



**The Board of Education of
School District No.5 (Southeast Kootenay)
AGENDA - REGULAR PUBLIC MEETING**

October 10, 2023, 3:00 p.m.
Kootenay Learning Campus - Fernie

Pages

1. COMMENCEMENT OF MEETING

1.1 Call to Order

1.2 Greeting

Acknowledgement that we are gathered on the Homelands of the Ktunaxa people.

1.3 Chairperson's Opening Remarks and Recognitions

1.4 Opening Round

Members of the Board, District Management, District Staff and local Union Presidents share a reflection of gratitude.

1.5 Consideration and Approval of Agenda

1.6 Approval of the Minutes

5

Approval of the minutes from September 12, 2023

1.7 Receipt of Records of Closed Meetings

15

THAT the Board accept the closed records of the in-camera meeting of the Board of Education of:

- September 12, 2023
- September 21, 2023 (Special)
- September 25, 2023
- September 25, 2023 (Special)

1.8 Business Arising from Previous Minutes

1.8.1 Enrolment and Boundaries Community Consultation

- Monday, October 23
- Tuesday, November 7

2. RECEIVING OF DELEGATIONS/PRESENTATIONS

3. COMMITTEE REPORTS/TRUSTEE REPRESENTATIVE REPORTS

3.1 Advocacy/Education Committee 16

Co-chair Trustee Clarke

RECOMMENDATION A

THAT the Board of Education reviews and approves the extra-curricular trip to Germany and Poland for Elkford Secondary School.

RECOMMENDATION B

THAT the Board of Education writes a letter to each municipality, the Regional District of East Kootenay, and the area MLA, to provide the same information that is being sent to the City of Cranbrook on the status of Child Care in School District No. 5 (Southeast Kootenay).

RECOMMENDATION C

THAT the Board of Education of School District No. 5 (Southeast Kootenay) supports parents who choose to withdraw their child from the FSA.

3.2 Policy Committee 21

Co-chair Trustee Heckendorf

3.3 Student Services Committee 24

Co-chair Trustee Ayling

3.4 Finance/Operations/Personnel Committee 27

Co-chair Trustee Johns

RECOMMENDATION A

THAT the Board of Education prepares a comprehensive response to the City of Cranbrook's letter dated September 11, 2023.

3.5 BCSTA /Provincial Council

3.6 Communications/Media Committee 31

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	Reporting on (finances/budget, capital projects, facilities, operations/maintenance/transportation)	
4.1	Updates	
	4.1.1 Foods Funding and Programs	
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- 8.1 Letter from the City of Cranbrook** 34
Shadow Mountain Proposed OCP Amendment
- 8.2 Ombudsperson Report** 56
Informational item (only)
- 8.3 All Chairs Meeting October 18**
- 8.4 BCSTA Provincial Council October 20-22**
- 8.5 BCPSEA Meeting November 1-3**
- 8.6 Trustee Academy November 23-25**

9. QUESTION PERIOD

10. CLOSING ROUND

11. ADJOURNMENT

What have we done at this meeting to help our students become more interested in school and to support them in their personal learning journey?



**The Board of Education of
School District No.5 (Southeast Kootenay)
MINUTES - REGULAR PUBLIC MEETING**

**September 12, 2023, 3:00 p.m.
Kootenay Learning Campus - Fernie**

Present:

Chairperson Doug McPhee
Trustee Trina Ayling
Trustee Bev Bellina
Trustee Irene Bischler
Trustee Alysha Clarke
Trustee Nicole Heckendorf
Trustee Chris Johns
Trustee Sarah Madsen
Trustee Wendy Turner (remotely)

Staff Present

Superintendent Viveka Johnson
Secretary Treasurer Nick Taylor
Director of Instruction Human Resources Brent Reimer
Director of Student Learning and Aboriginal Education Jason Tichauer
Director of Student Learning and Innovation Diane Casault
Operations Manager Joe Tank
District Principal Student Services Darcy Verbeurgt
District Principal Early Learning and Child Care Laura-Lee Phillips
Executive Assistant to Secretary Treasurer and Superintendent (recorder)
Jane Nixon

1. COMMENCEMENT OF MEETING

1.1 Call to Order

Chairperson McPhee called the September 12, 2023, regular public meeting of the Board of Education to order at 3:07 p.m.

1.2 Greeting

Chairperson McPhee acknowledged that we have gathered here in the Homelands of the Ktunaxa people.

1.3 Chairperson's Opening Remarks and Recognitions

Chairperson McPhee recognized and sent sympathies to the families of Harry Chadwick and Dorial Davis. He also recognized the recent devastation caused by floods in Libya and the earthquake in Morocco.

1.4 Opening Round

Members of the Board, District Management, District Staff and local Union Presidents shared a reflection of gratitude.

1.5 Consideration and Approval of Agenda

Additions:

7.2 Response letters under 8.0 Items for Information/Correspondence

MOTION R-23-118

Moved/Seconded by Johns/Heckendorf:

THAT the agenda for the regular public meeting of the Board of Education of September 12, 2023, be approved as amended.

CARRIED UNANIMOUSLY

1.6 Approval of the Minutes

Minutes of the Public meeting of the Board of Education of June 12, 2023.

MOTION R-23-119

Moved/Seconded by Bellina/Bischler:

THAT the minutes of the regular public meeting of the Board of Education of June 12, 2023, be approved as circulated.

CARRIED UNANIMOUSLY

1.7 Receipt of Records of Closed Meetings

MOTION R-23-120

Moved/Seconded by Johns/Clarke:

THAT the Board accept the closed records of the in-camera meeting of the Board of Education of June 12 and August 28, 2023.

CARRIED UNANIMOUSLY

1.8 Business Arising from Previous Minutes

1.8.1 Trades Funding Letter

This agenda item was referred back to the upcoming Finance Operations Personnel Committee meeting on September 25, 2023.

MOTION R-23-121

Moved/Seconded by Johns/Turner:

THAT the Board of Education refer the Trades Funding letter to Finance Operations Personnel meeting.

CARRIED UNANIMOUSLY

1.8.2 Select Standing Committee Presentation

Nil

1.8.3 Elementary Band and Music Program

Director Reimer provided an update from the in-camera meeting of the Board of Education including information on the Steeples Elementary School band and music program and the importance of continuing to review the expansion of music programs in the Elk Valley.

The postings for band and music program teachers will be posted as continuing in the spring of 2024.

2. RECEIVING OF DELEGATIONS/PRESENTATIONS

Nil

3. COMMITTEE REPORTS/TRUSTEE REPRESENTATIVE REPORTS

3.1 Advocacy/Education Committee

Co-chair Trustee Turner reviewed the minutes of the August 28, 2023, meeting of the Advocacy/Education Committee.

MOTION R-23-122

Moved/Seconded by Turner/Ayling:

THAT the Board of Education write a letter in response to the Minister of Education and Child Care's letter of August 4, 2023, regarding educational resources for gender-based violence and that the letter also be addressed to Melanie Stewart, Assistant Deputy Minister, Learning and Education Programs.

CARRIED UNANIMOUSLY

MOTION R-23-123

Moved/Seconded by Turner/Madsen:

THAT the Board of Education write a letter in response to the Minister of Education and Child Care's letter of July 24, 2023, regarding neurodiversity training for educators, early childhood educators and educational assistants to the Honourable Selina Robinson, Minister of Post-Secondary Education and Future Skills and also copy the letter to the Honourable Rachna Singh, Minister of Education and Child Care.

CARRIED UNANIMOUSLY

MOTION R-23-124

Moved/Seconded by Turner/Clarke:

THAT the Board accept the report of the Advocacy/Education Committee.

CARRIED UNANIMOUSLY

3.2 Policy Committee

Co-chair Trustee Bellina reviewed the minutes of the August 28, 2023, meeting of the Policy Committee.

MOTION R-23-125

Moved/Seconded by Bellina/Madsen:

THAT the proposed changes with minor amendments to Policy 21, Public Interest Disclosures, be accepted and approved by the Board of Education.

CARRIED UNANIMOUSLY

MOTION R-23-126

Moved/Seconded by Bellina/Clarke:

THAT the Board accept the report of the Policy Committee.

CARRIED UNANIMOUSLY

3.3 Student Services Committee

Co-chair Trustee Clarke reviewed the minutes of the August 28, 2023, meeting of the Student Services Committee.

MOTION R-23-127

Moved/Seconded by Clarke/Bischler:

THAT the Board accept the report of the Student Services Committee.

CARRIED UNANIMOUSLY

3.4 Finance/Operations/Personnel Committee

Co-chair Trustee Johns reviewed the minutes of the August 28, 2023, meeting of the Finance/Operations/Personnel Committee.

MOTION R-23-128

Moved/Seconded by Johns/Ayling:

THAT the Board accept the report of the Finance/Operations/Personnel Committee.

CARRIED UNANIMOUSLY

3.5 BCSTA/Provincial Council

MOTION R-23-129

Moved/Seconded by Bellina/Madsen:

THAT the Board accept the report of the BCSTA/Provincial Council.

CARRIED UNANIMOUSLY

3.6 Communications/Media Committee

Trustee Ayling provided a report.

MOTION R-23-130

Moved/Seconded by Johns/Bischler:

THAT the Board of Education write a follow-up letter to the letter to Honourable Minister Singh and Carolyn Broady, BCSTA President, of June 19, 2023, inviting them to visit our District.

CARRIED UNANIMOUSLY

MOTION R-23-131

Moved/Seconded by Ayling/Bischler:

THAT the Board accept the report of the Communications/Media Committee.

CARRIED UNANIMOUSLY

3.7 Mount Baker Secondary School Replacement Committee

MOTION R-23-132

Moved/Seconded by Johns/Madsen:

THAT the Board accept the report of the Mount Baker Secondary School Replacement Committee.

CARRIED UNANIMOUSLY

3.8 Key City Theatre

MOTION R-23-133

Moved/Seconded by Ayling/Bellina:

THAT the Board accept the report of the Key City Theatre.

3.9 Legacy of Learning

Trustee Johns reviewed the Legacy of Learning report provided in addition to the agenda package.

MOTION R-23-134

Moved/Seconded by Johns/Ayling:

THAT the Board accept the Legacy of Learning report.

CARRIED UNANIMOUSLY

3.10 French Immersion Update

No meetings at this time.

MOTION R-23-135

Moved/Seconded by Heckendorf/Bellina:

THAT the Board accept the French Immersion update.

CARRIED UNANIMOUSLY

3.11 Traffic Safety Committee

Trustee Johns gave brief update on the Vision Zero grant. This grant will open in November 2023.

MOTION R-23-136

Moved/Seconded by Johns/Bischler:

THAT the Board accept the Traffic Safety Committee report.

CARRIED UNANIMOUSLY

3.12 Trustee Reports/Bouquets

- Trustee Bellina expressed appreciation to Secretary Treasurer Taylor for his work with the food funding and programs.
- Trustee Clarke expressed appreciation for a new teacher at Jaffray Elementary Junior Secondary School.
- Trustee Johns expressed appreciation for all teaching and support staff.
- Trustee Madsen recognized the difficult work faced by the District counselors in all schools.
- Chairperson McPhee recognized the happiness that comes with the school year start up.

4. SECRETARY TREASURER'S REPORT TO THE BOARD

4.1 Updates

4.1.1 Isabella Dicken Elementary School Expansion Completion

Secretary Treasurer Taylor reported that the Isabella Dicken Elementary School expansion has been completed and students are now in the classrooms. He expressed appreciation to trustees and staff that attended the grand opening on September 8, 2023.

4.1.2 Fernie Middle School Update

No update at this time.

4.1.3 Foods Funding and Programs

Secretary Treasurer Taylor will host a meeting on Thursday, September 14, with community groups regarding foods funding and programs. He also explained the goal of pursuing increased capacity of the Fernie Secondary School cafeteria to provide food service to the Elk Valley schools.

4.2 Recommendations

4.2.1 June 30, 2023 Audited Financial Statements

MOTION R-23-137

Moved/Seconded by Bischler/Ayling:

THAT the Board of Education accept and approve the Audited Financial Statements for the period ended June 30, 2023, and authorize Secretary Treasurer Taylor to submit to the Ministry as required.

CARRIED UNANIMOUSLY

MOTION R-23-138

Moved/Seconded by Johns/Ayling:

THAT the Secretary Treasurer's report be accepted as presented.

CARRIED UNANIMOUSLY

5. SUPERINTENDENT'S REPORT TO THE BOARD

5.1 Updates

Superintendent Johnson reported that enrolment across the District has increased. She also introduced District Principal of Early Learning and Child Care, Laura-Lee Phillips.

5.2 Recommendations

5.2.1 Framework for Enhancing Student Learning (FESL)

There will be a special meeting on September 21, 2023, to approve the Framework for Enhancing Student Learning for submission to the Ministry of Education and Child Care.

MOTION R-23-139

Moved/Seconded by Heckendorf/Bischler:

THAT the Superintendent's Report be presented as presented.

CARRIED UNANIMOUSLY

6. CHAIRPERSON'S REPORT

6.1 Updates

Nil

6.2 Recommendations

Nil

7. NEW BUSINESS

7.1 Business Arising from Delegations

Nil

7.2 Response letters under 8.0 Items for Information/Correspondence

MOTION R-23-140

Moved/Seconded by Ayling/Bischler:

THAT the Board of Education allow response letters originating as recommendations from committee to be included on the committee agenda, in addition to the Board meeting agenda, so that the committee has the opportunity to recommend a response letter be written by the Board in a more timely manner.

CARRIED UNANIMOUSLY

8. ITEMS FOR INFORMATION/CORRESPONDENCE

8.1 City of Cranbrook Notice of Public Hearing

8.2 Response to Funding Resources Letter of March 29, 2023

8.3 Response to Speech Language Pathologists letter of March 29, 2023

8.4 Letter of Support - City of Cranbrook

8.5 Letter from City of Cranbrook

8.6 Response to Neurodiversity Training Letter of May 31, 2023

8.7 Response to Gender Based Violence Education Letter of March 29, 2023

8.8 September 21 – Superintendent Evaluation

8.9 September 21 - Welcome Back BBQ Cranbrook Board Office

8.10 September 22-23 Kootenay Boundary Branch AGM

8.11 September 25 - Committee Meetings

9. QUESTION PERIOD

Nil

10. CLOSING ROUND

Trustees, District Management and local Union Presidents were offered an opportunity to share a final comment on the meeting.

11. ADJOURNMENT

MOTION R-23-141

Moved/Seconded by Heckendorf/Bellina:

THAT the September 12, 2023, regular public meeting of the Board of Education adjourn at 4:05 p.m.

What have we done at this meeting to help our students become more interested in school and to support them in their personal learning journey?

Doug McPhee, Chairperson

Nick Taylor, Secretary Treasurer



1.4. RECEIPT OF RECORDS OF CLOSED MEETINGS

In-camera Meetings:

September 12, 2023

- Secretary Treasurer's Report
 - Personnel
 - Land
 - Legal
 - Matters if in the opinion of the Board the public interest requires consideration in camera

September 21, 2023 (Special)

- Personnel - Evaluation
 - Matters if in the opinion of the Board the public interest requires consideration in camera

September 25, 2023

- Secretary Treasurer's Report
 - Personnel
 - Land
 - Legal
 - Matters if in the opinion of the Board the public interest requires consideration in camera

September 25, 2023 (Special)

- Framework for Enhancing Student Learning
 - Matters if in the opinion of the Board the public interest requires consideration in camera

Nick Taylor
Secretary Treasurer



1.4. RECEIPT OF RECORDS OF CLOSED MEETINGS

In-camera Meetings:

September 12, 2023

- Secretary Treasurer's Report
 - Personnel
 - Land
 - Legal
 - Matters if in the opinion of the Board the public interest requires consideration in camera

September 21, 2023 (Special)

- Personnel - Evaluation
 - Matters if in the opinion of the Board the public interest requires consideration in camera

September 25, 2023

- Secretary Treasurer's Report
 - Personnel
 - Land
 - Legal
 - Matters if in the opinion of the Board the public interest requires consideration in camera

September 25, 2023 (Special)

- Framework for Enhancing Student Learning
 - Matters if in the opinion of the Board the public interest requires consideration in camera

Nick Taylor
Secretary Treasurer



**The Board of Education of
School District No.5 (Southeast Kootenay)
Minutes - Advocacy/Education Committee**

**September 25, 2023, 2:30 p.m.
Cranbrook Board Office**

Committee Members in Attendance: Co-Chair Trustee Wendy Turner
Co-Chair Trustee Alysha Clarke
Trustee Bev Bellina
Trustee Sarah Madsen

Board/District Staff in Attendance: Chairperson Doug McPhee
Trustee Trina Ayling
Trustee Irene Bischler
Trustee Nicole Heckendorf
Trustee Chris Johns
Superintendent Viveka Johnson
Secretary Treasurer Nick Taylor
Director of Student Learning and Innovation Diane Casault
Director of Student Learning and Indigenous Education Jason Tichauer
District Principal Student Services Darcy Verbeurgt
District Principal of Early Learning and Child Care Laura-Lee Phillips
Executive Assistant to Secretary Treasurer and Superintendent (recorder)
Jane Nixon

1. COMMENCEMENT OF MEETING

1.1 Call to Order

Co-Chair Trustee Clarke called the Advocacy Education Committee meeting of September 25, 2023, to order at 2:59 p.m.

1.2 Approval of Agenda

Moved/Seconded by Turner/Bellina:

THAT the agenda of the Advocacy Education Committee meeting of September 25, 2023, be approved as amended.

1.3 Approval of Minutes

Moved/Seconded by Bellina/Madsen:

THAT the minutes of the Advocacy Education Committee meeting of August 28, 2023, be approved as circulated.

2. BUSINESS ARISING FROM PREVIOUS MEETING

2.1 Private School Funding

Trustee Johns suggested that letters sent to the Ministry and the responses received regarding private school funding be reviewed and discussed at the next Advocacy Education Committee meeting on October 23, 2023.

3. PRESENTATIONS

3.1 District Literacy Plan for 2023-24

District Literacy teacher, Erin Jones, presented the District Literacy Plan for 2023-24. This PowerPoint presentation was included in the agenda package.

3.2 District Numeracy Plan for 2023-24

District Numeracy, Kathy Conlin, presented the District Numeracy Plan for 2023-24. This PowerPoint presentation was included in the agenda package.

Parent sessions on numeracy will be available at schools by request during the year.

4. REPORTS

4.1 DSAC Report

Nil

4.2 DPAC Report

Trustee Turner provided an update from the DPAC meeting on September 13, 2023. She reviewed the positive feedback received about school start up, new staff, smaller classes and other school activities and celebrations.

4.3 Framework for Enhancing Student Learning (FESL)

The 2023-2024 Framework for Enhancing Student Learning is due on October 3, 2023.

The document will be reviewed for submission at the special in-camera meeting of the Board of Education on September 25, 2023.

4.4 Child Care

District Principal Phillips reviewed the Early Learning and Child Care report included with the agenda package.

4.5 Equity In Action Report

Director Tichauer provided the comprehensive equity scan results to the Committee. A copy of the Equity in Action report will be provided to Trustees. This report will not be included in the public meeting minutes.

5. NEW BUSINESS

5.1 Elkford Secondary Extra Curricular Trip - March 2024

Principal Skelton reviewed the submission of the request for a spring break trip to Germany and Poland included in the agenda package.

Discussion included:

- Number of staff chaperones
- Social emotional learning of the trip
- What is in place to deal with trauma of seeing historical sites (for students and staff)
- Transportation of students from Elkford to Calgary (return)
- Risk levels for the trip
- Pre-existing conditions and insurance coverage
- Covid-19 policy
- Accessibility for all students to attend this trip
- Fundraising
- Passport applications
- Support of governments of Germany and Poland

RECOMMENDATION A

Moved/Seconded by Bellina/Turner:

THAT the Board of Education reviews and approves the extra-curricular trip to Germany and Poland for Elkford Secondary School.

5.2 Child Care Information to All Communities

RECOMMENDATION B

Moved/Seconded by Bellina/Turner:

THAT the Board of Education writes a letter to each municipality, the Regional District of East Kootenay, and the area MLA, to provide the same information that is being sent to the City of Cranbrook on the status of Child Care in School District No. 5 (Southeast Kootenay).

5.3 Parkland Middle School Trip to Disneyland

Superintendent Johnson advised the Board of Education of the Parkland Middle School trip request to Disneyland in 2024.

5.4 CFTA letter regarding Foundation Skills Assessment

RECOMMENDATION C

Moved/Seconded by Bellina/Turner:

THAT the Board of Education of School District No. 5 (Southeast Kootenay) supports parents who choose to withdraw their child from the FSA.

5.5 Motion Building

Trustee Ayling discussed the motion building session offered by Kootenay Boundary Branch.

Trustee Ayling further suggested that the Board of Education discuss motions that the Board would like to bring forward to the Kootenay Boundary Branch.

6. ACTION ITEMS FOR FUTURE MEETINGS

Nil

7. CORRESPONDENCE

Nil

8. ADJOURNMENT

Moved/Seconded by Madsen/Turner:

THAT the September 25, 2023, Advocacy Education Committee meeting adjourn at 5:12 p.m.

Have we continued to enhance high standards, noble expectations, elevated commitments and quality performances to support student achievement?

DRAFT



**The Board of Education of
School District No.5 (Southeast Kootenay)**

MINUTES - POLICY MEETING

**September 25, 2023, 1:00 p.m.
Cranbrook Board Office**

Committee Members in Attendance: Co-Chair Trustee Bev Bellina
Co-Chair Trustee Nicole Heckendorf
Trustee Trina Ayling
Trustee Irene Bischler

Board/District Staff in Attendance: Chairperson Doug McPhee
Trustee Alysha Clarke
Trustee Chris Johns
Trustee Sarah Madsen
Superintendent Viveka Johnson
Secretary Treasurer Nick Taylor
Director of Instruction Human Resources Brent Reimer
Director of Student Learning and Indigenous Education Jason Tichauer
Director of Student Learning and Innovation Diane Casault
District Principal Student Services Darcy Verbeurgt
District Principal of Early Learning and Child Care Laura-Lee Phillips
Executive Assistant to Secretary Treasurer and Superintendent (recorder)
Jane Nixon

1. COMMENCEMENT OF MEETING

1.1 Call to Order

Co-Chair Trustee Heckendorf called the Policy Committee meeting of September 25, 2023, to order at 1:31 p.m.

1.2 Approval of the Agenda

Moved/Seconded by Bischler/Ayling:

THAT the agenda of the Policy Committee meeting of September 25, 2023, be approved as circulated.

1.3 Approval of the Minutes

Moved/Seconded by Bischler/Ayling:

THAT the minutes of the Policy Committee meeting of August 28, 2023, be approved as circulated.

2. BUSINESS ARISING FROM PREVIOUS MEETING

2.1 Policy 4 Trustee Code of Conduct

A date for review of Policy 4 (Trustee Code of Conduct) with Dr. Leroy Sloan will be set in the near future. The revised Trustee Code of Conduct is due April 2024.

Chairperson McPhee reviewed the process for revising Policy 4 Trustee Code of Conduct.

3. PRESENTATIONS

Nil

4. REPORTS

Nil

5. NEW BUSINESS

5.1 Administrative Procedure 157

Director Tichauer reviewed the changes to Administrative Procedure 157 (Flying of Flags by Schools).

Discussions included:

- Procedures for flying flags at half-mast or during periods of mourning
- Flag protocols
- Days for automatically having flags at half-mast

This Administrative Procedure will be amended by District Management as discussed.

5.2 Administrative Procedure 490

Director Tichauer reviewed the changes to Administrative Procedure 490 (Volunteers). The District Orientation Manual for Volunteers will be reviewed by Director Tichauer to ensure it is up to date.

6. ACTION ITEMS FOR FUTURE MEETINGS

Nil

7. CORRESPONDENCE

Nil

8. ADJOURNMENT

Moved/Seconded by Bischler/Bellina:

THAT the Policy Committee meeting of September 25, 2023, adjourn at 2:01 p.m.

Have we channelled our data driven policies in directions that are positive, productive and equitable through our employees to our students?

DRAFT



**The Board of Education of
School District No.5 (Southeast Kootenay)
MINUTES - STUDENT SERVICES MEETING**

**September 25, 2023, 1:30 p.m.
Cranbrook Board Office**

Committee Members in Attendance: Co-Chair Trustee Trina Ayling
Co-Chair Trustee Sarah Madsen
Trustee Alysha Clarke
Trustee Chris Johns

Board/District Staff in Attendance: Chairperson Doug McPhee
Trustee Bev Bellina
Trustee Irene Bischler
Trustee Wendy Turner (in at 2:45 p.m.)
Superintendent Viveka Johnson
Secretary Treasurer Nick Taylor
Director of Student Learning and Innovation Diane Casault
Director of Student Learning and Aboriginal Education Jason Tichauer
District Principal of Student Services Darcy Verbeurgt
District Principal Early Learning and Child Care Laura-Lee Phillips
Executive Assistant to Secretary Treasurer and Superintendent (recorder)
Jane Nixon

1. COMMENCEMENT OF MEETING

1.1 Call to Order

Co-Chair Trustee Madsen called the Student Services Committee meeting of September 25, 2023, to order at 2:10 p.m.

1.2 Approval of the Agenda

Moved/Seconded by Clarke/Ayling:

THAT the agenda for the Student Services Committee meeting of September 25, 2023, be approved as circulated.

1.3 Approval of the Minutes

Moved/Seconded by Ayling/Clarke:

THAT the minutes of the Student Services Committee meeting of August 28, 2023, be approved as circulated.

2. BUSINESS ARISING FROM PREVIOUS MINUTES

2.1 Mandt Training Update/District-Wide Crisis Intervention and Response Program

District Principal Verbeurgt provided a brief update on the status of the in-District “Mandt Training” replacement program.

District Principal Verbeurgt has met with District Vice Principal Atwal. They will work to create a district-wide crisis intervention and response training plan moving forward. This will replace Mandt and should no longer be referred to as Mandt training.

Discussions included:

- Three tiers of training
 - Training for all
 - Target groups and programs
 - Intensive training
- Using the information gathered from the Threat Violence reporting summaries.
- Know Be4 online program delivery

3. PRESENTATIONS

Nil

4. REPORTS

Nil

5. NEW BUSINESS

5.1 Speech Language Pathologist Update

District Principal Verbeurgt gave an update on the Speech Language Pathologist posting. This position should be filled before the end of September.

5.2 Preliminary 1701 Data for September 30, 2023

District Principal Verbeurgt reviewed the Staffing and Designations handout provided to Trustees at the meeting.

Discussion included:

- In class supports for basic allocations (Categories K-P)
- Student mental health and lack of funding for mental health supports
- Student Services Teachers managing 1,030 Inclusive Education Plans
- Special Education patterns over the past five years (specifically Categories K-P)
- Advocating for students and for funding
- Lack of educational assistants and programming funding
- The number of Inclusive Education Plans still to be input prior to 1701
- Approximate number of educational assistants from 2022/23 year in comparison to 2023/24
- Basic allocation funding
- Effects of the shortage of school psychologists in the District
- Qualified and unqualified educational assistants

District Principal Verbeugt will provide conclusive historical year over year comparison data (from past five years) at the next Student Services Committee meeting on October 23, 2023.

6. ACTION ITEMS FOR FUTURE MEETINGS

6.1 In-District Response Training program for non-violent crisis intervention program

6.2 Speech Language Pathologist Update

7. CORRESPONDENCE

Nil

8. ADJOURNMENT

Moved/Seconded by Johns/Clarke:

THAT the September 25, 2023, Student Services Committee meeting adjourn at 2:52 p.m.

Have we effectively addressed the needs of our most vulnerable students and their families?



**The Board of Education of
School District No.5 (Southeast Kootenay)**

MINUTES - FINANCE/OPERATIONS/PERSONNEL COMMITTEE (PUBLIC)

**September 25, 2023, 12:00 p.m.
Cranbrook Board Office**

Committee Members in Attendance: Co-Chair Trustee Chris Johns
Co-Chair Trustee Irene Bischler
Trustee Nicole Heckendorf
Trustee Wendy Turner

Board/District Staff in Attendance: Chairperson Doug McPhee
Trustee Trina Ayling
Trustee Bev Bellina (remotely)
Trustee Alysha Clarke
Trustee Sarah Madsen
Secretary Treasurer Nick Taylor
Superintendent Viveka Johnson
Director of Student Learning and Innovation Diane Casault
Director of Student Learning and Indigenous Education Jason Tichauer
Director of Instruction and Human Resources Brent Reimer
District Principal of Student Services Darcy Verbeurgt
Vice Principal Human Resources and Health & Safety Jaslene Atwal
Principal of Early Learning and Child Care Laura-Lee Phillips
Executive Assistant to Secretary Treasurer and Superintendent (recorder) Jane Nixon

1. COMMENCEMENT OF MEETING

1.1 Call to Order

Co-Chair Trustee Johns called the public Finance Operations Personnel Committee meeting of September 25, 2023, to order at 12:56 p.m.

1.2 Approval of the Agenda

Additions:

4.12 Cybersecurity Awareness Month

Moved/Seconded by Bischler/Turner:

THAT the agenda of the public Finance Operations Personnel Committee meeting of September 25, 2023, be approved as amended.

1.3 Approval of the Minutes

Approval of the minutes from August 28, 2023

Moved/Seconded by Turner/Bischler:

THAT the minutes of the public Finance Operations Personnel Committee meeting of August 28, 2023, be approved as circulated.

2. BUSINESS ARISING FROM PREVIOUS MINUTES

2.1 Trades Funding Letter

This agenda item was referred back to Finance Operations Personnel Committee at the September 12 public meeting of the Board of Education.

MOTION R-23-121

THAT the Board of Education refer the Trades Funding letter to Finance Operations Personnel meeting.

Director Tichauer has met with Trustee Johns to discuss the Trades Funding correspondence sent from the Board of Education and the responses received from the Ministry. They have arranged to meet with the Vice President of Academics and the Dean of Trades on Wednesday, September 27, 2023.

2.2 Employer's Obligations to WorkSafe BC's Working Alone or in Isolation

Operations Manager Tank and District Vice Principal Atwal continue to work on this project.

3. PRESENTATIONS

Nil

4. REPORTS

4.1 Secretary Treasurer

4.1.1 Food Infrastructure Capital Update

Secretary Treasurer Taylor provided information on the Food Infrastructure and Capital Program. The District has been approved by the Capital Branch for

\$153,500 of funding for foods infrastructure needs. Of this funding \$18,500 has been allocated to equipment at Fernie Secondary. The remaining amount was allocated to a refrigerated van for food delivery in the District; however, this vehicle may not be required. The remaining \$135,000 may be pivoted to another area of need under the Food Infrastructure program.

4.1.1.1 Fernie Secondary Kitchen Equipment

Fernie Secondary has requested a gas stove and a commercial mixer. These items will be purchased with \$18,500 of the Food Infrastructure funds as discussed above.

4.12 Cybersecurity Awareness Month

October is Cybersecurity Awareness month. Secretary Treasurer Taylor discussed district initiatives to address cybersecurity risks.

4.2 Superintendent

4.2.1 Child Care Update

District Principal Phillips provided an update on Child Care distributed at the Committee meeting.

Chairperson McPhee queried the number of available seats available in the District. District Principal Phillips said this information will be available at the end of October 2023.

5. NEW BUSINESS

5.1 Response to City of Cranbrook Letter - September 11, 2023

Superintendent Johnson suggested answers to the queries in the letter from the City of Cranbrook dated September 11, 2023, (attached to the agenda package).

RECOMMENDATION A

Moved/Seconded by Turner/Bischler:

THAT the Board of Education prepare a comprehensive response to the City of Cranbrook's letter dated September 11, 2023.

6. ACTION ITEMS FOR FUTURE MEETINGS

Nil

7. CORRESPONDENCE

7.1 District Occupational Health and Safety Committee Minutes

Nil

7.2 Finance and Capital Analysis Report

Secretary Treasurer Taylor reviewed the Capital Analysis report. A budget to actual variance analysis on operating funds will be available at the October 2023 Finance Operations Personnel Committee meeting.

7.3 Trustee Professional Development

Nil

7.4 Staff Travel Summary

Nil

8. ADJOURNMENT

Moved/Seconded by Bischler/Heckendorf:

THAT the September 25, 2023, public Finance Operations Personnel Committee meeting adjourn at 1:20 p.m.

What services and resources did we provide to which students at what cost and resulting in what benefits?

3.6 Communications/Media Report

The following have or will be sent to:

- The Hon. Minister Singh and Melanie Stewart, Assistant Deputy Minister, Learning and Education, a letter in response to the Minister's letter of August 4, 2023 regarding educational resources for gender-based violence
- The Hon. Selina Robinson, Minister of Post-Secondary Education and Future Skills and cc'd to the Minister of Education and Child Care, a letter in response to the Minister of Education and Child Care's letter of July 24, 2023 regarding neurodiversity training for educators, early childhood educators and educational assistants.
- To Hon. Minister Singh & Carolyn Broady, BCSTA president, a follow-up letter to the letter of June 19, 2023, inviting them to visit our District

3.8 Key City Theatre Society (KCTS) Report

- First meeting of new season has been postponed and will be scheduled following the AGM of October 16
- Steering Committee meeting, of which Trustee Johns and I are members took place on September 19

3.12 Trustee Report – Trina Ayling

Sept 13 –CDTA Executive meeting

Sept 13 –TMRES PAC meeting

Sept 14 –CUPE Executive meeting

Sept 19 –KCTS Steering Committee meeting

Sept 21 –Superintendent evaluation session

Sept 25 –SD5 committee day

Sept 27 –LMS Indigenous sign unveiling ceremony

Sept 27 –PES PAC meeting

Oct 4 –CDTA Executive meeting

Oct 4 –TMRES PAC meeting

Oct 5 –KCT Indigenous Artist Reception

SD #5 Report October 2023 from Legacy of Learning

01. -Sasha Buckley, Mount Baker alternative student, employed by CBIRH, posts blog piece on school and homework and experience as an alternate student.
02. Printed another colour print to complete the Cranbrook High School Girls' Bugle Band display - \$75.00.
03. Installed new photo display frames in entrance hallway at Board office.
04. Removed Isabella Dicken display from Board Room #1 – destined for Kootenay Learning Campus.
05. Worked on 4-H exhibit for Board Room #2 – contacted 4-H leader for East Kootenay and printed central exhibit panel - \$400.00.
06. Worked on “South Country Schools” exhibit for Board Room #2 – researched and printed central interpretive panel - \$300.00.
07. Made plans for other changes to Board Room #2 during our visit Saturday September 16 – 6 hours - \$150.00.
08. Research and planning of exhibits – 8 hours - \$200.00.
09. Began research on new “Drama” exhibit for Board Room – featuring some SD #5 grads – Brent Carver, Martin Lindquist, Jeremy Raymond. Will contact Fernie for possible grads to include from there.



September 19, 2023

Our File No: 3360.20.2208

Superintendent / Secretary Treasurer
School District No: 5
940 Industrial Road No 1
Cranbrook, BC
V1C 4C6

Re: Shadow Mountain East Side – Proposed OCP Amendment Bylaw No. 4124

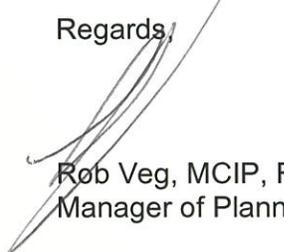
The City of Cranbrook has received applications to amend the City's Official Community Plan. We are circulating the school district for your information and comments, if applicable. The properties are located on Corral Road in the east side of the Shadow Mountain development known as Oasis at the Dunes. Maps are included in the enclosed staff report.

On September 11, 2023, City Council gave first reading to "**City of Cranbrook Official Community Plan Amendment Bylaw No. 4124, 2023**".

Approval of the proposed OCP amendment will enable consideration of a zoning amendment to facilitate the proposed development of single family lots, duplex units, multi-family townhouse units & condo units while providing for different housing type options including single, two, three and four family dwellings, and multi-family condo units. The overall projected number of units at build-out on the east side would be approximately 481.

If you have any questions or wish to provide comment, you can return any comments to my attention by October 16, 2023 or call me at (250) 489-0241.

Regards,



Rob Veg, MCIP, RPP
Manager of Planning

RV/rv

Enclosure



MOUNTAINS OF OPPORTUNITY

CRANBROOK

COUNCIL REPORT
FILE NO. 3360.20.2208

Regular Council - 11 Sep 2023

TITLE: Official Community Plan Amendment Bylaw No. 4124, 2023 - Oasis at the Dunes (Shadow Mountain East)

PREPARED BY: Rob Veg

DEPARTMENT: Engineering and Development Services

PURPOSE: To consider first reading of an amendment to the City's Official Community Plan to amend the St Mary Neighbourhood Plan to facilitate development of single family lots, duplex dwellings and townhouse units on the lands.

RECOMMENDATION BY STAFF

THAT Council give first reading to "City of Cranbrook Official Community Plan Amendment Bylaw No. 4124, 2023" and authorize staff to undertake public consultation on the proposed amendment.

BACKGROUND INFORMATION:

An application has been received from Haworth Development Consulting on behalf of the owners, Oasis at the Dunes Ltd, to amend the City's Official Community Plan by making changes to the St. Mary Neighbourhood Plan. The subject properties are legally described as Lot 6, EPP4920 and part of Lot A, Plan EPP109655 & Lot 1 Plan EPP4920 District Lot 9877 Kootenay District Plan EPP112056, which are located on the east side. The subject lands are approximately 49.9 ha (123.3 acres in size) and designated as Comprehensive Development in the OCP.

The applicant is proposing to amend the St. Mary Neighbourhood Plan in the OCP to permit development of single family lots, duplex, townhouse units and multifamily condo units on portions of the subject lands. Proposed changes to the Neighbourhood Plan include:

1. Amending the Housing Typology Chart by adding a new category for "two-family residential use" and amending the total unit distribution counts for the East Side to include: 156 strata single family detached and two family residential; 19 future strata single family; and 118 multi-family residential.
2. Amend *Appendix 1 Conceptual Development Plan St Mary Neighbourhood Plan* (attached to bylaw) by changing the land use categories of the subject property as follows:
 - a) Lot 1, District Lot 9877 KD Plan EPP4920 & Lot A and an undivided 115/247 share in Lot 1, District Lot 9877, Kootenay District Plan EPP109655
 - "Golf District" to "Estate Single Family Residential"
 - "Estate Single Family Residential" to "Low Density Residential & Low Density Multi-family Residential"
 - "Community Open Space" to "Low Density Multi-Family Residential"
 - b) Lot 1 and an undivided 92/247 share in Lot 1 Plan EPP4920 District Lot 9877 KD Plan EPP112056 from "Estate Single Family Residential" to "Medium Density Residential".

This amendment (along with forthcoming zoning amendment) will facilitate the proposed development of approximately 10 single family lots, 18 duplex units, 54 multi-family townhouse units & 60 condo units while providing for different housing type options including single, two, three and four family dwellings, and multi-family condo units. The total number of units proposed within Shadow Mountain East Side strata is 293 and

188 units for the adjacent lands for a total of 481 potential dwelling units on the entire east side. This equates to approximately 2.5 units per hectare in overall density for the East Side Development Lands (not including the adjacent lands).

It is noted that the portion of the lands that are currently "open space" were intended for the development of a water reservoir and not as park or public green space and due to a redesign of the community infrastructure the reservoir location is no longer required.

Staff Comments

The subject properties are within the St. Mary Neighbourhood Plan area and are currently designated for primarily "Estate Single Family Residential" development based on the current conceptual development plan with some portions of the lands designated as Open Space and Golf Course district as well. As noted above, the open space portion was originally intended for utility purposes and the golf designation area is overlapping onto the parcel (result of original map lines not following legal parcel boundaries).

The original concept in the neighbourhood plan contemplated up to 301 units total on the east side lands. The largest increase is seen in the multi-family category of which none have been built to date. If approved, the maximum number of units on the east side (including the adjacent lands) could be 481. It is noted that the neighbourhood plan did envision development on lands that are adjacent to the main development which is where some of the total potential density can be attributed to; however, there has been no indication that those land owners are interested in developing. Under the "Housing Types" section in the plan, it was acknowledged that "the precise number of residential units and mix is expected to be refined throughout the development lifespan". Since the various ownership changes, these new housing mixes have evolved based on the current owners' desired development plan.

The increase in allowable potential density along with a provision of a variety of housing types is consistent with and supported by the City's OCP Residential policies that encourages efficient use of land and infrastructure and moving towards a higher percentage of multifamily housing in the City. This is now even more feasible in this area with the pending completion of the new municipal sewer system to service the east and west side developments.

Pending first reading, the proposed amendments will be advertised in the local newspaper, and circulated to adjacent property owners/occupants, and school district as part of the public consultation process.

ALTERNATIVE:

THAT Council not give first reading to "City of Cranbrook Official Community Plan Amendment Bylaw No. 4124, 2023"

BUDGETARY IMPACT:

nil

POLICY IMPLICATION:

nil

STRATEGIC PLAN ALIGNMENT:

Continue to Build a Safe and Vibrant Community in Which to Live and Work;
Create a Supportive Environment for Growth in Housing and Economic Development;

ATTACHMENTS:

[Location Map](#)

[ocp bylaw 4124](#)

[Application package](#)

Approved By:

Mike Matejka, Director, Engineering and Development Services

Mark Fercho, Chief Administrative Officer

Status:

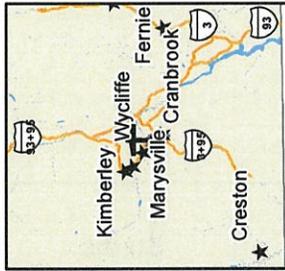
Approved - 06 Sep 2023

Approved - 07 Sep 2023



Location Map

Inset Map



0 20 40 80 120 160
Metres

16234

Projection: UTM ZONE 11N NAD 83

DISCLAIMER:
This map is for general purposes only. The City of Cranbrook makes no warranties regarding the accuracy of the suitability of the map for any purpose. This map is not for navigation or legal purposes. The City of Cranbrook will not be liable for any damage, loss or injury resulting from the use of the map or information on the map and the map may be changed at any time.

Data Source:
Digital Road Atlas (ILMB)
Ortho Imagery (July 2009, 10cm accuracy)

Date:
Contact:





THE CORPORATION OF THE
CITY OF CRANBROOK

BYLAW NO. 4124

OFFICIAL COMMUNITY PLAN
AMENDMENT BYLAW

A bylaw to provide for the amendment of "City of Cranbrook Official Community Plan Bylaw No. 3550, 2006" under the Local Government Act, Chapter 323 (R.S.B.C. 1996);

The Municipal Council of the Corporation of the City of Cranbrook, in open meeting assembled, enacts as follows:

1. THAT this bylaw may be cited as "City of Cranbrook Official Community Plan Amendment Bylaw No. 4124, 2023".
2. THAT Section 23, Schedule I-4 St. Mary Neighbourhood Plan, Section .5 a) (3) Housing Types chart be deleted and replaced with the following updated chart:

Residential Typology	West Side	East Side	Total #
Shadow Mountain Strata Single-family detached and Two-family residential	456	156	612
Shadow Mountain Strata Future single-family	16	19	35
Adjacent St Mary Neighbourhood Single-family detached	187	88	275
Shadow Mountain Strata Multi-family residential	610	118	728
Adjacent St Mary Neighbourhood Two Family, Three Family, Four Family and Multi-family Residential	0	100	100
TOTAL	1269	481	1750

3. THAT Section 23, Schedule I-4 St. Mary Neighbourhood Plan, Section .5 a) (4) be amended by deleting the table and replacing it with the following updated table:

Density	Shadow Mountain West	Shadow Mountain East	Total
Gross Hectare	143.73 ha	117.90 ha	261.63 ha
DU's per Gross Hectare	7.5	2.5	

4. THAT Section 23, Schedule I-4: St. Mary Neighbourhood Plan be amended by deleting Appendix 1 Conceptual Development Plan and replacing it with the new Appendix 1 Conceptual Development Plan, as outlined in the attached Schedule "A", which:
- changes the conceptual development plan designation for portions of Lot 6 and an undivided 22/247 share in Lot 1, District Lot 9877 Kootenay District Plan EPP4920 & part of Lot A and an undivided 115/247 share in Lot 1, District Lot 9877, Kootenay District Plan EPP109655 from Estate Single Family Residential to Low Density Residential and Low Density Multi Family Residential
 - changes the conceptual development plan designation for part of Lot 1 and an undivided 92/247 share in Lot 1 Plan EPP4920 District Lot 9877 Kootenay District Plan EPP112056 from Estate Single Family Residential to Medium Density Residential.
5. THAT "City of Cranbrook Official Community Plan Bylaw No. 3550, 2006" and amendments thereto form part of "City of Cranbrook Official Community Plan Amendment Bylaw No. 4080, 2022" as Schedule "B".

Read a first time this day , 2023

Read a second time this day of , 2023

Submitted to Public Hearing this day of , 2023

Read a third time this day of , 2023

Adopted this day of , 2023

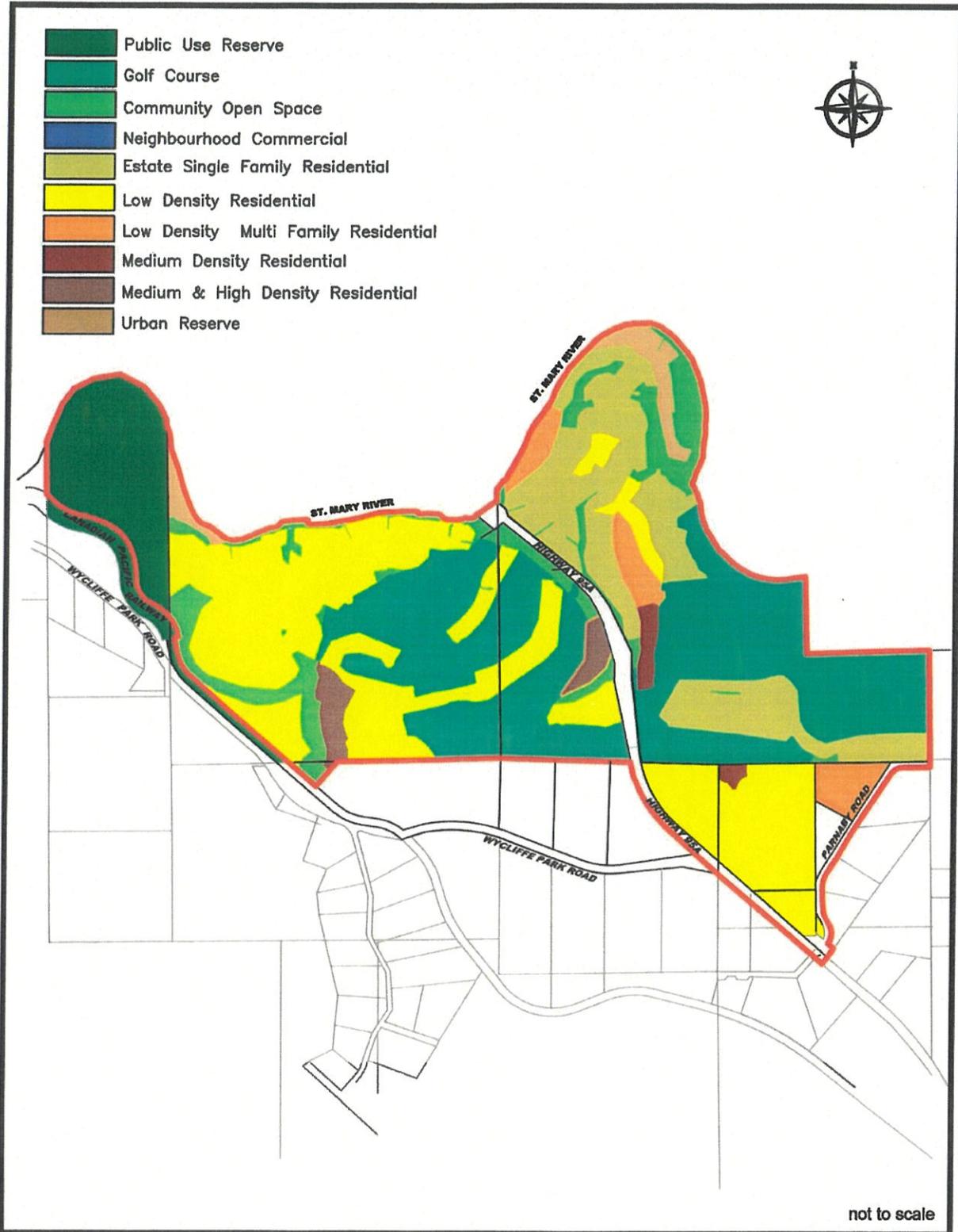
Mayor

City Clerk

Schedule A to OCP Bylaw 4124, 2023

Conceptual Development Plan
St Mary Neighbourhood Plan

Appendix 1



not to scale

SCHEDULE "B" to BYLAW NO. 4124

City of Cranbrook Bylaw No. 3550 as amended as at date of first reading of this Bylaw is hereby incorporated by reference into and made part of this Bylaw. A copy of that Bylaw is available for inspection at the office of the Director of Corporate Services Monday through Friday from 8:30 a.m. to 4:30 p.m. and copies may also be purchased.

15 August 2023

City of Cranbrook
40 – 10th Avenue South
Cranbrook, BC V1C 2M8

Attn: Mr. Rob Veg

Re: Shadow Mountain (East) – Proposed Zoning and OCP Amendments
Lot 6 and an Undivided 22/247 Share in Lot 1, District Lot 9877, Kootenay District Plan EPP4920
Lot A and an Undivided 115/247 Share in Lot 1, District Lot 9877, Kootenay District Plan EPP109655 (See Plan as to Limited Access)
Lot 1 and an Undivided 92/247 Share in Lot 1 Plan EPP4920, District Lot 9877, Kootenay District Plan EPP112056 (See Plan as to Limited Access)

Dear Mr. Veg,

On behalf of our clients, Oasis at the Dunes Ltd., Cabins in the Woods Inc., and Target Appointments Inc., Haworth Development Consulting submit this application for land use amendment for Lot 6 Plan EPP4920, Part of Lot A Plan EPP109655, and Part of Lot 1 Plan EPP112056 within the St. Mary Neighbourhood Plan area. The subject properties are described as follows:

Legal Description: **Lot 6 and an Undivided 22/247 Share in Lot 1, District Lot 9877, Kootenay District Plan EPP4920**
PID: 028-249-178

Owner: Oasis at the Dunes Ltd.
120 Garrison Circle,
Red Deer, AB T4P 0N9

Parcel Area: 9.82 ha (24.26 acre)

BC Assessment Roll: 22-205-45106.000

Legal Description: **Lot A and an Undivided 115/247 Share in Lot 1, District Lot 9877, Kootenay District Plan EPP109655 (See Plan as to Limited Access)**
PID: 031-343-724

Owner: Cabins in the Woods Inc.
1351 Lakeshore Drive, Highway 3A
Boswell, BC V0B 1A4

Target Appointments Inc.
202 - 502 3rd Avenue
Ferne, BC V0B 1M0

Parcel Area: 32.8 ha (81.0 acre)

BC Assessment Roll: 22-205-45102.250

Legal Description: **Lot 1 and an Undivided 92/247 Share in Lot 1 Plan EPP4920 District Lot 9877 Kootenay District Plan EPP112056 (See Plan as to Limited Access)**
PID: 031-840-108

Property Address: Parnaby Road
Cranbrook, BC

Owner: Oasis at the Dunes Inc.
120 Garrison Circle
Red Deer, AB T4P 0N9

Parcel Area: 7.39 ha (18.3 acre)

We are proposing to amend the City of Cranbrook Zoning Bylaw No.3977 and City of Cranbrook Official Community Plan to permit a range of residential uses on this parcel in accordance with the concept plan attached as Appendix A.

There are two components to this zoning amendment application:

LOT 6 EPP4920 AND PART OF LOT A PLAN EPP109655

The first part of this application deals with those lands described as Lot 6, EPP4920 and that part of Lot A, Plan EPP109655 which is located immediately south of Lot 6, Plan EPP4920 and is known as the reservoir lot. This part of Lot A, Plan EPP109655 is being consolidated with Lot 6, Plan EPP4920.

The intent of this proposed zoning and OCP amendments is to permit development of single family lots, duplex dwellings and townhouse units on the lands. The conceptual site plan illustrates 10 single family bareland strata lots, 18 duplex units (bareland strata) and two strata developments comprising a total of 54 duplex and townhome units for a total of 82 units on the lands.

The proposed development will be accessed from the internal road system at Shadow Mountain. Municipal water and sewer will be provided for the development.

That portion of the lot proposed for single family residential lots is currently designated Single Family Residential District (Estate) and Golf District. That portion designated Golf District is within the area of geotechnical setback and is unbuildable for both golf and residential uses. We are proposing to rezone the portion designated Golf District to Single Family Residential District (Estate) so that the lots are not split zoned. The portion of the lots currently zoned Single Family Residential District (Estate) will remain as-is.

We are proposing to rezone the remainder of the parcel to permit duplex and multi-family development. All lands are to remain CD-3, but we are proposing amendments to the land use designations within this comprehensive development zone.

We are proposing to designate that portion of the lands intended for duplex dwellings to a new small lot two family residential designation. The following amendments to the CD-3 zone are proposed (new designation):

.F Two Family Residential District - Small Lot

Purpose

The purpose of this District is to designate land for small lot two family residential development in a housing format designed to preserve topography, natural features, and environmentally sensitive areas.

.1 Permitted uses

The following uses are permitted:

- (a) Two family dwelling, separated by a common vertical wall (side-by-side)
- (b) Park
- (c) Private utility use

.2 Accessory Uses

- (a) Home based business
- (b) Residential office
- (c) Secondary suite
- (d) Other uses, buildings and structures that are accessory to a permitted use.

.3 Parcel Area and Dimensions

- (a) No person shall locate a two-family dwelling on a parcel in the Two Family Residential (Small Lot) District that is:
 - a. Less than 370.0 m² in area where the dwelling units are separated by a vertical common wall;
 - b. Has a front parcel line less 12.0 m in length, except that in the bulb of a cul-de-sac, the front parcel line shall not be less than 10.0m in length.
- (b) Where a parcel is to be subdivided for the purpose of creating separate titles for each dwelling unit of a two family dwelling, the new parcels created shall contain not less than one-half (½) the minimum required parcel area for a two family dwelling and not less than one-half (½) the minimum required front parcel line for a parcel in the Single Family and Two Family Residential (Small Lot) District.

.4 Density

- (a) No person shall locate more than one (1) two family dwelling on a parcel in the Two Family Residential (Small Lot) District.

.5 Siting

- (a) No portion of a building, structure or paving shall be located within any conservation reserve, except through an ESA Development Permit.
- (b) The minimum siting requirements for a principal building, require a:
 - (i) 6.0 m front yard setback
 - (ii) 6.0 m rear yard setback, except when a parcel abuts the Golf District where it may be reduced to 3.0 m provided that the parcel does not contain a conservation reserve or that a conservation reserve does not exist in the Golf District immediately adjacent to the parcel
 - (iii) 1.8 m interior side yard setback
 - (iv) The interior side yard setback may be reduced to 0.0m on one side provided that the “0” setback adjoins a lot in the Two Family Residential (Small Lot) District and that adjoining lot has also reduced the adjoining setback to 0.0m. Prior to issuance of a building permit for a principal building with a “0” setback, a common wall agreement must be registered.
 - (iv) 4.5 m exterior side yard setback
- (c) No accessory buildings shall be permitted in the front yard and the minimum siting requirements for an accessory building or structure require a:
 - (i) 2.1 m rear yard, setback, except when the principal building setback has been reduced as per Section 7.28.3.B.5(b)(ii) in which case no accessory building or structure shall be permitted in the rear yard
 - (ii) 1.8 m interior side yard setback
 - (iii) 4.5 m exterior side yard setback

.6 Size and Dimensions of Buildings and Structures

- (a) A principal building shall not exceed a height of 2½ storeys or 9.5 m whichever is lesser.
- (b) Secondary suites shall be permitted in accordance with the regulations in Section 4.17 of this bylaw.
- (c) No accessory building or structure shall exceed a height of 4.5 m
- (d) On parcels without conservation reserve, the parcel coverage shall not exceed 40% for the total of buildings, structures, and impervious surfaces.

- (e) On parcels with conservation reserve, a maximum of 50% of the front yard, 25% of the rear yard may contain impervious surfaces and a maximum of a 3.0 m wide impervious surface shall be permitted on one (1) side yard.

We are further proposing to amend the designation for that portion of the lands proposed for duplex and multi-family development. This portion of the lands is proposed as a building strata (vs. a bareland strata) and is to be designated Low Density Multiple Family Development District. We are proposing amendments to this designation as follows (changes are shown in red):

Low Density Multiple Family Development District

Purpose

The purpose of this District is to provide for low density two family, three family and four family dwelling units.

.1 Permitted Uses

The following uses only are permitted:

- (a) Two Family Dwelling
- (b) Three Family Dwelling
- (c) Four Family Dwelling
- (d) Park

.2 Accessory Uses

- (a) Residential Office
- (b) Common Storage Area
- (c) Other uses, buildings and structures that are accessory to a permitted use.

.3 Parcel Area and Dimensions

- (a) **The minimum parcel area shall be not less than 1.0 ha.**
- (b) No parcel shall be created which has a front parcel line less than 20.0 min length.

.4 Density

- (a) The maximum permitted number of dwelling units on a parcel shall not exceed 25 dwelling units per gross hectare.

.5 Siting

- (a) The minimum siting requirements for a principal building are:
 - (i) 6.0 m front yard setback
 - (ii) 6.0 m rear yard setback
 - (iii) 4.5 m interior side yard
 - (iv) 6.0 m exterior side yard setback
- (b) No accessory buildings shall be permitted in the front yard or exterior side yard and the minimum siting requirements for an accessory building or structure require a:
 - (i) 3.0 m rear yard setback
 - (ii) 3.0 m interior side yard

- (c) No common storage area is permitted within the front yard or exterior side yard. Otherwise, a common storage area shall have the following setbacks:
 - (i) Rear yard 6.0 m
 - (ii) Interior side yard 4.5 m
- .6 Size and Dimensions of Buildings and Structures
 - (a) A principal building shall not exceed a height of 10.0 m or 3 storeys in height, whichever is less, except that within Lot 5, District Lot 10366, Kootenay District Plan NEP82933 a principal building shall not exceed a height of 8.6 m or 2½ storeys in height, whichever is less.
 - (b) An accessory building or structure shall not exceed a height of 4.5 m.
 - (c) Not more than 50% of a parcel shall be covered with buildings and structures.
- .7 Development Concept Plan - See color map next page

LOT 1 PLAN EPP112056

The second part of this application deals with those lands described as Lot 1 and an Undivided 92/247 Share in Lot 1 Plan EPP4920 District Lot 9877 Kootenay District Plan EPP112056 (See Plan as to Limited Access)

We are proposing to amend the City of Cranbrook Zoning Bylaw No.3977 and City of Cranbrook Official Community Plan to permit development of a 60-unit residential condominium style building on a portion of Lot 1, EPP112056.

The portion of Lot 1, EPP112056 proposed for land use amendment is identified as proposed Lot 9 on our application for subdivision submitted to the City of Cranbrook on 11 April 2023. Proposed Lot 9 will comprise approximately 1.54ha (3.8 acres).

The proposed development will be accessed from the internal road system at Shadow Mountain. Municipal water and sewer will be provided for the development.

To permit the development envisioned for this property, we are proposing to amend the Shadow Mountain CD-3 Comprehensive Development Zone to designate the subject property for Multiple Family Development (as shown on revised Development Concept Plan, see Appendix A) and to amend the text of the Multiple Family Development District of the CD-3 Zone as follows. All proposed amendments to the zone are shown in red:

.D Multiple Family Development District

The purpose of this District is to provide for a variety of multiple family dwellings in a range of densities. Refer to Section 7.28.3.E.7 of this zone for the Concept Development Plan and location of the ~~five (5)~~ six (6) multiple family parcels.

- 1. Permitted Uses The following uses only are permitted:
 - (a) Townhouse
 - (b) Apartment

- (c) Cluster development
 - (d) Park
 - (e) Private utility use
2. Accessory Uses
 - (a) Residential office
 - (b) Common storage area
 - (c) Other uses, buildings and structures that are accessory to a permitted use.
 3. Parcel Area and Dimensions
 - (a) No parcel shall be created which has a front parcel line less than 12.0 m in length.
 - (b) Where a parcel with a townhouse located on it is subdivided along a common wall, the front parcel line shall be not less than 6.0 m in length for each parcel created by the subdivision.
 4. Amenity Space
 - (a) Multiple family dwellings shall provide 15.0 m² of common amenity area per dwelling unit
 5. Density
 - (a) The maximum permitted number of dwelling units per gross hectare on a parcel are as follows:

(i) Parcel A	2 dwelling units	per gross hectare
(ii) Parcel B	76 dwelling units	per gross hectare
(iii) Parcel C	100 dwelling units	per gross hectare
(iv) Parcel D	105 dwelling units	per gross hectare
(v) Parcel E	91 dwelling units	per gross hectare
(vi) Parcel F	40 dwelling units	per gross hectare
 - (b) Where additional common amenity area is provided on parcels B, C, D, ~~and/or E and/or F~~, a density bonus of one (1) additional dwelling unit per 18.0 m² of additional common amenity area may be located, to a maximum density as follows:

(i) Parcel B	98 dwelling units	per gross hectare
(ii) Parcel C	130 dwelling units	per gross hectare
(iii) Parcel D	136 dwelling units	per gross hectare
(iv) Parcel E	118 dwelling units	per gross hectare
(v) Parcel F	50 dwelling units	per gross hectare
 - (c) Where concealed off-street parking spaces are provided on parcels B, C, D, ~~and/or E and/or F~~, a density bonus of one (1) additional dwelling unit per two (2) concealed off-street parking spaces may be located, to a maximum density as follows:

(i) Parcel B	98 dwelling units	per gross hectare
(ii) Parcel C	130 dwelling units	per gross hectare
(iii) Parcel D	136 dwelling units	per gross hectare
(iv) Parcel E	118 dwelling units	per gross hectare
(v) Parcel F	50 dwelling units	per gross hectare

6. Siting

- (a) No portion of a building, structure or impervious surface shall be located within any conservation reserve, except through an ESA Development Permit.
- (b) The minimum siting requirements for a principal building are:
 - (i) 7.6 m front yard setback
 - (ii) 7.6 m rear yard setback, except that it may be reduced to k
 - (A) 5.0 m when abutting the Golf District, provided that there is no conservation reserve on the parcel or on the golf course immediately adjacent to the parcel
 - (iii) 4.5 m interior side yard setback except that it may be reduced to:
 - (A) 3.0 m when abutting the Golf District, provided that there is no conservation reserve on the parcel or on the golf course immediately adjacent to the parcel, and
 - (B) shall be increased to 7.6 m for four (4) storey buildings
 - (iv) 7.6 m exterior side yard setback, except that it may be reduced to:
 - (A) 4.5 m for a building that is two (2) storeys or less in height and where no driveway or off street parking is situated within the front yard setback.
- (c) No accessory buildings shall be permitted in the front yard or exterior side yard and the minimum siting requirements for an accessory building or structure require a:
 - (i) 3.0 m rear yard setback and where the rear yard setback for the principal building has been reduced, an accessory building or structure shall not be permitted in the rear yard.
 - (ii) 3.0 m interior side yard
- (d) No common storage area is permitted within the front yard, exterior side yard or where the rear yard setback has been reduced. Otherwise, a common storage area shall have the following setbacks:
 - (i) Rear yard 3.0 m
 - (ii) Interior side yard 3.0 m

7. Size and Dimensions of Buildings and Structures

- (a) A principal building shall not exceed a height of 30.0 m on Parcels B, C, D, and E and F and shall not exceed a height of 9.5 m on Parcel A.
- (b) An accessory building or structure shall not exceed a height of 4.5 m.
- (c) Not more than 70% of the developable area of a parcel shall be covered with buildings, structures, and off-street parking areas.
- (d) The distance between facing buildings greater than 12.0 m in height shall be a minimum of 30.5 m.

OCP AMENDMENTS APPLICABLE TO ALL EAST SIDE LANDS

Amendments to the St. Mary Neighbourhood Plan are required to facilitate the proposed zoning amendments and to update to reflect current development approvals.

We are proposing to amend the OCP neighbourhood plan Housing Typology chart in Section 23.5(a)(3) as follows:

Residential Typology	West Side	East Side	Total #
Shadow Mountain Single-Family Detached and Two-Family Residential	456	156	612
Shadow Mountain Future Single-Family Residential	16	19	35
Adjacent St Mary Neighbourhood Single-Family Detached Residential	187	88	275
Shadow Mountain Multi-Family Residential	610	118	728
Adjacent St Mary Neighbourhood Two Family, Three Family, Four Family and Multi-Family Residential	0	100	100
	1269	481	1750

For the amendments proposed above, we have amended the table to add “Two-family residential” to the single-family detached category and have updated the number of units proposed within the East Side to reflect current planning and approved densities at Shadow Mountain East.

We are also proposing to amend 23.5(a)(4) Density table:

Density	West Side	East Side	TOTAL
Gross Hectare	143.73 ha	117.90 ha	261.63 ha
DU's per Gross Hectare	7.5	2.5	

Amendments to the density table reflect the current units counts shown in the residential typology table for lands within the bounds of Shadow Mountain.

Minor amendments to OCP Appendix 1 are required to facilitate the above zoning amendments. We are proposing to amend Appendix 1 to reflect proposed zoning amendments:

- a. Golf District to Estate Single Family Residential
- b. Estate Single Family Residential to Low Density Residential
- c. Estate Single Family Residential to Low Density Multi-Family Residential
- d. Estate Single Family Residential to Medium Density Multi-Family Residential
- e. Community Open Space to Low Density Multi-Family Residential

Note that the area proposed to change from Community Open Space to Low Density Multi-Family Residential was originally intended for development of a water reservoir. These lands were not intended as a park or other publicly accessible greenspace, but rather as a utility lot. Due to redesign of the community infrastructure this reservoir location is no longer required.

The following documentation and other information are attached to this application:

- Application Fee
- Land Use Application
- Agent Authorization
- Current Title Searches

We trust that the preceding is complete and to your requirements.

Please feel free to contact the undersigned at your convenience if you have any questions or require additional information regarding this application.

Sincerely,

Haworth Development Consulting Ltd.

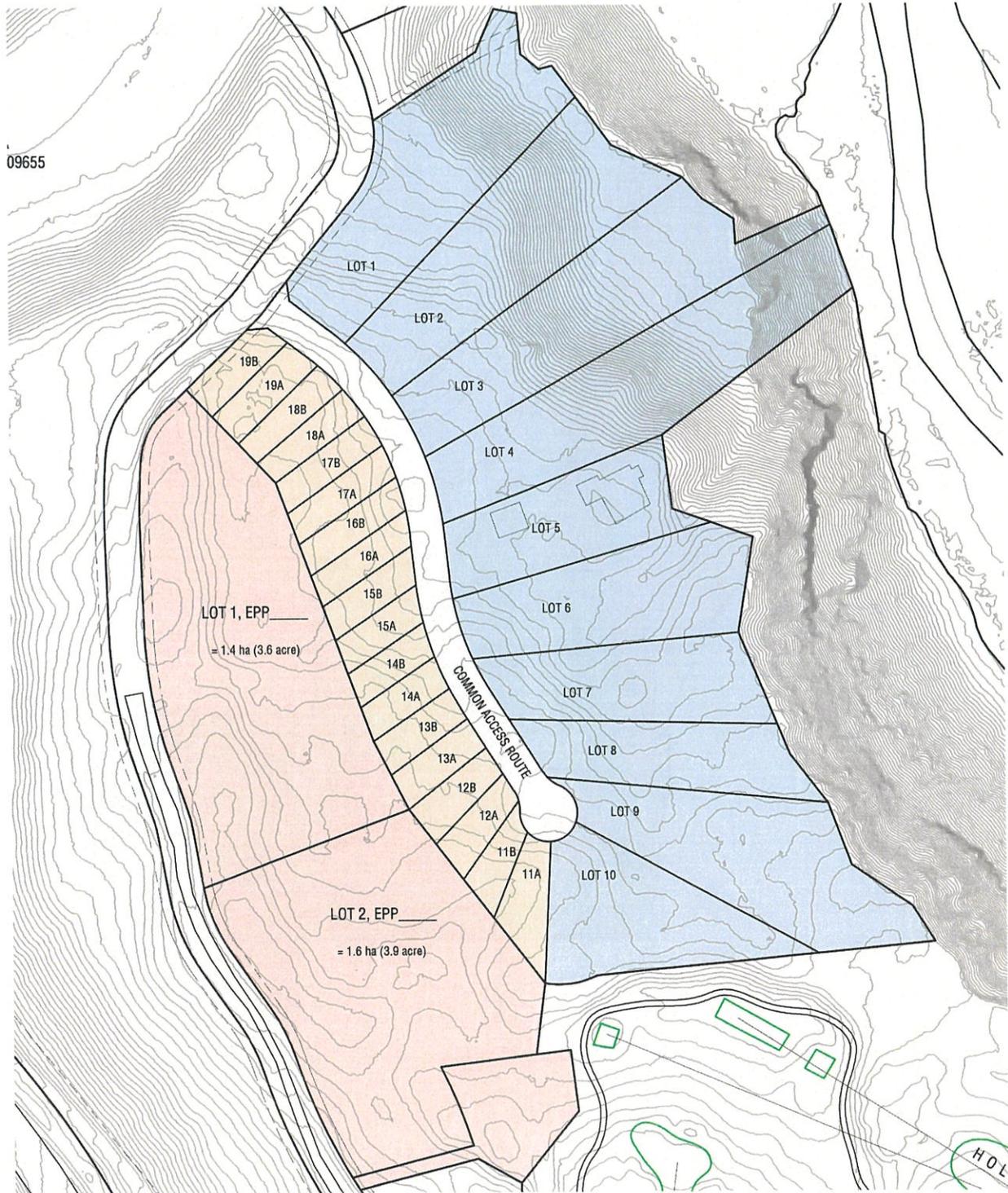


Richard Haworth

Encl.

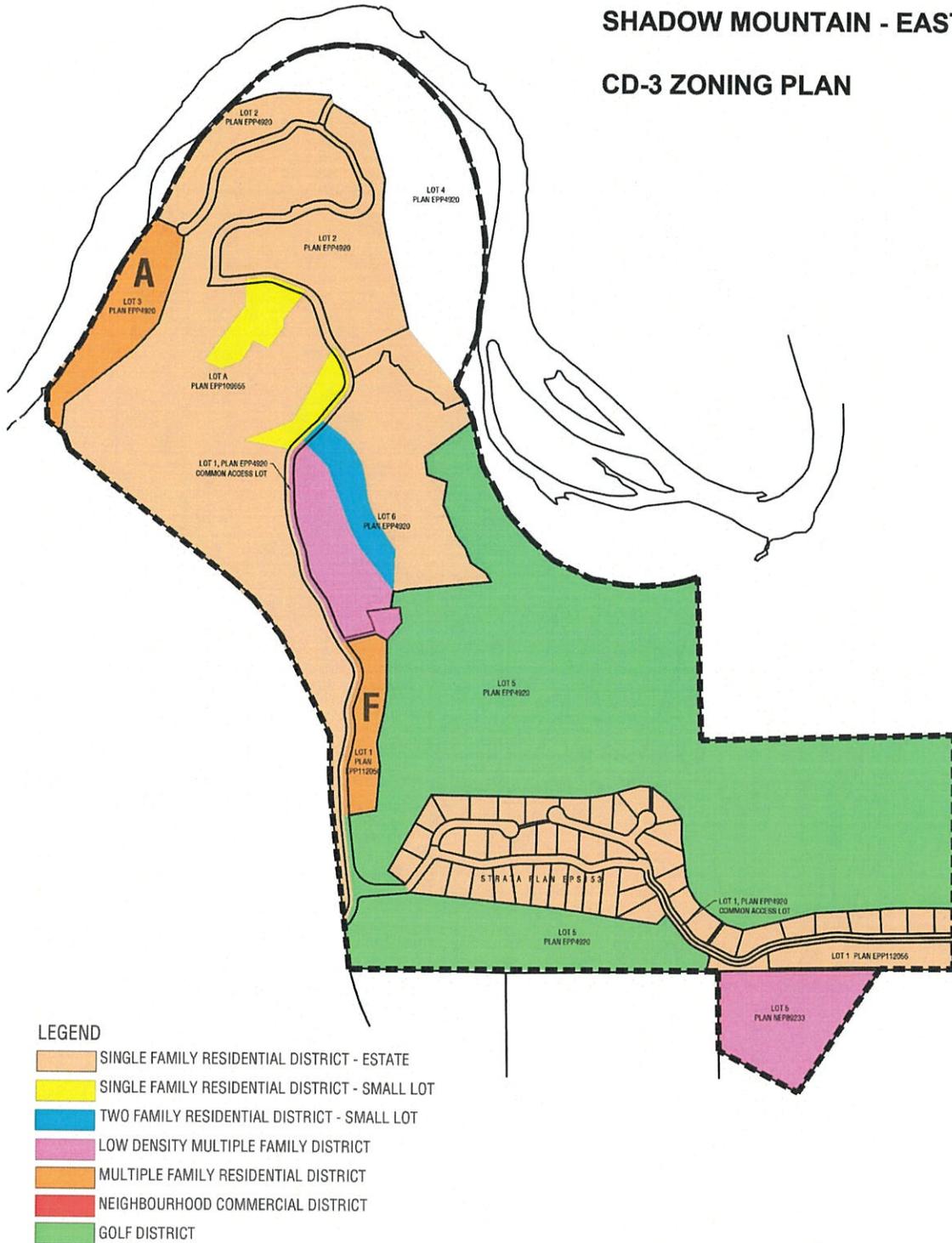
cc. *Andrea Warkentin, Oasis at the Dunes Ltd.
Patrick Lough, Cabins in the Woods Inc. / Target Appointments Inc.*

Appendix A – Proposed Site Plan



Appendix B - Development Concept Plan

SHADOW MOUNTAIN - EAST CD-3 ZONING PLAN



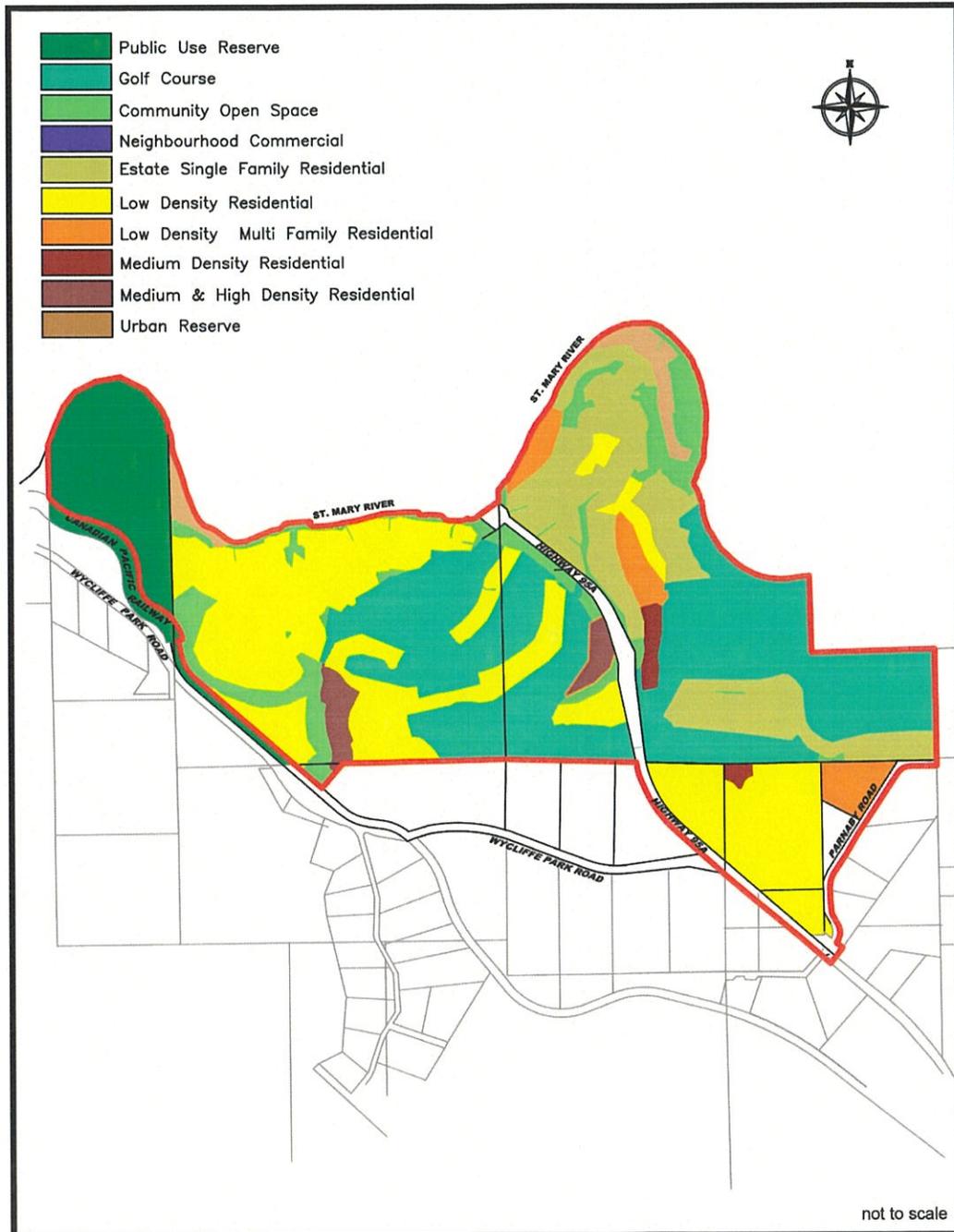
LEGEND

- SINGLE FAMILY RESIDENTIAL DISTRICT - ESTATE
- SINGLE FAMILY RESIDENTIAL DISTRICT - SMALL LOT
- TWO FAMILY RESIDENTIAL DISTRICT - SMALL LOT
- LOW DENSITY MULTIPLE FAMILY DISTRICT
- MULTIPLE FAMILY RESIDENTIAL DISTRICT
- NEIGHBOURHOOD COMMERCIAL DISTRICT
- GOLF DISTRICT

Appendix C – Proposed OCP, St. Mary Neighbourhood Plan, Appendix 1

Conceptual Development Plan
St Mary Neighbourhood Plan

Appendix 1



not to scale

City of Cranbrook
Official Community Plan
Schedule 1-4 Appendix 1

Amendment Bylaw 3632, 2008



OMBUDSPERSON
BRITISH COLUMBIA

August 31, 2023

Viveka Johnson
Superintendent of Schools
School District 05 (Southeast Kootenay)
940 Industrial Road
Suite 1
CRANBROOK BC V1C 4C6

Dear Viveka Johnson,

RE: Office of the Ombudsperson Quarterly Report: April 1 - June 30, 2023

This package of documents details the complaint files the Office of the Ombudsperson closed for School District 05 (Southeast Kootenay) between April 1 and June 30, 2023. Though no action is required on your part, we hope that you will find this information useful and share it within your organization.

These reports provide information about the complaint files we closed regarding your organization within the last quarter, including both files we investigated and files we closed without investigation. Files currently open with the office are not included in these reports.

Enclosed you will find detailed reports containing the following:

- A one-page report listing the number of files closed and the category under which they were closed. The categories we use to close files are based on the sections of the Ombudsperson Act, which gives the Ombudsperson the authority to investigate complaints from the public regarding authorities under our jurisdiction. A more detailed description of our closing categories is available on our website at: <https://bcombudsperson.ca/assets/media/QR-Glossary.pdf>.
- If applicable: Copies of closing summaries written about the complaint files we investigated. These summaries provide an overview of the complaint received, our investigation and the outcome. Our office produces closing summaries for investigated files only, and not for enquiries or those complaints we chose not to investigate.
- If applicable: A summary of the topics identified in the complaint files closed during the quarter. We track general complaint topics for all complaints we receive, and when applicable, we include authority-specific and/or sector-specific topics for your organization and/or sector. Our office tracks the topics of complaints we investigate and those we close without investigation, but not for enquiries. Because complaints to our office are confidential, we do not share complaint topic information if we received too few complaints to preserve the complainants' anonymity.



If your organization received too few complaints to produce a summary of complaint topics but you would like further information about the complaints our office received about your organization, our Public Authority Consultation and Training (PACT) Team can provide further details upon request.

If you have questions about our quarterly reports or notice any inaccuracies in the data provided, or if you would like to sign up for our mailing list to be notified of educational opportunities provided by our Public Authority Consultation and Training Team, please contact us at 250-508-2950 or consult@bcombudsperson.ca.

Yours sincerely,

Jay Chalke
Ombudsperson
Province of British Columbia

Enclosures



Type of complaint closure for Authority: School District 05 (Southeast Kootenay)	# closed
<p>Enquiries – Many people who contact us are not calling to make a complaint, but are seeking information or advice. These contacts are classified as <i>Enquiries</i> to distinguish them from <i>Complaints</i>, which are requests that our office conduct an investigation.</p>	1
<p>Complaints with No Investigation – Our office does not investigate every complaint it receives. First, we determine whether we have authority to investigate the complaint under the <i>Ombudsperson Act</i>. We also have discretion to decline to investigate for other reasons specified in the <i>Ombudsperson Act</i>.</p>	0
<p>Early Resolution Investigations – Early Resolution investigations provide an expedited process for dealing with complaints when it appears that an opportunity exists for the authority to take immediate action to resolve the issue. Typical issues that are addressed through Early Resolution include timeliness, communication, and opportunities for internal review.</p>	0
<p>Complaint Investigations – When we investigate a complaint we may conclude with a determination that a complaint is not substantiated, or with a negotiated settlement of the complaint, or with public findings and recommendations. We may also exercise discretion to cease investigation for a number of other reasons specified in the <i>Ombudsperson Act</i>.</p>	0
<p>Reason for closing an Investigation</p>	
<p>Pre-empted by existing statutory right of appeal, objection or review.</p>	0
<p>Investigation ceased with no formal findings under the <i>Ombudsperson Act</i>.</p>	
<p>More than one year between event and complaint</p>	0
<p>Insufficient personal interest</p>	0
<p>Available remedy</p>	0
<p>Frivolous/vexatious/trivial matter</p>	0
<p>Can consider without further investigation</p>	0
<p>No benefit to complainant or person aggrieved</p>	0
<p>Complaint abandoned</p>	0
<p>Complaint withdrawn</p>	0



Complaint settled in consultation with the authority – When an investigation leads us to conclude that action is required to resolve the complaint, we try to achieve that resolution by obtaining the voluntary agreement of the authority to settle the complaint. This allows matters to be resolved fairly for the complainant and authority without requiring a formal finding of maladministration.	0
Complaint substantiated with formal findings under the <i>Ombudsperson Act</i> .	0
Complaint not substantiated under the <i>Ombudsperson Act</i> .	0
Ombudsperson Initiated Investigations – The Ombudsperson has the authority to initiate investigations independently from our process for responding to complaints from the public. These investigations may be ceased at the discretion of the Ombudsperson or concluded with formal findings and recommendations.	0

The tables below summarize the complaint topics we are tracking for your sector and/or authority and the number of times this topic was identified in the files (investigated and non-investigated complaints) that were closed in the most recent quarter.

If you would like more information on the types of complaints we receive, please contact our Public Authority Consultation and Training Team: email us at consult@bcombudsperson.ca or call us at 250-508-2950.

Sector-Specific Complaint Topics – All School Districts

Other	7	32%
Special Education	3	14%
Student Safety	6	27%
Student Suspension or Exclusion	6	27%

General Complaint Topics – All School Districts

Administrative Error	1	3%
Communication	6	17%
Delay	3	9%
Disagreement with Decision or Outcome	12	34%
Discrimination	1	3%
Other	4	11%
Process or Procedure	5	14%
Review or Appeal Process	1	3%
Treatment by Staff	2	6%