

Electoral Area Services

Thursday, November 10, 2016 - 4:30 pm
Via Video conference

The Regional District of Kootenay Boundary
Board Room, RDKB Board Rooms,
843 Rossland Ave., Trail, BC
2140 Central Ave., Grand Forks, BC

A G E N D A

1. CALL TO ORDER
2. ACCEPTANCE OF AGENDA (ADDITIONS/DELETIONS)

A) **November 10, 2016**

Recommendation: That the November 10, 2016 Electoral Area Services Committee Agenda be adopted as presented.

3. MINUTES

A) **September 15, 2016**

Recommendation: That the September 15, 2016 Electoral Area Services Committee Minutes be adopted as presented.

[Minutes-Electoral Area Services - 15 Sep 2016](#)

4. DELEGATIONS
5. UNFINISHED BUSINESS

A) **A Memorandum of EAS Committee Action Items**

Recommendation: That the Memorandum of EAS Committee Actions Items be received.

[ToEndOfOctForNovember2016](#)

6. NEW BUSINESS

A) **City of Trail**

RE: Development Permit

Trail Regional Airport, Electoral Area 'A'

RDKB File: A-205A-00933.050

Recommendation: That the staff report regarding the application for a Development Permit submitted by Matthew Stanley of Stanley Office of Architecture, as agent for the City of Trail, to construct a 390m² (4,200 ft²) terminal building in the Industrial Development Permit Area in Electoral Area 'A', legally described as Lot 2 and Lot 3, DL 205A, KD, Plan 800, Except part included in Plan 5179 and SRW Plan 15510, be received.

[2016-11-03-AirportTerminal Lot2 3 EAS](#)

B) **Peter Demski and Lisa Demski**

RE: MOTI Subdivision

9385 Granby Road, Electoral Area 'D'/Rural Grand Forks

RDKB File: D-1357-04740.130

Recommendation: That the staff report regarding the subdivision referral from the Ministry of Transportation and Infrastructure regarding a proposed subdivision at 9385 Granby Road Electoral Area 'D'/Rural Grand Forks, for the parcel legally described as Lot A, DL 1357, SDYD, KAP34983, Portion and DL 1359 1738 2007, be received.

[2016-10-20-Demski EAS](#)

C) **Review of the Board of Variance Bylaws**

RDKB File: B-55

Recommendation: That the Electoral Area Services Committee directs staff to draft a new Board of Variance Bylaw to present to the Board of Directors for consideration.

[2016-11-10 EAS BOV](#)

D) **Part 14 Planning Application Procedures**

RDKB File: F-7

Recommendation: That the staff report titled 'Part 14 Planning Application Procedures' presented to the Electoral Area Services Committee is received.

[2016-11-10 EAS Application Procedures](#)

E) **Municipal Part 14 Planning Agreements**

RDKB File: P-8

Recommendation: That the Electoral Area Services Committee endorses the Agreements for Cost Sharing of Part 14 Services and recommends to the Board of Directors that the Agreements for Cost Sharing of Part 14 Services with the City of Trail, City of Grand Forks, City of Rossland, Village of Fruitvale, and Village of Montrose be signed and forwarded to the respective municipalities for execution.

[2016-11-10 EAS Report on Planning Agreements](#)

F) **Regulations for Application of Biosolids on ALR Lands**

RDKB File: A-3

Recommendation: That the staff report regarding 'regulations for application of biosolids on ALR land' be received.

[2016-11-10 EAS Bio-Solids on ALR land](#)

G) **Grant in Aid Report**

Recommendation: That the Grant in Aid report be received.

[2016 Grant in Aid](#)

H) **Gas Tax Report**

Recommendation: That the Gas Tax Report be received.

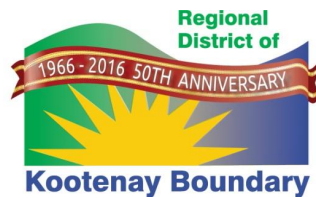
[Gas Tax Agreement](#)

7. LATE (EMERGENT) ITEMS

8. DISCUSSION OF ITEMS FOR FUTURE AGENDAS

9. CLOSED (IN CAMERA) SESSION

10. ADJOURNMENT



Electoral Area Services Minutes

Thursday, September 15, 2016, 4:30 p.m.
Via Audio/Video-Conference from RDKB Board Rooms
843 Rossland Ave., Trail, BC
2140 Central Ave., Grand Forks, BC

Directors Present:

Director Linda Worley, Chair (Trail)
Director Ali Grieve (Trail)
Director Grace McGregor (Trail)
Director Roly Russell (Grand Forks)
Director Vicki Gee (Grand Forks)

Staff Present:

Mark Andison, General Manager of Operations/ Deputy CAO (Trail)
Donna Dean, Manager of Planning and Development (Grand Forks)
Maria Ciardullo, Recording Secretary (Trail)

CALL TO ORDER

Chair Worley called the meeting to order at 4:30 p.m.

ACCEPTANCE OF AGENDA (ADDITIONS/DELETIONS)

September 15, 2016

Moved: Director Grieve

Seconded: Director McGregor

That the September 15, 2016 Electoral Area Services Committee Agenda be adopted as presented.

Carried.

ADOPTION OF MINUTES**June 16, 2016**

Director Gee noted that the wording of Memorandum of Action Items is not being consistently used.

Moved: Director McGregor

Seconded: Director Grieve

That the June 16, 2016 Electoral Area Services Committee meeting minutes be adopted with the suggested amendment.

Carried.

DELEGATIONS

There were no delegations in attendance.

UNFINISHED BUSINESS**SMITH, Steven****RE: Development Variance Permit**

370 Feathertop Way

RDKB File: BW-4222-07500.610

Donna Dean, Manager of Planning and Development, reviewed the application with the Committee members. It was noted that this application was deferred from the August Board meeting. Adjacent owners have been notified and no new comments were received.

Moved: Director Gee

Seconded: Director Grieve

Opposed: Director Russell

That the Development Variance Permit application submitted by Stephen Smith of Global Trade and Marketing Inc., to allow a siting exception variance of 0.32m from 0.6m to 0.92m to allow roof overhang into the eastern interior side parcel line and to allow a siting exception variance of 0.79m from 0.6m to 1.39m to allow roof overhang into the western interior side parcel line for the construction of a single family dwelling on the property legally described as Strata Lot 2, DL 4222, SDYD, Plan KAS3134, Big

White Ski Resort, Electoral Area 'E' West Boundary, be presented to the Board for consideration, with a recommendation of approval.

Carried.

Mason/Wilson

RE: MOTI Subdivision

330 Mill Road

RDKB File: A-1236-05428.100

Donna Dean briefly reviewed the application and a slide was shown to point out the change in the subdivision layout.

Moved: Director Grieve

Seconded: Director McGregor

That the report be received.

Carried.

A Memorandum of EAS Committee Action Items

Director Gee stated that Director Managed Pro-D be added to the Memorandum of Action Items.

Moved: Director McGregor

Seconded: Director Russell

That the Memorandum of Action Items be received as amended.

Carried.

NEW BUSINESS**Allen & Carol Jackson****RE: Development Variance Permit**

42 Wilson Road

RDKB File: C-970-04347.006

Donna Dean reviewed the application and stated that the APC has no concerns. It was mentioned that the adjacent owners most affected by this application have no concerns either.

Moved: Director McGregor

Seconded: Director Grieve

That the Development Variance Permit application submitted by Rod Bergum of Bergum Contracting Ltd., on behalf of the owners Alan and Carol Jackson, to allow an interior parcel line variance of 1.5m (from 3.0m to 1.5m) and a rear parcel line variance of 1.5m (from 3.0m to 1.5m) for a proposed accessory building on the property legally described as Lot B, DL 970, SDYD, EPP14802, in Electoral Area 'C'/Christina Lake, be presented to the Board for consideration, with a recommendation of support.

Carried.

Cristian & Otilia Anca**RE: Development Permit**

480 Feathertop Way

RDKB File: BW-4222-07500.870

Donna Dean reviewed the application and stated that the landscaping meets the requirements for a development permit. However there is an encroachment into the setback which must be corrected on the site plan prior to issuance. Director Gee had a comment about the trees in the right of way, which also must be addressed prior to issuance.

Moved: Director Gee

Seconded: Director McGregor

That the staff report regarding the application for a Development Permit submitted by Christian and Otilia Anca, to construct a single family dwelling in the Alpine Environmentally Sensitive Development Permit Area, on the parcel legally described as Strata Lot 54, DL 4222, SDYD, Plan KAS3134, Big White, Electoral Area 'E'/ West Boundary, be received.

 Electoral Area Services

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Carried.

Doug & Bernadette Taylor

RE: Development Permit

530 Feathertop Way

RDKB File: BW-4222-07500.880

Donna Dean reviewed the application and stated that the landscaping meets the requirements for a development permit.

Moved: Director McGregor

Seconded: Director Grieve

That the staff report regarding the application for a Development Permit submitted by Douglas and Bernadette Taylor, to construct a single family dwelling in the Alpine Environmentally Sensitive Development Permit Area, on the parcel legally described as Strata Lot 56, DL 4222, SDYD, Plan KAS3134, Big White, Electoral Area 'E'/ West Boundary, be received.

Carried.

Richard & Lynn Rexin

RE: MOTI Subdivision

5284 Christian Valley Road

RDKB File: E-2625-06676.000

Donna Dean reviewed the application. It was noted that most of the parcel is in the ALR. The original plan was revised and a slide was shown of the original and the revised plan. Director Gee expressed her concerns that the new plan shows the boundaries going through the buildings on the parcel; that the driveway is close to the curve in the highway; and how the well on the property will be affected.

Moved: Director McGregor

Seconded: Director Russell

That the staff report regarding the Ministry of Transportation and Infrastructure referral for a proposed conventional 1 lot subdivision on the parcel legally described as DL 2625, SDYD, Except Plan KAP48757, KAP63306, KAP64169 and KAP67352, at 5284 Christian Valley Road in Electoral Area 'E'/ West Boundary, be received.

Carried.

Municipal Planning Agreements

RDKB File: P-8

Donna Dean reviewed the staff report with the Committee members. She stated the agreements are up for renewal in December 2016. The rates of contribution for the municipalities were discussed and maps of the fringe areas were shown. It was stated that the Planning Agreements were first put in place in 2011 and at that time the Municipalities made the decision on the size and location of their area of interest.

Moved: Director Grieve

Seconded: Director Russell

That the Electoral Area Services Committee directs staff to engage in discussions with the member municipalities regarding renewing or establishing Planning Agreements for Cost Sharing of Part 14 Services based on the revised 2016 annual requisitions.

Carried.

RDKB Fire Limit and Fire Sprinkler Control Bylaw 1323 Amendment**RE: Mt. Baldy Eagle Residential Area**

RDKB File: M-13

Donna Dean reviewed this proposed bylaw amendment. It was mentioned that the Eagle Residential Area (Strata Plan KAS1840) no longer supported the requirements for a fire sprinkler system and sought to remove its application to them.

Moved: Director Gee

Seconded: Director McGregor

That the Board of Directors support amending the Regional District of Kootenay Boundary Fire Limits and Fire Control Bylaw No. 1323 by removing its application to the Eagle Residential Area, and direct staff to prepare an amending bylaw.

Carried.

Grant in Aid Report

Moved: Director McGregor

Seconded: Director Grieve

That the Grant in Aid Report be received.

Carried.

 Electoral Area Services

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Gas Tax Report

Moved: Director Grieve

Seconded: Director McGregor

That the Gas Tax Report be received.

Carried.

The ALC evaluation of agriculture suitability and attendance at Agricultural Land Commission site visits (Discussion - V. Gee)

Director Gee mentioned that a few of her APC members expressed interest in attending the site visits with the ALC. Some APC members don't agree with some of ALC's decisions and question their knowledge and experience with ranching and farming. While Director Russell agrees with Director Gee's concerns regarding the knowledge of the panel members, the Committee did not wish to forward a formal request to the ALC

LATE (EMERGENT) ITEMS

There were no late items.

DISCUSSION OF ITEMS FOR FUTURE AGENDAS

There was no discussion held.

CLOSED (IN CAMERA) SESSION

There was no in camera session.

ADJOURNMENT

There being no further business to discuss, Chair Worley adjourned the meeting at 5:20 p.m.

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

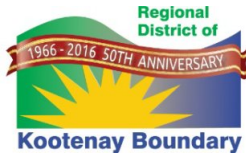
Action Items Arising from Electoral Area Services Committee Direction (Task List)

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; Consult with Area 'E' residents re: needs assessment survey recommendations;	IP
Nov. 18/15	Kettle River Watershed Plan	Staff to provide update if additional gas tax funds needed by August 2017 or sooner	IP
Jan. 14/16	Pest Management	Inclusion of RDKB in region wide mosquito control	IP
May 12/16	Area 'E' Heritage Service Establishment	Bylaw to be drafted	IP
June 14/16	Director Managed Pro-D		IP

Tasks from Electoral Area Services Committee Meeting September 15, 2016

Date	Item/Issue	Actions Required/Taken	Status – C / IP
Sept 15/16	Smith – DVP	Sent to Board for approval	C
	Jackson – DVP	Sent to Board for approval	C
	Municipal Planning Agreements	Staff to begin discussion with Municipalities	IP
	Sprinkler Control Bylaw	Staff to prepare amending bylaw to present to Board	C



Electoral Area Services Committee Staff Report

Prepared for meeting of November 2016

Development Permit			
Owner: City of Trail		File No: A-205A-00933.050	
Agent: Matthew Stanley, Stanley Office of Architecture			
Location: Trail Regional Airport, Electoral Area 'A'		Area: 9.35 Hectares (Total Area of Lot 2 and Lot 3) (23.1 Acres)	
Legal Description: Lot 2, DL 205A, KD, Plan 800, Except part included in Plan 5179 and SRW Plan 15510 Lot 3, DL, 205A, KD, Plan 800, Except part included in Plan 5179 and SRW Plan 15510			
OCP Designation: Airport	Zoning: Airport (A)	ALR status: Out	DP Area: Industrial Development Permit Area
Report Prepared By: Carly Rimell, Planner			

ISSUE INTRODUCTION

Matthew Stanley of Stanley Office of Architecture, as agent for the City of Trail, has applied for a development permit to construct a new terminal building at the Trail Regional Airport (TRA) spanning Lot 2 and Lot 3 (*see Site Location Map; Subject Property Map; Applicant's Submission*).

HISTORY / BACKGROUND INFORMATION

The property is designated 'Industrial' in the Electoral Area 'A' Official Community Plan Bylaw No. 1410 and zoned 'Airport' (A) in the Electoral Area 'A' Zoning Bylaw No. 1460.

Currently the TRA is a collection of 10 separate fee simple parcels. Lot 2 and Lot 3 are being consolidated so a new airport terminal can be placed straddling what is now a parcel line. Although as this is not yet registered with LTSA the report will continue to

refer to the subject properties as Lot 2 and Lot 3 (*see Hinterland Survey Drawing Lot 2 and Lot 3*).

The TRA was transferred from the RDKB to the City of Trail in February 2014. The same year a Development Permit (DP#484-14D) was issued to place an ATCO trailer at the airport on Lot 1 to be used as a temporary office.

The current Development Permit application is for a new terminal building. The proposed new building will upgrade and modernize the services offered at TRA.

PROPOSAL

The applicant wishes to locate a 390m² (4,200 ft²) terminal building on consolidated Lots 2 and 3. The proposed building, use and location satisfy the zoning provisions for permitted uses, setbacks and parcel coverage.

IMPLICATIONS

The purpose of the Columbia Gardens Industrial Park Development Permit Area is to ensure that there are measures in place to mitigate the potential effects of industrial activity on adjacent lands, such as noise, vibration, light and general unsightliness, and to present an orderly appearance to those travelling through the area on Highway 22A and other transportation corridors.

A Development Permit is required for new buildings and structures as well as major alterations to buildings involving additional floor area. The following guidelines have been established for development in this area. Wording in italics relate to this development proposal.

Industrial Development Permit Area Guidelines

- a) Re-vegetation of areas disturbed during construction activities is encouraged. Coverage by other permeable, dust free surfaces may be acceptable in some cases, however vegetation is preferred;
All disturbed surfaces that occur during construction are to be restored to pre-construction conditions or better.
- b) Landscaping comprised of plant material that is drought tolerant is encouraged;
New grasses and plant material will be drought tolerant. Additional details for the landscaping plan have been submitted which include species, and approximate quantity and placement of vegetation (see Landscape Plan).
- c) Notwithstanding the screening regulations in the Zoning Bylaw, and depending on the anticipated level of impact on adjacent lands, supplementary screening in the form of walls, landscaped berms, fencing, hedging, planting, other screening materials is encouraged in the following areas to create an aesthetically pleasing environment:
 - Around outdoor storage areas;
 - Along parcel boundaries adjacent to roadways;

- Adjacent to garbage bins; and
- Adjacent to loading/unloading areas.

Existing screening is in place adjacent to Highway 22A and will be maintained.

- d) Access to and from parking and loading areas must not impede traffic flows on roadways and residential and rural areas;

Access to and from parking, loading areas and the terminal have been designed by True Consulting and are in accordance the Building Code regulations for 'Access Routes'. See detailed descriptions of parking and access on the Civil drawing and further described in Applicant's Submission.

- e) Access lanes and parking areas should be surfaced with a material which minimizes dust;

New parking areas will be asphalt surfaced. See detailed descriptions of parking areas in Applicant's Submission.

- f) The use of landscaping islands to separate large expanses of parking into smaller subsections is encouraged;

Parking for the new terminal building is divided into long term, short term and drop-off zones. The longest stretch of consecutive parking spaces (adjacent to Highway 22A) is divided by a landscaped island, resulting in no more than 20 consecutive spaces. See Civil Site Plan.

- g) Buildings and structures that are permanent in nature are encouraged;

The proposed new terminal building is not a temporary structure. The design is intentionally robust and permanent.

- h) Buildings finished in natural, earth tone colours are encouraged;

The proposed new terminal building is inspired by local natural and industrial contexts. The primary exterior colours include charcoal, light blue and white.

- i) Lighting and illuminated signage should be oriented so as not to create a direct glare on neighbouring buildings, residential areas, and roadways;

Exterior lighting for the building and parking areas will be downwards projection directional lights will not direct glare on neighbouring buildings or roadways. Exterior lighting is being designed and specified by an Electrical and Lighting Engineer (Ready Engineering) and will be included with the Building Permit Application.

- j) Incorporate measures to mitigate the impact of noise and vibration on adjacent lands.

The proposed new terminal building will not create noise or vibrations that will impact adjacent lands.

Other Zoning Considerations

Parking as Required in Sections 317 & 318

The proposed parking has been summarized by the applicant and appears to satisfy the requirements of the Electoral Area 'A' Zoning Bylaw. See table below.

New terminal building (Lot 2 and Lot 3)	Passenger portion (300m ²) <ul style="list-style-type: none"> • 21 spaces Office space (70m ²) <ul style="list-style-type: none"> • 3 spaces Vehicle rental (20m ²) <ul style="list-style-type: none"> • 5 spaces
Existing shed at north end of Airport	<ul style="list-style-type: none"> • 5 spaces
Existing Trail Flying Club	<ul style="list-style-type: none"> • 7 spaces
ATCO Trailer for staff	<ul style="list-style-type: none"> • 5 spaces
Existing privately owned hangars or warehouses	At the discretion of the owner
Total parking required on Lot 2 and Lot 3	46 spaces
Total parking proposed on Lot 2 and Lot 3	66 spaces plus drop-off zone

Screening as Required in Sections 315

The Electoral Area 'A' Zoning Bylaw regulates screening requirements in Section 315(6) that where the Airport Zone is within 45 meters of the centerline of Highway 22A, a screen in the form of a solid fence or landscape screen not less than 2m in height when planted must be located in a single row and spaced not more than 6 meters apart along the parcel line facing Highway 22. *This requirement is satisfied.*

Signs as Required in Section 316

The Electoral Area 'A' Zoning Bylaw also regulates signs. *The applicant states in their application that all signs will abide by the regulations in Section 316 (Signs) of the Electoral Area 'A' Zoning Bylaw.*

Height as Regulated in Section 420

The Airport zone within the Electoral Area 'A' Zoning Bylaw leaves the maximum height of buildings up to the discretion of Transport Canada. *The applicant has assured the Planning and Development Department that the proposed terminal building is within the allowable height and setback requirements to runways and taxiways.*

Compliance with the *Environmental Management Act* (Site Profile)

This application is for a development permit in an industrial zone. Section 40 of the *Environmental Management Act* requires that in certain circumstances, a site profile must be completed before development or construction can take place on a parcel which the parties know has been or is being used for industrial or commercial purposes.

A site profile, in effect, is a screening system to identify potentially contaminated sites and see that proper remediation takes place. If a site profile is required, approval from the Province may be required before development or building permits can be issued. One of the triggers for a site profile is submitting a development permit application for an industrial parcel, as in this instance of this application.

The site profile was submitted to the RDKB with the Development Permit application. The site profile was sent to the Ministry of Environment and the applicant has been properly notified as required. The Ministry of Environment (MoE), Land Remediation Section has responded to the RDKB that they have received a satisfactorily completed site profile. Based on the information that MoE received they are prepared to provide the necessary release so that the RDKB may proceed with approval of the Development Permit.

REFERRALS

This development proposal was referred to Trail Regional Fire Services and the Ministry of Transportation and Infrastructure for comment.

Trail Regional Fire Service have no concerns regarding the development permit application. As a fire service they will work with the RDKB Building Officials throughout the construction phase to ensure the facility is built to current Building Code requirements.

The Ministry of Transportation and Infrastructure had not yet provided comment at the time this report was created.

ADVISORY PLANNING COMMISSION COMMENTS

The Electoral Area 'A' APC provided the following comments;

- *"Discussions had with Mayor Mike Martin (City of Trail) on site profile, expected completion and water source*
- *Comment from absent APC member via email "I have looked over the application for the development permit for the new airport terminal and have no objections."*

The Area 'A' APC provided the following recommendation;

"From the group present there were no objections to the plan and that the APC recommends to the Regional District that the subject Development Permit application be supported."

RECOMMENDATION

That the staff report regarding the application for a Development Permit submitted by Matthew Stanley of Stanley Office of Architecture, as agent for the City of Trail, to construct a 390m² (4,200 ft²) terminal building in the Industrial Development Permit Area in Electoral Area 'A', legally described as Lot 2 and Lot 3, DL 205A, KD, Plan 800, Except part included in Plan 5179 and SRW Plan 15510, be received.

ATTACHMENTS

Site Location Map

Subject Property Map

Applicant's Submission

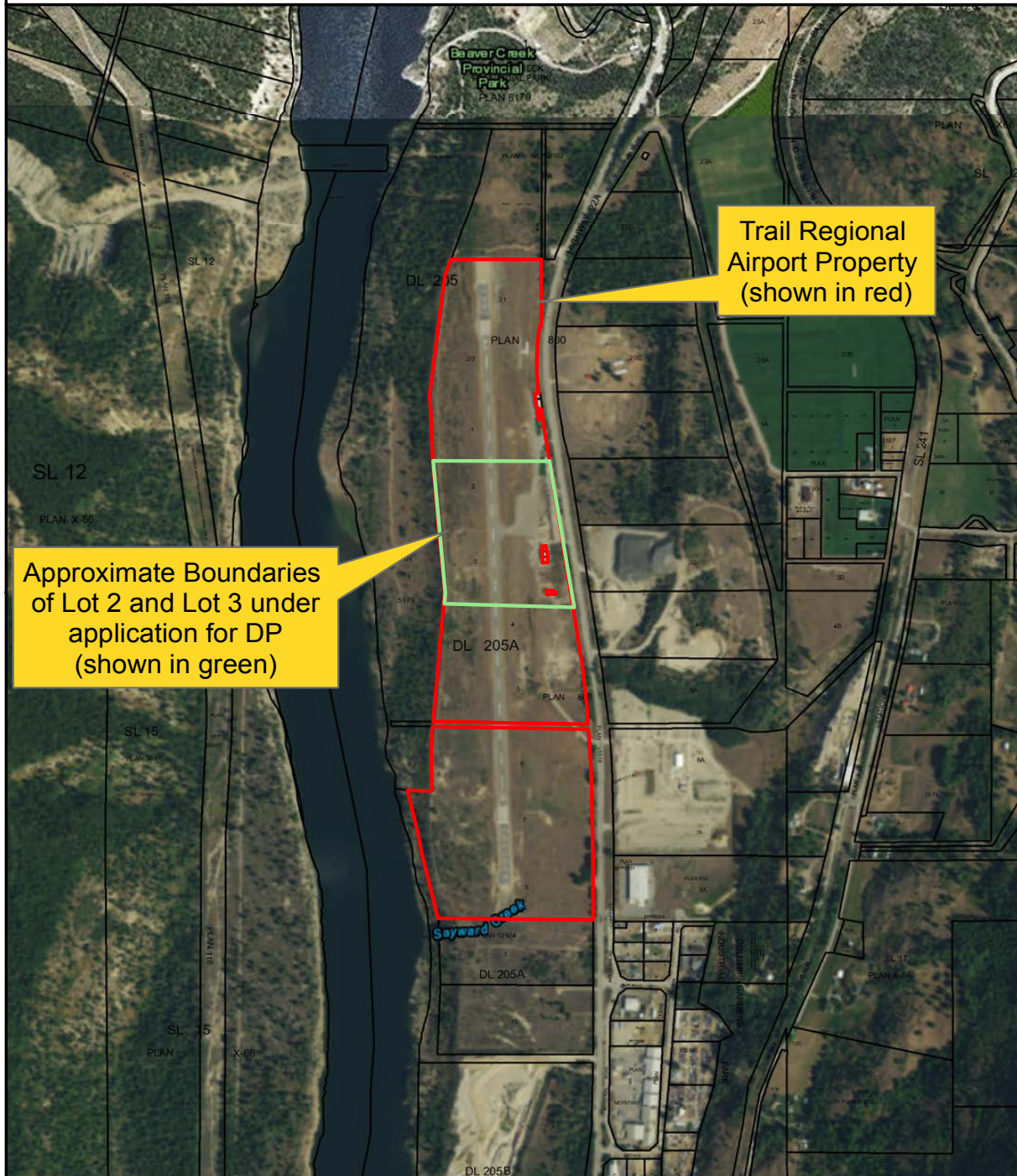
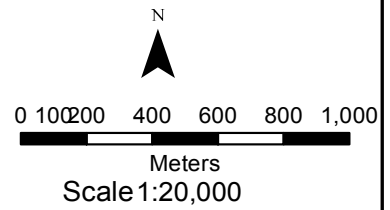
Hinterland Survey Drawing Lot 2 and Lot 3

Landscape Plan



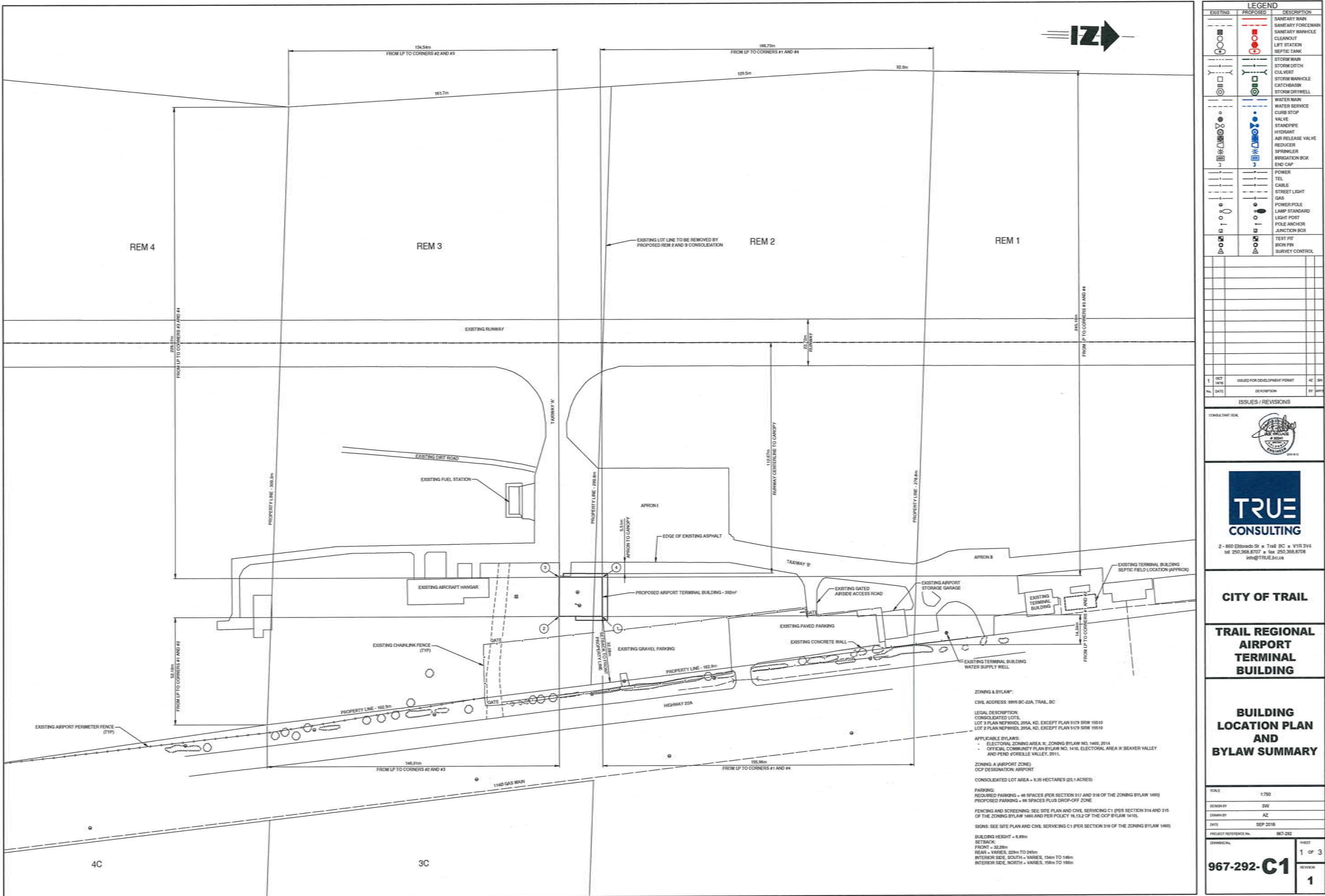
2016/10/21

Subject Property Map

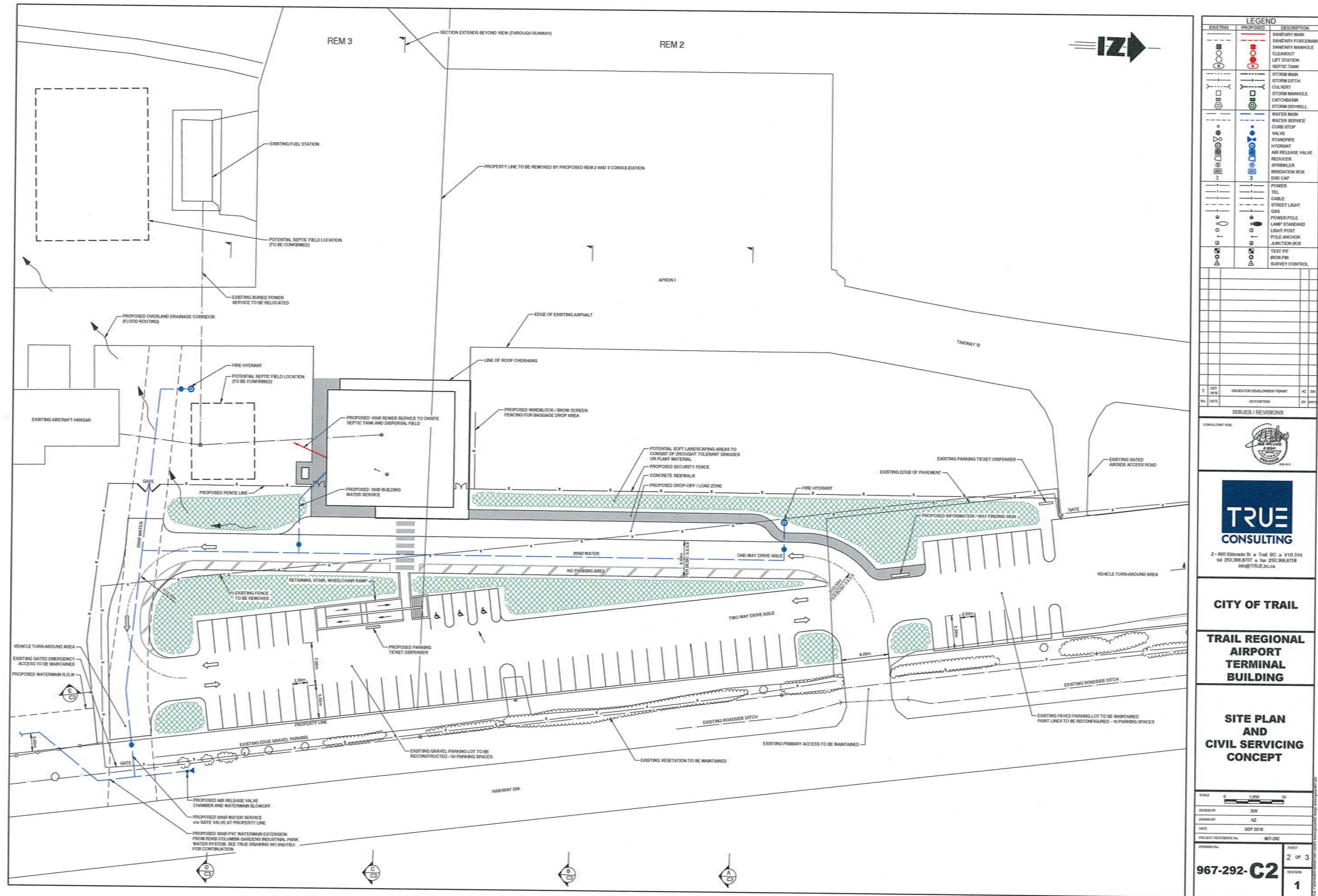


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Applicant's Submission



Applicant's Submission

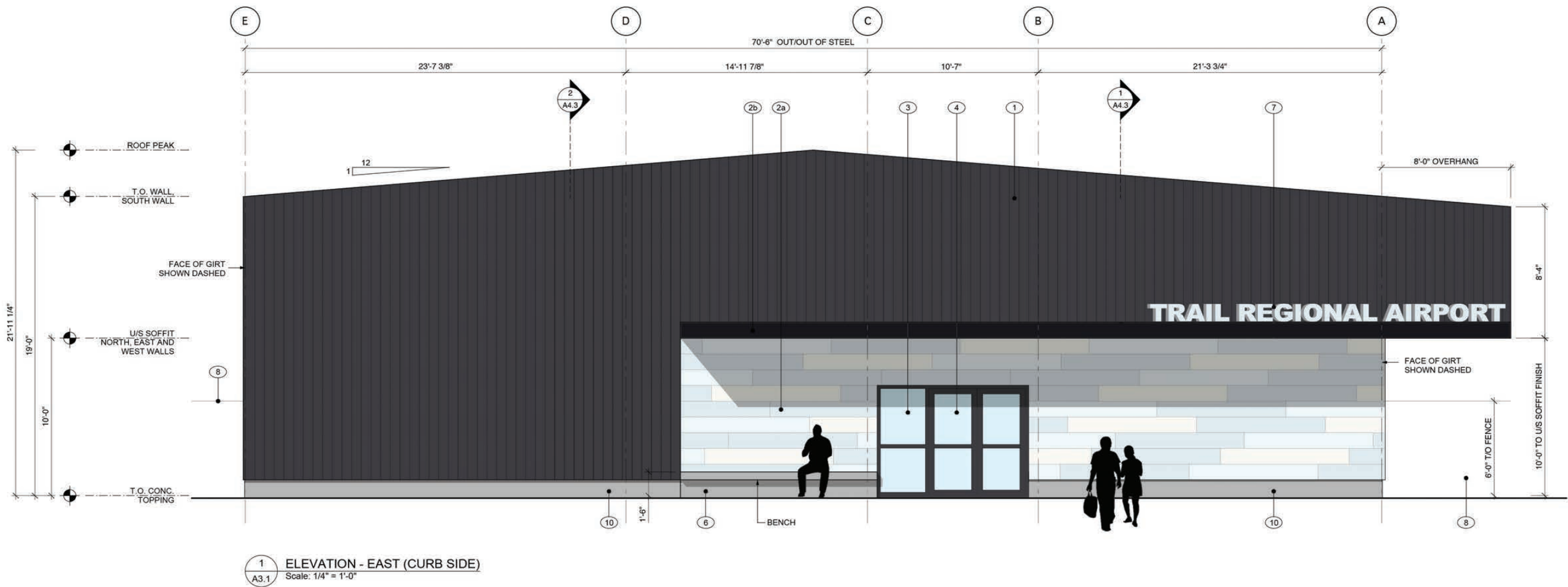


Applicant's Submission

RENDERED ELEVATIONS: Snow White, Solar White and Bone White.

LEGEND OF EXTERIOR MATERIALS:

- 1. Metal Siding, ribbed, vertical, black.
- 2a. Metal Siding, flat panel, horizontal.
Alternating colour scheme, shown here.
- 2b. Metal Trim, black
- 3. Aluminum Windows, black
- 4. Aluminum & Glass doors, black
- 5. Aluminum overhead doors, black
- 6. Concrete
- 7. Exterior Signage - cut dimensional letters
- 8. Chainlink Fence
- 9. Metal Roofing, ribbed, black.
- 10. Fibre Cement Panel, grey.



TRAIL REGIONAL AIRPORT.
Airport Terminal Building, Issued for DP, October 14 2016.

SOA - STANLEY OFFICE OF ARCHITECTURE
709 GORE STREET, NELSON, BC
www.soahome.ca info@soahome.ca

RENDERED ELEVATIONS: Snow White, Solar White and Bone White.

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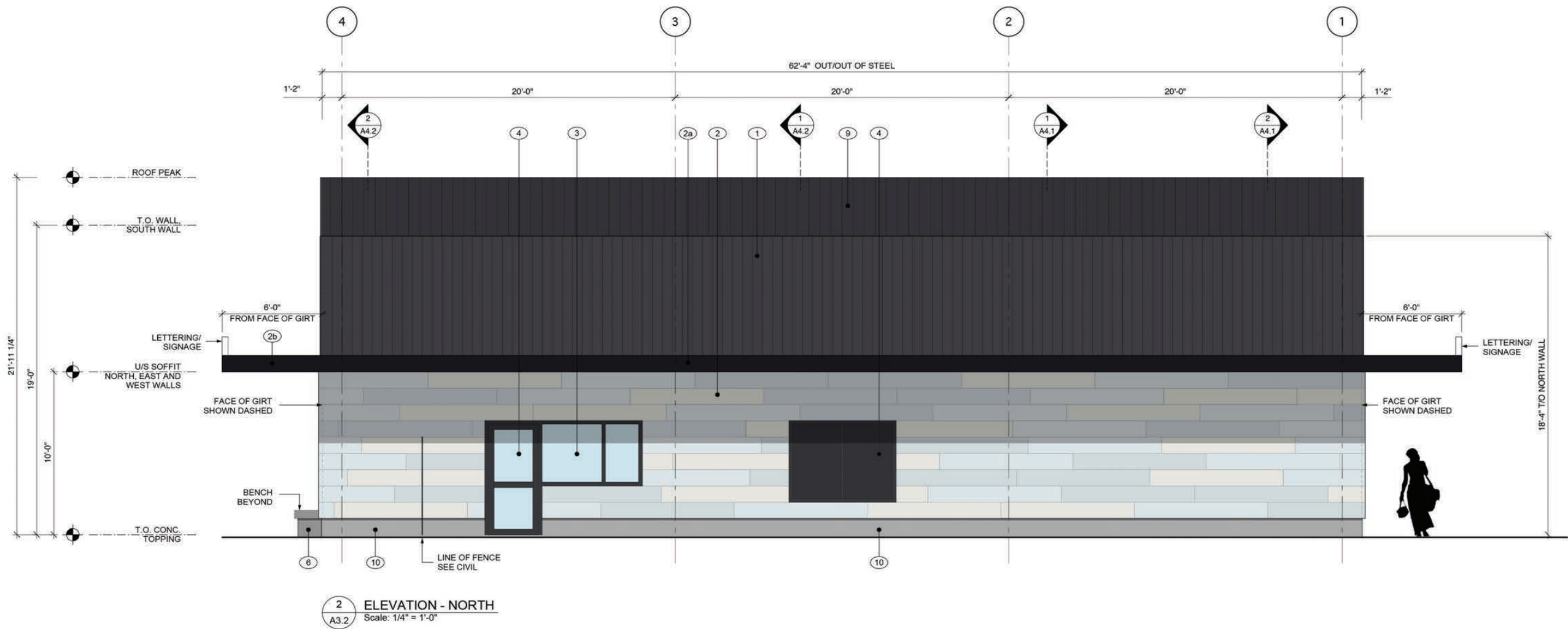
Applicant's Submission

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Airport Terminal Building, Issued for DP, October 14 2016.

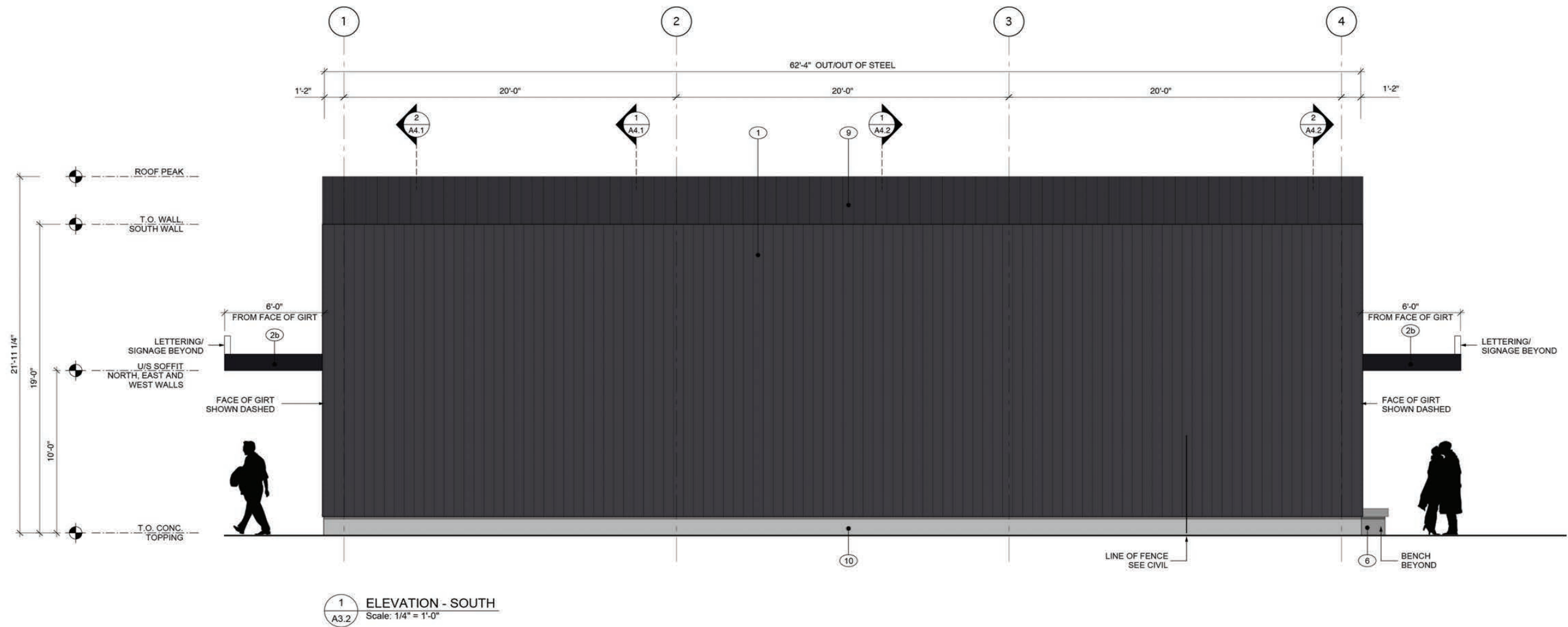
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Applicant's Submission

RENDERED ELEVATIONS.

LEGEND OF EXTERIOR MATERIALS:

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TRAIL REGIONAL AIRPORT.
Airport Terminal Building, Issued for DP, October 14 2016.

SOA - STANLEY OFFICE OF ARCHITECTURE
709 GORE STREET, NELSON, BC
www.soahome.ca info@soahome.ca

Stanley Office of Architecture (SOA): 709 Gore St, Nelson, BC. V1L5C7 (t) 250.777.2328 (e) info@soahome.ca

Applicant's Submission

PROPOSAL SUMMARY, BYLAW & OCP REVIEW

Trail Regional Airport Terminal Building

SOA Project #: 1509

Date: October 14, 2016

DESCRIPTION AND PURPOSE OF THE PROJECT:

While the the Trail Regional Airport is a gateway to the West Kootenays, the current terminal facilities are inadequate and limit the services offered at the TRA.

This Development Permit application is for a new terminal building at the airport - a building that will suitably support and facilitate tourism, economic development and employment opportunities in the region. This new building will upgrade and modernize the services offered at the TRA, is the 'centre piece' for future growth of the airport and a catalyst for economic prosperity in the region.

The project includes...

1. Site design and servicing per the provided Civil drawings and Appendix A (attached).
2. A new 4,200 sqft (390 sqm) terminal building, per the attached Architectural drawings and report.
3. Consolidated lots, per attached Hinterland documentation.
4. Environmental strategy per attached SLR documents.

The building and site development have been designed to British Columbia Building Codes, applicable municipal bylaws and Transport Canada regulations.

BYLAW VARIANCES REQUESTED: NONE

STREET ADDRESS: 8995 BC-22A, Trail, BC

LEGAL DESCRIPTION:

CONSOLIDATED LOTS*:

Lot 3 Plan NEP800 DL 205A, KD, Except Plan 5179 SRW 15510

Lot 2 Plan NEP800 DL 205A, KD, Except Plan 5179 SRW 15510

* see Hinterland documentation.

PID: See Hinterland documentation.

AUTHORITY HAVING JURISDICTION: RDKB (Regional District of Kootenay Boundary)

Applicant's Submission

Stanley Office of Architecture (SOA): 709 Gore St, Nelson, BC. V1L5C7 (t) 250.777.2328 (e) info@soahome.ca

APPLICABLE BYLAW(s):

- ELECTORAL ZONING AREA 'A', ZONING BYLAW NO. 1460, 2014
- OFFICIAL COMMUNITY PLAN BYLAW NO. 1410. ELECTORAL AREA 'A' BEAVER VALLEY and PEND d'OREILLE VALLEY. 2011

DEVELOPMENT PERMIT REQU'D: YES
BUILDING PERMIT REQU'D: YES

ZONING: A (AIRPORT ZONE)
OCP DESIGNATION: AIRPORT
ALR STATUS: OUT
AQUIFER DEVELOPMENT AREA: OUT

PARCEL AREA: 9.35 hectares (23.1 acres), consolidated lots.
 See Hinterland documentation.

BUILDING HEIGHT:

Maximum height: "At the discretion of Transport Canada."
Proposed Building Height: 6.69m above average finished grade.*

* An internal review of Transport Canada regulations has confirmed that the proposed building is within the allowable height and setback requirements to runways and taxiways.

SETBACKS (see Civil):

	<u>Allowed</u>	<u>Proposed</u>
Front, Curbside (East, Adjacent to Provincial Highway)	7.5m	32.28m
Rear, Airside (West)	3.0m	varies, 245m to 229m
Interior Side (South)	3.0m	varies, 134m to 146m
Interior Side (North)	3.0m	varies, 156m to 166m

Applicant's Submission

Stanley Office of Architecture (SOA): 709 Gore St, Nelson, BC. V1L5C7 (t) 250.777.2328 (e) info@soahome.ca

PARKING:**Sections 317 and 318 of the Zoning Bylaw 1460.****Required Parking on the Development Parcel:**

- New, terminal building:
 - Passenger portion of building (300 sqm) = 21 spaces.
 - Office space in the new terminal building (70 sqm) = 3 spaces.
 - Vehicle rental space in the new terminal building (20 sqm)= 5 spaces.
- Existing, shed at north end of parcel = 5 spaces.
- Existing, hangar (privately owned) at south end of parcel = at the discretion of the Owner ("land extensive recreational use").

Other buildings on Airport lands, serviced by parking on the Development Parcel:

- Existing, Trail Flying Club = 7 spaces.
- Existing, ATCO trailer for employees use = 5 spaces.
- Existing, all other privately owned hangars or warehouse = at the discretion of the Owner ("land extensive recreational use").

Total Required Parking on Development Parcel: 46 spaces

Proposed Parking on Development Parcel: 66 spaces + drop-off zone.

See Civil drawings and Appendix A.

FENCING & SCREENING:**Sections 314 and 315 of the Zoning Bylaw 1460.**

See Civil drawings and Appendix A.

SIGNS:**Section 316 of the Zoning Bylaw 1460.**

See Civil drawings for proposed locations of site signage. All site and building signs will pertain to Airport use only (parking, loading, etc) and will comply with Section 316 of the Bylaw. Lettering on the front facade of the new Terminal Building is shown in the Architectural elevation drawings and will occupy approximately 3 sqm of building facade.

OCP GUIDELINES:

The proposed development aligns with the objectives in the 'Airport' land use designation of the OCP bylaw, especially with regards to promoting "[...] *the use of the Trail Airport for commercial, and private air traffic* [...]"

Applicant's Submission

Stanley Office of Architecture (SOA): 709 Gore St, Nelson, BC. V1L5C7 (t) 250.777.2328 (e) info@soahome.ca

The project addresses the Industrial Development Permit Area guidelines in the following manner:

- a)** Re-vegetation of areas disturbed during construction activities is encouraged. Coverage by other permeable, dust free surfaces may be acceptable in some cases, however vegetation is preferred;
 - All disturbed surfaces that occur during the construction are to be restored to pre-construction conditions or better.
- b)** Landscaping comprised of plant material that is drought tolerant is encouraged;
 - New grasses and plant material will be drought tolerant (see Civil site plan).
- c)** Notwithstanding the screening regulations in the Zoning Bylaw, and depending on the anticipated level of impact on adjacent lands, supplementary screening in the form of walls, landscaped berms, fencing, hedging, planting, other screening materials is encouraged in the following areas to create an aesthetically pleasing environment:
 - Existing screening is in place along Highway 22a and will be maintained. See Civil drawings.
- d)** Access to and from parking and loading areas must not impede traffic flows on roadways and residential and rural areas;
 - Access to and from parking, loading areas and the building have been designed by True Consulting (Civil) and accord with Building Code regulations for 'Access Routes'. See detailed descriptions of parking and access on the Civil drawings and described in Appendix A.
- e)** Access lanes and parking areas should be surfaced with a material which minimizes dust;
 - New parking areas will be asphalt surfaced. See detailed descriptions of parking areas on the Civil drawings and described in Appendix A.
- f)** The use of landscaping islands to separate large expanses of parking into smaller subsections is encouraged;
 - Parking for the new terminal building is divided into long term, short term and drop-off zones. The longest stretch of consecutive parking spaces (adjacent to Highway 22a) is divided by a landscaped 'island', resulting in no more than 20 consecutive spaces. See Civil drawings.
- g)** Buildings and structures that are permanent in nature are encouraged;
 - The proposed new terminal building is not a temporary structure. It's design is intentionally robust and 'permanent'.
- h)** Buildings finished in natural, earth tone colours are encouraged;
 - The proposed new terminal building is inspired by local natural and industrial contexts. The primary exterior colours include charcoal, spruce green and snow white. See rendered architectural elevations.
- i)** Lighting and illuminated signage should be oriented so as not to create a direct glare on neighbouring buildings, residential areas, and roadways;

Applicant's Submission

Stanley Office of Architecture (SOA): 709 Gore St, Nelson, BC. V1L5C7 (t) 250.777.2328 (e) info@soahome.ca

- Exterior lighting for the building and parking areas will be downward projecting directional lights and will not direct glare on neighbouring buildings or roadways. Exterior lighting is being designed and specified by an Electrical and Lighting engineer (Ready Engineering) and will be included in Building Permit application drawings.
- j) Incorporate measures to mitigate the impact of noise and vibration on adjacent lands.
 - The proposed new terminal building will not create noise or vibrations that will impact adjacent lands.

Prepared by:

Matthew Stanley, Architect AIBC.
Stanley Office of Architecture
709 Gore Street, Nelson, BC
www.soahome.ca

Stanley Office of Architecture (SOA): 709 Gore St, Nelson, BC. V1L5C7 (t) 250.777.2328 (e) info@soahome.ca

Applicant's Submission

APPENDIX A - SUMMARY OF CIVIL WORK

Trail Regional Airport Terminal Building

Prepared by: Scott Wallace (P.Eng), True Consulting.

Site Servicing:

1. Access and Layout

- The existing Highway 22A access to the Trail Regional Airport will be maintained in its current configuration - with a permanent public access near the northern half of the site, and a gated emergency access near the southern half of the site.
- The proposed airport terminal building will be constructed 'airside' at an elevation similar to the existing runway and apron. An access road will be constructed from the highway elevation down to the proposed terminal building. This will include earthworks and site grading.
- The existing parking areas will generally be maintained in their current locations – the existing paved parking area will be reconfigured (paintline revisions), and the existing graveled parking area will be reconstructed (including re-grading / earthworks and paving where budget permits). Approximately 66 stalls are proposed in the parking lots. Additional vehicle space will be created by the drop-off area adjacent to the proposed terminal building.
- Internal site traffic patterns will include two-way vehicle movements in the main parking lot area, and a one way access route looping past the terminal building and drop off area. The terminal building access road will be constructed to allow emergency vehicle movement.
- Pedestrian access to the terminal building is proposed to include:
 - a) Road/curbside drop-off immediately adjacent to the proposed terminal building
 - b) Sidewalk access from the northern parking area
 - c) Stairs / ramp access and defined crosswalk from the southern parking area

2. Grading and Drainage

- The site generally slopes downhill to the southwest. A recent geotechnical investigation confirmed the subsurface soil conditions in the vicinity of the graveled parking lot. During design, options will be reviewed to revise the site grading where warranted, and take advantage of granular soils where present to promote rainwater management principles and infiltration.
- Overland flood routes will also be assessed, but are generally expected to follow existing topography to the southwest.

3. Water Supply

- Options have been reviewed for water supply and the City is proposing water service from the RDKB's Columbia Gardens Industrial Park community water system. The City is making an application to the RDKB for this service and its accompanying service area boundary expansion. Discussions to date have shown that RDKB operations staff are generally supportive of this servicing request.

Applicant's Submission

Stanley Office of Architecture (SOA): 709 Gore St, Nelson, BC. V1L5C7 (t) 250.777.2328 (e) info@soahome.ca

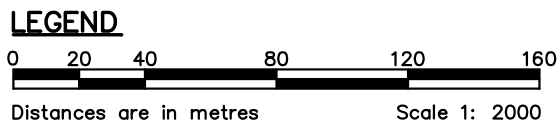
- Connection to the RDKB's community water system will allow for fire fighting provisions onsite via hydrants located adjacent to the terminal building access road and adjacent to the gated emergency access road (airside). These potential hydrant locations have been selected through discussion with the RDKB's deputy regional fire chief.
- The proposed airport terminal building water use is anticipated to be relatively low (similar to a single family residential home). Site irrigation is not currently proposed; however, mechanical and spatial provisions may be included in the building design to allow for irrigation additions in the future.

4. Sewer Service

- The proposed terminal building will be serviced by an onsite septic treatment and disposal system. During initial review, two potential septic disposal field locations were identified and a site investigation has been completed for these locations. Review and assessment of these two locations has yet to be finalized; however, we expect that one or both of the potential locations will be viable for this proposed infrastructure. Both locations are outside of the Columbia Gardens Aquifer Development Permit Area, and both locations are in excess of 200m from the groundwater well (which supplies water to the existing terminal building).

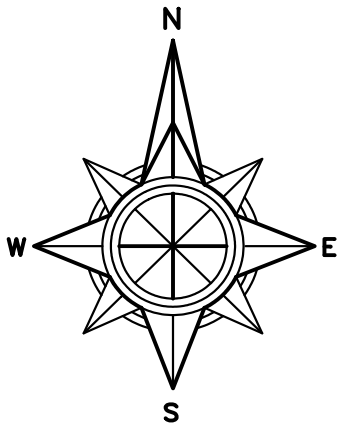
PLAN SHOWING SITE INFORMATION
ON TRAIL AIRPORT, WANETA HIGHWAY NO. 22
IN DISTRICT LOT 205, KOOTENAY DISTRICT

B.C.G.S. 82F 002

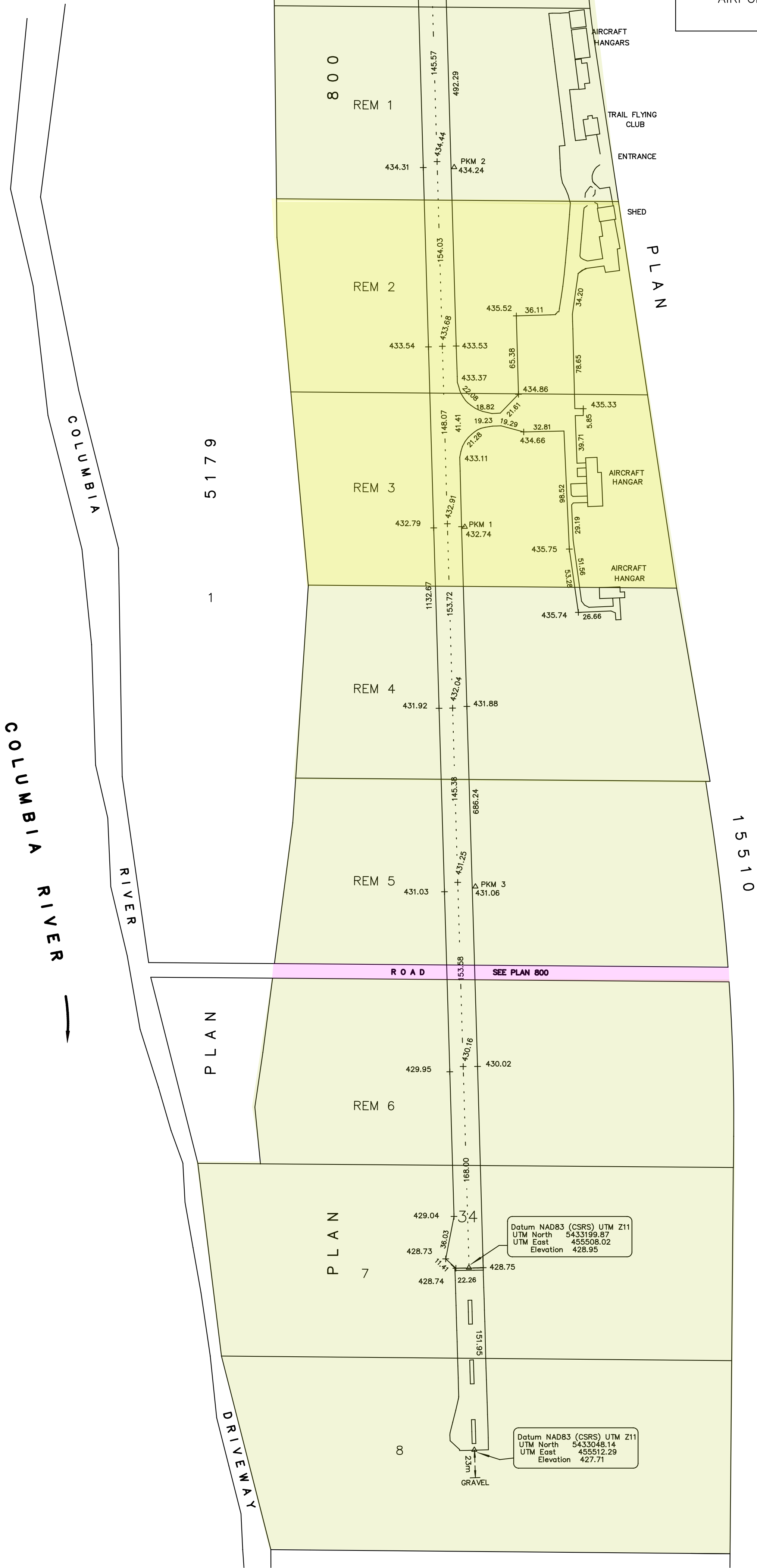


Denotes traverse hub
Denotes elevation
Denotes edge of asphalt
Denotes centre line of runway

Elevation are geodetic (ISA Area B4, City of Trail)
Elevation and dimensions are in metres and decimals thereof
UTM co-ordinates shown are North American Datum 1983
Zone 11, Canadian Spatial Reference System
True Positional Accuracy 0.100 metres



AIRPORT STRIP LENGTH 1219.51 m (4001.0 FT)
AIRPORT STRIP PAVED WIDTH 22.7 m (74.6 FT)



6A

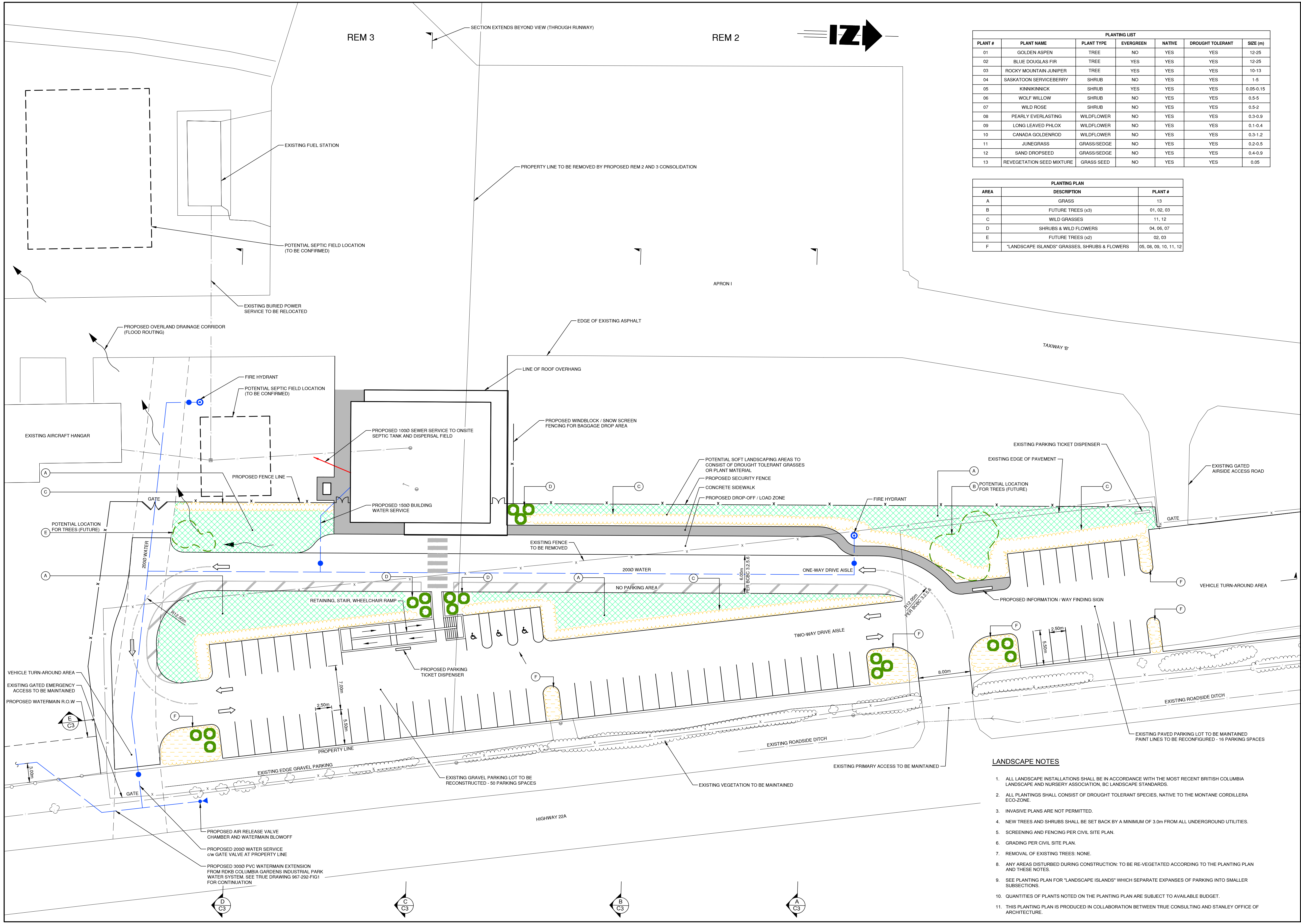
7A

8A

To the best of my knowledge and belief the information contained within this plan is accurate. The information is based on a field survey and Land Title records.
Dated this 15th day of November, 2013.

Milos J. Hinterberger, B.C.L.S., C.L.S.

F 13-5155 FB PG
HinterLand Surveying
& Geomatics Inc.
CANADA & B.C. LAND SURVEYORS
1540 Second Ave., Trail, B.C.
Tel: 250-364-1444



PLANTING LIST						
PLANT #	PLANT NAME	PLANT TYPE	EVERGREEN	NATIVE	DROUGHT TOLERANT	SIZE (m)
01	GOLDEN ASPEN	TREE	NO	YES	YES	12-25
02	BLUE DOUGLAS FIR	TREE	YES	YES	YES	12-25
03	ROCKY MOUNTAIN JUNIPER	TREE	YES	YES	YES	10-13
04	SASKATOON SERVICEBERRY	SHRUB	NO	YES	YES	1-5
05	KINKINNICK	SHRUB	YES	YES	YES	0.05-0.15
06	WOLF WILLOW	SHRUB	NO	YES	YES	0.5-5
07	WILD ROSE	SHRUB	NO	YES	YES	0.5-2
08	PEARLY EVERLASTING	WILDFLOWER	NO	YES	YES	0.3-0.9
09	LONG LEAVED PHLOX	WILDFLOWER	NO	YES	YES	0.1-0.4
10	CANADA GOLDENROD	WILDFLOWER	NO	YES	YES	0.3-1.2
11	JUNEGRASS	GRASS/SEDGE	NO	YES	YES	0.2-0.5
12	SAND DROPSEED	GRASS/SEDGE	NO	YES	YES	0.4-0.9
13	REVEGETATION SEED MIXTURE	GRASS SEED	NO	YES	YES	0.05

PLANTING PLAN		
AREA	DESCRIPTION	PLANT #
A	GRASS	13
B	FUTURE TREES (x3)	01, 02, 03
C	WILD GRASSES	11, 12
D	SHRUBS & WILD FLOWERS	04, 06, 07
E	FUTURE TREES (x2)	02, 03
F	"LANDSCAPE ISLANDS" GRASSES, SHRUBS & FLOWERS	05, 08, 09, 10, 11, 12

LEGEND		
EXISTING	PROPOSED	DESCRIPTION
		SANITARY MAIN
		SANITARY MANHOLE
		CLEANOUT
		LIFT STATION
		SEPTIC TANK
		STORM MAIN
		STORM DITCH
		CULVERT
		STORM MANHOLE CATCH BASIN
		STORM DRY WELL
		WATER MAIN
		WATER SERVICE
		CURB STOP
		VALVE
		STANDPIPE
		HYDRANT
		AIR RELEASE VALVE
		REDUCER
		SPRINKLER
		IRRIGATION BOX
		END CAP
		POWER
		TEL CABLE
		STREET LIGHT
		GAS
		POWER POLE
		LAMP STANDARD
		LIGHT POST
		POLE ANCHOR
		JUNCTION BOX
		TEST PIT
		IRON PIN
		SURVEY CONTROL

2	NOV 2016	ADDITION OF LANDSCAPING CONCEPT	AZ	SW
1	OCT 14/16	ISSUED FOR DEVELOPMENT PERMIT	AZ	SW
No.	DATE	DESCRIPTION	BY	APPD

ISSUES / REVISIONS

CONSULTANT SEAL



2 - 860 Eldorado St. Trail BC V1R 3V4
tel 250.368.8707 • fax 250.368.8708
info@TRUE.bc.ca

CITY OF TRAIL

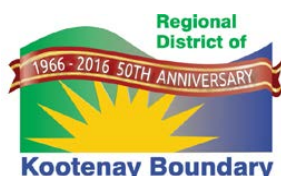
TRAIL REGIONAL
AIRPORT
TERMINAL
BUILDING

SITE PLAN
AND
CIVIL SERVICING
CONCEPT

SCALE	0 1:250 10
DESIGN BY	SW
DRAWN BY	AZ
DATE	SEP 2016
PROJECT REFERENCE No.	967-292
DRAWING No.	967-292-C2
SHEET	2 OF 3
REVISION	2

LANDSCAPE NOTES

1. ALL LANDSCAPE INSTALLATIONS SHALL BE IN ACCORDANCE WITH THE MOST RECENT BRITISH COLUMBIA LANDSCAPE AND NURSERY ASSOCIATION, BC LANDSCAPE STANDARDS.
2. ALL PLANTINGS SHALL CONSIST OF DROUGHT TOLERANT SPECIES, NATIVE TO THE MONTANE CORDILLERA ECO-ZONE.
3. INVASIVE PLANTS ARE NOT PERMITTED.
4. NEW TREES AND SHRUBS SHALL BE SET BACK BY A MINIMUM OF 3.0m FROM ALL UNDERGROUND UTILITIES.
5. SCREENING AND FENCING PER CIVIL SITE PLAN.
6. GRADING PER CIVIL SITE PLAN.
7. REMOVAL OF EXISTING TREES: NONE.
8. ANY AREAS DISTURBED DURING CONSTRUCTION, TO BE RE-VEGETATED ACCORDING TO THE PLANTING PLAN AND THESE NOTES.
9. SEE PLANTING PLAN FOR "LANDSCAPE ISLANDS" WHICH SEPARATE EXPANSES OF PARKING INTO SMALLER SUBSECTIONS.
10. QUANTITIES OF PLANTS NOTED ON THE PLANTING PLAN ARE SUBJECT TO AVAILABLE BUDGET.
11. THIS PLANTING PLAN IS PRODUCED IN COLLABORATION BETWEEN TRUE CONSULTING AND STANLEY OFFICE OF ARCHITECTURE.



Electoral Area Services Committee Staff Report

Prepared for meeting of November 2016

Ministry of Transportation and Infrastructure – Subdivision Referral			
Owners: Peter Demski and Lisa Demski		File No: D-1357-04740.130	
Location: 9385 Granby Road, Electoral Area 'D'/Rural Grand Forks			
Legal Description: Lot A, DL 1357, SDYD, KAP34983, Portion and DL 1359 1738 2007 Manufactured Home Reg.# 8742.8742		Area: 136.743 acres (55.4 ha)	
OCP Designation: Extensive Agriculture Rural Resource	Zoning: Extensive Agricultural Resource 2 (AGR2)	ALR status: Mostly within	DP Area: No
Prepared by: Carly Rimell, Planner			

ISSUE INTRODUCTION

The Regional District has received a referral from the Ministry of Transportation and Infrastructure (MoTI) for a proposed 2 lot subdivision with a remainder for the property at 9385 Granby Road, Electoral Area 'D'/Rural Grand Forks (*see Site Location Map, Subject Property Map; Proposed Subdivision Map*). The subject property is located nearly entirely within the Agricultural Land Reserve (ALR).

HISTORY / BACKGROUND FACTORS

The property is split designated in the Electoral Area 'D'/Rural Grand Forks OCP Bylaw No. 852 as 'Extensive Agriculture', which corresponds with the portion included within the ALR, and 'Rural Resource' which corresponds with the portion not included in the ALR. The entire parcel is zoned 'Extensive Agricultural Resource 2' (AGR2) in the Electoral Area 'D'/Rural Grand Forks Zoning Bylaw No. 1299.

There is a lengthy and contentious history regarding this parcel and illegal structures. The applicants purchased this parcel in the late 1990's. They proceeded to build a dwelling on the north end of the parcel, in the non-ALR portion. No building permit was applied for or issued for the dwelling, and a Stop Work Order was placed on title. In 1998, before the previous noted matter was resolved, the applicants applied the ALC to subdivide the parcel along Sand Creek. That application was not supported.

A proposed one lot subdivision was supported by the Agricultural Land Commission in Resolution #300/2016 (*see ALC Resolution #300/2016*).

PROPOSAL

The applicants propose to subdivide the parcel into 2 lots with a remainder: ± 25 ha to the south, ± 26.5 ha to the north, and a ± 3.5 ha portion in the north east section along the ALR boundary, fronting Granby Road (*see Proposed Subdivision Map*).

IMPLICATIONS

A proposed 1 lot subdivision with a remainder was supported by the RDKB and the ALC by Resolution #300/2016. This referral from MoTI includes an additional ± 3.5 ha parcel, that does not satisfy the minimum parcel size requirements for the AGR2 Zone. For lands to be subdivided in the 'Extensive Agricultural Resource 2' Zone parcels size must not be less than 20 hectares. Under the current land use bylaws for Electoral Area 'D'/Rural Grand Forks proposed subdivision layout cannot be supported.

The majority of the southern portion of the parcel is in the floodplain (*see Floodplain Map*). Any new development within this portion would be required to follow the RDKB Floodplain Bylaw No. 677.

Notwithstanding the history of non-compliance with RDKB bylaws the matter pending is the MoTI subdivision application, where the RDKB's role is as a referral agency.

ADVISORY PLANNING COMMISSION COMMENTS

The Electoral Area 'D'/Rural Grand Forks Advisory Planning Commission provided the following comments and recommendation;

"After some discussion the APC recommends to the Regional District that the subject Development Application not be supported for the following reasons:

- *On June 2, 2015 the APC recommended to support a subdivision request that split the subject property into 2 lots.*
- *On August 8, 2016 the Agricultural Land Commission approved subdividing the property into 2 parcels, with a modification to the approved subdivision line from the application, in ALC Resolution #300/2016.*
- *The APC is still in support of subdividing the property into 2 parcels as approved by the ALC.*
- *The current request for a 3rd lot of ± 3.5 Ha which does not meet minimum parcel size for 'Agricultural Resource 2' Zone within the Electoral Area 'D'/Rural Grand Forks Zoning Bylaw."*

PLANNING AND DEVELOPMENT DEPARTMENT COMMENTS

Planning and Development staff have notified the Ministry of Transportation and Infrastructure that the current proposal of a 2 lot subdivision with a remainder does not conform with RDKB Bylaws.

However, the 1 lot subdivision with a remainder, which was previously supported by the ALC and RDKB does conform with RDKB Bylaws.

RECOMMENDATION

That the staff report regarding the subdivision referral from the Ministry of Transportation and Infrastructure regarding a proposed subdivision at 9385 Granby Road Electoral Area 'D'/Rural Grand Forks, for the parcel legally described as Lot A, DL 1357, SDYD, KAP34983, Portion and DL 1359 1738 2007, be received.

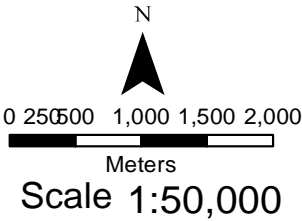
ATTACHMENTS

Site Location Map
Subject Property Map
Proposed Subdivision Map
ALC Resolution #300/2016
Floodplain Map

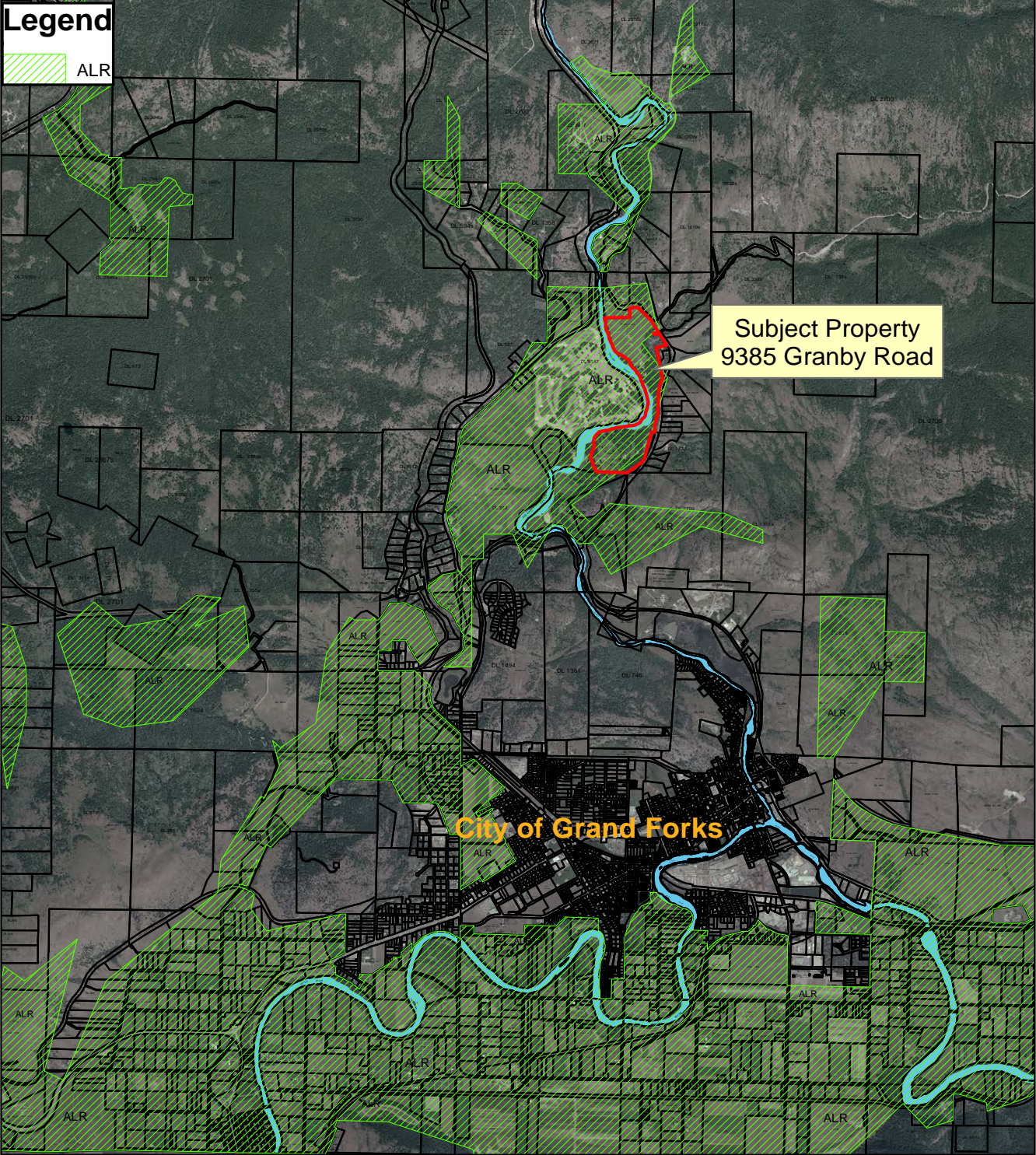


2016/10/20

Site Location Map



Legend

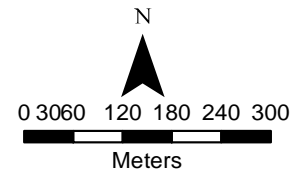


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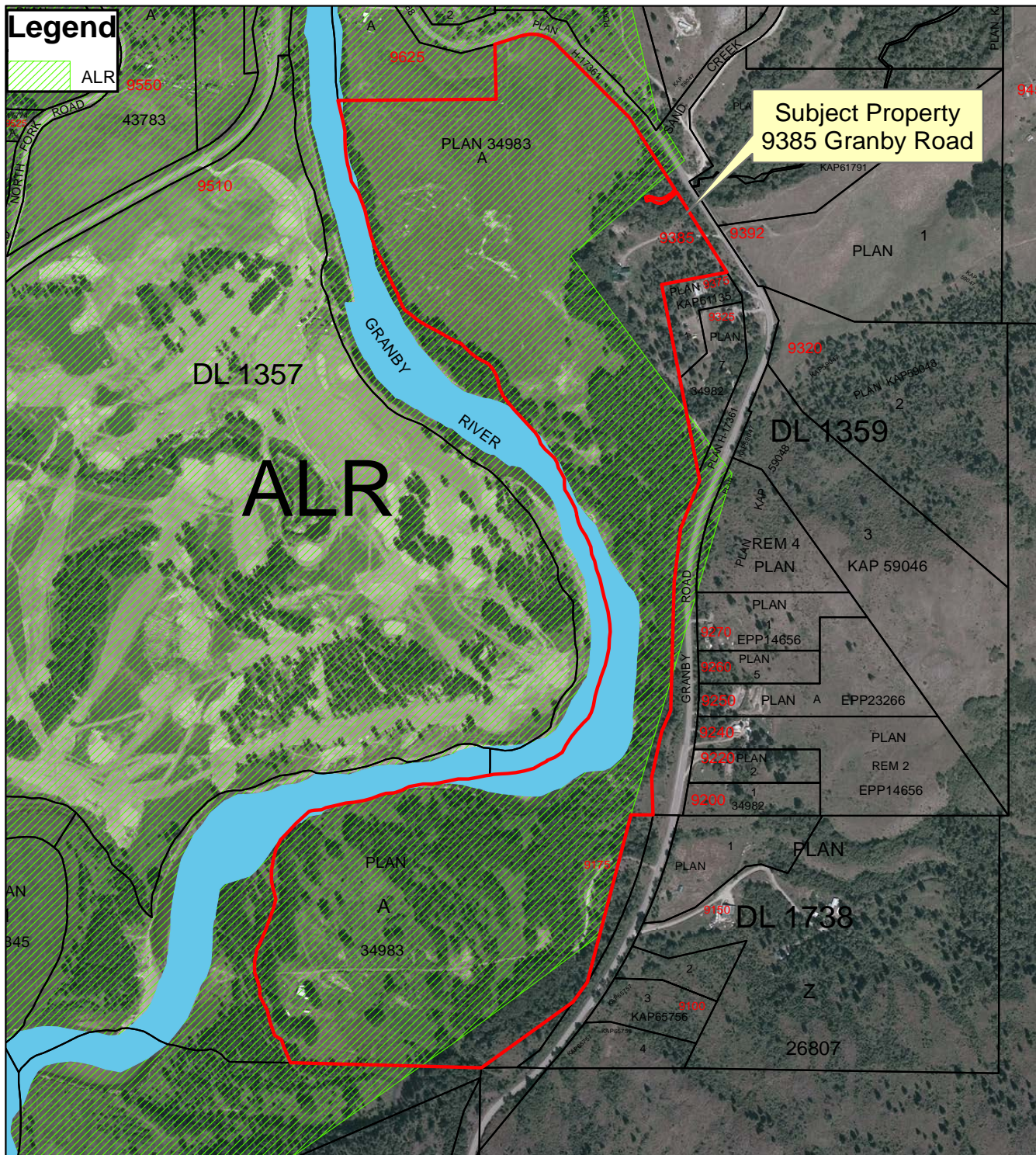


2016/10/20

Subject Property Map



Scale 1:8,000

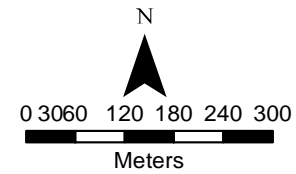


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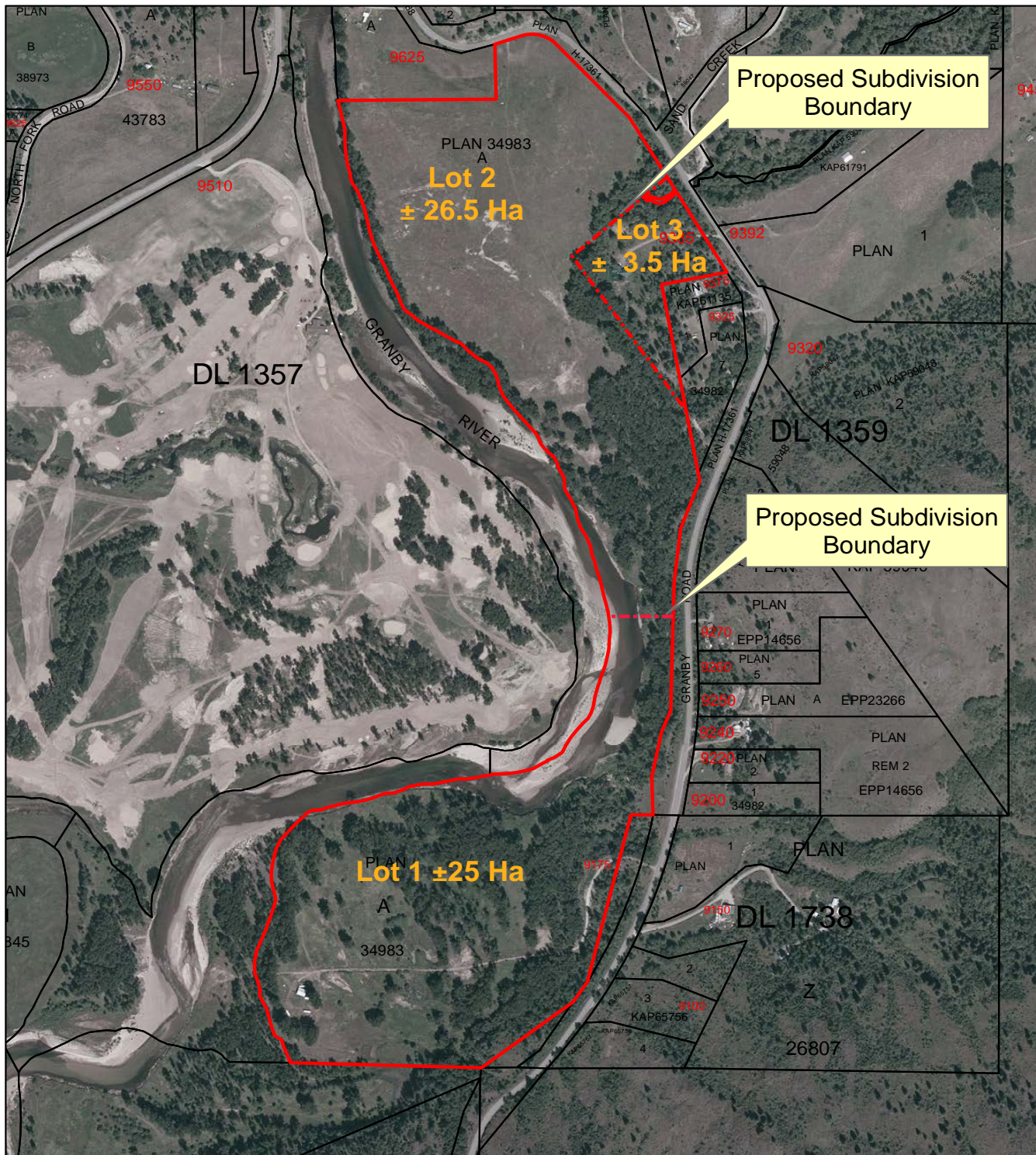


Proposed Subdivision Map

2016/10/20



Scale 1:8,000



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August 8, 2016

Agricultural Land Commission
 133-4940 Canada Way
 Burnaby, British Columbia V5G 4K6
 Tel: 604 660-7000
 Fax: 604 660-7033
 www.alc.gov.bc.ca
 ALC File: 54285

Peter and Lisa Demski
 9385 Granby Road
 Grand Forks, BC V0H 1H0

Dear Mr. and Mrs. Demski:

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

Please find attached the Reasons for Decision of the Agricultural Land Commission (Resolution #300/2016) as it relates to the above noted application. A sketch plan depicting the decision is also attached.

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

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

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

Yours truly,

PROVINCIAL AGRICULTURAL LAND COMMISSION

Per: 

Colin J. Fry, Director of Policy and Planning

Enclosures: Reasons for Decision (Resolution #300/2016)
 Sketch plan

cc: Regional District of Kootenay Boundary (File: D-1357-04740.130)

54285d1



AGRICULTURAL LAND COMMISSION FILE 54285

REASONS FOR DECISION OF THE KOOTENAY PANEL

Application submitted pursuant to s. 21(2) of the *Agricultural Land Commission Act*

Applicants:

**Peter Demski
Lisa Demski
(the “Applicants”)**

Application before the Kootenay Regional Panel:

**Sharon Mielnichuk, Panel Chair
Harvey Bombardier**



THE APPLICATION

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

Parcel Identifier: 002-924-170

Lot A, District Lots 1357, 1359, 1738, and 2007 Similkameen Division Yale District,

Plan 34983

(the "Property")

[2] The Property is 54.3 ha in area (48.9 ha ALR).

[3] The Property has the civic address 9385 Granby Road, Grand Forks.

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

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

[6] Pursuant to s. 21(2) of the ALCA, the Applicants are applying to subdivide the Property into two approximately equal parcels of 27 ha as divided by Sand Creek (the "Application").

[7] On November 18, 2015, the Chair of the Agricultural Land Commission (the "Commission") referred the Application to the Kootenay Regional Panel (the "Panel").

RELEVANT STATUTORY PROVISIONS

[8] The Application was made pursuant to s. 21(2) of the ALCA:

21(2) An owner of agricultural land may apply to the commission to subdivide agricultural land.

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



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

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

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

6 The following are the purposes of the commission:

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

EVIDENTIARY RECORD BEFORE THE PANEL

[11] The Panel considered the following evidence:

- 1. The Application
- 2. Local government documents
- 3. Previous application history
- 4. Agricultural capability map, ALR context map and satellite imagery

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

[12] At its meeting of June 18, 2015 the Regional District of Kootenay Boundary (the "RDKB") resolved to forward the Application to the Commission with a recommendation of support.



Agricultural Land Commission Decision, ALC File 54285

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

Application ID: 43445
Legacy File: 36944
(Demski, 2006)

To subdivide the 53.4 ha property into two (2) approximately equal sized parcels. The Commission did not see an impediment to the land being farmed as a single unit. The application was refused based on the property having agricultural capability; the land being suitable for agriculture; the proposal would impact agriculture; and that the proposal was inconsistent with the objectives of the *ALCA*. Resolution #537/2006.

Application ID: 13905
Legacy File: 32601
(Demski, 1999)

To subdivide the 53.4 ha property into two (2) approximately equal sized parcels. The applicant stated that due to physical features, the land would be impossible to farm. The Commission felt that accessibility was not an impediment in the use of the property for agricultural purposes. The application was refused. Resolution #462/99.

Reconsideration Request 1

The request for reconsideration was based on a letter which indicated that the subdivision was necessary to legitimize the building of a second dwelling. The Planning Director for the RDKB, visited the property to get information regarding the terrain along the proposed subdivision boundary. He indicated that this area is very steep and would be very difficult to provide vehicular access between the northerly and southerly portion of the parcel. The Commission reconfirmed its original decision on the grounds that it felt accessibility was not an impediment in the use of the property for agricultural purposes as Granby Road runs adjacent to the subject



Agricultural Land Commission Decision, ALC File 54285

property. Resolution #379/2000.

Reconsideration Request 2 The Commission reviewed correspondence from agent Arild Engen Peter Demski requesting reconsideration of the Commission's original decision by Resolution #462/99. Following review of the correspondence and the application file material, and viewing the subject property, the Commission was of the opinion that there was no evidence which was not available at the time of the original decision and that the original decision was not based on evidence that was in error or false. Subsequently, the Commission determined not to reconsider its original decision. Resolution #643/2001.

SITE VISIT

[14] On May 25, 2015, the Panel conducted a walk-around and meeting site visit in accordance with the *Policy Regarding Site Visits in Applications* (the "Site Visit").

[15] A site visit report was prepared in accordance with the *Policy Regarding Site Visits in Applications* and was provided to the applicant on June 27, 2015 (the "Site Visit Report").

FINDINGS

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

[16] In assessing agricultural capability, the Panel referred in part to agricultural capability mapping and ratings. The ratings are identified using the Canada Land Inventory (CLI), 'Soil Capability Classification for Agriculture' system. The improved agricultural capability ratings identified on CLI map sheet 82E/1 for the mapping units encompassing the Property are approximately 75% Class (3MW) and 25% Class (4M).



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

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

The limiting subclasses associated with this parcel of land are M (moisture deficiency), and W (excess water).

- [17] The Panel viewed the agricultural capability ratings and note that the Property has moderate capability for agriculture.
- [18] During the Site Visit, the Panel noted that the northern portion of the Property was a relatively flat field with potential for hay cultivation.
- [19] The Panel noted that the southern portion of the Property was entirely alienated from the northern portion of the Property by the continual erosion of the Kettle River's eastern bank.
- [20] The Panel noted that the southern portion of the Property is suitable for pasture for horses or other grazing.

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

- [21] The Applicants state that "*The new Zone II mandate of the ALR calls for smaller more affordable farming parcels, so this proposal also falls within those guidelines*".
- [22] The Applicants state that subdivision would provide revenue with which to work the southern portion of the farm where the Applicants reside.



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

[23] The RDKB staff report states “As far as regional and community planning objectives, the OCP objective for ‘Extensive Agriculture’ lands is a recognition that a large land base is required and to protect the integrity of lands used for land-extensive agriculture from intrusion of incompatible land uses and subdivision. Along those lines, the OCP suggests and the zoning bylaw requires a minimum parcel area for subdivision of 20 hectares, which this proposal satisfies”.

Weighing the factors in priority

[24] The Panel believes that the Property is comprised of two very different agricultural units with their own conditions and that there will be no detriment to agriculture by subdividing the Property into two units.

[25] However, the Panel notes that the Property is already naturally split by the Kettle River eroding away its east bank on the Property; and that subdivision along this natural boundary makes more sense than as proposed along Sand Creek.

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

DECISION

[27] For the reasons given above, the Panel refuses as proposed the Application to subdivide the Property into two approximately equal sized parcels as divided by Sand Creek; but approves the subdivision of the Property as divided by the Kettle River and directs Commission staff to prepare a decision sketch.

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



Agricultural Land Commission Decision, ALC File 54285

- a. the subdivision being in substantial compliance with the decision sketch prepared by Commission staff; and
- b. the subdivision plan being completed within three (3) years from the date of release of this decision.

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

[30] Panel Chair **Sharon Mielnichuk** concurs with the decision.
Commissioner **Harvey Bombardier** concurs with the decision.

[31] Decision recorded as Resolution #300/2016.

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

Upon instruction of the Panel, I have been authorized to release the Reasons for Decision by Resolution #300/2015. The decision is effective upon release.

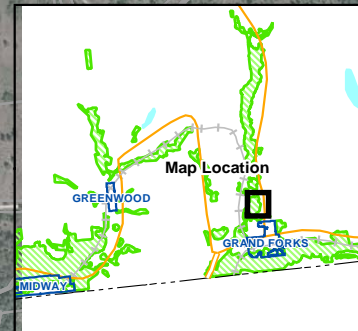
Colin J. Fry, Director of Policy and Planning

August 8, 2016

Date Released

118°28'0"W

**ALC Resolution # 300/2016
Approved Subdivision**



**Approved
Subdivision
Line**

ALR

Subject Property

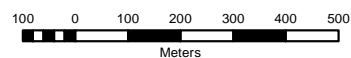
49°40'N



Orthophoto Map

2005 Natural Colour - Ortho

Map Scale: 1:12,500

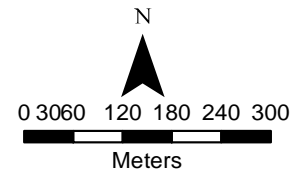


ALC File #: 54285
 Mapsheet #: 82E.008
 Map Produced: Sept 22, 2015
 Regional District: Kootenay-Boundary



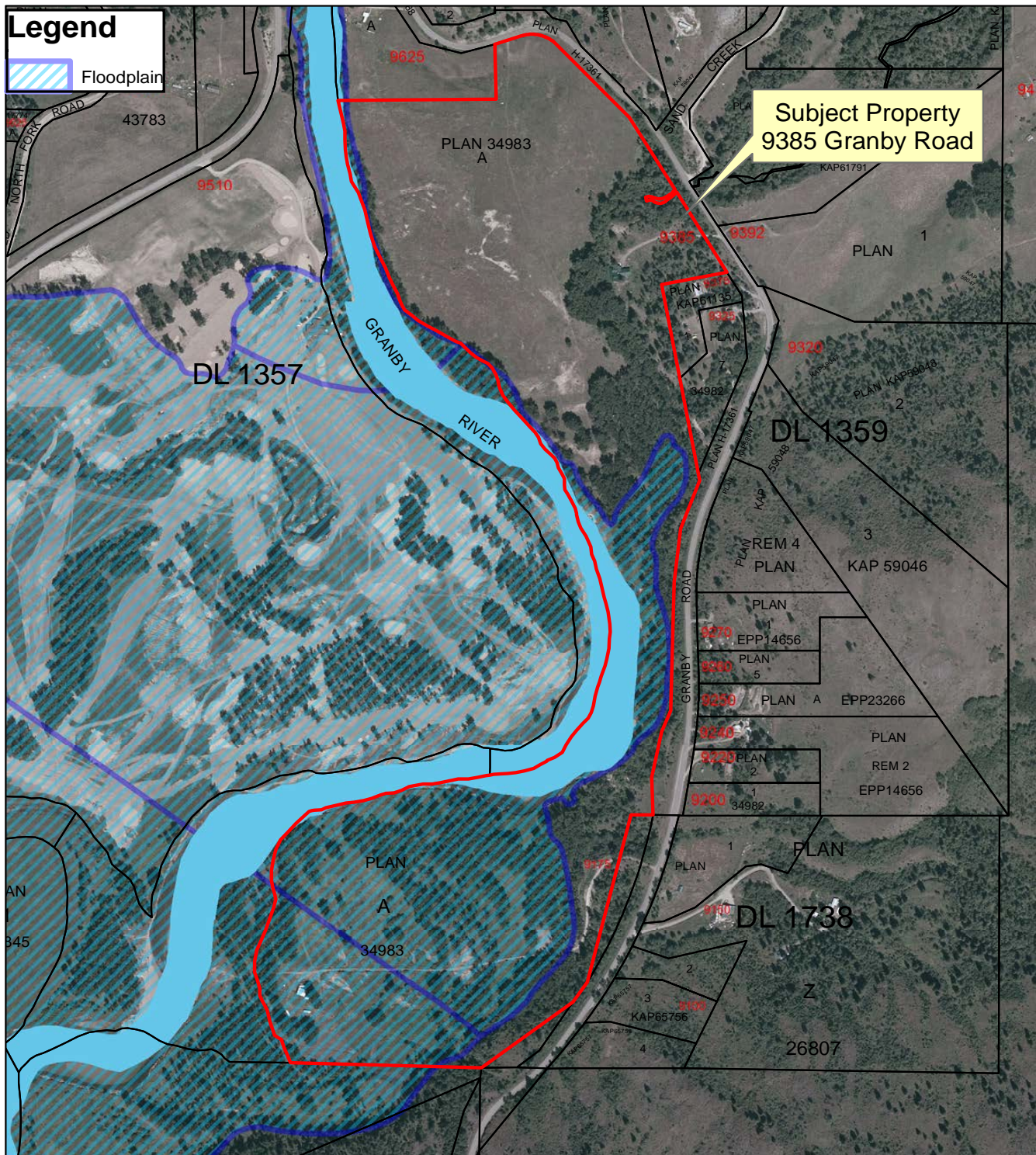
2016/10/20

Floodplain Map

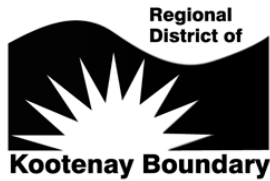


Scale 1:8,000

Legend



P:\GIS\IRDKB\MapDocuments\Routine Maps\Site Location Map\Area 'D'\Rural Grand Forks\2016-10-20-SPM_Demski



Electoral Area Services Committee Staff Report

Prepared for meeting of November 10, 2016

Review of the Board of Variance Bylaws

Report Prepared by: Donna Dean, Manager of Planning and Development *File No.* B-55

ISSUE INTRODUCTION

The RDKB has two Board of Variance bylaws; Bylaw No. 1145 establishes a Board of Variance for Electoral Areas 'A' and 'B', while Bylaw No. 1146 establishes a Board of Variance for Electoral Areas 'C', 'D' and 'E', which were both adopted in May 2001 (*see attached bylaws*). Amendments to the *Local Government Act* since 2001 have changed how Board of Variances are appointed thereby triggering a need to revise the bylaws before new members can be added.

HISTORY / BACKGROUND FACTORS

The *Local Government Act* requires that Boards of Variance (BOV), which provide a variance procedure for zoning bylaws, be established where there are zoning bylaws in place. As described above the Regional District has two Boards of Variance; one for the 'East End' and one for the 'Boundary Area'. The Board of Variance process has been used infrequently in recent years with most applicants choosing the Development Variance permit process. The table below outlines the differences between the Board of Variance and Development Variance permit processes:

	Board of Variance	Development Variance Permit
<i>Local Government Act</i>	Sections 536-544	Section 498
Decision Body	Board of Variance by vote	Board of Directors by resolution
Decision Making Process	Staff report goes directly to the Board of Variance	Staff report to Advisory Planning Commission, Electoral Area Services Committee.
Membership	Appointed by the RDKB board of directors; may not be a member of an Advisory Planning Commission or an officer or employee of the regional district.	Elected officials that make up the Board of Directors
What can be varied?	<ul style="list-style-type: none"> • Zoning bylaw regulations for the siting, size or dimensions of a building or other structure • Manufactured Home Park Bylaw regulations regarding the siting of a manufactured home in a manufactured 	<ul style="list-style-type: none"> • All zoning bylaw regulations unless prohibited in the Official Community Plan • Manufactured home

	home park <ul style="list-style-type: none"> • The prohibition of a structural alteration or addition for a non-conforming use • Determination of extent of damage by a building inspector, which affects non-conforming use protection 	park bylaws
Hardship	A hardship must be demonstrated	Applicants are asked to demonstrate hardship however it is not a requirement of the legislation.

Since the Board of Variance has been used so infrequently over the past several years staff has lost touch with many of the members, and some can no longer be reached. New members need to be added.

The *Local Government Act* has been amended regarding how members are appointed to a BOV. Previously the following applied and is therefore reflected in Bylaws 1145 and 1146:

- a) One appointed by the Board;
- b) One appointed by the Minister of Municipal Affairs;
- c) One appointed by the other two appointees.

The current requirement in the *Local Government Act* is that a regional district BOV(s) is to consist of 3 persons appointed by the board. Also the board now has the authority to remove a member(s), whereas the current bylaw states that the Lieutenant Governor in Council must be involved in the process of removing a member appointed by the Province.

A revision to the BOV bylaws would also allow the opportunity to consider combining the Board of Variance Bylaws into one for the entire Regional District rather than having two separate BOVs.

PROPOSAL

The two bylaws could be revised to reflect the changes in the *Local Government Act* and combined into one rather than have two separate bylaws since they are so infrequently.

IMPLICATIONS

A revised bylaw will allow the Board to appoint new members to the BOV. Since travel and other expenses are reimbursed to BOV members, combining the two BOVs into one for the entire Regional District could result in some additional costs to compensate members for travel.

RECOMMENDATION

That the Electoral Area Services Committee directs staff to draft a new Board of Variance Bylaw to present to the Board of Directors for consideration.

ATTACHMENTS

Bylaw No. 1145

Bylaw No. 1146

REGIONAL DISTRICT OF KOOTENAY BOUNDARY

BYLAW NO. 1145

A Bylaw to provide a Board of Variance for Electoral Areas 'A' and 'B' of the Regional District of Kootenay Boundary pursuant to the Local Government Act.

The Regional District of Kootenay Boundary Board of Directors, in open meeting assembled, enacts as follows:

1. There is hereby established, pursuant to the provisions of Section 899 of the Local Government Act, a Board of Variance for Electoral Areas 'A' and 'B' of the Regional District consisting of three members;
 - a) One appointed by the Board;
 - b) One appointed by the Minister of Municipal Affairs;
 - c) One appointed by the other two appointees.
2. Each member appointed shall hold office for the later of three (3) years, and, if no successor has been appointed at the end of the 3 year period, until the time that a successor is appointed.
3. No person who is a member of the Advisory Planning Commission or of the Regional District, or an officer or employee of the Regional District is eligible to be appointed as a member of the Board of Variance.
4. If a member of the Board of Variance ceases to hold office, the person's successor shall be appointed in the same manner in which such member was appointed and, until the appointment of the successor, the remaining members constitute the Board of Variance.
5. The Board may remove its appointee at any time; the Lieutenant Governor in Council may remove the Minister's appointee at any time; and, on the recommendation of the Board, the Lieutenant Governor in Council may remove the person appointed by the other appointees.
6. No member of the Board of Variance shall receive compensation for his or her services as members, but must be paid reasonable and necessary expenses that arise directly out of the performance of their duties.
7. The Board shall include in its annual budget such sums as are necessary to defray the expenses of the Board of Variance.
8. A Chair shall be elected from the members of the Board of Variance, and, the Chair may appoint a member of the Board of Variance as Acting Chair to preside in the absence of the Chair.
9. The Board of Variance shall herein determine any appeal whereby a person alleges that compliance with any of the following would cause the person hardship:
 - a) A bylaw respecting the siting, dimensions or size of a building or structure, or the siting of a manufactured home in a manufactured home park;
 - b) A bylaw under Division 2 of Part 22 of the Local Government Act, other than
 - i. A bylaw under section 711 of the Local Government Act, or
 - ii. A bylaw that has an effect referred to in section 714 (1) of the Local Government Act, if the council has taken action under subsection (2) of that section to compensate or mitigate the hardship that is caused to the person;
 - c) The prohibition of a structural alteration or addition under section 911 (5) of the Local Government Act;
 - d) A subdivision servicing requirement under section 938 (1) (c) of the Local Government Act in an area zoned for agricultural or industrial use.

Or, a person alleges

- e) that the determination by a building inspector of the amount of damage under section 911 (8) of the Local Government Act is in error.
10. On an application for clauses a) to d) of Section 9, the Board of Variance may order that a minor variance be permitted from the requirements of the bylaw, or that the applicant be exempted from section 911 (5) of the Local Government Act, if the Board of Variance:
- (a) has heard the applicant and any person notified under Section 14;
 - (b) finds that undue hardship would be caused to the applicant if the bylaw or section 911 (5) of the Local Government Act is complied with, and
 - (c) is of the opinion that the variance or exemption does not
 - (i) result in inappropriate development of the site,
 - (i.1) adversely affect the natural environment,
 - (ii) substantially affect the use and enjoyment of adjacent land,
 - (iii) vary permitted uses and densities under the applicable bylaw, or
 - (iv) defeat the intent of the bylaw.
- On an application for clause e) of Section 9, the Board of Variance may set aside the determination of the building inspector and make the determination under Section 911 (8) of the Local Government Act in its place.
11. The board of variance must not make an order under Section 10 that would do any of the following:
- (a) be in conflict with a covenant registered under section 219 of the Land Title Act or section 24A of the Land Registry Act, R.S.B.C. 1960, c. 208;
 - (b) deal with a matter that is covered in a permit under Division 9 Part 26 of the Local Government Act or covered in a land use contract;
 - (c) deal with a flood plain specification under section 910 (2) of the Local Government Act;
 - (d) apply to a property
 - (i) for which an authorization for alterations is required under Part 27 of the Local Government Act,
 - (ii) that is scheduled under section 970.1 (3) (b) of the Local Government Act or contains a feature or characteristic identified under section 970.1 (3) (c) of the Local Government Act, or;
 - (iii) for which a heritage revitalization agreement under section 966 of the Local Government Act is in effect.
12. A majority of the Board of Variance members in attendance is a quorum.
13. An employee of the Regional District shall act as Secretary to the Board of Variance and shall exercise the following powers in relation to said Board:
- (a) keep minutes of all meetings;
 - (b) give all notices and decisions by mail or, if necessary, other delivery;
 - (c) maintain a record of all its decisions and ensure that the record is available for public inspection during normal business hours;
 - (d) ensure that the notice states the subject matter of the application and the time and place where the application will be heard.
14. The Secretary of the Board of Variance shall notify the Chair of the Board of Variance and the Chair shall set a date for the hearing of an appeal under clauses a) to e) of Section 9. At least 5 days notice of the hearing shall be mailed by the Secretary to:
- (a) the members of the Board of Variance;

- (b) the owners and tenants in occupation of the application's subject property;
 - (c) the owners and tenants in occupation of the land that is adjacent to the application's subject property (for appeals under clauses a) to d) of Section 9 only);
 - (d) the Building Inspector making the determination under Section 911(8) of the Local Government Act (for appeals under clause e) of Section 9;
15. Any person exercising the right of appeal under clauses a) to e) of Section 9 shall submit a completed application form to the Secretary of the Board of Variance. The appellant shall give an address to which all notices may be mailed.
 16. The decision, in writing, of all or majority of the members of the Board of Variance is a decision of said Board.
 17. A decision of the Board of Variance: under clauses a) to d) of Section 9 is final; and, under clause e) of Section 9 may be appealed to the Supreme Court.
 18. For a decision relating to appeals under subsection a) to d) of Section 9:
 - (a) if the order sets a time within which the construction of the building, structure or manufactured home park must be completed and the construction is not completed within that time, or
 - (b) if that construction is not substantially started within 2 years after the order was made, or within a longer or shorter time period established by the order,
- the permission or exemption terminates and the bylaw or section 911 (5) of the Local Government Act, as the case may be, applies.
19. This Bylaw may be cited as "Regional District of Kootenay Boundary Board of Variance No. 3, Bylaw No. 1145, 2001".
 20. Regional District of Kootenay Boundary Board of Variance No. 1, Bylaw No. 213, 1978 is hereby repealed.

INTRODUCED and READ A FIRST TIME this 25th of April, 2001.

READ A SECOND TIME this 25th day of April, 2001.

READ A THIRD TIME this 25th day of April, 2001.

I hereby certify the foregoing to be a true and correct copy of Bylaw No. 1145, cited as "Regional District of Kootenay Boundary Board of Variance No. 3, Bylaw No. 1145, 2001" as read a third time by the Regional District of Kootenay Boundary Board of Directors this 25th day of April, 2001.

Chief Administrative Officer/
Corporate Administrator

NOTICE OF INTENT TO ADOPT BYLAW NO. 1145 ADVERTISED in the Trail Times Newspaper this 22nd day of May 2001.

RECONSIDERED AND FINALLY ADOPTED this day of , 2001.

Chief Administrative Officer/
Corporate Administrator

RDKB Chair

I, L. J. Robinson, Chief Administrative Officer\Corporate Administrator of the Regional District of Kootenay Boundary, hereby certify that this is a true and correct copy of Bylaw No. 1145, cited as "Regional District of Kootenay Boundary Official Community Plan Amendment Bylaw No. 1145, 2001".

Chief Administrative Officer\
Corporate Administrator

REGIONAL DISTRICT OF KOOTENAY BOUNDARY

BYLAW NO. 1146

A Bylaw to provide a Board of Variance for Electoral Areas 'C', 'D' and 'E' of the Regional District of Kootenay Boundary pursuant to the Local Government Act.

The Regional District of Kootenay Boundary Board of Directors, in open meeting assembled, enacts as follows:

1. There is hereby established, pursuant to the provisions of Section 899 of the Local Government Act, a Board of Variance for Electoral Areas 'C', 'D' and 'E' of the Regional District consisting of three members;
 - a) One appointed by the Board;
 - b) One appointed by the Minister of Municipal Affairs;
 - c) One appointed by the other two appointees.
2. Each member appointed shall hold office for the later of three (3) years, and, if no successor has been appointed at the end of the 3 year period, until the time that a successor is appointed.
3. No person who is a member of the Advisory Planning Commission or of the Regional District, or an officer or employee of the Regional District is eligible to be appointed as a member of the Board of Variance.
4. If a member of the Board of Variance ceases to hold office, the person's successor shall be appointed in the same manner in which such member was appointed and, until the appointment of the successor, the remaining members constitute the Board of Variance.
5. The Board may remove its appointee at any time; the Lieutenant Governor in Council may remove the Minister's appointee at any time; and, on the recommendation of the Board, the Lieutenant Governor in Council may remove the person appointed by the other appointees.
6. No member of the Board of Variance shall receive compensation for his or her services as members, but must be paid reasonable and necessary expenses that arise directly out of the performance of their duties.
7. The Board shall include in its annual budget such sums as are necessary to defray the expenses of the Board of Variance.
8. A Chair shall be elected from the members of the Board of Variance, and, the Chair may appoint a member of the Board of Variance as Acting Chair to preside in the absence of the Chair.
9. The Board of Variance shall herein determine any appeal whereby a person alleges that compliance with any of the following would cause the person hardship:
 - a) A bylaw respecting the siting, dimensions or size of a building or structure, or the siting of a manufactured home in a manufactured home park;
 - b) A bylaw under Division 2 of Part 22 of the Local Government Act, other than
 - i. A bylaw under section 711 of the Local Government Act, or
 - ii. A bylaw that has an effect referred to in section 714 (1) of the Local Government Act, if the council has taken action under subsection (2) of that section to compensate or mitigate the hardship that is caused to the person;
 - c) The prohibition of a structural alteration or addition under section 911 (5) of the Local Government Act;
 - d) A subdivision servicing requirement under section 938 (1) (c) of the Local Government Act in an area zoned for agricultural or industrial use.

Or, a person alleges

- e) that the determination by a building inspector of the amount of damage under section 911 (8) of the Local Government Act is in error.
10. On an application for clauses a) to d) of Section 9, the Board of Variance may order that a minor variance be permitted from the requirements of the bylaw, or that the applicant be exempted from section 911 (5) of the Local Government Act, if the Board of Variance:
- (a) has heard the applicant and any person notified under Section 14;
 - (b) finds that undue hardship would be caused to the applicant if the bylaw or section 911 (5) of the Local Government Act is complied with, and
 - (c) is of the opinion that the variance or exemption does not
 - (i) result in inappropriate development of the site,
 - (i.1) adversely affect the natural environment,
 - (ii) substantially affect the use and enjoyment of adjacent land,
 - (iii) vary permitted uses and densities under the applicable bylaw, or
 - (iv) defeat the intent of the bylaw.
- On an application for clause e) of Section 9, the Board of Variance may set aside the determination of the building inspector and make the determination under Section 911 (8) of the Local Government Act in its place.
11. The board of variance must not make an order under Section 10 that would do any of the following:
- (a) be in conflict with a covenant registered under section 219 of the Land Title Act or section 24A of the Land Registry Act, R.S.B.C. 1960, c. 208;
 - (b) deal with a matter that is covered in a permit under Division 9 Part 26 of the Local Government Act or covered in a land use contract;
 - (c) deal with a flood plain specification under section 910 (2) of the Local Government Act;
 - (d) apply to a property
 - (i) for which an authorization for alterations is required under Part 27 of the Local Government Act,
 - (ii) that is scheduled under section 970.1 (3) (b) of the Local Government Act or contains a feature or characteristic identified under section 970.1 (3) (c) of the Local Government Act, or;
 - (iii) for which a heritage revitalization agreement under section 966 of the Local Government Act is in effect.
12. A majority of the Board of Variance members in attendance is a quorum.
13. An employee of the Regional District shall act as Secretary to the Board of Variance and shall exercise the following powers in relation to said Board:
- (a) keep minutes of all meetings;
 - (b) give all notices and decisions by mail or, if necessary, other delivery;
 - (c) maintain a record of all its decisions and ensure that the record is available for public inspection during normal business hours;
 - (d) ensure that the notice states the subject matter of the application and the time and place where the application will be heard.
14. The Secretary of the Board of Variance shall notify the Chair of the Board of Variance and the Chair shall set a date for the hearing of an appeal under clauses a) to e) of Section 9. At least 5 days notice of the hearing shall be mailed by the Secretary to:
- (a) the members of the Board of Variance;

- (b) the owners and tenants in occupation of the application's subject property;
 - (c) the owners and tenants in occupation of the land that is adjacent to the application's subject property (for appeals under clauses a) to d) of Section 9 only);
 - (d) the Building Inspector making the determination under Section 911(8) of the Local Government Act (for appeals under clause e) of Section 9.
15. Any person exercising the right of appeal under clauses a) to e) of Section 9 shall submit a completed application form to the Secretary of the Board of Variance. The appellant shall give an address to which all notices may be mailed.
 16. The decision, in writing, of all or majority of the members of the Board of Variance is a decision of said Board.
 17. A decision of the Board of Variance: under clauses a) to d) of Section 9 is final; and, under clause e) of Section 9 may be appealed to the Supreme Court.
 18. For a decision relating to appeals under subsection a) to d) of Section 9:
 - (a) if the order sets a time within which the construction of the building, structure or manufactured home park must be completed and the construction is not completed within that time, or
 - (b) if that construction is not substantially started within 2 years after the order was made, or within a longer or shorter time period established by the order,
- the permission or exemption terminates and the bylaw or section 911 (5) of the Local Government Act, as the case may be, applies.
19. This Bylaw may be cited as "Regional District of Kootenay Boundary Board of Variance No. 4, Bylaw No. 1146, 2001".
 20. Regional District of Kootenay Boundary Board of Variance No. 2, Bylaw No. 2145, 1978 is hereby repealed.

INTRODUCED and READ A FIRST TIME this 25th of April, 2001.

READ A SECOND TIME this 25th of April, 2001.

READ A THIRD TIME this 25th of April, 2001.

I hereby certify the foregoing to be a true and correct copy of Bylaw No. 1146, cited as "Regional District of Kootenay Boundary Board of Variance No. 3, Bylaw No. 1146, 2001" as read a third time by the Regional District of Kootenay Boundary Board of Directors this 25th day of April, 2001.

Chief Administrative Officer/
Corporate Administrator

NOTICE OF INTENT TO ADOPT BYLAW NO. 1146 ADVERTISED in the Grand Forks Gazette Newspaper this 23rd day of May, 2001.

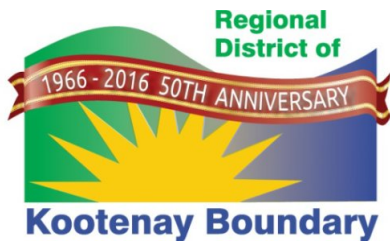
RECONSIDERED AND FINALLY ADOPTED this day of , 2001.

Chief Administrative Officer/
Corporate Administrator

RDKB Chair

I, L. J. Robinson, Chief Administrative Officer\Corporate Administrator of the Regional District of Kootenay Boundary, hereby certify that this is a true and correct copy of Bylaw No. 1146, cited as "Regional District of Kootenay Boundary Official Community Plan Amendment Bylaw No. 1146, 2001".

Chief Administrative Officer\
Corporate Administrator



Electoral Area Services Committee Staff Report

Prepared for meeting of November 10, 2016

Part 14 Planning Application Procedures

<i>Report Prepared by:</i> Donna Dean, Manager of Planning and Development	<i>File No.</i> F-7
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ISSUE INTRODUCTION

Concerns were raised at the October 27, 2016 Board of Director's meeting regarding whether the recommendation of the Advisory Planning Commission is required before the Board can consider making a decision regarding an application.

HISTORY / BACKGROUND FACTORS

Decisions regarding the following types of applications are made by resolution of the Board of Directors:

- Amendments to an Official Community Plan or Zoning Bylaw;
- Development Variance Permits;
- Temporary Use Permits;
- Site-Specific floodplain management bylaw exemptions;
- Designation of Heritage Properties.

Applications are referred to the appropriate Advisory Planning Commission for comment prior to being considered by the Electoral Area Services Committee and finally by the Board of Directors.

The Advisory Planning Commission's membership and meeting procedures are regulated by Bylaw #1535, which was adopted by the Board of Directors in August 2013 (*attached*). The bylaw requires that any decision/recommendation is made by a majority of members present at a meeting. In practice this means that any minutes of APC meetings that take place without quorum are not presented to the Board of Directors. Comments from those present at such a meeting are included in staff reports from time to time, but with the caveat that there was not quorum at the meeting.

The Fees and Procedures Bylaw (#1232 *attached*) states that for the application types listed above a report will be presented to the committee of the Board that considers planning matters. It requires that the report contains "a summary of the application with additional relevant information, analysis and interpretation, including any available Advisory Planning Commission comments relating to the application". In practice if the committee of the Board that considers planning matters does not meet, staff reports are sent directly to the Board of Directors. Therefore if there are no comments available from the Advisory Planning Commission there is no obligation to hold a meeting or meetings until there is quorum in order to include those comments.

RECOMMENDATION

That the staff report titled 'Part 14 Planning Application Procedures' presented to the Electoral Area Services Committee is received.

ATTACHMENTS

Bylaw No. 1231 Fees and Procedures Bylaw, and
Bylaw No. 1535 APC Bylaw

REGIONAL DISTRICT OF KOOTENAY BOUNDARY

FEES & PROCEDURES BYLAW

Bylaw No. 1231 adopted the 30th day of
July, 2004 together with Amendment Bylaws:

CONSOLIDATED FOR CONVENIENCE ONLY

Consolidated bylaws are consolidated for convenience only and are merely representative. Each consolidated bylaw consists of the original bylaw text and maps, together with current amendments which have been made to the original version. Copies of all bylaws (originals and amendments) may be obtained from the RDKB Planning and Development Department.

<u>BYLAW NO.</u>	<u>DATE OF ADOPTION</u>
1244 – RDKB (Addition of <i>Application to vary Floodplain Setback</i> and associated fee – File F7)	July 30, 2004
1278 – RDKB (Placing signs 7 days before APC Meetings – F7)	July 28, 2005
1296 – RDKB Designation of Heritage Properties – (F-7)	January 26, 2006
1495 – RDKB Application Closure	November 24, 2011

Although RDKB Planning Department staff attempt every effort to provide the most up-to-date version of this bylaw (text and associated maps), this existing document may be somewhat out of date; particularly if the bylaw is presently being amended.

Persons viewing this reproduction of the bylaw (text and maps) are cautioned that it should not, in any case, be relied on for legal purposes or to make important decisions.

REGIONAL DISTRICT OF KOOTENAY BOUNDARY
BYLAW No. 1231, 2004

FEES AND PROCEDURES BYLAW

A Bylaw to establish fees and procedures to amend official community plans, and zoning bylaws, to issue permits, and to apply to the Board of Variance, pursuant to Part 26 of the *Local Government Act*.

WHEREAS the Regional District of Kootenay Boundary Board of Directors has adopted bylaws under Part 26 of the *Local Government Act*;

AND WHEREAS the Regional District of Kootenay Boundary Board of Directors shall, under Section 895(1) of the *Local Government Act*, adopt a bylaw which establishes procedures to amend an official community plan, a zoning bylaw, and to issue permits;

AND WHEREAS the Regional District of Kootenay Boundary Board of Directors may, pursuant to Section 931 of the *Local Government Act*, adopt a bylaw which imposes fees payable upon application to amend an official community plan or zoning bylaw; to issue a permit under Division (9) of Part 26 of the *Local Government Act*; and for an order of the Board of Variance;

AND WHEREAS the Regional District of Kootenay Boundary Board of Directors must, pursuant to Sections 892, 893, 921 and 922 of the *Local Government Act*, give notice of a public hearing, the waiving of a public hearing, an application for a temporary commercial or industrial use permit, and an application for a development variance permit and may, by bylaw, specify distances for giving notice.

NOW THEREFORE the Regional District of Kootenay Boundary Board of Directors, in open and public meeting assembled, hereby enacts as follows:

Content

- 1. Repeal
- 2. Title
- 3. Definitions
- 4. Scope
- 5. Application
- 6. Fees
- 7. Process to Amend an Official Community Plan or Zoning Bylaw, Issue a Permit, or Amend a Permit
- 8. Board of Variance Applications
- 9. Board Decisions on Applications
- 10. Decision to Deny a Permit, or an Amendment to a Bylaw
- 11. Re-application
- 12. Public Notice
- 13. Application Closure*
- Schedule A Application Fee Schedule
- Schedule B Development Proposal Sign Requirements

- 1. **Repeal**
Regional District of Kootenay Boundary Procedures and Fees Bylaw No. 878, 1995 and all amendments thereto are hereby repealed.
- 2. **Title**
This Bylaw may be cited as "Regional District of Kootenay Boundary Fees and Procedures Bylaw No. 1231, 2004".
- 3. **Definitions**
For the purpose of this bylaw, the following terms are defined as follows:
“Board” means the elected and appointed Directors of the Regional District of Kootenay Boundary acting as the Regional District of Kootenay Boundary Board of Directors in assembled meetings thereof.

* Amendment Bylaw No. 1495, 2011; November 24, 2011

“Board of Variance” means those persons appointed pursuant to Bylaw No. 1145 and 1146, and Section 899 of the *Local Government Act* as the Board of Variance for the Regional District of Kootenay Boundary, acting in assembled meetings thereof.

“Director of Planning & Development” means a person who holds the position of Director of Planning & Development for the Regional District of Kootenay Boundary.

“Planning & Development Committee” means those persons appointed as the Planning & Development Committee for the Regional District of Kootenay Boundary, acting in assembled meetings thereof.

“Regional District” means the corporation of the Regional District of Kootenay Boundary, in the Province of British Columbia, and where the context so requires also means the land included in the boundaries of the Regional District of Kootenay Boundary.

4. **Scope**

This bylaw shall apply to the following:

- (a) Applications for official community plan and zoning bylaw amendments;
- (b) Applications for:
 - (i) development permits;
 - (ii) development permit amendments;
 - (iii) development variance permits;
 - (ii) temporary commercial and industrial use permits; and
- (c) Applications to the Board of Variance;
- (d) Site-specific floodplain management bylaw exemptions;*
- (e) Applications for Designation of Heritage Properties**.

5. **Application**

Applications made pursuant to this bylaw shall be made by the owner of the land that is subject to the application, or by an agent who is duly authorized by the owner. Such applications shall be in writing and be submitted to the office of the Regional District on the appropriate form, which is provided for that purpose by the Regional District.

6. **Fees**

Upon Submission of applications made pursuant to this bylaw, the applicant shall pay to the Regional District a fee in accordance with the fee schedule attached hereto as Schedule ‘A’ forming part of this bylaw.

7. **Process to Amend an Official Community Plan or Zoning Bylaw, Issue a Permit, or Amend a Permit**

Applications to amend an official community plan bylaw, to amend a zoning bylaw, to issue a permit, or to amend a permit that are submitted in accordance with this bylaw, will be processed by the Director of Planning and Development or their designate, as follows:

- (1) In the event that the Board has delegated the authority to approve or deny the issuance of a permit or permit amendment pursuant to Section 176 of the *Local Government Act*, the Director of Planning and Development will review the application for compliance with Regional District bylaws, policies and other relevant legislation, and upon completing their review will:
 - (a) authorize the issuance of the permit or permit amendment, subject to any conditions imposed by the Director of Planning and Development pursuant to Division 9, Part 26 of the *Local Government Act*; or
 - (b) deny the issuance of the permit or permit amendment.

* Amending Bylaw No. 1244; July 30, 2004
** Amending Bylaw No. 1296; January 26, 2006

- (2) Except in the event that the Board has delegated authority to approve or deny the issuance of a permit or permit amendment pursuant to Section 176 of the *Local Government Act*, the Director of Planning and Development or their designate will present a report to the Planning and Development Committee for its consideration and subsequent recommendation to the Board. The report shall contain a summary of the application with additional relevant information, analysis and interpretation, including any available advisory planning commission comments relating to the application.

8. **Board of Variance Applications**

An application for an order of the Board of Variance submitted with the fee prescribed by this bylaw will be processed pursuant to the applicable Board of Variance bylaw: “Regional District of Kootenay Boundary Board of Variance Bylaw No. 1145, 2001”; or “Regional District of Kootenay Boundary Board of Variance Bylaw No. 1146, 2001”.

9. **Board Decisions on Applications**

- (1) Upon consideration of an application to amend an official community plan bylaw, a zoning bylaw, the Board may, by resolution: proceed with an amendment bylaw; deny the application; or table the application pending further information.
- (2) Upon consideration of an application for a permit, or to amend a permit, the Board may, by resolution: authorize the issuance of a permit; deny the application; or table the application pending further information.

10. **Decision to Deny a Permit, or an Amendment to a Bylaw**

In the event that a permit or an amendment to a bylaw is denied, the Director of Planning and Development or their designate will notify the applicant in writing within thirty (30) days immediately following the date of the decision.

11. **Re-application**

- (1) Unless an exception has been made pursuant to Section 11(2), an applicant who has been denied a bylaw amendment or a permit pursuant to this bylaw may re-apply, except that the application will not be considered by the Board until six (6) months immediately following the date of decision.
- (2) The time limit specified in subsection (1) may be varied in relation to a specific re-application by an affirmative vote of at least two-thirds (2/3) of Board members.
- (3) Pursuant to Section 921(13) of the *Local Government Act* a person to whom a temporary commercial or industrial use permit has been issued may apply to have the permit renewed. The permit may be renewed only once.

12. **Public Notice**

- (1) The public notice requirements for applications to amend an official community plan bylaw, to amend a zoning bylaw, to issue a permit, or to amend a permit are prescribed in Part 26 of the *Local Government Act* as follows:

Application Type	Local Government Act Section
Official Community Plan Bylaw Amendment	892
Zoning Bylaw Amendment	892
Temporary Commercial and Industrial Use Permit	892 & 921
Development Variance Permit	922

- (2) For any application type noted in Section 12(1) requiring mailed notification, the notice shall be mailed or otherwise delivered to the owners and occupants of parcels located within 60 metres (200 feet) of the subject land.

- (3) In the case of an application for:
- a. a development permit involving a proposed variance to a zoning bylaw regulation;
 - b. a temporary commercial or industrial use permit;
 - c. a site-specific application to amend an official community plan or zoning bylaw,
- the applicant shall erect or cause to be erected on the subject land a notification sign, which is constructed and installed in accordance with the requirements set out in Schedule 'B' attached hereto and forming part of this bylaw.

13. **Application Closure***
- (1) Where the Board tables an application pending further information pursuant to Section 9, if the information requested has not been received by the Regional District of Kootenay Boundary within 365 days of the date of the tabling resolution, the application will lapse and will be closed.
 - (2) An extension to the application closure date referenced in subsection (1) may be granted by a resolution of the Board upon receipt of a written request from the applicant, received no less than 60 days prior to the application closure date, if the Board deems that the extension is warranted due to special circumstances restricting the applicant from providing the information within the specified time period.

READ A FIRST TIME this 25th day of March, 2004.

READ A SECOND TIME this 25th day of March, 2004.

READ A THIRD TIME this 25th day of March, 2004.

I hereby certify the foregoing to be a true and correct copy of Bylaw No. 1231 cited as "Regional District of Kootenay Boundary Fees and Procedures Bylaw No. 1231, 2004" as read a third time by the Regional District of Kootenay Boundary Board of Directors this 25th day of March, 2004.

Chief Administrative Officer\
Corporate Administrator

RECONSIDERED AND FINALLY ADOPTED this 25th day of March , 2004.

Chief Administrative Officer\
Corporate Administrator

I HEREBY CERTIFY that this is a true and correct copy of Regional District of Kootenay Boundary Procedures and Fees Bylaw No. 1231, 2004.

Chief Administrative Officer/
Corporate Administrator

* Amendment Bylaw No. 1495; November 24, 2011
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Schedule A

Application and Sign Fee Schedule

OCP and Bylaw Amendments for Electoral Areas A, B, C, and D:

	Fee	Refunds
Zoning Bylaw Amendment	\$1000	50% ¹
Official Community Plan Amendment	\$1000	50% ¹
Zoning and OCP Amendment	\$1200	50% ¹

¹ If the application is denied before proceeding to a public hearing

OCP and Bylaw Amendments for Big White:

	Fee	Refunds
Zoning Bylaw Amendment	\$1600	50% ¹
Official Community Plan Amendment	\$1600	50% ¹
Zoning and OCP Amendment	\$1800	50% ¹

¹ If the application is denied before proceeding to a public hearing

Development Permits at Big White:

	Fee	Refunds
Development Permit	\$200	Non refundable
Development Permit Amendment	\$50	Non refundable
Landscape Reclamation Plan	\$100	Non refundable

Development Permits Not Including Big White:

	Fee	Refunds
Development Permit	\$200	Non refundable
Development Permit Amendment	\$50	Non refundable

Permits in Non-Permit Areas:

	Fee	Refunds
Development Variance Permit	\$450	Non refundable

Temporary Commercial or Industrial Use Permits:

	Fee	Refunds
Temporary Commercial or Industrial Use Permit	\$650	Non refundable
Temporary Commercial or Industrial Use Permit Renewal	\$200	Non refundable

Board of Variance:

	Fee	Refunds
Board of Variance	\$450	Non refundable

*Site Specific Floodplain Management Bylaw Exemptions:

	Fee	Refunds
Site-specific floodplain management bylaw exemptions	\$200	Non refundable

**Designation of Heritage Properties

	Fee	Refunds
Designation of Heritage Properties	\$1,000	Non refundable

Signs:

	Fee	Refunds
Sign board and preparation of text	\$100	\$70 if returned in good condition

* Amendment Bylaw No. 1244; July 30, 2004

** Amendment Bylaw No. 1296; January 26, 2006

Schedule B

Development Proposal Sign Requirements

Signs are required for notification of public hearings for amendments to Official Community Plans and Zoning Bylaws, Development Permits with Variance and Development Variance Permits.

Content:	The purpose of the sign is to inform the public about the nature of the development proposal and how they may provide input. The actual wording shall have the prior approval of the Regional District Planning Department. The sign shall include a title, applicants name, location of development, parcel area, type of application, legal description, purpose of application, ALR status, zoning, OCP designation, development permit area designation and how to contact the Regional District for further information. A sample sign (not to scale) follows.
Posting:	It is the responsibility of the applicant to make, buy or rent the required sign(s) and to post the same. The Regional District has a number of signs available to applicants, and can prepare the required accompanying text. The cost of the sign and refund policy are specified in Schedule A. The applicant must prove, to the satisfaction of the Board of Directors, that the required sign(s) have been erected in accordance with this Bylaw. An acceptable form of proof may include photograph(s) of the sign(s) on the subject property.
Specifications:	Sign(s) shall be 1m×1m or larger and constructed of a durable weatherproof material with a yellow background with black lettering in plain bold text such as Arial. The colour of the background may be other than yellow provided that the prior approval of the Planning Department has been obtained.
Locations:	A sign shall be located on each side of the subject property, which has frontage onto a public road; however, one sign may be sufficient on small corner lots. The sign(s) shall be clearly visible from the street, fixed to the ground not less than 1.2 metres above the surface of the ground, and within 3m of the fronting street.
*Timing:	<div>a) For all bylaw amendments: The sign(s) must be erected on the subject property seven (7) days prior to the date that the Advisory Planning Commission reviews the application, and must remain in place up to and including the date of the public hearing.</div> <div>b) For Development Permit applications at Big White and all other areas: The sign(s) must be erected on the subject property seven (7) days prior to the date that the Advisory Planning Commission reviews the application and must remain in place until the permit is issued.</div>
Penalty:	Failure to install the sign(s) according to these requirements will result in a delay in the processing of the application. In the case of an application necessitating a Public Hearing, any costs associated with the postponement of the Public Hearing due to failure of the applicant to comply with the requirements of this Bylaw shall be paid for by the applicant.

* Amendment Bylaw No. 1278, July 28, 2005 (replacing original text regarding “timing”)

Sample Showing required Content of Notice of Development Signs:

Recommended Text Sizes:

Title "Notice of Development Proposal"	7 cm (minimum)
All Other Headings	5 mm (minimum)
All Other Lettering	4 mm (minimum)

The following is a sample sign (not to scale):

**NOTICE OF
DEVELOPMENT
PROPOSAL**

APPLICANT:

LOCATION:

PARCEL AREA:

TYPE OF APPLICATION:

LEGAL DESCRIPTION:

PURPOSE OF APPLICATION:

ALR STATUS:

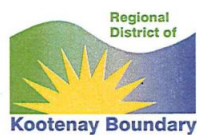
ZONING:

OCP DESIGNATION:

DEVELOPMENT PERMIT AREAS:

FOR FURTHER INFORMATION, PLEASE CONTACT:

PLANNING DEPARTMENT
REGIONAL DISTRICT OF KOOTENAY BOUNDARY
TELEPHONE: (250) 368-9148
OR
1-800-355-7352



REGIONAL DISTRICT OF KOOTENAY BOUNDARY

Bylaw No. 1535

A bylaw to provide for and create Advisory Planning Commissions and define the duties thereof within the Regional District of Kootenay Boundary, pursuant to Part 26 of the *Local Government Act*.

WHEREAS, pursuant to Letters Patent dated the 22nd day of February 1966, the Regional District of Kootenay Boundary was granted the provisions of Sections 795 to 798 D inclusive of the *Municipal Act*”;

AND WHEREAS, pursuant to Section 898(2) of the *Local Government Act* the Regional Board shall establish one or more Advisory Planning Commissions representing the area or areas not included within the boundaries of a city, district, town or village municipality;

AND WHEREAS, the Regional Board deems it advisable to appoint Advisory Planning Commissions for each of Electoral Areas ‘A’, ‘B’, ‘C’, ‘D’ & ‘E’ (excluding Big White) and “E’ Big White of the Regional District of Kootenay Boundary in order to receive advice on those matters falling within the scope of the *Local Government Act*;

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

1. There shall be established in each Electoral Area of the Regional District of Kootenay Boundary, an Advisory Planning Commission, each know as follows:

Electoral Area ‘A’ – Area ‘A’ Advisory Planning Commission;
Electoral Area ‘B’ – Area ‘B’ Advisory Planning Commission;
Electoral Area ‘C’ – Area ‘C’ Advisory Planning Commission;
Electoral Area ‘D’ – Area ‘D’ Advisory Planning Commission;
Electoral Area ‘E’ – Area ‘E’ (Except Big White) Advisory Planning Commission;
Electoral Area ‘E’ – (Big White) - Big White Advisory Planning Commission.

(Herein referred to as Commission or Commissions, as the case may be.)
2. The maximum number of members of each Commission shall be no more than fourteen (14) persons.
3. The minimum number of members of each Commission shall be no less than three (3) persons.
4. No person shall be appointed to membership in a Commission who is an employee of the Regional District.
5. Prospective appointees to a Commission shall be proposed by the Electoral Area Director of the Electoral Area concerned and such proposal shall be either confirmed or rejected by the Regional District Board, and if confirmed, such confirmation shall be by resolution of the Regional District Board.

- 6. Each person appointed to a Commission shall hold office until December 31st in each year or until his successor is appointed, but such person may be appointed for a further term or terms.
- 7. Members of Commissions shall serve without remuneration, save and except for incidental expenses incurred while carrying out the duties of a member of the Commission.
- 8. At the first meeting of the Commission held in each year, members shall elect from among their members, a Chair and a Secretary, who shall hold office until their successors have been elected.
- 9. Upon the death or resignation of the Chair or Secretary, the members shall elect a successor to complete the term.
- 10.
 - (a) A quorum is a majority of the members of the Commission.
 - (b) A decision of the Commission shall be made by the majority of the members present at a meeting.
 - (c) The Chair or any two members may call a meeting of the Commission upon giving at least four days' notice to each member.
 - (d) Notice may be waived by consent of a majority of all the members.
- 11. Each Secretary shall keep necessary records of meetings and expenses and perform such other secretarial duties as may from time to time be required of the Commission.
- 12.
 - (a) Each Commission shall advise the Regional Board on such matters within the scope of Part 26 of the *Local Government Act* as may from time to time be referred to the Commission by the Regional Board.
 - (b) All reports and recommendations of the Commissions shall be forwarded to the Regional Board for their consideration.
 - (c) All reports and recommendations of the Commissions shall be transmitted to and received by the Regional District Board before being made public.
- 13. Bylaw No. 1461 "Regional District of Kootenay Boundary Advisory Planning Commission Bylaw No. 1461, 2011" is hereby repealed.
- 14. This Bylaw may be cited for all purposes as "Regional District of Kootenay Boundary Advisory Planning Commission Bylaw No. 1535, 2013".

Read a **FIRST** time this 29th day of August, 2013.

Read a **SECOND** time this 29th day of August, 2013.

Read a **THIRD** time this 29th day of August, 2013.

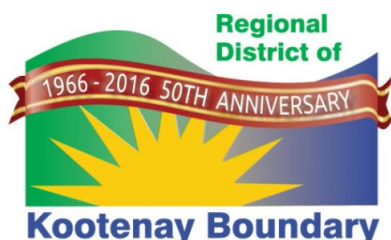
RECONSIDERED and finally adopted this 29th day of August, 2013.

Chair

Director of Corporate Administration

I, Elaine Kumar, Director of Corporate Administration of the Regional District of Kootenay Boundary, do hereby certify the foregoing to be a true and correct copy of Regional District of Kootenay Boundary Bylaw No. 1535 cited as "Regional District of Kootenay Boundary Advisory Planning Commission Bylaw No. 1535, 2013" as reconsidered and finally adopted this 29th day of August, 2013.

Director of Corporate Administration



Electoral Area Services Committee Staff Report

Prepared for meeting of November 10, 2016

Municipal Part 14 Planning Agreements

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

File No.
P-8

ISSUE INTRODUCTION

This report is a follow up regarding municipal Part 14 Planning Agreements presented to the Electoral Area Services Committee in September. At that meeting the Committee gave direction to staff to engage in discussions with the member municipalities regarding renewing or establishing Planning Agreements for cost sharing of Part 14.

HISTORY / BACKGROUND FACTORS

Staff has had discussions with each member municipality and the following have expressed interest in renewing the agreements:

- Fruitvale
- Grand Forks
- Montrose
- Rossland; and
- Trail

The municipalities of Greenwood, Midway and Warfield do not wish to enter into agreements.

IMPLICATIONS

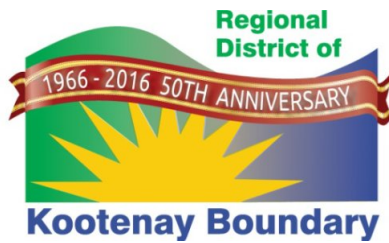
A continuation of the Planning Agreements for the five municipalities listed above will result in the following requisitions:

Municipality	2016 Annual Requisition	2016 Rate per km ²	2016 Area of Interest (km ²)	Increase from 2011 to 2016
Fruitvale	\$1,187	\$4.30	43.5	\$21.27
Grand Forks	\$1,732	\$13.20	55.5	\$64.46
Montrose	\$1,052	\$2.39	21.6	\$7.67
Rossland	\$1,792	\$13.11	60.4	\$79.90
Trail	\$2,064	\$34.22	31.1	\$114.54

RECOMMENDATION

That the Electoral Area Services Committee endorses the Agreements for Cost Sharing of Part 14 Services and recommends to the Board of Directors that the Agreements for Cost Sharing of

Part 14 Services with the City of Trail, City of Grand Forks, City of Rossland, Village of Fruitvale, and Village of Montrose be signed and forwarded to the respective municipalities for execution.



Electoral Area Services Committee Staff Report

Prepared for meeting of November 10, 2016

Regulations for Application of Biosolids on ALR Lands
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<i>Report Prepared by:</i> Donna Dean, Manager of Planning and Development	<i>File No.</i> A-3
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ISSUE INTRODUCTION

The Board of Directors requested that staff investigate regulations regarding application of biosolids on ALR land. This issue is also closely tied to regulations regarding composting of municipal sewage sludge.

HISTORY / BACKGROUND FACTORS

The use of biosolids as a soil amendment has been raised as a concern by other local governments where land owners in their jurisdiction accept biosolids from larger municipalities. Biosolids are used as a soil amendment to add organic matter and nutrients to soil; however members of the public in those areas expressed concern regarding health and environment and communication to the public regarding their use.

Biosolids are “stabilized municipal sewage sludge resulting from a municipal waste water treatment process or septage treatment process which has been sufficiently treated to reduce pathogen densities and vector attraction to allow the sludge to be beneficially recycled in accordance with the requirements of this (*Organic Matter Recycling*) regulation”;

The Organic Matter Recycling Regulation (OMRR) divides biosolids into either Class A or Class B depending on pathogen reduction and quality among other factors. Class B biosolids, which are of a lower quality, must not be land applied in a watershed used as a permitted water supply under the Drinking Water Protection Regulation.

Biosolids in the Agricultural Land Reserve (ALR)

The following activities are designated as farm use in the Agricultural Land Reserve Use, Subdivision and Procedure Regulation and therefore cannot be prohibited by local government bylaws:

- the application of compost and biosolids produced and applied in compliance with the Organic Matter Recycling Regulation, B.C. Reg. 18/2002;
- the production, storage and application of compost from agricultural wastes produced on the farm for farm purposes in compliance with the Agricultural Waste Control Regulation, B.C. Reg. 131/92;

Therefore municipal sewage sludge, which has been stabilized into biosolids according to the OMRR at another location may be applied on ALR land, but cannot be composted/stabilized into biosolids in the ALR.

Biosolids on non-ALR lands

For non-ALR lands there is nothing to prohibit the application of compost and biosolids produced and applied in compliance with the OMRR. The production of biosolids by a composting process can however be prohibited where a zoning bylaws is in place. For example in Electoral Areas 'A' and 'B'/Lower Columbia-Old Glory the general regulations allow "a facility for composting of organic waste operated by or with the consent of the RDKB pursuant to an approved Solid Waste Management Plan" to operate the their boundaries.

In Electoral Area 'C'/Christina Lake the definition for 'manufacturing' specifically excludes gasification industries that use compost or other biomass for fuel. The remaining zoning bylaws are silent regarding composting with the exception of the Mt. Baldy Zoning Bylaw, which allows a 'composting facility' in the Industrial 1 Zone.

IMPLICATIONS

There is limited opportunity to regulate the application of biosolids on ALR or non-ALR land provided the OMRR is followed; however there is an opportunity to regulate commercial composting.

In April of this year, the Province announced the province-wide review of the Organic Matter Recycling Regulation and that process is ongoing.

RECOMMENDATION

That the staff report regarding 'regulations for application of biosolids on ALR land' be received.

M E M O R A N D U M				
TO:	Director Ali Grieve, Area "A"			
FROM:	Deep Sidhu - Financial Services Manager			
RE:	Grants-In-Aid 2016			
Balance Remaining from 2015				\$ 1,050.00
2016 Requisition				31,469.00
Less Board Fee 2016				(1,169.00)
Total Funds Available:				\$ 31,350.00
RESOLUTION #	DATE	RECIPIENT	DESCRIPTION	AMOUNT
33-16	Jan-16	Beaver Valley Nite Hawks	Board ad/1/2 page program ad	\$ 1,300.00
33-16		Champion Lakes Golf & Country Club	Renewal of Tee Box sign	\$ 210.00
33-16		Beaver Valley Skating Club	Assistance with costs	\$ 250.00
33-16		Beaver Valley Recreation	Senior's Dinner 2016	\$ 1,100.00
88-16	Feb-16	BC Seniors Games Zone 6	Assist with participation in games	\$ 400.00
88-16		Beaver Valley May Days	Assistance with costs for May Days	\$ 4,000.00
88-16		BV Cross Country Ski Club	Trail & Shelter maintenance & repair	\$ 1,000.00
88-16		Trail & District Public Library	Ordinary Lives: Extraordinary Times Exhibit	\$ 200.00
88-16		J.L. Crowe Secondary School	Memorial Award - Memory of Fallen Firefighters	\$ 750.00
116-16	Mar-16	Trail Pipe Band	Spring Fling 2016	\$ 1,000.00
116-16		West Kootenay Science Fair	Annual W.K. Regional Science Fair	\$ 200.00
116-16		Beaver Valley Softball	Rebuilding of Junior Girls Program	\$ 700.00
116-16		Village of Fruitvale	Community train for BV May Days & Jingle Down Main Street	\$ 2,000.00
116-16		Beaver Valley Communities in Bloom	Flowers & Maintenance for the Village of Fruitvale communities in bloom	\$ 2,500.00
116-16		Village of Montrose	60th Anniversary/Family Fun Days Celebrations	\$ 600.00
-	Feb-16	Woodstove Exchange Program	top up	\$ 100.00
152-16	Apr-16	BV Avalanche Hockey Club	Annual tournament - KBRHF fundraiser	\$ 1,000.00
152-16		Bike to Work Kootenay's	Annual "Bike to Work" week	\$ 1,000.00
152-16		2016 Canadian Jumpstart Charity Golf Tournament	Birdie sponsorship	\$ 500.00
194-16	May-16	Western Communities Foundation	Meet office goal	\$ 300.00
355-16	Sep-16	Beaver Valley Dynamic Aging Society	Sip & Sparkle Ladies Nigh Diamond Dinner	\$ 1,000.00
	Oct-16	Fruitvale Community Chest	Xmas Food Hampers	\$ 1,500.00
		Friends of the BV Public Library	new Early Literacy Computer for children	\$ 1,500.00
		Beaver Valley Nitehawks	Operating Budget Contribution	\$ 1,300.00
		Kootenay Columbia Educational Heritage S	Convert Photograph Collection to Digital	\$ 300.00
		Trail Historical Society and Trail & District F	Furniture/Fixtures Riverfront Centre	\$ 1,500.00
Total				\$ 26,210.00
BALANCE REMAINING				\$ 5,140.00

M E M O R A N D U M				
TO:	Director Linda Worley, Electoral Area 'B'/ Lower Columbia-Old Glory			
FROM:	Deep Sidhu - Financial Services Manager			
RE:	Grants-In-Aid 2016			
Balance Remaining from 2015				\$ 6,245.79
2016 Requisition				22,745.00
Less Board Fee 2016				(845.00)
Total Funds Available:				\$ 28,145.79
RESOLUTION #	DATE	RECIPIENT	DESCRIPTION	AMOUNT
33-16	Jan-16	Beaver Valley Skating Club	Gold Level Sponsorship - Regional's	\$ 500.00
33-16		Scott Hutcheson, Trail Traditional Karate	Karate Team attending BC Winter Games	\$ 1,575.00
33-16		Trail Harmony Choir	Assistance with costs	\$ 500.00
33-16		Christina Gateway CFD	Maintenance on Gordon Keir cabin	\$ 500.00
88-16	Feb-16	BC Seniors Games Zone 6	Assist with participation in games	\$ 750.00
88-16		Trail & District Public Library	Ordinary Lives: Extraordinary Times Exhibit	\$ 500.00
88-16		J.L. Crowe Secondary School	Memorial Award - Memory of Fallen Firefighters	\$ 750.00
88-16		West Kootenay Smoke "N" Steel	Rental of outdoor movies - for car show June 18	\$ 4,000.00
88-16		Columbia Basin Environmental Education Network	Funding for 'Wild Voices for Kids' 2016	\$ 500.00
116-16	Mar-16	Scouts Canada - 1st Beaver Valley	Scout's Queens Award Ceremony	\$ 750.00
116-16	Mar-16	West Kootenay Science Fair	Annual W.K. Regional Science Fair	\$ 500.00
116-16		Trail Pipe Band	Spring Fling 2016	\$ 1,000.00
-	Feb-16	Woodstove Exchange program	top up	\$ 250.00
152-16	Apr-16	Bike to Work Kootenay's	Annual "Bike to Work" week	\$ 1,000.00
152-16		2016 Canadian Jumpstart Charity Golf Tournament	Birdie sponsorship	\$ 500.00
152-16		H.E.A.R.T. Rescue	Rescue trips to Alberta - fuel costs	\$ 1,000.00
	May-16	Bonnie Szekely	Woodstove Exchange top up	\$ 250.00
194-16	May-16	Rossland Golden City Days	assistance with costs - annual event	\$ 1,000.00
231-16	Jun-16	Kootenay Columbia Learning Centre	2016 KCLC Scholarship program	\$ 750.00
231-16		Sunshine Children's Centre	installation of an awning over sandbox	\$ 1,500.00
271-16	Jul-16	JL Crowe Secondary School Outdoor Education Academy	Purchase of canoes for students	\$ 1,750.00
	Oct-16	Kootenay Columbia Educational Heritage Society	Convert Photograph Collection to Digital	\$ 500.00
		Trail Historical Society and Trail & District Park	Furniture/Fixtures Riverfront Centre	\$ 3,000.00
Total				\$ 23,325.00
BALANCE REMAINING				\$ 4,820.79

M E M O R A N D U M				
TO:	Director Grace McGregor, Electoral Area 'C'/Christina Lake			
FROM:	Deep Sidhu, Financial Services Manager			
RE:	Grants-In-Aid 2016			
Balance Remaining from 2015				\$ 4,613.47
2016 Requisition				60,549.00
Less Board Fee 2016				(2,249.00)
Total Funds Available:				\$ 62,913.47
RESOLUTION #	DATE	RECIPIENT	DESCRIPTION	AMOUNT
33-16	Jan-16	Christina Gateway CDF	Winterfest 2016 expenses	\$ 1,000.00
33-16		C.L. Health-Care Auxiliary	Assistance with costs	\$ 1,500.00
88-16	Feb-16	Boundary Youth Soccer Association	assistance with costs	\$ 1,500.00
116-16	Mar-16	Christina Waterworks District	Information packages & ballots	\$ 1,200.00
116-16		C. L. Community Association	purchase & landscape vacant lot next to hall	\$ 1,500.00
116-16		Christina Lake Stewardship Society	annual clean up lake day	\$ 2,000.00
116-16		Christina Lake Stewardship Society	C.L. Watershed Annual Review	\$ 2,500.00
116-16		Candida Palmer	Start up costs for C.L. People for Protection of Parks Society	\$ 250.00
116-16		West Kootenay Science Fair	Annual W.K. Regional Science Fair	\$ 200.00
152-16	Apr-16	Christina Lake Boat Access Society	Annual "Dump Day" cleanup	\$ 400.00
	May-16	Louise Bryden	Woodstove Exchange top up(2)	\$ 200.00
194-16	May-16	Grand Forks & District Public Library	Kids Summer Reading Program	\$ 780.00
194-16		Christina Lake Ladies Golf Club	C.L. Ladies Golf open tournament	\$ 300.00
194-16		Boundary Country Regional Chamber	assistance with Boundary events	\$ 2,500.00
194-16		G.F. International Baseball	sponsorship of annual baseball tournament	\$ 1,250.00
194-16		Little Lakers Learning Centre Society	Purchasing of furniture & equipment	\$ 1,000.00
194-16		C.L. Arts & Artisans Society	promotion of yearly performance series	\$ 3,500.00
194-16		Christina Gateway Develop. Assoc.	community advertising both print & digital	\$ 3,844.37
194-16		Christina Gateway Develop. Assoc.	Cops for Kids riders	\$ 500.00
194-16		Christina Gateway Develop. Assoc.	Community celebrations & Annual Homecoming	\$ 10,000.00
194-16		C.L. Parks & Recreation	Annual Triathlon event	\$ 1,000.00
231-16	Jun-16	C.L. Recreation Commission	1st Annual Pickleball Tournament	\$ 1,000.00
271-16	Jul-16	Christina Lake Community Association	rental of hall by non-profits	\$ 1,500.00
355-16	Sep-16	Christina Lake Community Association	installation of street light at playground area	\$ 1,000.00
355-16		Columbia & Western Trail Society	emergency maintenance on Coryell area of trail	\$ 2,000.00
355-16		Grand Forks ATV Club	hosting of three events at each staging site	\$ 2,000.00
355-16		C.L. FireFighters Society	annual Halloween Fireworks display	\$ 2,000.00
	Oct-16	Grand Forks ATV Club	Slide show Presentation for Rotary by C. Zorn	\$ 300.00
		Columbia Basin Alliance for Literacy	Writing Out Loud (GF/Midway/Christina Lake)	\$ 850.00
	Nov-16	Woodstove Exchange Program	Exchange Top-up (Krauss)	\$ 100.00
Total				\$ 47,674.37
BALANCE REMAINING				\$ 15,239.10

M E M O R A N D U M				
TO:	Director Roly Russell, Electoral Area 'D'/Rural Grand Forks			
FROM:	Deep Sidhu - Financial Services Manager			
RE:	Grants-In-Aid 2016			
Balance Remaining from 2015				\$ 18,925.73
2016 Requisition				38,427.00
Less Board Fee 2016				(1,427.00)
Total Funds Available:				\$ 55,925.73
RESOLUTION #	DATE	RECIPIENT	DESCRIPTION	AMOUNT
33-16	Jan-16	City of Grand Forks	Family Day Activates expenses	\$ 500.00
33-16		Community Futures Boundary	Cultural Activity - Author Lawrence Hill	\$ 1,500.00
33-16		G.F. Boundary Agricultural/Danna O'Donne	Registration fee for BCAFM's AGM	\$ 271.33
88-16	Feb-16	Boundary Youth Soccer Association	Assistance with costs	\$ 2,000.00
152-16	Apr-16	G.F. Boundary Regional Agricultural	Strategic Plan & AGM expenses	\$ 2,000.00
152-16		Grand Forks Citizens on Patrol	Purchase of Communication Radios	\$ 1,030.40
152-16		Boundary Women's Softball League	Assistance with Umpire clinic	\$ 1,000.00
194-16	May-15	Boundary Museum Society	Protection of G.F. Gazette newspaper collection	\$ 500.00
194-16		Whispers of Hope	New fridge for soup kitchen	\$ 800.00
194-16		Boundary Country Regional Chamber	assistance with Boundary events	\$ 2,500.00
194-16		G.F. & District Fall Fair Society	sponsorship & support of annual fall fair	\$ 3,500.00
194-16		G.F. International Baseball	sponsorship of annual baseball tournament	\$ 2,500.00
194-16		Grand Forks & District Public Library	Kids Summer Reading Program	\$ 780.00
231-16	Jun-16	Boundary Community Food Bank	Assistance with moving computer based operations	\$ 900.00
231-16		School District No 51	2016 Scholarship for students moving on to post secondary	\$ 150.00
231-16		Granby Wilderness Society	Stewardship for species at risk	\$ 2,000.00
	Oct-16	Columbia Basin Alliance for Literacy	Writing Out Loud (GF/Midway/Christina Lake)	\$ 850.00
		Rotary Club of Grand Forks	Halloween Fireworks/Bondfire @ Angus McDonald Park	\$ 2,000.00
		Boundary Historical Society	Upgrades to Phoenix Cemetery	\$ 2,000.00
Total				\$ 26,781.73
Balance Remaining				\$ 29,144.00

M E M O R A N D U M				
TO:	Director Vicki Gee, Electoral Area 'E'/ West Boundary			
FROM:	Deep Sidhu, Financial Services Manager			
RE:	Grants-In-Aid 2016			
Balance Remaining from 2015				\$ 18,354.86
2016 Requisition				86,618.00
Less Board Fee 2016				(3,218.00)
Total Funds Available:				\$ 101,754.86
RESOLUTION #	DATE	RECIPIENT	DESCRIPTION	AMOUNT
33-16	Jan-16	Phoenix Mountain Alpine Ski Society	Mountain Youth Ski program - equip.	\$ 1,000.00
33-16		Midway Ladies Hockey	Assistance with costs	\$ 1,000.00
33-16		Trails to the Boundary Society	Assistance with Consultants costs	\$ 1,000.00
88-16	Feb-16	Boundary Youth Soccer Association	Assistance with costs	\$ 2,000.00
88-16		West Boundary Martial Arts Club	Support to offset operational costs	\$ 3,000.00
88-16		Riverside Artists Society	Fourth Annual Art Show	\$ 500.00
88-16		Midway Community Association	Financial assistance - Midway & Beyond Little Theatre	\$ 1,612.11
88-16		Discover Rock Creek	2 Members to Attend BCAFM AGM	\$ 382.84
88-16		People in Motion - Kelowna & District	Adaptive Skiing & Snowboarding	\$ 1,000.00
88-16		Kettle River Lions Club	Sponsor community wide 'Fire Smart' initiative	\$ 2,000.00
116-16	Mar-16	Rock Creek Community Medical Society	Emergency First Aid/CPR/AED Course x 2	\$ 200.00
116-16		Greenwood Board of Trade	Canada Day & Founders Day celebrations	\$ 1,500.00
116-16		Midway Community Association	Costs for Yoga Instructor	\$ 500.00
116-16		Boundary Secondary School/PAC	3 people to attend Okanagan Film Fundamentals	\$ 944.79
116-16		Westbridge Recreation Society	replacement of 20 old heady wooden tables	\$ 2,194.08
116-16		West Kootenay Science Fair	Annual W.K. Regional Science Fair	\$ 200.00
-	Feb-16	Woodstove Exchange Program	top ups	\$ 400.00
152-16	Apr-16	Kettle River Museum	Destination BC usage of Bunk House	\$ 2,000.00
152-16		Bridesville Community Club	First Aid Course - Sonya Miller	\$ 100.00
152-16		Discover Rock Creek	Emergency First Aid - one member	\$ 100.00
152-16		Kettle River Seniors Association	Two members - First Aid Course	\$ 200.00
152-16		City of Greenwood	operation of municipal pool	\$ 4,500.00
152-16		Rock Creek & Boundary Fair Association	Director Lindquist - Emergency First Aid course	\$ 100.00
152-16		Boundary Women's Softball League	Liability Coverage & league tournament costs	\$ 1,000.00
152-16		Main River Women's Institute	assistance with "Sustaining Our Headwaters" Forum	\$ 100.00
152-16		Main River Women's Institute	Member attending Emergency First Aid Course	\$ 100.00
194-16	May-16	B.W. Mountain Community Dev. Ass.	Plan, install & maintain Community Garden	\$ 4,000.00
194-16		B.W. Mountain Community Dev. Ass.	Startup costs for formation of non profit	\$ 1,200.00
194-16		Kettle Valley Golf Club	Junior Golf Program for Elementary students	\$ 1,400.00
194-16		West Boundary Sustainable Foods	one member for Emergency First Aid	\$ 100.00
194-16		Boundary Country Regional Chamber	assistance with Boundary events	\$ 2,500.00
194-16		Kettle River Stockmen's Association	Hosting of BC Cattlemen's' convention & annual meeting	\$ 250.00
194-16		Westbridge Recreation Society	Sponsor Mary-Ann Dennis for Emergency first aid	\$ 100.00
194-16		Kettle River Watershed Coordinator	assistance with costs of Head Water Forum	\$ 1,500.00
231-16	Jun-16	Boundary Community Food Centre	Assistance with moving computer based operations	\$ 450.00
231-16		B.W. Mountain Community Develop. Assoc.	Recruitment of part-time grants co-ordinator	\$ 3,000.00
231-16		Kettle River Lions Club	Food safe Level One Certification course	\$ 110.00
231-16		King of Kings Church	2 - Food safe course	\$ 110.00
271-16	Jul-16	Westbridge Recreation Society	Floor sanded & refinished & game lines replaced	\$ 5,800.00
271-16		Granby Wilderness Society	Stewardship for species at risk	\$ 2,000.00
271-16		B.W. Fire Department Auxiliary	rehabilitation food for firefighters	\$ 500.00
271-16		Beaverdell Community Club	Food safe Level One Certification course	\$ 110.00
322-16	Aug-16	BC Conservation Foundation	WildSafeBC Coordinator to attend Fall Fair to deliver program	\$ 815.00
322-16		Beaverdell Community Club	Reimbursement of printing rack cards for tourism	\$ 229.60
322-16		Boundary Invasive Species Society	Completing aquatic invasive species surveys	\$ 1,500.00
322-16		Rock Creek Women's Institute	two members to attend Food Safe	\$ 110.00
322-16		Trails to the Boundary Society	Business Devel. Meeting to support bicycle tourism in Boundary	\$ 500.00
355-16	Sep-16	Discover Rock Creek	Printing of "Top 10 Things to Do in Rock Creek" rack cards	\$ 89.25
355-16		Kettle River Lions Club	Thank you Barbeque for all that assisted with 2015 wildfire	\$ 750.00
	Oct-16	Columbia Basin Alliance for Literacy	Writing Out Loud (GF/Midway/Christina Lake)	\$ 850.00
		West Boundary Elementary School PAC	Bike Helmets, Tools, & Equipment for Bike-Riding Program	\$ 1,500.00
		King of Kings New Testament Church	Food Prep & Distrubution @ The Bridge Drop-in Centre	\$ 500.00
		Greenwood Evangel Chapel	Distribution Healthy Food @ West Boundary Food Bank	\$ 500.00
		West Boundary Sustainable Foods & Resource Soc	Hamburge Cow and Other Proteins & Gas Cards for Volunteers	\$ 3,000.00
		Midway Community Association	Contribution towards Instruction of 16 Yoga Classes @ Midway Hall	\$ 500.00
	Nov-16	Woodstove Exchange Program	Exchange Top-up (Broadhurst)	\$ 100.00
Total				\$ 61,707.67
Balance Remaining				\$ 40,047.19

**Regional District of Kootenay Boundary
Status Report - Gas Tax Agreement
November 2, 2016**

ELECTORAL AREA 'A'

	Description	Status	Allocation	
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Revenue:

Per Capital Allocation of Gas Tax Grant:

Allocation to Dec 31, 2007	Received	\$	96,854.94
Allocation to Dec 31, 2008	Received		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

Expenditures:

Approved Projects:

2009	Columbia Gardens Water Upgrade	Completed	\$	250,000.00
2011	South Columbia SAR Hall	Completed		2,665.60
281-13	BV Family Park - Solar Hot Water	Funded		16,684.00
	BV Family Park - Solar Hot Water	Pending or		
		Committed		11,316.00
451-13	Beaver Valley Arena - Lighting	Funded		69,000.00
26-14	LWMP Stage II Planning Process	Funded		805.88
		Pending or		
17-15	Beaver Creek Park - Band Shell/Arbour	Committed		100,000.00

TOTAL SPENT OR COMMITTED

\$ 450,471.48

TOTAL REMAINING

\$ 395,305.06

**Regional District of Kootenay Boundary
Status Report - Gas Tax Agreement
November 2, 2016**

ELECTORAL AREA 'B' / LOWER COLUMBIA/OLD GLORY



	Description	Status	Allocation	
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Revenue:

Per Capital Allocation of Gas Tax Grant:

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, 2010	Received		64,017.00
Allocation to Dec 31, 2011	Received		64,010.00
Allocation to Dec 31, 2012	Received		65,936.00
Allocation to Dec 31, 2013	Received		65,907.41
Allocation to Dec 31, 2014	Received		64,169.02
Allocation to Dec 31, 2015	Received		64,169.02
Allocation to Dec 31, 2016	Estimated		66,329.94

TOTAL AVAILABLE FOR PROJECTS

\$ 621,616.78

Expenditures:

Approved Projects:

8547	GID - Groundwater Protection Plan	Completed	\$	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
	Genelle Imp. District - Water Reservoir	Pending or		
		Committed		31,250.00
263-14	Oasis Imp. District - Water Well	Completed		34,918.00
	Castlegar Nordic Ski Club (Paulson Cross			
251-15	Country Ski Trail Upgrade)	Funded		10,000.00
	Black Jack Cross Country Ski Club Society			
252-15	(Snow Cat)	Funded		10,000.00
	Rivervale Water & Streetlighting Utility (LED			
253-15	Streetlights)	Funded		14,417.00
254-15	Rivervale Oasis Sewer Utility (Flow Meters)	Funded		90,000.00
	Rivervale Oasis Sewer Utility - RDKB (Wemco	Pending or		
190-16	Booster Pumps)	Committed		88,159.66
		Pending or		
221-16	Area 'B' Recreation - RDKB (Rivervale Shed)	Committed		9,000.00

TOTAL SPENT OR COMMITTED

\$ 587,167.33

TOTAL REMAINING

\$ 34,449.45

Status Report - Gas Tax Agreement Electoral Area 'C' / Christina Lake			
361-15	Christina Lake Community Association (Design & Installation Make-Up Air System)	Pending or Committed	4,250.00
	Christina Lake Boat Access Society (Redesign Texas Point Boat Launch Parking)	Funded	22,500.00
	Christina Lake Boat Access Society (Redesign Texas Point Boat Launch Parking)	Pending or Committed	7,500.00
80-16	Christina Lake Community Association (Installation Make-Up Air System Shortfall)	Funded	5,111.25
	Christina Lake Community Association (Installation Make-Up Air System Shortfall)	Pending or Committed	1,703.75
266-16	RDKB (Boundary Agricultural & Food Project)	Pending or Committed	2,129.71
269-16	RDKB C.L. Solar Aquatic System (Plant Rack)	Funded	7,384.83
	RDKB C.L. Solar Aquatic System (Plant Rack)	Pending or Committed	115.17
TOTAL SPENT OR COMMITTED			\$ 471,390.79
TOTAL REMAINING			\$ 152,827.66

**Regional District of Kootenay Boundary
Status Report - Gas Tax Agreement
November 2, 2016**

ELECTORAL AREA 'D' / RURAL GRAND FORKS



	Description	Status	Allocation	
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Revenue:

Per Capital 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 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 Committed	17,251.85
417-13	Kettle River Watershed (Granby Wilderness Society)	Funded	2,000.00
		Pending or Committed	
2010	Boundary Museum Society - Phase 1	Completed	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
7-16	RDKB (Hardy Mountain Doukhobor Village)	Funded	38,165.19
	Grand Forks Aquatic Center (LED Lights for Natatorium)	Funded	9,089.83
144-16	Grand Forks Aquatic Center (LED Lights for Natatorium)	Pending or Committed	1,640.17
180-16	Grand Forks BMX Society (Track Upgrade)	Funded	3,750.00
	Grand Forks BMX Society (Track Upgrade)	Pending or Committed	1,250.00
246-16	RDKB (Kettle River Heritage Trail)	Pending or Committed	100,000.00
266-16 (181-16)	RDKB (Boundary Agricultural & Food Project)	Pending or Committed	6,744.15
268-16	Grand Forks Community Trails Society (New Surface Trans Canada Trail Westend Station)	Funded	18,750.00
	Grand Forks Community Trails Society (New Surface Trans Canada Trail Westend Station)	Pending or Committed	6,250.00
293-16	Grand Forks Aquatic Center (Underwater LED Light Replacement)	Funded	10,145.92
	Grand Forks Aquatic Center (Underwater LED Light Replacement)	Pending or Committed	3,854.08

TOTAL SPENT OR COMMITTED

\$ 631,103.84

TOTAL REMAINING

\$ 775,811.18

Status Report - Gas Tax Agreements
Electoral Area 'E' / West Boundary

Regional District of Kootenay Boundary
Status Report - Gas Tax Agreement
November 2, 2016



ELECTORAL AREA 'E' / WEST BOUNDARY

	Description	Status	Allocation	
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Revenue:

Per Capital 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
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Expenditures:

Approved 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	} 28,500.00
8546E	2010 WBES - Nature Park (expanded)	Completed		15,000.00	
2009/10	Kettle Wildlife Association (heat pump)	Completed		35,000.00	
2010	Rock Creek Medical Clinic (windows/doors)	Completed		18,347.56	
2010	Kettle Valley Golf Club (Pumps)	Completed		24,834.63	} 41,368.00
2011	Kettle Valley Golf Club (Pumps)	Completed		10,165.37	
2011	Kettle Valley Golf Club (Pumps)	Completed		6,368.00	
2010	Rock Creek Fairground Facility U/G	Completed		14,235.38	} 44,000.00
2011	Rock Creek Fairground Facility U/G	Completed		22,764.62	
2011	Rock Creek Fairground Facility U/G	Completed		7,000.00	
2010/11	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	
2015	Kettle River Watershed Study	Funded		10,946.27	
	Kettle River Watershed Study	Pending or Committed		23,552.60	
417-13	Kettle River Watershed (Granby Wilderness Society)	Funded		2,000.00	
145-14	Rock Creek & Boundary Fair Association (Electrical Lighting & Equipment Upgrade)	Funded		35,122.00	
221-15	Greenwood Heritage Society (Zee Brick 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	

Status Report - Gas Tax Agreements Electoral Area 'E' / West Boundary			
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
81-16	Kettle Valley Golf Club (Pump House Renovation Project)	Funded	10,123.48
110-16	Kettle Wildlife Association (Parking/Water/Electrical Upgrades)	Funded	24,717.57
182-16	Rock Creek Community Medical Society (Roof and Floor Replacement RC Health Centre)	Funded	19,452.62
	Rock Creek Community Medical Society (Roof and Floor Replacement RC Health Centre)	Pending or Committed	6,484.21
183-16	Kettle Wildlife Association (Parking/Water/Electrical Upgrades Addiitonal)	Funded	0.01
	Kettle Wildlife Association (Parking/Water/Electrical Upgrades Addiitonal)	Pending or Committed	3,744.14
266-16	RDKB (Boundary Agricultural & Food Project)	Pending or Committed	14,233.14
TOTAL SPENT OR COMMITTED			\$ 616,229.68
TOTAL REMAINING			\$ 309,792.05