



Agenda

Special Committee of the Whole

Wednesday, July 30, 2025

Council Chambers - City Hall
413 Fourth Street, Kaslo

Page

1. CALL TO ORDER

We respect and recognize the First Nations within whose unceded lands the Village of Kaslo is situated, including the Ktunaxa, Sinixt, and Sylix People, and the Indigenous and Metis Residents of our community.

The meeting is called to order at _____ p.m.

2. ADOPTION OF THE AGENDA

2.1 Adoption of the agenda

Recommendation:

THAT the agenda for the July 30, 2025 Committee of the Whole Meeting be adopted as presented.

3. CORESSPONDENCE

3.1 Proposed RV Park Correspondence

4 - 106

[2025.06.03.Thomson RE Accepting the QP Development Proposal](#)

[2025.06.05 Gall RE South Beach](#)

[2025.06.10 Diplock RE EMA Triggers of Former South Beach Sawmill Site](#)

[2025.06.10 Malik RE FOI Stream Protection PDA](#)

[2025.06.10 Thatcher RE South Beach Proposal](#)

[2025.06.10 Westx Info RE EMA Triggers](#)




















[2025.06.12 Morse RE OCP Wording](#)

[2025.06.14 Balla RE South Beach](#)

[2025.06.16 Malik RE South Beach Access](#)

[2025.06.17 Precious RE Risk-Benefit](#)

[2025.06.24 Begg RE the QP South Beach](#)

[2025.06.23.Malik RE Advice from the Province](#) 
[2025.06.23 Malik RE Public Access](#) 
[2025.06.23.Malik RE South Beach](#) 
[2025.06.23 Malik RE Transfer of Risk](#) 
[2025.06.23.Murdock RE South Beach](#) 
[2025.07.01 Challmie RE Wrong Project](#) 
[2025.07.06 Wells RE Fill for the RV Park](#) 
[2025.07.14 Precious RE Flash Floods](#) 
[2025.07.17 Bath RE South Beach Open House](#) 
[2025.07.17 Murach RE South Beach Development](#) 
[2025.07.21 Wells RE Open House](#) 
[2025.07.21 Wilson RE Open House](#) 
[2025.07.22 Armstrong RE South Beach](#) 
[2025.07.22 Huber RE Open House](#) 
[2025.07.22 Malik RE Bare Land Strata](#) 
[2025.07.22 O'Keefe RE South Beach](#) 
[2025.07.23 Malik RE Terms Conditions](#) 
[2025.07.24 Shadrack RE South Beach](#) 
[2025.07.27 Thatcher RE South Beach](#) 
[2025.07.28 Malik RE South Beach Issue](#) 

4. In Camera Notice

Recommendation:

THAT in accordance with Section 90(1) A of the Community Charter, part of a council meeting may be closed to the public if the subject matter being considered relates to or is one or more of the following;

(e) the acquisition, disposition or expropriation of land or improvements, if the council considers that disclosure could reasonably be expected to harm the interests of the municipality;

THAT persons other than Council members and municipal

officers be excluded from the meeting.

The open meeting recessed at _____ p.m.

5. RAISED FROM IN CAMERA MEETING

The open meeting reconvened at _____ p.m.

6. ADJOURNMENT

Recommendation:

***THAT the Committee of the Whole meeting be adjourned at
_____ p.m.***

From: Wells Thomson [REDACTED]
Sent: Tuesday, June 3, 2025 12:34 PM
To: Village of Kaslo
Cc: Mayor Hewat; Erika Bird; Rob Lang; Matthew Brown; Molly Leathwood
Subject: Accepting the QP Properties' development proposal is not in the best interest of VOK
Attachments: South Beach 1967.jpg

Attention: Mayor Hewat, Councillors Bird, Brown, Lang and Leathwood

Dear Mayor Hewat and Councillors,

I am writing to you to express my strongly held opinion that a project that places permanent structures and supportive infrastructure on the flood plain and beach at South Beach is not in the best interest of our Village's future. This is my professional opinion, even though I am retired as a signing professional agrologist.

I support the establishment of new sub-communities and neighbourhoods in Kaslo comprised of recreational vehicles, trailers, tiny homes, or manufactured homes, as well as conventional, stick-built residences. But I strongly feel they should not be established on this beach or this river bed. The low elevation (i.e. <537m asl) land of the QP proposed development provides, or should provide, a natural function. Interfering with this function by diking, filling and burying sewerage pipes and electricity conduits that service and illuminate concrete pads on this impermanent site is a mistake that will be consequential at some unpredictable and unfortunate point in the future .

On higher elevations on this property there is adequate opportunity to provide space for a residential development, and even for RV strata title properties. There might even be opportunities for some of the passive recreational but non-permanent activities envisaged in QP's proposals that would align with our Official Community Plan.

Perhaps if Council wants to support QP's desire to have a strata-title rv park, portions of the area in the South Kaslo village owned lands could be provided.

I have lived in the area of the north arm of Kootenay Lake for 56 years. In the 1970's I delivered railroad ties manufactured by my sawmill in Argenta to gondola cars in the Bay that T&H used to ship out their ties on the barge for further treatment. I observed the operation they had on South Beach. I have friends who worked for T&H who witnessed the abuse of the land there – that is, the burial of broken and dead machinery and the effects of the beehive burner. They know of occasions when the mill and equipment were flooded by high lake water. There are photographs that are available of some of those occasions (1967 photo attached as an example).

Because of my experience and local knowledge as a terrain analyst, I urge the Council to recognize that allowing the natural function of the river bed and lake shore south of the river and east of the Highway 31 bridge will benefit Kaslo's future by providing for a softening of the impacts of catastrophic flooding of the kind that has over time formed the fluvial fan that the village is built on.

Modifying this land in the manner of the proposed strata-title RV park will only increase a problem that exists now because of the partial diking and breastwork on the south side of the river east of 3rd Ave, and it is not in the “best interest” of our Village.

Bill Wells, [REDACTED], Kaslo, B.now C.



From: Beverley Gaal [REDACTED]
Sent: June 5, 2025 6:55 AM
To: Village of Kaslo
Subject: South Beach Development Proposal

Property Owner Beverley Gaal
[REDACTED]

Attention Village Council Members

I wish to state on record I am opposed to the South Beach Development proposal.

Kaslo is a beautiful heritage treasure to be cherished and preserved by current council members. A high density development proposal on this beach is not a thoughtful choice to provide a legacy for our next generations.

When the land was purchased by the developer, he knew sections were owned by the village and yet he continued to pursue the application to develop the property as a whole, not for the benefit of the village of Kaslo to preserve this unique property but to make monetary gains for himself.

The new RV developments now being built near Balfour are not a good example of caring for the beauty of Kootenay Lake. The repetitions of this type of development is like a current fad, rushly pushed forward with no respect to the gift of the beauty of our natural surroundings in this area of British Columbia. The village of Kaslo can do much better.

I believe the council members must stand firm and not allow the land owned by the village to be used for the purpose of a few people to make a lot of profit for themselves.

Of course there are other reasons why I believe the developer should not be aided to use South Beach land as currently outlined in his proposal but this letter focuses on one point, please take time to find a way to use this piece of land wisely.

Yours truly,
Beverley Gaal

From: davediplock bearenviro.ca <davediplock@bearenviro.ca>
Sent: Tuesday, June 10, 2025 10:22 PM
To: Westx Info; Village of Kaslo; Robert Baker (CAO Kaslo)
Cc: Mayor Hewat; Erika Bird; Matthew Brown; Rob Lang; Molly Leathwood
Subject: RE: [EXTERNAL]: EMA Triggers of Former South Beach Sawmill Site - Kaslo, BC

Mr. Cheyne,

I did attempt to contact Ms. French to discuss my concerns and give her the benefit of the doubt but received no response. I stand by my conclusion that the WEST report is substandard, misrepresents the environmental condition of the Site, and is misleading to the staff and residents of Kaslo who have received the report as due diligence on the development proposal. For transparency and expeditiousness, I have notified all decision makers impacted by the issues I have raised. The primary intentions of my email were to highlight:

- 1) the requirements for submitting an SDS to ENV as required by the Environmental Management Act (EMA), triggered by both the proponents zoning application and the Village's ownership interest in the land;
- 2) my concern for liability to the citizens of Kaslo given the Village's ownership interest in the site with identified contamination and a high degree of uncertainty as to the potential for additional contamination; and
- 3) the likely unacceptable risk to human health and the environment the contamination presents should it not be remediated prior to redevelopment.
- 4) the relative Ministry contact for Kaslo to follow up on the requirements to submit an SDS.

Understandably the scope of the investigation was significantly limited. However, the report is titled *Stage 2 Detailed Site Investigation* and the work does not come close to meeting the guidance of a Stage 2 Preliminary Site Investigation (PSI) nor a Detailed Site Investigation (DSI) which have definitions under EMA. Regardless of inclusion of a reliance letter, the report is sealed by a registered professional and issued by a registered firm to a developer whose intent is to rezone, subdivide and develop the property; and as such the report has been entered into the public record to support their application to do so. By your own admission, this WEST report should not be relied upon for a rezoning application. I 100% agree and hence my responsibility as a professional to highlight this to the decision makers.

As to the Arsenic, the Contaminated Sites Regulation (CSR) Soil Standard for Arsenic is a matrix standard for which the most stringent value must be applied. For Arsenic the most stringent standard is 10 ppm for protection of groundwater receptors for all land uses. Regardless, the application of Commercial Land Use standard for screening the Site is also in error. Land use as defined by the CSR does not always match the land use zoning of a municipality. The purpose of CSR land use is to be protective of the most sensitive receptors at a Site. Although the majority of the proposed future zoning is for a Commercial RV Park, the CSR Land Use applicable to the future development is Low Density Residential Land Use as defined by the CSR:

"residential land use" means the use of land for the primary purpose of a residence by persons on a permanent, temporary or seasonal basis, including, without limitation, single family dwellings, cabins, apartments, condominiums or townhouses."

I'd be happy to take the time to highlight additional deviations from the CSR contained in the report should the author be interested in some peer support.

I'd also like to clarify that I have not been retained by anyone to comment on the South Beach development application but am doing so as a local citizen. I am very familiar with the EGBC Code of Ethics and would argue my comments are both fair and professional. As for the Code of Ethics, I'd like to highlight the top two:

1. *Hold paramount the safety, health, and welfare of the public, including the protection of the environment and the promotion of health and safety in the workplace;*
2. *Practice only in those fields where training and ability make the registrant professionally competent.*

It is my professional obligation that requires me to bring this matter to the attention of the relative authorities. Please bring this to the attention of EGBC if you feel otherwise, Jeremy. I always strive to do better, otherwise what's the point?

Regards,
Dave Diplock

From: Westx Info <info@westx.com>
Sent: June 10, 2025 6:28 PM
To: davediplock@bearenviro.ca <davediplock@bearenviro.ca>; admin@kaslo.ca; cao@kaslo.ca
Cc: mayor@kaslo.ca; bird@kaslo.ca; brown@kaslo.ca; lang@kaslo.ca; leathwood@kaslo.ca
Subject: Re: [EXTERNAL]: EMA Triggers of Former South Beach Sawmill Site - Kaslo, BC

Dave,

I confirm receipt of your email.

Respectfully, there is information that you cannot ascertain from the report on a standalone basis - especially while acknowledging that you have not reviewed the initial reports that formed the basis of this limited Stage II DSA. Moreso, to include >7 professionals, including the government of BC, in your thread is needlessly and intentionally unprofessional.

Samantha French is registered with the BCIA and was registered at the time this report was stamped (<https://www.bcia.com/user/3478>) which she joined in July 2021. I cannot answer as to why she used her Alberta stamp or why there is certain regulatory references to Alberta - but she is triple registered in the western provinces and can practice and stamp in BC, Alberta, and Saskatchewan.

West's scope was to perform a **limited** DSI on areas of concern (as identified in previous studies) in relation to a commercial property as outlined in Page 19 under Land Use: Commercial. To suggest that the report contains "errors and omissions" because your client is seeking to re-zone the property is also intentionally hazardous. It should surprise nobody in this thread that the allowable limits change dramatically between a commercial, industrial, and residential property. In the case of arsenic, the 23 ppm falls below the threshold prescribed for a commercial property. These thresholds are further impacted by land use types.

To state the obvious, an environmental consultant is provided a scope of work and prepares a report of their findings based on that agreed upon scope based on facts and conditions known to it. In the case of this scope, West was engaged to investigate four (4) areas of concern known as APEC1, APEC2, APEC3, APEC4 and report on it. Nowhere in the report does West represent that 25 acres of property is free from contamination nor does it state that the soil samples represent an investigation of the entire site. Instead West is very clear in Section 1.1

that the scope is to advance the 4 test pits and summarize the findings. That is also reiterated in Section 6 (the conclusion). Hence why this was a **LIMITED** DSA.

Dave, (assuming you represent the Village of Kaslo), I can't imagine a more **inappropriate** email to send to siteid@gov.bc.ca in relation to their investment in this property. You have deliberately called into question this report, at our reputation's expense, without conducting proper due diligence. At no point, did our client seek out a reliance letter nor did West author one.

What Dave should have said is: The report is limited in scope (and clearly marked so) and it should not have been relied upon for a re-zoning application for a 25 acre property. Hard stop.

West and/or its officers are not only registered with the BCIA but are also members of the EGBC practicing under Permit 1004569. This is applicable because the Code of Ethics states that an engineer (Dave) must undertake work with due diligence, conduct themselves with good faith, and give fair professional comment. *Do better Dave.*

Best,

Jeremy Cheyne

CPA, MBA, FCSI, ICD.D

President & CEO



Cell: 403-809-3434

Web: www.westx.com

CERTIFIED
Aboriginal Business

Canadian Council for
Aboriginal Business



Certified
Full Aboriginal Member

Northeastern Alberta
Aboriginal Business Association

From: davediplock bearenviro.ca <davediplock@bearenviro.ca>

Sent: Tuesday, June 10, 2025 12:22 PM

To: admin@kaslo.ca <admin@kaslo.ca>; cao@kaslo.ca <cao@kaslo.ca>

Cc: mayor@kaslo.ca <mayor@kaslo.ca>; bird@kaslo.ca <bird@kaslo.ca>; brown@kaslo.ca <brown@kaslo.ca>;

lang@kaslo.ca <lang@kaslo.ca>; leathwood@kaslo.ca <leathwood@kaslo.ca>; ENV Site ID ENV:EX <siteid@gov.bc.ca>;
Westx Info <info@westx.com>

Subject: [EXTERNAL]: EMA Triggers of Former South Beach Sawmill Site - Kaslo, BC

Dear Mr. Baker,

I am providing this email as a professional courtesy regarding the subdivision and rezoning applications for the former South Beach Sawmill Site whereas developed of a commercial RV Park and residential lots is proposed. A review of provincial records suggests a Site Disclosure Statement (SDS) has not been submitted to the BC Ministry of Environment and Parks (ENV) for the application. An SDS is required to be submitted to ENV if the property in question has a history of commercial or industrial activities listed in Schedule 2 of the Contaminated Sites Regulation. In the case of the south beach property, multiple Schedule 2 Activities have occurred on the Site related to the former sawmill (equipment maintenance, fuel and oil storage, beehive burner) and the former shipyard. Photos attached below.

It appears that the proponent's out-of-province consultant may not be adequately familiar with the processes and regulations of the BC ENV. I base this conclusion on a cursory review of the "Stage 2 Detailed Site Investigation" by West Earth Sciences (attached) and the diction within report. Furthermore, the scope of work of this report does not meet the minimum requirements of a Stage 2 Preliminary Site Investigation (PSI) nor a Detailed Site Investigation (DSI) with only 4 test pits excavated for the 25 acre site and no groundwater investigation. Also, the analytical tables provided do not screen all of the metals included in the laboratory reports. A cursory review indicates multiple instances of metals contamination are present including Arsenic (23 ppm), Cadmium (21.8 ppm), Lead (497 ppm) and Zinc (2100 ppm). From my experience in the area, these results suggest poor quality fill of a mining origin, not uncommon for foreshore sawmills that usually imported fill soils during development. Overall, this report appears deficient with multiple errors and omissions. As copies of the preceding Phase 1 ESAs were not made available, I cannot comment on these important baseline assessments from which the Stage 2 DSI built upon.

Note that it is NOT expected for local governments to technically review environmental reports of a contaminated sites nature. Rather, ENV's Site Identification process (<https://www2.gov.bc.ca/gov/content/environment/air-land-water/site-remediation/identifying-and-disclosing-sites-that-may-be-contaminated>) is in place to capture contaminated sites during redevelopment by the submission of a SDS. ENV provides the regulatory oversight with a robust professional reliance system in place to ensure the requirements of the Environmental Management Act are met. I recommend that you review with the proponent the requirement for submission of and SDS and reach out to ENV (cc'd) if clarification is required as to which Schedule 2 Activities are applicable to the Site.

The Village should also be concerned with the potential for future contaminated sites liabilities for which the Village may be partially responsible given the Village's approximately 20% ownership stake in the lands under consideration.

Please feel free to contact me should you require any further information or clarification on this matter.

Respectfully yours,

Dave Diplock, P.Eng.

Bear Environmental Limited

PO Box 76 Rossland, BC V0G1Y0

Courier: 1648 Balsam Avenue

Ph: 250-231-2151

Email: davediplock@bearenviro.ca





June 10th, 2025

Village of Kaslo

To Whom it may Concern

Re: FREEDOM OF INFORMATION AND PROTECTION OF PRIVACY ACT request

At the time 2024 work on Section 5 of the Kaslo River Dike took place, two massive piles of dirt appeared. Both of these piles clearly lie within the Stream Protection Development Permit Area. The photograph below looks east. From the left, the first line is the river, the second is pile one and the third is pile two.



Please provide a copy of the Development Permit issued and the Environmental Impact Assessment completed prior to this site alteration. Should I be advised that copies are not available I will assume that neither of these documents existed prior to the site alteration.

Anne Malik

[REDACTED]

Kaslo, BC

From: Osa Thatcher <[REDACTED]>
Sent: Tuesday, June 10, 2025 8:40 AM
To: Village of Kaslo
Subject: South Beach Proposal

Dear Village staff, Councillors and Mayor,

I am and many other residents of our beautiful village are very disappointed that you are continuing to pursue the South Beach development.

What are the benefits to Kaslo?

As I was Kayaking by the mouth of the Kaslo river it was crowded with boats and people fishing from shore. I had to weave around them in order not to get our fishing lines snagged. I don't want to imagine an increase of boaters and fishers. We value having a quiet lake and our favourite quiet spots to walk, picnic and camp.

It is questionable whether our OCP allows development of recreational vehicles on our waterfront. Certainly not a boat launch for more power boats!

The OCP also has a clause about climate change being regarded in every decision. Is encouraging huge gas guzzling motor vehicles on our highways and in our quiet village not contradicting to the need to reduce fossil fuels? Consider the link between our culture of fossil fuel use and the wildfires we are facing.

What are the benefits to Kaslo of this development? What is the benefit to the planet in encouraging this type of development?

Please consider,

Osa Thatcher

From: Westx Info <info@westx.com>
Sent: Tuesday, June 10, 2025 6:28 PM
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Best,

Jeremy Cheyne

CPA, MBA, FCSI, ICD.D
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Sent: Tuesday, June 10, 2025 12:22 PM

To: admin@kaslo.ca <admin@kaslo.ca>; cao@kaslo.ca <cao@kaslo.ca>

Cc: mayor@kaslo.ca <mayor@kaslo.ca>; bird@kaslo.ca <bird@kaslo.ca>; brown@kaslo.ca <brown@kaslo.ca>; lang@kaslo.ca <lang@kaslo.ca>; leathwood@kaslo.ca <leathwood@kaslo.ca>; ENV Site ID ENV:EX <siteid@gov.bc.ca>; Westx Info <info@westx.com>

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Note that it is NOT expected for local governments to technically review environmental reports of a contaminated sites nature. Rather, ENV's Site Identification process (<https://www2.gov.bc.ca/gov/content/environment/air-land-water/site-remediation/identifying-and-disclosing-sites-that-may-be-contaminated>) is in place to capture contaminated sites during redevelopment by the submission of a SDS. ENV provides the regulatory oversight with

a robust professional reliance system in place to ensure the requirements of the Environmental Management Act are met. I recommend that you review with the proponent the requirement for submission of and SDS and reach out to ENV (cc'd) if clarification is required as to which Schedule 2 Activities are applicable to the Site.

The Village should also be concerned with the potential for future contaminated sites liabilities for which the Village may be partially responsible given the Village's approximately 20% ownership stake in the lands under consideration.

Please feel free to contact me should you require any further information or clarification on this matter.

Respectfully yours,
Dave Diplock, P.Eng.

Bear Environmental Limited

PO Box 76 Rossland, BC V0G1Y0
Courier: 1648 Balsam Avenue
Ph: 250-231-2151
Email: davediplock@bearenviro.ca





To: Mayor and Council
Re.: OCP wording precludes a South Beach strata RV park
Date: June 12, 2025

Dear Mayor and Councillors,

From the outset, QP Developments and their hired consultants and lawyers have argued that Section 11.1.7 of Kaslo's OCP grants them the right to develop a strata RV park on South Beach. They base their position on that section's wording:

"Limit development on a floodplain to **passive recreational uses**, which may include seasonal campgrounds/RV parks." [Emphasis mine]

Those who oppose QP's planned development point out that 11.1.7 isn't prescriptive — it says "may include" — and uses the word "seasonal," which of course the proposed strata is not. More importantly, they point out that the OCP's section 16.4.3 (4) is *definitive*. It names names, and its language is much more muscular than that in section 11.1.7. "... **shall be limited...**" could hardly be clearer, they point out. Here is 16.4.3 (4):

"Development in the Development Permit Area, from Moyie Beach, East **and South to beyond the mouth of the Kaslo River** except for the Loggers Sports Ground **shall be limited to passive recreational amenities**, such as walking and multi use trails, natural parks areas, non-motorized pleasure craft launches, and park benches." [Emphasis mine]

This raises a thorny question: how on earth could both these sections have been included in the current OCP? Any reasonable editorial process would have caught the obvious contradiction between the two prior to the OCP's final draft being adopted. And had it been caught, it seems obvious 11.1.7 would have been dropped, deemed unnecessary, given the clarity and specificity of 16.4.3 (4), as well as its internal contradiction — there is no such thing as a "passive" RV park. But, alas, there they both are, and unless an OCP review happens (an excellent idea), there they will remain. (By the way, as an aside, note that the Local Government Act clearly states a municipality is under no obligation to approve a type of development simply because it is mentioned in their OCP).

Having said all that, you will note I have highlighted in red a particular word that appears in both sections: **passive**. What that word actually means matters a great deal in

the context of what, if anything, may happen at South Beach. It certainly precludes any possibility of something like a strata RV development taking place.

To begin, municipal planning documents across Canada, including BC, often distinguish between "active" and "passive" recreation. Here's a sample definition and some common, concrete examples of passive recreation from a few municipal planning documents and parks master plans from across the country:

CORE DEFINITION: "Passive Recreation refers to recreational activities that require minimal alteration to the landscape; passive recreational activities generally require minimal resources. As a result they are highly compatible with natural resource protection." (Source: *Engage MODL - Municipality of the District of Lunenburg, Nova Scotia*).

- **EMPHASIS ON LOW IMPACT:** "Open space activities conducted at walking speed or less, (e.g. strolling, sitting, picnicking, watching active sports)." (Source: *City of Saskatoon Park Development Guidelines*).
- **FOCUS ON NATURAL APPRECIATION:** Often described as activities that promote "passive enjoyment and informal pedestrian routes" within natural open spaces (Source: *City of Port Moody OCP*).

In researching how other Canadian jurisdictions interpret "passive recreational uses or activities," the following attributes emerge as common:

— **Non-motorized:** Primarily activities done by foot, or very slow, quiet, non-disruptive means.

— **Low Impact:** Minimal disturbance to existing ecosystems, soil, or vegetation.

— **Quiet:** Focus on appreciating natural sounds and views, avoiding noise pollution.

— **Minimal Infrastructure:** Requires little to no built facilities beyond trails, benches, or viewing platforms.

— **Examples:** Walking, hiking, birdwatching, picnicking, fishing (from shore), nature observation, photography, sitting, gentle swimming, reading, enjoying scenery, contemplation.

Most BC OCPs consistently define "passive" by contrasting it with "active," or by listing activities consistent with its core meaning. Here are a couple of examples:

CITY OF PORT MOODY OCP (*Chapter 7: Parks, Open Spaces and Recreation*): Distinguishes between "active recreation" – such as sports fields and cycling trails – and

“passive recreation” – such as natural forest reserves and flower beds. It further describes "Natural Open Space," where "Recreational use... is usually limited to passive enjoyment and informal pedestrian routes."

SUNSHINE COAST REGIONAL DISTRICT (*Roberts Creek Official Community Plan Bylaw No. 641, 2012*): States: "Citizens of Roberts Creek have always seen the existence, use, and need of park land and passive recreation as means of fostering an awareness of the natural environment and the desire to preserve green space and environmentally sensitive areas." This emphasizes environmental awareness as a key goal of passive recreation.

In the general BC planning context, areas designated for "passive recreation" in OCPs are typically intended to protect ecological integrity, maintain natural aesthetics, and provide opportunities for quiet enjoyment of nature. They are not intended for high-density uses, such as:

- Significant built infrastructure (like large sewage systems, extensive road networks, or private pads).
- Motorized vehicle use (including RVs as a primary dwelling/recreation form, ATVs, or widespread golf cart use).
- Activities that generate significant noise, traffic, or waste.

In other words, the argument that RVs, the infrastructure required to support a strata RV park, the potential for other motorized vehicles (like golf carts), the inevitable noise and light pollution, all fundamentally contradict “passive recreational uses,” is strongly supported by these common planning definitions and examples.

It's crucial to understand that “passive recreational uses” in planning contexts typically refer to low-impact, non-motorized activities that emphasize the appreciation of natural environments, such as walking, hiking, birdwatching, picnicking, and quiet enjoyment of scenery. It explicitly excludes activities that involve significant infrastructure, high visitor density, noise generation, or the widespread use of motorized vehicles.

Section 11.1.7 of Kaslo's OCP uses the word *passive*. So does section 16.4.3 (4), while going further, explicitly defining passive as “...walking and multi-use trails, natural parks areas, non-motorized pleasure craft launches, and park benches.” A definition very much in line with the wording in the OCPs and planning documents in many other jurisdictions across the country.

The proposed South Beach RV strata, by its very nature as a high-density, vehicle-dependent form of temporary residence requiring extensive infrastructure, is a direct contradiction of this established planning principle, specifically referenced, not once but twice in Kaslo's OCP.

I understand QP's lawyer has suggested his client's proposed project is in alignment with our OCP. To paraphrase Voltaire, *"It is with lawyers as it is with books: a few good ones make all the difference."* Their lawyer is wrong.

If Kaslo's municipal government were to accept QP Development's plans, it would both contravene the OCP (both sections 11 and 16 stipulate passive use in the area in question), and risk placing the village as an embarrassing outlier among other municipalities and jurisdictions in BC and across the country that have defined passive use, recognize its importance through inclusion in their OCPs, and behave accordingly.

There are other reasons to step back from making a regrettable decision on this matter (including the complete lack of any robust, third-party analysis of the potential risks/benefits/costs for our community and local government associated with QP's proposal — *see footnote below*). But this issue — the clear reference to passive recreational uses/amenities in both 11.1.7 and 16.4.3 (4), makes it obvious Council must not allow an RV park, strata or otherwise, at South Beach.

Kind regards,

Randy Morse



Kaslo V0G 1M0

PS: Should you prefer to listen to and/or share this information in podcast form, it appears at 1:23 of the following downloadable versions of Friday, June 13, 2025's edition of Radio Free Kaslo, broadcast live at 11 AM on Kootenay Co-op Radio.

SPOTIFY VERSION

https://open.spotify.com/episode/3i1xScqTeNamrw4yUE53Ao?si=FNkbVgiST_yAClf_mrKsjw

APPLE PODCASTS VERSION

<https://podcasts.apple.com/ca/podcast/radio-free-kaslo-june-13-2025/id1585014551?i=1000712639897>

Footnote:

So far, when it comes to the proposed strata RV park at South Beach, both proponents and opponents are relying on guesses and opinions — for example, “It will create jobs and benefit local businesses;” “It will damage the environment and negatively impact the community in numerous ways.”

Either (or both) of these and the other surmises “out there” pertaining to the QP land sale/swap and strata RV park proposal could be true. But the problem, from the POV of those tasked with thinking about and doing their best to protect the best interests of present and future citizens of Kaslo — Kaslo Village Council — is that there is no actual data, no evidence, nothing even vaguely concrete upon which to base a decision that will have implications for Kaslo for generations..

Luckily, there are a number of readily available resources to help shape and guide a rigorous cost/risk/benefit analysis on behalf of, in this case, the Village of Kaslo.

For example, here is the Treasury Board’s *Canada’s Cost-Benefit Analysis Guide*. While primarily for federal regulations, this guide offers valuable insights into the principles and methods of cost-benefit analysis, which can be adapted for municipal contexts:

[/https://www.tbs-sct.canada.ca/rtrap-parfa/analys/analys-eng.pdf](https://www.tbs-sct.canada.ca/rtrap-parfa/analys/analys-eng.pdf)

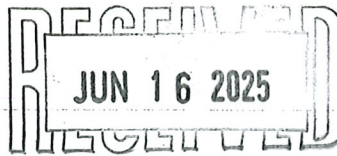
Here is the Federation of Canadian Municipalities’ *Decision Making and Investment Planning Guide*:

<https://fcm.ca/sites/default/files/documents/resources/guide/infraguide-managing-risk-mamp.pdf>

And here is Harvard University’s *Benefit-Cost Analysis and the Cities*. The introduction perfectly summarizes why such an analysis is so important in, as objectively as possible, answering the question, “Is it

“Weighing the pros and cons of different choices is a natural part of any decision-making process. By making this process more explicit, benefit-cost analysis provides significant advantages for policymakers as well as for those ultimately affected by their decisions. It develops the evidence needed to identify the policy option likely to provide the largest net benefits to society, promotes understanding of the consequences of different choices, aids in predicting outcomes that might be otherwise unexpected, and fosters effective communication of the reasoning that underlies the decision.”

https://hwpi.harvard.edu/files/datasmart/files/benefit-cost_analysis_the_cities.pdf?m=1629297896



June 14/25

Dear Kaulo Council

- This letter is in regards to the 'revisit' South Beach.
- I think holding position - and - not taking immediate action may be a wise move at this time
 - engagement of the Community is important
 - Land has been used spiritually by the (supl to represent - our body and mind and therefore to 'us' in this tiny Community you may want to consider that 'South Beach' - Unruh's property - to be - Gaza Strip of Conuela -

When our subconscious mind is tied in some manner - we can - and will create war - It may not arise here ~~per se~~ but even to another locality such as the Middle East if we have been tied there.

Therefore - if you look at Dec 21/23 - article in Nelson Star - It is important to consider that Kaulo and 'Beyond' includes the 'Beyond' is: there is something happening here that needs to first be understood.

Based on my initial assessment, which may evolve - there is a part of our mind tied to drugs and alcohol - which is inhibiting - vulnerable populations freedom of awareness and thought. - understanding this issue in its entirety will take time -

Continue Tavera P. Bulla

Pre 14/25

But it is essential for us to understand - so that we at a spiritually non violent population group can move for world safety.

- One thing I may suggest is that if it is a part of Council's intent - that the public have access to it legally then may be - donation of 5-10 RV site, - to mixed tent RV - sites available that are free - so that the vulnerable population is included - what I'd like to see is that - it have - individuals who are rehabilitating their mind - which is the issue I see at this time -

I have witnessed this issue in all income brackets but the lower one is most vulnerable to not being able to recover. because of lack of housing during - the warfare situation - ie: Allocated sites for "enemies against enemy victim services"

This is to prevent (hopefully) in the future - any issue that arise - regarding the use of our subconscious mind by the (SUP) - who like to create chaos in our head that they wish

- Control - and inhabit - and defend. using all life form, on our planet.

What I have seen here - with church's property is that the owner - is also interested in working with the public and council - and so hopefully he may find this to be something he could agree on as well.

Attached: 3 pages

Resh Wates  E. Tamera P. Bull

This document has been published to increase understanding of the Canadian Charter of Rights and Freedoms and to heighten awareness of its significance in our daily lives.

This publication is not a legal document. The notes in the booklet are for explanatory purposes only, and are not to be taken as legal interpretations of the provisions of the Charter.

Additional copies of this booklet may be obtained by writing to:

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K1P 6G6

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ISBN 0-662-13033-2

27E(1/84)

The Charter of Rights and Freedoms

A Guide for Canadians

Canada

27. This Charter shall be interpreted in a manner consistent with the preservation and enhancement of the multicultural heritage of Canadians.

"In (the new) Parliament there will be no question of race, nationality, religion or locality . . . The basis of action adopted by the delegates to the Quebec Conference in preparing the resolutions was to do justice to all - justice to all races, to all religions, to all nationalities and to all interests . . ."

Sir Hector-Louis Langevin, Father of Confederation, 1865

"For here (in Canada), I want the marble to remain the marble; the granite to remain the granite; the oak to remain the oak; and out of all of these elements, I would build a nation great among the nations of the world."

Prime Minister Sir Wilfrid Laurier, 1903

"Canada is a garden . . . into which has been transplanted the hardest and brightest flowers of many lands, each retaining in its new environment the best of the qualities for which it was loved and prized in its native lands . . ."

The Right Honourable John G. Diefenbaker, 1961

28. Notwithstanding anything in this Charter, the rights and freedoms referred to in it are guaranteed equally to male and female persons.

Canadians are proud that this country has not become a melting pot, but has maintained its multicultural character. This is officially recognized in the Constitution under the provisions of the Charter stating that it shall be interpreted in such a way as to maintain and enhance the multicultural heritage of Canada.

Think about this quote - why would an oak not be an oak - It is Control of the Elements (presumably table) likely using electrical subconsciously / lightning which heat the Elements & they then emit light

← reference to the Cashew nuts Molecular Biology & Legal description

← reference? Hx - plants were in 2 locations with our sharp mind and tied - what happened to the org they came from? (Michelle Root)

This special clause ensures that all rights in the Charter are guaranteed equally to men and women. It was added at the request of women's groups to provide reassurance that their rights will be protected. This is one guarantee that cannot be overridden by a legislature or Parliament.

Comments by T. Ball 2025

affected by spiritual violence

Fundamental freedoms

Fundamental Freedoms

2. Everyone has the following fundamental freedoms:

- (a) freedom of conscience and religion;
- (b) freedom of thought, belief, opinion and expression, including freedom of the press and other media of communication;
- (c) freedom of peaceful assembly; and
- (d) freedom of association.

violated

violated

violated
Cordell

"I share the commitment of many in this House and in this country to a very strong charter of rights..."

The Right Honourable Joe Clark, Leader of the Opposition, House of Commons, February 23, 1981

Freedom of conscience = awareness of your environment
Freedom of thought = sup will invade - using non animal/human insects mind

specific provision of the Charter in one of those areas. Any such legislation would expire after five years unless specifically renewed. The value of this clause is that it will ensure that legislatures rather than judges have the final say on important matters of public policy. The provision will allow unforeseen situations to be corrected without the need for constitutional amendment.

The Charter enshrines certain fundamental freedoms for everyone in Canada. They are freedoms that custom and law over the years have made almost universal in our country. Now these freedoms will be protected by the Constitution.

As Canadians, we are guaranteed the right to worship, or not, as we wish, in the place of worship of our choice. Freedom of the press and other media is ensured and our right to gather in peaceful groups as well as our right to freedom of association is protected.

The Charter of Rights & Freedoms
A Guide for Canadians 1986

Reel 15B00662-13033-2

'Water apocalypse' demands return to nature for flood, drought resilience: experts

by The Canadian Press
Thursday, December 21, 2023

www.nelsonstar.com

A view of a wetland restoration project in the Yaqa Nuliy, also known as the Lower Kootenay Band First Nation, is seen near Creston in an undated handout photo. The project involves the restoration of nearly 520 hectares of wetlands that were disconnected from the surrounding river system in the 1960s by a series of ditches, dikes, pumps and drains. Photo: The Canadian Press/HO-Norm Allard

Allard likened reopening the floodplain to "popping holes in a garden hose."

The restoration work is taking pressure off the river system, reducing the risks of flooding and erosion while helping the landscape stay hydrated over the summer.

"It's still a managed system. The main rivers in the area are controlled by dikes for the agricultural lands and hydro dams as well," Allard noted.

"So, in reopening these (wetlands), we'll never get the historical amounts of water back. But we're mimicking that yearly fluctuation."

Thursday, December 21, 2023 AT

Kaslo residents gather for waterfront development open house

by Rachael Lesosky
Local Journalism Initiative Reporter, Valley Voice

Curious and concerned residents of Kaslo and beyond gathered at the Legion on Nov. 29 for an open house regarding the proposed rezoning and development of a waterfront property known locally as South Beach or the Old Sawmill Site. If rezoning gets approved by council, Dale Unruh, owner of the land and president and CEO of Quality Property Developments Inc., hopes to put in a strata RV park (75-to-90 sites), a small boat launch, four-to-eight private residences, and some parkland (a public trail along the river to the lake).

The property is approximately 30 acres, bordered on the north by the Kaslo River and on the east by Kootenay Lake. Only about 15 acres of the land are developable, due to steep grades. Currently, it is zoned M-1 Industrial, reflecting its historical use as a sawmill.

Unruh presented at the open house, along with Ed Grifone, senior consultant with CTQ Consultants. Grifone is Unruh's agent on all matters relating to the rezoning application. Dave Cullen from CTQ was there as well, along with Mayor Suzan Hewat, the Village's chief administrative officer Ian Dunlop, and about 50 members of the public. Unruh's rezoning application includes a letter explaining the proposal, a detailed environmental impact assessment, a geotechnical engineering report, and an infrastructure impact study. All this and more were available for viewing and questioning at the open house.

The application has taken more than two years to put together, and Dunlop has been involved from the start, ensuring that it adheres to the Village's principles. Opinions among the public varied widely.

Some were sold on the idea, saying an RV park makes sense.

"We already have lots of RVs coming through. Why not give them a place to park? Instead of parking on the road," said one attendee.

Some also saw it as a great opportunity for tourism and bolstering Kaslo's economy.

But others were concerned about losing access to the land, which has become an unofficial park for the community since the sawmill closed in 1980.

"I swam in the lake there every day during the summer," said one individual.

"I was down there just the other day, harvesting rosehips," said another.

Some prospective future residents of Kaslo said they were hoping to retire in the community but began rethinking their plans after hearing about the development.

The concerns that surfaced again and again during the evening were using the land for an RV park instead of for permanent housing, protecting the sensitive ecosystem, and retaining public access to a well-loved piece of land.

Housing
Part of the proposal includes four-to-eight residences, so why not more, the public wondered.

"What's the benefit to Kaslo of having 80 units occupied during the high season, and nothing in the rest of the year?" said an attendee. "We've got merchants closing their doors because there aren't enough people to sustain the businesses during the winter. That's a big worry to us."

Grifone responded, "If there were an opportunity to do affordable housing, I think Dale [Unruh] would have jumped at that."

The greatest barrier to housing is that the property is in the Kaslo River floodplain. This restricts the construction of major structures, even though the Village continues its work upgrading dikes along the river.

To build any major permanent structures, QP Developments would need to significantly alter the land via fill and grade changes. Without adding fill, the regional district requires that structures have wheels, to allow for quick evacuation in case of flood.

The floodplain complicates waste disposal, too. The property is not connected to Village sewer, but it does have an engineered septic system. However, this system can only accommodate the sewage created by RVs during part of the year. Year-round permanent housing would create much more effluent that the system wouldn't be able to handle.

RV parks do add value to the community and fill a need, albeit differently than permanent housing would, Grifone said.

"There is economic impact [from tourism]. Money is being spent in the community from people staying in RVs. Kaslo is going to be a tourist destination for quite some time."

Grifone also spoke to the manager of the Kaslo Municipal Campground downtown.

"She goes on and on about how we just don't have enough camping here," he said. "I think her perspective has value, to understand and recognize that people are looking for that kind of accommodation, too."

Grifone and Unruh said they are not discounting housing and are open to input from the public; the open house was just the start of the public consultation process. However, considering the barriers they have encountered over the two years of preparing the proposal, an RV park may just be the most viable option.

Some eyebrows were raised when Grifone expressed that the site, with stunning views of Kootenay Lake, is not the kind of place where one would want to put affordable housing anyway.

"Working class people should be able to look at the lake, too!" one astonished attendee responded, to cheers from others in the crowd.

Sensitive ecosystem
Since the sawmill closed in 1980 wildlife and nature have had free range, though the ground disturbed by the mill is less naturalized.

In the process of putting together the rezoning application, QP hired Ecoscape Environmental Consultants to conduct a detailed environmental assessment. Ecoscape identified sensitive areas that need to be protected, wildlife trees that can't be disturbed, and what would need to be replaced if removed during the building process.

Watershed Engineering completed a hydro-technical assessment and proposed a low wall along the river to minimize falling debris and scouring. The wall would be constructed on the RV park side of the development to leave ample space along the riverside.

In the rezoning process, the Village would acquire the land along the river and designate it as a park. The new path would be "field fit" into the natural environment, meaning it would not just be a straight line; it would curve and meander with the river.

"The protection of the two water bodies and maintaining public access is integral to QP's proposed development," said Grifone.

"It's also a wildlife corridor," one individual said.

To delineate walkways and sensitive areas, QP would put up split rail fencing. The fences would help minimize erosion from pedestrian traffic. Split rails are also wildlife friendly, and can be easily navigated and jumped by animals so as to not inhibit their movements through the area.

If the plan is approved, QP would need to have environmental monitors on-site while development takes place.

Public access
Kaslo residents have thoroughly appreciated South Beach in the 30 years it's been vacant.

"I just want to know that I can still enjoy the

land," an attendee said.

Even though the RV park would be along the water, the foreshore is still Crown land, and QP has no plans to block it. The proposed boat launch would also be for public use, not limited to just users of the RV park.

With the pathway rezoned as a park, the riverside would become public land, maintained by the Village. Residents and visitors would have a new walkway to enjoy that takes them right down to the lake, where they could swim every day of the year if they wanted.

Even though the RV park will be stratified as a subdivision, Unruh would like to rent the sites (rather than sell), to allow many visitors to enjoy the property, too.

"I want it family-oriented," said Unruh. "It's about family. When I look at it, I think about kids and moms and dads down there, building rafts and swimming."

Final thoughts
"Does the public have any say?" said an attendee. "You've been talking about this for two years, but most people have only known about it for a couple weeks. Do we have a say?"

Dunlop, who has been involved in the process since the beginning, reassured community members that yes, they do have a say. Approving rezoning wouldn't approve the whole development. There will be a series of

steps and consultations before anything goes forward – and that process includes ample public consultation.

"It's taken this long to get to a point where [QP] has a solid plan to present to council," said Dunlop. "We've made them jump through the hoops [for rezoning] but there's no guarantee that this is going to go ahead."

Ultimately, it is up to council to decide, and that won't happen with-

out the public having a say, and without deep consideration of the development's impacts.

If council approves rezoning, that doesn't mean the development can go ahead. Rezoning is just the first step in the process. The next step would be land consolidation to merge lots and gain road allowances. Then subdivision plans would be submitted, and development permit applications made. The whole process would take a few

months, or longer.

The open house finished on a positive note. "I want to say how much I appreciate that you people have come here to give us a chance to hear about the plans," said a community member. "This is paradise and part of our home."

"My heart is in the right place," said Unruh. "You can't discount passion and my love of this area – just as all of you love it. It means a lot to me."

WHAT'S HAPPENING?

Leah Gray of the Kootenay Quilters Day Guild presented KLFH Foundation Executive Director Bryna Idler with a generous donation to the Light Up the Hospital campaign. Proceeds from this campaign will be directed to the purchase of an OCT Machine for the Ophthalmology Clinic at Kootenay Lake Hospital.

The Kootenay Quilters Day Guild has raised over \$70,000 to help purchase priority medical equipment for Kootenay Lake Hospital.

Visit www.klfh.org to learn more about this equipment and to make your secure donation online.

Kootenay Lake Hospital Foundation
 ELDER ABUSE PREVENTION
 on • 250-354-2334 • www.facebook.com/klfhorg

MOM'S RED COFFEE POT
 is selling her house and contents including approximately 20 or more handwritten books for \$500,000.
 Contact Diane Bystrom
 250 825 9309, Nelson B.C.

Kootenay Lake Level
 December 19, 2023

For the benefit of Kootenay Lake area residents, the FortisBC as a public service.

Queen's Bay:	Present level: 1744.11 feet. 7 day forecast: Up 6 to 7 inches 2023 peak 1748.52 feet / 2022
Nelson:	Present level: 1743.53 feet. 7 day forecast: Up 6 to 7 inches.

If you would like to be notified via telephone or email of large or unusual changes to Kootenay Lake water levels, visit fortisbc.com/lakelevel or call 1-866-436-7847 Monday to Friday 7:00 a.m. to 7:00 p.m.

DRIVE SAFELY THIS WINTER

My association with my dad I got a Little Red Tea Pot

June 16, 2025

Village of Kaslo

Attention: Mayor Hewat, Councillors Bird, Brown, Lang, Leathwood

Re: South Beach – Access Road

My letter in *The Valley Voice* cites critical information from the *Flood Hazard Assessment* prepared by Watershed Engineering Ltd. in regard to the access road. There appears to be major contradictions between the engineer's recommendations and what has been proposed. Contradictions also arise when you review Ecoscape Environmental correspondence.

*"Typically, riparian setback areas adjacent to creeks and lakes are only intended for naturalization and as functional riparian habitat. Pedestrian trails adjacent/parallel to watercourses are not allowed on private land but are more commonly permitted by municipalities as a public good. Nevertheless, public access along Kaslo River and Kootenay Lake should be highly regulated, such that the areas can function as important riparian habitat."*¹

*"Public access to the lakefront may need to be regulated by the Village to ensure it does not negatively impact the functionality of riparian ecosystems."*²

Concern for the riparian ecosystem given a public trail is raised and yet we've been told: "Construction of the new road will be mostly within the 30-metre riparian area setback of the Kaslo River."³

The proposed paved road mostly within the 30-metre riparian area setback contravenes the engineer's statement that the 30-metre riparian setback on the Kaslo River is to be maintained.

A road development feasibility study is long overdue. This feasibility study should be considered due diligence prior to any further negotiations with the developer or progress in this land development decision process.

For your consideration,

Anne Malik

Footnotes

- 1 Ecoscape Environmental correspondence of December 27, 2025
- 2 Ecoscape Environmental correspondence of February 11, 2025
- 3 June 6, 2024 Planning Report, page 9
- 4 Development Application package received by Council October 10, 2023

South Beach Access Road

One issue concerning South Beach development is the access road. Construction of a 2-way paved road to municipal standard and dedicating it as a public road will be necessary. The Village will assume ownership and maintenance of the road once the development is complete.

Given the risk to the access road stemming from erosion noted in an engineer's report, staff have advised Council that "further assessment of flood and erosion risk and **development feasibility** is needed."

It's explained in a staff report that: "The land on either side of the road will be dedicated as parkland, as there is no practical possibility of development due to the steep embankment on one side, and the river on the other."

The engineer's report says: "Develop a plan to maintain access should future erosion occur along the upstream access road along Kaslo River. If required in the future the access road can be moved over to accommodate river erosion."

In the future, at the village's expense, to where could the access road be moved given the steep embankment and river?

A June 6, 2024 Planning Report prepared by staff explains: "Construction of the new road will be mostly within the 30-metre riparian area setback of the Kaslo River and subject to environmental mitigation at QP's expense."

The engineer's report states: "These recommendations outline necessary mitigation measures to meet the 200-year flood event standard while maintaining the 30-metre riparian setback on the Kaslo River."

How is the 30-metre riparian setback maintained when construction of the new road will be mostly within the 30-metre riparian area setback of the Kaslo River?

A road development feasibility study is long overdue.

Anne Malik

as infrastructure would normally include roads, RV pads and utilities that are essential to the development of the RV park, yet most of the site is below the elevation of 536.5 metres.

Another recommendation of the report is that the consultant that completed the Kaslo River Floodplain and Steep Creek Study for RDCK be consulted to model the effects of the proposed mitigation berm. This request would be at the initiative and expense of the applicant.

Kaslo River flood mitigation works were proposed by the Village for a section of riverbank fronting on the site. Approximately 50 metres of bank would be armoured with riprap and revegetated. Although the Village obtained permits for the work, there was not adequate funding for construction at the time in 2021. This work should be a requirement of the proposed development, as it would protect the developer's investment from avulsion (change in watercourse) and prevent erosion of the riparian area and trail.

The Watershed report also notes the risk to the access road stemming from erosion of the unprotected south riverbank. Further assessment of flood and erosion risk and development feasibility is needed as the proposed development gets into more detailed design and permitting but is not required for the consideration of rezoning. However, the developer should aware that the approval process for work in and around a watercourse is a time consuming and onerous process that is outside of the Village's jurisdiction.

Land Use Bylaw Zoning Amendment

The property is currently zoned M-1 Industrial, recognizing the former sawmill use that was active on the site until the late 1900s. The P-1 Park and Open Space zone or the C-1 Waterfront Commercial Zone permits seasonal campground facilities, but not a strata RV park as is being proposed. The C-1 zone is also too broad for the limited land use options that are appropriate for this site. The applicant has requested a new zoning classification, C-4, Commercial Recreation – RV Camping, to enable the proposed RV park use, and RM-1 – Multiple Residential for the housing development at the south end.

The change from industrial to a recreational use, and for subdivision, requires filing a site disclosure statement and certificate of compliance from the Ministry of Environment under the Environmental Management Act Contaminated Sites Regulation. The developer has provided a stage 2 environmental assessment, which may meet the site investigation requirement, but confirmation of the filing with the Ministry is required.

The rezoning process is a bylaw requiring 3 readings before enactment, and that a public information session be held before third reading. The bylaw has been read a first time and may be read a second time before year end. The second and third readings are opportunities for discussion by Council and potential amendments or conditions to be introduced before final adoption of the rezoning bylaw. The process will take at least two more Council meetings.

under legislation if money is offered to the Village for the purchase those lands, the funds could only be used by the Village to purchase land for public access to the lake elsewhere or there is an equivalent exchange. To close a road allowance, Council must pass bylaws in compliance with the legislated requirements for road closures and land disposition.

Figure 2 also shows a 30-metre riparian area along Kaslo River, within which the developer is offering to build a pedestrian trail for public access to the mouth of the river and lakefront. This land would end up titled to the Village and can, in part, show that there is an exchange of land to maintain access the lake. If the exchange is equitable, through a combination the amount of land, improvement such as constructing a trail, and monetary compensation, then 41(1)(c) of the Charter may be satisfied.

QP Developments also holds land further upstream along the river near the Highway 31 bridge. The private access road there is currently blocked by a gate. As a requirement of subdivision, construction of a 2-way paved road to municipal standard and dedicating it as a public road from Highway 31 to a cul-de-sac at the entrance of the RV Park is required. The Village will assume ownership and maintenance of the road once the development is complete. The land on either side of the road will be dedicated as parkland, as there is no practical possibility of development due to the steep embankment on one side, and the river on the other. A pedestrian trail between the road and river is proposed.



Figure 3 - Proposed road closures.

The planning process will involve several steps, but some things can happen in parallel. The first step, currently underway, is to rezone the property to allow the proposed uses. Approval of zoning does not automatically mean that the proposed development can occur, nor does it bind the village to issue development permits or complete a land transaction.

OCP and Development Permits

The land use classification in the OCP is Waterfront Development Area. From Section 11.1 of the OCP, the purpose of this land use classification is to:



2. All permanent infrastructure on the site must be located above the 200-year Kootenay Lake Floodplain elevation of 536.5 m.
3. Flood mitigation can consist of either: raising the site elevation to the flood construction levels identified on Figure 6.0 or constructing a flood mitigation berm to prevent overland flooding from the Kaslo River during a 200-year event. The flood mitigation berm crest elevation should be constructed to the FCL isoline elevations provided in BGC Engineering Inc. (2020) and shown in Figure 6.0. The geometry of the flood mitigation berm is proposed to include a crest width of 4.0 m and side slopes of 2H:1V. The riverside face of the berm is to be protected with riprap for erosion protection placed on a gravel filter layer. At the time of detailed design appropriately sized riprap can be selected based on the peak flow velocities. Geotechnical design of the berm shall be in conformance with the BC Dike Design and Construction Guide (BC Ministry of Water, Land and Air Protection, 2003).
4. Develop a plan to maintain access should future erosion occur along the upstream access road along Kaslo River. If required in the future the access road can be moved over to accommodate river erosion. A minimum 2H:1V projection from the toe of the right riverbank to the edge of shoulder is recommended as a design approach. See Figure 7.0.
5. Develop an RV Park operations plan to mitigate the impact of flooding from Kootenay Lake to establish trigger points for evacuation alert and evacuation order conditions for the property.
6. It is recommended that the Village request that the RDCK retains BGC Engineering Inc. to model the proposed flood mitigation berm scenario in the existing HEC-RAS 2D model to assess the impact of water levels and velocities on the Village of Kaslo dike to quantify the transfer of risk.
7. The river channel survey and LiDAR data used in the BGC Kaslo River floodplain analysis were collected using the CGVD2013 vertical datum and the horizontal control is NAD83(CSRS) UTM Zone 11N. For establishing the benchmarks and elevation control for FCLs the referenced controls must be used.

We trust this memo meets your requirements. Should you have any questions, please contact the undersigned.

Sincerely,

Watershed Engineering Ltd.

Prepared By:

Reviewed By:

Caleb W. Pomeroy, P.Eng, PMP
Principal Engineer
Direct Line: 250.803.1150
caleb.pomeroy@watershedengineering.ca

Dr. Adrian Chantler, P.Eng.
Consulting Hydrotechnical Engineer

be included in the zoning and can be placed on title through a covenant to confirm that the park is for seasonal use only, not permanent residence or off-season storage of RV units on the sites. Subdivisions are handled by the Approving Officer, which is the Village's CAO, who must ensure that all legislated requirements are met but do not usually require Council approval. A Section 219 covenant under the Land Title Act should also be placed on title to the RV Park and strata lots absolving the Village from future liability that could arise from development in a floodplain.

In its simplest form, the subdivision will be 2 lots – one for the RV park and one for the multi-unit residential strata. Before the subdivision can receive final approval, the rezoning, development permits and servicing must be in place. If servicing is not ready, the developer must pay a security deposit to the Village equivalent to 120% of the estimated cost of the work.

A significant requirement for the developer is the construction of a paved road from Highway 31 to the RV Park entrance (Figure 6). QP will dedicate the land from Block 26 for an 18.5 metre wide road allowance. The road will be constructed to a rural paved road standard, with 6 metre pavement width and 1.5 metre gravel shoulders on either side, as specified in the Village's Subdivision Servicing Bylaw. The new pavement will tie into the existing pavement near the intersection of F Avenue and Highway 31. The public road,

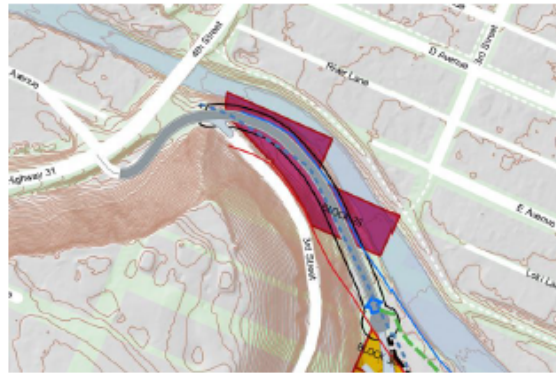


Figure 6 - Access road to be constructed.

approximately 300 metres long, will terminate in a paved cul-de-sac, where the private entrance to the RV park and beginning of the riverside trail are located. The intersection of Third Street and the new road also will need some attention along with turning restrictions so that RV drivers do not attempt to turn from Third Street towards the RV park. Construction of the new road will be mostly within the 30 metre riparian area setback of the Kaslo River and subject to environmental mitigation at QP's expense.

The Village will assume all future maintenance, upkeep and replacement cost of any infrastructure that is constructed on public land by QP for this development.

G. Servicing

The Subdivision Servicing bylaw requires things like street lighting and, of course, water and sewerage systems to be installed to certain standards at developer expense. QP will need to review the servicing requirements determined by the Approving Officer and can seek a Development Variance Permit from Council for relief if there are requirements that they feel are onerous for this type of development.

For the QP Site, the developer has provided a preliminary sewerage report and will need a professionally designed water distribution plan with fire protection. These reports should be independently reviewed so that the Approving Officer can be confident that the proposed infrastructure is appropriate. The site is currently serviced by what is believed to be a 6"



PERMIT TO PRACTICE NO.: 1000852

REV. 0 -ISSUED FOR REVIEW

January 13, 2025

File No.:2022.002.001

Village of Kaslo
413 Fourth Street
Kaslo, BC V0G 1M0

Attn: Village of Kaslo Mayor and Council, and CAO Robert Baker

Subject: Site Suitability for South Beach RV Park

Following the special council meeting on December 17, 2024, CTQ Consultants requested Watershed Engineering Ltd. to provide a summary of the Flood Hazard Assessment regarding the site's suitability for the proposed development. Full details of the assessment are outlined in the Technical Memo dated May 5, 2023.

The development site is located on an alluvial fan that is subject to flooding from both Kootenay Lake and the Kaslo River. Given the temporary nature of the proposed occupancy below Kootenay Lake's flood construction level (536.5 m) and the gradual rise in lake levels during freshet, it was determined that public safety risks associated with RV camping within the floodplain can be managed through an operations procedure and evacuation plan prepared by a qualified professional. Mitigation of overland flooding from the Kaslo River during the design event is required to ensure public safety during extreme flood events.

The purpose of the Flood Hazard Assessment was to identify flood hazards and provide recommendations for the safe development of the property. The design standard adopted includes the 1-in-200-year flood event, adjusted for climate change, for the Kaslo River, and a flood construction level of 536.5 m for Kootenay Lake. The assessment concluded that, while flood risks are present, the site can be safely developed for its intended use if the recommendations in the May 5, 2023, report by Watershed Engineering Ltd. are implemented.

These recommendations outline necessary mitigation measures to meet the 200-year flood event standard while maintaining the 30 m riparian setback on the Kaslo River. On Kootenay Lake development is located behind the 15 m riparian setback and guidance on the development of operational, maintenance, and access plans to protect public safety during extreme flood events is provided.

We trust this letter clarifies the potential for the site to be safely developed in accordance with provincial public safety and engineering standards for flood hazard and risk mitigation. Should you have any questions, please feel free to contact the undersigned.

Sincerely,
Watershed Engineering Ltd.,



Caleb W. Pomeroy, P.Eng., PMP
Principal Engineer
Direct Line: 250.803.1150
caleb.pomeroy@watershedengineering.ca

Reviewed by

Adrian G. Chantler, Ph.D., P.Eng.
Consulting Hydrotechnical Engineer

From: Russell Precious <[REDACTED]>

Subject: Risk/Benefit

Date: June 17, 2025 at 9:50:54 AM PDT

To: Mayor Hewat <mayor@kaslo.ca>, bird@kaslo.ca, Molly Leathwood <leathwood@kaslo.ca>, Matthew Brown <brown@kaslo.ca>, lang@kaslo.ca, Robert Baker <cao@kaslo.ca>

Risk/Benefit Analysis

The essential thing to grasp in understanding a Risk/Benefit Analysis is the difference between **advocacy** and **analysis**.

“How can you tell the difference between an analyst and an advocate? It is all in the handling of data that runs counter to assertion. To an analyst, being wrong is disappointing, but it is primarily an opportunity to learn. When knowledge is your only objective, there is no such thing as a bad fact, only one which you do not yet understand. Not so for the advocate. The advocate has tied their hopes (and often their livelihoods) to a specific outcome and feels compelled, whether consciously or not, to rationalize away or attack inconvenient realities.

For the past year we have been caught in a battle of advocates, both advocating for specific outcomes; each driven by strong confirmation biases while council has been caught in the crossfire.

In a situation where there are a multiplicity of unknown facts, the logical (and intelligent) position to assume is the ‘precautionary principle’ until the facts can be clearly ascertained and presented. Otherwise one is left vulnerable to a host of unexpected consequences. AND this is where one can benefit by engaging in a serious **Risk/Benefit Analysis**.

Last week I mentioned that John Cathro’s name had come up in a discussion that Laura Douglas and I had with Molly as a possible candidate to lead such an analysis. Since then I have had several exchanges with him to gauge his appreciation of the need for objectivity and analysis while stepping above the battleground of opinions.

He is now in the process of putting together an initial draft of how he would tackle a Risk/Benefit analysis for the South Beach conundrum were he to be engaged.

SO AGAIN I would ask council to take to heart this opportunity and consider such a process for both your benefit and also for the citizens of Kaslo so they can trust that an honest and open process has taken place.

Respectfully

russell precious

Post Script:

A long time resident of Kaslo (who wishes to remain anonymous) has stepped forward and offered to fund the **Risk/Benefit Analysis**.

They also made it clear that a **referendum** is their preference. Given the land to be developed is jointly owned (with the city share being roughly 1/3 of the land in question) they believe this would determine the most legitimate outcome.

To that end they are also willing to fund a **referendum**.

June 24th council meeting correspondence.

To the Mayor, Council members and Staff

Regarding the QP South Beach Strata RV park proposal.

Referencing: West Earth Sciences Stage 2 Detailed Site Investigation.

Item # 7.2 South beach RV proposal. From Jan 28th 2025 Agenda.

I have (attached) the Executive Summary of this report to this submission.

I find this summary to deeply disturbing in the fact that I worked as a Millwright for T and H sawmills from 1979 until the company filed for chapter 11 bankruptcy protection about 1983. To keep it short, for me to say that T and H sawmills had any sort of ongoing environmental practices or policies would be a falsehood.

I find this summary to be questionable at best from my work experience, I would like to be involved with laying out some test holes on the development site, if that opportunity presents itself in the future. In my mind the sawmill cleanup and fill property within the village limits, on Loki lane adjacent to the development site, but North of the river in the DPA would be a prime candidate for contamination testing as well.

Regarding future services and filling of the proposed RV site in the DPA.

I am very concerned that excavations for services such as fire protection, domestic water lines, electrical services, and septic storage tank installations would have to be performed during low lake level periods. The maintenance and

repair to these services in the future would be have to be scheduled for low lake levels to avoid digging in the water.

I'm not a expert at the various systems required for a 72 unit RV site, but I have years of project management experience coordinating the various trades required for sawmill Installations and site prep, including laying out septic systems for a large workforce.

Systems that would need to be installed - preliminary

- Fire protection and domestic water for 72 units, excavated to approximately 2

meters to avoid freezing

- Electrical assuming RVs will have air conditioning 72 times 50 amp services or a

3,600 amp power distribution centre and 72 buried individual hookups and street lighting.

- Septic storage tanks, Again I'm not a expert!, but I do know effluent runs

down hill and there will be limitations to elevation change if these tanks are to be kept above the water table, to be pumped up the hill? So are 72 individual storage tanks supposed to be pumped into a large central storage tank and then in turn pumped up the hill? Again I am not an expert but major excavation will be required for any 72 unit septic system.

Finally and equally concerning to me, is filling the existing low land for site preparation in the DPA. Filling the low land on the flood plain or DPA area of the proposed RV development will take an astronomical amount of material. Where will it come from?, and will its content be monitored ? I personally live on a 3/4 - acre village lot for my own reference, and spend a lot of time at the old sawmill site at south beach looking at the impending situation! I know that a large portion of the land in the DPA will have to be filled to accommodate the 72 sites, most of which are too low in elevation. So, to get an idea of the volume of material required to fill this proposed area in the DPA, I ran a very small calculation. To lift (1 acre - 1 meter) with fill material, it takes 4,047 cu/meters of material. This will take 300 to 400 tandem truck loads of material assuming you get 10 to 14 cu/meters per load. I'm using a Google maps tool here to say there is 6 acres to be filled in the RV site DPA. (see attached google image) It will take between 1,800 to 2,400 loads to fill in the DPA portion of the site preparation.

Question ??

Where will all this material come from? And will it be suitable to fill in this environmentally sensitive flood plain? We don't want to go backwards here now, do we? when we mix it in with the existing sawmill materials?

Does the developer actually intend to go ahead with this scale of prep work?

After the purchase and sales agreement is completed?

Its my opinion from my personal work experience that the proposed RV site has a very troubling past (photos attached) Our flood plain is recovering very nicely now that (**Mother nature is in charge**) !!

Let's not take the chance of causing a huge mess by digging it all up! To put in a **Gated - Bare Land Strata - RV Parking Lot?**

For what !?

Loving Kaslo for its fine people ! Its unique small town charm, and its potential for the future, since I moved here in 1979. Eh! This decision is not for use, it's for our **youth**

Yours truly, Steve Begg

Executive Summary

On behalf of Quality Property Development Inc, West Environmental Ltd. (West) completed a Limited Stage 2 Detailed Site Investigation at the former Kaslo Sawmill site, herein referred to as “the Site”. The Site is privately owned and is on the west shore of Kootenay Lake in the central Kootenay Regional District of British Columbia, Canada.

After reviewing the Stage I reports previously conducted in 2017, 2019 and 2020 West identified four areas of potential environmental concern (APEC) from the previous Sawmill Operation and pesticide runoff from the Kaslo Golf Club. The 4 APECs were the sawmill structures that may be linked to incinerating wood debris or the use of fuel.

The purpose of the Stage 2 DSI was to determine whether the integrity of the Site has been adversely affected by the sawmill operations. This report is a summary of activities completed in May of 2022.

On April 30, 2022, four test pits (APEC1- APEC4) and 2 background test pits (C1, C2) were excavated at the Site to a maximum depth of 4.5m below the ground surface (mbgs) using a track-mounted mini excavator supplied by Quality Properties. Soil samples were field screened using an organic vapor analyzer and an electrical conductivity probe. Select samples were submitted to AGAT Laboratories in Red Deer, Alberta for the analysis of extractable petroleum hydrocarbons, HWS-B soil metals, and salinity parameters.

The results of the Stage 2 DSI indicate that concentrations of the soil samples were below the applicable guidelines. No further investigation is recommended for these areas of the subject site.

The statements made in this Executive Summary are subject to the same limitations included in the General Limitations and Confidentiality Statement and are to be read in conjunction with the remainder of this report.

VILLAGE OF KASLO

BYLAW NO.1193

Consolidated for Convenience 2024.09.23

A bylaw to establish floodplain management provisions

Whereas the Village of Kaslo, where it is considered that flooding may occur on land, may enact a floodplain bylaw pursuant to the *Local Government Act*;

Now therefore the Council of the Village of Kaslo, in open meeting assembled, enacts as follows:

Citation

1. This bylaw may be cited for all purposes as the "Village of Kaslo Floodplain Management Bylaw No.1193".

Purpose

2. The purpose of the floodplain management provisions is to reduce the risk of injury, loss of life, and damage to buildings and structures as a result of flooding. Nothing in this bylaw shall be deemed or construed as a representation to any person that any building or structure, including a manufactured home, used, constructed or located in accordance with the floodplain provisions will not be damaged by flooding or avulsion.

Definitions

3. For the purposes of this Bylaw, the following definitions apply:

"Manufactured Home" means a structure, transportable in one or more sections, whether ordinarily equipped with wheels or not, that is designed, constructed or manufactured to provide residential accommodation and to be moved from one place to another by being towed or carried and is designed for use with or without a permanent foundation when attached to the required utilities. The term "manufactured home" does not include a "recreational vehicle" but does include "modular homes" and "mobile homes."

"Flood Construction Level" means a designated flood level plus an allowance for freeboard, or where a designated flood level cannot be determined, a specified height above a natural boundary, natural ground elevation or any obstruction that could cause ponding.

Floodplain Designation

4. The following land within the Village of Kaslo is designated as a floodplain:
 - a. The floodplain and alluvial fan of the Kaslo River, the floodplain of Kootenay Lake and floodplain of McDonald Creek as shown on Schedule 'A'.

Floodplain Regulation

5. The regulations prescribed in this Bylaw apply to all land and buildings within the areas designated as floodplain in Schedule 'A'.

Floodplain Setbacks

6. The following distances are specified as floodplain setbacks, except that where more than one floodplain is applicable, the greater distance shall be the floodplain setback:
- a. 15 metres from the natural boundary of Kootenay Lake;
 - b. 7.5 metres from reservoirs (unless otherwise specified);
 - c. 7.5 metres from the natural boundary of a small lake, pond, swamp or marsh area;
 - d. 7.5 metres from a structure for flood protection or seepage control;
 - e. 7.5 metres from any standard dike right-of-way;
 - f. 30 metres from the natural boundary of the Kaslo River or from a bridge over the Kaslo River;
 - g. 15 metres from the natural boundary of any other watercourse not mentioned in this section.

Flood Construction Levels

7. The following elevations are specified as flood construction levels:
- a. on land protected by standard dikes, not lower than the higher of
 - i elevation 536.5 metres Geodetic Survey of Canada datum; or,
 - ii. the minimum Flood Construction Level prescribed by the Clearwater Flood Construction Levels 2020 Mapping as shown in Schedule 'B'.
 - b. on land unprotected by standard dikes, not lower than:
 - i elevation 536.5 metres Geodetic Survey of Canada datum for locations within the Kootenay Lake floodplain as shown on Schedule 'A'; or,
 - ii the flood construction level for the Kaslo River as prescribed by the Clearwater Flood Construction Levels 2020 Mapping as shown in Schedule 'B'; or,
 - iii. 0.6 metres above the natural elevation for the areas of the McDonald Creek Fan, as shown on Schedule 'A', designated with a non-standard flooding an erosion rating (NSFER) of 1; or,

- iv. 1.5 metres above the natural boundary of a swamp, pond or other watercourse not mentioned by name in this section.
- c. Applications for construction on or subdivision of land located in the McDonald Creek Fan that is designated on Schedule 'A' with a non-standard flooding and erosion rating (NSFER) of E, must be accompanied by a geotechnical report, including a complete hazard assessment, showing the siting of proposed buildings and containing site specific recommendations for protection from flooding and other hazards, in accordance with the *Community Charter* or the *Land Title Act*, as applicable.

Application of the Floodplain Specifications

- 8.
 - a. In accordance with the *Local Government Act*, as amended, the underside of any floor system, or top of any pad supporting any space or room, including a manufactured home, that is used for dwelling purposes, business or the storage of goods which are susceptible to damage by floodwater must be above the applicable flood construction levels specified in this bylaw;
 - b. The area below the flood construction level must not be used for the installation of furnaces, major electrical switchgear, or other fixed equipment susceptible to damage by floodwater;
 - c. Structural support or compacted landfill or a combination of both may be used to elevate the underside of the floor system or the top of a pad above the specified flood construction levels. The structural support and/or landfill shall be protected against scour and erosion from flood flows, wave action, ice and other debris and shall not be located within the floodplain setback;
 - d. The Building Official, Approving Officer or such person appointed by Council may require that a British Columbia Land Surveyor's certificate be provided, at the cost of the proponent, to verify compliance with the flood construction levels and floodplain setback requirements specified in this bylaw.
 - e. When a building permit is applied for on lots with frontage on Kootenay Lake the Building Official or Approving Officer may request, at the cost of the proponent, a structurally engineered foundation or geotechnical report if any part of a footing up to and including the level of a slab, or portion of the foundation is intended by its design to be submersible or subject to water fluctuation below 536.5 metres or wave action.

9. Unless a building is situated on land with a natural elevation above the specified flood construction level or greater:
 - a. basements are prohibited in the building;
 - b. crawl spaces in the building must not exceed 1.2 metres in height to the underside of the floor joists;
 - c. all entry points for flood or debris flow material, such as windows and doors, must be located above the flood construction level;
 - d. the building foundation shall be constructed to withstand the hydrostatic forces during inundation up to the flood construction level; and
 - e. all applicable engineering requirements related to the applicable NSFPA rating must be satisfied.

General Exemption

10.
 - a. In accordance with the *Local Government Act*, as amended, Council may exempt a person from the application of flood construction levels and floodplain setbacks requirements specified in Sections 6 and 7 of this Bylaw;
 - b. Council cannot exempt a person from the application of Provincial regulations with respect to dikes and watercourses.

Exemptions for Specific Types of Development

11. The elevation requirements in Section 7, 8 and 9, inclusive, shall not apply to
 - a. a renovation of an existing building;
 - b. an addition to an existing building which increases the floor area by less than 25 per cent;
 - c. that portion of a building to be used as a carport or garage;
 - d. on-loading and off-loading facilities associated with water-oriented industry and portable sawmills. Main switchboxes shall be placed above the flood construction level;
 - e. Hot water tanks and furnaces located behind standard dikes;
 - f. Picnic shelters, washroom and shower facilities, and laundry or campground space facilities;

g. Industrial uses which are required to flood proof to the flood construction level, except for Parcel A, District Lots 208 and 209A, K.D., Plan 108889-I for which the full elevation requirements of the sections shall apply.

12. If any section, subsection, sentence, clause or phrase of this bylaw is for any reason held to be invalid by the decision of any court of competent jurisdiction, the invalid portion shall be severed and the part that is invalid shall not affect the validity of the remainder.

13. This bylaw shall take effect upon the date of its adoption.

READ A FIRST TIME this 13th day of September 2016.

READ A SECOND TIME this 13th day of September 2016.

READ A THIRD TIME this 13th day of September 2016.

RECONSIDERED AND ADOPTED ON THIS 11th day of October 2016.

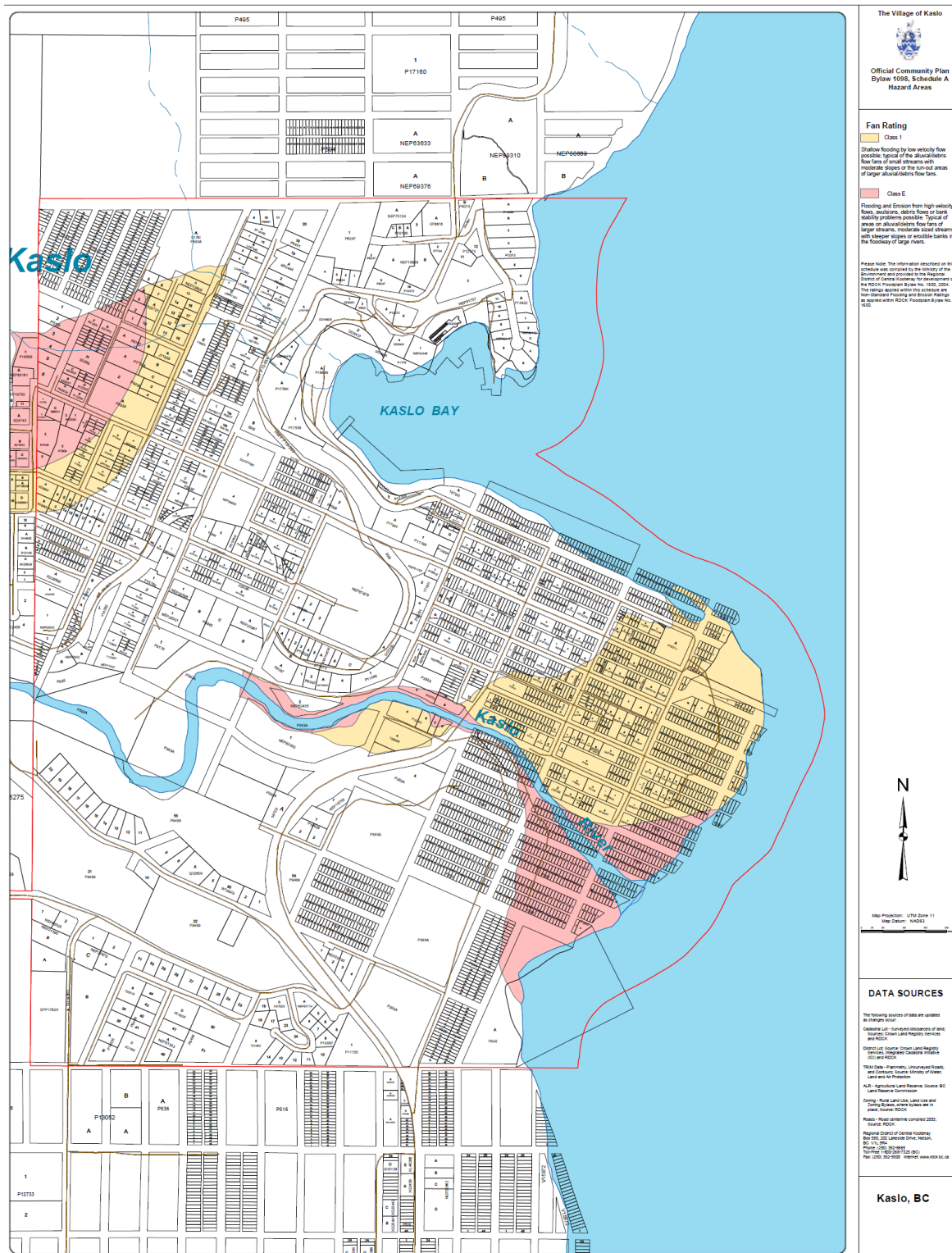
Mayor

Chief Administrative Officer

CERTIFIED CORRECT:

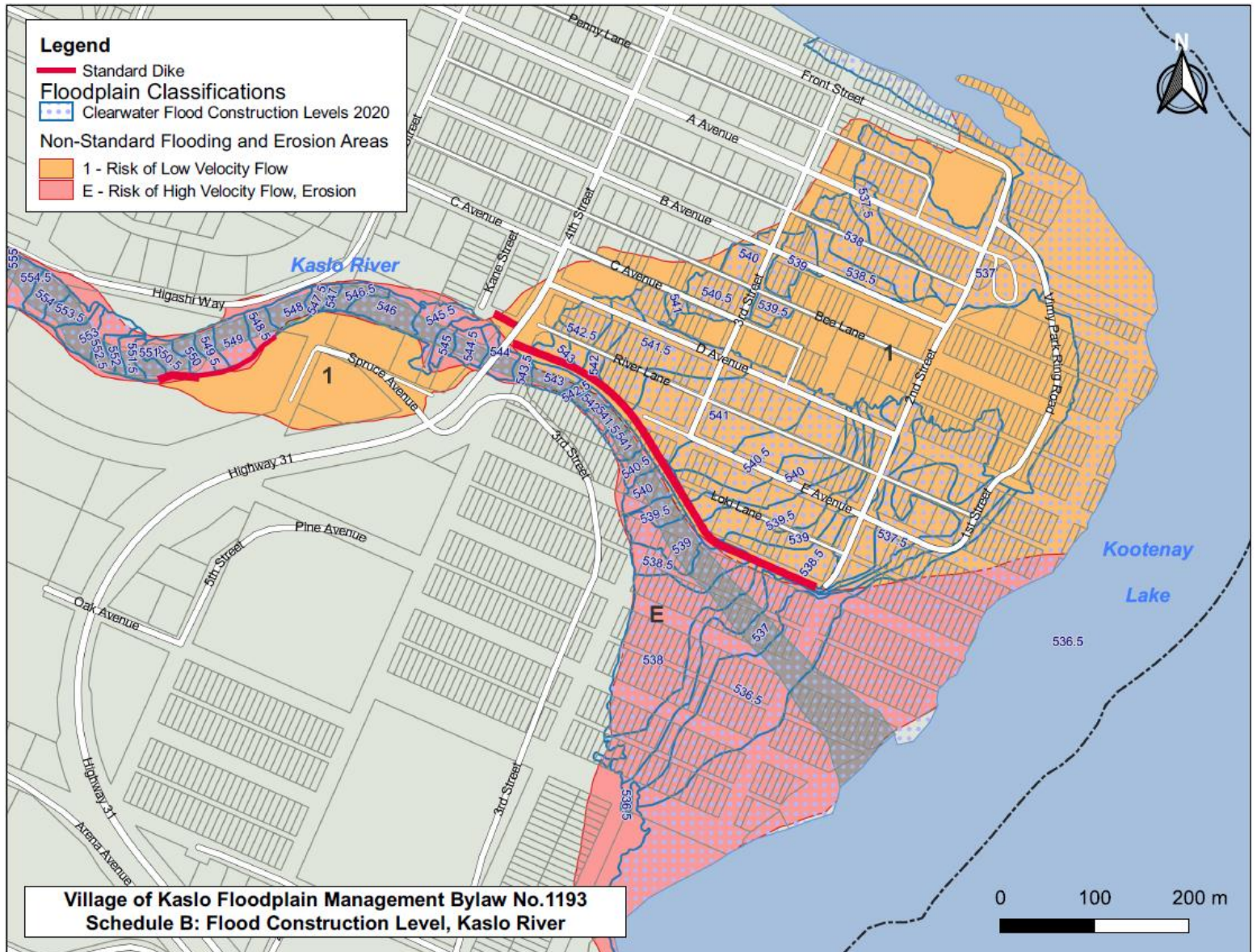
Chief Administrative Officer

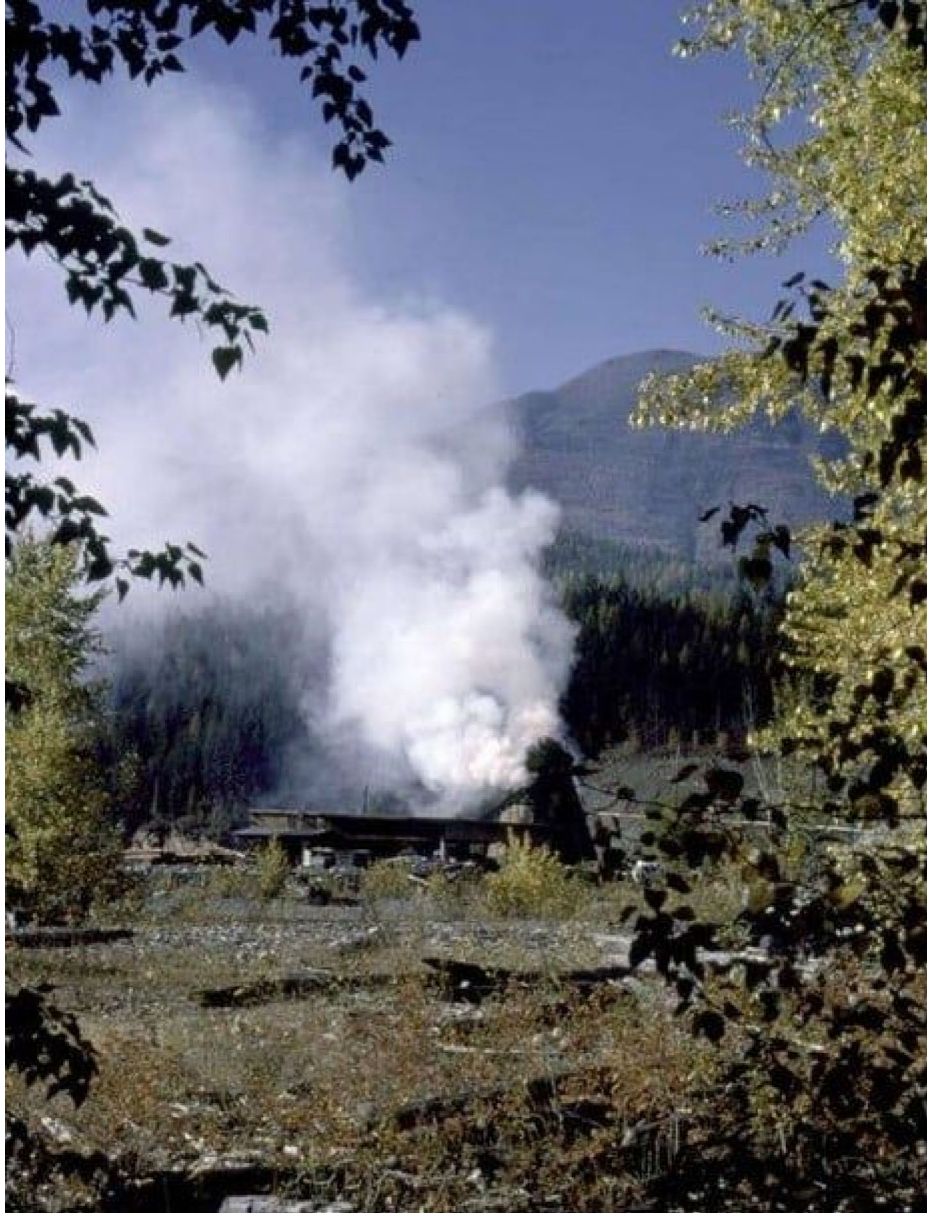
Schedule "A"



Village of Kaslo Floodplain Management Bylaw 1193

Schedule "B"









South Beach - DBA

Legend

- Kaslo Dog Park
- Kaslo Skatepark
- South-Beach-DPA







S. MCKENZIE

June 23, 2025

Village of Kaslo

Attention: Mayor Hewat, Councillors Bird, Brown, Lang, Leathwood

Re: Advice from the Province – South Beach Transfer of Risk & FCL

*“Where possible, **development of alluvial fans should be discouraged**, and the land should be retained in non-intensive uses such as parks, open-space recreation, and agricultural uses.”¹*

The purchase and sale of municipal road allowances and lots not only encourages but enables alluvial fan development. Why?

“Where landfill is used to raise the natural ground elevation, it should be adequately compacted and the toe of the landfill slope should be no closer to the natural boundary than the prescribed setback.”²

Landfill sloping will drastically alter the location and reduce the number of RV sites. How can this proposal be viable?

“Well-designed structural measures can be highly effective in reducing flood damage when used appropriately; however, they can inherently reduce the risk of flood in one location while increasing it in another.

*Dikes are only designed to defend against a predetermined level of flooding and they are subject to weaken or fail over time due to erosion, overtopping, seepage or seismic activity. **It is not cost-effective to control the threat of all floods through the construction of dikes and other flood protection structures.**”³*

ANY berm or dike or earthworks or fill necessitates a full detailed plan be presented and a risk assessment report made public. No transfer of risk to lower Kaslo is acceptable. **This proposed development is simply not a reasonable use of the land in a floodplain and the Lakefront Protection Development Permit Area. Where is the Cost/Benefit/Risk Analysis?**

For your serious consideration,

Anne Malik

1. https://www2.gov.bc.ca/assets/gov/environment/air-land-water/water/integrated-flood-hazard-mgmt/flood_hazard_area_land_use_guidelines_2017.pdf Page 21
2. https://www2.gov.bc.ca/assets/gov/environment/air-land-water/water/integrated-flood-hazard-mgmt/flood_hazard_area_land_use_guidelines_2017.pdf Page 42
3. <https://www2.gov.bc.ca/gov/content/environment/air-land-water/water/drought-flooding-dikes-dams/integrated-flood-hazard-management/governance/flood-hazard-land-use-management>

June 23, 2025

Village of Kaslo

Attention: Mayor Hewat, Councillors Bird, Brown, Lang, Leathwood

Re: **South Beach – Public Access**

A Village owned trail to provide public access to the lakefront has been touted as the rationale for selling South Beach municipal road allowances and lots.

The Qualified Environmental Professional who evaluated the environmental sensitivities of South Beach tells us that “this trail will cause additional disturbance within the Kaslo River riparian setback. Typically, riparian setback areas adjacent to creeks and lakes are only intended for naturalization and as functional riparian habitat. Pedestrian trails adjacent/parallel to watercourses are not allowed on private land but are more commonly permitted by municipalities as a public good. Nevertheless, **public access along Kaslo River and Kootenay Lake should be highly regulated**, such that the areas can function as important riparian habitat.”

Highly regulated public access? With 72 RV sites immediately adjacent to the river and lake? What’s next – turnstiles, reservations or entrance fees to enter? **How will the Village highly regulate access?**

Speaking of access, staff have noted that “the developer should be aware that the approval process for work in and around a watercourse is a time consuming and onerous process that is outside of the Village’s jurisdiction.” **Will the access road be approved by provincial and federal jurisdictions? Is a single access road appropriate for a 72-site RV Park from an emergency management perspective?**

For your consideration,

Anne Malik

June 23, 2025

Village of Kaslo

Attention: Mayor Hewat, Councillors Bird, Brown, Lang, Leathwood

Re: South Beach – Permanent infrastructure above FCL

The Village has set the expectation that the developer will be required to abide by all recommendations in various professional assessments. The most recent correspondence from the engineer says “the site can be safely developed for its intended use **if the recommendations in the May 5, 2023 report by Watershed Engineering Ltd. are implemented.**”

One of the recommendations in that report states: “All permanent infrastructure on the site **must be located** above the 200-year Kootenay Lake Floodplain elevation of 536.5 metres.”

Permanent infrastructure includes water lines, sewerage system, electrical hookups, internal RV park roads and RV pads.

To abide by the engineer’s recommendation South Beach would require massive earthworks, that is the amount of fill required for permanent infrastructure to be above FCL of 536.6 metres.

What is the developer’s intention? Surely, the Village needs to know this before proceeding any further.

Has this extent of earthworks been considered by Ecoscape in their environmental assessments? How could this extent of site alteration be considered acceptable given the Lakefront Protection DPA objective to protect the natural environment?

For your consideration,

Anne Malik

2025.01.13 Watershed Engineering correspondence



PERMIT TO PRACTICE NO.: 1000852

REV. 0 -ISSUED FOR REVIEW

January 13, 2025

File No.:2022.002.001

Village of Kaslo
413 Fourth Street
Kaslo, BC V0G 1M0

Attn: Village of Kaslo Mayor and Council, and CAO Robert Baker

Subject: Site Suitability for South Beach RV Park

Following the special council meeting on December 17, 2024, CTQ Consultants requested Watershed Engineering Ltd. to provide a summary of the Flood Hazard Assessment regarding the site's suitability for the proposed development. Full details of the assessment are outlined in the Technical Memo dated May 5, 2023.

The development site is located on an alluvial fan that is subject to flooding from both Kootenay Lake and the Kaslo River. Given the temporary nature of the proposed occupancy below Kootenay Lake's flood construction level (536.5 m) and the gradual rise in lake levels during freshet, it was determined that public safety risks associated with RV camping within the floodplain can be managed through an operations procedure and evacuation plan prepared by a qualified professional. Mitigation of overland flooding from the Kaslo River during the design event is required to ensure public safety during extreme flood events.

The purpose of the Flood Hazard Assessment was to identify flood hazards and provide recommendations for the safe development of the property. The design standard adopted includes the 1-in-200-year flood event, adjusted for climate change, for the Kaslo River, and a flood construction level of 536.5 m for Kootenay Lake. The assessment concluded that, while flood risks are present, the site can be safely developed for its intended use if the recommendations in the May 5, 2023, report by Watershed Engineering Ltd. are implemented.

These recommendations outline necessary mitigation measures to meet the 200-year flood event standard while maintaining the 30 m riparian setback on the Kaslo River. On Kootenay Lake development is located behind the 15 m riparian setback and guidance on the development of operational, maintenance, and access plans to protect public safety during extreme flood events is provided.

We trust this letter clarifies the potential for the site to be safely developed in accordance with provincial public safety and engineering standards for flood hazard and risk mitigation. Should you have any questions, please feel free to contact the undersigned.

Sincerely,
Watershed Engineering Ltd.,



Caleb W. Pomeroy, P.Eng., PMP
Principal Engineer
Direct Line: 250.803.1150
caleb.pomeroy@watershedengineering.ca

Reviewed by

Adrian G. Chantler, Ph.D., P.Eng.
Consulting Hydrotechnical Engineer

2. All permanent infrastructure on the site must be located above the 200-year Kootenay Lake Floodplain elevation of 536.5 m.
3. Flood mitigation can consist of either: raising the site elevation to the flood construction levels identified on Figure 6.0 or constructing a flood mitigation berm to prevent overland flooding from the Kaslo River during a 200-year event. The flood mitigation berm crest or fill elevation should be constructed to the FCL isoline elevations provided in BGC Engineering Inc. (2020) as shown in Figure 6.0. The flood protection measures (Figure 7.1-7.3) can either be constructed with a concrete lock block wall on the development side of the Kaslo River 30m riparian setback to support fill (Figure 7.1-7.3) necessary to raise the site or with an earthfill berm. A concrete wall would be required to be designed to withstand scour and debris loading in addition to geotechnical requirements. Berm construction, if selected should include a minimum crest width of 4.0 m and side slopes of 2H:1V. To protect the berm the riverside face should be protected with riprap for erosion protection placed on a gravel filter layer. At the time of detailed design appropriately sized riprap can be selected based on the peak flow velocities. Geotechnical design of the berm or grade control wall should be in conformance with the BC Dike Design and Construction Guide (BC Ministry of Water, Land and Air Protection, 2003).
4. Develop a plan to maintain access should future erosion occur along the upstream access road along Kaslo River. If required in the future the access road can be moved over to accommodate river erosion. A minimum 2H:1V projection from the toe of the right riverbank to the edge of shoulder is recommended as a design approach. See Figure 7.0.
5. Develop an RV Park operations plan to mitigate the impact of flooding from Kootenay Lake to establish trigger points for evacuation alert and evacuation order conditions for the property.
6. Prior to detailed design the proposed flood mitigation measures should be modelled in the existing HEC-RAS 2D model to assess the impact of water levels and velocities on the Village of Kaslo dike to quantify the transfer of risk.
7. The river channel survey and LiDAR data used in the BGC Kaslo River floodplain analysis were collected using the CGVD2013 vertical datum and the horizontal control is NAD83(CSRS) UTM Zone 11N. For establishing the benchmarks and elevation control for FCLs the referenced controls must be used.

We trust this memo meets your requirements. Should you have any questions, please contact the undersigned.

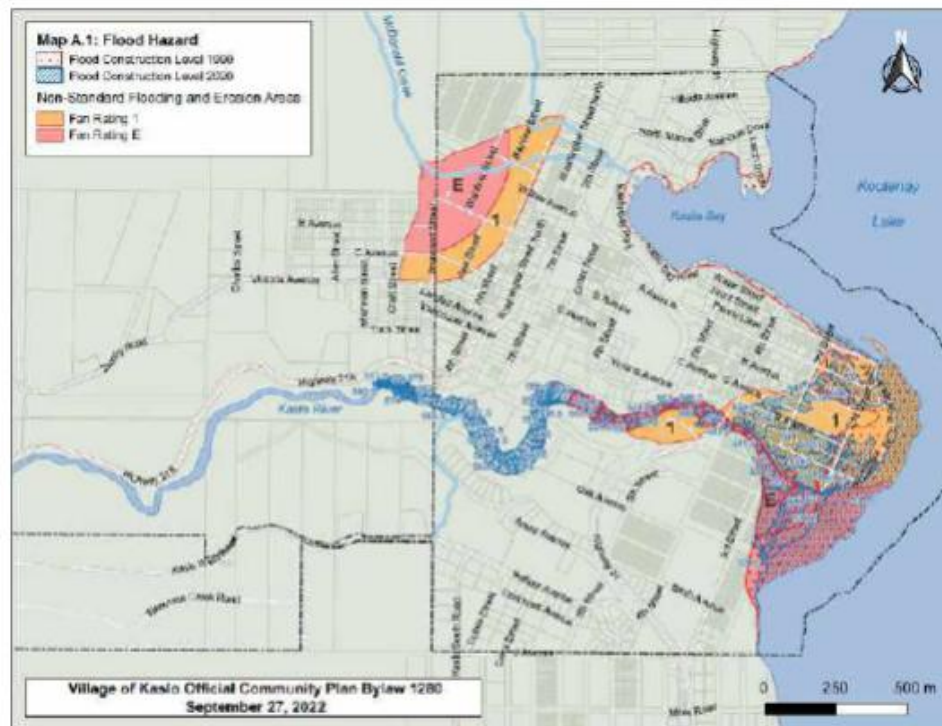


Figure 5 - Flood Hazard Map from OCP

Permanent structures constructed within the floodplain must meet minimum flood construction level (FCL) requirements to ensure that the floor of a habitable space is above the highest anticipated flood level. The FCL mapping was updated in 2020 and recently integrated into the Village's floodplain bylaw. Most of the ground level RV park is below the FCL, so development of permanent habitable buildings would require significant raising of the ground level, which is not practical. The proposed RV park is a potential use, and one of the few options for the site, because RVs are not permanent structures, which can be evacuated when there is a risk of flooding and are not subject to the FCL rule. As noted in the report, the risk to public safety for RV camping in a floodplain can be managed with an appropriate operating procedure and evacuation plan. The one permanent structure, the proposed washroom building, will need to conform to the FCL.

QP proposes to construct a lock-block wall parallel to Kaslo River, outside the 30-metre riparian setback, that can act as a flood mitigation berm in the event of the river overtopping its bank during a 200-year flood event. The Watershed report calls for riprap and drain rock to be placed in front of the wall to mitigate erosion. The report states that all permanent infrastructure must be above the Kootenay Lake Floodplain FCL of 536.5 metres. This conclusion needs clarification,

as infrastructure would normally include roads, RV pads and utilities that are essential to the development of the RV park, yet most of the site is below the elevation of 536.5 metres.

Another recommendation of the report is that the consultant that completed the Kaslo River Floodplain and Steep Creek Study for RDCK be consulted to model the effects of the proposed mitigation berm. This request would be at the initiative and expense of the applicant.

Kaslo River flood mitigation works were proposed by the Village for a section of riverbank fronting on the site. Approximately 50 metres of bank would be armoured with riprap and revegetated. Although the Village obtained permits for the work, there was not adequate funding for construction at the time in 2021. This work should be a requirement of the proposed development, as it would protect the developer's investment from avulsion (change in watercourse) and prevent erosion of the riparian area and trail.

The Watershed report also notes the risk to the access road stemming from erosion of the unprotected south riverbank. Further assessment of flood and erosion risk and development feasibility is needed as the proposed development gets into more detailed design and permitting but is not required for the consideration of rezoning. However, the developer should aware that the approval process for work in and around a watercourse is a time consuming and onerous process that is outside of the Village's jurisdiction.

Land Use Bylaw Zoning Amendment

The property is currently zoned M-1 Industrial, recognizing the former sawmill use that was active on the site until the late 1900s. The P-1 Park and Open Space zone or the C-1 Waterfront Commercial Zone permits seasonal campground facilities, but not a strata RV park as is being proposed. The C-1 zone is also too broad for the limited land use options that are appropriate for this site. The applicant has requested a new zoning classification, C-4, Commercial Recreation – RV Camping, to enable the proposed RV park use, and RM-1 – Multiple Residential for the housing development at the south end.

The change from industrial to a recreational use, and for subdivision, requires filing a site disclosure statement and certificate of compliance from the Ministry of Environment under the Environmental Management Act Contaminated Sites Regulation. The developer has provided a stage 2 environmental assessment, which may meet the site investigation requirement, but confirmation of the filing with the Ministry is required.

The rezoning process is a bylaw requiring 3 readings before enactment, and that a public information session be held before third reading. The bylaw has been read a first time and may be read a second time before year end. The second and third readings are opportunities for discussion by Council and potential amendments or conditions to be introduced before final adoption of the rezoning bylaw. The process will take at least two more Council meetings.

2. A "200-year flood" does not mean just one occurrence in 200 years. It means the highest water level that is likely to be encountered in a 200-year period and can more frequently.

Recommendations of note in the engineering report include developing a plan to maintain the access road in the event erosion occurs, an RV park operations and evacuation plan, and modelling the proposed flood mitigation measures to ensure effectiveness. Recommendation 2 in the report calls for all infrastructure to be above the 536.5m FCL. This recommendation needs to be clarified, as infrastructure includes water lines, sewerage system, electrical hookups, and even the internal RV park roads and RV pads. It is impractical to install such infrastructure above that FCL. Clarification from the engineer and revised wording is required.

The plans for the flood protection wall near the entrance and access road need to be revised. As shown, the wall would block the road access and is located within the 30m riparian area. The access road may need to be constructed to itself form part of the flood protection works. QP has indicated that the wall will be constructed entirely within their property, so future maintenance and upkeep of the wall will not be the responsibility of the Village. Attention to the aesthetics of the wall (i.e. landscaping) also needs clarification, as it could pose an eyesore.

J. Multi-Residential Development

The southern section of the QP site is a proposed 5 to 10 unit multi-residential strata development. The rezoning application would convert this land from industrial to RM-1 Multi-Residential. The Village lacks industrial land but the QP site is not conducive to industrial development because of the steep terrain and access constraints to the site. The cost of constructing services and access will be high, which also limits the opportunity for providing affordable housing on the site.



The closest Village watermain terminates near the YRB yard on Birch Street. A 6" main will need to be extended into the site for fire hydrants. One option is to use the Birch Ave road allowance but the grade is too steep for road construction. Another possibility is to construct a new road and waterline along the southerly municipal boundary. The Approving Officer will require servicing and access to be confirmed prior to subdivision approval. The map in Figure 11 shows the topography of the site with 1 metre contours, identifies two potential build sites and shows the existing Birch Street and Lakeview Street road allowances. An industrial encroachment into the road allowance is also visible, which could impede future access. The road allowance along the southerly Village boundary is named South Street. Using this way for access will require MoTI approval, as the road allowance is cross-jurisdictional.

June 23, 2025

Village of Kaslo

Attention: Mayor Hewat, Councillors Bird, Brown, Lang, Leathwood

Re: South Beach – Transfer of Risk

Within the Regional District of Central Kootenay, Kaslo River has “comparatively high hazards and consequences from flooding.”

The term “transfer of risk” refers to the scenario in which changes are made at one location on a watercourse and/or floodplain resulting in a measurable increase in flood or erosion risk elsewhere.

The structural flood mitigation berm proposed by QP could change the river’s flow, transfer risk to the north dike and threaten properties in Lower Kaslo’s floodplain. Erosion of property north of the berm could be another unintended consequence.

An engineer has recommended an assessment of the impact of water levels and velocities on the Village of Kaslo dike to quantify the transfer of risk.

Indeed, the November 20, 2023 Planning Report prepared by staff states: “Another recommendation of the report is that the consultant that completed the Kaslo River Floodplain and Steep Creek Study for RDCK be consulted to model the effects of the proposed mitigation berm.”

Kaslo taxpayers expect due diligence. This assessment should be done now before any further decision in this land use process.

For your consideration,

Anne Malik

3.3 Transfer of Risk

The term “transfer of risk” refers to the scenario in which changes are made at one location on a watercourse and/or floodplain resulting in a measurable increase in flood or erosion risk elsewhere during the design flood. The transfer of risk of flooding/erosion in this case is associated with the placement of the proposed structural flood mitigation berm set back from the right bank along the development site (see Figure 7.0). The difference in water surface elevation profiles and average channel velocities between the existing condition and proposed condition with the flood berm would need to be developed to assess and quantify the transfer of risk.

3.4 Discussion

Based on the review of available background information, the following considerations are provided in determining the necessary recommendations for the safe development of the site related to flood hazard:

- The development site is located on an alluvial fan that is subject to flooding from Kootenay Lake and the Kaslo River. Given the temporary nature of the proposed occupancy below the Kootenay Lake flood construction level of 536.5m and the nature of lake level rise over the freshet, it was determined that risk to public safety resulting from RV camping sites being located within the Kootenay Lake floodplain can be managed with an operation procedure and evacuation plan developed by a qualified professional to mitigate this risk.
- The site is located within the 200-year Kaslo River floodplain. To develop the site for the intended use mitigation of overland flooding is required to maintain public safety during a flood event. Structural flood mitigation works or raising the site elevation are required in order to develop the site.
- With the potential erosion hazard on the right bank and the single access in and out of the site, provisions for potential erosion of the right bank needs to be considered to ensure the access is not compromised in the future.
- The existing eroded area (Photo 4) on the right bank will continue to erode and will impact downstream bank stability if not addressed.
- The recent comprehensive report completed on the Kaslo River by BGC Engineering Inc. for the RDCK included hydrologic and hydraulic modelling, which has established flood construction levels on the proposed site. These are suitable for use in developing recommendations for the mitigation of flood hazard on the development site.

4. CONCLUSIONS AND RECOMMENDATIONS

The technical review completed in this study has determined that although flood risk is present, the property can be safely developed for its intended use provided the following recommendations are implemented.

1. The RDCK Kaslo River Floodplain and Steep Creek Study provides maximum instantaneous 200-year flood levels plus 0.6 m freeboard that can be used for flood mitigation design. Refer to Figure 6.0 for isolines representing the FCLs.



2. All permanent infrastructure on the site must be located above the 200-year Kootenay Lake Floodplain elevation of 536.5 m.
3. Flood mitigation can consist of either: raising the site elevation to the flood construction levels identified on Figure 6.0 or constructing a flood mitigation berm to prevent overland flooding from the Kaslo River during a 200-year event. The flood mitigation berm crest elevation should be constructed to the FCL isoline elevations provided in BGC Engineering Inc. (2020) and shown in Figure 6.0. The geometry of the flood mitigation berm is proposed to include a crest width of 4.0 m and side slopes of 2H:1V. The riverside face of the berm is to be protected with riprap for erosion protection placed on a gravel filter layer. At the time of detailed design appropriately sized riprap can be selected based on the peak flow velocities. Geotechnical design of the berm shall be in conformance with the BC Dike Design and Construction Guide (BC Ministry of Water, Land and Air Protection, 2003).
4. Develop a plan to maintain access should future erosion occur along the upstream access road along Kaslo River. If required in the future the access road can be moved over to accommodate river erosion. A minimum 2H:1V projection from the toe of the right riverbank to the edge of shoulder is recommended as a design approach. See Figure 7.0.
5. Develop an RV Park operations plan to mitigate the impact of flooding from Kootenay Lake to establish trigger points for evacuation alert and evacuation order conditions for the property.
6. It is recommended that the Village request that the RDCK retains BGC Engineering Inc. to model the proposed flood mitigation berm scenario in the existing HEC-RAS 2D model to assess the impact of water levels and velocities on the Village of Kaslo dike to quantify the transfer of risk.
7. The river channel survey and LIDAR data used in the BGC Kaslo River floodplain analysis were collected using the CGVD2013 vertical datum and the horizontal control is NAD83(CSRS) UTM Zone 11N. For establishing the benchmarks and elevation control for FCLs the referenced controls must be used.

We trust this memo meets your requirements. Should you have any questions, please contact the undersigned.

Sincerely,

Watershed Engineering Ltd.

Prepared By:

Reviewed By:

Caleb W. Pomeroy, P.Eng, PMP
Principal Engineer
Direct Line: 250.803.1150
caleb.pomeroy@watershedengineering.ca

Dr. Adrian Chantler, P.Eng.
Consulting Hydrotechnical Engineer



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5. Develop an RV Park operations plan to mitigate the impact of flooding from Kootenay Lake to establish trigger points for evacuation alert and evacuation order conditions for the property.
6. Prior to detailed design the proposed flood mitigation measures should be modelled in the existing HEC-RAS 2D model to assess the impact of water levels and velocities on the Village of Kaslo dike to quantify the transfer of risk.
7. The river channel survey and LiDAR data used in the BGC Kaslo River floodplain analysis were collected using the CGVD2013 vertical datum and the horizontal control is NAD83(CSRS) UTM Zone 11N. For establishing the benchmarks and elevation control for FCLs the referenced controls must be used.

We trust this memo meets your requirements. Should you have any questions, please contact the undersigned.

2025.01.13 Watershed Engineering correspondence



PERMIT TO PRACTICE NO.: 1000852

REV. 0 -ISSUED FOR REVIEW

January 13, 2025

File No.:2022.002.001

Village of Kaslo
413 Fourth Street
Kaslo, BC V0G 1M0

Attn: Village of Kaslo Mayor and Council, and CAO Robert Baker

Subject: Site Suitability for South Beach RV Park

Following the special council meeting on December 17, 2024, CTQ Consultants requested Watershed Engineering Ltd. to provide a summary of the Flood Hazard Assessment regarding the site's suitability for the proposed development. Full details of the assessment are outlined in the Technical Memo dated May 5, 2023.

The development site is located on an alluvial fan that is subject to flooding from both Kootenay Lake and the Kaslo River. Given the temporary nature of the proposed occupancy below Kootenay Lake's flood construction level (536.5 m) and the gradual rise in lake levels during freshet, it was determined that public safety risks associated with RV camping within the floodplain can be managed through an operations procedure and evacuation plan prepared by a qualified professional. Mitigation of overland flooding from the Kaslo River during the design event is required to ensure public safety during extreme flood events.

The purpose of the Flood Hazard Assessment was to identify flood hazards and provide recommendations for the safe development of the property. The design standard adopted includes the 1-in-200-year flood event, adjusted for climate change, for the Kaslo River, and a flood construction level of 536.5 m for Kootenay Lake. The assessment concluded that, while flood risks are present, the site can be safely developed for its intended use if the recommendations in the May 5, 2023, report by Watershed Engineering Ltd. are implemented.

These recommendations outline necessary mitigation measures to meet the 200-year flood event standard while maintaining the 30 m riparian setback on the Kaslo River. On Kootenay Lake development is located behind the 15 m riparian setback and guidance on the development of operational, maintenance, and access plans to protect public safety during extreme flood events is provided.

We trust this letter clarifies the potential for the site to be safely developed in accordance with provincial public safety and engineering standards for flood hazard and risk mitigation. Should you have any questions, please feel free to contact the undersigned.

Sincerely,
Watershed Engineering Ltd.,



Caleb W. Pomeroy, P.Eng., PMP
Principal Engineer
Direct Line: 250.803.1150
caleb.pomeroy@watershedengineering.ca

Reviewed by

Adrian G. Chantler, Ph.D., P.Eng.
Consulting Hydrotechnical Engineer

as infrastructure would normally include roads, RV pads and utilities that are essential to the development of the RV park, yet most of the site is below the elevation of 536.5 metres.

Another recommendation of the report is that the consultant that completed the Kaslo River Floodplain and Steep Creek Study for RDCK be consulted to model the effects of the proposed mitigation berm. This request would be at the initiative and expense of the applicant.

Kaslo River flood mitigation works were proposed by the Village for a section of riverbank fronting on the site. Approximately 50 metres of bank would be armoured with riprap and revegetated. Although the Village obtained permits for the work, there was not adequate funding for construction at the time in 2021. This work should be a requirement of the proposed development, as it would protect the developer's investment from avulsion (change in watercourse) and prevent erosion of the riparian area and trail.

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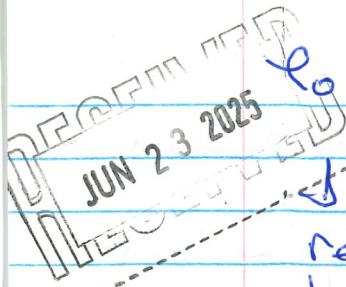
Land Use Bylaw Zoning Amendment

The property is currently zoned M-1 Industrial, recognizing the former sawmill use that was active on the site until the late 1900s. The P-1 Park and Open Space zone or the C-1 Waterfront Commercial Zone permits seasonal campground facilities, but not a strata RV park as is being proposed. The C-1 zone is also too broad for the limited land use options that are appropriate for this site. The applicant has requested a new zoning classification, C-4, Commercial Recreation – RV Camping, to enable the proposed RV park use, and RM-1 – Multiple Residential for the housing development at the south end.

The change from industrial to a recreational use, and for subdivision, requires filing a site disclosure statement and certificate of compliance from the Ministry of Environment under the Environmental Management Act Contaminated Sites Regulation. The developer has provided a stage 2 environmental assessment, which may meet the site investigation requirement, but confirmation of the filing with the Ministry is required.

The rezoning process is a bylaw requiring 3 readings before enactment, and that a public information session be held before third reading. The bylaw has been read a first time and may be read a second time before year end. The second and third readings are opportunities for discussion by Council and potential amendments or conditions to be introduced before final adoption of the rezoning bylaw. The process will take at least two more Council meetings.

June 17
2025



To Kaslo Village Council

I am writing this letter to Council to request that our Village hold a public hearing on the proposed 72 strata lot development at South Beach.

There is a lot of information out there in the community that could be cleared up this way. And it would be good to see, in the number of Villagers that do show up, who is opposed to and who is in support of this development.

Recently, in the Nelson Star, there have been two news articles, one written about rezoning the wood products manufacturing operation Spearhead. Nelson held three public hearings on this matter between January and May. 201 citizens spoke or wrote letters in favor of the re-zoning and 104 spoke or wrote about being against it. There are still a few conditions to be met before final approval/adoption of the re-zoning is finalized.

The other article is in the rezoning of a front street site for housing and recreational use in order to build an affordable housing complex of 50 units by the Nelson CARES Society. It states that "because the changes involve a change in the OCP that provincial legislature requires the city to hold a public hearing, a formal process to

hear from the public on the proposed rezoning."

So, my question to our Village Council is if Nelson can hold three public hearings on Spearhead rezoning in order to hear people speak or write about it and one public hearing on the Front Street housing rezoning as required by law, from the province, in order to change the OCP and allow people to voice their opposition to or approval of this project, why can't the Village of Kaslo Council hold a public hearing for rezoning of the South Beech property and to allow the public to voice their opinions against or for this project.

It sounds fair to me and it should be happening.

Thank you for reading my rather lengthy letter written in my sometimes sloppy scrawl.

Jackie Mundock

Kaslo resident since 1974 - originally and from 1991 until present day. I have been a home owner on two properties and owned another property, undeveloped.

Kilroy

From: Harel Challmie [REDACTED]
Sent: Tuesday, July 1, 2025 11:34 AM
To: Village of Kaslo; Erika Bird; Matthew Brown; Molly Leathwood
Subject: Wrong Project for South beach

Respected Mayor, and Councillors:

It is apparent that there's a fuss regarding SouthBeach.

The first reason for that is due to the quality of life issue, that which makes Kaslo such a rare and special place. This certainly includes our amazing lake front.

The Official Community Plan (OCP) is clear on this. "Development... be limited to passive recreation annemities..." Ah, but what about that loophole which inserted the subclause "...may include seasonal campgrounds/RV parks." Was this subclause, inserted by seemingly bypassing the public involvement inherent in the OCP process, done so to favour the developer? A seasonal campground such as Jazzfest camping is one thing, an RV Strata development is quite another.

Secondly, people are concerned because it isn't at all apparent that the economics of the RV proposal are in Kaslo's favour. At very least, a cost/benefit and/or risk/benefit analysis is of interest, as is a robust public meeting process. I am not at all against development per se, I'm definitely not a NIMBY type, but it deserves to be development that fits appropriately. The RV Strata proposal doesn't.

But (some have argued), isn't it the right of the owner of the SouthBeach property to do what he wants with "his" land - keeping in mind that Kaslo owns about 1/3d of that property? I would suggest that just as there are restrictions on what I can do with my property ([REDACTED]), so there are restrictions on what he can do with his, if it goes against community interests and values. From my perspective, this RV proposal is little more than a cash cow for the developer to milk - the wrong development in the wrong physical space.

And thirdly, the issue of the floodplain. Many residents have expressed their concern in letters like this one, sitting in on Council meetings, publically speaking out, etc. The issue of building significant infrastructure in a floodplain need not be contentious, it's obvious. Increased attention all over the world in recent decades especially, have highlighted how high water events inundate floodplains small and large - floodplains like the South Beach lands are not places where infrastructure to support an RV Strata development should be built.

Please consider this letter in the good faith that it has been sent.

Respectfully

Harel Challmie

Karissa Stroshein

Subject: Estimates of the amount of fill for the RV Park on South Beach to be compliant with regulations and by-laws
Attachments: Volume_Calcs_Approx.pdf

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

From: Wells Thomson

Sent: July 6, 2025 8:31 PM

To: Mayor Hewat <mayor@kaslo.ca>; Rob Lang <lang@kaslo.ca>; Erika Bird <bird@kaslo.ca>; Matthew Brown <brown@kaslo.ca>; Molly Leathwood <leathwood@kaslo.ca>

Cc: Village of Kaslo <admin@kaslo.ca>; Wells Thomson; Ian Dunlop <ian@dunmap.com> Subject: Estimates of the amount of fill for the RV Park on South Beach to be compliant with regulations and by-laws

Attention Mayor Hewat and Council Members,

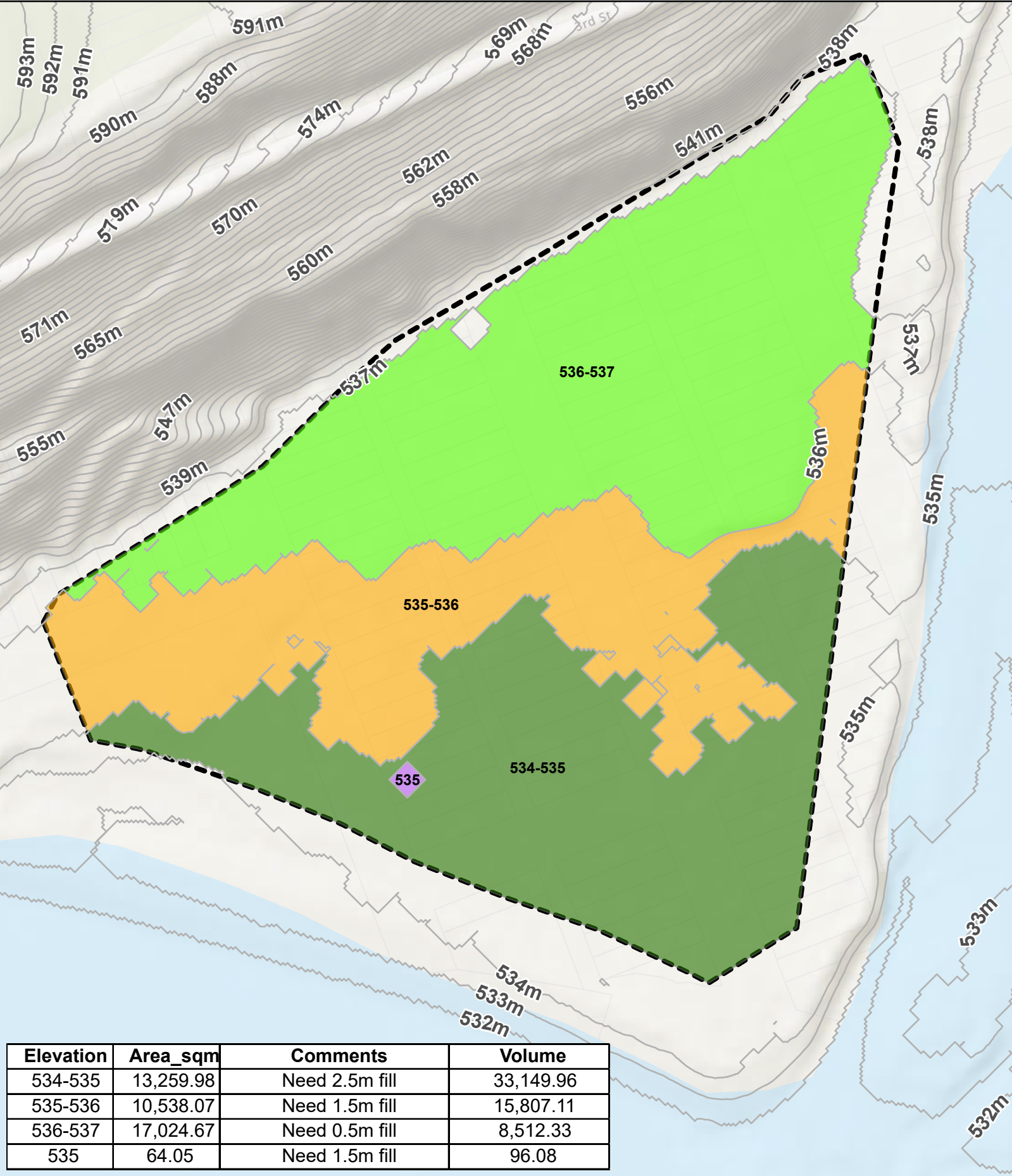
How much fill would be needed to create the legal surface level of the proposed RV park on the South Beach?

Marie-Ange Fournier-Beck has used her skills to calculate estimates of the amounts of fill required to bring the surface of South Beach up to Flood Construction Level (FCL=536.5) and the Flood Plain By-law compliance.


If my arithmetic is correct, it looks like a little less than 58,000m³ or 5800 regular sized dump truck loads. That would result in a big change in the topography of that shoreline, and the river bed. The Kaslo River would be pushed north in a flood, imho. Anne Malik has brought to light the term "transfer of risk". That is what this is.


Yours truly,

Bill Wells, Kaslo





Elevation	Area_sqm	Comments	Volume
534-535	13,259.98	Need 2.5m fill	33,149.96
535-536	10,538.07	Need 1.5m fill	15,807.11
536-537	17,024.67	Need 0.5m fill	8,512.33
535	64.05	Need 1.5m fill	96.08


 1m Contours


 Proposed Area of RV Park


Elevations (m)

 534-535

 535

 535-536

 536-537



0

m

Page 77 of 106

From: Russell Precious

Sent: July 14, 2025 1:29 PM

To: Mayor Hewat <mayor@kaslo.ca>; Molly Leathwood <leathwood@kaslo.ca>; Rob Lang <lang@kaslo.ca>; Erika Bird <bird@kaslo.ca>; Matthew Brown <brown@kaslo.ca>; Village of Kaslo <admin@kaslo.ca>

Subject: Risk/Benefit Proposal from John Cathro

Mayor Hewat and Councillors

As I indicated in my letter sent in time for your last council meeting, I have followed up with John Cathro and he has prepared a 'draft' proposal of a 'risk/benefit' analysis.

Here again is the letter I sent and below is John's proposal for engaging in a risk/benefit analysis attached as a Word Document.

As shared in my previous letter, we have a Kaslo resident who is prepared to fund the risk/benefit analysis (or as they suggested was their preference, a carefully conducted referendum).

Risk/Benefit Analysis Sent to council for June 17th council meeting:

The essential thing to grasp in understanding a Risk/Benefit Analysis is the difference between **advocacy** and **analysis**.

"How can you tell the difference between an analyst and an advocate? It is all in the handling of data that runs counter to assertion. To an analyst, being wrong is disappointing, but it is primarily an opportunity to learn. When knowledge is your only objective, there is no such thing as a bad fact, only one which you do not yet understand. Not so for the advocate. The advocate has tied their hopes (and often their livelihoods) to a specific outcome and feels compelled, whether consciously or not, to rationalize away or attack inconvenient realities.

For the past year we have been caught in a battle of advocates, both advocating for specific outcomes; each driven by strong confirmation biases while council has been caught in the crossfire.

In a situation where there are a multiplicity of unknown facts, the logical (and intelligent) position to assume is the 'precautionary principle' until the facts can be clearly ascertained and presented. Otherwise one is left vulnerable to a host of unexpected consequences. AND this is where one can benefit by engaging in a serious **Risk/Benefit Analysis**.

Last week I mentioned that John Cathro's name had come up in a discussion that Laura Douglas and I had with Molly as a possible candidate to lead such an analysis. Since then I have had several exchanges with him to gage his appreciation of the need for objectivity and analysis while stepping above the battleground of opinions.

He is now in the process of putting together an initial draft of how he would tackle a Risk/Benefit analysis for the South Beach conundrum were he to be engaged.

SO AGAIN I would ask council to take to heart this opportunity and consider such a process for both your benefit and also for the citizens of Kaslo so they can trust that an honest and open process has taken place.

Respectfully

r u s s e l l p r e c i o u s

Post Script:

A long time resident of Kaslo (who wishes to remain anonymous) has stepped forward and offered to fund the **Risk/Benefit Analysis**.

They also made it clear that a **referendum** is their preference. Given the land to be developed is jointly owned (with the city share being roughly 1/3 of the land in question) they believe this would determine the most legitimate outcome.

To that end they are also willing to fund a **referendum**.

Risk/Benefit Analysis Proposal from John Cathro

From: Russell Precious

Sent: July 14, 2025 2:36 PM

To: Village of Kaslo <admin@kaslo.ca>; Mayor Hewat <mayor@kaslo.ca>; Rob Lang <lang@kaslo.ca>; Erika Bird <bird@kaslo.ca>; Molly Leathwood <leathwood@kaslo.ca>; Matthew Brown <brown@kaslo.ca>

Subject: Flash Floods Are the 'Hardest Kind' of Disaster to Prevent, Experts Say - The New York Times

Mayor and Councillors: **Let a flood plane be a flood plane**

In the US this past week there were 4 flooding events that were supposed to be 1 in a 1,000 years.

AND as the article below from the NY Times this past weekend suggests, why would we not let a flood plain do what it is designed by nature to do.

AND..... the more a development at South Beach is protected from flooding the more flooding will be directed to the north side of the river where there are numerous Kaslo residents.

All other considerations aside, please let a flood plane be a flood plain!

Respectfully as always!

r u s s e l l p r e c i o u s

Proposal for: South Beach Risk Benefit Assessment

Prepared by John Cathro
July 9, 2025

Problem Statement

The proposed rezoning and land swap of Village of Kaslo (Village) and private land in South Beach has generated considerable community attention while raising the potential for a fully serviced 72 site RV Park on the site of a former sawmill site on a mapped flood plain.

While the Village Official Community Plan (OCP) defines the area as a Development Permit Area there is a lack of certainty on how the proposed rezoning meets Village bylaws. It is also unclear whether the benefits to the community of approving the rezoning outweighs the financial and ecological and community risk.

This proposal sets out to gather available data and prepare a Risk Benefit Analysis to inform Village Council's decision on rezoning.

Expected Outcomes

The expected outcomes of this Risk Benefit Analysis are to assess what is in the best interest of the community, specifically:

1. How do we define 'best interest of the community'?
2. How do we measure 'best interest'?

In answering these questions, the proposed rezoning will be considered in light of:

1. The Village OCP and bylaw requirements for this parcel of land;
2. The Village rezoning requirements;
3. Potential risks to proposed water and sewage infrastructure on the active floodplain; and
4. The community identity and if the proposed RV Park will result in social well-being;

Note: Legal questions such as: 'can the developer sue the village based on the presumption of approval (if the rezoning is denied)' and 'can the community sue the village for not being in the best interest of the community (if the rezoning is approved)' are not addressed in this Risk Benefit Analysis

Methods

This proposed framework is based on the Federal government *Canadian Cost-Benefit Analysis Guide (2007)*. This framework is useful because it sets out a basic methodology:

- What is the baseline or the status quo?
- What is the proposed change and what are the risks and benefits of this change?
- Can these risks be mitigated?
- What other options exist?

Risk Benefit Assessment Steps

Information will be gathered from 2 sources:

1. Review existing documents, reports, assessments
2. Interview key stakeholders
 - Village OCP Committee: 3-5 people
 - Project proponent: 2-3 people
 - Current Village CAO: 1 person
 - Previous Village CAO: 1 person
 - South Beach WG: 4-6 people
 - Authors of assessments: 2-3 people

Risk Benefit Assessment Table of Contents

1. Executive Summary
 - Define 'best interest of the community' and other key terms
 - Set out key findings
2. Historic Use and Ownership
 - Overview of historic use and ownership
3. Current Use and Ownership
 - Overview of current use and ownership:
4. Proposed rezoning:
 - What is being proposed?
 - What is the proposed financial offer for the land swap?
 - What work has been done to date to support this rezoning?

- Public engagement
 - Engagement with Village Council
 - Archaeology and cultural values assessments
 - Ecological and environmental assessments
 - Other assessments and studies
 - What work is has not been completed and is required for the rezoning?
5. Village OCP and bylaw requirements:
- Steps for rezoning this parcel in a mapped floodplain
 - Process for securing permits for building including septic, water and related
6. Community views about the proposed rezoning:
- As stated in written feedback to Council;
 - As stated in public meetings and open houses;
7. Financial comparables for the land
- Is the land swap offer at a fair market price?
8. Appendices:
- Bibliography of Documents Reviewed
 - List of people interviewed

Level of effect

This Risk Benefit Assessment will be completed with this level of effort:

- 7 days document review
- 4 days Village by law review
- 4 days interviews

Fees at \$1,000 / day:	\$15,000
Real Estate Comparables:	\$7,500
<hr/>	
TOTAL:	\$22,500 + GST

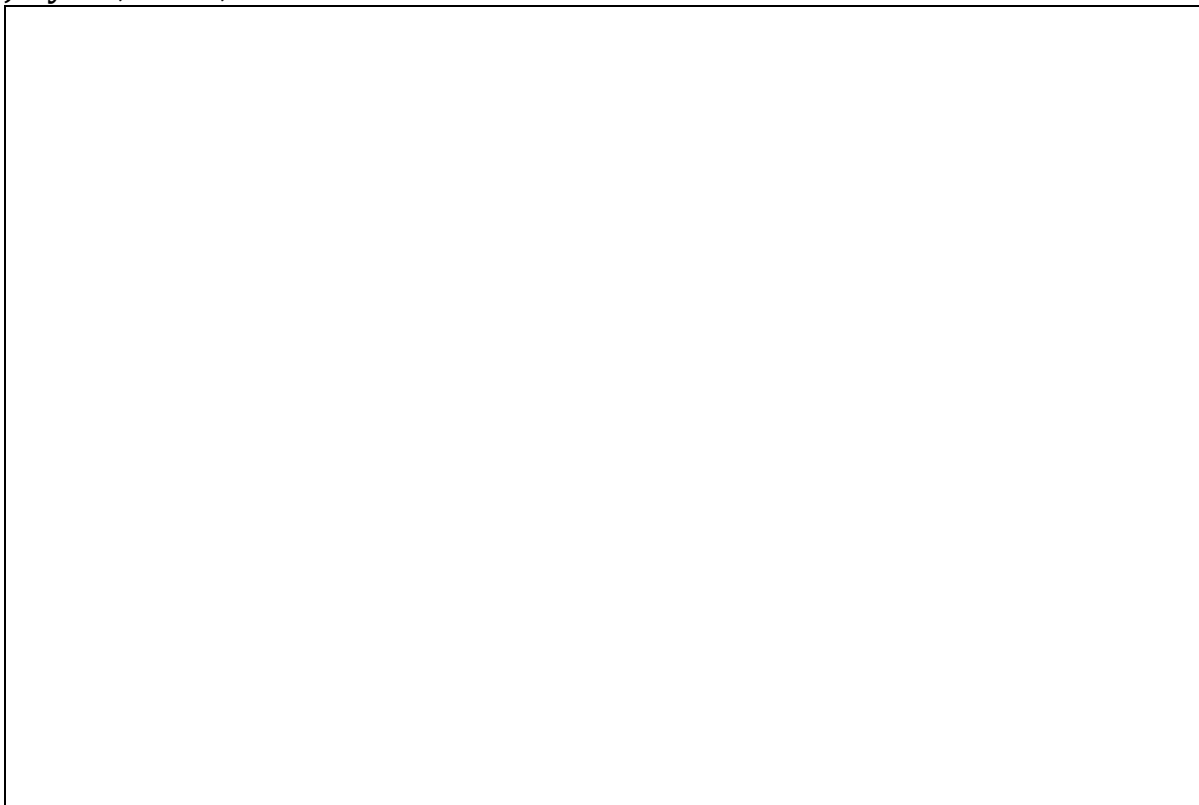
Timeline

Initiation Phase, Terms of Reference approval:	August 15
Interim report:	October 30
Final report:	December 15

Around the World, Flash Flood Disasters Are the ‘Hardest Kind to Prevent’

Scholars and designers of early warning systems say that there are still huge gaps in our ability to predict flash floods and warn those at risk.

July 12, 2025, 5:01 a.m. ET



Flood-damaged homes lining the river in Chiva, near Valencia, Spain, in November. A flood alert system was in place but was not immediately activated. Jose Jordan/Agence France-Presse — Getty Images

Officials in Texas are [under scrutiny for a string of refusals](#) to fund early warning systems for flash floods in an area where sudden, intense rainfall is frequent.

Those measures could have included river gauges and warning sirens that could have alerted people that their lives were in imminent danger. The floods that raged down

the Guadalupe River eight days ago killed at least 121 people, including at least 36 children.

But global experts in early warning systems said that there are few examples of places around the world that have mastered the choreography of forecasting and communication needed to prevent loss of life in extreme rain events. And in many cases, like in Texas this month, accurate forecasting alone is not enough to prevent calamity.

“Flash floods are the hardest kind of disaster to prevent,” said Erin Coughlan de Perez, who studies disaster risk management at Tufts University. She said that both rich and poor countries have grappled with funding for systems that ultimately either fail or create enough false alarms to erode public confidence.

For instance, in Valencia, Spain, [a lack of sufficient warnings contributed](#) to a catastrophe where more than 200 people died in flash floods last year. An alert system was in place, but was not activated until it was already too late.

“When the alert came, my grandpa had already drowned,” one resident told The Times.

“There’s a major ‘cry wolf’ issue because flash floods are so hard to predict,” Dr. Coughlan de Perez said. “And they are pretty infrequent in most places, so it’s hard to motivate investment. But of course, with climate change, they are also getting stronger and more common.”

One country that experts agree has done a better job than others is Japan.

Japan is among the world’s most disaster-prone countries, primed for earthquakes, tsunamis, typhoons and more. And the nation’s steep mountain ridges, fast-flowing streams and heavy rains make flash flooding a particular threat.

Yet heavy [investment in storm infrastructure](#) and advanced early warning systems have helped Japan significantly [curb deaths from natural disasters](#).

Sign up for Your Places: Extreme Weather. Get notified about extreme weather before it happens with custom alerts for places in the U.S. you choose.

Supercomputers, weather satellites and radar feed advanced weather forecasts and warnings that are then beamed within minutes to local television and radio networks, a network of loudspeakers, and cell phones. ([I-Alert, an early warning system](#) primarily used for quakes, tsunamis and North Korean missile alerts, but also for the most

serious extreme weather events, is designed to send out nationwide alerts within seconds.)

Local municipalities are responsible for issuing evacuation orders and other directives, accompanied by the swift opening of evacuation centers at schools and other public buildings, which are supplied with futons and other emergency provisions.

But tragedies still occur, especially as climate change fuels more extreme weather. In 2020, 14 people perished in widespread flooding on the southern island of Kyushu after a botched evacuation at a nursing home, reflecting the challenges facing older populations.

Flooding in urban areas is also on the rise: In recent days, [torrential rain in Tokyo](#) inundated roads and disrupted train services. (No casualties have been reported.)

And the Japanese public risks becoming a victim of the country's success in addressing disasters, said Yukiko Takeuchi, a professor at Kumamoto University on Kyushu who specializes in regional disaster prevention. In a [survey published in 2024](#), more than half of all municipalities said only 10 percent of residents complied with recent evacuation orders. For almost a quarter of municipalities, the evacuation rate was less than 1 percent.

"People who've been shielded from past disasters tend to assume they'll be fine," she said. "Then they risk getting stranded."

The United Nations has set a target for the entire world to be covered by early warning systems for all kinds of natural disasters by the end of 2027. Right now, only about half of the world's countries have implemented such systems, though that represents a near-doubling of the number over the past decade.

In Bangladesh, a low-lying country that sees some of the highest rainfall in the world, officials have been trying to improve their flash flood early warning systems for a quarter of a century, said Shampa, a hydrologist at the country's Institute of Water and Flood Management, who goes by one name.

"We are able to tell people about three to five days ahead but so far still more than half of our warnings end up being false alarms," she said.

The majority of the country's flash floods originate across the border from hills in India, necessitating close international cooperation. The government works with

mosques, local community organizations and telecom providers to get urgent messaging out in as many ways as possible.

“But relying on text messages is hard because heavy rain often causes power cuts and people’s phone are not charged,” Shampa said. “And if they get the message, do they understand what a certain level or velocity of river means? Or what it means for their land in particular?”

Researchers in wealthier countries have partnered with governments in poorer ones, like Uganda, to try to expand the kind of high-tech systems that have a higher success rate.

Liz Stephens, a professor in the meteorology department at the University of Reading in England, said that researchers were working in Uganda, Nepal and elsewhere to use satellite monitoring to predict flash floods.

It was necessary in Uganda because some flash floods were so strong that rivers carried boulders along with them, crushing river gauges that had been installed.

And in Nepal, where some flash floods are caused by the collapse of lakes held back by glaciers, work is underway to understand better how those collapses are triggered. Last week, [floods in Nepal washed away the main bridge](#) connecting the country to China.

Most early warning systems are put into place only after disasters strike, Dr. Coughlan de Perez said. And responses often assume that the next disaster will look like the last, but with climate change intensifying, that is a shaky assumption.

“We’re driving forward while looking in the rearview mirror,” she said.

[Max Bearak](#) is a Times reporter who writes about global energy and climate policies and new approaches to reducing greenhouse gas emissions.

[Hiroko Tabuchi](#) covers pollution and the environment for The Times. She has been a journalist for more than 20 years in Tokyo and New York.

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Karissa

From: Mandy Bath [REDACTED]
Sent: July 17, 2025 9:53 AM
To: Village of Kaslo; Mayor Hewat; Matthew Brown; Erika Bird; Molly Leathwood; Rob Lang; Robert Baker (CAO Kaslo)
Subject: South Beach Open House July 21st

Dear Mayor, council and CAO,

Thank you for arranging an open house to discuss the South Beach proposed development. I appreciate your willingness to engage with Kaslo's community on this important and controversial subject. As you know, we have many serious and still unanswered questions.

I see that this is a Drop-In event rather than a sit-down meeting with an agenda. Will presentations be allowed? Will in-depth questions be answered formally and minuted? Will the meeting be recorded?

I very much hope that Ian Dunlop will be present to respond to these critical questions:

1. Who directed the CAO and the OCP coordinator to rewrite Section 11 in a manner that would enable an RV Park?
2. Why was the developer the only person engaged on this issue?

I would be grateful if you could get back to me regarding the meeting format, prior to Monday 21st.

Sincerely,

Mandy Bath
PO Box [REDACTED]
Kaslo, BC

Karissa

From: Joan Murach [REDACTED]
Sent: July 17, 2025 10:13 PM
To: Village of Kaslo
Subject: South Beach Development

Dear Mayor and Council Members,

As a long time resident of Kaslo, specifically lower Kaslo, I would like to express my strong opposition to the proposed RV park.

The development does not align with our Community Plan and seems risky environmentally. The trade offs for land between the Village and the developer seems somewhat inappropriate.

Adding the possible number of people residing in the park to the resident and regular tourist populations, results in far too many for our one and a half block downtown to accommodate.

With dryer and hotter summers the risk of forest fires is rising. If Kaslo were to have to evacuate, the addition of 75 RV's driving on our limited, narrow roads is frightening to me.

Allowing this development to go through will completely change the character of our town. People that visit don't have the same care and respect for the town as those who reside here.

With the vocal opposition to this development, I believe Council should not make a decision without a referendum.

Sincerely,

Joan Murach

Karissa

From: Wells Thomson
Sent: July 21, 2025 10:10 PM
To: Mayor Hewat; Matthew Brown; Erika Bird; Village of Kaslo; Ian Dunlop
Subject: Excellent Open House tonight!

Dear Mayor Hewat, Councillors Bird and Brown, Ian Dunlop and CAO Baker,

I want to congratulate you on the work you did tonight. You handled a lot of information and hard, even aggressive, questions well and articulately. I learned a lot of things about your perspective on this whole South Beach development proposal.

I will continue to follow this thing with close interest. I do feel that you are intending to approach it with integrity and concern for the best interest of the Village's future. I also do feel that the property owner has opportunities for development on the land other than on the beach, which is a floodplain, and along the river's natural outflow to the lake. Those areas should be allowed to persist for their natural functions as much as possible.

Yours truly,
Bill Wells, Kaslo

Karissa

From: Pat Wilson
Sent: July 21, 2025 9:38 PM
To: Village of Kaslo
Subject: Open House

To the attention of Suzan Hewat, Erika Bird, Rob Lang, Matt Brown and Molly Leathwood:

Thank you for providing the open house regarding the old sawmill beach site development. You all display much more patience than I am capable of.

I attended the first 15 minutes of the meeting but quickly left when I sensed a very hostile crowd that in my opinion already have their minds made up about how decisions have been made and that their version of "what's best for the location" is where they wanted the conversation to remain.

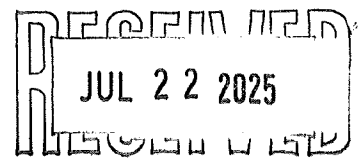
I read the "For the Record" document and found it extremely helpful in explaining the processes involved and what has happened over the last couple of years. I also believe that the format of the meeting was excellent with the exception of allowing questions after each segment. Question periods in my opinion are best left till the end of the meeting.

Please continue to recognize that all of Kaslo does not agree with the rhetoric appearing on Facebook or share the same opinion of a very vocal group of individuals not wanting this development to proceed.

I thank you for following due process, and for having provided the many opportunities for input on the official community plan over the years. For what it is worth I fully support the development that has been proposed and feel its a good use of the property.

Regards,

Pat Wilson



To the Mayor and Council, Village of Kaslo, BC:

This letter is an expression of my own feelings about this controversy, and the fact that it is a controversy strongly indicates that many residents of Kaslo disagree with allowing a strata RV park on South Beach.

Why this is has much to do with what Kaslo has become. The thrust of government, from senior to municipal, has been to encourage development at the expense of other values, and we see this clearly in boom and bust resource extraction communities, and in communities which contain polluting industries. Kaslo, in contrast, is in many ways the exemplar of a perfect small community. The air and water is clean, it is safe, and the setting is what many small towns can only long for, and development has been slow. People come here because of that.

It seems to me that Mr. Unruh and his development company have received special treatment from council and the CAO. The first, and maybe the most important, indication of this is the quiet, some would say sneaky, change in the OCP, adding RV Park to what was intended to describe passive recreation. An RV park requires an immense amount of built infrastructure, far beyond the requirements of a campsite, and flies in the face of the intention of the OCP. A lawyer might argue that the change was made by a duly composed committee, but it feels like a betrayal to me.

Democratic governance depends on the consent of the governed. When a sense of unfairness develops due to the poorly explained actions of council, trust is lost. Why would you place the plans and desires of a landowner as being more important to the village than the opinions of the residents (expressed clearly, I might add, by the OCP)?

The situation is reminiscent of the MLAs and MPs in legislature surrounded by lobbyists whose job is to push for certain outcomes, as opposed to the citizens, who lack the time and money to do that. The residents of Kitimat have to accept the chemical fumes from the LNG plant, or they can move. But we in Kaslo can thank our lucky stars that there is no large industrial presence here, and we don't (I think) wish for 'development'.

Despite Mr. Baker's objections, I think a land swap with Unruh would solve the problem of the differing prices of the land, but I don't wish to dwell on that. More importantly, the idea of strata title for these RV pads is poisonous (in the hopefully unlikely event this project goes forward). Here's a situation where the developer can take the money and run. This whole project is about making money for Mr. Unruh, and has nothing to do with improving the livability of Kaslo. Under the strata title system the developer has little ongoing responsibility. In the meantime, who will say and enforce the rule that people can't live year round in these RVs (a common practice. Some people sell their homes and buy a class A motorhome to live in)?

The likelihood that there will be catastrophic flooding event is virtually assured by climate change; look at the US, European countries, and especially China, this summer. Its not hard to imagine a wall of water coming down the Kaslo river and flooding the proposed RV park. Who cleans up that mess?

But in the end, the feeling I get is that council has been pushed hard to approve this RV project. Certainly Dunlop and now Baker seem to see that as their job. Why? These guys are hired guns and are supposed to carry out the wishes of council.

I think a referendum is the only way forward that isn't going to leave a bad taste in everyone's mouth. It would give the residents of this beautiful town a voice. You could say that certain rabble-rousers in town are trying to influence folks; let's set that against the private meetings council and staff have had with the developer, the quiet 'gift' of \$60,000 that was never discussed, and the obvious bias shown by government in favor of development.

I know most of the members of council, and have had dealings with them over the years I've lived in Kaslo. They all have my admiration and respect for being willing to undertake such a public and difficult job, and more and more I believe the system itself is to blame for short sighted decisions. It is hard to peer through the veil into the future, but I hope that in this case council will put on the brakes to think about how we want Kaslo to be down the road.

Sincerely,

Harvey Armstrong, [REDACTED], Kaslo

[REDACTED]

[REDACTED]

Karissa

From: Roberta Huber
Sent: July 22, 2025 2:17 PM
To: Village of Kaslo
Subject: in appreciation

Dear Mayor and Council:

Thank you all for the time you have spent on the South Beach question. In particular, thank you for arranging the open house on July 21st, at which you listened to and answered so many questions from so many points of view. As a recent resident within the village, I learned a great deal and feel privileged to be part of Kaslo Village.

Yours truly,
Roberta Huber

Karissa

From: The Maliks [REDACTED]
Sent: July 22, 2025 10:51 AM
To: Robert Baker (CAO Kaslo); Mayor Hewat; Erika Bird; Matthew Brown; Rob Lang; Molly Leathwood
Cc: Village of Kaslo
Subject: South Beach - Bare Land Strata concerns

Last night, the CAO asked the audience specifically what concerns they had in regard to Bare Land Strata. The question was never answered.

"A BC municipality generally cannot directly restrict a strata lot owner. The primary authority to regulate a strata lot owner lies with the strata corporation itself through strata bylaws and rules."

The Village may be able to initially have a hand in shaping the bylaws that are filed by the owner developer with the land title office; however, over time "the strata corporation may amend, change, create or delete bylaws through a three-quarter vote of the owners and file the amendments in the land title office."

Please confirm that a Municipal Zoning Bylaw takes precedence over a Strata Bylaw and Rules.

Restrictive covenants have been mentioned in several Staff and Planning reports.

"Section 35 of BC's Property Law Act does provide a person interested in land the authority to apply to the court to modify or cancel various charges and or interests registered against the land including restrictive covenants. Further it is already settled law in B.C. that a restrictive covenant can never override a land use bylaw."

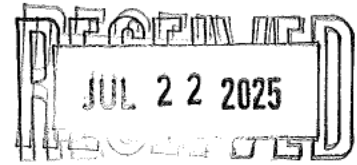
Source: UBCM

Convention/Resolutions, 2018, B133

Does this suggest that all items handled by a restrictive covenant should be included in any RV Park Bylaw so that over time, property owners could not apply to the court to modify or cancel registered charges and or interests?

Anne Malik

July 21, 2025



To the Mayor and Councillors,

I am pleased that you are responding to the repeated requests to hold a public gathering (in the form of an open house where no community dialogue can occur) and I am so disappointed that I am unable to attend. I am writing these few thoughts:

1. By far the most egregious event of this whole South Beach rezoning effort is the change in the OCP made without due process. I do not know who is responsible as it is possible to be anyone of the elected and hired occupants of City Hall. But how unconscionable for anyone to sneak a statement in against the direct wishes of the residents. It does smack of some purpose other than public service and needs to be rectified immediately.

2. Water: I have commented on this previously, that in our village where in most years we have seasonal water restrictions, it can be considered at all to add a subdivision-sized population of non-residents to draw on this precious commodity.

3. Have you paid attention to the catastrophic weather events taking place world wide in recent days? Tragic results as mother nature overpowers existing infrastructure. Our turn could be next to have the Kaslo River overflow its banks, creating highly toxic detritus which the Village of Kaslo would bear the expense of cleaning up.

4. The expense of infrastructure required at Village expense. All for a comparable pittance in tax income, most (all) of which would be spent on said building and maintenance.

5. Creating a vital change in the culture of Kaslo, from small town where we all know and help each other or a resort community for them and us. Kaslo needs permanent housing for those who serve in the public sector, not a playground for the rich.

Unfortunately Kaslo is caught in the bizarre development scheme of serious government. How often have we seen the developer saying 'trust me- it's for the highest good.' Unspoken is that profit is his/her highest good, but it is not ours. And for the process of say one thing and do another to be on the side of them, not us residents, is quite unfair.

This Kaslo Council can leave a better legacy for the community. Please do so.

Respectfully

Kate (Madeleine) O'Keefe

Karissa

From: The Maliks [REDACTED]
Sent: July 23, 2025 2:28 PM
To: Mayor Hewat; Rob Lang; Molly Leathwood; Erika Bird; Matthew Brown
Cc: Robert Baker (CAO Kaslo); Village of Kaslo
Subject: South Beach Terms & Conditions
Attachments: 2025.07.23 Terms & Conditions.pdf

Further to the CAO's remark at last night's meeting that Council will be meeting in August to discuss the *Terms and Conditions to the Purchase and Sale Agreement* we ask that Council consider the attached correspondence.

For additional detail on these issues please reference my correspondence that I've been advised by staff "is staged with other South Beach correspondence for Council to address at a future meeting."

Reference: 2025.06.16 Access Road
2025.06.23 South Beach Advice from Province
2025.06.23 South Beach re FCL
2025.06.23 South Beach Public Access
2025.06.23 Transfer of Risk

Anne Malik

July 23, 2025

Village of Kaslo

Attention: Mayor Hewat, Councillors Bird, Brown, Lang and Leathwood

Re: **South Beach Purchase & Sale - Terms and Conditions**

Significant **financial liabilities** for the Village and Kaslo taxpayers may arise from the Access Road, Transfer of Risk and a Contaminated Site.

Access Road

Watershed Engineering Technical Memorandum July 15, 2022

“Develop a plan to maintain access should future erosion occur along the upstream access road along Kaslo River. If required in the future the access road can be moved over to accommodate river erosion.”

Appendix B – Site Visit Photo Log



Photo 2: View of right bank erosion near site entrance off 3rd Street

- The Village will assume ownership and maintenance of the road once the development is complete.
- To where could the road be moved given the steep embankment and the river?
- Who is responsible for developing a plan to maintain access should future erosion occur?
- Should the Village leave itself open to future relocation costs?
- **Add the condition: That a road development feasibility study is undertaken and that any risk is adequately understood, manageable and agreeable to the Village.**

Transfer of Risk

Watershed Engineering Technical Memorandum May 5, 2023

“Prior to detailed design the proposed flood mitigation measures should be modelled in the existing HEC-RAS 2D model to assess the impact of water levels and velocities on the Village of Kaslo dike to quantify the transfer of risk.”

- **Add the condition: That the proposed flood mitigation measures are modelled to assess the impact of water levels and velocities on the Village of Kaslo dike to quantify the transfer of risk and that any risk is adequately understood, manageable and agreeable to the Village.**

Contaminated Site

The Kaslo Lands report prepared by CTQ consultants in 2018 reported two “Remnant Land” sites south of the river. For both of these sites - vacant/remnant land of the old mill site, a “contamination issue was to be confirmed. Phase One Assessment recommended only if remuneration may offset the cost of the assessment.”

*“The Contaminated Sites Regulation permits a purchaser to waive, in writing, the right to a site profile, but this will usually happen only if the purchaser has a detailed prior knowledge of the land, or is buying the land on an “as-is” basis, in which case it may expect to pay a lower price in compensation for accepting some level of risk. **If the purchaser is agreeable to waiving the requirement for a site profile, this should be reflected in the terms of the purchase contract.**”*

Source: Selling Land for Local Governments – Part 1 Stewart McDannold Stuart

<https://sms.bc.ca/2011/06/selling-land-for-local-governments-part-1/>

- Is the developer going to waive the right to a site profile or will proceeds from the purchase/sale have to be used to pay for site profiles?
- Add a Condition if the developer is agreeable to waiving the requirement for site profiles.
- Add the Condition: That a section 219 covenant under the Land Title Act be placed on title to the RV park and strata lots absolving the village from future liability that could arise from development on a contaminated site.
- Add the Condition: That a section 219 covenant under the Land Title Act be placed on title to the RV park and strata lots absolving the village from future liability that could arise from development in a floodplain.

“Any of the land acquired by the Village for public purposes that would be developed with walkways and access could trigger the bigger environmental requirements of actual reclamation of the land. This could be very expensive and at that point, a cost to the taxpayers.”²

Source: Correspondence to VOK from Aimee Watson, January 28, 2025 Agenda package

- Add the Condition: That consultation with provincial ministries and qualified professionals resolves the concern in regard to the triggering of environmental requirements (reclamation of the land) for any land acquired by the Village for public purposes.

Risk/Benefit Analysis

A comprehensive risk-benefit analysis extends beyond solely economic factors to consider the broader social, cultural and environmental impacts of a project or decision. Further to the suggestion by several members of the public and the mayor’s comment that Risk/Benefit Analysis could be added as a condition:

- Add the Condition: That a Comprehensive Risk/Benefit analysis is undertaken by an independent third party and that any risks and costs are adequately understood, manageable and agreeable to the Village.

Legal Guidance in regard to Development Permit

“As the Village’s OCP does not exempt the subdivision from the requirement of a development permit, an application will be required before subdivision or land within the DPA can be altered. Section 16.4.3 of the OCP states that a development permit may not be issued before other required approvals or permits are obtained from provincial or federal authorities having jurisdiction. The Village’s lawyer will need to provide guidance on the exact order of operations regarding the development permit, consolidation of Lots, and subdivision.”

Source: Village of Kaslo 01.28.2025 Regular Council Meeting Agenda Package, Page 110

- **Add the condition: That the order of operations regarding the development permit, consolidation of Lots, and subdivision will abide by guidance provided by the Village’s lawyer.**

Bylaw 1298

There are presently two (2) conditions (items j. and r) pertaining to Bylaw 1298 in the *Terms & Conditions* document available to the public. Given the CAO’s remarks at the May 27th Council Meeting:

- **Is specific reference to Bylaw 1298 appropriate as the CAO has suggested to “park” Bylaw 1298 and that an RV Park Bylaw will be rewritten by the lawyer?**
 - **Will there be both a RV Park Zoning Bylaw and RV Park Regulation Bylaw?**
-

Trust

In the past, debris from the South Beach old mill site was hauled and dumped elsewhere in the village. Community members now have difficulty trusting the developer which calls for conditions pertaining to Engineered Drawings and Environmental Monitoring. Staff may determine that these conditions are more appropriately appended to a development permit.

Engineered Drawings

“For the QP Site, the developer has provided a preliminary sewerage report and will need a professionally designed water distribution plan with fire protection. These reports should be independently reviewed so that the Approving Officer can be confident that the proposed infrastructure is appropriate.”

2024.06.06 Planning Report Page 9

“However, in both the upland and RV park areas, the design and construction of the sewerage system will need to be reviewed carefully to ensure long-term functionality considering the environmental hazards (flood potential and steep terrain).”

2024.06.06 Planning Report Page 13

- **Add the condition: That prior to commencing work, the developer shall deliver to the Village design drawings of electrical, water, sewerage, flood mitigation and road work with the developer’s engineer’s seal affixed.**
- **Add the condition: Upon completion of the work, the developer shall deliver to the Village as-built drawings of the developer’s electrical, water, sewerage, flood mitigation and road work with the developer’s engineer’s seal affixed.**

Environmental Monitoring

“The Village may require that a QEP is retained during the proposed works to document compliance with mitigation measures and recommendations and provide guidance for implementation of best practices. In the event that greater disturbance occurs due to unforeseen circumstances, the QEP will recommend further measures to protect/restore the natural integrity of the study area. The QEP must be notified a minimum of 48 hours prior to initiation of works in order to schedule site visits. An environmental monitoring schedule and standard requirements are as follows:

- *A pre-construction meeting must be held between the QEP and the contractor(s) undertaking the work onsite to ensure a common understanding of the mitigation measures and best practices required for the project. The proposed location of erosion and sediment control measures will be reviewed.*
- *The QEP will be authorized to halt construction activities should an incident arise that is causing undue harm (unforeseen or from lack of due care) to terrestrial, aquatic or riparian resource values.*

- *Environmental monitoring is typically conducted on a minimum monthly basis for the duration of the works. However, this will be dependent on the nature of the works occurring, construction schedule, and the Village and other permit requirements.*
- *A copy of the development permit and this EIA report must be kept readily available at the site for reference while the work is being conducted.*
- *Summary monitoring reports will be completed on a regular basis and submitted to the owner, contractors and the Village. A final report will be submitted upon substantial completion of works. Follow-up monitoring visits one- and two-years post construction may be required to document survival of hydroseeding and plantings within restoration areas (if required)."*

Source: Pages 27-28 *Environmental Assessment Kaslo RV Park* prepared by: Ecoscape Environmental Consultants Ltd. July 21, 2023

- **Add the Condition: That a Qualified Environmental Professional is retained during the proposed works to document compliance with mitigation measures and recommendations and provide guidance for implementation of best practices.**

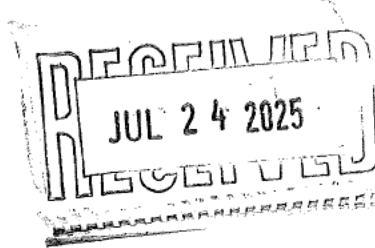
Submitted by,

Anne & Laddie Malik

Reference: 2025.06.16 Access Road
 2025.06.23 South Beach Advice from Province
 2025.06.23 South Beach re FCL
 2025.06.23 South Beach Public Access
 2025.06.23 Transfer of Risk



Mayor and Council
Village of Kaslo
Kaslo, BC
V0G 1M0



July 24th, 2025

Dear Mayor and Council,

Further to the presentation by Village Council at St Andrew's Hall, July 21st, 2025, it continues to make no logistical sense to me to proceed with a sale and purchase agreement with the adjacent landowner if the industrial site is not contamination free and at sufficient height above the Kootenay Lake spring freshet to allow an RV Park development and septic system.

As shown on the Fortis BC website (<https://www.fortisbc.com/in-your-community/kootenay-lake-level-monitoring/kootenay-lake-levels>) Kootenay Lake peak freshets have been above 1750 feet ten times since 2001, compared to only once or twice after the Duncan and Libby dams were built in the 1960's and 1970's, prior to 2001.

In 2012 the freshet peak was only kept below 1754 feet because the RDCK Board sent an emergency resolution to the Premier asking the province to request that the US Army Corp of Engineers slow down the Libby Dam freshet flow. This they did, by raising the Libby one foot above full pool.

We cannot expect that kind of co-operation under the current US administration. That said, I note that the gas bar at Kaslo Marina was under water in 2012, at least one basement flooded in Mirror Lake, and several houses had to be sand bagged in Ainsworth to avoid flooding.

It is therefore essential that it be determined what percentage of the proposed RV Park at South Beach would be below 1760 feet, the flood plain level, and what portion of any proposed septic system would exist below 1760.

I acknowledge that Mayor and Council cannot stop an owner from developing their land. However, Mayor and Council do have a responsibility to ensure that the proposed property is suitable for human habitation and not going to be a hazardous place to be living, even if only a temporary seasonal residence, in the event that the Kaslo River overflows or Kootenay Lake reaches a higher spring freshet level.

In the context of known climatic events, and remembering the slide at Johnson's Landing after four months of rain fell in the month of June in 2012, and noting that we had one month's rain between June 20th and June 21st in 2013, I want to remind you of what happened in Texas in 2025:

"The Guadalupe River rose about 26ft (7.9 m) in 45 minutes. [4] It surged an estimated 29 ft (8.8 m) in the Hunt area, where more than 20 children were declared missing from a summer camp. July 5 saw more flash flood warnings for the Lake Travis area, which is part of the

Colorado River watershed. In the span of a few hours, the equivalent to four months worth of rain fell across the Texas Hill Country region, with the highest rain totals being 20.33 in (516 mm). The flood was the deadliest inland flooding event in the United States since the 1976 Big Thompson River flood, surpassing flooding from Hurricane Helene in 2024."

Having spent two years of my elected term dealing with the aftermath of the Johnson's Landing slide, and impacts at Fletcher Creek, Campbell Bay and Schroeder Creek from 2013, I think we need to be extremely careful about where we allow even temporary summer residences to be built.

Respectfully,

A large black rectangular redaction box covering the signature of Andy Shadrack.

Andy Shadrack

Karissa

From: [REDACTED]
Sent: July 27, 2025 6:27 AM
To: Village of Kaslo
Cc: Thatcher Osa
Subject: South Beach

Dear Council, Mayor and Staff

Thank you for sponsoring the meeting regarding the proposed development on South Beach. It was a good session with lots of information shared by the council, staff and the public. It seemed that people were respectful and listening.

I hope you were impressed by the number of Kaslo residents who are questioning the development and the quality of the information they have acquired. We are adamant that this type of trailer park is not appropriate on the flood plain of the Kaslo River. We are so glad that the Village ownership of some property, the zoning and regulations in the OCP allows substantial mitigation. Let's use this wisely.

First I want to advocate for the council to reconsider the latest decision to proceed with the sale to the proponent. I understand this was in order to negotiate with the developer, hoping he might redefine his plan meet some of our requests.

I think He needs to define his plan and understand the objections of most of the residents first before we agree to negotiate.

Public access to the beach through his private land is not immediately necessary. There are other ways. And rezoning can wait until there is a viable plan.

Most important is an environmental assessment of the area, including assessing the flood risks when aberrant weather increases with climate change.

The mill has been dismantled many years ago, yet much of the area has little regrowth except knapweed. Several citizens who remember the mill also remember a dumping site for old machinery and oil and who knows what else that was easily discarded years ago.

Strata Title Trailer Court should not be allowed. It is not "passive recreation" nor "seasonal RV park". The infrastructure required to build and legal ramifications for our town are serious and unknown.

Please consider the proposal by the South Beach working Group that allows a land trade of greater dimensions along the river and lakefront for local use and a smaller campground.

As our representatives, please hear the pleas of all the people who care about our waterfront and our quiet little town.

Thank you,

Osa Thatcher

Karissa

From: The Maliks [REDACTED]
Sent: July 28, 2025 1:59 PM
To: Mayor Hewat
Cc: CAO Mailbox
Subject: South Beach Issue
Attachments: BC Rural Centre - January 13 2025.pdf

Mayor Hewat & CAO Baker

In my correspondence of July 23, 2025 Terms & Conditions, the following issue was not included as I did not know if my letter would be released to the public.

Without meaningful consultation and engagement on land use, environmental protection and stewardship does the Village risk infringing on First Nations title and rights?

Could First Nations (Ktunaxa, Sinixt or Syilx) lay claim to the proceeds from the municipal Purchase/Sale of unceded land?

I've attached the January 6, 2025 correspondence from the BC Rural Centre that mentions this issue.

For your consideration,

Anne Malik

Sarah Sinclair
Executive Director
BC Rural Centre
sarah@bcruralcentre.org
January 6th, 2025

Mayor, Council, and Staff
Village of Kaslo
413 4th Street
Kaslo, BC

Dear Mayor, Council, and Staff,

I am writing on behalf of the BC Rural Centre to urge you to strongly reconsider any decisions regarding the proposed development at South Beach at this time. We believe that further research, community consultation, Indigenous consultation, and the collection of socio-economic data are essential before moving forward with any planning processes.

The importance of conducting a comprehensive Socio-Economic and Environmental Assessment (SEEA) cannot be overstated. Such an assessment is crucial for understanding the potential socio-economic and environmental impacts of the proposed development. If adequate research has not been conducted, this raises significant concerns about the broader implications for the community and the environment.

Engagement with local residents and Indigenous communities is vital to the planning process. Their insights, concerns, and experiences should be at the forefront of any discussion regarding land use changes. Ensuring that these voices are heard can help foster a planning process that is inclusive and representative of the diverse needs of your constituents.

Moreover, the SEEA framework is designed to evaluate both immediate and long-term implications of land use changes. It is important to recognize that safeguarding undeveloped waterfront areas can help enhance long-term environmental health and support community well-being, rather than commit to development that may have irreversible effects.

We must also consider the differential effects of development on various community groups, particularly Indigenous Peoples. It is imperative that the planning process addresses these disparities to ensure equity and fairness. The ethical implications of planning decisions must align with the values of sustainability and cultural heritage.

Finally, any alternative development scenario should align with the broader management objectives that prioritize both environmental sustainability and community values. It is crucial that these objectives guide decision-making to ensure the health and vitality of the community and its natural surroundings for generations to come.

In light of these points, we respectfully request that you pause any decisions regarding the South Beach development pending additional research, community consultation, Indigenous voices, and socio-economic considerations.

Thank you for your attention to this important matter. We look forward to your thoughtful consideration and action.

Sincerely,
Sarah Sinclair
Executive Director
BC Rural Centre