

### **Electoral Area Services**

### Thursday, January 14, 2016 - 5:00 pm

### The Regional District of Kootenay Boundary Board Room, RDKB Board Room, 843 Rossland Ave., Trail, BC

### AGENDA

- 1. <u>CALL TO ORDER</u>
- 2. ACCEPTANCE OF AGENDA (ADDITIONS/DELETIONS)
  - A) January 14, 2016

**Recommendation:** That the January 14, 2016 Electoral Area Services Agenda be adopted.

- 3. MINUTES
  - A) November 12, 2015

**Recommendation:** That the minutes of the November 12, 2015 Electoral Area Services Committee meeting be received. Minutes-Electoral Area Services-12 Nov 2015

- 4. <u>ELECTION OF VICE CHAIR</u>
- 5. <u>DELEGATIONS</u>
- 6. <u>UNFINISHED BUSINESS</u>
  - A) Electoral Area Services Committee Memorandum of Action Items

**Recommendation:** That the Electoral Area Services Committee Memorandum of Action Items for the period ending November 2015 be received.

ToEndOfNovForJan2016

### 7. NEW BUSINESS

# A) Jody and Troy Sherstobitoff RE: Electoral Area 'A' Zoning Amendment

Roger Road, north of Fruitvale, west of Highway 3B, Electoral Area 'A'

RDKB File: A-1236-05532.020

**Recommendation:** That the application submitted by Nick and Carolyn Sherstobitoff as agents for Jody Sherstobitoff and Troy Sherstobitoff to amend Section 310 of the Electoral Area 'A' Zoning Bylaw No. 1460, 2014 to allow for an exception rule to minimum parcel size which would allow subdivision where previous approval to subdivide within the Agricultural Land Reserve was supported prior to the adoption of the zoning bylaw and that the size of the parcel being subdivided is greater than 8 ha, be supported AND FURTHER that the staff be directed to draft an amendment bylaw for presentation to the RDKB Board of Directors for first and second readings and to schedule and hold a public hearing on the proposed zoning bylaw amendment.

2016-01-07-Sherstobitoff ZoneAmend EAS

### B) Patrick and Sharon Walls

**RE: Development Variance Permit** 

3173 East Lake Drive, Electoral Area 'C'/Christina Lake RDKB File: C-3063s-07038.000

**Recommendation:** That the Development Variance Permit application submitted by Sharon and Patrick Walls to allow for a decreased setback from the natural boundary of Christina Lake of 4.33m (from 7.5m to 3.17m) and a decreased

setback from the front parcel line of 4m (from 4.5m to 0.5m) to construct a single family dwelling on the property legally described as Lot 3, DL 3063s, SDYD, Plan 10615, Electoral Area 'C'/Christina Lake be presented to the Board for consideration, with a recommendation of support. 2016-01-06-Walls EAS

### C) **Elwood and Nancy Kehler**

**RE: Development Variance Permit** 

102 Sandner Road, Electoral Area 'C'/Christina Lake RDKB File: C-317-02535.011

**Recommendation:** That the Development Variance Permit application submitted by Elwood and Nancy Kehler to allow a height variance of 2.7m (from 4.6m to 7.3m) for an accessory building on the property legally described as Lot 1, DL 317, SDYD, Plan KAP33410, Electoral Area 'C'/Christina Lake, be presented to the Board for consideration, with a recommendation of support.

2016-01-06 Kehler EAS

### D) **Frank Van Oyen**

**RE: MOTI Subdivision Referral** 

3230 Christian Valley Road, 4 km north of Westbridge, Electoral Area 'E'/West Boundary RDKB File: E-730s-04013.005

**Recommendation:** That the staff report regarding the Ministry of Transportation and Infrastructure referral for a proposed conventional one lot subdivision of the property legally described as DL 730s, Except Plan 33808 and KAP48435, SDYD, located off Christian Valley Road, in Electoral Area 'E'/ West Boundary, be received.

2016-01-07-VanOyen EAS

### **Geoffrey Furniss** E)

**RE: MOTI Subdivision Referral** 

1810 Hulme Creek Road, near Rock Creek, Electoral Area 'E'/West Boundary

RDKB File: E-2454-06580.000

**Recommendation:** That the staff report regarding the Ministry of Transportation and Infrastructure referral for a proposed conventional one lot subdivision on the property legally described as DL 2454, SDYD, Except Plan 38495 KAP64195 & EXC PL KAP87238 PT Lying E of the ELY Limit of PL H722, off Hulme Creek Road, near Rock Creek, Electoral Area 'E'/ West Boundary, be received.

2016-01-07 Furniss EAS

# F) Randall and Tracy Smith RE: MOTI Subdivision Referral

3030 Boundary Creek Road, 9 km north of Greenwood, Electoral Area 'E'/West Boundary RDKB File: E-471s-02938.000

**Recommendation:** That the staff report regarding the Ministry of Transportation and Infrastructure referral for a proposed conventional one lot subdivision on the property legally described as DL 471s, Portion N 1/2 including closed road as described in DF 26823B, SDYD, located off Boundary Creek Road, 9km north of Greenwood in Electoral Area 'E'/ West Boundary, be received.

2016-01-07 Smith EAS

### G) Rock Creek Provincial Park RE: Offer from Province

4132 Highway 3, Rock Creek, Electoral Area 'E'/West Boundary

RDKB File: E-352-02638.009

**Recommendation:** That the Regional District of Kootenay Boundary Board of Directors forward a letter to The Ministry of Environment's BC Parks Division - Okanagan, expressing

interest in the acquisition of Rock Creek Park through Nominal Rent Tenure and THAT The Regional District Board of Directors direct staff to submit an application to FrontCounter BC seeking a Community/Institutional License of Occupation for Rock Creek Provincial Park property legally described as Lot 1, DL 352, SDYD, Plan KAP12904.

2016-01-06-RockCreekPark EAS

# H) Planning and Development Department - 2015 Annual Report

**Recommendation:** That the Staff Report regarding the Planning and Development Department's 2015 Annual Report be received.

2015-Annual Report

# I) Planning and Development Department's Proposed2016 Work Program and Five-Year Financial Plan

**Recommendation:** That the report to the Electoral Area Services Committee Planning and Development Department's Proposed 2016 Work Program and Five-Year Financial Plan be received.

2016WrkPro

### J) 2016 Planning and Development Department Application Process and Meeting Schedule

**Recommendation:** That the 2016 Planning and Development Department Application Process and Meeting Schedule be received.

2016 Process Schedule

# K) Staff Report by Mark Andison, General Manager of Operations/Deputy CAO RE: Electoral Area Building Permit Fee Review

**Recommendation:** That the Electoral Area Services
Committee review and discuss the building permit fee
information contained in the staff report from Mark Andison,
General Manager, Operations / Deputy CAO and provide
direction to staff regarding the preferred course of action with
respect to electoral area building permit fees.
STAFF REPORT EA Building Permit Fee Review

L) Discussion Paper and Proposed Minister's Bylaw Standards

**RE: Regulating Agri-tourism and Farm Retail Sales in the Agricultural land Reserve** 

Agri-tourism discussion paper

M) Pest Management Plan Discussion RE: Inclusion of the RDKB

N) Grant in Aid Report

**Recommendation:** That the Grant in Aid report be received. Grant in Aid

O) Gas Tax Report

**Recommendation:** That the Gas Tax report be received. Gas Tax Report

P) A Staff Report from Theresa Lenardon, Manager of Corporate Administration, regarding Grant in Aid applications and a Gas Tax application which were approved through the Special Voting Regulation (BC Reg 41/91) in December 2015.

### **Recommendation:**

That pursuant to the *Regional District Special Voting Regulation 41/91* that the Electoral Area Services Committee recommends to the Regional District of Kootenay Boundary

Board of Directors that the following Grant in Aid applications be approved:

Beaverdell Community Club-Electoral Area 'E'/West Boundary - \$895.99

Beaverdell Community Club-Electoral Area 'E'/West Boundary - \$653.72

Rossland Winter Carnival - Electoral Area 'B'/Lower Columbia-Old Glory-\$1,000

Selkirk College - Electoral Area 'D'/Rural Grand Forks - \$212.60

**FURTHER** that also pursuant to the *Regional District Special Voting Regulation 41/91* that the Board approves the Gas Tax application as submitted by the Regional District of Kootenay Boundary for the acquisition of the Hardy Mountain Doukhobor Village as a heritage property in the amount of \$37,892.50 (dependent on actual closing date) which is the cost of assuming / paying off the remaining mortgage from The Land Conservancy.

<u>Staff Report-GIA & Gas Tax Special Voting Regulation-EAS-Jan</u> 14 2016 - Pdf

- 8. LATE (EMERGENT) ITEMS
- 9. DISCUSSION OF ITEMS FOR FUTURE AGENDAS
- 10. CLOSED (IN CAMERA) SESSION
- 11. ADJOURNMENT



## Electoral Area Services Minutes

Thursday, November 12, 2015, 5:00 p.m. RDKB Board Room, 843 Rossland Ave., Trail, BC

### **Directors Present:**

Director Linda Worley, Chair Director Ali Grieve Director Grace McGregor Director Roly Russell Director Vicki Gee

### **Other Directors Present:**

Director Joe Danchuck

### **Staff Present:**

Mark Andison, General Manager of Operations/Deputy CAO Donna Dean, Manager of Planning and Development Maria Ciardullo, Recording Secretary

### 1. CALL TO ORDER

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

### 2. <u>ACCEPTANCE OF AGENDA (ADDITIONS/DELETIONS)</u>

### November 12, 2015

3 additional items were added to the agenda:

6K) Westbridge Site Visits

6L) Firesmart Grant Application

6M) APC Appreciation Dinners

Moved: Director Grieve Seconded: Director Russell

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That the November 12, 2015 Electoral Area Services Agenda be adopted as amended.

Carried.

### 3. MINUTES

### October 22, 2015

Moved: Director Grieve Seconded: Director Rusell

That the October 22, 2015 Electoral Area Services Minutes be received.

Carried.

### 4. **DELEGATIONS**

There were no delegations in attendance.

### 5. <u>UNFINISHED BUSINESS</u>

### A Memorandum of Action Items and their status

Moved: Director McGregor Seconded: Director Gee

That the Memorandum of Action Items be received.

Carried.

### 6. <u>NEW BUSINESS</u>

### A. Terry and Barb Hein

**RE: Development Variance Permit** 

3145 1st Road, Electoral Area 'D'/Rural Grand Forks

RDKB File: D-700-03662.100

Donna Dean, Manager of Planning and Development reviewed the application with the Committee Members.

Moved: Director Russell Seconded: Director Gee

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That the Development Variance Permit application submitted by Terry and Barb Hein, for the property legally described as Lot 1, Block 8, DL 700, Plan KAP38, SDYD, requesting a rear parcel line variance of 2.9m (from 7.5m to 4.6m) to construct an accessory building, be presented to the Board for consideration, with a recommendation of support.

Carried.

### B. John Dedels and Michelle Boyd

**RE: Development Permit** 

Between West Lake Drive and Sunflower Road, Electoral Area 'C'/Christina Lake RDKB File: C-1021s-04547.045

It was mentioned that a wastewater treatment study was done in 1991.

Moved: Director McGregor Seconded: Director Russell

That the staff report regarding the application for a Development Permit submitted by John Dedels and Michelle Boyd to construct a single family dwelling and accessory building with a secondary suite in the Waterfront Environmentally Sensitive Development Permit Area fronting Christina Lake, on the parcel legally described as Lot 9, Plan KAP 85268, DL 1021S, SDYD, be received.

Carried.

### C. Waneta Expansion General Partner

**RE: Ministry of Transportation and Infrastructure Subdivision** 

9120 Highway 22A, Electoral Area 'A' RDKB File: A-205A-00941.000

There was a brief discussion on the possible reasoning for subdivision.

Moved: Director Grieve Seconded: Director McGregor

That the staff report regarding the Ministry of Transportation and Infrastructure referral for a proposed conventional subdivision for the parcel legally described as Lot 6A, DL 205A, Plan NEP800, KD, Except plan 15510, in Electoral Area 'A', be received.

Carried.

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### D. Jarrett Mason & Megan Wilson

### **RE: Ministry of Transportation and Infrastructure Subdivision**

330 Mill Road, Electoral Area 'A' RDKB File: A-1236-05428.100

There were no issues with this application.

Moved: Director Grieve Seconded: Director McGregor

That the staff report regarding the Ministry of Transportation and Infrastructure referral for a proposed conventional subdivision for the parcel legally described as Lot 240, DL 1236, Plan NEP785B, KD, Except Plan 17157, in Electoral Area 'A', east of Fruitvale, be received.

Carried.

### E. Pow Samnah Property Inc.

### **RE: Ministry of Transportation and Infrastructure Subdivision**

Richie Road, near Highway 3B, Electoral Area 'B'/Lower Columbia-Old Glory RDKB File: B-Twp28-10968.200

Donna Dean reviewed the application with the Committee Members. No issues were noted.

Moved: Director Grieve Seconded: Director Gee

That the staff report regarding the Ministry of Transportation and Infrastructure referral for a proposed subdivision, an interior lot line adjustment, of the parcels legally described as Lot 2, Lot 3 and Lot 4 Township 28, KD, Plan EPP25686, located in the Black Jack region of Electoral Area 'B'/ Lower Columbia-Old Glory, be received.

Carried.

### F. Dwight Wilson

### **RE: Ministry of Transportation and Infrastructure Subdivision**

3390 East Lake Drive, Electoral Area 'C'/Christina Lake RDKB File: C-2104-05065.040/.050

This application was reviewed with the Committee Members. It was noted that the proposed subdivision will resolve the issue of the residence placement on the property.

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Moved: Director McGregor Seconded: Director Gee

That the staff report regarding the Ministry of Transportation and Infrastructure referral for a proposed subdivision, an interior lot line adjustment, on the parcels legally described as Lot 4, DL 2104, KAP33473, SDYD and Lot 5, DL 2104, KAP33473, SDYD, Electoral Area 'C'/Christina Lake, be received.

Carried.

### G. APC Guide & Agenda/Minute Templates

Donna Dean discussed the draft APC Guide and Agenda/Minute template. She explained the proposed changes to each one. General discussion included meeting dates; the general public speaking at APC meetings; move 'delegations' item forward on the Agenda; table of applications; processing of APC minutes; giving consideration to appointing APC Vice-Chairs; and staff attendance at APC meetings to present the proposed new APC guide and Agenda/Minute template.

Moved: Director Russell Seconded: Director Gee

That the staff report regarding the draft revised Advisory Planning Commission Guidelines and draft agenda and minute templates be received.

Carried.

### H. Gas Tax Application

**RE: LED Lighting Project - Grand Forks Arena** 

Moved: Director Russell Seconded: Director McGregor

That the Electoral Area Services Committee recommends to the Regional District Board of Directors to support the \$40,000 Gas Tax Grant Application for the supply and installation of the 2015 LED Light project at the Jack Goddard Memorial Arena in Grand Forks.

Carried.

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### I. Grant in Aid Report

Moved: Director Grieve Seconded: Director Russell

That the Grant in Aid report be received.

Carried.

### J. Gas Tax Report

Moved: Director McGregor Seconded: Director Gee

That the Gas Tax report be received.

Carried.

### K. Westbridge Site Visits

Director Gee expressed her interest in having a representative from IHA, and the RDKB attend meetings in Westbridge for those affected by the wildfires. She would like to have information available such as who to contact regarding wells/drinking water and septic systems, the process of rebuilding, and floodplain regulations.

### L. Firesmart Grant Applications

Director Gee inquired if this grant application can be processed at the November Board of Directors meeting.

### M. APC Appreciation Dinner

Director Grieve addressed the topic of having alcohol provided at her APC appreciation dinner. Discussion evolved around whether tax payers should pay for alcohol at RDKB functions. The general feeling was that each Electoral Area Director can provide alcohol if they so wish, but not using taxpayer's money.

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### 7. LATE (EMERGENT) ITEMS

### A. EAS Budgeting

Director McGregor would like the Committee Members to start thinking about the EAS Budget and the possibility of a new Communications Officer for the RDKB.

### 8. <u>DISCUSSION OF ITEMS FOR FUTURE AGENDAS</u>

Director Gee inquired about the Building Inspection Report. Mark Andison, General Manager of Operations/Deputy CAO, advised that the report is an item on the upcoming Finance meeting agenda.

### 9. <u>CLOSED (IN CAMERA) SESSION</u>

An in-camera session was not required.

### 10. ADJOURNMENT

There being no further business to discuss, Chair Worley adjourned the meeting at 5:57 p.m.

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# ITEM ATTACHMENT # 6.A)

### RDKB MEMORANDUM OF COMMITTEE ACTION ITEMS ELECTORAL AREA SERVICES COMMITTEE

### Action Items Arising from Electoral Area Services Committee Direction (Task List)

**Pending Tasks** 

Date	Item/Issue	Actions Required/Taken	Status – C / IP
Feb. 14/13	Boundary Ag Plan Implementation	Consider areas 'C' & 'D' OCP review recommendations;	IP
		Consult with Area 'E' residents re: needs assessment survey recommendations;	
Mar.12/15	Building Inspection Service	Staff to research options (increase in fees/decrease in expenses); articulate	IP
		a plan for 2016	
	Partnership Agr maintenance of Kettle Valley	Staff to look into different models available to managing trails	IP
	Rail Trail (Area 'E')	(ownership/partnership/third party agreements)	
	Branding & Corporate Logo	Staff to look into a communication plan for inclusion in the next strategic plan sessi	on IP
May 14/15	Grant in Aid documentation process	Staff to research	ΙP
Oct. 22/15	Agricultural Liaison Officer position	Staff to work with RDCK and RDEK to assist with proposal development	ΙP
Nov. 18/15	Kettle River Watershed Plan	Staff to submit gas tax app to EAS Committee to cover Implementation costs	IΡ
Nov. 18/15	Kettle River Watershed Plan	Staff to provide update if additional gas tax funds needed by August 2017 or soone	er IP

### Tasks from Electoral Area Services Committee Meeting November 12, 2015

Date	Item/Issue	Actions Required/Taken	Status – C / IP
Nov. 12/15	Hein DVP	Sent to Board for approval	С
	LED lighting – Grand Forks Arena	Gas tax application sent to Board for approval	С



### Electoral Area Services Committee Staff Report

Prepared for meeting of January 2016

Zoning Amendment				
Owners:	File No:			
Jody Sherstobitoff and Troy Sherstobitoff				36-05532.020
Agents:				
Nick and Carolyn Sherstobitoff				
Location:				
Roger Road (145), north of Fruitvale, west of Highway 3B, Electoral Area 'A'				
Legal Description: Area:				) <i>:</i>
Lot 2, DL 1236, Plan NEP14720, KD 2			20.03	3 Acres
(8.10 Hectares)			Hectares)	
OCP Designation:	Zoning:	ALR status: DP Area:		DP Area:
Agricultural Resource 2/	Agricultural Resource 2/	Partially		No
Rural	Rural			
Prepared by: Carly Rimell, Planner				

### **ISSUE INTRODUCTION**

Nick and Carolyn Sherstobitoff as agents for their sons, Jody and Troy Sherstobitoff have applied for a zoning amendment to the Electoral Area 'A' Zoning Bylaw No. 1460 to amend Section 310 Minimum Parcel Area Exceptions so they may subdivide their (±8.10 Ha) property which was previously approved for subdivision by the Agricultural Land Reserve in Resolution #432/2005 (see Site Location Map; Subject Property Map; ALC Resolution #432/2005; Proposed Subdivision Survey).

### **HISTORY / BACKGROUND FACTORS**

Nick and Carolyn Sherstobitoff transferred ownership of the parcel to their sons, Jody and Troy. They wish to create two separate parcels so the sons can have individual titles.

In April 2005 the applicants applied for subdivision in the Agricultural Land Reserve (ALR). The proposal was to subdivide the property in half to create two 4 hectare (10 acres) parcels, to enable the construction of two single family dwellings, one for each son. The proposed access road would account for approximately 0.11ha.

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The application to the ALC was approved in Resolution #432/2005. The proposal was also supported by the Regional District of Kootenay Boundary at that time as there were different land use bylaws in place. The property was designated 'Rural' in the previous Electoral Area 'A' Official Community Plan Bylaw No. 850, 1997 and zoned 'Rural 3' in the Electoral Area 'A' Zoning Bylaw No. 984, 1998. The minimum parcel size in the 'Rural 3' Zone was 10 acres.

Since 2005 Electoral Area 'A' has adopted a new zoning bylaw and official community plan. Currently this property is split designated 'Agricultural Resource 2' and 'Rural' in the Electoral Area 'A' OCP Bylaw No. 1410, 2011 and zoned 'Agricultural Resource 2' and 'Rural' in the Electoral Area 'A' Zoning Bylaw 1460, 2014. The minimum parcel size for parcels to be created by subdivision must not be less than 8 hectares in the 'Agricultural Resource 2' Zone. The minimum parcel size for parcels to be created by subdivision must not be less than 4 hectares in the 'Rural' Zone; however 90% of the parcel is within the ALR and in the 'Agricultural Resource 2' therefore the minimum parcel size required under the current regulations is 8 hectares for this parcel.

The applicants wish to proceed in substantial compliance with the subdivision which was approved by the ALC's Resolution #432/2005. In order to do so they are applying to amend the current Electoral Area 'A' Zoning Bylaw No. 1460, Section 310 Minimum Parcel Area Exceptions.

### **PROPOSAL**

The applicants wish to amend Section 310 Minimum Parcel Area Exceptions in the Electoral Area 'A' Zoning Bylaw No. 1410 by adding the following after Section 310.6;

- 7. Notwithstanding the minimum parcel area requirements of the applicable zone, where:
- a) A parcel is located in the Agricultural Land Reserve;
- b) Approval to subdivide the parcel was granted by the Agricultural Land Commission prior to the adoption of this bylaw; and
- c) The size of the parcel being subdivided is greater than 8 hectares

the parcel may be subdivided such that no parcel created is less than 4ha in size, and the subdivision is in substantial compliance with the approval as granted by the Agricultural Land Commission. All such parcels may be used for any of the permitted uses in the zone within which they are located upon the date of enactment of this amendment, provided the use and development of the parcels, and any further subdivision of such parcels, complies with all other provisions of this bylaw as well as any pertinent Provincial acts, statutes, order or regulations.

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### **IMPLICATIONS**

The proposed subdivision of an 8 hectare property into two 4 hectares parcels of land in the 'Agricultural Resource 2' is against the OCP policies and objectives. However, this is a unique circumstance as the applicants have already received approval from the ALR, who's primary responsibility is to preserve agricultural land.

The proposed subdivision survey shows two parcels of 4.05 ha and 3.95 ha, which is contrary to the ALC's resolution. Assuming the zoning bylaw amendment is approved, the survey would have to be adjusted to equal sized parcels of 4 ha before the subdivision could proceed.

If this amendment to the Electoral Area 'A' Zoning Bylaw under Section 310 is supported it could allow for the select group with previous approval from the ALR to subdivide who also have a 8 ha or greater parcel and are hoping to subdivide into 2 parcels. The amount of residents in the RDKB who are in this situation is likely minimal and would not greatly affect future development in Electoral Area 'A'.

### **ADVISORY PLANNING COMMISSION COMMENTS**

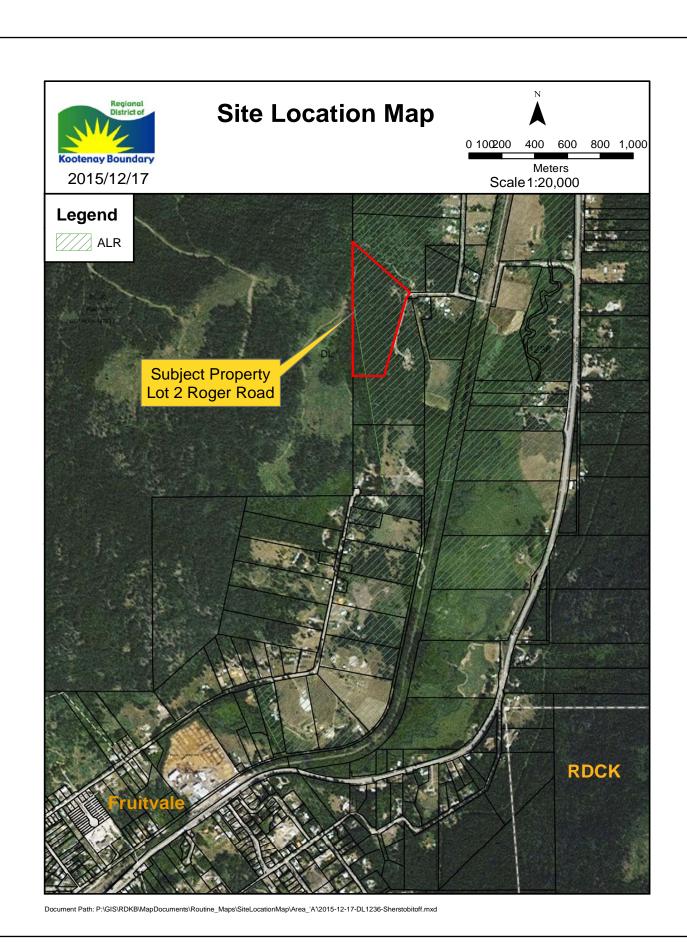
The Electoral Area 'A' APC was in support of this application as it had previously received approval from the ALC.

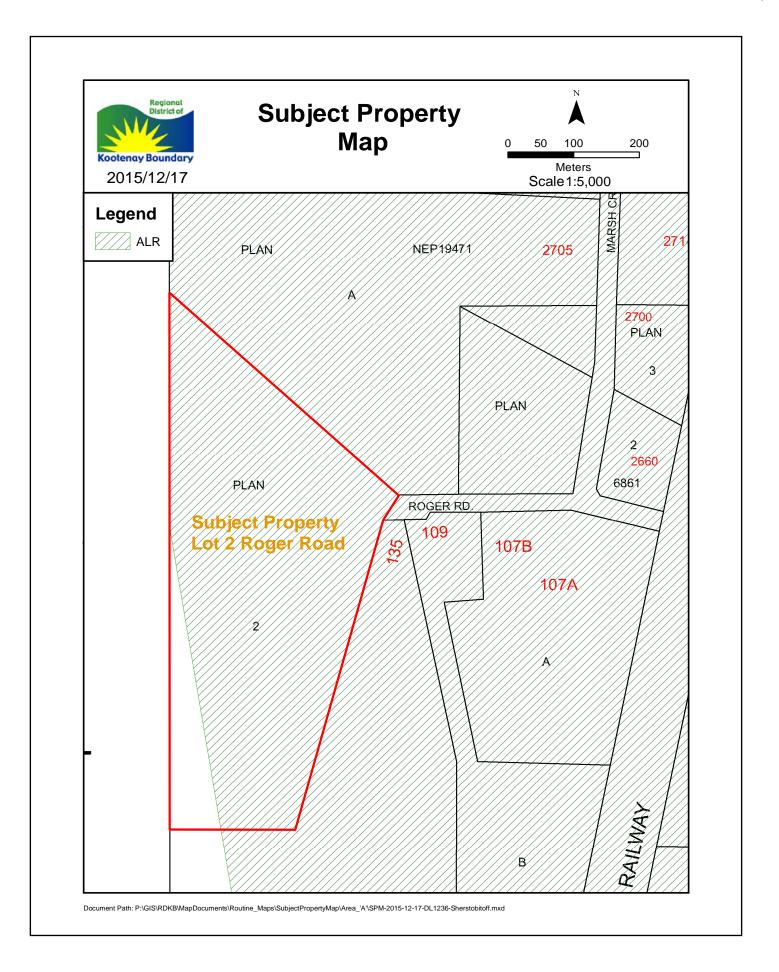
### RECOMMENDATION

That the application submitted by Nick and Carolyn Sherstobitoff as agents for Jody Sherstobitoff and Troy Sherstobitoff to amend Section 310 of the Electoral Area 'A' Zoning Bylaw No. 1460, 2014 to allow for an exception rule to minimum parcel size which would allow subdivision where previous approval to subdivide within the Agricultural Land Reserve was supported prior to the adoption of the zoning bylaw and that the size of the parcel being subdivided is greater than 8 ha, be supported AND FURTHER that the staff be directed to draft an amendment bylaw for presentation to the RDKB Board of Directors for first and second readings and to schedule and hold a public hearing on the proposed zoning bylaw amendment.

### **ATTACHMENTS**

Site Location Map Subject Property Map ALC Resolution #432/2005 Proposed Subdivision Survey







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

August 24, 2005

Reply to the attention of Ron Wallace

Jody & Troy Sherstobitoff SS1 - Site 25 - Comp 1 Fruitvale, BC - V0G1L0

Dear Sir/Madam:

RE:

Application #Q-36077

PID: 011-901-276

Lot A, District Lot 1236, Kootenay District, Plan 12722;

PID: 010-441-182

Lot 2, District Lot 1236, Kootenay District, Plan 14720.

The Provincial Agricultural Land Commission (the "Commission") has now concluded its review of your application to subdivide each of the properties at 145 and 107 Roger Road into two. The application was submitted pursuant to section 21(2) of the *Agricultural Land Commission Act* (the "ALCA").

The Commission wishes to thank you for taking the time to meet with its representatives on 10<sup>th</sup> August 2005. The Commission found the meeting and site visit informative. In particular, it noted that the property at 145 Roger Road is very steep and appears to have no agricultural potential and the property at 107 Roger Road is physically separated into two by Roger Road.

The Commission writes to advise that it approved your application subject to compliance 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. The Commission suggests you contact the Kootenay Boundary Regional District at your earliest convenience.

The decision noted above is recorded as Resolution # 432/2005.

Please send two (2) paper prints of the final survey plans to this office well in advance of commencing registration at the Land Titles Office. When the Commission confirms that the subdivision plan is acceptable and verifies that all conditions of approval have been met it will authorize the Registrar of Land Titles to accept the application for deposit of the plan. Please quote your application number in any future correspondence.

Yours truly,

PROVINCIAL AGRICULTURAL LAND COMMISSION

Per:

Erik Karlsen, Chair

bc:

Regional District of Kootenay Boundary (#A-1236-05532.020)

BC Assessment, Cranbrook

RC/lv/36077d1

Resolution # 432 /2005 Application # Q- 36077

### MINUTES OF THE PROVINCIAL AGRICULTURAL LAND COMMISSION

Minutes of a meeting held by the Provincial Agricultural Land Commission (the "Commission") on 10<sup>th</sup> August 2005 at the Kuskanax & Tenderfoot Lodge, Nakusp, B.C.

PRESENT:

Monika Marshall

Chair

Cheryle Huscroft

Commissioner

Carmen Purdy

Commissioner

STAFF:

Roger Cheetham, Planning Officer

### For Consideration

Roger Cheetham presented the staff report of Simone Magwood, Regional Research Officer, dated 7<sup>th</sup> July 2005 regarding application # Q - 36077.

### Site Inspection

A site inspection was conducted on 10<sup>th</sup> August 20005. Those in attendance were:

- · Commissioners Marshall, Huscroft & Purdy
- · Agricultural Land Commission Staff: Roger Cheetham, Planning Officer
- Fred and Nick Sherstobitoff

The Commission noted that Property one at 145 Roger Road is very steep and has no agricultural potential. Property two at 107 Roger Road is physically separated by Roger Road.

The site inspection lasted from 11:10 a.m. to 11:20 a.m.

**Commission Discussion:** The Commission considered that neither proposal would have any impact on agriculture, given that Property one at 145 Roger Road is steep and has no potential and Property 2 at 107 Roger Road is physically separated into two by the road. The Commission considered that the applicants should be advised that the Commission was willing to consider an exclusion application for the property at 145 Roger Road.

**IT WAS** 

MOVED BY:

Commissioner C. Purdy

SECONDED BY: Commis

Commissioner M. Marshall

THAT the staff report be received and the application be approved.

This approval is subject to compliance with any other enactment, legislation or decision of any agency having jurisdiction.

CARRIED

# Staff Report Application # Q - 36077 - 0 Applicant: Jody & Troy Sherstobitoff and

### Nick, Carolyn, Jody, Troy and Tanya Sherstobitoff Locations: 145 Roger Road and 107 Roger Road near highway 3 north of Fruitvale

DATE PREPARED: July 7, 2005

TO: Chair and Commissioners – Kootenay Panel

FROM: Simone Magwood, Regional Research Officer

**PROPOSAL:** Two subdivision proposals are being considered under this file:

1. To subdivide an 8 ha property into two 4 ha properties

2. To subdivide the 6.2 ha property into two lots, one 1.9 ha lot and one of

4.3 ha.

These applications are made pursuant to section 21(2) of the Agricultural

Land Commission Act.

### BACKGROUND INFORMATION:

There are two properties under application that are owned by members of the same family.

Property 1: (145 Roger Road) is owned by Jody and Troy Sherstobitoff who have inherited the property from their parents. They wish to subdivide so they can have individual titles. Both parcels will be accessed by Roger Road and no more than 0.11 ha will be needed to create an access road for this parcel.

Property 2: (107 Roger Road) is owned by 5 members of the Sherstobitoff family. They wish to subdivide this property as divided by the road. No further development plans are included in the application.

The subject parcels were created by subdivision by the previous owners of the properties (the applicants' parents and grandparents). These owners had applied for subdivision three times previously: applications, # 00872, # 13321 and # 23934. All three applications were approved.

### **Local Government:**

Regional District of Kootenay Boundary

### **Legal Description of Properties:**

- PID: 010-441-182 Lot 2, District Lot 1236, Kootenay District, Plan 14720
- PID: 011-901-276
   Lot A, District Lot 1236, Kootenay District, Plan 12722

### **Purchase Dates:**

Property 1: October, 2004 Property 2: Not known

### **Location of Properties:**

145 Roger Road and 107 Roger Road - near Highway 3, north of Fruitvale

### Size of Properties:

Property 1: 8 ha (almost the entire property is in the ALR). Property 2: 6.2 ha (the entire property is in the ALR).

### Present uses of the Properties:

Property 1. no buildings, timber

Property 2. one residence and storage shed.

### **Surrounding Land Uses:**

### Property 1.

NORTH: Raw land, forest (ALR)
EAST: Raw land, residence (ALR)
SOUTH: Raw land, forest (ALR)

WEST: Raw land, mountain, timber (non-ALR)

### Property 2.

NORTH: Single family dwelling (ALR)
EAST: Raw land, swamp (ALR)
SOUTH: Railway, grazing beyond (ALR)

WEST: Hill, tree, single family dwelling, grazing (ALR)

### **Agricultural Capability:**

Data Source: Agricultural Capability Map # 82F/4

The majority of the property is identified as having Secondary ratings.

### Official Community Plan and Designation:

Both parcels are designated Rural in the Area 'A' OCP Bylaw No. 950,

### **Zoning Bylaw and Designation:**

Both parcels are zoned Rural 3 in the Area 'A' Zoning Bylaw No. 984, 1998. The minimum parcel size is 4 ha.

One of the lots proposed to be created from property two (proposed for north of Roger Road) is below the minimum parcel size of 4 ha in the Rural 3 Zone, however; the proposed subdivision is allowed pursuant to Section 306(70) of the Area 'A' Zoning Bylaw no. 984, 1989, which states that parcels that are physically separated by an existing improved public road shall be permitted to be subdivided, regardless of the minimum parcel size of the zones in which such parcels are located.

### PREVIOUS APPLICATIONS:

Application #00872-0

Applicant: N.W.Sherstobitoff, et al.

Decision Date: July 26, 1976

Proposal: To adjust the boundary of two parcels to create two 6 ha parcels.

Decision: Allowed.

Note: This subdivision created property 2. (PID: 011-901-276)

Application #13321-0

Applicant: N.W.Sherstobitoff, et al.

**Decision Date:** September, 29, 1981 **Proposal:** To subdivide the property into 4 lots, one 16 ha lot and three 8.4 ha lots

Decision: Allowed.

Note: This subdivision created property 1. (PID: 010-441-182)

### RELEVANT APPLICATIONS:

Application #23934-0

Applicant: N.W Sherstobitoff, et al.

Decision Date: January 15, 1990

**Proposal:** To subdivide the 17.7 ha property into two lots of 8.0 ha and 9.7 ha.

**Decision:** Allowed subject to the removal of the mobile home when construction of a

permanent dwelling was completed.

Application #29685-0

**Applicant:** Boychuk, Robert **Decision Date:** May 15, 1995

Proposal: Subdivide the 8.1 ha parcel into two lots of approximately equal size, for financial

reasons.

**Decision:** Refused because of reduction in agricultural capability.

Page 4 – July 7, 2005 Shar Report
Re: Application # 36077

LOCAL GOVERNMENT RECOMMENDATIONS/COMMENTS:

Advisory Planning Commission: Members of the Electoral Area 'A' Advisory Planning
Commission (ACP) support the proposal.

The Planning and Development Committee: The Committee recommended to the Regional
District of Kootenay Boundary Board of Directors that the application be supported.

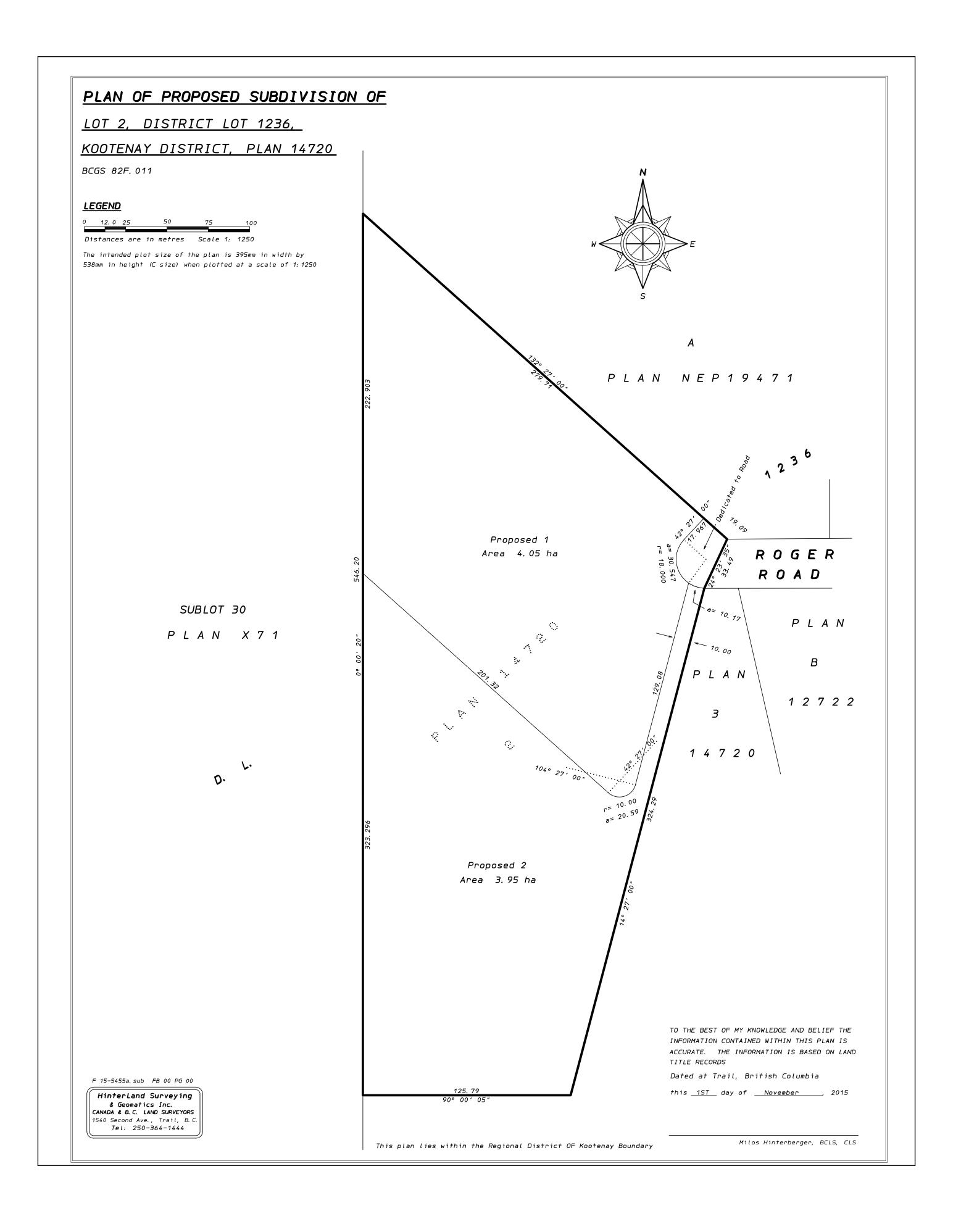
Regional District of Kootenay Boundary Board: The Regional Board supports the application.

STAFF COMMENTS:

Staff recommends a site visit to determine the agricultural suitability of the parcels.

END OF REPORT

Date





### Electoral Area Services Committee Staff Report

Prepared for meeting of January 2016

Development Variance Permit					
Owners:			File No:		
Sharon and Patrick W		C-3063s-07038.000			
Location:					
3173 East Lake Drive, Electoral Area 'C'/Christina Lake					
Legal Description:			Area:		
Lot 3, DL 3063s, SDY	D, Plan 10615		0.19 acres (769m²)		
OCP Designation:	Zoning:	ALR status	s: DP Area:		
Waterfront Residential	Waterfront Residential 2 (R2)	No	Waterfront Environmentally Sensitive		
Report Prepared by	Carly Rimell, Planne	r	•		

### **ISSUE INTRODUCTION**

Sharon and Patrick Walls have applied for a Development Variance Permit to construct a single family dwelling (cottage) within the front parcel line setback of East Lake Drive, and within the setback from the natural boundary on residential property at Christina Lake (see Site Location Map).

The RDKB Board of Directors approved the same Development Variance on January 27, 2011; however that Permit has lapsed and the owners are therefore required to reapply.

### **HISTORY / BACKGROUND FACTORS**

The subject property is located at 3173 East Lake Drive. The property is designated as 'Waterfront Residential' in the Electoral Area 'C'/Christina Lake OCP Bylaw 1020, 2001 and zoned 'Waterfront Residential 2' (R2) in the Electoral Area 'C'/Christina Lake Zoning Bylaw 1300, 2007. The property abuts Christina Lake, and therefore is in the 'Waterfront Environmentally Sensitive Development Permit Area'.

As with most lots in this area, the lot is divided by East Lake Drive. The portion between the lake and East Lake Drive is relatively small. The applicants wish to construct a cottage  $9.1m \times 6.1m (30' \times 20')$  on the lake front portion of the lot. There currently is no permanent dwelling unit on the property.

Page 1 of 4

When this application was before the APC in March 2010, the APC expressed no concerns. At the Electoral Area Services Committee level, concerns were raised not with the proposal itself, but rather with the accuracy of the natural boundary setback request. The EAS deferred the application while the applicant had a new survey done to assess the location of the natural boundary.

The new survey showed the natural boundary had changed from that originally established in 1919. The "new" natural boundary was re-established as the retaining wall on the property. This change increased the distance of natural boundary variance that was being requested. Although the size of the variance request changed as a result of the survey, the proposal did not. The applicants did not amend the size, location or siting of the cottage. The building, the lot, everything in the application remained the same, except of the location of the natural boundary.

### **PROPOSAL**

The applicants seek a Development Variance Permit to allow them to construct a dwelling unit within the two referenced setbacks of the property. The parcel is divided by East Lake Drive. As with many parcels in this area, the portion above the road is very steep and difficult to develop, while the portion between the lake and road is quite small (see Subject Property Map).

The proposed layout of the structure and the rationale for the requested variances is set forth in the application *(see Applicant's Submission)*.

The applicant requests the following variances:

- Decrease the setback from the natural boundary of Christina Lake of 4.33m (from 7.5m to 3.17m);
- Decrease the front parcel line setback of 4m (from 4.5m to 0.5m)

### **IMPLICATIONS**

In considering applications for Development Variance Permits, the RDKB generally considers whether the proposed variance will:

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

The applicants assert the requested variances are necessary to resolve a hardship. They assert the developable portion of the lot is quite small, and they are proposing a modest cottage to accommodate this. They suggest the portion of the property across the road is not appropriate for a dwelling due to topography. They propose constructing a septic tank on the lake side of the road, and pumping the effluent across the road to the upper level of the property. However, because of the small size of the lot, they contend they need to build within the requested setbacks to accomplish this.

Page 2 of 4

They suggest their proposal will improve the development. Rather than a temporary or makeshift campsite, they assert a modest cottage nestled on the lot, properly hooked to septic system, would improve the neighbourhood development scheme.

The potential negative impacts to neighbouring properties have been a concern in the past. The applicants dispute the accuracy and degree of these. If this application proceeds further, letters will be sent to neighbouring property owners advising them of the proposal and providing opportunity to comment.

If the setback from the natural boundary is approved, the applicants will require a Site Specific Exemption to the Floodplain Bylaw, as the structure would be within the 7.5 metre floodplain setback.

If the Development Variance Permit is supported the applicants will also require a Development Permit as the property lies within the Environmentally Sensitive Development Permit Area.

### **REFERRALS**

As the applicant requests a DVP within the 4.5m of the front parcel line setback from East Lake Drive, it will require approval from the Ministry of Transportation and Infrastructure.

Accordingly, the application was referred to the Ministry when the initial application was submitted in 2010. MoTI responded will the following comments;

" In response to the referral for a development permit for the above noted file, the Ministry still stands by the response submitted October 15, 2010 by Donna Fitzpatrick.

"As noted previously, the Ministry of Transportation and Infrastructure does not support reduction of front yard setbacks for the construction of carports or garages. No specific details have been provided to indicate if the proposed building envelope includes these. Because the survey posting plan indicates there is 5.3m to 5.9m offset from the edge of existing pavement to the property line, the Ministry is willing to approve a reduction of the front yard setback from 4.5m to 0.5m, providing a carport or garage is not included in the design. A Variance permit will be necessary from the Ministry, application to include a detailed design drawing.

In order to accommodate a 0.5m setback, the Ministry's right-of-way will in all likelihood be affected during excavation/construction. Prior to any construction, a permit for Work Within Crown Land is also required. The application is to include engineered drawings indicating how the Ministry's right-of-way and the infrastructure for East Lake Drive will be impacted by excavation/construction and how it will ensure the road prism is not compromised."

Page 3 of 4

The Planning and Development Department inquired whether or not the applicant ever applied and received these permits. The Ministry of Transportation and Infrastructure confirmed that they never received applications for a variance permit or a permit to work within the Ministry's right of way.

### **ADVISORY PLANNING COMMISSION COMMENTS**

It was moved, seconded and resolved that the APC recommends to the Regional District that the subject application be supported (by consensus).

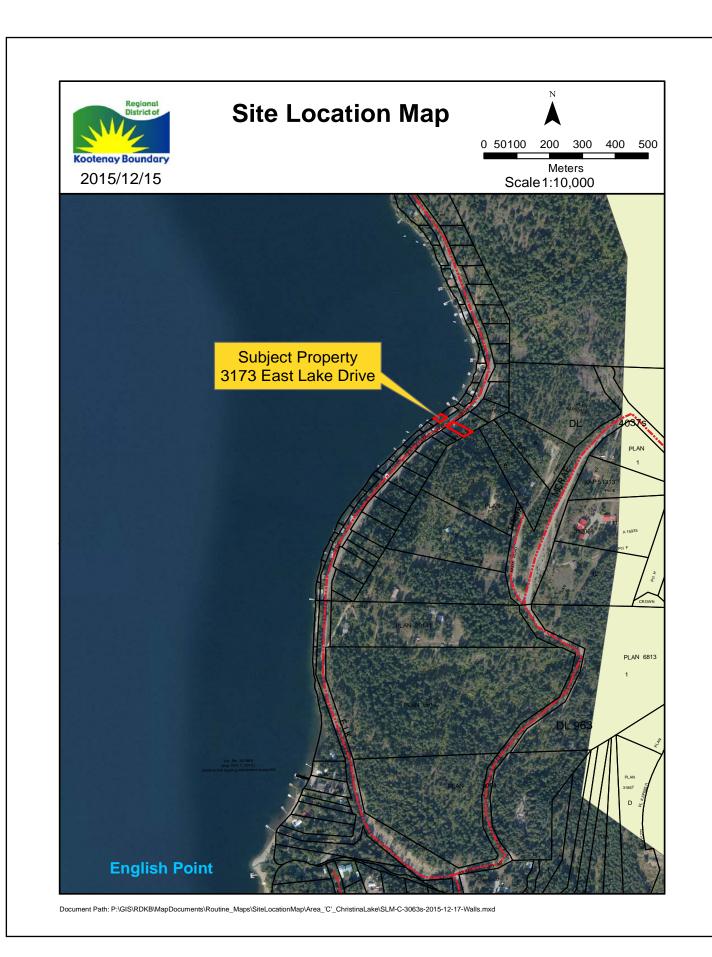
### RECOMMENDATION

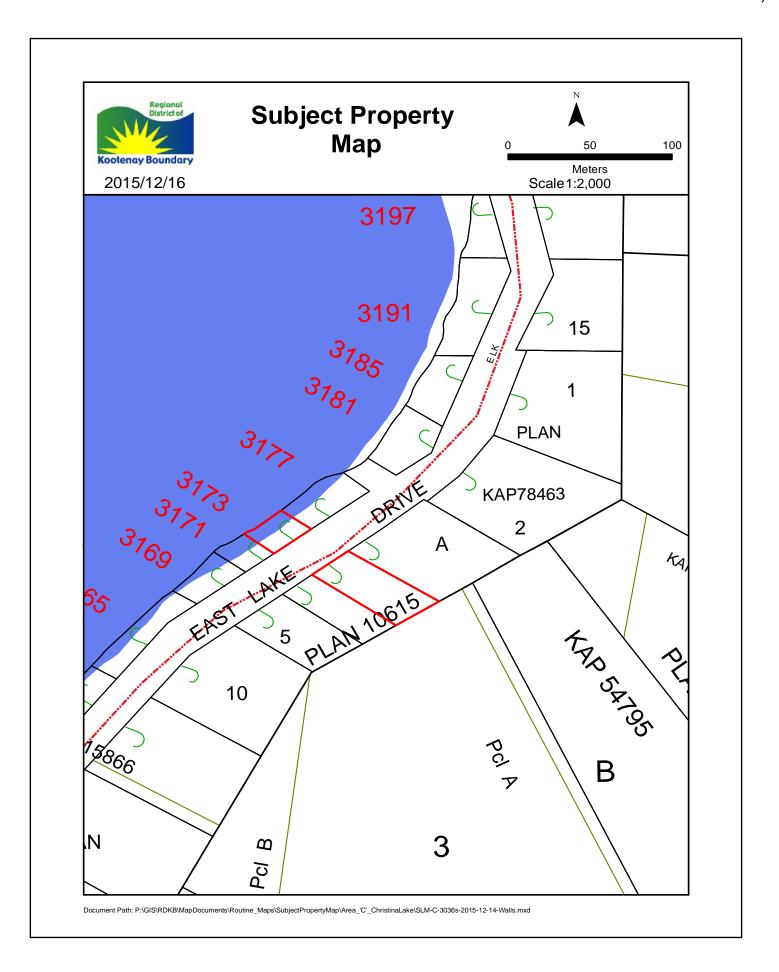
That the Development Variance Permit application submitted by Sharon and Patrick Walls to allow for a decreased setback from the natural boundary of Christina Lake of 4.33m (from 7.5m to 3.17m) and a decreased setback from the front parcel line of 4m (from 4.5m to 0.5m) to construct a single family dwelling on the property legally described as Lot 3, DL 3063s, SDYD, Plan 10615, Electoral Area 'C'/Christina Lake be presented to the Board for consideration, with a recommendation of support.

### **ATTACHMENTS:**

Site Location Map Subject Property Map Applicant's Submission

Page 4 of 4





C -	30635-	07038.000
		Applicants' Submission

December 8, 2015

Jeff Ginalias
Planner
Regional District of Kootenay Boundary
201-843 Rossland Avenue
Trail, B.C. V0H 1H0

Dear Jeff:

Re: Development Variance Permit Application 3173 East lake Drive, Christina Lake, B.C. LOT: 3, DL 3063s, SDYD, Plan 10615

Further to our discussions and correspondence, please find enclosed the necessary application and fees for a Development Variance Permit as noted above.

Our original DVP, issued in January 2011, lapsed before we could commence construction of a cottage. We did, however, proceed within Department of Highways Permit/Guidelines, and within the original two year DVP window, to install the necessary pipes (under East Lake Drive) to accommodate future septic flow. This was completed under the direction of a P.Eng. (Pointe One Engineering) and a Christina Lake Gravel and Contracting Ltd.

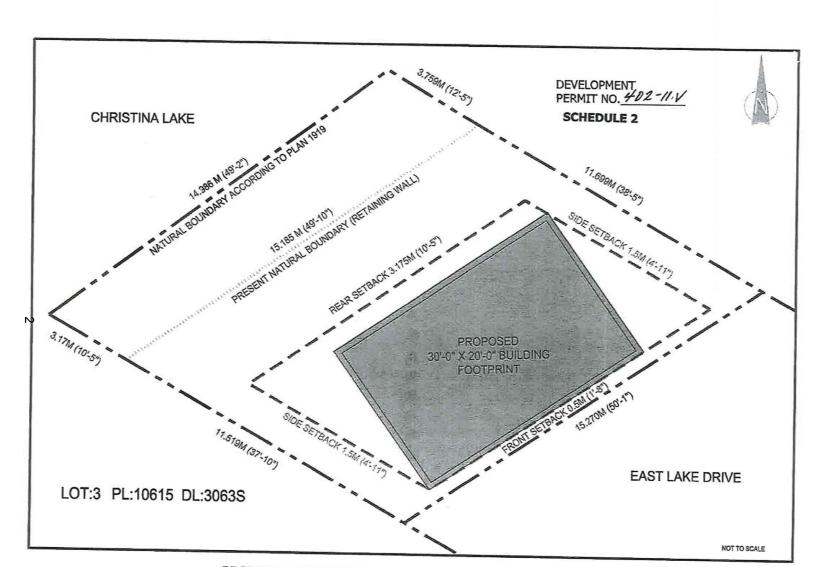
We did not have the necessary financing in place to continue with our building plans. Subsequently, the permit lapsed. We are now trying to put finances in place to continue with our original plans. FYI, we have completed the first phase of a building plan with a Trail, B.C. contractor. As well, we have continued to consult and plan the septic system with Pointe One Engineering.

The necessary application and cheque for DVP fee, as well as additional supporting documents are enclosed. Please advise if you require any additional information at this time.

Yours sincerely,

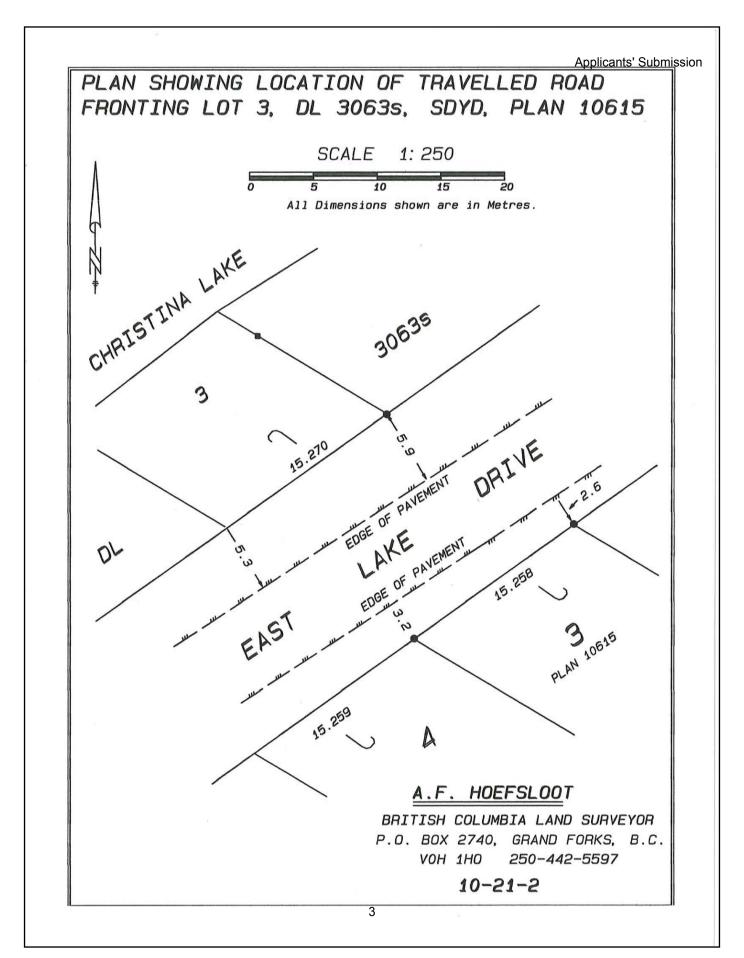
Patrick and Sharon Walls

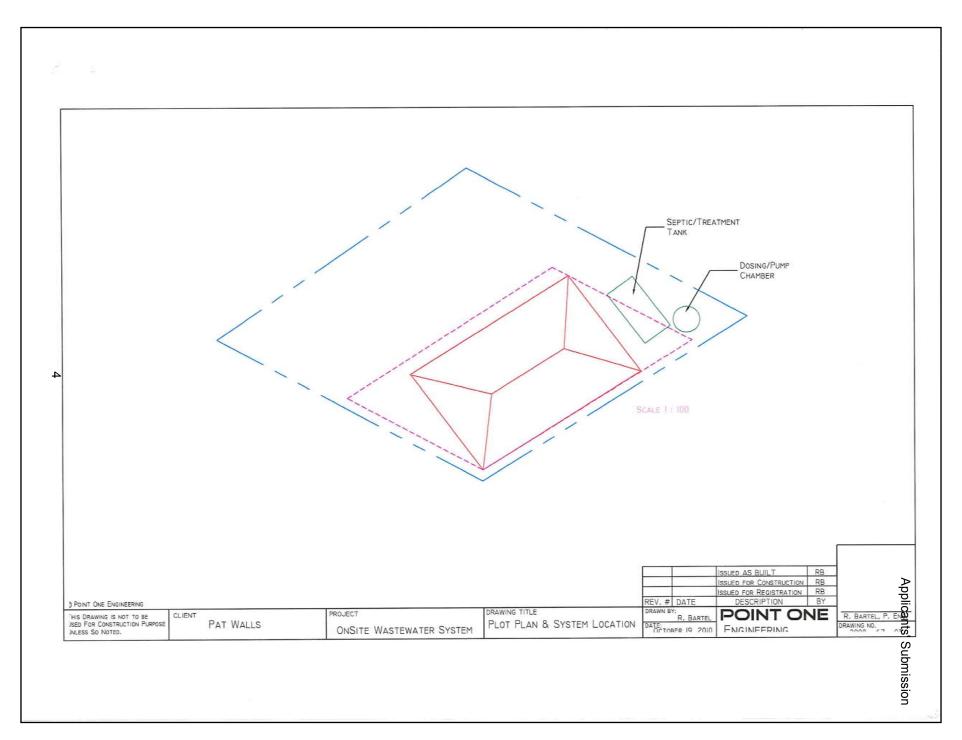
Applicants' Submission

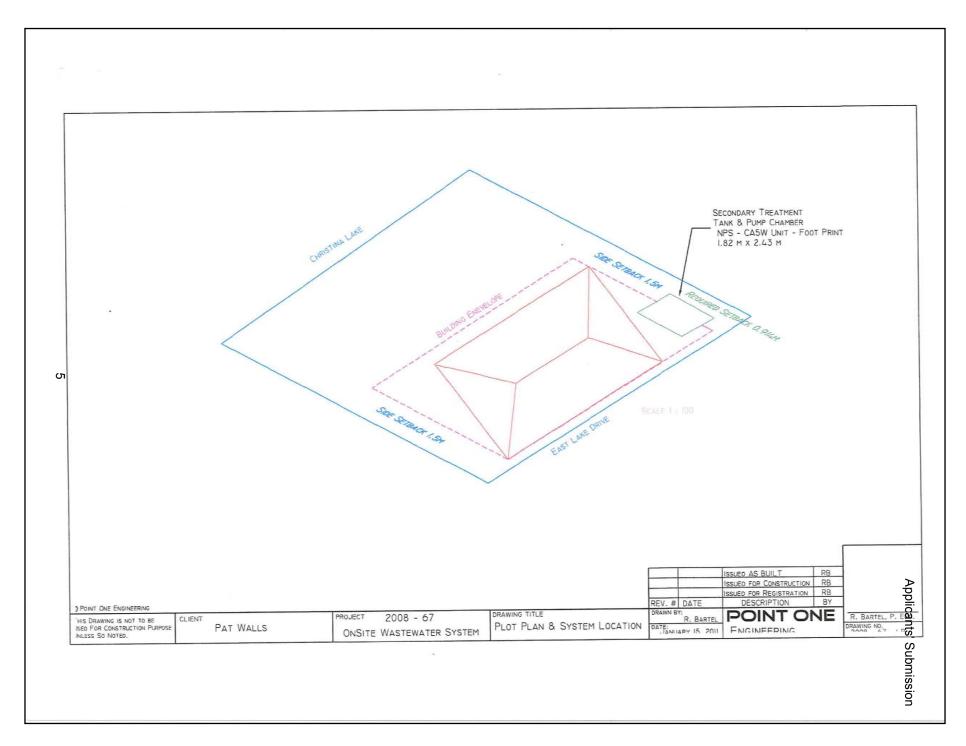


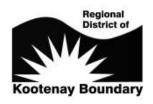
PROPOSED AMENDED WATERFRONT RESIDENTIAL 2 ZONE SETBACKS - FROM PRESENT NATURAL BOUNDARY (RETAINING WALL)

ALL DIMENSIONS, LAYOUTS, & CALCULATIONS ARE APPROXIMATE & MUST BE VERIFIED ON SITE PRIOR TO ANY CONSTRUCTION.









Prepared for meeting of January 2016

	Development	Variance Per	mit		
Owners:			File No:		
Elwood and Nancy Kehler		C-317-02535.011			
Location: 102 Sandner Road, E	lectoral Area 'C'/Chris	stina Lake			
Legal Description:			Area	rea:	
Lot 1, DL 317, SDYD, Plan KAP33410			0.628 acres		
			(2541	m²)	
OCP Designation:	Zoning:	ALR status	;	DP Area:	
Residential	Single Family Residential 1 (R1)	No		Waterfront Environmentally Sensitive Development Permit Area	
Report Prepared b	Carly Rimell, Plan	ner			

#### **ISSUE INTRODUCTION**

Elwood and Nancy Kehler have applied for a Development Variance Permit to construct an accessory building to store their vehicle, recreational vehicle and boat on their residential property at 102 Sandner Road, Christina Lake. They seek a height variance to the accessory building of 2.7 meters (from 4.6m to 7.3m).

#### **HISTORY / BACKGROUND FACTORS**

The subject property is located at 102 Sander Road (see Site Location Map; Subject Property Map; Applicants' Submission). The property is designated 'Residential' in the Electoral Area 'C'/Christina Lake Official Community Plan and zoned 'Single Family Residential 1' (R1) in the Electoral Area 'C'/Christina Lake Zoning Bylaw.

On the property there is a single family dwelling, cabin and shed. The proposed accessory building would be located on the southern portion of the property.

#### **PROPOSAL**

The applicants propose to construct an accessory building on the south section of their property for storage of their personal vehicle, boat and recreational vehicle. The

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proposed accessory building is 12.2m x 12.2m. The proposed siting of the accessory building appears to meet the required setback of 3.0m from the interior parcel lines. Due to the topography of the parcel and its steep terrain on the southern portion it will be built well away from the rear parcel line into the slope. In order to accommodate the recreational vehicle the applicants request;

• A height variance of 2.7m (from 4.6m to 7.3m) for an accessory building

#### **IMPLICATIONS**

In considering applications for Development Variance Permits, the RDKB generally considers whether the proposed variance will:

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

The variance is requested as the applicants' RV is nearly the maximum height for accessory buildings accepted in the R1 Zone. The applicant would prefer to have a pitched roof; and therefore is requesting the height variance. If the variance is approved it would allow for the storage of their RV, boat and vehicle.

The applicants suggests the addition of an accessory building will improve development as it will increase the visual appeal of the property and overall property value. The proposed accessory building will use the same motif as the single family dwelling constructed of cedar posts, cedar shakes and a black shingled roof.

The applicant further suggests the development will not have adverse impacts on neighbouring properties or obstruct views. The applicants provided the following details regarding neighbouring property owners;

- North: There is no property owner to the north as this is a lakefront parcel
- <u>East</u>: The development would be visible to the neighbouring property owner *(see Applicants' Submission)*
- <u>South</u>: The development would not be visible to the neighbouring properties due to the topography and vegetation
- <u>West</u>: The development would not be visible to the neighbouring property due to the topography and vegetation

If the application proceeds further, letters will be sent to neighbouring property owners advising them of the proposal and providing opportunity to comment.

The proposal does not require an application for the Waterfront Environmentally Sensitive Development Permit Area as it does not contain a dwelling unit or sleeping quarter.

The proposed siting for the accessory building is not within the 200 year floodplain; therefore it is not subject to the RDKB Floodplain Bylaw.

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#### **ADVISORY PLANNING COMMISSION COMMENTS**

It was moved, seconded and resolved that the APC recommends to the Regional District that the subject application be supported (by consensus).

#### **RECOMMENDATION**

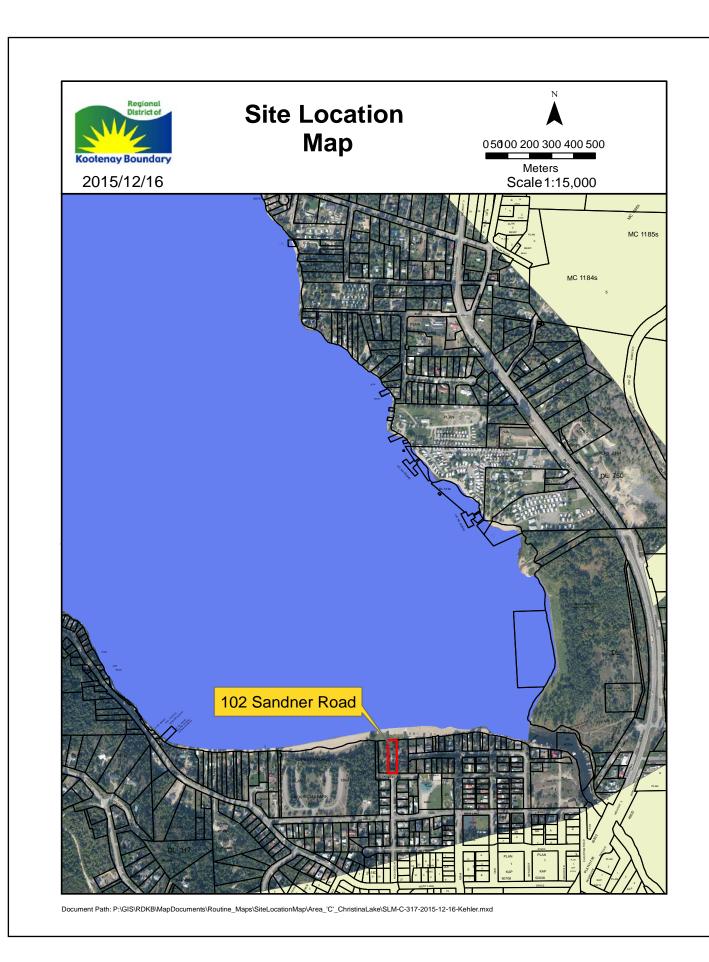
That the Development Variance Permit application submitted by Elwood and Nancy Kehler to allow a height variance of 2.7m (from 4.6m to 7.3m) for an accessory building on the property legally described as Lot 1, DL 317, SDYD, Plan KAP33410, Electoral Area 'C'/Christina Lake, be presented to the Board for consideration, with a recommendation of support.

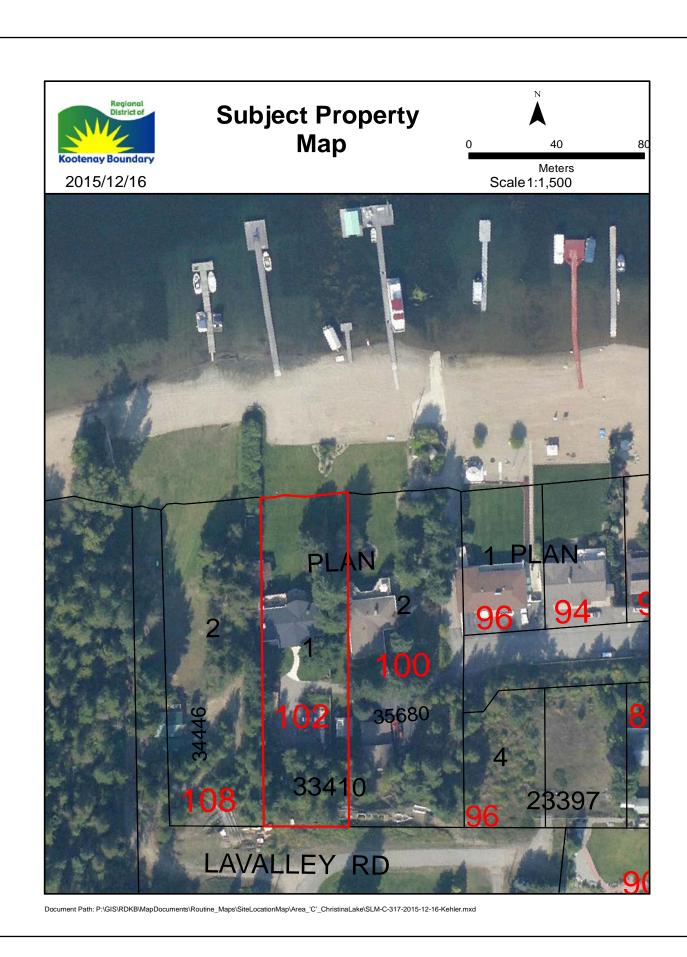
#### **ATTACHMENTS**

Site Location Map Subject Property Map Applicants' Submission

Page 3 of 3

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# Planning and Development Department Application Form Electoral Areas "A" to "E" Supporting Information

#### Reasons for Requesting this Application:

Our proposal is to build a carport near the rear of our property in order to park and protect our vehicle, boat and RV from the weather elements.

We are respectfully requesting a height variance permit to a total height of 7.3152 metres or 24 feet in order to accommodate the height of our boat and RV.

Our plan is to build the carport into the bank of the steep hill to the back or south side of our property with an engineered concrete rear retaining wall, engineered concrete footings and concrete flooring.

#### I. Resolve a hardship

The carport/garage will allow us to keep our RV, boat and vehicle under cover to protect them from sun, rain and snow damage.

This will reduce the loss in financial value of these assets caused by weather elements.

This will decrease the cost of maintenance for these assets, especially the RV and boat.

#### II. Improve the Development

The design and placement being built into the steep hill on the rear of our property would substantially increase:

- the visual appeal of the property
- the integrity of the steep slope
- · the overall property value

The exterior finished design for the carport is to have it mirror our house exterior.

- Black shingled roof
- Cedar shakes on the north facing gable
- Cedar posts

1|Page

Elwood Kehler Nancy Servante (Kehler) Development Variance Permit

#### III. Impacts on neighboring properties

- There would no impact at all to any neighboring property to the north, west and south.
- North: There is only the lake on the north side of our residence which is located between the proposed carport and the lake. It would not be visible from the lake shore.
- **West**: The development would not be visible to the neighboring property to the west due to the steep hill and trees to the west of it.
- South: The development would not be visible to the neighboring properties to the south due to the steep hill and trees behind it.
- **East:** The development would be visible to the neighboring property to the east.

#### However:

- The development will be on the south, back end of our property and built into the steep hill, which is the same as where the neighbor's accessory building is located on their own property. They have a garage and suite above the garage located in approximately the same relative position on their property.
- o The finished height will not be higher than this neighbor's own accessory building which consists of a garage with a suite on top.
- The development would not hinder or block the neighboring property's view as it:
  - will be to the southwest end (opposite view from the lake) of their property.
  - will be substantially below the steep hill and tree line.
  - will actually improve the view from the neighbor's property as we will remove the current small shed from our property.



## Owner Report

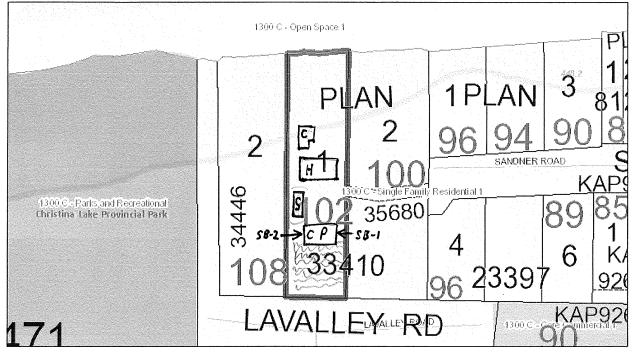
Tuesday, November 24, 2015

Lot Area: 0.628

Area Unit: acr

Width (ft): 0

Depth (ft): 0



Scale 1: 1,317

Jurs: 712

Roll: 2535011

PID: 003-196-925

Section:

Township:

Land District: 54

#### Legal Information

Plan: KAP33410

Block:

Lot: 1

District Lot: 317

Street: 102 SANDNER RD

Description:

Owner Information:

ELWOOD B. KEHLER

NANCY L. KEHLER

PO BOX 150 CHRISTINA LAKE BC V0H1E0

Legend:

C - Cabin

H - House

Set-Back - SB-1 = 4.5 M

Set-Back-SB-2 = 7.62 14

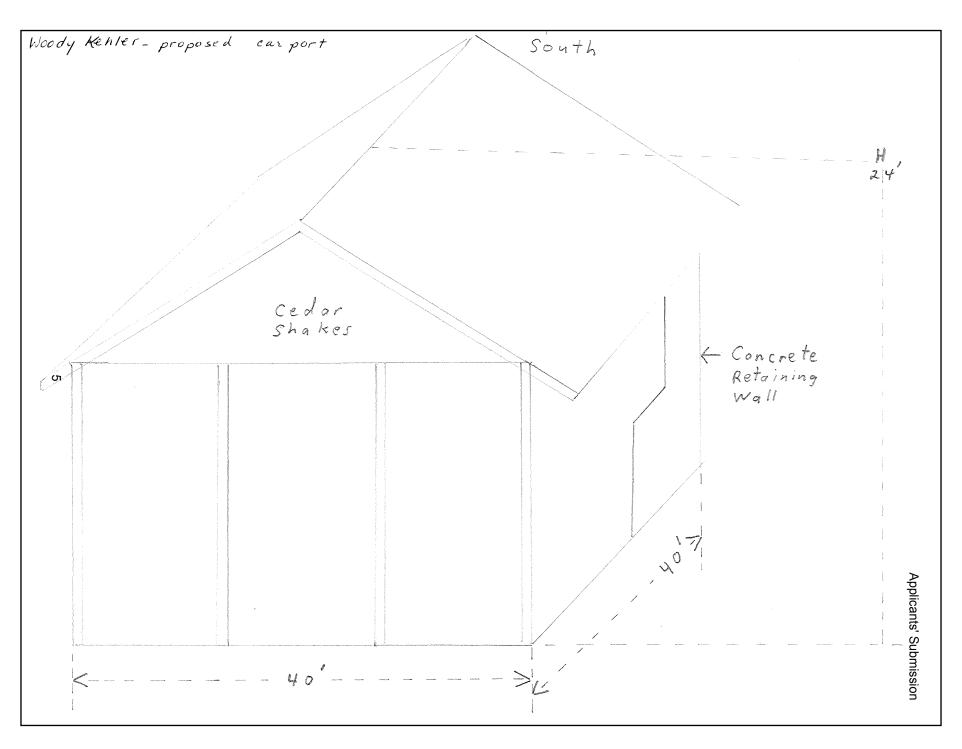
( 5 - Shed - to be removed)

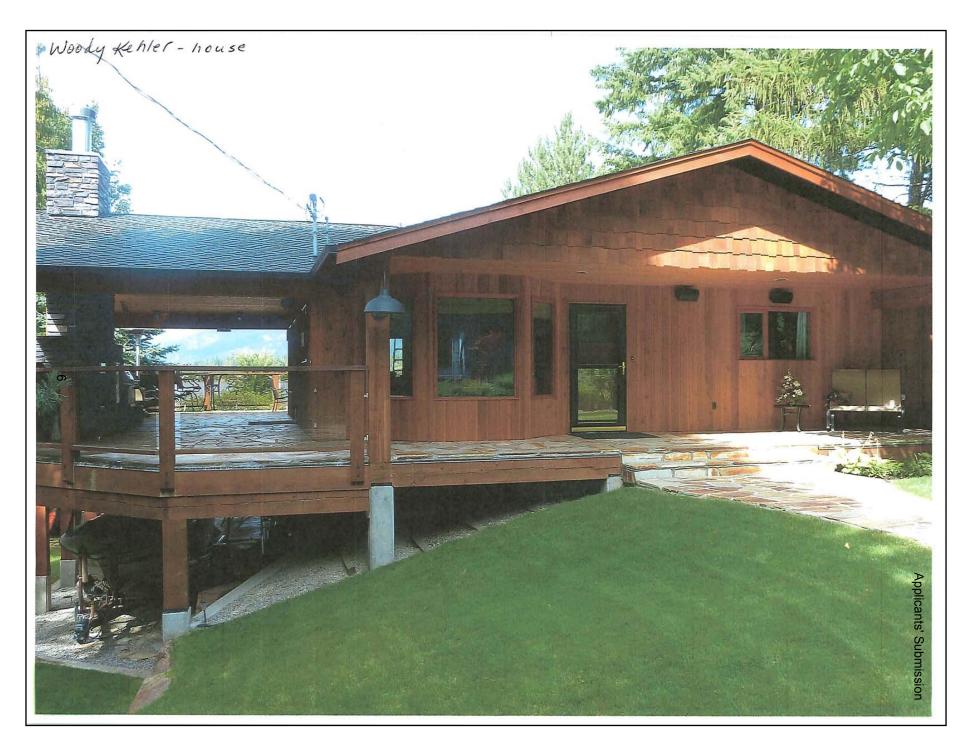
\* \* CP- Car Port-Proposed \* \* www Steep Hill

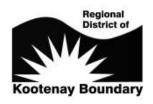
This report and map is for general information only. The RDKB does not guarantee its accuracy or correctness. All information CONFIDENTIAL should be verified. This ownership information should be used for internal government use only and is to be kept confidential.

Page 1 of 1

ITEM ATTACHMENT # 7.C)







Prepared for meeting of January 2016

Subdivision Referral - Ministry of Transportation and Infrastructure				
Owner:				File No:
Frans (Frank) Van Oyen				E-730s-04013.005
Location:				
3230 Christian Valley Road, 4km north of Westbridge, Electoral Area 'E'/West Boundary				
Legal Description: Area:				
DL 730s, Except Plan 33808 and KAP48435, SDYD			288 acres (116.5 ha)	
OCP Designation:	Zoning:	ALR status:		DP Area:
N/A	N/A	Partially within		N/A
Prepared by: Carly Rimell, Planner				

#### **ISSUE INTRODUCTION**

The Regional District has received a referral from the Ministry of Transportation and Infrastructure for a conventional subdivision of the subject property located off Christian Valley Road, north of Westbridge in Electoral Area 'E'/ West Boundary (see Site Location Map; Subject Property Map).

#### **HISTORY / BACKGROUND FACTORS**

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

The property is partially within the Agricultural Land Reserve (ALR). The owner previously applied to subdivide in the ALR in 2014. The application for a conventional 2 lot subdivision was supported by the Agricultural Land Commission (ALC) in Resolution #265/2015. The ALC Resolution requires that the subdivision be in substantial compliance with plan submitted with the application *(see ALC Subdivision Proposal Map for Resolution 265/2015)*. The applicant was given 3 years to complete the subdivision.

#### **PROPOSAL**

The applicant seeks to subdivide the parcel in half; the north section  $\pm 56$  ha and the south section  $\pm 57$  ha.

Page 1 of 3

P:\PD\EA\_'E\E-730s-04013.005 Van Oyen\2016-Jan-MOTI-Subdivision\EAS\2016-01-07-VanOyen\_EAS.docx

#### **IMPLICATIONS**

The Interior Health Authority recommends for lots that are not serviced with community water that a minimum parcel area of 1ha be required. Both lots would meet this size. The Interior Health Authority will likely be a referral agency as MoTI processes this application.

If the subdivision is approved, access to the new lot will be necessary. As Christian Valley Road runs through the length of the parcel, access should not be a problem. Again, this is a matter for the Approving Officer at MoTI to address.

The majority of the portion along the east side of Christian Valley Road is within the 200 year floodplain. Any future development would be required to follow the RDKB Floodplain Bylaw No. 677. The application shows that the proposed well would be placed within the Floodplain. After a discussion with Interior Health it was verified there is nothing within the regulations to deter the placement of the well in the proposed location. Although the Ministry of Environment suggests that a well should be located on higher ground so that the well can be protected from normal flooding and surface drainage.

#### **ADVISORY PLANNING COMMISSION COMMENTS**

The Electoral Area 'E'/ West Boundary APC provided the following comments;

"Discussion/Observations: It was noted that the sizes of the two parcels were not consistent between Subject Property Map as submitted in the package and the map provided as a part of the decision letter of September 8, 2015 from the Agricultural Land Commission. It was felt that once a legal survey has been completed the appropriate sizes of the two lots will then be established. It was observed that this should not hold up the approval process.

Recommendation: It was moved, seconded and resolved that the APC recommends to the Regional District that the subject Development Application be supported (Jamie/Michael)"

#### PLANNING AND DEVELOPMENT COMMENTS

The total property is 116.5 ha according to BC Assessment and the RDKB's mapping system. Despite the discrepancies in area of the proposed parcels it is clear in both the applications to the Agricultural Land Commission and the Ministry of Transportation and Infrastructure where the applicant proposes the division boundary. As previously mentioned if the subdivision is approved a legal survey will be conducted and the area of each parcel will be determined. As a referral agency with no land use bylaws pertaining to minimum parcel size in this area there is little concern regarding the discrepancy of area for the proposed parcels.

Page 2 of 3

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#### **RECOMMENDATION**

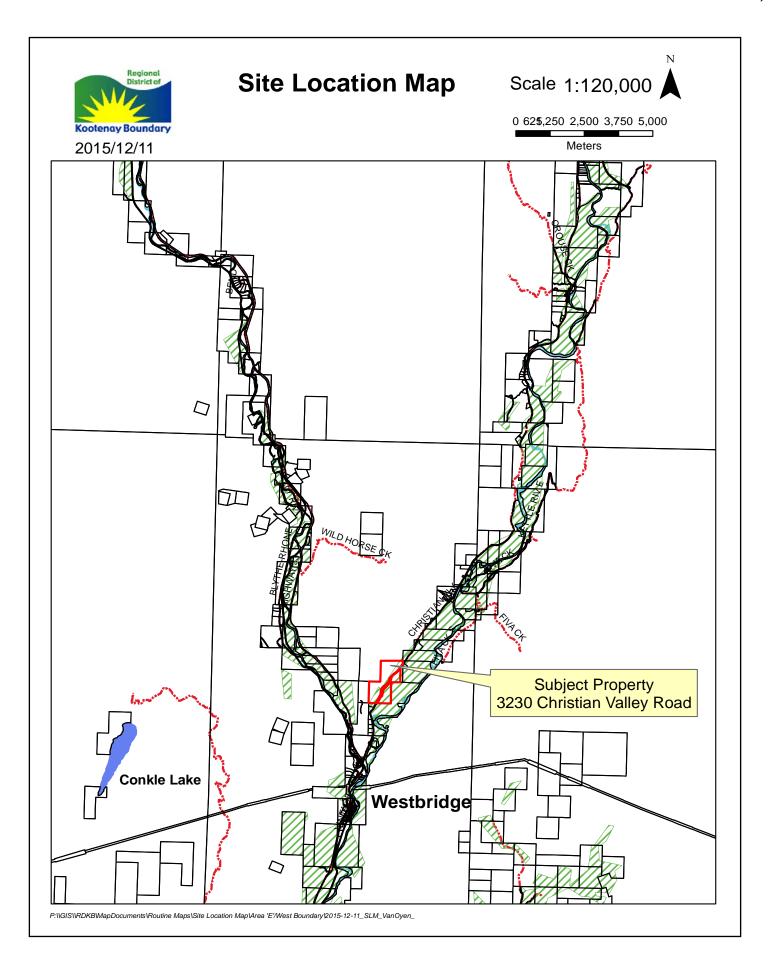
That the staff report regarding the Ministry of Transportation and Infrastructure referral for a proposed conventional one lot subdivision of the property legally described as DL 730s, Except Plan 33808 and KAP48435, SDYD, located off Christian Valley Road, in Electoral Area 'E'/ West Boundary, be received.

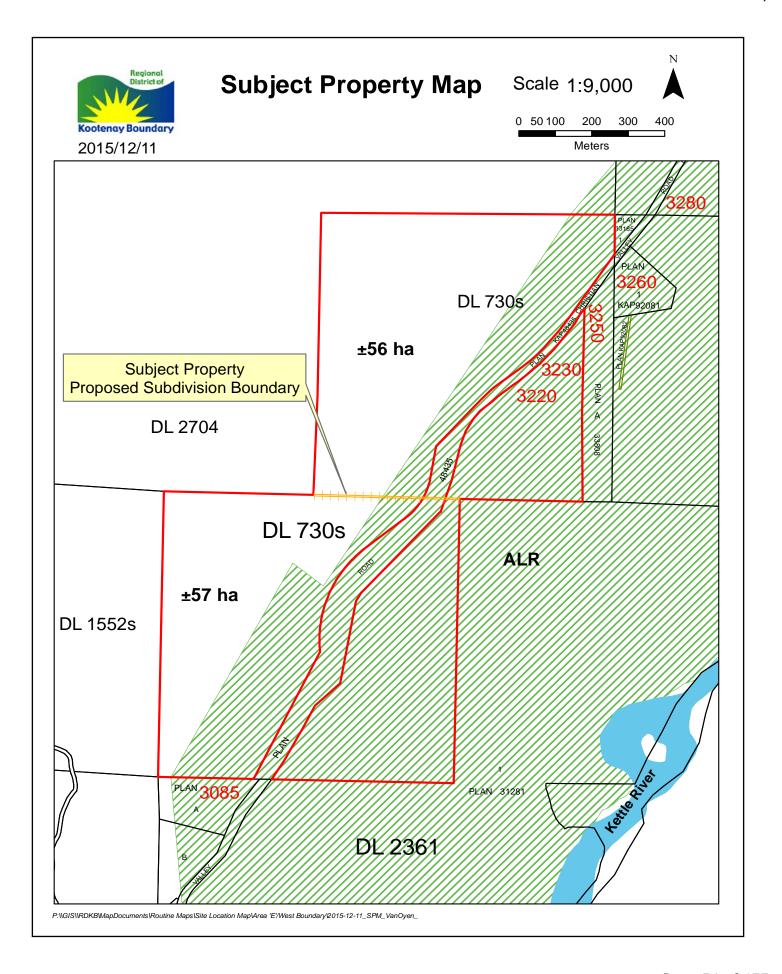
#### **ATTACHMENTS**

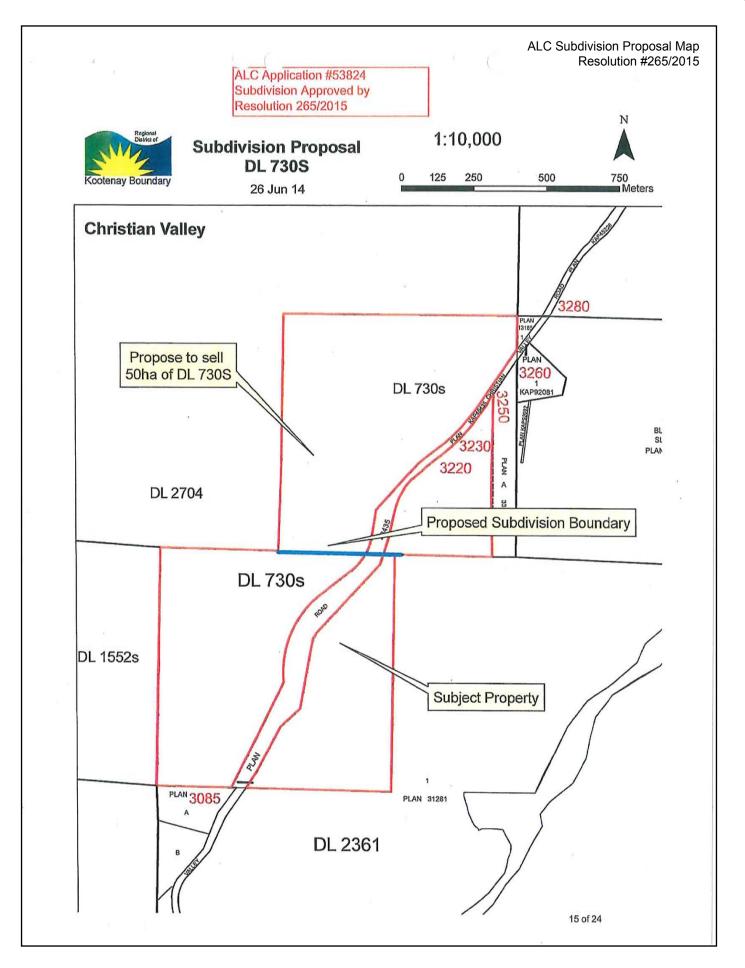
Site Location Map Subject Property Map ALC Subdivision Proposal Map for Resolution 265/2015

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P:\PD\EA\_'E\E-730s-04013.005 Van Oyen\2016-Jan-MOTI-Subdivision\EAS\2016-01-07-VanOyen\_EAS.docx









Prepared for meeting of January 2016

Subdivision Referral - Ministry of Transportation and Infrastructure				
Applicant:			File No:	
Geoffrey Furniss			E-2454-06580.000	
Location:				
1810 Hulme Creek Road, near Rock Creek, Electoral Area 'E'/ West Boundary				
Legal Description: Area:				
DL 2454, SDYD, Except Plan 38495 KAP64195 & EXC PL KAP87238 PT Lying E of the ELY Limit of PL H722			30 hectares (76 acres)	
OCP Designation:	Zoning:	ALR status:	DP Area:	
N/A	N/A	No	No	
Prepared by: Carly Rimell, Planner				

#### **ISSUE INTRODUCTION**

The Regional District has received a referral from the Ministry of Transportation and Infrastructure for a conventional subdivision of the subject property located off Hulme Creek Road, near Rock Creek, Electoral Area 'E'/ West Boundary (see Site Location Map, Subject Property Map). The applicant proposes a one lot subdivision of  $\pm 1.6$  ha, with a large remainder.

#### **BACKGROUND**

The property is in Electoral Area 'E'/West Boundary. There are no OCP or zoning bylaws within this portion of Electoral Area 'E'/West Boundary implemented by the RDKB as the local government.

A portion of the property, approximately  $\pm 7.4$ ha, was approved for removal from the Agricultural Land Reserve (ALR) in September 2015.

The present application for subdivision with the Ministry of Transportation and Infrastructure is outlined below.

#### **PROPOSAL**

The applicant seeks to subdivide a  $\pm 1.6$  ha (4 acre) section in the southeast corner, south of the easement leaving a  $\pm 29$  ha (72 acre) remainder parcel.

Page 1 of 2

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#### **IMPLICATIONS**

As noted, there are no OCP or zoning provisions in place which would impact the proposal. The property is now entirely excluded from the ALR and therefore ALC approval for subdivisions is no longer required.

The right of way which is the proposed property boundary is for utility use.

Interior Health Authority recommends for lots that are not serviced by community water or sewer that a minimum parcel area of 1 ha be required. This proposal satisfies that requirement.

#### ADVISORY PLANNING COMMISSION COMMENTS

The Electoral Area 'E'/ West Boundary APC provided the following comments;

"Discussion/Observations: It was noted that the sizes of the two parcels were not consistent between Subject Property Map as submitted in the package and the map provided as a part of the decision letter of September 18, 2015 from the Agricultural Land Commission. It was felt that once a legal survey has been completed the appropriate sizes of the two lots will then be established. It was observed that this should not hold up the approval process.

Recommendation: It was moved, seconded and resolved that the APC recommends to the Regional District that the subject Development Application be supported (Jamie/Grant)"

#### PLANNING AND DEVELOPMENT DEPARTMENT COMMENTS

The ALC Resolution which was attached to the APC report outlined past applications (legacy files) which were made by the current and previous property owners. The estimations of proposed parcel size for the current subdivision were determined by the application submitted to MoTI as well as RDKB's mapping tools and records. Where the applicant intends to subdivide is clear, the southeast corner along the southern boundary of the easement. As a referral agency with no land use bylaws pertaining to minimum parcel size in this area there is little concern regarding the discrepancy of area for the proposed parcels. As previously noted if this subdivision is approved a legal survey will be conducted to determine the exact dimensions and area of the parcels.

#### **RECOMMENDATION**

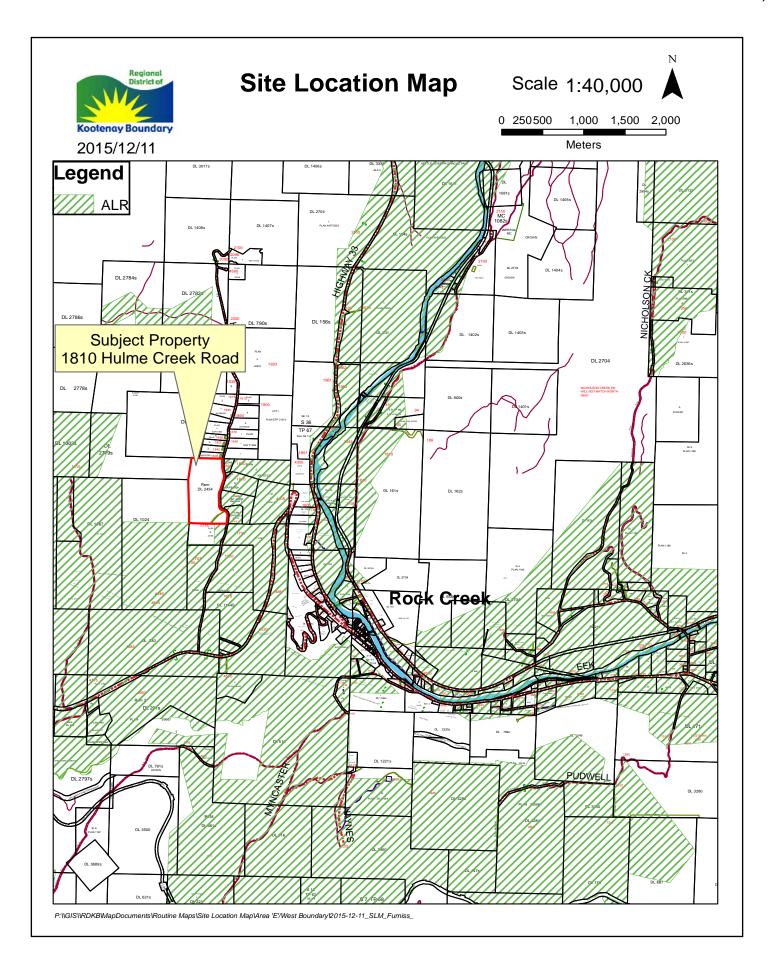
That the staff report regarding the Ministry of Transportation and Infrastructure referral for a proposed conventional one lot subdivision on the property legally described as DL 2454, SDYD, Except Plan 38495 KAP64195 & EXC PL KAP87238 PT Lying E of the ELY Limit of PL H722, off Hulme Creek Road, near Rock Creek, Electoral Area 'E'/ West Boundary, be received.

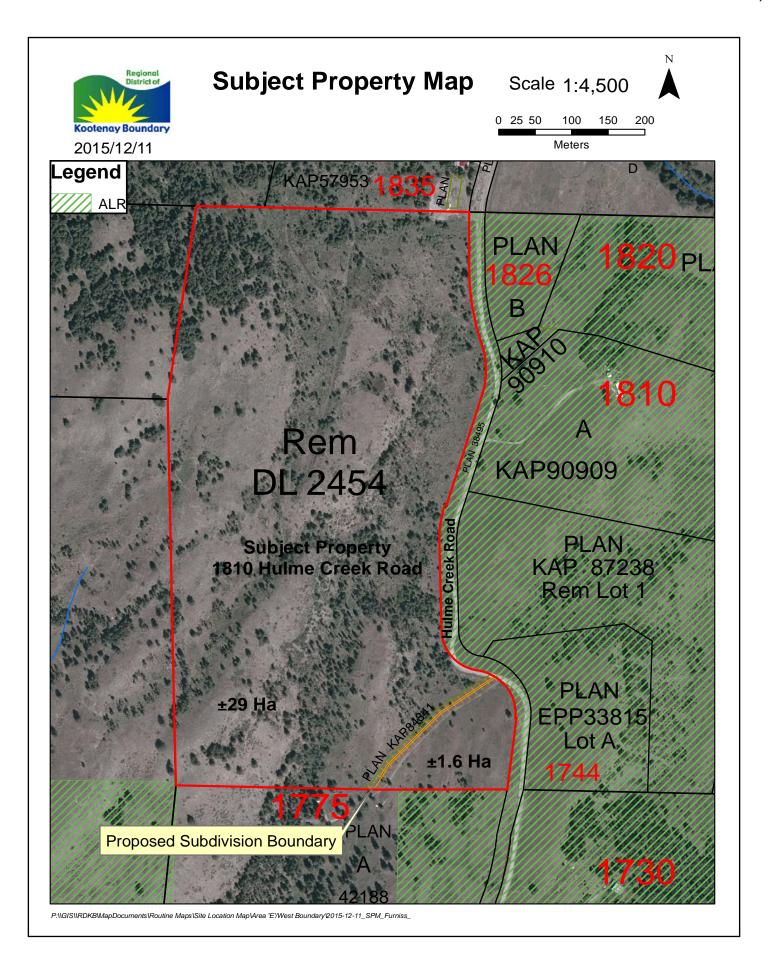
#### **ATTACHMENTS**

Site Location Map; Subject Property Map

Page 2 of 2

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Prepared for meeting of January 2016

Subdivision Referral - Ministry of Transportation and Infrastructure				
Applicants:			File No:	
Randy and Tracy Smith			E-471S-02938.000	
Location:				
3030 Boundary Creek Road, 9 km north of Greenwood, Electoral <b>Area 'E'/</b> West Boundary				
Legal Description: Area:				
DL 471s, Portion N 1/2 including closed road as described in DF 26823B, SDYD			65 hectares (160 acres)	
OCP Designation:	Zoning:	ALR status:	DP Area:	
N/A	N/A	Partially	No	
Prepared by: Carly Rimell, Planner				

#### **ISSUE INTRODUCTION**

The Regional District has received a referral from the Ministry of Transportation and Infrastructure for a conventional subdivision of the subject property located off Boundary Creek Road, 9 kilometers north of Greenwood (see Site Location Map). The applicants propose a one lot subdivision of  $\pm 2$  ha, with a large remainder (see Applicants' Submission; Subject Property Map).

#### **BACKGROUND**

The property is in Electoral Area 'E'/West Boundary. There are no OCP or zoning bylaws within this portion of Electoral Area 'E'/West Boundary implemented by the local government; although the property is located partially within the Agricultural Land Reserve and therefore subject to provincial regulations.

The owners of the parcel applied to the Agricultural Land Commission (ALC) for subdivision in 1994, and were granted approval for the  $\pm 2$ ha subdivision in ALC Resolution #67/95. The applicants have postponed the subdivision until now due to financial constraints and the costs associated with subdivision. The approval and resolution issued by the ALC has been recently reviewed, and it is still considered valid by the organization.

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The map provided within the Applicants' Submission labeled 'Schedule D', was a part of the original application to the ALC and included ALC Resolution #67/95. The dimensions and angles of the proposed subdivision lines are believed to be inaccurate as it is a challenge to have them match up with the mapping and ortho photo available at the RDKB. After discussion with the ALC and Ministry of Transportation and Infrastructure (MoTI) they acknowledged there are some discrepancies. As MoTI is the approving officer for subdivisions they have chosen to proceed with the application as is. If it the application proceeds further a proper survey will be completed by a certified BC Land Surveyor.

There are currently 2 single family dwellings on the property. The proposed subdivision, if approved, would place these homes on two separate parcels.

#### **PROPOSAL**

The applicants seek to subdivide a  $\pm 2$  ha (5 acre) portion bordering the eastern property line and the western boundary along Boundary Creek Road where it intersects the property, leaving an  $\pm 63$  ha (155 acres) remainder parcel.

#### **IMPLICATIONS**

As noted, there are no OCP or zoning provisions in place which would impact the proposal.

Boundary Creek runs through the property but it will not be affected by the proposed subdivision.

#### **ADVISORY PLANNING COMMISSION COMMENTS**

The Electoral Area 'E'/ West Boundary APC provided the following comments;

"Discussion/Observations: No concerns were raised."

Recommendation: It was moved, seconded and resolved that the APC recommends to the Regional District that the subject Development Application be supported (Grant/Florence)."

#### RECOMMENDATION

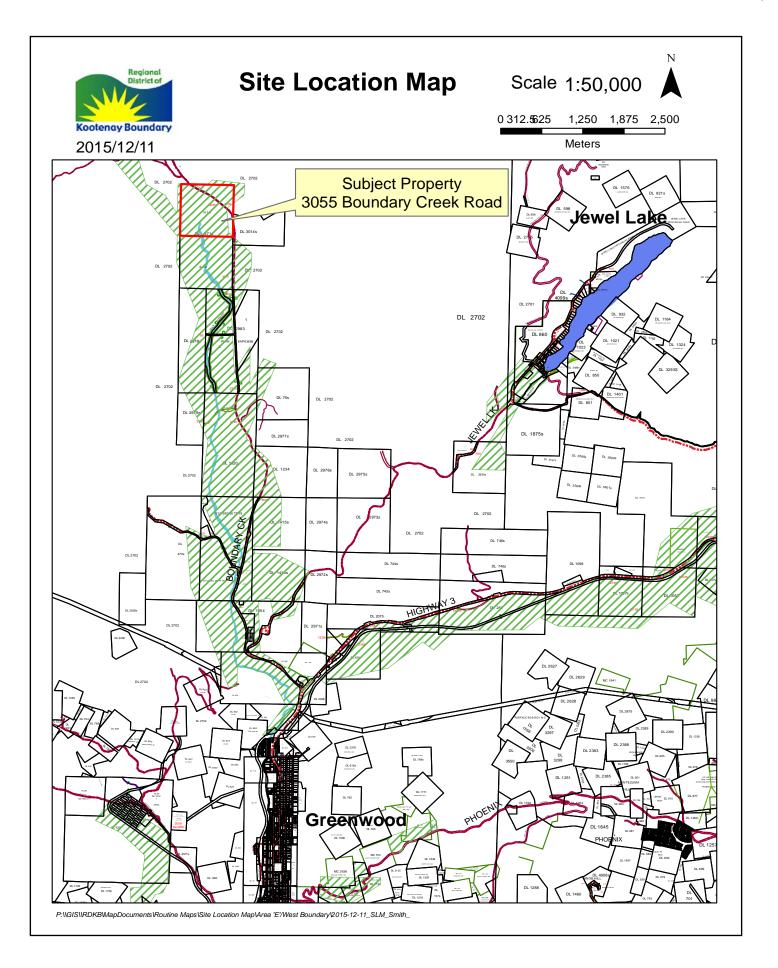
That the staff report regarding the Ministry of Transportation and Infrastructure referral for a proposed conventional one lot subdivision on the property legally described as DL 471s, Portion N 1/2 including closed road as described in DF 26823B, SDYD, located off Boundary Creek Road, 9km north of Greenwood in Electoral Area 'E'/ West Boundary, be received.

#### **ATTACHMENTS**

Site Location Map Applicants' Submission Subject Property Map

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## Provincial Agricultural Land Commission

133 - 4940 Canada Way, Burnaby, B.C. V5G 4K6 February 8, 1995

Telephone: (604) 660-7000 Faxcom: (604) 660-7033 Reply to the attention of Brenda Felker

Randy & Tracy Smith KM 9 Boundary Creek Road Greenwood, B.C. VOH 1JO

Dear Randy & Tracy Smith:

Re: Application # 21-Q-94-29443

The Agricultural Land Commission has considered your application regarding land described as North 1/2 of D.L. 471s, S.D.Y.D.

The Commission, acting under Section 20(1) of the Agricultural Land Commission Act by Resolution #67/95, has allowed your application to subdivide a 2.0 hectare parcel from the subject property.

This approval is granted provided that your subdivision is in substantial compliance with the plan attached hereto.

The land referred to in the application continues to be subject to the provisions of the Act and regulations except as provided by this approval.

This approval in no way relieves the owner or occupier of the responsibility of adhering to all other legislation which may apply to the land. This includes zoning, subdivision, or other land use bylaws, and decisions of any authorities which have jurisdiction.

Before your development can proceed, other approvals may be necessary and we urge you to check with the Regional District of Kootenay Boundary.

Please obtain the confirmation of the Commission, if any substantial changes are required to the proposal as approved by this office.

When the final survey plans or documents as required for Land Title purposes have been prepared, please send two paper prints to this office, well in advance of commencing registration procedures at the Land Title Office. The Commission will then authorize the Registrar of Land Titles to accept the application for deposit of the subdivision plan.

Please quote Application #21-Q-94-29443 in any future correspondence.

Yours truly,

AGRICULTURAL LAND COMMISSION

Per:

K. B. Miller, General Manager

RB/lv/Encl.

CC: Kootenay Boundary Regional District - (File #E-471s-02938)

Approving Officer, Ministry of Highways, Nelson

B.C. Assessment Authority, Penticton

Wil & Sharon Prafke, 7-220 Prior Road S., Kelowna VIX 2Y4

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Preserving Our Foodlands

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#67/95

**SURROUNDING LAND USES:** 

NORTH

non-A.L.R. (Crown Land)

EAST

non-A.L.R. (Crown Land)

SOUTH

agriculture non-A.L.R. (Crown Land)

COMMUNITY PLAN DESIGNATION: N/A

ZONING: N/A

LOCAL GOVERNMENT RECOMMENDATION: Support

BACKGROUND INFORMATION: There has been only one application in this area which was reviewed in 1975 and refused.

STAFF COMMENT/RECOMMENDATION: Refuse; approval could establish a precedent for this area.

BASE MAP NUMBER:

82E/2

CONSTITUENT MAP NUMBER:

N/A

AIR PHOTO FLIGHTLINE/NUMBER:

BC 88011

LEGAL DESCRIPTION: North 1/2 of D.L. 471s, S.D.Y.D.

DISCUSSION: It was felt that the proposal would have no impact on agriculture.

IT WAS

MOVED BY:

COMMISSIONER

P. Gambell

SECONDED BY:

COMMISSIONER

N. Holbek

That the application be allowed.

This decision is subject to compliance with all other legislation.

Carried.

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Resolution #67/95

## MINUTES OF THE PROVINCIAL AGRICULTURAL LAND COMMISSION

Meeting held at the B.C. Agricultural Land Commission Office, 4940, Canada Way, Burnaby, B.C. on the 17th day of January 1995.

PRESENT:

K. Miller Chair
P. Gambell Commissioner
J. Glover Commissioner
A. Hadland Commissioner
N. Holbek Commissioner
G. Horn Commissioner
C. Huscroft Commissioner

**APPLICATION # 21-Q-94-29443** 

APPLICANT: Randy & Tracey Smith

AGENT: Wil & Sharon Prafke

PROPERTY LOCATION:

North of Greenwood

LOCAL GOVERNMENT;

Regional District of Kootenay Boundary

PROPOSAL: The agents of the applicant are the applicant's parents who are seeking permission to subdivide a 2 ha parcel on which to live in order to help out on the farm.

Approximately 98 per cent of the subject property is within the A.L.R.

TYPE OF APPLICATION:

Section 20(1) of the Agricultural Land Commission Act

DATE OF PURCHASE:

November 1993

DATE APPLICATION RECEIVED:

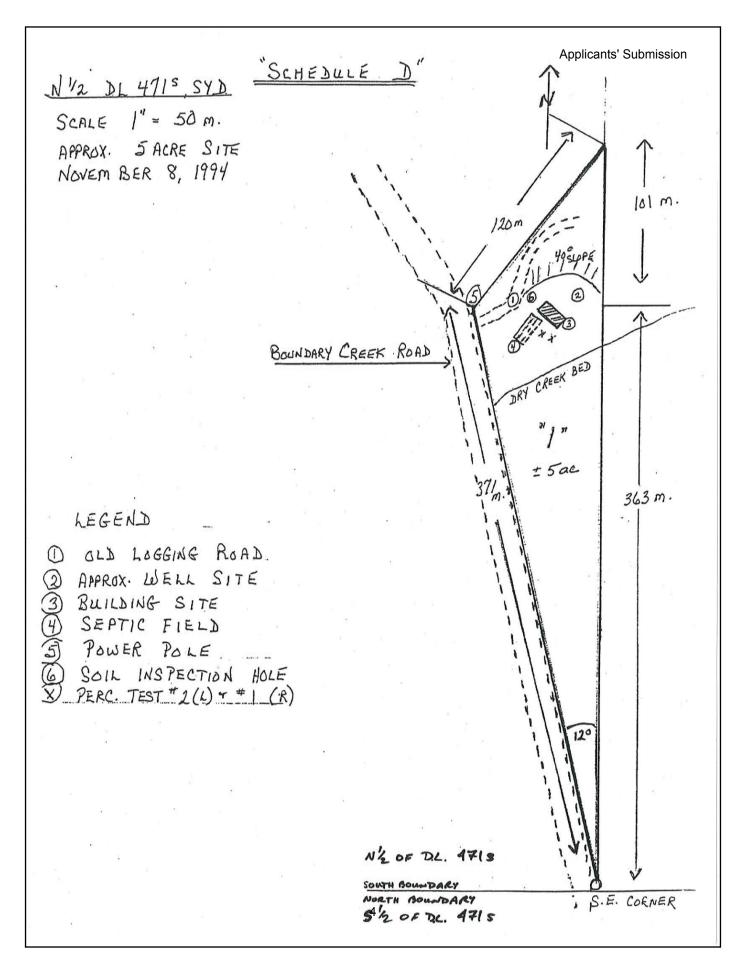
November 14, 1994

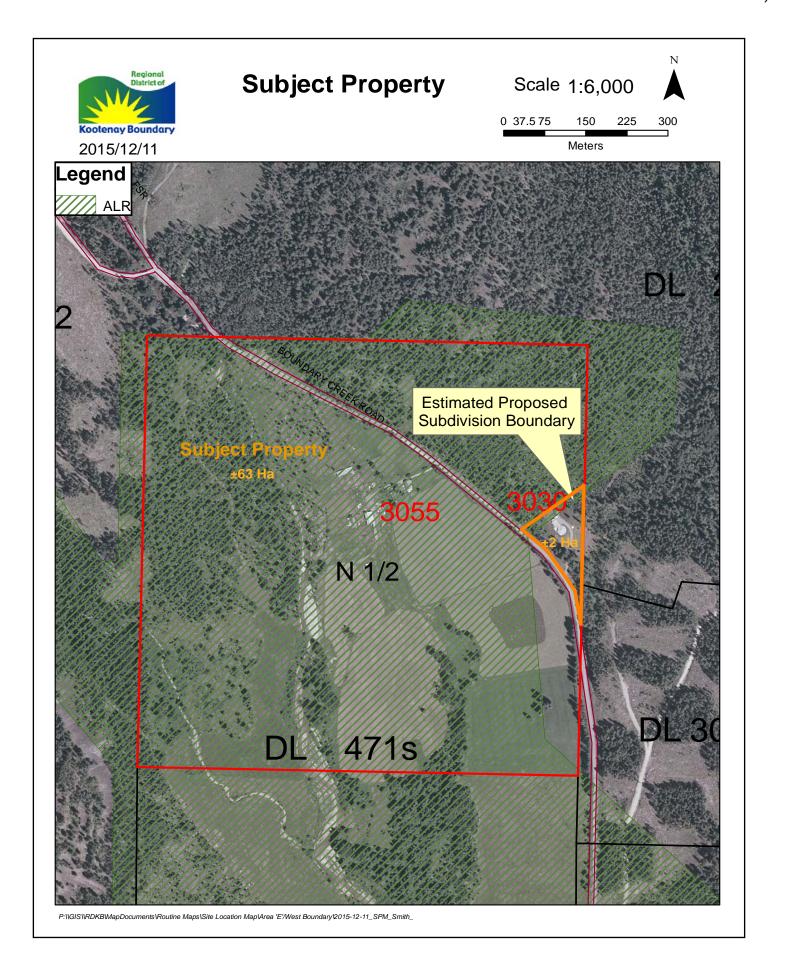
PRESENT USE: agriculture

AGRICULTURAL CAPABILITY: - As taken from Agricultural Capability Map #82E/2

Unimproved Ratio	ngs	Improved 1	Ratings	% of Unit
3X 4MW		3T 3X		35 20
5PW 6:5PM 4:6PM			٠.,	20 20 05
6TR		2.1		100 TOTAL

....







Prepared for meeting of January 2016

Rock Creek	(Olsen) Provin	cial Park - Offer fro	om Province	
Owner:			File No:	
Ministry of Forests, Lands and Natural Resource Operations (FLNRO)			E-352-02638.009	
Location:				
4132 Highway 3, Rock C Boundary	reek Provincial Pa	ark, Rock Creek, Elect	oral Area 'E'/ West	
Legal Description:			Area:	
Lot 1, DL 352, SDYD, Plan KAP12904			1.5 Hectare 3.73 Acres	
OCP Designation:	Zoning:	ALR status:	DP Area:	
N/A	N/A	Partially	N/A	
Contact Information: Keith Baric Planning Section Head - BC Parks and Conservati 250.490.8260 250.462.0202 keith.baric@gov.bc.ca	0	e Division		
Prepared by: Carly Rime	II, Planner			

#### **ISSUE INTRODUCTION**

The Planning and Development Department has been contacted by Province as they are interested in divesting Rock Creek (Olsen) Provincial Park to local government. There are three options on how to execute the transfer of responsibility; this report is intended to explain these in detail.

#### **HISTORY / BACKGROUND FACTORS**

Rock Creek (Olsen) Provincial Park was established in 1963. It is considered a Class C Park. A Class C Park must be managed by a local board appointed by the Minister. They are generally small parks providing local recreational amenities. The Rock Creek Provincial Park land base was valued at \$161,000 in 2015 by BC Assessment.

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#### **PROPOSAL**

The Province is offering the RDKB the opportunity to apply to take over the park by one of the following options, each of which would involve First Nations Consultation.

#### Direct Purchase

The Regional District could apply to purchase the Park at market value. An appraisal would have to be done to determine market value, which would likely be close to the assessed value of \$161,000. This option would present challenges due to lack of funds to purchase the land and the potential opposition from First Nations since the land would no longer be owned by the Crown.

#### Sponsored Crown Grants

Local governments and community organizations can apply to the Province, through FrontCounter BC for access to Crown Land through a Sponsored Crown Grant. Each year the Ministry is provided an allocation from the Crown Land Special Account to support Sponsored Crown Grants. All applications are considered using standardized selection criteria and transparent accounting processes for this category of Crown land disposition. Sponsored Crown Grants are transfers of Crown land (fee simple) from the Province to municipalities and regional districts. The Regional District would own the park, however the finances to purchase the property would be provided by the Sponsoring Ministry (typically the Ministry of Community, Sport and Cultural Development) and the Crown Land Special Account.

This option also would present challenges because it could take several years for this property transfer to become a priority for the Province given the funding limitations and similar to direct purchase would potentially be opposed by First Nations.

#### Nominal Rent Tenure (NRT)

Often now when BC Parks cancels a park from its system, they request the Ministry of Forests, Lands and Natural Resources help facilitate the NRT process. The key difference with this process is that the land remains as part of the Provincial Crown land base as opposed to Direct Purchase or Sponsored Crown Grant.

Local governments and community organizations can apply to the Province, through FrontCounter BC for access to Crown Land through a Nominal Rent Tenure. The land is allocated through a long term *Land Act* tenure, either by a License of Occupation or a lease. It was suggested a 30 year term would be appropriate for this proposal. Under the nominal rent tenure process, the fee for use of the land is typically very low or a token amount.

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#### **IMPLICATIONS**

Direct Transfer of lands is becoming increasingly rare, particularly on lands that are free from development and where First Nations interests are high. Sponsored Crown Grants and Nominal Rent Tenures generally aren't as contentious, although consultation is still required. Sponsored Crown Grants applications can be a lengthy process as the Regional District would need to find a Ministry interested in sponsorship with the necessary funds to complete the transfer of lands. NRT requires less consultation and offers the advantage of earlier acquisition.

Considering all of the options discussed above, in the proposal section, the preferred option suggested by BC Parks for this scenario would be Nominal Rent Tenure.

There is a parks function already in place for Electoral Area 'E'/ West Boundary which would help aid in the acquisition and maintenance of the park.

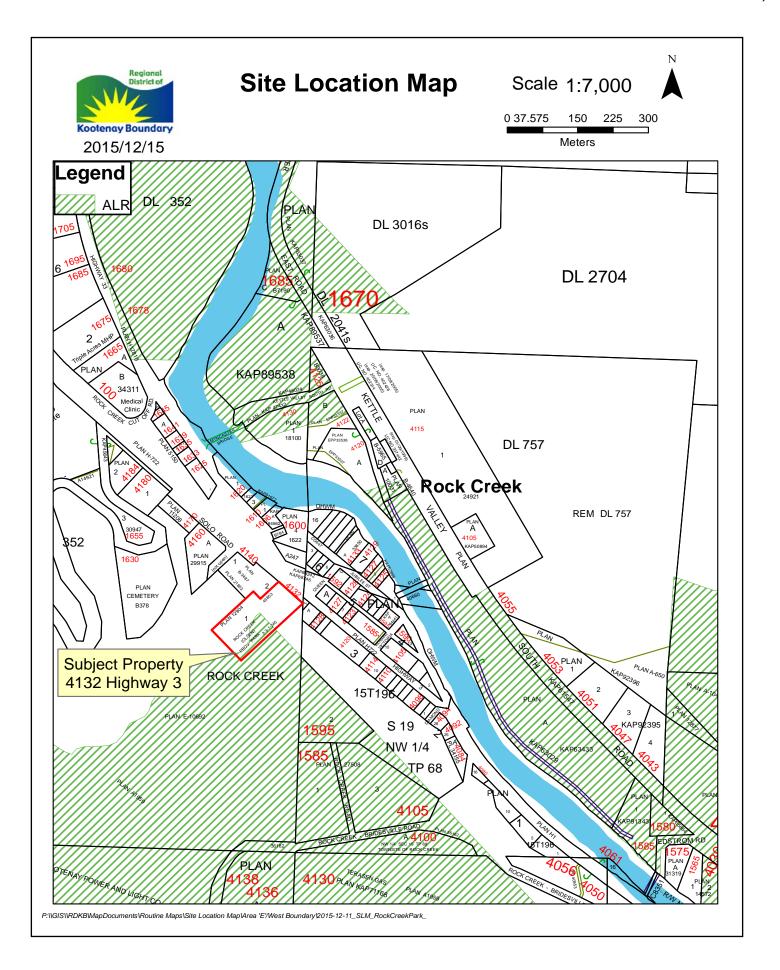
If this park was divested the Regional District would be responsible for maintenance and upkeep of the park.

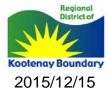
#### RECOMMENDATIONS

That the Regional District of Kootenay Boundary Board of Directors forward a letter to The Ministry of Environment's BC Parks Division - Okanagan, expressing interest in the acquisition Rock Creek Park through Nominal Rent Tenure and THAT The Regional District Board of Directors direct staff to submit an application to FrontCounter BC seeking a Community/Institutional License of Occupation for Rock Creek Provincial Park property legally described as Lot 1, DL 352, SDYD, Plan KAP12904.

#### **ATTACHMENTS**

Site Location Map Subject Property Map

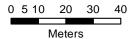


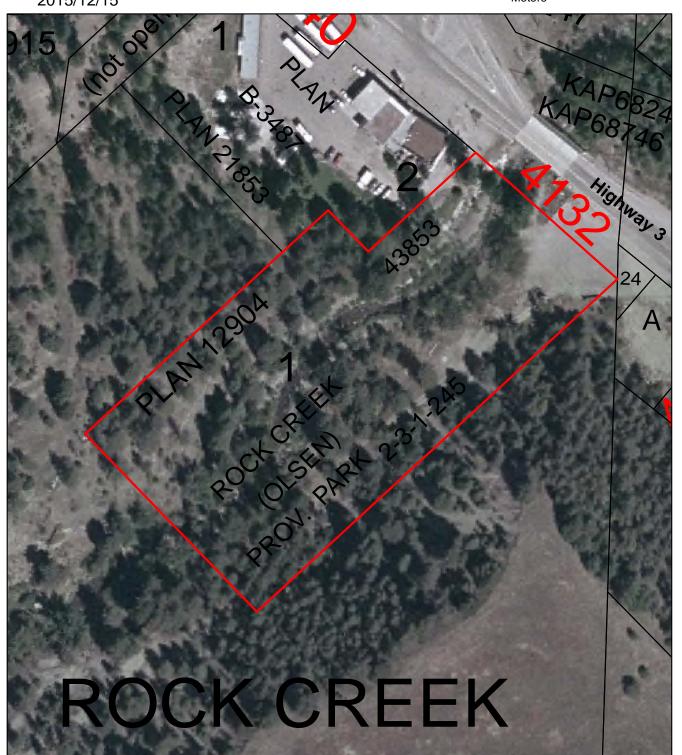


## **Subject Property Map**

Scale 1:1,200







 $P: \verb|\|G|S|\|RDKB|\|MapDocuments|\|Routine\|MapS|\|Site\|Location\|MapVarea\|'E'/West\|Boundary|\|2015-12-11\_SLM\_RockCreekPark\_Park\_Park\_RockCreekPark\_Park\_RockCreekPark\_Park\_RockCreekPark\_Park\_RockCreekPark\_Park\_RockCreekPark\_Park\_RockCreekPark\_Park\_RockCreekPark\_R$ 



# Electoral Area Services Committee Staff Report

Prepared for meeting of January 14, 2016

### Planning and Development Department's 2015 Annual Report

Prepared by: Donna Dean, Manager of Planning and Development

File No:

Each January the Planning and Development Department (the Department) presents an annual report for the previous year's work to the Electoral Area Services Committee. The purpose of this report is to summarize the Department's roles and responsibilities; and to describe its activities in 2015.

The following activities, carried out by the Department are discussed in more detail below:

- Clerical Services,
- · Current Operations,
- Special Projects,
- · Community Planning,
- Geographic Information Services (GIS)/Mapping,
- Bylaw Compliance and Enforcement, and
- Administrative Support Services

### Clerical Services

Clerical Services provided by one full time and one part time Secretary are critical to the Department and the Work Program could not be implemented without these services. Typical clerical activities include data and word processing; records management; report editing; minute taking; preparation of correspondence; organizing meetings; preparing materials for the Regional District's web site; preparing agendas with related support material and distributing that information electronically; and tracking all applications and bylaws through to completion.

### **Current Operations**

Current operations, includes routine but important tasks such as processing development applications, consulting with the public, organizing committee meetings, drafting bylaws, preparing minutes, and writing correspondence. Because most of these activities are statutory requirements, they must be given a first priority over all other planning tasks. Current operations are the primary responsibility of one full time Planner.

The Department's first priority is to maintain the Regional District's ability to respond quickly and efficiently to development proposals and to assist the various committees

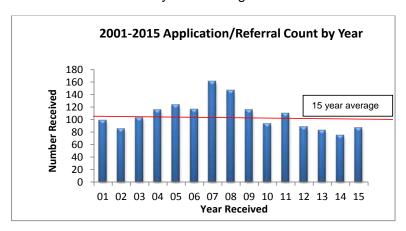
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and the Board in making informed decisions regarding development proposals. Unnecessary delays or errors in this area are disruptive and can lead to additional private sector costs. It is important that the Regional District not contribute to these potential problems yet retain its ability to manage change in accordance with sound public policy principles.

The Department administers six Official Community Plans and six zoning bylaws as well as two Rural Land Use Bylaws (combined OCPs/zoning bylaws). The Department also receives and reviews a wide array of development referrals from the Province (FrontCounterBC, the Ministry of Forests, Lands, and Natural Resource Operations, and the Provincial Subdivision Approving Officer), adjacent local governments, and forestry companies that operate on Crown Land. The Department also serves as the local agent for the administration of the *Agricultural Land Commission Act*.

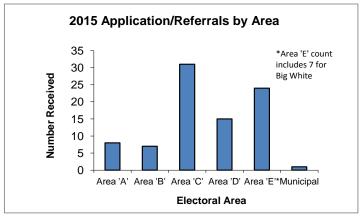
The best available measure of the Department's workload for current operations is the number of applications processed per year (see the graph and table below). The Department processed 86 development applications and referrals in 2015, less than the 15 year average of 106, but slightly higher than the number of applications and referrals processed in 2014. The overall decrease in development activity is largely a reflection of the health of the broader economy and the regional real estate market.



Planning and Development Department Application/Referral Summary (2001-2015)

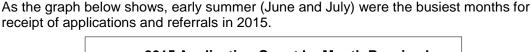
riaiiiiii	Planning and Development Department Application/Referral Summary (2001-2015)									
	OCP	Zoning Bylaw		Subdivision	Other	Board of				
Year	Amendment	Amendment	ALR	Referrals	Referrals	Variance	Permits	Total		
2001	4	8	12	25	16	1	32	98		
2002	3	4	5	23	17	4	29	85		
2003	5	8	6	25	18	2	38	102		
2004	6	8	9	29	31	5	27	115		
2005	8	11	14	42	26	2	19	122		
2006	6	10	16	34	26	1	23	116		
2007	4	8	24	55	36	0	33	160		
2008	4	6	15	43	48	0	29	145		
2009	3	3	18	18	32	0	40	114		
2010	2	2	8	20	41	0	21	93		
2011	2	3	9	28	35	0	32	109		
2012	2	3	9	13	29	0	31	87		
2013	4	5	7	19	24	0	23	82		
2014	2	4	8	12	28	0	20	74		
2015	2	2	8	12	32	0	30	86		

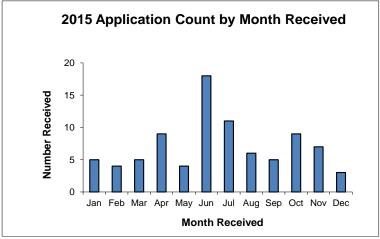
The majority of applications and referrals were from Electoral Area 'C'/Christina Lake followed by Electoral Area 'E'/West Boundary, and Electoral Area 'D'/Rural Grand Forks (see *graph below*).



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In 2013 the Department established target time lines for processing various development applications: bylaw amendments (19 weeks), development permits (8 weeks), and Agricultural Land Reserve Referrals (10 weeks). Of the four bylaw amendments processed in 2015 the longest processing time was 20 weeks, one week over the target of 19 weeks. Of the 28 development permit applications, all but one met the target of 8 weeks to process. The longest processing time for a development permit was 14 weeks, which was a result of staff waiting for documents from the applicant. All 8 ALR referrals were processed within 10 weeks or less.

### Special Projects

Special projects make up an important component of the Department's Work Program. They typically require more than one year to complete, and usually involve the coordinated efforts of local elected officials, citizen committees, other government agencies and both professional and technical planning staff. Special Projects are primarily the responsibility of one full time Senior Planner. The 2015 Work Program identified seven special projects that are listed below with their status:

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	Project	Status
1.	Complete Electoral Area 'B'/Lower Columbia – Old Glory Zoning Bylaw Review	Adopted by the Board July 2015.
2.	Complete Electoral Area 'D'/Rural Grand Forks Official Community Plan Review	Final Draft has been sent to the Steering Committee for final review. The next step will be the legislative process, which should begin in February.
3.	Initiate Work on the Big White Official Community Plan Review	Project work was initiated; however the review was postponed due to a potential conflict with a separate Mountain Resort incorporation proposal.
4.	Initiate Work on the Electoral Area 'D'/Rural Grand Forks Zoning Bylaw Review:	Initial research will begin early in 2016.
5.	Engage in Consultations Regarding the Electoral Area 'E'/West Boundary Needs Assessment Survey.	This project has shifted to the initiation of a planning project for the Rural Bridesville area. Initially there was significant opposition to this proposed planning project, which resulted in delays.
6.	Phase 3 - Implementation strategies in the Kettle River Watershed Management Plan, and management of the related contracts.	Along with other projects that were part of the implementation, objectives and policies have been incorporated into the Electoral Area 'D'/Rural Grand Forks OCP and will be incorporated into future OCPs as they are created and reviewed.
7.	Follow-up Actions Related to the Boundary Agricultural Area Plan.	The follow up actions continue to be incorporated into planning bylaws as they are reviewed.

### Community Planning

The Department offers planning services to member municipalities as required over the course of the year. Usually assistance occurs in the form of bylaw interpretation and advice to municipal staff. Over the course of 2015, staff occasionally provided planning services to municipal staff from Grand Forks, Midway, and the Village of Warfield.

The Department occasionally works with municipalities on a 'fee for service' basis for Special Projects, provided such activities do not intrude heavily into the Department's core Work Program and other statutory areas of responsibility. No fee for service projects were carried out in 2015.

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Department staff participated in a variety of other planning related projects in 2015 including:

- "Imagine Montrose: An Integrated Community Sustainability Plan";
- Lower Columbia Ecosystem Management Plan (LCEMP), which is part of the Trail Area Health and Environment Program Steering Committee;
- Attainable Housing Committee of the Lower Columbia Community Development Team (LCCDT) Steering Committee;
- Emergency Response to Interface Fires, including follow up activities;
- Sustainable Community Energy and Emissions Planning (SCEEP) Workshop scheduled for Tuesday, January 19<sup>th</sup> preparation;
- Provided support/administration for number of Crown land applications: Disc Golf proposal at Christina Lake; Senior's housing proposal at Christina Lake; Park land/land swap (non-farm use of ALR land) on the Kettle River at the Carson town site;
- Participated in planning meetings regarding trails in the Boundary Area and provide information and support to Kootenay trails groups;
- Initiated bylaw amendments for Mt. Baldy; and
- Held, in conjunction with the Province, public meetings regarding compliance and enforcement of dock regulations at Christina Lake.

### Geographic Information System (GIS)/Mapping

Geographic Information System (GIS)/mapping services are a critical component of the Department's Work Program. The GIS/mapping staff also spends a significant amount of time preparing maps, and doing analysis for other Regional District Departments, the Board of Directors, individual Board members, developers, trails groups, stewardship groups, other government agencies, and members of the public. This work is carried out by the Department's two full time GIS technicians.

GIS/mapping services include the sourcing, management and maintenance of a comprehensive and up to date set of feature classes for the Electoral Areas and member municipalities excluding Trail and Rossland (the City of Grand Forks does some of its own mapping). Feature classes include all the information that one might include on a map such as the cadastral layer, house numbers, 911 fire response zones, street centre line, BC Assessment data (now updated monthly), OCP designations, zoning, Agricultural Land Reserve (ALR), agricultural land capability, trails and hydrology. GIS/mapping staff then produce maps based on the available feature classes.

GIS/mapping staff also assigns street addresses for new parcels and buildings, conducts statistical research and analysis in support of various projects, prepares display material for public meetings and administers the activities of the Regional District's two Boards of Variance. GIS staff also participates in Selkirk College's Integrated Environmental Planning (IEP) Advisory Group at Selkirk College, which meets once per year with local government and industry to keep up to date with what is happening in the community.

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GIS staff completed a number of projects in 2015. Some of those projects, which took varying amounts of time are listed below:

- Update of Regional District owned and leased properties, which took a significant amount of time and effort given that the last inventory was done in 2007 and there have been significant changes in services and therefore properties that the RDKB manages. The 2007 inventory included 50 parcels of land, while the 2015 inventory (to date) includes 94 parcels.
- Supported mapping of some of the Environmental Services Department's infrastructure and exploration of options to use GIS for asset management of that infrastructure.
- Mapping of sewer lines related to the transfer of that infrastructure to municipalities.
- Continued to compile assessment data for proposed boundary expansion by the City of Trail.

### Bylaw Compliance and Enforcement

The Department responds to written complaints regarding contraventions of the Regional District's land use bylaws. Bylaw compliance and enforcement continues to be a time consuming, sensitive and challenging task.

Since 2005, when the Planning and Development Department took on a more active role in bylaw enforcement, the number of written complaints for enforceable infractions of RDKB Zoning Bylaws has averaged roughly 10 per year. Several more calls are handled, but are not tracked if they are unenforceable. Many of the unenforceable complaints are noise. The total number of enforceable infractions for 2015 was 17, which is close to double the average.

The table below summarizes the progress for various bylaw infractions by Area since 2005.

PROGRESS	Electoral Area 'A'	Electoral Area 'B'/ Lower Columbia-Old Glory	Electoral Area 'C'/Christina Lake	Electoral Area 'D'/Rural Grand Forks	Big White	Grand Total
Resolved	4	4	7	18		33
Initial Investigation	2		1			3
Seeking Compliance	5			3		8
Monitoring	4	4	3	3	1	15
Enforcement				1		1
Dormant <sup>1</sup>	1	3	2	6		12
Unresolved <sup>2</sup>	4	5	5	9	5	28
Grand Total	20	16	18	40	6	100

Dormant – no complaints or actions in past five years

The majority of infractions are for: land use, (e.g. occupation of RVs beyond the time period allowed, commercial use in residential areas, secondary uses in place without a

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<sup>&</sup>lt;sup>2</sup>Unresolved – dormant for greater than 5 years

principal use, insufficient on-site parking, and multiple dwellings), followed by derelict vehicles and junk/unsightliness.

### Administrative Support Service

A less visible, but nonetheless time consuming element of the Department's Work Program is the support offered to other Regional District functions, particularly Administration Department. This is not only done as a matter of necessity in areas of overlapping and transitional jurisdictions, it is also desirable as a means of maximizing the efficiency of the Regional District's limited staff resources. Areas of support offered by the Department include a cooperative working relationship with Building Department; mapping for 911/fire dispatch; providing maps and other background information for service areas; property management (i.e. acquisitions, permits, etc.), and the provision of relief secretarial and reception services as required.

### Summary

In 2015, the Department successfully managed the work load for Current Operations and was reasonably successful in meeting the objectives that had been scheduled with respect to Special Projects.

Development activity during 2015 appears to have increased slightly compared to previous years, based upon the number of applications and referrals processed. That increase was mostly in the number of development permits processed.

### RECOMMENDATION

That the Staff Report regarding the Planning and Development Department's 2015 Annual Report be received.

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### Electoral Area Services Committee Staff Report

Prepared for meeting of January 14, 2016

# Planning and Development Department's Proposed 2016 Work Program and Five-Year Financial Plan

**Prepared by:** Donna Dean, Manager of Planning and Development

File No:

#### INTRODUCTION

The purpose of this report is to present the Proposed 2016 Work Program and Five-Year Financial Plan for the Planning and Development Department (the Department). Each January the Department presents a proposed Work Program and Five-Year Financial Plan to the Electoral Area Services Committee to guide the Department's activities for the year. The Work Program and Financial Plan, if supported, are formally recommended by the Electoral Area Services Committee to the Finance Committee and then ultimately adopted by the Board of Directors.

This report is divided into two sections:

- Proposed 2016 Work Program, and
- Financial Implications Proposed Five-Year Financial Plan.

### **PROPOSED 2016 WORK PROGRAM**

The content of the proposed 2016 Work Program is largely shaped by statutory responsibilities (i.e. Current Operations) and ongoing Special Project commitments. The Department's primary responsibility is to implement an approved Work Program by structuring its activities accordingly. An ongoing challenge for the Department is to present a Work Program which fulfills the Current Operations obligations, yet provides a balanced level of service to each of its constituent Electoral Areas on a project basis. This can continue to be achieved through a careful prioritization of the required activities over a multi - year program.

The proposed 2016 Work Program is divided into the following categories:

- Clerical Services,
- · Current Operations,
- · Special Projects,
- · Community Planning,
- Geographic Information Services (GIS)/Mapping,
- Bylaw Compliance and Enforcement, and
- Administrative Support Services

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### Clerical Services

The trend, over the past several years, towards electronic referrals and supporting information from applicants and referral agencies has presented some challenges for records management as we have migrated to maintaining both paper and electronic files. The Department continues to create electronic property files that reflect the content of the paper files for both property and general files.

Another challenge is maintaining a system of records management that withstands the test of time and is easy to use by multiple and new users. One of the goals for the Department when time allows is to migrate to a numeric filing system for the general files that has an overarching hierarchy.

### **Current Operations**

It is anticipated that the number of development applications and referrals in 2016 will be similar to or greater than in 2015.

### Special Projects

The 2016 Work Program is a continuation of the Special Projects that were identified in the 2015 Work Plan.

	Project
1.	Continue the Rural Bridesville Land Use Planning Process. It is proposed that the Rural Bridesville Land Use Plan will be a combination OCP/Zoning Bylaw and may build on the existing Bridesville Townsite Land Use Plan.
2.	Adoption of the revised Electoral Area 'D'/Rural Grand Forks Official Community Plan.
3.	Revise the Electoral Area 'D'/Rural Grand Forks Zoning Bylaw to correspond with the new OCP.
4.	Continue Phase 3 - Implementation strategies in the Kettle River Watershed Management Plan.
5.	Continue Follow-up Actions Related to the Boundary Agricultural Area Plan.

The next major planning projects will be reviews of the Electoral Area 'C'/Christina Lake and Big White Official Community Plans. Those reviews will be initiated once the Rural Bridesville Land Use Plan and Electoral Area 'D'/Rural Grand Forks Zoning Bylaw projects are completed or near completion.

### Community Planning

It is anticipated that the Department will continue to provide consultative services to municipal staff on an occasional basis. There have been no formal requests at this time to enter into a 'fee for services' contract with any of the member municipalities.

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Planning staff in the Department anticipates participation in a number of other planning projects in 2016 including:

- Strategic Community Energy and Emissions Planning (SCEEP) for the Regional District.
- Boundary Community Food Action Project if the RDKB is successful in obtaining funding,
- Boundary Area Agricultural Plan update if the RDKB is successful in obtaining funding,
- Continue to participate in the Lower Columbia Ecosystem Management Plan, which is part of the Trail Area Health and Environment Program,
- Work with the Emergency Program Coordinator in updating the RDKB Regional Emergency Plan based on lessons learned during the 2015 fire season,
- Continue to participate in the Attainable Housing Committee of the Lower Columbia Community Development Team,
- Continue to participate in the Christina Lake Senior's Housing Society's planning process,
- Wrap up the Age-Friendly project for Christina Lake, which is being led by the Christina Gateway Community Development Association, and
- · Participate in any parks planning or related projects as required.

### Geographic Information System (GIS)/Mapping

GIS/Mapping staff will continue to maintain the feature class data base for the mapping system and support the Department's Current Operations and Special Projects. Additional mapping work that is anticipated to take place in 2016 includes, but is not limited to, the following:

- Continued technical support for RDKB resident and non-resident enquiries,
- Work with the Province to improve the accuracy of cadastral mapping in Electoral Area 'E'/West Boundary, Greenwood and Midway areas. An application has been submitted to the Province for a grant to do the work,
- Continue to plot Regional District infrastructure including water and sewer systems into the GIS system as required,
- Produce maps of hydrant locations for the Regional Fire & Rescue Department vehicles,
- Continued technical support for the 911 dispatch including review of the Agreement, which expires in 2016,
- Addition of new feature class data bases for archaeological sites (internal use) and natural hazards, ,
- Redo the map service in html5 so mobile devices can use it,
- Further fine tuning of the evacuation zone maps by using topography to establish boundaries of polygons for areas adjacent to rivers and other bodies of

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water. There may be some fine tuning that can be done based on what was learned during the 2015 fire season as well as ongoing maintenance requirements as new addresses are added to the evacuation zones,

- Continue to participate in Selkirk College's Integrated Environmental Planning (IEP) Group, and
- Creation of Solid Waste Plan interactive mapping to allow residents to identify the closest waste management facilities to their residence.

### Bylaw Compliance and Enforcement

The Department will continue to respond to complaints regarding contravention of the Regional District's land use bylaws. Bylaw compliance and enforcement often involves coordinated efforts with the Building Department and in some cases with the Administration Department.

It is difficult to predict work load for bylaw compliance and enforcement, but typically the Department handles more complaints in the spring when some of the issues are more visible, which often corresponds with an increase in development applications.

### Administrative Support Services

With respect to the provision of Administrative Support Services it is anticipated that 2016 will be a typical year. The Department will continue to be involved in the provision of technical and professional support in such areas as economic development, solid waste management, financial services and service evaluation. The need for these support services are quite unpredictable but often require immediate attention and can be disruptive of the Department's other responsibilities.

### FINANCIAL IMPLICATIONS - PROPOSED 2016 FIVE-YEAR FINANCIAL PLAN

The Regional District's Board of Directors is mandated to adopt a five-year financial plan by March 31<sup>st</sup> of each year. This section of the report will present a Proposed Five-Year Financial Plan for the Planning and Development Department (the Department). The Department's budget is only a small portion, roughly 3%, of the Regional District's entire Regional District budget for general government services.

### How the Department's Budget is Structured

The Department's Proposed Five-Year Financial Plan covers two different functions authorized by two different sections of the *Local Government Act*. The management of the Development function applies to Electoral Area planning and is primarily supported by requisitions obtained from the five Electoral Areas based on their relative assessments (this represents approximately 75% of the Department's budget after revenue from application fees, grants, etc. have been accounted for). The Regional Development Services function applies to the coordination of mandatory development related services (such as ALC and subdivision applications) as well as to the maintenance of statistics, the development and maintenance of the Regional District's GIS/mapping, and research related to the region as a whole. It is primarily supported by requisitions obtained from all member municipalities and Electoral Areas based on

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relative assessments (this represents approximately 25% of the budget after revenue from other sources has been accounted for).

### Proposed Five-Year Financial Plan

The Department's Proposed Five-Year Financial Plan attached to this report is structured around the Proposed 2016 Work Program which is presented above. Similarly, the Department's five-year financial plan should be structured to anticipate the resourcing needs of the service over the five-year horizon. Major amendments to the Financial Plan would impact the Work Program and vice versa. Some of the highlights of the Proposed 2016 Financial Plan follow:

- The proposed 2016 budget has few variations from the 2015 budget. The main changes/increases are regarding salaries. The Collective Agreement includes an increase of 2% for 2016, which is reflected in the 2016 budget. The salaries expense also includes some overlap time for a temporary GIS Technician to fill in for a parental leave that will potentially begin in mid-December 2016. Ideally the overlap would begin in October to get the temporary person up to speed with the job requirements and to help the two regular staff members get caught up on some important project tasks.
- Salary increases and the temporary GIS Technician position result in less than 1% increase in expenditure for 'salaries and benefits'. This has been partially offset by a reduction in the estimated cost of benefits that more accurately reflects actual costs (27% to 23%). Other increases are \$1300 for 'library and research' due to increases in Land Title and Survey Authority (LTSA) fees, the Board fee and office building expenses.
- The overall increase in the proposed 2016 budget over 2015 is 4.65%, while
  increases in 2014 and 2015 were 2.33 and 2.15%, respectively. The larger
  proposed increase is mostly a result of significantly lower surplus from 2015. The
  2015 budget included an \$80,000 surplus that was a result of reduced staffing in
  2014.

The standard procedure is for the Electoral Area Services Committee to review the attached Proposed Five-Year Financial Plan in light of the proposed Work Program and make modifications as necessary. It should also be noted that the Proposed Five-Year Financial Plan will be forwarded to the Electoral Area Services Committee again in March with the actual year end revenues and expenses for 2015 and the final requisition amount. At that time consideration may be given to recommending final approval of the budget for Board approval.

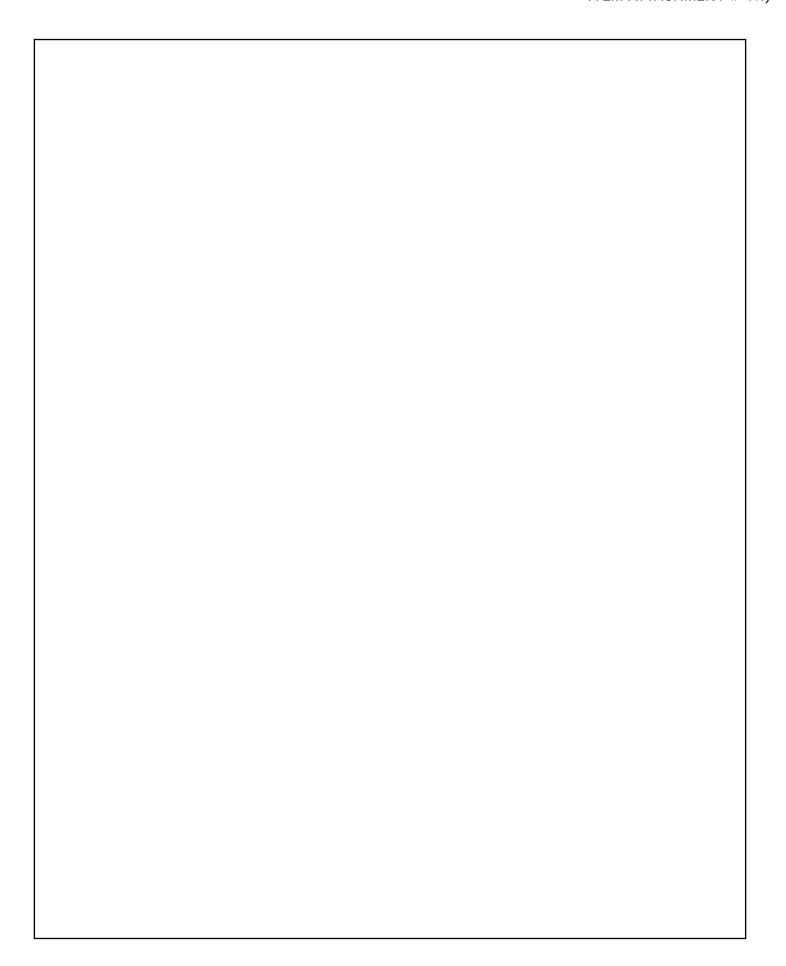
### RECOMMENDATIONS

That the report to the Electoral Area Services Committee regarding Planning and **Development Department's** Proposed 2016 Work Program and Five-Year Financial Plan be received.

### **ATTACHMENT**

Proposed Planning and Development Department's Five-Year Financial Plan

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## REGIONAL DISTRICT OF KOOTENAY BOUNDARY FIVE YEAR FINANCIAL PLAN

### EXHIBIT NO. 005 ENVIRONMENTAL PLANNING & ZONING

PARTICIPANTS: Grand Forks, Greenwood, Rossland, Trail, Fruitvale, Midway, Montrose, Warfield, Electoral Areas 'A','B','C','D' & 'E'

		PAGE	2014 ACTUAL	2015 BUDGET	2015 ACTUAL	(OVER) UNDER	2016 BUDGET	Increase(Dec between 2015 E and 2016 BU	BUDGET	2017 BUDGET	2018 BUDGET	2019 BUDGET	2020 BUDGET
REVENUE:													
Electoral	Taxes - Management Development Service		527,615	538,975	538,976	(1)	563,531	24,556	4.56	602,030	605,111	617,400	629,936
	s Taxes - Regional Development Services	3	175,872	179,658	179,658	0	187,844	8,185	4.56	200,677	201,704	205,800	209,979
11 210 100	Federal Grant In Lieu	4	1,143	750	1,208	(458)	1,000	250	33.33	1,000	1,000	1,000	1,000
11 460 100	Rezoning Fees	5	10,585	10,000	6,800	3,200	10,000	0	0.00	10,200	10,404	10,612	10,824
11 460 200	ALR Commission Appeal Fees	6	1,500	2,000	600	1,400	2,000	0	0.00	2,040	2,081	2,122	2,165
11 460 300	House Numbering Recovery	7	15,000	15,000	15,000	0	15,000	0	0.00	15,000	15,000	15,000	15,000
11 460 400	Map & Report Sales	8	910	1,500	0	1,500	1,500	0	0.00	1,530	1,561	1,592	1,624
11 590 159	Miscellaneous Revenue	9	0	21,000	20,000	1,000	1,000	(20,000)	(95.24)	1,000	1,000	1,000	1,000
11 911 100	Previous Year's Surplus	10	26,540	80,886	80,887	(0)	15,348	(65,538)	(81.03)	0	0	0	0
11 921 205	Transfer From Reserve	11	0	0	0	0	20,000	20,000	0.00	0	0	0	0
	Planning Agreements	12	7,539	7,539	7,539	0	7,539	0	0.00	7,539	7,539	7,539	7,539
	Total Revenue	-	766,705	857,309	850,668	6,641	824,761	(32,547)	(3.80)	841,016	845,399	862,066	879,066
EXPENDITU	RE:												
12 610 111	Salaries and Benefits	13	497,875	607,590	607,590	(0)	611,069	3,479	0.57	623,290	623,559	636,030	648,751
12 610 210	Travel Expense	14	11,316	13,000	10,000	3,000	13,000	0	0.00	13,260	13,525	13,796	14,072
12 610 220	Public Participation Program	15	7,457	10,000	5,000	5,000	10,000	0	0.00	10,200	10,404	10,612	10,824
12 610 223	Report Reproduction	16	26	0	0	0	0	0	0.00	0	0	0	0
12 610 229	Maps	17	402	500	400	100	500	0	0.00	500	500	500	500
12 610 230	Board Fee	18	42,954	43,726	43,726	0	44,514	788	1.80	45,404	46,312	47,238	48,183
12 610 232	Legal Fees	19	6,260	10,000	10,000	0	10,000	0	0.00	10,200	10,404	10,612	10,824
12 610 234	Library & Research	20	3,551	4,709	4,709	0	6,009	1,300	27.61	6,129	6,252	6,377	6,504
12 610 235	Operating Contract	21	34,300	43,270	40,000	3,270	43,270	0	0.00	44,135	45,018	45,918	46,837
12 610 239	Advisory Planning Commission	22	1,699	6,000	6,000	0	6,000	0	0.00	6,120	6,242	6,367	6,495
12 610 243	Office Building Expense	23	50,084	50,020	50,020	(0)	51,906	1,886	3.77	52,944	54,003	55,083	56,185
12 610 247	Office Equipment	24	7,016	6,000	6,000	0	6,000	0	0.00	6,000	6,000	6,000	6,000
12 610 251	Office Supplies	25	3,208	4,080	4,000	80	4,080	0	0.00	4,162	4,245	4,330	4,416
12 610 253	Vehicle Operation	26	12,875	12,875	12,875	0	12,875	0	0.00	13,133	13,395	13,663	13,936
12 610 610	Capital/Amortization	27	0	0	0	0	0	0	0.00	0	0	0	0
12 610 741	Contribution To Reserve	28	6,795	25,539	15,000	10,539	5,539	(20,000)	(78.31)	5,539	5,539	5,539	5,539
12 610 990	Previous Year's Deficit	29	0	0	0	0	0	0	0.00	0	0	0	0
12 610 999	Contingencies	30	0	20,000	20,000	21.989	004.704	(20,000)	(100.00)	0	0	0	0 070 000
	Total Expenditure		685,819	857,309	835,320	∠1,989	824,761	(32,547)	(3.80)	841,016	845,399	862,066	879,066
	Surplus(Deficit)		80,886	_	15,348								

### REGIONAL DISTRICT OF KOOTENAY BOUNDARY Five Year Financial Plan Droporty Toy Doguicition

Name	Property Tax Requisition	2016	2017	2018	2019	2020
	Management of Development Services	Budget	Budget	Budget	Budget	Budget
Item No	Description	Amount	Amount	Amount	Amount	Amount
	As per Board Resolution No 461-92					
	Total Expenditures					
	Less anticipated revenues from other sources					
	Equals Net Expenditures					
Exp	751,375		802,707	806,814	823,200	839,914
75%	563,531	563,531	602,030	605,111	617,400	629,936
2015						
Actual						
112,788	11 830 901 005 Electoral Area 'A'	111,721	119,353	119,964	122,400	124,886
59,282	11 830 902 005 Electoral Area 'B' / Lower Columbia/Old	63,330	67,657	68,003	69,384	70,793
117,464	11 830 903 005 Electoral Area 'C' / Christina Lake	122,386	130,747	131,416	134,085	136,808
75,428	11 830 904 005 Electoral Area 'D' / Rural Grand Forks	83,164	88,846	89,300	91,114	92,964
174,014	11 830 905 005 Electoral Area 'E' / West Boundary`	182,930	195,427	196,427	200,416	204,486
538,975	Sub	563,531	602,030	605,111	617,400	629,936
	Total Requisition	563,531	602,030	605,111	617,400	629,936

#### Notes:

Management of Development covers the Regional District's rural area planning program (e.g. OCPs, Zoning, Development Permits, etc.). It is a "General Service" pursuant to the Local Government Act with costs apportioned to the Electoral Areas only.



Name	Property Tax Requisition	2016	2017	2018	2019	2020
2015	Regional Development Services	Budget	Budget	Budget	Budget	Budget
Actual	Description	Amount	Amount	Amount	Amount	Amount
	As per Board Resolution No 461-92					
	Total Expenditures					
	Less anticipated revenues from other sources					
Exp	751.375		802.707	806.814	823.200	839.914
25%	187,844	187,844	200,677	201,704	205,800	209,979
5.498	11 830 100 005 Fruitvale	5.553	5.933	5.963	6.084	6.208
16,307	11 830 200 005 Grand Forks	17,036	18,200	18,293	18,665	19,044
1.863	11 830 300 005 Greenwood	1.951	2.084	2.095	2.137	2.181
2.944	11 830 400 005 Midway	3.095	3.307	3.324	3.391	3.460
2.904	1 1 000 000 000 Williams	3.090	3.301	3.318	3.386	3.454
15.569	<del>                                     </del>	16.925	18.082	18.174	18.543	18.920
42,815	<del>                                     </del>	44,170	47,188	47,429	48,393	49,375
4.463		4.621	4.937	4.962	5.063	5.166
18.268	<del>                                     </del>	18.120	19.358	19.457	19.853	20.256
9.602		10.272	10.973	11.030	11.254	11.482
19.025	The state of the s	19.850	21.206	21.315	21.748	22.189
12,217		13,489	14,410	14,484	14,778	15,078
28.185		29.670	31.697	31.859	32.506	33.166
179.658						
	Total Requisition	187,844	200,677	201,704	205,800	209,979

Notes:
Regional Development Services includes such region wide activities as
coordination, research, regional mapping, ALR and subdivision reviews, etc.
It is a "General Service" pursuant to the Local Government Act with costs apportioned
to all constituent members of the Regional District.

Name Account	Federal Grant In Lieu 11 210 100 005	2015 Prior Year	2016 Budaet	2017 Budaet	2018 Budaet	,	2019 Budaet	2020 Budget
Item No	Description	Amount	Amount	Amount	Amount		Amount	Amount
1	Federal Grant In Lieu	750	1,000	1,000	1,000		1,000	1,000
						-		
						-		
								<u> </u>
								<del> </del>
						1		
						-		<u> </u>
	Current Year Budget	750	1,000	1,000	1,000		1,000	1,000

Notes:	Previous Year Budget	750
	Actual to December 31, 2015	1,208

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Name Account	Rezoning Fees 11 460 100 005	2015 Prior Year	2016 Budaet		2017 Budaet		2018 Budget		2019 Budget		2020 Budget
		FIIOI Teal	Duduet		Duddet		Duddet		Duddet		Duddet
Item No	Description	Amount	Amount	%	Amount	%	Amount	%	Amount	%	Amount
1	Rezoning Fees	10,000	10,000	2.0%	10,200	2.0%	10,404	2.0%	10,612	2.0%	10,824
											-
-											
											•
			•								
	Current Year Budget	10,000	10,000		10,200		10,404		10,612		10,824

Notes: Previous Year	ar Budget	10,000
Actual to December	31, 2015	6,800
Conservative estimate based on last year's zoning revenue		

Name Account	ALR Fees 11 460 200 005	2015 Prior Year	2016 Budaet		2017 Budaet		2018 Budaet		2019 Budget		2020 Budaet
		FIIOI I Cal									
Item No	Description	Amount	Amount	%	Amount	%	Amount	%	Amount	%	Amount
1	Agricultural Land Reserve Fees	2,000	2,000	2.0%	2,040	2.0%	2,081	2.0%	2,122	2.0%	2,165
											-
								l			
-								1			
-								1			
-	Comment Ve as Bodest	2.000	2.000		2.040		2.001		0.100		21/5
	Current Year Budget	2,000	2,000		2,040		2,081	l	2,122		2,165

Notes: Pre	vious Year Budget	2,000						
Actual to D	ecember 31, 2015	600						
Conservative estimate based on last year's revenue from LRC fees								

Name Account	House Numbering Recovery 11 460 300 005	2015 Prior Year	2016 Budaet	2017 Budget	2018 Budaet	2019 Budget	2020 Budaet
Account	11 480 300 003	PIIUI TEAI	Duuuei	Buddet	Buuuei	Buuuei	Buuuei
Item No	Description	Amount	Amount	Amount	Amount	Amount	Amount
1	Area 'A ' & 'C' House Numbering	6,000	6,000	6,000	6,000	6,000	6,000
2	Area 'B' house Numbering	3,000	3,000	3,000	3,000	3,000	3,000
3	Area 'D' house Numbering	3,000	3,000	3,000	3,000	3,000	3,000
4	Area 'E' house Numbering	3,000	3,000	3,000	3,000	3,000	3,000
5	Services provided to Municipalities	-	-	-	-	-	-
	Current Year Budget	15,000	15,000	15,000	15,000	15,000	15,000

Notes:	Previous Year Budget	15,000
·	Actual to December 31, 2015	15,000
	Internal Transfer from participating members	

Name Account	Map Sales 11 460 400 005	2015 Prior Year	2016 Budget		2017 Budget		2018 Budget	1	2019 Budget		2020 Budget
Item No	Description	Amount	Amount	%	Amount	%	Amount	%	Amount	%	Amount
1	Map Sales	1,500	1,500	2.0%	1,530	2.0%	1,561	2.0%	1,592	2.0%	1,624
	Current Year Budget	1,500	1,500		1,530		1,561		1,592		1,624

Notes:	Previous Year Budget	1,500
	Actual to December 31, 2015	-
Estimate based on last year's revenue from map	o sales	

Name Account	Miscellaneous Revenue 11 590 159 005	2015 Prior Year	2016 Budaet	2017 Budaet	2018 Budaet	2019 Budget	2020 Budaet
Account	11 570 157 005	FIIOI I Cai	Duddet	Duddet	Duddet	Duduet	Duudet
Item No	Description	Amount	Amount	Amount	Amount	Amount	Amount
1	Services provided to Municipalities	1,000	1,000	1,000	1,000	1,000	1,000
2	Age Friendly Community Study - Christina Lake	20,000				·	
3							
	Current Voor Budget	21,000	1,000	1,000	1,000	1,000	1,000
	Current Year Budget	21,000	1,000	1,000	1,000	1,000	1,000

Notes:	Previous Year Budget	21,000
	Actual to December 31, 2015	20,000

Name Account	Previous Year's Surplus 11 911 100 005	2015 Prior Year	2016 Budaet	2017 Budaet	2018 Budaet	,	2019 Budaet	,	2020 Budaet
Item No	Description	Amount	Amount	Amount	Amount		Amount		Amount
1	Previous Year's Surplus	80,886	15,348	-	-		-		-
	Current Voor Budget	00.004	15 240						
	Current Year Budget	80,886	15,348	-	-		-		-

Notes:	Previous Year Budget	80,886
	Actual to December 31, 2015	80,887
·		

Name Account	Transfer From Reserve 11 921 205 005	2015 Prior Year	2016 Budget	2017 Budget	2018 Budget	2019 Budget	2020 Budget
Item No	Description	Amount	Amount	Amount	Amount	Amount	Amount
1	Taxation Offset		20,000				
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							+
							1
							1
	Current Year Budget	-	20,000	-	-	-	-

Notes:	Previous Year Budget	-
	Actual to December 31, 2015	-

Name	SECTION 820(9) - PLANNING AGREEMENTS	2015 Prior Year	2016 Budaet		2017 Budaet	1	2018 Budaet	1	2019 Budaet	1	2020 Budget
Item No	Description	Amount	Amount	%	Amount	%	Amount	%	Amount	%	Amount
1	11 330 100 005 Village of Fruitvale	1,166	1,166	0.0%	1,166	0.0%	1,166	0.0%	1,166	0.0%	1,166
2	11 330 200 005 City of Grand Forks	1,668	1,668	0.0%	1,668	0.0%	1,668	0.0%	1,668	0.0%	1,668
3	11 330 500 005 Village of Montrose	1,044	1,044	0.0%	1,044	0.0%	1,044	0.0%	1,044	0.0%	1,044
4	11 330 600 005 City of Rossland	1,712	1,712	0.0%	1,712	0.0%	1,712	0.0%	1,712	0.0%	1,712
5	11 330 700 005 City of Trail	1,949	1,949	0.0%	1,949	0.0%	1,949	0.0%	1,949	0.0%	1,949
	Greenwood		-	0.0%	-	0.0%	-	0.0%	-	0.0%	-
	Midway		-	0.0%	-	0.0%	-	0.0%	-	0.0%	-
	Warfield		-	0.0%	-	0.0%	-	0.0%	-	0.0%	-
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-											
-											
				·			•				
	Current Year Budget	7,539	7,539		7,539		7,539		7,539		7,539

Notes:	Previous Year Budget	7,539
	Actual to December 31, 2015	7,539
Based on agreements entered into with participating municip	palities	
pursuant to Section 804.1 of the Local Government Act		
allowing partial participation in Part 26 Planning Services		

Name	Salaries & Benefits	2015 Prior Year				2016		2017 Budget		2018 Budget		2019 Budget		2020 Budget
Account	12 610 111 005	Prior Year	1			Budget		Budget	1	Budget		Budget		Budget
Item No	Description	Amount	Incumbent	Hours	Rate	Amount	%	Amount	%	Amount	%	Amount	%	Amount
1	General Manager, Operations / DCAO	37,991	M. Andison	30%	128,599	38,580	2.0%	39,351	2.0%	40,138	2.0%	40,941	2.0%	41,760
2	Planning & Development Manager	88,740	D. Dean	100%	90,116	90,116	2.0%	91,918	2.0%	93,757	2.0%	95,632	2.0%	97,544
3	Senior Planner	73,017	J. Ginalias	1900	39.20	74,480	2.0%	75,970	2.0%	77,489	2.0%	79,039	2.0%	80,620
4	Planner	67,051	C. Rimell	1900	36.00	68,400	2.0%	69,768	2.0%	71,163	2.0%	72,587	2.0%	74,038
5	Senior Planning Technician	61,598	I. Haas	1900	33.07	62,833	2.0%	64,090	2.0%	65,371	2.0%	66,679	2.0%	68,012
6	GIS Technician	59,185	Bart	1900	31.77	60,363	2.0%	61,570	2.0%	62,802	2.0%	64,058	2.0%	65,339
7	Senior Planning Secretary	55,005	Maria	1900	29.53	56,107	2.0%	57,229	2.0%	58,374	2.0%	59,541	2.0%	60,732
8	Clerk/Steno/Rec (PT 4 Hours x 261 Days)	27,770	Lori	1044	27.14	28,334	2.0%	28,901	2.0%	29,479	2.0%	30,068	2.0%	30,670
9	Provision for unused Holidays (1wk/employee	-		0	30.00		2.0%	-	2.0%	-	2.0%	-	2.0%	-
10	Overtime and extra time	5,000				5,000	2.0%	5,100	2.0%	5,202	2.0%	5,306	2.0%	5,412
11	Temp GIS Tech	-		300	31.77	9,531	2.0%	9,722	2.0%					
12	Cost Pressures	3,060				3,060	2.0%	3,121	2.0%	3,184	2.0%	3,247	2.0%	3,312
13	Allownace for CUPE Contract Increase (2%)													
	SubTotal	478,417				496,804		506,740		506,959		517,098		527,440
	Benefits @	129,173	23%			114,265	23.0%	116,550	23.0%	116,600	23.0%	118,932	23.0%	121,311
										•				,
		•								•				
		•								•				
	Current Year Budget	607,590				611,069		623,290		623,559		636,030		648,751

Notes:	Previous Year Budget	607,590
	Actual to December 31, 2015	607,590
Item #1	GMO / DCAO Salary Split: 30% Planning; 40% Building; 30% Admin	
Item #12	Cost pressure allowance @ 3.0 %	
	<del>-</del>	

Name Account	Travel Expense 12 610 210 005	2015 Prior Year	2016 Budaet		2017 Budget		2018 Budaet		2019 Budget		2020 Budget
Item No	Description	Amount	Amount	%	Amount	%	Amount	%	Amount	%	Amount
1	Estimates for meals, mileage, etc,										
	while travelling within RDKB	1,700	1,700	2.0%	1,734	2.0%	1,769	2.0%	1,804	2.0%	1,840
2	Professional Staff Development - PIBC, Planning						-		-		-
	Director's Conf., Victoria, Technical Courses, etc.	8,000	8,000	2.0%	8,160	2.0%	8,323	2.0%	8,490	2.0%	8,659
3	Miscellaneous travel (outside RDKB)	3,000	3,000	2.0%	3,060	2.0%	3,121	2.0%	3,184	2.0%	3,247
4	Board of Variance expenses	300	300	2.0%	306	2.0%	312	2.0%	318	2.0%	325
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		40.000	10.000		100/0		40.505		40.70/		440-0
	Current Year Budget	13,000	13,000		13,260		13,525		13,796		14,072

Notes:	Previous Year Budget	13,000
	Actual to December 31, 2015	10,000

Name Account	Public Participation Program 12 610 220 005	2015 Prior Year	2016 Budaet		2017 Budaet		2018 Budaet	ı	2019 Budaet	1 1	2020 Budaet
Item No	Description	Amount	Amount	%	Amount	%	Amount	%	Amount	%	Amount
1	Legal ads, hall rental, visual and audio aids for										
	public hearings and other meetings	8,000	8,000	2.0%	8,160	2.0%	8,323	2.0%	8,490	2.0%	8,659
2	Long Range Planning Expenses	2,000	2,000	2.0%	2,040	2.0%	2,081	2.0%	2,122	2.0%	2,165
		2,000	2,000	2.370	27010	2.370	2,00	2.370		570	27.00
			•				•				
	Current Year Budget	10,000	10,000		10,200		10,404		10,612		10,824

Notes:	Previous Year Budget	10,000
	Actual to December 31, 2015	5,000

Name Account	Report Reproduction 12 610 223 005	2015 Prior Year	2016 Budget		2017 Budget	1	2018 Budget		2019 Budget	ı	2020 Budget
Item No	Description	Amount	Amount	%	Amount	%	Amount	%	Amount	%	Amount
1	Material costs associated with the production of										
	major reports (i.e. pre-printed covers, bindings,										
	maps, graphics.)	-	-	2.0%	-	2.0%	-	2.0%	-	2.0%	-
									<del>                                     </del>		
	Current Year Budget	-	•		-		-		-		-

Notes:	Previous Year Budget	
	Actual to December 31, 2015	-
•		

Name Account	Maps 12 610 229 005	2015 Prior Year	2016 Budaet		2017 Budaet		2018 Budaet		2019 Budget		2020 Budaet
Item No	Description	Amount	Amount	%	Amount	%	Amount	%	Amount	%	Amount
1	Acquisition of mapping data	500	500		500		500		500		500
-											
		-									
	Current Year Budget	500	500		500		500		500		500

Notes:	Previous Year Budget	500
	Actual to December 31, 2015	400

Name Account	Board Fee 12 610 230 005	2015 Prior Year	2016 Budaet		2017 Budaet		2018 Budaet		2019 Budget		2020 Budaet
Item No	Description	Amount	Amount	%	Amount	%	Amount	%	Amount	%	Amount
1	Board Fee (2% increase for C.P.I.)	39,381	40,169	2.0%	40,972	2.0%	41,791	2.0%	42,627	2.0%	43,480
2	Carbon Offset & Climate Change Initiatives	4,345	4,345	2.0%	4,432	2.0%	4,521	2.0%	4,611	2.0%	4,703
	Current Year Budget	43,726	44,514		45,404		46,312		47,238		48,183

Notes:	Previous Year Budget	43,726
	Actual to December 31, 2015	43,726

Name Account	Legal Fees 12 610 232 005	2015 Prior Year	2016 Budaet		2017 Budaet		2018 Budaet	1	2019 Budaet		2020 Budaet
Item No	Description	Amount	Amount	%	Amount	%	Amount	%	Amount	%	Amount
1	Legal Fees	10,000	10,000	2.0%	10,200	2.0%	10,404	2.0%	10,612	2.0%	10,824
	Current Year Budge	et 10,000	10,000		10,200		10,404		10,612		10,824

Notes:	Previous Year Budget	10,000
	Actual to December 31, 2015	10,000

Name Account	Library & Research 12 610 234 005	2015 Prior Year	2016 Budaet		2017 Budaet		2018 Budaet		2019 Budaet		2020 Budaet
Item No	Description	Amount	Amount	%	Amount	%	Amount	%	Amount	%	Amount
1	Subscriptions to technical journals	250	250	2.0%	255	2.0%	260	2.0%	265	2.0%	271
2	Acquisition of research materials										
	(i.e. from Central Statistics, books, etc)	459	459	2.0%	468	2.0%	478	2.0%	487	2.0%	497
3	Professional dues (PIBC X 3; MISA; ARDPM)	3,000	3,000	2.0%	3,060	2.0%	3,121	2.0%	3,184	2.0%	3,247
4	LTSA and Maps	1,000	2,300	2.0%	2,346	2.0%	2,393	2.0%	2,441	2.0%	2,490
	Current Year Budget	4,709	6,009		6,129		6,252		6,377		6,504

Notes:	Previous Year Budget	4,709
	Actual to December 31, 2015	4,709

Name Account	Operating Contract 12 610 235 005	2015 Prior Year	2016 Budaet		2017 Budaet	1	2018 Budaet		2019 Budaet		2020 Budaet
Item No	Description	Amount	Amount	%	Amount	%	Amount	%	Amount	%	Amount
1	GIS Software Support Services	4,000	4,000	2.0%	4,080	2.0%	4,162	2.0%	4,245	2.0%	4,330
2	Plotter Maintenance contingency	700	700	2.0%	714	2.0%	728	2.0%	743	2.0%	758
3	ArcGIS Desktop Basic	2,500	2,500	2.0%	2,550	2.0%	2,601	2.0%	2,653	2.0%	2,706
4	ArcGIS for Desktop Standard Primary Maintenance	3,100	3,100	2.0%	3,162	2.0%	3,225	2.0%	3,290	2.0%	3,356
5	ArcGIS for Server Enterprise Maintenance	10,500	10,500	2.0%	10,710	2.0%	10,924	2.0%	11,143	2.0%	11,366
6	Arc GIS for Desktop Standard Secondary Maintenance	2,500	2,500	2.0%	2,550	2.0%	2,601	2.0%	2,653	2.0%	2,706
7	Selkirk College ArcIMS Hosting Fee	9,180	9,180	2.0%	9,364	2.0%	9,551	2.0%	9,742	2.0%	9,937
8	Cell Phones	3,000	3,000	2.0%	3,060	2.0%	3,121	2.0%	3,184	2.0%	3,247
9	Selkirk College Map Service Fine Tuning	2,040	2,040	2.0%	2,081	2.0%	2,122	2.0%	2,165	2.0%	2,208
10	Annual support for SSL certificate	150	150	2.0%	153	2.0%	156	2.0%	159	2.0%	162
11	Geocortex Essentials Maintenance	5,600	5,600	2.0%	5,712	2.0%	5,826	2.0%	5,943	2.0%	6,062
	Current Year Budget	43,270	43,270		44,135		45,018		45,918		46,837

Notes:	Previo	ous Year Budget	43,270
	Actual to Dec	cember 31, 2015	40,000
Item #3-6	ESRI Canada (ARCview, ARCeditor) contract		
·-			

Name Account	Advisory Planning Commission 12 610 239 005	2015 Prior Year	2016 Budaet	1	2017 Budaet	1	2018 Budaet	1	2019 Budaet		2020 Budaet
Item No	Description	Amount	Amount	%	Amount	%	Amount	%	Amount	%	Amount
1	\$1000 discretionary fund for use by each Electoral										
	Area Director to offset expenses for the 6 APCs										
	pursuant to Section 897(3) of the Municipal Act	6,000	6,000	2.0%	6,120	2.0%	6,242	2.0%	6,367	2.0%	6,495
	-										
	<u> </u>										
	+										
	Current Year Budget	6,000	6,000		6,120		6,242		6,367		6,495

Notes:	Previous Year Budget	6,000
	Actual to December 31, 2015	6,000

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Name Account	Office Building Expense 12 610 243 005	2015 Prior Year	2016 Budaet	1	2017 Budaet	1	2018 Budaet	1	2019 Budaet		2020 Budaet
Item No	Description	Amount	Amount	%	Amount	%	Amount	%	Amount	%	Amount
1	Heating share of RDKB Office	3,043	3,043	2.0%	3,104	2.0%	3,166	2.0%	3,229	2.0%	3,294
2	Power share of RDKB Office	9,561	9,590	2.0%	9,782	2.0%	9,977	2.0%	10,177	2.0%	10,381
3	Janitorial & Maintenance	20,778	22,456	2.0%	22,905	2.0%	23,363	2.0%	23,830	2.0%	24,307
4	Grand Forks Office Rental	7,144	7,323	2.0%	7,469	2.0%	7,619	2.0%	7,771	2.0%	7,927
5	Photocopy Recovery - Administration	9,494	9,494	2.0%	9,684	2.0%	9,878	2.0%	10,075	2.0%	10,277
		ļ									
		ļ									
	Current Year Budget	50.020	51,906		52,944		54,003		55,083		56,185
	Current Year Budget	50,020	01,900		5Z,944		54,003		25,083		20,183

Notes: Previous Year Budget	50,020							
Actual to December 31, 2015	50,020							
The Planning Department's share (based on approximate use or area) of the								
above mentioned expenses.								

Name Account	Office Equipment 12 610 247 005	2015 Prior Year	2016 Budaet	I	2017 Budaet	2018 Budaet	1	2019 Budaet	2020 Budaet
Item No	Description	Amount	Amount		Amount	Amount		Amount	Amount
1	Miscellaneous Equipment	6,000	6,000		6,000	6,000		6,000	6,000
	Current Year Budget	6,000	6,000		6,000	6,000		6,000	6,000

Notes:	Previous Year Budget	6,000
	Actual to December 31, 2015	6,000
	<u> </u>	

Name Account	Office Supplies 12 610 251 005	2015 Prior Year	2016 Budaet	1	2017 Budaet	1	2018 Budaet	1	2019 Budaet		2020 Budaet
Item No	Description	Amount	Amount	%	Amount	%	Amount	%	Amount	%	Amount
1	Print paper (maps), ink, tapes,										
	binding material and other misc. office supplies										
	(primarily required for maps, graphics and reports)	4,080	4,080	2.0%	4,162	2.0%	4,245	2.0%	4,330	2.0%	4,416
	Current Year Budget	4,080	4,080		4,162		4,245		4,330		4,416

Notes:	Previous Year Budget	4,080
	Actual to December 31, 2015	4,000

Name Account	Vehicle Operation 12 610 253 005	2015 Prior Year	2016 Budaet	1	2017 Budaet		2018 Budaet	1	2019 Budaet		2020 Budaet
Item No	Description	Amount	Amount	%	Amount	%	Amount	%	Amount	%	Amount
1	Annual allocation of fleet vehicle costs	12,875	12,875	2.0%	13,133	2.0%	13,395	2.0%	13,663	2.0%	13,936
	Current Year Budget	12,875	12,875		13,133		13,395		13,663		13,936

Notes:		Previous Year Budget	12,875
		Actual to December 31, 2015	12,875
Item #1	For use of fleet vehicles.		

Name Account	Capital 12 610 610 005	2015 Prior Year	2016 Budaet	ı	2017 Budaet	1	2018 Budaet	ı	2019 Budaet	1	2020 Budaet
Item No	Description	Amount	Amount		Amount		Amount		Amount		Amount
1		-	-		-		-		-		-
		1									
	Oursent Vess Budget										
	Current Year Budget	-	-		-		-		-		-

Notes:	Previous Year Budget	
	Actual to December 31, 2015	-
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Name Account	Contribution To Reserve 12 610 741 005	2015 Prior Year	2016 Budaet	2017 Budaet	2018 Budaet	2019 Budaet	2020 Budaet
Item No	Description	Amount	Amount	Amount	Amount	Amount	Amount
1	Contibution to Reserve	5,000	5,000	5,000	5,000	5,000	5,000
2	Management Early Retirement Incentive Plan	1,795	539	539	539	539	539
3	To offset taxation in future years	20,000					
#4 This							
	rve is intended to be used when a major computer/equipment upgra quired for the Department's Geographic Information System.						
S	Such upgrades are typically required about every 5 years.						
	Current Year Budget	26,795	5,539	5,539	5,539	5,539	5,539

Notes:	Previous Year Budget 25,539			
	Actual to December 31, 2014 15,000			
Item #2	ERIP Funds transferred to Administration Reserve Actual to December 31, 201	5 \$43,7	85.72	Balance in Reserve December 31, 2015
	GL Account Number 34 700 001			Account Number 34 700 005
	M. Andison \$1,795 (30% Planning, 30% Building, & 40% Admin)			

Name Account	Previous Year's Deficit 12 610 990 005	2015 Prior Year	2016 Budaet	ı	2017 Budaet	ı	2018 Budaet	ı	2019 Budaet	1	2020 Budaet
Item No	Description	Amount	Amount		Amount		Amount		Amount		Amount
1	Previous Year's Deficit	-	-		-		-		-		-
	·										
	Current Year Budget	-	-		-		-		-		-

Notes:	Previous Year Budget	
	Actual to December 31, 2015	-

Name Account	Contingencies 12 610 999 005	2015 Prior Year	2016 Budaet	2017 Budaet	2018 Budaet	_	2019 Budaet	_	2020 Budaet
Item No	Description	Amount	Amount	Amount	Amount		Amount		Amount
1	Age Friendly Community Study - Christina Lake	20,000	-	-	-		-		-
	Current Year Budget	20,000	-	-	-		-		-

Notes:	Previous Year Budget	20,000
	Actual to December 31, 2015	20,000
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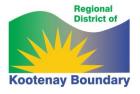


# 2016 PLANNING AND DEVELOPMENT DEPARTMENT APPLICATION PROCESS AND MEETING SCHEDULE

(As of January 4, 2016

ITEM ATTACHMENT # 7.J)

						(As of January 4, 20.
2016 Application Deadline Date	2016 APC Mail-Out Date	2016 APC Meeting Dates	2016 EAS Agenda Mailout	2016 EAS Meetings	2016 Board Agenda Items	2016 Board Meetings
Dec. 10/15	Dec. 17/15	Mon/Tues Jan. 4/5	Thurs., Jan. 7	Thurs., Jan. 14 ( <i>Trail – 5:00 pm</i> )	Tues., Jan. 19	Thurs., Jan. 28 (Grand Forks)
Wed., Jan. 13	Thurs., Jan. 21	Mon/Tues Feb. 1/2	Thurs., Feb. 4	Thurs., Feb. 11 (GF – 5:00 pm)	Tues., Feb. 16	Thurs., Feb. 25 (Trail)
Wed., Feb. 10	Thurs., Feb. 18	Mon/Tues Feb. 29/Mar.1	Thurs., Mar. 3	Thurs., Mar. 10 (Trail – 5:00 pm)	Tues., Mar. 22	Thurs., Mar. 31 (Trail)
Wed., Mar. 9	Thurs., Mar. 24	Mon/Tues Apr. 4/5	Thurs., Apr. 7	Thurs., Apr. 14 (GF- 5:00 pm)	Tues., Apr. 19	Thurs., April 28 (TBA)
Wed., Apr. 13	Thurs., Apr. 21	Mon/Tues May 2/3	Thurs., May 5	Thurs., May 12 (Trail – 5:00 pm)	Tues., May 17	Thurs., May 26 (Trail)
Wed., May 11	Thurs., May 19	Mon/Tues June 6/7	Thurs., June 9	Thurs., June 16 (GF – 5:00 pm)	Tues., June 21	Thurs., June 30 (Trail)
Wed., June 8	Thurs., June 23	Mon/Tues Jul. 4/5	July and August	EAS meetings are at	Tues., July 19	Thurs., July 28 (Grand Forks)
Wed., July 13	Thurs., July 21	Tues Aug. 2	the discretion	on of the Chair	Tues., Aug. 16	Thurs., Aug. 25 (Trail)
Wed., Aug. 10	Thurs., Aug. 25	Tues Sept. 6	Thurs., Sept. 8	Thurs., Sept. 15 (Trail – 5:00 pm)	Tues., Sept. 13	Thurs., Sept. 22 (Trail)
Wed., Sept. 14	Thurs., Sept. 22	Mon/Tues Oct. 3/4	Thurs., Oct. 6	Thurs., Oct. 13 (GF – 5:00 pm)	Tues., Oct. 18	Thurs., Oct. 27 (Grand Forks)
Wed., Oct. 12	Thurs., Oct. 20	Mon/Tues Oct. 31/Nov. 1	Thurs., Nov. 3	Thurs., Nov. 10 ( <i>Trail</i> – <i>5:00 pm</i> )	Tues., Nov. 15	Thurs., Nov. 24 (TBA)
Applications received for Jan. 2017 EAS Mtg. will be mailed to APC's on Thurs., Dec. 15/16	NO SCHEDULED MAILOUT	DEC. APC MEETING OPTIONAL	NO EAS MTG. IN DECEMBER	NO EAS MTG. IN DECEMBER	Tues. Nov. 29	Statutory Board Mtg. Thurs., Dec. 8 – 4:00 PM (Trail)
Jan. 2017 Cutoff: <b>Wed, Dec. 7/16</b>	Jan. 2017 Mailout: Thurs.Dec.15/16		Start	of January 20	17 Schedule	
:\PD\Forms\APCPlanBoard	Schedule\2015 Process Scho	edule.doc				·



#### STAFF REPORT

File: Building Bylaw

Date: 06 January 2016

**To:** Chair Worley and Members, Electoral Area

Services Committee

From: Mark Andison, General Manager, Operations /

Deputy CAO

Re: Electoral Area Building Permit Fee Review

#### **Issue Introduction**

The purpose of this report is to review building permit fees for the electoral areas of the Regional District of Kootenay Boundary.

#### **History/Background Factors**

Last year, the Electoral Area Services Committee reviewed a discussion paper regarding the RDKB Building Inspection Service. The discussion paper provided some background on the structure and issues associated with the service, and outlined some options to consider that may serve to reduce tax requisition levels for the service. Upon reviewing and discussing the paper, there was consensus at the Electoral Area Services Committee table that it would be desirable to maintain the current level of service with minimal increase to permit fees. The Committee passed a resolution stating "That the Electoral Area Services Committee would like staff to look into options for consideration including some increase in fees and decreases in expenses where possible and to articulate a plan for 2016".

Measures to decrease Building Inspection Service expenses have been proposed as part of the 2016 Budget and Five-Year Financial Plan. For 2016, the proposed budget includes significant expense cuts amounting to \$167,298 overall. Of that reduction, \$98,528 is associated with the elimination of a budget deficit carried over from 2014 to 2015 which was the result of change in accounting practices for the department. Other significant expense reductions relate to: building costs, office equipment, benefit costs, travel, and vehicle maintenance.

With significant expense cuts being proposed as part of the 2016 budgeting process, the intent of this report is to focus on the revenue side, specifically potential fee increases. As noted above, the last time the Committee discussed this issue, it determined that it would like to maintain the current level of service with minimal increase in fees.

#### **Implications**

When reviewing the Regional District of Kootenay Boundary's building permit fee schedule alongside those of our neighbouring regional districts, it becomes apparent that the RDKB's building permit fees are somewhat lower than some of our neighbours. The tables below compare the building permit fees utilized by four neighbouring regional districts with those of the RDKB.

Regional District	Basic Building Permit Fee	Basic Permit Fee for \$250,000 House
Kootenay Boundary	\$8.00 per \$1,000	\$2000
Central Kootenay	\$10.50 per \$1,000	\$2,625
East Kootenay	\$50 for \$1,000 or less; \$10 for each additional \$1,000 up to \$50,000; \$7 for each additional \$1,000 over \$50,00	\$1,940
Okanagan-Similkameen	\$12.00 per \$1,000	\$3,000
Central Okanagan	\$12 per \$1,000 plus surcharge	\$3,200

#### **ADDITIONAL FEES**

<u>RD</u>	\$/plumbing fixture	Re- Inspection Fee	Renewal Fee	Demolition Fee	Temporary Buildings	Moving Fee
RDKB	\$10	\$75	\$2 per \$1,000	\$50	\$75	\$75
RDCK	\$10.50	\$50	\$100	\$100	\$200	\$100
RDEK	\$10	\$50	\$2 per \$1,000	\$150	\$75	\$150
RDOS	\$10	\$100	\$100	\$500	n/a	n/a
RDCO	\$10	\$75	n/a	n/a	n/a	\$200

An increase in the RDKB's base building permit fee from \$8.00 per \$1,000 of construction value to \$10.00 per \$1,000 in construction value would represent a 25% increase in fees. For the homeowner/builder making application for a building permit for a project valued at \$250,000, this would increase the base building permit fee from \$2,000 to \$2,500 — closer to the fees required by the Regional District of Central Kootenay.

The benefit of increased building permit fees is the resulting reduction in tax requisitions applying to the taxpayer. In terms of the actual impact upon the tax requisition to property-owners, a 25% increase in building permit fee revenues would translate into a 5% reduction in tax requisitions for the Building Inspection Service to electoral area property-owners. As an example, a residential property-owner in Electoral Area 'C' with a property assessed at \$300,000 (land and buildings) paid \$32.00 in taxes in 2015 for Building Inspection Service. Had building permit fees been increased to \$10.00/\$1,000 for 2015, that residential property-owner's tax requisition would have decreased by \$1.60 to \$30.40.

At this point, staff would ask the Electoral Area Services Committee to review and discuss the building permit fee information contained in this report and provide direction to staff as to its preferred course of action with respect to fees, or if further information is required.

Recommendation  That the Electoral Area Services Committee review and discuss the building permit fee information contained in the staff report from Mark Andison, General Manager, Operations / Deputy CAO and provide direction to staff				
regarding the prefer	red course of action with respec	t to electoral area buildi	ng permit fees.	



# Regulating Agri-tourism and Farm Retail Sales in the Agricultural Land Reserve

# DISCUSSION PAPER AND PROPOSED MINISTER'S BYLAW STANDARDS

**September 14, 2015** 

**November 30, 2015** - revised to extend the deadline for feedback to midnight PST <u>January 15, 2016</u> and to open the consultation to Agri-tourism Operators to provide feedback.

Prepared by: Strengthening Farming Program Innovation and Adaptation Services Branch

# **Executive Summary**

This discussion paper ('white paper') has been prepared by the B.C. Ministry of Agriculture (AGRI) Strengthening Farming Program, Innovation and Adaptation Branch for input on the establishment of a Minister's Bylaw Standard to assist local government bylaw development regarding agri-tourism, agri-tourism accommodation and farm retail sales.

Its preparation follows the 2014 AGRI's consultation on the Agricultural Land Reserve (ALR) Use, Subdivision and Procedure Regulation (ALR USP Regulation) in which local governments expressed strong support for AGRI to provide greater clarity in guidance to local government bylaws on agri-tourism.

The proposed Minister's Bylaw Standard criteria, set out in Part 3.0, result from input contributed by the Agricultural Land Commission (ALC), local governments and the agricultural sector. While the proposed Minister's Bylaw Standard provisions apply to land in the Agricultural Land Reserve (ALR), local governments may also wish to adopt for all agriculturally zoned property.

AGRI invites local governments to review the proposed Minister's Bylaw Standard and provide feedback to the contact listed on page 13 by November 30, 2015. Feedback received will be analysed by AGRI staff, with updates and improvements made to the proposed Minister's Bylaw Standard in preparation for the Minister of Agriculture's (Minister) consideration.

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# Introduction

This paper outlines draft criteria to assist local governments in regulating their agri-tourism, agri-tourism accommodation and farm retail sales bylaws, aiming to encourage further discussion on the matter with local governments, the ALC and the farm sector. It is important that the bylaw standard criteria effectively guide local government land use regulations within the context, and intents, of the *Agricultural Land Commission*, *Farm Practices Protections* (*Right to Farm*), and *Local Government* and *Community Charter Acts* and their regulations. The draft criteria reflect analysis undertaken by AGRI staff, previous consultations with local governments, the ALC, industry, and the Ministry of Community, Sport and Cultural Development (CSCD).

# 1.0 Part one - The Criteria Development Process

This paper explores and proposes land use regulation and policy guidance for local governments to address agri-tourism and farm retail sales issues in their communities, while recognizing these uses are permitted (with exceptions) within the ALR.

Following consultation with stakeholders and approval by the Minister, the bylaw criteria will become a Minister's Bylaw Standard and incorporated within the "Guide for Bylaw Development in Farming Areas" (Bylaw Guide).

# 1.1 Purpose and Goals

The purposes of establishing land use regulation criteria to address local government concerns regarding agri-tourism and farm retail sales are to:

- Establish a Minister's Bylaw Standard that provides flexibility for local governments to shape agri-tourism activity in their community while ensuring that agriculture in the ALR continues as a priority use;
- 2. Address the needs of the agriculture sector/industry to supplement farming income;
- 3. Minimize the impact of agri-tourism and retail sales on farm practices and farming potential in farming areas;
- Minimize loss and/or fragmentation of farmland due to agri-tourism and retail sales uses;
- 5. Reduce the financial imbalance that results from large scale commercial operations locating inexpensively in the ALR and outcompeting those that have located in appropriate commercial zones; and
- Minimize the risk of agri-tourism and farm retail sales buildings and structures being used for non-farm purposes.

#### 1.2 Stakeholders

Stakeholders involved in developing these Bylaw Standard criteria include:

<sup>&</sup>lt;sup>1</sup> Under the *Local Government Act* (Part 26, Division 8, Section 916), the Minister responsible for the *Farm Practices Protection (Right to Farm) Act* can develop bylaw standards to guide the development of zoning and farm bylaws. Development of provincial standards is intended to promote consistency in the regulation of, and planning for, farming. However, provision has been made under Section 916(3) to allow the standards to differ, if necessary, to respond to BC's diverse farming industry and land base.

- a) Local governments and their Agricultural Advisory Committees (AAC);
- b) Agriculture industry;
- c) ALC;
- d) Strengthening Farming Directors Committee,
- e) CSCD; and
- f) Ministry of Jobs, Tourism and Skills Training.

# 1.3 Objectives of the Process

The objectives of the process are to:

- 1. Create a set of Bylaw Standard criteria for stakeholder review;
- 2. Consult with stakeholders; and
- Develop a Minister's Bylaw Standard that local governments can apply as regulation or policy.

# 1.4 Key Steps

The key steps in creating the Minister's Bylaw Standard are:

- 1. Review relevant literature including AGRI and ALC policies;
- 2. Review and compare local government regulations and policies;
- 3. Develop draft criteria;
- 4. Consult with internal and external stakeholders on the draft criteria;
- 5. Revise criteria for consideration by the Minister;
- 6. Seek Minister's approval; and
- 7. Encourage local governments to adopt and apply criteria.

# 1.5 Current Status (August 2015)

AGRI staff have:

- Reviewed previous agri-tourism and farm retail sales consultations with local governments, industry, the ALC and CSCD;
- Reviewed existing ALC policies on agri-tourism, agri-tourism accommodation and farm retail sales; and,
- Prepared this draft discussion 'white paper' on agri-tourism and farm retail sales land
  use bylaw guidance for further local government consultations over the 2015/2016 fall
  and winter.

# 1.6 Context for Bylaw Standard Establishment

AGRI has initiated Minister's Bylaw Standards in the past for three significant agricultural issues which have been approved by the Minister. AGRI staff use the Minister's Bylaw Standards to encourage local governments to adopt them into their land use bylaws. They are:

- Regulating Medical Marihuana Production Facilities in the ALR (2014);
- Combined Heat and Power Generation at Greenhouses in the ALR (2013); and

4

• Siting and Size of Residential Uses in the ALR (2011).

These Minister's Bylaw Standards can be found in AGRI's "Guide for Bylaw Development in Farming Areas" with additional information at:

http://www2.gov.bc.ca/gov/content/industry/agriculture-seafood/agricultural-land-and-environment/strengthening-farming/local-government-bylaw-standards-and-farm-bylaws.

# 2.0 Part two - Background

#### 2.1 Context

Farmers throughout B.C. are looking for options to increase their economic viability, including agri-tourism and farm retail sales. These two particular issues have become more prominent in recent years and local governments are amending their agri-tourism, agri-tourism accommodation and farm retail sales bylaws, sometimes causing frustration with farmers and the public. Sometimes there may be conflicting community views on what actually constitutes agri-tourism activities, and what 'accessory', 'seasonal', and 'temporary' within this context really mean.

While the ALC provides direction regarding agri-tourism and farm retail sales in the ALR, one of the questions asked during the Ministry's 2014 ALR USP Regulation consultation process included agri-tourism, with local governments indicating strong support for AGRI to develop greater clarity in bylaw guidance for agri-tourism. Incorporating analysis from previous consultation, AGRI staff anticipate strong response from stakeholders on the subject.

Ideally, developing this new Minister's Bylaw Standard will assist in balancing stakeholder concerns, minimize community frustration, and provide greater certainty while maintaining the flexibility required for local government community decision making and variation. The proposed Minister's Bylaw Standard applies to property in the ALR. Given, however, that agricultural activity in B.C. takes place both on ALR and non-ALR property, local governments with agriculturally zoned land may also consider adopting it.

# 2.2 Current Policy, Legislation and Regulation

Agri-tourism and farm retail sales are defined as farm uses by the ALR USP Regulation<sup>2</sup> of the *Agriculture Land Commission Act* where a farm use means an occupation or use of land for farm purposes, including farming of land, plants and animals and any other similar activity designated as farm use by regulation, and includes a farm operation as defined in the *Farm Practices Protection (Right to Farm) Act*:

- Agri-tourism is a tourist activity, service or facility <u>accessory</u> to ALR land classified as a
  farm under the *Assessment Act*, if the use is <u>temporary and seasonal</u>, and promotes
  or markets farm products grown, raised or processed on the farm.
- Farm retail sales if all of the farm product offered for sale is produced on the farm on which the retail sales are taking place, or at least 50% of the retail sales area is limited to the sale of farm products produced on the farm on which the retail sales are taking place

<sup>&</sup>lt;sup>2</sup> B.C. Reg. 171/2002 Agricultural Land Reserve Use, Subdivision and Procedure Regulation. Last retrieved August 24, 2015 from <a href="http://www.alc.gov.bc.ca/alc/content.page?id=A631A2319799460A98F62978A2FE60E3">http://www.alc.gov.bc.ca/alc/content.page?id=A631A2319799460A98F62978A2FE60E3</a>

and the total area, both indoors and outdoors, used for the retail sales of all products does not exceed  $300 \ m^2$ .

Local governments cannot prohibit agri-tourism activities, other than agri-tourism accommodation, or farm retail sales regulated by the ALR USP Regulation unless by a Farm Bylaw designated by the Minister by Section 917 of the *Local Government Act*.

The ALC also publishes several policy documents on agri-tourism, agri-tourism accommodation and farm retail sales with respect to land in the ALR.

"The policies of the Commission provide interpretation and clarification of the regulations; outline guidelines, strategies, rules or positions on various issues and provides clarification and courses of action consistently taken or adopted, formally or informally." - ALC

These ALC policies include their terms of 'seasonal' and 'temporary':

- **Temporary** —means a use or activity in a facility or area that is established and used on a limited time basis for agri-tourism activities. If a building or structure is required for this use, temporary use of the building or structure means a use for agri-tourism for less than 12 months of the year. The building or structure may be used for other permitted uses during the course of, or for the remainder of the year.
- Seasonal means a use or activity in a facility or area for less than 12 months of the year.<sup>4</sup>

A recent 2015 B.C. Supreme Court ruling *Heather Hills Farm Society v. Agricultural Land Commission*, addresses the subject of agri-tourism, and in this case whether a particular golf course and sheep pasture is a permitted agri-tourism use. Interestingly, within the reasons for judgement that ultimately dismisses the petition; the judge also references what cannot be described as reasonably temporary, with respect to what is written in the ALR USP Regulation:

[51] The Regulation also requires that an agri-tourism use be temporary and seasonal. A golf course requires alteration of the land in the form of particular landscaping, sand traps, water hazards etc. Photographs that were put into evidence show changes of precisely that kind to the petitioners' property. Those changes must remain in place as long as operation of the golf course continues and cannot reasonably be described as temporary.<sup>5</sup>

The intent of this proposed Bylaw Standard is to provide greater clarity on what constitutes agritourism, agri-tourism accommodation, farm retail sales, and the definitions of temporary and seasonal.

<sup>&</sup>lt;sup>3</sup> ALC. Legislation and Regulation. Last retrieved August 24, 2015 from <a href="http://www.alc.gov.bc.ca/alc/content.page?id=4179AB0F33494261A5B6CEF2A4F8F296">http://www.alc.gov.bc.ca/alc/content.page?id=4179AB0F33494261A5B6CEF2A4F8F296</a>

<sup>&</sup>lt;sup>4</sup> ALC. Policy #4 Activities designated as Farm Use: Agri-tourism Activities in the ALR, 2003. Last retrieved August 24, 2015 from

http://www.alc.gov.bc.ca/alc/DownloadAsset?assetId=9A907E9B31224D808675BE2E5D78ADBB&filename=policy 4 agri-tourism activities.pdf

 $<sup>^5</sup>$  Heather Hills Farm Society v. Agricultural Land Commission, 2015 BCSC 1108

For farm retail sales, the processing/marketing of off-farm products may not be protected under the Farm Practices Protection Act unless there are limits prescribed by the Minister under the Farm Practices Protection Act. 6 This has implications for farms considering those options.

# 3.0 Part three - Proposed Set of Criteria

Part three introduces a set of criteria in which local governments would be encouraged to consider when developing or amending their own bylaws on agri-tourism, agri-tourism accommodation and farm retail sales. A rationale is provided for why certain criteria provisions should be introduced and a proposed list is summarized of criteria and definitions.

# 3.1 Proposed Definitions

Accessory (agritourism)

means that the *agri-tourism* is subordinate to the active *farm* operation on the same lot. Agri-tourism uses and activities only augment a farmer's regular farm income, not exceed or replace

Agri-tourism

is travel that combines agricultural or rural settings with products of agricultural operations – all within a tourism experience that is paid for by visitors. It is a tourist activity, service or facility which is accessory to a farm operation, as defined in the Farm Practices Protection (Right to Farm) Act, where the land is classified as a farm under the Assessment Act; and, where the farm is in active operation each year.

Off-farm and nonfarm products

means products that are not from the farm unit of which the subject property is part.

**Regular Seasonal** (agri-tourism)

means the occurrence over the same season(s), or at the same

time, each year.

Season (agritourism)

means:

one of the four periods of the year: spring, summer, autumn or

the period of the year when something that regularly occurs every year happens; e.g. pumpkin festival before Halloween;

the period(s) when most people take their holidays, go to visit

places, or take part in an activity outside of work.

Seasonal (agritourism)

relating to, dependant on, determined by, or characteristic of a

particular season of the year;

fluctuating according to the season; and/or

<sup>&</sup>lt;sup>6</sup> For more information, readers may wish to review the September 7, 2011 BC Farm Industry Review Board decision Maddalozzo v. Pacfic Coast Fruit Products Ltd last retrieved September 8, 2015 from http://www2.gov.bc.ca/assets/gov/business/natural-resource-industries/agriculture/agriculture-documents/bcfarm-industry-review-board-docs/maddalozzo v\_pcfp\_dec\_sep7\_11.pdf

available, or used, during one or more *seasons*, or at specific times of the year - for less than twelve months of the year.

Small-scale (agritourism)

means to be minor or limited in size, scope, or extent. [Local

governments could specify amounts.]

Temporary (agritourism)

means having a limited duration, lasting or designed to last for only a limited time each week, month, or year. E.g. an activity occurs each year at the same time at a nearby festival, or other event, or only a maximum duration of three days at a time.

# 3.2 Accessory Farm Activity

Local governments should identify *agri-tourism* as a permitted *accessory* use in all zones where agriculture or farming is a permitted use. *Accessory agri-tourism* use in the ALR is subordinate and customarily incidental to the active *farm operation* on the same lot. **Agri-tourism uses and activities only augment a farmer's regular farm income, rather than exceed or replace it.** 

Table 1. Examples of Agri-Tourism and Farm Incomes

Column A	Column B
Agri-tourism Income	Farm Income
Entry or participation fees, tour fees	Primary agricultural production income
Fees for tours, services and workshops related to	Value-added operations: processing of own farm
the farm operation	products
Retail sales of off-farm or non-farm products	Retail sales of own farm products
Agri-tourism accommodation charges	

To be considered *accessory*, the annual income from *agri-tourism* [Column A] must be no more than the annual regular farm income [Column B]. The ALC may allow a larger proportion of *agri-tourism* activity on a farm, if the farmer applies for a non-farm use approval.

Examples include a farmer intending to regularly host special events such as commercial weddings, conferences or an annual music festival. A local government could decide whether to support those commercial activities in its zoning if it is authorized by the ALC.

#### 3.3 Farm Class

Income from *accessory agri-tourism* activities is not used to define *farm class* under the *Assessment Act* (Sec 23 and Farm Class Reg. 411/95). Income for the purposes of *farm class* is calculated based on the farm gate amounts for qualifying agricultural products and must be generated in one of two relevant reporting periods (i.e., once every two years).

# 3.4 Agri-tourism Temporary and Seasonal Use in the ALR

Local governments should regard *agri-tourism* uses as a *temporary* and *seasonal* use. See the definitions for guidance on defining these terms.

# 3.5 Permitted and ALC approval required agri-tourism activities

Table 2. Tiers of Agri-tourism Activities

Activities	Tier 1 Permitted Agri-tourism activities	Tier 2 Activities/events that require ALC approval
On-farm	<ul> <li>educational tours – general public, school children</li> <li>on-farm marketing, including U-pick and pumpkin patches</li> <li>temporary corn maze or Christmas tree maze</li> <li>agricultural heritage events</li> <li>ranch or farm tours</li> <li>livestock shows</li> <li>harvest festivals</li> <li>on-farm classes and/or workshops related to the farm operation</li> <li>farm stays or B&amp;B</li> <li>on-farm processing facility tours</li> </ul>	<ul> <li>Non-farm-uses and commercial entertainment activities which do not have an agricultural component:</li> <li>e.g., paint ball course, dirt bike trails, all-terrain vehicles trails, mini-train parks, remote control runways, helicopter tours, etc.</li> <li>event and facility rentals</li> <li>concerts, theatre or music festivals</li> <li>commercial weddings, banquets, celebrations and any other commercial assembly activity</li> </ul>
Parking	<ul> <li>self-contained, off-road parking</li> <li>some overflow could be on neighbouring farm(s) provided it's for infrequent events, no permanent alterations to the agricultural land, and no resurfacing such as with gravel or asphalt paving</li> <li>allow for school and tour buses</li> <li>on-road parking at the discretion of the local government or Ministry of Transportation in Regional Districts</li> </ul>	Off-site overflow parking that is used on a frequent basis or that requires resurfacing
ALC non-farm use application approval or local government	No local government temporary use or rezoning permits required,; outright use is permitted	ALC non-farm use application approval     Local government non-agriculture related activities or

permit requirements • No ALC non-farm use application approval	events may also require a separate zone or temporary use permit  • Special local government permits - per event or per day, or both
--	---

# 3.6 Agri-tourism Accommodation

Section 3 of the ALR USP Regulation permits *accessory* accommodation for agri-tourism on a farm in the ALR, but allows a local government to regulate and/or prohibit the use.

Where accommodation for agri-tourism is allowed by a local government the following standards are recommended:

- Total developed area for buildings, landscaping and access to the accommodation must be no more than 5% of the parcel area;
- Could include a maximum of 10 sleeping units composed of:
  - Seasonal campsites, seasonal cabins, or bed-and-breakfast (B+B) bedrooms (maximum of four) B+B bedrooms per legal parcel is recommended);
  - Unless ALC consent is received, accommodation must not include cooking facilities because doing so may result in long term rental housing on farm land;
  - The local government could specify the number of persons per unit;
  - Should an operator wish to have more than 10 sleeping units, he/she could apply
    to the local government and the ALC;
  - On smaller lots, a local government may wish to set a lower number of allowed sleeping units;
  - The BC Building Code should be the minimum standard applied for sleeping units such as cabins.
- Should be located close to the front of the lot, or an adjacent side road, and clustered with the *home plate*(s) of the farm residence(s). A farmer may wish to vary this location to minimise impact on his/her farm.
- Depending on the location of the farm, the agri-tourism accommodation may need to be
  available during more than one season, or its availability may vary with the seasons; e.g.,
  horseback riding on trails in spring, summer, and fall, and cross-country skiing in the
  winter.
- Occupation of a lot by agri-tourism accommodation are only permitted to be
  temporary, seasonal, and/or regular seasonal, to a maximum stay per person or per
  family of 30 consecutive days in any 12 calendar-month period. The ALC may allow
  longer occupation if the farmer applies for a non-farm use; local zoning would also have
  to allow it.
- Each local government which permits *agri-tourism* accommodation could develop a monitoring methodology to ensure the occupation meets the above criteria.

# 3.7 Other Agri-tourism Criteria

# 3.7.1 Off-street Loading Areas and Parking

Off-street loading areas may be needed to transfer field products to a market stand/shop, and to the customer's vehicle. For criteria, see Part 2 of the "Guide for Bylaw Development in Farming Areas".

All vehicles visiting the *agri-tourism* activities must be parked on site, or as otherwise permitted by the local government. The parking capacity could be based on the average daily vehicle numbers (recommended); local parking bylaws may have a different measure and short term events with large numbers of people may require different parking standards. Overflow parking occurs on public roads should adhere to local bylaws including clearances for emergency vehicles and farm machinery.

For farm site parking overflow situations, *agri-tourism* operators should provide alternate means of transportation, such as shuttles, bicycle parking, or horse corrals and off-site horse trailer parking areas.

To minimise impacting farm land, parking should be along field edges, adjacent to farm roads, farm yard areas near farm structures.

- The parking and loading area surfaces should maximize infiltration of precipitation to limit impacting a farm's ground and surface water; pavement may not be appropriate.
- The depth and type of fill for *agri-tourism* parking and loading areas should facilitate possible future removal e.g., if the *agri-tourism* activity ceases.

# 3.7.2 Site Layout for Agri-tourism Activities

Site coverage and setbacks for *agri-tourism* structures must follow the standards for farm structures provided in Part 2 of the "Guide for Bylaw Development in Farming Areas". *Agri-tourism* facilities should be located to minimize coverage of farm land and minimise disturbance of the present and potential future operation of the farm, neighbouring farms or nearby urban uses; e.g., close to the road, and/or clustered with other farm structures.

#### **3.7.3 Lights**

Floodlights and spotlights for *agri-tourism* activities should be directed away and/or screened from adjacent farms and other land uses.

# 3.7.4 Signage

Each *agri-tourism* and farm retail operation, and the farm itself, should be allowed at least one sign of at least 1.0 square metre. Normally, signs are located at the farm entrance, but variation should be allowed for different building and site layouts and to ensure traffic safety. Third-party signs and lighting of signs should follow local bylaws.

#### **3.7.5 Noise**

Loudspeakers and other noise sources associated with the *agri-tourism* activity could be regulated with local government noise bylaws.

# 3.8 Farm Retail Sales and Marketing

For on-farm retail marketing, farmers sell their own farm products, and may sell some off-farm or non-farm products directly from the farm unit and may require a retail indoor and/or outdoor sales and display area.

Areas necessary for on-farm retail sales but not calculated as part of the on-farm retail sales area are:

- storage space for products awaiting display and/or bulk sales; larger storage areas may be available in a barn;
- an office area for doing sales and farm-related paperwork;
- washrooms;
- · driveways, parking and loading areas; and
- some preparation space where products are put in packages for display or shipping.

Local governments should not limit retail sales area of a farmer's own *farm products* i.e. the *direct farm marketing area*. The ALR USP Regulation does not state an upper limit.

Local government regulations must allow for the possibility of a retail sales area for complementary *off-farm or non-farm products*. The ALR USP Regulation requires at least 50% of the total retail sales area be devoted to that farm's products, and where both *farm products* and *off-farm or non-farm products* being sold, the allowed upper limit of the total of the indoor and outdoor sales area is 300 square metres. This should be adopted by local governments and not reduced.

To develop a larger retail sales area, or to sell less than 50% of that farm's *farm products*, a farmer must have both local government and ALC non-farm use application approval.

#### 3.9 Local Government Permits and Fees

Other than the usual permits and fees required for construction, local governments should only require permits and fees for operations that require a non-farm application to the ALC and should not require the use of temporary (commercial) use permits.

Local governments should only request reimbursement of extra local government costs generated by the event or operation; e.g., policing, fire service, road clean-up, and/or traffic management.

# 3.10 Commercial Weddings

The use of the ALR for commercial weddings is considered a non-farm use which requires approval of the ALC. Where a farm has received non-farm use approval from the ALC, the local

government may require a rezoning or temporary use permit. Temporary use permits are the preferred method of dealing with this use as the local government can place additional controls on the use that are not possible through zoning. These requirements could include hours of operation.

#### 3.11 Bistros and Restaurants

Bistros, cafes and restaurants are considered in most cases non-farm uses which require non-farm use approval of the ALC. Under specific criteria in the ALR USP Regulation, however, winery, brewery, cidery, distillery, and meadery lounges are permitted which do not require non-farm use approval.

# 4.0 Ministry Contact Information

Stakeholders are welcome to provide feedback on the content of this discussion by email or letter.

Email: AgriServiceBC@gov.bc.ca

Mailing Address: Ministry of Agriculture, Strengthening Farming Program

1767 Angus Campbell Road

Abbotsford, B.C. Canada V3G 2M3

		MEMORANDUM			
ГО:	Director A	 Ali Grieve, Area "A"			
FROM:	Deep Sid	hu - Financial Services Manager			
RE:	Grants-I	n-Aid 2015			
D-1 D		0044			450.0
Balance Rema		2014		\$	152.0
2015 Requisiti				\$	31,527.0
Less Board Fe	e 2015			\$	(1,227.0
Total Funds Av	ailable:			\$	30,452.0
RESOLUTION #	DATE	DECIDIENT	DESCRIPTION		MOUN
25-15	DATE Jan-15	RECIPIENT  Community Futures - Greater Trail	Junior Dragon's Den	\$	<b>AMOUN</b> 500.0
100-15	Feb-15	Beaver Valley Golf & Recreation	Men's & Ladies Night sponsorship	\$	1,152.0
100-15	1 60-13	Mad Trapper Archery Shoot Fundraiser	Annual Fundraiser	\$	1,000.0
100-15		Beaver Valley Recreation	Annual Senior's Dinner	\$	1,000.0
100-15		Zone 6 BC Seniors Games	Games in North Vancouver	\$	400.0
100-13		Zone o BC Seniors Games	2015 Scholarship "Memory of Fallen	Ψ	400.0
100-15		J.L. Crowe Secondary School	Firefighter	\$	500.0
100-15		J.L. Crowe Grad 2015	2015 Safe Grad	\$	500.0
100-15		West Kootenay Science Fair	2015 Regional Science Fair	\$	100.0
148-15	Mar-15	Fathers Day Charity Golf	Annual Event	\$	600.0
148-15		Village of Fruitvale	BV Citizen of the Year	\$	100.0
148-15		Neson&Ft. Sheppard Railway	Community Train Rides	\$	2,000.0
148-15		Beaver Valley Blooming Society	Maintaing Flower Beds	\$	2,500.0
148-15		Beaver Valley Blooming Society	Landscaping around Memorial hall	\$	5,000.0
148-15		Beaver Valley May Days	2015 Annual May Days Event	\$	3,000.0
148-15		Greater Trail Minor Hokcey Assoc.	Midge Tier 2 Provincials	\$	200.0
148-15		Village of Montrose	Pancake Breakfast - Annual Event	\$	500.0
148-15		Village of Fruitvale	Jingle Down Main Street - Dec 5.	\$	1,000.0
148-15		Village of Fruitvale	Rembrance Day Luncheon	\$	500.0
148-15		Champion Internet Society	Fees to Establish Society	\$	250.0
			Assist with school meal Program/Kids		
191-15	Apr-15	Beaver Valley Avalanche Hockey Club	Helping Kids)	\$	1,000.0
191-15		Columbia Gardens Recreation Society	Develop Binks Road Park& signage	\$	2,000.0
	Jun-15	Woodstove top ups	Kraft	\$	100.0
272-15	Jun-15	BV Recreation	Seniors' Picnic	\$	600.0
322-15	Jul-15	B.V Skating Club	IceBreakers Seminar	\$	300.0
373-15	Sep-15	Village of Fruitvale	Fitness Room swipe card & security	\$	2,000.0
373-15	Sep-15	LCDDT	Sustainable agricultureal food initiatives	\$	300.0
373-15	Sep-15	Special Olympics Trail	For new programs & existing ones	\$	500.0
373-15 411-15	Sep-15 Oct-15	Fruitvale Community Chest  1st Beaver Valley Venturers	Xmas food hampers Attend Silver Duke of Edinburgh Awards	\$	1,500.0 300.0
	001-10	13. Deaver valley verification	Augua Gilver Duke Of Editibutgh Awards		
Total				\$	29,402.0
BALANCE REM	LAINIINIC			\$	1,050.0

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		MEMORANDUM			
TO:	Director Li	inda Worley, Electoral Area 'B'/ Lower C	olumbia-Old Glory		
10.	Director Li	Hida Worley, Electoral Area B7 Lower C			
FROM:	Deep Sid	hu - Financial Services Manager			
RE:	Grants-In-	Aid 2015			
 Balance Remai	ining from	 		\$	5.015.5
2015 Requisition				1	22,752.0
Less Board Fee					(852.0
Total Funds Ava	ailable:			\$	26,915.5
RESOLUTION #	DATE	RECIPIENT	DESCRIPTION		AMOUN
25-15		Community Futures - Greater Trail	Junior Dragon's Den	\$	500.0
25-15	oun ro	BC Senior Games-Zone 6	Senior Games in North Vancouver	\$	400.0
100-15	Feb-15	J.L. Crowe Secondary School	2015 Scholarship "Memory of Fallen Firefighter	\$	750.0
100-15	. 02 .0	West Kootenay Regional Science Fair	2015 Regional Fair	\$	250.0
148-15	Mar-15	Mad Trapper Archery Shoot Fundraiser	Annual Fundraiser	\$	1.000.0
191-15		Greater Trail Minor Hockey	Midget Tier 2 Provincials	\$	200.0
191-15		Inside Job Consultingg	Bike to work Kootenay sponsorship	\$	500.0
191-15		Casino Recreation	Wheel Chair accessible project	\$	3,000.0
	Jun-15	Woodstove Top-ups	Pedersen	\$	250.0
227-15	May-15	Kootenay Columbia Learning Centre	2015 Scholarship	\$	750.0
227-15		Rossland Golden City Days	2015 Golden City Days events	\$	1,500.0
227-15		Columbia Valley Counselling Centre	RDKB Employees & Families services	\$	1,000.0
227-15		BC Back Country Horsemena Society	Refurbish Dewdney Trail Sign	\$	1,000.0
227-15		Genelle Recreation Society	Stereo system & Locking Cabinet	\$	2,000.0
227-15		Trail Firefighters	Memorabilia cabinet	\$	150.0
322-15	Jul-15	Craig Grimsrud/Kootenay Disc Golf	course improvement	\$	2,500.0
322-15		Trail Youth Baseball	top soil & sold for Butler Park	\$	900.0
373-15		Special Olympics Trail	For new programs & existing ones	\$	500.0
373-15	Sep-15	Craig Grimsrud/Kootenay Disc Golf	WCB Premiums Disc Golf Course Impr	\$	69.7
411-15	Oct-15	Genelle Recreation Society	Lawn Mowing Equipment	\$	2,000.0
411-15	Oct-15	G. Tatangelo	Attend Silver Duke of Edinburgh Awards	\$	300.0
452-15		G. Tatangelo	Attend Silver Duke of Edinburgh Awards	\$	150.0
	Dec-15	Rossland Winter Carnival	2016 Winter carnival	\$	1,000.0
Total				\$	20,669.7
BALANCE REM				\$	6,245.7

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		MEMORANDUM				
TO:	Director	· Grace McGregor, Electoral Area 'C'/Ch	ricting Lake			
10:	Director	Grace McGregor, Electoral Area C7Ch	ristina Lake			
FROM:	Deep Si	dhu, Financial Services Manager				
RE:	Grants-	In-Aid 2015				
Balance Remai	ning from	2014		\$	4,283.67	
2015 Requisition		2014		Ψ	60,466.00	
Less Board Fe					(2,166.00)	
Less Board Fee	2015				(2,100.00)	
Total Funds A	vailable:			\$	62,583.67	
RESOLUTION #	DATE	RECIPIENT	DESCRIPTION		AMOUNT	
25-15		BC Senior Games-Zone 6	Senior Games in North Vancouver	\$	400.00	
25-15		Boundary Country Chamber of Commerce	Business Community initiatives	\$	2,500.00	
25-15		Christina Gateway Community Dev.	Promotion of Christina Lake	\$	4,687.20	
100-15		West Kootenay Regional Science Fair	2015 Regional Fair	\$	100.00	
100-15	1 00 10	Boundary Youth Soccer Association	Offset costs for Boundary area	\$	500.00	
148-15	Mar-15	C.L. Stewardship Society	C.L. Watershed Annual Review	\$	2,500.00	
148-15		C.L. Stewardship Society	Prizes for Lake Clean Up Day	\$	1,000.00	
148-15		G.F. Firefighters Assoc.	G.F. FireBells & Fanfare Antique fire appra	_	1,500.00	
191-15		Boundary Multi-4 H Club	Membership for hardship families	\$	1,000.00	
191-15	-	Christina Gateway Community Dev.	Community Newsletter	\$	1,188.00	
191-15		Christina Gateway Community Dev.	Homecoming 2015	\$	16,000.00	
191-15		Christina Gateway Community Dev.	Senior's Housing Society assistance	\$	5,000.00	
191-15		Christina Lake Fire Fighters Society	Easter Egg Hunt 2015	\$	400.00	
191-15		Grand Forks ATV Club	Hosting of three events	\$	1,500.00	
		Woodstove top-ups	Van Hoogevest/Platz	\$	200.00	
272-15		G.F. & District Recreation	CL. Triathlon	\$	1,000.00	
272-15		C.L. Community Association	Fund study of mechanical system	\$	3,000.00	
272-15		C.L. Arts & Artisans Society	performace awning at Living Arts Centre	\$	4,750.00	
272-15		C.L. Boat Access Society	Annual "Dump Day' clean up	\$	400.00	
272-15		G.F. Curling Club	150 Place Settings & Flatware	\$	1,000.00	
322-15	Jul-15	C.L. Ladies Golf Club	Annual Open Tournament	\$	300.00	
			Community Newsletter - July 2015	\$	1,305.00	
			Cops for Kids	\$	500.00	
349-15	Aug-15	Christina Gateway Community Dev.	Electric Vehicle Charger Installation	\$	2,000.00	\$5,045.
			Lt. Governor's visit	\$	1,240.00	
373-15	•	Christina Lake Community Association	Community Hall Rentals Non Profit Organi		1,000.00	
		Columbia Basin Alliance for Literacy Boundar		\$	1,000.00	
411-15		Christina Lake Fire Fighters Society	Halloween Fireworks	\$	1,500.00	
411-15	Oct-15	P. Beattie	Gordon Keir Cabin Extermination	\$	500.00	
Γotal					\$57,970.20	
BALANCE REI	MAINING			\$	4,613.47	

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	IV	IEMORANDUM		
ТО:	Director	Roly Russell, Electoral Area 'D'/Rural	Grand Forks	
FROM:	Deep Si	dhu - Financial Services Manager		
RE:	Grants-I	n-Aid 2015		
Balance Remaining	ı from 201	4		\$9,060.
2015 Requisition	, 110111 201			38,387.0
Less Board Fee 20	15			(1,387.0
LC33 Board 1 CC 20	10			(1,507.0
Total Funds Avail	able:			\$46,060.
RESOLUTION #	DATE	RECIPIENT	DESCRIPTION	AMOUN
25-15		Grand Forks Figure Skating Club	Ice Rental, Coaches fees & wages	\$ 1,000.0
25-15		City of Grand Forks	Family Day Event	\$ 500.0
25-15		Boundary Country Chamber of Commerce	Business Community initiatives	\$ 2,500.0
25-15		BC Senior Games - Zone 6	Senior Games in North Vancouver	\$ 400.0
100-15		G.F. Secondary School	Agriculture Scholarship - Sargeant	\$ 1,000.0
191-15		Boundary Multi-4 H Club	Membership for hardship families	\$ 1,000.0
191-15		Boundary Invasive Species Society	Aquatic Invasive species inventory	\$ 1,000.0
191-15		Boundary Youth Soccer Association	Equipment & materials	\$ 500.0
191-15		Grand Forks & District Fall Fair Society	Assist with 105th year Agriculture Fair	\$ 2,500.0
191-15		Grand Forks Flying Association	Insurance for club courtesy car	\$ 2,000.0
191-15		G.F. Curling Seniors Mixed Team	Travel for Zone 1 BC Masters	\$ 200.0
272-15		G.F. Curling Club	150 Place Settings & Flatware	\$ 2,000.0
322-15		G.F. Warshed Coalition	Health & Fire Risks of Smart meters	\$ 800.0
322-15		Granby Wilderness Society	Slope stabilization SION Cemetery	\$ 5,000.0
322-15		Special Olympics/Grand Forks	Travel for Nationals	\$ 500.0
373-15		Selkirk College	Not For Profit Workshop Series Fall 15	\$ 2,000.0
		Columbia Basin Alliance for Literacy Boundar		 1,000.0
	•	Karin Bagn (WCB Premiums)	Health & Fire Risks of Smart meters	\$ 22.3
		GF & Boundary Regional Ag Society	Insurance Cost Offset	\$ 500.0
		Grand Forks Rotary	Halloween Fireworks	\$ 1,500.0
		Grand Forks Parade	support of christmas celebrations	\$ 250.0
452-15		G.F. Community Christmas Dinner	34th annual free Christmas Dinner	\$ 750.0
	Dec-15	Selkirk College - Grand Forks	Bionengineering Coursework	\$ 212.6
Total		÷	5 5	\$27,134.

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		MEMORANDUM		1	
го:	Directo	or Vicki Gee, Electoral Area 'E'/ West Bou	undary		
FROM:	Deep S	idhu, Financial Services Manager			
RE:	Grants-	In-Aid 2015			
Balance Remaining from 2014				\$	79.
2015 Requisition Less Board Fee 2015				\$	86,501. (3,101.
Total Funds Available:				\$	83,479.
				a	-
RESOLUTION #		RECIPIENT Midway Public Library	DESCRIPTION Replace old & dated computers	\$	1,200
25-15		Kelowna Ski Club	New Gates, Radios & Wireless Timers	\$	2,500
25-15		Kelowna & District Society for People in Motion	0 1 1	\$	1,000
25-15		City of Greenwood	Building Gates etc for outdoor rink	\$	1,500
25-15 25-15		Kettle Valley Racing Boundary Country Chamber of Commerce	Sponsoring of events Business Community initiatives	\$	1,000 2,500
		Boundary District Curling Club	West Boundary	\$	4,000
100-15		Columbia Basin Alliance for Literacy	Purhcase of a computer	\$	1,000
100-15		Big White Community Policing	Assistance with 2014-15 Season	\$	3,000
100-15		Zone 6 BC Seniors Games City of Greenwood	Games in North Vancouver	\$	400
148-15		West Boundary Road Rescue (Midway)	Lifeguard for Municipal Pool 2 Portable Radios & batteries	\$	2,349
148-15		West Kootenay Science Fair	2015 Regional Science Fair	\$	100
148-15		Boundary Youth Soccer Association	Gold Level Sponsorship	\$	500
		Regional District of Okanagan/Similkameen	Wildfire Suppression Services	\$	3,630
191-15 191-15		Big White Tourism Society	Environmentally friendly mosquito control program	\$	650
191-15		Boundary Women's Softball League Boundary Family & Individual Resources	Wind - up tournament -prizes/etc. Girls Eye View & Mentoring Program	\$	1,000
191-15		School District #51 (Boundary)	Gateway Project support	\$	1,000
191-15		Community Futures Boundary	Grant Writing Workshop	\$	500
		Woodstove top-ups	Davidson/Fossen	\$	200
<u>227-15</u> 227-15	May-15	Trail to Boundary Society Greenwood Board of Trade	Start up costs for incorporation, etc.	\$	2,000
227-15		Beaverdell Volunteer Fire Department	Founders Day celebrations training and supplies for Fire Dept.	\$	5,000
227-15		Big White Fire Dept. Auxiliary	replacement of aging cooking equip.	\$	750
227-15		Canadian Ski Patrol Ogopogo B.W. Zone	ski partrol uniforms	\$	2,000
		Discover Rock Creek	community visioning session	\$	300
272-15		Discover Rock Creek Beaverdell Recreation Commission	attendance at Okanagan Social Enterprise Day of Learn update children's books at library	ni \$ \$	100 500
272-15 272-15		Kettle River Museum	hire staff for summer months	\$	1,500
322-15		Boundary Invasie Species Society	completion of aquatic invasive species	\$	1,000
322-15		Christina Gateway CDA	Facilitating meeting with Area E	\$	159
	_	Discover Rock Creek	installation of electric charging station	\$	1,892
349-15 373-15		Selkirk College - Grand Forks Beaverdell Community Club & Recreation Con	Not for Profit workshop costs	\$	1,000
	-	Beaverdell Community Club & Recreation Con	·	\$	462
		•	Boundary Community Family Literacy Programs	\$	1,000
	-	Greenwood Volunteer Fire Department	Elementary Schools Fire Prevention Week Materials	\$	500
		Midway & Beyond Little Theatre	River of Dreams Production Expenses	\$	500
		Rock Creek Women's Institute  Rock Creek Women's Institute	Food Safe Registration  Non-Profit Series Registration	\$	110
		Bridesville Community Club	Accommodate Evacuees Expenses	\$	300
411-15	Oct-15	Trails to Boundary Society	Board Development	\$	600
		Trails to Boundary Society	Registration Aging in the Kootenays	\$	75
		Trails to Boundary Society	Registration Bioengineering Course	\$	237
		Boundary Central Secondary School PAC Discover Rock Creek	Students Attend OK Film Course refund for charging station	\$ -\$	887 500
		Beaverdell Community Club	Friends Helping Friends Meal Program	\$	3,000
452-15		Beaverdell Community Club	Two Members attended Level 1 Food Safe Course	\$	110
452-15		Bridesville Community Club	Two Members attended Level 1 Food Safe Course	\$	110
452-15 452-15		Bridesville WI Kettle River Seniors Association	Two Members attended Level 1 Food Safe Course  Member attended Level 1 Food Safe Course	\$	110 55
452-15		Main River Women's Institute	Two Members attended Level 1 Food Safe Course	\$	110
452-15		Main River Women's Institute	Costs to Provide lunches for wildfire 2015	\$	242
452-15		Westbridge Recreation Society	Member attended Level 1 Food Safe Course	\$	55
452-15		Greenwood Evangel Chapel	West Boundary Food Bank	\$	500
452-15 452-15		Greenwood Senior Citizens Association King Of Kings New Testament Church	Community Christmas Dinner Bridge Drop-In Centre - food preparation	\$	200 500
452-15		Midway Community Association	Assistance with hiring Yoga Instructor	\$	500
452-15		Midway Community Consultative Committee	annual Family Fun Skate New Years' Eve	\$	200
452-15		Rock Creek Community Medical Centre	Community Christmas Party	\$	400
452-15 452-15		Rock Creek Community Medical Centre	Not for Profit workshop costs	\$	3,000
452-15		West Boundary Sustainable Foods Beaverdell Community Club	food grant Food & Evacuation supplies - 2015 wildfires	\$	3,000 653
		Beaverdell Community Club	Generator for Community Fire - 2015 wildlines	\$	895
otal				\$	65,125
				\$	18,354

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#### **ELECTORAL AREA 'A'**



	Description	Status		Allocation	
Reveni	ue:				
	tal Allocation of Gas Tax Grant:				
. с. сар.	Allocation to Dec 31, 2007	Received	\$	96,854.94	
	Allocation to Dec 31, 2008	Received	Ψ	46,451.80	
	Allocation to Dec 31, 2009	Received		91,051.00	
	Allocation to Dec 31, 2010	Received		89,796.00	
	Allocation to Dec 31, 2011	Received		89,788.04	
	Allocation to Dec 31, 2012	Received		87,202.80	
	Allocation to Dec 31, 2013	Received		87,167.87	
	Allocation to Dec 31, 2014	Received		84,868.70	
	Allocation to Dec 31, 2015	Received		84,868.70	
	Allocation to Dec 31, 2016	Estimated		87,726.69	
	TOTAL AVAILABLE FOR PROJECTS		\$	845,776.54	
Expen	ditures:				
•	ditures:				
Approve	d Projects:	Completed	¢	250 000 00	
Approve	d Projects: Columbia Gardens Water Upgrade	Completed	\$	250,000.00	
Approve 2009 2011	d Projects: Columbia Gardens Water Upgrade South Columbia SAR Hall	Completed	\$	2,665.60	
Approve 2009 2011	d Projects: Columbia Gardens Water Upgrade	Completed Funded	\$	•	
Approve 2009 2011	d Projects: Columbia Gardens Water Upgrade South Columbia SAR Hall BV Family Park - Solar Hot Water	Completed Funded Pending or	\$	2,665.60 16,684.00	
Approved 2009 2011 281-13	d Projects: Columbia Gardens Water Upgrade South Columbia SAR Hall BV Family Park - Solar Hot Water  BV Family Park - Solar Hot Water	Completed Funded Pending or Committed	\$	2,665.60 16,684.00 11,316.00	
Approved 2009 2011 281-13 451-13	d Projects: Columbia Gardens Water Upgrade South Columbia SAR Hall BV Family Park - Solar Hot Water BV Family Park - Solar Hot Water Beaver Valley Arena - Lighting	Completed Funded Pending or Committed Funded	\$	2,665.60 16,684.00 11,316.00 69,000.00	
Approved 2009 2011 281-13 451-13	d Projects: Columbia Gardens Water Upgrade South Columbia SAR Hall BV Family Park - Solar Hot Water  BV Family Park - Solar Hot Water	Completed Funded Pending or Committed Funded Funded	\$	2,665.60 16,684.00 11,316.00	
Approved 2009 2011 281-13 451-13	d Projects: Columbia Gardens Water Upgrade South Columbia SAR Hall BV Family Park - Solar Hot Water BV Family Park - Solar Hot Water Beaver Valley Arena - Lighting	Completed Funded Pending or Committed Funded	\$	2,665.60 16,684.00 11,316.00 69,000.00	
Approved 2009 2011 281-13 451-13 26-14	d Projects: Columbia Gardens Water Upgrade South Columbia SAR Hall BV Family Park - Solar Hot Water BV Family Park - Solar Hot Water Beaver Valley Arena - Lighting LWMP Stage II Planning Process Beaver Creek Park - Band Shell/Arbour	Completed Funded Pending or Committed Funded Funded Pending or		2,665.60 16,684.00 11,316.00 69,000.00 805.88 100,000.00	
Approved 2009 2011 281-13 451-13 26-14	d Projects: Columbia Gardens Water Upgrade South Columbia SAR Hall BV Family Park - Solar Hot Water BV Family Park - Solar Hot Water Beaver Valley Arena - Lighting LWMP Stage II Planning Process	Completed Funded Pending or Committed Funded Funded Pending or	\$	2,665.60 16,684.00 11,316.00 69,000.00 805.88	

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Gas Tax Agreement EA Committee.xls

#### ELECTORAL AREA 'B' / LOWER COLUMBIA/OLD GLORY



	Description	Status	Allocation				
Revenue:							
	Allocation of Gas Tax Grant:						
o. oap.a	Allocation to Dec 31, 2007	Received	\$ 69,049.93				
	Allocation to Dec 31, 2008	Received	33,116.46				
	Allocation to Dec 31, 2009	Received	64,912.00				
	Allocation to Dec 31, 2009	Received	64,017.00				
	Allocation to Dec 31, 2010	Received	64,010.00				
	Allocation to Dec 31, 2011	Received	65,936.00				
	Allocation to Dec 31, 2012	Received	65,907.41				
	Allocation to Dec 31, 2013	Received	,				
	Allocation to Dec 31, 2014 Allocation to Dec 31, 2015	Received	64,169.02				
	,		64,169.02				
	Allocation to Dec 31, 2016	Estimated	66,329.94				
	TOTAL AVAILABLE FOR PROJECTS		\$ 621,616.78				
Expenditu	ures:						
pproved Pi	rojects:						
8547	GID - Groundwater Protection Plan	Competed	\$ 10,000.00				
11206	GID - Reducing Station (Advance)2008	Completed	16,000.00				
2009	GID - Reducing Station (Balance)	Completed	14,000.00				
2009	GID - Upgrades to SCADA	Completed	22,595.50				
2009	Casino Recreation - Furnace	Completed	3,200.00				
Phase 1	GID - Pipe Replacement/Upgrades	Completed	60,000.00				
Phase 2	Looping/China Creek	Completed	18,306.25				
2012	Rivervale Water SCADA Upgrade	Completed	21,570.92				
2013	Rossland-Trail Country Club Pump	Funded	20,000.00				
261-14	Rivervale Water & Streetlighting Utility	Funded	20,000.00				
262-14	Genelle Imp. District - Water Reservoir	Funded	93,750.00				
202-14	Genelle Imp. District - Water Reservoir	Pending or	33,730.00				
	Genelle Imp. District - Water Reservoir	Committed	31,250.00				
263-14	Oasis Imp. District - Water Reservoir		,				
203-14	Castlegar Nordic Ski Club (Paulson Cross	Completed	34,918.00				
251-15	Country Ski Trail Upgrade)	Funded	7 500 00				
251-15	, 10 ,	5 "	7,500.00				
	Castlegar Nordic Ski Club (Paulson Cross	Pending or	0.500.00				
	Country Ski Trail Upgrade)	Committed	2,500.00				
050 /-	Black Jack Cross Country Ski Club Society	Funded	40.000.00				
252-15	(Snow Cat)		10,000.00				
	Rivervale Water & Streetlighting Utility (LED	Funded					
253-15	Streetlights)		14,417.00				
254-15	Rivervale Oasis Sewer Utility (Flow Meters)	Funded	6,127.00				
		Pending or					
254-15	Rivervale Oasis Sewer Utility (Flow Meters)	Committed	83,873.00				
	TOTAL SPENT OR COMMITTED		\$ 490,007.67				
	TOTAL REMAINING		\$ 131,609.11				

07/01/2016

Gas Tax Agreement EA Committee.xls

# ELECTORAL AREA 'C' / CHRISTINA LAKE



	Description	Status		Allocation	
Revenu	ie.				
	tal Allocation of Gas Tax Grant:				
•	Allocation to Dec 31, 2007	Received	\$	69,877.75	
	Allocation to Dec 31, 2008	Received		33,513.49	
	Allocation to Dec 31, 2009	Received		65,690.00	
	Allocation to Dec 31, 2010	Received		64,785.00	
	Allocation to Dec 31, 2011	Received		64,778.00	
	Allocation to Dec 31, 2012 Allocation to Dec 31, 2013	Received		65,746.00	
	Allocation to Dec 31, 2013 Allocation to Dec 31, 2014	Received Received		65,718.43 63,985.02	
	Allocation to Dec 31, 2014 Allocation to Dec 31, 2015	Received		63,985.02	
	Allocation to Dec 31, 2016	Estimated		66,139.74	
					1
	TOTAL AVAILABLE FOR PROJECTS		\$	624,218.45	]
Expend	ditures:				
	d Projects:				
11207	Christina Lake Community and Visitors Centre	Advanced	\$	50,000.00	
2009	CLC&VC	Advanced		25,000.00	
2010	CLC&VC	Advanced		25,000.00	
2010	Living Machine	Advanced		80,000.00	
2012	Kettle River Watershed Study	Funded		5,000.00	
2013	Kettle River Watershed Project	Funded		9,959.86	
2014	Kettle River Watershed Project	Funded		3,548.77	
2015	Kettle River Watershed Project	Funded Pending or		1,371.07	
	Kettle River Watershed Study	Pending or Committed		120.30	
417-13	Kettle River Watershed (Granby Wilderness Society)	Funded		2,000.00	
2011	Solar Aquatic System Upgrades	Completed		7,325.97	
418-13	Christina Lake Chamber of Commerce (Living Arts Centre Sedum/Moss Planting Medium)	Funded		20,697.00	
106-14	Christina Gateway Community Development Association	Funded		20,000.00	
264-14	Christina Lake Solar Aquatic System Upgrades	Funded		4,227.29	
	Christina Lake Solar Aquatic System Upgrades	Pending or Committed		772.71	
	Christina Lake Nature Park - Riparian and				
16-15	Wetland Demonstration Site and Native Plant Nursery	Funded		32,072.33	
	Christina Lake Nature Park - Riparian and	<b>.</b>			
	Wetland Demonstration Site and Native Plant Nursery	Pending or Committed		10,690.78	
40.4=	CL Elementary Parent Advisory Council -			07.000.00	
18-15	Hulitan/Outdoor Classroom	Funded		27,660.00	
	CL Elementary Parent Advisory Council - Hulitan/Outdoor Classroom	Pending or Committed		9,220.00	
256-15	Christina Lake Recreation Commission (Pickle Ball & Pump Bike Park)	Funded		53,949.21	
	Christina Lake Recreation Commission (Pickle Ball & Pump Bike Park)	Pending or Committed		16,330.79	
360-15	Christina Lake Community Association (Design & Installation Make-Up Air System)	Pending or Committed		12,750.00	
	Christina Lake Community Association (Design & Installation Make-Up Air System)	Pending or Committed		4,250.00	
361-15	Christina Lake Boat Access Society (Redesign Texas Point Boat Launch Parking)	Pending or Committed		30,000.00	
					1
	TOTAL COENT OF COMMUTTER		Φ	151 010 00	
	TOTAL SPENT OR COMMITTED		\$	451,946.08	

07/01/2016

Page 142 of 177

Gas Tax Agreement EA Committee.xls



#### ELECTORAL AREA 'D' / RURAL GRAND FORKS

	Description	Status		Allocation	
Revenu	 le:		_		
Per Capit	al Allocation of Gas Tax Grant:				
	Allocation to Dec 31, 2007	Received	\$	154,656.26	
	Allocation to Dec 31, 2008	Received		74,173.40	
	Allocation to Dec 31, 2009	Received		145,389.00	
	Allocation to Dec 31, 2010	Received		143,385.00	
	Allocation to Dec 31, 2011	Received		143,370.00	
	Allocation to Dec 31, 2012	Received		150,634.00	
	Allocation to Dec 31, 2013	Received		150,571.27	
	Allocation to Dec 31, 2014	Received		146,599.76	
	Allocation to Dec 31, 2015	Received		146,599.76	
	Allocation to Dec 31, 2016	Estimated		151,536.57	
	TOTAL AVAILABLE FOR PROJECTS		\$	1,406,915.02	

#### **Expenditures:**

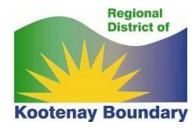
Approved	d Projects:			
8549	City of GF - Airshed Quality Study	Completed	\$ 5,000.00	
2010	Kettle River Water Study	Funded	25,000.00	
2012-1	Kettle River Watershed Study	Funded	15,000.00	
2012-2	Kettle River Watershed Study	Funded	10,000.00	
2013	Kettle River Watershed Project	Funded	24,899.66	
2014	Kettle River Watershed Study	Funded	41,490.99	
2015	Kettle River Watershed Study	Funded	7,857.50	
	Kettle River Watershed Study	Pending or		
	Notice Niver Watershed Study	Committed	751.85	
417-13	Kettle River Watershed (Granby Wilderness Society)	Funded	2,000.00	
		Pending or		
2010	Boundary Museum Society - Phase 1	Committed	13,000.00	
2011	Boundary Museum Society - Phase 2	Completed	30,000.00	
2012	Boundary Museum Society - Phase 2	Completed	8,715.00	
2011	Phoenix Mnt Alpine Ski Society	Completed	63,677.00	
2012	Phoenix Mnt Alpine Ski Society	Completed	1,323.00	
2012	Phoenix Mnt Alpine Ski Society	Additional	12,600.00	
2012	Grand Forks Curling Rink	Completed	11,481.00	
27-14	Boundary Museum	Funded	77,168.50	
178-15	Grand Forks Rotary Club (Spray Park)	Funded	25,000.00	
426-15	Jack Goddard Memorial Arena (LED Lights)	Funded	40,000.00	
	RDKB (Hardy Mountain Doukhobor Village)	Funded	38,165.19	
	TOTAL SPENT OR COMMITTED		\$ 453,129.69	
	TOTAL REMAINING		\$ 953,785.33	

07/01/2016 Gas Tax Agreement EA Committee.xls



#### ELECTORAL AREA 'E' / WEST BOUNDARY

	December	04-4	Allegation
	Description	Status	Allocation
Revenu	ie:		
	tal Allocation of Gas Tax Grant:		
	Allocation to Dec 31, 2007	Received	\$ 108,785.28
	Allocation to Dec 31, 2008	Received	52,173.61
	Allocation to Dec 31, 2009	Received	102,266.68
	Allocation to Dec 31, 2010	Received	100,857.14
	Allocation to Dec 31, 2011	Received	100,846.00
	Allocation to Dec 31, 2012	Received	93,112.00
	Allocation to Dec 31, 2013	Received	93,073.54
	Allocation to Dec 31, 2014	Received	90,618.62
	Allocation to Dec 31, 2015	Received	90,618.62
	Allocation to Dec 31, 2016	Estimated	93,670.24
	TOTAL AVAILABLE FOR PROJECTS		\$ 926,021.73
Expend	litures:		
-	d Projects:		
283	Greenwood Solar Power Project	Completed	\$ 3,990.00
8548	Kettle Valley Golf Club	Completed	20,000.00
8546	West Boundary Elementary School Nature Park	Completed	13,500.00 28,500.0
8546E	2010 WBES - Nature Park (expanded)	Completed	15,000.00
	Kettle Wildlife Association (heat pump)	Completed	35,000.00
2010	Rock Creek Medical Clinic (windows/doors)	Completed	18,347.56
	Kettle Valley Golf Club (Pumps)	Completed	24,834.63
2011	Kettle Valley Golf Club (Pumps)	Completed	10,165.37 41,368.0
2011	Kettle Valley Golf Club (Pumps)	Completed	6,368.00
	Rock Creek Fairground Facility U/G	Completed	14,235.38
2011	Rock Creek Fairground Facility U/G	Completed	22,764.62 44,000.0
2011	Rock Creek Fairground Facility U/G	Completed	7,000.00
	Beaverdell Community Hall Upgrades	Completed	47,000.00
	,		·
2010	Kettle River Water Study	Funded	25,000.00
2012-1	Kettle River Watershed Study	Funded	15,000.00
2012-2	Kettle River Watershed Study	Funded	40,000.00
2013	Kettle River Watershed Project	Funded	49,799.31
2014	Kettle River Watershed Study	Funded	33,201.82
	Kettle River Watershed Study	Funded	10,946.27
	•	Pending or	-7-
	Kettle River Watershed Study	Committed	1,052.60
	Kettle River Watershed (Granby Wilderness		
417-13	Society) Rock Creek & Boundary Fair Association	Funded	2,000.00
145-14	(Electrical Lighting & Equipment Upgrade) Greenwood Heritage Society (Zee Brick	Funded	35,122.00
221-15	Replacement	Funded	6,000.00
222-15	Big White Chamber of Commerce (Tourist Trails Information Sign)	Funded	2,085.70
	Big White Chamber of Commerce (Tourist Trails Information Sign)	Pending or Committed	695.23
255-15	Rock Creek & Boundary Fair Association (Irrigation Upgrades)	Funded	20,866.89
341-15	Greenwood Heritage Society (Install 2 Electric Car Charging Stations)	Funded	2,527.56
342-15	Kettle River Museum (Install 2 Electric Car Charging Stations)	Funded	2,173.11
	Kettle River Museum (Install 2 Electric Car Charging Stations)	Pending or Committed	724.37
343-15	Trails to the Boundary Society (Trans-Canada Trail Between Mccullock and Eholt)	Funded	22,180.57
	Trails to the Boundary Society (Trans-Canada Trail Between Mccullock and Eholt)	Pending or Committed	7,393.52
	TOTAL SPENT OR COMMITTED		\$ 514,974.51
	TOTAL REMAINING		\$ 411,047.22



STAFF REPORT

Date: 08 Jan 2016 File ADMN-GIA & GAS TAX

To: Chair Worley & Members of the

**Electoral Area Services** 

Committee

From: Theresa Lenardon, Manager of

**Corporate Administration** 

Re: Special Voting Regulation

**GIA & Gas Tax** 

# **Issue Introduction**

A Staff Report from Theresa Lenardon, Manager of Corporate Administration, regarding Grant in Aid applications and a Gas Tax application which were approved through the Special Voting Regulation (BC Reg 41/91) in December 2015.

# **History/Background Factors**

There were several late-in-the-year Grant in Aid applications and a Gas Tax application that were received by staff after the November Electoral Area Services Committee and after the regular November Board meetings took place.

Given that the Electoral Area Services Committee and the regular Board meetings do not take place in December, and the agenda for the December Statutory Board meeting does not include regular business, Chair McGregor and Director / Vice-Chair Russell and Director Worley deemed this matter urgent and requested the RDKB Board of Directors consider the following resolution:

# Stakeholder (EA Directors only) Vote

That further to the *Regional District Special Voting Regulation 41/91* that the Regional District of Kootenay Boundary Board of Directors approves the following Grant in Aid applications:

- 1. Beaverdell Community Club-Electoral Area 'E'/West Boundary \$895.99
- 2. Beaverdell Community Club-Electoral Area 'E'/West Boundary \$653.72
- 3. Rossland Winter Carnival Electoral Area 'B'/Lower Columbia-Old Glory-\$1,000
- 4. Selkirk College Electoral Area 'D'/Rural Grand Forks \$212.60

**FURTHER** that the Board also approves the Gas Tax application as submitted by the Regional District of Kootenay Boundary on behalf of the acquisition of the Hardy Mountain Doukhobor Village as a heritage property in the amount of \$37,892.50 (dependent on actual closing date) which is the cost of assuming / paying off the remaining mortgage from The Land Conservancy.

The applications are presented to the Electoral Area Services Committee for information and for a formal resolution to the Board of Directors for the January 28, 2016 meeting that they be approved.

# **Implications**

There are no financial or other implications.

# **Advancement of Strategic Planning Goals**

Continue to Focus on Organizational Excellence: (Review approval processes to streamline decision-making)

# **Background Information Provided**

- · Grant-in-Aid applications
- Gas Tax application (Hardy Mountain Doukhobor Village)

# **Alternatives**

- 1. Receive Staff Report
- 2. Recommend approval of the Grant-in-Aid and the Gas Tax applications to the Board of Directors.

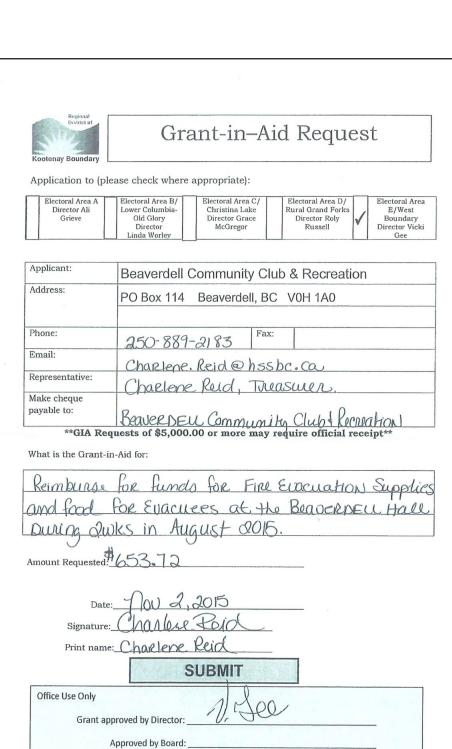
**Recommendation:** That pursuant to the *Regional District Special Voting Regulation 41/91* the Regional District of Kootenay Boundary Board of Directors approves the following Grant in Aid applications:

- 1. Beaverdell Community Club-Electoral Area 'E'/West Boundary \$895.99
- 2. Beaverdell Community Club-Electoral Area 'E'/West Boundary \$653.72
- 3. Rossland Winter Carnival Electoral Area 'B'/Lower Columbia-Old Glory-\$1,000
- 4. Selkirk College Electoral Area 'D'/Rural Grand Forks \$212.60

**FURTHER** that also pursuant to the *Regional District Special Voting Regulation 41/91* that the Board approves the Gas Tax application as submitted by the Regional District of Kootenay Boundary for the acquisition of the Hardy Mountain Doukhobor Village as a heritage property in the amount of \$37,892.50 (dependent on actual closing date) which is the cost of assuming / paying off the remaining mortgage from The Land Conservancy.

Page 2 of 2-Staff Report GIA & Gas Tax Special Voting Reg Electoral Area Services-Jan. 14/16

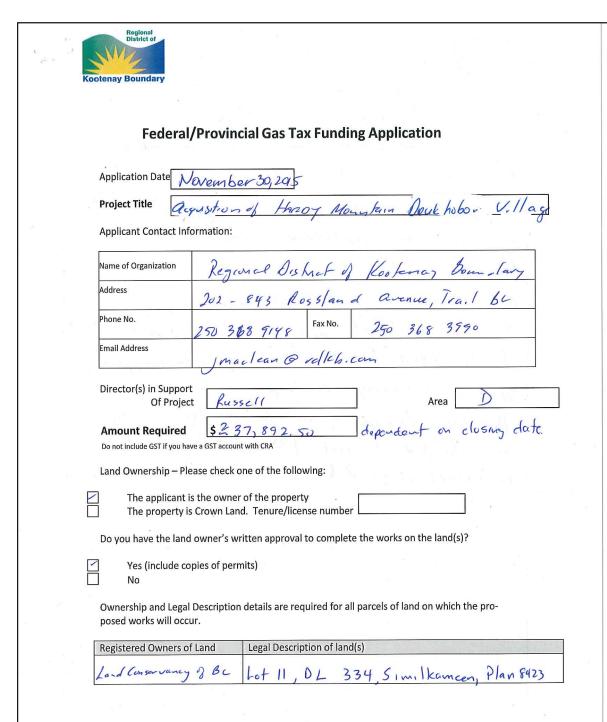
District of	Grant-in–Aid Request
Kootenay Boundary	
Application to (p.	lease check where appropriate):    Electoral Area B/   Electoral Area C/   Electoral Area D/   Electoral Area
Director Ali Grieve	Lower Columbia- Old Glory Director Grace Linda Worley  Christina Lake Director Grace McGregor  Christina Lake Director Ruly Russell  Rural Grand Forks Director Roly Russell  E/West Boundary Director Vicki Gee
Applicant:	Decreased Community Object Of the Community of the Commun
Address:	Beaverdell Community Club & Recreation
	PO Box 114 Beaverdell, BC V0H 1A0
Phone:	250-899-2183 Fax:
Email:	Charlene Reid & HSSRC. Ca
Representative:	Charlese Reid Treasurer,
Make cheque payable to:	
**GIA Re	quests of \$5,000.00 or more may require official receipt**
What is the Grant-	in-Aid for:
Reimbur	le for funds sport to purchase
a generate	or fore Community Hall During
Algust 20	15 fire Evacuation.
Amount Requested:	\$895.99
	: Y ou 2, 2015
	: (Karlone Heid)
Print name	: Charlene Reid
	SUBMIT,
Office Use Only	0/14 00
	proved by Director:
0	Approved by Board:



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	STATE OF THE PARTY	Gra	ant-in-A	id Reques	st		
	Koolensy Boundary						
	Application to (pl	Electoral Arma B/	appropriate):	Electoral Area D/	Electoral Area		
	Dissetur Ab Griese	Lower Columbia- Old Glery Dispessor	Christina Lake Director Grace McGregor	Rural Orand Forke Director Roly Russell	E/West Boundary Director Victo		
		Linda Worley			Ger		
	Applicant	Rosslan	d Winter/	arnival.			
	Address	Box	d Winter (				
	Phone:		IND BC	VO 6-1	40		
	Email:	250 - 36	2-55250				
	Representative:	doe Ilpho	to cospan.	(4: "			
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	What is the Grant-in		or more may	require omeiai re	cerpt		
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	Amount Requested:	1000	Contracts	nacialiers,			
	Date	Dec 5	115	00			
	Signature:	Lind	a Horly	for LO	elf		
	Print name:_	Lorry	Dell				
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Regional District of Months of the Months of	Grant-in–Aid Request
Application to (ple	ease check where appropriate):
Electoral Area A Director Ali Grieve	Electoral Area B/ Lower Columbia- Old Glory Director Linda Worley  Electoral Area C/ Christina Lake Director Grace McGregor  Electoral Area D/ Rural Grand Forks Director Roly Russell  Electoral Area D/ Rural Grand Forks Director Roly Russell  Gee
Applicant:	Selkirk College
Address:	
Phone:	Fax:
Email:	
Representative:	
Make cheque payable to:	Selkirk College
What is the Grant-ii	n-Aid for: Coursework Located at cemetery near the river.
Amount Requested:	212.60
Date	:
Signature:	·
Print name	
	SUBMIT
Office Use Only	
	HONE NEW YORK NEW YO
Grant ap	proved by Director:





# Application Contents - must include all of the following:

- 1. Description of the project including management framework
- 2. Project Budget including project costs (E.g. employee, equipment, etc.)
- 3. Outline of project accountability including Final Report and financial statements
- 1. Eligible Project Description including timeline:

The project is the acquisition of the Hardy Montan Doukhobor Village as a heritage property.

The current when, the Land Conserving of BL, is bankrupt and offered the property to the ROKB for the cost of assuming/paying off the remaining matgage.

The assumption/paying off the murlgage is estimated to cost \$37,892.50 (depondent on actual closing date.



# 1.1 Project Impact:

Stechard Area D has had an heritage service in place for many gears to protect and preserve the thorough Mountain Donkhaban Village.

The opportunity to acquire this important party that is nominal cost is rare and should be taken advantage of.

K	Regional District of District
1	2 Project Outcomes:
	Proketron and preservation of the Hordy  Mountain Doukhoha Village as an historic  Site.
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	202-843 Rossland Ave Trail, British Columbia Canada V1R 4S8
	Toll-free: 1 800 355 7352 · tel: 250 368-9148 · fax: 250 368-3990 Email: admin@rdkb.com · web: rdkb.com

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ni t	1.3 Project Team and Qualificat	ions:		
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2 1	Project Budget:			
2	Toject bauget.			
		e outlined below. These include all direct costs that a		
		ent under the contract for goods and services necessablect. <b>Schedule B</b> outlines Eligible Costs for Eligible Re		
	attached). <b>Attach supporting q</b>		cipients (see	
	Items	Details	Cost (\$)	
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	acquisition of Heatege	- C		
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	3	Total	\$ 37,892.50	
		843 Rossland Ave Trail, British Columbia Canada V1R 4S8	1.1.10.0	

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				*
			3	

## 3. Accountability Framework:

The Eligible Recipient will ensure the following:

- Net incremental capital spending is on infrastructure or capacity building
- Funding is used for Eligible Projects and Eligible Costs
- Project is implemented in diligent and timely manner
- Provide access to all records
- Comply with legislated environmental assessment requirements and implement environmental impact mitigation measures
- Provision of a Final Report including copies of all invoices

# **Schedule of Payments**

The RDKB shall pay the Proponent in accordance with the following schedule of payments:

- (a) 75% upon signing of the Contract Agreement;
- (b) 25% upon receipt of progress report indicating 75% completion of the Project and a statement of income and expenses for the Project to that point.

By signing below, the recipient agrees to prepare and submit a summary final report outlining project outcomes that were achieved and information on the degree to which the project has contributed to the objectives of cleaner air, cleaner water or reduced greenhouse gas emissions. This must also include financial information such as revenue and expenses.

In addition, an annual report (for 5 years) is to be submitted to the RDKB prior to October 31<sup>st</sup> of each year detailing the impact of the project on economic growth, a clean environment, and/or strong cities and communities.

Signature	Name	Date
2_	Dhu or Maclean	November 30, 200

## **SCHEDULE B- Eligible Costs for Eligible Recipients**

## 1. Eligible Costs for Eligible Recipients

### 1.1 Project Costs

Eligible Costs, as specified in this Agreement, will be all direct costs that are in the Parties' opinion properly and reasonably incurred, and paid by an Eligible Recipient under a contract for goods and services necessary for the implementation of an Eligible Project. Eligible Costs may include only the following:

- a) the capital costs of acquiring, constructing or renovating a tangible capital asset and any debt financing charges related thereto;
- the fees paid to professionals, technical personnel, consultants and contractors specifically engaged to undertake the surveying, design, engineering, manufacturing or construction of a project infrastructure asset, and related facilities and structures;
- c) for capacity building category only, the expenditures related to strengthening the ability of Local Governments to improve local and regional planning including capital investment plans, integrated community sustainability plans, life-cycle cost assessments, and Asset Management Plans. The expenditures could include developing and implementing:
  - studies, strategies, or systems related to asset management, which may include software acquisition and implementation;
  - ii. training directly related to asset management planning; and,
  - iii. long-term infrastructure plans.

## 1.1.1 Employee and Equipment Costs

Employee or equipment may be included under the following conditions:

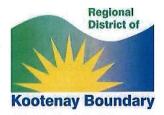
- a) the Ultimate Recipient is able to demonstrate that it is not economically feasible to tender a contract:
- b) the employee or equipment is engaged directly in respect of the work that would have been the subject of the contract; and
- c) the arrangement is approved in advance and in writing by UBCM.

# 2. Ineligible Costs for Eligible Recipients

Costs related to the following items are ineligible costs:

- a) Eligible Project costs incurred before April 1, 2005;
- b) services or works that, in the opinion of the RDKB, are normally provided by the Eligible Recipient or a related party;
- c) salaries and other employment benefits of any employees of the Eligible Recipient, except as indicated in Section  $1.1\,$
- d) an Eligible Recipient's overhead costs, its direct or indirect operating or administrative costs, and more specifically its costs related to planning, engineering, architecture, supervision, management and other activities normally carried out by its applicant's staff

e) costs of feasibility and planning studies for individual Eligible Projects; f) taxes for which the recipient is eligible for a tax rebate and all other costs eligible for rebates; g) costs of land or any interest therein, and related costs; h) cost of leasing of equipment by the recipient, except as indicated in section 1.1 above; i) routine repair and maintenance costs; j) legal fees; k) audit and evaluation costs. 202-843 Rossland Ave Trail, British Columbia Canada V1R 4S8 Toll-free: 1 800 355 7352 · tel: 250 368-9148 · fax: 250 368-3990



### STAFF REPORT

Date: 26 Jun 2015

File

ADMN Purchase and Sales-2230

To: The RDKB Board of Directors

From: G. McGregor, RDKB Board Chair

Re:

Special Voting Results-Hardy Mountain

Doukhobor Village Historic Site

### **Issue Introduction**

A report from Chair McGregor regarding the results of the Special Voting Regulation poll on the proposed Agreement of Purchase and Sale between the Regional District of Kootenay Boundary and The Land Conservancy (TLC) for the Hardy Mountain Doukhobor Village Historic Site.

Pursuant to the attached Regional District Special Voting Regulation (BC Reg 41/91), Director Russell and I deemed the following issue urgent and requested that the following resolution be considered by the Board of Directors as soon as possible.

Corporate Vote Weighted: That the Regional District of Kootenay Boundary Board of Directors approves the Agreement of Purchase and Sale of the Hardy Mountain Doukhobor Village Historic Site (building and lands) from The Land Conservancy to the Regional District of Kootenay Boundary via the transfer of the title to the property and assumption of the mortgage indebtedness to the Grand Forks Credit Union of approximately \$37,892.50 (dependent on Closing Date) to the Regional District of Kootenay Boundary. FURTHER that the Board of Directors approves the RDKB authorized signatories to sign the Agreement.

**Results:** The Special Voting Regulation request was made by staff on Wednesday, June 24, 2015. Receipt of the votes was completed and the results compiled on Friday, June 26, 2015. The resolution passed unanimously.

Page 1 of 3 Special Voting Regulation-Hardy Mountain Doukhobor Village Board-July 30, 2015

# **History/Background Factors**

The Land Conservancy (TLC) holds the mortgage for the Hardy Mountain Doukhobor Historic Village Site. TLC has filed bankruptcy and through that process, a Plan of Compromise and Arrangement with the Supreme Court of B.C. has also been filed.

The matter was deemed urgent due to the proposed agreement arriving immediately prior to the June 18th Board meeting therefore there was not enough time for staff and the Board to review and for the Board to make an informed decision. The July 30th Board meeting is scheduled too late to consider the proposal as the deadline for accepting the offer is July  $2^{nd}$ , 2015.

The Hardy Mountain Doukhobor Historic Village Site is designated as heritage in the RDKB Heritage Designation Bylaw 1236, 2004 and meets the mandate of such a service. The site has significant historical and cultural value for RDKB Electoral Area 'D'/Rural Grand Forks, the City of Grand Forks and the greater Boundary community overall. A local community group / organization will be identified as caretaker of the site and possible uses of the buildings and lands include educational, historical, cultural and tourist purposes.

Costs for the proposal will be covered with Electoral Area 'D'/Rural Grand Forks Gas Tax funds. The Gas Tax application will be submitted to the Electoral Area Services Committee and to the Board of Directors at a later date.

# **Implications**

There may not be short-term financial gains; however there may be financial gains in the future based on the eventual operations of a museum, agricultural courses, tourist and other economic development-type ventures and operations.

# **Advancement of Strategic Planning Goals**

Improve and Enhance Communication:

We will continue to advocate on issues that affect our region.

Continue to Focus on Organizational Excellence:

 We will review our internal processes to remove any barriers to economic growth.

Exceptional Cost Effective and Efficient Services:

We will ensure we are responsible and proactive in funding our services.

Page 2 of 3 Special Voting Regulation-Hardy Mountain Doukhobor Village Board-July 30, 2015

# **Background Information Provided**

- Agreement of Purchase of Sale
   Staff Memo regarding the Special Voting Regulation Resolution
- 4. Special Voting Regulation BC Reg 41/91.

Page 3 of 3 Special Voting Regulation-Hardy Mountain Doukhobor Village Board-July 30, 2015

AGREEMENT OF PURCHASE AND SALE  THIS AGREEMENT dated
REGIONAL DISTRICT OF KOOTENAY BOUNDARY  ("Buyer")  AND  TLC THE LAND CONSERVANCY OF BRITISH COLUMBIA  ("Seller")  PART 1  DEFINED TERMS  1.1 Defined Terms. In this Agreement:  (a) "Agreement" means this agreement as it may be amended from time to time;  (b) "Business Day" means any day except Saturday, Sunday and any statutory holiday in British Columbia;  (c) "Closing" means the completion of the sale and purchase of the Lands in accordance with paragraph 5.5;  (d) "Closing Date" means June 26, 2015 or such other date as the respective solicitors of the Buyer and the Seller may otherwise agree upon in writing;  (e) "Duplicate Title" means the duplicate indefeasible title for the Lands issued on April 1, 2004 to the Grand Forks District Savings Credit Union;  (f) "Hazardous Substance" means any pollutants, contaminants, wastes, special wastes, or hazardous or toxic substance or materials including without limitation those defined, judicially interpreted or identified in any federal, provincial, or local laws, by-laws, regulations, orders, guidelines and policies relating to the protection of the natural environment or public health and safety.  (g) "Lands" means the lands and premises legally described as PID: 009-824-081, Lot 11, District Lot 334, Similikameen Division, Yale District, Plan 8423;
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(h) "Lender" means the Grand Forks District Savings Credit Union;
<ul> <li>"Loan" means the loan granted to the Seller by the Lender and secured by the Seller delivering the Duplicate Title to the Lender;</li> </ul>
(j) "Parties" means the Buyer and the Seller and "Party" means either one of them;
(k) "Permitted Encumbrances" means the Right of Way registered under Registration Number G31639 in favour of Sion Improvement District together with any subsisting
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conditions, provisos, restrictions, exceptions, utility rights of ways and reservations, including royalties, contained in the original grant or contained in any other grant or disposition of the Lands;

- "Person" means an individual, corporation, society, partnership, government or governmental department or agency, trustee, and unincorporated organization; and
- (m) "Purchase Price" will have the meaning attributed thereto in paragraph 2.2.
- 1.2 Schedules. The following are the schedules attached to and incorporated in this Agreement by reference and are considered to be a part hereof:

Schedule A Loan Payout Statement;

#### PART 2

#### PURCHASE AND SALE

- 2.1 Purchase and Sale. The Buyer agrees to buy and the Seller agrees to sell the Lands on the Closing Date, free and clear of all claims, charges, liens and encumbrances, except the Permitted Encumbrances, for the price and on the terms set out below.
- 2.2 Purchase Price. The Purchase Price will be the amount outstanding under the Loan as of the Closing Date subject to adjustment as provided in paragraph 5.8. The Purchase Price will be paid on Closing as provided in paragraph 5.5.

### PART 3

## SELLER'S REPRESENTATIONS AND WARRANTIES

- 3.1 Representations and Warranties. The Seller represents and warrants to the Buyer that:
  - (a) Status of Seller. The Seller is duly incorporated, or registered extra-provincially, under the Society Act (British Columbia), and is in good standing and has the capacity and authority to enter into this Agreement and to carry out the transactions contemplated in it, all of which will by the Closing Date have been effectively authorized by all required corporate proceedings;
  - (e) Title. The Seller is the registered and beneficial owner of the Lands and holds a good and marketable title to the Property free and clear of all claims, liens, charges and encumbrances except the Permitted Encumbrances;
  - Residency. The Seller is not a non-resident of Canada for the purposes of the Income Tax Act (Canada);
  - (g) Loan. The amount outstanding under the Loan as of May 29, 2015 is \$37,892.50, and interest accrues thereon at the rate of 6% per annum. The per diem rate after May 29, 2015 is \$5.68 as per the loan payout statement attached hereto as Schedule A.
- 3.2 Reliance and Survival. The Seller acknowledges that the Buyer is relying on each of the representations and warranties made by the Seller, all of which will survive the Closing for a period of 12 months only following the Closing Date after which they shall be of no further force or effect except in respect of claims made by the Buyer within such applicable period.

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3.3 Representations will be true on Closing Date. All representations and warranties of the Seller contained in this Part 3 will be true on the Closing Date as if made on that date except changes occurring prior to the Closing Date of which the Seller has advised the Buyer in writing before Closing.

#### PART 4

## **BUYER'S AND SELLER'S COVENANTS**

- 4.1 Covenants of the Seller. The Seller will:
  - (a) deliver to the Buyer no earlier than 5 Business Days and no later than 2 Business Days before the Closing date an updated payout statement issued by the Lender for the Loan confirming the amount outstanding as of the Closing Date;
  - (b) not borrow any further funds secured by the Property, nor draw down any advances under the Loan;
  - (c) maintain its existing insurance coverage in respect of the Lands until the Closing Date;
  - (d) not enter into any lease, agreement to lease or any occupancy agreement without the Buyer's prior written consent which consent will not be unreasonably withheld; and
  - (e) not modify, amend, or cancel any of the Permitted Encumbrances without the prior written approval of the Buyer, such approval not to be unreasonably withheld.
- 4.2 Confidentiality. The Buyer shall cause its directors, officers, employees, consultants and agents to keep in strict confidence all information with respect to the Lands and the documentation obtained by the Buyer with respect to the Lands until the sale of the Lands by the Seller to the Buyer is completed, except to the extent that other Persons such as professional advisors or prospective lenders, must be made aware of such information or documentation in connection with the purchase of the Lands.
- 4.3 Acknowledgements of Buyer. The Buyer acknowledges and agrees that, notwithstanding any other provision of this Agreement, the Buyer has entered into this Agreement on the basis that:
  - (a) the Buyer has conducted or will conduct its own investigations of the Lands;
  - (b) the Buyer has and shall be deemed to have inspected the Lands, satisfied itself with respect to all matters and things connected with or in any way related to the Lands, and to have relied entirely upon its own investigations and inspections in entering into this Agreement and accepting the Lands on Closing;
  - (c) the Buyer is purchasing the Lands on an "as is" basis;
  - d) the Seller has made no representations, warranties, conditions, statements, agreements, inducements or promises whatsoever, express or implied, (save and except as expressly stated in this Agreement) with respect to the Lands or any other aspect of this Agreement, whether statutory, express or implied, oral or written, legal, equitable, collateral or otherwise, all of which are expressly excluded, and with respect to, without limitation:

- the fitness for any particular purpose or use, zoning suitability for development, description, marketability, condition, quality or extent of the Lands or evidence of any defect;
- the presence of any Hazardous Substances on the Land or the compliance of the Lands with any laws, including without limitation any environmental laws; or
- (iii) any other matter or thing whatsoever in respect of any or all of the Lands or otherwise affecting this Agreement.
- 4.4 Environmental Matters. The Buyer shall, from and after the Closing Date, release and indemnify and save harmless the Seller and its directors, officers, employees and agents from and against any claims, demands, liabilities, losses, damages, costs, or expenses (including legal fees and expenses on a solicitor and own client basis and fees and disbursements of experts, consultants and contractors) suffered or incurred by the Buyer or the Seller arising out of or in connection with any and all Hazardous Substances present on, under, or in the Lands or migrating to or from the Lands.
- 4.5 Waiver. The Buyer waives the right to be provided with a site profile of the Lands by the Seller under the British Columbia *Environmental Management Act*, and any amendments or regulations to that Act.

#### PART 5

### **COMPLETION OF PURCHASE**

- **5.1 Preclosing Procedure.** The Buyer will cause its solicitors to prepare and deliver to the Seller's solicitor not less than 5 Business Days before the Closing Date those documents described in paragraphs 5.3(a), 5.3(b), 5.3(c) and 5.4(a).
- 5.2 Settlement of Form of Documents. The terms and form of all documents to be delivered on Closing will be in accordance with the terms of this Agreement and will be settled, by the Parties and their respective solicitors, not less than 3 Business Day before the Closing Date.
- 5.3 Delivery of Documents Seller. On Closing, the Seller will deliver to the Buyer the following documents, settled in the manner described in paragraph 5.2, and executed by the Seller in favour of the Buyer, or as otherwise specified:
  - (a) a Freehold Transfer of the Lands in registrable form;
  - (b) a Seller's Statement of Adjustments; and
  - (c) all additional documents and assurances the Buyer's solicitors will reasonably require.
- 5.4 Delivery of Documents and Funds Buyer. On Closing, the Buyer will deliver to:
  - (a) the Seller a GST certificate with the Buyer's GST registration number and all additional documents and assurances the Seller's solicitors will reasonably require, settled in the manner described in paragraph 5.2, and executed by the Buyer in favour of the Seller. On Closing, the Buyer its solicitors:
  - (b) the Buyer's solicitors a bank draft or certified cheque for the Purchase Price.
- 5.5 Closing Procedure. The Closing will commence at 9.00 a.m. (Vancouver time) on the Closing Date at the offices of the Buyer's solicitors. All documents delivered by the Buyer and the

Seller on the Closing Date, except the Freehold Transfer concerning the Lands, will be tabled at those offices until the Freehold Transfer has been accepted for registration in the applicable Land Title Office and until completion of a post application title search of the Lands is found to show that, in the normal course of land title office procedure, once the Duplicate Title is deposited in the Land Title Office for cancellation the title to the Lands will issue in the name of the Buyer free and clear of all encumbrances, except the Permitted Encumbrances, and then all documents will be released to the appropriate parties and the Purchase Price will be disbursed by the Buyer's solicitors immediately following such release. It will be a condition of the Closing that all matters of payment, execution and delivery of documents and acceptance for registration of the appropriate documents in the appropriate offices of public record all under the terms of this Agreement will be considered to be concurrent requirements, and it is agreed that nothing will be completed at the Closing until everything required as a condition precedent at the Closing has been paid, executed and delivered and until the Freehold Transfer has been accepted for registration as provided above. Upon completion in this manner, the Seller will deliver vacant possession of the Lands to the Buyer subject to the rights of any tenant under a lease.

- 5.6 Delivery of Seller's Documents. The Seller and Buyer agree that delivery of the signed documents in paragraph 5.3 will be made by the Seller's solicitors to the Buyer's solicitors on the undertaking of the Buyer's solicitor to, upon receipt of a bank draft or certified cheque for the Purchase Price from the Buyer and immediately upon the Freehold Transfer being deposited for registration in the applicable Land Title Office and completion of a post application title search of the Lands showing that, in the normal course of land title office procedure, once the Duplicate Title is deposited in the Land Title Office for cancellation the title to the Lands will issue in the name of the Buyer free and clear of all encumbrances, except the Permitted Encumbrances, pay the Purchase Price to the Seller's solicitors in trust in accordance with the statement of adjustments.
- 5.7 Cancelling Duplicate Title. The Seller and Buyer agree that delivery of the signed documents and funds in paragraph 5.4 will be made by the Buyer's solicitors to the Seller's solicitors on the undertaking of the Seller's solicitor to, if he or she has not already deposited the Duplicate Title in the applicable Land Title Office for cancellation, do so immediately upon receipt of payment for the Purchase Price from the Buyer in accordance with paragraph 5.6.
- 5.8 Adjustments. All adjustments concerning operating expenses, taxes, utilities and other revenue and expense items normally adjusted between a seller and buyer will be made in respect of the Lands as at the Closing Date with the Buyer receiving all revenues and bearing all expenses from and including the Closing Date. Such adjustments will be documented by way of Seller's and Buyer's Statements of Adjustments to be executed and delivered upon Closing.
- 5.9 Risk. Until Closing the Lands will be and remain at the risk of the Seller and the Seller will hold all policies of insurance and proceeds thereof subject to the interest of the Buyer. If, prior to Closing, any part of the Lands is substantially damaged, this transaction will complete with the insurance proceeds paid to the Buyer.

### PART 6

# GENERAL

- 6.1 Amendment. This Agreement may be amended or supplemented only by a written document signed by the party intended to be obligated by it, and need not be executed under seal.
- 6.2 Canadian Dollars. All dollar amounts referred to in this Agreement are in Canadian funds unless otherwise stated.
- 6.3 Entire Agreement. This Agreement is the entire agreement between the Parties relating to the subject matter of this Agreement and supersedes any prior agreement, negotiations, and

discussions, whether oral or written, of the Parties. There are no representations, warranties, covenants, or agreements, express or implied, statutory, collateral, or otherwise, save as set forth herein.

- 6.4 Extended Meanings. In this Agreement, words importing one gender include the others where appropriate.
- 6.5 Headings. In this Agreement, headings are for convenient reference only and will not affect how this Agreement is interpreted.
- 6.6 Binding Agreement. This Agreement will bind and benefit each of the Parties, and each of their respective successors, heirs, executors, personal representatives and permitted assigns.
- 6.7 Governing Law and Jurisdiction. This Agreement will be governed by, and construed in accordance with, British Columbia law and applicable Canadian law and will be treated in all respects as a British Columbia contract.
- 6.8 Further Assurances. Each of the Parties will at all times hereafter execute and deliver at the request of the other party all such further documents, deeds and instruments, and will do and perform all such further acts as may be reasonably necessary to give full effect to the intent and meaning of this Agreement.
- 6.9 Expenses. Each of the Parties will be responsible for its own legal fees and other charges incurred in connection with the purchase and sale of the Lands, all negotiations between the Parties and the consummation of the transactions contemplated hereby. The Buyer will pay all fees in connection with the registration of the Freehold Transfer and all other documents requiring registration provided however that the Seller will pay any costs of clearing title of
- 6.10 No Commissions. The Buyer represents and warrants that it has not retained or authorized to act on its behalf any broker, agent or other intermediary or advisor who might be entitled to any fee, commission or reimbursement from the Seller.
- 6.11 Tender. Any tender of documents, notices or money hereunder may be made upon the Seller or the Buyer or the solicitor acting for either of them and money may be tendered by certified solicitor's trust cheque, bank draft or wire transfer.
- 6.12 Notices. In this Agreement:
  - (a) any notice or communication required or permitted to be given under the Agreement will be in writing and will be considered to have been given if delivered by hand, transmitted by facsimile transmission or mailed by prepaid registered post in Canada, to the address or facsimile transmission number of each Party set out below:
    - (i) if to the Seller:

TLC The Land Conservancy of British Columbia

Physical: 302 Denison Road, Victoria, BC Mailing: PO Box 50054 RPO Fairfield Pla

Mailing: PO Box 50054 RPO Fairfield Plaza, Victoria, BC V8S 5L8

Attention: John Shields Fax No: (250) 744-2251

with a copy to the Seller's solicitor:

-7-

DLA Piper (Canada) LLP

2800-666 Burrard Street, Vancouver, BC V6C 2Z7

Attention: Fax No: Mary Buttery/Lance Williams (604) 605-3768

(ii) if to the Buyer:

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

Attention:

John MacLean

Fax No: (250)368-3990

or to such other address or facsimile transmission number as any Party may designate in the manner set out above;

- (b) notice or communication will be considered to have been received:
  - if delivered by hand during business hours, upon receipt by a responsible representative of the receiver, and if not delivered during business hours, upon the commencement of business on the next Business Day;
  - (ii) if sent by facsimile transmission during business hours, upon the sender receiving confirmation of the transmission, and if not transmitted during business hours, upon the commencement of business on the next Business Day; and
  - (iii) if mailed by prepaid registered post in Canada, upon the 5th Business Day following posting; except that, in the case of a disruption or an impending or threatened disruption in postal services every notice or communication shall be delivered by hand or sent by facsimile transmission.
- 6.13 Time of Essence. Time is of the essence of this Agreement.
- 6.14 Non-Merger. None of the provisions of this Agreement will merge in the transfer of the Lands and all of the provisions of this Agreement will survive the transfer of the Lands to the Buyer for a period of 12 months following Closing.
- 6.15 Assignment Buyer. The Buyer shall not assign this Agreement without the prior written consent of the Seller. In the event of such an assignment the Buyer shall not be released from its obligations under this Agreement. At the time of the approved assignment, the assignee shall covenant and agree in writing with the Seller to assume all obligations and covenants of the Buyer under this Agreement.
- 6.16 Continuing to Act. The Buyer irrevocably agrees and consents to the Seller's solicitors continuing to represent only the Seller even in the event of a dispute between the Parties relating to the Agreement.
- 6.17 Excise Tax Act. The Seller and Buyer acknowledge and agree that the Purchase Price does not include goods and services tax ("GST") payable under the Excise Tax Act (Canada), Section IX ("Act"). If the Buyer is registered under the Act for GST purposes, the Buyer will provide to the Seller prior to the Closing Date the Buyer's GST registration number. The Buyer and Seller represent and warrant that they have complied and will comply in all respects with the requirements of the Act as it relates to the Lands.

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	6.18 Counterparts. This Agreement may be signed by original or by facsimile and executed in any number of counterparts, and each executed counterpart will be considered to be an original.  All executed counterparts taken together will constitute one agreement.	
	All executed counterparts taken together will constitute one agreement.  [SIGNATURE PAGE FOLLOWS]	}
	·	-
	TO EVIDENCE THEIR AGREEMENT the Parties hereto have executed this Agreement as of the date first written above.	
	TLC THE LAND CONSERVANCY OF BRITISH COLUMBIA	
	Ву:	
	Authorized Signatory Name: Title:	
	nue.	
	REGIONAL DISTRICT OF KOOTENAY BOUNDARY  By:	
	Authorized Signatory Name: Title:	
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	CAN: 18971172.3	

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				Sched Loan Payou	lule A it Statement					
						L	oan Pa	yout S	tatement	
		GENERAL INFORMATION Financial Institution Name (	the "Lender")	and Address	Date		Account N 630706/	lo.		
		Grand Forks District S 447 Market Avenue, PO Grand Porks, BC VON 3	Savings Cre Box 2500	dit Union	May 29, 2015 Phone No. (250) 442-403	30	630706/ Fax No. (250) 44		43138	
		Contact Name Angle Hanlon			Email Address ahanlon@gfdsc					
		REQUESTOR INFORMATION Requestor Name and Addre			Phone No.		Fax No.			
		DLA Piper (Canada) LLI Suite 2800, Park Place Vancouver, BC V6C 23	e, 666 Burr 27	ard St	Email Address					
		BORROWER INFORMATION (De Borrower Name(s) and Add	ress	same as Requestor.)	Phone No.		Fax No.			3000
		TLC The Land Conservat Box 50054 Fairfield P Victoria, BC V8S 5L	ncy of BC laza 8		Email Address		<u> </u>			
		MORTGAGE SECURITY M N/A	A (ii more than 1	property is secured, attach a	CreditMaster* Inter Alia P		Priority of			-
		mortgaged Froperty Address	33		O Borrower Loan Insurer	O Guarantor	O First	C	) Second not to exceed:	
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'					Genworth Fir Reference No.	nancial	O Albert O British O Ontar	Columbi	a	
	. 10 100 100 100	LOAN AND PAYOUT DETAILS (		onadian dollars.) 9, 2015	Outstanding Pri	ncipal Balance	\$		34,559.50	
		Last Periodic Payment Date Loan Agreement Date	e n/a	30, 2004	Interest Rate Per Diem Rate a	fter Payout Date	·   \$		6.00% 5.68	
		LOAN PAYOUT STATEMENT (A Further to your request, the b	alance outstan	ding under the above Los	n is as follows:					
		Subtotal of Principal and In Outstanding Principal Balance		out Date				\$	34,559.50	
		Accrued Interest to Payout D	ate				+	\$	3,333.00	
	-	Annual Payment (applies \$	only if paid on en (original i	iniversary date) Loan amount) X%	annusi paymeni perceni	age)	-	· \$		
		Prepayment Charge	Yes	No		Subtotal 1		\$	37,892.50	
		O Prepayment Charge \$			y x mos. + 1:	2		\$		
	-	(A) \$		X% (current rate	a) x 3 + 12	\$				
		Charge (greater of A or B) \$	orevalling rate)) 1	× (% (currer ×days (number of d + 365	it rate) —% ays from Payout Date to	\$		\$		
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	LOAN PAYOUT STATEMENT (CONTINUED)  Other Charges   ○ Yes  No			
	Repayment of Incentive	MOS. (remaining in term) + MOS. (term)	\$	
	(original incentive amount) X	mos, pemaning in terny · nos. penny	+ \$	
	Other		_ + \$	
		Subtotal 3		
	Other Credits Q Yes • No	Subtour	= \$ 0.00	
	Tax Account Balance		\$	DESCRIPTION
	Olher		+ \$	
.	Net Amount Required to Payout Loan on Payout Date*	Subtotal 4	= \$ 0.00	
	Sublotal of Principal and Interest To Payout Date	Subtolal 1	\$ 37,892.50	
	Prepayment Charge	Subtotal 2	+ \$ 0.00	
	Other Charges	Subtotal 3	+ \$ 0.00	
	Other Credits	Subtotal 4	- \$ 0.00	
	Citid O'Colla	TOTAL	<b>= \$</b> 37,892.50	- CONTRACT
l i	*If the Loan is a floating or variable rate loan, the Per Diem Rate and on the payout date.	d the Net Amount is subject to change and should	l be confirmed with the Lender	
	This Payout Statement is conditional upon all payments up to and i made and honoured.	including the Last Regular Payment (and Annual	Payment, if applicable), being	
	The Per Diem Rate and Net Amount Required to Pay Out Loan on rate loan or a revolving loan (e.g. Primeline*; line of credit).	Payout Date is subject to change if the Loan is	a floating or a variable interest	
	Please ensure that interest is calculated to the actual payout date a Lender at the address noted above before 2.00 p.m. (Lender's locs business day of that office must be added to the Net Amount Requ	and that funds are made payable to the Lender. F al time) on the Payout Date. Otherwise, Interest a fired to Pay Out Loan on Payout Date.	funds must be received by the at the per diem rate to the next	
	The Discharge Fee, if applicable, includes preparing the Discharge and all registration fees.		or registration of the discharge	
		ease contact the Lender if paying out after this da	ite.	
	☐ Enclosed is a Mortgage Discharge Request which must be co			,
	Errors and omissions excepted.			
	Additional Comments:		7	
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			LOWI PAYOUT STATEMENT PAGE 2 OF 2	
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#### MEMO

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

From: Theresa Lenardon, Manager of Corporate Administration

**Date:** June 24, 2015

# LGA Regional District Special Voting Regulation

Re: Hardy Mountain Historic Doukhobor Village Site Transfer of Title & Mortgage

Chair McGregor and Director Russell have deemed this matter urgent and support that it be expedited through the use of the Regional District Special Voting Regulation (BC Reg 41/91) with the collection of responses from Directors by the Manager of Corporate Administration via telephone.

### Issue:

The Land Conservancy (TLC) holds the mortgage for the Hardy Mountain Historic Doukhobor Village Site. TLC has filed bankruptcy and through that process, a Plan of Compromise and Arrangement with the Supreme Court of B.C. has also been filed.

# Background:

Further to information from Director Russell, the Board reviewed this matter at the October 30, 2014 Board meeting. RDKB Staff and Director Russell have consulted with the Electoral Area Services Committee and TLC Property Manager and interest has been expressed for the transfer of the title to the property and assumption of the mortgage indebtedness to the Grand Forks Credit Union of approximately \$37,892.50 (dependent on Closing Date) to the Regional District of Kootenay Boundary.

The Hardy Mountain Historic Doukhobor Village is a 16.9 acre property containing what remains of the historic Makortoff Doukhobor Village and overlooks the Kettle River and Granby River valleys. The site is located in RDKB Electoral Area 'D'/Rural Grand Forks one kilometer west of the City of Grand Forks and is within the Agricultural Land Reserve (ALR).

The Village was acquired by TLC via a purchase from the previous owner who operated the heritage building as a museum and tourist attraction. The property is significant culturally as it represents the only remaining *in situ* Doukhobor "great house" in BC and has been designated as a heritage service by the RDKB Board of Directors as well as a historic site by the National Trust for Canada.

The Village Site is largely intact and the in-situ communal house is still in an exceptionally good state of repair. This acreage was also the site of many other village buildings, of which five are still standing. They too are full of historic implements and tools that were used by the Doukhobor pioneers to farm the land.

Director Russell is requesting that the Board consider entering into the Agreement of Purchase and Sale for assumption of the mortgage and transfer of the title by means of a future Gas Tax application.

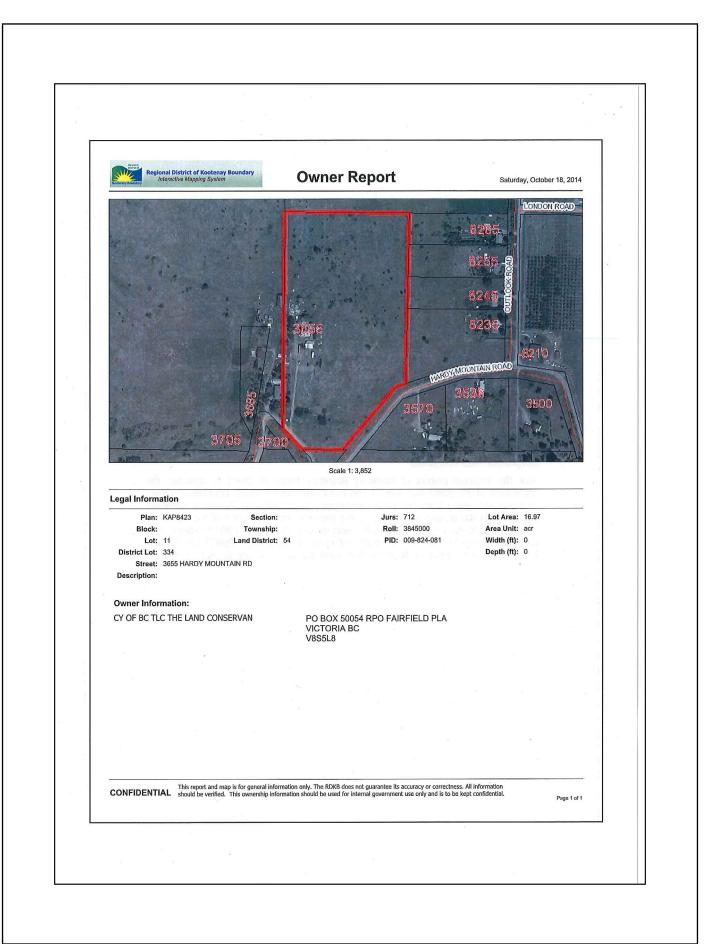
The following recommendation is related to the Agreement only. Information regarding the Gas Tax application will be submitted to the Electoral Area Services Committee at a later date.

### **Recommendation for Consideration:**

## **Corporate Vote Weighted**

That the Regional District of Kootenay Boundary Board of Directors approves the Agreement of Purchase and Sale of the Hardy Mountain Historic Doukhobor Village (building and lands) from The Land Conservancy to the Regional District of Kootenay Boundary via the transfer of the title to the property and assumption of the mortgage indebtedness to the Grand Forks Credit Union of approximately \$37,892.50 (dependent on Closing Date) to the Regional District of Kootenay Boundary. **FURTHER** that the Board of Directors approves the RDKB authorized signatories to sign the Agreement.

/TL



License Copyright (c) Queen's Printer, Victoria, British Columbia, Canada Disclaimer Deposited February 6, 1991 B.C. Reg. 41/91 M21/91 Local Government Act **REGIONAL DISTRICT** SPECIAL VOTING REGULATION Note: Check the Cumulative Regulation Bulletin 2014 for any non-consolidated amendments to this regulation that may be in effect. [includes amendments up to B.C. Reg. 17/98] Contents 1 Interpretation 2 Special vote may be taken on urgent matters 3 How special voting is to be conducted 4 Special vote must be reported at next regular meeting 5 Application of regulation Schedule Interpretation 1 In this regulation "urgent" means requiring immediate action as a result of unforeseen circumstances. Special vote may be taken on urgent matters 2 (1) Subject to subsection (2), the voting by the directors of a regional district board, including voting on passing a resolution or on reading or adopting a bylaw, may be conducted in accordance with section 3 where the chairperson and one other director consider (a) that the issue to be voted on is urgent, and (b) that calling a regular or special meeting to conduct the voting is impractical. (2) Voting on the second or third reading of the following bylaws may not be conducted in accordance with section 3: (a) annual budget bylaws; (b) zoning bylaws; (c) bylaws adopting official community plans;

(d) rural land use bylaws. How special voting is to be conducted 3  $\hspace{0.1cm}$  (1) The secretary shall make all reasonable attempts in the circumstances to ensure that each director entitled to vote has the opportunity to do so. (2) Before a director votes, the secretary shall ensure that the resolution or bylaw to be voted on is communicated to the director either (a) orally, including by telephone or other means of telecommunication, or (b) by delivery, including by delivery in writing, by facsimile transmission or other means of electronic transmission or by delivery in electronic form. (3) A director shall vote by informing the secretary, in any manner referred to in subsection (2), of the director's approval or disapproval of the resolution or bylaw and the secretary shall at that time record the director's vote. (4) Each director who votes shall have the number of votes that he or she would have had in voting on the matter at a regular meeting of the (5) The rules under section 791 of the Act regarding the counting of votes at meetings of the board, except section 791 (10), apply to the counting of votes taken in accordance with this section. (6) After ensuring that each director has an opportunity to vote as required by subsection (1), the secretary shall inform the chairperson of the results of the voting and the chairperson shall declare the vote to have passed or failed in accordance with those results. (7) At the time of the chairperson's declaration under subsection (6), the results of the voting shall have the same effect as if the voting had been conducted at a regular meeting of the board and shall then be recorded by the secretary as a minute of the board. (8) If the secretary is absent, ill or otherwise disabled, the chairperson may appoint another director to conduct voting under this section in the place  $% \left( 1\right) =\left( 1\right) \left( 1\right)$ of the secretary. Special vote must be reported at next regular meeting 4 At the next regular meeting of the board following a vote under section 3, the chairperson shall report the results of the vote. Application of regulation 5 This regulation applies only to the districts listed in the Schedule. [en. B.C. Reg. 17/98.]

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