



Planning Application Information Sheet

Application Type: Rezoning

File Number: 3360-20/20240014

Bylaw(s): Chilcotin Area Rural Land Use Amendment Bylaw No. 5475, 2024

Electoral Area: J

Date of Referral: April 2, 2024

Date of Application: March 19, 2024

Property Owner's Name(s): David King

Applicant's Name: Don Vanderhorst Consulting Ltd.

SECTION 1: Property Summary

Legal Description(s): District Lot 1090, Range 2, Coast District, Said To Contain 80 Acres More Or Less, Except Plan KAP54601

District Lot 1091, Range 2, Coast District, Said To Contain 160 Acres More Or Less, Except Plan KAP54601

Property Size(s): 31.41 ha. (77.62 ac.) and 63.07 ha. (155.85 ac.)

Area of Application: 27 ha (66.72 ac.)

Location: Bluff Lake Road

Current Designation:

n/a

Min. Lot Size Permitted:

n/a

Current Zoning:

Rural 1 (RR 1)

Resource / Agricultural (R/A)

Min. Lot Size Permitted:

4 ha (9.88 ac.)

32 ha (79.07 ac.)

Proposed Zoning:

Special Exception C 2-5

Min. Lot Size Permitted:

4000 sq. m. (43,057 sq. ft.)

Proposal: To allow for tourist commercial resort containing 8 cabins, a main lodge with 20 housekeeping units, spa, heli pad, and shop. Additionally, 25 person staff housing will be added with the proposed special exception zone.

No. and size of Proposed Lots: no new lots proposed.

No. and size of Proposed Lots: no new lots proposed.

Existing Buildings: none

Proposed Buildings:

Modular staff housing - 740 sq. m. (7965.3 sq. ft.)

Shop - 465 sq. m. (5005.2 sq. ft.)

Eight cabins - 185 sq. m. (1991 sq. ft.) each

Two Storey Lodge - 2800 sq. m. (30,139 sq. ft.)

Spa Facility - 186 sq. m. (2002 sq. ft.)

Road Name: Bluff forest service road

Road Type: Gravel/Dirt Road

Within the influence of a Controlled Access Highway: N/A

Services Available: none

Within the confines of the Agricultural Land Reserve: No

Required to comply with the Shoreland Management Policy: Yes - Riparian and Septic

Name of Lake/Contributing River: Mosley Creek

unnamed creek

Lake Classification: High

Within Development Permit Area: No

Adjoining Properties: (Source: B.C.A.A.)

	Land Use:	Lot Sizes:
(a) North	crown land	n/a
(b) South	151, Beef (Vacant)	80.94 ha. (200 ac.)
(c) East	151, Beef (Vacant)	80.94 ha. (200 ac.)
(d) West	151, Beef (Vacant)	30.88 ha. (76.31 ac.)

PLANNING COMMENTS

Background:

A proposal to rezone a portion of two properties on Bluff Lake Road has been received by planning staff. The subject properties are 31.41 ha. (77.62 ac.) and 63.07 ha. (155.85 ac.) in size, with a 27 ha (66.72 ac.) area proposed for rezoning. One lot is currently zoned Rural 1 (RR 1), and the other is zoned Resource/Agricultural (R/A) in the Chilcotin Area Rural Land Use Bylaw No. 3500, 1999. The applicant has applied to rezone the 27 ha (66.72 ac.) portion to Special Exception C 2-5.

This proposal would create a new zone that will allow for staff accommodation in addition to uses currently permitted in the Tourist Commercial (C 2) zone in the Chilcotin Area Rural Land Use Bylaw 3500, 1999. The total proposed development includes 52 housekeeping units for commercial guests, plus accommodation for 25 staff, spread throughout various buildings outlined in the paragraph below.

The applicant indicates that they intend to develop the property to support a variety of adventure tourism activities in the valley. The proposed development includes a two-story lodge building ~2800 sq. m. (30,138.95 sq. ft.), a spa facility 186 sq. m. (2002.08 sq. ft.), eight two storey cabins each approximately 185 sq. m. (1991.32 sq. ft.), staff housing 740 sq. m. (7965.29 sq. ft.), a maintenance facility/shop 465 sq. m. (5005.21 sq. ft.), well and water storage system, a septic disposal system, garbage collection facility, and a helicopter landing site. The proposal also includes the utilization of renewable energy infrastructure such as a wind turbine not exceeding 10 m (32.81 ft.), geothermal heating, and solar energy production.

The following studies and reports have been submitted by the applicant and are attached to this report under Applicant's Supporting Documents:

- Application Summary dated March 14, 2024
- Aquatic Habitat Development Report dated January, 2024, completed by Norm Zirnhelt, R.P.Bio, of Cariboo Environmental Quality Consulting Ltd.
- Preliminary Groundwater Assessment dated March 7, 2024, completed by Lee Ringham, M.Sc. P. Geo., of Chinook Arch Geoscience Inc.
- Letter regarding sewerage system from Gibbs Construction Inc. dated February 29, 2024.

Location and Surrounding:

The subject properties are located 3 km northeast of Middle Lake, 10 km south of Bluff Lake, and 28 km southwest of the community of Tatla Lake. The properties consist of an upland area,

which is the area proposed for development, and lowland areas forming part of the Mosley Creek valley/floodplain. Bluff Lake Forest Service Road traverses through the properties.

CRD Regulations and Policies:

Chilcotin Area Rural Land Use Bylaw No. 3500, 1999:

3.4 Economic Development

- (d) to foster tourism-related, economic development and encourage the growth and expansion of the tourism industry by including a broad range of recreational amenities in conjunction with accommodations-based businesses, while at the same time encouraging their location, operation and expansion in an environmentally friendly manner by maintaining minimum setback distances from the lakes and watercourses, in an effort to preserve and maintain lake water quality;

3.9 Energy and Conservation

- 3.9.6 Encourage developers to follow best practices in sustainable development – seeking out leading edge technologies and minimizing the impact on existing infrastructure (e.g. permeable parking lots; stormwater detention ponds, solar orientation etc.).

8.2 TOURIST COMMERCIAL (C 2) ZONE

8.2.1 USES PERMITTED

(b) NON-RESIDENTIAL USES:

- i) lodge, resort, guest ranch, health spa;
- ii) hotel, motel;
- iii) campground, recreational vehicle park;
- iv) recreational facility, including a golf course, a curling rink, racquet courts, ice or roller skating rink, etc.;
- v) trail riding, guide / outfitting operation;
- vi) restaurant;
- vii) laundromat, concession stand, coffee shop, convenience store, confectionary or curio shop, on-site sale of liquor, as ancillary uses;
- viii) rental and sales of boats and sporting equipment, as ancillary uses;
- ix) fuel service for auto, marine or aviation purposes;
- x) marina and floatplane base;
- xi) airplane landing strip

8.2.3.5 Special Exception C 2-5 (3360-20/20240014)

(a) RESIDENTIAL USES

Notwithstanding any other provisions of this bylaw to the contrary, on lands zoned C 2-5, the permitted residential uses shall be limited to:

- i) an accessory dwelling unit or units for the accommodation of a caretaker or staff members of the permitted non-residential uses.

All other provisions of the C 2 zone shall apply.

Rationale for Recommendations:

Planning staff are initially supportive of the application at the conceptual level, subject to consideration of feedback from a future public information meeting, and approval conditions discussed below.

The proposed development aligns with the economic development policy 3.4(d) of the of the Chilcotin Area Rural Land Use Bylaw. The proposal may also meet the energy and conservation policy 3.9.6 of encouraging sustainable development such as the use of passive house design, geothermal heating, and renewable energy sources, should the applicant develop the property as proposed. The applicant has indicated that extension of electric power lines from Bluff Lake would not be reasonably feasible. They intend to develop and rely on renewable energy sources as much as possible.

Proposed Second Reading Conditions:

Prior to consideration of second reading staff recommend the following:

1. Due to the significance of the proposal, staff recommend holding a public information meeting in accordance with Development Procedures, Guidelines and Fees Bylaw No. 5458, 2024 to gain feedback for staff and Board consideration prior to moving forward.
2. Staff recommend requiring a more detailed sewerage capability study, completed by a qualified professional, indicating estimated effluent volumes and demonstrating adequate soil conditions for a sewerage disposal system (or systems) capable of servicing the development at full build-out. Staff requested a report with the application, however, received a single sentence document asserting the property soils are sufficient to support multiple commercial sewerage systems. It is unknown whether the writer is a qualified professional (i.e. registered on-site wastewater practitioner or qualified registered professional engineer).

3. Given the scale and scope of the proposed development and considering the relatively undisturbed and remote nature of the subject property, and further considering there is a registered archaeological site in the vicinity of the property, staff recommend that the applicant be required to engage a registered professional archaeologist to submit an archaeological overview assessment and determine whether further site investigation is required prior to further consideration of the proposal. Most of the subject properties has a high archaeological potential rating, and the early identification of any archaeological sites will ensure development can avoid unlawful disruption of unknown sites during construction.

Proposed Adoption Conditions:

Should the application continue to move forward, staff recommend the following conditions prior to adoption. Staff note that conditions may be added or amended as the application progresses and more information is received.

4. Staff note under the C 2 zoning regulations, that a maximum of 8 sleeping or housekeeping units per 0.4 ha (0.99 ac.) is permitted, resulting in a maximum 540 sleeping or housekeeping units permitted over the proposed 27 ha (66.7 acres) of C 2-5 zone area. Staff assert this would be a highly impactful density and is not relevant to the applicants' development proposal. After discussion with the applicant, they have proposed restricting development to a maximum of 70 housekeeping units, allowing for the potential expansion of 18 future units in addition to the proposed 52 commercial units and 25 staff housing units.
5. Accordingly, staff recommend adoption be subject to registration of a Section 219 covenant limiting on-site accommodation to 70 sleeping or housekeeping units and 25 staff units, or combination thereof. Should the proposal move forward, staff will amend the proposed rural land use amendment bylaw to reflect the maximum number of units prior to further consideration by the Board.
6. A CRD Shoreland Management Policy covenant will be required to protect riparian habitat and minimum septic system design. The Aquatic Habitat Development Report submitted by the applicant identifies Mosley Creek valley and surrounding watershed as high value wildlife habitat and identifies the valley bottom and floodplain as a high value wildlife corridor. The report states that given the distance of over 100 m from the creek, that adequate room will be provided to maintain a wildlife corridor. The report further identifies two wetlands separate from floodplain, of which development is intended to remain at least 15 m away.
7. Staff recommend that the subject properties are consolidated into a single property. This will ensure that all servicing infrastructure associated with the development is on a single property and a duplication of the proposed development on each lot does not occur in the future.

Referral Responses & Discussion:

The Ministry of Transportation and Infrastructure (MOTI) has responded that they have no objections to this application. Access to the property is proposed to be via Forestry Service Road. At the Advisory Planning Commission meeting, the landowner indicated that they will pursue the necessary road maintenance authorizations for the forest service road as required.

The Interior Health Authority (IH) has responded that the applicant is required to complete multiple permitting requirements prior to operating the proposed resort. The requirements noted by Interior Health for drinking water include an application for a new source of drinking water, a source evaluation letter, an application for a waterworks construction permit, and an approval of a permit to operate a water distribution system.

Staff note the applicant submitted a preliminary groundwater assessment. This was a desktop study, based on the writers' knowledge of geology and hydrogeology of interior BC, and personal communication with the landowner. Lee Ringham, M.Sc. P. Geo, concludes that although information on the specific location is limited, it is likely that the aquifer can provide sufficient volumes of water to support the proposed rezoning. He asserts that drilling, installing, and testing at least one water well will be required to confirm groundwater resources in the area. The Board may wish to consider requiring such testing prior to adoption, however staff have not recommended such a condition at this time, as it will be the landowner/developer's responsibility to provide such information to the Health Authority prior to receiving authorization to operate the necessary water distribution system.

The applicant will also require approval from either Interior Health Authority or the Ministry of Environment, depending on the size of the proposed sewerage treatment system.

The Electoral Area 'J' Advisory Planning Commission (APC) considered the proposal, and after a lengthy discussion, resolved to support the application. In their resolution they noted three concerns: an increase in air traffic and the subsequent effects; effects of road traffic into the valley; and finally, the incremental impact to the surrounding crown land use and the other qualities that exist in the valley.

Although CRD data indicates that the subject properties have Farm Status, the applicant has indicated, and staff have verified via air photo analysis, that the properties are not currently used for agriculture and therefore fencing and buffering requirements of the Agricultural Policy will not apply.

On balance, staff recommend giving the proposed rural land use bylaw amendment first reading, subject to the conditions discussed in this report and outlined in the recommended resolution.

Recommendation:

That Chilcotin Area Rural Land Use Amendment Bylaw No. 5475, 2024 be given first reading.

Further that second reading be subject to the following:

- i. A public information meeting held at the applicant's expense.
- ii. The applicant providing proof to the Cariboo Regional District, through an Authorized Person (AP), a report on the proposed sewerage system(s). The report from the AP must demonstrate there is adequate space and site conditions to support an authorized disposal system(s) for the density proposed and identify a reserve area for when the original system(s) fails.
- iii. The applicant submitting an Archaeological Overview Assessment for the proposed C 2-5 zone area, completed by a qualified professional, with a determination as to whether further investigation is warranted.

Further that adoption be subject to the following:

- i. The applicant offering to enter into and entering into a covenant restricting the resort accommodation use to a maximum of 70 sleeping or housekeeping units and 25 staff accommodation units or combination thereof, and that the cost of preparation and registration of the covenant be borne by the applicant.
- ii. The applicant offering to enter into and entering into a covenant to ensure compliance with the CRD Shoreland Management Policy with respect to a sewage disposal system and riparian protection, including wetlands, and that the cost of registration of the covenant be borne by the applicant.
- iii. The subject properties be consolidated into a single property.

REFERRAL COMMENTS

Health Authority: April 3, 2024

See attached.

Ministry of Transportation and Infrastructure: May 3, 2024

MoTI has no objections to the above referenced rezoning as MoTI's interests appear to be unaffected with access to the proposal being via the FSR.

Advisory Planning Commission: April 24, 2024

See attached.

Ministry of Water, Land and Resource Stewardship: Terrestrial, Aquatic Habitat and Wildlife:
No response.

Ministry of Forests: Range Officer:
No response.

ATTACHMENTS

Appendix A: Bylaw 5475
Appendix B: General Map
Appendix C: Specific Map
Appendix D: Orthographic Map
Other: Applicant's Supporting Documents
Health Authority Comments
Advisory Planning Commission Comments



CARIBOO REGIONAL DISTRICT

BYLAW NO. 5475

A bylaw of the Cariboo Regional District, in the Province of British Columbia, to amend Bylaw No. 3500, being the "Chilcotin Area Rural Land Use Bylaw No. 3500, 1999".

WHEREAS the *Local Government Act* authorizes the Regional Board to amend a Rural Land Use bylaw after a public hearing and upon the affirmative vote of the Directors.

WHEREAS an application has been received to rezone property.

NOW, THEREFORE, the Board of Directors of the Cariboo Regional District, duly assembled, hereby enacts as follows:

1. CITATION

This bylaw may be cited for all purposes as the "Chilcotin Area Rural Land Use Amendment Bylaw No. 5475, 2024".

2. AMENDMENT

Bylaw No. 3500 of the Cariboo Regional District is amended by:

A) Inserting Section 8.2.3.5 as follows:

8.2.3.5 Special Exception C 2-5 (3360-20/20240014)

Notwithstanding any other provisions of this bylaw to the contrary, on lands zoned C 2-5, the permitted residential uses shall include:

(a) Residential Uses

- i) An accessory dwelling unit or units for the accommodation of a caretaker or staff members of the permitted non-residential uses.

All other provisions of the C 2 zone shall apply.

- B) Rezoning part of District Lot 1090, Range 2, Coast District, Said To Contain 80 Acres More Or Less, Except Plan KAP54601 from Rural 1 (RR 1) zone to Special Exception C 2-5 zone and rezoning part of District Lot 1091, Range 2, Coast District, Said To Contain 160 Acres More Or Less, Except Plan KAP54601 from Resource/Agricultural (R/A) zone to Special Exception C 2-5 zone as shown on attached Schedule "A";
- C) Amending Schedules "C" and "D" accordingly.

READ A FIRST TIME THIS _____ DAY OF _____, 2024.

READ A SECOND TIME THIS _____ DAY OF _____, 2024.

A PUBLIC HEARING WAS HELD ON THE _____ DAY OF _____, 2024.

READ A THIRD TIME THIS _____ DAY OF _____, 2024.

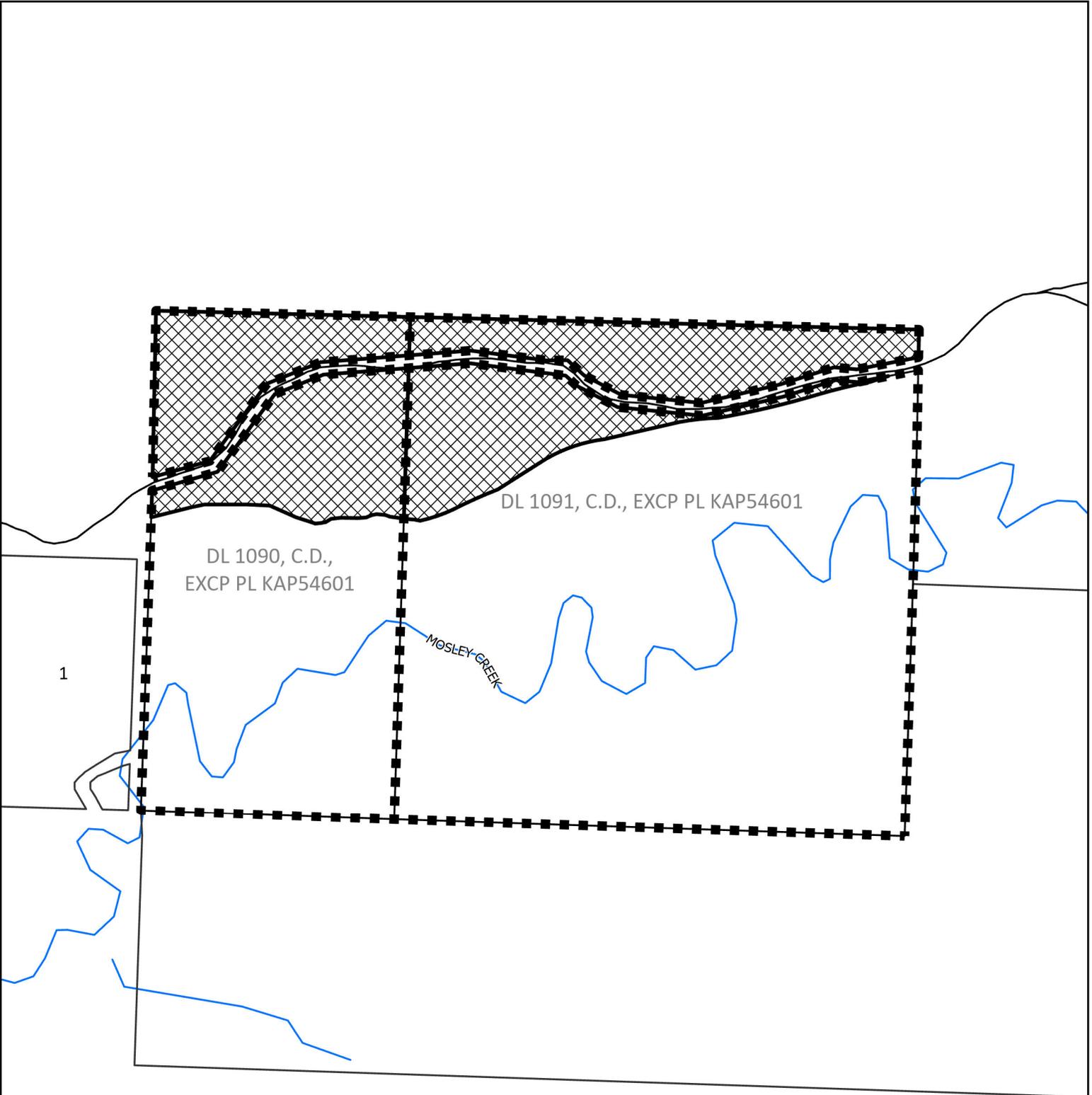
ADOPTED THIS _____ DAY OF _____, 2024.

Chair

Manager of Corporate Services

I hereby certify the foregoing to be a true and correct copy of Bylaw No. 5475 cited as the "Chilcotin Area Rural Land Use Amendment Bylaw No. 5475, 2024", as adopted by the Cariboo Regional District Board on the _____ day of _____, 2024.

Manager of Corporate Services

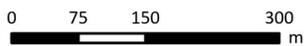


SCHEDULE A

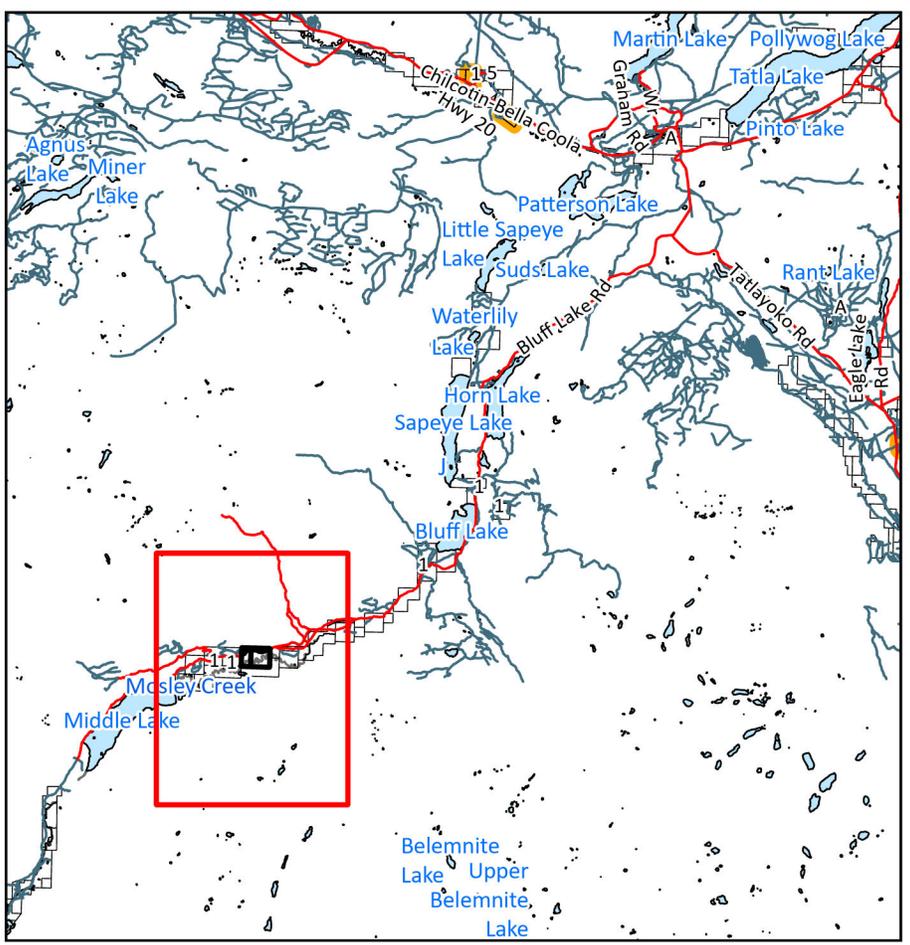
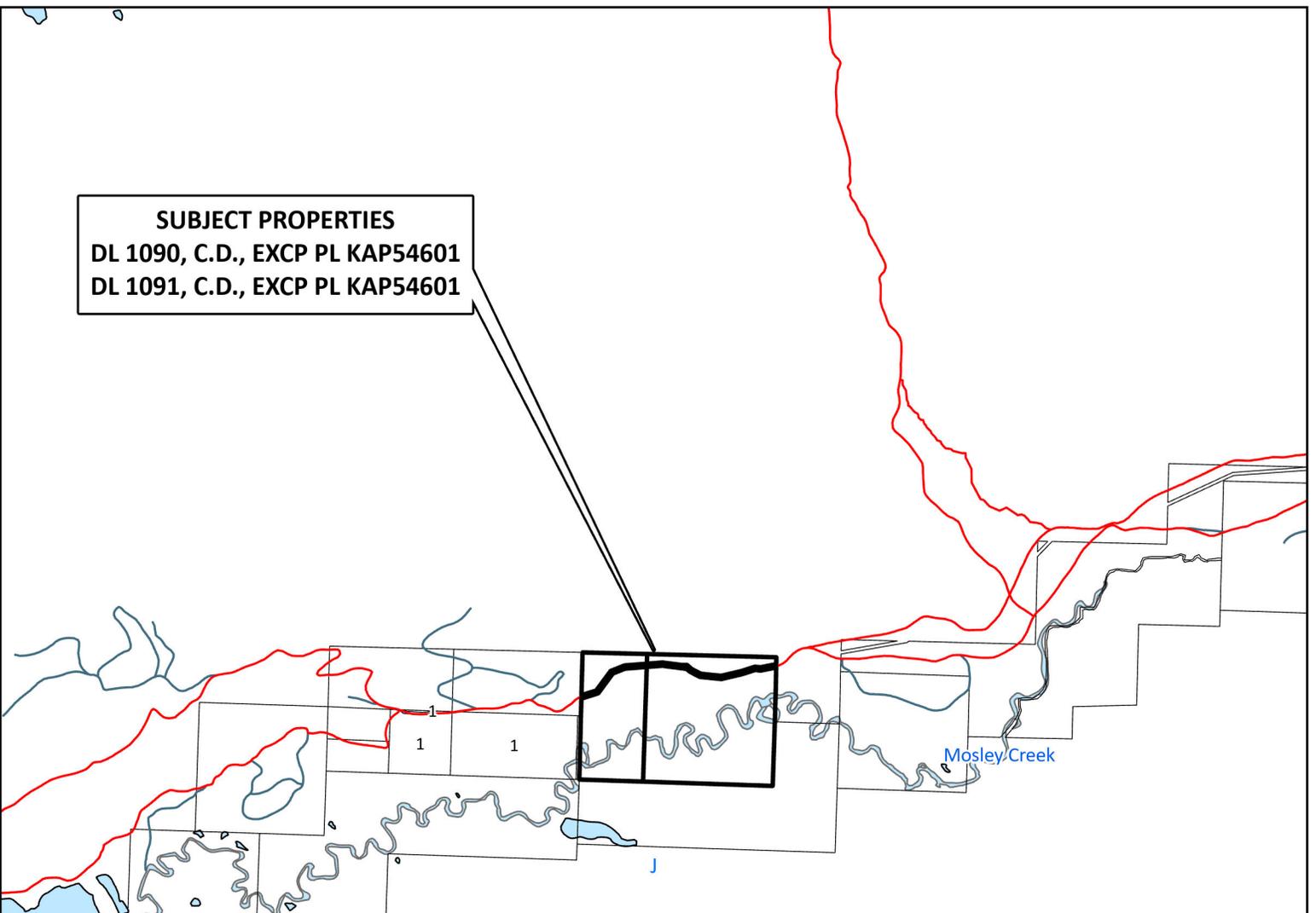


LEGEND

-  Subject Property
-  Special Exception C 2-5 Zone



SUBJECT PROPERTIES
 DL 1090, C.D., EXCP PL KAP54601
 DL 1091, C.D., EXCP PL KAP54601



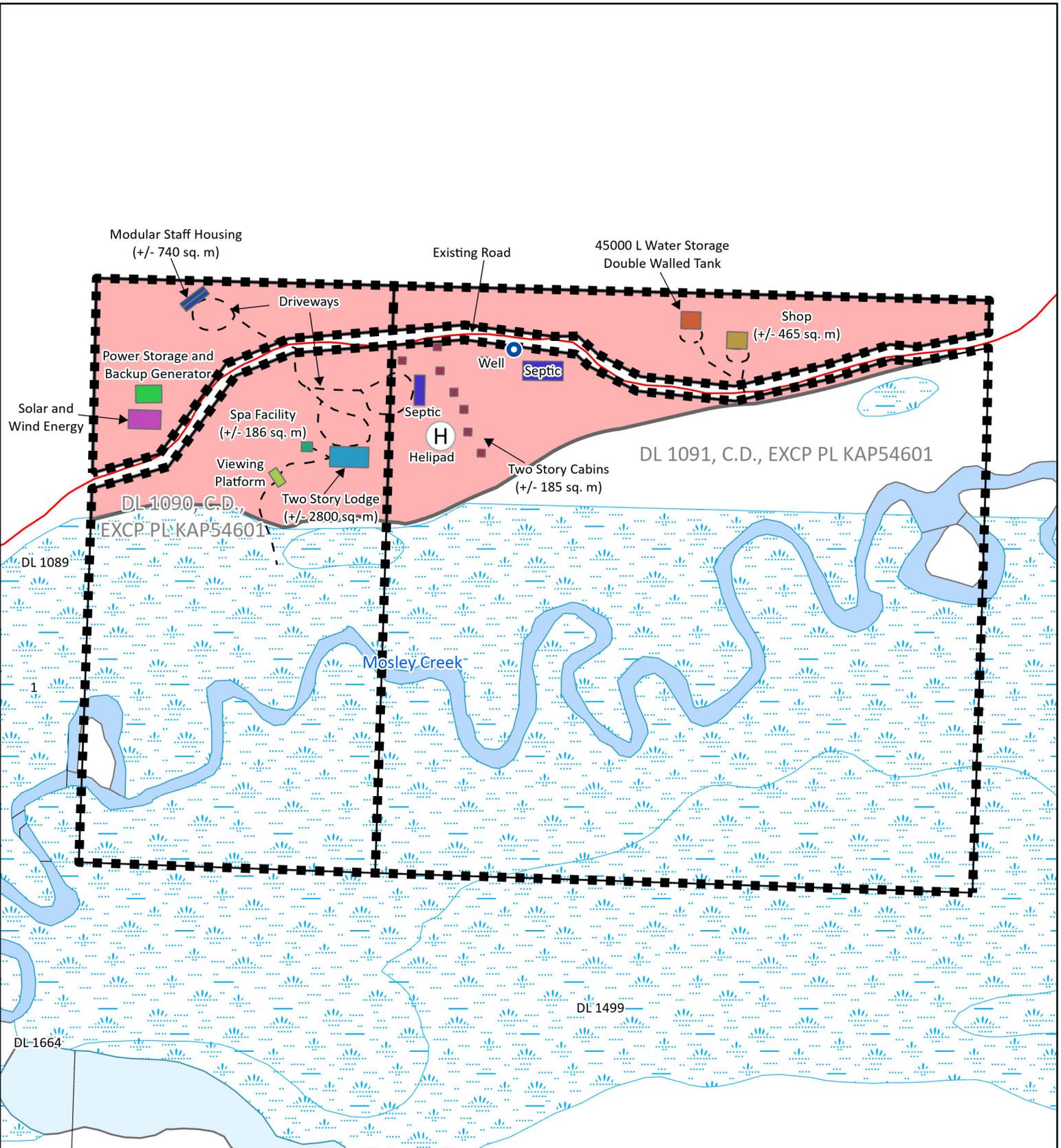
Appendix B: GENERAL MAP



LEGEND

- Subject Property
- EA's and Municipalities



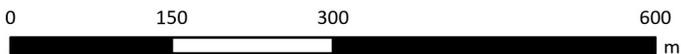


Appendix C: SPECIFIC MAP

LEGEND

-  Subject Property
-  Proposed Special Exception C 2-5 Zone

MEASUREMENTS
ARE METRIC

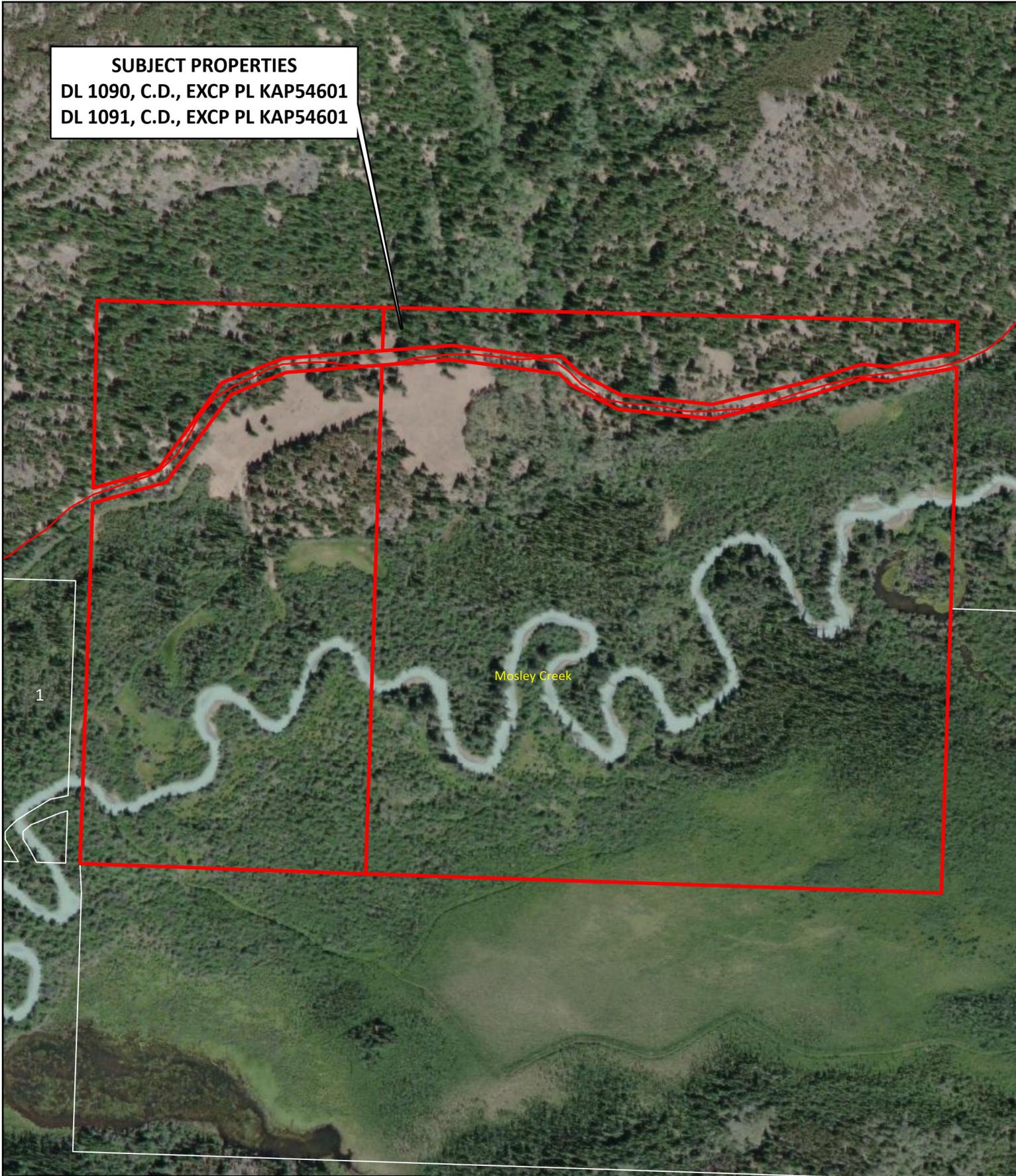


Z2414 2024-03-28

Disclaimer: Structure size and location is a graphical representation of information provided by the applicant and may not necessarily be drawn to scale.

Note: All Structures and Driveways are Proposed.

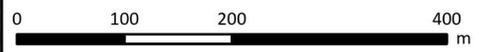
SUBJECT PROPERTIES
DL 1090, C.D., EXCP PL KAP54601
DL 1091, C.D., EXCP PL KAP54601



Appendix D: GENERAL MAP ORTHO

LEGEND

 Subject Property



Z2414 2024-03-27

Source: Esri, Maxar, Earthstar Geographics, and the GIS User Community

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March 14, 2024

Connor Ikoma, Planning Officer 1
Planning and Development Services
Cariboo Regional District
Suite D – 180 North Third Avenue
Williams Lake, BC V2G 2A4

Dear Connor Ikoma:

Re: Application for Zoning Bylaw Amendment – DL 1090 and 1091

The King family owns a number of properties in the valley bottom between Bluff and Middle Lakes, south of the community of Tatla Lake between Williams Lake and Bella Coola. The properties are situated within Electoral Area J of the Cariboo Regional District

The King family properties are situated within the Chilcotin Area Rural Land Use Bylaw (No 3500 – 1999, and the property owner is requesting approval to rezone two of the properties to facilitate development of a tourist accommodation lodge facility to support a variety of adventure tourism activities in the valley and surrounding lands. The two properties, DL 1090 (PID 011 – 235 – 365) and DL 1091 (PID 011 -235 – 381), are currently zoned Rural 1 (RR1) and Resource / Agricultural (R/Z), and are 31.5 ha and 83 ha respectively (total of 114.5 ha). The current zoning, however, does not include commercial accommodation as a permitted use, therefore approval of a zoning amendment would be required before authorization for development of the lodge facility could be considered.

The Cariboo Regional District (CRD) has an existing zoning designation (Tourist Commercial – C2) which we believe is the appropriate zoning designation to support the proposed lodge development. The proposed development contemplates staff accommodations (which is not permitted in the C2 zone), therefore, we would request the creation of a “Special Exception C 2 Zone” which would allow staff accommodation as a permitted use.

The subject properties are not within the Agriculture Land Reserve and are undeveloped. Mosely Creek flows through both properties and the Bluff Forest Service Road (FSR) provide access to the property and crosses near the north boundary of both properties. The northern portions of both properties are elevated above the flood plain of Mosley Creek. The flood plain area comprises approximately 70% or more of both properties.

The following rezoning application incorporates approximately 27 ha (northern portion of both properties). There is no intention to amalgamate the two properties and the remaining lands, outside of the portion to be rezoned, within both properties, will remain as is.

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Existing Uses of the Subject Properties

The properties are undeveloped and are a mix of old growth Interior Douglas fir trees, open grass meadows and wetlands (Figure 8).

Proposed use of the subject property and all buildings

The area to be rezoned would include the following improvements (see Figure 5 for a site plan of the property):

- Two story lodge building (approximately 2800 sq. m) - passive building to blend into surrounding area. It proposed that the lodge will have a maximum of approximately 20 rooms
- Spa facility – adjacent to main lodge via connecting walkway (estimated at 186 sq. m)
- Eight two story cabins (approximately 185 sq. m/ cabin) situated throughout the site – all passive style buildings. Each cabin will have 4 rooms/cabin
- Staff housing (approximately 740 sq. m) – to accommodate 25 staff and to be located above the main access road (FSR) in the northwest corner of the property within a stand of second growth trees
- Maintenance facility / shop (approximately 465 sq. m) - to be located above the main access road (FSR) in the northeast corner of the property within a stand of second growth trees
- Well and water storage system will be constructed based on Interior Health requirements. Chinook Arch Geoscience Inc. was retained to prepare a preliminary groundwater assessment for the proposed lodge facility and has advised that the aquifer can provide sufficient volumes of water to support the proposed lodge development. A copy of the Chinook's full report is provided as an appendix to this rezoning submission.
- A proposed wind turbine (not confirmed) to assist in providing electrical power, at a height not exceeding 10 m
- Septic disposal system and septic field will be constructed based on Interior Health requirements. Gibbs Construction Ltd was retained to undertake a preliminary assessment of the site and has advised the site can support a sanitary sewage disposal system. A copy of the Gibbs letter is provided as an appendix to this rezoning submission.
- Central garbage collection facility.
- Helicopter landing site (to facilitate the transportation of clients from various locations, to and from the proposed lodge site)

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The proposed lodge facility would be open during the winter and summer seasons, but closed in the off season (minimal staff to be onsite at all times)

Reasons in support for the application

The King family, owners of White Saddle Ranch, have lived in the valley for over 5 decades and has historically been active in raising cattle. The property owner has hosted two feature films and many smaller productions, along with catering services for several firefighting camps for the Ministry of forests as well as supporting mineral exploration camps. White Saddle Ranch has also worked with Bella Coola Heli Sports for over 20 years to support their heli skiing activities in the area.

White Saddle Ranch is also the home base for White Saddle Air Services for the past five decades, running both fixed wing and rotary wing aircraft from the property at the south end of Bluff Lake. Presently there are two Bell 407 helicopters on site.

Given challenges for raising cattle (the least profitable activity the owners have been involved in), there is increased interest in expanding activities in this area through the development of eco and adventure tourism facilities throughout the valley

General Description of Vegetation Cover

The two properties include the flood plain (and wetlands) associated with Mosley Creek as well as portion that is situated above the flood plain and adjacent to the main access road. The portion of the property where the access road is situated is relatively flat and rises slightly northwards to the bottom slope of the mountains. The area to be developed includes a mixture of old growth Interior Douglas fir trees and open grass meadows.

General Geographical Information of the Properties and Adjacent Land Uses

The subject properties are situated in a remote valley, south of the community of Tatla Lake. Approximately 10 kms to the north, adjacent to Bluff Lake, is White Saddle Ranch (owned by the King family) and to the south, approximately 20 kms, is Sand Creek Ranch. No other residential use occurs in the valley south of Bluff Lake, other than Sand Creek Ranch. There are residential uses north of Bluff Lake, approximately 10 kms north of the White Saddle Ranch.

The current use of the adjacent lands includes undeveloped forested lands and lands for cattle grazing purposes

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Services currently Existing or Readily Available to the Property

There are no existing services or readily available to the property. Development of the proposed lodge facility will require the following services to be provided

- The lodge facility and ancillary buildings will be powered by geothermal, solar and possibly a wind turbine. The long term goal is to provide 80% of power needs through renewable energy. Back up eco-generators will be in place to supply peak times. A proposal to extend the existing hydro-electric power line from Bluff Lake was assessed, however the cost, and environmental impacts, were significant and could not be justified.
- Heat for lodge and cabins will be geothermal with passive house style buildings
- Septic system will be engineered and built to the requirements as outlined by Interior Health
- A potable water system (with water to come from wells on site) will be built to the requirements of Interior Health

Zoning and/or Official Community Plan (OCP) Amendments (if applicable)

The properties are not within an existing Official Community Plan (OCP) and therefore no amendment is required. However, the properties are subject to the requirements of the Chilcotin Area Rural Land Use Bylaw No, 3500, 1900,

The current zoning for the properties is Rural 1 (RR1) for DL 1090 and Resource / Agricultural (R/A) for DL 1091. The current land use for the property is defined as "farmland".

Shoreland Management Policy

The CRD has an existing Shoreland Management Policy - SMP (2004), and due to the presence of Mosley Creek, which runs through both properties, an assessment pursuant to the SMP is required, as part of the rezoning application requirements.

Accordingly, Environmental Quality Consulting Ltd (EQC) was retained to undertake an assessment, and their report is attached to this letter. The intent of the assessment was to determine potential impacts (and possible mitigation measures) to the riparian area along the creek, arising from the rezoning and development for a portion of the two properties.

The final report, as submitted by EQC, outlined the following conclusions

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1. *The proposed development will be well away from Mosely Cr., always exceeding 100 meters as illustrated in Figure 2.*
2. *A minimum 15 meter buffer zone will be retained between the development and the wetlands on the northeast and southwest portions of the area to be rezoned. These wetlands are outside of the boundaries of the proposed rezoning area.*
3. *Native vegetation will be retained in the buffer zones.*
4. *Given the forgoing, there will be no impact from this development on the water quality of Mosely Cr. or its associated aquatic and terrestrial habitat.*
5. *The development area, as proposed, complies with the Cariboo Regional District Shoreland Management Policy.*

CRD Agricultural Policy

The CRD has an existing Agriculture Policy (AP) which was approved and implemented in 2016. The intent of the AP is to promote compatibility between agricultural and non-agricultural land uses, and applies to the entire CRD including the Chilcotin Area Rural Land Use Bylaw

The main focus of the policy is ensure rural residential and other non-farm developments do not adversely affect agricultural activities within the regional district, particularly as it relates to land within the Agricultural Land Reserve (ALRD). The subject properties are not actively used for agricultural purposes and situated outside of the boundaries of the ALR.

The proposed rezoning and development of the properties will have minimal impact on any adjacent lands relative to existing or future agricultural uses.

Archaeological Impact Assessment

The subject properties are in proximity of an existing archaeological site and the general area is designated as having high potential for archaeological sites. There are no known archaeological sites within the proposed rezoning area.

CRD Requirements

In addition to the aforementioned information regarding the existing and proposed development, the following information has been provided in support of the re-zoning application.

- *Zoning Bylaw Amendment Application Form*

A signed application form has been prepared and is attached to this letter

- *Confirmation of property ownership*

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A copy of the state of title for DL 1090 and 1091 is attached to this letter

- *Contaminated Site Declaration Form*

A signed copy of the form is attached to this letter

- *Application Fee*

Application fee of \$1400.00 will be submitted separately

I trust the above provides the information needed for the CRD to accept and proceed with an application to rezone DLs 1090 and 1091 to authorize a tourist accommodation lodge facility as a permitted use

If you have any additional questions, or need further information, please do not hesitate to contact me at your earliest convenience.

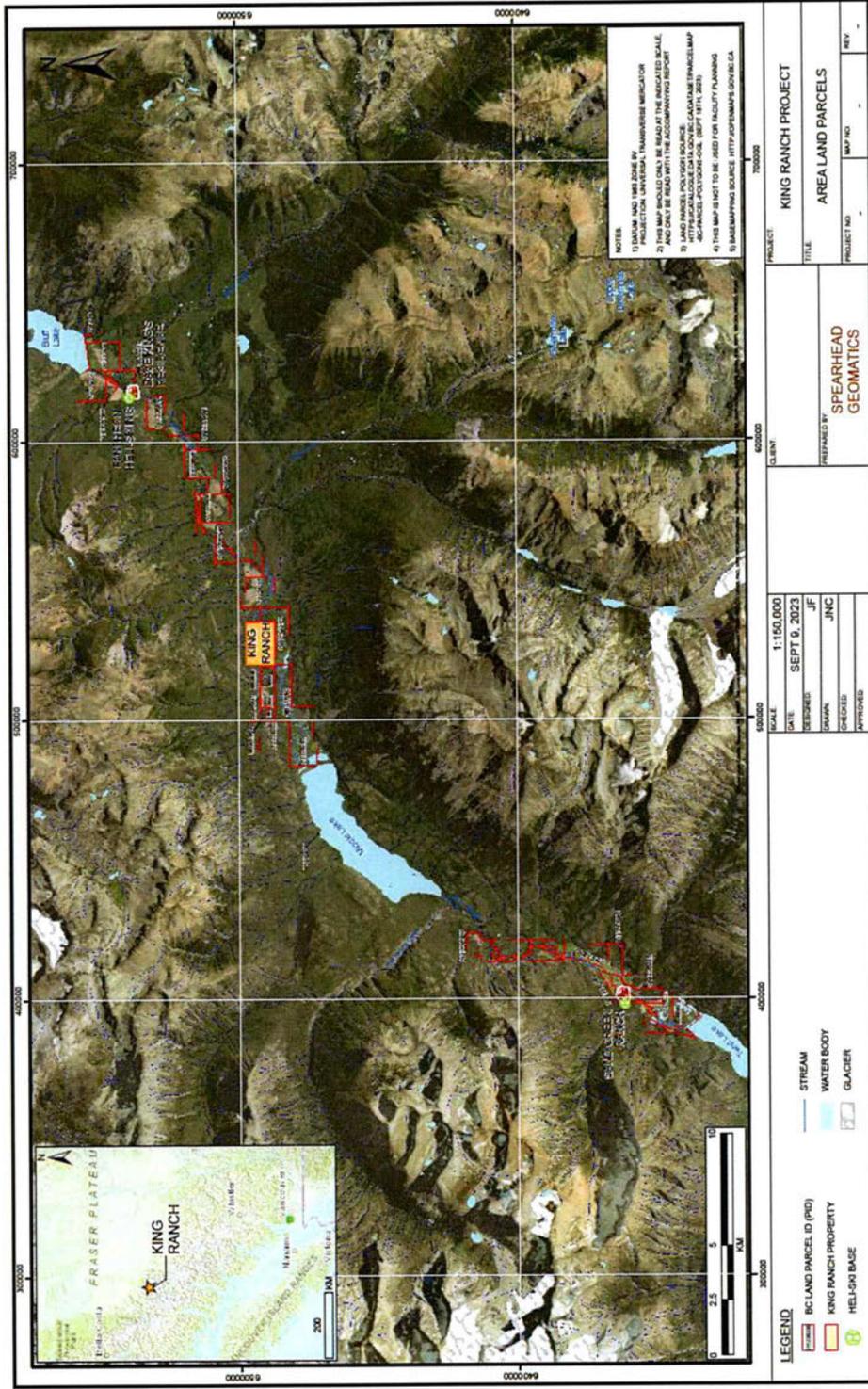
Regards

Don van der Horst

cc: David King, Property Owner

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Figure 1: General Location of Subject Properties

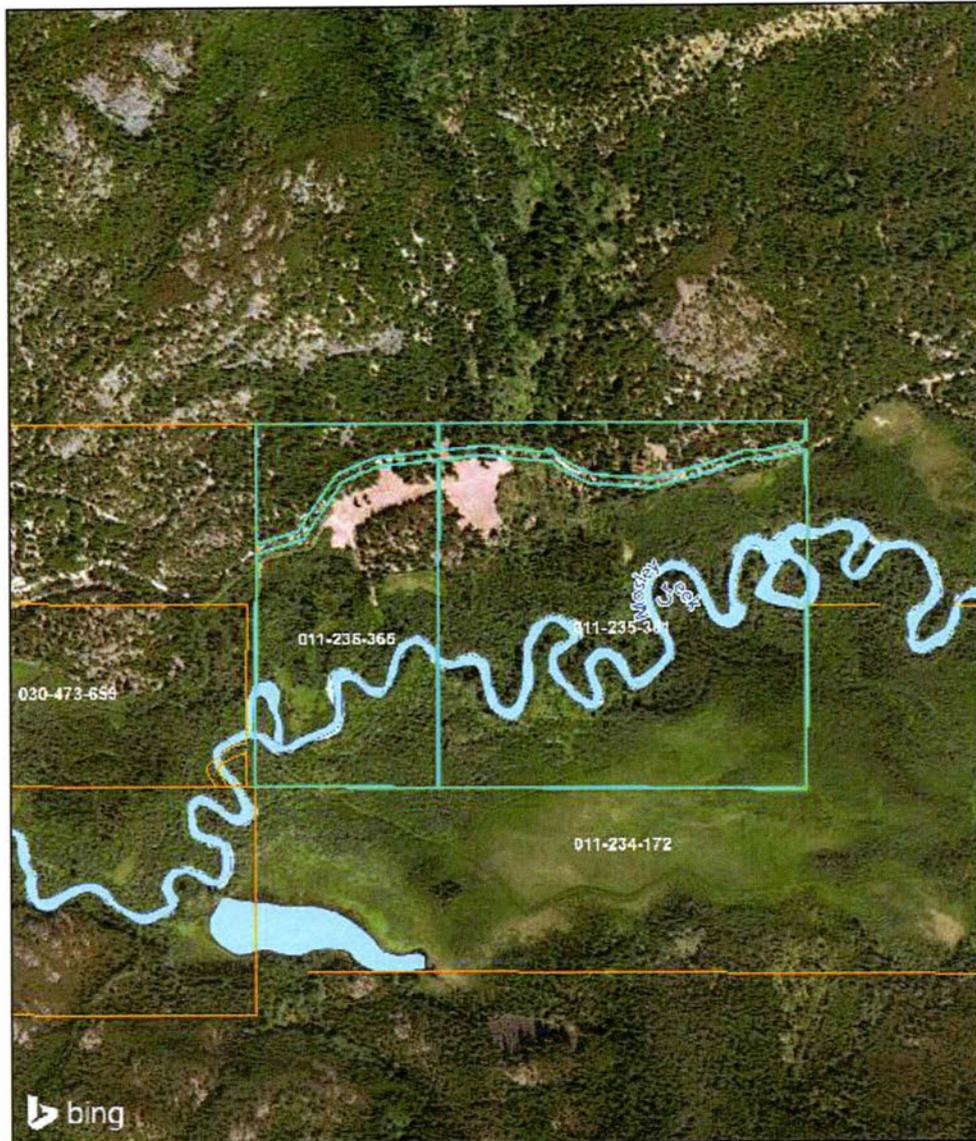


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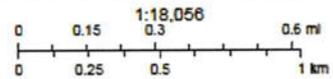
Figure 2: Existing Site Plan for DL 1090 and 1091

Cariboo Regional District



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- Parcels_FMBC
- 911 Roads
- Lakes
- Rivers
- ALR
- Municipalities

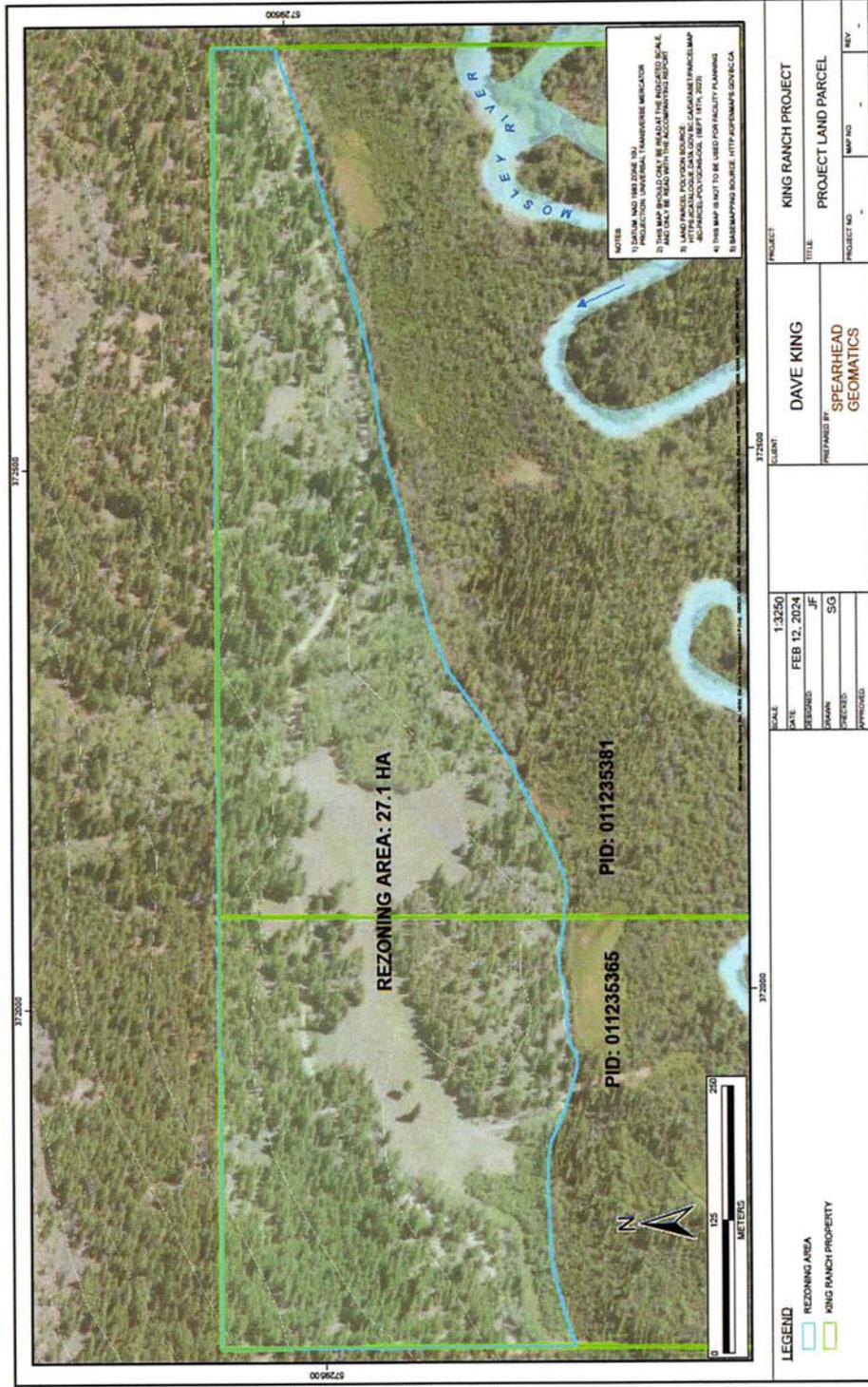


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Cariboo Regional District
Aerial static output from an internet mapping site and is for reference only. Data layers that appear on this map may not be accurate, current or otherwise reliable. THIS MAP IS NOT TO BE USED FOR NAVIGATION.

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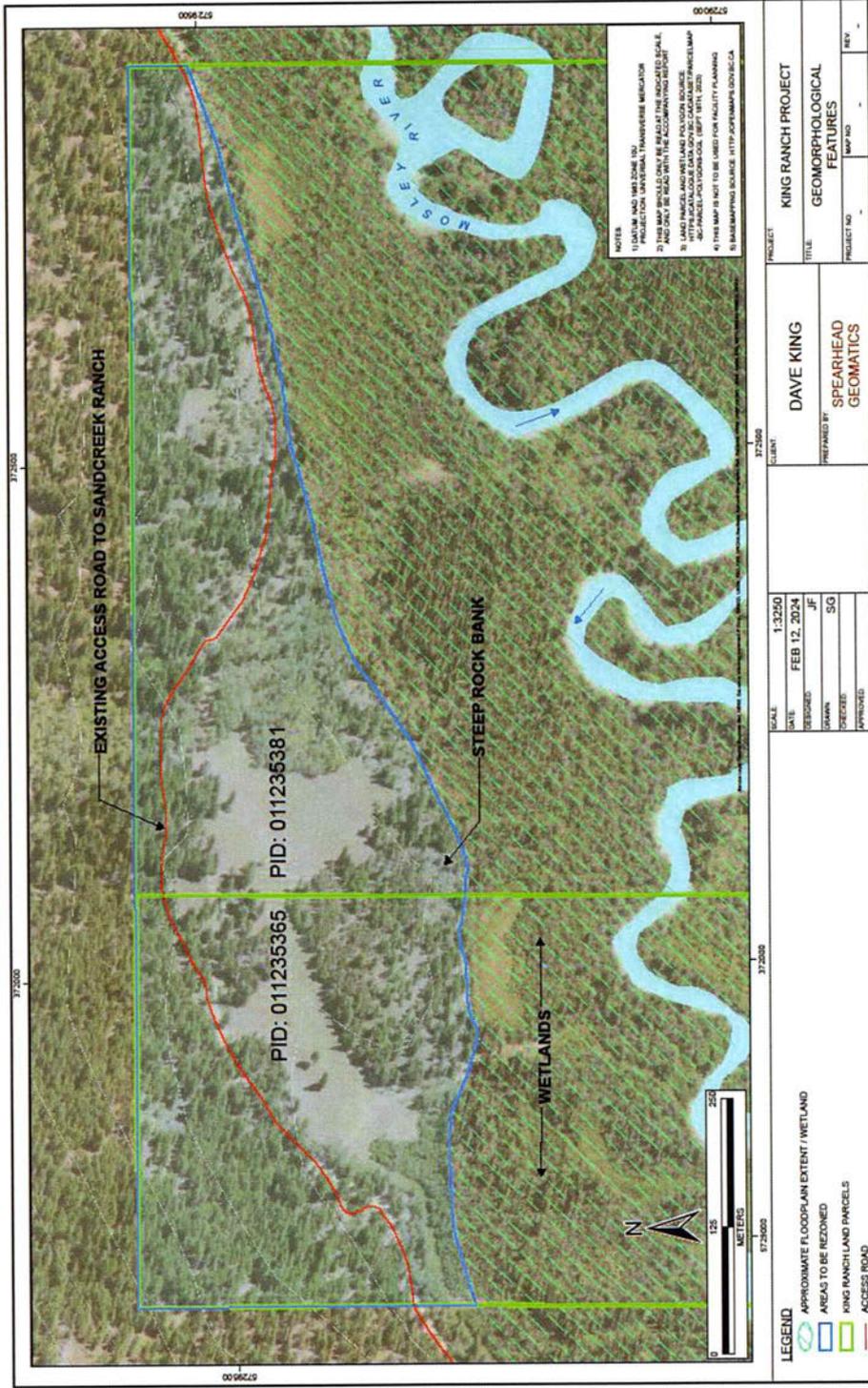
Figure 3: Area to be Re-zoned (approximately 27 ha)



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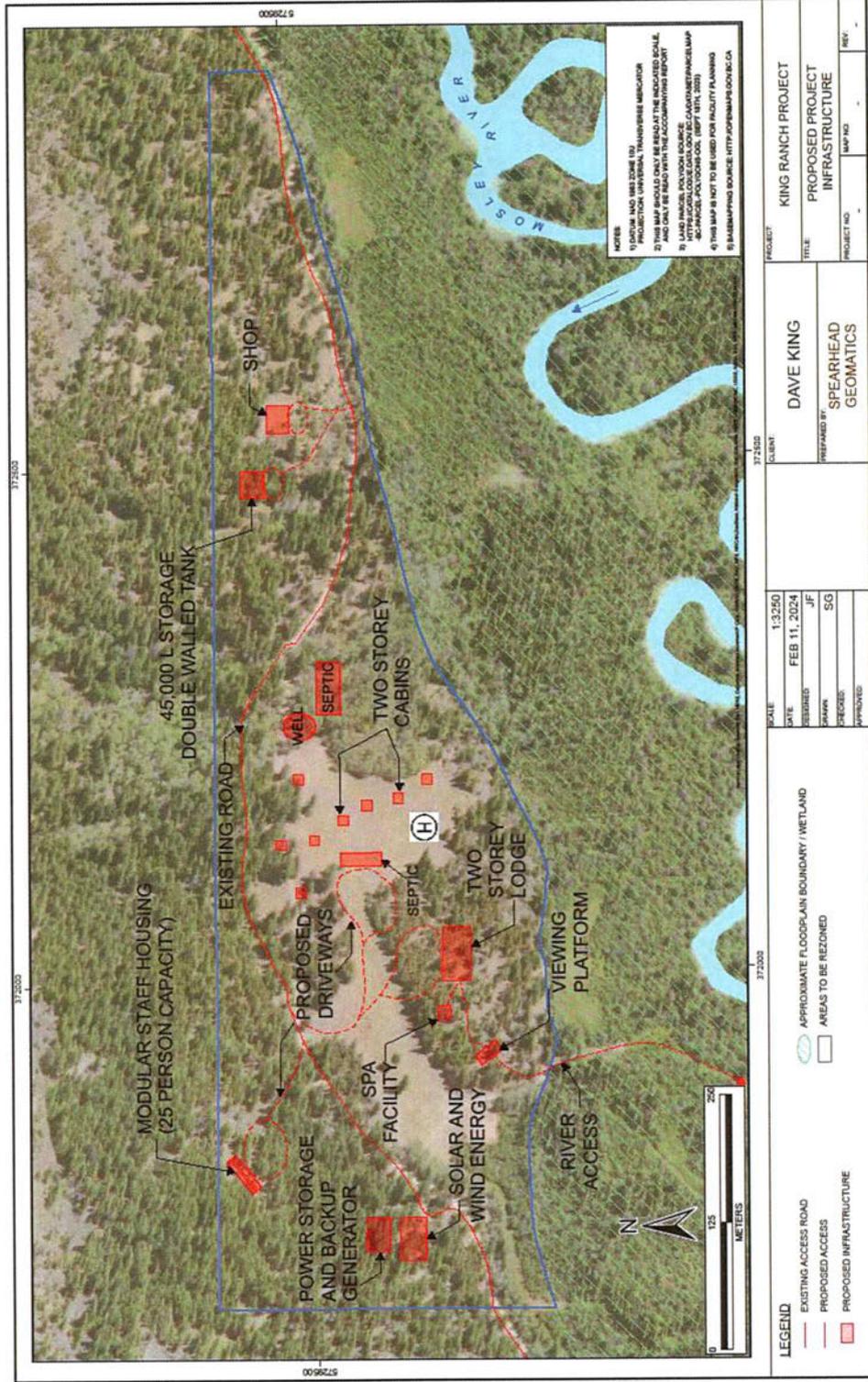
Figure 4: Site Plan of Mosley Creek Floodplain and Main Access Road



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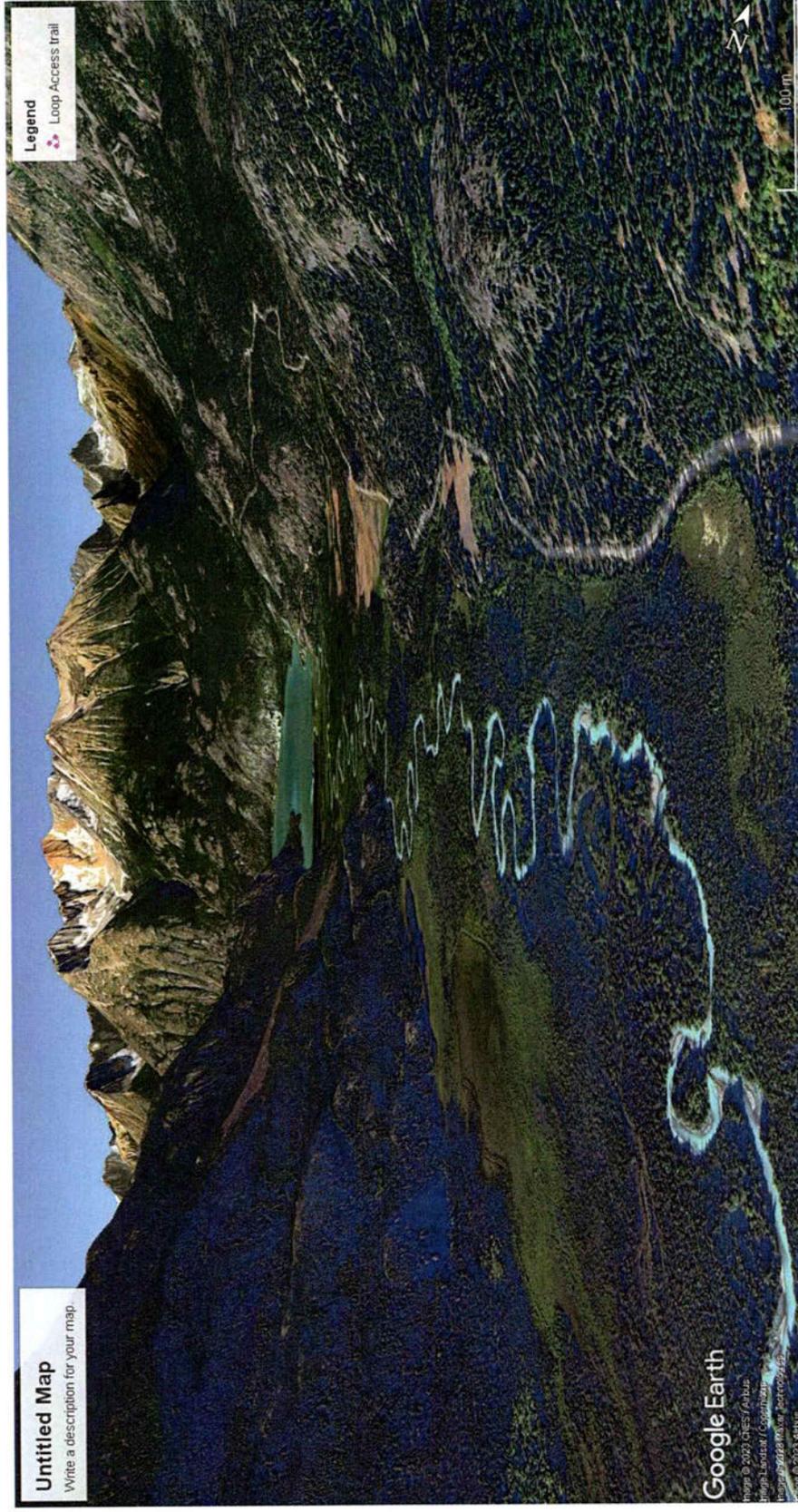
Figure 5: Proposed Development Plan of Area to be Re-zoned



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Figure 6: Google Earth Image of the Valley looking southwest toward Middle Lake. The properties include the first small meadows area in the right center of the image, adjacent to the access road.



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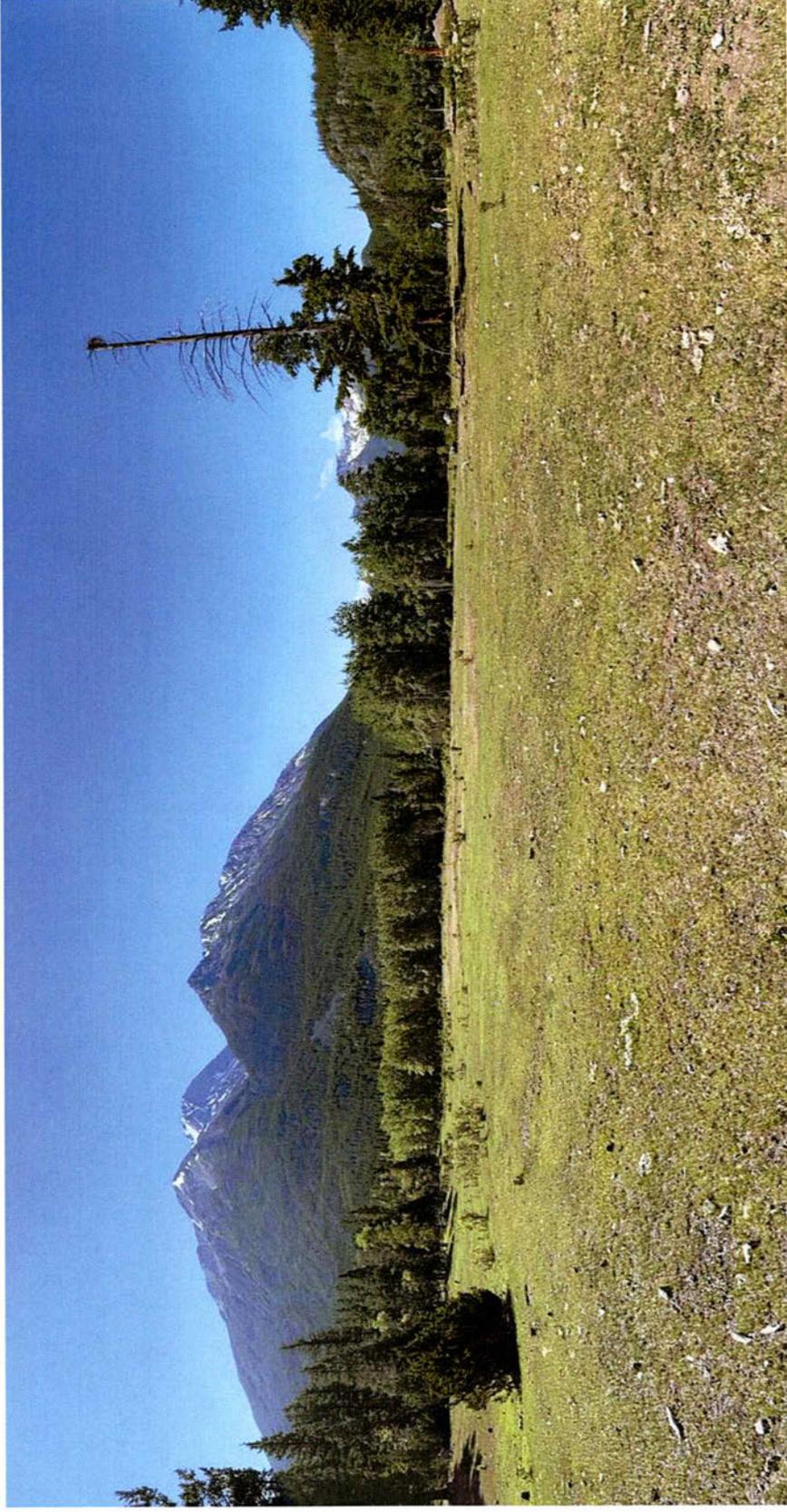
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Figure 7: *View of the Valley looking south to Middle Lake and Mosely Creek*



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Figure 8: View of the Rezoning Area looking Southwest (access road is situated to the right of the photo)



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Aquatic Habitat Development Report
For
Parcels 011-235-365 and 011-235-381, Coast District
on
Mosely Cr., BC
by
Norm Zirnhelt, R.P.Bio.

January, 2024

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1. Property Location/Application of Shoreland Management Policy

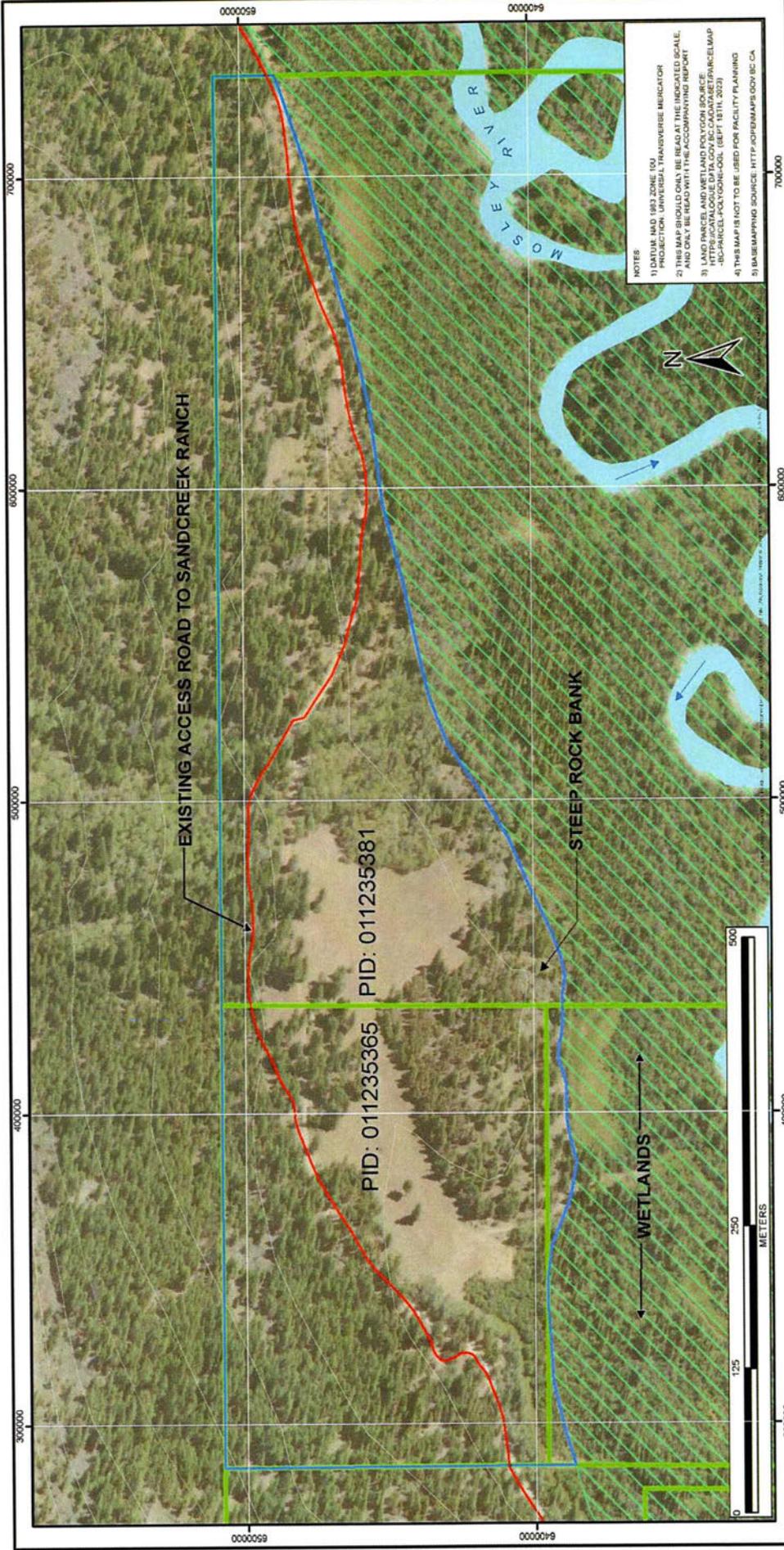
This report is in support of a rezoning application by Dave King for property on the northwest side of Mosely Cr. approximately 37 km southwest of Tatla Lake. BC. It is proposed to rezone a 27.1 hectare portion of Parcels 011-235-365 and 011-235-381, Coast District, to Tourism Commercial to accommodate a lodge, cabins and various adventure tourism activities in the valley and adjacent areas (Figure 1, page 4).

The Cariboo Regional District (CRD) Shoreland Management Policy (2004) states that “All persons applying to rezone shoreland property will be required to adhere to the policies as referenced in this document and the Cariboo Regional District will request adherence to this policy during the subdivision process” (Section 2.1).

The Cariboo Regional District (CRD) Shoreland Management Policy (2004) further states that “Any watercourse that flows into a lake will be given the water quality sensitivity rating for that lake, and furthermore “if no data is available, the water quality sensitivity rating will be considered High for purposes of this policy...”. Mosely Cr. flows into Middle Lake and the CRD does not have a water quality sensitivity rating or data on Middle Lake (Richardson, personal communication), therefore Mosely Cr. is considered High for the purposes of this policy. The Riparian Buffer Zone Guidelines of the CRD Shoreland Management Policy apply to this re-zoning application.

The Onsite Effluent Disposal Guidelines of the Shoreland Management Policy also apply to this development proposal and the CRD may require a restrictive covenant on the title of the subject property at the time of rezoning to ensure compliance with the criteria of Schedule C of the policy. This may require soil testing and possibly engagement of a professional engineer to design a disposal system. This sewage disposal is beyond the scope of this report and is therefore not addressed in this document.

A field investigation was conducted with the proponent, Dave King, on January 25, 2024.



PROJECT: KING RANCH PROJECT	
TITLE: GEOMORPHOLOGICAL FEATURES	
CLIENT: DAVE KING	PREPARED BY: SPEARHEAD GEOMATICS
SCALE: 1:3000	DATE: DEC 10, 2023
DESIGNED: JIF	DRAWN: JIN
CHECKED:	APPROVED:
LEGEND <ul style="list-style-type: none"> APPROXIMATE FLOODPLAIN BOUNDARY / WETLAND AREAS TO BE REZONED KING RANCH LAND PARCELS ACCESS ROAD 	

2. Aquatic Environment and Habitat Considerations

Mosely Cr. lies to the south of the area to be rezoned (Figure 1) and contains rainbow trout (*Oncorhynchus mykiss*), indigenous bull trout (*Salvelinus confluentus*), cutthroat trout (*Oncorhynchus clarki*), Dolly Varden char (*Salvelinus malma*), redbelt shiner (*Richardsonius balteatus*), longnose sucker (*Catostomus catostomus*) and unidentified suckers and minnows (G3 Consulting Ltd., 1998).

Coastal Bull trout have been designated as species of special concern by COSEWIC, Committee on the Status of Endangered Wildlife in Canada and Bull trout has been blue listed in the Cariboo Chilcotin in the past (Province of BC). However, a search of the BC Conservation Data Centre website revealed no species at risk nor any red or blue listed species (Province of BC, 2024)

Mosely Cr. drains through Middle Lake to the Homathko R. A chute, approximately 29 m high and located below the Homathko-Mosley confluence has been documented as impassable by all fish, limiting distribution of anadromous species to downstream sections (G3 Consulting Ltd., 1998).

The Cariboo Chilcotin Land Use Plan (CCLUP) designated approximately 34,000 hectares of the watershed as the Homathko River-Tatlayoko Protected area, given its high fish and wildlife habitat values and its notable recreational, historic and cultural resources. The boundary of the protected area includes Tatlayoko Lake and downstream portions of the Homathko River valley at lower elevations, and lower elevations of the Mosley Creek valley downstream from Middle Lake (G3 Consulting Ltd., 1998).

It is noteworthy that the Homathko River-Tatlayoko Protected Area protects an important low elevation wildlife corridor through the Coast Range, and is therefore critical in sustaining wildlife populations in the surrounding area. The wetlands along Mosley Creek provide valuable moose habitat and migration corridors for other species, such as grizzly bear. Scattered wetlands provide important staging areas for waterfowl and other birds (BC Parks, 2024).

Moose can be found in open aspen forests near ponds and wetlands. Grizzly bears are typically found along the main watercourses, and also use the alpine meadows extensively in summer. The Homathko and Mosley Valleys are important grizzly migration corridors through the Coast Range. These areas are also used by grizzlies moving between salmon runs on the Homathko and Chilko Rivers (BC Parks, 2024).

A large variety of waterfowl, raptors, and songbirds are also found in and surrounding the Protected Area, including the bald eagle, red-tailed hawk, osprey, Canada goose, great blue heron, woodpecker, and flycatcher (BC Parks, 2024).

The Coastal Western Hemlock Biogeoclimatic Zone (CWH) extends up the Homathko River valley at lower elevations to a point approximately 10 km upstream from the Mosley Creek confluence, and approximately 50 km up the Mosley Creek valley to Middle Lake. Higher elevations progress through the Mountain Hemlock Zone (MH) to Alpine Tundra (AT). Further upstream to the headwaters the Interior Douglas Fir Zone (IDF) is encountered at lower elevations. Found at higher elevations are sections of either Montane Spruce Zone (MS) or Engelmann Spruce-Subalpine Fir Zone (ESSF), depending on local topography and rainfall conditions. Many tributaries have sources in Alpine Tundra located at higher elevations between their valleys (G3 Consulting Ltd., 1998). It is likely that the wildlife values noted

above extend through the subject area and most of the species mentioned above can be expected throughout the Mosely Cr. valley.

The dominant tree species in the uplands of the subject property above the Mosely Cr. valley bottom is Interior Douglas Fir, as observed during the field inspection. Juniper was also observed.

3. Shoreline and Buffer Description

The CRD Shoreland Management Policy requires a minimum 15 m buffer strip from the natural boundary of a watercourse. The policy requires that no more than 25% of native vegetation in this buffer strip shall be disturbed, removed or degraded, nor shall any development occur which will preclude growth of native vegetation (CRD, 2004).

The definition of a watercourse from the CRD Shoreland Management Policy is as follows:

“Watercourse” means any natural or man-made depression with well-defined banks and a bed 0.6 m or more below the surrounding land serving to give direction to a current of water at least six months of the year or having a drainage area of 2 square kilometers or more upstream of the point of consideration, or as required by a designated official from the Ministry responsible for the Water Act.

The proposed rezoning area is well back from the natural boundary of Mosely Cr. (Figure 2). The natural boundary of a stream is not the floodplain, rather it is defined as where the vegetation changes from aquatic to terrestrial species. The boundaries of the area to be rezoned are above the floodplain of Mosely Cr. (van van der Horst, 2024). There is a bank along the southern boundary with a height up to approximately 7-8 meters (designated as a steep rock bank on Figure 1).

In addition, the policy recognizes and allows for larger buffer strips where there are special conditions such as wildlife corridors. As can be seen in Figure 2, the distance from the proposed rezoning boundary is greater than 100 meters to Mosely Cr., providing adequate distance to accommodate grizzly bear migration and other wildlife corridor values.

There are however wetlands in closer proximity to the development. At the northwest end of the proposed rezoning boundary there is a wetland, as well as below the rock bank noted on Figure 1 (outlined with white lines on Figure 2). During the field inspection, Dave King confirmed that these two areas generally have standing water (Personal Communication, 2024). The area indicated as wetland in Figure 2 does not have standing water but is wet for portions of the year from the water table. Mosely Cr. does not flood this area. Rather, groundwater draining downslope from the mountains causes this area to be wet for considerable periods of the year due an upwelling of the water table, and in fact, the banks of Mosely Cr. are higher than this area (King, personal communication). Willow is the dominant species in this area, mixed with spruce. Mosely Cr. does not normally breach its banks and flood the surrounding land (King, pers.comm.).

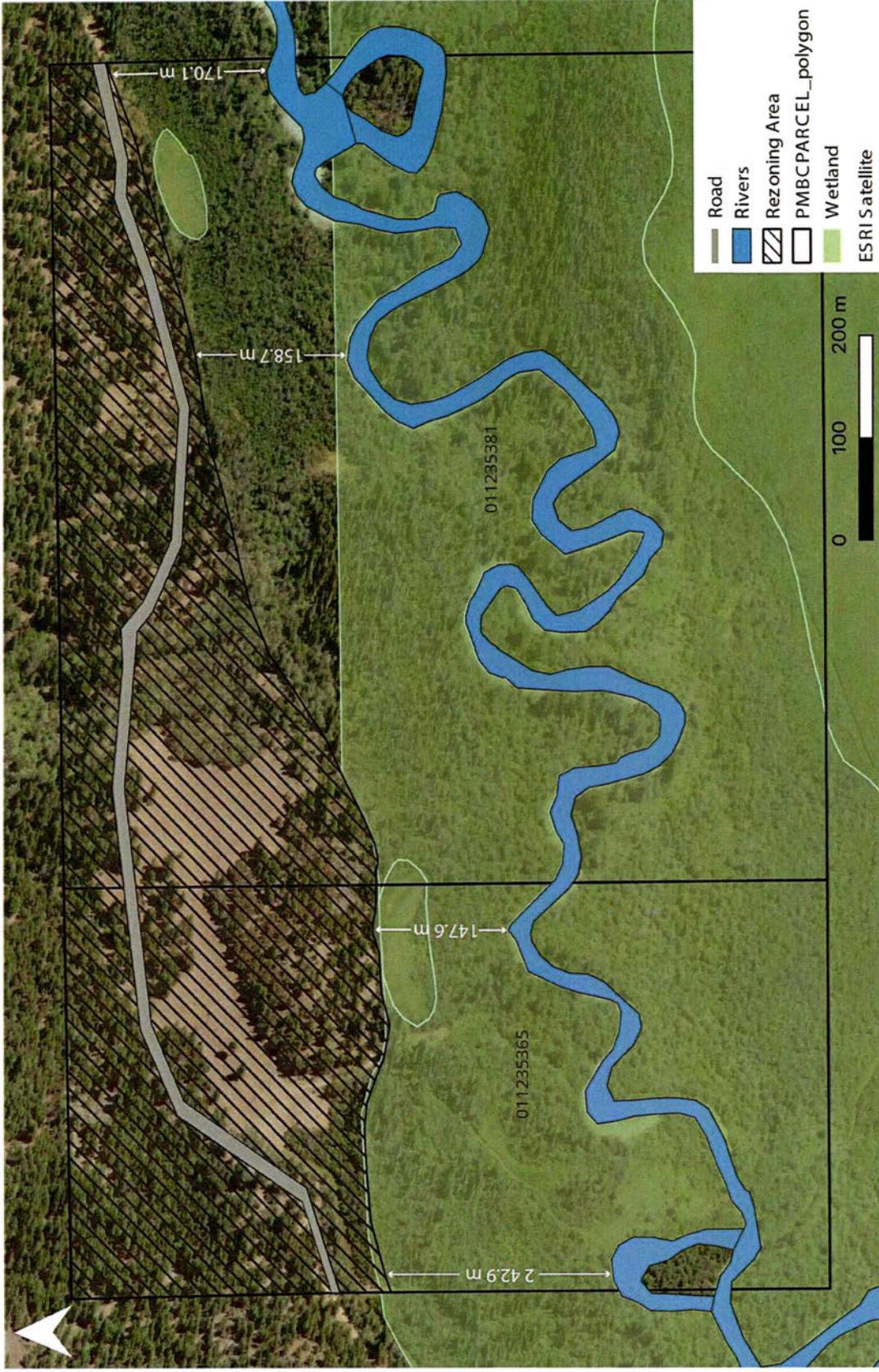


Figure 2: Proposed Rezoning Area with Distances to Mosely Cr.

Wetlands are complex ecosystems – providing a unique refuge for a wealth of plants and animals. Wetlands contain very rich biodiversity (Nature Trust BC, 2023). The boundary of the proposed rezoning is greater than 15 m from the two areas designated as wetlands on Figure 2 (Van van der Horst, D. Personal Communication, 2024).

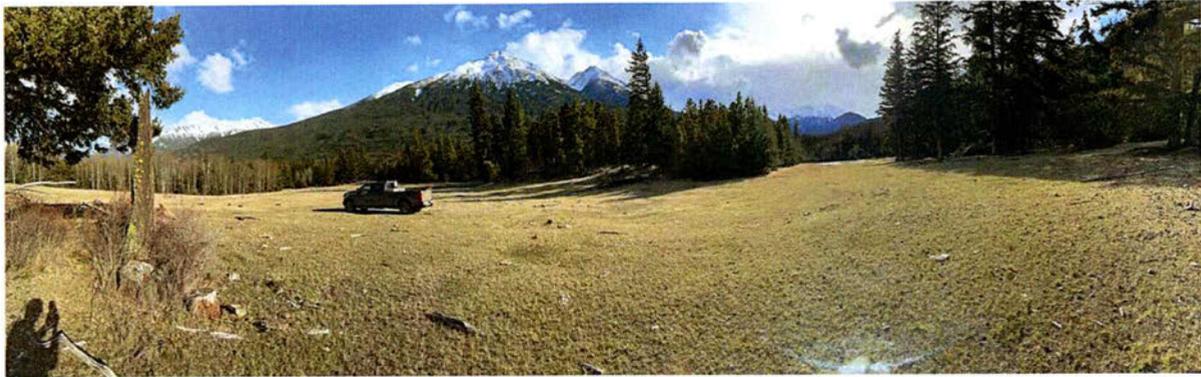


Photo 1: View of Development Area from East Side looking South and West

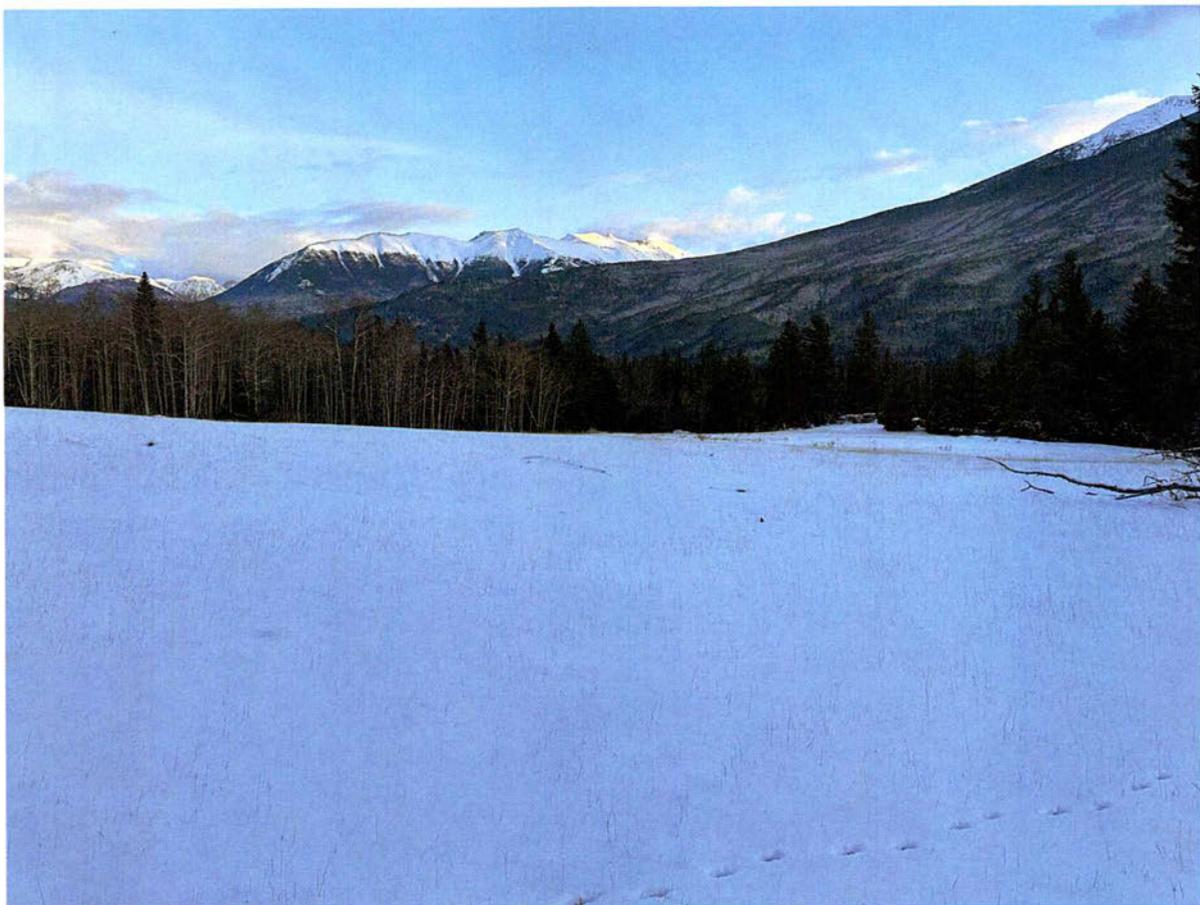


Photo 2: View of Development Area looking East from Middle of Property

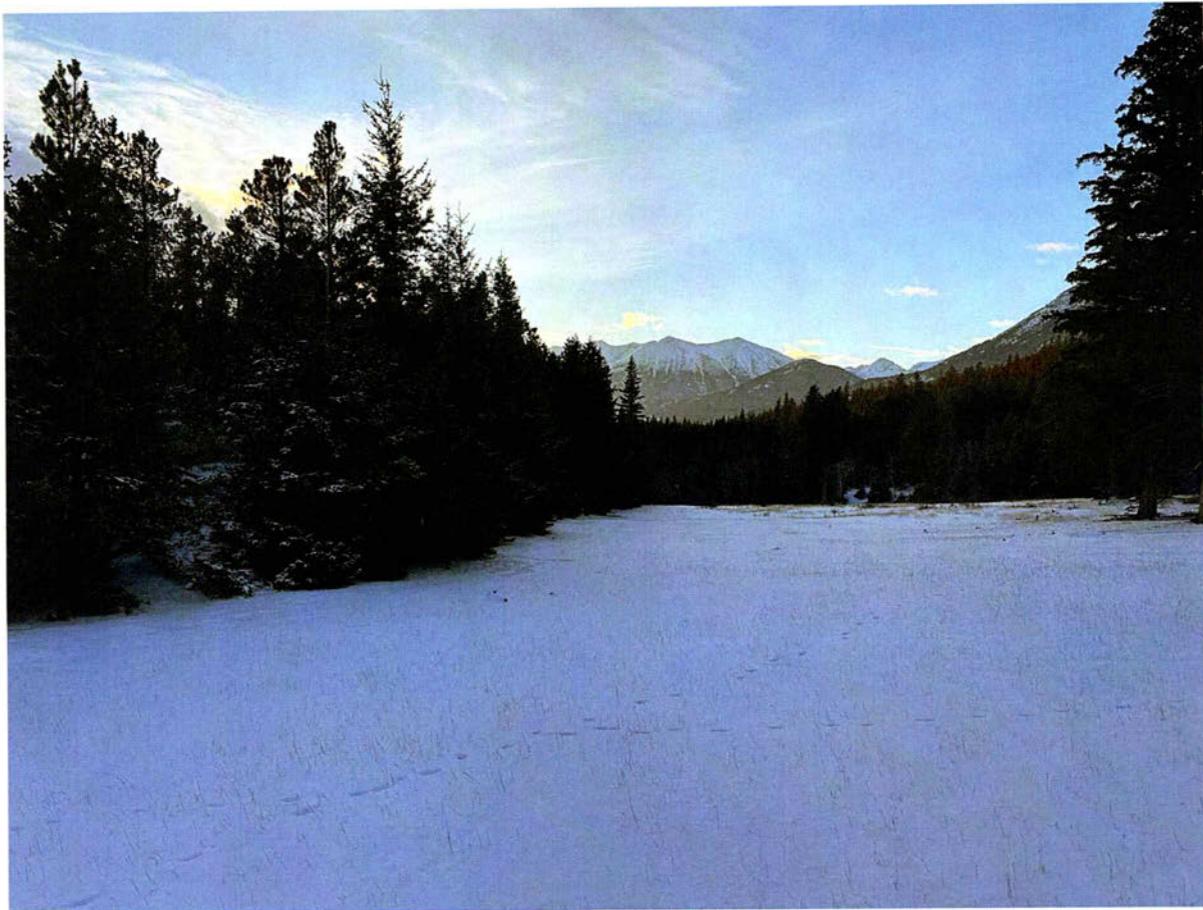


Photo 3: View of Development Area looking West

4. Conclusions

- a. The proposed development will be well away from Mosely Cr., always exceeding 100 meters as illustrated in Figure 2.
- b. A minimum 15 meter buffer zone will be retained between the development and the wetlands on the northeast and southwest portions of the area to be rezoned. These wetlands are outside of the boundaries of the proposed rezoning area.
- c. Native vegetation will be retained in the buffer zones.
- d. Given the forgoing, there will be no impact from this development on the water quality of Mosely Cr. or its associated aquatic and terrestrial habitat.

The development area as proposed complies with the Cariboo Regional District Shoreland Management Policy.

Signed:



Norman A. Zirnhelt
Registered Professional Biologist # 457
College of Applied Biology

5. References

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Richardson, O. 2024. Associate Planner, Cariboo Regional District. *Personal Communication*

Van van der Horst, D. 2024. Consultant to King Ranch. DON VAN DER HORST CONSULTING LTD (DVCL).
Personal Communication.

Chinook Arch Geoscience Inc.
#7, 1039 Mount Fosthall Drive
Vernon, BC. V1B 2W2
March 7, 2024

Mr. Dave King
c/o Swiftwater Consulting Ltd.
1760 – 750 West Pender St
Vancouver BC. V6C 2T8

Via e-mail

Attention: Mr. Dave King and Mr. Jeff FitzGerald, B.Eng., P.Eng., PMP

Re: Preliminary Groundwater Assessment, ReZoning Area, Bluff Lake Road, Cariboo Regional District, BC.

Introduction

Swiftwater Consulting Ltd, on behalf of Mr. Dave King, engaged Chinook Arch Geoscience Inc. (Chinook Arch) to prepare a preliminary groundwater assessment to support the proposed rezoning application for a property on Bluff Lake Road, (the Site), Cariboo Regional District (CRD). We understand the CRD has requested a letter from a hydrogeologist, assessing the groundwater potential of the Site, as part of the development application.

The Site is located approximately 195 southwest of Williams Lake, BC within the Mosley Creek valley. Access to the Site is via Bluff Lake Road, off Highway 20, as shown on Figure 1. The legal descriptions of the Site¹ are:

District Lot 1091, Coast Range 2 Land District, Except Plan KAP54601, Said to Contain 160 Acres More or Less; and

District Lot 1090, Coast Range 2 Land District, Except Plan KAP54601, Said to Contain 80 Acres More or Less.

Review of Background Information

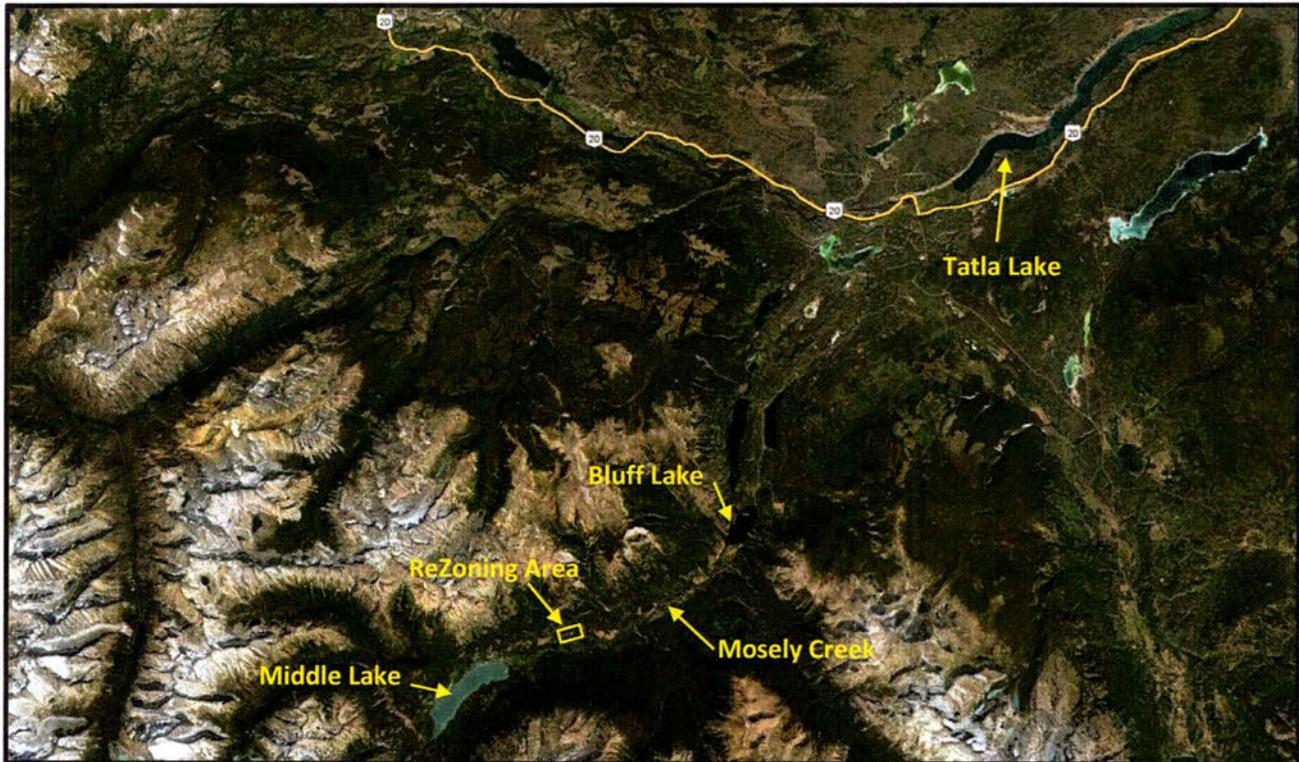
Chinook Arch searched several on-line databases for information regarding the hydrogeological and geological setting of the Site. The BC Water Resources Atlas (WRA) contains records of water wells and aquifers mapped within BC. MapPlace BC contains geological mapping and information, as does the Natural Resources Canada (NRC) website.

Following detailed searches, Chinook Arch was unable to find records of water wells or aquifers in the Mosley Creek valley listed in the WRA. However, until recently the submission of water well records was not a requirement, so

¹ <https://map.cariboord.bc.ca/portal/apps/webappviewer/index.html?id=d4d172b6911d49cd9a73582bccabf87b>

there may be unrecorded wells present. Since aquifers are mapped based on water well records, in areas without well records it is not possible to delineate the presence or extent of local aquifers.

Figure 1: Location map showing the rezoning area, Bluff Lake Road, Cariboo Regional District.



There were no records of surficial geology maps on the NRC website; however, MapPlace BC did indicate the Mosley Creek drainage contained a veneer of undifferentiated glacial deposits².

Discussions with the Client revealed local farmers and ranchers typically excavate shallow wells using either a backhoe or excavator. Culverts, or concrete rings are then installed to create shallow wells suitable for irrigation or other agricultural purposes.

Preliminary Hydrogeological Assessment

Considering the information presented above and my familiarity with the geology and hydrogeology of central BC, it is likely that the Mosely Creek valley has been infilled with glacio-fluvial sediments. These sediments were deposited during the melting and downwasting of continental icesheets at the end of the Fraser Glaciation, roughly 10,000 to 12,000 years ago. There may also have been some additional material deposited by flood events in Mosely Creek.

² <http://apps.empr.gov.bc.ca/pub/mapplace/mp2/fusion/templates/mapguide/slate/index.html?ApplicationDefinition=Library://mp2.ApplicationDefinition&locale=en>



Based on our discussions with the Client, it appears the glacio-fluvial deposits host a shallow, unconfined aquifer that is moderately to highly productive. The aquifer is likely recharged by direct infiltration as snow melts and during precipitation events. There is also likely a large volume of recharge contributed by the bedrock walls of the valley. There may also be a small volume of recharge from Mosley Creek.

Discussion

Considering the information discussed above, it is my professional opinion the glacio-fluvial deposits likely underlie the Site and these deposits contain enough groundwater to support the proposed re-zoning and development of this property. However, drilling, installation and testing of at least one water well will be required to confirm the groundwater resources in this area. As part of the testing, water quality samples should be collected and submitted for analysis to assess water potability.

The Client will need to apply for a groundwater licence to use wells to supply the proposed development once an approximate water volume is determined.

Conclusions

Based on the information presented above, Chinook Arch has drawn the following conclusions:

1. The rezoning area is located roughly 195 km southwest of Williams Lake, accessed via Bluff Lake Road in the Mosley Creek valley.
2. Although there is limited available information, it seems likely that:
 - a. The Mosley Creek valley is infilled with glacio-fluvial sediments deposited at the end of the last Ice Age, roughly 10,000 to 12,000 years ago;
 - b. The surficial sediments host a shallow, unconfined aquifer;
 - c. The aquifer is recharged by direct infiltration of snow melt and precipitation, as well as run-off from the valley sides; and
 - d. The aquifer can provide sufficient volumes of water to support the proposed re-zoning.
3. Groundwater appears to be shallow, as local ranchers have excavated and installed culverts or concrete rings as irrigation wells.
4. The Client will need to apply for a groundwater licence as development proceeds.

Recommendations

Chinook Arch respectfully offers the following recommendations to assess and use the groundwater resources in the rezoning area:

1. New water wells will need drilled, installed and tested to confirm the presence and volumes of groundwater. Shallow, excavated wells are not recommended to supply the proposed development.
2. All wells will need to meet the requirements of the *Groundwater Protection Regulation* under the BC *Water Sustainability Act*. The test data should be reviewed and interpreted by a qualified professional and submitted to the CRD.
3. Groundwater samples will need to be collected to assess water quality and potability.
4. The Client apply for a groundwater license as soon as possible, once development starts.

Closure

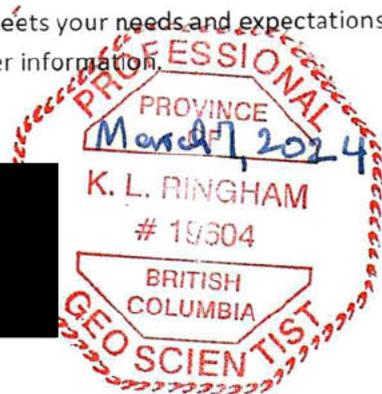
This document is intended for the exclusive use Mr. Dave King for application to District Lot 1091, Coast Range 2 Land District, Except Plan KAP54601, Said to Contain 160 Acres More or Less; and District Lot 1090, Coast Range 2 Land District, Except Plan KAP54601, Said to Contain 80 Acres More or Less, for whom it has been prepared. We also acknowledge this report will be submitted to regulators as part of the development process. Chinook Arch Geoscience Inc. does not accept responsibility to any third party for the use of information presented in this report, or decisions made, or actions taken, based on its content. This desktop hydrogeological assessment has been prepared in accordance with the Terms of Reference for Hydrogeological Reports listed in Appendix B.

The information presented in this report is based on, and limited by, the circumstances and conditions acknowledged herein, and on information available at the time of its preparation. Chinook Arch Geoscience Inc. has exercised reasonable skill, care, and diligence to assess the information acquired during the preparation of this report; however, we cannot guarantee or warrant the accuracy or completeness of the information.

Please be advised that Lee Ringham is a member in good standing in the Professional Engineers and Geoscientists of British Columbia (EGBC) and is acting within his area of expertise. This assessment has been completed in accordance with generally accepted geoscience and environmental practice.

We trust that this report meets your needs and expectations. Please do not hesitate to contact us if you have any questions or require further information.

Regards



Lee Ringham, M.Sc. P. Geo.

Senior Hydrogeologist

lee.ringham@chinookarchgeoscience.ca

Permit to Practice Number: 1001175

Attachments: Terms of Reference for Hydrogeological Reports and Terms of Engagement

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a. Nature and Exactness of Descriptions: The classification and identification of soils, rocks and geological units, as well as hydrogeological assessments and estimates have been based on assessments performed in accordance with the standards set out in Paragraph 1 above. As the work primarily involves natural systems, the classification and identification of these items are judgmental in nature and even comprehensive sampling and testing programs, implemented with the appropriate equipment by experienced personnel, may fail to locate some conditions. All investigations or assessments utilizing the standards of Paragraph 1 involve an inherent risk that some conditions will not be detected and all documents or records summarizing such assessments will be based on assumptions of what exists between the actual points sampled. Actual conditions may vary significantly between the points evaluated and all persons making use of such documents or records should be aware of, and accept, this risk. Some conditions are subject to changes over time and the parties making use of the Report should be aware of this possibility and understand that the Report only presents the conditions at the sampled points at the time of sampling. Where special concerns exist, or when the Client has special considerations or requirements, the Client must disclose them to CAGI so that additional or special assessments may be undertaken, which would not otherwise be within the scope of assessments made by CAGI for the purposes of the Report.

TERMS OF REFERENCE FOR HYDROGEOLOGICAL REPORTS ISSUED BY CHINOOK ARCH GEOSCIENCE INC. (continued)

b. Reliance on information: The evaluation and conclusions contained in the Report have been prepared on the basis of conditions in evidence at the time of site assessment and field review and on the basis of information provided to CAGI. CAGI has relied in good faith upon representations, information and instructions provided by the Client and others concerning the site. Accordingly, CAGI cannot accept responsibility for any deficiency, misstatement or inaccuracy contained in the Report as a result of misstatements, omissions, misrepresentations or fraudulent acts of persons providing information.

c. Additional Involvement by CAGI: To avoid misunderstandings, CAGI should be retained to assist other professionals to explain relevant findings and to review the technical aspects of documents prepared by other professionals relative to the hydrogeological issues pertaining to the consulting services provided by CAGI. To ensure compliance and consistency with the applicable legislation, regulations, guidelines and generally-accepted practices, CAGI should also be retained to provide field review services during the performance of any related work. Where applicable, it is understood that such field review services must meet or exceed the minimum necessary requirements to ascertain that the work being carried out is in general conformity with the recommendations made by CAGI. Any reduction from the level of services recommended by CAGI will result in CAGI providing qualified opinions regarding adequacy of the work.

6. ALTERNATE REPORT FORMAT

When CAGI submits both electronic and hard copy versions of the Instruments of Professional Services, the Client agrees that only the signed and sealed hard copy versions shall be considered final and legally binding upon CAGI. The hard copy versions submitted by CAGI shall be the original documents for record and working purposes, and, in the event of a dispute or discrepancy, the hard copy versions shall govern over the electronic versions; furthermore, the Client agrees and waives all future right of dispute that the original hard copy signed and sealed versions of the Instruments of Professional Services maintained or retained, or both, by CAGI shall be deemed to be the overall originals for the Project.

The Client agrees that the electronic file and hard copy versions of Instruments of Professional Services shall not, under any circumstances, no matter who owns or uses them, be altered by any party except CAGI. The Client warrants that the Instruments of Professional Services will be used only and exactly as submitted by CAGI.

The Client recognizes and agrees that CAGI prepared and submitted electronic files using specific software or hardware systems, or both. CAGI makes no representation about the compatibility of these files with the current or future software and hardware systems of the Client, the Approved Users or any other party. The Client further agrees that CAGI is under no obligation, unless otherwise expressly specified, to provide the Client, the Approved Users and any other party, or any or all of them, with specific software and hardware systems that are compatible with any electronic submitted by CAGI. The Client further agrees that should the Client, an Approved User or a third party require CAGI to provide specific software or hardware systems, or both, compatible with the electronic files prepared and submitted by CAGI, for any reason whatsoever included but not restricted to an order from a court, then the Client will pay CAGI for all reasonable costs related to the provision of the specific software or hardware systems, or both. The Client further agrees to indemnify and hold harmless CAGI, its officers, directors, employees, agents, representative or sub-consultant, or any or all of them, against any claim or any nature whatsoever brought against CAGI, whether in contract or in tort, arising or related to the provision or use of any specific software or hardware provided by CAGI.

CHINOOK ARCH GEOSCIENCE INC. TERMS OF ENGAGEMENT

1. PREAMBLE

Chinook Arch Geoscience Inc. (CAGI) agrees to provide the hydrogeological and technical services as delineated within the attached proposal (the "Proposal") and these Terms of Engagement in accordance with presently accepted environmental practices. The Proposal, together with these Terms of Engagement, shall constitute the entire Contract between the Client and CAGI. This Contract supersedes any conflicting provisions contained in the Client's Purchase Order or correspondence. In performing the services, CAGI will provide and exercise the standard of care, skill and diligence required by customarily accepted professional practices and procedures normally provided in the performance of the services described in the Proposal at the time when and the location in which the services are performed. No warranty expressed or implied, is made. For the purposes of the limitation of liability provisions contained in these Terms of Engagement, the Client expressly agrees that CAGI has entered into this Contract with the Client, both on CAGI's own behalf and as agent on behalf of CAGI's employees, directors, principals and subconsultants.

2. RIGHT OF ENTRY

The Client shall arrange and make provision for entry and ready access to any property, public or private, as necessary to allow CAGI to perform their services. CAGI agrees to take reasonable precautions to minimize damage during any site work. Any cost of repairing damage which may result from site work except that explicitly stated elsewhere in the Proposal is not included in the fee.

3. INFORMATION AND DOCUMENTS

The Client shall provide CAGI with all plans, information, data and other documents relevant to the project, including location plans of buried utilities. Where necessary, CAGI may arrange to obtain additional information on buried utilities from the specialty locator companies, utility companies and municipal authorities. CAGI shall be entitled to rely on the accuracy and completeness of such information and the Client shall indemnify and hold harmless CAGI from any loss resulting from the inaccuracy or incompleteness of such information. All document files and software prepared by or on behalf of CAGI in connection with the project are instruments of service for the execution of the project. CAGI retains the ownership, property rights and copyright in these documents, whether the project is executed or not. These documents may not be used on any other project without the prior written agreement of CAGI.

4. SAMPLE RETENTION

Samples obtained during the course of the project shall be retained for a period of 30 days after submission of the final project report. The Client may, by written authorization, request samples be shipped collect to a site of their choice or be stored by CAGI for a negotiated storage fee. CAGI will not be held responsible for samples lost or damaged, or any damages to persons or the environment, during the transportation or storage of samples.

5. PROFESSIONAL FEES

The scope of services to be provided by CAGI and the professional fees payable by the Client for those services are set out in the Proposal to which these Terms of Engagement apply. Additional services requested by the Client or required as a result of circumstances beyond CAGI's control shall be payable at rates set out in the Fee Guidelines published by the Consulting Engineers of BC or the Consulting Engineers of Alberta as applicable, unless otherwise agreed in writing by way of a change order to this contract or specified in the Proposal.

6. REIMBURSABLE EXPENSES

Reimbursable expenses will be charged at cost plus a markup of 10% to cover handling costs. Major items will be identified in the Proposal. In addition, the following expenses will be charged at cost + 10%.

- Fees and other charges of contractors or sub-consultants including laboratory consumables and disposal of laboratory waste;
- Shipping charges of samples and necessary equipment;
- Courier fees;
- Equipment rental;
- Travel expenses;
- Use of personal and company-owned vehicles;
- Commercial reproduction and delivery of information, drawings, specifications, photographs and other documents necessary for the project;
- Fees paid for securing approvals, permits or licences from regulatory agencies having jurisdiction over the project;
- Provision for and operation of site offices;
- Advertisement expenses as required by the project.

Unless services are provided on a lump sum basis, which will be expressly stated in the Proposal, an administrative fee of 5% of the professional fees will be payable to cover typical office and overhead expenses, such as internet, photocopying, cellular telephones, computer services, software, postage, and other office expenses.

7. TAXES

All prices for fees and expenses are quoted exclusive of all taxes or assessments levied by Federal, Provincial or Municipal Governments. Unless advised by the Client of a tax-exempt status, all invoices shall reflect appropriate assessments in addition to the cost of fees and expenses.

8. INVOICES

Invoices are due when presented and accounts unpaid by the Client 30 days after presentation shall bear interest at the rate of 1.5% per month, which is the equivalent to an annual interest rate of 19.56%. No deduction or set-off shall be made by the Client from the fees and reimbursable expenses payable to CAGI. CAGI shall be notified in writing of any disputed amounts within 14 days of the date of the invoice, otherwise invoices shall be considered correct as rendered and there shall be no further recourse by the Client. Accounts outstanding more than 30 days shall be subject to collection proceedings as provided in law. If payment has not been rendered within 60 days of the date of the invoice, CAGI shall have the right to terminate or suspend all work under this contract, without prejudice. The Client shall pay all fees and expenses incurred in the collection of outstanding accounts, including time for CAGI staff at the rates stipulated herein.

TERMS OF ENGAGEMENT FOR CHINOOK ARCH GEOSCIENCE INC. (continued)

9. INSURANCE

CAGI carries, at its own expense, General and Professional Liability insurance as follows:

- General Liability Insurance for bodily injury and property damage.
- Professional Liability Insurance for errors, omissions and negligent acts.

These policies contain certain exclusions with respect to claims arising due to water ingress to buildings, pollution or moulds and fungi. Details are available on request.

In addition, CAGI agrees to maintain coverage pursuant to provincial workers protection legislation.

10. LIABILITY

CAGI shall not be responsible for:

- the failure of a contractor retained by the Client to perform work in accordance with the applicable contract documents, building codes or industry standard;
- the design of or defects in equipment or material supplied or provided by the Client for incorporation into the project;
- any damage to subsurface structures and utilities which were not identified or were inaccurately located by the Client, utility companies or municipal authorities;
- any project decisions made by the Client if the decisions were made without the advice of CAGI or contrary to or inconsistent with CAGI's advice;
- any consequential loss, injury or damages suffered by the Client, including but not limited to loss of use, earnings and business interruption;
- the unauthorized distribution of any confidential document or report prepared by or on behalf of CAGI for the exclusive use of the Client;
- any duty of care to detect or warn of design or construction deficiencies unless such duty is specifically included in the Scope of Work set out in this Contract;
- any claims arising from the actual or alleged presence of or exposure to mould, fungi or other pollution, toxic or hazardous substances.
- any claims arising from or alleged to result from delays in completion of work by CAGI or a contractor engaged by the Client.

The Client agrees that any claim which arises or hereafter may arise against CAGI in respect of the services, howsoever arising, whether in contract or in tort, shall be limited to the greater amount of \$50,000 or the fees charged by CAGI for the services, whether or not such engagement was recommended or arranged during the course of the services, and in any event, the liability of CAGI shall not extend to costs other than those for reinstatement of the work performed by CAGI. In the event that the claim is one for which CAGI has no insurance coverage, the Client agrees that the liability of CAGI shall be absolutely limited to the lesser of \$50,000 or 10% of the fees billed by CAGI for the services that gave rise to the claim. CAGI shall have no responsibility for any part of the work not designed by CAGI.

The Client expressly agrees that CAGI's employees, principals and subconsultants shall have no personal liability to the Client in respect of a claim, whether in contract, tort and/or any other cause of action in law. Accordingly, the Client expressly agrees that it will bring no proceedings and take no action in any court of law against any of CAGI's current or former employees, directors, principals or subconsultants in their personal capacity.

No claim may be brought against CAGI in contract or tort more than two (2) years after the services were completed or terminated under this Contract.

11. LIABILITY FOR POLLUTANTS, MOULD, FUNGI AND HAZARDOUS WASTES:

The Client recognizes that projects involving pollutants, mould, fungi and hazardous wastes, as defined below, create extraordinary risks. In consideration of the said extraordinary risks and in consideration of CAGI providing the services to the Client in connection with the project on which pollutants, mould, fungi and hazardous wastes are involved, the Client agrees that CAGI's liability to the Client and to third parties with respect to any matter in any way arising out of the presence or alleged presence of pollutants, mould, fungi and hazardous wastes shall be limited or otherwise protected against as provided herein. CAGI's liability to the Client in connection with pollutants, mould, fungi and hazardous wastes is absolutely limited, both in contract and in tort, for any and all claims arising out of or in connection with the project to a total maximum aggregate amount not to exceed the cost of reperformance of the services for that portion of the Services proven to be negligent or in error.

It is further agreed that such limitation shall be exclusive of the liability of CAGI to the Client which may otherwise be provided for in this Agreement for claims unrelated to pollutants and hazardous wastes. In further consideration of CAGI providing the services to the Client in connection with the project in which pollutants, mould, fungi and hazardous wastes are or may be involved, the Client agrees that in connection with incidents and claims initiated by third parties involving pollutants, mould, fungi and hazardous wastes, the Client shall indemnify, defend and hold harmless CAGI of and from:

- any and all suits, actions, legal, administrative or arbitration proceedings, claims, demands, damages, penalties, fines, losses, costs and expenses of whatsoever kind or character, arising or alleged to arise out of the services of CAGI;
- any claims against CAGI arising or alleged to arise from the acts, omissions or work of others.

Such indemnification shall apply to the fullest extent permitted by law, regardless of fault or breach of contract by CAGI and shall include the fees and charges of lawyers in defending or advising CAGI as to such claims under the Contract. Without limiting the generality of the foregoing, such indemnity extends to claims which arise out of the actual or threatened disbursement, discharge, escape, release or ingestion (whether sudden or gradual) of any pollutant, mould, fungi or hazardous waste in or into the atmosphere, or on, onto, upon, in or into the surface or subsurface soils, water or water courses, persons, objects or any other tangible matter.

For all purposes of this clause, 'pollutants, mould, fungi and hazardous wastes' shall mean any solid, liquid, organic, gaseous or thermal irritant or contaminant, including without limitation, smoke, vapour, soot, fumes, acids, alkalis, moulds, mildew, fungi, chemicals and waste, including, without limitation, pollutants, hazardous or special wastes as defined in any federal, provincial or municipal laws.

12. ACKNOWLEDGEMENT

By signing the acceptance acknowledgement of the Proposal or by otherwise authorizing CAGI to proceed with the work the Client expressly accepts and agrees to be bound by these Terms of Engagement.



2396 Cook Road,
PO Box 102
Hagensborg, B.C.
V0T 1H0

February 29, 2024

Williams Lake Cariboo Central Regional District
Suite D, 180 North Third Avenue,
Williams Lake, BC V2G 2A4
Phone: 250-392-3351
Toll-Free: 1-800-665-1636

RE: PID: 011-235-365 for re-zoning application submitted by Dave King

It is our professional opinion that the soil depths and type are suitable for multiple commercial sewerage systems and will comply with health standards for the proposed building areas.

Sincerely,

A black rectangular redaction box covering the signature of Justin Gibbs.

Justin Gibbs, President

GIBBS CONSTRUCTION INC.

Phone: 250 982 2505

A black rectangular redaction box covering the contact information for Gibbs Construction Inc.

Leasa Williamson

From: Sweezey, Christine [IH] <Christine.Sweezey@interiorhealth.ca>
Sent: April 3, 2024 3:06 PM
To: Leasa Williamson
Subject: RE: Rezoning Referral Package Z2414 - District Lot 1090, Range 2, Coast District, Said To Contain 80 Acres More Or Less, Except Plan KAP54601 & District Lot 1091, Range 2, Coast District, Said To Contain 160 Acres More Or Less, Except Plan KAP54601

Attachments: IH_permit_watersystem.pdf; Application for a Waterworks Construction Permit.pdf; ParameterList_NewDrinkingWaterSource.pdf; request-for-new-drinking-water-source-evaluation.pdf; 8 3 1 PHO Approved Laboratory List Dec 2022.pdf

Follow Up Flag: Follow up
Flag Status: Flagged

You don't often get email from christine.sweezey@interiorhealth.ca. [Learn why this is important](#)

Good afternoon Leasa,

I hope this email finds you well. My name is Christine, the Drinking Water Environmental Health Officer in the Tatla Lake region.

A gentle reminder, the owner of water system is to complete the attached application forms and submit the following information to Interior Health. The water system will need to have a source evaluation completed by Interior Health prior to the construction of a water system. Please see the steps outlined below:

1. **Application:** Visit our Interior Health Drinking Water website and fill out:
 - A “Request for New Drinking Water Source” form (attached)
 - An “Application for Permit to Operate” (attached)
 - Draw a Site Map and include your proposed water source, nearby water bodies, location of onsite sewerage systems, buildings, dry wells, railway tracks, roads, landfills/transfer stations, fuel storage and any other possible pollutants within 300 meters of your water source. All separation distances need to be recorded on the Site Map. The Site Map can be prepared by yourself, a hydrogeologist, a drinking water consultant or any other qualified person.
 - Have the water tested with a comprehensive chemical analysis. Please use the attached chemical parameters guidelines and let the laboratory know it is for a new water supply system with Interior Health (attached). If you have more than one water source, each source should be tested individually. You will choose your own laboratory from a list of accredited laboratories (link below/attached) and the lab will send you the sample bottles to ship back to them with your water.
2. **Source Evaluation Letter:** Your Environmental Health Officer may ask for additional information such as a well construction report, intended usage, proposed number of connections, estimated population served, water licensing information from Ministry of Forests, Lands, Natural Resource Operations and Rural Development (FLNRO), photos of the site and water source etc. The Health Officer will then complete a “Source Assessment Letter” which assesses the risks associated with that particular water source. This letter will indicate whether the water requires treatment to meet Provincial/National standards and be safe for dermal exposure or drinking.

3. **Construction Permit:** Once you have received your source assessment letter, please visit our website and fill out an “Application for a Waterworks Construction Permit”. An Interior Health construction permit must be obtained before the construction, installation, alteration or extension of a water supply system. Our Public Health Engineers will review your proposal. Please do not begin construction of the water system before receiving this construction permit to ensure the components meet Provincial requirements. Please submit the following:
- A completed “Application for a Waterworks Construction Permit” form
 - Submit construction plans including key plan/map, equipment specifications and schematic diagrams for the distribution system, pump house, holding tanks, reservoirs, treatment equipment etc. These documents must be of reasonable quality, preferably prepared by a Professional Engineer or qualified professional familiar with Provincial requirements and current engineering standards such as AWWA/NSF components. Please review our “Guidelines for the Construction of Waterworks” for more information or contact our Engineering Direct department.
 - Applications should be made in writing at least 60 business days before approval is needed
 - Send your construction permit application to our Public Health Engineers by email or mail:
Email: EngineeringDirect@interiorhealth.ca
Mailing Address: Penticton Health Protection, Engineering Direct, 3090 Skaha Lake Road, Penticton BC V2A 7H2
Phone: 1-855-743-3550
4. **Approval for Permit to Operate:** Once the design is approved, installed, commissioning data gathered and conditions of the Construction Permit have been met, an Environmental Health Officer will conduct an inspection of the waterworks. Once approved, a Permit to Operate will be issued.

This operating permit does not provide approval for water usage or extraction licensing through Ministry of Forests, Lands, Natural Resource Operations and Rural Development (FLNRO), municipal or regional development permits, building permits or incorporation of governance bodies

In BC, the requirements for water supply systems are outlined in the BC *Drinking Water Protection Act* (DWPA), *Drinking Water Protection Regulation* (DWPR), *BC Groundwater Protection Regulation* and the *BC Health Hazards Regulation*.

- Interior Health Website: <https://www.interiorhealth.ca/YourEnvironment/DrinkingWater/Pages/Permits.aspx>
- Laboratories: <https://www.nrs.gov.bc.ca/qualified-labs/>
- Ministry of Health Website: <https://www2.gov.bc.ca/gov/content/environment/air-land-water/water/water-quality/drinking-water-quality>
- Resources for Small Water Systems: <https://smallwatersystemsbc.ca/>

Please contact me if you have any questions or concerns.

Christine Sweezy

Environmental Health Officer CPHI(C)

Interior Health

540 Borland St, 3rd floor

Williams Lake, BC V2G 2G8

c: 250-706-0571

e: christine.sweezy@interiorhealth.ca

Online Help Centre: <https://smallwatersystemsbc.ca>

We recognize and acknowledge that we are collectively gathered on the traditional, ancestral, and unceded territories of the seven Interior Region First Nations, where we live, learn, collaborate and work together. This region is also home to 15 Chartered Métis Communities. It is with humility that we continue to strengthen our relationships with First Nation, Métis, and Inuit peoples across the Interior.

The contents of this e-mail, including its attachments, are intended for the exclusive use of the recipient and may **contain** confidential or privileged information. If you are not the intended recipient and received this in error, you are notified that taking any action in reliance on the contents of this information is strictly prohibited. Please notify the sender by reply e-mail immediately and permanently delete this e-mail and its attachments, along with any copies thereof. Be advised that copies of your response to this email may be stored outside of Canada, not in the custody or control of Interior Health and subject to the laws of other countries.

From: Leasa Williamson <lwilliamson@cariboord.ca>

Sent: Tuesday, April 02, 2024 12:12 PM

To: Katchmar, Cindy MOTI:EX <cindy.katchmar@gov.bc.ca>; HBE [IH] <HBE@interiorhealth.ca>; Padgett, Tegan WLR:EX <tegan.padgett@gov.bc.ca>; sandra.latin@gov.bc.ca

Subject: Rezoning Referral Package Z2414 - District Lot 1090, Range 2, Coast District, Said To Contain 80 Acres More Or Less, Except Plan KAP54601 & District Lot 1091, Range 2, Coast District, Said To Contain 160 Acres More Or Less, Except Plan KAP54601

Good afternoon,

Please find attached information pertaining to the above noted application. It would be appreciated if your agency would provide any comments they may have by May 3, 2024. If you have any questions please contact Connor Ikoma, Planning Officer I at 250-392-3351 or cikoma@cariboord.ca

Leasa Williamson

Development Services Clerk V

lwilliamson@cariboord.ca



Cariboo Regional District

Suite D, 180 North 3rd Avenue

Williams Lake, BC V2G 2A4

Office: 250-392-3351 Ext. 277

Fax: 250-392-2812



Please think about the environment before you print

Planning Application Advisory Planning Commission

Date of Meeting: April 24, 2024

Location of Meeting: via Microsoft Teams

File Number: 3360-20/20240014

Application Type: Rezoning

Electoral Area: J

Legal Description: District Lot 1090, Range 2, Coast District, Said To Contain 80 Acres

More Or Less, Except Plan KAP54601

District Lot 1091, Range 2, Coast District, Said To Contain 160 Acres

More Or Less, Except Plan KAP54601

Property Location: Bluff Lake Road

In attendance:

Tolin Pare, CRD Director

Nigel Whitehead, CRD staff

Lore Schick, CRD staff

Dave King, owner

Don Vanderhorst, consulting agent

Deborah Kannegiser, APC member

Leslie Milton, APC member

Paul Christian, APC member

Richard Jones, APC member (intermittent attendance due to technology challenges, not available to vote)

Terra Hatch, APC member, recording secretary

Meeting Start Time: 8:36am

Discussion by Nigel regarding the role of the APC.

Overview and information provided by Don Vanderhorst and Dave King.

Major concerns voiced were in regards to the following:

1. Increase of air traffic and subsequent effects.
2. The effects on the travel corridor in to the valley (road traffic).
3. The incremental impact to surrounding crown land use and the other qualities that exist in the valley.

Motion to vote by Paul Christian, 2nd by Leslie Milton

Of the 5 APC members that were able to participate, 4 voted to support this application, 1 abstained from voting.

Motion to adjourn meeting by Terra Hatch, 2nd by Leslie Milton

Meeting ended 10:37am