

ADMINISTRATIVE REPORT



TO: Board of Directors
FROM: J. Zaffino, Chief Administrative Officer
DATE: Select meeting date...
RE: Temporary Use Permit Application – Electoral Area “C” (C2022.022-TUP)

Administrative Recommendation:

THAT File No. C2022.022-TUP remain active until July 4, 2024 in order for the applicant to obtain necessary approvals from the Provincial government.

Legal: District Lot 548, SDYD, Surveyed as ‘White Swan’ Mineral Claim Not Included Within District Lot 331S, SDYD, Except Road on Plan 34109

Folio: C-03456.100

OCP: Large Holdings (LH) & Resource Area (RA) **Zone:** Large Holdings One (LH1) & Resource Area (RA)

Proposed Development:

This application is requesting the following uses on the subject property through the issuance of a Temporary Use Permit (TUP):

- Outdoor storage (e.g., boats, recreational vehicles, etc.);
- Residential and commercial (i.e., security/office space) use of one recreational vehicle; and,
- Residential use of one additional recreational vehicle.

In support of this proposal, the applicant has stated that the proposal is to use “approx. 4 acres (land area, out of sight). No buildings to be used for wet storage. Parking based on contracts and availability. 8 am – 6 pm”.

The applicant has further stated that the purpose of the proposal is to “generate funds to build a proper residence (as residence burned), and to comply with local bylaws, and to rezone”.

Site Context:

The subject property is approximately 11.6 ha in area and is bisected by Wilson Mountain Road. It is understood that the parcel is comprised of the subject recreational vehicles, and recent aerial imagery further indicates the presence of numerous accessory structures (see Attachment No. 1).

An approximately 0.87 ha portion of the property has already been cleared and prepared for the proposed outdoor storage use, not including a previously disturbed area associated with a mine road.

The surrounding pattern of development is generally characterised by large lot rural residential use, with Resource Area (RA) parcels to the south and southeast being generally undeveloped.

Background:**Previous Board Consideration**

At its meeting of November 16, 2023, the Regional District Board considered a request to extend their application in order to provide an outstanding environmental assessment (originally requested on November 17, 2022).

On November 14, 2023 (following the publication of the November 16, 2023 Board Meeting Agenda, and prior to the meeting), the applicant's Qualified Environmental Professional (QEP) submitted the required environmental assessment to the Regional District.

The Board subsequently resolved to postpone consideration of the Temporary Use Permit application until staff have reviewed [the] additional information.

Administration has since reviewed the submitted the environmental assessment, and following correspondence between staff and the QEP, an updated December 5, 2023 version of the environmental assessment was provided to staff.

Electoral Area "C" Official Community Plan Bylaw No. 2452, 2008

Under the Electoral Area "C" Official Community Plan (OCP) Bylaw No. 2452, 2008, the subject property contains lands designated as Environmentally Sensitive Development Permit (ESDP) and Watercourse Development Permit (WDP) Areas.

An ESDP and a WDP have not been issued for the development, and will be required regardless of the outcome of the application in order to formalize the land disturbance.

While a WDP for the land disturbance would ordinarily require the approval of the Province under the Riparian Areas Protection Regulation (RAPR), the earthworks have already taken place without the necessary Ministerial approvals.

Water Sustainability Act

Section 11 of the *Water Sustainability Act* requires authorizations from the Province in order to make changes in and about a stream. The Act defines a "stream" to mean a natural watercourse or a natural source of water supply which includes ponds and wetlands.

The applicant has not obtained the necessary authorizations from the Province under the *Water Sustainability Act*.

Analysis:

In reviewing the December 5, 2023 environmental assessment submitted by the applicant's Qualified Environmental Professional, Administration was made aware that the applicant has not obtained the necessary authorizations for working in and around a water feature under the *Water Sustainability Act*.

Administration has contacted Ministry staff to determine the specific authorizations necessary to proceed, and their response is included in the Board's meeting agenda.

As approvals are required from senior levels of government, which could ultimately impact the ability of the Regional District to issue the proposed Temporary Use Permit, Administration is recommending

that the file remain open until July 4, 2024 to allow the applicant time to obtain the necessary Provincial approvals.

Alternatives:

1. Status quo.

Respectfully submitted:



Shannon Duong, Planner II

Endorsed By:



C. Garrish, Senior Manager of Planning

Attachments: No. 1 – Aerial Imagery (2023)

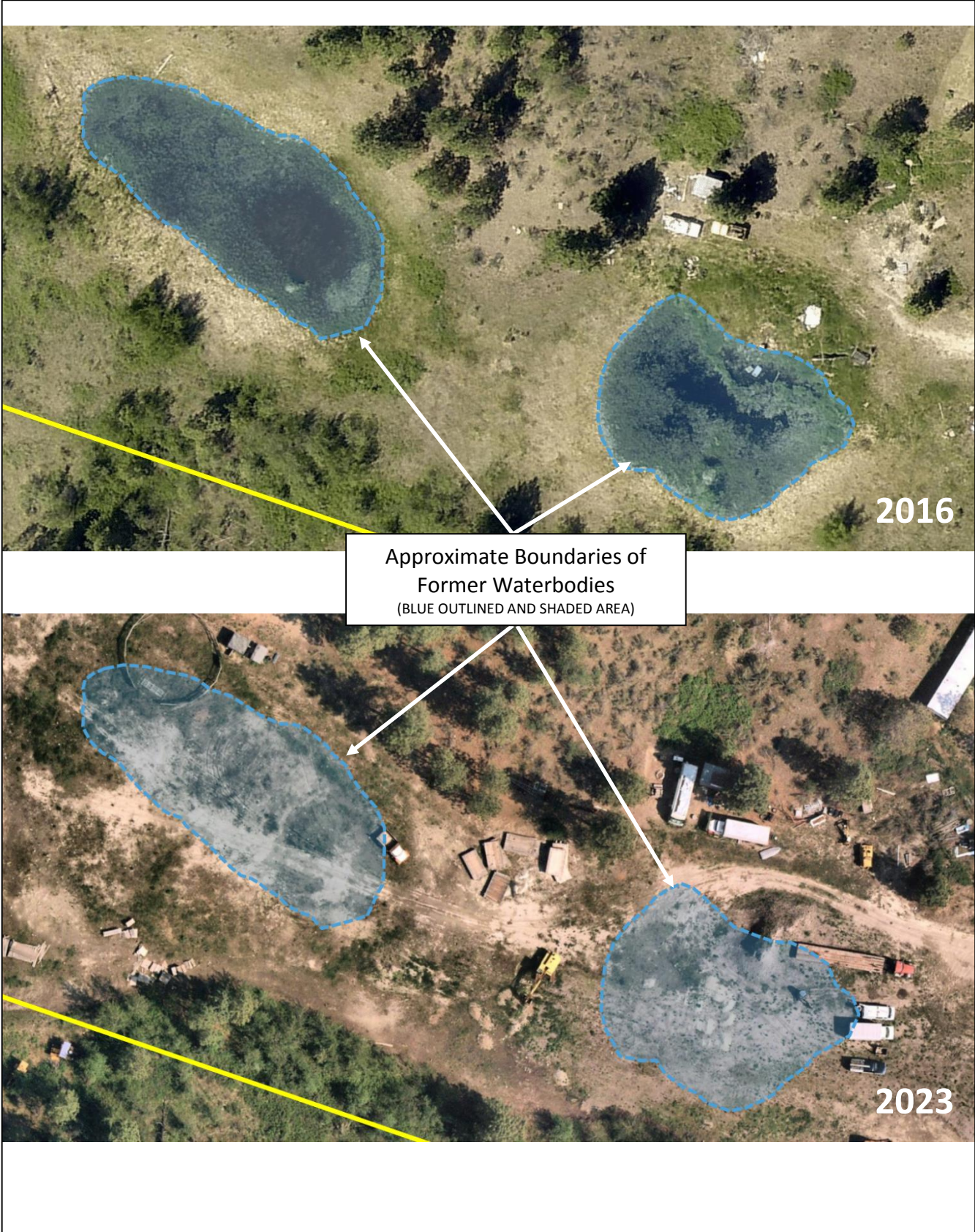
No. 2 – Comparison of Waterbodies (2016 vs. 2023)

No. 3 – Site Photo

Attachment No. 1 – Aerial Imagery (2023)



Attachment No. 2 – Comparison of Waterbodies (2016 vs. 2023)



Attachment No. 3 – Site Photo (2023)

