-Jan-2014	GRA055	GRAND FORKS RENOVATION CENTRE LTD. E	Issued	9	C	81.25
40907	09-Jan-2014	RID010	RIDGETOP MEAT PIES	Issued	9	C	6,435.00
40908	09-Jan-2014	RIT020	RITEWAY MECHANICAL REPAIR LTD.	Issued	9	C	9,375.70

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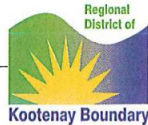
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 Cheque Dt. : 01-Jan-2014 To 31-Jan-2014
 Bank : 1 - CIBC Bank - General

Seq : Cheque No. Status : All
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Cheque #	Cheque Date	Supplier	Supplier Name	Status	Batch	Medium	Amount
Bank : 1 CIBC Bank - General							
40909	09-Jan-2014	ROC050	ROCKY MOUNTAIN AGENCIES	Issued	9	C	1,377.84
40910	09-Jan-2014	ROD050	RODALE	Issued	9	C	27.20
40911	09-Jan-2014	SAV030	SAVOY EQUIPMENT LTD KELOWNA	Issued	9	C	76.05
40912	09-Jan-2014	SCO025	SCOUTS CANADA - FIRST WARFIELD	Issued	9	C	391.84
40913	09-Jan-2014	SEC040	SECURIGUARD SERVICES LIMITED	Issued	9	C	20,603.73
40914	09-Jan-2014	SEL010	SELECT OFFICE PRODUCTS	Issued	9	C	170.59
40915	09-Jan-2014	SEL040	SELKIRK COLLEGE (CASTLEGAR)	Issued	9	C	2,205.00
40916	09-Jan-2014	SFE010	SFE LTD.	Issued	9	C	5,286.75
40917	09-Jan-2014	SHA030	SHAW CABLE	Issued	9	C	403.99
40918	09-Jan-2014	SKE010	SK ELECTRONICS LTD.	Issued	9	C	4,009.60
40919	09-Jan-2014	SNC001	SNC-LAVALIN INC.	Issued	9	C	1,929.38
40920	09-Jan-2014	SUN007	SUNRISE MEDIA	Issued	9	C	400.00
40921	09-Jan-2014	TEL001	TELUS COMMUNICATIONS (B.C.) INC.	Issued	9	C	15,044.19
40922	09-Jan-2014	TEL002	TELUS MOBILITY	Issued	9	C	3,139.10
40923	09-Jan-2014	TEL050	TELUS SERVICES INC.	Issued	9	C	6,251.96
40924	09-Jan-2014	TER090	TERRA FIRMA	Issued	9	C	117.33
40925	09-Jan-2014	THE010	THE SOURCE	Issued	9	C	333.53
40926	09-Jan-2014	TRA003	TRAIL ROOFING LTD.	Issued	9	C	155.32
40927	09-Jan-2014	TRA020	TRAIL CLEANERS & LAUNDRY LTD.	Issued	9	C	297.94
40928	09-Jan-2014	TRA240	TRAIL HOME HARDWARE BUILDING CENTRE	Issued	9	C	344.65
40929	09-Jan-2014	TRO010	TROWELEX RENTALS AND SALES	Issued	9	C	728.37
40930	09-Jan-2014	TRU040	TRUE CONSULTING GROUP	Issued	9	C	6,746.26
40931	09-Jan-2014	VAL020	VALKYRIE LAW GROUP LLP	Issued	9	C	9,166.27
40932	09-Jan-2014	VAL100	VALU OFFICE SUPPLIES	Issued	9	C	79.41
40933	09-Jan-2014	VAN060	VAN KAM FREIGHTWAYS LTD.	Issued	9	C	175.17
40934	09-Jan-2014	VAN130	VAN OOYEN, GERRIE S.	Issued	9	C	341.50
40935	09-Jan-2014	VIS050	VISTA RADIO LTD.	Issued	9	C	382.20
40936	09-Jan-2014	VOL010	VOLUNTEER FIREFIGHTER'S ASSOC	Issued	9	C	550.00
40937	09-Jan-2014	VOL020	VOLUNTEER FIREFIGHTER'S FOUNDATION F	Issued	9	C	250.00
40938	09-Jan-2014	WAN050	WANETA AUTO AND EQUIPMENT REPAIR INC	Issued	9	C	1,596.35
40939	09-Jan-2014	WAT020	WATER PURE AND SIMPLE	Issued	9	C	209.40
40940	09-Jan-2014	WEL001	WELCOME WAGON LTD.	Issued	9	C	6.30
40941	09-Jan-2014	WES100	WESCO	Issued	9	C	202.13
40942	09-Jan-2014	WHO010	WHOLESALE FIRE & RESCUE LTD.	Issued	9	C	121.07
40943	09-Jan-2014	WOR010	WORKER'S COMPENSATION BOARD OF BC	Issued	9	C	22,675.81
40944	09-Jan-2014	WOR060	WORLD WIDE CUSTOMS BROKERS LTD	Issued	9	C	114.77
40945	09-Jan-2014	YOU080	YOUR DOLLAR STORE WITH MORE 180	Issued	9	C	10.58
40951	16-Jan-2014	ACE010	A.C.E. COURIER SERVICES	Issued	15	C	62.51
40952	16-Jan-2014	AIR001	AIR LIQUIDE CANADA INC.	Issued	15	C	17.37
40953	16-Jan-2014	ALD010	ALDERSON, CLAYTON G	Issued	15	C	240.00
40954	16-Jan-2014	AND060	ANDISON, R. MARK	Issued	15	C	45.60
40955	16-Jan-2014	BCF020	B.C. FIRE TRAINING OFFICERS ASSOCIATION	Issued	15	C	100.00
40956	16-Jan-2014	BEA220	BEAVER VALLEY SKATING CLUB	Cancelled	16	C	0.00
40957	16-Jan-2014	BLA050	BLACK PRESS GROUP LTD.	Issued	15	C	799.54
40958	16-Jan-2014	BOU320	BOUTIN, KYLE	Issued	15	C	240.00
40959	16-Jan-2014	BRE090	BREDBECK, HAROLD	Issued	15	C	428.74
40960	16-Jan-2014	BVC001	BV COMMUNICATIONS LTD.	Issued	15	C	168.00
40961	16-Jan-2014	CAN110	CANADIAN RED CROSS SOCIETY	Issued	15	C	320.00
40962	16-Jan-2014	CAN150	CANADIAN TIRE ASSOCIATE STORE #665	Issued	15	C	36.93
40963	16-Jan-2014	CAN560	CANADIAN LINEN AND UNIFORM SERVICE	Issued	15	C	74.89
40964	16-Jan-2014	CHE050	CHERRY HILL COFFEE INC.	Issued	15	C	114.10
40965	16-Jan-2014	CHR003	CHRISTMAN, MARTIN RUSSELL	Issued	15	C	266.56
40966	16-Jan-2014	CHR030	CHRISTINA LAKE FIRE DEPT	Issued	15	C	464.00

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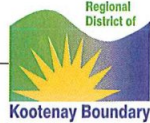
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40967	16-Jan-2014	CHR160	CHRISTINA LAKE CHAMBER OF COMMERCE	Issued	15	C	20,697.00
40968	16-Jan-2014	CIE020	CI EXCAVATING	Issued	15	C	1,086.75
40969	16-Jan-2014	COL017	COLBACHINI, CHERYL ANN	Issued	15	C	202.50
40970	16-Jan-2014	COL090	COLUMBIA RECYCLE	Issued	15	C	450.00
40971	16-Jan-2014	COM014	COMO, DAVID K	Issued	15	C	240.00
40972	16-Jan-2014	COM170	COMMUNITY FUTURES BOUNDARY	Issued	15	C	3,553.60
40973	16-Jan-2014	DEA060	DEAN, DONNA	Issued	15	C	70.00
40974	16-Jan-2014	DEP020	DEPELLEGRIN, LEE	Issued	15	C	240.00
40975	16-Jan-2014	DHC010	DHC COMMUNICATIONS INC.	Issued	15	C	14,653.51
40976	16-Jan-2014	FER001	FERRARO FOODS	Issued	15	C	11.25
40977	16-Jan-2014	FER003	FERRABY, GREG	Issued	15	C	240.00
40978	16-Jan-2014	FIR080	FIRE CHIEFS' ASSOCIATION OF BRITISH COL	Issued	15	C	289.00
40979	16-Jan-2014	FOR010	FORTISBC - ELECTRICITY	Issued	15	C	697.12
40980	16-Jan-2014	FOR040	FORTIS BC - NATURAL GAS	Issued	15	C	7,304.01
40981	16-Jan-2014	FRU010	THE VILLAGE OF FRUITVALE	Issued	15	C	7,237.00
40982	16-Jan-2014	GAL020	GALLAMORE, GLEN	Issued	15	C	240.00
40983	16-Jan-2014	GES010	SONEPAR CANADA INC - GESCAN WEST	Issued	15	C	38.87
40984	16-Jan-2014	GRA023	GRAND FORKS CONCRETE AND GRAVEL LTD	Issued	15	C	257.60
40985	16-Jan-2014	GRA046	GRANBY WILDERNESS SOCIETY	Issued	15	C	6,000.00
40986	16-Jan-2014	GRE010	THE CITY OF GREENWOOD	Issued	15	C	417.00
40987	16-Jan-2014	GRE030	GREYHOUND COURIER EXPRESS	Issued	15	C	147.84
40988	16-Jan-2014	GRE080	GRESLEY-JONES, KEN	Issued	15	C	375.00
40989	16-Jan-2014	HAL010	HALL PRINTING	Issued	15	C	438.12
40990	16-Jan-2014	HAL060	HALL'S BASICS & GIFTS LTD	Issued	15	C	830.57
40991	16-Jan-2014	HAM060	HAMILTON, TIM	Issued	15	C	240.00
40992	16-Jan-2014	INL070	INLAND ALLCARE	Issued	15	C	1,778.50
40993	16-Jan-2014	JJH010	J.J.H. ENTERPRISES	Issued	15	C	40.00
40994	16-Jan-2014	KET170	KETTLE VALLEY WASTE LTD.	Issued	15	C	505.58
40995	16-Jan-2014	KON001	KONE INC.	Issued	15	C	209.69
40996	16-Jan-2014	LAN003	LANGMAN, JASON	Issued	15	C	240.00
40997	16-Jan-2014	LAR040	LARMOUR, MATTHEW	Issued	15	C	240.00
40998	16-Jan-2014	LEN010	LENARDUZZI, MIKE	Issued	15	C	240.00
40999	16-Jan-2014	LIB010	LIBERTY FOOD STORES	Issued	15	C	194.27
41000	16-Jan-2014	LIF010	LIFESAVING SOCIETY	Issued	15	C	110.00
41001	16-Jan-2014	LOR010	LORDCO PARTS LTD.	Issued	15	C	615.22
41002	16-Jan-2014	MAC100	MACKEY, JOHN	Issued	15	C	158.19
41003	16-Jan-2014	MAR006	MARINO WHOLESALE LTD.	Issued	15	C	107.15
41004	16-Jan-2014	MAR090	MARTECH MOTOR WINDING LTD.	Issued	15	C	1,705.71
41005	16-Jan-2014	MID010	VILLAGE OF MIDWAY	Issued	15	C	1,851.00
41006	16-Jan-2014	MIL030	MILNE, JASON	Issued	15	C	240.00
41007	16-Jan-2014	MIN040	MINISTER OF FINANCE	Issued	15	C	221.65
41008	16-Jan-2014	MIR010	MIRCOM DISTRIBUTION (BC) INC.	Issued	15	C	205.80
41009	16-Jan-2014	MON010	VILLAGE OF MONTROSE	Issued	15	C	3,999.00
41010	16-Jan-2014	MOR020	MORRIS, RICHARD	Issued	15	C	240.00
41011	16-Jan-2014	PAR050	PARSLOW LOCK & SAFE	Issued	15	C	326.87
41012	16-Jan-2014	PAR120	PART EVIL CUSTOM AUTOS LTD.	Issued	15	C	155.42
41013	16-Jan-2014	PEA010	PEAK EXCAVATING	Issued	15	C	315.00
41014	16-Jan-2014	POW100	POWER TECH ELECTRIC LTD.	Issued	15	C	1,959.43
41015	16-Jan-2014	QUI010	QUICKSCRIBE SERVICES	Issued	15	C	89.25
41016	16-Jan-2014	REB001	REBELATO MORNING PERK	Issued	15	C	93.90
41017	16-Jan-2014	REC010	RECEIVER GENERAL FOR CANADA	Issued	15	C	76,037.76
41018	16-Jan-2014	REG010	REGIONAL DISTRICT OF CENTRAL KOOTENAY	Issued	15	C	255.32
41019	16-Jan-2014	RIC010	RICOH CANADA INC.	Issued	15	C	8,549.60

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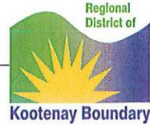
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Bank : 1 CIBC Bank - General							
41020	16-Jan-2014	SCP010	SCP DISTRIBUTORS INC.	Issued	15	C	190.26
41021	16-Jan-2014	SEL010	SELECT OFFICE PRODUCTS	Issued	15	C	94.13
41022	16-Jan-2014	SEL160	SELKIRK SECURITY SERVICE	Issued	15	C	389.55
41023	16-Jan-2014	SEN050	SENIOR CITIZEN'S ASSOC. #44	Issued	15	C	105.00
41024	16-Jan-2014	SHA030	SHAW CABLE	Issued	15	C	648.98
41025	16-Jan-2014	SMY001	SMYTH, RYAN	Issued	15	C	240.00
41026	16-Jan-2014	SOC030	SOCAN	Issued	15	C	510.96
41027	16-Jan-2014	SPE030	SPEEDPRO SIGNS PLUS	Issued	15	C	470.40
41028	16-Jan-2014	STA015	STARCHUK, LORNA	Issued	15	C	179.20
41029	16-Jan-2014	SUP170	SUPER SAVE DISPOSAL INC.	Issued	15	C	12,907.44
41030	16-Jan-2014	TEL001	TELUS COMMUNICATIONS (B.C.) INC.	Issued	15	C	2,220.36
41031	16-Jan-2014	TOO010	TOOL TIME SUPPLIES LTD.	Issued	15	C	31.36
41032	16-Jan-2014	TRA010	THE CITY OF TRAIL	Issued	15	C	60,974.00
41033	16-Jan-2014	TRA240	TRAIL HOME HARDWARE BUILDING CENTRE	Issued	15	C	176.64
41034	16-Jan-2014	TYS010	TYSON, GRANT	Issued	15	C	240.00
41035	16-Jan-2014	VIS050	VISTA RADIO LTD.	Issued	15	C	1,413.56
41036	16-Jan-2014	VIT001	VITALAIRE	Issued	15	C	262.34
41037	16-Jan-2014	WAL080	WAL MART CANADA CORP	Issued	15	C	157.31
41038	16-Jan-2014	WAR020	VILLAGE OF WARFIELD	Issued	15	C	2,539.00
41039	16-Jan-2014	WDS010	W.D. SHEETMETAL LTD.	Issued	15	C	1,955.10
41040	16-Jan-2014	WES160	WEST KOOTENAY MECHANICAL (2001) LTD	Issued	15	C	1,467.19
41041	16-Jan-2014	WES790	WEST BOUNDARY DISPOSAL AND RECYCLIN	Issued	15	C	525.00
41042	16-Jan-2014	XER010	XEROX CANADA LTD.	Issued	15	C	59.38
41043	24-Jan-2014	ACE010	A.C.E. COURIER SERVICES	Issued	24	C	249.03
41044	24-Jan-2014	ACK020	ACKLANDS-GRAINGER INC.	Issued	24	C	623.25
41045	24-Jan-2014	ALP030	ALPINE DISPOSAL & RECYCLING	Issued	24	C	80,901.50
41046	24-Jan-2014	AND060	ANDISON, R. MARK	Issued	24	C	178.45
41047	24-Jan-2014	ARR010	ARROW BUILDING SUPPLY	Issued	24	C	11.07
41048	24-Jan-2014	BAL020	BALDY BOBCAT SERVICES	Issued	24	C	393.75
41049	24-Jan-2014	BCF020	B.C. FIRE TRAINING OFFICERS ASSOCIATION	Issued	24	C	100.00
41050	24-Jan-2014	BCI010	B.C. INSTITUTE OF AGROLOGISTS	Issued	24	C	400.00
41051	24-Jan-2014	BCT030	BC TRANSIT	Issued	24	C	118,861.00
41052	24-Jan-2014	BEA220	BEAVER VALLEY SKATING CLUB	Issued	24	C	1,581.47
41053	24-Jan-2014	BIG015	BIG WHITE GAS UTILITY LTD.	Issued	24	C	3,324.44
41054	24-Jan-2014	BIG025	BIG WHITE SEWER UTILITY LTD.	Issued	24	C	132.83
41055	24-Jan-2014	BIG030	BIG WHITE WATER UTILITY LTD.	Issued	24	C	7,363.96
41056	24-Jan-2014	BIG060	BIG WHITE SKI RESORT LTD.	Issued	24	C	2,074.63
41057	24-Jan-2014	BIP010	BI PURE WATER	Issued	24	C	1,266.51
41058	24-Jan-2014	BOU460	BOUNDARY EXCAVATING	Issued	24	C	157.50
41059	24-Jan-2014	BRI001	BRINK'S CANADA LIMITED	Issued	24	C	354.90
41060	24-Jan-2014	BRI120	BRITISH COLUMBIA SAFETY AUTHORITY	Issued	24	C	66.15
41061	24-Jan-2014	BVC001	BV COMMUNICATIONS LTD.	Issued	24	C	61.55
41062	24-Jan-2014	BVT010	BV TOOL RENTALS (2011) LTD.	Issued	24	C	51.27
41063	24-Jan-2014	CAL050	CAL-GAS	Issued	24	C	516.93
41064	24-Jan-2014	CAR011	CAREER DEVELOPMENT SERVICES	Issued	24	C	3,545.90
41065	24-Jan-2014	CAS016	CASCADES RECOVERY INC.	Issued	24	C	3,919.68
41066	24-Jan-2014	CEN010	CENTURY VALLEN	Issued	24	C	43.52
41067	24-Jan-2014	CER030	CERTIFIED ENSEMBLE SERVICES	Issued	24	C	1,110.38
41068	24-Jan-2014	CHR440	CHRISTINA GATEWAY DEVELOPMENT ASSO	Issued	24	C	3,000.00
41069	24-Jan-2014	CIN001	CINTAS THE UNIFORM PEOPLE	Issued	24	C	79.52
41070	24-Jan-2014	COL240	COLUMBIA FILTER LTD.	Issued	24	C	197.57
41071	24-Jan-2014	COM013	COMMERCIAL SOLUTIONS INC.	Issued	24	C	5,772.03
41072	24-Jan-2014	COM020	COMMISSIONAIRES BRITISH COLUMBIA	Issued	24	C	9,030.00

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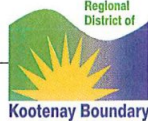
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41073	24-Jan-2014	COS020	COSTANZO, DALLAS	Issued	24	C	30.12
41074	24-Jan-2014	CRO030	CROCKER EQUIPMENT CO LTD	Issued	24	C	325.76
41075	24-Jan-2014	DUN070	DUNSDON, DICK	Issued	24	C	75.00
41076	24-Jan-2014	DUP020	DUPLSKATE JONAH LTD.	Issued	24	C	464.24
41077	24-Jan-2014	EAR020	EARTH MANAGEMENT LTD.	Issued	24	C	2,204.22
41078	24-Jan-2014	ESP010	ESPOSITO'S CAFFE AMERICANO	Issued	24	C	1,294.48
41079	24-Jan-2014	FED020	FEDERATED CO-OPERATIVES LTD.	Issued	24	C	430.54
41080	24-Jan-2014	FOR010	FORTISBC - ELECTRICITY	Issued	24	C	1,687.18
41081	24-Jan-2014	FOR040	FORTIS BC - NATURAL GAS	Issued	24	C	11,643.80
41082	24-Jan-2014	FRI100	FRITO LAY CANADA	Issued	24	C	123.59
41083	24-Jan-2014	GEN050	GENELLE IMPROVEMENT DISTRICT	Issued	24	C	262.00
41084	24-Jan-2014	GES010	SONEPAR CANADA INC - GESCAN WEST	Issued	24	C	463.73
41085	24-Jan-2014	GLE040	GLENMERRY GLASS LTD.	Issued	24	C	1,225.28
41086	24-Jan-2014	GRA023	GRAND FORKS CONCRETE AND GRAVEL LTI	Issued	24	C	1,094.80
41087	24-Jan-2014	GRA050	GRAND FORKS HOME HARDWARE	Issued	24	C	36.25
41088	24-Jan-2014	GRA140	GRANTON MOTORS LTD	Issued	24	C	1,076.40
41089	24-Jan-2014	HAL060	HALL'S BASICS & GIFTS LTD	Issued	24	C	139.34
41090	24-Jan-2014	HAR010	HARLAN FAIRBANKS	Issued	24	C	304.18
41091	24-Jan-2014	HEL010	EDMISON, HELENA	Issued	24	C	87.15
41092	24-Jan-2014	HOM010	HOME DEPOT CREDIT SERVICES	Issued	24	C	266.64
41093	24-Jan-2014	INF030	INFOSAT COMMUNICATIONS	Issued	24	C	823.66
41094	24-Jan-2014	IRI010	IRIDIA MEDICAL INC.	Issued	24	C	336.52
41095	24-Jan-2014	IRO030	IRON GRAPHIX INC.	Issued	24	C	448.00
41096	24-Jan-2014	JAM020	RJAMES MANAGEMENT GROUP	Issued	24	C	494.88
41097	24-Jan-2014	KEL030	CITY OF KELOWNA	Issued	24	C	6,547.44
41098	24-Jan-2014	KON001	KONE INC.	Issued	24	C	295.13
41099	24-Jan-2014	KOO200	KOOTENAY COFFEE COMPANY	Issued	24	C	75.00
41100	24-Jan-2014	LAN010	LAND TITLE & SURVEY AUTHORITY OF BC	Issued	24	C	24.20
41101	24-Jan-2014	LIF020	LIFESTYLE EQUIPMENT (2002) LTD.	Issued	24	C	3,136.00
41102	24-Jan-2014	LOR010	LORDCO PARTS LTD.	Issued	24	C	630.90
41103	24-Jan-2014	MAC100	MACKEY, JOHN	Issued	24	C	600.66
41104	24-Jan-2014	MAR006	MARINO WHOLESALE LTD.	Issued	24	C	768.62
41105	24-Jan-2014	MCG002	MCGREGOR, GRACE	Issued	24	C	706.85
41106	24-Jan-2014	MCG020	MCGREGOR, ROBERT	Issued	24	C	50.00
41107	24-Jan-2014	MIN001	MINISTRY OF HEALTH	Issued	24	C	450.00
41108	24-Jan-2014	MIR010	MIRCOM DISTRIBUTION (BC) INC.	Issued	24	C	54.60
41109	24-Jan-2014	NOR190	NORTHERN TRAILER	Issued	24	C	106.05
41110	24-Jan-2014	OKT010	OK TIRE STORE	Issued	24	C	1,646.37
41111	24-Jan-2014	OME040	OMEGA COMMUNICATIONS LTD.	Issued	24	C	91.99
41112	24-Jan-2014	ORC010	ORCHARD FORD SALES LTD.	Issued	24	C	20.45
41113	24-Jan-2014	PAR050	PARSLOW LOCK & SAFE	Issued	24	C	61.94
41114	24-Jan-2014	PAS060	THE PASTRY SHOP	Issued	24	C	159.30
41115	24-Jan-2014	PER070	PERRY, CHRISTOPHER, MARK	Issued	24	C	87.09
41116	24-Jan-2014	PLA020	PLANNING INSTITUTE OF BC	Issued	24	C	1,545.00
41117	24-Jan-2014	PLA100	PLANET CLEAN	Issued	24	C	235.71
41118	24-Jan-2014	POW100	POWER TECH ELECTRIC LTD.	Issued	24	C	249.90
41119	24-Jan-2014	PRA040	PRAXAIR DISTRIBUTION	Issued	24	C	238.75
41120	24-Jan-2014	PRE130	PRECISION SAW REPAIR	Issued	24	C	162.68
41121	24-Jan-2014	PUR020	PUROLATOR COURIER LTD.	Issued	24	C	34.24
41122	24-Jan-2014	REB001	REBELATO MORNING PERK	Issued	24	C	323.03
41123	24-Jan-2014	RED005	REDWOOD ENGINEERING LTD.	Issued	24	C	829.50
41124	24-Jan-2014	GRA055	GRAND FORKS RENOVATION CENTRE LTD. I	Issued	24	C	18.34
41125	24-Jan-2014	ROC050	ROCKY MOUNTAIN AGENCIES	Issued	24	C	1,450.18

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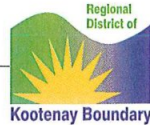
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Cheque #	Cheque Date	Supplier	Supplier Name	Status	Batch	Medium	Amount
Bank : 1 CIBC Bank - General							
41126	24-Jan-2014	ROD040	RODON VENTURES DBA JOGAS 2009	Issued	24	C	133.00
41127	24-Jan-2014	ROS010	THE CITY OF ROSSLAND	Issued	24	C	916.20
41128	24-Jan-2014	RUS010	RUSSELL, ROLY	Issued	24	C	179.00
41129	24-Jan-2014	RUS025	RUSTIC CRUST	Issued	24	C	266.50
41130	24-Jan-2014	SAV030	SAVOY EQUIPMENT LTD KELOWNA	Issued	24	C	128.48
41131	24-Jan-2014	SEL010	SELECT OFFICE PRODUCTS	Issued	24	C	198.95
41132	24-Jan-2014	SEL160	SELKIRK SECURITY SERVICE	Issued	24	C	35.70
41133	24-Jan-2014	SEQ010	SEQUOIA FUELS LTD.	Issued	24	C	7,865.45
41134	24-Jan-2014	SHA030	SHAW CABLE	Issued	24	C	231.50
41135	24-Jan-2014	SHE040	SHELL CANADA PRODUCTS	Issued	24	C	129.39
41136	24-Jan-2014	STA007	DESJARDINS CARD SERVICES	Issued	24	C	50.08
41137	24-Jan-2014	TEL001	TELUS COMMUNICATIONS (B.C.) INC.	Issued	24	C	409.96
41138	24-Jan-2014	TEL002	TELUS MOBILITY	Issued	24	C	428.77
41139	24-Jan-2014	TER010	TERRA NOVA MOTOR INN	Issued	24	C	457.50
41140	24-Jan-2014	TET010	TETRA TECH EBA INC.	Issued	24	C	1,392.62
41141	24-Jan-2014	THE410	THE BOUNDARY SENTINEL	Issued	24	C	450.00
41142	24-Jan-2014	TOM060	TOMASHEWSKY, ROSANNE, IN TRUST	Issued	24	C	114.26
41143	24-Jan-2014	TRA010	THE CITY OF TRAIL	Issued	24	C	12,122.52
41144	24-Jan-2014	TRA090	TRAIL CHAMBER OF COMMERCE	Issued	24	C	270.90
41145	24-Jan-2014	TRA190	TRAIL & DISTRICT ARTS COUNCIL	Issued	24	C	399.00
41146	24-Jan-2014	TRA240	TRAIL HOME HARDWARE BUILDING CENTRE	Issued	24	C	154.79
41147	24-Jan-2014	VAD010	VADIM COMPUTER MANAGEMENT GROUP LT	Cancelled	25	C	0.00
41148	24-Jan-2014	VAN060	VAN KAM FREIGHTWAYS LTD.	Issued	24	C	168.76
41149	24-Jan-2014	VIC007	VICOM DESIGN INC.	Issued	24	C	1,417.50
41150	24-Jan-2014	WAL080	WAL MART CANADA CORP	Issued	24	C	166.84
41151	24-Jan-2014	WAN050	WANETA AUTO AND EQUIPMENT REPAIR INC	Issued	24	C	2,265.77
41152	24-Jan-2014	WAS010	WASTE MANAGEMENT	Issued	24	C	1,757.12
41153	24-Jan-2014	YRW010	Y & R WATER SALES & SERVICE INC.	Issued	24	C	36.80
41154	24-Jan-2014	VAD010	VADIM COMPUTER MANAGEMENT GROUP LT	Issued	27	C	14,170.63
41163	30-Jan-2014	ABE030	ABELL PEST CONTROL	Issued	35	C	73.50
41164	30-Jan-2014	ACC050	ACCURA ALARMS SECURITY SERVICE	Issued	35	C	157.50
41165	30-Jan-2014	ACE010	A.C.E. COURIER SERVICES	Issued	35	C	48.81
41166	30-Jan-2014	ACK020	ACKLANDS-GRAINGER INC.	Issued	35	C	135.57
41167	30-Jan-2014	ALP002	ALPINE SIGNS & GRAPHICS	Issued	35	C	65.94
41168	30-Jan-2014	AQU020	AQUAM SPECIALISTE AQUATIQUE INC.	Issued	35	C	1,097.51
41169	30-Jan-2014	ARS010	ARSENAULT, DARRYL	Issued	35	C	220.00
41170	30-Jan-2014	BAI030	BAIRD, BILL	Issued	35	C	400.00
41171	30-Jan-2014	BIG010	BIG WHITE FIRE DEPT. SOCIAL CLUB	Issued	35	C	1,288.00
41172	30-Jan-2014	BIG060	BIG WHITE SKI RESORT LTD.	Issued	35	C	1,573.95
41173	30-Jan-2014	BRI090	BRITISH COLUMBIA LIFE & CASUALTY COMP.	Issued	35	C	9,906.05
41174	30-Jan-2014	BVC001	BV COMMUNICATIONS LTD.	Issued	35	C	180.15
41175	30-Jan-2014	CAN110	CANADIAN RED CROSS SOCIETY	Issued	35	C	399.84
41176	30-Jan-2014	CAN130	CANADIAN UNION OF PUBLIC EMPLOYEES -	Issued	35	C	6,111.99
41177	30-Jan-2014	CAN150	CANADIAN TIRE ASSOCIATE STORE #665	Issued	35	C	197.41
41178	30-Jan-2014	CIN001	CINTAS THE UNIFORM PEOPLE	Issued	35	C	39.76
41179	30-Jan-2014	CLE050	CLEARTECH INDUSTRIES	Issued	35	C	315.30
41180	30-Jan-2014	COL017	COLBACHINI, CHERYLANN	Issued	35	C	202.50
41181	30-Jan-2014	COR010	CORAL ENVIRONMENTS LTD.	Issued	35	C	421.58
41182	30-Jan-2014	CRE030	CREATIVE CUSTOM EMBROIDERY	Issued	35	C	476.00
41183	30-Jan-2014	DAM010	DAMUDE, ANN	Issued	35	C	2,556.74
41184	30-Jan-2014	DDR010	D&D SERVICE CENTRE & STORAGE INC.	Issued	35	C	79.50
41185	30-Jan-2014	DEL070	DELL CANADA INC	Issued	35	C	952.00
41186	30-Jan-2014	ENO010	ENORMOUS PRODUCTIONS	Issued	35	C	84.00

REGIONAL DISTRICT OF KOOTENAY BOUNDARY
Cheque Register-Summary-Bank


AP5090

Page : 10

Date : Feb 19, 2014

Time : 2:09 pm

Supplier : 084010 To ZUC010
 Cheque Dt. : 01-Jan-2014 To 31-Jan-2014
 Bank : 1 - CIBC Bank - General

Seq : Cheque No. Status : All
 Medium : M=Manual C=Computer E=EFT-PA

Cheque #	Cheque Date	Supplier	Supplier Name	Status	Batch	Medium	Amount
Bank : 1 CIBC Bank - General							
41187	30-Jan-2014	FIR040	FIREFIGHTERS ASSOCIATION	Issued	35	C	5,346.75
41188	30-Jan-2014	FOR010	FORTISBC - ELECTRICITY	Issued	35	C	18,687.73
41189	30-Jan-2014	FOR040	FORTIS BC - NATURAL GAS	Issued	35	C	1,797.10
41190	30-Jan-2014	FRU010	THE VILLAGE OF FRUITVALE	Issued	35	C	26.00
41191	30-Jan-2014	GEN050	GENELLE IMPROVEMENT DISTRICT	Issued	35	C	382.00
41192	30-Jan-2014	GRA050	GRAND FORKS HOME HARDWARE	Issued	35	C	54.49
41193	30-Jan-2014	HAL060	HALL'S BASICS & GIFTS LTD	Issued	35	C	1,035.72
41194	30-Jan-2014	HSL010	HSL BUILDING MAINTENANCE	Issued	35	C	500.00
41195	30-Jan-2014	INN010	INNOV 8 DS DIGITAL SOLUTIONS	Issued	35	C	169.23
41196	30-Jan-2014	KET010	KETTLE RIVER ECHO	Issued	35	C	97.00
41197	30-Jan-2014	KOK020	KOKIW, DAVID	Issued	35	C	16.50
41198	30-Jan-2014	KON001	KONE INC.	Issued	35	C	618.72
41199	30-Jan-2014	LIN060	LINDAL, DAVID	Issued	35	C	16.50
41200	30-Jan-2014	LOR010	LORDCO PARTS LTD.	Issued	35	C	151.20
41201	30-Jan-2014	LUD001	LUDWAR, CORA	Issued	35	C	59.73
41202	30-Jan-2014	MAG040	MAGLIO BUILDING CENTRE (TRAIL) LTD.	Issued	35	C	357.12
41203	30-Jan-2014	MAR006	MARINO WHOLESALE LTD.	Issued	35	C	665.72
41204	30-Jan-2014	MCG002	MCGREGOR, GRACE	Issued	35	C	400.00
41205	30-Jan-2014	MIN030	MINISTER OF FINANCE	Issued	35	C	2,279.25
41206	30-Jan-2014	MIN040	MINISTER OF FINANCE	Issued	35	C	105.28
41207	30-Jan-2014	OME040	OMEGA COMMUNICATIONS LTD.	Issued	35	C	448.00
41208	30-Jan-2014	PAC020	PACIFIC BLUE CROSS	Issued	35	C	21,975.64
41209	30-Jan-2014	PHA010	PHARMASAVE NO 106	Issued	35	C	11.18
41210	30-Jan-2014	PUR020	PUROLATOR COURIER LTD.	Issued	35	C	10.50
41211	30-Jan-2014	RBM010	R B MECHANICAL	Issued	35	C	124.17
41212	30-Jan-2014	REC010	RECEIVER GENERAL FOR CANADA	Issued	35	C	86,266.57
41213	30-Jan-2014	REC510	RECEIVER GENERAL FOR CANADA	Issued	35	C	58.40
41214	30-Jan-2014	ROG001	ROGERS	Issued	35	C	98.54
41215	30-Jan-2014	RUS010	RUSSELL, ROLY	Issued	35	C	200.00
41216	30-Jan-2014	SEC030	SECURE BY DESIGN	Issued	35	C	44.80
41217	30-Jan-2014	SIM001	SIMMONS, TIM	Issued	35	C	16.50
41218	30-Jan-2014	TEL002	TELUS MOBILITY	Issued	35	C	3,127.15
41219	30-Jan-2014	TER010	TERRA NOVA MOTOR INN	Issued	35	C	191.74
41220	30-Jan-2014	THE010	THE SOURCE	Issued	35	C	182.90
41221	30-Jan-2014	TIL010	TILLER, MEGAN	Issued	35	C	257.45
41222	30-Jan-2014	TRA240	TRAIL HOME HARDWARE BUILDING CENTRE	Issued	35	C	105.27
41223	30-Jan-2014	TWI070	TWISTED FORKS CATERING	Issued	35	C	252.00
41224	30-Jan-2014	VIT001	VITALAIRE	Issued	35	C	55.12
41225	30-Jan-2014	WAL080	WAL MART CANADA CORP	Issued	35	C	272.38
41226	30-Jan-2014	WES110	WESTERN GROUP SIGNS & SCREENPRINTIN	Issued	35	C	109.76
41227	30-Jan-2014	WES320	WEST KOOTENAY PEST CONTROL	Issued	35	C	115.76
41228	30-Jan-2014	WOR100	WORLEY, LINDA	Issued	35	C	450.00
41229	30-Jan-2014	YOR010	YORSTON, DAVID	Issued	35	C	33.00
41230	30-Jan-2014	YRW010	Y & R WATER SALES & SERVICE INC.	Issued	35	C	11.69

Total Computer Paid : 1,869,786.73
 Total Manually Paid : 0.00

Total EFT PAP : 0.00
 Total EFT File : 0.00

Total Paid : 1,869,786.73

522 Total No. Of Cheque(s) ...

INTERIM SCHEDULE SUMMARY:

ACCOUNTS PAYABLE FOR JANUARY 2014	\$ 1,869,786.73
PAYROLL EXPENDITURES (PP# 1, 2 & 3)	512,833.36
TOTAL EXPENDITURES FOR JANUARY 2014	<u>\$ 2,382,620.09</u>



REGIONAL DISTRICT OF KOOTENAY BOUNDARY BYLAW NO. 1548

A Bylaw to provide for payment to the Directors of the Board of Directors of the Regional District of Kootenay Boundary

WHEREAS pursuant to the provisions of the *Local Government Act*, being Chapter 323 of the Revised Statutes of British Columbia, and the *Community Charter*, being Chapter 26 of the Statutes of British Columbia, the Regional District may, by bylaw, provide remuneration for and reimbursement of expenses of Directors;

AND WHEREAS the Board of Directors finds it desirous to remunerate members of the Board and provide for expenses incurred by a Director for discharge of the duties of office;

AND WHEREAS the Regional District Board may, by bylaw, provide reimbursement of all or part of the expenditures made or expenses incurred by a Director when that Director is representing the Regional District of Kootenay Boundary, or is attending a meeting of the Board or any committee of the Board of which the Director is a member;

AND WHEREAS the Regional District may, by bylaw, provide an allowance, daily or otherwise, for specified expenses incurred by a Director when performing the activities referred to in the preceding recital;

NOW THEREFORE BE IT RESOLVED that the Regional District of Kootenay Boundary Board of Directors, duly assembled in an open meeting, enacts as follows:

1. **Annual Remuneration**

- a) There shall be provided in the annual budget under Legislative and General Government an amount sufficient to pay remuneration to each of the Municipal Directors of the Regional District of Kootenay Boundary the amounts indicated in Schedule 'A'.

2. **Reimbursement of Expenses**

- a) There shall be included in the annual budget under the Legislative and General Government Exhibit an amount sufficient to pay to each of the Directors of the Regional District of Kootenay Boundary the amounts indicated in Schedule 'B' and 'C' as attached hereto and forming part of this Bylaw.
- b) Such amounts are payable to reimburse each Director for the scheduled expenses incurred or an allowance in lieu of reimbursement when the Director is representing the Regional District, or engaging in Regional District business, or attending a meeting, course, seminar or convention as specifically authorized by the Board, or attending a meeting of a committee of the Board of which the Director is a member.
- c) The annual reimbursement of expenses listed in Schedules 'A', 'B' & 'C' shall take effect on the date of adoption of Bylaw No. 1548.

- 3. Bylaw No. 1521 cited as "Director Remuneration Bylaw No. 1521, 2013" is hereby rescinded.

4. This Bylaw may be cited for all purposes as the “Director Remuneration Bylaw No. 1548, 2014”.

READ A FIRST TIME this 27th day of February, 2014.

READ A SECOND TIME this 27th day of February, 2014.

READ A THIRD TIME this 27th day of February, 2014.

RECONSIDERED AND FINALLY ADOPTED this 27th day of February 2014.

Chair

Manager of Corporate Administration

I, Elaine Kumar, Manager of Corporate Administration of the Regional District of Kootenay Boundary, hereby certify the foregoing to be a true and correct copy of Bylaw No. 1548 cited as the “Director Remuneration Bylaw No. 1548, 2014” as reconsidered and finally adopted this 27th day of February, 2014.

Manager of Corporate Administration

BYLAW NO. 1548

SCHEDULE ‘A’

DIRECTOR’S BASIC STIPEND
Per Month of Office

Applies to all Regional District Directors

Member Director	Director Remuneration	Expense Allowance	Total
Fruitvale	500	250	750
Montrose	500	250	750
Trail	500	250	750
Warfield	500	250	750
Rossland	500	250	750
Grand Forks	500	250	750
Greenwood	500	250	750
Midway	500	250	750
Electoral Area ‘A’	500	250	750
Electoral Area ‘B’	500	250	750
Electoral Area ‘C’	500	250	750
Electoral Area ‘D’	500	250	750
Electoral Area ‘E’	500	250	750

BYLAW NO. 1548

SCHEDULE 'B'

DIRECTORS' EXPENSES

A. TRAVEL EXPENSES

(1) Travel to and from Meetings

For travel exclusively related to Regional District responsibilities, mileage at the current automobile expense reimbursement rate per kilometer may be claimed from the place of the Director's principal residence to the place of the meeting.

(2) Other Travel

For travel for the purpose of representing the Regional District, engaging in Regional District business or the attending of a meeting, course or convention as pre-approved by the Board, the expense allowance entitled shall be:

(i) Within the boundary of the Regional District of Kootenay Boundary

- (a)** Travel by personal automobile may be claimed at the current automobile expense allowance reimbursement rate per kilometer.
- (b)** Travel by commercial carrier, by bus, train, or air economy class, may be reimbursed on actual expenses incurred. Receipts are required.
- (c)** An attendance allowance for expenses other than personal automobile use or accommodation.

(ii) Outside the boundary of the Regional District of Kootenay Boundary

Travel may be reimbursed at the lesser of the economy airfare rate plus automobile rental (mid-size) or other ground transportation as appropriate or the current automobile expense reimbursement rate per kilometer. Receipts are required for commercial transportation.

- (iii)** The Chair is authorized to approve travel and per diem expenses of a Director when it is unattainable or inappropriate to obtain Board approval.

B. MEAL EXPENSES

(1) Travel outside of the boundaries of the Regional District of Kootenay Boundary requiring an absence of over 24 hours from place of principal residence

A per diem allowance at the current rate may be paid to a Director to reimburse the Director for the following items of expenditures: meals, gratuities, parking meters and pay phones.

One half of the per diem rate may be paid if the common carrier returns before 12:00 noon or departs after 12:00 noon.

BYLAW NO. 1548

SCHEDULE ‘B’

DIRECTORS’ EXPENSES

- (2) **Travel requiring an absence of less than 24 hours from place of principal residence**

Meal expense, up to the current limits supported by actual receipts may be paid as follows:

		<u>Meals Reimbursed</u>
Departure prior to:	7:00 AM	Breakfast, Lunch & Dinner
	12:00 Noon	Lunch, Dinner
	6:00 PM	Dinner
Return after:	12:30 PM	Lunch
	6:00 PM	Dinner

C. SEMINARS, COURSES, CONFERENCES AND MEETINGS

Registration fees may be paid for single attendance and for the Director only. Receipts are required. Approval of the Board is required prior to registration.

D. ACCOMMODATION

- (1) Accommodation expenses may be reimbursed. Receipts are required for commercial accommodation.
- (2) A Director who uses private accommodation shall be entitled to claim a per nocturnal allowance at the current rate.

E. TAXI EXPENSES, LONG DISTANCE TELEPHONE CALLS, FACSIMILE TRANSMISSIONS, STENOGRAPHIC & DOCUMENT DUPLICATING SERVICES

Reimbursement may be made for actual expenses incurred while traveling for purposes stated in Section A (2). Receipts are required.

F. LONG DISTANCE TELEPHONE CALLS

Reimbursement may be made for actual expenses incurred from the Municipal Director’s principal residence for Regional District business. Copies of telephone billings are required.

G. TRAVEL TIME ALLOWANCE

Municipal Directors who attend a Board meeting or attend a Committee of the Board meeting of which they are a member or other agency they are appointed to and such attendance requires the traveling of more than a specified distance, shall be entitled to claim an allowance at the current rate.

BYLAW NO. 1548

SCHEDULE 'B'

DIRECTORS' EXPENSES

H. SPOUSE/PARTNER ATTENDANCE

A claim may be made for the registration and/or fee of a spouse/partner to accompany a Delegate to formal functions at the F.C.M., U.B.C.M. and A.K.B.L.G. annual conference. This would include such functions as welcoming receptions, delegate luncheon and banquet but would not include recreational and social activities.

BYLAW NO. 1548

SCHEDULE 'C'

CURRENT EXPENSE ALLOWANCE RATES

A. ALLOWANCE FOR PRIVATE TRANSPORTATION INCURRED

Allowance for use of personal vehicle shall be paid at the rate determined by the Province of B.C.

B. PER DIEM ALLOWANCE (in lieu of meal expense claim)

Allowance for each 24-hour period spent outside the boundary of the Regional District of Kootenay Boundary shall be \$100.00 or 100 units of the local currency, whichever is greater, or actual reasonable expense upon the presentation of receipts.

C. PRIVATE ACCOMMODATION ALLOWANCE

Allowance for non-commercial accommodation shall be \$50.00 per night.

D. TRAVEL TIME ALLOWANCE

- (1) Allowance for travel time to travel more than 100 miles (161 kilometres) but less than 150 miles (242 kilometres) shall be \$49.00.
- (2) Allowance for travel time to travel more that 150 miles (242 kilometres) but less than 200 miles (322 kilometres) shall be \$59.00.
- (3) Allowance for travel time to travel more than 200 miles (322 kilometres) shall be \$73.00.

E. TRAVEL ALLOWANCE

Each Director is entitled to claim \$50.00 per month for a car allowance related to his or her duties as a Director.

F. MEAL ALLOWANCE

- (1) For travel beyond the boundary of the Regional District of Kootenay Boundary, the allowance for each meal in lieu of per diem shall be one third (1/3) of the per diem allowance.
- (2) For travel within the boundary of the Regional District of Kootenay Boundary, a claim for expenses incurred supported by receipts or a signed declaration of costs incurred in lieu of a receipt may be made for meals up to the limit provided by Section (1).

BYLAW NO. 1548**SCHEDULE 'C'****CURRENT EXPENSE ALLOWANCE RATES****G. MEETING ALLOWANCE**

A meeting allowance of \$83.00 may be claimed when attending meetings at the direction of the Board.

A meeting allowance of \$83.00 may be claimed when attending Public Hearings.

A reading allowance of \$83.00 may be claimed on a bi-monthly basis for S.I.D.I.T. representatives.

H. TECHNOLOGY/OFFICE ALLOWANCE

That the Regional District of Kootenay Boundary Board of Directors approves the following Technology/Office Expense:

A Technology/Office allowance will be provided to each Director. This allowance will cover technology and office related expenses for performing Regional District of Kootenay Boundary business at home. This expense allowance is intended to cover expenses related to mobile/cell phones, internet service, printers, paper, printer cartridges and other consumables. Internet service is deemed to be at least high speed "lite" (256 kbps).

Should a Director reside in part of the Regional District that does not offer the minimum internet service through traditional means (i.e. Telus, Shaw), the Regional District will cover the cost for satellite internet service.

The Technology/Office Expense allowance shall be \$200.00 per month.

The Regional District of Kootenay Boundary will provide to each Municipal Director suitable hardware to undertake their Regional District duties.

The Regional District of Kootenay Boundary will provide to each Electoral Area Director a technical/hardware allowance of \$500.00 per year.

I. CHAIR'S COMPENSATION

The Chair's base stipend in 2014 will be \$1,911.00/month (\$22,932.00/year).

The position of Chair will continue to receive the Director's basic stipend (see Schedule 'A' of this Bylaw) and/or the Electoral Area Director's Remuneration (see Schedule 'A' of the Electoral Area Director's Remuneration Bylaw).

If there is a change in the Chair part way through any month, the stipend will be pro-rated.

J. VICE-CHAIR'S COMPENSATION

The Vice-Chair shall be provided an additional \$220/month compensation.

If there is a change in the Vice-Chair part way through any month, the stipend will be pro-rated.

K. COMMITTEE CHAIR MEETING ALLOWANCE

Directors chairing committee meetings or substitute Chair (in place of the committee Chair if unable to attend) will be provided an additional meeting allowance of \$111.00.

**REGIONAL DISTRICT OF KOOTENAY BOUNDARY
BYLAW NO. 1546**

A Bylaw to amend the Electoral Area 'A' Official Community Plan
Bylaw No. 1410, 2011 of the Regional District of Kootenay Boundary

WHEREAS the Regional District of Kootenay Boundary may amend the provisions of its Official Community Plans pursuant to the provisions of the *Local Government Act*;

AND WHEREAS the Regional District of Kootenay Boundary Board of Directors considers the protection of the Montrose Aquifer to be in the best interest of the community;

AND WHEREAS the Regional District of Kootenay Boundary has considered the requirements under Section 879 of the *Local Government Act* with respect to early and ongoing consultation;

NOW THEREFORE the Regional District of Kootenay Boundary Board of Directors, in open and public meeting assembled, enacts the following:

1. This Bylaw may be cited as Regional District of Kootenay Boundary Official Community Plan Amendment Bylaw No. 1546, 2014.
2. Regional District of Kootenay Boundary Electoral Area 'A' Official Community Plan Bylaw No. 1410, 2011 is hereby amended by adding the following text following Section 19, and updating the Table of Contents:

"20 Montrose Aquifer Development Permit Area

Development proposals within the Montrose Aquifer Development Permit Area will be reviewed by the **Regional District** using the guidelines listed in this section.

Area

Applies to parcels that are either wholly or partially above the Montrose Aquifer as shown on Schedule 9 of this **Plan** (Source: Golder and Associates Ltd. 2009. Village of Montrose: Phase II Groundwater Protection Plan).

Category

The Montrose Aquifer Development Permit Area is designated pursuant to the following sections of the *Local Government Act*:

Section 919.1(1)(a) – protection of the natural environment, its ecosystems and biological diversity; and

Section 919.1(1)(b) – protection of development from hazardous conditions.

Justification

The Montrose Aquifer is the source of potable water for the Village of Montrose, which lies outside the **Plan Area**. Contamination of the groundwater source that serves the Village of Montrose with a population of 1030 (2011 Census) could put the community at risk of

waterborne illness. Land uses of concern over the aquifer are outlined in the Groundwater Protection Plan prepared by Golder and Associates in 2009).

The objective of the Montrose Aquifer Development Permit Area is to provide assurance that:

- Development activities above the aquifer do not result in contamination of the aquifer below the Canadian Drinking Water Standards;
- The potential for groundwater recharge is maximized; and
- Any additional wells drawing from the Montrose Aquifer do not negatively impact the productivity of the Montrose wells.

Exemptions

The following development activities are exempt from the Development Permit process:

- Alteration of a building or structure;
- Construction of an addition to a building, where the addition is less than 100m² of floor area.

Guidelines

All applications for a Montrose Aquifer Development Permit shall be accompanied by a site plan that shows all existing and proposed buildings and structures; storage tanks; sewage disposal systems; abandoned water wells; operational water wells; proposed water wells; and underground pipelines including water and gas lines. Report(s) submitted as part of an application will form part of the Development Permit terms and conditions, and may include recommendations pertaining to registration of a Restrictive Covenant to prohibit particular high-risk land uses or activities or to specify other restrictions on use of the property.

Practices which protect groundwater resources from pollution through minimizing potential leachate conditions are promoted and encouraged. Activities above the Montrose Aquifer that present a significant threat to groundwater are strongly discouraged.

The table below lists the report requirements for the various triggers for a Development Permit:

Application Type	Report Requirements
<ul style="list-style-type: none"> • Subdivision • Construction of a new dwelling unit or an addition to a dwelling unit that is 100m² or greater in area • Installation of a new sewage disposal system, upgrading of an existing sewage disposal system; or development changes that may result in an increase in the volume or type of material to be handled by the sewage disposal system. 	<p>A report, certified by a professional registered in the Province of British Columbia, and experienced in the design of sewage disposal systems will include the following: an assessment of the projected sewage flows, an assessment of sewage treatment options, identification of the system that will meet or exceed the objective of protecting groundwater quality and a maintenance program for the sewage treatment system.</p> <p>Applicants must also provide assurance that all proper permitting is obtained prior to construction of any sewage disposal system.</p>

Additional wells are proposed	<p>A report, certified by a professional registered in the Province of British Columbia, and experienced in groundwater hydrology will include the following assurances:</p> <ul style="list-style-type: none"> • That base flow contributions are maintained at an acceptable level; • That total abstraction from any single groundwater resource is not likely to exceed the long term estimate of the annual renewable resource or average annual rate of aquifer replenishment; • That any proposed additional well will not negatively impact the productivity of the Service Area wells; • That future abstraction activities will not cause deterioration in existing groundwater; and • That Best Management and Engineering Practices are followed for the construction and backfilling of any boreholes, test wells, tunnels, shafts and wells.
Proposed land clearing and earthworks	<p>A report, certified by a professional registered in the Province of British Columbia, and experienced in groundwater hydrology and measures to prevent contamination of aquifers will include the following assurances:</p> <ul style="list-style-type: none"> • That site design maximizes the potential for groundwater recharge without compromising the Montrose Aquifer. Groundwater recharge should address how storm water may be retained on site for maximum recharge; • That protection of water resources and the environment is maintained by reducing and/or minimizing the physical disturbance of groundwater levels; and • That disposal of surface drainage water to underground strata has a low contamination risk posed to groundwater and aquifer conditions. • That any land remedial action aims to prevent potential pollution plumes from leaching, seeping or draining into specified groundwater and/or aquifer areas, and that adequate provision for continuous monitoring of groundwater quality is made during those activities.”

3. That Schedule 9 (Development Permit Areas Map) of the Electoral Area 'A' Official Community Plan Bylaw No. 1410, 2010 be amended to add the Montrose Aquifer Development Permit Area, as shown on the attached Schedule Y of this bylaw, to the map and legend.

READ A FIRST AND SECOND TIME this 27th day of February, 2014.

PUBLIC HEARING held on this day of , 2014.

READ A THIRD TIME this day of , 2014.

I, Elaine Kumar, Director of Corporate Administration, hereby certify the foregoing to be a true and correct copy of Bylaw No. 1546, cited as "Regional District of Kootenay Boundary Official Community Plan Amendment Bylaw No. 1546, 2014" as read a third time by the Regional District of Kootenay Boundary Board of Directors this day of, , 2014.

Director of Corporate Administration

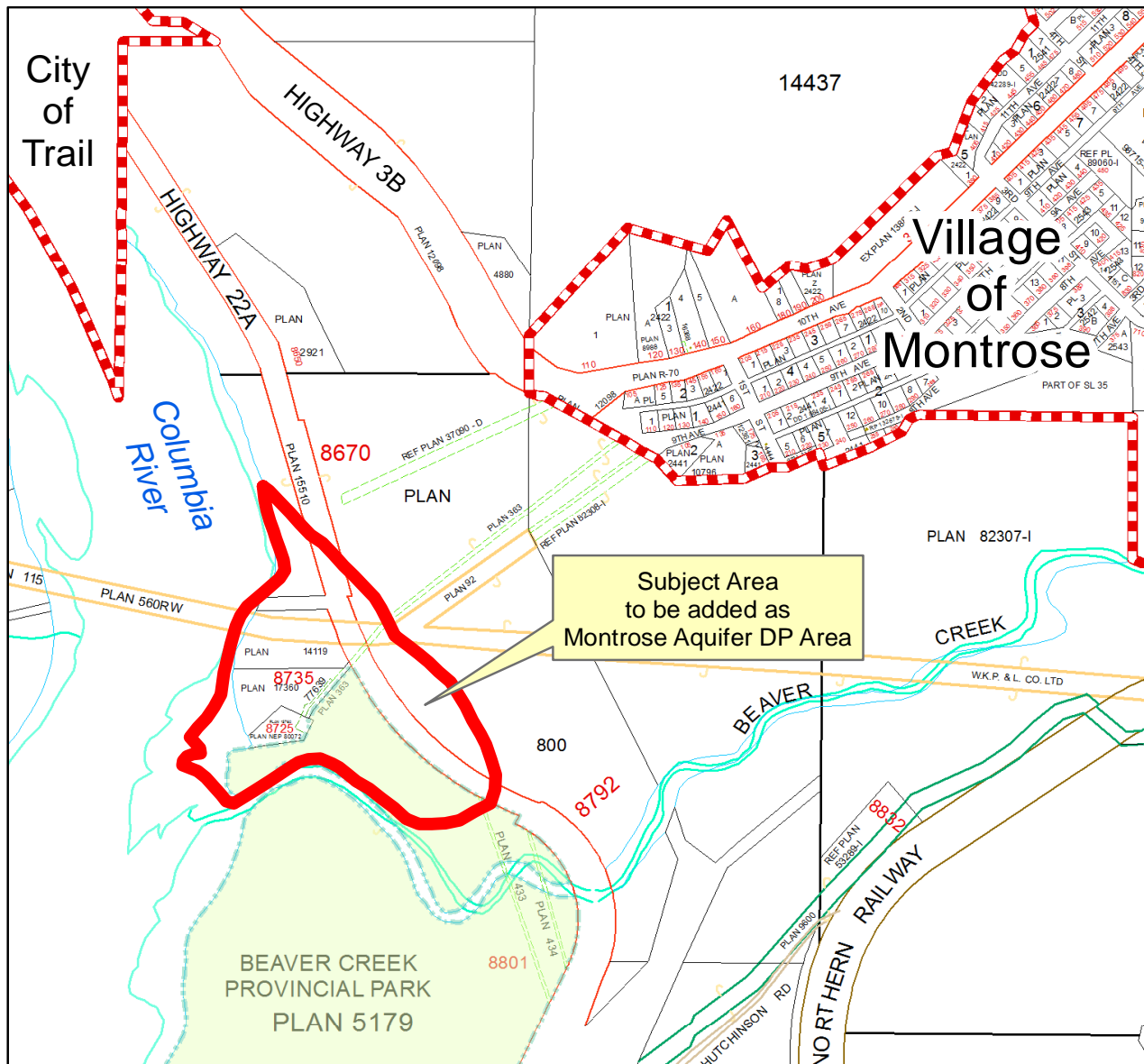
ADOPTED this day of , 2014.

Director of Corporate Administration

Chair

I, Elaine Kumar, Director of Corporate Administration of the Regional District of Kootenay Boundary, hereby certify that this is a true and correct copy of Bylaw No. 1546, cited as "Regional District of Kootenay Boundary Official Community Plan Amendment Bylaw No. 1546, 2014".

Director of Corporate Administration



I hereby certify this Schedule Y to be a true and correct copy and that this Schedule Y correctly outlines the Subject Area to be added by "Regional District of Kootenay Boundary Bylaw No. 1546."



Scale
1:8,000

Director of Corporate Administration

Date _____



REGIONAL DISTRICT OF KOOTENAY BOUNDARY
BYLAW No. 1539

A Bylaw to amend Area 'D' Zoning Bylaw No. 1299, 2005
of the Regional District of Kootenay Boundary

WHEREAS the Regional District of Kootenay Boundary may amend the provisions of its Zoning Bylaws pursuant to the provisions of the *Local Government Act*;

AND WHEREAS the Regional District of Kootenay Boundary Board of Directors believes it to be in the public interest to amend the Electoral Area 'D' Zoning Bylaw;

NOW THEREFORE the Regional District of Kootenay Boundary Board of Directors, in open and public meeting assembled, enacts the following:

1. This Bylaw may be cited as Regional District of Kootenay Boundary Zoning Amendment Bylaw No. 1539, 2013;
2. That a new 'Agricultural Resource 1A' (AGR 1A) zone is to be added to the list of zones in Bylaw No. 1299, 2005, shown in the table in Section 401(1), following 'AGR 1 Agricultural Resource 1'.
3. Further, in regard to Amendment Bylaw 1434, adopted in 2010, which created a new 'Agricultural Resource 4' (AGR 4) zone, that "'Agricultural Resource 4' (AGR 4)" be added to the list of zones in Bylaw No. 1299, 2005, shown in the table in Section 401(1), following 'AGR 3 Agricultural Resource 3'.
4. That a new 'Agricultural Resource 1A' is to be added to Bylaw No. 1299, 2005 immediately following Section 406, as follows:

406A. AGRICULTURAL RESOURCE 1A ZONE AGR 1A

The following provisions apply to lands in the Agricultural Resource 1A Zone:

- 1. Permitted Principal Uses**
Only the following uses are permitted, and only in conjunction with the restrictions noted in italics:
 - (a) Agriculture;
 - (b) Intensive agriculture, *only for properties located within the Agricultural Land Reserve*;
 - (c) Processing of agricultural products, *only if a minimum of 50% of products processed are grown on-farm*;
 - (d) Sales of agricultural products grown or raised in the area, *only if sales floor area is less than 112m²*
 - (e) Single family dwelling;
- 2. Permitted Secondary Uses**
Only the following secondary uses are permitted and only in conjunction with a use listed in paragraph 1 above:
 - (a) Accessory buildings and structures;
 - (b) Bed and breakfast / boarding use;
 - (c) Home-based business (See Section 306);
 - (d) Secondary Suite, *on parcels greater than 1.0 hectare in area (see Section 320)*;
and
 - (e) Kennel.
- 3. Parcel Area**
For lands to be subdivided, parcel size must not be less than 10 hectares.
- 4. Density**
Maximum one single family dwelling per parcel.
- 5. Setbacks**
Minimum setbacks for buildings and structures:

- (a) for parcels less than 1 hectare in area:
 - (i) 7.5 m from a front parcel line;
 - (ii) 1.5 m from an interior side parcel line;
 - (iii) 4.5 m from an exterior side parcel line;
 - (iv) 4.5 m from a rear parcel line.
- (b) for parcels 1 hectare or greater in area:
 - (i) 7.5 m from a front parcel line;
 - (ii) 3 m from an interior side parcel line;
 - (iii) 4.5 m from a exterior side parcel line;
 - (iv) 4.5 m from a rear parcel line.

6. Parcel Coverage

Maximum Coverage for buildings & structures combined	Commodity
20%	Apiculture
25%	Tree, vine, field and forage crops
35%	Mushrooms
35%	Livestock (including confined livestock areas), poultry, game and fur
35%	Nurseries, specialty wood crops and turf farms
75%	Greenhouses

7. Parking

Off-street parking must be provided in accordance with the parking regulations as shown in Part 3 of this Bylaw.

5. That Schedule A (Zoning Map) of Bylaw No. 1299, 2005 be amended to rezone the following property from the current Agricultural Resource 1 (AGR 1) to Agricultural Resource 1A (AGR 1A):

Lot 16, DL500, SDYD, Plan KAP140, Portion shown on PL B796
outlined in red on the Schedule Z attached hereto and forming part of this bylaw.

READ A FIRST TIME AND SECOND TIME this 28th day of November, 2013.

PUBLIC HEARING NOTICE ADVERTISED in the Grand Forks Gazette this 5th day of February, 2014 and also this 12th day of February, 2014.

PUBLIC HEARING held on this 18th day of February, 2014.

READ A THIRD TIME this 27th day of February, 2014.

I, Elaine Kumar, Director of Corporate Administration hereby certify the foregoing to be a true and correct copy of Bylaw No. 1539, cited as "Regional District of Kootenay Boundary Zoning Amendment Bylaw No. 1539, 2013" as read a third time by the Regional District of Kootenay Boundary Board of Directors this 27th day of February, 2014.

Director of Corporate Administration

RECONSIDERED AND FINALLY ADOPTED this 27th day of February, 2014.

Director of Corporate Administration

Chair

I, Elaine Kumar, Director of Corporate Administration of the Regional District of Kootenay Boundary, hereby certify that this is a true and correct copy of Bylaw No.1539, cited as "Regional District of Kootenay Boundary Zoning Amendment Bylaw No. 1539, 2013".

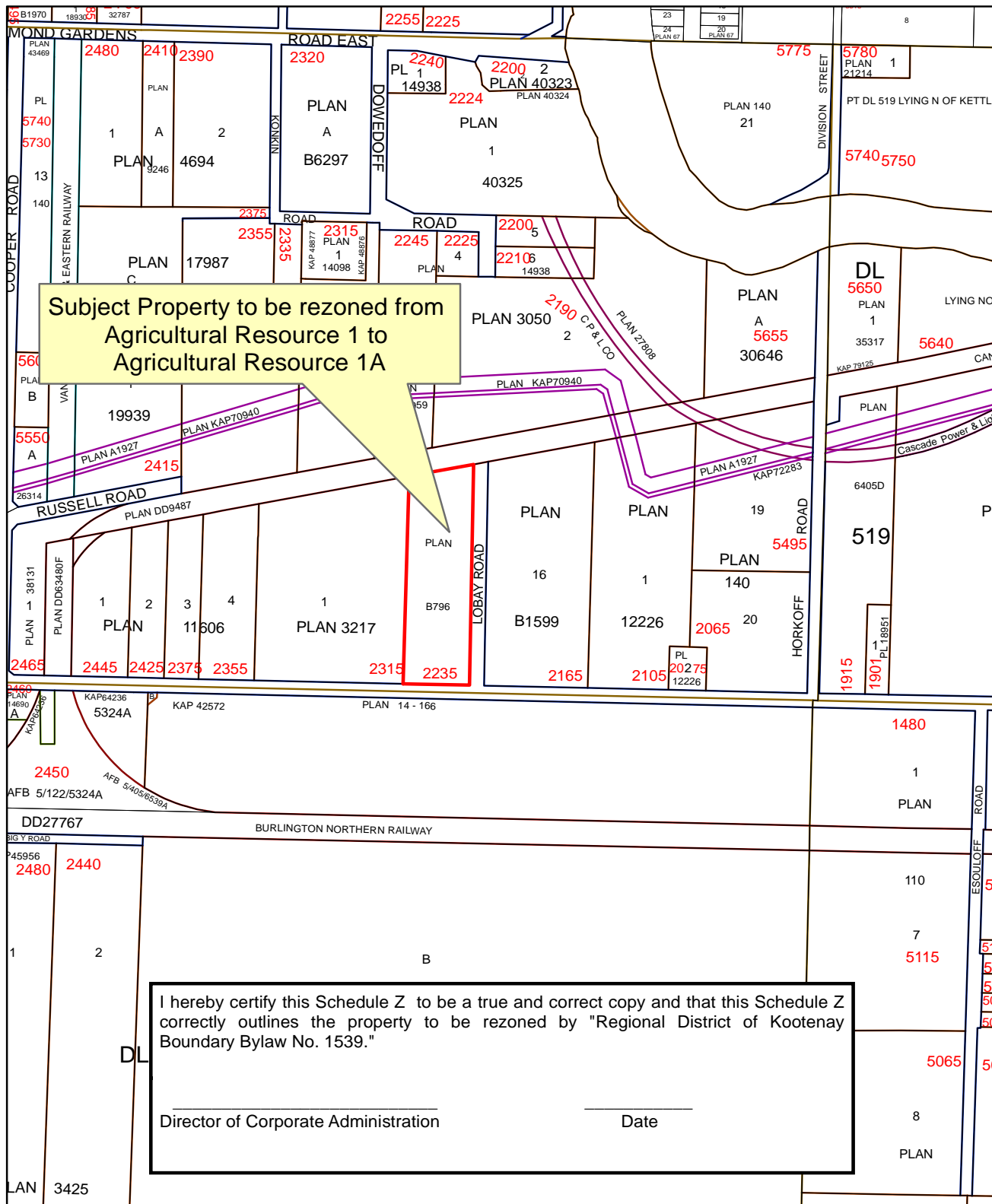
Director of Corporate Administration

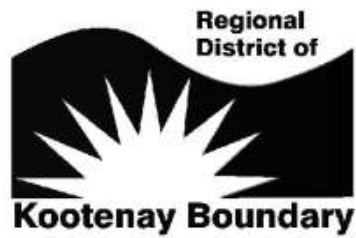


SCHEDULE Z

0 50 100 200 300 Meters

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Electoral Area 'A'
ZONING BYLAW
Bylaw No. 1460

Regional District of Kootenay Boundary
202-843 Rossland Avenue
Trail, BC V1R 4S8
Telephone: 250.368.9148
Toll Free in BC: 800.355.7352
Fax: 250.368.3990

Adopted by
The Regional District of Kootenay Boundary Board of Directors
(date)

REGIONAL DISTRICT OF KOOTENAY BOUNDARY
Electoral Area 'A' Zoning Bylaw No. 1460

The Regional District of Kootenay Boundary Board of Directors in open meeting assembled enacts as follows:

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RDKB Electoral Area 'A' Zoning Bylaw No. 1460

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Schedule 1. Electoral Area 'A' Zoning Map

PART ONE INTERPRETATION

101. Title

This Bylaw may be cited as "Regional District of Kootenay Boundary Electoral Area 'A' Zoning Bylaw No. 1460, 2013" or the "Area A Zoning Bylaw".

102. Application

This Bylaw applies to all lands, including the surface of water and all uses, **buildings** and structures located within Electoral Area 'A', whose boundaries are described in the letters patent of the Regional District of Kootenay Boundary.

103. Definitions

In this Bylaw, all words and phrases have their normal or common meaning with the exception of those that have been changed, modified or expanded by the definitions below. *[As a matter of convenience only, defined terms are in **bold italic** text throughout the document.]*

ACCESSORY means customarily incidental and clearly subordinate;

ACCESSORY BUILDINGS AND STRUCTURES means a **building** or structure, as the case may be, which is customarily incidental to and clearly subordinate to a **principal use** situated on the same **parcel**;

ACCESSORY USE means a use of land, building or structure which is customarily incidental to and clearly subordinate to a **principal use** situated on the same **parcel**;

AGRICULTURE means farm use as defined in the *Agricultural Land Commission Act* and BC Regulation 171/2002, but excludes **intensive agriculture**;

AUTOMOBILE SALVAGE YARD means a use of land where wrecked, decommissioned or **derelict vehicles** and vehicle parts are stored, or kept, customarily with their usable parts sold for use in operating vehicles, while the unusable metal parts, known as scrap metal parts, are sold to metal recyclers; may also commonly be known as a wrecking yard, scrap yard or a junk yard.

AVERAGE GRADE means:

- a) where land is vacant, the level of ground in existence prior to the establishment of a **building** or structure, as determined by survey or the **Building Inspector**; or
- a) where a **building** or structure already exists, the finished level of ground averaged at the perimeter of the exterior foundation of a **building** or structure;

BED AND BREAKFAST means the accessory use of a **single family dwelling** in which some but not all bedrooms are rented to paying customers for **temporary accommodation** and must be operated by the permanent residents of the **single family dwelling** while present in the building;

BUILDING means a structure wholly or partly enclosed by a roof or roofs supported by air, walls, or columns and used for the shelter or accommodation of persons, animals, chattels or things, excluding tents, trailers or recreational vehicles;

BUILDING AND CONTRACTING SUPPLY ESTABLISHMENT means the use of land, **buildings** or structures in which building, construction or home improvement materials are stored and offered for wholesale or retail sale;

BUILDING INSPECTOR means the Chief Building/Plumbing Official of the Regional District of Kootenay Boundary or his designate;

BULK FUEL means bulk gasoline, fuel oil, heating oil, petroleum, propane, kerosene, coal, coke, fuel wood, natural gas, bio-fuels or similar fuels;

BULK FUEL DEPOT means the use of land for the wholesaling of **bulk fuel**, excluding **service stations**;

BULK MATERIAL means loose, unpackaged, raw materials or crops including, but not limited to ores, grains, minerals, and wood chips, excluding **bulk fuel**;

CAMPGROUND means the commercial use of land where sites are provided for the **temporary accommodation** of the travelling or vacationing public in tents, trailers or recreational vehicles and may include, in conjunction with and accessory to campsites:

- a) Recreational and amusement facilities intended for the use of overnight guests only; and
- b) Common washrooms and laundry facilities.

COMMUNITY WATER SYSTEM means a water supply system within the meaning of the *Drinking Water Protection Act* that is owned, operated and maintained by local government, Improvement District, Irrigation District, utility or an incorporated entity, where the owner is responsible to manage and monitor to current best water management practices and has the ability to set rates, invoice or has taxation ability to collect fees or revenue to ensure the viability of the water supply system to provide potable water;

CONCEALED means located within a **building**, or enclosed by a **vegetative screen** or **solid fence** a minimum of 1.5 metres in height;

CONSERVATION ACTIVITIES means the use of land for conservation education, conservation research, wildlife viewing, habitat management, control of noxious weeds, and similar activities;

DERELICT VEHICLE means any vehicle which has not been licensed for a period of one (1) year and which is not **concealed**, excluding farm machinery in working condition;

DISTRIBUTION FACILITY means the use of land, buildings or structures for a warehouse or temporary **storage** facility, including both indoor and outdoor temporary **storage**, where the emphasis is on processing and moving goods;

DWELLING UNIT means one or more habitable rooms in a **building** used or intended to be used exclusively for the residential accommodation of one **family**, which has a floor area of at least 45 m², and contains sleeping, cooking and sanitary facilities, and specifically excludes **temporary accommodation**;

DWELLING, SINGLE FAMILY means the use of a detached **building** consisting of one **dwelling unit**, except a second **dwelling unit** is permitted where a **secondary suite** is permitted as a **secondary use** under this bylaw;

DWELLING WIDTH means the average width of a **building** containing a **dwelling unit**, excluding vestibules, garages, decks or other additions;

ENTERTAINMENT CENTRE means the commercial use of a **building** or structure for entertainment purposes, including pool halls, arcades, indoor theatres, bowling allies, club houses, and similar establishments;

EXTERIOR SIDE PARCEL LINE means the **parcel** line(s) common to the **parcel** and a **highway**, but not the **front parcel line** or **rear parcel line**;

FASCIA SIGN means a **sign** attached to or painted on a wall of a **principal building**;

FAMILY means two or more persons related by blood, marriage, adoption or foster parenthood, or five or fewer unrelated persons;

FENCE means a narrow structure which provides a protective or confining barrier composed of posts, boards, wire mesh or pickets;

FOREST MANAGEMENT ACTIVITY means a use as defined in Schedule A of the Private Managed Forest Land Regulation (BC Regulation 371/2004);

FREIGHT TERMINAL means a station or depot to load or unload freight, and includes reload facilities;

FRONT PARCEL LINE means the **parcel** line(s) common to the **parcel** and a fronting **highway**, or where there is more than one fronting **highway**, the **parcel** line common to the **parcel** and the fronting **highway** towards which the majority of the **buildings** on adjacent **parcels** are faced;

GROSS FLOOR AREA means the sum of the area of each storey in a **building** on a **parcel** measured between the exterior walls of the **building**;

GUEST CABIN means an **accessory building**, not exceeding 70m² in floor area, used, or intended to be used for **temporary accommodation**, which may contain sleeping, sanitary facilities and washing facilities but shall not contain cooking facilities;

HEIGHT means the vertical distance measured from the **average grade** of the **parcel** to the topmost point of a **building** or structure;

HIGHWAY means all public streets, roads, ways, trails, lanes, bridges, trestles and any other public way, but does not include a private right-of-way on private property;

HOME-BASED BUSINESS means an occupation carried on for gain by the residents of the **parcel**, where the occupation is an extension of a trade, profession, service, hobby, or similar undertaking which is an **accessory use** of the **parcel** for residential purposes, established and operated in accordance with Section 305 of this Bylaw;

HOTEL means a **building** containing guest rooms for **temporary accommodation**, which includes a lobby area for guest registration and access to the guest rooms, and may contain **accessory uses** such as restaurants, assembly, entertainment and recreation facilities;

INSTITUTIONAL USE means the use of land, building or structures for primarily non-commercial public or community service uses including, but not limited to: day care centres, customs houses, art galleries, religious institutions, schools, government offices, museums, community halls, and libraries;

INTENSIVE AGRICULTURE means feedlots, fur farms, and large scale: poultry farms, pig farms and mushroom farms;

INTERIOR SIDE PARCEL LINE means the **parcel** line(s), not being the **exterior side parcel line**, **front parcel line** or **rear parcel line**;

KENNEL means the use of land, **building** or structure where three or more dogs or cats, which are six months or more in age, are commercially trained, cared for, bred, boarded or kept;

LIGHT MANUFACTURING means the use of a building for processing, fabricating, assembling or disassembling of items that takes place entirely within a wholly enclosed building, and typically:

- a) including, but not limited to, manufacturing of apparel, home accessories, food, clothing accessories, jewellery, instruments, computers, and electronic devices;
- b) including only pre-dressed and government inspected meats and eviscerated poultry;
- c) excluding forging, casting, punch presses or drop forges; and also
- d) excluding processing and packaging of fish;

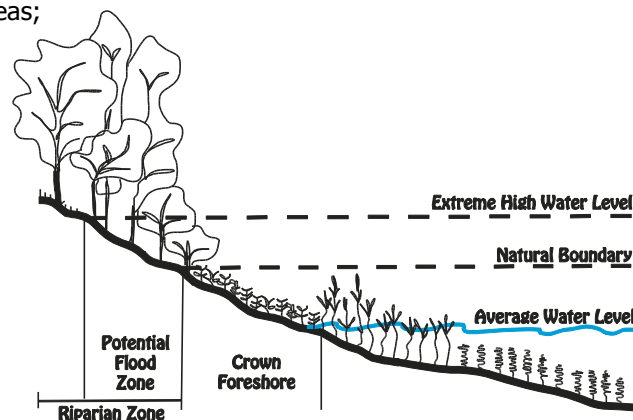
MANUFACTURING means assembling, treating, compounding, processing, fabricating, packaging, bottling and **storage** of previously prepared or unprepared materials, and including **light manufacturing** and log home manufacturing;

MANUFACTURED HOME means any structure, whether ordinarily equipped with wheels or not, that is designed, constructed or manufactured to provide residential accommodation and to be moved from one place to another by being towed or carried; is registered with the British Columbia Manufactured Home Registry; and has a valid CAN/CSA Z240 or CAN/CSA A277 sticker;

MANUFACTURED HOME PARK means a **parcel** under single management, which has been planned for, or is used for, the placement of three (3) or more **manufactured homes** for residential use, and excluding **temporary accommodation**;

MOTEL means a **building** or group of **buildings** wherein **temporary accommodation** is provided, in guest rooms which exit to the outside;

NATURAL BOUNDARY means the visible high water mark of any lake, river, stream, or other body of water where the presence and action of the water are so common and usual and so long continued in all ordinary years as to mark upon the soil of the bed of the lake, river, stream, or other body of water a character distinct from that of the banks thereof, in respect to vegetation, as well as in respect to the nature of the soil itself, and also includes the best estimate of the edge of dormant or old side channels and marsh areas;



OFFICE means the use of a **building** for the purpose of carrying out administrative, business or professional activities;

OFF-STREET PARKING means the use of land, buildings or structures for the provision of parking spaces for the temporary storage of vehicles and which is located off a public thoroughfare;

OPEN FENCE means a fence, which is either manufactured or vegetative, which is not more than 30% opaque;

PARCEL means any lot, block or other area in which land is held or into which it is subdivided, but does not include a highway;

PARCEL COVERAGE means the total horizontal area within the vertical projection of the outside of the outermost walls of all **buildings** on the **parcel**, expressed as a percentage of the **parcel** area;

PASSENGER TERMINAL means a station or depot to load or unload passengers, where **accessory uses** may include ticket offices, luggage checking facilities, food services, and similar uses;

PERSONAL SERVICE ESTABLISHMENT means the commercial use of a building to cater to personal needs including, but not limited to, tailors, dressmakers, shoe repair, photographers, barbershops and beauty salons;

PRINCIPAL BUILDING means the main **building** on a **parcel** where at least 75% of the total floor area of that **building** is used for a **principal use**;

PRINCIPAL USE means the main purpose for which land, **buildings** or structures are ordinarily used;

REAR PARCEL LINE means the **parcel** line opposite to and most distant from the **front parcel line**, or where the rear portion of the **parcel** is bounded by intersecting side **parcel** lines, shall be deemed to be the point of such intersection;

RECYCLING DEPOT means the use of land, buildings or structures where recyclable materials are deposited either in comingled containers or bins or placed in separate containers or bins depending on the type of material. No bundling or processing of the materials is carried out.

RECYCLING FACILITY means the use of land, buildings or structures for processing recyclable materials by physical means such as dismantling and separating, shredding, bundling and packaging to prepare them for transport.

RESOURCE USE means the use of land providing for the conservation and management of natural resources, extraction of primary forest materials, or the extraction and grading of mineral resources, and including **agriculture** and grazing.

SERVICE STATION means a use providing for the sale of gasoline or alternative vehicular fuels or energy recharging systems, and may include accessory minor automobile repairs and service, but does not include major autobody repairs;

SCREENING means the act of **concealing** or obstructing from view through the use of landscaping (**vegetative screens** or **solid fences**), or placement within a **building**;

SECONDARY SUITE means an additional **accessory dwelling unit** located upon a **parcel** as a **secondary use** of land that is contained either within a **single family dwelling** or its **accessory building**, established and operated in accordance with Section 304 of this Bylaw;

SECONDARY USE means an **accessory use** of land, **buildings** or structures which is contingent upon establishment of a **principal use** and clearly not the main purpose for which land, **buildings** or structures are ordinarily used;

SIGN means a name, identification, description, device, display or illustration which is affixed to or represented directly or indirectly upon a building, structure or **parcel** and which directs viewers' attention to an object, product, place, activity, person, institution, business or organisation;

SOLID FENCE means an upright structure typically made of wood, metal, concrete or stone, which encloses or marks a boundary, and is 70% or more opaque;

STORAGE means the action of storing or laying up a thing or things in reserve, where reserve means there are no immediate plans to sell it or move it to another location;

STORAGE SHED means a detached non-residential **accessory building**, not in excess of 10m² in **gross floor area** and not in excess of 3 metres in total height;

TEMPORARY ACCOMMODATION means short-term commercial occupancy by a series of occupiers whose primary residence or domicile is elsewhere;

TRADESPERSON means a person who is skilled in and follows a trade or skilled handicraft, an artisan, a craftsman, and may include carpenters, electricians, bricklayers, mechanics, painters, printers, glaziers, plumbers, wall coverers, floor installers, convention and trade show decorators, sign and display workers, drywall finishers and other similar professions;

VEGETATIVE SCREEN means a continuous evergreen hedge or other compact plant material at least one (1) metre in height when planted, unless described otherwise in this Bylaw;

VETERINARY CLINIC means the use of a building designed for the care and treatment of animals under the supervision of a Doctor of Veterinary Medicine;

WATERCOURSE means any natural or man-made depression with well-defined banks and a bed zero point six (0.6) metres or more below the surrounding land serving to give direction to a current of water at least six (6) months of the year or having a drainage area of two (2) square kilometres or more up stream of the point of consideration.

104. Interpretation

The Regional District of Kootenay Boundary is comprised of multiple electoral areas, and the Board of Directors have adopted several zoning bylaws, each at different times and of varying detail. This Area 'A' Zoning Bylaw, as all Regional District of Kootenay Boundary zoning bylaws, is intended to be interpreted in its entirety, but solely within its provisions and not in reference to the zoning bylaws of other electoral areas.

PART TWO ADMINISTRATION

201. Enforcement

1. The ***Building Inspector***, Director of Planning and Development, Planner, Assistant Planner, or other such person that may be appointed by the Regional District of Kootenay Boundary Board of Directors may enforce this Bylaw.
2. Persons appointed under subsection (1) above are authorized to enter on or into property pursuant to Section 16 of the *Community Charter* and Section 314.1 of the *Local Government Act*.

202. Prohibition

1. Land must not be used contrary to the provisions of this Bylaw.
2. ***Buildings*** or structures must not be used, constructed, reconstructed, altered, moved, placed or extended contrary to the provisions of this Bylaw.
3. No subdivision may be approved, in particular to create ***parcels*** less than the minimum permissible ***parcel*** area and other regulations, as identified in this Bylaw.
4. Every use of land, ***building*** and structure permitted in each zone shall conform to all the regulations of the applicable zone and all other regulations of this Bylaw.

203. Violation

A person is deemed to have committed an offence who:

- a) Violates any of the provisions of this Bylaw;
- b) Causes or permits, any act or thing to be done in contravention or violation of any of the provisions of this Bylaw;
- c) Neglects or omits to do anything required under this Bylaw;
- d) Carries out, causes or permits to be carried out any use, construction or subdivision in a manner prohibited by or contrary to any of the provisions of this Bylaw;
- e) Fails to comply with an order, direction or notice given under this Bylaw; or
- f) Prevents or obstructs or attempts to prevent or obstruct the authorized entry on property of a person authorized to enforce this Bylaw under Section 201.

204. Penalty

Any person who violates any of the provisions of this Bylaw is, upon summary conviction, liable to the maximum fine provided in the Offence Act, plus the cost of prosecution for each offence.

205. Severability

If any portion of this Bylaw is for any reason held to be invalid by the decision of any court of competent jurisdiction, that portion is severed and the remaining portions of this Bylaw continue with full force and effect.

206. Effective Date

This Bylaw is effective upon adoption.

PART THREE GENERAL REGULATIONS

301. Application

This Part is applicable to the entire zoned area.

302. Permitted Uses of Land, Buildings and Structures in all Zones.

1. Except as otherwise stated in this Bylaw, the following uses are permitted in all zones:
 - a) **Highways**;
 - b) **Landscape screening and fencing**;
 - c) Churches; cemeteries; libraries; museums; schools; community halls; fire halls, police stations, ambulance stations and other emergency service facilities;
 - d) Parks, playgrounds, and similar active or passive non-commercial recreational areas including **buildings** and structures;
 - e) Utility uses and structures and their **accessory buildings**, excluding offices, maintenance garages and **storage**;
 - f) Railroad tracks;
 - g) Temporary **buildings**, structures or **storage** of materials required for a construction project for which a building permit has been issued, on the same **parcel** provided such temporary **buildings**, structures and **storage** are removed within thirty (30) days of completion of the construction;
 - h) Temporary residential occupancy, for a maximum of one year, in a **manufactured home**, recreational vehicle, or habitable structure for the property owner while a permitted **building** is under construction, provided the owner signs a notarised statement of intent to cease occupying and remove the **manufactured home**, recreational vehicle, or habitable structure within thirty (30) days after an occupancy permit has been issued;
 - i) Site preparation to accommodate or enhance a permitted use;
 - j) **Storage buildings**, including garages, may be located on a **parcel** that does not have a **principal use** or **principal building** provided they are: i) only to be used for the non-commercial, non-industrial storage of goods or vehicles belonging to the owner; ii) subject to the regulations for **accessory buildings** in the zone within which they are located; and iii) at no time greater than 60 m² in floor area.
 - k) A facility for composting of organic waste operated by or with the consent of the Regional District of Kootenay Boundary pursuant to an approved Solid Waste Management Plan;
 - l) A **recycling depot** pursuant to an approved Stewardship Plan under the *Environmental Management Act* and associated Recycling Regulation.
2. Uses permitted in this section, are subject to the regulations of the zone within which they are located with the exception of minimum **parcel** area requirements.

303. Prohibited Uses

1. All uses not expressly permitted by the Bylaw are prohibited.
2. Any use described as a separate use in this Bylaw, but which is not expressly included as a permitted use in any zone, is not permitted.
3. Except where specifically permitted by the "automobile salvage yard" use within a

zone established by this Bylaw, no **parcel** may be used for the parking or **storage** of **derelict vehicle(s)**.

4. Residential occupancy for a period exceeding ninety (90) days per calendar year of **accessory buildings and structures**, tents, recreational vehicles, and similar shelters or habitable structures is prohibited except where:
 - a) The residential occupancy of an **accessory building** conforms with the **secondary suite** provisions of this Bylaw;
 - b) **Campgrounds** are listed as a permitted use;
 - c) The occupancy has been approved under Section 302.1(h) of this Bylaw.

304. Secondary Suites

Where a **secondary suite** is expressly permitted as a **secondary use** within a zone, the following regulations apply:

- a) The **secondary suite** or the principal **dwelling unit** on a **parcel** upon which a **secondary suite** is located must be occupied by the registered owner of the property;
- b) The **secondary suite** shall have a floor area that does not exceed 90m² or 40% of the floor area of the **single family dwelling building**, whichever is less;
- c) Prior approval of the authority responsible for liquid waste disposal, pursuant to the relevant Provincial legislation, must be obtained before issuance of building permit;
- d) For **parcels** located within an area served by a **community water system**, prior approval of the water purveyor must be obtained before issuance of a building permit;
- e) Not more than one **secondary suite** per **parcel** is permitted;
- f) No **secondary suite** may be stratified, subdivided, or otherwise legally separated from the principal **single family dwelling** use to which it is considered a **secondary use**, except where the subdivision is in conformity with the minimum **parcel** area requirements of this bylaw; and
- g) A **secondary suite** must not be connected to a **community water system**, which is subject to a Drinking Water Notification pursuant to the *Drinking Water Protection Act* under an order of the Drinking Water Protection Officer.

305. Home-Based Business

1. Where a **home-based business** use is expressly permitted, the following regulations apply:
 - a) The **home-based business**, including associated **storage**, must be carried out solely within a **single family dwelling** or wholly enclosed **accessory building**, or combination;
 - b) The **home-based business** must not give any indication that the **building** or **parcel** is being used for any purpose other than that of a **dwelling unit** or **accessory building**;
 - c) Notwithstanding subsection 305(1)(b) above, a maximum of one **sign** is permitted per **parcel**, which identifies the **home-based business**, provided:
 - i) The maximum visible surface area is 0.6 m² in the Rural Residential 1, and Rural Residential 2 Zones;

- ii) The maximum visible surface area is 3 m² in the Rural, Rural Resource 1, Agricultural Resource 1, Agricultural Resource 2, and Agricultural Resource 3 Zones
 - iii) The sign must not be illuminated
 - d) The **home-based business** must not produce any odorous, toxic or noxious matter, noise, vibration, smoke, heat, dust, litter, glare or radiation other than that normally associated with a **dwelling unit** nor will it create or cause any fire hazard, electrical interference or traffic congestion on the **highway**;
 - e) The **home-based business** must not involve the use of mechanical equipment save as is ordinarily employed in purely private domestic and household use or for recreational hobbies, except for such equipment as may be used for a resident office, physician or dentist;
 - f) The **home-based business** must not involve parking or **storage** of more than one commercial vehicle;
2. The **home-based business**, including associated **storage**, must not occupy more than 100m² of floor area per **parcel** in total. This maximum applies to the entire **parcel** regardless of the number of **home-based businesses**;
 3. Notwithstanding subsection 305.1(a), outdoor **storage** on **parcels** greater than 2 hectares in size is permitted provided it is not visible from any other **parcel** or a **highway**.
 4. The operator(s) of the **home-based business** must be permanent resident(s) of the subject **parcel**.

306. Dwelling Units per Parcel, Exception

The maximum permitted **dwelling unit** density for **parcels** upon which there are more than one lawfully established and legally constructed **dwelling unit** in existence at the time of adoption of this Zoning Bylaw, is the **dwelling unit** density permitted at the time of legal establishment and construction.

307. Siting Exceptions

1. Where a zone or other provision of this Bylaw includes a "Minimum Setback", no **building** or structure may be placed, constructed, sunk into, erected, moved, sited, altered or enlarged nearer to the **parcel** line than the distance specified for the zone in which the **building** or structure is located, or otherwise contrary to the applicable provision.
2. Where a regulated use or **building** is specifically identified, those setbacks shall apply rather than the more general category that use or **building** fits within [For example, *storage shed is an accessory building, but has unique setback requirements; service station is a principal use but has unique setback requirements*].
3. The following portions of **buildings** and structures are excluded from the setback requirements of this Bylaw, in accordance with these regulations, however a separate approval from the Ministry of Transportation and Infrastructure may be required where the setback is adjacent to a **highway**.

- a) Unenclosed steps, eaves, sunlight control projections, canopies, chimneys, bay windows, balconies, porches and other similar projections may project:
 - i) 2 metres within a required **front, rear** or **exterior side parcel line** setback; and
 - ii) 0.7 metres within a required **interior side parcel line** setback.
- b) An underground structure may be sited on any portion of a **parcel** provided that the top surface of such structure shall at no point extend more than 0.5 metres above the average finished ground elevation within the relevant setback area of the zone in which it is located.
- c) Free standing lighting poles, warning devices, antennas, masts, utility poles, wires, flag poles, **signs** and **sign** structures, except as otherwise limited in this or other bylaws may be sited on any portion of a **parcel** at the sole responsibility of the owner or utility company.

308. Setback Distance for Pit Privies

The minimum setback distance for pit privies is 30 metres from the **natural boundary** of any **watercourse**.

309. Height Exceptions

- a) Where a zone or other provision of this Bylaw includes a "Maximum **Height**", no **building** or structure may be placed, constructed, sunk into, erected, moved, sited, altered or enlarged in a manner that exceeds the height specified for the zone in which the **building** or structure is located or otherwise contrary to the applicable provision.
- b) **Height** restrictions do not apply to the following:
 - i) industrial cranes;
 - ii) silos;
 - iii) windmills;
 - iv) solar panels;
 - v) towers;
 - vi) tanks;
 - vii) radio and television antennas;
 - viii) church spires, belfries and domes;
 - ix) monuments;
 - x) chimney and smoke stacks;
 - xi) flag poles;
 - xii) lighting poles; and
 - xiii) elevator shafts,

except where such structures are located on top of a **building**, in which case they shall not occupy more than 10% of the horizontal plane of the roof area.

310. Minimum Parcel Area Exceptions

1. A **parcel** which is reduced in size by the dedication of land to a public body in order to accommodate a necessary public service, utility, facility or **highway**, subsequent to the approval date of this Bylaw is deemed to be in conformity with the minimum

parcel area requirements of this Bylaw.

2. Where as a result of land acquisition for a public use after this Bylaw comes into force by:
 - a) a Regional District;
 - b) a municipality;
 - c) the Provincial Government;
 - d) the Federal Government;
 - e) an Improvement District;
 - f) the Board of School Trustees; or
 - g) a Public Utility
 - i. The **parcel** of land that could have been subdivided into two or more **parcels** under this Bylaw when the land was acquired, and
 - ii. The **parcel**, as a result of the acquisition, can no longer be subdivided into the same number of **parcels**,

the **parcel** is deemed to conform to this Bylaw for the purposes of subdivision as though the land acquisition had not occurred, but only to the extent that none of the **parcels** that would be created by the subdivision would be less than 90% of the minimum **parcel** area that would otherwise be required by this Bylaw.
3. The minimum **parcel** area requirements of this Bylaw do not apply to the consolidation of existing **parcels** or the addition of closed **highways** to an existing **parcel**.
4. The alteration of one or more **interior parcel lines** between two or more **parcels** shall be permitted provided that:
 - a) no additional **parcels** are created upon completion of the alteration;
 - b) the alteration does not infringe within the required minimum setbacks for an existing **building** or structure located on the **parcel**;
 - c) the alteration does not reduce the site area required for a sewage disposal system on any **parcel** being altered; and
 - d) if the alteration applies to land within the 'Rail/Trail Corridor Zone', a corridor must be maintained within that zone that is a minimum of 30 metres wide and is suitable for the possible reestablishment of a railway.
5. **Parcels** upon which there are located two or more lawfully-established and legally-constructed **buildings** containing a **dwelling unit** or units in existence as of the date of adoption of this Zoning Bylaw may be subdivided such that the above-mentioned **buildings** are located on separate **parcels**, with the minimum **parcel** area not less than:
 - a) 2000 m² when connected to a **community water system**; and
 - b) 1 hectare when not connected to a **community water system**.
6. **Parcels** that are physically separated by an existing improved **highway** or railway right-of-way shall be permitted to be subdivided, regardless of the minimum **parcel** area requirements of the zones in which such **parcels** are located. However, such subdivisions shall be permitted only where the physical separation of the **parcel** would be resolved, using the right-of-way as the subdivision boundary. Further,

parcels created pursuant to this Section shall have a minimum **parcel** area not less than:

- a) 2000 m² when connected to a **community water system**; and
- b) 1 hectare when not connected to a **community water system**.

311. Contiguity of Lots

Individual **parcels** created by way of subdivision or boundary adjustment after the effective date of this Bylaw shall not be separated by an existing **highway** or railway right-of-way unless:

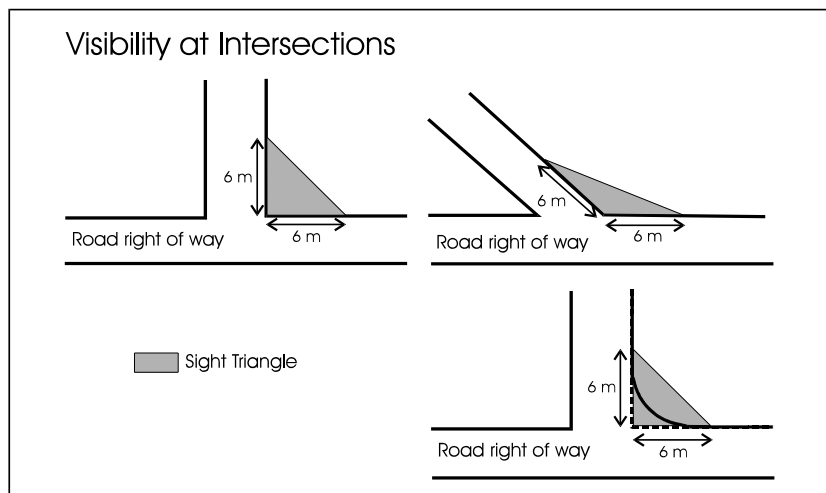
- a) all separated portions of the new **parcels** are equal to, or larger than the minimum **parcel** size requirement of the zone in which they are located; or
- b) the **parcel(s)** being subdivided already are separated by a road or railway right-of-way and the proposed subdivision would not create any additional **parcels** which are non-contiguous.

312. Minimum Parcel Size for Section 946 Subdivision

The minimum size for a **parcel** of land that may be subdivided under Section 946 of the Local Government Act shall be 10 ha. This regulation does not apply within the Agricultural Land Reserve.

313. Visibility

No person being the owner, occupier or lessee of any **parcel** located at the intersection of any two **highways**, may, without the consent of the Minister of Transportation and Infrastructure or his designate, place or permit to be placed or grow any tree, shrub, plant, fence or other structure with a horizontal dimension exceeding 0.6m within the sight triangle an elevation such that an eye 0.9m above the surface elevation of one **highway** cannot see an object 0.9m above the surface elevation of the other **highway**, generally as shown on the following diagram:



314. Fencing

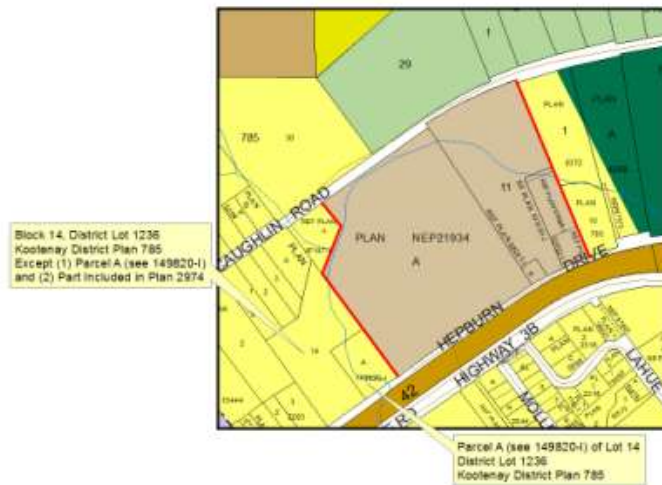
Except where provided otherwise in this Bylaw:

- a) **Open fences** are not restricted as to height or location;
- b) **Solid fences** or **vegetative screens** 2 metres or less in height may be sited on any portion of a **parcel**. However, such fencing shall be less than 1.3 metres in height when sited closer to a **highway** than the minimum setbacks of the zone in which the **parcel** is located;
- c) **Solid fences** or **vegetative screens** greater than 2 metres in height shall be sited in accordance with the required minimum setbacks for a **principal building** located within the same zone;
- d) Notwithstanding sections 314b) and 314c), **solid fences** or **vegetative screens** of any height may be sited anywhere on a **parcel** in the Industrial 1, Industrial 2, Industrial 3, Industrial 4, Industrial 5, Industrial 6 and Airport Zones;
- e) The use of barbed wire for fencing within or abutting any of the following zones is prohibited: Rural Residential 1, Rural Residential 2, Manufactured Home Park, Commercial 1, Commercial 2, or Institutional and Community Facilities.

315. Screening Requirements

- 1. Where a Commercial 1 Zone is adjacent to the Rural Residential 2 Zone, or Manufactured Home Park Zone, a **screen** in the form of a **solid fence** or **vegetative screen** not less than 2 metres in **height** must be placed along the **parcel** boundary or on the Commercial 1 Zone **parcel**;
- 2. Where an Industrial 5 Zone is adjacent to the Rural Residential 1 Zone, the following **screening** must be placed on the Industrial 5 Zone: a **solid fence** or **vegetative screen** not less than 2 metres in height. Notwithstanding the previous sentence, the **screening** requirements do not apply to the following Residential 1 **parcels**:
 - a) Parcel A (See 149820I) of Lot 14, KD Plan 785, DL1236; and
 - b) Block 14, KD Plan 785, DL1236 except (1) Parcel A (See 149820I) and (2) part included in Plan 2974

as shown on the map below:



3. Where an Industrial 5 Zone is adjacent to a **parcel** in the Rural Resource 1 Zone that is less than 1 hectare in size, the following **screening** must be placed on the **parcel** in the Industrial 5 Zone along the **parcel** boundary: a **solid fence** or **vegetative screen** not less than 2 metres in height. Notwithstanding the previous sentence, the **screening** requirements do not apply to the following Rural Resource 1 Zone **parcels**:
- a) Lot A, Plan 10980, DL1236, KLD; and
 - b) Lot 2, Plan 8050, DL1236),
- as shown on the map below;



4. Where an Industrial 2, Industrial 3, Industrial 4, or Industrial 6 Zone is adjacent to a **parcel** in the Parks and Recreation Zone, the following **screening** must be placed on the Industrial Zoned **parcel**: a **vegetative screen** consisting of a 50/50 mix of deciduous and evergreen trees not less than 1 metre in height when planted, and located in two offsetting rows and spaced not more than 5 metres apart;
5. All outdoor **storage** and industrial activity associated with an **automobile salvage yard** or a **recycling facility** must be **screened** by a **solid fence** which has a minimum height of 2.4 metres. Notwithstanding the previous sentence, this requirement does not apply where the industrial activity is adjacent to the following **parcel(s)**: Lot 28, Plan 13255, DL 205A & DL205B;
6. Where a **parcel** line in an Industrial 1, Industrial 2, or Airport Zone is within 45 metres of the centre line of Highway 22A, a **screen** in the form of a **solid fence**, or **vegetative screen** not less than 2 metres in height when planted must be located in a single row and spaced not more than 6 metres apart along the **parcel** line facing Highway 22A;
7. Where a **parcel** in the Industrial 5 Zone is adjacent to Highway 3B, a **screen** in the form of a **solid fence** or **vegetative screen** not less than 2 metres in height when planted must be located in a single row and spaced not more than 6 metres apart along the **parcel** line facing Highway 3B.

316. Signs

1. With the exception of regulations to the contrary within any particular zone or in the **home-based business** regulations under this Bylaw, no **parcel** shall be used for the display of any exterior **signs** on a permanent basis other than:
 - a) Those advertising a permitted use on the same **parcel** of land;
 - b) Temporary **signs** such as election; 'For Sale'; and 'For Rent' **signs**;
 - c) Advisory **signs** such as 'No Trespassing', 'No Hunting', and 'Beware of Dog', not limited as to number, provided each of these does not exceed 0.3 m² in size on any one side.
2. Unless otherwise permitted or restricted elsewhere in this Bylaw, no **sign** shall have a visible surface area on any one side exceeding 3 m².
3. Unless otherwise permitted or restricted elsewhere in this Bylaw, not more than two **signs** shall be located on a **parcel** of land.
4. No **sign** shall advertise a use of land or **buildings**, a product or a business which does not occur on the **parcel** of land upon which the **sign** is located.
5. No **sign** shall be equipped with motion or flashing lights or a mechanical device which causes the **sign** to move.

317. Parking Requirements

1. Minimum off-street parking spaces shall be provided in accordance with the following table.

TYPE	USE	REQUIREMENT
RESIDENTIAL	Single family dwelling	Two spaces per dwelling unit . Two or more parking spaces for each dwelling unit may be in tandem.
	Secondary Suite	In addition to the parking requirement for the principal residential use, one space per secondary suite .
COMMERCIAL	Retail store & shop; personal service establishment; service station; passenger terminal and similar transportation facilities	Seven spaces per 100m ² of gross floor area or fraction thereof
	Office; veterinary clinic	Three spaces per 100m ² of gross floor area or fraction thereof.
	Indoor recreation facilities; Entertainment centres	Three spaces per 100m ² of gross floor area , or fraction thereof, or one space for every four potential players or participants (at capacity), whichever is greater.
	Eating and drinking establishment	Eight spaces minimum or one space for every three seats (at full capacity), whichever is greater.
	Nursery and retail greenhouse	Seven spaces per 100m ² of gross floor area , or fraction thereof.
	Hotel, motel, campground , and similar temporary accommodation uses	One space per unit or space.
	Vehicle rental, sales & associated service facilities	Two spaces per service bay and three spaces per 100m ² of gross floor area or fraction thereof
INDUSTRIAL	Industrial uses including warehouses and all uses in the "IN" Zones not otherwise specially listed in this table.	One space for every 3 employees on a maximum working shift but not less than 5 spaces per establishment.

TYPE	USE	REQUIREMENT
INSTITUTIONAL	<i>Institutional use</i>	One space per 4 seats or three spaces per 100 m ² available for patrons, or fraction thereof, whichever is greater.
	School where the student body is younger than the legal driving age	Ten spaces plus 1 additional space per employee.
	Other schools & educational facilities	Ten spaces plus 1 space per employee, plus one space per 10 students.
	Service uses; utility uses & government works yards & maintenance facilities	One space per 3 employees on a maximum working shift.
RECREATIONAL	Arena, swimming pool, tennis court, stadium, race track, golf course, rodeo grounds & similar recreational uses	One space per 4 seats plus 1 space per 4 players or participants (based on estimated rates of use).
	Playing field, parks & similar land extensive recreational uses.	Off-street parking shall be at the discretion of the owner.

2. Where a ***building*** or ***parcel*** contains more than one use, the required number of parking spaces shall be the sum of the requirements of each use.
3. Where a use is not specifically mentioned, the parking requirement shall be the same as for a similar use mentioned in this section.
4. Required parking spaces for all uses shall be provided on the same ***parcel*** as the ***building*** or use.
5. Each parking space shall be not less than 2.5 metres wide, 5.5 metres long and 2.5 metres high and the width of each parking space shall be increased to 3 metres where such space is adjacent to any side wall or other such continuous obstruction.
6. Maneuvering aisles and driveways shall have a minimum width of 7 metres, whether traffic circulation thereon is one- or two-way.
7. Each parking space shall be so located as to permit unobstructed access to and egress from that space to a public thoroughfare at all times, except where in tandem parking is permitted.
8. Required off-street parking areas to accommodate ten (10) or more vehicles shall have a durable dust-free surface (pavement/concrete). All other outdoor parking areas must be, as a minimum standard, gravelled.
9. The number of access points from each parking area to a fronting ***highway*** shall not exceed two. Access permits are issued by the Ministry of Transportation and Infrastructure.
10. The parking requirements established in this Section do not apply to a ***building*** or use existing prior to the adoption date of this Bylaw, provided that building or

use was in compliance with the parking requirements and standards in force at time of establishment. However, if there is an expansion or addition to an existing use or **building**, then the provisions of this Section shall apply to such expansion or addition.

318. Off-street Loading

1. Off-street loading spaces for commercial or industrial uses involving the receipt and delivery of goods or materials by vehicles shall be 1 space for the first 12,000 m² of **gross floor area** or fraction thereof, plus 1 additional space for each additional 2,000 m² of **gross floor area** or fraction thereof.
2. Off-street loading spaces shall:
 - a) be provided on the same **parcel** as the use it serves;
 - b) be set back a minimum of 6 metres from the designated fronting **highway**;
 - c) have a minimum of 30 m² in area, at least 3 metres in width and 4 metres in height for each space;
 - d) not project into any **highway**;
 - e) have unobstructed vehicular access to a **highway**; and
 - f) have a durable dust-free surface.

PART FOUR ZONES

401. Zones

1. For the purpose of this Bylaw, Electoral Area 'A' of the Regional District of Kootenay Boundary is classified and divided into the following zones:

Zone Names	Short Form
Rural Residential 1	R1
Rural Residential 2	R2
Manufactured Home Park	MHP
Rural	RUR
Rural Resource 1	RR1
Rural Resource 2	RR2
Agricultural Resource 1	AGR1
Agricultural Resource 2	AGR2
Agricultural Resource 3	AGR3
Forest Resource	FR
Commercial 1	C1
Commercial 2	C2
Industrial 1	IN1
Industrial 2	IN2
Industrial 3	IN3
Industrial 4	IN4
Industrial 5	IN5
Industrial 6	IN6
Airport	A
Parks and Recreation	PR
Conservation Area	CA
Institutional & Community Facilities	ICF
Rail/Trail Corridor	RTC

2. The extent and boundary of each zone is shown on the Zoning Map (Schedule 1), which is attached to and forms part of this Bylaw.
3. When a zone boundary is shown as following a **highway** (*but not a railway*), or **watercourse**, the centre-line of such feature shall be the zone boundary.
4. Where a zone boundary does not follow a legally defined line, the location of the zone boundary shall be determined by scaling from the Zoning Map (Schedule 1).

402. Rural Residential 1 Zone**R1**

The following provisions apply to lands in the Rural Residential 1 Zone:

1. Permitted *Principal Uses*

Only the following *principal uses* are permitted:

- a) ***Agriculture;***
- b) Forestry and logging, but no manufacturing except portable wood manufacturing plants;
- c) Processing and packing of produce grown on the same *parcel*;
- d) Sales of produce grown on the same *parcel*, provided that the area used for display and sales does not exceed 100m²;
- e) ***Single family dwelling.***

2. Permitted *Secondary Uses*

Only the following *secondary uses* are permitted, and only in conjunction with a use listed in subsection 402.1 above:

- a) ***Accessory buildings and structures.***
- b) ***Home-based business,***
- c) ***Secondary Suite.***

3. Parcel Area

Parcels to be created by subdivision must not be less than:

- a) 1 hectare when connected to a *community water system*; and
- b) 2 hectares when not connected to a *community water system*.

4. Density

Maximum one *single family dwelling*, and *one secondary suite* per *parcel*.

5. Setbacks

Minimum setbacks measured in metres:

<i>Parcel</i> Line	<i>Principal buildings and structures</i>	<i>Accessory buildings and structures</i>	<i>Storage sheds</i>
<i>Front</i>	7.5	7.5	7.5
<i>Exterior side</i>	7.5	7.5	4.5
<i>Interior side</i>	3.0	3.0	0.6
<i>Rear</i>	4.5	1.5	0.6

Notwithstanding the above table, the processing of raw materials extracted from the *parcel*, portable wood manufacturing plants and any *buildings* or structures associated therewith shall not be located within 15 metres of any *parcel* line.

6. Minimum Dwelling Width

Single family dwellings must have a minimum *dwelling width* of 4.2 metres on *parcels* less than 1 hectare in size.

7. Parking

Off-street parking must be provided in accordance with Section 317 of this Bylaw.

403. Rural Residential 2 Zone**R2**

The following provisions apply to lands in the Rural Residential 2 Zone:

1. Permitted *Principal Uses*

Only the following *principal uses* are permitted:

- a) ***Agriculture;***
- b) Forestry and logging, but no manufacturing except portable wood manufacturing plants;
- c) Processing and packing of produce grown on the same *parcel*;
- d) Sales of produce grown on the same *parcel* provided that the area used for display and sales does not exceed 100m²;
- e) ***Single family dwelling.***

2. Permitted *Secondary Uses*

Only the following *secondary uses* are permitted, and only in conjunction with a use listed in subsection 403.1 above:

- a) ***Accessory buildings and structures;***
- b) ***Home-based business;*** and
- c) ***Secondary Suite.***

3. Parcel Area

Parcels to be created by subdivision must not be less than:

- a) 2 hectares when connected to a ***community water system;*** and
- b) 4 hectares when not connected to a ***community water system.***

4. Density

Maximum one ***single family dwelling,*** and ***one secondary suite*** per *parcel*.

5. Setbacks

Minimum setbacks measured in metres:

<i>Parcel</i> Line	<i>Principal buildings and structures</i>	<i>Accessory buildings and structures</i>	<i>Storage sheds</i>
<i>Front</i>	7.5	7.5	7.5
<i>Exterior side</i>	7.5	7.5	4.5
<i>Interior side</i>	3.0	3.0	0.6
<i>Rear</i>	4.5	1.5	0.6

Notwithstanding the above table, the processing of raw materials extracted from the *parcel*, portable wood manufacturing plants and any ***buildings*** or structures associated therewith shall not be located within 15 metres of any *parcel* line.

6. Minimum Dwelling Width

Single family dwellings must have a minimum ***dwelling width*** of 4.2 metres on *parcels* less than 1 hectare in size.

7. Parking

Off-street parking must be provided in accordance with Section 317 of this Bylaw.

404. Manufactured Home Park Zone**MHP**

The following provisions apply to lands in the Manufactured Home Park Zone:

1. Permitted Principal Uses

Only the following *principal use* is permitted:

- a) ***Manufactured home park.***

2. Permitted Secondary Uses

Only the following *secondary uses* are permitted, and only in conjunction with a use listed in subsection 404.1 above:

- a) ***Accessory buildings and structures,***
- b) Service ***buildings*** including laundry and entertainment facilities and similar uses for the exclusive use of ***Manufactured Home Park*** residents;
- c) One ***Single family dwelling*** that is not a ***manufactured home.***

3. Standards

All ***buildings and structures*** and the use of land in the Manufactured Home Park Zone shall comply with the provisions of the Regional District of Kootenay Boundary Mobile Home Park Bylaw No. 97 as amended.

405. Rural Zone**RUR**

The following provisions apply to lands in the Rural Zone:

1. Permitted *Principal Uses*

Only the following *principal uses* are permitted:

- a) ***Agriculture;***
- b) ***Kennel***, provided that all animals are kept within a wholly enclosed and soundproofed ***building***;
- c) Processing and packing of produce grown on the same ***parcel***;
- d) ***Resource Use***, excluding:
 - i. the ***storage*** of extracted raw materials;
 - ii. the processing of extracted raw materials; and
 - iii. manufacturing, except portable wood manufacturing plants;
- e) Sales of produce grown on the same ***parcel*** provided that the area used for display and sales does not exceed 100m²; and
- f) ***Single family dwelling***.

2. Permitted *Secondary Uses*

Only the following *secondary uses* are permitted, and only in conjunction with a use listed in Section 405.1 above:

- a) ***Accessory buildings and structures***.
- b) ***Home-based business***;
- c) ***Secondary Suite***.

3. Parcel Area

Parcels to be created by subdivision must not be less than 4 hectares.

4. Density

Maximum one ***single family dwelling***, and ***one secondary suite*** per ***parcel***.

5. Setbacks

Minimum setbacks measured in metres:

<i>Parcel Line</i>	<i>Principal buildings and structures</i>	<i>Accessory buildings and structures</i>	<i>Storage sheds</i>
<i>Front</i>	7.5	7.5	7.5
<i>Exterior side</i>	7.5	7.5	4.5
<i>Interior side</i>	3.0	3.0	0.6
<i>Rear</i>	4.5	1.5	0.6

Notwithstanding the above table, the processing of raw materials extracted from the ***parcel***, portable wood manufacturing plants and any ***buildings*** or structures associated therewith shall not be located within 15 metres of any ***parcel*** line.

6. Parking

Off-street parking must be provided in accordance with Section 317 of this Bylaw.

406. Rural Resource 1 Zone**RR1**

The following provisions apply to lands in the Rural Resource 1 Zone:

1. Permitted *Principal Uses*

Only the following *principal uses* are permitted:

- a) ***Agriculture***;
- b) Hydroelectric dam;
- c) ***Kennel***, provided that all animals are kept within a wholly enclosed and soundproofed ***building***;
- d) ***Resource Use***, excluding:
 - i) the ***storage*** of extracted raw materials;
 - ii) the processing of extracted raw materials; and
 - iii) manufacturing, except portable wood manufacturing plants;
- e) ***Single family dwelling***.

2. Permitted *Secondary Uses*

Only the following *secondary uses* are permitted, and only in conjunction with a use listed in Section 406.1 above:

- a) ***Accessory buildings and structures***;
- b) ***Home-based business***;
- c) Processing and packing of produce grown on the same ***parcel***;
- d) Sales of produce grown on the same ***parcel*** provided that the area used for display and sales does not exceed 100 m²;
- e) ***Secondary suite***.

3. Parcel Area

Parcels to be created by subdivision must not be less than 8 hectares.

4. Density

Maximum:

- a) One ***single family dwelling***, and ***one secondary suite*** per ***parcel***, where the ***parcel*** is less than 80 hectares in area;
- b) Two ***single family dwellings***, and two ***secondary suites*** per ***parcel***, where the ***parcel*** is 80 hectares in area or larger, provided the ***single family dwellings*** and ***secondary suites*** are sited in a manner that would allow future subdivision in conformity with Section 406.5.
- c) Notwithstanding the provisions of Section 406.4(a), where a ***parcel*** is assessed as a farm under the *Assessment Act*, one additional temporary ***dwelling unit*** in the form of a ***manufactured home*** may be located on the ***parcel***. The provisions of Section 311.5 do not apply to such a ***dwelling unit***. ***Parcels*** in the Agricultural Land Reserve are also subject to the regulations of the Agricultural Land Commission.

5. Setbacks

Minimum setbacks measured in metres:

<i>Parcel</i> Line	<i>Principal buildings and structures</i>	<i>Accessory buildings and structures</i>	<i>Storage sheds</i>
<i>Front</i>	7.5	7.5	7.5
<i>Exterior side</i>	7.5	7.5	4.5
<i>Interior side</i>	3.0	3.0	0.6
<i>Rear</i>	4.5	1.5	0.6

6. Parking

Off-street parking and off-street loading must be provided in accordance with Sections 317 and 318 of this Bylaw.

407. Rural Resource 2 Zone**RR2**

The following provisions apply to lands in the Rural Resource 2 Zone:

1. Permitted *Principal Uses*

Only the following *principal uses* are permitted:

- a) ***Resource uses***, excluding:
 - i. the ***storage*** of extracted raw materials;
 - ii. the processing of extracted raw materials

2. Permitted *Secondary Uses*

Only the following *secondary uses* are permitted, and only in conjunction with a use listed in subsection 407.1 above:

- a) ***Accessory buildings and structures***.

3. Parcel Area

Parcels to be created by subdivision must not be less than 50 hectares.

4. Height

Maximum height of 4.5 metres for all ***buildings*** and structures.

5. Setbacks

Minimum setbacks measured in metres:

<i>Parcel</i> Line	<i>Principal buildings and structures</i>	<i>Accessory buildings and structures</i>	<i>Storage sheds</i>
<i>Front</i>	7.5	7.5	7.5
<i>Exterior side</i>	7.5	7.5	4.5
<i>Interior side</i>	3.0	3.0	0.6
<i>Rear</i>	4.5	1.5	0.6

408. Agricultural Resource 1 Zone**AGR1**

The following provisions apply to lands in the Agricultural Resource 1 Zone:

1. Permitted *Principal Uses*

Only the following *principal uses* are permitted:

- a) ***Agriculture;***
- b) Forestry and logging, excluding manufacturing except portable wood manufacturing plants;
- c) ***Intensive agriculture;***
- d) ***Kennel,*** provided that all animals are kept within a wholly enclosed and soundproofed ***building;***
- e) ***Single family dwelling.***

2. Permitted *Secondary Uses*

Only the following *secondary uses* are permitted, and only in conjunction with a use listed in subsection 408.1 above:

- a) ***Accessory buildings and structures;***
- b) ***Bed and Breakfast;***
- c) ***Guest cabin,*** provided the *parcel* is assessed as a farm under the *Assessment Act*;
- d) ***Home-based business;***
- e) Processing and packing of produce grown on the same *parcel*;
- f) Sales of produce grown on the same *parcel* provided that the area used for display and sales does not exceed 100 m²;
- g) ***Secondary suite.***

3. Parcel Area

Parcels to be created by subdivision must not be less than 4 hectares.

4. Density

Maximum:

- a) One ***single family dwelling,*** and one ***secondary suite*** per *parcel*;
- b) Three bedrooms for a ***bed and breakfast;***
- c) One ***guest cabin*** per three hectares to a maximum of five ***guest cabins*** per *parcel*.

5. Setbacks

Minimum setbacks measured in metres:

<i>Parcel</i> Line	<i>Principal buildings and structures</i>	<i>Accessory buildings and structures</i>	<i>Storage sheds</i>
<i>Front</i>	7.5	7.5	7.5
<i>Exterior side</i>	7.5	7.5	4.5
<i>Interior side</i>	3.0	3.0	0.6
<i>Rear</i>	4.5	1.5	0.6

Notwithstanding the above table, the processing of raw materials extracted from the *parcel*, portable wood manufacturing plants and any ***buildings*** or structures associated therewith shall not be located within 15 metres of any *parcel* line.

6. Parking

Off-street parking must be provided in accordance with Section 317 of this Bylaw.

409. Agricultural Resource 2 Zone**AGR2**

The following provisions apply to lands in the Agricultural Resource 2 Zone:

1. Permitted *Principal Uses*

Only the following *principal uses* are permitted:

- a) ***Agriculture;***
- b) Forestry and logging, excluding manufacturing except portable wood manufacturing plants;
- c) ***Intensive Agriculture;***
- d) ***Kennel,*** provided that all animals are kept within a wholly enclosed and soundproofed ***building;***
- e) ***Single family dwelling.***

2. Permitted *Secondary Uses*

Only the following *secondary uses* are permitted, and only in conjunction with a use listed in subsection 409.1 above:

- a) ***Accessory buildings and structures;***
- b) ***Bed and Breakfast;***
- c) ***Guest cabin,*** provided the *parcel* is assessed as a farm under the *Assessment Act*;
- d) ***Home-based business;***
- e) Processing and packing of produce grown on the same *parcel* only;
- f) Sales of produce grown on the same *parcel* provided that the area used for display and sales does not exceed 100 m²;
- g) ***Secondary suite.***

3. Parcel Area

Parcels to be created by subdivision must not be less than 8 hectares.

4. Density

Maximum:

- a) One ***single family dwelling,*** and ***one secondary suite*** per *parcel*.
- b) Three bedrooms for a ***bed and breakfast;***
- c) One ***guest cabin*** per three hectares to a maximum of five ***guest cabins*** per *parcel*;
- d) Notwithstanding the provisions of Section 409.4(a), where a *parcel* is assessed as a farm under the *Assessment Act*, one additional temporary ***dwelling unit*** in the form of a ***manufactured home*** may be located on the *parcel*. The provisions of Section 311.5 do not apply to such a ***dwelling unit.*** ***Parcels*** in the Agricultural Land Reserve are also subject to the regulations of the Agricultural Land Commission.

5. Setbacks

Minimum setbacks measured in metres:

<i>Parcel</i> Line	<i>Principal buildings and structures</i>	<i>Accessory buildings and structures</i>	<i>Storage sheds</i>
<i>Front</i>	7.5	7.5	7.5
<i>Exterior side</i>	7.5	7.5	4.5
<i>Interior side</i>	3.0	3.0	0.6
<i>Rear</i>	4.5	1.5	0.6

Notwithstanding the above table, the processing of raw materials extracted from the ***parcel***, portable wood manufacturing plants and any ***buildings*** or structures associated therewith shall not be located within 15 metres of any ***parcel*** line.

6. Parking

Off-street parking must be provided in accordance with Section 317 of this Bylaw.

410. Agricultural Resource 3 Zone**AGR3**

The following provisions apply to lands in the Agricultural Resource 3 Zone:

1. Permitted *Principal Uses*

Only the following *principal uses* are permitted:

- a) ***Agriculture***;
- b) Driving range;
- c) Golf course;
- d) Pitch and putt course;
- e) Rodeo or gymkhana grounds; and
- f) ***Single family dwelling***.

2. Permitted *Secondary Uses*

Only the following *secondary uses* are permitted, and only in conjunction with a use listed in subsection 410.1 above:

- a) ***Accessory buildings and structures***;
- b) Clubhouses, restaurants, pro shops and similar facilities necessary for golf purposes;
- c) ***Home-based business***;
- d) Processing and packing of produce grown on the same *parcel*;
- e) Sales of produce grown on the same *parcel* provided that the area used for display and sales does not exceed 100 m²;
- f) ***Secondary suite***.

3. Parcel Area

Parcels to be created by subdivision must not be less than 8 hectares.

4. Density

Maximum:

- a) One ***single family dwelling***, and one ***secondary suite*** per *parcel*.
- b) Notwithstanding the provisions of Section 410.4(a), where a *parcel* is assessed as a farm under the *Assessment Act*, one additional temporary ***dwelling unit*** in the form of a ***manufactured home*** may be located on the *parcel*. The provisions of Section 311.5 do not apply to such a ***dwelling unit***. *Parcels* in the Agricultural Land Reserve are also subject to the regulations of the Agricultural Land Commission.

5. Setbacks

Minimum setbacks measured in metres:

<i>Parcel/ Line</i>	<i>Principal buildings and structures</i>	<i>Accessory buildings and structures</i>	<i>Storage sheds</i>
<i>Front</i>	7.5	7.5	7.5
<i>Exterior side</i>	7.5	7.5	4.5
<i>Interior side</i>	3.0	3.0	0.6
<i>Rear</i>	4.5	1.5	0.6

6. Parking

Off-street parking must be provided in accordance with Section 317 of this Bylaw.

411. Forest Resource Zone**FR**

The following provisions apply to lands in the Forest Resource Zone:

1. Permitted *Principal Uses*

Only the following *principal uses* are permitted:

- a) ***Agriculture;***
- b) ***Forest management activity;*** provided the *parcel* is classified as managed forest land under the *Assessment Act*; and
- c) Hydroelectric dam.

2. Permitted *Secondary Uses*

Only the following *secondary uses* are permitted, and only in conjunction with a use listed in subsection 411.1 above:

- a) ***Accessory buildings and structures.***

3. Parcel Area

Parcels to be created by subdivision must not be less than 25 hectares.

4. Density

Maximum one *dwelling unit* per *parcel*.

5. Setbacks

Minimum setbacks measured in metres:

<i>Parcel/ Line</i>	<i>Principal buildings structures</i>	<i>Accessory buildings and structures</i>	<i>Storage sheds</i>
<i>Front</i>	7.5	7.5	7.5
<i>Exterior side</i>	7.5	7.5	4.5
<i>Interior side</i>	3.0	3.0	0.6
<i>Rear</i>	4.5	1.5	0.6

6. Parking

Off-street parking must be provided in accordance with Section 317 of this Bylaw.

412. Commercial 1 Zone**C1**

The following provisions apply to lands in the Commercial 1 Zone:

1. Permitted *Principal Uses*

Only the following *principal uses* are permitted:

- a) Automotive repair facility;
- b) Dry cleaning establishment;
- c) Eating and drinking establishment including a take-out restaurant;
- d) ***Entertainment centre;***
- e) Funeral home;
- f) ***Hotel;***
- g) Laundromat;
- h) ***Motel;***
- i) ***Office;***
- j) ***Passenger terminal;***
- k) ***Personal service establishment;***
- l) Post office;
- m) Rental, sales and associated service facilities for vehicles and light equipment;
- n) Retail store;
- o) ***Service station;***
- p) ***Tradesperson*** shop;
- q) ***Veterinary clinic.***

2. Permitted *Secondary Uses*

Only the following *secondary uses* are permitted, and only in conjunction with a use listed in subsection 412.1 above:

- a) ***Accessory buildings and structures;***
- b) ***Dwelling unit;***
- c) ***Kennel***, where secondary to a ***veterinary clinic***, provided that all animals are kept within a wholly enclosed ***building*** and there are no outside animal runs;
- d) ***Storage***, outdoor.

3. Parcel Area

Parcels to be created by subdivision must not be less than:

- a) 2000 m² when connected to a ***community water system***; and
- b) 1 hectare when not connected to a ***community water system***.

4. Parcel Coverage

Maximum *parcel coverage* is 50%.

5. Setbacks

Minimum setbacks measured in metres:

<i>Parcel</i> Line	<i>Principal buildings and structures</i>	<i>Accessory buildings and structures</i>	<i>Storage shed</i>	<i>Service station</i> canopy and pump island	Items for Sale
<i>Front</i>	10.0	10.0	7.5	5.0	5.0
<i>Exterior side</i>	10.0	10.0	4.5	5.0	5.0
<i>Interior side</i>	3.0	3.0	0.6	5.0	5.0
<i>Rear</i>	4.5	1.5	0.6	5.0	5.0

Notwithstanding the provisions in the above table, where a Commercial 1 *parcel* abuts the Rural Residential 1, Rural Residential 2, or Manufactured Home Park Zones, no *building* or structure shall be located within 4.5 metres of the abutting *parcel* line.

6. Dwelling Unit

Maximum one *dwelling unit* per *parcel* is permitted provided that:

- i. The *dwelling unit* is in the same *building* as the non-residential use, except where the non-residential use is a *service station, hotel or motel*, in which case the *dwelling unit* may be in a separate *building*;
- ii. The entrance to the *dwelling unit* is separate from that of the non-residential use;
- iii. Notwithstanding the definition of *dwelling unit*, the minimum floor area of the *dwelling unit* is 32 m²; and
- iv. The *dwelling unit* is located either above or behind the non-residential use or uses.

7. Height

Maximum height of:

- a) 10 metres for *principal buildings* and structures; and
- b) 4 metres for *accessory buildings and structures*.

8. Screening

Screening must be provided in accordance with Section 315 of this Bylaw.

9. Signs

Signs are permitted in accordance with Section 316 of this Bylaw, except that no *sign* in the Commercial 1 Zone shall have a visible surface area on any one side exceeding 4.6 m².

10. Parking and Loading

Off-street parking and off-street loading must be provided in accordance with Sections 317 and 318 of this Bylaw.

413. Commercial 2 Zone**C2**

The following provisions apply to lands in the Commercial 2 Zone:

1. Permitted *Principal Uses*

Only the following *principal uses* are permitted:

- a) Automotive repair facility, excluding associated outdoor *storage* and yard;
- b) Construction contractor's office, excluding associated outdoor *storage* facility and yard;
- c) Dry cleaning establishment;
- d) Eating and drinking establishment including a take-out restaurant;
- e) ***Entertainment centre;***
- f) Funeral home;
- g) ***Hotel;***
- h) Laundromat;
- i) ***Motel;***
- j) ***Office;***
- k) ***Passenger terminal;***
- l) ***Personal service establishment;***
- m) Post office;
- n) Rental, sales and associated service facilities for vehicles and light equipment;
- o) Retail store;
- p) ***Service station;***
- q) ***Tradesperson*** shop, excluding associated outdoor *storage* facility and yard;
- r) ***Veterinary clinic.***

2. Permitted *Secondary Uses*

Only the following *secondary uses* are permitted, and only in conjunction with a use listed in subsection 413.1 above:

- a) ***Accessory buildings and structures;***
- b) ***Dwelling unit;***
- c) ***Kenel***, where secondary to a ***veterinary clinic***, provided that all animals are kept within a wholly enclosed ***building*** and there are no outside animal runs;

3. Parcel Area

Parcels to be created by subdivision must not be less than:

- a) 2000 m² when connected to a ***community water system***; and
- b) 1 hectare when not connected to a ***community water system***.

4. Parcel Coverage

Maximum *parcel coverage* is 50%.

5. Setbacks

Minimum setbacks measured in metres:

<i>Parcel</i> Line	<i>Principal buildings</i> and structures	<i>Accessory buildings and structures</i>	<i>Storage shed</i>	<i>Service station</i> canopy and pump island
<i>Front</i>	10.0	10.0	7.5	5.0
<i>Exterior side</i>	7.5	7.5	4.5	5.0
<i>Interior side</i>	3.0	3.0	0.6	5.0
<i>Rear</i>	3.0	1.5	0.6	5.0

6. Height

Maximum height of:

- a) 10 metres for *principal buildings* and structures; and
- b) 4.6 metres for *accessory buildings and structures*.

7. Dwelling Unit

Maximum one *Dwelling unit* per *parcel* provided that:

- i. The *dwelling unit* is in the same *building* as the non-residential use, except where the non-residential use is a *service station, hotel* or *motel*, in which case the *dwelling unit* may be in a separate *building*;
- ii. The entrance to the *dwelling unit* is separate from that of the non-residential use;
- iii. Notwithstanding the definition of *dwelling unit*, the minimum floor area of the *dwelling unit* is 32 m²; and
- iv. The *dwelling unit* is located either above or behind the non-residential use or uses.

8. Signs

Signs are permitted in accordance with Section 316 of this Bylaw, except that no *sign* in the Commercial 2 Zone shall have a visible surface area on any one side exceeding 4.6 m².

9. Parking and Loading

Off-street parking and off-street loading must be provided in accordance with Sections 317 and 318 of this Bylaw.

414. Industrial 1 Zone**IN1**

The following provisions apply to lands in the Industrial 1 Zone:

1. Permitted *Principal Uses*

Only the following *principal uses* are permitted:

- a) Automobile and truck cleaning facility;
- b) ***Bulk material storage;***
- c) Concrete and asphalt plants;
- d) ***Distribution facility;***
- e) ***Freight terminal;***
- f) Gravel processing including rock-crushing;
- g) Manufacturing of log homes;
- h) Marshalling yard;
- i) ***Passenger terminal;***
- j) Railway siding;
- k) ***Storage;***
- l) Vehicle and heavy equipment maintenance and repair;

2. Permitted *Secondary Uses*

Only the following *secondary uses* are permitted, and only in conjunction with a use listed in subsection 414.1 above:

- a) ***Accessory buildings and structures;***
- b) Administrative office;
- c) ***Dwelling unit;***
- d) Retail sales.

3. Parcel Area

Parcels to be created by subdivision must not be less than 1 hectare.

4. Parcel Coverage

Maximum *parcel coverage* is 60%.

5. Setbacks

Minimum setbacks measured in metres:

<i>Parcel</i> Line	All <i>buildings</i> and structures	<i>Storage shed</i>
<i>Front</i> where adjacent to a Provincial Highway	7.5	7.5
<i>Front</i> (other than a Provincial Highway)	4.5	4.5
<i>Exterior side</i>	4.5	4.5
<i>Interior side</i>	3.0	0.6
<i>Rear</i>	3.0	0.6
Notwithstanding the above, <i>parcel lines</i> adjacent to a rail line for <i>distribution facilities, freight terminals</i> and <i>passenger terminals</i>	0.0	0.0

6. Dwelling Unit

Maximum one *dwelling unit* per *parcel* not to exceed 92m² in *gross floor area*.

7. Screening

Screening must be provided in accordance with Section 315 of this Bylaw.

8. Ore Storage

All lead, zinc or other ores stored in the Industrial 1 Zone must be contained within a *building(s)*.

9. Parking and Loading

Off-street parking and off-street loading must be provided in accordance with Sections 317 and 318 of this Bylaw.

415. Industrial 2 Zone**IN2**

The following provisions apply to lands in the Industrial 2 Zone:

1. Permitted *Principal Uses*

Only the following *principal uses* are permitted:

- a) Agriculture including intensive agriculture;
- b) Animal shelter;
- c) Auction mart;
- d) Automobile and truck cleaning facility;
- e) ***Automobile salvage yard;***
- f) ***Building and contracting supply establishment;***
- g) ***Bulk fuel depot;***
- h) ***Bulk material storage;***
- i) Contractor's shop and yard;
- j) ***Distribution facility;***
- k) Dry cleaning establishment;
- l) Eating and drinking establishment including take-out restaurant;
- m) ***Freight terminal;***
- n) ***Kenel;***
- o) Laboratory;
- p) Laundromat;
- q) ***Light manufacturing;***
- r) ***Manufacturing;***
- s) Metal smelting and refining operation;
- t) ***Offices;***
- u) ***Passenger terminal;***
- v) Railway siding;
- w) ***Recycling depot;***
- x) ***Recycling facility;***
- y) Rental, sales and associated service facilities for vehicles and equipment;
- z) Research and development establishment;
- aa) Rodeo grounds including riding stable, gymkhana facility and similar related equestrian uses;
- bb) ***Storage;***
- cc) ***Tradesperson*** shop;
- dd) Utility uses;
- ee) Vehicle and heavy equipment maintenance and repair;
- ff) ***Veterinary clinic;***
- gg) Wholesale establishment;

2. Permitted *Secondary Uses*

Only the following ***secondary uses*** are permitted, and only in conjunction with a use listed in subsection 415.1 above:

- a) ***Accessory buildings and structures;***
- b) Administrative Office;
- c) ***Dwelling unit;***
- d) Retail sales;

3. Parcel Area

Parcels to be created by subdivision must not be less than:

- a) 2000 m² when connected to a ***community water system***; and
- b) 1 hectare when not connected to a ***community water system***.

4. Parcel Coverage

Maximum ***parcel coverage*** is 60%.

5. Setbacks

Minimum setbacks measured in metres:

<i>Parcel</i> Line	All <i>buildings</i> and structures	<i>Storage shed</i>
<i>Front</i> where adjacent to a Provincial Highway	7.5	7.5
<i>Front</i> (other than a Provincial Highway)	4.5	4.5
<i>Exterior side</i>	4.5	4.5
<i>Interior side</i>	3.0	0.6
<i>Rear</i>	3.0	0.6
Notwithstanding the above, <i>parcel lines</i> adjacent to a rail line for <i>distribution facilities, freight terminals</i> and <i>passenger terminals</i>	0.0	0.0

6. Height

Maximum height of 30 metres for all ***buildings*** and structures.

7. Dwelling Unit

Maximum one ***dwelling unit*** per ***parcel*** provided that:

- i. The ***gross floor area*** does not exceed 92 m²;
- ii. The ***dwelling unit*** is in the same ***building*** as the non-residential use, except where there is no ***principal building*** associated with the ***principal use*** in which case the ***dwelling unit*** may be in a separate ***building***;
- iii. The entrance to the ***dwelling unit*** is separate from that of the non-residential use.

8. Signs

Signs are permitted in accordance with Section 317 of this Bylaw, except that:

- a) No more than one free-standing **sign** may be located on a **parcel**;
- b) Not more than two **fascia signs** may be located on a **building**;
- c) The free-standing **sign** shall not have a visible surface area on any one side exceeding 10 m²;
- d) Notwithstanding the provisions of Sections 414.8 (a) to (c), two additional free-standing **signs** advertising the occupants of an industrial park may be located within the Industrial 2 Zone. Such **signs** shall not have a visible surface area on any one side exceeding 25 m² nor a height exceeding 8 metres.

9. Screening

Screening must be provided in accordance with Section 315 of this Bylaw.

10. Parking and Loading

Off-street parking and off-street loading must be provided in accordance with Sections 317 and 318 of this Bylaw.

416. Industrial 3 Zone**IN3**

The following provisions apply to lands in the Industrial 3 Zone:

1. Permitted *Principal Uses*

Only the following *principal uses* are permitted:

- a) Automobile and truck cleaning facility;
- b) ***Building or contracting supply establishment;***
- c) Contractor's shop and yard;
- d) ***Distribution facility;***
- e) Eating and drinking establishment including take-out restaurant;
- f) ***Freight terminal;***
- g) Laundromat;
- h) ***Light manufacturing;***
- i) Manufacturing of log homes;
- j) Railway siding;
- k) Rental, sales and associated service facilities for vehicles and light equipment;
- l) ***Storage***, indoor;
- m) ***Tradesperson*** shop;
- n) Vehicle and heavy equipment maintenance and repair;
- o) Wholesale establishment.

2. Permitted *Secondary Uses*

Only the following *secondary uses* are permitted, and only in conjunction with a use listed in subsection 416.1 above:

- a) ***Accessory buildings and structures;***
- b) Administrative office;
- c) Display yard;
- d) ***Dwelling unit;***
- e) ***Storage***, outdoor;
- f) Retail sales.

3. Parcel Area

Parcels to be created by subdivision must not be less than:

- a) 2000 m² when connected to a ***community water system***; and
- b) 1 hectare when not connected to a ***community water system***.

4. Parcel Coverage

Maximum *parcel coverage* is 60%.

5. Setbacks

Minimum setbacks measured in metres:

<i>Parcel/ Line</i>	All <i>Buildings</i> and structures	<i>Storage shed</i>
<i>Front</i>	4.5	4.5
<i>Exterior side</i>	4.5	4.5
<i>Interior side</i>	3.0	0.6
<i>Rear</i>	3.0	0.6
Notwithstanding the above, <i>parcel lines</i> adjacent to a rail line for <i>distribution facilities, freight terminals</i> and <i>passenger terminals</i>	0.0	0.0

6. Height

Maximum height of 10 metres for all ***buildings*** and structures.

7. Dwelling Unit

Maximum one ***dwelling unit*** per ***parcel*** provided that:

- i. The ***gross floor area*** does not exceed 92 m²;
- ii. The ***dwelling unit*** is in the same ***building*** as the non-residential use, except where there is no ***principal building*** associated with the ***principal use*** in which case the ***dwelling unit*** may be in a separate ***building***; and
- iii. The entrance to the ***dwelling unit*** is separate from that of the non-residential use.

8. Signs

Signs are permitted in accordance with Section 317 of this Bylaw, except that:

- a) Not more than two ***fascia signs*** may be located on a ***building***;
- b) No more than one free-standing ***sign*** may be located on a ***parcel***;
- c) The free-standing ***sign*** shall not have a visible surface area on any one side exceeding 10 m².

9. Screening

Screening must be provided in accordance with Section 315 of this Bylaw.

10. Parking and Loading

Off-street parking and off-street loading must be provided in accordance with Sections 317 and 318 of this Bylaw.

417. Industrial 4 Zone**IN4**

The following provisions apply to lands in the Industrial 4 Zone:

1. Permitted *Principal Uses*

Only the following *principal uses* are permitted:

- a) ***Agriculture;***
- b) Animal shelters, provided that all animals are kept within a wholly enclosed ***building*** and there are no outside animal runs;
- c) ***Building and contracting supply establishment;***
- d) Contractor's shop and yard;
- e) ***Dwelling unit;***
- f) Eating and drinking establishment including take-out restaurant;
- g) ***Kenel,*** provided that all animals are kept within a wholly enclosed ***building*** and there are no outside animal runs;
- h) Laundromat;
- i) ***Light manufacturing;***
- j) Manufacturing of log homes;
- k) ***Tradesperson*** shop;
- l) ***Storage,*** indoor;
- m) ***Veterinary clinic.***

2. Permitted *Secondary Uses*

Only the following *secondary uses* are permitted, and only in conjunction with a use listed in subsection 417.1 above:

- a) ***Accessory buildings and structures;***
- b) Administrative office;
- c) Display yards;
- d) Retail sales;
- e) ***Storage,*** outdoor.

3. Parcel Area

Parcels to be created by subdivision must not be less than:

- a) 2000 m² when connected to a ***community water system;*** and
- b) 1 hectare when not connected to a ***community water system.***

4. Parcel Coverage

Maximum ***parcel coverage*** is 60%.

5. Setbacks

Minimum setbacks measured in metres:

<i>Parcel</i> Line	All <i>buildings</i> and structures	<i>Storage shed</i>
<i>Front</i>	4.5	4.5
<i>Exterior side</i>	4.5	4.5
<i>Interior side</i>	3.0	0.6
<i>Rear</i>	3.0	0.6

6. Height

Maximum height of 10 metres for all *buildings* and structures.

7. Dwelling Unit

Maximum one *dwelling unit* per *parcel*.

8. Signs

Signs are permitted in accordance with Section 316 of this Bylaw:

- a) No more than one free-standing *sign* may be located on a *parcel*;
- b) Not more than two *fascia signs* may be located on a *building*;
- c) The free-standing *sign* shall not have a visible surface area on any one side exceeding 10 m².

9. Screening

Screening must be provided in accordance with Section 316 of this Bylaw.

10. Parking and Loading

Off-street parking and off-street loading must be provided in accordance with Sections 317 and 318 of this Bylaw.

418. Industrial 5 Zone**IN5**

The following provisions apply to lands in the Industrial 5 Zone:

1. Permitted *Principal Uses*

Only the following *principal uses* are permitted:

- a) ***Bulk material storage;***
- b) ***Distribution facility;***
- c) ***Freight terminal;***
- d) ***Manufacturing;***
- e) ***Passenger terminal;***
- f) Railway siding;
- g) ***Tradesperson*** shop;
- h) Vehicle and heavy equipment maintenance and repair;
- i) ***Storage;***
- j) Wholesale establishment.

2. Permitted *Secondary Uses*

Only the following *secondary uses* are permitted, and only in conjunction with a use listed in subsection 418.1 above:

- a) ***Accessory buildings and structures;***
- b) Administrative office;
- c) ***Dwelling unit.***

3. Parcel Area

Parcels to be created by subdivision must not be less than 1 hectare.

4. Parcel Coverage

Maximum *parcel coverage* is 60%.

5. Setbacks

Minimum setbacks measured in metres:

<i>Parcel</i> Line	All <i>buildings</i> and structures	<i>Storage</i> <i>shed</i>
<i>Front</i> where adjacent to Provincial Highway	7.5	7.5
<i>Front</i> (other than a Provincial Highway)	4.5	4.5
<i>Exterior side</i>	4.5	4.5
<i>Interior side</i>	3.0	0.6
<i>Rear</i>	3.0	0.6
<i>Parcel</i> lines adjacent to Rural Residential 1 (R1) or Rural (RUR)	7.5	7.5
<i>Parcel</i> lines adjacent to Rural Resource (RR1)	5.0	5.0
<i>Parcel lines adjacent to a rail line for distribution facilities, freight terminals and passenger terminals</i>	0.0	0.0

6. Dwelling Unit

Maximum one *dwelling unit* per *parcel*.

7. Screening

Screening must be provided in accordance with Section 315 of this Bylaw.

8. Parking and Loading

Off-street parking and off-street loading must be provided in accordance with Sections 316 and 317 of this Bylaw.

419. Industrial 6 Zone**IN6**

The following provisions apply to lands in the Industrial 6 Zone:

1. Permitted *Principal Uses*

Only the following *principal uses* are permitted:

- a) Eating and drinking establishment; and retail store, provided the combined floor area for both uses does not exceed 115m²;
- b) ***Freight terminal***;
- c) Post Office;
- d) Roadside retail stand for sale of vegetable/fruit produce or crafts, not to exceed 10m² in area;
- e) ***Service station***, provided the service component is limited to one indoor service bay of a maximum area of 95 m² for passenger (non-commercial) vehicle ***storage*** or repair only; outdoor automobile or truck repair is prohibited;
- f) Truck and trailer ***storage*** facility.

2. Permitted *Secondary Uses*

Only the following *secondary uses* are permitted, and only in conjunction with a use listed in subsection 419.1 above:

- a) ***Accessory buildings and structures***, excluding commercial truck repair and maintenance facilities and the ***storage*** of machinery and other materials;
- b) ***Dwelling unit***; and
- c) Administrative office;

3. Parcel Coverage

Maximum *parcel coverage* is 40%.

4. Setbacks

Minimum setbacks measured in metres:

<i>Parcel/Line</i>	All <i>buildings</i> and structures	<i>Storage shed</i>
<i>Front</i>	7.5	7.5
<i>Exterior side</i>	7.5	4.5
<i>Interior side</i>	5.0	0.6
<i>Rear</i>	5.0	0.6

5. Dwelling Unit

Maximum one *dwelling unit* per *parcel*.

6. Screening

Screening must be provided in accordance with Section 315 of this Bylaw.

7. Parcel Area

Parcels to be created by subdivision must not be less than 1 hectare.

8. Parking and Loading

Off-street parking and off-street loading must be provided in accordance with Sections 317 and 318 of this Bylaw.

420. Airport Zone**A**

The following provisions apply to lands in the Airport Zone:

1. Permitted *Principal Uses*

Only the following *principal uses* are permitted:

- a) Airport;
- b) Agriculture;
- c) Animal shelter;
- d) Aeronautical sales and service facility;
- e) Auction mart;
- f) Automobile and truck cleaning facility;
- g) ***Building or contracting supply establishment;***
- h) ***Bulk fuel depot;***
- i) Contractor's shop and yard;
- j) ***Distribution facility;***
- k) Eating and drinking establishment including take-out restaurant;
- l) ***Freight terminal;***
- m) Instructional facility;
- n) ***Kennel;***
- o) Laboratory;
- p) ***Light manufacturing;***
- q) Manufacturing of log homes;
- r) ***Offices;***
- s) ***Passenger terminal;***
- t) Railway siding;
- u) Rental, sales and associated service facilities for vehicles and equipment;
- v) Research and development facility;
- w) Retail store;
- x) Sewage treatment plant, pursuant to an approved Liquid Waste Management Plan;
- y) ***Tradesperson*** shop;
- z) ***Storage***, indoor;
- aa) Vehicle and heavy equipment maintenance and repair;
- bb) ***Veterinary clinic.***

2. Permitted *Secondary Uses*

Only the following *secondary uses* are permitted, and only in conjunction with a use listed in subsection 420.1 above:

- a) ***Accessory buildings and structures;***
- b) Administrative office;
- c) Customs facility;
- d) Display yards;
- e) ***Dwelling unit***, only in conjunction with an airport;
- f) ***Storage***, outdoor.

3. Parcel Area

Parcels to be created by subdivision must not be less than:

- a) 2000 m² when connected to a **community water system**; and
- b) 1 hectare when not connected to a **community water system**.

4. Height

Maximum height is at the discretion of Transport Canada.

5. Setbacks

Minimum setbacks measured in metres:

Parcel Line	All buildings and structures	Storage shed
Front where adjacent to a Provincial Highway	7.5	7.5
Front (other than a Provincial Highway)	4.5	4.5
Exterior side	4.5	4.5
Interior side	3.0	0.6
Rear	3.0	0.6

6. Dwelling Unit

Maximum one **dwelling unit** per airport **parcel** not to exceed 92m² in **gross floor area**.

7. Parking

Off-street parking and off-street loading must be provided in accordance with Section 317 and 318 of this Bylaw.

421. Parks and Recreation Zone**PR**

The following provisions apply to lands in the Parks and Recreation Zone:

1. Permitted *Principal Uses*

Only the following *principal uses* are permitted:

- a) Arena;
- b) Boat launching ramp;
- c) ***Campground***;
- d) Fairground, rodeo and gymkhana grounds and similar open or enclosed recreational areas and facilities;
- e) Marina;
- f) Ski area;
- g) Stadium;

2. Permitted *Secondary Uses*

Only the following *secondary uses* are permitted, and only in conjunction with a use listed in subsection 421.1 above:

- a) ***Accessory buildings and structures***; and
- b) ***Dwelling unit***.

3. Setbacks

Minimum setbacks measured in metres:

<i>Parcel</i> Line	All <i>buildings</i> and structures	<i>Storage shed</i>	<i>Playground equipment</i>
<i>Front</i> where adjacent to a Provincial Highway	7.5	7.5	7.5
<i>Front</i> (other than a Provincial Highway)	4.5	4.5	4.5
<i>Exterior side</i>	4.5	4.5	4.5
<i>Interior side</i>	3.0	0.6	3.0
<i>Rear</i>	3.0	0.6	3.0

4. Height

Maximum height of 15 metres for all *buildings* and structures.

5. Density

Maximum one *dwelling unit* per *parcel* not to exceed 92m² in *gross floor area*.

6. Parking and Loading

Off-street parking and off-street loading must be provided in accordance with Sections 317 and 318 of this Bylaw.

422. Conservation Area Zone**CA**

The following provisions apply to lands in the Conservation Area Zone.

1. Permitted *Principal Uses*

Only the following *principal uses* are permitted:

- a) ***Conservation activities;***
- b) Hydroelectric dam.

2. Permitted *Secondary Uses*

Only the following *secondary uses* are permitted, and only in conjunction with a use listed in subsection 422.1 above:

- a) ***Accessory buildings and structures;*** and
- b) ***Dwelling unit.***

3. Setbacks

Minimum setbacks measured in metres:

<i>Parcel/ Line</i>	<i>All buildings and structures</i>	<i>Storage shed</i>
<i>Front</i> where adjacent to a Provincial Highway	7.5	7.5
<i>Front</i> (other than a Provincial Highway)	4.5	4.5
<i>Exterior side</i>	4.5	4.5
<i>Interior side</i>	3.0	0.6
<i>Rear</i>	4.5	0.6

4. Parcel Area

Parcels to be created by subdivision must not be less than 100 hectares.

5. Dwelling Unit

One *dwelling unit* per *parcel* not to exceed 70m² in *gross floor area*.

6. Parking and Loading

Off-street parking and off-street loading must be provided in accordance with Sections 317 and 318 of this Bylaw.

423. Institutional and Community Facilities Zone**ICF**

The following provisions apply to lands in the Institutional and Community Facilities Zone:

1. Permitted *Principal Uses*

Only the following *principal use* is permitted:

- a) ***Institutional Use.***

2. Permitted Secondary Uses

Only the following *secondary uses* are permitted, and only in conjunction with a use listed in subsection 423.1 above:

- a) ***Accessory buildings and structures,***

3. Parcel Area

Parcels to be created by subdivision must not be less than:

- a) 2000 m² when connected to a ***community water system***; and
 b) 1 hectare when not connected to a ***community water system***.

4. Setbacks

Minimum setbacks measured in metres:

<i>Parcel</i> Line	<i>Principal buildings and structures</i>	<i>Accessory buildings and structures</i>	<i>Storage shed</i>
<i>Front</i> where adjacent to a Provincial Highway	7.5	7.5	7.5
<i>Front</i> (other than a Provincial Highway)	4.5	4.5	4.5
<i>Exterior side</i>	4.5	4.5	4.5
<i>Interior side</i>	3.0	3.0	0.6
<i>Rear</i>	4.5	1.5	0.6

5. Parking

Off-street parking and off-street loading must be provided in accordance with the Sections 317 and 318 of this Bylaw.

424. Rail/Trail Corridor Zone**RTC**

The following provisions apply to lands in the Rail/Trail Corridor Zone.

1. Permitted *Principal Uses*

Only the following *principal uses* are permitted:

- a) ***Agriculture;***
- b) Railways;
- c) Railway siding; and
- d) Recreational trails and corridors, excluding motorized recreational use with the exception of ***highway*** and driveway crossings and maintenance vehicles.

2. Permitted *Secondary Uses*

Only the following *secondary uses* are permitted, and only in conjunction with a use listed in subsection 424.1 above:

- a) ***Accessory buildings and structures;***

3. Setbacks

Minimum setbacks for all ***buildings*** and structures in 4.5 metres of any ***parcel*** line.

4. Parcel Area

Parcels to be created by subdivision must not be less than 100 hectares;

5. Height

Maximum height of 4.5 metres for all ***buildings*** and structures.

6. Signs

Signs are permitted in accordance with Section 316 of this Bylaw.

7. Parking and Loading

Off-street parking and off-street loading must be provided in accordance with Sections 317 and 318 of this Bylaw.

READ A FIRST AND SECOND time this 28th day of November, 2013.

PUBLIC HEARING held on this day of 2014.

READ A THIRD TIME this day of , 2014.

I, Elaine Kumar, Director of Corporate Administration hereby certify the foregoing to be a true and correct copy of Bylaw No. 1460, cited as "Electoral Area 'A' Zoning Bylaw No. 1460, 2013" as read a third time by the Regional District of Kootenay Boundary Board of Directors this day of , 2014.

Director of Corporate Administration

APPROVED BY THE MINISTRY OF TRANSPORTATION AND INFRASTRUCTURE

Approving Officer this day of , 2014.

APPROVING OFFICER

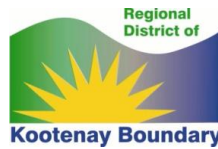
FINAL ADOPTION this day of , 2014.

Director of Corporate Administration

Chair

I, Elaine Kumar, Director of Corporate Administration of the Regional District of Kootenay Boundary, hereby certify that this is a true and correct copy of Bylaw No. 1460, cited as "Electoral Area 'A' Zoning Bylaw No. 1460, 2013".

Director of Corporate Administration



**EAST END REGIONAL SANITARY SEWER SERVICE ESTABLISHMENT BYLAW
NO. 1549, 2014**

**A CONVERSION BYLAW TO CONVERT THE AUTHORITY FOR SANITARY
SEWER TO A SERVICE**

WHEREAS:

- A. By Supplementary Letters Patent dated April 22, 1969, as amended by further Supplementary Letters Patent, the Regional District of Kootenay Boundary was granted the function of undertaking the provision of interception, treatment and disposal of sanitary sewage and doing those things necessary to acquire, design, construct, operate, maintain, renew and administer sewage disposal facilities with the participating member municipalities of The Corporation of the City of Rossland, the City of Trail and The Corporation of the Village of Warfield;
- B. A dispute arose between the participating member municipalities of The Corporation of the City of Rossland, the City of Trail and The Corporation of the Village of Warfield as to the administration and operation, including the apportionment of costs, of such function, which dispute was referred to arbitration pursuant to Division 3 of Part 9 of the *Community Charter*;
- C. On January 10, 2014, the arbitrator made an award in the arbitration resolving the dispute in accordance with minutes of settlement agreed upon by the member municipalities of The Corporation of the City of Rossland, the City of Trail and The Corporation of the Village of Warfield and the Regional District of Kootenay Boundary, a copy of which minutes of settlement are attached as Schedule "A" to this Bylaw, and directing that bylaws be adopted to implement the award and the minutes of settlement; and
- D. For the purposes of implementing the arbitrator's award and the minutes of settlement, the Board of the Regional District of Kootenay Boundary wishes to proceed under section 774.2 of the Local Government Act and convert the service to a service exercised under the authority of a bylaw for a portion of the Regional District by bylaw under sections 774.2(3) and 796 of the Local Government Act.

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

1. Service

The collection, conveyance, treatment and disposal of sewage is hereby established as a service (the "Service").

2. Boundaries of Service Area

The service area is the area within the boundaries of the municipalities of The Corporation of the City of Rossland, the City of Trail and The Corporation of the Village of Warfield.

3. Participating Areas

The participating areas for the Service consist of the member municipalities of The Corporation of the City of Rossland, the City of Trail and The Corporation of the Village of Warfield.

4. Cost Recovery

The annual operating costs and annual debt costs for the Service will be recovered by one or more of the following:

- (a) property value taxes imposed in accordance with Division 4.3 of Part 24 of the Local Government Act;
- (b) fees and charges that may be imposed under section 363 of the Local Government Act;
- (c) revenues raised by other means authorized by the Local Government Act; and
- (d) revenue received by way of agreement, enterprise, gift, grant or otherwise.

5. Cost Apportionment

- (a) In this Bylaw:
 - (i) "Abnormal Climatic Conditions" means flooding or other similar climatic conditions that for the period of those conditions cause an increase of 10% or more in the total volume of sewage entering the regional wastewater treatment plant for the period of those conditions, based on the average volume of sewage entering the plant in that same period over the previous three years. For certainty, Abnormal Climatic Conditions do not include annual freshet or other similar climatic conditions that contribute to inflow and infiltration into the sewage collection systems of any of the

Participants, resulting in an increase in the volume of sewage put into the Service by any of the Participants;

- (ii) "Benefitting Participant" means a Participant whose sewage is conveyed by a portion of the Sewage Infrastructure;
 - (iii) "Cost of the Service" means all costs, fees or expenses incurred by the Regional District arising out of or incidental to the provision of the Service, including but not limited to maintenance, repair and upgrading of Service Infrastructure, as well as administrative costs, fines, penalties, claims, legal costs or arbitration costs, and all other liabilities;
 - (iv) "Dual Benefit Cost of the Service" means those aspects of the Cost of the Service relating to capital upgrades, replacements, operation and maintenance of portions of the Service Infrastructure that convey sewage generated by only two of the Participants;
 - (v) "Participants" means The Corporation of the City of Rossland, the City of Trail and The Corporation of the Village of Warfield;
 - (vi) "Regional Benefit Cost of the Service" means the balance of the Cost of the Service after deduction of any Dual Benefit Cost of the Service and Sole Benefit Cost of the Service from the Cost of the Service;
 - (vii) "Service Infrastructure" means all necessary components, apparatus and equipment for the provision of the Service, including receiving drains, trunk sewers, pipes, mains, meters, interceptors, lift stations, manholes, pumping stations, storm overflows, screening chambers, and all other components of sewage disposal and treatment facilities and buildings; and
 - (viii) "Sole Benefit Cost of the Service" means those aspects of the Cost of the Service relating to capital upgrades, replacements, operation and maintenance of portions of the Service Infrastructure for the Service that convey sewage generated by only one of the Participants.
- (b) The Sole Benefit Cost of the Service will be apportioned wholly to the Benefitting Participant.
 - (c) The Dual Benefit Cost of the Service will be apportioned to the two Benefitting Participants as follows:
 - (i) For the calendar years 2014 and 2015, between the two Benefitting Participants based on percentages calculated using pro-rata ratios

of the respective percentages for the two Benefitting Participants specified in section 5(d)(i) below;

- (ii) For the calendar year 2016, between the two Benefitting Participants based on the relative volume of sewage each of the two Benefitting Participants put into the Service in the year 2015; and
 - (iii) For the calendar year 2017 and after, between the two Benefitting Participants based on the relative volume of sewage that each of the two Benefitting Participants puts into the Service during the preceding calendar year.
- (d) The Regional Benefit Cost of the Service will be apportioned between the Participants as follows:
- (i) For the calendar years 2014 and 2015, based on the following percentages:
 - A. Trail 62.56%
 - B. Rossland 24.90%
 - C. Warfield 12.54%
 - (ii) For the calendar year 2016, based on the relative volume of sewage each of the Participants put into the Service in the year 2015; and
 - (iii) For the calendar year 2017 and after, based on the relative volume of sewage that each of the Participants puts into the Service.
- (e) Subject to section 803.1 of the Local Government Act, any liabilities and associated costs arising as a direct or indirect result of any decision made in respect of the administration and operation of those portions of the Service Infrastructure referred to in sections 5(b) and (c) above, shall be apportioned wholly to the Benefitting Participants, and no portion of those liabilities or their associated costs will be payable either by the Participants who are not Benefitting Participants or by the Regional District as a whole.

6. Voting

Voting on all resolutions, bylaws or other matters respecting the administration and operation of all portions of the Service Infrastructure shall be in accordance with Section 791(4) of the Local Government Act. For voting on resolutions or bylaws or other matters respecting the administration and operation of those portions of the Service Infrastructure referred to in section 5(d) above, the director of each participant has the number of votes assigned to that director under section 783(2) of the *Local Government Act*. For voting on resolutions or bylaws or other matters respecting the

administration and operation of those portions of the Service Infrastructure referred to in section 5(c) above, the directors of the two Benefitting Participants have 10 votes assigned between them in the same proportions as the Dual Benefit Cost of the Service under section 5(c) above, rounded to the nearest whole number, and the director of the other Participant has one vote. For voting on resolutions or bylaws or other matters respecting the administration and operation of those portions of the Service Infrastructure referred to in section 5(b) above, the director of the Benefitting Participants have nine votes and the directors of the other Participants each have one vote.

7. Maximum requisition

The maximum amount that may be requisitioned under section 800.1(1) of the Local Government Act for the service will be the greater of:

- (a) One million nine hundred and twenty thousand dollars (\$1,920,000) dollars; or
- (b) an amount equal to the amount that could be raised by a property value tax of one dollars and nineteen cents (\$1.19) per one thousand (\$1,000.00) dollars which when applied to the net taxable value of land and improvements within the service area will yield the maximum amount that may be requisitioned under sections 803(1)(a) and (b) for the Service.

8. Powers

In providing the Service established by this bylaw, the Regional District may, without limiting the generality of section 1:

- (a) acquire, design, construct, operate, maintain, renew and administer all aspects of the Service Infrastructure;
- (b) enter into an agreement with a Participant on such terms as are mutually agreed upon providing that the Participant municipality may undertake on behalf of the Regional District the design, construction, operation and maintenance of any of the facilities of the Regional District within that municipality;
- (c) make interim provision for sewage disposal;
- (d) at any time enter upon any lands, streets, waters or water courses, without the consent of the owner, for the purpose of making surveys and other examinations to determine whether or not the lands, streets, waters or water courses are required in the carrying out of the Service;
- (e) carry any Service Infrastructure or other works through, across or under any street in such manner as not unnecessarily to obstruct or impede

travel and may enter upon and dig up any street for the purpose of laying sewers, or other works and aspects of the Service Infrastructure and of maintaining, repairing and renewing the Service Infrastructure in accordance with the following:

- (i) in entering upon and digging up any street, the Regional District shall be subject to such reasonable terms and conditions as may be made by the authority having jurisdiction over such street;
 - (ii) before entering upon any street for the purpose of laying, maintaining, repairing or renewing a sewer or other works, the Regional District gives at least 30 days' notice of its contemplated action to the authority having jurisdiction over the street, but the authority may waive the giving of such notice or shorten the notice period; and
 - (iii) whenever the Regional District digs up any street for any of the purposes set out above, it shall, so far as practicable, restore the street to as good a condition as the street was in before such digging began, and the Regional District shall at all times indemnify and save harmless the municipality within which such digging occurred against and from all damage which may be recovered against such municipality by reason of anything done or omitted by the Regional District, and shall reimburse the municipality for all expenses which the municipality may incur by reason of any defect or want of repair of any street caused by the construction, maintenance, repair or renewal of any of the sewers, drains or other works. No compensation other than as provided in this subsection shall be made by the Regional District in respect of anything done by the Regional District under this subsection;
- (f) make regulations for the purpose of:
- (i) minimizing the entry of surface and rainwater taking into account the condition of the sewers;
 - (ii) controlling the quantity and quality of sewage discharging into its facilities;
 - (iii) carry out investigations to assess discharges and contaminant sources; and
 - (iv) coordinate programs among all levels of government to enhance environmental protection.

9. Additional Steps

The implementation of the arbitrator's award and the minutes of settlement requires additional steps to be taken outside of the adoption of this bylaw and may require the future amendment of this bylaw. Should a dispute arise as to the implementation of the arbitrator's award and the minutes of settlement, the arbitrator has jurisdiction to resolve such disputes, including jurisdiction to resolve issues around the additional steps to be taken outside the adoption of this bylaw and to direct that this bylaw be amended.

10. Sole Authority

The Regional District is the sole authority with jurisdiction to construct the works referred to in section 8(a) above, provided that a Participant may proceed on its own initiative with any such work within its own boundaries that the Regional Board is unable or unwilling to construct at that time, the design of such work having been approved in advance by the Regional District.

11. Continuing Authority

Nothing in this bylaw will be interpreted as affecting or impairing in any way the rights and powers of the Regional District under the Supplementary Letters Patent, dated April 22, 1969, as amended by further Supplementary Letters Patent, in relation to that part of the Regional District not contained within the service area created by this bylaw.

12. Citation

This bylaw may be cited as the "East End Regional Sanitary Sewer Service Establishment Bylaw No. 1549, 2014".

FIRST READING

SECOND READING

THIRD READING

The City of Rossland consented to the adoption of this bylaw by way of a resolution adopted _____, 2014.

The City of Trail consented to the adoption of this bylaw by way of a resolution adopted _____, 2014.

The Corporation of the Village of Warfield consented to the adoption of this bylaw by way of a resolution adopted _____, 2014.

APPROVED BY THE INSPECTOR OF MUNICIPALITIES

ADOPTED

Chair

Manager of Corporate Administration

SCHEDULE "A"
MINUTES OF SETTLEMENT

**IN THE MATTER OF AN ARBITRATION
UNDER THE *COMMUNITY CHARTER*, S.B.C. 2003, C. 26**

BETWEEN:

CITY OF TRAIL

CLAIMANT

AND:

**CITY OF ROSSLAND
VILLAGE OF WARFIELD
REGIONAL DISTRICT OF KOOTENAY BOUNDARY**

RESPONDENTS

CONSENT AWARD

Having reviewed the terms of Minutes of Settlement agreed upon by the parties (attached to this Award for reference as Schedule "A"), which terms are to be incorporated into an Award in the Arbitration, and after hearing from the parties on a conference call held at 3:30 p.m. on Wednesday, January 8, 2014, and by consent;

I, as Arbitrator, award as follows:

Apportionment Principles

1. In this Award, subject to section 803.1 of the *Local Government Act*, "Cost of the Service" means all costs, fees or expenses incurred by the Regional District of Kootenay Boundary (the "Regional District") arising out of or incidental to its provision of the service of the interception, treatment and disposal of sanitary sewage ("the Service") to the member municipalities of the City of Trail ("Trail"), the City of Rossland ("Rossland"), and the Village of Warfield ("Warfield"), (collectively, the "Participants"), which costs, fees, and expenses include but are not limited to maintenance, repair, upgrading, administrative, fines, penalties, claims, legal, or arbitration costs, and all other liabilities.

2. In this Award, "Abnormal Climatic Conditions" means flooding or other similar climatic conditions that for the period of those conditions cause an increase of 10% or more in the total volume of sewage entering the regional wastewater treatment plant for the period of those conditions, based on the average volume of sewage entering the plant in that same period over the previous three years. For certainty, Abnormal Climatic Conditions do not include annual freshet or other similar climatic conditions that contribute to inflow and infiltration into the sewage collection systems of any of the Participants, resulting in an increase in the volume of sewage put into the Service by any of the Participants.
3. For the year 2014 and after, the Cost of the Service shall be apportioned between the Participants on the following principles:
 - (a) Firstly, the Cost of the Service relating to capital upgrades, replacements, operation and maintenance of portions of the infrastructure for the Service that convey sewage generated by only one of the Participants (the "Sole Benefit Cost of the Service") be apportioned wholly to that Participant;
 - (b) Secondly, the Cost of the Service relating to capital upgrades, replacements, operation and maintenance of portions of the infrastructure for the Service that convey sewage generated by two but not the third of the Participants (the "Dual Benefit Cost of the Service") be apportioned between the two benefiting Participants on the basis of the relative volume of sewage that each of the two benefiting Participants puts into the Service; and,
 - (c) Finally, the remaining Cost of the Service (the "Regional Benefit Cost of the Service") be apportioned between the Participants on the basis of the relative volume of sewage that each of the Participants puts into the Service.
4. As soon as practicable, the Regional District shall provide to the Participants its determination of which portions of the infrastructure for the Service benefit only one of the Participants and which of the Participants those portions benefit, and its determination of which portions of the infrastructure for the Service benefit two but not the third of the Participants and which of the Participants those portions benefit. Each Participant shall, within 14 days of receipt of the Regional District's determinations, advise the Regional District and the other Participants of any objections that Participant has to the determinations along with an explanation of the basis of each objection. After receiving all such objections, the Participants shall either agree on an appropriate resolution of the objections or the objections will be referred for resolution by me in the Arbitration.

5. Recognizing that the Service does not currently include the necessary equipment to allow the Regional District to accurately determine the relative volume of sewage that each of the Participants puts into the Service (the "Necessary Volume Measuring Equipment"), in order to apportion the Regional Benefit Cost of the Service and Dual Benefit Cost of the Service as required above, for the years 2014 and 2015, the Regional Benefit Cost of the Service shall initially be apportioned between the Participants on the following percentages:

- (a) Trail: 62.56%;
- (b) Rossland: 24.90%; and,
- (c) Warfield: 12.54%,

and the Dual Benefit Cost of the Service shall initially be apportioned between the two benefiting Participants on the basis of their relative percentages set out above.

6. In 2014, the Regional District shall, as part of the Regional Benefit Cost of the Service, cause to be undertaken a study of the Service by a qualified consultant in relation to the design and installation of the Necessary Volume Measuring Equipment and shall take all reasonable steps necessary to cause the equipment to be installed in a timely manner. In doing so, the Regional District shall consult with the Participants as to the consultant chosen to undertake the study, and as to the results of the study prior to implementing the consultant's recommendations in the study. After the Necessary Volume Measuring Equipment is installed, the Regional District shall, as part of the Regional Benefit Cost of the Service, take all reasonable steps necessary to maintain the equipment in a manner to ensure its greatest accuracy in measuring the volumes of sewage that each Participant puts into the Service. It is possible that the Necessary Volume Measuring Equipment may have a margin of error in the range of $\pm 5\%$.
7. The Regional District shall make all reasonable efforts to install, by no later than January 1, 2015, the Necessary Volume Measuring Equipment, such that by January 1, 2016 the Regional District will have sufficient accurate volume data from the equipment from the preceding 12 month period to apportion, for the year 2016, the Dual Benefit Cost of the Service and the Regional Benefit Cost of the Service on the basis described in paragraphs 3(b) and 3(c) respectively above. For the year 2017 and after, the volume data from the Necessary Volume Measuring Equipment from the preceding 12 month period for each year shall be used to apportion the Dual Benefit Cost of the Service and the Regional Benefit Cost of the Service for that year on the basis described in paragraphs 3(b) and 3(c) respectively above.

8. By June 30, 2016, the Regional District and the Participants shall undertake a reapportionment of the Dual Benefit Cost of the Service and the Regional Benefit Cost of the Service for each of the years 2014 and 2015. This reapportionment shall be undertaken on the basis that the volumes of sewage that each of the Participants put into the Service in 2015 (which volumes were utilized to apportion the Dual Benefit Cost of the Service and the Regional Benefit Cost of the Service for the year 2016) being deemed to be the volumes of sewage that each of the Participants put into the Service in each of the years 2014 and 2015. Upon that reapportionment being undertaken, the Regional District and the Participants shall determine the difference between the portion of the total Cost of the Service that was initially apportioned to and paid by each Participant for each year and the amount that would have been apportioned to and paid by each Participant under the reapportionment for each year, and the Participants shall undertake an accounting as between them to bring their respective initial payments for each year into line with the payments that they would have paid for each year under the reapportionment. All payments necessary between the Participants to complete the accounting shall be made by no later than September 30, 2016.
9. For the purposes of apportionment for the year 2016 and after, and for the purposes of the reapportionments for the years 2014 and 2015, as soon as practicable the Regional District shall provide to the Participants the volume data for each of the Participants for the preceding 12 month period. In the event of Abnormal Climatic Conditions, the Regional District shall advise the Participants of any volume data that it intends to exclude from its apportionment calculations on the basis that the data is inaccurate due to Abnormal Climatic Conditions. Each Participant shall, within 14 days of receipt of the Regional District's advice as to the exclusion of volume data, advise the Regional District and the other Participants of any objections that Participant has to the advice along with an explanation of the basis of each objection. After receiving all such objections, the Participants shall either agree on an appropriate resolution of the objections or the the objections will be referred for resolution by me in the Arbitration.
10. There may be increases in the Cost of the Service by reason of the terms of this Award. Some aspects of the Cost of the Service that may increase as a result will need to be estimated by the Regional District for budgeting purposes. Those estimates will be approved by the Participants and the Regional District Board through the normal budget approval process (the "Estimates").

Reserves

11. The Regional District shall administer the existing reserve fund in relation to the Service from the year 2014 and after as a reserve fund in relation to the Regional Benefit Cost of the Service.

Conversion Bylaw

12. The Regional District shall adopt a bylaw or bylaws for the purpose of converting the Service to one exercised under the authority of an establishing bylaw (the "Conversion Bylaw"). The Conversion Bylaw shall include provisions for the apportionment of costs as set out in this Award. In addition, and to the extent authorized by section 800.2(1)(b) of the *Local Government Act*, the Conversion Bylaw shall provide that:
- (a) in relation to resolutions or bylaws respecting the administration and operation of those portions of the infrastructure of the Service referred to in either paragraphs 3(a) or 3(b) of these Minutes of Settlement, the number of votes allocated to each Participant shall reasonably and fairly reflect their responsibility for the costs of those portions of the Infrastructure. By way of example, where costs are allocated in accordance with paragraph 3(a), the Participant who pays the Sole Benefit Cost of the Service shall be entitled to the majority of votes on resolutions or bylaws respecting the administration and operation of such portions of the infrastructure of the Service, and where costs are allocated in accordance with paragraph 3(b), the Participants who pay the Dual Benefit Cost of the Service shall between them be entitled to exercise the majority of votes respecting the administration and operation of those portions of the infrastructure of the Service, in proportion to their respective responsibility for the Dual Benefit Cost of the Service. The Conversion Bylaw shall confirm that voting on all resolutions or bylaws respecting the administration and operation of all other portions of the infrastructure of the Service shall be in accordance with Section 791(4)(b) of the *Local Government Act*; and
 - (b) subject to section 803.1 of the *Local Government Act*, any liabilities and associated costs arising as a direct or indirect result of any decision made in respect of the administration and operation of those portions of the infrastructure of the service referred to in paragraph 3(a) or 3(b) shall be apportioned in the same manner as the other Costs of the Service for those portions of the infrastructure of the Service, in other words, solely to the Participant or among the Participants responsible under paragraph 3(a) or 3(b) for the Costs of the Service of those portions of the infrastructure of the Service, and no portion of those liabilities or their associated costs will be payable by the Participants who are not responsible under paragraph 3(a) or 3(b) for the Costs of the Service of those portions of the infrastructure of the Service or by the Regional District as a whole.

13. The terms of the Conversion Bylaw shall be subject to the approval of each of the Participants, but if such approval cannot be obtained within 30 days of a draft Conversion Bylaw being circulated to each of the Participants, I shall settle the terms of the Conversion Bylaw in accordance with this Award.
14. Subject to the adoption of any necessary bylaw by the Regional District, the Sewer Committee voting structure shall be revised to parallel the provisions of section 12(a) of this Award.

Implementation

15. If due to circumstances beyond the Regional District's control, and despite making all reasonable efforts, the Regional District is unable to complete the installation of the Necessary Volume Measuring Equipment in the Service by January 1, 2015, the Regional District and the Participants shall agree to a reasonable extension of time for the completion of the installation, and failing such agreement, the issue of extending the time for completion of the installation shall be referred to me in the Arbitration.
16. In the event of an extension of time under section 15, the time for reapportionment of the Dual Benefit Cost of the Service and the Regional Benefit Cost of the Service under section 8 of this Award shall also be extended by agreement of the Regional District and the Participants, or failing such agreement, at my direction in the Arbitration.
17. The Regional District and the Participants have leave to refer to me any dispute that arises in relation to the implementation of this Award or the underlying Minutes of Settlement for resolution in the Arbitration, with me retaining my current jurisdiction in the Arbitration, in accordance with the *Community Charter*.
18. All parties agree that if I am unwilling or unable to act as Arbitrator when required, and if the parties are not able to agree on a substitute arbitrator, any party may ask the Dispute Resolution Officer to appoint a substitute Arbitrator and the substitute Arbitrator shall for the purposes of the Settlement Agreement thereafter be considered to be the "Arbitrator."

General

19. Nothing in this Award affects the powers of the Regional District and the Participants under the *Local Government Act* to agree upon a different method for apportioning the

7

total Cost of the Service and implementing that agreement in accordance with the procedures set out in the *Local Government Act*.

DATED at the City of Vancouver, Province of British Columbia, this 10th day of January, 2014.

A handwritten signature in black ink, consisting of several overlapping loops and a long horizontal stroke extending to the right.

Gerald W. Ghikas, Q.C.
Arbitrator

SCHEDULE "A"

**IN THE MATTER OF AN ARBITRATION
UNDER THE *COMMUNITY CHARTER*, S.B.C. 2003, C. 26**

BETWEEN:

CITY OF TRAIL

CLAIMANT

AND:

**CITY OF ROSSLAND
VILLAGE OF WARFIELD
REGIONAL DISTRICT OF KOOTENAY BOUNDARY**

RESPONDENTS

MINUTES OF SETTLEMENT

Whereas:

- A. In or about 1968, the Regional District of Kootenay Boundary (the "Regional District") was issued Supplementary Letters Patent (the "SLP") authorizing it to undertake the provision of interception, treatment and disposal of sanitary sewage (the "Service"), with only the member municipalities of the City of Trail ("Trail"), the City of Rossland ("Rossland"), and the Village of Warfield ("Warfield"), (collectively, the "Participants"), participating in, and sharing in the cost of, the service;
- B. The SLP provided that the cost of the Service was to be apportioned between the Participants, with Trail being responsible for 68.95% of the cost, Rossland being responsible for 20.91% of the cost, and Warfield being responsible for 10.14% of the cost;
- C. The percentages for apportioning the cost of the Service specified in the SLP were established on the basis of the relative projected future populations for each of the Participants to the overall design population for the Service, adjusted to reduce the capital contributions of Rossland and Warfield;

- D. The Participants have, for a number of years, been attempting to negotiate a new basis for apportioning the cost of the Service between the Participants but were unable to do so;
- E. The dispute between the Participants as to an appropriate basis for apportioning the cost of the Service between the Participants (the "Dispute") was referred to arbitration pursuant to the provisions of the *Community Charter* (the "Arbitration"); and,
- F. The Participants, with the support of the Regional District, have agreed to resolve the Dispute on the terms and conditions set out in these Minutes of Settlement,

Trail, Rossland, Warfield, and the Regional District, for the consideration of the promises exchanged below, agree with each other as follows:

Apportionment Principles

1. In these Minutes of Settlement, subject to section 803.1 of the *Local Government Act*, it is understood and accepted by the Participants that "Cost of the Service" means all costs, fees or expenses incurred by the Regional District arising out of or incidental to the provision of the Service, including but not limited to maintenance, repair, upgrading, administrative, fines, penalties, claims, legal, or arbitration costs, and all other liabilities.
2. In these Minutes of Settlement, "Abnormal Climatic Conditions" means flooding or other similar climatic conditions that for the period of those conditions cause an increase of 10% or more in the total volume of sewage entering the regional wastewater treatment plant for the period of those conditions, based on the average volume of sewage entering the plant in that same period over the previous three years. For certainty, Abnormal Climatic Conditions do not include annual freshet or other similar climatic conditions that contribute to inflow and infiltration into the sewage collection systems of any of the Participants, resulting in an increase in the volume of sewage put into the Service by any of the Participants.
3. For the year 2014 and after, the Cost of the Service shall be apportioned between the Participants on the following principles:
 - (a) Firstly, the Cost of the Service relating to capital upgrades, replacements, operation and maintenance of portions of the infrastructure for the Service that convey sewage generated by only one of the Participants (the "Sole Benefit Cost of the Service") be apportioned wholly to that Participant;

- (b) Secondly, the Cost of the Service relating to capital upgrades, replacements, operation and maintenance of portions of the infrastructure for the Service that convey sewage generated by two but not the third of the Participants (the "Dual Benefit Cost of the Service") be apportioned between the two benefiting Participants on the basis of the relative volume of sewage that each of the two benefiting Participants puts into the Service; and,
 - (c) Finally, the remaining Cost of the Service (the "Regional Benefit Cost of the Service") be apportioned between the Participants on the basis of the relative volume of sewage that each of the Participants puts into the Service.
- 4. As soon as practicable, the Regional District shall provide to the Participants its determination of which portions of the infrastructure for the Service benefit only one of the Participants and which of the Participants those portions benefit, and its determination of which portions of the infrastructure for the Service benefit two but not the third of the Participants and which of the Participants those portions benefit. Each Participant shall, within 14 days of receipt of the Regional District's determinations, advise the Regional District and the other Participants of any objections that Participant has to the determinations along with an explanation of the basis of each objection. After receiving all such objections, the Participants shall either agree on an appropriate resolution of the objections or the resolution of the objections will be referred for resolution by the Arbitrator in the Arbitration in accordance with these Minutes of Settlement.
- 5. Recognizing that the Service does not currently include the necessary equipment to allow the Regional District to accurately determine the relative volume of sewage that each of the Participants puts into the Service (the "Necessary Volume Measuring Equipment"), in order to apportion the Regional Benefit Cost of the Service and Dual Benefit Cost of the Service as required above, for the years 2014 and 2015, the Regional Benefit Cost of the Service shall initially be apportioned between the Participants on the following percentages:
 - (a) Trail: 62.56%;
 - (b) Rossland: 24.90%; and,
 - (c) Warfield: 12.54%,

and the Dual Benefit Cost of the Service shall initially be apportioned between the two benefiting Participants on the basis of their relative percentages set out above.

6. In 2014, the Regional District shall, as part of the Regional Benefit Cost of the Service, cause to be undertaken a study of the Service by a qualified consultant in relation to the design and installation of the Necessary Volume Measuring Equipment and shall take all reasonable steps necessary to cause the equipment to be installed in a timely manner. In doing so, the Regional District shall consult with the Participants as to the consultant chosen to undertake the study, and as to the results of the study prior to implementing the consultant's recommendations in the study. After the Necessary Volume Measuring Equipment is installed, the Regional District shall, as part of the Regional Benefit Cost of the Service, take all reasonable steps necessary to maintain the equipment in a manner to ensure its greatest accuracy in measuring the volumes of sewage that each Participant puts into the Service. It is understood and accepted by the Participants that the Necessary Volume Measuring Equipment may have a margin of error in the range of $\pm 5\%$.
7. The Regional District shall make all reasonable efforts to install, by no later than January 1, 2015, the Necessary Volume Measuring Equipment, such that by January 1, 2016 the Regional District will have sufficient accurate volume data from the equipment from the preceding 12 month period to apportion, for the year 2016, the Dual Benefit Cost of the Service and the Regional Benefit Cost of the Service on the basis described in paragraphs 3(b) and 3(c) respectively above. For the year 2017 and after, the volume data from the Necessary Volume Measuring Equipment from the preceding 12 month period for each year shall be used to apportion the Dual Benefit Cost of the Service and the Regional Benefit Cost of the Service for that year on the basis described in paragraphs 3(b) and 3(c) respectively above.
8. By June 30, 2016, the Regional District and the Participants shall undertake a reapportionment of the Dual Benefit Cost of the Service and the Regional Benefit Cost of the Service for each of the years 2014 and 2015. This reapportionment shall be undertaken on the basis that the volumes of sewage that each of the Participants put into the Service in 2015 (which volumes were utilized to apportion the Dual Benefit Cost of the Service and the Regional Benefit Cost of the Service for the year 2016) being deemed to be the volumes of sewage that each of the Participants put into the Service in each of the years 2014 and 2015. Upon that reapportionment being undertaken, the Regional District and the Participants shall determine the difference between the portion of the total Cost of the Service that was initially apportioned to and paid by each Participant for each year and the amount that would have been apportioned to and paid by each Participant under the reapportionment for each year, and the Participants shall undertake an accounting as between them to bring their respective initial payments for each year into line with the payments that they would have paid for each year under the reapportionment. All payments necessary between the Participants to complete the accounting shall be made by no later than September 30, 2016.

9. For the purposes of apportionment for the year 2016 and after, and for the purposes of the reapportionments for the years 2014 and 2015, as soon as practicable the Regional District shall provide to the Participants the volume data for each of the Participants for the preceding 12 month period. In the event of Abnormal Climatic Conditions, the Regional District shall advise the Participants of any volume data that it intends to exclude from its apportionment calculations on the basis that the data is inaccurate due to Abnormal Climatic Conditions. Each Participant shall, within 14 days of receipt of the Regional District's advice as to the exclusion of volume data, advise the Regional District and the other Participants of any objections that Participant has to the advice along with an explanation of the basis of each objection. After receiving all such objections, the Participants shall either agree on an appropriate resolution of the objections or the resolution of the objections will be referred for resolution by the Arbitrator in the Arbitration in accordance with these Minutes of Settlement.
10. It is understood and accepted by the Participants that there may be increases in the Cost of the Service by reason of the terms of these Minutes of Settlement, and that some aspects of the Cost of the Service that may increase as a result will need to be estimated by the Regional District for budgeting purposes, and that those estimates will be approved by the Participants and the Regional District Board through the normal budget approval process (the "Estimates").

Reserves

11. The Regional District shall administer the existing reserve fund in relation to the Service from the year 2014 and after as a reserve fund in relation to the Regional Benefit Cost of the Service.

Conversion Bylaw

12. The Regional District shall prepare a bylaw or bylaws for the purpose of converting the Service to one exercised under the authority of an establishing bylaw (the "Conversion Bylaw") to be reviewed by the Participants. The Conversion Bylaw shall include provisions for the apportionment of costs that reflect the intention of the Participants as set out in these Minutes of Settlement. In addition, and to the extent authorized by section 800.2(1)(b) of the *Local Government Act*, the Conversion Bylaw shall provide that:
 - (a) in relation to resolutions or bylaws respecting the administration and operation of those portions of the infrastructure of the Service referred to in either paragraphs 3(a) or 3(b) of these Minutes of Settlement, the number of votes allocated to each Participant shall reasonably and fairly reflect their responsibility for the costs of those portions of the Infrastructure. By way of example, where costs are allocated in accordance with paragraph 3(a), the Participant who pays the Sole Benefit Cost of the Service shall be entitled to the

majority of votes on resolutions or bylaws respecting the administration and operation of such portions of the infrastructure of the Service, and where costs are allocated in accordance with paragraph 3(b), the Participants who pay the Dual Benefit Cost of the Service shall between them be entitled to exercise the majority of votes respecting the administration and operation of those portions of the infrastructure of the Service, in proportion to their respective responsibility for the Dual Benefit Cost of the Service. The Conversion Bylaw shall confirm that voting on all resolutions or bylaws respecting the administration and operation of all other portions of the infrastructure of the Service shall be in accordance with Section 791(4)(b) of the *Local Government Act*; and,

- (b) subject to section 803.1 of the *Local Government Act*, any liabilities and associated costs arising as a direct or indirect result of any decision made in respect of the administration and operation of those portions of the infrastructure of the service referred to in paragraph 3(a) and 3(b) shall be apportioned in the same manner as the other Costs of the Service for those portions of the infrastructure of the Service, in other words, solely to the Participant or among the Participants responsible under paragraph 3(a) and 3(b) for the Costs of the Service of those portions of the infrastructure of the Service, and no portion of those liabilities or their associated costs will be payable by the Participants who are not responsible under paragraph 3(a) or 3(b) for the Costs of the Service of those portions of the infrastructure of the Service or by the Regional District as a whole.
- 13. The terms of the Conversion Bylaw shall be subject to the approval of each of the Participants, but if such approval cannot be obtained within 30 days of a draft Conversion Bylaw being circulated to each of the Participants, the Arbitrator shall settle the terms of the Conversion Bylaw in accordance with these Minutes of Settlement.
 - 14. Subject to the adoption of any necessary bylaw by the Regional District, the Sewer Committee voting structure shall be revised to parallel the provisions of section 12(a) of these Minutes of Settlement.

Implementation

- 15. These Minutes of Settlement shall be implemented by order of the Arbitrator in the Arbitration.
- 16. It is understood and agreed by the Participants that if due to circumstances beyond the Regional District's control, and despite making all reasonable efforts, the Regional District is unable to complete the installation of the Necessary Volume Measuring Equipment in the Service by January 1, 2015, the Regional District and the Participants shall agree to a reasonable extension of time for the completion of the installation, and

failing such agreement, the issue of extending the time for completion of the installation shall be referred to the Arbitrator for resolution in the Arbitration in accordance with these Minutes of Settlement.

17. It is further understood and agreed that in the event of an extension of time under section 16, the time for reapportionment of the Dual Benefit Cost of the Service and the Regional Benefit Cost of the Service under section 8 of these Minutes of Settlement shall also be extended by agreement of the Regional District and the Participants, or failing such agreement, at the direction of the Arbitrator in the Arbitration.
18. The order of the Arbitrator in the Arbitration shall include leave for any dispute that arises in relation to the implementation of these Minutes of Settlement to be referred to the Arbitrator for resolution in the Arbitration, with the Arbitrator retaining his current jurisdiction in the Arbitration, in accordance with the *Community Charter*.

General

19. Nothing in these Minutes of Settlement affects the powers of the Regional District and the Participants under the *Local Government Act* of the Regional District to agree upon a different method for apportioning the total Cost of the Service and implementing that agreement in accordance with the procedures set out in the *Local Government Act*.
20. Time is of the essence in these Minutes of Settlement.
21. It is understood and agreed that these Minutes of Settlement may be executed in any number of counterparts and that faxed or emailed signatures are deemed to be original signatures. All counterparts shall be construed together and constitute one and the same Minutes of Settlement.

IN WITNESS WHEREOF, Trail, Rossland, Warfield, and the Regional District hereto have executed this Agreement this ____ day of January, 2014.

City of Trail:)
)
)
_____ Mayor)
)
_____ Corporate Officer)

8

City of Rossland:)

)

)

_____)
Mayor)

)

)

_____)
Corporate Officer)

Village of Warfield:)

)

)

_____)
Mayor)

)

)

_____)
Corporate Officer)

Regional District of Kootenay Boundary:)

)

)

_____)
Mayor)

)

)

_____)
Corporate Officer)

Elaine Kumar

From: Ali Grieve [aligrieve@telus.net]
Sent: February-18-14 9:38 PM
To: Jennifer Kuhn; 'Linda Worley'
Cc: Elaine Kumar
Subject: RE: RDKB Area A/B Directors' Memorial Scholarship

I will do the same grant as last year - thx



Ali Grieve

Area A Director

Regional District Kootenay Boundary

aligrieve@telus.net

(250)367-6521 home

(250)368-7240 cell

From: Jennifer Kuhn [<mailto:jkuhn@rdkb.com>]
Sent: February-18-14 1:53 PM
To: Ali Grieve (aligrieve@telus.net); Linda Worley
Cc: Elaine Kumar
Subject: RDKB Area A/B Directors' Memorial Scholarship

Sorry, forgot to attach the attachment! Here you go!

Jennifer Kuhn,
 Clerk-Secretary
 Regional District of Kootenay Boundary
 202 - 843 Rossland Avenue, Trail, BC V1R 4S8
 Phone: 250-368-9148



Grant-in-Aid Request

Application to (please check where appropriate):

Electoral Area A Director Ali Grieve	<input checked="" type="checkbox"/> Electoral Area B Director Linda Worley	Electoral Area C Director Grace McGregor	Electoral Area D Director Irene Perepolkin	Electoral Area E Director Bill Baird
--	--	--	--	--

Applicant:	J. Lloyd Crowe		
Address:	1300 FRANCES MORAN Road. TRAIL BC V1R 4L9		
Phone:	250-368-5591	Fax: 250	364-1567
Email:			
Representative:	PAT Sidey		
Make cheque payable to:	J. Lloyd Crowe Scholarship 2014		

****GIA Requests of \$5,000.00 or more may require official receipt****

What is the Grant-in-Aid for:

A deserving student - IN MEMORY OF FALLEN FIREFIGHTERS

Amount Requested: \$500.00

Date: FEB 19/14

Signature: _____

Print name: PAT Sidey

SUBMIT

Office Use Only

Grant approved by Director: Linda Worley

Approved by Board: _____



Grant-in-Aid Request

Application to (please check where appropriate):

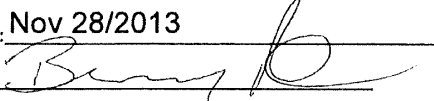
Electoral Area A Director Ali Grieve	<input checked="" type="checkbox"/>	Electoral Area B Director Linda Worley	<input type="checkbox"/>	Electoral Area C Director Grace McGregor	<input type="checkbox"/>	Electoral Area D Director Irene Perepolkin	<input type="checkbox"/>	Electoral Area E Director Bill Baird
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Applicant:	Special Olympics-Trail		
Address:	Box 34 Trail		
Phone:	250-367-6254	Fax:	
Email:	goddo@telus.net		
Representative:	Ben Postmus		
Make cheque payable to:	SOBC-Trail		

What is the Grant-in-Aid for:

Ongoing Special Olympics Programs in Trail. Serving Rossland/Patterson, Gennelle, Rivervale, Trail, Beaver Valley, Salmo

Amount Requested: 500.00

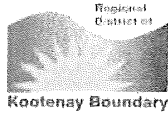
Date: Nov 28/2013
 Signature: 
 Print name: Ben Postmus

SUBMIT

Office Use Only

Grant approved by Director: 

Approved by Board: _____



Grant-in-Aid Request

Application to (please check where appropriate):

Electoral Area A Director Ali Grieve	<input checked="" type="checkbox"/> Electoral Area B Director Linda Worley	Electoral Area C Director Grace McGregor	Electoral Area D Director Irene Perepolkin	Electoral Area E Director Bill Baird
--	--	--	--	--

Applicant:	Kootenay Columbia Learning Centre		
Address:	2000 Third Ave Trail BC V1R 1R6		
Phone:	250-364-1275	Fax:	250 364-5743
Email:			
Representative:	Derk Zimmer		
Make cheque payable to:	Kootenay Columbia Learning Centre Graduation 2014		

****GIA Requests of \$5,000.00 or more may require official receipt****

What is the Grant-in-Aid for:

A deserving student to further their education.

Amount Requested: \$ 500.00

Date: FEB 19/14

Signature: _____

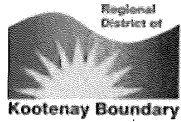
Print name: DERK ZIMMER

SUBMIT

Office Use Only

Grant approved by Director: _____

Approved by Board: _____



Grant-in-Aid Request

Application to (please check where appropriate):

<input type="checkbox"/>	Electoral Area A Director Ali Grieve	<input type="checkbox"/>	Electoral Area B Director Linda Worley	<input type="checkbox"/>	Electoral Area C Director Grace McGregor	<input checked="" type="checkbox"/>	Electoral Area D Director Irene Perepolkin	<input type="checkbox"/>	Electoral Area E Director Bill Baird
--------------------------	--	--------------------------	--	--------------------------	--	-------------------------------------	--	--------------------------	--

Applicant:	Grand Forks ATV Club		
Address:	Box 2020 Grand Forks BC VOV 1HO		
Phone:	250 442 7785	Fax:	
Email:	soren_zoren@msn.com		
Representative:	President		
Make cheque payable to:	Grand Forks ATV Club		

What is the Grant-in-Aid for:

To enable the Grand forks ATV Club to present-- to the many partners , a multi user trail system for the --Sand Creek -Stewart Creek- Moody Creek- recreation area.

Amount Requested: 1500\$

Date: Feb 14 2014

Signature: _____

Print name: _____

SUBMIT

Office Use Only

Grant approved by Director: approved by Director M^cGregor

Approved by Board: _____



Grant-in-Aid Request

Application to (please check where appropriate):

<input type="checkbox"/> Electoral Area A Director Ali Grieve	<input type="checkbox"/> Electoral Area B Director Linda Worley	<input type="checkbox"/> Electoral Area C Director Grace McGregor	<input checked="" type="checkbox"/> Electoral Area D Director Irene Perepolkin	<input type="checkbox"/> Electoral Area E Director Bill Baird
--	--	--	---	--

Applicant:	Boundary Horse Association & Boundary Motorcycle Club		
Address:	% 8640 North Fork Rd. Grand Forks V0H 1H2		
Phone:	250-442-2102 or 250-442-8085	Fax:	n/a
Email:	horse20@telus.net m.miller 304 shaw.ca		
Representative:	Wendy Price, BHA Mike Miller, BMA		
Make cheque payable to:	Boundary Horse Association		

What is the Grant-in-Aid for:

Joint Application

Security deposit & fees to renew licence of Occupation Nos. 403933 & 339062 being recreational lands held for Community Facility & Event purposes

Amount Requested: \$3,460.00 ^{represents} (\$1,730.00 per club)

Date: January 17, 2014

Signature: Wendy Price

Print name: Wendy Price

SUBMIT

Office Use Only

Grant approved by Director: _____

Approved by Board: _____

REGIONAL DISTRICT OF KOOTENAY BOUNDARY	
FILE #	JAN 22 2014
DOC #	.....
REF. TO:	E.K.
CC:	.....

Boundary Horse Association
8640 North Fork Road
Grand Forks, BC V0H 1H2

Boundary Motorcycle Club
P.O. Box 267
Grand Forks, BC V0H 1H0

January 17, 2014

Kootenay Boundary Regional District
202 – 843 Rossland Avenue
Trail, BC V1R 4S8

Attention: Alternate Director Roly Russell – Area D

RE: GRANT IN AID REQUEST TO RENEW CROWN LAND TENURE

- Licence No. 403933 – Community Facility and Community Event Purposes
- Licence No. 339062 – Roadway Purposes (access)

Dear Alternate Director Russell:

As you may be aware, historically, the **Boundary Horse Association** and the **Boundary Motorcycle Club**, as joint tenants, have held the above noted Licences of Occupation over approximately 36.81 hectares of Crown Land in Area D located at 8640 North Fork Road.

Since the expiration of the Licences, tenure on the subject lands has been extended on a month to month basis. Our respective Land Management Plans and joint application for renewal of the Licences have recently been approved by the Integrated Land Management Bureau (ILMB) retroactively, subject to terms and conditions, security deposits and fees as follows:

LICENCE	COMMENCEMENT	DURATION	SECURITY DEPOSIT	FEES
403933 - Community Facility & Events	March 15, 2010	30 years	\$2,000.00	\$224.00
339062 – Roadway (Access)	November 18, 2012	10 years	\$ 900.00	\$336.00
TOTAL - \$3,460.00				

The initial deadline for filing the executed documents and prescribed fees was February 9, 2014, however, the ILMB has graciously extended the **deadline** to **April 9, 2014** to provide the Clubs an opportunity to seek financial assistance. Accordingly, we enclose a joint application for a Grant in Aid and provide the following information for your consideration.

..../2

BHA & BMA – Grant in Aid Application
January 17, 2014
Page 2

Currently, our combined membership(s) consist of approximately 100 registered participants from Grand Forks, Greenwood, Christina Lake and the surrounding rural areas. The Clubs are dedicated to hosting fun, affordable events and activities for our members as well as visitors from other regions and neighbouring states. We provide an atmosphere of sportsmanship and camaraderie while participants gain practical skills and confidence in these athletic pursuits and competitions.

As registered non-profit societies, our Clubs operate through the efforts of our members, volunteers and the local business community. Operational and capital costs are paid for through membership fees, event / activity registration fees and sponsorships, with all funds allocated directly to cover actual costs associated with overhead, events, maintenance and improvements to the grounds and acquisition of equipment.

Your support will enable our continued stewardship of these important recreational lands and, in this regard, we respectfully request a **Grant in Aid in the amount of \$3,460.00**, to cover the cost of securing these Licences for the benefit of the community and the future enjoyment of generations to come.

We appreciate your consideration and invite you to contact the signatories should you require further information.

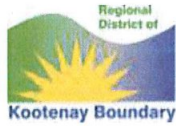
Yours truly,



Wendy Price
Boundary Horse Association
250-442-2102



Mike Miller
Boundary Motorcycle Club
250-442-8085



Grant-in-Aid Request

Application to (please check where appropriate):

<input checked="" type="checkbox"/>	Electoral Area A Director Ali Grieve	<input type="checkbox"/>	Electoral Area B Director Linda Worley	<input type="checkbox"/>	Electoral Area C Director Grace McGregor	<input type="checkbox"/>	Electoral Area D Director Irene Perepolkin	<input type="checkbox"/>	Electoral Area E Director Bill Baird
-------------------------------------	--	--------------------------	--	--------------------------	--	--------------------------	--	--------------------------	--

Applicant:	BVBS		
Address:	Box 873, Fruitvale, BC		
Phone:	250-367-2116	Fax:	
Email:	holly_gordon@telus.net		
Representative:	Holly Gordon		
Make cheque payable to:	BVBS		

What is the Grant-in-Aid for:

To help the BVBS with maintaining flower beds, improving the irrigation system for the hanging baskets along Main St., & labor to keep up our beds on Main & the Cemetery.
--

Amount Requested: \$2500

Date: Feb. 29, 2014

Signature: _____

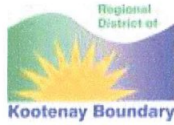
Print name: Holly Gordon

SUBMIT

Office Use Only

Grant approved by Director: approved by Director

Approved by Board: Grieve DK



Grant-in-Aid Request

REGIONAL DISTRICT OF
KOOTENAY BOUNDARY

FILE #

FEB 14 2014

REF. TO: E.K.

CC:

Application to (please check where appropriate):

<input type="checkbox"/> Electoral Area A Director Ali Grieve	<input type="checkbox"/> Electoral Area B Director Linda Worley	<input type="checkbox"/> Electoral Area C Director Grace McGregor	<input type="checkbox"/> Electoral Area D Director Irene Perepolkin	<input checked="" type="checkbox"/> Electoral Area E Director Bill Baird
---	---	---	---	--

Applicant:	Big White Fire Department Auxiliary		
Address:	Box 4500 4 Kelowna, BC V1P 1P3		
Phone:	250-491-3153	Fax:	
Email:	c.daley@telus.net		
Representative:	Shirley Daley / Barb Fritsch		
Make cheque payable to:	Big White Fire Department Auxiliary		

What is the Grant-in-Aid for:

New Fridge/Freezer Combo - for FD Auxiliary Kitchen
2 Chafing Dishes - Commercial Grade

Amount Requested: \$ 2500⁰⁰

Date: Feb 02 / 2014

Signature: L. Nicholl

Print name: L. Nicholl

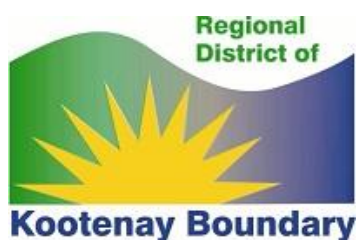
** We have sent an email copy of this.*

SUBMIT

Office Use Only

Grant approved by Director: approved by Director

Approved by Board: Baird

**STAFF REPORT**

Date: 18 Feb 2014 **File**
To: Chair McGregor and Directors,
 RDKB Board
From: John M. MacLean, CAO
Re: Proposed Boundary Extension - City of
 Trail

Issue Introduction

A staff report from John M. MacLean, CAO regarding the proposed boundary extension by the City of Trail into the Columbia Gardens/Waneta section of Electoral Area A.

History/Background Factors

The City of Trail has finalized their proposal for extending their boundaries into the Columbia Gardens/Waneta section of Electoral Area A. The proposal has been sent to the Ministry of Community, Sport and Cultural Development of the Province of British Columbia. The Province will now review the proposal.

Earlier, the writer informed the Board of the process that will be followed by the Province in evaluating the proposed boundary extension. Generally the situation is as follows:

- The City has forwarded the proposal to the Ministry for review, we have been provided a copy. The City has opened the door to answer questions on the proposal. Our role at this point is to represent the interests of the services we provide and the taxpayers that provide the required funding.
- Amongst the things that need to be dealt with prior to engaging in the discussions related to mitigation are:
 - The complexity of the taxation situation due to
 - The size of the assessment base in the proposed expansion area
 - The complexity of the taxation and ownership situation of the Waneta Dam including the grant-in lieu status
- The Teck/Trail Agreement, and the manner it will be implemented, if it can be.

- The conditional approval of Teck for the boundary expansion, which is based, at least in part, on the Teck/Trail Agreement and its implementation.
- The Ministry is considering, once it has received Trail's proposal, the issuance of a projected timeline to all parties.
- The Ministry's policy as to the impact on Regional District services is to work with the parties to understand concerns/issues/interests raised and address/mitigate them.

At this point we are early in the process and are waiting for the Province to do the review that they have to do. We would recommend the following course of action:

- That we acknowledge receipt of the proposal both to the City and the Province.
- That we acknowledge that the Province has to conduct a review of the proposal.
- That we indicate that we will stand ready to answer questions and comment on the proposed mitigation when asked to do so by the Province. Until then we will refrain from comment and allow the Province to do its work.
- That our lack of further comment at this time should not be interpreted as acceptance or agreement, as we do have concerns with the proposal. Again, we will share those concerns when asked to do so by the Province.

Implications

If the boundary extension proceeds there will be a reduction of assessment in Electoral Area A, and there will be a negative impact on any service that includes Electoral Area A, but does not include the City of Trail. The current proposal for mitigation addresses only the Beaver Valley Recreation and Weed Control Services.

Advancement of Strategic Planning Goals

Not applicable.

Background Information Provided

City of Trail correspondence and boundary extension proposal.

Alternatives

1. Receipt
2. Deferral
3. Receipt and a letter of acknowledgment.

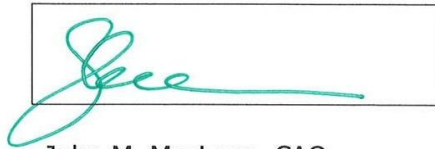
Recommendation(s)

That the staff report from John M. MacLean, CAO regarding the proposed boundary extension by the City of Trail into the Columbia Gardens/Waneta section of Electoral Area A be received.

That a letter be sent to the Province and the City of Trail containing the following elements:

- That we acknowledge that the Province has to conduct a review of the proposal.
- That we indicate that we will stand ready to answer questions and comment on the proposed mitigation when asked to do so by the Province. Until then we will refrain from comment and allow the Province to do its work.
- That our lack of further comment at this time should not be interpreted as acceptance or agreement, as we do have concerns with the proposal. Again, we will share those concerns when asked to do so by the Province.

Respectfully submitted,



John M. MacLean, CAO



City of Trail

Office of the Mayor

REGIONAL DISTRICT OF
KOOTENAY BOUNDARY

FILE #

FEB 17 2014

DOC #

REF. TO:

CC:

J. L.
S. MacLean

February 14, 2014

Regional District of Kootenay Boundary
Attention: John MacLean, Chief Administrative Officer
202 - 843 Rossland Avenue
Trail, BC V1R 4S8

Dear Mr. MacLean:

RE: BOUNDARY EXTENSION - ELECTORAL AREA 'A' (COLUMBIA GARDENS)

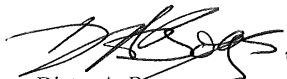
I am writing on behalf of Trail City Council to advise that the City has submitted the comprehensive boundary extension proposal to extend the City's municipal boundaries into the Columbia Gardens area of Electoral Area 'A' to the Ministry of Community, Sport and Cultural Development for review and approval.

Please find enclosed the detailed proposal that was submitted to the Ministry, including the City's communications with landowners, associated referrals and proposal for mitigation, endorsed by Trail City Council at the Regular Council Meeting held February 11, 2014.

As outlined within the proposal, the City's approach for mitigation would be to provide annual compensation to the Beaver Valley Parks, Recreation and Trails Service to offset the net revenue loss to the service. The formula for calculating the annual contribution is detailed in the proposal.

We will now await the Ministry's review and comments. If in the interim you or the RDKB's elected officials have any questions with respect to the proposal, please contact me or the City's Chief Administrative Officer, David Perehudoff.

Sincerely,


Dieter A. Bogs
Mayor

encl.

Explore your
TRAIL

City Hall ♦ 1394 Pine Avenue, Trail, BC, Canada V1R 4E6 ♦ Telephone: (250) 364-1262 ♦ Fax: (250) 364-0830
Public Works ♦ Telephone: (250) 364-0840 ♦ Fax: (250) 364-0831
www.trail.ca ♦ eMail: info@trail.ca

Boundary Extension – Columbia Gardens (Area A)



CITY OF TRAIL
www.trail.ca
January 31, 2014

Introduction

The purpose of this Report is to advance the City of Trail's Boundary Extension Proposal as it pertains to the City extending its corporate boundary to the international border.

The City of Trail has been actively exploring this opportunity for a number of years. In 2004 the City was involved in discussions to advance the boundary extension and this did not advance due to legislative constraints associated with conditions that Teck Metal's Ltd. wanted included in the Supplementary Letters Patent (SLP).

Since the initial proposal did not advance there have been ongoing discussions associated with local governance restructuring in Greater Trail. This included an initiative advanced by the Beaver Valley Communities that would consider the implications of Beaver Valley amalgamating with Trail. This initiative was not brought to a conclusion but indicated a willingness and understanding from Beaver Valley that some sort of restructuring was appropriate.

In August 2011 the City received a letter from the Waneta Industrial Property Owners Association asking that the City once again look at the implications of extending its boundary to take in the Columbia Gardens Area. The City agreed to proceed and retained Urban Systems to develop a Boundary Extension Report. Urban Systems worked with a Steering Committee, consisting of City representatives, property owners from Columbia Gardens as well as representation from the Regional District. Urban Systems issued their report in May 2012.

The Report at that time was generally favourable in the context of proceeding and further consultation was done with the impacted property owners. Following a meeting on May 29, 2012 with the Waneta Industrial Owners Group a number of property owners from the impacted area provided feedback indicating that they supported proceeding further with boundary extension work.

The City also met with Teck Metals Ltd. who indicated they were willing to proceed with the boundary extension and introduced specific conditions associated with proceeding. The City and Teck discussed the issue for a number of months and negotiated a Partnering Agreement that dealt with Teck's consent to proceed with the boundary extension being done in conjunction with both parties executing the Partnering Agreement. In addition, Teck advanced conditions that they wanted to see included in the SLP document. Their main concern here was to ensure that their assets could not be hindered and negatively impact their business enterprise in the future.

The Partnering Agreement was felt to be important in that it provides Teck with property tax assurance in the proposed boundary extension area and also gives them property tax certainty on the Smelter property in Trail. Given the interrelationship between the assets owned in both jurisdictions, it was felt that this linkage was necessary. In response, Teck agreed to provide the City with other economic incentives and the effective development of a public-private partnership to further economic development and prosperity in the area.

January 31, 2014

Boundary Extension – Columbia Gardens (Area A) 2

The Partnering Agreement was finalized in 2013. Given that the first Urban Systems Report was based on 2011 assessment data, it was felt to be important to get the most current financial information available if the City was going to respond to issues raised by Beaver Valley with respect to mitigation. The City had a second study completed where all the financial numbers were updated and this report was completed in August of 2013.

With this information in hand, Council passed a motion to proceed with a formal referral process in August of 2013. Referral notices advising all impacted property owners and associated agencies of the Council's advancement of the process was undertaken. Property owners were given 30 days to respond and all matters were received and responded to if required.

On November 29th, 2013 the City of Trail received a response from the Regional District of Kootenay Boundary. This response was centered around the financial implications of the City proceeding and in particular the need to provide mitigation for the various regional services that would be impacted.

This report is the City's comprehensive response to the boundary extension and should Council chose to proceed based on the information now available a motion should be passed and the report will then be forwarded to the Ministry of Community, Sport and Cultural Development.

January 31, 2014

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Mitigation Response..... 11

January 31, 2014

Boundary Extension – Columbia Gardens (Area A) 4

Rationale

In 2000 the City of Trail extended its southern boundary to take in an area referred to as Waneta Junction. The City received a petition from the property owners in this area to extend its boundaries and to deal with a significantly deficient privately run water system. The boundary extension proceeded and a new water distribution system was constructed, providing a new reliable water system to the area. The City provided property owners in the area with the opportunity to connect to the City's existing source of supply without direct charge. The City also extended sewer services and made other infrastructure improvements into part of the area and with this resulted in some \$10 million in commercial investment, the generation of ongoing property tax revenue, the creation of jobs and additional commercial traffic to the City with the construction of a large Wal-Mart store as well as Canadian Tire.

The current proposal suggests now that the City's southern boundary be further extended down the valley all the way through to the International Border. Rationale for the current boundary extension is noted below with the hopes that the City would eventually see further development as a result; consistent with what was experienced following the first boundary extension:

Boundary Extension Rationale

Reason	Description
Responds to the request of the Waneta Industrial property owners' group.	The City received a petition to study the implications of extending its boundary in August 2011. Following the study process general support to proceed was received in May 2012.
Responds to the Major Industrial property owner.	Teck Metals Ltd. is the majority landowner in the expansion area and they are in favour of proceeding. The boundary extension will ensure all of their assets related to their industrial operation are in one governing jurisdiction. Dealing with one government where regulations are consistent is felt to be a benefit. Also, the City deals with other impacts from the industrial operation (i.e. contaminated sites) such that having all properties in one jurisdiction would be an advantage.
Results in a positive economic partnership between local government and industry.	The Partnering Agreement between the City and Teck that that will be entered into at the same time as the boundary extension occurs provides Teck with property tax certainty and the City with revenue assurances going forward. The Agreement provides the City with other economic gains as well as develops a formal structure where the City and private sector will formally work together to seek out

January 31, 2014

Boundary Extension – Columbia Gardens (Area A) 5

Enhancement of servicing and funding capacity in a municipal jurisdiction.

economic development opportunities for land within the boundary extension area and throughout the Greater Trail area.

The proposed extension is in an unincorporated area and in this respect the regional district's capacity to make infrastructure improvements that may be needed to support current¹ and future development is limited. The City has considerably greater flexibility and capacity to deal with infrastructure improvements as well as the provision of services and can spread costs to a considerably larger tax base or use a specified area approach.

The Trail Regional Airport is within the proposed extension area.

The City of Trail has acquired the Trail Regional Airport from the Regional District. The land mass has development potential and ideally would fall within the governance of the City to deal directly with development and planning issues that may occur as part of the City attempting to develop the land further.

The Partnering Agreement also requires Teck to transfer capital moneys to the City. Current plan is to reinvest a portion of this capital back into the airport for the benefit of the entire region.

Provides light industrial land for economic growth and prosperity for the entire Greater Trail Region.

There are lands in the area that can be developed and the City would attempt to be more aggressive in marketing lands. In addition the Economic Development Commission that would be formed as part of the Partnering Agreement would be focused on this initiative. The City is felt to be in a position to be more responsive and able to deal with proposals that may be advanced.

The City will deal proactively with planning issues through the development of an OCP and zoning bylaw for the area.

Issues regarding planning and zoning have come forward as a concerns advanced by existing property owners. Lands are currently in a development permit area and can result in further challenges for potential developers. The City

¹ As a case in point, the RDKB facilitated water infrastructure improvements in the area. Due to the small number of properties impacted, user rates had to be increased significantly. In 2013 the RDKB decided to offset costs through the provision of a grant. The issue of spreading specified costs to the entire regional district is not felt to be appropriate and whether or not this continues will be the subject of debate for the 2014 Budget.

January 31, 2014

Boundary Extension – Columbia Gardens (Area A) 6

Access to significant property tax base.

would plan to review the requirements and make practical amendments to ensure development is responsibly allowed to occur with less bureaucratic intervention.

The current utility and industrial assessments in the area are significant. In an unincorporated area, property taxes are transferred to the Provincial authority. The result is a loss to the area and tax revenues should rightly remain in the area to provide services and to enhance the potential for further development.

The supporting rationale demonstrates that the boundary extension proposal has merit and in this regard it is suggested that the process should be allowed to advance. The expansion of the area will result in positive gains for the Greater Trail area.

January 31, 2014

Boundary Extension – Columbia Gardens (Area A) 7

Results from Referral Process

In response to the City's referral process initiated in August 2013, the following summarizes responses received:

Respondent	Issue	City Response
Trustee of Waneta Cemetery (Verbal)	Questioned the inclusion of cemetery lands in the expansion area.	Letter dated September 9 th 2013 explaining contiguous property lines.
KC Recycling Ltd.- Letter dated August 30, 2013	Original supporter now expressing concern indicating the company is not in favour of proceeding.	Letter dated September 24 th , 2013 providing clarification to points raised given this company was initially a strong supporter of the extension.
Fortis BC – Letter dated September 13, 2013	Indifferent to taxing authority other than wanting property tax protection.	Supplementary Letters Patent (SLP) would provide protection for Class 2 and Class 4 properties.
Waneta Expansion Limited Partnership – Letter dated September 18, 2013	Indifferent to taxing authority other than wanting property tax protection.	SLP would provide necessary protection as noted above.
Agricultural Land Commission – Letter dated September 26 th , 2013.	No objection to proposed extension.	None required.
Canada Border Services Agency – Email dated September 30 th , 2013.	No issues or concerns with proposed extension.	None required.
Village of Montrose – Letter dated October 1, 2013	Expressing opposition to proposed extension.	None required.
Village of Fruitvale – Letter dated October 1, 2013	Expressing opposition to proposed extension.	None required.
Teresa Iorio – Email dated October 5, 2013	Indicating she does not agree with extension.	Email response October 8, 2013 regarding process.

January 31, 2014

Boundary Extension – Columbia Gardens (Area A) 8

Respondent	Issue	City Response
BC Hydro – Letter dated October 10 th , 2013	No concerns noted.	None required.
Village of Montrose – Letter dated October 9 th , 2013.	Concerns regarding aquifer protection.	Letter dated October 15 th , 2013 advising City will uphold protection measures being implemented by the regional district.

January 31, 2014

Boundary Extension – Columbia Gardens (Area A) 9

First Nations Referral

One letter was received from the Shuswap Indian Band indicating concern with protection of significant historical and archaeological sites.

The City responded via email dated September 13th, 2013 that these areas would be noted and protected. They are located such that development conflicts would not be an issue. Further, an offered to meet was extended on two occasions but no response was received.

The City also consulted with the Regional District of Kootenay Boundary who indicated they had never been made aware of any concern in this regard. The City's expansion would therefore ensure these lands were properly protected. Further, the City has an active Historical Society that would work with the Band as required to recognize and protect the lands.

January 31, 2014

Supplementary Letters Patent – Teck Metals Ltd.

In order to deal with some long range business concerns and potential risks that Teck Metals identified with respect to the boundary extension, Teck has advanced terms and conditions that they would like to see included in the Supplementary Letters Patent to provide protection they are seeking.

Trail City Council has reviewed the proposed conditions and does not object to the inclusion in the SLP or the utilization of some other instrument that would effectively address these concerns. While the issues raised are similar to those advanced in 2004 when the boundary extension was being discussed, Council believes that the City is not giving up any specific authority that would cause future harm to the municipality. In this regard it is understood what the issues are and the need for them to be appropriately addressed.

This matter is currently being discussed and Teck representatives have met with Ministry officials on January 28th, 2014 to further review the issues. Teck and the Ministry are confident that a solution to the concerns raised can be found such that it will not provide an impediment to proceeding with the boundary extension.

January 31, 2014

|||

Mitigation Response

One of the primary concerns being raised by elected officials in Beaver Valley stems from the loss of revenue flowing through to various services provided by the Regional District of Kootenay Boundary. Revenue will be lost given that the City of Trail is not a participant in the services.

The following provides a summary of the services that were identified by Urban Systems that would be impacted should the boundary extension proceed.

Regional Service Impact

Service	Revenue Shortfall
Beaver Valley Recreation	\$472,385
Electoral Area Administration	\$19,068
Grants in Aid	\$18,649
House Numbering	\$1,642
Noxious Weeds	23,088
Total Revenue Shortfall <i>(all services)</i>	\$534,832

The Regional District in their submission contends that mitigation should involve compensation for services beyond what was identified in the Urban Systems Report, and also include revenues lost to General Administration as a result of the loss of the Grant in Lieu provided for the Waneta Dam. In the RDKB submission they quantify this amount to an additional \$94,812.

In accordance with the Ministry's policy as noted in the "Municipal Boundary Extension Process Guide", region-wide services such as grants in aid, electoral area administration or regulatory services where the service area consists of one or more elector areas will generally not be considered for mitigation measures.

Based on the Ministry's guideline, the City's approach to mitigation would be to address the Beaver Valley Recreation Service and the revenue shortfall of \$472,385. It is noted that a decision by Beaver Valley Recreation to remove itself from a recreation funding agreement with Trail will result in costs being reduced by \$207,000. While Beaver Valley committed to a reimbursement program, it is suggested that the net shortfall should be lower in 2014 as a result of this decision.

Urban Systems in their City of Trail – Area A (Columbia Gardens) Boundary Extension Update (2013) advanced a number of scenarios to share tax revenue to offset regional revenue losses as a result of the boundary extension. In recognition of the scenarios advanced and as noted above, the City's proposal will look to provide revenue to offset the loss to the Beaver Valley Parks and Recreation Service. It is suggested that the other services would not receive mitigation by virtue of the Ministry's policy. Some of the impacted services should be reduced

January 31, 2014

Boundary Extension – Columbia Gardens (Area A) 12

in scope (i.e. weed control) with the City taking over responsibility for the boundary expansion lands such that mitigation should not be required.

The City must view the boundary extension in context with respect to the net financial impacts and the risks being taken pertaining to the boundary extension and becoming responsible for all related service issues. In this respect, it is suggested that the Partnering Agreement is also considered based on the overall reduction of property tax revenue and the resulting reduction in major industry's net share of the municipal property tax revenue paid from 61.5% to 55%. One of the underlying objectives in dealing with major industry was to consider a comprehensive solution recognizing that all of the assets would now come under Trail's jurisdiction and are related to industrial production that occurs at the Smelter in Trail.

The City's proposal therefore considers the issue comprehensively and attempts to provide a mitigation response that is fair and reasonable when all circumstances are considered and is also consistent with the Ministry Guideline. In the absence of a reasonable level of mitigation from the City's perspective, the net revenue gain could be such that it would not be in the City's interest to proceed when considering the overall costs to the City, including the cost of the Partnering Agreement. In order to achieve a fair level of compensation and to be consistent moving forward, a formula based approach has been developed.

City Proposal

The following proposal is suggested to provide financial mitigation to the Beaver Valley Recreation Service:

1. Mitigation is to be provided to the service for as long as it is runs and remains in existence. If the service is wound up then mitigation will no longer be provided the Ministry will provide direction regarding the distribution of funds to the communities in Beaver Valley.
2. Mitigation is to be provided to the Regional District of Kootenay Boundary and revenue will be credited to the Regional Parks & Trails – Beaver Valley service to the benefit of the participating members in the service.
3. Should a member to the service withdraw but the service remains in existence, mitigation to the service will be reduced based on the proportionate share of the total property tax requisition that the member provides to the service. For 2013 the percentages are as follows: Montrose 11.60%²; Fruitvale 21.45%; Area A 66.95%.

² Further to the above, if Montrose withdrew, the contribution would be reduced by \$55,120 (\$475,177x11.60%) and moneys could be paid to Montrose directly.

January 31, 2014

Boundary Extension – Columbia Gardens (Area A) 13

4. Annual mitigation to the entire service shall be provided to offset the net revenue loss to the service based on the provision of 38.02%³ of the total net property tax levy required to run the service 2013. This would amount therefore be \$475,177 (\$1,249,809x38.02%).
5. The maximum amount payable will be based on the requisition limit currently established for the service at \$1.4 million. The City's maximum contribution is therefore capped at \$532,280 (\$1,400,000x38.02%).

³ Percentage is calculated by taking the total converted assessment loss of the boundary extension in Area A at 56.79% and multiplying this by the total current percentage contributed to the service by Area A at 66.95% (56.79%x66.95%=38.02%).

January 31, 2014

BOUNDARY EXTENSION

Columbia Gardens (Area A)

Property Owners Request / Petitions of Support

CITY OF TRAIL
www.trail.ca
January 31, 2014



August 16, 2011

**The Corporation of the City of Trail
1394 Pine Avenue
Trail, BC
V1R 4E6**

Attn: Mr. David Perehudoff, CAO

Re: Request for the formal evaluation of municipal boundary extension

Dear Mr. Perehudoff,

On Behalf of the property owners, listed below of the Columbia Gardens Industrial Park, located in the Regional District of Kootenay Boundary Electoral Area A, we hereby request to enter into discussions and perform a formal evaluation regarding the inclusion of the industrial park and surrounding areas into the City of Trail municipal boundaries.

Additionally we request that a joint evaluation committee, consisting of equitable representation (no more than 10 and no less than six people) be formed between the property owners and the City to either update the 2004 Urban Systems report titled City of Trail Boundary Extension Study, or to undertake a new study to determine if boundary extension is both economical and operationally feasible for all parties.

Attached please find a map of the proposed boundary extension area labeled "Columbia Gardens Industrial Park", which includes the airport and surrounding industrial properties. The area extends south to the international border, and includes the Waneta Dam as part of the boundary extension area.

Kind Regards,

**Kathy Bruce, President
Waneta Industrial Property Owners Association
Phone: 250-367-9882 x110**

**cc. Dieter Bogs, Mayor – City of Trail
Ali Grieve, RDKB Director - Electoral Area A
John McLean, CAO Regional District of Kootenay Boundary
Province of British Columbia, Ministry of Community and Rural
Development –Local Government Structure Branch**

[illegible]

6440-01

City of Trail – Area A (Columbia Gardens)
Boundary Extension Study
 Property Owners Meeting – May 29, 2012- Feedback Form

Thank you for attending the Property Owners information meeting on the City of Trail – Area A (Columbia Gardens) Boundary Extension Study. After considering the background information, the presentation, and the Panels, what are your thoughts on the potential boundary extension?

Before proceeding, more steps would be required including: referrals to agencies, a formal proposal to the Province, Provincial review, electoral approval, Provincial approval, and finally implementation of the boundary extension.

1. Do you think it is worthwhile to proceed with some additional work towards a potential boundary extension? (We are not asking if you are in favour or against a boundary extension at this time, we only want to know if you think it is worthwhile to proceed with more work on the proposal).

- ☒ Yes, I think it is worthwhile to proceed with some additional work on a boundary extension proposal.
- ☐ No, I do not think it is worthwhile to proceed with some additional work on a boundary extension proposal.
- ☐ I'm not sure.

2. Please provide any further comments you may have on the Boundary Extension Study:

3. Owner and property information

Name: Kathy Broce for Toxco Waste Management

Property address or legal description: 9384 Hwy 22A, Trail, BC
PID 013-034-626

Property Number on 'Before and After' map: 10

Please drop off at end of meeting. Or return to City of Trail, 1394 Pine Avenue, Trail, BC, V1R 4E6,
 Attention: David Perehudoff, CAO, or email: DPerehudoff@trail.ca, by June 4, 2012.

David Perehudoff

From: Kathy Bruce [kbruce@toxco.com]
Sent: Thursday, May 31, 2012 3:12 PM
To: David Perehudoff
Subject: FW: Revised panel showing impacts on each property

David

Just in case you do not get a completed form from 5N's.

Kathy

Kathy Bruce
 Vice President
 Toxco Waste Management Ltd.
 250-367-9882 (x110)
kbruce@toxco.com

From: Patrick Hinds [mailto:pat.hinds@5nplus.com]
Sent: Monday, May 28, 2012 6:37 PM
To: Kathy Bruce
Subject: RE: Revised panel showing impacts on each property

Kathy,

We are interested in joining the City of Trail.

Best regards,

Pat

Patrick Hinds, CMA | Operations Manager & Controller
 5N Plus Trail Inc.
 9200 Industrial Rd, Trail, BC, V1R 4X7
 T 250-367-3802
 C 250-231-2514
 F 250-367-3810

From: Kathy Bruce [mailto:kbruce@toxco.com]
Sent: May-28-12 11:06 AM
To: Patrick Hinds
Subject: RE: Revised panel showing impacts on each property

Pat

Do you have an opinion on whether 5N's is interested in joining the city of Trail or not?

Kathy

Kathy Bruce

City of Trail – Area A (Columbia Gardens)
Boundary Extension Study
 Property Owners Meeting - May 29, 2012- Feedback Form

Thank you for attending the Property Owners information meeting on the City of Trail – Area A (Columbia Gardens) Boundary Extension Study. After considering the background information, the presentation, and the Panels, what are your thoughts on the potential boundary extension?

Before proceeding, more steps would be required including: referrals to agencies, a formal proposal to the Province, Provincial review, electoral approval, Provincial approval, and finally implementation of the boundary extension.

1. Do you think it is worthwhile to proceed with some additional work towards a potential boundary extension? (We are not asking if you are in favour or against a boundary extension at this time, we only want to know if you think it is worthwhile to proceed with more work on the proposal).

- ☒ Yes, I think it is worthwhile to proceed with some additional work on a boundary extension proposal.
- ☐ No, I do not think it is worthwhile to proceed with some additional work on a boundary extension proposal.
- ☐ I'm not sure.

2. Please provide any further comments you may have on the Boundary Extension Study:

I WOULD LIKE TO SEE THE STUDY
INVESTIGATE THE OFFICIAL OPINION OF
TECK METALS ON WHETHER OR NOT THEY ARE
WILLING TO MOVE IN FAVOUR OF BOUNDARY
EXTENSION.

3. Owner and property information

Name: PETER RAYLEY - KC RECYCLING
 Property address or legal description: 935D - HWY 22A -
LOT: 1 PL NEP87880 DL: Z05A & DL Z05B
 Property Number on 'Before and After' map: 20

Please drop off at end of meeting. Or return to City of Trail, 1394 Pine Avenue, Trail, BC, V1R 4E6,
 Attention: David Perehudoff, CAO, or email: DPerehudoff@trail.ca, by June 4, 2012.



City of Trail
 1394 Pine Avenue
 Trail, BC V1R 4E6
 ATTN: David Perehudoff, CAO

June 8, 2012

RE: Boundary Extension Study

Dear David:

ATCO Wood Products was recently invited to comment on the *City of Trail – Area A (Columbia Gardens) Boundary Extension Study* following the Columbia Gardens Industrial Property Owners Meeting on May 29th, 2012. We appreciate the opportunity to provide our comments on this important topic.

ATCO Wood Products is in a unique position to provide comments on the Boundary Extension Study as we represent the only industrial zoned parcels within RDKB Area A that are not included in the proposed boundary extension area. In addition a large percentage of our approximately 100 direct and indirect employees live in region that is affected by the proposed boundary extension.

Municipal and regional district boundary changes have far reaching and long lasting effects (both positive and negative), that often extend beyond the residents and businesses directly impacted by the changing boundary. Such boundary changes must be examined from the perspective of this larger regional impact, and justified based on the net positive implications for the region as a whole. More specifically, boundary alterations should proceed only if they result in:

- an improved quality of life for regional residents,
- an improved regional business & investment climate
- an improved delivery of government services,
- a more efficient & competitive taxation structure, or
- an improved cohesiveness amongst the residents, businesses, and governments within the region.

While the study and conversation around the proposed Columbia Gardens Boundary Extension have contemplated some of the implications to the affected areas, they have fallen short of identifying how this expansion will result in a net benefit to the residents and businesses of the region.

More specifically, the businesses and residents of Area A are significantly and negatively impacted by the proposed changes. Potential loss of services or

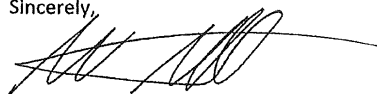


P.O. Box 460 Fruitvale, BC V0G 1L0
 Main Office: P 250 / 367.9441 F 250/367.6210
 Forestry Office: P 250 / 367.7771 F 250/367.7746

increased taxation (or a combination of both), represent an untenable reality that would result for RDKB Area A should the Boundary Expansion become reality. Proceeding with the Columbia Gardens Boundary Extension as discussed in the study trades benefits for some of the regional businesses and residents, while creating drawbacks for others. Furthermore the study has not identified how this expansion would result in any regional net benefit in line with the principles identified above. For this reason, we believe that the Columbia Gardens Boundary Extension should not proceed.

We strongly support efforts to strengthen the region, and believe boundary changes and amalgamations are tools that can help achieve this goal. History has shown however that, locally, these tools are difficult to use, with benefits that are elusive. There are indeed aspects of the proposed Columbia Gardens Boundary Extension that would improve the quality of life and the economic climate of the region. However, we believe a different solution to realizing these benefits needs to be found, so winners and losers are not created in the process.

Sincerely,



Scott Weatherford
Chief Executive Officer
ATCO Wood Products Ltd.

Cc: Kathy Bruce – Vice President, Toxco Waste Management Ltd.
Ali Grieve – Area A Director, Regional District Kootenay Boundary
Columbia Gardens/Waneta Industrial User Group

06/04/2012 06:14

2503688343

BRYANS TRANSFER LTD

PAGE 01

Fax 250-364-0830

City of Trail – Area A (Columbia Gardens)
Boundary Extension Study
 Property Owners Meeting - May 29, 2012- Feedback Form

Thank you for attending the Property Owners information meeting on the City of Trail – Area A (Columbia Gardens) Boundary Extension Study. After considering the background information, the presentation, and the Panels, what are your thoughts on the potential boundary extension?

Before proceeding, more steps would be required including: referrals to agencies, a formal proposal to the Province, Provincial review, electoral approval, Provincial approval, and finally implementation of the boundary extension.

1. Do you think it is worthwhile to proceed with some additional work towards a potential boundary extension? (We are not asking if you are in favour or against a boundary extension at this time, we only want to know if you think it is worthwhile to proceed with more work on the proposal).

- ☒ Yes, I think it is worthwhile to proceed with some additional work on a boundary extension proposal.
- ☐ No, I do not think it is worthwhile to proceed with some additional work on a boundary extension proposal.
- ☐ I'm not sure.

2. Please provide any further comments you may have on the Boundary Extension Study:

We are more than interested in the boundary expansion
The sooner the better.

3. Owner and property information

Name: Bryan's Transfer Ltd.

Property address or legal description: Lot 38 + 4B Pbn 800 DL 205A, Sec 120129
KLD

Property Number on 'Before and After' map: 60 + 38

Please drop off at end of meeting. Or return to City of Trail, 1394 Pine Avenue, Trail, BC, V1R 4E6,
 Attention: David Perehudoff, CAO, or email: DPerehudoff@trail.ca, by June 4, 2012.

City of Trail – Area A (Columbia Gardens)
Boundary Extension Study
 Property Owners Meeting - May 29, 2012- Feedback Form

Thank you for attending the Property Owners information meeting on the City of Trail – Area A (Columbia Gardens) Boundary Extension Study. After considering the background information, the presentation, and the Panels, what are your thoughts on the potential boundary extension?

Before proceeding, more steps would be required including: referrals to agencies, a formal proposal to the Province, Provincial review, electoral approval, Provincial approval, and finally implementation of the boundary extension.

1. Do you think it is worthwhile to proceed with some additional work towards a potential boundary extension? (We are not asking if you are in favour or against a boundary extension at this time, we only want to know if you think it is worthwhile to proceed with more work on the proposal).

- ☐ Yes, I think it is worthwhile to proceed with some additional work on a boundary extension proposal.
- ☐ No, I do not think it is worthwhile to proceed with some additional work on a boundary extension proposal.
- ☒ I'm not sure.

2. Please provide any further comments you may have on the Boundary Extension Study:

3. Owner and property information

Name: Carol Forsythe - Waneke Auto Recyclers

Property address or legal description: 9310 Crown Rd

Property Number on 'Before and After' map: 21, 16?, 23

Please drop off at end of meeting. Or return to City of Trail, 1394 Pine Avenue, Trail, BC, V1R 4E6, Attention: David Perehudoff, CAO, or email: DPerehudoff@trail.ca, by June 4, 2012.

BOUNDARY EXTENSION
Columbia Gardens (Area A)

Council Resolution 271-13

CITY OF TRAIL
www.trail.ca
January 31, 2014



City of Trail

RESOLUTION NO. 271-13

Moved: Councillor Jolly
Sec'd: Councillor Gattafoni Robinson

Be It Resolved That:

1. The City of Trail wishes to consider a boundary extension proposal (the "Proposal") for the area identified in the Urban Systems Report entitled "City of Trail- Area A (Columbia Gardens) Boundary Extension Study" dated May 11, 2012.
2. The Chief Administrative Officer and/ or his designate are directed to develop further details of the Proposal, including the following:
 - a. A rationale for the Proposal, including land use implications;
 - b. A map to scale showing the precise location of the proposed boundary, based on the technical criteria prescribed by the Province, noting the Proposal shall include:
 - i. Blocks of property continuously adjacent (contiguous) to the current City boundary;
 - ii. Complete parcels as described on the land title certificate (i.e. the proposed boundary must not divide legal parcels);
 - iii. Roads and rights-of-way adjacent to the proposed extension area that provide access from the municipality to the proposed extension area; and
 - iv. A list of parcels and owners located in the area of the Proposal;
 - c. The identity of the affected regional district and the affected electoral area;
 - d. Draft Council referrals to the regional district, any improvement districts, the ALC and the ILMB, including correspondence and a record of issues identified and resolved or unresolved;
 - e. Draft Council referrals to First Nations;
 - f. Identification of specific conditions related to implementation and other relevant background information; and
 - g. Update of the Urban Systems Report dated May 11, 2012 and entitled "City of Trail- Area A (Columbia Gardens) Boundary Extension Study," to comply with all provincial requirements for a boundary extension study.



City Hall ♦ 1394 Pine Avenue, Trail, BC, Canada V1R 4E6 ♦ Telephone: (250) 364-1262 ♦ Fax: (250) 364-0830
Public Works ♦ Telephone: (250) 364-0840 ♦ Fax: (250) 364-0831
www.trail.ca ♦ eMail: info@trail.ca

3. The Chief Administrative Officer is directed to refer the draft Proposal back to Council as soon as practical for review, comment and approval.
4. After Council approves the Proposal, Council will refer the Proposal to the following parties for comment, to respond in writing to the City within one month of the date the referrals are sent:
 - a. property owners within the proposed boundary extension area to obtain their opinion;
 - b. the regional district;
 - c. improvement districts that overlap with the proposed municipal boundary extension area;
 - d. the Agricultural Land Commission;
 - e. the Integrated Land Management Bureau (ILMB);
 - f. First Nations whose traditional territory includes the proposed municipal boundary extension area;
5. Through this referral process, the City will identify and resolve concerns with the proposed municipal boundary extension before the City submits the Proposal to the Province, and include a report on the disposition of concerns in a final draft of the Proposal.
6. On completion of the referral process, Council will deliver to the Province:
 - a. A certified copy of this Resolution;
 - b. The Proposal;
 - c. Copies of communications with, and the opinions of, owners and other interested parties within the area of the proposed municipal boundary extension; and
 - d. Results of referrals to the regional district, improvement districts, ALC and ILMB, including correspondence and a record of issues identified and resolved or unresolved; and
7. In order to facilitate approval of the boundary extension, Council will appoint a delegation to meet with the Minister responsible for taking the proposed boundary extension forward to the Lieutenant Governor in Council.
8. In regard to each consideration of referrals and comment of interested persons and entities, the members of Council acknowledge that they have an open mind and are amenable to persuasion.

Voting on the motion:
 Councillor DeRosa opposed.
 The motion was carried.

I hereby certify this to be a true copy
 of the Resolution adopted by Trail City
 Council on May 27, 2013.



Michelle McIsaac
 Corporate Administrator

BOUNDARY EXTENSION
Columbia Gardens (Area A)

Regional District of Kootenay Boundary Response

CITY OF TRAIL
www.trail.ca
January 31, 2014



November 29, 2013

The City of Trail
1394 Pine Avenue
Trail, BC V1R 4E6

Attn: David Perehudoff, CAO

Dear David:

RE: PROPOSED BOUNDARY EXTENSION (COLUMBIA GARDENS)

Thank you for opportunity to respond to the report prepared by Urban Systems for the City, and for the patience you have shown in allowing us the time to prepare a response given our current circumstances.

We have attached a copy of a report, prepared by Barry McLean that outlines some of our concerns with the report and the current proposals for mitigation of impacts on Regional District services.

Our response is as follows:

- We do not accept that there are services that mitigation is not required. No taxpayer in the Regional District should face a tax increase or service decrease due to the interest of the City of Trail in extending its boundaries.
- The services that are impacted are:
 - Beaver Valley – Parks and Trail
 - Beaver Valley Area
 - Beaver Valley Recreation Commission
 - Planning and Development
 - Electoral Area Administration
 - Electoral Area Grant-in-Aid
 - Noxious Weeds
 - House Numbering
 - Building Inspection
 - Animal Control East End
- Any mitigation must be enshrined in the Supplementary Letters Patent.

202 – 843 Rossland Ave Trail, British Columbia Canada V1R 4S8
toll-free: 1 800 355-7352 • tel: 250 368-9140 • fax: 250 368-3990
email: admin@rdkb.com • web: www.rdkb.com

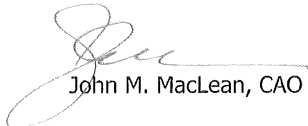


- Any mitigation must account for the needs of the service now and in the future.

We recognize that the City of Trail is interested in moving forward as soon as possible. We wish to advise you that the Regional District will enter into discussions around mitigation once we are assured that a large majority of the property owners in the proposed expansion area have expressed, formally, that they wish to become part of the City of Trail.

We look forward to hearing from you.

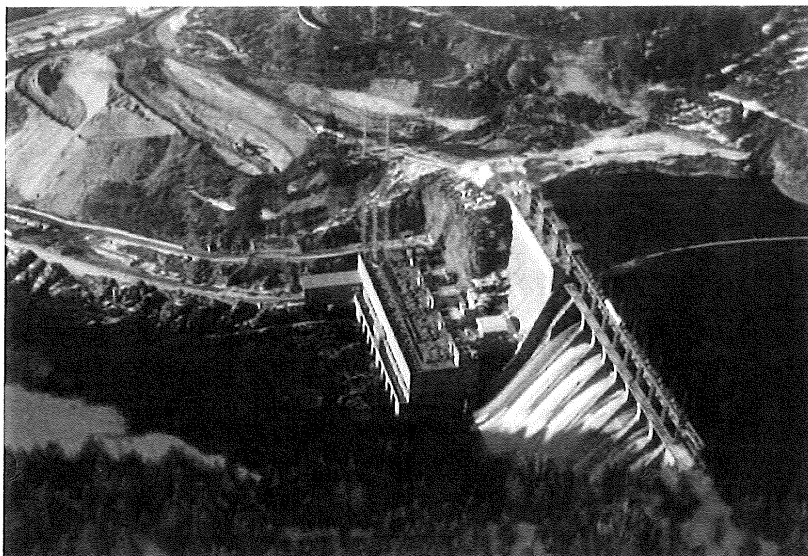
Sincerely,

A handwritten signature in blue ink, appearing to read "John M. MacLean".

John M. MacLean, CAO

c.c. Director Ali Grieve, Electoral Area A

Comments on the City of Trail – Area A (Columbia
Gardens) Boundary Extension Study 2013 Update



Prepared for Kootenay Boundary Regional District

October 22, 2013

Barry McLean

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Introduction

I have been asked to comment on the recently updated boundary extension study prepared by Urban Systems in 2012 and updated in 2013 at the direction of the City of Trail. The study was undertaken as a result of a request from the Columbia Garden Industrial Park property owners asking to re-examine the possibility of a boundary extension. The study area is significant in its impact on the Regional District of Kootenay Boundary primarily because of the amount of industrial and utility values included in the study area. The utility values are as a result of including the Waneta Dam in the study area. In addition to the effect on Kootenay Boundary's assessment base there are significant implications to the BC Hydro grants in lieu of taxes, since a portion of the grants in lieu related to the Waneta Dam would flow directly to the City of Trail if the boundary extension meets the requirements of the various agencies including the Local Government Department of the Ministry of Community, Sport and Cultural Development and all other impacted parties. As a result of the Waneta expansion, the effects will be exacerbated.

General Comments

Although the loss of the Columbia Gardens assessment values is significant, the loss of the Waneta Dam as part of the Regional District's assessment base will have a wider impact which will be discussed later. In both the City of Trail's memo to mayor and council and the Urban Systems report the provincial tax on the study area is referred to as "lost revenue" and "not funding local initiatives". In fact, although the funds may not be as specific as municipal or regional district taxation the taxes are used to provide roads and a host of other provincial services which both rural and municipal residents use. If the logic was followed to the extreme, the goal would be to incorporate the whole of the "valuable" rural areas and thus have all provincial tax captured for municipal purposes.

Payments in Lieu of Taxes

BC Hydro payments in lieu of taxes (PILT) date back to 1989 and since that time have been subject to rate adjustments. The grants are based on generating capacity and in 2007 a three tier structure was introduced as follows:

- Tier 1-up to 400 MW at a rate of \$1,160 per MW
- Tier 2-over 400 MW to 800 MW at a rate of \$860.58 per MW
- Tier 3-over 800 MW at a rate of \$561.16 per MW

The rates are adjusted by a percentage each year based on the increase in total municipal property tax revenues within the province for the subsequent year.

In 1990 the Inspector of Municipalities gave three options for the regional Districts for allocating the grants:

1. Credit the grant to General Administration.
2. Distribute grant in proportion to the tax requisition among those services in which all municipalities and electoral areas participate.
3. Distribute grant in accordance with a plan approved by a resolution of the regional board. This alternative will allow regional boards to recognize the lesser impacts of the BC Hydro facilities that were not taken into account in the impact distribution formula.

According to the same 1990 Ministry of Municipal Affairs (currently the Ministry of Community, Sport and Cultural Development (MCSKD)) circular option 3 of the impact distribution formula distributes 40% of the amount allocated for each facility to the area in which the facility is located and 60% to the local government impacted by the facility and its reservoir. Examples of the grant distribution can be found in Central Kootenay Regional District, the Kootenay Canal Generating station which is now located in the City of Nelson due to boundary expansion pays a grant which is split 40% to the City of Nelson and 60% to the Regional District of Central Kootenay. Arrow Lakes Generating Station located in the RDCK pays grants 40% to the RDCK, 5.3 % to the Village of Nakusp and 54.7% to the City of Castlegar.

The distribution of the PILT funding has been and continues to be a controversial issue in many Regional Districts. Kootenay Boundary received \$1,397,580 in PILT in 2013. The grant was not known at the time of preparation of the financial plan. Of this amount, \$1,088,288 was used to reduce taxation for General Administration. At the date of this report, the difference between the allocated funds and the total 2013 grant has not been dealt with by the board. This was the first year the higher amount was received as a result of the BC Hydro ownership stake in the dam. With increases to the PILT amounts and changes in assessments, the Board may wish to revisit the funding formula and allocation of the grants.

Effects of Changes to PILT on member taxation

As mentioned previously the RDCK uses the PILT revenues to reduce taxation in General Administration. If some of the PILT funding is removed from a service, either the service budget must be reduced accordingly or the taxation increased to make up the shortfall. If the shortfall is made up from taxation the result is a tax increase for each of the participating members of that Regional District service. At present assessment levels, Appendix 1 shows what would occur when PILT funding is removed from a service. I have reduced the PILT in General Administration by the 40% share of

PILT lost to the City of Trail for illustration purposes only. The chart shows the amounts of increased taxation by participant

Boundary Adjustments

Municipalities and regional districts are always conscious of their assessment bases and their ability to provide services at the lowest cost to their local taxpayers. There are often situations where properties on the periphery of municipal boundaries wish to have municipal services and request the municipal government to incorporate them. When these request come the municipality attempts to ensure that the cost of expanding the boundaries is offset by tax revenue and often industrial or utility properties are included in the adjustments. The gain for the municipality results in a loss for the Regional District. To partially offset the losses in assessment values, the MCSCD has a developed a mitigation requirement.

In the Regional District of Central Kootenay there have been two municipal boundary expansions, one for the City of Nelson in 2003 to incorporate the Fortis Dams on the Kootenay River as well as the Kootenay Canal. The second boundary extension was the City of Castlegar boundary adjustment which included incorporation of the Brilliant Dam in 2004. In 2012 the District of Lillooet has had a boundary review done by Suda Management which contemplates extending the District boundaries to incorporate Bridge River 1 and 2 Power facilities owned by BC Hydro.

The boundary adjustment process is not new and the Ministry has prepared a document which sets out the process quite clearly.

Impacted Regional District Services

Unlike municipalities which have some flexibility in the taxation multipliers applied to different classes of properties, the regional districts must tax based on provincial regulations. For example, residential is the base tax and utilities pay 3.5 times the residential rate, and major industry pays 3.4 times the residential rate. Appendix 2 shows the converted assessments for the study area illustrating the magnitude of the loss of assessed value to Area A and the overall rural tax base.

The Study Area represents a significant portion of Area A assessment value. Urban Systems states that the loss of net assessment value is 33%, however, due to significant values of utility, major and light industry and business values, the actual loss in taxable assessment in Area A is 57%. For the RDKB the loss of taxable assessment in the rural area is 10.8%. In future years, as the Waneta expansion continues to completion, the effect may even be larger than the illustration, however, because of the uncertainty of future assessment values and the complexity of the joint ownership, I have made no attempt to make any forward looking estimates.

Although the MCSCD information suggests region wide services such as Electoral Area Administration and Grant in Aid are generally not considered for mitigation, the impact on the rural area of the RDKB is considered significant since the loss of assessment value exceeds 10% of the rural tax base.

In the case of Electoral Administration, \$18,230 would have to be cut from the budget to maintain the tax rate or the rate increased. Area A Grant in Aid, using 2013 rates and assessments would fall from \$31,400 to \$13,569. Finally, House Numbering shared between Area A and C would be reduced by \$1,200 or the tax rate increased to make up the difference. Appendix 3 illustrates the potential effect on the 3 services and participants if the tax rates were maintained at current levels and if the taxes were increased to account for the shortfall. In the Grant in Aid service, only Area A would be affected but in order to fund a grant account of \$31,400 the residential taxation rate for Area A would have to be increased from the old rate of \$.05 per thousand of assessment to \$.118 per thousand dollars of assessment (land and improvement) value.

The Urban Systems' report thoroughly discussed the potential effect on the two local services, Beaver Valley Recreation Services and Noxious Weed Control. However, I believe the mitigation measures presented in the next section would be more appropriate.

Mitigation Measures

Mitigation measures are intended to avoid situations where a service becomes no longer viable as a result of a boundary change. In the Urban Systems report, the only services which are discussed in detail are the three services relating to the Beaver Valley recreation (The Arena, Recreation and Parks and Programming). Unfortunately, the only mitigation suggested appears to be at the discretion of the City of Trail Council. The Ministry often instructs local government that the discretion of future councils cannot be fettered. Although the current council may understand the issues involved and determine that it is fair to provide mitigation, future councils may not fully understand the issues or may simply decide to discontinue them to meet their own municipal priorities.

It would be preferable to have the mitigation done at the outset and enshrined in the Supplementary Letters Patent (SLP) which will be required should the decision be made to adjust the boundaries. In the case of the two SLP's issued for the City of Nelson and City of Castlegar boundary adjustments, the SLP clearly outlined the mitigation measures. For services which were mitigated, BC Assessment Authority created coding for areas which were composed of portions of the old Regional District (RDCK) Service areas which are now part of the expanded municipality. The newly coded

areas continued to be included in the Regional District service area for taxation calculation and included in the annual requisition. Annually, the Regional District advises the municipality of the amount to tax for the specific area and after taxes are collected the amount becomes part of the municipal funds which are remitted to the Regional District. Discussion about which services to mitigate was between the Ministry, the Municipalities and the Regional District prior to the boundary extension approval.

As you can see from the excerpt below the RDCK was allowed to continue to requisition taxes for those services which included the areas annexed by Nelson as part of an RDCK service area and which the municipality did not participate in.

4.0 The regional district must advise, no later than March 31 in each year, the municipality of the amount equivalent to the amount of property taxation that would have been recovered by the regional district from the area newly included within the area of the municipality described as 'secondly' and 'thirdly' by these Supplementary Letters Patent, as if that area had not been included within the area of the municipality, in respect of any and all services of the regional district that:

- a) are established at the effective date of these Supplementary letters Patent; and
- b) include all or part of that area within the service area; and
- c) do not include the municipality as a participant.

The limitation on taxes for the annexed area is described as follows in the SLP:

The municipality must, in the area newly included within the area of the municipality described as 'secondly' and 'thirdly' by these Supplementary Letters Patent, levy an annual property value tax rate pursuant to section 359(1) of the Local Government Act on each property class prescribed by the Lieutenant Governor in Council under section 26 of the Assessment Act that shall not exceed a tax rate for each class calculated as the sum of the following:

- a) The tax rate prescribed for the particular class pursuant to the Taxation (Rural Area) Act in the prevailing taxation year; and
- b) A tax rate to recover the total amount of payments made in the prevailing taxation year to the regional district under sections 5.1, 5.2, 6.0, and, if applicable, 7.0 (b) of these Supplementary Letters Patent.

In other words, the Regional District was made "whole" with respect to the services that were provided in the affected area and the City of Nelson is allowed to tax up to the amount that was formerly rural property taxation for their own purposes.

I would recommend that the Beaver Valley Recreation and Noxious Weed assessments be protected for Regional District purposes as part of the SLP document and further

discussion and negotiation regarding mitigation occur regarding other services which will also be severely affected including the services for the whole of the electoral areas such as Grant in Aid for Electoral Area A and Electoral Area Administration.

Columbia Basin Trust and Columbia Power Corporation

As a result of the Waneta project it is expected that some additional funding will be made available. However the Columbia Basin Trust grants cannot be used to reduce taxes. According to the publication A review of the Range of impacts and benefits of the Columbia River Treaty on basin communities, the region and the province, the "current levels of benefits are expected to continue until 2015/16 when Waneta Expansion begins to produce power. Those additional revenues and increased revenues from a new sales agreement for the Arrow Lakes generating Station will mean that by 2017/18 projected annual revenue to the communities are expected to be double the current levels. "

The Columbia Power Corporation Service Plan 2012/13-2014/15 shows that "Columbia Power has previously obtained Orders in Council exempting Arrow Lakes Generating Station and the Brilliant expansion from property taxes but instead pays grants in lieu of taxes." The publication goes on to say "Columbia Power is working with the Ministry of Energy and Mines and the Ministry of Finance on obtaining an OIC for the Waneta Expansion."

It seems apparent that the Waneta Expansion will result in increased Initiative funding from Columbia Basin Trust and likely a grant in lieu of taxes from Columbia Power. The procedure for dealing with Initiative funding is set out by the Columbia Basin Trust while the grant in lieu allocation is subject to Board approval following principles set out by the Province in the circular included as appendix 2.

Conclusion

The boundary extension proposed is significant to both the Regional District of Kootenay Boundary and the City of Trail. The result of a boundary change would be a significant reduction in the Area A taxation base, and potential problems for a number of Regional District services, particularly for the three Beaver Valley Recreation services. The ongoing Waneta Project and the potential loss of significant PILT revenues will also adversely affect the RDKB and will result in a reconsideration of the allocation of grants in lieu from BC Hydro and discussion on treatment of potential new grants from Columbia Power Corporation. For these reasons it is important that the City of Trail and the Regional District carefully consider the extension and ensure that suitable mitigation

measures are included in the Supplementary Letters Patent to avoid potential issues in the longer term.

Appendix 3 Electoral Area Services

Taxation 2013

Participant	Converted 2013 Assessments (0)	Electoral Administration	Grant in Aid	House Numbering
Electoral Area A	61,502,407	32,104	31,400	2,779
Electoral Area B	35,628,994	18,598	22,706	
Electoral Area C	71,307,161	37,222	60,381	3,221
Electoral Area D	45,639,928	23,824	38,331	
Electoral Area E	<u>108,345,424</u>	<u>56,557</u>	<u>90,376</u>	
Total Electoral Areas	<u>322,423,914</u>	<u>168,306</u>	<u>243,194</u>	<u>6,000</u>

Taxation kept at 2013 level with the loss of the study area

Participant	Changed Converted Values (0)	Electoral Administration	Grant in Aid	House Numbering
Electoral Area A	26,577,899	13,874	13,569	1,201
Electoral Area B	35,628,994	18,598	22,706	
Electoral Area C	71,307,161	37,222	60,381	3,221
Electoral Area D	45,639,928	23,824	38,331	
Electoral Area E	<u>108,345,424</u>	<u>56,557</u>	<u>90,376</u>	
Total Electoral Areas	<u>295,846,013</u>	<u>150,075</u>	<u>225,363</u>	<u>4,422</u>

Taxation increased to maintain budget at 2013 level with loss of study area

Participant	Changed Converted Values (0)	Electoral Administration	Grant in Aid	House Numbering
Electoral Area A	26,577,899	15,120	31,400	1,629
Electoral Area B	35,628,994	20,269	22,706	
Electoral Area C	71,307,161	40,566	60,381	4,371
Electoral Area D	45,639,928	25,964	38,331	
Electoral Area E	<u>108,345,424</u>	<u>61,637</u>	<u>90,376</u>	
Total Electoral Areas	<u>295,846,013</u>	<u>168,306</u>	<u>243,194</u>	<u>6,000</u>

Appendix 1 PILT Illustration

Kootenay Boundary Taxation Distribution Showing the benefit of PILT on General Administration taxation and the tax increase required to replace all or a portion of the Waneta PILT if it was to be applied against General Administration taxation.

Participant	Proportion of taxation	General Admin PILT tax saving	Loss of Waneta on distribution	Loss of 40% of Waneta
Village of Fruitvale	0.030	32,101	7,005	2,802
City of Grand Forks	0.094	102,469	22,359	8,944
City of Greenwood	0.010	11,308	2,467	987
Village of Midway	0.017	18,142	3,959	1,583
Village of Montrose	0.016	17,362	3,788	1,515
City of Rossland	0.089	96,329	21,019	8,408
City of Trail	0.236	256,624	55,996	22,398
Village of Warfield	<u>0.025</u>	<u>26,763</u>	<u>5,840</u>	<u>2,336</u>
Total Municipalities	<u>0.517</u>	<u>561,099</u>	<u>122,433</u>	<u>48,973</u>
Electoral Area A	0.092	100,179	21,859	8,744
Electoral Area B	0.053	58,035	12,663	5,065
Electoral Area C	0.107	116,151	25,344	10,138
Electoral Area D	0.068	74,342	16,222	6,489
Electoral Area E	<u>0.162</u>	<u>176,481</u>	<u>38,509</u>	<u>15,403</u>
Total Electoral Areas	<u>0.483</u>	<u>525,189</u>	<u>114,597</u>	<u>45,839</u>
Total RDKB	1.000	1,086,288	237,030	94,812

Appendix 2 Study Area Assessment Values

Class	Study Area Property Class	Value	Provincial Multiplier	Converted Value
1	Residential	2,146,100	1.00	2,146,100
2	Utilities	42,878,700	3.50	150,075,450
4	Major Industry	40,111,300	3.40	136,378,420
5	Light Industry	10,343,400	3.40	35,167,560
6	Business	10,399,000	2.45	25,477,550
7	Managed Forests	0	3.00	0
8	Rec/Non profit	0	1.00	0
9	Farm	0	1.00	0
		<u>105,878,500</u>		<u>349,245,080</u>
	Area A Converted			<u>615,024,070</u>
	Percent of Area A Converted Value lost			57%
	Percent of Total Rural Converted Value lost			10.83%

References

Photo from Columbia Power Gallery-Waneta Expansion Project

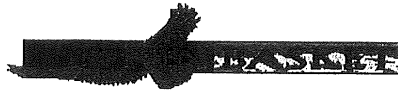
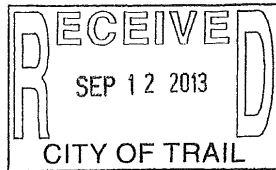
Columbia Power Corporation Service Plan 2012/13-2014/15

A review of the Range of impacts and benefits of the Columbia River Treaty on basin communities, the region and the province

BOUNDARY EXTENSION
Columbia Gardens (Area A)

First Nations Consultation Response

CITY OF TRAIL
www.trail.ca
January 31, 2014



SHUSWAP INDIAN BAND
PO Box 2847 Invermere, BC, V0A-1K0 Ph: 250.341.3678 Fax: 250.341.3683
Email: gary@kinbasket.net

September 9, 2013

City of Trail
1394 Pine Ave.
Trail B.C. Canada
V1R 4E6

Dear Sir or Madam:

RE: City of Trail Boundary Extension Proposal

The Shuswap Indian Band has concerns regarding Historical and Archaeological Sites within the proposed expansion area.

History has shown that once, land has been incorporated by a Municipality, these areas at times are over looked.

We do not disagree with your proposal in general and wish to work with you on recording any and all of these remaining Archaeology sites.


We feel that an Archaeology Polygon Data Base should be implemented to secure any remaining history within our Traditional Territory.

With this Data Base, any future developments have knowledge before work would be conducted.

A meeting in October, to discuss this issue would be beneficial for both the City of Trail and the Shuswap Indian Band.

To book this meeting, please call me at 250 341-3678 or e-mail
gary@kinbasket.net

Thank you.

A handwritten signature in black ink, appearing to read 'Gary Oja', with a stylized flourish at the end.

Gary Oja
Shuswap Indian Band.

David Perehudoff

File: 6440-01

From: David Perehudoff
Sent: Friday, September 13, 2013 9:07 AM
To: 'gary@kinbasket.net'
Subject: BOUNDARY EXTENSION PROPOSAL

Mr. Oja:

I am in receipt of your letter dated September 9th, 2013 regarding the City's referral letter dealing with the proposed boundary extension.

Be advised that the City of Trail currently funds the Trail Historical Society and our Society is very active and I am sure would be very interested in being involved with recording the remaining archaeological sites as you reference in your letter. The City is also currently working on the development of a new museum and would also welcome the opportunity to showcase the very interesting history of early settlements along the Columbia River as part of working with the Shuswap Indian Band should the boundary extension proposal advance.

As you indicate, we should probably meet to discuss this further so your concerns are properly addressed as the City works through various issues that are arising as part of the referral process. If you could provide me with several dates in October that you are available hopefully we can arrange a mutually convenient time to discuss this further. Also please let me know your preferred location for this meeting.

I look forward to hearing back from you and I appreciate your response to the City's initial referral letter. Thank-you.

David Perehudoff, CGA
 Chief Administrative Officer
 City of Trail | 1394 Pine Avenue | Trail, B.C.
 Tel: 250.364.1262 x 805
 Direct: 250.364.0805
 Fax: 250.364.0830
 Email: dperehudoff@trail.ca
www.trail.ca



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6440-01

David Perehudoff

From: David Perehudoff
Sent: Tuesday, October 01, 2013 11:33 AM
To: 'gary@kinbasket.net'
Subject: RE: BOUNDARY EXTENSION PROPOSAL

Hi Gary:

I am following up on the email sent below. Please let me know if you would like to meet to discuss the issues raised in your letter and hopefully we can set something up. Thanks.

David Perehudoff, CPA, CGA
 Chief Administrative Officer
 City of Trail | 1394 Pine Avenue | Trail, B.C.
 Tel: 250.364.1262 x 805
 Direct: 250.364.0805
 Fax: 250.364.0830
 Email: dperehudoff@trail.ca
www.trail.ca



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From: David Perehudoff
Sent: Friday, September 13, 2013 9:07 AM
To: 'gary@kinbasket.net'
Subject: BOUNDARY EXTENSION PROPOSAL

Mr. Oja:

I am in receipt of your letter dated September 9th, 2013 regarding the City's referral letter dealing with the proposed boundary extension.

Be advised that the City of Trail currently funds the Trail Historical Society and our Society is very active and I am sure would be very interested in being involved with recording the remaining archaeological sites as you reference in your letter. The City is also currently working on the development of a new museum and would also welcome the opportunity to showcase the very interesting history of early settlements along the Columbia River as part of working with the Shuswap Indian Band should the boundary extension proposal advance.

As you indicate, we should probably meet to discuss this further so your concerns are properly addressed as the City works through various issues that are arising as part of the referral process. If you could provide me with several dates in October that you are available hopefully we can arrange a mutually convenient time to discuss this further. Also please let me know your preferred location for this meeting.

I look forward to hearing back from you and I appreciate your response to the City's initial referral letter. Thank-you.

BOUNDARY EXTENSION
Columbia Gardens (Area A)
Referral Responses

CITY OF TRAIL
www.trail.ca
January 31, 2014

File #6440-01

August 22, 2013

«Name»
 «TitleCo»
 «Address»
 «City»

Dear «Salutation»:

**RE: PROPOSED CITY OF TRAIL BOUNDARY EXTENSION PROPOSAL -
 REFERRAL PROCESS**

The City of Trail Council has resolved to consider a boundary extension proposal (the "Proposal") for the area identified and further described in the attached Boundary Extension Study prepared for the City of Trail by Urban Systems.

The City is referring the Proposal to you for comment and requests you or your organization (as applicable) to respond in writing to the City within one month of the date of this letter.

As you will see from the attached, the Proposal includes the following:

- a) a rationale for the Proposal, including land use implications;
- b) a map to scale showing the precise location of the proposed boundary, based on the technical criteria prescribed by the Province, including:
 - i. blocks of property continuously adjacent (contiguous) to the current City boundary;
 - ii. complete parcels as described on the land title certificate (i.e. the proposed boundary must not divide legal parcels);
 - iii. roads and road rights-of-way adjacent to the proposed extension area that provide access from the municipality to the proposed extension area; and

Page 2

August 22, 2013

PROPOSED CITY OF TRAIL BOUNDARY EXTENSION PROPOSAL - REFERRAL PROCESS

- iv. a list of parcels and owners located in the area of the Proposal;
- c) identification of specific conditions related to implementation and other relevant background information.

Through this referral process, the City will identify and resolve concerns with the proposed municipal boundary extension before the City submits the Proposal to the Province, and in this regard the City will include in the final Proposal a report on the disposition of the concerns raised.

Please be advised that in regard to each consideration of input from interested persons and entities, the members of Council have each acknowledged that they have an open mind and are amenable to persuasion.

We look forward to receiving any input from you within the timeframe specified. If you have any immediate questions or concerns you may contact the undersigned by email at dperehudoff@trail.ca or by telephone to 250-364-1262.

Yours truly,



David Perehudoff, CGA
Chief Administrative Officer

attach.

cc: Mayor and Council

Name	Title/Co.	Address	City	Salutation
Ktunaxa Nation Council	Ktunaxa Lands and Resource Agency	7468 Mission Road	Cranbrook, BC V1C 7E5	Sir/Madam
Shuswap Indian Band	c/o Kinbasket Group of Companies	PO Box 790	Invermere, BC V0A 1K0	Sir/Madam
Okanagan Nation Alliance	Chief and Council	106 – 3500 Carrington Road	Westbank, BC V4T 1V4	Sir/Madam
Osoyoos Indian Band	Chief and Council	RR3, Site 25, Comp 1	Oliver, BC V0H 1T0	Sir/Madam
Splats' in First Nation	Chief and Council	PO Box 460, 5775 Old Vernon Road	Enderby, BC V0E 1V0	Sir/Madam
Lower Similkameen Indian Band	Chief and Council	PO Box 100	Keremeos, BC V0X 1N0	Sir/Madam
Penticton Indian Band	Chief and Council	RR2, Site 80, Comp 19	Penticton, BC V2A 6J7	Sir/Madam
Regional District of Kootenay Boundary	Attention: John MacLean, Chief Administrative Officer	#202 – 843 Rossland Avenue	Trail, BC V1R 4S8	John
Columbia Basin Trust	Attention: Neil Muth, President and Chief Executive Officer	Suite 300, 445 – 13 th Avenue	Castlegar, BC V1N 1G1	Mr. Muth
Columbia Power Corp.	Attention: Doug Clark, Manager, Civil Structures and Lands	Suite 200, 445 – 13 th Avenue	Castlegar, BC V1N 1G1	Mr. Clark
FortisBC	Attention: Corey Sinclair, Manager of Regulatory Affairs	Suite 100, 1975 Springfield Road	Kelowna, BC V1Y 7V7	Mr. Sinclair
FortisBC	Attention: Norm Stickelmann, Property Tax Specialist	16705 Fraser Highway	Surrey, BC V4N 0E8	Mr. Stickelmann
BC Hydro	Attention: Janet Fraser, Chief Regulatory Officer	333 Dunsmuir Street, 16 th Floor	Vancouver, BC V6B 5R3	Ms. Fraser
Integrated Land Management Bureau		1902 Theatre Road	Cranbrook, BC V1C 7G1	Sir/Madam
Provincial Agriculture Land Commission		133 – 4940 Canada Way	Burnaby, BC V5G 4K6	Sir/Madam

Stewart and Valerie Fyfe		Box A, RR1, Site 14, Comp 0	Naramata, BC V0H 1N0	Mr. and Mrs. Fyfe
Alpine Disposal and Recycling (Interior Division) Ltd.		1045 Dunford Avenue	Victoria, BC V9B 2S4	Sir/Madam
Teck Metals Ltd. - Trail Operations	Mr. Greg Belland, General Manager	PO Box 1000	Trail, BC V1R 4L8	Greg
629291 BC Ltd.		2710 Fandell Street	Nanaimo, BC V9S 3R3	Sir/Madam
Columbia Gardens Reload Ltd.		PO Box 310	Fruitvale, BC V0G 1L0	Sir/Madam
Ernest and Jeanne Rella Village of Montrose	Attention: Kevin Chartres, Chief Administrative Officer	8735 Highway 22A PO Box 510	Trail, BC V1R 4W6 Montrose, BC V0G 1P0	Mr. and Mrs. Rella Kevin
Trustee of Waneta Cemetery		General Delivery, SS1	Trail, BC V1R 2Y8	Sir/Madam
Toxco Waste Management Ltd.	Attention: Kathy Bruce, Vice President	PO Box 232	Trail, BC V1R 4L5	Kathy
Terrence Forsythe BC Transportation Financing Authority		9310 Crown Road PO Box 9850 Stn Prov Govt	Trail, BC V1R 4W6 Victoria, BC V8W 9T5	Mr. Forsythe Sir/Madam
Bryans Transfer Ltd.		4001 Camation Drive	Trail, BC V1R 2X1	Sir/Madam
Teresa Iorio		8342 Highway 22A	Trail, BC V1R 4W4	Ms. Iorio
Arrowhead Holdings Ltd.		265 Fairview Drive	Castlegar, BC V1N 3S8	Sir/Madam
Khita Log Builders Ltd.		PO Box 431	Rossland, BC V0G 1Y0	Sir/Madam
Hager Renwick Ltd.		407 Olivia Crescent	Trail, BC V1R 1A6	Sir/Madam
Hil-Tech Contracting Limited		270B - 1 st Avenue	Trail, BC V1R 4V3	Sir/Madam
Omar Grinblats		1880 Bowser Street	Trail, BC V1R 2Z4	Mr. Grinblats
KES Contracting Ltd.		1252 Bay Avenue	Trail, BC V1R 4A6	Sir/Madam
Donald Babcock		1309 Tamarac Avenue	Trail, BC V1R 4J2	Mr. Babcock
Waneta Services Ltd.		9262 Industrial Road	Trail, BC V1R 4X7	Sir/Madam
Canadian Border Services Agency c/o Public Works and Government Services Canada	Attention: David Jefferson	641 - 800 Burrard Street	Vancouver, BC V6Z 2V8	Mr. Jefferson

SN Plus Trail Inc. Jeffrey Fry	9200 Industrial Way 3060 Donald Street	Trail, BC V1R 4X7 Victoria, BC V9A 1Y2	Sir/Madam Mr. Fry
Waneta Expansion General Partner Ltd.	200 – 445 – 13 th Avenue	Castlegar, BC V1N 1G1	Sir/Madam
R-Tex Holdings Ltd.	PO Box 1800	Roseland, BC V0G 1Y0	Sir/Madam
K-C Recycling	PO Box 398 Stn Main	Trail, BC V1R 4L7	Sir/Madam
Trimac Transportation	Attention: Dave Zimmerman 2100 – 5 th Avenue SW PO Box 3500 Stn M	Calgary, AB T2P 2P9	Mr. Zimmerman
Burlington Northern & Santa Fe Railway Co.	PO Box 961089	Fort Worth, TX 76161-0089 USA	Sir/Madam

File: 6440-01

Date: August 22, 2013



City of Trail

File #6440-01

September 9, 2013

Trustee of Waneta Cemetery
Attention: Fred Buckley
Box 164
Trail, B.C. V1R 4L5

Dear Mr. Buckley:

RE: BOUNDARY EXTENSION - BOUNDARIES

I am following up further on our discussion of August 30th, 2013 where you asked a question with respect to the City of Trail's proposed boundary extension and the inclusion of the Waneta Cemetery (Pend D'Oreille Cemetery) within the area.

As I indicated to you, the policy of the Provincial Government is that any boundary extension must follow contiguous property lines and the City could not effectively exclude one parcel within the middle of a larger tract of land. With that said, I did indicate that I would review the exact location of the cemetery to determine if any sort of boundary adjustment could practically be made.

I am attaching a more detailed map for your information that shows the cemetery in context. I am informed by the City's planning consultant that the large parcels north that are included in the boundary extension and in which the cemetery parcel is contained are owned by Teck Metals Ltd. There are advantages to the City to maintain these parcels within the boundary extension in terms of future development and potential property tax revenue and therefore the City would not want to make any sort of adjustment of the southern boundary to remove these. Further, the boundary extension is hinged on another agreement with Teck and in this regard the inclusion of Teck owned lands into the City is an important consideration.

Given the small size of your parcel of land, if the boundary extension does proceed, it is unlikely you would notice any material change or impact if local governance responsibility fell to the City of Trail. If you do have any specific questions or concerns in this regard, please feel free to contact me.

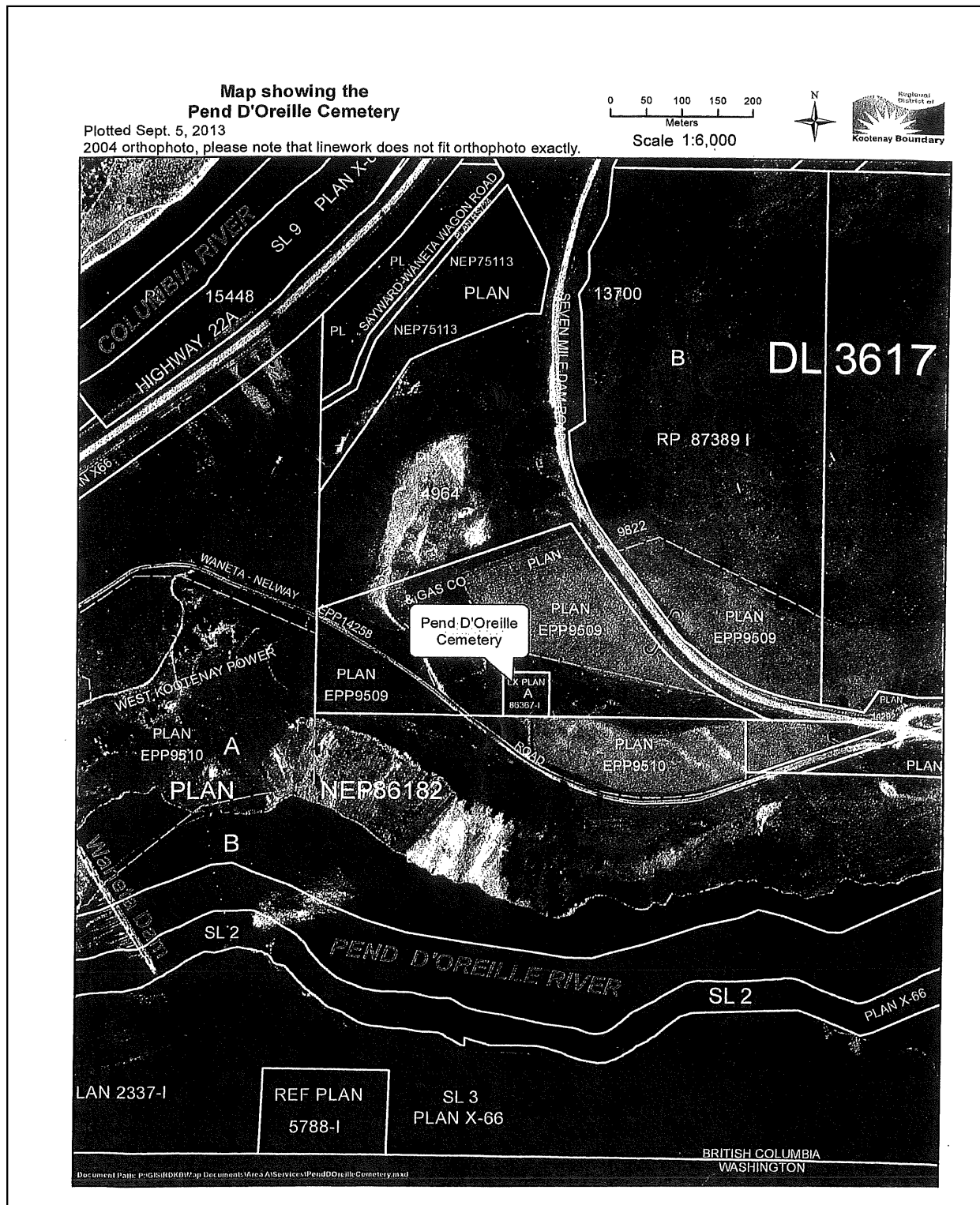
Yours truly,

David Perehudoff, CGA
Chief Administrative Officer

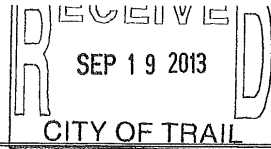
attach.

Explore your
TRAIL

City Hall ♦ 1394 Pine Avenue, Trail, BC, Canada V1R 4E6 ♦ Telephone: (250) 364-1262 ♦ Fax: (250) 364-0830
Public Works ♦ Telephone: (250) 364-0840 ♦ Fax: (250) 364-0831
www.trail.ca ♦ eMail: info@trail.ca



K.C. RECYCLING LTD.


 BOX 398
 9350 HWY. 22 A
 TRAIL, BC V1R 4L7

 Phone (250) 367-7565
 Fax (250) 367-7522

August 30, 2013

 City of Trail
 1394 Pine Ave
 Trail, B.C.
 V1R 4E6

Dear Sir/Madam:

RE: PROPOSED CITY OF TRAIL BOUNDARY EXTENSION PROPOSAL REFERRAL PROCESS RESPONSE

Thank you for the opportunity to respond to your request for comments regarding the proposed City of Trail Boundary Extension.

As you are aware, I am one of the industrial property group owners who first requested the city initiate the boundary extension study, and I am also one of the industrial property group who sits on the Boundary Extension steering committee.

After careful review of the latest study dated August 2, 2013 I would like to state that:

While there are some slight benefits listed in this report that are somewhat appealing for a boundary extension, K.C. RECYCLING Ltd. is NOT in favor of proceeding with the City of Trail Boundary Extension.

The rationale for my decision includes the following:

- a) The proposal should be deferred for review until 2015, at which time there will be sufficient tax assessment numbers available from the completed Waneta Dam power project to establish a real and verifiable annual tax revenue summary as indicated in the report section 6 sub section 6.1
- b) When reviewing section 6 subsection 6.3, the answers to solve the reduction in funding for the significant impact on the regional recreation service has not been established.
The opportunities that have been identified in this report to mitigate the impacts are relying on numbers from future tax assessments of the Waneta Dam, of which it has been demonstrated that these numbers can fluctuate either way as stated in the first paragraph of section 6.1

In conclusion, this report summarizes a net increase in revenue for the City of Trail, and at the same time represents an increase in property taxes to every resident of Area A to pay for the City of Trail revenue increase.

Area A is already a depressed economy at best and should not shoulder the burden of this boundary extension.

Sincerely,

 Peter Bayley
 K.C. Recycling Ltd.

 cc
 Columbia Gardens Industrial Property Group



City of Trail

File #6440-01

September 24, 2013

K.C. Recycling Ltd.
Attention: Peter Bayley
Box 398
9350 Hwy 22A
Trail, B.C. V1R 4L7

Dear Mr. Bayley:

RE: BOUNDARY EXTENSION REFERRAL RESPONSE

This is in response to your letter dated August 30th, 2013 with respect to the Boundary Extension referral process that has been undertaken by the City.

We understand that following your review of the updated Urban Systems Study that as an individual who initially was a proponent of exploring the boundary extension you have now concluded you do not favour proceeding. At this time the purpose of the referral process was not necessarily to garner perspectives in terms of whether or not to proceed but rather to deal with any specific issues or concerns that may have arisen following the completion of the updated study. Following the completion of the referral process and the identification of issues and the City's resolution of same, it will be up to the Province of BC to determine if and how they will ascertain the approval from the impacted property owners.

Further and to comment on the issues raised as part of the opinion that you have provided, the following response is offered:

1. With respect to the "slight benefit" you have referenced, the financial parameters associated with some of the charges being levied by the Regional District may change and the financial benefit to the property owners in the area to be in the City would therefore be increased. The City is currently investigating the diversion of moneys defined as a "Grant" into the Columbia Gardens Water Utility and if this grant funding is removed, charges to properties deriving services from this utility most likely would increase in 2014.

Explore your
TRAIL

.../2

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Public Works ♦ Telephone: (250) 364-0840 ♦ Fax: (250) 364-0831
www.trail.ca ♦ eMail: info@trail.ca

Page 2
 September 24, 2013
 BOUNDARY EXTENSION REFERRAL RESPONSE

2. With respect to assessments and assessment growth, the updated Study indicates general assessment growth of \$28.315 million. Overall, the 2013 Study indicates improved revenue to the City of \$344,400 since the completion of the 2012 Study, with total revenue now estimated to exceed \$1.089 million. Further, there is anticipated additional growth in assessments once the Dam is finally completed as well as grant-in-lieu of tax revenue once the dam is operating at fully capacity, which would improve the revenue picture further.
3. With respect to the issue of mitigation on the Beaver Valley Recreation Service, City Council has committed to provide mitigation that would effectively eliminate any impact on the ratepayers in Beaver Valley. This may come in the form of mitigation through revenue sharing on the Waneta Dam or through cost reductions via a contract where Beaver Valley Parks and Recreation pays the City of Trail to use recreation facilities and services in Trail. In either case there should not be any significant financial impact on the Beaver Valley Recreation Service as a result.

In summary, we would not necessarily agree with your concluding comments. The Study does not in fact suggest there will be a revenue gain to the City with a corresponding property tax increase to "every resident in Area A". One of the key gains from the extension sees the City, as an incorporated entity, gaining access to property tax revenue that currently flows directly to the Provincial Government. In addition, the City has now reached a Partnering Agreement with Teck Metals Ltd., which would result in further benefits to the entire region. Finally as noted above, the City does remain committed to providing mitigation that would ensure there is minimal or no tax impact to the residents in Area A.

Your comments are appreciated and will be included in the referral package that is submitted to the Province of BC for review and consideration as far as determining whether or not the boundary extension will proceed to the next step in the process.

Yours truly,



David Perehudoff, CPA, CGA
 Chief Administrative Officer

cc: Mayor and Council



Blair Weston
Community and Aboriginal
Relations Manager

FortisBC Inc
3100 West Kootenay Road
South Slokan, BC V0G 2G0
blair.weston@fortisbc.com
www.fortisbc.com

File: 6440-01

September 13, 2013
Mr. David Perehudoff, CGA
Chief Administrative Officer
City of Trail
1394 Pine Avenue
Trail, BC, V1R 4E6

Dear Mr. Perehudoff:

**Re: PROPOSED CITY OF TRAIL BOUNDARY EXTENSION PROPOSAL –
REFERRAL PROCESS**

We acknowledge receipt of your letter dated August 22, 2013 (your file #6440-01) addressed to FortisBC, Attention Norm Stickelmann, Property Tax Specialist. We have also reviewed the accompanying City of Trail – Area A (Columbia Gardens) Boundary Extension Study 2013 Update prepared by Urban Systems.

FortisBC Inc. and FortisBC Energy Inc. are indifferent as to who is the taxing authority. Our primary concern is that any change in tax authorities will not result in incremental taxes compared to what would have been paid in Electoral Area A with the exception of Franchise Fees and 1% of Revenues under Section 353 of the Local Government Act. We are encouraged by the Urban Systems report stating the principle of Ministry staff that “No tax increase should be imposed over the current rural tax rates for Utility (Class 2) and Major Industrial (Class 4) properties involved.” (page 32).

We trust that this response provides the perspective of the FortisBC with regards to the proposed City of Trail Boundary Extension. If you have any questions, please contact me.

Yours truly,

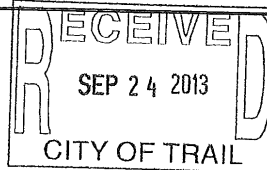
Blair Weston
Community & Aboriginal Relations Manager

Cc: Norm Stickelmann, Property Tax Specialist FortisBC
John MacLean, CAO RDKB

6440-01

WANETA EXPANSION LIMITED PARTNERSHIPby its General Partner
WANETA EXPANSION GENERAL PARTNER LTD.

September 18, 2013



Mr. David Perehudoff, CGA
 Chief Administrative Officer
 City of Trail
 1394 Pine Avenue
 Trail, BC V1R 4E6

Dear Mr. Perehudoff:

**Re: PROPOSED CITY OF TRAIL BOUNDARY EXTENSION PROPOSAL –
REFERRAL PROCESS**

We acknowledge receipt of your letter dated August 22, 2013 (your file #6440-01) addressed to Columbia Power Corporation, Attention Doug Clark, Manager, Civil Structures and Land. We have also reviewed the accompanying City of Trail – Area A (Columbia Gardens) Boundary Extension Study 2013 Update prepared by Urban Systems.

We are responding on behalf of the Waneta Expansion Limited Partnership, as it is the partnership that is the entity that will be impacted by the proposed City of Trail boundary extension.

The Waneta Expansion Limited Partnership is indifferent as to who is the taxing authority. The primary concern of the partnership is that any change in taxing authorities will not result in incremental taxes being incurred by the project had it remained in Rural, Electoral Area A. We are encouraged by the Urban Systems report stating the principle of Ministry staff that "No tax increase should be imposed over the current rural tax rates for Utility (Class 2) and Major Industrial (Class 4) properties involved" (page 32).

We would also like to clarify an issue raised on page 48 of the report regarding the payment of grants in lieu of taxes. The exemption of 49% of the Waneta Expansion from property taxes arises from Exemption Regulation No. 4 to the *Columbia Basin Trust Act*. As indicated on page 48, grants in lieu are paid on the Brilliant Expansion and Arrow Lakes Generating Station. Consistent with those projects, once Waneta Expansion commences commercial operation, grants in lieu will be paid on the portion of the project that is not subject to property tax at

Waneta Expansion Limited Partnership
 c/o Waneta Expansion General Partner Ltd.
 200 - 445 13th Avenue, Castlegar, BC V1N 1G1
 Tel 250.304.6023 Fax 250.304.6083

Page 2

rates applied to authorized capacity (other than construction capacity), as used by the Comptroller of Water Rights for determining the water rentals payable pursuant the *Water Act* and Water Regulation.

We trust that this response provides the perspective of the Waneta Expansion Limited Partnership with regards to the proposed City of Trail boundary extension. If you have any questions, please contact me through Columbia Power Corporation.

Yours truly,

A handwritten signature in black ink, appearing to read 'David de Git', with a stylized flourish at the end.

David de Git
Director, Waneta Expansion General Partner Ltd.

DD/gg

cc: Ali Grieve, RDKB, Area A Director

6440-01



September 26th, 2013

Agricultural Land Commission
133-4940 Canada Way
Burnaby, British Columbia V5G 4K6
Tel: 604 660-7000
Fax: 604 660-7033
www.alc.gov.bc.ca

Reply to the attention of Martin Collins

David Perehudoff,
Chief Administrative Officer
City of Trail
1394 Pine Ave,
Trail, BC
V1R 4E6

Dear Sir

Re: Proposed City of Trail Boundary Extension Proposal

Your file: 6440-01

Thank you for your referral dated August 22, 2013 which requested the Agricultural Land Commission's (ALC's) comments on a proposed City of Trail boundary extension affecting lands south of the current City boundary in Columbia Gardens.

This is to advise that the ALC has no objection to the proposed boundary extension, noting that only small areas of ALR are affected, notably portions of Beaver Creek Provincial Park, and small areas lying adjacent to the highway near the Waneta Dam. No improved farmland appears to be affected by the boundary extension.

However, the ALC advises that this comment does not bind or commit the ALC to approve subdivision and/or non-farm uses on the ALR land affected by the boundary extension.

If you have any further questions about the above, please contact Martin Collins at 604-660-7021.

Yours truly,

PROVINCIAL AGRICULTURAL LAND COMMISSION

A handwritten signature in black ink, appearing to read "Martin Collins", is written over a horizontal line.

Martin Collins, Regional Planner

6440-01

David Perehudoff

From: Bath, Geeta <Geeta.Bath@cbsa-asfc.gc.ca>
Sent: Monday, September 30, 2013 2:35 PM
To: David Perehudoff
Cc: Naderi, Neda; Wong, Judy
Subject: RE: Proposed Boundary Extension

Hi David,

CBSA has had an opportunity to review the proposed boundary extension and we have no issues or concerns.

Thank you for including us in the review.

Best regards,

Geeta Bath

Planning & Operations Supervisor | Superviseure de la planification et des opérations
 Infrastructure, Corporate and Program Services Division | Infrastructures, Division des service corporatifs et des programmes
 Canada Border Services Agency | Agence des services frontaliers du Canada
 Vancouver, BC | Vancouver (C.-B) V6B 1Y7
Geeta.Bath@cbsa-asfc.gc.ca
 Telephone | Téléphone 604-666-0814 / Facsimile | Télécopieur 604-666-8507 / Teletypewriter | Télérimeur 1-866-335-3237
 Government of Canada | Gouvernement du Canada

From: David Perehudoff [<mailto:DPerehudoff@trail.ca>]
Sent: September 4, 2013 11:51 AM
To: Bath, Geeta
Subject: RE: Proposed Boundary Extension

Hi Geeta:

Here is the PDF copy of the study as requested. I look forward to receiving any comments or questions you may have once it has been fully reviewed.

Thank-you.

David Perehudoff, cga
 Chief Administrative Officer
 City of Trail | 1394 Pine Avenue | Trail, B.C.
 Tel: 250.364.1262 x 805
 Direct: 250.364.0805
 Fax: 250.364.0830
 Email: dperehudoff@trail.ca
www.trail.ca



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From: Bath, Geeta [<mailto:Geeta.Bath@cbsa-asfc.gc.ca>]
Sent: Wednesday, September 04, 2013 11:43 AM
To: David Perehudoff
Subject: Proposed Boundary Extension

Hi David,

As requested, please send a PDF copy of the study, so that I may share it with operational areas for comment and feedback.

Thanks,

Geeta Bath

Planning & Operations Supervisor | Superviseure de la planification et des opérations

Infrastructure, Corporate and Program Services Division | Infrastructures, Division des service corporatifs et des programmes

Canada Border Services Agency | Agence des services frontaliers du Canada

Vancouver, BC | Vancouver (C.-B) V6B 1Y7

Geeta.Bath@cbsa-asfc.gc.ca

Telephone | Téléphone 604-666-0814 / Facsimile | Télécopieur 604-666-8507 / Teletypewriter | Téléimprimeur 1-866-335-3237

Government of Canada | Gouvernement du Canada

Geeta Bath

CBSA-ASFC

Planning & Operations Supervisor

(604) 666-0814 Work

(604) 202-7661 Mobile

Geeta.Bath@cbsa-asfc.gc.ca

525 Hamilton Street

Vancouver, BC V6B 2R1

6440-01

P.O. Box 510, 565-11th Avenue
Montrose, British Columbia V0G 1P0



Phone 250-367-7234 Fax 250-367-7288
montvill@telus.net www.montrose.ca

October 1, 2013

OFFICE OF THE MAYOR

City of Trail
Attention: Dieter Bogs, Mayor
1394 Pine Avenue
TRAIL, BC V1R 4E6

Dear Dieter:

RE: OPPOSITION OF PROPOSED TRAIL BOUNDARY EXTENSION

This letter is in response to your letter request received on August 23, 2013. In this letter you requested comments from the Village of Montrose regarding the proposed City of Trail Boundary Extension Proposal.

It was resolved by Council at the June 17 Regular Meeting that Council strongly opposes an extension that will negatively affect the residents of Area 'A' and possibly the residents of the entire Lower Columbia region.

It is the opinion of Council that if the extension proceeds and the concentration of assessment moves from Electoral Area 'A', many regional services in the Beaver Valley will suffer. The governing bodies in the Lower Columbia need to be working together, not building barriers to meaningful and mutually beneficial cooperation. I am afraid this boundary extension proposal adds another barrier to further fragment all of our communities.

Yours truly,

Joe Danchuk
Mayor

cc. Council;
David Perehudoff, CAO, City of Trail

0400.50

— "Gateway to the Beaver Valley" —

David Perehudoff

From: David Perehudoff
Sent: Tuesday, October 01, 2013 3:05 PM
To: 'Kevin Chartres'
Subject: RE: Montrose Boundary Extension Comment

Kevin:

This will acknowledge receipt of the Village of Montrose's letter. Thank-you.

David Perehudoff, CPA, CGA
 Chief Administrative Officer
 City of Trail | 1394 Pine Avenue | Trail, B.C.
 Tel: 250.364.1262 x 805
 Direct: 250.364.0805
 Fax: 250.364.0830
 Email: dperehudoff@trail.ca
www.trail.ca



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From: Kevin Chartres [<mailto:cao@montrose.ca>]
Sent: Tuesday, October 01, 2013 2:18 PM
To: David Perehudoff
Subject: Montrose Boundary Extension Comment

Hi David,

Please find attached letter from Mayor Danchuk to Mayor Bogs regarding comments on the Trail Boundary Extension Proposal. Hard copies have been sent through the post.

I apologize for the delay and understand a response was requested by the 22nd of this month. Please confirm that Montrose's comments have been received and will be included with other comments received as part of your extension proposal.

Regards,

Kevin Chartres A.Sc.T.
 Chief Administrative Officer
 Village of Montrose
 P.O Box 510 565 11th Avenue
 Montrose, BC V0G 1P0
 Ph. 250.367.7234
 Fax 250.367.7288
 Email cao@montrose.ca



→ 6440-01-

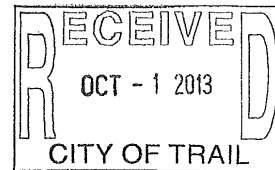
**THE CORPORATION OF
THE VILLAGE OF FRUITVALE**
In the "HEART OF THE BEAVER VALLEY"

Post Office Box 370, 1947 Beaver Street
Fruitvale, BC V0G 1L0
Phone: 250-367-7551 / Fax 250-367-9267
Email: mayor@village.fruitvale.bc.ca

OFFICE OF THE MAYOR

October 1, 2013

Mayor Dieter Bogs and Council
City of Trail
1394 Pine Avenue
Trail, BC V1R 4E6



Dear Mayor Bogs:

Re: Stakeholder Opposition to City of Trail Boundary Extension

This letter is sent in response to the news article in the Trail Times Friday September 27, 2013 indicating that "...all stakeholders and impacted parties have until Monday to submit their concerns to the city for the first step of the process, which includes proposal development and referrals."

Citizens of the Village of Fruitvale are impacted by this extension proposal, both in potential service reductions and/or taxation increases. Unfortunately, as an impacted party, we were not provided either with a copy of your updated report or notification of the deadline by your office. However, as the news article indicates that late submissions will be accepted, we request your consideration of this letter.

The Council of the Village of Fruitvale discussed the City of Trail proposal for a boundary extension to include the corridor including the Columbia Gardens Industrial Park to the Waneta Dam and is united in opposition to the extension. It is Council's considered opinion that the extension will have a negative impact on existing services provided to all residents of the Beaver Valley; the Villages of Fruitvale and Montrose and Electoral A 'A'. The concentration of assessment base in one municipality is not in the interest of the greater community area and the boundary extension will build barriers to future regional and sub-regional collaboration.

Enclosed also are copies of correspondence received from our citizens in opposition to the proposal.

....2

Mayor Bogs & Council
City of Trail
Re: Stakeholder Opposition to Boundary Extension
October 1, 2013
Page 2 of 2

The Village of Fruitvale is opposed to any extension process that is to the detriment of the Beaver Valley residents and taxpayers. We are prepared to participate in discussions with all stakeholders to come up with a solution that ensures the needs of all Beaver Valley residents are met both now and in the future.

Yours truly,

Patricia Cecchini
Mayor

A handwritten signature in cursive script that reads "Patricia Cecchini".

Encls.

C David Perehudoff, CAO, Trail

CAO

From: Mayor <mayor@village.fruitvale.bc.ca>
Sent: July-11-13 5:33 AM
To: Lila Cresswell
Subject: Fwd: Proposed Municipal Boundary Extension

Please print

Patricia Cecchini
 Mayor, Village of Fruitvale
 P.O. Box 370, 1947 Beaver Str.
 Fruitvale, B.C. V0G 1L0
 Tel: 250-367-7691
 Cell: 250-231-0432
 Email: mayor@vilage.fruitvale.bc.ca

Begin forwarded message:

From: Richard Jupp <rdjupp@telus.net>
Date: 10 July, 2013 10:43:22 PM PDT
To: "aligrieve@telus.net" <aligrieve@telus.net>
Cc: "mayor@village.fruitvale.bc.ca" <mayor@village.fruitvale.bc.ca>, Richard Jupp <rdjupp@telus.net>
Subject: Proposed Municipal Boundary Extension

I would like to express my opposition to expand the City of Trail's boundaries to include the Columbia Gardens Industrial Park and the Waneta Dam.
 I am a resident of Area "A" and a trustee of the Beaver Valley Library, President of the Fruitvale Co-op and Green's Committee Chairman for Champion Lakes Golf Course and I see no benefit to residents of Beaver Valley if this proposal was approved. The financial impact on Beaver Valley Recreation, Parks and Trails could be significant. Many residents of the Valley are either retired or live on a modest income. These residents are great users of Recreation Services and would not be able to purchase these services if they were not available to all, as there are now. Please continue the good fight.
 Richard Jupp
 310 Mill Road, Fruitvale

Sent from my iPad

Information from ESET NOD32 Antivirus, version of virus signature database 8503 (20130628)

The message was checked by ESET NOD32 Antivirus.

<http://www.eset.com>

CAO

From: Ali Grieve <aligrieve@telus.net>
Sent: July-05-13 9:09 PM
To: cao@village.fruitvale.bc.ca; Patricia C
Subject: FW: Boundary Expansion

Hi
Note for our file. Can you plse print and put in PC's file - thx!!
ag

-----Original Message-----

From: sharon456@telus.net [<mailto:sharon456@telus.net>]
Sent: July-05-13 6:04 AM
To: aligrieve@telus.net
Subject: Boundary Expansion

Please do everything you can to STOP the proposed boundary expansion of the city of Trail. You are correct this expansion should not be at our expense.

Thank you for all you do.

Sharon Stein

_____ Information from ESET NOD32 Antivirus, version of virus signature database 8503 (20130628) _____

The message was checked by ESET NOD32 Antivirus.

<http://www.eset.com>

Email July 4/2017

H i Joe, Patricia, and Ali,

I totally support the position of the Beaver Valley representatives in their opposition to the Boundary Expansion proposed by the City of Trail.

I was involved in municipal politics for 9 years. I enjoyed the experience and the positive impact that we had on our local municipality and on the Greater Trail Area. We tried to work together for the benefit of the Greater Trail Area.

The proposed agreement between Teck and the City of Trail seems to disregard the Greater Trail Area. I do not understand Teck's contribution to the City of Trail going from 63% to 55%. Does this percentage refer to Trail's total tax base or to Teck's total provincial tax?

I would like to see the parties work together to develop an agreement that would benefit the Greater Trail Area TOTALLY.

Art Benzer (retired mayor)

Trail Times Tuesday, July 2, 2013

LETTERS & OPINION

LETTERS TO THE EDITOR

Boundary expansion all about greed

The "Strongly Opposed" we were born last night? Will the people of Station Road want bylaw enforcement people telling them what time to cut their lawn? How many cars they can have and where they can put temporary carpools on their property?

Trail city council cherry picking the best of the property taxes and not giving a damn about the neighbours.

The people who want this amalgamation should ask the residents of Waneta junction about the Trail city council promise of no property tax increase if they expand the boundaries to take in these homes. This was a complete untruth. If boundary expansion is so important why stop at Waneta? Why not take in the rest of Area A up the Pend Oreille?

Will boundary expansion give better services to the effected residents? Not without a cost, more plows, garbage trucks, and staff without an increase in taxes?

Does Trail city council think

we were born last night? Will the people of Station Road want bylaw enforcement people telling them what time to cut their lawn? How many cars they can have and where they can put temporary carpools on their property?

Remember no chickens, no cows and maybe some parking meters can be put up to help pay for the new water facility. The Pine Avenue people will now have complete control over what can and can't be done in this area.

Remember the referendum for the aquatic centre was rejected by a majority of the voters so the bullies in the Trail council had another poll this time excluding the rest of the region and now we are paying for this swimming pool that was voted down?

This amalgamation to grab Waneta property tax money is not new but Teck said not unless the Beaver Valley had

some benefits the last time it was brought up in 2004. What has changed?

Teck and Trail council are now in bed together and they are going ahead without compensating the Beaver Valley. If there is a way to cause regional dissention, the crowd in the Ivory tower on Pine Avenue has found it.

Provincial law eliminates anyone outside the effected area a voice in this decision. But it does effect me if I can't use the recreation facilities in my area so where are the opinions of the majority of Beaver Valley residents?

What next? Rossland, Gennelle, Casino, Ross Spur Road? When will this shameless greed and bullying by Trail council end?

We are strongly opposed to and division of Area A and any amalgamation.

Mark Schmitz,
Fruitvale

Close windows to avoid campfire smoke

I am in total agreement with Tim Franko's letter (Campfires have positive impacts, Trail Times June 27).

is she then leaving her windows open and letting the dust and dirt laden air into her home, not to mention, camp-

SunSafe Tip:
Limit exposure to reflective surfaces like water, UV rays can be reflected off of sand, tiles, water, snow, and even buildings. Therefore, you must practice all the sun-protective behaviors even when you are in the shade.

Don't come colour to your feet
Cloverdale
Paint & sale is
Com W fi
GORDON'S WALL
Floored & window coverings
Helping you turn your house into a home...
364

MARKET QUOTATIONS

CAO

From: Mayor <mayor@village.fruitvale.bc.ca>
Sent: July-03-13 1:06 PM
To: Lila Cresswell
Subject: Fwd: Boundary expansion

Please print

Patricia Cecchini
Mayor, Village of Fruitvale
P.O. Box 370, 1947 Beaver Str.
Fruitvale, B.C. V0G 1L0
Tel: 250-367-7691
Cell: 250-231-0432
Email: mayor@village.fruitvale.bc.ca

Begin forwarded message:

From: <ssbock@shaw.ca>
Date: 29 June, 2013 8:42:09 PM PDT
To: <mayor@village.fruitvale.bc.ca>
Subject: Boundary expansion

I'm opposed to the proposed boundary expansion. The present services that are listed in your letter for the Beaver Valley community and its citizens could be jeopardized and this is a risk we can't afford to take. The reduction in services and/or tax increases does not bode well in the present unstable economy.
Thank you for the opportunity to voice our opinions.

Sheelah Bock
ssbock@shaw.ca

Information from ESET NOD32 Antivirus, version of virus signature database 8503 (20130628)

The message was checked by ESET NOD32 Antivirus.

<http://www.eset.com>

CAO

From: Mayor <mayor@village.fruitvale.bc.ca>
Sent: July-03-13 1:05 PM
To: Lila Cresswell
Subject: Fwd: Proposed Amalgamation

Lila, can you print and put on my desk please
 Thanks

Patricia Cecchini
 Mayor, Village of Fruitvale
 P.O. Box 370, 1947 Beaver Str.
 Fruitvale, B.C. V0G 1L0
 Tel: 250-367-7691
 Cell: 250-231-0432
 Email: mayor@village.fruitvale.bc.ca

Begin forwarded message:

From: Sally Browell <sally.browell6@gmail.com>
Date: 3 July, 2013 12:52:46 PM PDT
To: mayor@village.fruitvale.bc.ca
Subject: Proposed Amalgamation

Mayor Patricia Cecchini

We were very pleased to see the statements in your recent newsletter, and to learn of your determination to keep Fruitvale and Montrose from becoming part of Trail's proposed extended boundary.

We wish someone on council has voiced an opinion however, when Trail took the steps to incorporate our BV hockey players into an ill conceived plan to implement tier 2 hockey in Trail. It was the end of our very successful BV hockey program, and had the potential to threaten the continued viability of our local arena. Trail, in turn, held practices in Rossland and seldom used our arena. So much for fairness.

The frequent use of the term "Greater Trail," has been the new psychological tool in Trail council's arsenal. They minimize or ignore the names Fruitvale, Montrose, or Beaver Valley, and it has become a source of irritation to hear this term applied to the areas outside of Trail's city limits. What defines Greater Trail, at this moment in time? There is no such thing unless Trail itself has a duality. Is it Rossland?

In order for there to be a blending or incorporation there has to be significant advantages to both parties. Like the hockey "take-over," how did BV benefit, and what actions of the Trail Association helped compensate BV for the loss of use of our arena? Do we make Trail greater, and sacrifice our individuality, and sacrifice the services that we currently enjoy?

The argument "for" amalgamation we hear from some people, seems to focus on the cost of having Council members in each community. Perhaps someone could put that cost into



THE CORPORATION OF THE VILLAGE OF FRUITVALE
ACTION REQUEST

117

ATTENTION: Patricia Cecchini, Mayor
 REPORTEE: David White
 ADDRESS: 38 Davis Ave. PHONE: 250-367-7853
 DATE: June 26, 2013 TIME: _____

Nature of Complaint or Action Request:

Re: BV Residents - City of Trail
Boundary Expansion.

Please give Mr. White a call
as he has some questions.

Thanks!

Received by: Marley.

Remarks and/or Action Taken:

Checked out by: _____ Date: _____

June 27 2013

Ali Grieve

Your "Strongly Opposed" newsletter is exactly how we feel. And yet here we go again. Trail city council cherry picking the best of the property taxes and not giving a damn about the neighbours.

The people who want this amalgamation should ask the residence of Waneta junction about the Trail city council promise of no property tax increase if they expand the boundaries to take in these homes. This was a complete untruth!!! If boundary expansion is so important why stop at Waneta? Why not take in the rest of area A up the Pend-Oreille? Will boundary expansion give better services to the effected residence? Not without a cost, more plows, garbage trucks, and staff without an increase in taxes? Does Trail city council think we were born last night? Will the people of station road want bylaw enforcement people telling them what time to cut their law? How many cars they can have and were they can put temporary carports on their property? Remember no chickens, no cows and maybe some parking meters can be put up to help pay for the new water facility. The Pine avenue people will now have complete control over what can and can't be done in this area.

Remember the referendum for the aquatic center was rejected by a majority of the voters so the bullies in the Trail council had another poll this time excluding the rest of the region and now we are paying for this swimming pool that was voted down?!

This amalgamation to grab Waneta property tax money is not new but Teck said not unless the Beaver Valley had some benefits the last time it was brought up in 2004. What has changed? Teck and Trail council are now in bed together and they are going ahead without compensating the Beaver Valley. If there is a way to cause regional dissention the crowd in the Ivory tower on Pine Avenue has found it.

Provincial law eliminates anyone outside the effected area a voice in this decision. But it does effect me if I can't use the recreation facilities in my area so where are the opinion of the majority of Beaver Valley residence? What next? Rossland, Gennelle, Casino, Ross Spur road? When will this shameless greed and bullying by Trail council end?

We are strongly opposed to and division of area A and any amalgamation.

Mark Schmutz



Pauline Potvin



David Perehudoff

6440-01.

From: David Perehudoff
Sent: Tuesday, October 08, 2013 8:21 AM
To: 'TERESA IORIO'
Subject: RE: Trail boundary extension proposal

Ms. Iorio:

This will acknowledge receipt of your email regarding the boundary extension proposal. While the purpose of the referral process was not specifically intended to solicit opinions on whether or not individual property owners are in favor of proceeding at this time, your email will be included in the package that is forwarded to the Province of BC. In the absence of any specific detail regarding the proposal it is difficult for the City to respond to any objections or concerns that you may have.

Please note that if the proposal does advance, there will be a second opportunity for you to register your objection officially to the boundary extension before it occurs. In the interim, if there are specific issues or concerns that you do have, please feel free to contact me and we would do our best to respond more specifically to these.

Your input at this juncture in the process is appreciated.

David Perehudoff, CPA, CGA
 Chief Administrative Officer
 City of Trail | 1394 Pine Avenue | Trail, B.C.
 Tel: 250.364.1262 x 805
 Direct: 250.364.0805
 Fax: 250.364.0830
 Email: dperehudoff@trail.ca
www.trail.ca

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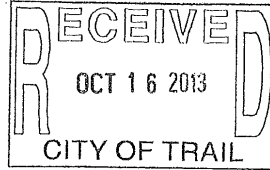
-----Original Message-----

From: TERESA IORIO [<mailto:teresaiorio@shaw.ca>]
Sent: Saturday, October 05, 2013 12:27 PM
To: David Perehudoff
Subject: Trail boundary extension proposal

Hello David,

My name is Teresa Iorio, and I recently got a letter about the proposed city of trail extension proposal. I have been away and didn't see this letter until now. In regards to my property on 8650 highway 22a, I do not agree with the extension proposal of city of trail boundary.

BChydro 
FOR GENERATIONS



6440-01

October 10, 2013

City of Trail
Attention: David Perehudoff, Chief Administrative Officer
1394 Pine Avenue
Trail, BC V1R 4E6
via email: dperehudoff@trail.ca

Dear Mr. Perehudoff,

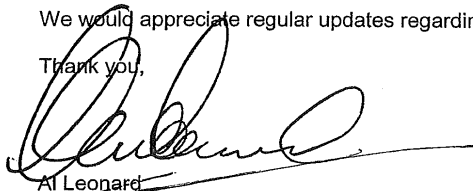
RE: PROPOSED CITY OF TRAIL BOUNDARY EXTENSION PROPOSAL – REFERRAL PROCESS

Thank you for your letter of 22 August 2013 to Janet Fraser, Chief Regulatory Office at BC Hydro. We appreciate you seeking BC Hydro's input regarding your recent Council resolution to consider a boundary extension proposal for an area that includes the Waneta Dam facility.

BC Hydro has now reviewed the Boundary Extension Study report provided and at this point we have no concerns with the proposal.

We would appreciate regular updates regarding your progress with this proposal.

Thank you,



Al Leonard
Director, Properties & Security
BC Hydro
333 Dunsmuir St, 12th floor
Vancouver, BC V6B 5R3
Direct: (604) 623-4027

Cc: Janet Fraser, Allan Woo, Seymour Douglass, Donna McGeachle, Geoff Higgins

British Columbia Hydro and Power Authority
333 Dunsmuir Street, Vancouver, BC, V6B 5R3
bchydro.com

6440-01

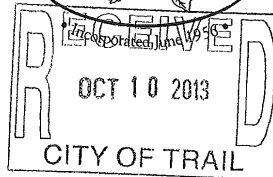
P.O. Box 510, 565-11th Avenue
Montrose, British Columbia V0G 1P0



Phone 250-367-7234 Fax 250-367-7288
montvill@telus.net www.montrose.ca

October 9, 2013

His Worship Mayor Dieter Bogs
City of Trail
1394 Pine Avenue
TRAIL, BC V1R 4E6



OFFICE OF THE MAYOR

Dear Dieter:

RE: VILLAGE OF MONTROSE AQUIFER PROTECTION

We write this letter with concerns regarding the ongoing protection of the Village of Montrose groundwater source and in particular, the strong interest of the Village in ensuring this Aquifer is protected in the event of any municipal boundary extension by the City of Trail.


As you may be aware, at issue is that the Aquifer for the Village of Montrose lies outside the boundaries of the Village in Electoral Area A of the Regional District of Kootenay Boundary (RDKB). The property containing the Village wells and pumping facility is owned in fee simple by the Village. Part 26 of the *Local Government Act* provides key policy and regulatory tools that may be used to provide protection to valuable groundwater sources. However, in the current situation Montrose Council has no authority to develop or implement any land use policy or regulatory efforts that could be used to safeguard our water source.

The Phase II Groundwater Protection Plan, completed for the Village in 2009, notes that certain existing land uses in the Aquifer zone "may represent some level of risk" to groundwater quality. Council considers protection of the Aquifer a priority for the Village and earlier this year the Village sent a letter to the Ministry outlining our concerns. It was requested that this letter remained on file to ensure our strong interests remain firmly in the realm of any future expansion recommendation and that any existing protection for the Aquifer be extended through the Supplementary Letters Patent created for the expanding municipality.

Council has since requested assistance from the RDKB to introduce its own land use policy and regulatory measures to protect the Montrose Aquifer which will possibly include the creation of a Development Permit Area and/or a unique zone for the lands. This process is currently underway and it is expected that it will be adopted by the Board in early 2014.

At this time, Council wishes to ensure that the City is aware of the Village's interest in maintaining maximum protection for our water source in the event of any municipal boundary extension.

Sincerely,


Joe Danchuk
Mayor

cc: Minister of Community, Sport and Cultural Development

"Gateway to the Beaver Valley"

0400-20



City of Trail

October 15, 2013

File #6440-01

Village of Montrose
Attention: Mayor Joe Danchuk
PO Box 510, 565 - 11th Avenue
Montrose, B.C. V0G 1P0

Dear Mayor Danchuk:

RE: MONTROSE AQUIFER PROTECTION - BOUNDARY EXTENSION


This is in response to your letter dated October 9th, 2013 as it pertains to your expressed concerns regarding the Village's aquifer that lies within the proposed boundary extension area and ensuring that the aquifer is protected should these lands fall within the jurisdiction of the City of Trail.

As you indicate, the Regional District of Kootenay Boundary appears to be dealing with this matter currently and logically there would be adequate buffering in recognition of the aquifer as part of including the lands within a Development Permit Area or utilization of some other mechanism from a planning perspective. The City of Trail would surely respect any regulatory measures that had been previously adopted, and in the previous boundary extension into Area A, did adopt land use regulations that were already in place.

Further to the above, the City of Trail has a Well in a sensitive area and is also dealing with similar concerns as far as developing a groundwater protection plan and therefore can appreciate the matter you are advancing. It would be the City's intention in this regard to ensure that the Village's drinking water source is appropriately protected if the boundary extension did proceed and would work with you to ensure that the Village is satisfied with the measures taken.

We appreciate that you have brought this matter to our attention as this time as part of the boundary extension referral process and trust this initial response is satisfactory. If you have any questions or concerns please feel free to contact me.

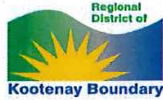
Yours truly,


David Perehudoff, CPA, CGA
Chief Administrative Officer

cc: Mayor and Council

Explore your
TRAIL

City Hall ♦ 1394 Pine Avenue, Trail, BC, Canada V1R 4E6 ♦ Telephone: (250) 364-1262 ♦ Fax: (250) 364-0830
Public Works ♦ Telephone: (250) 364-0840 ♦ Fax: (250) 364-0831
www.trail.ca ♦ eMail: info@trail.ca

**STAFF REPORT**

Date:	February 14, 2014	File:	
To:	Chair McGregor and Board of Directors		
From:	Mark Andison, General Manager of Operations / Deputy CAO		
RE:	2013 Year End Statistics		

Issue Introduction

A staff report from Mark Andison, General Manager of Operations / Deputy CAO regarding the 2013 Building Statistics.

History / Background Factors

The Building Department is submitting the 2013 statistics for total construction values, number of building permits and total permit fees collected for Electoral Areas A, B, C, D, E, Big White and Fruitvale, Grand Forks, Greenwood, Midway, Montrose, Trail and Warfield.

Implications (Financial, Policy/Practice, Interdepartmental or Intergovernmental)

There are no implications associated with this staff report.

Advancement of Strategic Planning Goals

Not applicable.

Background Information Provided

- A comparison report is attached indicating the number of permits and total construction values for the years 2012 and 2013.

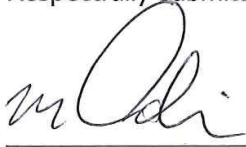
Alternatives

1. Receipt.

Recommendation(s)

1. That the staff report from Mark Andison, General Manager of Operations / Deputy CAO regarding the 2013 Building Statistics be received.

Respectfully submitted:



Concurrence:
(Dept. Head)

Concurrence:
(C.A.O.)

BUILDING REPORT - MUNICIPALITIES - YEAR ENDING DECEMBER, 2013

MUNICIPALITY	TOTAL VALUE	# PERMITS	# UNITS	PERMIT FEE
FRUITVALE				
S.F.D	\$1,042,000	4	4	\$7,416
MOBILE HOME	\$105,000	1	1	\$75
ADD/ALTER	\$325,724	27	0	\$3,057
GAR/CARPORT	\$15,000	1	0	\$130
COMMERCIAL	\$0.00	0	0	\$0.00
COMM ADD/ALT	\$188,700	4	0	\$1,458
INDUSTRIAL	\$0.00	0	0	\$0.00
IND ADD/ALT	\$0.00	0	0	\$0.00
INSTITUTIONAL	\$0.00	0	0	\$0.00
INSTIT ADD/ALT	\$366,700	2	0	\$2,390
TOTAL	\$2,043,124	39	5	\$14,526
MONTROSE				
S.F.D	\$168,000	1	1	\$1,418
MOBILE HOME	\$0.00	0	0	\$0.00
ADD/ALTER	\$177,722	18	0	\$1,841
GAR/CARPORT	\$23,000	3	0	\$268
COMMERCIAL	\$0.00	0	0	\$0.00
COMM ADD/ALT	\$0.00	0	0	\$0.00
INDUSTRIAL	\$0.00	0	0	\$0.00
IND ADD/ALT	\$0.00	0	0	\$0.00
INSTITUTIONAL	\$0.00	0	0	\$0.00
INSTIT ADD/ALT	\$0.00	0	0	\$0.00
TOTAL	\$368,722	22	1	\$3,527
TRAIL				
S.F.D	\$1,110,000	5	5	\$9,141
MOBILE HOME	\$0.00	0	0	\$0.00
M/F # OF UNITS	\$0.00	0	0	\$0.00
ADD/ALTER	\$1,784,779	116	0	\$14,738
GAR/CARPORT	\$8,300	4	0	\$200
COMMERCIAL	\$0.00	0	0	\$0.00
COMM ADD/ALT	\$837,300	11	0	\$3,915
INDUSTRIAL	\$9,999,855	5	0	\$76,538
IND ADD/ALT	\$0.00	0	0	\$0.00
INSTITUTIONAL	\$0.00	0	0	\$0.00
INSTIT ADD/ALT	\$153,000	4	0	\$1,315
TOTAL	\$13,893,234	145	5	\$105,847
WARFIELD				
S.F.D	\$0.00	0	0	\$0.00
MOBILE HOME	\$0.00	0	0	\$0.00
ADD/ALTER	\$347,221	27	0	\$2,988
GAR/CARPORT	\$86,000	4	0	\$318
COMMERCIAL	\$0.00	0	0	\$0.00
COMM ADD/ALT	\$0.00	0	0	\$0.00
INDUSTRIAL	\$0.00	0	0	\$0.00
IND ADD/ALT	\$0.00	0	0	\$0.00
INSTITUTIONAL	\$0.00	0	0	\$0.00
INSTIT ADD/ALT	\$636,840	1	0	\$0.00
TOTAL	\$1,070,061	32	0	\$3,306
GRAND FORKS				
S.F.D	\$521,000	2	2	\$4,051
MOBILE HOME	\$0.00	0	0	\$0.00
M/F # OF UNITS	\$0.00	0	0	\$0.00
ADD/ALTER	\$134,300	13	0	\$992
GAR/CARPORT	\$95,000	6	0	\$796
COMMERCIAL	\$177,000	2	0	\$1,464
COMM ADD/ALT	\$119,000	3	0	\$950
INDUSTRIAL	\$0.00	0	0	\$0.00
IND ADD/ALT	\$0.00	0	0	\$0.00
INSTITUTIONAL	\$0.00	0	0	\$0.00
INSTIT ADD/ALT	\$15,000	1	0	\$138
TOTAL	\$1,061,300	27	2	\$8,391
GREENWOOD				
S.F.D	\$0.00	0	0	\$0.00
MOBILE HOME	\$0.00	0	0	\$0.00
ADD/ALTER	\$33,800	4	0	\$346
GAR/CARPORT	\$38,760	2	0	\$312
COMMERCIAL	\$0.00	0	0	\$0.00
COMM ADD/ALT	\$0.00	0	0	\$0.00
INDUSTRIAL	\$0.00	0	0	\$0.00
IND ADD/ALT	\$0.00	0	0	\$0.00
INSTITUTIONAL	\$0.00	0	0	\$0.00
INSTIT ADD/ALT	\$0.00	0	0	\$0.00
TOTAL	\$72,560	6	0	\$668
MIDWAY				
S.F.D	\$225,180	1	1	\$1,921
MOBILE HOME	\$29,000	1	1	\$339
M/F # OF UNITS	\$0.00	0	0	\$0.00
ADD/ALTER	\$0.00	0	0	\$0.00
GAR/CARPORT	\$25,000	1	0	\$210
COMMERCIAL	\$0.00	0	0	\$0.00
COMM ADD/ALT	\$450,000	1	0	\$3,384
INDUSTRIAL	\$0.00	0	0	\$0.00
IND ADD/ALT	\$0.00	0	0	\$0.00
INSTITUTIONAL	\$0.00	0	0	\$0.00
INSTIT ADD/ALT	\$0.00	0	0	\$0.00
TOTAL	\$729,180	4	2	\$5,854

BUILDING REPORT - ELECTORAL AREAS - YEAR ENDING DECEMBER, 2013

ELECTORAL AREA	TOTAL VALUE	# PERMITS	# UNITS	PERMIT FEE
AREA 'A'				
S.F.D	\$484,000	2	2	\$3,743
MOBILE HOME	\$186,000	2	2	\$170
M/F # OF UNITS	\$0.00	0	0	\$0.00
ADD/ALTER	\$157,540	20	0	\$1,756
GAR/CARPORT	\$123,000	7	0	\$1,094
COMMERCIAL	\$0.00	0	0	\$0.00
COMM ADD/ALT	\$8,000	1	0	\$68
INDUSTRIAL	\$0.00	0	0	\$0.00
IND ADD/ALT	\$0.00	0	0	\$0.00
INSTITUTIONAL	\$0.00	0	0	\$0.00
INSTIT ADD/ALT	\$0.00	0	0	\$0.00
TOTAL	\$958,540	32	4	\$6,831
AREA 'B'				
S.F.D	\$522,000	2	2	\$4,042
MOBILE HOME	\$558,500	3	3	\$791
M/F # OF UNITS	\$0.00	0	0	\$0.00
ADD/ALTER	\$100,583	8	0	\$902
GAR/CARPORT	\$293,000	10	0	\$2,455
COMMERCIAL	\$0.00	0	0	\$0.00
COMM ADD/ALT	\$500	1	0	\$50
INDUSTRIAL	\$0.00	0	0	\$0.00
IND ADD/ALT	\$0.00	0	0	\$0.00
INSTITUTIONAL	\$0.00	0	0	\$0.00
INSTIT ADD/ALT	\$0.00	0	0	\$0.00
TOTAL	\$1,474,583	24	5	\$8,240
AREA 'C'				
S.F.D	\$1,908,000	7	7	\$15,186
SECSUITE W/IN ACC BLDG	\$0.00	0	0	\$0.00
MOBILE HOME	\$0.00	0	0	\$0.00
M/F # OF UNITS	\$0.00	0	0	\$0.00
ADD/ALTER	\$378,200	21	0	\$2,767
GAR/CARPORT	\$524,400	15	0	\$4,177
COMMERCIAL	\$100,000	1	0	\$800
COMM ADD/ALT	\$17,500	2	0	\$132
INDUSTRIAL	\$0.00	0	0	\$0.00
IND ADD/ALT	\$0.00	0	0	\$0.00
INSTITUTIONAL	\$0.00	0	0	\$0.00
INSTIT ADD/ALT	\$0.00	0	0	\$0.00
TOTAL	\$2,928,100	46	7	\$23,062
AREA 'D'				
S.F.D	\$1,421,360	6	6	\$11,900
SECSUITE W/IN ACC BLDG	\$0.00	0	0	\$0.00
MOBILE HOME	\$71,240	1	1	\$148
M/F # OF UNITS	\$0.00	0	0	\$0.00
ADD/ALTER	\$525,441	22	0	\$4,622
GAR/CARPORT	\$555,710	17	0	\$5,609
COMMERCIAL	\$0.00	0	0	\$0.00
COMM ADD/ALT	\$0.00	0	0	\$0.00
INDUSTRIAL	\$0.00	0	0	\$0.00
IND ADD/ALT	\$0.00	0	0	\$0.00
INSTITUTIONAL	\$0.00	0	0	\$0.00
INSTIT ADD/ALT	\$0.00	0	0	\$0.00
TOTAL	\$2,573,751	46	7	\$22,279
AREA 'E'				
S.F.D	\$1,796,820	9	9	\$14,642
MOBILE HOME	\$302,096	4	4	\$1,166
M/F # OF UNITS	\$0.00	0	0	\$0.00
ADD/ALTER	\$203,352	10	0	\$1,735
GAR/CARPORT	\$297,160	15	0	\$2,439
COMMERCIAL	\$0.00	0	0	\$0.00
COMM ADD/ALT	\$0.00	0	0	\$0.00
INDUSTRIAL	\$0.00	0	0	\$0.00
IND ADD/ALT	\$0.00	0	0	\$0.00
INSTITUTIONAL	\$0.00	0	0	\$0.00
INSTIT ADD/ALT	\$4,000	1	0	\$115
TOTAL	\$2,603,428	39	13	\$20,097
BIG WHITE				
S.F.D	\$600,000	1	1	\$4,500
MOBILE HOME	\$0.00	0	0	\$0.00
M/F # OF UNITS	\$0.00	0	0	\$0.00
ADD/ALTER	\$3,891,000	7	0	\$9,212
GAR/CARPORT	\$91,400	1	0	\$668
COMMERCIAL	\$0.00	0	0	\$0.00
COMM ADD/ALT	\$479,500	5	0	\$3,514
INDUSTRIAL	\$0.00	0	0	\$0.00
IND ADD/ALT	\$0.00	0	0	\$0.00
INSTITUTIONAL	\$0.00	0	0	\$0.00
INSTIT ADD/ALT	\$20,000	1	0	\$144
TOTAL	\$5,081,900	15	1	\$18,038

COMPARISON BUILDING REPORT FOR 2012 AND 2013 (TO THE END OF DECEMBER, 2013)

AREA	# PERMITS	# UNITS	TOTAL VALUE
FRUITVALE			
Year Ending 2013	39	5	\$2,043,124
Year Ending 2012	20	1	\$482,544
MONTROSE			
Year Ending 2013	22	1	\$368,722
Year Ending 2012	12	1	\$703,325
TRAIL			
Year Ending 2013	145	5	\$13,893,234
Year Ending 2012	138	4	\$18,403,386
WARFIELD			
Year Ending 2013	32	0	\$1,070,061
Year Ending 2012	25	0	\$426,010
GRAND FORKS			
Year Ending 2013	27	2	\$1,061,300
Year Ending 2012	56	94	\$13,127,100
GREENWOOD			
Year Ending 2013	6	0	\$72,560
Year Ending 2012	3	0	\$36,600
MIDWAY			
Year Ending 2013	4	2	\$729,180
Year Ending 2012	7	0	\$179,175
AREA 'A'			
Year Ending 2013	32	4	\$958,540
Year Ending 2012	25	1	\$1,361,409
AREA 'B'			
Year Ending 2013	24	5	\$1,474,583
Year Ending 2012	25	1	\$1,323,300
AREA 'C'			
Year Ending 2013	46	7	\$2,928,100
Year Ending 2012	64	20	\$6,720,900
AREA 'D'			
Year Ending 2013	46	7	\$2,573,751
Year Ending 2012	57	9	\$4,015,125
AREA 'E'			
Year Ending 2013	39	13	\$2,603,428
Year Ending 2012	33	15	\$4,086,318
BIG WHITE			
Year Ending 2013	15	1	\$5,081,900
Year Ending 2012	17	33	\$4,558,200
TOTAL YEAR ENDING 2013	477	85	\$34,858,483
TOTAL YEAR ENDING 2012	482	179	\$55,423,392

**STAFF REPORT**

Date:	February 14, 2014	File:	
To:	Chair McGregor and Board of Directors		
From:	Mark Andison, General Manager of Operations / Deputy CAO		
RE:	<u>BUILDING BYLAW CONTRAVENTION</u> 10700 HIGHWAY 3, GRAND FORKS, B.C. ELECTORAL AREA 'D' PARCEL IDENTIFIER: 027-597-920 LOT 1, D.L. 3227, SDYD, PLAN KAP87217 OWNER: ANNE DEMSKI		

Issue Introduction

A staff report from Mark Andison, General Manager of Operations / Deputy CAO regarding a Building Bylaw Contravention.

History/Background Factors

The Building Official confirmed that there have been no changes concerning the above referenced property. The owner has constructed a single family dwelling at the above referenced property without the final inspection being completed and a final occupancy permit issued.

Implications (Financial, Policy/Practice, Interdepartmental or Intergovernmental)

The filing of a Notice on Title against the above mentioned property pursuant to Section 695 of the Local Government Act and Section 57 of the Community Charter will alert future purchasers of the property that the building(s) are in contravention of the B.C. Building Code and/or Building Bylaw.

Advancement of Strategic Planning Goals

Not applicable.

Background Information Provided

- Staff Report from October 23, 2013 submitted to the Board regarding the building bylaw contravention revised January 22, 2014 to include email correspondence from Anne Demski;
- Letter dated January 9, 2014 inviting the Owner to the January 30, 2014 Board Meeting.

Staff Report
February 27, 2014
Page 1 of 2

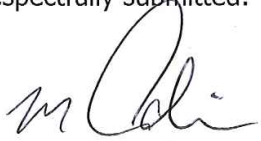
Alternatives

1. Once all deficiencies are rectified, the Owner may request that the Regional District of Kootenay Boundary Board of Directors remove the Notice on Title upon receipt of \$200.00 (Administration fee for removal of the Notice).

Recommendation(s)

1. That the staff report from Mark Andison, General Manager of Operations / Deputy CAO be received;
2. That the Regional District of Kootenay Boundary Board of Directors direct the Chief Administration Officer to file a Notice in the Land Title Office pursuant to Section 695 of the Local Government Act and Section 57 of the Community Charter against the property legally described as Lot 1, D.L. 3227, SDYD, Plan KAP87217.

Respectfully submitted:



 Concurrence:
 (Dept. Head)

 Concurrence:
 (C.A.O.)

**STAFF REPORT**

Date:	January 22, 2014	File:	
To:	Chair Gray and Board of Directors		
From:	Mark Andison, General Manager of Operations / Deputy CAO		
RE:	<u>BUILDING BYLAW CONTRAVENTION</u> 10700 HIGHWAY 3, GRAND FORKS, B.C. ELECTORAL AREA 'D' PARCEL IDENTIFIER: 027-597-920 LOT 1, D.L. 3227, SDYD, PLAN KAP87217 OWNER: ANNE DEMSKI		

Issue Introduction

A staff report from Mark Andison, General Manager of Operations / Deputy CAO regarding a Building Bylaw Contravention.

History/Background Factors

The owner, Anne Demski has located a **mobile home** on the above referenced property for which no building permit has been issued.

Feb. 25, 2013	Building Permit application for above address and letter from Anne Demski received by this office;
Feb. 25, 2013	Stop Work Order posted;
Mar. 19, 2013	Letter mailed and emailed to Anne Demski with attached Building/Zoning Bylaw requirements;
Mar. 19, 2013	First registered letter mailed and emailed to Anne Demski requesting a response by April 19, 2013;
Mar. 20, 2013	Canada Post confirmation that the letter was received by owner;
Mar. 30, 2013	Email received from Anne Demski;
Apr. 10, 2013	Response letter and attachments to March 30, 2013 email, mailed and emailed to Anne Demski;
Apr. 22, 2013	Email received from Anne Demski;
May 6, 2013	Second registered letter mailed and emailed to Anne Demski requesting a response by June 6, 2013;
May 10, 2013	Canada Post confirmation that the letter was received by owner;

Staff Report
October 30, 2013
Page 1 of 3

June 10, 2013 **Third registered letter** mailed and emailed to Anne Demski requesting a response by July 10, 2013;

July 12, 2013 Third registered letter undeliverable and received back to this office July 12, 2013.

The Regional District of Kootenay Boundary Building and Plumbing Amendment Bylaw No. 449 states:

Duties of the owner

12.1 Every owner shall:

- (b) obtain where applicable from the authority having jurisdiction, permits relating to demolition, excavation, building, repair of buildings, zoning, change in classification of occupancy, sewers, water, plumbing, signs, canopies, awnings, marquees, blasting, street occupancy, electricity, buildings to be moved, and all other permits required in connection with the proposed work prior to the commencement of such work;

Implications (Financial, Policy/Practice, Interdepartmental or Intergovernmental)

The Regional District of Kootenay Boundary Board of Directors has dealt with a number of Bylaw Contraventions by Filing a Notice on Title. The effect of this Notice is to alert future Purchasers of the property that the building(s) are in contravention of the B.C. Building Code and/or regulatory bylaws.

The above action does not preclude the Regional District of Kootenay Boundary from taking such steps as may be further authorized by Bylaw, Local Government Act and Community Charter to enforce compliance with regulations.

Advancement of Strategic Planning Goals

Not applicable.

Background Information Provided

- Registered letter dated June 10, 2013;
- Registered letter dated May 6, 2013;
- Email received from Anne Demski dated April 22, 2013;
- Response letter and attachments dated April 10, 2013;
- Email received from Anne Demski dated March 30, 2013;
- Registered letter dated March 19, 2013;
- Building Permit Application and letter received on February 25, 2013.

Alternatives

1. Once all deficiencies are rectified, the Owner may request that the Regional District of Kootenay Boundary Board of Directors remove the Notice on Title upon receipt of \$200.00 (Administration fee for removal of the Notice).

Recommendation(s)

1. That the staff report from Mark Andison, General Manager of Operations / Deputy CAO be received;
2. That the Regional District of Kootenay Boundary Board of Directors invite the owner, Anne Demski to appear before the Board to make a presentation relevant to the filing of a Notice in the Land Title Office pursuant to Section 695 of the Local Government Act and Section 57 of the Community Charter against the property legally described as Lot 1, D.L. 3227, SDYD, Plan KAP87217.

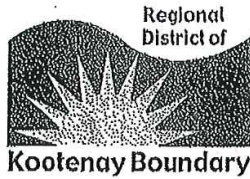
Respectfully submitted:

Concurrence:

Concurrence:

(Dept. Head)

(C.A.O.)



June 10, 2013

REGISTERED

Anne Demski
Box 2142
Grand Forks, B.C.
VOH 1H0

Re: STOP WORK ORDER
10700 Highway 3, Grand Forks, B.C.
DL 3227, Lot 1, Plan KAP87217

A review of the above referenced file indicates that we have not received the documentation requested in our letter dated March 19, 2013 and May 6, 2013. A **Stop Work Order** was posted on February 25, 2013 for **Locating a Mobile Home** without a building permit.

To date, no response has been received by this office as requested.

We will now be recommending to the Regional District of Kootenay Boundary Board of Directors that a notice be registered on title pursuant to Section 695 of the Local Government Act and Section 57 of the Community Charter (copies attached). This notice will refer to a building bylaw contravention on the above referenced property and does not limit further action being taken.

If you have any questions or wish to discuss this notice, please contact the undersigned by **July 10, 2013**

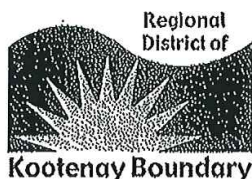
The above action does not preclude the Regional District of Kootenay Boundary from taking such steps as may be further authorized by Bylaw, Local Government Act and Community Charter to enforce compliance with regulations. Your attention to this matter is appreciated.

Yours truly,

Don Lepitre, RBO
Building & Plumbing Official

DL:rt
Attachment

cc: Sig Dreher, RBO, Chief Building & Plumbing Official ✓
annademski@yahoo.com ✓



May 6, 2013

REGISTERED

Anne Demski
Box 2142
Grand Forks, B.C.
V0H 1H0

Re: Mobile Home
Highway 3, Grand Forks, B.C.
Lot 1, District Lot 3227, Plan KAP87217

A review of the above referenced file indicates that we have not received the documentation requested in our letters dated March 19, 2013 and April 10, 2013. A Stop Work Order was posted on February 25, 2013 for Locating a Mobile Home without a building permit.

No building permit has been issued as required by the Regional District of Kootenay Boundary Building Bylaw No. 449

Section 7.1 No person shall commence or continue any work provided for in Section 3.2 or related to building unless he has a valid and subsisting permit issued by the authority having jurisdiction.

Section 12.1 b) Every owner shall:
obtain where applicable from the authority having jurisdiction, permits relating to demolition, excavation, building, repair of buildings, zoning, change in classification of occupancy, sewers, water, plumbing, signs, canopies, awnings, marquees, blasting, street occupancy, electricity, buildings to be moved, and all other permits required in connection with the proposed work prior to the commencement of such work;

At present you can:

- A) Remove the mobile home from the property or
- B) The following relevant documentation to be submitted to this office:
 1. Septic Application through Interior Health at 250-443-3150. They will give you a list of Certified Installers. Once the application process is complete, we will accept the paper work at this office.
 2. A site plan where the trailer will be permanently located on the property with distance to property lines.
 3. A floor plan of the unit.
 4. A blocking plan.
 5. Manufacturers' specifications showing the mobile home will support a ground snow load of 99psf. If that information did not come with the mobile home, then a Professional Engineer will need to assess the mobile home and confirm that it will carry a ground snow load of 99psf.
 6. Fill out the Regional District of Kootenay Boundary application form indicating the "Purpose of Building" as "Dwelling".

If you have any further questions or wish to discuss this further, please contact the undersigned by June 6, 2013. Failure to comply may result in legal action.

Regards,

A handwritten signature in black ink, appearing to read "Don Lepitre".

Don Lepitre, RBO
Building & Plumbing Official

DL:rt

CC: Sig Dreher, RBO, Chief Building & Plumbing Official
annademski@yahoo.com

Rosanne Tomashewsky

From: Demski [mangwanasail2002@yahoo.com]
Sent: Monday, April 22, 2013 6:41 PM
To: rtomashewsky@rdkb.com
Subject: Building permit

Hi , Rosanne Tomashewsky

In answer to your building permit letter I would like to explain my present situation so you can understand why it is impossible at the present time for me to do the requirements necessary in order to obtain a building permit now.

I am working here in the Philippines in my brothers travel agency. I have not enough capital to return presently.

My plan is to sell the neighboring 2 lots and use that money to build a small house to retire . I love skiing , so it is the right location for me and my kids to visit

When I sell the other two lots I will bring in the power and start building.

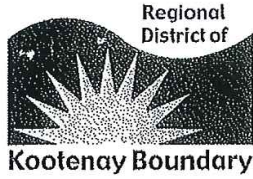
Mean while the trailer is not used for any thing. Just waiting for me to come back at which time I will do the required protocol to get the building permit so I can live in it.

So it is not used for storage or living in. It is just stored on the property waiting for me to come at which time I will act to make it liveable.

I thank you for you understanding. I will have a friend check on the trailer weekly to prevent damage or vandalism.

Thank you very much

Anne Demski



April 10, 2013

REGISTERED

Anne Demski
Box 2142
Grand Forks, B.C.
VOH 1H0

Re: Mobile Home
Highway 3, Grand Forks, B.C.
Lot 1, District Lot 3227, Plan KAP87217

Dear Anne,

Thank you for your email dated March 30, 2013. You have stated in this email that the intended use for the mobile home is as a residence and would like to apply for a permit accordingly. The following are the legal requirements to be submitted to this office:

1. Septic Application thru Interior Health at 250-443-3150. They will give you a list of Certified Installers. Once the application process is complete, we will accept the paper work at this office.
2. A site plan where the trailer will be permanently located on the property with distance to property lines.
3. A floor plan of the unit.
4. A blocking plan.
5. Manufacturers' specifications showing the mobile home will support a **ground snow load of 99psf**. If that information did not come with the mobile home, then a Professional Engineer will need to assess the mobile home and confirm that it will carry a ground snow load of 99psf. Enclosed is a list of Engineers in this area.
6. Fill out the enclosed application form indicating the "Purpose of Building" as "Dwelling".

Please see additional enclosed information to help determine the permit fee. Generally speaking, based on the information you provided, the permit fee *may* be as follows:

Permit Fee \$50.00
Mobile Home or Modular Placement \$75.00
Title Search \$10.00

TOTAL \$135.00

Please contact this office by **May 1, 2013** to advise us of your plans so that we may continue to work with you to come to a resolution.

Regards,

Don Lepitre, RBO
Building & Plumbing Official
Enclosure (4)

DL:rt

CC: Sig Dreher, RBO, Chief Building & Plumbing Official
annademski@yahoo.com

PROFESSIONAL ENGINEERS

Grand Forks Construction Services Ltd.

W. GEORGE WLASOFF, P. ENG

7816 Donaldson Drive

Grand Forks, B.C.

Office: 250-442-5229

Fax: 250-442-8511

Phoenix Engineering

BILL (W.J.) LUND, P. ENG

A4 – 5455 Almond Gardens Road

Grand Forks, B.C.

Ph/Fax: 250-442-5367

WSA Engineering Ltd.

BRYAN WOODS, P. ENG

2248 Columbia Avenue

Castlegar, B.C.

Ph: 250-365-3696

Fax: 250-365-3607

Sherwin Engineering

CRAIG SHERWIN P.ENG

1418-85th St.

Osoyoos, B.C. V0H 1V1

Ph: 250-495-5370

Fx: 250-495-5365

ARCHITECT

Fairbank Architects Ltd.

CHIRS FAIRBANK

404 Vernon

Nelson, B.C.

ph: 250-352-5371

fx: 250-352-6542



**REGIONAL DISTRICT OF KOOTENAY BOUNDARY
FORMULA FOR ESTIMATED VALUE OF CONSTRUCTION**
Revised February, 2009

Residential Construction

1 Floor Finished – Full Basement Unfinished.....	\$ 125.00	p.s.f.
1 Floor Finished – Crawl Space or Slab.....	105.00	p.s.f.
Basement (For Relocation of Residence).....	25.00	p.s.f.
Finished Basement.....	30.00	p.s.f.
Finished 2 nd & 3 rd Storeys.....	60.00	p.s.f.
Sundeck.....	20.00	p.s.f.
Sundeck with Roof.....	25.00	p.s.f.
Carport.....	25.00	p.s.f.
Garage.....	30.00	p.s.f.
Accessory Building up to 600 sq. ft.	20.00	p.s.f.
Farm Building.....	10.00	p.s.f.

Mobile Home Costs

Blocking of Mobile Home.....	\$ 10.00	p.s.f.
Crawl Space under Mobile Home.....	15.00	p.s.f.
Basement under Mobile Home.....	25.00	p.s.f.
Roof over Mobile Home.....	20.00	p.s.f.
Mobile Home Additions.....	50.00	p.s.f.

Other

Single Fireplace.....	\$4,000.00
Wood Heater.....	4,000.00

Value of construction for Commercial, Industrial or Institutional buildings will be calculated as per the **CONTRACT** or **TENDERED** costs. Where there is no contract or tendered price, the value shall be calculated to the following schedule:

Commercial Construction

Commercial Building (Shell Only).....	\$ 80.00	p.s.f.
Commercial Building (<u>Except</u> Office Building & Restaurants) (Interior Finish).....	17.00	p.s.f.
Commercial Buildings (Restaurants) (Interior Finish).....	27.00	p.s.f.
Commercial Buildings (Office Buildings) (Interior Finish).....	25.00	p.s.f.

Industrial Construction

Industrial Buildings (Shell Only).....	\$ 80.00	p.s.f.
Industrial Buildings (Interior Finish).....	15.00	p.s.f.

Institutional Construction

Institutional Buildings (Shell Only).....	\$ 80.00	p.s.f.
Institutional Buildings (Interior Finish).....	25.00	p.s.f.

**REGIONAL DISTRICT OF KOOTENAY BOUNDARY
SCHEDULE 'A'**

A. BUILDING PERMIT FEES

The Schedule of fees to be charged for the issuance of a permit under this Bylaw is as follows:

Declared or Assessed Value

The permit fee for the construction, reconstruction, addition, extension, alteration and repair of any buildings or any other work requiring a permit and not specifically listed here;

Minimum fee: \$40.00

\$8.00 per \$1,000.00 or portion thereof.

The fee for each plumbing fixture, which includes all traps and hot water tanks shall be:

\$10.00 per fixture when issued in conjunction with a Building Permit or

\$10.00 per fixture plus \$75.00 flat rate when issued separately from a building permit.

B. NON-REFUNDABLE APPLICATION FEE

Every permit application shall include a non-refundable application fee:

Actual Permit Fee up to \$10,000.00 of construction cost;

* \$ 50.00 for each application \$10,000.00 to \$50,000.00;

* \$150.00 for each application valued over \$50,000.00.

* **This fee will be applied against the cost of the permit.**

C. RELATED BUILDING PERMIT FEES

Building Permit Renewal (June 8, 2006)

Construction Value up to \$50.00.....\$50.00

Construction Value in excess of \$50,000.00.....\$2.00/\$1,000

Re-inspection Fee.....\$75.00

Demolition Fee.....\$50.00

Moving permit.....\$75.00

Temporary Building Permit.....\$75.00**

Mobile Home or Modular Home Placement.....\$75.00**

Minimum Inspection Fee.....\$50.00

****Plus construction values of new work on-site such as foundations, basements, additions and plumbing.**

D. BUILDING PERMIT REFUNDS

Where a permit has been issued pursuant to this Bylaw and construction has not commenced:

- 75% of the permit fee may be refunded upon application for the cancellation of the permit;
- No refund in the amount of less than \$50.00 shall be made;
- Applications for refunds must be received within 12 months of permit issuance.

E. NOTICE ON TITLE

Administrative charge to remove..... \$200.00

Adopted by the Board of Directors, March 31, 2005

REGIONAL DISTRICT OF KOOTENAY BOUNDARY APPLICATION FOR BUILDING PERMIT

Boundary Office – Building Official

Regional District of Kootenay Boundary, 2140 Central Avenue, Box 1965, Grand Forks, B.C. VOH 1H0
Telephone: (250) 442-2708/Fax: (250) 442-2688

DATE: _____

This form must be submitted for all new construction, alterations, additions, repairs, demolition, or moving a mobile home or building.

To be completed by applicant:

The undersigned hereby applies for a Building Permit under all applicable bylaws, according to the following specifications and accompanying plans: (Please note reminders on back page)

1. Name of Owner _____ Mailing Address _____
Street Address of Project _____
Legal Description: Lot _____ Block _____ Plan _____ D.L. _____
2. Name of Contractor _____ Mailing Address _____ Phone Number _____
3. Name of Architect/Designer _____ Mailing Address _____ Phone Number _____
4. Purpose of Building _____ If dwelling, for how many families _____
5. Type of Building: New Building Mobile Home Addition Repair Demolition Renovation
Moving a Building Accessory Building Home Occupation or Home-Based Business Use
Provide Details of Project _____
6. Dimensions of Building: Main floor area _____ sq. ft. Front _____ Depth _____
7. No. of storeys _____ Height from average grade to highest point of building _____
8. Estimated cost \$ _____ (total cost of material and labour, exclusive of land).

In consideration of the granting of this permit, the undersigned: (a) releases the Regional District of Kootenay Boundary and those acting on behalf of the Regional District of Kootenay Boundary from all claims and expenses which the undersigned may have or incur as a result of the issue of this permit or the enforcement or non-enforcement of the Regional District of Kootenay Boundary Bylaws or of the British Columbia Building Code; (b) indemnifies the Regional District of Kootenay Boundary from all such claims and expenses which may be made by any other person; and (c) acknowledges that the Regional District of Kootenay Boundary owes no duty of care to the undersigned or any one else in respect of these matters. When requesting an inspection, the owner or contractor must give 72 hours notice upon completion of the work. I/We have read the above agreement, release and indemnity and understand it.

Signature of owner or authorized representative: _____

Address: _____ Phone No. _____

Fax No. _____ Cell No. _____ Email _____

Coordinating Registered Professional

Print Name: _____

Signature: _____

Rosanne Tomashewsky

From: ana demski [annademski@yahoo.com]
Sent: Saturday, March 30, 2013 12:40 AM
To: Rosanne Tomashewsky
Subject: Re: Building Application Response

dear **Ms or Mrs Rosanne Tomashewsky**

I am sorry to cause all this confusion.

So I should reapply a permit for the trailer as a temporary accommodation. not a storage unit. This way I can live in it till I can afford to build a solid little house someday.

The trailer is a mobile home and I am planning to use it as such. So please grant me a permit for a mobile home.

My plan was to live in the trailer until I have saved enough money to built a house and than sell the trailer.

I hope we can solve this without me having to take a lawyer as I am not rich and have to get by on my pension

I seems like I own the land but can't live on it as you will remove the trailer. I always thought that if you own the land you have the right to build a house or move a trailer on it and live in it.

Why do I pay taxes?

Why do I buy land?

The answer is to live on the land, why else would I have bought it? .

I bought this trailer as it was a very reasonable price and it will allow me to live there surrounded by nature without large expensive s.

So please supply me a permit for a mobile home instead a storage shed. Sorry again for the confusion.

Thanks ahead for your time.I will phone after you answer this letter.

Please tell me the cost of the permit for my future home to see if I can afford it.

Sincere

Anne Demski

--- On Tue, 3/19/13, Rosanne Tomashewsky <rtomashewsky@rdkb.com> wrote:

From: Rosanne Tomashewsky <rtomashewsky@rdkb.com>
 Subject: Building Application Response
 To: annademski@yahoo.com
 Date: Tuesday, March 19, 2013, 10:14 AM

RECEIVED
 APR 02 2013
 REGIONAL DISTRICT OF KENT
 BOUNDARY

Rosanne Tomashewsky

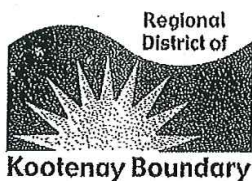
Building & Plumbing Inspection General Secretary

Regional District of Kootenay Boundary

2140 Central Avenue, P.O. Box 1965

Grand Forks, B.C. V0H 1H0

Phone: 1-877-520-7352 / 250-442-2708



March 19, 2013

REGISTERED

Anne Demski
Box 2142
Grand Forks, B.C.
VOH 1H0

Re: STOP WORK ORDER
Highway 3, Grand Forks, B.C.
Lot 1, District Lot 3227, Plan KAP87217

Dear Anne,

As mentioned in our email to you dated February 26, 2013, this office is in receipt of your letter and Building Application form. This letter confirms the posting of a **Stop Work Order** on the above mentioned property on February 25, 2013 for **Locating a Mobile** without a building permit. Enclosed are the Building and Zoning Bylaw requirements for your property zoned Rural Resource 1 (RUR 1). In addition:

1. Your application indicates the trailer is 12' x 60' or 66.9 meters squared which exceeds the allowable 60 meters squared construction/location of an accessory building without a Building Permit.
2. This parcel is zoned 'Rural Resource 1' (RUR 1) in the Area 'D' Zoning Bylaw No. 1299, 2005. The RUR 1 Zone permits accessory buildings as a secondary use, only in conjunction with a permitted principal use. There does not appear to be a permitted principal use on the parcel. If a principal use is not established, then Section 302(i) of the Zoning Bylaw applies, which restricts the size of a storage building (less than 60m²) on the parcel.
3. If you wish to construct or place a storage unit larger than the 60m² on the parcel, without establishing a permitted principal use, then you will need to apply for and obtain a development variance permit (DVP). The criteria the Board considers when reviewing a DVP application whether a hardship exists necessitating the variance, does the proposal improve the development of the property (i.e., does it add to the aesthetics and character of the property and the neighbourhood), and are there any adverse impacts on neighbouring properties. For further clarification on the DVP process, please contact the RDKB Planning and Development Department in Trail at 1-800-355-7352 or 250-368-0231.
4. If the trailer remains on the property in Contravention to Zoning Bylaw 1299, a Notice will be registered on the Title with the Land Titles Office.

Please contact this office by **April 19, 2013** to advise us of your plans so that we may work with you to come to a resolution.

Regards,

Don Lepitre, RBO
Building & Plumbing Official
Enclosure (2)

DL:rt

CC: Sig Dreher, RBO, Chief Building & Plumbing Official
Jeff Ginalas, Assistant Planner, RDKB Planning Department
annademski@yahoo.com

Memo/NOT Letters/Anne Demski 18Mar13

REGIONAL DISTRICT OF KOOTENAY BOUNDARY

APPLICATION FOR BUILDING PERMIT (Feb. 26, 2010)

Boundary Office -- Building Official
Regional District of Kootenay Boundary 2140 Central Avenue, Box 1965, Grand Forks, B.C. V0H 1H0
Telephone: (250) 442-2708/Fax: (250) 442-2688

DATE: Feb 02 2013

This form must be submitted for all new construction, alterations, additions, repairs, demolition, fireplace/woodstoves or moving a mobile home or building.

To be completed by applicant:

The undersigned hereby applies for a Building Permit under all applicable bylaws, according to the following specifications and accompanying plans: (Please note reminders on back page)

1. Name of owner Anne Demski Mailing Address Box 2142, Grand Forks, BC
Street address of the project 10070 Hwy 3 Grand Forks BC
Legal Address: Lot 1 Block _____ Plan KAP 87211 D.L. 3227
2. Name of Contractor _____ Mailing Address _____ Phone Number _____
3. Name of Architect/Designer _____ Mailing Address _____ Phone Number _____
4. Purpose of building Outbuilding If dwelling, for how many families _____
5. Type of building: New Building ☐ Mobile Home ☒ Addition ☐ Repair ☐ Demolition ☐
Moving a building ☐ Accessory building ☐ Renovation ☐
Provide Details of Project _____
6. Dimensions of building: Main floor area 12x60 sq. ft. Front _____ Depth _____
7. No. of storeys _____ Height from average grade to highest point of building _____
8. Estimated cost \$ 1000 (total cost of material and labour, exclusive of land).

In consideration of the granting of this permit, the undersigned: (a) releases the Regional District of Kootenay Boundary and those acting on behalf of the Regional District of Kootenay Boundary from all claims and expenses which the undersigned may have or incur as a result of the issue of this permit or the enforcement or non-enforcement of the Regional District of Kootenay Boundary Bylaws or of the British Columbia Building Code; (b) indemnifies the Regional District of Kootenay Boundary from all such claims and expenses which may be made by any other person; and (c) acknowledges that the Regional District of Kootenay Boundary owes no duty of care to the undersigned or any one else in respect of these matters. When requesting an inspection, the owner or contractor must give 72 hours notice upon completion of the work. I/We have read the above agreement, release and indemnity and understand it.

Signature of owner or authorized representative: [Signature]

Address: Sea Dream Dr Danin Phillipina Phone No. _____
Negros Oriental (Postcode 6217)
Fax No. _____ Cell No. _____ Email annadamski@yahoo.com

Coordinating Registered Professional

Print Name: _____

Signature _____

RECEIVED
FEB 25 2013
REGIONAL DISTRICT OF KOOTENAY
BOUNDARY

Feb. 5, 2013

Davao, Negros Oriental
Philippines.

To whom it may concern

I am living temporary in Philippines and that is the reason that I can't come personally into your office to apply for a permit for the outbuilding. The trailer is to be used as a toolshed for the construction of a House in the future. You can reach me via e-mail or my Canadian address, Box 2142, Grand Forks B.C. V0H 1H0.

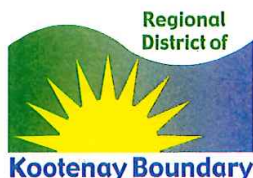
Respectfully I remain at your command

Annie Demski



RECEIVED
FEB 25 2013

REGIONAL DISTRICT OF KOOTENAY
BOUNDARY



January 9, 2013

Anne Demski
PO Box 2142
Grand Forks, B.C. V0H 1H0

**Re: Lot 1, D.L. 3227, SDYD, Plan KAP87217
10700 Highway 3, Grand Forks, B.C., Electoral Area 'D'
Located a Mobile Home without issuance of a Building Permit**

On October 30, 2013 the Board of Directors reviewed the attached report regarding the above referenced property. As a consequence the Board will, at its next regular meeting, be considering a resolution to direct the Chief Administrative Officer to file a formal Notice in the Land Title Office regarding this contravention. Pursuant to Section 695 of the Local Government Act and Section 57 of the Community charter you are to be afforded the opportunity to be heard by the Board of Directors before such a Notice is filled. The Board has therefore, adopted the following resolution.

"That Anne Demski be invited to appear before the Board to make a presentation relevant to the filing of a Notice in the Land Title Office pursuant to Section 695 of the Local Government Act and Section 57 of the Community Charter against the property legally described as Lot 1, District Lot 3227, SDYD, Plan KAP87217".

This hearing before the Board of Directors is scheduled for Thursday, January 30, 2014 at approximately 6:00 p.m. This meeting will be held at the Regional District of Kootenay Boundary office, 2140 Central Avenue, Grand Forks, B.C. Please advise Sara Bradley at the address noted below in advance, whether you or a representative will be present at this hearing. If you will be attending this hearing, we would request a written submission from you relating to this matter by January 23, 2014. This will provide sufficient time for your report to be distributed to the Board of Directors.

Please be advised that, in order to avoid registration of this Notice, the Board of Directors requires a written confirmation from the Building Inspection staff that the property is now in compliance. You are encouraged to acquire that confirmation before the hearing date.

Enclosed for your information is a copy of Section 695 of the Local Government Act and Section 57 of the Community Charter. The effect of this Notice is to remove liability from the Regional District of Kootenay Boundary and warn future purchasers of the property that the building(s) or construction on the property may have been in violation of the B.C. Building Code and/or Regulatory Bylaws of the Authority having Jurisdiction.

Yours truly,

Elaine Kumar
Director of Corporate Administration

Attachment

/sb



**STAFF REPORT**

Date:	February 14, 2014	File:	
To:	Chair McGregor and Board of Directors		
From:	Mark Andison, General Manager of Operations / Deputy CAO		
RE:	<u>BUILDING BYLAW CONTRAVENTION</u> 6055 CHRISTIAN VALLEY ROAD ELECTORAL AREA 'E' PARCEL IDENTIFIER: 024-657-638 LOT 1, D.L. 3132, SDYD, PLAN KAP65920 OWNER: TYLER HARTLING		

Issue Introduction

A staff report from Mark Andison, General Manager of Operations / Deputy CAO regarding a Building Bylaw Contravention.

History/Background Factors

The Building Official confirmed that there have been no changes concerning the above referenced property. The owner has constructed a single family dwelling at the above referenced property without the final inspection being completed and a final occupancy permit issued.

Implications (Financial, Policy/Practice, Interdepartmental or Intergovernmental)

The filing of a Notice on Title against the above mentioned property pursuant to Section 695 of the Local Government Act and Section 57 of the Community Charter will alert future purchasers of the property that the building(s) are in contravention of the B.C. Building Code and/or Building Bylaw.

Advancement of Strategic Planning Goals

Not applicable.

Background Information Provided

- Staff Report dated October 23, 2013 submitted to the Board regarding the building bylaw contravention;
- Letter dated January 9, 2014 inviting the Owner to the January 30, 2014 Board Meeting.

Staff Report
February 27, 2014
Page 1 of 2

Alternatives

1. Once all deficiencies are rectified, the Owner may request that the Regional District of Kootenay Boundary Board of Directors remove the Notice on Title upon receipt of \$200.00 (Administration fee for removal of the Notice).

Recommendation(s)

1. That the staff report from Mark Andison, General Manager of Operations / Deputy CAO be received;
2. That the Regional District of Kootenay Boundary Board of Directors direct the Chief Administration Officer to file a Notice in the Land Title Office pursuant to Section 695 of the Local Government Act and Section 57 of the Community Charter against the property legally described as Lot 1, D.L. 3132, SDYD, Plan KAP65920.

Respectfully submitted:



Concurrence:

(Dept. Head)

Concurrence:

(C.A.O.)

**STAFF REPORT**

Date:	October 23, 2013	File:	
To:	Chair Gray and Board of Directors		
From:	Mark Andison, General Manager of Operations / Deputy CAO		
RE:	<u>BUILDING BYLAW CONTRAVENTION</u> 6055 CHRISTIAN VALLEY ROAD ELECTORAL AREA 'E' PARCEL IDENTIFIER: 024-657-638 LOT 1, D.L. 3132, SDYD, PLAN KAP65920 OWNER: TYLER HARTLING		

Issue Introduction

A staff report from Mark Andison, General Manager of Operations / Deputy CAO regarding a Building Bylaw Contravention.

History/Background Factors

The owner, Tyler Hartling has constructed a **single family dwelling** at the above referenced property without the final inspection being completed and a final occupancy permit issued.

June 3, 2002	Building Permit application and supporting documents received to construct a single family dwelling from original owner, Victor Delaire;
June 18, 2002	Permit issued to construct single family dwelling;
June 28, 2002	Footing inspection;
July 15, 2002	Damproof / backfill inspection;
Aug. 9, 2002	Plumbing / basement framing inspection;
Aug. 21, 2002	Poly inspection;
Jan. 2, 2002	Rough in plumbing / framing inspection;
Jan. 24, 2003	Insulation / vapour barrier inspection;
Feb. 28, 2007	Tyler Wade Bailey becomes registered owner of property. See attached Title #3;
Feb. 18, 2009	Tyler Ryan Hartling becomes registered owner of property. See attached Title #4

Staff Report
October 30, 2013
Page 1 of 3

June 24, 2011	Certificate of Pending Litigation filed at Land titles Office. See attached Title #4 w/cancelled charges and Title #6;
Jan. 24, 2012	The Crown in Right of British Columbia becomes registered owner of property. See attached Title #5;
May 1, 2012	Tyler Ryan Hartling becomes registered owner of property. See attached Title #6;
July 22, 2013	First registered letter mailed to owner requesting a response by August 23, 2013;
Aug. 13, 2013	First registered letter returned "unclaimed";
Aug. 23, 2013	Second registered letter mailed to owner requesting response by September 6, 2013;
Aug. 29, 2013	Second registered letter returned "moved";
Sept. 11, 2013	Email correspondence with Realtor John Yetman, Royal LePage, Kelowna;
Sept. 24, 2013	Phone call and follow up email from Hala Elshimy, Account Manager – Pro-Check Home Services. Third party company that handles foreclosures;
Sept. 25, 2013	Third registered letter mailed to Pro-Check Home Services;
Sept. 27, 2013	Emailed copy of building permit and inspection slips to Farris, Attention: Debbie Reiswig (Company handling the house for TD Bank);
Sept. 30, 2013	Canada Post confirmation that the letter was received by Pro-Check Home Services.

The Regional District of Kootenay Boundary Building and Plumbing Amendment Bylaw No. 449 states:

Permits:

10.10 Where a building permit has been issued for a single family residence, the owner may apply for a permit to occupy the building prior to completion of construction, which permit may be withheld until the building or part thereof complies with this Bylaw and with the health and safety requirements of the Bylaws of the authority having jurisdiction or the provisions of any Provincial or Federal statutes.

Implications (Financial, Policy/Practice, Interdepartmental or Intergovernmental)

The Regional District of Kootenay Boundary Board of Directors has dealt with a number of Bylaw Contraventions by Filing a Notice on Title. The effect of this Notice is to alert future Purchasers of the property that the building(s) are in contravention of the B.C. Building Code and/or regulatory bylaws.

The above action does not preclude the Regional District of Kootenay Boundary from taking such steps as may be further authorized by Bylaw, Local Government Act and Community Charter to enforce compliance with regulations.

Advancement of Strategic Planning Goals

Not applicable.

Background Information Provided

- Registered letter dated September 25, 2013;
- Registered letter dated August 23, 2013;
- Registered letter dated July 22, 2013;
- Building Permit 02-0240E issued for a single family dwelling.

Alternatives

1. Once all deficiencies are rectified, the Owner may request that the Regional District of Kootenay Boundary Board of Directors remove the Notice on Title upon receipt of \$200.00 (Administration fee for removal of the Notice).

Recommendation(s)

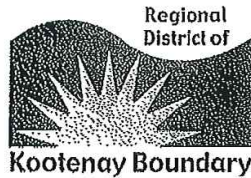
1. That the staff report from Mark Andison, General Manager of Operations / Deputy CAO be received;
2. That the Regional District of Kootenay Boundary Board of Directors invite the owner, Tyler Hartling and The Toronto-Dominion Bank to appear before the Board to make a presentation relevant to the filing of a Notice in the Land Title Office pursuant to Section 695 of the Local Government Act and Section 57 of the Community Charter against the property legally described as Lot 1, D.L. 3132, SDYD, Plan KAP65920.

Respectfully submitted:



Concurrence:
(Dept. Head)

Concurrence:
(C.A.O.)



September 25, 2013

Pro-Check Home Services
1136 Matheson Blvd East
Mississauga, ON
L4W 2V4

REGISTERED

Re: Building Permit #02-0240E -- Construct Single Family Dwelling
6055 Christian Valley Road
Lot 1, DL 3132, Plan KAP65920

A review of the above referenced file indicates that arrangements for a Final inspection have not been made as requested in our letters dated July 22, 2013 and August 23, 2013. A **Stop Work Order** was posted on July 19, 2013 for failure to request an inspection since January 24, 2003.

To date, no response has been received by this office as requested.

We will now be recommending to the Regional District of Kootenay Boundary Board of Directors that a notice be registered on title pursuant to Section 695 of the Local Government Act and Section 57 of the Community Charter (copies attached). This notice will refer to a building bylaw contravention on the above referenced property and does not limit further action being taken.

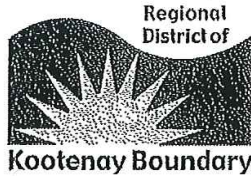
If you have any questions or wish to discuss this notice, please contact the undersigned by **October 10, 2013**

Yours truly,

Don Lepitre, RBO
Building and Plumbing Official

DL:rt
Attachment

Cc: Mark Andison, MCIP, Director of Planning & Development
Hala Elshimy, Account Manager, Pro-Chick Home Services



August 23, 2013

Tyler Ryan Hartling
5232 Southridge Drive
Kelowna, B.C.
V1W 2P9

REGISTERED

**Re: Building Permit #02-0240E ~ Construct Single Family Dwelling
6055 Christian Valley Road
Lot 1, DL 3132, Plan KAP65920**

A review of the above referenced file indicates that arrangements for a Final Inspection have not been made as requested in our letter dated July 22, 2013. A **Stop Work Order** was posted on July 19, 2013 for failure to request an inspection since January 24, 2003.

Building Bylaw #449 of the Regional District Kootenay Boundary requires an owner to obtain a Certificate of Occupancy where a building permit has been issued for a Single Family Dwelling.

10.10 Where a building permit has been issued for a single family residence, the owner may apply for a permit to occupy the building prior to completion of construction, which permit may be withheld until the building or part thereof complies with this Bylaw and with the health and safety requirements of the Bylaws of the authority having jurisdiction or the provisions of any Provincial or Federal statutes.

It is required that an Occupancy Permit be obtained prior to moving into a building. An Occupancy Permit may be issued if all building code requirements have been met.

It is very important that you contact the Building Department at 250-442-2708 by **September 6, 2013** so your file can be updated, or a final inspection can be set up to close your file. Failure to comply may result in legal action.

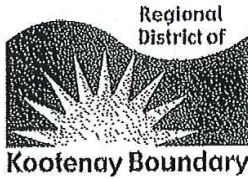
If you have any questions, please contact the undersigned.

Regards;


Don Lepitre, RBO
Building & Plumbing Official

DL:rt

Cc: Mark Andison, MCIP, Director of Planning & Development



July 22, 2013

Tyler Ryan Hartling
5232 Southridge Drive
Kelowna, B.C.
V1W 2P9

REGISTERED

**Re: Building Permit #02-0240E -- Construct Single Family Dwelling
6055 Christian Valley Road
Lot 1, DL 3132, Plan KAP65920**

A recent review was carried out on your building permit file, which indicates that an inspection has not been carried out since **January 24, 2003**. (attached)

Building Bylaw #449 of the Regional District Kootenay Boundary requires an owner to obtain a Certificate of Occupancy where a building permit has been issued for a Single Family Dwelling.

10.10 Where a building permit has been issued for a single family residence, the owner may apply for a permit to occupy the building prior to completion of construction, which permit may be withheld until the building or part thereof complies with this Bylaw and with the health and safety requirements of the Bylaws of the authority having jurisdiction or the provisions of any Provincial or Federal statutes.

It is required that an Occupancy Permit be obtained prior to moving into a building. An Occupancy Permit may be issued if all building code requirements have been met.

It is very important that you contact the Building Department at 250-442-2708 by **August 23, 2013** so your file can be updated, or a final inspection can be set up to close your file.

Regards,

Don Lepitre, RBO
Building & Plumbing Official

DL:rt
attachment

No. 02-0240E

INSPECTION CALLS: (250) 442-2708 or 1-877-620-7362

DATE PERMIT
GRANTED

Jun 07, 02

Regional District of Kootenay Boundary

BUILDING INSPECTION DEPT.

2140 Central Ave., Box 1865, Grand Forks, B.C. V0H 1H0

PERMIT TO CONSTRUCT, ERECT, INSTALL, ALTER, ADD TO, REPAIR, MOVE,
OR DEMOLISH, A BUILDING, STRUCTURE, OR PLUMBING

APPLICANT: VICTOR DELAIRE		ADDRESS: WESTBRIDGE, B.C.		TELEPHONE:	
BEFORE THE OWNER OR ACTIVITY COMMENCED BY THE APPLICANT IS PERMITTED					
APERMIT TO: CONSTRUCT SINGLE FAMILY DWELLING					
AT: 6055		CHRISTIAN VLY RD		FOLIO: 713 07076.010	
LOT: 1	BLOCK:	RANGE:	DL: 3132	PLAN: KAP65920	LO:
OWNER: VICTOR DELAIRE		ADDRESS: CHRISTINA VALLEY RD		TELEPHONE:	
CONTRACTOR:		ADDRESS:		TELEPHONE:	
<p>PARTICULARS - PERMIT IS ISSUED SUBJECT TO THE FOLLOWING SPECIAL REQUIREMENTS:</p> <p>ALL WORK TO CONFORM TO THE 1998 B.C. BUILDING CODE.</p> <p>ALL WORK TO CONFORM TO ALL RELEVANT AREA BYLAWS.</p> <p>BUILDING PERMIT RESTRICTIONS FORM PART OF THIS PERMIT.</p> <p>MINIMUM SETBACKS: FRONT AND EXTERIOR SIDE (S), INTERIOR SIDE AND REAR (S).</p> <p>MINIMUM SETBACKS FROM KETTLE RIVER: 100'.</p> <p>MAXIMUM HEIGHT 29' FROM AVERAGE GRADE.</p> <p>SEE NOTES ON PLANS.</p> <p>MECHANICAL VENTILATION CHECKLIST "A, B, C, D" TO BE SUBMITTED PRIOR TO THE FRAMING INSPECTION.</p> <p>CALL FOR ALL INSPECTIONS (SEE STAGES LISTED BELOW).</p> <p>ENGINEER TO FILE LOG ASSEMBLY INSPECTION DONE ACCORDING TO HIS STAMPED DRAWINGS.</p> <p>ALL STRUCTURAL JOINTS TO BE DRY OR BETTER AND DRY.</p> <p>PLUMBING CERTIFICATE TO BE KEPT ON SITE AND INITIALED AT APPROPRIATE TIMES.</p>					

		FEES
AREA OF LIVING SPACE	1716 SQ FT	
CONSTRUCTION VALUE	\$ 150000	
BUILDING PERMIT FEE		\$ 1050
PLUMBING FIXTURES	11	\$ 110
DEMOLITION		
OTHER		
SUB-TOTAL		\$ 1160
TITLE SEARCH		\$ 10
TOTAL		\$ 1170
LESS DEPOSIT		\$ 150
BALANCE OWING		\$ 1020

WAIVER OF INDEMNITY

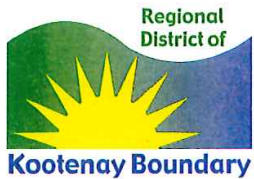
In consideration of the granting of this permit, the undersigned: (a) releases the Regional District of Kootenay Boundary and those acting on behalf of the Regional District of Kootenay Boundary from all claims and expenses which the undersigned may have or incur as a result of the issue of this permit or the enforcement or non-enforcement of the Regional District of Kootenay Boundary Bylaws or of the British Columbia Building Code; (b) indemnifies the Regional District of Kootenay Boundary from all suit claims and expenses which may be made by any other person; and (c) acknowledges that the Regional District of Kootenay Boundary owes no duty of care to the undersigned or any one else in respect of these matters. The owner or contractor must give 72 hours notice upon completion of the work.

V. Delaire
Owner's Signature

John M. Hoff
JOHN M. HOFF
BUILDING INSPECTOR'S SIGNATURE

DATE PAID *June 18, 02*

1. Prior to placing concrete in footings 2. After installation of drain tiles/dampproofing/before backfilling 3. When framing completed 4. Insulation and vapour barrier completed 5. Before any part of plumbing system covered 6. Final Inspection - An occupancy permit is required prior to occupancy of building.



January 9, 2013

Tyler Hartling
5232 Southridge Drive
Kelowna, B.C. V1W 5A9

**Re: Lot 1, D.L. 3132, SDYD, Plan KAP65920
6055 Christian Valley Road, Electoral Area 'E'
Occupied a Single Family Dwelling without Final Inspection or Final Occupancy Granted**

On October 30, 2013 the Board of Directors reviewed the attached report regarding the above referenced property. As a consequence the Board will, at its next regular meeting, be considering a resolution to direct the Chief Administrative Officer to file a formal Notice in the Land Title Office regarding this contravention. Pursuant to Section 695 of the Local Government Act and Section 57 of the Community charter you are to be afforded the opportunity to be heard by the Board of Directors before such a Notice is filled. The Board has therefore, adopted the following resolution.

"That Tyler Hartling be invited to appear before the Board to make a presentation relevant to the filing of a Notice in the Land Title Office pursuant to Section 695 of the Local Government Act and Section 57 of the Community Charter against the property legally described as Lot 1, District Lot 3132, SDYD, Plan KAP65920".

This hearing before the Board of Directors is scheduled for Thursday, January 30, 2014 at approximately 6:00 p.m. This meeting will be held at the Regional District of Kootenay Boundary office, 2140 Central Avenue, Grand Forks, B.C. Please advise Sara Bradley at the address noted below in advance, whether you or a representative will be present at this hearing. If you will be attending this hearing, we would request a written submission from you relating to this matter by January 23, 2014. This will provide sufficient time for your report to be distributed to the Board of Directors.

Please be advised that, in order to avoid registration of this Notice, the Board of Directors requires a written confirmation from the Building Inspection staff that the property is now in compliance. You are encouraged to acquire that confirmation before the hearing date.

Enclosed for your information is a copy of Section 695 of the Local Government Act and Section 57 of the Community Charter. The effect of this Notice is to remove liability from the Regional District of Kootenay Boundary and warn future purchasers of the property that the building(s) or construction on the property may have been in violation of the B.C. Building Code and/or Regulatory Bylaws of the Authority having Jurisdiction.

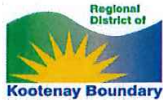
Yours truly,

Elaine Kumar
Director of Corporate Administration

Attachment

/sb



**STAFF REPORT**

Date:	February 14, 2014	File:	
To:	Chair McGregor and Board of Directors		
From:	Mark Andison, General Manager of Operations / Deputy CAO		
RE:	<u>BUILDING BYLAW CONTRAVENTION</u> 4435 ROCK CREEK BRIDESVILLE ROAD, ROCK CREEK, B.C. ELECTORAL AREA 'E' PARCEL IDENTIFIER: 028-823-621 LOT 1, D.L. 461S, SDYD, PLAN EPP17904 OWNER: MARJORIE LINDQUIST		

Issue Introduction

A staff report from Mark Andison, General Manager of Operations / Deputy CAO regarding a Building Bylaw Contravention.

History/Background Factors

The owner, Marjorie Lindquist has constructed a **single family dwelling** at the above referenced property without the final inspection being completed and a final occupancy permit issued.

Aug. 21, 2012	Building Permit application and supporting documents received to construct a single family dwelling;
Oct. 4, 2012	Permit issued to construct single family dwelling;
Nov. 6, 2012	Site inspection;
Nov. 8, 2012	Received field review report from Craig Sherwin, P. Eng.;
Nov. 30, 2012	Email from Craig Sherwin, P. Eng., to John Lindquist, General Contractor;
July 15, 2013	Received Schedule C-B for structural;
Sept. 13, 2013	Stop Work Order posted;
Sept. 16, 2013	First registered letter mailed to owner requesting a response by October 16, 2013;
Sept. 17, 2013	Canada Post confirmation that the first letter was received by Marjorie Lindquist;
Sept. 19, 2013	First letter from owner, Marjorie Lindquist, received;

Staff Report
February 27, 2014
Page 1 of 3

Sept. 23, 2013 **Second registered letter** mailed to owner requesting a response by October, 23, 2013;

Sept. 24, 2013 Canada Post confirmation that second letter was received by Marjorie Lindquist;

Sept. 26, 2013 Second letter from owner, Marjorie Lindquist, received;

Oct. 23, 2013 **Third registered letter** mailed to owner;

Oct. 25, 2013 Canada Post confirmation that third letter was received by Marjorie Lindquist;

Oct. 28, 2013 Third letter from owner, Marjorie Lindquist, received.

The Regional District of Kootenay Boundary Building and Plumbing Amendment Bylaw No. 449 states:

Duties of the Owner:

10.10 Where a building permit has been issued for a single family residence, the owner may apply for a permit to occupy the building prior to completion of construction, which permit may be withheld until the building or part thereof complies with this Bylaw and with the health and safety requirements of the Bylaws of the authority having jurisdiction or the provisions of any Provincial or Federal statutes.

Implications (Financial, Policy/Practice, Interdepartmental or Intergovernmental)

The Regional District of Kootenay Boundary Board of Directors has dealt with a number of Bylaw Contraventions by Filing a Notice on Title. The effect of this Notice is to alert future Purchasers of the property that the building(s) are in contravention of the B.C. Building Code and/or regulatory bylaws.

The above action does not preclude the Regional District of Kootenay Boundary from taking such steps as may be further authorized by Bylaw, Local Government Act and Community Charter to enforce compliance with regulations.

Advancement of Strategic Planning Goals

Not applicable.

Background Information Provided

- Third letter from owner dated October 28, 2013;
- Registered letter dated October 23, 2013;
- Second letter from owner dated September 26, 2013;
- Registered letter dated September 23, 2013;
- First letter from owner dated September 19, 2013;
- Registered letter dated September 16, 2013;

Staff Report
February 27, 2014
Page 2 of 3

- Email from Craig Shermin, P. Eng., to John Lindquist, General Contractor;
- Building Permit 12-0361E issued for a single family dwelling.

Alternatives

1. Once all deficiencies are rectified, the Owner may request that the Regional District of Kootenay Boundary Board of Directors remove the Notice on Title upon receipt of \$200.00 (Administration fee for removal of the Notice).

Recommendation(s)

1. That the staff report from Mark Andison, General Manager of Operations / Deputy CAO be received;
2. That the Regional District of Kootenay Boundary Board of Directors invite the owner, Marjorie Lindquist to appear before the Board to make a presentation relevant to the filing of a Notice in the Land Title Office pursuant to Section 695 of the Local Government Act and Section 57 of the Community Charter against the property legally described as Lot 1, D.L. 461S, SDYD, Plan EPP17904.

Respectfully submitted:



Concurrence:

(Dept. Head)

Concurrence:

(C.A.O.)

Box 158
 Rock Creek BC.
 V0H 1Y0
 Fri - Oct. 25, 2013

Mr. Don Lepitre RDKB
 Box 1965
 Grand Forks BC. V0H 1H0

Mr. Lepitre:

This letter is in acknowledgement of
 your letter of Oct. 23 - received here today (25th)

You state that I've failed to schedule
 an inspection -- If you will take a moment
 to review my last letter, I said that if you
 wished to see the house, you could easily
 contact me by mail or by phone (1-250-442-7589)
 to set up a workable time.

I've had no
 reply whatever.

I see that no attention has been

RECEIVED
 OCT 28 2013

REGIONAL DISTRICT OF KOOTENAY
 BOUNDARY

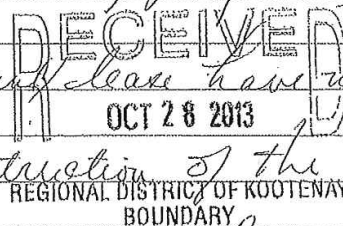
2) Given to my question about whether the building permit was actually legally required in the first place. I have been told (after applying for the permit -) by several people, that building permits are not required here. I would like some verification one way or the other on that matter.

In the past two letters, I have tried to update you specifically on the building progress and on the issue of occupancy. I explained about the sets of photos provided to you and to the blog engineer to show certain steps of the foundation foundation work. We were given to understand that that might be an acceptable step when the onset

3)

of winter weather made it necessary to avoid further delays in work. I have nothing to hide concerning the construction process. Every effort has been made to build safely and soundly and up to code. Appropriate materials were used, and if we had questions, we relied on assistance or advice from experienced tradespeople.

Re occupancy, please see my previous answer to this matter. I make no apologies for making my own decision about what day to begin occupying my own house. Perhaps on commercial building projects, where people who buy, rent, lease have no knowledge about the construction of the building, such an inspection might assure



4.)

their safety to some degree.) Don't you think, tho; that most homeowners who are involved in every step of the house, from early plans to final const. phase, have some common sense about when it's feasible to actually move in? Therefore, I see no logic at all in this business of an occupancy permit. What can it accomplish?

Please note! I am not ignoring your letter, nor have I ignored the previous two letters you sent. In all three cases that I have tried to reply with all relevant information, so with this letter, I am "contacting the undersigned by Nov. 25, 2013" in the wording of your letter.

If you have a need to see this place

51)

you may, as I said before, write or call
to arrange a time.

And, again, I am interested in
knowing - with legal verification - whether
or not this area truly does or does not
require permits!

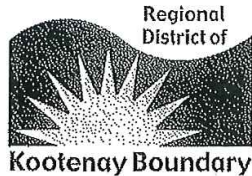
Thank you for your dedicated
interest in this matter. Now please,
take the time to read the facts I have
tried to give you in these three letters.

Sincerely,

Marty Lindquist

RECEIVED
OCT 28 2013

REGIONAL DISTRICT OF KOOTENAI
BOUNDARY



October 23, 2013

Marjorie Lindquist
Box 158
Rock Creek, B.C.
V0H 1Y0

REGISTERED

**RE: STOP WORK ORDER, BP# 12-0361E
Lot 1, DL 461s, Plan EPP17904
4435 Rock Creek Bridesville Rd.**

A review of the above referenced file indicates that an inspection has not been scheduled as requested in our letters dated September 16, 2013 and September 23, 2013. A **Stop Work Order** was posted on September 13, 2013 for failure to schedule the required inspections in compliance with Regional District of Kootenay Boundary Building Bylaw No. 449, Section 12.1.

To date, no further inspections have been scheduled as requested by this office and no Occupancy Permit has been issued.

We will now be recommending to the Regional District of Kootenay Boundary Board of Directors that a notice be registered on title pursuant to Section 695 of the Local Government Act and Section 57 of the Community Charter (copies attached). This notice will refer to a building bylaw contravention on the above referenced property and does not limit further action being taken.

If you have any questions or wish to discuss this notice, please contact the undersigned by **November 25, 2013**.

The above action does not preclude the Regional District of Kootenay Boundary from taking such steps as may be further authorized by Bylaw, Local Government Act and Community Charter to enforce compliance with regulations. Your attention to this matter is appreciated.

Regards,

Don Lepitre, RBO
Building & Plumbing Official

DL/rt
Attachment

Cc: Mark Anderson, MCIP, RRP, General Manager, Operations/Deputy CAO

10

Box 158
Rock Creek BC
V0H1Y0

Sept. 24, 2013

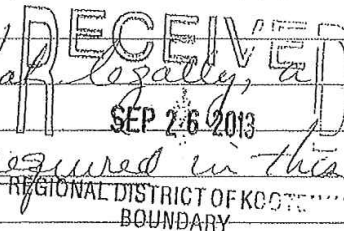
Mr. Don Lepitre, RDKB
Box 1965
Grand Forks BC V0H1H0

Mr. Lepitre:

Your letter of Sept. 23 arrived today.
Again you have requested that I make
arrangements to update my file. I'd hoped
that the information I supplied in my
last letter might give an update - but
perhaps I can do more --

First, tho', I will mention this:

Since building began here, I've been told
by a number of people that ~~legally~~, a
building permit was not required in this
area. ? ? ?



2.)

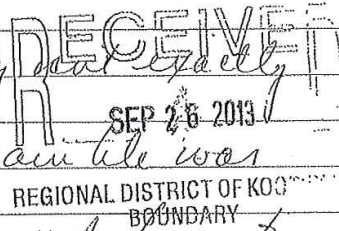
Re (I) and (II) on your list of required inspections: I seem to recall your visit here in the early stages of foundation work. And I think you came again one day while I was at work in Midway and a couple other people were at work on the site here. Nearly all of the foundation work was "documented" by my daughter-in-law who brought her digital camera to get pictures of the various steps of the work, including such things as placement of vapor barrier, position and spacing of rebar (heavy grade rebar was used, as requested), ground preparation, etc. It was intended that copies of those pictures be sent to both Mr. Sherwin and yourself, as discussed at the time, to let you see that appropriate details were attended to. There was no wish to hide anything or to do sub-standard work. But time was running out with winter approaching, and foundation work couldn't wait any longer. If for some reason the pictures did not reach you, it may be possible

3.)

to still get copies from the camera. (or very likely Mr. Sherwin may still have copies in his file that you could view--?)

Re (iii) on your list: Much of this section is non-applicable on a horizontal timber building. Chimney installation was carefully done by an experienced qualified person. And the basic plumbing - an inlet for cold water to the kitchen, and a couple drains pipes - was set in at the time of foundation work. I believe that is visible in the photos also.

Re (iv) While it probably not exactly
storm sewer, perforated drain tile was
installed along the long walls of the house to
handle run off from the roof. (I should



4.)

correct that statement: it was installed at footing level, of course, not wood-wall level)

- and re (E) As I previously explained, the building is already occupied, so I will not trouble anyone about an occupancy permit.

At this time, I can't think of any other information that I can offer.

At no time in the construction of this building, was there any intent to ignore safety or health issues or to ignore required sensible construction regulations. There was no intention to hide anything or to put up a sub-standard structure. There was just plainly a need to get a house built.

(I have empathy for so many people who need a home - rent, lease, buy, build - whatever - a home. And so often, bureaucracy manages to hold that just out of reach, rather than facilitating the process of acquiring a place to live. - But of course, that's more of a

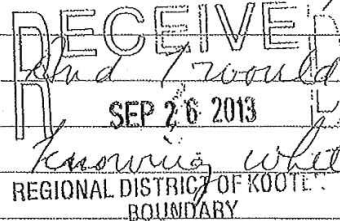
5.)

humanitarian issue, and it mustn't be allowed to interfere in all the red tape we are required to wallow through.)

If at this time you require to see this building, you may call me and we can arrange a suitable time. Perhaps you can see that it's sound and well constructed.

I don't think there's much more I can do to "update the files". I have retained invoices, and I can prove what we used for materials, if that is a concern.

(Cement mix, rebar, trusses, water line, chimney, etc.) —



And I would really be interested in knowing whether or not that building permit actually was required here — not because I like to

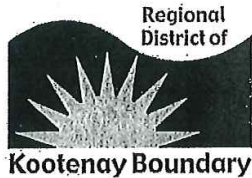
→

6)

to be "pushy", but because I think things
should be accurately and honestly represented.

Sincerely -

M. A. Ludwig



September 23, 2013

Marjorie Lindquist
Box 158
Rock Creek, B.C.
VOH 1Y0

REGISTERED

**RE: STOP WORK ORDER, BP# 12-0361E
Lot 1, DL 461s, Plan EPP17904
4435 Rock Creek Bridesville Rd.**

This office is in receipt of your letter in response to our September 16, 2013 Stop Work Order letter.

An inspection for a Single Family Dwelling has not been carried out since **November 6, 2012**. Please see your Building Permit # 12-0361E, with the listed required inspections at the bottom of the permit. Craig Sherwin, Professional Engineer was designated to Structural and Geotechnical disciplines only. (Schedule B attached)

Inspections have not been requested as required by the Regional District of Kootenay Boundary Building Bylaw No. 449:

DUTIES OF THE OWNER:

12.1 Every owner shall:

- (h) give at least 72 hours notice to the authority having jurisdiction and request his inspection of the work:
 - (i) after the forms for footings and foundations are complete, but prior to placing of any concrete therein;
 - (ii) after removal of formwork from a concrete foundation and installation of perimeter drain tiles and damp-proofing, but prior to back-filling against foundation;
 - (iii) when framing and sheathing of the building are complete including fire-stopping, bracing, chimney, duct work, plumbing, but before any insulation, lath or other interior or exterior finish is applied which would conceal such work;
 - (iv) before a building drain, sanitary or storm sewer is covered, and if any part of a plumbing system is covered before it is inspected it shall be uncovered if the authority having jurisdiction so directs, and when considered necessary, underground building drains, branches, storm drains, and sewers shall be re-tested after the completion of all back-filling and grading by heavy equipment;
 - (v) after the building or portion thereof is complete and ready for occupancy, but before occupancy takes place of the whole or a portion of the building.

Please contact our Building Department at (250) 442-2708 by **October 23, 2013** and make arrangements to update your file. Failure to comply may result in legal action. If you have any questions, please contact the undersigned.

Regards,

Don Lepitre, RBO
Building & Plumbing Official
DL/rf
attachment

Box 158
Rock Creek BC
V0H1X0

Mr. Don Lepitre
R.D.K.B.
2140 Central Avenue
Grand Forks BC V0H1H0

Mr. Lepitre:

I have just received your letter of Sept. 2013, in which you mention that necessary inspection may not have been carried out, that an occupancy permit will be required, and that a stop-work order could be issued.

So - please allow me to update you on things here:

First, it has been my understanding that everything was all in order here. Some time ago now, Mr. Sherwin, building engineer, came out to do his final structural

RECEIVED
SEP 19 2013

REGIONAL DISTRICT OF KOOTENAY
BOUNDARY

2)

inspection. He seemed satisfied that all was well. To the best of my knowledge, he sent your office a copy of his final report on this place.

The house is basically complete now, in the structural sense. Some bits of finishing work remain, and I am currently working on exterior chinking as weather allows. Foundation work, timber walls, trusses, roof, flooring, chimneys, windows and doors are all complete. The water line to the kitchen is in place, and drains for kitchen and bath are in place, the tub and sinks have not yet been installed. The composting toilet also has not been put in, so an outhouse is still in service. (A clean, vented, properly built outhouse -)

3.)

Because this area is off grid and no sophisticated electrical system is planned, electrical wiring has not been required.

Water is currently being brought into the house in pails, and waste water is being carried out in pails, to water trees or grass. - Not very sanitary...

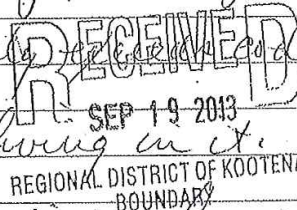
Household heating, cooking, and water heating is supplied by wood stove. Large screened windows provide ventilation and air conditioning.

The building is strong, clean, safe, and "environmentally friendly".

In some ways it likely ~~exceeds~~ ^{meets} code.

And yes, I am living in it.

Why should I not be living here?



4.)

I feel competent in being able to judge when my house is fit to move into. I designed it, had the plan checked by an engineer, went through the required steps and regulations for construction. I was involved in the building process and I am well acquainted with this building by now. As I'd been living in a tiny cabin only yards away from here, and was going back and forth constantly between the two buildings, it eventually made good sense to just begin moving in. I can see nothing hazardous or unhealthy or incorrect about that. When someone first told me that in some situations a homeowner has to get a permit to move into his own home, I thought surely it was joke. And I must

5.)

admit I see it about the same way now.

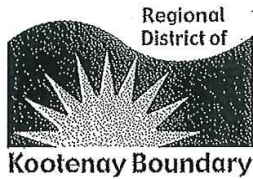
Why is someone who knows virtually nothing about my house better qualified than I am, to decide when it's a good time to move in?!? What's the common sense in that? Of course I'm living in it.

So hopefully this "updates the file". If you need further information, you can reach me by mail (Box 158 Rock Creek) or phone @ 1-250-442-9589. It is possible to leave a message if I'm not handy to the phone.

Sincerely -

DECEIVED
Marty Hirst
SEP 19 2013

REGIONAL DISTRICT OF KOOTENAY
BOUNDARY



September 16, 2013

Marjorie Lindquist
Box 158
Rock Creek, B.C.
V0H 1Y0

REGISTERED

**RE: STOP WORK ORDER
Lot 1, DL 461s, Plan EPP17904
4435 Rock Creek Bridesville Rd.**

A recent review was carried out on your building permit file for a single family dwelling which indicates that an inspection has not been carried out since **November 6, 2012** (copy enclosed).

It is very important that you contact the Building Department to schedule an inspection.

It is required that an Occupancy Permit be obtained prior to moving into a building. An Occupancy Permit may be issued if all building code requirements have been met.

Please contact our Building Department at (250) 442-2708 by **October 16, 2013** and make arrangements to update your file. Failing to respond may result in legal action.

Respectfully,

A handwritten signature in dark ink, appearing to read "Don Lepitre".

Don Lepitre, RBO
Building & Plumbing Official

DL:rt

cc: Mark Andison, MCIP, RRP, Director of Planning & Development

Don Lepitre

From: Craig Sherwin [cs.sherwin@telus.net]
Sent: Thursday, November 29, 2012 2:31 PM
To: John Lindquist; Don Lepitre
Subject: Lindquist Log Timber Res., Rock Creek, B.C. [SE's NOTICE - attached]

November 29th, 2012

To: John Lindquist; General Contractor - Lindquist Log Timber Res., Rock Creek, B.C.
COPY: Don Lepitre, Building Inspector - RDKB Bldg Dept

Dear Sir,

As you're aware, I presently serve in the role of structural engineer-of-record, for the captioned project.

There are a number of topics pertaining to this project for which I require your feedback (as the project's General Contractor) ****before*** you proceed to re-assemble your Mom's log timber walls over her recently-cast foundation. My repeated attempts in recent weeks to reach you by telephone have been wholly unsuccessful.

NOTICE

In the event I have not received your telephone contact by 3:00 PM on Friday, November 30th, 2012, I will be forced to place a "STOP WORK" order on this project. In the event you proceed with anchorage of the base wall-timber, prior to your receipt of my formal 'go-ahead', I will be obligated to formally notify the RDKB Building Department of my withdrawal of my certification as this project's structural engineer-of-record.

Sincerely yours,
Craig S. Sherwin, P.Eng.

SHERWIN ENGINEERING

1418 - 85th Street, Osoyoos, BC V0H 1V1
Ph.: (250) 495-5370

RECEIVED
NOV 30 2012
REGIONAL DISTRICT OF KOOTENAY
BOUNDARY

N. 12-0361E

INSPECTION CALLS: (250) 442-2708 or 1-877-520-7352

DATE PERMIT
GRANTED:

Oct 04, 12

Regional District of Kootenay Boundary**BUILDING INSPECTION DEPT.**

2140 Central Ave., Box 1965, Grand Forks, B.C. V0H 1H0

PERMIT TO CONSTRUCT, ERECT, INSTALL, ALTER, ADD TO, REPAIR, MOVE,
OR DEMOLISH, A BUILDING, STRUCTURE, OR PLUMBING

SUBJECT TO THE APPLICABLE REGULATIONS

M.A. LINDQUIST		ADDRESS: ROCK CREEK, B.C.		TELEPHONE:	
BEFORE THE OWNER/CONTRACTOR WITH CONSENT OF THE OWNER/INSURANCE CARRIER					
A PERMIT TO: CONSTRUCT SINGLE FAMILY DWELLING					
AT: 4435 ROCK CREEK-BRIDESV				FOLIO: 713 02914.010	
LOT: 1	BLOCK:	RANGE:	D.L. 461S	PLAN: EPP17904	LD:
OWNER: M.A. LINDQUIST		ADDRESS:		TELEPHONE:	
CONTRACTOR: SELF		ADDRESS:		TELEPHONE:	
<p>PARTICULARS - PERMIT IS ISSUED SUBJECT TO THE FOLLOWING SPECIAL REQUIREMENTS:</p> <p>ALL WORK TO CONFORM TO THE 2006 B.C. BUILDING CODE AND RELEVANT AREA 'E' BYLAWS.</p> <p>MINIMUM SETBACKS: FRONT 4.5M, INTERIOR SIDE 2.4M, EXTERIOR SIDE 4.5M, REAR 2.4M.</p> <p>PROPERTY LINES TO BE IDENTIFIABLE. SEE NOTES ON PLANS.</p> <p>MECHANICAL VENTILATION CHECKLIST 'A', 'B', 'C' (WHICHEVER IS APPLICABLE) TO BE SUBMITTED PRIOR TO THE FRAMING INSPECTION. (ATTACHED)</p> <p>STAMPED ENGINEERED TRUSS DESIGNS AND LAYOUT FOR 111 PSF GROUND SNOW LOAD TO BE SUBMITTED PRIOR TO FRAMING INSPECTION. CALL FOR: SETBACKS, PRIOR TO PLACING CONCRETE.</p> <p>SECTION 290 LETTER (FROM THE LOCAL GOVERNMENT ACT) FORMS PART OF THIS PERMIT.</p> <p>PRIOR TO OCCUPANCY PERMIT, PROOF OF LEGAL DISPOSITION OF CONSTRUCTION WASTE IS REQUIRED. (ATTACHED)</p> <p>ALL FIELD REPORTS BY REGISTERED PROFESSIONALS MUST BE SUBMITTED TO BUILDING OFFICIAL ON DATE OF INSPECTION. SCHEDULES C-B TO BE SUBMITTED FROM ALL REGISTERED PROFESSIONALS ENGAGED IN CONSTRUCTION PRIOR TO OCCUPANCY. SUBMIT COMPLETED "CERTIFICATION OF PLUMBING INSTALLATION" FORM (ATTACHED)</p> <p>PROVIDE SEPTIC PERMIT FROM INTERIOR HEALTH.</p>					

		FEES
AREA OF LIVING SPACE	781	
CONSTRUCTION VALUE	\$ 87960	
BUILDING PERMIT FEE		\$ 703
PLUMBING FIXTURES	7	\$ 70
DEMOLITION		
OTHER	SEC 290 LETT (-10%)	-\$ 77
SUB-TOTAL		\$ 696
TITLE SEARCH		\$ 10
TOTAL		\$ 706
LESS DEPOSIT		
BALANCE OWING		\$ 706

WAIVER OF INDEMNITY

In consideration of the granting of this permit, the undersigned: (a) releases the Regional District of Kootenay Boundary and those acting on behalf of the Regional District of Kootenay Boundary from all claims and expenses which the undersigned may have or incur as a result of the issue of this permit or the enforcement or non-enforcement of the Regional District of Kootenay Boundary Bylaws or of the British Columbia Building Code; (b) indemnifies the Regional District of Kootenay Boundary from all such claims and expenses which may be made by any other person; and (c) acknowledges that the Regional District of Kootenay Boundary owes no duty of care to the undersigned or any one else in respect of those matters. The owner or contractor must give 72 hours notice upon completion of the work.

M.A. Lindquist
Owner's Signature

Don Lentre
DON LENTRE, RBO
BUILDING INSPECTOR'S SIGNATURE

DATE PAID Oct 4, 12

1. Prior to placing concrete in footings 2. After installation of drain tiles/dampproofing/before backfilling 3. When framing completed 4. Insulation and vapour barrier completed 5. Before any part of plumbing system covered 6. Final Inspection - An occupancy permit is required prior to occupancy of building.

**STAFF REPORT**

Date:	February 14, 2014	File:	
To:	Chair McGregor and Board of Directors		
From:	Mark Andison, General Manager of Operations / Deputy CAO		
RE:	<u>CANCELLATION OF BUILDING BYLAW CONTRAVENTION NOTICE KK000725</u> 1305 THOMPSON ROAD, ELECTORAL AREA 'C' PARCEL IDENTIFIER: 027-168-492 LOT 1, DISTRICT LOT 268 & 1020S, SDYD, PLAN KAP84576 OWNERS: ROGER STRUKOFF, CINDY STRUKOFF, TERESA STRUKOFF AND EVELYN OLDROYD		

Issue Introduction

A staff report from Mark Andison, General Manager of Operations / Deputy CAO regarding the cancellation of a Building Bylaw Contravention Notice.

History/Background Factors

A Notice on Title was registered against the above referenced property for placing a second dwelling contrary to the provisions of the Agricultural Land Commission Act and without inspections by the Regional District of Kootenay Boundary Building Department. All circumstances that required the registering of the Notice on Title have been rectified to the satisfaction of the Regional District of Kootenay Boundary. A written request to have the Notice removed from the property and a cheque in the amount of \$200.00 for Administration fees has been received from the owner.

Implications (Financial, Policy/Practice, Interdepartmental or intergovernmental)

The owner has met all requirements of the Regional District of Kootenay Boundary to have the Notice on Title removed from the property.

Advancement of Strategic Planning Goals

Not applicable.

Background Information Provided

- Memo dated December 12, 2013 from Ken Wagner, Building Official;
- Letter from Roger Strukoff dated December 9, 2013, requesting removal of Notice on Title;
- Title Search;

Staff Report
February 27, 2014
Page 1 of 2

- Bylaw Contravention Notice KK000725;
- Memo dated November 17, 1995 from Keith Williams, Sr. Building & Planning Inspector.

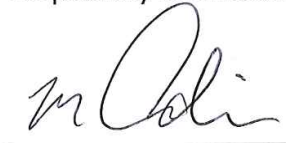
Alternatives

1. None.

Recommendation(s)

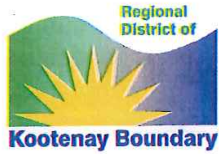
1. That the staff report from Mark Andison, General Manager of Operations / Deputy CAO be received;
2. That the Regional District of Kootenay Boundary Board of Directors **cancel the notice** registered in the Land Title Office pursuant to Section 695 of the Local Government Act and Section 58 of the Community Charter against the property legally described as Lot 1, D.L. 268 & 1020S, SDYD, Plan KAP84576.

Respectfully submitted:



Concurrence:
(Dept. Head)

Concurrence:
(C.A.O.)



Regional District of Kootenay Boundary
 2140 Central Avenue, Box 1965, Grand Forks, B.C. V0H 1H0
 1-877-520-7352 (250)442-2708 Fax: 250-442-2688

Memo

TO: MR. MARK ANDISON, MCIP, DIRECTOR OF PLANNING & DEVELOPMENT

FROM: KEN WAGNER, RBO, BUILDING & PLUMBING OFFICIAL

DATE: December 12, 2013

**RE: Owners: ROGER ALAN STRUKOFF
 CINDY MAY STRUKOFF
 TERESA BEVERLY STRUKOFF
 EVELYN LAURIE OLDROYD**

**Address: 1305 THOMPSON ROAD, CHRISTINA LAKE, B.C.
 Lot 1, DL 268 & 1020S, Plan KAP84576**

Please be advised that the Owners of the above noted property wish to remove the BYLAW CONTRAVENTION NOTICE, MUNICIPAL ACT, SECTION 750.1, NOTICE ON TITLE # KK000725 from their property title documents.

The following is a chronology of the events:

Dec 27, 1995	The Regional District of Kootenay Boundary registered a Land Title Notice on Parcel Identifier 014-947-722, the southeast ¼ of District Lot 1020S, Similkameen Division, Yale District, Except Plans 14299 & 33512 for moving a second dwelling onto the property without the benefit of a Building Permit.
Jun 3, 1996	Building Permit # 9712 issued for moving second dwelling onto property with new foundation and renovations to meet the 1992 B.C. Building Code.
June 13, 2002	Professional Engineers report on structure complete & okay.
July 23, 2002	Plumbing inspection complete & okay.
October 1, 2002	Final Inspection complete & okay-File Closed.
December 12, 2013	Building Inspector received Owner Letter Requesting Notice on Title Be Removed.

Conclusion:

Based on the information presented above, I submit for consideration the following recommendation to be adopted by the Board of the Regional District of Kootenay Boundary:

"It be recommended to the Regional District of Kootenay Boundary that they remove the Notice on Title #KK000725 in the Land Title Office under Section 750.1 of the Local Government Act attached to the property legally described as Lot 1, DL 268 & 1020S, SDYD, Plan KAP 84576.

KW:ss

December 9, 2013

Regional District of Kootenay Boundary
202 - 843 Rossland Avenue
Trail, BC
V1R 4S8

To Whom It May Concern:

Re: Title No. LB482574 - Parcel Identifier 027-168-492

I am applying in writing requesting the removal of the Notice on Title of bylaw contravention notice, Municipal Act, Section 750.1.

Thank you.

Regards,



Roger Strukoff
1305 Thompson Road
Box 65
Christina Lake, BC
V0H 1E0

RECEIVED
DEC 12 2013

REGIONAL DISTRICT OF KOOTENAY
BOUNDARY

TITLE SEARCH PRINT

2013-12-10, 09:51:10

Requestor: PA28494

Folio/File Reference:

****CURRENT INFORMATION ONLY - NO CANCELLED INFORMATION SHOWN******Land Title District**
Land Title OfficeKAMLOOPS
KAMLOOPS**Title Number**
From Title NumberLB482574
LB100267**Application Received**

2011-09-09

Application Entered

2011-10-03

Registered Owner in Fee Simple

Registered Owner/Mailing Address:

EVELYN LAURIE OLDROYD, SELF-EMPLOYED
3450 HARDY MOUNTAIN ROAD
GRAND FORKS, BC
V0H 1H2
AS TO AN UNDIVIDED 1/4 INTEREST

Registered Owner/Mailing Address:

ROGER ALAN STRUKOFF, ELECTRONICS TECHNOLOGIST
1305 THOMPSON ROAD
PO BOX 65
CHRISTINA LAKE, BC
V0H 1E0
AS TO AN UNDIVIDED 1/4 INTEREST

Registered Owner/Mailing Address:

TERESA BEVERLY STRUKOFF, NATUROPATHIC PHYSICIAN
285 EAGLE RIDGE DRIVE
SALT SPRING ISLAND, BC
V8K 2L1
AS TO AN UNDIVIDED 1/4 INTEREST

Registered Owner/Mailing Address:

CINDY MAY STRUKOFF, HOMEMAKER
1305 THOMPSON ROAD
PO BOX 65
CHRISTINA LAKE, BC
V0H 1E0
AS TO AN UNDIVIDED 1/4 INTEREST**Taxation Authority**

PENTICTON ASSESSMENT AREA

Title Number: LB482574

Title Search Print

Page 1 of 2

TITLE SEARCH PRINT

2013-12-10, 09:51:10

Requestor: PA28494

Folio/File Reference:

Description of Land

Parcel Identifier: 027-168-492 ✓

Legal Description:

LOT 1 DISTRICT LOTS 268 AND 1020S SIMILKAMEEN DIVISION YALE DISTRICT PLAN
KAP84576

Legal Notations

RE PARAGRAPHS (E) AND (F) SEC 23(1) LTA SEE DF. K51725 30/09/1975

RE PARAGRAPHS (E) AND (F) SEC 23(1) LTA SEE DF. M59842 07/10/1977

RE PARAGRAPHS (E) AND (F) SEC 23(1) LTA SEE DF. P65272 26/10/1979

BYLAW CONTRAVENTION NOTICE, MUNICIPAL ACT, SECTION 750.1
SEE KK725

Charges, Liens and Interests

Nature: STATUTORY RIGHT OF WAY
Registration Number: KH114500
Registration Date and Time: 1994-11-25 13:17
Registered Owner: BC TEL (REG NO 1801A)
Remarks: AS TO PART FORMER SE 1/4 DL 1020S SDYD

Nature: STATUTORY RIGHT OF WAY
Registration Number: KH114501
Registration Date and Time: 1994-11-25 13:17
Registered Owner: WEST KOOTENAY POWER LTD.
Remarks: AS TO PART FORMER SE 1/4 DL 1020S SDYD

Nature: UNDERSURFACE AND OTHER EXC & RES
Registration Number: KW157347
Registration Date and Time: 2004-11-05 13:37
Registered Owner: THE CROWN IN RIGHT OF BRITISH COLUMBIA
Remarks: SEC 50 LAND ACT
AS TO PART FORMER LOT 1 PLAN KAP75517

Duplicate Indefeasible Title NONE OUTSTANDING**Transfers** NONE**Pending Applications** NONE

Title Number: LB482574

Title Search Print

Page 2 of 2

96 JAN 1 7 56

KK000725

LAND TITLE OFFICE
KAMI OOPS

COPY

LAND TITLE NOTICE

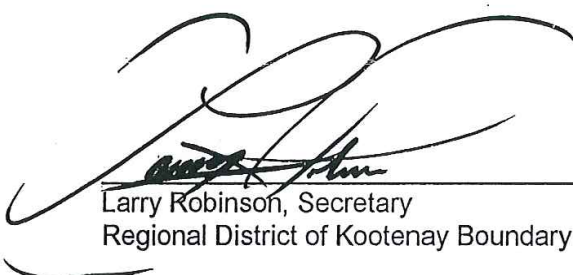
TAKE NOTICE THAT the Regional District of Kootenay Boundary Board at it's meeting held on November 30th, 1995, adopted a resolution under Section 750.1 of the Municipal Act relating to land described as:

PARCEL IDENTIFIER: 014-947-722

THE SOUTH EAST 1/4 OF DISTRICT LOT 1020S, SIMILKAMEEN
DIVISION, YALE DISTRICT EXCEPT PLANS 14299 AND 33512.

FURTHER information respecting the resolution may be inspected at the offices of the Regional District of Kootenay Boundary located at 202-843 Rossland Avenue, Trail, B.C. on regular scheduled hours.

DATED at the City of Trail, Province of British Columbia this 22nd day of December, 1995.


Larry Robinson, Secretary
Regional District of Kootenay Boundary

M E M O R A N D U M

TO: LARRY ROBINSON, ADMINISTRATION

FROM: KEITH WILLIAMS, SR. BUILDING/PLUMBING INSPECTOR

DATE: NOVEMBER 17TH, 1995

**RE: R.D.K.B. -V- GEORGE AND OLGA STRUKOFF - THE SOUTH
EAST 1/4 OF DISTRICT LOT 1020S, SIMILKAMEEN DIVISION,
YALE DISTRICT, EXCEPT PLANS 14299 AND 33512 THOMPSON
ROAD, CHRISTINA LAKE, B.C. - ELECTORAL AREA 'C'.**

Mr. Strukoff has agreed to a Consent Order in the Supreme Court of B.C. on the above matter to the following provisions:

1. that by December 15, 1995, he provide the Regional District of Kootenay Boundary with drawings and specifications by an engineer or architect as to the proposed work necessary to bring the second dwelling into compliance with the Provincial Building Code;
2. that by May 15, 1996, the second dwelling be in compliance with the Provincial Building Code and all other safety enactments;
- ✓ 3. that a Section 750 Notice be allowed to go on Title;
4. ✕ that he pay our costs assessed at \$2,000.00.

This dwelling was placed onto the above location on or before April 19th, 1993 contrary to the provisions of the Agricultural Land Commission Act and the Regional District of Kootenay Boundary Building Bylaw No. 449.

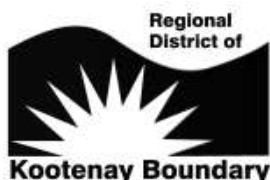
Mr. Strukoff was enjoined by mandatory Injunction to the placement of a second dwelling and from using or improving the second dwelling until such time as he obtained permission from the Agricultural Land Commission.

This permission has now been obtained, however since the building has been placed onto the property without inspections by the Regional District of Kootenay Boundary Building

Page 2
November 17th, 1995

Inspectors, I submit for consideration the following recommendation to be adopted by the Board of Directors of the Regional District of Kootenay Boundary.

"It be recommended to the Regional District of Kootenay Boundary Board of Directors that a Notice be filed in the Land Title Office under Section 750.1 of the Municipal Act of British Col



STAFF REPORT

Prepared for meeting of February 2014

Temporary Change of Hours			
To: Chair McGregor and Members of the RDKB Board of Directors			
Applicant: Raakel's Ridge Pub		File No: BW-4109s-07440.002	
Location: 20 Kettle View Road, Big White			
Legal Description: Lot 1, DL4109s, SDYD, Plan KAS351			Area: n/a
OCP Designation: Village Core	Zoning: Village Core 6 (VC6)	ALR status: Out	DP Area: n/a
Contact Information: John Bannerman, Raakel's Ridge Pub Big White Ski Resort Kelowna, BC V1Y 9T1 Phone: 250-212-7450 Fax: 250-448-7769			
Report Prepared by: Jeff Ginalias, Assistant Planner			

ISSUE INTRODUCTION

Raakel's Ridge Pub is applying to the Liquor Control and Licensing Branch (LCLB) for a temporary change of hours for the sale for liquor for one night each weekend through the end of the 2014 ski season (early April). Before the LCLB will consider a request for a temporary change of hours, the applicant must provide comments from the local government. Accordingly, the applicant is seeking comments from the Regional District to provide to the LCLB in support of their application.

HISTORY / BACKGROUND FACTORS

The property is off Kettle View Road at Big White (*see attached Site Location Map*). The property is designated Village Core in the Big White OCP and zoned Village Core 6 (VC6) in the Big White zoning bylaw. The restaurant and pub are permitted uses in the

VC6 Zone. The building with the pub also has residential units, and noise from the pub has been a problem with the residents in the past.

PROPOSAL

There are two separate requests. One is to stay open until 1am for five consecutive Sunday nights, beginning March 9. The other is for an extension until 3am on the last Saturday night of the season, April 12.

Hours of Operation for Raakel's Ridge Pub

CURRENT HOURS OF LIQUOR SALE

Sunday	Monday- Saturday
11am – midnight	11am – 1am

The Five Sunday Nights Request

The applicant is seeking a temporary change in the hours of operation for Sunday evenings, beginning March 9, 2014 and extending through the rest of the ski season (5 weeks). They request the Sunday night hours be extended from 12 midnight to 1 am¹.

In support of the Sunday nights hour extension request, the applicants assert that Sunday night is "Staff Night" at Big White, where Big White employees seek to relax and unwind after a long week and busy weekend, and the extra hour will allow them to extend this period.

PROPOSED CHANGE OF HOURS for the Sunday nights request:

(March 9, March 16, March 23, March 30, April 6)

Sunday	Monday- Saturday
11am – 1am	No change

End of Season Saturday Night

The Saturday night request is for later hours to celebrate the end of the season.

For the end of season request, Saturday April 12, the proposed change is:

¹ The Applicant's Submission requests an extension of hours from 11am-2am for the Sunday night temporary changes. They have verbally revised that to 1am. That time is consistent with the other liquor sales business at Big White and historically the policy at Big White.

Saturday (current)	Saturday April 12
11am – 1am	11am – 3am

The pub has a DJ that plays until 1am most nights. This would not change under either request. For the end of season night, the DJ would still only go until 1 am. However, there would likely be music (not live) until closing. All activities will be inside the pub. There will be no activities outside on the deck associated with either request.

The applicant has not discussed the proposal with the Strata Council. They suggest that most of the residents of the strata are gone by late Sunday night and should not be impacted by the extended hours.

There is no associated change in occupancy, so additional Fire Department and Building Inspection Department approvals are not necessary. If the request to extend the hours of operation beyond 1am is supported, a suggested condition of the permit may be for the applicant to notify the RCMP.

NO APC REFERRAL

The application was not referred to the Big White APC. In the past, the APC has not commented on Liquor License hours of operation matters, as they deemed them beyond their scope of comment. This request is a policy matter for the Board.

IMPLICATIONS

The applicant is requesting a temporary change to a liquor license regarding the hours of sale for the weekend nights referenced above. The LCLB permits a change of hours for a limited period, up to 6 times per year, subject to any restrictions within the Liquor Control and Licensing Act Regulations, LCLB policies, and/or the terms of the operating license. Before the LCLB will consider a request for a temporary change of hours, the applicant must provide comments from the local government.

As noted, the pub is located in a large strata building with several residences. There has been a history of complaints from residents about noise and disruption from the operations of the pub. However, there have not been any complaints to the RDKB for some time now.

In 2002 and again in 2008, Raakel's (prior owners) requested a permanent change of hours in operations. In 2002, the request was denied, in large part based on objections from the strata. In 2008 the strata again objected to the application, concerned about noise and disruption. The applicant withdrew the application before any decision was made, when advised that Big White Resorts had a 1 am closing time policy.

As this is a temporary change of hours, the full public notice provisions in the Liquor Control and Licensing Act Regulations do not apply. For notice, local government comments are all that is required. The local government can provide comments they deem appropriate. The LCLB will consider them in their review, and if a permit for temporary change of hours is issued, the local government concerns may be incorporated into the permit.

Due to the history of conflict between the pub and the strata residents, it is suggested that the applicant contact the strata on the proposal and see if they have concerns.

SUMMARY

As noted, there are two separate requests for the RDKB comments on.

One is for a temporary change of hours for 5 consecutive Sunday nights (March 9, 16, 23, 30, and April 6) from 12 midnight to 1am.

This request is not inconsistent with the hours of operation for liquor sales elsewhere at Big White. It should not result in greater need for RCMP or Fire Department coverage. It could be disruptive to residents of the Strata. Thus, if the Board supports for this request, it is suggested that the applicant be required to advise the strata.

The other is for a temporary change of hours for one night, Saturday April 12, from 1am to 3am. This one is more significant. In addition to the potential disruption to the strata owners, the requested extended hours exceeds the policy of liquor sales at Big White and is later than other establishments at Big White are permitted to operate. Additionally, these hours are beyond the hours that RCMP may currently be allocating coverage at Big White. If this request is supported, it is suggested the applicant advise Big White Resorts, the strata and the RCMP.

RECOMMENDATION - REQUEST FOR BOARD COMMENTS

That the RDKB Board of Directors provide comments to Raakel's Ridge Pub at Big White, on their two requests for temporary change of hours of operation for the sale of liquor, the one for five consecutive Sunday nights (running from March 9, 2014 through April 6, 2014) from 12 midnight to 1am, and the other for Saturday night April 12, 2014 from 1am to 3am, so that the applicant may submit their application to the Liquor Control and Licensing Branch for consideration.

ATTACHMENTS

Site Location Map

Applicant's Submission (2)



0 125 250 500
Meters

Site Location Map



Projected Coordinate System:
NAD 83 UTM Zone 11N

FROM : GOOD EARTH KELOWNA

FAX NO. : 250 448 7769

Feb. 12 2014 03:58PM P2

Applicant's Submission Change of Hours Saturday Night Request

Temporary Change to a Liquor Licence

BRITISH
COLUMBIAFood-Primary, Liquor-Primary,
Liquor-Primary Clubs & Winery Endorsements
Liquor Control and Licensing Form LCLB 023**INSTRUCTIONS:**

Complete all applicable fields and then submit with payment as outlined in Part 11 of this application form. You may complete this form online and then print.

• If you have any questions about this application, call the Liquor Control and Licensing Branch (LCLB) toll-free at: 1 866 209-2111.

• LCLB forms and supporting materials referred to in this document can be found at: www.pesg.gov.bc.ca/lclb

A complete application including the supporting documents must be submitted a minimum of fourteen (14) business days in advance of your event(s); otherwise your application will not be accepted and will be returned to you with the fees. The Branch defines a business day for the purpose of processing applications as Monday - Friday excluding statutory holidays.

Applications requesting discretion to policy (see Part 9) must be submitted a minimum of two (2) months prior to your proposed event; otherwise your application will not be accepted and will be returned to you with the fees.

Licensee Information

Office use only

Job No. (C3-LIC)

Licence number: 121017Type: ☐ Food-Primary ☐ Liquor-Primary ☐ Liquor-Primary Club ☐ WineryLicensee name [as shown on licence]: 0985028 BELLO BRAD PAVELL / John Bannerman 3rd partyEstablishment name [as shown on licence]: Ran Kels Ridge PubEstablishment Address: #20 Whiskey Jack RD Big White BC V1X 6A6
Street City Province Postal CodeContact Name: John Bannerman Title/Position: 3rd Party operator
(last / first / middle)Business Tel with area code: 250 212 7450 Business Fax with area code: 250Business e-mail: event-execs@gmail.comBusiness Mail address (if different from above): 2192 Chilcotin Crest Kelowna BC V1W 2M8
Street City Province Postal Code**PART 1: Temporary Change Requested**

Please check the appropriate boxes below. You may complete more than one change section on this form as long as the changes are for the same licence number. **IMPORTANT NOTE:** These categories (*) require local government/First Nations comment.

TYPE OF CHANGE REQUESTED**COMPLETE SECTIONS**☒ **TEMPORARY CHANGE TO HOURS OF SALE**

Liquor-Primary and Liquor-Primary Club licences, and Winery lounge or special event endorsements – any hours changes* 1, 2, 3, 10, 11, 12
Food-Primary licences – requests for hours of sale later than midnight* 1, 2, 3, 10, 11, 12
Food-Primary licences – requests for hours of sale before midnight 1, 2, 3, 10, 11

☐ **TEMPORARY PATRON PARTICIPATION ENTERTAINMENT ENDORSEMENT*** Food-Primary licences only 1, 2, 4, 10, 11, 12

☐ **TEMPORARY EXTENSION OF LICENSED AREA** Food-Primary licences only 1, 2, 5, 10, 11

☐ **TEMPORARY EXTENSION OF LICENSED AREA*** Liquor-Primary and Liquor-Primary Club licences, and winery lounge or special event endorsements. 1, 2, 6, 10, 11, 12

☐ **TEMPORARY LOCATION CHANGE*** Liquor-Primary and Liquor-Primary Club licences only (no increase in patron or person capacity) 1, 2, 7, 10, 11, 12

☐ **TEMPORARY LOCATION CHANGE** Food-Primary licences only (no increase in patron or person capacity) 1, 2, 8, 10, 11

☐ **OTHER** Applies to all change requests other than these listed above 1, 2, 9, 10, 11

LCLB023 (Last updated 28 November 2013)

1 of 7

Temporary Change to a Liquor Licence

FROM : GOOD EARTH KELOWNA

FAX NO. : 250 448 7769

Feb. 12 2014 03:59PM P3

PART 2: Reason Temporary Change is Requested

Describe event details including who is holding the event, the hours of the event and its purpose:

To extend hours of service on April 12, 2014 to 3AM. This is the last day we will be open for the 2014 ski season. Bar will close and major renovation to begin following our closing. Big white ski operations also closing April 13, 2014

DATE(S) FROM: (mm/dd/yy) 04/12/2014 TO: (mm/dd/yy) _____ (inclusive)**PART 3: Temporary Change to Hours of Sale**

- Liquor-Primary and Liquor-Primary Club licences, and Winery lounge or special event endorsements – any hours changes*Fee: \$330
- Food-Primary licences – requests for hours of sale later than midnight* Fee: \$330
- Food-Primary licences – requests for hours of sale before midnight (local government/First Nations comment not required) Fee: \$110

IMPORTANT NOTE: These categories () require local government/First Nation comment.

Licensees may apply for a temporary change in hours of sale for a limited period, subject to any restrictions within the Liquor Control and Licensing Act, Regulations, branch policies and/or original terms and conditions of licensing.
See Part 12 for more information on obtaining local government/First Nations comment.

Please provide the following information:

Current hours of sale:

	Monday	Tuesday	Wednesday	Thursday	Friday	Saturday	Sunday
OPEN	11	11	11	11	11	11	11
CLOSED	1 AM	1	1 AM	1 AM	1 AM	1 AM	12 AM

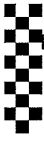
Requested hours of sale: (Maximum hours permitted by regulation are between 9:00 am to 4:00 am of the same business day)

	Monday	Tuesday	Wednesday	Thursday	Friday	Saturday	Sunday
OPEN	11	11	11	11	11	11	11
CLOSED	1	1	1	1	1	3 AM	12 AM

LCLB023

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Temporary Change to a Liquor Licence



FROM : GOOD EARTH KELOWNA

FAX NO. : 250 448 7769

Feb. 12 2014 03:58PM P1

PART 12: Local Government/First Nation Comments☐ **OBJECTION**☐ **NO OBJECTION***Comments:*

Name of Municipality/Regional District/First Nations:**Name (print)** _____**Phone:** _____**Title:** _____**E-mail:** _____**Signature:** _____**Date:** _____**PART 13: What Happens Next?***The temporary change application process:*

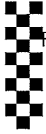
1. If the requested temporary change(s) require local government/First Nation comment, the applicant must take the completed application form and all required documents to their local government/First Nation and request that the local government/First Nation complete and sign Part 12.
2. The applicant will submit the signed application, all required documents and application fee to the Victoria Head Office (LCLB).
Note: Applicants must ensure they submit their completed application a minimum of fourteen (14) business days (or two (2) months, if it's a request for discretion - see Part 9) before the proposed change. Otherwise, your application will not be accepted and will be returned to you.
3. The LCLB licensing staff will review the application package and advise the applicant by phone, mail or fax, of any information or documents required before the application can be processed.
4. LCLB licensing staff will request comments from the local liquor inspector.
5. If required, the local liquor inspector will work with the applicant on security and related issues.
6. LCLB licensing staff will review the comments from the local government/First Nation (if applicable) and local liquor inspector.
7. LCLB staff will contact the applicant by, fax or mail to let them know whether or not the change has been approved. The applicant will receive LCLB's decision in writing.

Freedom of Information and Privacy Act - The information requested on this form is collected for the purpose of obtaining or making changes to a liquor licence application. All personal information is collected under the authority of Section 15 of the Liquor Control and Licensing Act (RSBC 1996, c.267). Questions should be directed to: Liquor Control and Licensing Branch, Freedom of Information Officer, PO Box 9292, STN PROV GOVT, Victoria, BC V8W 9J8. Ph: In Victoria, 250 952-5787 Outside Victoria, 1 866 209-2111. Fax: 250 952-7066

LCLB023

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Temporary Change to a Liquor Licence



FROM : GOOD EARTH KELOWNA

FAX NO. : 250 448 7769

Feb. 12 2014 03:50PM P1

Applicant's Submission Change of Hours Sunday Nights Request

FAX: 250 368 3990

To: Jeff Ginalias

2 Docs: 7 pgs each

From: John Bannerman

Raakel's Ridge Pub

Big White Ski Resort

250 212 7450

FROM : GOOD EARTH KELOWNA

FAX NO. : 250 448 7769

Feb. 12 2014 03:51PM P2



Temporary Change to a Liquor Licence

Food-Primary, Liquor-Primary,
Liquor-Primary Clubs & Winery Endorsements
Liquor Control and Licensing Form LCLB 023

INSTRUCTIONS:

Complete all applicable fields and then submit with payment as outlined in Part 11 of this application form. You may complete this form online and then print.

- If you have any questions about this application, call the Liquor Control and Licensing Branch (LCLB) toll-free at: 1 866 209-2111.
- LCLB forms and supporting materials referred to in this document can be found at: www.pssc.gov.bc.ca/lclb

A complete application including the supporting documents must be submitted a minimum of fourteen (14) business days in advance of your event(s); otherwise your application will not be accepted and will be returned to you with the fees. The Branch defines a business day for the purpose of processing applications as Monday - Friday excluding statutory holidays.

Applications requesting discretion to policy (see Part 9) must be submitted a minimum of two (2) months prior to your proposed event; otherwise your application will not be accepted and will be returned to you with the fees.

Licensee Information

Licence number: 121017

Office use only

Job No. (C3-LIC)

Type: ☐ Food-Primary ☒ Liquor-Primary ☐ Liquor-Primary Club ☐ Winery

Licensee name [as shown on licence]: 0985028 BC LTD Brad Powell / John Bonnerman 3rd Party

Establishment name [as shown on licence]: Rookers Ridge Pub

Establishment Address: Whiskey Jack Rd Big White BC V1X 6A6

Contact Name: Powell / Brad (last / first / middle) Title/Position: owner

Business Tel with area code: (250) 491-7751

Business Fax with area code:

Business e-mail: event.exc@cs@gmail.com

Business Mail address (if different from above): 2192 Chilcotin Crest Kelowna BC V1V 2M8

PART 1: Temporary Change Requested

Please check the appropriate boxes below. You may complete more than one change section on this form as long as the changes are for the same licence number. **IMPORTANT NOTE:** These categories (*) require local government/First Nations comment.

TYPE OF CHANGE REQUESTED

COMPLETE SECTIONS

☒ TEMPORARY CHANGE TO HOURS OF SALE

Liquor-Primary and Liquor-Primary Club licences, and Winery lounge or special event endorsements – any hours changes*

Food-Primary licences – requests for hours of sale later than midnight*

Food-Primary licences – requests for hours of sale before midnight

1, 2, 3, 10, 11, 12
1, 2, 3, 10, 11, 12
1, 2, 3, 10, 11

☐ TEMPORARY PATRON PARTICIPATION ENTERTAINMENT ENDORSEMENT* Food-Primary licences only

1, 2, 4, 10, 11, 12

☐ TEMPORARY EXTENSION OF LICENSED AREA Food-Primary licences only

1, 2, 5, 10, 11

☐ TEMPORARY EXTENSION OF LICENSED AREA*

Liquor-Primary and Liquor-Primary Club licences, and winery lounge or special event endorsements.

1, 2, 6, 10, 11, 12

☐ TEMPORARY LOCATION CHANGE* Liquor-Primary and Liquor-Primary Club licences only (no increase in patron or person capacity)

1, 2, 7, 10, 11, 12

☐ TEMPORARY LOCATION CHANGE Food-Primary licences only (no increase in patron or person capacity)

1, 2, 8, 10, 11

☐ OTHER Applies to all change requests other than these listed above

1, 2, 9, 10, 11

FROM : GOOD EARTH KELOWNA

FAX NO. : 250 448 7769

Feb. 12 2014 03:51PM P3

PART 2: Reason Temporary Change is Requested

Describe event details including who is holding the event, the hours of the event and its purpose:

To extend hours of service on March 9, 16, 23, 30
and April 6th from 12am (midnight) to 2am.

DATE(S) FROM: (mm/dd/yy) 03/09/2014 TO: (mm/dd/yy) 04/06/2014 (inclusive)

PART 3: Temporary Change to Hours of Sale

- Liquor-Primary and Liquor-Primary Club licences, and Winery lounge or special event endorsements – any hours changes*Fee: \$330
- Food-Primary licences – requests for hours of sale later than midnight* Fee: \$330
- Food-Primary licences – requests for hours of sale before midnight (local government/First Nations comment not required) Fee: \$110

IMPORTANT NOTE: These categories () require local government/First Nations comment.

Licensees may apply for a temporary change in hours of sale for a limited period, subject to any restrictions within the Liquor Control and Licensing Act, Regulations, branch policies and/or original terms and conditions of licensing.

See Part 12 for more information on obtaining local government/First Nations comment.

Please provide the following information:

Current hours of sale:

	Monday	Tuesday	Wednesday	Thursday	Friday	Saturday	Sunday
OPEN	11 AM	11 AM	11	11 AM	11	11	11 AM
CLOSED	1 AM	1 AM	1	1 AM	1 AM	1 AM	12 AM

Requested hours of sale: (Maximum hours permitted by regulation are between 9:00 am to 4:00 am of the same business day)

	Monday	Tuesday	Wednesday	Thursday	Friday	Saturday	Sunday
OPEN	11	11	11	11	11	11	11
CLOSED	1	1	1	1	1	1	2 AM



FROM : GOOD EARTH KELOWNA

FAX NO. : 250 448 7769

Feb. 12 2014 03:58PM P1

PART 12: Local Government/First Nation Comments☐ **OBJECTION**☐ **NO OBJECTION****Comments:**

Name of Municipality/Regional District/First Nations:**Name (print)****Phone:****Title:****E-mail:****Signature:****Date:****PART 13: What Happens Next?***The temporary change application process:*

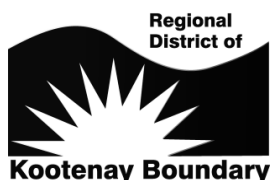
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7. LCLB staff will contact the applicant by, fax or mail to let them know whether or not the change has been approved. The applicant will receive LCLB's decision in writing.

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LCLB023

7 of 7

Temporary Change to a Liquor Licence



STAFF REPORT

Prepared for meeting of February 2014

Provincial Referral – ALR Subdivision					
To: Chair McGregor and Members of the RDKB Board of Directors					
Owner: Gail Manson		File No: E-683-03093.000			
Agent: Hoefsloot Land Surveying Ltd.					
Location: 3565 Kettle Valley Road, Rock Creek, Area 'E'					
Legal Description: Lot 52, DL 683, SDYD, KAP378		Area: 9 acres (3.6 ha)			
OCP Designation: N/A	Zoning: N/A	ALR status: Entirely within	DP Area: No		
Contact Information: Art Hoefsloot Hoefsloot Land Surveying Ltd. PO Box 2740 Grand Forks, BC V0H 1H0 250-449-8187 hsl.art@gmail.com					
Prepared by: Jeff Ginalias, Assistant Planner					

ISSUE INTRODUCTION

Gail Manson, through her agent Hoefsloot Land Surveying Ltd., has submitted an application for subdivision in the Agricultural Land Reserve for a property at 3565 Kettle Valley East Road (*see Site Location Map*). She proposes a 2 lot subdivision, with each lot being about 1.7ha.

HISTORY / BACKGROUND FACTORS

The property is in Electoral Area 'E'. There are no zoning or OCP bylaws in Area 'E', which if in place could affect the proposal. This parcel is completely within the ALR.

An ALR subdivision application for this property was submitted by the same owner in 2007. The proposed layout was a bit different, as the plan then was to create one 1 hectare lot with a 2.6 ha remainder (*see Initial Subdivision Proposal*). The ALC did not approve the application.

This proposal is a bit different as the applicant is proposing two equally sized, and equally shaped lots.

Current Uses on the Land:

The applicants list the following uses:

- The property has two homes. The lower bench is residential use with a garden. The upper bench is a field. The owner's daughter boards some horses.

Adjacent Land Uses:

The applicants list the adjacent land uses as follows:

- North - Agricultural (hillside grazing) Steep north of Bubar Road
- East - Agricultural (hobby farm) - couple of horses
- South - Agricultural (hobby farm) - couple of horses
- West - Agricultural (hobby farm)

Agricultural Capability Mapping:

The Agricultural Capability Mapping for the parcel is Class 5, limited by soil moisture deficiency. The parcel is improvable to 60% Class 3 and 40% Class 2, limited by soil moisture deficiency and stoniness (*see Ag Capability Map*).

Under this rating system, the classifications range from Class 1 which has no significant limitations on crops, to Class 7 which has no capability for arable culture or permanent pasture. Class 5 is land capable of production of cultivated perennial forage crops and specially adapted crops. Soil and/or climate conditions severely limit capability.

This agricultural land capability information and the map were prepared from information generated by Herb Luttmerding, P. Ag., as part of the professional services he is providing in developing the Boundary Agricultural Area Plan. This information may differ some from the agricultural capability mapping information generated by the Province. If the application is forwarded to the ALC, they will use the information they deem most appropriate in their determination of agricultural capability, whether it be this, their own mapping, or a combination of information.

PROPOSAL

The applicant has a terminal illness, and for estate planning purposes she wishes to subdivide the property into two equal properties for her two children. There currently are two dwellings on the parcel, each serviced by its own septic. There is one well on the parcel (*see Applicants Submission; Ortho Photo*).

IMPLICATIONS

The Interior Health Authority recommends for lots that are not serviced with community water that a minimum parcel area of 1ha be required. Both lots would meet this size. If the application proceeds to the subdivision stage, the lot without a well will likely need its own well or another source of water.

APC COMMENTS

The Area 'E' Advisory Planning Commission supports this application for the following reasons:

- it's a small piece of property
- there are already 2 dwellings on the property
- property beside has already been subdivided
- potential for agricultural use of this property is limited.

PLANNING AND DEVELOPMENT DEPARTMENT COMMENTS

There are no OCP or zoning bylaws in this portion of Area 'E' to establish policies on ALR subdivision. Accordingly, ALR subdivision applications are generally referred to the ALC without a recommendation.

BACKGROUND INFORMATION PROVIDED

Site Location Map
Initial Subdivision Proposal
Ag Capability Map
Applicants' Submission
Ortho Photo

RECOMMENDATION

That the staff report regarding the application for subdivision in the ALR, submitted by Gail Manson, through her agent Hoefsloot Land Surveying Ltd., for the property legally described as Lot 52, DL 683, SDYD, KAP378, be received.

That the application for subdivision in the ALR, submitted by Gail Manson, through her agent Hoefsloot Land Surveying Ltd., for the property legally described as Lot 52, DL 683, SDYD, KAP378, be forwarded to the Agricultural Land Commission without a recommendation.

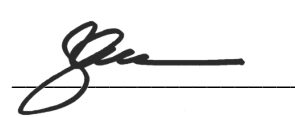
Respectfully Submitted:

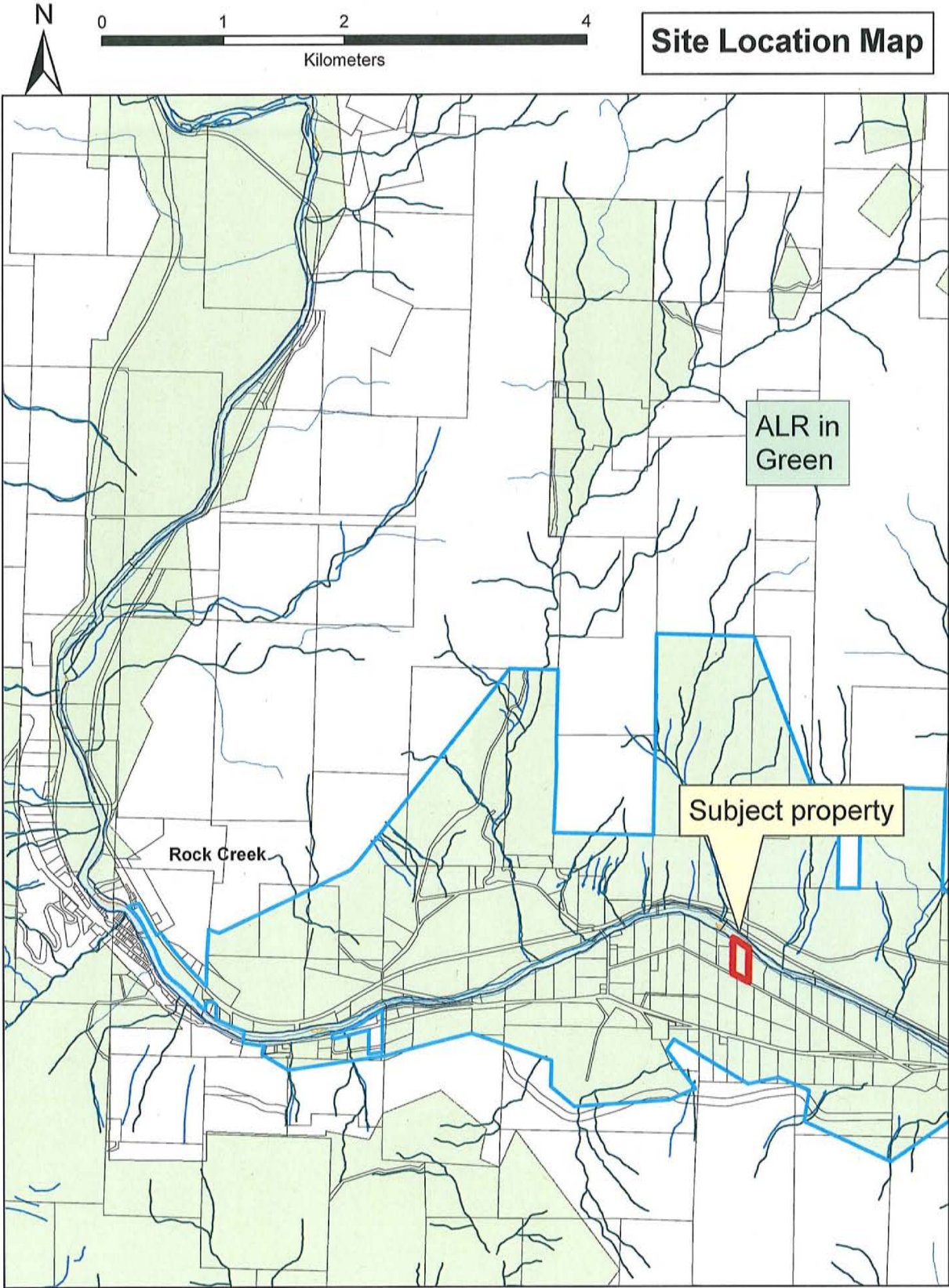


Concurrence:
(Department Head)

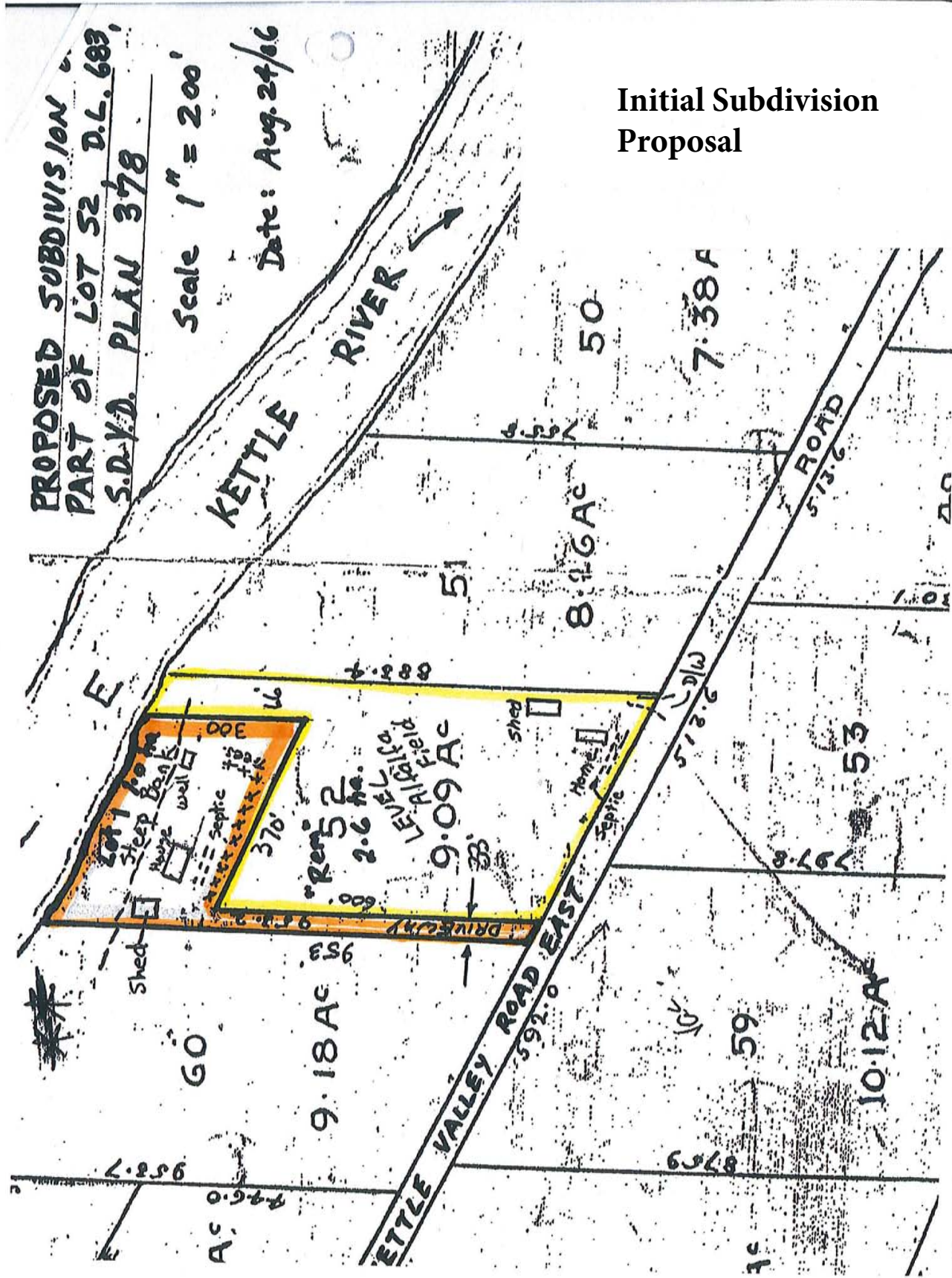


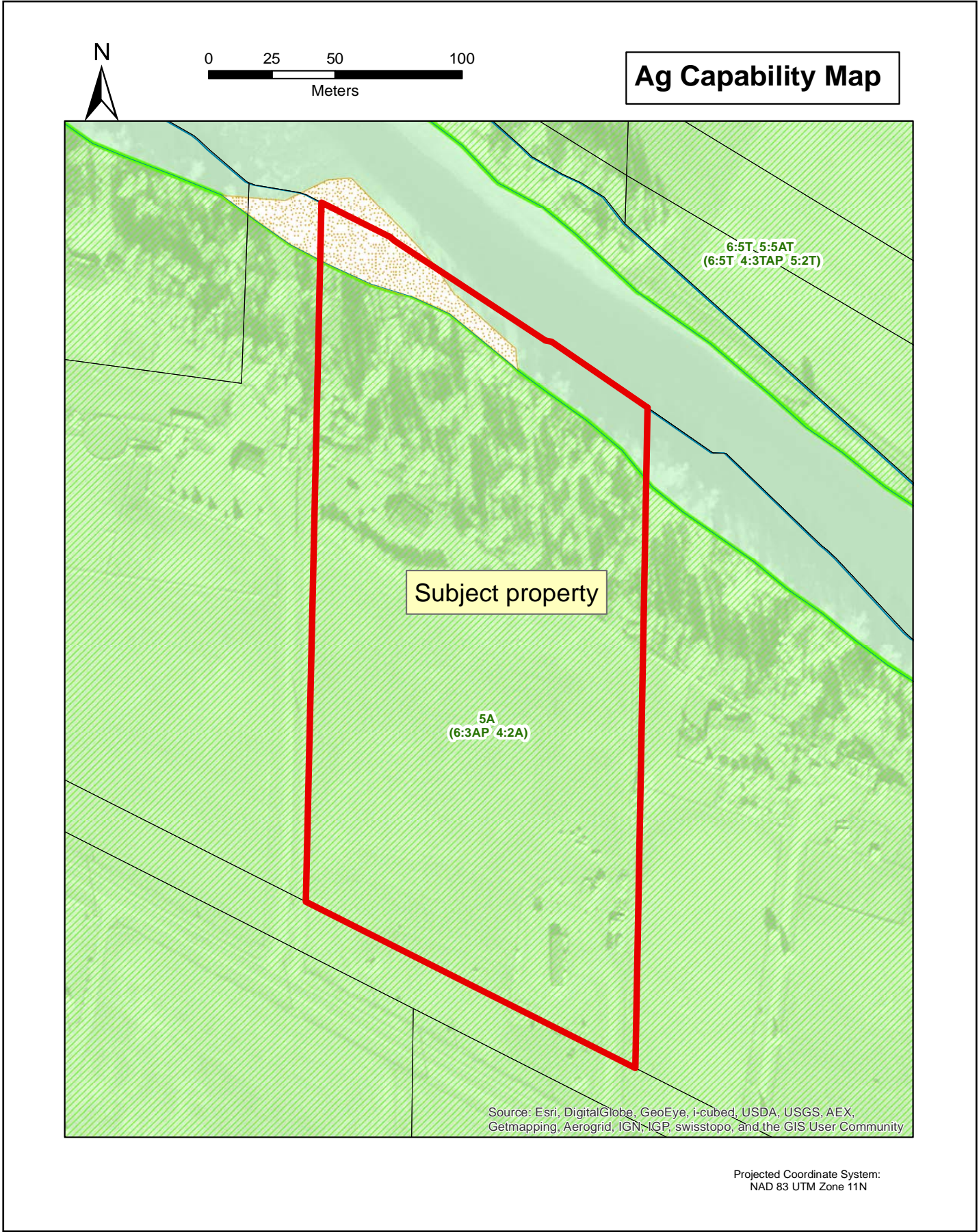
Concurrence:
(CAO)





Projected Coordinate System:
NAD 83 UTM Zone 11N





HOEFSLOOT LAND SURVEYING LTD.

P.O. Box 2740
7425 2nd Street
Grand Forks, B.C. V0H 1H0
Tel: (250) 442-5597
Fax: (250) 442-2044

January 13, 2014
File: 2014_Manson.alc

Regional District of Kootenay Boundary
202 – 843 Rossland, Avenue
Trail, BC
V1R 4S8

Attn.: Planning Department

**Re: ALC APPLICATION TO SUBDIVIDE WITHIN THE ALR
LOT 52, DL 683, SDYD, PLAN 378
3571 & 3565 Kettle Valley East Road, Rock Creek (Kettle Valley) BC**

Enclosed are the following items:

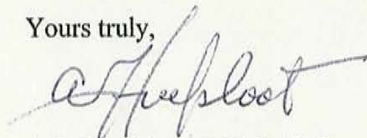
- cheque for application fees (\$600.00)
- ALC application
- Agent's Authorization
- Title Search Print
- Copy of 2014 property assessment notice
- Copy of plan showing proposed division

REGIONAL DISTRICT OF KOOTENAY BOUNDARY	
FILE #	JAN 14 2014
DOC #	.....
REF. TO:	.....
CC:	.....

Could we have this application processed as reasonably quickly as is feasible.
Thanks!!!

If you have any questions, do not hesitate to contact me.

Yours truly,



A.F. Hoefsloot, BCLS, CLS



APPLICATION BY LAND OWNER

NOTE: The information required by this form and the documents you provide with it are collected to process your application under the Agricultural Land Commission Act and regulation. This information will be available for review by any member of the public. If you have any questions about the collection or use of this information, contact the Agricultural Land Commission and ask for the staff member who will be handling your application.

TYPE OF APPLICATION (Check appropriate box)

☐ **EXCLUSION**
under Sec. 30(1) of the Agricultural Land Commission Act

☒ **SUBDIVISION in the ALR**
under Sec. 21(2) of the Agricultural Land Commission Act

☐ **INCLUSION**
under Sec. 17(3) of the Agricultural Land Commission Act

☐ **Non-farm USE in the ALR**
under Sec. 20(3) of the Agricultural Land Commission Act

APPLICANT

Registered Owner: <u>Gail Ann Manson</u>		Agent: <u>HOEFSCLOOT LAND SURVEYING</u>	
Address: <u>P.O. Box 96</u>		Address: <u>P.O. Box 2740</u>	
<u>Midway, BC</u>		<u>Grand Forks, BC</u>	
Postal Code <u>V0H 1M0</u>		Postal Code <u>V0H 1H0</u>	
Tel. (home) <u>250-449-8187</u>	(work) <u>250-442-5597</u>	Tel. <u>250-442-5597</u>	Fax <u>250-442-5597</u>
E-mail <u>manson.gail@hotmail.com</u>		E-mail <u>hislart@gmail.com</u>	

LOCAL GOVERNMENT JURISDICTION (Indicate name of Regional District or Municipality)

Regional District of Kootenay - Boundary (Area E)

LAND UNDER APPLICATION (Show land on plan or sketch)

Title Number	Size of Each Parcel (Ha.)	Date of Purchase	
		Month	Year
<u>LB 103632</u>	<u>3.3 ha</u>	<u>Sept</u>	<u>2007</u>

OWNERSHIP OR INTERESTS IN OTHER LANDS WITHIN THIS COMMUNITY

(Show information on plan or sketch)

If you have interests in other lands within this community complete the following:

Title Number(s): _____

PROPOSAL (Please describe and show on plan or sketch)

- The owner, Gail Manson, has terminal cancer and wishes to leave this property to her two children as separately titled properties.
- She would like to meet with the Commissioners on site (if she is still physically able). Please contact her or myself once a date for the site visit is determined.

CURRENT USE OF LAND (Show information on plan or sketch)List all existing uses on the parcel(s) and describe all buildings.

Property has two homes. The lower bench is residential use with garden. The upper bench is a field. The owner's daughter boards some horses.

USES ON ADJACENT LOTS (Show information on plan or sketch)

North	Agricultural (Hillside grazing) steep North of Bubar Rd.
East	Agricultural (Hobby Farm) - Couple of horses.
South	Agricultural - Hobby Farm - Couple of horses.
West	Agricultural - Hobby Farm -

DECLARATION

I/we consent to the use of the information provided in the application and all supporting documents to process the application in accordance with the *Agricultural Land Commission Act* and regulation. Furthermore, I/we declare that the information provided in the application and all the supporting documents are, to the best of my/our knowledge, true and correct. I/we understand that the Agricultural Land Commission will take the steps necessary to confirm the accuracy of the information and documents provided.

Jan. 10 / 2014

Date

Gail Manson

Signature of Owner or Agent

GAIL MANSON

Print Name

Date

Signature of Owner or Agent

Print Name

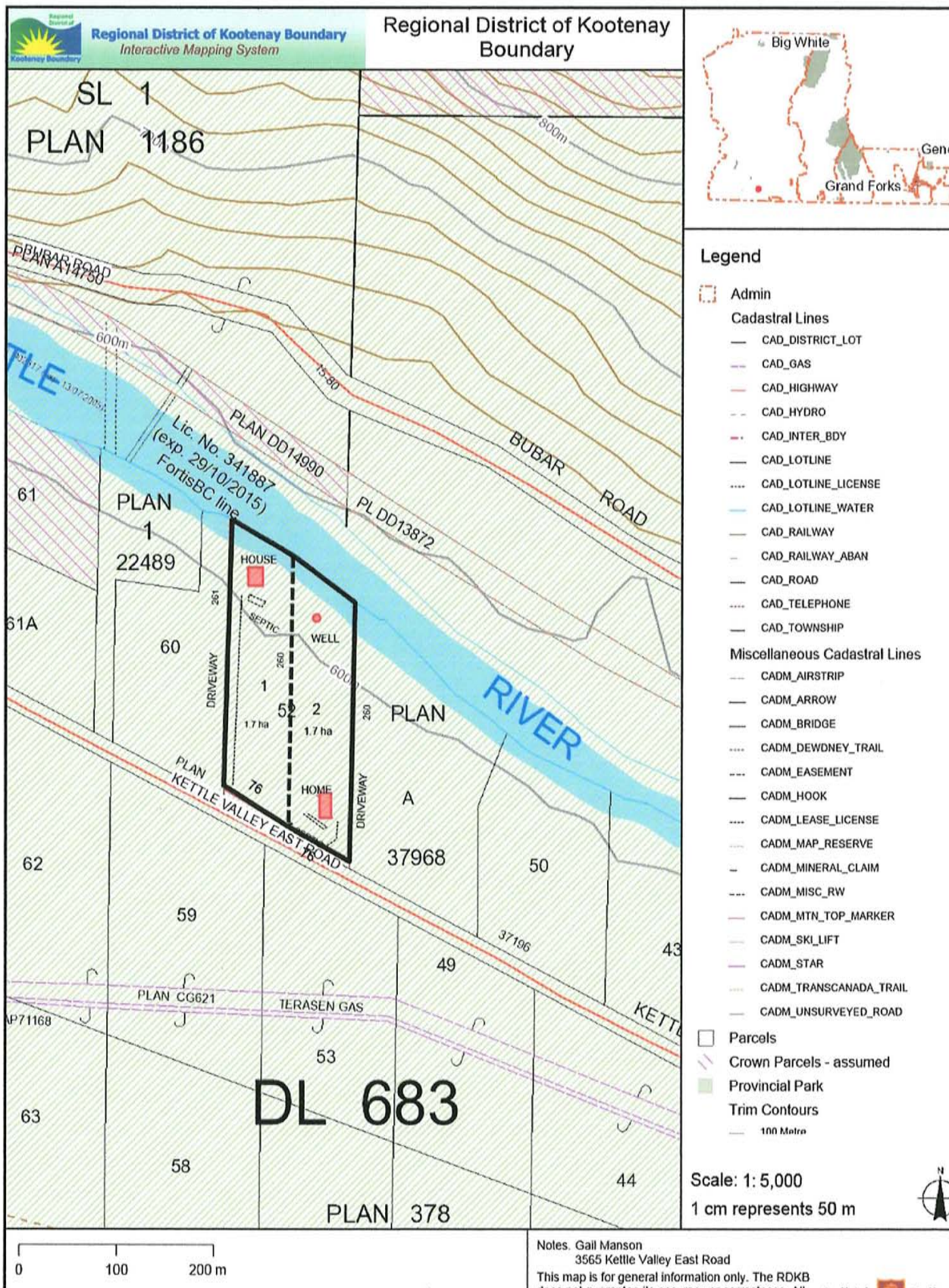
Date

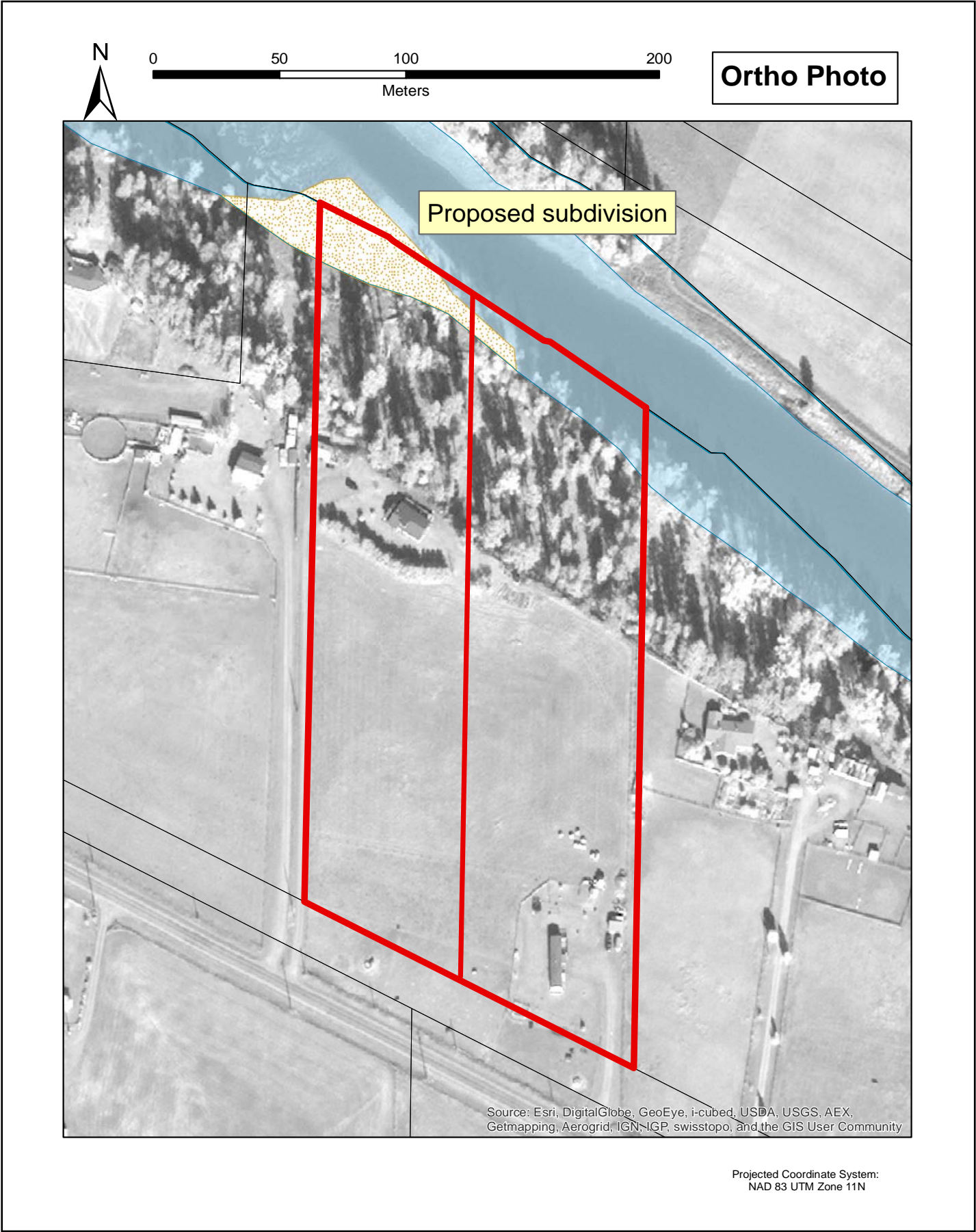
Signature of Owner or Agent

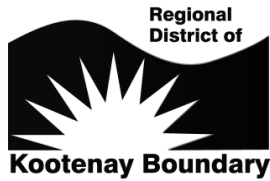
Print Name

Please ensure the following documents are enclosed with your application:

- Application fee payable to the Local Government
- Certificate of Title or Title Search Print
- Agent authorization (if using agent)
- Map or sketch showing proposal & adjacent uses
- Proof of Notice of Application *(See instructions)
- Photographs (optional)







STAFF REPORT

Date:	February 17, 2014	File #:	S-18
To:	Chair McGregor and Members of the Board		
From:	Donna Dean, Planner		
RE:	Proposed National Park Reserve for the South Okanagan – Lower Similkameen		

ISSUE INTRODUCTION

The Board of Directors requested a report from staff regarding the request by the South Okanagan Similkameen National Park Network to pass a resolution asking the Province to: re-engage in the national park process, and consult the RDKB throughout the process.

HISTORY / BACKGROUND

Over 10 years ago the Province of British Columbia agreed to work with Parks Canada to assess the feasibility of establishing a National Park Reserve¹ in the South Okanagan. The following outlines the time line between 2003 and the present:

2003	A Canada-BC Steering Committee signed a Memorandum of Understanding to cooperate on assessing the feasibility of establishing a National Park Reserve.
2006	A draft Park Concept was produced, which covered approximately 650 square kilometers.
2011	The Feasibility Assessment for the Proposed National Park Reserve was completed (<i>see attached Feasibility Assessment</i>). The proposed area of the Park Reserve was reduced to 284 square kilometers. The proposed Park Reserve, which is entirely within the boundaries of the Regional District of Okanagan Similkameen, is within four of its Electoral Areas.

¹ A national park reserve is an area set aside as a national park pending settlement of any outstanding aboriginal land claim. During this interim period, the *National Parks Act* applies and traditional hunting, fishing and trapping activities by Aboriginal peoples will continue. Other interim measures may also include local Aboriginal people's involvement in park reserve management (*from the Parks Canada website*)

2012	The Province of BC withdrew support for the proposed park and Parks Canada issued a statement that it respects the position of the Province of BC and recognizes that it cannot proceed without the support of the Province. Parks Canada stated that it will not publicly engage stakeholders on the proposal.
2012	The Regional District of Okanagan Similkameen (RDOS) and other local governments in the Okanagan forwarded letters to the Province requesting the Province to re-engage in formal discussions with the Government of Canada regarding the proposed Park Reserve (<i>see attached May 4, 2012 letter from RDOK to the Province</i>)
2014	Doreen Olson of the South Okanagan Similkameen National Park Network (the National Park Network) presented to the RDKB requesting that the RDKB forward a similar request to that submitted by RDOS to the Province.

IMPLICATIONS

If the RDKB submits a request to the Province as suggested by the National Park Network, and the Province decides to re-engage formal discussions with the Government of Canada, it would offer an opportunity for the RDKB to be added to the list of stakeholders and to be formally consulted regarding the proposed Park Reserve.

BACKGROUND INFORMATION PROVIDED

Proposed National Park Reserve for the South Okanagan-Lower Similkameen Feasibility Assessment.

Letter from the RDOS to the Province – May 4, 2012.

RECOMMENDATION

*THAT the February 17, 2014 **staff report** 'Proposed National Park Reserve for the South Okanagan – Lower Similkameen' be received.*

THAT the Regional District of Kootenay Boundary Board of Directors request that the Province of British Columbia re-engage in formal discussions with the Government of Canada regarding the proposed South Okanagan – Lower Similkameen National Park Reserve. AND

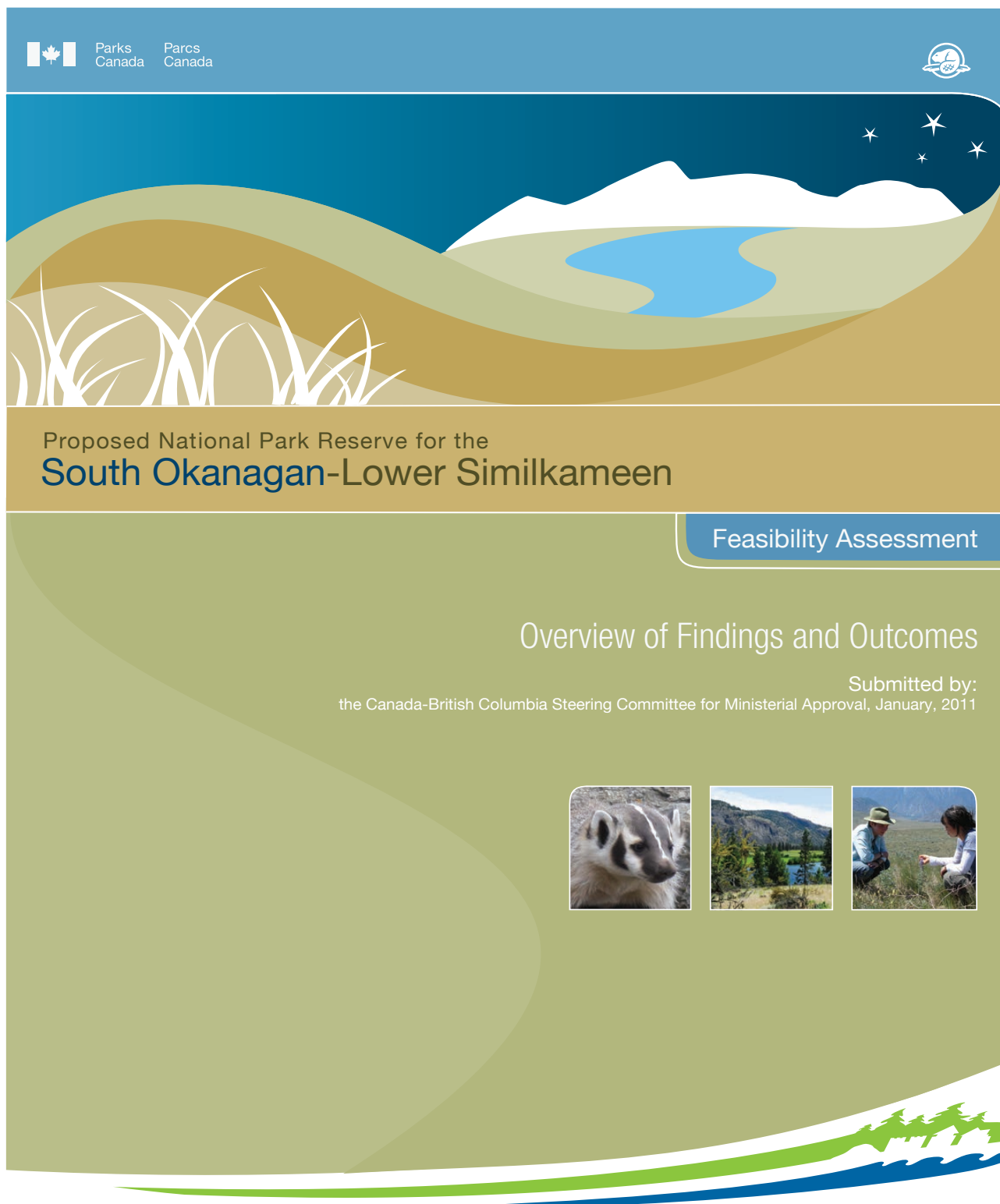
That the Regional District of Kootenay Boundary Board of Directors request that the Regional District of Kootenay Boundary be added to the list of stakeholders and be formally consulted during and at the completion of formal talks regarding the proposed National Park Reserve.

Respectfully Submitted:

*Concurrence: (General
Manager/Deputy CAO)*

*Concurrence:
(CAO)*





Canada



The Canada-British Columbia Steering Committee was established in 2003 as a result of the signing of a Memorandum of Understanding to cooperate on assessing the feasibility of establishing a national park reserve in the South Okanagan-Lower Similkameen, and other projects in British Columbia.

The Steering Committee is pleased to inform the Honourable Murray Coell, Minister of the Environment for British Columbia and the Honourable Peter Kent, Minister of the Environment and Minister responsible for the Parks Canada Agency, that the feasibility assessment initiated in 2004 is complete. This assessment included a comprehensive process of First Nations engagement, stakeholder and community consultations, and design, evaluation and refinement of a park concept.

The Canada-British Columbia Steering Committee recommends to Ministers that:

1. A national park reserve is feasible;
2. The proposed park reserve boundary contained herein be approved at a conceptual level;
3. The governments of Canada and British Columbia sign a Memorandum of Understanding respecting the establishment of a national park reserve in the South Okanagan-Lower Similkameen; and
4. Parks Canada continue to work with the Okanagan Nation Alliance and affected bands to achieve shared understandings regarding the protection and future management of the park proposal area.

Recommended by:

Cairine MacDonald, Deputy Minister, Ministry of the Environment, Government of British Columbia

Ron Hallman, Director General National Parks, Parks Canada

Bill Fisher, Director General Western and Northern Canada, Parks Canada



Executive Summary

The South Okanagan-Lower Similkameen region is located at the southernmost extent of the Interior Dry Plateau and is characterized by a relatively dry climate. The area is one of Canada's richest areas of **natural biodiversity** and has a large number of species and habitats at risk. The proposed national park reserve presents a unique opportunity to work with First Nations and local residents to achieve conservation objectives, to restore threatened habitats and species at risk including the burrowing owl, and to collaborate with the broader ranching community to achieve stewardship of this valued landscape. This report summarizes the results of a feasibility assessment undertaken between 2004 and 2010.

In 2002, representatives of the **Okanagan Nation Alliance and community members** were the **first proponents** for protecting the area around the South Okanagan Grasslands Protected Area as a national park reserve. In 2003, the governments of Canada and British Columbia signed a **Memorandum of Understanding** to cooperate on **assessing the feasibility** of establishing a national park reserve in the South Okanagan-Lower Similkameen region.

The Canada-British Columbia Steering Committee **recommends that a national park reserve is feasible**. The Steering Committee also recommends that the proposed boundary identified in this report be approved by ministers at a conceptual level, and that negotiations for a national park reserve establishment agreement proceed as outlined in section 4 of the 2003 Canada-British Columbia Memorandum of Understanding. Further, the Steering Committee recognizes the importance of a **timely decision** due to rapid land use change in this area, and growing requests for 'certainty' by key stakeholders, in particular the **ranching community**.

The **2010 Park Concept** is revised from an earlier 2006 proposal and includes two distinct areas, the Northern Component and the South Okanagan Grasslands Component. The **proposed boundary** of the park reserve now includes approximately **284 sq km** of provincial parks and protected areas, multi-use Crown Lands and private lands. Private lands would be secured on a willing seller and willing buyer basis.

The two components of the **2010 Park Concept** make a significant contribution towards Parks Canada's objectives to represent the Interior Dry Plateau in the national park system. The diverse landscapes provide **unique educational and visitor opportunities**. A national park reserve would complement and enhance the already well **developed tourism economy** in the South Okanagan and help local residents, and all Canadians experience this area's natural beauty and retain it unimpaired for future generations.

Executive Summary (cont'd)

The bands of the Okanagan Nation Alliance implicated in this proposal have stated an interest in sharing their vision towards protecting the ecological and cultural integrity of this area for future generations, and designing a process of collaboration to achieve this vision as part of the national park reserve establishment process. This includes a commitment from Parks Canada that legislative measures will not compromise future settlements of Aboriginal Title and Rights, and that traditional activities and the use of traditional knowledge will be included in park planning and management. Collaborative work with the Lower Similkameen and Osoyoos Indian Bands, and the Okanagan Nation Alliance is in early stages; the goal is to develop a **mutually agreeable approach** to guide a park establishment process, as well as future planning and management of a national park reserve.

Due to the cultural **importance of ranching** in this area, and community feedback about impacts to the ranching community, Parks Canada has committed to an **adaptive management framework** that supports continued livestock grazing in the park concept area in a manner consistent with ecological objectives and park values. Further development and refinement of the adaptive management framework will enable flexibility and innovation in **proactively working with the ranching sector** over the long term. Recent input from ranchers and the ranching community suggests increased support for this approach.

A socio-economic assessment completed in 2008 concluded that **there would be a significant positive economic impact** associated with the establishment of a national park reserve, if Parks Canada staff and facilities were located in smaller communities. The assessment also predicted no significant negative socio-economic impact from changes to regional land use. This assessment assumed a **multi-decade transition** to a full national park reserve and assumed that recommended mitigation measures would be applied.

A long term transition will be necessary and will require a strong commitment between Parks Canada, the Government of British Columbia and the Okanagan Nation Alliance. In summary, the proposed national park reserve presents an important **provincial and federal opportunity** to work together to protect one of Canada's treasured places and leave a living legacy that **connects people to nature, culture and history**.



In 2011, BC Parks will celebrate its 100th anniversary of the creation of the first provincial park in British Columbia. Also in 2011, Parks Canada will be celebrating the 100th anniversary of Canada's national park service, the first in the world. This could be an opportunity for both governments to recognize this significant area of biodiversity, profile the rich history of the region and jointly share a commitment to protecting the South Okanagan-Lower Similkameen for all Canadians.



Why establish a national park reserve in the South Okanagan-Lower Similkameen?

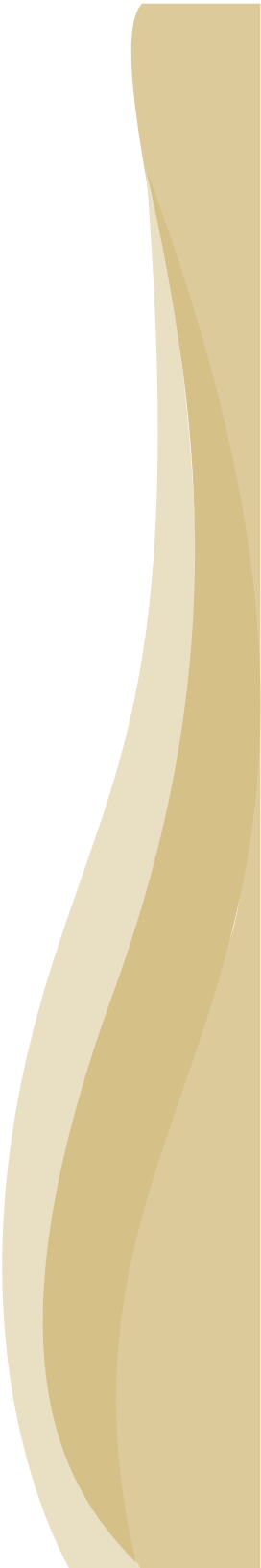
- *Enhance protection of British Columbia's temperate grassland ecosystems – landscapes that are critically endangered globally.*
- *Consolidate and connect the existing network of provincial and national protected areas – through the purchase of private lands and through partnerships with surrounding landowners and users.*
- *Build strong and meaningful relationships with the Okanagan Nation.*
- *Establish partnerships with the Okanagan Nation and local communities to collaborate on conservation, management and education – building upon traditional local ecological knowledge.*
- *Facilitate collaboration between scientific researchers, ranchers, range professionals and the Okanagan Nation to achieve ecological management objectives and protect key “at risk” habitats within the national park reserve and to improve current range conditions in surrounding grasslands and to manage wildlands in rural-urban transition areas.*
- *Make it easy for people from the Southern Interior and other Canadians to visit the park for an hour, a day or longer – by offering a wide range of first class opportunities to experience and connect with this nationally significant natural and cultural heritage area.*
- *Raise the profile of the South Okanagan and Lower Similkameen as a tourism destination by adding new visitor experience opportunities to the existing marketing mix, encouraging investment in the local tourism infrastructure and creating strategic benefits for the tourism industry.*





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Introduction

The South Okanagan-Lower Similkameen is part of the Interior Dry Plateau natural region of Canada, and one of 39 regions identified by Parks Canada as a distinctive component of the national landscape. This region is not yet represented in Canada's system of national parks. Located in the extreme south of the Interior Dry Plateau where the northern edge of the Great Basin reaches into British Columbia, the South Okanagan-Lower Similkameen is one of Canada's richest areas of biodiversity. From both national and provincial perspectives, this is an area of high conservation value and an excellent candidate area for Parks Canada to represent the Interior Dry Plateau natural region.

In 2002, representatives of the Okanagan Nation Alliance and community members were the first proponents for protecting the area around the South Okanagan Grasslands Protected Area as a national park reserve.



In 2003, Canada and British Columbia signed a Memorandum of Understanding to cooperate on assessing the feasibility of establishing a national park reserve in the South Okanagan-Lower Similkameen, together with other projects in British Columbia, under the guidance of the Canada-British Columbia Steering Committee. A local Working Group was established to build and assess the proposal. The feasibility assessment was initiated in 2004, incorporating an iterative process of consultations, design, evaluation, and refinement of a park concept.

This report is a summary of the feasibility assessment results and concludes with key recommendations from the Canada-British Columbia Steering Committee that the assessment is complete and that a national park reserve is feasible. Work continues with the Okanagan Nation Alliance and affected bands to design and participate in a process of collaboration in the park establishment process.

The Working Group was established by the Canada-British Columbia Steering Committee to facilitate implementation, coordination and communication of the feasibility assessment process. The group is comprised of representatives from the Government of British Columbia (Ministry of Environment, Ministry of Forests and Ministry of Agriculture and Lands) and Parks Canada.

Elements of Feasibility Assessment

As part of the Canada-British Columbia Memorandum of Understanding, several key elements were required in the feasibility assessment. The table below outlines the elements and how they were addressed.

Memorandum of Understanding Item	How Addressed
– Boundary Proposals	<ul style="list-style-type: none"> • Trial Boundaries (Ecosystem Conservation Target Report) • 2006 Draft Park Concept (650 sq km) • 2010 Revised Park Concept (284 sq km)
– Analysis of natural and cultural resources	<ul style="list-style-type: none"> • Achievement of conservation targets • Cultural history overview
– Analysis of social and economic impacts – Assessment of mineral and other natural resource potential – Assessment of impact on access to land	<ul style="list-style-type: none"> • Social, Economic and Environmental Baseline Study, 2005 • Social and Economic Assessment (based on 2006 proposal) • Extensive Consultations
– Analysis of environmental impacts	<ul style="list-style-type: none"> • Ecosystem Conservation Target Report
– Mitigation for adverse economic impacts and management options to accommodate existing land uses – Identification of all land uses that must be discontinued	<ul style="list-style-type: none"> • Recommended approach to transition described in Social and Economic Assessment • New approach to grazing (2010)
– Report on consultations undertaken with federal and provincial agencies, affected First Nations, Local Governments and local communities	<ul style="list-style-type: none"> • Phase I Report on Consultations (Draft) • Phase II Report on Consultations (Draft) • 2010 Consultation Overview

The studies listed above, combined with consultations, assisted Parks Canada and the Canada-British Columbia Steering Committee with identifying opportunities, issues and concerns. They guided the development of the park concept during the assessment process.

The Park Concept Overview

Throughout the feasibility assessment, Parks Canada has sought feedback from First Nations, local communities and stakeholders in order to develop a park concept which fits within the regional context. In 2006, a draft Park Concept was introduced to the community, and feedback was gathered from open houses, forums, workshops and meetings. Further discussions assisted Parks Canada and the Working Group in better understanding where common interests from First Nations, communities, the public, and stakeholders could be combined to build a common vision.

The revised 2010 Park Concept presents a more collective vision and approach, including a smaller revised boundary and an adaptive management approach to grazing. Past discussions and renewed dialogue with local bands and the Okanagan Nation Alliance have been instrumental in revisions to the 2006 Park Concept (*see Relationship and Collaboration with First Nations section*).



THE PROPOSED PARK RESERVE BOUNDARY

The map on the following page illustrates that the new 2010 Park Concept includes two distinct areas, the Northern Component and the South Okanagan Grasslands Component. The proposed boundary of the park reserve now includes approximately 284 sq km of provincial parks and protected areas, multi-use Crown Lands and private lands (private lands would be secured on a willing seller and willing buyer basis.) Derived from the 2006 draft Park Concept which was 650 sq km, changes to reduce the size of the park concept were made in response to First Nations, key stakeholders, and some members of the public who expressed concerns that the original plan was “too much, too fast.” *See Appendix 1 for the 2006 draft Park Concept map.*

NORTHERN COMPONENT HIGHLIGHTS INCLUDE:

- 10 sq km of aquatic habitats, the rare ‘pocket desert’ habitat (antelope brush), species at risk, a concentration of cultural sites and a signature view
- Cooperative management with the Canadian Wildlife Service at Vaseux Lake Migratory Bird Sanctuary and Bighorn National Wildlife Area
- Partnerships in adjacent areas including White Lake and Vaseux protected areas, National Research Council lands, and other conservation lands
- Accessible nature education and interpretation values with excellent day use opportunities
- Potential interpretive theme: ‘Snakes and Lakes’

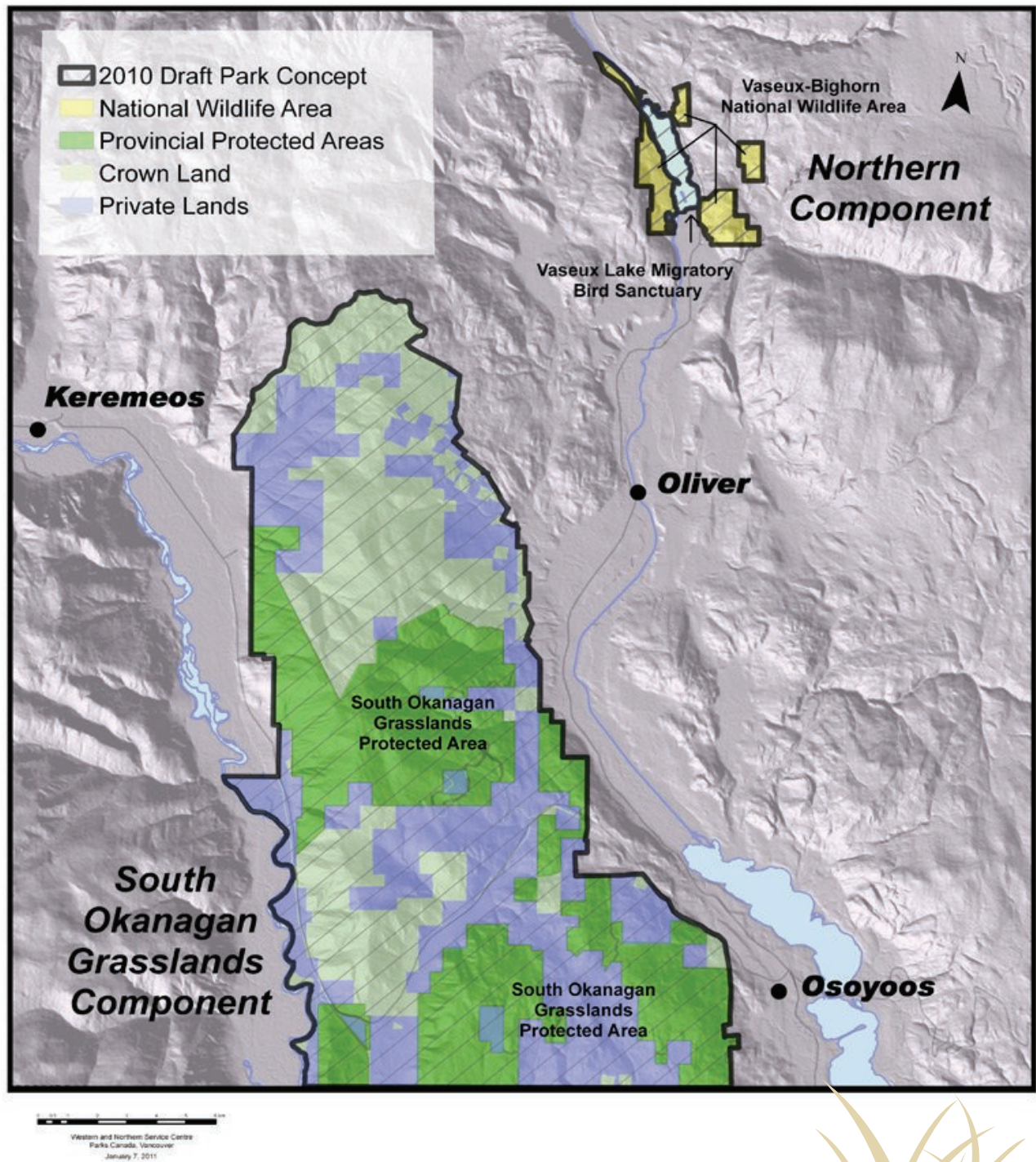
SOUTH OKANAGAN GRASSLANDS COMPONENT HIGHLIGHTS INCLUDE:

- Grasslands, ponderosa pine parklands, interior Douglas fir forests and a scenic upland joining the Similkameen and Okanagan valleys
- Approximately 93 sq km of provincial protected area in 5 parcels; 83 sq km of multi-use Crown land; 98 sq km of private land
- Consolidation of fragmented protected areas; provide opportunities for road-accessible day use, trails, viewpoints, star gazing, interpretation
- Experience elevation gradient spanning five ecosystems
- Receive and orient visitors, and interpret the region at existing or new visitor centres (outside the park reserve)
- Integrate an extensive trail system within the proposed park with existing community roads and trails
- Potential interpretive theme: ‘From the Desert to the Stars’

These two components make a significant contribution towards Parks Canada's national goals in this natural region. The grasslands and other associated ecosystems are areas rich in biodiversity, and are home to many species. The diverse landscapes provide unique educational and visitor opportunities to experience one of the driest, hottest and most threatened ecosystems in Canada.



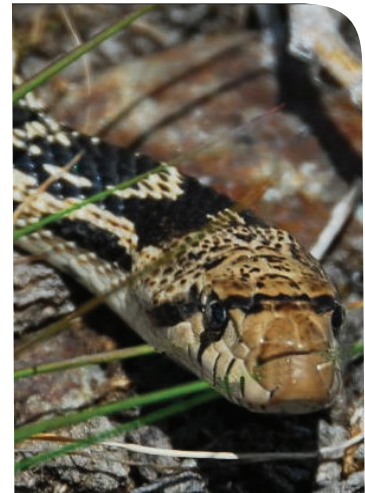
South Okanagan-Lower Similkameen • 2010 Draft Park Concept





APPROACH TO GRAZING MANAGEMENT

Due to the cultural importance of ranching in this area, and community feedback about impacts to the ranching community, Parks Canada has committed to an adaptive management framework that supports continued livestock grazing in the park concept area in a manner consistent with ecological objectives and park values. Further development and refinement of the adaptive management framework will enable flexibility and innovation in proactively working with the ranching sector over the long term. Recent input from ranchers and the ranching community suggests increased support for this approach. (*see Livestock Grazing in the Socio-Economic Assessment Section*).



Relationship and Collaboration with First Nations

Representatives of the Okanagan Nation Alliance were among the first proponents for a national park reserve in the South Okanagan and Lower Similkameen. Following some challenges part way through the feasibility assessment process, and delays in substantive discussions, the affected bands of the Okanagan Nation stated an interest in sharing their vision towards protecting the ecological and cultural integrity of this area for future generations, and designing a process of collaboration to achieve this vision as part of the national park reserve establishment process.

Foundational issues for the Okanagan Nation Alliance relate to protection of claims to title and rights. Key interests include protecting the land from further alienation; restoring healthy ecosystems; collaborative management; traditional and contemporary activities; training and employment; economic opportunities; assistance with Spotted Lake and on-reserve conservation lands; and community relationships. The Okanagan Nation Alliance requires that the park establishment process, and all that this process entails, does not erode their claims to title and rights.



Parks Canada has consistently communicated that a park establishment process cannot resolve claims to title and rights. In a letter sent to the Chiefs of the Okanagan Nation Alliance on October 6, 2010, Parks Canada stated several commitments, including a commitment that legislative measures will not compromise future settlements of title and rights claims, that traditional activities will continue, and that traditional knowledge will be used in park planning and management. Collaborative work with local bands and the Okanagan Nation Alliance will further develop the relationship and a mutually agreeable approach that will guide the establishment, planning and management of the national park reserve.

The Osoyoos Indian Band and Lower Similkameen Indian Bands have shared responsibilities regarding the current park proposal. The Okanagan Nation Alliance will provide support in specific areas. In December, 2010, the Chiefs agreed to engage in a long term work plan to gather information, address core issues, and to develop shared understandings and protocols for working together, and with Parks Canada towards establishment of a national park reserve.

Of significance, the Lower Similkameen Indian Band has stated from the beginning that it cannot support having Snowy Protected Area included in the park proposal at this time. They have also recently expressed concern about how best to protect this and other areas in the future.

"Skwrakan, St'tek, Sklkwelt, Npececk'ulawx, Tkrmius and Nasnulaxw are the area names that the Sylix use, to refer to the area, west of Similkameen River and south of Keremeos to the U.S. border. This area is viewed by the Lower Similkameen people as their backyard or n'tatixwmn, and all access to this area is through reserve lands. There is an extended history of use and occupancy, including hunting, gathering, cattle grazing, logging, wood cutting, spiritual, cultural, and sites referred to in stories and oral history."

Conservation Target Analysis

The South Okanagan-Lower Similkameen is located at the southernmost extent of the Interior Dry Plateau and is characterized by a relatively dry, warm climate. The vegetation is predominantly grassland and shrub-steppe at lower elevations with coniferous parkland at higher elevations. This area is also recognized for its nationally significant wetlands and riparian areas that provide essential habitat to birds (Important Bird Areas), amphibians and reptiles. The South Okanagan-Lower Similkameen is one of Canada's richest areas of natural biodiversity and has a large number of species and habitats at risk.

The Dry Interior Plateau of British Columbia is one of Canada's most diverse natural regions. Within its boundaries, and sometimes in a distance of only a few miles, one can travel from arid, sandy, cactus-covered bench lands up to treeless arctic-alpine mountaintops. – Richard Cannings

In 2008, Parks Canada completed an Ecosystem Conservation Target Analysis. This tool was designed to assist planning, support decision-making, and build a framework to consider options for park boundary design. It addressed three planning objectives:

- Representing the Interior Dry Plateau natural region,
- Representing the special and unique features of the South Okanagan-Similkameen, and
- Configuring a park reserve boundary to facilitate long term retention or restoration of ecological integrity, one of Parks Canada's key guiding principles.

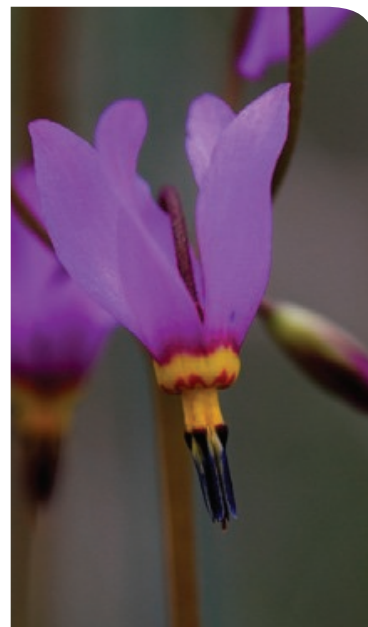
Results from the conservation target analysis suggest that the 2010 Park Concept adequately represents key biogeoclimatic zones, as well as priority habitats and special features. It represents the unique elements of biodiversity found in this region and nowhere else in Canada. In addition, there are fifty-six federally-listed species at risk known to occur in the South Okanagan-Lower Similkameen and most are found within the Park Concept area.

The 2010 Park Concept focuses on protection of the lower elevation grasslands where species diversity is highest and most at risk. Several existing provincial parks and protected areas, including the White Lake Grasslands Protected Area and Snowy Protected Area, capture larger landscapes that help represent a broader diversity of ecosystems in the region.

While the park concept area is smaller, it is still larger than 13 of Parks Canada's existing 42 parks, including the recently established Gulf Islands National Park Reserve. The 2010 Park Concept presents a unique opportunity to work with First Nations to achieve conservation objectives, to restore threatened habitats and species at risk including the burrowing owl, and to collaborate with the broader ranching community to achieve stewardship of a valued landscape.



Communications with Local Government Officials



Early in the feasibility assessment process, an eight member Regional District of Okanagan-Similkameen National Park Committee was formed to provide input to the assessment process. The committee is comprised of local elected officials from communities and rural areas adjoining the park proposal, including the Mayors of Penticton, Osoyoos, Keremeos, Oliver, and Regional Directors from rural Cawston, Oliver, Osoyoos and Okanagan Falls.

Formal and informal briefings with the committee and individual members occurred throughout the feasibility assessment. In November 2010, the committee was provided with a written update regarding the 2010 Park Concept.

Due to upcoming municipal elections, the committee members were unable to state a public opinion regarding their support of a national park reserve proposal at this time. They also stated that further community engagement is important.

Socio-Economic Assessment

The Socio-Economic Assessment was an independent study by resource economists to assess social and economic implications of park establishment to economy and land use, communities and lifestyle. This 2008 study identified impacts that would remain if the 2006 Park Concept was implemented and mitigation strategies were applied. Impacts were categorized as significant or not significant, evaluating the extent of the residual economic effect after mitigation. Note that the Assessment did not evaluate implications for First Nations.

The Socio-Economic Assessment determined that overall there would be a significant positive economic effect associated with the establishment of a national park reserve, if Parks Canada staff and facilities were located in smaller communities. It also predicted no significant negative socio-economic impacts from changes to regional land-use. While the Socio-Economic Assessment was based on the larger 2006 Park Concept area, the changes to the concept area appear to have reduced the number of affected tenures and the likelihood of negative residual impacts.



LAND USE IMPLICATIONS

The degree of impact was estimated by person-years of employment and income. In general terms, the Socio-Economic Assessment found that the magnitude of the loss is not expected to be large (referring to permanent loss) relative to the local industry, local economy, and local labour markets. Furthermore, the residual long-term impacts were determined to be “not significant” for all economy and land use values and activities.

“Not significant” does not mean “insignificant”. None of the values discussed and examined in the Socio-Economic Assessment are considered insignificant; their importance is highlighted by inclusion in the analysis. In the Socio-Economic Assessment, “not significant” refers only to the residual effect (after mitigation) of the project.

SUMMARY TABLE OF LAND USE AND IMPLICATIONS

After seven years of study, Parks Canada has a detailed understanding of the history and commitments associated with existing land use. Parks Canada, working with the Government of British Columbia, local communities, stakeholders and other partners has identified options for mitigating changes to land use and has developed approaches to accommodated, modified or terminated existing land uses. Table 1 summarizes the land use impacts, issues, stakeholder feedback, proposed mitigation and outstanding considerations.

Table 1: Summary of Land Uses and Implications for National Park Reserve Establishment (note: this does not include input from the Okanagan Nation Alliance)

Land Use	Issue	Scope and stakeholder feedback	Proposed Mitigation/SEA impacts	Outstanding Considerations
Ranching/ Grazing	Livestock grazing not normally permitted in national parks; existing crown range tenures are required to sustain existing ranches.	South Okanagan Grasslands component only: 5 grazing leases & 11 licenses; 12 tenure holders (2 First Nations; ranchlands on reserve); 5/12 are more likely to experience adverse impact; initial loss of existing use estimated at 25-50% (i.e. 2500-5000 animal unit months); Agricultural Land Reserve concentrated in south 1/3 of area; Impacts to grazing/agriculture of great concern to locals/ stakeholders who prefer new grazing approach to 2006 phase-out.	Purchase one or more large ranches and retire associated crown range tenures; reconfigure grazing use on remaining area and develop adaptive management strategy to retain livestock grazing over the long term consistent with management for ecological values; provide long time frames for stakeholders to adjust; Socio-Economic Assessment (SEA) found the residual effect was negative but not significant.	Develop details on approach to vegetation mgmt; collaborate with stake-holders on approach to address their interests; work with Agriculture Land Commission to determine strategy.
Mining	Mining is not permitted in national parks.	South Okanagan Grasslands component only: Mining reserve 1002003 over component; 10 tenure holders, 22 mineral claims (2 in provincial protected area), approx. 1020 ha affected by pre-reserve tenures; 14 tenure holders, 33 mineral claims, approx. 2850 ha have post-reserve status; 1 known gravel pit (land act tenure); unknown number of crown grants with subsurface rights; Moderate-high mineral capability; concerns about lost access to mineral deposits & approach to compensation; some desire for boundary modification to exclude certain claims.	Boundary modification/phased approach to park establishment reduces area of claims affected and # of tenures; acquire crown grants through willing-seller willing buyer; work with the Province of BC to develop approach to terminating other tenures. SEA found the residual effect was negative but not significant.	Confirm approach to 33 claims established since mining reserve was enacted; renew detailed discussions with the Province of BC about mineral potential in South Okanagan Grasslands Component.
Helicopters	Helicopter training is a novel use; no established tenures and history in national parks so business owners are uncertain of treatment they could expect; Parks Canada has agreed to permit use, subject to environmental impact assessment.	South Okanagan Grasslands component only: 2 local operators; at least 15 landing sites; 2 park use permits; operators are concerned about park visitor opposition and added restrictions/costs; Local politicians and residents concerned about loss of Penticton airport services. There were approximately 200 landing sites found in the 2006 park concept area and more information is needed to refine what is in the 2010 park concept.	Permit continued use by both companies, subject to environmental assessment. The 2008 SEA predicted residual negative effect although not significant; residual effect may be reduced based on new mitigation strategy; 2008 mitigation recommended continued use for Canadian Helicopters only.	
Forestry/ Water	Forest harvesting is not permitted in national parks; water tenures are permitted but licenses have 5 year terms and lack provisions for priority of use.	South Okanagan Grasslands component: 252 ha affected in Osoyoos Indian Band Woodlot 1500; 3902 ha THLB; 5525 m ³ /yr Annual Allowable Cut; 0.2% of annual timber supply; 68 water licences; some untenured water wells. Northern component: 23 water licenses; no forestry; also some untenured water wells.	Phase out forest harvest tenures with compensation where applicable; continue with fire & forest health management; Phase out water licenses not required; retain remaining water license tenures and wells required. Predicted SEA impact to forestry was negative but not significant; impact to water was indeterminate and not significant.	Work with the Province of BC to update water license info including wells & select approach to water licenses transfer: e.g. Parks Canada tenure or province retain responsibility for water licensing as in Grasslands National Park.
Hunting/ Fishing/ Guide Outfitting	Recreational hunting and guided hunting are not allowed in national parks; traditional hunting by First Nations is permitted; Recreational fishing is permitted, but normally stocking lakes only occurs where required to restore indigenous fish populations.	South Okanagan Grasslands Component: 1 guide territory and yearly permit; 34% overlap (27,600 ha); Approx yearly average use by sport hunters: 350 licenses; 2000 hunter days; 90 animals mainly deer (mule, white-tailed deer), but also black bear & cougar; small game harvest valued but magnitude unknown; 4 fishing lakes. Northern Component: sport hunting limited to one lot, mainly ducks; 1 fishing lake (Vaseux).	Phase out hunting over a time period to be defined in discussions with the Province of BC and local First Nations. Determine strategy for retirement and/or negotiate compensation for guide territory/ permit. Retain recreational fishing where consistent with management for ecological integrity; seek opportunities for augmenting fish/wildlife population & fishing/hunting opportunities outside. Residual effect was negative or indeterminate but not significant.	Need to understand scope/issues for First Nations re: hunting and management of problem wildlife; participation in management of problem wildlife, if issues develop. BC Wildlife Federation remains opposed.
Other Recreation/ Tourism	There are a variety of established recreation uses / tourism activities that occur within or are affected by the proposed park concept; some are permitted in a national park (many non-motorized activities); others are not (e.g. motorized off-road uses like ATV/motorcycle).	Multiple tourism and rec opportunities; locals and tourists are concerned about user fees, new limits to use and termination of existing uses; tourism operators interested in enhancing visitor numbers, opportunities for tenures and shared marketing; recognition that land uses shift with some gaining and others losing opportunities.	Parks Canada wishes to develop opportunities for visitor experience, recreation, learning and enjoyment, where consistent with protecting ecological integrity; The residual effect on tourism was found to be positive but not significant; negative but not significant impacts were noted for some recreation uses such as motorized recreation.	Need for enhanced understanding of recreation use to be permitted; this will occur as part of future park management planning and through negotiations with the Province of BC related to park establishment.

LIVESTOCK GRAZING

Twelve ranchers hold grazing tenures in the park concept area. Of these, five are most impacted by the proposal. Livestock grazing is not normally permitted in national parks, but will be permitted in the park concept area, under an adaptive management framework.

To achieve reductions in intensity of grazing use, Parks Canada would purchase one or more large ranches on a willing seller willing buyer basis, and work with the Government of British Columbia to reconfigure grazing use over the park concept area. This would include retiring some Crown range tenures associated with the private land acquisitions. Grazing would be excluded from some areas, where necessary to achieve park ecological and other objectives, and to provide benchmarks for scientific comparison. In other areas where grazing would continue, it would be managed in a manner consistent with ecological objectives and values. Partnerships and stewardship activities on lands outside the park concept area will contribute significantly to the park objectives and should therefore be an important component to park development and management over the longer term.



Feedback from several affected ranching families suggests an increased level of comfort with the park concept based on boundary changes (smaller area), and the new adaptive management approach, which includes grazing, and proposed mitigation. Parks Canada recognizes that further work is required to refine the adaptive management framework in collaboration with ranchers, First Nations, range professionals and scientists. Parks Canada will work towards a park management model that addresses ecological integrity, sustainable grazing, and is guided by science, active monitoring and partnerships.

COMMERCIAL HELICOPTER USE

Commercial helicopter training activities in the South Okanagan-Lower Similkameen are currently permitted under provincial jurisdiction for two companies (Canadian Helicopters and Eclipse Helicopters). They use multi-use crown land, protected areas and private lands, with permission from the land owner. Although helicopter use occurs for operational purposes in some national parks across Canada, commercial helicopter training would be a new use.

Local citizens and community representatives have expressed concerns that restricted use within a national park reserve could cause adverse impacts to existing helicopter business and negatively impact revenue to the Penticton Airport Authority. The 2010 Park Concept has reduced the impact to helicopter landing sites by reducing the size of the park and the number of sites included within it. Therefore, the potential impact to helicopter training is significantly reduced. Discussions will continue with the affected companies, and operational changes to helicopter use in the park concept area are not anticipated.

TRAPPING, RECREATIONAL HUNTING & GUIDE OUTFITTING

Activities such as trapping, recreational hunting and guide-outfitting are currently allowed in both protected areas and on multi-use crown land. These activities are not allowed within a national park reserve. Hunting use in particular, has strong support by local advocates who form the core of those that oppose establishment of a national park reserve in the region.

The reduction in the size of the park has served to minimize adverse impacts on these activities as fewer guide outfitters and trappers are affected by the park proposal. In particular, the highly valued local sheep hunting and wilderness hunting opportunities in Snowy Protected Area are no longer part of the park proposal. Within the 2010 Park Concept, mitigation strategies will focus on long transition times for phasing out hunting; however, some stakeholders do not support any reductions in available opportunities. With the confirmation of the feasibility of this park reserve, Parks Canada will continue to dialogue with all interested parties regarding these matters as the establishment process proceeds.



Economy and Land Use: The Socio-Economic Assessment determined that residual impacts (after mitigation) are “not significant” for all values - forestry, minerals and mining, helicopter training, trapping, agriculture, ranching, tourism, and guide outfitting.

COMMUNITY

The potential socio-economic effects of a national park reserve on communities (namely Oliver, Osoyoos, Keremeos and the surrounding rural areas) include the economic impacts directly associated with park operation jobs, and related broader economic development impacts, primarily in the tourism sector.

Community: Significant positive economic impact of establishing a national park reserve (jobs/dollars spent), if Parks Canada concentrates its facilities in small communities. Income and employment effects are not large but they are long term and continuous.



While the income and employment effects are not large, they are long term and continuous. If Parks Canada concentrates its facilities in small local communities, they are more likely to have a significant positive impact on the economy. While the national park reserve impacts are expected to be positive for communities, the long term residual impacts are expected to be low for community growth and development combined with impacts on private land and other tenures. They are deemed by the assessment as “not significant” over the long term.

LIFESTYLE

Lifestyle was measured by four values: community well-being; rural lifestyle; park-related lifestyle and recreation. The long term residual impacts on community well-being were considered indeterminate (or neutral) and not significant. The impacts on rural lifestyle, most notably ranching, were considered negative; those for park-related lifestyle were predicted to be positive. Neither impact was considered significant.

Lifestyle: The Socio-Economic Assessment said that although both positive and negative residual impacts were noted for lifestyle, the long term residual impacts were rated not significant. For example, the assessment identified some negative effects for rural lifestyle and motorized recreation while positive effects were identified for park-related lifestyle (e.g. education, learning, environmental/aesthetic values) and non-motorized recreation.)

The impacts on public recreation are clearer. Most non-motorized user groups will gain opportunities and better recreation experiences, while Off Road Vehicle recreation users will lose opportunities due to the long term effects that these activities can have on wildlife, species at risk and sensitive habitats. Overall the net effect on public recreation is predicted to be neutral and not significant over the long term. Mitigation steps will be important to ensure all user groups are aware of allowed uses, park policies, management guidelines and transition strategies.

Public Consultation and Outreach

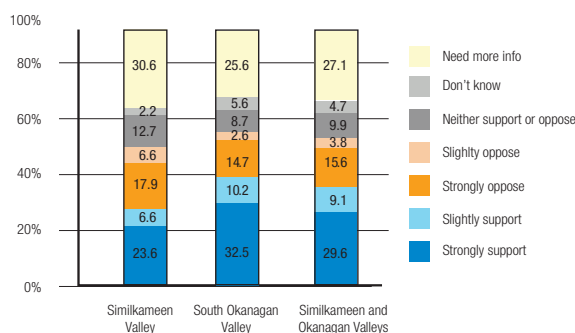
This section of the report reviews communication and consultation over a seven year period. Conducting consultations with communities and key stakeholders was instrumental in providing advice and local knowledge to the feasibility assessment and planning process. Although much of the detailed outreach, public meetings, and stakeholder meetings occurred between 2004-2008, targeted consultation has occurred since April 2010 to gather feedback from key stakeholder groups on the revised park concept (*see Appendix 2 for list of groups/stakeholders consulted*). Feedback has generally been positive, however, there continues to be some local opposition, primarily from sportsman groups, and motorized recreation users.

As the feasibility assessment concludes, there is a growing need to reconnect formally with the public and stakeholders, report on the findings of the feasibility assessment, indicate where changes and modifications have been made to the park concept, and respond to concerns and opportunities identified.

CONSULTATION AND OUTREACH – 2003-2008

There have been two phases of broad public consultation, both involving open houses. The first phase defined the scope of issues and opportunities (2004), and the second examined a park concept including mapped boundaries (2006). Over 1800 people attended the open houses, and hundreds more filled in comment forms and/or emailed the project manager. The following is a summary of concerns and opportunities, which were incorporated into the shaping of the first draft park concept, and later, the modified 2010 Park Concept.

In 2007, Parks Canada commissioned a survey of local residents in order to better understand how residents would use a national park reserve, how a national park reserve might affect desire to live in the area, and to obtain an indication of public support for national park reserve establishment. Results of this survey indicated that overall, supporters outnumber opposition by approximately 2:1.



"Do you support or oppose establishment of (the proposed) national park?"

- Based on 777 responses to a random mail survey, chart shows results of answers to questions

Overall support outnumbers opposition 2:1. Many residents are undecided or need more information.

Indication of Support from Similkameen Valley Planning Society Amenity Migration Survey, 2007

CONSULTATION AND OUTREACH – 2008-2010

Two other local surveys were completed by non government organizations in 2008 and 2010. Key results for the surveys found that:

- a) There was 'continuing support for additional conservation efforts', and
- b) '63% of respondents favoured protecting a portion of the South Okanagan Similkameen in a national park, and 26% opposed protection in a national park'.

Details from these surveys are found in Appendix 3.

Priority discussions have included First Nations as well as specific individuals, groups, organizations, community leaders and business interests. Parks Canada has renewed relationships with as many of the key stakeholders as possible. Recent stakeholder meetings have focused on listening to concerns and providing updates about recent changes to the proposed park concept, the new approach to grazing and the desire for renewed discussions with First Nations.

Targeted consultations included: ranching stakeholders (10/12 affected tenure holders; all except First Nations tenure holders); local and regional government representatives, members of the Ad Hoc Science team; Canadian Helicopters; non-government organizations (Nature Conservancy Canada, Grasslands Conservation Council of BC, Desert Centre Society), and representatives of key provincial government agencies (Ministry of Forest and Range; Agriculture Land Commission, Ministry of Environment, Ministry of Agriculture and Lands). Anecdotally, revisions to the park concept have been well received and those involved in consultation generally express improved comfort with revised mitigation strategies and the reduced scope of impacts.

CONCERNS	OPPORTUNITIES
Loss of recreation use opportunities (e.g. hunting, fishing, motorized recreation, horseback riding, hang gliding etc.)	Ecosystem conservation and protection of unique flora and fauna
Loss of a rural lifestyle	Sustainable tourism and recreation
Loss of commercial land use opportunities, economic opportunities (grazing and agriculture), and forestry (opportunities and fire wood cutting)	Natural history and cultural interpretation, education, visitor centres
Increased government involvement	Enhanced conservation in surrounding areas
Costs to local residents (fees)	Enhanced enforcement, infrastructure and services
Holistic natural resource management (fire, wildlife)	Economic benefits and job opportunities
Desire to maintain current approach to land ownership, management, stewardship and use	Recreation and visitor opportunities
Need to mitigate impacts, adequate transition period, fair compensation	Research opportunities
Suggestions to reduce the draft Park Concept area (remove South Okanagan Grasslands Protected Area, or Snowy Protected Area)	Protection from development
	Partnerships for local participation in planning and management
	Suggestions to expand the Park Concept area (add White Lake-Vaseux, Cathedral Provincial Park, Okanagan Mountain Park)

Long Term Transition to a National Park Reserve

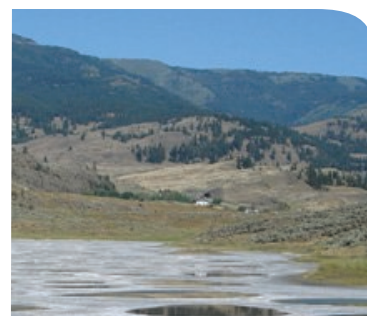
A long term transition program, likely over several decades, will be necessary to achieve desired land assembly and full protection under the *Canada National Parks Act*. This approach would likely include a combination of federal and provincial legislation and policies. It will also require a strong commitment between Parks Canada, the Government of British Columbia, and the Okanagan Nation Alliance to ensure success over the longer term. The benefit of this approach is that it will allow for respectful adjustments to hunting, grazing and other activities in the region, over the longterm, as the establishment of a national park reserve is implemented. The components of transition include:

FIRST NATIONS RELATIONSHIP

- Develop a collaborative working relationship with the Okanagan Nation Alliance in establishment, planning and management of the future protected area.

AGREEMENTS

- Develop an agreement between the governments of Canada and British Columbia to confirm completion of the feasibility assessment, and subsequently, a federal-provincial land transfer agreement. This agreement outlines the terms and conditions agreed to by the federal and provincial governments under which the national park reserve will be assembled and established, as well as outlining the process of land transfer.
- Craft and implement a legislative framework for interim management of lands within the park boundary; this framework would likely include a combination of federal and provincial legislation and policies.



PLANNING/IMPLEMENTATION

- Develop and implement a land assembly strategy that includes strategic acquisition of private lands within the boundary (willing seller, willing buyer). At least some acquisitions will need to occur early in the transition process before opportunities are lost and to facilitate changes to grazing management.
- Establish an interim local advisory committee to support park management, planning and implementation.
- Develop and implement interim park management guidelines with the participation of affected stakeholders, governments, land management experts and staff that takes the park through the land assembly process and toward achievement of long term objectives.
- Collaborate with ranchers, range professionals, and scientists to develop an adaptive management framework and a vegetation management plan that includes a combination of ungrazed benchmarks and areas with continued livestock grazing.
- Build a team of provincial, federal and First Nations staff to implement an effective national park reserve establishment process in collaboration with stakeholders and local communities.

ENGAGING THE PUBLIC

- Inform and engage the general public about the revised 2010 Park Concept.
- Demonstrate a commitment to communities to address issues and concerns.
- Engage communities to jointly celebrate Parks Canada's 100th anniversary and British Columbia's 100th anniversary for the provincial park system, while celebrating the shared commitment to a new national park reserve in the South Okanagan-Lower Similkameen.



Recommendations

The 2010 Park Concept represents a significant departure from the earlier, larger draft concept. The changes to the size of the area, the adoption of an adaptive management framework, and positive steps towards re-engagement with the Okanagan Nation Alliance and local bands are an outcome of dialogue, consultation, and implementation of the feasibility assessment.

The Canada-British Columbia Steering Committee recommends that a national park reserve is feasible. The Steering Committee also recommends that the proposed park reserve boundary identified in this report be approved by ministers at a conceptual level, and that negotiations for a national park reserve establishment agreement proceed as outlined in section 4 of the 2003 Canada-British Columbia Memorandum of Understanding. Further, the Steering Committee recognizes the importance of a timely decision due to rapid land use change in this area, and growing impatience for 'certainty' by key stakeholders, in particular the ranching community.

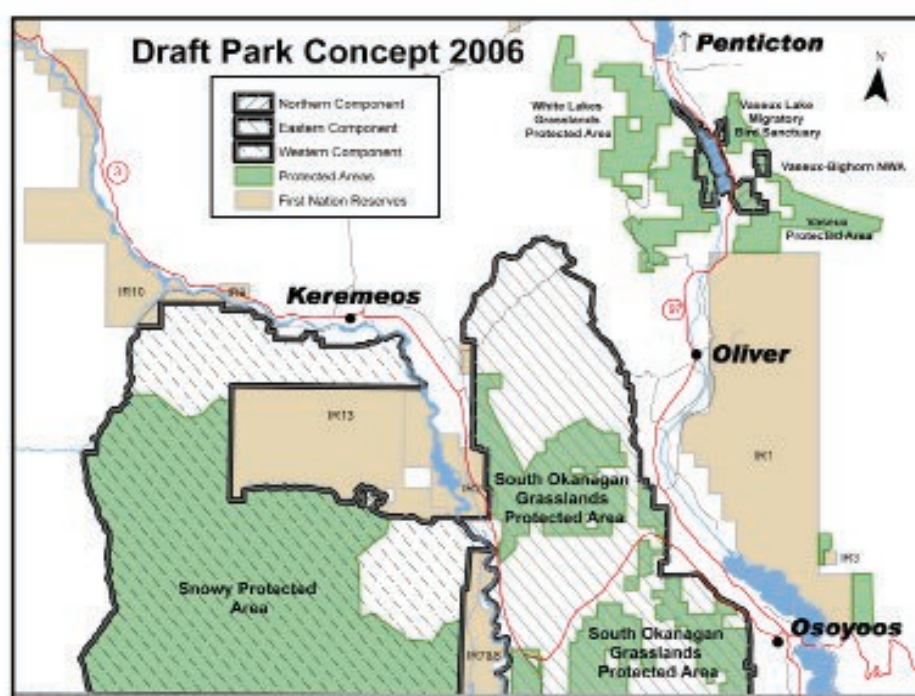
In 2011, BC Parks will celebrate its 100th anniversary of the creation of the first provincial park in British Columbia. Also in 2011, Parks Canada will be celebrating the 100th anniversary of Canada's national park service, the first in the world. This could be an opportunity for both governments to recognize this significant area of biodiversity, profile the rich history of the area, and jointly share a commitment to protecting the South Okanagan-Lower Similkameen for all Canadians.

*The South Okanagan-Lower Similkameen...
Working together to protect one of Canada's
treasured places – a living legacy connecting
people to nature, culture and history.*



Appendix 1: 2006 Draft Park Concept

The 2006 draft Park Concept was 650 square kilometres and was comprised of three components (North, West, and East). The 2006 Park Concept was reduced in size to create what is now the 2010 Park Concept in response to First Nations, key stakeholders, and some members of the public who expressed concerns that the concept was "too much, too fast."



Appendix 2: Groups/Stakeholders Consulted in Feasibility Assessment

Advisory Committees:

Regional District Okanagan-Similkameen (RDOS)
Land and Resource Management Plan

Provincial Ministries:

Environment
Agriculture and Lands
Forests
Tourism, Culture and Arts
Energy, Mines, Petroleum Resources
Transportation & Highways
Thompson Okanagan Management Committee
Agricultural Land Commission

Federal Agencies:

Canadian Wildlife Service
National Research Council/Dominion Radio
Astrophysical Observatory
US Dept of Fish & Wildlife

Regional/Local Government:

RDOS board
RDOS staff (planners, GIS)
IAC Regional Growth Strategy
Social, Economic, Environmental
Advisory Committees for Regional Growth Strategy
Central Okanagan Regional District
City of Penticton
Town of Princeton
Town of Osoyoos
Town of Oliver
UBCM display
Interior Health

Park Interest Groups:

Grassland Park Review Coalition
South Okanagan National Park Network

Community Economic Development:

EDO's (Oliver, Osoyoos, Penticton, Keremeos, Princeton)
Community Futures
Similkameen Valley Planning Society
Penticton, Oliver Chamber of Commerce
Destination Osoyoos
Oliver Economic Development Society
Okanagan Partnership

Conservation Organizations:

Ad Hoc Science Group
South Okanagan Similkameen Conservation Program
Nature Trust of BC
White Lake Ecosystem Group
Grasslands Conservation Council of BC

Canadian Parks and Wilderness Society
SOS Stewardship
Nature Conservancy of Canada
Desert Centre
Earthcare
EMAN National Science Organization
Nature Canada
Okanagan Similkameen Park Society
Federation of BC Naturalists
Naturalists Clubs: North Okanagan, Oliver/Osoyoos, South Okanagan, Central Okanagan
Okanagan Similkameen Conservation Alliance
Osoyoos Lake Water Quality Society
The Land Conservancy
Save our Parkland Association
Allan Brooks Nature Centre Society
Northwest Conservation Alliance (US)
Western Canada Wilderness Committee
BC Conservation Corps
Naramata Conservation Initiative

Education Institutions:

University of BC-Okanagan
University of BC
Thompson River University
Okanagan University-Salmon Arm

Tourism Organizations:

Similkameen Country
Destination Osoyoos
Osoyoos Hotel/Motel Association
Okanagan Partnership
South Okanagan-Lower Similkameen tourism representatives (21)

Wildlife Organizations:

South Okanagan Sportsmans Association
Guideoutfitters
Guideoutfitters Association of BC
Trappers
BC Wildlife Federation
Penticton Fly Fishers
Okanagan Outfitters
Keremeos-Cawston Sportsman Association

Heritage Societies:

Fairview Townsite Society
Osoyoos Museum
Oliver & District Heritage Society
Oliver Museum
Nk'Mip Desert Cultural Centre

Agriculture:

BC Grapegrower's Association

Ranching:

Most ranchers within Park Concept area
Southern Interior Cattlemen's Association
BC Cattlemen's Association
White Lake Stock Association
Southern Plus Feedlot

Aviation:

Canadian Helicopters
Eclipse Helicopters
Penticton Airport (Manager)

Forestry:

Lower Similkameen Community Forest Association
Weyerhaeuser
Gorman Bros. Lumber

Mineral Exploration/Development:

Association for Mineral Exploration of BC
Okanagan Shuswap Mineral Exploration Group
Mineral Tenure Holders

Recreation Users:

South Okanagan Soaring Club
South Okanagan Horsewoman's Association
Mt. Kobau Astronomical Society
Okanagan Astronomical Society
Back Country Horseman's Association
Oliver District Riding Club
Southern Pines Riding Stable
South Okanagan Snowmobile Club
Similkameen Snowmobile Club
BC Snowmobile Federation
South Okanagan ATV Club
ATV/BC Quad Riders Association of BC
BC Off-road Motorcycle Association
South Okanagan Dirt Bike Club

Utility:

Terasen Gas
Fortis BC
TV Society (CGIV/CHBC)

Appendix 3: Petitions and Surveys

PETITIONS

In early 2005, prior to development of the draft Park Concept, a petition organized by the Grassland Park Review Coalition gathered about 6000 signatures and was presented to MLA Barisoff. This petition opposed the formation of a national park reserve, but favoured implementation and support of the Okanagan Shuswap Land and Resource Management Plan and other ongoing management initiatives. Later the same group organized a “no national park” sign campaign encouraging local landowners and residents opposed to the park to erect signs stating their opposition.

Park Supporters (Canada Wilderness Committee, local naturalist clubs, and the South Okanagan-Similkameen National Park Network) formed a group to support a local national park reserve. The group responded with their own petition seeking signatures from those supporting a national park reserve. Sponsored by the South Okanagan Similkameen National Park Network, the Burrowing Owl Conservation Society of BC and the Canadian Parks and Wilderness Society, a petition with over 19,000 signatures was submitted to the federal government in 2008.

SURVEYS

A 2008 public opinion survey (Species at Risk Public Opinion Survey) sponsored by the South Okanagan-Similkameen Conservation Program addressed conservation attitudes more generally and found continuing support for additional conservation efforts. The survey was based on a random telephone survey of 300 Okanagan-Similkameen residents.

Most recently, a random telephone survey was funded by the Western Canada Wilderness Committee (Local support for a national park in the Southern Okanagan-Similkameen, McAllister Opinion Research, 2010). 405 respondents in the Southern Okanagan-Similkameen region were asked, “Would you favour or oppose protecting a portion of the South Okanagan-Similkameen in a national park?” The study found that 63% of respondents favoured protecting a portion the South Okanagan-Similkameen in a national park, and 26% opposed protection in a national park.

Would you favour or oppose protecting a portion of the South Okanagan-Similkameen?	
Strongly Favour	43
Somewhat Favour	20
Total Favour	63
Depends/Neutral	4
Somewhat Oppose	8
Strongly Oppose	18
Total Oppose	26
Don't Care/ Not Applicable	7

In the last year, key discussions with the ranching community, the science community, park supporters, local/regional government and provincial government agency staff regarding the new, 2010 Park Concept have suggested that perceptions may be shifting with support increasing for development of a national park reserve in the region, based on the new 2010 Park Concept including a smaller footprint and a new approach to livestock grazing.

May 4, 2012

Honourable Christy Clark
Premier
PO Box 9041 Stn Prov Govt
Victoria, BC V8W 9E1

Honourable Dan Albas
Okanagan-Coquihalla MP
Suite 202 – 301 Main Street
Penticton, BC V2A 5B7

Honourable Pat Bell
Minister of Jobs, Tourism and
Innovation
PO Box 9071 Stn Prov Govt
Victoria, BC V8W 9E9

Honourable Terry Lake
Minister of Environment
PO Box 9047 Stn Prov Govt
Rm 247, Parliament Buildings
Victoria, BC V8W 9E2

Honourable Alex Atamanenko
BC Southern Interior MP
337 Columbia Avenue
Castlegar, BC V1N 1G6

Dear Premier Clark:

Re: South Okanagan Similkameen National Park

At the April 19, 2012 Regular Board meeting, Board of Directors of the Regional District of Okanagan-Similkameen resolved:

“THAT the Regional district of Okanagan-Similkameen request that the Province of British Columbia re-engage in formal discussions with the Government of Canada regarding the proposed South Okanagan Similkameen National Park”

And

“THAT the Regional District of Okanagan-Similkameen be briefed on the results of the Feasibility Study Report that was submitted to the Province in December 2010 and that the Province release it to the public”

And

“That the Regional District of Okanagan-Similkameen be briefed during and at the completion of formal talks regarding the National Park”

We respectfully request that formal discussions proceed regarding the proposed South Okanagan Similkameen National Park.

Respectfully,

Original signed

Bill Newell
Chief Administrative Officer

cc Readers File
B. Newell, CAO
Speaker Barisoff
MLA Slater

G:\Administration\Staff Directories\Nona\Correspondence\2012\2012-05-01 re South Okanagan Similkameen National Park.docx