

Board of Directors

Thursday, April 30, 2020

1:00 pm

Via Zoom Online Video Conferencing

A G E N D A

1. Call to Order

2. Land Acknowledgement

- 2.a) We acknowledge and appreciate that the land on which we gather is the converging, traditional and unceded territory of the Syilx, Secwepemc, Sinixt and Ktunaxa Peoples as well as the Metis Peoples whose footsteps have also marked these lands.

3. Consideration of the Agenda (additions/deletions)

- 3.a)** The agenda for the Regional District of Kootenay Boundary Board of Directors meeting of April 30, 2020 is presented.

Recommendation: Corporate Vote Unweighted

That the agenda for the Regional District of Kootenay Boundary Board of Directors meeting of April 30, 2020 be adopted as presented.

4. Draft Minutes

- 4.a)** The draft minutes of the Regional District of Kootenay Boundary Board of Directors meeting held April 16, 2020 are presented.

[Minutes-Board of Directors-16 Apr-BoD Ap30 20 - Pdf](#)

Recommendation: Corporate Vote Unweighted

That the draft minutes of the Regional District of Kootenay Boundary Board of Directors meeting held April 16, 2020 be adopted as presented.

5. Applicants Attending to Speak to Agenda Items

5.a) Electoral Area Services Committee (April 16/20)

Application for a Development Variance Permit

Electoral Area C/Christina Lake

Ken & Elaine Kalesnikoff/Peter Buchanan, Agent

Director Grieve, Committee Chair / Director McGregor, Vice Chair

Attending to speak to the application:

Elaine & Ken Kalesnikoff, Applicants

Peter Buchanan, Agent

Dan Sahlstrom, Civil Engineer

[Staff Report Kalesnikoff DVP EAS-April 16 2020](#)

**Recommendation: Stakeholder Vote
(Electoral Area Directors) Unweighted**

That the Regional District of Kootenay Boundary Board of Directors approve the Development Variance Permit application submitted by Peter Buchanan of North Architecture Studio Inc., on behalf of Ken and Elaine Kalesnikoff, to reduce the required minimum setback from the natural boundary of Christina Lake from 7.5m to 3.0m, a variance of 4.5m, for the construction of a new single family dwelling and deck on the parcel legally described as Lot 25, DL 3063s, SDYD, Plan KAP1919, Electoral Area C/Christina Lake.

5.b) Electoral Area Services Committee (April 16/20)

Application for Development Variance Permit

Electoral Area D/Rural Grand Forks

Michael Francis, Applicant

Director Grieve, Committee Chair / Director McGregor, Vice Chair

Attending to Speak to the application:

Michael Francis, Applicant

[Staff Report Francis DVP EAS-April 16 2020](#)

[Frances DVP-Area D-Lts of Support-BoD Ap 30 20](#)

**Recommendation: Stakeholder Vote
(Electoral Area Directors) Unweighted**

That the Regional District of Kootenay Boundary Board of Directors approve the Development Variance Permit application submitted by Michael Francis to allow for an increase in the maximum permitted height of an accessory building from 5.0m to 5.8m, a 0.8m variance, for the construction of a detached garage on the property legally described as Lot B, DL 333, SDYD, Plan KAP41743, Electoral Area D/Rural Grand Forks.

5.c) Electoral Area Services Committee

Application for ALR Non-Farm Use

Sidley Mountain Road - Electoral Area E/West Boundary

Naturo Group Investments Inc., Applicant

Director Grieve Committee Chair / Director McGregor, Vice Chair

Attending to Speak to Application:

Naturo Group Investments Inc., Applicant, represented by:

Martino Ciambrelli,

Kirk Miller,

Marcello Leone and

John F. Moonen, John Moonen & Associates Ltd., Government Relations, Communications, Public Affairs

Also Attending: John Nett

[Staff Report-Naturo ALC BoD Ap 30 20](#)

[Re Naturo Investments-RDKB Letter to Health Canada and Reply-BoD Ap 30 20](#)

[Collated Naturo-2020-Ltrs of Support-BoD Ap 30 20](#)

Recommendation: Corporate Vote Unweighted

That the Regional District of Kootenay Boundary Board of Directors receive the information regarding the ALR non-farm use application as presented by Martino Ciambrelli, John Moonen, Kirk Miller and Marcello Leone, on behalf of Naturo Group Investments and presented to the Board on April 30, 2020.

Recommendation: Corporate Vote Unweighted

That the Regional District of Kootenay Boundary Board of Directors directs staff to forward, without a recommendation, the application to the Agricultural Land Commission for a non-farm use submitted by KB Miller and Associates Ltd., on behalf of Naturo Group Investments Inc., for the property legally described as DL 346, SDYD, Except Plans H17963 and KAP89411, Electoral Area E/West Boundary.

6. Delegation(s)

6.a) There are no scheduled delegations.

7. Unfinished Business

7.a) T. Lenardon, Manager of Corporate Administration/ Corporate Officer

Re: Revised RDKB Procedure Bylaw

Director McGregor, Chair, Policy & Personnel Committee / Director Grieve, Vice Chair

A staff report from Theresa Lenardon, Manager of Corporate Administration/Corporate Officer presenting the redrafted RDKB Procedure Bylaw as revised by the Policy and Personnel Committee.

[Staff Report and Revised Procedure Bylaw-Draft 6-BoD Ap 30 20](#)

Recommendation: Corporate Vote Unweighted

That the Regional District of Kootenay Boundary Board of Directors refer the proposed revised RDKB Procedure Bylaw back to staff to make the final edits as discussed by the Board on April 30, 2020.

FURTHER that once the final edits have been made, that the Bylaw be presented to the Board for First Reading through to Adoption.

7.b) M. Andison, Chief Administrative Officer

Re: Proposal to Provide Funding Contribution for the Lease of Four Vehicles for Community Use During COVID-19

A staff report from Mark Andison, CAO providing follow-up information on a proposal considered at the April 16, 2020 Board of Directors meeting to contribute funds toward the leasing costs of four vehicles to assist individuals in the region impacted by COVID-19 is presented.

[Grant Request for COVID-19 Vehicles - Pdf](#)

Recommendation: Corporate Vote Weighted

That consideration of the proposal for the RDKB to provide funding to a not-for-profit organization to cover 50% of the lease payments associated with providing four vehicles for community use in response to COVID-19 for a six-month period be deferred until a not-for-profit organization is available to administer the project and further information is provided regarding how the project will be managed and the regional scope of the service.

7.c) COVID-19 UPDATES

C. Marsh and M. Stephens-Emergency Program Managers

Re: Verbal Update - COVID-19 and Freshet Response Planning

Director Worley, Emergency Preparedness Liaison

Administration

Re: Verbal discussion re. the impacts of the Wage Continuation-COVID-19 Pandemic Policy

Recommendation: Corporate Vote Unweighted

That the verbal update on the COVID-19 pandemic, freshet response planning and the RDKB Wage Continuation-COVID-19 Pandemic Policy be received. **FURTHER**, direction at the discretion of the Board.

8. Refreshment Break

The Chair to call a meeting break. Length of break TBA at meeting.

9. Communications-RDKB Corporate Communications Officer

9.a) A Communications update will be presented at a future meeting once COVID-19 communications and responsibilities subside.

10. Communications-Information Only

10.a) City of Greenwood-April 9/20

Re: Proposed Feasibility Study on Greenwood Fire Department

[Greenwood-Fire Dept Feasibility Study-BoD Ap 30 20](#)

10.b) UBCM-March 27/20

Re: Provincial Response to 2019 Resolutions

Victim Services Funding, Support for Fire Services and Forestry Development Plan Referral Best Practices.

[Mar 27 2020 Letter from UBCM Re 2019 Provincial Responses to Resolutions](#)

10.c) UBCM-March 30/20

RE: Provincial Response to 2019 Resolutions

Rural Dividend Reconsideration

[Mar 30 2020 Letter from UBCM Re 2019 Provincial Response to Resolution](#)

10.d) UBCM-April 8/20

Re: 2020 Resolutions Submitted to AKBLG

[Apr 8 2020 Letter from UBCM Re 2020 Resolutions](#)

10.e) B. MacPherson, Managing Director Mercer Celgar

Re: Request for Letter of Support and

**Review of Proposed Letter to the Honourable Katrine Conroy,
MLA Kootenay West and Minister of Children and Family
Development**

[Mercer Celgar Request of Support-Letter to MLA-BoD Ap 30 20](#)

Recommendation: Corporate Vote Unweighted

That Communications (Information Only) items 9.a) to 9.e) be received and direction at the discretion of the Board. **FURTHER** that items 9.b)-9.d) be referred to the Education and Advocacy Committee for the Committee's consideration regarding the 2020 UBCM Convention.

11. Reports

11.a) Monthly Cheque Register Summary

Director Cacchioni, Finance Liaison

The monthly Cheque Register Summary for March 2020 is presented.

[2020 03 Mar Vendor Payments](#)

Recommendation: Corporate Vote Unweighted

That the monthly Cheque Register Summary for March 2020 for \$979,446.27 be received.

11.b) RDKB Committee Minutes

**Minutes of RDKB Committee Meetings as adopted by the
respective Committees are presented**

Beaver Valley Regional Parks and Trails Committee (Feb. 18), Special Meeting of Policy & Personnel Committee (Feb. 12), Policy & Personnel Committee (Feb. 27), Electoral Area Services Committee (March 12), and East End Services Committee (March 17).

[Minutes - 18 Feb 2020 -BVRec - Apr 21, 2020 Pdf](#)

[Minutes -12 Feb 2020 - P&P - Apr 30, 2020Pdf](#)

[Minutes-27 Feb 2020 - P&P - Apr 30, 2020Pdf](#)

[Minutes-EAS Committee-12 Mar-EAS Ap 16-BoD Ap 30 20 - Pdf](#)

[Minutes-East End Services Committee - Mar 17-EES Ap 21-BoD Ap 30 20](#)

Recommendation: Corporate Vote Unweighted

That the following minutes of RDKB Committee meetings be received: Beaver Valley Regional Parks and Trails Committee (Feb. 18), Special Meeting of Policy & Personnel Committee (Feb. 12), Policy & Personnel Committee (Feb. 27), Electoral Area Services Committee (March 12), and East End Services Committee (March 17).

11.c) Recreation Commission Minutes

Minutes of the Electoral Area C/Christina Lake Parks and Recreation Commission and the Grand Forks and District Recreation Commission will be provided at a future meeting.

11.d) Draft Advisory Planning Commission (APC) Minutes

Draft minutes of RDKB Advisory Planning Commission meetings, held via teleconferencing for Electoral Areas A, B/Lower Columbia-Old Glory, C/Christina Lake, D/Rural Grand Forks, E/West Boundary and E/West Boundary-Big White held during April 2020 are presented.

[APC-Minutes-Area A-Board-April 30 2020](#)

[APC-Minutes-Area B-Board-April 30 2020 \(1\)](#)

[APC-Minutes-Area C-Board-April 30 2020](#)

[APC Minutes-Area D-Board-April 30 2020](#)

[APC Minutes-Area E -Board-April 30 2020 \(1\)](#)

[APC-Minutes-Big White-Board-April 30 2020](#)

Recommendation: Corporate Vote Unweighted

That the draft minutes of the RDKB Advisory Planning Commission meetings - Electoral Areas A (April 7/20), B/Lower Columbia-Old Glory (April 6/20), C/Christina Lake (April 7/20), D/Rural Grand Forks (April 7/20), E/West Boundary (April 6/20) and E/West Boundary-Big White (April 7/20) be received.

12. Committee Recommendations to Board of Directors

Recommendations to the Board of Directors referred by the respective RDKB Committees are presented for consideration.

12.a) Electoral Area Services Committee (April 16/20)

Director Grieve, Committee Chair / Director McGregor, Vice Chair

Flood Plain Exemption Application-Kalesnikoff-Area C/Christina Lake

[Staff Report Kalesnikoff FEX Board-April 30 2020](#)

**Recommendation: Stakeholder Vote
(Electoral Area Directors) Unweighted**

That the Regional District of Kootenay Boundary Board of Directors approves the application for a Site Specific Exemption to the Floodplain Bylaw submitted by Peter Buchanan of North Architecture Studio Inc., on behalf of Ken and Elaine Kalesnikoff, in order to construct a new single family dwelling and deck within the required floodplain setback on the parcel legally described as Lot 25, DL 3063s, SDYD, Plan KAP1919, subject to: adherence to all the recommendations included in the Flood Hazard Assessment report submitted by Deverney Engineering Services Ltd., dated March 5, 2020 and the owner registering a new standard floodplain covenant on title in favour of the Regional District of Kootenay Boundary.

12.b) East End Services Committee-April 21/20

Director Worley, Committee Chair / Director Grieve, Vice Chair

Victims Service-Safe Kids & Youth Coordinated Response Program

[Staff Report-V Service-Safe Kids & Youth Agree- EES Apr 21-BoD Ap 30 20](#)

Recommendation: Corporate Vote Weighted

That the Regional District of Kootenay Boundary Board of Directors approve the inclusion of the Safe Kids & Youth (SKY) Coordinated Response program as part of the Victim Services portfolio, as per the staff report dated April 15, 2020 and presented to the East End Services Committee. **FURTHER**, that staff be directed to draft an agreement with Kootenay Boundary Community Services Co-operative for the provision of the Safe Kids & Youth program, starting April 2020 and that the agreement will be renewed annually, providing up to \$12,834 per year. **FURTHER**, that the Board approve the RDKB authorized signatories to sign and execute the agreement.

13. New Business

13.a) C. Scott, Planner

**Re: BC Timber Sales (BCTS) Referral-Logging Plans
Electoral Area E/West Boundary-Big White**

A staff report from Corey Scott, Planner regarding a Crown Grant application in Electoral Area E/West Boundary-Big White is presented.

[Staff Report-BCTS Board April 30 2020](#)

Recommendation: Corporate Vote Unweighted

That the Regional District of Kootenay Boundary Board of Directors directs staff to forward this staff report, "BC Timber Sales (BCTS) Referral – Big White and Skaha Proposed Cutblocks", which includes comments from the Electoral Area E/West Boundary and Big White Advisory Planning Commissions to BC Timber Sales for consideration.

13.b) C. Scott, Planner

**Re: Ministry of Forests, Land and Natural Resource
Operations and Rural (FLNRORD) Development Referral
Electoral Area E/West Boundary-Big White**

A staff report from Corey Scott, Planner regarding a Crown Grant application received from the Mountain Branch of FLNRORD is presented.

[Staff Report BrentHarley MFLNRORD Board-April 30 2020](#)

Recommendation: Corporate Vote Unweighted

That the Regional District of Kootenay Boundary Board of Directors directs staff to forward this staff report, "Ministry of Forests, Land and Natural Resource Operations and Rural Development Referral – Crown Grant – Brent Harley and Associates", which includes comments from the Electoral Area E/West Boundary-Big White Advisory Planning Commission to the Ministry of Forests, Land and Natural Resource Operations and Rural Development for consideration.

13.c) C. Scott, Planner

Re: FrontCounter BC Referral

**Adventure Tourism Temporary License of Application
Electoral Area B/Lower Columbia-Old Glory**

A staff report from Corey Scott, Planner regarding a referral from FrontCounter BC for an Adventure Tourism Temporary License application for a mountain bike event in Electoral Area B/Lower Columbia-Old Glory is presented.

[Staff Report Crown-TransRockies Board-April 30 2020](#)

Recommendation: Corporate Vote Unweighted

That the Regional District of Kootenay Boundary Board of Directors directs staff to forward this staff report, FrontCounter BC Referral – Crown Land Adventure Tourism Temporary Licence Application, which includes comments from the Electoral Area 'B'/Lower Columbia-Old Glory Advisory Planning Commission to Front Counter BC for consideration.

13.d) L. Moore, Senior Planner

RE: BC Parks and Conservation Officer Service

**(Ministry of Environment and Climate Change Strategy) Draft
Management Plan**

Electoral Area B/Lower Columbia-Old Glory

A staff report from Liz Moore, Senior Planner regarding the draft Management Plan for King George VI Park is presented.

[Staff Report MECCS KingGeorge Park Plan Board-April 30 2020](#)

Recommendation: Corporate Vote Unweighted

That the Regional District of Kootenay Boundary Board of Directors advise the BC Parks and Conservation Officer Service Branch of MECCS that the draft Management Plan for King George VI Park for the lands legally described as Plan NEPX63, Sublot 149, Section 3 4 9 10, Twp 9A, KD, Electoral Area 'B'/Lower Columbia-Old Glory is supported.

13.e) Director Grieve

Re: Supporting Local Business

[Supporting Local Business-BoD Ap 30 20](#)

Recommendation: Corporate Vote Unweighted

That the information regarding the increase of online sales and encouraging shopping for "Made in Canada" products as discussed by the Board on April 30, 2020 be received. **FURTHER** direction at the discretion of the Board.

**13.f) Director Russell, Electoral Area D/Rural Grand Forks
Grand Forks Rotary Club-Letter of Interest and Request for
Grant Funding to Phoenix Foundation of the Boundary
Communities**

A request for grant funding from the Grand Forks Rotary Club to the Phoenix Foundation of the Boundary Communities with the RDKB to be host agency is presented.

[GF Rotary Club-FundRequest-Phoenix Foundation and Reply-BoD Ap 30 20](#)

Recommendation: Corporate Vote Unweighted

That the Regional District of Kootenay Boundary Board of Directors approves assuming the role of host agency for the Grand Forks Rotary Club's submission of a grant funding application to the Phoenix Foundation of the Boundary Communities, and for the preliminary allocation of \$7,500 from the Phoenix Foundation to the Grand Forks Rotary Club, for the Phoenix Ski Hill to replace the school ski-program equipment.

13.g) Grants in Aid as of April 23, 2020

[Grants in Aid-At April 23-Board-April 30 2020](#)

[Grant-in-Aid-At April 24-V of Fruitvale-Area A](#)

**Recommendation: Stakeholder Vote
(Electoral Area Directors) Weighted**

That the following grants-in-aid be approved:

1. Village of Fruitvale - Harvest Central Community Garden - Electoral Area A - \$1,500
2. Boundary Community Food Bank – Funds Toward Food Budget – Electoral Area 'C'/Christina Lake - \$2,000
3. Christina Lake Arts & Artisans Society – Off Season Workshops and Classes Prep Materials and Other Costs – Electoral Area 'C'/Christina Lake - \$2,000
4. Boundary Community Food Bank – Funds Toward Food Budget – Electoral Area 'D'/Rural Grand Forks - \$2,000
5. Trails to the Boundary Society – Riverside Centre Office Furniture – Electoral Area 'E'/West Boundary - \$2,500
6. Trails to the Boundary Society – West Boundary Connect Website Costs – Electoral Area 'E'/West Boundary - \$2,000.

**13.h) Recreation Grant-Electoral Area B/Lower Columbia-Old Glory
Kootenay Columbia Trails Society (KCTS)**

An application for a Recreation Grant in the amount of \$25,000 from the Kootenay Columbia Trails Society for the Hanna Creek Development project is presented.

[Area B Recreation Grant-Kootenay Col Trails-BoD Ap 30 20](#)

**Recommendation: Corporate Vote
(Single Participant Service) Unweighted**

That the application for a Recreation Grant in the amount of \$25,000, from the Kootenay Columbia Trails Society to assist with costs related to the Hanna Creek Development Project-Electoral Area B/Lower Columbia-Old Glory be approved.

14. Board Appointments Updates

14.a) Southern Interior Development Initiative Trust (S.I.D.I.T.)-Director
McGregor

B.C. Rural Centre/Southern Interior Beetle Action Coalition
(S.I.B.A.C.)-Director McGregor

Okanagan Film Commission-Director Gee (Report attached)

Boundary Weed Stakeholders Committee-Director Gee

Columbia River Treaty Local Government Committee (CRT LGC)-
Directors Worley & Langman (Report attached)

Columbia Basin Regional Advisory Committee (CBRAC)-Director
Worley & Goran Denkovski, Manager of Infrastructure &
Sustainability

West Kootenay Regional Transit Committee (Directors Cacchioni &
Worley, Alternate Director Parkinson)

Rural Development Institute-Director Worley

Chair's Update-Chair Langman

[OK Film Commission-Scouting Help-BoD Ap 30 20](#)

[L. Worley-CRT LGC Monthly Update-April2020-BoD Ap 30 20](#)

15. Bylaws

15.a) There are no bylaws to consider.

16. Late (Emergent) Items

17. Discussion of Items for Future Meetings

18. Question Period for Public and Media

19. Closed Meeting

20. Adjournment



Board of Directors
Thursday, April 16, 2020
Held Via Zoom Video Online Conferencing
Minutes

Board Members Present:

Director Diane Langman, Chair
Director G. McGregor, Vice-Chair
Director A. Grieve
Director R. Russell
Director V. Gee
Director S. Morissette
Director M. Walsh
Director R. Cacchioni
Director A. Morel
Director G. Shaw (1:20 p.m.)
Director R. Dunsdon
Alternate Director Edwards

Staff Present:

M. Andison, Chief Administrative Officer
T. Lenardon, Manager of Corporate Administration/Corporate Officer/Recording Secretary
J. Chandler, General Manager of Operations/Deputy Chief Administrative Officer
B. Ihlen, General Manager of Finance
J. Dougall, General Manager of Environmental Services
F. Maika, Corporate Communications Officer
G. Denkovski, Manager of Infrastructure and Sustainability
M. Stephens, Interim Manager of Emergency Programs
C. Marsh, Recovery Manager, Boundary Flood Recovery
D. Derby, Regional Fire Chief
F. Phillips, Senior Energy Specialist

Others Attending:

D. Ashman, Dealer Principal, AM Ford Trail, Delegate
J. Edwards, Grand Forks Gazette

1. Call to Order

1.a) The Chair called the meeting to order at 1:01 pm.

2. Land Acknowledgement

2.a) We acknowledge and appreciate that the land on which we gather is the converging, traditional and unceded territory of the Syilx, Secwepemc, Sinixt and Ktunaxa Peoples as well as the Metis Peoples whose footsteps have also marked these lands.

3. Consideration of the Agenda (additions/deletions)

3.a) The agenda for the Regional District of Kootenay Boundary Board of Directors meeting of April 16, 2020 was presented.

170-20 Moved: Director Grieve Seconded: Director Cacchioni

Corporate Vote Unweighted

That the agenda for the Regional District of Kootenay Boundary Board of Directors meeting of April 16, 2020 be adopted as presented.

Carried.

4. Draft Minutes

4.a) The draft minutes of the Regional District of Kootenay Boundary Board of Directors meeting held March 31, 2020 were presented.

171-20 Moved: Director Cacchioni Seconded: Director Walsh

Corporate Vote Unweighted

That the draft minutes of the Regional District of Kootenay Boundary Board of Directors meeting held March 31, 2020 be adopted as presented.

Carried.

5. Delegation(s)

5.a) Dan Ashman, Dealer Principal, AM Ford Trail

Re: United Way and A. M. Ford-Trail Partnership

Request for Funding-Transportation and Delivery Services During COVID-19 Pandemic

A request for funding to support a partnership between the United Way and AM Ford Trail for delivery and transportation services throughout the RDKB region during COVID-19 was presented.

The Chair welcomed Mr. Ashman to the meeting.

Mr. Ashman explained that AM Ford Trail was approached by the United Way to partner with their organization to make deliveries and to transport seniors and vulnerable people to appointments, grocery and other essentials shopping etc. during COVID-19.

AM Ford Trail would supply four new Ford Ecosports; three for the Greater Trail area and one for Boundary communities and the United Way would take the lead in organizing volunteers. The vehicles would be maintained and cleaned appropriately for the safety of passengers and drivers and approved plastic safety glass for social / personal distancing within will be installed in the vehicles. He asked the RDKB to support this proposal by assisting with funding half of the short term lease cost of \$600 per month (\$300 RDKB and \$300 AM Ford Trail).

Mr. Ashman answered inquiries regarding liability insurance, fleet insurance, managing the dispatch, administration of the overall service and the negative impact to taxi companies. He agreed to reassess with the RDKB, the COVID-19 circumstances and how the initiative is working as well as to determine whether additional vehicles are needed in the Boundary communities.

Directors Russell, Morel, Morissette and Grieve noted their support for the proposal as did Director Cacchioni and he noted the support from the City of Trail.

Director Gee requested further information noting she is not comfortable making a decision without an understanding of all of the implications.

There was a discussion regarding RDKB funding and the options to participate in the proposal, and it was;

172-20 Moved: Director Grieve Seconded: Director Cacchioni

Corporate Vote Unweighted

That subject to review of further information from the proponents and a report from staff, that the Regional District of Kootenay Boundary Board of Directors approve, in principle, the proposal from the United Way and AM Ford Trail for delivery and transportation services throughout the RDKB region during COVID-19. **FURTHER** that funds for this purpose be allocated from the General Government Service (001) reserves and that the 2020-2024 Five Year Financial Plan be amended accordingly.

Carried.

(Director Gee opposed)

6. Unfinished Business

6.a) Appointment to the Christina Lake Parks and Recreation Commission

Add Donna Wilchynski to the Commission.

173-20 Moved: Director McGregor Seconded: Director Russell

Corporate Vote Unweighted

That Donna Wilchynski be added to the Christina Lake Parks and Recreation Commission as a voting member.

Carried.

6.b) C. Marsh & M. Stephens, Emergency Program Managers Re: Verbal Update on RDKB COVID-19 Pandemic Response & Freshet Response Planning

Director Worley, Emergency Preparedness Liaison

An update on the RDKB's response to the COVID-19 pandemic and freshet response planning was presented.

➤ Mark Stephens -Re: COVID-19

Staff noted the number of confirmed cases of COVID-19 in BC overall and advised that as of April 16, 2020 there are approximately 146 confirmed cases in Interior Health with one confirmed death.

RDKB Emergency Operations staff remain involved with a Level 2 Emergency Operations Centre (EOC) while focusing on vulnerable populations. The EOC team has been meeting with representatives from Interior Health and in the East End, with the City of Trail to find ways to care for and house these individuals and to learn what other communities are doing. Financial support from the Province for the COVID-19 event is limited compared to Provincial funding for other events.

Staff further advised that due to the cancellation of elective surgeries, the hospitals have more capacity for COVID-19 patients.

The EOC team and Corporate Communications have been providing weekly or daily updates to the RDKB Board of Directors, staff and to the RDKB member municipalities Mayors and Chief Administrative Officers and will continue to do so moving forward.

➤ Chris Marsh-Re: Freshet Response Planning

The West Kootenay snow pack level has dropped since last month and the Boundary snow pack has dropped from 134% to 122% of the normal snow pack. An advanced Emergency Operations Centre (EOC) planning section has been implemented to help pre-plan for flooding in the Boundary. This should assist with risk analysis that will better support the communities and residents with receiving more advance notice of flooding. Operational pre-planning has also been organized with representatives from the

Boundary including elected officials and municipal operational and public works staff. This will assist with "personal" preparedness so that individuals will learn how to prepare their homes and their property themselves while practicing social/personal distancing due to COVID-19.

The virtual EOC is working well.

Director Grieve requested Dan Derby, Regional Fire Chief to comment on the current COVID-19 burn-bans and whether there are ways to penalize those who cause fires during a ban.

➤ *Dan Derby, Regional Fire Chief – Re: Burn Bans*

D. Derby provided information respecting 2 weekend grass-fires in Electoral Area A and the Village of Montrose. He noted that both were human caused requiring a 2-day response at a cost of approximately \$17,000. Mr. Derby advised that the RDKB does not have a bylaw or other authority to penalize or issue fines for these types of fire events. He explained that at this time, the regulations are set out by the Ministry of Environment and BC Wildfire. These two fires have been reported to the Ministry of Environment and the Ministry is investigating.

There was a further discussion on this matter and regarding the use of fireworks during the current burn-ban. Director Grieve requested that the RDKB website include clear and plain language about the COVID-19 burn-ban so that the average person can understand the requirements and is able to find all the information they need without having to go to the Provincial sites. Staff will follow up.

Burning violations can be reported to the BC Wildfire Branch at 1-800-663-5555.

174-20 Moved: Director McGregor Seconded: Director Shaw

Corporate Vote Unweighted

That the Regional District of Kootenay Boundary Board of Directors receive the verbal update on the COVID-19 pandemic and freshet response planning as presented by Chris Marsh and Mark Stephens, Emergency Program Managers on April 16, 2020.

Carried.

6.c) Wage Continuation-COVID-19 Pandemic Policy

Director Cacchioni, Finance Liaison

To be revisited each Board meeting to report on the impacts of the Policy.

Mark Andison, Chief Administrative Officer noted that to date, the impact of the Policy has been quit minimal. He explained the policy covers paid leave for staff who have come home from travelling and or who have been exposed to COVID-19 resulting in their self-isolation.

The Policy also covers pay for staff whose employment has been impacted by closures of RDKB facilities and services, but who have been deployed to do other work, as per the Letter of Understanding with CUPE. The policy has only had to be used for a few employees.

6.d) F. Phillips, Senior Energy Specialist

Re: British Columbia Utilities' Electricity Conservation Incentives

A Staff Report from Freya Phillips, Senior Energy Specialist regarding BC utilities' electricity conservation incentives was presented.

Staff reviewed the report noting that energy conservation incentives on the use of electricity rather than natural gas have been identified as part of the RDKB 2020 Advocacy Strategy.

Ms. Phillips explained the role of the BC Utilities Commission and the focus that the Commission has when assessing the expenditures and incentive program. She advised that the Commission's test is based on the efficient use and the cost effectiveness of energy, rather than fuel switching.

Given the information provided in the report, there was a discussion regarding the logic of the previous motion that was referred to the AKBLG and would possibly be referred to the Province. Director Morel expressed his concerns with the imbalance where there are more incentives for the purchase of natural gas than same for electric. It was agreed to refer this matter to the Education and Advocacy Committee for further discussion, and it was;

175-20 Moved: Director Cacchioni Seconded: Director Dunsdon

Corporate Vote Unweighted

That the Regional District of Kootenay Boundary Board of Directors receive the staff report titled *BC Utilities' Electricity Conservation Incentives* as presented to the Board on April 16, 2020.

Carried.

176-20 Moved: Director Morel Seconded: Director Morissette

Corporate Vote Unweighted

That the Regional District of Kootenay Boundary Board of Directors refer the staff report titled *BC Utilities' Electricity Conservation Incentives* as presented to the Board on April 16, 2020 to the Education and Advocacy Committee for further review and discussion of a revised energy conservation incentive strategy at the next Committee meeting currently scheduled to be held on April 30, 2020.

Carried.

7. Communications-RDKB Corporate Communications Officer

7.a) A Corporate Communications report will be presented at a future meeting.

8. Communications-Information Only**8.a) Cannabis Licensing Branch - Jan. 14/20****Re: Reply to RDKB Concerns-Sidley Mountain Road Electoral Area E/West Boundary**

Regarding activities related to site clearing, ploughing, damaged watercourses and Notice of Intent to become Licensed Cannabis Producer

8.b) Kenneth R. Peel, Lawyer (March 27/20)**Re: Notification of Kettle Falls International Railway Intent to Cease Operation of All Lines in Canada**

The Board discussed the intent of the federally regulated Kettle Falls International Railway, LLC (KFR) to discontinue operations on all lines in Canada within the next three years including lines at or near Laurier, Washington through Grand Forks, B.C. and at or near Danville, Washington.

Directors McGregor and Russell noted their concerns the impact this will have on the Boundary economy. Recommendations, as to whether there is any action to be taken by local government in this matter may be forthcoming to the RDKB in the future.

Mark Andison, Chief Administrative Officer advised that he has discussed this matter with KFR customers. He will keep the Board of Directors and the Boundary Community Development Committee apprised of any updates with respect to ensuring the service is maintained.

177-20 Moved: Director McGregor Seconded: Director Morel

Corporate Vote Unweighted

That agenda items 8.a) - 8.b) be received.

Carried.

9. Reports**9.a) Monthly Cheque Register Summary**

The Monthly Cheque Register Summary (March 2020) will be presented at a future meeting.

9.b) RDKB Committee Minutes

Minutes of RDKB Committee Meetings as adopted by the respective Committees are presented:

Utilities Committee (Feb. 12/20), Boundary Community Development Committee (March 4/20).

178-20 Moved: Director Cacchioni Seconded: Director Walsh

Corporate Vote Unweighted

That the minutes of the Utilities Committee (Feb. 12/20) and the Boundary Community Development Committee (March 4/20) meetings be received.

Carried.

9.c) Recreation Commission Minutes

Minutes of the Christina Lake Parks and Recreation and the Grand Forks and District Recreation Commission meetings will be presented at a future Board meeting.

9.d) Draft Advisory Planning Commission (APC) Minutes

Draft APC minutes will be presented at the next Board meeting.

10. Committee Recommendations to Board of Directors

10.a) Recommendations to the Board from the RDKB Committees will be presented at the next meeting.

11. New Business

11.a) Discussion Item-Director Grieve

**Re: Letter to Katrine Conroy, MLA, Kootenay West and Minister of Family and Children Development
Cost of Rural Health Care and Unnecessary Additional Expenses**

Director Grieve noted that during a meeting with Katrine Conroy, MLA, held in March, that she and Director Morissette expressed concerns with the cost of rural health care and the unnecessary additional travel and accommodation expenses for residents who do not live in the Lower Mainland, but have to travel to larger centres for minor checkups and face-to-face appointments that could be managed just as well via telephone or a virtual appointment.

Director Grieve advised that MLA Conroy's recommendation is for the RDKB to send her a letter sharing the concerns and requesting her to refer the overall matter to Minister Dix, Ministry of Health. The Ministry would have to review possible changes while considering the salaries of BC physicians.

After discussing this matter further, it was;

179-20 Moved: Director Grieve Seconded: Director Cacchioni

Corporate Vote Unweighted

That the Regional District of Kootenay Boundary Board of Directors refer the cost of rural health care and unnecessary expenses to the next meeting of the Education and Advocacy Committee scheduled for April 30, 2020 to discuss sending a letter to Katrine Conroy, MLA Kootenay South and Minister Responsible for Family and Children Development, sharing the Board's concerns around this matter and requesting that these concerns be brought to the attention of Minister Dix, Ministry of Health. **FURTHER** that the Education and Advocacy Committee also discuss this matter as a possible request for Minister Meetings at the 2020 UBCM Convention.

Carried.

11.b) J. Dougall, General Manager of Environmental Services
Re: Contract Award

Director Russell, Environmental Services Liaison

A staff report from Janine Dougall, General Manager of Environmental Services regarding the results from the procurement process for engineering services associated with the Organics Diversion Expansion Project-Grand Forks was presented.

180-20 Moved: Director McGregor Seconded: Director Cacchioni

Corporate Vote Weighted

That the Regional District of Kootenay Boundary Board of Directors award the Contract for Engineering Services associated with the RDKB Organics Diversion Expansion Project-Grand Forks to Tetra Tech Canada Inc., for a value not to exceed \$231,000 (excluding GST) with all work associated with the Project to be completed in full by March 31, 2022. **FURTHER** that the Board approve the RDKB authorized signatories to sign and execute the Contract.

Carried.

11.c) G. Denkovski, Manager of Infrastructure and Sustainability
Re: Essential Services Mutual Aid Agreement RDKB Boundary and East End Local Governments

A Staff Report from Goran Denkovski, Manager of Infrastructure and Sustainability regarding essential services mutual aid agreement for the RDKB Boundary and East End local governments was presented.

181-20 Moved: Director Cacchioni Seconded: Director Shaw

Corporate Vote Unweighted

That the Regional District Board of Directors approves the Essential Services Mutual Aid Agreements with the Member Municipalities. **FURTHER** that the Board approves the RDKB authorized signatories to sign and enter into the agreements, with minor additions and omissions, with the RDKB Boundary and East End Local Governments.

Carried.

11.d) G. Denkovski, Manager of Infrastructure and Sustainability**Re: Application for Gas Tax Funding- Rock Creek & Boundary Fair Association - Electoral Area 'E'/West Boundary**

An application for the disbursement of Electoral Area 'E'/West Boundary Gas Tax funds to the Rock Creek & Boundary Fair Association was presented.

182-20 Moved: Director Gee Seconded: Director McGregor

Corporate Vote Weighted

That the Regional District of Kootenay Boundary Board of Directors approves the Gas Tax application submitted by the Rock Creek & Boundary Fair Association and the allocation of Gas Tax funding for \$21,414.17 from Electoral Area 'E'/West Boundary for the costs associated with the construction of a multipurpose structure at the fair grounds.

FURTHER that the Board approves the RDKB authorized signatories to sign and enter into the agreement.

Carried.

11.e) B. Ihlen, General Manager of Finance**Re: Shift in Assessment (Waneta Dam) and Impacts to Electoral Area A Services**

A staff report from Barb Ihlen, General Manager of Finance regarding the 2020 tax requisition update and required budget amendment was presented.

183-20 Moved: Director Cacchioni Seconded: Director Morissette

Corporate Vote Weighted

That the Regional District of Kootenay Boundary Board of Directors approve the 2020-2024 Five Year Finance Plan Amendment as follows:

- A reduction in tax requisition for Service 003-Grant in Aid of \$5,716 and
- A reduction in tax requisition for Service 080-Mosquito Control of \$876.

FURTHER that RDKB Five Year Financial Plan Bylaw No. 1735, 2020 be amended accordingly.

Carried.

11.f) D. Dean, Manager of Planning and Development**Re: Appointment of the RDKB Bylaw Enforcement Officer**

A staff report from Donna Dean, regarding the appointment of Brandy Rafuse as the RDKB Bylaw Enforcement Officer was presented.

184-20 Moved: Director McGregor Seconded: Director Korolek

Corporate Vote Unweighted

That the Regional District of Kootenay Boundary Board of Directors appoint Brandy Rafuse as a Bylaw Enforcement Officer for the Regional District of Kootenay Boundary as per the staff report titled *Bylaw Enforcement Officer Appointment* presented to the Board on April 16, 2020.

Carried.

11.g) Grants in Aid - as of April 9, 2020:

185-20 Moved: Director Grieve Seconded: Director McGregor

Stakeholder Vote (Electoral Area Directors) Weighted

That the following grants-in-aid be approved:

1. United Way of Trail & District – Local Food Banks – Beaver Valley (Area 'A'-Fruitvale-Montrose) – Electoral Area 'A' - \$2,500
2. Kate's Kitchen-The Salvation Army Trail – Hampers and Daily Lunches – Electoral Area 'B'/Lower Columbia-Old Glory - \$1,000
3. United Way of Trail & District for the Trail United Church Food Bank and Rossland Food Bank – Electoral Area 'B'/Lower Columbia-Old Glory - \$1,500
4. Grand Forks Farmers Market – BC Farmers Market Nutrition Coupon Program – Electoral Area 'C'/Christina Lake - \$2,000
5. Boundary Museum Society – Strategic Planning Project – Electoral Area 'D'/Rural Grand Forks - \$5,000
6. Grand Forks Farmers Market – BC Farmers Market Nutrition Coupon Program – Electoral Area 'D'/Rural Grand Forks - \$5,000
7. Rock Creek Community Medical Society – Medical Centre Washer/Dryer – Electoral Area 'E'/West Boundary - \$1,642.02.

Carried.

12. Board Appointments Updates

12.a) The Board Appointments updates will be presented at the next meeting.

Southern Interior Development Initiative Trust (S.I.D.I.T.)-Director McGregor

B.C. Rural Centre/Southern Interior Beetle Action Coalition (S.I.B.A.C.)-Director McGregor

Okanagan Film Commission-Director Gee

Boundary Weed Stakeholders Committee-Director Gee

Columbia River Treaty Local Government Committee (CRT LGC)-Directors Worley & Langman

Columbia Basin Regional Advisory Committee (CBRAC)-Director Worley & Goran Denkovski, Manager of Infrastructure & Sustainability

West Kootenay Regional Transit Committee (Directors Cacchioni & Worley, Alternate Director Parkinson)

Rural Development Institute-Director Worley

Chair's Update-Chair Langman

13. Bylaws

13.a) There were no bylaws to consider.

14. Late (Emergent) Items

14.a) There were no late emergent items to discuss.

15. Discussion of Items for Future Meetings

15.a) A discussion was not necessary.

16. Question Period for Public and Media

16.a) Jensen Edwards, Grand Forks Gazette thanked the Board for the opportunity to attend via zoom and he advised that at this time, he didn't have any questions for the Board regarding the April 16, 2020 agenda items.

17. Closed Meeting

17.a) A closed meeting was not required.

18. Adjournment

18.a) There being no further business to discuss, the meeting was adjourned (time: 2:32 p.m.).

TL



Regional District of
Kootenay Boundary

Electoral Area Services (EAS) Committee Staff Report

RE:	Development Variance Permit – Kalesnikoff		
Date:	April 16, 2020	File #:	C-3063s-07052.000 (641-20V)
To:	Chair Grieve and Members of the EAS Committee		
From:	Corey Scott, Planner		

Issue Introduction

We have received an application for a development variance permit from Peter Buchanan of North Architecture Studio Inc., on behalf of Elaine and Ken Kalesnikoff for the construction of a single family dwelling in Electoral Area C/Christina Lake (see attachments).

Property Information	
Owner(s):	Elaine and Ken Kalesnikoff
Agent:	Peter Buchanan (North Architecture Studio Inc.)
Location:	3273 East Lake Drive
Electoral Area:	Electoral Area C/Christina Lake
Legal Description(s):	Lot 25, DL 3063s, SDYD, Plan KAP1919
Area:	0.33ha (0.81acr)
Current Use(s):	Single family dwelling
Land Use Bylaws	
OCP Bylaw 1250:	Waterfront Residential
DP Area:	Waterfront Environmentally Sensitive
Zoning Bylaw 1300:	Waterfront Residential 2
Other	
ALR:	N/A
Waterfront / Floodplain:	Partial
Service Area:	NA

History / Background Information

The subject property is located along East Lake Drive in Electoral Area C/Christina Lake. It is a hooked parcel with approximately 0.08ha (0.19acr) on the west side of the road and the remaining 0.25ha (0.62acr) on the east side. It has a "Waterfront Residential" Official Community Plan (OCP) land use designation and is zoned "Waterfront Residential 2". Christina Lake abuts the western boundary of the property. As such, it is

Page 1 of 4

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within the floodplain as well as the Environmentally Sensitive Waterfront Development Permit Area.

Proposal

The applicant is proposing to demolish the existing cabin and construct a new one on the same building footprint. They are requesting to reduce the required minimum setback from the natural boundary of Christina Lake from 7.5m to 3.0m, a variance of 4.5m, for the construction of a new single family dwelling and deck.

The applicant has outlined their rationale for the requested variance in a separate package (see attachments). To summarize:

- the new dwelling will utilize the existing building footprint;
- the existing cabin is 4.2m from the natural boundary and the proposal will move it back another 2.3m so it would be located 6.5m from the natural boundary. The applicant is requesting to locate the proposed deck where the cabin is currently located;
- topography and bedrock limit the space available for a building platform;
- siting the structure closer to East Lake Drive would present great difficulties with respect to safety during construction; and,
- the proposed design is practical and accessible for older generations to age in place.

The applicant has also submitted an application for a site-specific exemption to the floodplain bylaw (floodplain exemption) and a development permit for the proposed development, which are discussed in separate reports.

Implications

Lawful Non-conforming ('Grandfathered') Status

It is not currently known if the structure is lawfully non-conforming. There is no building permit on record for the initial construction of the cabin. A copy of the original building permit, if it exists, or evidence to confirm the date of construction would typically be required to determine whether the cabin is lawfully non-conforming. However, because the entire structure is being demolished, the cabin's status as lawfully non-conforming or non-conforming is not relevant; the following information is for reference only.

When structural alterations are made to buildings and structures that are lawfully non-conforming, they lose their non-conforming status with respect to the siting requirements of the Zoning Bylaw. Only minor repairs and renovations that do not involve an increase in height, size or modification of structural components can be completed on portions of the structure that extend into a setback area.

The proposal would constitute a new build on the property and, if the existing building was constructed lawfully, the siting would no longer be considered lawfully non-conforming. The proposal would still require a development variance permit, as well as a floodplain exemption, to account for the non-conforming siting of the current building.

Page 2 of 4

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Variance Considerations

For Development Variance Permit applications, the RDKB considers whether the proposed variance will:

- a) Resolve a hardship;
- b) Improve the development;
- c) Cause negative impacts to the neighbouring properties.

The topography and presence of bedrock on the site limit the ability to achieve the desired design in a manner that meets the siting requirements. More details the applicant feels should be considered as grounds for hardship have been included in their rationale (see attachments).

The lake side of the parcel is approximately 21m deep where the variance is being requested. The required setbacks from Christina Lake's natural boundary and East Lake Drive are 7.5m and 4.5m, respectively. If the requirements of the Zoning Bylaw are met, approximately 9m (29.5ft) remains for the building footprint.

OCP Considerations

One of the goals for lands designated for residential use by the OCP states "protection of lake water quality and the natural environment are paramount in residential and rural development." The following points were raised with respect to the OCP goal stated above in our discussion of the proposal with the applicant:

- the engineering consultants noted that the existing cabin and rock retaining structures (revetments) were unaffected by the flooding event in 2018. They add that no modifications to the existing revetments are required for the proposed dwelling;
- limits of disturbance, such as sediment control measures, could be required as a condition of the variance to further address lake water quality in the construction of the dwelling, if the applications were to receive approval from the Board of Directors; and,
- siting the dwelling across East Lake Drive would be a challenge given the steep topography and would disturb the natural environment.

Advisory Planning Commission (APC)

The Electoral Area C/Christina Lake APC considered the application at their April 7, 2020 meeting. The APC provided a recommendation of support for the application.

Recommendation

That the Development Variance Permit application submitted by Peter Buchanan of North Architecture Studio Inc., on behalf of Ken and Elaine Kalesnikoff, to reduce the required minimum setback from the Natural Boundary of Christina Lake from 7.5m to 3.0m, a variance of 4.5m, for the construction of a new single family dwelling and deck on the parcel legally described as Lot 25, DL 3063s, SDYD, Plan KAP1919, Electoral Area C/Christina Lake, be presented to the Regional District of Kootenay Boundary Board of Directors for consideration, with a recommendation of support.

Attachments

Site Location Map

Subject Property Map

Applicant Submission¹

- a) Hardship Proposal Letter
- b) Site Plan
- c) Architectural Drawings

¹ The Applicant Submission also includes professional reports from the engineering consultants for geotechnical considerations and sewage disposal design; they are considered in separate reports.



Regional District of
Kootenay Boundary

Date: 2020-03-24

Site Location Map

Lot 25,
Plan KAP1919, DL 3063S,
SDYD



0 50 100 150 200
Meters

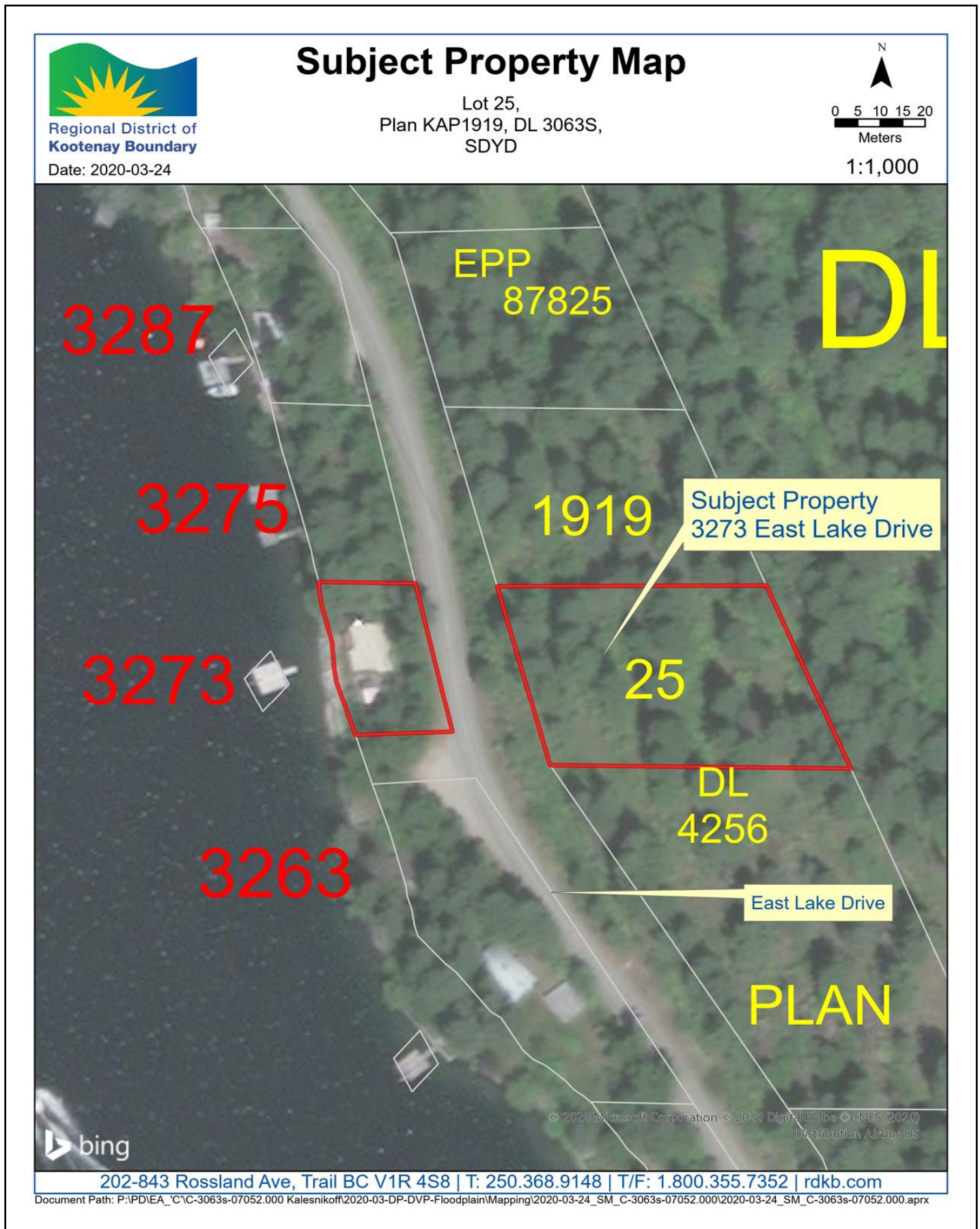
1:9,000

Subject Property
3273 East Lake Drive



202-843 Rossland Ave, Trail BC V1R 4S8 | T: 250.368.9148 | T/F: 1.800.355.7352 | rdkb.com

Document Path: P:\PD\EA_C\3063s-07052.000 Kalesnikoff\2020-03-DP-DVP-FloodplainMapping\2020-03-24_SM_C-3063s-07052.000\2020-03-24_SM_C-3063s-07052.000.aprx



February 10/ 2020

RDKB Planning and Development Department,
843 Rossland Avenue,
Trail, BC
V1R 4S8

To Whom It May Concern,

This letter is to be read as an Appendix to the "Application to the Board of Variance" for the property owned by the Kalesnikoff Family at 3273 East Lake Drive on Christina Lake, BC.

The Variance being sought is to reduce the lakeside building setback from 7.5M to 4.2M.

This letter is offered as an explanation for what can be considered "undue hardship" as it relates to the requested Variance on behalf of Elaine and Ken Kalesnikoff.

- for context with this Application the Kalesnikoff Family has owned the current Cabin and property for 12 years and, with the construction of a new Cabin on the property, they have ambitions that the new Cabin will be of a "legacy" type and be held within the Family for many generations to come. The Kalesnikoff Family has built and owns the Kalesnikoff Lumber Company in Thrums, BC and is in the process of completing a new \$35M "Mass Timber" facility (Glue Laminated and Cross Laminated Timber products). It is the Kalesnikoff's ambition to construct their new Cabin with Mass Timber products from their new facility,

- the property is located between East Lake Drive and Christina Lake, has no immediate neighbour to the south and the property to the north currently holds a tiny one room cabin and outhouse. The property is extremely steep which inherently provides a hardship for just about any form of construction. Positioning a building on the property in conformance with the Building Setback from the "Natural Boundary" would require significantly more excavation that would lead to more construction costs, more difficulties in property access (through the construction process and after), increased construction safety risk as well as the potential to undermine the structural integrity of East Lake Drive,

- the construction of a new cabin will help address many of the current challenges that the current Cabin presents along with diminishing the increasing difficulties that one of the owners, specifically Elaine Kalesnikoff, is experiencing with the challenging access and steep terrain of this property: Elaine Kalesnikoff is a 58 year old amputee who uses a prosthesis. With a strong ambition to be physically

and visually connected to their entire family that spans 4 generations, the proposed design of the Cabin addresses these challenges by including vehicle access that is proposed to be at-grade with the front door, the main stair and an elevator access to all floors from the building Entry, single Main Floor living for the Kalesnikoff seniors along with a lakeside deck off the Main Floor to allow for "single floor living" meal-time congregation and family gatherings. The lakeside deck also allows direct visual access to the waterfront for reasons of "eyes and-ears-on-the-dock" safety and general family congregation.

- in concert with this Application are a "*Site-specific exemption to the Floodplain Bylaw*" Application and a "*Environmentally Sensitive Waterfront Development Permit*" Application. Both of these Applications promote reasonable solutions regarding the mediation of risk hazards as well as hardship potential in terms of development costs (..for example, the proposed building location on the property allows for the sewage system to be located and accessed adjacent to the Cabin as opposed to the sewage system being located much further uphill and across East Lake Drive),

- to note, the current Cabin location on the property projects approximately 10'-10" beyond the "setback from natural boundary line". With this application it is proposed that the structural support columns for the lakeside deck do not extend further into the setback than the current Cabin. The proposed building footprint encroaches 3'-2" into the "setback from natural boundary line" which is 7'-8" back from the current Cabin's lakeside footprint (..please refer to enclosed Site Plan).

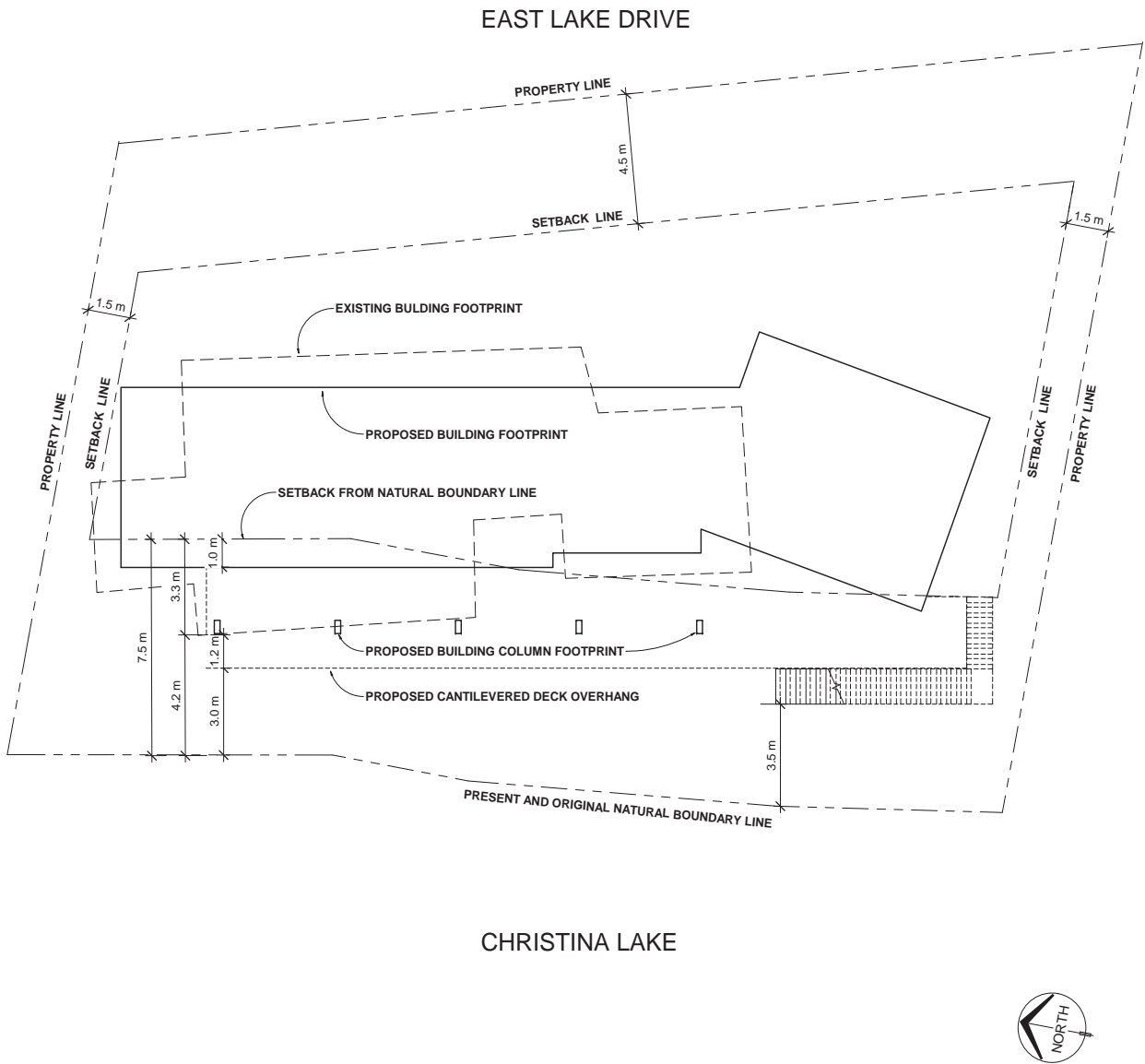
Please also see the attached 4 photographs of the existing Cabin and property for reference.

Sincerely yours,

Peter Buchanan on behalf of Elaine and Ken Kalesnikoff

Peter Buchanan
Architect AIBC
Principal
peter@northarchitecturestudio.ca

North Architecture Studio Inc. 9508
Emerald Drive, Whistler, BC
V0N 1B9 Tel
604 842 3350
www.northarchitecturestudio.ca



① SITE PLAN - WITH BUILDING OUTLINE AND DIMENSIONS
1/8" = 1'-0"

THIS DRAWING MUST NOT BE SCALED. THE GENERAL CONTRACTOR SHALL VERIFY ALL DIMENSIONS, DATUMS AND LEVELS PRIOR TO COMMENCEMENT OF WORK. ALL ERRORS AND OMISSIONS MUST BE REPORTED IMMEDIATELY TO THE CONSULTANT. THIS DRAWING IS TO BE USED IN CONJUNCTION WITH ALL OTHER DRAWINGS AND SPECIFICATIONS. VARIATIONS AND MODIFICATIONS TO WORK SHOWN SHALL NOT BE CARRIED OUT WITHOUT WRITTEN PERMISSION FROM THE CONSULTANT. THIS DRAWING IS THE EXCLUSIVE PROPERTY OF THE CONSULTANT AND CANNOT BE REPRODUCED, COPIED, OR LOANED WITHOUT PERMISSION OF THE CONSULTANT.

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North Architecture Studio Inc.
9508 Emerald Drive
Whistler, BC V8N 1B9
Tel: 604.842.3350

CONSULTANT: DRAWING

NO	DATE	DESCRIPTION
NORTH POINT:		STAMP:
PROJECT:		
KALESNIKOFF CABIN 3273 EAST LAKE DR. CHRISTINA LAKE, BC		
DRAWING:		
SITE PLAN - WITH BUILDING OUTLINE AND DIMENSIONS		
PROJECT NO:	SCALE:	
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34"x22"	PB	
SHEET NUMBER:		

A1.2a

PROJECT TEAM

OWNER

KEN KALESNIKOFF
2090 BC-31,
CASTLEGAR, BC V1N 3L8
T: 250.399.4211

ARCHITECT

NORTH ARCHITECTURE STUDIO
CONTACT: PETER BUCHANAN ARCHITECT AIBC, MRAIC
9508 EMERALD DRIVE
WHISTLER, BC V0N 1B9
T: 604.842.3350
E: peter@northarchitecturestudio.ca

STRUCTURAL ENGINEERING

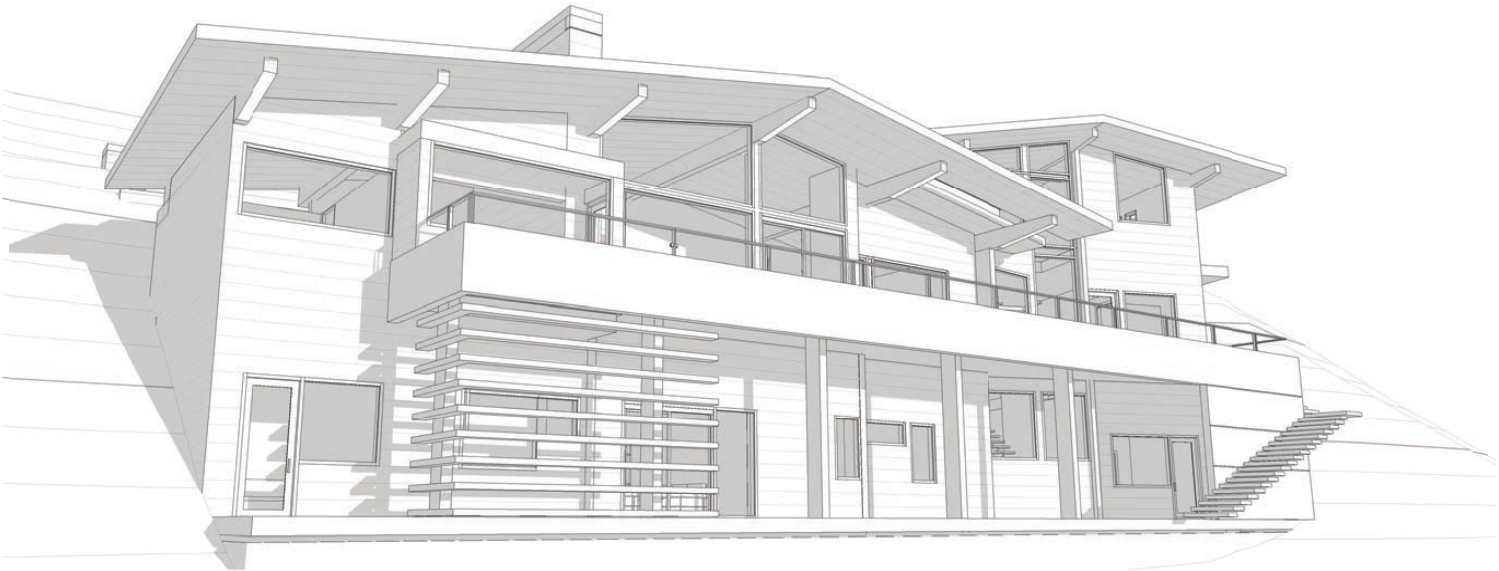
FAST + EPP
CONTACT: NICK DE RIDDER P.ENG.
201 - 1672 WEST 1ST AVENUE,
VANCOUVER, BC
T: 604.235.3126
E: nderidder@fastepp.com

CIVIL ENGINEERING

WSA ENGINEERING
CONTACT: DAN SAHLSTROM P.ENG.
2248 COLUMBIA,
CASTLEGAR, BC V1N 2X1
T: 1.888.617.6927 EXT 1
E: dans@wsaeng.com

GEOTECHNICAL ENGINEERING

DEVERNEY ENGINEERING SERVICES
CONTACT: NORMAN L. DEVERNEY P.ENG., FEC
4711 ROBERTSON ROAD,
NELSON, BC V1L 6N4
T: 250.825.4347
E: deverney.engineering@shawcable.com



ARCHITECTURAL DRAWINGS

- A0.1 COVER SHEET, ZONING REQUIREMENTS & PROJECT INFORMATION
- A0.2 PROJECT ANALYSIS AND SPATIAL SEPARATION CALCULATIONS
- A0.3 ASSEMBLIES
- A0.5 SPECIFICATIONS
- A1.1 EXISTING SURVEY
- A1.2 SITE PLAN
- A1.2a SITE PLAN - WITH BUILDING OUTLINE AND DIMENSIONS
- A1.3 DEMOLITION PLANS
- A2.1 LOWER LEVEL FLOOR PLAN
- A2.2 MAIN LEVEL FLOOR PLAN
- A2.3 UPPER LEVEL FLOOR PLAN
- A2.4 Unrimed
- A2.5 ELEVATIONS
- A2.6 ELEVATIONS
- A3.1 ENLARGED FLOOR PLANS
- A4.1 BUILDING SECTIONS
- A4.2 BUILDING SECTION
- A4.3 BUILDING SECTION
- A5.1 REFLECTED CEILING PLAN
- A6.1 INTERIOR ELEVATIONS
- A7.1 VERTICAL CIRCULATION PLANS AND SECTIONS
- A8.1 PLAN & SECTION DETAILS
- A9.1 MILLWORK DETAILS

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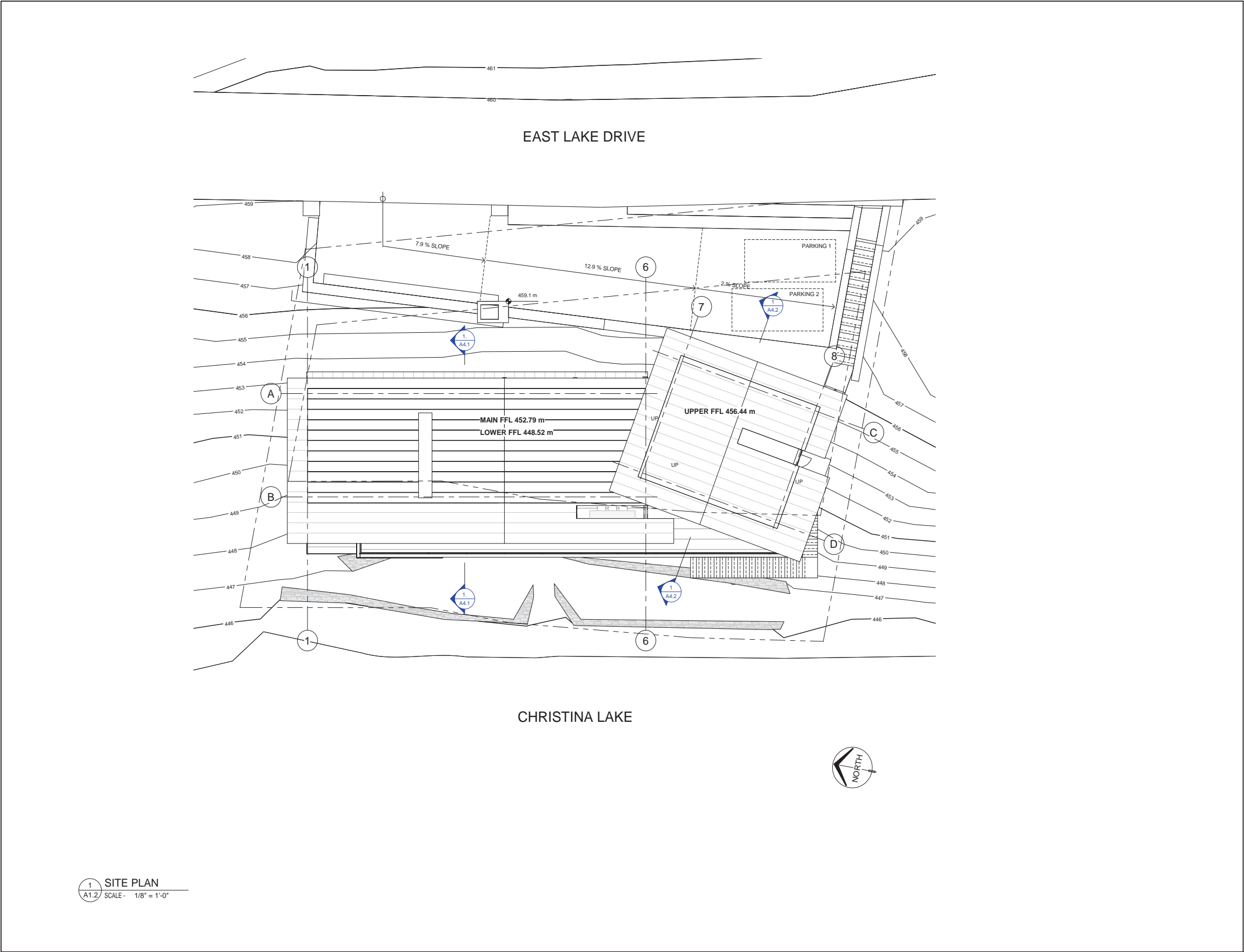
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9508 Emerald Drive
Whistler, BC V0N 1B9
Tel: 604.842.3350

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NO	DATE	DESCRIPTION
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PROJECT:		
KALESNIKOFF CABIN		
3273 EAST LAKE DR.		
CHRISTINA LAKE, BC		
DRAWING:		
COVER SHEET, ZONING REQUIREMENTS & PROJECT INFORMATION		
PROJECT NO:	SCALE:	
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North Architecture Studio Inc.
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Whistler, BC V8N 1B9
Tel: 604.842.3350

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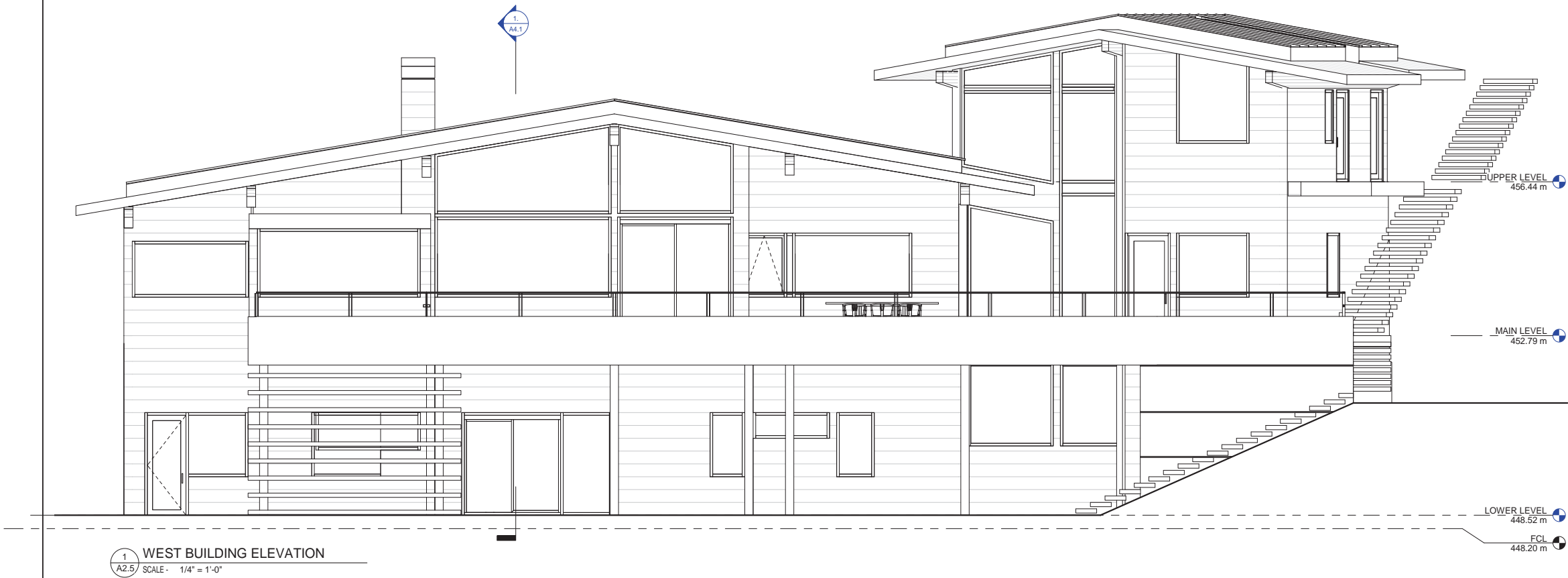
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KALESNIKOFF CABIN
3273 EAST LAKE DR.
CHRISTINA LAKE, BC

DRAWING:
SITE PLAN

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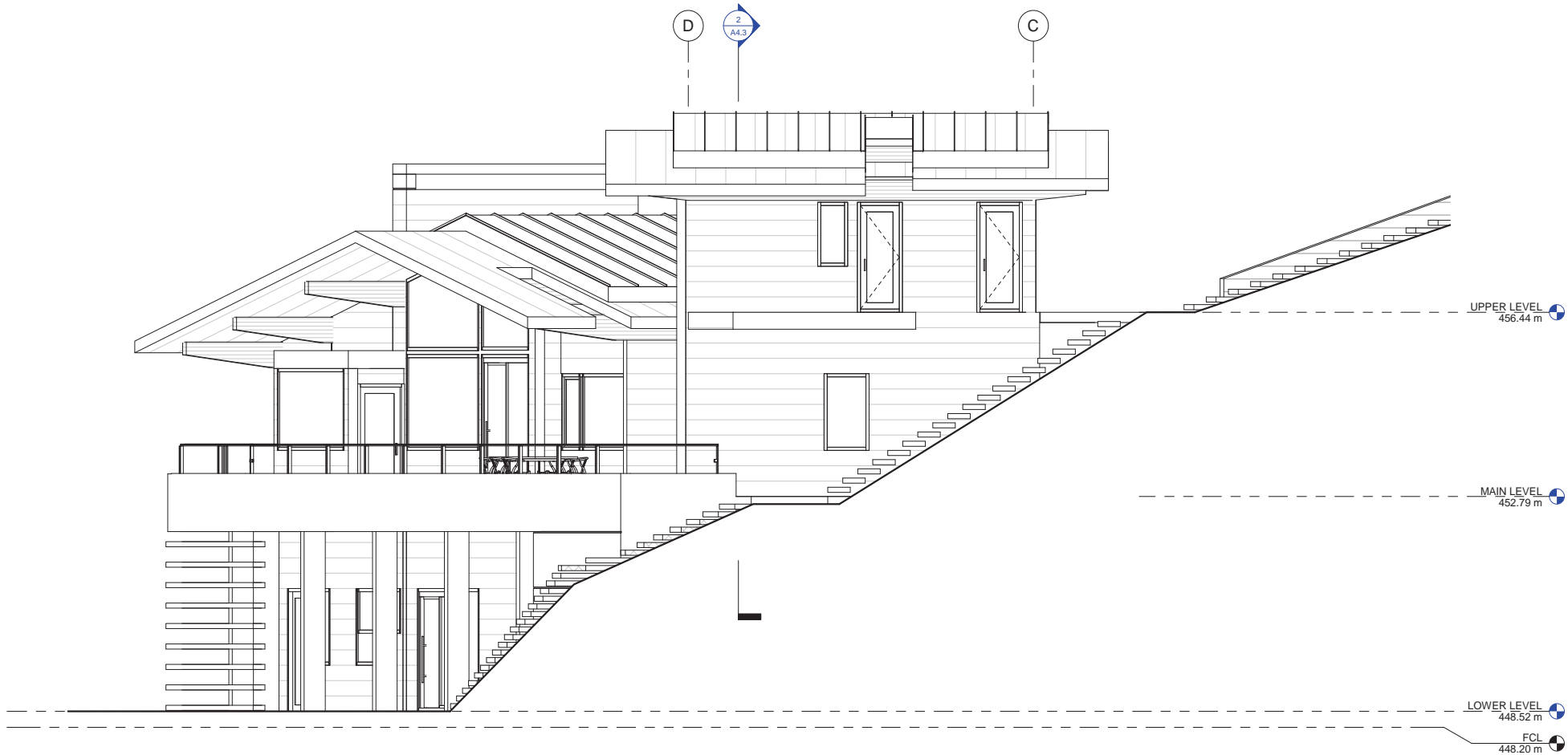
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ARCHITECTURE
studio

North Architecture Studio Inc.
9508 Emerald Drive
Whistler, BC V8N 1B9
Tel: 604.842.3350

CONSULTANT: DRAWING

NO	DATE	DESCRIPTION
NORTH POINT:		STAMP:
PROJECT:		
KALESNIKOFF CABIN 3273 EAST LAKE DR. CHRISTINA LAKE, BC		
DRAWING:		
ELEVATIONS		
PROJECT NO:		SCALE:
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10/27/19		GB
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SHEET NUMBER:		

A2.5



1 SOUTH BUILDING ELEVATION
A2.6/ SCALE - 1/4" = 1'-0"

THIS DRAWING MUST NOT BE SCALED. THE GENERAL CONTRACTOR SHALL VERIFY ALL DIMENSIONS, DATUMS AND LEVELS PRIOR TO COMMENCEMENT OF WORK. ALL ERRORS AND OMISSIONS MUST BE REPORTED IMMEDIATELY TO THE CONSULTANT. THIS DRAWING IS TO BE USED IN CONJUNCTION WITH ALL OTHER DRAWINGS AND SPECIFICATIONS. VARIATIONS AND MODIFICATIONS TO WORK SHOWN SHALL NOT BE CARRIED OUT WITHOUT WRITTEN PERMISSION FROM THE CONSULTANT. THIS DRAWING IS THE EXCLUSIVE PROPERTY OF THE CONSULTANT AND CANNOT BE REPRODUCED, COPIED, OR LOANED WITHOUT PERMISSION OF THE CONSULTANT.

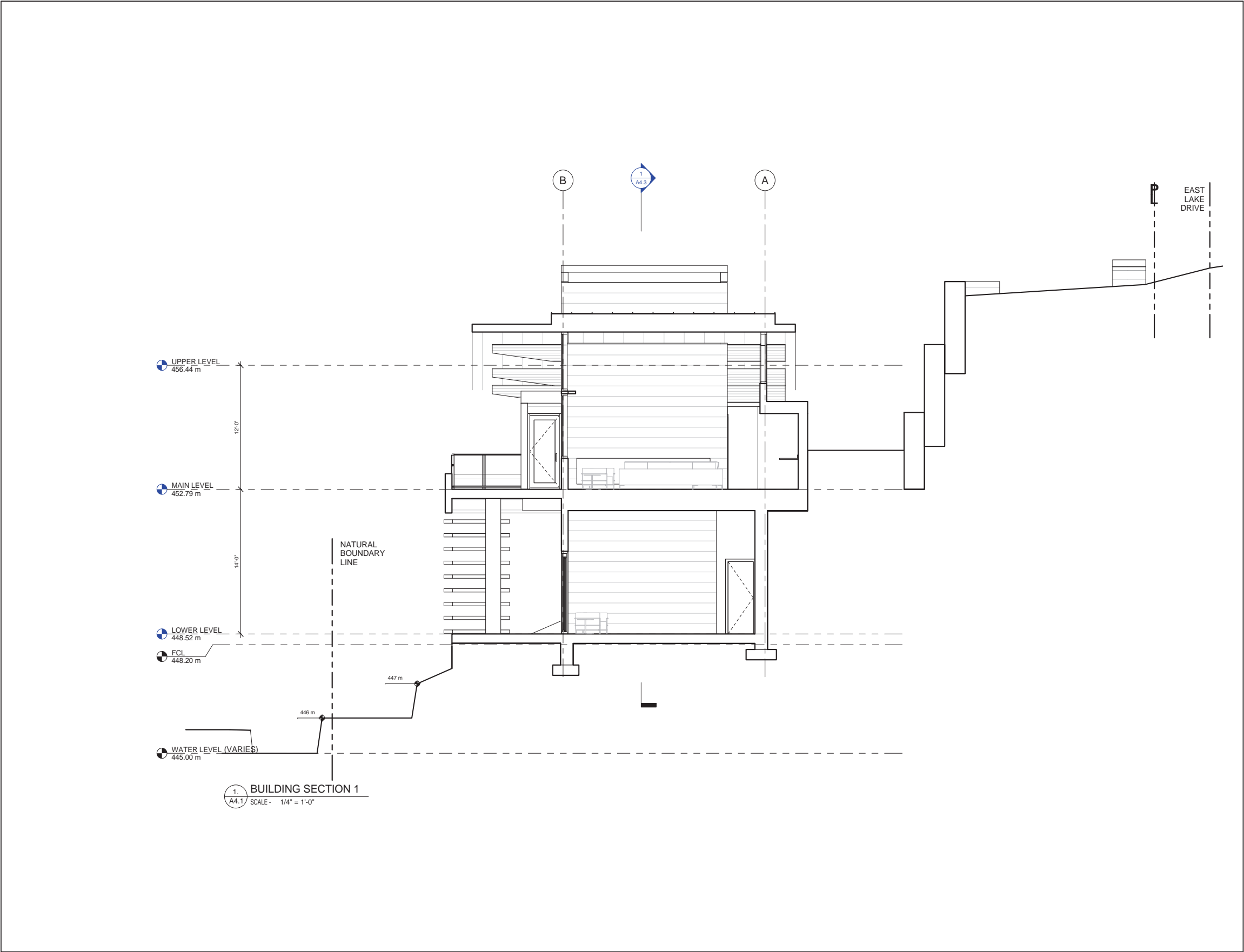
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9508 Emerald Drive
Whistler, BC V8N 1B9
Tel: 604.842.3350

CONSULTANT: DRAWING

NO	DATE	DESCRIPTION
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PROJECT:		
KALESNIKOFF CABIN		
3273 EAST LAKE DR.		
CHRISTINA LAKE, BC		
DRAWING:		
ELEVATIONS		
PROJECT NO:		SCALE:
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A2.6



THIS DRAWING MUST NOT BE SCALED. THE GENERAL CONTRACTOR SHALL VERIFY ALL DIMENSIONS, DATUMS AND LEVELS PRIOR TO COMMENCEMENT OF WORK. ALL ERRORS AND OMISSIONS MUST BE REPORTED IMMEDIATELY TO THE CONSULTANT. THIS DRAWING IS TO BE USED IN CONJUNCTION WITH ALL OTHER DRAWINGS AND SPECIFICATIONS. VARIATIONS AND MODIFICATIONS TO WORK SHOWN SHALL NOT BE CARRIED OUT WITHOUT WRITTEN PERMISSION FROM THE CONSULTANT. THIS DRAWING IS THE EXCLUSIVE PROPERTY OF THE CONSULTANT AND CANNOT BE REPRODUCED, COPIED, OR LOANED WITHOUT PERMISSION OF THE CONSULTANT.

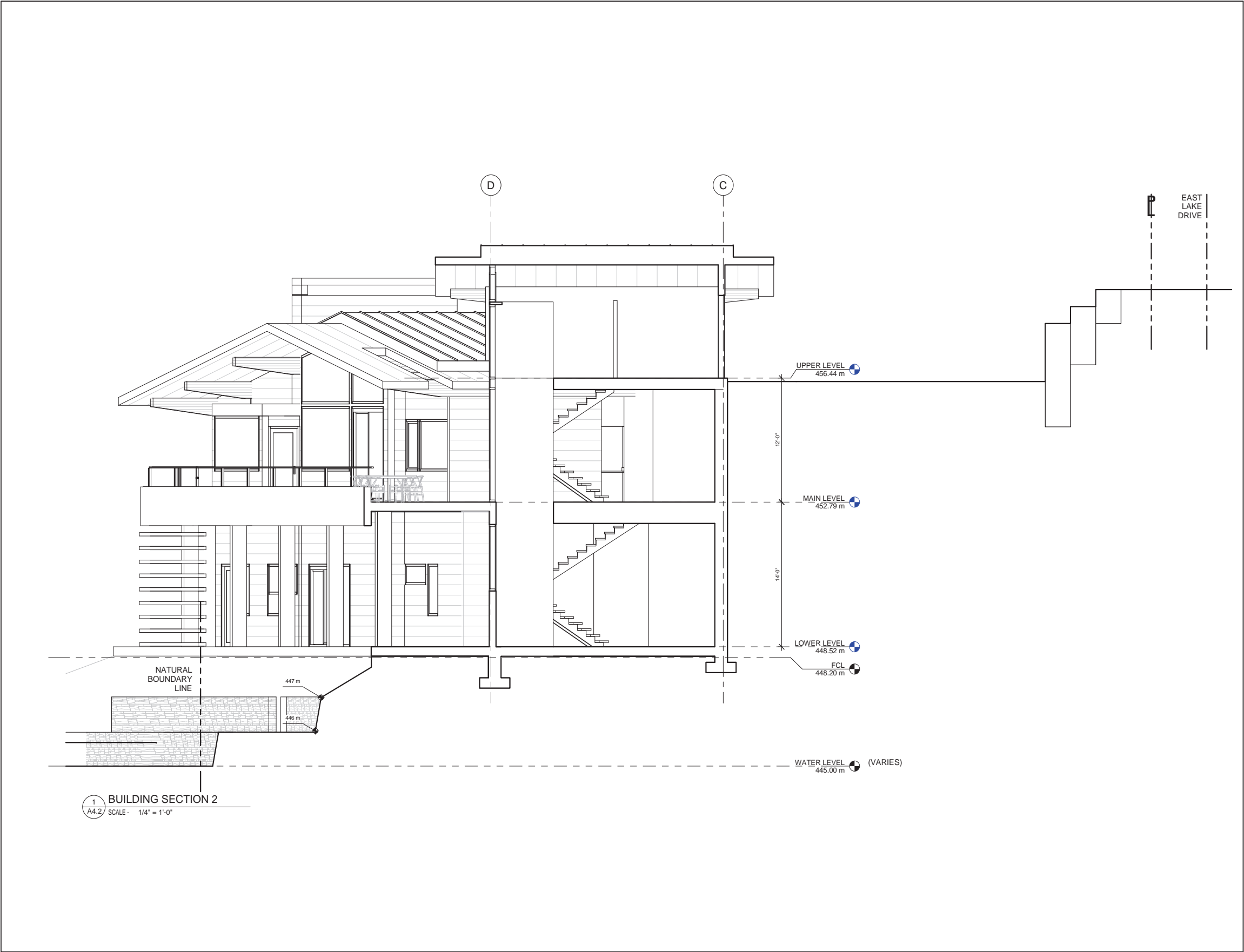
NORTH
ARCHITECTURE
studio

North Architecture Studio Inc.
9508 Emerald Drive
Whistler, BC V8N 1B9
Tel: 604.842.3350

CONSULTANT: DRAWING

NO	DATE	DESCRIPTION
NORTH POINT:	STAMP:	
PROJECT:		
KALESNIKOFF CABIN 3273 EAST LAKE DR. CHRISTINA LAKE, BC		
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BUILDING SECTIONS		
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A4.1



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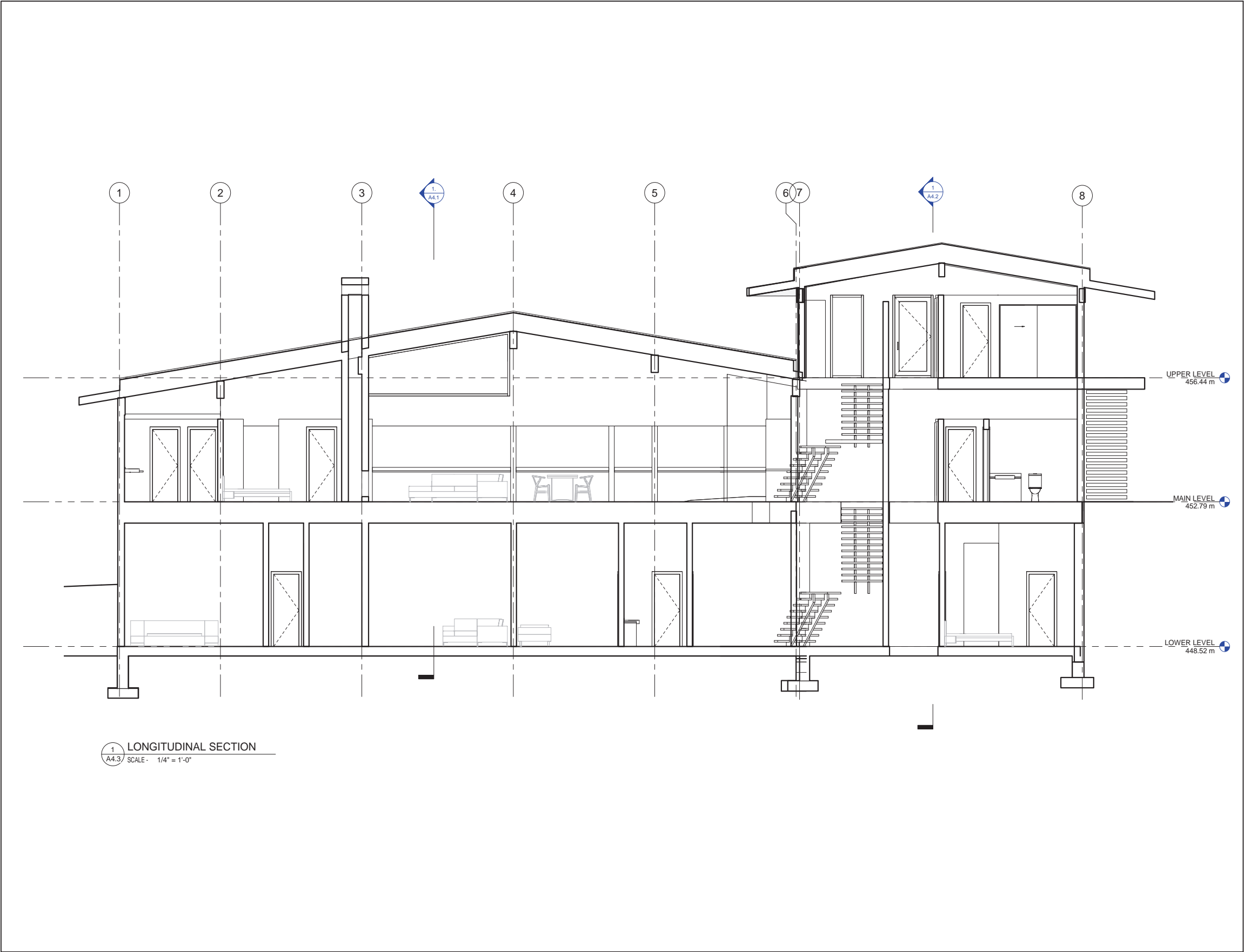
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Whistler, BC V8N 1B9
Tel: 604.842.3350

CONSULTANT: DRAWING

NO	DATE	DESCRIPTION
NORTH POINT:		STAMP:
PROJECT:		
KALESNIKOFF CABIN 3273 EAST LAKE DR. CHRISTINA LAKE, BC		
DRAWING:		
BUILDING SECTION		
PROJECT NO:	SCALE:	
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START DATE:	DRAWN BY:	
11/09/19	GB	
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SHEET NUMBER:		

A4.2



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Whistler, BC V8N 1B9
Tel: 604.842.3350

CONSULTANT: DRAWING

NO	DATE	DESCRIPTION
NORTH POINT:	STAMP:	
PROJECT:		
KALESNIKOFF CABIN		
3273 EAST LAKE DR.		
CHRISTINA LAKE, BC		
DRAWING:		
BUILDING SECTION		
PROJECT NO:	SCALE:	
T00000	1/4" = 1'-0"	
START DATE:	DRAWN BY:	
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34"x22"	PB	
SHEET NUMBER:		

A4.3



Electoral Area Services (EAS) Committee Staff Report

RE:	Development Variance Permit – Francis		
Date:	April 16, 2020	File #:	D-333-03860.055 (643-20V)
To:	Chair Grieve and Members of the EAS Committee		
From:	Corey Scott, Planner		

Issue Introduction

We have received a Development Variance Permit from Michael Francis for the construction of an accessory structure in Electoral Area D/Rural Grand Forks (see attachments).

Property Information	
Owner(s):	Michael Francis
Agent:	NA
Location:	3485 Davy Road
Electoral Area:	Electoral Area D/Rural Grand Forks
Legal Description(s):	Lot B, DL 333, SDYD, Plan KAP41743
Area:	0.5ha (1.2acr)
Current Use(s):	Residential
Land Use Bylaws	
OCP Bylaw No. 1555:	Residential Serviced 1
DP Area:	NA
Zoning Bylaw No. 1675:	Residential 1 (R1)
Other	
ALR:	NA
Waterfront / Floodplain:	NA
Service Area:	Sion Improvement District
Planning Agreement Area:	Grand Forks

History / Background Information

The subject property is a 1.2-acre parcel located near Ward Lake, slightly northwest of the City of Grand Forks. It is designated as "Residential Serviced 1" in the Electoral Area D/Rural Grand Forks Official Community Plan Bylaw No. 1555 and is zoned "Residential 1" (R1) in the Electoral Area D/Rural Grand Forks Zoning Bylaw No. 1675.

The property is within the Sion Improvement District and the Grand Forks Planning Agreement Area. The RDKB Board member for the City of Grand Forks is entitled to vote on applications and referrals for properties within the Grand Forks Planning

Agreement Area at both the Electoral Area Services Committee meeting and the Board of Directors meeting.

Proposal

The applicant proposes to construct a 126m² (1360ft.²) detached garage, with a 37m² (400ft.²) carport attached to it. They are requesting to increase the maximum permitted height from 5.0m to 5.8m, a 0.8m variance, for the construction of the accessory building.

Implications

For Development Variance Permit applications, the RDKB considers whether the proposed variance will:

- a) Resolve a hardship;
- b) Improve the development;
- c) Cause negative impacts to the neighbouring properties.

The applicant has submitted their rationale for why they require a variance (see attachments). To summarize, the variance will allow the applicant to construct a garage that is high enough to store their recreational vehicle, along with other vehicles, while also meeting the snow load requirements of the *BC Building Code*.

Their rationale does not account for a hardship; however, the applicant considers it to be an improvement to the development that will not have negative impacts on neighbouring property owners. Letters will be sent to neighbouring property owners as part of the application review process, and they will be given the opportunity to provide comments to the Board of Directors prior to a decision.

Advisory Planning Commission (APC)

The Electoral Area D/Rural Grand Forks APC considered the application at their April 7, 2020 meeting. In their discussion, they noted that the "proposal seems appropriate both for the location and the use" and provided a recommendation of support.

Recommendation

That the Development Variance Permit application submitted by Michael Francis to allow for an increase in the maximum permitted height of an accessory building from 5.0m to 5.8m, a 0.8m variance, for the construction of a detached garage on the property legally described as Lot B, DL 333, SDYD, Plan KAP41743, Electoral Area D/Rural Grand Forks be presented to the Regional District of Kootenay Boundary Board of Directors for consideration, with a recommendation of support.

Attachments

Site Location Map
Subject Property Map
Applicant Submission

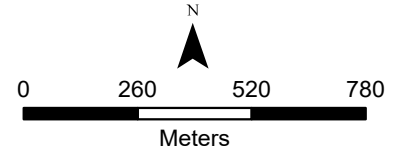


Regional District of
Kootenay Boundary

Date: 13-Mar-2020

Site Location Map

Lot B, DL 498, SDYD,
Plan KAP29837



1:15,000



Document Path: P:\PD\EA_D\ID-333-03860.055 Francis\2020-April DVP\2020 - Mapping\2020-04-07_Francis_SLM-SPM.aprx

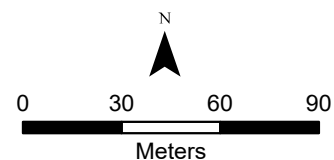


Regional District of
Kootenay Boundary

Date: 13-Mar-2020

Subject Property Map

Lob B, DL 333, SDYD,
Plan KAP41743



1:2,000



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The space below is provided to describe the proposed development. Additional pages may be attached.

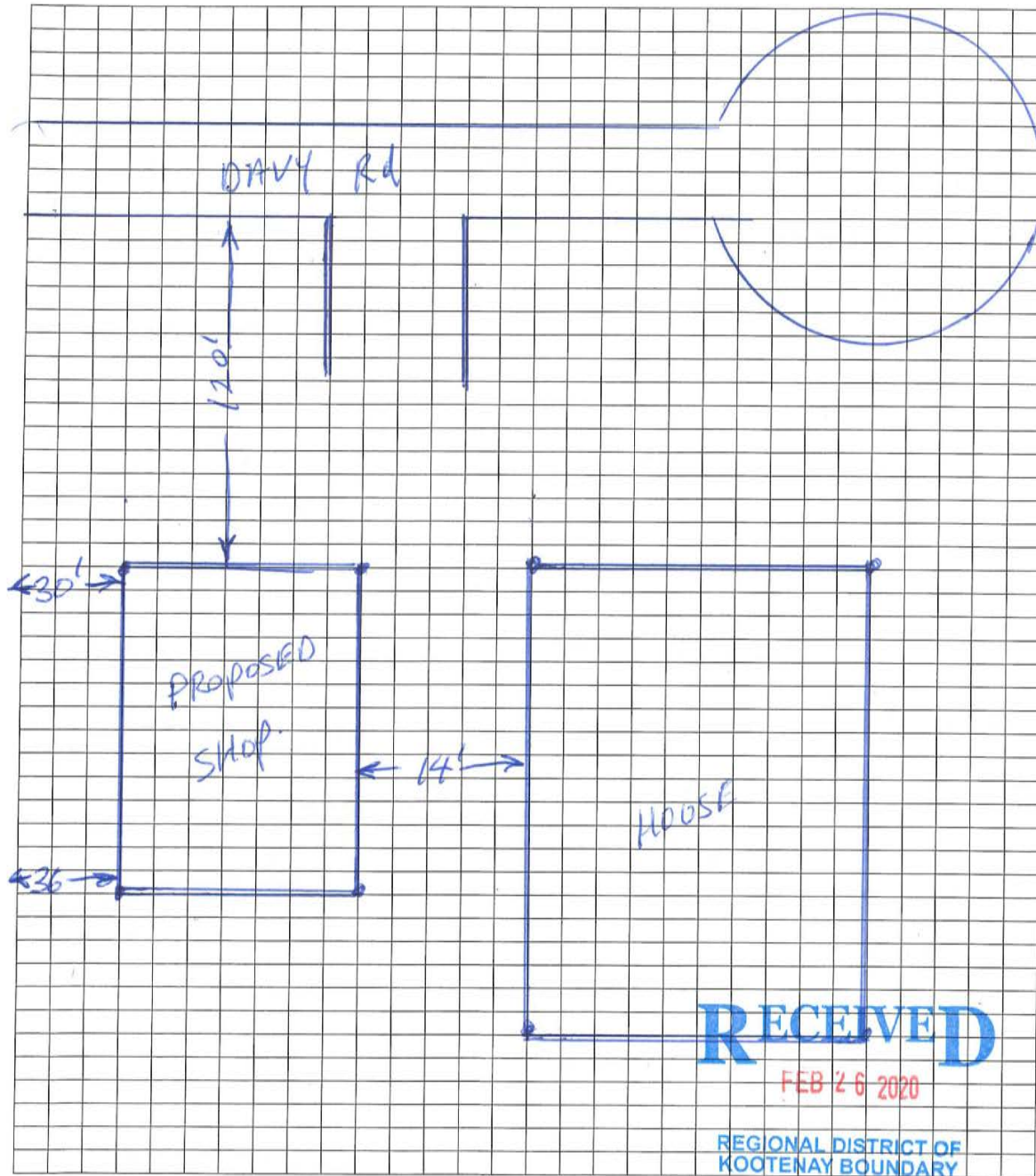
"STATEMENT IDENTIFYING WHICH REGULATION IS PROPOSED TO BE VARIED"
 UNDER 602. RESIDENTIAL 1 ZONE NO. 7 HEIGHT b) ACCESSORY
 BUILDINGS AND STRUCTURES MUST NOT EXCEED 5 METRES IN HEIGHT.
 PROPOSED VARIANCE IS TO ALLOW CONSTRUCTION OF A RESIDENTIAL
 GARAGE WITH A MAXIMUM HEIGHT OF 5.7404 METRES.

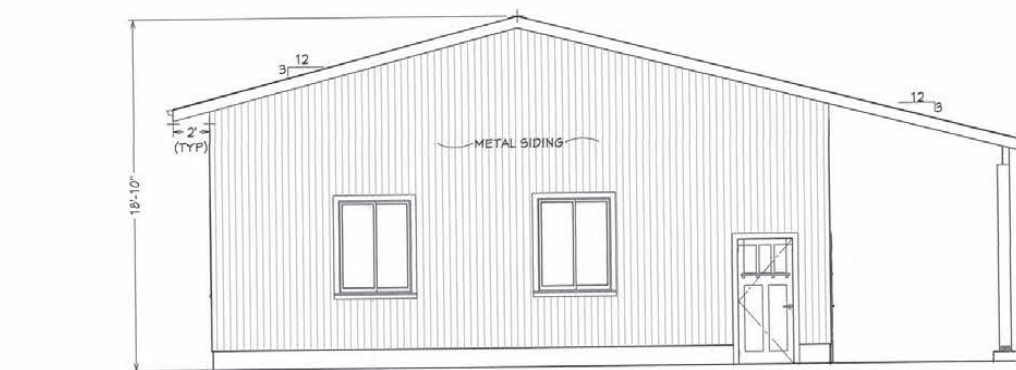
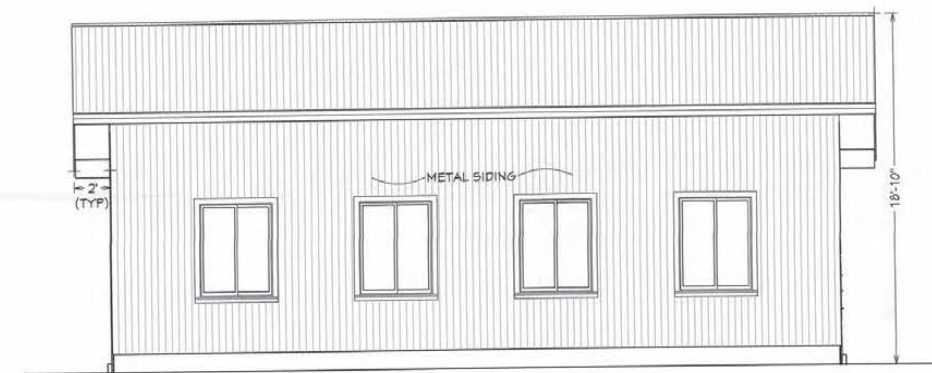
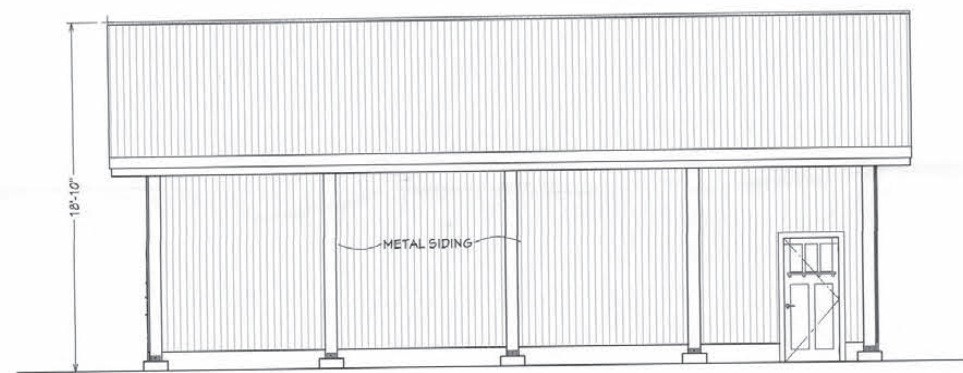
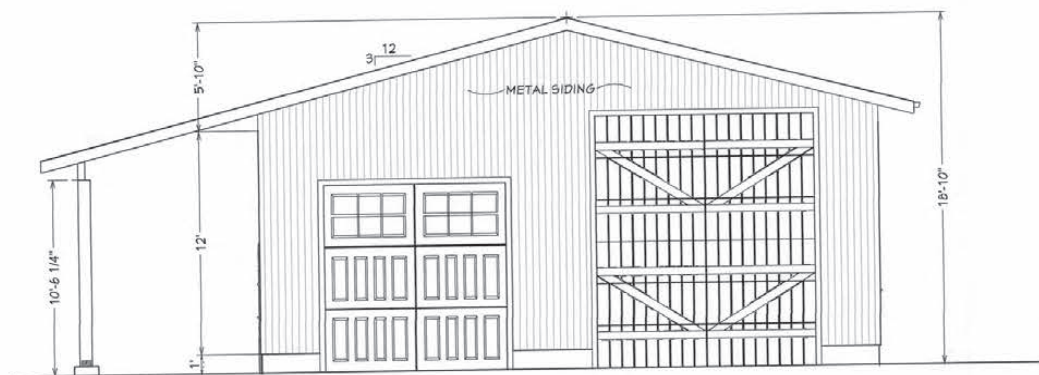
THIS VARIANCE IS REQUIRED TO ALLOW CONSTRUCTION WITH A
 4.1148 METRE HEIGHT GARAGE DOOR AND MEET THE SNOW LOAD
 REQUIREMENTS WITH A ROOF PITCH OF 3/12. THIS WILL ALLOW
 ME TO STORE MY MOTORHOME AND OTHER VEHICLES AND IMPROVE
 THE DEVELOPMENT OF MY GARAGE.

I HAVE SPOKEN TO MY NEIGHBOURS AND IT WILL NOT CAUSE
 ANY NEGATIVE IMPACTS TO MY NEIGHBOURING PROPERTIES.

BUILDING SITE PLAN

1. Draw proposed location of home or building on space provided below, and show distances to all PROPERTY LINES. Also, show north arrow.
2. Show location of street access and names of streets.
3. Show location and distances of any water courses.





REGIONAL DISTRICT OF KOOTENAY BOUNDARY
PLANS REVIEWED (AS NOTED) SUBJECT TO
ALL RELEVANT BYLAWS
DATE _____ PERMIT # _____

BUILDING/PLUMBING INSPECTOR

RECEIVED
FEB 26 2020REGIONAL DISTRICT OF
KOOTENAY BOUNDARY[illegible]

ELEVATIONS

FRANCIS RESIDENCE
NEW GARAGE
3425 Davey Rd
GRAND FORKS BC

EAGLE RIDGE
CONTRACTING
3340 HARDY MTN RD
GRAND FORKS BC

DATE:

2020-02-25

SCALE:

$$\frac{3}{16}'' = 1'$$

SHEET:

A1

From: [Maria Ciardullo](#)
To: [Agendas](#)
Cc: [Donna Dean](#); [Sandra Surinak](#)
Subject: FW: RDKB Development Variance Permit application
Date: April 20, 2020 8:16:53 AM

RE: Francis DVP application

-----Original Message-----

[REDACTED]

Subject: RDKB Development Variance Permit application

File #: C-333-03860.555

Robert Irvin. [REDACTED]

As owner of the property directly adjacent to Mr Francis at 3385, I have no concerns or objections to the issuance of this variance.

Sent by R Irvin

From: [Maria Ciardullo](#)
To: [Agendas](#)
Cc: [Donna Dean](#); [Sandra Surinak](#)
Subject: FW: RDKB Variance Application
Date: April 20, 2020 8:16:29 AM

Re: Francis DVP application

-----Original Message-----

[REDACTED]

Subject: RDKB Variance Application

To whom it may concern:

In regards to the variance application at 3485 Davy Rd, Grand Forks, B.C. for the 0.8 metre variance in the detached garage. We at [REDACTED] have no objections in regards to this variance.
Regards, Bill and Lisa Sukoveoff

Sent from my iPhone

From: [Maria Ciardullo](#)
To: [Agendas](#)
Cc: [Donna Dean](#); [Sandra Surinak](#)
Subject: FW: RDKB Development Permit Application: Mike Francis, 3485 Davy Road, Grand Forks BC
Date: April 20, 2020 8:15:59 AM

Good morning,

RE: Francis DVP application.

Maria

[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]

Subject: RDKB Development Permit Application: Mike Francis, 3485 Davy Road, Grand Forks BC

Attn Maria Ciardullo:

We are the owners of the residence directly across the street from the property owned by Mike Francis, applicant for a Development Variance Permit with respect to a building permit.

We have reviewed the details of the proposed building and have no objection to the variance requested. Our house is oriented to views to the north and east, we do not have views over the Francis property that will be impacted by the proposed building.

Mr. Francis has done an excellent job of renovating the exterior of his residence and greatly enhanced our neighbourhood in so doing. We have no doubt the proposed building, once completed, will be a positive addition to the street.

I should also add that our neighbours to the immediate east and west of our residence have no objection to the application.

If you have an questions do not hesitated to contact us at [REDACTED]

Thank you,

Alan and Lori Peterson
[REDACTED]

From: [Maria Ciardullo](#)
To: [Agendas](#)
Cc: [Donna Dean](#); [Sandra Surinak](#)
Subject: FW: 3485 Davy Rd
Date: April 20, 2020 8:18:18 AM

RE: Francis DVP application

-----Original Message-----

[REDACTED]

Subject: 3485 Davy Rd

To whom it may concern,

I am writing in regard to the variance being applied for at 3485 Davy Road.
I have no issue with the 0.8 meter variance.

Thank you.
Mark Dorling

[REDACTED]

Sent from my iPhone



Regional District of
Kootenay Boundary

Staff Report

RE:	Agricultural Land Commission Referral – Non-Farm Use – Naturo Group Investments Inc.		
Date:	April 30, 2020	File #:	E-346-02630.000
To:	Chair Langman and Members of the Board of Directors		
From:	Corey Scott, Planner		

Issue Introduction

We have received a referral from the Agricultural Land Commission (ALC) from John Moonen and Associates Ltd., on behalf of Naturo Group Investments Inc. (Naturo) of 1450 Sidley-Camp McKinney Road/6401 Sidley Mountain Road, for a Non-Farm Use application in Electoral Area E/West Boundary (see attachments).

Property Information	
Owner(s):	Naturo Group Investments Inc.
Agent:	John Moonen and Associates Ltd.
Location:	1450 Sidley-Camp McKinney Road/ 6401 Sidley Mountain Road
Electoral Area:	Electoral Area E/West Boundary
Legal Description(s):	DL 346, SDYD, Except Plans H17963 and KAP89411
Area:	125.9ha (311.1acr)
Current Use(s):	Water bottling plant
Land Use Bylaws	
OCP Bylaw No.:	NA
DP Area:	NA
Zoning Bylaw No.:	NA
Other	
ALR:	Entire Parcel
Waterfront / Floodplain:	Nine Mile Creek
Service Area:	NA
Planning Agreement Area:	NA

History / Background Information

The subject property is a 125.9ha parcel in Electoral Area E/West Boundary. Its boundaries are adjacent to Sidley Mountain Road to the south, Sidley-Camp McKinney Road to the west and Kelly Road to the east (see attachments). The parcel is entirely within the Agricultural Land Reserve (ALR) and has Nine Mile Creek running through it,

which is known to be active during spring freshet. The property history with respect to ALC non-farm use approvals is outlined in the table below.

Year	Proposal Description	ALC Approval	Building Permit Status
2008	Initial approval for non-conforming water bottling plant to comply with ALC Use Regulation.	Yes (Resolution #118/2008 attached).	Pre-existing structure
2010	Expansion of water bottling plant, which was covered under the conditions contained within the 2008 decision letter.	Yes (Resolution #118/2008 attached).	Complete.
2015	4-stage expansion to: (1) relocate diesel generating plant; (2) complete interior renovations; and (3 & 4) complete four building additions (1160m ² total) within the existing 1.25ha area approved for non-farm use.	Yes (Resolution #280/2015 attached) – conditional upon the non-farm use being granted for the sole benefit of Sonya and Dan Miller and is non-transferable.	Stages 1 and 2 complete. No permits issued for Stages 3 and 4.

Historical Use

The application package states that the property was historically known as "Harfman Ranch" and was used for hay production and cattle grazing. In 2008, an approval was granted to the previous property owners (Sonya and Dan Miller) by the ALC for a non-farm use to utilize a portion of the property for a water bottling facility.

In 2010, the ALC approved an expansion to the water bottling facility within the 1.25ha facility footprint. The expansion consisted of two buildings 287m² and 435m², respectively, in size. The 2010 ALC letter (see attachments) noted that the expansion under consideration had already commenced. The works were undertaken without the issuance of a building permit; however, the property owners complied with a Stop Work Order and a permit was issued for the works.

In 2015, Sonya and Dan Miller applied for another non-farm use application to expand their water bottling operation again. Their application was considered by our Board of Directors on February 26, 2015. The proposal was expected to take place over a period of approximately 7 years and in 4 separate stages (see attachments), none of which have been pursued at this time. The expansion plans were needed to increase the production volume, resulting in an additional 50,000 litres of water per day (an 8 times increase) being drawn from the well. The 4 stages were outlined as follows:

1. Relocation of the plant's diesel power generating plant from within the plant to a separate building to the east.
2. Interior renovations and improvements including a second bottle line.
3. A 232m² expansion for a new storage area in the south central portion of the structure, and a 232m² expansion to both the south west and south portions of the existing building for shipping bottled water and receiving raw material deliveries. Addition of a third bottle line and installation of a bottle maker.
4. Another 232m² expansion to the southwest portion of the building for shipping bottled water, and a 464m² expansion to the south east portion of the existing building for receiving raw material deliveries

All of the proposed facility expansions are within the 1.25 hectare site area that has been approved for non-farm use. The non-farm use was approved by the ALC on November 10, 2015 (Resolution #280/2015). A building permit was issued in 2015 for one of the expansions. In 2019, an application was received for an alteration to a commercial building. The first two stages have been completed but none of the expansion works (stages 3 and 4) have begun; however, a bottle maker has been purchased and is being stored on site for the stage 3 improvements.

One of the conditions of the November 10, 2015 approval was that the non-farm use would be non-transferrable and for the sole benefit of Sonya and Dan Miller; however, the previous property owners transferred the parcel to Naturo on September 9, 2015, prior to the final approval from the ALC. The previous owners are shareholders/partners in Naturo.

In the summer of 2019, we received complaints from concerned residents regarding land clearing activities thought to have resulted in damage to Nine Mile Creek as well as construction without a building permit. A stop work order was placed on the property to cease construction activities until the necessary permits had been applied for. These works are thought to be associated with site preparation for cannabis cultivation on the property (see applicant submission). Letters were sent to Health Canada and the Ministry of Environment to make them aware of the situation and ensure that any activities on the property conform to the relevant federal and provincial legislation.

Proposal

The purpose of the non-farm use application is to remove the non-transferability clause in ALC Resolution #280/2015, which would enable the proposed building additions (Stages 3 and 4 of the expansion plans) to be completed by Naturo.

Implications

The subject property is in Electoral Area 'E'/West Boundary. There are no zoning or OCP Bylaws in Electoral Area 'E'/West Boundary; however, we are in the process of drafting the Rural Bridesville Land Use Plan, which upon adoption will prescribe land use objectives, policies and zoning regulations over the subject property. The water bottling facility would be supported by the proposed policies contained within the Plan, as it is

an approved non-farm use. Additionally, the 1.25ha water bottling facility portion of the subject property will have its own zone to account for the approved non-farm use. Cannabis cultivation will be permitted on parcels that are within the ALR. As the entire parcel is within the ALR, the use of the land for cultivation is also permitted.

When the 2015 application was considered, we received four formal submissions from concerned residents and another six residents claimed to notice their water levels dropping prior to the approval. The 2015 staff report and related comments have been attached for reference (see attachments).

The 2015 staff report raised four major concerns:

1. Increased water extraction from the well, which is discussed in the Staff Comments section below;
2. On-site manufacturing of plastic water bottles. The expansion plans include the provision of on-site manufacturing of water bottles. Raw materials will be delivered to the site for production of bottles. Concerns were expressed regarding what chemicals will be required for the bottle making process, and how waste will be managed;
3. Increased truck traffic to the site. In the proposed expansion scenario, there could be fewer trips for inputs since the facility plans to blow its own bottles on site for the bottling lines, which the proponent described as leading to a 90 percent decrease in vehicle deliveries. Overall the consulting company maintains the output would be 1.5 trips per week from the site, but only 1 trip every month for inputs, for a total of 1.58 transport truck trips per week, resulting in an overall reduction of almost 1 transport truck per week. The transport trucks would use the current route of access which is Wagon Wheel Road then Sidley Camp McKinny Road; and
4. Whether additional jobs will be for locals. The proposed expansion was expected to employ up to 18 people upon completion. Additionally, the applicant for the new non-farm use application anticipates the cannabis cultivation activity to result in 3-4 full time, year-round jobs and up to 30 full-time seasonal farm jobs.

Advisory Planning Commission (APC)

The Electoral Area E/West Boundary APC considered the application at their April 6, 2020 meeting. The following discussion points were provided from the meeting minutes:

"Martino Ciambrelli and Marcello Leone gave us an overview of Naturo operations and their plans for the former Miller Springs operation including beverage bottling and growing hemp and/or cannabis. Vicki clarified that page 2 of the staff report speaks about complaints from residents and the fact that there is a stop work order pertaining to construction on the site. Concerns were raised about the water and whether the amount of water being used was sustainable.

It was pointed out that when a business is sold the associated licenses and permits generally go with the business (for example if a ranch is sold the

associated grazing permits go along with the ranch). Currently, the approval for non-farm use of the property that the previous owners (Millers) received is not transferrable. The application is asking the APC whether we want to make the non-farm use of 1.25 ha transferable from Millers to others.

Other comments include:

- Prior ALC decision letter (2013 subdivision application) shows a concern about whether the bottling plant was subordinate to farming, as ALC requires for non-farm use;
- ALC said they have no jurisdiction over water in 2015 decision letter;
- The Province doesn't currently limit water extraction; they just monitor it and take an administration fee;
- How do we know if the aquifer is declining;
- The ALC obviously put the non-transferrable clause in to limit future size and production to keep it from becoming a big commercial venture with a life of its own, like a Nestle's, on ALR land;
- Reference was made to Piteau Source Water Assessment commissioned in 2015 by Miller Springs and to a letter from Miller Springs to Town of Osoyoos;
- APC member expressed concern about whether extraction is sustainable with future expansion;
- Press release from Bevcanna says they have exclusive rights to the aquifer and that they have the capacity to bottle up to 210 million bottles a year
- The plant will still be there; this application has to do with expansion."

The APC was split for support of the application with 3 votes for, 3 against and one abstention.

Staff Comments

The ALC, in previous decisions for the subject property, has stated that the bottling facility does not have a negative impact on agriculture in the area. Additionally, the applicant's plans to cultivate cannabis on approximately 80ha of the parcel would add to the agricultural output of the property.

The water bottling plant does provide an economic benefit to the area; however, the economic benefit should be considered in relation to the possible impact of the capacity of the aquifer.

At the time of the 2015 approval, there were no licensing requirements for groundwater extractions of less than 75 litres/second. However, this has changed under the *Water Sustainability Act*. As of February 29, 2016, all groundwater extraction that is used for non-domestic purposes requires a water license. A license has been issued by the Province for this property.

Our Watershed Planner provided the following comments on the application:

1. A priority of the RDKB is the protection of all our watersheds, knowing that a resilient and ecologically healthy watershed will provide substantial benefits for the entire Boundary.
2. There has been some concern reported regarding the protection of surface water bodies on this property in relation to current operations. We encourage the protection of all streams (defined in following sentence) and that a no-disturbance buffer area is identified bordering each system. The term stream has been used as defined in the *Water Sustainability Act* through the Province of BC so includes swamp areas as were identified in a previous Source Water Assessment. The protection of surface water systems, especially on this property, is important for the downstream health of water sources, which may include Nine Mile Creek. We recommend that these water sources be mapped and the buffer zone be identified prior to any further construction on the property.
3. Both the Source Water Assessment (the 2015 Piteau Report) and personal communications have identified the presence of flowing artesian wells in this area. We recommend that all wells are designed in a manner that prevents the free flowing of water from an artesian well during any time of the year or any precipitation event.
4. Both the Source Water Assessment and personal communications have raised concerns around the delineation of Aquifer 809 (aquifer identified for Water Licence No. 500917). It is our understanding that a tracer test was completed on this well, which was not able to support to the current aquifer mapping. The RDKB would like to see regular water quantity monitoring of Aquifer 809 and efforts made to verify currently published aquifer information.
5. The Source Water Assessment assesses the recharge capacity and hydraulic connectivity of Aquifer 809. We would like to see further work conducted to ensure that the assessment is accurate and there is a clear understanding of inflow and outflows for this aquifer.

As there is no Official Community Plan or Zoning Bylaw for Electoral Area E/West Boundary there is no policy context to form a valid recommendation for the application. Our practice it to forward ALC applications in areas without land use policy without a recommendation. This report will be forwarded to the ALC for their consideration.

It should be noted that the RDKB Board of Directors unanimously approved a strategy related to groundwater extraction at their January 30th meeting:

"That the RDKB's Electoral Area Services Committee consider amending the region's zoning bylaws to restrict in all zones the use of land for 'commercial water bottling facilities'. And further, that the RDKB write a letter to the Minister of Forests, Lands and Natural Resource Operations and Rural Development and the Premier requesting that Provincial action be taken to immediately cease the licensing and extraction of groundwater for commercial water bottling and/or

build water exports from aquifers, as per the 2019 UBCM endorsed resolution B154 on Groundwater Extraction sponsored by Strathcona Regional District.”

To date the strategy has not been considered by the Electoral Area Services Committee.

Recommendation

That the Regional District of Kootenay Boundary Board of Directors directs staff to forward, without a recommendation, the application to the Agricultural Land Commission for a non-farm use submitted by KB Miller and Associates Ltd., on behalf of Naturo Group Investments Inc., for the property legally described as DL 346, SDYD, Except Plans H17963 and KAP89411, Electoral Area E/West Boundary.

Attachments

Site Location Map

Subject Property Map

Applicant Submission

Letter from the Millers

ALC Resolution #118/2008

ALC Resolution #280/2015

Staff Report, prepared by Carly Rimell, dated February 26, 2015



Date: 2020-03-25

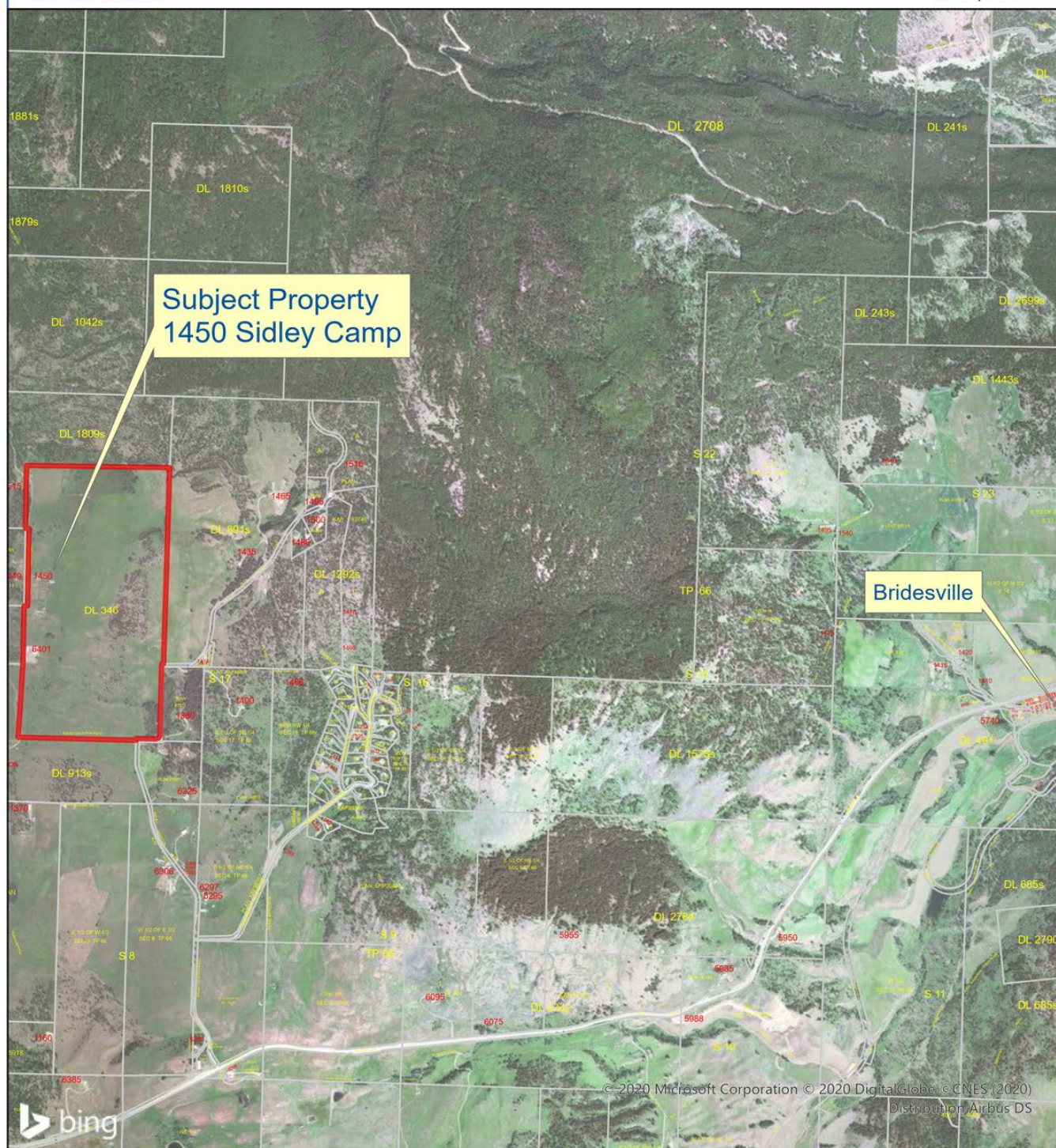
Site Location Map

DL 346,
SDYD

0 200 400 600 800

Meters

1:30,000



202-843 Rossland Ave, Trail BC V1R 4S8 | T: 250.368.9148 | T/F: 1.800.355.7352 | rdkb.com

Document Path: P:\PD\EA 'A\A-205A-00944.000 Waneta Expansion\April 2020 DP\Mapping\2020-03-25 SM A-205A-00944.000\2020-03-25 SM A-205A-00944.000.aprx



Regional District of
Kootenay Boundary

Date: 2020-04-22

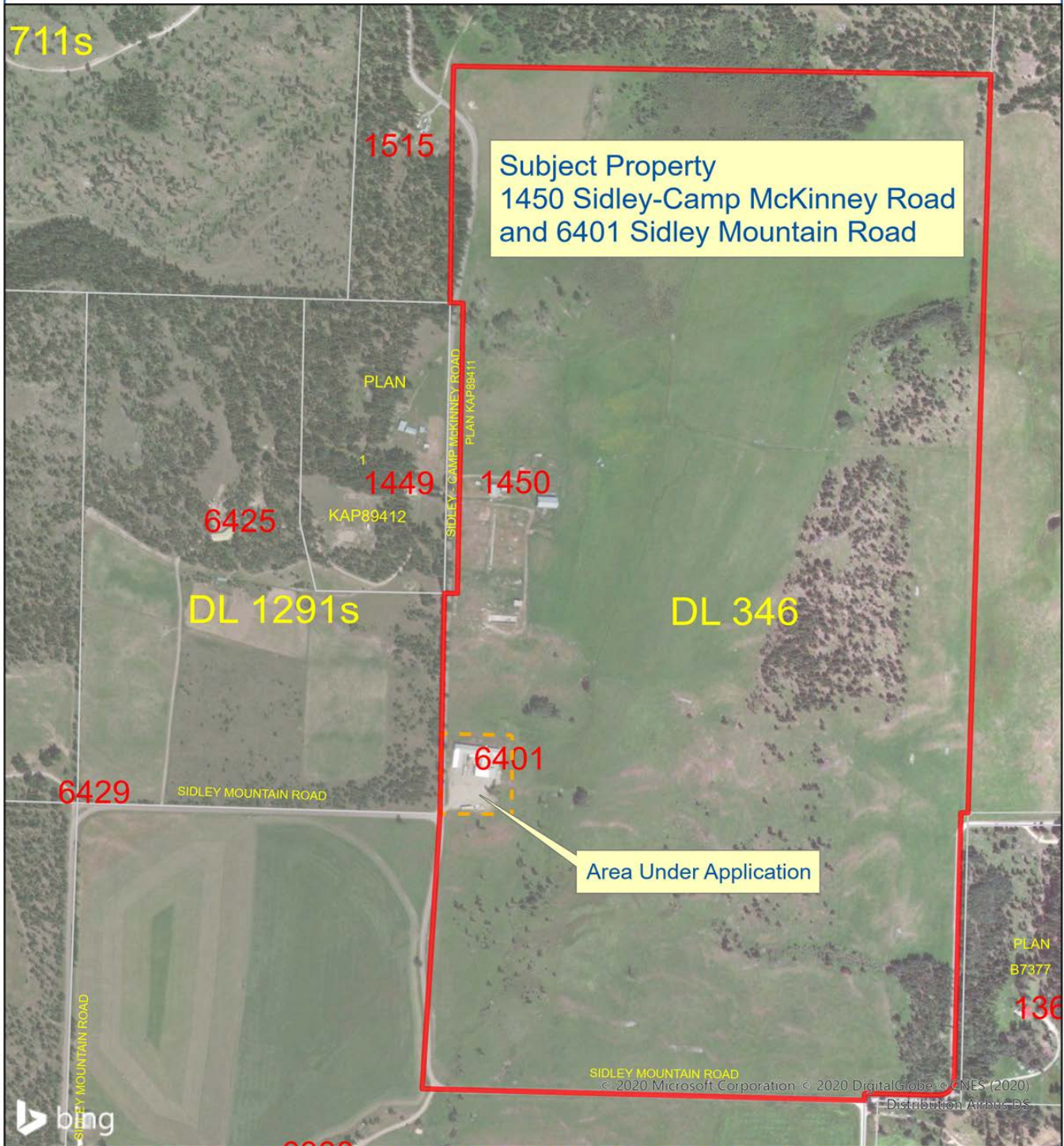
Subject Property Map

DL 346,
SDYD



0 40 80 120 160
Meters

1:8,000



202-843 Rossland Ave, Trail BC V1R 4S8 | T: 250.368.9148 | T/F: 1.800.355.7352 | rdkb.com

Document Path: P:\PD\EA_E\E-346-02630.000 Miller\2020_ALR NonFarmUse\Mapping\2020-03-25_SM_E-346-02630.000\2020-03-25_SM_E-346-02630.000.aprx



Provincial Agricultural Land Commission - Applicant Submission

Application ID: 60087

Application Status: Under LG Review

Applicant: Naturo Group Investments inc.

Agent: KB Miller & Associates Ltd

Local Government: Kootenay Boundary Regional District

Local Government Date of Receipt: 02/14/2020

ALC Date of Receipt: This application has not been submitted to ALC yet.

Proposal Type: Non-Farm Use

Proposal: There are no non-farm uses being proposed anywhere on the parcel other than on the 1.25 ha already approved for non-farm use by the ALC.

In 2015 the ALC approved expansion of an existing infused-water bottling plant on the parcel as a non-farm use (Resolution #280/2015; ALC File 54030). One of the terms - section 24(b) of the Resolution - was that approval was granted for the benefit of Daniel and Sonya Miller and was non-transferable. The Applicant is requesting that this restriction on transferability be removed.

Sonya and Dan Miller, prior to receiving the ALC decision letter of November 15, 2015, transferred the parcel to Naturo Group Investments Inc. (the current Applicant), an entity in which they then became shareholders/partners. This was registered on September 9, 2015. It was assumed at the time that the ALC's general policy would apply, namely that the (anticipated) approval would run with the land. When the ALC decision letter was received in November 2015 neither the Millers as the original applicants nor the Applicant Naturo believed the non-transferability clause inserted as s. 24(b) would apply as the Millers remained part-owners of the parcel through Naturo.

This transfer of ownership was not communicated to the ALC as it was not considered necessary if the Millers remained partial owners of the parcel through Naturo.

The matter was not addressed by the Applicant or the Millers for several years because they were focused on improving the existing facilities and enhancing the agricultural use of the remainder of the parcel.

The Applicant has not proceeded with the expansion approved by the ALC in 2015 but hopes to do so once the transferability restriction has been lifted, should the ALC so decide. [NB It was only when the question was raised by the Regional District while it was processing the Applicants request for a building permit in 2019 did the matter come to light; it was immediately communicated to the ALC. At that time ALC staff advised that a new non-farm use application would be required to remove the non-transferability provision.]

The non-farm use approval granted by the ALC in 2010 has become the basis of the Applicants current BP application to the Regional District and no further request for a BP will be made unless/until the ALC approves this application and removes the non-transferability provision.

The Applicant prefers that s. 24(b) be removed because it is not only an obstacle to securing a BP from RDKB for the expansion approved by the ALC in 2015, it may limit the Applicants ability to secure financing for the bottling operation and the expanded agricultural operation, for which the Applicant requires several million dollars.

It is unclear to the Applicant what the ALCs reasons were for including this condition initially, given (1)

Applicant: Naturo Group Investments inc.

the Commissions general policy at the time that approvals ran with the land, and (2) there was no reference to any need to restrict transfer of ownership, either in Resolution #280/2015 nor in the decision letter of November 10, 2015 nor in the accompanying staff report nor in any communications between Dan and Sonya Miller or their agent and the Commission.

If the ALC is concerned that without such a restriction on transferability there might be a risk that the bottling operation and the farming operation would somehow become separated or would lead to a request to subdivide the parcel, no such approval is being sought by the Applicant; subdivision cannot occur without RDKB and ALC approval; the ALC has already refused such a request (in 2013); and it is in the Applicant's best commercial interests to operate an integrated business combining the infused-water bottling operation and the cultivation of farm products for infusion. Further details are provided below describing how this will enhance agriculture in both the short- and long-term. [and please see attached letter from the Millers in support]

[REDACTED]

Parcel Information

Parcel(s) Under Application

1. **Ownership Type:** Fee Simple

Parcel Identifier: 007-496-664

Legal Description: District Lot 346, Similkameen Division of Yale District, Except Plan H17963 and KAP89411

Parcel Area: 130.6 ha

Civic Address: 1450 Sidley Camp McKinney Road, Bridesville, BC

Date of Purchase: 09/01/2015

Farm Classification: Yes

Owners

1. [REDACTED]

Current Use of Parcels Under Application

1. **Quantify and describe in detail all agriculture that currently takes place on the parcel(s).**

Prior to its current use the former Harfman Ranch on the site was using the parcel to graze 100 - 150

Applicant: Naturo Group Investments inc.

head of cattle at a time on a rotation basis. The parcel had 3 small hay fields totaling 34.3 ha but no hay had been cultivated/harvested in 15 years. However, the parcel was always intensively grazed over the spring/summer months.

The parcel also had approximately 80 ha in various forest, rocky area and non-usable land that was used only for grazing. The parcel had a working irrigation system which is now being retro-fitted to meet new needs and standards. In total, the operation now provides part-time farm work for 1 to 2 people each summer.

2. Quantify and describe in detail all agricultural improvements made to the parcel(s).

As part of initial infrastructure work, the Applicant has enhanced and retrofitted the irrigation system to make it possible to deliver drip irrigation to the entire parcel. The Applicant has also built a fence around the entire property which is 8 in height with 2 of barbwire. The fields have been tilled and organic compost has been added to key areas. Over 40 ha of forested and rocky land has been reclaimed and turned into fields, making most of the 80 ha cultivatable. There are three swamps on site, however, which have been left as is. As have several treed portions. The Applicant has built two farm buildings: one to dry farm product and one to store farm product.

Farm operations are scheduled to commence in April of each year. The Applicant is planning to spread more organic compost onto more fields, have them tilled and then enhanced with mulch. A drip tube is planned and seeds for cannabis cultivation are intended to be sown directly into the mulch. The system is very water-efficient and is designed to use considerably less water than the previous crop (hay) used for the grazing operation. 80 ha are earmarked for seeding this year (2020) but in subsequent years the Applicant hopes to rotate 1/3 into nitrogen fixing crops on a rotational basis.

At harvest the Applicant plans to take the cannabis flower and return all the stocks and leaves to the field for organic green compost. It also intends to utilize Fall cover crops and perimeter crops to organically control weeds on the parcel.

All operations are planned to be 100 percent organic; certification is underway with an organic certifier. Initial harvests are planned for the end of August and should take to mid-September.

Cannabis cultivation on the parcel could provide over 30 full-time seasonal farm jobs and 3 - 4 full-time (and year round) farm jobs. The Applicant's goal is to spend \$1,000,000/year on goods and services in the local and regional economy.

The Applicant hopes to produce 400,000 pounds of cannabis biomass per year. About 20% of this biomass will be returned to the soil annually. The remaining 80% will be dried and baled into 25 lb bales, vacuum-sealed and stacked on skids in the storage building. These will be stored on site until sent for off-site processing into extract products for different uses, including for infusion into spring water from the site. Nearly all of this extract will be required for the infusion process.

3. Quantify and describe all non-agricultural uses that currently take place on the parcel(s).

1.25 ha of the 130.5 ha parcel have already been approved by the ALC as a non-farm use, i.e. for the development footprint for the water bottling facility.

Adjacent Land Uses

North

Land Use Type: Agricultural/Farm

Specify Activity: Limited hay production on cleared areas

Applicant: Naturo Group Investments inc.

East**Land Use Type:** Agricultural/Farm**Specify Activity:** Hay fields on limited basis**South****Land Use Type:** Agricultural/Farm**Specify Activity:** Grazing**West****Land Use Type:** Agricultural/Farm**Specify Activity:** Limited hay production on cleared areas**Proposal****1. How many hectares are proposed for non-farm use?***1.3 ha***2. What is the purpose of the proposal?***There are no non-farm uses being proposed anywhere on the parcel other than on the 1.25 ha already approved for non-farm use by the ALC.**In 2015 the ALC approved expansion of an existing infused-water bottling plant on the parcel as a non-farm use (Resolution #280/2015; ALC File 54030). One of the terms - section 24(b) of the Resolution - was that approval was granted for the benefit of Daniel and Sonya Miller and was non-transferable. The Applicant is requesting that this restriction on transferability be removed.**Sonya and Dan Miller, prior to receiving the ALC decision letter of November 15, 2015, transferred the parcel to Naturo Group Investments Inc. (the current Applicant), an entity in which they then became shareholders/partners. This was registered on September 9, 2015. It was assumed at the time that the ALC's general policy would apply, namely that the (anticipated) approval would run with the land. When the ALC decision letter was received in November 2015 neither the Millers as the original applicants nor the Applicant Naturo believed the non-transferability clause inserted as s. 24(b) would apply as the Millers remained part-owners of the parcel through Naturo.**This transfer of ownership was not communicated to the ALC as it was not considered necessary if the Millers remained partial owners of the parcel through Naturo.**The matter was not addressed by the Applicant or the Millers for several years because they were focused on improving the existing facilities and enhancing the agricultural use of the remainder of the parcel.**The Applicant has not proceeded with the expansion approved by the ALC in 2015 but hopes to do so once the transferability restriction has been lifted, should the ALC so decide. [NB It was only when the question was raised by the Regional District while it was processing the Applicants request for a building permit in 2019 did the matter come to light; it was immediately communicated to the ALC. At that time ALC staff advised that a new non-farm use application would be required to remove the non-transferability provision.]**The non-farm use approval granted by the ALC in 2010 has become the basis of the Applicants current BP application to the Regional District and no further request for a BP will be made unless/until the ALC approves this application and removes the non-transferability provision.**The Applicant prefers that s. 24(b) be removed because it is not only an obstacle to securing a BP from RDKB for the expansion approved by the ALC in 2015, it may limit the Applicants ability to secure***Applicant:** Naturo Group Investments inc.

financing for the bottling operation and the expanded agricultural operation, for which the Applicant requires several million dollars.

It is unclear to the Applicant what the ALCs reasons were for including this condition initially, given (1) the Commissions general policy at the time that approvals ran with the land, and (2) there was no reference to any need to restrict transfer of ownership, either in Resolution #280/2015 nor in the decision letter of November 10, 2015 nor in the accompanying staff report nor in any communications between Dan and Sonya Miller or their agent and the Commission.

If the ALC is concerned that without such a restriction on transferability there might be a risk that the bottling operation and the farming operation would somehow become separated or would lead to a request to subdivide the parcel, no such approval is being sought by the Applicant; subdivision cannot occur without RDKB and ALC approval; the ALC has already refused such a request (in 2013); and it is in the Applicant's best commercial interests to operate an integrated business combining the infused-water bottling operation and the cultivation of farm products for infusion. Further details are provided below describing how this will enhance agriculture in both the short- and long-term. [and please see attached letter from the Millers in support]

3. Could this proposal be accommodated on lands outside of the ALR? Please justify why the proposal cannot be carried out on lands outside the ALR.

No. Crucial to the success of the infused-water bottling operation are (1) the quality and volume of water being used, all of which is sourced from the parcel, and (2) the quality and volume of cannabis that can be cultivated on this particular site.

4. Does the proposal support agriculture in the short or long term? Please explain.

Yes. The Applicant acknowledges the Commissions need to ensure that the focus of the use of this parcel remains agriculture, and its acknowledgment that the bottling operation is an ancillary but supportive use. The Applicant has incorporated the bottling operation into the overall farm plan for the parcel. This plan envisions the cultivation of cannabis on approximately 80 ha of the parcel in full compliance with federal and provincial rules. A separate farm product processing facility and other farm buildings are also planned, as permitted by the ALCA and Use Regulation, but these will be separate from the infused-water bottling facility. They will be outside the 1.25 ha approved by the ALC for development as a non-farm use.

5. Do you need to import any fill to construct or conduct the proposed Non-farm use?

No

Applicant Attachments

- Agent Agreement - KB Miller & Associates Ltd
- Other correspondence or file information - Survey
- Proposal Sketch - 60087
- Other correspondence or file information - Naturo Letter from Millers
- Certificate of Title - 007-496-664

ALC Attachments

None.

Decisions

None.

Applicant: Naturo Group Investments inc.

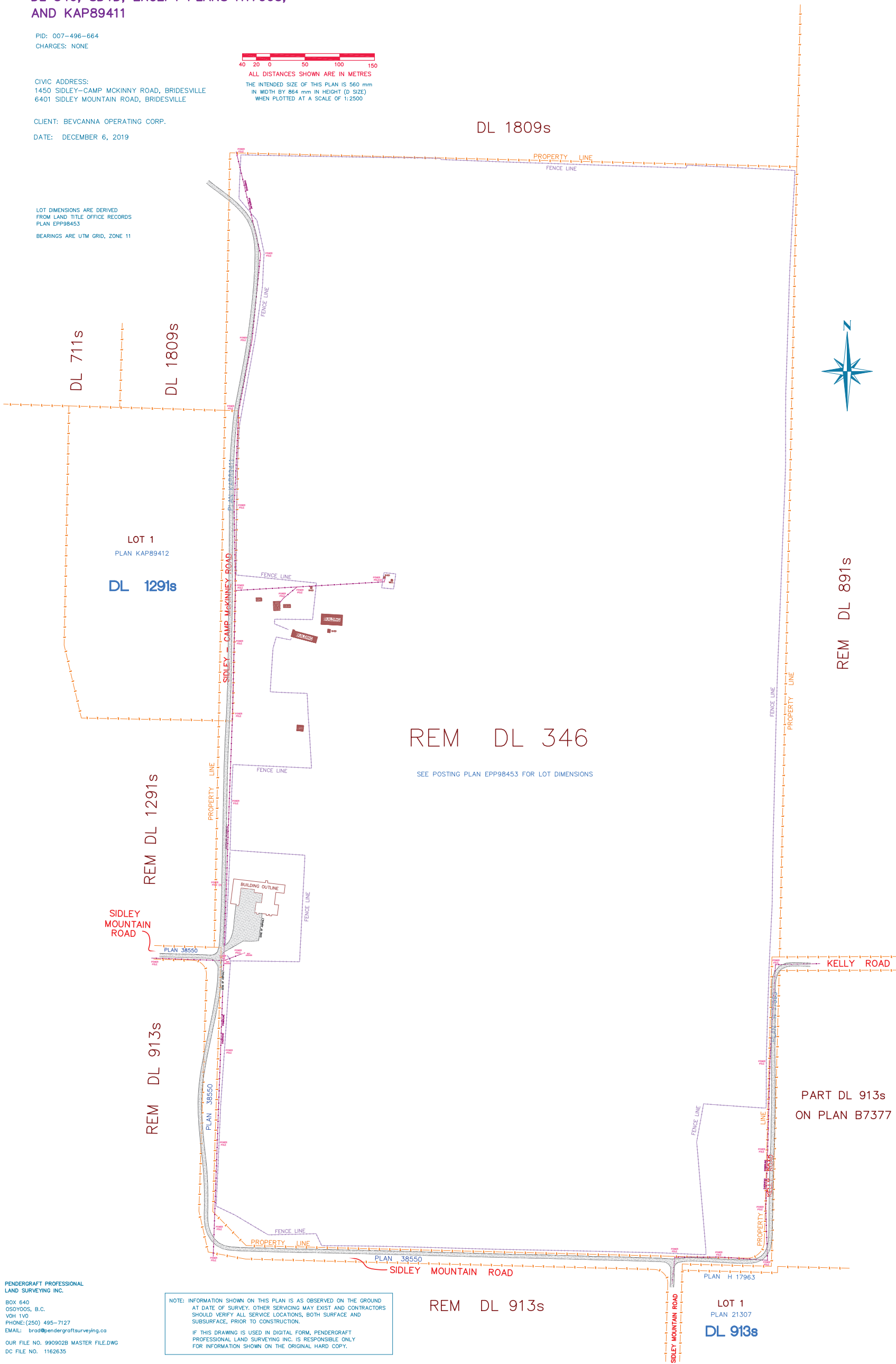
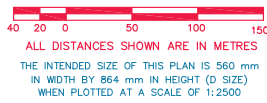
TOPOGRAPHIC SITE PLAN OF PART OF
DL 346, SDYD, EXCEPT PLANS H17963,
AND KAP89411

PID: 007-496-664
CHARGES: NONE

CIVIC ADDRESS:
1450 SIDLEY-CAMP MCKINNEY ROAD, BRIDESVILLE
6401 SIDLEY MOUNTAIN ROAD, BRIDESVILLE

CLIENT: BEVCANNA OPERATING CORP.
DATE: DECEMBER 6, 2019

LOT DIMENSIONS ARE DERIVED
FROM LAND TITLE OFFICE RECORDS
PLAN EPP98453
BEARINGS ARE UTM GRID, ZONE 11



PENDERGRAFT PROFESSIONAL
LAND SURVEYING INC.
BOX 640
OSOYOOS, B.C.
V0H 1V0
PHONE: (250) 495-7127
EMAIL: brad@pendergraultsurveying.ca
OUR FILE NO. 9909028 MASTER FILE.DWG
DC FILE NO. 1162635

NOTE: INFORMATION SHOWN ON THIS PLAN IS AS OBSERVED ON THE GROUND
AT DATE OF SURVEY. OTHER SERVICING MAY EXIST AND CONTRACTORS
SHOULD VERIFY ALL SERVICE LOCATIONS, BOTH SURFACE AND
SUBSURFACE, PRIOR TO CONSTRUCTION.
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FOR INFORMATION SHOWN ON THE ORIGINAL HARD COPY.



SONYA AND DAN MILLER OF MILLER SPRINGS LTD.

Sonya and Dan Miller
[insert address, phone #, etc.]

December 17, 2019

Provincial Agricultural Land Commission
201 - 4940 Canada Way
Burnaby, BC V5G 4K6

Attn: Mike Bandy, Land Use Planner, Kootenay Region

Dear Sir:

Re: ALR Application 60087

We are writing to express our support for this application.

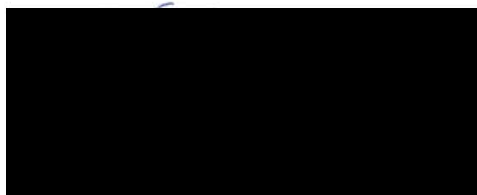
In 2015 the Agricultural Land Commission approved our application for the expansion of an infused-water plant on our property near Bridesville (ALC File #54030). We were the owners of the property at the time the application was made but subsequently transferred our interest to Naturo Group Investments Inc. (of which we are shareholders) in September of 2015.

As the original Applicants we are writing to assure you of our support for Naturo Springs request that section 24(b) of ALC Resolution #280/2015 - which was granted for our benefit - be removed.

Thank you for your consideration of the above.

Sonya Miller 

Dan Miller





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

April 25, 2008

Reply to the attention of Jennifer Carson
ALC File: Q-37808

Urban Connections
P.O. Box 313 - Ste 100 - 8305 - 68th Avenue
Osoyoos, BC V0H1V0

Dear Mr. Elenko:

Re: Application for Non farm use and to Subdivide land in the Agricultural Land Reserve

Please find attached the Minutes of Resolution # 118/2008 outlining the Commission's decision as it relates to the above noted application. As agent, it is your responsibility to notify your client(s) accordingly.

Yours truly,

PROVINCIAL AGRICULTURAL LAND COMMISSION

Per:


Erik Karlsen, Chair

cc: Regional District of Kootenay-Boundary (E-346-02630-000)

Enclosure: Minutes



MINUTES OF THE PROVINCIAL AGRICULTURAL LAND COMMISSION

A meeting was held by the Provincial Agricultural Land Commission on March 25, 2008 Grand Forks, B.C.

PRESENT:	Monika Marshall	Chair, Kootenay Panel
	Carmen Purdy	Commissioner
	D. Grant Griffin	Commissioner
	Jennifer Carson	Staff

For Consideration

Application: # Q- 37808
 Applicant: Daniel & Sonya Miller
 Agent: Urban Connections
 Proposal: To subdivide the 128.6 ha subject property into two (2) equal halves of 64.3 ha for an existing spring water bottling facility on the property.
 Legal: PID: 007-496-664
 District Lot 346, Similkameen Division of Yale District, Except Plan H17963
 Location: Sidley Mountain Road, North of Highway 3 and West of Bridesville.

Site Inspection

A site inspection was conducted on March 25, 2008. Those in attendance were:

- | | |
|--------------------|-----------------------|
| • Monika Marshall | Chair, Kootenay Panel |
| • Carmen Purdy | Commissioner |
| • D. Grant Griffin | Commissioner |
| • Roger Cheetham | Staff |
| • Jennifer Carson | Staff |
| • Dan Miller | Applicant |
| • Brad Elenko | Agent |

The Commission met with the applicant, Dan Miller and his agent Brad Elenko on the subject property to discuss the application. Mr. Elenko explained that the application had two parts. The first portion of the application is to request permission from the Commission to continue the existing non farm use of the bottling company on the subject property. In a previous decision for an application on the subject property the Commission requested that Mr. Miller put in a non-farm use application to legitimize the existing non farm use activity on the property. The second portion of the application is to subdivide the subject property in half in order to allow Mr. Miller to sell half of the property containing the bottling facility as well as the part of the property at close to the northern boundary where the spring comes to the surface. Mr. Elenko explained that the rationale for subdividing the property is that Miller Springs as a company has recently sold private shares. The owners of these private shares have indicated a desire to own the property containing the bottling facility and the source of the water spring; however, do not want to own the entire property. Mr. Elenko also explained that the Millers built the bottling facility on the portion of the property with the lowest agricultural capability described as being a gravel pit area.

Mr. Miller then discussed the current use of the property for hay production which amounts to approximately 81.0 ha of the 128.6 ha property. It was explained that if the subdivision were to be approved, Mr. Miller would sell the western parcel of the property to Miller Springs and retain ownership of the eastern parcel. Furthermore, Mr. Miller

Page 2 of 3 Resolution # 118/2008
Application # Q-37808

mentioned that he was planning on leasing the 19.0 ha of arable land currently in hay on the proposed western parcel from the Miller Springs company and plant aronia berries. The Commission asked as to whether the Millers may be able to lease the bottling facility and spring area to the company instead of subdividing. Mr. Miller responded that the private shareholders would prefer to simply own the bottling company and were not interested in participating in agricultural activities.

Context

The proposal was weighed against the purposes of the Commission as stipulated in section 6 of the *Agricultural Land Commission Act* (the "Act"). They are:

1. to preserve agricultural land
2. to encourage farming on agricultural land in collaboration with other communities of interest, and
3. 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.

Discussion

Assessment of Agricultural Capability

In assessing agricultural capability, the Commission refers in part to agricultural capability mapping and ratings. The ratings are interpreted using the Canada Land Inventory (CLI), 'Soil Capability Classification for Agriculture' system, or the BC Land Inventory (BCLI), 'Land Capability Classification for Agriculture in B.C.' system.

The agricultural capability of the soil of the subject property is

- Class 3 – Land in this class has limitations that require moderately intensive management practices or moderately restrict the range of crops, or both.
- Class 4 – Land in this class has limitations that require special management practices or severely restrict the range of crops, or both.
- Class 5 – Land in this class has limitations that restrict its capability to producing perennial forage crops or other specially adapted crops.

Subclasses

P	stoniness
T	topography
W	excess water

Assessment of Agricultural Suitability

The Commission assessed whether the external factors such as encroaching non-farm development have caused or will cause the land to become unsuitable for agriculture. The Commission does not believe there are external factors that render the land unsuitable for agricultural use.

Assessment of Impact on Agriculture

The Commission also assessed the impact of the proposal against the long term goal of preserving agricultural land. The Commission noted that the previous subdivision application on the subject property was refused as at that time the Commission believed

Page 3 of 3 Resolution # 118/2008
Application # Q-37808

that the property was suitable for agricultural use as a unit. The Commissioners also discussed their reluctance to break up large agricultural properties. The Commission believes the proposal would adversely impact existing or potential agricultural use of surrounding lands.

Assessment of Other Factors

The Commissioners discussed the proposal extensively. The Commissioners had no issue with the existing bottling facility and recognized that the facility had been placed on the least productive land and that the local jobs could help supplement adjacent farm operations. With regard to the subdivision request, the Commission reiterates its previous position that it is in the best interest of agriculture to keep this property as one unit.

With regards to the non-farm use portion of this application, the Commission requires that any proposed physical expansion of the facility or increase in the amount of water extracted be submitted to the Commission for review and comment before implementation. These requests for expansion can be submitted with reference to this application and will not require a new application.

Conclusions

1. That the land under application has agricultural capability and is appropriately designated as ALR.
2. That the land under application is suitable for agricultural use.
3. That the subdivision proposal will negatively impact agriculture.
4. That the subdivision proposal is inconsistent with the objective of the *Agricultural Land Commission Act* to preserve agricultural land.

IT WAS

MOVED BY: Commissioner Griffin

SECONDED BY: Commissioner Marshall

THAT the subdivision component of the application be refused as submitted.

AND THAT the non-farm use component of the application to continue operating the bottling facility for Miller Springs be allowed in its present form and capacity on the condition that any expansion of buildings or increase in water extraction be submitted for consideration and approval by the Commission.

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 # 118/2008



November 10, 2015

Brad Elenko
McElhanney Consulting Services Ltd.
Suite 100, 8305 68th Avenue
Box 313
Osoyoos, BC V0H 1V0

REGIONAL DISTRICT OF KOOTENAY BOUNDARY	
FILE #	NOV 19 2015
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: 54030

Dear Mr. Elenko:

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

Please find attached the Reasons for Decision of the Agricultural Land Commission (Resolution #280/2015) as it relates to the above noted application. As agent, it is your responsibility to notify your clients accordingly. A sketch plan depicting the decision is also attached.

Section 33.1 ALCA Reconsideration of a Decision by the Commission Chair

Please note that pursuant to s. 33.1 of the *Agricultural Land Commission Act (ALCA)*, the Chair may direct the executive committee to reconsider this panel decision if, within 60 days from the date of this decision, he considers that the decision "may not fulfill the purposes of the commission as set out in section 6 or does not adequately take into account the considerations set out in section 4.3". I can advise you that in this case, the Chair has already reviewed the decision and has instructed me to communicate to you that he does not intend to exercise that authority in this case.

ALCA 33(1) ALCA Reconsideration of a Decision by an Affected Person

Should you or any affected person wish to have your application reconsidered, your attention is drawn to s. 33(1) of the *Agricultural Land Commission Act* which provides a person affected the opportunity to submit a request for reconsideration.

- 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.

The legislation and regulation make no reference to a time frame for requesting reconsideration pursuant to s. 33(1). However, significant changes over time to the circumstances in which a decision is made may make it more appropriate for an applicant to submit a new application rather than ask for reconsideration.

Please be advised that s. 33.1 and s. 33(1) are separate sections of the *ALCA* and are not related to each other.

Page 2 of 2

Further correspondence with respect to this application is to be directed to Lindsay McCoubrey at (Lindsay.McCoubrey@gov.bc.ca).

Yours truly,

PROVINCIAL AGRICULTURAL LAND COMMISSION

Per:

Colin J. Fry, Chief Tribunal Officer

Enclosures: Reasons for Decision (Resolution #280/2015)
Sketch plan

cc: Regional District of Kootenay Boundary (File: #E-346-02630.000)

54030d1



AGRICULTURAL LAND COMMISSION FILE 54030

REASONS FOR DECISION OF THE KOOTENAY PANEL

Application submitted pursuant to s. 20(3) of the *Agricultural Land Commission Act*

Applicants:

**Daniel Miller
Sonya Miller
(the “Applicants”)**

Agent:

**Brad Elenko
McElhanney Consulting
Services Ltd.
(the “Agent”)**

Application before the Kootenay Regional Panel:

**Sharon Mielnichuk, Panel Chair
Jerry Thibeault
Ian Knudsen**

**THE APPLICATION**

- [1] The legal description of the property involved in the application is:

Parcel Identifier: 007-496-664

District Lot 346, Similkameen Division Yale District, Except Plans H17963

(the "Property")

- [2] The Property has the civic address 1450 Sidley Camp McKinnon Road, Bridesville.

- [3] The Property is 130.6 ha in area.

- [4] The Property is located within a designated agricultural land reserve ("ALR") as defined in s. 1 of the *Agricultural Land Commission Act* (the "ALCA").

- [5] The Property is located within Zone 2 as defined in s. 4.2 of the ALCA.

- [6] Pursuant to s. 20(3) of the ALCA, the Applicants are applying to expand the Miller Springs bottling facility within the development footprint of 1.25 ha that has already been approved by the Commission. The expansion will allow the Applicants to increase the capacity of their facility to produce, bottle, and store a larger quantity of water. The expansion will also provide the space for the plant to blow bottles onsite. This expansion will result in the company hiring up to 18 employees. A detailed and comprehensive facility expansion plan was submitted which the Applicants project will take seven years to reach completion (the "Application").

- [7] On March 11, 2015 the Chair of the Agricultural Land Commission (the "Commission") referred the Application to the Kootenay Regional Panel (the "Panel").



RELEVANT STATUTORY PROVISIONS

[8] The Application was made pursuant to s. 20(3) of the *ALCA*:

20(3) An owner of agricultural land or a person with a right of entry to agricultural land granted by any of the following may apply to the commission for permission for a non-farm use of agricultural land

[9] The purposes of the Commission set out in s. 6 are as follows:

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.

[10] The Panel considered the Application pursuant to its mandate in s. 4.3 of the *ALCA*:

4.3 When exercising a power under this Act in relation to land located in Zone 2, the commission must consider all of the following, in descending order of priority:

- (a) the purposes of the commission set out in section 6;
- (b) economic, cultural and social values;
- (c) regional and community planning objectives;
- (d) other prescribed considerations.

EVIDENTIARY RECORD BEFORE THE PANEL

[11] The Panel considered the following evidence:

- 1. The Application
- 2. Local government documents



3. Public comments
4. Previous application history
5. Agricultural capability map, ALR context map and satellite imagery
6. Source Water Assessment for Miller Springs Bottling Plant (May 28, 2015) prepared by Piteau Associated Engineering Ltd.

All documentation noted above was disclosed to the Applicants in advance of this decision.

[12] The Regional District of Kootenay Boundary (the "RDKB") resolved to forward the Application with a recommendation that the Commission defer the Application until the concerns of the community are addressed.

[13] The Panel reviewed previous applications involving the Property:

Application ID: 40880
Legacy File: 35155
(Miller, 2003)

To subdivide the subject property into two equal lots. A site inspection was conducted on March 18, 2004 during which it was confirmed that the existing water bottling facility (Miller Springs Ltd.) was operating without approval from the Commission. The applicant was informed that this use was not permitted outright and that a non-farm use application was necessary. It was noted while touring the subject property that the property had good capability for agricultural use and was used for hay production. The proposed subdivision was refused by Resolution #147/2004 as the Commission felt the subject property was an appropriate size for agricultural production and should be retained at its present size to maintain its full agricultural potential.

Application ID: 44576
Legacy File: 37808
(Miller, 2007)

To allow the existing spring water bottling facility (Miller Springs Ltd.) as a non-farm use on the subject property



Agricultural Land Commission Decision, ALC File 54030

and to subdivide the property into two equal halves to separate the water source and bottling facility from the remainder of the property. A site inspection was conducted on March 25, 2008 during which the Commission learned that Miller Springs Ltd. recently sold private shares and as such the new shareholders were interested in owning the area of the property associated with the bottling operation. The Commission was also advised that the new shareholders were not interested in leasing the facility and had no interest in participating in agricultural activities. The proposed subdivision was refused by Resolution #118/2008 as the Commission concurred with the previous decision's conclusions that the property had agricultural capability and suitability and therefore subdivision would negatively impact agriculture. The non-farm use was approved within the resolution.

Reconsideration Request

The Commission received a request, dated October 20, 2010, from the applicant to reconsider Resolution #118/2008. The request was based on a proposal to expand the Miller Springs Ltd. bottling facility with two additional buildings (297 m² and 435 m² in size). A site inspection was conducted on November 16, 2010 during which it was noted that construction of the proposed buildings had begun. The applicant indicated that the additional buildings were for warehouse space to store bottles. The proposed expansion was approved under the original resolution as the expansion was within the existing footprint of the facility.



Agricultural Land Commission Decision, ALC File 54030

Application ID: 52800
(Miller, 2013)

To subdivide the 130.5 ha subject property into either two 65.25 ha parcels, or one 40 ha parcel and one 90.5 ha parcel. The Commission stated that the parcel has greater agricultural potential as a large cohesive farm parcel and stated further that the "Commission wishes to make it abundantly clear that the water bottling facility is considered subordinate to the agricultural use of the property; not as a standalone, commercial non-farm business. Refused by Resolution #3/2013.

SITE VISIT

[14] On June 2, 2015, the Panel conducted a walk-around and meeting site visit in accordance with the *Policy Regarding Site Visits in Applications* (the "Site Visit").

[15] A site visit report was prepared in accordance with the *Policy Regarding Site Visits in Applications* and was provided to the agent on July 10, 2015 (the "Site Visit Report"). Confirmation and acceptance of the Site Visit Report was received on July 23, 2015.

FINDINGS

Section 4.3(a) and Section 6 of the ALCA: First priority to agriculture

[16] In assessing agricultural capability, the Panel referred in part to agricultural capability mapping and ratings. The ratings are identified using the Canada Land Inventory (CLI), 'Soil Capability Classification for Agriculture' system. The agricultural capability ratings identified on CLI map sheet 82E/3 for the mapping units encompassing the Property are Class 3, Class 4 and Class 5; more specifically (6:5TP - 4:4TP), (6:4W - 4:5TW), (4TP), (5:4TE - 3:3T - 2:5TP) and (7:3TP - 3:4TP).

Class 3 - land is capable of producing a fairly wide range of crops under good management practices. Soil and/or climate limitations are somewhat restrictive.



Class 4 - land is capable of a restricted range of crops. Soil and climate conditions require special management considerations.

Class 5 - land is capable of production of cultivated perennial forage crops and specially adapted crops. Soil and/or climate conditions severely limit capability.

The limiting subclasses associated with this parcel of land are W (excess water), P (stoniness), T (topographic limitations) and E (erosion).

- [17] While the Property has agricultural capability, the Panel noted that the proposed expansion will occur within the existing 1.25 ha footprint previously approved by the Commission. The Panel finds that the Application will not have an adverse impact on the agricultural land base.

Section 4.3(b) of the ALCA: Second priority to economic, cultural and social values

- [18] Correspondence from the public raised a number of issues with the current use as well as the proposed expansion plans. Among these issues were: increased water extraction from the well, on-site manufacturing of plastic water bottles, increased truck traffic to the site, and whether additional jobs will be for locals.

Section 4.3(c) of the ALCA: third priority to regional and community planning objectives

- [19] No amendments to the Official Community Plan or the Zoning Bylaw would be required for the proposal to proceed as there is no zoning bylaw or OCP for the area.

Weighing the factors in priority

- [20] The precise location of buildings, etc. is not an issue to the Panel as long as the expansion occurs within the same 1.25 ha footprint which the Commission has already agreed to in previous applications.



[21] As far as water use, while it is recognized as an important issue to the Panel, it is not within the Commission's direct jurisdiction and therefore this aspect of the Application did not feature in the Commission's decision.

[22] The Panel gave consideration to economic, social and cultural values and regional and community planning objectives planning as required by s. 4.3. In this case, the Panel finds that these considerations are not contributory to the decision given the Panel's findings following its review of the agricultural considerations and the Commission's prior decisions.

DECISION

[23] For the reasons given above, the Panel approves the Application to expand the Miller Springs bottling facility within the development footprint that has already been approved by the Commission.

[24] The approved Application is subject to the following conditions:

- a. the expansion being in substantial compliance with the plan submitted with the application (within the 1.25 ha footprint); and
- b. Approval for non-farm use is granted for the sole benefit of the Applicant and is non-transferable.

[25] 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.

[26] Panel Chair **Sharon Mielnichuk** concurs with the decision.
 Commissioner **Jerry Thibeault** concurs with the decision.
 Commissioner **Ian Knudsen** concurs with the decision.

[27] Decision recorded as Resolution #280/2015.



Agricultural Land Commission Decision, ALC File 54030

A decision of the Panel is a decision of the Commission pursuant to s. 11.1(5) of the
Agricultural Land Commission Act.

Upon instruction of the Panel, I have been authorized to release the Reasons for Decision by
Resolution #280/2015. The decision is effective upon release.



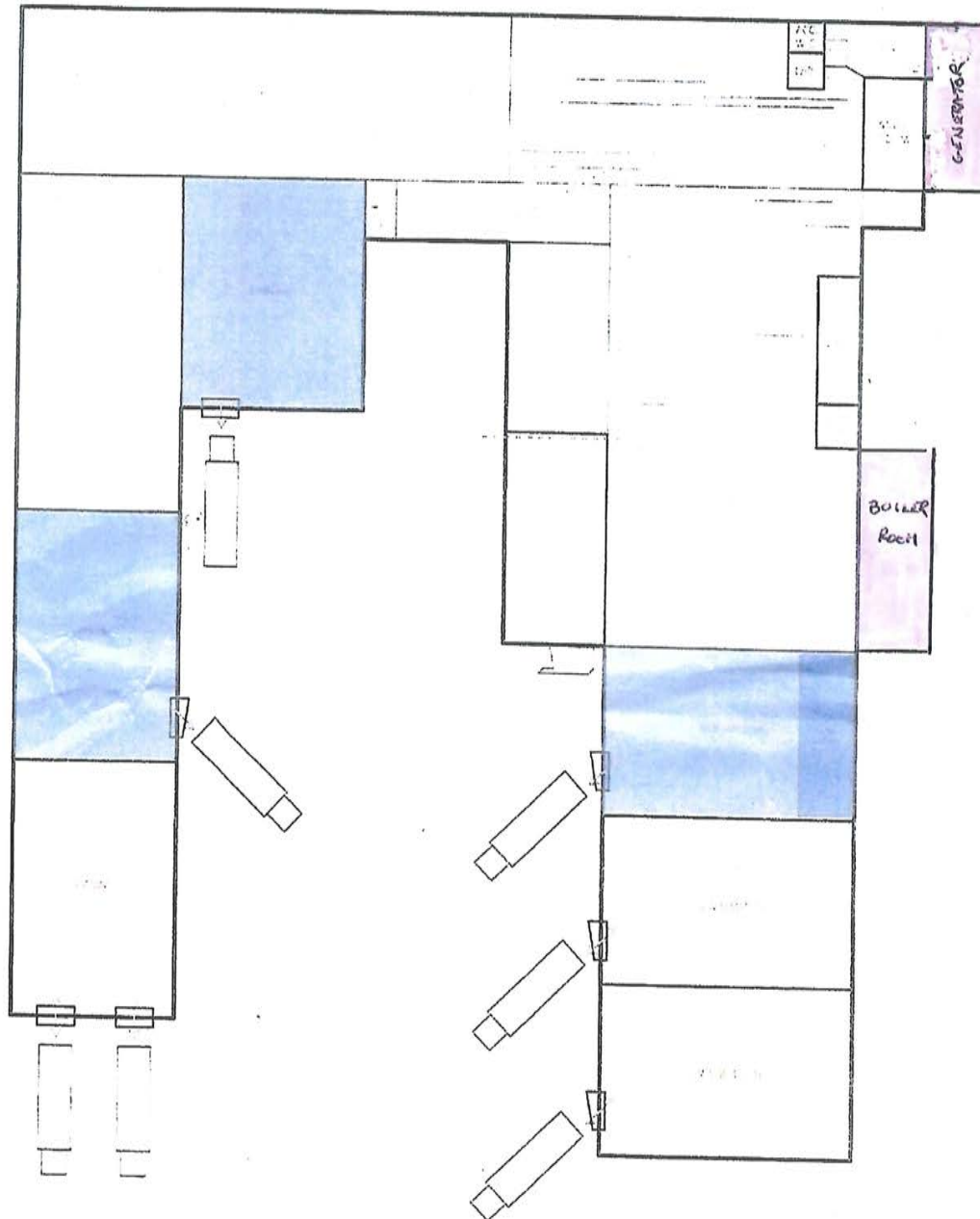
Colin J. Fry, Chief Tribunal Officer

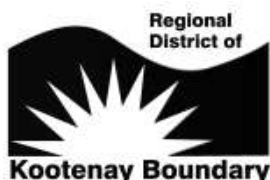
November 10, 2015

Date Released

ALC File #54030
Resolution #280/2015 - Sketch plan

MASTER





STAFF REPORT

Prepared for meeting of February 26, 2015

ALR Non-Farm Use			
To: Chair Grace McGregor and Member of the RDKB Board of Directors			
Owners (Land): Daniel E. Miller and Sonya Miller		File No: E-346-02630.000	
Agent: McElhanney Consulting Services Ltd.			
Location: 1450 Sidley Camp McKinny Road, west of Bridesville, Electoral Area 'E'/West Boundary			
Legal Description: DL 346, SDYD, Except Plan H17963 and KAP89411		Area: 126 hectares (311 acres)	
OCP Designation: N/A	Zoning: N/A	ALR status: Entirely within	DP Area: No
Contact Information: Brad Elenko McElhanney Consulting Services Ltd. Box 313 100-8305 68th Avenue Osoyoos, BC V0H 1V0 (250) 495-0499 (250) 485-7387 belenko@mcelhanney.com		Daniel and Sonya Miller RR#1 6401 Sidley Mountain Road Bridesville, BC V0H 1B0 (250) 446-2125 (778) 886-8611 trevor@millersprings.com	
Prepared by: Carly Rimell, Planner			

ISSUE INTRODUCTION

Daniel and Sonya Miller, through their agent McElhanney Consulting Services Ltd, have submitted an application to expand a non-farm use (water bottling facility) in the Agricultural Land Reserve for their property in the Sidley Mountain Area of Electoral Area 'E'/West Boundary (*see Site Location Map and Applicant's Submission*).

HISTORY / BACKGROUND FACTORS

The Miller Springs water bottling facility is located on the west side of the property adjacent to Sidley Camp McKinney Road (*see page 3 Applicant's Submission*). The water bottling facility sits on approximately 1.25 hectares (3 acres) of land.

The bottling facility was approved by the Agricultural Land Commission (ALC) as a non-farm use in 2008 by ALC resolution 118/2008. A condition of the approval was that "any expansion of buildings or increase in water extraction be submitted for consideration and approval by the Commission" (*see attached April 25, 2008 Letter from ALC*).

In 2010, the ALC approved an expansion to the water bottling facility to construct two buildings 287m² and 435m², respectively, in size (*see attached December 9, 2010 Letter from ALC*). The Commission considered that the locations of the new buildings were within the (1.25 hectare) footprint of the facility and would not have any impact on agriculture. The ALC "therefore had no objection but considered that any further expansion should only be permitted in the context of overall long term plans for the facility".

Current Uses on the Land:

The Miller Springs water bottling facility currently operates from one 2050m² building located on the west side of the parcel adjacent to Sidley Mountain Road.

A house and storage shed are located north of the water bottling facility. Historically hay was grown on the property, but the consultant states that due to economics hay has not been grown on the subject property for about 10 years. The land is currently being used as dry pasture.

Adjacent Land Uses:

The applicant lists the adjacent land uses as follows:

North	- forested and used for grazing
East	- dry land pasture and forest cover
South	- Sidley Mountain Road/vacant land used primarily for grazing
West	- adjacent to Sidley Mountain Road and Sidley Camp McKinney Road, west of the road is forest lands, pasture land and hay fields

Owners of land to the north clarified that they have not used their land for grazing for the last 10 years to protect surface and ground water from contamination. The same owner says that hay has been produced on parcels to the east, south and west of the subject parcel for most of the past 10 years.

PROPOSAL

The current application provides details regarding expansion and long term plans for Miller Springs, which is proposed to take place in 4 Stages (*see Applicant's Submission*). The owner anticipates that the expansion will take seven years to complete. The

expansion plans involve the construction of a new building to house the plant's diesel power generator, additions to existing buildings, and increased production volume that will result in an additional 50,000 litres of water (an 8 times increase) being drawn from the Miller Springs well.

The proposed increase to the capacity of the plant is designed to meet the growing demand in the local Canadian market and the export market. The four stages of the expansion plans are as follows:

1. Relocation of the plant's diesel power generating plant from within the plant to a separate building to the east.
2. Interior renovations and improvements including a second bottle line.
3. A 232m² expansion for a new storage area in the south central portion of the structure, and a 232m² expansion to both the south west and south portions of the existing building for shipping bottled water and receiving raw material deliveries. Addition of a third bottle line and installation of a bottle maker.
4. Another 232m² expansion to the southwest portion of the building for shipping bottled water, and a 464m² expansion to the south east portion of the existing building for receiving raw material deliveries

All of the proposed facility expansions are within the 1.25 hectare site area that has been approved for non-farm use.

IMPLICATIONS

The subject property is in Electoral Area 'E'/West Boundary. There are no zoning or OCP Bylaws in Electoral Area 'E'/West Boundary, which if in place could affect the proposal.

A number of residents of the area expressed concern that the capacity of their wells has reduced significantly over the past few years (*see attached emails and letters expressing concern with expansion proposal*). The emails and letters raise a number of issues including present level of production.

The implications of the expansion plans fall into four categories:

- Increased water extraction from the well;
- On-site manufacturing of plastic water bottles;
- Increased truck traffic to the site; and
- Whether additional jobs will be for locals.

Increased Water Extraction from the Well

The expansion will result in an increase of 50,000 liters of water per day being drawn from the Miller Springs well. The consultant states that the current draw on the well is approximately 6,250 litres/day; the proposed increase is 8 times more than the current draw. There is an existing domestic water license for surface water for the subject parcel; however the Province does not currently issue groundwater licenses for

extractions of less than 75 litres/second. The Province is however considering requiring licenses for smaller volumes as part of the implementation of the new *Water Sustainability Act*.

The report submitted by the consulting company stated the extra water being drawn from the well will have no impact on the wells in the area that are being used for agricultural purposes. The consultant maintains they came to this conclusion by referencing the historical demands on the aquifer. The consultant stated that under previous agricultural use of producing hay, the aquifer was used to supply a minimum of 2,045 litres per minute, 24 hours per day for 160 days, to irrigate hay fields with no impact on the aquifer. The consultant estimates this amounted to a minimum water usage of nearly 3,000,000 litres per day.

On-Site Manufacturing of Plastic Water Bottles

The expansion plans include the provision of on-site manufacturing of water bottles. Raw materials will be delivered to the site for production of bottles. Concerns have been expressed regarding what chemicals will be required for the bottle making process, and how waste will be managed.

Increased Truck Traffic to the Site

The consultant maintains that currently there are approximately 2.5 transport truck trips per week to/from the bottling plant. In the proposed expansion scenario there would be significantly fewer trips for inputs since the facility plans to blow its own bottles on site for the bottling lines, which would lead to a 90 percent decrease in vehicle deliveries. Overall the consulting company maintains the output would be 1.5 trips per week from the site, but only 1 trip every month for inputs, for a total of 1.58 transport truck trips per week, resulting in an overall reduction of almost 1 transport truck per week. The transport trucks would use the current route of access which is Wagon Wheel Road then Sidley Camp McKinny Road.

The consultant stated that dust control for the parking and truck turning area would be achieved by paving the entrance to the bottling plant as well as the truck turning area.

Whether Additional Jobs Will be for Locals

The consultant suggests that the proposed expansion plans to the Miller Springs plant could result in employment of up to 18 people. Employment would likely be for locals, most of which are involved in farming in the area and would provide the opportunity for supplementary income.

Members of the public have expressed concern that employment may not necessarily be offered to locals since there is some foreign ownership and investment in Miller Springs; however this is not something local government has control over. It would make sense to employ individuals that live close by since there is no provision for on-site housing.

ADVISORY PLANNING COMMISSION COMMENTS

While the Advisory Planning Commission for Electoral Area 'E'/West Boundary did not explicitly object to the proposal, they did express a number of concerns:

- Concerns were raised on the impact of Miller Springs increasing the water draw from 6,250 litres/day to 56,250 litres/day. There were questions surrounding the additional draw of water and the affect on the region's aquifer. As the meeting progressed the conclusion was drawn that the proposed amount of water would be minimal compared to the water that has been used to irrigate hay fields in the past. Ultimately the members came to the conclusion that it would have minimal impact on the overall water supply in that region. That being said there were still concerns raised as to whether the water should be used for agricultural purposes rather than industrial purposes. Another concern expressed was export of water from the area. The APC also noted concern that there was no information available to determine what could happen to the water availability.
- Concerns will also raised regarding the environmental impact of the proposed on-site manufacturing of bottles i.e. fumes, disposal of flawed bottles, and cleansers. It was felt that flawed plastic bottles would be recycled and that all cleaning solutions currently being used are of food grade cleaner levels and consequently environmentally friendly.
- Other concerns raised were regarding additional employment opportunities and if they would benefit the region.

The APC also made the following recommendations:

	APC Recommendations	Planning Staff Comments
1.	Refer this application back to the District Board for further consideration as well as conduct a public forum on the impact on water availability of this proposed development.	This application is being referred to the RDKB's Board of Directors. It would be outside the RDKB's authority to hold a public forum regarding this application since it is an application to the ALC.
2.	Recommend that the District request the Okanagan Basin Water Board to do a study to obtain more information on water use and water levels in this area both ground water and the aquifer.	There would be significant costs associated with such a study and the RDKB would be required to provide funding.

	APC Recommendations	Planning Staff Comments
3.	<p>Request the District to have Miller Springs provide information on the following with respect to employment opportunities:</p> <ul style="list-style-type: none"> a. How many full-time/part-time positions would be created with this proposed expansion? b. What would be the wages for these positions? c. Would these positions be permanent or temporary? d. Would these position provide local employment and at what levels? 	The Regional District would not request this type of detailed information as part of an application to another government body i.e. the Agricultural Land Commission.

PLANNING AND DEVELOPMENT DEPARTMENT STAFF COMMENTS

The ALC has now established 2 zones within the ALR. The Regional District of the Kootenay Boundary is within Zone 2. When exercising a power under the *Agricultural Land Commission Act* in relation to land located in Zone 2, the commission must consider the following, in descending order of priority:

- a) the purposes of the commission set out in section 6;
 - to preserve agricultural land;
 - to encourage farming on agricultural land in collaboration with other communities of interest;
 - 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.
- b) economic, cultural, and social values;
- c) regional and community planning objectives;
- d) other prescribed considerations.

The ALC, in previous decisions for the subject property, has stated that the bottling facility does not have a negative impact on agriculture in the area. The plant does provide an economic benefit to the area; however the economic benefit should be considered in relation to the possible impact of the capacity of the aquifer. Historically applications to the Agricultural Land Commission for Electoral Area 'E'/West Boundary have been forwarded without a recommendation. Planning and Development Department staff and the Board of Directors have felt that without an Official Community Plan or Zoning Bylaw for Electoral Area 'E'/West Boundary there is no policy context to form a valid recommendation. While a recommendation is not included, all supporting information is passed along to the Agricultural Land Commission for their consideration.

BACKGROUND INFORMATION PROVIDED*Site Location Map**Applicant's Submission**April 25, 2008 Letter from ALC**December 9, 2010 Letter from ALC**Emails and Letters Expressing Concern with Expansion Proposal***RECOMMENDATIONS**

That the staff report regarding the application for non-farm use for the Miller Spring water bottling facility submitted by McElhaney Consulting Company on behalf of Dan and Sonya Miller on the parcel legally described as DL 346, SDYD, except Plan H17963 and KAP89411 west of Bridesville in Electoral Area 'E'/West Boundary, be received.

That the Regional District of Kootenay Boundary Board of Directors advise that the development proposal submitted by McElhaney Consulting Company on behalf of Dan and Sonya Miller for the expansion plan to the Miller Springs water bottling facility on non-farm use land within the ALR on the parcel legally described as DL 346, SDYD, except Plan H17963 and KAP89411 west of Bridesville be forwarded to the Agricultural Land Commission without a recommendation.

*Respectfully Submitted:**Concurrence: (Department Head)**Concurrence: (CAO)*



December 20, 2019

Health Canada
Address Locator 0900C2
Ottawa, Ontario, K1A 0K9
Attention: Dr. Stephen Lucas, Deputy Minister of Health Canada

RE: Naturo Group Investments Inc./Bevcanna Enterprise Inc.

Dear Deputy Minister Lucas,

We would like to make Health Canada aware of recent activities at 6401 Sidley Mountain Road, in Electoral Area E/West Boundary (District Lot 346, SDYD, Except Plan H17963 & KAP89411) that are believed to be related to preparation for cannabis production. We have on file a notice of intent to become a licensed producer under ACMPR, although we do not know the status of that application (*attached*). Since late summer 2019, we have repeatedly received complaints from residents in the area regarding:

- Damage to three streams on the property as a result of ploughing activities believed to be related to preparation for cannabis production; and
- Construction without a building permit.

Our staff attended the site on August 30, 2019 to investigate the complaints. Staff confirmed that the alleged site clearing and ploughing activities were taking place and that it appeared that sections of mapped watercourses over the property had been damaged. A stop work order was placed on the illegal construction activities. We have also contacted the British Columbia Ministry of Forests, Lands, Natural Resource Operations and Rural Development (FLNRORD) to voice our concerns.

Yours truly,



Diane Langman,
Chair RDKB Board of Directors

Encl.: Letter of Intent, prepared by Bevcanna Enterprise Ltd., dated August 15, 2018

Cc: Richard Cannings, MP South Okanagan-West Kootenay – richard.cannings@parl.gc.ca
Linda Larson, MLA Boundary-Similkameen – linda.larson.MLA@leg.bc.ca
Health Canada, Office of Medical Cannabis – omc-bcm@hc-sc.gc.ca
Vicki Gee, Director – Area E/West Boundary – vgee@rdkb.com

Bevcanna Enterprise Inc.1672 West 2nd Avenue, Vancouver, B.C. V6J 1H4 ~ Ph: (604) 728 -2440 ~ martino@bevcanna.com

Regional District of Kootenay Boundary
 Director Vicki Gee
 202843 Rossland Avenue
 Trail, B.C. V1R 4S8

June 9, 2018

SUBJECT: APPLICATION TO BECOME A LICENSED PRODUCER UNDER ACMPR
NOTICE TO LOCAL GOVERNMENT, POLICE AND FIRE AUTHORITIES

REFERENCES: ACMPR Regulations and Application to become a Licensed Producer
 Submitted to offices of Minister of Health and OCS on June 9, 2018

Dear Director Vicki Gee,

The purpose of this letter is to provide a statement of notice, in accordance with Health Canada requirements, that Bevcanna Enterprise Inc., as of June 9, 2018, is applying to become a licensed producer with proposed production facility located at 6104 Sidley Mountain Road, Bridesville, B.C. V0H 1B0.

As required and directed by Health Canada, Bevcanna Enterprise Inc. is interested in participating fully in the ACMPR. We wish to offer our statement and declaration that the Production of Marihuana/Cannabis, including Cultivation, Processing, Possession, Sale or Provision, Storage, Shipping, Transportation or Delivery, Cannabis Oil Extraction, Destruction will be conducted as per ACMPR.

In addition, we declare that Bevcanna Enterprise Inc. has notified the offices of the RCMP, Fire Dept., and City officials of the proposed activities; Production of Marihuana/Cannabis, including Cultivation, Processing, Possession, Sale or Provision, Storage, Shipping, Transportation or Delivery, Cannabis Oil Extraction, Destruction will be conducted as per ACMPR.

Further, Bevcanna Enterprise Inc., as the applicant, declares they lease the building and property from property owner Naturo Group Investments, where the proposed Production of Marihuana/Cannabis, including Cultivation, Processing, Possession, Sale or Provision, Storage, Shipping, Transportation or Delivery, Cannabis Oil Extraction, Destruction will be conducted as per ACMPR.

Bevcanna Enterprise Inc., has reviewed required documents and comply with appropriate security measures, in accordance with the ACMPR including the *Directive on Physical Security Requirements for Controlled Substances* and the guidance document *Building and Production Security Requirements for Marihuana for Medical Purposes* producing marihuana for the purposes of sale and will comply with the applicable requirements of the *Food and Drugs Act* and the *Food and Drug Regulations*.

We can be reached at our offices if you have any questions requiring our attention.

Sincerely,
 Bevcanna Enterprise Inc.

Per:

Martino Ciambrelli
 Director, SPIC, A/RPIC

REGIONAL DISTRICT OF KOOTENAY BOUNDARY	
FILE #	JUL 2 6
DOC #	
REF. TO:	
CC:	

Disclaimer Notice: "This document contains information that is privileged and confidential. You are hereby notified that, any disclosure, dissemination, distribution, copying other than the authorized use to review the letter for processing the ACMPR application is strictly prohibited."

From: [Cannabis Licensing / Licences cannabis \(HC/SC\)](#)
To: [Jennifer Kuhn](#)
Cc: [Theresa Lenardon](#); [Donna Dean](#)
Subject: RE: FYA - ID: 20-100172-973 Letter to Health Canada re Naturo Group Investments-Bevcanna Enterprise
Date: January 14, 2020 12:19:24 PM

Hello,

Thank you for your message.

Please note that prior to submitting an application in the Cannabis Tracking and Licensing System (CTLS), applicants for licences to cultivate, process and sell for medical purposes (with possession of cannabis) must provide written notice to local authorities in the area of the proposed site. The applicant must provide notice to the following local authorities:

- the local police force or Royal Canadian Mounted Police (RCMP) detachment responsible for providing policing services to the area in which the proposed site is located;
- the local fire authority of that area; and
- the local government (e.g. municipality) of that area.

The content of the notice must include:

- the name of the applicant
- the expected date on which the applicant will submit the application to Health Canada
- the class and subclass if applicable of licence that is being sought and the cannabis-related activities that are expected to be conducted under that licence
- the site address (and address of each building on site, if applicable) at which the applicant is expecting to conduct cannabis-related activities

A copy of each of the notices must be provided to Health Canada within an applicant's CTLS application. Within their application, the Responsible Person (RP) must also sign a declaration confirming that they have provided the required notices to local authorities. Receipt of the notices by the local authorities may be verified by our office, and failure to notify the local authorities would be considered during Health Canada's review of a licence application.

Please note that Health Canada may only refuse to issue a licence under circumstances set out in the *Cannabis Act* and its regulations. These include:

- Issuing a licence is likely to create a risk to public health or public safety including the risk of diversion
- There are reasonable grounds to believe that false or misleading information has been submitted
- The applicant has contravened the *Cannabis Act*, the *Controlled Drugs and Substances Act*, the *FDA* or any associated regulations, including an order or a condition of another licence, in the past 10 years
- The applicant is a young person, an individual who is not ordinarily resident in Canada or an organization that was incorporated, formed or otherwise organized outside of Canada
- A security clearance associated with the application has been refused or cancelled
- An individual who is required to hold a security clearance does not hold one

- The combination of classes or subclasses of licences proposed at the same site. For further details refer to Table 2: General Guide for Combinations of Licence Classes and Subclasses at a Single Site and section 29 of the *Cannabis Regulations*.
- The Minister is of the opinion that the refusal is in the public interest

It should also be noted that a licence is only issued for fully-functioning facilities. As such, municipalities are in a position to enforce local by-laws during the planning and construction phases of an applicant's facility.

Please also note that when our office receives a complaint regarding a current applicant, we make note of it on the corresponding file, if applicable.

I hope this clarifies the matter for you. If you have any further questions, you may contact the Controlled Substances and Cannabis Branch directly by email at cannabis@canada.ca or toll-free at 1-866-337-7705.

Sincerely,

Licensing and Security Division
Controlled Substances and Cannabis Branch
Health Canada / Government of Canada 3
HC.licensing-cannabis-licences.SC@canada.ca

Division des licences et de la sécurité
Direction générale des substances contrôlées et du cannabis
Santé Canada / Gouvernement du Canada 3
HC.licensing-cannabis-licences.SC@canada.ca



Government
of Canada

Gouvernement
du Canada

Canada


April 23, 2020

Chair and Directors
Regional District of Kootenay Boundary
202 – 843 Rossland Avenue
Trail, BC V1R 4S8

Via email: tlenardon@rdkb.com

Chair & Directors,

Re: Naturo Group Application for Non-Farm Use – 1450 Sidley Camp McKinney Road
RDKB File # E-346-02630.000

I, Cameron Tyssen, am writing to express my support for Naturo's non-farm use application in Bridesville, which is coming to the board on April 30. I have been employed by the company for 9 years, and currently live just down the road from the facility. I have worked through the ownership changes at the plant, and have been through good seasons there and tough seasons. My family depends solely on the income I make as an employee of the Naturo Group at the bottling plant.

When Dan and Sonya Miller (the previous owners of the plant) obtained approval from the RDKB and ALC to expand their facility, there was a term in the ALC resolution which limited its approval to the Millers. The property was subsequently sold by the Millers to Naturo Group Investments, and subsequently they became shareholders in Naturo. The ALC should remove the restrictions that it has placed on the property as per the request of the Naturo Group and allow them to operate as normal.


It is my request not only as an employee, but as a husband, and a father of 3 young children that you sincerely reconsider the restrictions placed on the property. In an area where good paying jobs are hard to come by, and with a crumbling forest sector there are going to be less jobs for people with young families. I believe helping companies in the RDKB succeed should be a top priority.

I strongly support their request and urge you to do the same, considering the families and employees of the facility, and their futures in the area.

Yours sincerely,



Cameron Tyssen



April 23, 2020

Chair and Directors
Regional District of Kootenay Boundary
202 – 843 Rossland Avenue
Trail, BC V1R 4S8

Via email: tlenardon@rdkb.com

Chair & Directors,

Re: Naturo Group Application for Non-Farm Use – 1450 Sidley Camp McKinney Road
RDKB File # E-346-02630.000

We are **neighbours, employees, and friends** of the Naturo Group and are writing to express our support for Naturo's non-farm use application in Bridesville, which is coming to the Board on April 30.

When the previous owners of the facility secured RDKB and Agricultural Land Commission approval to expand the infused-water bottling plant, there was a term in the Commission's resolution which limited its approval to the applicants Dan and Sonya Miller. The property was subsequently sold by the Millers to Naturo (in which Dan and Sonya became shareholders) so it needs the ALC to remove this restriction on transferability.

We support that request and urge you to approve Naturo's application and forward it to the ALC with your strong support.

Yours sincerely,



Deb Snedden and Darren Hutchinson

[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]

▶

Chair and Directors

Regional District of Kootenay Boundary

202 – 843 Rossland Avenue

Trail, BC V1R 4S8

Via email: tlenardon@rdkb.com

Chair & Directors,

Re: Naturo Group Application for Non-Farm Use – 1450 Sidley Camp McKinney Road

RDKB File # E-346-02630.000

My name is Duane Harfman, I am a third Generation Farmer in the Sidley area and raising a fourth. I am also the Plant Manager at Naturo Springs and a Lieutenant on the local Volunteer Fire Department. I am also the Previous President and current Treasurer of the Rock Creek Farmers Institute, which brought the Riverside Center and Osoyoos Credit Union to Rock Creek. I have been employed at the water plant since 2003. In 2005, I was able to purchase 170 acres of my own land in Sidley. The only way this was possible was to have a good full-time job in the area, which would allow me time to also run the farm. Like most farms in the province I need off farm income to keep the farm viable. Naturo Springs currently offers employment to several area residents and as we expand, will employ even more. There is no other manufacturing business in this area that employs this number of people and can provide employment for a diverse group of capabilities. Not everyone can work in the logging industry for instance!

Some years one of our largest customers is the BC Ministry of Forests for the wildland firefighters. We have been supplying their sometimes-crazy needs for over 18 years. Several times other companies have tried to supply their needs over the years and have always failed. We are very flexible and do whatever it takes to get the job done to meet the demand. This speaks to the management and the employees we have

Now to speak to the impact on farming in the area and more specifically to the non-farm use of the 3.5 acres that the water plant sits on. Many farmyards and fruit stands are over 3.5 acres in size when including the parking areas and do not have 320 acres attached to them like we do here. Many of them are 10-acre farms and almost 1/3rd is used up in buildings or the same with vineyards and wineries. The non-farm use permit needs to transfer to Naturo or this is the same as telling every winery or other non-farm use approved business in BC that everything they worked for to build a business may be worthless if the new owners are not issued a non-farm use permit after purchase.

In closing the RDKB and the ALC need to promote businesses in rural areas, not try to kill them! The 3.5 acres the plant sits on was already approved for non-farm use as it does not adversely affect agriculture. It needs to transfer to Naturo with the property so we can continue to support local Fire Departments, sports teams, 4H clubs, community events and other businesses.

Especially in times like these we need to support local business as much as possible not try to hold them down.

Sincerely,

Duane Harfman

Harfman Hay Sales

Plant Manager Naturo Springs



April 24, 2020

Chair and Directors
Regional District of Kootenay Boundary
202 – 843 Rossland Avenue
Trail, BC V1R 4S8

Via email: tlenardon@rdkb.com

Chair & Directors,

Re: Naturo Group Application for Non-Farm Use – 1450 Sidley Camp McKinney Road
RDKB File # E-346-02630.000

I am an employee of the Naturo Group and I am writing to express my support for Naturo's non-farm use application in Bridesville, which is coming to the Board on April 30.

When the previous owners of the facility secured RDKB and Agricultural Land Commission approval to expand the infused-water bottling plant, there was a term in the Commission's resolution which limited its approval to the applicants Dan and Sonya Miller. The property was subsequently sold by the Millers to Naturo (in which Dan and Sonya became shareholders) so it needs the ALC to remove this restriction on transferability.

My husband and I both support that request. We urge you to approve Naturo's application and forward it to the ALC with your strong support.

Yours sincerely,

Ken & Maria Hunter

From: [REDACTED]
To: [Teresa Lenardon](mailto:Teresa.Lenardon)
Cc: aharman@vip.net
Subject: Naturo Group Application for Non-Farm Use - 1450 Sidley Camp McKinney Road
Date: April 27, 2020 2:17:35 PM

Art and Norah Harfman

[REDACTED]
 [REDACTED]
 [REDACTED]
 [REDACTED]
 [REDACTED]

April 23, 2020

Chair and Directors
 Regional District of Kootenay Boundary
 202 – 843 Rossland Avenue
 Trail, BC V1R 4S8

Via email: tlenardon@rdkb.com

Chair & Directors,

Re: Naturo Group Application for Non-Farm Use – 1450 Sidley Camp McKinney Road
RDKB File # E-346-02630.000

We Arthur and Norah Harfman live next door to the water plant and we fully support the non-farm use application with the RDKB and the ALC for the following reasons:

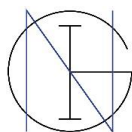
1. The water plant supports employment for 5-6 community folks who need this employment close to home.
2. It is an excellent quality product
3. This water plant building and equipment for bottling is a world class standard, something our community and the province can and should be very proud to show to the world.
4. This plant building was put on a barren, nonproductive 3-acre knoll that had no agricultural value other than a building site.
5. This water plant has been supplying the BC Forest Service Wildfire Branch for 18 years or longer and have proven themselves the most reliable source in the province, becoming the water supplier for the whole province. We believe the least we can do for our firefighters in this province is to supply top quality water, in containers that don't break open when dropped.

Over the years this water plant has lost the contract to a lower bidder, then at the peak of fire season the new contractor would notify forestry that they can't meet the demand and Forestry would then come to this water plant for the remainder of the supply contract. The plant would double shift to meet the forestry needs. This happened 2 years that we know of and we believe the new owner has the same credibility with the Forestry.

For these reasons we believe this restriction on transferability needs to be removed and the non-farm use transferred to Naturo.

Sincerely,
Arthur and Norah Harfman

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**Naturo Group Investments Inc.****April 22, 2020**

Chair and Directors
 Regional District of Kootenay Boundary
 202 – 843 Rossland Avenue
 Trail, BC Canada
 V1R 4S8

Via email: tlenardon@rdkb.com

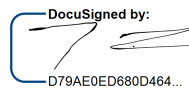
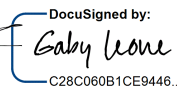
Chair & Directors,

Re: Naturo Group Application for Non-Farm Use – 1450 Sidley Camp McKinney Road
RDKB File # E-346-02630.000

We are the founders of Naturo Group Investments Inc., we acquired Miller Springs in 2015 when we had our vision of creating an infused beverage company for innovative health and wellness. We have created the world's first plant based functional water beverage and we are pleased that our aquifer in Bridesville has some of the best natural alkaline water in the world. When we first met Dan and Sonja Miller, we loved the taste of the water and especially loved that the source was Canadian. When I asked Dan and Sonja how their business was doing, they were having financial difficulty and they were in the process of being acquired by a foreign entity. We were concerned that such a unique resource would fall into the hands of a foreign entity. We were determined to help Miller Springs and immediately engaged our attorneys to see how we may be able to keep this asset owned by Canadians. We took measures to become a shareholder prior to the closing of the transaction to the foreign entity and we ended up purchasing majority interest in Miller Springs with Dan and Sonja remaining as partners. The foreign entity was not pleased in losing this asset and ended up suing Naturo Group 2 times for using the preemptive clause in the company articles. We won both lawsuits and today own majority control. We are proud to be Canadian and we are proud to build this unique beverage facility and distribute some of the purest water in the world. We would appreciate the restriction be removed pertaining only for Dan and Sonja Miller. We work diligently with all provincial and federal agencies to be fully compliant whilst building a legacy lasting business in Bridesville. Although we have yet to make a profit - we believe being innovative and building the appropriate infrastructure is critical to being competitive. We must have all options available to be competitive and scale for the future. We understand the community has worked hard since Dan and Sonja founded Miller Springs. These investors are still partnering in the new entity Naturo Springs. We are in support of this application to eliminate the restriction on transferring the approval and allowing the business the opportunity to continue to grow and create jobs in our community. We appreciate your consideration and are open to answering any questions you may have.

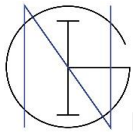
Respectfully Gaby and Marcello Leone

Yours sincerely,

DocuSigned by:  DocuSigned by: 
 D79AE0ED680D464... C28C060B1CE9446...

Gaby and Marcello Leone, Founders cell: 604-612-1175

Naturo Group Investments Inc., 1450 Sidley Camp McKinney Road Bridesville, B.C., Canada V0H 1B0


Naturo Group Investments Inc.

April 22, 2020

Chair and Directors
Regional District of Kootenay Boundary
202 – 843 Rossland Avenue, Trail, BC Canada V1R 4S8

Via email: tlenardon@rdkb.com

Chair & Directors,

Re: Naturo Group Application for Non-Farm Use – 1450 Sidley Camp McKinney Road
RDKB File # E-346-02630.000

As the President of Naturo Group Investments Inc., the Applicant, I am writing to urge you to support Naturo's non-farm use application in Bridesville, which is coming to the Board on April 30. For the simple reasons that I feel that I and our company have become part of the community. We support local charities, schools, the 4H Clubs, The Rock Creek Fall Fair, the local Curling Club, The Midway Museum and Various Hockey Events, along with the Osoyoos Coyotes. Our community is well represented in the Province as every wildland firefighter in BC that fights the summer fires drinks our local Alkaline Spring Water from Bridesville. We continue to refresh these hard-working heroes when no other company in BC has been able to provide them with a reliable supply.

Our team of employees enjoy working in a safe environment and over the years more have become full-time. We continue to offer seasonal work and as we grow, we have the need to expand both our facility and our human resources, offering opportunities especially for the youth of the community.

When the previous owners of the facility secured RDKB and Agricultural Land Commission approval to expand the infused-water bottling plant, there was a term in the Commission's resolution which limited its approval to the applicants Dan and Sonya Miller. The property was sold by the Millers to Naturo (in which Dan and Sonya became shareholders) so we need the ALC to remove this restriction on transferability.

Regarding the Stop Work Order, we had a farmer who was going to get the farm ready for 2020 and he started making changes without permits. He is no longer with us and I am personally working with Mr. Robert Silva to resolve any concerns.

To be viable, a company must reach profitability and after 6 years we continue to focus on achieving that goal. For now, we will continue to invest in our team, our Brands and our property.

We urge you to approve Naturo's application and forward it to the ALC with your strong support.

Yours sincerely,

Martino Ciambrelli, President cell: 604-728-2440

Naturo Group Investments Inc., 1450 Sidley Camp McKinney Road Bridesville, B.C., Canada V0H 1B0

Bianca Craig

5644 B. ...

April 28, 2020

Chair and Directors
Regional District of Kootenay Boundary
202 – 843 Rossland Avenue
Trail, BC V1R 4S8

Via email: tlenardon@rdkb.com

Chair & Directors,

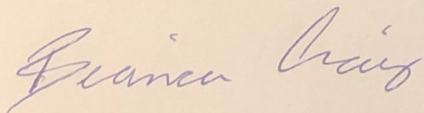
Re: Naturo Group Application for Non-Farm Use – 1450 Sidley Camp McKinney Road
RDKB File # E-346-02630.000

We are **neighbours, employee and friends** of the Naturo Group and are writing to express our support for Naturo's non-farm use application in Bridesville, which is coming to the Board on April 30.

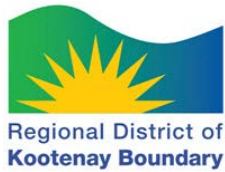
When the previous owners of the facility secured RDKB and Agricultural Land Commission approval to expand the infused-water bottling plant, there was a term in the Commission's resolution which limited its approval to the applicants Dan and Sonya Miller. The property was subsequently sold by the Millers to Naturo (in which Dan and Sonya became shareholders) so it needs the ALC to remove this restriction on transferability.

We support that request. We urge you to approve Naturo's application and forward it to the ALC with your strong support.

Yours sincerely,



Bianca Craig



STAFF REPORT

Date: April 22, 2020

File ADMN Revised
Procedure Bylaw
Proposed Bylaw No.
1720

To: Chair Langman and Members of the
RDKB Board of Directors

From: Theresa Lenardon, Manager of Corporate
Administration/Corporate Officer

Re: Proposed Revised Procedure Bylaw Draft 6

Issue Introduction

A staff report from Theresa Lenardon, Manager of Corporate Administration/Corporate Officer regarding the draft revised RDKB Procedure Bylaw.

The purpose of this report is to provide the full Board of Directors with a copy of a revised Procedure Bylaw as well as a closing chronology of the work the Policy and Personnel Committee and staff have completed to date.

This report will also set out some topics for Board discussion at the April 30, 2020 meeting. These topics have been left for a full Board discussion since the Policy and Personnel Committee's special meeting held on February 12, 2020, and which was the last time the Committee reviewed the revised bylaw (without the Board). These topics are presented first in this report, with a chronology of recommendations from the Policy and Personnel Committee at the end of the report.

RDKB Board of Directors – April 30, 2020 Discussion(s)

Suspension of Rules of Procedure (Bylaw page 5): Does the Board wish to include a section that would suspend the rules of procedure for a temporary time period? This is included in some local government procedure bylaws and would be for unexpected issues or problems that may arise during the meeting requiring the Board to briefly suspend their usual process – with the exception of statutory pieces.

Board Appointment Updates (Bylaw page 9): Should the Procedure Bylaw require Directors with external appointments to submit written reports for the Board Agendas? This would be included in the bylaw under Part 3; Board and Committee agendas.

Recording Meetings (Bylaw Page 15): Staff (Corporate) supports the recording of meetings, but until the work on the Procedure Bylaw commenced, was not ready to include this, given more information was required. Staff has obtained information from researching legislation, communications with Corporate Officer colleagues, and from legal opinions. This information, and staff's research with the respect to the recording of meetings are summarized as follows:

- 1) The *Regional District Electronic Meeting Regulation 271/2005*: Boards and Councils are required to include the process for electronic meetings in their procedure bylaws and staff must provide notice of electronic meetings. The appropriate technology, facilities and equipment must be provided. S. 5.1 (e) of the revised Procedure mirrors the regulation and applies to either a special or regular board meeting. Therefore, recording Board meetings through the RDKB Procedure Bylaw, once it is adopted will be compliant.
- 2) Record only Board or both Board and Committee meetings?
- 3) Must recognize Records Management (Corporate).
- 4) Must recognize Freedom of Information Protection of Privacy-even though regular Board and Committee meetings are "public" and will remain accessible to the public to after a meeting has been held, the recording will become a "record" and if requested for disclosure, would have to go through a legislative review following the Act (Corporate).
- 5) Consider Code of Conduct for Directors and the overall behaviour of all meeting attendees individually and as an organization. There will need to be more formality to the RDKB meetings, such as addressing each other by "Director" and not first name, no cell phones, purses, bags etc. visible on Board table, a better application of Procedure Bylaw *Part 9; Points of Order* - do not make motion until the Chair calls for motion, must address the Chair when want to speak etc.).
- 6) Are all Directors comfortable with recording meetings? In the past, some Directors have noted that they are not comfortable with the meetings being recorded.
- 7) Other matters, thoughts, questions from the Board.

First Nations Land Acknowledgement (Bylaw page 22): Board to confirm that the land acknowledgement will be included on Committee meeting agendas as well as Board agendas.

Applicants Speaking to Agenda Items (Bylaw page 22): Should the Board and Committee agendas include a section / heading for applicants who attend the meeting to speak to their application(s), which are included on a Board and or Committee agenda?.

Minutes (Bylaw page 35): Presently, once staff have drafted meeting the Board minutes, a draft version is sent to staff and the Board. The draft version includes a "draft" watermark. This version is published online making the draft minutes available to the public. The watermark is removed after the next Board meeting where the draft version of the minutes is adopted. The minutes are then republished online without the watermark. Does the Board want to follow this process for Committee meetings?

History/Background Factors

Chronology:

May 8/19-Policy & Personnel Committee: A draft revised bylaw was first presented to the Policy and Personnel Committee. Several clerical matters that required revisions to simplify the bylaw were identified and staff made the necessary revisions for presentation to the Board of Directors on June 27th.

June 27/19-Board of Directors: The RDKB Board of Directors approved the clerical edits as recommended by the Policy & Personnel Committee and also approved the

inclusion of a consent agenda and elimination of recording the names of movers and seconders.

Sept. 11/19-Policy & Personnel Committee: The Committee recommended additional clerical and streamlining revisions to section 3.3 *Board and Committee Agendas*) and to sections 5.4-5.7 *Electronic Meetings*).

Staff was requested to address inquiries around the 1) *Regional District Electronic Meeting Regulation* and 2) the requirements for Public Notice Posting Places.

Staff Research - Electronic Meeting Regulation

Staff reviewed the *Regional District Electronic Meeting Regulation B.C. Reg. 271/2005* to determine whether regional districts are required to set a specific time limit in their procedure bylaws for a meeting-recess. *B.C. Reg. 271/2005* does not require a timeline for the length of a recess, the P&P Committee recommends that the RDKB procedure not specify the length of a meeting-recess.

Staff Research - Public Notice Posting Places

S. 225 of the *Local Government Act* requires procedure bylaws to identify certain locations as "posting places" for public notices to meet the purpose of the application of S. 94 of the *Community Charter*. Before the bylaw review, the Procedure Bylaw included the RDKB building offices (Trail and Grand Forks) as public notice posting place(s). Given the RDKB posts meetings as meeting notices on its website calendar, the Policy & Personnel Committee has recommended that the office locations be removed from the bylaw as "posting places".

Nov. 13/29-Policy & Personnel Committee: There was a discussion whether a "standard" should be set for holding electronic Board and Committee meetings. Staff suggested that Committee meetings could alternate with face-to-face meetings one month and an electronic meeting the next month, etc. Alternatively, it could be decided to hold all meetings electronically, or hold Board meetings in person with Committee meetings held electronically.

The Policy & Personnel Committee recommended that Board meetings should be scheduled to be held in person and that the Board Chair, at their discretion, may make the call to hold an electronic Board meeting.

Jan. 30/20-Policy & Personnel Committee: The Policy & Personnel Committee agreed that Committee Chairs will be responsible to decide whether a meeting will be held electronically. Should the Committee Chair decide to hold an electronic meeting, they must provide the Corporate Officer with sufficient notice; at least one week prior to the date of the meeting.

Delegations vs Presenters:

Staff suggested that the current language in the draft bylaw already identifies differences between "Presenters" and "Delegations". Section 7.18 reads:

"Presenters" are not considered "delegations" and hence, are not required to submit the Board or Committee Delegation Request form. Presenters may be requested to submit a brief synopsis of their presentation to the Corporate Officer seven (7) days prior to the Board or Committee meeting. The Corporate Officer will include the synopsis on the agenda.

In the bylaw, *Delegation* is defined as "an individual or organization or group who request to appear before the Board and/or Committee or Commissions" and *Presenter* is defined as "an individual or organization or group who have been requested by the Board and or a Committee to appear in front of the Board and or Committee to present information and updates as requested by the RDKB".

Part 9; Points of Order

Most of Part 9 reinforces the *General Conduct and Respect for Process* clauses that are included in the *RDKB Elected Officials Responsible Conduct Guiding Principles Policy-Code of Conduct*. The other sections of Parts 9 included are based on local government meeting procedures best practices, solicitor opinions, Eli Mina and Roberts Rules of Order.

Part 11; Conflict of Interest

The bylaw as written complies with the Conflict of Interest legislative requirements in Division 6, Section 100 of the *Community Charter* as well as with those in the *RDKB Elected Officials Responsible Conduct Guiding Principles Policy-Code of Conduct*. Staff has added further language from the *Charter* into the proposed draft bylaw, which provides the Member who has declared a conflict of interest an opportunity to obtain a legal opinion as to whether he or she was wrong respecting entitlement to participate in respect of a matter. This addition would ensure the RDKB procedures are in line with legislation that provides the legal opportunity to vote as a Member of the Board when perhaps an error in declaring a conflict of interest takes place. The Committee members agreed.

Policy & Personnel Committee-Feb. 12/20

At a special meeting, the Committee met on February 12th to complete its work on the bylaw before referring it to the Board of Directors. The Committee has the following recommendations:

1. add the First Nations Land Acknowledgement as a heading to the order of business for all regular Board and Committee agendas (Procedure Bylaw S. 8.2 and S. 8.3),
2. remove "Information Sharing" as an agenda heading in the order of Board business (S. 8.2), (this was suggested to be included in the Bylaw at a Board meeting held July 25/19),
3. amend S. 9.11 (Part 9-Points of Order) to identify the Board Liaison positions for Emergency Preparedness, Finance and Environmental Services as "Board resources", and
4. replace "cellular telephones" and "telephones" with "mobile and other electronic devices" in the heading and body of S. 9.19-Points of Order and remove the word "pagers".

Part 10; Debate & Conduct is largely based on local government meeting procedures best practices, solicitor opinions, Eli Mina and Roberts Rules of Order. Part 12 (Minutes), Part 13 (Bylaws) and 14 (Miscellaneous) are standard and similar content is found in most local government procedure bylaws.

Implications

Adopting a revised procedure bylaw illustrates the Board's due diligence to comply with legislation and the Board's progress in moving forward with building better governance and procedures.

Page 4 of 5
Staff Report-Revised Draft Procedure Bylaw
RDKB Board of Directors April 30, 2020

Advancement of Strategic Planning Goals

Not applicable. A procedure bylaw is a legislative requirement.

Background Information Provided

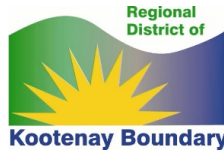
1. Proposed Draft RDKB Procedure Bylaw No. 172

Alternatives

1. Receive the report and no further action.
2. Provide direction to staff, refer the bylaw back for final revisions with the final version presented to the Board for First, Second, Third Readings and Adoption at a future meeting.

Recommendation(s)

That the Regional District of Kootenay Boundary Board of Directors refer the proposed revised RDKB Procedure Bylaw back to staff to make the final edits as discussed by the Board on April 30, 2020. **FURTHER** that once the final edits have been made and at a future meeting, the Bylaw be presented to the Board for First Reading through to Adoption.



BYLAW NO. 1720

- Blue:** June 27/19 Board approved edits
(Streamlining/clerical edits brought forward to Board from P&P Committee meetings held in May & June 2019)
- Violet:** Sept. 11/19, Nov. 13/19, Jan. 30/20 & Feb. 12/20 approved by P&P Committee-For Board Review April 30/20
- Yellow:** Focus areas for Board Meeting April 30/20 which have not been discussed by the P&P Committee

A bylaw to regulate the meetings & conduct of the RDKB Board of Directors and Committees thereof.

WHEREAS the *Local Government Act* provides that a Regional Board must, by bylaw, provide for the procedure that is to be followed for the conduct of its business, including the manner by which resolutions may be passed and bylaws adopted and for providing advance public notice of such meetings;

AND WHEREAS the Regional Board deems it essential and expedient to provide for a procedure that is to be guided by principles of efficiency, accountability and procedural fairness for the conduct of its business;

NOW THEREFORE BE IT RESOLVED that the Regional District of Kootenay Boundary Board of Directors, in open meeting assembled, enacts as follows:

Part 1 Introduction

Citation

- 1.1 This Bylaw may be cited for all purposes as "Regional District of Kootenay Boundary Procedure Bylaw No. 1720 2019".

Interpretation

- 1.2 In this Bylaw the following words have the following meanings:
- a) **Act** means the *Local Government Act*, R.S.B.C. 2015, c. 1, as may be amended from time to time;
 - b) **Alternate Director** means an Alternate Director as defined in the Act and duly sworn in prior to voting on any matter before the Board;

- c) **Audio and Video Recording Devices** means any equipment enabling the recording or transmission of sound and or visual images;
- d) **Board** means the governing and executive body – the Board of Directors of the Regional District of Kootenay Boundary;
- e) **Calendar** means the Board and Committee(s) meeting schedules posted on the RDKB website and which acts as the RDKB's Public Notice Posting Place;
- f) **Chair** means the Member presiding at a meeting of the Board of Directors, Committee or Commission as the context requires and who is elected by the Board or by the Committee or Commission;
- g) **Charter** means the *Community Charter*, S.B.C. 2003, c. 26, as may be amended from time to time;
- h) **Closed Meeting** means a meeting closed to the general public or employees, as deemed appropriate, with items to be discussed as set out in the *Community Charter S.B.C. 2003, c. 26*;
- i) **Commission** means a commission established by the Board pursuant to the Act;
- j) **Committees** means, as the context requires, a Select, Standing, Stakeholder or other Committee of the Board either appointed by the Board Chair or by the Board of Directors; and in the Regional District of Kootenay Boundary means only the following Committees:
- i. Beaver Valley Regional Parks & Regional Trails Committee;
 - ii. Boundary Agricultural and Food Plan Steering Committee;
 - iii. Boundary Community Development Committee;
 - iv. Boundary Trails Master Plan Steering Committee;
 - v. Liquid Waste Management Plan Stage 3 Steering Committee;
 - vi. East End Services Committee;
 - vii. Education and Advocacy Committee;
 - viii. Electoral Area Services Committee;
 - ix. Greenwood/Area E Cemetery Committee;
 - x. Kettle River Watershed Management Plan Steering Committee;
 - xi. Policy and Personnel Committee;
 - xii. Solid Waste Management Plan Steering and Monitoring Committee;
 - xiii. Utilities Committee;
 - xiv. Any Committee created by the Chair or Board, from time to time;
- k) **Corporate Officer** means the Manager of Corporate Administration of the Regional District of Kootenay Boundary holding an Officer position and assigned corporate administration responsibilities named in the *Local Government Act*;

- l) **Delegation** means an individual or organization or group who request to appear before the Board and/or Committees or Commissions ~~and or an individual, organization or group who are requested by the RDKB to appear before the Board and or Committees;~~
- m) **Director** means an Electoral Area Director or a Municipal Director pursuant to the *Local Government Act*;
- n) **Electronic Meeting** means a regular, special or closed Board or Committee meeting using electronic and communications media pursuant to BC Reg. 271-2005; *Regional Districts Electronic Meetings Regulation*;
- o) **Ex-officio Member** shall mean a Member who shall have the right to attend and speak, but not vote, at all Committees that they are not appointed to;
- p) **Inaugural (Statutory) Meeting** means the meeting at which the newly appointed Directors take the Oath of Office as set out in the Act ~~and without the Oaths of Office, also means the first Board meeting held after November 1 in each year~~ where the Board Chair and Board Vice Chair are elected;
- q) **Majority Vote** and **"majority of votes"** means more than half the votes cast by Members legally entitled to vote at a properly called meeting at which quorum is present (and does not include blanks and spoiled ballots when voting for the Chair and Vice Chair);
- r) **Meeting** means a regular, special, electronic or other duly called meeting of the Board of Directors, Committees of the Board or Commissions, as the context requires;
- s) **Member(s)** means the Director(s) elected or appointed to the Regional District of Kootenay Boundary Board of Directors and includes Alternate Directors when acting in the absence of the Director;
- ~~t) **Notice Board** means the notice Board at the corporate offices of the Regional District of Kootenay Boundary at 202-843 Rossland Ave., Trail, B.C. or 2140 Central Ave., Grand Forks, B.C.;~~
- u) **Open Meetings** means, as a general rule, that Board and Committee meetings must be open to the public as set out in the *Community Charter S.B.C. 2003, c. 26*.
- v) **Presenter(s)** means an individual or organization or group who have been requested by the Board and or a Committee to appear in front of the Board and or Committee to present information and updates as requested by the RDKB
- w) **Presiding Officer** means a Director appointed by the Board to preside temporarily in place of the Board or Committee Chair and/or Vice-Chair;

- x) Public Notice Posting Places**, as per the requirements in the Act, means the places that identify where the notices of regular RDKB Board and Committee meetings, agendas and minutes will be posted and for the purposes of this Bylaw and the RDKB, is the calendar located on the RDKB website.
- y) Recess** means the temporary suspension of proceedings until a later time;
- z) Regional District / RDKB** means the Regional District of Kootenay Boundary;
- aa) Regular Meeting** means all Board and Committee regularly scheduled open meetings;
- bb) Quorum** means a majority of the Members of the Regional District of Kootenay Boundary Board of Directors or a majority of the Members of a Committee;
- cc) Secondary Committee** means a sub-Committee of the Board;
- dd) Select Committee** means a Committee established by the Board to consider or inquire into any matter and report its findings and opinion to the Board and is automatically dissolved upon its final report to the Board of Directors. Persons who are not Directors may be appointed by the Board, but at least one Member of the Select Committee must be a Director;
- ee) Special Committee** means a Committee appointed by the Chair of the Board to undertake special interim projects;
- ff) Special Meeting** means a Board or a Committee meeting (other than a regular open, closed or other meeting) which are not included on the adopted Annual Board meeting calendar; ~~but which must be adopted by the Board no later than December 31st of each year;~~
- gg) Stakeholder Committee** means a RDKB Committee comprised of the service participants;
- hh) Standing Committee** means a long-term Committee established by the Chair of the Board to deal with issues of an ongoing nature;
- ii) Steering Committee** means a Committee comprised of Board Members only and appointed by the Board to act in an advisory capacity by providing guidance to staff and to the overall Board of Directors on the priorities, order of business, financial and budgetary matters and general courses of operations for the implementation of new RDKB initiatives and the operations thereof;
- jj) Table** means to "lay on the table" to temporarily suspend further consideration or action on the pending motion; Table also means to "take from the table" to resume consideration of the item previously "laid on the table";

kk) Vice Chair means the Member elected as Vice Chair of the Board or of a Committee or Commission pursuant to the Act and who acts in the absence of the Chair;

ll) Weighted Voting means the number of votes a municipality or electoral area is entitled to, based on the Voting Unit (population) as certified by the Provincial Ministry responsible for Regional District Governance;

Application of Rules of Procedure

- 1.3 The rules of procedure as set out in this Bylaw apply to all meetings of the Board of Directors and Committees of the Board except as otherwise provided herein.
- 1.4 In cases not provided for under the *Local Government Act*, the *Community Charter* or this Bylaw, the current edition of *Robert's Rules of Order, Newly Revised* shall apply to the extent that those Rules are applicable in the given circumstances and are not inconsistent with the provisions of this Bylaw, the *Local Government Act* or the *Community Charter*. Where there is an inconsistency between this Bylaw or *Robert's Rules of Order, Newly Revised*, and the Act, and of the RDKB Letters Patent or Supplementary Letters Patent, firstly the Act shall prevail and secondly the Regional District of Kootenay Boundary Letters Patent or Supplementary Letters Patent shall prevail.
- 1.5 A rule of procedure that does not originate in the Act or the Charter and does not affect voting may be suspended on a case by case basis if at least two-thirds of the Members present agree to do so.

Suspension of Rules of Procedure BOARD APRIL 30

- 1.6 Except for those provisions of this Bylaw that are statutorily mandated, the rules of procedure contained in this bylaw may be suspended for a temporary time period specified by the Board with a 2/3 vote of the Members present.

General

- 1.7 The *Interpretation Act*, Chapter 238, R.S.B.C. 1996, as amended from time to time, applies to this Bylaw.
- 1.8 When the masculine is used in this Bylaw it includes both genders and the singular includes the plural and vice-versa.
- 1.9 Where this bylaw conflicts with the provisions of the Act, the Act shall prevail.
- 1.10 Any definition of a word or phrase used in this bylaw and not defined in this bylaw has the meaning as defined in the Act.
- 1.11 This bylaw may not be amended or repealed and substituted unless notice of the proposed amendment or repeal is mailed to each Member at least five (5) days

before the meeting in which the amendment or repeal is to be introduced in accordance with the Act.

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Part 2 Election of Board Chair and Vice Chair

Inaugural Meeting

- 2.1 At such time as shall be advised in writing by the Corporate Officer, the Board shall convene an Inaugural Meeting at the first Board meeting held after November 1st in each year. The elections of Board Chair and Board Vice Chair will take place at the Inaugural Meeting. The Presiding Officer of the Inaugural Meeting shall be the Corporate Officer until such time as the Board Chair and Vice Chair have been elected. In an election year, the Directors will take their Oaths of Office as delivered by the Corporate Officer at the Inaugural Meeting.

Election of Board Chair and Board Vice Chair

- 2.2 The Board shall elect a Chair and Vice Chair from amongst its Members at its Inaugural Meeting each year and each Director present at the meeting shall have one vote in each election for an office.
- 2.3 The Corporate Officer will call three times for the nominations for the position of Chair of the Board. The nomination requires only a mover. The nominee must consent to the nomination. If a nominee is not present at the Inaugural Meeting, they must have advised the nominator of their consent to be nominated in writing prior to the Inaugural Meeting or such person will not be considered for the position of Board Chair. **The absent nominee must participate in the meeting electronically under the appropriate section of this bylaw.**
- 2.4 After the calling of nominations for each person nominated who has consented to their nomination, an election by secret ballot will be held. Prior to distribution of ballots, candidates will have the opportunity to address the Board and will be provided three (3) minutes to speak.
- 2.5 If a Director is participating in the Inaugural Meeting by electronic means, to cast a vote for the office of Board Chair, they shall, at the time the vote is being conducted, contact by telephone or text the Corporate Officer, or designated staff who will record their vote on a ballot paper and deposit same in the ballot box.
- 2.6 If only one candidate is nominated for an office, the Corporate Officer will declare the candidate elected by acclamation.
- 2.7 If only two candidates have been nominated, the candidate receiving the majority of votes from the Members of the Board then present in person or electronically will be declared elected.
- 2.8 If three or more candidates are nominated, and no candidate receives a majority of votes, the name of the candidate receiving the lowest number of votes will be removed from the ballot, ballots will be redistributed and the remaining candidates will again stand for election. This process will be repeated until a candidate is

elected, or until only two candidates remain and the vote is tied. Once voting has been completed, the Corporate Officer will declare the candidate with the most votes as the Board Chair and will ask for a motion to destroy the ballots.

2.9 In the event of a tie vote:

- (a) the names of the candidates will be written on separate pieces of paper and placed in a container;
- (b) the Corporate Officer will be asked to withdraw one paper; and
- (c) the candidate whose name is on the withdrawn paper will be declared elected.

Election of Board Vice Chair

- 2.10 Nominations for the office of Board Vice Chair and the secret ballot voting procedure shall be called by the Corporate Officer and will be held following the same provisions for nominations and election of the Board Chair as set out above.

Board Chair or Board Vice Chair Vacancy

- 2.11 If the office of the Chair or Vice Chair becomes vacant, following the process set out in this Bylaw above, the Board shall elect another Chair or Vice Chair from among its Directors at the first practicable regular meeting of the Board after the vacancy occurs.

Restriction on Nominations for Board Chair and Vice Chair

- 2.12 Nominations will not be accepted for:

- (a) a Director who is not present unless that Director is an absent nominee participating in the meeting by electronic means and as per Sections 2.3 and 2.5 of this bylaw;
- (b) a Director who has not made an Oath of Office;
- (c) a Director who has not filed Financial Disclosure Papers with the Regional District's Corporate Officer;
- (d) a Director who has not signed the Elected Officials' Responsible Conduct Guiding Principles Policy and Code of Conduct;
- (e) an Alternate Director.

Part 3 Board and Committee Agendas

Agenda Items

- 3.1 Any Director wishing to place an item on a Board or Committee meeting agenda for consideration ~~but which item has not been recommended or referred to the Board from a Board Committee,~~ must receive approval from the Board or Committee Chair. ~~Agenda items recommended to the Board of Directors by a Committee are automatically included on a Board agenda.~~
- 3.2 Once approved by the Board or Committee Chair, the deadline for submission of Board and Committee meeting agenda items to the Corporate Officer or delegated staff is Noon, one (1) day before the Board or Committee agenda is distributed by electronic means.
- 3.3 Any Director wishing to place an item on a Board or Committee agenda after the deadline in 3.2 above, must receive approval from the Board or Committee Chair. Should the Chair approve the inclusion of the requested item on the agenda, ~~after the deadline,~~ the Chair must notify the Corporate Officer or delegated staff ~~within one (1) day prior to completion of the agenda.~~ Once the item has been added to the agenda, the agenda will be reformatted and republished online at the beginning of the week in which the meeting will be held. The revised and final agenda will be redistributed to the Board and Committee members accordingly 2-3 days prior to the meeting. Any requests for items after the final agenda has been reformatted and republished as noted above, will be considered "late" and sent to the Board or Committee members via email in advance of the meeting, but will be discussed at the meeting under Late (Emergent) Items.
- 3.4 Sections 3.1 to 3.3 also apply to the submission of Board and Committee agenda items from RDKB staff.
- 3.5 Those Directors who are appointed to external committees, commissions and other Boards outside of the RDKB Board of Directors will report their activities to the RDKB Board of Directors with the submission of a written report for inclusion on the Board meeting agenda. Board Chair approval is not required. The report will be submitted to the Corporate Officer according to 3.2 above for every second Board meeting.

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- 3.6 The Board and Committee Chairs shall review and approve the meeting agendas for each meeting prior to the agendas being published and delivered.

Request(s) for RDKB to Act as Host Agency and Requests for Letters of Support

- 3.7 In the case of agenda items where non-profit organizations request the RDKB Board of Directors to act as a host agency to sponsor community-project grant applications, or in the case of agenda items where the Board is requested to provide a letter of support for a community-project grant application, the requests must be

accompanied by the grant application and or the project proposal, which will be attached to the Board agenda. ~~the request for inclusion of the item on a Board agenda must be approved by the Board Chair and received by the Corporate Officer no later than the agenda item deadline set out in Section 3.2 of this Bylaw.~~

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Part 4

Meeting Details, Notices and Agenda Delivery

Board Meeting: Time and Location of Meetings-S. 225 (b) and (c) of the Act

- 4.1 No later than the last scheduled Board meeting of the year, the Board shall, by resolution, adopt an annual schedule of regular Board meetings for the immediately ensuing year and subsequently post the schedule on the RDKB website Calendar, which acts as the Public Notice Posting Place.
- 4.2 Regular, special and or closed meetings of the Board shall be held within the Regional District Corporate Offices at 202-843 Rossland Ave., Trail, B.C. or 2140 Central Ave., Grand Forks, B.C. unless the Board passes a resolution during the year authorizing the meeting to be held elsewhere within the Regional District or, as authorized by the Act, outside the boundaries of the Regional District. Board meetings may also be conducted by electronic means according to Part 5-Electric meetings of this Bylaw when the Board Chair deems it feasible to do so.
- 4.3 In the interest of making Board meetings (only) more accessible to residents and applicants and to assist the Board members' gaining knowledge and awareness of the RDKB's diverse communities, the Board may wish to schedule two regular Board meetings in each year at different meeting locations as set out in Sections 4.2 of this this Bylaw; one meeting in the East End, rather than the RDKB offices on Rossland Avenue, Trail, B.C. and one meeting in the West End, rather than the RDKB offices, Central Avenue Grand Forks, B.C. This must be decided at the time the annual meeting schedule of regular Board meetings is adopted.
- 4.4 Regular meetings of the Board shall be held on the second Wednesday and the last Thursday of each month commencing at 1:00 p.m. local time. The Board may, by resolution, cancel, or reschedule the time and date of regular meetings. In such cases, the Chair must notify the Corporate Officer who will ensure notice of the change will be posted as per Sections 1.2(e) - **Calendar and 1.2(x) - Public Notice Posting Places** of this Bylaw. ~~Notice Board and on the RDKB website.~~ Notice of the change will also be sent to the Board Members via e-mail.
- 4.5 The Board, through this procedure bylaw, delegates to Committees the authority to set the dates and times of Committee meetings according to the wishes of the Committee members.

Board Meeting Notice: Regular Open Meetings

- 4.6 At least 72 hours before a regular Board meeting, the Corporate Officer **or delegated staff** must give the Board of Directors and the public notice of the time, place and date of the meeting by:
 - (a) giving notice of the meeting in accordance with the Act,
 - (b) sending a Notice with the meeting details via e-mail to the Board Members and Alternate Directors,

- (c) giving advance public notice of the time, place and date by posting a copy of the published agenda on the ~~Notice Board~~ RDKB website and making paper copies available for the public upon request;
 - ~~(d) making the agenda available to the public leaving a copy of the agenda at the reception counter at the Regional District's Corporate Offices for the purpose of making it available to the public;~~
 - (e) other means such as ~~meeting schedules posted on the RDKB website calendar~~ and the Corporate Officer might deem reasonable.
- 4.7 On the Friday in the week preceding the regular open Board meeting, the Corporate Officer or delegated staff must e-mail a copy of the link to the electronic agenda to each Member of the Board, and to each Alternate Director to the e-mail address which the Directors and Alternate Directors have directed that agendas and notices be sent.
- 4.8 Should the Chair determine that there is insufficient business to justify holding a regular open Board meeting the Chair may cancel the meeting upon three (3) ~~to 5~~ days notice to the Corporate Officer who will ensure that in such cases, Notice of Meeting Cancellation will be posted as per Section 4.4 of this Bylaw above.

Board Notice: Special Meetings

- 4.9 A special meeting, which is a Board meeting other than a regular, inaugural/statutory, closed or adjourned meeting, shall be called by the Corporate Officer, on the request of the Chair or any 2 Directors, by notice e-mailed, or otherwise delivered in writing, to each Director at least three (3) ~~5~~ days before the date of the meeting at the location given by the Corporate Officer for that purpose.
- 4.10 Except where notice of a special meeting is waived by unanimous vote of all Directors pursuant to the Act, at least forty-eight (48) hours before a special meeting of the Board, the Corporate Officer or delegated staff must:
- (a) give notice of the special meeting in accordance with the Act;
 - (b) send a Notice with the meeting details via e-mail to the Board Members and Alternate Directors,
 - (c) give advance public notice of the time, place and date of the special meeting by way of posting the published agenda on the RDKB website ~~Notice Board~~ and making paper copies for the public available upon request ~~at the Regional District's Corporate offices~~; and
 - (d) other means such as the Corporate Officer might deem reasonable.
- 4.11 In the case of an emergency, notice of a special meeting may be given, with the consent of the Chair and 2 directors, less than three (3) ~~5~~ days before the date of the meeting and need not be given in writing.

Committees Meetings: Time and Location of Meetings

- 4.12 No later than the last scheduled Board meeting of the year, the Board shall, by resolution, adopt an annual schedule of regular Committee meetings for the immediately ensuing year and subsequently post the schedule on the RDKB website Calendar, which acts as the Public Notice Posting Place.
- 4.13 Regular, special and closed meetings of RDKB Committees shall be held within the Regional District Corporate Offices at 202-843 Rossland Ave., Trail, B.C. or 2140 Central Ave., Grand Forks, B.C. unless the Board Chair authorizes the Committee Chair to support a Committee meeting to be held elsewhere within the Regional District. Committee meetings may also be conducted by electronic means according to Part 5-Electric meetings of this Bylaw when the Committee Chair deems it feasible to do so.
- 4.14 The days of the week and the times of regular and special meetings of the RDKB Committees shall be arranged according to the wishes of the Committee Members.
- 4.15 A Committee Chair may cancel or reschedule the time and date of a regular Committee meeting. In such cases, the Committee Chair must notify the Corporate Officer or designated staff who will ensure notice of the change will be posted on the RDKB website Calendar as the Public Notice Posting Place. Notice Board and on the RDKB website. Notice of the change will also be sent to the Committee Members view e-mail.

Committee Meeting Notice: Regular Open Meetings

- 4.16 At least 72 hours before a regular meeting of a Committee, the Corporate Officer or delegated staff must give the Committee Members and the public notice of the time, place and date of the meeting by:
- (a) giving notice of the meeting in accordance with the Act;
 - (b) sending a Notice with the meeting details via e-mail to the Committee Members and Alternate Directors,
 - (c) giving advance public notice of the time, place and date by posting a copy of the published agenda on the Notice Board RDKB website and making paper copies available for the public upon request;
 - (c) making the agenda available to the public leaving a copy of the agenda at the reception counter at the Regional District's Corporate Offices for the purpose of making it available to the public;
 - (d) other means such as meeting schedules posted on the RDKB website calendar and the Corporate Officer might deem reasonable.
- 4.17 On the Friday in the week preceding the regular open Committee meeting, the Corporate Officer or delegated staff must e-mail a copy of the link to the electronic agenda must be sent via e-mail to each Member of the Committee, and to each Alternate Director to the e-mail address which the Director and Alternate Directors have directed that agendas and notices be sent.

- 4.18 Should the Committee Chair determine that there is insufficient business to justify holding a regular open Committee meeting the Chair may cancel the meeting upon three (3) ~~to 5~~ days with notice to the Corporate Officer who will ensure that in such cases, Notice of meeting cancellation will be posted as per Section 4.4 of this Bylaw above.

Committee Notice: Special Meetings

- 4.19 A special Committee meeting, which is a meeting other than a regular, ~~closed~~ or adjourned meeting, shall be called by the Corporate Officer, on the request of the Committee Chair, by notice e-mailed, or otherwise delivered in writing, to each Director and Alternate Director at least three (3) ~~(three) to 5 (five)~~ days before the date of the special meeting at the location given by the Corporate Officer for that purpose.
- 4.20 Except where notice of a special Committee meeting is waived by unanimous vote of all Committee Directors, at least 48 hours before a special meeting of the Committee, the Corporate Officer must:
- (a) send a Notice with the meeting details via e-mail to the Committee Members and Alternate Directors,
 - (b) give advance public notice of the time, place and date of the special meeting by way of a posting the published agenda on the ~~Notice Board~~ **RDKB website and making a paper copy for the public available request** the Regional District's Corporate offices and on the RDKB website calendar;
 - (c) other means such means as the Corporate Officer might deem reasonable.
- 4.21 In the case of an emergency, notice of a special meeting may be given with the consent of the Committee Chair and 2 directors less than 3-~~5~~ days before the date of the meeting and need not be given in writing.

Part 5 Electronic Meetings

- 5.1 Subject to the Act and the *Regional Districts Electronic Meetings Regulation*, B.C. Reg. 271/2005, and amendments thereto: **BOARD APRIL 30-Recordings**
- (a) in accordance with this bylaw, regular open, closed and special Board and or Committee meetings may be conducted by means of electronic or other communication means including audio and visual recording devices subject to a public notice advising that RDKB meetings are recorded; **BOARD APRIL 30**
 - (b) Board meetings will always be scheduled to be held in person, however the Board Chair has the discretion to call an electronic meeting when feasible;
 - (c) one week prior to a Committee meeting, the Committee Chair will have the discretion to hold a regular open, closed or special Committee meeting via electronic means when feasible;
 - (d) A reference to meetings that are conducted by electronic means will be included on Board and Committee meeting agendas and minutes. **BOARD APRIL 30**
 - (e) a Member of the Board who is unable to attend at any meeting of the Board or a Committee in person may participate in the meeting by means of electronic or other communication means;
 - (f) Director participation in electronic meetings for those meetings that are held in person is subject to the Board or Committee Chair's approval where one or more of the following emergent situations occurs: sickness, extreme weather conditions, a Member of the Board is out of the area and any other emergent condition acceptable to the Chair of the Board or Chair of a Committee.
- 5.2 Unless a situation where there is insufficient business, Section 4.8 and 4.18 above, occurs or there is an Extreme Weather Advisory as per the 2015 RDKB Board/Committee Meeting Cancellation Policy, the Board Chair and Committee Chairs must be physically present at the scheduled location of the meetings. In the event the Board Chair or a Committee Chair need to participate electronically, the Vice-Chair must be physically present at the scheduled location of the meeting to assume the Chair.
- 5.3 Board Members who participate in a meeting referred to in Section 5.1 above are deemed to be present at the meeting.
- 5.4 The communication means must enable the meeting's participants to hear, or watch and hear each other. **Subject to Except for** any part of the meeting that is closed, the public must be able to hear, or watch and hear the meeting.

5.5 When Directors participate in a meeting by electronic means ~~the Chair shall, before calling for a vote on every motion, ask each Member who is participating electronically:~~

- ~~(a) that the Member has heard and understood the discussion; and~~
- ~~(b) whether the Member is in favour of, or opposes the motion~~

the onus is on the Directors to ensure that **they have heard and understand the discussion and the motion on the floor. The Director must only indicate their vote verbally and is responsible to speak clearly and loud enough for all participants and the public to hear and understand. If the member is not heard or understood, they are deemed to be in favour of the motion.**

5.6 If communication is lost to one or more electronic participants during a meeting:

- ~~(a) on the first occasion available, a ten minute recess will may be called by the Chair without specifying a timeline for the recess; to try to re-establish the link(s);~~
- (b) the Member(s) participating by electronic means are responsible to re-establish the connection;**
- (c) if, ~~after the recess~~, a link cannot be re-established, the Member affected will be deemed to have left the meeting;
- (d) if, after a link is re-established, there is a subsequent loss of communication, no further attempts will be made to re-establish the link and the Member affected will be deemed to have left the meeting;
- (e) In the event of an equipment failure or other occurrence which prevents or limits electronic participation, the Board or Committee Meeting will not be adjourned unless quorum is lost.
- (f) if, ~~after the recess~~, a link cannot be re-established and there is not a quorum of Members present, the Chair will deem the meeting adjourned.

5.7 Although every effort will be made to accommodate electronic participation in meetings, nothing in this Bylaw shall be construed to guarantee any Member electronic access to a Board or Committee Meeting. Electronic participation in Board or Committee Meetings may be restricted by the capacity or dependability of the equipment employed.

Part 6 Closed (In Camera) Meetings

- 6.1 This section applies to meetings of bodies referred to in the *Community Charter*, including, without limitation:
- (a) Board of Directors;
 - (b) all Committees of the Board;
 - (c) Board(s) of Variance;
 - (d) Parcel tax roll review panels;
 - (d) Court(s) of Revision;
 - (e) Advisory Planning Commission(s); and
 - (f) Recreation Commission(s), and
 - (g) Other advisory Committees, Commissions and bodies established by the Board under the Act.

Scheduling and Attendance at Closed (In-Camera) Board or Committee Meetings

- 6.2 When required, closed meetings of the RDKB Board of Directors and or RDKB Committees are called pursuant to Sections 90 (1) – 90 (3) of the *Charter*.
- 6.3 Before closing a regular open meeting or a portion of a regular open meeting to the public, the Board or Committee must pass a resolution in a public meeting in accordance with Section 92 of the *Community Charter* and such resolution must include the basis under the applicable subsection of Section 90 on which the meeting or part of is to be closed.
- 6.4 Closed meetings may be scheduled in advance and included on a regular Board or Committee agenda where the Board or Committee will convene to the closed meeting at the end of the open meeting. If this is the case, a separate closed meeting agenda will be sent to the Board of Directors via email after the regular, open meeting agenda has been delivered and in accordance with the process set out in Parts 3 and 4 of this bylaw.
- 6.5 With Chair approval, closed meetings may be called impromptu during an open Board or Committee meeting.
- 6.6 With approval from the Board or Committee Chair, a standalone closed meeting may be called at any time, separately from a regular Committee or Board meeting.
- 6.7 While in a closed meeting, the Board may authorize the release of information considered or decisions made in the closed meeting or in a previous closed meeting upon adoption of a resolution "That the matter of _____ be released to the open meeting" and will be placed under "Recommendations Released from Closed Meeting" of the open meeting.

- 6.8 No Director or staff present in a closed meeting shall disclose to the public the proceedings of a closed meeting, unless a resolution has been passed to release the proceedings to the open meeting.
- 6.9 Except in the case where the RDKB Board, by resolution, prohibits the release of closed meeting discussions and or resolutions and except where the Board, in a closed meeting adopts a closed meeting resolution for release to the open meeting, individual Municipal Directors may release information received and/or discussed at a closed meeting of the RDKB Board of Directors or at a closed RDKB Committee meeting to their municipal Councils. The release of the RDKB closed information to the Municipal Council must be done in a closed Council meeting.
- 6.10 Information protected under the *Freedom of Information and Protection of Privacy Act* will not be released at any time.
- 6.11 Minutes of closed Board and Committee meetings shall be kept by the Corporate Officer in the same manner as minutes of regular open meetings, but shall not be filed with the minutes of regular open meetings.
- 6.12 Following a general local election or by-election, newly elected Directors should not be permitted to attend closed meetings, or receive closed meeting agendas and materials until such time as they have been officially sworn in and taken an Oath of Office as Directors.

Notice of Closed Board and Committee Meeting and Agenda Delivery

- 6.13 When a closed meeting is scheduled in advance and which will be held during a regular Board or Committee meeting, the Corporate Officer will send a notice of closed meeting to the Committee Members by e-mail at least forty-eight (48) hours before the meeting as per the RDKB Closed Meeting Agendas and Information Policy.
- 6.14 The agenda and background material or an electronic link, wherever possible, shall be delivered by e-mail at least forty-eight (48) hours in advance of the closed meeting or if necessary, will be distributed in paper at the meeting as per the RDKB Closed Meeting Agendas and Information Policy. All paper copies of the Closed Meeting Agenda will be returned to the Corporate Officer directly after the closed meeting has been adjourned. The Corporate Officer will shred the paper copies of the agendas.
- 6.15 When a closed meeting is not scheduled in advance but is called at the discretion of the Board Chair, Committee Chair, or at the request of and with the approval of the Chair, a Director present at the meeting, the Board or Committee will proceed to the closed meeting without an agenda.
- 6.16 Paper-copies of closed meeting agendas will not be distributed in advance of the closed meeting. The closed meeting agenda will be sent electronically or circulated in-person at the meeting. The Directors will at all times ensure the security and confidentiality of their assigned user ID and password for the electronic device and

will notify the Corporate Officer immediately should they misplace, lose or otherwise determine their user ID and/or password has been compromised.

Persons Attending Closed Board and Committee Meetings

- 6.17 While in a closed meeting, the procedures set out in this bylaw shall, to the extent possible, be followed by the Board or Committee in the conduct of business.
- 6.18 The Chair may expel or exclude a Director from a closed meeting pursuant to Section 133 of the *Charter* (expulsion from meetings).
- 6.19 The Board or Committee Chair may dismiss all or some staff from a closed meeting and if necessary, will identify the staff person who will remain in the closed meeting to record the minutes.
- 6.20 The only persons permitted to receive an electronic closed meeting agenda and remain in the closed meeting are the Members of the RDKB Board of Directors or Members of the Committee, the Corporate Officer, Chief Administrative Officer, the Service Manager presenting the information in person or in a staff report and Recording Secretaries.
- 6.21 In general, other designated staff, Members of the public and Alternate Directors are not permitted to receive closed meeting agendas or attend closed meetings unless authorized by the Board or Committee Chair. Alternate Directors will only receive a closed meeting agenda when they attend a closed meeting in place of the elected or appointed Director.
- 6.22 Employees may attend a closed meeting to present information, or when requested by the Board Chair, Committee Chair or Chief Administrative Officer to attend.
- 6.23 A Board Director who attends an open RDKB Committee meeting, but who does not sit on that Committee, can, with Chair approval attend a closed Committee meeting as an observer should the open meeting convene to a closed meeting.

Part 7 Attendance at Public Meetings and Delegations

Meetings Open to the Public

- 7.1 Subject to the *Charter*, all Board and/or all Committee meetings must be open to the public.
- 7.2 ~~Where the Board wishes to close a meeting to the public, it may do so by first adopting a resolution in the public meeting in accordance with the *Charter*.~~ Redundant – covered off in S. 6.3-Already captured in Part 6 of the bylaw
- 7.3 ~~No Director shall disclose to the public the proceedings of a closed meeting, unless a resolution has been passed to release the closed meeting proceedings and or resolutions to the public.~~ Redundant – covered off in S. 6.9 Already captured in Part 6 of the bylaw
- 7.4 This section applies to meetings of bodies referred to in the *Charter*, including, without limitation:
- (a) Committees and or Commissions of the Board;
 - (b) Board(s) of Variance;
 - (c) Court(s) of Revision;
 - (d) Advisory Planning Commission(s); and
 - (e) Recreation Commission(s).

Regular Delegations - Board and Committees

- 7.5 Using the RDKB Committee/Board Delegation Presentation form, a delegation wishing to appear before the Board and/or Committee shall submit a written request to appear as a delegation along with a written synopsis of the information that will be included on the agenda and presented to the Board or the Committee. The Corporate Officer must receive the approved and completed written request and the written synopsis at least seven (7) calendar days prior to the scheduled Board meeting and will submit to the Board or Committee Chair for approval.
- 7.6 The Board or Committee Chair must approve of all delegations before the delegation is set on an agenda. Where the Chair has refused a delegation, the Chair shall notify the Board or Committee in writing that the delegation asked to appear before them and list the reason(s) why the delegation was denied attendance. The Chair will also notify the delegation of the decision to not approve the request and will provide reasons.
- 7.7 Where the subject matter of a delegation has previously been dealt with in the form of a delegation, the Chair may advise the delegation of such apparent duplication and/or repetition and refuse such delegation until permission of the overall Board or Committee has been obtained.

- 7.8 The Board must not permit a delegation to address a meeting of the Board or a Committee regarding a bylaw in respect of which a public hearing has been held, where the public hearing is required under an enactment as a prerequisite to the adoption of the bylaw.
- 7.9 Once approved, the Corporate Officer or designated staff shall notify a representative of the delegation at a time reasonably in advance of the date, time and place of the meeting at which the delegation will be heard.
- 7.10 The number of delegations appearing before the Board and/or Committees shall be limited to two per meeting unless the Chair determines that there is an additional urgent matter or unless a delegation wishes to address an item that is already on the agenda. At the discretion of the Chair, the time limit for presenting is ten (10) minutes unless otherwise determined by a 2/3 vote of the Members present.
- 7.11 No delegations will be accepted at the November Statutory Board meeting.

Late Delegations-Board of Directors Meetings

- 7.12 Any person or organization who deems its interests to be affected by an item on a Board meeting agenda, who has appeared before an appropriate Committee or who, because of circumstance, could not have been expected to appear before a Committee or give earlier notice, may request to appear as a late delegation before the Board to address an item already on the agenda by submitting a written request to the Corporate Officer no later than twelve o'clock noon on the day before the Board of Directors meeting.
- 7.13 The written request to appear as a late delegation must stipulate the subject matter upon which the late delegation wishes to speak and explain why the Board should consider the late delegation.
- 7.14 The Corporate Officer will advise the Chair of the Board of the late delegation request and circulate the written request to RDKB Board Directors via email as soon as it has been submitted. The Board Members shall reply to the Corporate Officer as to whether the late delegation should be allowed; or not. A majority of Board Members in favour or against, will determine if the late delegation will be heard at the meeting.
- 7.15 The late delegation shall provide sufficient written copies of their submission for distribution to the Board at the time they are heard.
- 7.16 Notwithstanding the foregoing, where a written request has not been received as prescribed in Section 7.5 above, a late delegation may address the meeting if approved by a unanimous vote of the Members present.
- 7.17 The Chair may determine the maximum time for which each late delegation will be permitted to address the Board, after which time, the Board may dispose of the

delegation submission at the meeting, refer the subject matter to a Committee or take such other action as is deemed expedient.

Presenter(s) and or Applicant(s) Speaking to Agenda Items BOARD APRIL 30

- 7.18 From time to time, the RDKB Board of Directors and or a Board Committee may require certain individuals, external agencies, organizations, contractors and groups to attend a meeting to present certain information, updates, financial details and other reports which relate to RDKB business, RDKB funded projects and service delivery.

Applicants may also wish to attend a Board or Committee meeting to speak to their application.

Presenters and Applicants are not considered "delegations" and hence, are not required to submit the Board or Committee Delegation Request form.

Presenters may be requested to submit a brief synopsis of their presentation to the Corporate Officer seven (7) days prior to the Board or Committee meeting. The Corporate Officer will include the synopsis on the agenda. Applicants are not required to submit a synopsis to speak to their application that is included on the agenda.

- 7.19 The Corporate Officer shall notify Presenters in advance of the date, time and place of the meeting at which the Presenter(s) will be heard.
- 7.20 The number of presenters appearing before the Board and/or Committees shall be determined and approved by the Board or Committee Chair. The time limit for Presenters sharing the information at the meeting is at the discretion of the Chair unless otherwise determined by a 2/3 vote of the Members present.
- 7.21 No Presenters will be invited at the November Statutory Board meeting.

Public and Media Attendance

- 7.22 Members of the public and media shall be given an opportunity to ask questions of, and address the Board or Committee during the open public portion of the meeting as set out in the open public agenda under *Question Period for Public and Media* as set out in Section 8.2 of this Bylaw. This time is expressly devoted to questions only.

Expulsion from Meetings-Board Meetings

- 7.23 If the Chair or Vice Chair presiding at a Board meeting considers that another person is acting improperly, the presiding Official may order that person to be expelled from the meeting. If the person who is expelled does not leave the meeting, a peace officer may enforce expulsion as if it were a Court order.

Part 8 Order of Business and Meeting Procedures - Board and Committees

Opening Procedures and Order of Business

8.1 ~~Immediately after the Chair has taken a seat,~~ **Once the Chair has** confirmed quorum, called the meeting to order and the agenda has been presented and adopted, the minutes of the preceding meeting shall be considered by the Board or Committee in order to correct errors and omissions. The minutes of the preceding meeting of the Board need not be read aloud prior to their adoption.

8.2 The order of business for all regular meetings of the Board shall be as follows (to the extent applicable):

Call to Order

First Nations Land Acknowledgement

Adoption of the Agenda (additions/deletions);

Consent Agenda: (Approved BoD June 27/19)

Minutes;

Presentations/Delegations;

Applicants and Others Speaking to Agenda Items BOARD APRIL 30/20

Unfinished Business;

Communications (RDKB Corporate Communications Officer);

Communications (Information Only);

Reports;

Committee Recommendations to the Board;

Board Appointment Updates;

New Business;

Bylaws;

Late (Emergent) Items;

Discussion of Items for Future Meetings;

Information Sharing;

Question Period for Public and Media;

Closed (in camera) Meeting;

Adjournment.

8.3 The order of business for all Committee or Commission meetings shall be as follows (to the extent possible):

Call to Order;

First Nations Land Acknowledgement-BOARD CONFIRM APRIL 30/20

Acceptance of the Agenda (additions/deletions);

Consent Agenda: (Approved BoD June 27/19)

Minutes;

Presentations/Delegations;

Applicants and Others Speaking to Agenda Items; BOARD CONFIRM APRIL 30/20

Unfinished Business;

- New Business;
- Late (Emergent) Items;
- Discussion of items for future agendas;
- Question Period for Public and Media;
- Closed (in camera) Meeting;
- Adjournment

8.4 At the Board or Committee Chair's discretion, the order of business and the agenda item headings may be amended from time to time.

Adoption of the Agenda Items

8.5 After the meeting has been called to order and at consideration of the agenda, the Corporate Officer will introduce additions to the agenda as well as any deletions and or changes in the order of the agenda.

8.6 At the time of any Board or Committee meeting, other than an emergency meeting and at acceptance of the agenda, the Chair, any Director and or staff may add items to, or remove items from the agenda with the overall approval of the Board or Committee. Items added to the agenda at the meeting, will be considered "late" and will be added to Late (Emergent) Items.

8.7 If a quorum is not present within thirty (30) minutes after the appointed time of the meeting the Corporate Officer shall record in the minute book the names of the Members present and the Board shall stand adjourned until the next meeting date or another meeting has been called in accordance with this Bylaw.

~~8.8 Should a Director or staff wish to add items to a Board or Committee agenda at the meeting, the item must be brought forward once the meeting has been called to order. At Acceptance of the Agenda, the item will be considered "late" and with approval of the Board or Committee, be added to the agenda under Late (Emergent) Items. When possible, the Director or staff should provide paper copies of background material for circulation at the meeting.~~

8.9 The Communications (Information Only) agenda items of business are considered to be routine and do not require debate or discussion. The items listed on the Communications (Information Only) agenda shall be received in one (1) motion. If discussion of a particular item on the Communications (Information Only) agenda is desired by a Director, that item shall be removed from the Communications (Information Only) section of the agenda and considered separately.

~~8.10 The request for the Letter of Support must be accompanied by the grant application and or the project proposal, which will be attached to the agenda.~~

Voting

8.11 The procedure for voting shall be in accordance with the provisions of the Act.

- 8.12 When considering a motion, the question shall be decided by a show of hands in favour of a motion followed by a show of hands from those opposed to the motion.
- 8.13 The Chair participates in all voting unless the vote is on the question "Shall the Chair be sustained?"
- 8.14 Members participating electronically in a meeting must only indicate their negative votes verbally, ~~except in the case of elections.~~
- 8.15 In all cases where the votes of the Members present and entitled to vote, including the vote of the Chair or other person presiding, are equal for and against a question, the question shall be declared in the negative and shall be defeated, and it shall be the duty of the Chair or other Member presiding to so declare.
- 8.16 Any Member then present who abstains from voting shall be deemed to have voted in the affirmative.
- 8.17 ~~Any Member may request that his negative vote be recorded in the minutes.~~ A negative vote will always be documented unless a Member requests their negative vote not to be recorded in the minutes.
- 8.18 Prior to calling the vote, any Member may request that the motion be read aloud. The vote on a motion will be taken when the Chair is satisfied that its intent is clear to the Members.
- 8.19 A vote on a motion shall be deemed to be carried unanimously unless a Member or Members vote against the motion. The Chair will state aloud that the vote is carried, carried unanimously or defeated.

Motions

- 8.20 Motions shall be phrased in a clear and concise manner ~~and framed as a positive action.~~
- 8.21 ~~The names of the Members who move and second a motion will not be recorded.~~
- 8.22 All questions shall be decided by a vote on a motion and subject to Section 8.23 below, all motions may be moved and seconded by any Member.
- 8.23 A motion, the subject matter of which pertains to the administration and operation of a local or extended service, shall be moved and seconded by a Stakeholder Member for the participating area of that service.
- 8.24 A motion under the agenda section titled "Committee Recommendations to the Board of Directors", shall be moved by the relevant Committee Chair and in their absence, by the relevant Committee Vice Chair.

- 8.25 Any Member may require the question or motion under discussion to be read at any time during the debate but not so as to interrupt a Member while speaking in accordance with this Section.
- 8.26 No Member shall speak more than twice to the same question without leave of the Chair, except in explanation of the material part of his speech which may have been misconceived, and in doing so he is not to introduce a new matter. A reply is allowed to a Member who has made a substantive motion to the Board, but not to any Member who has moved an amendment.
- 8.27 No Member shall speak on any question for longer than five (5) minutes without leave of the Chair.
- ~~8.28 If a Member calls for a record of votes, the names of those who vote for and those who vote against shall be entered in the minutes.~~
- 8.29 After a motion is read by the Chair or other Member presiding or the Corporate Officer, it shall be deemed to be in possession of the Board, but may be withdrawn at any time before a decision or an amendment with the approval of the Board. A motion to withdraw is not recorded.
- 8.30 Amendments to original motions as presented on an agenda and any new motions that are not already included on the agenda, but created at the meeting ~~Every amendment submitted must be presented in a clear and concise manner and shall when requested by any Member, be written out at the time the motion is made in the meeting, made visible on the monitors for the Recorder and those attending and then added to the record. reduced to writing.~~
- These motions must be decided upon or withdrawn before the main question is put to a vote. Only one amendment to an amendment shall be allowed at one time and the same shall be dealt with before the amendment is decided.
- 8.31 When the question under consideration contains more than one distinct proposition, a separate vote upon each such proposition shall be taken if any Member so requires.
- 8.32 After the question is finally put by the Chair, no Member shall speak to the question nor shall any other motion be made until after the result is declared and the decision of the Chair as to whether the question has been finally put is conclusive.
- 8.33 When a question is under debate, no motion shall be received except for the following:
- (a) to refer to a Committee and/or staff;
 - (b) to amend;
 - (c) to lay on the table;
 - (d) to table indefinitely;
 - (e) to defer to a certain time; or
 - (f) to adjourn.

Laying on the table would typically be used when the Board wants to lay a pending question aside when something else of immediate urgency has arisen. By adopting a motion to "lay on the table" the majority has the ability to halt consideration of a question immediately without debate. In this circumstance, the motion may be set aside temporarily without setting a time for resuming its consideration, but the matter can be taken up again when the majority decides to bring it back.

The process of laying on the table is different from postponing indefinitely. To postpone indefinitely is to decline to take a position on the question, which effectively operates to kill the motion and avoids a direct vote on the question. The purpose of "laying a motion on the table" is not to avoid dealing with a measure, but instead to halt consideration of a measure in order to deal with a matter of urgency that has arisen.

If a time for resuming consideration of the matter is specified in making the motion, then it is a motion to postpone, rather than to lay on the table. A significant difference between the two motions is that a motion to postpone is debatable, whereas a motion to lay on the table is not.

The six motions (a) to (f) in Section 8.33 above, shall have precedence in the order in which they are named and the last four are neither amendable nor debatable.

- 8.34 A question of referral, until it is decided, shall preclude all amendments to the main question.
- 8.35 A motion to adjourn shall always be in order, but no second motion to the same effect shall be made until some intermediate proceeding shall have been taken.
- 8.36 When the Chair is of the opinion that a motion put before the Board is contrary to the rules of the Board, he shall apprise the Members thereof immediately before putting the question thereon, and shall cite the rule or authority applicable to the case without argument or comment.

Reconsideration

- 8.37 The Chair may return a resolution providing for reconsideration in accordance with the provisions of the Act and or the *Community Charter*.
- 8.38 After a bylaw, resolution, or proceeding has been decided, any Member may, at the same meeting or at any time within one month after a bylaw, resolution or proceeding is considered, return the matter for the Board's reconsideration. The Board shall not reconsider a matter unless the motion to reconsider the matter has firstly been considered.
- 8.39 Where a matter has been reconsidered, the Board shall not reconsider the matter again subject to Section 8.37 above.

8.40 Once a bylaw, resolution, or proceeding has been rejected upon its reconsideration, it shall not be reintroduced to the Board for six (6) months, except with the unanimous consent of the Board.

8.41 Any and all conditions which apply to the passage of the original bylaw, resolution, or proceeding shall apply to its rejection.

Meeting Quorum – Board and Committees

8.42 The quorum for the Board **and Committees** is a majority of the Members.

~~8.43 As soon after the appointed time of meeting as a quorum is present, the Chair shall take the chair and call the meeting to order.~~

Designation of Member to Act in Place of Board Chair

8.44 If the Board Chair is not in attendance within ten (10) minutes after the time appointed for the meeting, the Vice Chair shall take the chair and call the Directors to order. If the Vice Chair is also absent, the Corporate Officer shall take the chair and call the Directors to order and if a quorum is present the Directors shall elect an Acting Chair who shall preside during the meeting until the arrival of the Chair or Vice Chair. The person appointed as Acting Chair has all the authority and is subject to the same rules as the Chair.

PART 9 Points of Order

Board and Committee Chair and Presiding Officers

- 9.1 The Chair of the Board of Directors shall have the right to sit ex-officio on all Committees of the Board that they are not appointed to.
- 9.2 The Board or Committee Chair, if present, shall preside at Board or Committee meetings.
- 9.3 The Vice Chair shall preside in the absence, illness or other disability of the Chair or when the Chair vacates the chair. The Vice Chair has all the authority, and duties of the Chair and is subject to the same rules as the Chair.
- 9.4 In the event that neither the Chair nor the Vice Chair is able to take the chair, the presiding officer shall be such person as the Board or Committee may elect as acting Chair who, during the meeting has all the powers of the Chair and is subject to all rules applicable to the Chair.
- 9.5 The Chair, Vice Chair or other Member presiding at a meeting of the Board or Committee shall preserve order and rule on all points of order which may arise, but subject to a challenge by the other Members then present.
- 9.6 Every Member desiring to speak shall address the Chair.
- 9.7 A Board Member that introduces a resolution has opportunity to open the debate and close the debate after other Members of the Board have had an opportunity to speak to the question. No Member can speak more than twice to the question except with the permission of the Chair.
- 9.8 If a decision of the Chair is challenged by a Member, the Chair shall immediately put the question "Shall the Chair be sustained?" and the question shall be decided without debate. The Chair shall be governed by the vote of the majority of the Directors then present and entitled to vote, exclusive of the Chair, and in the event of the votes being equal, the question shall pass in the affirmative.
- 9.9 If the Chair refuses to put the question "Shall the Chair be sustained?" the Vice Chair or other person appointed by the Board shall preside temporarily in place of the Chair, and the Director so temporarily presiding shall immediately put the question "Shall the Chair be sustained?" and the question shall be decided without debate and in the event of the votes being equal, the question shall pass in the affirmative.
- 9.10 Any resolution or motion carried under the circumstances mentioned in Section 9.9 is as effectual and binding as if carried out with the Chair presiding.
- 9.11 At RDKB Board meetings the Board Director who has been appointed by the Board Chair as a Director Liaison for Emergency Services, Environmental Services, and

Finance will act as a Board resource and will introduce and read out the recommendations for those three services when items are included on a Board agenda.

- 9.12 The Chair shall preserve order and decide all points of order which may arise, subject to an appeal, which may arise.
- 9.13 When the Chair is required to decide a point of order:
- (a) the Chair shall suspend debate on the matter currently before the meeting;
 - (b) the person raising the point of order shall define the procedural matter under which the point of order has been raised.
 - (c) the Chair shall determine whether the point of order is sustained or overruled and must cite the applicable rule or authority if requested by another Member;
 - (d) another Member shall not question or comment on the rule or authority cited by the Chair;
 - (e) if the point of order is overruled, the debate resumes on the matter previously suspended;
 - (f) if the point of order is sustained, the Chair directs the appropriate corrective actions;
 - (g) the Chair may reserve the decision until the next Board meeting.

Appeal

- 9.14 In accordance with the *Community Charter*, a decision of the Chair made under Section 9.13 may be appealed by a Member and on an appeal by a Member, the question as to whether the Chair is to be sustained must be immediately put by the Chair and decided without debate and the Chair shall be governed by the vote of the majority of the Members then present excluding the Chair.
- 9.15 In the event of the votes being equal, the question on an appeal shall be declared in the affirmative.
- 9.16 The names of the Members who voted contrary to the outcome of the question on an appeal shall be recorded in the minutes.

Privilege

- 9.17 A matter of privilege (a matter dealing with the rights or interests of the Board as a whole or of a Member personally) may be raised at any time and shall be dealt with forthwith before resumption of business.
- 9.18 A matter of privilege includes reference to any of the following motions:
- (a) to fix the time to adjourn;
 - (b) to adjourn;
 - (c) to recess;
 - (d) to raise a question of privilege of the Regional Board; and
 - (e) to raise a question of privilege of a Member of the Regional Board.

Use of ~~Cellular Telephone and Pagers~~ Mobile and Other Electronic Devices

- 9.19 As per the *RDKB Elected Officials Responsible Conduct Policy and Code of Conduct (Conduct of Public Meetings)*, the use of ~~cellular telephones and pagers~~ mobile and other electronic devices are not permitted during Board and Committee meetings unless they are turned off or kept on silent or vibrate.

DRAFT 6-With P&P Feb 12 Updates

Part 10 Debate and Conduct

- 10.1 Conduct at meetings will be as per this Section of this Bylaw and the RDKB *Elected Officials Responsible Conduct Guiding Principles Policy–Code of Conduct*. The Chair is responsible for preserving order at meetings and for ensuring that questions are decided with the benefit of fair debate and in accordance with procedural and other rules. On matters of procedure the Chair shall remain impartial.
- 10.2 No Member shall speak until recognized by the Chair.
- 10.3 Members shall address the Chair as “Mr. or Madam Chair or Chair” and shall refer to each other as “Director”.
- 10.4 No Member shall interrupt another Member who is speaking, except to raise a point of order.
- 10.5 Members speaking at a Board meeting:
- (a) must act and speak according to the RDKB Responsible Conduct Guiding Principles Code of Conduct;
 - (b) must use respectful language;
 - (c) must not use offensive gestures or signs;
 - (d) must speak only in connection with the matter being debated;
 - (e) must not speak outside the motion or reflect upon any vote of the Board except for the purpose of moving that such vote be reconsidered;
 - (f) must not leave their seats or make any noise or disturbance while a vote is being taken and until the result is declared; and
 - (g) must adhere to the rules of procedure established under this Bylaw and to the decisions of the Chair and the Board in connection with the rules and points of order.
- 10.6 If more than one Member speaks the Chair must call on the Member, who, in the Chair’s opinion, spoke first.
- 10.7 The order of debate on a motion will be determined by the Chair and those Members waiting to speak shall be placed into a queue. Members wishing to participate in the debate may do so by raising their hand. The mover and seconder of a motion, or of an amending motion, shall be entitled to speak ahead of other Members.
- 10.8 No Member shall speak on any motion for longer than three (3) minutes without leave of the Chair.
- 10.9 Members are encouraged to speak succinctly and to not repeat information that has already been heard.
- 10.10 Except in explanation of the material part of a Director’s speech, all Members will be given the opportunity to speak once on the same matter or motion, without leave of the Chair, before a Member is recognized a second time.

10.11 A Member who has made a substantive motion to the Board may reply to the debate.

10.12 A Member who has moved an amendment on the previous motion may reply to the debate.

10.13 Members who are called to order by the Chair:

- a) must immediately stop speaking;
- b) may explain their position on the point of order; and
- c) may appeal to the Board for its decision on the point of order.

10.14 Where there is a motion under debate a Member shall not speak other than on that motion under debate and the matters relating to that motion.

10.15 Any Member may require the motion under discussion to be read at any time during the debate, but not so as to interrupt a Member while speaking.

10.16 If, during debate on a motion, a motion to refer or postpone that motion is put while there remain Members who have indicated an intention to speak; the Chair may refuse to accept the seconding of such motion of referral or postponement until those on the list of speakers for the first motion have been heard. No other names shall be added to the said speakers list and, following the hearing of those entitled to speak, the Chair shall ask if there be a seconder to the motion to refer or postpone and, receiving an affirmative response, shall call the question on such motion.

10.17 At any time during debate on a motion, a Director may move "That the vote on the motion be called" and that motion shall be decided without amendment or debate. If the motion "That the vote on the motion be called" is adopted by at least two thirds of the votes cast, the motion consequent thereon shall be immediately called and voted upon without further debate or amendment.

10.18 If the Chair desires to leave the meeting, they shall call on the Vice-Chair to take his/her place until he/she returns to the meeting.

10.19 If the person presiding a Board meeting considers that another person at the meeting is acting improperly, the person presiding may order that the person is expelled from the meeting. If a person who is expelled does not leave the meeting, a peace officer may enforce the order as if it were a court order.

Part 11 Conflict of Interest

- 11.1 A Member attending a meeting must not participate in the discussion or vote on a matter where to do so would be contrary to the *Charter* and the *RDKB Elected Officials Responsible Conduct Guiding Principles Policy and Code of Conduct*. Where a Member considers that he is not entitled to participate in the discussion of a matter or to vote on a question in respect of the matter, the Member must declare this and state the general nature of why the Member considers this to be the case.
- 11.2 Where a Member considers that he is not entitled to participate in the discussion of a matter or to vote on a question in respect of the matter, the Member must:
- (a) not take part in the discussion of the matter and is not entitled to vote on any question in respect of the matter;
 - (b) immediately leave the meeting or that part of the meeting during which the matter is under consideration; and
 - (c) not attempt in any way, whether before, during, or after the meeting, to influence the voting on any question in respect of the matter.
- 11.3 If a Board member has made a declaration as noted above in Section 11.1, and after receiving legal advice on the issue, determines that they were wrong respecting their entitlement to participate in respect of the matter, the member may:
- (a) return to the meeting or attend another meeting of the same body;
 - (b) withdraw the declaration by stating in general terms the basis on which the member has determined that they are entitled to participate; and
 - (c) after this, participate and vote in relation to the matter.
- 11.4 Where a Member declares that he is not entitled to participate in the discussion of a matter or to vote on a question in respect of the matter, the Corporate Officer shall record the Member's declaration and the reasons given for the conflict of interest. The time(s) of the Member's departure from the meeting room and, if applicable, the Member's return shall be noted in the record.
- 11.5 Where a Member declares that he is not entitled to participate in the discussion of a matter or to vote on a question in respect of the matter, the person presiding must ensure that the Member is not present at the meeting at the time of any vote on the matter.

Part 12
Minutes-Board and Committee

- 12.1 Minutes of Board and Committee meetings must be kept in accordance with section 223 of the Act. For purposes of Section 223(b) of the Act, the designated officer is the Corporate Officer.
- 12.2 A draft copy of Board minutes, with a "Draft" watermark will be sent to the Board of Directors and to RDKB staff once they have been completed. An electronic version of the draft minutes will be made available to the public. After the minutes are adopted by the Board of Directors at the next meeting, the minutes will be republished publicly online, without the Draft watermark and as the final version. **BOARD APRIL 30**
- 12.3 A draft copy of Committee minutes, with a "Draft" watermark will be sent to the Committee members and staff once they have been completed. The process for making the draft and final minutes available to the public will follow the steps set out in 12.2 above. **BOARD APRIL 30**
- 12.4 The Corporate Officer shall ensure that copies of the minutes of every meeting of the Board and Committees are distributed to each Member prior to the meeting at which they are proposed to be adopted. Wherever possible, the Board minutes shall be adopted by the Board at the next regular Board meeting.
- Minutes of the Committee meetings will be adopted by the respective Committees at the next regular meeting of the Committee and received by the Board of Directors following adoption by the Committee.
- 12.5 The minutes of the proceedings of the Regional Board and Committees must be open for public inspection at the Regional District during the regular office hours.
- 12.6 The RDKB Corporate Officer is responsible for records management and the filing and keeping of all draft and adopted Board and Committee minutes.

Part 13
Bylaws

- 13.1 Prior to the introduction of any bylaw, each Member who is entitled to vote on the bylaw may receive a copy of the proposed bylaw in electronic format as part of the agenda.
- 13.2 Any bylaw which does not require approval, consent, or assent under the provisions of the Act or any other enactment prior to the adoption of the bylaw may be adopted at the same meeting of the Board at which it passed third reading, provided the motion for adoption receives an affirmative vote of at least two-thirds (2/3) of the votes cast, otherwise, the Board must not adopt a bylaw on the same day it has given the bylaw third reading.
- 13.3 Unless the holding of a public hearing is waived in accordance with the Act, the Board must not give third reading to a community plan bylaw, rural land use bylaw or zoning bylaw without holding a public hearing on the bylaw. The public hearing must be held after first reading of the bylaw and before third reading of the bylaw.
- 13.4 A bylaw must be adopted by separate resolution.
- 13.5 Every bylaw which has been adopted by the Board shall immediately be signed by the authorized officers and shall be retained by the Corporate Officer for safekeeping.

Part 14
Miscellaneous Provisions

Severability

- 14.1 If any section, subsection, clause or other part of this Bylaw is for any reason held to be invalid by the decision of a court of competent jurisdiction, such decision will not affect the validity of the remaining portions of this Bylaw.

Effective Date

- 14.2 This Bylaw shall come into full force and shall take effect on and after the date of the adoption thereof.

Repeal

- 14.3 Regional District of Kootenay Boundary Procedure Bylaw No. 1616, 2016 is hereby repealed.

Read a First, Second and Third Time this day of , 2020.

I, Theresa Lenardon, Manager of Corporate Administration/Corporate Officer, do hereby certify the foregoing to be a true and correct copy of Regional District of Kootenay Boundary Bylaw No. 1720 cited as "Regional District of Kootenay Boundary Procedure Bylaw No. 1720, 2019" as adopted by the Board of the Directors at a regular meeting held this .

Manager of Corporate Administration/Corporate Officer

Reconsidered and Adopted this .

Chair Manager of Corporate Administration/Corporate Officer

I, Theresa Lenardon, Manager of Corporate Administration/Corporate Officer, do hereby certify the foregoing to be a true and correct copy of Regional District of Kootenay Boundary Bylaw No. 1720 cited as "Regional District of Kootenay Boundary Procedure Bylaw No. 1720, 2019" as adopted by the Board of the Directors at a regular meeting held this day of .

Manager of Corporate Administration/Corporate Officer

**STAFF REPORT**

Date: 22 Apr 2020 **File** Grants

To: **Chair Langman and Board of Directors**

From: Mark Andison, Chief Administrative Officer

Re: Proposed Partnership with United Way and AM Ford to Provide Four Vehicles for COVID-19 Community Use

Issue Introduction

A staff report from Mark Andison, CAO providing follow-up information on a proposal considered at the April 16, 2020 Board of Directors meeting to contribute funds toward the leasing costs of four vehicles to assist individuals in the region impacted by COVID-19.

History/Background Factors

At its last meeting, the Board discussed a proposal to enter into a partnership with the United Way, the City of Trail, and AM Ford to provide four vehicles to assist residents of the region with the delivery of goods, including prescription drugs and groceries, and pick-up and drop-off services for medical appointments. The proposal is attached.

Following discussion of the proposal, the Board passed the following resolution:

*That subject to review of further information from the proponents and a report from staff, that the Regional District of Kootenay Boundary Board of Directors approve, in principle, the proposal from the United Way and AM Ford Trail for delivery and transportation services throughout the RDKB region during COVID-19. **FURTHER** that funds for this purpose be allocated from the General Government Service (001) reserves and that the 2020-2024 Five Year Financial Plan be amended accordingly.*

Following the meeting, staff contacted AM Ford to request further information on the proposal, as per the Board's resolution on the issue. Staff requested confirmation that the program would be managed by the United Way and requested contact information for those United Way staff that would be managing the project to discuss details as to how the program would be managed and how the vehicles would be utilized. Recently, AM Ford has responded that, unfortunately, the United Way is unable to manage the project. AM Ford is now in discussions with another not-for-profit organization about their interest and capacity to manage the project and will provide the RDKB with additional information as it becomes available.

Implications

Given the United Way is not able to manage the project and AM Ford is currently in the process of seeking another non-profit organization to manage the logistics associated with the project, staff suggest that the Board defer consideration of the proposal until more complete information is available. At this point, we don't have any detailed information as to how the project would be managed, such as who would deliver the service, who would be considered eligible users of the service, how would dispatch of the four vehicles be managed, or the regional scope of the service.

From a funding perspective, the source of funding identified during discussions at the April 16th Board meeting was the General Government Service (001) reserves. As of Dec.31, 2019, there was \$4,376,837 available in that services's reserve accounts. With the adoption of the 2020 budget, the reserve was reduced by a net amount of \$338,955. The majority of the reserve monies are allocated for specific purposes, however there is \$1,669,767 available in the net unrestricted reserve account.

The proposal, as originally presented, would entail the RDKB contributing half of the lease cost of \$600 per month for each of the four vehicles for a period of 6 months. The total RDKB contribution, then, would be \$7,200. The use of \$7,200 in reserve funds to support the project has not been identified in the 2020 budget and five-year financial plan. As a result, accessing those reserve funds would require a resolution of the Board and a subsequent budget bylaw amendment to reflect the budget change. There is a "grants" line included in the General Government Service budget with a \$10,000 allocation for 2020, but those monies have been allocated for another purpose. It is common for regional districts to provide grants through their general government service budgets to non-profit organizations for projects and initiatives that are of regional benefit.

Other possible alternative sources of funding for the proposal would be the Emergency Management Service (012) reserve account (\$132,906), or the electoral area Grants-in Aid Service (003) budget.

If the Board is supportive of funding the proposal, staff suggest that the role of the RDKB be limited to that of a funding contributor, as initially proposed, and that the RDKB's requested funding contribution be provided to a non-profit organization that is acting as administrator of the project.

Staff will provide further information on the proposal as it becomes available.

Advancement of Strategic Planning Goals

Consideration of funding to this project would support the Board's strategic objective of "responding to demographic, economic, and social change".

Background Information Provided

Proposal from AM Ford discussed at April 16, 2020 meeting of the RDKB Board of Directors

Alternatives

1. That consideration of the proposal for the RDKB to provide funding to a not-for-profit organization to cover 50% of the lease payments associated with providing four vehicles for community use in response to COVID-19 for a six-month period be deferred until a not-for-profit organization is available to administer the project and further information is provided regarding how the project will be managed and the regional scope of the service.
2. That the Board of Directors approve the transfer of \$7,200 from the General Government Service (001) reserve to provide funding to a not-for-profit organization to cover 50% of the lease payments associated with providing four vehicles for community use in response to COVID-19 for a six-month period.
3. That the Board of Directors approve \$7,200 being transferred from the Emergency Management Service (012) reserve to provide funding to a not-for-profit organization to cover 50% of the lease payments associated with providing four vehicles for community use in response to COVID-19 for a six-month period.
4. That the electoral area directors consider contributing funds from the Grant-in-Aid Service (003) budget to a not-for-profit organization to assist in funding the lease payments associated with providing four vehicles for community use in response to COVID-19 for a six-month period.
5. That the proposal be received, with no further action.

Recommendation(s)

That consideration of the proposal for the RDKB to provide funding to a not-for-profit organization to cover 50% of the lease payments associated with providing four vehicles for community use in response to COVID-19 for a six-month period be

deferred until a not-for-profit organization is available to administer the project and further information is provided regarding how the project will be managed and the regional scope of the service.

To: Regional District of Kootenay Boundary

In order to assist the residents of the Kootenay Boundary during this COVID-19 pandemic, AM Ford was recommended to partner with the United Way to supply four (4) new Ford Ecosports to deliver goods and facemasks to residents and offer pickup and dropoff services for medical appointments or prescription and grocery shopping. Three (3) vehicles will be designated to the Lower Columbia end East End Seven and the fourth will be for Christina Lake Boundary.

The United Way will take the lead in organizing volunteers to drive the vehicles. The necessary precautions will be taken to maintain the appropriate amount of cleanliness for the safety of the drivers and passengers. In particular, with the help of Midas, AM Ford will be installing plexi-glass dividers between the front and back seats to provide additional protection for the driver and passenger. The vehicles will be decaled with logos from all the supporters including AM Ford, United Way, City of Trail and the Regional District.

On short notice, I reached out to Robert Cacchioni and Colleen Jones of Trail City Counsel for them to discuss the option of covering the insurance and gas costs of these Ecosports at today's committee meeting.

AM Ford would like to request assistance from the Regional District to offset half the short term lease cost of \$600 a month on each Ecosport for 6 months. AM Ford will pay the other half making the payments \$300 a month each. AM Ford will re-assess the Covid-19 situation after 6 months with the City and the Regional District. If the pandemic has ended and it is determined this service is no longer needed, the Regional District and the City of Trail would have the first option to purchase these vehicles at depreciated prices.

Given the urgency of the ask, it may be prudent to consider running this type of expense of \$1200 per month as a vehicle (fleet) maintenance line item for an initial 6 month term.

We feel this service will be beneficial to our region and hope the City of Trail and the Regional District will agree to join AM Ford and the United Way in making transportation readily accessible for Kootenay Boundary residents who may be at a higher risk and will require this level of safety through this pandemic.

I look forward to hearing from you.

Dan Ashman
Dealer Principal
AM Ford Sales Ltd.





CITY OF GREENWOOD

PO Box 129
Greenwood, BC V0H 1J0

April 9, 2020

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

Re: Proposed Feasibility Study on the Greenwood Fire Department

RDKB Board Members,

It has come to the attention of the City of Greenwood, that RDKB board members passed a motion to do a feasibility study on Area E, including the Greenwood Fire Department; prior to having discussions with City Council.

The Greenwood Fire Department is under the jurisdiction of the municipality; not the Regional District. A feasibility study on a municipal service requires the approval of Council from the City of Greenwood.

Council is requesting information, prior to approving a feasibility study. The City is not concerned about discussions, but we are concerned with the process.

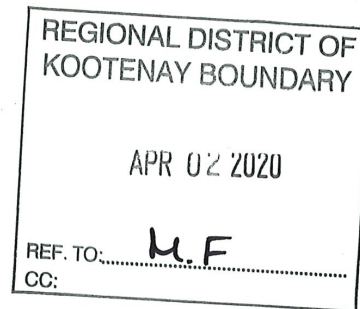
Yours sincerely,

Wendy Higashi, CAO / CO
City of Greenwood,
Greenwood, BC



March 27, 2020

Chair Roly Russell
Regional District of Kootenay Boundary
202-843 Rossland Avenue
Trail, BC V1R 4S8



Dear Chair Russell:

Re: Provincial Response to 2019 Resolutions

UBCM has received the Province's response(s) to your Board resolution(s) from 2019. Please find the enclosed resolution(s) and their provincial response(s).

Responses received from the Province have been posted to the UBCM web site under Resolutions & Policy.

If you have any questions about this process, please contact Jamee Justason, Resolutions and Policy Analyst at 604.270.8226 ext. 100 or jjustason@ubcm.ca

Yours truly,

Maja Tait
UBCM President

Enclosure

2019 B6 Victims Services Funding**Kootenay Boundary RD**

Whereas the costs to local governments for providing police-based victim services continues to escalate due to increased demand and annual inflation;

And whereas the authority for providing victim services for: victims' issues; development of legislation, policies and programs; training; and delivering and funding programs that support victims and their families is the responsibility of the Community Safety and Crime Prevention Branch of the Ministry of Public Safety and Solicitor General:

Therefore be it resolved that the UBCM urge the Province of BC, through the Ministry of Public Safety and Solicitor General to increase the Ministry's funding contribution for the provision of police-based victim services within the Province of British Columbia.

Convention Decision: Endorsed

Provincial Response**Ministry of Public Safety and Solicitor General**

To better meet the ongoing demand for programs and services such as counselling, outreach and crisis support for women and children who experience domestic violence, sexual assault and other crimes, the 2018/19 budget increased annual funding by \$5 million starting in 2018/19, which will be further increased by an additional \$3 million in 2020/21, for a total increase of \$18 million over three years.

The Ministry now provides over \$37 million annually in funding to support over 400 victim service and violence against women programs across the Province, which includes nearly \$6 million for 91 police-based victim service programs.

Additionally, in December 2017, the Ministry provided a total of \$5 million in one-time Program Enhancement Grants, including \$0.658 million to Police Based Victim Service programs across British Columbia to help address service delivery pressures for programs.

The Ministry is aware that some agencies and programs continue to face financial pressures and ministry staff continue to work with those agencies on these issues.

2019 B27 Support for Fire Services**Kootenay Boundary RD**

Whereas the Office of the Fire Commissioner has, over the past three years, put more requirements in place for fire departments in British Columbia;

And whereas the cost and time commitment of these increased training, risk management, and records management requirements have negatively impacted volunteer and paid-on-call fire fighter recruitment and has resulted in increased local government taxation:

Therefore be it resolved that UBCM be directed to work with the Ministry of Public Safety and Solicitor General and the Office of the Fire Commissioner to explore provincial funding support to help fund staffing, compliance with standards, and capital costs of British Columbia fire departments.

Convention Decision: **Endorsed**

Provincial Response**Ministry of Public Safety and Solicitor General**

The Province recognizes that many communities throughout British Columbia face funding challenges in delivering fire and rescue services.

In 2014, the Office of the Fire Commissioner (OFC) created the BC Fire Service Minimum Training Standards "Playbook" in an effort to enact achievable minimum training standards for structural firefighter competencies. This was a direct response to recommendations of the Fire Services Liaison Group report released in 2010. Training for "Exterior" level firefighting can be administered through a "Train-the-Trainer" model using "In-House" instructors and training personnel. These training materials are provided upon request to the OFC at no cost.

Prior to these new minimum standards, the training standards that were in place for over ten years were those of the National Fire Protection Association which were more costly and, in many cases, more difficult to achieve. In addition, it has always been statutory law to comply with WorkSafeBC Law and Regulations, which outlines the requirements for training relative to the requirements of the firefighter or supervisor's role, and for the keeping of training records.

Emergency Management BC and the OFC continue to work collaboratively with UBCM, the Local Government Management Association, BC Wildfire Service (BCWS), and the Fire Chiefs' Association of BC (FCABC) on a variety of funding and training initiatives that can assist fire departments and local authorities that have less resources.

BCWS currently provides subsidized structural protection training courses for local authority fire departments for an urban interface environment and is working closely with the OFC. The OFC is now providing wildland urban interface structural protection command - level training courses regionally throughout BC, at no cost to attendees. This training started in October 2019 and will continue until late Spring 2020. Invitations are extended to all departments within each region, and seats are filled on a first come, first served basis. The OFC is also supporting an array of wildland interface fire training available to all departments through funding provided to the 2020 Penticton Wildfire Urban Interface Symposium.

The FCABC is currently helping to administer \$5 million in residual grant funding to assist local authority fire departments. This is being done in 2019 in two phases: Phase 1 will be provided to fire departments in communities that were affected by the wildfires in 2017. Phase 2 will see any remaining funds from this program made available to other departments across British Columbia.

On May 10, 2019 the Province provided \$5 million to the UBCM Community Emergency Preparedness Fund to develop a stream of funding for volunteer and composite fire departments to facilitate the delivery of firefighter training and to purchase new or replacement equipment. The CEPF closed to applications in November 2018; over 185 applications were made. These applications have been assessed and applicants will learn of their status in the coming weeks.

2019 B37 Forestry Development Plan Referral Best Practices**Kootenay Boundary RD**

Whereas local governments have actively advocated for a larger role in the review of forest management plans in the province and are now increasingly being asked to provide input into the forest management plans proposed by the forest industry and BC Timber Sales, but without a clearly defined mandate, framework, or best practices within which to consider such plans;

And whereas the authority for managing and regulating the Province's forest resources rests with the Ministry of Forests, Lands, Natural Resources Operations and Rural Development;

Therefore be it resolved that UBCM urge the Province of BC, through the Ministry of Forests, Lands, Natural Resources Operations and Rural Development to work with local governments and the forest industry to develop guidance documents intended to better define the role of local government in the review process and best practices for forest management plan referrals from the forest industry and Provincial agencies.

Convention Decision: Endorsed

Provincial Response

Ministry of Forests, Lands, Natural Resource Operations and Rural Development

Government is working on changes to the Forest and Range Practices Act (FRPA) to:

- Engage with communities during the planning processes;*
- Clarify government's objectives for forest and range resources;*
- Hold industries more accountable for achieving desired outcomes; and,*
- Collaborate with Indigenous communities early in the planning process.*

Initial improvements to the Act were passed May 2019 in, "The Forest and Range Practices Amendment Act, 2019", or Bill 21. These changes are intended to:

- Create more frequent and reliable opportunities for public review and comment on land use operational plans such as forest stewardship plans and woodlot licence plans;*
- Improve information sharing in forest planning by requiring forest licencees to share and solicit public review and comment on proposed cutblocks and roads;*
- Strengthen the Government's ability to manage forest and range activities, for example, by creating enforceable regulations for protecting visual quality, avoiding the spread of invasive plants and maintaining natural barriers to cattle movement;*
- Enhance the management and conservation stewardship of resource values, particularly at-risk ecological (plant) communities; and,*
- Improve and streamline range use planning.*



March 30, 2020

Chair Roly Russell
Regional District of Kootenay Boundary
202-843 Rossland Avenue
Trail, BC V1R 4S8

Dear Chair Russell:

Re: Provincial Response to 2019 Resolutions

UBCM has received the Province's response(s) to your Board resolution(s) from 2019. Please find the enclosed resolution(s) and their provincial response(s).

Responses received from the Province have been posted to the UBCM web site under Resolutions & Policy.

If you have any questions about this process, please contact Jamee Justason, Resolutions and Policy Analyst at 604.270.8226 ext. 100 or jjustason@ubcm.ca

Yours truly,

A handwritten signature in black ink, appearing to read "Maja Tait", is written over a faint, circular embossed seal. The seal contains text that is mostly illegible but appears to include "Union of BC Municipalities".

Maja Tait
UBCM President

Enclosure

2019 OF1 Rural Dividend Reconsideration**Kootenay Boundary RD**

Whereas the intention of the Rural Dividend program is to provide funding to support economic diversification beyond resource development in rural, remote and Indigenous communities that are currently forest dependent;

And whereas the Rural Dividend program has been effective at diversifying economies and enabling local governments to deliver important projects;

And whereas the recent decision from the Provincial Government of BC has migrated funding from the Rural Dividend program to a reactive support to communities impacted by mill closures and curtailments:

Therefore be it resolved that UBCM request that the Province of BC reconsiders their decision to reallocate funding from the Rural Dividend program in order to maintain continuous delivery of the Rural Dividend program while identifying alternative funds to simultaneously deliver supports for communities impacted by mill closures and curtailments.

Convention Decision: **Endorsed**

Provincial Response**Ministry of Forests, Lands, Natural Resource Operations and Rural Development**

Government is providing \$69 million in programming to assist impacted workers and communities as they face an unprecedented situation in the forestry sector. Support for this essential programming required that funding in the Rural Dividend Program (the Program) be temporarily reallocated.

Government made the decision to use the funding to provide critical supports to workers, families and communities impacted by mill closures and curtailments because there has not been another industry in British Columbia where significant job loss of this nature has been experienced.

It is important to note that the Program has been suspended, not cancelled. In Budget 2018/19 Government extended the Program until 2020/21. As a result, further application intake periods are anticipated. Applications submitted in the 2019 intake period will be retained for future vetting and funding consideration.

The Ministry of Forests, Lands, Natural Resource Operations and Rural Development (FLNRORD) is aware that funded projects have had a significant impact on economic development and diversification in rural BC. As a result, Program staff remain active in supporting and monitoring previously funded projects.

Program staff have worked with colleagues across other ministries to identify options for alternative funding, with an emphasis on community economic development and diversification. A list of alternative funding sources is now posted on the Program website at <https://www.gov.bc.ca/ruraldividend>.

Additionally, FLNRORD Regional Economic Operations staff are also available to provide support for the development and implementation of economic priorities in rural BC.



April 8, 2020

Chair Diane Langman
Regional District of Kootenay Boundary
202-843 Rossland Avenue
Trail, BC V1R 4S8

Dear Chair Langman:

Re: 2020 Resolution(s) Submitted to AKBLG

UBCM is in receipt of the attached resolution(s) that your Board submitted to the Association of Kootenay and Boundary Local Governments (AKBLG).

With the cancellation of the AKBLG Spring Convention, your resolution(s) will be brought to the 2020 UBCM Convention in September for consideration.

As per the *UBCM Resolutions Process* letter dated March 4, 2020 that was sent to your Board, UBCM may have already, or may need to reach out to your staff to work on clarifying your resolution(s) in order to ensure it meets our criteria.

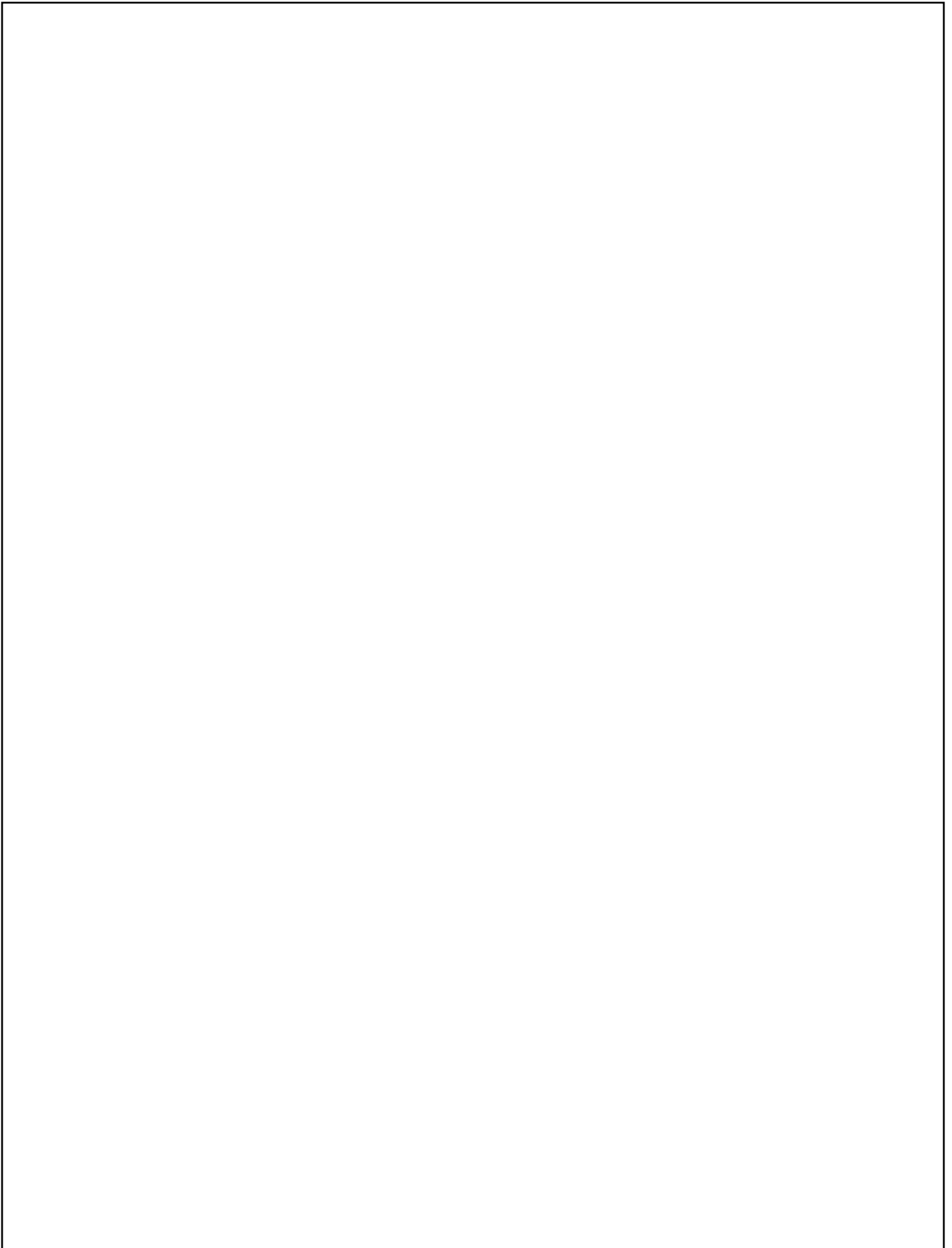
If you have any questions, please contact Jamee Justason, Resolutions and Policy Analyst at 604.270.8226 ext. 100 or jjustason@ubcm.ca.

Yours truly,

A handwritten signature in black ink, appearing to read "Maja Tait", is written over a light blue circular background.

Maja Tait
UBCM President

Enclosure



Incentives-High Efficiency Electrical Appliances

Kootenay Boundary RD

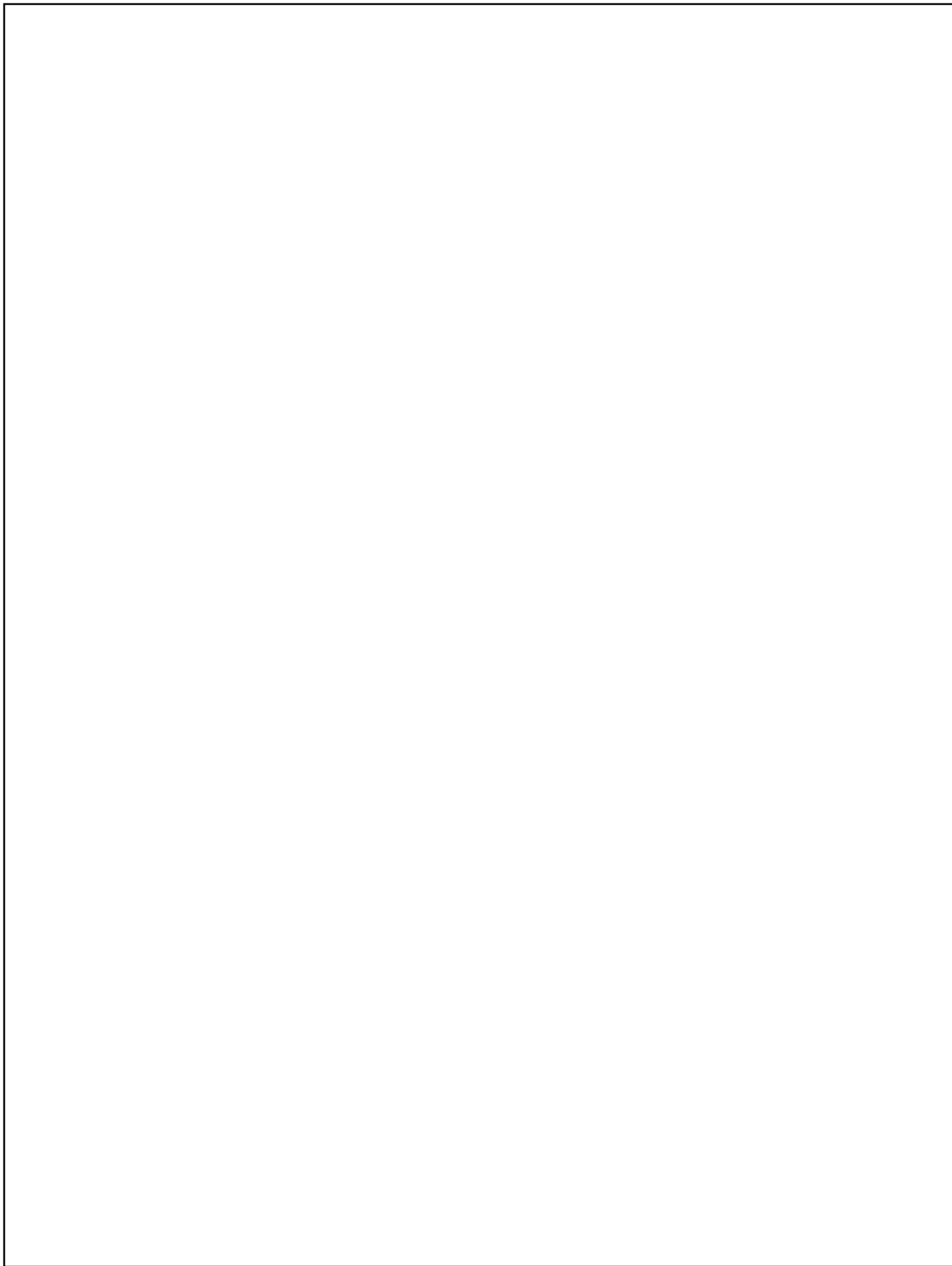
Whereas several Kootenay Boundary communities have committed to a transition to 100% renewable energy by 2050; and

Whereas electricity generated in BC is considered a renewable energy source while natural gas is not; and

And whereas the incentives available from suppliers for natural gas use in the province are considerably greater than those available for use of electricity;

Therefore be it resolved that UBCM ask the Government of BC to require all electricity suppliers in the province, including Fortis BC, to increase the incentives available to the public supporting the use of high efficiency electrical appliances to the point where those incentives are at level equal to those currently provided by natural gas suppliers.

Convention Decision:



Ongoing Sustainable Grant Funding Model**Kootenay Boundary RD**

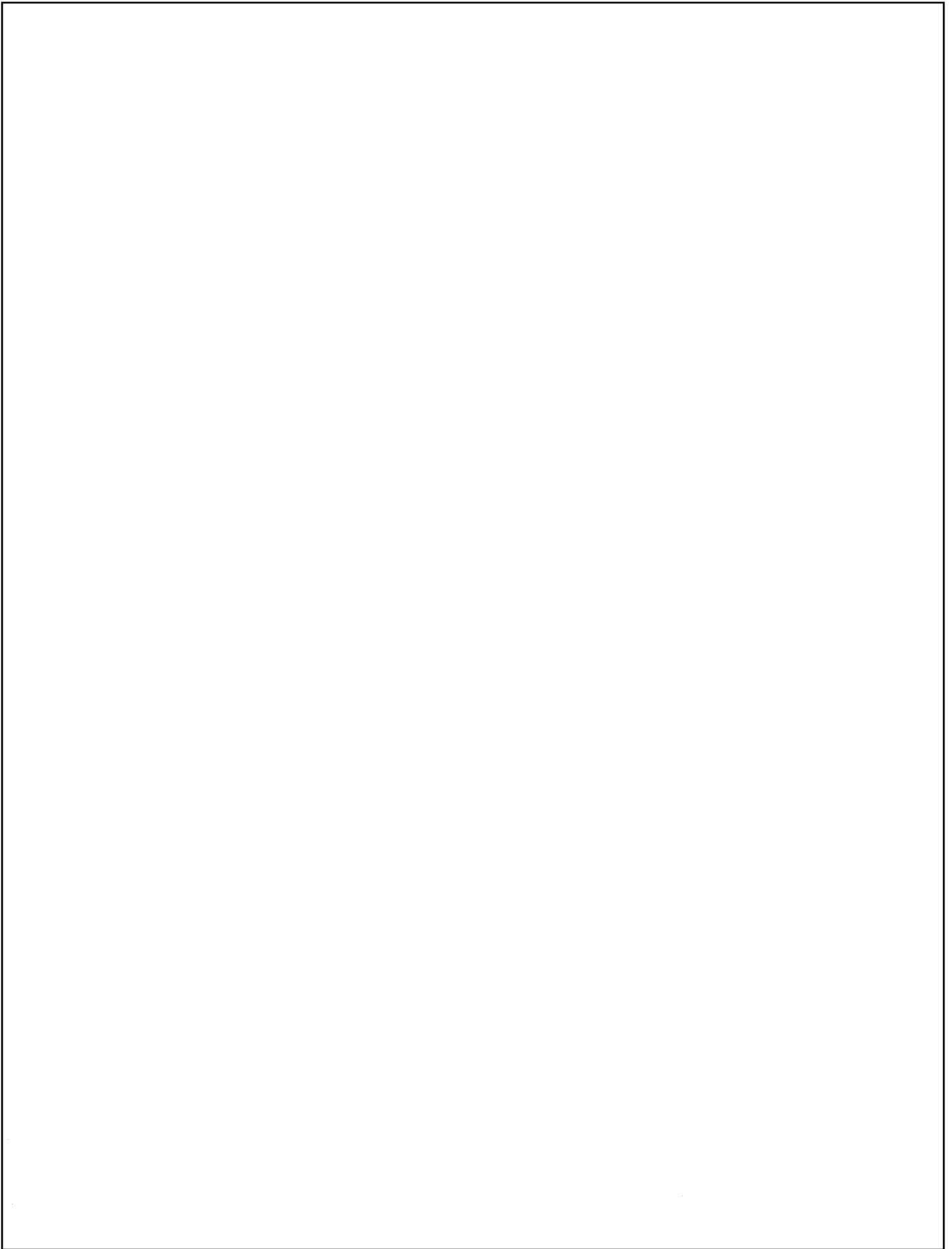
Whereas the Provincial government has an interest in local governments actively participating in, or delivering, many of its initiatives, priorities, and programs, and has developed a broad range of grant programs to provide funding assistance to local governments to facilitate such work;

And whereas, grants provide a valuable source of revenue for capital projects and other major one-time expenditures, but discretionary grant programs constitute an insecure funding stream for on-going program work undertaken by local governments, such as emergency management and fire protection programs, requiring a significant administrative commitment relating to application submissions and financial reporting;

And whereas, both local and the Provincial governments benefit from having more secure, less administratively onerous Provincial funding streams available to facilitate local government participation in Provincially supported programs, such as the existing, ongoing funding that is provided through annual operating agreements for BC Transit partnerships and Victim Services partnerships;

Therefore, be it resolved that UBCM ask the Provincial government to review its funding model to local governments to consider moving away from one-time, grant-based funding models for ongoing local government programs, such as emergency management and fire protection, to a more secure on-going and sustainable funding model based upon annual operating agreements in support of Provincial initiatives, priorities, and programs.

Convention Decision:



Celgar Stakeholders,

Thank you for participating in today's virtual meeting about the critical situation facing Celgar and the measures that could help keep Celgar operating during these exceptionally challenging times. Your participation demonstrates how the status of the mill affects us all. More than 18 community leaders attended, including our MLA Katrine Conroy, union leadership, Celgar employees and our parent company Mercer International. We are grateful for your comments and feedback. I am certain that we all share in the common goal of doing everything possible to ensure Celgar operations continue.

We discussed the challenges Celgar is facing related to the declining supply of woodchips vital to the mill's operations, the substantial increased cost of sourcing whole logs to replace those woodchips, and the expiring power purchase agreement with BC Hydro. These factors are inter-related. Sourcing whole logs will substantially increase costs: for the fibre and associated transportation of logs. Since our fibre represents a large part of the mill's energy cost, a 50% cut to our green energy revenue (as is presently the case with BC Hydro) will be especially devastating at this time. We also discussed how our circumstances are urgent. We are running out of fibre in a matter of weeks. Measures to mitigate this must be taken now to reduce the risk of a shutdown.

To that end, we are proposing measures to keep Celgar operating including:

- Designating (temporarily) all logs harvested and delivered to a pulp facility as well as in inventory as "pulp wood" with a fixed stumpage rate of \$0.25 per m³,
- Allowing a 10% weight increase to trucks, and
- Extending the power purchase agreement with BC Hydro for at least one year.

In discussing these measures, many of you shared ideas about securing wood supply. We assure you that no stone will be left unturned. Celgar requires large volumes of fibre on a continuous basis and we are targeting existing stockpiles, forest waste, as well as whole logs. We heard feedback and support for the reduced GHGs associated with increasing truck weights and related use of Castlegar's municipal roads. Thank you too for the positive comments about the importance of Celgar's clean, green energy production, enough to supply about 25,000 homes with power.

At the close of the call, we heard from our MLA Katrine Conroy and the priority she is making of advocating for Celgar with key Minister's and the Premier's Office. We are thankful for Katrine's assistance. She indicated that government is working hard, taking our challenge seriously, and that decisions respecting the measures we have proposed could be forthcoming as early as next week.

With decisions being made quickly, The City of Castlegar will also be circulating a letter that will combine all of your signatures to show your support to assist Celgar and adopt the proposed measures – reduced stumpage, weight increases to trucks, and extension of the power purchase agreement – to help keep Celgar operating!

I know you will be monitoring our status closely. We will be hosting another virtual community meeting this coming Friday April 24th at 10am to provide updates and an opportunity for further discussion.

Thank you again for joining the meeting and we thank you for your support.

A handwritten signature in blue ink, appearing to read "B. MacPherson", with a stylized, cursive script.

Bill MacPherson
Managing Director, Mercer Celgar

April xx, 2020

The Honourable Katrine Conroy
Kootenay West MLA & Minister of Children and Family Development
#2 – 1006 3rd Street
Castlegar, BC V1N 3X6

Dear Honourable Minister Conroy,

Re: Support for Mercer Celgar's request for aid from the Province of B.C.

The COVID-19 pandemic has brought quick and widespread negative effects across Canada and around the world. In the West Kootenay region, businesses and industries are feeling the pain and we expect their struggles to continue in the long-term.

For the forest industry, the negative impacts of COVID-19 are compounding on other challenges the industry has been facing for over a year. As a forestry-based economy, our community and region relies directly on forestry-related jobs and the economic spin offs from the industry. We are gravely concerned about the future and well-being of the forest industry in our area.

We support Mercer Celgar's attached request of the Province of B.C. for to support not only them, but other pulp and paper mills and the forestry sector throughout B.C. We urge the Province of B.C. to support this request and help us keep our local economy strong.

We are available to discuss this matter further. Please do not hesitate to contact me directly.

Signed by,

Mayor Bruno Tassone, Castlegar

Mayor John Dooley, Nelson

Mayor Lisa Pasin, Trail

Mayor Kathy Moore, Rossland

Mayor Suzan Hewat, Kaslo

Aimee Watson, Electoral Area D RDCK

Garry Jackman, Electoral Area A RDCK

Janice Morrison, City of Nelson Councillor RDCK

Leah Main, Village of Silverton RDCK

Diane Langman, Board Chair RDKB

Linda Worley, Director RDKB

Andy Davidoff, Electoral Area I RDCK

Cyra Yunkws, Village of Warfield

Angus Graeme, President, Selkirk College

Kelly Johnson, PPWC Union President

Bryan Keep, Union Representative

Regional District of Kootenay Boundary
Cheque Register-Summary for month of March 2020

Cheque Date	Supplier	Name	Amount
20-Mar-20	ACT015	ACTON, DAMON	\$ 24.75
3-Mar-20	AKB020	ASSOCIATION OF KOOTENAY AND	\$ 2,000.00
20-Mar-20	ALB020	ALBERTA FIRE CHIEFS ASSOCIATION	\$ 205.64
20-Mar-20	AND040	ANDREW SHERET LTD.	\$ 4.10
3-Mar-20	BCF020	B.C. FIRE TRAINING OFFICERS	\$ 157.50
20-Mar-20	BCV010	BC VACTORING AND FABRICATING	\$ 3,759.00
10-Mar-20	BEA014	BEAVERDELL COMMUNITY CLUB &	\$ 500.00
10-Mar-20	BEA014	BEAVERDELL COMMUNITY CLUB &	\$ 1,000.00
18-Mar-20	BEA044	BEAVER VALLEY THRIFT SHOP	\$ 1,000.00
3-Mar-20	BEA220	BEAVER VALLEY SKATING CLUB	\$ 70.00
10-Mar-20	BEA240	BEAVER VALLEY CROSS COUNTRY SKI	\$ 2,000.00
20-Mar-20	BEL070	BELL MEDIA RADIO GP	\$ 218.48
3-Mar-20	BEL110	BELL MOBILITY INC.	\$ 150.23
20-Mar-20	BHS010	BH SAFETY GEAR	\$ 655.06
27-Mar-20	BHS010	BH SAFETY GEAR	\$ 87.08
18-Mar-20	BOU110	BOUNDARY MINOR HOCKEY	\$ 250.00
18-Mar-20	BOU120	BOUNDARY GIRLS FASTPITCH	\$ 250.00
10-Mar-20	BOU590	BOUNDARY 4-H MULTI CLUB	\$ 1,000.00
18-Mar-20	BOW070	BOWCOCK, MICHAEL	\$ 186.35
27-Mar-20	BRI001	BRINK'S CANADA LIMITED	\$ 1,770.14
10-Mar-20	BRI050	BRIDESVILLE COMMUNITY CLUB	\$ 2,000.00
20-Mar-20	BUR010	BURTS PROCESS SERVING	\$ 60.00
18-Mar-20	CAN039	CANADIAN TRAINING RESOURCES	\$ 418.95
27-Mar-20	CAN048	CANADIAN VOLUNTEER FIRE SERVICES	\$ 320.00
10-Mar-20	CAN110	CANADIAN RED CROSS SOCIETY	\$ 100.00
20-Mar-20	CDM010	CDM SERVICES AND REPAIRS	\$ 1,560.14
10-Mar-20	CHA016	CHARTERED PROFESSIONAL	\$ 997.50
20-Mar-20	CHA016	CHARTERED PROFESSIONAL	\$ 997.50
27-Mar-20	CHI080	CHINA CREEK INTERNET SERVICE	\$ 469.73
3-Mar-20	CHR270	CHRISTINA LAKE NEWS	\$ 116.50
3-Mar-20	CIB010	CIBC VISA	\$ 13,684.16
20-Mar-20	CIE020	CI EXCAVATING	\$ 2,590.88
27-Mar-20	CIT050	CITYVIEW A DIVISION OF N HARRIS	\$ 13,049.05
3-Mar-20	CIT070	CANADIAN ICE TRAINING	\$ 495.00
27-Mar-20	CIV040	CIVIC LEGAL LLP	\$ 2,251.20
20-Mar-20	CLE001	CLEMENS, CHUCK	\$ 50.00
3-Mar-20	COL026	COLUMBIA WIRELESS INC.	\$ 610.40
3-Mar-20	DEL070	DELL CANADA INC	\$ 1,859.62

Regional District of Kootenay Boundary
Cheque Register-Summary for month of March 2020

Cheque Date	Supplier	Name	Amount
20-Mar-20	DEL070	DELL CANADA INC	\$ 5,238.04
27-Mar-20	DGM010	DGM-LAMINATING	\$ 127.68
10-Mar-20	DOE040	DOERKSON, DARRYL	\$ 87.36
18-Mar-20	ECL010	ECLIPSE INSPECTION & WELDING	\$ 2,520.00
20-Mar-20	FER001	FERRARO FOODS	\$ 148.59
27-Mar-20	FER001	FERRARO FOODS	\$ 256.37
18-Mar-20	FIR080	FIRE CHIEFS' ASSOCIATION OF BRITISH	\$ 651.00
10-Mar-20	FLE100	FLETCHER, ETHAN	\$ 200.00
18-Mar-20	FON010	FONTAINE, DARCY	\$ 577.80
20-Mar-20	FORGRA	FORTIS BC - FINANCIAL ACCOUNTING	\$ 467.25
20-Mar-20	FOS060	FOSTER, JOSHUA	\$ 108.22
20-Mar-20	FRO110	FRONTLINE OPERATIONS GROUP LTD.	\$ 3,365.19
20-Mar-20	FRU020	FRUITVALE CO-OP	\$ 238.87
20-Mar-20	FRU020	FRUITVALE CO-OP	\$ 43.65
10-Mar-20	GAN050	GANZINI, BRITTANY-"IN TRUST"	\$ 253.80
3-Mar-20	GAR150	GARAVENTA (CANADA) LTD.	\$ 1,130.00
3-Mar-20	GAT050	GATESTONE & cO. CONTACT CENTRES	\$ 40.40
18-Mar-20	GIL180	GILL, COLIN	\$ 20.00
20-Mar-20	GLA070	GLADISH, SANDRA	\$ 188.99
20-Mar-20	GLE040	GLENMERRY GLASS LTD.	\$ 36.75
18-Mar-20	GRA045	GRAND FORKS ATV CLUB	\$ 10,000.00
10-Mar-20	GRA160	GRAND FORKS ART GALLERY SOCIETY	\$ 5,000.00
20-Mar-20	GRE039	GREAT WEST EQUIPMENT	\$ 366,821.15
20-Mar-20	HEN140	HENDERSON, DEREK	\$ 214.24
3-Mar-20	HOM010	HOME DEPOT CREDIT SERVICES	\$ 121.64
27-Mar-20	HOM010	HOME DEPOT CREDIT SERVICES	\$ 9.93
20-Mar-20	ICE010	ICESOFT TECHNOLOGIES LTD	\$ 10,500.00
18-Mar-20	IMP020	IMPERIAL OIL LIMITED	\$ 155.44
27-Mar-20	INL090	INLAND KENWORTH CASTLEGAR	\$ 447.21
3-Mar-20	INT190	INTERNATIONAL SAFETY	\$ 1,149.75
20-Mar-20	IRW010	IRWIN AIR LTD.	\$ 92.36
3-Mar-20	JOH310	JOHNSON, ROSANNE, IN TRUST	\$ 48.55
27-Mar-20	KEL130	THE KELOWNA & DISTRICT SOCIETY FOR	\$ 2,500.00
20-Mar-20	KET010	KETTLE RIVER SENIORS ASSOC. (ECHO)	\$ 280.00
18-Mar-20	KID020	THE KIDNEY FOUNDATION OF CANADA	\$ 500.00
10-Mar-20	KIM050	KIM'S CREATIONS	\$ 5,705.70
20-Mar-20	KOO051	KOOTENAY HEALTH SERVICES INC	\$ 360.00
10-Mar-20	KOR030	KOROLEK, CATHERINE	\$ 149.40

Regional District of Kootenay Boundary
Cheque Register-Summary for month of March 2020

Cheque Date	Supplier	Name	Amount
18-Mar-20	KOT015	KOTYK, PAM	\$ 96.80
31-Mar-20	LAN030	BC LAND TITLE & SURVEY AUTHORITY	\$ 1,000.00
18-Mar-20	LEM001	LEMIEUX, CURTIS	\$ 106.80
3-Mar-20	LGM100	LGMA	\$ 525.00
10-Mar-20	LGM100	LGMA	\$ 3,150.00
27-Mar-20	LIM010	LIME CREEK LOGGING LTD.	\$ 11.02
18-Mar-20	LIV001	LIVOLSI, SERGE	\$ 84.30
20-Mar-20	MAC290	MAC CHAIN COMPANY LTD	\$ 7,607.25
27-Mar-20	MAG050	MAGAW MOTORS	\$ 165.76
27-Mar-20	MCG010	MCGREGOR ROBERT "IN TRUST"	\$ 90.90
3-Mar-20	MED003	MEDTEQ SOLUTIONS CA LTD.	\$ 8,440.71
27-Mar-20	MEH010	MEHMAL, LEONARD	\$ 200.00
10-Mar-20	MIG010	MIGUEL, ATI	\$ 80.00
3-Mar-20	MIN040	MINISTER OF FINANCE	\$ 514.16
10-Mar-20	MIN040	MINISTER OF FINANCE	\$ 176.41
3-Mar-20	MIN050	MINISTER OF FINANCE	\$ 1,059.61
3-Mar-20	MIN220	MINISTER OF FINANCE	\$ 210.00
5-Mar-20	MUN002	MUNICIPAL PENSION PLAN 50151-	\$ 21,523.31
20-Mar-20	MUN002	MUNICIPAL PENSION PLAN 50151-	\$ 21,645.23
5-Mar-20	MUN003	MUNICIPAL PENSION PLAN 00151-	\$ 35,387.79
20-Mar-20	MUN003	MUNICIPAL PENSION PLAN 00151-	\$ 36,251.54
27-Mar-20	NEX030	NEXUS FIRE & SAFETY LTD	\$ 195.30
18-Mar-20	NGR010	NG REFRIGERATION HEATING &	\$ 330.75
18-Mar-20	ONE070	O'NEILL, JANET	\$ 178.32
20-Mar-20	PAC210	PACIFIC FIRST AID TRAINING & SUPPLIES	\$ 88.00
27-Mar-20	PAT030	PATHWISE SOLUTIONS INC	\$ 5,250.00
10-Mar-20	PET010	PETRO CANADA	\$ 12,873.96
10-Mar-20	PON010	PONY ESPRESSO	\$ 36.75
20-Mar-20	PON010	PONY ESPRESSO	\$ 648.90
10-Mar-20	PRO060	PROLINE CUSTOM CLOTHING INC.	\$ 2,756.60
20-Mar-20	PUR020	PUROLATOR INC.	\$ 95.36
18-Mar-20	RAT015	RATCLIFFE, SARAH	\$ 241.50
10-Mar-20	REC002	RECEIVER GENERAL	\$ 736.21
20-Mar-20	REC002	RECEIVER GENERAL	\$ 736.21
10-Mar-20	REC010	RECEIVER GENERAL FOR CANADA	\$ 105,907.34
20-Mar-20	REC010	RECEIVER GENERAL FOR CANADA	\$ 104,426.61
20-Mar-20	REC510	RECEIVER GENERAL FOR CANADA	\$ 8,974.44
18-Mar-20	RIC020	RICIOPPO, JOYCE	\$ 211.20

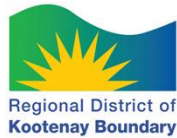
Regional District of Kootenay Boundary
Cheque Register-Summary for month of March 2020

Cheque Date	Supplier	Name	Amount
3-Mar-20	SAV040	SAVE-ON-FOODS	\$ 31.47
10-Mar-20	SAV040	SAVE-ON-FOODS	\$ 6.89
20-Mar-20	SAV040	SAVE-ON-FOODS	\$ 159.67
27-Mar-20	SAV040	SAVE-ON-FOODS	\$ 148.69
18-Mar-20	SCH017	SCHMUNK, BRADLEY	\$ 1,200.00
18-Mar-20	SCO025	SCOUTS CANADA - FIRST WARFIELD	\$ 600.00
27-Mar-20	SDS010	S.D. SERVICES	\$ 313.95
3-Mar-20	SEL010	SELECT OFFICE PRODUCTS	\$ 75.38
27-Mar-20	SEL010	SELECT OFFICE PRODUCTS	\$ 305.41
10-Mar-20	SEL040	SELKIRK COLLEGE (CASTLEGAR)	\$ 20,000.00
3-Mar-20	SHA030	SHAW CABLE	\$ 566.87
10-Mar-20	SHA030	SHAW CABLE	\$ 162.16
18-Mar-20	SHA030	SHAW CABLE	\$ 238.02
20-Mar-20	SHA030	SHAW CABLE	\$ 246.40
27-Mar-20	SHA030	SHAW CABLE	\$ 373.79
3-Mar-20	SIL040	SILVER CITY TRAP CLUB	\$ 18,675.00
3-Mar-20	SPC010	SOCIETY FOR PREVENTION OF CRUELTY	\$ 7,437.00
10-Mar-20	SPC010	SOCIETY FOR PREVENTION OF CRUELTY	\$ 7,437.00
3-Mar-20	STA007	DESJARDINS CARD SERVICES	\$ 111.17
27-Mar-20	STA007	DESJARDINS CARD SERVICES	\$ 3.82
20-Mar-20	STA025	STAJDUHAR, JESSICA	\$ 120.50
20-Mar-20	STE130	STERICYCLE COMMUNICATION	\$ 888.82
27-Mar-20	STO010	ST. ONGE, SHARON	\$ 72.75
27-Mar-20	SUB001	SUBITUP INC.	\$ 1,123.16
10-Mar-20	SYM030	SYMPHONY TOURISM SERVICES	\$ 319.20
18-Mar-20	TAY080	TAYLOR, CODY	\$ 200.00
3-Mar-20	TEL001	TELUS COMMUNICATIONS (B.C.) INC.	\$ 111.26
10-Mar-20	TEL001	TELUS COMMUNICATIONS (B.C.) INC.	\$ 9,003.33
20-Mar-20	TEL001	TELUS COMMUNICATIONS (B.C.) INC.	\$ 400.78
27-Mar-20	TEL001	TELUS COMMUNICATIONS (B.C.) INC.	\$ 113.26
18-Mar-20	TEL002	TELUS MOBILITY	\$ 5,211.35
27-Mar-20	TEL050	TELUS COMMUNICATIONS CO. C/O	\$ 44.02
18-Mar-20	UNI007	UNION OF BC MUNICIPALITIES	\$ 6,672.28
3-Mar-20	USE010	USEH	\$ 478.60
18-Mar-20	VIS010	VISAC GALLERY	\$ 2,107.00
20-Mar-20	VIS050	VISTA RADIO LTD.	\$ 715.30
18-Mar-20	VON015	VON DIEBITSCH, RAYMOND	\$ 191.10
18-Mar-20	WER010	WERT, DONALD	\$ 168.60

Regional District of Kootenay Boundary
Cheque Register-Summary for month of March 2020

Cheque Date	Supplier	Name	Amount
10-Mar-20	WES016	WESTBRIDGE RECREATION SOCIETY	\$ 1,000.00
10-Mar-20	WES830	CITY OF WEST KELOWNA	\$ 1,200.00
18-Mar-20	WES840	WEST KOOTENAY REBELS	\$ 1,000.00
20-Mar-20	WSA010	WSA ENGINEERING LTD.	\$ 28,573.23
3-Mar-20	XCG010	XCG CONSULTING LIMITED	\$ 92.98
20-Mar-20	YEL010	YELLOWHEAD ROAD & BRIDGE	\$ 607.64
27-Mar-20	YOU120	YOUNGLIVING ESSENTIAL OIL	\$ 411.99
18-Mar-20	YUR001	YURIS, CINDY	\$ 288.10
18-Mar-20	ZON040	ZONE 6 KOOTENAY BOUNDARY 55+	\$ 1,550.00
Total Accounts Paid			\$ 979,446.27

NB: Payments greater than \$100,000 related to Provincial Emergency Program (service 012) are marked with an asterisk.



Beaver Valley Regional Parks and Regional Trails Committee

Minutes Tuesday, February 18, 2020 Trail RDKB Committee Room

Committee members present:

Director A. Grieve, Chair
Director S. Morissette
Director M. Walsh

Staff and others present:

M. Daines, Manager of Facilities and Recreation
M. Forster, Executive Assistant/Recording Secretary
K. Tuttle, CFO – Village of Fruitvale

CALL TO ORDER

The Chair called the meeting to order at 9 am.

ACCEPTANCE OF THE AGENDA (additions/deletions)

The agenda for the February 18, 2020 Beaver Valley Regional Parks and Regional Trails Committee meeting was presented.

Moved: Director Morissette Seconded: Director Walsh

That the agenda for the February 18, 2020 Beaver Valley Regional Parks and Regional Trails Committee meeting be adopted as presented.

Carried.

ADOPTION OF MINUTES

The minutes of the January 21, 2020, Beaver Valley Regional Parks and Regional Trails Committee meeting were presented.

Moved: Director Walsh Seconded: Director Morissette

That the minutes of the January 21, 2020 Beaver Valley Regional Parks and Regional Trails Committee meeting be adopted as presented.

Carried.

DELEGATIONS

K. Tuttle, Chief Financial Officer - Village of Fruitvale Re: Village of Fruitvale Recreation Capital Budget

Ms. Tuttle attended the meeting and presented the Village of Fruitvale Recreation Capital Budget.

Discussion ensued on the condition of the Memorial Hall roof. Discussion also ensued on the Haines Park Storage currently housed in a sea can. Staff will work with K. Tuttle regarding the sea can storage and will come back to the next meeting in March to report progress.

Ms. Tuttle left the meeting at 9:25 am.

Moved: Director Walsh Seconded: Director Morissette

That the Beaver Valley Regional Parks and Regional Trails Committee receive the Village of Fruitvale Recreation Capital Budget as presented.

Carried.

UNFINISHED BUSINESS

M. Daines, Manager of Facilities and Recreation Re: Committee Action Items

*Page 2 of 5
Beaver Valley Regional Parks and Regional Trails Committee
February 18, 2020*

M. Daines reviewed the committee action items beginning from September 2019.

Moved: Director Morissette Seconded: Director Walsh

That the Beaver Valley Regional Parks and Regional Trails Committee receive the Committee Action Items as presented.

Carried.

M. Daines, Manager of Facilities and Recreation
Re: 2020 Beaver Valley Arena Service (020-011) Budget

The 2020 Beaver Valley Arena Service (020-011) draft budget was attached for information.

Staff will remove the notation on the water system on page 30 of the budget. Total Contribution to Reserve will be reduced to \$50,000.

Moved: Director Walsh Seconded: Director Morissette

That the Regional District of Kootenay Boundary Board of Directors approve the Beaver Valley Arena Service (020-011) 2020-2024 Five Year Financial Plan including minor changes for adjustments to year-end totals. **FURTHER**, that the Plan be included in the overall RDKB 2020-2024 Five Year Financial Plan.

Carried.

M. Daines, Manager of Facilities and Recreation
Re: 2020 Beaver Valley Recreation Service (020-013) Budget

The 2020 Beaver Valley Recreation Service (020-013) draft budget was attached for information.

The grant in aid for the seniors' dinner will be corrected to read \$1,600.

Moved: Director Morissette Seconded: Director Walsh

That the Regional District of Kootenay Boundary Board of Directors approve the Beaver Valley Recreation Service (020-013) 2020-2024 Five Year Financial Plan including minor changes for adjustments to year-end totals. **FURTHER**, that the Plan be included in the overall RDKB 2020-2024 Five Year Financial Plan.

Carried.

M. Daines, Manager of Facilities and Recreation
Re: 2020 Beaver Valley Parks and Trails Service (019) Budget

The 2020 Beaver Valley Parks and Trails Service (019) draft budget was attached for information.

It was noted that discussions with the City of Trail regarding the recreation contract will begin in September 2020. Staff will investigate the opportunity to add benches on the Webster Trail.

Moved: Director Morissette Seconded: Director Walsh

That the Regional District of Kootenay Boundary Board of Directors approve the Beaver Valley Parks and Trails Service (019) 2020-2024 Five Year Financial Plan including minor changes for adjustments to year-end totals. **FURTHER**, that the Plan be included in the overall RDKB 2020-2024 Five Year Financial Plan.

Carried.

NEW BUSINESS

B. Cole, Age Friendly Coordinator
Re: Beaver Valley Age Friendly Program Update

Moved: Director Walsh Seconded: Director Morissette

That the Beaver Valley Age Friendly Program Update from B. Cole, Age Friendly Coordinator, be received as presented.

Carried.

Newsletter Additions

Discussion on this item was not required.

LATE (EMERGENT) ITEMS

A discussion on late (emergent) items was not required.

DISCUSSION OF ITEMS FOR FUTURE MEETINGS

1. Recreation contract with the City of Trail.
2. Adding a bike park and parking around the school complex in Fruitvale.

QUESTION PERIOD FOR PUBLIC AND MEDIA

A question period for public and media was not required.

CLOSED (IN CAMERA) SESSION

A closed (in camera) session was not required.

ADJOURNMENT

The meeting was adjourned at 9:54 am.



Policy and Personnel Committee

Wednesday, February 12, 2020

RDKB Board Room, Trail, BC

Special Meeting

Minutes

Committee Members Present:

Director G. McGregor, Chair
Director A. Grieve, Vice Chair
Director V. Gee
Director L. Worley
Director S. Morissette
Director R. Dunsdon
Director D. Langman

Staff Present

M. Andison, Chief Administrative Officer
T. Lenardon, Manager of Corporate Administration/Recording Secretary

CALL TO ORDER

The Chair called the special meeting to order at 10:00 a.m.

ADOPTION OF AGENDA (ADDITIONS/DELETIONS)

The agenda for the Policy and Personnel Committee special meeting of February 12, 2020 was presented.

Moved: Director Grieve Seconded: Director Dunsdon

That the agenda for the Policy and Personnel Committee special meeting of February 12, 2020 be adopted as presented.

Carried.

ADOPTION OF MINUTES

The minutes of the previous meeting held on January 30, 2020 will be presented at the next regular meeting.

GENERAL DELEGATIONS

There were no scheduled delegations in attendance.

UNFINISHED BUSINESS

T. Lenardon, Manager of Corporate Administration/Corporate Officer
Re: Draft Revised Procedure Bylaw-Committee Final Review

Staff explained that the special meeting was called as a final review of the revised draft procedure bylaw before it is presented to the full Board of Directors.

The Committee discussed the revised draft bylaw overall as well as the last sections Part 9- Points of Order, Part 10-Debate and Conduct and Part 11-Conflict of Interest, which had not yet been reviewed. There was a brief discussion on Parts, 12-Minutes, 13-Bylaws and 14-Miscellaneous Provisions.

There was agreement that the following updates be made:

1. add the First Nations Land Acknowledgement as a heading to the order of business for all regular Board and Committee agendas (Procedure Bylaw S. 8.2 and S. 8.3),
2. remove "Information Sharing" as an agenda heading in the order of Board business (S. 8.2),
3. amend S. 9.11 (Part 9-Points of Order) to identify the Board Liaison positions for Emergency Preparedness, Finance and Environmental Services as "Board resources", and
4. replace "cellular telephones" and "telephones" with "mobile and other electronic devices" in the heading and body of S. 9.19-Points of Order and remove the word "pagers".

After further discussion, it was noted that the Board of Directors may have further revisions, and it was;

Moved: Director Worley Seconded: Director Grieve

That the Policy and Personnel Committee refer the draft revised procedure bylaw back to staff for final edits as discussed by the Committee on February 12, 2020.

FURTHER that once the final edits have been incorporated into the bylaw, that it be presented to the Regional District of Kootenay Boundary Board of Directors for comments and possible further revisions.

Carried.

NEW BUSINESS

There was no new business to discuss.

LATE (EMERGENT) ITEMS

There were no late emergent items to review.

DISCUSSION OF ITEMS FOR FUTURE MEETINGS

A discussion was not necessary.

QUESTION PERIOD FOR PUBLIC AND MEDIA

A question period was not necessary.

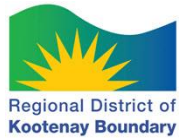
CLOSED (IN CAMERA) SESSION

A closed meeting was not required.

ADJOURNMENT

There being no further business to discuss, the meeting was adjourned (time: 10:55 a.m.).

TL



Policy and Personnel Committee

**Thursday, February 27, 2020
RDKB Board Room, Grand Forks, BC**

Minutes

Committee Members Present:

Director G. McGregor, Chair
Director V. Gee
Director L. Worley
Director S. Morissette
Director A. Grieve
Director R. Dunsdon
Director D. Langman, Board Chair (ex officio), via teleconference

Other Directors Present:

Alternate Director Parkinson

Staff Present

M. Andison, Chief Administrative Officer
T. Lenardon, Manager of Corporate Administration/Recording Secretary
J. Dougall, General Manager of Environmental Services
D. Green, Manager of Information Services

Staff Present via Video Conference

B. Ihlen, General Manager of Finance

1. CALL TO ORDER

1.a) The Chair called the meeting to order at 10:00 a.m.

2. ADOPTION OF AGENDA (ADDITIONS/DELETIONS)

- 2.a)** The agenda for the February 27, 2020 Policy and Personnel Committee meeting was presented.

Moved: Director Dunsdon Seconded: Director Morissette

That the agenda for the February 27, 2020 Policy and Personnel Committee meeting be adopted as presented.

Carried.

3. ADOPTION OF MINUTES

- 3.a)** The minutes of the January 30, 2020 Policy and Personnel Committee meeting were presented.

Moved: Director Worley Seconded: Director Morissette

That the minutes of the January 30, 2020 Policy and Personnel Committee meeting be adopted as presented.

Carried.

4. GENERAL DELEGATIONS

- 4.a)** There were no delegations in attendance.

5. UNFINISHED BUSINESS

**5.a) J. Dougall, General Manager of Environmental Services
Re: Contaminated Soils Policy**

A Staff Report from Janine Dougall, General Manager of Environmental Services regarding proposed updates to the Contaminated Soil Policy specifically associated with setting applicable fees was presented.

Staff answered inquiries regarding the proposed fees, compliance with regulatory requirements and the significance of Teck Metals Ltd.'s "Wide Area Remediation Plan". Staff will include language in the policy to reflect this discussion and to identify the wide area remediation.

Moved: Director Grieve Seconded: Director Worley

That the Policy and Personnel Committee direct staff to incorporate the following fees into the updated Contaminated Soil Policy:

- Questionnaire fee - \$0 (Remove Fee from Current Draft Policy Wording)
- Application fee - \$100
- Soils Classified up to Cover Soil (Metals or Hydrocarbon IL-) - \$20/tonne (McKelvey Creek), \$10/tonne (Grand Forks, West Boundary)
- Soils Classified as Waste Soil (Hydrocarbon IL+ but less than Haz Waste) - \$20/tonne (Grand Forks, West Boundary)
- Soils Classified as Section 41.1 HWR soils (Hydrocarbon) - \$40/tonne (Biocells at Grand Forks, West Boundary)

FURTHER, that the Policy and Personnel Committee direct staff to update the Contaminated Soil Policy to include direction received at prior meetings and bring a final draft of the Policy back to the Committee for review at a future meeting.

Carried.

6. NEW BUSINESS

6.a) M. Andison, CAO

Re: Additional Remuneration for Executive Roles on External Committees

A staff report from Mark Andison, Chief Administrative Officer, providing information on remuneration to RDKB directors associated with executive roles that they may assume on external committees was presented.

Moved: Director Worley Seconded: Dunsdon

That the Regional District of Kootenay Boundary Board of Directors approve that, as part of the RDKB remuneration bylaw review being undertaken in 2020, the Board of Directors consider including a provision in the bylaw that would enable the Board to provide additional meeting and travel expenses to be paid, on a discretionary basis, to directors for additional work resulting from a director's election/appointment to an executive position on external committee.

Carried.

6.b) M. Andison, CAO

Re: First Nations Territorial Acknowledgement Statement

A staff report from Mark Andison, Chief Administrative Officer, providing background information relating to the Policy and Personnel Committee's discussion regarding First Nations territorial acknowledgement statements was presented.

After discussion, the Committee members agreed to present the current RDKB land acknowledgment, with the inclusion of Metis Peoples, to the Board for consideration, and it was;

Moved: Director Grieve Seconded: Director Worley

Corporate Vote Unweighted

That the Regional District of Kootenay Boundary Board of Directors approve the current First Nations land acknowledgement with the addition of: *as well as the Metis Peoples*

whose footsteps have also marked these lands into the script as discussed by the Policy and Personnel Committee on February 27, 2020.

Carried.

6.c) M. Andison, CAO

Re: Policy Review - Board Communication Protocol Policy

A staff report from Mark Andison, CAO presenting the Board Communication Protocol Policy for review by the Policy and Personnel Committee.

Moved: Director Dunsdon Seconded: Director Grieve

That the Policy and Personnel Committee approve the Board Communication Protocol Policy as discussed by the Committee on February 27, 2020. **FURTHER** that the Policy be referred to the Directors for comment.

Carried.

6.d) M. Andison, CAO

Re: Policy Review - Chair and Board Appointments Policy

A staff report from Mark Andison, CAO reviewing the Chair and Board Appointments Policy was presented.

The Committee members reviewed the Policy and agreed that *Alternate Directors* be included as representatives to the external Boards, Commissions and Committees (page 2 of the Policy). Staff will revise the Policy accordingly, and it was;

Moved: Director Grieve Seconded: Director Dunsdon

That the Policy and Personnel Committee approve the updated Chair and Board Appointments Policy as revised by the Committee on February 27, 2020. **FURTHER** that the Policy be referred to the Directors for comment.

Carried.

6.e) M. Andison, CAO

Policy Review - Closed Meeting Agendas and Information Policy

A staff report from Mark Andison, CAO introducing the Closed Meeting Agendas and Information Policy to the Policy and Personnel Committee for review.

Moved: Director Grieve Seconded: Director Morissette

That the Policy and Personnel Committee approve the Closed Meeting Agendas and Information Policy as presented to the Committee on February 27, 2020. **FURTHER** that the Policy be referred to the Directors for comment.

Carried.

**6.f) M. Forster, Executive Assistant
Re: 2020 Policy Review Work Plan**

A staff report from Maureen Forster, Executive Assistant, regarding the policy review work plan for 2020 was presented.

Moved: Director Grieve Seconded: Director Dunsdon

That the staff report from Maureen Forster, Executive Assistant, presenting the policy review work plan for 2020 be received.

Carried.

LATE (EMERGENT) ITEMS

There were no late emergent items to consider.

DISCUSSION OF ITEMS FOR FUTURE MEETINGS

1. Further discussion respecting best practices for building relationships with First Nations. What is the RDKB's role in Reconciliation?
2. Discuss the structure of work plans sometime before budget discussions commence on the 2021-2025 Five Year Financial Plans.
3. For March meeting: Discussion on the process for grant applications (Gas tax, Grant-in-Aid, West Boundary Recreation etc.).

QUESTION PERIOD FOR PUBLIC AND MEDIA

A question period was not necessary.

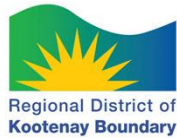
CLOSED (IN CAMERA) SESSION

A closed session was not required.

ADJOURNMENT

There being no further business to discuss, the meeting was adjourned (time: 11:13 a.m.)

TL



Electoral Area Services Committee Minutes

Thursday, March 12, 2020 at 3:30 p.m.
RDKB Board Room, 843 Rossland Ave., Trail, BC

Directors Present:

Director Ali Grieve, via video-conference
Director Linda Worley
Director Grace McGregor
Director Vicki Gee, via video-conference

Other Directors Present:

Alternate Director Michael Tollis, via tele-conference

Directors Absent:

Director Roly Russell

Staff Present:

Barb Ihlen, General Manager of Finance
Donna Dean, Manager of Planning and Development
Maria Ciardullo, Recording Secretary

Members of the Public:

Ralph and Elizabeth Plant
Sheldon Bennett
Craig Boruck

CALL TO ORDER

Vice-Chair McGregor called the meeting to order at 3:01 p.m.

ACCEPTANCE OF AGENDA (ADDITIONS/DELETIONS)

March 12, 2020

*Page 1 of 5
Electoral Area Services
March 12, 2020*

Moved: Director Worley

Seconded: Director Gee

That the March 12, 2020 Electoral Area Services Agenda be adopted as presented.

Carried.

MINUTES

February 13, 2020

Director Gee stated that the wording on page 12, under Noxious Weed Control - Area 'D' & 'E' (092) Financial Plan that reads "Directors Gee and Russell agreed that an increase in the budget for this service is warranted to both take into consideration cost of living increases and costs of rental space", be removed from the minutes.

Moved: Director Gee

Seconded: Director Worley

That the February 13, 2020 Electoral Area Services Minutes be adopted as amended.

Carried.

DELEGATIONS

There were no delegations in attendance.

UNFINISHED BUSINESS

There was no unfinished business to discuss.

NEW BUSINESS

Summer Magic Estate Corporation

RE: Development Variance Permit

2586 Graham Road, Electoral Area C/Christina Lake

RDKB File: C-1181s-04644.000

It was stated that the Electoral Area C/Christina Lake Advisory Planning Commission (APC) does not support this application as there are concerns with environmental impact and water quality of the lake. Elizabeth Plant of Summer Magic Estate Corporation, addressed the Electoral Area Services Committee and provided information

on the application. She stated the addition, which would be hidden by trees, would be on the second level of the home and that flooding wouldn't be an issue if water levels rose. Vice-Chair McGregor offered empathy to their situation, but would uphold the APC's recommendation.

Moved: Director Gee

Seconded: Director Worley

That the Development Variance Permit application submitted by Summer Magic Estate Corp., to allow for a reduction in the required setback from the natural boundary of Christina Lake from 7.5m to 2.69m, a variance of 4.81m, to construct a 26m² addition on the existing cabin on the property legally described as Lot A, DL 1181s, SDYD, Plan 28414, Electoral Area C/Christina Lake, be presented to the Regional District of Kootenay Boundary Board of Directors for consideration, with a recommendation to deny.

Carried.

Cervantes Capital Corp

RE: Industrial Development Permit Amendment

775 Highway 395, Electoral Area C/Christina Lake

RDKB File: C-312-02632.315

Moved: Director Grieve

Seconded: Director Worley

That the staff report regarding the Development Permit Amendment application, submitted by Jason Taylor of Christina Lake Cannabis Corp. on behalf of Cervantes Capital Corp., to amend the cannabis cultivation area from 6 hectares to 9 hectares on the parcel legally described as Lot 2, District Lot 312, Plan KAP39263, SDYD, Except Plan KAP60786, KAP 80226, Electoral Area C/Christina Lake, be received.

Carried.

Kathleen O'Malley and Dave & Mary Durand

RE: MOTI Subdivision

2300 & 2325 Fife Road, Electoral Area C/Christina Lake

RDKB File: C-2885-06921.000

Moved: Director Grieve

Seconded: Director Gee

That the staff report regarding the Ministry of Transportation and Infrastructure referral for a proposed subdivision, for the parcels legally described as Lot 2, DL 2885, SDYD,

*Page 3 of 5
Electoral Area Services
March 12, 2020*

Plan 31857 and Plan KAP3520B, SDYD, Except Plan B5795, Electoral Area C/Christina Lake, be received.

Carried.

DMG Subco. (1141559 BC Ltd)

RE: OCP and Zoning Amendments

795 Highway 395, Electoral Area C/Christina Lake

RDKB File: C-312-02632.415

Donna Dean, Manager of Planning and Development, provided some background information on this application. There was discussion about noise level and a more definitive description being required. Also discussed was the definition of what fully enclosed entails. Sheldon Bennett and Craig Boruck from DMG Blockchain spoke to the application and provided additional information regarding the design of the building. He suggested that staff and directors tour the facility to better understand the design. Vice-Chair McGregor suggested this application be deferred to a future meeting.

Moved: Director Worley

Seconded: Director Grieve

That the application submitted by DMG Subco., to amend Electoral Area C/Christina Lake Zoning Bylaw No. 1300 to modify the definition of warehouse for partially enclosed structures be deferred to a future meeting.

Carried.

Grant in Aid Report

Moved: Director Worley

Seconded: Director Grieve

That the Grant in Aid report be received.

Carried.

Gas Tax Report

Moved: Director Gee

Seconded: Director McGregor

That the Gas Tax Report be received.

Carried.

LATE (EMERGENT) ITEMS

There were no late/emergent items.

DISCUSSION OF ITEMS FOR FUTURE AGENDAS

There was no discussion of items for future agendas.

CLOSED (IN CAMERA) SESSION

A closed/in camera meeting was not required.

ADJOURNMENT

There being no further business to discuss, Vice-Chair McGregor adjourned the meeting at 4:11 p.m.



East End Services Committee

Minutes

**Tuesday, March 17, 2020
Trail Board Room**

Committee members:

Director L. Worley - Chair
Director A. Grieve
Director A. Morel
Director R. Cacchioni
Director M. Walsh
Director S. Morissette
Alternate Director A. Parkinson

Staff and others present:

J. Chandler, General Manager of Operations/Deputy CAO
M. Forster, Executive Assistant/Recording Secretary
D. Green, Manager of Information Services
T. Grouette, Executive Director – LCIC
S. Spooner, KCTS
D. Swanson, KCTS
J. Howes, City of Trail

Call to Order

The Chair called the meeting to order at 10:35 am.

Acceptance of the Agenda (additions/deletions)

The agenda for the March 17, 2020 East End Services Committee meeting was presented.

Attachment # 3.A)

The agenda was amended by the addition of two items: a discussion about the CBT Community Initiatives Program and participation in fire works with the City of Trail.

Moved: Director Cacchioni Seconded: Alternate Director Parkinson

That the agenda for the March 17, 2020 East End Services Committee meeting be adopted as amended.

Carried.

Minutes

The minutes of the February 18, 2020 East End Services Committee meeting were presented.

Moved: Director Cacchioni Seconded: Director Morissette

That the minutes of the February 18, 2020 East End Services Committee meeting are adopted as presented.

Carried.

Delegations

Tim Grouette, Executive Director - LCIC Re: Update on Current Activities

T. Grouette, Executive Director - LCIC, attended the Committee meeting to introduce himself as the new Executive Director of LCIC. His presentation included an overview of LCCDTS/LCIC. He spoke to business retention/expansion/attraction in the area by using access, support and investment tools. He was looking forward to working collaboratively with stakeholders.

Staff will have future discussions on potential support from the RDKB.

T. Grouette left the meeting at 10:56 am.

Attachment # 3.A)

S. Spooner, Operations Manager - Kootenay Columbia Trails Society (KCTS)

D. Swanson

Re: 2019 Financial Operations Update

S. Spooner and D. Swanson, KCTS, attended the meeting and presented the 2019 Annual Report and Financial Statements for December 2019. They left the meeting at 11:10 am.

Moved: Director Morissette Seconded: Alternate Director Parkinson

That the East End Services Committee receive the information from S. Spooner as presented.

Carried.

Unfinished Business

J. Chandler, General Manager of Operations/Deputy CAO

Re: Transit Project Updates

J. Chandler, General Manager of Operations/Deputy CAO, provided an update to the East End Services Committee for the projects planned for the East End Transit services as per the 2020 Work Plan. He reviewed the time lines for the Trail Transit Exchange improvements as well as other bus stops and shelters. Discussion ensued on improvements to the Trail Transit Exchange in the short term. City of Trail will be the authority for the project.

Moved: Director Cacchioni Seconded: Alternate Director Parkinson

That the RDKB staff formally communicate with the City of Trail about the Trail Transit Exchange improvement project. **FURTHER** that the communication clearly explains what steps need to be taken in order to move the improvement project forward.

Carried.

Attachment # 3.A)

The Committee discussed the receipt of the letter from the FAIR Society regarding the condition of bus shelters in Trail.

Moved: Director Morissette Seconded: Director Walsh

That the East End Services Committee directs staff to respond in writing advising the FAIR Society of the improvement project plans, along with the support recently established in the 2020 budget and work plans.

Carried.

New Business

CBT Community Initiatives Program (CIP)

The Committee was informed that CBT was moving forward with public face-to-face CIP meetings in April and that funding would be withheld if face-to-face meetings did not take place. Discussion ensued around holding meetings and approvals by video conferencing due to the Covid-19 pandemic.

Moved: Director Grieve Seconded: Director Cacchioni

That the East End Committee requests moving forward with the Community Initiatives Program (CIP) meetings by not holding public face-to-face meetings and review the CIP applications on hard copy submissions only. **FURTHER** that the meetings take place by conference calls or other electronic methods.

Carried.

Support for City of Trail Fireworks

Director Cacchioni invited support from Committee members towards the City of Trail's fireworks. There was no appetite for support.

Late (Emergent) Items

A discussion of late (emergent) items was not required.

Attachment # 3.A)

Discussion of items for future agendas

A discussion of items for future agendas was not required.

Question Period for Public and Media

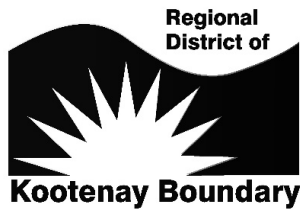
A question period for public and media was not required.

Closed (In camera) Session

A question period for public and media was not required.

Adjournment

The meeting was adjourned at 11:46 am.



ELECTORAL AREA 'A'
ADVISORY PLANNING COMMISSION
MINUTES

Tuesday, April 7, 2020 via tele-conference, commencing at 4:30 p.m.

PRESENT: Fred Buckley, Linda Green, Rob Ironmonger, Shelley Levick, Craig Stemmler,
ABSENT: Tyleen Underwood
RDKB DIRECTOR: Ali Grieve
RDKB STAFF: Donna Dean, Corey Scott
GUESTS: None

1. CALL TO ORDER

The meeting was called to order at 4:30PM

2. ADOPTION OF AGENDA

It was moved and seconded that the April 7, 2020 Electoral Area 'A' APC agenda be adopted.

3. ADOPTION OF MINUTES

It was moved and seconded that the February 4, 2020 Electoral Area 'A' APC minutes be adopted.

4. DELEGATIONS

None

Electoral Area 'A' APC Minutes
April 7, 2020
Page 1 of 2

5. NEW BUSINESS

A. Waneta Expansion Power Corp

RE: Development Permit

RDKB File: A-105A-00944.000

Discussion/Observations:

RDKB staff and Director Grieve provided information and answered questions in regard to the permit application. The committee unanimously agreed that they are pleased to see a drainage plan implemented and are looking forward to see the final plan.

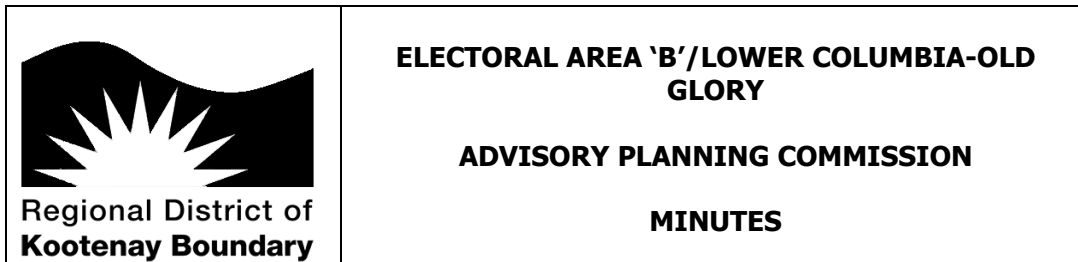
Recommendation:

It was moved, seconded and resolved that the APC recommend to the Regional District that the application be:

1. Supported

6. ADJOURNMENT

It was moved and seconded that the meeting be adjourned at 4:50 PM



Monday April 6, 2020 via tele-conference, commencing at 7:00 p.m.

PRESENT: Grant Saprunoff, Mary MacInnis, Fern Acton, Henk Ravestein,
Darlene Espenhain

ABSENT: Graham Jones

RDKB DIRECTOR: Linda Worley, Bill Edwards, Alternate.

RDKB STAFF:

GUESTS:

1. CALL TO ORDER

The meeting was called to order at 7:05 p.m.

2. ADOPTION OF AGENDA (Additions/Deletions)

It was moved and seconded that the April 6, 2020 Electoral Area B'/Lower Columbia-Old Glory APC agenda be adopted.

3. ADOPTION OF MINUTES

It was moved and seconded that the March 2, 2020 Electoral Area B'/Lower Columbia-Old Glory APC minutes be adopted.

4. DELEGATIONS

5. UPDATES TO APPLICATIONS AND REFERRALS

6. NEW BUSINESS

A. Transrockies Events Inc.

RE: FrontCounter Referral – Temporary Event License

RDKB File: B-24

Discussion/Observations:

We feel this is a great event in keeping with lifestyle and outdoor events. Please keep in mind to keep on the designated track to help protect the delicate balance of flora and fauna in area.

Has the organizing committee investigated building permanent pit toilets that could be used by not only participants but others using trails? These could be located at the trailhead and possibly another central location. Organizations are usually looking for ways to leave something behind after an event, perhaps this would be a great solution. This could help reduce set up time for events to follow.

Recommendation:

It was moved, seconded and resolved that the APC recommends to the Regional District that the application be supported.

B. MECCS – BC Parks and Conservation Officer

RE: Ministry of Environment and Climate Change Strategy Referral

RDKB File: B-Twp 9A-10924.150

Discussion/Observations:

Interesting that a new management plan is being put in place. The six-meter width seems a bit wide. These trails were built without permission years ago and to now recognize them seems to give credence to "better to ask forgiveness than to ask permission" hopefully no more illegal trails will be presenting themselves.

Recommendation:

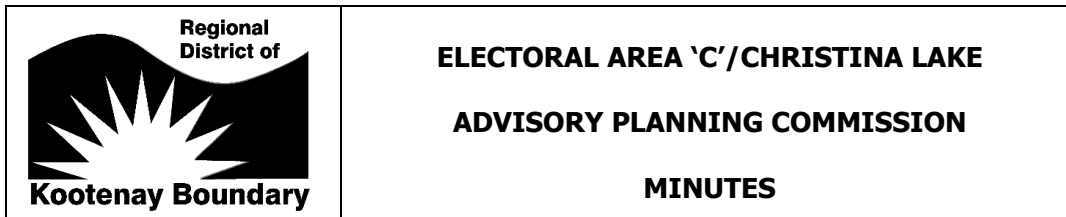
It was moved, seconded and resolved that the APC recommends to the Regional District that the application be supported.

7. FOR INFORMATION

8. FOR DISCUSSION

9. ADJOURNMENT

It was moved and seconded that the meeting be adjourned at 7:30 p.m.



Tuesday, April 7, 2020 via tele-conference, commencing at 7:00 p.m.

PRESENT: Peter Darbyshire, Phil Mody, Terry Mooney, Dave Bartlett, Jeff Olsen, Jason Patrick Taylor, Annie Rioux, Jessica Coleman, Butch Bisaro, David Durand

ABSENT: David Durand

RDKB DIRECTOR: Grace McGregor

RDKB STAFF:

GUESTS:

1. CALL TO ORDER

The meeting was called to order at 7:01 p.m.

2. ADOPTION OF AGENDA (Additions/Deletions)

Recommendation: That the April 7, 2020 Electoral Area 'C'/Christina Lake Advisory Planning Commission Agenda be adopted as presented. Butch/Peter.

3. ADOPTION OF MINUTES

Recommendation: That the March 3, 2020 Electoral Area 'C'/Christina Lake Advisory Planning Commission Meeting Minutes be adopted as presented. Phil/Annie

4. DELEGATIONS

5. OLD BUSINESS & UPDATES TO APPLICATIONS AND REFERRALS

6. NEW BUSINESS

A. Darryl & Heather Hammond

RE: Development Variance Permit

RDKB File: C-969-04329.000

Recommendation:

It was moved, seconded and resolved that the APC recommend to the Regional District that the application be: Not Supported, due to the encroachment on a shore spawning beach. It was discussed that as there are alternatives to rebuilding the decks as they are currently constructed and options that might allow the wall to require less of a variance to the Lake boundary. Vote was 5 opposed, 4 in favor.

B. Darryl & Heather Hammond

RE: Flood Plain Exemption

RDKB File: C-969-04329.000

Recommendation:

It was moved, seconded and resolved that the APC recommend to the Regional District that the application be: Not Supported. See above.

C. Ken & Elaine Kalesnikoff

RE: Development Variance Permit

RDKB File: C-3063s-07052.000

Recommendation:

It was moved, seconded and resolved that the APC recommend to the Regional District that the application be: Supported with one dissenting vote, Jeff Olsen.

D. Ken & Elaine Kalesnikoff

RE: Development Permit

RDKB File: C-3063s-07052.000

Recommendation:

It was moved, seconded and resolved that the APC recommend to the Regional District that the application be: Supported with one dissenting vote, Jeff Olsen.

E. Ken & Elaine Kalesnikoff

RE: Flood Plain Exemption

RDKB File: C-3063s-07052.000

Recommendation:

It was moved, seconded and resolved that the APC recommend to the Regional District that the application be: Supported with one dissenting vote, Jeff Olsen.

F. Rowland Phillips & Marnie Jacobsen

RE: Development Variance Permit

RDKB File: C-1021s-04517.000

Recommendation:

It was moved, seconded and resolved that the APC recommend to the Regional District that the application be: Supported.

G. Esso Gas Station

RE: Development Permit

RDKB File: C-498-02994.030

Recommendation:

It was moved, seconded and resolved that the APC recommend to the Regional District that the application be: Supported.

H. Inez Seymour

RE: MOTI Subdivision

RDKB File: C-312-02632.260

Recommendation:

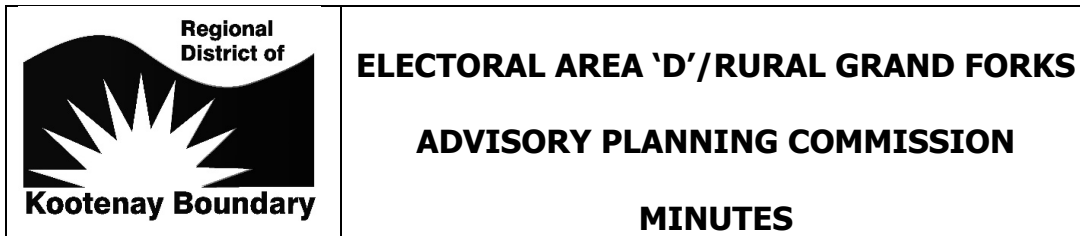
It was moved, seconded and resolved that the APC recommend to the Regional District that the application be: Supported.

7. FOR INFORMATION

8. DISCUSSION

9. ADJOURNMENT

It was moved and seconded that the meeting be adjourned at 8:31 p.m.



Tuesday, April 7, 2020 via tele-conference, commencing at 7:00 p.m.

PRESENT: Deb Billwiller, Kathy Hutton, Brian Noble, Della Mallette, Lynn Bleiler, John Thomas

ABSENT:

RDKB DIRECTOR: Roly Russell

RDKB STAFF:

GUESTS: Michael Francis

1. CALL TO ORDER

The meeting was called to order at 7:02 p.m.

2. ADOPTION OF AGENDA (Additions/Deletions)

Moved: Thomas; **seconded:** Noble that the April 7, 2020 Electoral Area 'D'/Rural Grand Forks Advisory Planning Commission Agenda be adopted as circulated. **Carried.**

3. MINUTES

Moved: Billwiller; **seconded:** Thomas that the March 3, 2020 Electoral Area 'D'/Rural Grand Forks Advisory Planning Commission Minutes be adopted as circulated. **Carried.**

4. DELEGATIONS

None

5. OLD BUSINESS/UPDATES TO APPLICATIONS AND REFERRALS

None

6. NEW BUSINESS

A. Michael Francis

RE: Development Variance Permit

3485 Davy Road

RDKB File: D-333-03860.055

Discussion/Observations:

- proposal seems appropriate both for the location and the use.

Moved: Noble; **seconded:** Bleiler that the APC recommends to the Regional District that the application be supported as presented. **Carried.**

B. Harland Venema

RE: MOTI Subdivision

RDKB File: D-365-03787.050

Discussion/Observations:

- Is the road as wide as it should be?
- Should the zoning by-law have a clause regarding properties already split by a highway?

After much discussion about the zoning by-law, property layout and size, and setting of precedents, it was:

Moved: Billwiller; **seconded:** Thomas that the APC recommends to the Regional District that the application be supported. While we recognize that this is a departure from the zoning regulation, it is the most logical way to divide this property.

7. FOR INFORMATION

None

8. Thomas **moved adjournment at **7:42 p.m.****



Regional District of
Kootenay Boundary

ELECTORAL AREA 'E'/WEST BOUNDARY

ADVISORY PLANNING COMMISSION

MINUTES

Monday, April 6, 2020 via tele-conference, Phone: 1-877-385-4099 Code: 3469533#
commencing at 6:00 p.m.

PRESENT:	Jamie Haynes, Florence Hewer, Fred Marshall, Randy Trerise, Frank Van Oyen, Lynne Storm, Michael Fenwick-Wilson
ABSENT with notification:	None
Absent without notification	Grant Harfman
RDKB DIRECTOR:	Vicki Gee
RDKB STAFF:	None
GUEST:	Marcello Leone, and Martino Ciambrelli of Naturo Group Investments Ltd.

1. **CALL TO ORDER** The meeting was called to order at 6:05 PM.
2. **ADOPTION OF AGENDA**
Recommendation: That the April 6, 2020 Electoral Area 'E'/West Boundary Planning Commission Agenda be adopted as presented. Moved by Randy and seconded by Flo. Motion carried
3. **ADOPTION OF MINUTES**
Recommendation: That the March 2, 2020 Electoral Area 'E'/West Boundary Planning Commission Minutes be adopted as presented. Moved by Randy and seconded by Lynne. Motion carried
4. **DELEGATIONS:** None
5. **UPDATES TO APPLICATIONS AND REFERRALS:** None

Electoral Area E' APC Minutes
April 6, 2020
Page 1 of 4

6. **NEW BUSINESS**

A. **Naturo Group Investments Inc.**

RE: ALR Non-Farm Use

RDKB File: E-346-00230.000

Discussion/Observations:

Martino Ciambrelli and Marcello Leone gave us an overview of Naturo operations and their plans for the former Miller Springs operation including beverage bottling and growing hemp and/or cannabis. Vicki clarified that page 2 of the staff report speaks about complaints from residents and the fact that there is a stop work order pertaining to construction on the site. Concerns were raised about the water and whether the amount of water being used was sustainable.

It was pointed out that when a business is sold the associated licenses and permits generally go with the business (for example if a ranch is sold the associated grazing permits go along with the ranch). Currently, the approval for non-farm use of the property that the previous owners (Miller's) received is not transferrable. The application is asking the APC whether we want to make the non-farm use of 1.25 ha transferable from Miller's to others.

Other comments include:

- Prior ALC decision letter (2013 subdivision application) shows a concern about whether the bottling plant was subordinate to farming, as ALC requires for non-farm use
- ALC said they have no jurisdiction over water in 2015 decision letter
- The Province doesn't currently limit water extraction; they just monitor it and take an administration fee
- How do we know if the aquifer is declining
- The ALC obviously put the non-transferrable clause in to limit future size and production to keep it from becoming a big commercial venture with a life of its own, like a Nestle's , on ALR land
- Reference was made to Piteau Source Water Assessment commissioned in 2015 by Miller Springs and to a letter from Miller Springs to Town of Osoyoos
- APC member expressed concern about whether extraction is sustainable with future expansion
- Press release from Bevcanna says they have exclusive rights to the aquifer and that they have the capacity to bottle up to 210 million bottles a year
- The plant will still be there; this application has to do with expansion

Recommendation:

It was moved by Frank, seconded Michael and resolved that the APC recommends to the Regional District that the application be supported. The committee voted on the motion. The vote was a tie with 3 votes for, 3 votes against and one abstention.

B. Tony & Tanya Molachyk**RE: Development Permit**

RDKB File: E-100s-01371.030

Discussion/Observations:

Vicki explained that the reason we are seeing this application is that the RDKB planning department would like our input into the landscaping of the property. The planting of the lodgepole pine in an area where we want to be fire-safe was questioned. It was suggested that the judicious planting of deciduous trees might be more appropriate. A concern was raised about the suitability of the shingle roof and the retention of snow on the roof. Snow removal from the driveway and snow from roofs impacting neighbouring properties were of concern.

Other comments include:

- An APC member questioned the wisdom of non-shedding rooves
- That's a lot of trees; eventually they will be 50-100' tall
- Concern about trees around snow storage areas
- Suggestion that trees should only be planted along the road

Recommendation:

It was moved by Michael and seconded by Flo and resolved that the APC recommends to the Regional District that the application be supported with the conditions that the snow shedding from the roof and the planting of trees be properly managed.

C. BC Timber Sales**RE: Cutblocks – Big White and Skaha**

RDKB File: B-54

Discussion/Observations:

The proposal was discussed. Concerns were raised with respect to the density of roads; the logging near lakes and other water bodies as well as the size of one cutblock (K85E) that is 143 ha.

Recommendation:

It was moved by Jamie seconded by Lynne and resolved that the APC recommends to the Regional District that the application not be supported because block K85E is too large, there are too many roads and the creeks, swamps, lakes and other water bodies are not adequately protected.

7. **FOR INFORMATION:** None
8. **FOR DISCUSSION:** None
9. **ADJOURNMENT:** The meeting was adjourned at 7:44 PM.



Regional District of
Kootenay Boundary

ELECTORAL AREA 'E' (BIG WHITE)
ADVISORY PLANNING COMMISSION

Tuesday, April 7, 2020 via tele-conference, commencing at 4:00 p.m.
Minutes taken by: Paul Sulyma

PRESENT: Gerry Molyneaux, Deb Hopkinson, Paul Sulyma, Rachelle Hawk,
Anastasia Byrne, & RDKB Director Vicki Gee
ABSENT: John Lebrun
RDKB DIRECTOR: Vicki Gee
RDKB STAFF:
GUESTS:

1. CALL TO ORDER

The meeting was called to order at 4:01 p.m.

2. ADOPTION OF AGENDA (Additions/Deletions)

Recommendation: That the April 7, 2020 Electoral Area 'E' (Big White) Advisory Planning Commission Agenda be adopted.

3. ADOPTION OF MINUTES

Recommendation: That the March 3, 2020 Electoral Area 'E' (Big White) Advisory Planning Commission Minutes be adopted.

4. DELEGATIONS

None

Electoral Area 'E'/BIG WHITE APC Minutes
April 7, 2020
Page 1 of 3

5. UPDATED APPLICATIONS AND REFERRALS

No Updates

6. NEW BUSINESS

A. Big White Ski Resort
RE: Crown Grant
Black Forest Way
RDKB File: BW-4256-Temp

Discussion/Observations:

It may create another parking zone/area. Signage against Parking would be recommended.

Vicki Gee will check on the potential for bylaw enforcement officer to impose a fine which appears on their property tax for individuals contravening.

APC: What happens in the scenario where the vehicle owner is not a resident or from BC how would the tickets be enforced?

Recommendation:

It was moved, seconded and resolved that the APC recommends to the Regional District that the application be: *(select one of the following options)*

1. Supported (with stated reasons if appropriate): Parking issues in the cul-de-sac

B. Robin Wellman & Scott Saura

RE: Development Permit

386 Feathertop Way

RDKB File: BW-4222-07500.825

Discussion/Observations:

How close is the Front overhang to the front of the street/property?

Blue Spruce Tree is not local to the area

Recommendation:

It was moved, seconded and resolved that the APC recommends to the Regional District that the application be Supported: See discussion above.

C. BC Timber Sales

RE: Cutblocks – Big White and Skaha

RDKB File: B-54

Discussion/Observations:

The APC would prefer contoured cut-lines – less square shape cut-lines to reduce visual impact.

Recommendation:

It was moved, seconded and resolved that the APC recommends to the Regional District that the application be supported.

7. FOR DISCUSSION

Nothing to report

8. FOR INFORMATION

No Information

9. ADJOURNMENT

It was moved and seconded that the meeting be adjourned at 4:21 pm.



Regional District of
Kootenay Boundary

Staff Report

RE:	Site-specific exemption to the Floodplain Bylaw – Kalesnikoff		
Date:	April 30, 2020	File #:	C-3063s-07052.000
To:	Chair Langman and Members of the Board of Directors		
From:	Corey Scott, Planner		

Issue Introduction

We have received an application for a site-specific exemption to the Floodplain Bylaw (floodplain exemption) from Peter Buchanan of North Architecture Studio Inc., on behalf of Elaine and Ken Kalesnikoff for the construction of a single family dwelling in Electoral Area C/Christina Lake (see attachments).

Property Information	
Owner(s):	Elaine and Ken Kalesnikoff
Agent:	Peter Buchanan (North Architecture Studio Inc.)
Location:	3273 East Lake Drive
Electoral Area:	Electoral Area C/Christina Lake
Legal Description(s):	Lot 25, DL 3063s, SDYD, Plan KAP1919
Area:	0.33ha (0.81acr)
Current Use(s):	Single family dwelling
Land Use Bylaws	
OCP Bylaw 1250:	Waterfront Residential
DP Area:	Waterfront Environmentally Sensitive
Zoning Bylaw 1300:	Waterfront Residential 2
Other	
ALR:	N/A
Waterfront / Floodplain:	Partial
Service Area:	NA

History / Background Information

The subject property is located along East Lake Drive in Electoral Area C/Christina Lake. It is a hooked parcel with approximately 0.08ha (0.19acr) on the west side of the road and the remaining 0.25ha (0.62acr) on the east side. It has a "Waterfront Residential" Official Community Plan (OCP) land use designation and is zoned "Waterfront Residential 2". Christina Lake abuts the western boundary of the property. As such, it is

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within the floodplain as well as the Environmentally Sensitive Waterfront Development Permit Area.

Proposal

The applicant is proposing to demolish the existing cabin and construct a new cabin and deck on the same building footprint. They are requesting to reduce the required floodplain setback from the natural boundary of Christina Lake from 7.5m to 4.2m for the construction of a new single family dwelling and deck. The number above differs from the variance they are also requesting (from 7.5m to 3.0m), as this application refers to the distance to the structural supports for the deck rather than the edge of the cantilevered structure.

More information on the design of the proposed development as well as the related geotechnical considerations has been submitted by the applicant (see attachments).

The applicant has also submitted applications for a development variance permit and development permit for the proposed development, which are presented in separate reports.

Implications

The existing cabin is located 4.2m from the natural boundary of Christina Lake. The requested floodplain exemption is for 4.2m to preserve the existing building footprint. It should be noted that presently the portion of the structure located 4.2m from the natural boundary is used for dwelling purposes. The proposal would pull all dwelling space back an additional 2.3m (see attachments), siting habitable portions of the structure no closer than 6.5m from the natural boundary.

The structural supports for the deck would be situated 4.2m from the natural boundary. The floodplain setback requirements apply to the deck's supports as they would be functionally connected to the dwelling.

Provincial Flood Hazard Guidelines

The Provincial "Flood Hazard Area Land Use Management Guidelines" provide direction for local governments contemplating modifications to floodplain bylaws implemented under Section 524 of the *Local Government Act*. The guidelines state that a "local government may alter any bylaw condition to best match the flood hazard provided the level of protection is not altered." The geotechnical report submitted with the application notes that the level of protection currently on the property is suitable for the intended use and structures will be safe from flood hazards.

The Guidelines advise that floodplain bylaw modifications may be permissible where a serious hardship exists and no other reasonable option is available. They state that:

"a valid hardship should only be recognized where the physical characteristics of the lot (e.g., exposed bedrock, steep slope, the presence of a watercourse, etc.) and size of the lot are such that building development proposals,

consistent with land use zoning bylaws, cannot occur unless the requirements are reduced."

Applicant Rationale

The presence of Christina Lake, exposed bedrock on the southern portion of the property and steep slopes adjacent to, and on the other side of, East Lake Drive are all elements that restrict the building platform on the property. The building platform area under the existing setbacks is approximately 9m deep by 32m wide. The applicant has noted that the topography on the property requires the building to be pushed back beyond the required 4.5m front yard setback to ensure safe access and egress onto the property. Additionally, the presence of bedrock along the southern portion of the property was noted as a significant barrier to an elongated building design.

The geotechnical report also recommends the registration of a legal covenant on the property's land title. The covenant will ensure future restriction of development within the floodplain and indemnify the Regional District from any damages suffered as a result of flooding.

Advisory Planning Commission (APC)

The Electoral Area C/Christina Lake APC considered the application at their April 7, 2020 meeting. No discussion points were provided in the meeting minutes. The APC provided a recommendation of support for the application.

Electoral Area Services (EAS) Committee

During the April 16, 2020 EAS Committee meeting the following resolution was made:

"That the application for a Site-Specific Exemption to the Floodplain Bylaw submitted by Peter Buchanan of North Architecture Studio Inc., on behalf of Ken and Elaine Kalesnikoff, in order to construct a new single family dwelling and deck within the required floodplain setback on the parcel legally described as Lot 25, DL 3063s, SDYD, Plan KAP1919 be presented to the Regional District of Kootenay Boundary Board of Directors for consideration with a recommendation of approval, subject to: adherence to all the recommendations included in the Flood Hazard Assessment report submitted by Deverney Engineering Services Ltd., dated March 5, 2020 and the owner registering a new standard floodplain covenant on title in favour of the Regional District of Kootenay Boundary."

Recommendation

That the Regional District of Kootenay Boundary Board of Directors approves the application for a Site Specific Exemption to the Floodplain Bylaw submitted by Peter Buchanan of North Architecture Studio Inc., on behalf of Ken and Elaine Kalesnikoff, in order to construct a new single family dwelling and deck within the required floodplain setback on the parcel legally described as Lot 25, DL 3063s, SDYD, Plan KAP1919, subject to: adherence to all the recommendations included in the Flood Hazard

Page 3 of 4

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Assessment report submitted by Deverney Engineering Services Ltd., dated March 5, 2020 and the owner registering a new standard floodplain covenant on title in favour of the Regional District of Kootenay Boundary.

Attachments

Site Location Map

Subject Property Map

Floodplain Hazard Assessment, prepared by Deverney Engineering Services Ltd., dated March 5, 2020



Regional District of
Kootenay Boundary

Date: 2020-03-24

Site Location Map

Lot 25,
Plan KAP1919, DL 3063S,
SDYD



0 50 100 150 200
Meters

1:9,000

Subject Property
3273 East Lake Drive



202-843 Rossland Ave, Trail BC V1R 4S8 | T: 250.368.9148 | T/F: 1.800.355.7352 | rdkb.com

Document Path: P:\PD\EA_C\3063s-07052.000 Kalesnikoff\2020-03-DP-DVP-FloodplainMapping\2020-03-24_SM_C-3063s-07052.000\2020-03-24_SM_C-3063s-07052.000.aprx





Ms. Elaine Kalesnikoff and Mr. Ken Kalesnikoff
c/o North Architecture Studio Inc.
9508 Emerald Drive
Whistler, BC, V0N 1B9

Date: March 5, 2020
File: DE15-1441

Cc: Mr. Peter Buchanan, Architect AIBC ,MRAIC, North Architecture Studio Inc.

Re: Site Specific Exemption from Floodplain Bylaw, Kalesnikoff Cabin
3273 East Lake Drive, Christina Lake, BC

Dear Sir and Madam,

This letter-report presents a summary of findings of an assessment of the site of a proposed residential structure – Kalesnikoff Cabin at 3273 East Lake Drive, Christina Lake, BC.

Authorization to proceed with the work was received from Mr. Peter Buchanan of North Architecture Studio Inc. on behalf of the property owners.

The attached Site Plan map shows the subject property and the proposed residential development in relation to property boundaries, including the Natural Boundary. The Site Plan also shows East Lake Drive.

1.0 BYLAWS AND REGULATION

RDKB Bylaw No. 677.

This report is prepared in accordance with requirements of **Section 7** of the Regional District of Kootenay Boundary Bylaw No. 677; a Bylaw to designate certain lands within the Regional District of Kootenay Boundary as floodplain and to set flood levels and floodplain setbacks pursuant to Section 910 of the Local Government Act.

7. Site-Specific Exemptions

“Applications by property owners to the Regional District of Kootenay Boundary for site- specific exemptions pursuant to Section 910(5) of the Local Government Act shall be in writing and be submitted to the office of the Regional District on the appropriate form, which is provided for that purpose by the Regional District.”

Mailing address: 4711 Robertson Road, Nelson, BC, V1L 6N4
Telephone: 250-551-0181
Email: deverney.engineering@shawcable.com

Local Government Act (Section 524) – Flood Plain Bylaw Exemption

Requirements for a Site-Specific Exemption are described in the Local Government Act (Section 524) – Flood Plain Bylaw Exemption as follows:

With reference to subsection (7) Subject to the Provincial regulations and a plan or program as local government has developed under those regulations, the local government may exempt a person from the application of subsection (6), or a bylaw under subsection (3), in relation to a specific parcel of land or a use, building, or other structure on the parcel of land, if the government considers it advisable and either

- (a) considers that the exemption is consistent with the Provincial guidelines, or*
- (b) has received a report that the land may be safely used for the use intended, which report is certified by a person who is*
 - (i) a professional engineer or geoscientist and experienced in geotechnical engineering, or*
 - (ii) a person in a class prescribed by the environment minister under subsection (9)*

Such a report may recommend requirements for measures, that may include, but is not limited to items such as erosion / scour protection, special foundation design to address reduced soil bearing capacity under flooding conditions, and limits to use of portions of the building for electrical and mechanical installations.

Under the Local Government Act, a covenant may be placed on the property title that limits the Owner's eligibility for Provincial Floodplain relief.

Professional Practice Guidelines

Reference has been made to Engineers and Geoscientists BC, Professional Practice Guidelines for Legislated Flood Assessments in a Changing Climate in BC, V 2.1 – August 28, 2018.

2.0 LIMITATIONS OF REPORT

Deverney Engineering Services Ltd. (DESL) has prepared this report for and at the expense of the property owners. The material in it reflects the judgement of DESL in light of the information available to DESL at the time of report preparation.

Findings and recommendations presented in this report are intended to support application for a Site Specific Exemption from the Floodplain Bylaw and can be used by the Owner and the Development Approval agencies to adjudicate the proposed development.

Any use that other third parties make of this report, or any reliance on decisions to be based on it is the responsibility of such third parties. DESL accepts no responsibility for damages, if any, suffered by any third party as a result of decisions made or actions based on this report.

3.0 CONFIDENTIALITY AND DISCLOSURE

With reference to Professional Practice Guidelines for Legislated Flood Assessments in a Changing Climate in BC (V 2.1 – August 28, 2018):

“Subject to the following, the Qualified Professional (QP) will keep confidential all information, including documents, correspondence, reports and opinions, unless disclosure is authorized in writing by the client. However, in keeping with Engineers and Geoscientists BC’s Code of Ethics, if the QP discovers or determines that there is a material risk to the environment or the safety, health, and welfare of the public or worker safety, the QP shall notify the client as soon as practicable of this information and the need that it be disclosed to the appropriate parties. If the client does not take the necessary steps to notify the appropriate parties in a reasonable amount of time, the QP shall have the right to disclose that information to fulfill his/her ethical duties, and the client hereby agrees to that disclosure.”

4.0 SITE INVESTIGATION

An initial site field investigation was conducted by the writer on April 4, 2016. Subsequent to that, further field reviews were undertaken periodically, most recently in June 2019 in conjunction with construction field reviews conducted at neighbouring properties.

The investigations included reconnaissance assessment of the prospective building site on the subject property as well as nearby areas including lake shoreline conditions. No sub-surface investigation of the subject property was conducted.

Reference was made to observations of surficial soils at this property, to soils and building site investigations on nearby properties conducted by the writer, regional soils reports, aerial images, and topographic maps. A list of references follows the signature page.

5.0 SITE DESCRIPTION

The subject property is situated on a steeply sloping west-facing property on the shore of Christina Lake. The subject property is bounded on the east side by East Lake Drive and on the north and south by residential properties.

The owners are proposing to construct a new residential structure on the subject property replacing the existing dwelling.

The Exemption request is to reduce the Setback Distance (from the Natural Boundary) to 4.2 metres, being the closest distance measured from the Natural Boundary to the proposed building column footprint as indicated on the Site Plan Map.

The Exemption is proposed to resolve hardship of construction due to the small available footprint and to assure that foundation construction can be undertaken with consideration of cut slope stability between the building footings and East Lake Drive.

Discussion of excavation cut slope stability considerations is presented in Section 8.0.

Accessibility of the completed building is also a key consideration in the design and layout of the building to address the substantial elevation difference between East Lake Drive and the lowest level of the building. Discussion of accessibility constraints will be by Others.

The owners propose to otherwise conform to the elevation requirements of the Floodplain Bylaw with respect to subsection 6 (a):

(i) the underside of any floor system, or the top of any pad supporting any space or room, including a manufactured home, that is used for dwelling purposes, business or the storage of goods which are susceptible to damage by floodwater shall be above the specified level

The Designated Flood Construction Level for Christina Lake is the projected 200 - Year Return Period flood water level of **448.2m** (GSC Datum).

A 1:200 year flood level (including freeboard) of 448.2m was adopted in September 1991, and retained on the basis of the 1990 Mapping Study (see references "**A Design Brief on the Floodplain Mapping Study, Christina Lake**").

The FCL at 448.2m that includes a Freeboard Allowance of 0.6m, corresponding to an inferred static water level of 447.6 metres plus a combined wind setup of 0.1m plus maximum wave height of 0.5m.

6.0 SHORELINE CONDITIONS AND STRUCTURES

6.1 Lake Characteristics

The drainage area of Christina Lake is 492 km² with major tributaries including Sutherland Creek, McRae Creek, Texas Creek and Sandner Creek.

Maximum lake water levels occur in the period from April to June; associated with snowmelt conditions.

Annual peak lake levels over the period of record from 1948 to 1979 ranged from a high of 446.8 (1948) to 445.71m (1977).

The maximum-recorded daily lake level of 446.8m (GSC Datum) used for the Floodplain Mapping study occurred on May 29, 1948.

The flood event of 2018 appears to have exceeded the 1948 maximum-recorded daily water level. Post - event elevation surveys commissioned by the Regional District of Kootenay –

Boundary for Christina Lake reported flood lines derived from debris markers at elevation 447.18m.

6.2 Wave Action

In the 1990 Floodplain Mapping Study, the freeboard allowance of 0.6m was confirmed as being appropriate to consider wind setup (estimated to be in the order of less than 0.1m) and wave height of approximately 0.5m based on a sustained wind speed of 50 km / hr. Note that the conventional definition of wave height is the vertical distance between the trough of a wave and the following crest.

Predominant wave direction in Christina Lake is inferred to be in the north / south direction, following the general alignment of the valley. The estimated wind setup of less than 0.1 metre described in the 1990 Floodplain Mapping Study would likely be based on a total fetch distance of approximately 18.5 km.

The maximum fetch distance at the subject property is approximately 3.5 km (to the northwest) at a direction skewed from the predominant wave direction. This property is partially sheltered from the main lake shoreline by the Texas Creek alluvial fan.

Accordingly, the generalized lake-wide maximum wave setup and wave height estimates are conservative when applied to the subject property, i.e. they tend to over estimate the projected wind and wave impacts.

6.3 Waves Generated By Recreational Boating Activity

A frequently heard complaint from shoreline property owners in this area of Christina Lake is the generation of waves by recreational boaters. Wave erosion of shorelines, particularly at periods of peak lake water levels is a common concern.

In a study conducted in 2015 (Ruprecht et al. ¹), maximum wave height generated by a 24' boat with a deep-V hull, expressly for generating waves for recreational wake boarding or wake surfing was measured at 16.2" (0.41m) with the boat operating at a distance of 76' (23 metres) from the shore.

¹ **Wakesurfing: Some Wakes are More Equal than Others**, Australasian Coasts & Ports Conference, Ruprecht, J.E., Glamore, W.C., Coghlan, I.R. & Flocard, F. 2015

Those findings were cited in a report by the Oregon State Marine Board (Table 4) in a Staff report dated January 10, 2018 with regard to safety around wake sports.

With reference to the Floodplain Mapping Study, the waves generated by recreational boating approach, but do not exceed the height of waves generated by wind (estimated at 0.5 metres).

Accordingly, no increase to the freeboard allowance applied to the Flood Construction Level is warranted on the basis of recreational boat activity.

6.4 Stratigraphy

Surficial soils at the subject property between East Lake Drive and the lake shore are partially obscured by the presence of the existing building and by improvements such as terraces, walkways, and shoreline erosion protection revetments.

Exposed soils at the elevation of East Lake Drive and at cut slope exposures east (up-slope) of that road comprise veneers of well-drained silty sand and gravel with scattered cobble and small boulder sizes. Typical soil depths are estimated to be in the order of 1 – 3 metres or more overlying bedrock.

6.5 Shoreline Conditions and Structures

Closer to lake level, some sections of un-disturbed shoreline are rocky, either intact bedrock, or fractured bedrock overlain by irregular deposits of coarse angular rubble.

Natural vegetation, where present consists of shrubs and mixed deciduous and coniferous trees. Presence of horsetails at some locations indicates persistent seepage emerging at the interface between the overburden soils and the bedrock surface.

Shoreline areas lakeward of the existing house at the subject property comprise a stepped series of stacked and fitted rock revetments as shown on attached Photos 1 and 2.

The lowest rock structure is approximately 1.0 m (40") height. Crest elevation is 446.0 m. Visible backfill materials behind this structure comprise gravel and cobble sizes with some sand that slopes very gently upward to the front face of the second wall. This structure is interrupted in the central part of the property by a set of fitted stone steps that provide access to shoreline areas below.

The second rock structure is approximately 2 to 2.5m landward of the lowest one, comprising fitted and stacked rock with a gravel / cobble backfill. This structure is also approximately 1.0m high, having a top elevation of approximately 447.0 m.

The upper structure rises to a height above the FCL (448.2m), comprising a sloped area above the second structure and steeper segments of approximately 0.5 – 0.7m height.

The revetments are robustly constructed of erosion resistant materials. The revetments are intact, and show no indications of deterioration or distress over the period between 2016 and autumn of 2019. That period encompasses four freshet – associated high water periods, including the very high lake water levels that occurred in June 2018.

6.6 Proposed Building Elevations

Proposed building elevations will have under-side of floor slab slightly above the Flood Construction Level (FCL) of 448.2m as shown on Figures 1 and 2. As such, floor elevations as shown will be in conformance with the requirements of the Flood Construction Level (FCL).

6.7 Footings

Footings at the lake-ward face of the building will be set at or near elevation 447.25m. These footings will be approximately 0.9m below the under-side of the patio slab for frost protection.

The rear (landward) footings will be set at elevation 447.7m. The lesser depth considers that there is no requirement for additional depth for frost protection at this part of the building. The higher base elevation reduces the excavation depth required for construction in close proximity to the slope toward East Lake Drive.

All footings will be near or below the 200-year return period static water level in Christina Lake, and therefore, the geotechnical component of footing design will require consideration of the associated reduced soil bearing resistance under high water table conditions.

Footing dimensions shown are for illustration only, and may require design modification prior to construction to consider applied loads and the available soil bearing resistance.

7.0 EROSION HAZARDS

7.1 Beaches

The native beach materials across the subject property are mixed gravel sand and cobble sizes.

Existing shoreline soils exposed at the lakeward side of the subject property and adjacent properties to the north and south are potentially subject to erosion from storm waves and from waves generated from passing watercraft during periods of high lake water levels.

The existing beach at the subject property comprises a disturbed / modified shoreline lake-ward of the lowest revetment that appears relatively stable. Seasonal changes in sand surface levels in the range of a few centimetres may occur as beach materials are eroded and recycled with variations in lake water levels. Associated erosion impacts would be limited to loss of surface fines (small gravel, sand, and silt sizes), resulting in the exposure of underlying coarser materials (gravel and cobble sizes) to form a coarse pavement.

There are visible disturbances of exposed soils on slope faces at un-developed sites north and south of the property limits. Localized sloughing has occurred where waves have removed surface soils causing collapse of overlying materials from above. Disturbance sites are relatively small, typically less than one square metre area. These localized disturbances are unlikely to affect the subject property.

7.2 Erosion Protection - Revetments

Because of the extent of the existing revetments at the lakeward side of the subject property, there are no indications of active shoreline regression. The rock materials at the lake-ward side of the subject property provide effective protection against wave erosion during periods of moderate to high lake water levels. Effective performance against wave erosion, including during periods of high lake water levels (2018) has been demonstrated and observed by the writer over the period from 2016 to 2019.

In consideration of the wave and erosion protection they afford and because of the retaining function that supports near grade - level walk in / walk out access to the lowest level of the proposed building, it is anticipated that the revetments will be maintained and kept in good condition commensurate with the residents' access requirements and consistent with the high property values at this site.

7.3 Native Soils Above Revetments

It is expected that revetments and / or paved and armoured surfaces will be established and retained at all sites lake-ward of the house below the FCL.

Building support column foundations on the lakeward side of the building are well protected against shoreline regression.

Lateral to the building, damaging effects of waves may be detrimental to landscape features, plantings, and improvements that are not part of the residential structure.

7.4 Flood Hazards

Flooding hazards associated with high lake water levels will be effectively addressed by building construction elevations in conformation with the designated Flood Construction Level (FCL) that provides protection against flooding up to the 200 year return period.

7.5 Climate Change Considerations

Effects of climate change on erosion hazards are associated with possible occurrence of high lake water levels at a higher frequency compared to the probability model employed during the floodplain mapping.

This can happen as an increased frequency of occurrence of water levels at the magnitude of the 200-year return period, and / or possible occurrence of water levels that exceed the 200-year return period. Higher frequency of event occurrence may be expressed as increased requirements for remedial repairs or maintenance.

Increased event magnitude, i.e. flood levels that exceed the estimated 200-year return period elevations are addressed in part by the 0.6m freeboard allowance. Effects of higher magnitude events may be expressed as increased requirements for remedial repairs or maintenance.

In both instances, the revetments will be effective to protect the building footings against scour. Concrete floor slabs at the base elevation will be resistant to structural damage from high water levels.

Damaging effects of high water levels may be detrimental to finishings and surface materials that are not part of the residence's structure.

8.0 EXCAVATION CUT SLOPE STABILITY - CONSTRUCTION CONSIDERATIONS

The proposed building siting and general arrangement on the subject property as presented has been developed with careful consideration of geotechnical requirements for a stable and safe excavation slope for worker safety under Section 20 of the WorkSafeBC OH&S Regulation, and also for assurance of a stable excavation slope in close proximity to East Lake Drive.

8.1 Excavation Safety for Workers

It is inferred from the observed soil material types present that an excavation slope no steeper than 1H : 1V (100% gradient) will likely provide a suitably stable excavation cut slope over the period of several months between the start of excavation until foundation walls have achieved sufficient strength to allow partial backfill.

The inferred stable slope configuration is somewhat optimistic and is not based on any form of detailed site sub-surface investigation. The assumptions applied include absence of seepage discharge from the excavation face, and planned late summer onset of construction, with partial backfill before the end of October.

To illustrate the safe excavation requirements, prospective cut slopes at 1H : 1V have been drawn on Figures 1 and 2. As indicated, total excavation slope height will be approximately 10.8 to 11.3m (35 to 37') between the base level footings and the surface of East Lake Drive.

8.2 Slope Stability at East Lake Drive

As shown on Figures 1 and 2, the 1H : 1V excavation slope will intersect East Lake Drive approximately 1 to 1.5 metres lakeward of the edge of asphalt. This slope configuration assures conformance with the generalized 1H : 1V line of influence for traffic wheel loads possibly affecting the excavation slope and the building structure.

9.0 CONCLUSIONS

Whereas one objective of the floodplain setback is to reduce the potential for erosion of soil under structural footings events up to a 1 in 200 year flood event, the existing shoreline revetment at the lakeward side of the property will be effective to protect building foundations against erosion.

There is no expectation of landward regression of the lake shoreline under lake water level conditions up to and including the 200-year return period maximum lake level.

Building foundations constructed at depth below grade to meet the recommended frost protection requirements will establish those footings below the Flood Construction Level. Accordingly, there is no expectation of scour due to wave erosion that will expose, degrade, or otherwise damage building foundations under lake water level conditions up to and including the 200 - year return period maximum lake level.

Where the 200 - year return period is generally accepted as a tolerable level of risk, then the proposed site-specific exemption is consistent with that accepted risk level.

Reduction of the setback distance as proposed for this Site Specific Exemption will not increase the likelihood of damage due to flooding in Christina Lake above the specified 200 – year return period frequency of occurrence.

Further, full conformance with the setback requirement of the Floodplain Bylaw at 7.5m would not allow for construction as proposed with grade level or near grade – level beach access due to consideration for safe construction excavations between the building and East Lake Drive.

10.0 RECOMMENDATIONS – EXEMPTION APPROVAL

It is recommended that consideration be given to approval of the requested Exemption from the Floodplain Bylaw for proposed building construction on the subject property as follows:

10.1 Floodplain Setback

The proposed relaxed setback distance is ***no closer than 4.2 m*** from the Natural Boundary, and otherwise as shown on the Site Plan.

10.2 Restrictive Covenant

The revetments at the lakeward side of the subject property provide effective and sufficient protection of proposed building foundations against damaging effects of high water levels and waves in Christina Lake. Degradation, damage, or removal of the revetments may expose the building to damage at lake water levels at or below the 200-year return period.

Therefore, it is recommended that a Covenant be registered on the subject property that will ensure that the rock revetments or a replacement structure be present and maintained to provide a similar level of protection as the existing structures.

11.0 RECOMMENDATIONS – SITE WORKS AND CONSTRUCTION

11.1 Erosion Protection

There are no recommendations for additional (new) erosion protection measures.

Existing erosion protection elements that are displaced or removed for building construction are to be replaced or re-constructed to provide a similar or greater level of erosion protection.

11.2 Building Design and Construction

The soil bearing resistance of building foundations will be adversely affected by high groundwater levels during seasonal high lake water levels. It is recommended that building foundation design include consideration of high groundwater table conditions and associated reduction of soil bearing resistance.

Such considerations may include wider than normal footings to reduce bearing pressures and coincidentally to increase soil bearing resistance, and / or to specify footings at some depth below the floor slab base or finished ground level to increase confining soil pressure on all sides of the footings.

In conformance with the Floodplain Bylaw, it is recommended that building design consider measures to mitigate possible damage to buildings and contents, including electrical and mechanical installations during periods of high lake water levels up to and including the designated Flood Construction Level of 448.2 m.

11.3 Supervision

The implementation of foundation recommendations, including verification of site native soils, and the excavation, preparation, and construction of building foundation sites are to be conducted under the direction or supervision of a suitably qualified Professional Engineer to meet the intent and requirement of Schedule B under the BC Building Code.

It is recommended that verification of building elevations and foundation locations with respect to Flood Construction Levels and the Relaxed Setback Distance be conducted by a BCLS or other Qualified Registered Professional (QRP).

12.0 SAFE FOR INTENDED PURPOSE

Reference is to be made to the attached Statement prepared in conformance with EGBC's **Professional Practice Guidelines for Legislated Flood Assessments in a Changing Climate in BC** for statements regarding suitability of the property, as being **safe for the purpose intended**, under conditions where the Site-Specific Exemption is granted.

13.0 CLOSURE

This report is prepared in accordance with generally accepted engineering practices in this area. No other warranty, express or implied is made.

Variability is inherent in geological features, and actual ground conditions in some parts of the site may differ from those inferred. Subsurface soil conditions have been inferred from the observed exposures. Changes to design details, work procedures and other project considerations may be warranted on the basis of site conditions encountered.

Respectfully submitted

DEVERNEY ENGINEERING SERVICES LTD.

A circular professional engineer seal for Norman L. Deverney, #21563, British Columbia. The seal is stamped in red ink. Overlaid on the seal is a handwritten signature in black ink and the date "March 05, 2020" in black ink.

Norman L. Deverney, P.Eng., FEC

Photo 1 **View of existing house and rock revetments**



Photo 2 **Oblique View, Looking South Along Shoreline.**
Figure is standing on the 2nd Stone Structure at Elevation 447 metres



March 2020
File: DE15-1441

13

Site – Specific Exemption from Floodplain Bylaw
Kalesnikoff Cabin
3273 East Lake Drive, Christina Lake, BC
North Architecture Studio Inc.

DEVERNEY ENGINEERING SERVICES LTD.

References

Air Photos Google Earth Images

Soil Survey of the Kettle River Valley in the Boundary District of British Columbia, Report No. 9 of the British Columbia Soil Survey, British Columbia Department of Agriculture and Research Branch, Canada Department of Agriculture, Sprout, P.N. and C.C. Kelley, 1964.

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Province of BC, **Amendment Section 3.5 and 3.6 – Flood Hazard Area Land Use Management Guidelines**, January 1, 2018)

Wakesurfing: Some Wakes are More Equal than Others, Australasian Coasts & Ports Conference, Ruprecht, J.E., Glamore, W.C., Coghlan, I.R. & Flocard, F. 2015.

FLOOD ASSURANCE STATEMENT

Note: This statement is to be read and completed in conjunction with the current Engineers and Geoscientists BC *Professional Practice Guidelines – Legislated Flood Assessments in a Changing Climate in BC* ("the guidelines") and is to be provided for flood assessments for the purposes of the *Land Title Act*, *Community Charter*, or the *Local Government Act*. Defined terms are capitalized; see the Defined Terms section of the guidelines for definitions.

To: The Approving Authority

Date: March 5, 2020

Regional District of Kootenay Boundary
843 Rossland Avenue, Trail, BC, V1R 4S8
 Jurisdiction and address

With reference to (CHECK ONE):

- ☐ Land Title Act (Section 86) – Subdivision Approval
- ☐ Local Government Act (Part 14, Division 7) – Development Permit
- ☐ Community Charter (Section 56) – Building Permit
- ☐ Local Government Act (Section 524) – Flood Plain Bylaw Variance
- ☒ Local Government Act (Section 524) – Flood Plain Bylaw Exemption

For the following property ("the Property"):

Lot 25, District Lot 3063S, Plan 1919, Similkameen Division, Yale Land District
3273 East Lake Drive, Christina Lake, BC
 Legal description and civic address of the Property

The undersigned hereby gives assurance that he/she is a Qualified Professional and is a Professional Engineer or Professional Geoscientist who fulfils the education, training, and experience requirements as outlined in the guidelines.

I have signed, sealed, and dated, and thereby certified, the attached Flood Assessment Report on the Property in accordance with the guidelines. That report and this statement must be read in conjunction with each other. In preparing that Flood Assessment Report I have:

[CHECK TO THE LEFT OF APPLICABLE ITEMS]

- ☐ 1. Consulted with representatives of the following government organizations:
- ☒ 2. Collected and reviewed appropriate background information
- ☒ 3. Reviewed the Proposed Development on the Property
- ☐ 4. Investigated the presence of Covenants on the Property, and reported any relevant information
- ☒ 5. Conducted field work on and, if required, beyond the Property
- ☒ 6. Reported on the results of the field work on and, if required, beyond the Property
- ☒ 7. Considered any changed conditions on and, if required, beyond the Property
- 8. For a Flood Hazard analysis I have:
 - ☒ 8.1 Reviewed and characterized, if appropriate, Flood Hazard that may affect the Property
 - ☒ 8.2 Estimated the Flood Hazard on the Property
 - ☒ 8.3 Considered (if appropriate) the effects of climate change and land use change
 - ☒ 8.4 Relied on a previous Flood Hazard Assessment (FHA) by others
 - ☐ 8.5 Identified any potential hazards that are not addressed by the Flood Assessment Report

PROFESSIONAL PRACTICE GUIDELINES
LEGISLATED FLOOD ASSESSMENTS IN A CHANGING CLIMATE IN BC – V2.1

FLOOD ASSURANCE STATEMENT

9. For a Flood Risk analysis I have:

- ☐ 9.1 Estimated the Flood Risk on the Property
- ☐ 9.2 Identified existing and anticipated future Elements at Risk on and, if required, beyond the Property
- ☐ 9.3 Estimated the Consequences to those Elements at Risk

10. In order to mitigate the estimated Flood Hazard for the Property, the following approach is taken:

- ☒ 10.1 A standard-based approach
- ☐ 10.2 A Risk-based approach
- ☐ 10.3 The approach outlined in the guidelines, Appendix F: Flood Assessment Considerations for Development Approvals
- ☐ 10.4 No mitigation is required because the completed flood assessment determined that the site is not subject to a Flood Hazard

10. Where the Approving Authority has adopted a specific level of Flood Hazard or Flood Risk tolerance, I have:

- ☐ 11.1 Made a finding on the level of Flood Hazard or Flood Risk on the Property
- ☐ 11.2 Compared the level of Flood Hazard or Flood Risk tolerance adopted by the Approving Authority with my findings
- ☐ 11.3 Made recommendations to reduce the Flood Hazard or Flood Risk on the Property

12. Where the Approving Authority has not adopted a level of Flood Hazard or Flood Risk tolerance, I have:

- ☒ 12.1 Described the method of Flood Hazard analysis or Flood Risk analysis used
- ☒ 12.2 Referred to an appropriate and identified provincial or national guideline for level of Flood Hazard or Flood Risk
- ☒ 12.3 Made a finding on the level of Flood Hazard or Flood Risk tolerance on the Property
- ☒ 12.4 Compared the guidelines with the findings of my flood assessment
- ☒ 12.5 Made recommendations to reduce the Flood Hazard or Flood Risk
- ☒ 13. Considered the potential for transfer of Flood Risk and the potential impacts to adjacent properties.
- ☒ 14. Reported on the requirements for implementation of the mitigation recommendations, including the need for subsequent professional certifications and future inspections.

FLOOD ASSURANCE STATEMENT

Based on my comparison between:

[CHECK ONE]

- ☐ The findings from the flood assessment and the adopted level of Flood Hazard or Flood Risk tolerance (item 11.2 above)
- ☒ The findings from the flood assessment and the appropriate and identified provincial or national guideline for level of Flood Hazard or Flood Risk tolerance (item 12.4 above)

I hereby give my assurance that, based on the conditions contained in the attached Flood Assessment Report:

[CHECK ONE]

- ☐ For subdivision approval, as required by the *Land Title Act* (Section 86), "that the land may be used safely for the use intended":

[CHECK ONE]

- ☐ With one or more recommended registered Covenants.
- ☐ Without any registered Covenant.

- ☐ For a development permit, as required by the *Local Government Act* (Part 14, Division 7), my Flood Assessment Report will "assist the local government in determining what conditions or requirements it will impose under subsection (2) of this section [Section 491 (4)].

- ☒ For a building permit, as required by the Community Charter (Section 56), "the land may be used safely for the use intended":

[CHECK ONE]

- ☒ With one or more recommended registered Covenants.
- ☐ Without any registered Covenant.

- ☐ For flood plain bylaw variance, as required by the *Flood Hazard Area Land Use Management Guidelines* and the *Amendment Section 3.5 and 3.6* associated with the *Local Government Act* (Section 524), "the development may occur safely".

- ☒ For flood plain bylaw exemption, as required by the *Local Government Act* (Section 524), "the land may be used safely for the use intended".

FLOOD ASSURANCE STATEMENT

I certify that I am a Qualified Professional as defined below.

March 5, 2020

Date

Prepared by

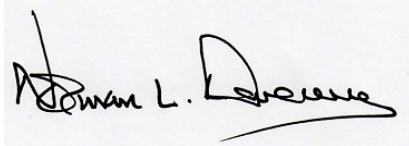
Norman L. Deverney, P.Eng., FEC

Name (print)

Reviewed by

Dan Sahlstrom, P.Eng., WSA Engineering (2002) Ltd.

Name (print)



Signature



Signature

Deverney Engineering Services Ltd.

4711 Robertson Road

Nelson, BC, V1L 6N4

Address

250-825-4347

Telephone

deverney.engineering@shawcable.com

Email



(Affix PROFESSIONAL SEAL here)

If the Qualified Professional is a member of a firm, complete the following:

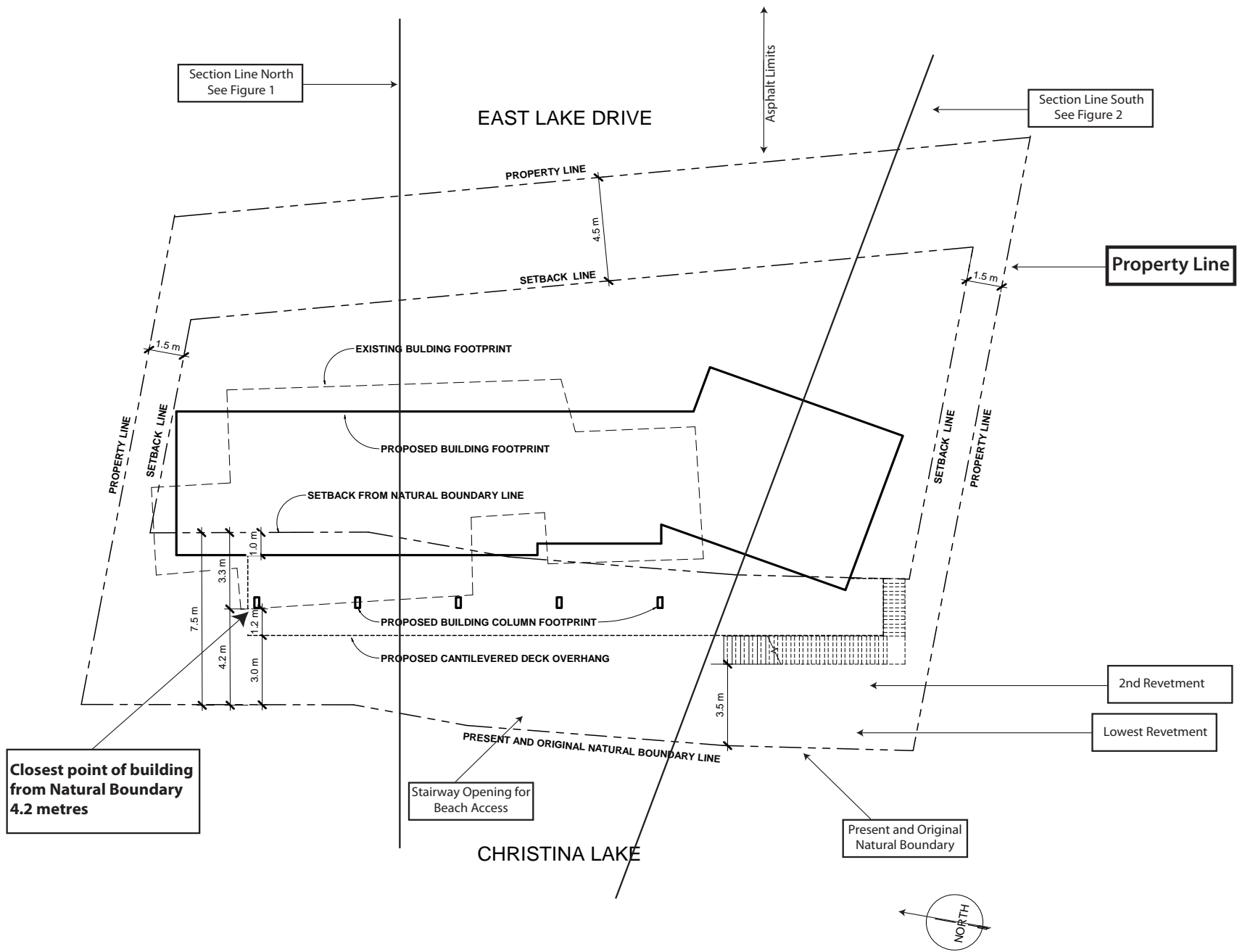
I am a member of the firm

and I sign this letter on behalf of the firm.

Deverney Engineering Services Ltd.

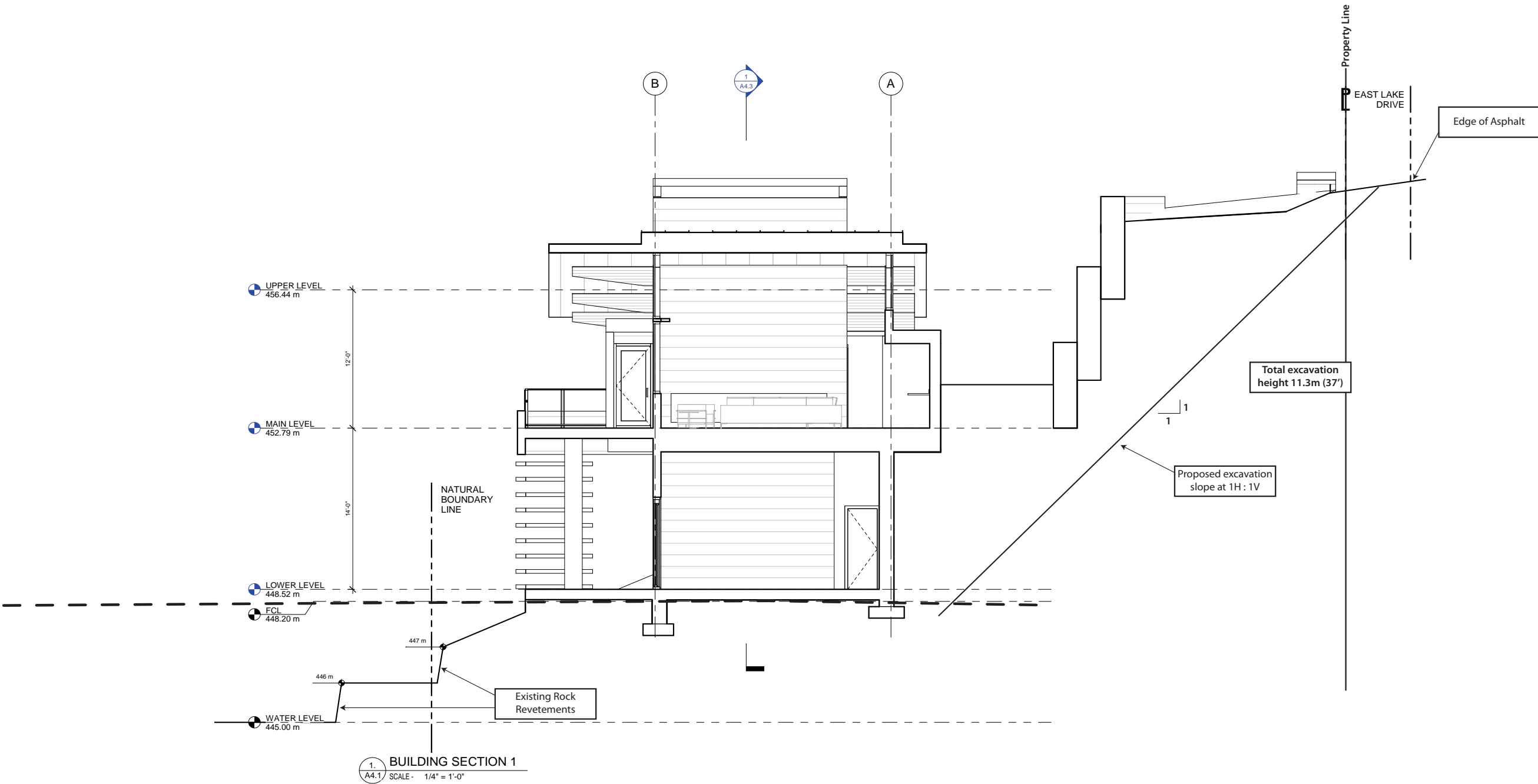
(Name of firm)

**PROFESSIONAL PRACTICE GUIDELINES
LEGISLATED FLOOD ASSESSMENTS IN A CHANGING CLIMATE IN BC – V2.1**

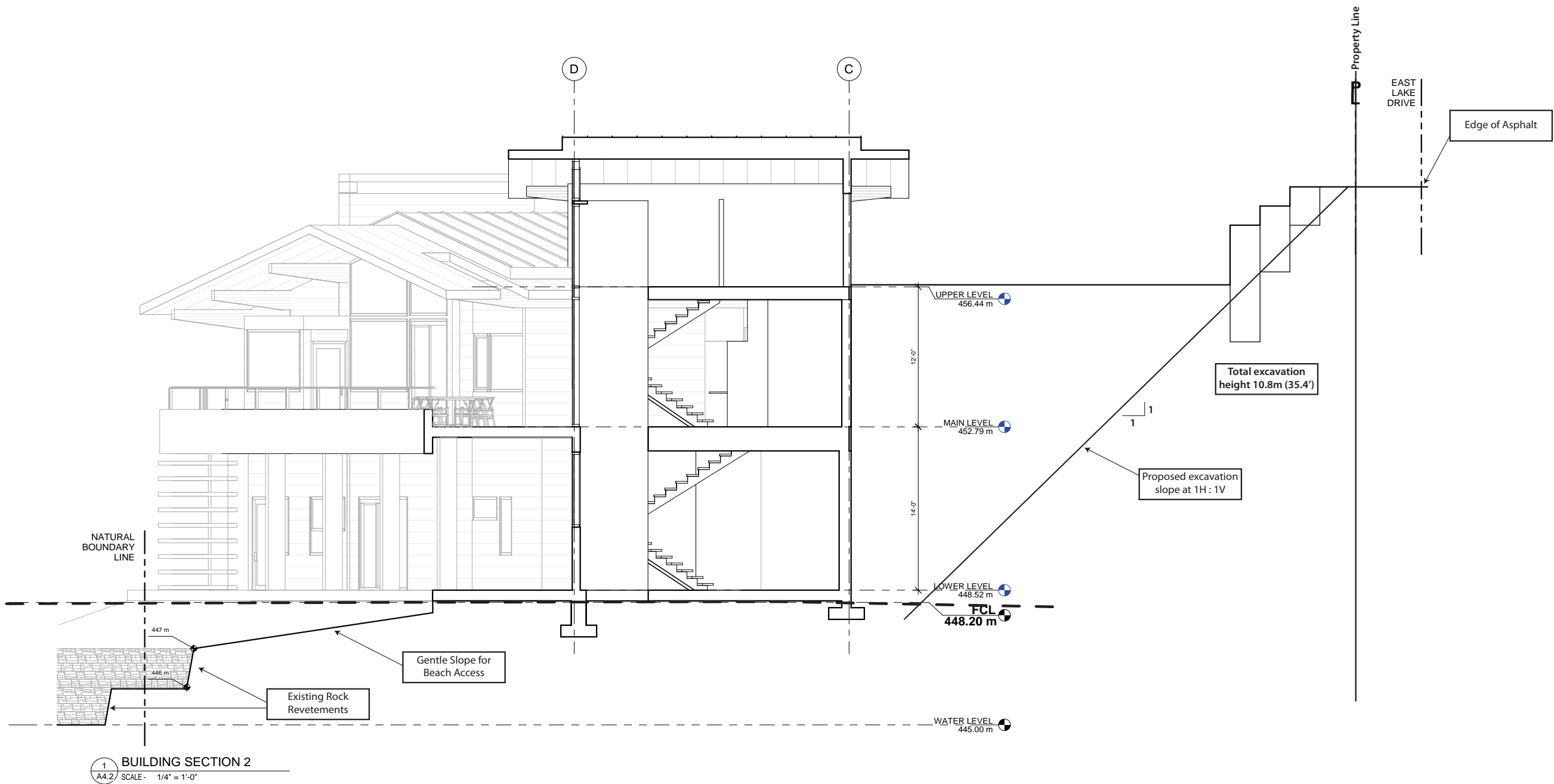


SITE PLAN - WITH BUILDING OUTLINE
AND DIMENSIONS
1/8" = 1'-0"

<div><div>DEVERNEY</div><div>ENGINEERING SERVICES LTD.</div></div>				<div>Site Plan</div> <div>Site Specific Exemption From Floodplain Bylaw</div> <div>Kalesnikoff Cabin</div> <div>3273 East Lake Drive, Christina Lake, BC</div> <div>Ms. Elaine Kalesnikoff and Mr. Ken Kalesnikoff</div>	
Reference: Dwg A1.2, North Architecture Studio	Date: March 2020	Designed by: NLD	Drawn by: JCD	Scale: 1 : 200	Job number: DE15-1441



DEVERNEY ENGINEERING SERVICES LTD.		Figure 1, Section View - North Site Specific Exemption From Floodplan Bylaw Kalesnikoff Cabin 3273 East Lake Drive, Christina Lake, BC Ms. Elaine Kalesnikoff and Mr. Ken Kalesnikoff	
Reference: Dwg A4.1, North Architecture Studio	Date: March 2020	Designed by: NLD	Drawn by: JCD
		Scale: 1 : 100	Job number: DE15-1441



DEVERNEY ENGINEERING SERVICES LTD.				Figure 2, Section View - South Site Specific Exemption From Floodplain Bylaw Kalesnikoff Cabin 3273 East Lake Drive, Christina Lake, BC Ms. Elaine Kalesnikoff and Mr. Ken Kalesnikoff	
Reference: Dwg A4.2, North Architecture Studio	Date: March 2020	Designed by: NLD	Drawn by: JCD	Scale: 1 : 100	Job number: DE15-1441



STAFF REPORT

DATE:	April 15, 2020	File:	
TO:	East End Services Committee		
FROM:	James Chandler, General Manager of Operations		
RE:	ADDITION OF THE SAFE KIDS & YOUTH (SKY) COORDINATED RESPONSE		

Issue Introduction:

To seek approval from the East End Services Committee for the addition of the Safe Kids & Youth (SKY) Coordinated Response to be undertaken by the RDKB Victim Services.

Background:

"The SKY Coordinated Response is a "made in the West Kootenay Boundary" rural adaptation of a Child & Youth Advocacy Centre model. It was created over a number of years by people collaborating across systems – police, child protection, crown counsel, victim services, schools, health-care, and community services that support children, youth and families – to develop and implement local cooperation agreements. The goal is a more seamless response to child/youth abuse that reduces the potential for re-traumatization." <https://thekoop.ca/projects/sky-coordinated-response/>. The program is administered and funded through the Kootenay Boundary Community Services Co-operative. (KBCSC)

Until March of 2020, The Trail FAIR Society maintained this contract within their Community Based Victim Services Program. Due to staffing changes, they are no longer able to meet the operational requirements. Furthermore, many of the roles fell on the RCMP based victim services to provide support due to the irregular hours of service required to support the coordinated response. For example, if a coordinated interview occurred on a Saturday, with our flexible 24/7 working model, our program would often attend. It was also known that our program has a close working relationship with RCMP members due to our program location, which may increase the

success of coordination and service. Due to this feedback, Janice Murphy, approached the program manager to discuss acquiring this contract in March 2020.

Implications:

The coordinator will be responsible for receiving referrals from either the Ministry of Children and Family Development (MCFD) or the RCMP. They are responsible for securing interview location, and coordinating a time that works for all parties involved. When they are not coordinating cases, they also host monthly team meetings to discuss new information pertinent to child abuse, protocols or service delivery.

There should be no negative impacts to the Victim Services program service levels or clients. The coordinator will keep track, and complete their regular working hours separate from the SKY hours. Acquiring this contract will prove beneficial to clients as all key staff and organisations will be working together to reduce trauma and negative experiences. Additionally, the coordination may prove to be less complex working directly in the detachment with the RCMP members. This in turn can lead to better outcomes for our clients, and working relationships amongst the team involved.

The Victim Services program currently employs a permanent part-time professional counsellor, who has the additional capacity and experience to fulfill this role. The duties are anticipated to add approximately 5 hours a week; however, this may vary up and down based on cases.

Financial:

There are no financial impacts to the RDKB Victim Services program by acquiring this contract. The KBCSC will pay \$12,834 in total fees, all of which will be accounted for in expenditures by the end of each fiscal year.

With approval to enter into agreement for this service, staff will draft an agreement with the Kootenay Boundary Community Services Co-operative.

Options:

Do not enter into agreement and undertake the additional 'SKY' program.

Recommendation(s):

That the Regional District of Kootenay Boundary Board of Directors approve the inclusion of the Safe Kids & Youth (SKY) Coordinated Response program as part of the Victim Services portfolio, as per the staff report dated April 15, 2020. **FURTHER**, that staff be directed to draft an agreement with Kootenay Boundary Community Services Co-operative for the provision of the Safe Kids & Youth program, starting April 2020 and that the agreement will be renewed annually, providing up to \$12, 834 per year. **FURTHER**, that the RDKB Board of Directors approve the RDKB approved signatories to authorize the agreement.



Regional District of
Kootenay Boundary

Staff Report

RE:	BC Timber Sales (BCTS) Referral – Big White and Skaha Proposed Cutblocks		
Date:	April 30, 2020	File #:	B-54 (Timber Sales General)
To:	Chair Langman and Members of the Board of Directors		
From:	Corey Scott, Planner		

Issue Introduction

We have received a referral from BC Timber Sales (BCTS) giving us the opportunity to provide comments on their logging plans in Electoral Area E/West Boundary, including areas adjacent to the Big White Controlled Recreation Area (see attachments).

Property Information	
Owner(s):	Crown
Agent:	Michael Kyler, Planning Forester (RPF), BCTS
Location:	Approx. 8km west of Beaverdell and lands adjacent to Big White Ski Resort
Electoral Area:	Electoral Area E/West Boundary-Big White
Legal Description(s):	Unsurveyed Crown Land
Area:	490.3ha (total area)
Current Use(s):	Forest
Land Use Bylaws	
OCP Bylaw No.:	NA
DP Area:	NA
Zoning Bylaw No.:	NA
Other	
ALR:	NA
Waterfront / Floodplain:	NA
Service Area:	NA
Planning Agreement Area:	NA

History/Background Information

The area proposed for future forestry activity falls within the Okanagan-Columbia Forest Stewardship Plan Area. The proposed activities in this area are broadly covered by the Forest Stewardship Plan (FSP #771) for the period of 2018 to 2023. The tenure in this area was acquired from Weyerhaeuser, who actively logged in the area from 2003-2005.

Each year we are referred the yearly Operating Plans for proposed cutblocks and road segments. The activities outlined in this referral are not anticipated to take place until 2023 and the referral is considered to be an early consultation from BCTS. It is expected that this area would be covered in the 2023 Operating Plan, affording us the opportunity to make comments again at that time.

Proposal

BCTS is proposing 490.3ha of new cutblocks in parts of Electoral Area E/West Boundary, approximately 8km west of Beaverdell, and across Big White Road from the Gem Lake Express Chairlift (see attachments). The cutblocks are within the "Big White" and "Skaha" Operating Areas.

Of the 490.3ha of proposed cutblock areas, 216.5ha are in the Skaha Operating Area and 273.8ha are in the Big White Operating Area (see attachments).

Implications

Big White Ski Resort

BCTS have been working directly with Big White Ski Resort, given the close proximity of the proposed cutblocks to the ski resort. The largest cutblock (K85E) is proposed to be 143.4ha in size and is adjacent to Big White Road across from the Gem Lake Express Chairlift. This cutblock will require an exemption to the Provincial "Visual Quality Objective" (VQO) restrictions.

Based on the map provided (see attachments) and the proximity to the water features, it appears that this cutblock will be buffered from Big White Road by an approximate 100m-wide stand of mature trees. Although visual impacts may not be apparent from the road, they would be anticipated from higher elevations. As such, BCTS has done preliminary Visual Impact Assessments. They have noted that they would like to solicit feedback from local stakeholders on the proposed cutblock areas beyond this referral period, prior to submitting their request for a VQO exemption. More information regarding the VQO exemption will be forwarded to the APC as it is made available to us.

Advisory Planning Commission

The referral was forwarded to the Electoral Area E/West Boundary and Big White APCs for consideration at their meetings on April 6 and 7, respectively. The following discussion and recommendation was provided by each APC:

Electoral Area E/West Boundary

"The proposal was discussed. Concerns were raised with respect to the density of roads; the logging near lakes and other water bodies as well as the size of one cutblock (K85E) that is 143 ha."

The APC recommends that the application not be supported because block K85E is too large, there are too many roads and the creeks, swamps, lakes and other water bodies are not adequately protected.

Electoral Area E/Big White

"The APC would prefer contoured cut-lines – less square shape cut-lines to reduce visual impact."

The APC recommends that the application be supported.

BCTS Comments

BCTS followed up with members of the Electoral Area E/West Boundary APC, to further discuss the APC's concerns and provide additional clarification on the proposal. The following highlights the key points of that correspondence:

- BCTS consulted with Big White Ski Resort to discuss how the proposed cutblocks (specifically K85E) could align with conceptual cleared and gladed ski runs across from the Gem Lake Express, should an expansion plan in that area be approved and implemented in the future;
- The harvesting design currently proposed meets the *Forest and Range Practices Act* (FRPA), FSP #771 and other regulatory requirements;
- The most recent harvesting in the areas proposed near Big White took place from 2003-2005. These areas have met the 'green-up' requirements for allowing timber harvesting in adjacent areas (as is currently being proposed);
- Topography and slope stability have been considered in BCTS's selection of harvesting methods and will be guided by the requirements of the approved FSP;
- The Wildlife Tree Retention Areas (WTRAs) proposed for all of the blocks in the development area meet or exceed the requirements of the FSP;
- All streams located within or adjacent to the proposed cutblocks have Riparian Reserve Zones or WTRAs around them to exclude them from the harvest areas; and,
- The proposed development contains the minimum length of new roads necessary to access the blocks and to meet the operational requirements of harvesting the timber.

Staff Comments

On February 27, 2020 the Board made a resolution regarding writing a letter to the Minister of Forests, Lands, Natural Resource Operations and Rural Development. The purpose of the letter is to outline our concerns around large cutblock sizes and request further opportunities to review forest development plans as they become more detailed. The letter has been drafted and sent to the Minister.

Recommendation

That the Regional District of Kootenay Boundary Board of Directors directs staff to forward this staff report, "BC Timber Sales (BCTS) Referral – Big White and Skaha Proposed Cutblocks", which includes comments from the Electoral Area E/West Boundary and Big White Advisory Planning Commissions to BC Timber Sales for consideration.

Attachments

Site Location Map
BCTS Referral

Page 4 of 4

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BC Timber Sales Forest Service Plan 771



Plotted: March 25, 2020

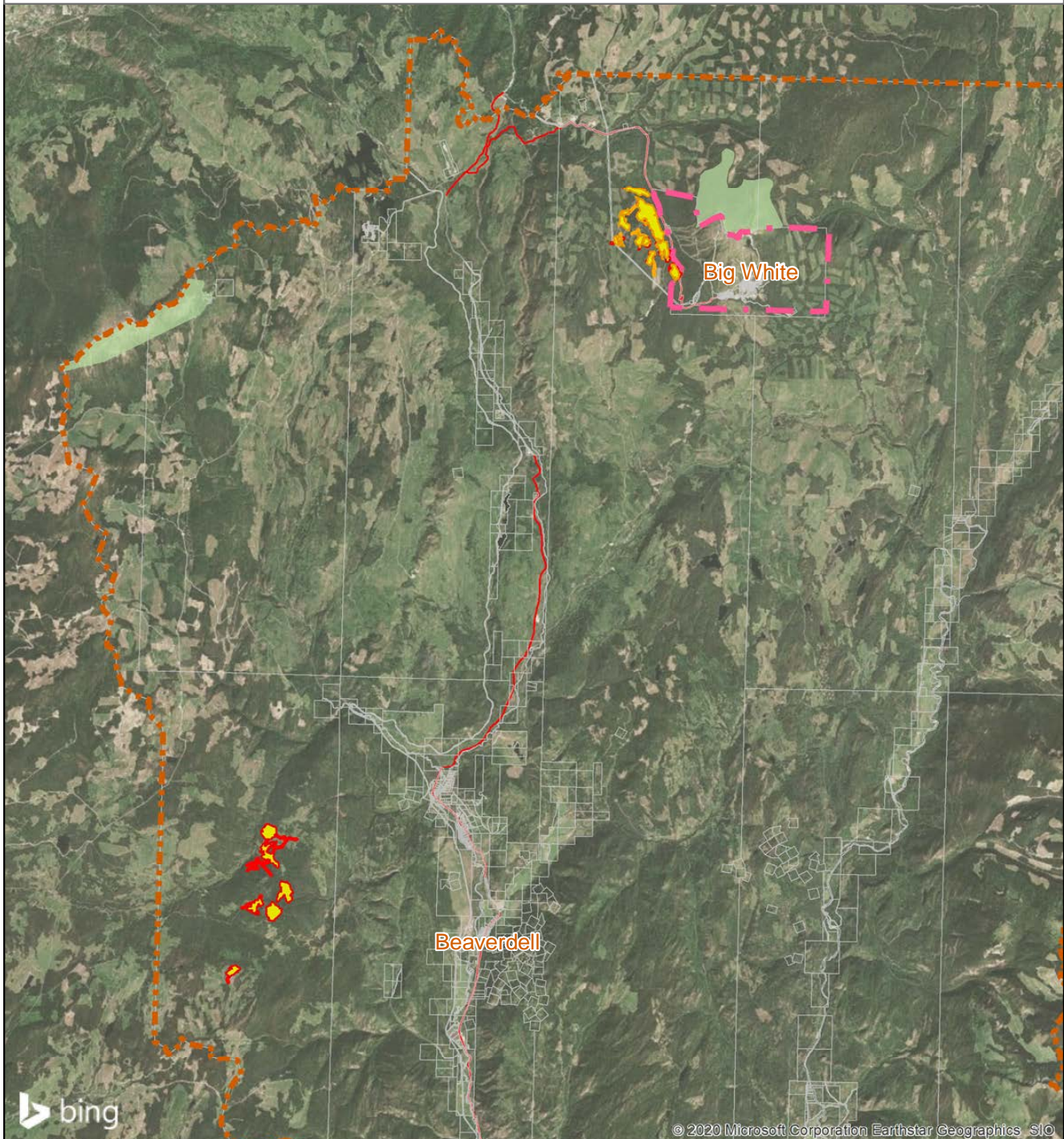
Note: This map may contain errors, please use for reference purposes only

0 1 2 3 4 Kilometers
Scale 1:250,000



Legend

- Referral Blocks
- Consultation Blocks
- Referral Roads
- Consultation Roads
- Provincial Park
- Controlled Recreation Area
- Admin Boundary



Document Path: \\fs1.ad03.rdkb.local\planning\PD\General Files\B-54_Timber_Sales General\2020-04-FSP 771\2020-03-25_SLM_BCTS_FSP771.mxd



File: 18046-30/BCTS FSP 771

February 26, 2020

Regional District of Kootenay Boundary
c/o Planning Department
202 - 843 Rossland Avenue
Trail, BC V1R4S8

Re: Referral on Proposed BCTS cut blocks and roads within the Okanagan Columbia Business Area.

As an identified stakeholder organization that has a potential interest in BC Timber Sales operating areas, you are invited to provide comments on the following development that may overlap your areas of interest.

BCTS plans to prepare and develop **14** new cut blocks totalling **490.3 hectares** and associated roads that may affect your interests. Please see the attached table and FTP link below to review the location of the proposed development. If you require any other information please let me know and I will provide it for you.

If you have any technical or operational comments, questions or concerns on how this proposed development may impact your interests on the areas to be harvested, please respond in writing to the undersigned before April 30, 2020 to ensure consideration before activities commence.

Yours truly,

Michael Kyler
Planning Forester, BC Timber Sales
Okanagan Columbia Timber Sales Office
Michael.Kyler@gov.bc.ca
(250) 550-2208

Ministry of Forests, Lands and
Natural Resource Operations

BC Timber Sales
Okanagan-Columbia
Business Area

Mailing Address:
2501-14th Avenue
Vernon, BC V1T 8Z

Tel: (250) 558-1700
Fax: (250) 549-5485
Website: <https://www2.gov.bc.ca/gov/content/industry/forestry/bc-timber-sales>

Attachment: Development Summary tables

Blocks:

Number of Blocks: 14 Gross Area: 490.3 ha

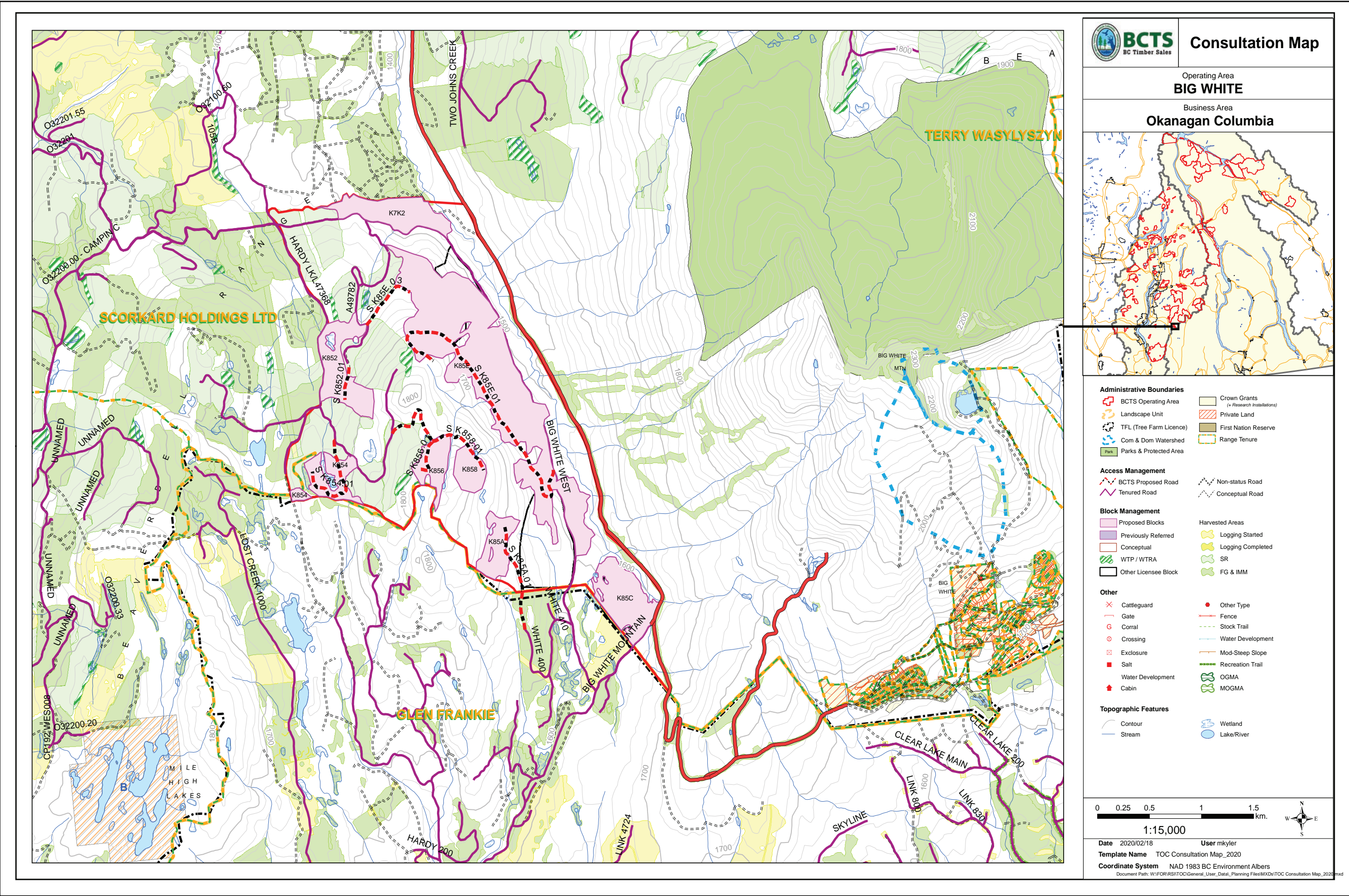
Operating Area	Licence ID	Block ID	Gross Area (ha)
Big White	TA0892	K852	25.5
Skaha	TA1161	K78Q	19.1
Skaha	TA0922	K7ND	46.4
Big White	TA0892	K856	12.6
Skaha	TA0922	K82U	43.4
Big White	TA0892	K858	10.5
Big White	TA0892	K7K2	24.6
Big White	TA0892	K85E	143.4
Skaha	TA1266	K89U	39.1
Skaha	TA1266	K8E3	27.0
Big White	TA0892	K854	15.8
Skaha	TA1266	K89P	41.5
Big White	TA0892	K85A	13.9
Big White	TA0892	K85C	27.5

Roads:

Road Name	Road Length (m)
S K85A.01	1032
S (Skaha_Back of Beyond)	666
S (Skaha_The Abyss)	1518
S K89P.01	887
S K78Q.01	846
S K8E3.01	946
S (Skaha_Far Side)	1595
S K8E3.02	248
S K8E3.ECE1	470
S K85E.01	2904
S K858.01	688
S K856.01	1116
S K8DK.01	254
S K8DK.03	396
S K8DK.02	587
S K8DH.01	882
S K85E.03	612
S (Skaha_Back of Beyond)1	476
S K852.01	313
S (Skaha_The Abyss)ECE1	2343
S K854.01	990

Please follow the link below for PDF maps and KMZ (Google Earth) files:

<https://www2.gov.bc.ca/gov/content/industry/forestry/bc-timber-sales/fsp/okanagan-columbia-fsp>





Regional District of
Kootenay Boundary

Staff Report

RE:	Ministry of Forests, Land and Natural Resource Operations and Rural Development Referral – Crown Grant – Brent Harley and Associates		
Date:	April 30, 2020	File #:	BW-4256-Temp
To:	Chair Langman and Members of the Board of Directors		
From:	Corey Scott, Planner		

Issue Introduction

We have received a referral from the Mountain Resorts Branch of the Ministry of Forests, Land and Natural Resource Operations and Rural Development (MFLNRORD) regarding a Crown Grant application in Electoral Area E/West Boundary-Big White (see attachments).

Property Information	
Owner(s):	Big White Ski Resort Ltd.
Agent:	Brent Harley and Associates
Location:	Black Forest Way
Electoral Area:	Electoral Area E/West Boundary-Big White
Legal Description(s):	DL 4256, SDYD and containing 0.355ha, more or less
Area:	0.355ha
Current Use(s):	Vacant
Land Use Bylaws	
OCP Bylaw No.: 1125	Medium Density Residential
DP Area:	Commercial and Multi-Family DP1; Alpine Environmentally Sensitive DP2
Zoning Bylaw No.: 1166	Chalet Residential 3
Other	
ALR:	NA
Waterfront / Floodplain:	NA
Service Area:	NA
Planning Agreement Area:	NA

History / Background Information

The subject lands, DL 4256, are located on the south side of Black Forest Way, just past the skier bridge to Happy Valley Day Lodge (see attachments). They are designated for "Medium Density Residential" land use by the Electoral Area E/Big White Official Community Plan Bylaw No. 1125 and zoned "Chalet Residential 3" (R3) in Zoning Bylaw No. 1166.

Page 1 of 3

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As part of the Black Forest Secondary Plan, DLs 4254 and 4256 were rezoned to R3 and DL 4255 was rezoned to "Employee Housing Residential 6A" (R6A). In order to continue with the residential development of DL 4254, a temporary turn-around is required by MOTI. This turn-around will be a temporary solution in advance of the required road dedication requirements for the forthcoming development.

Once the road dedication requirements for DL 4254 and 4255 have been met, Big White Ski Resort intends on developing DL 4256 into six single family dwelling units. Separate Development Permit applications will be required prior to the construction of any forthcoming dwelling units.

Proposal

The proposal is for a Crown Grant to allow for the construction of a temporary cul-de-sac at DL 4256.

The temporary cul-de-sac will allow Big White Ski Resort to meet MOTI's road requirements in the development of DLs 4254 and 4255 for single family residential and employee housing units.

Implications

Applications of this nature typically require additional applications at the local and provincial government levels. However, the lands were already part of a comprehensive planning process when the Black Forest Secondary Plan was developed. As such, the proposal does not conflict with the goals, objectives or policies for Medium Density Residential land uses in Big White's Official Community Plan.

Big White's Zoning Bylaw permits highways, streets, bridges and lanes, and public service uses in all zones (Section 302.1). As such, the proposal does not conflict with the current R3 zoning of DL 4256.

Similar to the planning process that has already taken place, Provincial processes were also previously completed in 2007 for the sale and tenure of the affected lands. However, given the length of Black Forest Way, it cannot be improved without significant capital investment from Big White Ski Resort. In recognition of these financial constraints, a phased approach to road dedication and improvements is being suggested by MFLNRORD. This approach will help Big White Ski Resort subsidize the costs of road improvements, dealing with road segments in phases as development takes place along Black Forest Way.

The referral was forwarded to the Big White Fire Department and no concerns were raised with the proposal.

Advisory Planning Commission (APC)

The referral was considered by the Electoral Area E/West Boundary-Big White APC at their April 7, 2020 meeting. The APC discussed the following:

- "It may create another parking zone/area. Signage against Parking would be recommended.

Page 2 of 3

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- Vicki Gee will check on the potential for bylaw enforcement officer to impose a fine which appears on their property tax for individuals contravening.
- What happens in the scenario where the vehicle owner is not a resident or from BC how would the tickets be enforced?"

The APC provided a recommendation of support, conditional upon the Province's consideration of potential parking-related issues.

Staff Comments

The APC's comments were forwarded to our Bylaw Enforcement Officer for discussion. In order to have an enforcement mechanism in place for parking at Big White Ski Resort, we would need to adopt a traffic bylaw. We have been in contact with the RCMP detachment for Big White and they have indicated their support for such a bylaw. Further, peace officers could be listed in the bylaw to enforce it.

Recommendation

That the Regional District of Kootenay Boundary Board of Directors directs staff to forward this staff report, "Ministry of Forests, Land and Natural Resource Operations and Rural Development Referral – Crown Grant – Brent Harley and Associates", which includes comments from the Electoral Area E/West Boundary-Big White Advisory Planning Commission to the Ministry of Forests, Land and Natural Resource Operations and Rural Development for consideration.

Attachments

Site Location Map
Subject Property Map
Applicant Submission

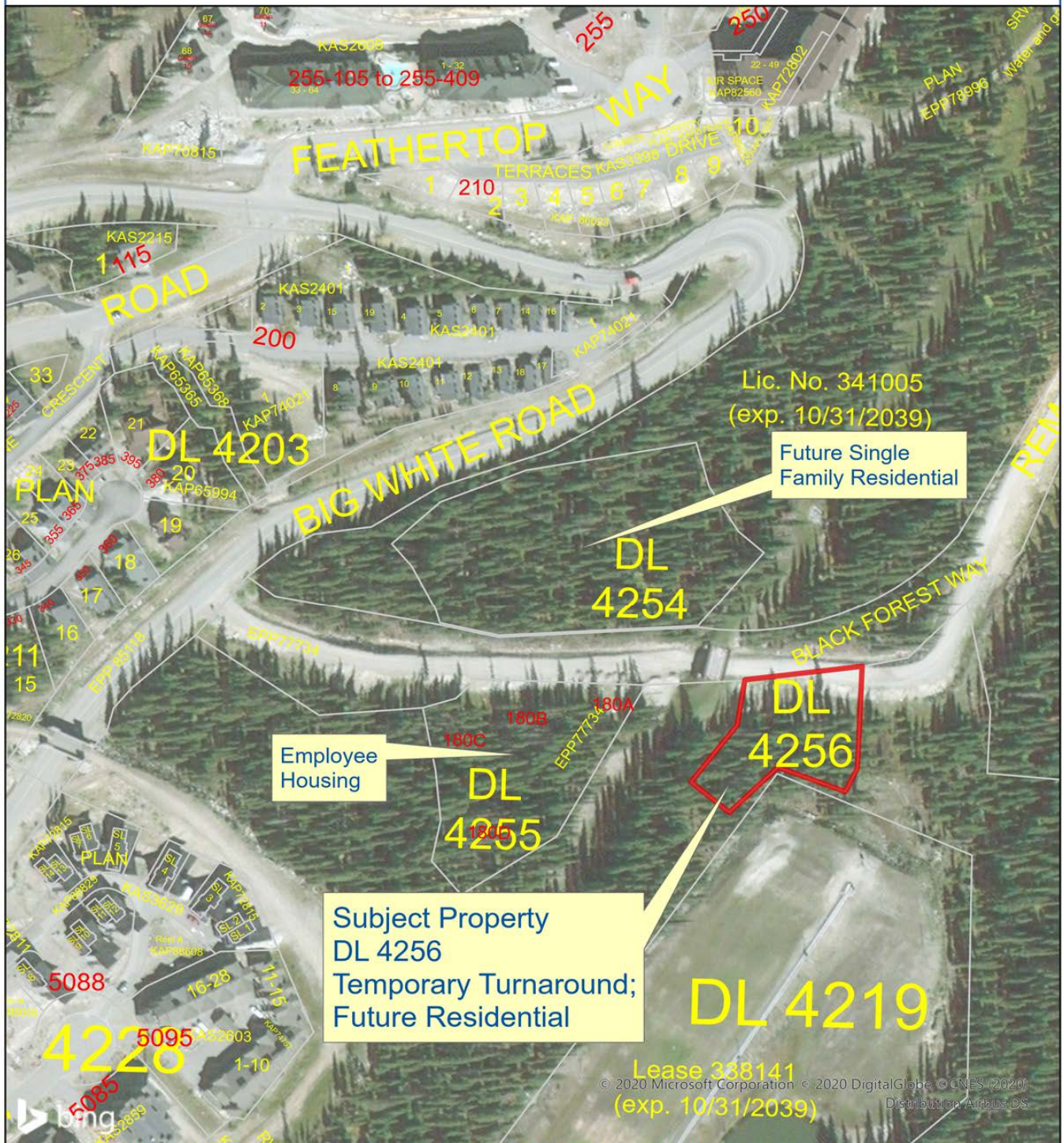
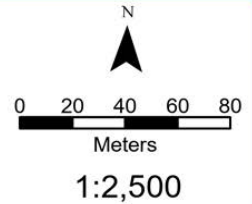


Regional District of
Kootenay Boundary

Date: 2020-03-24

Subject Property Map

DL 4256
SDYD



202-843 Rossland Ave, Trail BC V1R 4S8 | T: 250.368.9148 | T/F: 1.800.355.7352 | rdkb.com

Document Path: P:\PD\EA_E_Big_White\BW-4256-Temp\2020-April MFLNRO\Mapping\2020-03-20_SM_2020-April MFLNRO\2020-03-20_SM_2020-April MFLNRO.aprx



File: 3413311

February 27, 2020

Donna Dean

Manager of Planning and Development
 Kootenay-Boundary Regional District
 202 - 843 Rossland Ave.
 Trail, BC V1R 4S8
 Via Email: ddean@rdkb.com

Re: Application for Crown Grant within the Black Forest Development Area of Big White Ski Resort

The Mountain Resorts Branch of the Ministry of Forests, Land and Natural Resource Operations and Rural Development, (MFLNRORD) has received an application for a Crown Grant to in the interim construct a cul-de-sac to public road standards and the Ministry of Transportation and Infrastructure's (MOTI)satisfaction, thereby allowing for road dedication for the existing portion of Black Forest Road at Big White Ski Resort (BWSR). The formal road dedication is required to permit the development of DL 4254 for employee housing. At the appropriate time in the future when the market and demand conditions are ready, Big White will extend the Black Forest road for further dedication, remove the cul-de-sac and develop DL 4256 for medium density, single family housing with ski to/ski from access. The application area is within the Big White Controlled Recreation Area and the resort is currently operating under an approved Master Plan (1999) and Master Development Agreement with the Province.

In September 2009 a Crown Grant was offered to BWSR over DL 4253, DL 4254, DL 4255, DL 4256, DL 4257, DL 4258, DL 4259 and DL 4260 for the purpose of employee housing, single and multi-family dwellings and road development (DL 4253). However due to market conditions BWSR did not accept this offer and in 2017 a crown grant was offered to BWSR over DL 4253 (road development), DL 4254 and DL 4255. In order to further develop DL 4254, DL 4256 is needed for cul-de-sac development to satisfy MOTI's requirements and issue road dedication for Black Forest Road. The Crown Grant application is consistent with the Master Plan (1999) for the Resort and is over a portion of surveyed land as shown on the attached map, and described below:

District Lot 4256, Similkameen Division Yale District and containing 0.355 hectares, more or less.

Kootenay Boundary Regional District (KBRD) Considerations:

The application area is intended for the development of a cul-de-sac to satisfy MOTI requirements for formal road dedication to allow for development of DL4254 for employee housing. In the future, when market conditions are ready BWSR will develop DL 4256 into 6 single family housing units comprising of 36 bed units.

In the past, the resort submitted the Black Forest Secondary Plan to KBRD that laid out the vision for the area. KBRD approved the plan, and subsequently the Big White Official Community plan was amended and the lands were rezoned to R3-chalet residential.

**Ministry of Forests, Lands and
 Natural Resource Operations and
 Rural Development**

Integrated Resource Operations
 Mountain Resorts Branch

Mailing Address:
 510 – 175 2nd Avenue
 Kamloops, BC V2C 5W1

Telephone: 250 371-3952
 Facsimile: 250 371-3942
 Website: www.gov.bc.ca/for

Page 2

Big White Road and Black Forest Road

The application parcel is adjacent to recently Crown Granted DL 4253 (2017) which is comprised of both a portion of Big White Road and the Black Forest Road. Access to the proposed development will be via Black Forest Road from Big White Road.

MFLNRORD understands that BWSR is currently working with the MOTI and that in order to develop DL 4254 a cul-de-sac is required to dedicate the portions of DL 4253 that are comprised of those sections of Big White Road and the Black Forest Road up to and including DL's 4254, 4255 and 4256 as shown as in the application package (attached).

Highlights of the Crown Grant:

- 0.355 ha of surveyed Crown land
- Currently Zoned R3 (Chalet Residential)

Resources:

1. Map showing application area
2. Crown Grant application package
3. Geomark: <gm-5B404A9D1B5545C7A1E026576178EE68>

Request for Comments:

The Mountain Resorts Branch is requesting that you review the Crown Grant application. We ask that you identify whether or not there are any impacts to your legislated responsibility and provide us with your comments by **March 28, 2020**. If this timeline poses a challenge, please let me know as soon as you can.

We look forward to working with you and your team in review of this Crown Grant application. If you have questions or require more information please contact me at 250-371-3934 barb.wheatley@gov.bc.ca or Tori Meeks, Senior Manager Major Projects at 250-371-3943 Tori.Meeks@gov.bc.ca.

Sincerely,

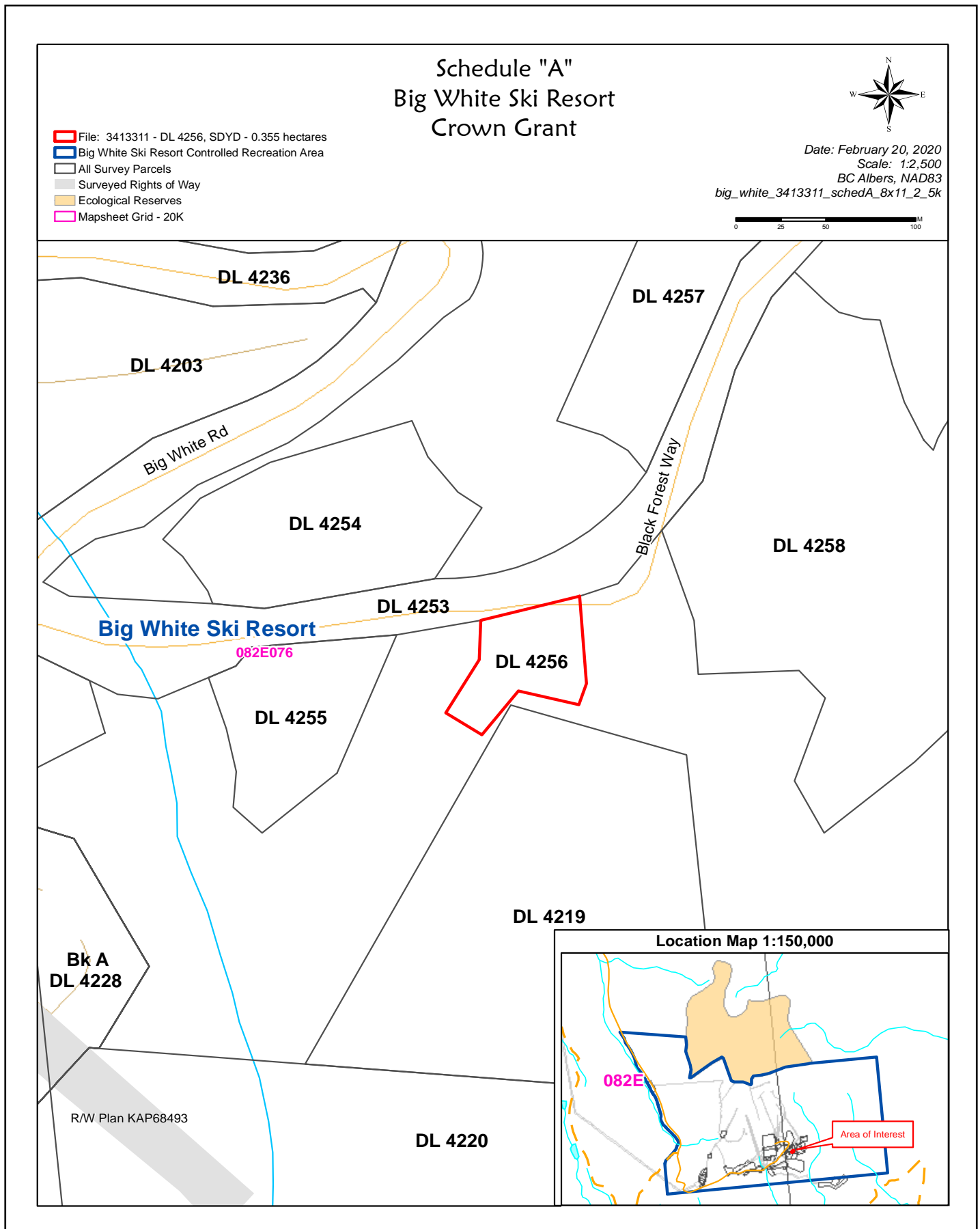


Barb Wheatley, Licenced Land Officer
Mountain Resorts Branch

cc. Paul Plocktis, Vice President Real Estate & Development, Big White. Via Email:
pplocktis@bigwhite.com.

Brent Harley, President, Brent Harley and Associates. Via Email:
brent@brentharley.com

Tori Meeks, Sr Manager Major Projects, Mountain Resorts Branch – via email:
Tori.Meeks@gov.bc.ca





January 23, 2019

Ministry of Forests, Lands, and Natural Resource Operations & Rural Development
Mountain Resorts Branch
510-175 2nd Avenue
Kamloops BC
V2C 5W1
Ph: 250-371-3952

Attention: Tori Meeks
Sent via email: Tori.Meeks@gov.bc.ca

Re: Crown Grant Application for DL 4256

Dear Tori,

Acting as the agents for Big White Ski Resort (Big White), Brent Harley and Associates Inc. (BHA) is pleased to submit the following application for a Crown grant for District Lot 4256 in the Black Forest at Big White.

The requested parcel is 0.355 ha in size, located off Black Forest Way, approximately 300 m from Big White Road. The intent, in the short-term, is to construct a temporary road turn around as part of the development of DL 4253 and DL 4254. However, at buildout, Big White will develop medium density, single family housing with ski to/ski from access, in line with the approved Zoning Bylaw, Big White OCP, and Black Forest Secondary Plan.

I have attached a description of the proposed development, associated plans, and relevant forms for your review.

Please let us know if you need any additional information.

Sincerely,
BHA

A handwritten signature in black ink, appearing to read 'Brent Harley', is written over a horizontal line.

Brent Harley, B.E.S., B.L.A., M.B.A., MBCLSA
President

Cc: Paul Plocktis, VP Real Estate and Development, Big White Ski Resort



Black Forest at Big White

CROWN GRANT APPLICATION – DL 4256

January 23, 2020

1. OVERVIEW OF PROPOSED DEVELOPMENT

As part of its continuing effort to create a vibrant base area in balance with its on-mountain offerings, Big White wishes to apply for a Crown grant for District Lot 4256 in the Black Forest area (Figure 1 - Appendix). The intent is to develop medium density single family units in keeping with the larger vision for the Black Forest area. This new resort residential development will supply the Big White recreational real estate market with high-quality, ski to/ski from accommodation that is currently in demand.

The requested lands lie within the resort's Controlled Recreation Area (CRA) and are contained within the approved Master Plan. As part of an earlier planning process, Big White submitted the Black Forest Secondary Plan to the Regional District of the Kootenay Boundary that laid out the vision for this neighbourhood. The Secondary Plan was approved, the Big White Official Community Plan was amended (Figure 2a), and the subject lands were rezoned to R3 - Chalet Residential 3 (Figure 2b).

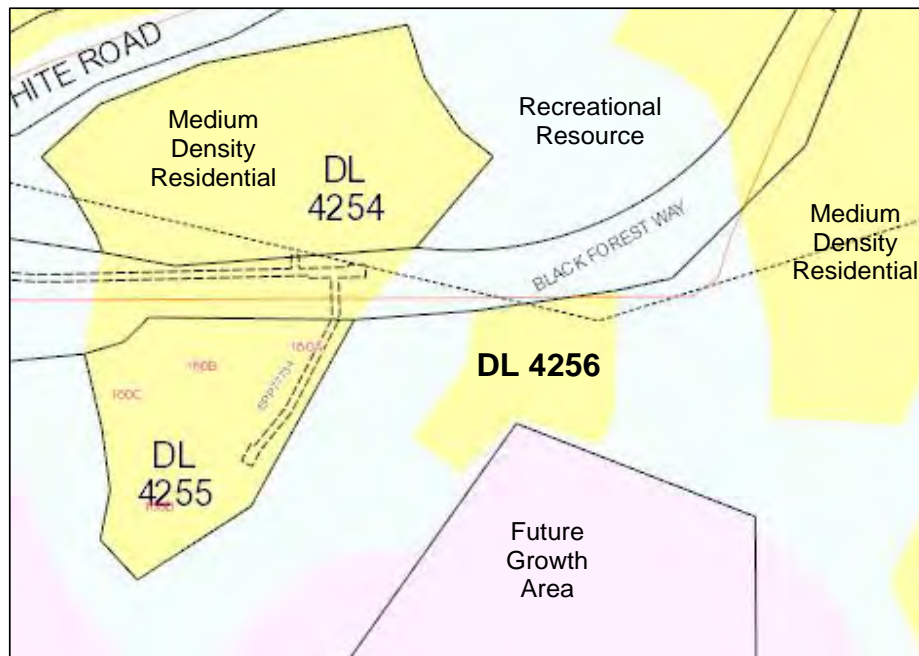


Figure 2a. Regional District of the Kootenay Boundary – OCP Land Use Designations
Source: Regional District of the Kootenay Boundary Interactive Mapping Tool (<https://rdkb.sgrc.selkirk.ca/>)

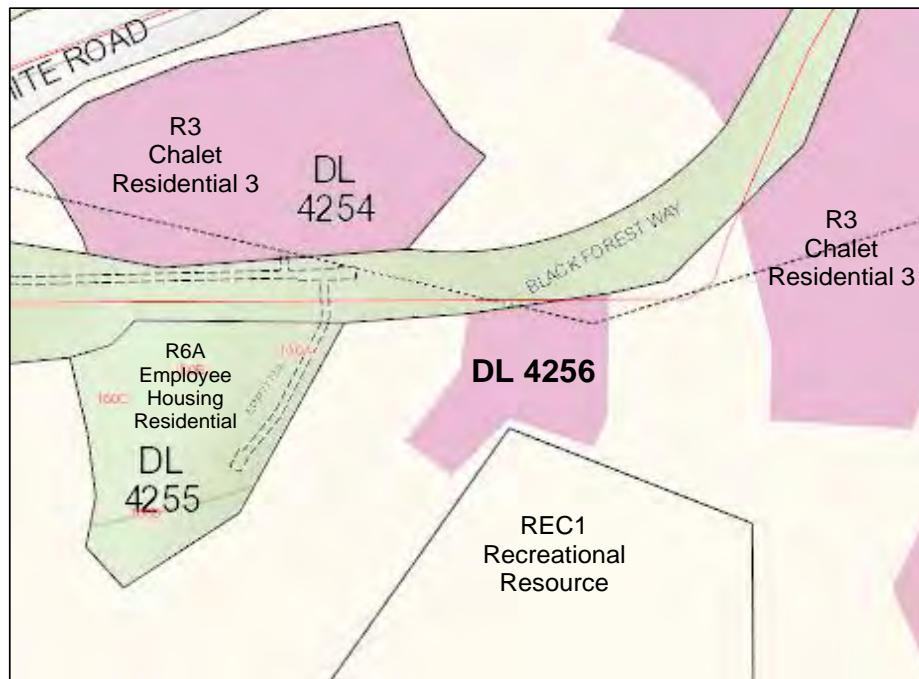


Figure 2b. Regional District of the Kootenay Boundary – Zoning Bylaw

Source: Regional District of the Kootenay Boundary Interactive Mapping Tool (<https://rdkb.sgrc.selkirk.ca/>)

Big White is pursuing a Crown grant for DL 4256 at this time to facilitate the development of a temporary turn around on Black Forest Way and fulfill requirements of the Ministry of Transportation and Infrastructure (MOTI) for a road dedication on DL 4253. This will permit Big White to develop DL 4254 as previously approved. Long-term, it is Big White's intention to develop the residential housing described in Sec. 3 on DL 4256.

2. SUBJECT CROWN LANDS

The subject Crown lands are in the south of the CRA, to the east of Big White Village, approximately 300 m east of the intersection of Big White Road and Black Forest Way (Figure 3 & 4 - Appendix). The surveyed parcel is 0.355 ha in size and legal and vehicular access will be provided by Black Forest Way (DL 4253).

3. DEVELOPMENT DESCRIPTION AND CONCEPT

a. Temporary Initial Development

As noted, in the short-term Big White plans to develop a temporary turn around on Black Forest Way (DL 4253) which will extend onto DL 4256. The turn around is required by MOTI in advance of a road dedication on Black Forest Way. The road



dedication is required to proceed with the development of residential housing on DL 4254 that has been previously approved. The proposed turn around is illustrated on Figure 5.

b. Final Development

At buildout, the proposed Development Concept will consist of 6 Single Family units resulting in 36 bed units. As noted, the appropriate Zoning and Land Use designations are already in place. The Concept details are listed in Table 1.

Table 1. Proposed Development Description

Parcel No.	Area (ha)	Zoning	Unit Type	No. Units	No. Bed Units
D.L. 4256	0.355	R3 – Chalet Residential	Single Family	6	36

c. Servicing

DL 4256 will be serviced with water, sanitary, and power lines from a planned underground utilities Right of Way (ROW) within DL 4253 (Black Forest Way). Currently, there is a utility ROW extending to the eastern boundary of DL 4255 and plans have been developed to extend this in stages along Black Forest Way to the Black Forest Day Lodge as the District Lots in the Black Forest neighbourhood are developed. Alternatively, there is an existing sanitary line running through DL 4256 which, depending on detailed engineering and final construction documents, may be more suitable to provide sanitary service the site. The existing and planned utilities are depicted in Figure 6.

d. Timeline for Development

As planned, construction of the road, turn around, and associated infrastructure on DL 4256 will be completed and signed off by MOTI by Summer 2020. At that time, Big White pursue the development of the approved residential units on DL 4254 with a planned completion date of Fall 2020. Subsequent to this, Big White will advance plans to develop the planned residential units on DL 4256 with a tentative completion date of Summer 2021. However, the proposed timelines are conditional on the approvals process, seasonal realities (e.g. snowpack), additional planning as required, and Big White's priorities.

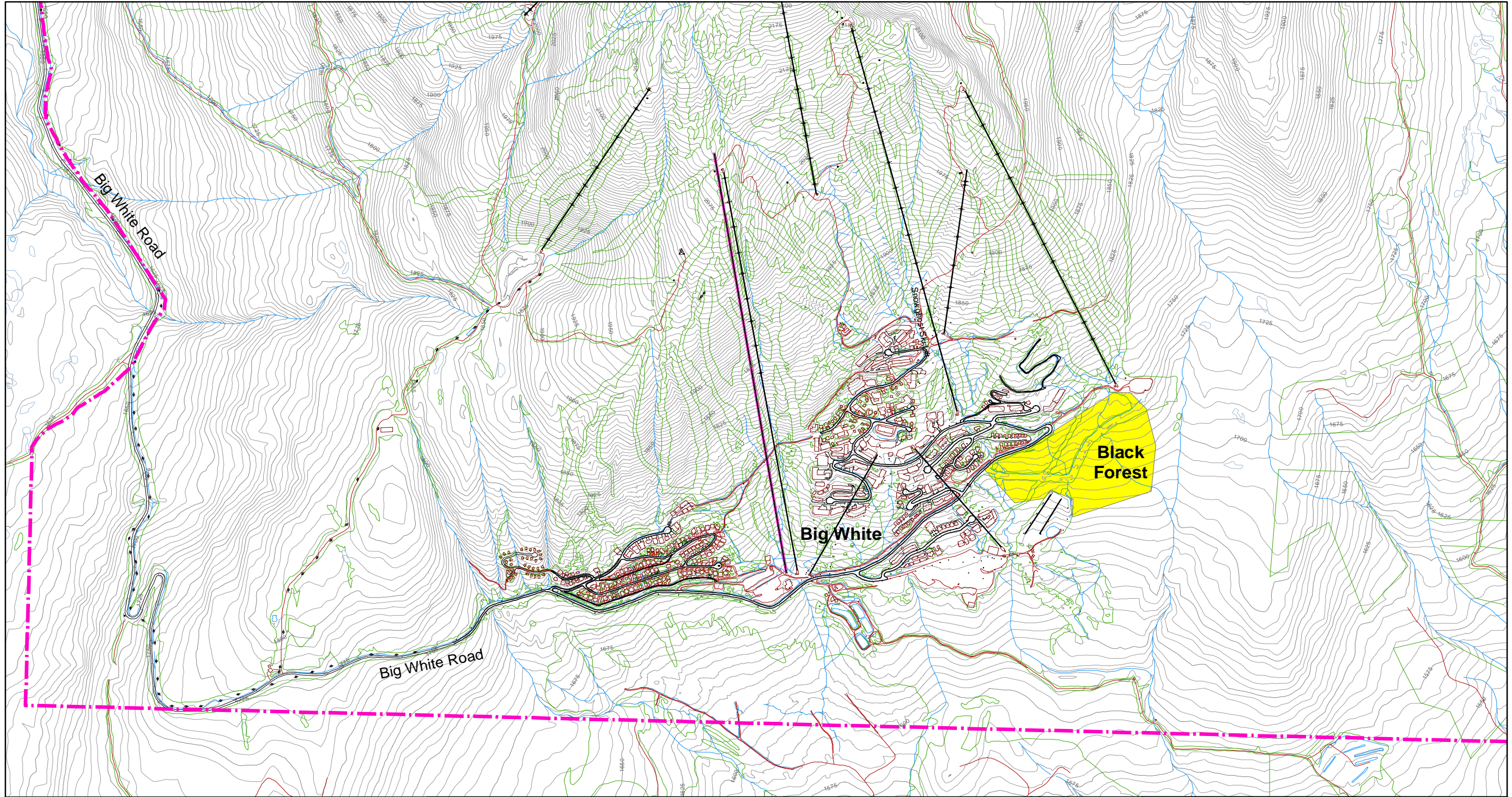
4. ENVIRONMENTAL IMPACT

The boundaries of DL 4256 respect the Trapping Creek drainage area, sitting well beyond the 30 m riparian buffer from the Creek and all watercourses. The forests are primarily mature (Balsam) Fir, part of the Engelmann Spruce – Subalpine Fir biogeoclimatic zone. Trees along the periphery of DL 4256 will be preserved to maintain a visual barrier to other lots, the Gondola Way ski run, and the Big White Tube Park.



5. APPENDIX - FIGURES

Figure 1. Context Map.....	Page 4
Figure 3. Black Forest Context.....	Page 5
Figure 4. DL 4256 Site Map.....	Page 6
Figure 5. Temporary Turn Around.....	Page 7
Figure 6. DL 4256 Servicing.....	Page 8
Figure 7. District Lot Survey Map.....	Page 9



Big White Ski Resort **Black Forest Context Plan** **Figure 1**

1:15,000
0 150 300 450 600 750 Meters



Legend

- Black Forest
- CRA Boundary

Prepared for:

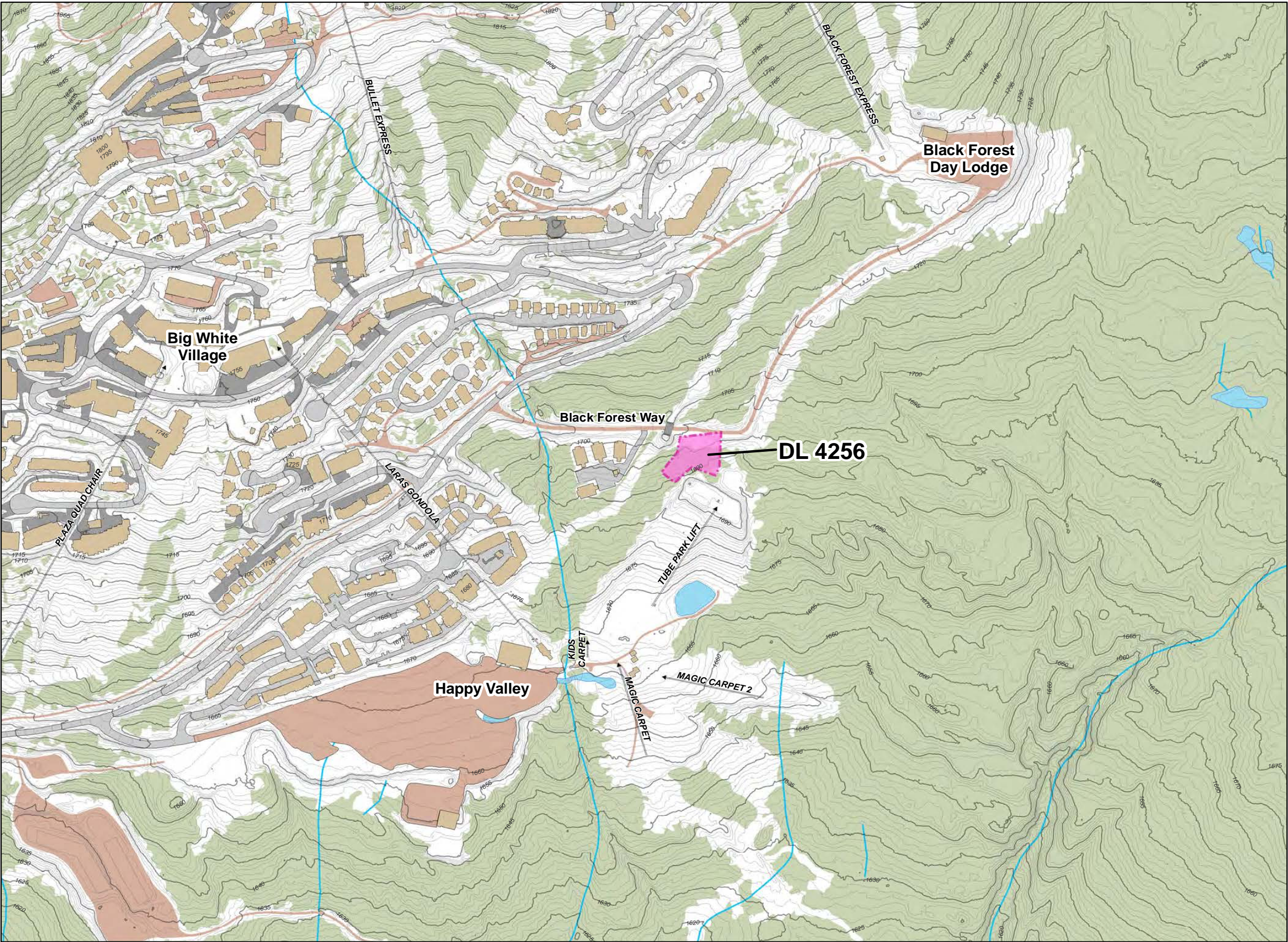


5315 Big White Road
Kelowna, BC
Canada. V1P 1P3
250-765-3101
bigwhite@bigwhite.com

Planning by:



4-1005 Alpha Lake Road,
Whistler, B.C.
Canada. V8E 0H5
604-932-7002
bha@brentharley.com



Big White Ski Resort
2020

- Legend**
- DL 4256
 - Existing Ski Lifts
 - Existing Buildings
 - Existing Roads
 - Streams
 - Existing Vegetation

Prepared for:

5315 Big White Road
Kelowna, BC
Canada, V1P 1P3
Tel: (250) 765-3101
email: bigwhite@bigwhite.com

Planning by:

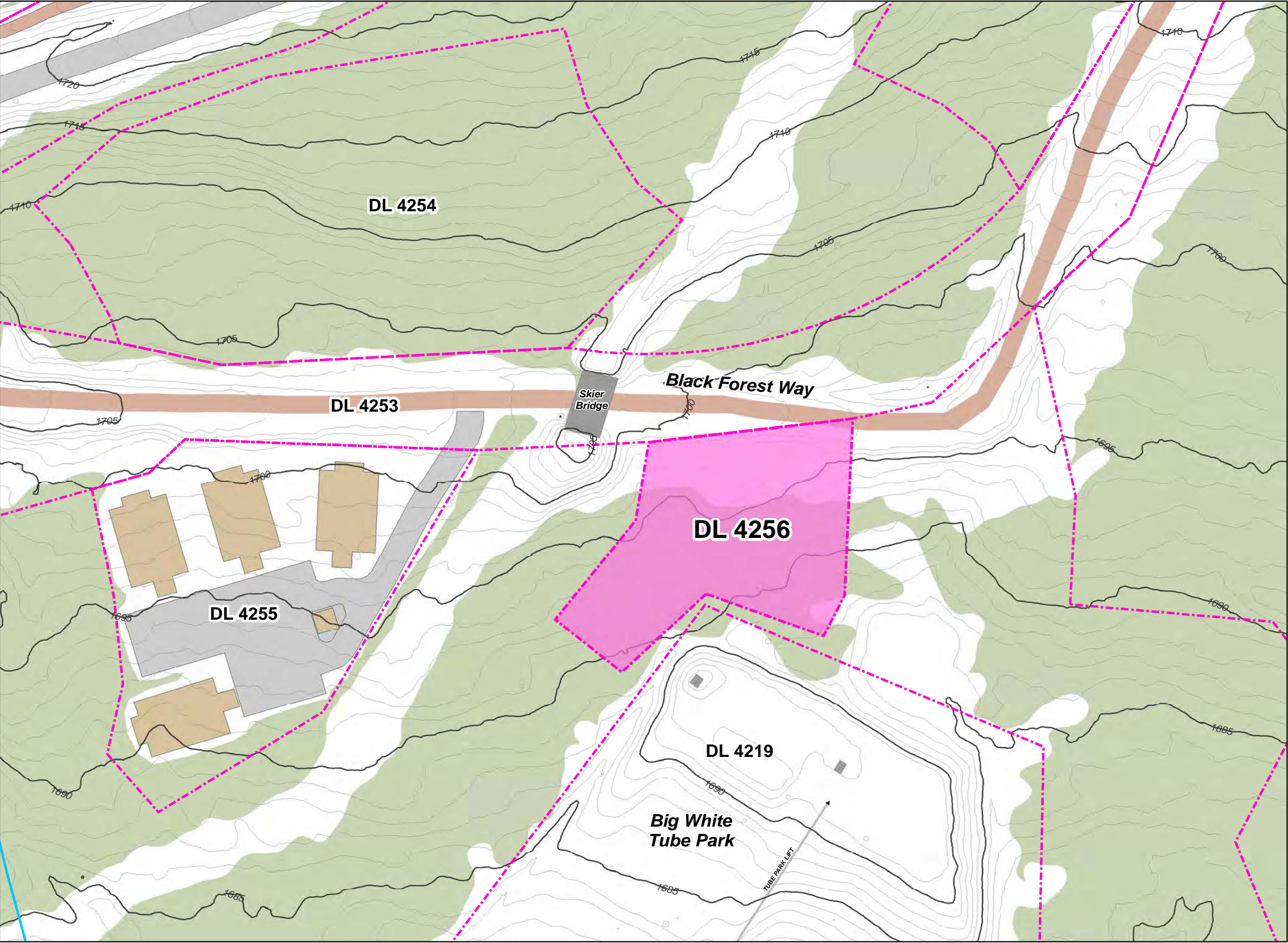
4-1005 Alpha Lake Road
Whistler, B.C.
Canada, V8E 0H5
Tel: (604) 932-7002
email: bha@brentharley.com

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The information included on this map has been compiled by BHA from a variety of sources and is subject to change without notice. BHA makes no representation or warranty, expressed or implied, as to accuracy, completeness, timeliness or rights to the use of such information. BHA shall not be liable for any general, special, indirect, incidental or consequential damages including, but not limited to, lost revenues or lost profits resulting from the use or misuse of the information contained on this map.

1:5,000 at 11"x17" NAD 83 UTM Zone 11N

0 40 80 120 160 Meters

Context Map
D.L. 4256



Big White Ski Resort
2020

- Legend**
- DL 4256
 - LTSA BC Parcels
 - Existing Ski Lifts
 - Existing Buildings
 - Existing Roads
 - Existing Vegetation

Prepared for:

5315 Big White Road
Kelowna, BC
Canada, V1P 1P3
Tel: (250) 765-3101
email: bigwhite@bigwhite.com

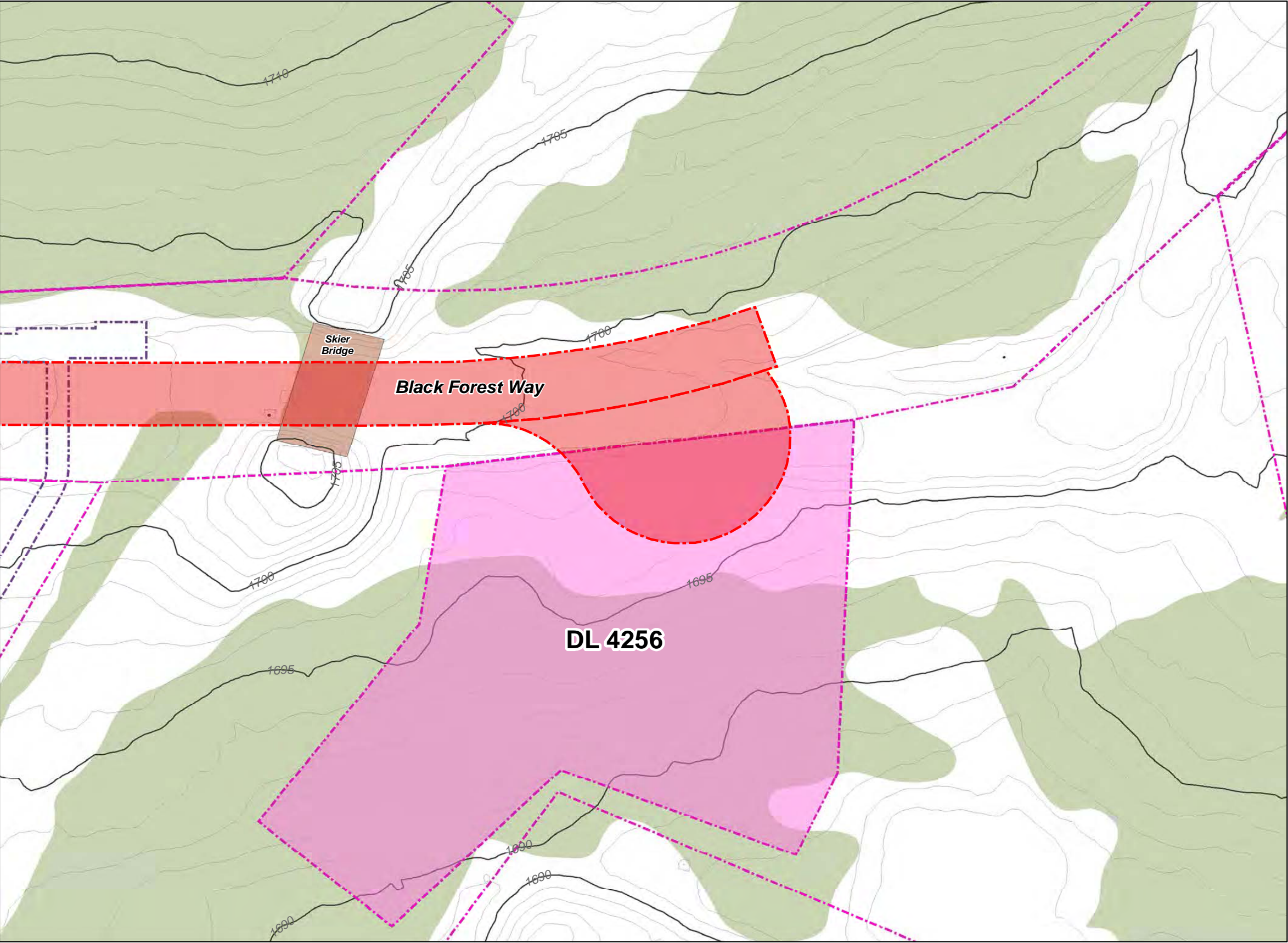
Planning by:

4-1005 Alpha Lake Road
Whistler, B.C.
Canada, V8E 0H5
Tel: (604) 932-7002
email: bha@brentharley.com

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1:1,000 at 11"x17" NAD 83 UTM Zone 11N
0 10 20 30 40 Meters

Site Map
D.L. 4256



Big White Ski Resort
2020

- Legend**
- DL 4256
 - Proposed Road & Turn Around
 - Existing Vegetation

Prepared for:

5315 Big White Road
Kelowna, BC
Canada V1P 1P3
Tel: (250) 765-3101
email: bigwhite@bigwhite.com

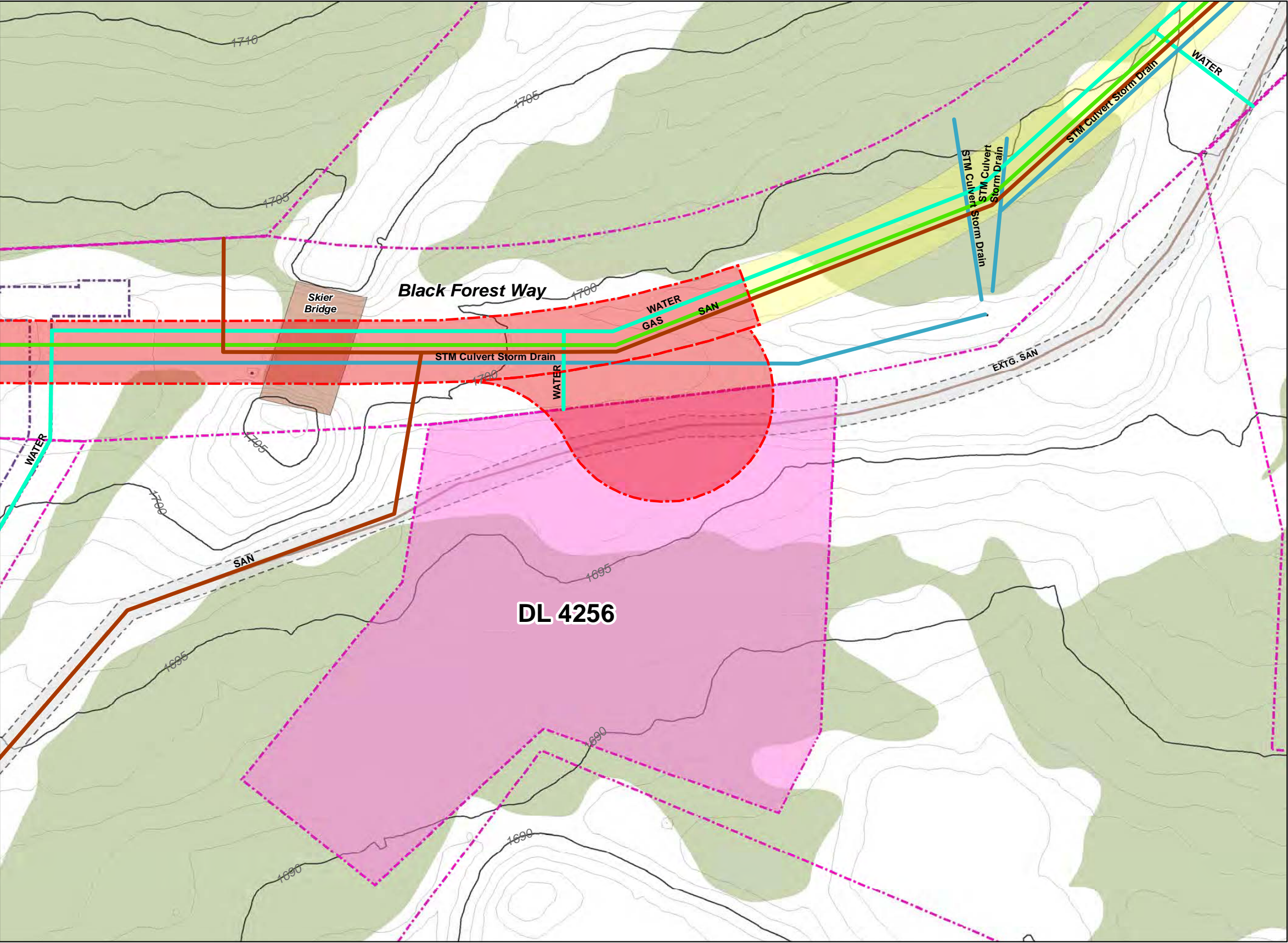
Planning by:

4-1005 Alpha Lake Road
Whistler, B.C.
Canada V8E 0H5
Tel: (604) 932-7002
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1:500 at 11"x17" NAD 83 UTM Zone 11N
0 5 10 15 Meters

Site Map
Road & Turn Around
D.L. 4256



Big White Ski Resort
2020

- Legend**
- DL 4256
 - Proposed Road and Turn Around
 - Existing Utilities ROW
 - Existing Ski Lifts
 - Existing Buildings
 - Existing Roads
 - Existing Vegetation
 - Future Utilities Alignments**
 - Type**
 - Proposed Gas Line
 - Proposed Sanitary Line
 - Proposed Culvert Storm Drain
 - Proposed Water Line
 - Existing Sanitary Line
 - Existing Utility ROW

Prepared for:

5315 Big White Road
Kelowna, BC
Canada, V1P 1P3
Tel: (250) 765-3101
email: bigwhite@bigwhite.com

Planning by:

4-1005 Alpha Lake Road
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1:500 at 11"x17" NAD 83 UTM Zone 11N
0 5 10 15 Meters

Site Map
(Detail/Servicing)
D.L. 4256

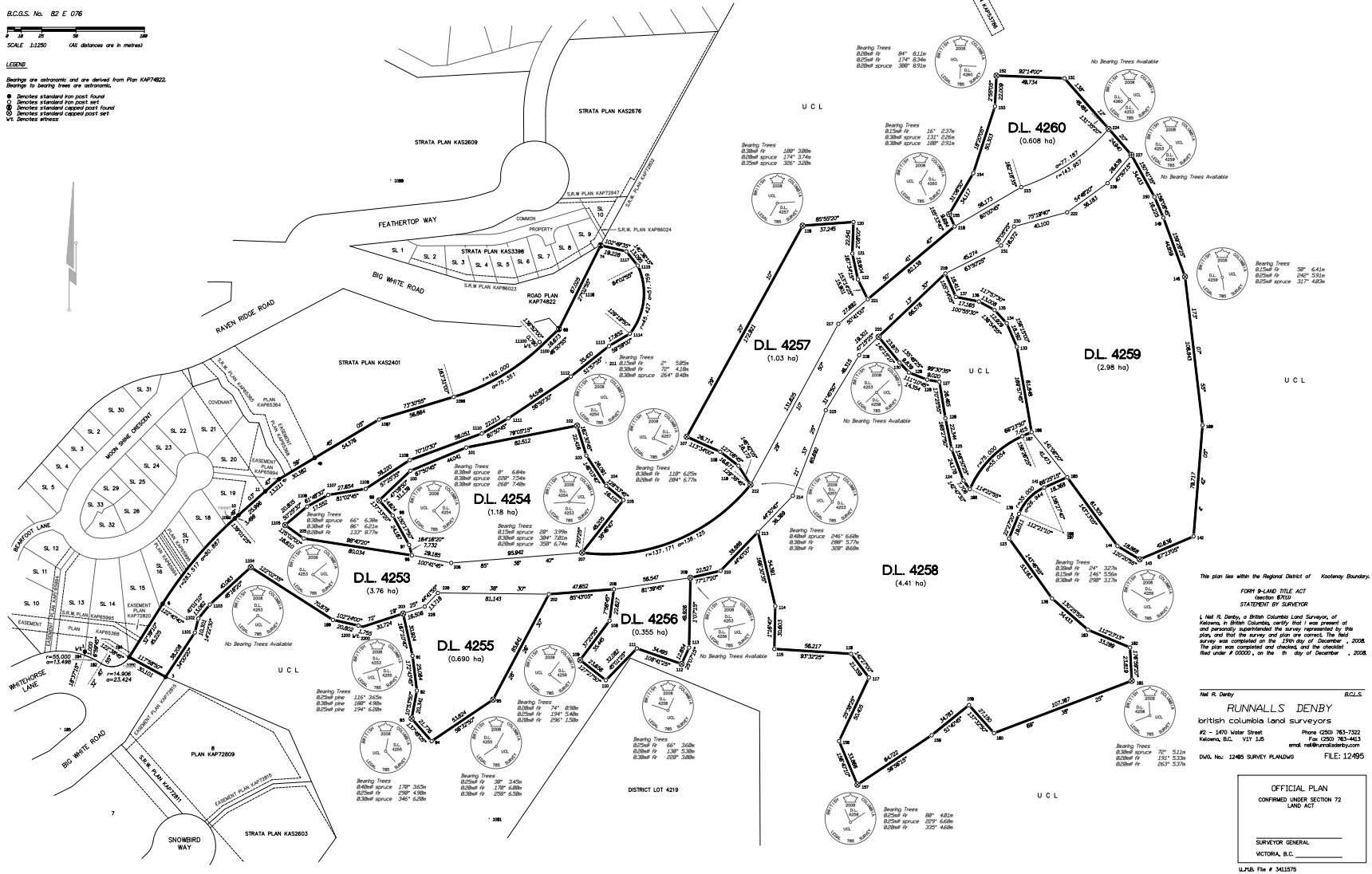
SURVEY PLAN OF DISTRICT LOTS 4253 , 4254 , 4255 , 4256 , 4257 , 4258 , 4259 AND 4260 ,
SIMILKAMEEN DIVISION YALE DISTRICT

B.C.O.S. No. 82 E 076

SCALE 1:1250 (All distances are in metres)

LEGEND

- Bearings are astronomic and are derived from Plan KAP74822.
Bearings to bearing trees are astronomic.
- Denotes standard iron post found
 - Denotes standard iron post set
 - Denotes standard capped post found
 - Denotes standard capped post set
 - △ Denotes witness



This plan lies within the Regional District of Kootenay Boundary.

FORM B-LAND TITLE ACT
Section 8(10)
STATEMENT BY SURVEYOR

I, Neil R. Denby, a British Columbia Land Surveyor, of Kootenay, in British Columbia, do hereby certify that I was present at and personally supervised the survey represented by this plan, and that the survey and plan are correct. The field survey was completed on the 19th day of December, 2008. The plan was completed and checked and the checked field under # 00000, on the 19th day of December, 2008.

Neil R. Denby
B.C.L.S.

RUNNALLS DENBY
british columbia land surveyors
#2 - 1470 Water Street Phone (250) 763-7322
Kootenay, B.C. V1Y 1J5 Fax (250) 763-4653
email: neil@runnallsdenby.com
DMLS No: 12485 SURVEY PLANNING FILE: 12495

OFFICIAL PLAN
CONFIRMED UNDER SECTION 72
LAND ACT

SURVEYOR GENERAL
VICTORIA, B.C.

SLUR File # 341575



Regional District of
Kootenay Boundary

Staff Report

RE:	FrontCounter BC Referral – Crown Land Adventure Tourism Temporary Licence Application		
Date:	April 30, 2020	File #:	B24 (Electoral Area B General Ministry Referrals)
To:	Chair Langman and Members of the Board of Directors		
From:	Corey Scott, Planner		

Issue Introduction

We have received a referral from FrontCounter BC regarding an Adventure Tourism Temporary License application for a mountain bike event taking place from June 8-13. Two days of the event are in Electoral Area B/Lower Columbia-Old Glory (see attachments).

Property Information	
Owner(s):	Crown Provincial; various private owners
Agent:	Transrockies Events Inc. c/o Aaron McConnell
Location:	Various surrounding Rossland
Electoral Area:	Electoral Area B/Lower Columbia-Old Glory
Legal Description(s):	Various
Current Use(s):	Recreation/Trails
Land Use Bylaws	
OCP Bylaw No. 1470	Forest Resource; Rural Resource 1; Rural Resource 3; Agricultural Resource 1; Cluster Rural Residential; South Belt Rural Residential
DP Area	NA
Zoning Bylaw No. 1540	Forest Resource; Rural Resource 1; Rural Resource 3; Comprehensive Development; Agricultural Resource 1; Rural Residential 3
Other	
ALR:	Partial
Waterfront / Floodplain:	NA
Service Area:	NA
Planning Agreement Area:	Rossland

History / Background Information

TransRockies Events Inc. are applying to the Province for their "Singletrack 6" six-day mountain bike race event from June 8-13, 2020. This will be the 19th year of the

Singletrack 6 event, which draws approximately 350 participants from over 15 nations. The event is split into six “stages” over the span of six days.

Proposal

The applicant is requesting an Adventure Tourism Temporary Licence for a six-day mountain bike event. Stages 5 and 6 (June 12-13) are proposed to take place over the Rossland Southbelt and Red Mountain trail networks.

Races each day will be approximately 25-40km long, over existing Kootenay Columbia Trail Society (KCTS) managed trails. General trail routes are shown on the attached maps; these routes will be further refined closer to the date of the event. The staging areas for base operations each day will take place at Rossland Centennial Field (Stage 5 – June 12th) and Red Mountain (Stage 6 – June 13th).

Implications

The applicant plans on managing the events through “staging operations” and “route operations”. They have provided a full description in the application package (see attachments). To summarize:

- Staging operations addresses the event logistics, including:
 - Locations of staging areas, which are to be on already leased, privately owned, or municipal land. The applicant is working with the various parties involved to reach agreements on the use of these lands.
 - Access will be provided by bus for participants. Staging areas are accessible via public roadways for bystanders and support staff. In past events the organizers have noted there is typically a good mix of participants riding to the staging area from their accommodations, using the busses provided, or taking their own vehicles.
 - Checkpoints will be set up in 2-3 locations along each trail with a 10ft.² tent and drinks, food and medical staff for the participants. Checkpoints are accessed through forestry service roads by truck or van for support and event staff.
 - Forestry service roads will have signage posted to communicate that a race is in progress. There is no known overlap with active logging tenures. The applicant will contact commercial operators in the area to prevent user conflicts and course marshals will be used to control road crossings, where necessary.
 - Accommodations for support staff, which includes approximately 25 volunteers, 38 event staff, 6 medical staff, 2 television staff, 8 massage therapists, 8 mechanics as well as for participants.
 - Catering, waste management, entertainment and bike services.
- Route operations addresses the race related aspects of the event, including:
 - Race format and routes. Each stage includes 1-3 checkpoints. Stages 5 and 6 are mass races that begin sometime between 8AM and 10AM. They begin with a climb to better disperse participants.

- Provincial highways will not be used in any of the courses; however, municipal roadways will be. It is the responsibility of the applicant to obtain permission from the municipalities for road use during each event.
- Each course will be marked with temporary markings up to two days in advance of the race.
- Minor trail maintenance and removal of deadfall is proposed for the event, with no timber removal required.
- Event staff will be present on the courses to ensure participants remain on course, markings remain up and any issues that could arise can be addressed promptly.
- The trails will remain open to the public. Course marshals will be situated along major access points to ensure recreational users are aware a race is in progress and providing alternative trail recommendations.
- There will be a medical crew of six, with access to the trails being available via truck or off-road vehicle.
- A limited number of camerapersons may follow the race by bicycle. Other media will be limited to checkpoints.
- Cleanup of the trails will be undertaken immediately after the last rider passes through.

The applicant will adopt the Ministry of Environment's "Wildlife Guidelines for Backcountry Tourism/Commercial Recreation, 2006." The race route will be designed consistent with these guidelines. Participants will be briefed on trail etiquette and safe bear practices when travelling through bear habitat areas.

The applicant is anticipating making a contribution of approximately \$4000-5000 to KCTS for use of the KCTS trail network.

Advisory Planning Commission (APC)

The application was considered by the Electoral Area B/Lower Columbia-Old Glory APC at their April 6, 2020 meeting. The APC provided a recommendation of support after the following discussion:

"We feel this is a great event in keeping with lifestyle and outdoor events. Please keep in mind to keep on the designated track to help protect the delicate balance of flora and fauna in area.

Has the organizing committee investigated building permanent pit toilets that could be used by not only participants but others using trails? These could be located at the trailhead and possibly another central location. Organizations are usually looking for ways to leave something behind after an event, perhaps this would be a great solution. This could help reduce set up time for events to follow."

Staff Comments

Planning staff is unaware of whether the organizing committee has investigated building permanent pit toilets for use beyond the event. Should the Board of Directors direct staff to forward this report to the Province, the APC's suggestion would be considered a comment.

Recommendation

That the Regional District of Kootenay Boundary Board of Directors directs staff to forward this staff report, FrontCounter BC Referral – Crown Land Adventure Tourism Temporary Licence Application, which includes comments from the Electoral Area 'B'/Lower Columbia-Old Glory Advisory Planning Commission to Front Counter BC for consideration.

Attachments

Site Location Maps
Applicant Submission

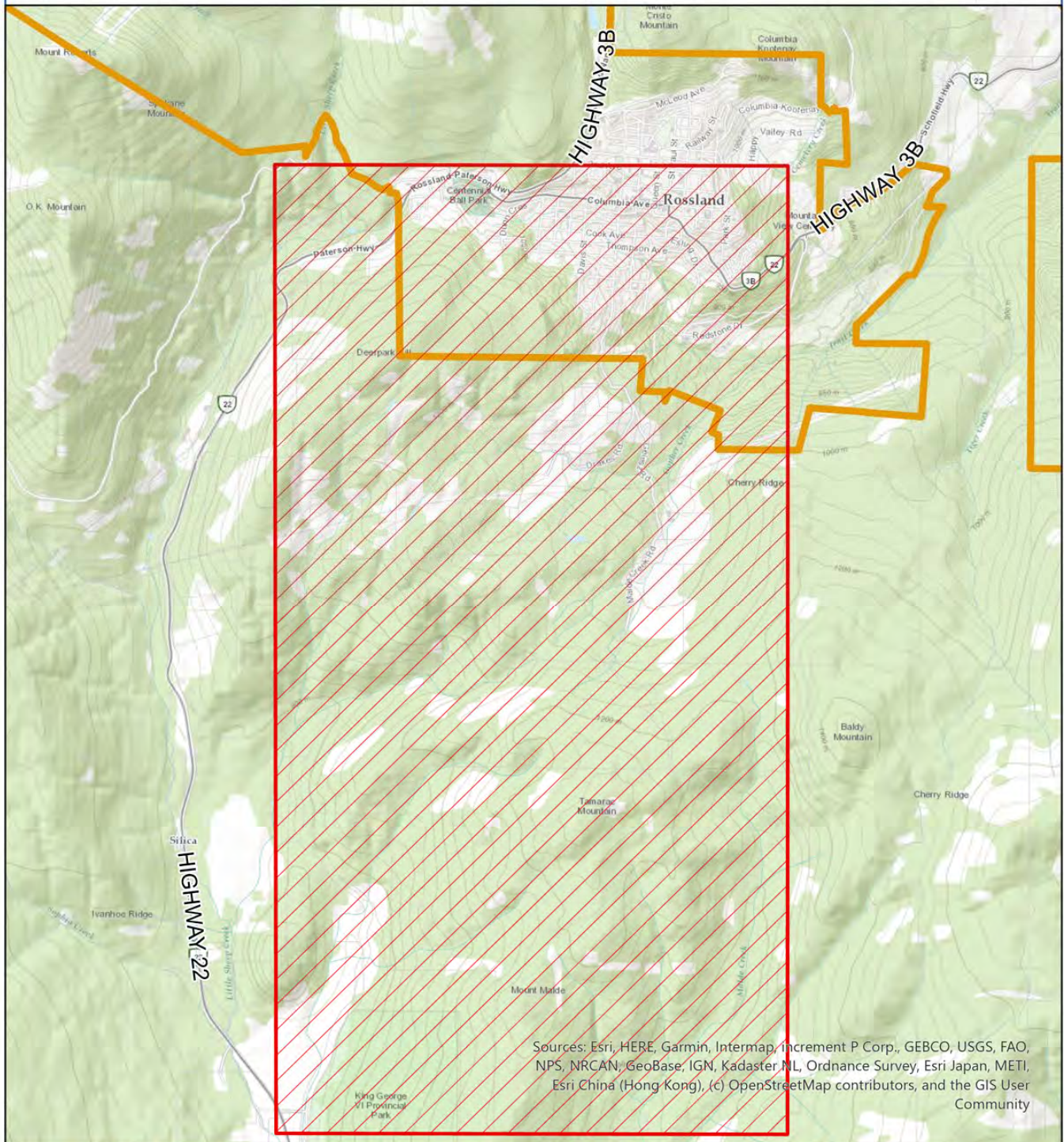
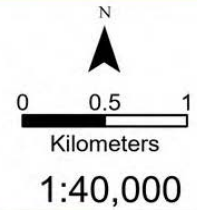


Regional District of
Kootenay Boundary

Date: 2020-03-16

Site Location Map

Stage 5
Rossland South



202-843 Rossland Ave, Trail BC V1R 4S8 | T: 250.368.9148 | T/F: 1.800.355.7352 | rdkb.com

Document Path: \\fs1.ad03.rdkb.local\planning\PD\General Files\B-24 Electoral Area 'B' General Ministry Referrals\2020-FrontCounter\April-Transrockies

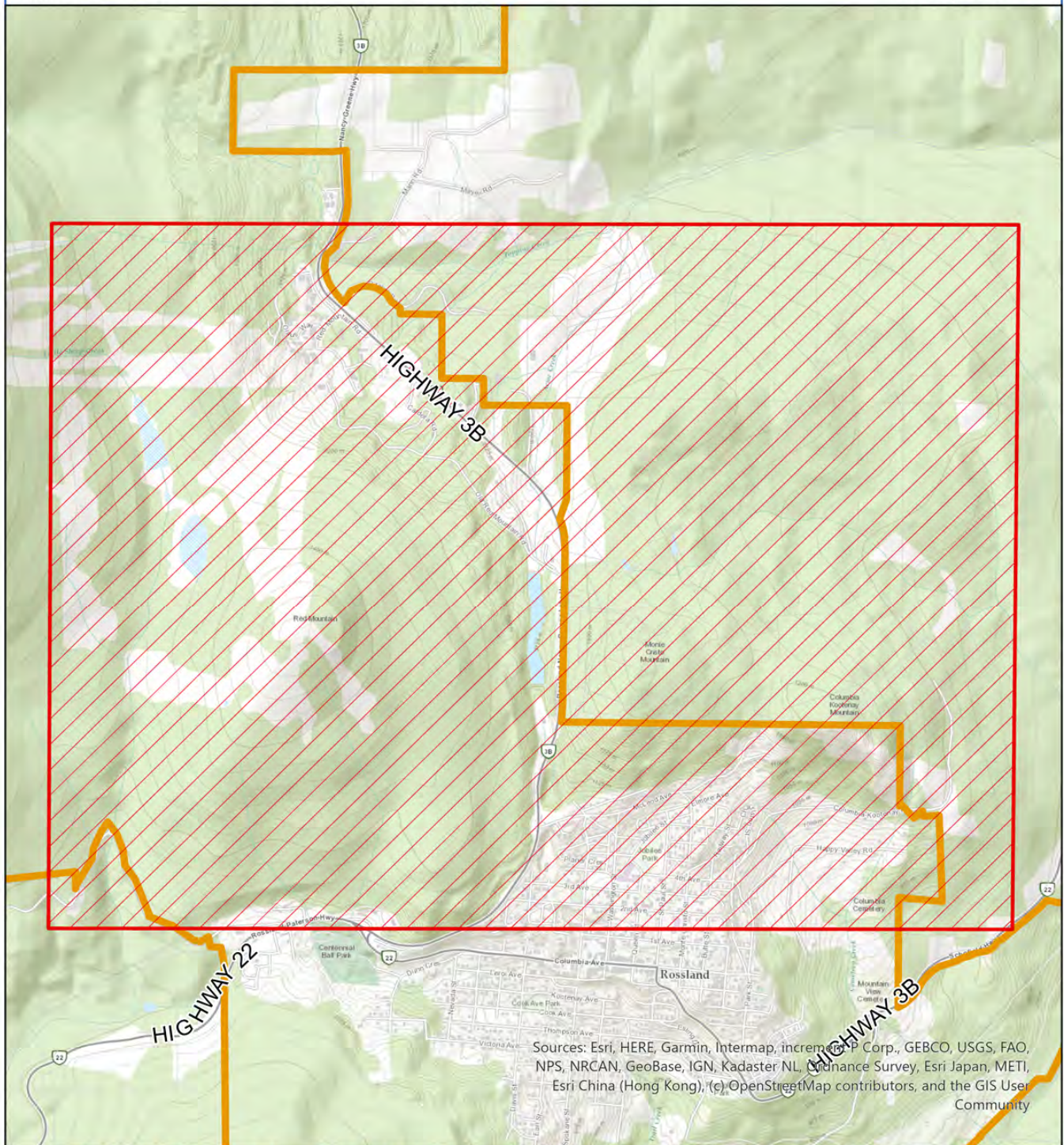
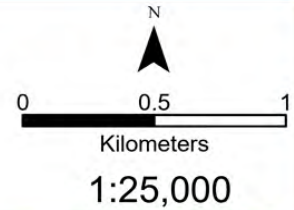


Regional District of
Kootenay Boundary

Date: 2020-03-16

Site Location Map

Stage 6
Rossland - Red Mountain



202-843 Rossland Ave, Trail BC V1R 4S8 | T: 250.368.9148 | T/F: 1.800.355.7352 | rdkb.com

Document Path: \\fs1.ad03.rdkb.local\planning\PD\General Files\B-24 Electoral Area 'B' General Ministry Referrals\2020-FrontCounter\April-Transrockies

TransRockies Singletrack 6

2020

MANAGEMENT PLAN

Prepared by:

TransRockies Inc.
10-1435 40 Ave. NE
Calgary, AB T2E 8N6
Phone: (403) 668-7537

Revised: December 12, 2019

Executive Summary

General Overview of Business (Existing or Proposed)

TransRockies Events Inc. is a well-respected event production company based out of Calgary, Alberta. We have produced numerous events in Canada and BC, including the TransRockies Challenge, TransRockies Classic and SingleTrack 6 stage races, all of which have required FrontCounter BC applications for numerous years.

This proposal is the Singletrack 6 occurring from June 8-13, 2020. Singletrack 6 will be located in the following locations: Fernie, Kimberley, and Rossland.

Singletrack 6 is a 6-day endurance mountain bike race held in British Columbia. The event is expected to draw up to 350 participants from over 15 nations. The 2020 event will be the 19th annual event – starting with the TransRockies Challenge in 2002.

The event uses a pre-determined and marked route, with a designated stage start and finish for each day. The 2020 Route Outline is:

- Stage 1 – June 8: Fernie - East
- Stage 2 – June 9 – Fernie - West
- Stage 3 – June 10 – Kimberley
- Stage 4 – June 11 – Kimberley Alpine Resort
- Stage 5 – June 12 – Rossland South
- Stage 6 – June 13 – Rossland Red Mountain

The operations of Singletrack 6 can be divided into two major components: Route Operations and Staging Operations. Staging Operations will take place on land that is already leased, privately owned, or within municipal boundaries, and includes participant and support staff accommodations, catering, waste management, bike service, logistics and entertainment. This management plan will focus on route operations, because these are the activities that take place on crown land. The primary activities include:

- The Race – Participants compete solo or in teams over forestry roads and trails. Singletrack 6 stages may vary in distance from 25 to 40 km per day. The race is a mass start, or time trial start, each day, usually between 8 and 10 AM.
- Course Marking and Control – The course is marked up to 2 days in advance by bicycle using pin flags and coroplast arrow signs. Event staff are on course during the race to i) check markings ii) ensure that participants are on course iii) sweep the last riders and clean marking and any garbage from the course and iv) respond to any issues that arise during the course of the event. Course crew members are in communication by cell phone, satellite phone and/or radio. The course is cleared of markings and trash on the same day that the stage is raced.
- Medical Response – The race is covered by a medical crew which accesses various parts of the route by truck and/or off-road vehicle.
- Checkpoints – Each day will include 1-3 checkpoints where participants can get food and water, and other support as required.
- Media – A limited number of television cameras may follow the race by bicycle. Other media will typically attend check points by vehicle access.

Key Areas of Concern

- The event creates a generally minor impact in its operating areas, however, due to the distance travelled by participants and the entourage, there are a large number of parties that must be aware of the event and be prepared to accommodate it passing through, including land managers, commercial industrial operators, commercial recreation operators, and other interested parties.

Section 1: Description of The Operation & Activities Offered

General Description of Operation

General Area

- The general areas where the event is held are Fernie, Kimberley and Rossland
- Maps and GPS files attached.

Base Operation

The base operation moves each day as the event progresses from stage to stage. Base operations include the medical headquarters, race office, and race services such as catering and bike service. Base operations take place on private land and will be made up of temporary structures (tents) and vehicles.

- The daily bases in will be:
- Stage 1: Fernie Aquatic Centre
- Stage 2: Fernie Alpine Resort
- Stage 3: Kimberley Downtown
- Stage 4: Kimberley Alpine Resort
- Stage 5: Rossland Centennial Field
- Stage 6: Red Mountain

Access

- Clients will join the race at the start in each community and be bused from stage to stage.
- Support Vehicles (Trucks, Motorhomes, Cars) will use the public highway system to access staging area.
- Check points will be accessible by forestry roads to support personnel (trucks and vans).

Staff

Staff Category	# of Employees Singletrack 6	Experience and/or Certificates
Volunteers	25	18 or older
Event Staff	35	Event Experience
Medical Crew	6	First aid/Paramedics/MDs
Television Crew	2	
Timing Crew	3	
Massage Therapists	8	
Mechanics	8	

1.2 Commercial Recreation Activities Offered On Crown Land

Description of Experience Being Offered – Singletrack 6

The Singletrack 6 experience is unique in the world. Drawing from the traditions of both European cycle racing and Adventure Racing, and World Cup Mountain Bike Racing. The format is a mountain bike stage race. Solo and teams of two are permitted, and riders accumulate time over the course of six days to achieve an overall standing. The experience of the Singletrack 6 is an intense and powerful one, characterized by the following features:

- Community – Singletrack 6 is a showcase of premiere Western Canadian mountain bike communities, Singletrack 6 features a rider-built and maintained route that changes annually.
- Camaraderie – The experience of racing with hundreds of riders from around the world creates relationships that last a lifetime. The intensity of emotion increases over the course of the event. There is also camaraderie that develops between teams and within the support staff to become a cohesive group by the end of the event.
- Mixed Ability – A certain level of fitness is required to be able to complete the event, but we place no restrictions on who can enter the event. For this reason, it is possible for a sixty year old weekend warrior to line up next to a thirty year old Olympian. The slower riders may take up to 3 times as long to complete the distance, but they can compare their performance on a “level playing field”.

Laws, Bylaws, etc.

TransRockies Events Inc. will comply with all laws and bylaws as set out by the Governments of Canada and British Columbia, and the various municipalities. Further, TransRockies Inc. will abide by all permit regulations and directions

Detailed Listing of Activities & Level of Use

1. See Table 1.1 next page

Improvements

2. Minor trail maintenance (removal of deadfall) may be required for some areas of trail. Timber removal is not required
3. Temporary improvements to course are as follows:
 - Check Points 1 & 2
 - (2) 10x10 tents, tables, possible temporary fencing.

All improvements will be delivered by vehicle, no more than 12 hours prior to the event start and collected no more than 5 hours after the event completes.

Table 1.2 Extensive Areas of Use – Singletrack 6										
Activity Report						Client Days				
Extensive Area Map Reference	Activity /Activities	Specific References on Map	Frequency of Use	Period of use	Existing or Proposed Use	Current Year	Next Year	Year 3	Full Capacity	Year Full Capacity is reached
Stage 1 Route	Mountain Biking	Fernie, BC	Once	June 8, 2020	Proposed	350				
Stage 2 Route	Mountain Biking	Fernie, BC	Once	June 9, 2020	Proposed	350				
Stage 3 Route	Mountain Biking	Kimberley, BC	Once	June 10, 2020	Proposed	350				
Stage 4 Route	Mountain Biking	Kimberley, BC	Once	June 11, 2020	Proposed	350				
Stage 5 Route	Mountain Biking	Rossland, BC	Once	June 12, 2020	Proposed	350				
Stage 6 Route	Mountain Biking	ROssland, BC	Once	June 13, 2020	Proposed	350				

1.4 Intensive Use Sites

4. No Intensive use sites are planned for public land.

Table 1.2 Details of Intensive Use Sites							
Intensive Use Map Reference	Intended Use	Frequency of Use	Period of use	Desired Exclusivity	Existing or Proposed improvements	Environmentally Sensitive Area	Distance to Environ. Sensitive Area

Section 2: Overlap with Environmental & Cultural Values

As described in Section 1 of this Management Plan, the operation is a short-term event spanning 6 days in total, broken up over 6 different sections of trail. Each section of trail will only be seeing use in any given location, for two days of the year. One of the days is trail marking a few days prior to the event and the other is during the actual race. The terrain being traveled on, as shown on the Overview Map, covers a variety of ecosystems including valley bottoms, mid-slope forests and alpine meadows. Wildlife including black and grizzly bears, elk among others is found throughout the area.

The proponent welcomes the opportunity to work with government biologists to ensure that protection to local flora and fauna is maintained.

The proponent is familiar with, and will adopt, the new Ministry of Environment guidelines “Wildlife Guidelines for Backcountry Tourism/Commercial Recreation” dated May 2006.

Some specific environmental values are discussed in the following:

2.1 Fish Values

The race route will utilize existing structures to cross any fish bearing creeks and rivers.

2.2 Wildlife Values

On the trail, environmental risk occurs due to physical damage to the sensitive flora species. Therefore, all racers in our event will be instructed and reminded to stay on the existing trails through those areas. All travel through the areas will predominately be on mountain bike.

In terms of traveling through Grizzly habitat areas, the race will have a bear plan in place to ensure both the safety of the participants and the wildlife. A presentation will be given prior to the start of the race, to ensure all racers are aware of safe bear practices and are familiar with the race’s bear plan.

2.3 Water Values

The 2020 event passes through the Boardman Community Watershed in Fernie, the Matthew Community Watershed and the Mark Community Watershed in Kimberley, and the Topping Community Watershed in Rossland, but will use established trails and bridges over water crossings.

2.4 First Nations

The proponent is not aware of any archaeological sites in the area, nor has the proponent been made aware of any traditional First Nations activities that may have or are currently conducted in this area. None of the race activities require any soil disturbance and therefore risk to archaeological sites is minimal.

2.5 Public Use

While the trails will remain open to public use for the duration of the event, we will recommend other areas for cyclists to enjoy so as to minimize impacts on the event and maximize their experience. Course marshals will be posted at critical access points to communicate with the public – advising them of the event in progress and recommending alternative areas to ride.

2.6 Forest Service Roads

The race route occasionally utilizes forest service roads or resource roads when necessary. When forest service roads are used the race route will be sign posted with "Caution – Race in Progress" signs for traffic in both directions. Participants will be advised to follow the rules of the road. We will contact any commercial operators known to be actively using roads that are on our route to prevent conflicts. Course marshals will be used to control road crossings where required.

2.7 Provincial Highways and Municipal Roads

No Provincial Highway use is planned for the 2020 event.

Municipal permission will be obtained for all portions of the route on municipal roads. Local police will be contacted, and course marshals or flag people will be used to control any road crossings of the course. When municipal roads are used the race route will be sign posted with "Caution – Race in Progress" signs for traffic in both directions. Participants will be advised to follow the rules of the road.

Section 3: Overlap With Existing Use

3.1 Mineral Tenure

The 2020 race route has no known overlap with any active mineral tenures or mining operations.

3.2 Timber Tenure & Forest Use

The 2020 race route has no known overlap with any active logging tenures or logging operations.

3.3 Land Use Planning, Local or Regional Zoning Requirements

Where applicable, the town councils have been contacted and will be working cooperatively with the event. Where applicable, trail groups in proposed areas have been consulted and have expressed their support by participating in the creation of each stage.

3.4 Commercial Recreation Tenure & Guide Outfitter Territories

We have identified overlaps with the following Commercial Recreation Tenure Holders:

Island Lake Resort Group: Stage 2
 City of Kimberley: Stage 3,4
 Sacred Rides: Stages 2, 5, 6
 Shred Sisters: Stages 3,4
 Full Moon Adventure Company: Stages 3, 4

We are in the process of obtaining feedback from these operators.

I acknowledge that my areas of use may overlap with a commercial recreation tenure and/or guide outfitting territory. I understand that I am required to contact these tenures holders have them complete an Operator Input Form.

Signed:  _____

Appendix 1 - Hazards and Safety Plan



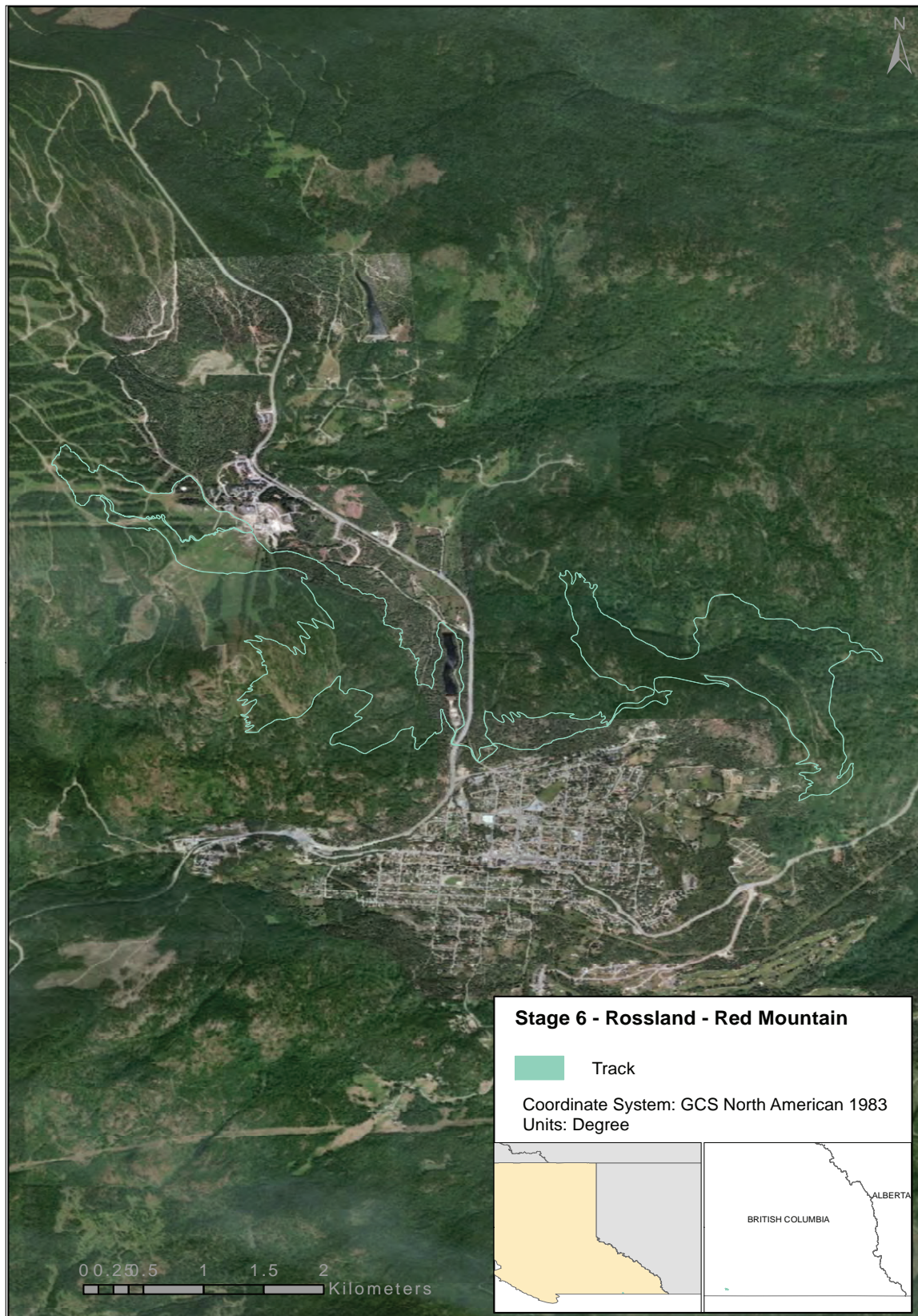
I certify that I have prepared Hazards and Safety Plan which meets or exceeds Workers Compensation Board and approved industry standards and that my operation will meet the requirements of this plan.



 Signed

November 7, 2019







Staff Report

RE:	Ministry of Environment and Climate Change Strategy Referral – Park Management Plan – King George VI Park		
Date:	April 30, 2020	File #:	B-9A-TWP-10924.150
To:	Chair Langman and members of the Board of Directors		
From:	Liz Moore, Senior Planner		

Issue Introduction

We have received a referral from the BC Parks and Conservation Officer Service Division of the Ministry of Environment and Climate Change Strategy (MECCS) regarding a draft management plan for King George VI Park in Electoral Area B/Lower Columbia-Old Glory (see attachments).

Property Information	
Owner(s):	Crown Provincial
Agent:	MECCS – BC Parks and Conservation Officer Service Division
Location:	King George VI Park - Patterson
Electoral Area:	Electoral Area B/Lower Columbia-Old Glory
Legal Description(s):	Plan NEPX63, Sublot 149, Section 3 4 9 10, Twp 9A, KD
Area:	162 ha
Current Use(s):	Class A park – preservation of natural environment for inspiration, use and enjoyment of the public.
Land Use Bylaws	
OCP Bylaw No: 1470	Parks and Recreation
DP Area:	NA
Zoning Bylaw No: 1540	Parks and Recreation
Other	
ALR:	NA
Waterfront / Floodplain:	NA
Service Area:	NA
Planning Agreement Area:	Rosslund

History/Background Information

The subject lands are within a provincial park located south of Rossland (see attachments). They are designated for "Park and Recreation" land use and zoned "Parks and Recreation" (PR).

The significance of this park is identified by BC Parks as providing protection for plants and wildlife and for the rare and sensitive plants and ecosystems present in the park.

There are two mountain bike trails in the Park that are currently not formally included in the King George VI Park Purpose Statement and Zoning Plan (2003). These trails, SMD and SMA, are used regularly by local and visiting mountain bikers and are included in the Kootenay Columbia Trail Society's (KCTS) trail network. They are not included on Map 6 (Transportation and Sand and Gravel Deposits) of the OCP, which was created in 2013.

In December 2018, the Ministry of Forest, Lands, Resource Operations and Rural Development referred an application to RDKB from KCTS to legally establish the SMDA trail, a combined name for SMD and SMA, on Crown lands adjacent to the King George VI Provincial Park. At the January 31, 2019 Board of Directors meeting, this referral was supported.

The current referral was received by the City of Rossland. Rossland City Council passed the following resolution at their February 18, 2020 meeting:

Be it resolved that Rossland City Council recommends that the King George Management Plan include consideration within the management plan for interested parties to propose new improved trail connectivity to the existing trails in the park that does not negatively impact B.C. Parks stated environmental values in the park.

Proposal

The BC Parks and Conservation Officer Service Branch of MECCS are proposing to replace the King George VI Park Purpose Statement and Zoning Plan (2003) with a new management plan. This referral includes a draft of that new management plan for review.

Implications

The draft management plan recognizes the two mountain bike trails currently within the Park, called SMD and SMA. As the draft plan states, on pg. 7:

The two multi-use trails were constructed at least a decade ago and provide added social value to the local and tourist public; however, the trails navigate through park lands which contain high conservation values and species at risk habitat.

It proposes to formalize those trails in an effort to meet the recreational desires of the local community, while also considering preservation of rare species that are present in the park.

The draft management plan proposes to create a second zone within the park to allow for the use and maintenance of these trails to continue. This zone, called the Nature Recreation Zone, would be a six metre corridor centred on the existing SMD and SMA trails. It is being proposed to address the concerns of further impacts on sensitive species while not impeding the use of the trails where they currently reside. The draft discussed the results of the impact assessment they conducted as such:

Closure of the trails would likely not be supported by the local community and would create enforcement challenges. Relocation of the trails would increase adverse impacts on plant species at risk. Therefore, this plan recommends formalization of the two existing trails with the intent to enter into a stewardship agreement to monitor and maintain the current trail network; however, it does not support trail network expansion.

In our OCP, under Recreational Resources there are two policies relevant to this referral. They are as follows:

9.9 Encourage those involved in the planning and creation of new recreational trails to consider available natural resource information to avoid unintentional impacts;

9.10 Support the creation of a Regional Trails System in cooperation with adjacent local governments;

Another relevant portion is one of the objectives in the Natural Resources section:

To identify, protect, and where possible, enhance environmentally sensitive aquatic and terrestrial natural resources for the long term benefit of fish and wildlife, natural ecosystems, and the enjoyment of present and future populations and visitors to the Plan Area;

The approach proposed by BC parks appears to be in line with the objectives and policies as outlined in the OCP.

The zoning bylaw permits parks and passive recreation, which includes biking, in all zones. The Parks and Recreation Zone permits outdoor recreation facilities. Therefore the uses described in the draft management plan comply with our zoning bylaw.

Advisory Planning Commission

At the Electoral Area B/Lower Columbia-Old Glory APC meeting on April 6, 2020, this referral was supported with the following comments:

Page 3 of 4

P:\PD\EA_'B'\B-9A-TWP-10924.150 King George Provincial Park\2020 May Front Counter Referral\Board

Interesting that a new management plan is being put in place. The six-meter width seems a bit wide. These trails were built without permission years ago and to now recognize them seems to give credence to "better to ask forgiveness than to ask permission" hopefully no more illegal trails will be presenting themselves.

These comments will be forwarded to the BC Parks and Conservation Officer Service Branch of MECCS for their reference.

Recommendation

That the Regional District of Kootenay Boundary Board of Directors advise the BC Parks and Conservation Officer Service Branch of MECCS that the draft Management Plan for King George VI Park for the lands legally described as Plan NEPX63, Sublot 149, Section 3 4 9 10, Twp 9A, KD, Electoral Area 'B'/Lower Columbia-Old Glory is supported.

Attachments

Site Location Map
Subject Property Map
Applicant Submission



Regional District of
Kootenay Boundary

Date: 2020-03-25

Site Location Map

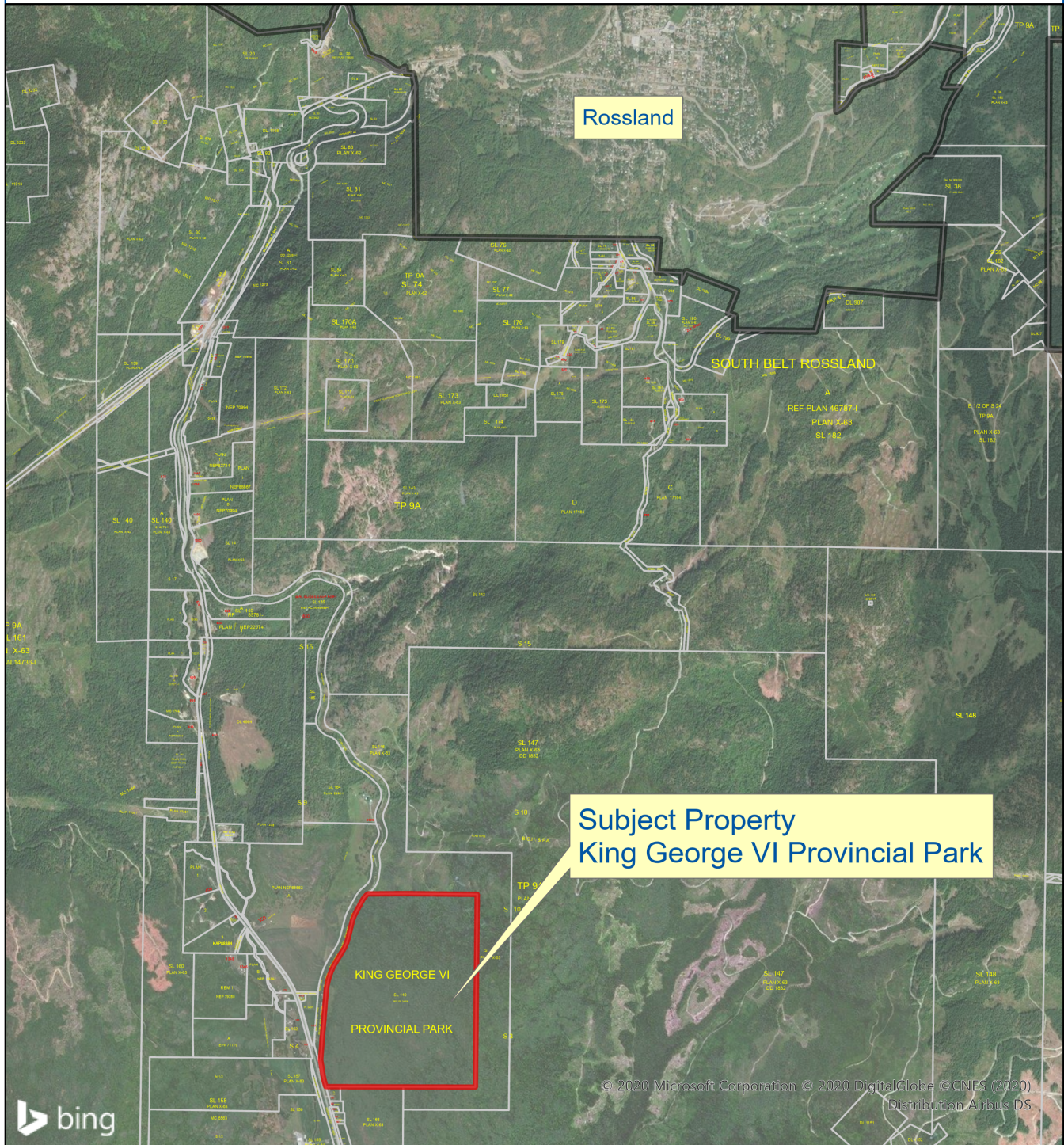
Plan NEPX63, Sublot 149,
Section 3 4 9 10, Township 9A,
KLD



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Meters

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202-843 Rossland Ave, Trail BC V1R 4S8 | T: 250.368.9148 | T/F: 1.800.355.7352 | rdkb.com

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Regional District of Kootenay Boundary

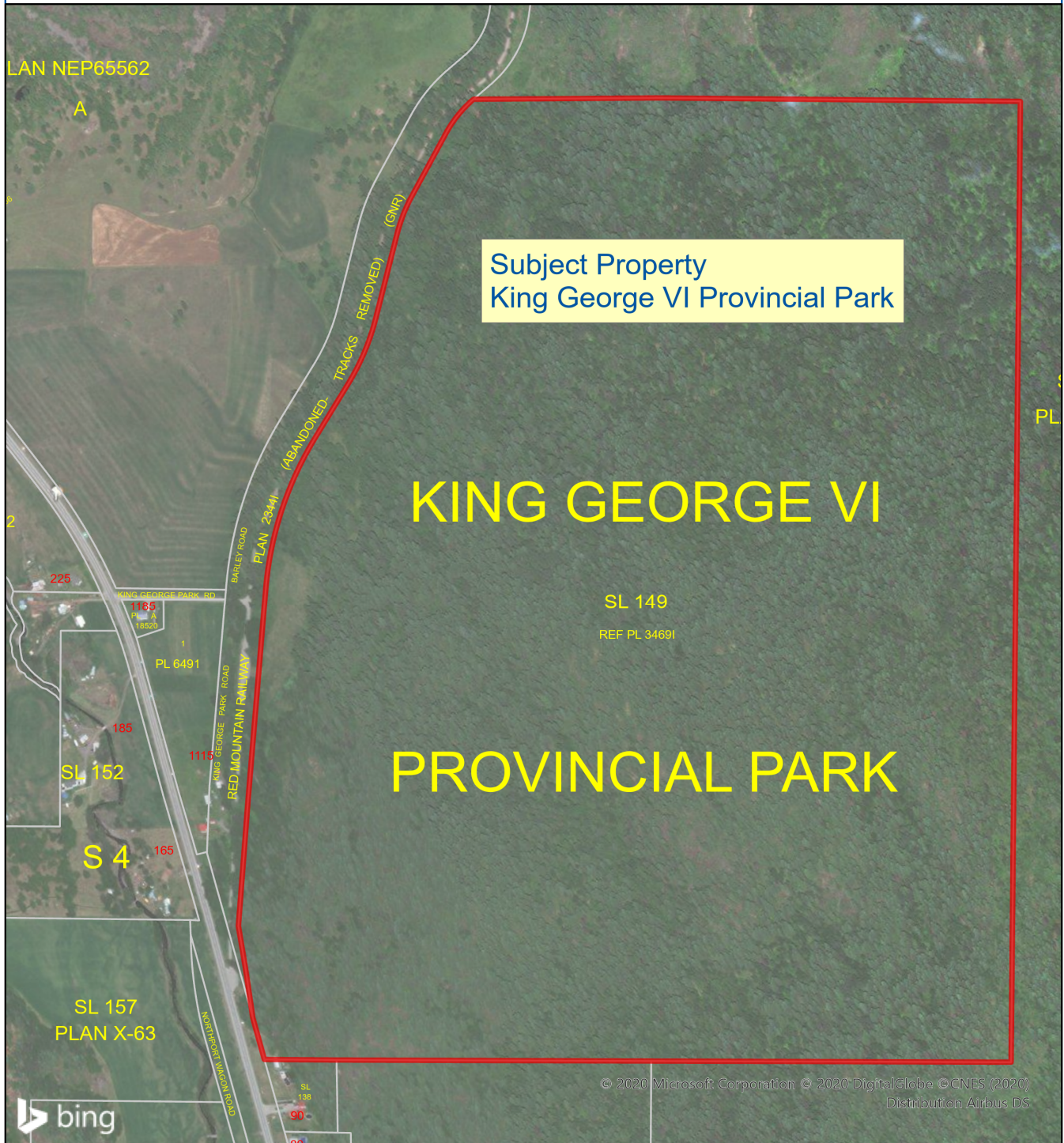
Date: 2020-03-25

Subject Property Map

Plan NEPX63, Sublot 149,
Section 3 4 9 10, Township 9A,
KLD



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202-843 Rossland Ave, Trail BC V1R 4S8 | T: 250.368.9148 | T/F: 1.800.355.7352 | rdkb.com

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Referral Submission



File: 98800-40/0017-King George VI Park
Management Plan Development

January 6, 2020

SENT VIA EMAIL: ddean@rdkb.com

Donna Dean, Manager of Planning and Development
Regional District of Kootenay Boundary

Re: New Draft Management Plan for King George VI Park

I am writing to inform you of a new draft management plan for King George VI Park and to invite you to review that draft plan. The new management plan will replace the King George VI Park Purpose Statement and Zoning Plan approved in February 2003.

King George VI Park (162 hectares) is located approximately 11 kilometres south of Rossland, near the community of Patterson along Highway 22 in the Regional District of Kootenay Boundary. It was established as a provincial Class A park on May 3, 1937.

A BC Parks management plan is a tool that is used to ensure that the values and interests in a protected area are protected for the future. Management plans include direction on acceptable uses and use levels, zoning, and other strategies to minimize conflicts and to help ensure the protection of important protected area values.

You can participate in the development of the new management plan by reviewing the new draft plan and submitting your comments through the BC Parks website. The BC Parks webpage for this planning process can be accessed by visiting <http://www.env.gov.bc.ca/bcparks/planning/> and clicking on the link for King George VI Park. For additional updates regarding this management planning process, please subscribe to the BC Parks RSS feed and automatic notifications of updates will be sent automatically to your inbox. If you do not wish to subscribe to the RSS feed, but would still like to receive updates, please contact me and I will send updates to you directly.

A location map of King George VI Park is attached for your information. If you have questions about the management planning process or would like additional information, please don't hesitate to contact me.

...2

Ministry of Environment
and Climate Change
Strategy

Kootenay Okanagan Region
BC Parks

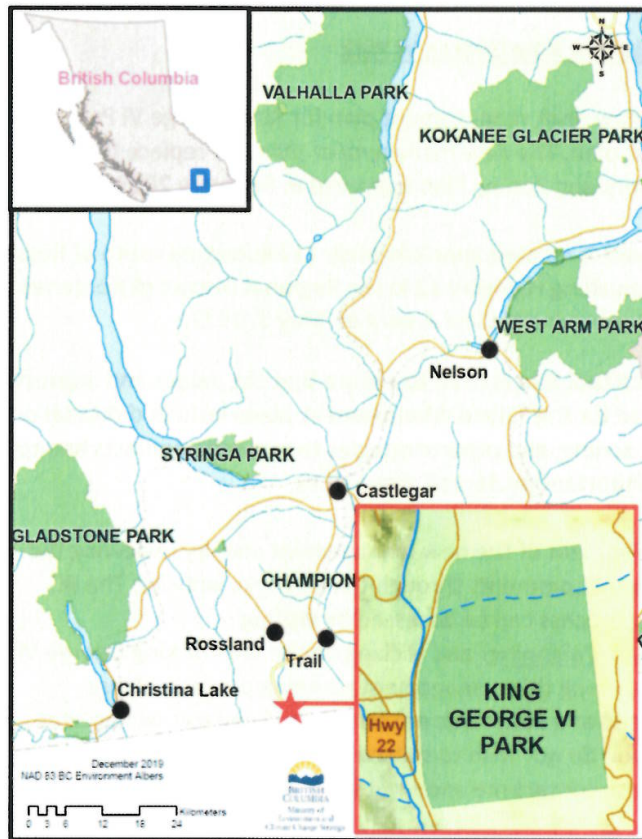
Mailing Address:
205 Industrial Road G
Cranbrook BC V1C 7G5
Tel: 250-489-8540

Referral Submission

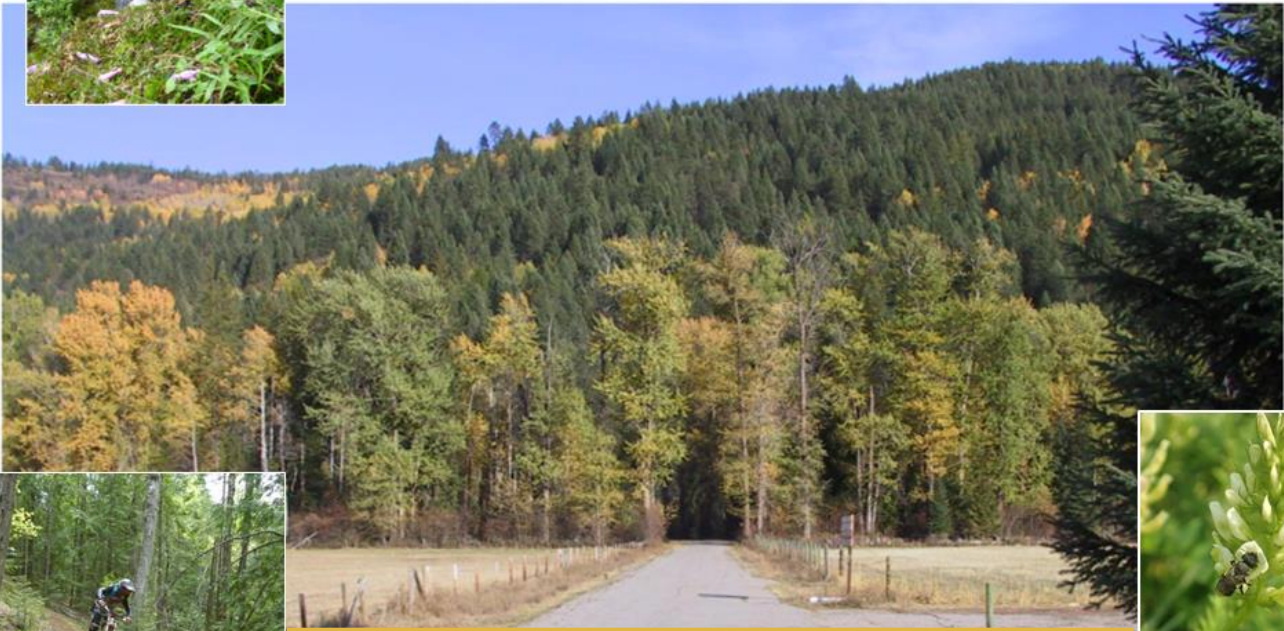
Sincerely,



Dani Money
Planning Section Head – Kootenay Section
Kootenay Okanagan Region, BC Parks
BC Parks and Conservation Officer Service Division
Phone: 250-489-8535
Email: Dani.Money@gov.bc.ca



Referral Submission



King George VI Park

Management Plan

Draft for Public Review

Disclaimer: This draft management plan contains preliminary proposals that are subject to change and therefore may not necessarily reflect the position of the Ministry of Environment and Climate Change Strategy. At the conclusion of the planning process, a revised management plan will be approved by the Ministry.

December 2019



Referral Submission

Cover Page Photo Credits: BC Parks and Valerie Huff

*This management plan replaces the King George VI Park
February 2003 Purpose Statement and Zoning Plan.*

Referral Submission

King George VI Park
Management Plan

Signatures page

Referral Submission

Vision Statement

King George VI Park functions as a small part of a larger, working landscape, providing important long-term protection for provincially red and blue listed plants and plant communities.

Recreationally, the park complements and supports outdoor recreation and tourism opportunities in the Rossland area. To prevent impacts to the park's sensitive flora, only low-impact recreation activities are allowed in the park outside of the designated trail corridors.

Referral Submission

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Figure 3: Two of the trail features located within King George VI Park. 6

Figure 4: Zoning Map 10

1.0 Introduction

1.1 Management Plan Purpose

The purpose of this plan is to guide the management of King George VI Park. This management plan:

- articulates the key features and values of the park;
- identifies appropriate types and levels of management activities;
- determines appropriate levels of use and development;
- establishes a long-term vision and management objectives for the park; and,
- responds to current and predicted threats and opportunities by defining a set of management strategies to achieve the management vision and objectives.

1.2 Planning Area

King George VI Park (162 hectares) is located approximately 11 kilometres south of Rossland, near the community of Patterson along Highway 22 in the Regional District of Kootenay Boundary (Figure 1). It is located less than 650 metres from the Canada-United States border and is accessed by King George Park Road.

King George VI Park was originally established to provide a day use rest stop and campground for people entering Canada from the United States along Highway 22. Key infrastructure (picnic tables, toilets, campground etc.) was removed several decades ago when the park was determined to be under-utilized. Since that time, with the exception of the development of two popular trails within the Rossland mountain biking system, the park has been left in a natural state with no improvements.

King George VI Park is adjacent to private, agriculturally developed lands on the west and vacant Crown lands to the north, east and south. The road that accesses the park has been used for forestry purposes, as a number of previously harvested forestry blocks exist on Crown land to the north and east of the park. Surrounding Crown lands are within a registered trapline area but there is no trapping currently authorized in the park and trapping is not considered a suitable use in King George VI Park.¹

¹ King George VI Park was established prior a change to BC Parks policy in 1995 that recognized trapping as an appropriate activity in certain provincial parks established pursuant to land use plans where the land use plan recommended that trapping be allowed to continue.

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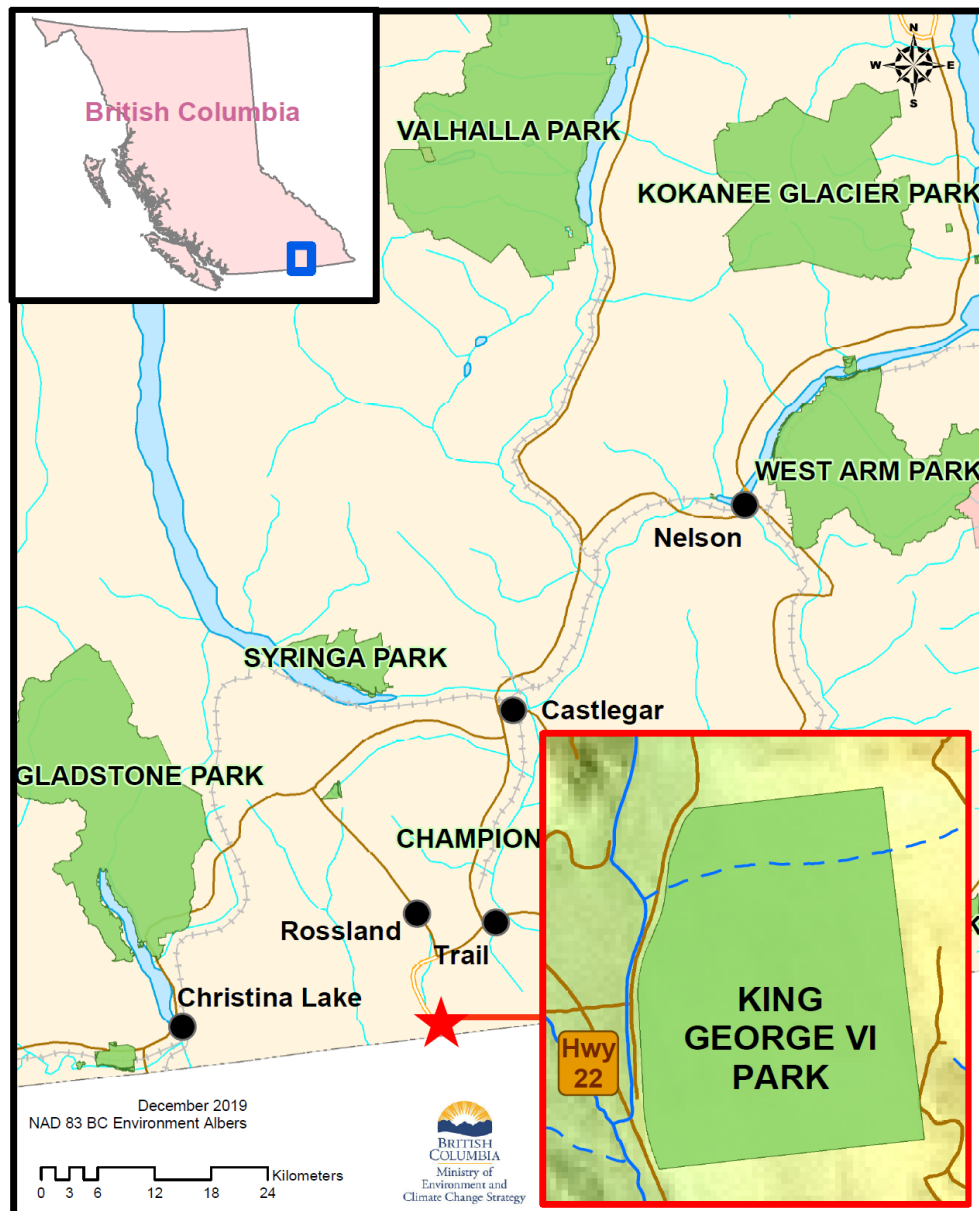


Figure 1: Context and Overview Map of King George VI Park

1.3 Legislative Framework

King George VI Park was established as a Class A park on May 3, 1937 through Order in Council 524/1937. It is described in Schedule C of the *Protected Areas of British Columbia Act*.

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Class A parks are Crown lands dedicated to the preservation of the natural environment for the inspiration, use and enjoyment of the public. Development in Class A parks is limited to that which is necessary to maintain the park's recreational values.

1.4 Management Planning Process

This draft management plan will undergo focused consultation and engagement with First Nation partners and key stakeholder groups to determine if any changes or accommodations are required. The Regional District of Kootenay Boundary and the local Member of the Legislative Assembly will be provided a copy of the draft management plan for their review and to provide comments. The draft plan will be posted on the BC Parks website for a period of 30 days to seek broader public comment and input. Feedback and knowledge acquired during the draft management plan consultation and engagement period will be used to inform the final management plan. This section will be updated in the final management plan and a summary of comments received during engagement will be included in the final management plan as an appendix.

1.5 Relationship with First Nations

As part of its work to create true and lasting reconciliation with Indigenous peoples, the government of British Columbia is committed to adopting and implementing the United Nations Declaration on the Rights of Indigenous Peoples, and the Truth and Reconciliation Commission of Canada's Calls to Action. BC Parks will work closely with First Nations to protect Indigenous values and to integrate their vision and knowledge into the management of protected areas into the future.

Parks and protected areas are established without prejudice to aboriginal rights and title. Through their involvement in treaty negotiations, First Nations have the opportunity to define their aboriginal rights and title, as per section 35 of the *Constitution Act, 1982*. This management plan will not limit subsequent treaty negotiations.

All recorded and unrecorded archaeological resources in the park are protected under the *Heritage Conservation Act*. Archaeological assessments, which may include archaeological impact assessments, are required prior to any significant ground-related impacts to the park.

The land established as King George VI Park lies within the asserted territories of the Okanagan Nation Alliance and the Secwepemc Nation. Additionally, it may lie within the traditional territory of the Sinixt Peoples.

The Okanagan Nation has indicated that their territory extends from the Okanagan Valley into the West Kootenays, as far north as the Wood River in the Rocky Mountains and south into the United States. Five member bands of the Okanagan Nation Alliance (Lower Similkameen Indian Band, Okanagan Indian Band, Osoyoos Indian Band, Penticton Indian Band and Upper Nicola Indian Band) have identified that their

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traditional territories encompass the land established as King George VI Park. BC Parks continues to engage with the Okanagan Nation Indigenous governments to strengthen working relationships and ensure their interests are encompassed in long term park management.

The Secwépemc Nation has indicated that their territory extends from the Fraser River to the Rocky Mountains and from the upper Fraser River in the north to the Canada-US Border in the south. Two Secwepemc Nation members that have indicated their territories include the land established as King George VI Park are Shuswap Indian Band and Splots'in First Nation. Several of the bands that comprise the Secwépemc Nation are currently working with the Province of British Columbia to re-establish a government-to-government working relationship following the April 2018 expiry of a Reconciliation Framework Agreement that included both the Shuswap Indian Band and Splots'in First Nation. BC Parks supports this process.

In 2017 the Sinixt Peoples were recognized by the BC Supreme Court as “an aboriginal peoples of Canada” for the purposes of section 35 of the *Constitution Act, 1982* with the ability to assert aboriginal rights in British Columbia (upheld by the BC Court of Appeals in 2019). The Lakes Tribe of the Confederated Tribes of the Colville Reservation in Washington State is the rights holder for the Sinixt Peoples. Though the Province of British Columbia and the Lakes Tribe are new to developing a working relationship, the Lakes Tribe have indicated that their interests are primarily in the Slocan and Arrow Lakes areas and include the population centres of Castlegar, Nelson, Nakusp and Revelstoke.

2.0 Values and Roles of the Park

2.1 Significance in the Protected Areas System

Though first established as a traveller's way-stop, in the last few decades the park has become increasingly important from a conservation perspective with the growth in knowledge of rare and sensitive plants and ecosystems. Though small, the park provides protection for plants and wildlife habitats within the larger, working forested landscape that it is located within. BC Parks also recognizes the trails within the park for their role in contributing to Rossland's mountain bike trail network.

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2.2 Values

King George VI Park consists primarily of moderately steep west-facing mature coniferous forested slopes. Exceptions to the forested landscape include a small area that used to be a hayfield (approximately 1.25 hectares) and small areas dominated by black cottonwood trees (*Populus trichocarpa*) along the perimeter of the old hayfield and portions of King George VI Park Road. There are no permanent creeks or streams within the park.



Figure 2: Black cottonwood stands around the old hayfield.

King George VI Park is within the Selkirk Foothills Ecosection and includes two variants of one biogeoclimatic zone: Interior Cedar–Hemlock, Dry Warm (ICHDW1) and Interior Cedar–Hemlock, Very Dry Warm (ICHxw). The Interior Cedar–Hemlock biogeoclimatic zone is 9.9% protected in the province, with this park accounting for a very minor amount of that protection.



Figure 3: Blue-listed woolly blue violet

At the time of establishment (1937), there was very little known about the conservation values within the park. Over the past decade BC Parks has encouraged and supported research surveys that have started to develop baseline information for the park's wildlife, plants and ecosystems. Those research studies have determined that the park contains examples of flora species and ecosystems that are considered 'at risk': blue-listed woolly

blue violet (*Viola sororia*), blue-listed wild licorice (*Glycyrrhiza lepidota*) and the red-listed Douglas-fir/tall Oregon-grape/parsley fern (ICHdw/02) plant community. Two previously blue-listed species that are now yellow-listed have also been documented in the park: narrow-leafed skullcap (*Scutellaria angustifolia* ssp. *angustifolia*) and Pink fairies (*Clarkia pulchella*). To BC Parks' knowledge, no rare or endangered wildlife have been recorded within the park.

The most popular recreational activity in King George VI Park is mountain biking. Two user-developed and maintained multi-use trails traverse the park: SMA and SMD.² These two single-track trails are part of a larger mountain biking trail network which is connected to the nearby community of Rossland. The trails contain mid-range to steep technical terrain and have a few minor structures in place for riders (e.g., bridges over non-permanent creek beds). Rossland's mountain biking trail network is provincially-

² The trails are known locally by their initials SMA and SMD, which is how the trails are referenced in this plan. Those initials stand for Super Mega Awesome and Super Mega Death.

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recognized and is extensively used by both locals and by tourists. Other recreation uses of the park include hiking and nature appreciation.



Figure 3: Two of the trail features located within King George VI Park.

There are no known archaeological or cultural features located in King George VI Park.

3.0 Management Direction

3.2.1 Natural Resource Value Management

The following issues and opportunities informed the development of the Natural Resource Value management objectives and strategies for King George VI Park:

- This park is easily accessible to researchers; however, gaps remain in the park's natural and cultural values baseline data.
- Prior to establishment, areas of the park were used for agriculture and the park used to have day use and camping facilities.
- BC Parks, with support from the BC Wildlife Federation and other local conservationists, is currently working towards restoring the former hayfield to a functional wetland. If successful, this project will be self-sustaining and will increase the water retention in the former hayfield area for longer periods of the year resulting in the potential for re-established wetland vegetation and habitat for wetland species (e.g., amphibians, turtles, insects), and additional recharge of ground water.
- A 2001 research study identified that King George VI Park contains over 40 species of invasive plants. Two of the introduced plants found in the park are regulated provincial noxious weeds: Canada thistle (*Cirsium arvense*) and spotted knapweed (*Centaurea diffusa*). Orange hawkweed (*Hieracium aurantiacum*), a regulated regionally noxious plant in the central and east Kootenays, has also been found in the park.

Referral Submission

Management Objective	Management Strategies
To gain and maintain a full understanding of the park's animal populations, rare plants and sensitive ecosystems and cultural resources.	<ul style="list-style-type: none"> Continue to encourage and support researchers interested in conducting surveys to inform BC Parks' knowledge of the park's natural and cultural values.
Prevent invasive plant species from displacing rare plants and ecosystems.	<ul style="list-style-type: none"> On an ongoing basis, monitor known invasive plant populations for change (i.e., spread or reduction). Ensure monitoring incorporates techniques that will record new infestations. Target specific areas for invasive plant management based on locations of rare and sensitive plants and ecosystems. Utilize only invasive plant treatment options that are compatible with BC Parks conservation objectives (BC Parks Conservation Policy 5.5.4).
Restore areas impacted by agriculture and day-use facilities.	<ul style="list-style-type: none"> Continue to work with partners (BC Wildlife Federation and local conservationists) to implement and maintain the wetland restoration project in the former hayfield subject to continued resource availability. Continue to target previously disturbed areas for ecosystem restoration actions based on need assessments and available resources.

3.2.2 Recreation Values Management

The park includes two multi-use trails that are predominantly used by mountain bikers. Mountain biking is an acceptable activity in many BC Parks; however, not within a park's Special Feature Zone (please refer to Section 3.1 for a description of the Special Feature Zone). Prior to developing this draft management plan for public consideration, King George VI Park was zoned entirely Special Feature.

The two multi-use trails were constructed at least a decade ago and provide added social value to the local and tourist public; however, the trails navigate through park lands which contain high conservation values and species at risk habitat.

BC Parks conducted an impact assessment to identify the preferred way to manage these trails. Closure of the trails would likely not be supported by the local community and would create enforcement challenges. Relocation of the trails would increase adverse impacts on plant species at risk. Therefore, this plan recommends formalization

Referral Submission

of the two existing trails with the intent to enter into a stewardship agreement to monitor and maintain the current trail network; however, it does not support trail network expansion.

Management Objective	Management Strategies
Recognize mountain biking as an allowable park use for existing designated multi-use trails only (SMD and SMA trails) and promote shared stewardship and non-motorized shared use of the trails.	<ul style="list-style-type: none"> Require all trail use and maintenance to occur within the linear 6 metre Nature Recreation corridor (please refer to the Zoning Plan section). Should amendment of the location (beyond the 6 metre trail corridor) be considered for either trail to address operational issues (e.g., erosion/drainage issues) or as a response to new information related to the location of 'at risk' plant communities that are vulnerable to impact or another conservation concern, then rerouting or discontinuing use of the trail will be determined using BC Parks' Impact Assessment process. If a new trail alignment is authorized, the Nature Recreation Zone (6 metre corridor) will apply to the new location. Any surface area that is no longer required for trail use (as a result of trail re-positioning) will be restored to a natural state and Special Feature zoning will be applied. Motorized use of either of the trails will not be permitted. Horses will not be permitted. Ensure compliance with BC Parks mountain biking policy and guidelines by entering into an agreement with a stewardship group to provide trail maintenance and monitoring. If unsuccessful, explore hazard downgrading or decommission options for trail(s) and/or trail features. Decommission any additional unauthorized trails that may be developed in the park in the future.

3.1 Zoning Plan

In general terms, a zoning plan divides a protected area into logical management units within which certain activities or uses are permitted and to which a particular set of management objectives apply. Zoning is often used to physically separate incompatible activities or uses within the park and provides visitors and managers with a quick visual representation and appreciation of how a particular park is managed. Zones are designed to reflect the physical environment, existing patterns of use and the desired level of management and development in a given management unit.

Referral Submission

3.2.1 Nature Recreation Zone

Nature Recreation Zone, consisting of 2.07 hectares (1.4%), is a linear, 6 metre-wide corridor centred on the existing SMD and SMA trails.

The establishment of a Nature Recreation Zone, confined to a small corridor of 6 metres wide, formalizes mountain biking as a sanctioned and acceptable activity in this section the park. The trails are identified as multi-use, allowing for shared use by hikers and other forms of compatible recreation use (e.g., backcountry skiing, trail running). Horse use of the trails is not considered to be compatible due to potential use conflict. The trails are not open to motorized use. For the trails to function successfully, BC Parks requires continued good stewardship of the trail by its users.

The linear characteristics of the Nature Recreation Zone within the park ensure that sensitive ecosystems, which the trail network passes through, are not adversely impacted by trail use.

3.2.2 Special Feature Zone

Special Feature Zone, consisting of 159.8 hectares (98.6%), includes all areas of the park not encompassed in the Nature Recreation Zone.

The objective of this zone is to protect the sensitive ecosystems and plants within King George VI Park. Public access to this area is not recommended in order to protect sensitive plants and plant communities from further disturbance. Management of this zone will be largely passive, however; active management to support the re-establishment or maintenance of rare plants or ecosystems or to remove invasive species may occur.

Referral Submission

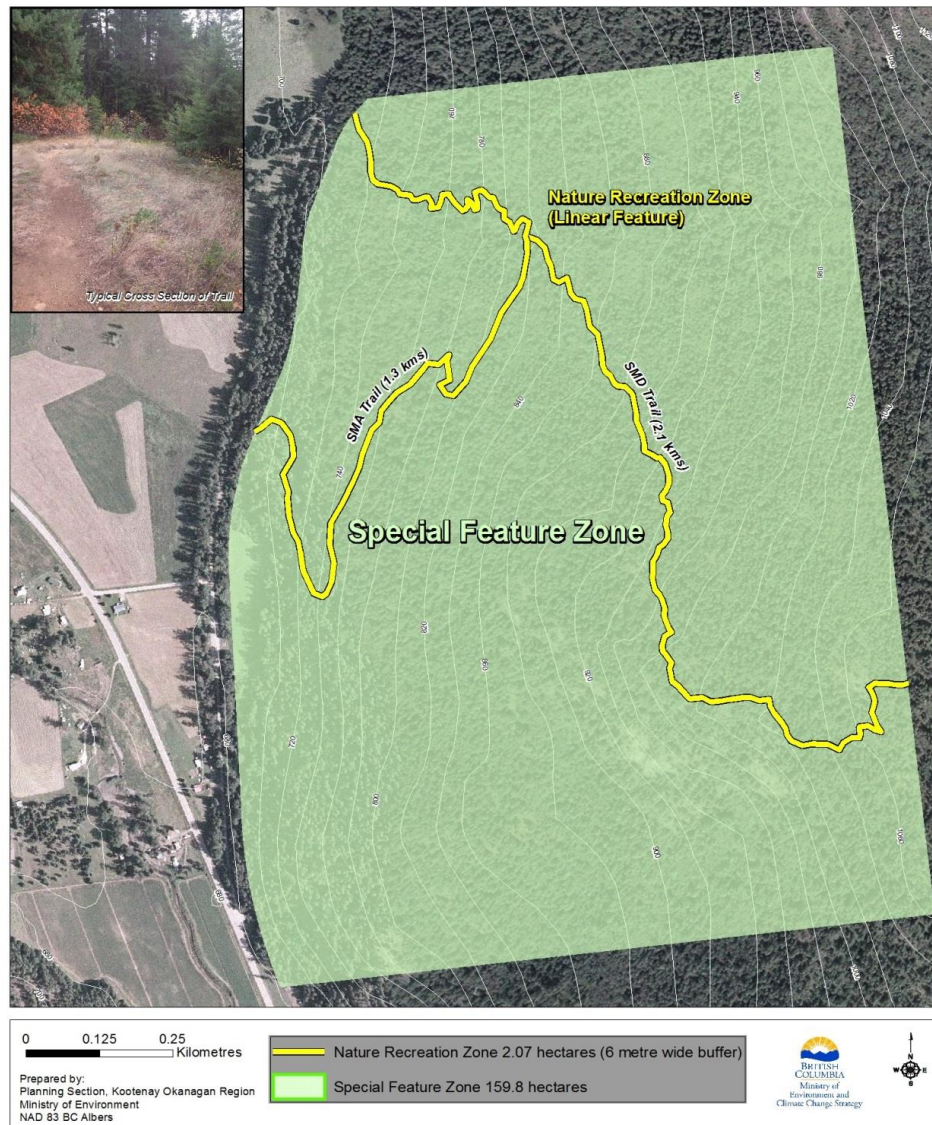


Figure 4: Zoning Map

4.0 Plan Implementation

4.1 Implementation Plan

Specific projects will be evaluated for priority within the context of the overall protected areas system. Where needed, BC Parks will seek project-specific funding and partners to implement management strategies.

4.2 High Priority Strategies

The following strategies have been identified as high priorities for implementation:

- Ensure compliance with BC Parks mountain biking policy and guidelines by entering into an agreement with a stewardship group to provide trail maintenance and monitoring. If unsuccessful, explore hazard downgrading or decommission options for trail(s) and/or technical terrain features.
- Implement and maintain the wetland restoration project in the former hayfield subject to continued resource availability.

4.3 Plan Assessment

In order to ensure that the management direction for King George VI Park remains relevant and effective, BC Parks staff will ensure that the management plan is assessed for validity by BC Parks staff on a regular basis (i.e., at least every 5 years). Minor administrative updates may be identified and completed at any time (e.g., correct spelling errors, update protected area details where needed), and will be documented according to BC Parks guidelines.

If an internal assessment reveals that the management plan requires more significant updating or substantial new management direction is needed, a formal review by BC Parks may be initiated to determine whether the management plan requires an amendment or if a new management plan is required.

The management plan amendment process or development of a new management plan includes an opportunity for public input.

5.0 References

Cameron, E. 2018. King George VI Provincial Park Amphibian Baseline.

Cameron, E and Huff, V. November 30, 2017. King George VI Provincial Park Listed Flora and Wetland Assessment.

Cameron, E and Huff, V. September 2018. Wild Licorice and Silver-spotted Skipper Survey: King George VI Provincial Park and Syringa Provincial Park.

Referral Submission

Dulisse, J and Page, H. November 2001. King George VI Provincial Park Rare and Endangered Wildlife and Plant Survey.

Brayshaw, D. (Statlu Environmental Consulting Ltd.). October 23, 2018. Hydrological Assessment King George VI Provincial Park Proposed Wetland Restoration.

Appendix 1: Appropriate Use Table

The following table summarizes existing and potential future uses in King George VI Park that are and are not appropriate in each zone. This is not intended to be an exhaustive list of all uses that may be considered in this protected area in the future.

Please note that appropriate uses may be geographically restricted (i.e., only allowed in certain areas of King George VI Park) or are only appropriate at certain times of the year. Please ensure that you are well informed of any use restrictions as indicated in the table. It is important to review relevant sections of the management plan when interpreting the table.

Appropriate Use Table Legend		
N	Not an appropriate use	The use is not appropriate in the indicated zone. If the use currently exists but the management planning process has determined that the use is no longer appropriate in all or part of the protected area, the management plan will include strategies for ending the activity (e.g., phasing out, closing).
Y	<u>May</u> be an appropriate use	<p>Some level or extent of this use may be appropriate in the zone indicated. The management plan may provide guidance on the appropriate level of use and may address specific restrictions or planned enhancements (e.g. capacity, designated areas for a particular activity, party size, time of year, etc.).</p> <p>For new or expanded uses, this symbol indicates that the use <u>may be considered</u> for further evaluation. The appropriateness of some activities may not be confirmed until a further assessment (e.g., BC Parks Impact Assessment Process) or evaluation process (e.g., park use permit adjudication) is completed.</p>

Referral Submission

Activity/Facility	Special Feature Zone	Nature Recreation Zone	Comments
Camping / Overnight Use	N	N	
Hiking	N	Y	Designated trails only (SMD and SMA).
Hunting	N	N	
Land-based Mechanized Activity (e.g., mountain biking, e-biking)	N	Y	Designated trails only (SMD and SMA).
Land-based Motorized Activity (e.g., 4x4, motorcycles, ATV-not including snowmobiles, snowcats or aircraft landings)	N	N	
Horse and Pack Animal Use	N	N	Horse use of either the SMD or SMA trail is not recommended due to safety concerns.
Skiing (downhill and cross-country track based)	N	N	
Skiing (backcountry)	Y	Y	
Snowmobiling	N	N	
Picnic Areas (vehicle accessed)	N	N	
Parking Lots	N	N	
Roads	N	N	
Ski Facilities (vehicle accessed and serviced)	N	N	
Trails	N	Y	Existing SMD and SMA trails only.
Visitor Information Buildings	N	N	
Commercial Filming	Y	Y	With a valid park use permit only. Equipment and access restricted to Nature Recreation Zone.
Communication Sites and Towers	N	N	
Grazing	N	N	
Trapping	N	N	Not considered to be an appropriate use.
Utility Corridors	N	N	

Appendix 2: Summary of Draft Management Plan Feedback (placeholder)

From: [Ali Grieve - Area "A" Director](#)
To: [Mark Andison](#); [Diane Langman - Warfield Director](#); [Grace McGregor - Area "C"/Christina Lake Director](#); [Theresa Lenardon](#)
Subject: Supporting Local Business
Date: April 23, 2020 9:21:16 AM
Importance: High

Can we please have the above put on our Board agenda for discussion? EES discussed briefly. Amazon sales are skyrocketing into the next hemisphere! They are hiring 100,000 employees AND increasing pay by \$2/hr (for April anyway) to keep up with current demands. This is having a direct impact on ALL of our local businesses. I feel that we have a responsibility to help "flatten ***that*** curve".

I would like to propose to the Board that we consider some ongoing clever communication on why and how to shop local. Amazon delivery dates are now way beyond the short delivery dates they used to have. I would also like to see a communique go one step further, if the idea is accepted, and ask people to ALSO read labels and look for....."***Made in Canada!***", which is equally important. I hope we can entertain this conversation. THX and cheers.

ag

<https://www.businessinsider.com/amazon-100000-new-hires-and-pay-raise-amid-coronavirus-2020-3>

Sent from [Mail](#) for Windows 10

1. State the issues or community priorities that the proposed project will address

The Grand Forks Rotary Club chooses an organization to do significant fundraising for every year. In selecting an organization, the club looks for opportunities to benefit the community as broadly as possible, often looking for projects that will impact a wide variety of people. In the past, the club has funded the spray park in City Park, playground equipment for the Boundary Women's Shelter, infrastructure for the Grand Forks BMX club, and freezers for the Grand Forks Food Bank. This year the club has selected a proposal from Phoenix Ski Hill to replace the equipment for their school ski program.

This project addresses Phoenix Foundation priorities of accessible resources for residents, affordable athletic programs, and support for community activities. Specifically, it meets the Foundation's objective "to ensure there are healthy supportive environments in which children and youth of the Boundary can flourish". In general, the school ski program broadly supports healthy living and physical activity. In particular, the program provides access to a form of outdoor recreation not otherwise available to many students, whether they be students in low income families, or members of families who don't ski.

Support of Phoenix Ski Hill reflects Rotary's commitment to building capacity to attract new families to visit and move to Grand Forks and the Boundary. For a small rural community, having access to a ski hill provides a significant draw to new families and individuals, which can in turn encourage economic and community growth and development.

2. Provide a concise description of the project and/or activities to be undertaken.

This project will purchase equipment for the school ski program. Elementary schools in Grand Forks have a yearly ski program for intermediate students (gr 4-7) to go to the ski hill three times a year. Phoenix Ski Hill, through their rental shop, provides a very affordable rental equipment package for students who do not own their own gear. The rental cost for the school program is significantly lower than the regular rental cost. The current equipment used in the program is very old and is starting to fall apart; when the ski hill approached Rotary with a request, it was clear that the equipment was long past needing to be replaced.

The equipment for the school program remains in the ski hill rental shop year round, allowing Phoenix to generate revenue to support their operations. As a non-profit ski hill (also a registered charity), Phoenix often runs at a deficit, keeping their rental and ticket costs low enough to be accessible to Boundary residents. This project will not only directly benefit the students who participate in the school ski program, it will also benefit Phoenix by updating some of their older equipment.

3. Provide a brief budget of the proposed project including additional funding sources (if applicable).

Phoenix has provided Rotary with a budget of \$22,000, requesting \$20,000 from the club. The budget for the new equipment is dependent on the total of funds raised. They are in talks with several suppliers to access the new equipment at a fair price once the total is known.

Every year, Rotary's primary fundraiser has been a big-prize raffle. The first three years the raffle was run, WestJet donated two tickets to anywhere that Rotary was able to use as first prize. Last year, Rotary was not selected as one of WestJet's charitable recipients, and so last year the club purchased

WestJet gift cards for the main prize, which cut into the fundraising profits. This year, the club is offering a total of \$2500 in cash prizes for raffle winners.

As per Rotary's agreement with the BC Gaming Association, ticket sales are limited, and the maximum that the club can raise if all tickets are sold is \$20,000. This includes the money that is deferred to the prizes. This maximum amount is set in order to obtain a gaming license, but has never been fully met. In 2019, the club raised \$12075.00, from which it purchased \$2500 worth of gift cards as prizes. This year ticket sales were slightly lower, which members have been attributing to the combination of ongoing flood recovery and the current COVID-19 crisis, both of which have individuals concerned about funds and less inclined to make so-called risky purchases. In the past two weeks, ticket sales have slowed down considerably, and the number of tickets remaining is significant. As of today, the total amount raised is \$11760.00, out of which the club must set aside \$2500 for prizes.

We request \$9260 from the Phoenix Foundation to match our raised funds, which will result in a total of \$18520.00 contribution towards the purchase of new equipment for the school program. This represents a request for 50% of the total project budget.

The Grand Forks Rotary Club is in talks with Roly Russel at RDKB in perusing a sponsorship for this application for funds.



April 21, 2020

Grand Forks Rotary Club

Good day,

Thank you for submitting you Letter of Interest. The Grants Committee has met and your organization was given a preliminary allocation of \$7,500.00.

Please submit a formal application before Tuesday, May 5, 2020.

Applications can be found at <https://www.phoenix-foundation.ca/forms/pfGrantApplication.pdf>

Please send copies to admin@phoenix-foundation.ca and P.O. Box 1012, Grand Forks, BC V0H 1H0

All the best,

Administrative Assistant

Phoenix Foundation of the Boundary Communities

From: is@rdkb.com
To: [Theresa Lenardon](#); [Information Services](#); [Jennifer Kuhn](#); [Melissa Zahn](#)
Subject: Grant-in-Aid Form submitted by Boundary Community Food Bank , email address - ljhynes@hotmail.com
Date: April 23, 2020 6:44:32 AM

Online Grant-in-Aid Application

Electoral Area(s) Applied to:

Electoral Area 'C'/ Christina Lake Director Grace McGregor, Electoral Area 'D'/ Rural Grand Forks Director Roly Russell, Electoral Area 'E'/West Boundary Director Vicki Gee

Applicant Information:

Applicant: Boundary Community Food Bank

Address: 7816 A Donaldson Drive

Phone: 02504431773

Fax:

Email: ljhynes@hotmail.com

Representative: Lynda Hynes

Make Cheque
Payable To: Boundary Community Food Bank

Other Expenses:

Total Cost of Project: \$\$45,000

Amount Requested
 from RDKB \$2,000 Approved Director McGregor April 23 2020
 Director(s):

What is the Grant-in-Aid for?

Our annual food budget is \$45,000. This has remained unchanged for many years, despite seeing more than 30% increase in the number of people we help. Now with the shut down for Covid 19 we anticipated another dramatic increase, as soon as the government subsidies end. One of the other challenges we face is that the food we usually purchase is on case lot sales. We are getting almost zero fill on these orders and are being forced to

start purchasing items at a much higher cost. We are therefore requesting \$2,000 towards our food budget, to help us meet the needs of the communities from Christina Lake to Rock Creek

List of Other Organizations Applied to for Funding

Name of Organization	Boundary Community Food Bank
----------------------	------------------------------

Amount Requested	\$2,000
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Amount Secured	
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Name of Organization	
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Amount Requested	
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Amount Secured	
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Name of Organization	
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Amount Requested	
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Amount Secured	
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Documents uploaded with Submission?

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4/23/2020

Mail - jkuhn@rdkb.com

Grant-in-Aid Form submitted by Christina Lake Arts & Artisans Society, email address - claasinfo@gmail.com

is@rdkb.com

Wed 2020-04-22 12:43 PM

To: Theresa Lenardon <tlenardon@rdkb.com>; Information Services <is@rdkb.com>; Jennifer Kuhn <jkuhn@rdkb.com>; Melissa Zahn <mzahn@rdkb.com>;

Online Grant-in-Aid Application

Electoral Area(s) Applied to:

Electoral Area 'C' / Christina Lake Director Grace McGregor

Applicant Information:

Applicant: Christina Lake Arts & Artisans Society

Address: 1675 highway 3, christina lake

Phone: 250 447 6161

Fax:

Email: claasinfo@gmail.com

Representative: bob dupee, president

Make Cheque Payable To: Christina Lake Arts & Artisans Society

Other Expenses:

Total Cost of Project: \$18,983

Amount Requested from RDKB
Director(s): \$2000 *Approved Director McGregor April 22 2020*

What is the Grant-in-Aid for?

The funds will go towards a series of workshops and classes for young people and adults throughout the off season months, as permitted by health regulations. There may be opportunity for some small concerts later in the year as well, but this is still in question. The funds will help cover the cost of marketing, materials, equipment rentals, software and other misc costs associated with the direct delivery of the

<https://webmail.exchange.telus.com/owa/#path=/mail>

1/2

4/23/2020

Mail - jkuhn@rdkb.com

programme. This programme will help enhance the lives of those in our community through participation in meaningful projects and will help alleviate stress and other complications due to the Covid-19 pandemic.

List of Other Organizations Applied to for Funding

Name of Organization	Community Gaming Grant
----------------------	------------------------

Amount Requested	9500
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Amount Secured	
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Name of Organization	
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Amount Requested	
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Amount Secured	
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Name of Organization	
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Amount Requested	
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Amount Secured	
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From: is@rdkb.com
To: [Theresa Lenardon](#); [Information Services](#); [Jennifer Kuhn](#); [Melissa Zahn](#)
Subject: Grant-in-Aid Form submitted by Boundary Community Food Bank , email address - ljhynes@hotmail.com
Date: April 23, 2020 6:44:32 AM

Online Grant-in-Aid Application

Electoral Area(s) Applied to:

Electoral Area 'C' / Christina Lake Director Grace McGregor, Electoral Area 'D' / Rural Grand Forks Director Roly Russell, Electoral Area 'E' / West Boundary Director Vicki Gee

Applicant Information:

Applicant: Boundary Community Food Bank

Address: 7816 A Donaldson Drive

Phone: 02504431773

Fax:

Email: ljhynes@hotmail.com

Representative: Lynda Hynes

Make Cheque Payable To: Boundary Community Food Bank

Other Expenses:

Total Cost of Project: \$\$45,000

Amount Requested from RDKB: \$\$2,000
 Director(s): Approved Director Russell April 23 2020

What is the Grant-in-Aid for?

Our annual food budget is \$45,000. This has remained unchanged for many years, despite seeing more than 30% increase in the number of people we help. Now with the shut down for Covid 19 we anticipated another dramatic increase, as soon as the government subsidies end. One of the other challenges we face is that the food we usually purchase is on case lot sales. We are getting almost zero fill on these orders and are being forced to

start purchasing items at a much higher cost. We are therefore requesting \$2,000 towards our food budget, to help us meet the needs of the communities from Christina Lake to Rock Creek

List of Other Organizations Applied to for Funding

Name of Organization	Boundary Community Food Bank
----------------------	------------------------------

Amount Requested	\$2,000
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Amount Secured	
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Name of Organization	
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Amount Requested	
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Amount Secured	
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Name of Organization	
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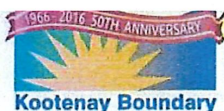
Amount Requested	
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Amount Secured	
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Grant-in-Aid Request

The personal information you provide on this RDKB document is being collected in accordance with the Freedom of Information and Protection of Privacy Act and will be used only for the purpose of processing RDKB business. This document may become public information. If you have any questions about the collection of your personal information, please contact Theresa Lenardon, Manager of Corporate Administration/Corporate Officer and Freedom of Information Protection of Privacy Officer at 250-368-9148 or foi@rdkb.com.

Please check all Electoral Area Boxes You Are Making Application To:

<input type="checkbox"/> Electoral Area 'A' Director Ali Grieve	<input type="checkbox"/> Electoral Area 'B'/ Lower Columbia-Old Glory Director Linda Worley	<input type="checkbox"/> Electoral Area 'C'/ Christina Lake Director Grace McGregor	<input type="checkbox"/> Electoral Area 'D'/ Rural Grand Forks Director Roly Russell	<input checked="" type="checkbox"/> Electoral Area 'E'/ West Boundary Director Vicki Gee
---	---	---	--	--

Applicant:	* Trails to the Boundary Society			
Address:	* PO Box 492 Midway BC V0H 1M0			
Phone:	* 250-528-0227	Fax:		E-Mail: * trailstotheboundary@gmail.com
Representative:	* Pat Henley, President of Board			
Make Cheque Payable To:	* Trails to the Boundary Society			

*Starred items, including contact information, must be completed in full.

***GIA Requests of \$5,000.00 or more may require official receipt. The Electoral Area Director may ask for additional information.

What is the total Cost of the Project? \$ 2500.00 What amount are you requesting from this RDKB Director(s)? \$ 2500.00

What is the Grant-in-Aid for? (attach an extra sheet if necessary)

Office furniture for the Trails to the Boundary office at Riverside Centre.

Please list all other organizations you have applied to for funding (attach an extra sheet if necessary)

Name of Organization _____
Amount Requested: \$ _____ Amount Secured: \$ _____

Name of Organization _____
Amount Requested: \$ _____ Amount Secured: \$ _____

Name of Organization _____
Amount Requested: \$ _____ Amount Secured: \$ _____

Date: 4-17-2020 Applicant Signature Patricia Henley Print Name Pat Henley

Office Use Only

Grant approved by Electoral Area Director: _____

Approved by Board: _____

SUBMIT



Grant-in-Aid Request

The personal information you provide on this RDKB document is being collected in accordance with the Freedom of Information and Protection of Privacy Act and will be used only for the purpose of processing RDKB business. This document may become public information. If you have any questions about the collection of your personal information, please contact Theresa Lenardon, Manager of Corporate Administration/Corporate Officer and Freedom of Information Protection of Privacy Officer at 250-368-9148 or foi@rdkb.com.

Please check all Electoral Area Boxes You Are Making Application To:

<input type="checkbox"/> Electoral Area 'A' Director Ali Grieve	<input type="checkbox"/> Electoral Area 'B' Lower Columbia-Old Glory Director Linda Worley	<input type="checkbox"/> Electoral Area 'C' Christina Lake Director Grace McGregor	<input type="checkbox"/> Electoral Area 'D' Rural Grand Forks Director Roly Russell	<input checked="" type="checkbox"/> Electoral Area 'E' West Boundary Director Vicki Gee
---	--	--	---	---

Applicant:	* Trails to the Boundary Society		
Address:	* PO Box 492 Midway BC V0H 1M0		
Phone:	* 250-528-0227	Fax:	E-Mail: * trailstotheboundary@gmail.com
Representative:	* Pat Henley, President of Board		
Make Cheque Payable To:	* Trails to the Boundary Society		

**Starred items, including contact information, must be completed in full.*

***GIA Requests of \$5,000.00 or more may require official receipt. The Electoral Area Director may ask for additional information.

What is the total Cost of the Project? \$ 2000.00 What amount are you requesting from this RDKB Director(s)? \$ 2000.00

What is the Grant-in-Aid for? (attach an extra sheet if necessary)

Additional website costs for West Boundary Connect.

Please list all other organizations you have applied to for funding (attach an extra sheet if necessary)

Name of Organization _____	Amount Requested: \$ _____	Amount Secured: \$ _____
Name of Organization _____	Amount Requested: \$ _____	Amount Secured: \$ _____
Name of Organization _____	Amount Requested: \$ _____	Amount Secured: \$ _____
Date: <u>4-17-2020</u> Applicant Signature <u>Patricia Henley</u>	Print Name <u>Pat Henley</u>	

Office Use Only

Grant approved by Electoral Area Director: D. Gee

Approved by Board: _____

SUBMIT

From: is@rdkb.com
To: [Theresa Lenardon](#); [Information Services](#); [Jennifer Kuhn](#); [Melissa Zahn](#)
Subject: Grant-in-Aid Form submitted by THE CORPORATION OF THE VILLAGE OF FRUITVALE, email address - ktuttle@village.fruitvale.bc.ca
Date: April 24, 2020 8:30:12 AM

Online Grant-in-Aid Application

Electoral Area(s) Applied to:

Electoral Area 'A' Director Ali Grieve

Applicant Information:

Applicant: THE CORPORATION OF THE VILLAGE OF FRUITVALE
 Address: 1937 BEAVER ST, PO BOX 370, FRUITVALE BC, V0G 1L0
 Phone: 250-367-7551
 Fax: 250-367-9267
 Email: ktuttle@village.fruitvale.bc.ca
 Representative: KELLI TUTTLE, CAO
 Make Cheque Payable To: THE CORPORATION OF THE VILLAGE OF FRUITVALE

Other Expenses:

Total Cost of Project: \$29000

Amount Requested from RDKB \$ [REDACTED] \$1,500 appr'd by Director Grieve Ap 24/20
 Director(s):

What is the Grant-in-Aid for?

This project titled "Harvest Central Community Garden" will consist of developing a community space, complete with community garden plots, planters, benches, rest areas and a "harvest hut". The hut will have storage facilities to assist with the food distribution and washrooms, as well it will be used to host workshops on preserving produce and where produce exchanges can take place. The property will be landscaped with fruit and nut trees. The intention is to provide food sustainability to low income groups as well as

other residents that could enjoy the leisure activity of gardening but lack property space to do so. There will be workshops in plant husbandry and harvesting/preserving techniques. The Fruitvale Elementary School, seniors' groups (Age Friendly and Beaver Valley Senior Citizens' Association) and the Beaver Valley Food Bank are invited to partner in this initiative. Any harvest over abundance will be distributed to the general public as well as the food bank. This project will provide a community gathering space to support social inclusion, community participation and will encourage health and wellness both through active living and healthy food production.

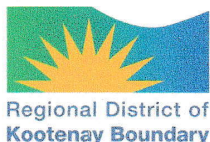
List of Other Organizations Applied to for Funding

Name of Organization	COLUMBIA BASIN TRUST
Amount Requested	19000
Amount Secured	19000
Name of Organization	PROVINCE OF BC BC AGE FRIENDLY GRANT
Amount Requested	2500
Amount Secured	2500
Name of Organization	BEAVER VALLEY DYNAMIC AGING
Amount Requested	1500
Amount Secured	1500

Documents uploaded with Submission?

["ADDITIONAL FUNDING SOURCES-RDKB GRANT IN AID.docx"]

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Recreation Grant Request

The personal information you provide on this RDKB document is being collected in accordance with the Freedom of Information and Protection of Privacy Act and will be used only for the purpose of processing RDKB business. This document may become public information. If you have any questions about the collection of your personal information, please contact Theresa Lenardon, Manager of Corporate Administration/Corporate Officer and Freedom of Information Protection of Privacy Officer at 250-368-9148 or foi@rdkb.com.

This application must include a complete mailing address. Incomplete address fields will result in delays in processing your Recreation Grant and your request sent back to the RDKB Director.

Please check all Electoral Area Boxes You Are Making Application To:

<input checked="" type="checkbox"/>	Electoral Area 'B'
	Lower Columbia-Old Glory
	Director Linda Worley

Applicant:	* Kootenay Columbia Trails Society				
FULL Mailing Address: Including Postal Code	* PO Box 1179 Rossland BC V0G 1Y0				
Phone:	* 250-368-1440	Fax:		E-Mail:	* Stewspooner@gmail.com
Representative:	* Stewart Spooner (Operations Manager)				
Make Cheque Payable To:	* Kootenay Columbia Trails Society				

**Starred items, including contact information, must be completed in full.*

****Recreation Grants of \$5,000.00 or more may require official receipts. The Electoral Area Director may ask for additional information.

What is the total Cost of the Project? \$ 90,000 What amount are you requesting from this RDKB Director(s)? \$ 25,000

Describe how the Recreation Grant will be used. (attach an extra sheet if necessary)

The Hanna Creek Trail Development project consists of 3 distinct trail sections totaling 5.9km of trail. It will significantly enhance the already popular cluster of accessible trails at Larch Ridge by expanding and connecting them to Rossland and Red Mountain through the Blackjack Recreation Site. This project will add much needed technically and physically moderate trail experiences to the KCTS trail network, and will especially cater to an anticipated need for longer-distance moderate trail experiences sought after by new, younger, and older riders looking for appropriate E-biking experiences.

Please list all other organizations you have applied to for funding (attach an extra sheet if necessary)

Name of Organization Columbia Basin Trust - Trail Enhancement Grants

Amount Requested: \$ 20,000

Amount Secured: \$ 20,000

Name of Organization _____

Amount Requested: \$ _____

Amount Secured: \$ _____

Name of Organization _____

Amount Requested: \$ _____

Amount Secured: \$ _____

Date: April 27/20 Applicant Signature _____ Print Name Stewart Spooner

Office Use Only

Grant approved by Electoral Area Director: Linda J. Worley

Approved by Board: _____

From: [Vicki Gee - Area "E"/West Boundary Director](#)
To: [Theresa Lenardon](#)
Subject: FW: Scouting Help
Date: April 27, 2020 3:20:04 PM
Attachments: [Scouting help Okanagan Draft Tina Draft 1.docx](#)
[ATT00001.htm](#)

This came too late for agenda last week. Is it possible for you to email this out to all directors as an update on OK Film Commission. The agenda item is already there. That way I won't take time in the meeting for an update. Thanks, Vicki

From: Jon Summerland [mailto:JSummerland@okanaganfilm.com]
Sent: April 24, 2020 9:37 AM
To: Jon Summerland <JSummerland@okanaganfilm.com>
Subject: Scouting Help

Okanagan Film Commission Addresses Safety Concerns & Solutions For Future Return of Film Production

For Immediate Release

Kelowna BC – April 24, 2020 - **Jon Summerland, Okanagan Film Commissioner**, is mapping out safety concerns and solutions that need to be addressed and solved for the time when Interior Health allows film production to get back up on its feet again.

Jon comments, "Film commissioners and film industry executives are discussing how we will be able to ease back into production with the big challenges a return poses. And we must do this while ensuring the safety of everyone. So, if you have ever thought of having your home used as a location, there is an opportunity for you to help us out."

Since the outbreak of Covid-19 the film industry has had to change strategies. For instance, instead of scouting for locations one film at a time, we have been tasked with scouting locations for multiple productions so that when we return to filming we will have our location files ready and up to date. However, as we are in self-isolation it is difficult to send scouts out to find and photograph locations, so if people who have an interest in the future to have their home in a film or tv series for a fee, then now is a good time to photograph and register their home. There are stories for all sorts of homes, from modest to mansions. The instruction for how to photograph your home and what to do once the photos are processed is in this link:

<https://www.creativebc.com/community/register-your-property>

There will be no legitimate registered filming until Interior Health gives the thumbs up and we are cleared to return to business. Premier John Horgan commented on CTV news on April 9 that BC could emerge as a preferred film destination in North America as producers are paying close attention to how BC is handling the Covid-19 crisis.

Jon Summerland summarizes, “Our goal is to get the industry back on its feet while ensuring film crews and the public are all safe, so every precaution will be taken while working within the public and private property. In terms of locations/homes this will include the creation of new jobs that include crew that not only will clean the properties, but sterilize it before and after filming takes place.”

-30-

For more information on the Okanagan Film Commission visit okanaganfilm.com

Media Contact: Jon Summerland, jon.summerland@cord.bc.ca, 250-717-0087

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Columbia River Treaty Monthly Update for the Local Governments' Committee – April 2020

Issued April 14, 2020

Key Updates:

1. Adjustments in the wake of COVID-19
2. Ninth round of Columbia River Treaty Canada-U.S. negotiations
3. Spring 2020 Columbia Basin public engagement
4. Columbia River Treaty-related community interest projects

A message from Kathy Eichenberger, Executive Director of the B.C. Columbia River Treaty Team:

As the situation around COVID19 evolves, work on the Columbia River Treaty continues. Though the next round of Canada-U.S. negotiations has not yet been scheduled, Canada, B.C. and Columbia Basin Indigenous Nations are collaborating through remote technology to develop Canadian negotiating positions and advance ecosystem function work. All parties are navigating this challenging time with patience, understanding and resolve to keep the ball moving.

The Province remains committed to engaging with Basin citizens, local governments and Indigenous Nations on the Treaty and Treaty-related interests. However, we recognize that the main concern for British Columbians right now is the health and safety of their families and communities. With that in mind, a number of our engagement plans for this spring have been postponed and project timelines have been shifted. We will continue providing updates on the B.C. Columbia River Treaty website, Facebook, Twitter, and through our Newsletter. We welcome questions and comments from the public by phone or email. If there comes a time when we need to connect with Basin citizens on specific Treaty-related matters before health concerns subside, we will look at ways of doing that remotely, ensuring an inclusive process.

We will continue connecting with the Local Governments' Committee as there is news to share and issues to discuss, while respecting that the priority right now is to support your communities through this pandemic.

On behalf of the B.C. Columbia River Treaty Team, I wish you all good health.

Kathy Eichenberger

Ministry of Energy, Mines and
Petroleum Resources
Electricity and Alternative Energy Division

Columbia River
Treaty

Mailing Address
PO Box 9314 Stn Prov Govt
Victoria, BC V8W 9N1

Telephone: 250-953-3368

Columbia River Treaty Canada-U.S. Negotiations

- The 9th round of Columbia River Treaty negotiations took place in Washington, D. C. on March 11-12, 2020.
- Since the process to revisit the Columbia River Treaty began, Canada and the United States have been exchanging information and building a stronger understanding of their respective interests.
- Negotiations are starting to advance as the U.S. is beginning to share its thinking on the issues, such as Flood Risk Management, power and ecosystems in the context of a modernized Treaty.
- Discussions are becoming more sensitive and remain confidential, but we can say that, at this moment, the U.S. perspectives on the future of the Treaty are not agreeable to the Canadian team.
- More details will be shared once the Canadian negotiating team has specific choices or decisions to make.
- The next round of negotiations has not been scheduled yet due to the COVID-19 pandemic. Negotiators have considered video conference options, though nothing has been confirmed at this point.
- In the meantime, the Canadian negotiating team will work with B.C. and the Columbia Basin Indigenous Nations over the coming months to articulate positions that are beneficial to Canada.
- The ecosystem work led by the Indigenous Nations is proceeding and we should be in a better position to define Canadian objectives on this important issue later this year.
- Canada will be pressing to increase flexibility in the Treaty to allow operations that meet domestic environmental, societal and economic needs more effectively, addressing a number of Columbia Basin residents' goals.

Spring 2020 Columbia River Treaty Public Engagement

Postponed Activities

- **The Columbia Basin Regional Advisory Committee (CBRAC) spring meeting**, originally scheduled for May 5 – 6, 2020 in Valemount, is postponed until further notice. The CBRAC Steering Committee¹ recognizes the importance of holding a CBRAC meeting in Valemount and will resume plans to do so either this fall or next spring. In the meantime, the Steering Committee will ensure that CBRAC remains connected through webinars and/or teleconferences.
- Kathy Eichenberger, Executive Director of the B.C. Treaty Team, and B.C. representative on the Canadian negotiating team, was invited to be the **keynote speaker at the Selkirk College end-of-semester conference** on April 8, 2020 in Castlegar. The event has been cancelled due to COVID-19. The B.C. Treaty Team will work with the college to explore ways of connecting with Selkirk students and faculty when health concerns subside.

¹ CBRAC Steering Committee includes representatives from the B.C. Columbia River Treaty Team, BC Hydro and the Columbia River Treaty Local Governments' Committee.

- Minister responsible for the Columbia River Treaty, **Katrine Conroy, was scheduled to speak with Selkirk College retired and current faculty** on March 13, 2020. This event is postponed until further notice.
- The B.C. Treaty Team's top engagement goal this year is to expand its reach to Basin youth, including young adults and grade-school aged children. To initiate the latter, the Treaty Team has had **preliminary conversations with School Districts 10 and 20 about increasing Columbia River Treaty education with grade school students**. The provincial school system is currently occupied with creating and implementing a remote learning plan for students while schools are closed due to COVID-19. When timing is right, the B.C. Treaty Team will resume conversations about the Columbia River Treaty with all Columbia Basin school districts.

College of the Rockies Presentation

- On March 3, 2020, the B.C. Treaty Team presented to students and faculty at College of the Rockies in Cranbrook.
- 15 people attended and signed up to receive Treaty updates from the Province by email.
- Kathryn Teneese, Chair of the Ktunaxa Nation Council, opened the session, Kathy Eichenberger and Brooke McMurphy of the B.C. Treaty Team presented on Treaty history, public engagement, and current negotiations.
- Bill Green of the Ktunaxa Nation Council spoke about the Indigenous Nations-led work on ecosystem function and salmon reintroduction, and Sandra Luke, Councillor with Yaqan Nu?kiy (Lower Kootenay Band), shared Ktunaxa Nation perspectives on the Treaty negotiations.
- Questions and comments raised by the audience included asking for clarity on the Indigenous Nations' observer role, U.S. Tribes' involvement in negotiations, highlighting the need to acknowledge losses experienced by ranchers and farmers when the Treaty dams were built, and asking about Canada's position on the Canadian Entitlement and Flood Control.
- One participant expressed the need for the Province to capture voices of people who aren't currently engaged, in particular, when consulting on the Heritage Project. (See page 3 for more information on that project).
- The B.C. Treaty Team will work with the college to explore ways of connecting with students more frequently, starting in the fall.

Columbia River Treaty Newsletter

- The next B.C. Columbia River Treaty Newsletter will be released in May 2020. Follow the link below to sign up, and to read previous editions. Each edition features an update on Canada-U.S. negotiations, public engagement activities, and technical or community interest-based projects. The February 2020 edition includes an update on the Indigenous Nations-led work being done to address the health of Columbia Basin ecosystems.
<https://engage.gov.bc.ca/columbiarivertreaty/sign-up/>

Summary Report on 2019 Columbia River Treaty Community Meetings

- The Province hosted 12 Columbia River Treaty community meetings throughout the Columbia Basin last October and November. A summary report is in progress, though publication has been delayed due to COVID-19. It is expected to be released in late spring.
- In the meantime, all the presentations and materials from these meetings can be found on the B.C. Columbia River Treaty website: <https://engage.gov.bc.ca/columbiarivertreaty/2019-community-meetings/>

Columbia River Treaty-Related Community Interest Projects

Columbia River Treaty Heritage Project

- During the Province's Columbia River Treaty community meetings in 2012, 2013, 2014, 2018 and again in 2019, Basin residents shared their views on the importance of recognizing how implementation of the Columbia River Treaty impacted the Canadian Columbia Basin, including acknowledging what was lost as a result of the Treaty dams.
- The Columbia Basin Regional Advisory Committee put forward several ideas on what acknowledgement could look like during a brainstorming session at their April 2019 meeting. One of those ideas is now under development – the Columbia River Treaty Heritage Project (CRT Heritage Project).
- The Province received positive feedback on the initial project concept from Columbia Basin Indigenous Nations, local governments and citizens.
- The CRT Heritage Project proposes a touring route linking a series of information stops at key locations in the Columbia Basin communicating Indigenous and non-Indigenous place-based stories of impacts and loss due to the implementation of the Columbia River Treaty. Basin communities will decide on what stories they want to include in the project and how those stories will be expressed.
- The CRT Heritage Project Steering Committee directs the CRT Heritage Project. Stan Doehle is the LGC representative on the Committee. Other Committee members are Columbia Basin heritage and tourism professionals (Revelstoke Museum, Kootenay Rockies Tourism), Indigenous Nations representatives (Ktunaxa Nation, Secwepemc/Shuswap Nation and Syilx/Okanagan Nation), and representatives from B.C. government agencies (Heritage Branch, Tourism Branch, Columbia River Treaty Branch, and Rural Development Unit). A representative of the Sinixt people from the Lakes Tribe of the Colville Confederated Tribes is monitoring the project.
- The Steering Committee contracted with Denise Cook Design to develop a detailed project plan report. The report will be used to support applications to federal, provincial and regional funding programs. This work was made possible with funding from Community Futures East Kootenay and MEMPR and is expected to be completed by April 30, 2020.
- From February to April the contractor team, which includes Denise Cook, Eileen Delehanty Pearkes, Stephanie Fischer and Eden DuPont, will be communicating with key Columbia Basin stakeholders to gather information for the project plan.
- Heritage content for the project will be gathered during community consultations, planned for late 2020 and 2021.

Nakusp Marina and Breakwater

- In the early 1980's BC Hydro built a marina and breakwater in Nakusp and sold it to the Village for \$1.00. The facility is separate from BC Hydro requirements under a Water Act Order.
- Although BC Hydro has no responsibilities with respect to the marina and breakwater, in 2013 they provided a \$100,000 grant to the Village for refurbishing the structures. The Village determined the cost for repairs exceeded \$100,000 so the money was not spent.
- Now, 38 years into their 25 year "design life", the marina and breakwater are in a state of considerable deterioration.
- In March 2020, MEMPR provided \$30,000 to the Village to undertake engineering and preliminary work to address the deterioration of the marina and breakwater.
- Current project status: The Village selected one of two repair options for the breakwater and is contracting for an engineering survey. Repair work on the breakwater is expected to be undertaken by a local construction company.

Arrow and Kinbasket Reservoir Spatial Mapping Products

- In May 2019 aerial imagery of Arrow and Kinbasket Reservoirs was gathered and further refined by BC Hydro.
- In spring 2020, BC Hydro provided the aerial imagery of Arrow and Kinbasket Reservoirs to the MEMPR. MEMPR is developing geospatial mapping products of both reservoirs, including digital elevation models, for the Indigenous Nations CRT ecosystem working group.
- MEMPR and BC Hydro will provide the geospatial mapping products to Selkirk College for the Columbia River Treaty portal the college is developing as part of their Rural Open Data project.
- On March 26 the MEMPR project received a set-back as a result of a lock-down of the contractor's office due to COVID-19. The Arrow Reservoir geospatial mapping products are now expected mid to late April. The Kinbasket Reservoir geospatial mapping products are expected to be completed one month later.

Creston Valley Dikes

- Beginning in the 1880s and through to the 1950s flooding of the Creston Flats led to the construction of a system of nearly 100 kilometers of dikes on both sides of the Kootenay River and the Goat River. The dikes protect agricultural, conservation, residential and local government lands.
- Creston farmers supported Libby Dam as a permanent solution to Kootenay River floods. The flood protection provided means Creston Valley dikes are not as high as would otherwise be needed, a cost saving to diking districts. Libby Dam early ramping practices caused dike erosion, however flow changes such as VARQ reduced fluctuations, and the dam is now considered a net positive to the diking districts.
- The diking districts identify access to external funding as the main difficulty in managing and maintaining the dikes as taxes they collect do not generate enough funds. There is also a lack of coordinated action by the six diking districts/authorities and the Yaqan Nu?kiy (Lower Kootenay Band) who manage and maintain the dikes.

- There are several federal and provincial funding programs to support dike infrastructure repair, however only First Nation, regional and local governments are eligible to apply directly for many of them. Diking districts may apply indirectly through regional or local governments although often funding is on the condition that if the grant is approved the diking district would be converted to a regional district service area or municipal service.
- In October 2019, MEMPR hosted a diking workshop in Creston that provided regulatory and funding information and initiated discussion among key stakeholders on issues and solutions.
- Following the workshop, the MEMPR contractor, John Cathro continued to hold one-on-one meetings with each diking authority and the regional district. Currently MEMPR is preparing responses to questions that have arisen from these meetings.
- A second meeting of key stakeholders had been planned for early April 2020 but has now been cancelled due to COVID-19. A rescheduled meeting is expected to be held in fall 2020.