

**THE CORPORATION OF THE VILLAGE OF SLOCAN**  
(Minutes of Council)

Slocan, British Columbia  
December 14, 2020

**A Public Hearing on Amendments to the Village of Slocan Zoning Bylaw No. 633, 2013 and the Village of Slocan Official Community Plan Bylaw No. 616, 2011** was held *electronically* in Slocan, B.C., on Monday, December 14<sup>th</sup>, 2020 at 6:00pm.

**PRESENT:**            Elected Officials  
Mayor Jessica Lunn  
Councillor Burly Van Bynen  
Councillor Joel Pelletier  
Councillor Ezra Buller

**ABSENT:**            Councillor Madeleine Perriere

Appointed Personnel  
Michelle Gordon, Chief Administrative Officer

**Public Attendees:** Barbara Mulcahy, Slocan / Valley Voice  
Cheryl Fredrickson, Slocan  
Dave Fredrickson, Slocan  
Jeremi Buzolitch-Roy, Slocan  
David Bouliane, Slocan  
Sandra Linstead, Slocan  
Unknown Caller 1  
Unknown Caller 2

**Call to Order**

Mayor Lunn called the meeting to order at 6:00 p.m.

**Waive Provision**

2020/249

Moved by Councillor Pelletier, seconded by Councillor Buller,  
And Resolved:

WHEREAS Council has established, by bylaw, provisions to govern the proceedings of Council;

AND WHEREAS Section 10.0 of the Village of Slocan Council Procedures Bylaw outlines provisions for location of Council meetings;

THEREFORE BE IT RESOLVED that due to COVID-19 social distancing rules and isolation protocols, and pursuant to Provincial Order M192, that the provisions of the Village of Slocan Council Procedures Bylaw be waived for the Public Hearing of Monday, December 14<sup>th</sup>, 2020 at 6:00pm to allow all members of Council and members of the public to attend electronically.

**Adopt Agenda**  
2020/250

Moved by Councillor Van Bynen, seconded by Councillor Buller,  
And Resolved:  
That the Public Hearing agenda be adopted as presented.

**INTRODUCTION:** Mayor Jessica Lunn welcomed those attending, and read a statement outlining the process and rules to be followed during the Public Hearing.

**PUBLIC HEARING**

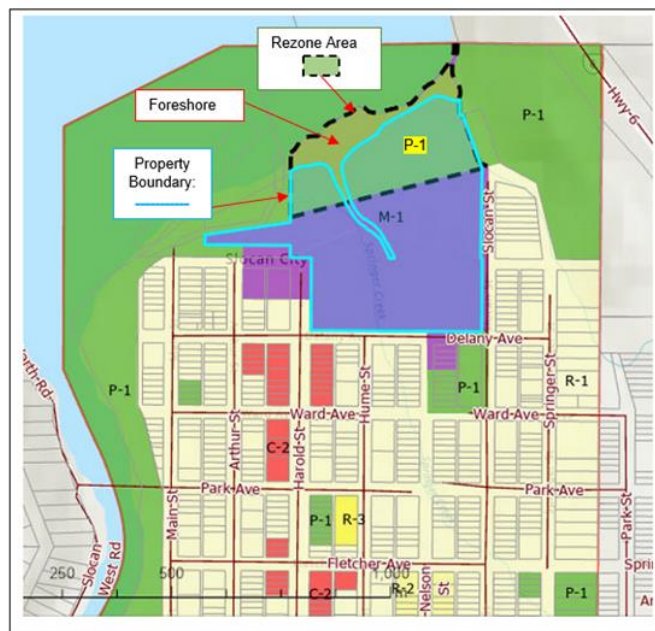
THE PURPOSE OF THIS PUBLIC HEARING, HELD ON MONDAY, DECEMBER 14<sup>th</sup> AT 6:00PM IS TO CONSIDER AMENDMENTS TO THE VILLAGE OF SLOCAN ZONING BYLAW AND THE VILLAGE OF SLOCAN OFFICIAL COMMUNITY PLAN BYLAW.

THE PROPOSED AMENDMENTS TO THE ZONING BYLAW AND OFFICIAL COMMUNITY PLAN BYLAW IS TO RE-DESIGNATE THE NORTHERN-MOST PORTION OF MILL SITE LANDS AND ADJACENT FORESHORE FROM M1: MILL INDUSTRIAL TO P1: PARKS, OPEN SPACE & INSTITUTIONAL.

THE PROPOSED BYLAW AMENDMENTS, DEVELOPMENT APPLICATION, RELEVANT STAFF REPORTS, AND OTHER BACKGROUND INFORMATION HAVE BEEN AVAILABLE FOR PUBLIC INSPECTION AT THE VILLAGE OFFICE AND ON THE VILLAGE WEBSITE. ALL PERSONS WHO BELIEVE THEIR INTEREST IN PROPERTY IS AFFECTED BY THIS PROPOSAL WERE GRANTED AN OPPORTUNITY TO BE HEARD, EITHER IN PERSON OR BY WRITTEN SUBMISSION.

**PROPOSED:**

Foreshore and northerly portion of lot rezoned from  
"M1: Mill Industrial" to "P1: Parks, Open Space & Institutional"



- - - - Proposed Rezone Area

**BACKGROUND:**

At an October 13<sup>th</sup>, 2020 special meeting, Council received information regarding upcoming changes to the Provincial Contaminated Sites Site Profile Regulation. Currently, under the provisions of the *Contaminated Sites Regulation (CSR)*, under the *Environmental Management Act (EMA)*, Local Governments in BC have the option to “Opt-Out” of administering the site profile system, up until February 1<sup>st</sup>, 2021.

Site Profiles are a form used as a screening tool to identify potentially contaminated sites in British Columbia. They require readily available information about the past and present uses of a site as well as basic land description. Sites that are flagged for contamination are frozen for municipal approvals and permits and can only be released by the Province. Once frozen, a site enters the Ministry of Environment and Climate Change Strategy’s contaminated sites process.

- There are currently 43 local governments in BC that have opted out of the site profile system.
- Local Governments can opt back in at any time.
- Option to Opt-Out will be eliminated February 1<sup>st</sup>, 2021.

**WHAT DOES THIS MEAN FOR THE FORMER MILL SITE PROPERTY?**

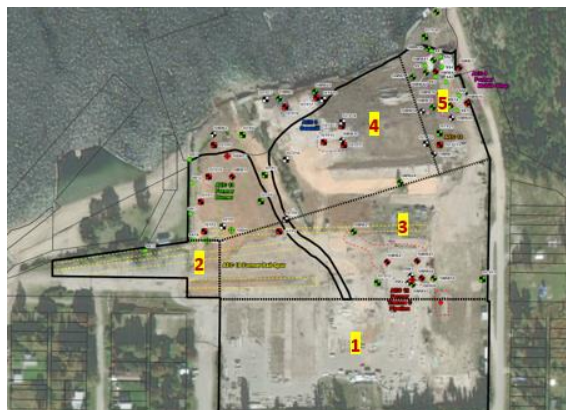
Currently, the mill site property is “frozen” from any municipal permits – including subdivision, rezone, and any development – until such time a comprehensive remediation plan and site profile for the entire parcel is submitted to the Province, and a Ministry Instrument or Release has been issued.

Opting out of the system will allow the Village to take a strategic approach to remediation and redevelopment of the site, based on known areas of contamination, enabling the Village to move forward with specific (cleaner) areas of the site without being held up by the more contaminated parcels.

*It is important to note that a proposed subdivision does not preclude future changes to the site, based on feedback from the Village’s anticipated community consultation and visioning process. Further, this does not relieve the Village of its obligations under the Contaminated Sites Regulation, in that Council will still be required to follow due process for site remediation and restoration.*

At the October 13<sup>th</sup> special meeting, Council passed a resolution to “Send a letter to the Minister of Environment and Climate Change Strategy, advising that the Village of Slocan wishes to opt out of the site profile regulation under Provincial legislation, effective October 13<sup>th</sup>, 2020.”

At an October 19<sup>th</sup>, 2020 meeting, Council directed staff to work with the Village’s environmental consultant and surveyor on a draft subdivision plan based on known areas of contamination. It is important to note that this plan does not restrict Council from future subdivision, lot line adjustment, or lot consolidation. Council further directed staff to investigate a rezone for the property that would not restrict future development. After extensive research and discussion, Council resolved to rezone the northerly portion of the site to “Parks”, to accommodate future waterfront development within the foreshore and riparian areas.



**LEGISLATIVE CONSIDERATIONS:**

**OCP:**

**Proposed:**

**Amendment proposal is “Re-designation” of land use from M1 to P1.**

This amendment to the OCP Bylaw includes a change to the Schedule ‘B’: Land Designation Map, reflecting the redesignation of the northern portion of the mill site and adjacent foreshore from M1: Mill Industrial to P1: Parks, Open Space & Institutional.

The policies and objectives of the OCP speak to the future of the mill site, and the site is within a Special Development Area. The OCP supports the long-term site redevelopment to non-industrial uses. The Special Development Designation allows for future redevelopment of the area to a combination of residential, park, possible limited commercial and/or non-industrial land uses, subject to a public planning process and rezoning application. An application to rezone the northern most portion of the mill site and adjacent foreshore from Mill Industrial to Parks meets the overall intent of the OCP and specifically meets/agrees with the following policies: **Current:**

**Industrial:**

- 5.2.6 – *In the event the mill is closed permanently, allow for re-development of the mill site to non-industrial land uses subject to a public planning process and rezoning application.*
- 6.2.5 – *Consider for redevelopment of the mill site located in the “SD” Special Development Designation Schedule ‘B’ – Land Use Designation Map shall be limited to non-industrial uses, that may include residential, and subject to a public planning process and rezone.*
- 8.1.2 – *As the Springer Creek Forest Products Mill has been closed permanently, support the long-term site redevelopment to non-industrial uses.*
- 8.2.3 – *“SD” Special Development Designation Schedule ‘B’ – Land Use Designation Map is defined as an area that will . . . allow for the future redevelopment of the area to a combination of residential, park, possible limited commercial and/or non-industrial uses, subject to a public planning process and rezoning application.*

**Parks:**

- 11.1.1 – *Recognize, retain and improve existing parkland, open space, trails and recreation facilities.*
- 11.2.1 – *Parks, open space and recreation uses, including playing fields, beaches, playgrounds, public parks, rails to trails, and waterfront areas, shall have “P” Parks, Open Space and Institutional Designation on Schedule ‘B’ – Land Use Designation Map.*
- 11.2.4 – *Preserve the lakefront and riverfront areas for park and public use.*
- 11.2.5 – *Work with senior levels of government to ensure that Crown Land decisions are made in a suitable manner.*
- 11.2.6 – *In the event the mill is closed permanently, the Village will consider seeking foreshore rights to all lakefront waters within the Village boundaries.*

**Other:**

- 5.2.8.1 – *Preserve open spaces, natural beauty and environmentally-sensitive areas.*
- 5.2.8.4 – *Promote new development or redevelopment that shall strive to be sustainable and sympathetic to the character of the community.*
- 5.2.12 – *Work with other levels of government and agencies to respect the comprehensive Management Plan for Slocan Lake to ensure protection of the water quality of the lake for fisheries.*
- 14.2.3: *Recognize riparian areas on Slocan Lake, Slocan River and Springer Creek require protection and ensure that any proposed use or development will not have an adverse effect on the riparian areas.*

It is important to note that the OCP has been written to allow for these proposed changes, in the event of the mill closure. It is the Village's intent that the M1: Mill Industrial designation will be amended upon completion of a community consultation process, development strategy, and OCP update. Within the OCP update process, the Village may assign guidelines for proposed future development in the Special Development Area. This may include (but is not limited to) guidelines for addressing special conditions or objectives, protection of the natural environment, objectives for form and character, and climate action strategies.

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**ZONING:**

**Current Zoning:** M1 Mill Industrial

Permitted uses include buildings and structures related to sawmill and wood product manufacture. *As owner of the property, the Village does not have any intention to rebuild a saw mill on this property.*

**Proposed Zoning** for Northerly Portion of Lot: P1 Parks, Open Space & Institutional

Permitted uses within this zone include:

Accessory Buildings & Structures	Campground	Health/Fitness/Rec Facility
Accessory Residential	Community Care/Social Care	Hospital
Assembly Hall	Dock, Boat Launching Ramp	Marina
Park / Playground	Public Administration	School

The proposed amendment is designed to accommodate future waterfront development within the foreshore and riparian areas, subject to community consultation and development strategy. It is also designed to support environmental protection for the sensitive areas along Slocan's waterfront and shoreline. Rezoning at this time is recommended as upcoming changes to the Environmental Management Act will remove the Village's ability to be the final authority on rezoning without the additional administrative step of obtaining a Certificate of Compliance from the BC MoE. A Certificate of Compliance is a substantial additional cost to the Village, with no significant change to the actual physical remediation works to be completed, or significant value, given the lands will likely remain parkland for the foreseeable future.

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**WATERFRONT DEVELOPMENT STRATEGY:**

- Provide a long-term vision that can evolve with the redevelopment of the Springer Creek Mill Site;
- Recommend establishing riparian buffer around Springer Creek, daylight creek, and implement environmental best practices to protect the foreshore area;
- Potential to improve the environmental protection of the waterfront, specifically around Springer Creek Site, through development approvals.
- Potential to designate the old highway as trail and connect to the Rail Trail;
- Promote progressive and sustainable land use development that ensures continued community enjoyment of the waterfront;
- Promote innovative and sustainable design to improve environmental impact and resiliency to climate change;
- Village has significant investment in their waterfront and public space amenities, and is highly-utilized during summer months by multiple user groups;
- Village has taken steps to encourage investment in the community, such as amending OCP and Zoning Bylaws, to encourage planning for the future use of the former mill site;
- Develop traffic routes and signage;
- Linking Harold Street to the waterfront is an important community priority;
- Infill development around the waterfront could create desirable living and working areas, increasing safety by increasing "eyes on the street" and be sensitive to the surrounding community, while maintaining pedestrian-friendly space;
- Lighting around waterfront can increase safety.

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**OTHER:**

- Municipal Councils can change only some aspects of the land use controls that apply to certain properties. Provincial, regional, and federal controls that also affect development include environmental and fisheries regulations, public health, building and fire codes, and highway/transit plans.
- The size, shape, topography, soil conditions and ease of access all affect the potential uses of the site. The property will be examined for aspects of design, condition, and size, to determine appropriate placement of proposed developments in the future.

At the special meeting of November 19<sup>th</sup>, Council passed first and second readings to the Village of Slocan Zoning and OCP Amendment Bylaws. A Public Hearing was scheduled for today, December 14<sup>th</sup>, 2020.

A special meeting was held earlier this evening at 5pm to hear from the Village's environmental consultant, Dave Diplock of Bear Environmental, and to provide a platform for members of the public to ask questions and comment on the proposed rezone.

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**PUBLIC COMMENT**

**Speakers at Public Hearing**

Eight (8) members of the public were marked as *in attendance* at the Public Hearing.

Three (3) members in attendance spoke to the proposed amendments:

1. David Bouliane, Slocan Street, Slocan Village  
David commented that he was hoping the Village could have the zoning for the mill site set up to include Multi-Family-Residential.
2. Sandra Linstead, Slocan Street, Slocan Village  
Sandra commented that she did not feel the bylaw has had enough input from the public.
3. Jeremi Buzolitch-Roy, Slocan Street, Slocan Village  
Jeremi commented that not many residents of Slocan are participating in Village business. He also commented that it was a great idea that online meetings are now available, and that the Village should advertise for more participation.

**Adjournment**

2020/251

Moved by Councillor Van Bynen,  
And Resolved:

That the meeting be adjourned at 6:24 p.m.

CERTIFIED CORRECT:

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Chief Administrative Officer

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Mayor