

April 28, 2022

Rob Gay, RDEK Director and Chair, Electoral Area C

Sent by email

Dear Director Gay

I am a long time home owner at FAR and I am not anti-development. The Galloway Development re-zoning application is arguably the most significant change proposed for the Elk Valley in the last 20 years. This isn't a small one-off request. It won't be here today and gone tomorrow. This application is a subdivision request for a parcel of land that is significant in both size and potential impact on the Elk Valley community.

The Galloway Development re-zoning application would allow the creation of a new community of multi-million dollar acreages inserted between two established communities, encompassing a vibrant fishery and wildlife migration corridor as well as being adjacent to the City of Fernie and Provincial Park boundaries. This project will take 15 to 20 years to be fully built. So because of the significance of this application and the length of time that the effects of an approval will be felt, this application must receive more scrutiny than a simple lot-line variance request. This is not a "simple re-zoning application".

The REDK Board together with RDEK support staff have the best high level view of this project. They have the ability to call on other reporting bodies for recommendations and expert opinions. They have broad-stroke knowledge of development applications throughout the East Kootenays and they should be able to evaluate building trends and technology. They should also have access to the historical track records of specific developers and they can consider this historical data, such as "did the homeowners and RDEK get what the Developer promised?" They have the responsibility to apply this knowledge to their review of the application.

At the January 14th Board meeting the four main areas of deficiency in the Handshake Holding application that the RDEK Directors identified were:

- road safety,
- wildfire and structure fire safety and suppression,
- septic and water systems,
- and environmental assessment.

Some of the RDEK Board members have argued that these are not areas of Director responsibility. This is wrong. RDEK Board of Directors have the overarching responsibility to ensure that any development that they approve meets or exceeds all the ministerial, environmental, public health and wildlife guidelines. They also have the responsibility to ensure that any application they approve is consistent with priorities and values of the Elk Valley community. MOTI, BC Ministry of the Environment, and Interior Health as well as technicians in engineering and waste water management all have specific areas of practice, but they do not have cross responsibility, nor are they responsible for assessing the overall needs of the community. These groups focus is their area of expertise. Only the RDEK Board has the mandate to assess the overall project impact and its fit with the local priorities and values.

Based on the three public forums where the Galloway re-zoning has been discussed, as well as by submissions by referral agencies and the public response from organization such as FSVCA, Wildsight, Elk River Alliance and concerned individuals, this project as presented would not seem to be consistent with the needs and values of the Elk Valley community.

The proposed Galloway Lands re-zoning application approval process should not be accelerated. An application of this scope must be conscientiously and patiently reviewed to ensure that it is thorough, complete and honest. If RDEK staff and Directors determine that the application does clear the procedural hurdles, the application decision must still take into account the community's priorities and values. If approval of the application would result in an outcome that is significantly inconsistent with these priorities and values then it should be rejected even if it "follows the rules".

RDEK Directors have the responsibility and the authority to send this application back to the drawing board.

Best regards
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